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PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, SECOND SESSION

SENATE

THURSDAY, AUGUST 14, 1958

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, our Father, as again we turn to waiting tasks, may the love of dear ones, the confidence of those who believe in us, the spur of conscience to do our best, and the commanding call of goodness be the white stars to lead us on, as we follow the gleam of the kindly light.

May we know no glory but the supreme satisfaction of rendering to the Nation and to the world our utmost service, unsullied by base motives of self-interest.

At this altar of devotion, we pledge unswerving firmness of purpose in the fulfillment of a high and holy cause as servants of the Republic and of this torn and tortured earth.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 13, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

GRAY REEF DAM AND RESERVOIR—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States:

To the Senate of the United States:

In compliance with the request contained in the resolution of the Senate (the House of Representatives concurring therein), I return herewith S. 4002, "An act to authorize the Gray Reef Dam and Reservoir as a part of the Glendo unit of the Missouri River Basin project."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 14, 1958.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 165. An act for the relief of Arthur LeRoy Brown;

S. 1542. An act for the relief of Lori Biagi;

S. 2043. An act for the relief of Genoveffa Maghozzi;

S. 2859. An act for the relief of Maria Pontillo; and

S. 3676. An act for the relief of Maria Michela Leo Di Gioia.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 3630) to amend the Veterans' Benefits Act of 1957 to provide that an aid and attendance allowance of $200 per month shall be paid to certain paraplegic veterans during periods in which they are not hospitalized at Government expense, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar;

H. R. 3904. An act for the relief of Nunik Firjanian and Florence Thomasi;

H. R. 4991. An act for the relief of Waldo E. Miller;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzgar;

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 7720. An act for the relief of Viola Belger;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8496. An act for the relief of William H. Pearlmutter;

H. R. 9239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes;

H. R. 9262. An act for the relief of the estate of A. A. Alexander;

H. R. 9950. An act for the relief of D. A. Whitaker and others;

H. R. 9952. An act for the relief of Mrs. Martha Nicomeri;

H. R. 10559. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11145. An act for the relief of Mrs. Dorothy (Hyman) Monk;

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 11817. An act for the relief of Adele M. Parker;

H. R. 11976. An act for the relief of Sister Mary Damion (Maria Saveria D'Amelio), Sister Maria Tarcisia (Maria Giovanna Fenuta), and Sister Maria Regina (Maria Lizzi);

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H.R. 12207. An act for the relief of Mr. and Mrs. Aito Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols;

H. R. 12286. An act for the relief of Mrs. Sue Pyle;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12747. An act for the relief of Col. Fred C. Gray;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Annellese Ottolenghi;

H. R. 13076. An act to provide for the free entry of certain chapel bells imported for the use of the Abelard Reynolds School No. 42, Rochester, N. Y.;

H. R. 13116. An act for the relief of Mr. and Mrs. Moses Glikowsky;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 676. Joint resolution for the relief of certain aliens.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 375. An act to amend the Interstate Commerce Act to provide for the validity and perfection of certain security interests in motor vehicles;

S. 377. An act to amend the Interstate Commerce Act and the Transportation Act of 1940, with respect to periods of limitation applicable to actions or claims, including those by or against the United States, for

recovery of charges for the transportation of persons or property, and for other purposes;

S. 532. An act to revise and modernize the fish and game laws of the District of Columbia, and for other purposes;

S. 1798. An act to amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from places within said inland waters and places within the inland waters of the State of Washington;

S. 3199. An act to amend section 2324 of the Revised Statutes, as amended, to change the period for doing annual assessment work on unpatented mineral claims so that it will run from September 1 of one year to September 1 of the succeeding year, and to make such change effective with respect to the assessment work year commencing in 1959;

S. 3259. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), as the same are amended, to provide for an increase in the authorization for funds to be granted for the construction of hospital facilities in the District of Columbia;

S. 3468. An act to provide for the construction and improvement of certain roads on the Navajo and Hopi Indian Reservations;

S. 3827. An act to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended;

S. 3880. An act to continue the Civil Aeronautics Board as an agency of the United States, to create a Federal Aviation Agency, to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and to provide for the safe and efficient use of the airspace by both civil and military aircraft, and for other purposes;

S. 4009. An act to amend the act authorizing the Washoe reclamation project, Nevada and California, in order to increase the amount authorized to be appropriated for such project;

S. 4059. An act to amend Reorganization Plan No. 1 of 1958 in order to change the name of the office established under such plan;

S. 4153. An act to authorize the delivery of sewage from Virginia into the sewerage system of the District of Columbia and the treatment of such sewage, and for other purposes;

H. R. 7466. An act to provide for the establishment of a facility of the Vicksburg National Military Park; and

H. R. 8308. An act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar;

H. R. 3904. An act for the relief of Nunik Firjanian and Florence Thomasi;

H. R. 4991. An act for the relief of Waldo E. Miller;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzgar;

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 7720. An act for the relief of Viola Belger;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8496. An act for the relief of William H. Pearlmutter;

H. R. 9262. An act for the relief of the estate of A. A. Alexander;

H. R. 9950. An act for the relief of D. A. Whitaker and others;

H. R. 9952. An act for the relief of Mrs. Martha Nicometi;

H. R. 10559. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11145. An act for the relief of Mrs. Dorothy (Hyman) Monk;

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 11817. An act for the relief of Adele M. Parker;

H. R. 11976. An act for the relief of Sister Mary Damion (Maria Saveria D'Amelio), Sister Maria Tarcisia (Maria Giovanna Fenuta), and Sister Maria Regina (Maria Lizzi);

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12207. An act for the relief of Mr. and Mrs. Alto Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols;

H. R. 12286. An act for the relief of Mrs. Sue Pyle;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12747. An act for the relief of Col. Fred C. Gray;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Anneliese Ottolenghi;

H. R. 13116. An act for the relief of Mr. and Mrs. Moses Glikowsky;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 676. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames; to the Committee on Armed Services.

H. R. 9239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 13076. An act to provide for the free entry of certain chapel bells imported for the use of the Abelard Reynolds School No. 42, Rochester, N. Y.; to the Committee on Finance.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Finance Committee was authorized to meet during today's session of the Senate.

CORRECTIONS OF THE RECORD—ADDITIONAL SPONSORS OF JOINT RESOLUTION

Mr. ANDERSON. Mr. President, at pages 17221 and 17225 of the CONGRESSIONAL RECORD there appears a list of names of Senators who had joined in sponsoring Senate Joint Resolution 201, to confer a medal of the United States on Admiral Rickover. Because of the lateness of the hour, the printer did not include the names of the following Senators, who also are sponsors of the joint resolution: The Senator from Oklahoma [Mr. MONRONEY], the Senator from Indiana [Mr. CAPEHART], the Senator from North Carolina [Mr. ERVIN], and the Senator from Utah [Mr. WATKINS].

Not only do I ask that this correction be made in the permanent RECORD, but I also wish to point out that these Senators were also sponsors of the joint resolution.

I was particularly sorry that the name of the distinguished Senator from Utah [Mr. WATKINS] was omitted when the list of sponsors was printed, because he has been one of the stanchest supporters of Admiral Rickover, and has repeatedly taken up at the White House what he believes to be the injustices in the case of this fine officer.

Therefore, Mr. President, I ask unanimous consent that the permanent RECORD be corrected in order to show, as additional sponsors of Senate Joint Resolution 201, the names of the Senator from Oklahoma [Mr. MONRONEY], the Senator from Indiana [Mr. CAPEHART], the Senator from North Carolina [Mr. ERVIN], and the Senator from Utah [Mr. WATKINS].

The VICE PRESIDENT. The correction will be made.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of William M. Drennen, of West Virginia, to be Judge of the Tax Court of the United States, which was referred to the Committee on Finance.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. JOHNSON of Texas, from the Special Committee on Space and Astronautics:

T. Keith Glennan, of Ohio, to be Administrator of the National Aeronautics and Space Administration; and

Hugh L. Dryden, of Maryland, to be Deputy Administrator of the National Aeronautics and Space Administration.

By Mr. BYRD, from the Committee on Finance:

Mrs. Lorene W. Bowlus, of Maryland, to be comptroller of customs, with headquarters in Baltimore, Md.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The Chief Clerk read the nomination of Bertha S. Adkins, of Maryland, to be Under Secretary of Health, Education, and Welfare.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE—NOMINATION PASSED OVER

The Chief Clerk read the nomination of W. Wilson White, of Pennsylvania, to be an Assistant Attorney General.

Mr. JOHNSON of Texas. Mr. President, in connection with the nomination of Mr. White, several Senators have requested that they be given time in which to review the hearings and to prepare such statements as they may care to make in connection with the nomination.

In view of the approach of the end of the session, I have suggested that the nomination go over for today.

I should like all Senators to be on notice that the nomination may come up tomorrow. I would hope to have it disposed of or considered this week.

The VICE PRESIDENT. Without objection, the nomination will go over.

UNITED STATES ATTORNEY

The Chief Clerk read the nomination of Fallon Kelly, of Minnesota, to be United States attorney for the District of Minnesota for a term of 4 years.

Mr. JOHNSON of Texas. Mr. President, in connection with this nomination, let me say that the distinguished Senator from Minnesota [Mr. THYE] spoke to me about it. He is very much interested in the nomination; he says he heartily favors prompt action on the nomination, because of the existence of a situation which requires immediate attention.

Therefore, Mr. President, I hope the nomination will be confirmed.

Mr. THYE subsequently said: Mr. President, I desire to express my appreciation to the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], for calling up the executive calendar this morning, and also for the confirmation of the nomination of Fallon Kelly, of Minnesota, to be United States attorney for the District of Minnesota. That was a courtesy to me, and it is very much appreciated. The action of the majority leader is, as always, most courteous and most positive.

Yesterday, I spoke to him about the nomination; and as soon as the nomination of Fallon Kelly appeared on the executive calendar, the majority leader acted. I thank him.

Mr. JOHNSON of Texas. Mr. President, I am very grateful for what the Senator from Minnesota has said. No one could deal with him in other than a courteous way.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

COMPTROLLER OF CUSTOMS

The Chief Clerk read the nomination of Albert V. Becker, of Illinois, to be comptroller of customs with headquarters at Chicago, Ill.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Frank Peska, of Illinois, to be collector of customs for customs collection district No. 39, with headquarters at Chicago, Ill.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

That concludes the nominations on the calendar.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the nominations which have been confirmed.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I reiterate that we expect to have a call of the measures on the calendar.

We also expect to have the Senate consider the following measures:

Calendar No. 2255, Senate bill 1887, authorizing construction of the San Luis unit of the Central Valley project, California.

Calendar No. 2248, Senate bill 3648, authorizing construction of the Navaho Indian irrigation project and the initial stage of the San Juan-Chama diversion project.

Calendar No. 2410, House bill 13450, making supplemental appropriations for the fiscal year ending June 30, 1959.

Calendar No. 2233, House bill 11668, amending section 39 of the Trading With The Enemy Act of October 6, 1917, as amended.

Calendar No. 2280, House bill 8361, in respect to habeas corpus writs.

Calendar No. 2194, House bill 9833, amending section 27 of the Merchant Marine Act of 1920.

Calendar No. 1373, Senate bill 2883, regarding extension of the east front of the Capitol.

If any Senators desire to have copies of any of the bills on the calendar, they are available; and copies of the reports also are available, although, because of the lateness of the session last night, there may not have been an opportunity to distribute to each Senator a copy of each bill and each report. But copies of the bills and the reports are available. In cases where they may not be available, the measures in question will not be taken up if objection is made.

We hope to have an evening session, although we hope it will not continue as late as the one last evening.

We shall end the session today as soon as we are able to conclude action on the bills I have listed, plus a few minor bills which I have not listed.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF SECRETARY OF DEFENSE

A letter from the Secretary of Defense, transmitting, pursuant to law, his report, together with the reports of the Secretaries of the Army, the Navy, and the Air Force, for the period from July 1 to December 31, 1957 (with accompanying reports); to the Committee on Armed Services.

REPORT PRIOR TO RESTORATION OF BALANCES, BUREAU OF MINES

A letter from the Administrative Assistant Secretary of the Interior, transmitting, pursuant to law, a report prior to restoration of balances, Bureau of Mines, Department of the Interior, as of June 30, 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF THE ARMY

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on tort claims paid by that Department, during the fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON CLAIMS SETTLED BY DEPARTMENT OF THE ARMY UNDER MILITARY PERSONNEL CLAIMS ACT

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on claims settled by that Department under provisions of the Military Personnel Claims Act, during fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

SENATOR MARTIN OF PENNSYLVANIA—RESOLUTION OF COMMITTEE ON PUBLIC WORKS

Mr. CHAVEZ. Mr. President, the Committee on Public Works on August 8 adopted a resolution concerning the senior Senator from Pennsylvania [Mr. MARTIN], which was signed by all members of the committee. I ask unanimous

consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Committee on Public Works of the United States Senate has received with sincere regret the announcement by its ranking minority member and former chairman, the distinguished senior Senator from Pennsylvania, EDWARD MARTIN, that he plans to retire from the United States Senate at the end of the 85th Congress; and

Whereas Senator MARTIN is held in the highest esteem by his colleagues of both political parties as a courageous statesman and gallant soldier who served as a faithful and valuable member of the Committee on Public Works since it was established in the year 1947, and was chairman of the committee during the 83d Congress; and

Whereas Senator MARTIN by his strength of character, his unfailing devotion to duty, sound judgment, comprehensive knowledge of government, and his broad experience in public service has made many valuable contributions to the proceedings of the Committee on Public Works and the United States Senate; and

Whereas his constructive approach to the national welfare has made Senator MARTIN one of the outstanding leaders in the development and conservation of our natural resources, the development of an expanded program to provide a national system of highways adequate to meet civilian and defense requirements and many other essential public works; and

Whereas in the future years the committee will greatly miss the leadership and guidance of Senator MARTIN, his friendliness, his kindness, his courtesy, and his example of courageous American patriotism: Now, therefore, be it

Resolved, That the Committee on Public Works of the United States Senate hereby acknowledges and proclaims its grateful recognition of Senator MARTIN'S outstanding achievements for the benefit of our Nation, not only in the field of legislation but also in praise of his brilliant military career in which he rose from enlisted man to lieutenant general and was twice awarded the Distinguished Service Cross for extraordinary gallantry under fire; and be it further

Resolved, That we, the members of the Senate Committee on Public Works, 85th Congress, having complete confidence that the honorable career of Senator MARTIN will always be a source of inspiration for patriotic Americanism, join in extending to him our thanks and our best wishes that he may be granted a full measure of health and happiness in the golden years that lie ahead; and be it further

Resolved, That a copy of this resolution, as approved by unanimous vote and signed by the members of the Committee on Public Works of the United States Senate, be suitably prepared and presented to Senator MARTIN as a permanent reminder of the high esteem with which he is held by the members of the committee.

DENNIS CHAVEZ, Chairman; ROBERT S. KERR; ALBERT GORE; PAT MCNAMARA; RICHARD L. NEUBERGER; FRANK CHURCH; FRANCIS CASE; THOMAS H. KUCHEL; NORRIS COTTON; ROMAN L. HRUSKA; CHAPMAN REVERCOMB; B. EVERETT JORDAN.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, with an amendment:

S. 3268. A bill to amend the National Science Foundation Act of 1950, as amended, and for other purposes (Rept. No. 2367).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, with an amendment:

H. R. 7860. An act to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range (Rept. No. 2371).

H. R. 12663. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes (Rept. No. 2369); and

H. R. 12670. An act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes (Rept. No. 2368).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes (Rept. No. 2374).

By Mr. PASTORE, from the Joint Committee on Atomic Energy, without amendment:

S. Con. Res. 116. Concurrent resolution to approve agreement between the Government of the United States and the European Atomic Energy Community (Euratom) concerning cooperation to advance the peaceful application of atomic energy (Rept. No. 2372).

By Mr. PASTORE, from the Joint Committee on Atomic Energy, with amendments:

S. 4273. A bill to provide for cooperation with the European Atomic Energy Community (Rept. No. 2370).

By Mr. BYRD, from the Committee on Finance, without amendment:

H. R. 11630. An act to amend title XV of the Social Security Act to extend the unemployment insurance system to ex-servicemen, and for other purposes (Rept. No. 2375); and

H. R. 12489. An act to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956 (Rept. No. 2376).

By Mr. BYRD, from the Committee on Finance, with an amendment:

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes (Rept. No. 2373).

By Mr. FULBRIGHT, from the Committee on Banking and Currency, without amendment:

S. J. Res. 201. Joint resolution to authorize the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 13549. An act to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes (Rept. No. 2388).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 3571. A bill to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States (Rept. No. 2377);

H. R. 8160. An act authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes (Rept. No. 2381);

H. R. 8652. An act to rescind the authorization for the Waldo Lake Tunnel and regulating works, Willamette River, Oreg. (Rept. No. 2382);

H. R. 11697. An act to amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the harbor of New York, to extend the application of that act to the harbor of Hampton Roads (Rept. No. 2383);

H. R. 12216. An act to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the "Cordell Hull Dam and Reservoir" (Rept. No. 2384); and

H. R. 13342. An act to provide for a survey of Parish Line Canal, La. (Rept. No. 2385).

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment:

S. 3776. A bill to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo. (Rept. No. 2378); and

S. 4266. A bill to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas (Rept. No. 2387).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

S. 4179. A bill to authorize the Tahchevah Creek project, Palm Springs, Calif. (Rept. No. 2379); and

S. 4192. A bill authorizing the project for modification of the plan for improvement of the Trinity River and tributaries, Texas (Rept. No. 2380).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

S. 4287. A bill to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases (Rept. No. 2386).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of June 1958. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, JUNE 1958 AND MAY 1958, AND PAY, MAY 1958 AND APRIL 1958

PERSONNEL AND PAY SUMMARY

Information in monthly personnel reports for June 1958 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized.

Total and major categories	Civilian personnel in executive branch: In June numbered—	In May numbered—	Increase (+) or decrease (−)	Payroll (in thousands) in executive branch: In May was—	In April was—	Increase (+) or decrease (−)
Total [1]	2,366,754	2,333,922	+32,832	$942,347	$927,144	+$15,203
Agencies exclusive of Department of Defense	1,269,898	1,244,751	+25,147	488,620	479,991	+8,629
Department of Defense	1,096,856	1,089,171	+7,685	453,727	447,153	+6,574
Inside continental United States	2,166,668	2,135,728	+32,970			
Outside continental United States	198,086	198,194	−138			
Industrial employment	573,559	569,428	+4,131			
Foreign nationals	216,533	221,436	−4,903	26,137	24,856	+1,281

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II, page 5, breaks down the above employment figures to show the number inside continental United States by agencies.

Table III, page 7, breaks down the above employment figures to show the number outside continental United States by agencies.

Table IV, page 8, breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V, page 9, shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during June 1958, and comparison with May 1958, and pay for May 1958, and comparison with April 1958*

Department or agency	Personnel: June	May	Increase	Decrease	Pay (in thousands): May	April	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	101,193	89,704	11,489		$32,559	$31,255	$1,304	
Commerce	56,600	54,335	2,265		25,733	25,177	556	
Health, Education, and Welfare	55,247	54,503	744		22,959	23,188		$229
Interior	55,650	52,344	3,306		23,044	22,980	864	
Justice	30,709	30,598	162		15,450	15,369	81	
Labor	5,943	5,940	3		2,786	2,734	52	
Post Office	588,116	580,764	7,632		195,159	192,178	2,981	
State [1]	33,140	33,181		41	13,886	13,508	378	
Treasury	77,467	79,772		2,305	35,433	35,492		59
Executive Office of the President:								
White House Office	400	399	1		230	232	1	
Bureau of the Budget	440	438	2		299	301		2
Council of Economic Advisers	28	29		1	23	23		
Executive Mansion and Grounds	72	70	2		41	41		
National Security Council	64	66		1	133	134		1
Office of Defense Mobilization	253	254		1	3	3		
President's Advisory Committee on Government Organization	6	6						
Independent agencies:								
Airways Modernization Board	174	105	69		71	62	9	
Alaska International Rail and Highway Commission	4	4			3	4		1
Alexander Hamilton Bicentennial Commission [2]						2		2
American Battle Monuments Commission	554	550	4		92	89	3	
Atomic Energy Commission	7,107	6,924	183		3,891	3,840	51	
Board of Governors of the Federal Reserve System	602	585	17		310	306	4	
Boston National Historic Sites Commission	2	2			1	1		
Civil Aeronautics Board	701	695	6		401	283	18	
Civil Aeronautics Board	3,985	3,988		1	1,837	1,860		23
Civil Service Commission	5	5			3	2	1	
Civil War Centennial Commission	4	4			2	2		
Commission of Fine Arts	33	22	11		11	3	8	
Commission on Civil Rights	2	2			1	2		1
Corregidor Bataan Memorial Commission	210	209	1		127	126	1	
Export-Import Bank of Washington	859	859			463	464		1
Farm Credit Administration	1,409	1,338	71		757	808		51
Federal Civil Defense Administration	7	7			4	3	1	
Federal Coal Mine Safety Board of Review	5	5			649	644	5	
Federal Communications Commission	1,238	1,197	41		618	610	8	
Federal Deposit Insurance Corporation	1,228	1,197	31		428	440		12
Federal Home Loan Bank Board	898	871	27		233	235		2
Federal Mediation and Conciliation Service	339	336	3		402	399	3	
Federal Power Commission	764	698	66		427	426		1
Federal Trade Commission	738	724	14		50	50		
Foreign Claims Settlement Commission	86	87		1	2,551	2,563		12
General Accounting Office	5,381	5,315	66		10,949	10,816	133	
General Services Administration [3]	27,899	27,649	250		13	13		
Government Contract Committee	27	24	3		3,159	3,141	18	
Government Printing Office	6,423	6,442		19	5,299	5,083	126	
Housing and Home Finance Agency	10,579	9,981	298		13	13		
Indian Claims Commission	17	17			1,169	1,174		5
Interstate Commerce Commission	2,260	2,251	9		1	1		
Jamestown-Williamsburg-Yorktown Celebration Commission	2	2			1		1	
Lincoln Sesquicentennial Commission	8	3	5					
National Advisory Committee for Aeronautics	7,818	7,719	99		4,290	4,257	33	
National Capital Housing Authority	270	271		1	115	117		2
National Capital Planning Commission	34	35		1	20	22		2
National Gallery of Art	338	336	2		112	110	2	
National Labor Relations Board	1,148	1,113	35		685	686		1
National Mediation Board	115	112	3		87	76	11	
National Science Foundation	404	323	81		167	164	3	
Panama Canal	14,620	14,922		302	4,681	3,010	1,671	
Railroad Retirement Board	2,593	2,517	76		1,021	1,032		11
Renegotiation Board	326	325	1		213	215		2
St. Lawrence Seaway Development Corporation	175	92	83		38	38		
Securities and Exchange Commission	879	863	16		480	475	5	
Selective Service System	6,338	6,353		15	1,591	1,567	24	

[1] June figure includes 425 seamen on the rolls of the Maritime Administration and their pay.

[2] June figure includes 12,344 employees of the International Cooperation Administration as compared with 12,448 in May and their pay. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The June figure includes 2,044 of these trust fund employees and the May figure includes 2,217.

[3] Subject to revision.

[4] Revised on basis of later information.

[5] Exclusive of personnel and pay of the Central Intelligence Agency.

[6] Ceased to exist.

[7] Includes 6 employees of the Federal Facilities Cooperation.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during June 1958, and comparison with May 1958, and pay for May 1958, and comparison with April 1958*—Continued

Department or agency	Personnel				Pay (in thousands)			
	June	May	Increase	Decrease	May	April	Increase	Decrease
Independent agencies—Continued								
Small Business Administration	1,471	1,432	39		$756	$740	$16	
Smithsonian Institution	1,092	942	150		377	368	9	
Soldiers' Home	1,031	1,021	10		280	274	6	
Subversive Activities Control Board	32	32			23	24		$1
Tariff Commission	219	215	4		129	129		
Tax Court of the United States	150	149	1		98	95	3	
Tennessee Valley Authority	16,056	15,817	239		7,784	7,637	147	
Theodore Roosevelt Centennial Commission	8	9		1	3	3		
United States Information Agency	10,901	10,870	31		3,315	2,301	14	
Veterans' Administration	172,005	172,177		172	60,612	60,210	402	
Virgin Islands Corporation	699	662	37		132	115	17	
Total, excluding Department of Defense	1,209,898	1,244,751	28,008	2,861	488,620	479,991	9,050	421
Net increase, excluding Department of Defense			25,147				8,629	
Department of Defense:								
Office of the Secretary of Defense	1,662	1,614	48		1,027	1,014	13	
Department of the Army	[1] 415,624	411,137	4,487		165,408	163,026	2,382	
Department of the Navy	363,732	361,762	1,970		159,252	157,704	1,548	
Department of the Air Force	315,838	314,656	1,180		128,040	125,409	2,631	
Total, Department of Defense	1,096,856	1,089,171	7,685		453,727	447,153	6,574	
Net increase, Department of Defense			7,685				6,574	
Grand total, including Department of Defense	2,366,754	2,333,922	35,693	2,861	942,347	927,144	15,624	421
Net increase, including Department of Defense			32,832				15,203	

[1] Subject to revision.

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during June 1958, and comparison with May 1958*

Department or agency	June	May	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	99,756	88,300	11,456	
Commerce [1]	52,053	50,092	1,961	
Health, Education, and Welfare	53,418	52,696	722	
Interior	52,317	49,099	3,218	
Justice	30,231	30,070	161	
Labor	5,801	5,780	21	
Post Office	535,863	528,238	7,625	
State [2]	[1] 8,639	[1] 8,547	92	
Treasury	76,463	78,750		2,287
Executive Office of the President:				
White House Office	400	399	1	
Bureau of the Budget	440	438	2	
Council of Economic Advisers	28	29		1
Executive Mansion and Grounds	72	70	2	
National Security Council [3]	64	64		
Office of Defense Mobilization	253	254		1
President's Advisory Committee on Government Organization	6	6		
Independent agencies:				
Airways Modernization Board	174	105	69	
Alaska International Rail and Highway Commission	4	4		
American Battle Monuments Commission	14	14		
Atomic Energy Commission	7,078	6,896	182	
Board of Governors of the Federal Reserve System	602	585	17	
Boston National Historic Sites Commission	2	2		
Civil Aeronautics Board	697	691	6	
Civil Service Commission	3,920	3,922		2
Civil War Centennial Commission	5	5		
Commission of Fine Arts	4	4		
Commission on Civil Rights	33	22	11	
Corregidor Bataan Memorial Commission	2	2		
Export-Import Bank of Washington	210	209	1	
Farm Credit Administration	849	849		
Federal Civil Defense Administration	1,409	1,338	71	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,214	1,173	41	
Federal Deposit Insurance Corporation	1,226	1,196	30	
Federal Home Loan Bank Board	898	871	27	
Federal Mediation and Conciliation Service	339	336	3	
Federal Power Commission	764	698	66	
Federal Trade Commission	738	724	14	
Foreign Claims Settlement Commission	86	87		1
General Accounting Office	5,302	5,239	63	
General Services Administration [4]	27,847	[2] 27,595	252	
Government Contract Committee	27	24	3	
Government Printing Office	6,423	6,442		19
Housing and Home Finance Agency	10,094	9,803	291	
Indian Claims Commission	17	17		
Interstate Commerce Commission	2,260	2,251	9	
Jamestown-Williamsburg-Yorktown Celebration Commission	2	2		
Lincoln Sesquicentennial Commission	8	3	5	
National Advisory Committee for Aeronautics	7,818	7,719	99	
National Capital Housing Authority	270	271		1
National Capital Planning Commission	34	35		1
National Gallery of Art	338	336	2	
National Labor Relations Board	1,130	1,095	35	
National Mediation Board	115	112	3	
National Science Foundation	404	323	81	
Panama Canal	393	399		6
Railroad Retirement Board	2,593	2,517	76	
Renegotiation Board	326	325	1	
St. Lawrence Seaway Development Corporation	175	92	83	
Securities and Exchange Commission	879	863	16	
Selective Service System	6,153	6,167		14
Small Business Administration	1,451	1,412	39	
Smithsonian Institution	1,081	932	149	
Soldiers' Home	1,031	1,021	10	
Subversive Activities Control Board	32	32		
Tariff Commission	219	215	4	
Tax Court of the United States	150	149	1	
Tennessee Valley Authority	16,056	15,817	239	
Theodore Roosevelt Centennial Commission	8	9		1
United States Information Agency	2,625	2,588	37	
Veterans' Administration	170,814	170,982		168
Total, excluding Department of Defense	1,202,154	1,177,350	27,297	2,502
Net increase, excluding Department of Defense			24,795	
Department of Defense:				
Office of the Secretary of Defense	1,619	1,573	46	
Department of the Army	[3] 355,942	351,063	4,879	
Department of the Navy	331,630	329,712	1,918	
Department of the Air Force	277,353	276,021	1,332	
Total, Department of Defense	966,544	958,369	8,175	
Net increase, Department of Defense			8,175	
Grand total, including Department of Defense	2,168,698	2,135,728	35,472	2,502
Net increase, including Department of Defense			32,970	

[1] June figure includes 425 seamen on the rolls of the Maritime Administration.
[2] June figure includes 1,822 employees of the International Cooperation Administration as compared with 1,783 in May.
[3] Subject to revision.
[4] Revised on basis of later information.
[5] Exclusive of personnel of the Central Intelligence Agency.
[6] Includes 6 employees of the Federal Facilities Cooperation.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during June 1958, and comparison with May 1958*

Department or agency	June	May	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,437	1,404	33	
Commerce	4,547	4,243	304	
Health, Education, and Welfare	1,829	1,807	22	
Interior	3,633	3,245	388	
Justice	529	528	1	
Labor	142	160		18
Post Office	2,553	2,526	27	
State [1]	[2] 26,501	[2] 26,634		133
Treasury	1,004	1,022		18
Independent agencies:				
American Battle Monuments Commission	540	536	4	
Atomic Energy Commission	29	28	1	
Civil Aeronautics Board	4	4		
Civil Service Commission	17	16	1	
Farm Credit Administration	10	10		
Federal Communications Commission	24	24		
Federal Deposit Insurance Corporation	2	1	1	
General Accounting Office	79	76	3	
General Services Administration	52	54		2
Housing and Home Finance Agency	185	178	7	
National Labor Relations Board	18	18		
Panama Canal	14,227	14,523		296
Selective Service System	185	186		1
Independent agencies—Continued				
Small Business Administration	20	20		
Smithsonian Institution	11	10	1	
United States Information Agency	8,276	8,282		6
Veterans' Administration	1,191	1,195		4
Virgin Islands Corporation	699	662	37	
Total, excluding Department of Defense	67,744	67,392	830	478
Net increase, excluding Department of Defense			352	
Department of Defense:				
Office of the Secretary of Defense	43	41	2	
Department of the Army	[3] 59,062	60,074		392
Department of the Navy	32,102	32,050	52	
Department of the Air Force	38,485	38,637		152
Total, Department of Defense	130,312	130,802	54	544
Net decrease, Department of Defense			490	
Grand total, including Department of Defense	198,056	198,194	884	1,022
Net decrease, including Department of Defense			138	

[1] June figure includes 10,512 employees of the International Cooperation Administration as compared with 10,665 in May. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust for this purpose. The June figure includes 2,044 of these trust-fund employees and the May figures includes 2,217.
[2] Subject to revision.
[3] Revised on basis of later information.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during June 1958 and comparison with May 1958*

Department or agency	June	May	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,251	3,155	96	
Commerce	2,658	2,859		201
Interior	7,023	6,970	53	
Treasury	5,692	5,749		57
Independent agencies:				
Atomic Energy Commission	180	154	26	
Federal Communications Commission	14	14		
General Services Administration	1,136	1,124	12	
Government Printing Office	6,423	6,442		19
National Advisory Committee for Aeronautics	7,818	7,719	99	
Panama Canal	7,372	7,766		394
Tennessee Valley Authority	13,185	12,998	187	
Virgin Islands Corporation	699	662	37	
Total, excluding Department of Defense	55,451	55,612	510	671
Net decrease, excluding Department of Defense			161	
Department of Defense:				
Department of the Army:				
Inside continental United States	[1] 135,500	[2] 133,657	1,843	
Outside continental United States	[2] 9,200	[2] 9,299		99
Department of the Navy:				
Inside continental United States	204,678	203,051	1,627	
Outside continental United States	5,199	5,218		19
Department of the Air Force:				
Inside continental United States	158,166	157,058	1,108	
Outside continental United States	5,365	5,533		168
Total, Department of Defense	518,108	513,816	4,578	286
Net increase, Department of Defense			4,292	
Grand total, including Department of Defense	573,559	569,428	5,088	957
Net increase, including Department of Defense			4,131	

[1] Subject to revision.
[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under United States agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of June 1958 and comparison with May 1958*

Country	Total		Army		Navy		Air Force	
	June	May	June	May	June	May	June	May
Belgium	10	9					10	9
Denmark	1	1					1	1
England	5,090	5,226			34	35	5,056	5,191
France	22,864	22,898	[1] 16,348	16,330			6,516	6,565
French Morocco	4,658	4,761	[1] 68	71	860	[2] 849	3,730	3,841
Germany	87,972	88,554	[1] 74,931	75,367	65	206	12,976	12,979
Japan	88,940	92,913	[1] 44,449	46,820	15,971	[2] 16,162	28,520	29,931
Korea	6,294	6,380	[1] 6,294	6,380				
Malta	74	74			74	74		
Netherlands	47	41					47	41
Norway	27	25					27	25
Trinidad	556	556			556	556		
Total	216,533	221,436	142,090	144,968	17,560	17,884	56,883	58,584

[1] Subject to revision.
[2] Revised on basis of later information.

STATEMENT BY SENATOR BYRD
THE MONTH OF JUNE 1958

Civilian employees

Executive agencies of the Federal Government reported regular civilian employment in the month of June totaling 2,366,754. This was a net increase of 32,832 as compared with employment reported in the preceding month of May.

The June 1958 increase was the largest in any month since June 1952, when the increase was 36,000.

Civilian employment reported by the executive agencies of the Federal Government by months in fiscal year 1958, which began July 1, 1957, follows:

Month	Employment	Increase	Decrease
1957—July	2,407,651	6,337	
August	2,400,082		7,569
September	2,366,398		33,684
October	2,339,994		26,404
November	2,330,107		9,887
December	2,324,568		5,539
1958—January	2,319,075		5,493
February	2,321,773	2,698	
March	2,323,947	2,174	
April	2,333,513	9,566	
May	2,333,922	409	
June	2,366,754	32,832	

Total civilian employment in civilian agencies during the month of June was 1,269,898, an increase of 25,147 over the May total of 1,244,751. Total civilian employment in the military agencies in June was 1,096,856, an increase of 7,685 as compared with 1,089,171 in May.

The Department of Agriculture reported the largest increase among the civilian agencies. Its increase of 11,489, largely the result of seasonal employment, brought its total to 101,193. Other civilian agencies reporting major increases were Post Office Department with 7,652; Department of the Interior with 3,606; and the Department of Commerce with 2,265. The largest reduction was reported by the Treasury Department with a decrease of 2,305.

In the Department of Defense increases in civilian employment were reported by the Department of the Army with 4,487, the Department of the Navy with 1,970, and the Department of the Air Force with 1,180.

Inside continental United States civilian employment increased 32,970 and outside continental United States civilian employment decreased 138. Industrial employment by Federal agencies in June totaled 573,559, and increase of 4,131.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

Foreign nationals

The total of 2,366,754 civilian employees certified to the committee by the Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in United States Government activities abroad, but in addition to these there were 216,533 foreign nationals working for United States military agencies during June who were not counted in the usual personnel reports. The number in May was 221,436. A breakdown of this employment for June follows:

Country	Total	Army	Navy	Air Force
Belgium	10			10
Denmark	1			1
England	5,090		34	5,056
France	22,864	16,348		6,516
French Morocco	4,658	68	860	3,730
Germany	87,972	74,931	65	12,976
Japan	88,940	44,449	15,971	28,520
Korea	6,294	6,294		
Malta	74		74	
Netherlands	47			47
Norway	27			27
Trinidad	556		556	
Total	216,533	142,090	17,560	56,883

SUMMARY FOR FISCAL YEAR 1958, ENDED JUNE 30, 1958

There was a net decrease of 34,560 in civilian employment by executive branch agencies of the Federal Government during fiscal year 1958, which ended June 30, 1958. The total at the end of the year was 2,366,754 as compared with 2,401,314 in June 1957.

Civilian and military agencies

There was an increase during the year of 29,588 in employment by civilian agencies of the Government and a decrease of 64,148 in civilian employment by military agencies. Employment by civilian agencies at the year end totaled 1,269,898, as compared with 1,240,310 a year ago. Civilian employment by military agencies totaled 1,096,856 as compared with 1,161,004 in June of 1957.

Inside and outside continental United States

There was a decrease of 27,805 in employment within the United States by the Federal executive agencies and a decrease of 6,755 in employment outside continental United States. Employment inside the United States as of June 30, 1958, totaled 2,168,698 as compared with 2,196,503 a year ago. Employment outside the United States as of June 30, 1958, totaled 198,056 as compared with 204,811 a year ago.

Employment for the year is summarized as follows:

Federal civilian employment

[June 1957-June 1958]

	June 1957	June 1958	Increase or decrease
Total	2,401,314	2,366,754	−34,560
In civilian agencies	1,240,310	1,269,898	+29,588
In military agencies	1,161,004	1,096,856	−64,148
Inside continental United States	2,196,503	2,168,698	−27,805
Outside continental United States	204,811	198,056	−6,755

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. IVES:

S. 4288. A bill to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. IVES when he introduced the above bill, which appear under a separate heading.)

By Mr. BUSH:

S. 4289. A bill to authorize the Federal Reserve Board to impose consumer credit controls; to the Committee on Banking and Currency.

(See the remarks of Mr. BUSH when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY:

S. 4290. A bill to provide for the sale or lease of Indian lands; to the Committee on Interior and Insular Affairs.

S. 4291. A bill for the relief of Mechel Jur; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 4292. A bill for the relief of Cwy Pinkusiewicz; to the Committee on the Judiciary.

By Mr. POTTER:

S. 4293. A bill to clarify the law and express the intent of the Congress with reference to the distribution and sale of complex mechanical products through small business and other independent concerns, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. POTTER when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL:

S. 4294. A bill to amend title 10 of the United States Code with respect to procurement procedures of the armed services, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. SALTONSTALL when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 4295. A bill to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF ADMINISTRATIVE PROCEDURE ACT, RELATING TO CERTAIN DISCLOSURES

Mr. IVES. Mr. President, I introduce, for appropriate reference, a bill to require disclosure of any communication from Members of the Congress to any executive agency concerning any matter before that agency for adjudication.

While it is obvious that there is not sufficient time for the Congress to act on this bill during the remaining few days of this session, I am introducing it, nevertheless, for the information and consideration of those who will participate in the next session.

A recent investigation in the House of Representatives raised questions as to Congressional inquiries in behalf of constituents, directed to Government agencies which had matters before them of concern to the constituents.

My own answer to any such questions is that my files are open to anyone. My office has made literally thousands of inquiries in behalf of constituents, and so has every other Congressional office on Capitol Hill. It is a practice expected of us by our constituents, and recognized by the rules of the Senate based upon the Legislative Reorganization Act of 1946.

This bill makes such inquiries a matter of record in the quasi-judicial proceedings of any agency.

I ask unanimous consent to have the bill printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4288) to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes, introduced by Mr. IVES, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 5 of the Administrative Procedure Act (5 U. S. C. 1004) is amended by adding at the end thereof the following new subsection:

"(e) Communications to agency: Whenever any matter is pending before any agency for adjudication, and any communication with respect to the status, disposition, or merits thereof is received by such agency from any Member of Congress, the agency shall give to each private person who is a party to the adjudicatory proceeding notice as to the source and contents of such communication and the text of any response made thereto by the agency. If any such communication is received in writing before or during hearing before the agency upon such matter, such notice shall be given during such hearing through the introduction in evidence in the record of such proceeding of the original of such communication and a true and correct copy of any response made thereto. If any such communication is received in writing after the conclusion of the hearing and before final determination of such matter upon its merits by the agency, a true and correct copy of such communication, and a true and correct copy of any response made thereto by the agency, shall be transmitted promptly to each private person who is a party to such proceeding. Upon application made thereafter by any such person within such time as the agency may prescribe, the agency shall accord to such person reasonable opportunity before the final determination of such matter upon its merits to explain, rebut, or controvert any matter contained in such communication. The true and correct substance of any oral communication received by any agency from any Member of Congress, and the true and correct substance of any oral response made by any agency to any communication received from any Member of Congress, with respect to the status, disposition, or merits of any such adjudicatory matter shall be reduced to writing by any member, officer, or employee thereof who receives any such communication or response thereto, and such writing shall be treated as a written communication received by the agency, or a written response made by the agency thereto, as the case may be. As used in this subsection—

"(1) the term 'agency' includes any member, officer, or employee of any agency; and

"(2) the term 'Member of Congress' includes (A) any Delegate to Congress or Resident Commissioner in Congress, (B) any employee of any Member of Congress, Delegate to Congress, or Resident Commissioner in Congress, and (C) any employee of any joint committee of the Congress or any committee of either House of the Congress."

IMPOSITION OF CONSUMER-CREDIT CONTROLS

Mr. BUSH. Mr. President, I introduce a bill to authorize the Federal Reserve Board to impose consumer-credit controls, and ask that it be referred to the Committee on Banking and Currency.

In a speech in the Senate on Monday, August 4, 1958, I listed consideration of the advisability of consumer-credit controls as one of the steps which should be taken by the 86th Congress to meet the dangerous inflationary situation we face. I have in mind, particularly, control of consumer installment credit on durable goods.

To facilitate consideration of this issue, I am introducing this bill at the present time in order that the staff of the Committee on Banking and Currency, and interested Federal departments and agencies, including the Federal Reserve Board, may have an opportunity to study it during adjournment. I hope that their recommendations will be submitted promptly when the 86th Congress convenes, and that the Committee on Banking and Currency will schedule hearings early in the session.

I ask unanimous consent that the text of the bill may be printed in the RECORD following these remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4289) to authorize the Federal Reserve Board to impose consumer-credit controls, introduced by Mr. BUSH, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That it is the policy of the Federal Government, as declared in the Employment Act of 1946, to promote maximum employment, production, and purchasing power. In order to accomplish these objectives in a significant fashion, they must be brought about in an economy in which the general level of prices is relatively stable. One of the principal factors leading to increases in the general level of prices which can interfere with the meaningful attainment of the objectives of the Employment Act of 1946 is the excessive use of consumer credit. It is the purpose of this act to provide authority for the control of consumer credit, in order to prevent such excessive use of consumer credit as may threaten the stability of the general level of prices and the effective attainment of the goals of maximum employment, production, and purchasing power.

SEC. 2. (a) In order to assist in carrying out the objectives of this act, the Board of Governors of the Federal Reserve System is authorized to exercise consumer-credit controls, and for that purpose may make such rules, regulations, and orders as the Board deems necessary and appropriate.

(b) Any regulation or order under this act may be established in such form and manner, may contain such classifications and differentiations, and may provide for such adjustments and exceptions as in the judgment of the Board of Governors are necessary or proper to effectuate the purposes of this act or to prevent circumvention or evasion, or to facilitate enforcement of this act, or any rule, regulation, or order issued under this act. Such regulations may, among other things, prescribe maximum loan or credit values, minimum downpayments in cash or property, trade-in or exchange values, maximum maturities, aggregate amounts of credit extended by or to any person, rules regarding the amount, form, and time of various payments, rules against credit in specified circumstances, rules regarding consolidations, renewals, revisions, transfers, pledges, or assignments of credit, and rules regarding other similar or related matters.

(c) In prescribing or suspending such regulations, including making changes from time to time to take account of changing conditions, the Board of Governors shall consider, among such other factors as the Board may deem appropriate, the general credit situation and the need in the public interest for preventing or reducing excessive or untimely use of or fluctuations in various kinds of credit.

SEC. 3. No person (whether acting as principal, agent, broker, vendor or otherwise and whether or not in connection with the selling of goods or any other business) shall extend or maintain any consumer credit, or renew, revise, consolidate, refinance, purchase, sell, discount, or lend or borrow on, any obligation arising out of any such credit, or arrange for any of the foregoing, in contravention of any regulation prescribed by the Board of Governors pursuant to this act.

SEC. 4. Any person who extends or maintains any consumer credit, or renews, revises, consolidates, refinances, purchases, sells, discounts, or lends or borrows on, any obligation arising out of any such credit, or arranges for any of the foregoing, shall make, keep, and preserve for such periods, such accounts, correspondence, memorandums, papers, books, and other records, and make such reports, under oath or otherwise, as the Board of Governors may by regulation require as necessary or appropriate in order to effectuate the purposes of this act; and such accounts, correspondence, memorandums, papers, books, and all other records shall be subject at any time to such reasonable periodic or other examinations as the Board may deem necessary or appropriate in order to effectuate the purposes of this act.

SEC. 5. All the present provisions of sections 21 and 27 of the Securities Exchange Act of 1934, as amended (relating to investigations, injunctions, jurisdictions, subpenas, and related matters), shall be as fully applicable with respect to the exercise by the Board of Governors of functions under this act as they are now applicable with respect to the exercise by the Securities and Exchange Commission of its functions under that act, and the Board shall have the same powers in the exercise of the functions conferred by this act as the Commission now has under sections 21 and 27 of that act. The Board by regulation may require transactions or persons or classes thereof subject to this act to be registered and, after notice and opportunity for hearing, the Board by order may suspend any such registration for violation of this act or any regulation prescribed by the Board pursuant to this act. The provisions of section 25 of the Securities Exchange Act of 1934, as amended, shall apply in the case of any such order of the Board in the same manner as such provisions apply in the case of orders of the Securities and Exchange Commission under that act. In administering this act, the Board may utilize the services of the Federal Reserve banks and any other agencies, Federal or State, which are available and appropriate.

SEC. 6. For the purposes of this act, unless the context otherwise requires, the following terms shall have the following meanings:

(1) "Consumer credit" includes credit which is for personal, family, or household purposes other than the construction or purchase of a residential building; or is wholly or partly secured by any consumers' durable goods; or is for the purpose of purchasing, carrying or financing, or involves a right to acquire or use, any such goods; or is deemed by the Board of Governors to be necessary for inclusion as consumer credit in order to effectuate the purposes of this act or to prevent evasions thereof; or is for the purpose of financing any person engaged in the business of making or acquiring any such credit. "Consumers' durable goods" means any article or commodity which is durable or semidurable and is used or usable for personal, family, or household purposes, and any services, benefits, or materials connected with the acquisition of any such article or commodity or any interest therein.

(2) "Credit" means any loan, mortgage, deed of trust, advance, or discount; any conditional sale contract; any contract to sell or sale or contract of sale, of property or services, either for present or future delivery, under which part or all of the price is payable subsequent to the making of such sale or contract; any rental-purchase contract; any contract or arrangement for the hire, bailment, or leasing of property; any option, demand, lien; pledge, or other claim against, or for the delivery of, property or money; any purchase, discount, or other acquisition of, or any credit upon the security of, any obligation or claim arising out of any of the foregoing; and any transaction or series of transactions having a similar purpose or effect.

(3) "Person" includes any individual, partnership, association, business trust, corporation, or unincorporated organization.

SEC. 7. Any person who willfully violates any provision of this act or any rule, regulation, or order issued thereunder, upon conviction thereof, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

SEC. 8. Public Law 386, 80th Congress (61 Stat. 921), is hereby repealed.

DISTRIBUTION AND SALE OF COMPLEX MECHANICAL PRODUCTS

Mr. POTTER. Mr. President, I introduced, for appropriate reference, a bill designed to clarify the law and express the intent of Congress with reference to the distribution and sale of complex mechanical products through small business and other independent concerns, and for other purposes.

It should be recalled that on May 21, 1958, I introduced S. 3865, which is permissive legislation designed to allow franchised automobile dealers and automobile manufacturers to establish in their agreements or contracts systems of incentive payments to compensate dealers for the making of sales of automobiles within a specified geographical area and for providing service thereon.

Our Committee on Interstate and Foreign Commerce held hearings on S. 3865 at which automobile dealers, representatives of automobile manufacturers, and representatives of appropriate Government agencies testified. Certain questions were raised as to the language and effects of implementation of the provisions of S. 3865. Since the hearings the matter has been carefully studied and the bill I have just introduced, it is believed, will overcome most of the objections to S. 3865.

In the waning days of this Congress I realize full well it would not be wise or feasible to endeavor to obtain enactment of my new proposal. However, introducing it at this time will provide ample opportunity in the interim between adjournment and the start of the new Congress next January for all interested parties to study the proposal and submit their recommendations and analyses thereon.

It has been many years since automobile dealers and automotive manufacturers have had experience with the concept of territorial security. Marketing procedures have changed in many respects.

Since my proposal contemplates a significant departure from present sales procedures, it is highly important that it be given careful study toward the end enactment of the measure would be beneficial rather than detrimental to the interest of all concerned.

As my colleagues well know, our automobile dealers constitute a very important segment of our economy. Their economic health and well-being most certainly affect the stability of the entire economy. For this reason, if for no other, it is essential that appropriate action be taken to create a framework and climate wherein their integrity and economic health may be preserved.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an explanatory statement setting forth the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to insure and preserve the availability of the dealer franchise method of distributing and servicing complex mechanical products.

The bill provides, in substance, that when a franchise agreement expressly or specifically provides that a dealer or dealers undertake to develop the sale of such products of the manufacturer in a defined geographical area, it shall be lawful for the manufacturer and its dealers to agree, or for the manufacturer to sell on the expressed condition that, in the event the dealer makes sales which infringe territories where other dealers have similar obligations, the infringing dealer shall make certain authorized payments to or for the account of the dealers whose areas of responsibility have been infringed. The payments a dealer would be required to make could not exceed 5 percent of the manufacturer's suggested retail price or, if there is no suggested retail price, 5 percent of the price at which the products were sold by the dealer. This system has been rather widely used and is commonly known as "territory security."

Under some rather recent interpretations of existing law, manufacturers and dealers operating under the franchise system cannot lawfully effect a normal and reasonable control of the distribution and service of complex mechanical products. This presents an anomalous situation since, if this view of the law is sustained, the manufacturer, responsible for its products by law and custom, can lawfully control every aspect of the distribution of its products if it relies on its own distribution organization or agents but cannot do so if it relies on independent and small-business concerns.

This bill clarifies the law and mitigates this inequity.

REASONS FOR BILL

The dealer franchise system has developed from an inconspicuous use, of unknown origin, to the most widely relied on type of selling agreement in the distribution of complex mechanical goods. These independent outlets are commonly known as dealerships. They vary in size and, while some are large, the great majority are small businesses. Their investments generally are relatively substantial. The franchised car dealers, for example, have an average net capital investment of $110,000. Unless the law is clarified, so as to make it clear that certain arrangements designed to provide reasonable security for dealers who have the contractual responsibility for selling and servicing such products in defined areas are lawful, the system may cease to be economically feasible. This bill is based on the conclusion that the system should be preserved and clarification of the law with respect to the system has become necessary to insure its preservation.

"Territory security" as here referred to is not the same as closed or exclusive territories. It does not prevent a dealer from selling outside his territory, and customers are free to buy from the dealer of their choice. It does not affect at all the right of any dealer to sell in open territory. It does require a dealer selling into the area of sales responsibility of another dealer, or other dealers, to pay the infringed dealers a small amount as compensation for the loss of the customer in that area, for whose business the infringed dealer has established sales and service facilities and normally contributed, in varying degrees, to the sale by his local advertising, sales, and service effort. This will serve to protect the substantial investment which the infringed dealer makes in establishing and maintaining a dealership for his area of sales responsibility.

In view of the fact that a reasonable type of territory security is essentially a form of equitable adjustment, it is not surprising that it has been widely used as a means of strengthening the dealer franchise system. In fact, in some situations the courts have recognized a form of territory security as a matter of custom. In *R. S. Stokvis & Sons* v. *Kearney & Trecker Corp.* (58 F. Supp. 260, 267 (S. D. N. Y., 1944)) Judge Coxe said:

"The defendant recognizes its original obligation to pay commissions on the orders but insists that with respect to all but 7 of the machines, the commission should be reduced to 7½ percent, due to an established custom in the trade to the effect that where machines are diverted to a territory outside of that of the original dealer, the original dealer is entitled only to one-half of the commission. The existence of this custom was proved at the trial, and it was justified by the different witnesses on the ground that the dealer into whose territory the machines were delivered was necessarily put to considerable expense in setting up and servicing the machines after they were received. I think, therefore, that the plaintiffs are entitled to recover on the first cause of action the full 15 percent on the sales price of the 7 machines delivered to France, and 7½ percent on the sales price of the 122 machines delivered to the British Government and shipped to territory outside of France. The defendant concedes that its liability on the basis of these percentages is $62,882.68."

The growing refusal or reluctance of many manufacturers to include territory security provisions in their dealer franchises, despite the empirical evidence of an increasing need for such provisions, is not due to any statute or judicial decision condemning such provisions.

Although territory security clauses have long been used by manufacturers in the distribution of their products, the Federal courts have passed on their legality in only a few cases. It is noteworthy they have invariably been upheld as a reasonable restraint of trade. (*Boro Hall Corp.* v. *General Motors Corp.* (124 F. 2d 822 (2d Cir. 1942), rehearing denied, 130 F. 2d 196 (2d Cir. 1942), certiorari denied 317 U. S. 695 (1943)); *Phillips* v. *Iola Portland Cement Co.* (125 Fed. 508 (8th Cir. 1903), certiorari denied 192 U. S. 606 (1904)); cf. *Cole Motor Car Co.* v. *Hurst* (228 Fed. 280 (5th Cir. 1915), writ of error denied sub nom.); *Tillar* v. *Cole Motor Car Co.* (246 Fed. 831 (5th Cir. 1917), certiorari denied 247 U. S. 511 (1918)); *Sinclair Refining Co.* v. *Wilson Gas & Oil Co.* (52 F. 2d 974 (W. D. S. C. 1931)). These cases, however, may be construed as dealing with a solitary agreement between a manufacturer and a single dealer rather than a system of dealer agreements. The courts conceivably might distinguish between a single vertical agreement containing a territorial sales limitation and a series or substantial number of such agreements.

The primary concern of the manufacturers who have reluctantly removed territory security provisions from dealer franchises is due to the trend in decisions under the antitrust and related laws and the position of the Antitrust Division of the United States Department of Justice as reflected in cases filed during recent years. This can be illustrated by two civil actions brought within the past year.

In *United States* v. *Volkswagen of America, Inc., et al.*, this importer and some 14 of its distributors are charged with having violated section 1 of the Sherman Act by, among other things, agreeing that "each coconspirator dealer[1] will sell Volkswagen automobiles and parts to those customers only who reside within the exclusive territory assigned to such dealer."

In a complaint field on June 30, 1958, against the White Motor Co. for alleged violations of sections 1 and 3 of the Sherman Act it is charged, among other things, that White and the coconspirators (its franchised dealers and distributors) have agreed that "each franchised distributor will sell White trucks and White parts to those franchised dealers only who are located within the exclusive territory assigned by White to such franchised distributor, and each franchised dealer will sell White trucks and White parts to those customers only who reside within the exclusive territory assigned to such franchised dealer by its franchised distributor or by White."

Under these circumstances, it is understandable why manufacturers and dealers, despite their recognition of the need for reasonable territory security provisions, come more and more to the view that they cannot safely be incorporated in franchise agreements. As a result, the dealer franchise system may be in jeopardy.

If it should be economically impossible for many dealers in complex mechanical products to survive without some form of reasonable territory security, then the manufacturers may eventually find it necessary to utilize other channels of distribution. It would be only with reluctance that some would undertake to distribute through their own retail outlets or factory branches, or through agents.

Insofar as such developments would deprive manufacturers of the opportunity of selecting the method of distribution best adapted to the sale and service of their complex mechanical products it would be inconsistent with the best interests of consumers and the economy generally. It would also almost inevitably follow that some franchised dealers who now sell and service such products would cease to be independent businessmen.

The present dealer franchise system was evolved over many years by the critical test of actual experience in the marketplace as the approach best suited to the sale and service of complex mechanical products. Its comparative efficiency is illustrated by the reliance of manufacturers generally on the franchise system in the distribution and servicing of such products, for example, as automobiles, trucks, farm implements, and household and electrical appliances.

Under the franchise system a manufacturer enters into contracts granting the dealer the right to sell its products in exchange for the dealer's promise to not only promote and develop the sale of such products in a designated geographical area but also provide the service facilities and personnel necessary to service the products before sale and keep them operating in a satisfactory manner after they have been sold. The manufacturer then markets its products through this dealer group instead of trying to sell to all potential retailers of its product. The public has been protected and benefited from the dealer's assumption of both the sales and service responsibility.[2]

It is well recognized that the dealer, although legally and in fact an independent merchant, is viewed by the public in his territory, or area of sales responsibility, as the manufacturer's representatives. The manufacturer and dealer, resultantly, have a very substantial interest in each other's conduct. The manufacturer's reputation and product goodwill in the dealer's community are in large part entrusted to the dealer.

Ideally and historicaly, therefore, the franchise method of distribution has given the manufacturer an opportunity to reasonably control the conditions under which its products have been marketed and serviced.

Through selecting as dealers persons who are competent to provide proper servicing, the manufacturer can protect the prestige of its products and its good will and minimize its liabilities to customers on warranties and for negligence.

From the dealer's point of view, the possibilities of growth and repeat business as a result of sound sales and service operations alone has normally been the incentive for the dealer's conscientious adherence to franchise obligations. This too redounded to the benefit of the consuming public generally.

A dealer's fulfillment of the franchise obligation to provide facilities, capital, and personnel for the sale and service of the manufacturer's products in a designated area should entitle a dealer to some security against infringement of his territory. Indeed, if the dealer cannot be accorded any protection whatsoever, he is in no better position, despite his contractual duties, than the retailer who merely buys and sells without any presale and aftersale responsibilities to his customers.

This need for territory security, however, is largely if not entirely confined to complex mechanical products. There is a certain, and under normal circumstances a very large, amount of territory security inherent in most articles.

Complex mechanical products, however, are of such a nature that they not only lack inherent territory security but actually tend to lend themselves to its destruction. They are generally expensive compared to most articles, sold at prices reached by bargaining, and frequently there is a trade-in involved, and even the best require competent servicing after sale.

In the case of automobiles and other products which provide their own means of transport the problem is uniquely aggravated since they can be moved at nominal expense. In other words, it is relatively inexpensive to move the product from one dealer's area of responsibility to another's.

In products where territory security is not inherent in or a consequence of the article itself, there is very little the manufacturers can do about the problem except, of course, protect their dealers by appropriate provisions in their franchises or through expressed conditions of sale.

By law and custom the customer looks to the manufacturer for safe construction and proper service. It was held as early as 1916 in *MacPherson* v. *Buick Motor Co.* (217 N. Y. 382, 111 N. E. 1050) that an automobile manufacturer was liable as a result of an accident caused by a defective wheel obtained by the manufacturer from a supplier despite the fact there was no privity between the manufacturer and the injured parties. The law of negligence and implied warranties has continued to develop in such a manner that it becomes increasingly important for manufacturers operating under the franchise system to have dealers who are not only competent but willing to give complex mechanical devices the presale conditioning and after-sale service the equipment requires.

Dealer franchises for years have required dealers to perform such services. The manufacturers of many complex mechanical products have franchise provisions obligating dealers to provide service regardless of whether or not the dealer actually sold the product requiring service to the customer.

Customers have come to expect, as a matter of custom, that manufacturers of complex mechanical products will provide, through franchised dealers, service for the product throughout its useful life. This responsibility is assumed by both the manufacturer and the dealer. The expressed warranty obligations manufacturers of complex mechanical products have assumed, in the interest of product goodwill and customer satisfaction, have been liberalized along with product improvements. General Motors, for example, for years has issued an express warranty to its dealers with respect to its motor vehicles on the basis of 4,000 miles of operation or 90 days following the delivery of the car to the retail purchaser.

This warranty is, in turn, passed on by the dealer to the retail customer. The service is performed by the dealer under the warranty at the expense of General Motors. Although the dealers formerly shared in some of the expense of performing this warranty service, since 1956 the entire cost of warranty adjustment has been assumed by General Motors. This warranty reimbursement is applicable to all of this manufacturer's vehicles, whether or not sold by the particular franchised dealer performing the service under the warranty.

In addition to this standard warranty, which is incorporated in the dealer franchise agreements and issued by General Motors dealers to their retail customers, this concern since 1941 has extended to its dealers, for their benefit and the benefit of their retail customers, a policy under which warranty claims which are established under prescribed conditions and limitations, may be accepted on the basis of 12,000 miles or 12 months instead of the standard 4,000 miles or 90 days with the same reimbursement to dealers as applies under the standard warranty.

Other manufacturers, of course, have similar programs. They are naturally desirous that all retail customers have the benefit of such programs. In the interest of product goodwill and customer goodwill, manufacturers of complex mechanical products expect their dealers to render service, even though they do not sell the product to the owner. In some instances, however, dealers have refused to furnish not only warranty service but even regular service. Some dealers, while furnishing such services, have insisted that the owners who have purchased products from them should have preferential treatment. As a result, in some instances customers have not received services which, under the law and by custom, both consumers and manufacturers are entitled to expect.

Defects in parts, particularly in the early production of new products, which merely affect the normal use and operation of the product, occur more frequently in complex mechanical products than in simpler articles. In such cases, dealers are expected to correct the defects, either when the product is serviced or by requesting customers to make the product available for service. Manufacturers' problems in this connection are immeasurably complicated in situations where the selling dealer is so far removed from the purchaser that it is impracticable for the selling dealer to correct such defects.

In situations where dealers are afforded territory security, most of the problems enumerated above are obviated. Since the dealer has received reasonable compensation for the invasion of his territory there is less likelihood of resentment because of the loss of a sale. Since the dealer profits from any sale made in or to a customer residing in his area of sales responsibility there is an economic incentive for every dealer to provide good service and develop product goodwill.

[1] All franchised dealers in Volkswagen automobiles and parts therefor in the United States are alleged to be "coconspirators."

[2] In some instances a manufacturer may distribute to dealers through a system of independent distributors (who in some instances have a dual function and also make some retail sales and otherwise operate like a dealer with respect to this phase of their business).

More importantly, the reasonable payment which the dealers receive for the infringement of their territory makes it economically possible for them to properly maintain their facilities for sales and service and retain competent personnel. This redounds to the public interest in several ways, because through improved service there is increased customer assurance that his product has been properly serviced and is operating efficiently.

In the final analysis, in the absence of territory security the area of sales responsibility of every franchised dealer may be invaded by other dealers who, knowing full well that most purchasers will look to the dealers in the area where they reside or do business for servicing, do not adequately perform the necessary pre-sale conditioning and servicing, thereby evading their responsibilities and imposing them on others.

Experience has shown that the dealer franchise system is the most efficient method of distributing many types of complex mechanical products. When the franchise agreements are implemented with reasonable territory security provisions, dealers generally are well able economically to perform their obligations to both the manufacturers and purchasers. Without such provisions, however, under some circumstances there is no economic or other incentive for dealers to develop properly the sale and servicing of the manufacturer's products in their area of responsibility when others, who may be neglecting their own areas of responsibility, are free to capitalize on their efforts.

The enactment of this bill will make it abundantly clear that reasonable territory security provisions are lawful, and serve to preserve the dealer franchise system by eliminating the inequities which the record so clearly shows can and do occur when territory security provisions are not embodied in the dealer franchise agreements. Dealers may sell in and outside their area of responsibility, but the dealer who maintains facilities for the service of complex mechanical products, and who may have been an influencing factor in the purchase of the particular item, will receive some reimbursement from the other dealer as a partial contribution for the availability of his facilities.

Mr. POTTER. Mr. President, I ask unanimous consent that the bill which I have just introduced be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4293) to clarify the law and express the intent of the Congress with reference to the distribution and sale of complex mechanical products through small business and other independent concerns, and for other purposes, introduced by Mr. POTTER, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,—

SECTION 1. That this act may be cited as the "Franchised Dealer Act."

DECLARATION OF PURPOSE AND POLICY

SEC. 2. Responsibility and liability which is imposed by law upon the manufacturer or assembler of complex mechanical products for the safe construction of such complex mechanical products for their intended purposes, as well as the expectancy of the customer or user who has made a substantial investment in such a complex mechanical product, as to the operation and performance of such a product—regarded by the customer or user as being the responsibility of the manufacturer and its dealers—makes it advisable and necessary that the manufacturer, who has a responsibility therefore, have reasonable access through its dealer organization to such complex mechanical products at the time of the retail sale thereof and for a reasonable period during the use and operation thereof by the customer or user.

Accordingly, the manufacturer-dealer and the manufacturer-distributor-dealer franchise relationship was evolved as the approach best suited to the sale and service of complex mechanical products. Moreover, this relationship, developed within the free enterprise system, has provided a method of distribution which is consistent with and furthers the objectives of this system.

With the development and improvement of such complex mechanical products, and especially those representing substantial investments, manufacturers and dealers operating under the franchise system find it increasingly difficult to perform their respective obligations to each other and to the purchasing public. The enfranchised dealers performing the sales and service functions for the customer or user also find it increasingly difficult to obtain a reasonable return on their investments. The fact that, under some interpretations of existing law, the manufacturers and dealers operating under the franchise system of distribution cannot effect a normal and reasonable control of the distribution and service of complex mechanical products under their franchise agreements has contributed importantly to these conditions. This presents an anomalous situation since, if this view of the law is sustained, the manufacturer, responsible for its products by law and custom, can lawfully control every aspect of the distribution of its products if it relies on its own distribution organization or agents but cannot do so if it relies on independent and small-business concerns.

Since the preservation of our free enterprise system is dependent upon the equality of competitive opportunity of business generally, particularly small businesses, and in this connection to insure and preserve the availability of the franchise system for the distribution of complex mechanical products, it is the purpose and policy of this act to clarify existing law and declare certain of the rights of manufacturers, distributors, and dealers who distribute complex mechanical products pursuant to franchises in transactions involving or affecting commerce.

DEFINITIONS

SEC. 3. As used in this act—

A. The term "franchise" shall mean the written agreement or contract under which (1) a manufacturer agrees to sell products to a dealer who undertakes to provide facilities, capital, and personnel for the sale and service of such products, and to develop the sale of such products in a designated area, and (2) the legal rights, obligations, and liabilities of the manufacturer and dealer in furtherance of their undertakings as set forth in section 3 A (1) of this act, are established and determined.

B. The term "manufacturer" shall mean any person, partnership, corporation, association, or other form of business enterprise engaged in the manufacture, production, or assembly of complex mechanical products for sale in commerce, including any person, partnership, corporation, association, or other business enterprise doing business as a distributor which purchases such products from such manufacturer or assembler and resells at wholesale to dealers, or which acts for and is under the control of such manufacturer, producer, or assembler in connection with the distribution of said products.

C. The term "dealer" shall mean any person, partnership, corporation, association, or other form of business enterprise resident in the United States or in any Territory thereof or in the District of Columbia operating under the terms of a franchise and engaged thereunder in the distribution or sale of complex mechanical products, including a distributor to the extent engaged in the retail sale of such products.

D. The term "complex mechanical products" shall include all power-operated vehicles, machinery, equipment and appliances.

E. The term "commerce" shall mean commerce among the several States of the United States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or among the Territories or between any Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

F. The term "area of responsibility" shall mean the geographical area in which a dealer or dealers, under the provisions of a franchise agreement, are required to develop the sale of complex mechanical products.

TERRITORY SECURITY PERMITTED

SEC. 4. It shall be lawful, where a franchise agreement to which a manufacturer engaged in commerce is a party sets forth a dealer's area of responsibility, for—

(1) the manufacturer and dealer to agree or enter into a contract providing that, or

(2) the manufacturer to sell products to a dealer on the expressed condition that, in the event that dealer sells any complex mechanical product of the manufacturers to a customer residing or located outside the area of responsibility of the selling dealer and in the area of responsibility of another dealer or dealers, operating under a similar franchise or franchises with the manufacturer, the infringing dealer shall pay to the dealer or dealers, whose area of responsibility has been invaded, or to the manufacturer for the account of such infringed dealer or dealers, such amount or amounts as provided for in the contract or condition of sale.

A manufacturer may provide, either in the franchise agreements or as expressed conditions of sale, the categories of purchasers or types of retail sales which shall be exempt from the territory security provisions of this act.

A manufacturer may establish or provide methods or procedures sufficient in its opinion for insuring that infringement payments are made promptly and for the determination of any dispute between dealers or between a dealer or dealers and the manufacturer as to where a sale is made, where a purchaser resides or is located, or any other issue arising between or among them relating to territory security under this act.

It shall be lawful for a manufacturer to terminate the franchise of any dealer who does not fulfill the obligation to make payment for infringing the area of responsibility of other dealers, or to take any other lawful action reasonably calculated to cause the dealer to fulfill such obligation.

Provided, however, That—

A. In no event shall the payment a dealer is required to make hereunder be a sum in excess of an amount equal to 5 percent of the manufacturer's suggested retail price for a product or, in the event the manufacturer does not suggest a retail price, the price at which the product was sold by the dealer.

B. Nothing herein shall make lawful any contract or agreement between manufacturers providing for the establishment or maintenance of any area of responsibility or the amount of any payment herein authorized; but it shall not be unlawful for distributors who distribute the product of a manufacturer in respective designated areas to dealers under franchise agreements, to incorporate by agreement or otherwise in such franchise agreements, with their respective dealers, the same or similar territory security provisions and implementing agreements or provisions and to do any other act permitted to a manufacturer under this act.

C. This act shall not apply when the sale is to the United States Government or any State goverment or any municipal corporation or any political subdivision, department, agency, bureau or instrumentality of any of the foregoing.

SEC. 5. The act of July 2, 1890, as amended, known as the Sherman Act, and the act of October 15, 1914, as amended, known as the Clayton Act, and the act of September 26, 1914, as amended, known as the Federal Trade Commission Act, and the act of June 19, 1936, as amended, known as the Robinson-Patman Anti-Discrimination Act, and the act of August 8, 1956, known as the Automobile Dealer Franchise Act, to the extent that any provisions of such acts may be inconsistent or in conflict with the provisions of this act, shall not render unlawful agreements, contracts or sales made lawful by this act or acts in the performance or conduct thereof. This act is remedial and shall not be interpreted as an exception to other legislation or otherwise subject to strict construction.

SEC. 6. If any provision of this act or the application of such provision to any manufacturer, dealer, or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to any manufacturers, dealers or circumstances other than those as to which it is held invalid, shall not be affected.

SEC. 7. It is the intent of Congress to exercise its full power with respect to interstate commerce in connection with all matters affected by this act and that this act shall be controlling with respect to the validity of franchise provisions or expressed conditions of sale and acts in the performance or conduct thereof. In the event any provisions of the laws of any State, directly or indirectly, are in conflict with, or are contrary to or repugnant to, or different from, the provisions of this act, this act shall control and be determinative.

THE ARMED SERVICES PROCUREMENT AMENDMENTS OF 1958

Mr. SALTONSTALL. Mr. President, I introduce, for appropriate reference, a bill entitled "The Armed Services Procurement Amendments of 1958." I do so, knowing full well that it cannot be acted upon in this Congress. But I wish to have the bill printed and referred to the Armed Services Committee, so that appropriate study may be made of it during the adjournment of Congress.

The bill calls for very major reforms in the procedures now established by law for the procurement of goods and services for the Armed Forces. It deals with a highly involved and technical area of the law, yet one which governs the manner in which we spend $22 billion annually.

Mr. President, I ask unanimous consent that the bill, a section-by-section analysis of the bill, and a brief newspaper article by Frank Pace, Jr., from the Christian Science Monitor of June 21, 1958, entitled "General Dynamics Seeks Flexibility in Weapons System Planning—Technological Surge Poses New Problems," be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, section-by-section analysis, and article will be printed in the RECORD.

The bill (S. 4294) to amend title 10 of the United States Code with respect to procurement procedures of the armed services, and for other purposes, introduced by Mr. SALTONSTALL, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "Armed Services Procurement Amendments of 1958."

DECLARATION OF POLICY

SEC. 2. The text of section 2301 of chapter 137 of title 10 of the United States Code is amended to read as follows:

"It is the policy of Congress that agencies making procurements under this chapter shall purchase and contract to purchase products and services of commercial character which are readily available on the open market except where the needs of the agency will not be properly or efficiently satisfied by such products and services. It is the further policy of Congress that a fair proportion of the purchases made under this chapter, and of the contracts and subcontracts executed therefor, be placed with small-business concerns."

COMPETITIVE NEGOTIATION OF CONTRACTS

SEC. 3. That portion of section 2304 (a) of such chapter which precedes clause (1) thereof is amended to read as follows:

"(a) Purchases and contracts for property or services covered by this chapter shall be made by formal advertising or by competitive negotiation. However, the head of an agency may negotiate such a purchase or contract, if—."

QUALITY EXCEPTION FOR NEGOTIATION OF CERTAIN CONTRACTS

SEC. 4. Subsection (a) of section 2304 of such chapter is amended by (a) striking out the period at the end thereof and inserting in lieu thereof a semicolon, and (b) adding at the end thereof the following new paragraph:

"(18) he determines that negotiation of any purchase is necessary to insure the procurement of property or services of suitable quality."

COMPETITIVE NEGOTIATION; PERFORMANCE SPECIFICATIONS

SEC. 5. (a) Section 2305 (a) of such chapter is amended to read as follows:

"(a) Whenever formal advertising or competitive negotiation is used under section 2304 of this title, the solicitation for bids or proposals shall be made a sufficient time before the purchase or contract. The specifications, and invitations for bids and requests for proposals, shall permit such free and full competition as is consistent with the procurement of the property and services needed by the agency concerned."

(b) The first sentence of section 2305 (b) of such chapter is amended to read as follows: "Whenever formal advertising is used under section 2304 of this title, bids shall be opened publicly at the time and place stated in the advertisement."

(c) Section 2305 of such chapter is amended by adding at the end thereof the following new paragraph:

"(d) In all procurement under this chapter, the specifications shall describe property to be procured in terms of functional performance characteristic unless the head of the agency determines that the property will be procured more efficiently by specifications in other terms."

FIXED-PRICE AND INCENTIVE CONTRACTS

SEC. 6. (a) Section 2306 (a) of such chapter is amended to read as follows:

"(a) Fixed-price or incentive contracts shall be used unless in the case of any particular or class of procurement another kind of contract is authorized by the head of the agency concerned. The cost-plus-a-percentage-of-cost system of contracting may not be used. Subject to these limitations and the provisions of subsections (b)–(e), the head of any agency in negotiating contracts under section 2304 of this title, shall make the kind of contract that he considers will promote the best interests of the United States."

(b) Section 2306 (c) of such chapter is amended to read as follows:

"(c) No cost contract or cost-plus-a-fixed-fee contract may be made under section 2304 of this title, unless the head of the agency determines that such a contract is likely to be less costly to the United States than any other kind of contract or that it is impracticable to obtain property or services of the kind or quality required except under such a contract."

ADVISORY ENGINEERING SERVICES

SEC. 7. Section 2353 of chapter 139 of title 10 of the United States Code is amended by adding at the end thereof the following new subsection:

"(d) Any contract of a military department shall provide for the reimbursement of such department by the contractor for the cost of all advisory engineering services furnished to the contractor and any subcontractor by Government personnel incidental to the performance of such contract, the cost of such services to be determined by such Secretary."

PROCUREMENT OF OPERATIONAL SYSTEMS

SEC. 8. Chapter 141 of title 10 of the United States Code is amended by adding at the end thereof the following new section:

"2387. Operational systems: procurement from single contractor

"(a) As used in this section, the term 'operational system' means any combination of items of property which are to be used in combination as a single operational system by one or more of the Armed Forces for the performance of a major operational function incident to one or more of the following purposes:

"(1) the transportation of persons or property;

"(2) military communications;

"(3) the furnishing of weapons, munitions, supplies, or equipment to military forces; or

"(4) the delivery of fire upon or the destruction of enemy forces, facilities or installations.

"(b) The head of each military department shall—

"(1) conduct a continuing survey of property procured by his department, and from time to time publish designations of property comprising particular operational systems; and

"(2) make monthly reports of such designations to the Secretary of Defense to assure coordination among the military departments in the procurement of operational systems.

"(c) The head of each military department shall designate from personnel of such department a system manager who shall exercise supervision and control over, and shall be responsible for, the procurement of such system.

"(d) Except in instances in which the head of a military department determines that the national interest would not be served thereby, each operational system so designated shall be procured from a single prime contractor who shall, except as may be limited by contract, determine and be responsible for all design, development, production, and procurement which may be necessary for the furnishing of such system.

"(e) Whenever any item of property included within any operational system is an item in use within the Armed Forces for any purpose, any contract with a prime contractor for the procurement of such

ability of the manufacturer and its deal-

the United States or in any Territory thereof

provisions and implementing agreements or

system shall require such prime contractor to procure wherever practicable such item from an appropriate military supply activity or a supplier who furnishes such item to a military department.

"(f) Each contract for the procurement of an operational system from a prime contractor shall require such prime contractor—

"(1) in the selection of subcontractors thereunder, to provide for such full and free competition among persons interested in becoming subcontractors thereunder as is consistent with the procurement of the property and services needed by the contractor; and

"(2) in the performance thereof, to utilize all preferential procurement procedures, as authorized by law or administrative regulations governing Government prime contract relations with small business, to increase the participation of small-business concerns as subcontractors;

"(3) before executing any subcontract thereunder, to furnish to the designated system manager a list identifying the persons from among whom such prime contractor proposes to select subcontractors."

RENEGOTIATION

SEC. 9. No provision of the Renegotiation Act of 1948 or the Renegotiation Act of 1951 shall apply to any procurement made after the effective date hereof under chapter 137 or 139 of title 10 of the United States Code by (1) any contract entered into after formal advertising, (2) any contract entered into after competitive negotiation, or (3) any incentive contract.

EFFECTIVE DATE

SEC. 10. The provisions of this act shall take effect on the first day of the third month beginning after the date of enactment of this act.

The section-by-section analysis and article presented by Mr. SALTONSTALL are as follows:

SECTION-BY-SECTION ANALYSIS OF S. 4294

The provisions of the bill would amend chapters 137, 139, and 141 of title 10 of the United States Code as follows:

Section 2 would amend section 2301 of chapter 137 by extending the policy of Congress with respect to procurement made under such chapter as follows:

That products and services of commercial character which are readily available on the open market be procured whenever they will properly and efficiently satisfy agency needs;

That small-business concerns receive a fair proportion of procurement made by subcontracts from prime contractors. (The policy declaration now provides only that small-business concerns should receive a fair proportion of procurement made by prime contracts.)

Section 3 would amend section 2304 (a) of chapter 137 by specifically authorizing the use of competitive negotiation as an unconditional alternative to formal advertising in procurement covered by chapter 137. Section 2304 (a) now permits negotiated procurement of any kind only in 17 specified exceptions from a general requirement that procurement purchases and contracts be made by formal advertising. Competitive negotiation is negotiation with more than one supplier and is distinguished from unqualified negotiation in that the former entails public solicitation of proposals from interested suppliers and competitive evaluation of proposals received.

Section 4 would amend section 2304 (a) of chapter 137 by adding a new (18th) exception from the general requirement that procurement purchases and contracts be made by formal advertising (or competitive negotiation, after the amendment provided in section 3 (b) of the bill), viz, to insure procurement of property or services of suitable quality.

Section 5 (a) would amend section 2305 (a) of chapter 137 to conform to the change in section 2304 (a) of such chapter provided in section 3 of the bill by requiring that solicitation for proposals (as well as bids as now provided in section 2304 (a)) in competitive negotiation be made a reasonable time before the purchase or contract.

Section 5 (b) would amend section 2305 (b) of chapter 137 to conform to the changes in sections 2304 (a) and 2305 (a) of such chapter provided in sections 3 and 5 (a) of the bill, respectively, by limiting the provisions of section 2305 (b) to formal advertising. These provisions relate to bids and awards and are not opposite to competitive negotiations.

Section 5 (c) would amend section 2305 of chapter 137 by adding a new provision requiring that specifications describe property to be procured in terms of functional performance characteristics unless another type of specifications would be more efficient for the procurement of the particular property.

Section 6 (a) would amend section 2306 (a) of chapter 137 by requiring the use of fixed price or incentive contracts unless another kind of contract is authorized as better promoting the interests of the Government. In other respects section 2306 (a) would not be changed; i. e., its prohibition on the use of cost-plus-a-percentage-of-cost contracts would be continued, and the limitations in subsections (b) to (e) of section 2306 would be left intact except as provided in section 6 (b) of the bill, infra.

Section 6 (b) would amend section 2306 (c) of chapter 137 by deleting therefrom reference to incentive contracts. This would in effect remove limitations now provided on the use of incentive contracts. Section 2306 (c) now conditions the use of cost contracts, cost-plus-a-fixed-fee contracts, or incentive contracts on a determination (i) that such a contract is likely to be less costly than any other kind of contract or (ii) that it is impractical to obtain property or services of the kind or quality required except under such a contract. Section 6 (b) of the bill would delete incentive contracts from the aforesaid conditional prohibition.

Section 7 would amend section 2353 of chapter 139 by adding a new subsection requiring that all military procurement contracts must provide for reimbursement of the department making such a contract by the contractor for the cost of any advisory engineering services rendered by Government personnel to the contractor or subcontractors incidental to the contract.

Section 8 is self-explanatory. It would amend chapter 141 by adding a new section 2387 thereto defining the term "operational system", and providing for the designation and procurement from a single prime contractor of operational systems by the military departments. Subsection 2387 (f) would provide for participation by small business concerns as subcontractors. This section of the bill would provide for a statutory definition and an expansion of the so-called "weapons system" method of military procurement under a single manager which has been developed and used in the military departments.

Section 9 would provide that the provisions of the Renegotiation Acts of 1948 and 1951 shall not apply to incentive contracts or to any contracts entered into after formal advertising or competitive negotiation.

Section 10 would provide that the provisions of the bill would take effect 2 months after its enactment.

[From the Christian Science Monitor of June 21, 1958]

GENERAL DYNAMICS SEEKS FLEXIBILITY IN WEAPONS SYSTEM PLANNING—TECHNOLOGICAL SURGE POSES NEW PROBLEMS

(By Frank Pace, Jr.)

NEW YORK.—In the years since the war, the urgent drive for survival has forced a revolutionary surge of scientific and technological advance in America.

We have moved into a new world whose features bear scarcely any resemblance to that comfortable, familiar world we left behind us in 1941.

We have bared the universe of the atomic nucleus and reached the margins of interplanetary space.

We have elaborated new sciences, new forms of propulsion, new sources of energy.

And in so doing we have created new problems in management, structure, and function which we must solve if we are to use our knowledge for constructive, creative purposes.

This, in my opinion, rather than the mere fact of technological advance, is the basic challenge of this new era. There is no longer any serious doubt as to the paramount necessity for maintaining at all times a strong posture of national defense. Indeed, our defense expenditures, unparalleled in times of peace, have been a prime cause of the scientific revolution in postwar America. But the victory has brought new responsibilities in its wake.

NEW MANAGEMENT CONCEPT

The tremendous advances in nuclear fission and fusion, astronautics, new aerodynamic and hydrodynamic forms, electronic computation, communication, and automation will require new and vigorous efforts in thought and planning if we are to keep abreast of this revolution we ourselves have created.

In particular, we must evolve new concepts of management and production adequate to cope with the complex technological and organizational problems of the new age. A failure in this respect would be like placing our latest jet engines in the airframe of a B-24, or one of our nuclear powerplants in a submarine of conventional configuration.

FLEXIBILITY SOUGHT

Whatever success we have had at General Dynamics, whatever strength we have evolved, is the result of a conscious effort to create a corporate structure and a corporate function capable of solving the complex problems of our times. In this sense, General Dynamics is just as much a product of the scientific revolution of the postwar years as are the intricate weapons systems over which it presides. Indeed, the form of management control we have evolved, no matter how imperfect it may be in this stage of development, is aptly called a systems concept of management.

Just as a weapons system manager integrates every phase of the develo ment of a modern weapon, from preliminary design to subsystems and supporting personnel, so do we at General Dynamics try to combine centralized control in planning and policy with a high degree of autonomy among our divisions in research, development, production, and marketing.

Historically speaking, we have tried to build out of the older, less complex units of prewar days a new type of corporate organization which has greater flexibility, wider scope, and increased efficiency and thus greater capacity for responding to the technological and sociological challenges of our day.

"NAUTILUS" PROJECT CITED

This growth did not occur suddenly. In the years immediately following World War I, Convair and Electric Boat, along with other

defense plants, were hard hit by the wholesale cancellation of war contracts. Fortunately, the postwar story this time has been very different.

Deeply characteristic of the postwar production picture has been the development of ever larger and more complex weapons, which in turn made it imperative to elaborate the weapons system concept to handle them more efficiently.

The wartime Manhattan project, bringing together, as it did, scientists, private industry and government in a single, massive assault designed to produce a specified application in the shortest possible time, certainly foreshadowed the concept, as did the *Nautilus* project.

The *Nautilus* was in effect handled as a weapons system because of the tireless energy and determination of Adm. H. G. Rickover, who integrated the strengths of the Atomic Energy Commission, the Navy, the Westinghouse Corp., and our own Electric Boat Division to produce, in less than 5 years, the world's first nuclear-powered submarine.

The *Nautilus* not only foreshadowed the immensely powerful nuclear fleet of the future, but as the world's first harnessing of atomic energy for a useful purpose, it marked the beginning of the age of atomic power with its incalculable benefits for mankind.

GAS-COOLED REACTOR STUDIED

Perhaps the most perfect example of a fully matured weapons system is Convair's new and revolutionary supersonic bomber, the B-58, Convair, as systems manager, developed the plane according to Air Force specifications and mission requirements, coordinating components from some 8,000 suppliers in 46 States with the design and manufacture of the airframe.

As an example of the new, close collaboration between science and industry, I would cite our General Atomic Division with its brilliant young staff of scientists dedicated to pure research in an academic environment. This group has already produced three versions of a small, inherently safe research, reactor, has embarked on an ambitious nuclear fusion research program with the Texas Atomic Energy Research Foundation, and has been selected by the Atomic Energy Commission and the Maritime Commission to design a marine gas-cooled reactor for a merchant ship. It is now at work, moreover, in developing a concept for a novel, high-temperature, gas-cooled reactor suitable for a central electrical power station.

Finally, I would venture to forecast that the Atlas intercontinental ballistic missile, produced by our Convair Division, will prove to be the most significant achievement of our age. In it the major new technologies of our postwar world converge—rocket and missile research. The development of high-thrust fuels, complex electronic guidance and controls, new materials capable of unprecedented performance, advances in overcoming the thermal barrier, atomic power as in its warhead, upper atmosphere, and space research. As the supreme deterrent in our growing arsenal, the Atlas can be a major guarantor of peace. And as the most powerful of our missiles, it will eventually play its part in the penetration of interplanetary space, in the placing of manned satellites, and finally, in the coming circumnavigation of the moon.

Mr. SALTONSTALL. Mr. President, over 6 months have gone into the preparation of the legislation. Because of the complexities of the Armed Services Procurement Act, which this bill amends, and the great amount of Federal money expended under its authority, the committee will certainly want adequate time to study this bill. Having it introduced now will enable the committee to draw reports from the responsible departments and others interested. Thus we will have available for consideration at the beginning of the next Congress thorough background material on the bill.

During the Armed Services Preparedness Subcommittee hearings last winter several witnesses emphasized a glaring deficiency in our military procurement procedures, notably the extended lead time required for the procurement of major weapons systems. It is a matter of great concern when contrasted with recent Soviet developments of new weapons. It was pointed out, for example, that in many cases 10 to 11 years have been required from the inception of a military requirement to the actual delivery of the hardware to fulfill the requirement. The Russians have been doing this in half the time. Throughout the committee hearings the need for speed in our decision-making process and in the translation of ideas into military hardware was emphasized. The testimony of Dr. J. Sterling Livingston of the Harvard Business School was particularly provocative:

We must make a management breakthrough, a breakthrough in our weapons decision making process—

Dr. Livingston asserted—

to keep pace with the Soviets, to regain world scientific leadership and weapons superiority. • • • It is imperative • • • that this particular weakness (weapons development decision making) in our military organization be understood.

A great deal of testimony was directed to this complex and critical area. Unfortunately most of the testimony was concerned with pointing out our deficiencies rather than suggesting remedies.

Accordingly, after considerable discussion and study, I have prepared several specific changes in the laws governing Armed Forces procurement which I believe, if enacted, would greatly facilitate our procurement process. I will describe these provisions in some detail later.

First it is important to consider in perspective the nature of this problem. The United States has maintained and maintains today a great Military Establishment. It is without question vital to our Nation's security. For it is a deterrent force capable of destroying an enemy at his base of operations. The very existence of this force and its versatility helps to keep the peace by discouraging would-be aggressors from launching an attack against the Free World.

Of course, the existence of this capability causes potential enemies and would-be aggressors to resort to other tactics to expand their goals of political conquest. The Communists have traditionally used economic and political means to spread their influence and this Nation has, accordingly, wisely maintained balanced forces throughout the world capable of effectively meeting brush-fire emergencies as they may arise and capable by their existence of strengthening western political integrity.

But our national defense policy is nullified if we should lose the capability to retaliate quickly and devastatingly. Should we ever lose the margin of superiority or the equality necessary to deter attack, our Nation and all the things for which it stands would be in great jeopardy.

Thus it is imperative to insure that our Armed Forces are kept at a maximum state of readiness and to insure that we utilize technological advances as rapidly as possible.

No one will deny that our margin of military superiority over the Russians has been narrowed in recent years. Our full-scale missile program was not begun until 1953 and the Russians have several years' head start. We have no monopolies on nuclear weapons and quantitatively the Russians have a submarine fleet second to none. They have shown extraordinary prowess in recent years in their scientific advances and in their ability to convert raw ideas into militarily useful application.

If we were to assume—and I do not imply that this is the case—that our relative military strengths were roughly equal at the present time, then the future security of the United States would depend almost entirely on our ability to produce military hardware in new technological fields at least as fast as the Russians could do so. Postwar history does not prove that we have this capability.

Thus one of the most urgent responsibilities of the Congress and the Defense Department is to insure that procurement procedures from research through production are geared to these critical requirements.

A vast body of law has been evolved over the years to guide the conduct of Defense Department procurement officers and technicians in the purchase of military supplies. The contracting officers and procurement policy officers must be concerned with literally hundreds of responsibilities—some of great importance, some of lesser importance. Vast amounts of paper work are required to handle single procurements and oftentimes in the production of one piece of complex equipment, hundreds of contracting officers and technical personnel are required, dozens of contracts executed, and several manufacturers employed. Oftentimes even urgent procurements require several weeks, perhaps months, to initiate formally and, once initiated, because of the nature of our procurement statutes and regulations, require detailed administration by many different offices of the Government. The end result under present law: Delay and unnecessary expense that our Nation's security can no longer afford.

In recent years a new method of procurement has been developed in the Department and used with great success. It is called "weapons system procurement." The bill which I am today introducing embodies the principle of the weapons system concept. Although the system has been demonstrated to be extremely effective in producing military weapons more quickly and more economically, it has not been used to maximum

advantage because of administrative inertia and, in many cases, because of other requirements established by Congress in the Armed Services Procurement Act.

As a member of the Armed Services Committee, I have joined with my colleagues to exhort the Defense Department to speed up its weapons development. But the responsibility is not solely in the hands of the Defense Department. Congress must insure that its own house is in order, that it has provided the statutory mechanism that the Department needs to do its job with maximum effectiveness.

We cannot on the one hand criticize the Defense Department for delays and inefficiency when at the same time we impose inordinate administrative burdens through some of our statutes and neglect their modernization.

This bill has as its principal objective a shortening of the lead time in the development and production of new military weapons. This is vital to our Nation's security.

It has a secondary objective of promoting efficiency and economy in the procurement processes of the Defense Department.

This is vital to our Nation's massive defense effort. A few simple illustrations may help to emphasize the second objective. This bill calls for the use of so-called performance specifications in the procurement of military supplies. It also calls for the supply of commercial items whenever they meet requirements and whenever adequate competition is present.

This section should eliminate some of the most flagrant administrative log-jams such as the 5-page specification for a single pull ring on a parachute, or the 18-page specifications which were in use in the Defense Department to describe a ping-pong ball—all athletic equipment specifications have recently been eliminated. Some specifications for the procurement of very simple items take years to prepare and often measure over a foot in depth. Yet the Defense Department is required to prepare such detailed specifications under the provisions of the Armed Services Procurement Act as amended.

When our Nation's security may be threatened by a week's delay in the procurement of a new weapon, we can ill afford to spend months and years preparing overly detailed specifications.

Oftentimes detailed Government specifications, in addition to the great cost of preparation, result in the procurement of a much more costly end item. There are many times, for example, when the Defense Department could select from a dozen reputable manufacturers an existing commercial product which would satisfy the performance requirements of the Department. Yet to satisfy requirements of the Armed Services Procurement Act the Department must prepare detailed drawings and specifications which require each manufacturer to specially design, retool, and produce a noncommercial item for the military. The cost of the custom-made product often greatly exceeds the comparable commercial item.

The weapons system of procurement mentioned earlier involves a very simple procedure. It calls for the selection of one major prime contractor to produce one major military weapons system.

Formerly, in the production of a complex piece of military equipment the Government selected contractors to produce major subassemblies and components. The Government would design their requirements, issue separate contracts to various manufacturers, and then with the Government-furnished material which was received under the contracts would turn the final assembly job over to one contractor. If all the parts fit and the final end product worked, the procurement was a success. But the procedure is hazardous and time consuming.

Under the weapons system concept, the Government executes one major prime contract. That prime contractor who bears ultimate responsibility to the Government issues subcontracts to other industries responsible directly to him. It is quite evident that coordination and speed are served by this coupling of responsibility, authority, and management. There are illustrations particularly in the aircraft industry under the older procurement system of serious failures and of 10-year lead time procurements. By comparison, consider the Jupiter or the Thor missile. Central responsibility for the production of the weapon was placed in the hands of one agency and one contractor. Within a span of months, both weapons were in production, their prototypes having been tested successfully. Not only has the lead time been greatly reduced under this weapons system management, but procurements have been vastly more efficient.

We have great confidence in the vitality and initiative of American industry. The free competitive system which has enabled our Nation to achieve unheralded industrial advances should be able, as it has in the past, to achieve military weapons superiority second to none. But, as Professor Livingston, of Harvard, so aptly pointed out when he testified before the Preparedness Investigating Subcommittee hearings, our present system of defense contracting does not encourage those forces in our industrial establishment to work. We are failing to capitalize, Dr. Livingston says, on the great strength of the American industrial system because we do not offer adequate incentives, we take away essential management functions, and we penalize efficiency and ingenuity. Livingston in his testimony before the committee said that despite the Soviet's great advantage in production lead time, our total development production and lead time can be reduced to 3½ years. But, he said, we must "first delegate greater authority and responsibility to contractors to make technical decisions on weapons systems. The strength of the private enterprise system lies in the creative capacity of our individual contractors. If we do not permit them to make decisions, we cannot take advantage of the strength of our system."

After Dr. Livingston's testimony, I found in the Armed Services Procurement Act several sections which substantiate his contentions.

Ironically, Livingston pointed out, even in the controlled economy and industrial establishment of the Soviet Union great rewards were provided for success in scientific and technological areas, and penalties for failure. The Russians know full well the virtue of the incentive system. If the future security of the United States depends upon its ability to develop in the shortest possible time modern weapons of destruction so as to deter our enemies from aggression, then we must make full use of the inherent characteristics of the American industrial system which give it vigor and strength.

To be specific, we must give greater freedom of action and provide more incentives for industry which participates in our defense work. We must say to a defense contractor:

> It is your job to produce this weapon in the best way you know how with the best talent you can find and in the shortest possible time with the least cost to the Government.

We must not then require him to submit every minute engineering detail for inspection and approval in the Pentagon. Dr. Livingston illustrated the division of responsibility which exists, pointing out the case of an aircraft manufacturer who wished to change the clock in the cockpit of an airplane from a 1-day clock to an 8-day clock. The contractor had to prepare an elaborate justification which was submitted through channels and finally approved by a committee of technical personnel at top levels in the Air Force. Before it could finally be approved officials in the military service had to communicate with the contractor for further explanation of his reasons. Not only was an extended period of time involved but several ranking personnel in the Department had to participate in the decision.

Defense industries must have incentives to produce quality items at minimum cost to the Government. There has developed in recent years a form of military contracting known as the incentive contract. It has been highly effective in many cases.

Under this form of contract the Government and the manufacturer agree upon a target price for the item to be produced. They further agree that if the contractor can reduce costs below the target price, he is allowed, typically, to keep 20 percent of the savings after returning 80 percent to the Government. If he exceeds the price, the Government pays 80 percent and the contractor 20 percent of the excess.

But because of detailed specification and drawing requirements, in many cases the Defense Department is unable to take advantage of the incentive contract. Instead it issues a letter of intent which amounts, in effect, to a blank check to the contractor. The provisions of this bill require the use of either incentive or fixed-price contracts in every case unless specifically exempted by the Secretary.

But the desirable effects of incentive and fixed-price contracts are in many instances virtually nullified by the operation of the Renegotiation Act of 1951. Under this act, every defense contractor who sells a volume of a million dollars or more to the military is subject to renegotiation (except in certain exempted cases). The Renegotiation Board examines a defense contractor's business for such year and then determines whether his overall profit is excessive.

Just consider the case of an aircraft manufacturer who is given a job at what the Government feels is a reasonable price. But because of his ingenuity and efficiency he reduces the cost very substantially. Under a typical incentive contract, he keeps 20 percent of the savings and the Government keeps 80 percent—a very desirable result for the taxpayer.

But he is then required to go before the renegotiation board at regional and perhaps national levels, open the books of his business for the entire year, and probably have to forfeit all of the 20 percent of savings that he earned.

Furthermore, the renegotiation board is at the present time up to 5 years behind in some of its cases. By the time he pays all of the expenses of the administrative renegotiation procedures and perhaps the costs of litigation in appeal to the Tax Court, it is possible and often happens that he not only loses the savings he achieved, but he loses the profit to which he was entitled on the contract as well. This involves an added burden for the Internal Revenue Service which must, after renegotiation, reopen the books of each contractor even though up to 5 years may have elapsed since the tax was paid.

On the one hand, for national defense, we are trying by every means we know to encourage initiative and efficiency. On the other hand, we are penalizing those very same qualities. There are certain cases in which renegotiation serves the Government's interests. Such a case might occur where a contractor is the sole producer and the sole supplier of a badly needed item and because of the Government's critical need he charges exorbitant prices.

But when we try to encourage the contractor to make profits so that he will make even greater savings for the Government, we defeat our purpose when we subject him to a potentially punitive administrative review 5 years later.

The declining potential share of Government contracts which are available to small business each year has been a source of great concern to me and to my colleagues on the Small Business Committee. Yet in part this is due to the very nature of an advancing military technology. As the science becomes more complex and the weapons systems larger and more involved, it becomes more difficult for smaller industrial establishments to take part in major defense contract awards.

It is the declared policy of Congress that small business shall receive a fair share of defense contract awards. But to be perfectly realistic we cannot on the one hand encourage efficiency and speed through the use of single contractors to develop major weapons systems, and at the same time expect small business to hold their own, participating in these awards. To put it bluntly, we simply cannot have our cake and eat it too.

It is necessary then to look for other approaches to the small-business procurement problem. And it is a responsibility of Congress to find the means for improving small-business participation in defense contract awards. As the opportunities for direct prime contract awards are lessened, so are subcontract opportunities expanded. This bill therefore proposes a mechanism for directing subcontracts to small businesses. When a major weapons system contractor is selected under this plan, he shall present to the Defense Department a complete breakdown of proposed subcontractors. It shall then be the responsibility of the procuring agency to insure that the major prime contractor has to the maximum extent possible availed himself of the services of small business.

A number of voluntary programs are in effect today in an effort to secure maximum subcontract opportunities for small business. But if we are to place greater reliance on American industry, to produce complex weapons systems, then it is proper that we impose a concomitant responsibility for promulgating the policies of the Government with respect to small business. If major prime contractors are thus required to use Government procurement procedures with respect to small-business contracting, the ultimate share of Defense Department procurement dollars which end up in the hands of small business either through prime or subcontracts will increase rather than decrease, even as our weapons systems become larger and more complex.

Finally, this bill gives greater flexibility to the procurement agencies of the Defense Department with respect to the method by which they select prime contractors. The Armed Services Procurement Act is written so as to require the use of formal advertising, except in specified cases where the department involved may justify the use of negotiation. This bill would place formal advertising and open competitive negotiation on an equal footing. These two concepts are fundamentally the same and they achieve in the end the same result for the Government, that is, the lowest price obtainable and maximum competition. Except in those cases where the Defense Department now is able to justify a negotiated contract, it must draw up formal specifications, prepare formal bid forms, and submit them in the open market. An extended period of time is involved in preparing and offering the bids. Then the bids must be formally evaluated. The entire procedure is very time consuming and costly.

In many cases where negotiated procurement is permissible, the Defense Department has used what is known as open and competitive negotiation. In such a case the requirements of the Government are made known in a less formal manner and proposals are solicited from all available and interested firms. But since the bargaining can take place across a negotiating table with all parties who are interested, the end result is much, much greater speed, often a lower price, and significantly reduced overhead costs. It is every bit as fair to the Government and to all of the firms who participate as is the more formal type of advertising.

If this bill is enacted, there will still be many cases where formal advertising will be used; but there will also be greater flexibility in defense procurement practices and procurements urgently needed for national security will not be unnecessarily delayed.

These changes in the law contemplated by the provisions of this bill are simple changes. But it is my conviction that they would have a profound effect upon the procurement procedures of the Defense Department. Further, we must insure that our Nation's small business at the very heart of our industrial democracy has full opportunity to participate in all defense procurement, even though military technology each day becomes more complex and involved.

I am confident that if these or similar changes are adopted in our procurement laws, great administrative savings can be made within the executive branch of the Government. Many unnecessary, time-consuming, and expensive technical and administrative requirements are now imposed upon procurement agencies. These could be in large part removed.

With their removal we would release the great energy of American industry and logically consolidate authority with responsibility. American industry can do the job of producing modern weapons better than any other industrial establishment in the world. We must, however, give it the chance and the incentive to use the ingenuity and resourcefulness which has been its hallmark.

I urge the Congress to give its consideration at the earliest time to these recommendations or to other changes which may be offered to effect these same purposes. For upon the speed and efficiency of procurement processes may well depend the peace and security of the Free World.

CLUBS FOR BOYS AND GIRLS ESPECIALLY INTERESTED IN SCIENCE

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science. I ask unanimous consent that the bill may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4295) to require the Commissioner of Education to encourage, foster, and assist in the establishment of

clubs for boys and girls especially interested in science, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That in order to strengthen future scientific accomplishment in our Nation by assisting in the development of a body of boys and girls with a special interest in science, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, and for each fiscal year thereafter, such sums, not in excess of $50,000, as may be necessary to enable the Commissioner of Education to encourage, foster, and assist in the establishment in localities throughout the Nation of clubs which are composed of boys and girls who have an especial interest in science.

SEC. 2. (a) The Commissioner of Education shall carry out his duties under the first section with a view to the ultimate chartering by the Congress of a corporation, similar to the Future Farmers of America, which will seek to—

(1) develop an interest in science on the part of the young people of America;

(2) provide an opportunity for the exchange of scientific information and ideas among members of the clubs;

(3) encourage the promotion of science fairs at which members of the clubs may display their scientific works and projects; and

(4) develop an awareness of the satisfaction to be derived through a career devoted to science.

(b) The Commissioner of Education may utilize any of the personnel and facilities of the Office of Education in carrying out this act.

AMENDMENT OF SECTION 27 OF MERCHANT MARINE ACT OF 1920—AMENDMENT

Mr. YARBOROUGH. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (H. R. 9833) to amend section 27 of the Merchant Marine Act of 1920. The amendment is on page 3, line 6, after the word "carrier" to insert "by water as defined in part 3 of the Interstate Commerce Act, as amended,". The bill as recommended to the Senate by the Committee on Interstate and Foreign Commerce permits the corporation, as defined therein, to demise or bareboat charter self-propelled vessels of less than 500 gross tons to a common or contract carrier, who is a citizen of the United States. My amendment would restrict the demising or chartering to a common or contract water carrier. I believe it was the intention of the House of Representatives and the Interstate and Foreign Commerce Committee to restrict such chartering to water carriers. However, the bill as recommended to the Senate would technically permit the vessels to be chartered to other types of common carriers such as railroad and truck lines. My amendment is one that is technical in nature and whose sole function is to clarify the original purpose of the bill. I have consulted with the counsels for the House Merchant Marine Committee and the Merchant Marine and Fisheries Subcommittee of the Senate, and I am informed that my interpretation of the bill is correct and that my amendment is necessary to clarify the true intent of the bill.

I ask unanimous consent to have printed in the RECORD two telegrams relating to the amendment.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table; and, without objection, the telegrams will be printed in the RECORD.

The telegrams presented by Mr. YARBOROUGH are as follows:

HOUSTON, TEX., *August 14, 1958.*

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D. C.:

Reference H. R. 9833 which we understand is scheduled for action in Senate today, we have previously registered strong opposition in accordance with formal position taken by our membership which comprises the companies handling 90 percent of the common carrier barge line traffic on the Mississippi-Ohio River system, namely, American Commercial Barge Line Co., Arrow Transportation Co., Commercial Transport Corp., Coyle Lines, Inc., Dixie Carriers, Inc., Federal Barge Lines, John I. Hay Co., Mississippi Valley Barge Line Co., Ohio River Co., and Union Barge Line Co. We construe the wording in the subject bill of the provision permitting foreign corporations to demise or bareboat charter to common or contract carriers means to common or contract carriers as defined in the Interstate Commerce Act. If this bill is destined for passage, this wording should be clarified by the insertion of the following after contract carriers "subject to part 3 of the Interstate Commerce Act."

PATRICK CALHOUN, JR.,
President, Inland Waterways Common Carrier Association.

HOUSTON, TEX., *August 8, 1958.*

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D. C.

We urge that you as member of the Policy Committee table H. R. 9833 so that full committee hearings can be heard on this legislation which would permit foreign owned corporations to own and operate inland marine vessels. Our objections are based on a number of reasons: One, this bill was drafted for the specific benefit of Shell Oil Co. and Bowaters Southern Paper Corp., both of whom have ample common carrier service on the Nation's inland waterways and permitting them to transport their own cargoes will be of no benefit to the shipping public but will constitute a still further diversion of revenues from the common carriers who as a class have received emergency aid during this session of Congress because of declining revenues and increasing competition from exempt and private carriers. Two, this bill marks the first departure from the traditional principle of forbidding foreign corporations to engage in American merchant marine activities. If this policy is to be changed it should be done after much more deliberation and more extensive hearings. Three, the report on H. R. 9833 from the House committee states that this legislation will give Bowaters necessary competitive parity with other newsprint manufacturers. For your information on the Mississippi-Ohio River system where Bowaters is currently moving newsprint via common carrier no newsprint manufacturer is operating its own fleet of barges and therefore no disparity exists. For your information all of Bowaters current river barge movement of newsprint is being handled on the Mississippi-Ohio River system by American Commercial Barge Line Co. which is headquartered in Houston Gulf Canal Lines Corp. and Dixie carriers who are also headquartered here. Understand newspapers are supporting this measure on the basis of completely unfounded and unjustified promises by Bowaters that it will result in lower newsprint cost. The barge freight rate on newsprint to Houston amounts to four-tenths of 1 cent per pound of paper so that any slight savings which theoretically could develop would have no value to the thousands of Texans who read the daily press.

Regards.

JUDGE RAYZOR.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO SUPPLEMENTAL APPROPRIATION BILL, 1959

Mr. JOHNSON of Texas submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, the following amendment, namely: On page 21, between lines 18 and 19, insert the following: "No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress."

Mr. JOHNSON of Texas also submitted an amendment, intended to be proposed by him, to House bill 13450, making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table, and to be printed.

(For text of amendment referred to, see the foregoing notice.)

SUPPLEMENTAL APPROPRIATION BILL, 1959—ADDITIONAL COSPONSORS OF AMENDMENT

Mr. KNOWLAND. Mr. President, on yesterday, on behalf of myself, the Senator from Texas [Mr. JOHNSON], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from California [Mr. KUCHEL], the Senator from Alabama [Mr. HILL], and the Senator from Maine [Mrs. SMITH], I submitted an amendment which I intend to call up at the proper time in connection with consideration of the supplemental appropriation bill. The amendment is relative to taking care of the budget request which came in late, because the President had not signed the authorization bill until the day the committee completed its labors on the so-called federally impacted areas provision.

I ask unanimous consent to have added, as additional sponsors of the amendment, the names of the Senator from Missouri [Mr. SYMINGTON], the Senator from Minnesota [Mr. THYE], the Senator from Michigan [Mr. MCNAMARA], the Senator from Florida [Mr. SMATHERS], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. MAGNUSON], the Senator from New Hampshire [Mr. COTTON], and such other Senators as may desire to join in the sponsorship of the amendment.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. THYE. Mr. President, I wish to thank the distinguished minority leader for including my name in the list of sponsors. The amendment deals with a very important matter.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MCNAMARA:

Article entitled "Subsidies for Children," written by Senator NEUBERGER, and published in the Parents' magazine for September 1958.

By Mr. NEUBERGER:

Article regarding visit to Senate gallery of Cured Cancer Congress, from the periodical Cancer News.

FOREIGN POLICY ADDRESS BY PRESIDENT EISENHOWER AT THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. SMITH of New Jersey. Mr. President, the address of President Eisenhower at the United Nations yesterday is, to me, a definite landmark on the road to world peace. A friend of mine of many years telegraphed me as follows:

After listening to the President today I think he has presented the most perfect historical document I have ever read or heard. It ranks in my mind with the Articles of the Creed, the Magna Carta, the preamble to the Constitution, and the Gettysburg Address.

This is an excellent summary.

The President, as he has done so many times in the past, rose to his opportunity; and he miraculously changed what might have been an atmosphere of recrimination into a noble challenge to the United Nations to accept its responsibility and to deal affirmatively with the situation in the Middle East. The assurance of the backing and aid of the United States, without any attempt at domination by us, was a vitally important part of the presentation of our program. The crowning feature of the occasion, however, was the presence of the President himself, with his inspiring personality and his leadership.

The reaction in the press and from the public generally has been positive and enthusiastic. I have noted in this morning's newspapers some items which are particularly significant. I ask unanimous consent to have printed in the body of the RECORD, in connection with my remarks, the following:

Editorial entitled "The President's Peace Program," from the New York Herald Tribune.

Article entitled "Eisenhower U. N. Speech Called Historic Milestone," written by David Lawrence.

Article entitled "Eisenhower Plea to U. N. Called Candid, Constructive," by Roscoe Drummond, and published in the New York Herald Tribune.

Editorial entitled "The Eisenhower Doctrine"; it is the lead editorial in the New York Times.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of August 14, 1958]

THE PRESIDENT'S PEACE PROGRAM

To a world hungering for a road to peace, President Eisenhower has presented a comprehensive plan—challenging, imaginative, and noble in concept—which may mark a historic turning point in the development of the United Nations and a world rule of law.

He proposed a six-point program which obviously made a deep impression, and was heard with the same earnestness and sincerity with which he gave it.

Here are the six elements he spelled out as desirable for a Middle East solution:

1. United Nations concern for Lebanon.

2. United Nations measures to preserve peace in Jordan.

3. An end to the fomenting from without of civil strife.

4. A United Nations Peace Force.

5. A regional economic development plan to assist and accelerate improvements in the living standards of the people in these Arab nations.

6. Steps to avoid a new arms race spiral in the area.

And here are the specifics with which he fleshed them out:

To combat "inflammatory propaganda," the Assembly should reaffirm its enunciated policy condemning "fomenting civil strife and subverting the will of the people in any state" and should "consider means for monitoring the radio broadcasts directed across the national frontiers in the troubled Near East area. It should then examine complaints from these nations which consider their national security jeopardized by external propaganda."

To free Lebanon, Jordan, and other states from armed pressure and infiltration will require adequate machinery be available to make the United Nations presence manifest in the area of trouble * * * a standby United Nations peace force.

To help make the Middle East viable, healthy, and prosperous the United Nations should help inaugurate an Arab development institution on a regional basis to accelerate progress in such fields as industry, agriculture, water supply, health, and education. It should be governed by the Arab States themselves, perhaps with the assistance of the International Bank in establishing it. The function of leadership must belong to the Arab States themselves.

To check aggression, and maintain the right of collective self-defense, the United States reserves, within the spirit of the charter, the right to answer the legitimate appeal of any nation, particularly small nations. In short, the United States does not forswear the future use of force, as in Lebanon, if aggressive threats require it. Otherwise, the possibilities of conquest are unlimited. In Iran, Greece, and Turkey, the Berlin blockade, Korea, and the Straits of Formosa, the United States was guided—and will be guided—by a common principle * * * that aggression, direct or indirect, must be checked before it gathered sufficient momentum to destroy us all—aggressor and defender alike.

To stop a spiraling Mideast arms buildup, he suggests the United Nations institute a study of the flow of arms to the Mideast nations.

To help initiate these programs, the President urged Secretary General Hammarskjold, who has already made some parallel suggestions, to use his proved initiative and resourcefulness in getting them going. He urged this specifically in creating the United Nations peace force, in obtaining the International Bank's help for the regional development plan, and for working with the Arab States to initiate the plan.

He reminded the world that despite victory in two wars the United States has absorbed no other country or economic system. "As we cherish our freedom, we believe in freedom for others."

He warned all would-be conquerors, "This world of individual nations is not going to be controlled by any one power or group of powers. * * * The dream of world domination by one power or of world conformity is an impossible dream. The nature of today's weapons, the nature of modern communications, and the widening circle of new nations make it plain that we must, in the end, be a world community of open societies."

This was a program which not even Soviet Foreign Minister Andrei Gromyko dared reject entirely, out of hand. Although he followed the President, with a 40-minute tirade full of familiar Soviet blusterings and cliche-rattling, he referred to the proposed economic program as "surely something good" which "would require careful consideration."

For the rest, Gromyko's speech was a parroting of tired phrases: "armed intervention," "basic rights trampled under foot," "a dangerous situation," "armed intrusion typical of the actions of a colonist," "oil, oil and again oil," "picking up the reins of the carriage of colonialism," "playing with fire," "a fulcrum of war is being built up," "the abyss of a new war with all its horrendous consequences," and a direct—indeed sinister—warning to Turkey that aiding the West "can only drive Turkey into the holocaust of war." Even Gromyko himself seemed to get bored by this phonograph record before he was through. Much of it could be summed up by Eisenhower's phrase, "ballistic blackmail."

Gromyko is at a handicap before the General Assembly, because the Soviet Union is still in contempt of this body, never having obeyed or acknowledged its overwhelming resolution for an evacuation of Hungary and a restoration of that small nation's independence.

It was the voice of a small nation, Jordan, which spoke most eloquently when Gromyko was done. "Jordan asks for an answer, a satisfactory answer, to indirect aggression and external threats. We wish to feel that in resisting this pressure we are not left alone. The President of the United States * * * filled the hearts of small nations with hope and satisfaction."

A good beginning has been made on the road to peace. Let us hope the Assembly pursues it with adequate enabling action. If it does, then we are confident that concrete, constructive results can be achieved through the skilled, proven leadership and initiative of Secretary General Hammarskjold.

[From the New York Hefald Tribune of August 14, 1958]

EISENHOWER'S U. N. SPEECH CALLED HISTORIC MILESTONE

(By David Lawrence)

WASHINGTON, August 13.—There have been great addresses in the past by Presidents of the United States in the periods preceding big wars, but none that has been the equal of the speech delivered by President Eisenhower to the United Nations General Assembly with the aim of preventing a world war from breaking out over the Near East situation.

It was an impressive message because it reiterated the traditional principles for which the United States has consistently stood throughout its history. It will be effective throughout the Free World, primarily because the address reflects bipartisan support here. This is but another way of saying it is a true expression of the purposes and intentions of the people of the United States.

For the speech means that America has not yielded in her firm insistence that the independence of small nations must be protected against any aggression by a major power even if measures of protection bring on a crisis of major proportions.

The President, at the very outset, spoke of "the danger that nations under aggressive leadership will seek to exploit man's horror of war by confronting the nations, particularly the small nations, with an apparent choice between supine surrender or war." He added: "This tactic reappeared during the recent Near East crisis. Some might call it 'ballistic blackmail'."

NO APPEASEMENT

Mr. Eisenhower in those few sentences served notice that the American people would not be terrorized, would not appease dictatorships, and would not compromise on basic principles of national sovereignty. He denounced the cry of "aggression" which the Soviets have raised against the military aid given by the United States at the request of the Government of Lebanon. He said that, "If it is made an international crime to help a small nation maintain its independence, then indeed the possibilities of conquest are unlimited."

Here, therefore, is the great cause to which the President says America is dedicated—a cause that champions the rights of small nations to work out their own destinies within external interference. This is reminiscent of President Wilson's plea just 40 years ago for the "self-determination" of peoples and of President Roosevelt's similar point in the Atlantic Charter of 1941.

But, while conceding that each nation has a right to make any change—in fact, he said that "change is indeed the law of life and of progress"—Mr. Eisenhower declared that this carries with it an obligation to bring about change "in peaceful ways." The President insisted that, above all else, there must be "an end to external interference in the internal affairs of the Arab States of the Near East."

THE PRESIDENT'S PROGRAM

Mr. Eisenhower realized that merely to set forth the requirements of the U. N. Charter that members refrain from interfering through "indirect aggression" or otherwise with the independence of other member states was not enough. He called for the setting up of U. N. machinery to police troubled areas, and he offered a program of economic cooperation based not alone on American support but on the contributions of many nations, including the Arab States themselves.

The speech was carefully designed to express agreement with the legitimate aspirations of Arab nationalism, but at the same time it was unmistakably directed at the major threat to world peace today—the dictatorship in the Soviet Union which seeks to dominate smaller nations and stir up trouble between them. The President's pointed reference to the damage done by inflammatory broadcasts was an example of what realistically is causing crisis after crisis in the Near East.

HISTORIC DEVELOPMENTS

Obviously, the plan for economic development of the Near East by means of a regional arrangement is a response to those who have all along insisted that money is needed to assist the peoples of the Arab world to develop their resources and improve their standard of living. America's promise to help is significant. If taken only on its face value, it would aid immeasurably in relaxing tension and bringing peace to the Near East. Implemented further by international conferences, it could prove to be of transcendent importance in world history.

But when Mr. Eisenhower sat down amid the applause of the Free World's representatives, Soviet intransigence came back into the picture at once. The Soviet Union's Foreign Minister was almost immediately on his feet to repeat the same familiar cries about aggression and exploitation by the West.

UP TO ARABS AND KREMLIN

The Eisenhower address is bound eventually to bring second thoughts to all the Arab politicians who have echoed the Kremlin's cries against the presence of American troops in the Near East. Those troops will be withdrawn the moment there is a real basis for peace. The big question now is whether the mischiefmakers in the Kremlin will be content to let the Near East settle down or whether they will continue to keep it stirred up.

President Eisenhower has put on the record America's willingness to go all out to maintain the peace of the Near East. The burden now is on the Arab world and on the strategists in the Kremlin. For public opinion—thinking people everywhere—will endorse what President Eisenhower has said so eloquently and will hope that his plan for peace in the Near East will be supported by the United Nations General Assembly.

[From the New York Herald Tribune of August 14, 1958]

EISENHOWER'S PLEA TO UNITED NATIONS CALLED CANDID, CONSTRUCTIVE

UNITED NATIONS, N. Y.—President Eisenhower has shown that it could be done—that it was possible to give a sturdy defense of American-British action in Lebanon and Jordan that was positive, not negative, and that was constructive without being apologetic.

The President's candid, appealing address from the rostrum of the U. N. leaves the 81 nations of the General Assembly with a momentous decision:

Whether to accept the explicit responsibility of protecting the Mideast countries from direct and indirect aggression and to begin a program of economic betterment, first through Arab initiative—that was Mr. Eisenhower's appeal.

Or, whether to condemn the United States and Britain as aggressors because they responded to the desperate call of the Lebanese and Jordanian Governments and then, after asking for the withdrawal of American and British troops, to put nothing adequate in their place to secure the peace—that was the appeal of Andrei Gromyko, Soviet Foreign Minister.

It is not yet evident what constructive action, if any, the United Nations will take; a two-thirds vote is required.

It is evident that Mr. Eisenhower's calm, frank, forward-looking words had a sobering effect.

From the immediate response it seemed clear to me that the United Nations is not going to join Mr. Gromyko in a denunciation of the United States and Britain. There is a fair prospect that it will authorize measures of its own which, in the end, will permit the Anglo-American forces to withdraw.

The President's refusal to be trapped into a snarling brawl with the Soviet delegate and his positive program to further Arab independence and growth contributed to that end.

Mr. Gromyko's heavyhanded overly virtuous denunciation of the motives and acts of the West seemed to me to win him few new supporters, if any.

Mr. Eisenhower's speech was well adapted to his United Nations audience, overwhelmingly made up, as it is, of small nations.

He put the central issue with care and clarity.

His argument was: That the Soviets were seeking to create the impression "that if small nations are assisted in their desire to survive, that endangers the peace."

That if the U. N. condemns America and Britain for aiding Lebanon and Jordan, it will be making "it an international crime to help a small nation maintain its independence" and that under such a doctrine "the possibilities of conquest are unlimited."

He then brought the point home to every one of the U. N. members, many of whom cannot themselves feel very secure, by saying that he, for one, "doubted that a single free government in all the world would willingly forgo the right to ask for help if its sovereignty were imperiled."

That was plainly what Mr. Gromyko wants: Get the United States out of the Mideast and let turmoil prevail.

What the President wants is (1) U. N. concern for Lebanon and Jordan, (2) an end to fomenting from without of civil strife, including aggression by radio, (3) a U. N. peace force ready to act, (4) steps to avoid a new arms race spiral in the Mideast and, finally, (5) a regional economic development plan to help the people of the Arab nations. To that end he would authorize Secretary General Dag Hammarskjold to negotiate among the Arab Governments the best instrument to do the job. He pledged American support.

By coming here to the U. N. the President took matters in his own hands over the resistance of some of his advisers. He did well to do so. He has kept Mr. Khrushchev and Mr. Gromyko on the defensive.

[From the New York Times of August 14, 1958]

THE EISENHOWER DOCTRINE

An American policy for the Middle East shaped up as President Eisenhower spoke to the United Nations General Assembly yesterday. It was a good, constructive framework which offers the Arab nations what they should be wanting, which stays within the principles of the U. N. Charter, and which safeguards United States interests.

None of Mr. Eisenhower's six points was, by itself, new: concern for Lebanon, measures to preserve peace in Jordan, and end to fomenting civil strife from without, a United Nations Peace Force, a regional economic development plan and steps to avoid a new arms race. Taken together (and the President insisted they must be "viewed as a whole") they provide the basis for a feasible program.

Obviously, the mere formulation of a policy in general terms is not the same as putting the policy into effect. This is where the really great problems of the immediate future lie.

The first requirement is that the United States develop hard and fast detailed proposals, plans and U. N. resolutions to put flesh on the bare bones of the policies Mr. Eisenhower outlined. This no doubt will be done, since the United States is now committed to the program. A far more difficult proviso—although it was a necessary one—is that the Arab states accept and help to formulate the policies. Considering the activities of the United Arab Republic, the suspicions and ambitions of many Arab nationalistic leaders, the hostility toward Israel and the internal opposition to rulers such as King Saud of Saudi Arabia, and King Hussein of Jordan, not to mention President Chamoun of Lebanon, this is a tall order. Agreement in the Middle East is not going to be an overnight affair. Then there is the task of winning over a safe majority within the United Nations for the program, which presumably means two-thirds of the participating members.

The creation of a United Nations Peace Force has proved impossible in the past and is at best a difficult and delicate task requiring patience and perhaps a good deal of time. Even the formulation of a workable economic development plan for the Middle

East is bound to meet obstacles, although it is so obviously desirable.

On the final point of restricting arms shipments there can be no success if the Russians insist on including Turkey, Iran and Pakistan in a disarmament plan. If the Russians, therefore, keep on furnishing arms to Egypt, Syria and Yemen an "arms race" cannot be avoided.

All these difficulties must be recognized, otherwise the Middle East and the world in general will have their hopes raised in vain. Nevertheless, the fact remains that President Eisenhower, speaking for the United States, did yesterday offer a program for the Middle East that was high in its aims and admirable in content. It deserves serious and thoughtful consideration from the General Assembly, and especially from the Arab members.

JOE HOCKING RETIRES

Mr. MANSFIELD. Mr. President, the weekly newspaper is an influential and important force in the State of Montana. This is more apparent in a State like mine, because of the comparatively small population, vast land area, and large number of small communities and cities. The weekly newspaper field has been the source of many of Montana's finest public servants and prominent citizens.

Recently it was announced that the Treasure State will be losing one of its most capable and talented weekly newspaper publishers—T. J. Hocking, publisher of the Glasgow Courier. Joe Hocking is retiring after 45 years of publishing this weekly newspaper in Glasgow, Mont.

Joe has worked hard, both as a member of the fourth estate and as an active contributor to the growth and development of Glasgow and Montana. His retirement comes at a time when this city is being transformed from a small city to one busy with new activity and growth associated with the continued development of the Fort Peck Dam and the construction of a large Air Force jet base. Glasgow is now a city bustling with activity, and Joe Hocking is one who can take partial credit for the growth of his community. I anticipate that in the very near future, Glasgow will be demanding the services of a daily newspaper.

I have come to know Joe Hocking as a friend, a man of integrity and fine understanding.

I extend my best wishes for success to the new owners, R. S. Howard, H. R. Burges, and William B. Sweetland. I have known Bill Sweetland for some years. He publishes one of the finest dailies in the Northwest, the Kalispell Inter Lake.

We dislike to see Joe Hocking go; but I know that he will not lose his interest in Montana affairs, and I hope he will have the best of everything in the many years to come.

He has been, and is, a good, a kindly, and a decent man.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an editorial published in the August 6 issue of the Miles City Star and an article published in the August 7 issue of the Glasgow Courier.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Miles City Star, August 6, 1958]

PUBLISHER JOE HOCKING

Press releases from the news wires in Montana over the weekend just past announced that T. J. Hocking had sold the Glasgow Courier. This will ring the curtain down on nearly a half century of the "Joes" of the Montana Press Association.

Throughout the years, starting in the early 1900's, newspapermen of the State referred to the three "Joes" as men who could be counted on to gain most any goal for the good of the association. They were Joe Markham, now manager of the Montana Automobile Association; the late Joe Scanlan, founder of the Star; and Glasgow's Joe Hocking.

The latter has published the Glasgow Courier for 45 years. He has been prominent in affairs of his community, noted for his sound advice in newspaper circles, and a familiar face throughout much of the State.

Joe has worked hard for many, many years and can now retire with his memories of a job well done. We wish him the very best of everything in the years to come.

We also welcome the new owners, R. S. Howard, H. R. Burges, and W. P. Marshall. Although not new to the publishing business, they are new to the fourth estate of Montana. They have a big job in filling the shoes of Joe Hocking. We hope the Glasgow area will not be disappointed. Chances are the new owners will give much consideration to changing the Courier from a weekly to a daily. With the growth of the Fort Peck-Glasgow area assured as the new Air Force jet base nears completion, this move undoubtedly would have been in the program for Joe, if he was 30 years younger.

Time changes many things, evidenced in every walk of life. We in the publishing business chronicle these events, seldom thinking they may ever happen to ourselves or our friends. The sale of the Glasgow Courier, however, touches close to home for this writer, as it will for any of us who have succeeded our father or older member of the family this position.

In stepping down from the post of publisher, Montana's fourth estate will be losing an active, capable man in Joe Hocking. He has worked hard at his job, in the upbuilding of his community and trade area, and in the best interests of Montana. He has earned the comforts of retirement and the best wishes of all who know him.

[From the Glasgow Courier of August 7, 1958]

COURIER SALE TO HAROLD BURGES WILL BE EFFECTIVE SEPTEMBER 1

Sale of the Glasgow Courier to Harold R. Burges, of Chester, Pa., was announced today by T. J. Hocking, owner and publisher. The announcement comes during the week that brings the 45th anniversary of operation for Hocking. He established the Courier early in August of 1913.

The sale becomes effective on September 1. Hocking will retain the office supply portion of the business and will operate it in a location on First Avenue North formerly occupied by the Glasgow Auto Supply Co.

The new owners have announced that, with the exception of the management, they do not plan any changes in the personnel of the Courier.

Burges, a native of Minnesota, is presently production manager of the Chester, Pa., Times. He is married and the father of two children.

Associated with Burges in the Courier purchase are Robert S. Howard, publisher of the Chester Times, and William B. Sweetland, publisher of the Kalispell Daily Inter Lake.

Howard for several years published a daily newspaper at Pocatello, Idaho, and is also a Minnesota native. He maintains a summer home at Lakeside on Flathead Lake.

Born in South Dakota, Sweetland published newspapers in Minnesota and Iowa before moving to Kalispell 4 years ago.

Burges was born in Clara City, Minn., and spent his early life there. He attended Clara City schools and the University of Minnesota. He learned the printing trade in the weekly newspaper of his father.

After finishing school, he owned and operated a commercial printing shop in St. Paul, and later went into partnership in a semiweekly newspaper with his brother, Theodore, in Boone, Iowa.

Burges spent 4 years with the Army during World War II, most of the time with the 33d Infantry Division in the South Pacific.

After the war, he joined the Scripps League of Newspapers as mechanical superintendent, living at The Dalles, Oreg., and Pocatello.

In 1955, he became production manager of the Chester Times.

Burges is married, and he and his wife, Esther, have 2 children, Margaret, 9, and Robert, 5. Mrs. Burges is a sister of Mrs. D. J. Bogut of Glasgow. The Burges family will live in Glasgow at 535 Fourth Street South.

For Hocking, sale of the Courier marks the end of a newspaper career that began in 1905 when he took his first job on the Westhope (N. Dak.) Standard as a printer's devil. The native of LaCrosse, Wis., was associated with several North Dakota newspapers.

He moved to Montana in 1909 to work for G. H. Coulter on the Culbertson Republican. He and Coulter formed a partnership in 1910, which continued for 3 years. During that time, the partners started the first weekly newspapers in Poplar, Scobey, and Redstone.

Hocking later bought Coulter's interest, then sold the Republican in 1913 to purchase the Valley County Independent in Glasgow from J. T. Farris. He moved the Culbertson plant to Glasgow in August 1913, and founded the Glasgow Courier. It has been under his ownership and management ever since.

During that period, the newspaper has continued its growth and now claims the largest bona fide weekly newspaper circulation in Montana.

Hocking was married to Fern I. Maley in 1910, and they have one daughter, Mrs. R. G. Schneider (Geraldine) of Glasgow. He has served with both State and National newspaper groups and is a past president of the Montana State Press Association.

Sale of the Courier was handled through M. D. Armstrong of the Dial Agency, 15 Waverly Street, Detroit. Armstrong had previously been in Glasgow conducting newspaper circulation campaigns.

HOME RULE IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I have three items to insert in the RECORD, to which I shall direct my remarks under the 3-minute rule. I want it to be known I shall not be out of order by exceeding 3 minutes.

First, I ask unanimous consent to have printed in the RECORD, as an introduction to my remarks, a very critical article about me, but a distorted and misleading article, which appeared in the Washington Post and Times Herald of last Sunday, August 10, written by Mr. Robert C. Albrook, entitled "All Is Not Gloom About Home Rule."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALL IS NOT GLOOM ABOUT HOME RULE

(By Robert C. Albrook)

The home-rule debate is over as far as this Congress is concerned, but some aspects of the brief and ill-attended proceedings in the Senate last week were notable and ought not to be forgotten.

This was the fourth time the Senate approved a District home-rule bill, and as on the other occasions (1949, 1952, and 1955) the measure has no chance of favorable action by the House District Committee, even though the lopsided 61–22 approval in the Senate suggests that a majority might be mustered for it on the House floor.

That may not sound like progress. But a review of the debates on each occasion suggests otherwise. For one thing, the traditional southern Democratic foes of home rule in the Senate did not bother this time to make the discredited argument that an elected local government for the District of Columbia would be unconstitutional.

The decision of the Supreme Court in the Thompson Restaurant case in 1953 clearly supports the right of Congress to delegate (though not to abandon) its legislative powers over Washington, and there is now general acceptance of that view.

Nor is there now any haggling, as there was on earlier occasions, about how much legislative authority could be delegated to an elected local body. The first home-rule bills carefully distinguished between "ordinances" and "acts" and reserved for Congress specific veto power over the latter, State-type functions. The present bill makes a full grant of local legislative power of every kind.

Moreover, this was the first home-rule bill ever reported to the Senate with the specific and full support of the White House and the District Commissioners. On previous occasions, Presidents and Commissioners had given the bills their general blessing but never had seen fit to participate in the drafting or to approve details.

As a result, GOP members voted for the bill almost to a man, while southern Democrats and Senator WAYNE MORSE, of Oregon, voted against it.

MORSE was the only Senator to speak against the bill. He failed in an effort to substitute a measure that would have created a Charter Commission to write new home-rule legislation. Then he failed to get the administration bill sent back to committee.

Originally, he had favored his own bill, which the late Senator Matthew M. Neely cosponsored with him, but he did not try to have it substituted on the Senate floor.

During the debate, MORSE took exception to a statement in this column on July 27 which said, "Senator WAYNE MORSE, supposedly a friend of the District, took a solid stand against the administration bill in favor of his own version, and his failure to push for or suggest a compromise delayed the whole matter fatally."

Describing this statement as "uninformed and unfair," MORSE said a check of the record would have revealed that he had, "pending before the Senate" the Neely-Morse bill. That bill is, of course, what this writer was referring to in the statement 2 weeks ago that MORSE had opposed the administration bill "in favor of his own version."

If there was any effort by MORSE to push for an early showdown, or a compromise in the committee it is not disclosed in the record of his testimony as inserted by MORSE himself in the CONGRESSIONAL RECORD.

He maintained an adamant stand against the administration bill and its provision for an appointed governor (instead of an elected mayor, as favored by MORSE) throughout the hearings. He made it quite plain—and confirmed it in his vote against the home-rule bill last week—that he would rather have no bill at all than the administration bill.

If the Charter Commission proposal was meant as a compromise, it came late in the day. The Senate District Committee turned thumbs down on the general idea when MORSE proposed it informally, but he failed to offer a written version of it until last Monday, much too late for hearings and action this year. He said:

"I am only sorry the Washington Post did not do its bookwork. If it had, who knows, they might have become supporters of the creation of a District of Columbia Charter Commission."

This newspaper editorially endorsed the idea of a Charter Commission as long ago as April 17, 1947. It was specifically suggested again in this column on Feb. 10, 1957. If MORSE had taken up the idea and pushed for it then, this Congress might have made a real start on home rule.

Mr. MORSE. Mr. President, as a matter of personal privilege, I have replied in a letter I have sent to the editor of the Washington Post and Times Herald, which reads as follows:

To the EDITOR OF THE WASHINGTON POST:

I wish to repeat the charge made by me during the course of the debate on S. 1846, the administration's home-rule, in name only, bill, that your columnist, Mr. Robert C. Albrook, did not do his bookwork on home-rule legislation during this session of the Congress. In evidence of the soundness of my contention, and as a basis for my charge, I cite the fact that in open hearing, on January 31, 1958, as established on pages 290 and 291 of the printed hearings, and as reprinted on page 16376 of the CONGRESSIONAL RECORD, I stated:

"It may be that the subcommittee might want to consider the advisability of calling for a direct vote of the people of the District of Columbia on the issue of home rule. This could be done in a variety of ways. One good method would be to give support to the creation of a Charter Commission, whose first duty would be the responsibility of drafting a proposed charter for the city. The next step would be to submit such a proposed charter to the referendum vote of the people of the District. As the chairman knows, I come from a State which developed the "Oregon system" of direct democracy, consisting of such landmarks of legislative procedure, as the initiative, the referendum, and the direct primary. I recommend it as one of the most effective checks by the voters upon the proposals and the conduct of officeholders yet devised within the framework of our democratic process.

"The creation of a Charter Commission with a referral of recommendations to the people should be helpful to the Congress in reaching final decision as to the final legislative form that home rule should take in the District."

A transcript of the hearing record was available for Mr. Albrook's inspection in the committee office thereafter from February 3 until June 13, 1958, at which time the printed hearings were available. Although the Judiciary Subcommittee of the Senate Committee on the District of Columbia chose not to make further study of my proposal at that time, and instead reported favorably to the full committee S. 1846, I carried into the full committee my fight for the adoption of the Charter Commission alternative. On April 30, 1958, by record vote in full committee, the Charter Commission proposal which I offered failed to attain the necessary majority for adoption. I gave notice then, and I repeated it later in the minority views section of the committee report which accompanied S. 1846 to the floor of the Senate on June 16, 1958, when the report was filed, that I intended to bring up the matter during Senate debate. On page 40 of the report will be found the following:

"As a substitute for this most inadequate and regressive bill, I shall propose in Senate debate the establishment of a Charter Commission for Home Rule. Under such a proposal the District citizens will have an opportunity to participate actively in the creation of a form of municipal government which will best enable them to govern themselves. It may well be that such an arrangement will offer, in the long run, the fastest way to true home rule."

Again, on August 4, 1958, in conformity with Senate usage, I had the Charter Commission proposal printed in order that it might be offered as an amendment in the nature of a substitute for S. 1846.

It would appear, therefore, that upon at least four occasions, had he but shown the slightest journalistic curiosity, Mr. Albrook could have informed himself upon the matter, and, in turn, conveyed to his putative readers the facts of the situation.

I am nearly always available to the press for comment upon pending legislation, yet, if memory serves, no inquiry was put to me by Mr. Albrook, nor, to the best of my knowledge, did he make inquiry of other Senators on the committee, or of my office, or even of the committee staff. Had he done so, I feel sure that he would have learned that some of my colleagues, although they did not feel that they could vote for the Commission substitute on the floor of the Senate, having previously voted against it in committee, nevertheless believe that it contains a far greater content of true home rule than the less than a crumb of home rule contained in the so-called half a loaf of the administration bill, S. 1846.

By the time the floor debate opened, it was perfectly crystal clear to all Senators that no action upon any measure relating to home rule would be taken by the House of Representatives during this session. I had early predicted that this would be the case and I take no joy in being a successful prophet in this instance. The parliamentary situation being as it was, to offer S. 1289 as a floor substitute for S. 1846 would not have made sound legislative sense. Legislation based upon true home-rule principles of an elective mayor and an independent school board, has three times previously passed the Senate. To spoil the record of Senate acceptance of that principle, by risking the almost certain defeat which would have met any substitute proposal at that time, does not, as I have said, make sound parliamentary sense. For a writer, who at one time served as clerk of the Senate Committee on the District of Columbia, to imply that the Neely-Morse bill ought to have been offered as a substitute, speaks volumes against either the soundness of his judgment, or the objectivity of his professional appraisal. I will not comment on his journalistic integrity, or his political naivete, except to say that in my judgment his performance was more becoming to a tyro than to a supposed expert in the field of District legislation.

That Mr. Albrook shares the attitude of too many people in Washington, who ought to know better, to the effect that the District should be kept as an appendage of the executive branch is deplorable in my judgment, but I would not quarrel with his right to hold this view. I do object, however, when through the instrumentality of his column, he seeks to smear my record of consistent support of true home rule through a distortion of the facts. I believe that the testimony of the record cited earlier refutes the insinuation, and I feel that an objective inquiry by Mr. Albrook into the

facts of the situation would have enabled him, had he so desired, to inform his readers correctly. Further, I continue to resent the imputation that "Senator WAYNE MORSE supposedly a friend of the District took a solid stand * * * in favor of his own version, and his failure to push for or suggest a compromise delayed the whole matter fatally." Having tried rather aggressively on two occasions, once before the subcommittee and once before the full committee to gain the acceptance of a substitute proposal which would have safeguarded the elective principle—for I am convinced that the citizens of the District given the opportunity to express their view through the ballot would indubitably choose to elect their mayor rather than to have appointed over them a proconsul of the Executive—I may be assailed as one who would not compromise a principle, but I am innocent of the charge of failing to push for or suggest a compromise which would have permitted a fully acceptable alternative to the measure which was passed.

In order that the Washington Post may take judicial notice of my intent, and to prevent the slightest doubt in the minds of its columnists, I announce now, that in January I shall introduce again the Charter Commission proposal to permit the citizens of the District of Columbia to have a voice in the writing of home-rule legislation which will enable them, when approval is given by the Congress, to exercise over themselves the municipal authority which is enjoyed by the citizens of our other great metropolitan areas. I shall introduce it in preference to the Neely-Morse bill, because first, I am convinced that through its procedures, the Commission and the citizens of the District in open hearings will develop legislation to accomplish the objectives sought by the Neely-Morse bill while at the same time perfecting the draftsmanship of the bill; second, I believe that through the referendum provisions of the Charter Commission proposal the District citizens will have an opportunity to exercise, in fact, the home-rule principle; and finally, as I said on the floor of the Senate during the debate, I am now firmly of the opinion that after taking cognizance of the Congressional inertia which has greeted other proposals, the Charter Commission method, because it will involve actively a great many District residents, will generate an atmosphere of enthusiasm within the District which will communicate itself to the Congress to a compelling degree.

As I have indicated before, although I would hope that the Washington Post would back the proposal editorially, and the editorial position taken in April 1947 and February 1957 might lead one to expect that it would, I am not too sanguine that it will, in view of its record during this session. An unkind critic of the Washington Post and of its editorial policy in favor of the farce of home rule advanced by the administration, might conceivably charge the newspaper with having infused its ink with lemon juice or having had a trace of jaundice in its masthead in the last two Sunday issues. It has been less than kind, to put it mildly, to the Neely-Morse bill, and I fear that it may take the same tack with respect to the Carter Commission proposal, despite its previous endorsement according to Mr. Albrook, of April 1947 and February 1957.

Should this fear prove justified by events next session, many readers including the senior Senator from Oregon, will be forced into agreeing with the unkind critic.

WAYNE MORSE,
United States Senator.

Mr. MORSE. Mr. President——

The VICE PRESIDENT. The Senator from Oregon.

THE PRESIDENT'S SPEECH ON THE MIDDLE EAST SITUATION

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a column written by Walter Lippmann, published in this morning's Washington Post and Times Herald, with respect to the President's speech on the Middle East situation, and a very able editorial published in this morning's New York Times with regard to the President's speech.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of August 14, 1958]

BASIS FOR NEGOTIATION

(By Walter Lippmann)

The General Assembly having met, there is some reason for thinking that there now exists a basis for negotiation on immediate issue. The issue is not in Lebanon, which does not pose an insoluble problem. The issue is in Jordan.

The fact is that the Kingdom of Jordan is not capable of being an independent and sovereign state, and that it cannot be maintained much longer even if the British troops remain there. The question before the U. N. is how to prevent the collapse of the Kingdom from producing an Arab-Israeli war for the partition of the territory of Jordan.

The only hope is that the U. N. itself, following along the lines indicated a few days ago by Mr. Hammarskjold, will make the territory of Jordan into a protectorate of the U. N. for Jordan cannot be a British protectorate. It cannot be absorbed into the United Arab Republic without arousing Israel. If peace is to be preserved, Jordan must be given a new and special status. Only the U. N. itself can do that.

On this crucial point, the American position and the Russians are within negotiating distance of Mr. Hammarskjold's proposals.

The essential element of an arrangement for Jordan is that its territory should be neutralized and demilitarized as between Israel on the one hand, Egypt and Syria on the other. Jordan cannot be partitioned without a great risk of war. It should, therefore, be preserved and be transformed in a buffer state, as is the Gaza strip. This requires concessions. It means that Nasser must renounce the notion of incorporating Jordan into his military system. It means, on the other hand, that the West must renounce the idea of preserving the Kingdom under the Eisenhower doctrine as a bastion against Nasser and the Soviet Union. A United Nations protectorate over a neutralized Jordan would not prevent the Jordanians from entering the new Arab community. But it would prevent them from being part of Nasser's military system.

Some such solution as this may be possible at the meeting in New York because it serves the vital interests of all the powers concerned. None of them can afford to stand by and let another Palestine war break out. On the other hand, none of them, not the Western Powers nor Russia and Egypt, has a vital interest in Jordan as such. Jordan is not an asset but a strategic vacuum which must be filled by statesmanlike action, lest it be filled by violence.

In the larger sense, the chance of a general accommodation in the Middle East rests on the fact that the vital interests of Russia on the one hand, of Britain and the United States on the other, can be satisfied without the military domination of the region. The Middle East is very important to all three of the great powers involved, but none of them has a vital interest of a kind that demands exclusive military control. The oil of the Middle East can be sold only in the West. It is not needed and it is not wanted in Russia. The West, for its part, cannot hope to control the oil of the Middle East by its military power. It can control it only by the use of its financial and economic bargaining power which, all things considered, is very great.

What we might hope is that in New York there will be an agreement to deal with the very real emergency in Jordan and, beyond this, that the great powers will find a basis for a negotiation aimed to achieve an economic and strategic accommodation in the whole of the Middle East.

Of President Eisenhower's address to the General Assembly, one may say, I think, that it permits an agreement about Jordan but that it does not very much promote any larger negotiation and arrangement. Constructive work can be done in using Mr. Hammarskjold's proposal as the basis of a plan for the neutralization of Jordan, and if it can be done it would be a great blessing for all the world.

But in the large conception of the address there is, it seems to me, a fallacious assumption; namely, that the region can be stabilized by coming to terms with the Arabs, bypassing the Russians.

Necessary as it is to work toward an accommodation with Nasser, there will be no peace in the Middle East unless there is an understanding with Russia.

For the Middle East is not all Arab. There are also Turkey and Iran which are not Arab and they are on the southern border of the Soviet Union. As the Soviet Union can no more be excluded from the Middle East than can the United States be excluded from Central America, any position which ignores this fact will have about it an air of unreality.

THE EISENHOWER DOCTRINE

An American policy for the Middle East shaped up as President Eisenhower spoke to the United Nations General Assembly yesterday. It was a good, constructive framework which offers the Arab nations what they should be wanting, which stays within the principles of the United Nations Charter, and which safeguards United States interests.

None of Mr. Eisenhower's six points was, by itself, new: Concern for Lebanon, measures to preserve peace in Jordan, an end to fomenting civil strife from without, a United Nations Peace Force, a regional economic development plan, and steps to avoid a new arms race. Taken together (and the President insisted they must be viewed as a whole) they provide the basis for a feasible program.

Obviously, the mere formulation of a policy in general terms is not the same as putting the policy into effect. This is where the really great problems of the immediate future lie.

The first requirement is that the United States develop hard and fast detailed proposals, plans and United Nations resolutions to put flesh on the bare bones of the policies Mr. Eisenhower outlined. This no doubt will be done, since the United States is now committed to the program. A far more difficult proviso—although it was a necessary one—is that the Arab states accept and help to formulate the policies. Considering the activities of the United Arab Republic, the suspicions and ambitions of many Arab nationalistic leaders, the hostility toward Israel and the internal opposition to rulers such as King Saud of Saudi Arabia and King Hussein of Jordan, not to mention President Chamoun of Lebanon, this is a tall order. Agreement in the Middle East is not going to be an overnight affair. Then there is the task of winning over a safe majority within the

United Nations for the program, which presumably means two-thirds of the participating members.

The creation of a United Nations Peace Force has proved impossible in the past and is at best a difficult and delicate task requiring patience and perhaps a good deal of time. Even the formulation of a workable economic development plan for the Middle East is bound to meet obstacles, although it is so obviously desirable.

On the final point of restricting arms shipments there can be no success if the Russians insist on including Turkey, Iran and Pakistan in a disarmament plan. If the Russians, therefore, keep on furnishing arms to Egypt, Syria and Yemen an arms race cannot be avoided.

All these difficulties must be recognized; otherwise the Middle East and the world in general will have their hopes raised in vain. Nevertheless, the fact remains that President Eisenhower, speaking for the United States, did, yesterday, offer a program for the Middle East that was high in its aims and admirable in content. It deserves serious and thoughtful consideration from the General Assembly, and especially from the Arab members.

TRANSPOLAR NAVIGATION

Mr. KUCHEL. Mr. President, the transpolar voyages under the Arctic icecap by two American nuclear submarines rank with the explorations of Columbus, Magellan, Cabrillo, Drake, and other courageous sailors who discovered continents and broadened man's knowledge of the globe.

Great military, political, and economic significance attach to the imagination-capturing feats of the U. S. S. *Nautilus* and U. S. S. *Skate*. And in appraising the meaning of these cruises in terms of national defense, international trade, and seamanship, we will not ignore the scientific implications of travel under the surface of the sea and the polar icefields.

The officers and crews of these two American Navy submarines have given our people reassurance that the United States was not left at the post when Soviet Russia hurled the first sputnik into outer space. I believe we are entitled to draw a feeling of satisfaction from the obvious fact that unprecedented navigational and engineering progress is indicated by these submerged trips at the top of the world.

While requirements of national security naturally will shield many details of these operations for some time to come, I am happy to learn and to point out to the Senate that solving of the complicated navigating problem was due in very great measure to a remarkable system developed by one of the California aircraft manufacturers who has been a bulwark of our defense forces for many years.

The inertial navigation system which helped the *Nautilus* find her way through uncharted waters is an unexpected dividend from aeronautical experimentation in the missile field. It was essentially the system which had been perfected for the Navaho guided missile, under development by North American Aviation, Inc., of Los Angeles. The contract for production of this weapon unfortunately was canceled a little more than a year ago. While the halting of operations on this missile at North American had a painful impact on large numbers of workers, the disclosure that Navaho's guidance mechanism aided the *Nautilus* and the *Skate* gives a high measure of satisfaction to all at North American who had a hand in its development.

The adaptation of the Navaho system to shipboard use is a milestone in industrial progress. Furthermore, it shows once again how, under the American private-enterprise philosophy, real benefits can be fashioned from temporary adversity. Experience gained in missile guidance was turned by autonetics division of North American Aviation toward the perfecting of the navigational system for installation in ships and submarines. The precise guidance required for the Navaho missile was adaptable to projects calling for unusual range, accuracy, and flexibility, such as the transpolar cruises beneath the icecap.

In order that the importance of this industrial and scientific step may be fully appreciated, I request unanimous consent to have printed in the RECORD an article from the New York Times of August 10 on the role which the North American Aviation work in the field of guidance systems played in the historic trips of the *Nautilus* and the *Skate*.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 10, 1958]

INERTIAL SYSTEM GUIDED NAUTILUS—SUBMARINE MAINTAINED ITS COURSE WITHOUT AID OF STARS OR COMPASS

(By Ira Henry Freeman)

Comdr. W. R. Anderson, skipper of the Nautilus, kept his ship on the proper course for 1,830 miles under the Polar icecap by a system of navigation similar to that employed on some missiles.

With a sheet of ice 12 feet thick and at least 400 feet of water above him, the navigator could not, of course, shoot the sun or a star to fix his position by celestial navigation. Nor were there any radio directional beams such as those guiding trans-atlantic liners or commercial airplanes.

The method of navigation in the *Nautilus* was an inertial guidance system, similar to that in Thor and most of our other long-distance missiles. It was developed, although not invented, by the autonetics division of North American Aviation, Inc.

USED ON NAVAHO

The method was first applied 8 years ago to Navaho, a 5,500-mile surface-to-surface missile of the Air Force. Work on the Navaho was canceled by the Air Force in July 1957, for budgetary and other reasons unconnected with the guidance system.

North American then installed its guidance system aboard surface ships for testing, and finally put it into the *Nautilus*. J. H. Kindelberger, chairman of the board of the company, expressed gratification yesterday that the navigation devices had made the transpolar cruise of the submarine possible.

Details of the system are secret, but the general method is known. Unlike celestial or radio navigation, an inertial system is entirely self-contained, depending on no outside radio signals or observations of a heavenly body.

READS ANGLE ON SEXTANT

In celestial navigation, the mariner observes the angle of the sun, moon or a fixed star with his sextant. Then, from tables he reads, determines his position on the earth's surface.

In radio navigation, the mariner or aviator follows a radio directional beam. Or he may take bearings on several known radio stations; where the lines of bearing cross is his position.

One of the oldest and simplest methods of navigation is dead reckoning, in which a magnetic compass course is plotted and kept to as closely as possible.

But Skipper Anderson could not use a magnetic compass in high latitudes, where the proximity of the North Magnetic Pole and subsurface masses of magnetic ore would have made the compass useless.

DETERMINED POSITION

He determined his position by conventional methods before he submerged off Point Barrow, Alaska. Then he set the inertial guidance system, consisting of devices so delicate that every movement of the ship—forward, up, down, sideways, and even rotational are recorded.

As he ran a predetermined course, the position of *Nautilus* at every moment was shown by a moving finger tracing the track on a chart.

When the *Nautilus* was turned by deflection of the rudder, or moved sideways by undersea currents, or speeded up or slowed down by the engine, the moving finger showed precisely where and how much.

The brains of an inertial guidance system are three cylinders called accelerometers, mounted on perpendicular axes. Any movement in any direction from a previously set course is detected by these devices.

A computer calculates the direction and strength of the intruding force, and what correction is required to get back on course.

The accelerometers are mounted on a platform stabilized by gyroscopes.

A spokesman for North American Aviation said yesterday that the company was making such inertial navigation systems for nuclear submarines now under construction, designed to carry the Polaris missile.

STUDY OF QUESTION WHEN SHOULD THE UNITED STATES SURRENDER IN ALL-OUT NUCLEAR ATTACK

Mr. SYMINGTON. Mr. President, on August 8 I had printed in the RECORD an article from the St. Louis Post-Dispatch entitled "Question of When United States Should Surrender in All-Out Nuclear Attack Studied for Pentagon," by Brig. Gen. Thomas R. Phillips, United States Army, retired.

This article disturbed many of my constituents, who thereupon wrote me about it.

Today, an article by Ruth Montgomery entitled "Ike Blows His Top at United States Surrender Article" appears in the New York Mirror. The Washington Post also carries an AP article entitled "United States Surrender Study Publication Irks Ike."

Mr. President, I ask unanimous consent that those two articles be printed in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Mirror of August 14, 1958]

IKE BLOWS HIS TOP AT UNITED STATES SURRENDER ARTICLE

(By Ruth Montgomery)

WASHINGTON, August 13.—President Eisenhower angrily ordered a full-scale investigation on learning that a scientific agency working for the Defense Department is studying conditions under which United States

surrender would be advisable in the event of a Soviet nuclear attack.

A Pentagon official disclosed that all military business practically came to a standstill for 2 hours yesterday, after the White House call, while officers frantically launched a searching probe.

A secret report conveyed from the White House to the Republican Senate policy committee disclosed that Ike became more excited than at any time since assuming the Presidency.

Eisenhower first heard of the scientific study during this week's regular legislative meeting with Republican leaders at the White House.

It was brought to his attention by Senators KNOWLAND, BRIDGES, and DIRKSEN, who exhibited an August 8 copy of the CONGRESSIONAL RECORD in which Democratic Senator SYMINGTON, of Missouri, inserted a published report of the study.

The three Senators reported back to the policy committee that Ike was absolutely horrified that such a defeatist study could be conducted by a nonprofit scientific agency working for the Defense Department.

Senators said the President ordered the Pentagon to make an immediate investigation of all Government agencies dealing with defense to determine how such a study could have been authorized, and by whom.

The article was authored by Brig. Gen. Thomas R. Phillips, United States Army, retired. It was entitled "Question of When United States Should Surrender in All-Out Nuclear Attack Studied for Pentagon."

The general wrote in part: It is a significant and shocking turn of events when United States officials have lost confidence of victory in any conflict in which the United States may be engaged in the next few years and turn to questioning our ability to survive and what is the right time to surrender.

Congressional leaders said the President vehemently assured them that this is certainly not the official thinking of the administration, or of our defense leaders.

[From the Washington Post and Times Herald of August 14, 1958]

UNITED STATES SURRENDER STUDY PUBLICATION IRKS IKE

Senators disclosed last night that President Eisenhower has ordered a top-to-bottom Pentagon investigation of published reports that United States officials are studying the possibility of surrender by the United States in a future nuclear war.

One Senator, who refused use of his name because he said the President and defense leaders had urged secrecy on the matter, said:

"I've never seen the President so mad. He had not even heard of the rumor and he turned everything upside down in the Pentagon getting to the bottom of it."

The Senate source said that Secretary of Defense Neil H. McElroy and Deputy Secretary of Defense Donald A. Quarles had assured the President and Republican Senators that "there is no thought or plan for surrender and the studies were only theoretical."

He added that the directive for the study had been made by John B. MacAuley, Deputy Assistant Secretary of Defense for Research and Engineering.

MacAuley made a trip to the Senate to explain that part of an overall study of all possibilities of an all-out war between this country and Russia had included the conditions under which either Soviet Russia or this country might be forced to surrender.

It was learned that the President first learned of the study from Senators WILLIAM F. KNOWLAND (Republican, of California), STYLES BRIDGES (Republican, of New Hampshire), and EVERETT M. DIRKSEN (Republican, of Illinois) at a White House conference on Tuesday.

They called attention to an insert made in the CONGRESSIONAL RECORD on August 8 by Senator STUART SYMINGTON (Democrat, of Missouri), a former Secretary of the Air Force and frequent critic of Eisenhower defense policies.

SYMINGTON called attention to an article in the St. Louis Post-Dispatch by its military writer, Thomas Phillips, a retired Army brigadier general.

It said that a study was being made as to when the United States should surrender in an all-out nuclear attack. It listed possible casualties running into the millions.

The Senator said the President bristled at the suggestion that leaders here were even considering the possibility of a surrender, much less having studies made.

Mr. SYMINGTON. Mr. President, in his article General Phillips pointed out that three nonprofit scientific agencies working for the Defense Department or the services are making studies as to whether this country can survive and continue to fight after an all-out nuclear attack.

Every serious group which has looked into the subject—the Rockefeller study, the Gaither report, the Johns Hopkins studies, and so forth—knows that our defenses are dangerously inadequate from the standpoint of the current danger.

For example, it is known that our Army is inferior, in quality and quantity, to the armies of the possible enemy.

It is known that the possible enemy has thousands more modern jet fighters than we have.

It is known that in quantity our submarine fleet cannot begin to compare with that of the Russians.

It is known that we are years behind in the development and production of those missiles which really count the most.

It is known that the Defense Department spent only 1.3 percent more for military purposes in fiscal year 1958 than in the preceding year—much less than enough to offset the decline in the value of the dollar.

Finally, it is known that, whereas the possible enemy is spending large amounts of money on civil defense, this particular problem, so vital in the modern nuclear age, is just about ignored in this country.

As a great military figure said, as long ago as October 1955, possibly the greatest Achilles heel in the defense of the Free World was the absence of an effective civil-defense program.

Mr. President, this is more shocking evidence of the negative approach of this administration with respect to the realities incident to the growing danger and our position vis-a-vis the possible enemy.

Surely all this emphasizes, however, the importance of our establishing plans and programs designed to catch up with the possible enemy, instead of letting him continue to lengthen his lead.

This should also point up the necessity to stop wasting our money and resources on weapons systems which would be almost useless in any possible world war III; and concentrate on acceleration of the production of the weapons systems in which we are deficient or totally lacking.

Mr. President, so long as there has been a temporary lift in the curtain of truth with respect to our situation vis-a-vis the Communists, and since I believe that in our form of government the people have the right to all information which will not help a possible enemy, I now refer the Senate to an article of August 13 by General Phillips: Experts Consider American Long-Range Missile Program To Be Shockingly Inadequate—They Foresee Reds Having 20-to-1 Superiority.

Mr. President, I should like to bring particular attention to several of the many provocative statements in this article. General Phillips says:

Some time in the next 2, 3, or 4 years the United States will have a total of fewer than 350 missiles to meet a requirement of at least 4,000. • • • It is an understatement to say that the military men and the scientists involved in such calculations as have been given about are filled with foreboding. They fear that we are in terrible trouble, that we shall be faced shortly with enormous numbers of a weapon that we cannot intercept and shall be naked of the means to deter through retaliation.

Mr. President, I ask unanimous consent that the article be printed in full at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXPERTS CONSIDER AMERICAN LONG-RANGE MISSILE PROGRAM TO BE SHOCKINGLY INADEQUATE—THEY FORESEE REDS HAVING 20 TO 1 SUPERIORITY—SOVIET AIR DEFENSES WILL REDUCE SAC EFFECTIVENESS TO NEGLIGIBLE PROPORTIONS

(By Brig. Gen. Thomas R. Phillips, United States Army (retired))

WASHINGTON, August 13.—The best informed military experts in the Pentagon on the requirements for and use of long-range ballistic missiles consider the United States program shockingly inadequate.

They foresee the time coming in 2, 3, or 4 years when the Soviets will have 20 times as many intermediate range and intercontinental ballistic missiles as the United States will have, while at the same time the effectiveness of the subsonic Strategic Air Force will have been reduced to negligible proportions by the frantic expansion, being carried out at great cost in the Soviet Union, of air defenses.

These include 100-mile air defense missiles using nuclear warheads, interceptors with a speed of 1,300 miles an hour, all tied together by a more extensive warning network and semiautomatic ground control system similar, but simpler, to our SAGE (semiautomatic ground environment).

At one time the United States was in a position where it had 10 or more times as many nuclear weapons than the Soviet Union. In a war then, the Soviet stock of nuclear weapons would quickly have been exhausted, while ours would have still been very large even after the wholesale initial exchanges.

TINY UNITED STATES SUPPLY

When the United States means of delivery of atomic and hydrogen bombs by the subsonic B-52's and B-47's of the Strategic Air Command has been largely blunted by Soviet air defenses, and possible destruction on the ground in a surprise attack, the situation will be reversed—reversed in the sense that the Soviet Union will have thousands of IRBM's and ICBM's to launch after the tiny United States supply is exhausted.

The United States program for intercontinental ballistic missiles is for 3 squadrons of the Atlas and 11 squadrons of Titan. This will provide fewer than 100 missiles.

The limited program for these liquid-propellent missiles is due to the hope—and it is only a hope—that the solid-propellent Minuteman will be coming along on schedule.

But no one can predict when the problems will be solved of getting satisfactory burning and ability to stop the burning, with a difference in missile speed of 1 foot a second when the missile is traveling 23,000 feet a second, of such enormous cast chunks of solid propellent.

There is, in contrast, every reason for confidence that the Atlas and Titan missiles will have been perfected and made usable within the next year and 2 years, respectively.

PRODUCTION BEING LIMITED

The United States is thus, for financial reasons, limiting the production of missiles that almost certainly will be proved and effective, even though they may be relatively crude early types, in the hope of getting something better.

Air Force officers involved in the problems feel almost unanimously that we should be building in quantity, firing great numbers of test missiles—at great expense, too—to hasten provision of a missile capacity in being, instead of in the future.

Why are numbers so important? The reason is twofold:

1. United States ballistic missiles—this does not apply to the much more powerful ones developed by the Soviets—have a relatively small yield, perhaps a megaton (energy release equivalent to the explosion of a million tons of TNT, in comparison to the 10- and 20-megaton bombs that can be carried by our long-range bombers;

2. The best accuracy hoped for is that half of the missiles will fall within 10 miles of the target at 5,000 miles range.

MEGATON FORCE BOMB RANGE

A bomb of 1 megaton explosive force will almost completely destroy most surface structures within 4 miles from ground zero. For 10 megatons this increases to 9.6 miles and for 20 megatons to about 12 miles.

To destroy such things as a concrete runway or a hardened missile base a ground burst with a 1 megaton explosion would have to strike within 1,300 feet from the runway, a 10-megaton explosion within 2,600 feet, and a 20-megaton explosion within 3,400 feet.

But the limited accuracy and low yield of a United States missile warhead means that a whole salvo must be launched on one target to insure its destruction.

For large targets such as big cities, 4 to 6 one-megaton missiles would have to be launched to insure substantial destruction. For small targets at 5,000 miles range, a much larger salvo, from 8 to 12, is required to insure destruction.

Figuring on a salvo basis, the number of missiles needed is very great and the cost will be astronomical.

If an average of 8 missiles in a salvo is used for the different type targets—and 20 percent failures should be allowed for at present—the number of missiles to be delivered in a first retaliatory strike on 200 targets would be 2,000. A minimum figure to continue the conflict if it were not settled then would be 2,000 more.

Such computations of requirements should include the intermediate range ballistic missiles launched from outside the United States and the submarine-launched Polaris fleet ballistic missiles.

As far as can be determined at the present time without access to classified information, the United States is planning 3 Jupiter and 9 Thor intermediate missile squadrons. This is fewer than 200 missiles.

POLARIS NOT YET BUILT

Nine Polaris submarines have been appropriated for. These will carry 144 missiles, but the Polaris missile has not yet been built or fired. Furthermore the yield of the Polaris missile will be still smaller and the accuracy is expected to be less than that of the land-based IRBM.

Another consideration with regard to Polaris—usually overlooked—is that only from one-third to two-fifths of the Polaris submarines can be on station at any one time. The crews must have free periods and the ships get periodic maintenance.

Some time in the next 2, 3, or 4 years the United States will have a total of fewer than 350 missiles to meet a requirement of at least 4,000.

What of the Russians? They are reliably reported from credible sources—the accuracy of these reports is questioned by United States intelligence agencies—to have fired almost 100 ICBM tests and to have manufactured about 500 ICBM tubes or frames.

Our intelligence agencies estimate that within 2 or 3 years the Russians will be producing 500 ICBM's annually. They will thus have in time an ICBM capacity against the United States running into thousands of missiles compared to our hundreds at the same time.

They already have large stocks of IRBM's and midrange ballistic missiles.

MISSILES EASY TO PRODUCE

Soviet production of 500 ICBM's annually is not by any means an impossible feat. Once the design is set and the missile proved, missiles are easier to produce than aircraft. If the Russians deem it necessary, they undoubtedy can produce in larger numbers.

In the United States it is reported that 130 Thor missile frames have already been produced, although the missile is not perfected.

Our trouble is double: We started years late and now set our sights too low—too late and too little.

It is an understatement to say that the military men and the scientists involved in such calculations as have been given about are filled with foreboding. They fear that we are in terrible trouble, that we shall be faced shortly with enormous numbers of a weapon that we cannot intercept and shall be naked of the means to deter through retaliation.

Mr. SYMINGTON. Mr. President, in my church the General Confession in our Prayer Book reads as follows:

We have left undone those things we ought to have done and we have done those things which we ought not to have done.

With deep sincerity, let me say that this particular prayer is one to which all who are interested in the preservation of freedom should give full consideration at this time.

CONTRIBUTIONS TO SOCIAL SECURITY OF TWO WISCONSIN CITIZENS

Mr. PROXMIRE. Mr. President, as the Senate approaches the consideration of amendments to the social security law amendments which I consider to be as vital to the welfare of the American people as any business which has come before the Senate this session, I want to pay tribute briefly to two great citizens of Wisconsin whose contributions to the social security system put us permanently in their debt. They are Arthur J. Altmeyer and Edwin E. Witte, both residents of Madison, Wis.

In 1934 officials of the Federal Government considered for the first time the establishment of a social security system which would do more than make grants to the States for the care of the needy aged. In June of that year President Franklin D. Roosevelt established a Cabinet committee to study the problems of social security and make recommendations to the Congress in 1935. Mr. Witte was appointed executive director of the committee. Mr. Altmeyer, then Second Assistant Secretary of Labor and a former State administrator of labor legislation, was made chairman of the technical board of the committee to prepare the proposals.

The work of the committee was fateful for the people of the United States. It was this committee which embraced in its recommendations the crucial principle that the system should be contributory, with benefit payments made as a matter of right, not charity.

The contributions to social security of these two distinguished sons of Wisconsin were by no means limited to their work on this committee.

Arthur Altmeyer was a member of the Social Security Board from 1935 to 1946, assuming the chairmanship of the Board in 1937. He was United States Commissioner for social security from 1946 until 1953. Mr. Altmeyer was chairman of the American delegations to the first five inter-American conferences on social security, and served as chairman of the Inter-American Committee on social security from 1942 until 1952. He was the American representative to the Social Commission of the United Nations from 1946 through 1953.

These are only a few of Arthur Altmeyer's great services to humanity. Truly, if the honor roll of contributors to social security is called, his name will lead all the rest. I am proud to call him friend, and to have had his indispensible counsel in drafting the social-security legislation I introduced early in this session.

Edwin Witte, too, has a distinguished record in the field of social security. After serving as executive director of President Roosevelt's Committee on Economic Security, he was a member of the Social Security Advisory Council in 1937 and 1938. In his long career as professor and chairman of the Department of Economics at the University of Wisconsin, Mr. Witte has written one book, "Five Lectures on Social Security," and numerous articles on social security. He is a national authority in the field of industrial relations. Perhaps more than any other man, he personifies the "Wisconsin Idea"—the happy and productive alliance of the academy and the capital in legislating and administering social welfare.

I am sure that the people of Wisconsin join me in paying tribute to these two great native sons.

Mr. President——

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). The Senator from Wisconsin.

INCREASED SOCIAL-SECURITY BENEFITS NEEDED BY GROWING POPULATION OVER 65

Mr. PROXMIRE. Mr. President, I rise again on the Senate floor to ask for im-

mediate consideration for the older people of the Nation. Unless we increase social-security benefits before the end of the session, we will leave millions of elderly citizens in great misery and hardship.

There is no reason on earth for people to go hungry in America—a land blessed with the greatest abundance in all history. Yet that is exactly what is happening to thousands of our elder citizens today.

Present social-security benefits are so low that many persons simply cannot afford to eat three meals a day. The smallest budget that can support a couple living in Milwaukee on a level of bare necessities is $186 a month. This figure is based on a study printed in the Economic Almanac of 1958.

The most that can be paid out to couple under social security is $149.30 a month. This is over $36 short of meeting even a minimum budget. Mr. President, that is the maximum figure—some old couples get as little as $41.30 a month. These couples—and there are many thousands of them—receive less than one-quarter of the minimum budget to provide the bare necessities of life.

Such totally and completely inadequate payments are putting our whole social-security system into jeopardy. The wide support which this system has so deservedly won in the last 23 years is being undermined. The goal of social security—a retirement free from want and anxiety—is no longer met.

The problems of our old citizens are growing ever worse and worse. Inflation continues to cut the value of each benefit dollar. More and more employers refuse to hire older workers.

In addition, the number of aged persons is rapidly increasing. There are already over 15 million persons over 65 in this country, and the number grows daily. Mr. President, average life expectancy has increased from 47 years in 1900 to 68 years today.

A man of 65 now can expect to live 13 more years and a woman of 65 can expect to live 15 additional years. The advances in medical knowledge and health care which have provided us with longer life are a wonderful blessing. However, we have not kept pace with the problems created by the increase in our aged population.

Mr. President, the old people of this country need our immediate aid. This is a very large group of Americans who are not highly organized. No professional lobbyists or well-paid spokesmen fill the halls of the Capitol to plead their case. It remains for us to see that the old people of the country get the help they need.

The Senate must act right now—before adjournment—to raise the terribly inadequate level of social-security payments.

UNION POWER AND THE PUBLIC INTEREST

Mr. BUSH. Mr. President, perhaps among the most important, if not the most important concern of the American people today is the question of the power of labor unions and labor union chiefs, and how such powers affect the public interest.

In the August issue of the Economic Letter of the First National City Bank of New York there is an excellent, objective study entitled "Union Power and the Public Interest." I believe this article is worthy of the attention of every Member of Congress and of others who read the CONGRESSIONAL RECORD. Accordingly, I ask unanimous consent that it be printed in the body of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNION POWER AND THE PUBLIC INTEREST

Public concern over the activities and power of labor unions has seldom been higher. Labor has been making big news and hardly a day has passed without some development taking over a prominent position on page 1 of the Nation's newspapers.

In the Congress there have been the disclosures by the McClellan committee of labor union corruption and racketeering as well as the debate over the inadequacies of the Kennedy-Ives labor reform bill. There has been the proposal by Teamster President James Hoffa for a super transport union (rejected by the Brotherhood of Locomotive Engineers and frowned on by AFL–CIO President George Meany) involving 3½ million land, sea, and air workers. Meanwhile the auto industry, suffering its worst year in a decade, awaits terms upon which it will be permitted to hire men to build 1959 models.

Right-to-work laws promise to be important issues in elections this fall in at least five States—California, Colorado, Idaho, Washington, and Kansas. These laws are intended to protect the ability of men and women to hold jobs without having to pay a union for the privilege. The National Farm Bureau Federation has urged Congress to pass a Federal right-to-work law as the best means of combating labor union corruption. On the other hand, organized labor has attacked such laws as "union busting," claiming they would "divide and destroy" labor and take away "a decent standard of living and humane working conditions."

Debating teams of more than 1,000 colleges and universities chose right-to-work as the public issue topic in the past school year. The issue is an excellent one for searching debate. Do we want to protect ancient and dearly bought freedoms of the individual? Should powers tantamount to taxation be vested in private associations which may be run by small cliques? Can rights to property be preserved if rights to work are denied? Can the value of money be protected without curbing union monopoly power to force up wages? Can the Nation safely allow union leaders to hold and exercise power to shut down the economy? On this last question, former President Truman, no enemy of labor, answered decidedly in the negative when a rail strike threatened to cripple the Nation in 1946. Mr. Truman asked Congress for authority to draft the rail workers into military service in order to get the trains rolling again.

More and more thoughtful people—including top labor mediators, educators, and liberal intellectuals whose sympathies are generally with labor leaders—have become concerned with abuses of organized labor's power. For example, Clark Kerr, president of the University of California, in a pamphlet entitled "Unions and Union Leaders of Their Own Choosing," issued by the Fund for the Republic, expresses fears that unions may be taking too much freedom from the worker. In the April issue of the Progressive, Kermit Eby, professor of social sciences at the University of Chicago who in 1948 was director of education and research for the CIO, concludes: "Unions are failing at the point of the strongest claim for their existence: respect for human dignity."

NO LONGER THE UNDERDOG

As Edward H. Chamberlin, professor of political economy at Harvard, noted not long ago in his thoughtful pamphlet, the Economic Analysis of Labor Union Power for the American Enterprise Association, we ought to abandon the cliches of prolabor and antilabor; "• • • unions, like business corporations, are here to stay. But also, like business corporations, they can be subjected to social control."

The rise of union power dates from the Great Depression of the 1930's and the passage of the Norris-La Guardia Act of 1932 and the Wagner Act of 1935. The former prohibited the Federal courts from enjoining economically coercive activities by labor unions, and the latter outlawed coercive activity by employers. Before that, as a general rule, strong unions were limited to highly skilled trades. The broad mass of industrial workers and common laborers were unorganized and without ability to bargain collectively. Many employers fought the rights of their employees to organize. Gradually public policy asserted that employees generally should be permitted and even encouraged to join unions and bargain collectively, and under section 7 (a) of the National Recovery Act of 1933 union membership mushroomed.

From the comparatively weak position of labor a generation or so ago, today the picture is radically changed. The power pendulum has swung the other way.

Membership in unions has swelled from less than 3 million in 1933 to more than 17 million today—a potent political force even without counting union members' families, which push the total, directly or indirectly involved in unions, to some 30 to 40 million of voting age. The National Industrial Conference Board estimated last December that unions collect a minimum of $620 million a year in dues. Employee pension funds run into the billions. Union leaders have learned to know and enjoy superior living standards formerly reserved to successful men in business, the arts, science, and politics. In fact union operation has become a relatively unregulated type of big business.

More serious is the fact that labor unions have immunities under the law which give them special privileges.

Donald R. Richberg, legal adviser to unions in the 1920's and head of the NRA in New Deal days, summed up the changed position of labor unions in his recent book, Labor Union Monopoly:

"Fifty years ago the picture of the labor union as a weak idealistic organization of downtrodden workers struggling against an oppressive concentration of property power was often accurate. Any such picture of an established union today is not merely ridiculous; it is willfully or ignorantly untruthful."

MONOPOLY POWER

Roscoe Pound, former dean of the Harvard Law School, last year conducted a searching study, entitled the Legal Immunities of Labor Unions, for the American Enterprise Association. He found that unions and their members and officials have privileges and immunities to "• • • commit wrongs to person and property, to interfere with the use of highways, to break contracts, to deprive individuals of the means of earning a livelihood, to control the activities of the individual workers and their local organizations by national organizations centrally and arbitrarily administered beyond the reach of State laws, and to misuse trust funds—things which no one else can do with impunity.

"The labor leader and labor union now stand where the king and government and landowner * * * stood at common law."

The biggest industrial enterprises operate under the constant restraints of the competitive market, requiring the offering of goods and services which will please the public. Entering into price-fixing agreements or otherwise trying to blunt the sharp thrust of competition is denied businessmen—and rightfully so—by antitrust laws.

Labor unions, however, are exempt from such legal restraints. They are free to enter into nationwide combinations for the purpose of fixing prices and conditions of labor that all businesses—large and small—must meet.

The practical effect of this exemption was pointed up by Donald J. Hardenbrook, vice president of Union Bag-Camp Paper Corp., before a Senate labor and public welfare subcommittee in May:

"Unions freely engage in activities for which businessmen would be promptly indicted, tried, and convicted under the antitrust laws. These include, for example, boycotts and agreements to boycott, restrictions on production, restraints on competition such as limiting supply, dividing territories and allocating markets, and suppression of technological improvements.

* * * * *

"Where coercive monopoly power is strong, no employer, no matter what his size or resources, can stand against it; those who try often sign the death warrant for their businesses."

Mr. Richberg, in his book mentioned earlier, summed up the privileged legal position of labor unions in these words:

"There is grim humor in the constant complaint of the unions against alleged business monopolies, when the only widespread, long-standing, and effective monopolies in the business world are those maintained and constantly expanded by labor unions. Their legal exemption from prosecution, combined with a legal expenditure of vast sums of money and an illegal use of physical violence and terrorism, creates for them a monopolistic power which no business combination could possibly exercise."

It is just as natural that trade unions should resist being brought under legal controls as it was that corporations resisted antitrust statutes. But the broad public interest is, or should be, paramount.

WAGE INFLATION

Prof. Sumner H Slichter of Harvard has been most influential in developing public awareness of the influence of trade union power on the price level. For more than 10 years he has been successfully forecasting a 2 to 3 percent a year increase in prices. He built this forecast on two main points:

1. Labor unions will make full use of the bargaining powers that full employment confers on them to push up wages faster than the gains in labor productivity.

2. A policy of deliberately creating unemployment to hold down wages is not feasible. The large labor unions would demand that everyone connected with the policy of creating unemployment be removed from office. Labor would drive hard for the election of an easy money Congress, and, helped by the anger of the public toward deliberately created unemployment, there is little doubt that labor would be successful.

Professor Slichter might well have added to his analysis an observation that most leaders of organized labor, while critical of advancing prices, constantly advocate cheap credit and bigger Government spending which create the market conditions in which industry can advance prices and finance higher labor costs. But perhaps this is implied under point No. 2.

Professor Slichter rejects the idea that creeping inflation will ultimately speed up and precipitate a "bust." He cites three restraining influences—(1) the role of competition in keeping price advances close to increases in costs; (2) the role of technological progress, and the risks involved in it, in holding back anticipatory equipment and materials purchases; and (3) the role of monetary policy in blocking the creation of debt for purposes of taking advantage of anticipated declines in the purchasing power of the dollar.

We can see how his theory is presently working out. Restraining influences came into play in 1957 to compel an economic slowdown. The International Ladies Garment Workers Union, in the face of the most severe business recession since 1938, demanded and got a substantial wage settlement from employers. But some other unions, recognizing the difficulties of employers, have been willing to go along without further pay increases—as in textiles. Still others, including the rubber and chemical workers, have accepted moderate adjustments. Thus, it may be fair to conclude, rising unemployment and falling business profits are having some retarding effect upon the inflation creep. But meanwhile, in accordance with Professor Slichters' theory, we have an easy money Congress building up public expenditures and the Federal deficit for the purpose of creating more jobs, but with the probable result of giving creeping inflation another lease on life.

Most perilous has been the tendency of the unions to demand cost-of-living escalator clauses in wage contracts and automatic so-called productivity increases in pay for years ahead, not to mention growing "fringe benefits" which, while not adding anything to the pay envelope, add to the burden of costs on the employer. Contracts such as these may insulate workers affected from the pains of inflation and improve their well-being. But the cost is shouldered by the "forgotten man," the unseen, unorganized millions who lack the power to dictate the cut they shall have out of the national production.

Lemuel R. Boulware, vice president of General Electric, who for a decade was in charge of that company's labor relations, assessed the situation in a speech in Phoenix, Ariz., last May:

"We have inflation not just from the wage increases in excess of 2 percent a year but also from the inflationary measures union officials have the power to press on government. Too many union officials like inflation—mistakenly want inflation—regardless of what they say. It makes them look useful, and the dedicated socialists among them know inflation is quietly the most brutal socializer of them all.

* * * * *

"We have the corrupting of businessmen—who should be moral leaders. Collusion in compulsory membership, rigged markets, and other serious immoral or illegal acts are too often required as the price of survival in full view of Government officials who do not dare try to enforce the law."

Another aspect is the tendency for United States goods to be priced out of overseas and even domestic markets. This is true for a variety of United States made items—from glass and textiles to machine tools and steel mill products.

A classic example is what has happened in the automobile industry. Despite rising levels of prosperity abroad, United States exports of autos have been declining since the end of 1955. At the same time, sales here of low-priced, economical foreign cars have been making new records, year after year.

COMPULSORY UNIONISM

In addition to exemption from antitrust laws, another major source of union power is compulsory union membership. This means that an employee must be a union member and keep up his membership if he wishes to keep a job—and in some cases even to get one.

Prof. Sylvester Petro, of New York University Law School, defined four different forms of compulsory unionism in his 1957 book, The Labor Policy of the Free Society: the "closed shop," which means that a man may not secure employment unless he already belongs to a union; the "union shop," which permits an employer to hire a man before he belongs to a union but which compels the employee thereafter to join the union if he wishes to remain employed; "maintenance of membership," according to which no employee is compelled to join a union, but if he chooses to join is required to remain a member for the duration of the collective agreement; and finally, "preferential hiring," an arrangement whereby the employer agrees to give first preference in employment to union men.

Professor Petro finds that some economic coercion of employee choice exists in even the mildest form of compulsory unionism—maintenance of membership. "In the most stringent forms, the closed shop and the union shop, the economic coercion is irresistible," he adds.

Contract clauses which require membership in a union as a condition of employment are the reverse of the old "yellow-dog" contracts, in which a worker could not get a job unless he agreed not to join a union.

Both kinds of contracts infringe on individual liberty. "Yellow-dog" contracts were outlawed because they were a clear case of economic coercion by the employer. Labor unions, however, practice the same kind of coercion with closed shop and union shop contracts.

THE RIGHT TO WORK

Right-to-work laws, in effect in 18 States, prohibit any requirement of union membership as a condition of employment. They have been a major target of organized labor for many years. The big surge of right-to-work laws came in 1947 (11 States enacted them), the same year the Taft-Hartley law was passed and the year after the Nation suffered the worst rash of strike shutdowns in its history.

It is a curious thing that many who profess to be liberals attack the right of individuals to choose for themselves whether or not they wish to join unions. For example, Mrs. Franklin D. Roosevelt and former Senator Herbert Lehman last month formed a national committee to oppose right-to-work legislation as antilabor. Further opposition to such laws was voiced by selected clergymen of the Roman Catholic, Protestant, and Jewish faiths before a June AFL–CIO conference in New York. However, if it were left to voters nationwide to decide whether the State should have right-to-work laws or not, there are indications that the odds would favor widespread adoption. A coast-to-coast survey by the American Institute of Public Opinion (Gallup Poll) last August found that more than 6 out of every 10 voters said they would vote for such a law, while 27 percent said they would vote against it. A more recent indication of worker disenchantment with the practices of some unions can be found in complaints filed with the National Labor Relations Board by individual workers concerning unfair practices of unions. These complaints reportedly are running at double the rate of last year.

The AFL–CIO, in an analysis of right-to-work laws in its January 1956 Economic Review, commented:

"The open shop right-to-work propagandists always refer to liberty, justice, and free choice which union-security provisions supposedly take away from workers. But underlying their misleading declarations of high principle is the attempt to undermine and destroy trade unionism."

It can be argued, of course, that workmen should be required to join and pay dues as a price for services rendered by a union in negotiating a wage contract. But this collides with high principle: not every workman feels that he wants or needs a union to represent him; not every workman feels that services rendered equal the cost; not every workman trusts or respects the union leadership; not every workman is happy to have his job depend on requirements imposed to keep his union membership in good standing, particularly when these activities may include violations of law and disrespect for the rights of others. The issue cuts deep; without the right to work there can be no means of livelihood.

Right-to-work laws can undermine and destroy trade unionism only insofar as a union leadership has lost the confidence of its membership. Thus the arguments quoted above assume the form of a confession that unions cannot survive without compulsion. The fact is that freedom not to join affords one of the easiest checks on a union leadership that is bad and unresponsive to the will of the membership.

Mandatory union membership makes a union the only legal private organization that is given the ability to succeed through compulsion. It runs straight against the grain of traditional concepts of freedom and liberty. In this regard the statements of two labor leaders—one British and one American—are highly significant.

The first was made by Charles Geddes, chairman of the British Trade Union Congress and was carried in the February 1956 issue of Challenge, published by the New York University Institute of Economic Affairs:

"I do not believe the trade union movement in Great Britain can live for very much longer on the basis of compulsion. Must people belong to us or starve, whether they like our policies or not? I believe the trade union card is an honor to be conferred, not a badge which signifies that you have got to do something whether you like it or not. We want the right to exclude people from our union if necessary, and we cannot do that on the basis of belong or starve."

The second was made by Samuel Gompers in his final presidential address on the principles of AFL organization at El Paso, Tex. in 1924:

"Men and women of our American trade union movement, I feel that I have earned the right to talk plainly with you. I want to urge devotion to the fundamentals of human liberty—the principles of voluntarism. No lasting gain has ever come from compulsion. If we seek to force, we but tear apart that which, united, is invincible."

THE CENTRAL ISSUE

No one disputes the right of workers to bargain with employers as a group or the right of workers to strike. The real point of concern was aptly summed up not long ago by Dr. Leo Wolman of Columbia University:

"But when the exercise of these rights is accompanied by conduct which violates accepted standards of behavior with impunity, which enjoys discriminatory rights and privileges before the courts, and which threatens to defeat the working of a free market system by the arbitrary ability to cut off all or most of the supply and flow of important goods and services, our basic American principles of individual freedom and dignity, of equitable treatment, and of the supremacy of the public over purely private interests are endangered."

Professor Chamberlin, in his careful economic analysis of labor unions quoted earlier, concluded:

"There is abundant evidence that unions today do have too much economic power. When this is the case, the public interest requires that steps be taken to reduce it."

MIDDLE EAST OIL

Mr. MANSFIELD. Mr. President, for reasons which I have heretofore given, I ask unanimous consent that the legislative clerk may read an address prepared by the junior Senator from Arkansas [Mr. FULBRIGHT] on the subject, Middle East Oil.

There being no objection, the legislative clerk read as follows:

Mr. FULBRIGHT. Mr. President, the West has been hypnotized by the assumption that the petroleum of the Middle East is indispensable to its survival. Observing this, it is not surprising that Mr. Khrushchev has told the world that "Middle East oil is the West's most vulnerable spot."

If the oil of the Arab States is the West's most vulnerable spot, then we may be sure that Mr. Khrushchev will do everything possible to exploit a dangerous and explosive situation; in this case, one upon which the West's survival would seem to depend. But if the oil of the Arab States is indispensable to the West—especially to Western Europe, that is almost totally dependent for imported oil as its primary energy source—then it follows that the economic life of Western Europe is at the mercy of whoever controls the physical sources of oil in the Arab States. As the oil freely flows in trade, Western Europe flourishes; as it is cut off, it withers and is doomed to death. Hence, if all this be true, the imperatives of survival would compel Western Europe, at whatever risk to the peace of the world, to seize the Arab oilfields and operate them. Before examining this question, let us take a historical case of economic determinism gone mad.

In the late 1950's, powerful southern political leaders, contemplating the prospect of war with the North, made this calculation. England's largest single industrial interest, they said, was cotton manufacturing. No less than 4 million of her 21 million people depended for their livelihood upon it. This huge trade seemed at the mercy of the American South that supplied three-fourths of England's cotton. Britain had long sought an alternative cotton supply in India, but without success. From 1800 to 1860, her cotton demands rose by 1,000 percent, but India's cotton supply rose by only 10 percent.

Hence, southern leaders assumed that Britain's greatest industry, the support of millions of her people, the mainstay of her export trade, and the source of large profits for her businessmen, was at their mercy. The situation deeply disturbed the British and leaders of British opinion complained that the subsistence of millions in every manufacturing country of Europe lay within the power of an oligarchy of planters.

France was in a somewhat similar plight. Her cotton manufacturing industry was second to that of Great Britain, and most of its supply came from the South.

Even hardheaded southern businessmen believed that because the South controlled most of the world's cotton, withholding the supply would compel Britain and France to side with the region in its war with the North. In Charleston, as war began, a merchant pointed to cotton bales on the wharf and said to W. H. Russell, war correspondent of the London Times, "Look out there. There's the key that will open all our ports, and put us into John Bull's strong box as well."

King cotton diplomacy was a failure. The British textile industry and textile workers, as well as the French, suffered grievously during our Civil War for lack of materials. But alternative sources of supply were found, and as the war went on, more and more cotton from new sources found its way into European markets. Yet it is one of the "ifs" of history that our Civil War might not have happened had not so many southern leaders become hypnotized by their belief that Britain and France could not live without their cotton and so would be compelled to throw their weight to them in their war with the North.

Let me state just one more case of what happens when men believe that they can, through fancied sole possession of an essential raw material, bring about almost any end that they may desire. In the case that I shall now cite, the end sought was unconscionably high prices for the raw material.

In the early 1920's, Mr. Herbert Hoover then being our Secretary of Commerce, the British through limitation of rubber growing in Malaya, diminished the available supply. The price rose from a few cents a pound to more than $2 a pound. The United States was then incomparably the world's largest user of raw rubber, and Mr. Hoover on behalf of our Government made vigorous—even bitter—protests to the British on this score. Eventually, the market collapsed because as the price of rubber rose higher and higher, independent Malayan, Chinese, and Dutch rubber planters who were not bound by British agreements, produced more and more rubber. The price eventually collapsed to a few cents a pound, with enormous harm to British investors and with the result that they were faced with more competition in rubber growing than they had ever been before.

In the friendliest way then, I would suggest to our friends in the oil-producing Arab States that they should not be deluded into a suicidal form of economic determinism based upon the assumption that their oil controls the fate of Western Europe.

It is true that the West would like to buy the oil of the Arab countries, and to this end it has invested billions in exploring for oil, in digging wells, dredging harbors, laying pipelines, building tankers, and organizing the markets so that oil might flow freely from their countries to men everywhere who might want to buy it. It is true that the oil of the Arab countries is important to the prosperity of the West. But this is far from saying that without Arab oil, the West would perish. It is equally far from saying that if the oil were withheld for any reason, the West ought to undertake the dangerous course of digging petroleum with rifles and putting it through bayonet pipelines. The West

has alternatives, there nearly always are alternatives in human affairs.

I repeat that the West would like always to be in good commercial, cultural, and diplomatic relations with the Arab countries. The more they prosper, the more they raise the standard of living of their people, the more they build schools and hospitals and factories, and the more they use their oil income to make more fruitful the lives of their people, the West will be gladdened as another great sector of humanity raises itself higher upon the scale of material things. But it would be an evil day for the Arab countries if they should be misled by economic determinism into the delusion that the material life of the West absolutely depends, or must depend, upon their oil.

The West is the only customer that the Arab countries have for their oil. This year the West will pay Iraq about $200 million for oil; it will pay Kuwait $340 million; and it will pay Saudi Arabia $300 million. This is close to $1 billion, and the sum will increase every year.

Soviet Russia cannot, and will not, take the oil because she does not need it and could not dispose of it elsewhere in the world. The only role that the Soviet Union could play here would be one utterly destructive to the freedom and welfare of the Arab States; that is, to bring the Arab States to commit suicide by denying their oil to the West or by submitting the supply to the constant and unbearable play of caprice. Hence if the Arabs want to eat their bread in freedom, if they want to get sound money to improve the condition of their wretchedly poor people, they need the West as a customer, just as the West needs them as a source of supply.

If the West were deprived of all Arab oil, it could turn to other sources. These would be very expensive and would cause extreme economic dislocation and even physical hardship. But these other sources do exist and they could be used.

The West could get an additional 1 million barrels a day from Iran. And here I would like to point out that in addition to the already vast proved oil reserves of Iran, that country now has a new prodigious field of astronomical proportions at Qum.

Western Europe could get an additional shut-in capacity of 2 million barrels a day in the United States. It could get 600,000 more barrels daily from Venezuela and 200,000 from Canada. We could step up production in Sumatra and elsewhere. Certainly we could get the 3,800,000 barrels daily to compensate for the loss of all Arab oil. Nor is this all. We have an almost inexhaustible coal supply in the United States, and we could increase our coal consumption here as well as shipping additional coal to the West.

If, moreover, the Suez should again be closed, tankers totaling at least 6 million deadweight tons are now laid up and could be quickly returned to service. And the West would have the knowledge that it gained through international collaboration in 1956–57.

I would also like to point this out. We have another great source of energy in this country that we have barely touched. It is lignite, sometimes referred to as brown coal. The United Nations Economic Commission for Europe has recently said this:

> Brown coal (lignite), for generations relegated to the role of an economic orphan in comparison with hard coal, has emerged as a Cinderella among fuels in southeastern and eastern Europe.

The Soviet Union is rich in oil, gas, and coal.

But—

Says the United Nations report—

> it is actively mining lignite.

The State of North Dakota contains an estimated 350 billion tons of lignite, of which about 10 billion tons may be mined with the greatest economy.

In addition to inexhaustible supplies of coal and lignite, our gas reserves are estimated as sufficient for the next 20 or 25 years, and all these can be used more extensively to supplement our oil supplies.

Beyond this, there is a source of oil that could make the United States—and the West—forever independent of foreign oil sources. This is oil shale. The oil content of a relatively small area of oil shale rock located in northwest Colorado has recently been estimated by the United States Geological Survey to be about 1½ trillion barrels. This reserve of hydro-carbon energy is about 6 times as great as the known reserves of the world and is sufficient to supply the United States' needs at the current rate of consumption for about 450 years.

As men once lived in an Age of Faith, so we live in the Age of Energy. Present and future energy demands reach almost incalculable proportions. Nowadays the economic strength of a people depends largely upon its ability to discover and exploit energy sources or to be able to trade its goods or money for imported sources of energy. We are just now coming into the widespread use of atomic energy. The West is proceeding in an orderly way to erect atomic energy installations for commercial purposes. But this program could be immensely accelerated. And no one can doubt that the program would be given enormous impetus if it should appear to Western countries relying upon Arab oil as a primary source of energy that these sources could be cut off for political reasons originating in, or imposed by an outsider upon, the Arab countries.

I think I may say for all Americans, and for the people of the Western world generally, that they view with the greatest sympathy the efforts now being made in the Arab oil countries to rid themselves of poverty, fear, and disease. I think I may say too for Americans and all Western peoples that it is to their mutual benefit to extend year by year the boundaries of their commercial, cultural, and diplomatic relations.

Certainly it would be to the benefit of all men if there should come about a renaissance in the Arab States; if the peoples should again become a light of the cultural world as they were more than a thousand years ago, at a time indeed when most of Europe lay in darkness and the Western Hemisphere was marked "unknown land" on the few scanty maps of the world that then existed. Few things could better serve these peoples than continued self-respecting trade between the Arab States and the West, the one selling to the West the oil that it needs, and the other buying the goods and services that it needs.

Trade is the only true international exchange that men possess or ever have possessed. In its essence rational and fructifying, it blesses both the buyer and the seller. It adds to the welfare of both without subtracting anything from either. Trade is not only a means whereby men endow one another with goods that neither possesses, but it is also perhaps the most meaningful and subtle means of communication that men possess. Its essence, I repeat, is that it must be self-respecting, that it must be good for both parties, that it must be based in equity and founded in good faith. On these assumptions, I believe that with continued good commercial relations between the Arab States and the West, the West might prosper and the Arab States might take their proper place in the world as well-fed, well-housed, well-clothed people living without want, without fear, and without the curse of widespread disease.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO SUPPLEMENT APPROPRIATION BILL, 1959

Mr. RUSSELL submitted the following notice in writing:

> In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, the following amendment, namely, at the end of the bill, add a new section to be properly numbered, to read as follows:
>
> "SEC. —. No part of the funds appropriated in this or any other act shall be used to pay (1) any person, firm, or corporation, or any combinations of persons, firms, or corporations, to conduct a study or to plan when and how or in what circumstances the Government of the United States should surrender this country and its people to any foreign power, (2) the salary or compensation of any employee or official of the Government of the United States who proposes or contract or who has entered into contracts for the making of studies or plans for the surrender by the Government of the United States of this country and its people to any foreign power in any event or under any circumstances."

Mr. RUSSELL also submitted an amendment intended to be proposed by him to House bill 13450, making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the amendment be read.

The legislative clerk read the amendment.

(For text of amendment referred to, see the foregoing notice.)

Mr. RUSSELL. Mr. President, I was shocked beyond expression this morning

to hear over the radio that some person or persons holding office in the Department of Defense have entered into contracts with various institutions to conduct studies to determine when and how, and in what circumstances, the United States would surrender to its enemies in the event of a total war.

I can scarcely credit these reports; but whether they have any basis or not, I regard it as most unfortunate that such rumors should be circulated.

The Armed Services Committee of the Senate, over which I have the honor temporarily to preside, has cleared numerous bills authorizing and empowering the executive branch of the Government to take the necessary steps for the defense of the United States against any aggressor. I know that no measure approved by the Senate Committee on Armed Services authorizes the expenditure of a single dime of tax money for studies or plans for the surrender of this country and its people to our enemies, however desperate might be the circumstances.

In my opinion there is no authority of law for any government agency to spend one dime for such studies, and it would therefore be illegal to devote tax money to that purpose. If any proposal to authorize such a study had been submitted to the Committee on Armed Services, I do not believe it would have received the approval of a single member of the committee.

I hope these reports are not true; but if contracts have been entered into looking to the expenditure of tax money for such a purpose, the contracts are illegal and are not binding on the Government, because there is no statutory authority for any such study. Rumors or reports that such contracts have been made, and that our Government is conducting such studies, can only weaken the determination and will of the American people to make the sacrifices that may be necessary to preserve our liberties and to destroy any aggressors.

I realize that this amendment is a rather drastic approach, in that it proposes to cancel and annul such contracts if they have been made, but I know of no other way to reach a situation of this kind.

I regard it as most important to reassure the American people that Congress is not a party to any plan, proposal, or study, however remote the contingencies involved, to place them at the mercy of the godless forces of communism.

Even if these reports are without foundation, the adoption of the amendment will reassure the people that the Congress of the United States wishes to prepare this country for its defense and is not contemplating any plans to surrender it.

The honor of the present generation and the fate of generations yet unborn demand that we use the great heritage of our matchless resources in preparing to destroy anyone who would attack us, instead of cowardly counting the cost and developing plans for surrender.

In all of history, I know of no war, aggressive or defensive, that was won by a nation that entered it with a plan for how and when the nation would surrender.

I earnestly pray that Providence will spare us the horrors of a nuclear war. But if such a war must come, and we propose under any circumstances ever to surrender, it would be better to surrender in advance and not wait until after we had lost millions of lives and had had our country destroyed, in addition to having burdened our people with heavy taxation in order to prepare our defense.

I do not believe that the American people have reached a stage in which they desire such plans to be made. In my opinion, the vast majority of our people would prefer to die on their feet, in the event of a nuclear holocaust, than to be making plans for living on their knees as the slaves of the masters of the Kremlin.

Some may contend that this amendment is illegal and will be stricken down by the courts. In the light of the decisions of the majority of the Supreme Court limiting and hampering and striking down laws passed by Congress to ferret out and punish those who advocate the overthrow of our Government by force and violence, it is entirely likely that a majority of the court may void this provision of law. It is possible even that Members of the Senate who so vigorously defend and espouse decisions such as the Nelson case would likewise applaud such a decision if it should be made by the Supreme Court.

Mr. THYE. Mr. President, will the Senator yield?

Mr. RUSSELL. I wish the Senator would indulge me until I have concluded my brief statement. I am well aware that there are Members of Congress who hold that the decisions of the Supreme Court are sacrosanct. Their belief that the Court can never be wrong is a counterpart of the philosophy which many of us thought perished with the Bourbon dynasty, that the King could do no wrong.

As one Member of the Senate I wish to say I am not willing to let such reports as this circulate throughout the country without undertaking to get an expression from Congress that the heavy taxes on our people are levied for the purpose of destroying any aggressor. If we are not taking adequate steps, I hope and pray that we may find a way to extend our preparations, even if this involves greater expenditures, to be ready to defend this country and all that we hold dear, at all costs, rather than to make plans, however remote the contingency, to surrender.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. If the facts the Senator has stated are as he has stated them, I would certainly fully concur in everything he has said. Certainly no person in the Government of the United States should even contemplate a surrender.

I read the remarks of the Senator from Missouri [Mr. STENNIS] and the article he placed in the RECORD, which had been written by Brig. Gen. Thomas B. Phillips, United States Army, retired, and which had been published originally in the St. Louis Post-Dispatch.

The question was raised by the distinguished Senator from New Hampshire [Mr. BRIDGES] at the White House last Tuesday morning. The President of the United States, I might say, was as shocked as was the Senator from Georgia and the Senator from California and the others who attended the meeting.

The President said he had no knowledge of any such study having been made, and that he would not approve of any such study being made. He said he would have an investigation conducted.

When we returned to the Capitol, I personally put in a telephone call to the Secretary of Defense and to the Deputy Secretary of Defense, to find out what the facts in the matter were. I found that a study had been made by the Rand Corp., which will be published in book form on September 1, I believe.

While I have not been able to read every word of the book in the brief spare time I have had, with the sessions of the Senate running very late, as late as midnight last evening, for example, I have gone through the book, and I found in it no such implication as the retired brigadier general raised in his article published in the St. Louis Post Dispatch and printed in the CONGRESSIONAL RECORD. I do not know whether the Senator from Georgia has had an opportunity to read the study in question.

Mr. RUSSELL. If the Senator will permit me to interrupt him, I wish to say that I am so far behind the times that I did not even know the Senator from Missouri had placed the article in the RECORD. I have been so busy trying to keep three balls in the air on legislative matters that I did not know until this morning of the current report that such a study was being made.

Mr. KNOWLAND. From my perusal of the study I would say it relates what has happened to our enemies in several wars. It deals with the surrender of Germany after the first World War; the surrender of Nazi Germany in World War II; the surrender of Italy; and the surrender of France to the German forces. It discusses the wisdom of having imposed unconditional surrender terms, if one can call such terms unconditional—because it is actually a surrender without any terms—or whether the strategic and political advantages of the United States and its allies could have been better served by imposing something less than complete unconditional surrender terms.

The Senator will recall the so-called plot against Hitler in 1944, when an attempt was made to assassinate Hitler by a group of German officers who were not in sympathy with his regime, because they felt that with the elimination of Hitler, they could, perhaps, obtain better terms of surrender for Germany.

I was not in the Senate at the time, but serving in the Armed Forces. However, the Senator from Georgia was in the Senate, and he may recall this. At any rate, we know from history and the

writings of former Ambassador Grew to Japan, and others, that there was considerable discussion as to whether unconditional surrender terms should be laid down to Japan. It is true that because of Japan's insular position, it had been pretty well cut off from its supplies. Certainly, its petroleum supplies had been cut off, and Japan was gradually being brought to a condition of surrender.

Nevertheless, on the home islands of Japan, there was a substantial force in being, and had the decision been made to assault the inner fortress of Japan, it might undoubtedly have been taken, but at great cost in American lives. At that point, the United States Government, acting with its allies who were involved, accepted something less than complete, unconditional surrender, inasmuch as we agreed to allow the Emperor to continue as the nominal head of the Japanese Government, although we did have occupation of Japan under General MacArthur.

There is a great body of opinion which believes that had that not been done, a good many hundreds of thousands of American lives might have been sacrificed in the storming of Japan.

It is these various concepts of strategic surrender, as I have read them in going through the book, which are mentioned in connection with the existing factors of the atomic age, of which I think we are all mindful.

But I find nothing, at least in what I have read to date, which indicates that there is anything to advocate that this be done on the part of our Government. To the contrary, I think it is more of a study of the situation as it is; and if war should be forced upon us by an enemy power, we would have to know, with respect to our own defense, what terms we might have to lay down, or what terms it would be wise to lay down, to an enemy who had been defeated.

I am certain the Senator would like to read the document himself. But I would have been as deeply concerned about the situation, I may say, as was the Senator from Georgia, if I had found the conditions to be as indicated by General Phillips. But at least I do not, to this date and up to this hour, put that connotation upon the study which has been made.

I thought that in the interest of providing information for the Senate, and in the interest of being as factual as possible about the matter, this statement should be made.

Mr. RUSSELL. I am not opposed to any abstract study as to the wisdom or folly of the decision to impose terms of unconditional surrender on Nazi Germany or on Japan. I think quite a bit of argument can be found on both sides of that question. I am rather doubtful, however, that it would profit us much in this nuclear age to conduct lengthy studies on the various surrenders of history.

If we are so unfortunate that Providence does not spare us the holocaust of atomic war, we will undoubtedly be able to devise some terms of surrender for our adversaries when they are crushed.

I am not concerned about the abstractions or studies of what has gone before in history. I am not concerned about whether it was wise to impose terms of unconditional surrender on Hitler or on the Emperor of Japan.

The statement to which I referred—and which I did not see, as a matter of fact, I said I could scarcely lend credence to such a statement—was that studies were being conducted to determine when and under what circumstances the United States of America should surrender to an enemy in the event of war. That is the only subject my amendment reaches. The amendment does not prohibit the making of studies of whether it was wise to impose terms of unconditional surrender on Hitler. It does not prevent studies concerning the wisdom of imposing terms of unconditional surrender on Japan. It does not prevent studies that would go back to the time of Tamerlane or of Attila the Hun, and other great conquerors, to learn the conditions under which they surrendered.

The amendment simply provides that the dollars of the American taxpayers cannot be spent to conduct any studies concerning the circumstances under which the United States would surrender to any aggressor. I do not think there will be any objection to the amendment by the Senator from California. It does not refer to the studies to which he has adverted.

I believe the American people ought to be reassured in this very jittery age. People are frightened to death about missiles. Heaven knows the facts about them are bad enough, and some of the reports go even further than the facts.

In this age, when people are jittery, we should not implant even the smallest seed in the mind of one American citizen that Congress is tolerating any study of this Nation's possible surrender. That is what the amendment provides.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. I fully concur in the statement of the Senator from Georgia. To me, it is unthinkable that a single penny should be spent anywhere in the Government of the United States on a study relative to a possible American surrender. The word surrender, in my judgment, is not even in the vocabulary of the President of the United States, who led our armies to victory in World War II.

Mr. RUSSELL. I hope the Senator from California does not think I am undertaking to condemn the President.

Mr. KNOWLAND. I understand the Senator is not.

Mr. RUSSELL. I would be opposed to the making of a study concerning the surrender of the United States, and would take the same position I have taken today, if a Democrat were now in the White House, and there were never to be any but Democrats in the White House until the end of time.

Mr. KNOWLAND. I fully concur in the statement of the Senator from Georgia.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts relative to the article in question, and also a statement and comments by the Department of Defense relative to the article.

There being no objection, the statement and excerpts were ordered to be printed in the RECORD, as follows:

COMMENTS ON ARTICLE IN CONGRESSIONAL RECORD AUGUST 8, PAGE 16668

The DOD is quite properly engaged in various studies of the possible impact of nuclear war on the United States and on the U. S. S. R. It is only through such studies of all types of strategic military campaigns under every contingency that military planners can gain insight for planning our strategic retaliatory forces and our continental defense forces. In this process, it is prudent to study an entire series of conditions and assumptions even though some combinations are considered to be most unlikely to occur.

There is no doubt and the administration is not concealing the conclusion that a full-scale nuclear war between the United States and the U. S. S. R., if it occurs, would result in physical damage and casualties beyond that ever before seen. This level of destructiveness could occur in a manned bomber era and would be increased in a time when both sides will have achieved operational ICBM's.

The Defense studies have definitely not included consideration of a United States surrender in any manner. The book Strategic Surrender is a historical review of surrender which questions the concept of the United States and its Allies in certain past wars of insisting on an unconditional surrender on the part of the enemies. The book and the study on which it is based do not in any way imply surrender by the United States. The book deals chiefly with policy decisions in history and draws certain conclusions.

RAND, as a nonprofit, academic-like institution encourages its professional employees to write for the professional journals and to write scholarly books. These writings are sometimes based specifically on defense studies, and sometimes represents the results of independent research pursued by the RAND Corp. with corporate funds. Royalties on the publications go to the RAND Corp. and are used in turn to support other publications and research.

Strategic Surrender was based on a study undertaken by RAND. It was motivated by a desire to understand just what conditions must be achieved by the United States to win a war and to produce surrender by enemies of the United States. It thus was a legitimate study for Defense to sponsor as a basis for the planning of military operations.

In this nuclear age, the safety of our lives, our cities and institutions, and our military forces cannot be absolutely guaranteed. The only sure way of preventing crippling damage is to prevent an all-out nuclear attack. Hence, a critical United States national objective is to maintain such superiority that it will always be clear to an enemy that he gets the worst of any such war. Militarily, then, our policy of peace through deterrence means we must maintain the proper balance in both offensive and defensive power to enable attainment of a strategic advantage over an enemy in an all-out nuclear war.

Our military planning must envisage many contingencies in relation to both local and general war. One thing clear in all planning, however, is that our strategic offensive forces, in their present composition and as to be composed in the future, must be both secure from attacks and capable of wreaking unacceptable destruction on an enemy.

These are, and have been, basic principles of our military programs. The United States

has attained an unequaled striking power in the Strategic Air Command bombers with its widespread facilities and highly trained crews. We are proceeding rapidly to make this force more secure from attack through dispersal of bases, air and ground alert measures, and other means. In overseas areas we have offensive aircraft and missiles constantly on alert against attack and capable of rapid retaliation.

In addition to surviving initial onslaughts our studies indicate that these offensive forces, complemented by naval aircraft and submarines and Army nuclear forces, can now and in the foreseeable future penetrate enemy defenses in sufficient numbers to create unacceptable damage. Although the Russian defensive capability is increasing, we have taken measures to offset these increases by improving the ability of our bombers to penetrate and by accelerating the introduction of operational ballistic missiles, both IRBM and ICBM, into our arsenal of weapons.

Defensive measures play a vital part in securing our offensive force and protecting our institutions. We have developed an unsurpassed radar warning to assist in protecting our forces. We are increasing our air defense missiles in number and quality. Our interceptors are continually improving.

It has been alleged that there is a decisive lag or gap between the United States long-range missile capability and that of the Soviets. If there is a gap between the two, it is only a transient one. The United States is devoting an increasing portion of its budget to the development and production of missiles, and excellent progress is being made. In the collective judgment of our military planners, we are proceeding at the most rapid feasible pace in our attainment of operational capabilities.

Our offensive forces will be composed of both manned aircraft and missiles for the indefinite future, at least until such time as the missiles are proven reliable and accurate. The Soviet has the same problem. In order to attack us with any hope of success, our present bomber forces must be neutralized. In the future, both bombers and missiles—missiles are even more difficult targets—must be neutralized.

As long as our bomber forces are secure the Russians cannot expect to capitalize on any transitory missile lag, particularly as both now and for the foreseeable future our strategic bomber forces are superior to theirs.

In our judgment the Russians cannot jump over the phase of intercontinental warfare represented by long-range bombers as a means of delivery. We believe they know this. Just the same as we, they are trying to develop a more effective means of delivering nuclear weapons intercontinentally. We now have the means to respond in retaliation, if necessary. We are taking the necessary steps to see that we continue to maintain constantly the means to do so, in order to prevent an all-out nuclear attack developing.

The fiscal year 1957 and fiscal year 1958 figures cited by Senator SYMINGTON are correct; however, a comparison over a number of years is much more significant than the difference between 2 successive years. Thus, Defense spent $35.5 billion in fiscal year 1955 and $39 billion in fiscal year 1958, an increase of $1.2 billion a year. Our fiscal year 1959 program calls for $40.750 billion.

Furthermore, we are achieving substantial results in the continued development of both new and improved defensive and offensive weapons, such as supersonic bombers and long-range air-to-surface missiles; ICBM's and sea as well as land-based IRBM's; and in the dispersal, alerting, and protection of these retaliatory forces both now and in an era of ballistic missiles.

This nuclear age is a dangerous age, and the American people are entitled to know that the President recognizes this fact, and that he has in his possession all of the available information about these dangers and about our provisions for meeting them. In his military judgment our programs are sound. The word "surrender" is not even in the President's vocabulary.

EXCERPTS OF IDEAS AND SUBJECT MATTER CONTAINED IN THE BOOK, STRATEGIC SURRENDER, BY KECSKEMETI

PART 1

Chapter 1—Surrender as a strategic concept

Surrender means winner and loser agree to dispense with last round of fighting.

Accepting surrender is rational decision for winner that he can obtain his objective without paying costs of last battle.

Surrender of less than loser's total existing forces can be called tactical surrender.

Strategic surrender occurs when surrender of loser's entire forces brings hostilities to an end.

Strategic surrender is both the terminal act of a war and the initiating act of the new postwar relationship between the belligerents. The military act of surrender strips the losing sovereign of his warmaking capability. It is followed by a political act that provides for the belligerents' postwar status and relationship on the basis of this one-sided military outcome.

Chapter 2—Surrender as a political concept

Strategic surrender involves decisions other than purely military ones.

Earliest surrenders known to history often resulted in enslavement.

Political considerations may overrule military ones. In extreme cases they may rule out surrender altogether.

Highly developed techniques of destruction and capabilities for mobilization tend to make war more total.

Degree of totality is a matter of choice for the belligerents.

When the loser in nontotal war acknowledges defeat, his military position is not necessarily hopeless.

In total war, on the other hand, defeat is acknowledged only when all possibilities for reversing the trend are exhausted.

PART 3

Contains four case studies of surrender: the French, Italian, German, and Japanese surrenders of World War II.

Contains an historical analysis of the interaction of political and military factors which lead to these four surrenders.

PART 3

Entitled "Unconditional Surrender" and contains a discussion of the fallacies of unconditional surrender.

PART 4

Discusses Surrender in Future Strategy.

It is safe to assume that future wars will not be dominated by attrition. Terminal situations which existed in World Wars I and II will not apply in future wars.

Destructiveness of modern weapons enables a belligerent to halt coordinated activities within large target areas.

Nuclear war could have only losers, though this is not certain.

The only political objective for all-out nuclear war is destruction of the adversary, which involves the risk of self-extermination.

The adoption of the political objective of elimination of the adversary is not strategy but lunacy.

Insane strategy has been applied in the past; however, the likelihood of any power deliberately embarking on such a course is extremely small.

Such a course might grow from a miscalculation, for example, of underestimated enemy capability to strike back.

We must mention the possibility of a perfect winning strategy for all-out nuclear war in which the first strike eliminates the enemy capability to retaliate.

Any power which allows an enemy such a capability is in mortal danger. In such a situation there is the possibility of a surrender without fighting.

One alternative to all-out nuclear war is the use of artificial limitations. Each belligerent might pull punches hoping the other would. Such a situation is stable only as long as neither side seizes the opportunity for a quick knockout punch.

The use of artificial limitations is possible in wars for low-political stakes.

The crucial problem that arises in connection with limiting nuclear war is how to conclude a high-stake war with considerable capabilities held in abeyance on both sides.

There was a ready solution of this problem in the classic context before the nuclear age.

A losing belligerent could see no hope of a quick change in the balance of power.

The use of unused capabilities in the last suicidal outbreak of despair could be seen to bring more grief to the loser than his opponent.

In dealing with the political problem of securing a settlement on the basis of possible nuclear operations, the winner must take into account the loser's ability to unleash a last orgy of destruction.

In setting terms, the loser's capability for a last explosion of destruction is part of his bargaining strength.

In nontotal nuclear war the final political payoffs must be moderate. In general, such wars can leave no room for extreme settlements.

Nontotal nuclear wars cannot reasonably be expected to result in complete victory in a political sense.

Conclusion—Survival in the nuclear age

The major political implications of the new strategic situation brought about by the emergence of nuclear weapons may be formulated as follows: powers may seek to survive in the nuclear age, either by going to extremes of inhumanity and malevolence never imagined before, or by drastically limiting their expectations of gain from the application of armed power. Adjusting to the new conditions is bound to be particularly difficult for the United States, because both of the available alternatives are diametrically opposed to traditional American political attitudes. Systematic malevolence is as alien to the American makeup as overblown emotional expectations of unlimited gains are congenial to it.

We must, of course, cherish our traditions of humanity and benevolence. If the inhuman alternative for survival opened up by the nuclear age is excluded for us because of our nature, so much the better. Let us hope that this alternative will not be open to others either, for practical reasons if not for reasons of character. If we rule out the inhuman solution, then we must act on the other alternative for survival. We shall have to revise some of our deeply rooted traditional attitudes, such as our rejection of compromise and our faith in extreme, ideal solutions when the chips are down. In the past, these propensities served us well in some respects and played us nasty tricks in others. In the future, they can only render us impotent to deal with political reality, and thus jeopardize our very survival.

Mr. THYE. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. THYE. I associate myself with the remarks of the distinguished Senator from Georgia. I feel that the amendment which is proposed to be a

part of the Defense supplemental appropriation bill is entirely proper. I am in support of it.

I was as shocked as anyone could be when it was reported to me that such a study was in progress, because this Nation is not contemplating surrendering to anyone. We never have. The American people are willing to fight and, yes, to die, if need be, rather than to surrender to what seems to be communistic philosophy and ideology, which are atheistic in every sense.

Therefore, I associate myself with the remarks of the Senator from Georgia and also with the amendment which is proposed to be offered.

Mr. RUSSELL. The statement of the distinguished senior Senator from Minnesota is in keeping with the deep patriotism he always manifests.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SYMINGTON. First, may I commend the distinguished senior Senator from Georgia, the able chairman of the committee on which I have the honor to serve as a junior member. As all of us know, he is a great American patriot.

I was somewhat concerned by the remarks made by the distinguished minority leader concerning the article I placed in the RECORD. I would be the first to say that no Member of the Senate has more interest in the security of the United States than has the distinguished senior Senator from California. But the article itself contains more than merely reference to one study. The article reads:

> Three nonprofit scientific agencies working for the Defense Department or the services are making studies as to whether the United States can survive and continue to fight after an all-out nuclear attack. One is studying the conditions when surrender would be advisable, rather than to try to continue a war that is already lost.
>
> While administration spokesmen assert that the United States is not losing the arms race with the Soviet Union, and the public is confused between such declarations and those to the contrary by Congressmen and commentators, the scientists are proceeding on the assumption that the Russians have achieved, or rapidly are achieving intercontinental military superiority with missiles.

In my opinion, this assumption is accurate, based on my knowledge as a member of the Committee on Armed Services. The article continues:

> It is a significant and shocking turn of events when United States officials have lost confidence of victory in any conflict in which the United States may be engaged in the next few years and turn to questioning our ability to survive and what is the right time to surrender.

The article then discusses the additional factors which are being studied.

> SOON-TO-BE-FACED DANGERS
>
> When some of our best scientific and military minds turn to the study of such eventualities, no comment is required as to their opinion of the dangers the Nation soon will be facing.

The article then refers to an article which the distinguished counsel of the Senate Subcommittee on Military Preparedness encountered, by coincidence, I am told. I was worried by the conclusion presented by Dr. Ellis A. Johnson, director of the operations research office of Johns Hopkins University, a nonprofit scientific organization operated for the Army.

One paragraph reads:

> The director of another scientific agency told the Post-Dispatch that their studies cast doubt on the ability of the United States to survive and to continue to fight after an attack in which 40 million were killed.

The distinguished senior Senator from Virginia [Mr. BYRD] honored me recently by sending me a book which deals with the Battle of Gettysburg. The book was written by Mr. Clifford Dowdey.

Mr. President, this book about a famous battle of our history shows that if such thinking continues in the United States, it would be contrary to the great traditions of our Nation.

Mr. KNOWLAND. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I am delighted to yield to the distinguished minority leader.

Mr. KNOWLAND. Mr. President, I repeat that at the leadership meeting, the President gave us categorical assurances that no such discussion ever had been had at any time during his administration, either in the Cabinet or in the National Security Council or in any other responsible agency of the Government.

I repeat that the word "surrender" is not even in the vocabulary of the President; I want to be clear.

Lest someone obtain a misconception of the thoughts in the minds of the heads of our Government, let me say that I am sure that what I have stated is the unanimous opinion of the President and of all other heads of our Government, both in the executive agencies and in the other body of Congress and in this one.

Mr. RUSSELL. Mr. President, the Founding Fathers who wrote the Constitution did not include in it any provision about surrender. Apparently they did not think the heads of the Government of the United States would ever consider such a thing.

I should like to join in the statement the distinguished minority leader [Mr. KNOWLAND] has made about the President, whose patriotism and bravery of course are not questioned.

But I have submitted the amendment in order that the American people and also the people in the four corners of the earth, where the report will be carried, will be put on notice that there is absolutely no foundation to the report, and that we do not even authorize the expenditure of public funds for studies in contemplation of a condition or situation that would result in bringing the United States to its knees.

Mr. SYMINGTON. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. SYMINGTON. I should like to say, most respectfully, to the minority leader [Mr. KNOWLAND], who has been one of the foremost advocates of a strong national defense, that I did not first plan to insert the article in the body of the RECORD. I have been criticized for consistent efforts to obtain an adequate national defense. But many communications came from my State, as a result of the publication of the article.

Therefore, I put the Phillips' article in the CONGRESSIONAL RECORD without fanfare. I did not discuss it with the chairman of the committee. I merely submitted the article and suggested we get to work to improve our defenses.

However, I am glad now that this matter has been brought to the attention of the American people.

With all due respect for what the President has said—and I have the greatest respect for the President—the facts would appear to be that these studies have been going on in at least three different agencies. That is why I was glad the distinguished senior Senator from Georgia [Mr. RUSSELL] added his great influence and weight against what seems to me to be the beginning of a form of appeasement which, unless it is stepped on now, may mark the eventual death of this country.

Mr. BRIDGES. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. BRIDGES. First, I wish to compliment the distinguished Senator from Georgia for submitting the amendment, in which I concur. I think it is wise and that the Congress should act on it.

Second, I wish to say that when I read the article, which was put in the RECORD by the distinguished Senator from Missouri [Mr. SYMINGTON], I was horrified to think that such a thing could occur, even if based on however remote a possibility. I had my doubts that such a thing would be occurring in this Government; and, last Tuesday morning, at the White House, I brought the matter to the attention of the President.

I wish to say that I substantiate what the distinguished Senator from California [Mr. KNOWLAND] has said, namely, first, that the President was astounded that such a thing was being discussed. He was shocked. He had no knowledge of any such study. Whatever was being done, certainly was being done without his knowledge or consent. I have rarely seen him so stirred up as I did that morning in his reaction to that matter.

I am glad to confirm the report on the President's reaction, and I am also happy that the Congress will have an opportunity to act on this matter through the amendment proposed by the Senator from Georgia, the very able chairman of the Armed Services Committee of the Senate.

But we should go further: We should take steps to assure that anyone in the Defense Department or in the State Department or in any other agency of the Government who is participating in such study or survey is promptly discharged, because such action is the typical Communist technique of working from within in order to brainwash our people, pave the way for appeasement, soften us up, and then destroy us.

The distinguished Senator has said that the studies did not merely amount to planning a retreat, but amounted to planning a surrender by the United States. The agencies conducting such studies not only should be deprived of

funds with which to conduct the studies, but never should be permitted to do anything else in connection with the Department of Defense or the Government of our Nation; and the persons who have concurred in such work in the Defense Department should be discharged.

Therefore, I congratulate the Senator from Georgia.

Mr. RUSSELL. Mr. President, I am grateful to the Senator from New Hampshire for his statement.

Of course, the Congress cannot discharge any person; but if such a person is in the employ of the Government, then, under the terms of this amendment, which applies to all appropriations, he would at least be denied the privilege of drawing further compensation. That is as far as the Congress can go.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. Mr. President, I agree with everything the distinguished minority leader [Mr. KNOWLAND] and the distinguished Senator from New Hampshire [Mr. BRIDGES] have said on this subject.

I know that the purpose of the Senator from Missouri [Mr. SYMINGTON], in placing the article in the CONGRESSIONAL RECORD, was a sincere and a patriotic one.

After reading the article—which appears on page 16668 of the CONGRESSIONAL RECORD—I wish to say that the title of the article, namely, "Question of When United States Should Surrender in All-Out Nuclear Attack Studied for Pentagon—Scientists Are Proceeding on Assumption Russia Has Achieved, or Is Rapidly Gaining, Intercontinental Military Superiority With Missiles," and certain statements in the article are not really borne out by the facts. In my opinion, the title and article are misleading.

I hold in my hand a copy of the book, which I obtained from the Congressional Library. I shall read two sentences from the preface:

> The theoretical analysis of strategic surrender is presented in a historical context, that of World War II. Four major cases of strategic surrender are examined, in order to show the interaction of strategic restraints and of political desires and beliefs in shaping the concluding stage of hostilities.

A reading of the conclusions set forth in the book indicates that there was no expectation at all of the consideration of surrender by the United States. The study was, rather, in regard to what the United States should do in considering any future surrenders in any future wars, because of the World War II experience.

This morning, within the hour, the Rand Corp. has issued a release. In order to make the record complete, I shall now read the release:

> The Rand Corp. study which resulted in the book Strategic Surrender, by Paul Kecskemeti—Stanford University Press, 1958—was initiated in 1951 as a specific contribution to a broad study of possible or desirable United States war objectives, as part of the Rand Corp.'s long range research program for the USAF.
>
> The study was carried out on a part-time basis, and thus was not completed until recently, at which time arrangements for publication were made with the approval of the D. O. D.—
>
> The Department of Defense—

in the thought that this work might be of general public interest.

Mr. President, I checked with the Office of the Secretary of Defense, and found that the approval was for security, not approval of the contents of the book.

I read further from the release:

> This study deals with United States war aims.
>
> The book contains no advice to the United States Government to negotiate a settlement with the Soviet Union in the event of war, nor is any such recommendation implied in the study or in the book. Nowhere does the study or the book deal with any hypothetical United States surrender.
>
> The question of negotiating with an opponent of the United States in a wartime situation is treated solely in the context of a termination of a war in which the United States would be victorious. The book examines historically cases of the termination of wars in which the United States and its allies have been involved.
>
> One matter which is treated is that of the controversial unconditional surrender policy followed in World War II, which in the view of the author tended to create a political vacuum in the defeated countries. This had no lastingly bad consequences in some instances, but in East Germany, for example, Soviet communism rushed into the vacuum. The author argues that in the past, the allies' refusal to enter into talks with the defeated enemy during the final stages of hostilities was harmful to allied and United States interests. This refusal enabled third parties to make gains at the expense of vital allied interests.
>
> The objective of this Rand research for the Air Force was to produce data relevant to future Air Force strategy and the basis for the work was concern for the national interest of the United States.

That is the release of the Rand Corp. within the hour.

Mr. President, I confirm every remark made by the minority leader and the Senator from New Hampshire last Tuesday and I know everyone in the Congress, and certainly everyone in the Senate, will agree that neither the present President nor the former President of the United States would conceivably permit United States funds to be used to study what the United States would do in the case of an abject surrender.

I believe that is a statement of the facts. As I have said, I have the book here. I have read a synopsis of the book. I have had an assistant in my office read the book in full since the subject came up. Neither he nor I find anything which would indicate that this theoretical study concerned any surrender by the United States.

Mr. RUSSELL. Mr. President, I am delighted to hear that statement from my distinguished friend from Massachusetts. I did not know that Rand had made a study. I did not know the book had been published. But, as a practical matter, I do know that if such a study had been, it should never be published. I want to be sure that no such study can be made even for the information of any official in the Department of Defense, the Department of State, or anywhere else.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Indiana.

Mr. CAPEHART. This is more proof of what I have been saying for many, many days, on numerous occasions, about statements made and articles written by people which are doing a great injury or harm to the United States.

I am not going to be quite so generous as some Senators have been with respect to this matter and how it has been handled. I think it is one of the most unfortunate things I have ever known in the United States Senate that such an article would be put into the CONGRESSIONAL RECORD without speaking to the President of the United States about it.

I think the resolution I hold in my hand, which has been offered, is wrong. I do not think any Member of the Senate should place in the CONGRESSIONAL RECORD an article which was not even published——

Mr. SYMINGTON. Mr. President, if the Senator will yield, the article was published.

Mr. CAPEHART. To place it in the RECORD of the Senate is wrong.

The proper thing would have been to go to the White House, sit down with the President of the United States, and discuss the matter with him. I happen to have been at the White House when the matter was brought to the attention of the President of the United States. I have never seen a man more angry or excited about anything in my life. I am sure President Truman and President Roosevelt would have reacted in the same way. I do not want to see Congress, by a resolution of this kind, indicate in the RECORD that this country would ever, under any circumstances, surrender. I think we are doing a great injustice to the President of the United States and the great Army, Navy, and Air Force, to talk about it.

I think we ought to call Mr. Phillips, and the other gentlemen who have written these articles, question them, and find out what their authority is and why they are doing this sort of thing.

As I have said repeatedly in the Senate, everything we say on the floor the Russians repeat to people all over the world. They take advantage of it and play it up. Here we are thinking of passing a resolution directing the President of the United States and the administration not to do something, the inference being they might do it, or have done it. My best judgment is that neither a Republican nor a Democratic President ever would do it. We ought not to be dealing in this sort of thing.

I wish I could be more generous about the matter. I am getting to the point where I do not think in the face of world conditions, we can afford any longer to do things which give comfort to those who someday may be our enemies, and

funds with which to conduct the studies, but never should be permitted to do anything else in connection with the Department of Defense or the Government of our Nation; and the persons who have concurred in such work in the Defense Department should be discharged.

Therefore, I congratulate the Senator from Georgia.

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Mr. SYMINGTON. Mr. President, if the Senator will yield, the article was published.

Mr. CAPEHART. To place it in the RECORD of the Senate is wrong.

The proper thing would have been to go to the White House, sit down with the President of the United States, and discuss the matter with him. I happen to have been at the White House when the matter was brought to the attention of the President of the United States. I have never seen a man more angry or excited about anything in my life. I am sure President Truman and President Roosevelt would have reacted in the same way. I do not want to see Congress, by a resolution of this kind, indicate in the RECORD that this country

who spread all over the world propaganda that we are doing these things. We ought to be more careful.

I know we cannot control the thoughts of writers. They can write whatever they choose to write. Nonprofit organizations can do these things. My point is that we, as United States Senators, as officers in high public position, ought not to be saying or doing things that give comfort to a potential enemy.

I see no reason at all for the resolution, for the simple reason that I cannot conceive of such a situation, and I know the President of the United States and no other responsible person will not have anything to do with anything of that sort. I feel it in my bones. I know he is not going to do it. The inference is that he might do it. I think it is all wrong.

Truman, when he was President of the United States, was constantly fighting Communists, in the Korean war, and in other activities. I do not think anybody questioned the fact that he would never surrender. That statement applies to President Roosevelt or any other President.

I think we ought not to be indulging in resolutions of this kind, and we ought not to be talking about them in public. We ought not to be printing them. If we uncover something like this, we ought to go to the White House and discuss it with the President of the United States. If he did not give a satisfactory answer, then would be the time to print something in the RECORD. If those who are quoted had listened to the President, they would not be here doing this.

Mr. RUSSELL. Mr. President, the Senator from Indiana, in his characteristic method, has built up a beautiful strawman and then proceeded to destroy him. He filled up one piece of it with straw, he filled up another piece with straw, then another, and another, until he built the whole body. Then, with his great bulk and strength, he ran up against it, knocked it down, jumped on it, and cried, "Look how I have destroyed this great man." Anybody with a thimbleful of brains will recognize it as a strawman with no substance except in the mind of the Senator from Indiana. It had to generate somewhere in his mind.

Nobody here has ever thought of reflecting on the President of the United States. The Senator from Indiana, with his supersensibilities and his desire to erect a strawman, refers to his respect for the President of the United States. I have as much respect for the President of the United States as has the Senator from Indiana.

I do not blame the Senator from Indiana for mentioning the President, because the President of the United States is one person holding a public office whose courage is beyond question and whose patriotism no man can doubt. When the Senator makes his statement he is only undertaking to becloud the issue and muddy the waters.

In keeping with his general accuracy, the Senator referred to this amendment some half dozen times as a resolution. There is just about as much resemblance from a parliamentary standpoint between a resolution and an amendment as there is between what has been said in this debate and the fictional attack on the President of the United States, that existed only in the Senator's rather queer imagination.

Mr. DIRKSEN and Mr. SYMINGTON addressed the Chair.

Mr. RUSSELL. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I should like to address a question to the Senator from Georgia.

I made some inquiry about General Phillips when this matter first came to my attention. I understand General Phillips had a very excellent war record, was a superb officer, and is now retired.

The thing which disturbed me most was one paragraph which will be the basis for my question. General Phillips in the article from the Post-Dispatch says:

> It is a significant and shocking turn of events when United States officials have lost confidence of victory in any conflict in which the United States may be engaged. • • •

Mr. RUSSELL. Mr. President, I have not read the article. I did not know it was in existence. I stated at the outset of my remarks that this amendment grew out of a statement I heard on the radio that these studies were in progress. I have stated I did not lend credence to that statement; it was impossible for me to believe it, because no such study was authorized by law. But the American people ought to know the studies are not being made, and for that reason I offered the amendment to the appropriation bill. I am not prepared to debate a statement by a gentleman, whom I have never met, that I have not yet had the privilege of reading.

Mr. DIRKSEN. The question can be answered notwithstanding that. I simply ask the Senator from Georgia whether in his experience he has ever heard any responsible official of the Government, military or civilian, confess a lack of confidence of victory in the event of war sometime in the future?

Mr. RUSSELL. I cannot go that far. I have heard officials say, in urging that various things be done, that we might lose a war unless we did so. But I do not know of any official of the United States Government who is prepared to surrender this country. I do not want any studies made of that. If the studies are not being made, I do not wish to have the word go out to the American people or to the far corners of the earth that such studies are even contemplated or imagined. For that reason I offered this amendment, which would make it impossible for such studies to be made, and which would reassure the American people that they could not be made.

Several Senators addressed the Chair.

Mr. RUSSELL. I yield first to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, first with respect to the remark made by my friend from Indiana about having printed in the RECORD an unpublished article, I correct the statement made by the Senator from Indiana, because it was inaccurate and untrue. This article was published in the St. Louis Post-Dispatch on August 5. I did not put the article in the RECORD until August 8. When I did so, I stated:

> The article has prompted considerable correspondence from disturbed constituents who asked whether the article has any basis of truth. They want to knew whether it is a fact that the United States is in mortal danger, as General Gavin stated, according to an article which was published last week in Life magazine. They want to know whether General Phillips is correct when he says:
>
> The United States will be in mortal danger until bombers, fast enough to limit the effectiveness of hostile air defenses, and thousands of intercontinental missiles are ready to respond to the opponent, who has trumped our ace by jumping over the phase of intercontinental warfare represented by long-range bombers as a means of delivery.

Mr. President, first, I believe in free speech. I think when a responsible reporter writes an article, signs his name to it, and it is published in a great newspaper in the United States as a Senator, I have a right to have the article printed in the RECORD 3 or 4 days after it has appeared in print, without any denial from this administration.

I repeat, Mr. President, I believe in free speech. I believe that the greatest statement on this matter since I have been in the Senate was made in a talk by the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], when he said that the strength of a nation depends upon the will of the people; and in a democratic form of government that will only function if the people are informed.

It astounds me that any Member of this body should protest placing in the RECORD an article by a responsible reporter published some days before.

Mr. President, if the Senator from Georgia will permit, I should like to ask one question of the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL].

Mr. RUSSELL. I am willing to yield the floor, Mr. President. I have been ready to do so for a half hour.

Mr. SYMINGTON. The distinguished Senator from Massachusetts referred to the book of the Rand Corp., as did the distinguished minority leader. May I ask if the Senator also has comparable data on a report which was uncovered by the Military Preparedness Subcommittee of the Senate, and which was written by Dr. Ellis A. Johnson, director of the operations research office of Johns Hopkins University? Has the Senator any information with respect to that report he could furnish for the enlightenment of the Senate at this time?

Mr. SALTONSTALL. Mr. President, I have not.

The article of General Phillips refers to a book which is called Strategic Surrender. That was the book.

Mr. SYMINGTON. The article also refers to the Ellis Johnson study. The Senator was aware, was he not, that we had the Johnson article in the Military Preparedness Subcommittee, of which the distinguished Senator is a member?

Mr. SALTONSTALL. I recall in a general, broad way the substance of the article.

Mr. SYMINGTON. Does the distinguished Senator remember the way the Military Preparedness Subcommittee obtained the article? The subcommittee was attempting to give the American people the truth. After the subcommittee had requested all documents pertinent to this serious question from the Department of Defense, the subcommittee was not given this article by Dr. Johnson of Johns Hopkins University, but only discovered the article by reading the Baltimore Sun. Does the Senator know those facts?

Mr. SALTONSTALL. I will take the word of the Senator from Missouri that those are the facts. I do not remember them myself. I recall the statement of Dr. Ellis Johnson, and I would not dispute the Senator's statement. I think the statement is undoubtedly reasonably true, probably more than reasonably true, judging from all the evidence submitted to us at the time.

Mr. SYMINGTON. Mr. President, I thank the distinguished Senator for using the words "reasonably true."

I give another quotation which in my opinion shows how this body, and the other body of the Congress, as well as the American people, should conduct themselves with respect to the problems which face us in the matter of national defense. The statement was from the chairman of the Freedom of Information Committee of the American Society of Newspaper Editors, who said that if one acts on the basis of partial truth one acts on the basis of what those people believe who gave that partial truth; but when one acts on the basis of all the truth one acts on the basis of what one himself believes is right.

I think these discussions on the floor of the Senate are most constructive, because it is now beginning to be evident that when the scientists add up what we have as against what the possible enemy has, a very definite line of thinking is taking form in their minds that under a sudden all-out attack in a nuclear age this country would be in very grave danger.

I see no particular reason for blaming the scientists for a scientific study along those lines, especially since the Senator and I know much about what our position actually is vis-a-vis the possible enemy.

Mr. KNOWLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CLARK in the chair). It is the understanding of the Chair that the Senator from Georgia yielded the floor. The Chair recognizes the Senator from Missouri, and the Senator from Missouri has the floor.

Mr. SYMINGTON. I thank the Chair.

Mr. President, I know able and experienced military men who believe that, unless our policies are radically changed with respect to preparations for the defense of the United States, we will have great difficulty in winning a possible future war.

I think I should present that to my friend from California, because I believe that is the basis of the type and character of information now before the Senate.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield.

Mr. SALTONSTALL. Let me say to the Senator from Missouri that he and I have not always agreed on the facts concerning the strength of our military forces, and we shall probably continue to disagree in certain instances.

Personally I believe that we have strong retaliatory power, and that that power will grow, but that is not the question before us today. The Senator from Missouri and I have attended many discussions together. As I see it, whether we agree or disagree on certain pertinent facts as to the strength of our defense, the purpose of this discussion is to make it perfectly clear to every citizen of the United States that no responsible official in the administration, and no responsible Member of Congress, is making any plans for the abject surrender of the United States. There may be theoretical discussions from a scientific point of view, which are perfectly proper. However, the purpose of this discussion, led by the Senator from Georgia [Mr. RUSSELL] in the first instance, who was very ably seconded by the Senator from California [Mr. KNOWLAND], the Senator from New Hampshire [Mr. BRIDGES], and by the Senator from Missouri—and I hope I may have helped a little—is to make it perfectly clear, regardless of our differences of opinion, that no plan is being made by any responsible official now, and that no plan was made in any previous administration, for the surrender of the United States. It should be made perfectly clear that every Member of Congress feels the same way, and will do everything he can to resist any such plan or any such psychology entering into the defense of our country. That, as I see it, is the purpose of the discussion, and I hope it has been beneficial.

Mr. SYMINGTON. I thank the senior Senator from Massachusetts, whose integrity and patriotism no one questions. However, there can be differences of opinion on this and other questions. The primary reason for what we are talking about today, and for the condition we are now discussing, are the fault of this administration. Let me tell the Senate why.

Time and again in recent years this administration has gotten together an independent group of patriotic citizens to make various reports about the status of our national defense. The distinguished Senator from Massachusetts knows a great deal about such reports, probably much more than I do.

When the Rockefeller report was issued, what did it say? It said, in effect "We are not doing nearly enough to defend the United States." What has the result been since that report or rather since sputnik? We have added 1.3 percent to what we were already spending to defend ourselves, which is a great deal less than the administration figures with respect to the devaluation of the dollar over the same period.

Then we had the Gaither report. As a result of the illness of Mr. Gaither, that group was presided over by a close friend of the distinguished Senator from Massachusetts. I have heard him speak of the ability and character of this gentleman before the Senate Armed Service Committee.

But the Gaither report was never released, even to the Senate Armed Services Committee. It was refused the Senate Armed Services Committee, and the rumor spread that the report was so terrifying in its implications with respect to the current position of the United States in the world of today that even Senators elected by their constituents were not allowed to look at it. Actually it has never yet been given to the Armed Services Committee.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SYMINGTON. I shall be glad to yield in a moment.

We come now to even another report, one discovered by counsel for the Johnson Preparedness Subcommittee, who read about it in the Baltimore Sun. I refer to the report of Dr. Ellis A. Johnson, a part of the Johns Hopkins study, which had to do with the defense of the United States.

What I am saying on the floor of the Senate today is not new. I stated it before the Military Preparedness Subcommittee, to the Secretary of Defense. I said in effect, "This is your fault. You people in the administration continue to get groups of outstanding citizens together to make reports. Without exception, they all say that what we are doing is totally inadequate."

At this point, Mr. President, I ask unanimous consent that my observations on this subject to the Secretary of Defense before the Military Preparedness Subcommittee be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SENATE PREPAREDNESS INVESTIGATING SUBCOMMITTEE HEARING, JULY 24, 1958

Senator SYMINGTON. Mr. Secretary, I want to make an observation.

Much of the apprehension about whether or not we have an adequate defense, as felt here in the Congress, has been and is caused by the administration itself.

You all set up committees and commissions and study groups, to see what is needed for adequate national security.

As example, that fine group of yours on the reorganization plan, the Rockefeller group, the group that produced the Gaither report which was so pessimistic that apparently every effort was taken to keep it secret. Then the group which developed the Ellis Johnson-Hopkins report which this committee only discovered, I think it is fair to say, by coincidence.

Mr. Ed Weisl, counsel of the committee, was the one who discovered it.

Now my point: Every one of those reports, made by patriotic private citizens, after thorough investigation, has come out and said this country was not doing nearly enough.

They all say we could spend billions of dollars more a year on defense without adversely affecting our economy.

The National Planning Association, as well as the Committee on Economic Development also said we could spend a great deal more a year without hurting ourselves.

In other words, every time you set up a committee, that committee says we are not doing enough.

Yet we do very little more.

We may have gone as far as compensating for about one-half of the value of the depreciated dollar, using administration fiscal fears.

But who could say that shows any sense of urgency?

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my friend from California.

Mr. KNOWLAND. I concur in the statement that the Congress of the United States should have the necessary information to conduct its business. I believe that, by and large, the Joint Committee on Atomic Energy has received information relative to our nuclear factors. I believe that the Armed Services Committee has generally received—though there may be some exceptions, as the Senator has pointed out—the information it needs.

Mr. SYMINGTON. Did the Joint Committee on Atomic Energy get the Gaither report?

Mr. KNOWLAND. Let me finish.

I believe that the Appropriations Committee has usually received its information, and I believe the same is true of the Committee on Foreign Relations.

But I must point out—and this must not be forgotten—that personally, for a period of 6 years, I have attempted, as a Member of the Senate, to obtain the Wedemeyer report relative to China, which, if the Congress of the United States had had it, might have done much to change history in that area of the world. That report was denied from the time it was written, about 1948 or 1949, according to my recollection, up to the time of the hearings on the MacArthur removal, when finally we were able to get the Wedemeyer report for the first time, after a lapse of at least 6 years.

I recall that the late Senator Vandenberg attempted, as chairman of the Foreign Relations Committee of the Senate and President pro tempore of the United States Senate, to obtain information relative to the Yalta agreements, which affected the foreign policy of this country, as related to the freedom of the nations of eastern Europe. We were unable to get those papers until about a year or so ago.

That does not excuse this situation. At least, the reports which the Senator has mentioned are apparently reports which have been produced in the current year, or the previous year. But there were two instances of State documents in which the Congress of the United States had a vital interest, and which it could not obtain. I might recite other instances which are known to members of the Joint Committee, in which certain agreements had been entered into with a certain power, which agreements might have put very serious restrictions on our use of certain weapons.

I say to the Senator, under those circumstances, that this is a matter which has affected both administrations. So far as the present documents are concerned, for whatever they may be worth, they are practically current.

I have read the article in the St. Louis Post-Dispatch regarding the so-called Johnson article and the Johns Hopkins study. As I read it, it related to the possible casualties in the event of atomic warfare. I assume that any defense department in any country of the world, having seen the damage which the old-fashioned type of bombing—if we may call it that—had visited upon Germany and Japan, would be making studies to learn what the situation might be in this or any other country of the world. I assume that the Soviet high command is probably making certain studies as to the possible damage to their own productive facilities from atomic warfare.

But that, I submit, is an entirely different situation from that represented by the heading of the article. I am inclined to agree with the Senator from Massachusetts that perhaps the heading used by the St. Louis Post-Dispatch did not do complete justice to General Phillips.

Mr. SALTONSTALL. I do not believe it did.

Mr. KNOWLAND. The heading of the article is: "Question of When United States Should Surrender in All-Out Nuclear Attack Studies for Pentagon—Scientists Are Proceeding on Assumption Russia Has Achieved, or Is Rapidly Gaining, Intercontinental Military Superiority With Missiles."

A reading of a part of General Phillips' article might have led one to believe that the Rand study was directed to the surrender of this country, whereas a reading of the Rand study shows that it related primarily to the surrender of Japan, one of our enemies in World War II, Germany, which was defeated, Italy, which was forced to surrender, and France, which surrendered to Nazi Germany in the early stages of the war.

So I submit that the heading of the article and the article in its context do not fit in with the actual study, as I have had a chance to examine it.

Mr. SYMINGTON. I am much impressed by the remarks of the distinguished minority leader about the past. I am sure he agrees, however, that two wrongs do not make a right. I say on the floor of the Senate today, with great sincerity, and based on my knowledge of the situation, that the possible enemy is ahead in the intercontinental ballistic missile field—I do not want to be an alarmist, but the American people have a right to know the truth. If the Senator from California wishes me to do so I shall be glad to bring people to his office, people for whom he has great respect and who will confirm my statements—that the Soviet Union is well ahead of the United States in the intercontinental ballistic missile field.

I ask the distinguished Senator from California, if I may, whether he has read the Johnson report?

Mr. KNOWLAND. I have not read the Johnson report.

Mr. SYMINGTON. He would be interested in it. May I ask whether he has read the Gaither report?

Mr. KNOWLAND. Yes; I have read the material which has been made available in the Gaither report.

Mr. SYMINGTON. With all due respect to my able and very good friend from California, I resent the fact that as a Member of the Senate he has been given the Gaither report in a backhanded fashion; and that it has not been given to me as a member of the Committee on Armed Services, despite the fact that the chairman of the Preparedness Subcommittee has asked for it several times.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. SALTONSTALL. Mr. President, as my closing remarks, I wish to say to the Senator from Missouri that the Senator from Missouri knows I do not agree with him as to the state of our defense. I believe that our state of defense is very much better than he has pictured it. I agree that our opponents may be ahead in some respects, but we are ahead in more respects today, and have kept ahead. I do not wish to engage in a debate on this subject at this time. I believe the Senator from Missouri is sincere in his statements.

I wish to keep the discussion, if I can, to the question of the surrender of the United States. That is not in the mind of anyone who has a responsible position in the Government. I hope that we have convinced all Senators of that fact.

Mr. SYMINGTON. I never had to be convinced about that.

Mr. SALTONSTALL. And it is not in the mind of any Member of Congress. If this discussion will have that effect, with the amendment the Senator from Georgia has offered to the appropriation bill, then I believe the discussion has been helpful.

Mr. SYMINGTON. May I ask the Senator a question?

Mr. SALTONSTALL. Certainly.

Mr. SYMINGTON. Did the Senator sign the 17 unanimous points brought out by the Johnson subcommittee last January, criticizing our defense efforts?

Mr. SALTONSTALL. Yes.

Mr. SYMINGTON. Did he believe what he was signing was right?

Mr. SALTONSTALL. I signed those points, because I believe we should take every step we can to improve our situation with relation to each one of those points. On some of them it would take 2 or 3 or 4 years.

Mr. SYMINGTON. Inasmuch as the chairman of the subcommittee asked all Senators to include those points which they thought were necessary, and inasmuch as the Senator from Massachusetts, at the time the 17 points of criticism were unanimously signed, did not make any objection to any of the 17 points, I am surprised that the Senator believes there is any great difference between what he and I believe with respect to what is necessary to be done about the security of the United States. I am sure the Senator from Massachusetts agrees that we are not doing enough in the interest of the security of the United States.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. KNOWLAND. I merely wished to make a correction in the RECORD. I have not read the Gaither report as such. I have read material which was made available. I read what were supposed to be extracts from the Gaither report, as published in the newspapers. I have not read what is supposed to be the full Gaither report. I have read what the Senator has read.

Mr. SYMINGTON. I thank my friend. I will correct my remarks accordingly. I am very sorry that neither the distinguished Senator from California nor the Senator from Missouri have been able to get the report paid for with taxpayer money.

Mr. KNOWLAND. I cannot see any good reason why the Armed Services Committee should not have it.

Mr. SYMINGTON. The distinguished majority leader has asked for the report.

Mr. SALTONSTALL. Mr. President, will the Senator yield further?

Mr. SYMINGTON. I yield.

Mr. SALTONSTALL. I wish to make one concluding remark. So far as the 17 points are concerned, they were submitted to me as one individual member of the committee by the distinguished majority leader. We worked them over, and some changes were made in them before they were submitted in the unanimous report. So far as the 17 points are concerned, I signed the report wholeheartedly because I believe those were steps which we would gradually have to take, and they are being taken. Under the present Secretary of Defense, in the few months he has been in office, since January, the progress reports indicate that progress has been made on what is bound to take, in some cases, as much as up to 2 or 3 or 4 years. I thank the Senator from Missouri for giving me this opportunity.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. CASE of New Jersey. I should like to ask a question of the Senator from Georgia with respect to his resolution.

Mr. RUSSELL. It is an amendment that I intend to propose to the supplemental appropriation bill.

Mr. CASE of New Jersey. I thank the Senator for his correction of my preliminary statement. It is my understanding—and I am sure I am correct, and I wish to make it perfectly clear for the record—that the Senator from Georgia intends in no way to prevent studies being made of the adequacy of our defenses, or criticisms of the adequacy of our defenses, or the publication of the results of such studies, but merely proposes to prevent studies for the purpose of establishing a national policy for surrender.

Mr. RUSSELL. I do not have the material before me, and I appreciate the Senator's suggestion. I do not believe it is necessary, even from the standpoint of legislative history, to comment on it, because we are constantly requesting studies of all kinds on how we can better perfect the defenses of the United States. The study I had reference to dealt with how, when, where, or under what circumstances the Government would surrender this country and its people.

I must confess that I have not kept up with this matter so closely as other Senators have. I did not know that the Senator from Missouri had placed the article in the CONGRESSIONAL RECORD. I heard the report over the radio. I believe it was on the 7 o'clock news broadcast. It reported that studies had been made along that line. I was utterly appalled to think that anyone anywhere would authorize any such studies. I stated in my remarks that I could not lend credence to statements that such studies were being made. I did not want any American citizen to think that his tax money was going into studies that considered how, when, and under what circumstances the Government of the United States would surrender this country and its people to a foreign power.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. I merely wish to read the headline in the article which was placed in the RECORD. This is what it says: "The Question of When the United States Should Surrender in All-Out Nuclear Attack Studied for Pentagon."

Anyone can say that I have been setting up strawmen and shooting at them——

Mr. RUSSELL. I said when the Senator said that my resolution was an attack on the President, he was setting up strawmen. I have not read the article, and I did not refer to it. The Senator was setting up a strawman when he brought in something I had not said at all.

Mr. CAPEHART. The headline I have read is one of the most amazing and shocking things I have ever read. I think articles of that kind do a great deal of harm to the United States. We can readily picture what the Russians are telling their people and their satellite countries all over the world, repeating that headline, repeating that the article was published in the United States and printed in the CONGRESSIONAL RECORD. My point is that before the article was placed in the CONGRESSIONAL RECORD, the matter being so serious, it should have been taken up with the President of the United States. Simultaneously with the publication of the article, a statement by responsible persons should have been placed in the RECORD, so that at least the true facts concerning the matter could be known.

I believe the President of the United States, the Vice President of the United States, and the responsible persons in a position to know about the situation were just as flabbergasted, amazed, alarmed, and disturbed about the situation as I was, as the able Senator from Missouri was, and as other Senators were. There simply is not any truth to the statement that this administration or any previous administration, whether Republican or Democratic, ever considered the surrender of this country under any conditions.

The point I wish to make is that our enemy uses this sort of material to its own advantage, and that we must be careful. We can deal in politics, yes; we can be critical, yes; we can take the position that our defenses are not adequate and that we should spend more for this and more for that. I have no quarrel at all with that. What I do quarrel with is that we are putting our enemy in a position to broadcast to people throughout the world that we are studying methods of surrendering the United States, when there should have been a statement of denial placed in the CONGRESSIONAL RECORD, which is the official record of Congress, that the United States is not studying the question of surrendering in a nuclear war. That is what I object to.

My objection to the amendment is not that we ought not to do these things; that we ought not to make such studies. That is not the objection. My objection is to the fact that the amendment is offered and directed at the administration of the Government of the United States, whether it be Republican or Democratic, and provides that no money can be spent to study the possibility of surrendering. The inference is that we have been doing it or that we might do it in the future. That is what I object to.

Anyone who listened to the President of the United States when this matter was brought to his attention could only come to one conclusion, namely, that such a thing could never happen in the United States. Perhaps I am setting up a strawman. Perhaps I do not know what I am talking about. But I certainly know enough about Russian psychology; I certainly know enough about the Russians and their propaganda machine; I know what they do with such statements about matters such as this. I know that harm is done to the United States when this sort of thing happens.

It seems to me that the proper way to have handled the matter, and still would be the proper way to handle it, would have been to place in the CONGRESSIONAL RECORD a complete, 100 percent denial on the part of the administration.

That is the point of objection.

I wish I could have been more generous today. It would have been very nice to have said, "I agree with this. I think it was an excellent article to place in the CONGRESSIONAL RECORD. I think we should agree to the amendment." It would be nice if I could have been so generous and could have agreed with the things which others want to do. But unfortunately I cannot do so in this instance. My conscience will not permit me to do it. I feel obligated to say so.

In view of world conditions, I think we have gone too far, in some of the things we have been saying and some of the things we have been doing, things which, in my opinion, are unnecessary and should not be said or done. If we do not stop acting in this way, we will do great harm to the country.

Mr. JOHNSON of Texas. Mr. President, is the Senate still in the morning hour?

The PRESIDING OFFICER. Yes; the morning business has not been concluded.

Mr. SYMINGTON. Mr. President, I should like to speak concerning the comments made by the distinguished senior

Senator from Indiana. If he is sincere, and I am sure he is, I am surprised he opposes the amendment offered by the distinguished Senator from Georgia which indicates how that Senator believes this matter should be handled. In my opinion, the Russians will get considerably more propaganda out of the position of the Senator from Indiana than they will out of the story itself.

I also believe, considering what is best for the United States, that it is far better not to resist the publication of articles, from the standpoint of free speech, than it is to condone the tiny production schedules for miss les which are in effect today. Those schedules, and the plans for their utilization in case we are attacked, form one of the more tragic aspects of this whole situation.

With all due respect to some of the highminded remarks I have heard this afternoon, the youth of this Nation, who will have to defend our country in case it is attacked, will not do as well with highsounding words as they will with the kind of equipment and training necessary to defend this country.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. CAPEHART. I do not wish to labor the question any longer. I do not impugn the motives of anyone. I simply say that I think the matter has been handled wrong. I shall not oppose the amendment; I do not think it is necessary to do so, since it has been thoroughly discussed. But I think now we should say to the world, as plainly as we know how—and I think the President of the United States should make the statement—that under no circumstances will the United States surrender; that it has no idea of surrendering; and has not in the past, authorized anyone to make a study of such a question at the expense of the United States, and will not do so in the future.

Then I hope that from now on both the administration and Congress will be more careful about what is done and said, in view of the propaganda which is issued by Russia, because I still maintain that Russia takes advantage of all these happenings, and that is very harmful to the United States. That is my position.

Mr. SYMINGTON. I do not agree with the Senator from Indiana that it is harmful to the United States to place in the CONGRESSIONAL RECORD an article signed by an able newspaperman, and published, and which has aroused great interest in many quarters.

But I congratulate the Senator upon his statement that he thinks the President of the United States should issue a statement assuring the country that the United States does not intend to surrender, at any time. We can all agree that nothing would be worse than slavery under communism.

Mr. CAPEHART. I do not object to the inclusion of the article in the RECORD. I simply thought a statement by the President or other high officials should have been printed with it, to the effect that there was no truth in the article. That was the point of my objection.

Mr. JOHNSON of Texas. Mr. President, I have listened with great interest and some concern to the debate which has taken place. I am very much pleased that we apparently are of one mind and have reached agreement. I think it would be very unfortunate if Congress failed to act unanimously on the suggestion of the distinguished chairman of the Committee on Armed Services [Mr. RUSSELL].

I am pleased to observe that the distinguished Senator from Indiana, who feels the amendment is not necessary, but does not object to it, will support it.

Mr. President, I hope that we may conclude the morning hour at as early a time as possible. It has continued much longer than is usual. I suppose this was because the Senate started later this morning. Perhaps we should have convened earlier.

We have for consideration today two very important appropriations bills which are essential to the defense of the Nation. Not only should we reassure the people of the United States and the rest of the world by adopting the amendment of the Senator from Georgia, but we should support the Commander in Chief and the Department of Defense by providing the money which is necessary, at least in part, to build the strength which the Nation will need to defend itself.

The PRESIDING OFFICER (Mr. CLARK in the chair). The hour of 2 o'clock has arrived; and morning business is concluded.

FOREIGN POLICY ADDRESS BY PRESIDENT EISENHOWER BEFORE THE GENERAL ASSEMBLY OF THE UNITED NATIONS—JAMMING OF BROADCASTS TO THE SOVIET UNION AND THE IRON CURTAIN COUNTRIES

Mr. KNOWLAND. Mr. President, on yesterday, the President of the United States delivered an outstanding address at the General Assembly of the United Nations, in New York. In my opinion, not only among all the people of the United States, of both political parties, but also among all the rest of the people of the world, with the exception of the people of the Soviet Union, there has been almost universal approval of the statesmanship and the constructive concept of the President's speech.

I believe it is very salutary that in this country the full deliberation of the United Nations were published, not only in the free press of the country, but also by means of the wire services, whose dispatches are published in the newspapers, and also were carried by means of the radio and the television. They published not only the remarks made on that occasion by the President of the United States, but also the remarks made at that time by the Soviet representatives and by the representatives of other nations who spoke there.

However, Mr. President, it is quite interesting—and this matter should be noted—that there was a more intensive jamming when the Voice of America rebroadcast the President's speech into the Iron Curtain countries and into the Soviet Union than there has been in the case of perhaps any other broadcast up to this time. The Soviet Union seems to have had a special desire, and seems to have made a special effort, to jam these broadcasts.

Mr. President, I ask the question: Why? Is the Soviet Union afraid to let the people of the Soviet Union and the people of the Iron Curtain countries know the truth? Are those who are in control of the Soviet Union afraid to have the very frank, very clear, and very accurate statements of the President of the United States made available to their people?

In our country, no one has been denied the right to hear the rebuttal statements or misstatements of the Soviet representatives who have used that forum on both this occasion and past occasions.

So I believe the Soviet jamming when the Voice of America rebroadcast of the President's speech into the Iron Curtain countries and into the Soviet Union was most unfortunate.

In view of the fact that there has been much discussion about opening up the channels of information, and also in view of the fact that the representatives of the Soviet Union have given lipservice to the proposals to open up the channels of information, I believe it is most unfortunate that the Soviet Union should have made an extra-special effort to jam the broadcasts, so that the people of the Soviet Union and the people who are held behind the Iron Curtain could not hear the words of the President, as he spoke at the United Nations General Assembly, on yesterday.

Mr. BRIDGES. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. BRIDGES. I wish to concur in the remarks which have been made by the distinguished Senator from California. I believe he has emphasized a very pertinent point, and one to which some of the people of the country who are weakminded, insofar as their beliefs regarding the ultimate purposes of the Soviet Union are concerned, should give heed.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief statement of comments by me on the speech made by the President, on yesterday, at the United Nations.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BRIDGES

The six-point plan outlined yesterday by the President before the United Nations General Assembly offers hope for peace and progress in the troubled Near East.

Moreover it adds greatly to the growing world opinion that our forthright action in Lebanon was both necessary and entirely in accordance with the Charter of the United Nations. The President also made it clear to potential aggressors that the United States reserves the right to answer the legitimate plea of any nation, particularly small ones, and that the answering of such pleas within the spirit of the United Nations Charter is necessary to international peace and security.

Through our President the United States once again has shown the world that it regards its pledge as a member of the United Nations seriously and literally. Once again

the United States, through our President, has reminded the world that it takes courage to make United Nations principles work.

The manner in which the President called for United Nations concern for Lebanon and Jordan shows that the United States recognizes its responsibilities as a leading nation but does not take a dictatorial or inflammatory position. The same attitude was evident in the President's suggestions that the United Nations station a peace force in the Near East. It was evident again in his suggestion that the Arabs themselves take the lead in formulating a regional economic development plan. It was again evident in the way he called for steps to avoid an arms buildup in the Near East and in his request for an end to propaganda designed to foment civil strife within one nation in the interest of another.

There was also evident in the President's address a welcome firmness and sense of direction and purpose in which America can take pride and in which the rest of the Free World can renew its determination to further the cause of freedom.

The plan outlined by the President can provide a framework for an important United Nations contribution to the goal of peace and progress. The success of the plan hinges on many imponderables, but nonetheless it offers new hope that those goals may be reached and it offers better understanding of United States motives.

THE MIDDLE EAST

Mr. SCHOEPPEL. Mr. President, nothing is more important than the presentation of the news in depth by fearless commentators and news analysts who are not afraid to tackle controversial issues in behalf of the American people and our national radio audience, especially in these times.

In that spirit, I ask unanimous consent to have printed at this point in the body of the RECORD comments made over the Mutual Broadcasting System by Cedric Foster, on July 17.

Let me state that on succeeding days I shall request the printing in the RECORD of comments made over the Mutual Broadcasting System by Gabriel Heater, on July 20, and by Fulton Lewis, Jr., on July 21.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This is Cedric Foster in Washington with my commentary on the news. It was on a hot, perspiring day in which the humidity seemed almost ready to explode one's head, that Bill Hillman, a distinguished news commentator, foreign correspondent, and author, who is heard over the Mutual network, said to me as we were walking down K Street here in Washington: "The President has taken the humility out of the air." And indeed he had. That was back in June of 1950. The then President Harry S. Truman had taken action when North Korean troops had driven south of the 38th parallel.

Even as Harry Truman took the humility out of the air in 1950 so has Dwight Eisenhower in this month of July, 8 years later. The humility is gone, the dice are cast, American forces are in Lebanon, others are standing by in Turkey, the British are in Jordan, and the Western Allies are on the alert. Already their armed forces are shoring up independent nations who have been assailed by great power from without. The American marines moved into Lebanon when President Eisenhower heeded the plea of Lebanese President Camille Chamoun. The British moved into Jordan when Prime Minister Macmillan answered the call for help from Jordan's King Hussein. Both the President and the Prime Minister would have preferred the United Nations to have performed the task of aiding these nations in distress. Indeed, they are asking the U. N. to do so even now and there is no question that they will continue so to ask despite cold-shouldering of their proposals.

There is a marked difference between the American action in 1950 and the steps taken by Mr. Eisenhower 8 years later.

Mr. Truman took unilateral action in the White House, it might be said, within the structure of American Government. He moved in Korea without asking the advice of the Congress. In fact he presented the Congress with a fait accompli. It is argued, even today amongst students of constitutional law, whether he had the right so to do. In any event, the first the Congressional leaders knew of that weekend decision was after it was made. They were merely informed of it.

The decision by President Eisenhower was reached by the Chief Executive only after he had conferred with the leaders of both political parties in the Congress. The President called them to the White House before the marines went into Lebanon. On hand to brief them was Allen Dulles, head of the CIA. Following this briefing came an analysis of the general middle-eastern situation by Mr. Dulles' brother, John Foster Dulles, Secretary of State. The Secretary explained the advantages of moving troops into Lebanon and he explained the hazards involved—the risks that he believed to be inherent in such action.

Then President Eisenhower told the group that he called them to the White House for their advice. What course should be taken? The President emphasized that no decision had been made. He pointed out that his was the responsibility for making that decision. He was no way shirking that responsibility. He was quite willing to assume, but he did want advice. He wanted the opinions of these Congressional leaders he had summoned to 1600 Pennsylvania Avenue.

A few of the Congressional leaders gave their advice and stated their opinions; but for the most part they asked questions of the President and they made no real commitments. Those who came out squarely for taking action—for sending in troops and thereby not dodging any issues with the Soviet Union—included Senate Foreign Relations Chairman THEODORE FRANCIS GREEN, Rhode Island Democrat; Senator WILLIAM F. KNOWLAND of California, and Senator STYLES BRIDGES of New Hampshire—both Republicans—and Congressman ROBERT CHIPERFIELD, Republican from Illinois. KNOWLAND is minority leader of the Senate; BRIDGES is the senior Republican in the Senate; while CHIPERFIELD is minority ranking member on the House Foreign Affairs Committee.

Others for the most part did not take an out-and-out stand. It was following this meeting at the White House that the President, after polling all the Congressional leaders, going right around the group, one by one, asking for advice and opinions, made his decision to send the American marines storming ashore on the beaches of Lebanon.

Harking back to the decision made by Mr. Truman 8 years ago to defend the Republic of South Korea, the fact that the Korean war didn't end in a victory for American arms was not the fault of the men who fought there, in the bitterest struggle that Americans have ever waged on foreign soil. Rather was it the fault of those who tied the hands of these United States troops and prevented them from seeking out the enemy in his privileged sanctuary. For that decision someone will be held accountable by future historians. We, the contemporaries, are too close to the scene now to assess the blame or to evaluate accurately the results which flowed from the policy. But it might be pointed out that there are those who say we wouldn't be in Lebanon today, that it would not have been necessary, if we had finished the job in Korea.

Our failure to finish the job could be laid at the door of those who looked upon the Yalu as an insuperable barrier, fearful that a crossing of it would unleash forces with which we had no desire to cope, or it could be laid at the door of those who succeeded to office and whose sole objective was to end the Korean struggle—unfinished and unwon as it was—and thus keep a campaign promise. But, as I reported, future historians have their work cut for them trying to assess responsibility.

There seems little chance that the temper of the present administration will permit the present move into Lebanon to come a cropper. There is nothing to indicate that it will end up in the file of unfinished business as did the Korean war. There is a marked difference between the situation of the moment and that of 2 years ago when the British and the French and Israelis went into Egypt following Nasser's seizure of the Suez Canal. Britain took that action unilaterally, without even informing the United States that it was contemplated, without even permitting the United States to get through to the Foreign Office to discuss the matter. The action of the present, however, is a joint action, the United States in Lebanon and the British in Jordan. The Russians have said they will not stand by as spectators. Western troops in the Middle East have called the Russian hand, not necessarily the Russian bluff because we don't know for certain that they are bluffing. But we have called their hand and we are now waiting for them to expose their cards. The humility is out of the air, that's my commentary for today.

THE MALLORY CASE QUAGMIRE

Mr. LANGER. Mr. President, a few days ago, the Senate Committee on the Judiciary reported a bill which, if enacted, would reverse the decision of the Supreme Court in the Mallory case. At that time, I was one of the members of the committee who disagreed with the report; and I filed a dissenting opinion in support of the Supreme Court's decision.

I am delighted to note, in the August 11 issue of the Washington Post, an editorial which agrees with the dissenting views which I filed at that time. I ask unanimous consent to have the editorial printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of August 11, 1958]

THE MALLORY QUAGMIRE

The Congressional effort to upset the Supreme Court's ruling in the Mallory case has turned almost a full circle. Legislators in the House decided to intervene because, they said, the Supreme Court had confused the meaning of rule 5 (a) of the Federal Rules of Criminal Procedure. But the Senate Judiciary Committee concluded that the House, in its efforts to override the Court, would weaken the basic safeguard to personal liberty that Congress had erected in rule 5 (a). So the committee modified the House version by the insertion of a new word "reasonable," and now it is a question of whether anyone knows the meaning of this measure to end the confusion from the Mallory ruling.

Rule 5 (a) says that "an officer making an arrest * * * shall take the arrested person

without unnecessary delay before the nearest available commissioner * * *." The Supreme Court interpreted this to mean that a confession obtained by the police as a result of extensive questioning of the accused before arraignment was invalid. In the so-called corrective bills neither house attempts to change rule 5 (a). The House said in effect that no delay in arraignment should invalidate an otherwise valid confession, and the Senate committee says that no reasonable delay should have that effect. Apparently this would take away the implied license of the House bill to hold an arrested person indefinitely without arraignment. But what is reasonable delay? How does the reasonable delay that would be permitted by the committee differ from the unnecessary delay forbidden by rule 5 (a)?

It can be argued with a good deal of force that no delay in arraigning an arrested person and informing him of his rights is reasonable. But "reason" is an elastic word that could easily lead the courts, the police, and prosecutors into a deeper semantic quagmire. The only proper solution in our opinion is to discard the bill entirely and to call for a new study of rule 5 (a) and the problems to which it has given rise by a Supreme Court advisory committee similar to that which prepared the present rules.

AMENDMENT OF SECTIONS 1461 AND 1462 OF TITLE 18, UNITED STATES CODE—CONFERENCE REPORT

Mr. KEFAUVER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6239) to amend sections 1461 and 1462 of title 18 of the United States Code. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. COTTON in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KEFAUVER. Mr. President, I ask unanimous consent that a short statement by the senior Senator from Missouri [Mr. HENNINGS] with respect to the report be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HENNINGS

Since the primary damage of pornographic and crime-inciting matter is done at the point of delivery, it is my opinion that the present law, which allows prosecution at the point of deposit only, should be amended to allow prosecution at the point of delivery also. This was the expressed view of the House Committee on the Judiciary in its report on H. R. 6239. On page 7 of that report, the committee stated: "* * * the committee believes that the venue statutes should be corrected so as to permit the prosecution of violators of the law in the districts where the effects of the violation are primarily felt, that is at the place of delivery of the objectionable material." That is precisely what the language of the Senate bill provided and that is the language that I favor.

However, the intransit venue provision of the present bill goes further than this in that it allows prosecution not only at the points of delivery and deposit, but also at any district in between. Such forum shopping is definitely against public policy, and I believe that this provision is unwarranted inasmuch as no evidence was adduced at the hearings to indicate the necessity of such a provision. With this law, a very stern judge could be used to harass publishers. Whether it will be so used remains to be seen.

In view of the foregoing opinion, it was with reluctance that I signed the conference report. However, I did so in the firm belief that, imperfect as this law may be, it is better than the present law, and I feel most deeply that some additional control of the vicious evils dealt with in this bill is necessary.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MEDAL FOR REAR ADM. H. G. RICKOVER

Mr. PASTORE. Mr. President, I am happy to associate myself with all the laudatory remarks on this floor in regard to Admiral Rickover. It is a privilege to add my few words of appreciation.

All these remarks are occasioned by the spectacular success of the *Nautilus* in actually crossing the North Pole. And now the smaller nuclear-powered ship *Skate* has duplicated the performance.

Once more the American star is in the ascendant and the entire world, including our fondest foes, pay tribute to the deed. At our own tribute there was missing from the guest list, as I understand, the father of the nuclear submarine, Admiral Rickover. I would not say that this was deliberate. I would not say that there was an intent to submerge the great protagonist for the nuclear submarine. If there were such intent, I feel that it has served the opposite purpose, and the name and fame of Admiral Rickover are greater in this hour than of any of those who composed the guest list.

We of the Congress are partners in the success of Admiral Rickover in achieving the nuclear submarine. I am sure there was scanty encouragement for him elsewhere. Admiral Rickover had a slogan: "Invent on schedule." Practically every component of the *Nautilus* was a new and distinct creation which had to leap from the minds of scientists and engineers. We trusted in Admiral Rickover as a man hard to defeat. He carried that spirit over to the Shippingport reactor just as he carried over the ideas which had been tested on the *Nautilus*. The name of Admiral Rickover cannot be isolated from the successes that permit us some measure of reassurance in the scientific race in which we are engaged, whether we admit it or not.

When we accord a distinguished honor to Admiral Rickover, we are following the example of other countries. I have in mind that last year at Genoa, Italy, the birthplace of the navigator, our American admiral received the Christopher Columbus International Communication Award for 1957. In that moment which leaped the centuries between sails and submarines, the modesty of the man was apparent. On that occasion he said:

I am fully conscious that in an engineering project such as that of developing nuclear ship propulsion, success is never due to the labors of a single man. There must, of course, be someone to direct; but success depends as much on the faithful work of everyone concerned in the project as on the man who heads it.

Yet even this group—

He said—

could not have succeeded without the theoretical groundwork of scientists from many lands working through many years.

I like particularly this passage:

Truly, no country can claim national self-sufficiency in the fields of science and engineering. We each drink from the common pool and sometimes contribute a little something to it.

There are thoughts in this speech which spell the character of our great admiral.

The aspect which distinguishes our Western culture is the freedom it accords the human spirit to inquire into the unknown, to experiment, to improve, and to change.

No great discovery is brought forth, no innovation carried through without great effort and single-minded obstinacy.

Mr. President, America has great need of all those qualities today. We have seen what they can produce.

Let our recognition be rewarding, Admiral Rickover deserves a medal.

DEVELOPMENT OF TEXAS WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, men concerned with the development of our water resources have long realized that if future water demand is not first provided for, then the demand probably will never materialize.

Nowhere is the truth of that statement more evident than in my State of Texas.

During World War II and in the years since then, Texas has undergone almost incredible industrial expansion. We hope to continue to attract industry to our State, and I have no doubt that we shall be able to do so if we take steps now to provide the supplies of water that industry must have.

Modern manufacturing methods require vast quantities of fresh water. About 81,000 gallons of water are required to make the 1¼ tons of steel in a 1958 model automobile. More than half a ton of water is used to manufacture the newsprint in a single copy of a metropolitan Sunday newspaper. More than 5 tons of water are needed to make the synthetic material in a modern summer suit.

Texas offers many advantages for modern industry. But their potentialities will not be realized unless we can make available the oceans of water that modern industry gulps down. The anticipated demand for water in the future will not materialize unless we first provide for it to be met.

The State government and the various river authorities in Texas are working effectively toward control and conservation of our water resources. An effective aid to their efforts would be provided by the work of the Federal study commission on Texas river basins that would be established by a bill I introduced in the Senate this week, and which the Public Works Committee reported this morning. I expect to call that bill up at an early date, and I should like all Members of the Senate to be on notice.

We need, and need badly, a comprehensive plan for the development of the water resources of Texas. The formulation of such a plan and the carrying out of the program growing out of it are essential to the State's continued industrial growth.

THE HUMAN RIGHTS COMMISSION OF THE UNITED NATIONS, AND MRS. MARY LORD

Mr. HUMPHREY. Mr. President, on June 24 I addressed the Senate on the subject of human rights and what I considered to be some of the inadequacies of our current national policy relating to the human rights covenants of the United Nations.

Fortunately, however, the United States Government is represented on the Human Rights Commission by a dedicated and constructive representative, Mrs. Mary Lord. The high caliber of our representation through Mrs. Lord has strengthened our position.

Mrs. Lord comes from the State of Minnesota. She has brought honor to herself and the State of Minnesota. We are justly proud of her outstanding record of public service and, in particular, her effective work on the United Nations Human Rights Commission.

I am pleased to know that the President has again nominated Mrs. Mary Lord as a member of the United States delegation to the 1958 session of the United Nations General Assembly.

She has been a devoted and active leader in the United Nations for the past 6 years, having served on our delegations to the General Assembly regularly since 1953. During this period she has also given distinguished service as United States representative on the Human Rights Commission. I would like to pay tribute to the effectiveness of her work in both bodies.

Interest in human rights is high throughout the United Nations. Anyone who has served on delegations to the General Assembly will agree that for many countries it is a critical question. No matter how sound a proposal may be, it has little chance of success in the United Nations unless its sponsors are known also as believers in the equal dignity of all peoples.

The United States record on human rights comes to the test directly in Committee 3 of the General Assembly, which deals with social and humanitarian questions. Mrs. Lord has been the United States representative in this Committee. Her success has been notable. She has of course presented our positions very ably. This is one factor in her success; but a more important one, I believe, is the high personal respect in which she is held by other delegates. This respect is based in part on warm, personal friendships. It is also based on an appreciation of her dedication to the ideals of human rights and democracy. The number of close friends Mrs. Lord has among the men and women from all lands is the real measure of her own stature.

She has also been generous—and tireless—in entertaining delegates in her own home, and has made repeated trips at her own expense to visit them in their native lands. Among the countries she has visited are the Sudan, Yugoslavia, Afghanistan, Iran, Thailand, in fact, almost all the countries in Asia and the Middle East, as well as Europe.

We all know that mutual respect must be earned; one of Mrs. Lord's great contributions to our leadership in the United Nations is the mutual respect she has gained for the United States delegation.

In the Commission on Human Rights Mrs. Lord has won support for an action program initiated by the United States in 1953. This program includes provision of advisory services to governments on request, including the organization of seminars in which experts from various countries can exchange know-how on protection of human rights.

For example, two seminars on the protection of human rights in criminal law have been held under this program, one in the Philippines last February and the other in May in Santiago, Chile. A United States expert participated in the seminar in Chile, and provided documentation on safeguards in United States procedures. Another United Nations seminar was held in Bangkok last August on Asian women's citizenship responsibilities, attended by women appointed by 21 governments in southeast Asia. These seminars have proved of such practical value that the United Nations has had to establish a waiting list for governments requesting meetings of this type.

The United States action program also called for studies of particular human rights. The first topic selected for study is freedom from arbitarary arrest and detention. In her discussion of arbitrary arrest in the Human Rights Commission last spring, Mrs. Lord called attention to the situation in Hungary as a reason to make the most of this study.

There are countries in the United Nations which do not favor action programs on human rights; we all know this is a field in which resolutions come easily and action comes hard. However, the United States action program was finally approved by a large majority, with only Soviet-bloc countries and a few others in opposition. As in the General Assembly, Mrs. Lord won this support by working constantly with other members of this Commission to obtain their respect and confidence.

In addition to Mrs. Lord's work in the field of human rights, she has made an outstanding contribution in many other ways to our General Assembly delegations. She knows the people, the machinery, and the problems of the United Nations so well that she is a real professional in this field of work. She is a great American, and I am proud to count her as a friend.

NEED FOR INCREASE IN NUMBER OF FEDERAL JUDGES

Mr. ALLOTT. Mr. President, I invite the attention of my colleagues again to the situation which prevails with respect to the Federal courts. I have done this several times. One of the most important things this Congress can do before it adjourns is to do something about the willful lack of Federal judges in almost every State in the country.

For example, in Colorado we have 1,269 bankruptcy cases, compared with 1,402 in the southern district of New York. In Colorado we have two judges. The southern district of New York has 18.

The difficulties involved in not having enough judges are tremendous. Parties may be forced into unjust settlements. There is the risk that some witnesses may die, and the memory of other witnesses may grow dim.

There are many reasons why we should pass a bill on this subject at this session of Congress.

I quote from a statement by Mr. Justice William J. Brennan, who used an automobile accident case as an example:

There is something unrealistic about protesting that we do justice for the litigant who has to await the trial of his automobile accident suit for 2 or 4 or 6 years after the event, when witnesses immediately afterward can scarcely tell what happened in the few split seconds before the crash, much less after their recollections have been dimmed by the passage of time, if they are available at all to testify.

But there is nothing fanciful about the hardship and suffering caused to unfortunate victims by such delays. * * * In a very true sense, such a system denies justice.

Mr. President, I ask unanimous consent that two editorials on this subject be printed at this point as a part of my remarks. One is from the Rocky Mountain News of August 11, 1958, and the other from the Denver Post of August 10, 1958.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Rocky Mountain News of August 11, 1958]

FEDERAL COURT DELAYS

It takes 21 months to dispose of the average civil case filed in Colorado's Federal district court. The national average is 14 months.

The Colorado court has 1,269 bankruptcy cases pending, compared with 1,402 on hand in the Southern District Court of New York, where there are 18 judges. Colorado has 2 judges, William Lee Knous and Alfred A. Arraj.

House bill 420; currently bottled in the Rules Committee, could remedy, in part, this serious condition by providing a third Federal judge for Colorado. A third judge would make possible hearings in such communities as Sterling, Pueblo, and Grand Junction, whose residents must now travel to Denver for their court actions.

A recent report by the Attorney General's Conference noted—with such States as Colorado obviously in mind, that: "The inordinate lapse of time between the institution of suits and their final disposition in many of our State and Federal courts constitutes a threat to effective administration of justice in this country. Excessive delay may result in the denial of reparation

for wrongs. It may force parties into unjust settlements. It involves the risk that some witnesses may die or become otherwise unavailable and the virtual certainty that the memories of others will become dim before legal rights which are dependent upon their testimony can be resolved. Prolonged and unjustified delay is the major weakness of our judicial systems today."

A third Federal judge, of course, would not be the full answer to the problem in Colorado. The lawyers, who employ delaying tactics, and the judges who permit them so to act must assume some of the responsibility.

But, it is apparent that expanding Federal jurisdiction and increasing total litigation has not been matched by an increase in the number of judges.

Nearly 1,000 civil and criminal cases were filed in Federal district court during the past year. Some of them, like the recent Smith Act case of accused Communists, take months of actual trial.

There are many pressing problems before Congress in these closing days of the current session. But few, we believe, more important than that providing for additional Federal judges.

The cornerstone of our democracy is justice. And justice implies that each citizen may have his day in court.

[From the Denver Post of August 10, 1958]

MIXING JUSTICE AND POLITICS

Partisan politics is endangering action in Congress which could break the judicial logjam that afflicts Colorado and the rest of the Nation.

The legislation under consideration would create some 45 new judgeships, including a third district judge for Colorado, where private civil cases wait for justice an average of 21 months (and sometimes as long as 4 years).

There is an element of tragedy in this; often delayed justice is no justice at all.

Earlier this year, it seemed that the Democratic Congress would relentlessly block the creation of the new judgeships because they would be filled by appointees of a Republican President.

The Democratic leadership appeared to want to wait 3 more years—until a new President was inaugurated—in hopes that he would be a Democrat and would therefore use the new judgeships to satisfy Democratic political debts.

Now Washington sources tell us that the Democrats make take half a loaf now rather than waiting until 1961 for a possible whole loaf; that if certain deals are made with certain influential Senators and Congressmen to get their favorites into new Federal judgeships, then the legislation has a chance of action in the frantic rush toward adjournment. That is at least some progress.

As of the moment, neither House nor Senate bill has been cleared for floor action. The House bill has cleared the Judiciary Committee and is awaiting action by the House Rules Committee.

The Senate bill has been approved by a Judiciary Subcommittee but not by the main committee.

The creation of more Federal judgeships is something the legal profession has been almost unanimous in backing. The administration, too, has been seeking them each year since 1955.

The Attorney General's Conference on Court Congestion and Delay, attended in 1956 by representatives of the bar associations of 34 States, called for the new judgeships. Yet getting them has been a painful and thus far a vain process, for reasons similar to those mentioned above.

The need for an additional district judge in Colorado is painfully evident, despite the fact that the two present judges have increased their personal loads during recent years.

Whereas the number of Federal district judges has been doubled (from 1 to 2) in recent years, the number of private civil cases terminated each year shot up from 71 in fiscal 1941 to 361 15 years later. Meanwhile, the number of criminal cases also more than doubled.

In 1946, the average lapse from the filing of a civil case to its disposition was 7 months. By 1955, it had risen to 29 months, and last year it was still 21 months. It is impossible to decrease it much further without more judicial manpower.

The reason why justice is eroded by delay has been vividly put by Supreme Court Justice William J. Brennan, who took an auto-accident case as an example:

"There is something unrealistic about protesting that we do justice for the litigant who has to await the trial of his automobile accident suit for 2 or 4 or 6 years after the event, when witnesses immediately afterward can scarcely tell what happened in the few split seconds before the crash, much less after their recollections have been dimmed by the passage of time, if they are available at all to testify.

"But there is nothing fanciful about the hardship and suffering caused to unfortunate victims by such delays. • • • In a very true sense, such a system denies justice."

As Justice Brennan declared, justice for the individual is a touchstone of democracy. So also is politics. We refuse to conclude—it would be a tragic conclusion—that the demands of justice and politics cannot be reconciled.

Mr. REVERCOMB. Mr. President, I wish to associate myself with the remarks of the able Senator from Colorado when he speaks about the need for more Federal judges in order to expedite the work of the Federal courts.

I attended hearings early this session and last year, before the Judiciary Committee, of which I am not a member, when there was before this body the so-called omnibus bill for the creation of additional Federal judgeships. I feel that the bill is very necessary to the expedition of the work of the courts of the United States. I commend the Senator from Colorado for bringing the subject to the attention of the Senate at this time, and I join him heartily in advancing the cause about which he has spoken.

ANTITRUST POLICY AND DIVESTITURE BY THE DU PONT CO. OF ITS GENERAL MOTORS STOCK

Mr. FREAR. Mr. President, the people of the United States believe in justice and fair play. They depend upon the Congress to make sure justice is done to all in the carrying out of public policy.

The courts, of course, share this responsibility, Mr. President, and in this connection, I desire to call the attention of the Senate to a memorandum filed recently in the Du Pont-General Motors antitrust suit by Mr. Andrew J. Dallstream, a leading Chicago attorney.

Mr. Dallstream does not represent either of these corporations. He is an officer of the court, appointed by United States District Judge Walter J. LaBuy as friend of the court to look after the interests of the Du Pont Co. stockholders in this important case. The 190,000 stockholders are not parties to this suit, but as innocent bystanders they could be seriously hurt by the terms of a decree sought by the Department of Justice.

In his scholarly and objective memorandum, Mr. Dallstream made reference to S. 3962, a bill which I introduced on June 9 to facilitate the carrying out of antitrust policy by correcting a serious inequity in our tax laws. He specifically requested the court, in justice to the stockholders, not to order the divestiture of the Du Pont Co.'s General Motors stock until Congress has an opportunity to act on my bill or similar legislation.

He said:

If and when S. 3962 or similar legislation were enacted, it would presumably be limited to orders of divestiture thereafter entered, and it would be indeed ironic and tragic if serious tax burdens and market losses should be brought on by a decree of divestiture entered shortly before passage of the remedial legislation.

While I realize, Mr. President, that it may be too late in this session to expect action on my bill, I propose to reintroduce the bill when Congress convenes in January, and I shall press for an early hearing and enactment.

Mr. Dallstream's memorandum commented upon the merits of the bill, as follows:

Remedial legislation, such as that proposed in the pending bill (S. 3962) would be equitable and sensible, because it would assure that perfectly innocent investors—persons who purchased their interests in a defendant corporation without any guilty knowledge or intent—would not be subjected to grave and unconscionable hardship by an antitrust divestiture decree.

Such legislation would thus clearly foster effective antitrust enforcement—and here I am referring not to the instant case but to antitrust enforcement generally—for it would take the harshness out of divestiture plans in many cases. At the same time, the proposed legislation would be entirely consistent with revenue policies and needs, for it would leave the tax situation precisely in status quo and would not deprive the Treasury of a single dollar of revenue that would be collectible in the absence of the antitrust decree.

This is precisely what I have been contending, Mr. President, and I request unanimous consent that the remainder of Mr. Dallstream's memorandum bearing on this proposed legislation be incorporated as part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

C. POSSIBILITY OF REMEDIAL TAX LEGISLATION

Even if the court were not otherwise prepared to conclude that the offensive effects of the acquisition can and should be eliminated by means other than forced divestiture, I believe there is a wholly separate and sufficient reason why divestiture should not be the basis of the court's decree at this time.

There has recently been introduced in the United States Senate a bill (S. 3962) which, if enacted into law, would completely eliminate the onerous tax impacts on stockholders (and consequent market impacts) discussed in section IV of this report. Very briefly, the bill would provide that no gain or loss would be recognized to stockholders where an antitrust court or agency required a corporate defendant to divest itself of a security holding by distribution to stockholders, and each stockholder would merely allocate his basis between the original stock and the distributed stock.[1] As applied to the facts of this case, this would mean, if the court should order the distribution of the General Motors stock to Du Pont stockholders, that a Du Pont stockholder, instead of paying an ordinary dividend tax on the receipt of the General Motors shares, would pay no tax at the time of receipt, but would merely allocate his tax basis for his Du Pont shares between those shares and the distributed General Motors shares and then pay a capital gains tax on any gain thereafter realized from the sale of either.

This bill has not yet been reported out by the Senate Committee on Finance, and no one can say with certainty whether and when it will be enacted. However, there are excellent grounds for believing that the bill, or some variant thereof, eventually will be enacted, first, because remedial legislation is an inherently equitable and sensible approach to an important problem exemplified by, but reaching far beyond, this particular case, and, second, because there are strong legislative precedents for such a bill.

Remedial legislation, such as that proposed in the pending bill, would be equitable and sensible, because it would assure that perfectly innocent investors, persons who purchased their interests in a defendant corporation without any guilty knowledge or intent—would not be subjected to grave and unconscionable hardship by an antitrust divestiture decree. Such legislation would thus clearly foster effective antitrust enforcement—and here I am referring not to the instant case but to antitrust enforcement generally—for it would take the harshness out of divestiture plans in many cases. At the same time, the proposed legislation would be entirely consistent with revenue policies and needs, for it would leave the tax situation precisely in status quo and would not deprive the Treasury of a single dollar of revenue that would be collectible in the absence of the antitrust decree.[2]

The attainment of antitrust objectives may sometimes require divestiture, but I know of no reason that attainment of antitrust objectives should cause involuntary realization or maturation of tax liability, merely because a stockholder's investment is forcibly split into its component parts. The antitrust laws are not revenue measures and the revenue laws are not antitrust measures. Neither one should be used to accomplish the objectives of the other; nor should they, of course, operate in conflict with each other. The proposed bill should have wide appeal, in my opinion, because it would be consistent with the objectives of each while maintaining harmony between them.

Essentially for these reasons, Congress has already created a long line of precedents, extending from at least 1938 to 1956, for this very type of legislation. Thus, legislation similar to the pending bill has been enacted with respect to distributions ordered by the Securities and Exchange Commission pursuant to the provisions of section 11 of the Public Utility Holding Company Act of 1935 (I. R. C., secs. 1081–83); with respect to distributions ordered by the Federal Reserve Board pursuant to the provisions of section 4 of the Bank Holding Company Act of 1956 (I. R. C., secs. 1101–03); and with respect to distributions ordered by the Federal Communications Commission when necessary or appropriate to effectuate the policies of the Commission with respect to the ownership and control of radio broadcasting stations (I. R. C., sec. 1071). Comparable legislation has also been enacted to permit effective reorganization of railroad and business corporations pursuant to the provisions of section 77 and chapter X of the Bankruptcy Act (Bankruptcy Act, secs. 268–70, and I. R. C., secs. 108 (b), 354 (c), 371–74 and 1018).

The legislative history of sections 1081–1083, relating to the Public Utility Holding Company Act of 1935, is particularly interesting, for it shows that Congress was specifically seeking to foster law enforcement by protecting innocent stockholders from extraordinary tax burdens of forced distributions under the holding-company "death sentence." By 1938 it had become evident to the Securities and Exchange Commission, which had the duty of enforcing the act, as well as to Congress, that it was both impractical and unfair to effectuate the "death sentence" if a crushing tax burden were to result from every divestiture. The point of view of the Securities and Exchange Commission was succinctly stated by Chairman (now Mr. Justice) William O. Douglas of the Securities and Exchange Commission as follows:

"Our big job at the Commission is to put the private utility house in order. We think we can do it, and we think we can do it expeditiously and constructively if this tax barrier is removed. • • • We down at the Commission do not desire to put the gun at the head of a utility company and say, 'transfer these,' and then to have another branch of the Federal Government collect $2 million, or $1,000, or $250,000 as the result of doing what we are forcing it to do." (Hearings on H. R. 9682 before the Committee on Finance of the United States Senate, 75th Cong., 3d sess., pt. 4, Mar. 30, 1938, at 73.)

Congress was responsive to this plea, as may be seen in the following excerpt from the report of the Senate Committee on Finance (75th Cong., 3d sess., S. Rept. 1567, at p. 10):

"It is believed that the above provisions will greatly facilitate the simplification and integration of public-utility holding-company systems. By such provisions the public-utility systems will be encouraged to cooperate with the Securities and Exchange Commission and will effect results which will carry out the purposes of simplification and integration without undue burden on the companies and their shareholders, resulting from forced reorganizations, liquidations, and transfers. The effect of these provisions will not be to exempt gains from tax but merely to postpone their taxation until subsequently voluntary realization."

And in the following statement of Senator Harrison explaining the purpose of the legislation to the Senate (CONGRESSIONAL RECORD, vol. 83, pt. 5, p. 4928):

"It is a fair measure. It is just. It was inequitable to compel these companies to liquidate and pay a heavy tax penalty for doing so. I voted for outlawing utility holding companies, but at that time there was no provision made that might prevent the Government from taking practically all they had in the form of taxes.

"In carrying out the law under the orders of the Securities and Exchange Commission we made it possible for the first time for the corporations, when they disposed of their property, to be relieved from a tax penalty. That provision in itself ought to be a great impetus to business, and help the economic life of the country."

Accordingly, the remedial legislation was enacted in 1938 and remains part of our laws, and the precedent has been followed in various similar situations including the bank holding company legislation enacted as recently as 1956. Thus, where Congress has enacted new laws in the public interest, it has taken steps to protect our citizens from unjustified taxation, and there is a strong basis for hoping that Congress will provide similar relief for innocent stockholders affected by court decisions under the broad powers conferred on the courts in the antitrust field.[3]

In view of all of the above, it is my personal conviction that S. 3962, or similar legislation, has an excellent prospect of success in Congress within the foreseeable future. But for the present purposes, the important question is not whether I am right or wrong in this view. The important question is whether enactment of such legislation is sufficiently likely and imminent for the court to take this possibility into account in framing the decree (assuming that the court is not otherwise persuaded that forced divestiture is not a necessary or appropriate remedy in this case). I respectfully submit that it would not only be appropriate to take this possibility into account, but it might be most inappropriate to omit to do so, for this reason: If and when S. 3962 or similar legislation were enacted, it would presumably be limited to orders of divestiture thereafter entered, and it would be, indeed, ironic and tragic—like contracting polio just before discovery of the Salk vaccine—if serious tax burdens and market losses should be brought on by a decree of divestiture entered shortly before passage of the remedial legislation.

The likelihood of remedial tax legislation is another reason, then, why divestiture in this case would be justifiable, if at all, only as a last resort. I firmly believe that other remedies will work and that forced divestiture is unnecessary. But even if there be doubt on this, the other remedies must be given an opportunity to work, and forced divestiture must be avoided, at least until legislation is enacted or there is no reasonable prospect of its enactment.[4]

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[1] The bill is set out in full as appendix B to this report.

[2] If the pending legislation were enacted and divestiture were thereafter to be ordered in the present case, for example, a stockholder would still pay income taxes on dividends from Du Pont and General Motors (not less than he would pay under the present situation) and would pay a capital-gains tax on any gain realized from the sales of Du Pont and/or General Motors shares (equivalent to what he would pay under the present situation).

[3] I am aware that a bill (H. R. 7628) to provide tax relief in certain antitrust cases was proposed in the 85th Congress, was favorably reported by a majority of the Committee on Ways and Means of the House of Representatives, but opposed by a minority of that committee, and was never brought to a vote in the House of Representatives. That bill would have had an entirely different purpose and impact from those of S. 3962: it would have provided relief from capital gains tax on any profit realized by a corporate defendant in an antitrust case in connection with the compulsory sale of an asset, but it would not have provided any remedy for the most burdensome tax impact that causes concern in the present case, namely, taxing stockholders of a defendant company at ordinary income tax rates upon the full market value of shares to be divested through distribution. The main emphasis in the minority's opposition to H. R. 7628 was that it would be contrary to public policy to provide relief for a taxpayer who because of his own course of conduct has placed himself afoul of a Federal law (H. R. Rept. No. 1269, 85th Cong., 1st sess., 14 (1957)). On the other hand, S. 3962 is concerned with stockholder-taxpayers, whose own conduct is not in question at all.

[4] If S. 3962 were enacted, it would by its terms apply to distributions by Christiana and Delaware, as well as by Du Pont itself, under compulsion of a Clayton Act decree, and thus permit tax-free distributions by these corporations to their own stockholders. If the court should finally conclude (contrary to my views as expressed above)

a corporate defendant to divest itself of a security holding by distribution to stockholders, and each stockholder would merely allocate his basis between the original stock and the distributed stock.[1] As applied to the facts of this case, this would mean, if the court should order the distribution of the General Motors stock to Du Pont stockholders, that a Du Pont stockholder, instead of paying an ordinary dividend tax on the receipt of the General Motors shares, would pay no tax at the time of receipt, but would merely allocate his tax basis for his Du Pont shares between those shares and the distributed General Motors shares and then pay a capital gains tax on any gain thereafter realized from the sale of either.

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Accordingly, the remedial legislation was enacted in 1938 and remains part of our laws, and the precedent has been followed in various similar situations including the bank holding company legislation enacted as recently as 1956. Thus, where Congress has enacted new laws in the public interest, it has taken steps to protect our citizens from unjustified taxation, and there is a strong basis for hoping that Congress will provide similar relief for innocent stockholders affected by court decisions under the broad powers conferred on the courts in the antitrust field.[3]

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[3] I am aware that a bill (H. R. 7628) to provide tax relief in certain antitrust cases was proposed in the 85th Congress, was favorably reported by a majority of the Committee on Ways and Means of the House of Representatives, but opposed by a minority of that committee, and was never brought to a vote in the House of Representatives. That bill would have had an entirely different purpose and impact from those of S. 3962: it would have provided relief from capital gains tax on any profit realized by a corporate defendant in an antitrust case in connection with the compulsory sale of an asset, but it would not have provided any remedy for the most burdensome tax impact that causes concern in the present case, namely, taxing stockholders of a defendant company at ordinary income tax rates upon the full market value of shares to be divested through distribution. The main emphasis in the minority's opposition to H. R. 7628 was that it would be contrary to public policy to provide relief for a taxpayer who because of his own course of conduct has placed himself afoul of a Federal law (H. R. Rept. No. 1269, 85th Cong., 1st sess., 14 (1957)). On the other hand, S. 3962 is concerned with stockholder-taxpayers, whose own conduct is not in question at all.

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YELLOWTAIL DAM

Mr. MURRAY. Mr. President, I rise to discuss the action of the Committee on Appropriations concerning Yellowtail Dam. Let me first background the Senate briefly on events which have led to the present situation.

Yellowtail Dam was authorized in the Flood Control Act of 1944. This dam is one of the key units in the Missouri River Basin. It would provide 200,000 kilowatts of sorely needed power. It would provide irrigation for tens of thousands of acres. It would help control floods on the Missouri and Mississippi Rivers. Its reservoir, with its tremendous recreational potential, would back up into an uninhabited canyon. The dam would provide jobs for thousands of people in a State which has been hard hit by the recession.

Thus the dam by every yardstick is a worthy investment, which will return money to the Federal Treasury and add to the industrial and agricultural base of Montana.

In 1956 Congress provided for a $5 million settlement with the Crow Indians as payment for right-of-way, and also appropriated $4 million with which to start construction. But the President vetoed the resolution paying the Crow Indians $5 million, terming it "extravagant." Subsequently Congress reallocated the unobligated balance of the $4 million which had been earmarked for Yellowtail construction.

On July 15 the President approved the resolution which pays the Crow Indians $2.5 million, with a proviso that they may go to court to seek additional compensation. The very next day, on July 16, my distinguished colleague from Montana [Mr. MANSFIELD] and I pointed out to the Secretary of the Interior that "the next and immediate objective is to secure an appropriation by the Congress to provide funds for the payment to the Crow Indians and to get Yellowtail Dam under construction." We urged him to "initiate promptly a recommendation for a budget estimate for Yellowtail Dam that will provide funds for right-of-way payments to the Crow Indians and to initiate construction of Yellowtail Dam during fiscal year 1959."

We followed up with personal conversations with the Secretary and with other officials of the executive branch. The distinguished chairman of the Senate Appropriations Committee [Mr. HAYDEN] and other members of his committee were kept abreast of these developments.

However, Mr. President, the recommendation for a budget estimate for Yellowtail Dam was not forthcoming. We all know what that means. It means the administration does not want to do anything about this particular project. It means the Committee on Appropriations is put on the spot. It means the opponents of Federal dams are handed yet another weapon in their fight against multipurpose development.

Mr. President, I do not put this refusal of the administration to help build Yellowtail Dam on the doorstep of Secretary Seaton. I put the blame where it belongs, on the President. The White House doorsteps are wearing down from the traffic of Power Trust officials who have taken over the Executive Mansion completely. I put the blame also on the Bureau of the Budget, another creature of the Power Trust.

Mr. President, I dread to think of the possible consequences to this country resulting from the fanatical opposition of the administration to full development of our river resources. Only yesterday I commented here in the Senate on Premier Khrushchev's remarks upon dedication of Kuibyshev Dam on the Volga River, a dam larger than Grand Coulee, which heretofore was the largest in the world. And Kuibyshev Dam will be dwarfed by others now under construction by the Soviet Union, which has given top priority to development of power.

I devoutly hope that the power produced by the Soviet Union and this country will be used for peaceful purposes. But how much longer will this country be lulled into complacency by the platitudes of this administration? The Soviet Union is forging ahead of us in production of electrical energy. We must develop our own power resources so as to be ready for any eventuality. We must also develop them if our people are to enjoy an abundant life of peace.

Mr. President, further delay in construction of Yellowtail Dam is false economy. Each year we delay the cost of construction goes up millions of dollars because of increased cost.

The estimated cost of construction in 1956 was $88,952,000. In June 1957, the Commissioner of Reclamation testified that the cost of building the dam had risen betwen 4½ and 5 percent since the previous year.

Now, more than another year has gone by. Construction costs have continued to increase at approximately the same rate.

This means, Mr. President, that the cost of construction of the dam this year will be close to $100 million. It means that next year the cost will be more than $100 million.

This means, Mr. President, that had the President signed the $5 million resolution Congress sent him in 1956 he would have saved the taxpayers millions of dollars.

He said the $5 million payment was extravagant. I say that an administration which delays and fights necessary self-liquidating investments, and thereby creates an additional tax burden of some $10 million, is extravagant and irresponsible. These are harsh facts, Mr. President, but they are the facts.

We in Montana need the kilowatts which Yellowtail Dam will produce. We need them to meet the ever-increasing demands of Montana electrical consumers. We will need them to serve new industry, such as came to the vicinity of Hungry Horse Dam, which we finally got built despite the opposition of the power trust. We will get Yellowtail Dam, Mr. President, and after we finally get it built everyone will say it is a fine project which should have been built sooner, and the private power companies will do their best to prevent construction of Federal transmission lines so that the trust may divide up the kilowatts. That is the pattern, Mr. President, and that is the way it will happen.

In closing, Mr. President, may I express my gratitude, and that of my distinguished colleague, Senator MANSFIELD, for the Herculean efforts which the senior Senator from Arizona [Mr. HAYDEN] and other members of his committee have made on behalf of Yellowtail Dam. The committee's recommendation that $2.5 million be made available for the Crow Indians of course deserves approval, so that the right-of-way can be settled.

TENTH ANNIVERSARY OF THE REPUBLIC OF KOREA

Mr. HUMPHREY. Mr. President, I am delighted to have this opportunity to express congratulations and best wishes on the 10th anniversary of the founding of the Republic of Korea. The people of the United States have long felt a close comradeship with the Korean people.

We shall never forget the untold suffering and hardship endured by men, women, and children in the war against the Communists. Yet, in spite of the terrible agonies of the time, the people of the Republic of Korea never wavered in their stanch determination to repel the invaders, and to return to peaceful times under a Government dedicated to democratic principles.

It is easy for us to understand their Government, for in many respects it is much like our own. They have popular election of the President, as do we. Their President has the power of the veto, with the legislature having the power to override his veto. We have similar provisions. In other ways our governments are alike. I speak now of the emergency power which rests in the hands of the President—a separate judicial branch with a supreme court empowered to determine the constitutionality of laws, guaranties of civil liberties, the right of equal opportunity of education, and the right of collective bargaining. All of these provisions are basic if democracy is to be maintained.

At this time I also want to speak of the high regard in which the President of Korea, Syngman Rhee, is held in the United States, as well as in all the Free World. To us he has became a symbol of courageous resistance to Communist oppression, a leader who holds the welfare of his people above all else. We are proud of the fact that President Rhee was once a pupil of one of our greatest Presidents—Woodrow Wilson.

Since the founding of the Republic of Korea—10 short, but difficult years ago—it has made great strides forward in education, agriculture, communication, and transportation, as well as in many other areas. In the field of transportation, we in Minnesota feel that we have an especially close link with Korea, as our great Northwest Orient Airlines, whose headquarters are in our State, provides international air service to Seoul.

Today, the Republic of Korea symbolizes to the world the determination of the United Nations to insure self-government by free peoples. On the 10th birthday of the Korean Republic, all of its people may look back with pride at the record of forbearance and oneness of purpose which has existed in the minds and hearts of the Korean people. Without these characteristics and the belief in a just and right cause, no people could have overcome the odds the free people of Korea have mastered. On this significant day, the people of the United States and of all the Free World salute the people of Korea.

MILITARY CONSTRUCTION APPROPRIATIONS, 1959

Mr. JOHNSON of Texas. Mr. President, is there any more morning business?

The PRESIDING OFFICER. Is there any further morning business? If not, morning business is concluded.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 2425, H. R. 13489.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 13489) making appropriations for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

AUTHORIZATION FOR COMMITTEE ON FINANCE TO FILE REPORT ON SOCIAL SECURITY BILL DURING RECESS OR ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I wish to inform the Senate that the Committee on Finance has reported the social-security bill, with amendments. I ask unanimous permission that it be in order for the committee to file a report, even though the Senate may not be in session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO CONVENE AT 10 A. M. ON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, it convene at 10 a. m.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I announce we expect to proceed to the consideration of the social-security bill tomorrow. We hope we can finish all the measures we have outlined for today.

I suggest the absence of a quorum, so we can proceed with the important appropriation bill for military construction.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, on behalf of the minority leader and myself, I propose a unanimous-consent agreement to be effective when S. 2883, to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905, is brought up for consideration by motion, and I ask that it be stated.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be stated for the information of the Senate.

The legislative clerk reads as follows:

Ordered, That, when the Senate proceeds to the consideration of the bill (S. 2883) to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. LANGER. Mr. President, reserving the right to object, I should like to ask a question.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. LANGER. Does this deal with the extension of the east front of the Capitol?

Mr. JOHNSON of Texas. This is a proposed unanimous-consent agreement so that when the motion is made to consider the bill, we will have an agreement to limit time. It is agreeable to both sides. We wanted to announce it so that all Members would know.

Mr. LANGER. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement? The Chair hears none, and the unanimous-consent agreement is entered.

STUDY COMMISSION ON THE NECHES, TRINITY, BRAZOS, COLORADO, GUADALUPE-SAN ANTONIO, NUECES, AND SAN JACINTO RIVER BASINS, AND INTERVENING AREAS

Mr. JOHNSON of Texas. Mr. President, I should like to give notice that the bill (S. 4266) to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas, has been reported. I should like to move that the Senate proceed to the consideration of the bill at some time in the near future. Therefore, I give this notice, and ask the bill be checked.

MILITARY CONSTRUCTION APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13489) making appropriations for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CHAVEZ. Do I correctly understand the motion to proceed to the consideration of H. R. 13489 has been agreed to?

The PRESIDING OFFICER. The Senator is correct. The bill is before the Senate.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of further amendment, and that no point of order against any amendment be waived.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

Under the heading "Title III—Department of the Army—Military Construction, Army", on page 3, line 9, after the word "expended", to strike out "$214,564,000" and insert "$327,847,000."

On page 3, after line 9, to insert:

"MILITARY CONSTRUCTION, ARMY RESERVE FORCES

"For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the

that divestiture by Du Pont is "necessary and appropriate" and that the distributed shares may not be permanently retained by Christiana or Delaware, I would very strongly recommend that divestiture on their part should take the form of distributions to their own stockholders. Hence, on the assumptions stated, the enactment of remedial tax legislation would not only eliminate all extraordinary tax burdens discussed in section IV–A and IV–B, but would also eliminate the most serious market impacts discussed in section IV–C (those resulting from mandatory sales and sales due to tax impacts).

reserve components, including the Army National Guard of the United States, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, and as may be authorized by law during the second session of the 85th Congress, without regard to section 4774 (d) of title 10, United States Code, and section 3734, Revised Statutes, as amended, and land and interest therein may be acquired, constructed, and prosecuted thereon prior to approval of title by the Attorney General as required by section 355 of the Revised Statutes, as amended; and hire of passenger motor vehicles; to remain available until expended, $28,330,000."

Under the heading "Title IV—Department of the Navy—Military Construction, Navy", on page 4, line 18, after the word "expended", to strike out "$274,751,000" and insert "$351,343,000: *Provided*, That no more than $500,000 of the amount provided in the funding program for 'Operational and Training Facilities, Naval Shipyard, Long Beach, Calif.' shall be utilized for protective works until the Secretary of the Navy determines in his judgment that sufficient action has been taken or arrangements made to arrest further subsidence of the shipyard."

Under the heading "Title V—Department of the Air Force—Military Construction, Air Force", on page 6, line 7, after the word "expended", to insert "including $9,034,000 to be used only for the construction of a solar furnace at Holloman Air Force Base", and, in line 9, after the amendment just above stated, to strike out "$687,350,000" and insert "$969,695,000, of which $683,000 is for the construction of a dam for the purpose of increasing the water supply for Pease Air Force Base together with the unexpended portion of funds heretofore made available for that purpose."

On page 6, after line 13, to strike out:

"MILITARY CONSTRUCTION, AIR FORCE
RESERVE FORCES

"For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Air Force, including the Air National Guard of the United States, as authorized by chapter 133 of title 10, United States Code, as amended, and as may be authorized by law during the 2d session of the 85th Congress, to remain available until expended, $14,150,000."

At the top of page 7, to insert:

"AIR NATIONAL GUARD

"For an additional amount for 'Air National Guard,' $9,600,000: *Provided*, That funds appropriated under this head shall be available for construction as authorized by the Act of , 1958 (Public Law 85-)."

Under the heading "Title VI—General Provisions", on page 10, after line 14, to strike out:

"SEC. 612. No part of the funds provided in this act shall be used for purchase of land or land easements in excess of 110 per centum of the value as determined by the Corps of Engineers or the Bureau of Yards and Docks, except where there is a determination of value by a Federal court."

On page 10, at the beginning of line 21, to change the section number from "613" to "612."

At the top of page 11, to insert:

"GENERAL PROVISIONS

SEC. 613. Such appropriations of the Department of Defense, available for obligation during the current fiscal year, as may be designated by the Secretary of Defense shall be available for the purposes of section 1 of the act approved April 3, 1958 (72 Stat. 78): *Provided*, That any such appropriations so utilized shall be accounted for under the limitation established by section 4 of said act."

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CHAVEZ. Mr. President, I have a very short statement to make pertaining to the bill.

Mr. President, at this time I wish to present what I believe to be the last appropriation bill to be presented to the Senate during the 85th Congress. It is the third appropriation bill which I have presented during this session for the Department of Defense and deals with the military construction projects for the three services. Your committee recommends an appropriation of $1,714,815,000, which is $496 million over the amount approved by the House and $15,838,000 under the budget estimates. In addition to providing these funds, the committee recommends a funding program totaling $1,967,363,000. The amounts provided in the funding program are in excess of the amounts provided in the appropriations in order to give flexibility to the military construction resulting from slippages and unforeseen delays. The committee has approved the action of the House which is found in House Report 2238 except where specific mention is made in the Senate report.

Also, the Senate committee has recommended restorations and new items totaling in the regular services $394,744,000 in the funding program. These restorations and additions will be found by State and by line item on pages 3 through 6 of the committee report.

In addition, the committee has provided $28,330,000 for military construction, Army Reserve forces. This will implement the authorization program approved during the current Congress, for the Army National Guard, and the Army Reserve.

A list of these items is found on pages 7 through 11 of the Senate report. A detailed discussion of other changes made in the bill will be found in the Senate report.

The amounts presented in appropriations and funding programs represent the best judgment of the committee as to proper implementation of the 1959 construction program.

I urge prompt passage of the bill.

Mr. BRIDGES. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from New Hampshire?

Mr. CHAVEZ. I should like to make one further statement prior to yielding.

The bill as reported by the committee recommends an appropriation of $1,714,815,000. The budget estimate for 1959 was $1,730,653,000.

The amount of appropriations for 1958 was $2,055,500,000, or $340,685,000 more than recommended in the bill presently under consideration.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. CHAVEZ. Mr. President, I yield to the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, as the ranking minority member of the Committee on Appropriations I simply want to compliment the distinguished Senator from New Mexico, the chairman of the subcommittee, for the job he has done. I also wish to compliment the chairman of the full Committee on Appropriations and the distinguished chairman of the Committee on Armed Services, as well as other members of the Committee on Appropriations. This has been a thoughtful job and a good job. The committee has pinned down the construction insofar as possible so that it will be carried out.

Mr. CHAVEZ. I shall say to the Senator from New Hampshire I am most happy that eight members of the Committee on Armed Services, which is the committee authorizing the projects, are members of the Committee on Appropriations. We had their valuable advice, from both sides of the aisle, as to what was actually necessary in order to meet the requirements, without providing money which could not be used.

Mr. BRIDGES. I agree with that statement of the distinguished Senator from New Mexico. I think it is very important, with the huge military expenditures not only in this bill but in the defense appropriation bill and other bills, that so many members of the Committee on Armed Services are members of the Committee on Appropriations. It is helpful in expediting the work and helpful in a general understanding of the situation. It is all to the good.

With respect to the military construction bill presently under consideration, I believe we have done a little more thorough job than sometimes has been done in the past, because in pinning down the ultimate use of the money we have been more specific. I think that is a constructive approach. I believe the Senator agrees with me.

Mr. CHAVEZ. I thank the Senator.

Mr. RUSSELL. Mr. President, I send to the desk an amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 6, line 9, it is proposed to strike out "$969,695,000," and insert in lieu thereof "$974,995,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

Mr. RUSSELL. Mr. President, I was engaged yesterday at the time the committee concluded its work and could not bring to the attention of the committee the appropriation item to meet an authorization which was contained in the authorization bill recently passed and for which these appropriations are to be made. It relates to the Moody Air Force Base. Some 4 years ago an appropriation of $2,700,000 was made for that purpose, but the authorization had lapsed and the money had not been expended.

This is one of the most important advanced training bases in the country, and I should like to have this amendment taken to conference by the Senator from New Mexico, in order that this appropriation may provide for essential

operational and training facilities, including runways and aprons, as well as for troop housing and the necessary facilities.

Mr. CHAVEZ. Mr. President, I am sure that if the committee had heard about the amendment yesterday when it was marking up the bill, it would have approved it, because it has been authorized. In view of that fact, I shall be glad to take the amendment to conference.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia [Mr. RUSSELL].

The amendment was agreed to.

Mr. CHAVEZ. Mr. President, unless there be further amendments to be proposed, I am ready to conclude.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. CHAVEZ. Mr. President, I now defer to the distinguished majority leader, who has an amendment to submit.

Mr. JOHNSON of Texas. Mr. President, I am sorry that I was detained. I have talked with members of the staff of the Space Committee, which met this morning in connection with the question of authorization. On behalf of that committee, I offer an amendment.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that the amendment may be in order?

Mr. JOHNSON of Texas. I ask unanimous consent that, notwithstanding the fact that the bill has been read the third time, the amendment be considered in order.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On page 11, between lines 8 and 9, it is proposed to insert the following new section:

SEC. 614. No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress.

It is proposed to redesignate section 614 as section 615.

Mr. CHAVEZ. Mr. President, will the Senator briefly explain the amendment?

Mr. JOHNSON of Texas. This amendment concerns a new agency. We found, in connection with appropriations which the Appropriations Committee has been considering during the past few days, that it was not necessary to have authorizations before appropriations could be made. Although the agency is willing to have authorizations, the law does not require it. We discussed the question with representatives of the agency. They have reviewed the proposed language. We think it is desirable that the authorizing committees of the Congress consider legislation before appropriations are made pursuant thereto.

Mr. CHAVEZ. I am glad to accept the amendment on behalf of the committee.

Mr. BRIDGES. Mr. President, I concur with the chairman of the subcommittee and the chairman of the Space Committee with regard to the desirability of the amendment. This is a new field.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. JOHNSON].

The amendment was agreed to.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 13489) was passed.

Mr. CHAVEZ. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. STENNIS, Mr. BYRD, Mr. SALTONSTALL, Mr. BRIDGES, Mr. YOUNG, Mr. KNOWLAND, and Mr. THYE conferees on the part of the Senate.

SUPPLEMENTAL APPROPRIATIONS, 1959

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 2410, House bill 13450.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

EXPRESSION OF APPRECIATION FROM LIBERIAN SENATOR FRANK E. TOLBERT FOR RECEPTION BY THE SENATE

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter from Senator Frank E. Tolbert, a distinguished member of the parliamentary body of Liberia. It was my pleasure a few days ago to welcome him to the Senate and introduce him to Members of the Senate.

This letter illustrates the value of good will among members of the parliaments of the free nations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EMBASSY OF LIBERIA,
Washington, August 11, 1958.

MY DEAR SENATOR MONRONEY: I cannot leave Washington without telling you how much I appreciated the many kindnesses shown me by yourself, by Senator FREAR, and by your other distinguished colleagues during my visit to the Senate on Friday. That there should have been time to welcome me at all, at the crowded end of a busy session and in the press of so heavy an accumulation of historic and fateful events, was surprising; that the welcome should have been so warm and, may I say, so manifestly sincere was truly remarkable. It demonstrated that representatives of your great country, traveling to conferences such as that we both attended at Rio de Janeiro, do not form friendships lightly nor forget them easily. This in itself is a measure of your concern to see that protestations of good will for the outside world are accompanied and strengthened by deeds.

The honor accorded me when I was introduced on the floor of the Senate was the more gratifying because I felt that it was an honor done, through me, to all my fellow Senators at home and indeed to all the citizens of the Liberian Republic. We have had many occasions to be grateful to the United States in the past, we value the ever closer economic ties which bind us in the present and you need have no fear that our devotion to the cause of peace based on justice will weaken in the future.

On my return to Monrovia I shall take the first opportunity to give the Senate there a full account of what happened on Friday. I shall say that the highest legislative body of a mighty nation, on which there rests, at this period of sustained crisis, a fearful weight of responsibility, cheerfully paused for a moment in the midst of its onerous affairs to express regard for a small country in a manner which bore no trace of artificiality and carried no hint of patronage.

Like all Liberians, I feel very much at home in the United States, and never was this more true than on Friday.

Please extend my cordial thanks and my fraternal greetings, to all those who helped to make my visit to your famous Capitol so moving and memorable an experience.

I am, my dear Senator,
Sincerely yours,

FRANK E. TOLBERT.

THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order to call the calendar at this time for the consideration of measures to which there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON in the chair). Without objection, it is so ordered.

Under the order previously entered, the Senate will proceed to the consideration of measures on the calendar to which there is no objection. The clerk will call the first measure on the calendar.

Before we proceed with the call of the calendar, the Senate will be in order. It will be necessary to have order in the Chamber so that the Chair may hear objections and remarks of Senators who may address the Chair. Let conversations around the desks and in the Chamber generally cease. Senators who wish

operational and training facilities, including runways and aprons, as well as for troop housing and the necessary facilities.

Mr. CHAVEZ. Mr. President, I am sure that if the committee had heard about the amendment yesterday when it was marking up the bill, it would have approved it, because it has been authorized. In view of that fact, I shall be glad to take the amendment to conference.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia [Mr. RUSSELL].

The amendment was agreed to.

Mr. CHAVEZ. Mr. President, unless there be further amendments to be proposed, I am ready to conclude.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. CHAVEZ. Mr. President, I now defer to the distinguished majority leader, who has an amendment to submit.

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The PRESIDING OFFICER. Does the Senator ask unanimous consent that the amendment may be in order?

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The PRESIDING OFFICER. Without objection, it is so ordered. The amendment offered by the Senator from

of the Congress consider legislation before appropriations are made pursuant thereto.

Mr. CHAVEZ. I am glad to accept the amendment on behalf of the committee.

Mr. BRIDGES. Mr. President, I concur with the chairman of the subcommittee and the chairman of the Space Committee with regard to the desirability of the amendment. This is a new field.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. JOHNSON].

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The motion was agreed to; and the Senate proceeded to consider the bill.

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Like all Liberians, I feel very much at home in the United States, and never was this more true than on Friday.

Please extend my cordial thanks and my fraternal greetings, to all those who helped to make my visit to your famous Capitol so moving and memorable an experience.

I am, my dear Senator,

Sincerely yours,

FRANK E. TOLBERT.

THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order to call the calendar at this time for the consideration of measures

to confer will kindly retire from the Chamber. Other persons who are in the Chamber will refrain from conversation. The Senate will be in order, so that we may proceed with as much speed as we can in the call of the calendar.

RESOLUTION PASSED OVER

The resolution (S. Res. 24) to amend rule XIV of the Standing Rules of the Senate was announced as first in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. HRUSKA. Over.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. Objection is heard. The resolution will be passed over.

CONCURRENT RESOLUTIONS, RESOLUTIONS, AND BILLS PASSED OVER

The resolution (S. Con. Res. 20) authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce, was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that Calendar No. 131, Senate Concurrent Resolution 20; Calendar No. 249, S. 1164, dealing with recreational benefits resulting from the construction of reservoirs; and Calendar No. 264, S. 1639, to suspend the liquidation of vested property, go over.

The PRESIDING OFFICER. The concurrent resolution and bills referred to will go over.

The bill (S. 931) to provide for the reorganization of the safety function of the Federal Government, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HRUSKA. I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 2150) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

Mr. TALMADGE. Mr. President, I ask that the following measures go over:

Calendar No. 722, S. 1168, dealing with unlisted securities; Calendar No. 726, Senate Resolution 118, to amend rule XXVI; Calendar No. 861, S. 1483, relating to the rights of vessels of the United States on the high seas; Calendar No. 1074, S. 984, dealing with compensation to certain independent ore producers; Calendar No. 1153, H. R. 7168, prescribing procedures in connection with construction contracts; Calendar No. 1183, Senate Joint Resolution 80, proposing an amendment to the Constitution of the United States relative to equal rights for men and women; Calendar No. 1198, S. 50, to provide for the admission of the State of Hawaii into the Union; Calendar No. 1298, S. 5, to prevent the allocation of procurement contracts; Calendar No. 1337, S. 213, dealing with claims of customs officers and employees for extra compensation; Calendar No. 1343, S. 3039, amending Agricultural Trade and Assistance Act of 1954; Calendar No. 1373, S. 2883, dealing with the replacement of the central portion of the United States Capitol; Calendar No. 1392, S. 3441, to provide for a minimum acreage allotment for corn and for other purposes; Calendar No. 1393, S. 3408, dealing with cotton acreage allotments; Calendar No. 1486, S. 2861, to extend the National Wool Act of 1954; Calendar No. 1499, Senate Concurrent Resolution 62, dealing with a meeting of representative citizens from the North Atlantic Treaty Organization Nations; Calendar No. 1518, H. R. 2783, to amend the Tariff Act of 1930, to provide for the free importation of amorphous graphite; Calendar No. 1534, Senate Resolution 17, to amend Senate Rule XXII; Calendar No. 1616, S. 2646, limiting Supreme Court jurisdiction in certain cases; Calendar No. 1644, S. 3862, dealing with the removal and terms of office of members of certain regulatory agencies; Calendar No. 1647, Senate Joint Resolution 16, to establish a joint committee to investigate the gold-mining industry.

The PRESIDING OFFICER. The measures will go over.

The bill (H. R. 5497) to amend the Watershed Protection and Flood Prevention Act, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 3918) to authorize the sale of nonessential vessels of the merchant marine national defense reserve fleet, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 3560) to authorize the construction of a courthouse and a Federal office building in Memphis, Tenn., and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I do not know where we are on the calendar at the moment.

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar No. 1684, S. 3560, listed on page 8 of the calendar?

Mr. HRUSKA. Over, by request.

The PRESIDING OFFICER. The bill will go over.

The bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the following measures go over:

Calendar No. 1689, H. R. 469, which has just been announced; Calendar No. 1990, Senate Resolution 83, reference of Senate bill 819 to the Court of Claims; Calendar No. 2009, S. 3290, amendment of the Federal Coal Mine Safety Act; Calendar No. 2056, S. 11, amendment of the Robinson-Patman Act; Calendar No. 2063, H. R. 1435, for the relief of John I. Strong.

The PRESIDING OFFICER. The measures will go over.

The bill (H. R. 6595) for the relief of Markus H. Teitel was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. TALMADGE. Mr. President, I ask that the following bills be passed over.

Calendar No. 2086, S. 3185, to promote the conservation of migratory fish and game;

Calendar No. 2104, S. 4146, payments as incentives for production of certain strategic and critical minerals;

Calendar No. 2109, S. 237, interstate transportation of lobsters;

Calendar No. 2139, S. 4162, amendment of Defense Production Act;

Calendar No. 2144, H. R. 8943, codification of military law; and

Calendar No. 2146, S. Res. 353, opposing the suspension of deportation of James Chin Lee.

The PRESIDING OFFICER. The bills and resolutions will be passed over.

ADDITIONAL PEREMPTORY CHALLENGES IN CIVIL CASES

The Senate proceeded to consider the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants.

Mr. JENNER. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Indiana will be stated.

The LEGISLATIVE CLERK. At the end of the bill add a new section, as follows:

SEC. 2. (a) The first section of the act entitled "An act to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain," approved February 26, 1931 (46 Stat. 1421; 40 U. S. C. 258a), is amended by adding at the end of the second paragraph the following: "If, upon application of any party in interest, the court finds the action of the acquiring authority in arriving at the amount of the estimated compensation to have been fraudulent, or not in good faith, the court shall vacate the declaration of taking."

(b) The amendment made by this section shall be applicable with respect to any condemnation proceeding in which a final adjudication of just compensation has not been made on the date of enactment of this act.

Mr. JENNER. Mr. President, the amendment has been cleared with the leadership, and also with the Senator from Georgia [Mr. RUSSELL], the Senator from Mississippi [Mr. STENNIS], and the Senator from South Dakota [Mr. CASE].

Mr. EASTLAND. Mr. President, I will take the amendment to conference.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Indiana [Mr. JENNER] is agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. JENNER. Mr. President, I ask unanimous consent that a statement I have prepared concerning the amendment be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JENNER

This amendment is to clarify the nature and purposes of the Declaration of Taking Act so as to require that the administrative estimate of just compensation be a good faith, fair, and honest estimate. It would permit a Federal judge in instances where the judge finds the declaration of taking was not filed in good faith to vacate the declaration and to deny an order of possession.

This amendment is necessary because of a decision of the United States Court of Appeals for the Fifth Circuit, dated August 1, 1958 (No. 17267, United States of America praying for a writ of mandamus or writ of prohibition), which reads in part as follows:

"The statute itself is clear. It provides that the declaration of taking contain a statement of the sum of money 'estimated by said acquiring authority to be just compensation for the land taken.' Congress plainly gave the acquiring authority, not the courts, the function of estimating just compensation for this purpose. And the lack of court review is evident from the fact that when the declaration is filed and the deposit made in court 'title to the said lands • • • shall vest in the United States, and said lands shall be deemed to be condemned • • •.' Had Congress intended court review of the declaration or the amount of the estimate it would have provided for some court action by way of approval before title passed. It did not require any court action in this particular. Likewise, because it did not contemplate any court action, it made no provision for response by the condemnee or even for notice prior to vesting of title."

The amendment simply permits a judicial review of the good faith of the Government estimate of just compensation for the property summarily acquired under the Declaration of Taking Act. I believe it elementary that the Government in all of its dealings with its citizens shall act with the most scrupulous good faith and that the good-faith requirement is of special importance whenever the Government exercises its sovereign power of eminent domain.

In the exercise of the sovereign power of condemnation, the great experience of the Department of Justice should be employed in a bona fide effort to fairly ascertain just compensation to protect equally the rights of the taxpayer and the property owner.

The value of property especially designed and constructed by agreement for Government use is not ordinarily determined by transactions between willing buyers and willing sellers in the market place. In such instances normal appraisals, based on the price a prudent buyer would pay, cannot be used and it is the duty of the Department of Justice to examine Government procurement transactions to ascertain fairly just compensation predicated on the sum a prudent seller would or has required for similar property. The Government cannot fairly employ condemnation procedures to obtain a confiscatory or even a bargain acquisition. It is obviously unfair to pay a vendor who is a willing seller more than a condemnation defendant for similar property at the same time.

When property, designed and constructed by agreement for Government use, is condemned, the cost to the Government of similar property openly and competitively procured at the time of taking would be a fair measure of just compensation. It is considered that the element of value to the Government of the property acquired in condemnation should be admissible in all cases pertaining to property designed and constructed by agreement for Government use.

Excepting the power of conscription, there is no greater sovereign power than that of eminent domain. Great power arbitrarily exercised is tyranny. The Congress, the courts, and the executive branch must increasingly guard against abuse of governmental power.

ENFORCEMENT OF ORDERS OF ADMINISTRATIVE AGENCIES

The bill (H. R. 6788) to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies, was announced as next in order.

Mr. HRUSKA. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. Mr. President, this bill authorizes the several courts of appeals of the United States to adopt rules authorizing the abbreviation of the transcript and other parts of the record made before Federal administrative agencies when the orders of those agencies are to be reviewed by the courts of appeals. Under several existing statutes permitting appeals to the court of appeals from the findings and orders of administrative agencies, it is necessary for the administrative agency to prepare and file the entire record of the proceedings before the administrative agency. This oftentimes results in a voluminous record, much of it not pertinent to the matters under review. Many times, likewise, the record involves other applicants not a party to the appeal.

Under the authority conferred by this bill, the courts of appeals could, by special order or by stipulation of the parties, provide for the filing of only those materials which are relevant to the issues before the court. In such matters the courts of appeals must, of necessity, have some latitude, and this legislation affords them that latitude.

The bill also provides that when petitions are filed in different circuits to review the same agency order, the jurisdiction of all the petitions shall rest with the court of appeals in which the first petition is filed but that court will have authority to transfer such cases to another court of appeals if it appears that the convenience of the parties and the interests of justice would be served. Under existing law the agency, by selecting the court in which it files the record, determines which court shall have jurisdiction.

Information submitted to the committee indicated that the adoption of this legislation would result in the saving of time on the part of the court of appeals. Since it is now incumbent upon the Federal agencies to prepare the record for filing in the courts of appeals, it is also likely that this legislation would result in a saving of time and expense on the part of the Federal administrative agencies.

For these reasons, the committee has recommended that the legislation be favorably considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF MERCHANT MARINE ACT OF 1920—BILL PASSED OVER

The bill (H. R. 9833) to amend section 27 of the Merchant Marine Act of 1920 was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

SALES AND EXCHANGES OF PUBLIC LANDS OF THE TERRITORY OF HAWAII

The Senate proceeded to consider the bill (H. R. 9500) to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss by reason of the tidal wave of March 9, 1957.

Mr. MORSE. Mr. President, I appreciate the courtesy of the Senator from Washington [Mr. JACKSON] in supplying a thorough analysis of the legal relationship with respect to the lands covered by the bill H. R. 9500. It is clear, under the public law relative to land titles in Hawaii, that the Federal Government holds bare legal title to the lands covered by H. R. 9500. The Territory of Hawaii owns the beneficial interest in these lands. Under the existing law the bare legal title held by the United States has no money value. Consequently, no valuation of the Morse formula is involved. I agree with the statement contained in the memorandum of the Senator from Washington that the insertion of a comma after the word "auction" on page 1, line 8 would clarify the meaning of the bill. I have prepared such an amendment, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 1, line 8, after the word "auction" it is proposed to insert a comma.

The PRESIDING OFFICER. Without

in a loss by the United States only so far Act of October 6, 1917, as amended, was

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement prepared by the Senator from Washington [Mr. JACKSON] on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON H. R. 9500 BY SENATOR JACKSON

H. R. 9500 would allow the Commissioner of Public Lands of the Territory, with the approval of the Governor and not less than two-thirds of the members of the Board of Public Lands, to sell public lands, at fair market value to persons who have suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957.

Also, the Commissioner could exchange public lands for such damaged lands, after procuring the same approval, and the lands to be transferred must equal the value of the damaged lands just prior to the tidal wave and without considering the value of improvements.

It is my understanding that an objection has been raised to this bill, because it may perpetrate a violation of the Morse formula. So far as the power to sell is concerned, I understand that the Morse formula is satisfied, but that the addition of a comma after the word auction would clarify the meaning that such public lands can be sold without the necessity of an auction, but must be sold at fair market value. I would interpose no objection to the addition of such a comma.

The situation is somewhat different than the land exchange provisions, but I do not feel that the bill violates the purpose and intent of the Morse formula. It is certainly not the intention of the committee to perpetrate such a violation, nor to set a precedent for violations in the future.

The status of public lands in Hawaii is different from such status elsewhere in the Nation. The basic statute governing the status of such lands in the act of July 7, 1898 (30 Stat. 750; 48 U. S. C. sec. 661) which reads as follows:

"SEC. 661. Public lands; management and disposition

"The laws of the United States existing on July 7, 1898, relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes (July 7, 1898, No. 55 sec. 1, 30 Stat. 750)" (Resolution of Annexation).

The following sections of the United States Code set forth the various rules relating to leases, sales, exchanges, and use of the public lands. Section 73 of the Hawaii Organic Act (31 Stat. 154; 48 U. S. C. sec. 664) as amended, states "the laws of Hawaii relating to public lands. • • • shall continue in force until Congress shall otherwise provide." Thus, the public lands of Hawaii are owned as follows: The United States owns legal title and certain rights to withdraw such lands for public purposes, and the Territory of Hawaii is the present owner of the equitable title, coupled with the power of administration, subject only to said right of withdrawal.

Under the circumstances, an exchange of damaged lands for lands equal to their value before the damage occurred would result in a loss by the United States only so far as legal title is concerned. The Territory would suffer any resulting loss in beneficial interest. It is true, however, that the right of withdrawal would be transferred to the lands acquired by the Territory.

Since the public land laws of the Territory are frozen until Congress acts, the Territory has no way to remedy the losses from tidal waves through exchange programs. The Territory could, of course, pass disaster-relief legislation which would compensate or otherwise aid those injured by the tidal wave. The Territory apparently believes that an exchange program such as contemplated by the bill would be a more businesslike approach and perhaps a more satisfactory remedy for those who wish to continue their activity in a location removed from the tidal wave danger. The bill is intended, the committee is informed, to establish machinery necessary to encourage occupants to move away from the danger areas.

Delegate BURNS has informed me that the best precedent for this bill is furnished by Public Law 844 of the 84th Congress by which the Territory was authorized to exchange public lands for lands which had been covered by lava, after a volcanic eruption. The value of the land was required to be equal as of the date just preceding the eruption, and without regard to the value of the crops or improvements.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 635) for the relief of certain aliens was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. EASTLAND. Mr. President, I offer several amendments, and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On pages 2 and 3, it is proposed to strike out sections 3 and 4, and insert the following new section 3:

SEC. 3. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of Ramon Rodriguez and Pedro Flores-Carrillo.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 11668) to amend section 39 of the Trading with the Enemy Act of October 6, 1917, as amended, was announced as next in order.

Mr. TALMADGE. Over, Mr. President, as not being proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 12126) to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes, was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, as not being proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

MEXICAN FARM LABOR

The bill (S. 4232) to amend title V of the Agricultural Act of 1949, as amended was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 509 of the Agricultural Act of 1949, as amended, is amended by striking out "June 30, 1959" and inserting "June 30, 1960."

BILLS PASSED OVER

Mr. TALMADGE. Mr. President, I ask that the following bills be passed over:

Calendar No. 2241, S. 2142, extension of restrictions on imported citrus fruits, figs, and fig paste;

Calendar No. 2248, S. 3648, Navaho Indian irrigation project and the San Juan-Chama project;

Calendar No. 2249, S. 654, enforcement of State statutes prescribing criminal penalties for subversive activities; and

Calendar No. 2251, H. R. 6894, unmanufactured mica and mica films and splittings.

The PRESIDING OFFICER. The bills will be passed over.

OPPORTUNITIES FOR SMALL-BUSINESS CONCERNS TO OBTAIN GOVERNMENT BUSINESS

The Senate proceeded to consider the bill (S. 3224) to improve opportunities for small-business concerns to obtain a fair proportion of Government purchases and contracts to facilitate procurement of property and services by the Government, and for other purposes, which had been reported from the Committee on Government Operations, with amendments, on page 3, line 14, after the word "payments", to strike out "made"; on page 4, line 2, after the word "and", to strike out "submitting" and insert "substituting"; in line 6, after "section 305 (a)", to insert "and"; after line 14, to strike out:

SEC. 7. Section 214 of the Small Business Act of 1953 (67 Stat. 238), as amended (15 U. S. C. 643), is amended further by striking out the period at the end thereof and substituting therefor a comma and the following: "or (C) to be in the interest of assuring that a fair proportion of the total purchases and contracts for property and services for the Government are placed with small-business concerns. These determinations may be made for individual awards or contracts or for classes of awards or contracts."

At the beginning of line 24, to change the section number from "8" to "7"; on page 5, at the beginning of line 3, to change the section number from "9" to "8"; at the beginning of line 9, to change the section number from "10" to "9"; in line 21, after the word "and", to insert "after"; in line 24, after the word "the", where it appears the first time, to strike out "Government" and insert "United States"; on page 6, line 3, after the word "lien", to strike out "shall be" and insert "is", in the same line, after the word "to", to strike out "all" and insert "any"; at the beginning of line 5, to change the section number from "11" to "10"; at the beginning of line 8, to change the section number from "12" to "11", and, at the beginning of line 11, to change the section number from "13" to "12"; so as to make the bill read:

Be it enacted, etc., That section 302 (a) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 393), as amended (41 U. S. C. 252 (a)), is amended further to read as follows:

"(a) The provisions of this title shall be applicable to purchases and contracts for property or services made by—

"(1) The General Services Administration, for the use of such agency or otherwise; or

"(2) any other executive agency (except the departments and activities specified in title 10, United States Code, section 2303 (a)) in conformity with authority to apply such provisions delegated by the Administrator in his discretion. Notice of every such delegation of authority shall be furnished to the General Accounting Office."

SEC. 2. Section 302 (c) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 393), as amended (41 U. S. C. 252 (c)), is amended further—

(a) by revising paragraph (3) to read:

"(3) the aggregate amount involved does not exceed $2,500;"

(b) by renumbering paragraphs (9), (10), (11), (12), (13), and (14) as paragraphs (10), (11), (12), (13), (14), and (15), respectively; and

(c) by adding, immediately after paragraph (8), a new paragraph (9), reading as follows:

"(9) for perishable or nonperishable subsistence supplies;".

SEC. 3. Section 302 (e) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 394; 41 U. S. C. 252 (e)) is amended by striking out "(9)," "(10)," "(11)," and "(13)," and substituting therefor "(10)," "(11)," "(12)," and "(14)," respectively.

SEC. 4. Section 305 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 396), as amended (41 U. S. C. 255), is amended further to read as follows:

"SEC. 305. (a) Any executive agency may—

"(1) make advance, partial, progress, or other payments under contracts for property or services made by the agency; and

"(2) insert in bid solicitations for procurement of property or services a provision limiting to small-business concerns advance or progress payments.

"(b) Payments made under subsection (a) may not exceed the unpaid contract price.

"(c) Advance payments under subsection (a) may be made only upon adequate security and a determination by the agency head that to do so would be in the public interest. Such security may be in the form of a lien in favor of the Government on the property contracted for, on the balance in an account in which such payments are deposited, and on such of the property acquired for performance of the contract as the parties may agree. This lien shall be paramount to all other liens."

SEC. 5. Section 307 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 396; 41 U. S. C. 257) is amended—

(a) by striking out "(10)", "(11)", "(12)", and "(13)" wherever they appear therein, and substituting therefor "(11)", "(12)", "(13)", and "(14)", respectively;

(b) in subsection (b), by striking out "and in section 305 (a)"; and

(c) in subsection (c), by striking out "305 (a)" and substituting therefor "305 (c)."

SEC. 6. Section 310 (b) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 397), as amended (41 U. S. C. 260 (b)), is amended further by adding after "thereof" a comma and the following: "or any other executive agency delegated authority pursuant to section 302 (a) (2),".

SEC. 7. Section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), is amended further by striking out "$500" in the first sentence thereof and substituting therefor "$2,500."

SEC. 8. Section 2304 (a) of title 10 of the United States Code is amended—

(a) in clause (3), by striking out "$1,000" and substituting therefore "$2,500"; and

(b) in clause (9), by adding "or nonperishable" after "perishable."

SEC. 9. The text of section 2307 of title 10 of the United States Code is amended to read as follows:

"(a) The head of an agency may—

"(1) make advance, partial, progress, or other payments under contracts for property or services made by the agency; and

"(2) insert in bid solicitations for procurement of property or services a provision limiting to small-business concerns advance or progress payments.

"(b) Payments made under subsection (a) may not exceed the unpaid contract price.

"(c) Advance payments made under subsection (a) may be made only upon adequate security and after a determination by the head of the agency that to do so would be in the public interest. Such security may be in the form of a lien in favor of the United States on the property contracted for, on the balance in an account in which such payments are deposited, and on such of the property acquired for performance of the contract as the parties may agree. This lien is paramount to any other liens."

SEC. 10. Section 2310 (b) of title 10 of the United States Code is amended by striking out "2307 (a)" and substituting therefor "2307 (c)."

SEC. 11. Section 2311 of title 10 of the United States Code is amended by striking out "or section 2307 (a)" and the preceding comma.

SEC. 12. Section 2 of the Act of June 13, 1934 (48 Stat. 948), as amended (40 U. S. C. 276c), is amended further—

(a) by striking out "sworn affidavit" and substituting therefor "statement"; and

(b) by adding at the end thereof the following sentence: "Section 1001 of title 18 of the United States Code (Criminal Code and Criminal Procedure) shall apply to such statements."

Mr. HRUSKA. Mr. President, may we have an explanation of the bill? It is my understanding that the Senator from Minnesota has an interest in the bill.

Mr. HUMPHREY. Mr. President, the bill is a further effort to amend the Federal Property and Administrative Services Act of 1949.

This bill was drafted by the General Services Administration as a part of its legislative program for 1958, and was introduced in the Senate by the Chairman of the Committee at the request of the administrator. It is understood that a special task force of experienced procurement personnel from the major departments and agencies of the Government participated in the development of the proposed legislation during the past 2 years. The bill was screened and approved by all of the affected agencies, including the Bureau of the Budget and the General Accounting Office prior to submission to the Congress, and it is contended that its enactment will make possible broader participation by small business and bring about a reduction in paperwork, as well as effect savings in Government procurement.

The bill will implement some of the recommendations of the cabinet committee on small business. It will remove some of the inconsistencies in the present law which were discovered by the cabinet committee in the study of procurement procedures of the Government.

The bill will help small business concerns in that it will give them the opportunity to bid on more contracts, and also because they will have the opportunity to receive what are called progressive payments while the contract is being fulfilled, a procedure which is, by the way, available for negotiated contracts, but is not available for bid contracts.

So, the bill standardizes the procurement procedures relating to competitive bids as compared with negotiated contracts.

Mr. HRUSKA. I thank the Senator from Minnesota.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time and passed.

BILLS AND JOINT RESOLUTION PASSED OVER

Mr. TALMADGE. Mr. President, I ask that the following bills and resolution be passed over:

Calendar No. 2255, S. 1887, construction of the San Luis unit of the Central Valley project, California;

Calendar No. 2258, H. R. 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes; and

Calendar No. 2260, Senate Joint Resolution 190, approval of report on Red Willow Dam and Reservoir in Nebraska.

The PRESIDING OFFICER. The bills and joint resolution will be passed over.

NORTH COUNTIES HYDRO-ELECTRIC CO.

The Senate proceeded to consider the bill (H. R. 10419) for the relief of North Counties Hydro-Electric Co.

Mr. EASTLAND. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 2, after the word "act", it is proposed to strike out the period, insert a colon and "*Provided*, That the enactment of this act shall not be construed as an inference of liability on the part of the Government of the United States."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 8361) to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 337) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws was announced as next in order.

Mr. TALMADGE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1913) to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes, was announced as next in order.

Mr. HRUSKA. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

OFFICE OF CIVIL DEFENSE, DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2728) to amend the act entitled "An act to authorize the District of Columbia Government to establish an office of civil defense, and for other purposes," approved August 11, 1950, which had been reported from the Committee on the District of Columbia, with amendments, on page 2, line 22, after the word "population", strike out "caused or which would be caused by an attack upon the District or the metropolitan area of the District" and insert "of the District caused by an attack upon the continental United States"; on page 3, line 23, after the word "of", to insert "the metropolitan area of"; on page 4, line 8, after the word "a", to strike out "director," and insert "director;"; on page 5, line 2, after the word "the", to strike out "Commissioners," and insert "Commissioners;"; on page 8, after line 11, to strike out:

And I do further swear (or affirm) that I have not been a member or an affiliate, that I am not now a member or an affiliate, and that during such time as I am a member of the (name of civil defense organization) I will not become a member or affiliate of, any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence.

On page 10, line 13, after the word "such", to strike out "injury" and insert "injured"; on page 11, line 21, after the word "construct", to insert "or prepare"; in line 22, after the word "participate", to insert "either within or outside the District"; on page 12, line 25, after the numerals "1950", to strike out "during drills and tests and" and insert "and, when authorized by the Commissioners (a) during drills and tests, (b) during periods of training, and (c)"; on page 16, line 19, after the word "the", to strike out "performance of such powers" and insert "carrying out of such measures"; on page 17, line 11, after the word "in", to strike out "or outside"; at the beginning of line 13, to insert "or outside the District as the Commissioners may designate with the approval of the governor of any State or the designee of such governor"; on page 18, line 20, after the word "substance", to insert "or contaminated by germs, viruses, or other matter deleterious to life or health,"; on page 19, line 10, after the word "Private", to insert "Personal"; on page 22, after line 5, to strike out:

SEC. 401. When effective: The provisions of this title shall be operative only during a major disaster: *Provided*, That no major disaster shall be in effect unless the Commissioners shall make a determination with respect thereto in a proclamation published by them, which proclamation shall have been approved by the President. Termination of a major disaster shall be published by proclamation of the Commissioners, issued on their own initiative or upon direction of the President.

And, in lieu thereof, to insert:

When effective: The provisions of this title shall be operative only during a major disaster, as determined by the Commissioners to exist and as proclaimed by them with the approval of the President. The Commissioners shall announce the termination of a major disaster by a proclamation issued on their own initiative or upon direction of the President.

And, line 23, after the word "disaster", to strike out "is in effect in the District" and insert "has been proclaimed"; so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes", approved August 11, 1950 (Public Law 686, 81st Cong.), as amended, is amended to read as follows:

"SECTION 1. Purpose: Because of the existing and continuing possibility of the occurrence of disasters or emergencies of unprecedented size and destructiveness resulting from an attack and in order to insure that preparations of the District will be adequate to deal with such disasters or emergencies, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the District, it is hereby found and declared to be necessary: (1) to take preliminary precautionary steps; (2) to confer upon the Commissioners emergency powers; and (3) to authorize the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this act. The Congress also finds, and declares, that it is necessary to make provision for the protection of lives and property of persons in the District from major disaster.

"SEC. 2. Definitions: As used in this act, unless the context indicates a different meaning—

"(a) 'District' means the District of Columbia;

"(b) 'Commissioners' means the Commissioners of the District of Columbia;

"(c) 'Civil defense' means all those activities and measures designed or undertaken (1) to minimize the effects upon the civilian population of the District caused by an attack upon the continental United States; (2) to deal with the immediate emergency conditions which would be created by any such attack, and (3) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack.

"(d) 'Metropolitan area of the District' means the District and the counties of Arlington and Fairfax and the cities of Alexandria and Falls Church in Virginia and the counties of Prince Georges and Montgomery in Maryland.

"(e) 'Facilities' includes buildings, shelters, utilities, and land.

"(f) 'Material' includes raw materials, supplies, medicines, equipment, component parts, and technical information and processes necessary for civil defense.

"(g) 'Attack' means any act or series of acts by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by use of bombs, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or processes.

"(h) 'Major disaster' means any flood, drought, fire, hurricane, earthquake, storm, or any catastrophe other than attack, in any part of the metropolitan area of the District which, in the determination of the Commissioners is or threatens to be of such severity and magnitude that the personnel, materials, and facilities normally available for the protection of life and property are inadequate and warrant emergency assistance.

"TITLE I—ORGANIZATION AND PERSONNEL

"SEC. 101. (a) Office of civil defense: To effectuate the purposes of this act the Commissioners are authorized (1) to create in the District government an Office of Civil Defense to be headed by a director; (2) to employ personnel, including temporary and part-time personnel, and to fix their compensation in accordance with the Classification Act of 1949, as amended: *Provided*, That no person shall be employed pursuant to this section unless an agency of the District government designated by the Commissioners has made an investigation concerning such person and made a finding that he is suitable for employment: *Provided further*, That upon request of the Commissioners, the United States Civil Service Commission shall conduct a full field investigation of any such person and furnish a report thereon to the Commissioners: *Provided further*, That in the event any investigation made pursuant to this section develops a question concerning the loyalty or subversive activities or affiliations of the individual who is the subject of the investigation, the investigating agency of the District government or the United States Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for a full field investigation, the results of which shall be furnished the Commissioners; (3) to establish such civil-defense units and organizations, including an auxiliary police force, as they may deem appropriate; (4) to expand existing agencies

of the District government concerned with civil defense; (5) to recruit, organize, equip, and train volunteers and, during major disasters or other emergencies, to accept and utilize their services and (6) to make orders, rules, and regulations governing the operation of such civil defense units and organizations and the discipline of members and personnel thereof: *Provided further*, That nothing contained in this act shall be construed to authorize any such volunteer to demand or receive any salary or wages by reason of such training or service: *And provided further*, That during any period in which title III or title IV of this act is in effect no person shall be entitled to any benefits under the Federal Employees Compensation Act, approved September 7, 1916, as amended, by reason of such training or service of any such volunteer.

"(b) Retired personnel may be employed: Notwithstanding any limitation of any other law, there may be employed in such Office of Civil Defense any person who has been retired from any of the Armed Forces of the United States or any office or position in the Federal or District governments, and while so employed in such Office of Civil Defense any such retired person may receive the compensation authorized for such employment or the retired pay, retirement compensation, or annuity whichever he may elect, and upon the termination of his employment in such Office of Civil Defense, he shall be restored to the same status as a retired officer or employee with the same retired pay, retirement compensation, or annuity to which he was entitled before having been employed in such Office of Civil Defense.

"(c) (1) Each person employed pursuant to this act shall execute the loyalty oath or appointment affidavits prescribed by the Civil Service Commission. Each person, other than an alien, enrolled to serve as a volunteer pursuant to this act shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths, or such other person as may be designated by the Commissioners for this purpose, which oath shall be substantially as follows:

"'I, ----------, do solemnly swear (or affirm) I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"'I do further swear (or affirm) that I have not at any time heretofore advocated, that I do not now advocate, and that during such time as I am a member of the (name of civil-defense organization) I will not advocate the overthrow of the Government of the United States by force or violence.'

Any person who shall be found guilty of having falsely taken such oath shall be punished as provided in section 1621, title 18, United States Code.

"(2) Notwithstanding the requirements of section 403 (b) of the Federal Civil Defense Act of 1950, as amended, any alien enrolled to serve as a volunteer pursuant to this act shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths, or such other person as may be designated by the Commissioners for this purpose, which oath shall be substantially as follows:

"'I, ----------, do solemnly swear (or affirm) that I have not at any time heretofore advocated, that I do not now advocate, and that during such time as I am a member of the (name of civil-defense organization) I will not advocate, the overthrow of the Government of the United States by force or violence.'

"'And I do further swear (or affirm) that I have not been a member or an affiliate, that I am not now a member or an affiliate, and that during such time as I am a member of the (name of civil defense organization) I will not become a member or affiliate of any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.'

Any person who shall be found guilty of having falsely taken such oath shall be punished as provided in section 1621, title 18, United States Code.

"SEC. 102. (a) Injury and death benefits for volunteers: (1) Except while title III or title IV of this act is in effect, in case of injury or death resulting from injury (as defined in paragraph (2) of this subsection) to any duly enrolled volunteer member of any civil defense unit or organization created pursuant to this act, the provisions of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, subject to the other subsections of this section, shall apply and such act shall be administered by the Secretary of Labor (hereinafter called the Secretary) in the same manner and to the same extent as if such person were a civil employee of the United States and were injured while in the performance of his duty: *Provided*, That for benefit computation, regardless of pay or status, such person shall be deemed to have had a monthly pay of $200.

"(2) As used in paragraph (1), the term 'injury' means injury arising out of and in the course of service as a member of such unit or organization while serving as such member and engaged in active duty or while engaged in training under orders of competent authority related to specific training assignment, and includes disease proximately caused by such service as such member of such unit or organization.

"(b) Where, because of a concurrent employment status of such a member benefits for disability or death would accrue to a person under the District of Columbia workmen's compensation law, or the workmen's compensation law of any State or Territory, or the Federal Employees' Compensation Act, or under a pension or disability system applicable to members of a police or fire department, the person entitled to such other benefits shall not be entitled to benefits under this section.

"(c) Whenever a claim is filed with the Secretary for benefits because of an alleged injury or death within the purview of this section he shall notify the Commissioners and they or their designee shall investigate the facts surrounding such alleged injury and make certification with respect thereto, including certification as to such injured or deceased person's membership in a civil defense unit or organization created pursuant to this act, and whether the injury or death arose out of and in the course of service as a member of such unit or organization while serving as a member and engaged in active duty or while engaged in training under orders of competent authority related to a specific training assignment. Such certification shall not excuse the making of such reports as are required by such act of September 7, 1916, nor shall it be conclusive as to any facts therein.

"(d) Any compensation award made pursuant to the authority contained in this section shall be paid in the manner provided by law for the payment of general expenses of the government of the District.

"TITLE II—POWERS AND DUTIES

"SEC. 201. The Commissioners are authorized, in order to carry out the purposes of this act:

"(a) Plans and programs: To prepare comprehensive plans and programs for civil defense, including plans for utilization of shelters or evacuation, or both, as protective measures, such plans and programs to be integrated into and coordinated with the civil defense plans and programs of the Federal Government and of States and appropriate political subdivisions thereof.

"(b) Training and preparation: To conduct training programs and public information programs; to publicly disseminate appropriate civil defense information by all appropriate means; to organize, equip, and train civil defense units and organizations, including auxiliary police and fire-fighting forces, and the personnel thereof; to conduct blackouts and practice blackouts, air raid drills, mobilization of civil defense forces, and other tests and exercises; to construct or prepare shelters for protection from enemy attack; to participate either within or outside the District in drills or tests jointly with States and political subdivisions thereof; to provide for the effective screening or extinguishing of all lights or lighting devices and appliances; and to take other preparatory steps, including the partial or full mobilization of civil defense units and organizations.

"(c) Control during drills: To control pedestrian and vehicular traffic, transportation, communication, and other public utility facilities and services, and the conduct of persons other than members of the armed services of the United States during drills and tests and immediately prior and subsequent thereto.

"(d) Communication and attack warning: To provide and maintain necessary civil defense communications and devices for warning the civilian population of attack and for the establishment of control and reporting centers and other operational headquarters and facilities.

"(e) Police powers for auxiliary police: To vest such members of the auxiliary police force with such of the powers, and to impose upon them such of the duties, of members of the Metropolitan Police force as the Commissioners may determine: *Provided*, That the Commissioners shall not vest any such power in any such member unless they are satisfied that such member has received sufficient training and is otherwise qualified: *Provided further*, That powers of members of the Metropolitan Police force so vested shall be exercised only during a state of civil defense emergency established or declared in accordance with the provisions of the Federal Civil Defense Act of 1950, and, when authorized by the Commissioners (a) during drills and tests, (b) during periods of training, and (c) immediately prior to and during major disasters.

"(f) Surveys of resources: To make studies and surveys of the resources and facilities within or available to the District for civil defense, and to plan for the most efficient emergency use thereof.

"(g) Protection of vital facilities and materials: To provide for the guarding and protection of water supplies, railroads, public utilities, bridges, highways, public buildings, communication facilities, vital and strategic materials, and other focal points of possible attack, the loss or destruction of which might menace or endanger the security and safety of the civilian population or impede the defense effort.

"(h) Acceptance of gifts of facilities, materials, and funds: Notwithstanding the provisions of any other law, to accept gifts of facilities, materials, and funds that may from time to time be offered to the government of the District and to use or expend the same for civil defense purposes.

"(l) (1) Assignment of functions to District departments, and so forth: To assign specific civil defense functions to any District department, office, board, commission, or agency. In order to perform such assigned functions, each District department, office, board, commission, and agency is authorized to utilize its personnel, facilities, resources, and funds, and recruit, organize, train, equip, and utilize volunteers.

"(2) Each officer and employee of each department, office, board, commission, or agency (a) which has no specific civil defense function assigned to it by the Commissioners, or (b) which is not, in the judgment of the Commissioners, immediately necessary for the continued operation of essential services while title III of this act is in effect, shall be assigned to and trained in such civil defense duties as the Commissioners shall direct, such duties to be performed during any period when title III of this act shall be in effect.

"(j) Acquisition and use of materials, facilities, lands, and services: To acquire by loan, donation, purchase, or rental, and to use, operate, and maintain, equipment and materials of all kinds, to acquire, by loan, donation, purchase, or condemnation, or to rent, lands and buildings or any interest therein; to construct, maintain, repair, alter, and use structures of all kinds and to procure, by contract or otherwise, services of any nature.

"(k) Waiver of building regulations: To waive any regulation governing the erection, alteration, height, or use of structures, buildings, towers, or appurtenances, or parts thereof, whenever the same shall be necessary for civil defense purposes.

"(l) (1) Regulations and penalties: To make regulations to carry out the purposes of this act, including regulations establishing security requirements and safeguards and restricting access to information and property, and to prescribe penalties for violations of such regulations not exceeding a fine of $300 or imprisonment for 90 days. Prosecutions for violations of such regulations shall be brought in the name of the District of Columbia by the Corporation Counsel or any of his assistants. Regulations which are to become effective only when title III or title IV of this act shall become effective may be promulgated prior to the taking effect of such title III or title IV.

"(2) Liabilities and penalties under repealed regulations saved: When any regulation made under the authority of this act is repealed, rescinded, or ceases to be effective, penalties and liabilities thereunder shall not be released or extinguished, unless there be an express provision to so release or extinguish, but such regulations shall be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any such penalty or liability.

"(m) Interstate compacts: To take all necessary actions to carry out the purposes of interstate civil defense and disaster compacts entered into pursuant to the joint resolution entitled 'Joint resolution authorizing the District of Columbia to enter into interstate civil-defense compacts', approved April 22, 1954 (68 Stat. 59).

"TITLE III—EMERGENCY POWERS

"SEC. 301. When effective: The provisions of this title shall be operative only during a state of civil defense emergency in the District proclaimed by the President or by Congress in accordance with the provisions of the Federal Civil Defense Act of 1950.

"SEC. 302. Powers and duties of Commissioners: In addition to the powers and duties which are now or may hereafter be vested in the Commissioners, they are hereby authorized to take such measures during any such emergency as may be necessary for the protection, relief, and assistance of persons and property without regard to the provisions of any other law to the extent that such provisions interfere with or prevent the carrying out of such measures, including, but not limited to, the following:

"(a) Powers under title II extended to title III: To exercise all powers and authority vested in them by title II of this act.

"(b) Police powers: To vest members of District civil defense units and organizations with such authority, including such of the powers of the Metropolitan Police force as the Commissioners may deem appropriate, to enable such members to carry out and perform the functions and duties imposed upon them pursuant to this act.

"(c) Protection of persons within the District: To prepare for, order, and regulate the carrying out of measures for the protection of persons in the District, including the evacuation of persons from the District or from any part thereof, to such places, including shelters, in the District, as the Commissioners may designate, or outside the District as the Commissioners may designate with the approval of the governor of any State or the designee of such governor, and to provide for the reception, housing, maintenance, and care of such evacuees: *Provided*, That evacuation of personnel of any activity of the Federal Government shall take place only upon the consent of the Federal Civil Defense Administration or of such other authority or authorities as may be designated by the President; however, upon agreement, any prearranged plan between the Federal Government and the District government shall constitute such consent.

"(d) Disposition of materials: To sell, lease, lend, transfer, or deliver materials or perform services for civil defense purposes on such terms and conditions as the Commissioners shall prescribe.

"(e) Distribution of supplies and financial assistance for temporary relief: To expend and distribute fuel, food, and materials; to provide financial assistance for the temporary relief or aid of any civilian injured or in want as the result of attack; and to take whatever other action may be necessary for the purpose of preventing and alleviating suffering of persons and preventing the spread of disease in the District and to obligate the District for the payment therefor.

"(f) Shutting off utilities services: To shut off, disconnect, or suspend service from or by, or require the shutting off, disconnection, or suspension of service from or by, gas mains, electric powerlines, or other utilities.

"(g) Destruction of contaminated property: To destroy or cause to be destroyed any property, real or personal, in the District found to be contaminated by radioactive or poisonous substance, or contaminated by germs, viruses, or other matter deleterious to life or health, and, by reason of such contamination, dangerous to persons or property, and to cause the removal from the District or from place to place within the District of any such contaminated property, and pending the time when any such contaminated property shall be rendered safe, to prohibit persons from contacting or approaching so close to such property as to endanger their lives or health.

"(h) Burial of dead: To provide for the burial of the bodies of human beings whose deaths are caused by or result from the occurrence of disaster contemplated by this act and whenever the public interest is such as to require the same the Commissioners may provide for the burial of such bodies in common graves.

"(i) Requisitioning of private personal property: To requisition, take possession of, and use privately owned personal property of whatever kind and nature or any rights therein as may in their opinion be necessary for the purposes of this act and to ascertain and pay just compensation for such property or any rights therein to be determined as hereinafter provided. The Commissioners shall promptly determine the amount of compensation to be paid for any such property or the use thereof requisitioned pursuant to this act but each such determination shall be made as of the time it is requisitioned in accordance with the provision for just compensation in the fifth amendment of the Constitution of the United States. If the person entitled to receive the amount so determined by the Commissioners as just compensation is unwilling to accept the same as full and complete compensation for such property or the use thereof he shall be paid promptly 75 percent of such amount and shall be entitled to recover from the District in an action brought in the appropriate court within 3 years after the date of the Commissioners' award, an additional amount which, when added to the amount so paid to him, shall be just compensation.

"(j) Disposal of personal property: Whenever the need for the purposes of this act of any personal property requisitioned under this title shall terminate, the Commissioners may dispose of such property under such terms and conditions as they deem appropriate, but to the extent feasible and practicable they shall give the former owner of any property so disposed of an opportunity to reacquire it (1) at its then fair value as determined by the Commissioners, or (2) if it is to be disposed of (otherwise than at a public sale of which he is given reasonable notice) at less than such value, at the highest price any other person is willing to pay therefor: *Provided*, That such opportunity to reacquire need not be given in the case of fungibles or items having a then fair value of less than $1,000.

"SEC. 303. Allocation of food, fuel, and other vital supplies: The Commissioners are authorized to promulgate regulations, prohibiting or regulating the sale, use, disposition, or transfer, and the transportation from within the District to any point outside the District, of such food, fuel, medical supplies, electric power, gas, or other articles necessary to prevent or alleviate suffering of persons or to prevent the spread of disease in said District, and to allocate all or any of the same in such manner, upon such conditions, and to such extent as they may deem necessary or appropriate to effectuate the purposes of this title: *Provided*, That every such regulation shall cease to be effective on the 90th day after the effective date of such regulation or upon the effective date of any regulation of general application and dealing with the same subject matter issued by any agency of the United States.

"SEC. 304. Nonliability of District and others for damages: Neither the District nor any officer, agent, employee, or regularly appointed volunteer worker in the service of said District, nor any individual, receiver, firm, partnership, corporation, association, or trustee, or any of the agents thereof, in good faith and without willful or gross negligence carrying out, complying with, enforcing, or attempting to carry out, comply with, or enforce this act or any order, rule, or regulation issued or promulgated pursuant to this act, shall be liable for any damage sustained by any person, including volunteers, or property as the result of such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under section 102 of this act, or any workmen's compensation law, or under any pension, retirement, or disability law, nor the right of any such person to receive any benefits or compensation under any other act of Congress.

"TITLE IV—MAJOR DISASTERS

"When effective: The provisions of this title shall be operative only during a major disaster, as determined by the Commissioners to exist and as proclaimed by them with the approval of the President. The Commissioners shall announce the termination of a major disaster by a proclamation issued on their own initiative or upon direction of the President.

"SEC. 402. Powers and duties of Commissioners: Whenever a major disaster has been proclaimed (a) there shall be vested in the Commissioners, in addition to the powers and duties which are now or may hereafter be vested in them, the powers and duties which would be vested in them as if title III of this act was in effect, and (b) all provisions of such title III shall, insofar as they are applicable, be operative as if they were set forth in this title.

"TITLE V—GENERAL PROVISIONS

"SEC. 501. Automobile financial responsibility act inapplicable: During such periods of time that any privately owned motor vehicle is used by the District under the authority of this act the operator thereof shall not be deemed or held to be the agent of the owner of such vehicle within the meaning of the act entitled 'An act to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act, and for other purposes,' approved May 3, 1935 (title 40, ch. 4, D. C. Code, 1951 edition), or within the meaning of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 5, 1954 (68 Stat. 120).

"SEC. 502. Nonliability of persons permitting use of real property as shelter: Any person owning or controlling real property who, voluntarily and without compensation, grants to the District a license or privilege, or otherwise permits the District to inspect, designate, and use the whole or any part or parts of such real property for the purpose of sheltering persons during an actual, impending, or mock enemy attack, shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person, or for loss of or damage to property of such person on or about such real property under such license, privilege, or other permission.

"SEC. 503. Delegation of authority: The Commissioners are authorized to delegate to officers and employees of the District and to such other persons as the Commissioners deem appropriate such of the powers conferred upon them by this act as they may determine and may by regulation provide for the subdelegation of any delegated power: *Provided*, That, except when title III or title IV of this act is in effect, the Commissioners shall not delegate the power to make regulations authorized by this act.

"SEC. 504. Appropriations: Appropriations to carry out the purposes of this act are hereby authorized.

"SEC. 505. Act of May 21, 1951, as amended: The provisions of the act approved May 21, 1951, as amended by the act approved July 6, 1953 (Public Law 103, 83d Cong.), authorizing the appointment of a member of the Metropolitan Police Department or a member of the Fire Department, District of Columbia, to any position in any office or agency succeeding to the functions of the Office of Civil Defense (abolished pursuant to Reorganization Plan No. 5 of 1952) shall be applicable with respect to the Office of Civil Defense created by this amendatory act.

"SEC. 506. Nothing contained in this act shall be construed as authorizing the Commissioners to direct or control in any manner the activities, personnel, installations, facilities, or equipment of the armed services of the United States, or any of the subordinate agencies of such armed services.

"SEC. 507. Nothing in this act shall be construed to amend or modify the provisions of the Federal Civil Defense Act of 1950, as amended, or the act 'To authorize Federal assistance to States and local government in major disasters, and for other purposes', approved September 30, 1950 (64 Stat. 1109).

"SEC. 508. Separability: If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act, and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

"SEC. 509. Where any provision of this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the Commissioners or the office, agency or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952.

"SEC. 510. This act may be cited as the 'District of Columbia Civil Defense Act'."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ACQUISITION OF REAL PROPERTY UNDER THE DISTRICT OF COLUMBIA ALLEY DWELLING ACT

The Senate proceeded to consider the bill (S. 3970) to facilitate the acquisition of real property under the District of Columbia Alley Dwelling Act, which had been reported from the Committee on the District of Columbia, with an amendment, on page 1, after line 5, to insert a new section, as follows:

SEC. 2. That subsection (a) of section 5 of the District of Columbia Alley Dwelling Act, as amended (D. C. Code, sec. 5–107), is amended to read as follows:

"(a) The Authority shall make a report to the President, which he shall transmit to Congress at the beginning of each regular session, giving a full and detailed account of all operations under the provisions of this act for the preceding fiscal year, including an itemization of all properties purchased during such fiscal year, setting forth the assessed value of such properties, together with the purchase price therefor.

So as to make the bill read:

Be it enacted, etc., That subsection (d) of section 3 of the District of Columbia Alley Dwelling Act, as amended (D. C. Code, sec. 5–105), is hereby repealed.

SEC. 2. That subsection (a) of section 5 of the District of Columbia Alley Dwelling Act, as amended (D. C. Code, sec. 5–107), is amended to read as follows:

"(a) The Authority shall make a report to the President, which he shall transmit to Congress at the beginning of each regular session, giving a full and detailed account of all operations under the provisions of this act for the preceding fiscal year, including an itemization of all properties purchased during such fiscal year, setting forth the assessed value of such properties, together with the purchase price therefor.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENT OF TRANSPORTATION EXPENSES OF CERTAIN SURVIVORS OF DECEASED SERVICEMEN

The bill (H. R. 9721) to amend section 1482 of title 10 of the United States Code to provide for the payment of transportation expenses of certain survivors of deceased servicemen to attend group burials in national cemeteries was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 912) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

COL. RUSSELL KING ALSPACH

The bill (H. R. 7198) for the relief of Col. Russell King Alspach was considered, ordered to a third reading, read the third time, and passed.

NAVAL SHIP CONSTRUCTION

The bill (H. R. 6382) to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF PUBLIC LAW 85–422

The bill (S. 3966) to amend Public Law 85–422 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) section 4 (a) of Public Law 85–422 is amended by striking out "and persons with 2 or less years of service for basic pay purposes who were retired for physical disability or placed on the temporary disability retired list."

(b) This amendment shall take effect on June 1, 1958.

BILL PASSED OVER

The bill (H. R. 12876) to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes, was announced as next in order.

Mr. HRUSKA. Over, as not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

CLAIMS ARISING OUT OF CRASH OF AIRCRAFT AT WORCESTER, MASS., JULY 18, 1957

The Senate proceeded to consider the bill (H. R. 8868) to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the numerals "1958", to insert "and title II of the Department

of Defense Appropriation Act, 1959,"; and, on page 2, after line 2, to strike out:

SEC. 2. No part of the amounts awarded under this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

And, in lieu thereof, to insert:

SEC. 2. Payments made pursuant to the Department of Defense Appropriation Act, 1958, and the Department of Defense Appropriation Act, 1959, for death, personal injury, and property loss claims, shall not be subject to insurance subrogation claims in any respect. No payments made pursuant to such acts shall include any amount for reimbursement to any insurance company or compensation insurance fund for loss payments made by such company or fund.

No part of any amounts awarded pursuant to the acts referred to in section 1 of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ADJUSTMENT OF JURISDICTION OVER LANDS WITHIN THE FORT CUSTER MILITARY RESERVATION, MICH.

The bill (H. R. 8249) to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within Fort Custer Military Reservation, Mich., was considered, ordered to a third reading, read the third time and passed.

CONVEYANCE OF CERTAIN LAND TO THE STATE BOARD OF EDUCATION, FLORIDA

The Senate proceeded to consider the bill (H. R. 9932) to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida, which had been reported from the Committee on Armed Services, with an amendment, on page 3, after line 2, to insert:

SEC. 3. The conveyance authorized by this act, shall be conditional upon the State Board of Education of the State of Florida, paying to the Secretary of the Air Force, as consideration for the tract of land conveyed under the provisions of this act, an amount equal to 50 percent of its fair market value as determined by the Secretary of the Air Force after appraisal of such tract.

SEC. 4. The cost of any surveys and appraisals necessary as an incident to the conveyance authorized herein shall be borne by the State Board of Education of the State of Florida.

SEC. 5. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States.

Mr. MORSE. Mr. President, this bill would authorize the Secretary to convey to the State Board of Education of Florida the interest of the United States in approximately 11 acres of land lying within the boundaries of Eglin Air Force Base, Fla.

As the bill passed the House it did not contain the Morse formula providing for payment of 50 percent of fair market value. The Senate Armed Services Committee reported the bill with the 50 percent amendment, inasmuch as the land would be used for recreation and other public purposes. The bill provides that title to the land shall revert to the United States in the event it ceases to be used for public purposes.

Therefore, Mr. President, the bill, as it has come to the floor of the Senate, from the Senate committee, does not violate the Morse formula. But I wish to say that each Member of the Senate has a stake in the bill, because I intend to watch the progress of the bill in the conference, in order to make certain that in the future we shall not be confronted with a practice which would be unfair to other Senators who have been interested in other legislative proposals to which the Morse formula has been applied—namely, to have a House bill passed by the House without the Morse formula, and to have the Morse formula added in the Senate, but to have the formula dropped out in conference. If that begins to be a practice, then, regardless of whether the Morse formula is added to such a bill by the Senate, I shall do what I warned the Senate last year I would do in the case of any House bill which comes to the Senate and does not include the Morse formula—because that is the only way I can be fair to my colleagues.

But after conversations which I have had with some members of the committee, I believe we can expect our Senate conferees to hang tough, so to speak, in this case. Later this afternoon, I shall have something to say about conference practices.

However, I expect the Senate conferees to hang tough in this case, as they should do, in order to protect the interest of all other Senators in respect to the application of the Morse formula. In view of the fact that I am satisfied that such will be the conduct of our conferees, I shall not object in this case; but I shall keep my eyes on the bill as it goes through the conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 9932) was read the third time and passed.

TRANSFER OF TITLE TO CERTAIN LAND TO THE TERRITORY OF HAWAII

The bill (H. R. 10173) to provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I ask unanimous consent that a statement which I have prepared on the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

H. R. 10173 would authorize the President of the United States, by Executive order, to transfer to the Territory of Hawaii the interest of the United States in a tract of land not to exceed 200 acres, situated within the Sand Island military reservation.

Senate Report No. 2257 accompanying this bill indicates that under existing law lands such as those covered by the bill, originally ceded by the Republic of Hawaii to the United States upon annexation, may be returned to the Territory by Executive order. In legal effect, therefore, the United States holds bare legal title to the land in trust for the cestui, the Territory of Hawaii. The bare legal title has no monetary value and for that reason no violation of the Morse formula is occasioned by the transfer proposed under H. R. 10173.

Senate Report No. 2257 also states:

"It appears that an Executive order may not be sufficient in this instance, however, for although the lands in question appear to be public lands ceded within the meaning of the Hawaiian Organic Act, there is some question whether they may be sold or otherwise disposed of by the Territory. This question arises because portions of Sand Island are made up of land filled in subsequent to annexation. Inasmuch as the Sand Island property is likely to be a useful site for commercial development, it is desirable that the Territory have full authority to dispose of such portions of the land as are not required for military purposes."

This bill has as its ultimate objective the removal of what might be a possible cloud on the title of the filled-in portion of the land. This potential cloud on the title has no monetary value because of the basic trust relationship involved.

Mr. MORSE. Mr. President at this time I shall read the conclusion of the statement, as follows:

This bill has as its ultimate objective the removal of what might be a possible cloud on the title of the filled-in portion of the land. This potential cloud on the title has no monetary value because of the basic trust relationship involved.

Mr. President, I have no objection to the consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 10173) was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CITY OF VALPARAISO, FLA.

The Senate proceeded to consider the bill (H. R. 11125) to provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla., which had been reported from the Committee on Armed Services with amendments, on page 1, line 3, after the

numeral "3", to insert "and section 4", and, on page 2, after line 11, to insert a new section, as follows:

SEC. 4. Conveyance authorized by this act shall be conditional upon the city of Valparaiso, Fla., paying to the Secretary of the Air Force as consideration for the tract of land conveyed under the provisions of this act, an amount equal to the fair market value as determined by the Secretary of the Air Force after appraisal of such tract. The cost of any surveys and appraisals necessary as an incident to the conveyance authorized herein shall be borne by the city of Valparaiso, Fla.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MORSE. Mr. President, this is another Florida bill which has come from the House of Representatives without the Morse formula in it. The Senate Armed Services Committee has included the Morse formula in the bill.

House bill 11125 would authorize the Secretary of the Air Force to convey to the city of Valparaiso, Fla., the interest of the United States in a 3.67 acres tract, for public cemetery purposes. The bill provides that title to the land shall revert to the United States in the event it ceases to be used for cemetery purposes.

As the bill was passed by the House, it did not contain provision for the Morse formula.

The Senate Armed Service Committee amended the bill, so as to include a provision for payment of the fair market value.

Mr. President, the observations I made a moment ago in regard to another Florida bill also pertain to this one.

I wish the Members of Congress from Florida, in fairness to all concerned, would recognize the long record of the Senate in insisting that when Federal property is to be disposed of for public use in the State of Florida, the public bodies in Florida, as the public bodies in other States, will be required to pay 50 percent of the fair market value, and are not to expect to receive a gift from all the taxpayers of the Nation.

Again, Mr. President, on the assumption that the Senate conferees will never agree to the free transfer of this property because, if they did, that would be a discrimination against their colleagues in the Senate who have been cooperating in regard to application of the Morse formula—I shall give this one a trial run.

Therefore, I raise no objection at this time, except to state my intention for the future, if a program of circumventing the application of the Morse formula is developed whereby a House bill which does not include the Morse formula comes to the Senate where the Morse formula is added but then is dropped in conference.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 11125) was passed.

MEASURES PASSED OVER

The resolution (S. Res. 362) to cite Maurice A. Hutcheson for contempt of the Senate was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that Calendar No. 2311, Senate Resolution 362, through Calendar No. 2324, H. R. 9700, be passed over as not being properly calendar business.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. HUMPHREY. Does the Senator include H. R. 9700?

Mr. TALMADGE. Yes. The Veterans Administration bill, of course, is a codification of laws administered by the Veterans Administration. It is a very thick, voluminous bill, and I do not think should be considered on a call of the calendar. It can be called up by motion and passed. I am quite sure the leadership intends to do that.

Mr. HUMPHREY. I had an amendment to offer to it. That is the reason I asked the question.

The PRESIDING OFFICER. The measures will be passed over.

The measures passed over are as follows:

Calendar No. 2311, Senate Resolution 362, to cite Maurice A. Hutcheson for contempt of the Senate.

Calendar No. 2312, Senate Resolution 363, to cite Ernest Mark High for contempt of the Senate.

Calendar No. 2313, Senate Resolution 364, to cite Peter Licavoli for contempt of the Senate.

Calendar No. 2314, Senate Resolution 365, to cite Jack Cerone for contempt of the Senate.

Calendar No. 2315, Senate Resolution 366, to cite Ross Prio for contempt of the Senate.

Calendar No. 2316, Senate Resolution 367, to cite Joseph DiVarco for contempt of the Senate.

Calendar No. 2317, Senate Resolution 368, to cite Sam Battaglia for contempt of the Senate.

Calendar No. 2318, Senate Resolution 369, to cite Marshall Caifano for contempt of the Senate.

Calendar No. 2319, Senate Resolution 370, to cite Dan Lardino for contempt of the Senate.

Calendar No. 2320, Senate Resolution 371, to cite John Lardino for contempt of the Senate.

Calendar No. 2321, Senate Resolution 372, to cite Joseph Aiuppa for contempt of the Senate.

Calendar No. 2322, Senate Resolution 373, to cite Anthony Accardo for contempt of the Senate.

Calendar No. 2323, Senate Resolution 374, to cite Abraham Teitelbaum for contempt of the Senate.

Calendar No. 2324, H. R. 9700, to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes.

CONVEYANCE OF CERTAIN LANDS IN ALASKA TO THE CITY OF KETCHIKAN, ALASKA

The bill (H. R. 9627) to authorize the Secretary of the Interior to convey certain lands in Alaska to the city of Ketchikan, Alaska, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, H. R. 9627 provides that the United States disclaim any right, title, and interest to certain land within the corporate limits of the city of Ketchikan, Alaska.

The land was conveyed by patent in 1922 to a Mr. George A. Parks, as townsite trustee. There was no reservation of a school reserve in the patent conveyed to Mr. Parks. The lot was deeded to the city of Ketchikan by a Mr. Ramsey, townsite trustee in 1925, and was not reserved for school purposes by the Government.

This bill would remove any cloud on the title because of prior ownership of the lot by the United States. According to the Department of the Interior, the United States has already surrendered its rights, title, and interest in and to this lot.

I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 9627) was considered, ordered to a third reading, read the third time and passed.

AMENDMENT OF VIRGIN ISLANDS CORPORATION ACT

The Senate proceeded to consider the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 7, after the word "Congress", to strike out "As" and insert "At"; on page 2, line 6, after the word "That", to strike out "in the event the Board of Directors proposes to negotiate the disposal of any of the assets of the Corporation for an amount in excess of $25,000, the Board of Directors shall submit to the Committees on Interior and Insular Affairs of the House of Representatives and the Senate an explanatory statement relating thereto, such statement to be submitted at least forty-five days (exclusive of days on which the House of Representatives or the Senate is not in session because of adjournment of more than three days to a day certain) prior to the consummation of such negotiated disposal." and, in lieu thereof, to insert "any such sale or sales shall be made at public auction: *And provided further*, That the Government of the Virgin Islands shall have the right to purchase any assets so placed on sale at a price or prices not to exceed the amount bid by the highest responsible bidder."; on page 4, line 2, after the word "the", where it appears the first time, to strike out "Corporation. The" and insert "Corporation, and the"; in line 6, after the word "such", to insert "water distillation"; and, on page 5, line 21, after the word "water", to insert "and power".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PERMANENT PROFESSOR OF PHYSICAL EDUCATION, UNITED STATES MILITARY ACADEMY

The bill (H. R. 13170) to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy was considered, ordered to a third reading, read the third time, and passed.

ADVANCEMENT OF CERTAIN PERSONS ON THE RETIRED LIST

The Senate proceeded to consider the bill (H. R. 7706) to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest grade in which they served during World War I, and for other purposes, which had been reported from the Committee on Armed Services, with amendments, on page 1, after the enacting clause, to strike out:

That effective April 1, 1955, members of the Army, Navy, Air Force, and Marine Corps retired before the date of enactment of this act with 30 years' service (including credit for double time) are entitled to the maximum retired pay provided for the grade in which retired in effect prior to June 1, 1958, or for the highest enlisted, warrant, or commissioned officer grade in which they served satisfactorily during World War I.

And, in lieu thereof, to insert:

That any enlisted member retired with credit for 30 years' service in the Army, Navy, Air Force, or Marine Corps, which service includes double time credit under previous laws for service beyond the continental limits of the United States between 1898–1912, is entitled to retired or retirement pay as follows:

(1) A member retired before June 1, 1958, is entitled to the maximum retired or retirement pay provided at the time of his retirement, as thereafter increased by law, for (A) the grade in which he was first retired; or (B) the highest enlisted, warrant, or commissioned officer grade in which he served satisfactorily during World War I, whichever is greater.

(2) A member first retired after May 31, 1958, is entitled to the maximum retired pay provided by the rates in effect at the time of his retirement for (A) the grade in which he retired; or (B) the highest enlisted, warrant, or commissioned officer grade in which he served satisfactorily during World War I, whichever is greater."

And, on page 3, after line 9, to insert a new section, as follows:

SEC. 4. No person is entitled to an increase in retired or retirement pay because of this act for any period before the enactment of this act.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

APPROVAL OF REPAYMENT CONTRACT WITH THE HEART MOUNTAIN IRRIGATION DISTRICT, WYOMING

The bill (S. 4088) to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution was considered, ordered to be engrossed for a third reading, read the third time and passed, as follows:

Be it enacted, etc., That the contract negotiated pursuant to section 7 of the Reclamation Project Act of 1939 by the Secretary of the Interior with the Heart Mountain Irrigation District, which was approved as to form by the Department of the Interior on May 28, 1958, and approved by resolution of the Heart Mountain Irrigation District Board of Commissioners on March 20, 1958, is approved and execution thereof by the Secretary of the Interior on behalf of the United States is hereby authorized after the contract has been approved by the electors of the district.

AMENDMENT OF REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

The Senate proceeded to consider the bill (H. R. 12303) to amend the Revised Organic Act of the Virgin Islands, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 19, after the word "may," to insert "with the concurrence of the Governor"; on page 3, line 4, after the word "comptroller," to insert "or if the Governor does not concur in the taking of an appeal to the Secretary"; after line 20, to strike out:

SEC. 7. The last sentence of section 24 of said act is amended to read as follows: "The Attorney General shall, as heretofore, appoint a marshal and one deputy marshal for the Virgin Islands. The provisions of chapter 33 of title 28, United States Code, shall apply to the office of the marshal for the Virgin Islands."

And, in lieu thereof, to insert:

SEC. 7. The last sentence of section 24 of said act is amended to read as follows: "The Attorney General shall appoint a United States marshal for the Virgin Islands, to whose office the provisions of chapter 33 of title 28, United States Code, shall apply."

On page 4, after line 15, to strike out:

SEC. 10. Said act is amended by adding at the end thereof the following new section:

"SEC. 37. The Organic Act of the Virgin Islands of the United States, approved June 22, 1936 (49 Stat. 1807), as amended, and all laws and parts of laws in conflict with this act, except for the act of January 28, 1956 (70 Stat. 5), are hereby repealed."; *Provided*, That the repeal of section 36 of the Organic Act of the Virgin Islands, approved June 22, 1936, shall not be effective until January 1, 1959.

At the top of page 5, to strike out:

SEC. 11. Subsection (c) of section 8 of said act is amended by adding the following proviso: "*Provided further*, That Act No. 224 of the Legislature of the Virgin Islands, relating to tax exemptions and subsidies, approved July 5, 1957, is hereby ratified and approved, and the Legislature of the Virgin Islands shall have the power to alter, amend, modify, or repeal such act from time to time, in its discretion."

At the beginning of line 9, to change the section number from "12" to "10"; in line 12, after the word "government", to strike out the comma and "and may authorize the issuance by any agency, authority, commission, or other instrumentality of such government,"; in line 20, after the word "the", where it appears the second time, to insert "public interest by"; and, at the beginning of line 25, to change the section number from "13" to "11."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CATHRYN A. GLESENER

The bill (H. R. 6448) for the relief of Cathryn A. Glesener was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF BANKRUPTCY ACT

The bill (H. R. 12217) to amend paragraph (2) of subdivision (c) of section 77 of the Bankruptcy Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

CONTRACTS TO FACILITATE NATIONAL DEFENSE

The Senate proceeded to consider the bill (H. R. 12894) to authorize the making, amendment, and modification of contracts to facilitate the national defense, which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 1, after the word "defense", to insert "The authority conferred by this section shall not be utilized to obligate the United States in an amount in excess of $50,000 without approval by an official at or above the level of an Assistant Secretary or his Deputy, or as assistant head or his deputy, of such department or agency, or by a Contract Adjustment Board established therein."; in line 16, after the word "advertising", to insert "and competitive bidding"; on page 3, line 8, after the word "be", to strike out "incompatible with the public interest" and insert "detrimental to the national security"; in line 20, after the letter "(a)", to strike out "Each" and insert "Every"; and, on page 4, line 7, after the word "above", to insert "and under regulations prescribed by the President."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The joint resolution (H. J. Res. 652) to facilitate the admission into the United States of certain aliens was considered, ordered to a third reading, read the third time, and passed.

GENOVEVA RIOSECO CASWELL

The bill (H. R. 9160) for the relief of Genoveva Rioseco Caswell was considered, ordered to a third reading, read the third time, and passed.

TSUYAKO IKEDA

The bill (H. R. 9851) for the relief of Tsuyako Ikeda was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 659) for the relief of certain aliens, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, after line 20, to insert a new section, as follows:

SEC. 4. For the purposes of the Immigration and Nationality Act, Sister Ignatia (Marie Nicodemia Wilhelmina Kohlmann), Sister Charlotte (Maria J. Matthijsen), Sister Laurentia (Johanna Gertrude Theresia Smeets), Sister Bernardine (Maria Hendrika Hegeman), Sister Petronella (Johanna Monica Plasmans), and Sister Raymonde (Wilhelmina Grada Weijn) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this section of this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

FOR THE RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 653) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 1, after the name "Giritlian", to strike out "Wang Fai (Freddie) Chun"; at the beginning of line 3, to insert "and", in the same line, after the name "Richter", to strike out the comma and "and Kinji House"; at the beginning of line 8, to strike out "and Kinji House"; in line 12, after the word "Act", to insert "except in the case of Hermine Keshishyan"; and, on page 3, after line 2, to strike out:

SEC. 4. For the purposes of the Immigration and Nationality Act, Dr. Jorge Alberto Morales Palacios shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 27, 1951.

Mr. EASTLAND. Mr. President, I ask that the committee amendment beginning on page 3, line 3, through line 6 be rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 3, line 3.

The amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the other committee amendments.

The amendments were agreed to.

Mr. MORSE. Mr. President, may we have an explanation of the joint resolution with the amendment?

Mr. EASTLAND. Mr. President, on August 8, 1958, the Committee on the Judiciary reported to the Senate House Joint Resolution 653, with amendments. Section 4 of the joint resolution was deleted pending further study on the case of the alien involved. This study has been completed and the case has now been approved. That amendment has been rejected.

The PRESIDING OFFICER. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution (H. J. Res. 653) was read the third time and passed.

WAIVER OF PROVISIONS OF IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 661) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 2, after line 3, to strike out:

SEC. 2. Notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Guadalupe Gucho Gonzalez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

After line 8, to strike out:

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Miguel Arreola Cortez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

At the beginning of line 14, to change the section number from "4" to "2", and, at the beginning of line 22, to change the section number from "5" to "3."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The resolution was read the third time, and passed.

LASZLO CSERI

The Senate proceeded to consider the bill (S. 3028) for the relief of Laszlo Cseri, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 3, after the letter "(a)", to strike out "(7)" and insert "(1)", and, in line 7, after the word "act", to strike out "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act." and insert "*Provided*, That if the beneficiary is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Laszlo Cseri may be issued a visa and be admitted to the United States for permanent residence if otherwise admissible under the provisions of that act: *Provided*, That if the beneficiary is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DOROTHY MARGARETHE HADJISKY

The Senate proceeded to consider the bill (S. 3814) for the relief of Dorothy Margarethe Hadjisky, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "be", to insert "issued a visa and be", and, in line 10 after the word "act", to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Dorothy Margarethe Hadjisky may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time; and passed.

MASSMAN-PATTI-TANNER AND MITCHELL

The bill (H. R. 1329) for the relief of Massman-Patti-Tanner and Mitchell, was considered, ordered to a third reading, read the third time, and passed.

MALOWNEY REAL ESTATE CO., INC.

The bill (H. R. 1339) for the relief of the Malowney Real Estate Co., Inc., was considered, ordered to a third reading, read the third time, and passed.

JOHN F. SMITH

The bill (H. R. 2062) for the relief of John F. Smith, was considered, ordered to a third reading, read the third time, and passed.

ELIZABETH C. GARNER AND CHARLES P. GARNER

The bill (H. R. 6589) for the relief of Elizabeth C. Garner and Charles P. Garner, was considered, ordered to a third reading, read the third time, and passed.

STATE OF NEW YORK

The bill (H. R. 7738) for the relief of the State of New York, was considered, ordered to a third reading, read the third time, and passed.

ELMER L. CONRAD AND OTHERS

The bill (H. R. 7746) for the relief of Elmer L. Conrad and others, was considered, ordered to a third reading, read the third time, and passed.

ELLA H. NATAFALUSY

The bill (H. R. 8732) for the relief of Ella H. Natafalusy, was considered, ordered to a third reading, read the third time, and passed.

HUBERT D. THATCHER AND OTHERS

The bill (H. R. 8905) for the relief of Hubert D. Thatcher, Robert R. Redston, Andrew E. Johnson, William L. Barber, Alex Kankoff, and William S. Denisewich, was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. JOHN R. HADNOT

The bill (H. R. 9180) for the relief of Mr. and Mrs. John R. Hadnot, was considered, ordered to a third reading, read the third time, and passed.

MRS. SUMPTER SMITH

The bill (H. R. 9197) for the relief of Mrs. Sumpter Smith, was considered, ordered to a third reading, read the third time, and passed.

MR. MARION S. SYMMS

The bill (H. R. 9765) for the relief of Mr. Marion S. Symms, was considered, ordered to a third reading, read the third time, and passed.

MISS MARY M. BROWNE

The bill (H. R. 9993) for the relief of Miss Mary M. Browne, was considered, ordered to a third reading, read the third time, and passed.

HARLEY D. RUCKER

The bill (H. R. 10515) for the relief of Harley D. Rucker, was considered, ordered to a third reading, read the third time, and passed.

WALTER H. BERRY

The bill (H. R. 12942) for the relief of Walter H. Berry, was considered, ordered to a third reading, read the third time, and passed.

EVERETT A. ROSS

The bill (H. R. 13151) for the relief of Everett A. Ross, was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN EMPLOYEES OF THE DEPARTMENT OF THE AIR FORCE

The Senate proceeded to consider the bill (H. R. 8134) for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area, which had been reported from the Committee on the Judiciary, with an amendment, on page 3, after line 19, to strike out:

(c) Any person named in subsection (a) who has refunded to the United States all or part of the overpayment made to him as a result of the error described in subsection (a) is entitled to be paid the amount refunded, if otherwise proper.

And in lieu thereof, to insert:

(c) The Secretary of the Air Force, out of appropriations available to the Department of the Air Force, is authorized and directed to pay to any person named in subsection (a) such sums as that person may have refunded to the United States in repayment for all or part of any overpayment made as a result of the error described in subsection (a).

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

HARLEE M. HANSLEY

The Senate proceeded to consider the bill (H. R. 5351) for the relief of Harlee M. Hansley, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the figures "$14,232.98", to insert "less such amount as has been repaid by the claimant", and, on page 2, after line 5, to strike out:

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harlee M. Hansley, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the claim of the United States for such refund.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

LUCY ROLANDONE

The bill (H. R. 2592) for the relief of Lucy Rolandone, was considered, ordered to a third reading, read the third time, and passed.

ALPHONSE E. JAKUBAUSKAS

The bill (H. R. 12256) for the relief of Alphonse E. Jakubauskas, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF TITLE 28, UNITED STATES CODE RELATING TO COURT OF CUSTOMS AND PATENT APPEALS

The Senate proceeded to consider the bill (H. R. 7866) to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals, which had been reported from the Committee on the Judiciary, with an amendment, on page 5, after line 7, to strike out:

(b) Any retired circuit or district judge may be designated and assigned to perform such judicial duties in any circuit as he is willing to undertake. Designation and assignment of such judge for service within his circuit shall be made by the chief judge or judicial council of the circuit. Designation and assignment for service elsewhere shall be made by the Chief Justice of the United States.

(c) Any retired judge of the Court of Claims, the Court of Customs and Patent Appeals, or the Customs Court may be designated and assigned by the chief judge of such court to perform such judicial duties therein as he is willing to undertake or may be designated and assigned by the Chief Justice of the United States to perform such judicial duties in any circuit as he is willing to undertake.

(d) The Chief Justice of the United States shall maintain a roster of judges who have retired from regular active service but who are willing and able to undertake special judicial duties from time to time, which roster shall be known as the Roster of Senior Judges. Any judge of the United States who has retired from regular active service under section 371 (b) or 372 (a) of this title but is willing and able to undertake special judicial duties from time to time either in a particular court or courts specified by him or generally in any court may so indicate by requesting the Chief Justice of the United States to place his name upon the Roster of Senior Judges as available for such duty. The Chief Justice shall remove from the Roster of Senior Judges the name of any such judge who is no longer willing or able to perform any judicial duties. Any retired judge whose name appears upon the Roster of Senior Judges shall be known as a senior judge, and may be designated and assigned by the Chief Justice of the United States to perform such judicial duties as he is willing to undertake in any court of the United States other than the Supreme Court, upon presentation of a certificate of necessity by the chief judge of such court.

And, in lieu thereof, to insert:

(b) Any judge of the United States who has retired from regular active service under section 371 (b) or 372 (a) of this title shall be known and designated as a senior judge and may continue to perform such judicial duties as he is willing and able to undertake, when designated and assigned as provided in subsections (c) and (d).

(c) Any retired circuit or district judge may be designated and assigned by the chief judge or judicial council of his circuit to perform such judicial duties within the circuit as he is willing and able to undertake. Any other retired judge of the United States may be designated and assigned by the chief judge of his court to perform such judicial duties in such court as he is willing and able to undertake.

(d) The Chief Justice of the United States shall maintain a roster of retired judges of the United States who are willing and able to undertake special judicial duties from time to time outside their own circuit, in the case of a retired circuit or district judge, or in a court other than their own, in the case of other retired judges, which roster shall be known as the roster of senior judges. Any such retired judge of the United States may be designated and assigned by the Chief Justice to perform such judicial duties as he is willing and able to undertake in a court outside his own circuit, in the case of a retired circuit or district judge, or in a court other than his own, in the case of any other retired judge of the United States. Such designation and assignment to a court of appeals or district court shall be made upon the presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises and to any other court of the United States upon the presentation of a certificate of necessity by the chief judge of such court. No such designation or assignment shall be made to the Supreme Court.

The amendment was agreed to.

Mr. TALMADGE. Mr. President, on behalf of the distinguished chairman of the Committee on the Judiciary, I offer amendments to H. R. 7866, to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals. It has come to my attention there is some feeling that the change of the Court of Customs and Patent Appeals from a legislative court to a constitutional court might possibly have an effect on certain laws which provide for appeals to that court in certain instances. In order to meet this possible contingency, I offer the following amendments:

Immediately after section 6 in the bill, insert a new section 7 as follows:

"SEC. 7. Nothing contained in this act shall be construed in any way to limit or alter the jurisdiction heretofore conferred upon the United States Court of Customs and Patent Appeals by any provision of law."

Renumber section 7 as it is presently in the bill as section 8.

The precedent for this proposed legislation is supported by a similar provision relating to the customs court. When the customs court, by Public Law 703 of the 84th Congress, was made a constitutional court, an identical provision was contained therein. I, therefore, move the adoption of these amendments, en bloc.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Immediately following section 6 in the bill it is proposed to insert a new section 7 as follows:

SEC. 7. Nothing contained in this act shall be construed in any way to limit or alter the jurisdiction heretofore conferred upon the United States Court of Customs and Patent Appeals by any provision of law.

Renumber the succeeding section.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Georgia, en bloc.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF SECTION 223 OF THE VETERANS' READJUSTMENT ASSISTANCE ACT OF 1952

The Senate proceeded to consider the bill (S. 4031) to amend section 223 of the Veterans' Readjustment Assistance Act of 1952, as amended, relating to change of educational or training program by an eligible veteran, which had been reported from the Committee on Labor and Public Welfare, with an amendment, on page 1, line 8, after the word "one", to strike out "objective or level of education or training to the pursuit of a higher objective or level of education or training in the same field of study or training" and insert "program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second", so as to make the bill read:

Be it enacted, etc., That section 223 of the Veterans' Readjustment Assistance Act of 1952, as amended, is amended by adding at the end thereof the following new subsection:

"(c) As used in this section the term 'change of program of education or training' shall not be deemed to include a change from the pursuit of one program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second."

The amendment was agreed to.

Mr. THURMOND. Mr. President, the bill, S. 4031, corrects a highly undesirable situation which sometimes occurs under the change of program provisions of the Korean GI bill.

An example of the situation arises when a veteran selects as his initial program objective the attainment of a bachelor's degree. If upon completion of the work for a bachelor's degree he desires to obtain a master's degree, he may do so, but the change to the higher objective is considered a change of program. If the veteran then desires to seek a doctor's degree, he cannot do so and receive educational benefits because he has a right to only one "change of program" under the GI bill, and that right was exhausted in obtaining his master's degree. Yet, if the veteran had initially specified the doctorate degree as his program objective, the process of obtaining all necessary lesser degrees would not have involved even one change of program.

Though the limitation to one change of program is essential to prevent abuse of the program, the incongruity which I have described should not go uncorrected. The Veterans' Administration agrees that the situation should be corrected and recommends enactment of this bill.

The bill (S. 4031) was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF WAR ORPHANS' EDUCATIONAL ASSISTANCE ACT OF 1956

The Senate proceeded to consider the bill (H. R. 13559) to amend the War Orphans' Educational Assistance Act of 1956, to authorize the enrollment of a handicapped eligible person in a specialized course of vocational training, which had been reported from the Committee on Labor and Public Welfare with amendments, on page 1, after line 4, to insert:

(1) redesignating clauses (2) and (3) of subsection (a) of section 203 of such act as clauses (3) and (4), respectively; and by inserting after clause (1) a new clause (2) as follows:

"(2) if he has a mental or physical handicap, and the Administrator determines that his best interests will be served by pursuing a program of special restorative training under title IV, or a specialized course of vocational training under title III, such period may begin before his 18th birthday, but not before his 14th birthday;";

On page 2, at the beginning of line 6, to strike out "(1)" and insert "(2)", and, at the beginning of line 12, to strike out "(2)" and insert "(3)."

The amendments were agreed to.

Mr. THURMOND. Mr. President, the experience of the Veterans' Administration in administering the War Orphans Educational Assistance Act of 1956 has shown that a limited number of eligible war orphans are mentally or physically handicapped in respects which cause them to learn very slowly and to have difficulty in proceding beyond the sixth-grade level in school. Despite their handicaps, many of these young people have the capacity to be taught work habits and vocational skills which will make them employable and self-supporting in adult life. Yet, under existing law, these young people are not able to develop their capacities by means of educational benefits under the War Orphans Act, because the Veterans' Administration presently lacks authority to approve the specialized vocational training courses which they need.

The experience of the Veterans' Administration has also known, Mr. President, that the present basic age requirements under the War Orphans Act, 18 to 23 years, have little realistic application with respect to special restorative training. The fact is that the seriously handicapped child with a handicap of the type which would be eliminated or decreased by restorative training, can be helped most during adolescence and not after age 18, an age just short of maturity. By age 18, children with severe handicaps dating from birth will have become so seriously handicapped as to make corrective measures hopeless in many instances. Forceful evidence to support these views is found in the fact that from the inception of the War Orphans Act in 1956, until the present, only four eligible war orphans have utilized their special restorative training rights. Obviously, considerably more than that number may reasonably be assumed to have need of such training.

Mr. President, the bill H. R. 13559, as reported by the Senate Committee on Labor and Public Welfare corrects both of the problems which I have described. The bill corrects the problems by—

First. Authorizing the Administrator of Veterans' Affairs to approve specialized courses of vocational training for persons eligible for educational assistance under the War Orphans Educational Assistance Act of 1956, where such courses are found to be suitable to the needs of particular war orphans; and

Second. Permitting such specialized vocational training, and also restorative training, to be afforded eligible war orphans at age 14, instead of at age 18, as provided by existing law.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 13559) was read the third time and passed.

The title was amended, so as to read: "An act to amend the War Orphans' Educational Assistance Act of 1956 to permit the Administrator of Veterans' Affairs to make payments with respect to special restorative training, or specialized courses of vocational training, for younger persons than those with respect to whom the Administrator may now make such payments, and for other purposes."

PROVISIONS FOR RETIRED PAY TO RETIRED OFFICERS

The Senate proceeded to consider the bill (H. R. 9673) to amend title 10, United States Code, to provide the conditions under which retired pay may be paid in the case of retired officers dropped from the rolls, and for other purposes, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

That notwithstanding any other provisions of law, a former retired officer, dropped from the rolls under section 10 of the act of May 5, 1950, chapter 169 (64 Stat. 146), or section 1161 of title 10, United States Code, after December 31, 1954, and before the date of enactment of this act, shall, for the purposes of entitlement to retired or retirement pay after the date of enactment of this act, be treated as if he had not been dropped from the rolls. Such an officer is also entitled to retroactive retired or retirement pay for the period beginning on the date he was dropped from the rolls and ending on the date of enactment of this act, as if he had not been dropped from the rolls.

SEC. 2. A former retired officer covered by this act is subject to the penal, prohibitory, and restrictive provisions of law applicable to the pay and civil employment of retired officers of the Armed Forces and is not entitled to any other benefit provided by law or regulation for retired officers of the Armed Forces. After the date of enactment of this act, such a former retired officer may, in the discretion of the President, have his entitlement to retired or retirement pay under this act terminated for any reason for which any retired officer may be dismissed from, or dropped from the rolls of any Armed Force.

SEC. 3. Appropriations available for the payment of retired pay to members of the Armed Forces are available for payments under this act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to restore retired pay to those retired officers of the Armed Forces dropped from the rolls after December 31, 1954, and before the date of enactment of this act, and for other purposes."

REVIEW OF MINIMUM WAGE RATES, PUERTO RICO AND VIRGIN ISLANDS

The bill (H. R. 12967) to amend the Fair Labor Standards Act of 1938 with respect to the frequency of review of minimum wage rates established for Puerto Rico and the Virgin Islands was considered, ordered to a third reading, read the third time, and passed.

PRESERVATION OF RATES OF BASIC COMPENSATION OF EMPLOYEES IN CASES OF DOWNGRADING ACTIONS

The bill (H. R. 1168) to clarify the application of section 507 of the Classification Act of 1949 with respect to the preservation of the rates of basic compensation of certain officers or employees in cases involving downgrading actions was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF POSTAL STATIONS AND BRANCH POST OFFICES

The Senate proceeded to consider the bill (H. R. 10495) to amend that part of the act of June 9, 1896 (20 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city, which had been reported from the Committee on Post Office and Civil Service, with an amendment on page 1, after line 7, to insert a new section, as follows:

SEC. 2. Section 215 of the Postal Rate Increase Act, 1958, is amended by striking out "205 (5)," in subsection (b) and by adding at the end of such section a new subsection as follows:

"(g) The provisions of section 205 (5) of this title shall become effective on May 1, 1959."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 4191) to maintain existing minimum postage rates on certain publications mailed in the county of publication was announced as next in order.

Mr. HRUSKA. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

LONGEVITY CREDIT FOR SERVICE PERFORMED IN THE PANAMA CANAL ZONE POSTAL SERVICE

The bill (H. R. 13404) to amend section 404 (c) (1) of the Postal Field Service Compensation Act of 1955, to grant longevity credit for service performed in the Panama Canal Zone postal service was considered, ordered to a third reading, read the third time, and passed.

GUERDON PLUMLEY

The bill (S. 1801) for the relief of Guerdon Plumley was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Guerdon Plumley, Richmond Hill, N. Y., the sum of $542.50. Such sum represents the amount of the judgment and costs for which the said Guerdon Plumley was held liable to Abraham Appelbaum in a civil court action in the courts of the State of New York. This civil action arose out of an accident which occurred on April 1, 1951, between an automobile owned by the said Abraham Appelbaum and a United States mail truck driven by the said Guerdon Plumley, a garageman-driver in the New York post office motor vehicles service. Such sum shall be paid only on condition that Guerdon Plumley shall use such sum or so much thereof as is necessary to pay such judgment and costs in full: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MARIA MICELI

The bill (S. 3950) for the relief of Maria Miceli was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Maria Miceli may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

M. SGT. ROBERT A. ESPE

The Senate proceeded to consider the bill (S. 1258) for the relief of M. Sgt. Robert A. Espe, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, at the beginning of line 7, to strike out "$15,000" and insert "$10,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert A. Espe, master sergeant, United States Air Force, the sum of $10,500. The payment of such sum shall be in full settlement of all claims of the said Robert A. Espe against the United States on account of the death of his wife, Joyce Merlyn Espe, and his infant son, Victor Robert Espe, on January 26, 1950, while passengers in an Air Force plane which disappeared after leaving Elmdorf Air Base at Anchorage, Alaska: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCESCO RISO

The Senate proceeded to consider the bill (S. 4061) for the relief of Francesco Riso, which had been reported from the Committee on the Judiciary, with an amendment in line 7, after the word "Act", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act," so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Francesco Riso may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. HENRY OSCAR (OLGA McCURDY) RAMSEY

The bill (H. R. 9783) for the relief of Mrs. Henry Oscar (Olga McCurdy) Ramsey was considered, ordered to a third reading, read the third time, and passed.

SECURITY FEED & SEED CO.

The bill (H. R. 2338) for the relief of the Security Feed & Seed Co. was considered, ordered to a third reading, read the third time, and passed.

BONIFACIO SANTOS

The bill (H. R. 6773) for the relief of Bonifacio Santos was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGARET N. MEISTER

The bill (H. R. 8407) for the relief of Mrs. Margaret N. Meister was considered, ordered to a third reading, read the third time, and passed.

ARTHUR G. WILLIAMS

The bill (H. R. 11236) for the relief of Arthur G. Williams was considered, ordered to a third reading, read the third time, and passed.

PETER A. BEKLEMISHEV, MICHAEL LINDEN, AND SERGE OULASSUK

The bill (H. R. 12204) for the relief of Peter A. Beklemishev, Michael Linden, and Serge Oulassuk was considered, ordered to a third reading, read the third time, and passed.

MRS. VIOLA BARKSDALE

The bill (H. R. 12364) for the relief of Mrs. Viola Barksdale was considered, ordered to a third reading, read the third time, and passed.

PALMER-BEE CO.

The bill (H. R. 12624) for the relief of Palmer-Bee Co. was considered, ordered to a third reading, read the third time, and passed.

PROGRAM FOR CONSERVATION OF THE HAWAIIAN NENE GOOSE

The bill (S. 4249) to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That whereas there are less than 50 Nene geese in the wild state in the Territory of Hawaii, and this unique, native species of waterfowl is threatened with imminent extinction, the Secretary of the Interior is hereby authorized and directed to promote a program of research, propagation, and management necessary to effect the restoration of this threatened species in its natural habitat.

SEC. 2. The sum of $15,000 per annum is hereby authorized to be appropriated each year for a period of 5 years to carry out the purposes of this act.

VOCATIONAL REHABILITATION FOR CERTAIN VETERANS—BILL PASSED OVER

The bill (S. 4213) to afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of a disability rated 30 percent or more incurred in or aggravated by active service subsequent to January 31, 1955, was announced as next in order.

Mr. HRUSKA. Over, as not being proper calendar business.

Mr. TALMADGE. Mr. President, will the Senator from Nebraska withhold his objection until the Senator from South Carolina [Mr. THURMOND] can make a statement on the bill?

Mr. HRUSKA. I am happy to do so.

Mr. THURMOND. Mr. President, the purpose of this bill is to restore the employability of disabled peacetime veterans, that is, persons who enter the military service subsequent to January 31, 1955. This is accomplished by amending Public Law 894, 81st Congress, as amended, so as to provide a program of vocational rehabilitation for these veterans.

To obtain benefits under the bill, a peacetime veteran must be in need of vocational rehabilitation training to overcome the handicap of a physical or mental disability incurred in or aggravated by active military service. The Administrator of Veterans' Affairs would determine whether the disabled veteran does have need of such training and would also prescribe, consistent with the degree of disability, the kind of training necessary to prepare the veteran for employment.

The bill also affects in a minor way the program of vocational rehabilitation already provided for Korean veterans. Presently, all Korean veterans do not have the same length of time within which to complete a program of vocational rehabilitation. This problem is corrected by language in the bill which provides a uniform completion period measured from the veteran's date of discharge or release from service.

Mr. President, clearly there is a need for a vocational rehabilitation training program for disabled peacetime veterans. Never before in this Nation's history has there been a compulsory draft law during peacetime. Yet, today, by virtue of the Universal Military Training and Service Act, individuals must serve in the Armed Forces throughout troubled parts of the world, thereby subjecting themselves to mental and physical hazards which are peculiar to military service and which do not exist in normal civilian employment. The actual occurrence of service-connected disabilities will, of course, be far less during periods of peace, as compared to periods of war or armed conflict. Nonetheless, in the view of the Committee on Labor and Public Welfare, when a peacetime veteran does sustain a service-connected disability which causes a serious employment handicap, he is entitled to be restored as nearly as possible to the employability status he might have attained had the handicap not occured. The committee, therefore, recommends rehabilitation training now be recognized as a proper obligation of the Government to veterans who enter the Armed Forces subsequent to January 31, 1955, and who have need of such training to overcome the handicap of a physical or mental disability incurred in or aggravated by active military service.

Mr. President, I ask that the bill, S. 4213, as reported by the Committee on Labor and Public Welfare, be passed by the Senate.

Every member of the Committee on Labor and Public Welfare was a sponsor of the bill, with one possible exception. I am not sure whether the Senator from Arizona [Mr. GOLDWATER] was a sponsor of the bill, but all the other members of the committee were.

If there are any questions about the bill, I shall be glad to try to answer them. Action should be taken on the

ized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert A. Espe, master sergeant, United States Air Force, the sum of $10,500. The payment of such sum shall be in full settlement of all claims of the said Robert A. Espe against the United States on account of the death of his wife, Joyce Merlyn Espe, and his infant son, Victor Robert Espe, on January 26, 1950, while passengers in an Air Force plane which disappeared after leaving Elmdorf Air Base at Anchorage, Alaska: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCESCO RISO

The Senate proceeded to consider the bill (S. 4061) for the relief of Francesco Riso, which had been reported from the Committee on the Judiciary, with an amendment in line 7, after the word "Act", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act," so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Francesco Riso may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or under-

MRS. MARGARET N. MEISTER

The bill (H. R. 8407) for the relief of Mrs. Margaret N. Meister was considered, ordered to a third reading, read the third time, and passed.

ARTHUR G. WILLIAMS

The bill (H. R. 11236) for the relief of Arthur G. Williams was considered, ordered to a third reading, read the third time, and passed.

PETER A. BEKLEMISHEV, MICHAEL LINDEN, AND SERGE OULASSUK

The bill (H. R. 12204) for the relief of Peter A. Beklemishev, Michael Linden, and Serge Oulassuk was considered, ordered to a third reading, read the third time, and passed.

MRS. VIOLA BARKSDALE

The bill (H. R. 12364) for the relief of Mrs. Viola Barksdale was considered, ordered to a third reading, read the third time, and passed.

PALMER-BEE CO.

The bill (H. R. 12624) for the relief of Palmer-Bee Co. was considered, ordered to a third reading, read the third time, and passed.

PROGRAM FOR CONSERVATION OF THE HAWAIIAN NENE GOOSE

The bill (S. 4249) to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That whereas there are less than 50 Nene geese in the wild state in the Territory of Hawaii, and this unique, native species of waterfowl is threatened

ployability of disabled peacetime veterans, that is, persons who enter the military service subsequent to January 31, 1955. This is accomplished by amending Public Law 894, 81st Congress, as amended, so as to provide a program of vocational rehabilitation for these veterans.

To obtain benefits under the bill, a peacetime veteran must be in need of vocational rehabilitation training to overcome the handicap of a physical or mental disability incurred in or aggravated by active military service. The Administrator of Veterans' Affairs would determine whether the disabled veteran does have need of such training and would also prescribe, consistent with the degree of disability, the kind of training necessary to prepare the veteran for employment.

The bill also affects in a minor way the program of vocational rehabilitation already provided for Korean veterans. Presently, all Korean veterans do not have the same length of time within which to complete a program of vocational rehabilitation. This problem is corrected by language in the bill which provides a uniform completion period measured from the veteran's date of discharge or release from service.

Mr. President, clearly there is a need for a vocational rehabilitation training program for disabled peacetime veterans. Never before in this Nation's history has there been a compulsory draft law during peacetime. Yet, today, by virtue of the Universal Military Training and Service Act, individuals must serve in the Armed Forces throughout troubled parts of the world, thereby subjecting themselves to mental and physical hazards which are peculiar to military service and which do not exist in normal civilian employment. The actual occurrence of service-connected disabilities will, of course, be far less during periods of peace, as compared to periods of war or armed conflict. Nonetheless, in the

bill promptly, so that the House may have an opportunity to act.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. HRUSKA. The Senator from Nebraska is well aware of the high merit which inheres in this measure. However, it has been called to the attention of the calendar committee that within the space of a very few years the bill would cost approximately $25 million a year. That is not within the limit of bills to be considered on the call of the calendar. That is why we object to its consideration at this time. However, we hope that the bill will be taken up on motion shortly, and disposed of on the merits, which were so well described by the Senator from South Carolina.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF BENEFITS OF POLICEMEN AND FIREMEN'S DISABILITY ACT AMENDMENTS

The Senate proceeded to consider the bill (H. R. 7450) to make the Policemen and Firemen's Retirement and Disability Act amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police, the White House Police, and the United States Secret Service, and their widows and children, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

That (a) each widow and child who, immediately before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, approved August 21, 1957, was receiving or was entitled to receive relief from the District of Columbia by reason of the service in the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, or the United States Secret Service, of a deceased officer or member, or a deceased former officer or member, the date of death of such officer or member, or former officer or member, shall, for the purposes of such act approved August 21, 1957, be held and considered to be such effective date.

(b) Each widow and child who on or after the effective date of such act approved August 21, 1957, was receiving or is now receiving or shall hereafter be entitled to receive relief or annuity from the District of Columbia by reason of service in the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, or the United States Secret Service Division, of a deceased former officer or member who retired prior to the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, approved August 21, 1957, but whose death occurred on or after the effective date of such act approved August 21, 1957, shall be entitled to the same benefits as if such deceased former officer or member had retired on or after the effective date of such act approved August 21, 1957.

(c) No relief or annuity shall be payable by reason of the enactment of this act for any period before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957.

(d) Nothing in this act shall be deemed to reduce the relief or annuity any person receives, or is entitled to receive, from the District of Columbia on the date of the enactment of this act.

Mr. FREAR. Mr. President, I offer an amendment to the committee amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 3, line 6, after "(a)" it is proposed to insert "in the case of."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to widows and children of former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service Division, who were retired or whose death occurred prior to the effective date of such amendments of 1957."

BILLS PASSED OVER

The bill (S. 4091) to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of school children in the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 3229), to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. I ask that the bill go over. It is not proper calendar business.

The PRESIDING OFFICER. The bill goes over.

SETTING ASIDE CERTAIN LANDS FOR THE CHEYENNE AND ARAPAHOE INDIANS, OKLAHOMA

The Senate proceeded to consider the bill (H. R. 6090) to set aside certain lands in Oklahoma for the Cheyenne and Arapahoe Indians which had been reported from the Committee on Interior and Insular Affairs with an amendment, to strike out all after the enacting clause and insert:

That there are hereby eliminated from the Cheyenne and Arapahoe subagency reservation at Concho, Okla., approximately 3,900 acres of land considered excess to the present school and agency reserve needs. The Secretary of the Interior is authorized to convey to the Cheyenne and Arapahoe Tribes a fee simple title to such lands located in township 13 north, range 7 west and range 8 west, Indian meridian, Canadian County, Okla., together with the improvements thereon. The title of the tribes thereto shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

SEC. 2. The value of the lands conveyed to the Cheyenne and Arapahoe Tribes pursuant to this act, determined as of the date of this act, shall be set off against any judgment against the United States that may be obtained by the tribes under the act of August 13, 1946 (60 Stat. 1049, 1065; 25 U. S. C. 702).

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to convey certain lands in Oklahoma to the Cheyenne and Arapahoe Indians, and for other purposes."

CONVEYANCE OF CERTAIN LANDS TO THE MAKAH TRIBE OF INDIANS

The bill (H. R. 9740) to convey certain lands to the Makah Tribe of Indians was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

H. R. 9740 provides for the conveyance of approximately 3 acres of land in Washington State to the Makah Indian Tribe.

The land involved in the bill is surrounded by the Makah Reservation and is part of the area ceded to the United States under the treaty of 1855. It is part of a tract of land reserved for military purposes by an Executive order of June 1868. There is a serious question whether the subject acreage was or was not intended to be included in the reservation subject to the withdrawal for military purposes. H. R. 9740 would clear up this question.

The land will be held in trust for the Indian tribe for the benefit of its members. The tribe plans to use the land and buildings for recreational purposes.

I have no objection to the enactment of H. R. 9740.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

and passed.

purpose of this bill is to restore the em-

them. Action should be taken on the

POSTPONEMENT OF INVESTIGATIONS BY CIVIL AERONAUTICS BOARD

The resolution (S. Res. 360) expressing the sense of the Senate that certain investigations being conducted by the Civil Aeronautics Board, concerning air carriers operating between the several States and Alaska, should be indefinitely postponed was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 2, at the beginning of line 4, to strike out "indefinitely"; in the same line, after the word "postponed", to insert "until March 1, 1959,", and, in the same line, after the word "pending", to strike out "further development of Alaska under statehood,"; so as to make the resolution read:

Resolved, That it is the sense of the Senate that the investigation proposed to be instituted by the Civil Aeronautics Board under its order No. E-12113, should be postponed until March 1, 1959, pending more extensive experience under Public Law 85-166, and further study of its effect in encouraging adequate air transportation to Alaska by the Committee on Interstate and Foreign Commerce.

Mr. HRUSKA. Mr. President, may we have an explanation of the resolution?

Mr. TALMADGE. The Senator from Oklahoma [Mr. MONRONEY] is unavoidably detained from the floor attending to committee business. The Senator from Washington [Mr. MAGNUSON] may be able to explain the resolution to the satisfaction of the Senator from Nebraska.

Mr. MAGNUSON. The Senator from Oklahoma [Mr. MONRONEY], the Senator from Kansas [Mr. SCHOEPPEL] and I are cosponsors of the resolution. The Senate and the House both passed a bill about 6 months ago which would permanently certify certain feeder lines of the United States, because if they had permanent certification they would be able much better to plan their operations and to finance new equipment, which many of them have proceeded to do.

The Civil Aeronautics Board has consistently opposed this type of legislation, despite the fact that the bill was passed unanimously by the Senate and by an overwhelming vote in the House, and was signed by the President.

Later, two lines in Alaska were certified with permanent certificates. There are four lines serving Alaska. They are Pan American, Northwest, Alaskan, and Pacific Northern. Pan American and Northwest have permanent certification. The other two lines had not been previously certified. We have had very good results from the permanent certification of these airlines. Alaskan Airlines and the Pacific Northern, which are the lines involved in this particular matter, say that their earnings are greater this year than before, and therefore their subsidies are less. They are acquiring new planes, and they are making new financial arrangements.

We were quite concerned by the fact that the Civil Aeronautics Board is threatening to make another investigation. The attempt is being made to try to merge these lines, despite the fact that they are doing so well. The lines do not want to merge. The only purpose of the Committee on Interstate and Foreign Commerce is to ask the CAB to let the operation of the law take effect for a period of time—we have set the date as of March 1 of next year—to find out what will happen, before the Board stirs things up again and the status reverts to what it was, despite the fact that Congress passed a law to cover the subject.

Mr. HRUSKA. In its present form, the resolution would postpone the investigation to a certain date?

Mr. MAGNUSON. We made it March. We want to hold it off until March, to see how the thing will work out.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The resolution, as amended, was agreed to.

The preamble was agreed to.

The title was amended so as to read: "Resolution expressing the sense of the Senate that certain investigations being conducted by the Civil Aeronautics Board, concerning air carriers operating between the several States and Alaska, should be postponed."

ISSUANCE OF LICENSES TO NONCITIZENS FOR RADIO STATIONS ON AIRCRAFT

The Senate proceeded to consider the bill (H. R. 8543) to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft, and for the operation thereof, which had been reported from the Committee on Interstate and Foreign Commerce, with amendments: on page 1, line 8, after the word "served", to strike out "thereby and that security considerations have been satisfied," and insert "thereby"; in line 10, after the word "certificates", to strike out "issued by the Civil Aeronautics Administration,"; and, on page 2, line 12, after the word "certificate", to strike out "issued by the Civil Aeronautics Administration."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FREE TRANSIT FOR VESSELS OPERATED BY STATE NAUTICAL SCHOOLS AT THE PANAMA CANAL

The bill (H. R. 7779) to authorize free transit at the Panama Canal for vessels operated by State nautical schools was considered, ordered to a third reading, read the third time and passed.

UNIFORMITY OF BOATING LAWS—BILL PASSED OVER

The bill (H. R. 11078) to promote boating safety on the navigable waters of the United States, to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes, was announced as next in order.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Is there objection to the present consideration of the bill?

Mr. TALMADGE. I ask that the bill go over. It is not proper calendar material.

Mr. MAGNUSON. I should like to make a brief statement of the bill.

Mr. TALMADGE. I should be delighted to have the Senator do so.

Mr. MAGNUSON. We will make every effort to have the bill brought up and considered. It involves a matter of some importance, and I can understand why it is considered as not being proper calendar business. I see the majority leader on the floor, and I hope to be able to talk to him about it.

Mr. JOHNSON of Texas. I will discuss the matter with the Senator at the conclusion of the call of the calendar.

Mr. MAGNUSON. Every Senator has an interest in this bill, because it involves all the 48 States. It deals with the small boats.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

BILLS PASSED OVER

The bill (S. 2373) for the relief of Janet R. Parker was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (H. R. 12883) to provide for certain improvements relating to the Capitol Power Plant and its distribution systems was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HRUSKA. I ask that the bill go over. It is not proper calendar business.

The PRESIDING OFFICER. The bill will go over.

CLARIFICATION OF FUNCTIONS AND RESPONSIBILITIES OF THE SURGEON GENERAL

The Senate proceeded to consider the bill (S. 3727) to amend the Public Health Service Act, as amended, so as to clarify the functions and responsibilities of the Surgeon General with respect to international health activities, to encourage and facilitate international cooperation in the conquest of disease and the promotion of health, and for other purposes, which had been reported from the Committee on Labor and Public Welfare, with amendments,

on page 2, line 3, after the word "authorized", to insert "subject to policies and procedures approved by the Secretary of State"; in line 9, after the word "and", to insert "he or the Secretary of Health, Education, and Welfare"; in line 11, after the word "as", where it appears the first time, to strike out "he may be"; on page 3, line 2, after the word "Service", to insert "(with or without reimbursement therefor)"; in line 6, after the word "accept", to strike out "gifts" and insert "and expend contributions"; and, in line 7, after the word "include", to strike out "gifts" and insert "contributions"; so as to make the bill read:

Be it enacted, etc., That title III of the Public Health Service Act (42 U. S. C., ch. 6A, subch. II) is amended by adding after section 307 the following new section:

"INTERNATIONAL HEALTH ACTIVITIES

"SEC. 308. (a) The Surgeon General in carrying out his functions under this or other acts, or pursuant to arrangements with other Federal agencies as provided in section 686, title 31, United States Code, or as otherwise provided by law, is authorized subject to policies and procedures approved by the Secretary of State to encourage and assist in activities of international significance for the promotion of health and the prevention and conquest of disease, including the conduct of investigations, research, and demonstrations in the field of health, the training of health workers, and the dissemination and exchange of health information, and he or the Secretary of Health, Education, and Welfare is authorized to serve, as designated by the President, as the national health administrator for the purposes of any international commitment of the United States with respect to the reporting and control of communicable diseases or with respect to other health objectives.

"(b) For the purposes of this section the Surgeon General is authorized, subject to policies and procedures approved by the Secretary of State, to provide services, on a reimbursable basis or otherwise, in support of health research, investigations, training, demonstrations, and other health activities of international health organizations in which the United States is an official participant or under the auspices of other international public or voluntary nonprofit organizations. The Surgeon General may detail commissioned personnel of the Service to such international organizations, and personnel so detailed shall be paid from applicable appropriations of the Service (with or without reimbursement therefor) or, in accordance with regulations, may be placed on leave without pay and paid by the organization to which detailed, as provided by agreement. The Surgeon General is authorized to accept and expend contributions, which may include contributions in the form of foreign credits, to defray the cost of participation of the Service in international health projects, the cost of making available to scientists and health workers from other countries the research and training facilities of the Service, and the cost of details of personnel of the Service to organizations in other countries."

SEC. 2. The last sentence in section 214 (d) of the act is amended to add after the words "this section" the words "or under section 308."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JANE FROMAN AND GYPSY MARKOFF

The Senate proceeded to consider the bill (H. R. 1633) for the relief of Jane Froman and Gypsy Markoff, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That (a) the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Jane Froman, the sum of $23,403.58, (2) to Gypsy Markoff, the sum of $23,403.58, and (3) to Jean Rosen (formerly the widow of Roy Rognan), the sum of $24,625.30, such sums being the amount which they would have received under the compensatory provisions of the Federal Employees' Compensation Act if they had been Federal employees at the time of the accident hereinafter referred to in this section. The payment of such sum shall, except as otherwise provided in section 2 of this act, be in full satisfaction of all claims of the said Jane Froman, Gypsy Markoff, and Jean Rosen arising out of an accident which occurred on or about February 22, 1943, when the Pan American Airways seaplane "Yankee Clipper", on which they were traveling to entertain members of the Armed Forces of the United States, crashed in the Tagus River in the Port of Lisbon, Portugal: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to, or received by, any agent or attorney on account of services rendered in connection with the claims referred to herein, and the same shall be unlawful, any contract to the contrary notwithstanding.

(b) The amounts authorized by subsection (a) may be paid to the said Jane Froman, Gypsy Markoff, and Jean Rosen, respectively, without prejudice to their right to receive such additional amounts, if any, as the Court of Claims hereafter may report to the Congress, in accordance with the provisions of section 2 of this act, as being legally or equitably due such persons.

SEC. 2. The claims referred to in the first section of this act, together with any papers, documents, or other information pertaining to such claims which are in possession of any committee of Congress, may be referred by the chairman thereof to the Court of Claims; and the court shall proceed with the same in accordance with the applicable provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Committee on the Judiciary of the Senate and to the Committee on the Judiciary of the House of Representatives, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts over and above the amounts paid pursuant to the first section of this act, if any, legally or equitably due from the United States to any such claimants. In considering any claim pursuant to this section, the Court of Claims shall give consideration to any questions of law or fact which may be stated in letters transmitted to the court by the chairman of the Committee on the Judiciary of the Senate and the chairman of the Committee on the Judiciary of the House of Representatives within 90 days after the date of the enactment of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen."

SALE OF REAL PROPERTY ACQUIRED FOR THE CONSTRUCTION OF THE BURKE AIRPORT, VA.

The Senate proceeded to consider the bill (H. R. 10045) to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.

Mr. MORSE. Mr. President, I ask unanimous consent that a statement I have prepared on the bill be printed at this point in the RECORD. I have no objection to the bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

H. R. 10045 provides for the sale of federally owned property at Burke, Va. This property was acquired by the Government for the construction of a second airport for the Washington area. It was later decided that a site at Chantilly, Va., was preferable to the Burke site so the property at Burke is no longer needed and has been declared surplus by the General Services Administration.

The House Interstate and Foreign Commerce Committee reported the bill providing former owners to repurchase the land at a price equal to the amount originally paid to them by the Government at the time the land was condemned. An amendment was adopted by the House of Representatives providing for the current fair market value.

I have no objection to the adoption of H. R. 10045 as passed by the House of Representatives and reported by the Senate Committee.

Mr. MAGNUSON. Mr. President, there has been some controversy about the bill concerning property which was acquired at Burke, Va. Now that the airport is to be built at Chantilly, a question arose as to whether to allow the people whose property was taken at Burke to get their property at the fair market value or at the value at which it was bought from them, giving them priority. I preferred the latter method, but the House, after long consideration, provided for fair market value. I want everyone to know that the bill provides that that is the way the people in the Burke area can, with priority, repurchase their land.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HUMPHREY. Does the Senator feel that the passage of the bill will result in a loss to the Government, or will the transaction possibly even out in terms of return to the Government?

Mr. MAGNUSON. I think it will more than even out. The Government has been negotiating for 8 or 9 years between Burke and Chantilly. In the meantime, the value of the land has increased considerably.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

STIMULATION OF PRODUCTION OF COAL BY CREATING COAL RESEARCH AND DEVELOPMENT COMMISSION

The Senate proceeded to consider the bill (S. 4248) to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, on page 10, after line 13, to insert:

(c) Such sums as may be appropriated to carry out this act shall, unless otherwise provided in the appropriation act, remain available until expended.

So as to make the bill read:

Be it enacted, etc.,

SHORT TITLE

SECTION 1. This act may be cited as the "Coal Research and Development Act."

DEFINITION

SEC. 2. As used in this act the term "research" includes scientific, technical, and economic research and the practical application of that research.

COAL RESEARCH AND DEVELOPMENT COMMISSION

SEC. 3. (a) There is hereby created as an independent agency in the executive branch, a Coal Research and Development Commission (hereinafter referred to as the "Commission") to be composed of three Commissioners appointed by the President, by and with the advice and consent of the Senate. Not more than two of such Commissioners shall be members of the same political party. Two Commissioners shall constitute a quorum of the Commission. The President shall designate the Commissioner who shall serve as Chairman of the Commission.

(b) The term of office of each Commissioner shall be 3 years, except that (1) the terms of office of the Commissioners first taking office shall expire, as designated by the President at the time of appointment, 1 at the end of 1 year, 1 at the end of 2 years, and 1 at the end of 3 years, after the date of enactment of this act; (2) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; (3) upon the expiration of his term a Commissioner may continue to serve until his successor is appointed and has qualified.

(c) Any Commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office, and for no other cause.

(d) The Chairman of the Commission shall receive compensation at the rate of $20,500 per annum and the other Commissioners shall receive compensation at the rate of $20,000 per annum.

(e) The principal office of the Commission shall be in the District of Columbia, but the Commission may carry out its duties under this act at any place.

(f) The Commissioners shall be selected by the President from among persons experienced in the management of industrial-type research activities.

FUNCTIONS AND DUTIES OF THE COMMISSION

SEC. 4. (a) The Commission shall formulate and execute an overall research program designed but not limited to (1) develop new and more effective uses for coal, (2) improve and expand existing uses for coal, (3) reduce the cost of coal production and distribution, and (4) emphasize those developments in uses for coal of particular value to small coal producers.

(b) In carrying out its duties under subsection (a) of this section the Commission shall—

(1) conduct research projects;

(2) contract for, sponsor, cosponsor, and promote the coordination of, research projects conducted by industrial associations, educational institutions, qualified nonprofit organizations, qualified private consulting firms, and by other departments, agencies, and independent establishments of the Federal Government; and

(3) collect and promote the coordination of all available research information on the production, preparation, distribution, and uses of coal, including, but not limited to, technical papers.

(c) The Commission shall itself conduct research projects only when it is unable on reasonable terms and conditions to contract or otherwise provide for such research to be conducted by any other qualified organization. No appropriation shall be made to carry out the purpose of this act for any research project to be conducted by the Commission itself, if such research project has not been approved by resolutions adopted by the Committees on Interior and Insular Affairs of the Senate and House of Representatives, respectively. For the purpose of securing consideration of such approval the Commission shall submit to each such committee a prospectus on each such proposed research project containing, but not limited to, an analysis of, and justification for, such proposed project.

(d) No research shall be carried out, contracted for, sponsored, or cosponsored, or in any other way conducted under authority of this act, unless all information, uses, products, processes, patents, and other developments, resulting from such research shall be available to the public generally. Whenever in the estimation of the Commission the purposes of this act would be furthered through the use of patented processes or equipment, the Commission is authorized to enter into such agreements as it deems necessary for the acquisition or use of such patents on reasonable terms and conditions.

(e) The Commission shall, in carrying out its duties under this act, cooperate to the fullest extent possible with all other departments, agencies, and independent establishments of the Federal Government and of State governments and with all other interested agencies, governmental and nongovernmental. The Commission shall not conduct any research under authority of this act which duplicates research being conducted by any other department, agency, or independent establishment of the Federal Government or of a State government. In order to avoid duplication of effort, the Commission shall, before initiating any research under authority of this act, consult with such departments, agencies, or independent establishments of the Federal Government and of State governments and such other interested agencies as it deems advisable, and establish that such research is not already being conducted.

(f) The Commission is authorized to acquire by construction, purchase, lease, or otherwise such real property as may be necessary to enable it to carry out its duties under this act.

ADVISORY COMMITTEES

SEC. 5. (a) The Commission shall create, with the advice of the Attorney General, the Federal Trade Commission, and the Small Business Administration, such advisory committees as the Commission deems necessary to assist it in carrying out its duties under this act.

(b) The functions of advisory committees established under authority of this section shall be purely advisory.

(c) The members of each advisory committee established under authority of this section shall be selected so as to insure adequate geographic representation, and, in the case of an industrial advisory committee, the members shall be selected so as to insure that an adequate cross section of the industry is represented. No corporation, company, association, or other concern represented on an industrial advisory committee shall control, be controlled by, or be under common control with, any other corporation, company, association, or concern represented on such advisory committee.

(d) Each advisory committee established under authority of this section shall be subject to the following minimum standards:

(1) The agenda for each meeting of such advisory committee shall be formulated or approved by a Commissioner or his designee who shall be a full-time salaried employee of the Commission.

(2) The meetings of such advisory committee shall be at the call of, and under the chairmanship of, a Commissioner or his designee who shall be a full-time salaried employee of the Commission.

(3) Full and complete minutes of each meeting of such advisory committee shall be kept, which shall contain at a minimum, (A) the name of each person attending such meeting, and an identification of the interest he represents, (B) a copy of the agenda, (C) a comprehensive summary of the matters discussed in the meeting stating the viewpoints expressed and identifying the person expressing such viewpoints, (D) the conclusions reached by the advisory committee, together with any minority views, and (E) a record of all votes or polls taken during the meeting.

(e) Copies of the minutes of each advisory committee established under authority of this section, and copies of all reports made by any such committee shall be available, upon request, to the public upon payment to the Commission by the person so requesting, of the cost to the United States of furnishing him such copies.

(f) Members of any advisory committee appointed from private life under authority of this section shall each receive $50 per diem when engaged in the actual performance of their duties as a member of such advisory committee. Such members shall also be entitled to travel expenses and per diem in lieu of subsistence at the rates authorized by section 5 of the Administrative Expenses Act of 1946 (5 U. S. C. 73b–2) for all persons employed intermittently as consultants or experts receiving compensation on a per diem basis.

EMPLOYEES

SEC. 6. (a) The Commission is authorized (1) to appoint, subject to civil-service laws, such employees as may be necessary to assist the Commission to carry out its duties under this act and (2) to fix the compensation of such employees in accordance with the Classification Act of 1949, as amended.

(b) The Commission is authorized to establish and fix the compensation for not more than 10 scientific or professional positions in the Commission without regard to the Classification Act of 1949, as amended, each such position being established to carry out research and development projects conducted by the Commission itself which require the services of specially qualified scientific or professional personnel. The rates of compensation for positions established pursuant to this subsection shall not be less than $12,500 per annum nor more than $19,000 per annum and shall be subject to the approval of the Civil Service Commission. Such positions shall be in the classified civil service of the United States, but appointment to such positions shall be made without competitive examination upon the

approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose.

(c) There is hereby established a position to be known as the "Research Director." The Research Director shall be appointed by the Commission, and shall receive salary not to exceed $19,000 per annum. The Research Director shall administer all research projects conducted by the Commission itself under authority of this act.

REPORTS

SEC. 7. The Commission shall submit to Congress, on or before February 15 of each year, beginning with the year 1959, a comprehensive report concerning its activities, including information on all research and development projects conducted, sponsored, or cosponsored by the Commission during the preceding year. In addition, the Commission shall submit to Congress on or before August 15 of each such year an interim progress report on its activities.

APPROPRIATIONS

SEC. 8. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than $2 million to be used to carry out the purposes of this act for the fiscal year beginning July 1, 1958.

(b) There is hereby authorized to be appropriated for each fiscal year beginning after June 30, 1959, such sums as may be necessary to carry out the purposes of this act.

(c) Such sums as may be appropriated to carry out this act shall, unless otherwise provided in the appropriation act, remain available until expended.

Mr. HRUSKA. Mr. President, may we have an explanation of the bill?

Mr. TALMADGE. Mr. President, the distinguished Senator from Montana [Mr. MURRAY], the chairman of the Committee on Interior and Insular Affairs, is in the Chamber. Does he desire to make a statement in connection with the bill?

Mr. MURRAY. The Senator from Wyoming will make the statement.

Mr. BARRETT. Mr. President, S. 4248 is a very important bill, and is long overdue. I am a cosponsor of the bill. Wyoming is blessed with an abundance of coal. Every county in my State has a coal deposit. I was instrumental in assisting the Wyoming Natural Resources Board to conduct chemical tests of all Wyoming coals.

A strong, healthy, coal-mining industry is highly essential to the economic welfare and security of the United States, and is vitally important to the Western States.

The Nation's coal industry is not strong and healthy by any means. In fact, the Nation's coal industry has long been economically ill and highly vulnerable to competitive fuels.

There are some 4,000 bituminous and lignite coal producers operating in excess of 7,500 mines in 26 States and Alaska, and there are some 800 producers of anthracite coal in Pennsylvania. At least 98 percent of all these producers are small- and medium-sized operators.

These small- and medium-sized operators are in no position to carry on the research work which everyone familiar with the situation admits is necessary to make the coal industry economically strong and healthy.

Within the coal-mining industry only the largest captive and independent producers have the means to continue coal utilization research on an effective scale such as is called for in this bill. Since much of the research work carried on by such companies is for the purpose of gaining competitive advantages, the technical knowledge and benefits gained from such research activities ordinarily do not become available to others.

The bill, S. 4248, provides that all information, uses, products, processes, patents, and other developments, resulting from research conducted by the proposed Commission shall be available to the public, generally.

The benefits which will accrue from activities of the Commission which will be created by the bill will do much to improve and strengthen an impoverished industry, whose resources represent a vast storehouse of mineral wealth that has barely been tapped. These resources, if properly developed and conserved, should serve the Nation for several centuries to come.

The amount of coal research conducted in the United States has been wholly inadequate to meet the needs of the coal-mining industry and is very small in comparison to the amount undertaken by certain other large industries—amounting to about $17 million in 1955 as against $146 million spent on research by the petroleum industry in 1953 and the $361 million spent by the chemical industry in the same year.

An adequately financed coal research and development program, if so organized and directed as to concentrate intensive research efforts on promising short-range possibilities for developing new and more effective uses for coal, for improving and expanding present uses, and for reducing the cost of coal production and distribution, could be expected to produce substantial results highly beneficial to the coal mining industry, to consumers of coal, to coal-mine workers, to distressed coal mining communities, and to the general public. The economy and security of the United States would be enhanced. Therefore, it would be in the national interest for the Federal Government to undertake the financing and management of such a program without delay.

Mr. President, this is a good bill, and I trust that it will be enacted.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. REVERCOMB. Mr. President, I express my satisfaction and pleasure at the passage of the bill. The purpose of S. 4248 is to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission.

The very purpose of the bill is to find new uses for coal, and to expand the great coal markets of the world.

Quite naturally, I am interested in the bill, and it is pleasing to me, indeed, that the Senate has taken this important step in the development of coal and its uses throughout our country and in other countries. I believe the passage of the bill is a very far step in the improvement of the uses of coal, which is one of the great products of our Nation. It will mean much to future economy of the United States.

Mr. HOBLITZELL. Mr. President, I ask unanimous consent that a statement I have prepared on the bill, S. 4248, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HOBLITZELL

A coal research program as proposed in the bill under consideration is eagerly sought by residents of West Virginia, not only those engaged in mining, but in the many allied industries and, in fact, by everyone who recognizes the overall economic value of a going coal industry. The status of the coal industry actually determines living standards of thousands of our families. It has a direct effect upon the well-being of railroaders and of the many employees of suppliers of mining machinery, timber, roof bolts, electrical equipment, and the numerous other items essential to the operation of a modern coal mine.

Nor is coal's economic influence limited to this periphery. Municipal and county governments, as well as our State treasury, depend largely upon the coal industry for operating revenue. When the coal business is down, the condition is reflected in most of West Virginia's business houses, in our churches, and in our charitable institutions. A vigorous coal industry is positively essential to the prosperity of our State.

Look briefly, if you will, at the immediate advantages to be derived for our producers, transporters, and consumers of coal under the proposed program. We do not expect that the impetus of the science and research efforts precipitated by this legislation will make it possible for our thousands of unemployed coal miners to get back to work in the next month or next year. A coal research program will, however, clear the way for reinvigorating the industry.

I do not wish to presume upon the time of my colleagues by continually referring exclusively to the great storehouses of coal in West Virginia and what we envisualize for our State under the prolonged application of science and research. A majority of the Members of the Senate represent States which have considerable coal reserves. When I sat down at my desk to think about the most persuasive arguments for a coal research program that I might present today, I found in a Bureau of Mines table, based on data prepared by the United States Geological Survey, perhaps the most conclusive evidence of the need for S. 4248. For this reason I ask that a portion of this material be inserted in the RECORD at this point. I list below the recoverable coal reserves of the United States, by States, as of January 1, 1958.

COAL RESERVES OF THE UNITED STATES, BY STATES

	Recoverable reserves, Jan. 1, 1958, assuming 50 percent recovery
Alabama	32,862
Arkansas	761
Colorado	49,703
Georgia	38
Illinois	68,276
Indiana	17,529
Iowa	14,225
Kansas	10,376
Kentucky	59,146
Maryland	595
Michigan	103

COAL RESERVES OF THE UNITED STATES, BY STATES—continued

	Recoverable reserves, Jan. 1, 1958, assuming 50 percent recovery
Missouri	39,400
Montana	110,653
New Mexico	30,753
North Carolina	55
North Dakota	175,367
Ohio	41,306
Oklahoma	27,300
Pennsylvania	35,760
South Dakota	1,015
Tennessee	12,458
Texas	15,438
Utah	46,421
Virginia	5,300
Washington	31,791
West Virginia	52,181
Wyoming	60,378
Other States	8,173
Total	947,563

NOTE.—Footnotes in detail appear in source material, "Coal Resources of the United States," Geological Survey Circular 293, 1954. (Production and recoverable reserve data updated from 1952 on basis of Bureau of Mines production figures for the period 1953–57.)

Thus West Virginia would not by any means be the sole beneficiary of an effective coal-research program. In all, there are 27 States with important coal reserves.

I have not attempted to break down these figures into the bituminous, subbituminous, lignite, and anthracite categories, because the proposed research project is designed to develop new methods and new uses for all grades of coal. I say frankly that the lignite and bituminous grades might very well derive the major benefits from such a program, inasmuch as the vast resources of those fuels and the room for industrial expansion where they are most abundant would offer a particular challenge to scientists and engineers. I submit that each of the 27 States listed above could very well find enormous advantages, never before dreamed of, in a coal-research program.

At the present time West Virginia is the Nation's largest coal producer. We are highly dependent upon this product for the economic well-being of many thousands of our families. Our reserves may not at first sight seem any more significant than those of other States. The fact is, however, that coal has been produced in our part of the country since before we became an independent Commonwealth in 1863. In the intervening years some 6¼ billion tons have come from our mines, yet almost 8 times that amount remain today.

I can say without equivocation that West Virginia has been one of the outstanding pioneers in improving coal production and preparation. Our mines are so highly mechanized that less than 1 percent of the total underground production is cut by hand, and more than three-quarters is mechanically loaded. Despite the advances that have made this achievement possible, considerably more research is essential for the efficiency of our mines, the safety of our miners, and the conservation of this valuable natural resource.

I can also state without fear of being challenged that the coal consumers of West Virginia are second to none in their record for increasing the efficiency of coal consumption and developing new uses. Our chemical industry around Charleston has many times been referred to as the Ruhr Valley of America. Some of the developments which have taken place down there have not yet been equaled by the recognized outstanding industrialists of Europe's Ruhr.

Our steel industry in the northwest panhandle of West Virginia has for many years been responsible for outstanding progress in intercepting coal tars and chemicals and converting them into a veritable cornucopia of byproducts. At the same time the primary function of this industry, the production of steel for the plants, homes, automobiles, and many other necessary items in the everday life of our people has continued to improve in efficiency and quality.

This week I noted two advertisements in national business publications that are pertinent to this discussion. One was dominated by a photo of a picnic scene in which a little family was setting up lunch in a secluded area alongside a station wagon. The copy referred to the large number of everyday products that are derived from coal. Included in the list of materials to whose manufacture coal was a contributing factor were enamel, vinyl upholstering, chromium plating, synthetic rubber, and white side-wall tires. An obvious advertisement for coal is the automobile itself, for I believe it has generally become known that a ton of coal is required in the manufacture of a ton of steel. Consequently the automobile manufacturer is actually one of coal's more important indirect customers.

The other advertisement was captained "What Happened to the Ring Around the Bathtub?" There follows this explanation:

"When ordinary soap is added to this salt-laden or 'hard' water, calcium and magnesium combine with the soap to form insoluble compounds which are deposited as a scum or ring around the bathtub. The sodium compounds remain in solution. If the calcium and magnesium could be exchanged for sodium in these compounds there would be no ring.

"There is a way, using a sulfonated synthetic resin made from coal chemicals."

I mention these developments only to point out the constant expansion of coal uses that have been developed by the steel, chemical, and other industries. Under the direction of a Coal Research Commission, considerably more experimentations on coal uses and byproducts would come about. Just as the United States Department of Agriculture has been responsible for improvements in farm output and quality of products, so could a coal research program aid both the producer and the consumer of coal.

America's No. 1 buyer of coal is the public utilities industry. Ninety-nine percent of the electricity generated in West Virginia comes from coal-fired steam plants. We are growing in importance as a manufacturing State largely because of the availability of energy supplies at attractive prices. As investor and industrial leaders become more familiar with these advantages, the trend will be accelerated.

I need not refer in detail to progress of the aluminum industry which has blossomed out along the banks of the Ohio River in the west central part of the State. Aluminum producers are setting up shop in these surroundings primarily because of the abundance of coal that will generate the power needed in the processing of this product. Numerous other small industries that require mechanical power to a lesser degree have been attracted to West Virginia over the years.

As you are well aware, Mr. President, West Virginia welcomes the advent of new industry, particularly at a time when so many of our people are unemployed. All too many coal miners have been without employment or on a short-week basis for many months. A part of this economic distress extends back almost a decade. These industrious and resourceful men have in some cases entered new industries, but the opportunities are understandably limited. Many thousands of railroad personnel are in similar straits. The West Virginia railroad industry depends heavily upon the transportation of bituminous coal for a great share of its revenue. I feel that it is significant that railroad management and labor have endorsed a coal research program, for they are cognizant of its potential advantages to the railroad industry and to all suppliers of coal and the railroads as well as to business houses in mining communities and transportation centers.

The place of coal in the mobilization base also must come into the coal research picture. Let us consider, for example, the personnel situation in the coal industry and on the railroads. The modern coal miner is a skilled technician trained to operate the ingenious machines that have been brought into the mines. In the event that international conditions become more tense—particularly if a cutoff in transoceanic movement of oil should take place—demand for coal would immediately soar upward. Mines that are now operating 1 shift a day—or perhaps 3 or 4 shifts a week—would be needed to operate around the clock. Failing to provide an incentive for our coal people to remain in their home communities is a threat to our defense structure. The men who migrate to other industrial centers may very well be needed on short notice to provide the coal necessary for increased production of steel, for more explosives, and for the heating and powering of a variety of defense establishments.

The position of the coal-carrying railroads is somewhat identical. A step-up in freight traffic would require men of experience to man and maintain the rolling stock. A scarcity of mine and railroad labor would constitute a direct threat to the security of this Nation.

The very enactment of the proposed legislation would have an important psychological effect on miners and railroaders. They would be highly encouraged by the Government's official recognition of the need to inject new life into a long neglected industry. You would find the United Mine Workers of America, who have already signified their desire for a sound research program, cooperating to the fullest in effectuating the objectives of this program. Executives of the coal industry and all industries allied with it are eager to join in the promotion of the policy herein advocated. All residents of West Virginia and other coal-producing States who have no direct connection with the industry would welcome the prospects offered under this blueprint for improving coal production, transportation, and consumption.

Over the long term, a coal research program would aid in assuring our children and our children's children of the required fuel supplies. Yes, the Congress holds the power to set in motion a project that is vital to our economy, which could fill a serious need in an extraordinary international situation, and which is essential to the preservation of an economy based on the availability of fuel supplies.

Mr. COOPER. Mr. President, I am very glad that the Committee on Interior and Insular Affairs has reported favorably S. 4248, and that the bill has been passed. I was pleased to be a cosponsor of the bill, together with the Senator from Montana [Mr. MURRAY], the Senator from Illinois [Mr. DIRKSEN], the Senator from Wyoming [Mr. BARRETT], and other Senators.

My colleague from Kentucky [Mr. MORTON] has been as interested as I have been in the passage of the bill.

Naturally we would be interested. Kentucky produces the third largest volume of coal in the United States, and is the fifth State in the amount of coal resources.

The coal in eastern Kentucky is among the best in the world in its metallurgical and chemical properties. Western Kentucky coal is one of the best steam coals in the United States.

A few years ago the Bureau of Mines, together with Bituminous Coal Research, Inc., a privately financed research organization, financed, I believe, by coal companies, and perhaps assisted by the United Mine Workers of America, conducted a survey of possible areas of coal research. They determined that some 209 surveys should be undertaken as a means of making it possible to take full adevantage of the immense energy reserves available in domestic coal. These projects were listed in nine major categories: Coal resources; mining, preparation of coal, storage and transportation; coal combustion; coke and coal chemicals; gasification of coal; coal hydrogenation in oil; and physical and chemical properties.

It is estimated that about 30 percent of the Nation's energy demands are currently being met by coal. If this ratio continues, by 1975 approximately 800 million tons of coal will be produced in the United States. In this year, less than 500 million tons are being produced. But if the higher figure is to be reached, there must be a higher rate of production and new uses, better methods of coal preparation, and more effective and cheaper methods of transportation must be found.

These are some of the factors about which the Commission will make inquiry. The coal operators and the United Mine Workers of America favor the bill. There are many others, who are not directly interested, who recognize the great value of coal to the Nation and the national defense and are very much interested in the passage of the bill. Therefore, I am glad the bill has been passed. I hope that it will shortly be enacted.

Mr. WATKINS. Mr. President, I join with my colleagues from Kentucky and West Virginia in expressing my gratitude for the passage of the coal research program bill. Utah produces more coal, probably, than any other State west of the Mississippi River. Utah has been a great producer of coal for many years.

But the market for coal has been gradually dwindling, and many miners who should be at work and would be at work if more uses were found for coal are now out of work.

The cost of the program is not high. It could result in greatly increased income for the United States, by way of income taxes, if more outlets were found for the use of coal. Utah is doing everything it can to facilitate the production of coal. We have been seeking new markets. Shipments have been made abroad under the mutual security program to various countries, including Korea and Japan. In fact, if it were not for those programs, there would be still more men out of employment in Utah.

In my opinion, the bill is a great step forward. It will enable the coal industry to do research and undertake studies to find new uses for coal. I hope the study will soon get under way. It will result in immediate good to the areas where coal is mined, and will be of indirect benefit to the whole United States.

Mr. DIRKSEN. Mr. President, I was delighted to observe the lively, alert interest of the distinguished senior Senator from West Virginia [Mr. REVERCOMB] and his colleague, the distinguished junior Senator from West Virginia [Mr. HOBLITZELL], in this matter when the bill was presented. Unfortunately, their names could not appear as cosponsors until the bill was reported; but I think the RECORD should show they were cosponsors from the very beginning.

Similarly, the distinguished Senator from Utah [Mr. WATKINS] and the distinguished Senator from Kentucky [Mr. COOPER], were actively interested in the passage of the bill.

I compliment them for their very lively interest and alertness concerning one of the predominant interests of the United States; namely, the coal-mining industry.

Speaking of my own State, let me say that we have the same problem in Illinois.

I should observe that we were dealing, some months ago, with an area redevelopment bill. The bill, as passed by the Senate, provided for $279 million in loans and grants for areas which have been chronically distressed. One of the major causes of distress has been the abandonment of the coal mines. Until we restore to the coal mining industry—and, in particular, the bituminous coal mining segment of the industry—a rather healthy glow, we shall have that problem to contend with.

Therefore, action on this bill is imperative; and I trust that the Research Commission will come forth with concrete, affirmative recommendations which will be extremely useful in helping the coal-mining industry in this situation.

Mr. WATKINS. Mr. President, I am in full accord with what the Senator from Illinois has said; and I thank him for his statement.

Mr. DIRKSEN. I thank the Senator from Utah.

Mr. MURRAY. Mr. President, I am in full accord with the statements which have been made by the Senator from Wyoming [Mr. BARRETT] and the other Senators who have commented on this proposed legislation. Its enactment is of great importance.

Mr. BARRETT. Mr. President, will the Senator from Montana yield to me?

Mr. MURRAY. I yield.

Mr. BARRETT. Mr. President, the distinguished senior Senator from Montana [Mr. MURRAY] took the lead in the introduction of the bill, in the first place; and in having the bill considered by the committee, in the second place; and then in having the bill reported. So he is entitled to great credit for his assistance in getting this very worthwhile piece of proposed legislation before the Senate.

Mr. MURRAY. I have been ably assisted by the Senator from Wyoming [Mr. BARRETT]; and I thank him for his help in connection with this matter.

Mr. President, I believe this measure is a very important one; and I am very happy that it has been passed.

Mr. BARRETT. The bill is very important to Wyoming, Montana, Utah—in fact, to all the Western States.

Mr. MURRAY. That is correct.

TRANSFER OF FREEDMEN'S HOSPITAL TO HOWARD UNIVERSITY—BILL PASSED OVER

The PRESIDING OFFICER. The next measure on the calendar will be stated.

The bill (S. 3626) to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HRUSKA. I ask that the bill go over.

Mr. MORSE. Mr. President, will the Senator from Nebraska withhold his objection long enough to permit me to make a statement in regard to the bill?

Mr. HRUSKA. I am happy to do so, Mr. President.

Mr. MORSE. Mr. President, I should like to have the attention of the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], and also the attention of the senior Senator from New Jersey [Mr. SMITH].

Mr. President, I sincerely hope the majority leader will place the bill before the Senate, by way of motion.

First, the Senate should know something about the background of the bill, which is not a very pleasant one.

Mr. President, I never will be a party to use of the Senate of the United States as a bargaining agent for any union. That statement by me tells most of the story in regard to the background of this bill.

The bill seeks to transfer to Howard University the Freedmen's Hospital. It should be transferred to Howard University. It is located on real property belonging to Howard University.

The bill provides for Federal funds for the expansion of that hospital, in the District of Columbia. That is sorely needed, in order to meet the needs of the sick.

The bill is founded upon the kind of humanitarianism for which the Senate should stand. But Congressional action on the bill is being blocked by a group of labor negotiators, who take the position that until Howard University negotiates a contract to their liking, they are going to use their political power to block the proposed transfer.

Mr. President, no Member of the Senate has a better record than does the senior Senator from Oregon, in terms of friendship for the legitimate interests of labor. But when a labor group sends to me a message indicating that it will seek to block the bill on the calendar of the United States Senate unless I, as chairman of the subcommittee which brought the bill to the floor of the Senate, hold up action on the bill until they negotiate a contract with the president of Howard University, I tell that labor group there is a hot place to which they can go; and they would not survive very long if they got there. [Laughter.]

Mr. President, I say to the distinguished majority leader that this fight involves a principle; and I expect my majority leader to have the bill brought before the Senate by way of motion.

Let me state what the Senate will be doing if it holds up action on this bill. In that event the Senate will deny the use of planning money which already is available.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. Is the Senator from Oregon referring to Calendar 2400, Senate bill 3626, which was reported on August 12 from the Committee on Labor and Public Welfare?

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. Mr. President, I have heard the suggestion the Senator from Oregon has made. I will obtain a copy of the bill and a copy of the report, and I will bring them to the attention of the policy committee at its earliest meeting. I appreciate the Senator's suggestion.

Mr. HRUSKA. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. HRUSKA. In view of the remarks of the Senator from Oregon, I feel it incumbent upon me—inasmuch as I am the one who entered the objection to present consideration of the bill—to explain that, insofar as the minority calendar committee is concerned, the ground for asking that the bill go over is the amount of money involved, namely, $10 million. Thus, the bill clearly is not one which properly should be considered during the call of the Consent Calendar.

I know that the Senator from Oregon did not mean in any way to imply that the objection interposed by me was in the category of an allegedly improper blocking of consideration of the bill.

Mr. MORSE. I was coming to that, and was going to make that very statement.

Mr. HRUSKA. I thank the Senator from Oregon.

Mr. MORSE. I have no criticism of the calendar committee. I know the reason for the objection by the calendar committee.

But I want the Senate to know what is going on behind the scenes in connection with this bill. So I wish to complete my statement.

Mr. President, my statement is that planning funds are now available for completion of the plans for the enlargement of the hospital; and it is important that we get busy and see to it that those funds are used, because the colored people of the District of Columbia need these expanded hospital facilities.

Let me say a further word: Attacks are being made on the president of Howard University by the labor opponents of the bill; those attacks are based on statements to the effect that Howard University is following some kind of anti-union policy. Mr. President, I ask my colleagues to examine the record which has been made by the committee. At the hearings I cross examined at length the president of Howard University.

I state here and now, as I said in the committee, that I have confidence that in due course of time President Mordecai Johnson will negotiate a fair agreement with these employees. But I do not propose to hold up Senate action on the proposed legislation until that collective-bargaining negotiation is consummated, particularly when the bill provides all the protection any labor group has a right to expect the Congress to include in a bill.

Mr. President, the time at my disposal, under the 5-minute rule in connection with the call of the Consent Calendar, has expired. I ask unanimous consent that at this time I may proceed for several additional minutes; otherwise, I shall proceed after the next bill on the calendar has been called. [Laughter.]

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Is there objection to the request of the Senator from Oregon? Without objection, the Senator from Oregon may proceed.

Mr. MORSE. Mr. President, this bill includes a guaranty to these employees that when they are transferred to the jurisdiction of Howard University they will continue to be protected, insofar as their promotions and salary rate increases are concerned, just as they would be if they remained on the civil-service roll.

The bill includes provisions—and they are referred to in the committee's report—which leaves no doubt that these employees will be given not 3 months, but 3 years on the civil-service reemployment list if any of them seek to transfer from Howard University. We have written into this bill every single protection these workers can expect from Congress to protect their legitimate rights; but they want more. They want Congress to write into the bill what, for their purposes, amounts to a collective-bargaining agreement. No labor union has a right to ask that of Congress. The senior Senator from Oregon will never be a party to that kind of request to Congress.

As I said in committee, and now repeat on the floor of the Senate, when one becomes a civil-service employee, whether he be a civilian employee of the Army, Navy, or other Government agency, he is not granted a job in perpetuity. We frequently discontinue Federal projects. When we discontinue Federal projects we transfer the employees to the civil-service reemployment list for 90 days. In this bill we provide for retention on the reemployment register for 3 years, not 90 days.

If Senators will take a look at the bill and the report, they will see that the workers get protection for 5 years. So I have a deep feeling about this matter, because I think an injustice is attempted to be practiced on the Senate. I hope the bill will be brought up on motion and acted on.

Mr. ROBERTSON. Mr. President, reserving the right to object, and I do not intend to object, I should like to ask my distinguished friend a question. The distinguished Senator from Oregon has mentioned one principle, namely, that he objects to a labor union using Congress as a bargaining agent to get a different kind of contract or policy from a private organization. I endorse his proposition.

I desire to ascertain if the Senator from Oregon endorses a further principle here involved. The Senator may recall the origin of the name "Freedmen's." It was a bureau set up for the freed slaves.

Mr. MORSE. This is the last of the Freedmen's projects.

Mr. ROBERTSON. The Senator will recall that Howard University is on privately owned land.

Mr. MORSE. That is true.

Mr. ROBERTSON. The Senator will recall, of course, that the Government has no control whatever over the trustees of Howard University, other than their making an annual report, because Congress makes an annual appropriation.

Mr. MORSE. The Senator is correct.

Mr. ROBERTSON. The Senator will recall that the annual appropriations for students at Howard University average about $1,000 a year for each student.

Mr. MORSE. I was not aware it was that particular figure, but I knew we were making appropriations for that purpose.

Mr. ROBERTSON. Four million dollars for 4,000 students averages to that amount.

Mr. MORSE. I did not know what the figure was.

Mr. ROBERTSON. I am surprised the Senator did not complain of that when the complaint was made about the $250 tuition last night.

The question I wish to ask the Senator is this: Can the distinguished Senator, who is a former professor of law and who is skilled in all the intricacies of that profession——

Mr. MORSE. The Senator pays me an exaggerated compliment.

Mr. ROBERTSON. Can the Senator draw any legal or logical distinction between the Federal Government's appropriating money for a school or a hospital on private land, which is privately controlled and operated, and a State's doing the same thing with State funds?

Mr. MORSE. The Senator from Virginia was not on the floor last night when I discussed this matter in connection with the education bill. I took the position then that, in my judgment, there is no constitutional prohibition against the Federal Government's providing assistance for children attending private institutions, which includes the right of the Federal Government to appropriate funds for a specific grant to a specific private institution, for a laboratory, a classroom, a hospital, or a particular educational facility which will be limited in its use to the benefit of the students.

Mr. ROBERTSON. That statement is all right so far as it goes, but it is not quite responsive to the question asked by the Senator from Virginia.

Here we have a case where the Federal Government contributes money to Howard University. When the hospital is

transferred to Howard University, it goes on privately owned land.

Mr. MORSE. Money is contributed to Georgetown University and other private universities in the District of Columbia, too.

Mr. ROBERTSON. The Government does not, with all due deference to the Senator from Oregon, contribute to them on any other basis than it contributes to the scientific work of any other university. This is a case which is unique and all by itself.

Mr. MORSE. I hope such instances will increase.

Mr. ROBERTSON. The Government has constructed the buildings, the Government has provided the major support, the university is on private land, the trustees are appointed by those not connected with the Government, and not under Government control.

My question is, Can the Senator see any logical or legal distinction to be drawn between that kind of action and the action of a State, if it sees fit, to appropriate money to a school under private trustees, on private land?

Mr. MORSE. I see no reason why a State cannot, if it wants to contribute State funds to private schools unless there is a constitutional prohibition.

Mr. ROBERTSON. I appreciate the answer, because I did not think the Senator could draw any other conclusion.

Mr. MORSE. I see no reason why a State should not do so, if it wants to, unless there is a prohibition in the Federal or State constitution. Of course, if the purpose of such a State contribution is to maintain segregated schools, then a clear Federal constitutional problem would become involved.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD some remarks I had previously made, but which become particularly pertinent now with reference to the history of Freedmen's Hospital and the principle we have just agreed upon.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

The proposed drafts for the Constitution submitted by both Charles Pinckney and James Madison would have authorized such an institution and their joint resolution to implement their recommendations was supported by Virginia, North Carolina, South Carolina, and Pennsylvania but was opposed by a majority of the representatives of other States and was defeated.

That ended the matter, so far as the Constitutional Convention was concerned, but our first President, George Washington, still cherished the idea to the extent that his will bequeathed 50 shares of Potomac Canal stock toward the establishment of a university "if the National Government is inclined to extend a fostering hand toward it."

The interest in higher education indicated by Washington's will was emphasized in the ceremonies in 1904 when the institution founded in the District of Columbia in 1821 under the name of Columbian College changed its name to George Washington University, but that institution never has claimed to be a national university, nor has it received direct aid or appropriations from the Congress for its buildings or operations, other than the type of research grants which are shared by colleges and universities generally.

Meanwhile, however, there had been established in the District of Columbia under an act of Congress approved March 2, 1867, "a university for the education of youth in the liberal arts and sciences under the style and title of Howard University."

Now, there are several interesting features about the establishment of Howard University. As I have pointed out, there was no constitutional authority for the Congress to found and operate a university and it did not do that in this case. What the act approved in 1867 did was to set up the university as a body politic, with power to sue and to be sued, to own and convey property and with its government vested in a board of trustees. Except for the fact that the trustees were required to make an annual report to the Congress, this was an independent educational institution, operating along the same lines as any privately endowed university conducted on a nonprofit basis.

The second point to be noticed is that while there were no racial restrictions in the original act creating Howard University, there was nothing in the law which would have prevented the trustees from operating it as a segregated institution and as a matter of fact it was so operated for many years. Even today the racial division of students in Howard University is so one-sided that it can be considered integrated only in the technical sense.

At the time Howard was founded there was, of course, an urgent need to do something about the education of recently freed slaves and all the circumstances point to the intention of Congress to deal with this problem, in an indirect way, rather than simply to create another institution of higher learning in the Nation's Capital.

The university was named in honor of Gen. Otis O. Howard, of Maine, who was the Director of the Freedmen's Bureau, and General Howard as its first president led the fight to obtain Congressional support for the school in its early days.

The Freedmen's Bureau, as it was commonly known, but which officially was designated as the Bureau of Refugees, Freed Men, and Abandoned Lands was established in 1865, when the War Between the States was drawing to a close. It had the power to take over land in Southern States which was confiscated or abandoned and, by sale or otherwise, to make it available to refugees or freed men in units of not more than 40 acres for their protected use and enjoyment for 3 years. The Bureau also was given power previously exercised by the Treasury and War Departments to seize and sell the lands held by the Confederate States, as well as abandoned lands, and to use the proceeds of such sales for the education of freed slaves.

A Commission established by the 85th Congress now is engaged in planning for a suitable observance of the 100th anniversary of the War Between the States which was fought from 1861 to 1865. That observance will remind many people of other States of a fact which Virginians cannot forget—that our State was the major battleground of that fratricidal war.

And Virginians also are very conscious of the fact that our State has been chosen as a new battleground to test whether or not the Federal Government can force a sovereign State to operate racially mixed schools against the will of a majority of the people and in violation of the State's constitution.

Present indications are that this conflict will lead to the closing next fall of public schools in several cities and counties of Virginia, because school officials who attempt to operate on a segregated basis will be in contempt of a Federal court and those schools which admit both white and colored pupils will be closed by requirements of our State laws.

Certainly no one, white or colored, will benefit from closed schools and if they cannot be operated in the future as they have been in the past, some acceptable substitute means must be found for educating our youth.

This approaching school crisis cannot be ignored by saying that it is a Virginia problem but not one which concerns the United States Senate. Since the Senate has demonstrated over a long period of time its interest in the education of colored students, I respectfully ask why my State if so inclined should not be permitted to adopt, for the benefit of its white children, a plan which the Congress adopted 91 years ago for the benefit of colored students and has repeatedly affirmed by annual appropriations.

The plan to which I refer is simply the giving of Government property and of Government funds to a private institution to carry on an educational program which the Government itself could not undertake.

The latest endorsement of such a program is proposed in S. 3626, a bill introduced in the Senate on April 16, 1958 by the Senators from New Jersey and New York and others and referred to the Committee on Labor and Public Welfare. Its title is: "A bill to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the University and for other purposes."

I want to outline briefly to the Senate the provisions of that bill, to recall the history of the institutions with which it deals and to draw an analogy between the relation of the Federal Government to Howard University and Freedmen's Hospital and the relation which might exist between a Southern State and independent non-profit corporations which would be given buildings and funds for carrying on educational programs, details of which would be entirely within the discretion of the governing boards of these corporations.

The point I want to make clear is that those who approve of the operation of Howard University and Freedmen's Hospital and want to see them continued, and particularly those who favor the expansion program which has been proposed in S. 3626 cannot with consistency criticize similar operations which might be considered by Virginia or other States to deal with an educational emergency.

To obtain the proper perspective on this matter, it is necessary to go back to the Constitutional Convention of 1787 and observe that authority for the Congress to establish a national University was sought and was refused.

It was through the exercise of this power to seize southern land and sell it that funds were obtained to purchase property on which Howard University and Freedmen's Hospital were established. Although the hospital made the purpose more evident in its name, there can be no question about both hospital and university being intended to serve recently freed colored persons and not the public generally.

The Congressional Globe of March 3, 1871, indicates that Howard University received $528,955.95 from the Freemen's Bureau and the incorporators of the university paid $147,500 of this amount for the purchase of 150 acres of land. This tract included the land on which Freedmen's Hospital was built and title to it clearly was vested in the trustees of the university, creating the unique situation of a Government-owned institution being built on land to which the Government did not hold title.

Congress ordered the Freedmen's Bureau abolished in 1872 after its political and financial operations had become a national scandal and General Howard had been charged with responsibility for shortages in its accounts, but Congress continued to make annual appropriations for the operation of Howard University.

The school was under the eye of the Office of Education and the Interior Department

until 1940 and then under the Federal Security Administration until 1953 when it was placed under the Secretary of the Department of Health, Education, and Welfare. It should be emphasized, however, that the supervision which the Federal Government has exercised has been only the kind of restrictive oversight which a donor of money is able to demand in checking on its expenditure, plus the influence gained from the fact that if past spending was not approved, future donations might not be made. It is the same kind of indirect control the Federal Government could exercise over local public school systems if Congress should inaugurate a program of Federal aid for school operating costs.

The Department of Health, Education, and Welfare estimates that Howard University has received more than $26 million from the Federal Government for capital investments. Annual appropriations for operating costs have varied but have risen from $218,000 in 1927 to around $4,000,000 in recent years. The budget for the 1959 fiscal year proposes an allowance of $4,000,000 for salaries and expenses and an additional $596,000 for continuation of a major construction program started in 1945.

The 1959 budget message notes that 54.2 percent of the school's operating costs are paid by Federal funds. On the basis of current enrollment this Federal contribution amounts to around $1,000 a year toward the education of each Howard student.

This assistance has been given to an institution which the budget itself says "is administered by a private board of trustees and staff of officers." The trustees hold title to the property and are legally empowered to make and change its policies, subject only to the threat of withdrawal of future support. Apparently there is nothing which would prevent them from seeking additional private support, if they chose to do so, and then completely altering the character of the university while still benefiting from $26 million worth of property bought with public funds.

Now, let us take a look at the pending Senate bill dealing with Freedmen's Hospital. Briefly stated the provisions of S. 3626 are as follows:

1. It would transfer the hospital, which has been owned and operated by the Federal Government, to Howard University "for the purpose of assisting in the provision of teaching hospital resources for Howard University, thereby assisting the university in the training of medical and allied personnel and in providing hospital services for the community." All the physical property involved would be transferred without reimbursement of any kind.

2. Career employees of the hospital would be given job protection, including arrangements for them to continue to participate in the Federal Government's liberal civil service retirement and group life insurance plans.

3. Authorization would be given to appropriate Federal funds to construct new buildings and revise existing ones to provide a hospital capacity of 500 beds. The value of the present hospital plant, which would be given away is estimated at $1,914,000. Increasing it from 150- to 500-bed capacity is estimated to cost another $9,157,000.

4. Future annual appropriations would be authorized of such sums as the Congress may determine, for the partial support of the operation of teaching hospital facilities which the Government would expect to become progressively more self-supporting, so that the Federal contribution could be gradually reduced. The current annual Federal appropriation to Freedmen's is $3 million with the remainder of its $4.5 million budget coming from fees charged to patients.

I ask Members of the Senate to consider the parallel between those provisions of S. 3626 and a bill which might be passed by the General Assembly of Virginia authorizing the transfer of title to certain public school properties to boards of trustees of nonprofit corporations established for the purpose of improving the education and carrying on the training of children displaced by the closing of public schools.

Suppose the suggested bill gave those trustees only the same kind of latitude as to their policies which has been given to the Trustees of Howard University. Suppose the bill should provide that the property be transferred without reimbursement and should further provide that career teachers who had been employed in the public schools might continue to participate in State retirement and insurance plans after transferring to the private institutions. Suppose, finally, that the bill authorized appropriation of State funds for operation of these privately controlled schools for an indefinite period during which they would be expected to become progressively more self-supporting.

S. 3626 is an administration bill, prepared by a member of the Cabinet. Would the sponsors of S. 3626 and other Members of the Senate, disposed to support that bill, question the propriety of similar State legislation, or would they feel that it could not stand a court test of constitutionality?

I realize that it may be said that the purpose of any State law of this kind would be to allow white children to continue to attend racially segregated schools. But, was not the obvious purpose of Howard University and Freedmen's Hospital to take care of educational and health needs of colored persons in separate institutions, rather than to try to make room for the former slaves in existing institutions which could have been enlarged to serve both races? And where in the Constitution is a Federal court given the power to tell a State or its political subdivisions the terms on which publicly-owned property can be disposed?

The purpose stated in the kind of State law I have described would be simply to assist in giving pupils a better education than they otherwise might obtain in the communities involved, just as the purpose stated in S. 3626 is to assist privately controlled and operated Howard University in providing teaching hospital resources and hospital services for the District of Columbia area.

If we are to consider practical results as well as stated purposes, the facts of the case are that the Federal Government has spent millions of dollars and proposes to spend more millions in a program which has been almost exclusively for the benefit of one race.

Property seized from the white people of the South was sold and some of the proceeds which were not dissipated by corrupt bureaucrats were used to found a college for colored students and a hospital for colored patients in the District of Columbia. Education and hospital treatment have continued for 91 years on a subsidized basis.

If the purpose is merely to provide medical education and hospital instruction in the Washington area, perhaps on the ground that the Federal Government has a special responsibility to the District of Columbia, why should the program be limited only to Howard University?

Howard has a few white medical students. George Washington University, named as I have indicated, for an early champion of a national university supported by Congress, has, I am advised, at least one colored student in its medical school. Why, then, if a Federal aid program is desirable, should not George Washington share the kind of grant proposed for Howard in S. 3626? Or, why should not any funds taken from the Federal Treasury for medical education in the District of Columbia be equally divided among all the local schools which do not have an openly admitted racial exclusion policy?

Is it not perfectly obvious that this proposal involves turning over Federal property and operating funds to a privately controlled institution which, although not required to do so by its charter will carry on for the principal, if not exclusive, benefit of the colored race?

If Members of the Senate approve of what has been done in regard to Howard University and Freedmen's Hospital and are willing to repeat the process again through enactment of S. 3626, I frankly do not see how they could reasonably criticize a State which chose to turn over school properties to private corporations and to help those corporations carry on a program of education.

The ninth verse of the fifth chapter of the Gospel by St. Matthew is as applicable to the homefront as the foreign field.

Mr. MORSE. I appreciate the interruption of the Senator from Virginia.

Mr. President, on page 1 of the committee report will be found the background of the history of Howard University. I ask unanimous consent that the background material set forth in the report, under the title "Background," be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND

Freedmen's Hospital was created by the Federal Government in 1866 to provide care for Negroes who came to Washington in large numbers during and immediately after the War Between the States. It consists of a main building built in 1908 and a 150-bed tuberculosis annex built in 1940. The hospital is located on land belonging to Howard University and is used as a teaching hospital. Freedmen's is federally owned and operated and it is administered under the direction of the United States Public Health Service of the Department of Health, Education, and Welfare. Its personnel are Federal civil-service employees. It is the only general community hospital operated by the Federal Government and has been continued from year to year by annual appropriations without substantive legislation to define its role. The Federal appropriation for Freedmen's Hospital for fiscal 1958 was $3 million. A total of $2,975,000 has been authorized for fiscal 1959.

Howard University is a private, coeducational institution, operating under a Federal charter granted in 1867 (14 Stat. 438). Its medical school was established in 1868. Pursuant to legislation enacted in 1928 (45 Stat. 1021). Howard University receives an annual subsidy from the Federal Government which is administered through the Department of Health, Education, and Welfare.

The Federal appropriation for Howard University for fiscal year 1958 was $3,800,000 and the appropriation for the current fiscal year is $3,953,700. The supplement appropriation bill now before the Congress would grant Howard University an additional $182,500 for fiscal 1958 and an additional $396,600 for fiscal 1959.

Federal assistance has been provided in recognition of Howard University's importance in meeting the Nation's educational needs. This has been particularly true of medical education. Nearly one-half of the Negro students enrolled in the medical schools of the United States are being trained at Howard.

Howard University also has become important internationally with many distinguished foreign visitors and the second highest percentage of foreign students at any

American university. In 1957 nearly 500 foreign students attended Howard University from 43 countries in Asia, Africa, Europe, and North, Central, and South America.

Testimony urged that the medical education program at Howard University would be strengthened immeasurably by having both the hospital and the related medical school under the management of the university. Testimony also indicated that the main hospital plant at Freedmen's, which was built in 1908, is obsolete, inefficient, uneconomical in operation, and in a state of general deterioration in spite of costly efforts at maintenance.

Transfer of the hospital to Howard University and construction of a new plant designed for use as a teaching hospital were recommended by a study commission appointed by the Secretary of Health, Education, and Welfare in 1955. The commission unanimously concluded that the interests of the university, the community, and the Federal Government can best be served if ownership, control, and supervision of the hospital are vested in the Howard University board of trustees. The bill (S. 3626) is designed to carry out this recommendation.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. WATKINS. Mr. President, we are operating under the 5-minute rule.

Mr. MORSE. I suggest that the Senator ask to speak on his own time.

The PRESIDING OFFICER. The Senator from New Jersey is entitled to speak 5 minutes on the bill.

Mr. SMITH of New Jersey. Mr. President, I wish to identify myself with the request of the Senator from Oregon that the Freedmen's Hospital bill be considered, because I think it is a very important measure. I introduced it at the request of the administration. The administration is behind the bill and is very anxious to have it passed. I therefore wish to associate myself with the request made by the Senator from Oregon.

ADDRESS BY THE PRESIDENT BEFORE THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. WATKINS. Mr. President, it fell to the lot of General Washington, our first President, to be not only a great warrior but also a great champion of peace. From those facts grew the legend of General Washington, "First in war, first in peace, and first in the hearts of his countrymen."

Dwight D. Eisenhower seems to be following in our first President's footsteps.

As great as may be the fame of General Eisenhower as a military leader, it may yet be said of him as President that in the fight for peace his exploits far outrank the brilliant successes he won on the field of battle.

This possibility was brought forcibly to the people of this world when the President yesterday made his historic address to the General Assembly of the United Nations.

He spoke without rancor but with a sincere spirit of conciliation, even for those who have been disturbers of the peace. But withal he was firm where he should have been firm, and he hesitated not to point up one of the main causes of the danger of war in the Mideast.

He held out the helping hand of hope to the millions of inhabitants of that area, most of whom have been living in poverty for centuries, that brighter days lay ahead.

He demonstrated his confidence in human nature when he declared that the great economic development which he proposed for the Middle East should be led and managed and controlled by the peoples of that area. The program should be by them, of them, and for them, only to be supported with such outside help as they might need—help in the field of know-how and with additional financial help to supplement the resources they already have.

The President highlighted the possibilities for water development, for literally making the desert blossom with fertile fields and homes for millions of people.

This program in this field has immense possibilities for good.

People who are busy and contented and with hope for better days are usually not warlike, and in the spirit of activity they lose their sense of hatred and bitterness toward other peoples. In short, they should become a peaceful people.

Directly and indirectly the President's proposal could go a long way toward solving the bitter dispute between the Israeli and the Arab peoples.

It could almost immediately find homes and employment for the nearly 1 million Arab refugees who have been living in squalor and idleness for 10 years along the borders of Israel.

It could bring understanding not only between the peoples of the Mideast but it could open the gates for better understanding between all peoples throughout the world.

Impressive as the President's speech was as an eloquent plea in the interest of peace, good will, and human understanding, the mere declaration of these great objectives is not enough.

His objectives can only be realized if the most unrelenting efforts are made by all the nations who share the views of the President and who are willing to join in his crusade for peace.

The free nations especially, the neutrals, Russia and her satellites, in fact, all nations of the world, must not fail in realizing as an accomplished fact the hope for peace which comes as a result of yesterday's activities in the United Nations.

TIME AND EVENTS WILL NOT WAIT

Time and events will not wait for deliberation on methods. There is enough backlog of experience and planning to make possible an early start of the vast development program outlined by the President.

A campaign of education should be begun at once for these peoples. The idle refugees in the camps around the borders of Israel should be given something constructive to do. Their attitude of mind will change if this is done. Those who are capable, and susceptible of education, should be given vocational training to prepare them to participate in the giant development program which is envisaged. This educational program should start at once under the auspices of the United Nations and its various organizations.

There will be need for a large army of workers in all these countries when construction gets underway.

Mr. President, I think I will be pardoned if I express my deep pleasure in the President's pointing to the possibility of overcoming the problem of water shortage. His words should bring encouragement to all those who feel that the proposed vast development programs in the Mideast are conditioned upon an abundance of life-giving water.

As a result of my investigations in that area in 1953, as one who had some experience in the field of water development and the great benefits that grow out of it, I came to the conclusion that if the water resources now available could be put to a full beneficial use, there would be homes and opportunities and a future for all of the refugees now living in destitution, as well as for all other peoples in that area who are also without homes and opportunities.

From the bottom of my heart I am deeply grateful for a country which could produce a Dwight Eisenhower, for a country which could develop the kind of Americans who could forget partisanship and support wholeheartedly and patriotically a great program for peace.

Mr. President, the broad outline for peace is now before us. From here on there is much to do.

For us and for all peace-loving people, it should be "full steam ahead."

RESUMPTION OF CALL OF THE CALENDAR

Mr. CLARK. Mr. President, may we proceed with the call of the calendar?

Mr. HRUSKA. Mr. President, I renew my objection to Calendar No. 2400, Senate bill 3626.

The PRESIDING OFFICER. Objection is heard, and the bill (S. 3626) will be passed over.

APPROVAL OF AMENDMENTS OF HAWAIIAN LAND LAWS

The bill (H. R. 9445) to amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws, with respect to leases and other dispositions of lands was considered, ordered to a third reading, read the third time, and passed.

ELECTION OF MEMBERS OF A CERTAIN BOARD OF TRUSTEES BY HAWAIIAN TERRITORIAL LEGISLATURE

The bill (H. R. 5865) to amend the Hawaiian Organic Act to permit the Territorial Legislature to provide for the election of members of a certain board of trustees was considered, ordered to a third reading, read the third time, and passed.

COMPACT BETWEEN STATE OF MINNESOTA AND THE PROVINCE OF MANITOBA, CANADA—DEVELOPMENT OF HIGHWAY

The bill (S. 3944) to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State, was announced as next in order.

Mr. CLARK and Mr. HRUSKA addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CLARK. Mr. President, I believe the calendar committees on both sides of the aisle are of the view that we can conduct no more calendar business, because with respect to the remaining bills on the calendar reports have not been received and the two committees have not had an opportunity to study bills and reports.

Mr. HRUSKA. Mr. President, it was the understanding of the Senator from Nebraska that we would conclude the call of the calendar with Order No. 2402, for that very reason.

Mr. CLARK. That was my understanding.

Mr. THYE. Mr. President, will the acting majority leader yield for a question?

Mr. CLARK. I yield

Mr. THYE. When does the Senator believe the Senate will give consideration to other calendar business?

Mr. CLARK. I am afraid I cannot answer that question, but I am sure it will be within the next few days, because there are a number of bills to be disposed of.

Mr. THYE. Calendar No. 2403, S. 3944, is a simple bill which would authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba in Canada.

Mr. CLARK. I regret very much I do not have authority, as the acting majority leader, to exceed the instructions which I have been given. We did not have the report on the bill before us this morning. I am very sorry. There is no one I would rather accommodate than my good friend from Minnesota, but I do not have the authority to do so.

Mr. THYE. I thank the Senator.

RETIREMENT OF SENATORS

Mr. AIKEN. Mr. President, the end of this session will see the voluntary retirement of six of our valued colleagues. When I say voluntary retirement, I mean voluntary retirement because there is not the slightest doubt that all of them could be easily reelected to the Senate if they so chose.

It is most unusual to have this number of high-grade Senators retire at one time.

I do not blame them in the least for deciding to do that which will permit them to enjoy their future years and to pursue a course which will grant them far greater freedom of action than a United States Senator is permitted to have.

The life of a Senator is not the easiest life. It involves restrictions upon freedom of action and, to a certain extent, even freedom of thought, for one must represent his people even to the extent of subordinating his own desires and sometimes his better judgment.

The six Senators who are retiring this year will have been Members of this body for from 12 to 14 years. That is a very substantial period to take out of one's life for public service.

My own colleague, RALPH FLANDERS, will, I am sure, find plenty to do after he leaves the Senate. His nature is such that he can continue to philosophize on the ways of the world and the needs of humanity at all times and in all places. If I know RALPH FLANDERS he will put in full time working on the problems of humanity with a deep and sincere concentration.

Although, as a Member of the Senate, he has at times taken positions and made statements with terrific frankness, he will now be able to continue with even greater candor in giving the public the benefit of experiences and impressions gained from a long and useful life.

My next nearest neighbor who is retiring is IRVING IVES of New York.

No Member of the Senate has had an insight into the problems of labor and of the general welfare equal to that of the Senator from New York.

He has been a pillar of strength to the working people of America and to his own political party.

In 1952, IRV IVES was reelected to the Senate by a majority of over 1,300,000, the greatest majority ever received by a candidate for either branch of the United States Congress.

There can be no greater testimonial to the esteem in which he is held in his own State than this tremendous majority by which he was reelected. When he returns to New York after the end of this session, the State's gain will be the Nation's loss.

Traveling south from New York to the adjoining State of New Jersey, we find another retiring colleague, ALEX SMITH.

A few days ago, I rather facetiously paid tribute to the Senator from New Jersey.

There is something about ALEX SMITH that brings out the facetiousness in me. Perhaps it is because he is always ready to reply in kind. Certainly, no Member of this body has a better sense of humor, a more conscientious devotion to duty, a more thorough understanding of his fellow being than has ALEX SMITH.

It will be a long time before New Jersey has better representation in the United States Senate or contributes a more devoted public servant to the Nation.

Across the river from New Jersey, the great State of Pennsylvania is losing an outstanding Member of the Senate.

ED MARTIN is one of the best loved and kindliest men I have ever served with.

He has been conscientiously devoted to his duty to the Nation and particularly to his own State of Pennsylvania.

I have relied upon his advice on military matters. He has been helpful to us at all times. One can differ with him without his being resentful, for tolerance is one of his greatest virtues.

Skipping across Ohio to the State of Indiana, the traditional home of a host of orators and statesmen, we find BILL JENNER retiring from the Senate at the tender age of 50.

BILL could stay here if he wanted to. That was amply demonstrated in the election of 1952 when persons from diverse parts of the country met with disaster when they undertook to defeat BILL in his native State.

BILL evidently likes Indiana better than he does Washington.

He has been good for Washington and good for the Senate. He has added variety to our charms.

Soon after he came to Washington and demonstrated his Indiana brand of oratory, the ceiling of this Chamber had to be replaced.

If the walls of the Republican cloakroom bulged outward it meant that BILL was regaling his colleagues with another fresh Indiana story—a really fresh one.

Although BILL JENNER can be deadly serious, his sense of humor has broken the tension in the Senate Chamber many, many a time, and if, after this session, we hear a rumbling coming from the west, we will not be quite sure whether it comes from an approaching storm or whether BILL has just told another refreshing story to his neighbors in Indiana.

Last, but not least of our six retiring colleagues is big BILL KNOWLAND, the fellow who is not afraid of anything.

Coming here 14 years ago as an appointee, BILL has mowed down all opposition since that time and there are plenty of people who believe that dogged determination and adherence to outspoken principles will carry him forward to future victories.

There are many people who do not agree with BILL'S policies and beliefs, but no one has ever accused him of evasion. A host of people all over America look to him as their leader in a campaign for soundness, fairness and integrity in Government.

In his capacity for work and his ability to take it, BILL KNOWLAND has few equals in America today.

Mr. President, I have spoken of six strong men who are leaving the Senate at the end of this term—six courageous, honest public servants, representing different beliefs in the American plan of things, but intensely loyal Americans all.

Words are inadequate to express one's feelings at the loss which this Senate will sustain when they go, but I know that, regardless of whether we have differed with any of them in the past or not, they are retiring with the complete respect and devotion of all their colleagues and with the most heartfelt wishes for their future.

TRIBUTE TO SENATOR IVES

Mr. WILEY. Mr. President, very often I point out to constituents this fact,

which not enough members of the public recognize: Most of the important work of the Congress is done in committees; rather than on the Senate and House floors.

I should like to join, now, with my colleagues in referring to one of our associates who represents about as well as anyone the conscientious caliber of a United States Senator who works tirelessly in committee and then on the floor.

In this instance, I refer to our good friend, the senior Senator from New York [Mr. IVES].

Everyone who has followed the career of IRVING IVES knows that he is a "bear for work." He gets down and grapples with legislation down to the last comma, semicolon, and period in every single line of legislation. As a result, when bills emerged from the New York State Legislature, where he served so long and so well, or when bills emerged from the Senate Labor Committee, they bore the "IVES" imprint.

And what is that imprint?

It is the imprint of scholarship, of meticulous care for detail; of sound principle, soundly applied. It is the imprint, as well, of parliamentary compromise worked out by men of good faith who were willing to concede that not a one of us possesses all truth, or all right, on our side.

IRVING IVES can feel, as he retires from the Senate with the end of this session, a sense of satisfaction in a job well done.

Since 1947 he has served here with distinction; just as he served in his native State with great honor.

Although he is best known for his remarkable contributions to sound labor-management relations, he has been active, as well, in all of the many other issues which concern the people of the Empire State.

If any members of the public want to see an illustration, therefore, of a man who has worked day in and day out, month in and month out, year in and year out, with the mass of legislative details which comprise the day-to-day work of the United States Congress, I refer them to IRVING IVES.

He has sought, not glory, but accomplishment. He has functioned, not with headline publicity, but with solid workmanship. Honors have come to him, not because he sought them, but because he won them by his patient, devoted achievement.

He has served his State and his Nation well—in war and peace—and our best wishes go with him.

Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

TRIBUTE TO SENATOR JENNER

Mr. WILEY. Mr. President, one of the interesting characteristics of the Senate which observers have long noted is this: Senators may differ strongly on a great many issues and yet they will respect one another's deep convictions and will work with one another in the interest not only of party teamwork but, far more important, in the interest of the effective functioning of this great body.

At the end of this 85th Congress, there will depart one of our Members who holds convictions about as deep and strong as any man can, and who has fought for those convictions with a dynamic energy which would command the respect of any Member of the Senate.

I refer to my associate, the distinguished Senator from Indiana [Mr. JENNER].

I am frank to say that the record will readily reveal that I have differed with BILL JENNER on a great many issues of both domestic and foreign policy.

But, working with him as I have on the Senate Judiciary Committee, I know that he is a conscientious worker who fights hard for the right, as he sees it.

It is a tribute to his zeal that he has accomplished a great deal in the short half century of his life.

It may seem strange indeed that a man, born in 1908, should be retiring from this body, because we know that no one of the restless drive and determination of BILL JENNER can really retire, especially at his young age.

But these years have been crowded with activity.

In the Hoosier State, famed for the vigor of its politics, he has been particularly vigorous.

And, in the Republican Party of that State, noted for its ability not only to fight it out on the line with its adversaries, but, if necessary, to fight it out behind the lines with itself, BILL JENNER has not yielded to anyone in his willingness to fight hard for both principles and personalities.

He is a fighter through and through, and, what is more, he not only fights in the political-legislative field, but he has proved his ability to fight in the armed services of our Nation.

He believes in this country, in its flag, in this Republic, in all that it represents.

Men may differ with him as regards the course which they feel this country should follow to best protect its interests, but, as I have said, they cannot deny that BILL JENNER is a man to be reckoned with—devoted as a friend; resourceful, able as a foe. But, in all things, a sincere, earnest, and stronghearted battler for his views.

He will go on ahead, I am sure, to many more efforts for the right as he sees it. He will always be an implacable foe of communism, or of any other force which he feels is harmful to the best interests of his country.

We wish him well in his future undertakings for his land and his State.

LETTER FROM SENATORS HUMPHREY, NEUBERGER, AND PURTELL TO THE PRESIDENT REGARDING HUMANE SLAUGHTER BILL

Mr. PURTELL. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD at this point a copy of a letter which the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oregon [Mr. NEUBERGER], and I sent the President today urging that he sign the humane slaughter bill which Congress sent him yesterday.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D. C., August 14, 1958.

THE PRESIDENT,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: With all vigor at our command, we respectfully urge you to sign into law the humane slaughter bill which was sent to the White House yesterday.

It would be needless for us to repeat in this plea to you the preponderance of argument in favor of the measure which awaits your signature. It is the overwhelming will of our fine citizens who are familiar with the subject that this bill be made the law of the land. The votes in the House and Senate clearly show the strong feeling of Congress in support of the legislation now before you. We ask that this will not be denied.

Respectfully yours,

WILLIAM A. PURTELL.
HUBERT H. HUMPHREY.
RICHARD L. NEUBERGER.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (S. 3843) to regulate the practice of physical therapy by registered physical therapists in the District of Columbia.

The message announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3051) to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes.

The message also announced that the House insisted upon its amendments to the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. O'BRIEN of New York, Mr. HALEY, Mr. MILLER of Nebraska, and Mr. RHODES of Arizona were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13455) to amend the Atomic Energy Act of 1954, as amended.

The message further announced that the House had agreed to the report of

the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 424) to improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 8002. An act to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; and

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

The message further announced that the House had passed a bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 1244. An act to provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes;

H. R. 3140. An act for the relief of Erika Gorenstein Nathanson;

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended;

H. R. 7330. An act for the relief of Demetrius Daskalakis;

H. R. 7725. An act for the relief of Shizuko Sese Sheveland;

H. R. 8478. An act amending the Hawaiian Homes Commission Act to permit the establishment of a post office on Hawaiian homelands, and for other purposes;

H. R. 11123. An act providing for the extension of certain authorized functions of the Secretary of the Interior to areas other than the United States, its Territories and possessions;

H. R. 13021. An act to amend section 41 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide a system of safety rules, regulations, and safety inspection and training, and for other purposes;

H. J. Res. 620. Joint resolution for the relief of certain aliens; and

H. J. Res. 636. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

HOUSE BILL REFERRED

The bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety, was read twice by its title and referred to the Committee on Labor and Public Welfare.

Mr. KENNEDY obtained the floor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the Senator from Massachusetts losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, there are several conference reports to be considered. One will be presented by the Senator from Oregon; another by the Senator from New Mexico; and perhaps another by the Senator from Virginia.

I ask unanimous consent that the Senator from Massachusetts [Mr. KENNEDY] may be recognized, that he may yield for the purpose of having the various conference reports considered, and that he again be recognized at the conclusion of their consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, there is a bill on the Legislative Calendar, H. R. 9833, whose disposition has been worked out satisfactorily with the Senator from Texas [Mr. YARBOROUGH], who had objected to its consideration on the calendar. I wonder whether we could consider it before the Senator from Massachusetts proceeds.

Mr. JOHNSON of Texas. No; I have asked the Senator from Massachusetts to wait all day. As soon as he concludes, I wish to take up 4 or 5 other bills of the general classification of the bill the Senator from Tennessee has reference to, which do not involve controversies. If the Senator will indulge me for a short time, we will get to his bill also.

Mr. KEFAUVER. Very well.

TERMINATION OF SUPERVISION OVER KLAMATH TRIBE OF INDIANS—CONFERENCE REPORT

Mr. NEUBERGER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3051) to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 13, 1958, pp. 17642–17643, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. NEUBERGER. Mr. President, the submission of this conference report culminates 2 years of effort to amend the Klamath Termination Act of 1954 in order to provide for an equitable termination of Federal supervision over the Klamath Indians of Oregon, and to assure the preservation of the Klamath Indian forest and marsh lands. I am pleased to report that we have a bill today which clearly provides for accomplishing the major goals we sought.

The hearings and the legislative debate earlier tell the complete story, and I shall not detain my colleagues again with history. Today we are correcting a legislative error which was made in the 83d Congress, and we are doing it virtually at the 11th hour. However, this bill is not a frantic piece of last-minute legislation. The committee has worked long and hard on this problem both in the 84th and 85th Congresses. This final bill has had over 6 months of careful review in both Houses.

In order that all will be fully informed on the major improvements, let me cite them quickly.

As passed by the Senate, S. 3051 provided for "sustained-yield" forest management. The House eliminated this language and inserted as the equivalent, no more, no less than the high level of forestry on the national forests. Since the section of the bill dealing with forest management applies to possible private purchasers, the conferees have agreed that the purchasers shall operate the forest "as far as practicable according to sustained-yield procedure so as to furnish a continuous supply of timber."

There is recognition that in separating some of the few very small tracts which, while timbered, are not susceptible to sustained yield, that this provision may not apply. For the 11 to 15 major forest units comprising over 95 percent of the reservation forestry, the minimum requirement—I am happy to report—will be sustained-yield forestry. We have agreed to apply the foresters' definition of sustained yield, to set the national forest statutes as a guide, and for the years of practice on the national forests to set the standard. There is full opportunity to practice sustained-yield forestry on these units, and of course this includes reducing the rate of cut when there is a drop in economic activity or stepping up the thinning of insect-plagued or fire-killed trees, if calamity strikes.

The goal will be not only to strive to maintain by plan, but also to maintain in fact the growing stock needed to provide the highest timber yield in perpetuity. The language and the intent will not permit accelerated cutting to satisfy a craving for monetary returns at the expense of a fully stocked forest. The forest owner will be able to bank on

not only continuous, but maximum timber production. This bill clearly and unequivocally assures sustained-yield forest management. The executive branch has a clear mandate, and prospective private purchasers can have complete confidence in this requirement.

I say quite candidly that if I could not make such a statement, if I could not assure the Senate that sustained yield was assured, I would advise you in detail. As further proof of the common agreement among the conferees, we have provided for a perpetual sustained-yield management of the timber, rather than for 100 years, as provided in the bill as passed by the Senate.

I turn now to the second major point in conference—a House provision for an appraisal review. The House suggested, and rightly so, that another improvement was needed for the benefit of the Klamath Indians. They need to be assured of a fair price without resorting to expensive litigation. We have empowered the Secretary to select 3 competent appraisers who will have 2 tasks. First, they will take the existing appraisal data and review it to assure that the fair market value is set based on the sale of the resources without restriction as to use. Secondly, they will be expected to determine whether, through error or oversight, any resource value has been overlooked by the previous appraisal. We have provided for this final assurance at Government expense. The Senate conferees agreed to the recommendation expressed by the House colleagues and accepted this amendment as desirable to give further good faith and assurance to the Klamath Indian tribal people.

Finally, we have recognized that this provision and the general situation make it desirable to relieve the Government and the tribe of the expense of the management specialists and their staff. Their job has been well done. They have fulfilled their mission with integrity and distinction. The Klamath Tribe, the city of Klamath Falls and Klamath County, the people of Oregon, and this Nation owe a real debt to Tom Watters, Eugene Favell, and their able forester Earle Wilcox, for the devoted, conscientious public service they have given. They have provided the highest type of public service. We are indebted to them for the strength they lent to our efforts.

This has been a truly bipartisan achievement. Secretary of the Interior Fred A. Seaton, Secretary of Agriculture Ezra Taft Benson, and Under Secretary of the Interior Hatfield Chilson, men like Ed Crafts, of the Forest Service; Rex Lee and Lewis Sigler, of the Bureau of Indian Affairs; have worked long and hard in the executive branch to bring before us the best possible solution to the Klamath situation. Our Senate conferees—the Senator from New Mexico, Mr. ANDERSON; the Senator from Idaho, Mr. CHURCH; the Senator from Utah, Mr. WATKINS; the Senator from Arizona, Mr. GOLDWATER; and my other colleagues in the Interior Committee—especially our distinguished chairman, JAMES E. MURRAY, of Montana—have been constant in their efforts to find the fair solution. In the House, Congressman ULLMAN, and the House conferees, Congressmen ASPINALL, UDALL, HALEY, DAWSON, and WESTLAND have been very helpful in the consideration of this entire problem. One of the outstanding conservationists in the House, LEE METCALF, though not a member of the Interior Committee, showed his continued friendship and interest in the Indian people and the conservation problems.

Like myself, Representative ALBERT C. ULLMAN, of the Second Oregon Congressional District, had nothing to do with the original mistakes made in the act of 1954, known as Public Law 587. The vast Klamath Reservation lies within the Second Oregon District. Mr. ULLMAN set to work with me to try to correct the blunders made by that act, to repair the damage before it became catastrophic. Neither of us engaged in recriminations, we did not go back and point the finger of political blame. We sought to brighten the future, not to tarnish the past. I want the record to show that Congressman ULLMAN has given me complete and unselfish cooperation, and I trust that he shares that opinion of my efforts to work with him.

This bill is the product of the efforts of many. It meets the criteria needed to assure a fair and just termination of Federal supervision over our Indian citizens. For those who wish to organize into an entity, there is provision. For those who wish to depart, fair treatment is accorded. Fair value for property sold is a cardinal principle of the bill. Finally, God's heritage to mankind—the soil and the water, grass, trees, and the birds and animals that comprise the Klamath forest, range and swamp—are protected in perpetuity from the ravages of those whose narrow vision and selfish interest would devastate or exploit these resources.

Mr. President, certain documents are pertinent to the solution which I hope the United States Senate will ratify today. One is my correspondence with Secretary of Agriculture Benson regarding what policy should be supported in the Senate-House conference, another is my correspondence with my distinguished senior colleague [Mr. MORSE] regarding the same question. I believe my letters to Secretary Benson and Senator MORSE should be printed in the RECORD at this point, along with their replies to me.

I ask unanimous consent that the correspondence may be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 25, 1958.

Hon. EZRA TAFT BENSON,
Secretary of Agriculture,
Department of Agriculture,
Washington, D. C.

DEAR MR. SECRETARY: I am sure you are aware of the amendments to S. 3051 which the House Committee on Interior and Insular Affairs has recommended in its report on that bill, particularly those changes that would eliminate the specific references to sustained yield.

Under the provisions of the bill as passed by the Senate and as reported out by the House committee, the Secretary of Agriculture would not only have the responsibility of developing jointly, with the Secretary of the Interior, the specifications and minimum requirements to be included in the invitation for bids for forest units to be sold, but would also have the sole responsibility of approving the plans submitted by prospective purchasers. Furthermore, the Secretary of Agriculture would be solely responsible for enforcing compliance with the approved management plans on forest units sold.

In view of these responsibilities which would be placed on you by the bill, I would like to have your views as to your preference between the provisions in the bill as passed by the Senate with respect to sustained yield, and the provisions as recommended by the House committee.

Sincerely yours,

RICHARD L. NEUBERGER.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., July 29, 1958.

Hon RICHARD L. NEUBERGER,
United States Senate.

DEAR SENATOR NEUBERGER: This is in reply to your request of July 25 for the views of this Department with respect to changes in S. 3051 which have been recommended by the House Committee on Interior and Insular Affairs.

S. 3051, as it was passed by the Senate, contained specific provisions that purchasers of Klamath Indian tribal forest lands would be required to manage the lands according to sustained-yield plans. Specific reference is made to sustained yield in several places. The amendments recommended by the House Committee on Interior and Insular Affairs would strike out all specific references to sustained yield and would substitute the provision that purchasers of the forest lands would agree to manage them "as far as practicable so as to furnish a continuous supply of timber."

The bill as reported out by the House committee would still provide for the submission of management plans according to specifications and minimum requirements developed jointly by the Secretaries of the Interior and Agriculture and the approval of the management plans by the Secretary of Agriculture. The Secretary of Agriculture would be responsible for enforcing compliance with the plans.

The Department of Agriculture greatly prefers the language on this point contained in the bill as it passed the Senate.

The Senate-passed bill is the same on this point as the draft bill submitted to the President of the Senate on January 13 by the Secretary of the Interior. This Department collaborated with the Department of the Interior in drafting that bill, and concurred in recommending its enactment.

One of the basic and fundamental purposes of recommending the enactment of S. 3051 was to assure the continued conservation and management, under principles of sustained yield, of the tribal forest lands that are to be sold. The advocates and supporters of this legislation have stressed the utmost importance of providing for the management of this important timber resource under principles of sustained yield. Testimony in the hearings on the bill contain many statements on the necessity of assuring proper management of these land and timber resources so vital to the Klamath basin. The significance of this conservation objective of the bill cannot be overemphasized.

In reporting the bill out with its amendments, the House committee explained that the act of June 4, 1897 (30 Stat. 11, 35), specifies that one of the purposes for which national forests are established is to furnish a continuous supply of timber. The committee stated that it was considered appropriate to use this same language with

reference to the tribal forest lands to be sold under the bill. The 1897 act also directs the Secretary to make such rules and regulations and establish such services as will insure the objects of such reservations.

In line with this, the regulations of the Secretary of Agriculture (36 CFR 221.3 (Reg. S-3)) direct that management plans for national forest timber resources • • • shall • • • be based on the principle of sustained yield, with due consideration to the condition of the area and the timber stands covered by the plan. Within the framework of this regulation, the Forest Service manual defines the principle of sustained yield and states: "The policy is to manage each national forest working circle so that it will produce a maximum sustained yield of the products it is best suited to grow." This has been the guiding conservation principle under which the national forests have been managed for years. We feel it is a highly desirable one and certainly believe that it is within the framework of applicable statutory provisions.

The language recommended by the House committee would, under that interpretation, make it possible to adhere to sustained-yield principles in the management plans to be required of purchasers. This department would plan to do so in the development of specifications and minimum requirements and in the approval of management plans.

We would be greatly concerned, however, if the Congress should adopt the House committee language instead of the specific references to sustained yield contained in the bill so strongly recommended by the Secretary of the Interior and the Secretary of Agriculture. Such language substitution would be used as a basis of contending that the Congress meant to prescribe for these lands management at lower standards than sustained yield.

Under the normal rules of statutory construction consideration must be given to differences in language adopted by the two Houses of Congress. Unless there is clear indication to the contrary it is presumed that where different language is used a different meaning is intended. This could easily precipitate efforts to litigate the matter in the courts. Any litigation can consume a considerable period of time and involves inherent uncertainties as to its outcome, no matter how confident either side might be. Abandonment by the Congress of specific references to sustained yield and substitution of the other language could not be escaped in any litigation so precipitated.

Another obstacle that would have to be overcome in successfully resisting such a contention is that the State of Oregon's Forest Conservation Act states that among other things "the continuous growth of timber on lands suitable therefor are declared to be the public policy of Oregon" (O. R. S. 527.030). It further explains the reasons for certain provisions as "to maintain continuous forest growth." We know of no one who claims that the Oregon Forest Conservation Act provides for sustained-yield management of forest lands. Under the House committee language, someone might seriously contend that the requirements of the Oregon law, which are far less than sustained yield, are the same as should be applied to the purchasers of the Klamath tribal forest lands.

Furthermore, any litigation resulting from legislation applicable to this limited Klamath area, but with such a legislative history, might needlessly raise the question of the interpretation of the language applicable to the national forests. This might be a practical result even though the 1897 act is free of legislative history involving language substitution such as would becloud the Klamath legislation.

This Department believes it is highly desirable to avoid all of these uncertainties. The sustained-yield purpose of this legislation is so important that we believe the intent of Congress should be stated in clear and certain terms.

The term "sustained yield" is an accepted and understood term in the forestry profession. It is defined by the professional Society of American Foresters in its Forest Terminology: A Glossary of Technical Terms Used in Forestry. There would be no uncertainty as to its meaning if it is retained in the bill.

In conclusion, the Department of Agriculture feels that deletion by the Congress of all reference to sustained yield in S. 3051 would be widely interpreted as a weakening of the conservation objectives of the bill. We would greatly prefer that this basic conservation purpose of S. 3051 be assured by using the specific references to sustained yield.

Sincerely yours,

E. T. BENSON,
Secretary.

JULY 30, 1958.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR WAYNE: You are familiar, I know, with the changes which the House of Representatives made in S. 3051, the bill to preserve the timber stands of the Klamath Indian Reservation.

The most important of these changes, of course, is the substitution of the phrase "continuous supply of timber" for "sustained yield" as the standard of timber management which must be met by any plan of disposition of timber tracts under this bill.

I understand from AL ULLMAN that you have told him of your willingness to go along with the view that it would be advisable for the Senate to accept this change made in the bill as it passed the House. As you know, as chairman of the Senate Indian Affairs Subcommittee, I shall very soon have to decide whether to recommend acceptance of the House changes, or whether to try to restore the Senate language in conference. Since this entire problem exists specifically in the State which you and I represent in the Senate, I would naturally appreciate having your advice and counsel with respect to the course to be followed in the Senate. Is it your view that the Senate should accept the bill as amended by the House, or is it your view that the Senate should seek restoration in conference of the language of S. 3051 as passed by the Senate, particularly with respect to the different phrasing of the sustained yield requirement?

With good wishes, I am

Sincerely,

RICHARD L. NEUBERGER.

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 2, 1958.

Hon. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR DICK: Thanks for your letter of July 30 on the Klamath Indian Reservation matter. My suggestion is that you and AL ULLMAN try to reach an agreement on the final language of the Klamath Indian Reservation bill as the two of you believe it should come out of conference.

If you and AL cannot reach an agreement, then I suggest that the two of you ask CHARLIE, EDITH, and me to join you over a cup of coffee some afternoon and see if the five of us can agree upon a satisfactory solution to any difference that may exist between you and AL. As you know, I respect the right of each member of the delegation to exercise an independence of judgment after listening to the views of all other members of the delegation. You and AL are the two members of the delegation who, in my opinion because of your committee positions, have the major responsibility of resolving this problem.

If the House bill meets the main objectives we have in mind and if adopting it would be of particular help to ULLMAN, then I would be willing to take that version of the bill. If, on the other hand, the language of your proposal is essential to protecting a sustained yield program and that program would be lost under the House bill, then I should think we would hold out for the Senate version. However, it is my understanding from what AL has told me that a sustained yield program would be protected in the House version.

The one thing we have to watch out for is that we don't end up with no bill at all.

Sincerely yours,

WAYNE MORSE.

Mr. NEUBERGER. Mr. President, I believe my inclusion of this correspondence, one with a leading Republican like Secretary Benson and the other with a prominent Democrat like Senator MORSE, will indicate how bipartisan we have tried to be in handling this whole issue, and in avoiding partisan wrangles or difficulties.

The press of the State of Oregon was most faithful and diligent in informing public opinion in the realm where the human and natural resources of the Klamath Reservation are located. I will not enumerate all these editors and publishers, lest I be guilty of omission which would be unfair. However, I think it is safe to say without contradiction that nearly every daily and weekly newspaper in Oregon has advocated a bill which would safeguard the timber and waterfowl marsh and also do financial justice to the Indians. S. 3051, in its present form, is such a bill.

An article and some editorials from the Oregon press are timely to this conference report, and I ask unanimous consent that they be published at this point. They are from the Salem Statesman, July 29; the Eugene Register-Guard, July 29; the Journal, July 31; the Oregonian, August 1.

There being no objection, the article and editorials were ordered to be printed in the RECORD, as follows:

[From the Salem Statesman of July 29, 1958]

IT SEEMS TO ME

By Charles A. Sprague

American Forests, the magazine of the American Forestry Association, reports in its August number there are signs that private industry may be interested in purchasing forest lands now owned by the Klamath Indians when it is offered for sale under the termination act. Whether this interest springs from the prospect of less rigorous conditions on the land sales or from a reviving confidence in the lumber industry, no one on the outside can say. The degree of interest is by no means manifest, but the fact of it seems to be accepted.

The first report was that a coalition of eastern insurance firms might turn to Klamath timberland for long-time investment. The AF editor's query drew the response from a representative of the Equitable Life Assurance Co. of New York that there was no coalition, but that his company had received inquiries from possible private purchasers, and that his company was ready to lend money to timber with initiative behind it.

The pending Seaton bill, which has passed the Senate and been altered somewhat in the House subcommittee, calls for the offer

of blocks of Klamath lands for sale at appraised prices, subject to conditions covering forestry management. The Senate version called for sustained yield for 100 years. The House calls for purchasers to get approval of their plans for continuous forestry without limit of time. What worries Senator NEUBERGER is that the House language does not seem to provide as strong a guaranty of maintaining the forests as the Senate insistence on sustained yield. Just now, pending House action and reference of the bill to a conference committee, Senators and others are analyzing closely the House phraseology. Governor Holmes wired his protest, but Congressman ULLMAN defended the text as the best obtainable, and had inserted as committee comment the intention continuously to crop the lands with trees. It may be that we will be safe under the House version, but if possible the intent of sustaining forest production should be specified in the bill.

The fresh interest of private operators may spring from the realization that the Seaton bill will pass, and that if they want to be sure of a timber supply in the Klamath area they had best get ready to bid for tracts rather than to try to defeat the bill by crash protests. If the lands should be acquired by some of the big paper or lumber companies the prospect is good that they will be administered for continuous tree production. Tree farms all over the country testify to the keen interest of such industries to insure a continuing supply of logs, which can only be done through practice of conservation.

Oregonians will be fully satisfied if the lands are acquired by those willing and capable of sustained managed yield. They will not quibble over the wording, but want the language clear and positive, with no chance of mistaking the meaning of the terms of sale. But it is interesting to note this possible change of front on the part of private operators. And yet it isn't surprising. The Klamaths own about the largest stand of virgin ponderosa pine remaining, and purchase of blocks of it give assurance of a future supply of high-grade timber, under proper management.

[From the Eugene Register-Guard of July 29, 1958]

WATCH THAT PHRASE

Soon the House will have to vote on the Seaton bill dealing with the Klamath Indian Reservation lands as passed by the House Interior Committee. The chances are that the House will approve it but it differs in a key point from the bill as passed unanimously by the Senate.

The Senate bill, with the leadership of Senator NEUBERGER, called for sustained-yield management of the huge stands of ponderosa pine on the reservation if purchased by private operators. But the House version dangerously weakens this vital plank by saying purchasers shall manage the forests as far as practicable so as to furnish a continuing supply of timber.

If the timber is managed so as to supply timber continuously, it will last forever presumably, although Forest Service people and others are not too sure that would be the correct meaning. But regardless, the initial phrase of that sentence is too large a loophole.

We would prefer to see the sustained-yield language of the Senate version restored. There is no question as to what it means. And we know if the differing versions of the bill get to a Senate-House conference that Senator NEUBERGER and others will fight for its adoption. The days of cut-and-get-out-logging, we hope, are long gone in Oregon and Congress should be certain that such practices cannot take place on the vast timber stands on the Klamath Indian Reservation.

[From the Oregon Journal, Portland, Oreg., of July 31, 1958]

HOUSE KLAMATH BILL NEEDS STRENGTHENING

The House version of the Klamath Indian bill which passed Tuesday offers greater protection for the great stand of pine timber involved in termination that it would have without such legislation.

But the United States Forest Service has offered the expert opinion that the House bill is less protective than it should be, and it greatly prefers the language contained in the Senate bill.

This opinion has been conveyed in a letter signed by Ezra Taft Benson, Secretary of Agriculture, to Senator RICHARD L. NEUBERGER, who had sought Forest Service advice, saying that his action in the future would be guided by it.

On the basis of what the Forest Service now says, NEUBERGER intends to seek in a Senate-House conference committee, which he will head, restoration of language contained in the Senate bill. There has been some difference of opinion between NEUBERGER and Representative ULLMAN, Democrat of Oregon, on this point, but the weakening of the Klamath bill in the House is not to ULLMAN'S discredit, for he resisted great pressure to make it weaker than it is and he faced considerable opposition to any legislation at all.

The House bill does eliminate the threat of almost immediate clear cutting contained in the unamended Klamath Termination Act of 1954; it assures the Indians a fair price for the timber, and it protects the great Klamath marsh as a feeding ground for migratory birds.

Whether Senator NEUBERGER is successful in strengthening the bill or not, and we hope he is, the passage of this legislation must be regarded as perhaps his most significant accomplishment in behalf of Oregon this session. It is to be recalled that NEUBERGER had unselfishly abandoned his own Klamath bill, then, working hand in glove with the Interior Department, labored tirelessly in behalf of the measure which bore the name of Fred Seaton, Secretary of the Interior.

[From the Oregonian, Portland, Oreg., of August 1, 1958]

SUSTAINED-YIELD ISSUE

When the Klamath Indian Reservation bill (S. 3051) goes to Senate-House conference, probably early next week, the Senate conferees will be armed with a letter from Secretary of Agriculture Benson strongly urging restoration of the original language requiring sustained-yield cutting of the timber.

Senator NEUBERGER, chairman of the Senate conferees, shares this view and should be backed by his group, Senators CHURCH, ANDERSON, GOLDWATER, and WATKINS. But the House conferees, if they choose to hold tough, have the upper hand. This bill must absolutely be adopted, in some form, to prevent immediate dumping of the Indians' pine forest on a depressed market, with no safeguard against clear cutting, under the 1954 Termination Act.

The House Committee on Interior and Insular Affairs, evidently impressed by a minor segment of the lumber industry, removed from the bill the language requiring sustained-yield harvesting by private purchasers. It substituted a provision that purchasers would agree to manage the forest lands "as far as practicable so as to furnish a continuous supply of timber."

There is a question as to whether or not any private timber company will bid on any of the big blocks which must be offered for sale before the Government is authorized to buy the forest lands, at a cost not exceeding $90 million, to pay off the 70 percent of the Indians who voted to withdraw from the reservation. This doubt arises from the high minimum price, which is based on a "realization value."

But Secretary Benson believes this weakening of the language would provide opportunity for court tests and harassing delays should the Department of Agriculture, which administers the national forests, adhere to its sustained-yield regulation in later sales of Klamath timber to mills of the area.

The Forest Service, said Mr. Benson, would attempt to adhere to sustained-yield principles in the development of specifications for bids. But he said the language substituted by the House would be used as a basis of contending that the Congress meant to prescribe for these lands management at lower standards than sustained yield.

The House version is similar to requirements of the Oregon Forest Conservation Act for "continuous growth" practices. But, said Mr. Benson: "We know of no one who claims that the Oregon Forest Conservation Act provides for sustained-yield management of forest lands. Under the House committee language, someone might seriously contend that the requirements of the Oregon law, which are far less than sustained yield, are the same as should be applied to the purchasers of the Klamath tribal forest lands."

"Furthermore," said Secretary Benson, "any litigation resulting from legislation applicable to this limited Klamath area, but with such a legislative history, might needlessly raise the question of the interpretation of the language applicable to the national forests.

"This Department believes it is highly desirable to avoid all of these uncertainties. The sustained-yield purpose of this legislation is so important that we believe the intent of Congress should be stated in clear and certain terms."

The term "sustained yield" is clearly defined in Forest Service regulations and clearly understood by timbermen. This protection to the Klamath Basin watershed is essential. And, as Mr. Benson points out, any deviation from sustained yield could be the opening wedge in a drive to weaken the sustained-yield regulation for management of all national forests. Oregon must continue to demand the sustained-yield language of the administration bill adopted by the Senate.

Mr. NEUBERGER. Mr. President, I also ask unanimous consent to include in the CONGRESSIONAL RECORD a telegram approving the bill presently before us, which I have just received from the eminent Governor of Oregon, the Honorable Robert D. Holmes. No State chief executive could have been more consistently and effectively cooperative than has been Governor Holmes, during the entire effort over the past 2 years to reach a feasible legislative solution to this thorny and difficult problem.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALEM, OREG., *August 13, 1958.*

Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D.C.:

Congratulations and warm thanks for your leadership on Klamath Indian timber bill compromise. Feel language for which you so ably argued gives us assurance of sustained yield program and watershed and other resource protection. Am glad you and AL worked together on this.

Thanks again.

ROBERT D. HOLMES,
Governor.

Mr. NEUBERGER. Mr. President, I ask that the Senate adopt the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. NEUBERGER. Mr. President, now that we have completed action on the conference report regarding S. 3051, the Klamath Indian Reservation purchase bill, I desire to include in the RECORD splendid letters in tribute to the services of the Klamath management specialists from Senator JAMES E. MURRAY, the distinguished chairman of the Senate Interior and Insular Affairs Committee, and from Senator ARTHUR V. WATKINS, of Utah, ranking Republican member of the Senate Indian Affairs Subcommittee.

I have great faith in the integrity and sincerity of Senator JIM MURRAY and Senator ARTHUR WATKINS. They would not write these letters unless they were fully deserved.

The letters have gone to Thomas B. Watters, chairman of the Klamath management specialists; to Eugene G. Favell, who recently retired from this board; and to Earle Wilcox, their able chief forester who is thoroughly familiar with the vast reaches of the Klamath pine forest.

I desire to endorse the expressions of commendation and approval and praise contained in the letters from Senators MURRAY and WATKINS to the Messrs. Watters, Favell, and Wilcox. I ask unanimous consent, Mr. President, that the letters be published in the RECORD at this point.

Mr. Watters and Mr. Wilcox are residents of Klamath Falls, Oreg., and Mr. Favell makes his home in Lakeview, Oreg. They are all outstanding citizens of our great State.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
August 12, 1958.

Mr. T. B. WATTERS,
Chairman, Management Specialists,
Klamath Falls, Oreg.

DEAR MR. WATTERS: We want to take this opportunity to express to you our warm appreciation for the dedicated service you have given to your task of assisting in assuring an orderly termination of Federal supervision over the Klamath Indians.

The success of representative government depends upon the contributions our citizens make. We know that no salary could recompense you for the trials you have had. At the same time, we also know that you have received rich rewards that cannot be measured in dollars.

As we appraise the progress of this termination program, we are convinced that your willingness to serve the Klamath people, your community, and your Nation has been one of the great contributions toward promoting constructive understanding of the problem we faced.

Please accept our sincere congratulations on a job well done.

Sincerely yours,

JAMES E. MURRAY,
ARTHUR V. WATKINS.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
August 12, 1958.

Mr. EARLE WILCOX,
Management Specialists,
Klamath Falls, Oreg.

DEAR MR. WILCOX: We want to take this opportunity to express to you our warm appreciation for the dedicated service you have given to your task of assisting in assuring an orderly termination of Federal supervision over the Klamath Indians.

The success of representative government depends upon the contributions our citizens make. We know that no salary could recompense you for the trials you have had. At the same time, we also know that you have received rich rewards that cannot be measured in dollars.

As we appraise the progress of this termination program, we are convinced that your willingness to serve the Klamath people, your community, and your Nation has been one of the great contributions toward promoting constructive understanding of the problem we faced.

Please accept our sincere congratulations on a job well done.

Sincerely yours,

JAMES E. MURRAY.
ARTHUR V. WATKINS.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 12, 1958.

Mr. EUGENE G. FAVELL,
Lakeview, Oreg.

DEAR MR. FAVELL: We want to take this opportunity to express to you our warm appreciation for the dedicated service you have given to your task of assisting in assuring an orderly termination of Federal supervision over the Klamath Indians.

The success of representative government depends upon the contributions our citizens make. We know that no salary could recompense you for the trials you have had. At the same time, we also know that you have received rich rewards that cannot be measured in dollars.

As we appraise the progress of this termination program, we are convinced that your willingness to serve the Klamath people, your community, and your Nation has been one of the great contributions toward promoting constructive understanding of the problem we faced.

We regret that your health required that you resign early this year, and we trust that you are now fully recovered.

Please accept our sincere congratulations on a job well done.

Sincerely yours,

JAMES E. MURRAY.
ARTHUR V. WATKINS.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AS AMENDED—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13455) to amend the Atomic Energy Act of 1954, as amended. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 13, 1958, p. 17640, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SUPPLEMENTARY APPROPRIATIONS, 1959

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 13450) making supplementary appropriations for the fiscal year ending June 30, 1959, and for other purposes.

UNITED STATES MILITARY POWER—PREPARING FOR THE GAP

Mr. KENNEDY. Mr. President, 400 years ago the British Crown and people realized with a sense of shock that they had lost Calais forever. Long considered an impregnable symbol of British supremacy in Europe, this last foothold of English power on the Continent was surrendered to the French in 1558. It is said that when Mary of England died, in the same year, the word "Calais" was engraved upon her heart—but that she was, in the words of The Cambridge Modern History, an eminent example "of the inadequacy of deep convictions and pious motives to guide the state aright." Once they had recovered from their initial panic, the British set about adjusting their thinking and their policies to the loss they had suffered. With their gateway to the Continent gone, they sought new power and influence in the seas. A navy was built, new trade routes promoted, a new maritime emphasis established; and when the Spanish Armada was defeated in 1588, the panic and pessimism that had followed the loss of Calais were forgotten as Brittania ruled the waves. The old power, the foundation for old policies, was gone—but new policies had brought a new power and new security.

The time has come for the United States to consider a similar change, if we, too, are to depend on something more than deep convictions and pious motives to guide the state aright. For we, too, are about to lose the power foundation that has long stood behind our basic military and diplomatic strategy.

THE DETERRENT RATIO

That foundation—one of the key premises upon which our leaders of diplomacy, defense, and public opinion have based their policy thinking—has been, since Hiroshima, our nuclear power. We have possessed a capacity for retaliation so great as to deter any potential aggressor from launching a direct attack upon us. Spokesmen for both parties, in the Senate and elsewhere, have debated our preparedness upon the assumption that this "ultimate deterrent" would deter any Soviet attack. Our retaliatory power, said the President in his 1958 state of the Union message, is "the most powerful deterrent

to war in the world today," offering any potential aggressor "the prospect of virtual annihilation of his own country." Possession of similar striking power by the Soviet Union has not altered this basic premise—it is instead described now as the result of a "nuclear stalemate," a point of mutual "saturation" or a "balance of terror."

The hard facts of the matter are that this premise will soon no longer be correct. We are rapidly approaching that dangerous period which General Gavin and others have called the "gap" or the "missile-lag period"—a period, in the words of General Gavin, "in which our own offensive and defensive missile capabilities will lag so far behind those of the Soviets as to place us in a position of great peril."

The most critical years of the gap would appear to be 1960–1964.

This is not to say that during that period we will not retain a nuclear capacity sufficient to rain "virtual annihilation" upon the U. S. S. R. But in view of our unwillingness and inability to strike the first blow, the successful use of that capacity—and the prospects for success must be overwhelming to deter a Russian attack—actually depends upon the proper balance of six factors:

(a) The striking power of the Soviet Union that could be brought to bear upon our retaliatory power in a surprise attack. In the years of the gap this will rest primarily upon their missiles—IRBM's and ICBM's.

(b) The adequacy of American defenses to reduce the successes of that Soviet striking power. This will include our distant early warning system, antimissile missiles when available and other interceptor and defense devices.

(c) The vulnerability of American retaliatory power to destruction by any Soviet weapons penetrating our defense. Exposed missile bases and planes wing-to-wing on the ground are prime examples of this factor; although in a sense it also covers our "destruction tolerance"—the amount of devastation we could endure and still fight back.

(d) The retaliatory power of the United States, its size affecting the amount of such power remaining and available after the initial Soviet attack.

(e) The adequacy of Soviet defenses to reduce the success of our retaliation.

(f) The vulnerability of the Soviet Union and its tolerance of destruction, as a measure of what the Soviets will still be able and willing to do after our retaliation.

In short, what might be called the deterrent ratio—in terms of a somewhat oversimplified mathematical formula—requires that the sum of (a), (e), and (c) be no greater than the sum of (d), (b), and (f)—if we are to have a stalemate. But as the missile striking power of the Soviet Union increases and our retaliatory power lags—as the adequacy of our continental defense falls behind that of the Soviets—as we fail to reduce sufficiently the vulnerability of our attack installations and planes, as contrasted with the wide dispersal of Soviet-Red Chinese power—and uncertain as we are about the destruction tolerance of our people whose political institutions and way of life are not prepared by tradition for the devastation of battle, again unlike the Soviets—then we must realize that the deterrent ratio during 1960–64 will in all likelihood be weighted very heavily against us.

These are not easy facts to face—and once faced, their implications are not easily comprehended. But the facts must be faced—and soon. Our peril is not simply because Russian striking power during the years of the gap will have a slight edge over us in missile power—they will have several times as many: Intermediate range missiles to destroy our European missile and SAC bases; and intercontinental missiles to devastate our own country, installations, and Government; and history's largest fleet of submarines, and possibly long-range supersonic jet bombers, to follow up this advantage. If by that time their submarines are capable of launching missiles, they could destroy 85 percent of our industry, 43 of our 50 largest cities, and most of the Nation's population.

We shall have no such supply of missiles with which to retaliate—particularly after our few exposed IRBM bases in Europe and the Mediterranean are attacked. We have not yet even successfully completed a test of our Atlas or Titan ICBM's; while Russian test successes are now established.

Progress on what appears to be one of our best hopes, the Polaris, has lagged; at least, on 4 Polaris submarines authorized by Congress in addition to the 5 already under development. I understand they may even now be threatened by a possible Defense Department order. A threat to impound funds provided by Congress is contained in a letter from Secretary McElroy to the Committee on Armed Services. We shall rely to a great extent on manned bombers—bombers which face a problem of sufficient alert and sufficient dispersal to avoid decimation, particularly if current Middle East trends should curtail our base operations in that area—bombers that lack an adequate refueling system to penetrate Soviet borders without some 2 to 4 refuelings from our inadequate tanker supply.

Even then we shall encounter a Soviet air defense, and dispersal or concealment of vulnerable power, far superior to our own—a margin, according to some estimates, which the Soviets will be able to maintain at a level 2 to 4 times greater than our own. Indeed, our own DEW system and other continental defense bulwarks—many of which the Soviets will hope to knock out before or during the first blow—were planned for manned bombers, and must be redesigned and rebuilt before they are adequate for the missile age.

In short, the deterrent ratio might well shift to the Soviets so heavily, during the years of the gap, as to open to them a new shortcut to world domination. A portion of their homeland would still almost inevitably be destroyed, no matter how great their defenses or how decimated our retaliatory power. And without doubt world opinion would not tolerate such an attack. But our experience with the illogical decisions of Adolf Hitler should have taught us that these considerations might not deter the leaders of a totalitarian state—particularly in a moment of recklessness, panic, irrationality, or even cool miscalculation.

Surely we realize that the possibilities of serious miscalculation of war by inadvertence, of having both sides caught in a course which would lead to an all-out war which neither originally contemplated, of the calling of a bluff, or of the sudden spreading of a limited war, are very real possibilities, if we but recall the Soviet Union's miscalculations on Korea in 1950, our own miscalculation of the Red Chinese reaction in 1951, our near intervention at Dienbienphu in 1954, the Soviet threats of rocket war at the time of the Suez invasion in 1956, and the possibilities of massive intervention by both sides which the situation in Iraq would have posed this year, had that struggle continued for very long. For many years, now, we have been living on the edge of the crater. We know full well the lack of communications between ourselves and our adversaries, the mutual suspicion and hostility, the increased risks taken by the Soviets as their striking power grows. Let no one think, therefore, that a Soviet attack, inadvertent or otherwise, is impossible, because of the H-bomb damage which we would still hope to rain upon the Soviets.

The Soviets, moreover, will be as well aware as we of their advantage during the years of the gap. We cannot expect them to sit idly by, and make no profitable use of it, while we strive to catch up. If General Gavin is correct in estimating Russian lead time to be twice as short as ours—5 years, as compared to 10—we may not even catch up in 1964, or thereafter. We cannot expect them to give us the same advantage—by sitting by until our missile power equals their own—that we gave to them during the years of our atomic monopoly.

THE NONNUCLEAR THREAT

But nuclear destruction is not the only way in which the Soviets will be able to use their advantages in striking power. War is not so much an objective of foreign policy, as an instrument—a means of securing power and influence, of advancing a nation's views and interests. In the years of the gap, the Soviets may be expected to use their superior striking ability to achieve their objectives in ways which may not require launching an actual attack. Their missile power will be the shield from behind which they will slowly, but surely, advance—through sputnik diplomacy, limited brushfire wars, indirect nonovert aggression, intimidation and subversion, internal revolution, increased prestige or influence, and the vicious blackmail of our allies. The periphery of the Free World will slowly be nibbled away. The balance of power will gradually shift against us. The key areas vital to our security will gradually undergo Soviet infiltration and domination. Each such Soviet move will weaken the West; but none will seem sufficiently significant by

itself to justify our initiating a nuclear war which might destroy us.

Throughout the years of the gap, a direct Soviet attack may be our greatest danger. But it is these other avenues of Soviet advance—with a thrust more difficult to interpret and oppose, yet inevitably ending in our isolation, submission, or destruction—which may well constitute the most likely threat.

Four hundred years ago, the English lost Calais. That event altered the course of British diplomatic and military policy, and changed the direction of British public opinion. The acceptance of the loss, and the adjustment of policy, were not easily or quickly accomplished; but they occurred eventually.

There is every indication that by 1960 the United States will have lost its Calais—its superiority in nuclear striking power. If we act now to prepare for that loss, and if, during the years of the gap, we act with both courage and prudence, there is no reason why we, too, cannot successfully emerge from this period of peril more secure than ever.

THE NEED FOR A NEW APPROACH

Unfortunately, our past reliance upon massive retaliation has stultified the development of new policy. We have developed what Henry Kissinger has called a Maginot-line mentality—dependence upon a strategy which may collapse or may never be used, but which meanwhile prevents the consideration of any alternative. When that prop is gone, the alternative seems to many to be inaction and acceptance of the inevitability of defeat. After all, once the Soviets have the power to destroy us, we have no way of absolutely preventing them from doing so. But every nation, whatever its status, needs a strategy. Some courses of action are always preferable to others; and there are alternatives to all-out war or inaction.

But the adjustment is made more difficult by our traditional failure to link our national strategy and our thinking to our military status. We have extended our commitments around the world, without regard to the sufficiency of our military posture to fulfill those commitments. Changes in our defense status are rarely reflected in our diplomatic policies, pronouncements, and planning. The State and Defense Departments negotiate with each other at arm's length, like so many Venetian envoys, without decisive leadership to break through the excess of bureaucratic committees, competition, and complacency. We think of diplomacy and force as alternatives to each other—the one to be used where the other fails—as though such absolute distinctions were still possible.

Today, we are approaching the years of the gap as though the situation were normal, and as though other assumptions were unchanged—or, in some quarters, at least, as though the problem were one of arms, alone. Nothing could be further from the truth.

In the years of the gap, our threats of massive retaliation will lose most of their impact.

In the years of the gap, our exercises in brink-of-war diplomacy will be infinitely less successful.

In the years of the gap, every basic assumption held by the American public with regard to our military and foreign policies will be called into question. Among the assumptions to be invalidated will be the following 10, which probably are most fundamental to our thinking in the 20th century:

First. American arms and science are superior to any others in the world.

Second. American efforts for worldwide disarmament are a selfless sacrifice for peace.

Third. Our bargaining power at any international conference table is always more vast and flexible than that of our enemy.

Fourth. Peace is a normal relation among states; and aggression is the exception—direct and unambiguous.

Fifth. We should enter every military conflict as a moral crusade requiring the unconditional surrender of the enemy.

Sixth. A free and peace-loving nation has nothing to fear in a world where right and justice inevitably prevail.

Seventh. Americans live far behind the lines, protected by time, space, and a host of allies from attack.

Eighth. We shall have time to mobilize our superior economic resources after a war begins.

Ninth. Our advanced weapons and continental defense systems, established at a tremendous cost and effort, will protect us.

Tenth. Victory ultimately goes to the nation with the highest national income, gross national product, and standard of living.

All of these concepts will be altered or questioned in but a few years. It is unthinkable that we approach the years of the gap with the same sense of normalcy, the same slogans and economies, the same assumptions, tactics, and diplomatic strategy.

Although other peoples have learned to live for years exposed to enemy attack, I realize that it is hard for us to accept the reality of our danger—particularly when we have been told each year that our defenses were daily stronger and superior to any other. I realize that we are reluctant to reexamine policies arduously reached, or to believe that these problems cannot be postponed. But it is precisely this substitution of our preferences for our responsibilities that has led us to the brink of the gap. Our missile lag is not the cause of the gap—it is but another symptom of our national complacency, our willingness to confuse the facts as they were with what we hoped they would be, to appeal at the same time to those who wanted a quick solution and those who wanted a less burdensome one. The people have been misled; the Congress has been misled; and some say with good reason that on occasion the President himself has been misinformed and thus misled. For we have been passing through a period aptly described by Stanley Baldwin, in a great House of Commons debate, in disclosing Britain's unpreparedness to the House of Commons in 1936, as "the years the locusts have eaten."

THE EXAGGERATION OF ECONOMY

Perhaps the most serious result of this complacency—and the one we must first reverse—was our willingness to place fiscal security ahead of national security. We tailored our strategy and military requirements to fit our budget—instead of fitting our budget to our military requirements and strategy. We facilitated the adoption of this popular course through a variety of appealing shibboleths proclaimed to the Nation each year by the President:

Maximum safety at minimum cost (1953 state of the Union).

Sustained military capability at the lowest possible cost (1954 budget message).

Our defenses have been reinforced at sharply reduced costs (1956 state of the Union).

We cannot afford to build military strength by sacrificing economic strength (1954 budget message).

Future defense costs must be held to tolerable levels (1957 budget message).

Adequate military strength within the limits of endurable strain upon our economy (1953 state of the Union).

In recent years we have heard a good deal about an alleged quotation from Lenin who is supposed to have stated that the destruction of the capitalistic world would come about as a result of overspending on arms. I would say that has probably been the most valuable quotation the Communists have had other than "Workers of the World, Unite." But the fact of the matter is that was not said by Lenin. However, this slogan, which has been spread before us during this decade, has caused us constantly to emphasize economic considerations rather than military considerations, and has been used as an authority for that policy. The fact is that Lenin never stated it. Nevertheless, I should think that in the future it would rank high among the slogans which had proved to be useful in the effort to destroy the capitalistic system.

There were many others. The rationale was simple:

To build excessively * * * could defeat our purposes and impair or destroy the very freedom and economic system our military defenses are designed to protect (1956). * * * Any program that endangers our economy could defeat us (1957). * * * To amass military power without regard to our economic capacity would be to defend ourselves against one kind of disaster by inviting another (1953).

The fact of the matter is that during that period when emphasis was laid upon our economic strength instead of our military strength, we were losing the decisive years when we could have maintained a lead against the Soviet Union in our missile capacity. These were the vital years we lost, the years the locusts have eaten, and it is quite obvious we obtained economic security at the expense of military security, and that this policy will bring us into great danger within the next few years.

I have never been very persuaded by this argument. It has always seemed to me that the converse was much more persuasive—that to emphasize budgetary limitations without regard to our military position was to avoid an inconvenient effort by inviting the disaster

that would destroy all budgets and conveniences. Surely our Nation's security overrides budgetary considerations—the President himself indicated this was true in times of war. Then why can we not realize that the coming years of the gap present us with a peril more deadly than any wartime danger we have ever known? And most important of all—and most tragically ironic—our Nation could have afforded, and can afford now, the steps necessary to close the missile gap.

But our task now is not to fix the blame for the past, but to fix a course for the future.

NEW MILITARY STEPS

Our attention is logically and necessarily directed first at the short-range military steps necessary to keep the deterrent ratio from shifting still further to the Red side and to lessen their advantage, if possible. Here other Senators have distinguished themselves in thoughtful addresses or committee action—including in particular the majority leader [Mr. JOHNSON], the junior Senator from Missouri [Mr. SYMINGTON], and the junior Senator from Washington [Mr. JACKSON].

More air tankers to refuel our SAC bombers and more air-to-ground missiles to lessen the need for their deep penetration of Soviet territory are among the first steps to be taken while we expedite our longer range ICBM and IRBM developments, and our progress on atomic submarines, solid fuels, the Polaris, and the Minuteman. Our continental defense system, as already mentioned, must be redesigned for the detection and interception of missile attacks as well as planes.

It should be obvious from our Lebanon experience that we lack the sea- and airlift necessary to intervene in a limited war with the speed, discrimination, and versatility which may well be needed to keep it limited—and without weakening our ultimate retaliatory power. It is shocking to realize that units entering the Lebanon pipeline at the time of the Iraqi revolt emerged at the other end to find that by then the dust had settled and we had already recognized the new regime and it was time to evacuate.

We need to reduce what General Gavin describes as a "critical cut" in our military manpower begun in 1954. With the support of a majority on this side of the aisle, I offered an amendment in 1954 to block a cut in military divisions from 19 to 17; but as General Gavin now points out:

> Congress was assured that our combat strength was not being reduced. We were simply cutting the fat * * * That the contrary was the case few outside the Department of the Army seemed willing to admit.

Finally, if we do not take care, we will create a second gap—between the date when our present ready weapons are obsolescent and the date when our ballistic missiles are operational in any sufficient quantity. To prevent this short-term gap, and to make certain that we have ended the missile-lag by 1964, when we shall have mass production, we hope, of the Minuteman solid-fuel missile, may well require a complete reexamination of our traditional systems of evaluating, budgeting, researching, assigning, developing, and procuring weapons.

NEW STRATEGIC POLICIES

But discussions of new armaments are not enough—and too late to halt the gap. The gap will begin in 1960. And while stepped-up defense efforts are essential to insure its close in 1964 and thereafter, and to lessen its impact in between, the years of the gap demand something more than a purely military answer.

A Maginot-line reliance upon the military answer of massive retaliation has frustrated policy discussions to date, as mentioned—we must now be prepared to demonstrate that we have other courses besides military action and no action at all. For absence of power no more dictates an absence of policy than the presence of power. On the contrary, ancient man survived the more powerful beasts about him because his wisdom—his strategy and his policies—overcame his lack of power. We can do the same. We dare not attempt less, nor do we dare rely wholly upon those same policies in effect during the years of our retaliatory lead.

What is the fundamental approach to formulating a strategy from a basically but only temporarily disadvantageous position? It is first, of necessity, to work for a real peace—for a reduction of armaments, a reduction of tensions, and a reduction of areas of dispute. The goal of universal disarmament—at least in the area of nuclear weapons and long range ballistic missiles—takes on an urgency not heretofore demonstrated by American negotiators who felt they held most of the trump cards. We must redouble our efforts in that regard—and the work of the Senate Disarmament Subcommittee, headed by the distingiushed junior Senator from Minnesota [Mr. HUMPHREY], has made a major contribution in illuminating areas where our efforts might be redoubled.

But that failing—as well it might, once the Soviets are in the driver's seat, though we must never stop trying—the question again arises as to what basic strategy we employ during the years of the gap.

The best and most recent example is that provided by the Soviets themselves during the years of their gap—when American might was superior. While we would not imitate the Communists per se, they demonstrated the classic strategy of the underdog—and soon we will be the underdog. It is basically a strategy of making the most of all remaining advantages and making the most of the enemy's weaknesses—and thus to buy the time and opportunity necessary to regain the upper hand. This will require not only strong leadership in Washington but also expert ambassadors in the field—men equal to the best of any other nation, who are skilled in the needed techniques of probe and prudence, and whose judgments and reports are more reliable than some of those which misled us in Indochina and other difficult areas in years gone by.

Twentieth Century America is not accustomed to this underdog strategy—although it was expertly practiced by our Founding Fathers in time of peace as well as war. And we can practice it now.

Consider for a moment the advantages we retain even after our retaliatory lead is lost:

We retain an economic and industrial advantage, of little use once a bomb is dropped, but of considerable use now in building situations of strength and goodwill in such key areas as India and Tunisia. There is no need to waste this advantage in a drawn-out recession—and the Congress has an important opportunity to utilize this advantage in an action this week on the DeVelopment Loan Fund—the best hope for nations seeking the capital necessary to outstrip their population increases.

We retain an ideological advantage, better equipped than any nation in the world to export the revolutionary ideas of the Declaration of Independence, and thus lead, not frustrate, the nationalist movement against imperialism of any variety, East and West. Particularly after our recent excursion in the Middle East, we are regarded in too many parts of the world as an enemy of popular rule—when we had every right to enjoy the cleanest, strongest reputation in this regard of any nation on earth.

We retain a geographical advantage, essential to adequate dispersal and warning systems, and to the encouragement of local resistance to the Red tide. Although, as Mr. Dulles has said, we cannot make popularity our goal, we must shape our attitudes and procedures in a way that will not cost us our geographical advantage. We do not retain that advantage simply through paper alliances with the reactionary, unpopular governments which have no indigenous support; and recent events in the Middle East should also have taught us that, to maintain that geographical advantage, no commitment at all is better than one which we cannot or should not honor, which the local populations did not request, which our allies do not support, and which is politically or militarily unfeasible.

How well we learned that lesson, to be more precise and to compare strength, may soon be tested in the case of Quemoy and Matsu. I do not think there is greater folly than to leave our commitment in that area as vague as the Secretary of State has left it. If the Chinese should assume we are not going to come to the defense of Quemoy and Matsu, and it is the intention of the United States to come to the aid of those islands, we could find ourselves embroiled in a struggle which could lead to a major political action and perhaps to disaster for all of us, East and West.

As we approach the years of the gap, the U. S. S. R. will also retain weaknesses for us to probe—chief among them being the Achilles heel of the satellite nations. The Congress and administration must reverse those policies, last affirmed by a 1-vote margin in June, which hamstring our flexibility in attempting to wean the satellites from the Soviets, and to drive new wedges into each new crack in the Iron Curtain.

It is interesting, at a time when we are being charged before the United Nations with carrying on an imperialistic policy in the Middle East, to note that the Soviet Union should have begun to tighten in the most formidable way the screws of its control in Poland by an attempt to crack down and destroy the independence of the church, which is the largest single force within Poland against the Stalinist policies of some of the Communist leaders. That is the most genuine imperialism. It is to be hoped United States policies will be clear enough throughout the world to exploit it and to spotlight it, in our own efforts, in our own propaganda, and in our own diplomacy.

There is no point now in consolidating the Red bloc with our talk of massive retaliation—now we must seek ways of dividing it.

In short, to sound the alarm is not to panic—it is not to sell America short. It gives the enemy no encouragement he did not already possess. But the sound of the alarm does warn us that time is running out—that no matter how complex the problems, how discouraging the prospects, or how unpopular the decisions, these facts must be faced. Complacency or hysteria will not help. Sustained and informed constructive effort will help—not to provide all the answers for the future, but to help assure us that there will be a future.

In Gibbon's volumes on the Decline and Fall of the Roman Empire he stated that the Romans maintained the peace by a constant preparation for war and that they indicated to the enemies on their periphery they were as little disposed to endure injury as to offer it. I do not say we should only prepare for war. But we should certainly use all elements of national policy—economic, diplomatic, and military—in order to prepare us for the most serious test in our Nation's history, which will be impending in the next 5 years.

No Pearl Harbor, no Dunkirk, no Calais is sufficient to end us permanently if we but find the will and the way.

In the words of Sir Winston Churchill in a dark time of England's history:

> Come then—let us to the task, to the battle and the toil—each to our part, each to our station • • • Let us go forward together in all parts of the (land). There is not a week, nor a day, nor an hour to be lost.

Mr. SYMINGTON and Mr. MANSFIELD addressed the Chair.

Mr. KENNEDY. I yield to the Senator from Missouri.

Mr. SYMINGTON. I should like to congratulate the distinguished Senator from Massachusetts for one of the finest statements on this all-important subject to which it has been my privilege to listen.

The Senator has had a great deal of experience and an outstanding record as a member of our Armed Forces; he also has firsthand knowledge of the situation in England during the battle of the blitz, prior to the time the United States entered into the war.

I notice in the remarks of the Senator he has quoted from the great Sir Winston Churchill and made reference to remarks of Sir Stanley Baldwin in the House of Commons with respect to the situation in Britain in 1936.

Would my able friend from Massachusetts agree that the situation which the United States faces in the late 1950's may have considerable comparability with the situation faced by the British in the late 1930's?

Mr. KENNEDY. The Senator is completely correct. Of course, in 1931 the British were infinitely stronger than the Germans, exactly as we were stronger than the Soviet Union in 1946, 1947, and 1948. Despite that, over the 10-year period the balance of power shifted. It was a shorter time in the case of the Germans. The shift of power was partly due to a misreading of the facts, a desire to maintain a balanced budget, and a feeling that all the questions involved could be settled by disarmament. During an 8-year period or a 10-year period we have found the balance of power shifting against us.

I think the image is too close for our own security. We do not have a strong neighbor across the Atlantic, as the British did in their moment of peril. We are the backbone, and the buck cannot be passed any further than us. That is why I feel that inasmuch as the United States is the great hope of the Free World, we should not permit the balance of power to shift against us, which would not only have the effect of tempting the Soviet Union to initiate an all-out attack, but would also affect the position of our diplomacy, the security of our bases, and other things. The Senator has been quite correct in all the warnings he has given us for many years.

Mr. SYMINGTON. The Senator from Massachusetts has ably and properly emphasized the danger of complacency. We in America who are more interested in our freedom than we are in any particular fiscal situation might well ask if it is not fair to compare our own position at the present time with that of Britain in the late 1930's with one significant difference. May we not ask who is behind us today, as we were behind Great Britain at that time?

Mr. KENNEDY. We are the last, best hope in this case. Therefore, our responsibility is not only for our own security, but for the security of the whole Free World.

Mr. SYMINGTON. It is a privilege to comment regarding the broad scope of knowledge of the Senator from Massachusetts with respect to this subject—a breadth of knowledge which he has exhibited on many other subjects.

Mr. KENNEDY. I thank the Senator.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. JACKSON. I should like to associate myself with the remarks of my distinguished colleague from Missouri. I commend the distinguished junior Senator from Massachusetts for a balanced statement of the problem we face.

I wish particularly to commend him for calling attention to the military gap which lies ahead. At the same time, he has pointed out effectively the importance of the resources and assets we have, in other than military fields, that can be used to our advantage.

I was particularly interested in his statement about our economic and industrial advantage. I share with him the view that this is an asset we could use more effectively in implementing our foreign policy.

I believe my colleague will agree that the Soviets recognize that our industrial and economic strength represents one of our great weapons. We have had this great advantage in the past. Does not the distinguished Senator feel that if the rate of economic growth in the Soviet Union continues as at present, this all-important advantage which we now hold for the good of our people, and for the good of mankind, could be seized by the Soviet Union?

Mr. KENNEDY. There is no doubt about it. At present, about 20 percent of the gross national product of the Soviet Union is reinvested. If we bear in mind that the population of those countries is increasing at the rate of about 2 percent, the required rate of reinvestment to maintain the standard of living on an even scale is about 6 percent. Sweden is up to 20 percent. Our rate is 11 or 12 percent. China's is 12 percent. India is attempting to maintain a rate of 11 percent. There is a revolution of rising expectations in the world. The Soviet Union's progress to near equality with us in a generation, beginning as a backward country, offers other peoples a course of action which is extremely tempting to many elements in the countries where they live.

That is why I say that in considering what action we should take, we should consider the economic policies and programs which we need to carry out, which will offer those countries the hope that they can solve their own overwhelming economic problems. Merely concentrating our effort upon military end items is not sufficient. Nor is the maintenance of large armies in those countries which will never be used, but which serve as a sort of Praetorian Guard with a change of power, as we have noted in Egypt and Iraq. We should concentrate attention on the Development Loan Fund in India and Tunisia, for example, which have a leadership which is oriented toward the solution of the serious internal domestic problems of the people.

Those are the policies we should emphasize, rather than relying entirely on military policies, which are shortsighted, and which I think offer us a limited hope.

So I agree entirely with the Senator that our economic strength is a great asset, considering the development upon which the Soviet Union is concentrating on its own account, in addition to development abroad which we must also consider doing.

Mr. JACKSON. There is every reason to believe that as the Soviets develop greater industrial capacity they will use their new power to engage in trade wars. We have already seen evidence of this. They will use their increased economic power to infiltrate, and to obtain new footholds in vital areas of the world. Does not the Senator feel that there is a distinct possibility that if the Soviets

continue their present rate of economic growth they could achieve their objective of world domination without resorting to an all-out war?

Mr. KENNEDY. Yes. However, I feel that the existence of powerful forces within their own country may lead them to feel that they have a decisive advantage—at least for a limited period. The point is that after 1964, when we begin to have solid-fuel propellents, when we develop the submarine fleet, and so forth, our power will build up to the level of theirs. If they could destroy us and seize world power overnight, there would be a great temptation to use it. There is no assurance that they will not use it, if we recall major miscalculations in the 1930's, 1940's, and 1950's. This overwhelming military power will affect their diplomacy, their economic policy, the policy of subversion, and so forth. So I should say that the challenge exists on many fronts. First, we must make sure that our military power is strong enough to support the other policies.

Mr. JACKSON. I completely agree with the Senator from Massachusetts. We have had substantial evidence of what he has emphasized in what has happened since sputnik. We have seen how that achievement affected foreign policy. I agree with the Senator that if we do not take the necessary steps to close the military gap, the Soviet Union might not hesitate at any time to destroy the United States and the Free World if, in doing so, it could avoid the possibility of annihilation at home.

I particularly wish to commend my distinguished colleague for his presentation of both our deficiencies and our assets, and for making clear that the challenge is across the board. It is not merely a challenge of military power. We confront total competition, which affects every phase of human life.

I commend the Senator for making this able presentation of the problem to the Senate today.

Mr. KENNEDY. I thank the Senator.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CAPEHART. Unfortunately I was not present when the Senator began his speech, but I have been going through a copy of it. Perhaps I missed a point which I should have understood.

Is the Senator recommending that we appropriate more money for national defense?

Mr. KENNEDY. Yes. That is a part of what I think needs to be done.

Mr. CAPEHART. How much additional in the way of appropriations would the Senator recommend?

Mr. KENNEDY. I would certainly not impound the funds which have been appropriated for the four extra submarines.

Mr. CAPEHART. Then the Senator is recommending that we appropriate more money for national defense?

Mr. KENNEDY. Yes. That is certainly a necessary element.

Mr. CAPEHART. Is the Senator recommending that we increase the size of our Military Establishment?

Mr. KENNEDY. I had not intended to outline a military program, but I certainly suggest, as the Senator will see if he reads the speech, 3 or 4 things which could be done now. Already I have indicated to the Senator my view about the four extra submarines. I do not believe that the funds for those vessels should be impounded.

Second, I would put more emphasis on the development of air tankers, in order to help us get over the period of the gap. I certainly would put more emphasis than we have on our entire missile program, particularly on the development of the Minuteman, even though all indications are that it is 4 or 5 years off. The Polaris missile is an intervening period missile. I hope that we can do more work on that.

Mr. CAPEHART. Does the Senator believe that we have appropriated enough money at the moment to do that?

Mr. KENNEDY. If the Senator will permit me, I would say that there have been insufficient appropriations for the past 6 years, beginning in 1953, when an attempt was made to increase the appropriations for the Air Force. The former Senator from Michigan, Mr. Ferguson, was handling the appropriations at that time. In 1954, I offered an amendment to increase the number of Army divisions from 17 to 19. I believe the Senator from Indiana voted for the cut. There have been other efforts made to strengthen our forces. However, I am not so much concerned about the past as I am about the future. I do not believe we are doing enough and I do not believe we have a sufficient sense of urgency.

Mr. CAPEHART. Does the Senator believe that we ought to increase our defense appropriations from $40 billion to perhaps $45 billion or $50 billion?

Mr. KENNEDY. I do not believe it is necessary for me today to attempt to give such details, although I shall be glad to get some figures together for the Senator. As a member of the Committee on Foreign Relations, I believe the balance of power is turning against us, and I believe it will affect our national security and our foreign policy. That is what I am trying to suggest. I am not a member of the Committee on Armed Services, and therefore I am not privy to confidential information which is available to that committee.

However, in answer to the Senator's question, I will say I have seen some information, published in a responsible column appearing in the Washington Post and elsewhere; and to answer the Senator's question, I should like to have the Department of Defense give us some idea about the accuracy of these facts which have been published recently: To quote from this article, whether it is true that the Soviet Union will have 500 intercontinental ballistic missiles by the end of 1960, as against 30 intercontinental ballistic missiles of the United States by the end of 1960; whether it is true, as also published, that the Soviet Union will have something like 1,000 intercontinental ballistic missiles by the end of 1961, as against, perhaps, about 70 such missiles in the United States by the end of 1961.

These figures have been published. Whether or not they are true, I do not know. This column went on to say that the Soviet Union will have 1,500 intercontinental ballistic missiles by the end of 1962, as against only 130 such missiles for the United States, and possibly some Polaris missiles. I believe the Soviet Union knows the answers. I think it would be well for the United States to know. In any event, as I say, we have not done enough. I hope the Senator will agree with me. If he does not, that is his responsibility.

Mr. CAPEHART. I do not agree and I do not disagree. I again wish to say that I find a tendency on the part of Members of Congress and others to sell the United States short. It is always being said that Russia is making great progress, and we are not doing enough; that Russia is all right, and what Russia is doing is all right; that the Russians have more than we have. I do not know on whose authority those statements are based. I notice that every so often Members on the other side of the aisle stand up and read speeches. I do not know by whom those speeches have been prepared, and I do not care. They quote General Gavin——

Mr. KENNEDY. I will assure the Senator that there is no doubt——

Mr. CAPEHART. The attempt is constantly made to sell the United States short.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. I do not believe there is any doubt who prepared the questions of the Senator from Indiana. They could come only from him, and I give him full credit for them. I will not yield to him any further at this time. I have made my speech. He is welcome to take the floor in his own right.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Montana.

Mr. MANSFIELD. I wish to say that in my opinion, the Senator's speech has been written by the Senator from Massachusetts, as it is his usual custom. I wish to say that it is a good speech. It is a brilliant speech. Apparently some Members of the Senate do not like to lay the cards on the table.

Mr. CAPEHART. Mr. President, I make a point of order. I make the point of order that the Senator from Massachusetts may yield only for a question.

Mr. MANSFIELD. I am leading up to my question. Under the Rules of the Senate I do not believe that I must phrase the question in 1 or 2 sentences, but that I am allowed to develop my question. Now, getting back to the beginning of my question—and I shall develop it as I go along—I believe the Senator from Massachusetts is absolutely correct in pointing out the fact that we have developed a paper-packet system so far as our foreign relations are concerned.

I have wondered many times how we would be able to honor more than one of our commitments if we were called upon to do so by untoward developments in different parts of the world. The Senator is to be commended for pointing out that there is a lack in the military field, and that we have not been going far enough.

Mr. CAPEHART. Mr. President, I make my point of order.

The PRESIDING OFFICER. The Senator from Indiana——

Mr. MANSFIELD. My question is: Does the Senator from Massachusetts intend at some future date to develop further the thesis which he has been expounding by pointing out that there is a similarity in our foreign policy not only so far as the relationship of the military and the State Department is concerned, but also with regard to other branches of the Government as well?

Mr. KENNEDY. I do, and when I do I should like to have the Senator's thoughts about it.

Mr. MANSFIELD. I pose my last question. What does the Senator mean when he says: "Hysteria will not help—but neither will complacency. Sustained and informed constructive effort will help—not to provide all the answers for the future, but to help assure us that there will be a future"? Can the Senator explain that in more detail?

Mr. KENNEDY. I hope that an accurate understanding of where we are now will make it possible for us to take steps in a whole variety of areas I have attempted to indicate, which will make the United States and the Free World more secure.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. SYMINGTON. There has been some talk about selling America short. My question to the able Senator from Massachusetts is this: Does he think that giving the American people all truth which will not help a possible enemy, or at least in trying to do so, is in any manner selling America short?

Mr. KENNEDY. I would not think so. I believe the record of the past 6 years, the frustration of every attempt to develop what the real facts and situation are, and our failure to act, all indicate that as time moves against us, it is important that we do so, regardless of what the reaction may be.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. WILEY. Let me preface my question by saying that I have listened to the Senator's speech, and I believe it is a remarkable analysis. I should like to ask the Senator a few very simple questions. I understood from his statement that, first, at the present time, our deterrent power is probably ample. Is that correct?

Mr. KENNEDY. Yes.

Mr. WILEY. It is the Senator's opinion that in the next 2 or 3 years our deterrent power, unless we do certain things, will not be ample. Is that correct?

Mr. KENNEDY. That is correct.

Mr. WILEY. The Senator bases his conclusion upon what he believes to be an adequate source of information—the military and others, who know or claim to know what the Kremlin is doing and what we are doing. Is that correct?

Mr. KENNEDY. The best information I can obtain is that as they make the transition from planes to missiles, they are well ahead of us. That gives them a decisive advantage.

Mr. WILEY. Does the Senator from Massachusetts feel that we must go into more of what might be called adequacy, depending upon what the facts determine?

Mr. KENNEDY. That is correct.

Mr. WILEY. When the Senator speaks of a deterrent, he does not mean only a military deterrent, but also everything else which will operate to deter?

Mr. KENNEDY. The Senator is correct.

Mr. WILEY. That is, in our foreign relations and our conduct with other nations, even outside military affairs, we must provide what, in the judgment of Congress and the Executive, is an adequate deterrent?

Mr. KENNEDY. The Senator is correct.

Mr. WILEY. If what the Senator claims is necessary, then, as I understand, considerably more spending will be required, although the Senator is not in a position to say how much, because that is not in his field. Is that correct?

Mr. KENNEDY. The Senator is correct.

Mr. WILEY. This is the question I think we must answer. I heard a statement made on the floor of the Senate the other day, in which I concur, that if we are to get an adequate deterrent, particularly during the period of the gap, taxes must be increased and adequate funds must be provided in order to carry the program through. Is that correct?

Mr. KENNEDY. I am certain that the funds can be raised in order to do the things which must be done. Perhaps taxes will have to be increased or it will be necessary to incur deficit spending—one of the two.

Mr. WILEY. What is the personal judgment of the Senator? Does he not think, as a matter of fact, that, if the situation is as he conscientiously believes it to be, taxes must be raised, in order to make certain that we do not crack up our economy with a $12 billion deficit, as a result of the tax cut some years ago of $7½ billion? Does the Senator think that in order to save the country, taxes should be left as they are or should be increased?

Mr. KENNEDY. I think the effort should be made to close the gap. Whether taxes should be increased now or whether deficit spending should be incurred now is uncertain. But I think the effort should be made to close the gap.

RECONSTRUCTION OF THE EAST FRONT OF THE CAPITOL

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1373, Senate bill 2883.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2883) to amend the Legislative Appropriation Act of 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

SELLING THE UNITED STATES SHORT

Mr. CAPEHART. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, are we operating under a unanimous-consent agreement?

Mr. JOHNSON of Texas. Yes; but I will yield the Senator whatever time he needs. He told me he would like to have 5 minutes. I yield 5 minutes to him.

The PRESIDING OFFICER. It is the understanding of the Chair that the Senate is operating under a unanimous-consent agreement, which provides for a limitation of time.

Mr. CAPEHART. Mr. President, my observation has been that when Senators on the other side of the aisle are cornered and are asked questions which are rather embarrassing, they immediately start abusing the Senator who asks the question. This happened to me a couple of times today. It is perfectly all right with me.

But I think it is obvious to the press and is obvious to anyone who will read the CONGRESSIONAL RECORD that there is a concerted effort on the part, not of all Senators, but of a few Senators on the opposite side of the aisle to discredit, 100 percent, the President of the United States; to sell our Defense Establishment short; and to make statements which, in my opinion, could give comfort to the enemy because they are constantly repeated.

Senators can get angry about this, if they wish. They can abuse me, if they wish—and they may try to do it. But I want the RECORD to show what my belief is.

If there are any shortcomings at the moment in our national defense, let it be remembered that the Democrat Party has been in control of Congress during all except 4 of the past 26 years. It is Congress which makes appropriations; it is Congress which gives authority to the President of the United States.

I am speaking now as a citizen and a taxpayer of the United States. I, for one, am getting a little bit fearful and a little bit alarmed at the constant selling of the United States short, without any concrete examples being offered to justify it. I refer to speeches such as the one I hold in my hand, which deal in generalities, praising this Senator, that Senator, and some other Senator, as in a mutual admiration society; referring to other Senators as being great Senators; and promoting an organized

effort on the part of those Senators to come to the Chamber and ask questions of one another.

I do not accuse anyone of playing politics; but what is taking place borders very close to it, so far as I am concerned. I think it is time when we, on this side of the aisle, should start to answer some of the accusations, because I believe the statements which are being made are harmful to the United States. I think they are unfair to our national Defense Establishment and unfair to our loyal personnel in the service.

I did not hear much praise when the submarines *Nautilus* and *Skate* went under the Polar Ice Cap. We hear very little in praise of what is done by the United States; but we hear much to the effect that Russia is ahead and that Russia is gaining. If Russia is ahead, then those who have been running the Government for the past 26 years should stand up and take some of the responsibility for it.

Who was responsible for reducing the appropriations for defense a year ago? Who has been running the Government? I, for one, am becoming sick and tired of hearing our country belittled. I think the American people, too, are getting sick and tired of hearing those who are supposed to be experts constantly throwing roadblocks in the path of our Government. I do not think that is fair. It is unfortunate. It is harmful to the United States.

There are no concrete suggestions in the speech I have in my hand; there are only generalities. Senators rise in the Chamber and say, "Two or three years from now the Russians will have so-and-so." The inference is that the United States will have nothing.

The article which was placed in the RECORD on August 8 by the able Senator from Missouri [Mr. SYMINGTON] about unconditional surrender is an example of what I am talking about. If one will read the article closely, he will see that it was on the basis that we would sit here and do nothing, but simply let the planes fly over our country and drop bombs on us, and would not retaliate at all.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Will the Senator from Texas yield me 2 additional minutes?

Mr. JOHNSON of Texas. I yield 2 additional minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, anyone who will read the RECORD will find statements of that kind. I hope that we on this side of the aisle will begin to answer these prepared speeches. Perhaps I am wrong; if I am, I apologize. But I think I sense an organized effort to discredit the United States Government. I have no objection at all to calling attention to our shortcomings, but once in a while I think some praise for the United States should be forthcoming. There should be some commendation of the Air Force and the Army. I am certain that something good can be said about the United States once in a while. We must be getting something for the money we have spent during the past number of years. I am sick and tired of speeches selling the United States short. I serve warning that I am going to fight such accusations. I will try to correct the RECORD. I will try, if I possibly can, to put the United States at least on an equal basis with other nations in the minds of the people of the country. I think Senators, in their speeches, should at least give the United States a 50–50 chance, if nothing else.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be a quorum call, the time for the quorum call to be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECONSTRUCTION OF EAST FRONT OF THE CAPITOL

The Senate resumed the consideration of the bill (S. 2883) to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905.

Mr. McNAMARA. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Michigan [Mr. McNAMARA].

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The Senator from Michigan is recognized for 3 minutes.

Mr. McNAMARA. Mr. President, Senate bill 2883, which was introduced by the Senator from New Jersey [Mr. SMITH], on behalf of himself and other Senators, deals with the proposed extension of the east front of the Capitol. The bill was referred to the Subcommittee on Public Buildings and Grounds, of which I have the honor to be chairman. Our subcommittee held rather extensive hearings. I hold in my hand a copy of the printed hearings.

On the basis of the hearings, the subcommittee reported the bill to the full committee, with the recommendation that the Smith bill be reported favorably to the Senate; and the bill was so reported to the Senate.

Mr. President, I have before me an article which was published on March 3 of this year in the Washington Post. I believe the article grew out of the hearings our subcommittee held; and the article seems to substantiate the conclusion which was reached by both the subcommittee and the full committee. The article reads in part as follows:

PUBLIC PROTEST SAVED EAST FRONT 3 TIMES

(By Elsie Carper)

Three times in its 165-year history the East Front of the Capitol has faced destruction. Each time it was saved by public clamor. Once again the wrecking bars are poised to tear down the center facade of the building.

Plans advanced by a joint Congressional commission will obliterate the work of three of the Nation's earliest and most gifted architects—Dr. William Thornton, Benjamin H. Latrobe and Charles Bulfinch.

Behind a new and shiny marble front will vanish that section of the building for which in 1793 Washington laid the cornerstone. Down will come the portico where every President since John Quincy Adams has taken the oath of office.

WALLS TO DISAPPEAR

The walls that the British were unable to destroy when they fired the Capitol in 1814 will disappear.

All of this is being done at a cost in excess of $10 million to provide additional office and restaurant space in the Capitol.

There is more to the article; but what I have read will suffice for my purpose at this time.

Mr. President, when we consider the amount of additional usable floor space which would be obtained as a result of the proposed work, and, in particular, when the proposed addition is considered on the basis of the number of square feet of usable office space which thus would be provided, we find that the proposed expenditure would, if actually made, cause the addition to be, undoubtedly, the most expensive in the history of man.

Some say the existing structure is not sound. However, Mr. President, it is sound; the architects who testified indicated that there is no question about that.

The proponents of the extension of the east front say that the existing east front is, esthetically, out of proportion. However, I am sure the only way that the esthetic sense would be violated would be in the case of one who might fly in an airplane over the dome of the Capitol.

The PRESIDING OFFICER. The time yielded to the Senator from Michigan has expired.

Mr. JOHNSON of Texas. I yield 1 additional minute to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 1 additional minute.

Mr. McNAMARA. Mr. President, the conclusion of the Public Works Committee was that the existing east front should not be extended; that in view of the additional space which would be obtained, the use proposed to be made of it, and the cost involved, there was not an adequate basis for the proposed extension and the proposed expenditure.

Mr. LAUSCHE. Mr. President, will the Senator from Michigan yield to me?

Mr. McNAMARA. I am glad to yield, if I have time to do so. Only 1 additional minute has been yielded to me.

Mr. LAUSCHE. I merely wish to ask whether the conclusion reached by the Senator from Michigan after he heard the testimony taken in the committee was different from the view of this matter which he previously had.

Mr. McNAMARA. I did not have any preconceived ideas on the subject. But at the end of the hearings, my conclusion

was that the proposed change is not justified.

Mr. LAUSCHE. I thank the Senator from Michigan.

The PRESIDING OFFICER. The additional time yielded to the Senator from Michigan has expired.

Mr. SMITH of New Jersey. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from New Jersey; and if he finds that he needs additional time, I shall be glad to yield additional time to him.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. President, the problem in this case is a reasonably simple one.

What stands in the way of making a thorough study of the situation is some existing legislation which was enacted some years ago. So far as I know, no hearings have been held. The only hearings were held in 1935 and 1937. Since then, however, drastic changes have occurred in the entire situation.

First of all, since that time, construction costs have increased substantially.

Furthermore, in the intervening period, restoration techniques have been greatly improved.

Most important of all, in the years since 1935 and 1937, construction of the new House and Senate Office Buildings has alleviated any pressing need for the costly space to be gained by the proposed extension.

In fact, Mr. President, it is estimated that each room which would be provided by means of the proposed extension would cost an enormous amount, thousands of dollars per room.

The principal objection has been made by a large number of persons throughout the country, who oppose the proposed change of the east facade. Their objection is made on the ground that the existing beautiful facade will be eliminated, and that the proposed change has not been adequately considered by the experts in this field.

Mr. President, I wish to pay tribute to the excellent work done in connection with this matter by the Senator from Michigan [Mr. McNAMARA]. Prior to the hearings which were held by his subcommittee, he said he did not know what his conclusion would be. At the hearings he did an extremely fine job. At the end of the hearings, both the subcommittee and the full committee voted unanimously that the proposed extension should not be made until further study had been made.

The unanimous report of the Committee on Public Works on the pending bill calls for a thorough restudy of the present project, including further hearings to investigate all possible plans and ideas.

The architects have been hamstrung by the fact that no studies have been made in regard to the practicality and the cost of preservation of the east front in its present location and, furthermore, that no experts in restoration have been consulted, in connection with the studies made thus far of the proposed project. However, in a statement issued on April 14, 1958, it was the professional opinion of architects who have successfully preserved Monticello, Mount Vernon, and other historic buildings, that the east front of the Capitol can be preserved in its present location, and at a cost less than that of the extension now proposed.

Our desire is simply to have a new group of architects study the matter with a view toward seeking the preservation of the central east portion of the Capitol, in its present location.

However, Mr. President, up to now, we have not been able to have a sufficient study made of this approach, which would cost considerably less money than the contemplated project.

Mr. President, public sentiment, as expressed in the editorial columns of the Nation's newspapers, has almost unanimously opposed the proposed extension of the east front. A partial list of the newspapers in which such editorials have been published is as follows:

New York Times, Newark (N. J.) News, New York Herald Tribune, Washington Post, Boston Herald, Philadelphia News, Baltimore Sun, Houston Post, Richmond Times-Dispatch, Cleveland Press, St. Louis Post Dispatch, Milwaukee Journal.

In addition to that, professional opinion is opposed. The American Institute of Architects, representing nearly 13,000 members from every State in the Nation, at their recent convention voted 225 to 49 to reaffirm its opposition to the proposed extension. Despite the fact that the majority was in the position of overruling the professional judgment of some of its members, they felt that their primary duty was to the Nation. Therefore, after careful consideration, following a 3-hour debate, the delegates opposed extension of the east front.

Prominent organizations have led or supported the opposition to the extension. Some of these organizations are:

National Trust for Historic Preservation, whose president, Mr. Richard Howland, has been a leader in preserving historic sites.

Committee to Preserve the National Capitol which has done so much in supporting S. 2883.

Society of Architectural Historians.

National Parks Association.

College Art Association.

Historical Societies of New Jersey, Wisconsin, Ohio, Missouri, Oregon, Indiana, Vermont.

American Association for State and Local History.

Columbia Historical Society.

American Veterans Committee.

Daughters of the American Revolution.

Mr. President, we are just asking for time and for setting aside the encumbrance in plan B by which the architects have been bound.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMITH of New Jersey. I would like to have 1 more minute.

Mr. MANSFIELD. Mr. President, I yield 1 additional minute to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 1 additional minute.

Mr. SMITH of New Jersey. We want to have the bill passed so that plan B can be eliminated and not stand in the way of architects going ahead with new plans which can preserve the east front.

I understand that the Senator from Pennsylvania [Mr. CLARK] has slightly changed the wording of my bill, which I am perfectly willing to accept, because it spells out more clearly our intention.

My proposal, which I introduced at the request of various groups whose names I have mentioned, simply provides for striking out the requirement that the plan adopted must be the plan B of 1905, which specified that the east front must be extended. We want to get away from requiring that the east front be extended in the plans to be made. The Senator from Pennsylvania [Mr. CLARK] will present his amendment.

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNAMARA. Is the Senate operating under controlled time?

The PRESIDING OFFICER. Yes.

Mr. McNAMARA. Who controls the time?

The PRESIDING OFFICER. The majority leader and the minority leader are in control of the time.

Mr. KNOWLAND. The author of an amendment, of course, controls the time on the amendment.

Mr. SMITH of New Jersey. I am ready to assume that responsibility.

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that there is no amendment pending. The majority and minority leaders control the time on the bill.

Mr. CLARK. Mr. President, I call up my amendment identified as 3-11-58-H, and ask to have it stated. It is offered on behalf of myself and Senators ROBERTSON, HUMPHREY, CASE of New Jersey, BYRD, DOUGLAS, SMITH of New Jersey, FLANDERS, and BEALL.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania for himself and other Senators will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

That the paragraph in the Legislative Appropriation Act, 1956, which is under the heading "Capitol Buildings and Grounds" and which begins with the words "Extension of the Capitol", is amended by striking out "for the extension, reconstruction, and replacement of the central portion of the United States Capitol in substantial accordance with scheme B of the architectural plan submitted by a joint commission of Congress and reported to Congress on March 3, 1905 (H. Doc. No. 385, 58th Cong.), but with such modifications and additions, including provisions for restaurant facilities and such other facilities in the Capitol Grounds, together with utilities, equipment, approaches, and other appurtenant or necessary items, as may be approved by said Commission, and for such purposes," and inserting in lieu thereof "for the repair of the east central portion of the United States Capitol without extending, altering, or otherwise changing the character of such east front."

Amend the title so as to read: "A bill to amend the portion of the Legislative

Appropriation Act, 1956, relating to extension, reconstruction, and replacement of the central portion of the United States Capitol."

Mr. CLARK. Mr. President, I yield myself 5 minutes on the amendment.

The PRESIDING OFFICER. The Chair desires to inform the Senator from Pennsylvania that 15 minutes are allowed to Senators in favor of amendments and 15 minutes to those opposed to the amendments.

Mr. CLARK. I yield myself 5 minutes.

The purpose of the amendment is to make crystal clear just what the Senate intends if it passes the bill. It will require the repair of the eastern central portion of the United States Capitol without extending, altering, or otherwise changing the character of the east front. In other words, any repair made will have to be made to the existing structure, without any extension.

I shall not repeat the argument made by the distinguished Senators from Michigan and New Jersey with respect to the bill in general other than to say that the reaction against the extension of the east front has been overwhelming. Among the organizations and newspapers opposing the extension were the American Institute of Architects, the Society of Architectural Historians, the American Veterans Committee, the National Trust for Historic Preservation, the Committee for the Preservation of the Capitol, the Architecural Forum, the Architectural Record, the Progressive Architecture, the New York Times, the New York Herald-Tribune, the Philadelphia Bulletin, the Philadelphia Inquirer, the Pittsburgh Post-Gazette, the Erie Morning News, the Washington Post and Times Herald, the St. Louis Post-Dispatch, the Milwaukee Journal, and last, but not least, Mr. President, Life magazine.

Mr. President, this bill does not pass on the merits of any one architectural plan as opposed to another. It simply permits the Commission For the Extension of the Capitol to come up with the best proposal by striking the hamstringing requirement that the extension must be in accordance with the discredited plan B.

Opposition to extension in accordance with plan B, particularly from such learned architectural organizations as the American Institute of Architects, clearly indicates most architectural experts are opposed to extension of the east front.

Those who favor extension of the east front have accused those of us who oppose it of sentiment. If sentiment is what has preserved our other national monuments, I am proud to plead guilty.

George Washington laid the cornerstone.

An overwhelming number of our Presidents have been inaugurated in the east court, which would be destroyed by extension of the facade.

It is the only section of exterior wall which survived the British burning in 1814.

We have been told that extension would cure the architectural defect of a dome which appears too large for the structure supporting it. There well may be a defect, but who will call it an ugly one? Architects consider it a unique American contribution to monumental architecture.

I ask that the east front of the Capitol be repaired, and at the same time preserved in the state in which it has been beloved by generations of Americans. It will certainly prove far less expensive to renovate the facade in its present position through methods devised by experts on preservation who have preserved a host of ancient monuments in Europe.

Let us not confuse Congress' need for space with the question of how best to preserve the Capitol. We all know that we can have far less expensive space elsewhere in the new office buildings, for instance.

In a minute or two, the distinguished Senator from Virginia will tell the Senate how much this proposed extension will cost, and how much money will be saved by preserving the historic monument where it is.

I hope my friend the Senator from New Jersey will accept the amendment. I hope the minority leader, who I know is against the bill, will permit the amendment to be accepted, so we can have a rollcall on passage of the bill and permit the Congress to expedite the matter.

Mr. SMITH of New Jersey. Mr. President, I am glad to accept the amendment of the Senator from Pennsylvania, which is a clarifying amendment, but which accomplishes the same purpose as the bill. It points up the east front issue, which my proposal does not do so clearly.

Mr. President, I wish to read a letter from our colleague, the Senator from Vermont [Mr. FLANDERS], who was called home yesterday because of the serious illness of his wife. He was desirous to be in the Senate and participate in this discussion. He wrote me as follows:

Unfortunately, due to the illness of my wife, I am unable today to help you fight to preserve the architectural magnificence of the Capitol, and stop a ridiculous waste of funds in a year of enormous Government deficit.

If I were able to be present I would certainly stress the position of the American Institute of Architects. I would point out that if space is needed, a modern building such as our new Senate Office Building is the way to get it. It is ridiculous to build new office space in the manner of the 18th century. This is virtually what we would be doing if we extended the east front. One hundred thousand dollars a room is quite too much, even for a Congressman. And that is the estimated cost per room if we were to go on with the present plan.

There are many rooms in the Capitol now being used for purposes which do not require being near the Senate or House Chambers. They could be located very well in the new building, or an extension of it if that is necessary. I think offhand of the committees. Why is it more essential to have the Labor and Public Welfare Committee, or the Appropriations Committee located in the Capitol than it is, let us say, the Armed Services Committee or the Finance Committee? I can think also of the disbursing offices, certain service shops, and the office of the architect.

This is not a minor matter. Our Capitol is a great heritage which will be passed on to many future generations of Americans.

Sincerely yours,

RALPH E. FLANDERS.

Mr. CLARK. Mr. President, I ask the Presiding Officer to put the question on my amendment.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time on the amendment, on the condition that the Senator from Pennsylvania does the same.

Mr. CLARK. Mr. President, I yield back my time on the amendment, with the understanding that the distinguished Senator from Texas will yield the Senator from Virginia some time on the bill.

The PRESIDING OFFICER. All time having been yielded back on the amendment——

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time having been yielded back on the amendment of the Senator from Pennsylvania, the question is on agreeing to the amendment.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. As I understand the situation, the amendment before the Senate is the amendment offered by the junior Senator from Pennsylvania [Mr. CLARK], which amendment is acceptable to the Senator from New Jersey [Mr. SMITH]. When the bill as presented by the Senator from New Jersey has been amended, we will then have the amended bill before us, at which time there can be a yea and nay vote on passage.

The PRESIDING OFFICER. The Senator is correct.

Mr. SMITH of New Jersey. Mr. President, I ask for the yeas and nays.

Mr. JOHNSON of Texas. Will the Senator permit the amendment to be acted on first?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 7 minutes to the Senator from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. President, on March 3, 1958, I made a brief statement on the floor of the Senate expressing my concern over plans to move the east front of the Capitol and urging that the proposed work be deferred until further studies could be made as to its necessity and desirability.

On March 11, in the face of what appeared to be a determination on the part of those who had the authority to press forward with the work, I offered an amendment to the pending supplemental appropriation bill to forbid use of funds for this project. My purpose in taking that unusual action, as I explained at the time, was merely to obtain a guaranty that irrevocable steps would not be taken until the Senate had an opportunity to record its position on the bill then on the calendar which would require preservation of the east front.

I was unable to obtain adoption of my amendment, but assurances were given at the time that a vote on S. 2883 would be permitted before the session ended. I am glad we are to have that opportunity today, and I am glad also that up to now the historic east front stands unchanged and, I might add, still quite solid in appearance despite some statements made in our earlier debate which suggested that it was ready to collapse or to rain down chunks of stone on the heads of visitors.

My purpose in this brief statement is merely to say that my position in March, opposing the moving of the east front, at least until a thorough study has been made by real experts of the possibilities of repairing and preserving it, remains unchanged.

Indeed, I feel more strongly than ever that carrying out the original plan to extend the east front at this time would be a blunder.

I am interested in this matter, as previously indicated, from the standpoint of esthetics and of preserving a structure of unique historical significance. I also am interested, from the standpoint of economy, in preventing a $10 million start on a program which ultimately may cost more than $100 million and which will accomplish nothing of value which might not be achieved in a more economical way.

On April 15 I had printed in the RECORD a letter written to me by members of the faculty of the Department of Architecture of the Virginia Polytechnic Institute, a group well qualified to pass on engineering aspects of construction, because that is one of the outstanding engineering schools of the country. This letter said:

> It hardly seems necessary to point out to you that for an expenditure much smaller than that required for the proposed alteration, the needed repairs could be made to the present front and more ample additional space provided elsewhere in a new, modern structure. We agree not only that the east front is part of our national architectural heritage, but that the Capitol in its present form has become a symbol of democracy for all our people and for the peoples of the Free World. It is, we believe, inconceivable that it should be architecturally altered at great expense on the pretext of its state of disrepair or of need for additional space.

During our former debate some question was raised as to how wholeheartedly the American Institute of Architects, which includes in its membership most if not all of the outstanding architects in the Nation, was opposed to the proposed change.

Any doubts on that score were set at rest when the Institute held its annual convention in July and voted overwhelmingly to continue opposition to extention of the east front.

Mr. John Noble Richards, the new president of the Institute of Architects, thereafter urged Congress to "heed the will of the American people and the advice of the Nation's architects," and to halt the proposed work of alteration until further studies had been made.

That, Mr. President, is what I feel we should do.

Since I first discussed this proposal last March, I have had an opportunity to visit the new Senate Office Building, which will be ready for occupancy late this year. That building will meet for many years to come all of the office and committee room needs of the Senate. It is generally believed that the third office building on the House side, which will be completed before any new office space could be provided on the east front of the Capitol, will adequately meet the House requirements for office and committee room space. The present House restaurant is more than ample for the membership of the House. It would be nice if the House had a restaurant in the Capitol large enough for the entertainment of more guests than is possible in the present restaurant, but the cost of providing it by moving the east wall of the Capitol would be prohibitive.

I am glad the Senate has adopted the amendment to S. 2883 which was offered by the Senator from Pennsylvania [Mr. CLARK] on behalf of himself and other Senators who share his viewpoint. I hope the bill will be passed, and that we shall put aside this project until the best available experts on historical restoration work have had a chance to tell us how the present Capitol building can best be preserved as a monument to our form of constitutional government.

Mr. President, I hope those Members who did not hear the Senator from Mississippi [Mr. STENNIS] last night will read what the Senator said when he spoke of $1½ billion as a start on a new program of scholarships and said that we have reached the point in our national affairs—it is true domestically as well as in foreign affairs—where we put primary dependence upon the dollars we spend, although they have not saved anybody yet and are not going to save anybody. I hope the Members will read the advice given by the Senator from Mississippi, if they did not hear him last night on that score.

This is simply one more instance of an unnecessary expenditure starting at $10 million which may ultimately go to $100 million.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. KNOWLAND. Of course, there is no program on the east front extension which involves $100 million. The amount which has been appropriated by the Congress is approximately $17 million, which includes $10 million for the extension of the east front. The balance is for the repair work to the Dome, the necessary electrical work, and so on. The funds have been provided. The architectural plans have already been made.

I hope for the sake of the record and for the sake of accuracy the Senator will not leave the impression that $50 million or $100 million are involved in the extension of the east front of the Capitol, because that is not a fact.

Mr. ROBERTSON. The Senator from Virginia is quoting the testimony which has been given, and it includes the plans. There is a cost of $10 million to move the east front up about 31½ feet, to provide for a few more offices which nobody needs. We have in the new Senate Office Building more space than we will ever use, both for committees and for Senators.

The House has a building program calling for from $95 million to $100 million, which will include the new House Office Building. I cannot imagine how the Representatives could use more than three office buildings. The testimony was to the effect that "We will move up the east front and provide a few offices and a more commodious restaurant. Then if that action disturbs the historic appearance, we will move up both the other wings to the same relative position they had before." That was the testimony. It was said, "It is not fair to our employees to make them go out in the rain to their automobiles, or to get in a cold car on a winter day. We will spend $40 million to give them an underground garage."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ROBERTSON. I ask the distinguished minority leader if that was not the testimony. Therefore, it is a $100 million program.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 2 additional minutes to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, there is no doubt about the testimony. We are headed for a $100 million project. It is said the cost will be only $10 million, but that is only the nose of the camel coming under the tent. I hope very much that when the roll is called the Senate will vote to turn down the extension of the east front of the Capitol.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER. The Senator from California is recognized. How much time does the Senator yield himself?

Mr. KNOWLAND. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 10 minutes.

Mr. KNOWLAND. Mr. President, we are now coming to grips with a matter that has occasioned more comment and argument than have many of the graver measures that this session of Congress has faced.

Before us is S. 2883, reported by the Senate Committee on Public Works,

which seeks to amend the Legislative Appropriation Act of 1956 by eliminating certain language therefrom. The act established the Commission for Extension of the United States Capitol to supervise and direct an extension of the east front of the central portion of the United States Capitol for a number of purposes, among which was the provision of additional space for offices, restaurants, and other functions.

One provision of the act was that the extension should be conducted "in substantial accord with scheme B of the architectural plan submitted by a joint committee of Congress and reported to Congress on March 3, 1905." S. 2883 has a single purpose—to remove from the extension authorization the language which deals with adherence to scheme B. Those who oppose the extension imply that if this provision had not been in the law, architects subsequently retained to design the extension would never have proposed such an extension of the east front, after full study of the needs of the Capitol in general and the unique status of the east front in particular.

The best answer to this charge is available to us in the words of the consultants and the associate architests themselves—those retained to plan the extension. John Harbeson of Philadelphia (1 of the 3 consultant architects) had this to say during hearings before the Senat Committee on Public Works when this question was raised:

> When we started on our work we were told by him [Mr. Stewart], as the architect of the Capitol, that our inquiry was not to be limited in any way, that we could make investigation of all methods of meeting the requirements of Congress, which we did. We do not feel we have been hampered by the wording of the act.

Other members of the distinguished architectural team have stated often since that they have not felt that the language of the act impaired in any way their conclusions as to the extension need and that, indeed, if no such language had been included, they would have recommended in any event that the east front be extended. In discussions with these architects, officials acting on behalf of the Joint Commission also have stressed verbally that the architects had complete freedom in their studies in the hope that they would make the fullest possible investigation of all alternatives. This they have done, and in no instance have these professional experts seen fit to protest that the rules under which they have worked restricted in any way their freedom of action.

Now, what does S. 2883 really do? The report of the Senate Committee on Public Works on this bill states, and I quote, that the committee "does not consider that S. 2883 nullifies the present authorization for extension" and, indeed, goes on to say that after passage of S. 2883, the Commission is perfectly free to direct the extension, even in accordance with scheme B. What sense does this make if the effect of the amendment truly is not to prohibit an extension of the east front? It has become highly obvious during the debates of the last year that the real purpose of most of those organizations which support this amendment is to kill the entire concept of any extension of the east front and, gentlemen, that would be the effect of favorable action on this amendment.

Most of the opposition and protests against the extension have been based on the simple expression of sentiment against any modification of this old structure. Little of it has been based on any extensive knowledge, either of the needs of Congress or of the complex and serious characteristics of the Capitol itself.

Now, let us get down to cases. What precisely would be done if this extension is carried to completion under the plans which already have been approved by a majority vote of the Commission for Extension of the United States Capitol? These are the things the extension would accomplish:

SPACE

The plans call for an extension of the east central portion of the Capitol between the House and Senate wings 32½ feet forward, reproducing in precise detail, in marble, the front walls, the portico, and the columns. This enlargement will make available nearly 2 acres of additional space. Of this, 45,000 square feet will be available for direct use for choice office, committee, and dining space.

ARCHITECTURAL DEFECT

The second basic purpose of the extension will be to correct a defect which has bothered architects since the Civil War days of Thomas U. Walter. This defect arose from the construction of the present dome of the Capitol in the 1860's. The dome is so large that it had to be supported on cantilevered brackets attached to the rotunda. To finish off the dome, the broad iron skirt was added around its base, and this skirt actually protrudes over and rests on the portico. It should be clearly understood that this overhang in no way constitutes a structural deficiency in the dome and no responsible authorities have contended that the dome is in danger of tumbling because of it. What the overhang does do, however, is to create a visual effect of no support, which all classicists in the field of architecture have contended for generations violates basic principles of balance. The extension would eliminate this defect and provide a visual as well as actual support for the dome—which really is the element of this old building which has become the symbol of the Congress and the Capitol of our Nation.

DETERIORATION

The third major accomplishment of the extension will be to halt the deterioration of the present soft sandstone walls and ornamentation of the east front. This is a purpose of major concern to many of us and which—perhaps more than anything else—has stimulated misunderstanding and misrepresentation in this controversy. We have all heard contentions that the east front should not be extended and that the deterioration which is steadily wearing away the detail we all want to preserve should be attacked by a remodeling in some fashion of the wall where it stands. The opponents of the extension cite many possibilities for renovating the walls, none of which, it appears, has been of such preeminence to rally full support. There is only one certain way that the east front can be preserved—that is by the proposed extension, constructed in lasting marble which would harmonize in color and texture with the framing walls.

Why might not some less drastic piecemeal renovation be done? It must be remember that the east central front of the Capitol is faced with sandstone—a soft, friable material which disintegrates when subject to exposure to the weather. Every since 1819 effort has been made to retard the deterioration through painting, but even the 35 coats of paint since applied have not succeeded in stopping the deterioration. The present state of deterioration of the exterior walls is deplorable and has been one of gradual occurrence and is becoming progressively worse. The beautiful architectural embellishment are gradually eroding away or being obscured with paint. These details and elements of design, which mark the work of Thornton, Latrobe, and Bulfinch, will some day be lost in their entirety. This is inevitably the fate of buildings constructed of materials which are not enduring.

There are many cracks in the east wall and one noticeable crack in the cornice of the portico. Some of the wall cracks extend from the top of the wall to the foundation and go completely through the wall. At some of these cracks, there is evidence of continuing movement.

To give the proper importance to cracks in a wall having reasonably good foundations, the floor construction must be understood. In the case of the Capitol, the floors are supported on arches and vaults which bear upon and thrust against the outside wall. The construction of these walls follows the old pattern in that they have been given great thickness and bulk to resist this thrust. The face of the masonry on both sides of the walls is precise, but holes cut into the wall reveal the fact that the interior courses are laid in a random fashion with small stones set in lime mortar which has disintegrated through the years, leaving these small stones with only sand as a binder. The lack of the use of larger stones, properly bonded, makes any repair work extremely hazardous, due to the indeterminate thrust of the various arches. This has been verified by the several consultants on restoration work who have been called in since the hearings on S. 2883 were held by the Senate Committee on Public Works last February.

Were the present east front wall made an interior wall, removed from wind loads, the strains and stresses set up by alternating expansion and contraction, saturation and dehydration, laterally braced by new construction and with its foundations not subject to changing conditions, it could be expected to last indefinitely. Exposed as at present, with cracks admitting water, with its shallow foundations, continuing to be subject to the attacks of nature, the cracks and

movement now apparent can be expected to increase in size, number, and resulting danger. And if a refacing operation were undertaken, or any operation which severed the bond between the core and the outer surface, the condition might, and probably would, become immediately dangerous.

The preservation of the east front is an integral part of the extension plan. Preservation is necessary if the original designs are to remain for future generations to enjoy.

To attempt to preserve the existing wall, as an exterior wall, in its present location, presents many serious and costly problems. To attempt a gradual replacement of the sandstone would be impractical, and to attempt a complete replacement would also present serious problems. Perhaps the gravest problem to be encountered is not in the matter of ornament, of cornices and other carved work, but in the simple masonry of the walls. The cracks which now exist will inevitably be repeated in the new stone—whether the new facing be marble or other material. Further, under a gradual replacement program, when one old stone is removed there is no satisfactory way by which the new stone can be anchored to the inner wall. As stone by stone is cut away, there will eventually develop great areas in which the new outside masonry is no real part of the wall, contributing nothing to its requisite strength and actually detracting from the stability of the remaining portion of the wall. There would ultimately be two walls, a thin facing wall and a reduced inner wall with little or no anchorage between. It could only be hoped that the inner wall would be able to support and resist the load upon and against it.

Of course, the final result would be that all of the original stones set under the watchful eyes of Thornton, Latrobe, and Bulfinch would be replaced and only a reproduction of the design would exist. In any event, the passing years would see the east front a hodgepodge of new, old and medium-aged stones, some with three coats of paint, some with many more, some details sharp, some dull, some gone altogether.

If a complete refacing job were to be undertaken and the east front wall were to be refaced in its present location in an enduring material, such as marble, there is still the serious problem and the real danger inherent in the removal of the present facing. To reface the wall alone would not correct the faults of the masonry work in back of it. This has been borne out by studies made by an eminent structural engineer long familiar with structural and engineering conditions at the Capitol.

These studies show that it would be necessary to remove a portion of the existing wall in order to provide space for the new facing. There is little doubt that the minimum thickness of the existing stones is 8 inches with the bond stones being at least 12 inches in thickness. Under such circumstances, the effective thickness of the exterior walls would be reduced by at least 12 inches after the existing facing is removed to make room for the new.

The floors of the old part of the Capitol are a series of long span brick arches and vaults. Some of these are groined vaults and some are barrel vaults spanning from the outside walls to the interior of the building. The stresses in these are indeterminate. The stability of these arches and vaults depends upon the ability of the walls to resist the thrust imposed upon them. A slight outward movement of the walls would be sufficient to change the stress distribution and could conceivably result in serious impairment of the strength and possibly the loss of the floor construction.

Since the forces in this structure are indeterminate, one cannot state with certainty what the result would be, but certainly it would be unwise to weaken the walls by the removal of 12 inches of their thickness. The inevitable jarring of the remainder of the wall during the removal of the facing stones would aggravate the condition still more. These views, representing the considered opinion of an engineer who has done the only major structural alteration work that has been done on the Capitol in the past 50 years, corroborate the findings of the Associate Architects.

The cost and dangers inherent in cutting into the back wall of the portico to remove the old facing, and the cost and dangers, inherent in removing the cornice upon which the roof framing bears and into which the roofing is flashed, can be avoided through extension of the east central front. The existing east wall can remain undisturbed and be reproduced in marble, in the extended location, without danger.

CHARGES

In the discussions which have raged throughout the country, many charges have been leveled against the extension. They have included:

First. That the historical character of the east front will be destroyed. This charge is difficult to understand in view of the detailed drawings and plans which have been prepared by the professional staff. In fact, the testimony of experts is that the view will be so nearly identical to that which exists today that few persons will be aware of any change.

Second. That the court formed between the House and Senate wings will be wiped out. This simply is not true. The steps of the extended portico will remain some 40 feet behind those of the 2 wings, preserving the indentation—although in lesser degree—which our visitors see today;

Third. That the cost of the extension is excessive. You have heard a great deal about costs, usually compared to the square-foot costs of building new schools and office buildings. I do not feel I should dwell on these comparisons. It is enough to say that any comparison between the construction problems of a skyscraper office building and the United States Capitol is ridiculous. In a building of this type, of course, much of its space cannot be partitioned into cubbyhole offices and divided with the functional efficiency of an office building or department store;

Fourth. That the Congress' need for additional space in the Capitol should be met by extending the west front and leaving the east front alone. This proposal has received full study by the architects working on the project. Their conclusion is that space needs must be met by eventual extension of the west front as well as the east front, and perhaps by enlargement of other parts of the building. But, they conclude, the east front extension is essential and is the enlargement which should be carried out first;

Fifth. That this project has been conceived and administered in secrecy, without adequate consideration by either the Congress or the public. This project had much consideration before Congress passed and present authorizing legislation in 1955, for the matter had been under consideration and discussion since 1863.

Thomas U. Walter, who designed the present dome and the Senate and House wings of the Capitol, recommended in 1863 that the east central front be extended to give proper architectural proportions to the building; also, that the extended section be constructed of marble to insure durability of the present design.

Carrere and Hastings, prominent architects, who designed the Senate and House Office Buildings, recommended the extension and reconstruction in marble in 1904, and such extension and reconstruction has since been advocated by most of the architects who have done monumental work in Washington—all of whom have been men outstanding in their field.

When the present legislation was included by the House and Senate Appropriations Committees in the Legislative Appropriation Act, 1956, those committees had before them the testimony that had been offered for and against this project in the past. They knew that the House had passed authorizing legislation in 1903, and the Senate in 1935 and again in 1937. They knew that the Senate and House Committees on Public Buildings and Grounds had held extensive public hearings on such legislation in 1935, and the Senate Committee again in 1937. They knew that in 1935 the Senate authorization bill was reported out unanimously by the Senate Committee on Public Buildings and Grounds and was considered and passed, without objection, on the Consent Calendar. They knew that in 1937, after being favorably reported by the Senate Committee on Public Buildings and Grounds, the Senate authorization bill was considered under regular order of the Senate and was passed immediately following a quorum call to which 82 Senators responded. These actions were taken by the Senate after days of public hearings, in which all arguments for and against the project were set forth in printed hearings.

The 1935 and 1937 printed hearings covered a complete exposition of all possible arguments, pro and con, relating to the extension. The validity of those arguments, whether they be pro or be con, does not change with the years.

No new arguments were advanced at the hearings held before the Senate Committee on Public Works in February

1958. The arguments were essentially a rehash of the arguments advanced in 1935 and 1937.

So it is a mistake to say that Congress acted hastily in 1955 or that Congress was not supported in its action by competent architectural opinion.

HISTORY

Finally, I would impress upon you that this extension proposal is not a new thing but one with which Congresses of the past have wrestled since the turn of the century. Do critics of the east-front extension realize that there has been on display for decades in the crypt of the Capitol a model showing the east central front extended 40 feet—7½ feet farther than is now proposed? Have the critics ever wondered, as I have, how many thousands of visitors have paused before this display and mistakenly thought they were looking at a model of the Capitol as it stands today?

Most of our visitors, and a great many Senators who have gone through the Capitol on the floor below, have seen the white alabaster model of the Capitol. They have assumed that it is the Capitol in its present form. As a matter of fact, it is the Capitol as it would appear if the plans of the architects were carried out—the architects who were responsible for adding the Senate and House wings of the Capitol, and who constructed the dome of the Capitol. They believed that the extension should be made some 40 feet. The extension proposed, which is a modification of that recommendation, under plan B, would extend the front approximately 32 feet.

As I have mentioned previously, the majority of the great classic architects, both past and present, who have contributed to the design of other well-loved buildings in Washington and elsewhere, have favored, over the years, such an extension as we now propose. Among this group are the immortals of American architecture. Indeed, their work is frozen into the stone of the noblest structures that now beautify the American scene. I need not name them but among their contributions are the National Gallery of Art, the Lincoln Memorial, the Archives Building, the Jefferson Memorial, the Supreme Court Building, and Constitution Hall.

In 1935, and again in 1937, as stated, the extension legislation was considered and approved by the Senate. As the years go by, Members of this body will see numerous other changes made in this building, I feel confident, because its history is one of growth to accommodate the ever-increasing demands placed upon the Congress.

Again I point out that the Capitol has changed over the years. Originally, it was the central portion with a small dome. As the country grew, the Senate and the House wings were added, at the time of the Civil War period. Obviously, the original dome was too small, and would have been out of proportion. A new dome was built; and the man who was responsible for the new dome was the one who advocated an extension.

I should like to read into the RECORD at this point an editorial which is published in the Washington Evening Star of today, entitled "Approve the Extension." It reads as follows:

[From the Washington Evening Star of August 14, 1958]

APPROVE THE EXTENSION

All of the arguments, pro and con, have been made in the case of the Capitol's east-front extension. And out of the hubbub of fact and history, of sentiment and extraneous comparison, there is only one question which really has any importance: Would the extension be regretted in years to come?

The answer, we are convinced, is clear. There would be no regret because the extension, once the emotionalism of the moment is removed, would be recognized as a distinct improvement.

Extended 32½ feet forward, the east central portion of the building, in appearance, would be virtually indistinguishable from the way it looks today.

It would preserve every detail of the present ornamentation and architecture, and retain the characteristic concept of a court between the House and Senate wings.

It would do nothing to impair the magnificence of the true central feature of the Capitol—its tremendous dome—but would provide a more pleasing setting for it than now exists.

It would halt the shameful disintegration of the present sandstone front, through its reproduction in enduring marble.

And it would provide an initial installment of the additional Capitol space which Congress so desperately needs.

There should be no surprise in the sentimental objections which have been raised. Such objections spring up when any change is proposed in any old building. Yet virtually all of those most intimately familiar with the Capitol—those who certainly yield to no one in their love for the old building—favor the extension.

Nor should it be forgotten that the east front extension is only a first step, and that other changes—many far more drastic than this—must be made in the future. The west front, and very possibly other portions as well, must be enlarged; the disgraceful appearance of a second-rate parking lot must remedied; improved access roads must be provided. All these things are needed to reclaim Capitol Hill as a symbol of the dignity of the Nation, a symbol which also provides the functional facilities Congress must have to perform its duties.

The east-front extension is part of the package. It should be ordered immediately.

I also wish to point out that there has been a great deal of misinformation on the question as to whether or not this subject has been adequately before the Senate.

The PRESIDING OFFICER. The 10 minutes of the Senator from California have expired.

Mr. KNOWLAND. Mr. President, I yield myself 5 additional minutes.

Mr. President, I should also like to invite the attention of the Senate to the fact that in the CONGRESSIONAL RECORD, volume 103, part 12, page 16640, I placed in the RECORD the report of the Architect of the Capitol, dealing with the east front extension and other matters which were in his report, so that Congress would be fully informed. I was a member of the commission, not by choice of my own but because under the law the minority leader and the Vice President serve on the commission, together with the Speaker of the House and the minority leader of the House.

I wish to point out that on the 21st of February of this year the following press release was issued by the Architect of the Capitol:

FEBRUARY 21, 1958.

The Commission for Extension of the United States Capitol, composed of Hon. Sam Rayburn, Speaker of the House of Representatives, chairman; Hon. Richard M. Nixon, President of the Senate; Hon. William F. Knowland, minority leader of the Senate; Hon. Joseph W. Martin, minority leader of the House of Representatives, and Hon. J. George Stewart, Architect of the Capitol, at a meeting, today, February 21, 1958, acting under authority of Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress, directed the Architect of the Capitol to proceed with the extension of the east central front of the United States Capitol, including the letting of contracts and all other necessary items, in accordance with the provisions of those acts and in accordance with preliminary plans prepared by the Architect of the Capitol, his associates and consultants, for such purpose. The estimated cost of the construction work approved today is $10,100,000. The front line of the central steps, as extended, will be 40 feet behind the front line of the steps of the House and Senate wings.

Mr President, at about that time the hearings were called by the Committee on Public Works.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The Senator from California will suspend until the Senate is in order. The Senator may proceed.

Mr. KNOWLAND. When I heard that the hearings had been called by the committee, although the Speaker had already affixed his signature to the directive to the Architect, I withheld my signature because I thought it was proper that the Committee on Public Works should have an opportunity to be heard. I therefore withheld my signature from the directive in order that the Senate might have an opportunity to consider the matter. Hearings were held on February 17. On March 7 the Committee on Public Works reported to the Senate. The bill has been on the calendar since that time.

I must say that the structure of the Commission is a little unusual, for this reason: The House representation consists of the Speaker and the minority leader, which provides a proper balance between the two political parties. On the Senate side, for a reason that I do not know, the provision is that the President of the Senate, who, of course, is the Vice President of the United States—and if the Vice President succeeds to the Presidency, the President pro tempore would be the President of the Senate for that period—and the minority leader shall constitute the members of the Commission from the Senate. If the law provided that the representation from the Senate should be the President pro tempore and the minority leader, we would be sure to have a representative from each of the two parties in the Senate, as is the situation in the House. That is not the fact. The Vice President of course is

of the same political party as the minority leader.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KNOWLAND. I felt I had an obligation to the entire Senate under those circumstances, and I therefore withheld my signature, so that the question could be amply discussed in the Senate and in committee. The historic records and the records of the man who designed the Capitol give ample support—and the same can be said of the present Architect of the Capitol—to what should be done.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. I yield myself 1 additional minute.

Mr. CHAVEZ. I should like to ask a question. Why should the minority leader and the Vice President of the United States undertake a function of a committee organized by the Senate?

Mr. KNOWLAND. Only because the statute itself provides for it. It is a joint operation between the Senate and the House.

Mr. CHAVEZ. Very well. I should like to ask the Senator a question. Why should it be the Vice President and the minority leader? Why should they take over a function which belongs to a committee of the Senate? So far as I am concerned, the committees of Congress should prevail so far as making recommendations is concerned. I will discuss this matter myself.

Mr. KNOWLAND. I hope the Senator from New Mexico will discuss it. If he will permit me, I will conclude my remarks. Some statements have been made relative to Speaker RAYBURN which I believe have been unfair and unjustified. I know of no American citizen who loves this Capitol more than does the Speaker of the House of Representatives.

Mr. CHAVEZ. I agree with the Senator.

Mr. KNOWLAND. My father served with him in the House of Representatives. My father was in the House from 1903 to 1915, and Mr. RAYBURN became a Member of the House, I believe, in 1913, about the time the distinguished Senator from Arizona [Mr. HAYDEN] came to Washington. My father also served with him.

There is no man in America—and I make no exception—who loves his country more than does the Speaker of the House, or who loves the Capitol more than he does. He would be the last man to want to deface the Capitol.

I did not ask for membership on the Commission. However, I will not shirk my responsibility. The responsibility was given to me under the statute, and the responsibility is there. I have tried to carry it out to the best of my ability. I have tried to present all the facts to the Senate.

As one American, I resent some of the statements which have been made relative to the Speaker and, by implication, with respect to the other members of the Commission as well. We love this building. We want to pass it on to our children and to our grandchildren, in the same way that it has been passed on to us. However, this is not a museum. Independence Hall was the first Capitol of our country in which Congress met. This is a living, growing Capitol of a growing nation. We have changed the Capitol from time to time. We have not committed any sacrilege when we have changed it. It has been done in order to keep up with the needs of the Nation. I have no apologies to make for the vote I shall cast today. I shall vote against the bill introduced by the Senator from New Jersey, as modified by the Senator from Pennsylvania. I shall abide by the result, of course. I have tried to discharge my responsibility to the best of my ability.

Mr. CHAVEZ. I should like to say——

Mr. KNOWLAND. I yield 3 minutes to the Senator from New Mexico.

Mr. CHAVEZ. I should like to say to the Senator from California that there is no Member of the Senate for whose sincerity of purpose and integrity I have greater respect than I have for the Senator from California. We may differ in approaching a problem, but, so far as intellectual integrity and good faith and conscience are concerned, there is no Member of the Senate for whom I have greater respect than I have for the Senator from California.

Mr. KNOWLAND. I thank the Senator.

Mr. CHAVEZ. Now I should like to have some time to speak on my own.

Mr. KNOWLAND. I am glad to yield 4 minutes to the Senator from New Mexico.

Mr. CHAVEZ. The Senator from California has read about the bill. There is another side to the story. I am willing to consider the story told by the Senator from California. I did not introduce the bill. It was introduced by the Senator from New Jersey [Mr. SMITH].

I did not pay attention to the Senator from Minnesota [Mr. HUMPHREY] or the Senator from Pennsylvania [Mr. CLARK]. I was paying attention to the Senator from New Jersey [Mr. SMITH].

In all sincerity, when the question came before the Committee on Public Works and we reported the bill, we thought we were doing the correct thing, in keeping with what the country wanted and would stand for concerning the Capitol Building. We were not trying to do anything differently; we were not trying to keep up with the history of the construction of the building, although up until this very moment I think we have.

What is the purpose of the bill? I read from the report:

> The Committee on Public Works, to whom was referred the bill (S. 2883) to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B—

Bear in mind scheme B; I shall speak about it directly.

> of the architectural plan of March 3, 1950—

Not 1958; scheme B of 1950—

> having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

What is the purpose of the bill? It is to amend the act of 1956.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. KNOWLAND. I yield the Senator from New Mexico 1 additional minute.

Mr. CHAVEZ. That is not enough time.

Mr. JOHNSON of Texas. We are operating under a unanimous consent agreement. I will yield the Senator 2 minutes; the Senator from California has yielded 1 minute. That makes a total of 3 minutes.

Mr. CHAVEZ. The majority leader and the minority leader are very kind, but more than 3 minutes were used to explain why the bill should not pass. So I thank the Senators. I will let it go at that.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the Senator from Arizona.

Mr. HAYDEN. Mr. President, what does anyone who visits the Capitol of the United States, man, woman, or child, take away in memory? It is not the Senate wing; it is not the House wing; it is not the east front; it is not the west front. It is the great dome of the Capitol.

One who looks at the model of the Capitol on the lower floor of the Capitol Building will see that the great Dome is in the center of the Capitol Building. If he runs his eye along the east front of the Capitol Building itself, he will see that the dome is not actually in the center of the building; it protrudes beyond the east front. The great architect who designed the Dome said that the east front should be moved eastward. That is what is proposed to be done by the plan which has been developed.

This question has been before the Senate twice since I have been a Member of this body, in 1934 and 1937. Each time the Committee on Public Works reported a bill recommending the extension eastward of the central portion of the Capitol building. The last time, in 1937, both the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Rhode Island [Mr. GREEN] were Members of that committee, which reported, among other things, a recommendation that the east front be moved forward. Each time the Senate acted, but the House failed to act.

In this instance, the House took the initiative, and the question is now before the Senate.

It seems to me that our only reasonable course is to follow the recommendation of the able architects who have been employed, and to adopt the plan for the east front as proposed by them. If that be done, there will be an exact replica of the present front, but in enduring marble, instead of crumbling sandstone. Anyone who would stand off at a distance and look at the front would be unable to tell the difference.

The model shows what the front will look like. The steps will be advanced somewhat, as will be the front itself, but the design will be identical with the

present front, without any change whatsoever, so far as the human eye can detect.

This seems to me to be the reasonable and proper thing to do, and I so recommend.

Mr. CHAVEZ. I have one question to ask of the Senator from Arizona.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from New Mexico.

Mr. CHAVEZ. Is the Architect of the Capitol an architect?

Mr. HAYDEN. He has the best architectural talent available to him. Architects are artists.

Mr. CHAVEZ. That is correct.

Mr. HAYDEN. Two artists will never agree on anything; likewise, two groups of architects will never agree on anything. I think that is the exact truth.

I do not think a finer group of consulting architects could have been assembled anywhere in the United States than those who conferred with the Architect of the Capitol, and this is their recommendation.

Mr. CHAVEZ. I am willing to vote; but I ask unanimous consent that an excerpt from the report on S. 2883 be printed at this point in the RECORD.

There being no objection, the excerpt from the report (No. 1352) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to amend the Legislative Appropriation Act, 1956, which authorized the extension and reconstruction of the east central portion of the Capitol Building, by eliminating the requirement that such work be in substantial accord with scheme B of the architectural plan submitted by a joint committee of Congress, and reported to the Congress in House Document No. 385, 58th Congress, on March 3, 1905, but with modifications and additions.

HISTORY

The last important alteration in the design of the Capitol Building was the construction of the north and south wings and the dome, which was carried out between 1851 and 1865. At that time it was proposed to extend the central portion of the Capitol eastward, to make the eastern portion symmetrical with the western portion, and to give the dome an adequate appearance of support. The advent of the Civil War interrupted the progress of the work at the Capitol and the modification of the east front was never carried out.

The Congress, in 1904, established a joint commission to investigate and report on the extension of the Capitol Building. The Commission appointed consulting architects to study the problem involved, who reported to the Commission, which in turn made its report to Congress, which is printed as House Document No. 385, 58th Congress. In that report the consulting architects expressed the opinion that the previous proposal to extend the central portion to the line of the two wings would be excessive, and presented two schemes A and B, recommending the scheme A, which provided the least amount of projection which would provide the desired appearance of support for the skirting of the dome.

Hearings were held in 1935 and 1937 on bills that would authorize a plan which was a modification of scheme B, and the bills passed the Senate, but were never enacted into law.

The Legislative Appropriation Act of 1956 included authorization for initiating the work and appropriated $5 million for such start. That law also established a Commission for Extension of the United States Capitol, to be composed of the President of the Senate, the Speaker of the House, the minority leader of the Senate, the minority leader of the House and the Architect of the Capitol. The Legislative Appropriation Act of 1957 included $12 million to continue the extension, reconstruction, and replacement of the central portion of the Capitol.

The Commission directed the Architect of the Capitol to retain the services of architects and engineers and also a consulting and advisory group of architects to prepare preliminary plans and estimates of cost for the extension of the Capitol in such manner that the Commission could approve the program in whole or in part. A report on this work was presented to the Senate in August 1957. In that report, the Architect proposed a master plan, scheme C, for reconstruction and remodeling the Capitol on both the east and west sides, which recommended scheme B as the first logical step to proceed with at this time. Under this plan it is proposed to leave the old east sandstone walls remain as interior walls wherever possible, and to make an exact replica of the present front in marble at a distance of 32 feet 8 inches beyond the present walls.

On October 28, 1957, the Commission directed the Architect of the Capitol to proceed with the preparation of contract drawings and specifications at a cost of $312,500. Those plans and specifications are now essentially complete.

The Subcommittee on Public Buildings held a hearing on S. 2883 on February 17, 1958. At the hearing the Architect of the Capitol and three of the advisory and consulting architects discussed the work proposed and explained the reasons for reaching their conclusions on the necessity for the work. Two of the authors of the bill, representatives of the Committee To Preserve the National Capitol, American Institute of Architects, National Trust for Historic Preservation, and others appeared in favor of enactment of S. 2883, stating that the removal of the road block of scheme B would permit the architects to have a free hand in developing the best plan for work in connection with the Capitol.

At a meeting of the Commission on February 21, 1958, the plans were approved and the Commission directed the Architect of the Capitol to proceed with the extension of the east central front of the Capitol, including the letting of construction contracts and all other necessary items.

DISCUSSION

The committee is aware of the early plans for completion of the United States Capitol Building, and of the opposition that has developed each time initiation of work on reconstruction of the east front appeared imminent. It also recognizes that the east front sandstone wall has deteriorated to a degree and is in need of repair.

The committee further realizes and appreciates the esthetic beauty and historic significance of the Capitol Building, and how it is regarded by people all over the Nation as a part of our national heritage, and as a symbolic monument revered by all. Any major disturbance of the original historic east facade is not believed justified at the present time without further study and consideration.

The completion of the Capitol to its present state was performed in stages, but represents the work of many of the best architects of the early period of our country, and is a classic example of the architecture of those early periods, which has earned a niche in the hearts and minds of the American people.

It was the opinion of the committee that adequate hearings had not been held on recent proposals to modify the east facade of the Capitol Building, in order to give the opponents to the plan an opportunity to present their views on the matter.

The committee gave careful consideration to the testimony presented at the hearing held by the Subcommittee on Public Buildings and Grounds on S. 2883 on February 17, 1958. Both opponents and proponents testified on the measure. There remained before the committee the fundamental question as to whether the rebuilding should be done under scheme B, or some other plan.

The authority for extending the east front of the Capitol is contained in Public Law 242, 84th Congress. The provisions of S. 2883 would eliminate from the authorizing act the requirement that the work be in substantial accord with scheme B of the architectural plan of March 3, 1905.

The committee does not consider that S. 2883 nullifies the present authorization for extension, reconstruction, or replacement of the central portion of the Capitol Building, but rather that it leaves such matter entirely open, without limitation to plan B, and that after further consideration the Commission for Extension of the United States Capitol can proceed with scheme B, any other scheme or modification thereof, or repair of the existing wall in its present location.

The committee fully discussed the possibility of repairing or rebuilding the existing wall in its present location. Conflicting testimony was presented as to the estimated cost of performing such work. The Architect of the Capitol described the present condition of the east front, stating that the chipping and spalling of the paint and stone is becoming progressively worse. The committee believes that the Architect has adequate funds for proper maintenance and repair of this existing wall, or replacement of individual stones as they spall or become badly deteriorated.

The committee also discussed the question of the overhang of the Dome of the Capitol, and the matter of its safety. The Architect advised that a visual inspection of the dome has been made, and that a contract is in effect for a complete structural engineering study and survey thereof, and for the preparation of plans and specifications for repairs to improve the stability of the dome.

The committee was somewhat concerned about the charges made by certain witnesses relative to the secrecy that has surrounded the activities in connection with this project from the time of its authorization. It is believed that improved public relations would have resulted if public hearings had been held earlier, or if sketch plans had been released from time to time.

The committee also gave consideration to the estimated cost of the proposed work, $10,100,000. It is clearly indicated that the project is not justified on the basis of providing a relatively small amount of additional space, and that, cognizant of the fact that certain activities of the legislative branch must be performed in the Capitol Building an equal amount of space, 100,000 square feet gross area, can be more economically provided at other locations.

The committee realizes the gravity of this situation in dealing with a building with the historic significance of the Capitol Building, and believes that before proceeding with the proposed work further studies should be made, further hearings held, and all possible plans and ideas be thoroughly investigated, and that any remodeling of the historic east front facade be performed only as a last resort, and only for its safety and preservation. Accordingly the committee recommends enactment of S. 2883.

The comments of the Architect of the Capitol on this legislation are as follows:

ARCHITECT OF THE CAPITOL,
Washington, D. C., February 13, 1958.

Hon. DENNIS CHAVEZ,
Chairman, Commitee on Public Works,
United States Senate.

MY DEAR MR. CHAIRMAN: In compliance with your request that I submit to your committee a report containing such suggestions as I may deem proper touching the merits of S. 2883, 85th Congress, and the propriety of its passage, I submit the following report on S. 2883, "A bill to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905."

It is my recommendation that no change be made in the present legislation authorizing the extension of the Capitol project, Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress.

CONTROL AND SCOPE OF PROJECT

The present legislation governing the extension of the Capitol project provides that all work in connection with this project, including the preparation of plans and the letting of contracts, shall be performed under the direction of a commission to be composed of the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, and the Architect of the Capitol.

The present legislation provides for the extension, reconstruction, and replacement of the central portion of the Capitol in substantial accordance with scheme B of the architectural plan reported to Congress, March 3, 1905, in House Document No. 385, 58th Congress. This plan provides that that part of the east central front of the Capitol, constructed of sandstone and located between the Senate and House wings, be extended eastward 32 feet 6 inches, and that the extended section be constructed of marble; also, that that part of the west central front of the Capitol, similarly constructed and located, be refaced with marble.

The present legislation, however, authorizes the Commission to effect modifications of the 1905 plan, so long as the substance of that plan is followed, and also authorizes the Commission to effect additions to that plan.

The present legislation further authorizes the construction of such facilities in the Capitol Grounds and such approaches, appurtenant or other necessary items as the Commission may approve. The hearings before the Senate and House Appropriations Committees show that this authorization was included to cover such items as underground garages, security vaults, underground transportation systems, and other improvements in the Capitol Grounds.

To date, a total of $17 million has been appropriated for the project and, under the provisions of the authorization act, such additional amounts as may be necessary are authorized to be appropriated.

LEGISLATIVE BACKGROUND

Opponents of the plan to extend the east central front of the Capitol and to conatruct the extended section in marble have indicated that such extension is being carried into effect without adequate consideration by the Congress.

The facts of record do not bear out this contention.

The House of Representatives, in 1903, considered and passed legislation authorizing the extension of the east central front of the Capitol and provided an initial appropriation to start such work. The item at that time was not, however, approved by the Senate.

The United States Senate has twice considered and passed bills authorizing the extension of the east central front of the Capitol, in addition to the legislative action taken in 1955. One of those bill was passed in 1935 and the other in 1937, following hearings conducted by the Senate Committee on Public Buildings and Grounds at that time. The committee, in 1937, not only had the benefit of the hearings which it had held in 1935 and the 3 days' hearings which it held in 1937, but also of 9 days' hearings held on such proposed legislation by the House Committee on Public Buildings and Grounds in 1935. Proponents and opponents of the legislation were given full and free opportunity to testify on these occasions and their testimony is a matter of record in the printed hearings of those committees for such years.

Although neither the 1935 nor the 1937 bill was reported out by the House committee, the action taken by the Senate is significant.

In 1935 the Senate authorization bill was reported out unanimously by the Senate Committee on Public Buildings and Grounds and was considered and passed on the Consent Calendar, when the objection of a single Senator would, in that case, have prevented its consideration and passage.

In 1937, after being favorably reported by the Senate Committee on Public Buildings and Grounds, the Senate authorization bill was considered under regular order of the Senate and was passed immediately following a quorum call to which 82 Senators responded. When this bill was considered and approved, two present Members of the Senate, Senator CHAVEZ, the present chairman of the Senate Committee on Public Works, and Senator GREEN, were members of the Senate Committee on Public Buildings and Grounds.

The present authorization for the extension project is contained in the Legislative Appropriation Act, 1956, as amended by Public Law 406, 84th Congress—the amendment being in the nature of correction of technical defects. This authorization, together with an initial appropriation, was included in the Legislative Appropriation Act, 1956, by the House Committee on Appropriations, following consideration of the item by that committee, and was retained in the bill upon recommendation of the Senate Committee on Appropriations, following consideration of the item by that committee. Before action was taken on this item by the House and Senate committees, these committees were furnished copies of the 1935 and 1937 printed Senate and House hearings on the extension of the Capitol and a résumé of previous action taken by the Senate and House committees and by the Senate, itself.

The 1935 and 1937 printed hearings covered a complete exposition of all possible arguments, pro and con, relating to the extension. The validity of those arguments, whether they be pro or be con, does not change with the years.

The facts which I have just presented certainly render untenable any charges that the extension of the Capitol is a matter that has not received due consideration on the part of the Senate and the House.

PURPOSE OF LEGISLATION

Just what has been the intention of the Congress in its introduction and consideration of these bills and passage of the present legislation? I think the intent is obvious.

Correction of the architectural defect caused by the overhang of the dome over the east portico.

Reconstruction of the central portion in marble in order to provide a durable material for the exterior of this part of the building, in replacement of the deteriorated sandstone exterior.

Provision of much-needed additional space in the Capitol for the Congress, its officers and employees, and functions required to be carried on in this building.

In every previous hearing, there have been those who were opposed to the passage of the bill then in question. Their opposition centered around what its opponents have characterized as desecration, and more recently as vandalism. It was their desire that no stone be touched, no wall be moved, and that painting be continued down the long stretch of the centuries. Sentimental attachment to the old work was their one motivating force, without regard to other factors which must necessarily be considered and which the Congress has considered. It is fair to state that those Members of the Senate and of the House who have voted to approve the proposed work would yield to no one in their devotion to this grand old building.

I feel I should review in this report the intentions cited above, weigh the objections, and attempt to reach some conclusions.

EXTENSION OF THE EAST FRONT

Opponents of the plan to extend the east central front of the Capitol have, as stated, referred to such extension as desecration and vandalism, but almost without exception have frankly admitted the existence of the architectural defect which the Congress is attempting to correct.

The need, architecturally, for this extension of the east front dates back to the addition of the House and Senate wings and the construction of the present great dome. As soon as the wings were completed, and probably as soon as they were designed, it was obvious that the existing low wooden dome designed by Charles Bulfinch was entirely inadequate to dominate the greatly extended mass of the Capitol Building; and because the east wall behind the portico was also the wall of the rotunda, it was equally obvious that a dome of proper size and proportion would extend beyond the rotunda wall and hang out over the portico. What actually is the case is that the lower columns of the dome are bracketed out from the rotunda wall so that both the columns and the octagonal skirt below them appear to rest entirely on the roof of the pediment over the portico. No other support is visible. This does violence to the one universally accepted tenet of good classic architecture—that is, that adequate and proper support for every load should be apparent. When viewed from any angle, except straight on, not only can this lack of apparent support be readily seen, but the mass of skirt and dome seem to overpower the portico and detract from its beauty. Conversely, the simple portico crushed against the great mass of the dome detracts from the dome's magnificence.

This may seem to be a technical matter. Those who have opposed its correction for the sake of preserving a sort of architectural status quo have called the proponents of the correction "purists," which is not necessarily a bad charge. For architecturally, it is a matter of real importance and has always been so considered by those who both know good architecture and are anxious that the Capitol Building of the United States be without correctible defect. It was one of great importance to Thomas U. Walter, the designer of the wings and the dome, for he not only urged the extension of the east front as soon as recovery from the Civil War would permit but also made sketch plans for such extension before his departure from office. The need for this extension has, as previously brought out, been felt by the Congress, and its position in the matter has been supported by all architects identified with the Capitol since Walter's time, including

Robert Mills, the architect of the Washington Monument and the Treasury Building.

In 1904, Carrere & Hastings, who designed the original Senate and House Office Buildings, were engaged to make studies and prepare plans for the proposed extension of the east central front of the Capitol under the direction of a joint commission of Congress. They submitted two schemes—one scheme A, which provided for extending the east central front eastward 12 feet 10 inches, and the other scheme B, which provided for an extension of 32 feet 6 inches, as an alternate, if the needs of Congress for additional accommodations required the greater extension. They expressed their decided preference for scheme A, but in a letter to the joint commission, September 23, 1904, they stated "• • • If your commission decides that more room must be provided we would submit scheme B. This in our opinion is the plan which least changes the artistic character of the building, at the same time giving a large number of committee rooms; it would affect the appearance of the building very slightly and make an excellent second best plan and we would advise the selection of this plan in case you require the rooms • • •."

Their proposed schemes are contained in House Report 385, 58th Congress, cited in the present legislation authorizing the extension of the Capitol project. A model, prepared at that time, showing a proposed extension substantially in accordance with scheme B has been on exhibit in the crypt of the Capitol for a number of years.

Extension of the east front has also been advocated by most of the architects who have done monumental work in Washington—Carrere & Hastings; Bacon; Cass Gilbert; McKim, Mead & White; Platt; Coolidge; Pope; York & Sawyer; Zantzinger; Wyeth; Sullivan; and Cunningham. Totten, Hirons, Howells, Swartwout, and Magonigle have also expressed their approval. A number of these architects appeared at the hearings in 1935 and 1937 in support of the extension.

The works of these men include such monumental achievements as the Senate and House Office Buildings, the Archives Building, National Gallery of Art, Jefferson Memorial, Lincoln Memorial, Constitution Hall, Red Cross Building, Department of Justice Building, Freer Art Gallery, Supreme Court Building, Philadelphia Museum of Art, Panhellenic Tower, Liberty Memorial in Kansas City, McKinley National Memorial in Ohio, Philadelphia Mint, Maine Memorial, Missouri State Capitol, Museum of Fine Arts at Yale University, additions to the British Museum; also, the recent remodeling of the Senate and House Chambers.

The National Commission of Fine Arts approved of the extension in 1919 and in 1935, and its chairman, Charles Moore, in the 1935 hearing, lent to it the weight of his 36 years of experience in the Washington plan.

On June 12, 1956, at a hearing before the Senate Committee on Appropriations, on a request for a second appropriation of $12 million, Mr. Edmund Purves, executive director of the American Institute of Architects, appeared to state that the official position of the American Institute of Architects was that of opposition to the proposed extension, but, under questioning, he disclosed that this position was in conflict with the position of the Institute's own committee on the National Capitol and in conflict with his own personal sentiments.

The foregoing evidence and the impressive record of the proponents of the project during the past century should be enough to refute the charge of vandalism which has been leveled at the Congress and to point up the fact that objections to the extension are solely sentimental ones. These I will subsequently consider.

RECONSTRUCTION OF CENTRAL PORTION IN MARBLE

Opponents of the east-front extension have objected to replacing the existing sandstone front with marble.

Thornton, the first Architect of the Capitol, whose design for the Capitol was adopted by President Washington, urged that marble be used for the exterior facings. He felt that only marble could be satisfactory to give true definition to the moldings and carved ornaments and to serve as a proper and durable dress for so monumental a building. In the absence of a domestic source for such material, he even advocated that it should be imported. In spite of his strong recommendation, the President, in the interest of economy, finally ordered the building to be built of Virginia sandstone.

This sandstone, taken from the Acquia Creek quarries in Virginia, is a soft, friable material which is uneven in color and texture. The variations in color detract from the sharpness of the moldings and carved ornaments, and its soft, friable quality has been the cause of progressive deterioration. It was heavily damaged by the fire set by the British in 1814 and very considerable repair and replacement were required. At this time, according to testimony in the 1935 hearing, Latrobe, who followed Thornton as Architect of the Capitol, recommended that marble be used as a new covering for the Capitol.

Shortly after the reconstruction of the Capitol was completed in 1819, the entire structure was painted and has been a painted building ever since. Recent research of old records discloses that exterior painting was done in 1819, 1822, 1827, 1832, and 1839, and that this painting was done primarily for preservation of the stonework. This corrects previous statements that painting began in 1832 with the erection of the House and Senate wings. There have been some beneficial results of this painting: One, the color was improved so that the detail was clarified; and, two, the rate of deterioration of the sandstone was somewhat reduced. There has been, however, in spite of repeated paintings over the years, a positive and progressive deterioration of the stone and a concurrent deterioration of the paint film. Many stones have had to be replaced, moldings and ornament have eroded, cornice stones and balustrade members have fallen out, and in one instance the parts of a capital are wired together.

The paint film peels and the scaling paint frequently takes the surface of the stone with it, leaving unsightly blisters on the surface. An impartial observer is bound to judge the present appearance of the surface of the building to be far short of that rightfully expected of the Capitol of our great Nation. The ever-thickening paint more and more obscures the sharp detail of the original designs. Even now one cannot see the actual details of the work of Thornton, Latrobe, and Bullfinch. All one can see is paint. This matter of appearance is, however, secondary to the integrity of the structure and of its priceless detail. Unless it is faced, and its rich ornamentation faithfully reproduced, in a durable material, there will eventually be nothing left but a drawing in the files to bear witness to the art of Thornton, Latrobe, and Bullfinch.

Mere refacing of the present east front, however, is not enough. Here a number of cracks extend the full height of the wall, from balustrade to footing, and extend completely through the masonry behind the sandstone facing. It is probable that if this facing were cut back and replaced with marble, the cracks would immediately recur in the new facing. The proper repair, therefore, involves partial reconstruction of the wall. As the several floors of the building are supported on masonry arches and vaults which bear upon and thrust against the exterior walls, their reconstruction is a major operation, which would be difficult, costly, and disrupting. For it is unlikely that the areas inside the walls could be continued in use during the construction period. If a new exterior wall is constructed to the east and the present wall becomes an interior one, and is thus protected, it should endure for centuries.

There are those who object to the replacement of any stone, however deteriorated. There are those who oppose replacement of deteriorated sandstone with any material except sandstone. There are also those who, while objecting to any other change in the building, are willing to see a more durable material used as a replacement for deteriorated stones. These are the ones who feel that painting of the building must continue—and confront the Congress and the American people with an everlasting undertaking. Decade after decade, century after century, down the vista of years beyond man's imaginative vision, the painting continues. Whereas there are now 35 coats of paint, a hundred years from now there would be 60. In another century 85—a staggering prospect. Already peeling and cracking, already obscuring fine detail, the building would be a mass of pockmarks—and, of detail, there would only be a trace. Such treatment of a fine old building can only be called desecration.

When Thomas U. Walter submitted his design for the enlargement of the Capitol, which resulted in erection of the Senate and House wings, he insisted on the use of a white marble for the exterior facing and suggested that refacing the old center part with marble was both practicable and desirable. In a letter to the Senate Committee on Public Buildings, dated November 21, 1850, he stated:

"In the adoption of this, or any other plan for an enlargement of the Capitol, it is essential to the beauty and durability of the structure, that its exterior be composed, if possible, of an imperishable material. I would therefore strongly recommend that white marble be used for facing all the new work, and that the old work be painted to imitate it.

"I may venture further to suggest, that it would by no means be impracticable to remove all the facing of the present building, and substitute marble, without interfering at all with the stability of the structure. If, therefore, the work is commenced by facing the new part with marble, the day will no doubt come when we shall have a marble Capitol, upon which time can work but little change."

The plans prepared by Carrere & Hastings in 1904 for the east-front extension provided for reconstruction of the central portion of the Capitol in marble. Without exception, the great architects who appeared at the 1935 hearing in favor of the east-front extension expressed themselves as being in favor of the use of marble for the facing of the east-central portion of the building.

From this record, it is evident that the decision to use marble to preserve the details of the present design in durable material has not been a hasty one, but is the result of mature deliberation by the Congress. The charge of vandalism on the part of the Congress is not substantiated and the objections raised to replacement of the old work in marble again boil down to the matter of sentiment.

NEED FOR ADDITIONAL SPACE

One of the intentions of the Congress in the passage of the 1955 act, as evidenced by its adoption of scheme B, was to secure additional space for carrying on its functions in

the Capitol. The Capitol is a workshop—and the workshop of a growing Nation whose needs have made more varied and complex the activities of the Congress, its Members, and employees. If these activities are not to be hampered at every turn and if committees and offices are to function efficiently and not be handicapped in their efforts to serve the people, the space in the Capitol must expand as the Nation expands and grows in population and in power. This is recognized by the Congress, but implementation of plans to meet these needs may possibly run afoul of some of those, outside of Congress, who would keep the building as it is, unchanged through the years.

The Capitol is not a museum, even though many areas of it are now largely devoted to museum purposes. But insofar as it is a museum, it is a living one—the live seat of a great Government—the activities of which give to the building its dynamic quality. Remove these activities and it becomes a relic. But if these activities are not to be removed, the building must be expanded; it must grow now and in the future, just as it has grown in the past. The action of the Congress, in taking steps to provide more space by the creation of new areas, is indicative of its vision.

CHANGES AND ADDITIONS TO THE CAPITOL

The Capitol, as seen today, is the composite of many building projects. Construction began in 1793 with the section north of the rotunda in accordance with plans prepared by Thornton, and it was at the southeast base of this section that George Washington laid the cornerstone. Then came the construction of the section south of the rotunda, now called the Statuary Hall section, which was also planned by Thornton. The two sections were joined by a wooden breezeway across the area now occupied by the rotunda. At this stage of development, the building was burned by the British and in the fire very considerable damage was done to the soft standstone with which the building was faced.

The rebuilding of the heavily damaged structure was entrusted to Latrobe, who took great liberties with the design of Thornton, who at the time was already incensed by the changes attempted by Hatfield and Hallet. Latrobe completely revised the plan of the Hall of the House of Representatives, discarding Thornton's elliptical plan and constructing a semicircular one, around the perimeter of which was placed a row of marble columns, the first use of marble in the building.

He changed the design of both the east and west central elements, providing a wider east portico than Thornton had designed and introducing the great flight of steps on the east and omitting them on the west. These changes made the east the important entrance, whereas the original concept was for the building to face west down the Mall. On the exterior there was much work done to repair the ravages of the fire of 1814 and part of this work was the removal of a very considerable amount of the stonework, parts of the cornice and balustrade. In fact, there are now but few stones one can say with certainty were a part of the original work.

Bulfinch followed Latrobe and carried out his designs for the east portico and steps and for the section west of the rotunda. He took considerable liberty with Latrobe's details, however, and changed the latter's design for the west portico. Bulfinch designed the original dome and in his design departed entirely from that of Thornton.

In 1849 a considerable amount of stone in the three lower courses were so eroded and deteriorated that they were replaced with granite.

After the 1851 fire in the west area occupied by the Library of Congress, extensive repairs and alterations ensued.

Between 1851 and 1865 the House and Senate wings were added and the low wooden dome of Bulfinch was replaced by the great cast-iron dome of Walter.

In 1892 the construction of the terraces was completed by Olmstead and a marked change in the aspect of the Capitol from the west resulted.

In 1897, the Library of Congress left its quarters in the west section of the building to occupy its own new building. The area was divided into offices and this effected a complete change in the plan and aspect of this historic area.

After the gas explosion of 1898, the small domes over the Supreme Court chamber and Statuary Hall were replaced with replicas of the early stone originals.

The original roof construction over the east and west porticoes and over the central portion of the building has been replaced with fireproof construction. The new roof over the central section was lowered several feet, changing the silhouette, but in accord with Walter's plan for the east front extension.

In 1915, the original sandstone steps on the east central front were replaced with granite steps.

In 1949, the roofs over the Senate and House wings were in such a dangerous condition that they were replaced by fireproof roof construction. The huge skylights over the Chambers were eliminated. The large skylights over the west central section of the building have likewise been eliminated. These changes have changed the original roof lines and markedly altered the appearance of the building.

In 1950, the Senate and House Chambers were completly remodeled to meet the present-day requirements of the Congress, and in this work their interior designs were subjected to major changes and improvements. Thus two historic rooms gave way to changes before the needs of Congress.

Many other changes were made to the interior of the building when the needs of the Congress dictated. These include changes in the restaurant and kitchen location and facilities, the installation of central heating and then that of year-round air conditioning, the introduction of, first, gas and, then, electricity for lighting, and the installation of elevators for vertical transportation.

It is obvious from the foregoing that the Capitol has undergone almost constant change and, in the last analysis, the needs of the Congress and its offices and committees have brought about those changes. This is as it should be. In any event, there is ample evidence—the building itself is sufficient evidence—that the changes have been thoughtfully made by men in whom devotion to the building was instinctive. What is considered today should no more be characterized as vandalism or desecration than the thoughtful studied changes of the past.

EAST AND WEST EXTENSIONS

There have been proposals that the extensions be to the west rather than to the east. Based on surveys that have been made, there is strong evidence that the ultimate needs of the Congress can be met only through extensions to both the east and the west, but the following considerations give emphasis to the need for proceeding with the work to the east.

Among the items which were authorized by the present legislation are improvements to the restaurant facilities of both Houses; underground transportation systems, and an underground garage designed to rid the forecourt of the Capitol from its present sea of asphalt and row upon row of cars. The authorization also includes security vaults and other improvements to the Capitol Grounds. It further permits modifications and additions to scheme B.

The present restaurant facilities are all located on the east side of the existing building; the dining rooms are on the first floor, and the kitchens are in the basement. Supplies to these kitchens and, in fact, all supplies to the building and all garbage and trash are now handled by sidewalk lifts in the east plaza. When and if an underground service approach is achieved, it will of necessity be on the east side.

The logical—and the only practical—location for the underground garage is below the east plaza; in fact, below the present parking area. Logically, the entrance to it is from the east side of the building. This garage can be approached by underground tunnels from the north and south and, possibly, from the west, so that all vehicular traffic can be removed from the area in front of the building. The landscape treatment, which now exists east of the present parking area, can then be extended up to the building itself. Elimination of cars and traffic from the forecourt of the Capitol and proper landscape treatment will give to the setting of the building the dignity which the building deserves.

The east side is the nearest and most convenient to the House and Senate Office Buildings and it is on the east side that the tunnels connecting the Capitol with these office buildings terminate.

Very few utilities of a nature which would be difficult to move exist under the east plaza. Those which do exist are steam and water mains, the moving of which creates no great problem. There exists a book tunnel from the Library of Congress, but this needs only to be shortened to be continued in use, at least until such time as the underground development takes place.

The east front urgently requires immediate attention, not only because the sandstone is badly cracked and deteriorated, but also because the east front constitutes the main approach to the Capitol for both pedestrians and vehicles and, in its present condition, constitutes a hazard, due to the possibility of injury to persons or vehicles from any sandstone which may erode and fall. So extensive is the deterioration of both stone and paint, the face which the building presents to the 4 or 5 million persons who annually use it is an unhappy one.

Any extensions to be made to the west front would require the demolition of a portion of the existing terraces, as it would be impracticable, even though possible, to attempt an extension of the west front without first removing part of the terraces and then reconstructing the central area. Changes to the electrical systems of the Capitol and conversion from direct to alternating current, now planned, must be accomplished before any move can be made to change the structure on the west; also, most of the large air-conditioning equipment would necessarily have to be relocated in space not yet found or determined, and complex service and delivery problems would have to be resolved, provided a practical solution can be worked out, before extensions to the west front could be affected. Although extension of the west front would result in the acquisition of more space than on the east, the acquisition would be at a much greater cost.

From the viewpoint of those concerned with sentiment and with the preservation of the Capitol intact, in its present state and condition, it must be remembered that extension of the west front also affects the work of our first three Architects and, on such basis, would fall into the same category of "desecration" and "vandalism" as is alleged against the east front extension. Should it happen that the same hue and cry which has been raised over the extension of the east front should occur if the extension of the west front were attempted, the

Congress would really be in a sorry plight for adequate space in which to do its work.

Extension of the east front will certainly afford immediate and substantial relief to the overcrowded and space-shortage conditions that now exist in the Capitol. Although there is good reason to believe that it, alone, will not meet the ultimate requirements of the Congress, it will alleviate conditions in this part of the building and provide much-needed additional office, committee, restaurant, and storage space. No matter what else is done about the building, expansion on the east side fulfills a logical demand. It is believed that any attempt to solve space requirements without extension of the east front, would fail to satisfactorily accomplish its objectives.

The associate architects for the extension of the Capitol project, in collaboration with the Advisory Board of Consultants, have prepared preliminary plans and estimates of cost for the enlargement of the Capitol, which include the extension of the east front in substantial accordance with scheme B, but with the retention of the deep recesses now existing between the House and Senate wings and the central portion—this recess not having been provided in the original scheme B; also, another scheme, identified as scheme C, which, in essence, is a comprehensive or master plan for the Capitol Building and grounds. Scheme C is inclusive of scheme B and goes farther to include not only a subsequent extension of the west front and enlargement of the west terrace area, but also the underground garage, underground approaches and transportation systems and the development of the Capitol Grounds.

The extension of the east front is the logical first step in this overall plan for the reasons which have been pointed out. No such logical first step could be taken on the west, as there would remain too many unresolved matters on the east. It is essential therefore that the east front be undertaken first.

PLANS FOR EXTENSION

The associate architects retained for the extension of the Capitol project are: Roscoe DeWitt and Fred L. Hardison, architects, of Dallas, Tex.; Alfred Easton Poor and Albert Homer Swanke, architects, of New York City; and Jesse M. Shelton, architect, of Atlanta, Ga. They are all members of the American Institute of Architects, and two are fellows of the institute. Alan G. Stanford, engineer, of Atlanta, Ga., has been retained with this group.

A board of consultants retained for this project consists of John F. Harbeson, architect, of Philadelphia, and Henry R. Shepley, architect, of Boston and, until his death, July 7, 1957, the board also included Arthur Brown, Jr., architect, of San Francisco, Calif.—all fellows of the American Institute of Architects. Advisory services for this project are also being furnished by Gilmore D. Clarke, consulting landscape architect and engineer.

All were retained by the Architect of the Capitol at the direction of the Commission and were instructed by the Architect of the Capitol, also at the direction of the Commission, to prepare preliminary plans and estimates of cost for the project in such a manner that the Commission would be in a position to approve the program in whole or in part.

Last August, I submitted to the Commission for the Extension of the United States Capitol a report on the preliminary plans and estimates of cost for this project, which embodied the recommendations of the associate architects and the consultants and my own approval of the plans and estimates. This report was presented to the Senate by Senator KNOWLAND and is contained in the CONGRESSIONAL RECORD of August 30, 1957. I am prepared to furnish copies of my report to the committee, if you wish me to do so, together with letters from the consultants endorsing my report as a correct presentation of their views.

As stated in my discussion of the east and west extensions, it is proposed to proceed at this time with work under scheme B, as the first logical step of the master plan.

Under scheme B, it is proposed to leave most of the existing east front sandstone undisturbed; to let the old east sandstone walls remain as interior walls, wherever possible; and to make an exact replica of the present front in marble at a distance of 32 feet 6 inches beyond the present walls, but still well behind the front of the House and Senate wings. The details of the eastern central portion will be faithfully reproduced in marble for future generations to have and to hold.

This work should be done now when architects are still alive who are sensitive to the meaning and substance of traditional architecture and while artisans still live who can transmit traditional design to enduring stone. That time is not long.

Respectfully yours,

J. GEORGE STEWART,
Architect of the Capitol.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets):

LEGISLATION GOVERNING EXTENSION OF THE CAPITOL PROJECT

(Public Law 242, 84th Cong., as amended by Public Law 406, 84th Cong.)

Extension of the Capitol: The Architect of the Capitol is hereby authorized, under the direction of a Commission for Extension of the United States Capitol, to be composed of the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, and the Architect of the Capitol, to provide for the extension, reconstruction, and replacement of the central portion of the United States Capitol [in substantial accordance with scheme B of the architectural plan submitted by a joint commission of Congress and reported to Congress on March 3, 1905 (House Document numbered 385, Fifty-eighth Congress), but with such modifications and additions,] including provisions for restaurant facilities, and such other facilities in the Capitol Grounds, together with utilities, equipment, approaches, and other appurtenant or necessary items, as may be approved by said Commission, and for such purposes there is hereby appropriated $5 million, to remain available until expended, and there are hereby authorized to be appropriated such additional sums as may be determined by said Commission to be required for the purposes hereof: *Provided*, That the Architect of the Capitol under the direction of said Commission and without regard to the provisions of section 3709 of the Revised Statutes, as amended, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act and to obligate the additional sums herein authorized prior to the actual appropriation thereof.

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a Capitol fact sheet, prepared by the Committee To Preserve the National Capitol. The fact sheet discusses the history of the whole action.

There being no objection, the fact sheet was ordered to be printed in the RECORD, as follows:

CAPITOL FACT SHEET

This fact sheet provides brief, carefully documented answers to a number of inaccurate or misleading statements that have been made by some proponents of the controversial plan to replace the historic east front of the United States Capitol. It deals specifically with statements made in Congressional hearings or during floor debate on three basic aspects of the plan: (1) the safety factor, (2) the need for space and its cost, and (3) the architectural and legislative history.

I. THE SAFETY FACTOR

The Architect of the Capitol and other proponents of the change have contended that the old central portion of the Capitol is "unsafe" and "dangerous" because of deteriorating sandstone in the exterior walls. At hearings before a Senate Subcommittee on Public Buildings on February 17, Consulting Architect John F. Harbeson said "the building is really in a dangerous condition." (See hearings on extension of United States Capitol Building, Feb. 17, 1958, p. 37).

At the same time, reports on file in the Office of the Architect of the Capitol include recent engineering and scientific surveys which describe the condition of the walls, the foundations, and the dome of the Capitol as basically sound. The most important reports are:

1. A detailed analysis of the condition of the sandstone walls, made by the Bureau of Standards in 1956–57, concludes that the old stone is "sufficiently sound" to permit its continued use, and that it can either be repainted, as in the past, or resurfaced with a more durable stone.

2. An engineering report on the condition of the foundations, made by the firm of Moran, Proctor, Meuser & Rutledge in 1956–57, concludes that "the structural condition of the foundations was basically sound," and that the "bearing capacity of the underlying strata was satisfactory."

3. An engineering report by Seelye, Stevenson, Value & Knecht, made on the basis of a complete structural survey in 1956–57, concluded that the dome of the Capitol was "basically safe."

No evidence has been presented that the east front of the Capitol is structually unsafe. The wall is actually composed of three parts, an interior bearing wall of heavy masonry, a core of random courses of small stones set in lime mortar, and an exterior facing of sandstone blocks as the decorative surface. The interior bearing wall has numerous thick structural piers, and the center section is incorporated with the massive rotunda walls which support the dome.

The sandstone facing has spalled from weathering in places, but not deeply, as the Bureau of Standards report indicates, and some pieces of the overhanging cornice have fallen off. In several places the joints of the sandstone courses have separated because of uneven settling of the wall, and the joints in one place in the portico cornice are separated. These separations are called "cracks" in various reports, but this does not mean that individual stones are cracked. A report by the associate architects employed by the Architect of the Capitol, dated March 24, 1958, has these remarks:

"At some of these cracks, there is evidence of continuing movement. One, especially, which has been frequently pointed up with mortar, now nearly an inch wide, has again opened up." In the next paragraph: "The condition at the moment seems to be in equilibrium although the widening crack referred to above requires constant watching." However, the associate architects conclude that: "It would not be correct to say that

the present physical condition of the wall is such that collapse is imminent."

It is clear that the exterior surface of the east front needs repair; it is also clear that the wall is essentially sound.

From this report and public statements by the Architect of the Capitol and others who favor extending the east front, it is obvious that no thorough study has been made of the practicality of a structural restoration of the existing outer wall surface. Experts in this field believe that it would be possible to make such a restoration, as was done in the case of the White House, the Tennessee State Capitol, and the New York City Hall.

Leon Chatelain, Jr., president of the American Institute of Architects, has urged a new study that would include "a survey of restoration methods utilized in preserving historic buildings, both in the United States and abroad. It is our opinion such an investigation would prove in short order that there is no validity to the argument that the present east front wall need be extended merely to be preserved."

II. THE NEED FOR SPACE AND ITS COST

Extending the east front of the Capitol by 32 feet 6 inches would add 78,500 square feet of net floor space, of which 45,000 square feet would be used for offices, etc. One report by the Architect of the Capitol counts these rooms as follows: 54 offices, 8 document rooms, 9 storage rooms, 2 dining rooms. The dining rooms would seat 115 persons in each.

The total cost of the extension is given as $10,100,000. Considered simply as a means of obtaining usable working space for Congress, this is a cost of $130 per square foot of floor space, or $220 per square foot of office space. The new Senate Office Building is being built at a cost of about $40 a square foot.

Since the proposed new exterior wall would be a replica of the old one, the new rooms would have to conform to the window spacing and ceiling heights of the old part. For instance, 160 feet, or almost half of the east front, is under the portico. In this area there are no windows at street level, and only two large windows on each of the two upper floors. Corridors running laterally along the face of the old wall will further restrict the size and placement of the rooms.

The present dining space in the Capitol seats 622 persons. The additional space would seat 230 persons, or only about one-third more. The report of the Architect of the Capitol clearly states that the added dining area "provides no additional restaurant facilities for employees or visitors."

All reports from the Architect of the Capitol emphasize the desirability of an unbroken passageway between the House and Senate wings for the private use of Members of Congress. An uninterrupted corridor cannot be obtained at the east front on the main floor, since it must cross the main public entrance to the rotunda.

If the east front should be extended as proposed, the main public entrance to the rotunda would be through a door-lined corridor 33 feet long and 1 story high. The present east windows apparently could be covered over. At best, the added space to be gained on the east front would be very expensive, and architecturally awkward.

If the east front should be extended as proposed, the main public entrance to the rotunda would be through a foyer about 30 feet square and 1 story high. The present east windows would apparently be covered, and 3 or 4 new doors cut through the wall on each floor. Three new floors would run across the face of the old wall, which with their supporting members would completely obscure the original scale and probably much of the detail of the historic walls. At best, the added space to be gained at the east front would be very expensive, and architecturally awkward. A study of the outline floor plans furnished by the Architect of the Capitol will confirm these remarks.

III. HISTORY OF SCHEME B FOR EXTENDING THE EAST FRONT

The present plan for the extension of the east front 32 feet 6 inches has been described as the original concept of Thomas U. Walter, who built the present House and Senate wings and dome between 1851 and 1864, recommended by Carrere & Hastings in 1904, and supported by joint congressional commissions since that time. The following brief summary brings out facts overlooked in recent statements on the history of the east-front extension.

In 1850 there was an architectural competition for designs to enlarge the Capitol. Thomas U. Walter and others entered plans which proposed large extensions to the east front. These plans were all rejected, on the ground that they would diminish the effect of the original building. A different plan by Walter for adding the present House and Senate wings was accepted, and carried out.

In 1864 Walter recommended extension of the east front out to a direct line with the new Senate and House wings, or 55 feet. In 1874 he presented still another scheme for extending the east front 275 feet, far beyond the line of the wings. In 1881 Smithmeyer & Pelz offered a plan for extending the Capitol, both east and west, with drastic changes to the interior plan.

In 1903 the House passed a bill authorizing an expenditure of $2,500,000 to extend the east front of the Capitol 55 feet in accordance with Walter's first plan. The Senate did not pass this bill. However, a joint commission was established to inquire into plans for an extension to the Capitol. Carrere & Hastings, of New York, were appointed to examine the possibilities. In 1904 they presented a report with the following recommendations:

1. That the Walter plan for a 55-foot extension ought not to be carried out since "the architectural effect of the entire east front would be injured," and "it would destroy the courtlike effect of the east front where the two wings project beyond the simple and broad central building, one of the most picturesque and pleasing features of the Capitol."

2. That the east front should be moved 12 feet 10 inches forward so as to give the dome the apparent support which they believed it should have. They called this "scheme A."

3. They continued, "We have prepared an alternative plan, scheme B, partly to illustrate our contention that the building should not be projected further eastward than absolutely necessary to give an apparent support to the dome." Scheme B required an extension of 32 feet 6 inches. This would add desired office space and corridors, but "it would be such a great change from the present facade, so familiar to our people and which they have learned to love and venerate, that we make this suggestion merely to meet the condition which has been imposed upon us by your commission for reporting a scheme with added space. We hope, nevertheless, that this alternative plan, scheme B, will not be favorably considered."

The joint commission subsequently recommended that Congress adopt scheme A, and not scheme B. In the end, neither was adopted, and the first House Office Building and Senate Office Building were built instead.

In 1935 the Senate passed a bill to extend the east front "in substantial accordance with either scheme A or B." The House did not approve this bill. In 1937 the same bill was passed by the Senate, but not by the House.

In 1955 the present legislation, which entails extension of the east front "in substantial accordance with scheme B," was passed as a rider to the Legislative Appropriation Act of 1956. No public hearings or floor debate was had at that time on this section of the act.

Thus, the record shows that the scheme B for an extension of the east front of precisely 32 feet 6 inches was not proposed by Thomas U. Walter, was not recommended by Carrere & Hastings, and was not approved by Congress until the hasty action of 1955.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a financial statement concerning the extension of the Capitol, as of August 1958.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Financial statement—Extension of the Capitol

Items of expenditure	August 1958		
	Expended	Obligated	Total expended and obligated
Architectural and engineering services	$210,937	$1,424,063	$1,635,000
Advisory architectural services	30,000	130,000	160,000
Test borings and test pits	224,301		224,301
Topographic survey of Capitol site	9,650		9,650
Study, survey, and plans for dome repairs and improvements	22,500	22,300	44,800
Drawings; blueprints; miscellaneous tests, surveys and studies; administration and miscellaneous items	107,879	410	108,289
Total	605,267	1,576,773	2,182,040
Additional obligations proposed under $17,000,000 appropriation:			
Extension of east central front			10,100,000
Repairs and improvements to dome			800,000
Changes and improvement, electrical and lighting systems			3,000,000
Architectural fees, administration and miscellaneous			917,960
Total appropriation			17,000,000

Mr. LANGER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LANGER. What will be the cost of the proposed extension?

Mr. KNOWLAND. It will be $10,100,000 for the east front extension. That amount was appropriated previously.

Mr. CURTIS. Mr. President, will the Senator from California yield 1 minute to me?

Mr. KNOWLAND. I yield 1 minute to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I had previously stated that I was opposed to the extension of the east front of the Capitol. Since then, I have had an opportunity to explore the alternative.

It appears that the present wall is 150 years old, that it is made of sandstone, and that it must be repaired and strengthened.

I am advised that it would be more costly to build a new wall of marble where the old wall stands than it would be to extend the front and build a new wall of this durable material. I am further advised that it would be unwise to delay.

I will, therefore, vote for the extension of the east front.

Mr. JOHNSON of Texas. Mr. President, I yield myself as much time as I may need.

I am not a member of the commission. It is a rather unusual commission, in that the majority party in Congress has a minority of 1 on the 5-man commission. But I have had numerous conferences with the distinguished minority leader [Mr. KNOWLAND] and the Speaker of the House of Representatives concerning the views of the commission.

I associate myself with the statement made by the able minority leader. I think a great injustice has been done the Speaker in the criticism which he has had to take by virtue of his performing his public service.

The minority leader insisted that the matter be brought before the Senate, so that the Senate could determine what course it wanted to follow. Like the minority leader, I hope the Senate will determine that the bill should be rejected.

I think there is no greater American, no man of better judgment, no person who loves his country more, than SAM RAYBURN. As a man of integrity I would include BILL KNOWLAND with him.

Their best judgment, after months of deliberation, was that this is the course to pursue. I am willing to abide by their judgment. I hope the bill will be rejected.

Mr. President, I yield back the remainder of my time if the minority leader is willing to do so.

Mr. KNOWLAND. I yield back the remainder of my time.

Mr. CHAVEZ. Mr. President, I agree with everything the Senator from Texas has said concerning the Speaker of the House and the minority leader.

The PRESIDING OFFICER. All time has been yielded back.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2883) was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered.

Mr. MCNAMARA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. MCNAMARA. Am I correct in understanding that on this question, a vote "yea" will be to retain the east front of the Capitol in its present shape?

The PRESIDING OFFICER. It is the understanding of the Chair that that will be the effect of a "yea" vote on the pending question.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Am I not correct in understanding that on this question, a vote "yea" will be to prevent extension of the east front of the Capitol?

The PRESIDING OFFICER. That is correct.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. I did not hear the parliamentary inquiry of the Senator from California; but I should like to ask whether I am correct in my understanding that, on this question, a vote "nay" will be in favor of extension of the east front of the Capitol?

The PRESIDING OFFICER. That is correct.

The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE (when his name was called). On this vote, I have a live pair with the senior Senator from Montana [Mr. MURRAY]. If the senior Senator from Montana [Mr. MURRAY] were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. THURMOND (when his name was called). On this vote I have a pair with the senior Senator from Mississippi [Mr. EASTLAND]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. HUMPHREY (when his name was called). On this vote I have a pair with the junior Senator from Delaware [Mr. FREAR]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. LAUSCHE (when his name was called). On this vote I have a pair with the Senator from Wyoming [Mr. O'MAHONEY]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. SALTONSTALL (when his name was called). On this vote I have a pair with the junior Senator from Vermont [Mr. FLANDERS]. If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. JACKSON], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that, if present and voting, the Senator from Florida [Mr. HOLLAND] and the Senator from Washington [Mr. JACKSON] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family, and his pair has been previously announced.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate to attend the NATO Parliamentary Conference in London as chairman of the economic section of the General Affairs Committee, and, if present and voting, would vote "yea."

The Senator from New York [Mr. IVES] and the Senator from Pennsylvania [Mr. MARTIN] are detained on official business.

On this vote the Senator from Maine [Mr. PAYNE] is paired with the Senator from New York [Mr. IVES]. If present and voting, the Senator from Maine would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 32, nays 47, as follows:

YEAS—32

Allott	Dworshak	Neuberger
Barrett	Ellender	Pastore
Beall	Ervin	Potter
Byrd	Fulbright	Proxmire
Capehart	Goldwater	Revercomb
Case, N. J.	Gore	Robertson
Chavez	Green	Smith, Maine
Clark	Hennings	Smith, N. J.
Cooper	Langer	Watkins
Cotton	McNamara	Williams
Douglas	Morton	

NAYS—47

Aiken	Hoblitzell	McClellan
Anderson	Hruska	Monroney
Bennett	Jenner	Morse
Bricker	Johnson, Tex	Mundt
Bridges	Johnston, S. C.	Purtell
Bush	Jordan	Russell
Butler	Kefauver	Schoeppel
Carlson	Kennedy	Smathers
Carroll	Kerr	Sparkman
Case, S. Dak.	Knowland	Stennis
Church	Kuchel	Symington
Curtis	Long	Thye
Dirksen	Magnuson	Wiley
Hayden	Malone	Yarborough
Hickenlooper	Mansfield	Young
Hill	Martin, Iowa	

NOT VOTING—17

Bible	Ives	O'Mahoney
Eastland	Jackson	Payne
Flanders	Javits	Saltonstall
Frear	Lausche	Talmadge
Holland	Martin, Pa.	Thurmond
Humphrey	Murray	

So the bill was rejected.

AMENDMENT OF VETERANS' BENEFITS ACT OF 1957

Mr. CARLSON. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to the amendments of the Senate to the bill H. R. 3630.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the amendments of the Senate to the bill (H. R. 3630) to amend the Veterans' Benefits Act of 1957 to provide that an aid and attendance allowance of $200 per month shall be paid to certain paraplegic veterans during periods in which they are not hospitalized at Government expense, which were, in lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"(r) If any veteran, otherwise entitled to the compensation authorized under subsection (o), or the maximum rate authorized under subsection (p), is in need of regular aid and attendance, he shall be paid, in addition to such compensation, a monthly aid and attendance allowance at the rate of $150 for all periods during which he is not hospitalized at Government expense. For the purposes of section 335, such allowance shall be considered as additional compensation payable for disability."

SEC. 2. Effective as of January 1, 1959, section 314 of title 38 of the United States Code is amended by adding at the end thereof the following:

"(r) If any veteran, otherwise entitled to the compensation authorized under subsection (o), or the maximum rate authorized under subsection (p), is in need of regular aid and attendance, he shall be paid, in addition to such compensation, a monthly aid and attendance allowance at the rate of $150 per month for all periods during which he is not hospitalized at Government expense. For the purposes of section 334 of this title, such allowance shall be considered as additional compensation payable for disability."

And in lieu of the Senate amendment to the title of the bill, to amend the title so as to read: "An act to amend the Veterans' Benefits Act of 1957 to provide that an additional aid and attendance allowance of $150 per month shall be paid to certain severely service-connected disabled veterans during periods in which they are not hospitalized at Government expense."

Mr. CARLSON. Mr. President, the amendments have the approval of the Committee on Finance; and I move that the Senate concur in the amendments of the House of Representatives to the amendments of the Senate.

The motion was agreed to.

EDUCATION AND TRAINING BENEFITS TO CERTAIN VETERANS

Mr. THURMOND. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to S. 166.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 166) to amend the laws granting education and training benefits to certain veterans so as to extend, with respect to certain individuals, the period during which such benefits may be offered, which were, on page 2, line 12, strike out "of"; on page 2, line 17, after "thereof" insert "; however, in no event may education or training be furnished to any such person after January 31, 1965"; on page 3, line 7, strike out "course" and insert "program"; on page 3, line 13, strike out all after "out" down through and including "and", where it appears the second time, in line 14 and insert "'and" and inserting in lieu thereof", and on page 3, line 20, strike out "thereof." " and insert "thereof; but"."

Mr. THURMOND. Mr. President, the House amendments are of a perfecting nature. I will say that the House amendments have the unanimous approval of the Committee on Labor and Public Welfare and have been cleared with the minority leader. I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

SUPPLEMENTAL APPROPRIATIONS, 1959

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of Calendar 2410, H. R. 13450, making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. HAYDEN. Mr. President, the supplemental bill before the Senate recommends appropriations of $3,594,000,000. It is a large bill; but I desire to make it clear to the Senate that all the items in the bill are not supplemental appropriations, although the bill is called the supplemental appropriation bill. In fact, the largest item in the bill, which totals $2,665,000,000, or 74 percent of the total bill, is for the Atomic Energy Commission. This is the regular budget for the Atomic Energy Commission and is included in a supplemental appropriation bill because of the necessity for going through the authorizing process.

Another large item in the bill is $280 million for the acreage reserve under the Soil Bank program of the Department of Agriculture.

For the Small Business Administration there is $218,775,000 in the bill. Likewise, this is not a supplemental appropriation although it is in the supplemental appropriation bill.

The authorizing legislation was recently enacted for the Small Business Administration, and consequently this is the only bill available to carry its regular appropriations.

Seventy-five million dollars is included in the bill for the National Aeronautics and Space Administration which was recently created by the Congress.

These items alone total $3,238,775,000 and are not supplemental items. The actual supplemental estimates total only $273 million. I wanted to be sure the Senate understood that the bill did not contain over $3½ billion in supplemental appropriations.

Mr. President, I ask unanimous consent that the committee amendments to the bill be agreed to en bloc, that the bill as thus amended be regarded for the purpose of amendment as original text; and that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 2, line 7, after the word "control", to strike out "$2,000,000" and insert "$4,000,000, of which $1,000,000 shall be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for the control of outbreaks of insects and diseases to the extent necessary to meet emergency conditions;."

On page 2, line 13, after the word "inspection", to strike out "$1,750,000" and insert "$2,100,000,".

On page 3, line 4, after the word "program" to strike out "$275,000,000" and insert "$279,450,000", and in line 8, after the word "to", to strike out "$17,500,000" and insert "$19,050,000."

On page 3, line 14, after the word "regulation", to strike out "$11,735,000" and insert "$12,750,000."

On page 3, line 25, after the word "expenses" to insert a colon and "*Provided further*, That no part of any appropriation herein shall be used for the land acquisition for, or the construction of, an access road to such airport which when completed would directly connect with the George Washington Memorial Parkway."

On page 5, after line 1, to insert:

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', $25,000; and the limitation under this head in the Department of Commerce and Related Agencies Appropriation Act, 1959, on the amount available for administrative expenses, is increased by $25,000."

On page 5, after line 10, to insert:

"WAR SHIPPING ADMINISTRATION LIQUIDATION

"Notwithstanding the last proviso under this head in the Department of Commerce and Related Agencies Appropriation Act, 1959, the funds made available under said head shall remain available until June 30, 1959, for payment of benefits to disabled seamen under crew life and injury and second seamen's war risk insurance policies and for payments under the act of September 30, 1944 (58 Stat. 758): *Provided*, That after these payments shall have been made the unexpended balance remaining in this account is hereby rescinded and shall be covered into the Treasury."

On page 6, after line 1, to insert:

"GENERAL ADMINISTRATIVE EXPENSES

"The limitation under this head in the Department of Commerce and Related Agencies Appropriation Act, 1959, on the amount available for general administrative expenses, is increased by $550,000."

On page 6, after line 13, to insert:

"EXPENSES

"For an additional amount for 'Expenses,' $262,000."

On page 6, line 21, after the word "improvement", to strike out "$186,000" and insert "$200,000."

On page 7, after line 12, to insert:

"RELATED AGENCIES

"Small Business Administration

"Salaries and Expenses

"For necessary expenses, not otherwise provided for, of the Small Business Administration, including expenses of attendance at meetings concerned with the purposes of this appropriation and hire of passenger motor vehicles, $3,775,000, and in addition there may be transferred to this appropriation not to exceed $11,700,000 from the revolving fund, Small Business Administration, and not to exceed $825,000 from the fund for liquidation of Reconstruction Finance Corporation loans, Small Business Administration, for administrative expenses in connection with activities financed under said funds: *Provided*, That the amount authorized for transfer from the revolving fund, Small Business Administration, may be increased, with the approval of the Bureau of the Budget, by such amount as may be required to finance administrative expenses incurred in the making of disaster loans: *Provided further*, That 15 percent of the amount authorized to be transferred from the revolving fund, Small Business Administration, shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, only in such amounts and at such times as may be necessary to carry out the business loan program: *Provided further*, That $1 million of the amount herein appropriated shall be available only upon enactment into law of S. 3651, 85th Congress."

On page 8, after line 14, to insert:

"REVOLVING FUND

"For additional capital for the revolving fund authorized by the Small Business Act of 1953, as amended, to be available without fiscal year limitations, $215 million: *Provided*, That $50 million of this amount shall be available only upon enactment into law of S. 3651, 85th Congress."

On page 9, after line 7, to insert:

"GENERAL PROVISION

"Subparagraph (a) of section 606 of the Defense Appropriation Act, 1959, is amended by deleting '$245' and inserting in lieu thereof '$265.'"

On page 12, line 24, after the word "appropriation", to strike out "$2,750,000" and insert "$2,850,000", and in line 25, after the word "exceed" to strike out "$1,450,000" and insert "$1,550,000."

On page 16, after line 17, to insert:

"CHAPTER VI

"GENERAL GOVERNMENT MATTERS, EXECUTIVE OFFICE OF THE PRESIDENT

"Executive mansion and grounds

"Extraordinary Alterations and Repairs

"For extraordinary alterations, repairs, furniture, and furnishings of the Executive Mansion and Grounds, to be expended as the President may determine, notwithstanding any other provisions of this or any other act, $100,000, to remain available until expended."

On page 17, after line 2, to insert:

"OFFICE OF DEFENSE AND CIVILIAN MOBILIZATION

"Salaries and expenses

"For an additional amount for necessary expenses of the Office of Defense and Civilian Mobilization, $2,915,000: *Provided*, That this appropriation shall be available for the purposes set forth under the appropriations granted for the fiscal year 1959, under the headings 'Salaries and expenses', Office of Defense Mobilization, and 'Operations', Federal Civil Defense Administration."

On page 17, after line 11, to insert:

"EMERGENCY SUPPLIES AND EQUIPMENT

"For an additional amount for 'Emergency supplies and equipment', including procurement, as authorized by subsection (h) of section 201 of the Federal Civil Defense Act of 1950, as amended, $4 million."

On page 17, after line 16, to insert:

"FUNDS APPROPRIATED TO THE PRESIDENT

"Translation of publications and scientific cooperation

"For purchase of foreign currencies, pursuant to section 104 (k) of the Agricultural Trade Development and Assistance Act of 1954, as amended, for disseminating scientific and technological information and supporting scientific activities overseas, $5,100,000, to remain available until expended."

On page 18, line 1, to change the chapter number from "VI" to "VII."

On page 18, line 14, after the word "Service," to strike out "$3,800,000" and insert "$5,800,000."

On page 19, after line 13, to insert:

"FEDERAL HOUSING ADMINISTRATION

"Limitation on administrative and nonadministrative expenses

"In addition to amounts otherwise available during the fiscal year 1959 for administrative and nonadministrative expenses of the Federal Housing Administration, not to exceed $100,000 shall be available for administrative expenses and not to exceed $3,200,000 for nonadministrative expenses classified by section 2 of Public Law 387, approved October 25, 1949."

On page 20, after line 10, to insert:

"INTERSTATE COMMERCE COMMISSION

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' $300,000."

On page 20, after line 14, to insert:

"NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

"Salaries and expenses

"For necessary expenses, not otherwise provided for, of the National Aeronautics and Space Administration, including uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U. S. C. 2131), $5,000,000."

"RESEARCH AND DEVELOPMENT

"For contractual research, development, operations, technical services, repairs, alterations, and minor construction, and for supplies, materials, and equipment necessary for the conduct and support of aeronautical and space research and development activities of the National Aeronautics and Space Administration, including purchase of three passenger motor vehicles, $35 million, to remain available until expended."

On page 21, after line 9, to insert:

"CONSTRUCTION AND EQUIPMENT

"For construction and equipment at laboratories and other installations of the National Aeronautics and Space Administration and for the acquisition or condemnation of real property, as authorized by law, $35 million, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law, during the 2d session of the 85th Congress, of legislation authorizing this appropriation."

On page 21, at the beginning of line 22, to strike out "$4,000,000" and insert "$4,400,000."

On page 22, line 7, after the word "expenses", to strike out "$4,750,000" and insert "$5,269,000."

On page 22, after line 13, to insert:

"GRANTS TO THE REPUBLIC OF THE PHILIPPINES

"For an additional amount for 'Grants to the Republic of the Philippines', $450,000."

On page 22, after line 16, to insert:

"SOLDIERS AND SAILORS' CIVIL RELIEF

"For an additional amount for 'Soldiers and sailors' civil relief', $1,300,000 to remain available until expended."

On page 22, line 20, to change the chapter number from "VII" to "VIII."

At the top of page 23, to insert:

"OFFICE OF MINERALS EXPLORATION

"Salaries and expenses

"For expenses necessary to provide a program for the discovery of the minerals reserves of the United States, its Territories and possessions, by encouraging exploration for minerals, including administration of contracts entered into prior to June 30, 1958, under section 303 of the Defense Production Act of 1950, as amended; hire of passenger motor vehicles; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), when authorized by the Secretary, at rates not to exceed $75 per diem for individuals; and attendance at meetings concerned with the purposes of this appropriation, $4,700,000, of which $37,000 shall be transferred to the appropriation 'Salaries and expenses', Office of the Solicitor, fiscal year 1959: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 3817, 85th Congress, or similar legislation."

On page 23, after line 18, to insert:

"OFFICE OF OIL AND GAS

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' $18,500."

On page 23, line 26, after the word "resources", to strike out "$200,000" and insert "$885,000."

On page 24, at the beginning of line 6, to strike out "$1,500,000" and insert "$4,000,000."

On page 24, line 10, after the word "research", to strike out "$1,500,000" and insert "$2,483,000."

On page 24, line 15, after the word "resources", to strike out "$1,250,000" and insert "$1,350,000."

On page 24, after line 20, to strike out:

"The appropriation under this head in the Department of the Interior and Related Agencies Appropriation Act, 1959 (Public Law 85-439), shall be available for reimbursements to the District of Columbia for benefit payments made for prior fiscal years pursuant to the act of August 21, 1957 (71 Stat. 399)."

On page 25, after line 2, to insert:

"For an additional amount, $50,000 and not to exceed $20,000 and not to exceed $25,000 of the appropriations under this head in the Department of the Interior and Related Agencies Appropriation Acts, 1957 and 1958 (Public Laws 573, Eighty-fourth Congress and 85-77) respectively, shall be available during the current fiscal year for reimbursements to the District of Columbia for benefit payments made for those fiscal years pursuant to the act of August 21, 1957 (71 Stat. 399): *Provided*, That any costs in excess of the amounts stated herein shall be reimbursed from this appropriation for the current fiscal year."

On page 25, after line 13, to insert:

"CONSTRUCTION

"For an additional amount, $200,000, to remain available until expended: *Provided*, That $100,000 of the funds appropriated in this paragraph shall be available only upon the enactment of S. 765."

On page 25, after line 18, to insert:

"CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

"For an additional amount for 'Construction (Liquidation of Contract Authorization)', $10,000,000 to remain available until expended."

On page 26, after line 1, to insert:

"BUREAU OF SPORT FISHERIES AND WILDLIFE

"Management and investigations of resources

"For an additional amount for 'Management and Investigations of Resources,' $125,000."

On page 27, after line 1, to insert:

"ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

"Salaries and expenses

"For expenses necessary for the Alaska International Rail and Highway Commission, established by the act of August 1, 1956 (70 Stat. 888), as amended, $240,000, to remain available until February 29, 1960."

On page 27, after line 13, to insert:

"Boston National Historic Sites Commission

"For expenses necessary to carry out the provisions of the act of June 16, 1955 (69 Stat. 136), as amended $20,000."

At the top of page 28, to insert:

"HUDSON-CHAMPLAIN CELEBRATION COMMISSION

"For expenses necessary to carry out the provisions of the act of August 8, 1958 (Public Law 85-614), $50,000, to remain available until March 1, 1960."

On page 28, line 7, after "(71 Stat. 587)", to strike out "$142,000" and insert "$642,000."

On page 28, line 9, after the word "Chapter", to strike out "VIII" and insert "IX."

On page 28, line 23, after the word "which", to strike out "$10,000,000" and insert "$14,200,000."

On page 29, after line 15, to insert:

"GALLAUDET COLLEGE

"Salaries and expenses

"For an additional amount, fiscal year 1958, for 'Salaries and expenses,' for payment of retroactive pay increases granted by administrative action for the maintenance and administrative staff, comparable to those authorized by the Federal Employees Salary Increase Act of 1958 (Public Law 85-462, approved June 20, 1958), $15,000.

"For an additional amount for 'Salaries and expenses', $34,000."

At the top of page 30, to insert:

"HOWARD UNIVERSITY

"Salaries and expenses

"For an additional amount, fiscal year 1958, for 'Salaries and expenses', for payment of retroactive pay increases granted by administrative action, comparable to those authorized by the Federal Employees Salary Increase Act of 1958 (Public Law 85-462, approved June 20, 1958), $182,500."

On page 30, after line 8, to insert:

"For an additional amount for 'Salaries and expenses', $396,600."

On page 30, after line 10, to insert:

"PUBLIC HEALTH SERVICE

"Assistance to States, general

"For an additional amount for 'Assistance to States, general', $1,000,000, as authorized by Public Law 85-544, approved July 22, 1958 (72 Stat. 399)."

On page 30, after line 15, to insert:

"MILITARY PAY INCREASES

"For additional amounts for appropriations to the Public Health Service, as follows:

"'Assistance to States, general', $156,000;

"'Grants and special studies, Territory of Alaska', $10,000;

"'Control of venereal diseases', $27,000;

"'Control of tuberculosis', $34,000;

"'Communicable disease activities', $133,000;

"'Sanitary engineering activities', $181,000;

"'Foreign quarantine activities', $59,000; and

"'Salaries and expenses', $34,000."

On page 32, line 18, after the word "Chapter", to strike out "IX" and insert "X."

On page 32, after line 19, to insert:

"SENATE

"Salaries, officers and employees

"Committee Employees

"For an additional amount for professional aid clerical asistance to standing committees, $102,160."

At the top of page 33, to insert:

"CONTINGENT EXPENSES OF THE SENATE

"Committee on Rules and Administration

"For compiling, preparing, and indexing material for the Senate Manual, $200, which amount may be paid as additional compensation to any employee of the United States."

On page 33, after line 5, to insert:

"INQUIRIES AND INVESTIGATIONS

"For an additional amount for expenses of inquiries and investigations, fiscal year 1958, $73,000."

On page 33, after line 8, to insert:

"For an additional amount for expenses of inquiries and investigations conducted pursuant to section 134 (a) of Public Law 601, 79th Congress, $10,000."

On page 33, after line 11, to insert:

"MISCELLANEOUS ITEMS

"For an additional amount for miscellaneous items, fiscal year 1958, $50,000, to be derived by transfer from the appropriation 'Salaries, Officers and Employees, Senate,' fiscal year 1958."

On page 33, after line 16, to insert:

"STATIONERY (REVOLVING FUND)

"For an additional amount of stationery for committees of the Senate, $300, to remain available until expended."

On page 33, after line 20, to insert:

"For payment to Katharine McVey, widow of William E. McVey, late a Representative from the State of Illinois, $22,500."

On page 34, after line 7, to insert:

"CAPITOL BUILDINGS AND GROUNDS

"Extension of additional Senate Office Building site

"To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to carry out the provisions of Public Law 85-591, 85th Congress, relating to the acquisition of property in square 725 in the District of Columbia, including necessary incidental expenses, $625,000, to remain available until expended."

On page 34, after line 23, to insert:

"GENERAL PROVISIONS

"Subsection (b) of section 502 of the Mutual Security Act of 1954, as amended, is amended as follows:

"After the words 'House of Representatives' the first time they appear, insert 'and the Select Committee on Astronautics and Space Exploration of the House of Representatives and the Special Committee on Space and Astronautics of the Senate'."

On page 35, line 6, after the word "Chapter", to strike out "X" and insert "XI."

On page 36, line 2, after the word "vehicles", to strike out "$2,375,972,000" and insert "$2,415,840,000", and, in line 20, after the word "transferred", to insert a colon and *"Provided further*, That of the funds appropriated herein, $2,000,000 shall be transferred to and merged with funds appropriated to the National Science Foundation."

On page 37, line 15, after the word "vehicles", to strike out "$229,429,000" and insert "$249,429,000."

On page 39, after line 5, to insert:

"CHAPTER XII

"PUBLIC WORKS

"Department of Defense—Civil functions

"Rivers and Harbors and Flood Control

Construction, General

"For an additional amount for 'Construction, General', $1,925,000, to remain available until expended."

On page 39, after line 12, to insert:

"OPERATION AND MAINTENANCE, GENERAL

"For an additional amount for 'Operation and Maintenance, General', $70,000, to remain available until expended."

On page 39, after line 16, to insert:

"DEPARTMENT OF THE INTERIOR

"Bureau of Reclamation

"Construction and Rehabilitation

"For an additional amount, $2,500,000, to remain available until expended."

On page 39, after line 21, to insert:

"LOAN PROGRAM

"For an additional amount, $693,000, to remain available until expended."

On page 40, line 1, after the word "Chapter", to strike out "XI" and insert "XIII."

On page 40, line 6, to strike out "$450,000" and insert "$650,000."

At the top of page 41, to insert:

"UNITED STATES INFORMATION AGENCY

"Acquisition and construction of radio facilities

"For an additional amount for 'Acquisition and construction of radio facilities', $15 million, to remain available until expended."

On page 41, after line 5, to insert:

"PAYMENT TO INFORMATIONAL MEDIA GUARANTY FUND

"For payment to the 'Informational media guaranty fund', for partial restoration of realized impairment to the capital used in carrying on the authority to make informational media guaranties, as provided in section 1011 of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1442), $5 million."

On page 41, line 13, after the word "Chapter", to strike out "XII" and insert "XIV."

On page 41, after line 18, to insert:

"UNITED STATES SECRET SERVICE

"Salaries and expenses, White House Police

"For an additional amount for 'Salaries and expenses, White House Police', $54,000."

On page 41, after line 22, to insert:

"CONTRIBUTION FOR ANNUITY BENEFITS

"For reimbursement (not heretofore made), pursuant to section 6 of the act of August 21, 1957 (71 Stat. 399), and effective in accordance with section 8 of such act, to the District of Columbia, on a monthly basis, for benefit payments made from revenues of the District of Columbia to or for members of the White House Police force and such members of the United States Secret Service Division as have been or may hereafter become entitled to benefits under the Policemen and Firemen's Retirement and Disability Act, such amounts as hereafter may be necessary: *Provided*, That hereafter the appropriation granted under this head in the Treasury Department Appropriation Act, 1951 (64 Stat. 638), shall not be available."

On page 42, after line 11, to strike out:

"OPERATING EXPENSES

"Appropriations under this head shall be available for payment of claims as authorized

by Public Law 85-255, approved September 2, 1957."

The amendment would provide $675,000 for the construction and rehabilita-

has rapidly become one of the State's major industries. If these fish needs are to be

has approved the $2½ million payment

Mr. HAYDEN. Mr. President, when

In discussions with the senior Senator

by Public Law 85-255, approved September 2, 1957."

On page 42, line 18, after the word "Improvements", to strike out "$150,000" and insert "$399,000."

On page 42, after line 19, to insert:

"POST OFFICE DEPARTMENT

"Current authorizations out of postal fund

"Payment to the Postal Modernization Fund

"For payment to the 'Postal modernization fund', as authorized by title III of the act of May 27, 1958 (72 Stat. 144), $29,500,000, to remain available until expended: *Provided*, That said fund shall be available for payment to the General Services Administration for the repair, alteration, preservation, renovation, improvement, and equipment of federally owned property used for postal purposes, including improved lighting, color, and ventilation for the specialized conditions in space occupied for postal purposes, and for services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a): *Provided further*, That hereafter any other appropriation available to the Post Office Department shall be reimbursed from said fund in such amounts as the Postmaster General may determine to be required to cover the expenses incurred on and after July 1, 1958, from such appropriation for the postal modernization program."

On page 43, line 14, after the word "Chapter", to strike out "XIII" and insert "XV."

On page 43, line 22, after the word "in", to insert "Senate Document Numbered 112, and", and at the beginning of line 24, to strike out "$8,523,895" and insert "$14,223,316."

On page 44, after line 12, to insert:

"CHAPTER XVI

"General provisions

"Salary and Pension Increases for Policemen, Firemen, and Teachers

"The provisions of title II of Public Law 85-472, approved June 20, 1958, shall apply also to costs in the fiscal year 1957 and 1958 of pay increases granted by or pursuant to Public Law 85-584 and 85- and 85- : *Provided*, That for the purposes of this paragraph the limitation for the warranting of appropriations and transferring of appropriations contained in section 206 (b) of title II of Public Law 85-472 shall be extended to September 30, 1958: *Provided further*, That the portion of this paragraph applicable to teachers and pension increases for policemen, firemen, and their widows and orphans shall be effective only upon enactment into law of H. R. 13132 and H. R. 7450, or similar legislation."

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I offer, for myself and the senior Senator from Montana [Mr. MURRAY], an amendment to H. R. 13450, the supplemental appropriations bill. The amendment would provide an additional $675,000 for the Fish and Wildlife Service. I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 26, after line 5, it is proposed to insert:

CONSTRUCTION

For an additional amount, $675,000, to remain available until expended.

Mr. MANSFIELD. Mr. President, the amendment has been discussed with the members of the committee. It applies to the fis' hatcheries in the process of construction and renovation in the States of Montana, Pennsylvania, Idaho, and Vermont.

The amendment would provide $675,000 for the construction and rehabilitation of facilities at the following fish hatcheries: Miles City, Mont., $50,000; Creston, Mont., $230,000; Lamar, Pa., $168,000; Hagerman, Idaho, $147,000; Pittsford, Vt., $80,000.

I hope the committee will accept the amendment, because it is a very meritorious proposal. Insofar as the State of Montana is concerned, agreeing to the amendment will benefit 2 out of the 3 fish hatchery stations now in the process of construction or repair, to a certain extent.

I hope, Mr. President, even though the Ennis Fish Hatchery is not included in the particular amendment, the committee will, if it sees fit to accept the amendment at this time, give consideration to the Ennis Fish Hatchery for next year.

Mr. HAYDEN. Mr. President, of course the committee will consider the Ennis Hatchery next year. I should like to ask of the ranking minority member of the Interior subcommittee for his views on the pending amendment.

Mr. MUNDT. Mr. President, I have had long and careful discussions about this proposal with the distinguished Senator from Montana. It seems to me the unusual circumstances which are a part of the situation in Montana would justify us in taking the amendment to conference.

Mr. HAYDEN. The committee will, then, accept the amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement with regard to the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MANSFIELD—FUNDS FOR FISH HATCHERIES IN MONTANA

I have offered an amendment to H. R. 13450, the supplemental appropriations bill. This amendment would provide an additional $675,000 for the Fish and Wildlife Service.

As Members of the Senate know, I have made numerous appeals for funds for modernization and improvement at two fish cultural stations in Montana, one at Creston and the other at Ennis. When the Senate Committee on Appropriations considered the bill now before the Senate I again presented testimony in behalf of the entire Montana delegation supporting the appropriation of funds for the improvement of facilities at these two fish hatcheries.

In addition, I appealed for an appropriation of $50,000 to complete construction of the new warm-water fish hatchery at Miles City, Mont. I am indeed sorry to learn that the Senate Committee on Appropriations has not given approval to this request.

Conditions at the two cultural stations, Creston and Ennis, are sorely in need of improvements. The Department has recognized this need for some time and in November of last year they set forth to me in a letter the programs which will be required to fully develop the two hatcheries in order to meet the increased requirements for trout for stocking purposes. These estimates were made available to the committee. The improvement program for Creston was estimated to cost $230,000 and the program suggested for Ennis to bring its station up to date is $194,000.

The fishing pressure on the streams and lakes in Montana has increased tremendously in recent years. In fact, recreation has rapidly become one of the State's major industries. If these fish needs are to be met, it will require fish hatcheries that can operate efficiently and up to capacity. This cannot be done under existing conditions.

Several weeks ago the Montana delegation received information which was confirmed by the Department that an additional $50,000 was needed to complete construction of the Miles City Fish Hatchery. Construction of this new warm-water hatchery has proceeded on schedule, but because of increased costs and higher bids, the original allocation of $467,000 will not be sufficient for completion of the project.

The new hatchery, when completed, will cover approximately 54 acres about 1 mile southwest of Miles City, Mont., and will replace an old Federal trout hatchery in this same community. I feel that to curtail the completion of this project would be foolhardy and would not be in the best interest of economy. This unfortunate development did not occur until it was too late for the Fish and Wildlife Service to submit a supplemental request for this $50,000.

I feel these funds can be supported on every point. The Fish and Wildlife Service has been most cooperative in these matters and I am confident that they would like to complete construction of the Miles City Hatchery as scheduled and would also like to go ahead with the rehabilitation of Creston and Ennis hatcheries. As in many instances, I suspect that the Bureau of the Budget has withheld approval of these funds.

Mr. President, I would also like to point out that I understand the position taken by the distinguished chairman of the Senate Appropriations Committee in such matters. He has an excellent record supporting our fish and wildlife programs but I recognize the difficulty in approving the many requests that are submitted to the committee, and especially those which are not approved by the Bureau of the Budget. These fish and wildlife programs may seem insignificant compared to many of our other and more expansive Federal programs, but they are very important to the average American. We cannot afford to continue to neglect these projects.

I am deeply sorry that the matter of improvement for the Ennis Hatchery was not considered in the committee but I request the chairman and the committee to consider the necessary appropriation for Ennis next year.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MANSFIELD], for himself and other Senators.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I thank the distinguished chairman of the committee and the ranking minority member of the subcommittee of the Appropriations Committee dealing with the Department of the Interior.

Mr. President——

The PRESIDING OFFICER. The Senator from Montana.

YELLOWTAIL DAM

Mr. MANSFIELD. Mr. President, before relinquishing the floor, I should like to comment briefly on the status of funds for the multiple-purpose project Yellowtail Dam.

As my colleagues in the Senate know, after a number of years of negotiation, we have been able to resolve the one remaining obstacle to the construction of this authorized project. The Congress has approved the $2½ million payment to the Crow Indian Tribe for the transfer of right-of-way for some 7,000 acres of Indian land needed for the project. I favored a $5 million settlement as opposed to the lesser one, but in view of the circumstances $2½ million plus the guaranty of access to the courts for further compensation has proved to be the most satisfactory. I am pleased to note that the Senate Committee on Appropriations has approved the appropriation of this $2½ million for the payment to the tribe. However, this limited appropriation means that construction of this important project will have to be held up an additional year.

I am indeed sorry that the Department of the Interior did not come forth with a supplemental request for the necessary funds. This project has been authorized for a number of years and it is ready to go. It will be a tremendous value to the economy of eastern Montana. I certainly hope that the actual construction of Yellowtail Dam will not be delayed any longer than absolutely necessary.

SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. SPARKMAN. Mr. President, I offer an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 19, between lines 13 and 14, it is proposed to insert the following:

OFFICE OF THE ADMINISTRATOR

Farm Housing Research

To carry out the provisions of section 603 of the Housing Act of 1957 for farm housing research to be conducted by land-grant colleges through grants for research, study, and analysis, $75,000.

Mr. SPARKMAN. Mr. President, this is a relatively small item. The item was agreed to by the Senate in the independent offices appropriation bill in the amount of $100,000, but in the conference between the Senate and the House the item was eliminated largely, I believe—since I have talked with some of the House conferees—because of a misunderstanding as to exactly what the money was intended for and how the program should be administered.

The money is to be provided to carry forward the program of farm housing research which has only gotten underway within the past 2 or 3 months. This research is being done under contract with four different land-grant colleges in different areas of the United States.

I have talked with the chairman of the committee and with the other members of the committee. I am hopeful, Mr. President, the amendment will be agreed to. I am confident, if the amendment is taken to the House, this time it will be accepted by the House conferees.

Mr. HAYDEN. Mr. President, when the item was considered in connection with the independent offices appropriation bill, the provision failed of enactment because it was believed this phase of the research should be conducted and any further research on this subject should be done with funds appropriated to the Department of Agriculture. That was the finding. It is true this is a very small sum, but I should like to ask the Senator what change there has been in the situation since the previous action was taken.

Mr. SPARKMAN. As I have said to the Appropriations Committee, I have no particular choice as to whether the program is administered by the Department of Agriculture or by the Housing and Home Finance Agency. It happens that the law which the Congress passed, and which the Senate only recently affirmed, places the responsibility in the Housing and Home Finance Agency.

Mr. HAYDEN. At the time the action was taken by the committee, had the law been enacted?

Mr. SPARKMAN. Yes. The law to which I have reference was enacted 2 years ago. The independent offices appropriation bill as it passed the Senate carried this item. The House bill had not carried it. It was stricken out in conference; and, as I said a few minutes ago, I have talked with the chairman of the subcommittee on the House side, and he has told me that it was his understanding that it was an agricultural matter, and he indicated to me that if the item came back in a supplemental bill he would be in favor of it.

Contracts with the land-grant colleges were entered into only about 2 or 3 months ago. The work has just gotten under way. I have suggested that there be a full year's operation to see what could be accomplished by the program. Unless a good showing can be made, I will not ask that the program be continued.

Mr. HAYDEN. The Senator from Georgia [Mr. RUSSELL] is an authority on agricultural matters. I am advised that there is no money in the Department of Agriculture appropriation bill for this purpose.

Mr. SPARKMAN. That is correct.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ELLENDER. I wonder if the Senator from Alabama can tell us why these contracts were entered into if there was no money available.

Mr. SPARKMAN. There was money the first year.

Mr. ELLENDER. How much?

Mr. SPARKMAN. Seventy-five thousand dollars was made available last year.

Mr. ELLENDER. Was it understood that that amount would be sufficient to complete the studies?

Mr. SPARKMAN. No. As a matter of fact, the Senate has only recently renewed the research program. It extended the program. It was not contemplated that it could be completed in a matter of a few months. The purpose of this amendment is to make it possible to continue it for another year.

In discussions with the senior Senator from Georgia [Mr. RUSSELL] I said to him that if those conducting the program are given an opportunity to carry on these projects for a year, unless they can show that they are really doing something that is worthwhile, I will not ask that the program be continued beyond that time.

Mr. ELLENDER. What work has been done up to now?

Mr. SPARKMAN. Contracts have been made.

Mr. ELLENDER. Can the Senator give us an accounting as to what has been done thus far with the $75,000 already provided?

Mr. SPARKMAN. The account is in the hearings. First of all, Mr. Cole, of the Housing and Home Finance Agency asked the land grant colleges—Congress directed that the program should be conducted by the land-grant colleges—to establish a committee and propose to him a plan whereby the most effective job of research could be done in farm housing. That was done, and it was decided that the work should be done by four colleges. The money has been assigned as follows——

Mr. ELLENDER. That is, the $75,000?

Mr. SPARKMAN. The $75,000—Alabama Polytechnic Institute, $50,000. It was pointed out that the greatest problem in farm housing was in the southeastern part of the United States. University of Missouri——

Mr. ELLENDER. Can the Senator tell us what specifically has been accomplished by the expenditure of the $50,000 by Alabama Polytechnic Institute?

Mr. SPARKMAN. That has not all been spent. A contract has been entered into, and the program is just getting under way.

Mr. ELLENDER. So the funds have not as yet been spent?

Mr. SPARKMAN. They have not as yet been spent.

Mr. ELLENDER. And although none of this already appropriated $75,000 has been spent an additional $75,000 is needed?

Mr. SPARKMAN. It is necessary in order to continue the contracts into the next year. Let me complete the list.

Mr. ELLENDER. Very well.

Mr. SPARKMAN. Alabama Polytechnic Institute, Auburn, Ala., $50,000; University of Missouri, $5,000; Colorado State University, $5,000; University of Iowa, Ames, Iowa—as I recall, that was $8,000. I do not have the exact figure before me. That was the last contract that was signed. The administrative expense was $7,000, which makes a total of $75,000.

Mr. ELLENDER. Mr. President, I point out that the Appropriations Committee considered this item very seriously, and decided to strike it from the bill. It seems to me that with the money already made available to the program a sufficient study could be made as to housing facilities at this time. In my judgment it is not necessary to carry out a testing program all over the country for this purpose. The amount already provided, which, as the Senator admits,

has not yet been spent, ought to be sufficient to carry out this program

extended it, if I remember correctly, for 2 years

months to spend the money they now have. They will probably not be able to

yea and nay vote on each one of the

Mr. HAYDEN. I yield first to the

fered on the floor in behalf of some of

has not yet been spent, ought to be sufficient to carry out this program.

Mr. SPARKMAN. It has not been spent, but it has been obligated. Unless additional funds are made available for the next fiscal year, it will not be possible to enter into contracts for extending it into the following year.

I do not conceive of research in farm housing as being a job that can be done in an effective manner for $75,000. We spend more than that on research for building cow barns, pig sties, and many other things, and not a word is said about it. The items are carried in the agricultural appropriation bill; and yet all the facts which have come to us from the census reports from time to time have been to the effect that the worst slum conditions in the United States are on the farms and in the rural sections.

Yet we stand here and argue over $75,000 for a program to try to find some means to make it possible for farm families of small farmers who cannot afford city prices and do not have the benefit of the FHA program, as city dwellers have, to maintain homes. We cannot spend $75,000 for it.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield if I have the floor. I believe the chairman has the floor.

Mr. ELLENDER. Mr. President, may I ask one further question?

How is it proposed to spend the extra $75,000? Who is to get it?

Mr. SPARKMAN. The land-grant colleges, except for a small part which goes to administrative expenses.

Mr. ELLENDER. Are more land-grant colleges to be added to the present list?

Mr. SPARKMAN. I do not know. My guess is—and this is only my own opinion—that the program will be continued with the same colleges. Mr. Cole reported, in brief, that there were three areas in the United States which would present different problems. One of them was the cotton-producing area. That is the one which at the present time presents the greatest problem. The second area is the small-grain area. The third is the corn area.

The proposal then was to enter into contracts with representative land-grant colleges in each of the areas.

It was testified that the problem should be tackled first in the Southeast. That is the reason why $50,000 was allotted to the Southeast. But it was decided to set up pilot studies in the other three schools, namely, the University of Missouri, the University of Colorado, and the University of Iowa, at Ames.

I presume that for the second year probably the same program would be carried on at Alabama Polytechnic Institute, and something would be done to bring the others up to a more adequate and complete study of the problems in the particular areas.

Mr. HAYDEN. Does the Senator believe that this is a study which can be completed in a year or two?

Mr. SPARKMAN. I do not believe it can be completed in a year. I see no reason for extending it for a long time. The Senate, in passing the recent bill, extended it, if I remember correctly, for 3 years.

Mr. HAYDEN. There is authority of law for 3 years?

Mr. SPARKMAN. No; let me be technically correct. The authority under existing law is for 2 years. This is the second year. That is what we are asking this appropriation for. The recent action of the Senate would have continued the program for 3 years.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I will yield, if I have the floor.

Mr. HAYDEN. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not correct to say that one reason why it is comparatively easy to get an appropriation for pigsties and cattle barns, and difficult to get appropriations for housing for people, is that pigs and cattle have a money price, and children and parents do not?

Mr. SPARKMAN. I think there is a great deal to what the Senator says. In a city it is relatively easy for a person with a fair income to buy a house, because he need pay only 3 percent down. The man on the farm, particularly the small farmer, cannot do that. Furthermore, he cannot afford a house which costs fifteen thousand, twenty thousand, or thirty thousand dollars. He needs a house which can be built for $4,000 or $5,000, and can be built of the materials he can find in the area, largely with the labor of his family. There has never been an effective study made or any plan or design arrived at for the type of low-cost housing the average farmer can afford. That is what we are seeking to do with this program.

Mr. HAYDEN. It seems to me that once a type of house has been designed for the Southern States, and a different one to meet other climatic conditions in the various parts of the country, such as in New England and elsewhere, it would not be necessary to do it all over again.

Mr. SPARKMAN. That is correct. I do not believe it should be a long-drawn-out program. It should be adequate, however.

Mr. HAYDEN. This is a comparatively small sum of money. It ought not to be a long continued affair. I should like to ask the Senator from Louisiana whether he believes we can take the amendment to conference.

Mr. ELLENDER. Mr. President, the Appropriations Committee considered this item to some extent but decided not to include it in the bill. This item was also included in the Independent Offices Appropriation bill, but was thrown out. We were prompted to not put it in this supplemental appropriations bill. To my way of thinking, this problem is very clear. Seventy-five thousand dollars is available for this program now. That amount has not been spent as the Senator from Alabama has admitted. The money has been allocated to four land-grant colleges to conduct this work. It strikes me that until that money is actually spent and used up, there is no reason for us to provide more money. It will take the colleges quite a number of months to spend the money they now have. They will probably not be able to spend the money during the present fiscal year. Therefore there would be ample opportunity to consider further appropriations for this program when we take up the regular appropriation bill next year. That would be my suggestion in the matter.

Mr. HAYDEN. The Senate will have to vote on it. We may as well have the Senate vote on it, then.

Mr. SPARKMAN. I wish to repeat something that I am sure the Senator from Louisiana understands. He said the matter was thrown out of the independent offices appropriation bill. As a matter of fact it was not thrown out of the bill. The Senate had approved it, and it was taken to conference. It had not been included in the House bill.

Mr. ELLENDER. I stand corrected. But it appears to me that there is little difference between not being included in the bill and being dropped by conference. In any event, the item was not in the bill when it went to the President.

Mr. SPARKMAN. I have discussed the matter with the chairman of the House subcommittee. He told me that he had misunderstood the situation. He said he thought it was a program which belonged in the Department of Agriculture, and it was for that reason that he objected to its being included in the Housing and Home Finance Agency appropriation. He told me that, so far as he was concerned, if we added the item to the supplemental appropriation bill, he not only would not object to it, but he would try to protect it.

Mr. HAYDEN. I believe the Senate will have to vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama [Mr. SPARKMAN]. Does the Senator from Alabama wish the floor?

Mr. SPARKMAN. I do not wish to delay the Senate on this amendment; but I should like to say that in the hearings, commencing at page 871, there is a rather complete statement regarding this program and the method by which it would be carried out. Included there is a report by the housing authorities as to how it was proposed to be carried out by the land-grant colleges. I believe that material makes a good case. Anyone who reads it will come to the conclusion that it does make a good case. I hope the Senator will accept the amendment.

Mr. LAUSCHE. Mr. President, I have been disappointed by the fact that the committee excluded from the supplemental appropriation bill a project in Cuyahoga County, Ohio. I accepted the decision of the committee as being a bona fide expression of its judgment about what should be done. I spoke to the Senator from Louisiana [Mr. ELLENDER] about it. He explained the reason for its rejection. I am accepting that as bona fide and final. There are many other Senators standing by waiting to have a rapid vote of approval on rejected projects.

Mr. President, I suggest the absence of a quorum, and then I shall ask for a

yea and nay vote on each one of the proposed changes in the budget.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HAYDEN. Mr. President, I understood the Senator from Ohio to refer to an appropriation——

The PRESIDING OFFICER. Debate is not in order during the call of a quorum.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, I ask that the order for the quorum call be held up temporarily.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAYDEN. What we encountered as a practical matter was this: When we went to conference with the House on the bill that relates to public works generally, the House conferees raised an objection to projects whose total cost would be above $5 million. Not only the Senator's project, but a number of others under consideration were above that amount. We decided, under the circumstances, knowing that to be the attitude of the House, that in the supplemental appropriation bill we would not get anywhere even if we were to add such projects to the appropriation bill by vote of the Senate, if they were to be stricken out in conference. I do not believe it will help the Senator from Ohio very much or be to his advantage to do what he proposes to do.

Mr. LAUSCHE. I respectfully say to the Senator that I am not complaining in the least degree. I commend the committee for rejecting projects which were submitted at a late date. However, the committee, having done what it did in its judgment, ought not now to be yielding on the floor to dozens of Senators who have pet projects they wish to have included.

Mr. HAYDEN. I have not yielded to anyone.

Mr. LAUSCHE. No. The $675,000 project was advisedly excluded from the bill originally, but it went through in the wink of an eye. When that went through, I began to say to myself I had better step up to the trough; I had better get my ladle out.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MANSFIELD. As the one who offered the amendment, I wish to say that I discussed the matter with the members of the committee, and there was justification for it. It was done with the full approval of the committee.

Mr. LAUSCHE. But it went through, and when it went through it gave encouragement to others that they would be able to break through also.

Mr. HAYDEN. I assure the Senator that no one needs any encouragement. [Laughter.]

Mr. SPARKMAN, Mr. SALTONSTALL, Mr. FULBRIGHT, and Mr. DOUGLAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arizona yield; and, if so, to whom?

Mr. HAYDEN. I yield first to the Senator from Alabama.

Mr. SPARKMAN. There is a vast distinction between the kind of project the Senator from Ohio is speaking of and what I am talking about. I am not arguing for a local project in which I am interested in Alabama, which has been excluded from the bill. I am talking about a program which applies to all parts of the country, in Ohio as well as in Alabama, and everywhere family farmers are found, particularly those who are living in some of the worst slums which exist in this country.

We vote hundreds of millions of dollars and even billions of dollars to help clean up the slums in the cities. All I am asking is that the Senate vote $75,000 to tackle the slum problem in the country, on the farms.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. It is not a small, local project that I am talking about.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SPARKMAN. It is a project which has been approved by the Senate. It was approved when the independent offices appropriation bill was before the Senate. It was rejected in conference because of a mistake in understanding. I am asking that the item be placed in this bill.

Mr. DOUGLAS. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. This discussion reminds me of a book written by C. H. Parkinson, Raffles, professor of political science at the University of Malaya, who in the pages of the London Economist a few years ago enunciated what he termed was Parkinson's law; namely, that as the business and activities of an administrative agency decreased, the personnel of the administrative agency increased in some geometrical ratio.

That Parkinson's law attracted a great deal of attention. But it has been followed by a second Parkinson's law which applies to the legislative branches of government, not merely to the administrative branch. The second Parkinson's law is that the smaller the appropriation, the greater the amount of time a legislative body takes in discussing it. [Laughter.]

Mr. THYE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. THYE. In defense of the Committee on Appropriations, and in reply to the Senator from Ohio, there are often times when members of the Committee on Appropriations disagree when a vote is taken. While the majority vote always prevails, some members of the committee reserve the right to carry the question to the floor of the Senate, even though we are members of the committee, so that we may there endeavor to obtain action on an amendment.

That situation prevails with respect to some of the items in the bill. For instance, in connection with defense, we fought very hard for some items but did not succeed. Amendments will be offered on the floor in behalf of some of the items pertaining to the defense of the country. This is an explanation. It is not a question of the bars being down and everyone rushing to the trough.

Mr. LAUSCHE. But it looks a little like that to me.

Mr. THYE. Oh, it may.

Mr. HAYDEN. I can assure the Senator from Ohio that, in all the years of my experience on the Appropriations Committee, there has never been a time when some Senator did not think a bill could be perfected just a bit by having an amendment included in it.

The committee has considered the amendments. Some of them it could very well and properly say it would take to conference. In this case, however, the Senate has an opportunity to vote on the amendment offered by the Senator from Alabama. If it is voted into the bill, we will take it to conference. A little appropriation of $75,000 will cover the item. It is not a serious matter.

Mr. LAUSCHE. Before amendments are offered to include in the bill items which have been rejected by the committee, I suggest the absence of a quorum.

Mr. FULBRIGHT. The Senator from Ohio does not have the floor yet.

Mr. HAYDEN. I do not yield the floor for that purpose.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. FULBRIGHT. I should like to ask the Senator about an item which results from the passage of S. 3651, section 602, providing for management counseling. Is it the opinion of the committee that the provision for $125,000 for administration of the funds for management counseling is not included in the amount allowed for administering the Small Business Administration? This item will be found on page 7 of the bill.

I want to clarify the meaning and intent with regard to the administration of the fund. One hundred and twenty-five thousand dollars is needed for the administration of the fund for management counseling. I should like to have the chairman's view as to whether that sum can be paid out of the amount for administration included in the bill. The total amount is $16,300,000, of which $1 million is specifically allocated for the administration of S. 3651.

Mr. HAYDEN. I assume that the Senator wants some legislative history.

Mr. FULBRIGHT. That is correct.

Mr. HAYDEN. The Senator wants to know something about the money appropriated; he is not asking for an appropriation.

Mr. FULBRIGHT. That is correct.

Mr. HAYDEN. The Senator wants to know whether any of the money appropriated may be used for the purpose he has indicated.

Mr. FULBRIGHT. For administrative purposes. It seems to me it would be proper to use it in that way.

Mr. HAYDEN. It is proper for the Administration to include the $125,000,

although it was not specifically mentioned. It is perfectly obvious that the

Mr. President, I ask unanimous consent to have printed at this point in the

Mr. DOUGLAS. I understand the pending question is still the amendment

budget estimate. The committee was marking up the bill, and finished mark-

cluded in the bill are not supplemental appropriation items at all.

The PRESIDING OFFICER. The clerk will call the roll

although it was not specifically mentioned. It is perfectly obvious that the law has to be administered. We appropriate money for that purpose. That is the requirement of the law. I cannot see how anyone could construe it otherwise than that it is authorized out of that money, without an increased appropriation.

Mr. FULBRIGHT. I thank the Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HUMPHREY. On page 41 of the bill is an item of $15 million for "acquisition and construction of radio facilities under the United States Information Agency acquisition and construction program."

From the information given to me, I understand that the President's request was for $22,500,000 to build several more radio transmission facilities for the Voice of America, particularly in the Middle East or in the areas of Africa and Asia?

The question I have is, Does this amount preclude the opportunity of expanding the program, or is it to be interpreted as limiting the program? Does the appropriation of this amount mean that $22,500,000 may not ultimately be expended?

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. The $15 million includes $10 million for a plant on the east coast to take the place of four obsolete plants. Five million dollars more of new money is included.

There are six stations altogether, for which a sum of money is available. Some of the equipment and some of the money will be transferred to the new stations.

There is a certain amount of unobligated funds, so the $15 million is ample, as I understand it.

Mr. HUMPHREY. Does that mean that the extra amount which had been requested for additional facilities, if and when they are needed, is to be deferred?

Mr. SALTONSTALL. The committee did not appropriate the extra $7,500,000 because of funds which are available from transfers and other sources.

The committee report contains language which will enable the making of transfers of equipment and funds.

Mr. HUMPHREY. In other words, funds already available can be used?

Mr. SALTONSTALL. That is correct.

Mr. HUMPHREY. There is no limitation upon them?

Mr. SALTONSTALL. There is no limitation upon them. My memory is that the amount is more than $7 million. I can secure the exact figure.

Mr. HUMPHREY. In other words, the $15 million in new funds will be available to carry forward projects which may be suggested?

Mr. SALTONSTALL. That is correct, in substance. There is a certain amount of security information which I shall be glad to impart to the Senator.

Mr. HUMPHREY. I understand there is. I would not want to inquire as to that.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement relating to this item.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

The supplemental appropriation bill you are now considering contains many important items including several billions of dollars for the Atomic Energy Commission. One of the smaller items, however, is of particular immediacy. This is the appropriation of money to increase the strength of the Voice of America especially in the Middle East and Africa.

In several of the most crucial areas of the world the Voice of America—in comparison with its competition—is more nearly a whisper. We are being outgunned on the air waves, not only by Moscow, but also by some of the smaller countries. In the eastern Mediterranean, for example, Radio Cairo, is broadcasting with a medium wave power of 300 kilowatts, and in a few months this will be doubled to 600 kilowatts. The only facility we have in the area, the Coast Guard ship *Courier* anchored off the island of Rhodes, has a maximum medium wave power of 150 kilowatts.

The President recently requested a supplemental appropriation of $22.3 million to begin construction of powerful additional facilities for the Voice of America. We need these transmitters now—in fact we needed them yesterday and last week—and I regret that it will be many months before some of these projects are completed. However, there is money in the bill for at least one project which would substantially improve our radio capabilities in the Arab world within a matter of weeks.

Perhaps the most important project for which money is included in the bill is the proposed consolidation and strengthening of our broadcasting capabilities from the east coast of the United States. In my judgment, we should be able in an emergency to reach any part of the world with an acceptable radio signal directly from the United States. Certainly the Soviets have already very nearly achieved for themselves a comparable capability. The overseas relay projects contained in the bill are important and are needed, but we should not put our total reliance on favorable political conditions continuing in any foreign country.

The Appropriations Committee has reported favorably on $15 million of the request for this item and recommends deferral of $7.3 million of the $22.3 million requested. In its report the Appropriations Committee also approves the proposal by USIA that it apply any funds previously appropriated and presently available to help start these high priority projects. I believe so wholeheartedly in the need for a strengthened radio voice for America that I would be inclined to ask the Senate to restore the reduction recommended by the committee. However, I understand the United States Information Agency believes that construction of the projects will not be delayed by present approval of the lesser amount recommended by the committee. The Agency believes that through judicious use of the $15 million of new funds herein appropriated and reprograming of the funds already available, these projects will be able to be carried forward with dispatch until the required additional funds can be appropriated in the regular fiscal year 1960 budget.

It is in that belief that I support the recommendation of the Appropriations Committee for this item.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. I understand the pending question is still the amendment offered by the Senator from Alabama [Mr. SPARKMAN] involving $75,000. I am reluctant to demonstrate further the validity of the second Parkinson law, but I think a story on this point might be appropriate.

Some years ago the legislature of a Midwestern State refused to make any appropriation for the health and care of mothers and children. But the legislature did make a large appropriation for the cure of hog cholera—so as to enable the hogs in that State to lead more flourishing lives.

The argument which finally caused the legislature to change its policy was that, even though children had no money price fixed upon them, and even though they could not be sold in the market for anything, nevertheless, healthy children were needed in order to rear healthy and profitable hogs; and, therefore, even though the children were not valued for themselves, it was worthwhile to provide for the care and health of mothers and children, so there could be better hogs.

It is true that in this instance the Department of Agriculture conducts research and publishes bulletins and books on pigsties and other livestock buildings and barns, and so forth. But no objection is made to that, whereas objection is made to research on the construction of farm homes.

But to those who do not wish funds to be appropriated for research on the construction of farm homes, let me present the clinching argument which was presented to the legislature of that Midwestern State, namely, that it is necessary to have intelligent farm hands, in order to take care of pigs and cattle; and it is impossible to have intelligent people on the farms unless they have good housing in which to live.

So I suggest that really in order to have fat and profitable cattle and hogs, we should provide for decent farm housing for the human beings who will be the hog tenders and the cattle tenders.

I think this argument should clinch the matter, and that, therefore, the amendment of the Senator from Alabama [Mr. SPARKMAN] should be agreed to.

Mr. LAUSCHE. I was about to ask on what side of the question the Senator from Illinois stands; I did not know which way he was heading. [Laughter.]

Mr. DOUGLAS. I am in favor of the proposed appropriation.

Mr. HAYDEN. Let me inform the Senator from Ohio that no vast sum of money is involved in this appropriation item.

I am now informed, however, that a very substantial sum of money will be requested by the Senator from Alabama for the Office of Education, in the case of the impacted areas, where the schools are crowded, where there are insufficient educational facilities to care for the schoolchildren, and where more schools are needed, and more teachers are needed.

When the pending bill was about to be reported to the Senate by the Senate Appropriations Committee, at the very last moment the committee received a

budget estimate. The committee was marking up the bill, and finished marking it up at 4:30. But at 3:30 the budget estimate was received. Under those circumstances, we said, "this matter probably should be taken up by the House of Representatives. So let us wait until the House takes it up; let us wait to see what the House will do about it."

However, the House sent word that the only way for it to take care of the matter would be for it to pass an independent appropriation bill; and the House has suggested that the Senate act on the item in connection with this supplemental appropriation bill. Such a course of action is entirely proper.

I do not know of any problem more serious insofar as the needs of the school children of the Nation are concerned, than that posed by the necessity to make adequate provision for educational facilities in areas in which, because of the moving in of Government agencies, the schools are overcrowded, since large numbers of additional schoolchildren seek admission to the schools. Under those circumstances, it is the bounden duty of the Federal Government to take steps to care for the educational problems which result from the impact on such communities as a result of the moving in of the Government agencies.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER. (Mr. KENNEDY in the chair). Does the Senator from Arizona yield to the Senator from Texas?

Mr. HAYDEN. I yield.

Mr. JOHNSON of Texas. I should point out that I believe the distinguished minority leader [Mr. KNOWLAND] plans to offer such an amendment. He has discussed it with me, and he believes it necessary that such an amendment be offered.

In addition, I plan to offer an amendment to the Space and Astronautics Administration bill; and in submitting the amendment, I expect to be joined by the other members of the Space and Astronautics Committee.

Mr. HAYDEN. Mr. President, I want the Senator from Ohio [Mr. LAUSCHE] to be fully informed regarding this matter—namely, that if he insists on having a quorum present during the consideration of each of these items, we shall be here for some time.

Mr. LAUSCHE. I now understand that, according to present indications, the pending bill, instead of calling for appropriations of $3,870,000,000, will, in all probability, call for appropriations of approximately $5,300,000,000.

Mr. HAYDEN. No; by no means. The actual supplemental appropriations provided by the bill amount approximately to $300 million. The Senator from Ohio evidently did not hear my statement about the appropriations for the Atomic Energy Commission—which are regular, annual appropriations. Those appropriations happen to be included in the pending bill, and they make it one of the largest supplemental appropriation bills under that title. However, actually, many of the appropriation items included in the bill are not supplemental appropriation items at all.

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. I should like to supplement the statement which has been made by the chairman of the committee [Mr. HAYDEN], with whom I have worked on this subject.

The House stopped receiving budget estimates from the Federal Government executive agencies some days ago. Therefore, the administration sent this additional request to the Senate, to be considered in connection with the pending legislation, inasmuch as the House had refused to receive any further appropriation requests.

Several Senators have referred to the request which would provide funds for schools in areas affected by employment at Federal Government installations—in other words, the so-called impacted areas—in the form of an amendment proposing an appropriation of $210 million.

Furthermore, I understand that the Senator from New Mexico [Mr. ANDERSON] will offer a Euratom amendment, which will call for appropriations of $3 million; and there is also an amendment which would call for a $500,000 reactor in the Philippines.

A number of other items of that character which have come to us, constitute new legislative proposals.

So, obviously it is unfair to say that all the items included in the pending bill are for supplemental appropriations.

Mr. LAUSCHE. Let me ask the Senator the amount of the proposed appropriation for school facilities in the so-called impacted areas.

Mr. SPARKMAN. Mr. President, let me say that when the Senator from Arizona referred to a prospective request by the Senator from Alabama, he was referring not to me, but to the senior Senator from Alabama [Mr. HILL] who will join the Senator from California [Mr. KNOWLAND] in making the request.

Mr. HAYDEN. I read the following from the budget estimate which we have received from the White House. It is dated August 12—only 2 days ago—and reads, in part, as follows:

> I have the honor to submit herewith, for your consideration, proposed supplemental appropriations, for fiscal year 1959, in the amount of $210,166,000, for the Department of Health, Education, and Welfare.

That item is for the impacted areas. It came to us in the middle of the afternoon. So we said, "We shall let the House of Representatives take care of this."

But the House sent word to us, "That would compel us to pass an independent appropriation bill, whereas you might just as well include this item in the supplemental appropriation bill, and handle the matter in that way."

And I believe that is the wise way to handle it.

Mr. LAUSCHE. I see.

Mr. President, if the Senator from Arizona yields the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. KENNEDY in the chair). Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Alabama [Mr. SPARKMAN] (putting the question).

The "ayes" have it.

Mr. HUMPHREY. Mr. President——

Mr. LAUSCHE. Mr. President——

Mr. RUSSELL. Mr. President——

Mr. LAUSCHE. Mr. President, I ask for a division.

Mr. WILLIAMS. Mr. President, has the result of the vote been announced?

The PRESIDING OFFICER. The Chair had stated "The 'ayes' have it"; and the Chair was under the impression that that announcement was not challenged.

Does the Senator from Delaware seek recognition?

Mr. WILLIAMS. Yes, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Alabama [Mr. SPARKMAN].

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. The Senator from Delaware.

Mr. WILLIAMS. I wish to speak very briefly, but not necessarily about this amendment which the Senator from Illinois has described as involving only $75,000 on a small appropriation bill—and everybody got a good laugh.

It is true that the amendment involves only $75,000; but, as the Senator from Ohio [Mr. LAUSCHE] pointed out, it involves the principle of whether we are going to let the bars down and concur in pet amendments to be offered by various Members of the Senate. Most of these are amendments which have been rejected by the committee that reported the bill.

There was a good laugh when it was stated that we are killing a lot of time on this very small appropriation bill. This is not such a small bill. As reported by the committee, without any increases as a result of amendments, the bill involves $3,594,944,978.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. HAYDEN. Does the Senator consider the annual appropriation for the Atomic Energy Commission a deficiency?

Mr. WILLIAMS. I did not say it was a deficiency. I said this appropriation bill, as reported by the committee, involves $3,594,944,978. There is that much money involved, and that is not a laughing matter. It is hard cash.

Mr. HAYDEN. It so happens that the House of Representatives decided to put the Atomic Energy Commission funds in this bill. It does not belong in the bill. It ought to have been in one of the regular annual appropriation bills.

Mr. WILLIAMS. What difference does it make who put the money in this bill? It is there, and we are being asked to vote on it. The total amount of the bill is $3.5 billion.

Mr. HAYDEN. That is correct.

Mr. WILLIAMS. That is what I said. I just point out the fact that the Senate gets a good laugh over a little appropriation bill which involves only $3.5 billion. The Senate is getting that laugh on an appropriation bill which represents the largest supplemental appropriation bill ever reported to the Senate by the committee.

Now we are being asked to further increase the amount by accepting additional amendments. The bill was brought up only about a half hour ago. Certainly there has been no undue delay in speaking on the bill. The bill was not reported by the committee until last night. It was not printed until today. I tried to get a copy of the bill last night, and no copy was available. No copy was available to any Member of the Senate, except perhaps committee members, until noon today. Since that time we have been in the Senate and have had other business to attend to.

Here we are being asked to waive the constitutional requirement that an appropriation bill shall lay over at least 3 days to give Members a chance to study the bill. Certainly it should lay over at least 24 hours so that it can be studied. Let us not ram through a $3½ billion appropriation and criticize Members of the Senate because they ask questions about it. This bill has been before the Senate only a half hour, and some think it should be passed in 15 or 20 minutes. Certainly a half hour's time on $3½ billion is not taking too much time, especially when we consider the rate at which we are already spending money. We are already spending at the rate of $1 billion a month more than the Treasury is taking in.

Our next year's deficit will be in excess of $12 billion, and yet all we get from the other side of the aisle when an effort is made to cut these appropriations is a good laugh and a few funny stories.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. ANDERSON. I am not a member of the committee, except by suffrance in atomic energy matters. We had a long argument in the Joint Committee on Atomic Energy with reference to certain items in the bill. There had to be authorizations for some items which involve international relationships. Atomic energy appropriations would be delayed unless provided in this bill. In behalf of the committee, I think it should be said that the $2,400,000,000 now in the bill for the Atomic Energy Commission would normally have been in a regular appropriation bill and would have come before the Congress in the regular way.

Mr. WILLIAMS. I recognize that fact. All I am defending is the right to try to cut these appropriations.

Mr. ANDERSON. It is not the fault of the Appropriations Committee. I hope it is not the fault of the Joint Committee on Atomic Energy. But we did get into a dispute over various items. We were also involved in a delay affecting an international organization, namely, Euratom.

I realize that the Senator from Delaware is interested in saving money. I point out that the President asked for $25 million for Euratom. Only $3 million is provided in the bill, when originally $25 million or $50 million might have been requested. The bill, because of the kindness of the committee, was held up until we could reach a decision as to what we wanted to do.

While the bill involves a lot of money, $2,400 million of it would normally have come before the Senate in another bill, and I do not think it would have been regarded as too much.

Mr. WILLIAMS. I am not arguing whether that item should or should not be in this bill. It does not make any difference whether it is in this bill or in another bill if it is to be appropriated. I am not saying that many of the items in the bill cannot be justified, but I do say that a Member of the Senate has a right to question the items, particularly when the committee itself did not report the bill until last night and a copy of the bill was not available to the Members of the Senate until today.

This particular amendment now before us was rejected by the committee. The committee weighed the merits of it and decided it was not meritorious. I see no reason for putting the item in the bill at a time when we have a $12 billion deficit. It is time Congress thought about how we are going to raise the money we appropriate.

The House has increased the amounts in the appropriation bills above the budget requests, and the Senate has increased the amounts provided by the House. When we have gotten through, we have upped ourselves out of the debt ceiling. In fact, the Secretary of the Treasury will come before the Finance Committee tomorrow to request that the debt ceiling be raised so that he can make payments on what we have already appropriated. I say we should stop it. This amendment should be rejected not only for the amount it involves but also as a warning to other Members to stop offering their amendments which involve much more.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama [Mr. SPARKMAN]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 31, nays 47, as follows:

YEAS—31

Bible	Humphrey	Mansfield
Capehart	Jackson	Morse
Carroll	Johnson, Tex.	Neuberger
Church	Johnston, S. C.	Proxmire
Clark	Jordan	Smathers
Douglas	Kefauver	Sparkman
Ervin	Kennedy	Thye
Gore	Kerr	Wiley
Green	Langer	Yarborough
Hayden	Long	
Hennings	Magnuson	

NAYS—47

Aiken	Dirksen	Mundt
Allott	Dworshak	Pastore
Anderson	Ellender	Potter
Barrett	Goldwater	Purtell
Beall	Hickenlooper	Revercomb
Bennett	Hoblitzell	Robertson
Bricker	Hruska	Russell
Bridges	Jenner	Saltonstall
Butler	Knowland	Schoeppel
Carlson	Kuchel	Smith, Maine
Case, N. J.	Lausche	Stennis
Case, S. Dak.	Malone	Thurmond
Chavez	Martin, Iowa	Watkins
Cooper	McClellan	Williams
Cotton	McNamara	Young
Curtis	Morton	

NOT VOTING—18

Bush	Hill	Murray
Byrd	Holland	O'Mahoney
Eastland	Ives	Payne
Flanders	Javits	Smith, N. J.
Frear	Martin, Pa.	Symington
Fulbright	Monroney	Talmadge

So Mr. SPARKMAN's amendment was rejected.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. HILL], the Senator from Florida [Mr. HOLLAND], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

On this vote the Senator from Virginia [Mr. BYRD] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Arkansas would vote "yea."

The Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Alabama [Mr. HILL]. If present and voting, the Senator from Mississippi would vote "nay" and the Senator from Alabama would vote "yea."

The Senator from Delaware [Mr. FREAR] is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Delaware would vote "nay" and the Senator from Oklahoma would vote "yea."

The Senator from Florida [Mr. HOLLAND] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Florida would vote "nay" and the Senator from Missouri would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Maine [Mr. PAYNE] is necessarily absent and, if present and voting, would vote "nay."

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate to attend the NATO Parliamentary Conference in London as Chairman of the Economic Section of the General Affairs Committee, and, if present and voting, would vote "Yea."

The Senator from Connecticut [Mr. BUSH], the Senator from New York [Mr. IVES], the Senator from Pennsylvania [Mr. MARTIN] and the Senator from New Jersey [Mr. SMITH] are detained on official business.

If present and voting, the Senator from Connecticut [Mr. BUSH] and the Senator from New Jersey [Mr. SMITH] would each vote "Nay."

On this vote the Senator from Maine [Mr. PAYNE] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Maine would vote "Nay," and the Senator from New York would vote "Yea."

Mr. RUSSELL. Mr. President, I offer the amendment which I submitted earlier today, and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to add a new section, to be properly numbered, as follows:

No part of the funds appropriated in this or any other act shall be used to pay (1) any person, firm, or corporation, or any combinations of persons, firms, or corporations, to conduct a study or to plan when and how or in what circumstances the Government of the United States should surrender this country and its people to any foreign power, (2) the salary or compensation of any employee or official of the Government of the United States who proposed or contracted or who has entered into contracts for the making of studies or plans for the surrender by the Government of the United States of this country and its people to any foreign power in any event or under any circumstances.

Mr. RUSSELL. Mr. President, this amendment was discussed at some length on the floor of the Senate earlier in the day. I do not desire to repeat the discussion which was had at that time. I merely wish to say that I do not know that any such studies have been made. The report has been widely circulated that studies have been conducted to determine when and how, and under what circumstances, it might be necessary for the United States to surrender to a foreign power in the event of an atomic war.

The Constitution of the United States is silent as to where the authority resides to surrender this country. Evidently the Founding Fathers never contemplated any such event. Having gained our independence through the sacrifices which were made by 3 million residents of Thirteen Colonies scattered along the entire Atlantic seaboard, they never contemplated that it would ever be necessary for the people of this country to pass through such an ordeal. They had faith in themselves. They had faith in their posterity. I have faith in their posterity, Mr. President; and while the Congress does have the authority to declare war, inasmuch as the Constitution is silent in this field, I think the Congress, whether such studies have been made or not, should unanimously record its opposition even to a consideration of the surrender of this country in any event.

I cannot think of anything that would be more disastrous to the morale of our own people. I know that nothing could be more certain to alienate the people of other states which are associated with us in the effort to preserve freedom on this earth.

I had not expected to request the yeas and nays on this amendment, but I have been asked by 2 or 3 Senators to make such a request. In view of such requests, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CAPEHART. Mr. President, I do not intend to oppose this amendment.

However, I am serving a warning now that hereafter I shall invoke rule XXXV when there is introduced into the CONGRESSIONAL RECORD, as there was on August 8, an article which stated that a study had been made with respect to the surrender of the United States under certain conditions, and when an amendment is offered of the kind we are now discussing. I read rule XXXV:

On a motion made and seconded to close the doors of the Senate on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

In the book entitled "Senate Procedure," I read:

A motion to close the doors under rule XXXV, when made and seconded during the discussion of business which in the opinion of a Senator requires secrecy, may be made over the objection of the Senator in possession of the floor, even to the extent of taking the Senator from the floor against his consent.

A Senator has a right to have read, or he may read, a resolution submitted by him, but any Senator, if he deems the matter one requiring secrecy, may, under the rule, interrupt such a reading to move that the doors be closed.

Mr. President, I hold in my hand the speech made by the able Senator from Massachusetts [Mr. KENNEDY] today. I wish to be absolutely fair. Therefore I shall say that from 30 to 50 times in this speech he told us that Soviet Russia is ahead of the United States in respect to defense. I say that the Senate has no right to be discussing on the floor of the Senate such information as was contained in the Senator's speech today. I do not believe we have any right to be putting into the CONGRESSIONAL RECORD or discussing on the floor such an amendment except in secrecy.

First, with respect to the article which was put into the CONGRESSIONAL RECORD, the President of the United States and the Vice President, and all responsible officials of the Government say there is absolutely no basis in fact in relation thereto. It was never authorized. There has never been any discussion of it, and no study has ever been authorized by the President, the Vice President, or any other high official of Government.

I was alarmed that such an article should have been placed in the CONGRESSIONAL RECORD. I was amazed when I listened to a portion of the speech of the able Senator from Massachusetts [Mr. KENNEDY]. Then when I analyzed his speech I found that he said at least 50 times the United States was behind Russia. I will be fair. I will say 35 times. The other 15 times might be questioned.

I say to the Senate that we have executive sessions in our committees to discuss serious matters such as this. They should not be discussed on the floor of the Senate. I cite rule XXXV, which calls for closed doors for the discussion of the defense of the United States.

I am in favor of the amendment of the able Senator from Georgia only because the article was placed in the CONGRESSIONAL RECORD and it has been made public to the American people. Otherwise, I would oppose it. I believe a mistake was made when that article was made a part of the CONGRESSIONAL RECORD. The wise and intelligent and fair and honest thing, in behalf of the defense of the United States, would have been to go to the President of the United States and to have asked him whether there was any truth in it, and whether there was any basis in fact for such an article.

I find that the able Senator from Massachusetts said—I will not take the trouble to read the speech, because Senators can read it in the RECORD tomorrow, no less than 35 times that the Soviet Union is ahead of the United States. I say if that is true—I do not know whether it is true or not—Mr. President, may I have the attention of the majority leader? It will do him good to listen to this, too. May I have the attention of the majority leader?

The PRESIDING OFFICER (Mr. BIBLE in the chair). The Senate will be in order.

Mr. CAPEHART. If what the Senator from Massachusetts said is true, or if only half of what he said is true, we are in mortal danger, and Congress should not adjourn. If what he says is true, Congress should appropriate another $20 billion. I say that because what he is talking about is money. He says we are short of this, and that Russia is ahead of us in that or the other. I have been listening to that sort of thing now from Senators and Representatives, and I have been reading articles about the United States being inferior to the communistic regime. I say Congress should not adjourn if that is true.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CAPEHART. I refuse to yield at this time. I will yield later.

The PRESIDING OFFICER. The Senator from Indiana declines to yield.

Mr. CAPEHART. I wish to finish what I am saying. I say we should not be discussing such things as were mentioned in this speech on the floor of the Senate. I ask Senators to listen to this. This is very serious. I have the courage to say it, because I think it should be said. The able Senator from Massachusetts said that he said what he said

because it had to be said. He said that I shall be here for 4 more years. I

Mr. DIRKSEN. Mr. President, will Indiana yield to the Senator from New

Mr. NEUBERGER. As I recall, about

Mr. CAPEHART. Mr. President, I

because it had to be said. He said that the Russians were ahead of us, and he said it at least 35 times. I have the courage to say it. How is it going to sound when what the Senator from Massachusetts said today is printed in Pravda? How is it going to sound to the Russian people and to the people around the world when they read that a Senator of the United States, on the floor of the Senate, in open session, said that the United States is inferior to Russia, and said it no less than 35 times.

Perhaps I am wrong. Senators can say what they please or do what they please, but I say that what was printed today could give comfort to our enemies.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CAPEHART. I wish to finish first. When we discuss that kind of subject, we should do so under rule XXXV, and do it in secret. Why do we have executive meetings in our committees? I repeat that if half of what was said in the speech of the Senator from Massachusetts is true—and I do not believe the able Senator from Massachusetts wrote it—Congress dare not adjourn without appropriating more money. Congress dare not go home without having the Committee on Armed Services go into the subject.

I say it is a serious situation when Senators make the kind of speech I hold in my hand. I am not wise enough, but I hope the members of the Committee on Armed Services are wise enough to know whether what was said is true. If they are wise enough to know it is true, then they should be advocating on the floor of the Senate that we appropriate $5 billion or $10 billion or $15 billion or $20 billion more.

I will be here for the next 4 years, starting next January. I will challenge such statements as I hold in my hand. I will challenge them because I do not want us to play politics with the defense of the United States.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CAPEHART. Not at this point. I am aware of the fact that no doubt there are some shortcomings.

I do not question it. I am aware that mistakes have been made. I do not question that. I do not question that President Eisenhower has made mistakes. I could relate many of the mistakes which I think have been made under President Roosevelt and President Truman. I think it was a mistake to permit the Russians to come through to meet our armies. But that mistake was made. I know of many mistakes which I think have been made. But they are all over. Both parties have made mistakes, possibly. I am not arguing that point.

All I say is, and I say it with all my soul, that when Senators stand on the floor of the Senate to make speeches in which they condemn the United States and the leadership of the United States, and when they make statements that the Soviets are superior to the United States 35 times, they could be giving comfort to our enemies. I say we should not do it. I hope we will stop it.

I shall be here for 4 more years. I serve warning that I shall challenge any Senator who makes such statements. I shall start to use rule XXXV, when I think there are times when it should be used.

I am not saying whether the article which was printed in the RECORD should have been placed in the RECORD. Perhaps the able Senator from Missouri [Mr. SYMINGTON] was justified in making it a part of the RECORD. Perhaps the able Senator from Georgia [Mr. RUSSELL] was justified in referring to it. But I think it should never have been published in the first place.

So I serve warning now. I am not playing politics. I am not a member of an organization or a group who gets up every so often and reads speeches in which the United States is condemned and our Defense Establishment is condemned.

I was a member of the Armed Forces in World War I. I have the highest praise for our generals; I have the highest praise for our admirals; I have the highest praise for the men in the ranks.

I think the great feat of our Navy's two submarines going under the polar ice is worthy of the highest commendation. We have our satellites in space today.

I will not sell the United States short. If we will give our admirals and generals the money which the Senator who made the speech today thinks is necessary, they will prepare a strong defense.

I do not think we should bankrupt the United States at the moment. There is talk about a $12 billion deficit. If we do what the Senator who made the speech today wants to have done, another $20 billion deficit will be added next year.

I was in Russia last year. I also was in Czechoslovakia and Poland. I have studied the whole problem. I know they have only a controlled radio, a controlled television, and a controlled press there. I know that everything which we say is used by them against us. How long will we continue to act in this way?

Certainly we should feel free to express justifiable criticism. Certainly we should reprove; but we should do it by discussing such matters with the President of the United States. We should not do it in a way which could possibly give comfort to our enemies. I say that such statements as we have heard today could give comfort to our enemies.

I do not know why it is done. I do not know of any political advantage to be gained by saying 35 or 50 times in a speech that the United States is inferior to Russia.

If that be true—I do not believe it to be true—we should not be discussing the matter in public on the floor of the Senate. If it is to be discussed on the floor of the Senate, then never was an executive session of a single committee of Congress justified. Executive sessions of committees should be eliminated if that sort of speechmaking is justified on the Senate floor.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. NEUBERGER. As I recall, about 6 or 8 weeks ago the United States Chamber of Commerce met in Washington for its annual session. Further, if I am not mistaken, Allen W. Dulles made an important speech at that meeting. Allen W. Dulles is the head of the Central Intelligence Agency of the Government, which spends hundreds of millions of dollars without audit. He is a brother of the Secretary of State and he is an appointee of the President of the United States. The whole tenor of his speech was how greatly Russia and its Chinese ally are ahead of us in such vital matters as steel production. That speech was published in full the next morning in the New York Times, if I recall correctly.

Has the Senator from Indiana ever criticized Allen W. Dulles?

Mr. CAPEHART. I have criticized Allen Dulles, and I will criticize him again. He was talking about economic matters, not about national defense as it relates to the lives of the American people.

Mr. NEUBERGER. Does not steel production have anything to do with the national defense?

Mr. CAPEHART. I will criticize Allen Dulles again, if necessary.

Mr. NEUBERGER. The Senator from Indiana ridiculed and downgraded a speech recently given in the Senate by the able Senator from Massachusetts [Mr. KENNEDY]. He even took it upon himself to question who had written the speech. I want to ask the Senator from Indiana, if I were to propose that every official of our Government, including the President of the United States, and including the Members of Congress, should invariably have to write their own speeches—would the Senator from Indiana join me in the cosponsorship of any such bill?

Mr. CAPEHART. Never having had any experience in having someone else write my speeches, as the able Senator from Oregon has had, I would not know anything about that.

Mr. DIRKSEN. Mr. President, if this is going to be the tenor of the discussion, I move to close the doors.

Mr. CAPEHART. I second the motion.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. A parliamentary inquiry is not in order at this time.

Mr. CAPEHART. When will it be in order?

The PRESIDING OFFICER. The Chair is advised that a motion to close the doors, properly seconded, is not subject to a parliamentary inquiry.

The Sergeant at Arms is directed to clear the galleries and to close the doors.

Mr. RUSSELL. No, Mr. President, not until the Senate has voted upon the motion. The Senate has not given a directive to the Sergeant at Arms. The Senate must first vote on the motion before it can go into executive session.

Mr. ANDERSON. One Senator should not be allowed to speak, and then to stop the rest of us. That is too easy. I do not think we will move that quickly.

Mr. MORSE. I appeal from the decision of the Chair.

Mr. DIRKSEN. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield to the Senator from Illinois.

Mr. DIRKSEN. I withdraw my motion.

The PRESIDING OFFICER. The Senate will first be in order, so that the Chair can understand what is being said. Senators will be recognized in an orderly way. The Senator from Indiana was recognized and has the floor. The motion made by the Senator from Illinois has been withdrawn.

Mr. CAPEHART. Mr. President, I yield to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Indiana now yields to the Senator from New Mexico.

Mr. ANDERSON. I was about to ask the Senator from Indiana if he would pick out the 35 instances. Does he mean, for instance, the statement on page 3, where the Senator from Massachusetts said that Russia has history's largest fleet of submarines? Is that one of the points the Senator had in mind?

Mr. CAPEHART. My statement was that the speech contained from 35 to 50 instances in which the Senator from Massachusetts said Russia was superior to the United States.

Mr. ANDERSON. I do not intend to take them one by one, but is the Senator referring to the item on page 3, which states that Russia has history's largest fleet of submarines?

Mr. CAPEHART. That is not one of the items.

The PRESIDING OFFICER. The Senator from New Mexico will suspend until there is order in the Chamber. It is impossible for the Senator from New Mexico and the Senator from Indiana to be heard. The Senator from Indiana has yielded to the Senator from New Mexico. The Senate will be in order. Those who are in the rear of the Chamber will please desist from conversation.

Mr. HUMPHREY. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Minnesota will state the point of order.

Mr. HUMPHREY. The point of order is that the mover of the motion cannot withdraw his motion without the concurrence of the seconder.

The PRESIDING OFFICER. The Chair understood the seconder likewise to withdraw his second, if the Chair heard correctly.

Mr. HUMPHREY. I regret that I did not hear him do so.

Mr. CAPEHART. I did not intend to invoke rule XXXV tonight. Although I seconded the motion of the able Senator from Illinois, I am perfectly satisfied to have him withdraw his motion.

But I serve warning that from this time on if, in my opinion and the opinion of others, the discussions on the floor of the Senate are detrimental to the defense and the safety of the people of the United States, I shall move to invoke rule XXXV.

Mr. ANDERSON. Mr. President, will the Senator from Indiana yield to me?

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from Indiana yield to the Senator from New Mexico?

Mr. CAPEHART. I yield.

Mr. ANDERSON. I shall be glad to take the floor in my own right.

Mr. President——

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. ANDERSON. Mr. President, I thought it would have been easier for the Senator from Indiana to have listed item by item the 35 items on which he disagrees. I assume he is worried about the claim that Russia has certain areas of superiority.

The testimony of the Navy itself is that Russia has the largest submarine fleet that history has known. If the Navy is misinformed, then surely one must consult the CIA. Although the testimony of the CIA is given in secret, I doubt that under any circumstance the CIA would give testimony different from that given by the Navy on this subject.

As to whether the Russian submarine fleet is as good as ours, and particularly, whether it will be as good as ours, after our country has completed more nuclear submarines, I have some doubt. But certainly the present Russian fleet of 520 or 600 submarines, most of them of the snorkel type, is a very substantial one.

Therefore, I commend our Government for devoting funds to the development of the new type of submarine which has such great capabilities.

Mr. President, on June 30, 1955, the able Senator from Washington [Mr. JACKSON], as chairman of the Military Applications Subcommittee of the Joint Committee on Atomic Energy, joined me in a letter to the President. These matters were not the subjects of publicity; we did not then turn over to the newspapers a copy of the letter. But in the letter to the President we said that there was reason to know that the Russians had an intermediate range ballistic missile. That information had been received by us with some surprise; and we felt that it had not been transmitted to the President. Subsequent evidence revealed that neither the President nor various other Government officials, including the members of the National Security Council, had been briefed on that matter.

In the letter, the able Senator from Washington and the then chairman of the Joint Committee on Atomic Energy stated to the President that he should be briefed about the matter; that he should have the benefit of the available information; that he should appoint a missiles czar; and that our Nation should begin to meet the threat posed by that development.

But that was not done until much later. Dr. Killian and others were brought to Washington.

I regret that the circumstances made it seem to appear that we might have been premature in our worries. But I point out that as early as 1955, it was apparent that the Russians had achieved an intermediate range ballistic missile.

I also believe that it is apparent that the Russians have now achieved an intercontinental ballistic missile.

Mr. CAPEHART. Mr. President, I move that rule XXXV be invoked. If the Senator from New Mexico wishes to discuss the defenses of the Nation, and if the debate continues in the way it already has proceeded, the result certainly will be to invite Russia to attack us, because Russia will thus have received proof that our Nation has inadequate defenses.

Mr. DIRKSEN. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. My inquiry is made in response to an inquiry made by the Senator from Oregon [Mr. MORSE]:

My understanding of rule XXXV is that when a motion to invoke that rule is made, and when the motion seconded, the application and enforcement of the rule are automatic, and the invoking of the rule is not subject to a ruling by the Chair or to appeal, but that the galleries must at once be cleared, and subsequently the Senate itself must determine whether the doors will remain closed or will be reopened.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the statement made by the Senator from Illinois is a correct statement of rule XXXV.

Is there a second to the motion of the Senator from Indiana?

The Chairman hears no second.

Mr. ANDERSON. Mr. President, hearing no second to the motion, I am happy to say that I have no intention of discussing matters which should not be discussed in the Senate Chamber with open doors. I intend to discuss in the Senate Chamber, when the doors are open, only matters which the Military Establishment of the country not only has discussed, but which have been published round after round after round. If such a discussion is displeasing to any Member of the Senate, he has at his disposal a better means to correct situations than by curtailing the debate by a motion to invoke rule XXXV, and thus to have the galleries cleared and the doors of the Chamber closed.

Mr. SALTONSTALL. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I am happy to yield.

Mr. SALTONSTALL. Mr. President, at the risk of being impertinent, let me say that I hope we shall "get the car back on the track."

The Senate now has before it the supplemental appropriation bill.

There can be great differences of opinion on the subject which the Senator from Indiana [Mr. CAPEHART] and my colleague from Massachusetts [Mr. KENNEDY] discussed. The Senator from Missouri [Mr. SYMINGTON] and I have discussed it, both privately and publicly, a number of times. I believe that I may have devoted more hours than has any other Member of the Senate to these general subjects.

But the Senate now has under consideration the supplemental appropriation bill. The sessions of the Senate for the last 3 days have continued until 11 p. m. or midnight; and we are weary.

it. I hope we will stop it.

Mr. CAPEHART. I yield.

decision of the Chair.

in the chair). Does the Senator from

the Russians have now achieved an intercontinental ballistic missile.

p. m. or midnight; and we are weary.

I hope the motion of the Senator from Indiana—for whom I have great respect, and whose patriotism cannot be questioned, any more than can the patriotism of my colleague [Mr. KENNEDY]—will not be seconded.

The supplemental appropriation bill, which the Senate now has under consideration, must be passed by the Senate, and must go to conference, and a conference report must be agreed to, before the session ends.

Mr. ANDERSON. Mr. President——

Mr. MORSE. Mr. President, will the Senator from New Mexico yield?

Mr. CAPEHART. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. Mr. President, I do not intend to yield further.

I was about to say that if the Senator from Massachusetts [Mr. SALTONSTALL] had not asked me to yield, I would have completed what I had to say in less time than the time he has used in making his remarks; and I say that to my friend with a great deal of respect.

I was only about to observe to the Chair that open debate on one subject might cause some question, namely, debate regarding the fact that, regardless of whether our country has completed tests on the Atlas ICBM, it is known that the Russian tests have been completed, and the fact that the availability of an ICBM to Russia has been established. If we are to determine the accuracy of that statement, and involve secret information, then those subjects need to be discussed in the Senate with the doors closed.

I was about to say that, in my opinion, the things the Senator from Massachusetts [Mr. KENNEDY] has discussed should have been discussed in the open.

On the other hand, I believe the Senate can well discuss behind closed doors, if it wishes to do so, other matters in connection with which secret information needs to be developed.

I have often regretted that the peculiar circumstances under which the Joint Committee on Atomic Energy has been established have made it impossible for the Joint Committee to discuss with other Members of the Senate as freely as its Members would like the matters which come before the Joint Committee.

I have very great faith that our military establishment is trying its best to catch up, and to fill any gaps in our Defense Establishment which may exist.

I believe that the Congressional committees have done all that can be wished for in supplying money and equipment to the military.

Mr. MORSE. Mr. President, I wish to speak briefly in regard to the parliamentary problem which has been raised by the Senator from Indiana [Mr. CAPEHART]. He has served notice that in the future he intends to have rule XXXV invoked, if he can obtain a second, in the case of any speech such as the one made today by the Senator from Massachusetts [Mr. KENNEDY].

Mr. President, I desire to associate myself with the remarks of the Senator from Massachusetts [Mr. KENNEDY]. I believe he performed a great service to the American people, by making his speech.

I point out to the Senate that the Senate of the United States has not yet become a Russian politburo. On the contrary, in this great parliamentary body, as in the British House of Commons there still prevails one of the great, cardinal principles of freedom, based upon the principle of full, public disclosure of the people's business.

I think it would be a sad day in America if the time ever came that the Senate of the United States started to apply rule XXXV as a device for concealing from the people facts they are entitled to know about American foreign policy. I think the notice served by the Senator from Indiana [Mr. CAPEHART] tonight shows the need for a modification of rule XXXV. Rule XXXV means exactly what was stated by the Senator from Illinois [Mr. DIRKSEN].

Mr. President, the Senate rule book reads as follows:

RULE XXXV—SESSION WITH CLOSED DOORS

On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

As the Senator from Illinois [Mr. DIRKSEN] has pointed out under the rule, two Senators joining together can by the simple act of making a motion and seconding it for the Senate to clear the galleries and force a discussion in executive session of such a motion. This is a parliamentary tactic that could be used for obstruction, narrow vindicative partisanship or even for filibustering advantage. It should be changed. It transgresses in its present form upon the precious principle of majority rule in the Senate. We should avoid not only the practices of government by secrecy. We should shun the appearance of government by secrecy.

We are living in a time when the American people are entitled to the facts about our foreign policy. They are entitled to have their Senators debate our foreign policy right out in the open. Our foreign policy does not belong to the Senate of the United States, it does not belong to the elected representatives of the people, it does not belong to the President or to the Secretary of State; it happens to belong to the people of the Nation. They are the ones who are going to have to do the dying by the millions, if American foreign policy is not properly administered and properly devised.

I think it would be a black day for American freedom if we ever got to the point where, when someone in the Senate of the United States, such as the Senator from Massachusetts did today, had the courage to stand up on the floor of the Senate and warn the American people, as he warned them today, about the shortcomings of American foreign policy, we were to follow rule XXXV of the Senate and go into a politburo type of parliamentary body and keep the debate away from the American people. Part of our political heritage of freedom is our parliamentary system of open, public debate. Only in the most extraordinary of circumstances should we ever keep Senate debate away from the people in the galleries, as well as from those in the Press Gallery who have the obligation to see to it that the free press distributes to the American people the product of free speech of a free parliamentary body such as the Congress of the United States.

I would be the first to grant that we should go into executive session for any proposed discussion of truly top secret information vital to the security of our country. But no such situation was involved in the speech by the Senator from Massachusetts [Mr. KENNEDY]. No two Senators should have the power to close the doors of the Senate to the public prior to a majority vote of the Senate. I think it is perfectly obvious, from the comments of the Senator from Indiana that he threatens to do just that. He has served notice that he will try to do it. From his speech it became clear that whenever he hears a speech of the kind made by the Senator from Massachusetts today—and he was unkind enough to dub that speech as a political partisan speech—he is going to invoke rule XXXV which, I respectfully suggest, was not put in the rule book for any such partisan advantage which the Senator from Indiana indicated he would use it. The rule should be changed so as to require a vote by the Senate on any such motion prior to clearing the galleries.

I hope we shall never reach the point in America when we cannot stand up in the Senate and criticize in open public debate any administration, Republican or Democratic, because we think it has gone awry in the field of foreign policy.

I wanted to make these comments, because I do not think this incident tonight can be easily overlooked nor should it be forgotten. I think the Senate Committee on Rules and Administration had better proceed, without delay, to take a good look at rule XXXV. I am going to ask to appear before the committee for a suggested modification of rule XXXV. We should not have to function here in the Senate under the threat that if two Senators do not like our criticism of the President, they can apply rule XXXV. It is obvious that the threat of the Senator from Indiana carries with it a pronounced abuse of rule XXXV. The Senator from Massachusetts today performed a great public service for the American people. He should not be subjected to the kind of indirect discipline suggested by the Senator from Indiana—namely, a clearing of the galleries and a throwing out of representatives of the free press from the Press Gallery, so this parliamentary body cannot carry out its parliamentary function of free speech debate on the foreign policy of the administration. We should not countenance a rule which empowers any two Senators to appoint themselves as censors of the Senate. Such a practice smacks of police state controls.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Georgia.

Mr. RUSSELL. I think the distinguished Senator from Oregon has misconstrued rule XXXV. The only thing a motion and a seconding of it would do is inconvenience those in the galleries and put them out until the Senate decided whether or not it should proceed in closed session.

Mr. MORSE. I understand that.

Mr. RUSSELL. One or two Senators cannot gag the Senate. A Senator can make a motion, and it can be seconded, to clear the galleries and inconvenience the guests of the Senate until the Senate can vote as it sees fit.

Mr. MORSE. I understand that. I do not misconstrue the rule. I think we ought to vote in public on a motion to invoke rule XXXV. It is my point that rule XXXV should be amended to provide that a vote will be taken first before there is any action throwing the representatives of the press and members of the public out of the Senate galleries.

Mr. RUSSELL. For my part, I would rather welcome the opportunity of executive proceedings when we are discussing the defenses of the United States. I do not believe any person is more sensitive than I am to preventing the dissemination of classified matter; but to talk about the Senate having a closed session and locking the doors and swearing its members to secrecy about matters which have been bandied about by the press of the country is ridiculous.

Mr. MORSE. That is right; but I want a vote, and a public vote, on any motion to clear the galleries, and I want a vote in full view of the Press Galleries. The press remains a great guardian of the people against government by secrecy.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. ERVIN. I should like to ask the distinguished Senator from Oregon if, in his opinion, a Senator would not render a great disservice to the American people if he tried to mislead them by suppressing his knowledge or information on the state of the national defense.

Mr. MORSE. I cannot think of a greater public disservice.

Mr. SYMINGTON and Mr. CAPEHART addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I have not been on the floor very long. The Senator from Indiana paid his respects to me early this afternoon, and I think the RECORD will show what I thought about his remarks.

This afternoon I had the privilege to hear a great speech by a great American, who has distinguished himself in combat as few other Americans have.

I do not want to comment on the remarks and the criticism made against the address of the Senator from Massachusetts at this time, because I should like to analyze each and every point he has made with respect to what is necessary and advisable from the standpoint of the future security of the United States.

I thought he made an extremely fine contribution toward assuring freedom to our people and to the people of the Free World.

Mr. President, for many years the question of the strength of the United States vis-a-vis the strength of the growing Communist conspiracy has been foremost in my mind, and I have had honest differences with a great American, the President of the United States about it.

Mr. President, I derive no pleasure from the sputnik or achievement from the revelations of the great strength of the modern Russian armies or from the truth, as we now know it, about the Russian submarine fleet. Those are facts, however, and this country has been famed for its willingness to stand up to the truth.

Tonight I view with sorrow what is going on on the floor of the Senate, because, now that the truth is beginning to be revealed to a country which has been noted for its frankness and candor and its readiness to face up to the facts, in my opinion efforts are being made to prevent the American people from knowing the truth—truth which under no circumstances could help a possible enemy.

Mr. President, if there is any planning in the type and character of presentation to which we have listened tonight, I see little hope for the future of our beloved country.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Oregon yields to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I made the motion I made and I have said what I have said tonight and this afternoon for one purpose and one purpose only.

Mr. MORSE. Mr. President, I yield the floor so that the Senator from Indiana may speak in his own right.

The PRESIDING OFFICER. The Senator from Indiana is recognized in his own right.

Mr. CAPEHART. In all sincerity I wish to caution the United States, if I may—the people of the United States, those in authority and those in a position to make news—against making the kind of statement of which I think there have already been too many.

The able Senator from Missouri said, "Are you going to deny the American people the true facts?"

I say, if the statements which have been made on the floor of the Senate tonight are true, can we get any value from telling our enemy how weak we are? Are we inviting our enemy, because of our weakness, to attack us? Are we going to deny the President and the Secretary of State, in negotiations and interviews and summit conferences, the right to speak with authority?

I say that if what has been said in the speech which I hold in my hand is true, then we in the Congress must accept a great percentage of the blame, because if what has been said is true we have failed to appropriate sufficient money and we have failed by law to direct the administration as to what it should do.

I am only trying to keep us from what I believe would be committing suicide by selling the United States short and by encouraging a potential enemy to believe we are so weak that he can destroy us. I do not believe any enemy can do that. I do not believe we are weak. I believe we are strong. Perhaps we are not so strong as we should be, but I believe we are strong.

If a sufficient number of Senators, governors, commentators and others keep saying over and over, "We are weak; we have no strength," as the speech to which I have referred does, the enemy may believe it. The enemy may attack us.

I am not questioning the sincerity of those who take the position that such speeches should be made. I am simply asking them to stop, look, and listen. Do Senators think such speeches are advisable? Do Senators not think the time has arrived when we should talk positively? If we feel there is any weakness, should we not hold executive sessions of our committees to handle the matter? Should we not give the President of the United States and the Secretary of Defense an opportunity to handle such matters? Why do we have to tell the world? Why do we have to tell our enemies?

Furthermore, it is all a matter of conjecture.

Let me read what the able Senator from Massachusetts said:

These are not easy facts to face—and once faced, their implications are not easily comprehended. But the facts must be faced—and soon. Our peril is not simply because Russian striking power during the years of the gap will have a slight edge over us in missile power—they will have several times as many: intermediate range missiles to destroy our European missile and SAC bases; and intercontinental missiles to devastate our own country, installations and Government; and history's largest fleet of submarines, and possibly long-range supersonic jet bombers, to follow up this advantage. If by that time their submarines are capable of launching missiles, they could destroy 85 percent of our industry, 43 of our 50 largest cities, and most of the world's population.

Mr. JACKSON. Mr. President, will the Senator yield at that point?

Mr. CAPEHART. I yield.

Mr. JACKSON. Is the Senator aware of the fact that the Secretary of Defense last fall said, in a public statement, that we were behind the Soviets in the missile race? The Secretary said he hoped we would catch up.

Mr. CAPEHART. Perhaps he did. I do not question that statement at all. If the Secretary said that, perhaps he made a mistake; I do not know.

All I know is what I have read in this speech and listened to.

Mr. JACKSON. May I ask the Senator, is there any classified information in the speech?

Mr. CAPEHART. I do not know whether there is or not. The Senator is

Believe he performed a great service to

Part of our political heritage of free-

the Senator yield?

he has made with respect to what is

the speech which I hold in my hand is

whether there is or not. The Senator is

a member of the Committee on Armed Services, and he should know.

I believe what I am saying to be true, and if it is not I will correct it tomorrow morning. All I know is that there is no praise for the United States. There is not a mention of our strength. There is not a mention of the fact that we are capable, likewise, of destroying Russia; of the fact that we have the bombers and the atomic bombs and the hydrogen bombs to destroy Russia. The whole basis of the speech is that we are weak—that we have no strength and the Russians have all the strength. The implication is that the Russians can destroy us and there is very little we can do about it. That is what the speech says.

I am not going to labor the question any further. I simply hope that we will be very, very careful in what we say on the floor of the United States Senate, and not give any comfort to our enemies.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. What is the pending question before the Senate?

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Georgia [Mr. RUSSELL] to the appropriation bill.

Mr. KNOWLAND. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. KENNEDY. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KENNEDY. I shall be very brief. I am delighted my speech was what brought this matter to the attention of the Senator from Indiana. The fact is that there is no confidential information in the speech.

I am not a member of the Committee on Armed Services. I am not a member of the Joint Committee on Atomic Energy. I have no opportunity to receive classified information.

If the Members of the Senate will examine the speech, they will find nothing in it which has not been published again and again in most of the major publications of the United States, which has not been a part of the reports of the Symington committee of 2 years ago, or a part of the reports of the Johnson committee, or a part of the speech made in 1955 by the Senator from Washington [Mr. JACKSON] as to the lag in the missile program, or a part of the speeches of members of the Committee on Armed Services in the Senate since 1953, when an effort was made to increase the appropriations for the Air Force by $5 billion.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Washington.

Mr. JACKSON. I will say to the Senator, in addition, the references in his very able speech have been alluded to by officials within the Department of Defense, in public statements.

High naval officials have pointed out time and time again that the Soviets are ahead of us in numbers of submarines. High Army officials, in public speeches, have made the same point with respect to the ground forces.

The remarks made by the able Senator from Massachusetts contain information previously made public, and I am amazed to find that it is suggested we should not discuss on the floor of the Senate this information, available in public statements by various officials of the Government.

Mr. KENNEDY. I will say to the Senator, it is quite obvious that this has come as a total surprise to the Senator from Indiana.

I refer the Senator from Indiana to what General Gavin said, published in Life magazine of a couple of weeks ago. General Gavin had top confidential information, because he was the head of one of the most important branches of the United States Army before he retired. General Gavin said:

> Take, for example, the missile-lag situation. The missile-lag period, which we are now entering, is one in which our own offensive and defensive missile capabilities will lag so far behind those of the Soviets as to place us in a position of great peril.

That is what I said in the speech I made this afternoon. Furthermore, General Gavin said:

> While Russia, even now, has an intercontinental ballistic missile, several years will have passed before we have an ICBM capability of any significance. In short, we are now entering a missile-lag period in which the Soviets will have a steadily increasing ICBM striking capability which we will be unable to match for several years. We are in mortal danger and the missile lag portends trouble of a serious nature.

I do not know what could be more blunt than that statement by a man who knows the facts. All I have attempted to do is to collect some of the more serious warnings and to talk about the effect on American policy during the next year.

It is quite obvious that the Senator from Indiana does not believe that these matters should be discussed. But I think they should be discussed. I believe Senators on both sides of the aisle have been talking about them for 6 years. I shall continue to talk about them.

The information complained of by the Senator from Indiana appeared in a column in the Washington Post some 2 weeks ago. Anyone who reads the Gaither report, the Rockefeller report, the General Gavin articles and others, including the hearings and reports of our own committees, knows that we are behind. We are going to be behind, and it will affect our policy.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HUMPHREY. First of all, I believe the Senator from Massachusetts has again performed a great service for the country. His address this afternoon was well documented. It represents a genuine research and a scholarly approach to a difficult subject.

On January 23, 1958, there was a unanimous report from the Preparedness Subcommittee. That report states:

> The subcommittee has heard some 70 witnesses. About 200 experts have been interviewed. Questionnaires have been sent to leaders of science, education, industry, and Government. Some 7,000 pages of testimony are before us.

The subcommittee undertook to explore the questions and determine the answers. I read from page 2 of the report:

> First, it demonstrates beyond question that the Soviet Union has the propulsive force to hurl a missile from one continent to another.
>
> Second, the Soviet Union has gathered basic information about outer space.
>
> These two facts raised a number of disturbing questions. We set out to explore those questions and determine the answers. On the basis of sworn testimony by top scientists, leading industrialists, and Government and military officials, it can now be said:
>
> 1. The Soviet Union leads the United States in the development of ballistic missiles.
>
> 2. The Soviet Union leads the United States in number of submarines, which raises the possibility of attack with modern weapons or missiles—although the indications are that we are ahead in the production of atomic submarines.
>
> 3. The Soviet Union is rapidly closing the gap in manned airpower—and, at present rates, will surpass this country in a comparatively short time.
>
> 4. The Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States.
>
> 5. The Soviet Union had led the world into outer space.
>
> 6. The Soviet Union is producing scientists and technicians at a rate substantially greater than our country.

All I say to the Senator from Massachusetts is that his speech was a correlation, a summation, and an evaluation of many of the statements and facts which have been brought out before. It was a distinct service to the cause of American freedom. No secret information was divulged. What he did, in a way few can do, was to place before the American people the subject matter of our national security and foreign policy for intelligent discussion.

Whenever we reach the point where we cannot do that, there is not much left to defend. What we are talking about is defending the way of life and a system. The fact is that the strength of America, which is the pride and joy of all of us, has existed because we have had freedom of discussion.

Napoleon III denied the newspapers of Paris the right to publish the facts about the French Army at the time of the Franco-Prussian War. When Bismarck came into France with his troops, the armies of France were destroyed in 6 weeks, whereas the Parliament of France had been assured again and again that France was mighty and would defeat her foe. Critics stood up in Parliament, and there were those in France who said that the armies of France were not strong enough. Napoleon III said that the critics should be hushed. The people of Paris ate rats before the Prussians left their city.

I say to the Senator from Massachusetts that he is literally lighting the stop sign, so to speak, the alarm for the American people. If anyone will read the last paragraph of the Senator's speech, he will see that it is not a panic speech. The purpose of the speech is literally to alert the Minute Men of America. It is a kind of Paul Revere speech to the lovers of freedom. The Senator from Massachusetts deserves praise and commendation, and that is what he is going to get, rather than criticism.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. ANDERSON. I went through the speech of the Senator from Massachusetts carefully. I found nothing in it that I thought would be classified. I found nothing in it that I thought violated any rules. I though everything in it had been pretty well established.

The Senator from Massachusetts says, on page 3 of his speech:

> We have not yet even successfuly completed a test of our Atlas or Titan ICBM's; while Russian test successes are now established.

I point out to the Senator that if anyone were to inquire as to how we know that Russian test successes are established, that might be something which should be considered behind closed doors. That might involve secrecy. But certainly the statement I have read is no different from statements which have been made openly many times.

I am glad the Senator has followed the things which other people have tried to do, and is calling attention to the seriousness of the situation.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. SYMINGTON. In the report made by the able majority leader and the ranking minority member of the Senate Preparedness Committee [Mr. BRIDGES] at the direction of the subcommittee, we find the following:

> 1. The Soviet Union leads the United States in the development of ballistic missiles.

The question I should like to ask my able friend from Massachusetts is this: Was not that report signed by all the Republicans on the committee, as well as by all the Democrats?

Mr. KENNEDY. It was. I thank the Senator for bringing that fact to the attention of the Senate.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. ERVIN. When the Senator from Massachusetts made his speech this afternoon, I regretted the fact that only a few Senators were present in the Chamber, and the galleries were virtually empty. I suggest to the Senator from Massachusetts that our able and eloquent friend from Indiana has rendered a great service to the cause which the Senator from Massachusetts was attempting to serve when he made the speech before a few Senators and practically empty galleries, in that he has so forcefully and eloquently called the attention of the great number of Senators now present and the large group of people now in the galleries to the very fine, patriotic, frank, and courageous speech of the Senator from Massachusetts. In fact, I think the eloquence of our distinguished friend from Indiana was so forceful that the folks in Moscow may have heard about it by this time.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. YARBOROUGH. I think the distinguished Senator from Massachusetts has rendered a great service to the people of the country. Let us bear in mind the statement of a Roman historian about the third or fourth century, A. D. He pointed out that while Rome was a small, struggling republic, the people of Rome had determined among themselves that they never would be second in the world. They pursued that resolution for centuries. They lost some wars. In some wars two-thirds of their population was destroyed, but they carried forward the central idea that they would never surrender.

With regard to the pending amendment, I ask the Senator from Massachusetts if he does not think the American people are greater than the Romans, and that it is a part of our duty to inform the people of the dangers ahead of them, so that the American people, like the ancient Romans, will be enabled to determine that they will never surrender. Is it not the opinion of the distinguished junior Senator from Massachusetts that the people ought to be informed, so that they will have information as the basis for their decisions?

Mr. KENNEDY. I do. I thank the Senator.

Mr. GOLDWATER. Mr. President, I ask the Senator to yield so that I may ask the chairman of the Armed Services Committee a question in order that we may try to get back on the track?

Mr. KENNEDY. I am about to yield the floor.

Mr. GOLDWATER. I shall take only a few seconds.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield for that purpose?

Mr. KENNEDY. I yield.

Mr. GOLDWATER. In order to help us get back on the track, I wish to commend the chairman of the committee for offering the amendment. I may be wrong in asking these questions, in that they may have been asked during the colloquy, which lasted some 3 hours.

Before I left the floor I heard that the Rand Corp. had submitted a public report. I wish to read the opening paragraph of the article by General Phillips, retired.

> WASHINGTON, August 5.—Three nonprofit scientific agencies working for the Defense Department or the services are making studies as to whether the United States can survive and continue to fight after an all-out nuclear attack. One is studying the conditions when surrender would be advisable, rather than to try to continue a war that is already lost.

Mr. President, my question to the distinguished Senator from Georgia—for whom I have the greatest respect and whom I admire, and for whose amendment I shall vote——

Mr. RUSSELL. I thank the Senator.

Mr. GOLDWATER. My question is: Is it the intention of the chairman of the Committee on Armed Services to attempt to learn the identity of the other two nonprofit organizations which are supposed to be trying to determine when the American people should surrender?

Mr. RUSSELL. I should like to say to my distinguished friend from Arizona that at the time I submitted my amendment I had not seen the article to which he adverts. I am now undertaking to obtain the names of any organizations which might be engaged in such studies. I have been advised by the distinguished Senator from California [Mr. KNOWLAND], and the distinguished Senator from Massachusetts [Mr. SALTONSTALL] that the information they had indicated no such studies were under way. I shall certainly pursue the matter in an effort to ascertain whether any such studies are under way or have been contemplated by the Department of Defense. Since the discussion this morning, I have obtained a copy of the book which has been discussed. Of course I have not had an opportunity to read it as yet. I will undertake to do so, and I shall try to determine whether any organization in the country has been officially authorized by the Department of Defense to undertake such a study.

Mr. CAPEHART. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. I yield.

Mr. GOLDWATER. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. Mr. President, I yield the floor to the Senator from Georgia.

Mr. RUSSELL. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, in the hope that we may come to a vote on the amendment, I should like merely to say that I cannot completely agree with my friend, the distinguished Senator from Indiana [Mr. CAPEHART], that there has been any harm done by the Senator from Missouri [Mr. SYMINGTON] in introducing into the CONGRESSIONAL RECORD an article published in the St. Louis Post-Dispatch. Neither can I agree that the author of the article, a retired Army officer, has interpreted the Rand report correctly. I have not seen the other two reports. I believe that my friend from Missouri has performed a public service in calling the attention of the American people to something which I am hopeful the Committee on Armed Services, with the diligence which is always displayed by the able chairman and the other members of the committee, will find out is true or false, namely, that we have gone beyond the bounds of military intelligence—and all military intelligence includes the possibility of defeat,

but never surrender—and have committed this country to some plan whereby we will give in to Russia at a certain theoretical time.

I am not critical of the actions of the Senator from Missouri for making the insertion in the RECORD. It is something that any one of us could have read in the St. Louis Post-Dispatch, if we read the St. Louis Post-Dispatch. Nevertheless, these things should be brought to the attention of the Senate.

I am in agreement with my distinguished colleague from Indiana when he said that some things which are discussed on the floor of the Senate should be discussed in secrecy. As a person with some military knowledge, I am in agreement with him. I believe that we become a little too loose in our talk on the floor of the Senate.

I do not believe we should make a political issue out of this matter. This is not a matter of defense of Republicans or Democrats, but the defense of Americans. I do not believe we should become partisan as to whether Democrats or Republicans are better equipped to defend the country. Long before we became Republicans or Democrats, we were Americans. Americans made this country long before there was either a Democratic Party or a Republican Party.

Mr. RUSSELL. I thank and commend the Senator for the fine spirit of patriotism which permeates his remarks whenever he speaks on the subject of our defense. There would be no way to conduct a surrender of Republicans or Democrats. If there should be such a surrender, it would be of the people of the United States. I reiterate what I said before, that I believe the vast majority of the American people would prefer to die on their feet rather than surrender and live on their knees under any Communist dictatorship.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. I do not believe the able Senator from Arizona understands the issue at all. We have stated, I do not know how many times—the minority leader and other Senators—that the President of the United States and the Vice President and all the high officials of the Government have denied categorically that there is any order for such a study. The Rand Corp., which is referred to in the article, while it works for the Federal Government, likewise does work on its own, and they work for other people. This particular study apparently was a study they made of their own accord, and were not paid for it by the Federal Government.

My criticism of the able Senator from Missouri was that before he put the amazing document into the CONGRESSIONAL RECORD, to be read by the people of the world, he should have consulted the President of the United States, or should have asked the Vice President, who is the Presiding Officer of the Senate, and who is the head of the Security Council, if there was any truth in the statement that the Federal Government or the Defense Establishment had ordered any such study or had paid for any such study. That is my criticism of him. My criticism is not that the article was put in the RECORD. If what the President or Vice President had said were also put in the RECORD, it would have been fair.

Any Senator who can get any satisfaction out of this sort of thing is perfectly welcome to it. I cannot get any satisfaction out of it. I cannot get any satisfaction out of putting into the CONGRESSIONAL RECORD, to be read by people all over the world, and to be printed in Pravda, and to be communicated all over Russia, the statement that the United States is studying the possibility of surrendering to Russia under certain conditions, unless in truth and fact the Government had ordered an investigation or had ordered such a study or had paid for it.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator. I am perfectly willing to yield the floor. I did not seek the floor. I was unfortunately cast into this role.

Mr. SYMINGTON. I should like to express my appreciation of the very kind remarks made by the Senator from Arizona. We do not agree necessarily on all issues. However, no one questions the fact that he is an American patriot. He was not on the floor when the Senator from Indiana attacked my putting into the RECORD the published account to which reference has been made; nor was he on the floor when the Senator from Indiana attacked the magnificent speech made by the distinguished Senator from Massachusetts [Mr. KENNEDY]. For my part, I hope he will read the RECORD tomorrow in order to find out what the facts are.

I wish to say again that, when the article was published, the mail from my State regarding it was such that I called up the able and responsible newspaperman, the author of the article, and asked him if he was certain of his facts. He told me he was. I did not put the article into the RECORD until days after it had been printed in the newspaper, with no denial from the administration. I believe what I did was in the best interest of the security of the United States.

It has been my privilege to serve in the Senate for 6 years and to have been identified very directly with the future security of the United States for the past 18 years. I believe that tonight is a great night from the standpoint of the future of our country.

SEVERAL SENATORS. Vote! Vote!

Mr. HAYDEN. Mr. President, I am of an age when I do not need as much sleep as others do. However, there are younger Members of the Senate who I know would like to proceed with the pending business. I wonder whether it would be possible to obtain a vote on the pending amendment, offered by the Senator from Georgia.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. On this question the yeas and nays have been ordered.

Mr. COOPER. Mr. President, I regret that I must take the time of the Senate now to speak on the amendment.

I feel that I must do so because of the implications which the amendment holds.

I have great respect for the distinguished Senator from Georgia [Mr. RUSSELL], as all of us have. I know, as do all of us, of his great service to the Senate and to the Nation. We know of his deep love for his country and its free institutions.

I concur wholeheartedly in his determination that no person in the Government of the United States, no person in the military service, and no one with whom our Government contracts shall ever plan or counsel the surrender of the United States.

Yet, I wish with all my heart that the Senator from Georgia would withdraw this amendment. I shall give my reasons.

The amendment goes to the bill before us. It provides that no money in the bill shall be used to pay an agency which would plan the surrender of the United States, or that no money shall be used to pay the salary of an employee of the United States who plans the surrender of the United States.

So the amendment contemplates that someone in our Government might plan the surrender of the United States. It would have to mean that someone in authority—yes, in high authority—would authorize the money to be spent, and would have to know that it was being spent, to plan the surrender of the United States. It could not contemplate surreptitious planning or treasonable planning, because otherwise the amendment would have no meaning.

If the amendment is meant to imply that today someone in the Government is planning the surrender of the United States, that is a very serious charge to make. While I did not hear all the debate today, I am informed that the President of the United States, the Vice President of the United States as Chairman of the National Security Council, and the Secretary of Defense have said that no such plans have been made.

If the amendment does not contemplate that plans are now underway, then it holds forth a doubt that some of the money provided in the bill may be spent to plan the surrender of the United States. That means that those who are in office today would permit, knowingly, or negligently, or carelessly, the money which we appropriate in the bill to be used to plan the surrender of the United States.

I cannot accept that implication. I cannot believe that anyone—the President, the Vice President, the Secretary of Defense, the Secretaries of the services, the great generals who serve us, or the responsible heads of agencies—would ever plan the surrender of the United States.

With all deference to the great Senator from Georgia, I think his amendment creates a doubt in the minds of the people of the country. It casts doubt upon those who are serving the country. It casts doubt upon the institutions of the country itself. It shows a lack of faith in the Government of the United States.

Every one of us knows that this Nation will never surrender; that no man or woman who has been elected as an officer of this Government, or whose nomination has been confirmed by the Senate, including the officers of the armed services, will ever surrender the United States. If the day comes when that will be done, this country is gone anyway, and we all know it.

Mr. REVERCOMB. Mr. President, with the Senator yield?

Mr. COOPER. I yield.

Mr. REVERCOMB. I have asked the Senator from Kentucky to yield, so that I may express my views on the subject.

First, I put this question: Is it not indeed amazing to the Senator from Kentucky that in the United States Senate we would even for a moment talk of something which might be construed as casting fear into the hearts of the people of the Nation? I cannot feel for one moment any fear or seriousness about the subject which has been brought up.

Does not the amendment offered by the able Senator from Georgia simply say that we are against a general wrong or a sin? In voting for such an amendment, I do not admit for 1 minute that such a condition exists, because I do not believe it does. I want that made very clear. I hope the Senator from Kentucky agrees with me on that point. I want it made distinctly clear that in voting for the amendment, I do not for 1 moment attach any seriousness to the existence of the act against which it is aimed.

Mr. COOPER. I know that to vote against the amendment can be badly misunderstood. Someone will say that if we vote against it, we in effect agree, perhaps, that money would be spent to plan the surrender of the United States.

Do we have so little confidence in our own patriotism, and our own positions, that we would cast a vote on that basis? I think not. I am not afraid of what my own people in Kentucky may think of my position. I know what I believe in, and what I stand for. I know what the people of my State stand for. I know what our country stands for.

The unfortunate feature of the amendment is that it will hold forth to the people of the United States the idea that there is some plan for surrender, or that the great officials who are now in office would permit plans to be made for surrender, or that even the future leaders of the country would permit plans to be made for surrender.

At this time, when at New York and in the Middle East we are confronting at least a potential enemy, does it sound reasonable that this great body should admit that there is even a possibility of the Government of the United States planning the surrender of the Nation, which has been successful in war after war since its very inception.

I, myself, cannot vote for the amendment, because I am not willing to say that I do not have faith in our Government today or faith in the governments which are to come, or faith in the people of the United States.

We will never surrender. We will go into the long night rather than surrender.

I am not willing to vote tonight to imply in any way that this Government, or any Government of the United States, will spend the money we appropriate to plan the surrender of the United States.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MORTON. I associate myself with the remarks of my colleague. I happened to be at sea for about 38 months during the Second World War, most of that time in command.

One of the unpleasant things which the Navy regulations required every week was the abandon-ship drill. But we never had a surrender drill.

I think if we vote for this amendment, we shall be making the world think we are having a surrender drill.

Mr. COOPER. I agree with my colleague. I knew he would take that position. I appreciate what he has said.

Mr. CAPEHART. Mr. President, I said earlier this afternoon about the same thing which has been said by the able Senators from Kentucky. I again say that I will vote for the amendment, because I think a vote against it will be 100 percent misconstrued by our mortal enemy, Russia. I certainly feel that we ought not to prepare plans for surrender.

But I think it is very, very unfortunate that there is such an amendment. I wish the able Senator from Georgia would withdraw it, or I wish the amendment would be tabled, because it is not good propaganda for the United States. I can see now the use to which Russia will put this amendment. Russia will say that the United States Congress had to vote for an amendment as a part of an appropriation bill in order to keep its great President and Secretary of Defense from planning to surrender to Russia.

Yet if we vote against the amendment, the inference will be that we favor some kind of surrender.

I honestly believe—and believe me when I say this—that one of the most serious things which could possibly happen in the history of the United States would be to vote for such an amendment. We are put in the same position as the man who is asked, "Have you stopped beating your wife?" If he says "Yes," he admits that he has been beating her; if he says "No," he admits that he is still beating her.

I can understand why the Senator from Georgia offered the amendment. I am not questioning his sincerity at all. It is true that he did not know the information had been placed in the CONGRESSIONAL RECORD a few days ago, and heard on the radio only this morning that there has been some studies. So as Chairman of the Committee on Armed Services he prepared the amendment.

But, Mr. President, believe me, I think the offering of the amendment is a mistake; and I think it would be a mistake for Senators to vote either for the amendment or against it, inasmuch as a vote against the amendment might be misunderstood in our country, and a vote in favor of the amendment might be misunderstood by Russia.

So, Mr. President, I believe the amendment should be laid on the table.

Mr. KNOWLAND. Mr. President, earlier in the day, at the time when the Senator from Georgia [Mr. RUSSELL] first raised the question in the Senate, there was some debate on this matter. Some Senators who now are on the floor were not in the Chamber at that time, and thus did not have an opportunity either to join in the debate or to listen to it, nor, of course, have they had an opportunity to read the CONGRESSIONAL RECORD for today.

I can state categorically that the President of the United States has not authorized the making of any study relative to the surrender of the United States that the article under discussion indicated had been made; nor has the President any knowledge of such a study; nor does he approve of the making of such a study.

This morning, I stated that the word "surrender" is not in the vocabulary of either the President of the United States or the Vice President of the United States. I stated that at the meeting of the leadership at the White House, on Tuesday morning, when question about the article was raised, and when the remarks made by the Senator from Missouri [Mr. SYMINGTON] were referred to, by the Senator from New Hampshire [Mr. BRIDGES], it was categorically stated by the President and also by the Vice President that no such discussion had even occurred in the Cabinet; that no such discussion, either directly or indirectly, had occurred either in the Security Council or in the private discussions of the President.

I had personally discussed the matter with the Secretary of Defense, who had given me the same assurances; I had also discussed the matter with other leaders.

I think it very important that tonight we recognize that in dealing with the defense of the Nation, no center aisle divides the Senate. The common defense of our Nation is a matter of the greatest importance to all Americans. On the World War I, World War II and Korean battlefields of Europe, and Asia the graves of Democrats, Republicans, Protestants, Catholics, and Jews are side by side; there is no difference.

The men who have given their lives for their country have done so as Americans, either in order to preserve the Republic, or in order to make possible the creation of the Republic, in the first instance.

If the Republic is to be preserved by us, we shall have to play our parts as Americans, without any partisan differences between us.

The problem which confronts us at this time is that the matter might be enlarged and magnified to such an extent that our enemies might try to indicate that such a plan is being made by the Government of the United States. Of course, such is not the case.

This morning I stated on the floor—and I shall take a moment or two to repeat it now—that even though only a

limited amount of time was available, as a result of the long sessions the Senate has held, I obtained a copy of the Rand book. I read it, not as carefully as it would be read by one who could use a week end for that purpose; but I did go through the book in some detail.

It is my very definite impression—and I say this on my responsibility as a Senator of the United States—that the book is a study of the historic facts in regard to the surrenders of the powers who were enemies of the United States in World War I and in World War II. As I have pointed out, the book discusses, as an example, whether it was advisable, in World War II for the United States to insist on an unconditional surrender by Germany, or whether it would have been better to have permitted the existence in Germany of some type of government similar to the group which tried to overthrow Hitler. The book points out that there was considerable belief that that group was taking action in the hope of obtaining better peace terms.

I have pointed out that the book published by the Rand Corporation discusses our dealings in regard to the surrender of Japan. A number of persons in our Government—men of high repute, deep conviction, and great patriotism—then thought that we should insist upon an absolute, unconditional surrender by the Japanese. But the book discusses the fact that, although it was recognized that the economic life of Japan was being strangled by the action we took against her, as our enemy, in World War II, and, although she was cut off from her supplies, there was still in the home islands of Japan a sizable Japanese army; and that, therefore, although we might have captured those islands by means of frontal assault, undoubtedly, according to the experts, that could have been done only at the cost of several hundred thousand American lives; and that, therefore, it is felt that we were wise in offering surrender to terms which were acceptable to Japan; that the Japanese Emperor occupies not only a temporal position, but also, I suppose, almost a religious position in the life of the Japanese people; and that, therefore, instead of insisting on absolute, unconditional surrender, it was wise to allow the Emperor to maintain at least his nominal position, even though Japan was occupied by our forces; and that, undoubtedly, that prompted the Japanese government then in power to surrender, whereas, under other terms, that government probably would not have surrendered.

The book also discusses the surrender of Italy, and the developments in that country; and it also discusses the surrender of France to the Nazi forces.

I think these things need to be said, because that publication does not contain anything, so far as I can find, that even suggests that there is any plan for the United States Government to surrender. Instead, the book is a treatise on what we might do with a future enemy who might wage war upon us, and whether at that time we should insist on an unconditfonal surrender or on a conditional surrender.

I think this statement needs to be made at this time.

Inasmuch as the hour is growing late, perhaps, in connection with this matter, Members on both sides of the aisle might like to have time for reflection on what is best for the Nation. After all, we are not considering what is best for Republicans or what is best for Democrats. The life of the Nation may be at stake.

So I would respectfully suggest to the majority leader—although certainly I would not do so without his permission; and I would leave the decision to him—that perhaps at this time the Senate might do well to take a recess until 10 a. m. tomorrow, and thus give Senators a chance to reflect on this situation, because I am certain that no Member of the Senate would wish, either knowingly or unknowingly, to do anything which might be detrimental to the future of the Nation.

Mr. ANDERSON. Mr. President, I wish to say that I agree with many of the statements which have been made by the able minority leader [Mr. KNOWLAND] and by the able Senator from Kentucky [Mr. COOPER].

No Member of this body thinks more of the able senior Senator from Georgia [Mr. RUSSELL] than do I. In my book, if a chart were to be made of the Members of the Senate, and if at the top of the chart were to be placed the name of the Senator who is regarded as being the most outstanding of all Senators, the name of the Senator from Georgia [Mr. RUSSELL] certainly would be high on the list, if not at the very top. He is the Senators' Senator.

I say to him that I hope tonight he will recognize that some implications of this matter are more important than the vote which will be cast if the amendment is put to a vote.

One of the rules of life that my father taught me was that good faith is more important than good fortune.

In my opinion, the Senator from Georgia [Mr. RUSSELL] can, if he wishes, succeed in having the amendment agreed to by a very, very substantial majority. In fact, if his amendment is put to a vote, probably I will not have as much courage as the Senator from Kentucky has, because probably I will vote for adoption of the amendment.

If there must be an expression as to what we would do in the case of surrender, then I want to be on the side of the very able Senator from Georgia. But if this proposal had come from some undistinguished citizen of America, it would have had no great standing around the world. If it had come from many other Members of the Senate, it might have been regarded as a hurried statement made without sufficient reflection. I know if I had advanced it, many would say, "He is not on the Armed Services Committee. He does not understand the difficulties which might arise."

But this proposal has come from a Member who is recognized around the world as standing at the very apex of the United States Senate. Therefore, he should consider the possibilities of its consideration in other parts of the world.

I am not too enthusiastic about the suggestion made by the Senator from California, because I want to return home, and I should think he would be extremely anxious to return home. But I would hope there would be a chance for this particular matter to come up at a later date.

I have no real right to appeal to the Senator from Georgia. He has been far more generous to me than I could ever be to him. I have been his opponent in historic fights, such as the fight over rule XXII. No one could ask for a more upright, conscientious opponent than the able Senator from Georgia.

Certainly he has a chance to win this fight. No one, in my opinion, should doubt the outcome.

I do believe his proposal has possibilities of great implications around the world. Therefore, I think it would be in keeping with the stature of one of the Senate's most distinguished Members if he were to agree to a postponement of the vote on his amendment or if he were to withdraw it.

Mr. WATKINS. Mr. President, a moment ago, when the minority leader suggested the taking of a recess until tomorrow morning, I was on the verge of making the same suggestion.

I am one of the Members who was unable to be on the floor of the Senate all day. Therefore, I did not hear all of the previous debate. So I am handicapped in that respect. Perhaps that is my own fault—although all of us realize that Senators have other duties to perform.

I believe that during the debate, some very important factors have been overlooked. First of all, nothing could be more helpful to the Communists' propaganda than some of the things that have been said here tonight. I do not know that any Member who has spoken tonight knows for a fact just how strong Russia is in all these fields. If any one of us were sworn as a witness, could he accurately testify that he, himself, actually knows these things? Or have Senators been relying on hearsay? Is it not probably a part of the Russian propaganda to get the people of this country to believe just what Senators have been mentioning as a possibility—namely, that the United States is far behind Russia in the progress being made in these fields. It may be that the Soviets are trying to give that impression. Let us not play their game to the point that we do things that will make us look ridiculous and will weaken our position before the world.

The Senator from Kentucky certainly pointed out one of the implications which might result from the taking of a vote tonight on the amendment. Without hearing much about it, most of us would have been inclined to vote for the amendment. I sincerely believe the Senate would be very unwise to vote on the amendment tonight. The session today has been a long one. If it is necessary for the Congress to remain in session 2 or 3 weeks longer, let us do so, if that will help the Nation. Political activities can wait. So far as I am concerned, I, too, must face a primary election on September 9th; but I am willing to remain in Washington as long as necessary in order to carry out my responsibilities to my country.

I do not want to be stampeded into taking some action which, after further reflection and after obtaining more facts, I might regret very much having taken.

So I hope that at this time the majority leader will move that the Senate take a recess until tomorrow, either at 10 o'clock or at noon, whichever he prefers.

Mr. RUSSELL. Mr. President, I must express my complete surprise at the statements which indicate a belief that I was undertaking in some way to stampede the Senate into adopting the amendment. I am even more surprised at the inferences which have been made at the 11th hour that, immediately upon the convening of the Senate today a campaign was undertaken.

This amendment was discussed on the floor for almost 2 hours. At that time I stated that nothing in the amendment is to be regarded as a reflection upon the President or upon other high officials of our Government, or as even implying such a reflection. I said then that the amendment was not intended as a reflection upon anyone.

But now, at the 11th hour, after the yeas and nays have been ordered, Members who have not been on the floor all day enter the Chamber toward the end of the debate and are seized with great misgivings about this proposal.

I may say to the distinguished Senator from Kentucky that no partisanship is involved in this amendment. Since I have been a Member of the Senate I have never taken an action affecting the national defense that in any wise was influenced by partisan considerations. If this very night the Chief Executive were a Democrat my position on the floor of the Senate would be exactly what it is now. In fact, I have not hesitated to speak more unkindly about Presidents who belonged to my own party, and to denounce them more vigorously, than I have ever done in regard to the present occupant of the White House.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RUSSELL. In a moment.

But, Mr. President, at this late hour, a number of hours after the first debate on my amendment, and after the yeas and nays have been ordered, we are told that this simple amendment would strike down the whole United States, would cause consternation to our allies, would imply that the United States is about to surrender.

My very purpose in submitting the amendment was exactly the opposite of all that. My purpose in submitting the amendment was to assure the American people that, under no circumstances and under no conditions, would any steps or plans be taken for the surrender of this Nation to any foreign foe. The very purpose of the amendment far from being an attempt to create doubt in the minds of those associated with us in what we call the Free World—was to convince the people, before any further studies of this kind were undertaken, that this Government would never, under any conditions or circumstances, surrender to the forces of godless communism.

So the purpose of my amendment, as stated today shortly after the Senate convened, and as reiterated again and again, both by me and by other Senators, is to put an end to the rumors, and to assure the people of the Nation that never—under no conditions, under no circumstances—would their Government surrender this country.

I appreciate the high compliment which has been paid me by my distinguished friend, the Senator from New Mexico [Mr. ANDERSON]. I assure him that there is no purpose on my part to roll up an overwhelming vote in support of the amendment. The Senator from Georgia is no stranger to defeat on the floor of the Senate. I doubt that any Senator has been defeated more often than I have been, in connection with proposals advanced on the floor of the Senate.

I have submitted this amendment in the best of faith. My purpose has been to have the American people told, by there representatives in Congress, that their Government would never, never surrender their country, this thing could not happen.

I did not hear, following my proposal of the amendment, any denial of the charges. I believe there are still three branches of this Government. We still have the executive branch, with its great responsibilities. We have the judicial branch, with its great responsibilities. But my responsibilities happen to be in the legislative branch of the Government. I shall not shirk my responsibilities, it matters not who is in the White House. I shall assume my responsibilities.

I am undertaking to say to my people that in no circumstances and under no conditions will the Congress of the United States be a party to appropriating one dime of funds which can possibly be used in any way which even contemplates the surrender of this country to those who would destroy us.

I cannot understand how Senators can find in the amendment, which says the Congress will not tolerate the expenditure of public funds for such a purpose, any suggestion that would cause the peoples of the earth to fear we have about thrown in the sponge and are drawing up plans for surrender. There is no question in my mind that the amendment will have exactly the opposite effect.

I do not quarrel with the Senator from Kentucky [Mr. COOPER]. I would be the last to quarrel with my friend from New Mexico [Mr. ANDERSON]. Every Member of the Senate who sees fit to vote against the amendment can do so without hearing one complaint from me. But it is my responsibility as a Senator of the United States to do what I feel I should do; and I felt I should do my part, as a member of the legislative branch of the Government, to tell the people of the United States—yea, to tell the people of the earth—that not one person in the legislative branch of the Government of the United States will tolerate the expenditure of one dime of public funds for any plan, program, or concept which could possibly contemplate a surrender, so long as one American is alive, whatever be the state of our defenses or whatever be the offensive power of Russia. I did not bring that issue into the debate. We would never, under any circumstances, surrender.

I find in the amendment nothing which would terrify the Free World or the American people. On the contrary, I think the amendment will constitute a reassurance that the Congress of the United States—the representatives of the people, in the branch of our Government which is closest to the people—has taken a stand to see to it that not one dime of tax money will ever be expended for any purpose such as that envisioned in the report.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New Hampshire.

Mr. BRIDGES. The Senator from Georgia, in my judgment, is absolutely correct. The legislative branch of this Government has a responsibility. I would not have raised the question first, and I am sure the Senator from Georgia would not have done so, but the question has been raised.

I told the Senate earlier today and I repeat tonight that I raised the question with the President of the United States on Tuesday morning, and the President of the United States was horrified that such a thing had been reported. The President said there was absolutely not a word of truth in it, so far as he knew, and he ordered an immediate investigation. I believe the President of the United States, and I believe in his sincerity about this matter.

I not only would take the step advocated by the Senator from Georgia, but I believe the executive department, when it has completed the investigation, should summarily dismiss any person connected with the Federal Government who directly or indirectly has participated in such an undertaking.

I think the Senator from Georgia, with his very great ability, is acting in a nonpartisan way, in the manner in which he administers the Armed Services Committee of the United States Senate. The Senaor does a great job and a fair job, regardless of politics. I think the Senator from Georgia is to be commended, instead of condemned, on the floor, and I hope the Senate will support him.

Mr. RUSSELL. I thank the Senator from New Hampshire.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Kentucky.

Mr. COOPER. I hope the Senator from Georgia will not believe that I, in any way, imputed to him any partisanship in offering the amendment. I prefaced my remarks by saying what I truly believe: that there is no greater patriot in the body than the Senator from Georgia. I think the Senator knows that when I say that, I mean it. I imputed in no way any partisanship to the Senator from Georgia. I know the Senator is moved by the highest and noblest purpose.

But I have to draw my own conclusions, so far as my own responsibility is concerned, about what I think the implications of the amendment would be. In my view, the adoption of an amendment of this kind will not shore up the strength or the defense of the United States. What will shore up our strength and defense is some positive action on the part of our leaders, and on the part of the Congress of the United States, to make sure that our defenses are sound. We should be willing to make sacrifices ourselves. I do not believe we make secure the defense of the United States by passing resolutions.

Again I assure the Senator of my high regard for his motives.

Mr. RUSSELL. I accept the statement of the Senator from Kentucky. I have the highest respect for the Senator from Kentucky, but the Senator stated the only implication he could draw from the amendment was a lack of confidence in the President of the United States and other high officials of the United States. The amendment is an effort to help them, rather than to harm them, and it is not a reflection on their integrity or patriotism.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Utah.

Mr. WATKINS. I used the word "stampede" inadvisably, I will admit, but the pending business now before the Senate, to which the amendment applies, was not the pending business earlier in the day.

Mr. RUSSELL. No, it was not.

Mr. WATKINS. I had no knowledge that this kind of discussion was going on. I thought the Senators were discussing matters related to the pending business of the Senate. I never dreamed a discussion of this kind was going on, until I heard it tonight.

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order. Senators will kindly take their seats. If Senators desire to converse they will retire to the cloakrooms.

The Senator from Utah may proceed.

Mr. WATKINS. That was the reason I said what I did. I do not cast any reflection upon the distinguished Senator from Georgia. I hold the Senator in very high regard.

Mr. RUSSELL. I am grateful to the Senator.

Mr. WATKINS. I think the Senator from Georgia is one of the most patriotic men in this country, and one of the most able.

Mr. RUSSELL. I thank the Senator.

Mr. WATKINS. The same is true with respect to the able majority leader and other Senators who have spoken.

However, under all the circumstances, there is a question in my mind. I have not been able to make up my mind, on the basis of the information I now have, as to what would be the wisest course to pursue with respect to the matter. That is the reason I join with the minority leader in suggesting we should take a recess and vote on this amendment in the morning. We stayed in session late last night. It was 1 o'clock before I was able to retire. Other nights we have been working long hours.

I think under the circumstances, since most of us are getting to the point of being tired and weary, we ought not pass on an important matter of this kind, which honest men who are sincere and patriotic believe may cast some implications which it would be dangerous to raise. I do not think it is necessary to pass upon the matter tonight, to keep somebody from committing treason against this country. In a way there may be that implication.

Shall we say, "You who will have the obligation of spending this money cannot spend it for any purpose or any plan for the surrender of this country"? I assume and presume that all Americans are loyal, exactly as I presumed any man who used to come into my court who was charged with an offense was innocent until proved guilty.

The amendment contains, in my mind, some implications, at least, and I think we ought to reflect a bit on them rather than take action tonight. That is all I am asking for. I am not for or against the amendment at the moment. I simply do not know what position to take. That is an honest confession.

Mr. KEFAUVER. Mr. President, I have had the privilege of serving with the distinguished Senator from Georgia on the Committee on Armed Services for many years. I can think of no occasion when I have ever disagreed with him in the slightest on any matter affecting the armed services of the United States. I am sure we have no disagreement now.

I have had the privilege of serving in the Congress about 19 or 20 years. It has never occurred to me we should have—and I do not believe any Member of Congress, any member of the executive branch I have known, or any member of our Military Establishment has ever thought seriously about—any plan in connection with surrender of the United States. That is not a part of our vocabulary.

There is no authorization for any such study. It is not in keeping with the spirit and traditions of our Nation. It seems to me that we are taking a pretty far step in adopting an amendment to refute some book which none of us has had an opportunity to read. None of us knows what its contents are. One can go to a newsstand and find an article upon nearly any subject, written by an important person.

But when we have the assurance of the President of the United States, the Vice President, and others in the executive and legislative departments that this cannot be true, that they will immediately discharge anyone who is found thinking about a study of this kind; when we know that if the attention of Congress were brought to anyone who was considering anything but the defense and protection of the United States, he would be immediately brought to light and discharged, I believe that at this late hour, without having an opportunity to verify the information which has been brought to our attention, we would be making a great mistake in adopting the pending amendment.

I understand the point of view of the distinguished Senator from Georgia. We wish to make it clear to everyone that no one can have any such plans; and that the Congress of the United States would not countenance the spending of a penny for that purpose. But I still believe that there is something to the idea that if our friends feel that we have to adopt an amendment on the subject, they might not understand. I believe that our friends and our enemies alike know that such a thing would not be done in the United States. The legislative and executive departments would never countenance such a thing. So I hope, in the interest of giving all of us an opportunity to think over the question during the night, it would be well to take a recess.

We all have the same viewpoint as that of the distinguished Senator from Georgia. It would be very difficult for any one of us not to follow his distinguished leadership. We wish to establish the same principle. I believe it might be well to pass over this amendment tonight, to allow us an opportunity to think it over.

Mr. CAPEHART. Mr. President, I offer, as a substitute for the amendment of the able Senator from Georgia, the following: At the end of the bill, add a new section, as follows:

We have the utmost confidence in the President of the United States that no funds appropriated herein will be used to study the possibility of the surrender of this country and its people to any foreign power.

I think that is better than the pending amendment. At least it is as good. We have confidence in the President of the United States. He has already stated to us that he did not authorize the study we have been debating. He knew nothing about it, and he was opposed to it. I even heard him make the statement that if he found out who was responsible for it, he would dismiss him.

I think we can accomplish two things. We can say to the world that we are showing confidence in our President, and at the same time we can make certain that no one under him, unbeknown to him, uses these funds for any such purposes. I submit my amendment as a substitute.

Mr. THYE. Mr. President, will the Senator yield before he offers the amendment?

Mr. CAPEHART. Certainly.

Mr. THYE. I would assume, if I had not read the amendment and had not listened to the colloquy today, that there was a suspicion that the President had been involved in this proposal. For that reason I believe it would be unwise to adopt such an amendment.

Mr. CAPEHART. If we adopt the amendment of the Senator from Georgia, the inference will be either that funds have been used in the past for such purpose, or that they will be so used in the future. That is the inference to be drawn from the Russell amendment. We cannot win on a question of this kind. It is like the question, "Have you stopped beating your wife?" If the answer is in the affirmative, one admits that he has been beating his wife. If the answer is in the negative, the inference is that he still continues to beat her.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Indiana as a substitute for the amendment proposed by the Senator from Georgia.

The CHIEF CLERK. At the end of the bill it is proposed to add a new section, as follows:

We have the utmost confidence in the President of the United States that no funds appropriated herein will be used to study the possibility of surrender of this country and its people to any foreign power.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Is the pending bill an appropriation bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE of South Dakota. Is a declaration of policy such as is proposed in the pending amendment in order on an appropriation bill?

The PRESIDING OFFICER. The Chair is advised that the declaration of policy is not a matter of legislation, and that it is not subject to a point of order.

Mr. CAPEHART. Mr. President, I ask for the yeas and nays on my amendment.

Mr. CASE of South Dakota. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. How was the amendment proposed by the Senator from Georgia offered?

The PRESIDING OFFICER. The amendment of the Senator from Georgia was offered earlier in the day to the appropriation bill, as a regular amendment to the appropriation bill. The amendment offered by the Senator from Indiana is proposed as a substitute for the amendment offered by the Senator from Georgia.

Mr. CASE of South Dakota. Was the amendment of the Senator from Georgia offered after due notice? Or was the amendment offered by the Senator from Georgia offered as a limitation on an appropriation bill?

The PRESIDING OFFICER. Will the Senator restate his inquiry?

Mr. CASE of South Dakota. A little while ago when I was at the desk I was under the impression that there was an introductory paragraph in the amendment offered by the Senator from Georgia which brought it under the rule requiring a two-thirds vote. I was wondering whether that rule would carry over to the amendment offered by the Senator from Indiana as a substitute.

The PRESIDING OFFICER. The amendment offered by the Senator from Indiana is a complete substitute for the amendment offered by the Senator from Georgia, and would therefore replace it. There would be nothing in the amendment of the Senator from Georgia which would have any effect on the amendment of the Senator from Indiana.

Mr. CASE of South Dakota. Mr. President, one further question.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Does the amendment offered by the Senator from Indiana impose any administrative duties, or does it carry affirmative legislation?

The PRESIDING OFFICER. It is the understanding of the Chair that the answer to the Senator's question is in the negative.

Mr. CASE of South Dakota. On that basis it is not legislation.

The PRESIDING OFFICER. That is the ruling of the Chair.

Mr. CAPEHART. Mr. President, unless the author of the original amendment, the distinguished Senator from Georgia [Mr. RUSSELL] is willing to accept my substitute, I will withdraw it. I feel that it would be a good compromise to show confidence in the President of the United States; but unless he is willing to accept it, I will not press it.

Mr. RUSSELL. Mr. President, I could not accept the amendment of the Senator from Indiana, because in my opinion his amendment might indicate some lack of confidence in the President of the United States, who is certainly not under attack in the amendment I have proposed. I do not think it is necessary for anyone to express his confidence in the President of the United States. In my opinion, every Member of this body has confidence in the President of the United States.

Mr. CAPEHART. Mr. President, I shall not delay the Senate longer. I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Indiana has withdrawn his amendment.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Monroney
Allott	Gore	Morse
Anderson	Green	Morton
Barrett	Hayden	Mundt
Beall	Hennings	Neuberger
Bennett	Hickenlooper	Pastore
Bible	Hobitzell	Potter
Bricker	Hruska	Proxmire
Bridges	Humphrey	Purtell
Bush	Jackson	Revercomb
Butler	Jenner	Robertson
Capehart	Johnson, Tex.	Russell
Carlson	Johnston, S. C.	Saltonstall
Carroll	Jordan	Schoeppel
Case, N. J.	Kefauver	Smathers
Case, S. Dak.	Kennedy	Smith, Maine
Chavez	Kerr	Sparkman
Church	Knowland	Stennis
Clark	Kuchel	Symington
Cooper	Langer	Thurmond
Cotton	Lausche	Thye
Curtis	Long	Watkins
Dirksen	Magnuson	Wiley
Douglas	Malone	Williams
Dworshak	Mansfield	Yarborough
Eastland	Martin, Iowa	Young
Ellender	McClellan	
Ervin	McNamara	

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. HILL], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate to attend the NATO Parliamentary Conference in London as chairman of the Economic Section of the General Affairs Committee.

The Senator from New York [Mr. IVES], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from New Jersey [Mr. SMITH] are detained on official business.

The PRESIDING OFFICER (Mr. CLARK in the chair). A quorum is present.

ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. JOHNSON of Texas. Mr. President, an order has previously been ordered that when the Senate ends its deliberations today, it recess until 10 o'clock tomorrow morning. I ask unanimous consent that the order be modified that the Senate will convene at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION ON FRIDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry may meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, what I am about to say does not represent my judgment, but I believe it represents the judgment of the majority of Senators present. I shall shortly suggest that the Senate recess and that there be no votes this evening.

I think it would be the better part of wisdom for Senators to stand courageously, face up to the pending amendment, on which the yeas and nays have been ordered, vote on it, and say to the people of the country and the people of the world what the amendment provides.

It is not a negative amendment. It does not express a lack of confidence in anyone.

Some of my friends on both sides of the aisle want time to think about it. I believe in majority rule. I will submit to what I believe are the wishes of the majority of my friends who desire to

have an adequate opportunity to debate any suggestions to offer, we would be glad

is our further understanding that logging op-

last night. It was 1 o'clock before I

adopting the pending amendment.

the affirmative, one admits that he has

iden, one further question.

ROLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Wyo-

to what I believe are the wishes of the majority of my friends who desire to

have an adequate opportunity to debate the matter, deliberate on it, and discuss it.

Empires have been destroyed while the people dilly dallied. In my opinion, the longer we play with it, the worse it will get. I hope we can come to an early conclusion on this question.

Mr. MORSE. Mr. President, I have received the following telegram from Gov. Robert D. Holmes, of Oregon, on the supplemental appropriation bill:

SALEM, OREG., *August 14, 1958.*

Hon. WAYNE MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.:

I have wired Hon. CARL HAYDEN, chairman of Senate Appropriations Committee, the following message: "State of Oregon has deep interest in full appropriations for adequate civil defense. The supplemental appropriation providing for contributions by the Federal Government to the State and local governments for personnel and administrative civil defense expense is absolutely necessary for proper implementation of H. R. 7576. Urge that you take immediate action to provide these most essential funds."

ROBERT D. HOLMES,
Governor.

BIG TIMBERMEN AND SMALL BUSINESS ACT OF 1958—PART II

Mr. MORSE. Mr. President, on August 5th on the floor of the Senate I stated:

It has come to my attention that spokesmen for the larger timber interests, the Industrial Forestry Association, and the National Lumber Manufacturers Association, have been suggesting to the Small Business Administration that it not implement the provision of this law—the product of a Senate amendment—which would permit a small business set-aside program for timber.

My remarks were based upon a letter of July 30, 1958 from Wendell B. Barnes, Small Business Administrator, and I ask unanimous consent that it appear at this point in the RECORD. It speaks for itself. Mr. Barnes is in an excellent position to know whereof he speaks. You will note that he advised me in no uncertain terms that these associations opposed the law and its implementation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D. C., July 30, 1958.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: I have your letter of July 21, 1958, and want to assure you that in implementing the new provision of our act regarding sales of Government property the interests of small business will be protected. We are currently meeting with representatives of the Forest Service in an effort to formulate mutually agreeable procedures so that a satisfactory program can be conducted in the timber industry.

As you point out in your letter, several association groups have expressed opposition to this new provision of our act. Representatives of the Industrial Forestry Association and the National Lumber Manufacturers Association have met with members of my staff and expressed opposition to the law but also to our implementation thereof. They were advised that we intended to implement this new provision and if they had any suggestions to offer, we would be glad to consider them.

Our discussions with the Forest Service have pointed up the fact that there are regional variations in the size of mills. It may well be that we will have to adopt a different definition for small mills in each of the three major lumber areas of the country.

I appreciate your interest in this program and shall keep you advised of our progress. With regard to the availability of funds, the bill which contains our fiscal year 1959 appropriation is scheduled for consideration by Senate and House conferees within a few days. For your information I am enclosing a copy of my recent testimony before the Senate Appropriations Committee.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

Mr. MORSE. I also ask permission to have printed in the RECORD a letter dated August 5 from the National Lumber Manufacturers asking me 10 questions, and my reply of August 8, 1958. In my letter I invited the National Lumber Manufacturers to state whether or not they opposed this amendment.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL LUMBER
MANUFACURERS ASSOCIATION,
Washington, D. C., August 5, 1958.

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: On July 1, 1958, the Senate adopted certain amendments to the Small Business Act proposed by you and eight other Senators which would afford small-business concerns a preference in the disposal of Federal property. In your floor remarks you refer to the beneficial effects that would flow from these amendments in the sale of Government timber. The amendments have now been enacted into law.

As was to be expected, members of the lumber industry and lumber industry associations have become greatly interested in this matter and are seeking information from us concerning the effect of the law on the procurement of Government timber and on their operations. We have recently had preliminary discussions with officials of the Forest Service, Department of Agriculture, and with officials of the Small Business Administration. Although these agencies are actively studying the Small Business Act and its meanings, they have not as yet developed answers to many of the questions we are being asked.

It occurred to us that you and your colleagues in the Senate who have proposed the amendments with which we are concerned could provide us with answers to some of these questions, at least so far as the intent of the legislation is concerned. It will be much appreciated, therefore, if your office would be so kind as to help us obtain a fuller understanding of this matter and would supply us with your answers to the following questions:

(1) Is it your view that the present Small Business Administration definition of small business relating to the forest industries should apply in administering your amendment to Public Law 85–536? Parenthetically, we understand that in the case of procurement by the Government, the SBA has considered a sawmill, planing mill, or logging operation employing 500 or less persons a small business. In the case of management, technical and financial assistance operations, the criterion has been 250 or fewer employees for sawmills and planing mills. It is our further understanding that logging operations have not as yet been defined by the SBA as an activity separate from a sawmill for procurement purposes.

(2) If your answer to question (1) is "No", what do you consider would be a proper definition of a small business concern with regard to: (a) lumber (and other forest products) manufacturing; (b) logging; (c) a combination of (a) and (b)?

(3) Should the definition of small business for (a), (b) and (c) in question 2 be different according to geographic regions or major timber types?

(4) How should the words "fair proportion" be interpreted, as used in the clause, "to insure that a fair proportion of the total sales of Government property be made to" small business enterprises?

(5) The new law provides that the "set-aside" program in Government sales will not affect or change any of the preferences or priorities established by law with respect to the sale of electrical power or any other property by the Government. Does this have any special significance with reference to Government timber?

(6) It is stated in the conference report that:

"Where, in connection with the disposal of Federal property, a portion of such property is set aside for sale to small business under this new authority, the price to small business will be established on the basis of the price obtained by the Government on that portion of the Government property available to bidders both large and small. That is, to get an award on the portion set aside for small business a small business bidder must meet the lowest successful bid on the portion not set aside. In case of a 100 percent set-aside for small business the highest bid must be a reasonable price in order to be accepted by the Government."

Ordinarily, in timber sales if a bid is a successful bid, it is the highest bid offered and accepted. How should the words "lowest successful bid" be interpreted? If the small business bidders must meet the "lowest successful bid" on the portion set aside in order to purchase set-aside timber, he presumably would be obtaining the timber at some price which would not necessarily reflect the appraised price. (The appraised price is usually considered to be an estimate of the fair market value.) In the case of a 100 percent set-aside for small business, would the term "reasonable price" mean the appraised price or would it have some other meaning?

(7) The question raised in (6) in turn raises questions concerning the extent of the set-aside of timber and the manner of accomplishment. Will the set-aside of timber be in geographical units? If so, will such units be established within working circles, within national forests or within some other geographic unit? Or will the set-aside be based upon some fixed proportion of the allowable cut within working circles, or national forests, or States, or regions? In either case, on what basis would the set-aside be determined? That is, how much set-aside would be considered reasonable and what criteria would you use to determine reasonableness?

(8) What new procedures do you feel are necessary under the law to keep small business informed of proposed disposals of Government property?

(9) What technical or managerial aids to small-business concerns engaged in the timber business do you think should be supplied under the law?

(10) What type of studies under the law do you think should be conducted by SBA concerning such small-business concerns?

We hope you will not feel from this rather formidable array of questions that we are not sympathetic with a fair and equitable system for the sale of Government timber to

all interested parties, small, medium or large, nor should this letter be construed in any way to suggest that we are unsympathetic with sincere efforts to rectify any maladjustments that may exist. Answers to the above questions will serve a most useful purpose so far as we are concerned. They will help us understand better the reasons for the amendments you have introduced; they will provide information with which we can answer inquiries; and they will provide knowledge upon which we may be able to develop helpful cooperation with the Federal agencies concerned with this legislation.

I am taking the liberty of sending a copy of this letter to the United States Forest Service and to the Small Business Administration for their information.

Sincerely,

A. Z. NELSON,
Director, Forestry and Economics Division.

AUGUST 8, 1958.

Mr. A. Z. NELSON,
Director, Forestry and Economics Division, National Lumber Manufacturers Association, 1319 18th St., NW., Washington, D. C.

DEAR MR. NELSON: Insofar as I can, I am glad to try to answer the questions you ask in your letter of August 5, 1958.

When Congress adopted the amendment to give small business certain preferences in the disposals of Federal property, it indicated its general legislative intent, and as in many other Federal statutes, it left it up to the administrative agency—the Small Business Administration—to implement and administer the general legislative mandate. Fortunately, the course was not wholly uncharted. We have the existing analogy of delegated authority in cases involving set-asides for small business in the Federal purchasing field.

Under our amendment, the administrative agency will write the rules and regulations with due regard for the public interest and the general intent expressed by Congress, and with full consideration to the basic purpose for which the agency was created—that of assisting small business.

In answer to your first three questions, I would hope that the definition of small business would be fixed at a number of employees representative of the breaking point between large and small for the major geographic areas of the Nation. It is my hope that SBA will get the facts together on the makeup of the industry and then try to reach its conclusion on an objective basis.

Your fourth question is a broad one that will have to be answered pursuant to an administrative determination after the facts are in on the points above. Naturally, if there should be contentions about the administrative decision, it would be reasonable to expect Congress to assist by studying the matter if requested.

The reference to priorities as found in your fifth question does not have any special significance for timber. The only possible problem could come up under one part of the 1944 act which, in effect, permits timber to be allocated to communities or companies. I would presume:

(a) that a cooperative agreement being a contract could not be disturbed by a set-aside, and (b) there could be a set-aside within a Federal unit area if requested.

Your sixth and seventh questions I will take together. In a set-aside it would be my thought that small business would be entitled to bid on the timber set aside in open competitive bids and would have to offer to pay at least the appraised price set by the Forest Service or Bureau of Land Management. I have not fully considered whether it would be practical to try to make a division of small timber sales among small-business men. Although a division or allocation might be requested, I would prefer to await a test of the effectiveness of competitive bids in satisfying small-business needs.

It would be my expectation that requests for a set-aside would emanate from an individual or a group in an area. At the outset, I would be of the opinion that geographical limitations on potential small bidders should not be imposed. If small bidders from far away can outbid the local concerns, perhaps it would be well to examine whether they are operating at reasonable efficiency.

I would look forward to your suggestions, those of the SBA or any other group, on the last there questions you raise. At this time one study comes to my mind. Much wood is wasted in sawmill that could be converted to useful products. I can think of no greater service that could be performed than for SBA to study what can be done to help small firms productively utilize or sell this material which is now being wasted.

It should be understood that the thoughts I express are my personal views. They should not be used to suggest to the Federal agencies or anyone else that I recommend one course of action over another or any specific course. These views are subject to revision as the facts are developed. I am sure you can appreciate that if I attempted to answer your letter in full detail I would in effect be writing the regulations for the Small Business Administration. This is not my job. I am sure you can also appreciate, however, that there were certain general considerations in my mind when I concluded to support the Senate amendment. These were not detailed and specific, but rather were based on the broad view that small business is the mainspring which has made our Nation what it is today. It deserves my continued support. I am convinced if we permit small business to wither we will be causing the destruction of one of America's vital strengths.

I am enclosing for your information a copy of my remarks on the Floor of the Senate on Tuesday, August 5. If the suggestions you were reported to have made to the Small Business Administration were not made, I shall immediately clarify the matter with officials of the SBA and make a full statement on the Senate floor. Since the adjournment of Congress is imminent, time is of the essence should you desire prompt action.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter dated August 12, 1958, from the National Lumber Manufacturers Association.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL LUMBER
MANUFACTURERS ASSOCIATION,
Washington, D. C., August 12, 1958.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Mr. A. Z. Nelson, director of our division of forestry and economics has handed me your letter of August 8, 1958, written in response to his letter to you of August 5 in which he outlined 10 specific areas of inquiry concerning the meaning of your amendments to the Small Business Act of 1958.

We appreciate your prompt attention to the questions contained in Mr. Nelson's letter although, as you acknowledged, it was not in the detail we had hoped for. We have also noted the final paragraph of your letter with reference to your remarks on the floor of the Senate on August 5. I must say frankly that I am surprised and puzzled by the comments contained in your speech regarding the National Lumber Manufacturers Association.

Since the lumber industry includes so many sawmills falling within the generally accepted understanding of what constitutes a small business it is difficult indeed for me to understand why it should be assumed by anyone that the National Lumber Manufacturers Association would act to jeopardize the existence of the small lumber manufacturer. On the contrary, all possible efforts are made by this association to encourage and develop a healthful climate for the lumber industry—and units of all sizes.

We are extremely interested in your amendments to the Small Business Act of 1958. They appear difficult to interpret however and in order to serve our members, efforts have been made by me and officials of this association to elicit the thinking and viewpoint of the responsible Federal agencies. On July 15 this association contacted the Forest Service with regard to your amendments. The Service itself did not yet understand the full implications of the amendments but stated they were receiving study.

On July 25 officials of this association met with Mr. Donald A. Hipkins, Deputy Administrator of the Small Business Administration. Questions were again asked as to the implications of the amendments but at that time SBA was still studying the language and for the time being most of our questions were left unanswered. The association was invited to provide SBA with any suggestions it might have regarding the operation of the Small Business Act as it may apply to the lumber industry and to the procurement of Government timber. The association assured SBA of its helpful cooperation. Contact was also made with the Department of the Interior.

Followup letters dated August 5 were directed by this association to both the Small Business Administration and the United States Forest Service again assuring those agencies of the desire of the National Lumber Manufacturers Association to be of all possible assistance in the development of practical operating procedures under the new law. In his letter of August 5 to Mr. Donald A. Hipkins, Deputy Administrator, Small Business Administration, Mr. Henry Bahr, vice president and general counsel of National Lumber Manufacturers Association assured SBA of the intention of this association to be helpful. Mr. Bahr also advised Mr. Hipkins that "we have written Senator MORSE asking him for answers to a number of questions on this matter and have also written to the United States Forest Service."

Our efforts to learn more about the intent of your amendments included, of course, Mr. Nelson's letter to you of August 5, his telephone call to your administrative assistant, Mr. William Berg, and his personal conference with Mr. Berg on August 6. I am sure you can appreciate the fact that your August 5 remarks on the floor of the Senate came as a surprise to us in view of the fact that Mr. Nelson had told Mr. Berg that same day that National Lumber Manufacturers Association did not oppose the amendment and, in fact, had not arrived at a position of any kind.

You will recall that Mr. Nelson concluded his letter to you of August 5 by saying:

"We hope you will not feel from this rather formidable array of questions that we are not sympathetic with a fair and equitable system for the sale of Government timber to all interested parties, small, medium, or large, nor should this letter be construed in any way to suggest that we are unsympathetic with sincere efforts to rectify any maladjustments that may exist. Answers to the above questions will serve a most useful purpose so far as we are concerned. They will help us understand better the reasons for the amendments you have introduced; they will provide information with which we

can answer inquiries; and they will provide knowledge upon which we may be able to

resentatives met all day Tuesday with the

ner—that is, $1,000 a year for each of 4

has done in the educational field. If for the coming decade. This assumption is

can answer inquiries; and they will provide knowledge upon which we may be able to develop helpful cooperation with the Federal agencies concerned with this legislation."

The National Lumber Manufacturers Association had but scant knowledge of the amendment involving small timber operators prior to its passage. You did not seek our views prior to its introduction. As I indicated previously in this letter this association does not understand the full ramifications of the amendment to the Small Business Act. Rather than opposing the amendment our efforts to date have been only to attempt to cooperate with responsible Federal agencies to arrive at full and agreeable understanding of these new provisions of law. Since we have an obligation to our industry to obtain information for it on all matters that affect it, our interest in seeking information can in no way be construed to be opposition. Accordingly, we reserve the right to express our views on this matter in the future based on the operations under this measure and the results obtained in the future.

The Deputy Administrator of SBA, with whom reportedly you have had frequent contact, has assured us that nothing he has said to you following our visit with him could be used as a basis for the conclusion reached by you in your Senate floor statement. This letter written at your suggestion is addressed to you in an effort to bring to your attention the full record of our interest in this amendment to date. After you have read this letter and after further reflection it is my hope that you will take the Senate floor to correct the impressions you have made regarding our position.

It is indeed regrettable that representatives of this association have not been permitted to discuss this matter with you personally to clarify the situation and your intent. However, I would like to assure you that we continue to stand ready to discuss problems of mutual interest and concern with you.

Sincerely,

MORTIMER B. DOYLE.

Mr. MORSE. Mr. President, this association denies the representations I made, and I rest my case on the clear and unequivocal statement of the Administrator of the Small Business Administration as to the position of this lumber association. The public can judge for itself and render its own verdict.

I am pleased, however, to note that the National Lumber Manufacturers Association now indicates its desire to be cooperative.

I turn to another subject.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

REMARKABLE ACHIEVEMENT OF GOVERNOR HOLMES, OF OREGON, IN LABOR DISPUTE MEDIATION

Mr. MORSE. Mr. President, last night I received a telegram from Mr. Charles Brooks, the manager of my Oregon office, which reads as follows:

Settlement of the 5-week construction labor dispute mediated by Gov. Robert D. Holmes was accomplished tonight by acceptance of an agreement by members of the Hoisting and Portable Engineers Local 701. Earlier in the day the Associated General Contractors approved package settlement. The settlement of the prolonged dispute, which began July 9, was worked out Tuesday, August 12, in Governor Holmes' office in Salem. Union and management representatives met all day Tuesday with the Governor and Federal Mediator Leroy Smith before coming up with an agreement that night. Settlement means work will resume within a few hours on some jobs. Resumption of work depends upon conditions at the various projects.

The remarkable aspect of this achievement of Oregon's outstanding Governor lies in the fact that the parties had reached a deadlock on Friday, August 8, with no prospect for further negotiation or amicable settlement.

On Monday, August 11, Governor Holmes summoned the negotiating committee of the Associated General Contractors, the union, and the Federal mediators to his office for the purpose of resolving the dispute. These parties met in the Governor's office at 10:30 in the morning of Tuesday, August 12, and worked throughout the day. After 11 hours of discussion and "give and take" under the masterful guidance of Governor Holmes, they reached a package agreement which was satisfactory to all concerned.

This is simply another illustration of the tremendous capabilities of Gov. Robert D. Holmes of Oregon. It demonstrates how wise the people of Oregon were in selecting this brilliant man as their chief executive.

THE NATIONAL SCHOLARSHIP FUND

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by me regarding the scholarship provisions of the amendment adopted by the Senate Wednesday night during the consideration of the National Defense Education Act of 1958.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

My attention has been called to a news article appearing in today's Washington Post, commenting on the amendment which I offered Wednesday evening regarding the scholarship section of the Defense Education bill. My amendment was approved by vote of the Senate. The article makes the following statement:

"But before approving the bill, the Senate slashed the scholarship provision from the $1,000-a-year grants suggested by President Eisenhower to awards of $250 a year.

"The amendment, proposed by Senator JOHN SHERMAN COOPER (Republican of Kentucky) was approved 46 to 42. It cut the cost of the proposed 4-year scholarship program from $17.5 million a year to $5 million. Scholarships would go to about 23,000 students a year."

I comment on this statement because it does not give the full facts regarding my amendment, and could be misleading to those who are interested in the scholarship program.

The committee bill proposed that sums to a maximum of $1,000 a year could be awarded to a scholarship winner for 4 years, a total of $4,000. Of this amount, $500 a year, or a total of $2,000 for the 4 years, would be an outright grant. The remaining $500 per year, or $2,000 for the 4 college years, would be awarded as a grant if the student established need.

My amendment would make exactly the same sum available to a scholarship winner—that is, $1,000 a year for each of 4 years.

The difference between my amendment, which was adopted, and the committee bill, is this: $250 of the $1,000 per year available to a student would be an outright grant. The remainder of $750 per year would be available to the student as a loan on very easy terms.

Title III of the committee bill itself provides the terms of the loan. The student has 10 years to repay the loan, which bears interest at 2 percent. No security is required. No payments are required while the student is in college, in military service, or teaching in an elementary or secondary school. Further, the loan would be forgiven at the rate of 20 percent per year for teaching in secondary and elementary schools.

There can be differences of opinion as to whether the scholarships should be financed wholly by grants, or partly by loans as my amendment provides. But it should be clear that my amendment would make available to a student receiving a scholarship award the same amount as the committee amendment—$1,000 per year—and to approximately the same number of students, 20,000 a year.

The House eliminated entirely the scholarship program. My amendment would preserve the scholarship program.

I supported and voted for the national defense education bill, as I have supported bills to aid education during my entire service in the Senate. Nevertheless, I believe that the scholarship provisions of the bill are rather loose. The scholarships will be awarded by commissions appointed by the governors of the States. There are no firm requirements that students to whom they are awarded shall have attained high scholastic standing in high school. Again, there are no firm requirements that the students awarded scholarships shall maintain high standards of scholarship in the colleges they attend. Further, the State commissions, rather than the college which the student is attending, will make the determination as to whether students receiving scholarships are maintaining acceptable standards.

If the scholarship program should be loosely administered it would be very unfortunate, for then it would not achieve its purpose. It was my view that my amendment—providing an outright grant of $1,000 for the 4 years, and a loan of up to $3,000 per person—would attract the best and most serious students. If this is true, the value of the scholarship program would be confirmed. This is the reason that I offered my amendment, and I assume that it was accepted by the Senate.

The news article is also unclear in referring to the amount of money made available for the scholarship program under my amendment. The figures quoted do not take into account the availability of funds to provide the loans of $750 per year for 20,000 new scholarships a year. My amendment provides $5 million the first year for the grant portion of the scholarships, plus up to $15 million in loan funds.

As the scholarship program was not accepted by the House, I believe that my amendment, which joins grants and loans, will be attractive and acceptable to the House.

FEDERAL AID FOR EDUCATION

Mr. BRICKER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an analysis I have made of the bill passed last night by the Senate, which I opposed.

I ask also to have printed in the RECORD as a part of my remarks six articles which describe what the State of Ohio has done in the educational field. If the other States have done likewise, the bill passed last night is certainly unnecessary.

There being no objection, the statement and articles were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BRICKER

The so-called Defense Education Act, passed by the Senate yesterday, comprises 12 titles, each of which provides for 1 or more Federal programs with varying purposes, methods, and consequences. It would introduce Federal influence at all levels of education. It would add hundreds of millions to what President Eisenhower has described as a "horrible" deficit in fiscal 1959. Each program authorized deserves separate debate, but our consideration of the measure at this late date precluded the full discussion which was required.

Every title of this bill is related to one fundamental issue in self-government, namely, the functions of our different levels of government and the level at which decisions about each function are to be made.

Constitutional responsibility for education is clearly placed at the State level. Local boards of education are, in effect, representatives of State government, to whom has been delegated the authority to make decisions about the organization and conduct of local school systems. The people of the communities of this country have had the power to influence these decisions about the course of school events by electing or appointing local school board members. Education is the most important remaining function of government which is constitutionally and operationally a local and State affair. The definition of education and the varying emphases given to it in our thousands of communities are, as yet, decided by the people in this last citadel of direct democracy.

We are, in S. 4237, flatly asserting that such local and State decisions are no longer adequate to the development of the trained manpower required in the country—and we are using the power of Federal taxation to implement our judgment that local government, having failed, must be forced to provide what we, in our wisdom, believe to be a more proper education.

Title 4 of this measure indicates that we believe the quantity and quality of science education is so inadequate that we must compel people to purchase more science equipment.

Title 7 similarly indicates our decision that guidance and counseling are much more important than local school boards have deemed them to be and must be better supported and better staffed. I would remind my colleagues that this bill constitutes taking over responsibility for the course of events in local school systems. Our intervention on the subject of teaching and counseling implies a superior understanding of the conditions facing this Nation which justifies the establishment of a new precedent. While the Federal Government has stimulated an expansion of vocational training and has assisted those school districts which were overburdened with pupils of employees of the Federal Government, it has never previously sought to intrude into the curriculum of the common school nor has it sought to impose its views about the emphasis given to guidance and counseling of youth. The measure now before the Senate does both. It makes a judgment about science education now available, about foreign language courses now available and about the guidance and counseling now available. It pronounces American schools so inadequate in all these respects that Federal subsidies must be granted to correct the inadequacy, and that Federal taxes must be increased.

The measure thus assumes that the States will not or cannot provide schools adequate for the coming decade. This assumption is not only unestablished but unestablishable. The record-breaking expansion of public education in the last decade has indicated the willingness and ability of our people to continue to make decisions about education and to find sufficient State and local revenues to implement their decisions. I know that it is the will of the people of my State to make their own decisions about education—and I know equally well that the Federal Government has no resources to tax which are not available to the citizens of Ohio. I am strongly opposed to this measure or any measure which assumes either that local people will default on their responsibility for education or can be given anything by the Federal Government which was not first taken from them. Public education is, I repeat, the last citadel of local and State government. Federal intervention into the decisions about the organization, curriculum and methods of local schools is, I believe, unjustified. In spite of already excessive taxation, local people have quadrupled school expenditures in the last decade, built more classrooms, provided better equipment and increased the number of teachers in our school systems to a degree never previously undertaken.

If some of this greatly increased expenditure for education has been directed toward goals other than such fundamentals as science and foreign language, this can be—and, in fact, is being corrected—without Federal compulsion. I am willing to trust the people through their local and State boards of education to make any such redirection of school expenditures that they find appropriate for their children in their community and for their country. I sincerely urge that the Congress not intrude into this last prerogative of local and State government—the public school.

Let us leave school organization, methods, curriculum, and the guidance and counseling of youth in the hands of local people. Such decisions about the education of their children should be made by their duly constituted boards of education and not by the Congress of the United States.

By way of illustrating what the people of Ohio are now doing to solve the educational problems of our State, I include in the RECORD at this point in my remarks the following items:

Proclamation of Gov. C. William O'Neill, establishing a State House Conference on Education in Ohio;

Letter dated August 8, 1958, written to me by Ray W. Kimmey, chairman of the State House Conference on Education;

An excerpt from the March 24, 1958, issue of the Report Card, published by the Ohio Education Association;

The first page of the Discussion Guide for State and Local Meetings of the State House Conference on Education; and

A list of the members of the State House Conference on Education Committee.

STATE OF OHIO,
OFFICE OF THE GOVERNOR,
Columbus.

PROCLAMATION—STATEHOUSE CONFERENCE ON EDUCATION

Whereas educational needs in Ohio at the local level are of paramount concern and interest; and

Whereas these educational needs are evident by the apparent inadequacies which now exist in facilities and personnel, but which have not been determined to a degree necessary to determine such actual educational needs; and

Whereas the 1955 Ohio White House Conference which followed the Washington, D. C. meeting of the Federal White House Conference brought to light facts which indicated a definite public need for local conferences to determine educational requirements before delaying to the detriment of proper planning on education in Ohio; and

Whereas a program to determine these needs is long overdue and is proving costly to all of our citizens and their children: Now therefore

I, C. William O'Neill, Governor of the State of Ohio, do hereby proclaim the establishment of a statehouse conference on education for Ohio to initiate conferences at municipal, township and county levels as of March 18, 1958 for the purpose of determining Ohio's educational needs through reports from such local conferences being submitted to me as chairman of said conference no later than November 1, 1958; and therefore

I, C. William O'Neill, Governor, declare this conference to be an official State of Ohio function to determine this State's educational needs for the exclusive benefit of its citizens and those of the United States of America, so that all contributions, when and if made, will be to the State of Ohio and this conference for public purposes exclusively; and therefore

I will hereby appoint a committee of prominent citizens to accomplish the purposes above mentioned.

In testimony whereof, I have hereunto subscribed my name and caused the great seal of the State of Ohio to be affixed, at Columbus, this 3d day of March, in the year of our Lord, 1958.

C. WILLIAM O'NEILL,
Governor.

STATE HOUSE
CONFERENCE ON EDUCATION,
Columbus, Ohio, August 8, 1958.

Hon. JOHN W. BRICKER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: The Statehouse Conference on Education for Ohio was established by Governor O'Neill's proclamation to initiate conferences at municipal, township, and county levels for the purpose of determining Ohio's educational needs through reports from such local conferences.

There are four major topics suggested for discussion: (1) Teaching personnel, (2) district organization, (3) school program, (4) finance.

Today, education is a topic of major interest in Ohio. This is as it should be. Public education probably is more directly affected in its quality and quantity by public influence than any other governmental service. The citizens at their school districts and community meetings will look at their own school systems. They will find things that they like and things that they don't like. There is no district where important improvements cannot be made.

A discussion guide has been prepared for two purposes: (1) To provide local and State conference participants with factual background information and the pros and cons of some of the major problems and issues in education, and (2) to suggest questions involving problems common to many school systems.

Local school authorities have been asked to have information available so that each participant can fill in his own district profile and compare it to other districts. These discussion guides will be given to each person attending the local meetings, and it is anticipated that we will have use for 75,000 copies at present, with further printing very possible.

At present, we have over 400 local committees with their chairmen appointed and believe we will have 600 by the time our local meetings start in September. All local meetings are to be completed between September 1 and October 20. Many districts are then planning countywide meetings before the statewide meeting in Columbus, Ohio, on October 28.

Each local chairman has been requested to hold meetings in his county during the month of September. Each chairman will report to me by October 1 the results of his meetings.

Mr. Kimmey, of Cincinnati, Ohio, chairman of the Ohio Education Association, was named treasurer. John L. Kimmey expressed the hope that conference participants would be able to raise $100,000 to finance the conference.

Whereas the Ohio Education Association has been a leader in the movement to improve the quality of education in Ohio; and

Each local chairman has been requested to be as certain as possible to obtain broad coverage. They have been requested to see that representatives of all organizations, as well as business, industry, labor, religious, race, farm, parochial and private schools and educators are on the committees.

Planning meetings are now being held in many districts, and four of our universities (Ohio University, Kent State, Miami, and Bowling Green State) are conducting courses in the planning and proper organization of the conference chairman and committees.

We are advised that the local meetings will have from 25 to 1,800 persons in attendance. Some districts will have 1 meeting, others from 2 to 6.

Attached are some important data on our statehouse conference:

Proclamation of the Governor.
Listing of State committee members.
Listing of local chairmen.
Report of initial meeting.
Procedure for local meetings.
Discussion guide.

It is the Ohio citizen who will determine the future of Ohio schools, and this is his oportunity to be sure his opinions are presented to the Governor, legislature, educators, organizations, associations, and the public.

Sincerely yours,

RAY W. KIMMEY,
Chairman.

THE GREEN LIGHT

Plans are now being made to hold a 1958 statehouse conference on education to be preceded by community conferences in all sections of the State. A group of 75 representatives of State organizations, meeting at Columbus last week, gave a green light to the project, organized as a planning group.

So far as Ray W. Kimmey, Dayton business executive, was concerned, the meeting was overdue. Long a hard-working lay enthusiast for better schools, Kimmey was elected chairman of the conference.

Kimmey, who generally is credited with being the chief developer of basic principles underlying Ohio's present school foundation program, told the group: "I believe the interest in our schools by all people, other than educators, has been on the decline since the latter part of 1955 until the sputniks; and now we are again at a high level of interest."

Idea for the conference actually stemmed from the 1955 Ohio White House Conference. That group urged the State board of education to sponsor another conference. The board, tied up with many other responsibilities, passed the request along to the Ohio School Boards Association, which agreed to initiate the conference.

The conference plan calls for school district townhall meetings to be carried out by early August. Delegates would be sent to the statehouse conference, to be held in September at Columbus. School board presidents and superintendents are to be asked to assume responsibility for calling meetings of planning groups to set up the local conferences.

Local leaders of the business, farm, labor, civic, and professional groups represented at the State meeting will be asked to assist.

STUDY GUIDE

The State planning group expects to provide local conferences with copies of a study guide and other reference materials. Costs of printed materials, conference management and the final report, according to Kimmey, will be financed by contributions from several Ohio business firms.

State superintendent of public instruction, E. E. Holt, was elected vice chairman of the conference. P. C. James, vice president of Capital Finance Corp., Columbus, and officer of the Ohio Consumers Loan Association, was named treasurer. John L. Morely, Mansfield, president of the Ohio Home Builders Association, was elected chairman of the finance committee.

The conference program has five objectives:

1. To arouse the public to present and future school needs.
2. To stimulate public interest in the formulation of school policies.
3. To encourage competent, public-spirited individuals to become candidates for school board members.
4. To provide direction to school officials in planning for an adequate educational program.
5. To supply legislators with more local information to use as a basis for evaluating present statutes and proposing new legislation.

CITIZENS DECIDE

Gov. C. William O'Neill, honorary chairman of the conference, was unable to attend the initial meeting because he had not returned from a Florida vacation. Chalmers Wylie, O'Neill's secretary, told the group that public opinion often is considerably ahead of Congressional and legislative action. "It is the Ohio citizen," he said, "who will determine the future of Ohio schools." He said that much importance will be attached to the work of the conference.

The State and local conference discussions will center about four general topics: Educational program, teacher personnel, school district organization, and public school finance (including construction and transportation). Brief presentations were made to the planning committee on the major problem areas.

The rate of enrollment growth will now soar rapidly, Harold J. Bowers, State department of education director of teacher education and certification, told the group. During the next 6 years the Ohio enrollment will increase by 500,000, almost equal to the growth of the school system during the past 10 years, he said. In fact, the school system of 1964 will be double the size of that operated in 1944.

To staff the schools of 1964, 84,000 teachers will be needed—enough to fill Ohio Stadium, he said. Ohio now employs 67,600 teachers.

The financial challenge, Kimmey said, will be to more than double present school funds within the next 10 years. This will be necessary simply to maintain present standards, he said. A greater amount of money must be secured "if we want a higher standard of education."

QUALITY

Holt said public interest in education has soared to a new high "and I think we're agreed we want a quality product."

"It is not enough, as I see it, to say that we will try to do better that which we are already doing," he said. "This period demands that we all reexamine the entire program of public education from kindergarten through high school and the post-high-school level."

The State superintendent said district organization should be high on the list of items considered when discussing improvement of the educational program. "There is a direct relationship between size of school and what can happen in that school for the child," he said.

T. G. O'Keefe, OEA research director, said that although school district consolidation is one of the most controversial issues in education in Ohio, it must be faced.

Although the Ohio School Survey recommended that minimum enrollment in a high school should be 240 pupils (now a State minimum standard), 444 Ohio schools have less than 200 pupils, another 209 have between 200 and 300 pupils, while 478 high schools have enrollments topping 300 pupils, O'Keefe pointed out.

Kimmey expressed the hope that conference discussions would center upon major issues. "There are so many controversial topics to discuss on the finance question, alone, that we could spend weeks, even years, and not cover the entire subject," he said.

The chairman, who served as head of the Ohio School Survey Finance Committee, is sales budget director of the Frigidaire Division, General Motors Corp. He is a director of the National Citizens Council for Better Schools.

DISCUSSION GUIDE FOR STATE AND LOCAL MEETINGS—STATE HOUSE CONFERENCE ON EDUCATION—WHAT'S THE REASON FOR THE LOCAL AND STATE MEETINGS?

It is time for Ohioans to take another close look at their public schools. This is a period of great change. Ohio moves forward rapidly as a greater State. We grow in industry, commerce, agriculture, and wealth. Our cities and villages swell. New homes pop up like mushrooms along our interlacing network of busy streets and highways.

Our school system grows, too. Already it is much larger than we have ever known. But this is just a beginning, because Ohio's schools of the 1950's will be double the size of our schools in the forties.

Whether Ohio continues to prosper depends largely upon how well we nurture our public schools, for without knowledge and a well-educated citizenry we are lost in the age of space.

Today public education is a topic of major public interest in Ohio. This is as it should be. Public education probably is more directly affected in its quality and quantity by public influence than any other governmental service.

In almost any community talk about public education evokes alarm, complacency, controversy, criticism, and confusion. There are those who complain that pennypinching has already resulted in overloaded schools and a deterioration of quality. There are others who contend that school costs are too high. Still others would shed the goal of educational opportunity for all and concentrate the efforts of our schools upon a limited group of selected youngsters.

Which way for Ohio schools?

This is the reason for calling the statehouse conference on education and all of the community conferences, the town meetings throughout the State which will precede it.

The citizens at their school district and community meetings will look at their own school systems. They will find things that they like and things they don't like. No two meetings will be exactly the same because Ohio's school systems range in quality from the very inferior to the very best. But there is no district where important improvements cannot be made.

When the local meetings have been completed, representatives will attend the State House Conference on Education which will be held on Wednesday, October 29, 1958, at the Youth Center, Ohio State Fairgrounds, Columbus.

There the delegates will pool the findings of their local conferences. They will report on the particular problems of their school systems. They will compare ideas about what can and should be done locally and at other governmental levels to produce the kind of education which the people want for the youth of Ohio.

The report of the local and State conferences will endeavor to sum up these findings, ideas and recommendations so that Ohio will have a guide for the improvement of its schools. This report will be made to the legislature, the State board of education, local school boards, parent and civic groups, teachers and administrators, and the public at large.

This Discussion Guide has been designed for two purposes: (1) to provide local and State conference participants with factual background information and the pros and cons of some of the major problems and issues in education, (2) to suggest questions involving problems common to many school systems and those which will receive primary attention at the State House Conference.

Groups using the Discussion Guide need not necessarily confine themselves to the subjects which are covered. It does not attempt to be all-inclusive. It does endeavor to put the spotlight upon many of the major problems. There are some problems to which several days of discussion could be devoted. The guide has been produced to help assure that conference discussions will cover essential problem areas.

Four major topics are covered in the Guide: Teaching Personnel, District Organization, The School Program, and Finance.

Since most conference participants will be familiar only with their own school systems, the Guide includes on pages 6-7 "profiles" of three school systems so that some comparisons can be made. These three school systems were selected because they appeared to be typical in many ways of school systems of their respective sizes and wealth. Local conference leaders have been asked to secure for participants comparable figures and information about their local school system.

TEACHING PERSONNEL

A logical beginning for any discussion on schools is the matter of teachers, for without teachers there can be no schools.

There is first the big task of getting new teachers. Even this would not be nearly so difficult if the loss rate of teachers could be reduced. About 10 percent of the teaching force must be replaced each year.

There also is great interest in making best use of the teaching talent which we do possess, in raising the quality of teaching through better preparation, improvements on the job, and in eliminating incompetent teachers.

DISTRICT ORGANIZATION

Despite the sweeping changes which have taken place in Ohio's economic and social life during the past half century, many of our school districts are still being managed on the same basis as in pre-World War I days.

Today these small administrative units are having a desperate time trying to meet modern educational standards. They are wasteful of teacher and administrative talents. Even though the cost per pupil in some of these districts may be as high as in the very best systems, the educational program tends to be quite limited.

Now there is increasing pressure by parents, the State government and the laws of economics to combine these districts into units which are sound from administrative, educational and economic standpoints.

THE SCHOOL PROGRAM

Growing public interest in education has brought out into the open many of the factors which influence what is taught and how well it is taught in a school system.

Countless pressures are brought to bear upon a school system about what should be taught and not taught. Those who exert pressure include the State government, colleges, business groups, parents and various organizations which have a favorite ax to grind. Some responsibilities have been assumed because they have been neglected by parents. Some educators believe that they have a duty to educate the whole child.

There tends to be education by pressure rather than purpose when a school board lacks a clear-cut statement of objectives, or philosophy, which is well understood by the staff and the community.

Quantity and quality of education also depend very much upon money, size and effectiveness of the administrative district, good administration and supervision, and an informed, interested citizenry.

Finance. One of the major problems of public education has been the struggle for funds. This has been due, at least in part, to the fact that the Federal government siphons off the lion's share of taxes paid by Ohioans. The reaction at the state level has been to try to avoid new taxes, to rely upon the increased yield of existing taxes to meet rising government costs.

At the end of the line has been the local property tax and John Q. Taxpayer. Although he has no direct voice in state and federal tax matters, his vote decides whether local property taxes are to be increased. For more than a decade John Q. has been voting higher and higher and local taxes for schools. Last year and this, however, there has been a decline in approval of local school issues. John Q. may feel that too much of the tax load is being placed upon real estate, or he is protesting the total taxes imposed upon him.

It also appears fairly certain that the state government will have to face up to the state tax problem, for the revenues of present taxes no longer are outstripping the estimates of yield.

Public education is sure to cost more money in the future than it does today. A major decision which the citizens must make is what the share of cost shall be for each level of government and what kind of taxes shall be used.

The above are only a few of the questions and issues which are likely to be discussed at the local and state meetings. There are many others, for public education is one of our largest enterprises.

What the future will bring for public education will depend a great deal upon the Ohioans who take part in the local and state conferences on education. Our schools can be just as good as the citizens want them to be.

STATE HOUSE CONFERENCE ON EDUCATION COMMITTEE

OFFICERS

Honorary chairman: Gov. C. William O'Neill.

Chairman: Ray W. Kimmey, Frigidaire Division, General Motors Corp.

Vice chairman: E. E. Holt, State Superintendent of Public Instruction.

Treasurer: P. C. James, Capital Finance Co.

Executive secretary: Lewis E. Harris, Ohio School Boards Association.

Director of activities: Donald D. Dunham.

Nominating committee: Mrs. Russell Moore, chairman, Ohio Congress of Parents and Teachers.

Finance committee: John L. Morley, chairman, Ohio Home Builders Association.

Clifford M. St. Clair, vice chairman, Ohio Home Builders Association.

Harold W. Arlin, Westinghouse Electric Corp.

R. R. Bangham, Ohio Society of Certified Public Accountants.

P. C. James, Capital Finance Co.

Charles J. Marr, Architects Society of Ohio.

Laurence T. Mayher, Robert Heller & Associates.

E. J. Plott, Ohio Junior Chamber of Commerce.

Peter Rentschler, Hamilton Foundry & Machine Co.

Bruce Wert, Goodyear Tire & Rubber Co.

J. W. Wilt, Lima Board of Education.

Harry L. Worf, Mead Corp.

Msgr. Bennett Applegate, Superintendent of Columbus Diocese Schools.

Norman Arnold, Ohio County Extension Agents Association.

Mrs. Otto Austin, League of Women Voters.

Richard S. Bachman, Ohio Citizens Council for Health and Welfare.

Mason Bagwell, Ohio Association of Public School Employees.

Rudolf Banhof, Ohio Society of Certified Public Accountants.

James L. Bichsel, Ohio Association of Real Estate Boards.

Lawrence Bidlack, Paulding County Board of Education.

Mrs. Graydon Biery, Ohio Child Conservation League.

Walton B. Bliss, Ohio Education Association.

Harold Bowers, State Department of Education.

Merle F. Brady, American Legion of Ohio.

Mrs. James L. Briers, League of Women Voters.

Chance Brockway, Lakewood Local Board of Education.

Clifford L. Bush, Western Reserve University.

Hon. Charles J. Carney, Ohio General Assembly.

William Carter, University of Cincinnati.

Hon. Roger Cloud, Ohio General Assembly.

Lillian Comey, Ohio Council of Churches.

John Corbally, Ohio State University.

Donald P. Cottrell, Ohio State University.

Clyde Crandall, Ohio School Boards Association.

Gilford Crowell, Ohio University.

Mrs. Ray Davis, Ohio Federation of Women's Clubs.

George E. Dickson, University of Toledo.

Roger L. Downing, Ohio Consumer Loan Association.

Ray O. Duffy, Chillicothe Board of Education.

Byron Frederick, Ohio State Grange.

Andrew Freeman, Columbus Urban League.

Mrs. J. J. Frustorfer, American Legion Auxiliary.

A. J. Gagliardo, Ohio Probation and Parole Association.

John Gee, Bowling Green State University.

June Hammond, Ohio Probation and Parole Association.

C. Ramond Hanes, Ohio Society of Professional Engineers.

John Herrick, Ohio State University.

James J. Hollern, Ohio Catholic Welfare Conference.

Harold L. Howard, Dayton Board of Education.

Fred W. Heinold, Ohio School Boards Association.

Lewis A. Jackson, Central State College.

Orville Jones, Ohio AFL–CIO.

Mel Koch, Amvets of Ohio.

Hon. James A. Lantz, Ohio General Assembly.

Steve Lewis, Ohio Association of Public School Employees.

Chalmer F. Lutz, Cleveland Heights Board of Education.

Richard Mall, Ohio State University.

Pat O. Mancini, Ohio Welfare Conference.

Mrs. W. Andrew Martin, Women's State Committee of Ohio.

Robert Mason, Ohio State Apprenticeship Council.

H. C. McCord, Ohio Association of School Administrators.

James R. McCoy, Ohio Society of Certified Public Accountants.

John P. McDowell, Ohio Education Association.

Eugene J. Miller, Portland Cement Association.

Harold J. Mills, Chamber of Commerce, Executives.

Leonore M. Mills, Ohio Federation of Business and Professional Women's Clubs.

M. Byron Morton, State Department of Education.

Hon. C. A. Mosher, Ohio General Assembly.

Elliott E. Myers, State Board of Educ[illegible]

Elliott E. Meyers, State Board of Education.
Walter Nichols, United American Mechanics.
William J. Oertel, Ohio Newspaper Association.
Dale R. Otto, Amvets of Ohio.
Robert R. Paton, Ohio Forestry Association.
Mrs. G. L. Resor, Jr., League of Women Voters.
Anita L. Ruffing, Department of Classroom Teachers, Ohio Education Association.
Mrs. Edward Sann, League of Women Voters.
George H. Saville, Ohio State Medical Association.
Mrs. Wilma Scherer, Madeira Board of Education.
George L. Schilling, United American Mechanics.
J. C. Schoonover, Ohio Consumer Loan Association.
Roger M. Shaw, Kent State University.
Mrs. C. C. Shively, Worthington, Ohio.
Mrs. Wade Shurtleff, American Association of University Women.
Don Simmons, Ohio School Boards Association.
Leland Spore, American Crayon Co.
D. R. Stanfield, Ohio Farm Bureau Federation.
Frederick D. Stanton, Columbus, Ohio.
Mrs. W. C. Storey, Ohio Congress of Parents and Teachers.
Hon. Ethel G. Swanbeck, Ohio General Assembly.
Wallace W. Taylor, Bowling Green State University.
Don L. Tobin, Ohio Savings and Loan Association.
H. I. VonHaden, Miami University.
Richard L. Wagner, Columbus CIO.
W. E. Weagley, Ohio County Superintendents Association.
R. F. Weible, Paulding County Superintendent of Schools.
Robert West, Ohio School Boards Association.
Mary Ellen Wolfe, Ohio Newspaper Women's Association.
Chalmers Wylie, Office of the Governor.

THE NATIONAL REVIEW—DEFENDER OF CONSTITUTIONAL GOVERNMENT

Mr. THURMOND. Mr. President, two and a half years ago, there was founded in this country a new periodical, a weekly journal of opinion known as National Review. In the short space of time that it has been in existence, National Review has made for itself an important and respected place in the intellectual, journalistic and political life of America. Of high literary quality and journalistic courage, it has become an intellectual rallying post for thoughtful and patriotic Americans.

National Review is edited by able men and women who have a thorough understanding of the great political, economic and social issues of our time. They have a cool and realistic perception of the nature of the Communist menace and of the methods of international communism. They are providing an intelligent and effective resistance to the destructive internal forces set in motion by the Communist apparatus in America.

National Review has been a sturdy defender of constitutional government. Almost alone among journals published in the North, it has exhibited a clear understanding of the basic constitutional issues involved in the Federal Government's attempt to force upon the South a program of racial integration. Realizing that the issue of segregation versus integration is to a great extent being used as a smokescreen by those who would destroy local self-government in this country, National Review has consistently and fearlessly supported the South in its defense of States rights and constitutional government.

The clear understanding on the part of National Review's editors of the constitutional issues at stake is exhibited in their perceptive editorial analysis of the results and meaning of the recent election in Arkansas. I ask unanimous consent that this editorial, entitled "Still Federal" and found in the August 16, 1958, issue of National Review, be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STILL FEDERAL

The Constitution we inherited from our forefathers is a Federal Constitution, based upon a division of powers between a National Capital in Washington and the capitals of the several States; and more perhaps than any piece of news in recent years the re-election of Orval Faubus to the governorship of Arkansas warrants the hope that, for a while anyhow, we are going to keep it a Federal Constitution. Faubus' victory was, as the stronghold of anti-Faubus sentiment, the New York Times, grudgingly concedes, "overwhelming". His two opponents together polled less than half his vote, and did little better even in those Arkansas counties whose schools are already integrated.

The Times misleads its readers when, having buried its news account of the election on page 12, it seeks editorially to interpret the election as a referendum on Faubus as "a living symbol of resistance" to desegregation, and to discredit the result by references to the Arkansas poll tax and the number of voters (rather few, indeed, for a primary) who stayed away from the polls. Whatever the merits of the desegregation issue, and however the good folk of Arkansas would divide on it in a plebiscite, Dwight Eisenhower's dispatch of Federal troops to Little Rock moved the controversy onto another plane. And on that plane the Times editors—of whom it is hardly too much to say that they are more opposed to true federalism than to segregation—tend to get lost, because of what one of their heroes, Prof. Gunnar Myrdal, likes to call "opportunistic ignorance."

Let Dwight Eisenhower and the New York and Washington liberals take good heed: The people of Arkansas, speaking as we believe for the major et sanior pars of the people of America, used their votes in the election to tell their detractors: First, No More Little Rocks. And, second, We Mean Business. It is good that they did, and good that they did it as they did. National Review congratulates both them and Governor Faubus.

THE HUMANE SLAUGHTER BILL

Mr. HUMPHREY. Mr. President, the other House completed action, yesterday, on the humane slaughter bill, and sent it to the White House for signature. Hundreds of thousands of men and women who have worked energetically for this cause can take great pride in the successful outcome of their dedicated effort.

I am proud to have been part of that effort, for I believe this has been a significant step forward in connection with the entire humane movement in this country.

Yet, in this hour of success, I would feel neglectful if I did not publicly recognize one of the earliest and most effective workers in behalf of this legislation. Many persons have taken a prominent role in achieving this victory but none has been more dedicated than an elderly gentleman who now is living in retirement in Chapel Hill, N. C.

He is Mr. Christian P. Norgord, former Washington representative for the American Humane Association. Those of us who have followed through on the efforts he started, want him to know we have not forgotten the vital role he played.

This kindly gentleman was an effective and persuasive advocate of legislative action; and it was he who first came to me, several years ago, to ask for help in sponsoring this legislation.

Now 84 years of age, I am sure he is taking—justifiably—great pride in the outcome of the effort he started.

For Mr. Norgord, this result is a fitting climax to a fine career of public service by a man who, when but 6 years of age, left Denmark and migrated to the United States. That motherless immigrant eventually made a great contribution to his adopted country. Mr. Norgord worked his way through Whitewater Normal School and the University of Wisconsin, and later organized the Wisconsin State Department of Agriculture, and was the first Commissioner of Agriculture in the State of Wisconsin. Under his direction, the first compulsory tuberculin testing of cattle was carried out.

In 1923, he moved to New York, where he served as Deputy Commissioner of Agriculture; and he remained active there until his retirement from official life, in 1944. At that time he became the first permanent Washington representative of the American Humane Association; and he continued to serve in that capacity until his retirement, last year, at the age of 83.

He is one of the many immigrants whose coming has enriched the United States. His entire lifetime has been devoted to constructive good works. It is fitting, indeed, that the last major project he undertook, namely, enactment of humane slaughter legislation, is now a reality.

Many of my colleagues who, during recent years, attended committee hearings on this legislation will recall Mr. Norgord, and I am sure they share my high regard for him.

Incidentally, Mr. President, the senior Senator from Oregon (Mr. MORSE) may recall Mr. Norgord, for I understand he was Senator MORSE's Sunday school teacher in the Baptist Sunday School in Madison, Wis., when the Senator from Oregon was a student at the University of Wisconsin.

I hope that in the enthusiasm over this victory, the friends of humane activity—and there are great numbers of them throughout the United States—will not forget Mr. Norgord. Undoubtedly he will be happy to receive notes of congratulation which may be addressed to him at The Glen, Chapel Hill, N. C., where he is now living with his daughter, Mrs. John P. Gillin.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

CONVENTION WITH NORWAY RELATING TO DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

Mr. JOHNSON of Texas. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive D, 85th Congress, 2d session, a convention between the United States of America and Norway, signed at Oslo on July 10, 1958, modifying and supplementing the convention of June 13, 1949 for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the injunction of secrecy will be removed, and the convention, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit the convention between the United States of America and Norway, signed at Oslo on July 10, 1958, modifying and supplementing the convention of June 13, 1949, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

The supplementary convention would modify the 1949 convention by adding a new article under which tax treatment with respect to dividends would be accorded along the lines of such treatment accorded under provisions in income-tax conventions presently in force between the United States and other countries.

I transmit also for the information of the Senate the report by the Acting Secretary of State with respect to the supplementary convention. The supplementary convention has the approval of the Department of State and the Department of the Treasury.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 14, 1958.*

(Enclosures: 1. Report by the Acting Secretary of State. 2. Convention of July 10, 1958, supplementing income-tax convention of 1949 between the United States and Norway.)

SUPPLEMENTAL APPROPRIATION BILL, 1959—AMENDMENTS

Mr. HUMPHREY (for himself, Mr. THYE, Mr. DIRKSEN, and Mr. POTTER) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table, and to be printed.

Mr. MAGNUSON submitted an amendment, intended to be proposed by him, to House bill 13450, supra, which was ordered to lie on the table, and to be printed.

Mr. RUSSELL submitted an amendment, intended to be proposed by him, to House bill 13450, supra, which was ordered to lie on the table, and to be printed.

Mr. JOHNSON of Texas submitted an amendment, intended to be proposed by him, to House bill 13450, supra, which was ordered to lie on the table, and to be printed.

Mr. POTTER (for himself, Mr. THYE, and Mr. DIRKSEN) submitted an amendment, intended to be proposed by them, jointly, House bill 13450, supra, which was ordered to lie on the table, and to be printed.

Mr. SMATHERS submitted an amendment, intended to be proposed by him, to House bill 13450, supra, which was ordered to lie on the table, and to be printed.

Mr. ELLENDER submitted an amendment, intended to be proposed by him, to House bill 13450, supra, which was ordered to lie on the table, and to be printed.

Mr. ANDERSON submitted amendments, intended to be proposed by him, to House bill 13450, supra, which were ordered to lie on the table, and to be printed.

Mr. KUCHEL submitted an amendment, intended to be proposed by him, to House bill 13450, supra, which was ordered to lie on the table, and to be printed.

INCREASE OF BENEFITS UNDER FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE SYSTEM—AMENDMENTS

Mr. YARBOROUGH submitted an amendment, intended to be proposed by him, to the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes, which was ordered to lie on the table, and to be printed.

Mr. REVERCOMB submitted amendments, intended to be proposed by him, to House bill 13549, supra, which were ordered to lie on the table, and to be printed.

Mr. COOPER submitted amendments, intended to be proposed by him, to House bill 13549, supra, which were ordered to lie on the table, and to be printed.

APPOINTMENT OF ADDITIONAL JUDGE FOR JUVENILE COURT OF THE DISTRICT OF COLUMBIA—CHANGE OF CONFEREE

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senator from Kentucky (Mr. MORTON) be designated as a conferee on H. R. 7785, to provide for the appointment of an additional judge for the juvenile court of the District of Columbia, in lieu of the Senator from New York (Mr. JAVITS), who is absent on official business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL RECORD MATTERS

By Mr. KEFAUVER:

Report by him to the people of Tennessee on activities of the 2d session of the 85th Congress.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 14, 1958, he presented to the President of the United States the following enrolled bills:

S. 375. An act to amend the Interstate Commerce Act to provide for the validity and perfection of certain security interests in motor vehicles;

S. 377. An act to amend the Interstate Commerce Act and the Transportation Act of 1940, with respect to periods of limitation applicable to actions or claims, including those by or against the United States, for recovery of charges for the transportation of persons or property, and for other purposes;

S. 532. An act to revise and modernize the fish and game laws of the District of Columbia, and for other purposes;

S. 1798. An act to amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from place within said inland waters and places within the inland waters of the State of Washington;

S. 3199. An act to amend section 2324 of the Revised Statutes, as amended, to change the period for doing annual assessment work on unpatented mineral claims so that it will run from September 1 of one year to September 1 of the succeeeding year, and to make such change effective with respect to the assessment work year commencing in 1959;

S. 3259. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), as the same are amended, to provide for an increase in the authorization for funds to be granted for the construction of hospital facilities in the District of Columbia;

S. 3468. An act to provide for the construction and improvement of certain roads on the Navaho and Hopi Indian Reservations;

S. 3827. An act to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended;

S. 3880. An act to continue the Civil Aeronautics Board as an agency of the United States, to create a Federal Aviation Agency, to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and to provide for the safe and efficient use of the airspace by both civil and military aircraft, and for other purposes;

S. 4009. An act to amend the act authorizing the Washoe reclamation project, Nevada and California, in order to increase the

amount authorized to be appropriated for such project;

S. 4059. An act to amend Reorganization Plan No. 1 of 1958 in order to change the name of the office established under such plan; and

S. 4153. An act to authorize the delivery of sewage from Virginia into the sewerage system of the District of Columbia and the treatment of such sewage, and for other purposes.

RECESS

Mr. JOHNSON of Texas. Mr. President, pursuant to the order, as modified, previously entered, I now move that the Senate stand in recess.

The motion was agreed to; and (at 11 o'clock p. m.) the Senate took a recess, the recess being, under the order, as modified, previously entered, until tomorrow, Friday, August 15, 1958, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate August 14, 1958:

TAX COURT OF THE UNITED STATES

William M. Drennen, of West Virginia, to be judge of the Tax Court of the United States for the remainder of the unexpired term of 12 years from June 2, 1956, vice Stephen E. Rice, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 14, 1958:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Bertha S. Adkins, of Maryland, to be Under Secretary of Health, Education, and Welfare.

UNITED STATES ATTORNEY

Fallon Kelly, of Minnesota, to be United States attorney for the district of Minnesota for the term of 4 years.

COMPTROLLER OF CUSTOMS

Albert V. Becker, of Illinois, to be comptroller of customs, with headquarters at Chicago, Ill.

COLLECTOR OF CUSTOMS

Frank Peska, of Illinois, to be collector of customs, customs collection district No. 39, with headquarters at Chicago, Ill.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 14, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

I Thessalonians 3: 12: *The Lord make you to increase and abound in love one toward another, and toward all men.*

Almighty God, we are again coming unto Thee in prayer, compelled by our many needs and constrained by Thy divine love.

We earnestly beseech Thee to bless the representatives of the united and freedom-loving nations as they take counsel together.

Inspire them with the assurance that the Prince of Peace is with them as they continue to affirm and champion courageously whatsoever things are just and true.

Grant that feelings of friendship and fraternity may permeate and become more potent in the thoughts and aspirations of all the members of the human family.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13247. An act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the joint resolution (S. J. Res. 135) entitled "Joint resolution providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MURRAY, Mr. ANDERSON, and Mr. KUCHEL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1798) entitled "An act to amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from places within said inland waters and places within the inland waters of the State of Washington."

CALL OF THE HOUSE

Mr. H. CARL ANDERSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 168]

Allen, Calif.	Burdick	Gordon
Anderson, Mont.	Clark	Gray
	Collier	Gregory
Barrett	Dawson, Utah	Hébert
Baumhart	Dellay	Hillings
Bentley	Dies	Kearney
Blitch	Diggs	Kilburn
Boykin	Durham	McCarthy
Brooks, La.	Eberharter	McIntire
Brownson	Engle	Machrowicz
Buckley	Friedel	Mason
Michel	Scherer	Williams, Miss.
Miller, N. Y.	Shuford	Willis
Pillion	Smith, Kans.	Winstead
Powell	Smith, Va.	Wolverton
Prouty	Spence	
Radwan	Teague, Tex.	

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AGRICULTURAL BILL OF 1958

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities, as amended.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Agricultural Act of 1958."

TITLE I—COTTON

Program for 1959 and 1960

SEC. 101. The Agricultural Act of 1949, as amended, is amended by adding the following new section:

"SEC. 102. Notwithstanding any other provisions of law—

"(a) for each of the 1959 and 1960 crops of upland cotton the Secretary of Agriculture is authorized and directed to offer the operator of each farm for which an allotment is established under section 344 of the Agricultural Adjustment Act of 1938, as amended, a choice of (A) the farm-acreage allotment determined pursuant to section 344 of the Agricultural Adjustment Act of 1938, as amended, and price support determined pursuant to section 101 of this act (the amount of cotton estimated to be produced on the additional acres allotted to producers selecting choice (B) for such year being taken into account in computing such support), except that for the 1959 crop the level of support shall be not less than 80 percent of parity, or (B) the farm-acreage allotment determined pursuant to section 344 of the Agricultural Adjustment Act of 1938, as amended, increased by not to exceed 40 percent (such increased acreage allotment to be the acreage allotment for the farm for all purposes) and price support at a level which is 15 percent of parity below the level of support established for producers who elect choice (A). Any person operating more than one farm, in order to be eligible for choice (B), must elect choice (B) for all farms for which he is operator. Not later than January 31 the Secretary shall determine and announce on the basis of his estimate of the supply percentage and the parity price as of the following August 1, the price support level for producers who elect choice (A) and choice (B), respectively, and such price-support levels shall be final. As soon as practicable after such announcement, the Secretary shall cause the operator (as shown on the records of the county committee) of each farm for which an allotment is established under section 344 of the Agricultural Adjustment Act of 1938, as amended, to be notified of the alternative levels of price support and the alternative acreage allotment available for his farm. The operator of each farm shall, within the time prescribed by the Secretary, notify the county committee in writing whether he desires the increased acreage allotment and the level of price support prescribed in choice (B) to be effective for the farm. If the operator fails to so notify the county committee within the time prescribed, he shall be deemed to have chosen the acreage allotment and the price-support level prescribed in choice (A). The choice elected by the operator shall apply to all the producers on the farm. Notwithstanding

the foregoing provisions of this subsection, the Secretary may permit the operator of a farm for which choice (B) is in effect to change to choice (A) where conditions beyond the control of the farm operator, such as excessive rain, flood, or drought, prevented the planting of acreage to cotton or having cotton acreage available for harvest on the farm in accordance with the plans of such operator in selecting choice (B). The additional acreage required to be alloted to farms under this section shall be in addition to the county, State, and national acreage allotments and the production from such acreage shall be in addition to the national marketing quota. The additional acreage authorized by this section shall not be taken into account in establishing future State, county, and farm-acreage allotments. Notwithstanding any other provision of law, no farm participating in any cotton acreage-reserve program established for 1959 under the Soil Bank Act shall receive an increased acreage allotment under the provisions of this section for 1959. Notwithstanding the provisions of section 344 (m) (2) any farm cotton-acreage allotment increased as the result of the selection of choice (B) may not be released and reapportioned to any other farm. Price support shall be made available under this paragraph only to cooperators and only if producers have not disapproved marketing quotas for the crop.

"(b) for each of the 1959 and 1960 crops of upland cotton, price support shall be made available to producers who elect choice (A) through a purchase program. Price support shall be made available to producers who elect choice (B) through loans, purchases, or other operations.

"(c) the Commodity Credit Corporation is directed, during the period beginning August 1, 1959, and ending July 31, 1961, to offer any upland cotton owned by it for sale for unrestricted use at not less than 10 percent above the current level of price support prescribed in choice (B).

Price support for 1961 and subsequent years

SEC. 102. (a) The Agricultural Act of 1949, as amended, is amended by adding a new section 103 as follows:

"SEC. 103. Notwithstanding the provisions of section 101 of this act, price support to cooperators for each crop of upland cotton, beginning with the 1961 crop, for which producers have not disapproved marketing quotas shall be at such level not more than 90 percent of the parity price therefor, or less than the minimum level prescribed below as the Secretary determines appropriate after consideration of the factors specified in section 401 (b) of this act. For the 1961 crop the minimum level shall be 70 percent of the parity price therefor, and for each subsequent crop the minimum level shall be 65 percent of the parity price therefor. Price support in the case of noncooperators and in case marketing quotas are disapproved shall be as provided in section 101 (d) (3) and (5)."

Acreage allotments and marketing quotas

SEC. 103. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) Section 342 is amended by striking out the third sentence and by changing the period at the end of the second sentence to a colon and adding the following: *"Provided,* That beginning with the 1961 crop, the national marketing quota shall be not less than a number of bales equal to the estimated domestic consumption and estimated exports (less estimated imports) for the marketing year for which the quota is proclaimed, except that the Secretary shall make such adjustment in the amount of such quota as he determines necessary after taking into consideration the estimated stocks of cotton in the United States (including the qualities of such stocks) and stocks in foreign countries which would be available for the marketing year for which the quota is being proclaimed if no adjustment of such quota is made hereunder, to assure the maintenance of adequate but not excessive stocks in the United States to provide a continuous and stable supply of the different qualities of cotton needed in the United States and in foreign cotton consuming countries, and for purposes of national security; but the Secretary, in making such adjustments, may not reduce the national marketing quota for any year below (i) 1 million bales less than the estimated domestic consumption and estimated exports for the marketing year for which such quota is being proclaimed, or (ii) 10 million bales, whichever is larger."

(2) Section 342 is further amended by adding at the end thereof the following: "Notwithstanding any other provision of this act, the national marketing quota for upland cotton for 1959 and subsequent years shall be not less than the number of bales required to provide a national acreage allotment for each such year of 16 million acres."

(3) Section 347 (b) is amended by changing the period at the end of the second sentence to a colon and adding the following: *"Provided,* That beginning with the 1961 crop of extra long staple cotton, such national marketing quota shall be an amount equal to (1) the estimated domestic consumption plus exports for the marketing year which begins in the next calendar year, less (2) the estimated imports, plus (3) such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks."

(4) The second sentence of section 344 (a) is amended by striking the word "five" and substituting the word "four."

Minimum farm allotments

SEC. 104. (a) Section 344 (b) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting before the period at the end thereof a colon and the following: *"Provided,* That there is hereby established a national acreage reserve consisting of 310,000 acres which shall be in addition to the national acreage allotment; and such reserve shall be apportioned to the States on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1), as determined by the Secretary without regard to State and county acreage reserves (except that the amount apportioned to Nevada shall be 1,000 acres). For the 1960 and succeeding crops of cotton, the needs of States (other than Nevada) for such additional acreage for such purpose may be estimated by the Secretary, after taking into consideration such needs as determined or estimated for the preceding crop of cotton and the size of the national acreage allotment for such crop. The additional acreage so apportioned to the State shall be apportioned to the counties on the basis of the needs of the counties for such additional acreage for such purpose, and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 percent of the county allotment determined without regard to such additional acreage). Additional acreage apportioned to a State for any year under the foregoing proviso shall not be taken into account in establishing future State acreage allotments. Needs for additional acreage under the foregoing provisions and under the last proviso in subsection (e) shall be determined or estimated as though allotments were first computed without regard to subsection (f) (1)."

(b) Section 344 (e) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting before the period at the end thereof a colon and the following: *"Provided further,* That if the additional acreage allocated to a State under the proviso in subsection (b) is less than the requirements as determined or estimated by the Secretary for establishing minimum farm allotments for the State under subsection (f) (1), the acreage reserved under this subsection shall not be less than the smaller of (1) the remaining acreage so determined or estimated to be required for establishing minimum farm allotments or (2) 3 percent of the State acreage allotment; and the acreage which is required to be reserved under this proviso shall be allocated to counties on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1), and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 percent of the county allotment determined without regard to such additional acreages)."

(c) Section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing paragraph (1) to read as follows:

"(1) Insofar as such acreage is available, there shall be allotted the smaller of the following: (A) 10 acres; or (B) the acreage allotment established for the farm for the 1958 crop."

(d) The first sentence of section 344 (f) (6) of such act is amended to read as follows: "Notwithstanding the provisions of paragraph (2) of this subsection, if the county committee recommends such action and the Secretary determines that such action will result in a more equitable distribution of the county allotment among farms in the county, the remainder of the county acreage allotment (after making allotments as provided in paragraph (1) of this subsection) shall be alloted to farms other than farms to which an allotment has been made under paragraph (1) (B) of this subsection so that the allotment to each farm under this paragraph together with the amount of the allotment of such farm under paragraph (1) (A) of this subsection shall be a prescribed percentage (which percentage shall be the same for all such farms in the county) of the average acreage planted to cotton on the farm during the 3 years immediately preceding the year for which such allotment is determined, adjusted as may be necessary for abnormal conditions affecting plantings during such 3-year period: *Provided,* That the county committee may in its discretion limit any farm acreage allotment established under the provisions of this paragraph for any year to an acreage not in excess of 50 percent of the cropland on the farm, as determined pursuant to the provisions of paragraph (2) of this subsection: *Provided further,* That any part of the county acreage allotment not apportioned under this paragraph by reason of the initial application of such 50 percent limitation shall be added to the county acreage reserve under paragraph (3) of this subsection and shall be available for the purposes specified therein."

(e) The amendments made by this section shall be effective beginning with the 1959 crop.

SEC. 105. Effective beginning with the 1959 crop, section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new paragraph:

"(7) (A) In the event that any farm acreage allotment is less than that prescribed by paragraph (1), such acreage allotment shall be increased to the acreage prescribed by paragraph (1). The additional acreage required to be allotted to farms under this paragraph shall be in addition to the county, State, and National acreage allotments and

the production from such acreage shall be in addition to the national marketing quota.

thereof the following: *"Provided,* That effective with the beginning of the marketing

year: *Provided,* That the level of price support for any crop of corn shall not be less

fecting the production of the commodity: *Provided,* That the acreage used to establish

SEC. 503. Section 201 (b) of the Agricultural Act of 1949, as amended, is amended

support floor for corn at $1.18 a bushel.

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elected by the operator shall apply to all the producers on the farm. Notwithstanding

of such stocks) and stocks in foreign countries which would be available for the mar-

Adjustment Act of 1938, as amended, is amended by inserting before the period at

paragraph shall be in addition to the county, State, and National acreage allotments and

the production from such acreage shall be in addition to the national marketing quota.

"(B) Notwithstanding any other provision of law—

"(i) the acreage by which any farm acreage allotment for 1959 or any subsequent crop established under paragraph (1) exceeds the acreage which would have been allotted to such farm if its allotment had been computed on the basis of the same percentage factor applied to other farms in the county under paragraph (2), (6), or (8) shall not be taken into account in establishing the acreage allotment for such farm for any crop for which acreage is allotted to such farm under paragraph (2), (6), or (8); and acreage shall be allotted under paragraph (2), (6), or (8) to farms which did not receive 1958 crop allotments in excess of 10 acres if and only if the Secretary determines (after considering th allotments to other farms in the county for such crop compared with their 1958 allotments and other relevant factors) that equity and justice require the allotment of additional acreage to such farm under paragraph (2), (6), or (8).

"(ii) the acreage by which any county acreage allotment for 1959 or any subsequent crop is increased from the national or State reserve on the basis of its needs for additional acreage for establishing minimum farm allotments shall not be taken into account in establishing future county acreage allotments, and

"(iii) the additional acreage allotted pursuant to subparagraph (A) of this paragraph (7) shall not be taken into account in establishing future State, county, or farm acreage allotments."

Method of determining farm allotments

SEC. 106. Section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new paragraph:

"(8) Notwithtsanding the foregoing provisions of paragraphs (2) and (6) of this subsection, the Secretary may, if he determines that such action will facilitate the effective administration of the provisions of the act, provide for the county acreage allotment for the 1959 and succeeding crops of cotton, less the acreage reserved under paragraph (3) of this subsection, to be apportioned to farms on which cotton has been planted in any one of the 3 years immediately preceding the year for which such allotment is determined, on the basis of the farm acreage allotment for the year immediately preceding the year for which such apportionment is made, adjusted as may be necessary (i) for any change in the acreage of cropland available for the production of cotton, or (ii) to meet the requirements of any provision (other than those contained in parngraphs (2) and (6)) with respect to the counting of acreage for history purposes."

Retention of surrendered acreage in county

SEC. 107. Paragraph (2) of section 344 (m) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of the second sentence of such paragraph and inserting in lieu thereof the following: "; but no such acreage shall be surrendered to the State committee so long as any farmer receiving a cotton acreage allotment in such county desires additional cotton acreage."

Standard grade

SEC. 108. Section 3 (a) of the act of August 29, 1949, Public Law 272, 81st Congress, and the last sentence of section 403 of the Agricultural Act of 1949, as amended, are hereby repealed. This section shall become effective with the 1961 crop.

CCC sales restrictions

SEC. 109. Section 407 of the Agricultural Act of 1949, as amended, is amended by substituting a colon for the period at the end of the third sentence and adding at the end thereof the following: "*Provided*, That effective with the beginning of the marketing year for the 1961 crop, the Corporation shall not sell any upland or extra long staple cotton for unrestricted use at less than 15 percent above the current support price for cotton plus reasonable carrying charges, except that the Corporation may, in an orderly manner and so as not to affect market prices unduly, sell for unrestricted use at the market price at the time of sale a number of bales of cotton equal to the number of bales by which the national marketing quota for such marketing year is reduced below the estimated domestic consumption and exports for such marketing year pursuant to the provisions of section 342 of the Agricultural Adjustment Act of 1938, as amended."

Cotton export program

SEC. 110. Nothing in this act shall be construed to affect or modify the provisions of section 203 of the Agricultural Act of 1956, and any cottou owned or acquired by the Commodity Credit Corporation under any price-support program may be used for the purpose of carrying out the cotton export program provided for in section 203 of the Agricultural Act of 1956.

Split grades

SEC. 111. Section 403 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following sentence: "Beginning with the 1959 crop, in adjusting the support price for cotton on the basis of grade, the Secretary shall establish separate price support rates for split grades and for full grades substantially reflecting relative values."

TITLE II—CORN AND FEED GRAINS

Referendum

SEC. 201. Title I of the Agricultural Act of 1949, as amended, is further amended by adding at the end of such title the following:

"SEC. 104. (a) Not later than December 15, 1958, the Secretary shall conduct a referendum of producers of corn in 1958 in the commercial corn-producing area for 1958 to determine whether such producers favor a price-support program as provided in subsection (b) of this section for the 1959 and subsequent crops in lieu of acreage allotments as provided in the Agricultural Adjustment Act of 1938, as amended, and price support as provided in section 101 of the Agricultural Act of 1949, as amended.

"(b) Notwithstanding any other provision of law, if less than a majority of the producers voting in the referendum conducted pursuant to subsection (a) hereof favor a price-support program as provided in this subsection (b), the following provisions of law shall become inoperative:

"Discontinuance of acreage allotments on corn

"(1) The Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new section:

"'SEC. 330. Notwithstanding any other provision of law, acreage allotments and a commercial corn-producing area shall not be established for the 1959 and subsequent crops of corn.'

"Price support

"(2) The Agricultural Act of 1949, as amended, is amended by adding the following new section:

"'SEC. 105. (a) Notwithstanding the provisions of section 101 of this act, beginning with the 1959 crop, price support shall be made available to producers for each crop of corn at 90 percent of the average price received by farmers during the 3 calendar years immediately preceding the calendar year in which the marketing year for such crop begins, adjusted to offset the effect on such price of any abnormal quantities of low-grade corn marketed during any of such year: *Provided*, That the level of price support for any crop of corn shall not be less than 65 percent of the parity price therefor.

"'(b) Beginning with the 1959 crop, price support shall be made available to producers for each crop of oats, rye, barley, and grain sorghums at such level of the parity price therefor as the Secretary of Agriculture determines is fair and reasonable in relation to the level at which price support is made available for corn, taking into consideration the feeding value of such commodity in relation to corn, and the other factors set forth in section 401 (b) hereof.'

"(3) Section 101 (d) (4) of the Agricultural Act of 1949, as amended, is repealed effective with the 1959 crop."

TITLE III—RICE

Minimum National and State acreage allotments

SEC. 301. Section 353 (c) (6) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "1957 and 1958" in each place it occurs therein, and inserting "1957 and subsequent years."

Price support

SEC. 302. (a) Section 101 (a) of the Agricultural Act of 1949, as amended, is amended, effective beginning with the 1959 crop—

(1) by striking out "wheat, and rice" and inserting "and wheat"; and

(2) by adding at the end thereof the following new paragraph: "For rice of the 1959 and 1960 crops, the level of support shall be not less than 75 percent of the parity price. For rice of the 1961 crop the level of support shall be not less than 70 percent of the parity price. For the 1962 and subsequent crops of rice the level of support shall be not less than 65 percent of the parity price."

TITLE IV—WOOL

SEC. 401. Section 703 of the National Wool Act of 1954 (68 Stat. 910) is amended by striking out "March 31, 1959" and inserting in lieu thereof "March 31, 1962."

SEC. 402. The first proviso in section 704 of such act (68 Stat. 911) is amended by striking out "specific" the first time it appears therein, and by striking out "(whether or not such specific duties are parts of compound rates)."

SEC. 403. The proviso in section 705 of such act (68 Stat. 911) is amended by striking out "specific" the first time it appears therein, and by striking out "(whether or not such specific duties are parts of compound rates)."

TITLE V—MISCELLANEOUS

SEC. 501. The Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 377 the following new section:

"SEC. 378. (a) Notwithstanding any other provision of this act, the allotment determined for any commodity for any land from which the owner is displaced because of acquisition of the land for any purpose, other than for the continued production of allotted crops, by any Federal, State, or other agency having the right of eminent domain shall be placed in an allotment pool and shall be available only for use in providing allotments for other farms owned by the owner so displaced. Upon application to the county committee, within 3 years after the date of such displacement, or 3 years after the enactment of this section, whichever period is longer, any owner so displaced shall be entitled to have established for other farms owned by him allotments which are comparable with allotments determined for other farms in the same area which are similar except for the past acreage of the commodity, taking into consideration the land, labor, and equipment available for the production of the commodity, crop-rotation practices, and the soil and other physical factors affecting the production of the commodity: *Provided*, That the acreage used to establish or increase the allotments for such farms shall be transferred from the pool and shall not exceed the allotment most recently established for the farm acquired from the applicant and placed in the pool. During the period of eligibility for the making of allotments under this section for a displaced owner, acreage allotments for the farm from which the owner was so displaced shall be established in accordance with the procedure applicable to other farms, and such allotments shall be considered to have been fully planted. After such allotment is made under this section, the proportionate part, or all, as the case may be, of the past acreage used in establishing the allotment most recently placed in the pool for the farm from which the owner was so displaced shall be transferred to and considered for the purposes of future State, county, and farm acreage allotments to have been planted on the farm to which allotment is made under this section. Except where paragraph (c) requires the transfer of allotment to another portion of the same farm, for the purpose of this section (1) that part of any farm from which the owner is so displaced and that part from which he is not so displaced shall be considered as separate farms; and (2) an owner who voluntarily relinquishes possession of the land subsequent to its acquisition by an agency having the right of eminent domain shall be considered as having been displaced because of such acquisition.

"(b) The provisions of this section shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of the commodity from the farm acquired by the Federal, State, or other agency or by the owner of the farm; (2) any of the commodity produced on such farm has not been accounted for as required by the Secretary; or (3) the allotment next established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of the commodity produced on or marketed from such farm or due to a false acreage report.

"(c) This section shall not be applicable, in the case of cotton, tobacco, and peanuts, to any farm from which the owner was displaced prior to 1950, in the case of wheat and corn, to any farm from which the owner was displaced prior to 1954, and in the case of rice, to any farm from which the owner was displaced prior to 1955. In any case where the cropland acquired for nonfarming purposes from an owner by an agency having the right of eminent domain represents less than 15 percent of the total cropland on the farm, the allotment attributable to that portion of the farm so acquired shall be transferred to that portion of the farm not so acquired.

"(d) Sections 313 (h), 334 (d), 344 (h), 353 (f), and 358 (h) of the Agricultural Adjustment Act of 1938, as amended, are repealed, but any transfer or reassignment of allotment heretofore made under the provisions of these sections shall remain in effect, and any displaced farm owner for whom an allotment has been established under such repealed sections shall not be eligible for additional allotment under subsection (a) of this section because of such displacement."

SEC. 502. Section 405 of the Agricultural Act of 1949 is amended by adding at the end thereof the following: "There is authorized to be included in the terms and conditions of such nonrecourse loan a provision whereby on and after the maturity of the loan or any extension thereof Commodity Credit Corporation shall have the right to acquire title to the unredeemed collateral without obligation to pay for any market value which such collateral may have in excess of the loan indebtedness."

SEC. 503. Section 201 (b) of the Agricultural Act of 1949, as amended, is amended by changing the semicolon at the end thereof to a colon and adding the following: "*Provided*, That in any crop year in which the Secretary determines that the domestic production of tung oil will be less than the anticipated domestic demand for such oil, the price of tung nuts shall be supported at not less than 65 percent of the parity price therefor:".

Extend veterans and armed services milk program

SEC. 504. (a) The first sentence of section 202 (a) of the Agricultural Act of 1949, as amended (7 U. S. C. 1446a), is amended by striking out "1958" and inserting in lieu thereof "1961."

(b) Subsection (b) of section 202 of the Agricultural Act of 1949 (7 U. S. C. 1446a) is amended by striking out "1958" and inserting in lieu thereof "1961", by striking out "of the Army, Navy, or Air Force, and as a part of the ration" and inserting in lieu thereof "(1) of the Army, Navy, Air Force, or Coast Guard, (2)", and by inserting before the period at the end of the first sentence of such subsection the following: "and (3) of cadets and midshipmen at, and other personnel assigned to, the United States Merchant Marine Academy."

SEC. 505. Commodity Credit Corporation is authorized, on such terms as the Secretary of Agriculture may approve, to donate cotton acquired through its price-support operations to educational institutions for use in the training of students in the processing and manufacture of cotton into textiles.

The SPEAKER. Is a second demanded?

Mr. H. CARL ANDERSEN. I demand a second, Mr. Speaker.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. H. CARL ANDERSEN. I certainly am.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOLEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I am certain that all Members of the House realize that the matters now being considered are of very great importance. The amendment which I now propose was inserted in the RECORD yesterday. Because of the importance of the bill and the pending amendment, I am quite certain that all Members are thoroughly familiar with all the provisions of both the Senate bill and the pending amendment. I shall, therefore, not trespass very long upon your patience nor shall I discuss with any degree or detail the bill or the provisions of the amendment. The amendment I have just offered differs slightly from the amendment I offered last week when a motion was made to suspend the rule and pass the Senate bill with an amendment. We made several clarifying amendments to the original amendment which was offered last week, and we have made changes in three sections—the cotton section, the corn section, and the section providing price supports for tung oil. We have agreed to lower the price support on tung oil from 70 percent of parity, which was in the amendment offered last week, to 65 percent of parity. The Senate bill provides a price support floor of $1.10 a bushel for corn while the amendment we offered last week provided a price support floor for corn at $1.18 a bushel. We have changed the amendment so as to strike out the $1.18 a bushel as a price support floor for corn and in the pending amendment, we permit the floor to go as low as 65 percent of parity which is the equivalent of about $1.14 a bushel.

In the cotton section of the amendment I offered last week, the price support floor for cotton was fixed at 30 cents a pound based upon the average of the crop rather than upon the basis of 1-inch Middling as provided in the Senate bill or upon ⅞-inch Middling as is used in present parity calculations for price supports. In the pending amendment, the 30 cents a pound provision has been deleted and the amendment now provides that cotton under the A program will be supported in 1959 at not less than 80 percent of parity; in 1960, at not less than 75 percent of parity; in 1961, at not less than 70 percent of parity; and in 1962, at not less than 65 percent of parity. So instead of having 30 cents a pound as a floor in 1962, the floor will be fixed at not less than 65 percent of parity.

These are the three changes which we have made. At a meeting of our committee this morning, these changes were thoroughly discussed and our committee almost unanimously approved of the changes which had been agreed upon. I think that one member abstained and that perhaps two or three members indicated opposition.

I am certain that you will recall that when this matter was before the House last week, I stated to the House that if permitted to do so I would go to conference with an open and compromising mind and that I realized that we would perhaps have to make concessions. All the top-ranking members of our committee at that indicated a willingness to compose and to reconcile differences and to make an honest effort to reach an agreement with our counterparts in the Senate. My position then and my position now is that I would not accept the Senate bill in toto since I cannot under any circumstances agree to abandon the concept of parity which is the bedrock upon which the farm program has been built. The Senate bill does exactly that. It abandons parity and seeks to tie price supports to the average market price for the three preceeding years. Should we abandon the concept and principle of parity, the farm program in its entirety would fall apart. Parity is the fair and just yardstick which the public has been willing to accept and without which the firm foundations of the farm program would turn into sinking sand. I can assure you now that while the House conferees will do everything we can to compose differences, we will not yield, and in yielding lose the concept and principle of parity which means so much to the farmers of America.

This is the fifth time that the House Committee on Agriculture has tried to pass legislation in the 85th Congress which would be beneficial to the farmers of the Nation and in the interest of all the people of the country. First, we tried compensatory payment plan for

cotton for 1 year, only to have the bill

equivalent to all the corn farmers in

failure to pass constructive agricultural

cotton for 1 year, only to have the bill defeated in the committee by an almost strictly partisan vote. Second, we passed the acreage freeze bill only to have it vetoed by the President. Third, we reported the omnibus farm bill only to have the rule for its consideration defeated on the floor of the House. Fourth, we presented to the House an amendment to the Senate bill and I moved to suspend the rules and to pass the Senate bill with the amendment which was unanimously reported by our committee. But again we were defeated in our efforts. Now for the fifth time, we present a well-considered, a constructive and a much needed bill to the House for its consideration. This might very well be called the 5-star final. There will be no more additions. This is positively the last clear chance. You must accept this 5-star final or you will have no farm bill in this session of Congress. We have done our dead-level best to protect the Federal farm program and above all to protect the concept and principle of parity. We have worked hard and we have gone just about as far as we can go. While this bill may not be perfect, it is the very best possible under the circumstances. You can take it or you can leave it. It certainly is not all that I want, but I know that it is the best that I can get. Under the circumstances, we must be realistic. To the farmers of America, parity is a precious principle and it must be preserved. That is just what we do by the bill we are presenting. The livelihood of farmers must be protected and that is what we do as best we can in the amendment I have offered. Everything indicates that we will only be in session for a few more days. Time is running out. The farmers of America need and want this legislation. The cotton industry of America needs and wants this legislation. We are about to write the final chapter. I urge you to accept this bill with the amendment in the hope that the Senate will agree to accept the bill as it will be presented when this vote has been taken.

Mr. H. CARL ANDERSEN. Mr. Speaker, I certainly am not opposed to whatever this bill may do to help the people down South. I think from what they tell me there are necessary provisions in their relative to cotton and rice. I am, however, distinctly opposed to what they do to our greatest of all commodities, and that is corn. There is no real, long-term help here whatsoever relative to the corn and feed grains. We are putting our stamp of approval on 65 percent of parity and unlimited production—a dangerous combination. Let me say, by the way, I do appreciate the committee holding to the concept of parity, but we are here, Mr. Speaker, putting our stamp of approval on corn and feed grains, the most extensively produced commodities of agricultural America, at a level of 65 percent of parity. I think, Mr. Speaker, it is a sad day for agriculture and for the farmers of the Midwest when we must admit that that is the best this Congress can do for the breadbasket of the Nation. Here we are offering a $1.14 equivalent to all the corn farmers in America and telling them to go ahead and produce all they want and there is no limit. Well, what is going to be the consequence, Mr. Speaker—simply, that next year according to the advice I have from the Department of Agriculture, we will overproduce and put into the bins of the Commodity Credit Corporation from 750 million bushels of corn to 1 billion bushels of corn, which will not be needed because, certainly, it is human nature for every farmer throughout the Midwest, if he gets $1.10 or $1.14 tag put on his corn, to produce every bushel that he can. That is just what this bill will do. So we will see in a couple of years our great Committee on Agriculture coming in here and trying to rectify the mistake I feel is being made here today and that is to discourage entirely any concept of orderly production. Why, Mr. Speaker, if we would put into operation a reasonable price support and sensible acreage allotment for corn it would be far better for this Congress to authorize the expenditure of $500 million, if necessary, to hold up the price level of corn and feed grains at 75 percent of parity rather than to let it fall down to 65 percent and with increased production make the Commodity Credit Corporation buy, perhaps, 1 billion bushels of corn of the 1959 and 1960 crops which is going to cost the taxpayers much more money. At the same time you are depleting the soil of America by producing corn and feed grains that we do not need and threatening the stability of all our livestock markets.

Mr. Speaker, I demanded a second simply because I want to go on record as saying, in my opinion, what the Congress is going to do here today is wrong, and basically wrong and I, for one, will not have anything to do with it. I will not have my stamp of approval put on this in any way.

Mr. Speaker, I now yield 2 minutes to the gentlemen from Massachusetts [Mr. MARTIN.]

Mr. MARTIN. Mr. Speaker, this bill is approved by the administration, Secretary Benson and Speaker RAYBURN. Last January a special message of agriculture was submitted by the President to the Congress. In this message the President made several recommendations which, if enacted, will prove of long-time benefit to the Nation and especially to farm people. The recent improvement in the agricultural position coinciding with the elimination of rigid price supports has not eliminated the need for improved legislation. Even though farm income has increased by 22 percent during the first 6 months of 1958, there is a need to help solve some of the key agricultural problems through beneficial legislation.

The House Committee on Agriculture and its various subcommittees has worked hard. In their considerations there have been many differences of opinion with respect to many of the items included in the proposal before us.

Many agricultural leaders on both sides of the aisle have contacted me indicating their concern over a possible failure to pass constructive agricultural legislation this year.

The cotton programs which have been tried for several years have priced us out of markets both at home and abroad. They have caused huge surpluses to be accumulated and cost the American taxpayer huge sums of money. The programs for cotton have been bad for the industry in more direct ways. Producers have had their cotton acreage cut sharply. Many cotton farmers are now reduced to units of completely uneconomic size. The reduction in cotton acreage forced by an unrealistic approach to the cotton problem has caused a great many acres to be diverted from cotton to other crops, and those diverted cotton acres are now competing with the corn producer, the hog producer, and other farmers, helping to make their problems even more serious.

A sound program for cotton must recognize what has happened to cotton and what must be done to overcome its present ills. A program for the cotton producer does not mean a welfare program, nor must it lead to worsened conditions. This great industry must be given help but assistance given should not seek immediate questionable short-term benefits at the expense of longer time needs and sound solution to the cotton problem. What is needed is action which will permit a reversal of the dwindling cotton markets, and more freedom for farmers to grow cotton in a competitive market.

If cotton is to be returned to its rightful place in agriculture it must be realistically competitive, and it is evident that this will require a change in cotton legislation. The administration has strongly recommended changes that will make cotton competitive pricewise, qualitywise, and promotionwise, in markets both at home and abroad. This new legislation will also be helpful to the badly stricken cotton textile industry.

In formulating long-term legislation for such basic commodities as cotton, rice, and corn it is essential that full and complete consideration be given to the formulation of programs which meet the objectives of expanding market and other outlets for the bounty with which this great Nation is blessed.

In the last few days much thought has been given to compromises which meet in large measure these constructive objectives submitted by the President. The compromise proposals submitted to your vote today meet those objectives. They are satisfactory to the responsible agricultural leadership of this body. They are satisfactory to the administration. This is legislation in which all of us can take pride.

It was born out of patience by men of good will on both sides of the aisle. I commend it to your favorable vote.

GENERAL LEAVE TO EXTEND

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members may revise and extend or extend their remarks on this bill at this point.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, I want to join in vigorous support for the farm bill before us today. Its passage is vitally necessary to prevent grave economic damage to the people of the Mississippi Delta who I have the honor to represent in the Congress.

Without amendment to the present law, severe new acreage restrictions would go into effect for both cotton and rice farmers next year. Cotton acreage in my area might be reduced as much as 25 percent. Many rice farmers would virtually have to end their operations because acreage allotments would be too small for economic feasibility.

A very conservative estimate of the direct economic loss to my District would be in the neighborhood of $25 million. Obviously the Nation cannot afford losses of this kind.

I want to express my appreciation and that of the farmers of my District for the leadership of the House of Representatives in working out the impasse and making passage of this bill possible. It has been a difficult situation, and I am grateful to Speaker RAYBURN and Chairman COOLEY of the House Committee for the role they have played in helping us to reach an agreement on this legislation so vital for the farmers of our area.

I want to pay a special tribute to my neighbor across the Mississippi River, the Honorable E. C. GATHINGS, chairman of the Cotton Subcommittee of the House Agriculture Committee, and to my colleague from Mississippi, the Honorable THOMAS G. ABERNETHY. These two outstanding legislators have worked endlessly to help reach this solution in this very difficult situation.

This bill is more than just an emergency solution to the problem which confronts cotton and rice farmers. It offers the beginning of a long-range solution to our problem of gradually declining consumption and further restrictions in acreage. Cotton and rice both must move to competitive prices. Only through this process can we assure ourselves of both foreign and domestic markets in keeping with the traditional roles of these crops.

In the years since I have been in Congress I have seen domestic consumption of cotton decline by almost 25 percent. This decline is due to many factors, but the most important one has been the price differential in relation to competitive synthetic fibers.

Cotton still has a great future as a major American crop, but it cannot survive unless the atmosphere is conducive to a fully competitive market. This bill is a long step forward toward a realistic cotton program. Obviously adjustment must be made in the future. We have to ease any transition in supports to prevent hardships, especially for the small producer.

We are taking a historic step forward today, and I confidently believe that it will mean the beginning of a rejuvenation of cotton's position at home and abroad.

Mr. BALDWIN. Mr. Speaker, I rise in support of S. 4071, the farm bill. I am very pleased that this bill has been again brought to the floor. It contains a highly meritorious extension of the National Wool Act for 3 additional years. This act has worked very well and is most important to the future stability of the sheep and woolgrowing industry. I urge the approval of S. 4071.

Mr. HEMPHILL. Mr. Speaker, I rise in support of this legislation. I am happy that the leadership of this House has seen fit to bring this legislation back before us for a vote. I voted for it before and I shall vote for it today.

I have had a feeling for some years now that we had cut our cotton acreage to the danger point. Some have been inclined to think that we could always resume high production in the event of emergency, but it does not work that way. It takes know-how to grow cotton. It also takes labor, machinery, fertilizer, and seed that will germinate. Once a farmer gets out of the business of growing cotton he has great difficulty getting back in. He has to find the labor, buy the machinery, and try to find the right kind of seed. He just cannot go into business overnight, and cotton is today, and I hope it will remain so, an essential fiber.

This bill provides for a minimum acreage. I do not think that is sufficient, but I intend to support the bill because we must have a farm bill this year.

Some of the farmers may not like the choice plan. The choice plan is much better than a plan of continued acreage reduction.

I believe in 90 percent parity. Unless the farmer prospers, the Nation does not prosper. Look at us now; we are in a recession, admittedly so. The farmer is suffering, and the Nation suffers.

The farmer is not only a producer in this economy of ours, he is a consumer. He cannot be a consumer unless he has the money to buy goods with. He cannot have the money unless his farming activities are profitable. It is as simple as that.

Someday some major national party is going to revamp this entire farm program. It will be one of the greatest legislative events of this century. The farmer, rather than the farm bureaucracy will be put first and foremost. The position of the farmer and the consumer will be reconciled to the advantage of both. As it stands today, so often the consumer is antagonistic to the farmer because the consumer thinks the farmer is responsible for the high food cost. Such is not true; it is not the fault of the farmer. He is barely making a living, and suffering every year from governmental regulation or governmental indifference.

There are, of course, some things in this bill I do not like. There are many activities of the Department of Agriculture I do not like. But I am going to support this bill as a step in the right direction. The bill has some excellent features.

The use of a 4-year yield instead of a 5-year yield should help the farmer. The establishment of permanent minimum for upland cotton should be a step in the right direction.

I am glad this bill provides for acreage retention in the county. Along with the distinguished Representative from Mississippi [Mr. WHITTEN], and others, I introduced a bill to provide for sale or transfer of acreage, and we all had high hopes something would be done. We believe this is a step in the right direction.

I hope the President will sign this legislation. I hope he will come around to our way of thinking and join us who have the interest of the farmer at heart.

Mr. SPEAKER, I hope we pass this legislation today.

Mr. VURSELL. Mr. Speaker, I am supporting Senate bill 4071, as amended by the House, which is before us today, in the belief, as expressed by most of the Members representing farm districts, that it is the best bill that we have an opportunity to pass in the House in the interest of the farmers in this session of Congress.

I have opposed other attempts to pass farm legislation that have been opposed by the Secretary of Agriculture and the Farm Bureau Federation because I felt certain that those bills were not in the best interest of the farmers of Illinois, and in the Corn Belt generally.

I am, indeed, happy to note that this legislation removes, as far as is possible, the danger to the farmers in previous bills defeated by the majority of the Members of this House.

Mr. Speaker, fortunately, today, this bill has the support of the Secretary of Agriculture and a large majority of the Members of the House who are most interested in the welfare of agriculture.

For corn, this bill provides for a referendum which would give farmers a choice in the voting between the present program, which is 75- to 90-percent price supports with acreage controls, or no controls with a minimum support of 65 percent of parity—the referendum to be decided on a majority vote.

Of course, the bill now goes to the Senate where a conference report might change the bill in some respects.

I think this bill, as amended, will cause the cotton farmers who, under previous allotments have been planting their lands in corn, which they could not plant in cotton, to grow more cotton and less corn. This will lessen the production of corn in the South, and relieve, to a considerable extent, the overproduction of corn throughout the Nation, which has been depressing corn prices. This legislation will be helpful to the cotton farmer who can increase his cotton acreage, and will be helpful to the corn farmer by reason of less corn being planted in the South. It will help the corn farmers in other ways as well.

Mr. BROWN of Missouri. Mr. Speaker, the skids are greased. At long last, Secretary Benson is going to take the American farmer for another ride down a primrose path to peasantry; and two-thirds of Congress will willingly or desperately endorse it. But not I.

And oh, the sugar-coated happy pills that have been fed to cotton, rice, and corn growers to make them think they are going to enjoy this ride down the primrose path.

Desperate cottongrowers are offered immediate permission to grow 2.2 million acres of allotments in 1959. They need it. They deserve it. They could have it under existing law, if the Secretary of Agriculture wanted them to have it. But the Department of Agriculture is using the cottongrower's predicament to force upon all farmers a long-range program that Mr. Benson otherwise could never get passed, lower and lower farm wages, profits, and income.

The corngrowers would never have agreed to such a program, but Mr. Benson gave them the giant size happy pill, a 1 year growing binge that may be fun while it lasts but the hangover will be terrific.

For 1959, corn farmers will be permitted to grow all they can grow, production unlimited, at a guaranteed price of $1.14 a bushel.

Oh, how tempting this is for the short-sighted. But look at the facts. This Government now has in Government CCC warehouses an all-time record inventory of corn and feed grains, some 1,800,000,000 bushels that they cannot get rid of. That is enough to feed every head of livestock and poultry in America for more than 10 months. That is some $2,700,000,000 worth; and unhappily, the taxpayers have not yet been billed for it. The bills will filter in during the next few years. In addition, there are 323 million bushels of surplus feed grains and corn now stored on farms.

Yet, in face of this, the corn-belt areas through their Secretary Benson, told the cotton growers that they would trade them 2.2 million more cotton acreage, if the cotton growers would give them unlimited acreage at a guaranteed price of $1.14 for 1959.

Imagine; with corn and feed grains running out of our ears, the Secretary of Agriculture has the nerve to say to corn and feed-grains producers: "Go ahead, produce all you can produce. The taxpayer will pick up the tab for it at $1.14 a bushel." It will be quite a 1-year whingding, but the taxpayer's tab will be at least $500 million and it may run $800 million. For what? To put corn in Government warehouses to rot.

Oh, I say to you, the cotton grower needs 2 million more acres. But at this price? The taxpayer has to pay $500 million. That is almost $250 per acre. That is pretty expensive trading.

All this Congress needed to do was to pass a simple joint resolution directing the Secretary to invoke the emergency clause of the Agricultural Adjustment Act of 1938, as amended. Then cotton plantings could have been increased.

But no, the taxpayer has to buy the increase from corn and feed grains growers.

Now, bad as the short-range aspects of this bill are for the taxpayer, the long-range aspects are worse for the American farmer. This bill broadens the power of the Secretary of Agriculture to lower farm wages, profits, and income, by law, every year for 3 years.

Weigh those words. This Congress is passing a law expanding the powers of an agricultural czar to lower farm prices and wages.

Understand, this Congress is not passing any laws to empower the Secretary of Commerce to lower steel prices or automobile prices, nor the Secretary of Labor to lower wages anywhere. This brave Congress is passing laws only to force lower and lower wages and earnings on the defenseless farmer.

And do not think it is just corn, cotton, and rice farmers that will be affected.

The Assistant Secretary of Agriculture says the strategy is to hit corn, rice, and cotton growers this year, then pick off wheat and milk farmers next year. I heard Secretary Benson himself tell the Agriculture Committee that the primary reason for lowering farmers' manufacturing milk prices from $3.25 to $3.06 this year was to keep milk prices in line with basic commodity prices.

Corn, cotton, and rice farmers get their farm prices rolled back this year. Milk will follow. And what will happen to steel and trucks and tractors? Those prices will stay high or go higher. The Secretaries of their departments have not demanded a rollback law.

No Secretary of Agriculture should be given any more czar powers to force lower prices on farmers by law, unless industry prices are lowered by law, also.

Any cut in farmers' prices below present low levels will not be passed on to consumer; it will gradually be absorbed in processing and distribution. Consumers pay more for dairy products today than in 1950. Farmers sell milk to manufacturers for less today than in 1950. What has happened to the difference?

Look at the figures. The dominant Big Four dairy processors' profits increased 104.4 percent since 1950; their employees are receiving 50 percent higher wages; their advertising costs are up 25 percent. Farmers took a cut. Others gained.

An executive of one of the Nation's largest cereal companies was quoted in Wall Street Journal:

> Our profits increased $2½ million in 1957 without an increase in sales * * * due to lower cost of raw materials—oats, corn, and wheat.

In other words, extra profit came out of farmers' rightful share.

Is it fair to cut back farm prices, by law, to open the gates still more for processors of farm commodities to increase their profits and wages at farmers' expense? Surely, no one wants to force American farmers into peasantry. Everyone is entitled to a fair share.

This new bill is a continuation of "czar" pricing experiments of the past 5 years; and results so far are: It now costs $6 billion a year to run the Department of Agriculture—cost ran $1.04 billion in 1952. Surplus commodity stockpiles—after huge gifts to foreign countries—are now six times larger than in 1951.

In my opinion, this Government has played around with expensive experiments in agriculture pricing long enough. The only way to get a sensible farm program, run by farmers, is to stop this patchwork compromising.

Are two million acres more cotton so dear right now as to be purchased at the price of peasantry?

I am disappointed in this House today. I am sickened at the sight of the Democratic Party's participation in this compromise. I expected better of the Republican Party's Farm Belt leaders. But Benson's power is appalling.

But, obviously, the fight is finished. Justice and fair play have lost again; but there will be a day of reckoning.

Vote for this bill if you will. Pass it if you must. But when you do, please have the decency to encase it in a glass vault, place a wreath upon it and inscribe "Here lies the future of the American farmer, killed by compromise." And save a spot for the taxpayer. He is being taken for a ride, too.

Mr. ROBERTS. Mr. Speaker, the 85th Congress has been one of outstanding accomplishment and we have much of which to be proud when we take our records home for examination by the people. But we will not be able to present our scorecard proudly if we fail to act upon the single most important task yet facing us, that of enacting new farm legislation.

We must not let the soothing soft winds of adjournment, which are breathing so appealingly down our necks, deter us from the job at hand. We must, before we go home, take action to avert further calamity, to the Nation's and particularly to the South's agriculture economy.

My greatest concern right now is for the cotton farmers of Alabama.

Failure to come up with beneficial legislation in this Congress will deal them a deathblow. Secretary of Agriculture Benson says that, without any new legislative authority, he will set 1959 cotton acreage at the absolute minimum 13.6 million acres, or 22 percent less than this year's allotment. He stanchly disdains any suggestion that he use his authority to give relief through administration action.

Therefore, legislative action is demanded. Without it, there can be no result but the continued and increased deterioration of agriculture. The brunt of the blow will be borne by the cotton farmer.

Mr. Speaker, let me tell you what the situation is in Alabama. Today, in my home State, there are less than 180,000 farms, as compared to 227,000 in 1930. There are 28 percent fewer people on those farms today as compared with 25 years ago.

In the Fourth Alabama District, which I serve, we have lost a third of our farmers and 37 percent of our farms in a quarter century. In 1930, the Fourth District had 152,157 people living on about 29,000 farms. In 1955, our farm population had shrunk to only 100,000 and we had only 18,000 farms.

Why are our farmers leaving their land? There are, of course, many reasons, not the least important of which is that the cotton farmers have lost more and more of their land. During the 25-year period 1930–1955, the Fourth District's cotton acreage has shrunk 77 percent. In 1930, we had 410,867 acres planted to cotton. In 1955, our farmers were raising only 95,000 acres of cotton.

And what happens to the thousands and thousands of farmers who finally

give up their land because they are forced to in order to make a living for themselves and for their families? They have or—right now, in all too many cases—they are looking for other jobs. This contributes very greatly to the critical unemployment situation. Even those who attempt to stick it out must supplement their incomes in off-farm employment. In the Fourth Alabama District, a whopping 41 percent of our farmers have to work off the farm 100 days or more each year.

No wonder the economy finds itself in recession. We have hired the farmer as our coachman while we ride our shiny carriage to the poorhouse. I assure you the coachman had rather be home cracking his whip over a team of plowmules.

Secretary Benson blithely has refused to acknowledge that proposed reductions in cotton acreages on the 1959 and subsequent crops will endanger an adequate supply of high quality United States cotton for domestic use and result in further loss of our foreign markets. Informed sources have estimated that we will fall short of fulfilling 1958 requirements for this cotton by some 4½ million bales.

We worry about surpluses when we ought to worry about having enough. We are losing a million acres of productive land each year through such causes as misuse, highways, municipal expansions, industrial development, and military expansions. At the same time, our population is increasing at the rate of three million a year. Experts tell us that by 1975—less than 20 years from now—we will need to produce, among other things, 20 percent more cotton than we are now producing.

Already we are treading on dangerous ground. In Alabama, the cotton crop this year will be about 25 percent less than the one for 1957. The crop forecast is 400,000 bales. Acreage for harvest—estimated at 544,000—is the smallest on record for the State and indicated production is the lowest since 1868.

This is the situation which exists, and it is the sort of condition which will be compounded if the Congress fails to take things in hand and arrive at some workable legislation.

I have been disappointed time and again during my tenure in the House, and particularly in the 85th Congress, when my efforts and those of my colleagues with whom I have joined were stifled.

Early this year, we had a good, emergency-type bill to freeze crop price supports and acreage allotments for 1 year to give us time to work on more comprehensive legislation. Both Houses approved this legislation, only to have it vetoed by the President. Then, the House Agriculture Committee's omnibus farm bill was rejected. Most recently, the Senate passed a farm bill which, when amended by the House Agriculture Committee, was turned down when it came up under suspension of the rules.

There have been any number of other constructive sources of legislative aid proposed. I think my square deal cotton bill is a good plan. Under it, there would be established for each old cotton farm a farm base acreage, which would be the present farm acreage allotment increased by 20 percent. Producers then would be compensated for reducing their acreages of cotton below their farm base acreages.

In February of this year, I and the other members of the Alabama delegation sponsored bills identical to H. R. 10709. This legislation would maintain the national cotton acreage allotment at not less than the national cotton acreage allotment for 1956; provide that no State shall have its cotton acreage allotment reduced by more than 1 percent from such State's allotment for the previous year; provide that no farm shall receive less than a 4-acre allotment or the highest number of acres planted during the last 3 years, whichever is smaller; and, continue a national reserve of 100,000 acres for use in making allotments to the States to take care of minimum farm allotments.

Mr. Speaker, this is the type of legislation we so desperately need today. This is the kind of bill which will help the most harassed individual in America; the small, independent cotton farmer. Some people will try to tell you that this individual has passed from the farm scene and is no longer important. This simply is not true. In the Fourth District, a total of 7,928 farmers had allotments of 10 acres or less this year. Over the State of Aabama, there are 97,257 farmers with 10 acres or less. These are your small farmers; they need help.

Mr. Speaker, my plea here today is that we not minimize in our minds, during the desire to get home, the acuteness of the situation.

The bill which we are now considering is, I think, a pretty good cotton bill, although it also deals with rice, wool, and corn. This legislation contains the A and B choice plans, with a chance for receiving 80 percent of parity next year, scaling down to a floor of 65 percent of parity by 1962. Under this bill, 16 million acres would be assured for allotments in the next 2 years. The farmers receiving 10 acres or less during the current year will not be changed. This would be a permanent type of legislation.

Now, this is not the best possible bill; there are a number of shortcomings. But it has a great deal of merit. It is a step in the right direction, and it is far better than no bill at all. In my opinion, we should pass this bill. We cannot afford to let pass this opportunity to enact beneficial farm legislation.

Mr. MAHON. Mr. Speaker, there is no opportunity to make a talk in regard to farm legislation at this time, but I do want to make a few remarks for the RECORD. The farm bill which will be adopted today is, in my opinion, quite inadequate in many respects. Earlier in the session we voted for a couple of farm measures which were better than the one which is presented today. One of the bills was vetoed and the other failed of passage by reason of the opposition of the Secretary of Agriculture.

I fear that the bill which is being considered today will be a move in the long run toward a lower standard of living for the American farmer, particularly the cotton farmer. The farmers of the area which I represent are, if I may judge from my correspondence, quite uncertain as to just what they feel Congress ought to do in view of the complexities and difficulties which confront us at this time. I have received many telegrams urging me to vote for the so-called original Senate bill, which is, in my opinion, less adequate than the modified version now before the House. I have received a number of messages deploring what was referred to as a campaign for just any kind of farm bill. Those expressing this view took the position that no bill was better than the Senate bill known as S. 4071.

In view of the fact that the Secretary of Agriculture indicated a few days ago that the national cotton allotment for next year would drop to less than 14 million acres, there seemed to be a very widespread interest among west Texas cotton farmers in the passage of some sort of measure which would prevent this calamity. The hope was that the bill before us would be reasonably adequate for a year or so, and that at a later date a more satisfactory long-range program could be formulated and approved by Congress.

The pending measure provides for a choice A and choice B plan for farmers. This is an untried system. It may work. I hope it will work, but admittedly there will be a lot of difficulties involved in the administration of this new type program for cotton. In my opinion, the average farmer in west Texas feels that a farm program which offers a support price of no more than 65 percent of parity on a long range basis is quite inadequate and unacceptable. Of course, for the next couple of years the support level will be higher than that for the so-called choice A farmer, but we must look to the long range effect of the program which is being considered today. We cannot be sure that it will be possible to secure the changes which may later be required. We will do better if we face up to the serious situation which confronts the farmer in the immediate future and for the long pull.

Mr. BREEDING. Mr. Speaker, I want to make my position clear. I am opposed to the Senate farm bill, S. 4071. I am against doing away with the yardstick to measure the worth of agriculture products, namely, parity, which this bill does. Now, Mr. Speaker, we are amending this bill with a House bill which was defeated here a few days ago and with still two further restrictions.

Mr. Speaker, I am opposed to the provisions which say that the supports for corn shall be figured 10 percent below the average price for the last 3 years, which can only mean cheaper prices for this farm commodity.

Mr. Speaker, I think that taking off all acreage controls for corn will only create more surpluses and we already have hundreds of thousands of bushels of surplus grain at present. Grain sorghums, barley, and oat prices are figured in comparison to the feed value of corn in this bill. Ten percent below the average price of the last 3 years means cheaper prices for these feed grains.

I would gladly support a reasonable program for cotton, wool, and rice. We had what was called an omnibus farm

days of the session to take advantage of this, the last opportunity this body

this House have made up their minds now as to what they are going to do. My

Mr. ANFUSO. This bill will save some of our city people some money?

The corn farmers have rejected this

Mr. H. CARL ANDERSEN. Mr.

prices and wages.

price of peasantry?

And what happens to the thousands and thousands of farmers who finally

cotton bill is a good plan. Under it, there would be established for each old

long run toward a lower standard of living for the American farmer, particu-

the average price of the last 3 years means cheaper prices for these feed grains.

I would gladly support a reasonable program for cotton, wool, and rice. We had what was called an omnibus farm bill a few weeks ago, June 26, which would have taken care of all basic agriculture crops. The rule for this bill was defeated on the House floor.

I represent a district which raises principally wheat and grain sorghums; wheat is left completely out of this bill as well as the dairy people. Also, grain sorghum growers do not stand to benefit from these cheaper prices.

To me, Mr. Speaker, it is the beginning of more production and cheaper prices. With the costs of production climbing higher each year, how can we support a program which creates cheaper markets and more surpluses?

These cheaper prices for feed grains are certain to create cheaper prices for cattle and hogs.

To me, this bill is 10 percent less than a poor price for feed grains.

I sincerely hope that no Member of Congress really thinks that the farmers of America ought to have a lower income than other segments of our population.

Mr. LAIRD. Mr. Speaker, I am indeed disappointed with the situation that confronts us in considering the omnibus farm bill which we have before us today. I have opposed the last two omnibus farm bills because they have not dealt fairly or adequately with the problems facing the American farmers and ranchers. The bill which has been brought before us today, under the suspension of the rules procedure, prohibits the introduction of amendments to provide for an adequate dairy section in this bill.

I will have opposed, with my vote today, all three of the 1958 omnibus farm bills because they have not contained proper provisions for our milk producers. I am willing to lean over backward to support the requests of all sections of agriculture. It is my honest opinion that this bill, brought up under the suspension of the rules procedure, is not the way to treat the important subject of agricultural legislation in this 85th Congress.

Mr. CHAMBERLAIN. Mr. Speaker, I wish to associate myself with those who are supporting the farm legislation presently before us. Like other Members of this body, I am pleased that the administration and the House leadership have been able to resolve their differences and join together in advancing a bill which will prove helpful to the American farmer.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Speaker, I shall make my remarks short and to the point. Everyone within the sound of my voice knows that we had a bill not too long ago on the floor of the House which, had it not been brought up under a parliamentary situation requiring a two-thirds majority, would have passed with a simple majority. We failed to give the bill a two-thirds vote.

This afternoon I am here speaking with all my heart and all my consciousness urging the House in the last few days of the session to take advantage of this, the last opportunity this body will have to pass what I shall call a history-making piece of farm legislation.

Our committee has worked as it has never worked before in all the 16 years of my service on it. I am sure you understand that in the last days of a session which I myself expect to be the last debate in which I shall participate as I am not a candidate for reelection, it is far from my intent to say one word on the floor that does not have my conscious and soul-searching approval.

There is a strange thing about this bill that is before us today. The unusual thing is the folk who are supporting this bill. The Secretary of Agriculture, and I shall read a letter at the close of my remarks from his assistant, supports this legislation, our committee unanimously supports this bill while a few days ago opposed many sections and now we have changed or modified certain sections so all are in accord.

The vote in the committee this morning to report out the bill was unanimous; there were no votes in opposition. However, in some instances, presently in the matter of corn I may differ with my friend the gentleman from Minnesota [Mr. H. CARL ANDERSEN]. We took care of corn differently than was stated. We set a base on the price of corn or a floor. I hope everyone understands this. The gentleman from Minnesota is 100 percent correct when he said 65 percent, but that is the floor, or the base, and yet corn today is selling for $1.14 and, according to my friend, the gentleman from Indiana [Mr. HARVEY], at $1.14-plus per bushel. Let no one be carried away with the thought that we are not taking care of corn. The very program you have will destroy corn due to the fact that you cannot compete with feed grains as no acreage control exists on feed grain. So we think we did an excellent job for corn.

In addition to corn, we took care of cotton. I am not going to say much of cotton, for when I talk about cotton I am out of my field, but in the case of cotton the base there too is 65 percent base floor. Something must be done to help cotton because the loss in acereage on cotton has been severe in the last few years, and cotton growers are in real difficulty.

In addition, we have provided exactly the same for rice. We have provided a 65 percent base or floor. I know some will say that that is too low, but it is not too bad. The rice growers support this bill.

We have also provided continuation of wool in this legislation. Mr. Speaker, I plead with every Member of this House to vote for this bill if he wants to see fair legislation passed for agriculture, because this is the last opportunity you will have, in my opinion, to pass any on agriculture in this session of the Congress.

Mr. Speaker, I shall read the letter I received from the Assistant Secretary of Agriculture, and then yield back my time. I do not think we are going to get anywhere by going over all of the details we discussed in the past few months on the agricultural situation. The Members of this House have made up their minds now as to what they are going to do. My prayer is that you do the right thing, send this bill to conference, and if you do do not like anything that comes out of that conference you may object.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. COOLEY. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. HILL. Mr. Speaker, there will be an opportunity to explain the bill in detail.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, I would like to say that the gentleman now in the well of the House is probably making his last speech on farm legislation. He is retiring at the end of the present session. May I say on behalf of myself, and I am sure on behalf of the members of our committee and on behalf of the Members of the House, that the gentleman from Colorado [Mr. HILL], is leaving us with our regret and with appreciation of all for the fine service he has rendered during his long tenure as a Member of the House of Representatives.

Mr. HILL. I thank the gentleman.

I should like to yield now to our farmer from the sidewalks of New York. I can say from the bottom of my heart that in this case he has gone along with most of the things we have felt were necessary to take care of our farm program. I yield to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Speaker, after the tremendous ovation which the gentleman now in the well of the House received, to which he was justly entitled, may I say it has been a great honor to work with him on the Committee on Agriculture. After the ovation which he has received, I did not want to ask him any questions, but I do have a question I am sure some of my city people would want to have answered and, if the gentleman does not mind, would he answer this question: The objection to this bill is that it does not go high enough, it does not give more protection, it does not make prices higher?

Mr. HILL. That is not the object. Let me say that this bill provides flexibility for the Secretary of Agriculture that many members of our committee have insisted on all along that the price of farm products should have.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I suggest that perhaps the gentleman from Colorado misunderstood the gentleman from New York when he was asked to give the objections to the bill which were that it did not provide enough protection for farmers and did not fix prices high enough. That is exactly the objection that the gentleman from Minnesota has, and I am frank to say that if I have any objection to the bill I would agree with the gentleman from Minnesota in the view he has expressed. But I am realistic enough to accept the best proposition that is possible and this is it.

Mr. ANFUSO. This bill will save some of our city people some money?

Mr. HILL. I shall read the letter, and here again, Mr. Speaker, I hope we will have attention. The letter is dated August 14, 1958, on the letterhead of the Department of Agriculture:

Hon. WILLIAM S. HILL,
House of Representatives.

DEAR BILL: In accordance with your request I am enclosing a marked copy of S. 4071 with proposed revisions. As indicated to you earlier, these revisions are acceptable to the Department.

You are to be congratulated for the constructive role which you have played in the formulation of these compromises. I am sure that passage of this legislation will be a step forward for agriculture.

Sincerely yours,

MARVIN L. MCLAIN,
Assistant Secretary.

Mr. Speaker, we are approaching the end of a very important and history-making session of Congress. These are also my last days as a Member of this great legislative body—as I am not a candidate for reelection. In my mind this is the greatest legislative body in the world. During most of this term, since the untimely death of the Representative of the State of Minnesota, Mr. August H. Andresen, I have served as the ranking minority member of the Committee on Agriculture.

This has been a hectic session with respect to agricultural legislation. At times some of us have felt discouraged with the thought that much-needed legislation could not be passed in this session. I was not one of these pessimists. As you know I have always been an optimist, not only about the future of this country but on the basic good sense of this body in approving constructive agricultural legislation.

The House Committee on Agriculture has been a hard-working body. Many times heat has been generated by differences of opinion. Certainly, no one has expected that unanimous approval would be forthcoming with respect to every decision made.

We have before us a bill on agriculture covering several commodities, primarily wool, cotton, rice, corn, and other feed grains. This bill now represents the combined judgment of both sides of the aisle and is satisfactory to the administration. I have worked hard, as have many of my colleagues, to develop a constructive bill to meet the special problems of cotton, rice, wool, corn, and other feed grains. Certainly on my part there was recognition that to ask the cotton farmers to take a 22-percent cut and the rice farmers a cut of almost 50 percent, as required by the Agricultural Adjustment Act of 1938, would be most unfortunate. At the same time I recognized that there was great need to make cotton and rice more competitive so that markets could be regained both at home and abroad—so that huge surpluses would not be accumulated—so that the taxpayer would not be asked to carry a tremendous additional burden.

For some time there has been general recognition of the fact that acreage allotments have not been very popular and have not been effective in reducing corn acreage and production.

The corn farmers have rejected this concept of acreage controls and in 1957 only 14 percent of the production in the commercial corn area was eligible for the full $1.40 per bushel price support. With such low participation this meant that 86 percent of the production was not eligible for price support unless the Secretary of Agriculture used his authority to provide such supports. Farmers should be thankful that this administration decided to prevent a price collapse for corn and announced price support of $1.10 per bushel for corn not produced within acreage allotments.

When farmers had an opportunity to vote on the elimination of corn allotments in the December 1956 referendum over 61 percent of those voting indicated their preference for a program which eliminated acreage allotments for corn and provided price supports to all corn producers in a manner similar to that now provided for other feed grains and soybeans.

Acreage allotments have been much less effective in reducing acreage and production for corn than for the other basic crops, and apparently have been less effective since World War II than before it. Marketing quotas and their accompanying penalties were never proclaimed for corn before Congress repealed the provisions for them in 1954. Hence, when corn producers in the commercial area do not comply with their acreage allotments they merely lose their eligibility for price support and to participate in the Soil Bank; they are not subject to penalty. Most corn producers grow corn principally for livestock feed and are not highly interested in the price support program.

The evidence is convincing that we should move in the direction of more freedom for our corn farmers, unfettered by allotments determined by rigid formulas.

As we look down the road let us keep in mind that future agricultural legislation enables our farmers to expand their markets. Everyone within the sound of my voice knows of the abundance which our farmers are capable of producing. Let us seek the means of finding constructive outlets for this abundance.

As you know, I have been in the forefront in developing a compromise bill which would meet the immediate problems of the cotton and rice farmers and, to a large degree, the constructive measures recommended in the January agricultural message of the President. Men on both sides of the aisle have helped in our effort to develop the compromise proposals which are submitted today for your approval. I am sure they meet these objectives. The responsible agricultural leadership of this body also agrees with my analysis. The administration advises me that these compromises are acceptable. We should all be proud that we have played a part in the development of this legislation. It proves that men who are willing to submerge their party differences for the common good can always come out with good legislation. A favorable vote will be an expression on your part that this is constructive legislation.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, there is no real alternative given to the farmers of America in the Corn Belt to vote as they would like to vote in this proposed referendum. They have simply a choice of something which we all know has not worked. The present program has failed because of the very limited corn acreage, a situation which we tried to rectify last year through the Andresen amendment. Then, on the other hand, farmers will have the choice of approximately 65 percent of parity for all-out production. Consequently, the farmer, in my opinion, has no real choice in that particular referendum. This bill does do some good in giving additional acreage to the cotton and the rice people. I am also wholeheartedly in favor of the wool program. As I said, I do not begrudge them that, Mr. Speaker, but I am simply pointing out that in my opinion this Congress is doing nothing constructive for the Midwest farmer.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I, of course, like most of us from the agricultural grain-producing areas of this Nation, do not like the 65 percent of parity provision in this bill for corn. But, there is one redeeming feature in the bill, which is, it provides that cotton acreage can be increased to a very marked degree. The cotton farmer has for years been taking cotton out of production and putting in corn, which has been bad for the corn farmer, because the corn farmer cannot take corn out of production and put in cotton. So we can see in this bill that benefit to the corn farmer. The cotton farmer wants to raise cotton, and he will raise more cotton and hence less corn if this bill is made law. Also the bill extends the Wool Act, which is good.

Now, Mr. Speaker, as I have said before on this floor and elsewhere many times, we can legislate in vain attempts to solve the farm problems but until the day comes when this Congress wakes up to the fact that the only real solution to the problem is to use up our surplus grain in power alcohol and feed it in liquid form to the iron horse, as we used to feed it in natural form to our horses and mules before the advent of the iron horse, this problem will not be solved. Before the advent of auto, truck, and tractor, our horses and mules ate the production of over 43 million acres of our land. Compare those if you will with the acre figures we are now attempting to take out of production by the Soil Bank Act.

As you know, Senator KARL MUNDT, of South Dakota, and I introduced a bill to process our surplus grains into grain alcohol and mixed with other motor fuels, but as always a few huge powerful oil-producing corporations have been successful in keeping our bill pigeonholed in the Agriculture Committees of Congress.

I hope they will soon see the light, for certainly they are in the same boat with our farmers in every economic storm.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. COAD].

Mr. COOLEY. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Speaker, I am against this bill because I will not be a party to selling out the feed-grain farmers of my district to the detrimental provisions of the Benson program. The other day a bill was before this House which put a floor of $1.18 under corn. That is a floor which is considerably too low. That floor was all I could stand—was all I could stomach. This bill before us today takes away even more and I know for a certainty that the grain farmers of Iowa need assistance, not a further weakening of farm legislation.

This proposal before us today would, if enacted, open the flood-gates of production without any adequate price protection whatsoever. The ultimate outcome of this plan will be the elimination of our family farm units and turn agriculture into a big business corporation venture. The elimination of our family-farm units does not reduce the acreage under cultivation, it does not cut down production in any way, it merely reduces the farm population. Nearly a million and a half of our farm people left the farms from 1950 to 1956. This bill would accelerate this movement off the farm.

Immediately following World War II we lauded General MacArthur for going into Japan and breaking up those tremendous land holdings. And yet, the farm program laid down in this Benson bill will bring about the same conditions here that we had to break up in Japan. If we are not able to stop this concentration of land ownership the day will come when most farmers will be laborers working for absentee landlords.

This bill calls for reduced price supports and unlimited production. This policy denies the majority of our family farmers the right to share in the rewards of increased efficiency. This policy simply says the family farmer must farm more acres, at lower prices, must work harder and longer, and still have no guaranty of any economic stability.

If the Government of the United United States would turn the printing presses loose in the Treasury Department and print an excessive supply of currency and because of this overproduction the valuation of the dollar went down, we would call it currency inflation of the worst sort and demand that it be stopped immediately. But, the Eisenhower-Benson program which is embodied primarily in this bill will do the same thing to the farmer. This is commodity inflation of the worst sort. The farmer will produce more and more and the price will be less and less.

Mr. Speaker, what we really need is an enlightened farm management program. We need a program which takes into consideration production, price, cost of production, and the market for the product. This bill does not do anything except lower the support price and paves the way for unlimited production.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. CHRISTOPHER].

Mr. CHRISTOPHER. Mr. Speaker, as usual, when I have something important to talk about, I only have a minute in which to do it. I cannot read all this into the RECORD, because a minute's time would not suffice. But I would suggest that you check page 17426 of the RECORD of August 13th, yesterday's RECORD, in the third column.

Mr. Speaker, I just want to say this, that this bill is an absolute, unconditional surrender to Ezra Taft Benson. I fought him for 4 years. I have never surrendered to him. If anybody wants to go home from this House this fall and campaign on the fact that they surrendered absolutely and unconditionally to Ezra Taft Benson, let them do so, but not in my company. This diabolical conglomerated monstrosity, if enacted into law, will only hasten the day when the American family-type farmer will become as extinct as the buffalo.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wyoming [Mr. THOMSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. THOMSON of Wyoming. Mr. Speaker, it is essential that this bill receive action in this session of Congress. To accomplish this, I urge my colleagues to suspend the rules, pass the bill and move it forward into conference. I have consistently voted to place our disproven agricultural policies on a sound basis. In that regard, this bill may not be all that we would like, but at least I consider it to be a step in the right direction. Last week, on August 6, I voted to suspend the rules on the bill then under consideration. In doing so, it was my belief that unacceptable portions of the bill could be corrected in conference. In the bill now before us, some of these have either been worked out or improved. It is possible that the bill is acceptable in its present form with regard to cotton and rice. If not, that can be resolved in conference.

Cotton and rice are not raised in our area, and I am not familiar with the minute details of the existing law or its application. As to them and feed grains, however, at least there is a recognition in the bill, in the form presently before us, of the necessity to move away from Government controls and high price supports and to move in the direction of producing for the market and recognizing the forces of supply and demand. One of my principal regrets is that no provision is made in this bill with regard to wheat as I have requested of the House Agriculture Committee. Had this bill been presented under circumstances permitting amendment as I would have preferred, I would have offered an amendment to give the wheat farmers of the Nation a true choice through a referendum. In the next session, this should be done.

Wool, which is involved in this omnibus bill, is produced in substantial quantities in our area, and I am particularly familiar with the situation as pertains to that crop. It is sessential that the 1954 Wool Act, due to expire on March 31, 1959, be extended this year. This is not only in the best interests of the industry, but in the best interest of agriculture generally and the country as a whole.

Our problem with regard to wool is not the conventional agricultural problem of domestic surpluses, unrealistic prices, and allotments. This is really an import problem. We produce only about one-third of our peacetime requirements. Sugar is the only other major agricultural crop which we produce domestically in far less quantity than we consume. Wool is essential to the defense requirements and security of this country. With reduction of tariffs, domestic production by 1954 had declined almost 50 percent from the production at the beginning of World War II. The American wool producers simply could not compete with cheap wages, lower taxes, and other lower costs of production abroad. The 1954 Wool Act which we would extend provides for incentive payment to the grower, paid from duties collected on imported wool. I personally think that we should have an import quota and an increase in tariff. As a minimum, though, we must at least have an extension of this act. I think this is generally recognized and know of no substantial opposition to it. I think it is unfortunate that the extension of the Wool Act has become involved in this omnibus legislation, for it is essential that the act be extended this year. Realizing this, I introduced legislation to extend it on August 20, 1957.

The reason that we must have an extension this year, rather than wait until next year, is quite simple. If the act is not extended now, it will create uncertainty. This would have a serious adverse effect upon agriculture in general, the taxpayer, and the country. One of the effects of the uncertainty would quite possibly be to unrealistically lower prices. The effect would be to increase the incentive payment for the current year's program. This would jeopardize special revenues available to take care of the program, and could very conceivably require taxpayers' money, on a temporary basis, to correct our failure to act and get the program back on the track.

There are many other bad effects that would flow from our failure to extend the act this year, but one of the most serious stemming from the uncertainty would be certain shifts in production. This industry requires substantial prior planning. We would be faced with heavy marketing of ewe lambs and breeding stock and a reduction in flocks. Land taken out of the production of sheep would be either used to produce other livestock or farm crops. This would either create dislocations in other products or add to our agricultural surpluses. This would only compound the agricultural program and add to the cost to the taxpayer.

To prevent all this and more, too, it is essential that the act be extended this year. I urge my colleagues to vote for suspension of the rules on this legislation.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. GROSS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GROSS. Mr. Speaker, I support this so-called farm bill only because it is this or nothing, and there are certain provisions, including the protection for wool, that must be enacted.

However, I am unalterably opposed to any figure of less than 90 percent of parity for basic agricultural commodities. I predict this bill will ultimately contribute to lower livestock prices and deterioration of economic conditions for midwestern farmers.

It is an almost intolerable situation when legislation with the ramifications of this bill is considered under a suspension of the rules which prohibits amendment except by the committee handling the bill and debate is limited to 40 minutes. Moreover, there is not even available the usual printed bill.

I reiterate that I support this legislation only because there is no alternative at this late date, but I also reiterate that this procedure and hastily evolved legislation is an injustice to American farmers.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. CHENOWETH] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I rise in support of S. 4071. I am happy to see this bill before the House today. I commend the House leadership, on both sides of the aisle, and the members of the Committee on Agriculture for working out the provisions of this measure.

This bill provides for the extension of the National Wool Act of 1954. I have been receiving a large number of wires and letters urging the extension of this program. This is a matter of great concern to the woolgrowers of Colorado. While the present law does not expire until next year there is a strong demand to have the act extended at this session. This will make it possible for plans to be made for the marketing of the 1959 wool crop. I am sure that the extension of 4 years, as contained in this bill, will receive the enthusiastic approval of woolgrowers of this country.

Mr. Speaker, I want to particularly commend my colleague from Colorado [Mr. HILL] for the part he has played in making this legislation possible. As the ranking minority member of the House Committee on Agriculture I know that he worked diligently to reach an agreement on a farm bill which would have the approval of this House. I was happy to see the gentleman from Mississippi [Mr. ABERNETHY] comment on his service in this body. BILL HILL has made a most valuable contribution to sound farm legislation over the years. We are sorry to see him retire from Congress and wish him success in his plans for the future.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, I want to ask a question or two of the chairman or some member of the committee. No. 1, the 65 percent of parity on corn, is that a floor or a ceiling?

Mr. COOLEY. It is a floor.

Mr. MILLER of Nebraska. It may go higher?

Mr. COOLEY. Yes, sir.

Mr. MILLER of Nebraska. No. 2: Is the wool section in this bill also in the bill from the Senate?

Mr. COOLEY. It is in both bills. But there is some difference which we will have to reconcile.

Mr. MILLER of Nebraska. We may expect that it will be in the bill when it comes back from conference?

Mr. COOLEY. Yes, sir.

Mr. MILLER of Nebraska. No. 3: Is there any provision for the extension of Public Law 480? We passed a bill that is still in conference, providing for the extension of Public Law 480. Is it contemplated that we may have some extension of that in this bill?

Mr. COOLEY. No. It is contemplated that we will have a separate conference on Public Law 480 immediately following the disposition of this bill.

Mr. MILLER of Nebraska. I hope the Congress will adopt the provisions of the 480 law. This law is needed. I also understand the corngrower will have the right to vote on keeping the present program of higher support prices and rigid controls or the lower parity price and no acreage controls. I further understand that other feed grains will have a floor of about 7 to 8 percent less than the floor under corn.

I must warn my colleagues that if this bill brings lower and lower prices for feed grains that live stock prices will be brought down in price.

Legislation is always a result of reasonable men working out their differences. I trust that will be done in conference.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield the balance of my time to the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Speaker, this is the third and the latest revision of an omnibus farm bill. It is not all we hoped for but it is the best we can get. Most legislation is the result of compromise and this is a compromise bill.

I know there are Members of this House that are not satisfied with the bill for one reason or another but I appeal to you as reasonable men and women who are willing to face the facts of life as they present themselves in this fast-moving world.

It does not take an expert to convince the people of this country and the Members of this House that the once very potent farm bloc is no more. The consumer groups have to be reckoned with today and hence it is incumbent upon us to present a workable bill which will meet with the approval not only of the farmers of this country but of the consumers as well.

In reality, what you have before you today is what, in my humble judgment, would have been contained in a conference report on the omnibus bill defeated a few days ago. I said then that we were fussing about 3 cents a pound on cotton, and that that matter could be adjusted in conference. We have ironed it out in this bill, so the price of cotton is going to be about 27.8 cents a pound, or about 65 percent of parity.

Thus the bill before us ultimately provides for 65 percent of parity for cotton, 65 percent of parity for rice, 65 percent of parity for corn, and 65 percent of parity for tung nuts. So there is fairness and uniformity in the treatment of the commodities as to the level of price supports.

On corn, in which I am particularly interested, the Senate bill provided for a floor of $1.10 a bushel, on corn. The House bill provided for $1.18 a bushel. This bill provides for 65-percent parity for corn which amounts to about $1.144 a bushel, without acreage allotments or controls.

We are also retaining the referendum provision in the bill. The gentleman from Minnesota regrets that the farmers cannot work their will in such referendum.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa.

Mr. HOEVEN. The corn farmer in the referendum will have an opportunity in the commercial corn area to decide between two propositions. One is the present law, the Agricultural Acts of 1938 and 1949, as amended, which provides for 75 to 90 percent of parity with acreage allotments and controls; the alternative proposal is the proposal incorporated in the bill now under consideration which provides for no acreage allotments or controls and 65 percent parity floor for corn.

Let me also say that the bill under consideration retains the modernized parity formula. Continuation of the present parity formula is not provided for in the Senate bill. It is my hope that the Senate will accept the House bill and that it will not be necessary to take it to conference.

If the bill goes to conference I am sure the conferees on the part of the House will vote to sustain the House position on this measure. In closing let me say that this is the last chance we will have to enact farm legislation at this session of the Congress.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Kentucky.

Mr. CHELF. I agree with the gentleman. I would like to see a much better bill for our farmers. I have fought Mr. Benson as long and as hard as any Member because he just simply does not—in my opinion—understand our little farmers' problems. However, we must be realistic—these are the closing hours of the session, when the legislative sands are running out. This is not only

the best bill we can get, it is all we can get, is it not?

Mr. HOEVEN. There is no question about that. This is the best bill we can possibly enact into law before Congress adjourns.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker, any piece of major legislation is the result of sensible men getting together at the table of compromise. The Department of Agriculture, leaders of the Congress, the Republican leadership, the Democratic leadership, and members of the Agriculture Committee, both Democrats and Republicans, have pulled their chairs to the table of compromise and have talked this problem over as reasonable men. They have reached an agreement. Having done so I cannot picture the House turning it down today.

I know how my friend, the gentleman from Missouri [Mr. CHRISTOPHER] and my friend, the gentleman from Iowa [Mr. COAD], and my friend the gentleman from Minnesota [Mr. H. CARL ANDERSEN] might feel. But with all deference and with no criticism of their remarks, this has not been a sellout to anyone. It is not a sellout to the Democrats or to the Republicans. It is not a sellout to Mr. Benson, to Mr. Eisenhower, to the Speaker, or Mr. Martin, or to Mr. Cooley or Mr. Hill. It is a sensible agreeable approach to a difficult problem.

As for the corn provision about which my friends, the gentlemen from Iowa, Missouri, and Minnesota have complained, a new program for corn is not being forced upon anyone. If the gentlemen who have complained and their farmers would prefer to stay with the present program, their farmers may so indicate by simply expressing themselves in the referendum as provided for in the bill. If they would prefer to go with the new alternative included in this bill, their farmers may so express themselves in the referendum. It is left entirely to the farmers. What would be fairer than that? Mr. Benson has claimed it is better for farmers to go to lower supports and have higher production. The other side of the issue presented by these three gentlemen I have named claim it is better for farmers to continue controlled production and at higher supports. Each side claims to know what the farmer wants. Actually, no one knows. No one in this House actually knows. But, after the fall season has passed, and they have had an opportunity of expressing themselves in a referendum, we will know. They, the farmers themselves, will have made the decision in the referendum. What could be a fairer method of arriving at it? We will then know where they stand and they will have exactly what they have voted for.

Mr. Speaker, I am pleased to join with my colleagues in bringing to the House a farm bill which I believe to be a tremendous improvement over that which passed the other body.

This bill saves the concept of parity. Parity was adopted a quarter century ago as the yardstick by which the farmer could determine whether or not he was being dealt with fairly. The parity concept and the parity formula are generally accepted by the public.

In spite of all of the objections advanced by the Secretary of Agriculture against some of our farm programs, he has never complained or criticized the concept of parity. To my knowledge no Member of this body has ever complained about such; and none complain about it now.

Secretary of Agriculture Benson has never recommended that the Congress junk the parity concept. In the many farm messages sent to the Congress by the President, he had never sought repeal of the parity concept. Both the President and the Secretary have advocated a lowering of price supports but with each recommendation they have urged that support prices be based on parity and not on some untried formula.

Some time ago an idea was advanced in Canada that price supports be based on a percentage of the average market price for a given number of years next preceding the year in which the commodity was produced and offered for market. It got into the papers and some few people in the United States, with a desire to come up with something new, hopped on it with the idea that it was the answer to the farmers' prayer. Until now not one single farmer from my district or State has asked me to support any such formula. In fact, I do not recall that any farmer from any part of the Nation has made such a request of our committee.

Now, with no farmers having urged Congress to junk the concept of parity, with the Secretary not having urged such and with the President himself not having urged us to do so, why should we do it? What sensible reason is there for so doing?

The President and the Secretary have urged Congress to give them the discretionary authority to support farm prices on a flexible scale from 60 to 90 percent of parity, not 60 to 90 percent or any other percentage of what farmers can obtain for their products in the market place as was incorporated in the bill by the other body. Of what advantage would there be to farmers to fix price supports at 90 percent of what they can secure for their products in the market place? What farmer would sell his crops to the Federal Government at 90 percent of what he can get for them in the market? With all deference to those who have advanced this new idea of price support and without questioning their sincerity, to adopt such a program would be the equivalent of having no price-support program at all. Under such, the manipulators of the markets could, after a few years, wipe out any safe level of price supports and, on so doing, farmers would be left at the mercy of those who are powerful enough to manipulate the markets.

Aside from the retention of the concept of parity, there is only one main difference in the House bill and that which passed the other body as the bills relate to cotton. The Senate bill provided for a 30-cents-per-pound minimum price for cotton based on inch middling. The original House bill provided for a minimum of 32.81 cents per pound. We have agreed to drop the 32.81-cent minimum and have fixed same at a minimum of 65 percent of parity, which by the time we reach said minimum in 1962 will be the equivalent of the Senate minimum. We believe this to be a marked improvement. As parity goes up by virtue of increased cost of production or as inflation progresses, the minimum price support will advance accordingly. To freeze the minimum at a flat dollars-and-cents figure would force the farmer to absorb such inflation as might be visited upon the country and would not take into account the increased cost of production.

As to cotton, the House bill retains the same minimum national allotment of 16 million acres, the same minimum farm allotment of 10 acres or the highest planted, whichever is the lowest, and the same choice plan of permitting farmers in 1959 and 1960 to increase their plantings up to 40 percent of their allotments by taking a reduction of 15 parity points in price support. However, we did on the latter give the Secretary some discretion on the 40-percent increase, authorizing him to reduce same if in his judgment the 40 percent would result in overproduction, which would be highly probable under the provision as approved by the other body.

The rice provisions remain identical with those of the House bill and so do the corn provisions except that we have reduced the $1.18 minimum support price per bushel to that of 65 percent of parity which as of now amounts to about $1.14.

It is my feeling, Mr. Speaker, that this is a much improved bill; that it is better for all concerned—for the farmer, the trade, the Government, and the people.

I trust it will be adopted by an overwhelming vote.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Speaker, first of all, I should like to take this opportunity to congratulate my good friend, the gentleman from Minnesota [Mr. H. CARL ANDERSEN] for the wonderful manner in which he represents his constituents. I know he is interested in getting the most for them. As a city person, and I would like to direct my remarks to city people on both sides of the aisle, it is my philosophy that farm legislation is not a one-way street and that we must travel the road on a two-way basis. If we do something for the farmers, we expect the farmers to do something for us, too, such as, housing legislation and other necessary measures. I am going to support this bill and I am going to ask my city friends on both sides of the aisle to support this bill, because I think the farmers of America are entitled to adequate farm legislation. To deny them that right would not be real Americanism in my book. I also want to say that city people should support this legislation for the simple reason that on my

committee there are men like the chairman, the gentleman from North Carolina [Mr. COOLEY], and many others, who have time and time again supported legislation of benefit to us in the cities.

I am hopeful that we will have a housing bill, but for the time being I am not going to deny the farmers of America their right to legislation.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and the Chair announced that in the opinion of the Chair, two-thirds had voted in the affirmative.

Mr. RABAUT and Mr. COAD asked for the yeas and nays.

The yeas and nays were refused.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RETURN OF BILL TO SENATE

The SPEAKER laid before the House the following communication which was read by the Clerk:

IN THE SENATE OF THE UNITED STATES,
August 13, 1958.

Ordered, That the House of Representatives be requested to return to the Senate the bill, S. 3843, to regulate the practice of physical therapy by registered physical therapists in the District of Columbia.

The SPEAKER. Without objection the request will be granted.

There was no objection.

EXCISE TAX TECHNICAL CHANGES ACT OF 1958

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, and ask unanimous consent that the statement of the Managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2596)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 16, 18, 19, 21, 32a, 48 (2), 51, 53, 54, 55, 56, 57, 59, 61, 63, 83a, 83b, and 88b.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 17, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39a, 39b, 40, 41, 42, 43, 44, 45, 46, 47, 48 (1), 49, 50, 52, 58, 60, 62, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 80b, 80d, 81, 82, 83, 84, 85, 86, 87, 88, 88a, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 111a, 111b, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, and 153, and agree to the same.

Amendment numbered 32b: That the House recede from its disagreement to the amendment of the Senate numbered 32b, and agree to the same with an amendment, as follows: On page 40 of the House engrossed bill, line 7, after the period, insert "No interest shall be allowed or paid on any overpayment in respect of dues or fees paid on or before the date of the enactment of this Act, if refund or credit of such overpayment would not be allowable but for subsection (c) of such section 4243, as added by subsection (b) of this section."; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35 and agree to the same with the following amendments:

Restore the matter proposed to be stricken out by the Senate amendment.

On page 51 of the House engrossed bill, in line 4, strike out "137" and insert "135."

On page 51 of the House engrossed bill, beginning with line 13, strike out all through line 2 on page 52 and insert:

"(a) Exemption: Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under section 4251 or 4261 on any amount paid by a nonprofit educational organization for services or facilities furnished to such organization."

And the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment, omit the matter proposed to be inserted by the Senate amendment, and on page 58, line 10, of the House engrossed bill, strike out "6 cents" and insert "8 cents"; and the Senate agree to the same.

Amendment numbered 80a: That the House recede from its disagreement to the amendment of the Senate numbered 80a, and agree to the same with an amendment, as follows: On page 146 of the House engrossed bill, in the matter following line 14, strike out "SEC. 5023. TAX ON BLENDING OF BEVERAGE BRANDIES." and insert:

"SEC. 5023. TAX ON BLENDING OF BEVERAGE RUMS OR BRANDIES."

And the Senate agree to the same.

Amendment numbered 80c: That the House recede from its disagreement to the amendment of the Senate numbered 80c, and agree to the same with an amendment, as follows: On page 151, line 20, of the House engrossed bill, strike out "blended whiskies" and insert "blended whiskies, blended rums"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment, as follows: On page 42 of the Senate engrossed amendments, in line 14, strike out "law pertaining to the subject matter of such subtitle" and insert "law of the United States pertaining to the commodities subject to tax under such subtitle"; and the Senate agree to the same.

W. D. MILLS,
N. J. GREGORY,
AIME J. FORAND,
DANIEL A. REED,
RICHARD M. SIMPSON,
Managers on the Part of the House.

HARRY F. BYRD,
ROBT. S. KERR,
J. ALLEN FREAR, JR.,
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7125) to make technical changes in the federal excise tax laws, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Many of the Senate amendments made technical, clerical, clarifying, or conforming changes in the bill as passed the House. These changes include changes made necessary by the lapse of time and changes to conform the bill to the Tax Rate Extension Act of 1958 (including the repeal of taxes on transportation of property). With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature, or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

In addition to the amendments of the nature described in the preceding paragraph, the Senate amendments made a number of substantive changes. These changes, and the action agreed upon by the conferees, are explained below:

TITLE I—MISCELLANEOUS EXCISE TAXES

Exemption for nonprofit educational organizations

Amendments Nos. 2, 16, 35, and 53: The bill as passed the House provided exemptions for nonprofit educational organizations from the retailers excise taxes (sec. 105 of the House bill), the manufacturers excise taxes (sec. 4221 (a) (5) of the Code, as amended by sec. 119 (a) of the House bill), and the communications and transportation taxes (sec. 137 of the House bill). The House bill also included a provision under which the manufacturers excise tax paid with respect to an article was to be deemed to be an overpayment if the article was by any person sold to a nonprofit educational organization for its exclusive use (sec. 6416 (b) (2) (D) of the Code, as amended by sec. 163 (a) of the House bill).

Senate amendments numbered 2, 16, 35, and 53 struck out these provisions of the House bill.

The Senate recedes.

Parts and accessories for farm equipment

Amendment No. 3: The bill as passed by the House (sec. 111) provided an exemption for automobile parts and accessories (other than spark plugs and storage batteries) used by the manufacturer, producer, or importer thereof as a repair or replacement part or accessory for farm equipment. The House bill also provided an exemption for the sale of such parts or accessories to a purchaser who certifies that the part or accessory is to be used by him as a repair or replacement part or accessory for farm equipment or is to be resold by him for such use. Present law which allows credit or refund with respect to such use is continued unchanged.

Senate amendment numbered 3 struck out this provision of the House bill. The House recedes.

Tape and wire recorders, players, and recorder-players

Amendments Nos. 7 and 8: The House bill amended section 4141 of the code to add to the base of the 10-percent tax on radios, television sets, etc., the following articles: tape and wire recorders, players, and recorder-players. However, the bill as passed the House would have exempted those tape and wire recorders, etc., which were designed for certain commercial, industrial, or scientific uses.

Senate amendments numbered 7 and 8 struck out these provisions of the House bill. The House recedes.

Stencil cutting machines of the type used in

the secondary school level. The application

in no case is the stock transfer tax to ex-

family use from the special (occupational)

A motion to reconsider

Stencil cutting machines of the type used in marking freight shipments

Amendment No. 9: The Senate amendment provides an exemption from the tax imposed by section 4191 of the code (business machines) for stencil cutting machines of the type used in shipping departments in making cutout stencils for marking freight shipments. The House recedes.

Constructive sale price for manufacturers excise taxes

Amendment No. 11: The House bill amended section 4216 of the code to permit the application of a constructive sale price in the case of sales by manufacturers to retailers.

The Senate amendment expanded the application of the constructive sale price the application of the constructive sale price provisions so as to also apply in the case of sales by the manufacturer to certain special dealers who do not in reality act as normal wholesale dealers. In the case of sales to a special dealer, if certain other requirements are met, the sales price for tax purposes is whichever of the following prices is lower: (1) the price for which the article is sold or (2) the highest price for which such articles are sold by such manufacturers, producers or importers to wholesale distributors (other than special dealers). "Special dealer" is defined as a distributor of taxable electrical, gas, and oil appliances (taxed under sec. 4121 of the code) who does not maintain a sales force to resell appliances but who instead relies on the salesmen of the manufacturer, producer or importer of the appliances for their resale to retailers. The House recedes.

Sales of mechanical pencils, fountain pens, and ball point pens for export

Amendments Nos. 22 and 23: Senate amendment No. 22 provides that taxable mechanical pencils, fountain pens and ball point pens (taxed under sec. 4201 of the Code) may be sold by the manufacturer on a tax-free basis for export only after the manufacturer receives notice of intent to export the pens or pencils. Senate amendment No. 23 provides that the registration requirements are not to apply in the case of pens and pencils sold by the manufacturer for export or for resale for export because the notice of intent rule mentioned above is to apply in lieu of the registration provision. The House recedes.

Exemption of $1 paid for admissions

Amendment No. 25: Under present law (sec. 4231 of the Code) the general admissions tax applies only if the amount paid for admissions is more than 90 cents (or in the case of a season ticket or subscription if the amount which would be charged for a single admission is more than 90 cents). The Senate amendment provides that the general admissions tax of 1 cent for each 10 cents or major fraction is to apply only to amounts in excess of $1 paid for admission. The amendment also provides that in the case of a season ticket or subscription for admission the tax is imposed on the amount paid for such season ticket or subscription which is in excess of $1 multiplied by the number of admissions provided by such season ticket or subscription.

The House recedes.

Admissions inuring to the benefit of scholarship and fellowship funds

Amendment No. 28: The Senate amendment adds to section 4233 (a) (1) (A) (exemption from admissions tax of certain religious, educational, or charitable entertainments, etc.), an exemption for admissions inuring to a tax-exempt educational, charitable, or religious trust or organization (described in section 501 (c) (3)) which is organized and operated exclusively to provide scholarships and fellowships for study above the secondary school level. The application of this provision is limited by subparagraph (C) of section 4233 (a) (1) (relating to nonexempt admissions).

The House recedes.

Dues and fees paid to certain swimming and skating clubs

Amendment No. 32: The House bill provided that all amounts paid as dues or fees to any club or other organization organized and operated primarily for the purpose of providing swimming facilities for its members shall be exempt from the tax imposed by section 4241 (club dues) if certain conditions are established. The Senate amendment provides that the exemption from the club dues tax in the case of these swimming clubs shall also be applicable to clubs providing skating facilities.

The House recedes.

Effective date for exemptions of assessments for capital improvements

Amendment No. 32a: The House bill provides that subsection (b) of section 4243 of the Code (assessments for capital improvements), as added by subsection (b) of section 132 of the bill, shall apply only with respect to assessments paid on or after the effective date specified in section 1 (c) of the bill for construction or reconstruction begun on or after such effective date. Section 1 (c) provides that the effective date is the first day of the first calendar quarter which begins more than 60 days after the date on which the bill is enacted. The Senate amendment provided that the effective date shall be applicable with respect to assessments paid on or after June 1, 1958, for construction or reconstruction begun on or after such date.

The Senate recedes.

Effective date for exemption of swimming and skating facilities

Amendment No. 32b: The House bill provided that subsection (c) of section 4243 (nonprofit swimming facilities), as added by subsection (b) of section 132 of the bill, shall apply only with respect to amounts (including assessments for construction or reconstruction) paid on or after the effective date specified in section 1 (c) of the bill. Section 1 (c) provides that the effective date is the first day of the first calendar quarter which begins more than 60 days after the date on which the bill is enacted. The Senate amendment provides that the amendment added by the bill shall apply only with respect to amounts paid on or after January 1, 1958.

The House recedes with an amendment providing that interest shall not be paid with respect to any refunds resulting from this amendment where dues or fees are paid on or before the date of enactment of the bill.

Stock issuance tax in case of recapitalizations

Amendment No. 36: Section 141 (a) of the House bill provided that the tax imposed on shares or certificates of stock issued in connection with a transfer from any surplus account (other than earned surplus accounts) to capital will be based generally on the total increase in capital. Senate amendment No. 36 restores the provision relating to recapitalization in existing law, modifying it only to the extent necessary to take into account the change in method of computing the issuance tax from par value to actual value.

The House recedes.

Stock transfer tax

Amendment No. 39: Section 141 (a) of the House bill provided that in no case is the stock transfer tax to exceed 6 cents a share. Senate amendment No. 39 eliminated this ceiling on tax. The House recedes with an amendment to the effect that in no case is the stock transfer tax to exceed 8 cents a share.

Certification of value of stock

Amendment No. 39a: Senate amendment No. 39a provides that where tax is paid by stamp that the presentation for transfer of shares or certificates of stock or rights to subscribe for or to receive such shares or certificates shall be accompanied by a certification of the transferor or transferee as to the actual value of such shares or certificates which certification may be relied upon by any corporation or transfer agent without further inquiry.

The House recedes.

Application of stamp taxes to certain corporate reorganizations

Amendment No. 42: Senate amendment No. 42 provides a new exemption from the taxes imposed by sections 4301, 4311, 4321, 4331, and 4361 of the Code in the case of corporate reorganizations where the change is a mere change in identity, form, or place of organization, however effected.

The House recedes.

Credit or refund in the case of certain exported articles

Amendment No. 62: Under present law, a tax-free sale may be made, or subsequently a credit or refund may be claimed, only where there is knowledge at the time of the original sale that the article was being purchased for export.

Under the bill as passed by the House, it became immaterial whether the article was intended to be exported at the time of its sale by the original manufacturer.

The Senate amendment makes an exception to the House rule in the case of the export of articles taxable under sections 4061 (a), 4111, 4121, or 4141 (that is automobiles, refrigeration equipment, electric, gas, and oil appliances, and radio and television sets, phonographs, etc.). In the case of these articles refunds or credits are to be available only if sold by the manufacturer, producer, or importer for export after receipt of notice from the purchaser of intent to export the article or to sell it for export.

The House recedes.

TITLE II—ALCOHOL, TOBACCO, AND CERTAIN OTHER EXCISE TAXES

Distilled spirits refunds—statute of limitations

Amendment No. 76 (3): The bill as passed the House provided for refunds or credits of the tax (within certain limitations) for losses incurred incident to rectifying and bottling of distilled spirits after payment or determination of tax. The House bill did not contain a statute of limitations in respect of such refunds. Senate amendment numbered 76 (3) provides a specific statute of limitations comparable to others provided in chapter 51.

The House recedes.

Blending and treatment of rums

Amendments Nos. 80a, 80b, 80c, 80d, 88a, 111a, and 111b: These Senate amendments (for which there are no comparable provisions in the House bill) extend to rums the same privileges with respect to the addition of caramel on bonded premises, and with respect to blending, as are extended to brandies under existing law.

The House recedes.

Production of beer for family use

Amendments Nos. 83a, 83b, and 88b: Amendments Nos. 83a and 83b (for which there is no comparable provision in the House bill) would provide that the duly registered head of a family could produce for family use without payment of the tax an amount not to exceed 200 gallons of beer a year. Amendment No. 88b would revise the definition of brewer as contained in the House bill so as to relieve a producer of beer for family use from the special (occupational) tax on brewers.

The Senate recedes.

Applicability of certain provisions to Puerto Rico and the Virgin Islands

Amendment No. 117: The House bill generally continued the provisions of existing law which applied the industrial alcohol laws of the United States to Puerto Rico and the Virgin Islands. The above Senate amendment provides that these provisions of the internal revenue laws which allow denatured alcohol and articles made therefrom to be brought into the United States free of tax shall not apply to the Commonwealth of Puerto Rico unless the Legislative Assembly of the Commonwealth expressly consents thereto in the manner prescribed for the enactment of law. This provision closely corresponds to the provision contained in the Narcotics Act of 1956 (see sec. 4774 I. R. C., 1954, as amended).

The House recedes.

Loss of distilled spirits of Puerto Rican origin

Amendments Nos. 88, 146, and 147: The House bill would have allowed refunds or credits of tax in respect of distilled spirits, wines, rectified products and beer of Puerto Rican manufacture brought into the United States and thereafter lost by reason of a major disaster. Subsequent to the time the bill was reported by the Committee on Ways and Means the Legislative Assembly of the Commonwealth of Puerto Rico passed legislation providing for credits or refunds in respect of such Puerto Rican products brought into the United States and subsequently lost by reason of a major disaster.

The Senate amendments make the disaster refund provisions not applicable to Puerto Rican products.

The House recedes.

National emergency provisions

Amendment No. 129: The House bill continued the provisions of law allowing the Secretary to waive certain requirements where necessary in the interest of national defense. The House bill contained a termination date for this authority. This amendment strikes the termination date.

The House recedes.

Tobacco return system

Amendment No. 137. The House bill required that a system of payment of tax by return (rather than by stamp) be instituted for manufacturers of tobacco products, with a prescribed period of deferment of not less than 7 days. This amendment strikes this provision of the House bill. The effect of this amendment is to continue the provision of existing law which leaves to the discretion of the Secretary of the Treasury whether or not to institute a return system.

The House recedes.

Effective date provisions

Amendment No. 149 (2): This amendment changes the effective date of the general revision of chapter 51 from July 1, 1958, to July 1, 1959, and makes the Senate amendments to subtitle F, as contained in title II of the bill, which are not related to the revision of chapter 51, effective on the day following the date of enactment. It also provides that any provision of chapter 51 may be made effective at an earlier date if regulations so provide.

The House recedes.

W. D. MILLS,
N. J. GREGORY,
AIME J. FORAND,
DANIEL A. REED,
RICHARD M. SIMPSON,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED], the gentleman from Pennsylvania [Mr. SIMPSON], and I may be permitted to extend our remarks at this point in the RECORD and that other Members desiring to do so may have a like privilege.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the consideration which we today give the conference report on H. R. 7125, the Excise Tax Technical Changes Act of 1958, marks the culmination of 2½ years of intensive thought, study, and plain hard work on behalf of the Committee on Ways and Means, especially its Subcommittee on Excise Taxation. This effort has been devoted to what has often been described as the orphan of the internal revenue taxes of the United States. I speak of course of those provisions of the Internal Revenue Code which relate to excise taxes.

The bill H. R. 7125 is chiefly the product of the work of the Subcommittee on Excise Taxation of the Committee on Ways and Means, which has been ably chaired by the gentleman from Rhode Island, my colleague, the Honorable AIME J. FORAND. In his endeavors he has been ably assisted, advised, and counseled by the members of his subcommittee. It is my honor to name them and thank them, not only on behalf of the members of the Committee on Ways and Means but on behalf of the whole House as well. They are: the gentleman from Pennsylvania, the Honorable HERMAN P. EBERHARTER; the gentleman from New York, the Honorable EUGENE J. KEOGH; the gentleman from Missouri, the Honorable FRANK M. KARSTEN; the gentleman from Florida, the Honorable A. S. HERLONG; the gentleman from Ohio, the Honorable THOMAS A. JENKINS; the gentleman from Illinois, the Honorable NOAH M. MASON; and the gentleman from Washington, the Honorable HAL HOLMES.

Before discussing the Senate amendments and the action of the conferees with respect thereto, I would like to recall briefly for the House the scope of the bill. The bill is divided into two titles. Title I contains the first overall technical revision of the general excise tax provisions undertaken since 1932, the year in which a great many of these provisions were first adopted. In addition to numerous changes in virtually all classes of the manufacturers' excise taxes, the bill contains the complete rewrite of the provisions relating to the communications and documentary stamp taxes, and the all-important credit and refund provisions.

Title II of the bill represents the first overall review of the provisions relating to the taxes on distilled spirits, wines, and beer undertaken since the 1890's. The provisions relating to the taxes on tobacco products and firearms have been extensively revised as well. Title II provides a general technical revision of the distilled spirits provisions and also the occupational tax provisions relating to wholesale and retail dealers in alcoholic beverages. The provisions relating to wines, beer, and tobacco products are also generally revised by the title, although considerable work was done with respect to these provisions in connection with the enactment of the Internal Revenue Code of 1954.

Proceeding to the Senate amendments and the action of the conferees thereon, let me first state that the great majority of the Senate amendments made no more than technical, clerical, clarifying, or conforming changes in the bill as it passed the House. Most of these changes were made necessary by the lapse of time and changes to conform the bill to the Tax Rate Extension Act of 1958, which, as Members of the House will recall, repealed the taxes on the transportation of property, coal, and oil by pipeline. In the case of amendments of this class with respect to Senate amendments which are technical, clerical, clarifying, or conforming, the House either recedes or recedes with amendments made necessary to perfect the bill, or the Senate recedes in order to conform to other action agreed to by the committee of conference.

In addition to the technical amendments just discussed, the Senate amended the bill substantively in several respects. It is now my purpose to discuss these several substantive amendments. The first substantive amendment has to do with the exemption provided by the bill as it passed the House for nonprofit educational organizations in the case of the manufacturers, retailers, communications, and transportation taxes. The Senate struck out this exemption. The action of the committee of conference results in the restoration of the exemption, which finds precedent in the exemption accorded to nonprofit educational institutions under existing law in the case of musical instruments. Precedent is also provided in the Revenue Act of 1951, which revised the base of the tax on sporting goods to eliminate those items principally used by schools, State or locally operated schools, colleges, or universities are presently exempt from all of the Federal excise taxes. The action of the conference committee places nonprofit educational institutions on a parity with such State or locally operated institutions.

The bill as passed by the House provided an exemption for automobile parts and accessories sold for use or used as repair or replacement parts or accessories for farm equipment. The premise for the exemption provided by the House bill was that the existing refund provision used in connection with farm repair parts or accessories is cumbersome and has operated to deny the benefit of the credit or refund which the Congress intended should be allowed to the purchaser of such articles. To prevent this, the House bill provided a new certification procedure. In examining the operation of the certification procedure thus provided, the Treasury Department advised the Senate Finance Committee that

the new procedure would not materially simplify existing procedure. For this reason the Senate struck the House exemption for farm repair parts and accessories from the bill. The action of the conference committee sustained the Senate amendment.

Tape and wire recorders would have been subjected to the 10 percent Federal excise tax imposed on radios and television sets under the House bill. It was the belief of the Committee on Ways and Means at the time that this provision was reported to the House that tape and wire recorders were competing with radios and phonographs and phonograph records. In the Senate the fact was developed that many manufacturers of tape and wire recorders are operating at a loss, and that the stereophonic sound techniques pioneered by the tape and wire recorder industry have been developed and applied by the phonograph and phonograph record industry to the point where a tax on tape and wire recorders would possibly destroy a competitive balance between these articles. The Senate action deleted the proposed tax on tape and wire recorders from the bill. The action of the conference committee sustained the position of the Senate.

A new provision was added to the bill on the floor of the Senate exempting from the Federal excise tax on business machines, stencil-cutting machines of the type used in marking freight shipments. The action of the conference committee sustained the Senate action.

A general provision was added to the House bill to provide for the construction of a sales price in connection with the manufacturers excise taxes. The Senate expanded this provision to cover the case of sales by a manufacturer to certain special dealers who do not, in reality, provide the services of normal wholesale dealers. A special dealer is defined as a distributor of electric, gas, and oil appliances subject to tax who does not maintain a sales force to resell such appliances but who relies on salesmen of the manufacturer, producer, or importer for their resale to retailers. The action of the committee of conference sustains the Senate action.

The House bill provided for a uniform system of registration in the case of sales for export. The Senate amended the provisions relating to this registration system to continue the present requirement that notice of intent to export be supplied to a manufacturer in the case of mechanical pencils, fountain pens, and ballpoint pens intended for export. The Senate action was based on the fear that tax avoidance might arise under the registration system if no notice of intent to export were supplied to the manufacturer. The conference committee action sustains the Senate amendment.

The Federal excise tax on admissions is altered by two Senate amendments to the bill for which no comparable provisions existed in the House bill. Under the first of these amendments, the Federal excise tax on admissions will apply only to amounts paid for admission in excess of $1. Under existing law the admissions tax applies only if the amount paid for admissions is more than 90 cents. Under the second of these amendments, an exemption is supplied in the case of the tax on admissions for admissions inuring to a tax-exempt educational, charitable, or religious trust or organization which is organized and operated exclusively to provide scholarships and fellowships for study above the secondary school level. The action of the conference committee will accept both of these amendments.

The House bill provided that all amounts paid as dues or fees to any club or other organization organized and operated for the purpose of providing swimming facilities should be exempt from the tax on club dues. The House exemption was intended to provide relief to the many community swimming pools which have been organized and are being organized as community projects to the great benefit of the children of the country. In the Senate, it was discovered that a great many community skating rinks are similarly being organized and that they serve the same purpose in serving the youth of the Nation. The Senate amendment extended the exemption provided for community swimming pools to community skating rinks as well. As a result of the conference committee action, the Senate amendment was sustained. The Senate also provided that the effective date for the new exemption for community swimming pools and skating rinks would be changed to that contained in the House bill for community swimming pools so as to apply only with respect to amount paid on or after January 1, 1958. The conference committee action agrees to this effective date change with a House amendment providing that interest shall not be paid with respect to any refund arising from the conference action in the case of dues or fees paid on or after the date of enactment of the bill.

The Senate amended the provisions of the House bill relating to documentary stamp taxes in four respects. The first of these amendments affects the provisions of the bill relating to the stock-issuance tax in the case of recapitalization. The Senate amendment in the case of recapitalization has the effect of restoring existing law and was thought necessary primarily because the House provision would have required a historical reconstruction of the capital of a corporation which would prove difficult. However, the Senate amendment modifies existing law to the extent necessary to take into account the change in the method of computing the issuance tax provided by the House bill from par value to actual value. As a result of the conferencec committee action, the Senate amendment is sustained.

The second Senate amendment to the documentary stamp tax provision would have removed the 6 cents per share ceiling on the stock transfer tax contained in the House bill. As a result of the conference committee action, the House would recede with an amendment providing that in no case is the stock transfer tax to exceed 8 cents per share.

The third documentary stamp tax amendment of the Senate has to do with the existing requirement that a transfer agent require evidence that the proper amount of transfer tax is paid on each transaction made by the agent. As a result of the shift in the base of the tax to an actual value test, it was necessary that the Senate amend the bill to provide that the person presenting stock certificates to a transfer agent certify the actual value of the shares or certificates involved in the transaction. The conference action accepts the Senate amendment.

The fourth documentary stamp tax amendment of the Senate would exempt from the documentary stamp tax transactions arising in corporate reorganizations where a mere change in identity, form, or place of organization is effected. The action of the conference committee sustains the Senate amendment.

Under the House bill, a credit or refund would be permitted in the case of articles sold for export whether or not a notice of intent to export had been supplied to the manufacturer. The Senate amended the credit or refund provisions to restore the notice of intent to export requirement in the case of automobiles, refrigeration equipment, electric, gas and oil appliances, radios, television sets, phonographs, and so forth. This action was predicated upon the fact that such articles when exported often require special equipment and design. The conference committee sustains the Senate amendment.

Of the amendments of the Senate to title 2 of the bill which deals with the alcohol and tobacco taxes, only three are, in my view, substantive in nature. The first of these would extend the same privileges, with respect to the addition of caramel and with respect to the blending of brandies without the imposition of the rectification tax, to rum which are now enjoyed by brandy. The second Senate substantive amendment would have permitted the duly registered head of a family to produce for family use not to exceed 200 gallons of beer per year without the imposition of tax, thus revising the definition of brewer as contained in the House bill. The conference committee action restores the provision of the House bill.

The second substantive amendment to title 2 made by the Senate relates to the loss of distilled spirits of Puerto Rican origin. The House bill would have allowed refunds or credits of tax paid on distilled spirits, wines, rectified products, and beer of Puerto Rican manufacture if they were lost in the United States by reason of a major disaster. Subsequent to the time that the bill was reported by the Committee on Ways and Means, the legislative assembly of Puerto Rico enacted legislation providing for credits or refunds in the case of Puerto Rican products lost in the United States by reason of a major disaster. The provision of the House bill thus became unnecessary. The action of the Senate amendment would be sustained by the conference committee.

The third substantive amendment made by the Senate to the House bill was with respect to the manner of paying the tobacco taxes. The House bill would have provided a weekly returns system for tobacco products. The action of the Senate eliminated this provision. Thus under the Senate bill, which was agreed to by the committee of conference, tobacco products will pay their tax as under existing law on a stamp tax basis. The institution of the returns system as contemplated by the House would have resulted in a decrease in receipts in the fiscal year 1959 of $57 million.

Mr. REED. Mr. Speaker, as one who was privileged to serve as a member of the House conference committee on H. R. 7125, the Excise Tax Technical Changes Act of 1958, I urge my colleagues in the House to lend their support to what I assume will be final House action on this meritorious legislation. I specifically urge that the House membership vote to adopt the conference report.

To a large extent the Senate changes to the bill represented an improvement over the House-passed version in that the amendments made technical and clarifying changes in the version of the bill that was passed by the House last year. For the most part any Senate action in striking substantive amendments contained in the House bill has resulted in the provisions being restored in conference. For example, the Senate had deleted the provision providing an exemption for the benefit of nonprofit educational institutions in the case of retailer, manufacturer, communication, and transportation excise taxes. The House conferees were successful in having this provision restored to the bill. The constructive sales price provision of the House-passed legislation was improved by the Senate amendments and the House conferees adopted the changes made in the other body. An important change in the admissions tax had been approved in the Senate having the effect of exempting the first $1 of any amount charged for a taxable admission. The House conference committee accepted this proposed change.

In the area of documentary stamp taxes, the House-passed version of H. R. 7125 had contained a 6 cents per share limitation of the tax imposed on transfers of capital stock. In the House-passed bill this limitation had the effect of placing a ceiling on the actual value test provided by the House bill to stock selling for $150 or less. The version of this provision as it was approved in the other body eliminated the 6 cents per share limitation. The House conferees were successful in having a limitation restored at 8 cents per share.

Mr. Speaker, I am confident that the conference version of H. R. 7125 will represent a substantial improvement in the fairness and equity with which the Federal excise-tax structure is applied to our citizens. This legislation had its genesis in the work of the Subcommittee on Excise Taxes of the Committee on Ways and Means. The subcommittee chairman, Mr. FORAND, and his colleagues, Mr. EBERHARTER, Mr. KEOGH, Mr. KING, Mr. HARRISON of Virginia, Mr. JENKINS, Mr. MASON, and Mr. HOLMES, are to be commended for the effective work they did on this legislation. Also to be commended are the legislative staffs and the staffs of the Treasury Department and the Internal Revenue Service for the important part they have played in this legislation's preparation. I urge my colleagues in the House of Representatives to support the adoption of this conference report.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I would like to join with the distinguished members of the conference committee with whom I was privileged to serve as a House conferee on H. R. 7125 in urging the House adoption of the conference report that is before us today. There are contained in this legislation as agreed to in conference many significant improvements in the excise tax provisions of the Internal Revenue Code. I am confident that these provisions will prove helpful to our Nation's business community and will enhance the fairness of our excise tax structure.

The legislation as it is returned to the House for approval from conference represents an improved bill over that which passed the House of Representatives last year. In making that statement I do not imply any criticism of the House action that was taken at that time. The author of the bill, the gentleman from Rhode Island [Mr. FORAND], and his colleagues who served on the Subcommittee on Excise Taxes of the Committee on Ways and Means, did outstanding work in presenting this legislation to the full committee for approval. What I do imply, however, is a natural consequence in the legislative processes and that is that the Senate having obtained good tax legislation through the action of the House of Representatives gave consideration to the bill and made meritorious changes of an improving nature in H. R. 7125.

Examples of such meritorious changes include an improvement in the equity of the constructive sales price provision of the bill. This section would permit a manufacturer selling to retailers to establish a constructive wholesale price to which the applicable tax rate would be applied. Through oversight in the House-passed version a particular but important segment of an American industry would have been placed at a competitive disadvantage as a consequence of the House action. The Senate without impairing the effective helpfulness of the provision to industry in general adopted an amendment to the section alleviating the problem of the industry segment that would have been adversely affected under the House bill.

Another improvement provided by the Senate version occurs in the area of the tax applicable to admissions. Under the Senate action as agreed to by the House conferees an exemption from the admissions tax would be provided on the first $1 of a taxable admission. This meritorious change would be helpful in the case of theaters, motion-picture houses, sporting events, and other spectator events.

Another meritorious change that would be made in our Federal excise-tax provisions as a consequence of the conference agreement is that an exemption from the club dues taxes would be provided in the case of community swimming pools and community skating rinks.

Mr. Speaker, no one who has been privileged to be associated with this legislation would maintain that it purports to do everything that needs to be done in the excise-tax area. There remain significant improvements that I hope can be soon accomplished in virtually every aspect of our Federal excise-tax structure. Despite that fact, I am pleased to lend my wholehearted support to the adoption of the conference report on H. R. 7125.

Mr. BALDWIN. Mr. Speaker, I am very pleased to support the conference report on H. R. 7125, the Excise Tax Technical Changes Act of 1958. This conference report provides for the exemption of nonprofit community swimming pool groups from the 20 percent excise tax on their initiation fees and dues. This is a highly desirable amendment and corrects a very inequitable and unjust application of this excise tax. I am particularly pleased that the House conferees accepted the Senate provision that this exemption should be retroactive to January 1, 1958.

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a statement I made before the Senate committee.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, I am pleased that H. R. 7125, as agreed to by the conferees, contains the provision exempting dues and fees paid to nonprofit swimming-pool organizations from the 20-percent Federal excise tax. I commend the House conferees for accepting the amendment added by the other body to section 132 (b) of the bill, making this exemption specifically retroactive to January 1, 1958, because of the confusion which resulted over the case of McIntyre against United States.

In May 1957, the Federal district court in Baltimore held that these nonprofit community swimming pool groups were not within the scope of section 4241 of the Internal Revenue Code of 1954 and that dues and fees paid to such organizations were exempt from the 20-percent tax. This decision was subsequently reversed by the Fourth Circuit Court of Appeals on March 27, 1958. The January 1, 1958, date does not, however, afford the same equity to groups organized during 1957 on the basis of the lower court decision, or to groups organized prior to that date through the pioneering initiative of local citizens.

This tax-exemption provision of H. R. 7125 was the outgrowth of my bill, H. R. 10113—84th Congress—introduced on March 21, 1956. Identical bills were also introduced by the gentleman from Maryland [Mr. LANKFORD] and the gentleman from Virginia [Mr. BROYHILL]. It was subsequently amended and included as section 132 (b) of H. R. 7125, passed by the House on June 20, 1957.

These nonprofit community swimming pools serve a worthwhile purpose in providing wholesome recreational facilities for our children, young people, and adults. They are privately organized and financed at no cost to the taxpayers

of the community. They play an important role in curbing juvenile delinquency by furnishing healthful recreational outlets in the neighborhood in which the entire family may participate.

Mr. Speaker, it has been my contention that Congress never intended for the excise tax on club dues provided for in section 4241 to apply to these groups. They are unique organizations outside the definition of "social, athletic, or sporting club or organization." Nonprofit community swimming pool groups have been a very recent innovation and have grown rapidly in popularity. The language of this section of the Internal Revenue Code is virtually the same as when first enacted in 1917, some 35 years before these groups came into existence.

As the sponsor of this legislation to give statutory exemption to these nonprofit swimming pool organizations, I want the legislative history of this section of H. R. 7125 to make it clear that the inclusion of the January 1, 1958, effective date should not be interpreted as an admission on the part of Congress of the validity of any pending claims for back taxes by the Internal Revenue Service, based on their interpretation of this section of the code.

Mr. Speaker, under unanimous consent I include the text of my statement on this subject, presented to the Senate Finance Committee on July 16, 1958, at this point in the RECORD:

STATEMENT OF REPRESENTATIVE GEORGE M. RHODES, OF PENNSYLVANIA, TO THE SENATE FINANCE COMMITTEE IN SUPPORT OF SECTION 132 (B) OF H. R. 7125, JULY 16, 1958

Mr. Chairman, distinguished members of the committee, I appreciate this opportunity to explain in detail one important provision of H. R. 7125 with which I am particularly concerned.

I refer to section 132 (b) entitled "Nonprofit Swimming Facilities" which appears on pages 38–39 of the bill. The purpose of this section is to exempt under certain specified conditions from the 20-percent excise tax dues and fees paid to any nonprofit swimming pool organization now imposed under section 4241 of the Internal Revenue Code of 1954.

These so-called nonprofit neighborhood or community swimming pool groups are a rather recent innovation and have become increasingly popular in many sections of the country, particularly in suburban areas. They are not to be confused with community-owned and operated swimming pools, which are built at the expense of local taxpayers and maintained through admissions and concessions.

In my own District there are now a dozen nonprofit, cooperatively owned swimming pools serving some 6,000 families. They are also extremely popular in the suburban Washington areas of Maryland and Virginia and in other metropolitan suburbs throughout the country.

They fill a distinct community need in these suburban areas, where local recreational facilities are usually inadequate. Community tax-financed swimming pools very often receive little or no consideration because of primary budgetary emphasis on new schools, streets, sewers, and other necessities required in these mushrooming suburban developments.

There would be virtually no recreational facilities in many areas were it not for the initintive of private citizens who organize a swimming pool group, solicit the necessary initiation fees from families in the neighborhood, obtain a site, arrange with a pool contractor for the construction of a modern and conveniently located swimming pool, and handle the management of the pool during the year. These recreational facilities are privately financed and operated without creating additional tax burdens on the local government.

They have many other values. We hear much these days about the problems of juvenile delinquency, young people who roam the streets in gangs, destroying public and private property, and costing local taxpayers untold millions of dollars for added police and fire protection. I am convinced that these neighborhood swimming pool associations can play an important role in furnishing the type of supervised recreational outlets which are so badly needed to halt the sinister advances of teen-age crime, vandalism, and delinquency.

Mr. Chairman, these swimming pool groups also make possible wholesome and healthful family-type recreational activities for our children, young people, and their parents. They provide exercise and reclamation and an opportunity to relieve some of the tensions of our modern-day living. From what I have seen of these organizations in my own community, I strongly feel that they are worthwhile and deserve encouragement.

In many cases the imposition of the 20-percent excise tax on amounts paid as dues and fees to these nonprofit swimming pool organizations has proved to be an insurmountable obstacle in the organization of such a project. Some families who might afford the $100 or $200 initiation fee or stock purchase price must turn down membership because of the additional $20 or $40 needed for the tax as a result of the Internal Revenue Service interpretation of section 4241. This heavy tax burden has often caused the collapse of such swimming pool projects. It is interesting to note that this tax is another example of a wartime levy which has been retained. The tax was originally an 11-percent levy, and was raised to 20 percent as war-tax rate in the Revenue Act of 1943.

A careful study of the tax status of these organizations convinced me their many unique characteristics actually places them outside the scope of section 4241 which levies the 20 percent tax on amounts paid as dues or fees to social, athletic, or sporting clubs. It seems abundantly clear that Congress never intended to impose the tax on nonprofit community swimming pool groups. The language of this section is virtually the same as when first enacted in 1917, except for the percentage amount of the tax. At that time nonprofit community swimming pool groups were nonexistent, having just come into vogue during the past several years.

Mr. Chairman, the Internal Revenue Service has nevertheless imposed that 20 percent tax on these organizations under what I feel is an erroneous interpretation of section 4241, contrary to public policy. The service contends that nonprofit community swimming pool groups fall within the definition of social, athletic, or sporting clubs despite the weight of evidence which reveals the purposes of these organizations are not predominantly social, nor are they predominantly athletic in nature. They are unique as to organization, purpose, and membership in furnishing private recreational services not otherwise available in a particular part of a community. In no way do they resemble country clubs, yacht clubs, golf clubs, athletic clubs, tennis clubs, or other similar organizations meant to be covered by the definitions in section 4241 which date back more than 40 years.

In March 1956, I introduced H. R. 10113 (84th Congress) to make it clear that these nonprofit community swimming pool organizations were exempt from the 20 percent excise tax. The bill was referred to the Forand excise tax subcommittee. It was subsequently amended and included in H. R. 12298, the omnibus excise tax technical changes bill introduced in the closing days of the 84th Congress. Hearings on this measure were held in November 1956. A number of witnesses representing these swimming pool organizations testified before the subcommittee and explained the unique organization and purposes of their groups. The subcommittee and full committee were unanimous in their decision to provide statutory exemption for these worthwhile community organizations. The exemption was written into H. R. 7125 as section 132 (b) and was passed by the House on June 20, 1957.

Unfortunately, the effective date of this exception, if enacted by Congress this year, will deny statutory relief to many of these organizations who paid the tax under protest. This will create a double standard in the tax treatment of swimming pool groups within individual communities or metropolitan areas. The ideal solution would be to make the exemption retroactive to cover the period during which such taxes were imposed, thus affording equity to all nonprofit swimming pool groups meeting the conditions specified in this section. No retroactive provision was included in the House bill, although I personally feel that it is warranted in view of the erroneous interpretation of the statute by the Internal Revenue Service.

If this committee does not feel that a fully retroactive clause can be written into the bill, I trust that the legislative history of H. R. 7125 will make it clear that Congress never intended that section 4241 apply to nonprofit community swimming pool organizations; that they are neither social, athletic, or sporting clubs or organizations within the definition of the original 1917 terminology as carried forth in the 1951 and 1954 Internal Revenue Codes; and that continued efforts of the Internal Revenue Service to apply this tax to these groups are contrary to the intent of Congress.

Mr. Chairman, I respectfully urge that this section of H. R. 7125 be retained by the committee because of its many long-range benefits to our individual citizens, the communities in which they live, our young people, and the health and welfare of our Nation as a whole.

ATOMIC ENERGY ACT OF 1958, AS AMENDED

Mr. PRICE. Mr. Speaker, by direction of the Joint Committee on Atomic Energy, I call up the conference report on the bill (H. R. 13455) to amend the Atomic Energy Act of 1954, as amended, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT NO. 2585

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13455), to amend the Atomic Energy Act of 1954, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and

agree to the same with an amendment as follows:

"*Be it enacted, etc.*, That section 170 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"'k. With respect to any license issued pursuant to section 53, 63, 81, 104 a., or 104 c. for the conduct of educational activities to a person found by the Commission to be a nonprofit educational institution, the Commission shall exempt such licensee from the financial protection requirement of subsection 170 a. With respect to licenses issued between August 30, 1954, and August 1, 1967, for which the Commission grants such exemption:

"'(1) the Commission shall agree to indemnify and hold harmless the licensee and other persons indemnified, as their interests may appear, from public liability in excess of $250,000 arising from nuclear incidents. The aggregate indemnity for all persons indemnified in connection with each nuclear incident shall not exceed $500,000,000, including the reasonable cost of investigating and settling claims and defending suits for damage;

"'(2) such contracts of indemnification shall cover public liability arising out of or in connection with the licensed activity; and shall include damage to property of persons indemnified, except property which is located at the site of and used in connection with the activity where the nuclear incident occurs; and

"'(3) such contracts of indemnification, when entered into with a licensee having immunity from public liability because it is a State agency, shall provide also that the Commission shall make payments under the contract on account of activities of the licensee in the same manner and to the same extent as the Commission would be required to do if the licensee were not such a State agency.

Any licensee may waive an exemption to which it is entitled under this subsection.'"

And the Senate agree to the same.

CARL T. DURHAM,
CHET HOLIFIELD,
MELVIN PRICE,
JAMES E. VAN ZANDT,
CRAIG HOSMER,
Managers on the Part of the House.

CLINTON P. ANDERSON,
JOHN O. PASTORE,
HENRY M. JACKSON,
BOURKE B. HICKENLOOPER,
JOHN W. BRICKER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13455) to amend the Atomic Energy Act of 1954, as amended, submits the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. The following statement explains the differences between the House bill and the substitute agreed to in conference.

The bill, as agreed to by the conferees, is identical to the House version, except for certain additional words added to clause (1) of subsection (k) as indicated by the words in black brackets below:

"(1) The Commission shall agree to indemnify and hold harmless the licensee and other persons indemnified, as their interests may appear, from public liability [in excess of $250,000] arising from nuclear incidents. The aggregate indemnity for all persons indemnified in connection with each nuclear incident shall not exceed $500,000,000 including the reasonable cost of investigating and settling claims and defending suits for damage."

The other provisions in the bill are identical to the bill approved by the House.

Under the language agreed to in conference, all nonprofit educational institutions would be exempted, under the first sentence of subsection (k) in the bill, from the financial protection requirement of subsection 170 a. They would also receive the benefit of a Commission indemnity agreement but only in excess of $250,000. This language was intended to keep the Commission out of the small claims business and to preserve the basic pattern of Public Law 85–256 in that the Commission indemnity would begin only above a certain minimum level.

The conferees wished to emphasize their belief that the universities can make an important contribution to our atomic energy research and training program, and that they should be encouraged to do so. The conferees desired also not to discriminate in the Federal statute between different types of universities on the basis of State law or type of sponsorship, but to treat all nonprofit educational institutions on the same basis. Therefore, under the language of the conference, it will be left up to the individual institution, on the basis of its own State law, or its own decision, to determine the type of protection, if any, it will provide for the first $250,000 liability prior to commencement of the Commission indemnity. Either private insurance, suppliers' liability insurance, or special State procedures may be utilized to provide the basis for meeting possible claims in this field in the same manner as other claims against the university arising out of its usual activities.

The $250,000 division of responsibility between the licensee and the Commission is made applicable to those licensees having immunity from public liability because it is a State agency by clause (3) of the bill. Clause (3) provides that the Commission shall make payments under the contract on account of activities of such a licensee in the same manner and to the same extent as the Commission would be required to do if the licensee were not such a State agency.

After weighing carefully several possible alternatives, the conferees decided that the recommended language would best reconcile the difficult problems of State and local law presented, and would at the same time accomplish the desired objective of encouraging nonprofit educational institutions to participate in our atomic energy research and training program.

CARL T. DURHAM,
CHET HOLIFIELD,
MELVIN PRICE,
JAMES E. VAN ZANDT,
CRAIG HOSMER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FEDERAL SENTENCING PROCEDURES

Mr. CELLER. Mr. Speaker, I call up the conference report on House Joint Resolution 424 to improve the administration of justice authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2579)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 424) to improve the administration of justice authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5, and agree to the same.

EMANUEL CELLER,
E. E. WILLIS,
WILLIAM M. TUCK,
KENNETH B. KEATING,
WILLIAM C. CRAMER,
Managers on the Part of the House.

JOSEPH C. O'MAHONEY,
THOS. C. HENNINGS, JR.,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 424) to improve the administration of justice authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendments to the instant joint resolution (H. J. Res. 424) restore the additional sentencing procedures which were embodied in section 3 of the resolution as it was introduced and as it was favorably reported by the House Committee on the Judiciary. This section provides the chief means by which the judiciary and the executive branches can coordinate efforts to protect the public by formulating sentences which carry out more fully the purposes of deterrence, incapacitation, and reformation.

The purpose of the principal Senate amendment (sec. 3) is to provide the court with optional procedures which will enable it to impose sentences indeterminate in nature. This will permit the court, at its discretion, to share with the executive branch responsibility for determining how long a period a prisoner should actually serve. The court will be authorized to impose a term of imprisonment either under the existing definite sentencing system, or fix the maximum term of the sentence and (1) direct that the prisoner shall be eligible for parole at any time up to one-third this maximum, as now provided by law, or (2) specify that the Board of Parole shall decide when the prisoner will be considered for parole. In other words, if a court is so disposed, it may give the Parole Board greater latitude in a particular case or, if it is not so inclined, may follow the present sentencing system.

This section will also permit the court, in

ing and violations of the Atomic Energy

act of August 13, 1954, as added by S. 3051,

initiation fees from families in the neighbor-

excise tax. The bill was referred to the

That the House recede from its disagreement to the amendment of the Senate and

of $250,000] arising from nuclear incidents.

purposes, and ask unanimous consent

case or, if it is not so inclined, may follow the present sentencing system.

This section will also permit the court, in particularly complex cases, to commit the defendant to the Attorney General for a 3- to 6-month period for study and observation. After the court receives a summary of the Attorney General's findings it may impose final sentence under any applicable statute. The net result of this provision is to extend to a maximum period of 6 months in selected cases the court's power to modify the sentence, now restricted to 60 days under rule 35, Federal Rules of Criminal Procedure (18 U. S. C., ch. 237).

This section will further authorize the Board of Parole to promulgate rules and regulations for the supervision, discharge from supervision, or recommitment of paroled prisoners. The Board now controls such matters and this section merely spells out in detail its authorization to make regulations covering them.

The proposed amendment, together with the other provisions of House Joint Resolution 424, represent the product of many years of study by judicial, law, and administrative groups and by other persons associated with the administration of criminal justice and of the problem of sentence disparities. The proposals embodied in the legislation, including the Senate amendment, have the support of the Judicial Conference of the United States, the American Bar Association, the Federal Advisory Corrections Council, the American Correctional Association, and the National Probational and Parole Association. The Department of Justice also recommends the proposed legislation, as amended by the Senate, except for the one provision in regard to the Federal Youth Corrections Act.

It should be emphasized that the provisions of the proposed legislation, including the Senate amendments, do not embody a softening of criminal penalites. Testimony submitted at the hearing on this legislation disclosed that terms served under indeterminate sentences average longer than do terms under the fixed system.

EMANUEL CELLER,
E. E. WILLIS,
WILLIAM M. TUCK,
KENNETH B. KEATING,
WILLIAM C. CRAMER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SMITH] and the gentleman from New York [Mr. KEATING] may have the privilege of extending their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of California. Mr. Speaker, I want to go on record as being still very much opposed to H. J. Res. 424 as approved by the conferees. I am distressed, indeed, over the fact that section 3 of this measure, which had originally been removed from the bill, was replaced in the Senate and accepted by the conferees. In my opinion this is certainly not the way to bring about uniformity of sentencing and as a matter of fact will cause even more disparity. The passage of this bill may greatly impair the sentencing procedures with regard to narcotic violations, post office robbery, kidnaping, treason, murder, train wrecking and violations of the Atomic Energy Act.

My feelings on this subject have been fully supported by the majority of Federal judges in the southern district of California. It is our belief that to create rules to fix in advance the future treatment of a moderate or long-term prisoner is simply impractical and unjust to the prisoner and the social order. Each case is an individual problem. I believe that if we would have indeterminate sentences and then place the responsibility to fix the length of sentence with the Parole Board and in turn have responsible and competent individuals on the Board, including the warden of the institution, the results would be more in keeping with what is actually desired.

I am also disturbed over the fact that section 4, which raises the age of young adults offenders to 26, is included in this measure. Statistics show that more crimes are being committed, more officers are being shot, and more victims are being physically injured by individuals between the ages of 21 and 26. Raising the age limit certainly does not appear to be the wise thing to do.

I want to make my opinions a matter of record, Mr. Speaker, for I truly believe that if we pass H. J. Res. 424 we will be taking a backward step, and that within the near future it will be necessary to take appropriate action to correct our mistakes of today.

TERMINATING FEDERAL SUPERVISION OVER THE KLAMATH INDIAN TRIBE

Mr. HALEY. Mr. Speaker, I call up the conference report on the bill (S. 3051) to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2544)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3051) to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with the following amendments:

(1) Strike out the expression "as far as practicable so as to furnish a continuous supply of timber" in the first sentence of subsection (b) of proposed section 28 of the act of August 13, 1954, as added by S. 3051, and insert in lieu thereof "as far as practicable according to sustained yield procedures so as to furnish a continuous supply of timber."

(2) Strike out the fourth sentence of subsection (b) of proposed section 28 of the act of August 13, 1954, as added by S. 3051, and insert in lieu thereof: "Such plans when prepared by the purchaser shall include provisions for the conservation of soil and water resources as well as for the management of the timber resources as hereinbefore set forth in this section."

(3) Strike out the word "approval," in the fifth sentence of subsection (c) of proposed section 28 of the act of August 13, 1954, as added by S. 3051, and insert in lieu thereof the word "appraisal."

(4) Change the date "July 1, 1961," in the first sentence of subsection (d) of proposed section 28 of the act of August 13, 1954, as added by S. 3051, to "April 1, 1961."

(5) Change the date "July 1, 1961" in the second sentence of subsection (f) of proposed section 28 of the act of August 13, 1954, as added by S. 3051, to "April 1, 1961."

(6) Strike out the words "review of" in section 5 of S. 3051.

And the House agree to the same.

JAMES A. HALEY,
WAYNE N. ASPINALL,
STEWART L. UDALL,
WILLIAM A. DAWSON,
JACK WESTLAND,
Managers on the Part of the House.

RICHARD L. NEUBERGER,
CLINTON P. ANDERSON,
FRANK CHURCH,
ARTHUR V. WATKINS,
BARRY GOLDWATER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3051) amending the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendments to the text of the bill:

S. 3051, as it came to the House, provided that certain designated portions of the Klamath Indian Forest should be offered for sale to private purchasers agreeing to manage them "for not less than one hundred years according to sustained yield plans." The House amended this language by substituting the words "as far as practicable so as to furnish a continuous supply of timber."

The House members preferred the substitute language for several reasons: (1) the "continuous supply of timber" phraseology, taken from the act of June 4, 1897 (30 Stat. 11, 35; 16 U. S. C. 475), has greater stature in previous law than does "sustained yield"; (2) it seemed desirable to include the phrase "as far as practicable" in order to avoid the imposition of a rule in circumstances in which it might be unworkable; (3) the 100-year provision in the Senate version of the bill was believed to be less conducive to full-scale scientific management than the in perpetuity provision which was, in effect, written into the House version.

In conference a merger of the desirable portions of these two texts was agreed to. As a result, the language recommended is "as far as practicable according to sustained yield procedures so as to furnish a continuous supply of timber." The conferees believe that this language will impose neither more nor less stringent requirements on

private purchasers in the management of their Klamath forest lands than is imposed on the management of national forest lands by the Forest Service. In those areas where the forest lands can be operated under sustained yield procedures, these will be followed, but in areas where this is impracticable they will not be required. Finally, under the conferees, recommended language, scientific management in perpetuity of the forests will be assured.

The managers on the part of the House take particular note of the definition of sustained yield in the Society of American Foresters' publication entitled "Forest Terminology" (3d edition, 1958): "As applied to a policy, method, or plan of forest management, [this term] implies continuous production with the aim of achieving, at the earliest practicable time, an approximate balance between net growth and harvest, either by annual or somewhat longer periods."

The second modification of the House version of the bill that was agreed to merely ties the fourth sentence of subsection (b) of the proposed section 28 to the matter just discussed.

The third modification corrects the word "approval" in the fifth sentence of subsection (c) of the proposed section 28 to read "appraisal."

The next two changes occur in subsections (d) and (f) of the proposed section 28. Subsection (d) establishes the time at which the Secretary of Agriculture shall take title for the United States to any forest units which are not purchased by private companies. Subsection (f) establishes the time at which title shall be taken to the area comprising the Klamath Marsh. The Senate used January 1, 1961, in both instances. Since the House version includes provision for a review of the appraisal of the resources within the Klamath Reservation, it adopted a later date, July 1, 1961. The conferees recommend April 1, 1961, as a suitable time for these events to occur.

In section 5 of the bill, the House conferees receded from the House amendment with respect to the election to withdraw or remain in the tribe. Deletion of the words "review of" removes an ambiguity and avoids possibility of a delay in the termination program and additional cost by the holding of a second election.

In all other respects, the Senate conferees accepted the House amendment. This includes, particularly, the House provisions for review of the appraisal of the Klamath Tribe's resources, for deferring sale of any forest units until April 1, 1959, and for termination of the management specialists' contract. The retention of this last provision is called for by the substantial completion by the management specialists of their work and is not intended to reflect on the integrity or usefulness of the service rendered by them.

JAMES A. HALEY,
WAYNE N. ASPINALL,
STEWART L. UDALL,
WILLIAM A. DAWSON,
JACK WESTLAND,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H. R. 8381

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H. R. 8381.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AMENDING SECTION 7 OF THE ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11123) to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 1 and 2, strike out "selected for appointment to" and insert "appointed to positions in the natural and mathematical sciences, engineering, and architectural fields, and to related technical."

Page 2, line 4, after "shortage" insert "in those skills which are critical to the national security effort."

Page 3, strike out lines 1 to 11, inclusive.

Page 3, line 12, strike out "(d)" and insert "(c)."

Page 3, line 16, strike out "5" and insert "2."

Page 3, line 17, strike out "law," " and insert "law."

Page 6, after line 17, insert:

"(d) Nothing contained in this section shall impair or otherwise affect the authority of any department under existing law to pay travel and transportation expenses of persons designated in subsection (b) and (c) hereof."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, will the gentleman explain these amendments?

Mr. FASCELL. Mr. Speaker, this is a bill which was passed earlier by the House amending the Administrative Expenses Act so that it will be possible for the Government to compete with private industry in the hiring of highly skilled personnel.

The Senate adopted some amendments to the bill because we had two ways by which this could be accomplished. We could pay for his expenses and those of his family. Also, we had a provision in the House bill that if we invited a prospective applicant to a position we could pay his expenses.

The Senate struck that out and made it provide that if we hired the man and he agree to serve for the full period of time the Government will pay his expenses.

Mr. BROWN of Ohio. As I understand the amendments, they would apply only to those employees whose employment is necessary in the national defense?

Mr. FASCELL. That is correct.

Mr. BROWN of Ohio. There has to be a finding of necessity.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Iowa.

Mr. GROSS. Does this in any way amend Public Law 313, which pertains to the employment of scientific and professional personnel?

Mr. FASCELL. No, it does not. Another Senate amendment specifically provides that nothing in this act shall change existing authority.

Mr. GROSS. It has nothing to do with supergrades?

Mr. FASCELL. The gentleman is correct. It deals strictly with those technical skills which are necessary for the Government to have in the national security.

There is one further Senate amendment. The original House bill contained a period of 5 years. The Senate cut that down to 2 years.

We think the amendments are in order and should be adopted.

Mr. BROWN of Ohio. Further reserving the right to object, as I read the Senate amendments to the bill which originally passed the House, this bill is now more restrictive language than was approved by the House.

Mr. FASCELL. The gentleman is correct. It preserves the principle of the House bill but restricts it considerably.

Mr. BROWN of Ohio. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

IMPROVED METHODS OF STATING BUDGET ESTIMATES

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 674 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution, the bill H. R. 8002, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and the same are hereby, agreed to.

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may desire, at the conclusion of which I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, this is the so-called Kennedy-Rogers bill. Some time ago the Senate passed this bill by a vote of 86 to nothing. We in the House Committee on Government Operations reported a bill not similar to the Senate bill but which passed this House by a vote of 311, I believe, to 86. There was a fresh bill sent to the Senate, and the Senate has sent the bill back with amendments, and the House Committee on Government Operations has unanimously approved that the Senate amendments be adopted.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this bill is one that passed the House back in March or April. I have forgotten which. It has probably had more propaganda support than any other bill that has ever been before the Congress, and more money spent, and I cannot yet understand how anybody could be for it if they had taken the time to read it. As it comes back from the Senate, the Senate amendments contain items which authorize the Congress to place in appropriation bills provisions for the transfer of funds between projects; one of the worst things we could have in any bill; one that will be an embarrassment on every appropriation bill that is brought in here.

It also contains a strikeout on page 3, lines 20 and 21 of the words "permitted to be placed in annual appropriation bills provisions pertaining to the availability of any appropriations or funds previously provided." That would mean that where an appropriation had ceased to be of service and was not necessary, the committee could bring in a repeal of it. The Senate struck that out. That was the only good provision there was in the bill. The rest of them are a handicap and will cost billions of dollars before we get through.

The Assistant Secretary of Defense, the Comptroller, Mr. McNeil, testified before the other body that it would require from 5,000 to 6,000 more clerks to take care of the work, the detailed work that would be called for by this.

Mr. RABAUT. If the gentleman will permit, only in that one department.

Mr. TABER. Yes; in that one department. That would only be a starter. It would spread like wildfire. It would be a great menace to any kind of decent, orderly procedure in the Government.

For my own part I have to recognize that propaganda has succeeded in putting this bill through the House and the other body, and probably this rule will pass. But I do not feel that I would be true to my oath of office if I did not come here and tell you that the bill was no good, that it was a menace, that it was contrary to proper and orderly procedure, and that we ought not to pass any such bill as this.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. RABAUT. I had put a higher estimate on the Hoover Commission than to think that they would go to the extent that they have gone here. We have a bill called H. R. 8002, and there is a title, but that is the only thing that remains of all they asked for. Still they are pressing for it. So it is a great temptation to say, "I told you so." There is not an ounce of this bill that was in it in the first place, that remains. All you have are the title and the number.

If the gentleman will yield a moment further, in the report of the other body they say:

> The Congress has absolute control over expenditures by reason of its constitutional responsibility in the granting of obligational authority.

This bill seeks to take it away.

Mr. TABER. That is correct.

Those who spoke after I gave the foregoing statement made statements that the bill itself did something, but it does not. There is not a single thing in it that has anything to do with any bit of Government operations that are already not provided for by law, and there is nothing in it already that is not in the Budget and Accounting Act of 1920, or in the appropriating language of each annual appropriations bill as it comes to the floor of the House.

The President already has the power to submit anything that this bill gives him to the Congress in his budget message or any other message that he might determine to send. The accrued annual expenditure proposition is already provided for in all annual bills and all supplemental bills, so that the language of the bill relating to accrued expenditures is meaningless, and we now have accrued expenditure where the funds that are not either obligated or expended in any year lapse on the 30th of June of that fiscal year. The only bills that are not subject to the accrued expenditure are where the Congress specifically provides for the availability of funds for more than 1 year. That is necessary in the operations of the armed services, because of the length of time that it takes to procure ammunitions and munitions, and planes and tanks, and all sort of things like that, where the time of construction is so far away from the date of the appropriation that it cannot be planned to be completed within the year.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, I should like to point out several things that the Congress will do and one thing that the Congress will not do if this legislation is approved. First and foremost, if you turn to section 201 (f) in the bill, you will find this statement which I believe is significant:

> Nothing in subsections (b) through (e) of this section shall be construed to change existing law with respect to the method or manner of making appropriations or the incurring of obligations under appropriations.

Based on the above the net effect is that you are approving, in this legislation, no change whatsoever; it is purely and simply window dressing with the title of the bill number of the original bill.

Secondly, if you turn to section 201 (b) of the bill, in the other body they added a proviso to the language which this House approved originally, which reads as follows:

> The President may include in the budget with any such proposed limitation on annual accrued expenditures, proposals for provisions authorizing the head of a department or establishment to make transfers, within his department or establishment, between such limitations on annual accrued expenditures; and such provisions may limit by amount or by percent the size of any transfer so proposed.

The prime reason given for this legislation was to gather into the fold of the Congress, the legislative branch of the Government, greater control over appropriations and expenditures, and by the inclusion of that amendment by the other body in effect we have opened the floodgates and have relinquished to the executive branch greater coontrol over fiscal matters. In other words by this proposal the House will do the opposite of what many believe is desired, namely greater Congressional control over fiscal matters.

The best provision we had in the bill as it passed the House was the provision sponsored by the gentleman from New York [Mr. TABER], which stated in effect that we could have authority in the House to strike, rescind or revise unobligated appropriations. That would have given us some authority that we did not have to save money, to cut down on unobligated balances. The other body struck that provision from the bill. It is not included in this version. At all costs the Taber amendment should have remained in the bill. Its deletion is against Congressional control of the purse strings.

We are in error in three instances, as I have tried to point out. I for one want my opposition recorded as affirmatively and vigorously as I can.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. There have been many statements made about the great savings involved in H. R. 8002 as originally introduced. I think we all realize that this is merely a budgetary tool to be used by the Congress. May I ask the author of this legislation if it is not true that in connection with any accounting tool that is granted to Congress as far as budgetary procedures are concerned any saving that could be made, regardless of how the tool is used, is really up to the Congress? It takes real effort to cut spending on the part of the Congress after the granting of any accounting tool if there is ever going to be any saving, so any real saving could not be claimed on the basis of this bill or on the basis of the bill as originally introduced. Is that correct?

Mr. ROGERS of Florida. I think the gentleman definitely is right. We can have the best plan possible but if the Congress does not use it properly and does not have the will to cut down appropriations any plan that might be devised would be of no avail. I think the gentleman is correct.

Mr. LAIRD. In other words, this is merely an accounting tool for Congress to use.

May I ask the cosponsor of the legislation on our side of the aisle, the gentleman from California [Mr. LIPSCOMB] in regard to the large figures that have been bandied about on savings, and what those figures usually refer to?

Mr. LIPSCOMB. The Hoover Commission task force and the Hoover Commission both included in their reports statements that their recommendations would result in savings of approximately $4 billion. That was based, according to their statement, on 8.5 percent of the controllable expenditures in the Federal budget. In my opinion as one of the sponsors of the legislation, an exact price tag cannot be

placed on H. R. 8002. The gentleman is exactly right; this is an accounting tool to be used by Congress and the executive branch. Before this legislation came about, there were 31 recommendations by the Hoover Commission task force; 25 were accepted by the Hoover Commission.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan.

Mr. LIPSCOMB. The Committee on Government Operations reported and there was passed in the 84th Congress a bill which became Public Law 863, which provided for accrued accounting methods and cost based budgeting in Federal agencies. A great deal of the savings estimated by the Hoover Commission were to result from the recommendations included in Public Law 863, and it can be pointed out that this legislation is working satisfactorily and there have been savings in various agencies and departments though the amount has never been totaled and could probably not be accurately determined.

Mr. LAIRD. This price-tag figure was on all of the 31 recommendations not on H. R. 8002 as originally introduced. Is that correct?

Mr. LIPSCOMB. All 31 of the recommendations by the task force. The accrued expenditure recommendation is just one of the recommendations.

Mr. LAIRD. I thank the gentleman from California.

Mr. FORD. Mr. Speaker, may I conclude by saying that by the enactment of this bill we are not accomplishing one single thing, because in section 201 (g) it is stated that none of the procedures with respect to the method or manner of making appropriations shall be changed. Secondly, may I repeat, by the inclusion of the amendment of the other body, we are in effect giving to the executive branch of the Government more flexibility and more control which automatically means that we, in the legislative branch, have less. Finally, may I say, by striking the provision which was sponsored by the gentleman from New York [Mr. TABER] the other body, and I presume we, now, will take away the real tool that could have been helpful in giving us in this body authority to make provisions for rescissions of previously made obligational authority.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. LIPSCOMB. The gentleman is a very prominent and effective member of the Committee on Appropriations. Is it not a fact that at the present time the Committee on Appropriations includes in an appropriation bill transfer authority and in effect puts a limitation on them?

Mr. FORD. We have the authority—so if you use that line of argument then this whole bill including that provision is of little or no effect. My only point is that this proposal is purely window dressing. It has the same number (H. R. 8002) and the same title as the original bill but after that there is no similarity between it and the initial version.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, we have battled over the bill, H. R. 8002, for many months. I have been among those in the House who have conceded the complete sincerity of those who sponsor this legislation, but I have felt all along that the legislation would do more harm than good. I realize we are now approching the conclusion of the consideration of this issue. I have asked for this time merely to say again that, in my opinion, this is unwise legislation, and it will not be helpful to the Congress. I do not believe it will save money. I do not believe it will reduce personnel. On the contrary, I believe it will increase personnel. I regret that we are confronted today with this proposition. Of course, the bill has been vastly changed, as has been pointed out by the gentleman from Michigan [Mr. FORD] and others, but I still take the position that it is not wise legislation, and I want to be recorded as being among those who are opposed to it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I think the House is well aware of my position with respect to this legislation. I favor its adoption and I favor the adoption of this resolution to that end.

The bill, as has been pointed out, in substantially its present form passed the House on a record vote of 311 to 97 or by better than 3 to 1.

It then went to the other body. It was referred to the Committee on Appropriations of that body. Hearings were conducted. It then passed the other body on a record vote of 68 to 6 or by better than 11 to 1.

It is supported by the Bureau of the Budget. It is supported by the Comptroller General. It is supported by the Secretary of the Treasury. It is supported by the Department of Defense.

It has the general support of the administration as well as the support of the Second Hoover Commission which proposed the legislation in its original form.

The amendments which have been adopted by the other body are not major amendments, as I see them. They are minor amendments. They do not go to the heart of this proposal. They do 3 things and 3 things only.

First, they include permissive language, and it is only permissive, whereby if the Congress sees fit, it may authorize the transfer from one category of expenditure to another category of expenditure to the extent that it deems wise.

Second, they include clarifying language to make doubly certain what we have intended at all times, that a contractor will be paid promptly for goods delivered within a given fiscal year even if the payment is not made technically before the close of that year.

Third, they delete two lines of the bill which would have permitted in any appropriation bill a rescission, a reappropriation, or a transfer.

I regret the omission of these two lines, but I do not think they are too important, because every one of us here has seen a rescission, or a reappropriation, or a transfer provision included in appropriation bill after appropriation bill, and I never recall anyone in this body raising a point of order to the suggested action.

Mr. Speaker, as I say, this bill returns to this House substantially in the form in which it was approved previously by the House by a vote of over 3 to 1. It is a fair compromise as I see it.

True, as the gentleman from Michigan has pointed out, there is no change made in respect to appropriations or the making of obligations under appropriations. The return to the contract authority principle has been completely eliminated, and that was the chief objection to this bill.

The bill does however provide the possibility of imposing expenditure limitations in terms of accrued expenditure so that this House may control not only obligating authority, but actual expenditure, just as we always did year after year until a few years ago, when we departed from the contract authority principle, leaving the rate and time of expenditure to the extent of about one-third of our total appropriations largely in the hands of the departments and agencies, thereby relinquishing control in any given year over a balanced budget.

I think it is a fair compromise. I think it affords control over expenditure which is now lacking.

It is permissive legislation and I think it is entitled to a fair trial.

I hope and believe that the House will agree to the resolution now under consideration.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Indiana [Mrs. HARDEN].

Mrs. HARDEN. Mr. Speaker, I rise in support of this legislation. I was a member of the committee that held hearings on it. I believe it is worthwhile legislation and that if adopted it will create more efficiency and more economy in government. I hope the House will adopt this resolution.

Its adoption will represent a long step forward in the effort by the Hoover Commission to improve the functioning of the Federal Government.

The bill has had the warm support of thousands of Americans interested in simplifying Federal budgeting and accounting procedures. I have had a great deal of mail on it myself, from good citizens of Indiana's Sixth Congressional District. They see in H. R. 8002 an opportunity of cutting down on Government spending, and I think the bill will eventually have that effect.

I have been a member of the House Committee on Government Operations for 8 years and I consider this proposal among the most important ones our committee has handled during that period. I recommend the adoption of the resolution.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as she may desire to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Speaker, I rise to

Mrs. DWYER. Mr. Speaker, I rise to support this legislation, and at this time I want to commend the many civic groups which worked so diligently for the passage of this legislation.

Mr. Speaker, the legislation now before us, H. R. 8002, has probably had more expert study and more extensive and detailed consideration than any matter that has come before us during the 85th Congress.

It is good that this is so, because the bill will mark a new departure in the budgeting, accounting, appropriating, and spending procedures of the Federal Government.

It will mean—once an accrued expenditures accounting system has been placed in effect—that both the Congress and the executive branch will be enabled to exercise a much closer control over the actual expenditures made and contemplated by the departments and agencies of the Government.

As the Congress has learned, it is the ultimate spending of funds rather than their obligation or appropriation that is the most significant act in the budgetary process. To the degree that expenditures themselves are controlled, the Federal budget will accordingly be properly administered. This bill provides the authority necessary to achieve proper control.

It does so, Mr. Speaker, by providing for an accrued expenditure limitation for each fiscal year. It provides that in the fiscal year involved, this limitation would be charged with the cost of goods and services and other assets received, and advance payments made and progress payments becoming due, and the amount of any other liabilities becoming payable—in brief, each year's limitation would include all expenditures whenever and however the obligations were incurred.

In this way, the authority to receive goods and services and incur other liabilities will be controlled annually based on a review by the Congress of unobligated balances of prior appropriations. The executive branch, by proposing the accrued expenditure limitation, and the Congress, by establishing the annual limitation, will control not only the goods and services received under orders placed in that year but also the receipt of goods and services under orders placed in prior years.

Thus, Mr. Speaker, the funds appropriated by Congress should, under this bill, receive much more careful and precise accounting and control. It will require more effective control over the costs of goods and services. It will eliminate the huge carryovers of appropriated funds which somehow have a tendency to get lost in the morass of long-range procurement.

Potentially, at least, the greater emphasis on costing procedures should prove to be the most significant result of the changes involved in H. R. 8002. Better estimates will have to be made of the varied factors going into the cost of products and services; more accurate information will be required on which to base these cost estimates; and more detailed and precise knowledge of production techniques and procurement methods will be necessary—all of this because both Congress and the executive branch will be required, in a sense, to postaudit as well as preaudit Federal expenditures. The former reliance on vague estimates and the generally loose character of much budgetary procedure will no longer be tolerated. To a much greater degree than has heretofore been possible, we can assure that close to 100 cents' worth of every dollar spent will be received.

At the same time, however, the bill permits adequate flexibility for the President and the executive departments to meet swiftly changing or unexpected requirements. The President will be authorized to include in his budget requests for authority to make transfers of funds within the accrued limitation from one appropriation to another within a particular establishment. The Congress of course, may approve or disapprove or amend such requests.

It should also be noted that appropriations will continue to be made, under the bill, in the same manner as at present and be available for incurring obligations in the normal way. This is essential for the efficient execution of programs with continuing-type appropriations for procurement of long lead-time items such as much of the equipment, construction, and research contracts of the Defense Department involve.

Mr. Speaker, I am immensely pleased that this bill is so near to final enactment. It will bring order and understanding into the budget and appropriation process—not only for those who daily work in this field, but also for the people who ultimately pay the bills. It will achieve a measure of healthy accountability for Government spending which we have never had. It will require more care and more precision in spending the people's money. And, as a result, both Congress and responsible officials in the executive branch will be enabled to spot areas where loose procurement and spending practices can be corrected.

The bill will undoubtedly result in significant economies, though I think it is fruitless to speculate on dollar amounts of such savings.

The technical changes in the Government's immensely complex financial structure which will be brought about by this bill are so vast that we cannot realistically expect very early results. The changes will take time, several years perhaps, before important savings can be identified.

In any event, Mr. Speaker, by approving H. R. 8002 this afternoon, the House can take a major step forward toward bringing good sense and understanding and responsibility into the handling of more than $70 billion a year. Such an achievement is truly historic.

But the sense of the achievement grows even greater when the present bill is placed alongside legislation providing for the reorganization of the Defense Department. As we are very much aware, the Defense Department alone accounts for more than 50 percent of each Federal budget, and its importance in terms of national security is equally great. With these two bills, therefore, the Congress will have made unprecedented progress in bringing greater efficiency, more flexibility, a readier response to changing needs, and more effective accountability into the very heart of the Federal Government.

When we consider this accomplishment, Mr. Speaker, we must, I believe, distribute the credit very broadly indeed—broadly enough, that is, to cover the millions of American citizens who would not take no for an answer. Few instances of major legislation owe so much to the enlightened and organized support of a broad section of the population. The people recognized the good sense and great importance of the Hoover Commission recommendations in this field. And despite the reluctance of many in the Government, the people have persisted in demanding that something effective be done to bring order, efficiency, and economy into the organization and operation of the Federal Government.

I have watched closely the constructive and persistent efforts of citizens in New Jersey, as in every other State of the Union, to keep the attention of Congress focused on this job. Their interest—which has been a public interest of the highest order—has continued over several years, and has overcome the inertia and the apathy and the resistance which always threaten proposals which seek to make striking departures in the customary way of doing things—no matter how badly changes are needed.

I am delighted to acknowledge this great contribution.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I rise in suppport of House Resolution 674 providing for agreeing to Senate amendments to H. R. 8002 to implement the Hoover Commission recommendation for placing the Federal budget on an annual accrued expenditure basis.

Prior to the time that the House passed H. R. 8002 last March, I strongly favored and worked for its passage. This was to return to Congress control of the public purse strings. On funds which do not revert to the Treasury if unspent in a fiscal year, I have urged, as provided by this legislation, that there be a Congressional review each year so we can cancel unneeded expenditures and reduce the huge backlog of spending liabilities. When I was elected to Congress in 1952, the authorized projects appropriated for but unspent from previous fiscal years was said to be $80 billion. On June 30 of this year, as I understand, it had been reduced to approximately $70 billion, but I do not know that anyone has an accurate figure.

Leading accountants and business leaders have urged enactment of H. R. 8002 and I have been convinced it could result in the savings of millions of dollars each year.

Accordingly, Mr. Speaker, I am happy that H. R. 8002 is now up for consideration. The changes in the bill since it was passed by the House, as I understand, were minor and largely to comply with Senate rules. In short, the amended bill conforms to the objectives of the bipartison Hoover Commission and is endorsed in its present form by the Citizens Committee for the Hoover Report.

I am going to vote "aye" and urge my colleagues to do the same.

In connection with H. R. 8002 and the strong possibility that it will now be enacted into law, because if we pass it today it most certainly will be signed by the President, I want to pay special tribute to the Hearst newspapers. This vote culminates a long, drawnout educational program of the Hearst papers in support of this recommendation of the Hoover Commission. Had it not been for the continuing editorial support of these newspapers I doubt if we would be voting on this measure today.

And may I say there is one thing that I admire about the Hearst editorial policies, you always know where these papers stand. They support some economy measures and some spending measures and, yet, there is a balance so that the result is sound economics and opposition to inflation. Contrast this with some other newspapers, of which the Washington Post is a good example, where support is given to legislation for all types of spending programs without any restraint so that the overall policy is never within the framework of sound fiscal policies nor is it tempered to recommend overall balance of expenditure and revenue.

Today, as we face a 12 to 18 billion dollar Federal deficit with an ever-increasing national debt, it seems to me that the newspapers of this country owe it to their readers to give editorial support against inflation and fiscal irresponsibility. This I am happy to say is something that the Hearst papers have never failed to do. At this time, when we are considering H. R. 8002, I certainly want to pay tribute to newspaper publishers such as William Randolph Hearst, Jr.

Mr. O'NEILL. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I believe the distinguished member of the Appropriations Committee has already explained the Senate amendments which are under consideration in this legislation, and I think he has explained them very clearly and explicitly. They are simple in nature.

I would just emphasize the fact that the merits of the legislation itself have been sufficiently discussed in this House. The other body took a long, slow look at this legislation. It has been over there quite a while. It was referred to the Appropriations Committee of the other body and they reported it favorably. I would like to quote the last part of a paragraph that has been referred to, but of which only the first part was read, because I think the balance of the paragraph is as important as the first part. I read from page 2 of the Senate report on this legislation:

> The Congress has absolute control over expenditures by reason of its constitutional responsibility in the granting of obligational authority.

I certainly concur wholeheartedly and have always concurred in that statement. I suggest that it is certainly the crux of the entire situation. There is no question about that.

I read further:

> Under the terms of H. R. 8002, a majority of the committee feels that the Congress will have an opportunity to exercise better control over the expenditures in the year in which they are to be made and that the Congress will have an opportunity to exercise better control over the unexpended balances of appropriation, because limitations on expenditures of these unexpended balances will be made each year.

That is the balance of the paragraph, reading from a Senate Appropriations Committee report, which spells out the purposes of this legislation. I am pleased that the Senate Appropriations Committee sees the same purposes in this bill as does our committee.

I would point out with respect to the questions that have been raised on the amendments that in connection with the first amendment, it is purely permissive. The language says that the President may include it in the budget.

I stand here to state again that I believe in an expenditure type of budget. Under the present systems the obligational budget has only an indirect relationship to the annual expenditures. It would be helpful to the American people, and to Members of Congress if we can get to the point of saying that the budget for a year reflects the expenditures for that year. I do not know whether we will arrive at that point or not. But the gentleman from Wisconsin [Mr. LAIRD] is correct when he says that this is a tool of management which can be used, if it is desired to be used. It is not mandatory in any sense; it is an expression of opinion, and makes available for use a management tool which we believe could be useful and helpful, improve efficiency and effect economy.

It is our intent, and the record is abundantly clear on this point, that all we seek to do is to aid Congress and the Appropriations Committee to secure more effective control. We hope to be able to support them in whatever way they wish to exercise and retain this control.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from West Virginia.

Mr. BAILEY. All you do is require any spending unit to absorb the unexpended obligations of the previous year in any budget? That is what you are proposing?

Mr. FASCELL. You would have full obligational authority, as you now have, but each annual expenditure thereunder for the life of the full obligation, would have to be within the annual expenditure limitation fixed.

Mr. BAILEY. If I read a section (c) on page 2 correctly, that is the object?

Mr. FASCELL. If the proposal is made and the Appropriations Committee desires.

Mr. BAILEY. Under that expression on page 2, section (c) "and the amount of any other liabilities becoming payable, during the fiscal year concerned"—would that cover payments on existing contracts?

Mr. FASCELL. That is covered; yes.

Mr. BAILEY. Why did you not include the term "contracts" in that list that you used? There may be some doubt about it.

Mr. FASCELL. I do not think there is any doubt about the fact that the amendment adopted by the Senate in subsection (d) adequately covers it, as in fact did the original language which was replaced.

Mr. BAILEY. As a former State director of budget in West Virginia, we put in controls similar to this, except we went further and directed the budget director to set up an expenditure control account on every appropriation. The State of West Virginia has not since 1941 offered a budget that had 1 cent of a deficiency in it. We never let them spend unless they have an unencumbered balance in the current appropriation.

Mr. FASCELL. I thank the gentleman for his observation. It is our hope that we can make available to the Congress every tool possible for its enlightenment so that it can exercise more stringent control over the fiscal management of our country.

I might conclude by saying that the amendments of the Senate were referred to the Bureau of the Budget and concurred in by the Comptroller General of the United States and the Defense Department.

As a cosponsor of this legislation, I am happy to state that the long and tortuous legislative road of this bill seems to be at an end. I trust that the House will overwhelmingly support the resolution concurring in the Senate amendments.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. BYRNE].

Mr. BYRNE of Illinois. Mr. Speaker, I rise in support of this legislation. I introduced a companion bill seeking the same result. I trust that the legislation will be enacted into law.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from Illinois [Mrs. CHURCH].

Mrs. CHURCH. Mr. Speaker, I, of course, rise in support of this bill. It is certainly not necessary to take time to explain or praise H. R. 8002, which has had, as a piece of legislation, many a long, tortuous and, I might add, unnecessarily difficult journey through the House.

You will remember that in the 84th Congress some of us spent a great deal of time and placed considerable emphasis on the necessity for putting adequate methods of accounting into Government practices. I rejoiced then in the passage of Public Law 863 which, for the first time, amazingly enough, put into operation a system of cost accounting in Government spending practice. When that bill was about to be considered, it became evident to some of us that it would never pass if the provisions of the paragraph that would have put into being the principle now worked out in H. R. 8002 were included, so as a matter of

precaution that paragraph was eliminated at that time. But, Mr. Speaker, at the very beginning of the next Congress, in fact, in January 1957, the gentleman from Florida [Mr. ROGERS], the gentleman from California [Mr. LIPSCOMB], and myself immediately introduced bills to put into being a system which would state that appropriation estimates should be made on an annual accrued basis.

The measure which I myself introduced on January 29, 1957, H. R. 3961, in so providing that appropriation estimates should be stated on an annual accrued basis, sought to place the entire Government financial structure on an annual expenditure basis as opposed to the present complicated obligation system. It sought to reduce or eliminate the tremendous carryover balances of appropriations which the Comptroller General, at that time, estimated as amounting to some $70 billion and over which the Congress, for all practical purposes, had lost complete control. It sought further to provide the Congress with much needed information concerning the actual cost of Government programs, the accomplishment obtained each year toward completion of each program, and the justification for new money required in each fiscal year. It was also thought that the bill would make these essentials of financial management more meaningful to the executive departments themselves and permit substantial savings—both in estimates and in spending.

H. R. 3961 was practically identical with H. R. 8002. Both represented the heart of the Hoover Commission recommendations concerning budgeting and accounting in Government. I, of course, threw my full support to H. R. 8002, the companion bill introduced by the gentleman from Florida [Mr. ROGERS] and reported out courageously by the House Committee on Government Operations.

This bill, Mr. Speaker, has the support not only of the Hoover Commission and of its task force, but of the Secretary of the Treasury, the Director of the Budget, the Comptroller General, and the President of the United States. It received, in addition, the wholehearted support of countless organizations, groups, and individuals who were interested in putting Government housekeeping on a sound basis.

Because of its purpose, as well as because of the support provided, a companion bill, with practically identical provisions, passed the Senate unanimously on June 5, 1957. When H. R. 8002 was brought before the House on March 6, 1958—and after being amended according to the suggestions of the gentleman from Massachusetts [Mr. WIGGLESWORTH], a member of the Committee on Appropriations—the bill passed by a vote of 311 to 87. The Senate, later acting on the latter House measure on July 31, 1958, again indicated its approval by an overwhelming vote of 68 to 6. It is interesting to note that seven separate hearings have been had on this legislation.

Mr. Speaker, in respect to the Senate amendments, though I accept them, I am an "unreconstructed rebel." I think the original provisions in H. R. 8002 were better than those of the finished form. I am sorry that additional amendments were accepted in either the House or Senate. Why? Because it would seem that the efforts made to meet the objections offered by those who disapprove of this bill have simply, in their eyes, made it less acceptable. At the same time, the measure has been regrettably weakened. But I shall urge the passage of the bill before us. I rise, I say, not to explain; I rise not to praise the bill; but I rise in praise of those leaders in the House who have carried this burden for so long, particularly of the gentleman from Ohio [Mr. BROWN] who, from the beginning, as father of the Hoover Commission, has fought to put better methods of fiscal housekeeping into being. And, of course, this bill (H. R. 8002) represents, as I have said, the heart of the Hoover Commission recommendations. I give my full measure of praise also to both of the gentlemen from Florida and to the gentleman from California, who have never swerved in their fight to make this bill a law. Particularly, Mr. Speaker, I would pay tribute to that large portion of the American public which is demanding some system of Government responsibility in fiscal affairs and fiscal planning. I think that the passage of this bill today—and I am sure that it will pass—is due to the interest of the American public who are demanding, at long last, that their money be spent well and wisely, more soundly, more economically. I trust that this measure will prove to be a real tool, a tool that will be used with conscience, with application and diligence, because certainly—and I say it again—at long last the American public is demanding that those funds which come from its hard-earned tax dollars be spent to the best advantage and be saved wherever possible.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. NEAL. Mr. Speaker, I want to pay my respects to all Members who have so persistently combated delaying tactics so long responsible for the lateness of the legislation.

While it will place responsibility to closely scrutinize budgetary requests for appropriations on the part of authorized committees, it likewise will impose greater care of the House membership in digging deeply into the justifications for proposed expenditures.

Most surely in these days of unusual defense requirement the public is entitled dependable stewardship in this as well as every department and bureau empowered to administer the disposition of their tax contributions.

Mr. LIPSCOMB. Mr. Speaker, I rise at this time in support of House Resolution 674, which provides that the House shall agree with the Senate amendments to H. R. 8002 a bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations.

I will not go into the basic merits of H. R. 8002, for this was very thoroughly covered here on the floor last March when the House passed this bill by a vote of 311 to 86.

It is my belief that the main purpose of H. R. 8002—to place improved control in Congress over the expenditure of funds by the Government—is substantially preserved in H. R. 8002 as amended by the Senate, and I believe House Resolution 674 should pass the House.

The first of the major Senate amendments would add a provision to the effect that the President could include in the budget, with proposed limitations on annual accrued expenditures, proposals to authorize the head of a department to make transfers, within his department, between such limitations on annual accrued expenditures.

Under another Senate amendment, the rules of the House and Senate would be changed to provide that Congress would include in any appropriation bill or joint resolution, provisions authorizing the head of a department to make transfers, within his department, between the limitations on annual accrued expenditures.

As can be seen, these two provisions supplement each other and are, in effect, interrelated parts of one basic provision. The first part authorizes the President to include in the budget proposals for provisions to authorize the head of a department to transfer limitations on annual accrued expenditures within his department; the second makes it in order for the Congress to include such provisions in appropriations bills or joint resolutions.

This authority is of course permissive, not mandatory, and could be exercised only as the President and the Congress see fit.

I believe, however, that a note of caution should be interjected here. Though I favor passage of H. R. 8002, as amended, it appears possible that the transfer authority provisions could minimize the amount of Congressional control over Government expenditures which this legislation originally was designed to achieve. If, for example, such authority is unwisely requested and, in turn, granted unwisely by the Congress, it could result in undiscriminating and irresponsible transfers of limitations within departments. If that were the case, any so-called limitation on annual accrued expenditures would be rendered meaningless. This is something that must be guarded against.

Thus, while I feel that these Senate-added amendments propose authority that may possibly be used to advantage on occasion by providing for flexibility of operation, I feel it will fall on Congress to zealously guard against losing control over the purse through unwarranted granting of such authority.

I feel it is unfortunate that the Senate amended H. R. 8002 to delete the provision providing that it would be in order to include in appropriations measures provisions pertaining to the availability of any appropriations or funds previously made. It is my belief that such a provision would help greatly in giving improved control to Congress over expenditures in the Federal Government.

In conclusion, I would like to say that I believe firmly in the basic merits of H. R. 8002, and in my opinion, it should pass the House as amended. This measure, properly put into effect, could go a long way in placing improved control in the hands of Congress over expenditures of the Federal Government.

Mr. VORYS. Mr. Speaker, in supporting this final step in the enactment of H. R. 8002 I want to congratulate our colleague the gentleman from Ohio [Mr. BROWN] and the others who have worked so long and hard to provide procedures that should facilitate the achievement of a balanced Federal budget, year by year, a balanced spending budget, based on income and outgo.

Although I started as a legislator 36 years ago in the Ohio General Assembly, and have spent 20 years in Congress, the only law which is known by my name is the Vorys budget law in Ohio, which has provided for a balanced budget for the State of Ohio and its subdivisions since its enactment in 1925. When I came to Congress I was astounded at the loose budgeting system which prevailed in the Federal Government. I found that the vast and complicated problems and processes of Government in Washington could not be brought under budgetary control by the means we had used in Ohio. I have followed the pioneering work of the Hoover Commission and the constructive labors of our House committees toward solving this problem. I congratulate my friend, the gentleman from Massachusetts [Mr. WIGGLESWORTH] on his statesmanship in providing a solution which would clarify the functions of the Appropriations Committee in the budgetary process. I am heartened that, as I leave Congress, machinery has at last been provided that will make it possible for the United States to have as good a budget system as the State of Ohio has had for so many years. It is a simple matter to state the result we seek in order to balance the Federal budget, we must not spend more than we take in. This bill, H. R. 8002, will help in the complicated steps necessary to reach that result.

Mr. ADAIR. Mr. Speaker, doubts have been expressed as to whether or not this bill, H. R. 8002, will effect the economies claimed for it. Some contend that it will result in real governmental savings, others claim that it will not.

Members of the Hoover task force who studied this problem and made the recommendations which resulted in this legislation felt that it would bring about real savings.

It is my opinion that this will be the case. In any event, however, it seems to me that in these days of mounting Federal expenditures and increased deficits that we ought to give this new system a trial. Therefore, I support this proposed legislation. It is of the utmost importance that we do everything possible to bring about economy and efficiency in government.

Mr. DONOHUE. Mr. Speaker, I urge the unanimous adoption of this amended version of H. R. 8002, which provides for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations.

To those of us who were privileged to support the creation of the original Hoover Commission, this measure represents another forward step in a chief objective of the Commission to continuously introduce modern methods of financial accounting practices in place of the outmoded and antiquated system that was too long permitted to bewilder the understanding of Congress, prevent the constitutional control of the Congress over Government spending, and conceal great waste of the taxpayers' money.

The amended bill removes any impractical restriction upon the financial authority of the Secretary of Defense that otherwise might have unwittingly visited hardships upon the employees of those companies engaged in Defense contract work, and although the bill as now presented is far from perfect and does not include provisions that a great many members advocated, it still adds to the precedent of, and will serve as a stage from which further legislative advances in spending control can be accomplished in the future.

One of the basic responsibilities of the Congress is to exercise the greatest care in and control of the tremendous financial spending of the Federal Government, especially in these emergency years. All authorities agree that rigid accounting practices is the best approach to Congressional understanding of Government financial operations and Congressional insurance, by appropriate legislative measures that not $1 of the hard-earned taxpayers' money will be spent needlessly, wastefeully, corruptly, or extravagantly. This measure is at least one more step along the hard road to that Congressional duty achievement. I hope you will all approve the taking of this step without further delay.

Mr. BROWN of Ohio. Mr. Speaker, the parliamentary situation which confronts us is simply this, that by the adoption of this resolution, House Resolution 674, as reported some time ago by the Committee on Rules, the bill H. R. 8002, the so-called accrued expenditures budgeting bill, will be taken from the Speaker's table, and the Senate amendments will be agreed to. In other words, in voting for this resolution we will be voting to agree to the Senate amendments to this measure. So a vote for this resolution will actually be a vote to send, at long last, H. R. 8002 to the White House where it should have gone a long, long time ago. The position of the 85th Congress in support of modernized Federal budgeting as recommended by the bipartisan Hoover Commission, an arm of this Congress, and provided for in H. R. 8002, could hardly be more explicit. Let me review the record briefly.

In 1957, the Committee on Government Operations, upon which I am honored to serve, held extensive hearings on a bill which had previously passed the Senate by a unanimous vote. Then on March 6 of this year, following long and candid debate, the House overwhelmingly adopted the bill H. R. 8002, after it had been amended by a substitute offered by the gentleman from Massachusetts [Mr. WIGGLESWORTH] a member of the House Committee on Appropriations. Then the usual unanimous-consent request was made to take the Senate bill from the Speaker's table, strike out all after the enacting clause and substitute therefor the provisions of the House bill. Rather peculiarly that request was objected to, so that it became necessary to message the House bill itself over to the Senate. There, again, delaying tactics were engaged in, and the bill was referred to the Committee on Appropriations of the other body.

After rather long hearings, that committee reported this bill favorably. That is the bill before us today, with amendments, that we are asking the House to approve here and now. In other words, these are the Senate amendments, the amendments which were written into the bill by the Committee on Appropriations of the other body. The gentleman from Massachusetts [Mr. WIGGLESWORTH] has explained those amendments, frankly and fairly and fully to you. He has made very clear just what they mean, what they are, what they will or will not do.

But then, when the bill came back from the Senate with amendments, the usual unanimous consent request, which is of the type made day after day and time after time, was submitted to take the bill from the Speaker's table and agree to the Senate amendments. Objection was made by one opponent of budgetary reform, and it became necessary to go to the Committee on Rules to obtain a rule. That rule, to the committee's glory and honor, was quickly reported out. So this resolution has been brought to the floor of the House making in order the adoption of the Senate amendments. For some strange reason completely beyond my understanding, there has been a small band of willful persons in the House, which notwithstanding the fact that the Senate had passed the original bill unanimously, that the House had passed H. R. 8002 by a vote of 311 to 86, that the Senate had again approved this legislation, H. R. 8002, with amendments, by a vote of 78 to 6, have made every attempt to thwart the will of the Congress and prevent this legislation, which will bring some reform in budgeting practices and fiscal policies in the handling of the public's money, from being passed.

Frankly, I cannot understand them. I do not know why these delaying tactics have been resorted to, why they should have been resorted to, or why these dilatory parliamentary maneuvers have gone on all during this long time.

This bill, H. R. 8002, as amended, has the support of the President of the United States. It has the unanimous support of the House Committee on Government Operations. It has the wholehearted support of the other body and two of its great committees. It has the support of this body, as indicated by its favorable vote of 311 to 86 not long

ago. It has the support of the Hoover Commission. It has the support of the former President of the United States, Herbert Hoover. It has the support of the Bureau of the Budget, and it has the support of the General Accounting Office.

When the bill was before the House it had the support of the majority and minority leaders of this body. So, everyone seems to be out of step except a half a dozen or so of those who make up the little band of willful men. At last we have come to the end of this long trail, and at long last we bring this measure to an actual vote, as the concluding legislative action on it.

I would like to go ahead and explain to you, if I had the time, just exactly what these amendments mean but, as I said a moment ago, the gentleman from Massachusetts [Mr. WIGGLESWORTH] has done so most admirably, and I do not think it is necessary to take more of your time. However, I do wish to emphasize this, if I may, that the enactment of this legislation, by voting "Yes" on this resolution, means that we will have needed reforms in our budgetary practices, we will have reforms in our fiscal policies, the American people will be given the opportunity to know what is being done with the money they send down here in taxes; and the House Committee on Appropriations and the Senate Committee on Appropriations will have a greater and better opportunity to handle their chores and meet their responsibilities more efficiently and effectively. So there is no reason in the world why anyone should oppose this legislation.

First, some of those who oppose us, this band of willful men who oppose this bill and budgetary and fiscal reforms, told us that it was the Senate bill which was bad. Next they said, after we had redrafted the Senate bill and brought out the House bill, that it was the House bill that was bad. Then later it was the substitute bill that was bad, in their opinion. Then when the House bill went to the Senate, and the Senate amended it, the original House bill suddenly became very good and the Senate amendments were bad, in their opinions. So, I cannot help wondering to myself just who is wrong and who is right. It seems as if everyone is out of step in this legislative army, except those who make up this little band of willful men who oppose this bill.

I believe that, under our processes of representative government, the majority has the right, and should have the right and the privilege and the opportunity, to work its will on legislation of this type. I am convinced that it is the will of the Congress and it is the will of the American people that we do have this badly needed budgetary reform. Also that we do have the need for fiscal responsibility in the handling of the people's money; and that they have an opportunity to know how and when and where their money is being expended.

Let us vote for this resolution and then send this bill to the White House where I am sure it will receive prompt approval.

Mr. DOOLEY. The enactment of H. R. 8002 as revised by the Senate will furnish a needed implement for Federal auditing. There has been a tremendous demand for a more meticulous check on the Federal system of expenditures, motivated in large part by the Citizens Committee for the Hoover Report. The attitude of this group is understandable in the light of the huge reserves of unobligated funds in the pipelines each year.

The other body amended the original piece of proposed legislation in such a way as to bring about these modest revisions: They inserted permissive language so that where Congress sees fit it may authorize the transfer of expenditures from one category to another insofar as it is deemed feasible. It—the amendment of the other body—clarifies the intended wish of the House legislators that contractors be paid promptly for services rendered within a fiscal year even if the payment is not made technically before the close of that fiscal year. Lastly, the other body deleted two lines of the bill which would have permitted in an appropriation bill a rescission, or reappropriation, on a transfer.

In effect the bill as returned from the other body is substantially the same as previously approved by the House by a tremendous majority.

Everything considered, this bill is simply permissive legislation and it is entitled to a trial. If it proves too costly or ineffective it can be dispensed with by the Congress. If it works it will improve expenditure limitations so that the House may control not only obligating authority, but continue expenditures as it did before it departed from the contract authority principle. When it did that it left the rate and time of expenditure in the hands of departments and agencies, and gave up its control in any given year to a balanced budget.

With the debt ceiling having to be lifted to a new high of $288 billion, it looks as though a balanced budget is out of the question for some years to come. But it is a goal devoutly to be wished for and eventually attained.

The passage of H. R. 8002 will have a good effect on many citizens who will at least realize that Congress is trying to be judicious in its bookkeeping.

Mr. BROWNSON. Mr. Speaker, much legislation, some of it not too carefully drawn up, has come to the floor this session. Some measures many of us felt ill-considered have swept quickly through committee. Occasionally such legislation has been allowed by the leadership to bypass legislative committees altogether. Bills have been passed by the House after only the most casual examination, passed without concern for the needs and desires of the taxpayers, who, after all, are the ones who will be saddled with the costly legislative follies of this 85th Congress, and with the inevitable inflation that must surely follow the wanton spending encouraged by the Democratic leadership.

Twice this year the House has raised the national debt limit to give more elbow room to the spenders who are rolling Federal dice for America's future—using the national debt as collateral to borrow more and more in order to spend more and more.

Some of us in this House have refused to gamble. Some of us have not turned our backs on the folks we represent. Many—but not enough—of my colleagues have joined me in my desperate attempts to curb this reckless spending. I am proud of my own economy voting record. I am sure many of you are equally proud of the fight you have waged against waste and extravagance. I have voted against every pump-priming scheme to come before this House. I have twice voted against increasing the debt limit, although I realized the futility of acting after the money was spent. All too often I find myself voting with the minority in a heartbreaking effort to save the fiscal good name of this Nation and to restore some semblance of Congressional control to Federal spending.

It is strange to contrast the speed with which billion-dollar spending bills have been stampeded through Congress with the painfully slow action on the very important measure before us, H. R. 8002. This, the one really important economy bill to come before this Congress has certainly received statesmanlike treatment in the leisurely tradition of the old school. The Democrat leadership allocated something like 3 minutes to slip through a billion-dollar highway bill under suspension of the rules. It allowed a few hours for the huge pork barrel rivers and harbors bill, which was so bad the President had no alternative but to veto it. It took very little time for the gentlemen across the aisle to up the defense appropriation by $99 million which the President publicly stated was unnecessary. But, it has taken a year and a half for the Congress to consider, study, debate, and pass H. R. 8002, a bill backed by the Hoover Commission which nearly every authoritative economist has advocated.

The Committee on Government Operations, on which I serve, studied this bill thoroughly in the 84th Congress, and studied it further in the 85th. On June 17, 1957, I voted to report H. R. 8002. It was unanimously reported by the Committee on Government Operations. The same leadership, which has shown no reluctance about shuffling through billion-dollar measures in a matter of hours or days, took almost a year to bring H. R. 8002 to the floor. We debated it vigorously for 2 days, finally passing it on March 6 of this year.

When H. R. 8002 arrived in the other body, I had heard that it again met with delaying tactics. As I remember, it was placed on the Senate Calendar on March 10, then, more than 3 months later, it was referred to the Senate Appropriations Committee. The full Senate, which had already approved a similar bill, voted for passage of H. R. 8002 on July 21. And, here it is again today, before a House which has thoroughly threshed out the pros and cons of the bill already. It is still a good bill, a piece of must legislation.

The Senate has made a few technical amendments in this legislation. These amendments have been called not substantive changes insofar as the major

objectives of the bill are concerned by the Bureau of the Budget.

With only a few minor changes, we have essentially the same piece of legislation before us today as we approved in a 311 to 87 vote last March. This bill has the double blessing of the Senate, which has twice passed budget reform legislation of this type. It has the approval of President Eisenhower, of the Bureau of the Budget, the Comptroller General of the United States, the Department of Defense, the Hoover Commission, and of a good many private citizens who are deeply concerned over our slack Congressional control over Federal spending and budgeting.

The objectives of H. R. 8002 have changed relatively little during its long sojourn in Congress. It still will provide for positive improvement in the means of Congressional control over the annual rate of Government expenditures.

It will minimize confusion over the size of each year's budget.

It will require an annual review with positive action to be taken each year by the Congress on both existing and proposed programs. Under the present appropriation method, no further positive Congressional action is required on entire programs or portions of programs for which appropriations were granted in prior years but on which work is presently being performed. There are, today, billions of dollars dangling in these unexpended balances.

The passage of H. R. 8002 will provide that the annual accrued expenditure basis for stating appropriations be on a trial basis until April 1, 1962. Any problem encountered during this period which cannot be solved through adaptation of administrative procedures can be considered for legislation when extension of the authority beyond April 1, 1962, is considered.

H. R. 8002 does not change existing law with respect to the method of making appropriations, authorizing or approving programs or projects.

I have been unable to discover any area where H. R. 8002 would handicap the Appropriations Committee in its efforts to control Federal spending. Rather, it seems to me, it will help the committee. The estimated cost of each new and continuing program will be submitted in the agency budget statements, in total and by years. On the basis of the total estimated costs and the planned program showing the financing required each year, the Appropriations Committee can make its decision as to the scope of work to be performed in any year. The committee can then accelerate, decelerate, or stop the rate at which the program is scheduled. The Appropriations Committee would, as a necessary procedure under the annual accrued expenditure limitation basis, review program accomplishments and total estimated cost each year.

H. R. 8002 constitutes much more than a mere bookkeeping device. This legislation provides a financial tool, a means of supplying some realistic Congressional control over the annual rate of Government expenditures in relation to the Congress' decision, regarding the balancing of the budget.

I urge the membership to support this worthwhile bill once again. The few amendments made by the Senate are technical in nature and in no way alter the objectives of the legislation or affect the wholehearted support it has from interested groups of citizens across the country.

If we are to salvage any of the respect this Congress has lost among the taxpayers, it will be by sending this bill to the White House where the President is waiting to sign it.

Mr. O'NEILL. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. PRESTON].

Mr. PRESTON. Mr. Speaker I ask unanimous consent to speak out of order, and to revise and extend my remarks.

The SPEAKER. Is there objection to the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Speaker, I have just received a telegram advising that the price for flue-cured tobacco on the markets being operated today in Georgia has been 15 to 18 cents a pound. Earlier this week the price instantly fell 5 cents a pound, the reason for this being that some Member of the other body sent some investigators down to Georgia to the flue-cured tobacco markets to find out why tobacco was bringing as much in Georgia as it does in South Carolina, when the South Carolinians have to tie their tobacco before they sell it. They were critical of the price we were getting in Georgia, or critical of the price they thought it might get in South Carolina when the markets there opened later. They first open in Georgia, then in South Carolina.

It appears to me that the tobacco companies of America have deliberately dropped the price of tobacco because these Senate investigators went into the tobacco markets to find out why it was bringing as much in Georgia as it does in South Carolina. They estimate it takes 5 cents a pound to tie up tobacco.

I think it is a sad commentary that the tobacco companies would deliberately drop the price and bring it down now as much as 18 cents a pound when there has been great demand for the short crop this year.

It is unfortunate that such action was taken by the investigators of the other body, because the companies invariably seize on any opportunity to reduce the price and deprive the farmers of what they are justly entitled to.

Mr. O'NEILL. Mr. Speaker, I yield the remainder of the time to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, as has been stated before, we are finally at the end of the legislative trail, we hope, on this piece of legislation. I am not going to reiterate the tremendous support that this bill has had all over the country, not only from the President of the United States, the top fiscal officers of this Nation, the Members of this body and the other body including the Appropriations Committee of the other body. I simply want to state that the purpose of this legislation is to give the Congress greater control over the fiscal affairs of this Nation. Here is a management tool, as was brought out by a member of the Committee on Appropriations in his questioning, that can be used, if it will be used, by this Congress to set limitations on the spending in the governmental departments with the tremendous backlog of funds on hand that now amount to some $70 billion, in addition to the moneys appropriated for this fiscal year. The method presented in this legislation will allow you and me, and will allow the Committee on Appropriations to determine what the departments may spend each year with this limitation and then let the departments come back at the end of the year to show the Committee on Appropriations and the Congress how they have spent that money and what they want to do in the next year. It is a simple measure. It is a business procedure. It brings about the two essentials which were in the original bill, and they are, first, the annual accrued expenditures method, and second, the limitation on expenditures. It is a good bill. We appreciate very much the fine work that has gone into this legislation by those who have participated and, particularly, the work of the chairman and the members of the Committee on Government Operations on both sides of the Capitol, and the many individual Members who have been willing to follow through on this legislation to try to bring about better management in our Government and some savings; because by better control we can bring about better management, by better management we can bring about more savings in the operation of this Government of ours.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I will be glad to yield.

Mr. BAILEY. Are we to understand that a normal spending unit of the Govment, when they come before the budget officer and the Committee on Appropriations, if they have a deficit and they overspent, we will say for this current year, are they compelled to absorb this overdraft to that extent? Are you trying to eliminate supplemental appropriations? Is that what you are trying to do?

Mr. ROGERS of Florida. Of course, we are hopeful that this will aid in doing that. However, I do not think it would be correct to say that the application of this act would automatically do that. I would not want to give that impression. What this will do is to say to the Government departments, "You have so much. Here is your limitation." The Committee on Appropriations determines what that should be and recommends it to the House. The Congress will say, "Here is your limitation. If you want to go over that limitation, you have to come back and tell the Committee on Appropriations and this Congress before you do that so that we may know why and then decide." That will give us a closer rein and a closer check on spending.

Mr. BAILEY. But I am asking about the outstanding obligations of that

spending unit in the nature of an overdraft when they come along and want to include that in a new appropriation or want to ask for a supplemental appropriation. Is this legislation broad enough to catch that?

Mr. ROGERS of Florida. I think it will tighten that up—yes, because they will have made their justification on the limitation that the Committee on Appropriations will approve. They have no authority to go over that limitation until they come back to the Committee on Appropriations and make a justification of it. In other words, this is to stop them really from going out and spending when they do not have the authority.

Mr. BAILEY. That is when they do not have the free balance?

Mr. ROGERS of Florida. And the free balance, because this takes away all the free balance in the backlogging of funds by placing a limitation each year.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Virginia.

Mr. GARY. I would like to say that the Hoover Commission when they first recommended this legislation claimed that it would save the country $4 billion annually. I hope the gentleman will come back next year with a list of the savings. I do not believe it will save this country one thin dime.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield to permit me to answer the gentleman from Virginia?

Mr. ROGERS of Florida. I yield briefly.

Mr. BROWN of Ohio. The Hoover Commission made no such claim whatsoever as the gentleman from Virginia stated. Instead, a task force of the Hoover Commission did state that if the 25 recommendations of the Hoover Commission relative to budgetary and fiscal policies were put into effect that the savings might go as much as $4 billion.

Now, do not try to put words in the mouth of the Hoover Commission, because I happen to have been a member of that Commission and I happen to know what was said and what was done.

Mr. GARY. I am speaking of recommendations of the staff.

Mr. ROGERS of Florida. Mr. Speaker, I decline to yield further.

Mr. Speaker, I would like to say that I simply will refer the gentleman from Virginia to a statement made to the Comptroller of Defense. It is contained in the hearings and I would be glad to show the statement to the gentleman showing the savings that were made as a result of the changeover to an accrual accounting system. In fact, I would like to call the gentleman's attention to the testimony given by the Comptroller of the Defense Department, Mr. W. J. McNeil, in the hearings held before the House Government Operations Committee, March and April of 1957, concerning the savings that have resulted in the Department of the Army alone by reason of the fact that in the stock funds the Department of the Army had begun to shift over to the annual, accrual accounting system, which is of course a principle embodied in this legislation:

Mr. ROGERS. I thought you had given examples of better management, for instance, in the Army, under this accrual system, where you said you saved about $2.5 billion.

Mr. MCNEIL. That is going back to human nature working for us, because no one can take anything off of the shelf, today, unless it is charged to today's operations and today's budget.

Mr. ROGERS. Which is really your accrual system working in your department, is it not?

Mr. MCNEIL. Yes, sir.

Mr. ROGERS. Which brought about better management.

Mr. MCNEIL. As a matter of fact, it forces the accrual principle into effect.

Mr. ROGERS. That saved, you estimated, about $2.5 billion in the Army alone?

Mr. MCNEIL. It is up to $3 billion now.

Mr. ROGERS. I think that is very encouraging, and I am delighted to hear that.

Mr. BALDWIN. Mr. Speaker, I want to congratulate the gentleman from Florida and the gentleman from California for their effort and diligence in bringing this legislation to the House at this session of the Congress and the effort they have made to secure its passage. It is desirable and needed legislation.

Mr. ROGERS of Florida. I thank the gentleman from California for his kind words and for his help on this legislation.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SALINE WATER PROGRAM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, with a House amendment thereto, insist on the amendment of the House, and agree to the conference asked by the Senate.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ASPINALL, O'BRIEN of New York, HALEY, MILLER of Nebraska, and RHODES of Arizona.

ANNOUNCEMENT OF REFERRAL OF CONTEMPT CITATIONS

The SPEAKER. The Chair desires to announce that pursuant to sundry resolutions of the House, he has, today, made certifications to the United States attorney, District of Columbia, and the United States attorney, northern district of Georgia, as follows:

To the United States attorney, District of Columbia:

House Resolution 684: The refusal of Bernard Goldfine to answer questions before the Committee on Interstate and Foreign Commerce.

To the United States attorney, northern district of Georgia:

House Resolution 685: The refusal of Frank Wilkinson to answer questions before the Committee on Un-American Activities.

House Resolution 686: The refusal of Carl Braden to answer questions before the Committee on Un-American Activities.

LEGISLATIVE PROGRAM FOR TOMORROW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he will kindly inform us as to the program for tomorrow, assuming this bill will be all that we have for today.

Mr. MCCORMACK. Mr. Speaker, I am very glad the gentleman asked me the question, because, in all frankness, I cannot tell the House what the program will be. I am very much distressed that I am unable to tell the Members what the program might be for tomorrow. I am in a state of mind where Members come to me and ask me and it looks as though I am withholding information from them. I am not. I am disgusted with the position I am in where I cannot give the membership of the House information as to tomorrow's program. I would like to know myself. I understand that if the Committee on Banking and Currency will submit to certain amendments, the chairman of the Committee on Rules will then call up S. 3683, the distressed areas redevelopment bill. That is the best information I can give the gentleman. We will meet tomorrow and if the situation is such that the chairman of the Rules Committee will seek recognition, the distressed area bill will come up for consideration.

Mr. ARENDS. This bill is the last we will have today?

Mr. MCCORMACK. Yes.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. I heard the distinguished majority leader state that if the chairman of the Rules Committee did so and so. Does he mean we now have a chairman of the Rules Committee?

Mr. MCCORMACK. I will not enter into that matter.

CONTINUATION OF MEXICAN FARM LABOR PROGRAMS

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 672) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10360) to amend title V of the Agricultural Act of 1949, as amended, by striking out the termination date. After general debate, which shall be confined to the bill and continue not to exceed 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. THORNBERRY. Mr. Speaker, House Resolution 672 makes in order the consideration of H. R. 10360, a bill to continue the Mexican farm labor program. The resolution provides for an open rule and 1 hour of general debate.

The bill extends for 2 years, until June 30, 1961, the provisions of Public Law 78 of the 82d Congress, which provides for the recruitment and temporary employment of agricultural workers from Mexico when adequate domestic workers are not available to assist in growing, harvesting, and preparing the crops for consumption. It should be pointed out that the law provides that no Mexican farmworkers will be made available for employment in any area unless the Secretary of Labor determines that the employment of such workers will not have an adverse effect on the wages and working conditions of domestic agricultural workers.

The program has proven to be effective in the elimination of persons who enter the United States illegally from Mexico to obtain work. In 1954 there were approximately 1 million illegal entrants, while in 1958 only about 37,000 were picked up for illegal entry. During fiscal 1958 about 418,000 Mexican workers were contracted under the program.

The costs of the program are borne almost entirely by the farm employers. Starting this month, everyone who contracts for Mexican labor will pay $15 to contract each worker. It is estimated that the cost of the program for this fiscal year will be $6½ million, and of this amount only $480,600 will be paid by the Government for obtaining compliance with the act, the international agreement with Mexico, and the work contracts of the individual Mexican farmworkers.

I urge the adoption of House Resolution 672.

Mr. Speaker, I yield 30 minutes of my time to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Texas has indicated, this is a very simple bill. The gentleman has very ably and very well described it. The bill simply extends for 2 years the so-called Mexican Labor Act.

Mr. THORNBERRY. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, it is unthinkable that we here in the United States and we, the Members of this Congress, with 5½ million Americans unemployed, are being asked to open the floodgates to the admission of a half million Mexican nationals for the purpose of working in these United States.

My position on this legislation has been clear throughout the several years in which it has been in existence. I have protested the enactment of the legislation. All we are proposing to do today is to extend the act for another 2 years; that is, the Mexican immigration bill, which was passed 2 years ago. We are proposing to extend it for another 2 years.

Mr. Speaker, my opposition to this legislation is predicated on the fact that these Mexicans pay no income tax into the Treasury of the United States, they pay no unemployment compensation, they pay no social-security tax. They are exempted in the bill itself from all of these taxes. The American plantation owner who wants to bring in these Mexicans to take care of his crop does not have to pay into the unemployment compensation fund or into the social-security fund for those workers. They are in a special category and those exemptions have been expressly written into the legislation.

Mr. Speaker, I have a third objection to the legislation. We are building in my District in West Virginia a $32-million reservoir. In the adjoining area we have 24 percent of the labor force unemployed.

We have, standing around at this Federal construction project, a thousand people begging for jobs. One of the contracts awarded by the Army engineers went to the W. A. Smith Contracting Co., of Kansas City, Mo. And, what do we see but the contractor bringing in a bunch of Mexicans to work on relocating 13 miles of railroad track. I had the Bureau of Immigration and Naturalization check it, and we find that only nine of those Mexicans are citizens of the United States. The rest of them are Mexican nationals. Now, that is happening in my area where the people are begging for work. We allow these Mexican nationals to run at large over the country. We commonly refer to them as wetbacks. I do not think this Congress should be asked to continue a piece of legislation that will permit a situation of that kind to exist. If it is happening in my District, it is happening in scores of other Districts in the country.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. Is it not a fact that as a result of this legislation the number of wetbacks entering illegally, creating the condition the gentleman speaks of, which I admit is undesirable, has been reduced and it has been cut down very, very materially?

Mr. BAILEY. I would like to say to the gentleman from Wyoming that in 1950 and 1951 I conducted labor hearings in the Di Giorgio farm case in California. The Federal immigration inspector testified at those hearings that within 90 days preceding the date of the hearings he had removed 315 wetbacks from the Di Giorgio farms, illegally employed.

Mr. THOMSON of Wyoming. I would like to point out to the gentleman that in 1954 there were approximately 1 million illegal entrants, whereas in 1958 there were only 37,000; so this legislation has been responsible for cutting it down.

Mr. BAILEY. Possibly you are making some improvement, but it is not right to ask this Congress to extend legislation that will permit a situation of that kind to exist, which gives them all these advantages, the exemption of the payment of income tax, social-security tax, and unemployment compensation.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from California.

Mr. GUBSER. I would like to ask the gentleman whether or not he made the statement that Mexican nationals imported under the provisions of Public Law 78 have been used in West Virginia?

Mr. BAILEY. Yes.

Mr. GUBSER. Did the gentleman not state—perhaps I misunderstood him—that they were used on a railroad project?

Mr. BAILEY. They were used on a Federal construction project which involved the relocation of 13 miles of railroad track for the Baltimore & Ohio Railroad, and they are being used today and they are working today, and we have hundreds of men begging for jobs right in that area.

Mr. GUBSER. I submit, in accordance with my understanding of the law, that those men could not have been imported for use on the project which you have related under the terms of Public Law 78.

Mr. BAILEY. Well, they are being used and the Bureau of Immigration and Naturalization says that only nine of them have American citizenship. So, they must be Mexican nationals.

Mr. GUBSER. I would like to check that for my own satisfaction.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MEXICAN FARM LABOR PROGRAM

Mr. GATHINGS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10360) to amend title V of the Agricultural Act of 1949, as amended, by striking out the termination date.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 10360, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. GATHINGS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill is the antiwetback proposal. This bill will bring in supplemental farm labor where needed on American farms. At the present time 28 States in this Nation use contract labor from Mexico under the act which we seek to extend.

The first act was passed in 1951. In 1953 this Congress extended the act until 1955. In the year 1955 the act was extended, and we are now back here asking for a 2-year simple extension of this program. I say it is an antiwetback program; yes, it is. It prevents the illegal entry of these workers into this country. Let us look at the record.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I think at this point it might be well for the membership to look at the immigration law. There is no quota between the United States and Mexico. When a Mexican finds someone in the United States who will sponsor him that is all he needs in order to come into the United States. The wetbacks the gentleman is talking about are those people who are excluded because they have communicable diseases or are Communists or have committed crimes involving moral turpitude.

Mr. GATHINGS. Mr. Chairman, I will say to the gentleman from Pennsylvania that over the years there have been quite a number of these people who did swim the river in order to get gainful employment on American farms.

Mr. WALTER. I repeat what I said, that the reason why they do that is because they cannot qualify legally.

Mr. GATHINGS. The gentleman is correct. They enter by contract. Mr. Chairman, I want to give some figures along that line. They were referred to a few moments ago in the debate under the rule by the gentleman from California [Mr. TEAGUE].

In 1954 approximately 1 million illegal entrants were apprehended in the United States, while in the year 1958 there were only 37,127 illegal entrants who were picked up. So the Bureau of Immigration and Naturalization is doing a good job of enforcing the law. These people are brought in under contract.

The proposal that is submitted today has the approval of the Department of Labor, the Department of Agriculture, the Department of State, the Farm Bureau Federation, the National Grange, and various other farm organizations, including National Council of Farmer Cooperatives. The Farmers Union, as I understand, did not come out very strongly in favor of the program and had some reservations about it.

We held extensive hearings for a number of days here in Washington, and for 3 days hearings were held on the west coast on many subjects, which included the extension of Public Law 78. We do trust that the House will approve this 2-year extension. It is badly needed.

The bill provides adequate safeguards to be sure that there are no available domestic workers who are not being offered an opportunity to work on American farms before they bring in contract workers under Public Law 78.

Mr. HOEVEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very simple bill. All it does is amend section 509 of the Agricultural Act of 1949 by extending it for a further period of 2 years.

I am one of those who do not believe that this should become permanent legislation, although it has become necessary from year to year to extend the legislation in view of the need for this type of labor in certain agricultural sections of the country, particularly in the fruit and vegetable areas.

The real need for certain agricultural producers for this program is amply demonstrated by the almost complete unanimity of the witnesses testifying at the hearings. While all witnesses did not favor a 2-year extension it was evident that our farmers would suffer great financial loss if denied an adequate labor supply to produce their crops. So-called "stoop labor" is the type of labor, which cannot readily be procured through the regular channels. So we will have to take care of the need for such labor by extending the law from time to time.

Mr. Chairman, I yield 2 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Chairman, I desire to congratulate the gentleman from Arkansas [Mr. GATHINGS] and his committee on the work they have done on this bill. It has been sincere, honest, and effective work.

This legislation is seriously needed in farming areas. These foreigners, as I understand it, are permitted to work only as farm laborers, and besides, our domestic labor is given by law the first chance at all farm jobs.

With regard to the objection that Mexican laborers are taking work from our unemployed, I might cite our own State as an illustration. There the Department of Labor deferred bringing in Mexican labor for 1 month, thinking that our unemployed, miners and such, would take those jobs and that we might not need to bring in the Mexicans for at least 30 days. Our department of employment advertised and did everything it could to secure domestic labor, but after about 10 days our sugar-beet farmers were screaming for help and wiring us, telling us that their crops were going to fail if they did not get the beets thinned. They could not get domestic help to do this arduous, backbreaking work, regardless of how they tried. So we appealed to the Department to let us bring in the Mexican laborers immediately, which it did. Foreign laborers are needed for thinning, hoeing, and harvesting beets; picking tomatoes, picking fruit, and tedious work of that kind.

I am very much in support of this bill, and hope it is passed.

Mr. GATHINGS. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, the assistant labor commissioner of Oregon, Mr. Tom Current, has just completed a very excellent report on the migratory labor situation in my own State. Parts of this report are related directly to the bill under consideration. I invite the attention of my colleagues to this study. It is not a completed report but rather a preliminary report:

SPANISH-AMERICAN WITH FAMILY

"I been everywhere and I got nowhere," is the introductory remark made by a family man. The thought, expressed or implied, keeps recurring as we talk to the family men of Mexican extraction.

He has traveled in many parts without ever succeeding in finding his place in society. He is greatly dependent upon the farm labor contractor and he is also dependent upon his children who act as interpreters for him.

His hands are hardened and the tips of his fingers bald from contact with traces of chemicals. His skin is the deep copper color of natural pigmentation after many years of exposure to sun, wind, and dust. His arms move with the elasticity of a younger man, but at rest they hang at his sides as if weighted, and the veins of his hands stand out.

In every line of his face and implicit in every word is his fear of contractors, farmers, recruiters, police, and immigration authorities. His fear of "Emigracion" persists even though he is here legally and may even be second generation. Because of the color of his skin, eyes, and hair, however, he has been humiliated numberless times by demands that he prove he is a citizen.

He is too defeated to think of changing his life pattern and his prime concern is to feed his family. His evening prayer is that it will not rain the next day and deprive him of the opportunity to get in many hours of labor.

He looks up to the interviewer and is formally gracious as he offers you something to seat yourself upon and a cigarette. His answers to the first questions are very cautious, making it patently obvious that his intention is to survive this new experience without jeopardizing his standing with the contractor and the employer.

His eyes follow the interviewer's fingers as he rapidly writes down the answers given and it fascinates him because his own fingers are clumsy in holding a pencil and he is slow to form his name which he has learned to do in lengthy practice sessions.

His face shows fatigue, but his eyes are alert, as he tries to discover whether or not the interviewer represents a possible hope from "Señor Gobierno" (Mr. Government) whom he has never seen in this light before.

His whole attitude resembles that of an invalid who has learned to face the reality that he may never walk again. He is resigned and takes refuge from the world in the solitary corner known to him and shared by some others who have joined him in his destiny.

He talks deep with phrases made and collected in a philosophy of life gained after early attempts to break out had failed. He accepts his condition because his experiences have indicated to him that a Mexican can do no better.

Education for his children? They already have more book learning than he had because they have been to school some of the time for 4 or 5 years and they have learned so much they may even grow up to be smart labor contractors and may have a rich and different life thereby. Some of his children have been in the Army and one was a paratrooper but he did not come back from the war. Señor Gobierno sent him a telegram which finally reached him through the contractor and that is all he has from Francisco, the oldest one. Catalina, she was married at 14 and has so many children of her own that she is now part of another family somewhere in the fields of Idaho.

There is no tomorrow—every day is the same. Oh, yes. He, his wife and the six children still with them changed contractors this season because the other one was not giving them enough at the end of the season. They still owed money at the grocery store last year, which they paid off this year. Every day means up at 4 a. m., out to the field at 5 a. m., and back at 4 in the afternoon to their cabin and their identical starchy diet • • • then maybe some conversation with his friends at the tavern in the corner of the town.

"They like Mexicans in there, you know • • • no one tells you anything • • • your money is good there."

SPANISH-AMERICAN WITHOUT FAMILY

He meets you with an air of reluctance, for in his mind he is identifying you as the outside world where the expression "government" has meant only trouble for him. In his intense look and half-coherent expressions there is a quick, anxious search for meaning as to why you ask questions and whether it may have any connection with something in which he was involved last night or last week.

He has a youthful, dark face with deep circles around his eyes, but they move quickly as he decides you are neither a church person to talk to him about God nor a cop disguised in a way different from any he has previously experienced. Or maybe he thinks you might be a new contractor trying to lure him to a different crew. Finally, an open and spontaneous smile means that he has concluded that you are "O. K."

He stands straight and walks with well coordinated movements. He is clean, because there is a shower in the camp. He takes pride in the crease of his trousers and the crispness of his loud sport shirt. Local grocery stores do well on the sale of hair oil to keep his hair neat.

He projects his thinking about contractors with verbal violence and intense dislike for an evil that is necessary to his economic existence. To him, the farmer is the "el patrón" whom he must not antagonize because he is a man of power and influence.

Farmwork is to him a lifetime occupation and he is a professional at it. The conditions that accompany this lifetime occupation can be escaped only by having rather desperate fun and relaxation to forget his troubles. And the forms of escapism are only at the risk of running out of money for food. This is a risk he is willing to take to satisfy his basic urges and his desire to escape reality by numbing and narcotizing his mind.

He is still young enough to ponder the desirability of his continued existence as a migrant, but feels that the odds are already too heavily against him and he cannot possibly modify them. His next step, marriage, has strong economic as well as emotional meaning for him—someone to help him earn some money and have children to help earn some money.

THE FARM LABOR CONTRACTOR

The typical labor contractor is a man with some six grades of education but with a high degree of knowledge in the field of migrant work which he gained at first hand from family and personal experience. He began his life somewhere in the Southwest and his work history dates from the cotton fields as a youngster under the blistering sun and dragging a bag too big and heavy for him.

He was exposed to the bitterness of his elders who cussed and drank to forget their own frustrations. He knows what it is like to move from one camp to another and face the rejection of the communities whose interest in him has 900 percent economic connotations.

In early life he came to recognize that, as a migrant, he would be accepted only if he had cash which people could try to wean from him. This translated itself into an intense passion to achieve this cash status, and a passion he was able to satisfy because he was blessed with a little more drive and shrewdness than his fellows.

He took a little more interest in learning English so he could talk to farmers and association representatives, so he could persuade the immigration officer to leave him alone, so he could make figures and shuffle them in transactions, so he could write primitive-type payrolls, and in short, so he could turn himself into a businessman who could talk with others as a leader of his people. As such, he could gain prestige and standing among his many fellows who had no learning at all.

To be successful he must accumulate as many vehicles as he can muster, trucks or buses. His personal vehicle must be a late model or the people will think he is not a successful contractor and will not want to work for him. He lives in a home, either in the community or near the camp. He has a television, a washing machine, a refrigerator. He always has a bank account. Sometimes he has a high-priced 1958 automobile, in addition to his fancy pick-up truck. He is very impressive and insists that you notice it.

Of course he knows what the migrants are experiencing for he was once one of them, but "Chale Bato," what can a man do?

Surprisingly often he is a combat veteran of World War II where he learned to shed the fears of his fellows and not to be intimidated by the outside world. He was introduced to living without the comfort of the group emotional security that was implicit in his earlier segregated cultural setting. The typical contractor develops an instinct to play every angle. Gambling, prostitution, narcotics—they are just part of the game.

He performs a recruiting, transporting, and often supervisory service for the farmer or the association, but the pay for his service is largely derived from his crew.

During his experience as a migrant worker himself, he lived under circumstances where he received the "short end of the stick." But he is a man of more than average drive and intelligence. In another social setting, he might have become a Main Street businessman, a professional man or technician. In his social setting, however, there is only one thing for an above-average man to do. His drive has carried him inevitably to giving the "short end of the stick" instead of receiving it.

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EARNINGS

Hours and earnings of the interviewees

Surprisingly few migrants answered our questions with, "It's none of your d--n business." We lost a few prospects for volunteer interviewers because they didn't think it was any of our business to ask such questions, but we lost hardly any migrants by asking them.

We asked our question on hours and earnings and let the chips fall where they may, fully realizing that by going into some areas at early peak season and asking about the previous week, we might be getting figures on the early picking, which wasn't as good. However, since this is the life of a migrant, it is useful to know what they make in the first week of a local harvest, as well as the big week and the trailing off week. As we continue the survey we will be arriving in some areas just after the peak and this question will disclose earnings at the height of the season. Since the time element in our early survey was uppermost in our minds we could not come into an area after the peak had passed or after the height of the season had been going for 10 days or so.

It is notable that in the valley counties where we talked to most of the Spanish-American group around May 16 and most of the Anglo-American group around May 30, the Spanish-American group averaged $41.80 for the previous week and the Anglo-American group averaged $19.28 for the previous week. This means that we were talking to early arrival Spanish-Americans about a fair week's work (average 36.25 hours) and to the Anglo-Americans shortly after many of them began to arrive in the area (average 16.15 hours). But this, too, is the life of the migrant. He often arrives too early or too late.

So, this experimental question does not give us fully useful figures that we can use in exact and comparative analysis, but it does give us a much better and more accurate intimation of what the annual income of the migrant may be than studying peak season figures.

The men thinning sugar beets in Malheur County apparently were making around $1.25 per hour. The average in the valley counties for hops was apparently near $1.15 per hour. The average in the valley counties for picking berries was apparently around $1.20 per hour, although perhaps the bean picking was boosting the average somewhat. The average for picking berries in Washington County, where the crop was quite good, was around $1.10 per hour. On the other hand, the average for picking berries in the Multnomah-Clackamas County area, where the crop was relatively poor, was around 70 cents an hour. Since the men thinning fruit trees in Hood River County were making $1.00 per hour, the average for picking berries in Hood River County might have been around 75 cents per hour. This is doubtful, however, because the crop was fairly good. Our whole sample in Hood River was poor because we got too high a percentage of "winos" and too high a percentage of people who were working for a labor contractor at 45 cents a flat (when the going price was somewhere between 50 cents and 60 cents). Wasco County was having a bountiful cherry harvest which was reflected in the $1.20 or more that the men were making. Incidentally, in this area we came the closest to getting figures on a peak week. In Umatilla County the average was around 76 cents for fieldwork in the peas. A few of the persons interviewed worked for the canneries where they were making more, so that it might be safe to estimate that the actual income was somewhere around 70 cents per hour for the winos and somewhat above that for the other fieldworkers with the cannery workers making the most of all ($1.25–$1.35).

Hours and earnings of the rest of the family

Certainly a distinctive characteristic of migrant earnings is that portion of his income derived from the labor of the wife and children. Ordinarily, the migrant has difficulty in separating in his mind how much he made and how much his wife made and it is literally impossible to separate what his wife made and what the children made. In some crops they turn in their harvest collectively and only know that this one or that one is fast, fastest, slow or slowest.

In spite of this difficulty, we tallied the family earnings separately from the head of the household as well as we could and the accompanying data has approximate validity for the "previous week." We have already discussed the shortcomings and strengths of using the "previous week" as a measure.

Seventy-four of the reporting 349 families indicated that the wife and children earned between $41 and $60 during the previous week. However, 78 reported earnings of from nothing to $20 and 66 reported earnings of $81 to $100.

Family work in Malheur and the valley counties combined to give the Spanish-American family a median average earnings of $51.20 for the week. Family work in the valley counties and other counties combined to give the Anglo-American family a median

average earnings of $46.40 for the previous week. Highest earnings for the family were reported from Wasco County where the median average was $78.80.

Combined median earnings for the head of the family and for the family amounted to $85.10 in Malheur County for the Spanish-Americans and $96.40 in the valley counties. In the counties in which Anglo-Americans were present in numbers, and where our sample was adequate, earnings for the whole family ranged from $45.88 in the valley counties to $135.66 in Wasco County.

The average number of people 12 years of age and older in the two cultural groups gives a clue to understanding these figures. In both cultural groups, almost exactly 50 percent of the children with them are 10 years of age and older and almost all children at the age of 10 and up were working.

Therefore, the average Spanish-American family of 2 adults and 3 working children of upper ages earned the $96.40 in the valley counties. Also, the average Anglo-American family of 2 adults and 2 working children of upper ages earned the $69.52 in Washington, for example. The Wasco County earnings of $135.66 reflect not only many in the family working, but an exceptionally high paying (but short) harvest crop.

It is with these earnings that the families of from 5 to 9 people are supported.

See tables 37 and 38 for further detail.

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"LEBENSRAUM" (LIVING SPACE)

Number of rooms

Lebensraum was the war cry of Adolf Hitler—he said Germany needed more "living space." Data on the amount of space for living was one of the things we collected in our survey.

One and one-half percent of the Spanish-American group and 3 percent of the Anglo-American group were found to have plenty of room in which to live—because they were living outside (or sometimes in their cars which was little more cramped). The highest percentage was found in Wasco County (14.1 percent) where bed rolls were spread on the ground or tarpaulin and stick arrangements gave semishelter. One ingenious migrant who had recently married a very attractive, and well-dressed woman apparently had been encouraged to construct a neat shack out of paper boxes. This 14.1 percent included family groups, which, generally speaking, was not the case in Hood River County which had the next highest percentage (7.2 percent). Nothing of this kind was found in Malheur, Multnomah, Clackamas, or Umatilla Counties and nothing of this kind was found for the Anglo-American group in the valley counties.

Wasco County again led in the use of tents (usually supplied by the migrants) where nearly 23.5 percent were housed among the trees in tents. Army surplus stores have done well on tents. Some of this 23.5 percent were housed in large platform tents in the main labor camp.

The most typical situation was a one room cabin in which a family or 3 or 4 singles were housed. Of those family heads and singles in buildings in our survey sample, 75 percent were in one room cabins. Considering the housing of the families (which was 64.5 percent in one room cabins), the 477 families of approximately 2,850 people lived in approximately 650 rooms, an average of 4.7 people per room. In this one room the parents eat, sleep, feed and bed their children, entertain their friends, store their belongings, and breed and bear more children.

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"ABOUT HOW MUCH DID YOU MAKE LAST WINTER?"

This was a difficult question for most of the migrants to answer. The interviewer usually had to start with the amount of work and ask for an idea as to how much he made a week or an hour and then figure a total for the winter. Under these circumstances, the results are not accurate but are roughly approximate.

Nearly 1 out of 5 made less than $100 during the entire winter (18.1 percent). On this category we had no particular trouble in getting a figure because the few dollars the migrant made were rather well remembered.

Sixty-four and one-tenth percent made less than $700 during the winter. It is safe to say that many worked the entire winter and still fell into this income group. Many who worked in farm work told us that they would have made over $35 a week had it not been for the rain which often cut them down to an average of $15 or $20 a week.

Thirty-five and nine-tenths percent made more than $700 during the winter. This group includes those who worked in factories, mills, construction, and in skilled and semiskilled occupations such as auto mechanics and fry cooks. Often, among this group, the winter's income reached $1,500 and occasionally $2,000. No tally was made on this point but our impression was that in this "over $700" group there was more relationship to the occupation followed during the winter than to the number of weeks worked.

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THE FARM LABOR CONTRACTOR

Introduction

As part of the bureau of labor assignment from the interagency committee, we were to survey those farm labor contractors with whom we came in contact in the natural course of our migrant labor survey. We did formally interview a number of contractors and the results will be turned over to the farm placement service without tabulation because it was the farm placement service who had the task of doing the major portion of the survey of the contractors themselves.

Because the migrant worker in certain areas is so closely related to the contractor, we were unable to separate them in our study. Incidental to the survey of the migrant worker, therefore, it was necessary for us to make a more complete investigation of the contractor than we had originally anticipated. We used a more direct form of study than the questionnaire approach for reasons that will become obvious throughout this report.

Our concern was primarily with the labor contractor who had a Spanish-American crew, because this was the situation which we found in greatest abundance. We have added some material, more briefly, on the labor contractor operating crews of the Anglo-American group.

As mentioned at the end of the report under the heading of "Survey technique and personnel," our study was led by three staff members of the bureau of labor. One is of the Spanish-speaking culture and two of the Anglo-American culture. By training, 1 is a doctor of law and sociology, 1 is trained in the electrical business, and 1 had training in law and in the cannery industry. By experience, 1 has experience in law enforcement and investigation and in sociological research, 1 has experience as an electrical contractor and an electrical inspector, and 1 has 10 recent years' experience as an eastern Oregon farmer and 5 years' experience as a wage-and-hour inspector for both the Federal and State Government.

The material in this report was witnessed or collected in each respect by at least 2 of the 3 staff members. Also assisting were Dr. John F. Rademaker, a trained, practicing sociologist from Willamette University, and a number of volunteers under his leadership; and Mr. Tom Current, assistant commissioner of labor. In all instances, Dr. Mark Martinez Infante, Mr. Harry Baker, and Mr. Calvin Fouts, the three bureau of labor staff members, made a thorough community survey during which they also received corroboration of the material in this report.

Farm labor contractors in Malheur County

With the exception of a few who worked as individual family units, all of the Spanish-American group in Malheur County worked under the leadership of a farm labor contractor, often called a crew leader or subcontractor.

In the general area which includes some of Idaho, information was secured about 242 contractors, crew leaders, recruiters, or major lieutenants, 116 of which were found in the Malheur County area. The contractors generally control about 60 workers. Since some are more popular than others, the number ranges from a few to 251 hands (in this one area).

The average age level of the contractor in this area was found to be about 40 years of age and the average length of time as a contractor approximated 5 years.

Of the Spanish-American contractors, 80 percent are second generation from Mexico, 5 percent are third generation, and 15 percent are themselves about 10 years removed from Mexico.

The Spanish-American contractor speaks English and represents or controls virtually every phase of the life of his crew.

The following are some typical examples (some of which are legal and to be expected) about which we have more information than merely isolated instances:

(a) Payment of per capita travel expense by the employing association with duplicate collection from the migrant.

(b) Arrangement for credit for the individual migrant on a percentage fee basis.

(c) In handling a contract for an independent farmer, as much as 50 percent markup in housing rental on the farmers' property.

(d) Arrangement for tavern credit on a percentage fee basis from the proprietor who increases prices to pay the fee.

(e) Use of the contractor's vehicles in the daily transportation of the workers at about $2.50 per capita weekly.

(f) When not hauling workers, rental of vehicles for the hauling of produce.

(g) Payment of the workers on the basis of as low as $12 per acre instead of the contract price of $13 to $15.

(h) In the above instance, deduction of the regular fee from each worker from the $12.

(i) Collection of fee from both the farmer and the workers for the same duties.

(j) Short measurement of work assignments to the individual worker, netting as much as another $1.50 per day per capita.

(k) Receipt of a bonus at the completion of the work for the farmer on the basis that the contractor has been able to hold his crew in that farmer's fields regardless of dropping income.

(l) Traffic in marihuana.

(m) Traffic in prostitution.

Service to the wetbacks in the form of bringing them into the country, transporting them to Oregon, and alerting them if the Immigration Service is active in the immediate vicinity subjects the Mexican illegal entrant to subjugation to orders or other special forms of payment on penalty of exposure. Because of the ease with which the wetback can be dominated, otherwise lawfully inclined Mexicans can be launched into complicity in criminal behavior.

There appears to be a hierarchy of contractors who coordinate the criminal sidelines of the contractors, exact their tribute, and punish those who do not submit.

A large proportion of the farm labor contractors are a serious danger and detriment to both the Spanish-American migrants and

the community. We came in contact with one individual, incidentally, who attempts to portray himself as a contractor, but does not seem to function as one. He struggled with the migrant labor contractor jargon, but in off-guard moments reflected the dialectics of a known subversive group in Mexico led by Lombardo Toledano. But this is not the danger uppermost in our minds.

The entire functional activity of the contractor in Malheur and other counties indicates that this is not a hastily contrived pattern of operation, but rather an established pattern of performance well coordinated by a few people. The fuel which this machine thrives upon is the social frustration of an underprivileged people.

As a consequence, this socially pathological condition feeds on itself and breeds a continually intensifying unfavorable influence on the migrants and on the community both.

Recruiting

The primary recruiting for the Malheur County area is carried out at the behest of the Amalgamated Sugar Co. and carried out through recruiters. The recruiters operate mainly in the southwestern part of Texas, with particular emphasis on the areas of Eagle Pass, Tex., and Piedras Negras, Mexico.

The secondary source of migrants for this area is the State of Washington where a number of people take winter residence, although they came originally from the same area of Eagle Pass, Tex.

The recruiter contacts the known contractors in Texas and gives them a quota to meet. In turn, the contractors operate through the "enganchadores" (subcontractors or recruiting aids). The recruiting aids recruit families and individuals in southwestern Texas and then venture into the bordering Mexican States as far as Monterrey, Nuevo León, Mexico. For example, a group of newcomer single Mexican men were located in Malheur County originating from the town of Caderieta, which is near Monterrey. Another group found was from the community of Camargo, Coahuila, Mexico.

A question which was inserted late in our formal survey of the farm-labor contractors was, "If some of your crew members come from Mexico, where do you pick them up?" One contractor answered, "This side, Brownsville, Tex." They all failed to indicate, however, that there are some pickup points at other places near the Rio Grande where the border patrol inspection can be avoided. An example is El Cruce Point (20° north of west from Tomaton's place at Del Rio, Tex.). A number of illegal entrants seem to reach the Oregon area and a considerable number apparently escape detection and remain for the harvest season. The wetback problem is of longstanding. The contractor is in an excellent position to enforce his will on such a group because he himself recruited them and knows they are here illegally. In the total Spanish-speaking migrant group, approximately 20 percent enter the United States on border crosser permits (which are supposed to restrict the holder to work in local areas in Texas), on forged documents, or in the old-fashioned wetback manner.

Working conditions are commonly misrepresented by the recruiters. When this becomes too extreme, and disappointment is manifest, it may decrease the flow of workers in succeeding years, but for that year and perhaps a second try, the workers resign themselves to the general conditions as they find them.

The Amalgamated Sugar Co. apparently has taken precaution in this whole situation by inserting the following clause in their work agreement, the clause being signed by the crew leader or contractor:

"I hereby state that in connection with the agreement I have made with the above-named head of family group for the transportation of himself and his family group from his home to the district of employment, I am acting as their agent and not as an agent of the Amalgamated Sugar Co.

"_____,

"(Signature of agent of family group)."

The beginning of the work agreement, however, reads as follows:

"In consideration of the agreements herein set forth, I hereby certify and agree that the workers named below will work for sugar-beet growers of the Amalgamated Sugar Co. in the States of Utah, Idaho, Oregon, or Washington."

And the agreement continues:

"The type of work to be performed will be thinning and hoeing sugar beets and such other work as the sugar-beet growers may provide. The type of work performed in sugar beets, the terms of employment and rate of pay will be as established by the United States Department of Agriculture."

This year something happened which does little credit to the recruiting and contracting system used by the Amalgamated Sugar Co., no matter whose fault it was.

The price set this year by the Department of Agriculture was $14 per acre. In 1957, however, the work had begun at a rate several dollars higher and had increased during the season. The recruiters apparently knew that this was or might be a low rate year and anticipated trouble from the migrants who had made better money the previous year.

All through the main recruiting area in Texas, the word was that the "Texas exodus to Oregon" was to begin early this year and the contractors and recruiters moved the migrants into the Malheur County area as much as 7 weeks early and frequently 2 or 5 weeks early. Since the migrants were largely unemployed in Texas, or were earning only a scratchy living in the fields, it was not hard to persuade them to come early.

Upon their arrival they found there was no work, of course, and were forced to run up bills at the grocery stores. By the time they could have been used, they were desperate for work at any price. One block of farmers compounded the situation by holding off putting them to work longer than they had to but without endangering the beets. Finally many were forced to go to work at less than the rate set by the Department of Agriculture, which was already down. There can be little doubt that the early movement of migrants was calculated to weaken the resistance to the lowered rates.

Farm labor contractors in valley counties

By definition for this report, the valley counties include Marion, Polk, and Yamhill.

In Marion County, two contractors of distinctly different character were found. They actually function in a paternalistic manner, act in and defend the interests of their workers and receive their equitable share for this work directly from the farmer. These cases were rather isolated in the valley counties, however, and have few counterparts in Malheur. The exceptions in Malheur County included several resident contractors who happen to be of Japanese extraction. They operate differently and apart from the Spanish-American group of contractors although their crews are also largely from the Spanish-American group.

The two rather unusual contractors in Marion County, in terms of their treatment of the workers, work for the same farmers year after year and their crews are consistently the same families from the same home town in Texas. These contractors are both successful and popular with the farmers, community, and the workers.

In contrast to these two examples, many of the rest fall into the same general category as those in Malheur County, with variations in technique. In fact, some contractors operate in both counties and also later in central and southern Oregon.

Some of the same sharp practices were found in the valley counties. In one area there are two contractors who have arrangements with grocery store and tavern owners on every dollar spent by their migrant workers in those establishment. They arrange for credit at the establishments for the workers and on pay day the workers are paid in the establishments by the contractor after deducting the bill due the proprietors. They subsequently collect a fee from the establishment on a percentage basis.

Two instances were uncovered in which the illness of a worker became the occasion for another profit to the contractor. One migrant became infected with a venereal disease in a locality in which there is no county health unit. However, by referral the county health agency makes arrangements with a local physician to treat such cases and the physician is then reimbursed by the county. The infected migrant was taken to the doctor by the contractor and for the following several weeks went without pay (while working 10 hours a day) "because the contractor was paying for his medical care," which was not true.

The contractor in this particular instance was paying the workers 70 cents per hour for their work and his arrangement with the farmer must have been somewhere between the 70-cent figure and the going wage of $1 per hour for the area. This was made possible by the fact that all but 1 or 2 of the crew were from south of the border. The uniform story received was that the contractor had promised his crew $1.20 per hour when he recruited them. Upon reaching the Grants Pass area, two of the crew apparently became obstreperous when they discovered that they were to receive 50 cents an hour less than promised. The disciplinary measure was that they were dumped off the truck on the open highway and they had to walk for a day and a night before someone gave them a ride.

A grocery store operator on the highway near one camp certified to us that he had been propositioned in the manner which is often quite successful for the contractor. The contractor came to him and said, substantially, "You are getting my people's trade in here. I estimate they spend here some $1,000 per week. I figure I ought to get something and of this I take 25 percent and you jack up the prices. They will keep on buying here and I see to it. If you do not agree I take the trade somewhere else." The reason we cite this example is that in this case the grocer did not agree. He lost 90 percent of the migrant trade.

Another contractor brings into this area relatively few hands, but has a considerable number of trucks in the area. A major portion of his operation has to do with the sale of marijuana (*Cannabis sativa*) and prostitution. He uses isolated areas and moves with a few families of migrants to eliminate suspicion. He is associated in some way with many, if not most, of the contractors in the area.

A contractor in this area operates what would be a pawn shop if it were located on a downtown street, which it is not. The migrants pawn their valuables to him and he lends them money. His fees for services are as high as $10 a week on a loan of $20, depending to some extent upon whether he figures he can control the borrower through the borrower's contractor. The low is about $5 per week on a $20 loan. He moves an estimated $2,000 dollars monthly on this one sideline alone.

One young and alert contractor indicated to us that he handles only 9 or 10 workers and that only when his crew picks berries does he make 1½ cents per pound. Subsequent and closer scrutiny disclosed that he

was handling some 50 men, he had no known resources when he suddenly entered the contracting business 2 years ago, he owns and operates 4 large trucks, 1 pick-up truck and a late model passenger car, he is a heavy spender and socializer and he has 4 different bank accounts which we were able to trace. Actually, his main source of revenue is the traffic of narcotics on a small scale. His other sources include the contract and bonus fee from the farmers, the percentage secured from the workers, double collection of the transportation fees, and the daily transportation fee.

Another case illustrates the occasional association of the farmer in the schemes of the contractor. A contractor brought in 26 workers from across the border in Texas. They were all in possession of conditional immigration permits. Upon their arrival at a certain farm, the farmer took their papers away to guarantee that the workers would remain with him the entire season. The housing, sanitary and working conditions were hard to believe until personal investigation verified them. Other sordid conditions were reported to us but we were unable to fully substantiate them.

Since virtually all contractors have bank accounts in the areas in which they operate, this was a subject for our investigation. We understand that 85 percent of the individual bank accounts of the contractors were in amounts of 4 figures, 80 percent of the contractors had more than 1 account, and 72 percent had related reference accounts in other States (principally Washington, Texas and California).

The pattern set when a Spanish-American worker decides to leave a contractor and try it on his own would be amusing in a movie, but not so in real life. Often, the contractor pleads with him and promises to pay him more. Next, the contractor lends or advances a little money. Third, the contractor may invite the worker to a beer tavern and have a drinking party, with marijuana "on the house." Fourth, if this treatment has been to no avail, the contractor will hold forth on how powerful and influential he is and threatens to blacklist the worker. Finally, if nothing else has succeeded, and this last resort has been fully substantiated, the contractor will spread the word that the worker was a "finger" for Immigration. The workers have found that the only successful way to leave a contractor is to switch to another contractor's protection or to sneak off. This latter possibility, of course, is necessarily limited largely to the singles because it isn't as easy to sneak a family away if you don't have an automobile.

The connection between many of the contractors in the various areas is indicated by circumstantial evidence. They know each other and have firsthand information on each other's operation. Secondly, their tactics differ only as to necessary local strategy. Thirdly, they come in contact with the same central persons from certain specific points in Texas, Washington, and Montana. Fourthly, in many cases their buses and trucks are painted with identical color hues of paint.

Possibly the largest contractor operating in the State has his main headquarters at Sunnyside, Wash., and operational headquarters at Madras (Oreg.), Sacramento (Calif.), Payette (Idaho), and Harlingen (Tex.). Approximately 60 percent of the veteran Spanish-American migrants have worked for him at one time or another. He is originally from Asherton, Tex., which is a town that virtually empties into the Pacific Northwest each summer. He has been residing in Washington for about 8 years. He has 18 vehicles registered in Oregon, 14 registered in Washington, 6 registered in California, and 4 registered in Texas. His influence among the contractors in Oregon appears to be both feared and envied. He is handling an estimated 2,200 hands this year in the State of Oregon and operates through some 22 subcontractors or crew leaders. The estimate of those who know his operation, whether reliable or not, is interesting—$800 a day clear.

A contractor of equal or nearly equal influence carries with him a group of skillful gamblers. He himself is regarded as an expert gambler and he makes no effort to hide this. He was raised in the migrant labor group himself, and is second-generation Mexican. He has one address in Payette, Idaho, and another at Madras, Oreg. He is an excellent talker and his favorite subject is proper housing for migrants.

Anglo-American farm labor contractors

The connection between the Spanish-American and the Anglo-American contractors is much less clear, but may exist. The Anglo-American contractor is much less crude than the Spanish-American in his method of operation, and does not have the same opportunities for narcotics, etc. He is better educated and in one case claims to be an ordained former minister. His sidelines run more to the sale of food in a commissary type of operation. It is often very unclear as to the difference between what he receives from the farmer and what he pays to the workers. All we can say with confidence is that in strawberries, for example, the workers received approximately 25 percent less than the going rate in one major area. He is generally a better administrator of his crews and places more emphasis on a businesslike operation. His recruiting is largely in Arizona for family groups and in Portland for alcoholics.

One of the Anglo-American contractors was one of the most colorful people we met in the migrant labor world. His base of operations is in Arizona and some of his crew are southern Negroes. He has a beautiful way of confusing an investigation. For example, when he thinks he may be observed, he drives an old car. However, when we finally found his main camp, we found his 40-foot house trailer and his 1958 Chrysler Imperial automobile. He dresses his part constantly and we never encountered him dressed in anything but a dirty shirt and dirty trousers with unclean beard stubble. He has a selling personality and personally does most of his recruiting at Second and Burnside, while he leaves his lieutenants in the field. He contracts on a crop basis jointly with one of his lieutenants at each farm. The lieutenant receives the profit from the field operation and splits it down the middle with the contractor. The lieutenant's wife handles the commissary and keeps the profit over what the contractor charges for the supplies (which amount is unknown). Each crew of any size comes equipped with an automobile mechanic and several row bosses, who when not needed for these duties revert to regular workers at piece rates. An incidental piece of information is that the contractor is known to have bid approximately $10,000 (cash) on 22 buses in the Medford area.

CONCLUSION

There can be little doubt that the present contractors are a factor in suppressing the progress of the Spanish-American migrant farmworker toward full and responsible citizenship and Americanization.

There can be little doubt that these social conditions are a threat to the health of the communities and the agricultural industry, as well.

Mr. ROOSEVELT. Mr. Chairman, the matter of extending the Mexican farm labor program raises many serious doubts. A tour of the Northwest and Western States last year as a member of the subcommittee of the Committee on Education and Labor convinced me that for the time being imported labor may still be necessary for the harvesting of certain crops. On the other hand, I became equally convinced that it was being used in some instances to exploit the imported labor, to depress the wages of American agricultural workers and to deny to certain American workers their rightful opportunity for employment.

Inasmuch as this general subject falls within the jurisdiction of the Committee on Agriculture but is in many instances subject to the scrutiny of the Department of Labor I hope that the distinguished Committee on Agriculture will consider ways and means to include interested members of the Committee on Education and Labor, such as myself, in their plans for further study and investigation of this most important matter.

In good conscience, I cannot oppose the extension of the act at this time, but I most certainly do stress the inhumanities which are now being practiced and which must be corrected before any further extension could be supported. The committee is to be congratulated on its wisdom in resisting the effort to make the program a permanent one and limiting its extension to a definite term.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I rise in support of this legislation. I should like to make this statement and make it in the most emphatic terms I can command.

Not a single American citizen has been deprived of his right to work nor will he be deprived of his right to work because of this legislation.

Clearly written in the law are the words that no domestic employee who wants to work in a particular field of endeavor and who is unemployed can be replaced by a Mexican national.

I should also like to point out that this program is not used to depress wages for domestic employees. In fact, quite the opposite is true. I would like to cite an example which occurred within the month in my own District. A wage survey showed that the prevailing rate for a certain type of work was 10 cents an hour below the contract certification for the Mexican nationals and because the contract called for the higher wages, local farmers had to pay that higher wage to domestic employees. The effect was that wages for locals went up because of the Mexican national program.

In support of my contention that not a single domestic employee is deprived of his employment, I would like to take issue with the statement made by the gentleman from West Virginia [Mr. BAILEY]. The gentleman from West Virginia made the statement that there was great unemployment in his State which I admit. If I heard him correctly he said or at least implied that Mexican nationals under Public Law 78, were being used in spite of this unemployment. I just this moment came from the telephone where I called the Labor Department and I asked this question: How many Mexican nationals are employed in the State of Virginia under the terms of Public Law 78? They said not a single man.

Mr. BAILEY. Let me ask the gentleman if he will permit me to interrupt, we are not talking about Virginia, we are talking about West Virginia and the matter has already been investigated by the Immigration and Nationalization Bureau. They have made the report back to me and I know just how many Mexicans are working there and how many are American citizens and how many are Mexican nationals. If the gentleman wants me to do it, I will put it in the RECORD.

Mr. GUBSER. Mr. Chairman, I decline to yield further to the gentleman.

I will say to the gentleman that I was speaking not of Virginia but of West Virginia. I asked the Department how many Mexican nationals have been certificated or sent to the State of West Virginia under the terms of Public Law 78, which we are here extending, and the answer was—not a single one.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield.

Mr. WALTER. I think the answer to the question raised by the gentleman from West Virginia is very simple. The railroad in its desire to obtain labor has provided jobs for these people who have come into the United States lawfully to accept employment offered them by a United States citizen employer.

Mr. GUBSER. The gentleman will also agree with me, I am sure, that these people who are employed in West Virginia do not come here as the result of the law which we are extending today.

Now, if I may proceed, Mr. Chairman, I would like to point out to you that this type of employment is unusual employment that local people are either not qualified to perform or do not care to perform for various good reasons of their own. This is specialized employment and it is emergency employment. Let me cite the experience of a man in my District who, within the last 3 months, has been producing a large acreage of pickling cucumbers. Pickling cucumbers is a crop that cannot be picked tomorrow, it must be picked today. A field is split into three sections. They must be picked twice a week. You pick section 1 on Monday, on Tuesday number 2, and on Wednesday number 3. On Thursday you go back to number 1, and then to number 2 on Friday, and number 3 on Saturday. You lay off on Sunday. If you let 1 of these fields go for 1 day, the cucumbers grow to a size where they are unmarketable. You also ruin the future bearing prospects of that particular section. So you cannot wait until tomorrow. This is the experience of one large grower who was not certified for the use of Mexican nationals. It required 75 people to pick his field every day. He had to use local labor and he preferred to use local labor. One week during the height of the season that has just concluded, here was the local labor supplied to him. On Monday he had 74, on Tuesday he had 42 referred to him from the local farm labor office, on Wednesday he had 19, on Thursday he had 14, on Friday he had 28, and on Saturday morning he had 5. He lost half of his field, representing thousands of dollars of investment, because local people either could not or would not pick the crop.

We do not like to hire Mexican nationals; we would prefer to hire domestic labor to meet our needs, but it is not available, and this law is the only way by which we can safeguard the investments we make in our fields and get our crops picked.

I urge your support of this legislation.

Mr. HOEVEN. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, I wish to rise in support of this measure.

I congratulate the subcommittee and its chairman, the gentleman from Arkansas [Mr. GATHINGS], for the work they have done on this bill.

This is a program which is vitally necessary to the farmers of my area, because of the fact that labor is still not available to do the type of work which is necessary in the citrus and vegetable industry.

The prevailing wages are set by the Department of Labor and I have had no complaints whatsoever in the last 3 years in my area. In fact, Mr. Chairman, I take it upon myself from time to time to hold meetings of growers, labor leaders, and representatives of the Federal Government in Phoenix to determine whether or not this program is working properly and whether or not the domestic laborer is given an opportunity to get available work. I have found on each occasion that the domestic worker was being given the opportunity. The reason this legislation is needed and the continuance of the program is needed is that we simply cannot get enough domestic workers to get the job done.

I hope the bill will pass. I yield back the balance of my time.

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Chairman, I rise in support of this legislation and to congratulate the committee on bringing it out, and doing so well in advance of the expiration date so that arrangements can be worked out with the Government of Mexico.

Mr. Chairman, extension of the Mexican farm labor program is essential for production and harvesting of agricultural crops such as cotton, sugar beets, fruits, and certain vegetables. Sugar beets is the crop involved in our areas. I will therefore confine my remarks to that industry. This is a most important crop in many of our States. Although the harvest of sugar beets is more and more mechanized due to technological advances in agriculture, there is still a vital need for stoop labor at certain times. To the maximum extent they are available and will accept the employment, American labor is entitled to the job. For this type of work though there is simply not an adequate number available who will do this type of work even in areas of labor surplus. American citizens have had an increasing tendency to avoid this kind of work if at all possible. In this legislation the rights of American laboring men are fully protected both as to employment and as to wages.

The Great Western Sugar Co. and the Holly Sugar Corp., operate in Wyoming. The presidents of these two firms have advised me of their support for extension of Public Law 78 to June 30, 1961, and outlined to me their use of Mexican nationals. After exhausting the domestic source of available labor supply in Texas, New Mexico, and Arizona, the Holly Sugar Corp. contracted for 2,500 Mexican nationals in 1958 and 2,400 in 1957 and 1956. The Holly Sugar Corp. does not anticipate sufficient domestic workers will be available in the near future, and will need to rely on the Mexican farm labor program extension to allow for the production of sugar beets to go forward.

The Great Western Sugar Co. has informed me that, on behalf of beet growers in Wyoming and Colorado, they have contracted for Mexican national labor. This year the beet crop contracted by farmers to Great Western Sugar Co. factories in Colorado, Nebraska, Montana, and Wyoming employed nearly 9,500 Mexican nationals, which is approximately 64 percent of the nonresident labor that worked in the beet fields, with the balance coming from States adjoining the border.

Extension of the Mexican farm labor program at this time, as undertaken by H. R. 10360, is important because the agricultural interests who use this labor need to have the law extended before the last minute so that the necessary negotiations can be made with the Mexican Government. It is important to have a law on the books well in advance of the agreement with Mexico and, as pointed out by the House report favoring extension of Public Law 78 at this time, passage of a law this year will allow ample time for negotiations of the present international agreement and avoid any possible delay in the operation of the program.

Just how vital this program is pointed up, I believe, by a statement from Frank A. Kemp, president of the Great Western Sugar Co. He states that this program has worked with great success since 1951. "I can say flatly to you," Mr. Kemp told me in a recent letter, "that at the moment we would not have a beet sugar industry in either Wyoming or Colorado unless we could obtain Mexican nationals to block, thin, and weed our beets." I point out to you that in another respect this is in the best interests of labor. Without this stoop labor we could not have an industry. This industry provides many excellent jobs at good pay for American workers, both directly and indirectly.

Recruitment and temporary employment of agricultural workers from Mexico is undertaken only when adequate numbers of domestic workers are not available and the program, in existence since 1949 and known as Public Law 78 since 1951, has been successful. It has supplied agriculture with labor that was unavailable from the labor force of the United States, and has certainly worked to eliminate Mexicans who enter the United States illegally to obtain work.

The House report points out something that I think we should note, in that the wetback problem and bad conditions of employment which accompanied the use of Mexican labor some years ago, have largely disappeared. In 1954, approximately 1 million illegal entrants were apprehended in the United States, while in the 1958 fiscal year only 37,000 illegal entrants were picked up.

Practically everyone concerned with agricultural needs has agreed that continuation of the program is warranted and advisable and that Public Law 78 is satisfactory legislation. There was almost complete unanimity that H. R. 10360, amending the Agricultural Act of 1949 as amended, to strike out "June 30, 1959" and insert "June 30, 1961," should be enacted.

Mr. HOEVEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Chairman, I should like to emphasize the fact that there is a decided need for this program. I not only attended the hearings on this bill over the last few weeks but have read very carefully every page of the hearings, and I can assure the Members of the House that a continuation of this program is essential. The fact of the matter is that unemployed workers in this country simply will not take jobs doing agricultural labor.

Furthermore, I should like to call to the attention of my colleagues to the fact that the representatives of the AFL–CIO who appeared and testified at the hearings stated definitely that this program was far preferable to the wetback program, and that the AFL–CIO does not oppose the measure now before us.

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, as the representative of counties in western Michigan which are great producers of fruit and other agricultural products, I know the importance of the pending legislation. I am particularly aware of the problems which cherry growers would face if they were not authorized by this legislation to secure Mexican nationals, in sufficient numbers and at the right times, to harvest their annual crop.

As it has been pointed out, this law does not permit Mexican nationals to displace domestic labor. On the contrary, the legislation specifically protects the prior job rights of domestic workers if they are willing and available to perform the work of harvesting those crops.

Mr. HOEVEN. Mr. Chairman, I have no further requests for time on this side.

Mr. GATHINGS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this extension is badly needed. This program is only for supplemental labor to be made available to farmers who need it. The Department of Labor has been mighty careful about certifications to make sure that they do give an opportunity to local labor to be used on the farm before bringing in this outside labor. It is expensive labor; this labor costs money to move a thousand miles or more from the border. This expense of transportation is borne by the farmers. They would prefer not to have to resort to the use of Mexicans if an adequate supply of domestic labor that is dependable could be found.

Mr. Chairman, I ask unanimous consent that all Members who desire to do so may have the privilege of extending their remarks at this point in the RECORD on the bill now under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, if I can make any contribution to this discussion here and the committee from which this bill comes, I would make the observation that if there is any piece of legislation in the House during the entire session that is in the wrong committee it is this piece of legislation. This bill deals with nothing else but a labor contract, labor wages, workers, and everything else dealing with labor; still it is referred to the Committee on Agriculture and has been year after year.

Mr. GATHINGS. It was referred to the Committee on Agriculture in 1951. It does deal with farm labor.

Mr. WIER. It deals with labor.

Mr. GATHINGS. On American soil.

Mr. WIER. It still deals with labor.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That title V of the Agricultural Act of 1949, as amended, is amended by striking out all of section 509.

Mr. FOGARTY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise at this time to acknowledge some of the things that have been said here. It is true that we have legislation protecting the rights of the American workers, but in all such legislation unless we have compliance the legislation does not mean a thing, and everyone in this House knows that.

One of the hardest jobs of the Department of Labor since we have had this Mexican labor program in effect is to get the growers who asked for this cheap labor to comply with the law. We are spending more money on compliance today for the results we are getting than on any program in the Federal Government because of the tactics of some of these unscrupulous employers. I hope the Members who are supporting this legislation will also support appropriations for more funds to assure a reasonable degree of compliance on the part of the growers.

We get complaints from our section of the country too, because the farmers in New Jersey, Delaware, Pennsylvania, and all throughout New England, when they have potatoes to dig or other crops to take care of, do not come to the Federal Government and ask for help. They take care of it themselves. They import labor and have been importing this kind of labor for some time now without any help from the Federal Government. So the people in my area are complaining and asking, Why should we pay for compliance with this law to see to it that some of these growers who want this cheap labor imported into this country from Mexico comply with the law, while we in our section of the country have been doing this for some years at no expense to the Federal Government? The farmers are doing it themselves. They make their own contracts in connection with the importation of this kind of labor, they see to it that the laborers are returned to their proper destination when the contract is ended.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from California.

Mr. TEAGUE of California. It is my understanding that the farmers involved are now paying fifteen-sixteenths of the total cost, and in the next year, because of the revolving fund, they will probably pay the entire amount.

Mr. FOGARTY. That is not quite correct. We are paying about five hundred thousand dollars trying to make these growers live up to the law. That is the big problem that we have to face because these growers who want this cheap labor do not want to live up to the law, in many instances they do not want to pay the prevailing wage, provide decent housing, or live up to the other requirements. It is a most difficult job after a complaint has been made to trace it and to get the evidence.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from California.

Mr. GUBSER. I do not want to be accused of quibbling over terms, but I would like to take exception to the gentleman's reference to this labor as "cheap labor" because if the prevailing wage rate is $1 per hour for the performance of a certain job on a farm, I can tell the gentleman that the Mexican national labor will cost the grower about $1.13 an hour, because he must guarantee transportation, pay health dues, he must pay association dues and provide for the maintenance of the Mexican national that he does not have to provide for domestic labor. It is conservatively figured that if the prevailing rate is $1 per hour it means $1.13 per hour in cost to the farmer for Mexican national labor. The truth of the matter is, on account of the cost factor we would much prefer to have domestic labor if we could get it.

Mr. FOGARTY. Of course, it is very difficult to define a prevailing wage rate and to see to it that the prevailing wage rate is paid. That has been one of the problems of the Department of Labor. And, when you talk about standards, you remember the hue and cry that went up from some Members 2 or 3 years ago when the Department of Labor decided to develop some decent standards for housing and sanitary conditions for this cheap labor that was being brought into this country. Why, it is inconceivable that any American would want to bring in any person, any living human being, and make him live in the dirt that they were living in in some of these houses. But, now we have some standards. And, that is another area where we are having trouble, trying to have the grower provide suitable living conditions for these people. The gentleman from California says that in his area or some area out there it had the effect of raising the prevailing wage in one particular industry. It is inconceivable to me that any industry in the State of California, that is supposed to be a progressive State, is paying less than $1 an hour. If they are, that is what I call slave wages; that is what I call slave conditions, and I am surprised that the State of California allows anything like that to exist.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert "That section 509 of the Agricultural Act of 1949, as amended, is amended by striking out 'June 30, 1959' and inserting 'June 30, 1961'."

Mr. CHRISTOPHER. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. CHRISTOPHER to the committee amendment: On the first page, line 7, strike out "June 30, 1961" and insert in lieu thereof the following: "June 30, 1960, except that no worker recruited under this title shall be available for employment by any employer unless the Secretary of Agriculture has determined and certified to the Secretary of Labor that such employer is participating in, and is in full compliance with, all crop reduction and allotment programs currently administered by the Secretary of Agriculture and applicable to such employer."

Mr. GATHINGS. Mr. Chairman, I reserve a point of order against the amendment.

Mr. CHRISTOPHER. Mr. Chairman, this amendment is introduced for a specific purpose, to keep this imported Mexican labor from contributing to our surpluses in the United States. Any man who is producing a crop that is not covered by a reduction or allotment program of the Secretary of Agriculture is not limited in any way. But, the farmers and others who are producing agricultural products that are in surplus would find themselves unable to secure any of this cheap imported labor coming in from Mexico.

At the present time in the United States we have unemployment variously estimated at from 4 million to 6 million people. Now, perhaps American laborers will not stand the driving and living in the degradation that these imported Mexican people are reported to be forced to live in and perhaps they will not do the kind of work that is required of these Mexican people at the price that is paid to them for that labor. But, this amendment should be adopted because it will only apply to those farmers, ranchers, and corporations who are producing agricultural products that are in surplus. We know what is happening in the United States today and what has been happening for a number of years. We have lost almost 2 million family-sized farms in the United States.

Those displaced farm people can be in only 1 of 2 places. They are either among the ranks of the unemployed or they have displaced a city person and they have his job and he is unemployed. And yet we import up to half a million Mexican laborers each year to work on our farms.

In the well of this House the cry of agricultural surpluses is raised every time someone talks about agriculture when they come down to the mike. It is time that we in the United States tell our left hand what our right hand is doing. This amendment ought to be adopted. One year at a time is enough to extend this act. My amendment will extend it for 1 year and will make it impossible for the farmer, rancher or other entity producing these crops to employ this labor if he is not in compliance with the crop reduction and allotment programs that are being administered by the Department of Agriculture at the time that he seeks to hire this labor. There is no injustice done here to anybody.

If conditions continue as they have been for the last 4 or 5 years, we can bid goodbye to the family-type farm in the United States. When a farm is sold today, in 8 cases out of 10, it is not being sold to another farmer whose family will move into the house; no. The house is knocked down, the material is hauled away. The bulldozers move the family orchard out. They root out the lilacs that grandma planted at the front gate, and the climbing roses that mother planted to grow over the door. Then it becomes a part of a cotton ranch or a wheat ranch or a livestock ranch. The American family-type farmer is being driven from the land at a rate never before witnessed in the United States.

This Mexican labor is going mostly to corporation farms and I, for one, would love to see them forced to go into the American labor market and hire Americans to do their work, instead of Mexicans. I urge that the amendment be adopted.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. JENSEN. Mr. Chairman, I want to compliment the gentleman for his fine speech and the explanation of this very important problem. I agree with everything the gentleman has said. Also I agree with the gentleman from Rhode Island [Mr. FOGARTY] who discussed the position taken by the farmers in his District. That condition exists in almost every part of America.

Years ago, before we had this law, the farmers enlisted, hired their own help. And they got along better than they are getting along now. I say this bill in toto ought to be defeated.

Mr. GATHINGS. Mr. Chairman, I withdraw my reservation of a point of order, and I rise in opposition to the amendment.

Mr. Chairman, I want to say that the gentleman from Rhode Island has done a splendid job with his subcommittee in handling this program. He knows the program thoroughly. He and his subcommittee have done a marvelous job in improving and making it more acceptable to all. The original act provided, among other things, for the employer to do this:

To reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in an amount not to exceed $15 per worker.

That was in the original act. We went along for quite awhile at $10 per worker on each of these people who came in under contract. That was moved up from $10 to $12, and now it has gone up to a toal of $15 for the recruitment expense the farmer must pay. As a result, Mr. Chairman, here are the facts as shown in the report on this legislation.

The toal cost of this law for a year is $6.5 million. Of that $6,500,000, $6,025,000 is paid directly by the growers themselves into this revolving fund, so they are paying for practically all of the program. The gentleman from Indiana [Mr. DENTON] introduced a bill, and we gave him a hearing before our subcommittee, which would provide that all of this $6,500,000 be paid by the employers of this labor. We felt that it was not desirable nor proper to enact that proposal, in view of the fact that the compliance officers would be subservient to the employer, the farmer himself, who would be paying their salaries. These employees should be paid by regular appropriations.

Let us look at the amendment offered by my friend from Missouri. But first let me say that he is a real friend of the farmer. I have never known him to be anywhere else but in the farmer's corner. He has a proposal here that he earnestly advocates, but I do not agree with him. Before the farmer could get workers the Secretary of Agriculture would have to be satisfied that this particular farmer had complied with these various programs and participated in them. He may not have participated in the Soil Bank program. He may not have signed up for that program. Under this amendment, he could not get certified to obtain workers unless he had participated.

Another thing, the Secretary of Agriculture would have a very hard time enforcing this provision, because so many of these workers are used in the spring of the year and he would have to go out and make these findings early. It would be virtually impossible of administration.

I hope the amendment offered by the gentleman from Missouri will be defeated.

Mr. MAHON. Mr. Chairman, I wish to commend the House Committee on Agriculture for having presented this bill extending Public Law 78, the law which provides for the contracting of farm labor in the Republic of Mexico.

We have had a lot of trouble with the administration of the law, and the program has been far from perfect, but in my opinion it has been in the overall best interest of the farmer and the country and I wish to go on RECORD as endorsing the extension of Public Law 78.

It has been a pleasure to work with west Texas farmers and farmers from other areas of the country as well as with my colleagues over a period of months in an effort to secure extension of this law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 10360) to amend title V of the Agricultural Act of 1949, as amended, pursuant to House Resolution 672, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to amend title V of the Agricultural Act of 1949, as amended."

A motion to reconsider was laid on the table.

AMENDMENT OF TITLE 18 OF THE UNITED STATES CODE

Mr. WALTER submitted a conference report and statement on the bill (H. R. 6239) to amend sections 1461 and 1462 of title 18 of the United States Code.

ESPIONAGE AND CENSORSHIP

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tomorrow for the filing of a report on the bill (H. R. 13676) to repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

ADDRESS OF HON. JOHN E. FOGARTY, UNITED STATES REPRESENTATIVE, SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND, AT THE NATIONAL BIENNIAL CONVENTION OF THE ANCIENT ORDER OF HIBERNIANS, AT THE SHERATON-BILTMORE, PROVIDENCE, R. I., TUESDAY MORNING, AUGUST 5, 1958

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

ADDRESS OF HON. JOHN E. FOGARTY, UNITED STATES REPRESENTATIVE, SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND, AT THE NATIONAL BIENNIAL CONVENTION OF THE ANCIENT ORDER OF HIBERNIANS, AT THE SHERATON-BILTMORE, PROVIDENCE, R. I., TUESDAY MORNING, AUGUST 5, 1958

The story of the Ancient Order of Hibernians over the years needs no elaboration from me. Its traditions go back to the 16th century in Ireland when it set for itself the high and noble purpose of service to God and country. Since its incorporation in 1836 in the United States, it has continued to pursue them faithfully. It is a splendid story of high ideals and achievement in which we can all take pride. While we think back with affection and respect on all the past generations who participated in the great work of the order, let us express also our grateful acknowledgment of the meritorious work of the present membership, both officers and members, upon whose loyalty and enthusiasm the success of this great convention depends. Their unflagging selfless work is beyond words of mine adequately to praise. Let it stand as an example and inspiration for the coming years.

Periodic meetings like this biennial convention are important for any organization, for they afford opportunities for review and deliberation, for seeing in a larger perspective how effectively the group is functioning, and for charting a course of future action that is better fitted to contemporary needs and better defined in its directions. I should think it well if we take this opportunity of glancing around briefly to see whether, in the swiftly changing circumstances of our days, the order is now as closely geared to the needs of the present as it assuredly was to the times of our fathers and grandparents. Our organization was founded in the first half of the last century to help our immigrant forebears in the worthy but arduous task of winning a place for themselves in this, the country of their adoption. That it succeeded, and succeeded admirably, is witnessed by the pattern of our American society today. If there should be anybody who has doubts about the preciousness of the contribution made by successive generations of Irish Catholic immigrants, let him but read the history of these United States of ours, and learn therefrom of the development of what the world has come to recognize as the American spirit.

The Ancient Order of Hibernians was founded in a period which for the men of our time has become remote and unfamiliar, so revolutionary and vast has been the scale of intervening developments. In the retrospect of history we are awed by that immense drama of the 19th century in which over 30 millions of people from every part of Europe poured into this country. From our condition of present well-being, from the equitable and benevolent state of American society today, we can now perceive how in all truth this great migration was an advent of new life to the distressed, the maltreated, and the unrecognized of Europe. Of these heterogenous multitudes, 5 millions came from Ireland, and they shared with the rest the status of fugitives seeking in exile those precious and vital things that were denied to them in their homelands. They knew that the conditions of justice, of tolerance, of equal opportunity existed here but the guaranty of them for themselves and their children had to be won, and not without effort. Nobody with any knowledge of history will assert that entering America in the 19th century denoted for the immigrant his arrival in another Eden. As you know, it was fraught with tensions and struggles of extreme bitterness and passion. But out of these great conflicts, which inflicted incidentally so much suffering because the deepest convictions of opposing groups had taken issue with each other, there emerged a way of life that took account of the needs and aspirations of all protagonists who had the will to endure. In that development of a new society, and in the prodigy of the opening up of this continent, lie the greatest achievements of our country. It was there that the American spirit was reforged and the genius of the American community reformed. That American spirit is characterized by justice and fair play, by neighborliness and the helping hand, by tolerance and charity. It is these great Christian virtues that we all unceasingly endeavor to insure shall imbue each of the manifold aspects of our American life today, that we concern ourselves shall be the motivation of our public authorities, our institutions, our organizations of voluntary endeavor, our community and family life, and our relations with the free countries of the world.

The Irish role in the development of the American spirit has been an exceptional and exalted one. Out of the sweat of their brow successive Irish generations have studied our country with works that breathe their love of God and of their fellow men, with churches and schools, with hospitals and homes and houses of fraternal service; they have come in due time to participate in the leadership of our country, in its national life, its administration, in the professions. They have fought and bled and died to make secure their ideals of American society and its precious values. One of the marks of the Irish everywhere is idealism and at the heart of that idealism is goodness. When I say goodness I mean the love the Irishman has for the good God who out of His infinite goodness created each one of us in His own image and likeness and wants us to come to Him in eternity. Sheer goodness of this kind has always held for the Irish heart an attraction that has been literally fatal and has set the Irishman apart from others. It is the explanation of what appears to others as otherworldliness, inconsequence, irresponsibility; it explains much of what passes variously for temperament, his mood of joy, his unconcern, his steadfastness in adversity, his enthusiasms, his offhandedness, his friendliness, his humor. In its ultimate analysis, the paradox of the Irishman is the paradox of all who follow Christ as St. Paul urged "to be in the world and not of it." Of all his gifts to American life, the one of unique quality was that which each Irishman bestowed when he gave himself and his goodness of heart. While we acknowledge with profound gratitude, as must every section of our national community in its own specific way, the great debt we owe to these United States of ours, it is not amiss for us to appoint with due humility to what our forefathers contributed in the only way that was available to them—in nobility of spirit. Because we are in the middle of it in our everyday lives, that quality of American life which drew so heavily on Irish goodness is taken by us Americans for granted and goes unnoticed. To foreigners, however, it is apparent and admirable, and much of the benevolence that exists abroad for our country today is the outcome of it.

If the purpose of the Ancient Order of Hibernians in the last century was to help the Irish immigrant to find his place in American society, that task today is no longer paramount, nor does it now present itself in the same form. The contemporary problem is not how to help its members be good Americans, but to be the best Americans, examples to our fellow countrymen at home and to the world, pillars of strength and guiding lights. There can be no conflict between our profession of Christianity and our loyalty to our country, because our greatness as a nation can only be in the precise measure that we are Christian both in spirit and in action. The strength of the church does not reside in political influence nor in possessions, not even in a mighty apparatus of institutions, important and valuable as all these things may be in given circumstances. It is fundamentally and primarily in the Christian quality of the individual lives of its members. There is no other basis for Christian strength than in the excellence of our individual daily life, making holy the routine of our duties and of our obligations to ourselves, our families, and our neighbors. It is doing this that gives to life its Christian perspective and unique value.

In the last decade one of the major means of United States foreign policy to combat the spread of communism has been to give economic and technical assistance to underdeveloped countries. We spend great sums of money each year in this way, but very few people stop to consider the magnitude of Ireland's contribution to the betterment of these very areas or to reflect that it has been going on for a much longer time. Last year almost 1,000 Irish missionaries, priests, nuns, and brothers went to the mission fields of Africa and Asia. They are teachers, doctors, and nurses to staff schools, hospitals, training centers of many kinds in these primitive areas, in which at present 15,000 other Irish missionaries are working. Try to imagine the total value of the work involved in all this. It goes on every minute of the day, year in, year out, and—please note this—is always expanding. It cannot be measured in terms of money because only dedicated men and women can possibly perform it. We could estimate, however, that the cost of maintaining the same number of lay men and women in the same areas would run, I am sure, to not less than $10 million a year. Yet, these Irish missions are maintained by a country of 3 million people with a per capita income one-fifth that of the United States. I mention this single example of Irish international activity because so few of us think about it, and because it is so characteristic of the greatheartedness of the Irish people. The peoples of Nigeria, of Ghana, of Korea and China, of India and Ceylon know of the benign Irish presence in their midst with affection and gratitude.

It seems to me that in our preoccupation with our own problems here we may have permitted our relations with Ireland, that great motherland of the Christian millions, to have become remote and nebulous. If that is the case, it is a calamity that it should continue for we can only impoverish ourselves thereby. Few of us can define what it is that determines the appeal of Ireland for us, many of whom are now 3 and 4 and more generations away from it. We do know that even the mention of the name Ireland causes an excitement in our hearts and though we do not succeed in giving expression to the emotion, we are in some way conscious of a mystic bond uniting us by reason of a common origin and joining us to a common destiny with that island of our forebears. If we cast our minds back over a century, we may well be startled by the analogies that appear. I have indicated the success of the Irish in helping to build up in this country a new society attuned to the Christian ethic, a society that even today constantly is striving toward a truer harmony and a surer orientation. But also remember that the brothers and sisters of our forebears, who remained behind in Ireland, were faced with problems much the same in character but considerably greater in intensity. A little over 100 years ago the Irish people were emerging from the ordeal of their experience in the 18th century. They stood prostrated by famine, yet they were not daunted to start on that arduous road to build up for themselves a society after their own wishing. You know very well the milestones that mark their path of struggle—first the winning of religious and civil freedom, then the gaining of the rights of property and ownership of the land, the struggle for an educational system, the founding of the great literary and cultural movements, and finally, as a result of the never ending political struggle in 1921 they succeeded against seemingly impossible odds in regaining control of their own destiny in 26 of the 32 counties of Ireland. That triumph still lacks completeness for the partitioning of Ireland, by which Britain retains control of 6 of the 9 counties of the ancient province of Ulster, still continues.

Since the time of St. Patrick—more than 1,500 years ago—the nationhood of all Ireland has been an accepted fact and has been recognized as a fact by Europe and later by the New World.

It could not have been otherwise, for the marks of Ireland's nationhood are incontestable—a geographic unit, a national language, a separate culture and code of laws, a homogeneous people, a distinctive national tradition. Her churches and religious bodies—Catholic, Episcopalian, Presbyterian, Methodist, Baptist, the Religious Society of Friends, the Jewish Congregations, and other denominations—are now, as in the past organized on a national all-Ireland basis. Her learned bodies, her major universities, her sports organizations are, and have been, nationwide. The people in all parts of the country are, and speak of themselves, as Irish.

A little over a year ago I was in Ireland and on my return to this country I made a statement to the press, which many of you may have read. I shall recall part of it for you.

"• • • After my visit to Ireland—and I visited both parts of that divided country—I am more than ever convinced that the country ought to be united."

"I believe that would be in the best interests of all the people of the island, without distinction of politics or religion."

"Unity can only be achieved by peaceful means. The Irish Government and the opposition there, recognize that. Friends of Ireland in this country—and there are quite a few of them—ought to cooperate along those lines."

"One way we can help is to make known America's interest in Irish unity. That is the object of the resolution which I have sponsored in the House. This resolution, House Resolution 27, simply provides for a declaration of the House of Representatives that the people of all Ireland should have the right to determine the form of government under which they desire to live. It follows the basic philosophy and the statement of principle which is the bedrock of our Nation's foreign policy when applied to every other country throughout the world. The United States Government pleads for a united Germany, a united Korea, and a united Indonesia. My resolution calls for consistency in our foreign policy by urging a united Ireland."

When the opportune time presents itself I shall take all the steps necessary to reactivating my House Resolution 27. In the meantime I shall continue to avail myself of every opportunity to focus attention on this great international scandal. I urge you, too, by means of statements and resolutions, to continue to press for action by public men and organizations for the remedy of this injustice to the dear country of our forefathers.

The past 35 years have been witness to the measure of success which has attended the efforts of the Irish people to build up a modern state that will be capable of sustaining the manner of life which they wish to lead. Many of you who have visited Ireland in the last 10 years will have seen the fundamental changes that have taken place in the economic, social, and cultural pattern of Irish life. The progress made has been significant and when one thinks of it in relation to the available resources of the country, impressive. But it is not enough for economic stability and advancement, and leaves unremedied the great problem of emigration, which for the last few years has been on a menacing scale. What is happening in Ireland is happening also in every country in Europe and we have it here in our own country as well. The surplus rural population has to leave the land to find a livelihood elsewhere. In countries like our own, because of an expanding industrial economy, this population is absorbed by the urban cities and towns. In Ireland, industrialization for historical reasons started only in the last 30 years. It has not been at a sufficiently fast rate and is providing only a third of the additional jobs which each year are needed to absorb the natural increase in population. That in a nutshell is the Irish economic problem. Will it be solved? From what I know of Ireland and the many people I have spoken to there, the answer is assuredly in the affirmative. There are a number of simple ways in which we can all help, without strain to ourselves and with decisive benefit to Ireland.

1. Take a vacation trip to Ireland. If you are going to Lourdes or elsewhere in Europe, plan a few days in Ireland.

2. The menu for your St. Patrick's Day dinner might well consist of actual Irish foodstuffs. A friendly gift of a piece of Waterford glass or perhaps Irish whisky can be of benefit to Ireland.

3. Some of you might even be interested in making an investment in Irish industry or developing an Irish gift shop in your own community.

These are a few practical things which you can do as individuals, while your order continues its steadfast support for complete Irish unity and freedom.

We can take this active interest in the welfare of Ireland because it is of such primary consequence to our country that she should flourish. It is an interest that can commend itself to any clear-thinking American. For the members of the Ancient Order of Hibernians it is reinforced by many associations of lineage and tradition. Let us quietly resolve here and now to take some practical steps such as I have suggested. They are simple means within the capacity of us all to perform. In giving effect to them we can well use as our motto the words written by the great Franciscan, Michael O'Cleary, on the dedication page of the Annals of the Four Masters just over 300 years ago: "Do chum Gloire De Agus Onora na h-Eireann"—To the Glory of God and the honor of Ireland. We can well take this motto to ourselves and adapt it as our own so that all our actions may be for the glory of God, to the benefit of Ireland, and the honor of America.

PROPOSED CONGRESSIONAL PROCEDURES FOR HANDLING CONTEMPT OF CONGRESS CITATIONS

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I intend to introduce tomorrow a bill which will amend section 194 of title II of United States Code to provide, in substance, that all contempt citations which issue out of a House committee

will be referred to the House Judiciary Committee for its study, recommendations and report to the House. Contempt proceedings are serious and should not be lightly entertained. If the present House procedure which treat them casually without adequate study are not changed the House will continue to find it difficult to have contempt citations enforced by the courts in judicial proceedings. The result will be that the investigating powers of the House will continue to be badly weakened.

One of the proponents of the Goldfine contempt citation closed his remarks in debate as follows:

> To excuse or refuse to take action in a matter as flagrant as this would be a gross mistake. It would weaken the faith and confidence of our people in responsible government. It would give encouragement to others to defy constitutional authority in similar cases. It is absolutely necessary to show defiant witnesses that they cannot set at naught the fundamental right of Congressional committees to conduct hearings and make every appropriate and legitimate effort to establish a basis for sound and necessary legislative enactments. Consequently, my course is clear. I shall vote for the resolution to institute contempt proceedings.

These eloquent words expressing fundamentally sound principles are the very reasons the gentleman's course and the course of the House should have been clear not to vote for a resolution to institute contempt proceedings which had been inadequately studied, incompletely reported, and emotionally presented to the House under a gag rule where those who could have presented the matter in an impassionate and objective light were shut off from exposing the inadequacy, the incompleteness, and the emotion which robbed the House of applying logic and reason to the issue.

Indeed, who makes a mockery of Congressional powers of investigation, weakens the faith and confidence of our people in responsible government if it is not those who send to the courts inadequately considered contempt citations which the courts will fail to enforce?

It is the basic prerogative of the Congress to investigate and legislate in legitimate areas of inquiry. But this is not an unlimited right. It is subject to reasonable and necessary restraints which are contained in the same instrument which created this legislative prerogative—the Constitution. In its search for information it is necessary for the Congress to bring before its committee forums hundreds of citizens to testify and to relate their experiences pertinent to the legislative matter in question. If we in the Congress are to perform the duties prescribed for us by the Constitution, it is essential that we have the help and cooperation of all our citizens. We must have respect from the people for our Congressional investigative committees; for, from a healthy respect comes the necessary cooperation. To gain this respect we in the Congress must in turn respect the individual rights of all citizens who appear before our factfinding committees to encourage the necessary rapport between the investigator and the witness. It is absolutely essential that we set up proper procedures that will strike a proper balance between committee rights and obligations arising from its legislative power and the rights and obligations of our individual citizens.

The very nature of a contempt proceeding connotes disagreement between the investigator and the witness. This disagreement could be the result of one or many complex reasons. It could result from a disregard and disrespect for a duly constituted legislative investigative body. If this is the case, the question then arises, what has occasioned this disrespect for a particular committee? When the allegations are made that the particular committee has itself violated the individual and constitutional rights of a citizen who has appeared before its committee, then a legitimate point of inquiry is raised which forms a very important part of the bundle of facts leading up to the request by the committee for a contempt citation. Is the citing committee an appropriate judge of its alleged abuse and disregard of the rights of the individual witness? I submit that it is not. Is it consonant with our basic sense of fair play to permit the accuser to try and find guilty the accused of an act which may have been the consequence of the accuser's act? To ask the question is to answer it. What then is the solution? A possible solution lies in a fair and impartial Congressional review by an appropriate House committee. I submit that the House Judiciary Committee in this instance would be an appropriate committee for review.

Under present House rules it is possible for the particular committee in question to come before the House with its request for the contempt citation of an allegedly recalcitrant witness, to present the matter under a rule limiting debate where only one point of view is presented, and to secure House action on such a serious matter without a full inquiry into all of the facts leading up to the committee's request for such citation.

When the allegation has been made that a particular House committee has violated House rules of procedure and disregarded the individual rights of the particular witness, then it is appropriate and necessary for the House of Representatives to make inquiry into these charges to determine their validity or invalidity as the case may be. The House must determine for itself whether one of its committees has exceeded the bounds when a report and resolution for a contempt citation is presented to it by one of its committees. It should consider:

First. What are the limits of the constitutional authorities of the Congress to investigate?

Second. What is the extent of the jurisdiction that the House granted to the committee involved?

Third. Has the committee followed the rules of procedure established by the Congress in conducting the investigation and which gave rise to the alleged contempt?

The failure of the House of Representatives to thoroughly consider each request for a contempt citation has resulted in the judicial reprimands obtained in the Watkins decision and the Arthur Miller case and others. The review of each request for a contempt citation by an impartial third party will make each of us more aware of the Constitutional rights of our citizens who appear before our committees and the duties which they demand for their protection and preservation. It will then be self-discipline that will thwart possible Congressional committee abuses rather than attempt by the judiciary to discipline the Congress. If this is done, the constitutional rights of our citizens will be preserved and the dignity and integrity and powers of the Congress will be preserved.

THE DEFENSE EDUCATION PROGRAM

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. JOHANSEN. Mr. Speaker, I object.

DEVELOPMENTS IN OUR DEFENSE PROGRAM

The SPEAKER. Under the previous order of the House the gentleman from Indiana [Mr. BRAY] is recognized for 15 minutes.

Mr. BRAY. Mr. Speaker, all Americans want a defense adequate to protect our country if the need should arise. They are demanding, and have a right to demand, that their Government provide that defense. As no one can foretell the future, no one can determine exactly how strong that defense should be and what weapons should be accentuated. There is a general belief that, if our country is strong enough, then that strength will deter enemy action.

There is, I fear, a misguided feeling on the part of many that money alone can provide a defense that will guarantee security to us. American dollars cannot cure all the ills from which our country suffers; neither can American dollars right all the wrongs in the world. Regardless of how great our defense expenditures may be, money alone cannot guarantee a defense that is adequate nor an economy that is sound. Money alone will not develop the courage, integrity, initiative, good judgment, or spiritual strength necessary to maintain the strong America that we all desire.

This year the House voted $38.4 billion for defense. The Senate raised this amount more than $1.5 billion to the amount of $40 billion.; and last week the House and Senate adopted the conference report of $39.6 billion, the largest peacetime defense budget in our national history. This amount is $213 million more than the President had requested.

If money alone would give us the defense and security that we are all working for, I do not believe there would be any material objection to increasing the defense budget beyond its already enormous size. But the fact is that excessive expenditures not only do not achieve their purpose but they actually weaken the cause for which they are given.

We have a very good example of how excessive expenditures can develop. The Air Force Academy was estimated to cost $125 million. Now the estimate is for $300 million, and the sad fact is that this extra money will not make future officers of the air one whit better able to fulfill their mission—that of the defense of our country.

Nothing could be more demoralizing to our country as a whole, and this includes our defense capabilities, than to squander our American dollars that have been earned by the efforts of all. All of us must realize that there is no free money in America. Every dollar is earned by the efforts of someone, either someone today or our children in years to come.

In order to understand the problems of defense spending that face us, it will be necessary for us to study the forces behind this demand for increased appropriations. The demand to spend more and more money for defense is coming from the press, the columnists, the commentators, radio, and TV, from the manufacturers of armaments, from the military services, and even from the general public. I want to briefly name and later discuss in detail the reasons for this demand.

There is the cry that during the last 5 or 6 years the administration and Congress have allowed our defense capabilities to decrease in that we in miserly fashion have withheld money needed for an adequate defense. The launching of the Russian sputnik last October gave impetus to the demand that our country accelerate its spending for national defense. Another reason for defense spending is a natural and understandable desire on the part of each of the services to want to take the lead from the others. The manufacturers and contractors for missiles and other modern materials of war also have been conducting a terrific campaign by all mediums to influence the services and Congress that we must buy their materials or services to protect America. Many would have us believe that future wars will be waged on a pushbutton concept where combat troops of the Army and Marine Corps, and our Reserve forces, consisting of the National Guard and Organized Reserves, should be cut to a minimum. Congress has opposed this trend.

GROWTH IN DEFENSE SPENDING

To those who charge that our country has been niggardly in defense spending in the last few years, I would point out that the opposite has been true. I made a study of defense expenditures starting with the fiscal year 1950 and ending June 30, 1950, and brought them down to date, excluding the Korean war years. Our expenditures for fiscal year 1950 were approximately $11.5 billion. They have increased to approximately $39.5 billion—estimated—for the fiscal year ending June 30, 1959. This is an increase of almost 250 percent. These figures for fiscal 1959 do not include the $1.7 billion for military construction, nor appropriation for atomic energy or foreign military aid.

The increase in manpower is also outstanding. We were rapidly decreasing our armed services personnel as well as expenditures at the end of fiscal year 1950; the personnel of the Air Force was 411,000; the Army, 632,000; the Navy, 382,000; and the Marine Corps, 77,000. The estimated manpower at the end of fiscal year 1959 is—Army, 900,000; Navy, 630,000; Air Force, 850,000; and Marine Corps, 200,000. These figures cover a period of 9 years, yet the percent of increase in each of the services for expenditures and for personnel is great.

The menace of Russia was as apparent during fiscal 1950 as it is today. Russia was on the march and had an even larger army than she has today. Mr. Truman was President of the United States. Louis Johnson was Secretary of Defense, Stuart Symington was Secretary of the Air Forces, Frank Pace was Secretary of the Army, and Francis P. Matthews was Secretary of the Navy. This statement is not intended in any way as a criticism of the low expenditures in fiscal year 1950, but I merely want to point out that expenditures for defense have not been neglected in the last 5 or 6 years in comparison to previous years.

WHERE DO WE STAND IN THE MISSILE RACE WITH RUSSIA?

When Russia fired its first sputnik in October 1957 the common question was, How do we stand militarily in relation to Russia? There was a great clamor that we had pinched pennies and that we should spend more for missiles. In no phase of Government operations have there been more irresponsible statements made than those concerning our missiles program. Therefore, I requested the Library of Congress to provide me with the figures on what our country has spent each year for the procurement and production of missiles from 1947, the first fiscal year after World War II, to date. I was informed by the Director, Legislative Reference Service, of the Library of Congress that no data was available prior to 1951 but that he was giving me the figures from 1951 to 1959—1958 and 1959 being estimates. The figures are as follows:

Expenditures of Defense Department for missiles procurement and production, fiscal years 1951–1959

[In millions]

Fiscal year:	Total spent
1951	$21
1952	169
1953	295
1954	504
1955	718
1956	1,168
1957	2,095
1958 (estimated)	2,955
1959 (estimated)	3,444

This shows an increase of more than 16,000 percent spent for the procurement and production of missiles in the last 8 years. While the figures on the procurement and production of missiles are rather definite, it is difficult to arrive at the exact figures on the amount spent for research and development and an interpretation of what should be included in each of the special fields. According to the best available figures, $31 million was spent for research and development for the fiscal year 1951. The amount has increased irregularly to an estimated $334 million in 1958. Does that indicate a spending lag in the last few years that many critics have been moaning about? In spite of the critic who states that the launching of sputnik caught the United States totally unprepared in the missile field, study of the above figures shows that that is not the case.

For the last 2 years, I have been taking my active-duty training as a reserve officer in the missile schools and facilities for the manufacturing, testing, and launching of missiles. I am well aware of the tremendous increase in the efficiency of our missile program.

It is a fact, however, that we did become interested in long-range ballistic missiles considerably later than did Russia. Both Russia and the United States began the development of missiles immediately after World War II, but in 1947 the United States practically ceased the development of long-distance ballistic missiles and did not resume until some years later. In fact, we lost about 7 years to Russia on such development. I would like to refer you to a statement made in general debate on the military appropriations bill 2 years ago. This statement was made by Congressman GEORGE H. MAHON, Democrat, of Texas, chairman of the Subcommittee on Defense Appropriations, and is found in the CONGRESSIONAL RECORD, volume 102, part 6, page 7804.

> Speaking of missiles generally I think there is little likelihood but that the United States, in the development of a wide variety of so-called guided missiles, is decidedly out in front of any other power. • • •
>
> Another important fact is that immediately after World War II the Soviet began an intensive program for the development of the ICBM (intercontinental ballistic missile). This country did not. We are trying now to make up for lost time and whether we will be able to do it remains to be seen.

Time has certainly proved the accuracy of Mr. Mahon's statement. His statement that "We are trying now to make up for lost time and whether we will be able to do it remains to be seen" is just as true today as it was 2 years ago.

We are today superior to Russia in most phases of missile development. However, we have not produced a rocket engine with the thrust and range of the Russian rocket. Although Russia has had 7 years' advantage, I believe that soon we will have caught up with Russia in this field and in other respects will be definitely ahead of her.

Accurate guidance of missiles is absolutely essential for them to be militarily useful. Any guidance system that depends on a type of electronic contact between the missile and the ground is subject to jamming. The most advanced and also the most complicated controls for surface-to-surface missiles is the inertial guidance system. In this

system all controls of the missile are sealed in and preset before firing. We are well ahead of Russia in such development.

As to missiles now with our fighting forces, we have several of proven capabilities. We now have with Army troops surface-to-surface missiles, each capable of carrying an atomic warhead—missiles that can be fired accurately for distances up to 200 miles. They are the Honest John, Corporal, and Redstone. The Little John, Sergeant, Lacrosse, Dart, and Pershing are in advanced stages of development; and in the near future, will be with troops and extend our effective range to more than 500 miles. Recently I observed the firing of a Lacrosse missile, and on the first shot at a distance of 10 miles it made a direct hit on a target no larger than a fence post.

The Jupiter, a missile whose range is in excess of 1,500 miles, has been developed at the Army Redstone Ballistic Missile Agency and has been fired usually with good accuracy and without malfunctioning. This missile is now ready for mass production and will be with Air Force squadrons within a few months.

The United States is far in advance of Russia in the surface-to-air missiles. Scores of American cities are now defended by 1 of the 2 versions of Nike, which is today capable of bringing down any attack plane with great accuracy within distances of many miles.

The Air Force has developed Thor, a missile of more than 1,500-mile range, that has been successfully fired. This missile will also be in production soon and with our Air Force troops. The Air Force also has fired successfully and with good accuracy, the Atlas, a 5,000-mile range missile. The Titan, an Air Force missile, promises to be very accurate and reliable with a range in excess of 5,000 miles. It is now in the advance stages of development and may be test fired before the end of the year.

The Air Force has a variety of missiles of proven ability now with our troops that are very accurate from air-to-air and from air-to-ground which I do not have time to discuss in detail. The Air Force also has the Snark, a surface-to-surface subsonic nonballistic, air-breathing missile that has been fired with great accuracy well in excess of 5,000 miles. The Bomarc, a surface-to-air missile whose purpose is to destroy approaching enemy planes, has proven to be very accurate at ranges in excess of 200 miles. Snark and Bomarc squadrons are now being installed in the northern sections of the United States.

The Navy has been a leader in antiaircraft missiles. Today most of our ships are provided with accurate ship-to-air missiles, notable among them being the Terrier, Talos, and Tartar. The Navy also has the Regulus II, a surface-to-surface missile that has been in operation for several years. Now in development is the Polaris, a 1,500-mile-range missile that can be fired from a submarine under the surface of the ocean.

Much of the information on development of missiles is classified and not for present publication. I do want to point out that our country is well advanced in the development of these missiles and that great additional progress will be made in the next few years. Frankly, I feel that the only field of missile development in which Russia exceeds us today is the production of rocket engines to propel large missiles for great distances, and I have every confidence that within a relatively short time we will be preeminent in that field.

FUTURE IN AIR DEVELOPMENT

As to defense planes, we are faced with a dilemma. No one can tell of a certainty how fast and to what extent missiles will replace manned airplanes. The missile enthusiasts expect this transition to progress very rapidly. The strong exponents of the airplane discourage us from believing that the missile will rapidly replace the plane. We do know that it is necessary to keep adequate defense capabilities in planes, while we are making progress in the missiles field. We must also keep making and developing better ones; and this we are doing.

The B–52 is still our best heavy bomber in terms of range, altitude and speed. It is superior to the Russian Bison in all of these respects, although the Bison is a very good bomber. We are building dispersal fields for B–52's so that an enemy attack could only destroy a small part of our B–52 squadron. Perhaps the number of B–52's is classified, but I can state that we have them in considerable quantities and we are producing more every month.

The B–70 will be a chemically propelled bomber which will fly much faster and higher than the B–52 and perhaps later will be its replacement. Plans are being made for a nuclear-powered, long-range aircraft, the WS–125A, which should follow the B–70. Future developments will determine the need for proceeding with these two last-mentioned planes.

The B–47 is a medium-range bomber which we have in great numbers. When refueled in the air this bomber has great capabilities even for long-distance bombing. It is being replaced by the B–58 "Hustler," a superior high-speed bomber. The Air Force now has several of these B–58's and more are being programmed for the coming year.

Better fighter planes are also being developed. However, ground-to-air missiles such as Nike-Hercules and the Talos are taking over the work of many of these planes. The X–15, one of the forerunners to space weapons systems, is expected to reach altitudes of over 100,000 feet and speeds of over 3,600 miles per hour.

I will go no further into plane development, but there is no doubt that our planes are superior to those of Russia, although they have made great progress and have planes in great numbers.

SPACE AND ITS RELATION TO NATIONAL DEFENSE

The launching of sputnik last October caused many to believe that Russia had made great scientific advances far beyond the rest of the world. Without in any way belittling the accomplishment in the launching of sputnik, it did not bring to the front any new or revolutionary scientific ideas.

Robert H. Goddard of Clark University experimented with rockets as early as 1915. He successfully demonstrated some rockets to the Army on November 10, 1918, one day before the Armistice. In 1926, he successfully fired the first liquid-fueled rocket motor, which is similar to the type used by both Russia and the United States today.

Goddard made his findings available to all, but only the Germans showed interest. In the late twenties a group of amateur rocket enthusiasts formed a spaceship travel club. The German Army became interested in their experiments, and in 1931 assumed control of their tests. The German Army took into its ranks the most talented of the club's engineers, including Wernher von Braun, who became the principal designer of the famed V–2 rocket of World War II. At the close of World War II, some of the German scientists were taken to Russia and some, including Von Braun, came to the United States.

It has been largely through the work of Wernher von Braun and his fellow scientists that the Redstone Arsenal at Huntsville, Ala., has become the nerve center in the ballistic missile field. As evidence that the firing of Sputnik I was not a new and revolutionary idea, we have only to turn to the Ordnance of March–April 1953, published by the American Ordnance Association, where Von Braun in an interesting and very scientific article explained exactly the method for launching a satellite. In this article he also foretold many developments in this field for many years ahead.

It is interesting and true that the United States was able to have launched a satellite before Russia. The Redstone Ballistic Missile Agency at Huntsville, Ala., had already developed a combination of an elongated Redstone rocket with small solid-propellant rockets for the second, third, and fourth stages well before Russia launched her sputnik. This Redstone rocket was named the "Jupiter–C" and was the same rocket that placed our first satellite in orbit.

A few days ago I saw this Jupiter-C place the fourth Explorer in orbit with all the smoothness and finesse as though it had been a daily occurrence. Many of us wonder why the Department of Defense would not allow Jupiter–C to be fired before Russia launched sputnik. I do not believe failure on our part will permanently injure the United States, but it did give Russia a great psychological advantage.

I wonder sometimes whether too much importance may be attached to space travel and control of space, which are catchy phrases. Many would have us spend billions to be the first to fire a rocket to the moon, which possibly may be done by the United States or Russia yet this month or in the near future. A satellite may be placed on or around the moon, but it seems a little farfetched to see the tremendous military advantages of placing men on the moon. This field offers great possibilities for the imaginative mind. On the other hand, it also offers great possibilities for a field in which America could spend untold billions that could bankrupt our country and deliver us into economic slavery as hoped for and predicted by the Soviets.

OUR ARMY MISSION

There has been some conflict in our thinking in recent years concerning the trend of development of our defenses. There are those who think that any future war would be a nuclear war. Their philosophy is that our efforts should be toward long-range planes and missiles that carry large nuclear warheads. They adhere to the plans that any other armed force should merely be of a constabulary type.

There is another school of thought on this subject that contends that the chances of a war which would aim at total destruction are very improbable. They point to World War II where the various armies had poison gas but did not use it. They also point to the Korean war where the United States had a great supply of atomic bombs but none were used. They even point to Lebanon where American troops are located today, and yet we certainly would not drop atomic bombs there.

This debate on methods of warfare is very real and faces the Department of Defense and Congress in all planning. We are well aware that our country cannot afford to give every branch of the services all the money that they want. Despite America's tremendous wealth, we do not have enough resources or industrial capacity or youth to satisfy all the demands of these ambitious military services. However, we cannot afford to curtail necessary developments in defense. We do have today the capacity to launch a nuclear war if that necessity ever confronts us. We have the capabilities of protecting American interests in a limited conventional war.

The Army has made enormous improvements in conventional arms and in addition has conventional artillery that can fire atomic shells with extreme accuracy at great distances. I believe our missiles placed with troops are further advanced than those of any other nation. The Army is being reorganized into a Pentomic structure that allows small but heavily armed, highly mobile forces to operate over a great territory without support from other units. The new Army is rapidly making great improvements in armament, organization, and transportation both on the ground and in airborne operations.

Navy capabilities are being increased at a rapid rate. There is no nation in the world or combination of nations in the world that can equal the American Navy as to conventional surface strength. We are well aware, however that Russia is developing a large submarine fleet, which would have no capabilities of landing troops on American soil but could greatly harass American ships. We are making great advances in the detection and destruction of submarines. We have stopped any new construction of supercarriers, although the ones now being built will be completed.

Emphasis is being placed upon nuclear-powered submarines. These submarines can submerge deeper, travel faster than any submarine of any other country in the world. They can travel submerged for many thousands of miles. Last week the *Nautilus*, our first atomic submarine, made history in navigation by traveling over the North Pole under the Arctic icecap. This is the same submarine in which I took a demonstration cruise 3 years ago. Just to demonstrate that this accomplishment was not an accident, the Navy sent a second atomic submarine, the *Skate*, under the North Pole. A type of atomic submarine not yet completed will be able from under water to fire a missile with accuracy for more than 1,500 miles. This is one field in which we are definitely well ahead of Russia. The Marines are adopting every modern weapon and concept of warfare which is feasible including the vertical landing of troops on beaches from helicopters and planes.

Many steps have been taken by the administration and Congress to better the conditions of the serviceman. The pay bill recently enacted has placed for the first time the pay of the military man in a fair relationship with that of other trades and professions. More family housing for servicemen and their dependents has been constructed in the last 3 years than in all the previous years of our history combined. This increased attention to the care of the serviceman, his needs, and problems is increasing the efficiency of our services to a marked degree and is greatly increasing our rate of reenlistment. If these conditions continue, I believe that we can see the end of our draft in the not too distant future.

LONG-RANGE MILITARY GOAL

For many years our defense preparations have been of a "feast or famine" type. When we think that we are approaching danger, we rapidly build up our military strength. We then just as rapidly allow it to deteriorate when the danger seems to have passed. Today our goal is to build a military structure that meets the needs of America and not a military strength that will ebb and flow as the Kremlin smiles or frowns.

In these remarks I have gone into some detail to point out our true military strength and to describe it to you. I do not pretend to be an expert, but I am a member of the House Armed Services Committee and I constantly keep myself informed about our military problems and needs. I always have been interested in our military program, and I have been a commissioned officer for more than 33 years. I spent 4 years in the Asiatic-Pacific Theater during World War II, most of which time I was a tank battalion commander. In spite of all of her critics, the United States has a strong and well-balanced, well-trained military organization in my opinion.

As I have pointed out earlier, there is an increasing demand for more and more money, more and more of the taxpayers' dollars, to flow into military channels. This demand is not unusual, for it has always existed when a strong military force is being built up. Many problems beset a nation which rapidly increases her military strength.

One of the greatest problems that our military buildup creates is the expense involved. We are now spending more than 64 cents out of each Federal tax dollar for defense. This is a far greater percent than that spent by any other country with the possible exception of Russia, and we have no accurate means for comparison with Russian spending. Unless care is taken in the future, we could weaken our country so that the United States would spend itself into ruin as Lenin prophesied years ago.

Another great problem that a powerful military force can create lies in a gradual regimentation of the economy and the living of the people in order to maintain this military machine. Withholding from the public through censorship the true actions of our Government is a natural development in militarism. It is an ever-present danger in any military build up. Regardless of peaceful intentions, a rapidly increasing military strength is viewed with suspicion by nations of the world. It is doubly incumbent upon the United States to keep ever before the world her true intentions of friendliness and nonintervention in their governmental affairs.

Why is there such a need and demand for increasing military strength? It is not to repel an invasion, for no nation or combination could invade the United States in the foreseeable future. There is, however, a fear, perhaps justified, that unless we are able militarily to combine with certain friendly allies abroad to repel communism, someday our country may stand alone against communism.

Our American military forces also must be able to meet the commitments that our Government makes. This could well cause great trouble. Many well-meaning groups in America have grandiose global plans that call for the use of our military forces and multibillion dollar commitments in many locations abroad. We must steer a course that is friendly to the world but that is primarily a plan for the protection and welfare of the United States. In our future global planning, we must realize that by the use of money and military might, we cannot right every wrong in the world. Although we are by far the wealthiest and most productive Nation on earth, we do not have enough resources, productive capacity, or manpower to right all of the wrongs of the world. Many decry the vast increase of military expenditures but forget that our military buildup is largely to meet the commitments that our Government is making abroad. If we would curtail our military expenditures, we must curtail our commitments abroad.

In closing, I want to point out that perhaps the greatest mistake our country could make would be to believe that our real strength lies in armed might. The real strength of America lies in the hearts and souls of a free, unregimented people who have built the greatest economy and the highest standard of living that the world has ever known. It is that spiritual strength of a free people that we must preserve above all else. With that in mind, it is our trust that this military strength will not cause us to be arrogant toward any country or people; instead it is our hope and plea that the great spiritual, economic, and

military strength of America will help us to be humble and considerate of the interests of all people. It is on strength devoted to these ends that real peace can be founded.

OUR SPACE PROGRAM IS LAGGING

The SPEAKER. Under the previous order of the House the gentleman from California [Mr. HOLIFIELD] is recognized for 15 minutes.

Mr. HOLIFIELD. Mr. Speaker, the President and high level spokesmen for the administration have repeatedly stressed to this session of the Congress the urgency for getting on promptly with a sound program for development of American space technology. The messages to the Congress, testimony before the committees of both Chambers, and statements to the American people all indicate a clear understanding of the top priority which our Nation must now give to this vital subject.

The Congress has met this urgency with a high sense of duty. We have acted promptly, responsibly and well. The President himself on August 7 described the record of this Congress as "good."

Despite the cooperation of the Congress and the obvious complete support of the American people, things are not going well. I feel obliged as a United States Representative to speak out in strong language of the inept manner with which this most serious subject is being handled by the administration.

When the Soviets launched their sputniks, we were all shocked to discover how far behind we were as a nation in space science. Only a few dedicated men who had consistently risked their careers had made possible any American space development at all. The budget experts in the administration had repeatedly used the genuine technical disagreements over the best means to achieve space propulsion to prevent adequate development work on either chemical or nuclear concepts. As a member of the Joint Committee on Atomic Energy, I was aware of these delays in the nuclear projects. Our committee had brought every possible pressure to bear to keep alive at least one nuclear space-propulsion project—Rover, the nuclear rocket.

We have been reassured repeately in the past several months that those days of delay are now past. No longer, we are told, will sound technical disagreements be allowed to form the spurious base for denying adequate funds to any vital space-development project. Well, it just is not so. The same practices, the same verbal tricks are being employed even as I address this Chamber.

Mr. Speaker, someone must speak out, even if the truth gives temporary hurt to us all. In the name of progress, scientific advance, and orderly administration, even those few projects which have been under way are being ground to a halt by the administration. Petty squabbles over authority and prestige are being allowed right now by the President and the Bureau of the Budget to destroy such small momentum as already exists.

There is still time, before this Congress adjourns, for us to demand of the administration, of the President himself: Who is responsible for future American achievement in space science and technology?

Is it the National Aeronautics and Space Agency? If so, when will it have a director and a council, as authorized by law?

Is it the new Assistant Secretary of Defense for Research and Engineering? If so, when will he be appointed and get on the job?

Is it the Special Assistant to the President, Dr. James Killian? If so, when will he set the goals, define the areas of responsibility for the various agencies and offices involved, and get on with it?

And if it is any one of these, what are the responsibilities and authority of the Director of the Advance Research Projects Agency in the Defense Department? the Atomic Energy Commission? the individual military services and their research organizations? to say nothing of various others who have at one time or another in the past several months had the finger pointed at them and the label of missile or space czar attached by the press?

Now, the answers to these questions may be simple and complete. But if they are, Mr. Speaker, the men in these various positions and in these organizations—and the whole American people—have a right to hear the answers clearly and promptly.

Let me give a typical anonymous example of the present horrible state of confusion. I make it anonymous to save the careers of those who have been courageous enough to make known this state of affairs.

A project has been moving forward at modest speed under the guidance of one agency, partially on its own budget and partially on funds made available on a cooperative basis from another agency. Suddenly, the cooperating agency is told by the Bureau of the Budget that a third office, one currently operating without a permanent head, is to take over as the cooperating party. The existing budget is being transferred to the control of the new office and will be released only on the approval of the nonexistent head of that office. But in the transfer of budgets, no account is taken of the other facilities and services which were being provided by the original cooperating agency. And so the first agency, the one actually doing the job, sets out to call attention to the mistake. Lo and behold, it finds there is no one to talk to. The original cooperating agency has lost jurisdiction. The new cooperating agency is headless. The publicly styled czar declares he has no authority; his authority is being transferred to a newly created czar whose office has not yet been put into operation and who actually has not yet been appointed.

And while this goes on, the Budget Bureau freeze goes on and sticks. Result: the project begins slowing down. It has only the funds of the first agency to work with and these relate to only part of the job, part of the facilities, part of the personnel.

There are competent men here in our Government to whom both the Congress and the public look for action and leadership in recovering the United States lead in space. Yet they are powerless in the constant shuffling of directives, budgets, and projects to accomplish anything coherent.

Of course not all of these men are beyond human ambition. When a bit of their authority is removed and transferred to another office or agency, they strive to give up as little of the relevant funds and organization as possible. So the inheritor gets the job but not the means to perform it. And the Bureau of the Budget replies to all requests for more funds that all that is needed has already been granted to the original agency or office and has been transferred.

This is not leadership or good administration, Mr. Speaker. This approaches black magic and intellectual fraud.

And while this goes on in Washington, the struggle for space supremacy finds the United States falling further behind.

While the Soviets sent up a dog in a space Cadillac, we tried and failed to put a mouse into orbit.

While the Soviets ready a massive scientific reconnaissance of the moon, we prepared to blast a gadget the size of a child's top to the moon.

While the 2,900-pound Sputnik III orbits around the earth, we hail our 38-pound Explorer IV and the President says the only trouble he is experiencing is with an even smaller ball—his golf ball.

While the Soviets practice launching million-pound-thrust ICBM's month after month, we cannot even figure out who is to be responsible for developing such a rocket and what funds and facilities are to be made available to do the job.

Mr. Speaker, if this Government is truly unable to fix responsibilities for such urgent matters as this, unable to define authority and leave it alone long enough to get the job done, unable to find able men to fill the vital positions in our space endeavors, then let us face it here on the floor and in our committees. If we are in fact faced with mismanagement or lack of steadfast administrative leadership, let us not delude ourselves. I would rather stay here in continuous session as long as need be than go back to my district while the direction of our national science and technology remains so indecisive.

I voted for the new National Aeronautics and Space Agency. I voted for the reorganization of the Defense Department. I voted for the increased authorizations and appropriations for our defense. I even led the battle to increase our atomic expenditures to a minimum safe level when the administration failed to do so. This is a record of cooperation and dedication to duty, not obstruction.

On the strength of my own record, on the strength of the record of this great Congress, I plead with the administration to act promptly and decisively in putting our space development program in sound hands, with clear delegation of authority and firm statements of responsibility. And above all else, I feel sure I speak for the will of the Congress when I earnestly request the administration to unfreeze the funds so desperately needed to get on with both space development for peace and our military projects involving space.

A TRIBUTE TO TEACHERS

The SPEAKER. Under the previous order of the House the gentleman from Indiana [Mr. WILSON] is recognized for 10 minutes.

Mr. WILSON of Indiana. Mr. Speaker, I cannot see this final session of the 85th Congress draw to its close without again calling attention—as I have in previous years—to the accomplishment and the dedication of the schoolteachers of America, and to urge our people to see that their ranks increase.

During this session of Congress I have heard much discussion about the need for more classrooms, more higher institutions of learning, various plans for scholarships, loans to potentially top-flight college students, tax exemptions for parents sending their youngsters to colleges and universities, and so forth.

These are all good ideas, of course, and it is to be hoped that our States and private institutions of learning seriously consider them and other related proposals.

It is my firm belief, Mr. Speaker, that expansion of classroom facilities in all levels of education will continue to progress—indeed, to accelerate—if we key this problem to one which is the most basic in the education of young America. The fundamental deficiency—and it seems to have been considerably neglected in the discussions I have heard in this Chamber and elsewhere—simply is this: We fail to make the teaching profession attractive to the most qualified young people.

Every year there are thousands of young men and women emerging from our colleges who, by emotional traits, personal inclination, and academic qualification, are natural teachers. Yet they hesitate, and many of them turn in other directions—because the teaching profession offers them so little. Business, industry, and the other professions offer so much more.

Yes, Mr. Speaker, there is the basic problem.

It is folly to talk of building more classrooms if we cannot staff them with larger numbers of adequate people.

For many years I have had close contact with teachers throughout my home State of Indiana. Most of my colleagues here know that I formerly was a teacher myself. I can honestly and very proudly say that the quality of teaching in Indiana has kept pace with the need and with the new complexities of our changing world.

I believe this is true of just about every other American State.

The amazing thing to me, however, is how this great Nation—the richest in the world—has continued to attract such high quality teachers despite the neglect we have shown to them. There is only one answer, obviously: A teacher is a dedicated person, just as is a man of the clergy. Both are the lowest paid professions—yet demanding the highest in ability and moral standards—in America today.

I do not share the belief, Mr. Speaker, that American high schools, colleges, and universities are turning out inferior products today. There is much talk to the effect that Russia is passing us up in this field—and perhaps it is a good thing that such talk is circulating in America, because it may serve as a needed warning.

Every day we see proof, in accomplishment, of the superiority of American brainpower in all fields.

We will continue that superiority—and on it depends the world's future—if we develop and encourage teachers.

I was pleased to note that Congressional conferees agreed, a few days ago, to increase the salary level of District of Columbia teachers by 14 percent. It was needed, and long overdue.

Similar upgrading of teachers' salaries is necessary throughout the country, and the District of Columbia action may provide the incentive. I have at hand some statistics furnished to me by the Ford Foundation but which I do not have time to quote now, showing that relatively few high school teachers are paid as much as $5,000 a year, and elementary school teachers average $4,000 or less.

With our steadily increasing national population, this becomes a problem of first importance. We are fortunate—very fortunate, indeed—that we have been able to maintain a high quality of education in the face of such national shortsightedness.

The most important asset in America today, Mr. Speaker, is our young folks. Let us not neglect them.

I contend that classrooms and many new institutions of higher learning will be provided—for such is the American way of doing things—if we place the teaching profession on the very high level it so shiningly deserves.

PROGRAM FOR TOMORROW

Mr. McCORMACK. Mr. Speaker, earlier in the day I was unable to give the gentleman from Illinois [Mr. ARENDS] information as to what might come up tomorrow.

S. 3683, the area redevelopment bill, will come up for consideration tomorrow. I am so informed—while not directly informed—I am informed from a reliable source that the bill will come up tomorrow, and I am advising the House to that effect.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Connecticut.

Mr. MORANO. Does that mean there has been a gentlemen's agreement reached between the Rules Committee and the Committee on Banking and Currency that certain amendments will be agreed to?

Mr. McCORMACK. The gentleman from Massachusetts is unable to give the gentleman from Connecticut authentic information in that respect.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. That means the bill comes up under a rule?

Mr. McCORMACK. Under a rule; yes.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. Some of us are concerned about this matter. There are other provisions in that bill that are very objectionable besides the one to which reference has already been made.

Mr. McCORMACK. I have no comment to make on that. The bill will come up under an open rule and will permit the offering of amendments.

Mr. MORANO. I read on the ticker that the chairman of the Rules Committee said he would call up this bill tomorrow provided there was a gentlemen's agreement that certain amendment would be agreed to.

Mr. McCORMACK. I have not seen the ticker. I am making the announcement based on the information I have that the bill come up tomorrow. I hope that situation will develop, but, of course, I cannot guarantee it.

THE SIMMERMON FARM PLAN

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. POLK] is recognized for 30 minutes.

Mr. POLK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include several statistical tables and a letter written by Mr. and Mrs. Emmett Simmermon to Members of the other body.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. POLK. Mr. Speaker, so many farm programs have been presented to the House in recent months that it is with some reluctance that I have asked for time this afernoon to submit another farm plan for your consideration.

This is the Simmermon farm plan proposed and advocated by Mr. Emmett Simmermon, of South Solon, Ohio.

Earlier this year Mr. and Mrs. Simmermon spent several weeks in Washington discussing their proposals with House and Senate Agriculture Committees and with many other persons in and out of Government.

The plan follows:

THE SIMMERMON FARM PLAN
(By Emmett Simmermon)

This is an overall farm plan for most of our agriculture commodities.

The farmer's prices would be set by our Government to give him an average income on a par with the nonfarmer.

There would be no controls on the farmer's production but any loss from a surplus would be prorated back to the farmer except a little help to the small farmer by the Government paying one-half of his surplus loss or a gross or net income exemption to a certain amount until he makes some natural adjustment in our modern economy.

Paying a surplus loss would be a new method for the farmer but it is an old and tried method for the manufacturer and business. If the manufacturer has a surplus he disposes of it and the loss is his own which he stands. If a business stocks merchandise which is not moving, he dis-

poses of it, perhaps with a special sale, standing the loss. A good businessman would not continually overstock this merchandise but would stock that which he was more certain of moving. This would work the same way with the farmers if their average income was set on a par with the nonfarmers. Like the businessman, the farmers naturally would produce less of the production upon which they paid a large surplus loss. These would be the commodities which our United States population needs with no controls on the farmer or dictation from anyone. This does not guarantee every farmer a good income but it gives him about an equal chance with business and the nonfarmer if he uses good business methods, but the farmer still contends with the weather.

The cost to our Government would be very small. Farm prices set on a par with the nonfarmer average income would be tied with the cost of living, labor, steel, etc., therefore they could exchange their products and labor at any price level.

Moving our surplus grains—the Government would sell for feed only their CCC grain for the best price they could get from the farmer who produces and feeds his grain, the normal amount he intends to produce that year. The farmers pay the surplus loss. In return the farmer would take from production the normal number of acres required for this production, not from one farm with excessive acres in another but from his total farms. This would remove the normal bushels he intends to produce plus the bushels from the CCC stock. This should remove our surplus grains in 2 years and keep them removed. The Government should pay part of the loss from our present CCC stock as this was acquired from past legislation. October 1, 1957, CCC stock of corn was 572 million bushels.

Example: Using $2 per bushel as parity income and $1.50 per bushel as the Government cost of the corn; 572 million bushels of corn sold to the farmers at 70 cents per bushel leaves 80 cents per bushel surplus loss. Because this CCC stock was acquired from past legislation only one-half of the loss will be prorated back to the farmers. Five hundred and seventy-two million bushels times 40 cents per bushel equals $228.8 million divided by 3.1 billion bushels (average bushels produced 1941–55) equals 0.078 cent per bushel surplus loss. Two dollars per bushel the farmer received—0.078 cent per bushel surplus loss leaves $1.922 net to the farmer from disposing of the CCC surplus in 1 year. The farmers' acres taken from production that year should normally reduce the production around 572 million bushels. This would be disposing of 1.144 million bushels of corn at a $228.8 million cost to the Government or 20 cents per bushel and should leave corn in short supply for that year.

The other feed grains and wheat would be disposed of in like manner. We would continue Public Law No. 480 and the other laws which bring good will, give help to our schools and the poor, perhaps adding some on the order of a food stamp law we formerly had. Using good business methods we can easily remove our surplus to the poor.

There was less than 1 percent difference in our agriculture production and consumption in 1955–56 and I believe from today's data our consumption will be greater than our production in 1957. What fraction of 1 percent is enough to assure the American housewife her choice of a food table in our supermarkets until her food is rationed.

Attending farm meetings last summer and fall the dairy farmers told us they would be glad to pay all the surplus loss if their price was only on a par with the nonfarmer. Milk at $6.51 per hundred would give the dairy farmer 14 cents per quart to pay for his capital investment and equipment, planting, cultivating, harvesting his crops, filling silos, fertilizers, seeds, tractors, grinding feeds, buying supplements plus his many other expenses and duties, feeding, milking, and delivering the milk f. o. b. to the processors' plant. With the average 1957 milk price of 24 cents this would leave the processors 10 cents for filling a quart container and handing it to the consumer. This requires less labor than milking the cows alone.

Thirty cents per hundred from the dairy farmer's check would more than pay the 1957 surplus loss of $378.5 million the taxpayer paid.

Example: If a farmer sold $10,000 of livestock and there was a surplus loss of 5 percent or $500 he would pay this loss like any other business. Livestock, poultry, eggs, etc., would be on the same order. It takes 7 pounds of feed to produce 1 pound of meat. A raise in the income of our low-paid United States population would consume our surplus.

CORN—EXAMPLE NO 1

Using $2 per bushel as parity income prorating one-half of the surplus loss up to 50 acres with a $250 limit on corn and a $2,000 total limit on all Government programs per farm or farmer. If we still produced the average crop 1941–55 of 3.1 billion bushels, after paying the surplus loss the small farmer would have $1.97¾ per bushel with the large farmer $1.95¼.

EXAMPLE NO. 2

Same as example No. 1 but the farmers producing 1 billion extra bushels with a loss of $1 per bushel. After paying the surplus loss the farmers would have $1,858 and $1,716. It would take about one-half of the crop acres of wheat, oats, barley, rye, and soybeans to produce this extra billion bushels of corn.

WHEAT—EXAMPLE NO. 1

Same as corn, only using $2.90 as parity income prorating one-half of the surplus loss up to 1,500 bushels with a $500 limit on wheat. With a 900 million bushel crop 300 million bushels exported with a $1.38 per bushel loss, after paying the loss the small farmer has $2.67 per bushel, the large farmer $2.44.

EXAMPLE NO. 2

Same as example No. 1 with 300 million bushels extra disposed of with a $2.14 per bushel loss. The small farmer would have $2.46 per bushel and the large farmer $2.02.

COTTON

We would pay the small cotton farmer a subsidy until he could get adjusted with our modern economy, because of the competition with synthetics.

Thus on 500 pound bales:

Those producing 1–11 bales would receive up to 8 cents per pound to a 37 cents per pound limit.

Those producing 12–24 bales would receive up to 6 cents per pound to a 35 cents per pound limit.

Those producing 25–34 bales would receive up to 4 cents per pound to a 33 cents per pound limit.

Those producing 35–49 bales would receive up to 2 cents per pound to a 31 cents per pound limit.

Those producing 50 or more bales would receive market price.

The other farm commodities would be on the same order.

March 1, 1958—parity income prices would be around: Wheat $2.86, corn $2.04, oats $1.02, rye $1.90, barley $1.62, soybeans $3.25, sorghum $1.77 per bushel, hogs $26.50, cattle $34.15, veal $34.60, lamb and mutton $31.45, milk $6.51 per hundred. These prices could vary with their location, their grade, their market place, the unemployed, the cost of living, labor, steel, etc.

CORN TABLE NO. 1.—*From agriculture census, 1954 tables and Agriculture Statistics, 1956*

Using $2 per bushel as parity income, prorating ½ of the corn surplus loss up to 50 acres and all above 50 acres back to the producer, and the Government paying ½ up to a $250 limit on corn and a $2,000 total limit on all Government farm programs per farm or farmer.
Example No. 1: 3,000,000,000 bushel crop; $2 parity income; 2¼ percent surplus disposed of with 2¼ cents per bushel loss.
Example No. 2: Same as example No. 1 with 4,000,000,000 bushel crop; the extra billion disposed of with a $1 bushel loss equals an average loss of 14.2 cents per bushel.

Acres	Farmers	Average acres	Average yield per acre, 38.1	Example No. 1: 2¼ cents per bushel loss		Example No. 2: 14.2 cents per bushel loss		Total bushels	Example No. 1: Cost to U. S. Government	Example No. 2: Cost to U. S. Government
				Cost	Net price	Cost	Net price			
Under 3	240,193	1½	57	$1.38	$1.97¾	$8.09	$1.858	13,691,001	$380,047	$1,944,123
3 to 4	276,021	3½	133	2.99	1.97¾	18.89	1.858	36,710,793	852,992	5,212,916
5 to 10	706,300	7½	298	6.83	1.97¾	37.35	1.858	189,312,520	4,545,619	28,687,910
11 to 15	323,477	13	495	11.14	1.97¾	70.29	1.858	109,121,115	3,699,725	22,737,198
16 to 19	132,250	17½	667	15.90	1.97¾	94.71	1.858	88,210,750	1,985,741	12,525,926
20 to 24	190,824	22	838	18.86	1.97¾	119.00	1.858	159,910,512	3,597,986	22,707,292
25 to 49	484,174	37	1,409	27.70	1.97¾	200.08	1.858	682,201,166	15,349,526	96,872,565
Total cost to U. S. Government	250,035	62	2,362	106.00	1.95½	670.00	1,716	590,582,670	30,286,636	180,687,929
50 to 74	116,895	87	3,315	149.00	1.95½	941.00	1,716	387,596,925		
75 to 99	93,060	124½	4,743	213.00	1.95½	1,347.00	1,716	441,383,580		
100 to 149	24,717	174½	6,648	299.00	1.95½	1,888.00	1,716	164,318,616		
150 to 199	12,640	249½	9,487	426.00	1.95½	2,691.00	1,716	119,915,680		
200 to 299	2,680	349½	13,316	599.00	1.95½	3,781.00	1,716	35,680,880		
300 to 399	918	449½	17,129	770.00	1.95½	4,864.00	1,716	15,724,422		
400 to 499	727	750	28,575	1,285.00	1.95½	8,115.00	1,716	20,774,025		
Total bushels from average acres used in chart								3,108,764,675		
Total bushels United States production 1954								3,087,801,000		
Table No. 1: Average total bushels 1941–55								3,100,906,000		

WHEAT TABLE NO. 2.—*Agriculture census, 1954 table*

Using a $2.90 per bushel as parity income, prorating ½ of the wheat surplus loss up to 1,500 bushels but prorating all above 1,500 bushels back to the producer and the Government paying ½ up to a $500 limit on wheat and a $2,000 total limit on all Government programs per farm or farmer.
Example No. 1: 900 million bushel crop, $2.90 parity income, 300 million disposed of with a $1.38 bushel loss equal to an average loss of 25 cents for the total crop.
Example No. 2: Same as with example No. 1, with 120 million bushel crop; the 300 million extra bushels disposed of at a $2.14 per bushel loss equals an average loss of 14 cents per bushel.

Production bushels	Farms	Median plus 6 percent average bushels per farm	Example No. 1: 25 cents per bushel loss to Government and farmer each		Example No. 2: 44 cents per bushel loss to Government and farmer each		Total bushels	Example No. 1 Total U. S. Government cost	Example No. 2 Total U. S. Government cost
			Cost	Net price	Cost	Net price			
0 to 24	17,880	15	$3.48	$2.67	$6.60	$2.46	268,273	$61,705	$111,041
25 to 49	35,316	43	9.89	2.67	18.92	2.46	1,527,188	351,253	671,992
50 to 99	79,120	88	20.24	2.67	38.77	2.46	6,962,560	1,601,388	3,063,725
100 to 499	423,332	350	80.54	2.67	154.00	2.46	148,166,200	34,071,226	65,193,128
500 to 999	173,273	875	201.23	2.67	385.00	2.46	151,615,875	34,871,191	66,701,963
1,000 to 1,499	68,353	1,440	335.80	2.67	642.40	2.36	100,119,540	23,027,485	44,052,380
Total cost to the U. S. Government								93,520,842	179,803,542
1,500 to 1,999	35,776	1,940	392.00	2.44	1,707.00	2.02	69,483,440		
2,000 to 2,999	30,236	2,920	1,243.00	2.44	2,407.00	2.02	198,276,320		
3,000 to 4,999	30,704	4,670	2,148.00	2.44	4,140.00	2.02	143,967,880		
5,000 to 9,999	18,458	8,750	4,025.00	2.44	7,740.00	2.02	161,507,500		
10,000 up	7,372	17,500	8,050.00	2.44	15,400.00	2.02	127,200,000		
Total bushels used in the examples							1,016,774,735		
Agriculture statistics 1956, p. 1 (wheat production, 1954)							983,040,000		
Table No. 1: Average total bushels, 1941–55							1,072,126,000		

COTTON TABLE NO. 3.—*Agriculture census, 1954, tables*

Paying subsidies on 500-pound bales to the cotton farmers—Farmers producing 0 to 11 bales receive up to 8 cents a pound to a 37 cents per pound limit. Those producing 12 to 24 bales receive up to 6 cents a pound to a 35 cents per pound limit, those producing 25 to 34 bales receive up to a 4 cents a pound to a 33 cents per pound limit and those producing 35 to 49 bales receive up to a 2 cents a pound to a 31 cents a pound limit with the Government paying up to a $750 limit on cotton and a $2,000 total limit on all Government programs per farm or farmer.

Bales	Farms	Average bales	Total average bales	Total pounds	Bales	Farms	Average bales	Total average bales	Total pounds
1 or less	143,191	1	143,191	71,595,500	12 to 14	43,910	13	571,230	285,610,000
2	112,474	2	224,948	112,474,000	15 to 19	42,718	17	726,206	363,103,000
3	93,810	3	279,930	139,965,000	20 to 24	25,584	22	562,848	281,424,000
4	77,521	4	302,084	151,042,000	Total pounds from 12 to 24 bales				930,137,000
5	62,521	5	312,605	156,302,500					
6	50,552	6	303,312	151,656,000					
7	40,062	7	280,434	140,217,000	25 to 34	28,429	2915	779,655	389,827,500
8	38,896	9	310,688	155,344,000	Total pounds from 25 to 34 bales				389,827,500
9	25,220	9	226,980	113,490,000					
10 to 11	47,595	10½	497,647	247,823,500	35 to 49	18,832	42	790,944	395,427,000
Total pounds from 1 to 11 bales				1,439,900,500	Total pounds from 35 to 49 bales				395,427,000

TOTAL COST TO U. S. GOVERNMENT

Bales	Production pounds	Subsidies	Cost to Government
1 to 11	1,439,900,500	×8¢ =	$115,192,700
12 to 24	930,137,000	×6¢ =	55,808,220
25 to 34	389,827,500	×4¢ =	11,593,100
35 to 49	395,427,000	×2¢ =	7,909,440
Maximum cost			190,503,520

MARKET PRICE PLUS SUBSIDIES

Price per pound	1 to 11 bales	12 to 24 bales	25 to 34 bales	35 to 49 bales
29 cents	+8¢=37¢	+6¢=35¢	+4¢=33¢	+2¢=31¢
30 cents	+7¢=37¢	+5¢=35¢	+3¢=33¢	+1¢=31¢
31 cents	+6¢=37¢	+4¢=35¢	+2¢=33¢	
32 cents	+5¢=37¢	+3¢=35¢	+1¢=33¢	

MARKET PRICE PLUS SUBSIDIES—continued

Price per pound	1 to 11 bales	12 to 24 bales	25 to 34 bales	35 to 49 bales
33 cents	+4¢=37¢	+2¢=35¢		
34 cents	+3¢=37¢	+1¢=35¢		
35 cents	+2¢=37¢			
36 cents	+1¢=37¢			
37 cents	Market			

PRICE PER POUND

29 cents cost to Government	$190,503,520
30 cents cost to Government	102,040,010
31 cents cost to Government	131,306,840
32 cents cost to Government	103,707,860
33 cents cost to Government	70,166,120
34 cents cost to Government	52,408,656
35 cents cost to Government	28,709,100
36 cents cost to Government	14,360,095

TABLE NO. 4.—*1941–55 bushels produced, combined totals (totals in thousands)*

Year	Wheat	Corn	Oats	Barley	Rye	Soybeans	Their production total	Total acres
1941–45	984,580	2,928,642	1,267,222	331,640	34,344	170,028	5,720,456	231,667
1946–50	1,184,749	3,004,663	1,353,850	280,614	21,846	290,107	6,105,829	235,675
1950	1,019,344	3,074,914	1,300,199	303,772	21,403	366,240	6,087,881	231,504
1951	988,161	2,923,758	1,277,647	297,313	24,517	283,777	5,724,073	232,875
1952	1,306,440	3,201,994	1,217,433	228,168	16,146	298,838	6,359,020	241,966
1953	1,173,071	3,209,896	1,153,205	246,723	18,804	269,160	6,070,958	230,547
1954	983,900	3,057,891	1,409,601	379,254	25,935	341,075	6,197,656	229,412
1955	936,761	3,241,536	1,499,282	400,295	29,675	371,106	6,478,658	228,972
Average	1,072,126	3,103,162	1,318,730	303,460	23,720	279,669	6,100,866	231,827

NOTE.—Table No. 4 shows the production in bushels of wheat, corn, oats, barley, rye, and soybeans, their combined totals, their total acres, and their average production and acres for the years 1941–55. It shows the bushels of corn about the same as the other 5 combined. Because of the fertility we could not double our corn production if all these acres were planted to corn. These 6 grain crops use ¾ of our crop acres. New fertilizers, hybrid seeds, chemicals, modern machinery, etc., have increased our total production very little. In 1955 we had the largest production on the smallest acreage with favorable weather and diverting the poor acres to sorghum.

TABLE NO. 5.—*Acres seeded, planted, and in cultivation (totals in thousands)*

Year	Wheat	Corn	Oats	Barley	Rye	Soybeans	Total	Added sorghum planted	Added July 1 cultivated cotton
1941–45, average	61,412	90,946	43,698	15,823	5,270	13,908	231,057	244,242	265,406
1946–50, average	76,086	85,811	44,117	12,130	3,551	13,380	235,075	253,022	274,925
1950	71,287	82,559	45,044	13,101	3,664	15,640	231,504	247,559	266,188
1951	78,524	83,275	41,015	10,700	3,616	15,655	232,875	247,003	276,098
1952	78,645	82,230	42,341	9,190	3,186	16,374	231,966	244,255	271,440
1953	78,591	81,574	43,220	9,615	3,456	16,719	233,515	248,105	273,349
1954	62,539	82,185	46,808	14,740	4,178	18,872	229,412	249,990	269,751
1955	58,199	81,402	47,379	16,348	5,176	20,008	228,602	252,566	270,072
Average	70,778	83,706	44,214	12,706	4,013	16,319	231,827	248,461	270,904

NOTE.—Table No. 5 shows the acreage, their totals, and the combined total acreage of the 6 grain crops also with sorghum and cotton added. 1955 has 3,000,000 less acres than average acres for our 6 grain crops but adding sorghum and cotton acres we have average acres. The gain in acres of 1 crop is at the loss of acres to others.

TABLE NO. 6.—*Wool in 1,000 pounds (p. 344, Agriculture Statistics, 1956)*

Year	United States total production	Imported for consumption	Imported carpet wool	Total wool imported	United States farmer price per pound
					Cents
1941–45 average	428,533	656,076	100,058	758,132	40.3
1946–50 average	285,280	466,244	258,679	720,925	49.0
1950	249,344	462,033	315,103	717,166	62.1
1951	223,591	430,514	126,149	556,763	97.1
1952	266,909	379,677	165,269	544,946	54.1
1953	274,458	260,804	188,046	448,850	54.9
1954	270,307	159,580	144,767	304,347	53.2
1955	274,970	169,054	185,958	355,012	44.0

NOTE.—Agriculture prices Jan. 15, 1958, by Crop Reporting Board, U. S. Department of Agriculture, Washington, D. C., p. 5, shows the following percentage of January 1958 parity prices: cotton, 72; corn, 54; wheat, 86; wool, 65.

The United States farmers' wool production is very short in comparison to the United States needs yet the parity percentage is still around the level of cotton, corn, and wheat of which we have a large surplus. Does supply and demand control the price? 3 pounds of wool in a wool suit, does farmer's price of wool affect the retail price?

TABLE NO. 7.—*Number of farms, small and large, in corn, wheat, and cotton*

	Acres						
	Under 50	50 to 99	100 to 199	200 to 299	300 to 499	500 to 999	1,000 and over
Wheat	750,559	77,377	52,104	21,832	15,923	6,111	1,526
Cotton	567,478	42,807	21,803	5,843	3,057	1,130	273
Corn	2,353,329	396,930	117,777	12,040	3,598	1727	

1 500 acres and up.

NOTE.—If you moved only the corn farms under 50 acres, this alone would move almost ½ of our farm population to where?

TABLE NO. 8.—*Farm cost and returns, 1956, with comparisons: Family and commercial farms*

	Gross farm income (dollars)			Net farm income of dollar gross income						
					Average, 1947					
Average	1947–49	1953	1954	1955	1956	1949	1953	1954	1955	1956
Delta small	3,290	4,273	3,399	4,070	3,682	0.59	0.49	0.47	0.50	0.45
Delta large scale	66,686	77,176	56,687	60,126	61,740	.31	.32	.30	.37	.34

Source: From U. S. Department of Agriculture Bulletin No. 176, June 1957, Agriculture Research Service, p. 31.

This chart shows the small farmer far more efficient than the large commercial farmer. The small farmer has a net income from his gross dollar of 45 cents to 59 cents compared to the large farmer of 30 cents to 37 cents. Would the urban people ever buy food cheaper from the large-scale farmer?

Which will make the better rural America? To have one farmer or corporation whose main incentive is to hire his help as cheaply as possible with machines to get more dollars to buy more land, generally with very little interest in civic activities, or to have several young couples who love the soil get started in life on this same ground raising their families, having a personal interest in church, schools, and civic affairs? Besides charts show smaller farms can produce food cheaper than the large corporations.

TABLE NO. 9.—*Income levels in 1955 (money income of persons, p. 316, statistical abstract 1957)*

	Professional, technical, and kindred workers		Managers, officials, and proprietors, excluding farm		Farmers and farm managers
	Self-employed	Salaried	Self-employed	Salaried	
Median income	$8,338	$5,269	$4,532	$5,712	$1,283
Median income for year-round full-time workers from farming					1,317

The self-employed and salaried have a set price. The farmers ask: "What will you give me?" In this modern world of high economics and high intelligence, will we close our eyes to the farmers who are the most efficient group of our economy in giving our United States population a choice of a food table comparable to no other nation and ignore them when they only ask to be given an average price set on a par with the average nonfarmer instead of "What'll you give me?"

March 1, 1958, the nonfarmers' average income was $2.70 per hour and the factory workers' average income was $2.10 per hour compared to the farmers' income of 69 cents per hour who asked "What'll you give me?" and who has an investment almost as large as all other business combined. It has been stated by some of our Government officials that "farmers never had it so good" as in 1957. The farmers' average cash income from farming in 1957 was $1,472, while during the 5 years 1943–47 the average cash income was $2,097–$2,307.

Farmers' average income set on a par with the nonfarmers would give them a chance to plan their economy like the manufacturers, business, the salaried, and urban workers. This would help offset today's depression, help control those in the future, and save many present family farms. The young farmers whom we need for a continued adequate and reasonable food and fiber supply could now start farming with a reasonable chance of success instead of being sold out as in the past few years.

We suggest: No governmental controls on the farmers' production because their chance of success is very small until we learn how to control mother and human nature. A manufacturer can take a certain amount of materials with labor and machines and turn out a certain amount of durable and nondurable products. The farmer can plant, or seed a crop and with Mother Nature his production can be from zero to a surplus not needed. From a sow he may market zero to over a ton of hogs. Human nature can connive to make almost any controllable farm program a grievance. Prorating the surplus loss back to the producer is a definite method that the manufacturer and business have used for years.

The United States Treasury would have no loss from setting the farmers' prices on a par with the nonfarmers' average income because of the increase in revenue from the farmers, urban labor, and business.

With the farmers' income set on a par with the other groups of our economy, we would have a more stable economy, new high levels of more employment, purchasing power, more and better homes, more jobs, more durable and nondurable products, better schools and roads, more leisure, more freedom and recreation. An abundance of agriculture products is necessary for the continued prosperity of our Nation.

SOUTH SOLON, OHIO, *July 26, 1958.*

DEAR SENATOR: We spent 9 weeks in Washington, D. C., this year presenting and explaining this farm plan to the Senate and House committees, their counselors, many Congressmen, many Department of Agriculture officials, and economists, getting data, making charts to answer their questions and proving the plan sound. We were able to answer their logical questions, show how we could dispose of our surplus grains in 2 years with very little cost to the United States Government, increase the farmers' income wth no controls on the farmers' production, only to be told there was no use to have it made into a bill as it would be vetoed because of Secretary of Agriculture Mr. Ezra Benson's farm policy. We tried very hard but were unsuccessful in getting Mr. Benson to tell us why. What is our farm policy in action? After hearing Mr. Benson testify in March 1954, Mr. True Morse told us their policy was that if you had a surplus, and that if you would drop the price, low enough, the surplus would move. After using this policy several years (only on the farmer) we find on March 1, 1958, the farmers' average income to be 69 cents per hour compared to the average income of the nonfarmers with a different policy of $2.70 per hour. Surely you do not want a Senate farm bill that will only drop the farmers' average meager income of 69 cents to a lower level when you have legislated bills raising the income of practically all other groups of our economy.

Most present farm legislation as a whole gives the grain, meat, milk, food, and fiber processor as much or more benefits than the farmers.

Example of today's milk law: We have never had a dairy on our farm, but in the House Agriculture Committee in February 1958, we heard that formerly on the average the farmer was getting 10 cents a quart and the consumer was paying 16 cents per quart, while today the farmer is getting 7 cents per quart and the consumer is paying 24 cents per quart. The farmer, the consumer, nor the United States Government have no protection in today's milk legislation. The milk processor can give the farmer as low a price as he wishes and charge the consumer as high a price as he wishes and for any surplus he does not sell at a high price the United States Treasury gives him a check. How can the processor lose? The 7 cents per quart the dairy farmer receives is gross income out of which he must pay for his capital investment, dairy herd, buildings, repairs, taxes, insurance, farm machinery, oil and gasoline, seeds, fertilizers, planting, cultivating, and harvesting the crops, filling silos, grinding feed, buying supplements, plus his many other duties and expenses, feeding, milking the cows, and delivering the milk, f. o. b. the processor's plant. Compare the farmers' meager 7 cents per quart for the above expenses plus his labor with no protection in today's milk law with that of the milk processors who have almost 100 percent protection and receive 17 cents for filling a quart container and handing it to the consumer, which requires less labor than milking the cows alone. On April 1, 1958, Mr. Benson took one-half cent per quart from the farmers' meager 7 cents and gave it to the processor (a legalized theft) because the consumer received no benefits. Mr. Benson in a letter admitted to us this was a legalized theft, but said it is the law. On the same order as the milk law, the meat, grain, and fiber processors have received similar large benefits while the farmers' prices were going down and we know Mr. Benson is working very hard for the power to drop farmers' prices more.

What has the American farmer, the most efficient group of our economy done to receive such unjust discrimination, other than giving the American population their choice of a food table comparable to no other nation for less hours of labor?

The enclosed brief description, examples and charts contain the main ideas we gave to the Agriculture Committees, their counselors, the Department of Agriculture, and others. Senate legislation containing these ideas would give the farmers about an equal chance with the other groups of our economy, with no cost to the United States Government if you consider the direct and indirect revenue it puts in the United States Treasury. It is far better in the end to work for farm legislation that will really help the farmer, even though it is vetoed, than to work for political legislation which mostly gives very little help to the farmer or our economy. Both need this help today.

Wishing you good health and God's guidance in your decisions, we are,

Very truly yours,

Mr. and Mrs. EMMETT SIMMERMON.

A BUSINESSMAN'S INTEREST IN POLITICS

Mr. HARVEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the Muncie (Ind.) Press of August 11, 1958:

THE EDITOR'S CORNER

(EDITOR'S NOTE.—While we are on vacation leaders of the Muncie community are pinch-hitting for us. Today's guest columnist is John W. Fisher, Ball Bros. Co. vice president and one of the men largely responsible for the industrial expansion program of the Muncie Chamber of Commerce.)

(By John W. Fisher)

While the editor is on vacation, perhaps you might be interested in a businessman's interest in politics.

I am a part of a management team responsible for meeting a payroll for approximately 5,000 employees. Our success and our ability to deliver regular payrolls depend on our remaining competitive with other industrial firms operating under various local, State, and regional government regulations. Politicians to a very large extent set these competitive conditions. Local civil taxes, school taxes, State levies, excise taxes, transportation regulations, industrial health regulations, and many other administrative edicts may sometimes dictate whether or not we expand or discontinue one of our enterprises.

Many business decisions are made in legislative halls or by governmental bureaus. Believe it or not, unemployment compensation regulations may dictate seasonal operations. Actually, we have been forced to deprive the Muncie area of employment opportunities at times because it was not economically feasible to operate for a matter of 1 or 2 months and then have to pay stiff unemployment benefits. This was formerly the kind of occasional employment that many women and employable school children particularly enjoyed, for it gave them that extra money with which to buy a coat, Christmas present, payments on a home, etc.

Many of you are familiar with the history of much of the legislation guaranteeing certain rights and fringe benefits which, by law, have become part of the fixed costs of doing business. Unless we're fully familiar with and interested in such legislation through our political representatives, then we do not have an opportunity to voice our opinions and have our employer interest represented at the time the laws are formulated.

Competent men are reluctant to run for political office unless they have the support of their friends and associates. However, when a good man accepts an office, you will find that he is quite lonely. Many of his friends abandon him, or else only those with selfish interests seem to try to aline themselves with him.

Politics begin at the precinct level. I am sure many businessmen and others in this community never take interest in this political fact. Unless you have enthusiastic and responsible precinct committeemen, you will not have an effective county chairman or cooperation with your State and national officials. Someone has to take the responsibility of telling the story where it counts, for without successful business enterprises there are few wages or opportunities of any kind.

Finally, I am interested in politics because I have been bountifully blessed. This country of ours, this State and community in which we live, have been good to me and my family. I feel a deep sense of responsibility to continue to pass on to generations that will follow the fine spirit and generous opportunities that have been made available to me and others of this generation. If we have the desire to have good, clean government, we must take an interest in politics at the local level and give support to those who assume State and national positions in politics.

GROVER PAGE—A MAN IN WHOM THERE WAS NO GUILE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, it was William Wordsworth who said "That best portion of a good man's life—his little, nameless, unremembered acts of kindness and love." These words of a great English poet well express one facet in the life of the late Grover Page.

Mr. Page's 40-year association with the Courier-Journal, of Louisville, Ky., was terminated by his death on August 5, 1958. Though his name will cease to appear along with the names of Adele Brandeis, Molly Clowes, Tarleton Collier, Weldon James, and John Ed Pearce, members of the editorial staff page, his memory will be cherished by those capable of appreciating his art, and by many upon whom he bestowed his friendship.

Beginning under the leadership of Henry Watterson, and extending through the present leadership of Barry Bingham, Mark Ethridge and Russell Briney, editor-in-chief, publisher and editor, respectively, the Louisville Courier-Journal has made its impact on public and craft alike throughout the entire country. This fact is evidenced by its having been named on every list in a survey as among 10 great United States papers. It is quite fitting, therefore, that Grover Page should have given of his time and talents to the furtherance of such a publication which places public service above private gain.

It was on November 8, 1908, 40 years after the establishment of the Courier-Journal, that Henry Watterson wrote:

> Forty years of shine and shower have passed over the good gray head of the old lady at the corner.

Thus the Courier-Journal became known as the old lady at the corner, and thus the words of the great journalist quoted above remind me of the 40 years of shine that passed over the head of Grover Page during his association with this newspaper. For his career as an artist did not go unnoticed, but was recognized far and wide. He was devoted to his work, and praise and appreciation of its worth never failed to gratify him. Mr. Page's cartoons were descriptive of situations affecting our State and Nation. They told the full story graphically and realistically, while, at the same time, they portrayed his kindliness and love of his fellow man. The facts, as he presented them, spoke through his cartoons with unusual effect and were not marred by disrespect for the truth. Though possessing great artistic ability, Mr. Page was a man without guile who gained his greatest pleasure from unselfish acts of friendship. He loved children and never tired of explaining to them, in a way they could understand, the techniques of a cartoonist's trade. His pride in the newspaper for which he worked and his devotion to his colleagues could never be questioned. Surely it was in giving that this great American received. By his words and actions he has written a finer citation than any that could be written for him.

SOCIAL SECURITY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DINGELL. Mr. Speaker, as usual, the Eisenhower administration has sent its spokesmen to Capitol Hill to oppose liberalization of social-security benefits for the 11 million present beneficiaries, and for 75 million future recipients of benefits.

Before the 1954 amendments to the Social Security Act, liberalizing benefits, and offering such prodigious advances as permanent disability benefits, waiver of premium, and retirement for women at 62, Mr. Eisenhower said that improvement in benefit levels for the program was neither needed nor desirable at that time. To aggravate such a vigorous stand against the public interest, he sent his Secretary of Health, Education, and Welfare before committees of the Congress to oppose in the strongest terms, any extension or liberalization of the program.

In the following election campaign the President shamelessly took credit for the very amendments to the Social Security Act which he had so forcefully opposed.

History now repeats itself. The House has passed another bill liberalizing benefits to present retirees by about 7 percent, raising the figure subject to tax from $350 per month to $400 per month, and raising by a substantial figure the benefits to be paid to future retirees.

Again the Secretary of Health, Education, and Welfare made the trip from his office to the Ways and Means Committee Room. His object was precisely the same as in 1954; his testimony could have been written for the 1954 bill.

Last week the brand new Secretary of Health, Education, and Welfare, Arthur S. Flemming, in his maiden appearance before the Senate Finance Committee, carried on the uniform tradition of the Eisenhower administration's opposition to increase in the benefit levels of social security.

It might be assumed that the opposition of Dr. Flemming was due to lack of understanding of the program, or to lack of familiarity with his job. This is not so. He has a large and experienced staff to advise him. He is an educator of note, and a bureaucrat of considerable experience and reputation. He is spokesman for the administration, carrying on its established program of opposition to the liberalization of one of the greatest humanitarian programs in history.

Perhaps Dr. Flemming has failed to meet retirees and pensioners trying to maintain body and soul on $30 or $40 a month. Perhaps he has not acquainted himself with the problem of providing bare necessities of life, food, and shelter on the meager benefits paid under the OASI program and under the public-assistance sections of the law. If he were aware of the struggle merely to live on such scant commons he would speak differently. Certainly, he would speak in other words if he were aware of how hard it is to maintain that precious human dignity which is often all that remains to our older citizens in their last years at or below subsistence level income.

The fact is that he comes to Congress as a lackey for one of the most disinterested Presidents in American history. He speaks for a President whose record on social legislation is delay, reduce, or oppose improvement in, if not to actually reduce, social programs. This is the heritage as an administration headed by a retired general who has had the advantages of cradle to the grave security, not just for himself, but for his family. Medical care for himself and his family as long as he lives, a pension in excess of four figures, just increased, aides, Government transportation, and fringe benefits for life are his lot. This is the sensitivity of an Eisenhower to the sorrow and need of our senior citizens who eke out a pitiful existence in slum dwellings on meager diets insufficient to maintain health. This is his concern for oldsters who cannot afford medical care even for the serious needs of age, much less for preventative medicine to prolong life and comfort.

Dr. Flemming admitted the justification for a 7 percent increase in OASI benefits and the liberalization of benefits for persons covered and to be covered by that section of the law. He even favored that section.

Dr. Flemming opposes liberalization of benefits under the public assistance sections of the law. He opposes, on behalf of this callous and heartless administration, additional benefits for maternal and child welfare programs; aid to dependent children, the blind, the permanently and totally disabled; and the aged covered by the public assistance sections of the law.

The liberalization of benefits opposed by him is a mere $6 per month on the average case covered. The cost, $288 million per year is the real objection. To front this objection the administration spokesman drags forth the weary claim that it is the desire of the administration to return programs of this sort to the States. He then proceeded to tell the Senate Finance Committee and the American people that the administration approved the changes proposed in the legislation to make Federal grants to the States on the basis of need. Dr. Flemming approved the portion of the bill which would combine into one figure the separate maximums on money payments and medical care, to permit larger payments to the States. Unsaid and unrecognized by Dr. Flemming was that this same proposal will increase control of their programs by the respective States, in accordance with the administration's own recommendations.

The last acts of this quasi-tragedy appeared in the newspapers this week. Both Dr. Flemming and a Member of the other body—the Senate—threatened Presidential veto for this bill, over this same $6 increase to our recipients of public assistance.

The hint of veto was made by Dr. Flemming in almost the same breath that he admitted an 8 percent increase in the cost of living since the last liberalization of benefits, and admitted it constituted justification for liberalization of the old-age and survivors insurance program.

The American people must be aware of these facts in the same way and in the same degree that they approve and desire liberalization of these two programs.

If these programs are vetoed by the President it will be because the lobbies and special interest groups have made their voice heard and their will manifest to an administration and President uninterested in the needs of the 86 millions covered by the program. It will mean also that human needs will be outweighed in the minds of the administration by mere bookkeeping and by the special interests who oppose all humanitarian programs.

NEWSMEN TO COMMUNIST CHINA

Mr. PORTER. Mr. Speaker, the representatives of 26 American news organizations have in their possession properly validated passports for Communist China. All they lack is Chinese Communist visas.

On August 13, 1958, the State Department wrote me, "Apparently the Peiping regime to date has not felt that it was to its political or propaganda advantage to grant such permission."

What the Red Chinese want is reciprocity. They want visas for their correspondents to permit their correspondents to visit the United States. Last August the State Department announced that no reciprocal visas would be granted to Chinese correspondents.

In other words, we want them to allow our newsmen to travel in their country but we won't agree to allow their newsmen to come here. What a sorry situation. Do we have something to hide?

The Secretary of State in his news conference of August 27, 1957, referred to our law governing admission of Communists and said no agreement for the entrance of Chinese journalists could be made. The Attorney General would have to make certain findings. However, he indicated the State Department would consider applications by Chinese journalists but that none had ever been made.

In the letter quoted above the State Department informs me that such an application would "be considered individually on its own merits." This seems to contradict the report last August that no visas would be issued to Chinese Communist newsmen. The letter says:

> The question of whether or not a visa would be granted in such a case is a hypothetical one as no Chinese Communist newsman has applied for one.

We do not recognize this nation of more than half a billion people. Our communications with Red China are poor. I hope, however, that somehow the message will get to the Peiping government to encourage its newsmen to apply at once for visas to enter the United States. They may, in my opinion, be granted and this would mean that our 26 newsmen could enter Red China.

The McCarran-Walter Immigration and Naturalization Act of 1952 provides that the Secretary of State may recommend and the Attorney General may determine that a Communist otherwise excludable by law may enter the United States. If the Secretary of State intended those 26 passports to mean anything, he is obligated to recommend favorably the granting of visas to bona fide Red Chinese newspapermen who make application.

Of course none should be admitted if there is any reason to believe that he is coming to engage in subversive activities or espionage. And the law so provides.

This is only one aspect of a Chinese policy which makes little sense even as a puzzle. But if we can solve this and have at hand reports from responsible newsmen, we do have a beginning and a basis for hope that we may make drastic changes in our policies.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CHAMBERLAIN (at the request of Mr. ARENDS) for Friday, August 15, on account of official business in Michigan's Sixth Congressional District.

To Mr. DOYLE for the remainder of the session on account of official duties for Congressional committee away from Washington, D.C.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD, for 15 minutes, today.

Mr. WILSON of Indiana, for 10 minutes, today.

Mr. BROWN of Ohio, for 1 hour, on Monday next following Mr. MADDEN.

Mr. MADDEN, for 30 minutes, on Monday next.

Mr. REES of Kansas, for 10 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ENGLE (at the request of Mr. SISK) in two instances and to include extraneous matter.

Mr. CORBETT.

Mr. MILLER of Nebraska in three instances.

Mr. BERRY and to include extraneous matter.

Mr. SANTANGELO (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. VURSELL and to include extraneous matter.

Mr. DENNISON.

Mr. SADLAK and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1244. An act to provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes;

H. R. 3140. An act for the relief of Erika Gorenstein Nathanson;

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended;

H. R. 7330. An act for the relief of Demetrius Daskalakis;

H. R. 7466. An act to provide for the establishment of a facility of the Vicksburg National Military Park;

H. R. 7725. An act for the relief of Shizuko Sese Sheveland;

H. R. 8308. An act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes;

H. R. 8478. An act amending the Hawaiian Homes Commission Act to permit the establishment of a post office on Hawaiian homelands, and for other purposes;

H. R. 11123. An act providing for the extension of certain authorized functions of the Secretary of the Interior to areas other than the United States, its Territories, and possessions;

H. R. 13021. An act to amend section 41 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide a system of safety rules, regulations, and safety inspection and training, and for other purposes;

H. J. Res. 620. Joint resolution for the relief of certain aliens; and

H. J. Res. 636. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 375. An act to amend the Interstate Commerce Act to provide for the validity and perfection of certain security interests in motor vehicles;

S. 377. An act to amend the Interstate Commerce Act and the Transportation Act of 1940, with respect to periods of limitation applicable to actions or claims, including those by or against the United States, for recovery of charges for the transportation of persons or property, and for other purposes;

S. 532. An act to revise and modernize the fish and game laws of the District of Columbia, and for other purposes;

S. 1798. An act to amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from places within said inland waters and places within the inland waters of the State of Washington;

S. 3259. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), as the same are amended, to provide for an

increase in the authorization for funds to be granted for the construction of hospital facilities in the District of Columbia.

S. 3468. An act to provide for the construction and improvement of certain roads on the Navajo and Hopi Indian Reservations;

S. 3827. An act to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended;

S. 3880. An act to continue the Civil Aeronautics Board as an agency of the United States, to create a Federal Aviation Agency, to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and to provide for the safe and efficient use of the airspace by both civil and military aircraft, and for other purposes;

S. 4009. An act to amend the act authorizing the Washoe reclamation project, Nevada and California, in order to increase the amount authorized to be appropriated for such project;

S. 4059. An act to amend Reorganization Plan No. 1 of 1958 in order to change the name of the office established under such plan; and

S. 4153. An act to authorize the delivery of sewage from Virginia into the sewerage system of the District of Columbia and the treatment of such sewage, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 13, 1958, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 781. An act to amend title 10, United States Code, to make retired pay for nonregular service available to certain persons who performed active duty during the Korean conflict;

H. R. 1293. An act for the relief of Giuseppe Stefano;

H. R. 1691. An act for the relief of Margherita Conca;

H. R. 2319. An act for the relief of Mrs. Louise Nanton;

H. R. 2747. An act for the relief of John H. Parker;

H. R. 2759. An act for the relief of Josephine Shelby;

H. R. 3778. An act to amend the act of May 29, 1930, with respect to the stream valley parks in Maryland;

H. R. 4142. An act to amend the act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill., in order to make certain changes in the authority of such commission, and for other purposes;

H. R. 5104. An act to preserve Gloria Dei (Old Swedes') Church national historic site by authorizing the acquisition of abutting properties, and for other purposes;

H. R. 6353. An act for the relief of Mrs. Margarete Briest, nee Eggers;

H. R. 6357. An act for the relief of Albert Guido;

H. R. 6667. An act for the relief of Maria Fierro Calogero;

H. R. 7124. An act for the relief of Lester R. Loomis;

H. R. 7149. An act to provide for the periodic transfer to the Hawaiian home-development fund of certain excess funds in the Hawaiian home administration account;

H. R. 7282. An act for the relief of Iwan Okopny;

H. R. 7306. An act to amend title 28 of the United States Code to provide that notice of an action with respect to real property pending before a United States district court must be recorded in certain instances in order to provide constructive notice of such action;

H. R. 7403. An act to authorize the Secretary of the Interior to acquire certain land for the Deshler-Morris House, Independence National Historical Park;

H. R. 7793. An act for the relief of Bernardine M. A. de la Motte;

H. R. 7826. An act for the relief of Israel Baird Poskanzer;

H. R. 8476. An act to amend the Hawaiian Homes Commission Act, 1920, to extend the period of tax exemption of original lessees from 5 to 7 years;

H. R. 8482. An act to authorize the Commissioner of Public Lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for public highway purposes;

H. R. 8673. An act to amend section 69 of the Hawaiian Organic Act;

H. R. 9232. An act to amend Public Law 481, 84th Congress (70 Stat. 104);

H. R. 9304. An act to amend section 12 of the act approved September 1, 1916, as amended;

H. R. 9410. An act to authorize and direct the transfer and conveyance of certain property in the Virgin Islands to the Government of the Virgin Islands;

H. R. 9461. An act to amend the joint resolution of the Legislature of the Territory of Hawaii, as amended by the act of August 23, 1954, to permit the granting of patents in fee simple to certain occupiers of public lands;

H. R. 9501. An act to approve joint resolution 28 enacted by the Legislature of the Territory of Hawaii in the regular session of 1957, relating to the conditions and terms of right of purchase leases;

H. R. 9502. An act to amend section 73 (1) of the Hawaiian Organic Act, as amended;

H. R. 10139. An act for the relief of Wallace Y. Daniels;

H. R. 12060. An act for the relief of Michael J. Conlin;

H. R. 12224. An act to amend the Agricultural Adjustment Act of 1938, as amended;

H. R. 12840. An act to amend the Agricultural Adjustment Act of 1938, with respect to acreage allotments for peanuts;

H. R. 13218. An act to enact a certain provision now included in the District of Columbia Appropriation Act, 1958;

H. R. 13371. An act to authorize the Secretary of Commerce to make certain payments out of the Vessel Operations Revolving Fund;

H. R. 13378. An act to facilitate the naturalization of adopted children and spouses of certain United States citizens performing religious duties abroad;

H. R. 13451. An act to amend section 245 of the Immigration and Nationality Act, and for other purposes; and

H. J. Res. 628. Resolution to facilitate the admission into the United States of certain aliens.

TECHNICAL AMENDMENTS ACT OF 1958

Mr. MILLS submitted a conference report and statement on the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 20 minutes p. m.) the House adjourned until tomorrow, Friday, August 15, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2232. A letter from the Administrative Assistant Secretary of the Interior, transmitting a report in connection with the restoration of balances withdrawn from the appropriation and fund accounts under the act of July 25, 1956 (31 U. S. C. 701-708), pursuant to Bureau of the Budget Circular No. A-23, dated June 21, 1957; to the Committee on Government Operations.

2233. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to authorize the Attorney General to compel the production of documentary material required in civil investigations for the enforcement of the antitrust laws, and for other purposes"; to the Committee on the Judiciary.

2234. A letter from the executive director, United States Olympic Association, Inc., transmitting a report covering the financial operations of the United States Olympic Committee as well as those of the United States Olympic Association for the period ended December 31, 1957, pursuant to an act of Congress known as Public Law 305; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of Alabama: Committee on Public Works. S. 3572. An act to authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md., and for other purposes; without amendment (Rept. No. 2597). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. H. R. 11456. A bill to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes; with amendment (Rept. No. 2598). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENTLEY: Committee on Foreign Affairs. H. R. 13715. A bill to make certain increases in the annuities of annuitants under the Foreign Service retirement and disability system; with amendment (Rept. No. 2599). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia; with amendment (Rept. No. 2623). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee of Conference. H. R. 6239. A bill to amend section 1461 of title 18 of the United States Code, relating to the mailing of obscene or crime-inciting matter (Rept. No. 2624). Ordered to be printed.

Mr. JONES of Alabama: Committee on Public Works. S. 3653. An act to provide for the acquisition of sites and the construction of buildings for a training school and other facilities for the Immigration and Naturalization Service, and for other purposes; without amendment (Rept. No. 2626). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. S. 3712. An act to authorize appropriations for continuing the construction of the Rama Road in Nicaragua; without amendment (Rept. No. 2627). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 2719. An act to provide for the payment of bounties on dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast; with amendment (Rept. No. 2628). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 3295. An act to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act; without amendment (Rept. No. 2629). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 11584. A bill to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose; without amendment (Rept. No. 2630). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 13475. A bill to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana; without amendment (Rept. No. 2631). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee of Conference. H. R. 8381. A bill to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes. (Rept. No. 2632). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 2057. An act for the relief of Diana Elaine Greig; without amendment (Rept. No. 2600). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2955. An act for the relief of Kazuko Young; without amendment (Rept. No. 2601). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3004. An act for the relief of Joanna Strutynska; without amendment (Rept. No. 2602). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3219. An act for the relief of Mrs. Margaret Graham Bonnalie; without amendment (Rept. No. 2603). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3221. An act for the relief of Erika Margaretha Zinti Pearce; without amendment (Rept. No. 2604). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert; with amendment (Rept. No. 2605). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3300. An act for the relief of Jean Andre Paris; without amendment (Rept. No. 2606). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3308. An act for the relief of Itzhak Aronovici; without amendment (Rept. No. 2607). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3357. An act for the relief of Arturo Ernesto Audrain y Campos; without amendment (Rept. No. 2608). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3445. An act for the relief of Teruko K. Jackson; without amendment (Rept. No. 2609). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3569. An act for the relief of Wong Wing Boa; without amendment (Rept. No. 2610). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3547. An act for the relief of Andrejs Pablo Mierkalns; without amendment (Rept. No. 2611). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3607. An act for the relief of Harvey L. Forden; without amendment (Rept. No. 2612). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3640. An act for the relief of Daniel (Nathaniel) Rosenzweig; without amendment (Rept. No. 2613). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3739. An act for the relief of Hermine Elmon Papazian; without amendment (Rept. No. 2614). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3743. An act for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano); without amendment (Rept. No. 2615). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3768. An act for the relief of Hing Man Chau; without amendment (Rept. No. 2616). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3801. An act for the relief of Klara Leitner and her daughter, Sylvia Leitner; without amendment (Rept. No. 2617). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3818. An act for the relief of Vicenta Garcia y Puente; with amendment (Rept. No. 2618). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3826. An act for the relief of Concettina Iannacchino; without amendment (Rept. No. 2619). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3921. An act for the relief of Peter Tillner; without amendment (Rept. No. 2620). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 4020. An act for the relief of Kunio Inouye (Sparkman); without amendment (Rept. No. 2621). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 4081. An act for the relief of Marianne (Sachiko) Fuller; without amendment (Rept. No. 2622). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 12106. A bill for the relief of Samuel Abraham, John A. Carroll, Forrest E. Robinson, Thomas J. Sawyers, Jack Silmon, and David N. Wilson; with amendment (Rept. No. 2625). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H. R. 13764. A bill to amend section 661 of title 18 of the United States Code to provide that the punishment for larceny of livestock shall be the same as the punishment for larceny of property of a value exceeding $100; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 13765. A bill to protect the public health and promote the public interest and to establish standards of identity, sanitation standards, and sanitation practices for the production, processing, transportation, sale, and offering for sale of fluid milk and fluid milk products shipped in interstate commerce or which affects interstate commerce for consumption as fluid milk and fluid milk products in any State, county, or municipality of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Nebraska:

H. R. 13766. A bill to amend section 408 of the Federal Food, Drug, and Cosmetic Act with respect to fees; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H. R. 13767. A bill to insure effective regulation of D. C. Transit System, Inc., and fair and equal competition between D. C. Transit System, Inc., and its competitors; to the Commmittee on Interstate and Foreign Commerce.

By Mr. ROBERTS:

H. R. 13768. A bill to amend paragraph (7) of section 101 of the Federal Aviation Act of 1958 to include parachutists in the definition of "airman"; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Massachusetts:

H. R. 13769. A bill to provide for the denial of passports for reasons of national security; to the Committee on Foreign Affairs.

By Mr. FOGARTY:

H. J. Res. 698. Joint resolution to establish in the Department of Health, Education, and Welfare the National Advisory Council for International Medical Research, and to establish in the Public Health Service the National Institute for International Medical Research, in order to help mobilize the efforts of medical scientists, research workers, technologists, teachers, and members of the health professions generally, in the United States and abroad, for assault upon disease, disability, and the impairments of man and for the improvement of the health of man through international cooperation in research, research training, and research planning; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELLAY:

H. R. 13770. A bill for the relief of Sotero Quintana Perez; to the Committee on the Judiciary.

H. R. 13771. A bill for the relief of Miss Remedious Villanueva; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H. R. 13772. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Henry G. Mathusek; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

729. The SPEAKER presented a petition of Joseph Kadans, Detroit, Mich., relative to requesting that an investigation be made of the primary election held in Wayne County, State of Michigan, on the 5th day of August, 1958, and enact legislation to correct the situation, which was referred to the Committee on House Administration.

EXTENSIONS OF REMARKS

A Bill To Amend Section 408 of the Federal Food, Drug, and Cosmetic Act With Respect to Fees

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. MILLER of Nebraska. Mr. Speaker, under permission to extend my remarks, I include a draft of a bill dealing with the administration of Public Law 518 passed in the 83d Congress.

It is my considered judgment that legislation of this type should be given serious consideration in the 85th Congress:

A BILL To amend section 408 of the Federal Food, Drug, and Cosmetic Act with respect to fees

Be it enacted, etc., That section 408 (o) of the Federal Food, Drug, and Cosmetic Act is amended to read as follows:

"(o) The Secretary of Health, Education, and Welfare may by regulation condition referrals to advisory committees pursuant to this section upon the payment, by the person requesting the referral, of fees to defray the costs arising by reason of such referrals. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriation) the expenses of advisory committees under this section and other expenses arising by reason of referrals to such committees, and for refunds of excess payments. Such regulations may further provide for waiver or refund of fees in whole or in part when in the judgment of the Secretary such waiver or refund is equitable and not contrary to the purposes of this subsection."

Mr. Speaker, this bill is intended to correct an undesirable and inequitable provision in the Federal Food, Drug, and Cosmetic Act which has placed discriminatory financial burdens and restrictions upon those involved in the manufacture, recommendation, sale, and use of agricultural pesticide chemicals. It would delete certain fee provisions from section 408 (o) of that act.

In 1954, I introduced a bill, H. R. 7125, which was enacted and became Public Law 518 of the 83d Congress. It amended the Federal Food, Drug, and Cosmetic Act by adding a new section 408, which provides for the control of pesticide residues in or on raw agricultural commodities intended for food or feed purposes. It is commonly referred to as the Miller pesticide residue amendment. All parties directly concerned, the Government agencies, the growers, and the pesticide manufacturers are in accord that the law is operating well and effectively and that consumers are receiving an unparalleled degree of protection as a result of it.

At the time the bill was pending before the Congress, it was the announced administration policy that, to the extent practicable, all services rendered by Government agencies were to be put on a self-supporting basis; fees were to be charged wherever possible.

In accordance with that policy, the Department of Health, Education, and Welfare requested that H. R. 7125 be amended to provide for a fee system which would bring in sufficient revenue to cover the costs of the operations of the bill, if it were to be enacted.

The House Interstate and Foreign Commerce Committee rejected the proposed amendment and the bill as passed by the House did not contain a fee provision. The Senate did adopt the amendment, and the House later concurred. The bill as enacted provided that "the Secretary of Health, Education, and Welfare shall by regulation require the payment of such fees as will in the aggregate, in the judgment of the Secretary, be sufficient over a reasonable term to provide, equip, and maintain an adequate service for the performance of the Secretary's functions under this section."

Under the authority of these provisions, the Food and Drug Administration in February 1955, promulgated a regulation which specified a series of fees for the various steps involved in the tolerance setting and review procedure. Without going into all the details of that fee schedule, a few examples will serve to illustrate what has developed since that time. The original fee schedule, announced by the Food and Drug Administration in February 1955, required the payment of $500 for the filing of a petition for the establishment of the initial residue tolerances for any given pesticide chemical and a $50 filing fee plus $50 for each additional tolerance requested later on the same chemical. In September 1955, these fees were doubled to $1,000 and $100 respectively. Last Thursday—August 7—the Food and Drug Administration published in the Federal Register a notice that effective on September 6, 1958, these fees would be raised to $2,500 and $250 respectively. This amounts to a fivefold increase since February 1955.

Under this new fee schedule, if a manufacturer develops a new pesticide chemical and seeks a tolerance for it on a certain crop, he will have to pay $2,500 before the Food and Drug Administration will accept his petition and consider his data. Each time that he comes back for an additional tolerance on another crop, he will have to pay another $500. Some pesticide chemicals find use on a great number of crops. Thus, a considerable amount of money can be involved in getting these important pest control chemicals approved by the Food and Drug Administration so that they may be used by our farmers and growers for the protection of their crops. These fees for FDA approval are ultimately reflected in the prices which our growers must pay for these essential pesticides.

Since approval of a pesticide chemical by the Food and Drug Administration through the establishment of a tolerance or exemption is usually a prerequisite to the sale of that product for use on food crops, the fees charged in connection with such approval, in effect, constitute a tax to do business. It imposes additional and unnecessary burdens on small companies.

The previously mentioned policy of charging fees wherever possible, which led to the inclusion of the fee provision in H. R. 7125, apparently was not implemented to any significant extent and, in fact, appears to have been abandoned as far as this type of food legislation is concerned.

The Poultry Products Inspection Act, Public Law 85–172, passed last year, contains no provision for the charging of fees for the approval of chemicals proposed for use on poultry or in poultry plants.

In 1957, the Food and Drug Administration sponsored a chemical or food additives bill which was introduced by Mr. HARRIS as H. R. 6747. That bill is quite similar in many respects to the pesticide-residue amendment of 1954. It contains no fee provisions except for those instances where petitions for the approval of a food additive are to be referred to an advisory committee. The manufacturer or user of a chemical intended for use in food would not have to pay a fee in order to file a petition and have the Food and Drug Administraton examine the data to establish its safety. This is proper, since the purpose of the Food and Drug Administration's review of the data is the protection of the public health and not the conferring of some benefit upon a particular chemical or food company. After lengthy hearings on H. R. 6747 and other food additive bills, the House Interstate and Foreign Commerce Committee last month reported a new bill, H. R. 13254, which represents that committee's views as to the type of regulation which should be imposed upon food additives.

This chemical additive bill was passed by the House August 13. It had no provision for the charging of fees such as is now being carried out in Public Law 518.

The above facts relative to the Poultry Products Inspection Act and the pending food additive legislation would indicate that it is not the policy of this Congress or of the present administration to require the payment of fees in legislation regulating the use of chemicals in or on food.

It is an injustice to require those who must obtain approval of their chemicals under section 408 of the Federal Food, Drug, and Cosmetic Act—the pesticide residue amendment—to pay fees to obtain such approval while those who would obtain similar approval under the proposed section 409—the food additive amendment—would not have to pay such fees. The two sections are similar in requirement and in operation. The Food and Drug Administration has essentially the same responsibility under both sections. It would be concerned with essentially the same considerations and types of data under both sections. It would take as much, if not more, time and effort on the part of the Food and Drug Administration to consider and approve a chemical under the proposed section 409 as it now does under existing section 408 as regards pesticide chemicals. Hence, there would appear to be no sound reason why the Food and Drug Administration should charge fees for its operations under section 408 while not charging them under proposed section 409.

This bill is intended to correct this inequity. It would eliminate the fee provisions of section 408 with one exception. That is the provision relating to the appointment of an advisory committee to study a petition to establish a tolerance on a pesticide chemical. It appears reasonable to expect that, if a company requests the Government to appoint a group of experts to serve as an advisory committee on its petition for a tolerance, it should be willing to pay the actual costs incurred by the operations of that committee.

While the fees levied against the person requesting a tolerance have been discussed at some length, there are other important fee provisions in the regulations which warrant careful consideration. For example, if a person wishes to file objections to a tolerance order and request a hearing on it, he must pay a filing fee of $250. This appears at variance with the American system to require that a person must pay a fee to a Federal administrative agency in order to register his objections and request a hearing on one of its orders which he thinks is contrary to the public welfare, or which might put him out of business as a grower or manufacturer. The regulations also require that if a person files a petition for judicial review of the order he must pay the costs of preparing a transcript of the proceedings and the record on which the order is based.

Legislation is necessary to correct this situation created by the fee provisions of section 408 (o) of the Federal Food, Drug, and Cosmetic Act and the regulations promulgated thereunder. As the Food and Drug Administration stated in its order which appeared in the Federal Register for August 7, 1958, and which announced the latest increase "the collection of such fees is required by law." This has reference to the fact that section 408 (o) provides "the Secretary of Health, Education, and Welfare shall by regulation require the payment of such fees as will in the aggregate, in the judgment of the Secretary, be sufficient over a reasonable term to provide, equip, and maintain an adequate service for the performance of the Secretary's functions under this section." Thus, it would appear that the Food and Drug Administration has no discretion in the matter of the fees to be levied. Since the fee requirement was imposed by law, it must be repealed by law. Hence, the introduction of this bill and the need for Congressional approval of it.

Subsidies for American Children

EXTENSION OF REMARKS
OF
HON. PAT McNAMARA
OF MICHIGAN
IN THE SENATE OF THE UNITED STATES
Thursday, August 14, 1958

Mr. McNAMARA. Mr. President, the issue of Parents magazine for September 1958 contains a most timely article by our colleague, the junior Senator from Oregon [Mr. NEUBERGER], entitled "Subsidies for Children."

In this article Senator NEUBERGER points out that it seems to be easier to obtain a Federal subsidy for farm crops, for shipbuilding, for airports, than for the boys and girls of America.

I am pleased that our colleague from Oregon has emphasized the strong justification for Federal aid to education, which I have just been advocating on the Senate floor, Mr. President. In his article in Parents' magazine, Senator NEUBERGER writes:

Without a funneling of national wealth into school channels on a fair basis, children in States of low average incomes will be far less adequately educated than in those States with greater financial resources.

I understand that Parents' magazine has a circulation throughout the Nation of 1,785,000 copies. I trust the subscribers will come to a greater realization of the urgent need for Federal aid to schools through a reading of DICK NEUBERGER's article.

I am pleased to request, Mr. President, that the article by Senator NEUBERGER be printed in the CONGRESSIONAL RECORD, as it appeared originally in Parents' magazine for September.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUBSIDIES FOR CHILDREN
(By RICHARD L. NEUBERGER, United States Senator from Oregon)

On an afternoon when welfare legislation was before the United States Senate, we were debating an amendment to increase Federal matching funds by about $6.25 a month to each needy recipient of old-age assistance. It was a worthy proposal which I was happy to cosponsor. Abruptly, a message was sent in to me from the gallery by a social worker long active in the field of child welfare. She called to my attention a major omission in the pending amendment. I rushed back to the Senate floor and asked the principal sponsor if he would be willing to add to the proposals equal increases for aid to dependent children. He replied, "I do not think the amendment would receive any more votes if it contained a provision for dependent children."

My colleague was frank and candid, and of him I make no criticism. Indeed, he is a person with a humanitarian outlook. Yet Senator PAUL H. DOUGLAS of Illinois ambled over to my desk and muttered, "Perhaps you and I ought to offer a constitutional amendment fixing the right to vote during infancy—at the age of 1 year, let us say. That might give dependent children more influence than they have at present in the Halls of Congress."

I cite this episode only as evidence of a glaring fact. When subsidies are under discussion on Capitol Hill, those which inevitably receive the shortest shrift and the least consideration are subsidies for the Nation's children.

This stems, to my way of thinking, from two principal causes: (1) Sponsors of children's legislation are frequently too modest and timid in their demands; and (2) political pressure in behalf of programs for children is not nearly so intensive or overpowering as that mustered for business, labor, veterans, farmers or some other group.

In the Senate much of my time has been allocated to legislation to expand children's benefits and programs. It has taken many forms: advocacy of pilot courses to train teachers specializing in classes for retarded children; bills to raise the authorization ceilings on grants-in-aid for maternal and child health and crippled children services; a resolution calling for a formal Senate study of Canada's 12-year experiment with family allowances; cosponsorship of the Murray bill (which would authorize $25 per student in Federal funds for either classroom construction or teachers' salaries during the first year of its operation, rising to $100 per student in every State by the end of the fourth year); and authorship of Federal matching grants to encourage courses teaching the basic physiological facts about the impact on health of tobacco, liquor, and drugs. In addition, largely as a result of personal association with the illustrious Dr. Sidney Farber, director of the Children's Cancer Research Foundation, I am sponsoring a bill for $500 million grants for cancer research and study, in an effort to get at the origins of the disease which claims the lives of more children than any other cause except accidents.

Out of all this experience I have become thoroughly convinced that the devoted men and women promoting children's bills are not nearly aggressive enough in their requests. They use few postcard or telegraphic blitzkriegs, for example. I cannot help but believe that spokesmen for the next generation would seek wider benefits if they knew

the scope and size of Federal subsidies to other groups in the population.

A subsidy is defined by Webster's New International Dictionary as "a grant of funds or property from a government * * * to a private person or company to assist in the establishment or support of an enterprise deemed advantageous to the public."

With most government subsidies I have scant quarrel although I would challenge an agricultural policy which pays price supports on peanuts and tobacco, but not on eggs and orchard fruits. Subsidies grew up with the United States, and they are now part of the warp and woof of our national fabric. The first transcontinental railroads were given every alternate section of land along their rights-of-way to induce them to build to the Pacific's shores. By President Abraham Lincln's signature, the Homestead Act made the public domain of the West available for the taking to pioneering families who were unafraid of a hostile wilderness. Free locks and canals sent barges up the Mississippi and the Ohio and eventually up the surging Columbia River.

In our time, a $2,500 federally financed operation on a little girl born with a hole between her heart chambers is a subsidy, and so is a $20 million Government payment to a shipping corporation to enable it to cope with foreign competitors. These are the major subdivisions of Federal subsidies for the fiscal year 1957, as compiled by the Library of Congress:

[In millions of dollars]

Agriculture	$3,564
Business	1,011
Labor	333
War veterans	4,679
International (foreign aid, etc.)	3,998
Others	1,763

What do some of these subdivisions really mean? Under agriculture, for example, the Government spent $247 million in 1957 to maintain price supports on the corn crop. In the business category, the Federal budget set aside some $39 million for payments to private airline operations and $114 million to subsidize our shipping on the high seas. Virtually the entire labor classification was in the form of Federal support of and supervision over unemployment-compensation programs. The bulk of the veterans' program was made up of pensions and medical care. And, of course, the mutual-security system dominated Government disbursements in the realm of international aid.

All of these Government undertakings during fiscal year 1957, described as subsidies by the Legislative Reference Service, totaled $15.3 billion. Subsidies to children, such as they are, were lumped in the category containing some $1,763 million of this amount because it included many of the expenditures of the Department of Health, Education, and Welfare. Now, how much will really be spent on the children of the United States through the Federal budget in the fiscal year 1959? I would list these items:

[In millions of dollars]

School lunch program	110
Special milk program	75
Aid to dependent children	539
Crippled children services	15
Maternal and child health services	16½
Child welfare services	12
Salaries and expenses United States Children's Bureau	2
Aid to schools in federally impacted areas [1]	205½

[1] Estimated on basis of legislation passed by the House.

This total, representing the entire Federal subsidy to children, amounts to $975 million. Furthermore, the assistance to schools where Federal garrisons and construction projects are underway is actually not a child-aid program. Yet, even if we stretch a point and include the $205½ million allotted to schools in these realms of Federal defense activities, the whole expenditure for children in fiscal year 1959 is barely 5 percent of all Federal subsidies. According to the study prepared by the Library of Congress, it is much less than the subsidies disbursed to business, agriculture, veterans, or foreign countries. Is this fulfilling our obligation to our next generation of citizens?

Indeed, my own approach to Federal fiscal policy has been heavily conditioned by my profound conviction that our Government is far too penurious in its financial support of virtually all child-welfare programs. All existing children's programs should be greatly enlarged. This means funds for maternal and child health, for crippled children, for the school-lunch program, for aid to dependent children, and for children who are retarded through any kind of congenital defect. When we are spending some $45 billion for armaments, is it not a shameful disgrace when children with defective hearts no longer can obtain surgery because an appropriation of a mere $100,000 for the Government's open heart surgery project is exhausted? When these funds ran out, 70 children from 12 States were on the waiting list at the University of Minnesota Hospital, in urgent need of heart surgery. Sixty-nine more children had applied, but the requests had not even been processed. Bess Furman wrote in the New York Times that this plea had gone to the White House from the parents of a little girl born with a hole between the chambers of her heart: "We don't like to postpone this operation. We know the longer it is put off, the less chance she has."

Even as the heart surgery program for children came to a halt, my bill was pending in the Senate to raise the statutory limit on maternal and child health to $25 million annually, from the present $16.5 million and $15 million, respectively. The situation should have stirred a violent political eruption. Sad to relate, it was accepted passively. Only two Senators spoke to me about it. As I recollect, they were MARGARET CHASE SMITH, Republican of Maine, and HUBERT H. HUMPHREY, Democrat, of Minnesota, in whose State the hospital is located where the surgical experiment had aided 400 children born with crippled hearts since 1955.

Not only are we lamentably hesitant about expanding current programs for the health and welfare of America's children, but our reluctance is equally inexplicable with respect to new undertakings. Canada's island province of Newfoundland, despite its limited resources and Spartan way of life, has operated for nearly 2 years under a law providing that every child who has not attained his 16th birthday is entitled free of charge to medical services of all kinds, including hospitalization and dental and optical services.

Prof. James C. Vadakin of Miami University has written, "In the United States, Federal expenditures on child welfare amounted to only about eight-tenths of 1 percent of total Federal expenditures in 1956. This represented only about 80 cents out of every $100 of Federal moneys spent. In Canada, during the same year, family allowances payments alone accounted for almost 9 percent of total Dominion expenditures, or about $9 out of every $100 of Dominion moneys spent for all purposes." The least we could do is to study thoroughly the operation of this program in the country which shares with us the bulk of the land of the North American Continent.

In all five Scandinavian nations—Denmark, Finland, Sweden, Norway, and Iceland—there are programs for the daytime care of children in nurseries or kindergartens. Because the rigors of the northern winter require maximum development of child health during the comparatively fleeting months of summer, most of these countries help to furnish zestful vacations for children in the vast outdoors. The railroads and other common carriers frequently provide free transportation to recreational centers. Adds a Danish Government commentary: "In Denmark it has been a custom for many years for farmers to extend invitations to poor children, particularly from the capital, to spend a free holiday in the country; transportation on the railways is, in these cases, provided free by the state."

The child, after all, is a citizen of the Nation. He may dwell in any one of the 48 States, but he will grow up to be a citizen of the United States of America. In an hour of emergency and crisis, the National Government can claim the child's services and perhaps even his life. Military duty is a national obligation to the United States Government, contributed in World War II by young women as well as by young men. Does the Government feel a commensurate obligation? The child, grown to young manhood, is regarded as a citizen of the Nation when an aggressor strikes at one of our military outposts, but evidently he is merely a citizen of his own particular State when he may be in need of nutrition, social guidance or medical care in his youth. High-income States like New York spend an average of $3.33 per child for child welfare services, but low-income States like Arkansas spend a mere 82 cents.

Wealth in the United States has been inequitably distributed. To begin with, most of the manufacturing takes place in a handful of great industrial States, such as Michigan, Pennsylvania, California, Illinois, and New York. American families elsewhere pay tribute to these States whenever they finance their automobiles, electrical appliances, home furnishings, or other products of industry. The only avenue by which some of this wealth can be spread throughout the country for support of the schools is through the Federal taxing power. Obviously, Idaho and Mississippi cannot levy on incomes in Ohio or Connecticut to help sustain their educational systems. Yet, without such a funneling of national wealth into school channels on a fair basis, children in States of low average incomes will be far less adequately educated than those in States with greater financial resources.

I would estimate that nearly half our roll-call votes in the Senate involve one kind of subsidy or another. Many of these subsidies even furnish benefits beyond our own international borders. Some 25 percent of the subsidy payments studied by the Library of Congress were in the realm of foreign aid, economic as well as military. Since becoming a Member of the Senate, I have supported President Eisenhower's recommendations on virtually every such rollcall, despite the fact that I am not of his political faith. It has seemed to me that the great question of continuing the Free World alliance cannot be shaped by partisan differences.

Yet, when I look up to the Senate gallery, I often feel a twinge of guilt. Classes of schoolchildren from neighboring States are among our frequent visitors. They look down upon us Senators with a sense of awe. Occasionally they buttonhole us in the ornate Capitol corridors and eagerly ask for our autographs. I try to engage these students in conversation as often as possible, seeking their views and opinions. They seem so earnest and trusting, so grateful for a few moments of our time. But I become uncomfortable in their presence. I wish more fervently than ever that the big subsidies in the Federal budget were for aid to schools and for child welfare programs, because that is where I think they could contribute most to the enduring greatness of America as a free nation.

Middle East Crisis

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. ENGLE. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD excerpts from a speech on the Middle East crisis that I made recently:

THE MIDDLE EAST CRISIS

(Excerpts from an address by Congressman CLAIR ENGLE, Los Angeles, July 20, 1958)

The decision by the President to send the Marines to Lebanon was a tragic choice between two evils—the evil of the collapse of Lebanon, Jordan, and the Persian Gulf States in the wake of the Iraqi revolution, and the evil of unilateral military intervention unsupported by the United Nations with the risk of world war in the atomic age.

The President has made the choice. The country has been committed. We are now in the midst of a graver international crisis than we faced in Korea. We must see this crisis through.

Therefore, this is not the time to carp and criticize, to seek political capital out of our national peril, however regrettable we may find it is that this administration's foreign policy has brought us face to face with these awful alternatives.

But the time will come for a full review of our Middle East foreign policy, and when it does, it will be fully explored. I cannot refrain from pointing out that spokesmen for the Democratic Party in the United States Senate have foreseen the gathering storm in the Middle East and issued warning after warning that our policy was inadequate and inept. Those warnings have been ignored.

A fuller discussion of the past is for the future. Today, I wish to deal with some constructive proposals as to how we may extricate ourselves from the prospect of indefinite military involvement in the Middle East. For we are now in the position of the man with the bear by the tail—it only takes one man to get hold, and a dozen to let loose.

What should we do now?

First, I think we should do everything in our power to substitute military forces acting in the name of the United Nations for forces acting in the name of the United States alone. We should pursue this objective with all the vigor at our command, and we should not be deterred by the Soviet veto of our resolution in the Security Council, which was anticipated. I am glad to see that we are calling for an emergency session of the General Assembly. The going will not be easy there, with a two-thirds vote required.

Second, while these deliberations are in progress, every effort should be made through adequate supplies and training to prepare Lebanon—and in the case of Great Britain, to prepare Jordan—to maintain law and order, and to resist subversion from the outside in the event we lose the resolution in the General Assembly. If that happens, we can't stay in Lebanon forever, and there is the possibility that after the upcoming election there, a new government in Lebanon may ask us to get out.

Third, I believe we must seek an arrangement through the United Nations for a U. N. Force to guarantee the peace, and to protect legal governments of Middle East states from subversion from without, coupled with a worldwide embargo on the shipment of arms to that area, while we get at the more basic causes of the unrest and ferment which are sweeping through the whole of the Middle East.

So far, our Middle East foreign policy has not done so. The premise of the Eisenhower doctrine is that the chief cause of the trouble in that area is the threat of armed Soviet intervention. And the Bagdad Pact is based on the assumption that Soviet economic, political, and military influences can by a military alliance be prevented from operating in an area adjacent to the Soviet border.

The Eisenhower doctrine is limited by its terms to resisting aggression from a country controlled by international communism. Can we apply that doctrine to President Nasser, even if it is proved that he had a hand in the current Middle East troubles, which the team of U. N. observers in Lebanon has been unwilling to certify? The fact is that the Eisenhower doctrine doesn't touch top, side, or bottom of the basic issues in the area, and isn't even invoked as the ground for our military intervention in Lebanon. The Bagdad Pact is also essentially negative in character, and futilely seeks a containment of Nasser as well as the Soviet Union. Both the doctrine and the pact ignore the basic realities of what is going on in the Middle East.

In that area—marked by one of the heaviest concentrations in all the world of stagnating poverty, hunger, fear, and disease, corrosive superstition and human subjugation—tens of millions of people are struggling to emerge almost overnight, into the mainstream of international life. And they are struggling to find for themselves the basic decencies of human existence, which they now lack, but which modern technology makes possible.

One manifestation of this vast struggle is nationalism. We, of all peoples, cannot quarrel with that. And we cannot stop it if we would. We must recognize that fact, just as we also recognize the difficulties and dangers inherent in the great surge of nationalism in the Middle East at a moment when the peace of the whole world is in precarious balance.

What we can do, and what we must do, is to distinguish between the constructive and destructive tendencies in Middle East nationalism, and encourage the former and oppose the latter.

A constructive nationalism will seek not war, not conquest, but peaceful solutions to the problems of borders, of refugees, of an orderly liquidation of the last vestiges of colonialism, of wiping out hunger, disease, ignorance, poverty, and fear.

Now specifically, as I mentioned previously, an essential precondition for progress in the Middle East is a U. N. emergency force to be made available to keep the peace and block aggression from any source. At the same time, we should initiate proposals to end the arms race in the Middle East through an embargo on the shipment of arms to that area from any other source than the U. N. itself.

We should take the lead in the United Nations, working toward reestablishment of the principle of free navigation on international waters and unfettered access to the Gulf of Aqaba and the Suez Canal for ships of all nations.

We must make it clear, again acting through the United Nations, that the dream of some Arab leaders of pushing Israel into the sea is nothing but a fantasy and will not be permitted to materialize.

Finally, we should direct our influence toward the establishment of a United Nations organization charged with developing, financing and implementing programs of technical aid to all nations of the Middle East.

Toward this end, we should take the initiative in the United Nations in proposing a Middle East Development Authority as an administering agency for the mutual pooling of capital and technical aid for this entire region. Americans should offer to participate in supplying capital and technical aid.

In this way, nationalism will be put to work in constructive channels, the ground work laid for ending the poverty of these peoples and the solution of their many vexing problems.

We should move to do what we can to alleviate starvation and crippling malnutrition in the Middle East by making available to the peoples of that area at least a portion of the farm surpluses of this Nation which now cost us $1 million a day just to keep in storage.

An area so vital economically to us—and an area which is the key to world peace itself—requires a program with this vigor and imagination. We must prepare to sustain such a program for many years to come.

For we must recognize that we are in for many years of turmoil and difficulty in the Middle East. There are no simple, quick, easy solutions to the many complex problems of that turbulent area.

But we have an interest in the Middle East of such overriding importance that it cannot be ignored. That interest is the creation of a peace in the Middle East which is both stable and vital.

If we do not recognize the urgency of that interest, and our inescapable responsibility for action to achieve that peace, the present crisis will seem mild compared with the others that must surely follow.

Post Office Department Honored

EXTENSION OF REMARKS
OF
HON. ROBERT J. CORBETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. CORBETT. Mr. Speaker, on Wednesday afternoon August 6, 1958, the Department of the Army and the Military District of Washington honored the Post Office Department with a parade on the Mall staged by the 1st Battle Group, 3d Infantry (The Old Guard). A plaque was presented by Secretary of the Army Wilber M. Brucker to the Postmaster General of the United States and the members of the United States Post Office Department for outstanding contributions to the accomplishment of the vital mission of the United States Army.

This citation reads:

Through the wholehearted and dynamic cooperation of the officials and employees of the United States Post Office Department with the United States Army in assuring the prompt and efficient processing and dispatch of mail destined for our troops at overseas stations throughout the world, the morale and well-being of the American soldier in war and peace, and hence the effectiveness of the United States Army as a major instrument of national defense, has been immeasurably enhanced.

With the deployment of American troops to France in World War I, and the global deployments of World War II, the close and harmonious working relationship existing between the Army and the Post Office Department made possible the maintenance of a strong and durable link between our service men and women and their homes and loved ones which has been and continues to be of immense significance in helping to

preserve even under the most difficult and hazardous conditions the essential solidarity of the American family, the foundation of our American heritage.

For such capable and devoted assistance to the United States Army in carrying out its worldwide responsibilities for the security of America, and such distinguished service to the dedicated men and women of the Army, the officials and employees of the United States Post Office Department merit in the highest degree this expression of appreciation.

Postmaster General Arthur E. Summerfield responding for the Post Office Department said:

It is indeed a privilege to accept this tribute paid the Post Office Department by the Army in this magnificent review here today.

As your Postmaster General it gives me a sense of great accomplishment that you have seen fit to honor the 530,000 dedicated men and women of the Post Office Department.

The most satisfying of the many services which the Post Office Department renders is the carrying of messages and packages from home to our American young men and women who are serving in the defense of our liberties in every corner of the Free World.

To efficiently cement these ties between home and our Armed Forces abroad, the Department of Defense and the Post Office Department maintain a daily continuous liaison to assure the regular and certain exchange of the mails.

There is, furthermore, an extraordinary significance to this occasion for the freedom which our sons and daughters are defending is especially symbolized and typified by the uncensored exchange of messages through our Postal Service.

The Postal Service which you have honored today is not only essential to human liberty, it is capable of existence only where liberty is a very special thing, something deep in the blood of men, imbedded in the soil, immovable as mountains.

Thank you again, Mr. Secretary, for the high honor the Army pays us today.

A Bill To Amend the Criminal Code With Regard to the Theft of Livestock Animals

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. BERRY. Mr. Speaker, I am today introducing a bill which would amend the Criminal Code to provide that the theft of cattle, sheep, swine, horses, mules, and goats shall be the same as the larceny of property of the value of $100 or more.

The purpose of this bill is to bring the Federal law in line with the State laws in Western States.

In nearly all Western States the theft of these livestock animals is grand larceny regardless of their value. The Federal law should be the same as State laws.

I have, therefore, introduced this bill today in hopes that a report will be available for early committee action when the Congress reconvenes following the first of the year.

Sixteenth Annual Report to Constituents of Fourth Congressional District, Nebraska, by A. L. Miller, Member of Congress

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. MILLER of Nebraska. Mr. Speaker, during the 16 years I have been privileged to serve in the Congress, it has been my custom to render a report to the people I represent at the end of each session.

I believe that every Member of Congress should do just that. If we are to continue to have good government we need an informed public.

I have tried to keep the voters of the Fourth District of Nebraska acquainted with my activities in Congress. I do this through a weekly newsletter to some 80 papers and a weekly radio broadcast. When Congress is not in session, I drive about 9,000 miles in the District seeing as many groups as is humanly possible.

In off-election years I hold a "youth wants to know" clinic for the public in all the county seat towns. These are question-and-answer periods in which I try to give information as to my stand on many questions before the Congress. I can tell you the youth and adults of America asked some keen, penetrating questions.

I have never dodged a vote in Congress or an answer to a question. It is not possible, Mr. Speaker, for everyone to agree. People who disagree with me may be right and I may be wrong but they are entitled to know how I voted and how I feel on all public questions. You and I live in a world where honest and sincere men and women can and do differ in their conclusions on public questions. We would not have it any other way in America.

There are many times when the proposed legislation seems to be of a doubtful nature. Some appear to be 51 percent good and 49 percent bad and vice versa. Legislation must be examined carefully and then I try to vote according to my conscience. As you know, Mr. Speaker, I am in the upper 5 percent of those answering the most rollcalls. I am not a rubberstamp. Any mistake I have made has been of the head and not of the heart.

COMMITTEE WORK AND SENIORITY

I am the ranking member on a committee important to Nebraska, the Interior and Insular Affairs Committee. This committee handles about 22 percent of all the bills the President signs. Bills are perfected in committees. The committee meets every day. I am always in attendance. I am also a member of the policy committee that meets every week and several times a year with the President and his Cabinet.

Seniority means a good deal and pays dividends. Because the southern Members seldom have opposition they return year after year and get positions of authority and chairmanships when their party is in power.

I was the chairman of the Interior and Insular Affairs Committee in the 83d Congress. I am now ranking member on that committee and a Republican victory would make me chairman again.

The record shows that of the 435 Members in the House of Representatives there are only 20 Republicans and 37 Democrats who have served longer than I have served. Seniority is always recognized in both parties.

TWO STRONG PARTIES

This has been a difficult session partly because of the fact that American politics are formed upon the basis of two strong political parties. There are nations where there is only one party. There is no choice for the people. Then we have nations like France that have 17 or 18 splinter parties in which no one party has the majority. Here in America and in the Congress you are either a Democrat or a Republican. There are no Independents. We have all shades of opinion among those who represent the Democrat and Republican parties. This administration has been a Republican administration. The Congress which is Democrat has control of all committee chairmen and all legislation. The Rules Committee, made up of 8 Democrats and 4 Republicans, certainly controls legislation that comes to the floor of the House.

BILLS INTRODUCED

More than 13,000 bills have been introduced in the 85th Congress. I was successful in getting for Nebraska flood control approval of the Gering-Mitchell area, money for the Ainsworth and Farwell Irrigation Districts and for Glendo Dam and Fremont Canyon. The mid-State reclamation bill was reported from the subcommittee and several watershed bills were reported. There are some people who criticize putting money into reclamation and flood-control projects like the mid-State, Farwell, and Ainsworth projects. To me they represent an investment in the resources of this country. The money is all paid back over a period of years. The construction of the Gering-Mitchell flood-control projects would save thousands of acres of good land from destruction of continuing floods. Actually the crops raised do not add to the surplus. Wheat for instance is not an irrigated crop.

On a national basis, I introduced legislation which has passed to control chemicals in the food we eat, to give our parks a wider use for recreation and, as this is written, I believe my bill on the use of surplus farm products for industrial use will be passed. There were a number of minor bills and resolutions of a private nature introduced by request of the Secretary of Interior.

VETOES

The President has found it necessary to veto a number of bills. I think he was right in vetoing the huge pork barrel public works bill. He was right in vetoing the bill which would provide for a ship known as the atomic ice breaker. He may veto a military bill which has money for 142 armories not asked for and calls for $1 billion of additional spending which the military say they do not need. I believe he will veto the huge public housing bill and the community facilities bill which together would call for several billion dollars of additional spending. To date more than $3 billion has been added to bills reported by the Rules Committee and passed by the Congress that the President did not want.

Mr. Speaker, there are a dozen bills waiting for a rule which if passed would raise deficit spending about $8 billion. There are powerful groups like the ADA, the liberal Democrats, and a few Republicans who are insisting on more and more spending. It is my opinion that a number of these high spending, inflationary bills will and should be vetoed by the President if they are passed by the Congress.

I voted against all of this unnecessary and unwanted spending. I voted against raising the debt limit. There are several departments of Government with some many billions of unexpended balances. It seems that instead of borrowing more they should use these unneeded funds to pay off the debt and not increase it. The way to balance the budget and to halt inflation is to stop this unnecessary spending.

INFLATION

With increased appropriations that the administration did not ask for, this country is confronted with a big dose of inflation. I believe it is the most serious thing Americans face. It can destroy just as much as a military defeat. The erosion of the dollar eats at all pensions and savings accounts. The President has warned repeatedly that the spending he has not asked for would lead us down the road of inflation. That is another reason I voted against new unnecessary spending and the raising of the debt limit.

AGRICULTURE—FARM BILL

It has been almost impossible to get a satisfactory agricultural bill adopted. This comes about partly because the 3 or 4 farm organizations are not in agreement upon any legislation. It comes about because the membership of the Agriculture Committee have been somewhat at loggerheads, arguing what commodity should get a preferred position in the bill. It should be remembered that of the 19 committees in the House, 13 of the chairmen come from the South or border States. There are 14 Democrats with the most seniority and they are all from States below the Mason-Dixon line. The House Agriculture Committee has eight ranking Democrats who are from the South.

I voted for both farm bills as they came from the Senate and House hoping they could be improved in conference. Most legislation is a matter of compromise that comes out of conference. The agriculture program must provide the farm folks with their fair share of the national income. They must have opportunity and freedom with as little Government control as is possible.

I have not always agreed with the administration on some of their legislation. I could not go along with the huge foreign aid bill or the Federal aid to education, or upping the pay and time to 39 weeks for unemployment compensation insurance. I have not always agreed with the Secretary of Agriculture, Mr. Benson. I thought he was wrong in opposing legislation to make alcohol and industrial products out of our surplus crops. I thought he was wrong when he took entire farms out of production without consulting anyone from Nebraska, and then quickly reversed himself. I thought he was wrong when he rolled back the price of wheat about 22 cents a bushel and kept cutting the acreage that raises high gluten and protein wheat.

I have said all the time that there is no man in the Cabinet that has a higher integrity, honesty, sincerity, and strong character than Secretary Benson. I might add he is also stubborn. I have supported the administration and the Secretary in about 85 percent of their program. While I am a Republican, I believe I am on the conservative side. I could never be a rubberstamp for any one or any group.

Fortunately in Nebraska and the Midwest farm income is rising. It may be 25 percent higher than 1957. The price paid for crops may be lower but there is greater abundance which brings smiles to farmers and to businessmen who must sell to farmers.

Mr. Speaker, there are some who are trying to make political capital out of the farm situation, out of depression, and out of the Russian sputniks. They use the sputnik and this phony depression to force through unwise legislation and unneeded spending. In Nebraska there is no depression. People grin at you when you talk about a recession. While the acres and the price have been cut on basic farm crops, Mother Nature has smiled upon the farmer and more bushels have been grown. This means more dollars in the farmers' pockets, more prosperity for the community. This is so much different than the desperate drought of 1956 and 1957.

I introduced legislation for the conversion of grain into industrial alcohol and for industrial uses. I believe that research is one method that will help us solve our huge surpluses. This country has spent hundreds of millions of dollars to learn how to produce more on less land and with fewer farmers. We have not completed sufficient research work to know how to use our surpluses wisely.

The stockgrowers have their problem solved. They do not need or want Government subsidies. Proper utilization of the grain surpluses will place the corn and wheat farmer on the same basis as the livestock raisers.

FOREIGN-AID PROBLEMS

I am glad to see a partial meeting of foreign diplomats at the summit. I do not believe there will be another major war. I believe in talking our problems over around the conference table. When they are talking they are not fighting. It does seem that Russia and the Communists will continue the cold war. Russia cannot be trusted. She has made 37 agreements with this Nation and the world and has kept only 2 of those agreements. This Nation must have a defense that is strong enough to discourage any aggressor. I am hopeful that we can proceed properly with the fuller use of the atomic reactors for peaceful uses.

Our foreign aid for the past 10 years has been largely a waste of money. We cannot buy friendship. I will continue to follow the procedure I have always followed to vote against foreign aid except for food, medicine, and clothing for needy people. I believe we need an immediate reevaluation of our foreign aid giveaway program. Perhaps loans instead of gifts will be the answer.

TAX RELIEF

It had been my fond hope when this current year started that we could have a tax reduction, pay a moderate amount on the public debt, and still balance our budget.

My hopes were soon overturned. Demands of the Defense Department were higher than anticipated. A restless world made it imperative that our Nation stand prepared for a war which we hope will never come. The unbalanced budget comes about because of increased military spending and spending not asked for by the President. Some relief from taxes was given to small business and on certain excise taxes.

LABOR LEGISLATION

I am disappointed in the type of labor legislation passed thus far by the Congress. I had hoped for approval of these points:

Legislation to assure honest elections in labor unions.

Legislation to protect union welfare and trust funds.

Legislation to eliminate the secondary boycott and sympathy strike.

Legislation to place the larger unions under antitrust and antimonopoly laws and protect the workingman.

Passage of a right-to-work law.

The Senate Rackets Committee has uncovered many unsavory practices by union racketeers to which the honest laboring man has little defense. Laboring men need help to clean up their unions. He is forced to make political contributions often against his will. Labor has helped elect, by contributions and endorsement, 175 Members of Congress. Only two are Republicans. Labor leaders have been rather brazen in their demands on those they have helped. The Hoffa-Reuther labor leaders openly boast about controlling in the next Congress more than 200 Members. This is not good for America.

FEDERAL AID TO EDUCATION

It remains my conviction that education belongs at the local and State levels. I believe that communities can build, maintain, and operate their own schools cheaper and better than under the Federal Government.

VISIT HOME

As usual, I will be in Nebraska after the Congress adjourns. I go home every fall, election or not, so that I may chat with people about their problems, visit the county fairs, speak to service clubs and other organizations. There is no substitute for face-to-face talks with the people whom you represent in Congress. I look forward to seeing many of you this summer. In the meantime, please feel free to write me anytime at 1025 House Office Building, Washington 25, D. C.

Visit of Cured Cancer Congress to Gallery of United States Senate

EXTENSION OF REMARKS
OF
HON. RICHARD L. NEUBERGER
OF OREGON
IN THE SENATE OF THE UNITED STATES
Thursday, August 14, 1958

Mr. NEUBERGER. Mr. President, one of the most inspiring and moving occasions in the recent history of the United States Senate was the presence in the Senate gallery on April 1, 1958, of some 40 delegates to the Cured Cancer Congress, which met in Washington, D. C. These brave and resourceful men and women were welcomed to the Senate gallery by the Senator who has done more for health and medical research than any other political figure of our time—the eminent senior Senator from Alabama [Mr. HILL].

A number of us on both sides of the aisle had the privilege of participating in Senator HILL'S greetings to people who are symbols that the most dreaded disease of our time can sometimes be coped with successfully, if it is detected early enough, and provided effective medical treatment is available from skilled doctors.

This inspiring event was described in detail in the summer, 1958, issue of Cancer News, which is the official periodical of the American Cancer Society. I ask unanimous consent that this entire article appear in the CONGRESSIONAL RECORD, under its heading "The First Cured Cancer Congress," and also that there be printed with it the address entitled "Toward a Common Purpose," with which Senator LISTER HILL presented the delegates of the American Cancer Society Cured Cancer Congress to the United States Senate on April 1.

There being no objection, the article and address were ordered to be printed in the RECORD, as follows:

THE FIRST CURED CANCER CONGRESS

(The place, United States Senate; the time, 3:30 p. m., April 1, 1958; the speaker, Senator LISTER HILL, of Alabama)

"Mr. President, it is my great privilege today to welcome to the Senate of the United States a group of men, women, and children who are living testimony of the great progress that has been made in the control of cancer during the past decade. These good people from all parts of the United States have survived the ordeal which has been fatal to so many others, and they visit us today as the Cured Cancer Congress of the American Cancer Society to enlist the American people in the cancer crusade."

As the Senator spoke, a vivacious 9-year-old gallery guest squeezed her mother's hand. A retired couple whose combined ages totaled 150 years exchanged happy glances. Senator HILL was talking about them and their fellow delegates to the 37-member Cured Cancer Congress. They were men, women, and children coming from all sections of the country; most had met for the first time the night before. But they were as old friends as they sat together in a specially reserved section of the Senate gallery. All listened closely to the remarks of Senator HILL and other Senators who spoke spontaneously from the Senate floor to help launch the Nation's annual Cancer Control Month, and the special guests had part of their reward when Senator HILL concluded on behalf of his colleagues and the Nation at large:

"We thank the Cured Cancer Congress for honoring us with their visit. They are an inspiration to those who sometimes despair at the magnitude of the cancer problem. They will inspire the American people to a greater participation than ever in the cancer crusade and I am confident that their example and their experience will give hope and confidence to millions of their fellow citizens."

Thus was keynoted the spirit of hope which the Cured Cancer Congress of the American Cancer Society, in first session convened, brought to the Nation's Capital to help open the 1958 crusade. They were 37 witnesses—living proof—that many types of cancer now are curable. They represented 800,000 other living Americans who have been saved from the disease. The delegates were selected by the divisions they represented, and afterward returned to their home States to help mobilize and spearhead local crusade activities.

The opening session of the Cured Cancer Congress had been called to order in the Federal Room of Washington's Statler Hotel at 8:30 that morning. Presiding was John Davis Larkins, Jr., of Trenton, N. C.—former State senator, political and civic leader, and longtime American Cancer Society volunteer who was successfully treated for skin cancer more than 5 years ago.

The Reverend Fritz O. Evers, of Baltimore, delegate from Maryland, led the invocation. In 1949, Pastor Evers saw his dentist for a routine checkup which led to a diagnosis of cancer of the left jaw, head, and neck. Surgery and radium saved his life. His inspiring prayer was heard by a hushed roomful of persons that included five youngsters all cured of cancer. Present also were newsmen and photographers from the local press and the wire services whose reports and special interviews would, within 24 hours, carry the story of this first Cured Cancer Congress across the Nation.

Members of the congress itself were a varied group. They included a district judge, lawyers, doctors, housewives, a teacher, an engineer, a bricklayer and a former vaudeville team. Cheryl Lynn Cerjak, a starry-eyed 9-year-old from Beaver, Pa., was the youngest delegate. She told a reporter "I was sick • • • but I got well again." Mr. and Mrs. Frank Burt, of Brooklyn, N. Y., were the oldest delegates. He is 76, she 74. Mrs. Burt said: "Both of us had cancer and were cured. I was 59 when cancer struck. We are lucky to be here—together." Arthur Weidner, Jr., 34, of Bryn Mawr, Pa., felt the same way. So did his wife. He learned about his cancer just 7 weeks after their third child was born.

After a message of welcome from Calvin O. Klopp, M. D., president of the ACS District of Columbia Division, the delegates heard the society's president Lowell T. Coggeshall, M. D., report on progress in cancer control. Dr. Coggeshall noted that uterine cancer cures have helped cut the overall cancer death rate for women. "If every woman, once a year, would have a checkup, including the cell examination for uterine cancer—the Pap smear—we would come closer to eliminating uterine cancer as a cause of death." The society's president did not ignore the dark side of the picture either. Among men the cancer death rate has gone up, he said, mainly because of a 300 percent increase in deaths from lung cancer. He warned that if present rates continue some 50 million Americans will face cancer in their homes. He asked delegates to the Cured Congress to help save lives by bringing the facts about cancer to this "immense target audience that we must reach with a positive, hopeful message; we must educate them to sound health habits, to understanding attitudes toward illness and toward the medical profession; we must teach them cancer's seven danger signals and the value of checkups."

Dr. John R. Heller, director of the National Cancer Institute, told the group that "a milestone" had been reached on the long road to conquering cancer in that the first solid tumor apparently had been completely dissolved by a drug. Called methotrexate, the drug has been used in treating an extremely rare but almost invariably fatal type of cancer.

Maj. Gen. Edmond H. Leavey, the 1958 crusade chairman, called for "dedicated deeds and dollars" to help fight cancer. "Business may not be good in some parts of the country," he said, "but cancer is worse in any area of the country." General Leavey, president of the International Telephone & Telegraph Corp., urged corporations to double previous contributions.

During the talks a 10-year-old boy had been eagerly waiting his turn on the dais. It came at 10:05, when Marc Seamons, Cured Cancer delegate from Logan, Utah, walked up front, turned his back to the audience, sat down to the piano and played I Dreamed and Begin the Beguine, with the precision and fervor of a virtuoso. The youngster, blind in both eyes, had taught himself to play piano and organ from the age of 4, after he had conquered cancer. Surgery saved his life.

Then, as its final act, the Cured Cancer Congress adopted a resolution urging the 800,000 Americans who have been saved from cancer to "mobilize in support of the 1958 Cancer Crusade; speak out about their personal victories; bring to the frightened the message of hope that early cancer can often be cured; urge all men and women to have an annual checkup; help raise the millions more needed for research, for service to help carry the burdens of patients and families, for spreading more life-saving facts through education." All delegates solemnly affixed their signatures and the first formal session of the first Cured Cancer Congress was adjourned.

The 37 delegates, led by a group of medical and lay leaders of the American Cancer Society, then went to the White House. Mrs. Dwight D. Eisenhower, honorary ACS crusade chairman for 5 years, received them in the rose garden. The 5 child delegates presented the First Lady with an 8-foot symbolic sword of hope. She flashed her famous smile, had a word for each of them, and to the group said: "It is such a pleasure and privilege to meet each and every one of you. • • • I wish I could do more. I avidly read everything I can get hold of on this." To the physicians in the group she said: "You have a wonderful cause."

At 12:15 the delegates were back at the Presidential Room of the Statler to attend the District of Columbia division's crusade kickoff luncheon. There they heard TV star Fran Allison in a dramatic narration, The Sword of Hope. Speaker was the division crusade chairman, Hugh McGowan, general traffic manager of the Chesapeake & Potomac Telephone Co.

Then came the visit to the Senate Chamber where the delegates were officially welcomed by Senator HILL. Most had already visited Senators and Representatives from their home States for a friendly chat. Some had also enjoyed an unexpected meeting with Vice President RICHARD M. NIXON.

Bricklayer George Koyne, of Chase, Md., visited with ex-bricklayer JOHN E. FOGARTY, Congressman from Rhode Island, and, like Senator HILL, a leader in health legislation. Mr. Koyne told Representative FOGARTY he was back laying bricks a month after his operation for cancer of the larynx. That was 8 years ago. Congressman FOGARTY showed his visitor a bricklayer's trowel which he keeps on his office desk. Mr. Koyne explained that the operation which saved his life removed his vocal cords but within 6 months he had learned how to speak again. "You can't stop an Irishman from talking," he told Representative FOGARTY.

Following Senator's HILL's introduction of the delegates and remarks to the Senate, eight other distinguished Members rose in turn to welcome the Cured Cancer Congress and to stress the urgency of support for more research. They were Senators HUBERT H. HUMPHREY, of Minnesota; RICHARD L. NEUBERGER, of Oregon; IRVING M. IVES, of New York; WILLIAM F. KNOWLAND, of California; JOHN J. SPARKMAN, of Alabama; CHARLES E. POTTER, of Michigan; EDWARD J. THYE, of MINNESOTA; and FREDERICK G. PAYNE, of Maine.

Senator NEUBERGER spoke of a relative who was stricken with cancer 20 years ago and made a complete recovery. He expressed admiration for the real valor of those who have faced the disease and conquered it. Describing a visit he and Mrs. Neuberger made to the Children's Cancer Research Foundation in Boston last summer, where Dr. Sidney Farber has over 350 children under treatment for cancer, the Senator said: "How shocked we were to learn something we had never realized, namely, that cancer kills more children under the age of 14 than any other single disease; and how startled we were to learn that cancer killed 6 times as many children as polio in the last year before the discovey of polio vaccine." Noting recent discussions in the Senate on Soviet propaganda victories in the field of nuclear weapons, Senator NEUBERGER said that if our scientists find a cure for cancer they will earn for America the gratitude of all mankind.

Along similar lines, Senator POTTER told the Senate: "If we spent as much money on research in connection with cancer as we spend on research, for example, in the military field, or if we spent even one-hundredth as much, I am confident we would make many breakthroughs. So far as leadership in the world is concerned, I am sure that we would be making a greater contribution to the world by a breakthrough in cancer, which is the kind of development that will save mankind, than we could possibly make by the launching of a satellite."

Senator SPARKMAN expressed appreciation for the visit of the Cured Cancer Congress, saying: "They are a demonstration of the fact that cancer can be cured. In the past cancer has been largely thought of—and it is even today thought of generally throughout the country—as incurable. The group in the gallery are a living demonstration of the fact that cancer is curable."

Senator KNOWLAND termed the visitors "an inspiration to the country, as well as to Congress." He said: "As a member of the Joint Committee on Atomic Energy I feel we are on the threshold of new horizons in this field, which will be a great help to mankind. It is of tremendous help to have in Washington persons who have been cured of cancer, as showing what progress has already been made and what our hopes are for the future."

Senator HUMPHREY expressed confidence that it will not be long before we have announcements of great discoveries such as we had in the field of polio research.

Senator IVES said that no family in America was immune from cancer, and that his own family has been hit several times.

Before the discussion ended, the Senators had recalled the names of honored and beloved colleagues lost to cancer: the late Senators Arthur Vandenberg, Brien McMahon, Robert A. Taft, Kenneth Wherry and, most recently, Matthew Neely. The recollection cast a shadow over the session, but it also appeared to sharpen Congressional determination to help wipe out cancer. It was late afternoon by the time the extraordinary Senate tribute ended.

Most of the Cured Cancer Congress delegates gathered afterward in the American Cancer Society staff room at the Statler Hotel, where national office personnel dispensed coffee and opportunity for reminiscence. "When I got home," and "starting tomorrow," were the pivotal points of many conversations going on in groups around the room. "Wonderful, inspiring," were the adjectives most frequently used to describe the day's events.

That evening members of the Cured Cancer Congress assembled at the Washington premier of South Pacific where a glittering first night audience watched Miss Allison push a button that lit the giant 30-foot sword of hope erected on Pennsylvania Avenue in the heart of the Nation's Capital. Within the hour following, delegates to the congress had started their homeward trek, by plane and train—37 ambassadors of hope who, in the words of their own resolution, were to "bring to the frightened the message of hope," and by their living example instill the hope that will lead to action.

A cancer victim says:

"I had cancer. I discovered its presence early. I was completely cured of it. And I have never made the slightest secret of it.

"This malady has been hedged about too long with the absurd belief that it is unmentionable. Let's break down the hedges. Let's discuss cancer as matter-of-factly as a broken leg.

"I don't know why this malady should be considered more disgraceful than whooping cough or stomach ulcers or heart disease. I do not know why any disease should be considered shocking. But if it is disgraceful to have cancer, then I am thoroughly disgraced in the eyes of my family and friends. And I have known more than a dozen other disgraceful cases. In my own family there have been three.

"The unmentionableness of cancer still claims too many victims. That's why I want to help the American Cancer Society's great educational message: You can have cancer—and live.

"To start where it all began: Cancer can so easily be an ending. When it isn't it is a brandnew beginning; you are born again.

"I was born for a second time in 1936.

"It was a warm, bright afternoon when cancer struck. Or rather when I discovered that it had struck, for the initial invasion of cancer is silent, painless, unwarning; that is the treachery and cruelty of this inscrutable disease. It hits anyone, anywhere, at any time. The fat and the slender; the strong and the sickly; the woman who overworks and the woman who doesn't work at all.

"No knowledge of hygiene can ward it off. I had been married for many years to a physician, and I was, myself, a graduate nurse. I had kept my weight reasonable and I had always been a strong woman, hardy enough to take long mountain hikes as well as to spend exhausting hours at my desk to meet an editor's deadline for a manuscript.

"If ever a woman seemed secure from illness that warm bright afternoon in 1936, it was I. I was enjoying the day and my favorite sport, fishing, when I felt a nagging pain. And then I discovered the lump in my breast.

"It was still tiny and that was lucky. But my recovery did not depend on luck; I acted without delay."

TOWARD A COMMON PURPOSE

(By the Honorable LISTER HILL, United States Senator from Alabama, chairman, Senate Appropriations Subcommittee on Health, Education, and Welfare)

(Following is the main body of the remarks of Senator HILL in presenting the American Cancer Society Cured Cancer Congress to the United States Senate on the opening of the 1958 crusade in Washington, D. C.)

The American Cancer Society has long been the partner of the Federal Government in the great and challenging problem of the cause and cure of cancer. Just as we in the Senate appropriate funds for cancer research each year, so, in a parallel effort, does the American Cancer Society raise funds from the general populace for the same purpose, and together the two efforts, well coordinated and complemented by private industry, move toward their common purpose.

The science of chemotherapy in cancer is the best example of how this three-pronged approach works. The Government, private industry, and the American Cancer Society are presently engaged in a coordinated crash program to test some 42,000 new chemicals each year in laboratories across the country. About 16 compounds are now in clinical use. They do not cure, but they do prolong life and relieve pain, often enabling thousands of cancer patients to lead useful, fairly normal lives. Only a few months ago came news of great importance. Massive doses of one of the new drugs have for the first time apparently succeeded in completely suppressing one rare type of cancer.

Virology and immunology are important new research fields. Nobel Prize winner Dr. Wendell Stanley holds that viruses provide the clue to cancer control. His work, and that of many other distinguished scientists, is based on the hypothesis that viruses cause most, if not all, types of cancer. Virology is one of the many research areas supported by the American Cancer Society.

Yes, research is moving ahead on many fronts. But there is another and not less important factor—people. Never has any population been so well informed about a disease and so active in the fight for conquering it as is true of the American people. A leader in all this is the American Cancer Society, which, through research, service, and education, wages an unrelenting battle against cancer. Two million Americans, men, and women in every walk of life—doctors, housewives, businessmen, professional workers, factory workers, industrialists—are banded together as dedicated volunteers of the American Cancer Society. They do the work. They will be satisfied with nothing less than total victory.

The goal of the American Cancer Society is threefold:

One, to save all the lives that can be saved within the limits of our present knowledge. This means the lives of 75,000 Americans who now die needlessly each year through fear, neglect, delay.

Two, to find cures for every type of cancer.

Three, and finally, to find cancer preventives, so that no man, woman, or child will ever have to know the fear and pain of cancer.

Cancer strikes in 2 out of 3 American families. It can strike in any home, at any time, and at any age. Few people realize that it is the No. 1 disease killer of our children. And it has, also, orphaned more children than we like to contemplate. There are today more than 300,000 children in the United States who have lost either a father or mother to cancer. In too many cases the parent they lost did not have to die. Early detection and treatment could have saved them.

We cannot have too much research, because we cannot get a cancer cure too soon. Each day gained means 700 lives saved. For this is the rate at which Americans are dying of cancer—700 a day, 365 days a year. This is why we need more and more research supported both by Government and by the American Cancer Society. And this is why we also need the society's life-saving service and education programs.

Congressman Timothy P. Sheehan Devoted to the Polish Cause

EXTENSION OF REMARKS
OF
HON. ANTONI N. SADLAK
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. SADLAK. Mr. Speaker, TIMOTHY P. SHEEHAN, our colleague from the 11th District on the Northwest Side of the City of Chicago, is recognized as one of the outstanding fighters in behalf of Poland's struggle for freedom.

Ever since Congressman SHEEHAN came to Congress in January 1951, he has maintained an active interest in Poland's cause. Through the years, this interest and dedication has never diminished and I know that all citizens of Polish ancestry join with me in recognizing and lauding him for the time and effort he has given to Poland.

Soon after Congressman SHEEHAN came to Congress in 1951, he was the first Member of Congress to introduce a resolution in the 82d Congress to investigate the Katyn Forest Massacre. After the resolution was adopted, he served on the special Katyn Investigating Committee. The whole world knows of the accomplishments of this investigation.

For TIM SHEEHAN'S work on this Katyn Investigating Committee, our colleague received the Polonia Restituta Award from the Polish Government-in-Exile and also is the recipient of a citation from the Polish Army Veterans of America.

During 1956, Congressman SHEEHAN introduced two resolutions in the Congress dealing with the Poznan uprising which caused President August Zaleski of the Polish Government-in-exile to write:

I wish to offer to you my heartfelt thanks for this generous gesture.

Since the initiative you have taken in the question of the Katyn Forest Massacre, I have been following with great interest your activities on behalf of my country and I can assure you that I am expressing the opinion of all patriotic Poles when I express to you their gratitude.

I am, sir,

Yours very sincerely,

AUGUST ZALESKI.

Recently, in a speech in the House of Representatives, commenting on the 15th anniversary of the discovery of the Katyn graves, our colleague brought to the attention of the people of our country facts about the present Russian Ambassador to the United States, Mikhail Menshikov, who, when in charge of the distribution of Allied food and supplies in Poland right after World War II, made this distribution not to needy Poles but to these card-carrying Communist members in strict solidarity with the party line.

The Polish daily, Dziennik Chicagoski, stated editorially that—

We cannot fight our friends—one of whom is Congressman TIMOTHY P. SHEEHAN.

In another editorial, Dziennik Chicagoski stated that—

American Poles should not disregard Congressmen of non-Polish descent, who are favorably disposed toward our problems and objectives.

People of non-Polish descent; who honestly cooperate with us, are needed in the various public offices as much as our compatriots. Congressman TIMOTHY P. SHEEHAN, a Representative of the 11th District of Chicago, is one of those people who, although allen to us, is completely devoted to the Polish cause. He is a Republican, but, at the same time, a poised man who fully realized that, very often, in advocating a just cause, party lines must be crossed and one has to vote according to the conscience of an honest citizen.

Congressman SHEEHAN has gained the very best reputation among the American Poles of Chicago. We can state here that in every problem of general Polish or American-Polish character we can always count on Mr. SHEEHAN'S splendid suggestions or advice.

From the Katyn committee on, of which he was an active member from the beginning to the end, no Polish problem has ever been indifferent or allen to Congressman SHEEHAN.

On Congressman SHEEHAN'S record of supporting his constituency, and on the basis of his wholehearted support and aid for the Polish cause, all citizens of Polish descent should give earnest consideration to the interest which he has demonstrated through the years in the fight for Poland's freedom and for his close attention to the affairs of Polonia here in America.

The Miller Pesticide Bill

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. MILLER of Nebraska. Mr. Speaker, the Miller amendment to the pesticide bill was signed into law July 22, 1954. Those who use the pesticides must follow closely the instructions as to their use. This law gives to the Food and Drug Administration sufficient authority to assure the public that they are adequately protected at all times against the hazard of the use of these chemicals in food production.

Pesticides play an important role in providing the Nation's food supply and protecting the public health. The law required thorough pretesting of the pesticide chemicals and the protection of the consumer.

Mr. Speaker, it would not be possible to produce as much food as is now produced without the proper use of pesticide chemicals on food crops. If they were not used, I doubt if it would be possible to produce apples, peaches, potatoes, citrus, and tomatoes, and many other crops would be drastically reduced. I doubt if the American people would be fed adequately unless crops and livestock are protected from insects and other pests.

The American public can be congratulated that they have had a food industry that has been most careful in the past in protecting the public health. They have worked in harmony with the Food and Drug Administration.

In publishing a few highlights on the editorial entitled "My Push-Button Garden," it is my opinion that the scientists have just scratched the surface of what may happen in the future.

It is my considered opinion that before long we will have new chemicals and pesticides that will be selective in their uses. They will be selective for different pests. They will be selective in the treatment of the food we consume. Future generations will be benefited by the proper application of science in the production of food for tomorrow.

Mr. Speaker, all of us at one time or another have either farmed or tinkered around our garden, so I am quite certain my colleagues will be quite interested in the article, My Push-Button Garden, which appeared in the July 26 issue of the Saturday Evening Post. It was written by the well-known author, Mr. Frank Taylor.

The article is quite long and tells of the author's experiences in lazy gardening, telling how the unorthodox has worked for him.

Of major interest to the Congress, however, is the information he gives pointing out the wonders and benefits of the new insecticides. He calls them new, but they have been in use since the mid forties. We have heard varying reports on the effectiveness and safety of these chemicals and even now legislation is pending before the Congress which would regulate the use of these modern tools even further. I say "even further" because now they are regulated by the Federal Insecticide, Fungicide, and Rodenticide Act and the State counterpart as well as the Miller amendment to our Federal Food and Drug Act.

Mr. Taylor tells how his garden gradually became "a bug cafeteria. Snails came loping over the hills to feast on our vegetables. Butterflies came fluttering and laid eggs, which hatched out into caterpillars that defoliated the trees. Ants moved by the gillion, bringing aphis and mealy bugs, which are, so I am told, the ants' cows, milked for honeydew. While the ants milked the aphis and the mealies, the latter sucked the juices out of our rosebuds and lilies and iris and sweet peas. Lawn moths laid eggs in the grass, and the weevils that hatched out chewed off the roots, turning great patches of lawn a dead brown no matter how much we sprinkled."

He goes on to tell of his introduction to chemicals designed and developed to aid the farmer and home gardener. "My eyes were opened to their potential one day when two men drove up in a truck equipped with a tank and a power spray rig and what seemed like a mile of hose.

"'We're looking for a place with a lot of ants,' one of them said.

"'Brother, you've found it,' I replied.

"'How'd you like to get rid of every ant on the place?' he asked.

"'I'd sure like it. What's the plot?'

"They wanted to demonstrate how chlordane would rid a home garden of ants and offered me a special deal. I bought it. They sprayed the place in an hour and drove off. I didn't see an ant around for the rest of the summer. And the aphis and mealy-bug population took a drop too."

Mr. Speaker, the same can be said for many other insects and weeds which annually do billions of dollars in damage. Some of these insects play havoc in the home garden. Others denude forests, strip croplands, destroy pastures and attack meat and milk animals.

The Federal Government, through the United States Department of Agriculture, has declared war on many of these pests which can be eradicated. Perhaps one of the greatest contributions these chemicals have made is the complete eradication of malaria from within the confines of the United States.

Literally millions of lives have been saved by successfully eradicating the anopheles mosquito—carrier of malaria—from the United States.

At present the Department of Agriculture is carrying on eradication programs to rid our land of the gypsy moth which is destroying forests in Pennsylvania, New York, New Jersey, and the New England States and the fire ant and the Mediterranean fruitfly in the South.

These programs have been under attack by certain groups. Charges have been made—many of them half-truths and warped by personal prejudices—and USDA has been taken into court on injunction proceedings to stop the spraying for gypsy moth. Based on shotgun charges one cannot help but question their motives.

The case was heard, and when all the facts were presented, the injunction was denied. In rendering his opinion, Judge Walter Bruchhausen, of the United States District Court for the Eastern District of New York pointed out that the adverse testimony presented was not warranted by the facts. He also stated, "Coupled with these elements is the fact that some are so strongly in favor of organic farming, without the use of chemicals, or emphasize their preference for biological control that their judgment may be influenced by their leanings."

Mr. Speaker, I believe it is most important that certain facts be presented at this time. First, Public Law 518 of the 83d Congress provides for the establishment of safe tolerances for pesticide residues in or on raw agricultural commodities. The Food and Drug Administration, together with the Department of Agriculture, are charged with the responsibility of setting these safe tolerances and, I might add, they are doing an excellent job.

These tolerances are established on years of research necessitating expenditures of hundreds of thousands of dollars. Toxicity studies based on generations of test animals must be completed to satisfy the demanding requirements of Food and Drug. The public health is always given major consideration.

I have checked with Dr. W. L. Popham, assistant administrator of Agriculture Research Service, as to the safeguards employed by the Department of Agriculture in their spray programs. I am satisfied they are doing the best possible job.

Their fire ant eradication program in the South is the latest target for the food fadists. Cries of "They are killing all the wildlife" have reached the Congress. These reports have not been confirmed. In fact, in one area in Alabama which was treated it was reported that all the quail had been killed by the insecticide used. A check with the landowners showed that quail still abound in the treated area.

Mr. Speaker, I sincerely urge that we should act slowly before we do anything drastic to curtail these eradication programs. We should carefully weigh all the facts, giving prime consideration to the health and economic benefits derived. I am convinced that when this is done, the Congress will seek to expedite these programs.

H. R. 13742, a Bill To Amend Title 28 of the United States Code

EXTENSION OF REMARKS
OF
HON. DAVID S. DENNISON, JR.
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. DENNISON. Mr. Speaker, I have today introduced a bill H. R. 13742 to amend title 28 of the United States Code so as to confer original jurisdiction on the district courts of the United States in any civil action to enjoin, suspend, or restrain the assessment, levy, or collection of a tax of a local government of a State without regard to the sum or value of the matter in controversy. This jurisdiction is exercisable if two conditions are satisfied, first, that there is diversity of citizenship between parties to the action, and second, that the action arises under the Constitution, laws, or treaties of the United States. An added feature of the bill provides that the prevailing party in any such action may be awarded costs, including reasonable attorney's fees.

The need for this legislation has been indicated for some time. It has increasingly become the habit of municipal corporations and local political subdivisions to levy taxes on many different kinds of activities within their jurisdiction. As the need grows for greater community services, the imagination and perseverance of local taxing bodies is stimulated.

One device is levying license or privilege taxes for the conduct of a trade, vocation, profession, or business. Some of these are levied on a flat, annual rate, and others on a percentage of profits basis.

Often such taxes, although not large in dollar value, becomes a very real burden to a person or association outside the community and State, particularly when engaged in similar activities in many, many other communities.

Of course, it is axiomatic that when an out-of-State business concern is so taxed, any undue or discriminatory burden upon commerce is forbidden. A State, under the commerce clause of the Constitution, cannot put a barrier around its borders and may not interfere with the constitutional power of the Congress to regulate commerce with foreign nations, and among the several States. Such a prohibition may not be accomplished in the guise of taxation if it produces an excluding or discriminatory effect.

A recent case, *West Point Wholesale Grocery Co.* v. *City of Opelika, Ala.* (354 U. S. 390), is a case in point. Under an ordinance of the city of Opelika, an annual privilege tax of $250 was required to be paid by any firm engaged in the wholesale grocery business which delivered groceries at wholesale within the city from points outside the city. The West Point Wholesale Grocery Co. was a Georgia corporation, and except for the solicitation of orders and delivery of goods had no other contact with the city of Opelika, Ala. Notwithstanding the foregoing and the previous decisions of the Supreme Court in the cases of *Nipper* v. *City of Richmond* (327 U. S. 416), and *Memphis Steam Laundry Cleaner, Inc.* v. *Stone* (342 U. S. 389), holding such a tax to be unconstitutional, the city of Opelika proceeded to assess and collect the tax from West Point.

Under the law as it exists, the West Point Wholesale Grocery Co. could not file suit either in the State or Federal court to enjoin the assessment or collection of the tax. Its only recourse was to pay the tax, which was obviously unconstitutionally levied, and sue in the State court to recover. In this case the amount was $250. Thus West Point Wholesale Grocery had to go through the State courts and ultimately appeal to the Supreme Court of the United States before it could invoke the jurisdiction of any Federal court, and this in a case in which a question involving the Constitution of the United States was the sole point in issue.

Now it is possible that the same or similar tax could be levied in the next year, again requiring the taxpayer to proceed in the same manner through the

State courts to the Supreme Court. It is not the $250 in the West Point case that is important, but rather the cumulative effect of taxes upon such an out-of-State business over an extended period of time that causes the trouble. As was stated in *Nippert* v. *City of Richmond*, supra, pages 429–431:

But the cumulative effect, practically speaking, of flat municipal taxes laid in succession upon the itinerant merchant as he passes from town to town is obviously greater than that of any tax of statewide application likely to be laid by the legislature itself. And it is almost as obvious that the cumulative burden will be felt more strongly by the out-of-State itinerant than by the one who confines his movement within the State or the salesman who operates within a single community or only a few. The drummer or salesman whose business requires him to move from place to place, exhausting his market at each periodic visit or conducting his business in more sporadic fashion with reference to particular localities, would find the cumulative burden of the Richmond type of tax eating away all possible return from his selling. A day here, a day there, 5 days now and 5 days a year or several months later, with a flat license tax annually imposed lacking any proportion to the number or length of visits or the volume of the business or return, can only mean the stoppage of a large amount of commerce which would be carried on either in the absence of the tax or under the incidence of one taking account of these variations.

To subject any out-of-State business to such a burden is a costly procedure and does not afford the taxpayer a permanent and adequate remedy. It should be pointed out that the delay caused by the necessity of suit in State courts and subsequent appeal from court to court and finally to the Supreme Court is in itself a burden on interstate commerce.

The only method by which the free flow of commerce can be maintained against the unconstitutional levy of local taxes is by according one so engaged in interstate commerce prompt and permanent relief without harassment and undue delay. Federal courts should be given jurisdiction over this Federal problem.

This is the purpose of the bill which I have introduced.

Report on the 2d Session of the 85th Congress

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Thursday, August 14, 1958

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a report to the people of Tennessee on the activities of Congress during the 2d session of the 85th Congress. It has been a most active session during which we have considered extremely important legislation. In my estimation, the Congress has fulfilled its responsibility to act in the public interest in almost every instance. Many of the bills considered here have been of direct concern to the people of my State and I want them to know of our efforts.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEAR FRIEND: Now that Congress is approaching adjournment, I want to write you about some of my impressions of this second session. And I also want to take this opportunity to thank you for the comments, observations and recommendations many of you submitted which have been so helpful to me in these past months.

TO MEET NEEDS OF NEW SPACE AGE

The 85th Congress was the first to be faced with the challenges of the space age, heralded by the launching of the satellites now circling above the earth. To meet the demands of this new era we are entering the Congress has responded by passing considerable major legislation which I feel was vitally necessary to guarantee our security and enable us to prepare adequately for our ever-enlarging responsibilities.

For example, I strongly supported the passage of the defense reorganization plan, so clearly called for by the new needs of the space age in military and strategic planning. This act clarifies the chain of command, especially as it relates to the authority of the Secretary of Defense over the military departments, and it increases the size of the staff of the Joint Chiefs of Staff in order to facilitate strategic planning. A new position of Director of Defense Research and Engineering was created by the act, which also contains many other provisions designed to define powers and functions within the Department of Defense. As a Member of the Senate Armed Services Committee, I took an active role in the passage of this act, which should eliminate much of the wasteful competition between the services and make the entire defense organization and readiness of the Nation more adequate.

Another move to meet the challenge of this era was made by Congress in creating a new agency to deal specifically with the development of a comprehensive program of research and operations in aeronautical and space sciences. The newly created National Aeronautics and Space Administration is to be a civilian controlled body dealing with the problems of space flight and the development of aircraft, missiles, and other space vehicles. This is indeed a dramatic step into the future.

DEFENSE PROGRAM

Congress further responded to the critical military problems by appropriating a record amount during peacetime for our defense. It became apparent to most of us that we were woefully weak in many areas of defense. As a member of the Special Defense Preparedness Subcommittee which investigated our military posture early in this session I became aware of a serious need for stepped-up defense activity. The budget for military affairs was designed to accomplish that task.

We also followed the recommendations of the Cordiner Commission by raising the pay rates a minimum of 6 percent for almost all military personnel with over 2 years of service—a measure which should serve to attract and retain the capable men needed to staff our Armed Forces.

Meanwhile, I have been encouraging passage of the national defense education bill, which provides for a Federal scholarship and loan program to aid talented students to continue their education. This bill would also grant money to State agencies to facilitate the improvement of science, mathematics, and language teaching. I feel that this is a very much-needed program, but I want to assure you that it involves no Federal infringement on local control of education. A modified form of this bill has passed the House and I am hopeful that the Senate will act favorably on it before this session adjourns.

FOREIGN AFFAIRS AND MUTUAL SECURITY

In the field of foreign affairs, we passed two extremely important bills to which I gave my full support. The troubles in Latin America and the crisis in the Middle East underlined the vital need for full authorization of the mutual security program. The military and economic support provided under this act is one part of our attempt to meet the challenge of Russia's determination to wage wars of economic aggression combined with political subversion. This challenge also pointed out the need for an effective program for reducing barriers to trade. It is to the credit of Congress, I think, that a reciprocal trade program was renewed in the national interest. Expanding international trade promotes the best interests of our own country and advances the welfare and security of the free nations of the world. To achieve this end I gave my support and vote to the bill which successfully extended the Trade Agreements Act.

Another steppingstone to international peace and security was the passage by the Senate of a resolution supporting the creation of an expanded and more effective United Nations police force. In supporting this resolution it was my feeling that we must do everything possible to strengthen this vital agency which has done so much to promote the peaceful solution of our international problems.

COMBATING THE RECESSION

On the domestic scene, too, the second session of the 85th Congress faced important issues. Foremost among these was the recession. I proposed or supported several measures designed to stimulate business, restore consumer confidence and inject new stimuli into the economy. One bill which I cosponsored is known as the Community Facilities Act. This act would expand the eligibility of projects for public facility loans under the Housing Act. It is designed to accelerate local public works programs, not by the old PWA approach, but through expanding the capacity of local agencies of government to undertake projects through Federal loans. Such a program would be much faster than a Federal public works program and would not run up the huge Federal debt. This bill passed the Senate but unfortunately did not receive the approval of the House of Representatives. It is my sincere hope that this bill will receive the earliest possible reconsideration and passage in the next session of Congress.

Another important antirecession measure was the law which authorizes loans to States that wish to extend their unemployment benefit programs to persons who have exhausted their jobless pay. I sponsored a bill which would have enlarged the benefits considerably and extended them over a longer period of time, but unfortunately it was not accepted. I of course supported and voted for the bill that did pass.

Other proposals met with more complete success. These included the passage of a major housing bill—which the President reluctantly signed—to put new life into the construction industry. We felt that the stimulation of housing was especially important because it does not take that industry long to tool up and get started, and furthermore, it touches almost every community in the country and stimulates many related businesses as well. An emergency housing bill was the first antirecession measure passed in 1958 and was followed by passage in the Senate of an omnibus housing bill. This latter measure, I fear, may never get through the House of Representatives owing to the lateness of the session.

NATIONAL HIGHWAY PROGRAM

During this session we also passed a bill stepping up the great Federal-aid highway program. By accelerating the road construction of this 41,000-mile system it is hoped that resultant demands for both men and materials will boost the economy. Under the same principle we have urged the various Government departments, especially the Department of Defense to which most of the money goes, to step up purchases and contracts for which money had previously been appropriated.

ANTITRUST AND MONOPOLY SUBCOMMITTEE

Much of my work this session has involved the Antitrust and Monopoly Subcommittee, of which I am chairman. Along with the problem of the recession, our chief domestic problem has continued to be inflation. I have continued to conduct hearings designed to determine monopoly influence on the inflationary spiral, especially with respect to administered prices. For a long time, by speeches on the floor of the Senate and by writing the President, I have urged a voluntary labor-management wage-price control program to avert the increase in steel prices, which will probably cause another round of inflation, depress the economy, further lower production, and add to unemployment. Since the recent steel-price increase, the committee has recommended again that the President exert strong leadership to maintain the price line. As yet he has done very little. This problem is extremely serious for both the public and the Government, and you may be assured that I will continue to work toward its solution, for what I consider to be the best interests of the Nation.

I have also sponsored a bill to restrict unlawful price discriminations. The heart of this bill states that in effect a company cannot sell to retailers in the same market area at two different prices if the end result is a lessening of competition. The passage of this bill is considered a matter of economic life or death by thousands of small-business men.

As the best anti-inflationary measure at this point, I advocated a straight across-the-board price cut at all levels—manufacturing, wholesaling, and retailing. If business were sufficiently stimulated by such a reduction, increased production would more than make up for the reduction in prices, and there would be no marked reduction in business profits.

LABOR LEGISLATION

Other major legislation of interest includes our activities in the labor field. We have responded to the disclosures of corruption and abused trust and power in some unions by Senate passage of measures which are in the interest of both labor and the public. No one is completely satisfied with these bills since opinions differ widely on the remedies required, but these bills have gone a long way in meeting the recommendations of the McClellan committee which has been digging into these abuses. Both Houses have approved a bill which requires managers of employee welfare funds to register these funds with the Department of Labor. In addition, they would be required to make annual financial reports and disclose the funds' financial transactions to the public. The Senate has also passed a bill providing for the regulation of union elections and requiring union officers to file financial, organizational and trusteeship information with the Secretary of Labor. This bill contains provisions for greater protection of the rights of individual workers, the public, management and unions in their labor-management relations. We are hopeful that this may receive House action this session.

RAILROADS

As you know, our railroads have been suffering severe economic reverses in recent years. Many are on the verge of bankruptcy. The Congress recognized the importance of a strong communication and transportation system by passing a Transportation Act which provides some tax relief and financial and operational assistance to the railroads. I strongly supported these measures and feel that the railroads will be restored to sound financial condition.

THE 49TH STATE ADMITTED

I am sure that all of you are happy with me to welcome into our Union the 49th State of Alaska. For many years I have sponsored and actively supported the admission of Alaska, which is truly deserving of statehood. You may be interested to note that Alaska followed what is known as the Tennessee plan in electing two Senators who then petitioned Congress for admission. Tennessee had done the same thing just prior to its admission in 1796.

Also approved this session was another overdue measure which provided an average 10.1 percent increase in pay for all classified Government workers: white-collar workers in TVA, AEC, DIA, and other nonclassified agencies, including postal employees.

OF SPECIAL INTEREST TO TENNESSEANS

One of the most important pieces of legislation, especially for Tennesseans, was the farm bill. Three attempts have been made in 1958 to write either basic or emergency farm legislation. The latest bill, which passed the Senate last month, provided farmers the choice of reductions in price supports and eased production controls on cotton, or the present price-support program. It also contained provisions relating to corn, feed grains, and rice. I was certainly not fully satisfied with this bill, but I supported it chiefly because of the emergency situation in cotton, and in consideration of the President's vetoes of previous farm bills. The House has now acted on a further compromised bill which will become law.

On the brighter side, I am glad to report that 25 counties in west and middle Tennessee were declared eligible to receive Farmers Home Administration emergency loans under a law passed this year. This law authorizes credit measures to meet emergency needs of farmers and small business due to excessive rainfall.

In the last session of Congress the Senate passed a good and workable self-financing law for the TVA—a piece of must legislation. We are still anticipating House approval of this bill which would relieve TVA of the annual fight for appropriations, and will permit the planning of its power expansion on a much sounder basis. Incidentally specific appropriations of interest to Tennesseans included almost a million dollars for Cheatham lock and dam, over $10 million for Barkley Dam, and planning money for an important project at Melton Dam, just to mention some highlights. The Memphis Harbor project, for which $550,000 was allocated, has now received funds for its completion.

Last the President vetoed the important appropriations bill which included the Memphis Federal Building and other matters of interest to our State. These were not among the provisions to which he objected, however, and I am confident that these appropriations will be approved this session.

Other construction authorized included 13 new armories and other military installations in various localities throughout the State. There was also authorized a new metals and ceramics building at Oak Ridge which will greatly facilitate our research in atomic energy. I am very hopeful that funds will be forthcoming for the construction of that building as well as for a permanent research building at Oak Ridge which was authorized in 1957.

For some time I have tried to prevent the closing of Mallory Air Force Base at Memphis. The Air Force, however, has decided to close that installation. I am endeavoring, and I am confident that I will be successful, to obtain funds for the modification of the Memphis General Depot in order that the Air Force motor vehicle function can be relocated there. The Air Force is supporting my efforts and they agree that it would be detrimental to the Air Force operations to have this very efficient management team broken up by relocation.

The omnibus judgeship bill, which authorizes three new Federal judges for Tennessee, has not yet been reported from the Judiciary Committee. A bill authorizing 1 new judgeship each for the 3 grand divisions of Tennessee passed the Senate last year but failed in the House. Owing to the lateness of the session, it is doubtful that it will be enacted this year although I have stressed the need for additional judges over and over again.

This has been a most sketchy outline, indeed, but perhaps from these highlights it may be seen that this 2d session of the 85th Congress has been exceptionally busy one, despite its several disappointments. This has been my 20th year as a Member of Congress and never in my experience have the challenges been greater than now, as we dramatically enter this new era, beset by the serious domestic and crucial foreign problems which call for responsibility, vision, and imagination.

If you desire more detailed information write to me in Washington.

I want to again express my appreciation for all the letters and suggestions I have received during the course of this session. Be assured that I will welcome your continuing interest and recommendations for the new legislative session beginning next January.

Sincerely,

ESTES KEFAUVER,
United States Senator.

Television, an Effective Instrument of Education

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. SANTANGELO. Mr. Speaker, television has grown tremendously during the past number of years. It is a source of entertainment and a medium of knowledge. The educators have not utilized this medium to its full extent and the airways should be employed in the great task of education. One facet of the problem is the teaching of the English language to nationality groups who do not speak English. In our town, especially in my Congressional District, there are many groups speaking two languages and a large percentage of the population speaks only the foreign language. The influx of Puerto Ricans to America has accentuated the problem. A summary of the facts on New York City Spanish-speaking people will prove illuminating and interesting.

There are an estimated 900,000 Spanish-speaking people in New York—about half the population of Madrid, Spain. Some 700,000 of these are Puerto

Rican. Cubans, estimated at 100,000, comprise the second largest group. Of the 725,235 pupils enrolled in elementary and junior high schools in New York last September, 101,671 were Puerto Ricans. Of the 45,000 attending adult education classes in the evening last March, 11,000 were Puerto Ricans.

A total of 80,563 pupils in New York schools (including high schools) as of last October, were classified as non-English speaking. These ranged from pupils unable to speak any English to those who could speak English well enough for most situations, but still had to make a conscious effort to avoid the forms of some foreign language. School officials said Spanish-speaking pupils were preponderant in the total.

Spanish is spoken in almost all Puerto Rican homes, but over 50 percent of these are reported to be bilingual. There is an average of 5.1 persons per Puerto Rican family. The Puerto Rican population is a young population; about one-third of the Puerto Ricans are under 10 years, over half are under 24 years, and two-thirds are under 35 years. The Puerto Rican labor force is estimated at 260,000. About 50,000 are employed in the garment industry, 25,000 in the restaurant and hotel business, and about 15,000 in the laundry business. About 73 percent of Spanish-speaking families read a Spanish newspaper exclusively and 14 percent read English and Spanish newspapers. Approximately 79 percent of Spanish-speaking families own television sets, and virtually 100 percent own radios.

One of the television channels has initiated a program to help New York's Spanish-speaking population to learn English through a new daily morning series called Aqui Se Habla Ingles.

I commend the television station WRCA-TV, which has initiated its program on channel 4.

New York's vast Spanish-speaking population—including an estimated 700,000 Puerto Ricans alone—will be aided by television in the task of breaking the language barrier. Next week station WRCA-TV, flagship station of the National Broadcasting Co., will launch a new daily program which, by teaching English and encouraging its regular use among Spanish-speaking New Yorkers, is designed to speed the assimilation of these citizens into the community.

Titled "Aquí Se Habla Inglés"—English spoken here—and presented in cooperation with Harvard University's language research center and the Department of Labor, Commonwealth of Puerto Rico, the new program will be seen on channel 4 Monday through Friday from 6:30 to 7 a. m., beginning Monday, August 11.

In announcing the series, William N. Davidson, general manager of WRCA-TV said: "The early time period enables us to put this program on the air without disrupting our present schedule, which, of course, is geared to the majority of viewers. Happily, however, our research indicates that this period will accommodate a great segment of the specialized audience we are trying to help. The majority of Spanish-speaking residents perform labor that requires them to rise very early or retire very late, and in both cases they will be able to fit the new program conveniently into their daily routine.

Aquí Se Habla Inglés will be hosted by Jose Roman, a native of Puerto Rico who came to New York 5 years ago and is now labor editor of the Spanish-language newspaper El Diario de Nueva York. Mr. Roman, who is well-known to Spanish-speaking New Yorkers for his Spanish language program, What's Your Problem, on radio station WHOM, will open the program each morning with a brief bilingual roundup of news of particular interest to Spanish-speaking persons. Then he will introduce the program's English instructor, Clara Barbeito.

Miss Barbeito, a teacher, author, and editor with the McGraw-Hill Book Co. foreign department, will begin instruction with the day's vocabulary—a list of English words, many of which relate to a specific topic to be discussed by Jose Roman later in the program. After vocabulary, viewers will watch an English-language training film produced by the Harvard University Language Research Center. Combining animated cartoons and real-life sequences, the films are designed to teach phrases and short sentences while also increasing basic vocabulary.

As added incentive for viewers to build a greater working English vocabulary, and to provide a greater sense of participation, the program will feature a daily word game. To play the game, viewers must identify in English a number of household objects shown each morning on the program. When listed correctly, and in the sequence shown, the first letters of each object will spell out a Spanish word. The viewer submits his list of words, plus the English translation of the key Spanish word, and if correct, will receive a prize.

At the conclusion of the word game, program host Jose Roman will speak in English only, on a topic of special interest to Spanish-speaking New Yorkers. These daily topics will cover such subjects as the New York City rent clinics, where they are, what they do, and how they operate; job opportunities in New York, how to apply and requirements necessary; educational opportunities for adults, where and how to register for them, as well as mainland American customs and culture.

Aqui Se Habla Inglés will be produced by Miss Pat Farrar of the WRCA-TV Public Affairs Department, and will be directed by Mike Garguilo.

A Report to the Farmers

EXTENSION OF REMARKS
OF
HON. CHARLES W. VURSELL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. VURSELL. Mr. Speaker, as a member of the Subcommittee on Appropriations for Agriculture, which brings me in close contact with every phase of the farm problem, I want to make a report to the farmers of my District as to the activities of the Congress which I believe will be of interest to them.

From my opportunity to study the farm problem during the many years I have been in Congress, I have come to the conclusion that, in addition to whatever aid the Congress has been able to give to agriculture through legislation, the greatest achievement in raising the farmers' income has come through the great advances being made in research, and its application through the State experiment stations and the Extension Service.

Mr. Speaker, for the past number of years, it has been the policy of the United States Department of Agriculture and the present administration to give greater attention to these three phases to which I refer, to expand their programs, which necessitates increased appropriations for research, State experiment stations, and Extension Service.

I am sure it will be of interest to the Members of Congress, and to the farmers as well, to have these facts:

RESEARCH

For appropriations for research, we have increased funds gradually from $58,179,000 in 1956 to $73,150,000 in 1957, to $79,223,000 in 1958, and to $84,294,000 in 1959. These amounts include all research activities of the Department of Agriculture, including the Forest Service.

STATE EXPERIMENT STATIONS

The appropriation for 1956 was $24,754,000. This we increased to $29,754,000 for 1957, to $30,554,000 for 1958, and to $31,803,708 for 1959.

EXTENSION SERVICE

The funds for this purpose we increased from $48,120,000 for 1956 to $53,265,000 for 1957; to $60,236,000 for 1958; and to $63,159,395 for 1959.

SOIL CONSERVATION SERVICE—CONSERVATION OPERATIONS

We increased the appropriations from $62,942,769 for 1956 to $67,175,000 for 1957; to $72,545,000 for 1958; and to $74,780,000 for 1959.

Mr. Speaker, of course, our committee in Congress, and practically all of the farmers of the Nation realize that soil conservation is a must if in the years ahead, with the great increase in population (which is bound to follow), we must preserve our soil and improve its fertility in order to be able to supply sufficient food and fiber for the people of the Nation.

WATERSHED PROTECTION

These appropriations we increased from $11,994,243 for 1956 to $17,500,000 for 1957; to $25,500,000 for 1958 and 1959.

FLOOD PREVENTION

Appropriations for this purpose were $10 million for 1956; $12 million for 1957; $13,220,000 for 1958; and $18 million for 1959.

AGRICULTURAL CONSERVATION PROGRAM

The advance program authorization for each year from 1956 through 1959 has been $250 million.

FARMERS' HOME ADMINISTRATION LOANS

The loan authorization we approved in 1956 was $173 million. In 1957 a total of $685,500,000 was approved, including $450 million contained in the housing bill for farm housing loans. In 1958 and 1959 the sum of $209,500,000 was approved.

REA LOANS

For 1956 the sum of $235 million was approved. For 1957 this was increased to $514 million, due to a large backlog of loans which accumulated over a period of several years; $239 million was approved for 1958 and $384,500,000 for 1959.

ACREAGE RESERVE

A program of $750 million was authorized for 1957 and 1958. The program is being terminated after 1958.

CONSERVATION RESERVE

Four hundred and fifty million dollars was authorized for 1957; $325 million for 1958, and $375 million for 1959.

SCHOOL LUNCH PROGRAM AND SCHOOL MILK FUND

Mr. Speaker, our subcommittee of seven members has increased the appropriation for the school lunches to $110 million—a 10 percent increase to recognize the increase in pupil enrollment and food costs.

Our subcommittee has provided for transfer of $35 million from the surplus food program to provide meats, poultry, and other high protein foods to help make more nutritious school lunches.

We have provided for a continuation of $75 million a year to furnish free milk between meals to the schoolchildren, to build stronger bodies.

BRUCELLOSIS ERADICATION

Federal costs are $20,185,600 for 1956; $20,999,582 for 1957; $21,539,300 for 1958, and $20 million for 1959. As of June 30, 1958, 15 States and Puerto Rico have been certified brucellosis free, and a total of 1,216 counties (39 percent) have been so certified.

Mr. Speaker, 4 years ago, we decided that we had reached the point in our fight against brucellosis to where we could save the Federal Government money if we increased the appropriations, and greatly increased our efforts to completely eradicate it. We are very pleased that the Government has increased the appropriation, because of the splendid results, nationwide, as indicated in the above statement.

Mr. Speaker, it has been a pleasure to serve on this vitally important subcommittee with its very able members—all interested in doing what they can to stimulate the great agricultural industry of our country.

All of us realize that agriculture and the farmers have gone through a rather strenuous time during the past few years in the transition from wartime to peacetime, when most people feared a great and continuous depression would follow.

Even though the farmer has been in a price squeeze and has suffered greater economic losses in this transition than has the economy of our country generally, with the picture continuously improving in agriculture, I think we can be thankful that in this transition from a wartime economy to a peacetime one, we have come through it as well as we have.

PUBLIC LAW 480

Mr. Speaker, one of the great fundamental aids that this administration rendered agriculture was in its far-sighted wisdom in passing Public Law 480.

Practically every farmer in the Nation realizes the help it has been in greatly increasing farm exports, and in helping to reduce the mountain of surpluses that had been piling up, which had been depressing farm markets for the past number of years.

Mr. Speaker, let me give you some accurate figures that may astonish or astound you: During the past 4 years, we have exported to other countries, through Public Law 480 alone, $3,990,000,000—almost $4 billion through this new law that had never been done before until this legislation was enacted.

Now, here is another fact of great interest: During the past 4 years, our farm exports through commercial sources, separate and exclusive of Public Law 480, have amounted to a total of $11,371,000,000. In other words, our total exports of farm products during the past 4 years have totaled $15,361,000,000—by far the greatest exports of farm products to foreign countries in the history of this Nation.

Mr. Speaker, this is a remarkable record for which my committee takes some small credit, and this great volume of exports has not only helped to reduce farm surpluses by 20 percent notwithstanding the great crops we have had, but helped to ship these products abroad which has strengthened the farmers' markets, and helped to hold their prices up considerably higher by reason of gaining back our great export markets.

Fortunately the farmers have some of their troubles back of them, but, of course, not all. Considerable improvement in the economy of the farmers has been made, and we are hopeful that the future of the farmers of America will continue to improve.

Let me give you some facts that point in the direction of better days for the farmers of the Nation:

First. Realized net income of farm operators for the first half of this year are running at an annual rate of $13.3 billion—or 22 percent higher than in the first half of 1957.

Second. This is the greatest increase since World War II when wartime-price controls were eliminated.

Third. Farm exports in fiscal year 1957, setting a new record, were $4.7 billion—68 percent higher than in fiscal year 1952 (under the Truman administration).

Mr. Speaker, we are all delighted that farm prices continue to move upward, and that the future is brighter for the farmers. We are happy to note that the hog market has been higher and that the cattle market has been higher for the past year, and has rewarded the livestock producers a nice profit, and we hope these prices will continue.

We are also glad to note that there has been a strengthening of the egg and poultry market, and that the farmers have done rather well pricewise on their bountiful crop of soybeans. We are glad to note that the price of wheat has held up well considering the huge surpluses which still exist.

Mr. Speaker, we are pleased that the outlook for the farmers is brighter, and we are hopeful for their future.

The Recession: Inflation and Unemployment, and Suggested Proposals

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 14, 1958

Mr. ENGLE. Mr. Speaker, on July 1 I met with a group of outstanding economists to discuss the critical nature of our economic situation. Under leave to extend my remarks, I include a summary of our discussion which gives some of the reasons for the present recession-inflation predicament and outlines proposals for restoring prosperity:

THE RECESSION—A CONDENSATION OF A DISCUSSION OF INFLATION, UNEMPLOYMENT, RECESSION, AND SUGGESTED REMEDIES

In recent weeks, a variety of economic indicators have revealed some recovery in the economy. Whether these manifestations of improvement provide a clear sign that the downward phase of the recession has definitely ended is not absolutely certain. Yet, it does appear that the worst is over.

Far less definite is any clear evidence that a full recovery will be accomplished speedily. Unemployment in July was still in excess of 5 million men and women. Plant and equipment expenditures are still pointing downward. The more sensitive economic indices do not provide confidence that full prosperity will be enjoyed within the next few months.

The widespread talk of renewed and intensive inflationary pressures and the initial steps taken by the Federal Reserve Board of an anti-inflationary nature indicate that the present administration still confuses prosperity and inflation. The Republican administration obviously is far less concerned with the losses of tens of billions of dollars in production and with the hardship imposed on millions of unemployed than it is with inflation. This does not mean to imply that inflation is not serious nor that we must resign ourselves to steadily rising prices.

What is needed is a firm commitment to restore full employment and high levels of production with utmost haste and at the same time to undertake the fight against inflation directly and specifically rather than through recessions and mass unemployment.

We have already experienced a tragic loss in production and unemployment which did not break the inflationary spiral. If the Republican administration persists in its established policies, we are going to have chronic unemployment and only partial success in fighting inflation.

It is high time that we undertake to seek a solution to the problem of inflation by constructive and effective policies which will achieve price stability and at the same time bring full employment and high levels of production. There is every danger that the shotgun approach of the administration will not permit prosperity. We need the rifle approach against inflation and for prosperity.

A depression may be said to describe a decline in economic activity which affects

practically all industries. It is a "self spiralling and self-aggravating downward movement." Our present economic situation indicates a recession, for there have been many areas essentially unaffected. However, the losses and the waste must not be ignored or minimized.

The gross national product declined by roughly 5 percent from the third quarter of 1957 to the middle of 1958. Conservative estimates agree that it actually should have risen by 3 percent. If our economy had been as relatively well employed as it was last fall, the gross national product would be about $30 billion higher than at present. Relative to reasonably full employment, the gap is even greater.

The labor force in this country increases by almost 1 million workers each year. The increase in output per man-hour per year gives us an annual equivalent gain of about 1 million workers. If the gross national product remains static, unemployment increases by at least 2 million people per year.

The economic problems confronting us lie basically in (a) achieving a substantial rate of economic growth, (b) avoiding future recessions, and (c) attaining prosperity and a relatively high level of employment growth without inflation.

Over the last 50 years, prices have tended upward most of the time. Our economy has tended toward long booms and short busts, and we have experienced a long run of upward price tendencies. Price stability is highly desirable but "a modest price increase is something we can live with better than mass unemployment." Even when rising prices are not serious, they have serious effects, because the fear of inflation often paralyzes government and monetary authorities.

There are basically two types of inflation: Demand inflation which occurs when there is too much buying power—too much money relative to the supply of goods and services; and cost inflation, which means a rise in the cost of production per unit.

The Federal Reserve Board and the Treasury Department are governed by a conventional view of the problem, that is, demand inflation—too much money chasing too few goods. Although it was certainly not the announced policy of the Federal Reserve Board, their deliberate 1955–57 anti-inflation techniques were receptive to a recession.

There is almost no evidence that the inflation of the last 3 years in this country was due to excess demand relative to capacity. In the case of automobiles, textiles, food processing and housing construction for example, there was a capacity for substantially increased production, but no demand existed.

But the administration and the Board were dedicated to fighting inflation at any and all costs. In this case, the medicine was worse than the disease. Basing their action on rigid and obsolete economic theory, the Federal Reserve Board initiated a program of tight money and restricted credit. Large corporations were not hurt by this; they were able to finance expansion and they did expand at a rapid rate. The result was an excessive rise in investment relative to consumption.

The failure of the administration is found also in its fiscal policies. The accelerated amortization provisions in the 1954 tax bill made sense at that time when it was desirable to encourage a high rate of investment. But extending this policy through 1955–56 was bound to cause trouble. The inducement to invest during this latter period should have been eliminated to be reintroduced now again in order to satisfy the needs of the present situation.

The Government must adopt a more flexible, sensitive tax program. Taxes should be raised or lowered; there should be a deficit or surplus financing; and incentives for investment and buying must be determined by our immediate economic needs.

Administration policies have led to a high level of unemployment and a decline in production and purchasing power. Yet prices remain high and in fact have risen during 19 of the last 21 months. The questions frequently asked are: Why is this so? and, How is it possible?

PRODUCTIVE CAPACITY

Although unit costs are higher at a low rate of operation, many industries are geared to a phenomenally low breakeven point of capacity. This means prices which produce exorbitant profits at high levels of output. In the steel industry, for example, production may fall to 35–40 percent of capacity before the corporations realize no profit. Despite a falling market and production cutbacks, prices have been maintained and even increased.

In the case of steel, the demand is essentially inelastic. Price changes do not radically affect the demand for this product. Pricing policies in the steel industry have been largely uniform and far in excess of the higher labor costs.

A factor in continuing high prices is the lack of price competition within many industries. In the case of most heavy goods industries prices are administered or arbitrary. An administrator makes a decision based on his personal or company's objectives in the short run with no consideration of supply and demand. In these monopolistic industries where there are administered prices, there is no real price competition among different companies. All adhere to a similar price scale.

Automobile manufacturers' prices (with very few exceptions) have remained the same or increased. It is the automobile dealer who today bears the brunt in the form of high trade-in allowances and sizable cash discounts to consumers.

LABOR

It is a widely accepted view that inflation is due primarily to increased wages. There are some aspects to price increases that are attributable to wage boosts, but labor is too often unjustly blamed for the whole problem.

Of concern here is not only that labor is being put in the doghouse, but rather that when this kind of conception becomes broadly accepted, the chance of doing something constructive to solve the problem of inflation becomes more remote.

No segment of our economy is totally independent of the whole and, in fact, wages are interrelated. Problems arise because some industries can absorb labor costs, but others cannot.

Industry: The steel industry is usually a starting point for a round of wage increases. Wages may be raised within the limits of this industry's productivity but this raise soon affects wages in other enterprises, that is, textiles, services, Government.

In many instances wages exceed the productivity increase, because the worker bargains on three fronts: First, against a higher cost of living. He must protect his buying power. Secondly, against higher productivity. If the productivity of an industry rises 3 percent, the worker wants a 3 percent salary increase. This does not, however, mean that he is taking all the benefits of productivity. Labor costs may be only one-half the total cost. If productivity rises 3 percent, it means 3 percent for the worker and 3 percent for capital. Benefits are therefore available for all elements in production. Thirdly, against high profits. Some industries grant a wage boost and immediately raise prices far more than the wage cost. Labor sees that profits are now even higher and wants a higher level of wage increases. The spiral begins again.

It may be argued that the worker should be governed by considerations of economic stability of the Nation as a whole, and should fight only for salaries based on productivity increases, ignoring fantastic profits earned by his industry.

But the question may also be raised as to who can better afford to exercise restraint—the worker, with his $2.50 per hour or the large industrial corporation with its hundreds of millions of dollars in profits?

During the first 20 years of this century when there were no really effective unions, and, therefore, no substantial wage pressures, profit margins were maintained and increased not only by price increases but through the general maintenance of low-wage benefits.

Today, we have effective unions in varying degrees in most of these manufacturing industries and the unions are taking care of the wage problem. But wages cannot be used as an excuse for excessively high prices because wage increases often represent only a small percentage of the price increase. Actually, we must have a rising living standard in order to stimulate increased production. Unless there is real buying power, that is, the capacity of the American people to live better, there won't be more production. It is fundamental that we can expand our plant facilities and build new textile mills, but these will be idle unless there are people who can buy the added supply of goods.

Services: Areas in which wage boosts may require higher prices are generally those in which production per man-hour cannot be substantially increased through the use of improved techniques and new devices. This is true of most service industries. A barber can trim a limited number of heads during an hour and a bus driver can transport only the legal maximum number of passengers on any one trip.

There may be little room for technological advancement in these services, but it is not right morally or in any other sense to freeze wages endlessly for people simply because of the nature of their industry.

Agriculture: Labor costs do not play a large role in the final price of food (except for processed foods where we get into the area of manufacturing). These prices are important politically and in terms of the Consumer Price Index. They generally respond to demand pressures and the price, therefore, is said to be elastic or sensitive.

Food prices are often dependent on crop situations and natural conditions. The droughts of a couple of years ago were reflected in high livestock prices and eventually resulted in the consumer paying more money for his veal chops. More recently, freezes in some agricultural areas caused higher fruit and vegetable prices.

In order to adjust the agricultural situation and prevent prices from falling in a surplus year, we have fixed arbitrary prices on certain farm products. It would be more logical to grant some kind of income support based on the price relationship to the small farmer (Brannon plan). In other words, instead of maintaining the price of wheat at say $1.92, the market would be free to adjust itself, with the farmer getting an income support which would bring his total return to $1.92 per bushel.

The issue is politically important because under the present program the farmer feels he is being protected by the Government from some giant monster. However, if we let the price adjust itself and then hand the farmer a Government check for the difference between the market price and the $1.92, he feels like a ward of the state.

Although it is agreed that this plan is superior to the present system, it is also understood that it would require a high degree of statesmanship and a designation different from the Brannon plan in order to make the program acceptable even to the farmer.

INTERNATIONAL REPERCUSSIONS

On the international scene, we have been hurt in three main areas: Little Rock, sputnik, and the recession. The violence in Little Rock damaged us badly among the nonwhite peoples of the world. In the case of sputnik, we were hurt because the peoples of the world do not really love or respect us for our dignity, charity, independence, freedom, generosity, decency, or because we are good. • • • It's for our tremendous economic power. They saw those hundreds of thousands of airplanes and tanks in the war, and a car in every garage, and skyscrapers. This great power is what gave America status in the world.

As a result of this recession with reclining output, the United States has lowered imports on many raw materials produced in underdeveloped countries. We are no longer considered the strong, helpful Nation—rather, we are now seen as an economically fluctuating and politically backward Nation, and the peoples in underdeveloped lands do not respect us for this weakness.

The Soviet Union is stepping in and buying the available raw materials. In this area, we could have a disadvantage vis-a-vis Russia, for under the Soviet system decisions of this type are made by the Government, and are tied directly to political policy.

But our Government can and should take constructive action to alleviate the present economic situation. Instead of saying that if conditions get worse we shall do something, we must say that if the situation does not show marked improvement—and quickly—we will take action.

We must consider our international responsibilities as well as the internal situation. The issue is not whether the economy will worsen. The problem is how fast it will pick up and to what level.

The crude idea that a recession makes labor more manageable has important political and economic implications. It is certainly prevalent in the thinking of big business, and for whatever reason, the administration has shown every indication that it is resigned to slow growth, recurring recessions and mass unemployment.

This kind of pessimism does not dominate all economic thinking, however, and it is agreed among more and more economists and among more enlightened political leaders that there are positive ways to prevent recessions and yet achieve price stability.

PROPOSALS TO PREVENT INFLATION

The following new techniques were suggested to help prevent future inflationary spirals and contribute to a healthier economy:

I. Government encouragement of research in plastics to compete with present available materials. We know that there is no price competition within a monopolistic industry. The only effective area of competition therefore lies in the use of competing materials (steel and aluminum in construction; copper and aluminum in transmission lines). It would be ineffective and inadvisable to attempt a breakup in the structure of monopolistic industries.

II. Establishment of an agency on price administration. The President or Congress declares an industry as essential or critical. The industry must then submit any contemplated increase in wages or prices 30 or 60 days before an effective date. The agency would study the industry and report its findings to the President, which findings would be made public. If the increases are considered contrary to the public interest, the President may suspend the effective date by 90 days. Wage and price controls are acceptable only as a last resort.

III. Strengthening our antitrust laws to declare that unity of price in an industry is evidence of antitrust procedure. According to judicial interpretation of existing law, identity of price or profit level does not now constitute prima facie evidence of collusion.

IV. Establishment of a Presidential commission composed of labor, management, and public representatives who would study the problem of wage, price, and profit relationships. This does not mean regimentation of the economy. There would be no attempt to fix wages or prices. Rather the commission would make recommendations for the development of a sane and flexible wage-price policy.

Under a type of policy such a commission might propose, wages would increase in relation to the average productivity in the economy rather than in any one industry. This means that in an industry where productivity has not increased according to the national average (the barber shop) prices would be raised. But in an industry that achieves an increased productivity higher than the national average, prices would be lowered.

Although this is theoretically desirable, and in fact represents in a general sense the declared policy of the AFL–CIO, how is it to be realized? When large unions enter into collective bargaining, they have already examined profit, productivity, and wages. They know that in a specific year they may be asking for wage increases that are greater than the average productivity but they know of the huge profits earned by the corporations. They know the ability to pay is there and their only opportunity of deriving a share of the benefits of their industry's profit ability is through wage pressure. It would require a tremendous amount of education to effect a change in the prevalent system.

V. Focusing the spotlight of public attention on what is happening in terms of price increases, wages, profit margins and investments in a particular area. We have had legislative investigations (Senate Antimonopoly Subcommittee), but generally these do not receive the publicity they merit. We should see to it that if an industry acts contrary to the public interest (what has been officially declared a violation of public interest) it invites public censure.

Over the last decades industrial corporations have grown tremendously in size and there has been a general consolidation of retail establishments and farms. We have a problem of the separation of ownership and management of large corporations. We are reaching a point where these corporations are publicly owned. There is a great amount of investment of individual moneys through mutual funds, pension funds, and insurance reserves. And there are sociological implications involved in this situation. There is at present less flexibility of movement by the individual and the question is raised whether we are becoming "part of a controlled society with no future except in our position in the hierarchy." The Government has a moral responsibility "not to regiment, not to adopt a system of totalitarian techniques," but to shed light and focus the attention of public opinion on the effects of the economic problems which have evolved.

SENATE

FRIDAY, AUGUST 15, 1958

(Legislative day of Thursday, August 14, 1958)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our fathers' God and ours, in the darkness of our limited knowledge, we turn, in our deep need, to Thee, whose dwelling place is light without the shadow of our earth-born clouds.

We lift Thee grateful hearts for the heritage that is ours, bought by toils and tears other than our own.

Grant that with a new birth of freedom, our dear land in this new day may play its full part in the fulfillment for all men of truly united nations in a leagued commonwealth in which Thy good gifts will be more fairly shared, where no more shall nation lift up sword against nation, but where each people shall enrich the world with the gifts of its excellence.

So, may Thy kingdom come, and Thy will be done. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 14, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on August 14, 1958, the President had approved and signed the following acts and joint resolution:

S. 359. An act to permit desert land entries on disconnected tracts of lands which, in the case of any one entryman, form a compact unit and do not exceed in the aggregate 320 acres;

S. 479. An act to convey right-of-way to Eagle Creek Inter-Community Water Supply Association;

S. 1245. An act to provide a right-of-way to the city of Alamogordo, a municipal corporation of the State of New Mexico;

S. 1698. An act to amend the Veterans' Readjustment Assistance Act of 1952, to extend the time for filing claims for mustering-out payments;

S. 1748. An act to add certain lands located in Idaho and Wyoming to the Caribou and Targhee National Forests;

S. 1782. An act for the relief of Carolina M. Gomes;

S. 1857. An act to incorporate the Congressional Medal of Honor Society of the United States of America;

S. 2033. An act to provide for the Board of Trustees of the Postal Savings System to consist of the Postmaster General and the Secretary of the Treasury;

S. 2115. An act to amend the act of June 7, 1897, as amended, and section 4233 of the Revised Statutes, as amended, with respect to lights for vessels towing or being overtaken;

S. 2158. An act relating to the procedure for altering certain bridges over navigable waters;

S. 2255. An act to amend section 607 (d) of the Merchant Marine Act, 1936, as amended;

S. 2793. An act to provide for the conveyance of a pumping station and related facilities of the Intracoastal Waterway System at Algiers, La., to the Jefferson-Plaquemines Drainage District, Louisiana;

S. 3177. An act authorizing the modification of the Crisfield Harbor, Md., project in the interest of navigation;

S. 3248. An act to authorize the Secretary of Agriculture to exchange lands comprising the Pleasant Grove administrative site, Uinta National Forest, Utah, and for other purposes;

S. 3392. An act establishing the time for commencement and completion of the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.;

S. 3439. An act providing for the reconveyance to Salt Lake City, Utah, of the Forest Service fire warehouse lot in that city;

S. 3469. An act to authorize the Secretary of the Interior to amend the repayment contract with the Arch Hurley Conservancy District, Tucumcari project, New Mexico;

S. 2499. An act to amend the vessel admeasurement laws relating to water ballast spaces;

S. 3569. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by the State of Utah;

S. 3833. An act to provide for a survey of the Coosawhatchie and Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing;

S. 3951. An act to amend the act of June 7, 1897, as amended, and section 4233A of the Revised Statutes, so as to authorize the Secretary of the Treasury to prescribe day signals for certain vessels, and for other purposes;

S. 3987. An act granting the consent and approval of Congress to the Tennessee-Tombigbee Waterway Development Compact;

S. 4208. An act to authorize appropriations to the National Aeronautics and Space Administration for construction and other purposes; and

S. J. Res. 85. Joint resolution to amend the act of Congress approved August 7, 1935 (Public Law 253), concerning United States contributions to the International Council of Scientific Unions and certain associated unions.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 10360) to amend title V of the Agricultural Act of 1949, as amended, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

H. R. 13. An act to amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto;

H. R. 12776. An act to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways";

H. J. Res. 424. Joint resolution to improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes; and

H. J. Res. 595. Joint resolution for the relief of certain aliens.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. BENNETT, and by unanimous consent, the Finance Committee was authorized to meet during today's session of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the introduction of bills and the transaction of other routine business, and that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the new reports.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Sixty-five postmaster nominations; and

Barbara Bates Gunderson, of South Dakota, to be a Civil Service Commissioner.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the calendar, beginning with new reports, will be stated.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The legislative clerk read the nomination of T. Keith Glennan, of Ohio, to be Administrator of the National Aeronautics and Space Administration.

Mr. JOHNSON of Texas. Mr. President, I should like to observe, in connection with the nominations of Mr. Glennan and Mr. Dryden, that both these gentlemen appeared before the committee, and a 2-hour hearing was held. All members submitted questions. The nominees made very complete statements.

It is very important that both of these nominations be approved as soon as possible; and I hope they will be confirmed unanimously.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Hugh L. Dryden, of Maryland, to be Deputy Administrator of the National Aeronautics and Space Administration.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COMPTROLLER OF CUSTOMS

The legislative clerk read the nomination of Mrs. Lorene W. Bowlus, of Maryland, to be comptroller of customs, with headquarters at Baltimore, Md.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE IMPORTANCE OF WATER-RESOURCES DEVELOPMENT

Mr. JOHNSON of Texas. Mr. President, during the last several years, far-reaching development work has gone forward on the River Rhone in France. The authoritative English publication, the Engineer, has called this one of the most ambitious series of civil engineering projects ever formulated in Western Europe for the purposes of power generation, navigation, and irrigation.

Multiplied millions of dollars of American money have gone into this development project. My purpose today is not to quarrel with that circumstance. I have no doubt that it was, and is, beneficial to the United States for the French nation to harness the mighty Rhone.

The point I wish to stress, Mr. President, is that what is good for France in the development of water resources also would be good for us, if applied in our country.

The expenditures we have made for water projects in our own country constitute a shamefully small investment for this purpose—less than $18 billion in Federal funds in our entire national history.

Ours is a growing population. Ours is a dynamic, expanding economy. But our investment for the control of floods and the development of water resources has lagged far behind the increase in population and the expansion of the economy.

We have not done enough to make our inland rivers navigable.

We have not done enough to control floods or to conserve for future use the water they bring.

We have not made adequate preparations for taking care of the vastly increased demand for water that will come as a result of continued industrial growth.

These problems are very close to me, for my own State of Texas is subjected constantly to a cycle of water feast and water famine. We know what it means to run out of water; and we know what it means to see our homes and lands swept away by torrential floods.

In Texas, we need to acquire more knowledge about the most effective ways of combating the bad effects of a weather cycle about which we can do nothing. We need a far-reaching, comprehensive, realistic plan for the control, development, and use of our water resources.

Mr. President, the provision of such a plan is the purpose of the United States Study Commission on seven Texas river basins, which would be established by Senate bill 4266. I earnestly hope the Senate will see fit to act favorably on this bill.

The Study Commission to be created by the bill will be empowered to prepare plans for the development of land and water resources in the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins. The Commission will submit a report on its plans to the President and the Congress.

The Study Commission will have 14 members, to be appointed by the President. Six members will be from Federal departments. Seven members will be from the respective river basins—one from each; and the chairman will be a resident of 1 of the 7 river basins included in the study area.

The Commission will go out of existence within 3 months after its final report is submitted to the President. The President will transmit the report and his recommendations to Congress within 90 days after he has received the report.

Mr. President, the enactment of this bill will make possible careful planning for use of land and water resources in Texas. I urge the Senate to pass the bill before the end of this session.

In seeking this approval, I wish to make it completely clear that the bill will not authorize the Bureau of the Budget to withhold its approval of funds for authorized water projects in Texas on the basis that the Study Commission has not completed its investigation of such projects. In Texas, there are important projects which have met all standards of the Corps of Engineers, and of course they must be proceeded with.

Mr. President, this bill is one of great importance. I think it is a fine thing for the French people, with our help, to harness the river Rhone. I think it will be an even finer thing for us to work toward total development of our own national water resources, including those in my own State.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON AGREEMENTS CONCLUDED UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, Washington, D. C., reporting, pursuant to law, that no agreements were concluded during July 1958, under title I of the Agricultural Trade Development and Assistance Act of 1954; to the Committee on Agriculture and Forestry.

REPORT ON SETTLEMENT OF CLAIM BY TOTH MOTORSHIPS CO., WILMINGTON, DEL.

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, the receipt of a payment of $5,407.42 from Toth Motorships Co., Inc., Wilmington, Del., in full settlement of a claim for damage sustained by the C. G. C. *Aurora*, on January 5, 1958; to the Committee on the Judiciary.

COMPULSORY PRODUCTION OF CERTAIN MATERIAL IN CIVIL INVESTIGATIONS

A letter from the Attorney General, transmitting a draft of proposed legislation to authorize the Attorney General to compel the production of documentary material required in civil investigations for the enforcement of the antitrust laws, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Margaret Anne McSherry nee Finn, also known as Mary Ellen Finn, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on January 15, 1958 (with an accompanying paper); to the Committee on the Judiciary.

AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT—RESOLUTION

Mr. HUMPHREY. Mr. President, on July 31, 1958, the Missouri Basin Engineering Health Council at its ninth annual meeting at Deadwood, S. Dak., adopted a resolution urging Congress to enact H. R. 13420, which is a companion bill to Senate bill 3546, to amend the Federal Water Pollution Control Act.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Whereas the limited construction grant provision of the Federal Water Pollution Control Act (Public Law 660, 84th Cong.) has already provided a vital stimulus for sewage-treatment works in the Missouri Basin; and

Whereas restoration of the original proposals made by Congressman BLATNIK, of Minnesota, would materially aid in reducing the backlog of needed treatment plants in the Missouri Basin: Now, therefore, be it

Resolved, That the Missouri Basin Engineering Health Council, consisting of the chief sanitary engineers of the 10 States, tributary to the Missouri River, at its ninth annual meeting at Deadwood, S. Dak., urge that the Congress enact H. R. 13420, a bill to amend the Federal Water Pollution Control Act; and be it further

Resolved, That the Secretary transmit a copy of this resolution to the chairmen, House and Senate Committees for Public Works, to the chairman of the Rules Committee of the House, and to each Senator and Representative from the States of the Missouri River Basin.

UNEMPLOYMENT IN MINNESOTA—RESOLUTION

Mr. HUMPHREY. Mr. President, the problem of unemployment is still a matter of great concern and hardship in the northern part of my State of Minnesota. The City Councils of Chisholm and Gilbert and the Village Council of Aurora have adopted resolutions urging Congress to appropriate additional funds for public-work projects in the Superior National Forest which would help stimulate business and alleviate the unemployment situation.

I ask unanimous consent that the resolution adopted by the Council of the Village of Aurora be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Resolution 15

Whereas the Council of the Village of Aurora, St. Louis County, Minn., is vitally interested in alleviating the unemployment situation in northern Minnesota, and deems it necessary, and to the best interest of the inhabitants of said village to request the Congress of the United States to appropriate additional funds to the Department of Interior to be used for the operation of construction projects, both in being or in the planning stages for the Superior National Forest; and

Whereas said construction projects in Superior National Forest would greatly assist in reducing the number of unemployed persons in the general area; and

Whereas unemployment in this area is probably more acute due to the reduced shipments of iron ore by the mining industry: Now, therefore, be it

Resolved by the Council of the Village of Aurora, St. Louis County, Minn., That a direct request be made of the Congress of the United States to appropriate additional funds to the Department of Interior to be used for the operation of construction projects, both planned and in being, for the Superior National Forest and that a copy of this resolution be directed to Congressman JOHN A. BLATNIK, Senator HUBERT HUMPHREY, Senator EDWARD J. THYE, and Congresswoman COYA KNUTSON.

FRANCES STEPETZ,
Village Clerk.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. R. 13518. An act to incorporate the Blinded Veterans Association (Rept. No. 2390); and

Ours is a growing population. Ours is a dynamic, expanding economy. But our investment for the control of floods and the development of water resources has lagged far behind the increase in population and the expansion of the economy.

We have not done enough to make our inland rivers navigable.

We have not done enough to control floods or to conserve for future use the water they bring.

We have not made adequate preparations for taking care of the vastly increased demand for water that will come as a result of continued industrial growth.

These problems are very close to me, for my own State of Texas is subjected constantly to a cycle of water feast and water famine. We know what it means to run out of water; and we know what it means to see our homes and lands swept away by torrential floods.

In Texas, we need to acquire more knowledge about the most effective ways of combating the bad effects of a weather cycle about which we can do nothing. We need a far-reaching, comprehensive, realistic plan for the control, development, and use of our water resources.

Mr. President, the provision of such a plan is the purpose of the United States Study Commission on seven Texas river basins, which would be established by Senate bill 4266. I earnestly hope the Senate will see fit to act favorably on this bill.

The Study Commission to be created by the bill will be empowered to prepare plans for the development of land and water resources in the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins. The Commission will submit a report on its plans to the President and the Congress.

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Resolved, That the Secretary transmit a copy of this resolution to the chairmen, House and Senate Committees for Public Works, to the chairman of the Rules Committee of the House, and to each Senator and Representative from the States of the Missouri River Basin.

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Resolution 15

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H. R. 13558. An act to incorporate the Military Order of the Purple Heart of the United States of America, of combat wounded veterans who have been awarded the Purple Heart (Rept. No. 2413).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with an amendment:

S. 1870. A bill to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines (Rept. No. 2414).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

S. J. Res. 89. Joint resolution to authorize and request the President to proclaim one week each year as National Junior Achievement Week (Rept. No. 2391).

By Mr. ERVIN, from the Committee on the Judiciary, with an amendment:

H. R. 4642. An act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure (Rept. No. 2392).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1885. A bill for the relief of David Forbes (Rept. No. 2393);

S. 2469. A bill for the relief of Dr. Brant Bonner (Rept. No. 2394);

S. 3338. A bill for the relief of Erminio Neglia (Rept. No. 2395);

S. 3523. A bill for the relief of Benedict Eremenko (Ben Zuke) and Victor Tatarnikov (Victor Kalin) (Rept. No. 2396);

S. 4109. A bill for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer (Rept. No. 2398); and

H. R. 3904. An act for the relief of Nunik Firjanian and Florence Thomasi (Rept. No. 2409).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 449. A bill for the relief of Johann Kalatschan (Rept. No. 2399);

S. 951. A bill for the relief of Stasys Sereika (Rept. No 2400);

S. 3503. A bill for the relief of Marie Inette Konomos (Rept. No. 2401);

S 3565. A bill for the relief of Ellen B. Mueller (Rept. No. 2402);

S. 4169. A bill to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization (Rept. No. 2403); and

H. R. 1494. An act for the relief of the Southwest Research Institute (Rept. No. 2410).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 448. A bill for the relief of Maria Lorenz (Rept. No. 2397);

S. 453. A bill for the relief of Peter Menzer (Rept. No. 2404);

S. 1944. A bill for the relief of Ethel Auth (Rept. No. 2405);

S. 1945. A bill for the relief of Jakob Liblang, Jr. (Rept. 2406);

S. 2186. A bill for the relief of Martin Albert (Rept. No. 2407); and

S. 4032. A bill for the relief of Mercede Svaldi (Rept. No. 2408).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 13580. An act to increase the public debt limit (Rept. No. 2389).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 9239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes (Rept. No. 2412); and

H. J. Res. 585. Joint resolution authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California (Rept. No. 2411).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

H. R. 8481. An act to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii (Rept. No. 2415); and

H. R. 12494. An act to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes (Rept. No. 2416).

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY, RELATING TO INTERNAL SECURITY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 378) providing additional funds for the Committee on the Judiciary in connection with the internal security of the United States, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the limitation of expenditures under Senate Resolution 233, 85th Congress, 2d session, relating to the internal security of the United States, agreed to January 29, 1958, is hereby increased $15,000, and such sum together with any unexpended balance of sum previously authorized to be expended under such resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee and covering obligations incurred under such resolution on or before January 31, 1959.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND:

S. 4296. A bill for the relief of Demos C. Markos; to the Committee on the Judiciary.

By Mr. KERR:

S. 4297. A bill for the relief of Maria Ioannou and Vassiliki Ioannou; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 4298. A bill to amend the Federal Reserve Act to provide for an additional Federal Reserve district to include the State of Alaska, and for other purposes; to the Committee on Banking and Currency.

By Mr. GOLDWATER:

S. 4299. A bill for the relief of Sacko Higa and Masako Higa; to the Committee on the Judiciary.

PRESERVATION OF FIRST FLAG WITH 49 STARS TO FLY OVER CAPITOL

Mr. BENNETT. Mr. President, on June 26, 1958, I submitted a resolution to establish a Senate commission which would study the desirability of preserving and displaying records and other memorabilia of the Senate. I am happy to say that this resolution was adopted by the Senate and that such a commission will be established.

During my research into the need for such a study I discovered an item of great historical interest. The flag which was flying over the Capitol on the day we were attacked at Pearl Harbor, now called the flag of liberation, was taken by the then General Eisenhower and flown over the cities of Berlin and Rome when our forces entered those cities. It was passed on to General MacArthur, who flew it over Tokyo. This flag belonged to Maury Maverick, but Mr. Maverick recognized that this flag really belonged to the Congress and to the people of this country and gave it to the Congress. It is now reposing in a file in the office of the Architect of the Capitol. I hope it will find more suitable lodgings in the near future.

I think the first flag to fly over the Capitol carrying Alaska's 49th star will be worth preserving, and for that purpose I submit for appropriate reference a concurrent resolution transferring the flag to the Architect of the Capitol for safekeeping and suitable display.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 118) was referred to the Committee on Public Works, as follows:

Resolved by the Senate (the House of Representatives concurring), That the flag of the United States designed to reflect the admission of Alaska as the 49th State of the Union which is first flown over the Capitol of the United States shall be transferred to the custody of the Architect of the Capitol.

SEC. 2. The Architect of the Capitol is hereby directed (a) to suitably display such flag in the Capitol of the United States where it shall be available for viewing by the public, and (b) to permanently preserve such flag as an item of historical value.

RESOLUTIONS

The following resolutions were submitted, or reported, and referred as indicated:

INCREASE IN FEDERAL RESERVE REDISCOUNT RATE

Mr. PROXMIRE. Mr. President, the big economic story today is that the Federal Reserve Board has just increased interest rates. They have done this by increasing the rediscount rate at the Federal Reserve Bank of San Francisco from 1¾ percent to 2 percent. It is expected that the other 11 Reserve banks will follow suit. The New York Times calls this a significant change in policy. It certainly is.

Mr. President, as a Senator and as a member of the principal monetary committee of this body, the Banking and Currency Committee, I vigorously protest this action. This is a mistake and a bad one.

Higher interest rates under present economic conditions will seriously damage the American people.

According to the latest Government reports there are still more than 5 million American workers seeking jobs. The unemployment rate seasonally adjusted rose in July. As the New York Times reported this morning, never before has the Federal Reserve System moved toward higher interest rates with 5 million unemployed.

Higher interest rates are sure to slow down buying and investing that will provide more jobs. Will the American people buy more houses, cars, or appliances when interest rate—the financing charges—on those purchases is increased? Of course not. It is a simple fact of life that they will buy less. They will pay more for what they buy certainly; because they will pay more in financing charges. But they will be forced to buy less—for this very reason.

Mr. President, will the American businessman borrow money to expand his plant because the cost of that money, the interest rate, has increased? Of course not. He will slow down his borrowing. He will invest less. He will expand, if at all, more slowly. Less buying—less capital expansion—means less jobs.

Mr. President, this action by the Federal Reserve Board is bad, because it is unjust. Since this administration came into power in 1952, interest payments have climbed from about $12 billion to about $19 billion. This means that money has been taken out of the pockets of the great majority of the American people—who are paying for homes and autos, or for their small business or farm loans—and has been put into the pockets of the bankers, the insurance companies, the coupon clippers. This latest decision by the Federal Reserve Board carries on this policy.

Mr. President, in a few days we are going to be asked to increase the national debt ceiling to $288 billion. Every nickel of this vast debt, Mr. President, carries an interest price tag that has to be paid by American taxpayers. The action of the Federal Reserve has just shoved higher the tax bill for the taxpayers.

Mr. President, in spite of all these objections, the Federal Reserve Board is increasing interest rates. Why? The only reason given is that it is an effort to stop inflation. Mr. President, any one who has read the newspapers in the past several years, knows this plan will not work. It did not stop inflation in 1956 and early 1957. Higher interest rates and higher cost of living run hand in hand through economic history, and especially in recent economic history.

The American people pay that higher cost of living today, by means of the $7 billion they pay because of the higher interest charges which this policy has loaded on their backs since 1952.

Mr. President, because of this failure of higher interest rates to stop inflation, because of its disastrous corollary effects on city and county borrowing, school district borrowing, small business and farm interest payments, financing charges on homes and automobiles, and the taxes all of us pay because of vastly increased cost—due to the high interest rates of servicing the national debt—for all these reasons, Mr. President, I submit a resolution to require the Federal Reserve Board to make a study in an effort to find other ways—ways that will work—of keeping down the cost of living. I ask that the resolution be appropriately referred.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 377) was referred to the Committee on Banking and Currency, as follows:

Resolved, That it is the sense of the Senate that existing methods designed to control inflationary and deflationary pressures in the economy, particularly controls affecting the general level of interest rates, have not been effective in achieving a well-balanced and sound economy.

It is further the sense of the Senate that the Board of Governors of the Federal Reserve System should reevaluate existing mechanisms for controlling the economy, together with the manner in which such mechanisms have been utilized, and to explore the need for new methods for achieving a well-balanced and sound economy.

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 378) providing additional funds for the Committee on the Judiciary in connection with the internal security of the United States, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

ASSISTANCE TO CERTAIN SEGMENTS OF THE FISHING INDUSTRY—AMENDMENT

Mr. LAUSCHE (for himself and Mr. THURMOND) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 3229) to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes, which was ordered to lie on the table, and to be printed.

MUTUAL SECURITY APPROPRIATION BILL, 1959—AMENDMENTS

Mr. CLARK submitted amendments, intended to be proposed by him, to the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, which were ordered to lie on the table, and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. WILEY:

Statement by him on United States foreign policy.

By Mr. LANGER:

Release entitled "Your Congressman Comments," written by Representative USHER L. BURDICK, of North Dakota.

THE NEED FOR AID FOR THE NEW ENGLAND GROUND-FISH INDUSTRY

Mr. SALTONSTALL. Mr. President yesterday, August 14, marked another very dark day in the history of the New England ground-fish industry. It is with great disappointment that I must report to the Senate the demise of proposed legislation to aid this critically distressed and vitally important American industry.

The House Committee on Merchant Marine and Fisheries yesterday tabled the Federal Fisheries Assistance Act of 1958, a companion bill to which is now on the Senate Calendar.

Twice, the New England ground-fish industry has been before the Tariff Commission and has established the economic justification for tariff relief, but twice the steps recommended have had to be postponed because the Nation's security required it. But certainly it is not in the national interest to force upon this industry responsibility for supporting a national-security policy essential to the Nation as a whole.

Mr. President, if we continue to delay the taking of effective steps which must be taken in order to remedy this critical situation, we shall be jeopardizing a vital national food supply, weakening the prestige of the United States on the high seas, and inequitably penalizing 60,000 citizens of New England.

On behalf of the New England groundfish industry I wish to express gratitude to the distinguished chairman of the Senate Interstate and Foreign Commerce Committee [Mr. MAGNUSON], without whose diligent efforts Senate bill 3229, the Senate version of the Fisheries Assistance Act would not now be on the Senate Calendar awaiting action. I wish also to commend the junior Senator from Maine [Mr. PAYNE] for his tireless efforts on behalf of the bill and for his persistent and long-standing support of the interests of New England fisheries. In the House, Representative BILL BATES, of Massachusetts, has battled energetically for the passage of this much-needed bill.

Unfortunately, Mr. President, this proposed legislation will not be enacted during the 85th Congress. But conditions in the industry may soon deteriorate to a point where assistance by the Government will be too late. On behalf of the New England delegation, in both the House and the Senate, I state emphatically that in January we will renew our efforts to obtain the enactment of legislation which will be of benefit to this vital industry, which has had to take some very hard blows in the interests of the national security.

Mr. President——

The PRESIDENT pro tempore. The Senator from Massachusetts.

FOREIGN SERVICE INSTITUTE OF THE STATE DEPARTMENT

Mr. SALTONSTALL. Mr. President, over the past few years the Senator from Montana [Mr. MANSFIELD] and I have been very much interested in the Foreign Service Institute of the State Department. He has submitted a resolution on that subject, and so have I. We also submitted one jointly. The Senator from Montana was chairman of the Foreign Relations Committee's subcommittee on this subject. Both of us wish to vitalize and stimulate the Foreign Service Institute, which in these difficult

times is so important in connection with the training of our diplomats.

I wish to ask the Senator from Montana what the status of those measures is, and what his recommendations concerning them are.

Mr. MANSFIELD. Mr. President, unfortunately, we have not been able to obtain from the State Department all the information desired, in order to report these measures at this session.

So far as the Senator from Massachusetts is concerned, certainly he has been very diligent and earnest in his desire to have the measure acted on favorably; and if such action had depended on his leadership alone, the measures by now would have received Congressional approval.

I hope that at the next session, as soon as the Congress convenes, the Foreign Relations Committee will consider the subject, and will report a measure favorably, and in that way will take action along the lines the Senator from Massachusetts has sought so assiduously through the years.

Mr. SALTONSTALL. So the Senator from Montana feels the same way that I do about this matter, does he?

Mr. MANSFIELD. Yes; and I thank the Senator from Massachusetts for his attention to it during these years.

Mr. SALTONSTALL. I thank the Senator from Montana.

I certainly hope the Foreign Relations Committee will take prompt action, because of the great importance of the Foreign Service Institute in connection with the proper training of our diplomats, who play so important a part in the conduct of the foreign affairs of our Nation.

Mr. MANSFIELD. Mr. President, I will say that the Foreign Relations Committee is in full accord with the view of the Senator from Massachusetts; and the committee will make every effort to report such a measure at the next session.

Mr. SALTONSTALL. I thank the Senator from Montana.

SENATOR KENNEDY'S ADDRESS ON MILITARY POWER

Mr. MANSFIELD. Mr. President, yesterday the distinguished junior Senator from Massachusetts [Mr. KENNEDY] made a speech which I hope will be read, studied, and pondered not only by the entire Congress, but by the American people and the administration as well. It was a hard-hitting speech, but it laid the facts on the line for all to see.

In this morning's New York Daily News there is an analysis of the speech by Mr. John O'Donnell. Mr. O'Donnell is also a forthright individual. No one could agree with everything he says day in and day out, but certainly everyone will have to agree that he is frank, that he is hard-hitting, and that he brings the facts, as he sees them, into the open for all to see.

In view of the great importance of the speech delivered by the junior Senator from Massachusetts yesterday, and in view of the significant contribution made by Mr. John O'Donnell in his article in this morning's New York Daily News, I ask unanimous consent that the column, entitled "Capitol Stuff," may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPITOL STUFF

(By John O'Donnell)

WASHINGTON, August 14.—When a United States Senator, who now leads all polls as his party's candidate for the White House in 1960, sounds off in a carefully prepared speech to warn the country that in only 2 years we are in danger of losing to the Russians the basic power which has long braced our fundamental military and diplomatic strategy, it's time for the populace to pay attention—and get intelligently frightened.

The junior Senator from Massachusetts, Democrat JOHN F. KENNEDY, is a well-educated, sophisticated, far-traveled lawmaker. He is not given to frothy oratory or frivolous statements to scare hell out of the peasantry. Not even his bitterest political enemy ever accused KENNEDY of not knowing what he was talking about. Today he declared that time is running out on us and that within a couple of years, we Americans will lose that power to preserve peace by the deterrent threat of our "massive retaliation" by nuclear weapons in case of attack.

A year ago last Fourth of July, Senator KENNEDY exploded a diplomatic firecracker under the coattails of Secretary of State Dulles and President Eisenhower when he called on the administration to cease arousing anti-Americanism in North Africa by supporting the then wobbly Government of France with money and arms to crush the Arab nationalists in Algeria. Today, he calls upon the United States to think again about our basic foreign policy which is, since Hiroshima, the settled doctrine that our nuclear power is so great "as to deter any potential aggressor from an attack on us."

KENNEDY points out that this basic concept of yesteryear has not been changed in the face of the Soviet's possession of similar striking power. "The hard facts are," says KENNEDY, "that this Eisenhower-Dulles premise will soon no longer be correct."

KENNEDY says he fears that we are rapidly approaching the "gap" or "missile lag" period—the critical 1960–64 period which retired Lt. Gen. James M. Gavin has warned will find that "our own offensive and defensive missile capabilities will lag so far behind those of the Soviets as to place us in a position of great peril."

SEES A SHORTCUT FOR SOVIETS

Said KENNEDY: "In short, the deterrent ratio might well shift to the Soviets so heavily during the years of the gap as to open to them a new shortcut to world domination.

"The Soviets, moreover, will be as well aware of their advantage during the years of the gap as we—we cannot expect them to sit idly by and make no profitable use of it while we strive to catch up."

What KENNEDY is calling for is a ditching of the Dulles "massive retaliation" concept of diplomatic attitude to preserve the peace—in favor of an entirely new strategic approach.

FACTS MUST BE FACED AND SOON

In a masterpiece of understatement, KENNEDY said that the present facts regarding the frightening advance of the Soviets in nuclear warfare are not easy facts to face, but the facts must be faced and soon.

"Our peril is not simply because Russian striking power during the years of the gap will have a slight edge over us in missile power—they will have several times as many intermediate range missiles to destroy our European missile and SAC bases; and intercontinental missiles to devastate our own country, installations, and Government; and history's largest fleet of submarines, and possibly long-range supersonic jet bombers, to follow up this advantage. If by that time their submarines are capable of launching missiles, they could destroy 85 percent of our industry, 43 of our 50 largest cities, and most of the world's population.

"We shall have no such supply of missiles with which to retaliate—particularly after our few exposed IRBM bases in Europe and the Mediterranean are attacked. We have not yet even successfully completed a test of our Atlas, or Titan ICBM's, while Russian test successes are now established.

Then came these chilling words:

"Progress on what appears to be one of our best hopes—the Polaris—has lagged, and I understand may even now be threatened by a possible Defense Department order impounding the extra funds for this work voted by the Senate."

RELYING ON INADEQUATE MANNED BOMBERS

"We shall rely to a great extent on manned bombers—bombers which face a problem of sufficient alert and sufficient dispersal to avoid decimation, particularly if current Middle East trends should curtail our base operations in that area—bombers that lack an adequate refueling system to penetrate Soviet borders without some 2 to 4 refuelings from our inadequate tanker supply.

"Even then we shall encounter a Soviet air defense, and dispersal or concealment of vulnerable power, far superior to our own—a margin, according to some estimates, which the Soviets will be able to maintain at a level of 2 to 4 times greater than our own."

In his frontal attack on United States high policy, the usually restrained KENNEDY, bluntly declared: "The people have been misled; the Congress has been misled; and some say with good reason that on occasion the President himself has been misinformed and thus misled."

The answer? (1) Don't let the budget officers or the politicians in high office cut down defense spending to the danger point. (2) Diplomatically, follow the example as far as we can of the Soviet leaders in the days when we had atomic control and they were the "underdog." (3) Make the most of all our remaining advantages and the enemy's weaknesses—and thus buy time and opportunity to regain the upper hand.

SIZE AND WEIGHT LIMITATIONS ON FOURTH-CLASS MAIL

Mr. MONRONEY. Mr. President, in view of the imminence of adjournment it is now apparent that it will not be possible for Congress to complete action at this session of Congress on S. 3899, to readjust the size and weight limitations on fourth-class mail matter.

I regret that this section had to be deleted from the general postal rate bill, and that the introduction of a separate bill came too late to permit its passage before Congress adjourned.

I believe that this is important legislation, and I intend to reintroduce this bill or a similar measure at the earliest possible date after the beginning of the 86th Congress in January of next year. I hope that it can be promptly considered by the Post Office and Civil Service Committee and passed by the Senate early in the next Congress.

I ask unanimous consent to include in the RECORD at this point a statement based on my testimony on June 24, 1958, before the Post Office Subcommittee of the Post Office and Civil Service Committee. I hope Senators will have an opportunity to acquaint themselves with the merit of this bill, and that during the recess they will have an opportunity to talk to mail users and postal officials in their home States about it. I am sure that, if they do, they will find there is an overwhelming demand for adjustment and standardization of the size and weight limitations on fourth-class mail.

This proposed legislation is urgently needed by the Post Office Department and by thousands of businesses which must use parcel post regularly. The relief the bill provides is long overdue, and I hope that other Members will join me in trying to insure that the relief is given early in 1959.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR A. S. MIKE MONRONEY ON S. 3899 BEFORE THE POST OFFICE SUBCOMMITTEE OF THE SENATE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, JUNE 24, 1958

I would like to say a word or two in behalf of a bill which I introduced, S. 3899, which would adjust the size and weight limitations on fourth-class mail matter.

I was a member of the Committee on Post Office and Civil Service of the Senate in the 82d Congress when S. 1335—a bill to readjust size and weight limitations on fourth-class (parcel post) mail—was reviewed by the committee, beginning April 26, 1951. S. 1335, with subsequent amendments by the Senate and the House, became Public Law 199.

In considering this legislation we knew we were entering an area that needed exploration. Legislation was needed to eliminate the mailing of automobile parts and other heavy objects which were never intended to move as parcels and to define the limitations at which a parcel should be acceptable as parcel post and thereby prevent the Post Office Department from becoming a heavy shipment medium.

We heard a great deal of testimony to the effect that the Government should not compete in a business where it was not equipped to perform all the necessary functions and pointing out that post offices were not equipped to handle heavy outsized packages. We knew that we would have to review this law and make adjustments after we had had a chance to see how it worked.

I am not very proud of the patchwork pattern of ratemaking that we provided in the bill, but it was the best that we could do at the time. There were various reasons why we had to provide for three distinct rates. The committee had no way of knowing how much difficulty they would cause.

Under Public Law 199 parcels shipped between first-class post offices in the first 2 zones (approximately 150 miles from point of mailing) were limited to 40 pounds and 72 inches combined length and girth. Parcels shipped between first-class post offices, zone 3 through zone 8, were limited to 20 pounds and 72 combined inches. We retained the old maximum limits of 70 pounds and 100 combined inches for parcels shipped between post offices other than those of the first class. In addition, we exempted agricultural products, books, and certain other items, so you might say that we really have four rates.

This was not good ratemaking and we realized it. However, we did not want to eliminate this service to areas where it was otherwise unobtainable.

The committee felt that this legislation should be reviewed about every 2 years. It has now been 6 years since it has been reviewed. Certainly, time has demonstrated that we need to correct some of the inequities and undue penalties resulting from the practical operation of Public Law 199.

As you know, one of the reasons for passage of Public Law 199 was to assist the Railway Express Agency in overcoming its deficit and loss of business. I think it is rather interesting to note that while we passed the bill we apparently did no great service to the Railway Express Agency. Their complaint in 1951 was that their employment had declined by 32,000 from 1946 to 1950 because of competition of parcel post. Of course, part of the decline was caused by reductions in volume of business after the war. Actually, Railway Express had an all-time employment high of 81,000 in 1946 as a consequence of wartime business. Prewar (1940) employment had been 44,000, which was about the same as in 1951.

In 1952, when Public Law 199 became effective, Railway Express employment increased to 46,000. Since that time it has continued to decline and by 1957 it had dropped to 37,000. The fact that employment has dropped about 7,000 since the bill was passed does not support the Railway Express Agency's testimony before the committee in 1951, which I am sure was quite sincere, that their business troubles were largely the result of the competition of parcel post.

Railway Express 1/c/1 shipments dropped to 78 million in 1951 from a wartime high of 231 million, and it is interesting to note that 6 years later shipments were still only 80 million.

Parcel post also lost a large amount of business in that same period, dropping from 7,485 million pounds in 1951 to 5,238 million pounds in 1957.

Obviously, Public Law 199 brought neither Railway Express nor parcel post any gain in business from the other's loss. Both lost business in a period when American business generally was experiencing large and prosperous growth.

During this 6-year period, the Interstate Commerce Commission has approved, and I think quite properly so, increases in Railway Express rates in 5 successive steps, from a 93-cent minimum to a $2.20 minimum, with proportionate increases in other rates.

It would seem to me that the arguments which were cogent at the time, and given in all good faith, simply do not stand up in the light of experience.

I think the parcel post size and weight legislation embodied in Public Law 199 has placed an unduly costly operating burden on the Post Office Department. These regulations are very confusing to the postal workers, and judging from the letters I get from my constituents, extremely confusing to the public.

On December 13, 1955, Maurice Stans, then Acting Postmaster General, wrote the chairman of the House Post Office Committee, with a similar letter to the Senate committee, saying, in part:

"On January 11, 1954, the Post Office Department reported to a subcommittee of your committee that Public Law 199 (65 Stat. 610) imposing nonuniform weight and size limitations on parcel post had created operational difficulties, losses of postal revenues, and widespread public misunderstanding and dissatisfaction.

"The Department is completing its fourth year of experience under Public Law 199 and the problems set forth at that time have grown more serious. • • •

"Parcel post is a major factor in the promotion of commerce and trade and is the only small parcel service in the United States which provides comprehensive service throughout the length and breadth of the country. In view of the operational difficulties, the adverse financial consequences on large numbers of private citizens and small businesses, and the public confusion and dissatisfaction caused by nonuniform parcel limitations, it is requested that your committee give consideration to the establishment of uniform weight and size limitations for parcel post from and to all classes of post offices.

"If hearings are held on this problem, the Department believes the Congress could, with relative ease, determine what the uniform size and weight limits should be."

Another interesting fact that has been brought to my attention since I introduced this bill is that more and more parcel post is being sent from the small post offices on the perimeters of large cities in order to avoid the size and weight limitations of the downtown first-class offices. Some firms are hauling their parcel post to these small offices by truckloads.

The provisions of S. 3899 were originally contained in H. R. 5836, the postal rate bill which was approved by the Post Office and Civil Service Committee and reported to the Senate on February 24, 1958. These provisions were only deleted after it was decided that they were not related to the purpose of the rate bill since they involved a change in regulations rather than rates. However, as I recall, it was definitely stated on the floor of the Senate that the section would be deleted with the understanding that it would be introduced as a separate bill.

I think that legislation to correct this situation is long overdue, and that passage of S. 3899 will not only simplify the handling of parcel post, but it will relieve the public confusion and dissatisfaction and assist small businesses, particularly dependent on parcel post for the distribution of their products, in combating the recession. It would also bring in revenue which the Government today is losing and which apparently is not being picked up in additional profits by the Railway Express Agency.

I think that S. 3899 is a reasonable solution to what I consider an unreasonable situation, and I hope that this bill will be reported by the committee and given consideration on the floor of the Senate during this session of Congress.

Thank you very much, Mr. Chairman, for giving me this opportunity to appear here in support of this legislation.

THE RUSSELL AMENDMENT TO THE SUPPLEMENTAL APPROPRIATION BILL

Mr. SMITH of New Jersey. Mr. President, although I have been unable to hear the entire debate on the so-called Russell amendment, I find myself in a quandary with regard to my vote on it. I am troubled by the thought that if we adopt the Russell amendment it will be an implication that there is some sort of study being made to determine when the United States should surrender in an atomic war. I doubt very much whether this is the case; but, on the other hand, if I vote against the Russell amendment, it would appear to assume a willingness on my part even to consider terms of surrender rather than be destroyed.

Mr. President, I have decided to vote for the Russell amendment. I think in ordinary orthodox war it would be legitimate for the Commander in Chief of the Army to consider the point at which he should offer surrender terms before his army was destroyed, but in an atomic war the situation is entirely different. I say with full sincerity that in case we ever should be in danger of being completely destroyed because of any advantage the Russians may have in atomic warfare, I would be compelled to

resort to the historic statement of Patrick Henry, "Give me liberty or give me death."

Mr. President, speaking for myself, I would rather be destroyed, and have my dear ones destroyed, than surrender and live in slavery under a Soviet-dominated totalitarian, atheistic system.

I will vote to support the Russell amendment.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. JOHNSON of Texas. I did not reach my desk until the Senator had almost concluded his statement. I merely want to observe that I heard the last part of the distinguished Senator's statement. I heartily agree with him, and with his patriotic statement. We all are loath to see him leave us, for the Senate will sustain a loss with his departure.

I did not hear all the speech delivered yesterday by the able Senator from Massachusetts [Mr. KENNEDY], although a hurried perusal of it would indicate that he said nothing which had not been publicly disclosed before and which we had not seen in editorial comments and in news articles and news publications of this country.

I think it is utter nonsense for anyone in the Congress or anywhere else to think the United States is paying anybody to think about surrender. I do not believe we have appropriated any funds for such a purpose. I am confident we are not going to appropriate any funds for such a purpose. If we did appropriate funds for such a purpose, I do not think they would be used by the President or by the Defense Department.

I am not in sympathy, however, with the statements made that Senators cannot come into this Chamber and present their views as to the dire necessity of preparing this Nation. I think the Senator from Massachusetts performed a great service, as has the Senator from Missouri [Mr. SYMINGTON] for many years. Therefore, while I agree with the Senator from New Jersey, I want to point out that I do not think any Senator need hesitate for a moment to say that in this bill or any other bill, Congress is not going to provide any money for a study on a surrender of this country. There is no obligation not to say we are not going to pay people for a study about surrendering. We say almost every day we are going to have a limitation and that we are not going to let money be spent for certain publicity purposes or for certain propaganda purposes. All we say here is that the Congress is not going to allow any money to be spent for a purpose which, even remotely, might relate to surrendering.

To me, the amendment of the Senator from Georgia ought to command the unanimous support of every Member of the Senate. I think it will command the support of the Defense Department and of the President of the United States. I do not think they have any more idea of ever surrendering than we have. I do not think it is only the Senate that is pure in the matter. This is a Senate proposal. We have got to act on it. Congress should express itself, and should not have to take its hat in hand, run downtown, and say, "Please, mister, may I?" When we shall have acted, the Defense Department will have an opportunity to express itself. I am confident there will be no difference between us and the Executive on the question. Once Congress expresses itself, I have not the slightest doubt that the Executive will have the same viewpoint.

I congratulate the Senator from New Jersey for his statement. I hope we will go on with the bill. One way to keep us from ever having to face surrender is to pass the bill and provide funds for the space agency, the atomic energy agency, and for other important defense items. I hope we will do that. I again congratulate the Senator for the statement he has made.

The PRESIDING OFFICER (Mr. CLARK in the chair). The time of the Senator has expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Jersey. I am happy to identify myself with the statement of the majority leader. I think he has expressed the matter well. I hope the bill will pass, and that the amendment will be adopted unanimously, without a dissenting vote.

Mr SALTONSTALL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. SALTONSTALL. We debated this subject very fully yesterday. We expressed our ideas very thoroughly. The majority leader has expressed himself in a few words this morning. I believe the executive department has expressed itself on this subject. I join in the majority leader's desire and hope that we shall now be able to accept the proposal, after 24 hours' thought and deliberation, and after seeing there is no imputation to be put on the words other than their clear meaning. I hope the amendment will be put to a vote quickly, and without further discussion.

Mr. JOHNSON of Texas. I am ready to agree to the amendment at any time the Senate is ready to act. I did not need 24 hours to say we are not ready to surrender. I was ready to say that last night. I shall be glad to have anybody who has thought about it overnight and has come to the same conclusion to join me.

I know the Senator from Massachusetts and I do not always see everything alike, although on national defense matters we have worked very closely together. I think we ought to be going further. I think we ought to be going faster. I have said so. History may prove me to be wrong in that field.

I remember when only 8 or 9 of us at one time in the Senate voted for a larger appropriation for aircraft. The Senator from California voted with me, as did a few others. Situations change. Sometimes one is wrong and sometimes one is right. The important thing is that there is no difference of opinion about love of our country, or about never surrendering. There is a difference of opinion about whether we ought to go further or whether we ought to go faster. We are going to express that difference of opinion.

There is no difference of opinion as to specific things which ought to be done. In the Committee on Armed Services we sat for 4 months, yet had a unanimous report. I think that report was perhaps more alarming and perhaps more critical than the speech of the Senator from Massachusetts which caused all the furor yesterday.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the statement issued by the Preparedness Subcommittee, including the 17 points, so that those who read will see that all the committee felt that what we needed was action—action yesterday.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATE MAJORITY LEADER LYNDON B. JOHNSON

Mr. President, the Senate Preparedness Subcommittee today concluded its current series of hearings into the satellite and missile programs with the adoption of a unanimous statement.

That statement expressed the sense of unity that the committee has on the urgent need for strengthening our country's defenses. It expressed the kind of unity that I believe Americans desire.

We tried to state the facts which give cause for foreboding and the facts which give cause for hope. And we stated those facts not as members of political parties but as servants of the Senate reporting to you and to our people.

Our country is entering a new period of history in which the total resources of America must be brought to their greatest development. No segment of our economy or of our life must be ignored or neglected.

Our programs, our policies, and our practices must all be in good working order. A full national effort is required and this can be achieved only by people working together.

The goal is not just imitating some Soviet missile or some Soviet achievement. This attitude could lead us into a hypnotic trance in which we would forget that our true strength is our freedom.

And that is a fundamental which must not be forgotten.

We would lose much more than we would gain if we tried to match totalitarian accomplishments by adopting totalitarian methods and values.

Our need to mobilize today flows from a necessity of forging ahead to broader frontiers of freedom—not just from the need of catching up with the Soviets.

We must not fail because we sell short the potential of a free society. We must succeed by unleashing our minds, unleashing our capacity, and moving forward with the great force, vigor, and imagination of which we are capable.

I believe that spirit dominated the deliberations of the Senate Preparedness Subcommittee. I do not mean that we are in agreement on every point presented to us in some seven-thousand-odd pages of testimony.

The members of the subcommittee will differ on many specific points. But we see the dangers before us through the single perspective of Americans determined that freedom shall survive.

I wish to express my deep appreciation to the majority and minority members of the subcommittee. Without their wholehearted

cooperation, the enterprise in which we have engaged would not have been possible.

And now, for the benefit of the Members of the Senate, I wish to read the subcommittee's joint statement.

STATEMENT OF THE SENATE PREPAREDNESS SUBCOMMITTEE ISSUED BY CHAIRMAN LYNDON B. JOHNSON AND RANKING MINORITY MEMBER STYLES BRIDGES AT THE DIRECTION OF THE SUBCOMMITTEE

We have now concluded our current set of hearings. On behalf of the subcommittee in consultation with other members, I am making a brief statement.

No responsible civilian or military leader in the Government can do aught but face with deep foreboding the current prognoses of the outcome of general thermonuclear war. The subcommittee feels that the problems involved in this hearing are of immediate urgency to our Government and our people.

For the past 110 days, this subcommittee has been engaged in an unusual enterprise. It is a review of the Nation's present and future defense posture in the light of a rapidly evolving science and technology.

The subcommittee has heard some 70 witnesses. About 200 experts have been interviewed. Questionnaires have been sent to leaders of science, education, industry, and government. Some 7,000 pages of testimony are before us.

This inquiry has been one of the most thorough in my memory. It had to be because the subject matter did not permit anything except a careful, prudent, thorough approach. I believe both majority and minority members will agree with that point.

In the course of our investigation, I hope we have been able to present to our people important facts. I know that it has been an educational process for me and, I believe, for the other members of our group.

We began with a simple—but revolutionary—fact. It was that for the first time in all history, a manmade satellite was placed into an orbit around the earth.

There were many who realized that this was an inevitable development of the march of science. But the circumstances under which it happened were startling and brought into sharp focus facts which had been known previously but not fully appreciated.

We had expected to be first with this achievement. In fact, we have yet to prove second—although our own achievement in this field is not very far away. The winner was the Soviet Union.

From the beginning, however, it developed that there was much more at stake than the prestige of being first.

There is no evidence that the satellite is a weapon now.

But it has two important implications.

First, it demonstrates beyond question that the Soviet Union has the propulsive force to hurl a missile from one continent to another.

Second, the Soviet Union has gathered basic information about outer space.

These two facts raised a number of disturbing questions. We set out to explore those questions and determine the answers. On the basis of sworn testimony by top scientists, leading industrialists and Government and military officials, it can now be said:

1. The Soviet Union leads the United States in the development of ballistic missiles.

2. The Soviet Union leads the United States in number of submarines, which raises the possibility of attack with modern weapons or missiles—although the indications are that we are ahead in the production of atomic submarines.

3. The Soviet Union is rapidly closing the gap in manned air power—and, at present rates, will surpass this country in a comparatively short time.

4. The Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States.

5. The Soviet Union has led the world into outer space.

6. The Soviet Union is producing scientists and technicians at a rate substantially greater than our country.

These facts do not give cause for comfort. But we do not consider them a cause for despair or hopelessness. We regard them as a challenge to all Americans.

There is nothing in the record to indicate that America has lost its vitality or its capacity to produce in time whatever we need to retain our present power to strike devastating blows—blows of almost total destruction—at any aggressor.

The facts which we have been investigating are the facts of the future. And while the future is very close—extremely close—it is still under our control.

There is no point in arguing that things might have been different had things been done differently in the past. Everybody on this committee is willing to concede that point.

The past is already for historians. Let us seek solutions that the future may be written by Free World historians.

Since Sputnik I was put into orbit and this inquiry began, the Secretary of Defense has taken the following actions:

Overtime restrictions have been removed from the ballistics programs and some of the other high priority programs.

Basic research projects have been restored to former levels.

The Army has been ordered into the satellite program.

Production of the Thor and Jupiter missiles has been authorized.

The development of the Atlas missile has been stepped up.

Development of the Polaris missile system has been accelerated.

The Army has received a go-ahead for developing a new, solid fuel missile.

An advanced research project agency has been authorized.

An Office of Director of Guided Missiles is now in being.

Development of antisubmarine warfare capability has been stepped up.

Steps to disperse the Strategic Air Command are underway.

The Air Force has been authorized to go ahead with an early warning program against missiles.

The Army has been assigned the task of developing an antimissile system.

The Secretary of Defense has appointed consultants and has promised to come to Congress as soon as possible with recommendations to improve Defense Establishment through organizational changes.

These steps are admittedly only a beginning. There are many steps still to be considered. And it is heartening that the Secretary of Defense is keeping an open mind on those steps and has pledged decisions and greater action when such actions are necessary as soon as possible.

The committee has received many urgent recommendations. The principal areas covered, though not necessarily in the following order of priority, upon which decisive action must be taken are:

1. Modernize and strengthen the Strategic Air Force.

2. Step up the dispersal of SAC bases.

3. Put more effort into developing antimissile missiles.

4. Improve our early warning system for manned aircraft and accelerate the development of an early warning detection system for ballistics missiles.

5. Modernize and strengthen ground and naval forces.

6. Provide an adequate airlift for ground troops.

7. Pour more effort into our antisubmarine program.

8. Step up production schedules of Atlas, Thor, Jupiter, and accelerate the development of Titan.

9. Reduce lead time in the development of weapon systems by cutting down on decision time and by simplifying procurement procedures.

10. Provide for a freer exchange of scientific and technical information between the nations of the Free World.

11. Start work at once on the development of a rocket motor with a million pounds thrust.

12. Give serious attention to the question of shelters and stockpiles for civil defense.

13. Reorganize the structure of the Defense Establishment.

14. Provide increased incentives for the retention of trained personnel in the military services.

15. Accelerate and expand research and development programs, provide funding on a long-term basis, and improve control and administration within the Department of Defense or through the establishment of an independent agency.

16. Put more effort in the development of manned missiles.

17. Accelerate the development of the Polaris missile system.

The recommendations will all receive the careful consideration of the committee. They will be evaluated in the light of the facts—carefully, thoroughly, and prudently.

There is another point I would like to make. The responsibilities of this subcommittee are limited to defense. But we have reached a stage of history where defense involves the total effort of a nation.

We have been led into fields which will have to be explored by others with proper jurisdiction and with greater background. But these fields are related to our principal responsibility—the defense of our country.

There is, of course, the field of education. It is obvious that all our plans for the future will be frustrated if we do not foster the training of our children along broad lines through greater concentration on science and mathematics without neglecting the humanities.

We can produce the weapons of survival with what we have now. But the missiles which are so dreaded today may prove obsolete almost as soon as they become realities.

There can be no adequate defense for the United States except in a reservoir of trained and educated minds.

Even more important, however, is the fact that there can be no security for the United States or any other country in weapons. The most accurate and destructive missile yet conceived can bring us nothing but a stalemate.

We prefer a stalemate to defeat and slavery. Let there be no mistake about that.

But the same forces, the same knowledge, and the same technology which are producing ballistic missiles can also produce instruments of peace and universal cooperation.

We are engaged in a race for survival and we intend to win that race. But the truly worthwhile goal is a world of peace—the only word in which there will also be security.

The immediate objective is to defend ourselves. But the equally important objective is to reach the hearts and minds of men everywhere so the day will come when the ballistic missile will be merely a dusty relic in the museums of mankind and men everywhere will work together in understanding.

Mr. MONRONEY. Mr. President——

The PRESIDING OFFICER. The Chair feels compelled to enforce the 3-minute rule. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I should like to proceed for 1 minute.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Oklahoma be permitted to proceed for 3 additional minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the Senator from Oklahoma is recognized.

Mr. MONRONEY. Mr. President, I agree with the distinguished Senator from Texas and the Senator from New Jersey that we should not be thinking about surrender. We should not be thinking about appeasement or any other soft policy which might lead to impairment of our defenses.

Mr. President——

The PRESIDING OFFICER. The Senator from Oklahoma.

INTERNATIONAL CIVIL AVIATION ORGANIZATION

Mr. MONRONEY. Mr. President, earlier this year the Senator from Minnesota [Mr. HUMPHREY] and a number of other Senators introduced Senate Resolution 258, dealing with the activities of the International Civil Aviation Organization in the field of airport economics and use charges. I should like to have printed in the RECORD a letter which I have received from the Senator from Minnesota expressing his regret that it was not possible to take action on this resolution at this session of Congress, and asking whether, in the event a similar resolution was introduced in the next Congress, it would be possible to hold early hearings.

I wish to assure the Senators sponsoring this resolution that the members of the Committee on Interstate and Foreign Commerce are fully aware of the seriousness of the problem to which the resolution is directed. It was the intention of the Aviation Subcommittee to schedule the hearings which were requested by the interested parties during this current session. Because of the tremendous amount of time and effort which was required by the Federal Aviation Act of 1958, it was not possible to hold these hearings.

Our inability to hold hearings this session should not be construed as indicating that we feel that the subject of the resolution is not important. I can assure the Senators who sponsored the resolution that if it is introduced in the next Congress and is referred to the Aviation Subcommittee, it is my intention to make every effort to arrange hearngs at the earliest possible time in order to develop a complete record on the problems raised by the resolution for the early consideration of the Senate.

I ask unanimous consent to have printed in the RECORD at this point the letter from the distinguished Senator from Minnesota [Mr. HUMPHREY].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE,
August 7, 1958.

Hon. A. S. MIKE MONRONEY,
Chairman, Subcommittee on Aviation, Senate Interstate and Foreign Commerce Committee, Senate Office Building, Washington, D. C.

Re: S. Res. 258.

DEAR SENATOR: You will recall that this resolution which I introduced on February 6 on behalf of Senators KNOWLAND, KENNEDY and myself (we being joined in its sponsorship by Senators LONG, SMATHERS, BUTLER, DOUGLAS, MAGNUSON, and YARBOROUGH a few days later) was referred to your Aviation Subcommittee.

As you know, it deals with the problem arising out of the activities of the International Civil Aviation Organization in the field of airport economics and use charges and the participation of the United States in those activities. I urged that hearings be held on the resolution so that the views of interested agencies both in and out of the Federal Government might be available to your committee and the Senate itself. In addition, on February 17, Senator CASE of New Jersey, speaking on the Senate floor on behalf of himself and of Senators SMITH of New Jersey, IVES, and JAVITS, outlined the seriousness of this problem to our American airports, and also urged that early hearings be held on the resolution.

In view of the imminent end of the session and of the other work yet to be completed, I realize that it will probably be physically impossible to schedule hearings before your subcommittee on this resolution prior to adjournment. However, the problem to which the resolution is directed has not decreased in importance, nor has the need for senatorial consideration of it.

I hope, therefore, that you will consider the possibility of scheduling hearings as early as practicable.

Sincerely,

HUBERT H. HUMPHREY.

THE SLOWDOWN IN THE DEFENSE EFFORT

Mr. SYMINGTON. Mr. President, I should like to associate myself with the eloquent remarks made by the able majority leader.

Mr. President, on the Senate floor yesterday there was considerable debate about the status of our defense strength, and especially about the relative strength of our country as against that of the growing strength of the Communist conspiracy.

Whatever position the Senate takes in this matter should of course be taken on the facts; and it is with that in mind I present the following short statement:

During the morning hour yesterday a memorandum was put in the RECORD by the minority leader which contained various optimistic statements about our defense strength.

In that memorandum, specific reference was made to my statement of August 8, regarding the 1.3-percent increase in military expenditures for the fiscal year 1958 as compared with the fiscal year 1957.

At that time, I also stated that this increase was less than sufficient to make up for the decline in the value of the dollar.

The memorandum which was placed in the RECORD by the able minority leader reads:

> The fiscal year 1957 and fiscal year 1958 figures cited by Senator SYMINGTON are correct; however, a comparison over a number of years is much more significant than the difference between 2 successive years. Thus, Defense spent $35.5 billion in fiscal year 1955 and $39 billion in fiscal year 1958, an increase of $1.2 billion a year.

It is difficult to understand any thinking which suggests that it is much more significant to consider defense expenditures in 1955 than it is to dwell on the expenditures of the two most recent years.

Defense expenditures, in comparison with the decrease in the value of the dollar between the fiscal year 1955 and the fiscal year 1958, inclusive, show that the total increase of $3.5 billion dollars during those years is almost the same as the percentage decrease in the value of the dollar over the same period of time.

The Department of Defense memorandum presented to the Senate yesterday by the minority leader apparently takes pride in the fact that the yearly increase in defense expenditure has averaged $1.2 billion since 1955.

That is hard to understand.

The memorandum states my figures were correct in pointing out that the increase of 1958 over 1957 was only $561 million.

Therefore, what the statement inserted in the RECORD by the able minority leader actually emphasizes is the fact that the rate of increase in defense expenditure has been declining in recent years, and that lately it dipped well below the decrease in the value of the dollar.

In other words, so that all of us may understand the degree of fiscal control over defense, the memorandum confirms my statement that, despite all the protestations and promises of increased effort since the launching of Sputnik I last October, the rate of decrease in defense effort has actually accelerated since that time.

TAX RELIEF FOR SMALL BUSINESS

Mr. POTTER. Mr. President, the small-business men of the Nation are not fooled by the recent action of the House in passing H. R. 13382, the so-called Small Business Tax Revision Act of 1958. Nor are they fooled by the Senate's hurried action in tacking the measure onto H. R. 8381, the Technical Amendments Act of 1958.

Our small-business men know full well that, while H. R. 13382 purports to help them, actually it offers little relief from the oppressive tax burdens under which they suffer. H. R. 13382 does not strike at the heart of the problem confronting small business. This problem is caused by the oppressive effect of income taxes which prevent the retention of enough earnings for growth capital. A tax structure which forces the businessman to increase his indebtedness to offset cash working capital depletion or to

maintain his relative position can only result in the further weakening of small- and medium-sized business and an acceleration of the trend to business mergers. Small business should have the right to use its own resources for growth and expansion. Small business cannot grow or flourish except through its own resources. This means that it must be permitted to retain a higher proportion of its net earnings to plow back into depreciable assets and inventory. With all the alleged attention given to the problems of small business I am amazed at the seeming lack of recognition of this fundamental fact. Small business wants no subsidy or special favors. It wants only to be treated in the same manner—taxwise—as today's big business was treated some 20 years ago.

Unless Congress recognizes that small business must be allowed to grow and expand from its own resources there will be no small business. The stimulus to free enterprise will die unless we recognize that it comes from the willingness of investors to start their own operations.

Approximately 60 national associations representing thousands of small-business men had the following to say with respect to H. R. 13382:

> The major deficiency of the bill is that it does not treat with the basic tax problem of small business. It is a tax deferment bill. It is neither a tax adjustment nor a tax relief bill. It is a measure that the House Committee on Ways and Means agrees is not worthwhile. It is a small business tax bill in name only.
>
> It does not deal with the basic tax problem of small business. The House committee report on page 8 (H. Rept. 2198) admits that the committee has not treated with the basic tax problem of small business:
>
> "Your committee is convinced that one of the greatest problems confronting small- and medium-sized businesses is the acquisition of sufficient capital to modernize and maintain a rate of expansion experienced by their larger competitors. In this regard your committee is aware of the fact that small- and medium-sized businesses must rely to a very large extent upon retained earnings for modernization and expansion. Thus, there is a need to allow such businesses to retain more earnings after taxes to provide the funds necessary for growth. To aid in achieving this end your committee has investigated thoroughly various proposals to postpone, or to reduce, taxes based upon reinvestment in inventory and depreciable property, and would have liked to have included a provision along these lines in this bill. However, it has been forced to the conclusion that the budgetary limitations under which all tax relief must now be considered are such that any tax reduction which now could be granted under a reinvestment formula is so small as not to represent any meaningful tax relief to small business."
>
> With respect to the last sentence, the small business community would have gladly accepted a small pittance under that formula compared to the meaningless deferment in the present bill.
>
> This is a tax deferment bill. In the main the bill provides neither tax relief nor tax adjustment.

Mr. President, over an extended period I have been intensely interested in tax relief for small business. On April 8, 1957, I introduced S. 1820. Similar bills were introduced in the House by Representative CURTIS—H. R. 5735—and Representative IKARD—H. R. 12258.

These bills propose two methods for affording tax relief for small business. First, they propose that tax adjustment be measured by the amount of retained earnings which were invested in depreciable assets and inventory. The adjustment would be available to all businesses regardless of size and to incorporated and unincorporataed alike, but since a ceiling was put on the amount of the adjustment, the relief would be meaningful primarily to smaller businesses.

These bills propose that the retained earnings which were reinvested in depreciable assets or inventory could be deducted from taxable income up to 20 percent of the income or $30,000, whichever was the lesser. These limits are not intended to be exact. Perhaps they should be larger—perhaps smaller—but I do believe very strongly that the principle of a tax adjustment for reinvested earnings, up to a specified limit, is of vital importance to small business in these days of rising prices and small business failures.

Although I vigorously urged both the House Committee on Ways and Means and our Committee on Finance to act favorably on these bills, they failed to do so, and instead approved H. R. 13382 which I am confident will haunt them in the future. Unless Congress has the courage to face up to the real problem confronting small business it must be prepared to meet the wrath of small-business men.

For my part, I shall continue to work vigorously toward the end small business will receive the tax relief to which it is entitled and must have if this segment of our economy is to survive.

MEDICAL RESEARCH AND SOCIAL PROBLEMS

Mrs. SMITH of Maine. Mr. President, a few years ago I started a drive for an expanded medical research program. I am happy to say that by the time I had completed my drive for that objective that appropriations for medical research had been doubled by the Congress.

This was accomplished only because the impressive facts about medical research were presented to Congress and such facts were so convincing that the doubling of the appropriations for medical research was inevitable. One of the two most important facts was that for every dollar spent on medical research the results produced such improved health and such decrease in disease that $7 were returned to the Treasury in the form of income taxes from heretofore disabled persons who, without medical research, would not have been able physically to be employed fully.

The other important fact was that medical research was making us so much more healthy that it was increasing the average life of an American by 7 to 10 years.

This gain in making Americans live longer has presented another problem to us. Now we have more older people. The fact that we do not die at earlier ages has increased the percentage of older people. It has raised the problem of medical care and social habilitation of the old people.

To Maine this is a matter of greatest significance for over 10 percent of Maine's population is made up of people over 65 years of age. This is not only the largest percentage in the country, but compares with 9.5 percent projected for the United States as a whole by 1975.

I am proud to say that in Maine we are not waiting for the problem to grow larger. We are not merely content just to sit back and wait and see what the future holds on this problem. Rather we are trying to anticipate the problem and meet it ahead of time.

And our efforts have started on a private basis rather than seeking handouts from the Government. Leadership on this problem has been exerted through the Thayer Hospital in Waterville, Maine. The financing and absorption of the expense of this effort has been carried by the Bingham Associates Fund and the Rockefeller Foundation.

I am very proud of what has been done. I am proud for more than one reason. The Thayer Hospital cared for my own mother shortly before her death. One of the the trustees of the Bingham Associates Fund is my very close friend, Representative FRANCES BOLTON of Ohio, who is one of the most preeminent leaders today in the field of health, hospitals and nursing. The good that FRANCES BOLTON has done for thousands of people will never be known. It can never be adequately summarized or characterized. This is but one of innumerable instances.

Particularly outstanding was a survey of the unmet needs in medical care of rural people, State of Maine, 1956, conducted by Dr. Wilson G. Smillie, professor emeritus of Cornell University Medical College, and Dr. Jean A. Curran, trustee and consultant, Bingham Associates Fund.

As one result of the Smillie-Curran report, George Nilson, field director of the Bingham Associates program for Maine, worked with a group of community leaders and volunteers in Waterville in their survey of health needs of the older people of that community. The completed survey emphasized the need to develop a coordinated program of general and special services—hospital, medical, nursing, social work, and public health—to meet the needs of older people living in the Waterville area.

The Waterville community presents truly unique opportunities and challenges. The Thayer Hospital, under the inspiring leadership of Dr. Frederick T. Hill, medical director, and Miss Pearl R. Fisher, administrator, has just completed a new one-half million dollar unit designed for the care of chronic disease, principally in older patients, and possesses one of the two highly developed out-patient services in the State. The hospital and its staff leadership are prepared to support the project and to work closely with Sisters Hospital and Colby College. The initiative and support of

Dr. Dean Fisher, State commissioner of health and welfare, together with active interest on the part of the United States Public Health Service, and their full approval of the selection of Waterville for this pilot project, are added unique features. The lack of either public health nurses or medical social personnel in the Waterville community presents an opportunity to introduce such special services and to integrate them into the whole medical care team, thereby upgrading the standards of medical care both in the hospitals and the homes.

Consultants from Washington, D. C., New York City, Cleveland, and Boston add confirmation to the conclusion that this Waterville community clinical research and demonstration project is a new approach in the country and should serve as a model for other semirural communities' programs throughout the United States.

Operating in such a community, the total health needs of its older people and other citizens can be effectively studied. Answers to such questions as the function of the general hospital, the convalescent home, and the nursing home, will help to close the gap between acquisition of new medical knowledge and its application to patients. In addition, the clarification of the State's role in the care of long-term patients, the relation of the State and local community in assuring responsibility for such care, and the cost of this coordinated care, will more effectively establish and assure better planning for maximum care. Such answers, it can be expected, will help reduce cost per patient, encourage group practice, develop better relations between the community and medical centers, general hospitals, and nursing homes, and give the patients themselves greater hope for more productive lives.

MIKE MANSFIELD, SENATOR FROM MONTANA, UNITED STATES DELEGATE TO UNITED NATIONS

Mr. MURRAY. Mr. President, I know that the entire membership of this body shares my pleasure and pride in the fact that the distinguished assistant majority leader, Senator MIKE MANSFIELD, of Montana, has been named by the President as a member of the United States delegation to the General Assembly of the United Nations, for its 13th session which begins in New York September 16.

Senator MANSFIELD's eminence in the field of foreign affairs was immediately and singularly recognized by this body when he came to the Senate less than 6 years ago, after serving 5 terms in the House of Representatives. He was immediately given a seat on the Committee on Foreign Relations. Never in recent times has the Senate given this key assignment to a new Member. The confidence which the Senate placed in him was well placed, as his yeoman service on the committee has proved.

Additionally, three Presidents have designated him to conduct important missions for this country.

President Roosevelt sent him to China as his personal representative in 1944.

President Truman named him as a United States delegate to the ninth Inter-American Conference in Colombia in 1948, as a representative of the United States to the sixth session of the General Assembly in 1951–52, and as United States representative at the meeting of the Ad Hoc Commission on Prisoners of War in Geneva in 1952.

President Eisenhower named him as United States representative to the Southeast Asia pact in Manila in 1954.

Senator MANSFIELD has made several exhaustive and, I might add, exhausting—to the people who tried to keep up with him—surveys abroad, as a Member of this body and as a Member of the House of Representatives. His subsequent observations to the Committee on Foreign Relations and on the floor are anticipated and valued not only by the Members of Congress but by the men above us here in the Press Gallery, and their editors and publishers, and by high officials in the executive branch.

But I would like to dwell for a few moments, Mr. President, on some other aspects of MIKE MANSFIELD's career and service which those of us from Montana know best.

He grew up in Great Falls, Mont. He did not have the opportunity to go to high school, or even finish the eighth grade. He went to work very early in life, and when he attained 14 years of age he enlisted in the United States Navy, in which he served honorably during World War I, spending 10 of his 19 months in service overseas. Subsequently he enlisted in the Army for a year. Then he enlisted in the Marines for 2 years. At 19, a veteran of all 3 services, he came to my home town of Butte and went to work in the mines.

MIKE MANSFIELD spent 8 years underground in Butte. During this time he took entrance examinations which enabled him to become eligible to enter the Montana School of Mines, despite the fact that he had not even graduated from grammar school. He became a mining engineer, and continued his work there on the richest hill on earth until 1930.

And so, Mr. President, when MIKE MANSFIELD speaks about mining legislation and appropriations, as he has done so effectively here in this Chamber, he speaks with an intimate knowledge of the conditions and problems facing the working miners and their employers.

The achievements of the current session of Congress in the field of mining legislation reflect in good measure his persistent and informed actions. He was indefatigable in his efforts to obtain an appropriation with which to upgrade the $9 million manganese stockpile in Butte, a stockpile which will continue to deteriorate if it is not beneficiated promptly. Thanks in good part to his efforts, the administration now has an appropriation of $3 million with which it may—if it will—start upgrading this manganese. He helped guide through the Senate the extension of the Defense Minerals Exploration Act, which is enabling many small miners to continue their exploration and discovery of the strategic minerals which abound in the Treasure State. He played a major role in the successful effort here in the Senate to approve legislation to save the domestic copper, lead and zinc industry, and has been devoting equal vigor to development of suitable programs for fluorspar, tungsten, beryl, chrome, and columbium-tantalum.

MIKE MANSFIELD is a proven friend of the farmer. If anyone cares for any documentation of that statement, he does not even have to ask the farmers of Montana. Those farmers, Mr. President, will volunteer the information. MIKE MANSFIELD helped get equitable Soil Bank payments for Montana farmers. He believes, as I do, that farmers are entitled not to 75, or 85, or 90, but 100 percent of parity, and supports meaningful legislation to that end. He coauthored and helped steer through Congress the durum wheat legislation. He engineered Senate approval of the amendment to the farm bill which extends the wool incentive payment program.

The people of Montana have learned that when they contact MIKE MANSFIELD, either in person during his regular swings through every county, or by letter or telephone, they get prompt action. This fact is acknowledged even by the editors of Republican newspapers, such as the Cut Bank Pioneer Press, whose editor, Dan Whetstone, had this to say in his issue of December 27, 1957:

> To my knowledge, no one from Montana who has served in a similar position has been more prompt in responding to calls for help in relation to community matters than MIKE has and we of Glacier County have always been grateful for his prompt action when a call was made. Regardless of the color of our political thinking, we would be ingrates if we failed to acknowledge this interest and help.

And then this Republican editor made this remarkable criticism of Senator MANSFIELD:

> But any person in public life who must give care to such details can hardly be expected to take time to give deep and exhaustive study to matters that the Senator is so quick to express opinions upon. It can't be expected; it isn't being done.

Mr. President, I know that no Member of this body on either side of the aisle, would object to the criticism that he is spending too much time taking care of the problems of the folks back home. They would welcome such criticism, even when, as in this case, it is joined with the incorrect charge that this attention to Montana problems has kept Senator MANSFIELD from giving due attention to national and international problems. The fact that the President named Senator MANSFIELD to the U. N. delegation, the fact that the Senate majority party chose him, while still in his first term, as assistant majority leader, the fact that the voice of MIKE MANSFIELD is heard with respect around the world, each speaks eloquently for itself.

Mr. President, I believe the Senate will be interested in knowing how some of these Montana matters to which Senator MANSFIELD has given such attention have resulted in fine and lasting benefits for the entire country. Let me illustrate:

Nine years ago a tragic fire in Mann's Gulch in western Montana, in the District which was represented by MIKE MANSFIELD, then a Member of the House, snuffed out the lives of 13 fine young men who had parachuted down to combat the blaze. This tragedy pointed up several needs. It pointed up the inadequacy of hazard pay for smokejumpers. It pointed up possible deficiencies in the training program. It pointed up the need for more research into forest-fire control.

It was MIKE MANSFIELD who introduced appropriate legislation and got the Civil Service Commission to increase the hazard pay for Federal workers. MIKE MANSFIELD led the fight for increased appropriations for training smokejumpers. And this year it was MIKE MANSFIELD who went before the Senate Committee on Appropriations and stated, on behalf of both of us and the two able Congressmen from Montana, Representatives LEE METCALF and LEROY ANDERSON, the case for a forest-fire research laboratory.

As we all know, the Congress was impressed with this testimony and voted a sum of $900,000 with which to establish the laboratory, the first of its kind in this country, at Missoula, Mont.

Most persons have forgotten about the tragedy at Mann's Gulch. Many may not have correlated that event with the improvements in fire-fighting techniques and compensations which followed. Mr. President, MIKE MANSFIELD was not one of those. I submit that the legislator who takes note of local problems and proceeds methodically to solve them, in a constructive manner that benefits the whole Nation as well as his constituency, is fulfilling the duties of his office in the highest possible manner.

While we are speaking of Missoula, Mr. President, I shall mention some of the battles lost as well as the battles won, for they illustrate another facet of my distinguished colleague's character. During this past year the Department of Commerce, in its wisdom, decided to transfer personnel from the Bureau of Public Roads office from Missoula to two other offices, one of them in another State. The Department of Defense, in its wisdom, decided to move the military headquarters at Fort Missoula to another State. Both efforts were successful. But in both cases the highest officials in these departments were required to reconsider and review these decisions and respond to persistent and pertinent questions from my determined colleague. I believe they were almost persuaded that more rather than less of their operations should be conducted via offices in Montana.

My point is, Mr. President, that MIKE MANSFIELD requires—and I cite merely the most recent examples—the most complete accounting and justification from the head of any agency who proposes transfers which may not be in the best interest of the people of Montana.

Mr. President, Montana is plagued by various transportation problems. It has inadequate air service, unjustly high freight rates, inadequate roads. Some of Senator MANSFIELD's most outstanding accomplishments have been in obtaining improved transportation in Montana.

This year the Senate adopted the Mansfield amendment to the Highway Act. It increases the forest highway fund authorization for 1959 from $30 million to $40 million, of which $3,188,000 will be available in Montana. The amendment also added $13 million for forest development roads and trails, an increase from $27 million to $40 million. His amendment authorized an increase of $840,000 in forest highway funds to be used in Montana. The final part of the Mansfield amendment added $2 million for public land highways for 1959, to increase funds available to $4 million. This latter amount permits completion of construction of the Lewis and Clark Highway, which will be such an important link from Montana to the west coast.

He has been equally successful in legislation concerning another road linking the United States and Canada. He introduced, and obtained approval of his Committee on Foreign Relations and the Senate of his resolution which expresses the deep interest of the Senate of the United States in completion of the road linking Glacier National Park in Montana and Waterton National Park in Canada.

It was at Senator MANSFIELD's suggestion that the Senate Committee on Interstate and Foreign Commerce conducted a hearing recently in Helena, Mont., inquiring into the high freight rates in our State and proposed remedies. Senator MANSFIELD has also led the fight for improved local air service in Montana. A full-scale hearing on this matter was conducted in Montana by the Civil Aeronautics Board, which will further consider the matter at a hearing here in Washington this fall.

Perhaps one of Senator MANSFIELD's most important contributions to our State has been his tireless efforts to develop fully the resources of our State. He is the author of the act authorizing Hungry Horse Dam, which has brought great industry to western Montana. He was powerful and effective in the long fight for Yellowtail Dam, for the east bench unit near Dillon, for the Helena Valley project. And his tenacity and experience in foreign affairs permit the hope that differences with Canada will be resolved so that construction of Libby Dam can proceed.

Senator MANSFIELD, veteran of three services, has not forgotten the veteran. Not only is his voting record on this subject spotless, he led the long fight which finally prompted the Veterans' Administration to make a modernization study of Fort Harrison, so that improvements of this facility may be forthcoming.

I could go on to detail Senator MANSFIELD's record in support of small-business men—he served as chairman of a Small Business Subcommittee while a Member of the House—rural libraries, improved standards of living for our Indian citizens, his fight for removal of excise taxes, his support of needed education legislation, the way he, as acting majority leader, guided the Alaska statehood bill through the Senate. But above all, MIKE MANSFIELD is a man of honor and integrity. He is an humble man. His word is good. He ably serves the people of Montana whom he represents and the country whose destiny he helps to shape.

Mr. President, I ask unanimous consent to include immediately following these remarks editorials lauding Senator MANSFIELD's appointment to the United States delegation to the United Nations, which appeared in the Glendive Daily Ranger, the Butte, Mont., Standard, the Great Falls Tribune, and the Lewistown Daily News.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Glendive Daily Ranger of August 3, 1958]

AN APPOINTMENT APPLAUDED

President Eisenhower made a wise selection when he selected Senator MIKE MANSFIELD to be a member of the United States delegation to the 13th session of the United Nations General Assembly. No other person in Washington, including John Foster Dulles, can reach MIKE MANSFIELD's boot tops when it comes to personal knowledge and understanding of foreign affairs. He will be a great asset to the United States in his part-time job as U. N. delegate for the session. He has accepted the position even though it will be an excessive burden when added to his Senate and party responsibilities in a year when he is seeking reelection.

Perhaps the position will be used as a weapon against MANSFIELD in the election by short-sighted opponents. Even during the primary the completely false report was heard that MANSFIELD spends too much time in international affairs and not enough with Montana business. The truth is that this is not the case. Senator MANSFIELD's position as assistant majority leader in the Senate gives him the prestige and influence to expedite matters affecting the Treasure State. All Montanans, including Republicans, should take pride in sending to Washington a man of MANSFIELD's stature. Montanans should be proud that their Senator was selected for the delicate U. N. position.

Senator MANSFIELD is the premier foreign affairs expert in the Democratic Party, a position gained through distinguished service on the Senate Foreign Affairs Committee. His statements on foreign affairs are given great importance because they usually represent the official policy of his party.

His appointment to the U. N. also will add to his experience in diplomacy. There is little doubt that MANSFIELD will assume greater responsibilities in Washington in the future. If he is not induced to accept a position on the national ticket in 1960, he could not be overlooked for a high appointive position in the case of a Democratic victory.

We applaud President Eisenhower's selection of the Montana Senator, most of all, because his service in that post will benefit the United States.

[From the Montana Standard of July 27, 1958]

SENATOR MANSFIELD GOES TO UNITED NATIONS POST

New honors have come to Senator MIKE MANSFIELD, Democrat, of Montana. He has decided to accept an appointment as a United States delegate to the next session of the United Nations General Assembly. MIKE has had wide experience in this field. He

served in a similar capacity in the United Nations General Assembly in Paris.

Times were troubled then as they are today.

Senator MANSFIELD holds the rank of assistant Democratic leader in the United States Senate. In this position he wields considerable power. He is also a member of the powerful Senate Foreign Relations Committee. In past years he has gone on a number of highly important diplomatic missions for three Presidents, Roosevelt, Truman, and Eisenhower.

Senator MANSFIELD said in accepting the appointment by the White House that the United Nations should be as far removed from politics as possible.

But the fact is that Senator MANSFIELD is without question the most highly qualified statesman the White House could lay its finger on for the job. And there is no doubt that MIKE will fill the position with his usual patriotism, efficiency and diplomacy, and with honor both to himself and to his Nation.

[From the Great Falls Tribune of July 26, 1958]

MANSFIELD PUTS IKE'S CALL TO U. N. SERVICE ABOVE POLITICS

In accepting appointment by President Eisenhower to the United States delegation for the forthcoming session of the United Nations General Assembly, Senator MIKE MANSFIELD said he will not let politics interfere with his U. N. service.

Montanans, who are well acquainted with Senator MANSFIELD's integrity and devotion to public service, will recognize that he was not speaking merely for effect, that he meant just what he said.

MANSFIELD could have found plenty of reasons for declining this appointment. Some of these reasons seem quite obvious. Not only is he up for reelection this fall but as assistant Democratic leader in the Senate he is in a very real sense the foreign policy spokesman for the Democratic Party. Few would argue that the United Nations platform is a very good place to harvest votes.

Yet the fact that Senator MANSFIELD is a leading, if not the leading foreign affairs spokesman for the Democratic Party makes his appointment as a delegate to this U. N. General Assembly session highly fitting.

He has questioned the wisdom of the President's decision to land marines in Lebanon from the standpoint of doubting the likely success of that move in achieving the hoped-for results. He has not failed to support the effort to make the intervention move a success.

He should be able to render real service to the Nation, to the administration, and to the Democratic Party's position in the effort for world peace and security in which we all are joined.

[From the Lewistown Daily News of July 30, 1958]

SERVICE ABOVE SELF

President Eisenhower's appointment of Senator MIKE MANSFIELD as a member of the United States delegation to the 13th session of the United Nations General Assembly and the Senator's acceptance demonstrate excellent judgment and patriotic statesmanship on the part of both men.

President Eisenhower's nomination of Senator MANSFIELD for this important mission insures that this country and the world body shall have the services of one of the Senate's most capable men. Moreover, as a ranking member of the Senate Foreign Affairs Committee, Senator MANSFIELD is one of his party's leading spokesmen on foreign policy. The President's appointment thus brings greater bipartisanship to foreign affairs.

Senator MANSFIELD placed service to his country above party in accepting this post. The United Nations these days is no place to gain votes or otherwise to make political hay. But when duty called, Senator MANSFIELD was ready as always to put all other considerations aside and serve.

This latest Presidential recognition again emphasizes the national stature which Senator MANSFIELD has achieved in a relatively short time. His rise in influence since entering the Senate has been phenomenal. And, this did not just happen. It is the result of outstanding ability coupled with integrity, dedication, and very hard work. Our Senator is one of the hardest working men in Washington for he knows that today as always there is no substitute for hard work.

Montana is very proud of him.

Mr. KEFAUVER. Mr. President, will the Senator from Montana yield?

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. MURRAY. Mr. President, I ask unanimous consent that I may be granted 3 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator from Montana is granted 3 additional minutes.

Mr. MURRAY. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, I wish to join the Senator from Montana in expressing gratification that the President has appointed our distinguished colleague [Mr. MANSFIELD] to be a delegate of the United States to the United Nations.

Undoubtedly many men of great ability will be there as delegates during the forthcoming session of the General Assembly. I agree with the distinguished senior Senator from Montana that no one has a better background or is better qualified or more able to represent the United States and the cause of freedom than the junior Senator from Montana.

I am sure it will give all Americans a great deal of satisfaction to know that the junior Senator from Montana, with his background of profound knowledge of foreign affairs, his courage, his foresight, and his ideas of things to be done to create a peaceful world, has been appointed as a delegate from the United States to the United Nations.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. JACKSON. I wish to associate myself with the remarks made by the distinguished senior Senator from Tennessee.

I had the honor of serving 5 terms in the House of Representatives with the distinguished junior Senator from Montana. We both came to the Senate at the same time. During his service in the House of Representatives and in the Senate the junior Senator from Montana distinguished himself in the field of foreign relations.

At the same time he has been unfailing in support of the people of Montana in their many endeavors and aspirations. I know that he was a leader in the fight for funds for the Hungry Horse development while he was a Member of the House of Representatives. In that fight he was ably assisted in the Senate by the distinguished senior Senator from Montana. As a fellow Senator from the Far West, it is an honor for me to serve with one who serves his country so well.

Mr. MURRAY. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

The PRESIDING OFFICER. The Senator from Montana has 1 minute remaining of his extended 3 minutes.

Mr. MORSE. Mr. President, I wish to join the senior Senator from Montana in paying tribute to his junior colleague. I serve on the Committee on Foreign Relations with MIKE MANSFIELD. We recognize him as one of the outstanding leaders on our committee in the field of foreign policy. Whenever we have a difficult problem before the Committee on Foreign Relations, he asks himself one question: What are the facts? MIKE MANSFIELD never argues about the facts. He finds them.

He has been very fair in his criticisms of the administration's foreign policy. He has been one of the constructive critics of many phases of the administration's foreign policy. He has been outspoken in what he considers to be the misapplication of the Eisenhower doctrine in the Middle East. He has made a great contribution, in my opinion, to the American people in the field of foreign policy.

In domestic affairs, he has been of great assistance to the people of my State time and time again, as we have fought shoulder to shoulder in the Senate in carrying out the trusteeship doctrine in connection with our natural resources.

I consider him one of the great Senators of our time.

Mr. MURRAY. I thank the Senator.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. HENNINGS. Mr. President, I should like to join in and indeed, if possible, emphasize what has already been said about our distinguished colleague, the junior Senator from Montana [Mr. MANSFIELD]. I have the honor of being chairman of the Committee on Rules and Administration, of which the junior Senator from Montana is a most industrious, faithful, and useful member. I do not know what I would do sometimes without the benefit of his counsel and good advice and his integrity and his strength.

As the distinguished majority leader knows, some of us have had the opportunity of going to the White House from time to time, to conferences with the President, the Secretary of State, and members of the Cabinet and Chiefs of Staff. I found in those meetings—as I am sure the distinguished majority leader has also, and as have all of us—that Senator MANSFIELD always has a contribution to make—one of substance, one of cogency, and one of great value to our country and its security and the peace of the world.

So, while hailing and while undertaking to add my own few words to what has been said, I wish to thank the distinguished senior Senator from Montana, about whom all these things could

be said in connection with his long and distinguished service in this body.

Mr. MURRAY. I thank the Senator for his very generous remarks.

Mr. SYMINGTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana wish an additional 3 minutes, so that we may remain within the spirit of the 3-minute rule? Is there objection to the Senator from Montana proceeding for 3 additional minutes? The Chair hears none, and it is so ordered.

Mr. MURRAY. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I should like to join my colleagues in recognizing the great work of the distinguished junior Senator from Montana [Mr. MANSFIELD]. He is an able American and a great patriot. It is a privilege to be serving with him in the Senate. Everything he writes or says it is always my privilege to read or listen to, because, in my opinion, he is one of the most careful and one of the most able Members of the Senate in ascertaining the facts. He is especially able in the fields of mining and foreign policy. I know he is very proud and glad that his colleague, the great senior Senator from Montana, is making it possible for the Senate to congratulate him on the job he does so well.

Mr. MURRAY. I thank the Senator.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the leader.

Mr. JOHNSON of Texas. Mr. President, I wish to commend the senior Senator from Montana for what he has said about our beloved Democratic whip.

Probably the thing I admire most about him is the very fine and generous and understanding relationship he has with his senior colleague. In this body, where each State has two Senators, we occasionally find that is not the case. If I have ever seen a team of understanding, harmonious, and constructive men, it has been the senior Senator from Montana [Mr. MURRAY] and the junior Senator from Montana [Mr. MANSFIELD]. The same fine relationship which exists between them exists also between the assistant leader and the majority leader.

MIKE MANSFIELD is a profound student and a great educator. He is a good man. He is a practical man. He is a dedicated statesman. He keeps both feet on the ground. He is a man of courage. He is a man of vision.

There is no office in the gift of the American people that he would not fill with dignity and ability. I know of no man for whom I have more admiration and more affection than I have for the loyal, untiring, saintly junior Senator from Montana.

Mr. MURRAY. I thank the Senator.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MONRONEY. I wish to associate myself with the fine tributes being paid to the assistant majority leader, MIKE MANSFIELD. He represents the highest type of service to his State and to his Nation and to the world. No man has fought harder for the development of Montana and the natural resources of the West than has MIKE MANSFIELD. No one has fought harder for an adequate development of public works by irrigation and reclamation and flood control and dams than has MIKE MANSFIELD. No one has taken a greater lead in the development of a constructive foreign policy and in giving guidance to our struggle in winning the hearts and minds of the people of the world than has MIKE MANSFIELD. No one has fought harder for a modern and adequate national defense than has MIKE MANSFIELD.

In all ways he is not only a truly great Senator of his State, but he also renders this Nation extraordinary service as assistant majority leader, a function he performs so ably and so well.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. NEUBERGER. I should like to say that the State of Montana is fortunate, indeed, in having two fine and outstanding Members of the United States Senate. In Senator JAMES E. MURRAY, the chairman of the Committee on Interior and Insular Affairs, the State and country have one of the illustrious leaders in the development and protection of the natural resources of all the Western States. Senator MIKE MANSFIELD is not only a great Senator, but also a great teacher.

A good deal has been said on the floor today about Senator MANSFIELD's distinguished career in politics. I wish to comment very briefly upon his illustrious career as a teacher. Some years ago Mrs. Neuberger and I had the opportunity to be temporarily on the faculty of the University of Montana in Missoula, at the summer school for writers. There we heard constantly about what a wonderful and outstanding and patient professor MIKE MANSFIELD was in Oriental and Far Eastern history.

He was eminently qualified in that field, because he had served in the United States Marine Corps in the Far East, he had been on the Yangtze River patrol, and he had also served with distinction in the Army and in the Navy. I believe he is the only Member of the Senate in modern times, and perhaps in the entire history of the Senate, who has served in all three of these great branches of the Armed Forces.

The State of Montana is fortunate, indeed, to be represented by a man who is so versatile and so diversified in outlook and knowledge and wisdom as MIKE MANSFIELD. I know, God willing, he will be back in January 1959 for another 6-year term, along with his charming wife, Maureen.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Montana yield to me?

Mr. MURRAY. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I congratulate the senior Senator from Montana for having called our attention to the great services rendered by his distinguished colleague, MIKE MANSFIELD. I wish to identify myself with all the fine things which have been said about him.

As a member of the Committee on Foreign Relations, I look upon Senator MANSFIELD as a symbol embodying the right kind of approach for a bipartisan foreign policy. He is always 100 percent behind our Government, but he is also able and willing to criticize fairly and without any personal references, and to give us the best of his thinking, which is always excellent. He works with all of us.

I speak feelingly on this subject, because I was with Senator MANSFIELD in the Far East at the SEATO Conference, together with Secretary Dulles. I could not have had a better associate in that activity.

I am very happy to endorse unqualifiedly the fine things which the senior Senator from Montana has said today about his colleague.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. McNAMARA. I associate myself with the remarks of the senior Senator from Montana, the majority leader, and the other Senators who have spoken so highly of our colleague, MIKE MANSFIELD. It is a great day in the Senate when the senior Senator from Montana speaks in such high praise of the junior Senator from Montana. It shows not only great character on the part of the senior Senator, but also indicates the teamwork which both of them display in all of their activities here.

Much has been said of Senator MANSFIELD's relationship to international affairs. I have not had the pleasure of working with him in that area; but certainly it has been a pleasure to work with him in other areas and to find him so cooperative, especially with those of us who have become Members of the Senate comparatively recently.

MIKE MANSFIELD has been most cooperative, most understanding, and most patient. I am certain that this soldier, statesman, and great American is worthy of every word which has been said about him today.

Mr. PROXMIRE. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. PROXMIRE. I, too, associate myself with the fine statement made by the senior Senator from Montana about his junior colleague. They are a great team. Montana is very fortunate to have two such outstanding United States Senators.

MIKE MANSFIELD is my idea of a great Senator. He is a Senator who recognizes that perhaps the most important purpose of the Senate is to give advice, consent, and approval concerning the President's foreign policy.

Senator MANSFIELD has devoted much of his outstanding talent to his responsibilities as a Senator. I had the opportunity to sit here and listen to every word of the four great speeches on foreign policy made by Senator MANSFIELD this year. They were outstanding speeches, filled with imagination, understanding, and constructive, cogent proposals. I hope the proposals he has

made will be carefully considered and carried out by the State Department.

Also, it is significant that it was the junior Senator from Montana who made the most constructive, imaginative suggestion as to how to solve the very, very difficult Lebanese problem.

On domestic policy, MIKE MANSFIELD is my idea of a Senator who always works and fights for the public interest. He is an outstanding leader. He has been most cooperative with me, one of the most junior Members of the Senate, and I deeply appreciate all that he has done for me. Senator MANSFIELD is a very humble man.

MIKE MANSFIELD is a friend not only of the Nation, but of the world. As the distinguished occupant of the Chair, the Senator from Pennsylvania [Mr. CLARK] has said, Senator MANSFIELD is a champion of the people, and that includes also the people of Wisconsin. He has helped me to solve problems important to my State.

The distinguished senior Senator from Montana is doing a great service by paying tribute to his outstanding colleague, the distinguished junior Senator from Montana.

Mr. CLARK subsequently said: Mr. President, a few minutes ago a distinguished group of my colleagues paid tribute to the distinguished junior Senator from Montana [Mr. MANSFIELD], the occasion being his nomination to serve as a member of the United Nations delegation from the United States this fall. As a newcomer in this Chamber, I should like to add my voice to those of other Senators in praise of this gentle, intelligent, and splendid Member of this body; a man who, while representing in the highest degree the interests of his State, nonetheless constantly speaks for the national interest, and indeed for the interest of the whole Free World.

The Senate is richer because of the presence in it of the distinguished junior Senator from Montana, whose lead on many an issue I have been proud to follow.

Mr. PASTORE subsequently said: Mr. President, I also desire to join my colleagues in paying very deserved tribute to our friend and distinguished colleague, the junior Senator from Montana, on the occasion of his being designated as a member of the United States delegation to the United Nations for the current General Assembly.

I came to know MIKE MANSFIELD quite intimately when he came to the Senate about 6 years ago. I, myself, had been in the Senate only 2 years, and he had already served in the House of Representatives. By coincidence or otherwise, we occupy adjoining suites in the Senate Office Building; and that closeness of location symbolizes the closeness, I hope, of our friendship and our personalities.

MIKE MANSFIELD is a guiding light. He is a leader, on this side of the aisle, at least, in the foreign affairs of this Nation. Many of us who do not have the honor of serving on the Foreign Relations Committee look to him for leadership and guidance in these very complex and troublesome times.

I think it is great good fortune for the people of the United States, and indeed for the people of the whole Free World, that the President of the United States, in his discretion, saw fit to appoint this very distinguished man to serve in such a high position of responsibility at this particular time. I know of no man who is more conscious of his duty and more dedicated to his responsibility than is the distinguished junior Senator from Montana, the Honorable MIKE MANSFIELD.

Not long ago I took my son to Yellowstone National Park. While I was there I had the opportunity of visiting with the family of MIKE MANSFIELD. The family is a credit to this Nation. MIKE springs from a very humble stock, but a very proud stock. He has a fine reputation in his native State of Montana. Wherever one goes and mentions his name, the response is always on the most friendly terms. I am very happy to call him friend, and on this particular occasion I am happy indeed to join my colleagues in paying this tribute.

In conclusion, I say to him and his beloved and devoted family, may they enjoy many, many years of good health and happiness.

Mr. KENNEDY. Mr. President, I join with my colleagues in expressing the pleasure of the Senate in the fact that the junior Senator from Montana is to be a member of the United States delegation to the United Nations this fall. Having served with him on the Foreign Relations Committee and having known of the deep study and interest he has devoted to American foreign policy—especially in Africa, the Middle East and Asia—I think the appointment not only reflects credit on the Senate, but also on the United States. I can think of no one so well equipped to represent the viewpoint of the Members of the Senate and of the Congress—in fact, of all Americans—in the very difficult and important negotiations which are now going on in the United Nations, and which will be going on this fall. I am pleased to join with my colleagues in paying tribute to a great Senator and a great colleague.

Mr. MAGNUSON subsequently said: Mr. President, many colleagues have risen today to join the senior Senator from Montana [Mr. MURRAY] in pointing to the many achievements of MIKE MANSFIELD, the junior Senator from Montana.

His work is productive. Not only have his efforts been productive in national and international affairs, but they have been productive for his own State of Montana.

I am especially aware of the many times he has consulted with my Senate Interstate and Foreign Commerce Committee concerning freight rates and air service in Montana. Both are important subjects in his State, as they are in Washington and other Western States.

Improved local air service in Montana has been another long-sought goal of MIKE MANSFIELD, and he is achieving success in this field, as he has so many others.

In reclamation and power development, another important field in which he has labored for his Montana constituents, MIKE MANSFIELD has been, shoulder to shoulder with Senator MURRAY, a successful leader.

Montana, and the Senate, can be proud of MIKE MANSFIELD.

Mr. CARROLL subsequently said: Mr. President, it did my heart good this morning to hear the fine comments coming from my senatorial colleagues about my old friend, the able and distinguished junior Senator from Montana, MIKE MANSFIELD.

Mr. President, more than 10 years ago, after my election to the 80th Congress as a Member of the House of Representatives, I came to Washington as a stranger. In the process of being initiated into this legislative life, that is, the acquiring an office, stationery, budgeting problems, et cetera, the first member I was privileged to meet quite by accident was the Honorable MIKE MANSFIELD, of Montana, then a Member of the other body.

With characteristic patience and wisdom MIKE MANSFIELD, from that time on has given me of his time and the benefit of his experience unselfishly. And so it has been during the past 2 years in my recent membership to this legislative body.

Therefore, I repeat, it did my heart good to hear his senatorial colleagues speak so glowingly of his leadership, of his knowledge and wisdom, and of his selfless devotion and dedication not only to the high principles of good government, but to the great problems that lie ahead of this and other nations in their search for a lasting and enduring peace.

Mr. President, I know that the people of the State of Montana and, for that matter, the people of the great West would be filled with a deep sense of pride had they been present on the Senate floor today to hear the glowing tributes, so richly deserved, paid to our friend and one of our sons, the junior Senator from Montana, the Honorable MIKE MANSFIELD.

Perhaps I ought to say here and now that we in the United States Senate should pause and pay tribute to the people of Montana who have had the intelligence, the vision, and the foresight to give us a MIKE MANSFIELD who has these fine qualities of leadership which have been the subject of discussion here today. Had it not been for the wisdom of the people of Montana, there would have been no MIKE MANSFIELD in the United States Senate and we and our Government would have been the loser.

I hope he is returned to us again and again. The United States Senate needs men of MIKE MANSFIELD's caliber.

Mr. ANDERSON subsequently said: Mr. President, when it was announced to the Senate that my good friend and able colleague, the distinguished junior Senator from Montana, had been appointed to represent Senate Democrats as a delegate to the 13th annual United Nations Assembly, I was struck with the excellence of the selection.

It has been my good fortune through many years, during which I have served in the House and Senate, to work with Senator MANSFIELD in a variety of ways and to cosponsor with him several pieces of legislation. The reforestation program, which rests upon the Anderson-Mansfield Act, is an example.

In addition, I have with pleasure observed the prestige of Senator MANSFIELD grow in the field of foreign relations until all nations of the earth hear him when he speaks on major United States policy.

As a Democrat I know him to be a true representative of the liberal philosophy of the West on such matters as reclamation, conservation, aid to Indians, preservation of natural resources, and a healthy mining industry. Senator MANSFIELD repeatedly has demonstrated his friendship for the small-business man, the rancher, the lumberman, the Indian, and the city dweller seeking outdoor freedom and recreation.

Thus, as he represents the Senate at the United Nations, it is fitting for other Democrats to pay him tribute. He is concluding a second year as assistant majority leader at a time when he also is seeking reelection. This imposes strenuous work far beyond the normal duties of office.

Therefore, Mr. President, I ask unanimous consent to list at this point in the record, the measures and programs with which the junior Senator from Montana and the junior Senator from New Mexico have been associated. It is necessarily an incomplete list, for I am compiling it from memory. If I should omit any subject of importance to the assistant majority leader, I wish to assure him that such omission was unintentional.

First. The Anderson-Mansfield Act providing for the reforestation and revegetation of national forests.

Second. Multiple use of the surface of public lands.

Third. Increased funds for forest highways.

Fourth. Mission 66 outdoor recreation program.

Fifth. Operation outdoors.

Sixth. Authorization of Yellowtail Dam in Montana.

Seventh. Support for Rural Electrification Administration for the purpose of carrying out the intent of Congress.

Eighth. Passage and extension of the National Wool Act.

Ninth. Relief and preservation of a domestic mining industry, particularly lead and zinc, copper and manganese.

GABRIEL HEATTER'S ANALYSIS OF THE NEWS

Mr. SCHOEPPEL. Mr. President, in keeping with the remarks I made yesterday on the floor of the Senate, I may say that many commentators on the news, over the radio and television, fearlessly analyze the news as they see it, especially the events of the past few weeks.

I think the remarks of Gabriel Heatter, made over the Mutual Broadcasting System on July 20, 1958, are especially pertinent. I agree with them so much that I ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the text of the broadcast was ordered to be printed in the RECORD, as follows:

COMMENTS OF GABRIEL HEATTER OVER MUTUAL BROADCASTING JULY 20

A man stands in need of prayer saying these words. He could be wrong—dangerously wrong; he had better be humble and even afraid when he attempts to say: "Russia will or will not fight." Far too often we said Hitler was bluffing or Japan would never dare or we have asked of aggressors what would they fight with—and we were wrong many times. We were wrong about Red China when the U. N. forces moved to the Yalu—and Red China did fight.

I repeat a man stands in need of prayer at such a time. I have made my prayer. Russia will not fight. She is doing too well without a war—far too well. She can never turn her back on all her captive people. She knows she cannot win—she has everything to lose. Khrushchev threatens and reminds us he has missiles and rockets and bombs and everything he needs to wipe us out. Khrushchev is bragging and Khrushchev is bluffing. He knows it worked when he talked of volunteers for Suez—he figures to make it work again.

If and when Khrushchev is ever crazy enough to really start a war he will hit first and talk about it afterwards—he will never allow us to pick the time or place or the weapons—his aim is to turn the Arab world against us and we have got to find a way to checkmate him on that too.

But as for his going to war now over Lebanon, rest easy—yes, everything is dangerous and unpredictable except one thing—when Khrushchev talks he isn't ready to fight.

One thing is certain; we have always waited for the roughnecks to make the first move, then we have moaned and groaned, but the barn door was wide open, the horse gone. It's a great day for freedom to find that free people are learning how to play that game; this time we jumped first, and the roughnecks are pulling their hair and screaming their heads off, and with every scream you can hear them say you fellows are not supposed to do that; that's our game. Let 'em squawk; let 'em scream; stand firm until a U. N. force takes over.

This is where we all say now we have heard everything Khrushchev—peacemaker. Could there be a grimmer joke a greater insult to everybody's intelligence? Oh, a clever move to put us on a spot; to inflame Arab and neutral opinion against us; to take it out of the U. N., where we may beat him in the Assembly to insure himself a place at the peace table in the Middle East and a voice and to jump on this emergency to get the peace meeting he wants, to be sure, on his terms. Khrushchev, peacemaker; that will be the day.

There he stands with his arm around Nasser's shoulders; what Nasser doesn't know is that arm around his shoulder will one day be the hand at his throat; let him journey to the graves of all around whose shoulders Stalin had his arm.

This will sound fantastic, but we will all see the day when Nasser will be appealing to us to save him from Moscow, and the way we have been blowing hot and cold in the Middle East; don't bet against our doing it, either.

After all, we are taking good care of Khrushchev.

True enough, we are under a solemn obligation never to pass up an opportunity any time anywhere with anybody to talk peace. But if Khrushchev has an ounce of sincerity in him, why did Sobolev fire his veto at the U. N. last week; wouldn't that have been the way to begin to bring in a U. N. task force so we could move out?

Hitler put it in writing; he would smash everybody; nobody believed him; here are Nasser's words about anybody in the Middle East who would not yield to him; they will be scattered like dry leaves before the wind; that should have been the 5-alarm warning at the U. N.; most of the gentlemen must have been asleep; maybe we made the furniture at the U. N. much too comfortable.

A man can't even begin to talk about tonight's news without putting this in the plainest possible words. No dictator dead or alive ever knew when to stop. They had to be stopped. Nasser was stopped but we put him back in business. If we pull out now without a U. N. force to take our place—that will be the time to hear the famous line: Fool me once, shame on you—fool me twice, shame on me.

Mr. Chairman, I make a motion to put everybody in the U. N. on an 8-hour day—any time we get a crisis-session which lasts 2 or 3 hours—are ridiculous when the world may be on fire. I make another motion: Put a limit on debate because Russia's man will filibuster everytime, until the cows come home and even long after they are in bed. And one more, if the U. N. isn't in business to send in an international force everytime a roughneck tries assassination, subversion, and every dirty trick in the Communist book to wreck a legitimate government, as Nasser did in Iraq.

Let's close it down and save our money. If Russia wants a soapbox, let her pay for her own.

They seem to breakfast at 11, recess at 12, take 3 hours for lunch, come back at 3, delay the meeting until 4, and adjourn before 6. On top of that with the world on fire and the fate of humanity in their hands, they take long weekends and being much too tired from their weekends, they don't meet again until late Monday afternoon. Getting back to work on time Monday morning was only meant for the rest of us who pay the bills. Why I thought they would meet before sunrise and meet all day and meet all night and have a sandwich brought in and never quit until this business was settled and settled right. We are shocked when we hear about a 30-hour week for us who pay the bill. Does a U. N. delegate put in 15 hours?

Maybe television is responsible for it, maybe there is sufficient ham in many a delegate to make him want to be seen so much, he just can't be hurried.

This will probably be our answer to Khrushchev's phony call for a summit meeting. You can have one inside, and at the U. N. anytime. You can't take the issue out of the U. N. now.

And a good many people could say I told you so about this one—the use of U. N. observers instead of an international army. Call the roll on observers. Under the League of Nations observers were sent to see whether Hitler was building planes in violation of the Versailles Treaty.

A lookout could see them coming—he would push some buttons and a plant building bombers disappeared—in its place observers saw gliders which Hitler's man said just for sport gentlemen—just for sport.

Continue the rollcall—observers were sent to make certain Mussolini would get no coal after he defied the league in Ethiopia—not a ton came the reply—not a ton—they were right—not a ton in daylight but under cover of night—more than the sawdust Duce playing Caesar could ever use.

Observers? Here they were in Lebanon—not a word or whisper or hint of the Nasser grab in Iraq—observers are for bird watching—to stop aggression you need a U. N. international army.

There is some uneasiness and even criticism in some quarters over our going in without a U. N. mandate—but I am certain there is far more relief in the world to know

that we have finally moved before everything would be gone—and that this time the roughnecks were surprised. We have been on the surprise end far too many times.

I respect anyone's right to disagree with the wisdom of sending troops when we did, but to anyone who does I say see the whole picture, the real picture, forget the hair-splitting and answer one question: Who is the real enemy? Stand by the Commander in Chief—he has done the only thing anyone with his responsibility could do.

It is time for a great many people to say we told you so. People who said if you vote with the Russians to put the British and French out of the Middle East, when they went after Nasser, you will find one day you will not only have to come back to the U. N. and ask for those same troops to come back but you will also have to send your own.

And so it came to pass.

Years pass—a new man is now Prime Minister. His name Anthony Eden. He not only warns his countrymen that Nasser is out to conquer the entire Arab world and make Europe helpless without its oil, but he decided it was his duty to stop Nasser before it could happen—he was denounced as a warmonger—and fired as Prime Minister.

You can hear Mr. History say I guess I do repeat myself at times.

Now find the man who doubts whether history repeats itself. In Britain Winston Churchill tried to warn his countrymen Hitler would mean war, war, war. They called him alarmist and warmonger and poured out their wrath on him instead of Hitler. In the end they had to come to Churchill and moan you were so right—so right and begged him to lead the nation out of Dunkirk and tragedy.

For all of which he was fired as Prime Minister.

And those same people may soon be able to say I told you so about another matter—they are the people who have been saying no matter how many guns you hand over to Marshal Tito and how many millions of dollars when the chips are down you will find he will never be anything but a Communist and will never support anything American or free. And so it came to pass when Tito showed his hand in his cable to Nehru blasting our move into Lebanon.

And so it will come to pass every time we get into bed with a Communist, a Fascist, a Nazi, or any other enemy of liberty.

DEATH OF JOHN Q. TILSON, FORMER MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES

Mr. BUSH. Mr. President, it is with deep regret that I announce to the Senate the death of the Honorable John Q. Tilson, at the age of 92. John Q. Tilson was a former Speaker of the Connecticut House of Representatives, and was the majority leader of the United States House of Representatives from 1925 to 1931. He was elected to the House in 1908.

The New York Times this morning has published an article about the career of Mr. Tilson. I ask unanimous consent that it may be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHN TILSON DEAD—GOP LEGISLATOR—MAJORITY LEADER OF HOUSE, 1925–31, FORMER SPEAKER OF CONNECTICUT CHAMBER

NEW LONDON, N. H., August 14.—John Q. Tilson, majority leader of the House of Representatives during the administrations of Presidents Calvin Coolidge, Herbert Hoover, died today at the New London Hospital. His age was 92.

Mr. Tilson resided in New Haven and had maintained a law office there. He had been a summer visitor to New Hampshire for many years.

As Republican leader of the 69th, 70th, and 71st Congresses, from 1925 to 1931, Mr. Tilson formed a triumvirate with Nicholas Longworth, the Speaker, and Representative Bertrand E. Snell, of New York, that dominated the House during those years of Republican ascendancy.

He resigned from Congress on December 3, 1932, before his term expired, explaining that he wanted to find more lucrative employment. He opened law offices then in Washington and New Haven. It was pointed out that after Mr. Longworth's death Mr. Tilson had unsuccessfully sought the Republican nomination for Speaker (1931), but was defeated by Mr. Snell.

Mr. Tilson was first elected to Congress in 1908, after having served 3 years in the Connecticut house of representatives, of which he was speaker in 1907-08.

SCRIMPED FOR EDUCATION

The career of John Quilian Tilson followed the "log cabin" tradition of the backwoods boy who won success after early poverty and a fight for education. He was born April 5, 1866, at Clear Branch, Tenn., and received his first knowledge from itinerant preachers and travelers in that mountain area.

After a year at Carson-Newman College in Tennessee, he went to Yale with barely enough money to pay the railroad fare. He found enough work to pay his college expenses, but at one time was so near destitution that, according to a chance discovery of a quarter in a New Haven gutter saved him.

Mr. Tilson often referred to the incident as "a turning point in my career."

He received an A. B. degree at Yale in 1891, an LL. B. 2 years later and finished his law course in 1894. He began practice in New Haven shortly thereafter.

Mr. Tilson served in the Spanish-American War as a second lieutenant of the Sixth United States Volunteer Infantry, and on the Mexican border in 1916 as lieutenant colonel of the Second Connecticut Infantry.

He won the Republican nomination to Congress in 1908 against an opponent backed by J. Henry Roraback, thus embarking on a career that made him Connecticut's Republican "boss" for a quarter of a century.

Because of his deep-rooted differences with Mr. Roraback, he was blocked several times on paths to high office. Mr. Tilson failed to win nomination for United States Senator in 1924 and 4 years later the Republican delegation declined to support his Vice Presidential bid.

DEFEATED IN SPLIT

After his first election he served continuously in the House with the exception of one term—in 1912, the year of the Taft-Roosevelt split, he was defeated. He won back his seat 2 years later.

As Republican leader, Mr. Tilson played an important role in directing the Republican Party Speaker's Bureau and managing the Congressional Campaign Committee. He was in close contact with Presidents Coolidge and Hoover, being a particularly close friend of the latter.

An ardent conservative, he took an outspoken stand against the use of Government funds for relief in 1930. He advocated a high protective tariff and opposed high taxes on industry.

An authority on parliamentary law, he lectured on it at the Yale Law School. In 1935, he wrote "Parliamentary Law and Procedure."

Mr. Tilson leaves his wife, the former Marguerite North; a son, John Q. Tilson, Jr., of New Haven; two daughters, Mrs. Brice Shaffer, of San Francisco, and Mrs. John G. Murray, of Greenwich, Conn., and eight grandchildren.

Mr. BUSH. Mr. President, I extend to the family of Mr. Tilson, some of whom are warm friends, my deepest sympathy in their loss; but I offer my congratulations upon the wonderful life which this great man led.

TRIBUTE TO MATTHEW NEELY

Mr. HUMPHREY. Mr. President, my words can add little to the tribute, nothing to the regard and esteem that Matthew Neely's life won from his colleagues in this body and from the people of this Nation. He was my dear friend, and I shall always remember him as a truly great American, and a fighting champion of the people.

I am conscious that it is certainly difficult and perhaps impossible to discover a single event, a solitary hour, that will explain the momentous courage and unflinching dedication. Yet in wondering at the degree to which Matt Neely possessed those qualities, I can not avoid being struck by the appropriateness of his connection with an event that occurred early in his career.

It is recorded that when he served in the National Guard of his native State—I believe he held the rank of captain at the time—there happened one of those catastrophes, all too common in those days. But this even for that era, was an uncommon one. It was, indeed, the worst disaster in the history of American coal mining and it took place on a bleak December day of the year 1907.

Three hundred and sixty-one men and boys—mark that, boys—were killed when two mines of the Fairmont Coal Co., in West Virginia exploded. Out of the confused holocaust occasioned by that explosion there must, by reports of the event, have emerged eventually some sort of order.

In any case, a temporary morgue of sorts was established at some more convenient place, and there the bodies of the victims, both men and boys, were, so we may presume, laid out in more or less orderly fashion.

A number of National Guard men of the forces of the State of West Virginia were given the duty of guarding—belatedly, it would seem—those bodies.

Their commanding officer was a young captain. He was named Matthew Neely.

Participation in such grim horror would of course make a strong impression on any man. But, I submit that it did more than make an indelible impression upon Matthew Neely. His long and valiant career is sufficient evidence that the event became for him an irrevocable command that he obeyed, not merely for the period of guard duty but throughout his life.

In all the subsequent days of that life he remained on guard—not over those already crushed and maimed by one disaster peculiar to a pair of coal mines in West Virginia, but over those endangered by the crushing, bruising forces of social and economic conflict and inequities.

Here is a partial and inadequate explanation, then, of a man who was—to use that much abused appellation—a liberal. Here is some sort of explanation of the cause to which he was dedicated and which he advanced and supported by his acts.

It was Matt Neely, understandably enough now, who worked zealously and successfully for the first Coal Mine Safety Act to be passed by the Congress of the United States. He shared in the leadership of the successful fight to give the Bureau of Mines the power to enforce safety measures in hazardous mines. He was always a friend to those men and women characterized as "labor."

He was consistently in the front ranks of those Members of the House of Representatives and the United States Senate—he served in both bodies—who were regularly counted among the befrienders and defenders of—I will not say "common" men and women because they are not—of those anonymous, those uninfluential, those unwealthy, and those most important citizens of this Nation.

In that role, he was a steadfast supporter of these measures of the New Deal and the Fair Deal that were concerned for the welfare, the betterment, and dignity of these most important citizens.

Matthew Neely gave, sometimes with caustic belligerence, always with vigor, his whole life to the service of his Nation and his State. As soldier in the Spanish-American War, as mayor of a town in his own State and as Member of Congress, as Senator, as Governor of his State, and then, again as Senator, he gave his life. He was first to bring the resources and powers of this country into the struggle against the dread enemy of cancer, which, with tragic irony, made him its victim.

And in the immediate area surrounding the meeting place of this body to which he belonged, and which he generously served, he gave also his combative partisanship and untiring efforts. He was leader in this Senate in the fight for home rule for the District of Columbia.

But his service—the causes which he supported and for which he fought—are too many to be listed in this brief catalog. He was author of the human rights bill. His services on the Committee on Labor and Public Welfare were immeasurable. The caustic lash of his acid rhetoric in the cause of social justice and the chastisement of verbosity is here noted, and I am sure remembered by us all.

So I must come to an end in remembrance of Matt Neely's loathing of loose loquacity, and perambulating pointlessness. I have said, Mr. President, what I have to say.

Except for this. The records show that there were occasions when Matthew Neely lost this or that contest. Yet he always came back. He always returned to fight again another day, and to win. He was never finally defeated.

Nor is he now. Not even by that implacable hour that he has met. For his life is now inextricably involved with the destiny of this Nation and with the imperishable ideals of this people whom he served.

TRIBUTE TO W. KERR SCOTT

Mr. HUMPHREY. Mr. President, one of the saddest events of the 85th Congress was the loss of our dear friend and distinguished colleague, the senior Senator from North Carolina, W. Kerr Scott.

The Senate lost a noble spirit and a sincere and courageous heart. It was a great privilege and honor to serve with Senator Scott. I shall always recall with pleasure his great charm and wit and the simple, direct manner of expression with which he discussed the issues of the day.

He was, in the best sense of the word, a representative of his people, the men and women and children of the great State of North Carolina. He was close to their needs; he understood their hopes and their wishes. He reflected their highest aspirations.

But, Mr. President, Senator Scott was a gentleman with broad interests, far broader than the particular problems of North Carolina. He was deeply concerned about the security of our Nation, the conservation of our natural resources, and the intelligent and constructive use of the great abundance that God has given us.

One of Kerr Scott's cherished dreams was the establishment of a world food bank. How well I remember his testimony before my subcommittee of the Committee on Foreign Relations late in May in 1956. Mr. President, I remember that he told our subcommittee that ever since he ran for public office he had been in continuous correspondence with many people about his proposal for a world food bank. It was one of his prime objectives. He could not understand, as I cannot, why the great wealth and abundance of food and fiber in these United States should not be used constructively to combat famine and to support development of the underdeveloped nations. Today in the Middle East we see dramatically demonstrated the end result of a policy which has failed to recognize the basic needs of people. Poverty, disease, and famine have finally exacted their inevitable toll of violent upheaval. As Senator Scott testified in 1956:

Literally millions of words have been spoken and written about our excess stocks of food and fibers, and what to do about them. Little has been said, however, about the hungry men, women, and children who people the world, and what can be done, in a practical way, to fill their empty stomachs.

Well-fed and well-clothed masses of people cling to their freedoms, fight for increased dignities for the individual, and never succumb to the false promises and siren songs of the Frankensteins who fashion the creeds of shadowy isms.

Senator Scott summarized the need for the world food bank by saying that "it will serve as a medium of distribution for the effective and businesslike disposal and utilization of so-called surplus food, fiber, and other agricultural products which have accumulated or may accumulate or be needed in this or other participating nations. And I submit that it is high time to put the presently accumulated stocks of foods and fibers for peace into humanitarian use, without loss to the American taxpayer, through the medium of a world food bank."

How better—

He asked,

could we improve our foreign relations? How better could we prove to a suspicious world that we mean what we say when we announce we are willing to share the fruits of our technologies and our learning with the peoples of other nations?

Mr. President, I submit that the friends of the late and distinguished Senator from North Carolina could do no greater honor to his memory than to rededicate themselves to the effort to carry out his dream of using America's food and fiber abundance to win a peaceful world.

I am sure that he would not quibble over the final form of any such project, be it a world food bank or an international food and fiber reserve. The 85th Congress has failed to legislate on this idea, just as the 83d Congress failed to do. Yet the need remains as great—in fact, it grows greater every single year. Mr. President, I for one intend to carry on the fight in which our dear friend, Kerr Scott, labored so long and so well. When this great concept is finally brought to actuality, a review of the long history of the struggle for its fulfillment will reveal that Senator W. Kerr Scott was one of the great forces behind its eventual success.

He was an affirmative spirit. He always looked ahead. He was undaunted. He has left a great gap in our midst, and he will long be remembered.

THE THESIS OF SENATOR SMATHERS

Mr. CHAVEZ. Mr. President, I have in my possession an article written in Spanish about the Senator from Florida [Mr. SMATHERS] with reference to the contribution he has made to the idea of good will between the United States and Latin-America.

I ask unanimous consent that the translation of the article into English which I have had made may be printed in the body of the RECORD. The title of the article is "The Thesis of Senator SMATHERS."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE THESIS OF SENATOR SMATHERS

During the present year, Senator SMATHERS, on four consecutive times, has introduced in the United States Senate the thesis that it is absolutely necessary that the Government of his country proceed toward an immediate revision of its policy concerning Latin America.

The basic argument in support of his thesis does not differ substantially from that outlined by Milton Eisenhower in his report to the administration, but reaches conclusions which are more profound and positive.

To Senator SMATHERS, the enormous human capital—183 million inhabitants today

and 500 million by the year 2000—its natural and inexhaustible riches, its varied and geographic extension—almost 8 million square miles in area—are factors which authentically demonstrate that nothing can prevent the Latin American area of this hemisphere from becoming one of the most vigorously developed regions of the world.

The problem, in the judgment of the Senator, is one of time and direction.

The Latin American people are too desirous of progress to be content with their present standards of living. Therefore, and logically, they seek the assistance of the industrialized nations in order to speed up their own economic development programs. If they cannot find that assistance in the United States, then, the day will come when they will have to accept it from those who, today, are using corruptive methods to inject an economic wedge in this part of the world, i. e., the U. S. S. R.

To Senator SMATHERS, this is an incontestible truth. Consequently, he warns the administration: "There is still time to do something. Afterward it will be too late."

According to Senator SMATHERS, factors of a political and security nature are not the only reasons why the United States should pay more attention to Latin America. There is an additional reason, the most powerful of them all: "The economic well-being of the very people of the United States."

The United States is in need of Latin America. Latin America supplies 33 percent of the vital raw materials required by United States industry and it absorbs 20 percent of the United States exportable commodities. The gigantic productive machinery of the United States, in constant process of growth, is in need of bigger markets for the allocation of its surpluses and the only market capable of absorbing that enormous volume of manufactured products is the one which Latin America can offer, once, through the realization of its economic development, it can increase, in a large scale, its present purchasing power.

Thus, in order that Latin America can accelerate its progress and, consequently, so that the United States can be assured of a new and powerful market where it can allocate its production surplus, Senator SMATHERS has proposed, among other things, the following: that a special economic development fund for Latin America be created to finance, through loans, the completion of our basic development projects; that a greater portion of the United States foreign aid program be extended to us; and that a more serious purchasing policy be definitely established with respect to Latin America in order that its products can be purchased at such just prices that will permit a favorable balance in our balance of payments account.

Without a doubt, Senator SMATHERS has been able to understand the very essence of the problem in the relations between the United States and Latin America and to render an overall outline for its definite solution.

THE LABOR REFORM BILL

Mr. KENNEDY. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD an unusually perceptive editorial from the Des Moines Register concerning the labor reform bill. It demonstrates what Senator MCCLELLAN and many others have said repeatedly, namely, that this bill would go a long way toward correcting the most serious abuses disclosed by the McClellan hearings.

I also call attention to and ask to have printed in the RECORD the editorial appearing in this week's Life magazine.

While I would disagree with some of the analysis as to why the bill has not been passed by the House, there can be no quarrel with the principal thesis of the editorial, that with this bill on the statute books the Hoffas and his ilk will be effectively restrained.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Des Moines Register of August 9, 1958]

HOFFA CAN BE CURBED

It is well understood that the approaching adjournment of a session of Congress is attended by a great deal of hustle, bustle, buzzing and confusion.

Nevertheless it is impossible to believe that this prevents the Members of the House of Representatives from being aware that the Hoffa hearings before the McClellan committee are making it unquestionably clear that the Kennedy-Ives bill should become law.

Testimony before the committee the past several days has revealed that—

Two Teamsters Union employees, an accountant and a lawyer, financed a private construction business with $350,000 obtained from union funds.

Another $8,000, said to have come from union welfare funds, was used to finance the training and promotion of a prize fighter "owned" by Teamsters President James R. Hoffa and Bert Brennan, a union vice president. The prize fighter was put on the union's payroll at $75 a month. He did no work for the union.

Hoffa admitted he has taken no firm steps to get rid of gangsters and ex convicts connected with the Teamsters Union. Judged by the tone of his replies to questions on that subject, he has no intention of doing so.

The Kennedy-Ives bill prohibits unions from employing ex convicts in any capacity.

The Kennedy-Ives bill places a $2,500 limit on loans union officials may obtain from union funds.

The Kennedy-Ives bill requires the filing of financial reports with the secretary of labor with respect to the handling of union funds.

The Kennedy-Ives bill provides penalties for false statements in connection with these reports.

The Kennedy-Ives bill provides the support of government and law for members of unions who may now lack power to oust undesirable characters from office and positions of control.

The Kennedy-Ives bill provides access to information on the uses of union dues money that now comes to light only as a result of long and expensive investigation by a committee of the United States Senate.

The Kennedy-Ives bill will not provide a sure-all for the rotten conditions the McClellan committee has turned up in the Teamsters Union and a few other unions. But it will provide the Government, the public and the rank and file members of all unions with some means of defense.

The apparent blindness on the part of Members of the House of Representatives to the consequences of failing to take even partial steps immediately toward preventing the spread of these conditions is inexcusable.

[From Life magazine]

REASON FOR THAT LABOR LAW: HOFFA

The most unbridgeable distance in the country seems to be the quarter mile between James Hoffa's witness chair in the Senate caucus room and the working space of the House of Representatives. If any Americans still doubt the viciousness of Hoffa's influence, the current evidence before the McClellan committee should lay those doubts finally and conclusively to rest—Hoffa's $60,322.30 bundle of "gambling" gains; the fate of Hoffa's strong-arm boy burned to death while trying to coerce a cleaner; the roster of robbers, extortionists, and thugs working as teamster officials.

All this and more has come out of the Senate, together with a piece of legislation, the Kennedy-Ives bill, which would go a long way to ending the racketeering, the undemocratic elections, and the misappropriations of funds that have shamed all United States labor. The Kennedy-Ives bill may have its faults—notably some loopholes in its enforcement procedures. But it puts enough teeth into the law to make criminality like that of teamster bosses no longer possible. The Senate passed it, 88 to 1, 2 months ago.

Enter the House. For 40 days Speaker SAM RAYBURN kept this legislation on his desk. He now promises to push it to a vote, under intense political pressure. But the delay in the House is not really RAYBURN'S fault. Few Democrats showed any concern over the bill (until recently), following the lead of the AFL-CIO, which had sat on its hands despite George Meany's righteous thunder against corruption. The National Association of Manufacturers and the Chamber of Commerce of the United States have vigorously lobbied against it (on the theory, apparently, that if you can't lick labor completely, why bother with a limited police action?). Many Republicans have been less than active for a bill embodying many of the administration's aims, preferring a good campaign issue to correction of a bad abuse.

The worst behavior of all is that of Representative GRAHAM BARDEN'S House Labor Committee, whose squabbling, would-be individualists have thus far sabotaged almost every measure put up to them. BARDEN'S smug motto, that "he never knew the Republic to be endangered by a bill that was not passed," suggests the committee's effectiveness. Its divisions make any kind of action so difficult that RAYBURN could sensibly claim he had kept the bill away to avoid having it killed.

The McClellan committee is doing its level best to get Hoffa's cancerous influence out of the labor movement, but investigations are not laws. What we need is laws with teeth in them, to clean up the criminal festering that threatens to spread over the whole labor movement. "This bill," says Senator KENNEDY, "represents our best chance to cleanse a basically honest labor movement of the Hoffas and the Dios, the embezzlement and the rigged elections, the entertainment picket lines, and the hoodlum officers. If we do not get it by this year, 18 months of hard work by the McClellan committee will have gone for naught and all of us will be the losers."

He's right. So what's the House of Representatives going to do about it?

SENATE ACTION ON SOCIAL SECURITY AWAITED BY 11 MILLION AGED PERSONS

Mr. PROXMIRE. Mr. President, within 24 hours, we may have an improved social security program.

This is a great moment for the 11 million older persons in the Nation who depend on their social security benefits for survival. Ever since July 18, I have been speaking daily in favor of modernization of the social security system. I am immensely gratified that action is now assured.

At the very least, we must now make a cost-of-living adjustment in social

security benefits, as was done in 1950, 1952, and 1954. Mr. President, since 1954, prices have continued to soar upward. The human toll among our aged citizens who live on a fixed income has been simply terrific.

Millions, who have nothing but their inflation-shrunken social security benefits to go on, live in poverty and misery. For today's cost of living, the social security payments are shockingly inadequate.

The average single man on social security receives a check of only $70 a month. The average single woman gets a monthly payment of only $54. The average couple receives only $110 per month.

These statistics are disturbing enough. But there are many, many people who receive far less than even this.

Thousands upon thousands of people must live on benefits as low as $30 a month. A woman of 62 may have to live on payments as low as 80 cents a day. Older people need good, nutritious food to protect their health. It is clear that they simply cannot get the food they need by means of the present social security payments. Social security benefits are much too low—at today's high prices—to buy the food needed for a proper diet. How much meat and eggs and milk can one buy with $41.30 a month? But that is all that a retired couple might receive as social security benefits today.

Social security benefits must be raised before Congress adjourns. I hope that action will be taken today.

FISCAL RESPONSIBILITY

Mr. SYMINGTON. Mr. President, on July 24, I made a brief statement on the floor with respect to the problems resulting from the fiscal straitjacket induced by the Federal debt limit.

While I would prefer that circumstances were different, so that the Federal debt could be reduced, rather than increased, I am glad the administration has this year faced the realities to the extent of requesting an increase in the debt limit.

Congress places itself in an inconsistent position, if it permits the debt ceiling to prevent the executive from carrying out programs for which the Congress has given authorizations and provided furnished appropriations. Actually, Congress can, in effect, veto its own bills, by clamping upon the Treasury too tight a borrowing ceiling.

Likewise, the executive branch can, as it did last year, avoid carrying out the Congressional intent as to programs, by making no move toward having the debt ceiling increased.

Let me say parenthetically, that the country can afford a larger national debt and still can have its bonds be a sound medium of savings for the American people, if the money borrowed is soundly used.

But this country cannot afford to waste either tax revenues or borrowed moneys.

Increasing the borrowing authority, however, does not automatically solve the country's fiscal problems. In fact, increased borrowing is, in itself, a problem, and in turn creates other problems.

When the Treasury enters the money market for funds, it competes with private borrowers. This tends to result in increased interest rates or—and this may have the same effect—decreases in the initial sales prices of the securities.

The market for Government bonds is down now, and the necessity for additional Treasury offerings will have the effect of raising interest rates or yields, thereby increasing the cost of Government financing.

Such increase in costs tends to spread throughout the economy, and hence may raise financing costs for private companies as well.

Such effects, however, can be minimized if the humps and valleys in Government borrowing are leveled out.

The hit-and-miss program of Government offerings causes more economic disruption than does the amount borrowed.

The present fiscal difficulties have been compounded by the economic recession—now about a year old. In spite of the business decline toward the end of last year, the 1957 gross national product was $440.3 billion—some $21 billions of inflated dollars above 1956.

Had that rate of increase continued, the Government would now be receiving tax revenues from a gross national product of at least $460 billion. But the recession has so shrunken the gross national product that Government revenues will be substantially less than last year.

Hence, we have a situation of continuing increases in Government requirements for funds, with a shrinkage of tax revenues from a smaller tax base.

The net result can only be more Government borrowing.

Much of this problem could have been avoided, if last year the Government had refrained from initiating a depression by its shortsighted program of cutting defense expenditures and thereby pushing essential programs "under the rug."

This unfortunate policy of last year stimulated unemployment in certain key industries, forced major companies to borrow funds to offset the Government's delay in making payments, and also left a bigger hump of expenditures to show up this year.

Moreover, if last fall and early this year the Government had been willing to do something real about the recession, other than issue optimistic statements about recovery, our current fiscal situation would be much better.

All of us are concerned about waste in Government. But the avoidable waste in Government operations is relatively small when it is compared with the huge waste of our manpower and our other resources as a result of this prolonged recession.

Awareness of those errors of the past will not in itself solve the problems of the present.

The Government should, to the maximum extent practicable, announce publicly its program for long-term borrowings, and thereby offset to some degree the market disturbance resulting from uncertainty. Such a program would also permit better timing for private companies in entering the market for funds.

At the same time, I urge that the administration abandon its negative policy of giving the highest priority to fiscal objectives, and instead get promptly about its proper business of doing whatever is necessary to revive our economy and supply this country with an adequate military defense.

WINSTON CHURCHILL TRIED TO WARN ENGLAND IN THE 1930'S AS SENATOR JOHN KENNEDY IS ATTEMPTING TODAY IN OUR OWN COUNTRY

Mr. NEUBERGER. Mr. President, the able junior Senator from Massachusetts [Mr. KENNEDY] came under bitter attack on the Senate floor the night of August 14 because of his speech earlier that day, warning that the United States may be falling behind the Soviet Union in certain vital areas of national defense and military strength.

Mr. President, who is the true friend of his country—the man who preaches easy complacency, or the man who issues the unpleasant but urgent warning?

I think the answer comes not out of politicians' mouths, but from the chronicles of the recent past.

In England, during the grim 1930's, Neville Chamberlain and Stanley Baldwin preached complacency and that all was well. Chamberlain spoke of peace in our time. But from the back benches of the House of Commons came a voice of warning, a voice which spoke urgently of the growing Nazi air armada and submarine fleet, and which warned of British lethargy in these realms of armament and national defense.

Whose voice was this?

It was the voice of Winston S. Churchill, undoubtedly one of the greatest statesmen of this or any age. Who will be remembered gratefully in history by British citizens for centuries hence—Chamberlain and Baldwin, or their scathing critic, Winston Churchill?

Mr. President, the question answers itself. I congratulate Senator KENNEDY upon the excellent company he keeps on such an issue, even vicariously.

In conclusion, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD several of the urgent warnings spoken by the Right Honorable Winston S. Churchill, Member of the British Parliament, in the 1930's, when Adolph Hitler was rearming the German war machine.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

AIR SUPREMACY

"If Germany continues this expansion and if we continue to carry out our scheme, then some time in 1935 Germany will be definitely and substantially stronger in the air than Great Britain." (Commons, July 30, 1934.)

REARMAMENT

"What is the great new fact which has broken in upon us during the last 18 months? Germany is rearming. That is the great new

fact which rivets the attention of every country in Europe—indeed, in the world—and which throws almost all other issues into the background." (Commons, November 28, 1934.)

ARMAMENTS

"Here, again, mystery shrouds all German preparations. At various points facts emerge which enable a general view to be taken. Enormous sums of money are being spent on German aviation and upon other armaments. I wish we could get at the figures which are being spent upon armaments. I believe that they would stagger us with the terrible tale they would tell of the immense panoply which that nation of nearly 70 millions of people is assuming, or has already assumed." (Commons, May 19, 1935.)

ARMS PRODUCTION

"The arms production has the first claim on the entire industry of Germany. The materials required for the production of armaments are the first charge of the German exchange. The whole of their industry is woven into an immediate readiness for war. You have a state of preparedness in German industry which was not attained by our industry until after the late war had gone on probably for 2 years." (Commons, May 31, 1935.)

READINESS FOR WAR

"Germany is already well on her way to become, and must become, incomparably the most heavily armed nation in the world and the nation most completely ready for war. There is the dominant factor; there is the factor which dwarfs all others, and affects the movements of politics and diplomacy in every country throughout Europe; and it is a melancholy reflection in the last hours of this Parliament that we have been the helpless, perhaps even the supine, spectators of this vast transformation, to the acute distress of Europe and to our own grievous disadvantage." (Commons, October 24, 1935.)

Mr. NEUBERGER. It is significant, Mr. President, that Senator KENNEDY himself is the author of a thoughtful and trenchant book, Why England Slept, which echoes many of the prophetic warnings issued by Winston Churchill himself.

NATIONAL PREPAREDNESS

Mr. KENNEDY. Mr. President, in the discussion concerning my speech yesterday afternoon relative to the coming years of the gap, it was implied that some of these statements were either so secret or so alarming that they should not be publicly stated on the floor of the Senate. It was pointed out by several Senators—including such experts in this field as the distinguished Senator from Washington [Mr. JACKSON] and the distinguished Senator from New Mexico [Mr. ANDERSON]—that these facts were neither confidential nor new, and had in fact been stated by Administration and Defense Department spokesmen. I would like at this time to insert in the RECORD quotations from the President, the Secretary of Defense and others confirming the facts summarized in my speech yesterday afternoon.

As the President said last November, the people deserve to know the rough facts—all of them. Certainly we should have learned from history that to ignore or suppress evidence of our own weaknesses can only lead to disaster. For these reasons I intend to continue setting forth these facts on the Senate floor, and offering what I hope are constructive suggestions on what should be done about them.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD a series of comments by prominent Americans in positions of responsibility in the Defense Department in regard to our national preparedness, and also an article from the St. Louis Post-Dispatch of Wednesday, August 13, 1958, an article by Brigadier General Thomas R. Phillips which says:

The best informed military experts in the Pentagon on the requirements for and use of long-range ballistic missiles consider the United States program shockingly inadequate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1. President Eisenhower said in his state of the Union address on January 9, 1958:

"At this moment, the consensus of opinion is that we are probably somewhat behind the Soviets in some areas of long range ballistic missile development." (The President had earlier told a nationwide telecast audience in November that the people deserve to know the "rough" facts—and that one of these was the fact that we are behind in satellite and missile development.)

2. Secretary of Defense McElroy said on November 15, 1957, in a press conference:

"We are behind the Russians in missile and satellite developments."

3. In the Preparedness Investigating Subcommittee, on December 14, 1957, in response to questioning, Dr. Wernher von Braun (Director, Development Operations Division, Army Ballistic Missile Agency, Huntsville, Ala.) said:

"Mr. WEISL. You do not underestimate the ability of the Russians to make and develop and plan and research into the missile field, do you?

"Dr. VON BRAUN. No, sir; I don't.

"Mr. WEISL. Do you believe the Russians are ahead of us in this field?

"Dr. VON BRAUN. In the ballistic missile and satellite business, definitely; yes, sir."

4. Senate Subcommittee on Defense Appropriations for 1959, June 16, 1958, pages 231-32:

"Senator SYMINGTON. Now, this Preparedness Subcommittee report was signed unanimously by all members of the subcommittee. The first conclusion of the report was that: 'The Soviet Union leads the United States in the development of ballistic missiles.'

"This was after taking a good deal of testimony. I am not quite sure based on your testimony if you agree with that or not.

"Mr. QUARLES. If you say ballistic missiles, which is, of course, a broad term of all ranges, then I do agree with that statement; yes, sir."

5. Senate Committee on Armed Services, July 9, 1958 (Hearings on Department of Defense Reorganization Act of 1958, p. 420):

"Admiral RADFORD. I would say this Nation is really in more danger today than it ever has been in its history."

6. Admiral Radford, testimony before the Armed Services Committee on July 9:

"The continental defense of the United States is a field that has concerned me for a long time. I think that we have made plans that have become outmoded, but there is a great reluctance to change the plans or to eliminate something."

"Senator SYMINGTON. Now, the third point the committee unanimously decided and reported to the American people on was that 'the Soviet Union is rapidly closing the gap in manned airpower and at present rates will surpass this country in a comparatively short time.'

"Do you agree with that?

"Mr. QUARLES. I think that I would agree with that statement, literally construed, Senator SYMINGTON."

8. General LeMay, Vice Chief of Staff, United States Air Force, said on January 9, 1958, before the House Subcommittee on Appropriations:

"Eighteen months ago when we had a real look at the intelligence picture for Mr. SYMINGTON's hearings, we estimated that the combat capability of the Soviet long-range air force would surpass ours by the middle of 1959.

"A new look at the intelligence indicates that they probably slowed up in the heavy bombers a little bit—they moved ahead further in medium bombers and the missile field. This new recordbreaking heavy jet bomber they announced recently may explain some of the Bison slowdown. Therefore, I still think that by mid-1959 there is a good chance that their combat capability will exceed ours."

9. Adm. Arleigh Burke, Chief of Naval Operations, said in hearings before the Senate Subcommittee on Department of Defense Appropriations for 1959, in June 1959:

"The challenge that we face is progressively increasing. On the surface, under the surface, and in the air above the seas, the Soviets are continually improving their capabilities. In a very short span of time they have built the world's second largest navy.

"They have an awful lot of submarines * * * they have over 450 submarines and they are good ones."

10. Gen. Maxwell Taylor, Chief of Staff of the United States Army, said in hearings before the Senate Subcommittee on Department of Defense Appropriations for 1959, June 11, 1958:

"The Soviet Army has been completely reequipped since World War II. This modernization ranges from rifles to guided missiles—materiel not only developed since the war, but produced in quantity and issued to troops.

"This modernized Soviet Army, the largest in the world, has a completely new postwar arsenal of weapons in being, in the hands of trained troops, capable of fighting either a nuclear or nonnuclear war, large or small, in any kind of climate or terrain.

"We have traditionally relied upon a margin of technical superiority to offset the advantage of numerically larger hostile forces, but now that technical superiority is being challenged."

EXPERTS CONSIDER AMERICAN LONG-RANGE MISSILE PROGRAM TO BE SHOCKINGLY INADEQUATE—THEY FORESEE REDS HAVING 20 TO 1 SUPERIORITY—SOVIET AIR DEFENSES WILL REDUCE SAC EFFECTIVENESS TO NEGLIGIBLE PROPORTIONS

(By Brig. Gen. Thomas R. Phillips, United States Army, retired)

WASHINGTON, August 13.—The best informed military experts in the Pentagon on the requirements for and use of long-range ballistic missiles consider the United States program shockingly inadequate.

They foresee the time coming in 2, 3, or 4 years when the Soviets will have 20 times as many intermediate-range and intercontinental-ballistic missiles as the United States will have, while at the same time the effectiveness of the subsonic Strategic Air Force will have been reduced to negligible proportions by the frantic expansion, being carried out at great cost in the Soviet Union of air defenses.

These include 100-mile air defense missiles using nuclear warheads, interceptors with a speed of 1,300 miles an hour, all tied together by a more extensive warning network and semi-automatic ground control system similar, but simpler, to our SAGE (semi-automatic ground environment).

At one time the United States was in a position where it had 10 or more times as many nuclear weapons than the Soviet Union. In a war then, the Soviet stock of nuclear weapons would quickly have been exhausted, while ours would have still been very large even after the wholesale initial exchanges.

TINY UNITED STATES SUPPLY

When the United States means of delivery of atomic and hydrogen bombs by the subsonic B-52's and B-47's of the Strategic Air Command has been largely blunted by Soviet air defenses, and possible destruction on the ground in a surprise attack, the situation will be reversed—reversed in the sense that the Soviet Union will have thousands of IRBM's and ICBM's to launch after the tiny United States supply is exhausted.

The United States program for intercontinental ballistic missiles is for 3 squadrons of the Atlas and 11 squadrons of Titan. This will provide fewer than 100 missiles.

The limited program for these liquid-propellent missiles is due to the hope—and it is only a hope that the solid-propellent Minuteman will be coming along on schedule.

But no one can predict when the problems will be solved of getting satisfactory burning and ability to stop the burning, with a difference in missile speed of 1 foot a second when the missile is traveling 23,000 feet a second, of such enormous cast chunks of solid propellent.

There is, in contrast, every reason for confidence that the Atlas and Titan missiles will have been perfected and made usable within the next year and 2 years, respectively.

PRODUCTION BEING LIMITED

The United States is thus, for financial reasons, limiting the production of missiles that almost certainly will be proved and effective, even though they may be relatively crude early types, in the hope of getting something better.

Air Force officers involved in the problems feel most unanimously that we should be building in quantity, firing great numbers of test missiles—at great expense, too—to hasten provision of a missile capacity in being, instead of in the future.

Why are numbers so important? The reason is twofold:

1. United States ballistic missiles—this does not apply to the much more powerful one developed by the Soviets—have a relatively small yield, perhaps a megaton (energy release quivalent to the explosion of a million tons of TNT in comparison to the 10- and 20-megaton bombs that can be carried by our long-range bombers.

2. The best accuracy hoped for is that half the missiles will fall within 10 miles of the target at 5,000 miles range.

MEGATON FORCE BOMB RANGE

A bomb of 1-megaton explosive force will almost completely destroy most surface structures within 4 miles from ground zero. For 10 megatons this increases to 9.6 miles and for 20 megatons to about 12 miles.

To destroy such things as a concrete runway or a hardened missile base a ground burst with a 1-megaton explosion would have to strike within 1,300 feet from the runway, a 10-megaton explosion within 2,600 feet, and a 20-megaton explosion within 3,400 feet.

The accurate bombing done by SAC would almost certainly knock out such targets with an explosion of any bomb in the megaton range.

But the limited accuracy and low yield of a United States missile warhead means that a whole salvo must be launched on one target to insure its destruction.

For large targets such as big cities, 4 to 6 1-megaton missiles would have to be launched to insure substantial destruction. For small targets at 5,000 miles range, a much larger salvo, from 8 to 12, is required to insure destruction.

Figuring on a salvo basis, the number of missiles needed is very great and the cost will be astronomical.

If an average of 8 missiles in a salvo is used for the different-type targets—and 20 percent failures should be allowed for at present—the number of missiles to be delivered in a first retaliatory strike on 200 targets would be 2,000. A minimum figure to continue the conflict if it were not settled then would be 2,000 more.

Such computations of requirements should include the intermediate-range ballistic missiles launched from outside the United States and the submarine-launched Polaris fleet ballistic missile.

As far as can be determined at the present time without access to classified information, the United States is planning 3 Jupiter and 9 Thor intermediate missile squadrons. This is fewer than 200 missiles.

POLARIS NOT YET BUILT

Nine Polaris submarines have been appropriated for. These will carry 144 missiles, but the Polaris missile has not yet been built or fired. Furthermore the yield of the Polaris missile will be still smaller and the accuracy is expected to be less than that of the land-based IRBM.

Another consideration with regard to Polaris—usually overlooked—is that only from one-third to two-fifths of the Polaris submarines can be on station at any one time. The crews must have free periods and the ships get periodic maintenance.

Some time in the next 2, 3, or 4 years the United States will have a total of fewer than 450 missiles to meet a requirement of at least 4,000.

What of the Russians? They are reliably reported from credible sources—the accuracy of these reports is questioned by United States intelligence agencies—to have fired almost 100 ICBM tests and to have manufactured about 500 ICBM tubes or frames.

Our intelligence agencies estimate that within 2 or 3 years the Russians will be producing 500 ICBM's annually. They will thus have in time an ICBM capacity against the United States running into thousands of missiles compared to our hundreds at the same time.

They already have large stocks of IRBM's and midrange ballistic missiles.

MISSILES EASY TO PRODUCE

Soviet production of 500 ICBM's annually is not by any means an impossible feat. Once the design is set and the missile proved, missiles are easier to produce than aircraft. If the Russians deem it necessary, they undoubtedly can produce in larger numbers.

In the United States it is reported that 130 Thor missile frames have already been produced, although the missile is not perfected.

Our trouble is double: We started years late and now set our sight too low—too late and too little.

It is an understatement to say that the military men and the scientists involved in such calculations as have been given about are filled with foreboding. They fear that we are in terrible trouble, that we shall be faced shortly with enormous numbers of a weapon that we cannot intercept and shall be naked of the means to deter through retaliation.

THE PRESIDENT'S ADDRESS TO THE UNITED NATIONS

Mr. WATKINS. Mr. President, there is a very interesting editorial in the Nashville Banner of Thursday, August 14, 1958, with reference to the speech of the President of the United States to the United Nations General Assembly, which is entitled "His Finest Hour." I am not going to read the editorial, but I invite the attention of Members of this body to it, since it expresses very clearly the views of, I would say, the overwhelming number of Americans, and their reaction to what the President said on that memorable occasion.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HIS FINEST HOUR

Nothing could be clearer than America's position on peace, security, and progress in the Middle East, as President Eisenhower yesterday defined it. And if the U. N. does not move to implement it in full consciousness of duty and opportunity it will be defaulting on an obligation which no member land of conscience can deny.

Only the blind could fail to see the line sharply drawn between this presentation of fact and principle—assertive of security guaranties for the small nations—and the wild mouthings of Gromyko to the effect that this constitutes "aggression." That Mr. Eisenhower in paragraph after paragraph scored a direct hit is evident from the source of the yelps.

As he said, "If it is made an international crime to help a small nation maintain its independence, then indeed the possibilities of conquest are unlimited. We will have nullified the provisions of our (U. N.) Charter which recognizes the inherent right of collective self-defense. We will have let loose forces that could generate great disasters. The United Nations has, of course, a primary responsibility to maintain not only international peace, but also security."

To that fact, bearing directly on the call to this Assembly, the President's message was addressed. Along with it the corollary principle of self-determination by the peoples—in this case the Arab nations—whose survival as independent, national entities, is at stake.

That is not a revised position of the United States. A common principle has guided this policy; notably, that "aggression, direct or indirect, must be checked before it gathered sufficient momentum to destroy us all—aggressor and defender alike."

In redefining this concept, the Chief Executive minced no words, "I would be less than candid," he said, "if I did not tell you that the United States reserves, within the spirit of the charter, the right to answer the legitimate appeal of any nation—particularly small nations."

That occurred in the case of Lebanon, immediately at hand. Simultaneously, however, the United States appealed to the U. N. to assume the patrol task for which these troops were sent. That was blocked by a Soviet veto.

The Arab countries assuredly know America's concern for the sovereignty for which they are striving—the consideration, that is, for legitimate undertakings to that end, and the respect for aspirations that do them credit. No leader among them, or alliance of leaders, could have read into this message a sinister design. On the contrary, it was a declaration of concern for their freedom, and with that a formula for joint action to help build, under their auspices, an economic structure meeting their primary human needs.

Again it is pertinent to quote the President: "A true Arab renaissance can only

develop in a healthy human setting. Material progress should not be an overriding objective in itself; but it is an important condition for achieving higher human, cultural and spiritual objectives."

That is adequate answer to the Soviet allegation that along the Communist road lies progress from want and misery. It is the assurance of deeds, along with words. For Mr. Eisenhower not only introduced it as a topic; he presented the means to that end.

A peace program indeed; a framework of policy and action by which both clouds and tension could be lifted from an apprehensive world in the knowledge that mankind collectively was striving to banish the conditions that make for war. When development and human progress are the objectives, and strength exists to combat mutually the inroads of conspiratorial assault, it would be a gain for the very purpose for which the U. N. exists.

There are six major elements in the program yesterday laid down: (1) United Nations concern for Lebanon, (2) United Nations measures to preserve peace in Jordan, (3) an end to the fomenting from without of civil strife, (4) a United Nations peace force, (5) a regional economic development plan to assist and accelerate improvement in the living standards of the Arab peoples, (6) steps to avoid a new arms race spiral in the area.

They are points belonging together—to be considered as a whole, understanding that as a U. N. responsibility one objective cannot wholly succeed without the other.

It needs to be stated again and again, that this world of individual nations is not going to be controlled by any one power or group of powers. It is not going to be committed to any one ideology. We must be, by the very nature of the case, a world community of sovereign powers, and of open societies.

That solemn note concluded the President's speech: "We must then seek with new vigor, new initiative, the path to a peace based on the effective control of armaments, on economic advancements, and on the freedom of all peoples to be ruled by governments of their choice. Only thus can we exercise the full capacity God has given us to enrich the lives of the individual human beings who are our ultimate concern, our responsibility, and our strength."

The President excelled himself in what probably was the greatest speech of his career. The depth of his convictions, the breadth of his appeal to conscience, realism and courage, the vigor of his presentation—no wonder he stands as the personal symbol of his Nation and the figure of leadership in the Free World.

It was his finest hour.

AMERICA DOES NOT SURRENDER

Mr. WATKINS. Mr. President, with reference to what occurred last night in the debate on the amendment of the senior Senator from Georgia [Mr. RUSSELL], there is an interesting editorial in the Nashville Banner which I should like to give special emphasis. It is entitled "America Doesn't Surrender," and it reads:

Of the planting of rumors and the moronic speculation of defeatist theorizers, apparently there is no end. But President Eisenhower has moved swiftly to check and demolish, a-borning, one that could only have hatched in the incubator of idiocy. It is the report that officials are studying the "possibility of surrender by the United States in a nuclear war."

Granting that such is purely academic, it would violate every premise of fact and conscience on which principle, courage, and conviction rest. It angers not only the President, but every American who has fought for liberty.

The Chief Executive did not stand before the world yesterday as an exponent of appeasement, or as one thinking in terms of compromise with the forces of murderous destruction. Neither he nor his Nation has subscribed to any surrender theory, and does not now. Nor does defeatism, even as a theory, figure in the contemplation of any task ahead—even if the time should ever come that as the defender of human liberty America stands alone.

It is not surprising that the very mention of such defeatist speculation, however theoretical, incensed the President to the boiling point. The overwhelming majority of 170 million Americans share his anger. Anyone giving credence to this poison of heart and spirit, calculated to beget premonitions and doubt, is a candidate for the booby-hatch and overripe for it.

Mr. President, it seems to me the editorial expresses the feeling of the average American. I know it expresses my own feeling. I assume we shall be shortly debating the amendment offered last night to the supplemental appropriation bill, which is the pending business. I wanted to invite the attention of Senators to the editorials, and especially the one I have read from the Nashville Banner of the date I mentioned. I think it expresses pretty clearly the way most Americans look at this overall problem, particularly the one we now have under discussion.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTRUCTION OF TOLL BRIDGE ACROSS THE RIO GRANDE NEAR RIO GRANDE CITY, TEX.

Mr. JOHNSON of Texas. Mr. President, there are some noncontroversial bills which have been cleared with the minority and which have been cleared by the committee unanimously. I should like to have immediate action taken, because the bills must go to the House. In the last days of the session, we should act on the bills as soon as we can.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2405, H. R. 12632, relating to the construction of a toll bridge across the Rio Grande River.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 12632) authorizing Gus A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, on page 1, line 10, after the word "within", to strike out "four years" and insert "one year", and at the beginning of line 11, to strike out "six years" and insert "two years."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The bill revives and reenacts the act of June 28, 1955 (69 Stat. 186), which authorized the construction of this bridge. The previous act did not contain any time limit for the commencement and completion of the bridge and, therefore the limitations of the General Bridge Act of 1906 apply which provide that such authority, unless otherwise specified, shall be null and void unless construction of the bridge is begun within 1 year and completed within 3 years. Construction of this bridge has not yet begun. The present bill, if amended as recommended by the committee, provides that the authority therein shall be null and void unless the bridge is commenced within 1 year and completed within 2 years.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the amendments are agreed to en bloc.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 12632) was read the third time and passed.

ESTABLISHMENT OF UNITED STATES STUDY COMMISSION ON CERTAIN RIVERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2452, S. 4266.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4266) to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Public Works, with an amendment, on page 5, line 19, after the word "of", where it appears the second time, to insert "a different", so as to make the bill read:

Be it enacted, etc., That the purpose of this act is—

(a) to provide for an integrated and cooperative investigation, study, and survey by a commission created pursuant to this act and composed of representatives of certain departments and agencies of the United States, and of the State of Texas, in connection with, and in promotion of, the conservation, utilization, and development of the land and water resources of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) in the State of Texas in order to formulate a comprehensive and coordinated plan for—

(1) flood control and prevention;

(2) domestic and municipal water supplies;

(3) the improvement and safeguarding of navigation;

(4) the reclamation and irrigation of land, including drainage;

(5) possibilities of hydroelectric power and industrial development and utilization;

(6) soil conservation and utilization;

(7) forest conservation and utilization;

(8) preservation, protection, and enhancement of fish and wildlife resources;

(9) the development of recreation;

(10) salinity and sediment control;

(11) pollution abatement and the protection of public health; and

(12) such other beneficial and useful purposes not herein enumerated; and

(b) to formulate, within the time provided for in section 9 of this act, a basic, comprehensive, and integrated plan of development of the land and water resources within the area described in this section for submission to, and consideration by, the President and the Congress, and to make recommendations, after adequate study, for executing and keeping current such plan. It is not the purpose of this act to create any continuing or permanent instrumentality of the Federal Government or to take from, or reassign, the duties and powers of any department or agency of the United States represented on the Commission, except as herein provided in this act.

SEC. 2. In carrying out the purposes of this act it shall be the policy of Congress to—

(1) recognize and protect the rights and interests of the State of Texas in determining the development of the watersheds of the rivers herein mentioned and its interests and rights in water utilization and control, as well as the preservation and protection of established uses;

(2) protect existing and authorized projects and projects under construction, whether public or private;

(3) utilize the services, studies, surveys, and continuing investigational programs of the departments, bureaus, and agencies of the United States;

(4) recognize an important body of existing Federal law affecting the public lands, irrigation, reclamation, flood control, grazing, geological survey, national parks, mines, and minerals; and

(5) to recognize the primary responsibilities of the State of Texas and local interests in such State in developing water supplies for domestic, municipal, industrial, and other purposes and that the Federal Government should participate and cooperate with such State and local interests in developing such water supplies in connection with the construction, maintenance, and operation of Federal navigation, flood control, irrigation, or multiple-purpose projects.

SEC. 3. (a) In order to carry out the purposes of this act, there is hereby established a commission to be known as the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins and intervening areas (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of 14 members appointed by the President as follows:

(1) One member, who shall serve as chairman, and who shall be a resident from the area comprising the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) embraced within the State of Texas and who shall not, during the period of his service on the Commission, hold any other position as an officer or employee of the United States, except that a retired military officer or a retired Federal civilian officer or employee may be appointed under this act without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $12,000 in any one calendar year;

(2) Six members, of whom one shall be from the Department of the Army, one from the Department of Commerce, one from the Department of Health, Education, and Welfare, one from the Department of Agriculture, one from the Department of the Interior, and one from the Federal Power Commission; and

(3) Seven members, nominated by the Governor of Texas subject to the provisions of subsection (c) of this section, each of which shall be a resident of a different one of the following geographical areas of Texas:

(A) Neches River Basin;
(B) Trinity River Basin;
(C) Brazos River Basin;
(D) Colorado River Basin;
(E) Guadalupe-San Antonio River Basin;
(F) Nueces River Basin; and
(G) San Jacinto River Basin.

(c) In the event of the failure of the Governor of the State of Texas to nominate a person or persons in accordance with the provisions of paragraph (3) of subsection (b) of this section satisfactory to the President within 60 days after a request by the President for such nomination, the President shall then select and appoint a qualified resident from the State of Texas.

(d) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(e) Within 30 days after the appointment of the members of the Commission by the President, and funds have been made available by the Congress as provided for in this act, the Commission shall organize for the performance of its functions.

(f) The Commission shall elect a Vice Chairman from among its members.

(g) Eight members of the Commission, of whom at least four shall have been appointed pursuant to subsection (b) (3) or (c) of this section, shall constitute a quorum for the transaction of business.

(h) Members of the Commission shall report from time to time to their respective departments or agencies, or to the Governor of the State of Texas if appointed pursuant to subsection (b) (3) or (c) of this section, on the work of the Commission, and any comments and suggestions pertaining to such work from such departments, agencies, or governor shall be placed before the Commission for its consideration.

(i) The Commission shall cease to exist within 3 months from the date of its submission to the President of its final report as provided for in section 9 of this act. All property, assets, and records of the Commission shall thereupon be turned over for liquidation and disposition to such agency or agencies in the executive branch as the President shall designate.

SEC. 4. The Commission may, for the purpose of carrying out the provisions of this act, hold such hearings, sit and act at such times and places, take such testimony, administer such oaths, and publish so much of its proceedings and the reports thereon as it may deem advisable; lease, furnish, and equip such office space in the District of Columbia and elsewhere as it may deem necessary; use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States Government; have printing and binding done in its discretion by establishments other than the Government Printing Office; employ and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended; purchase or hire, operate, maintain, and dispose of such vehicles as it may require; secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman, and employees of the departments or agencies from which persons have been appointed to the Commission pursuant to section 3 (b) (2) of this act may be assigned upon request by the Chairman of the Commission to temporary duty with the Commission without loss of seniority, pay, or other employee status; pay travel in accordance with standardized Government Travel Regulations and other necessary expenses incurred by it, or any of its officers or employees, in the performance of duties vested in such Commission; and exercise such other powers as are consistent with and reasonably required to perform the functions vested in such Commission under this act.

SEC. 5. Responsibility shall be vested in the Chairman for (1) the appointment and supervision of personnel employed under the Commission, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds: *Provided*, That in carrying out his functions under the provisions of this section, the Chairman shall be governed by the general policies of the Commission.

SEC. 6. (a) Members of the Commission appointed pursuant to section 3 (b) (2) of this act shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive the salary of their regular position when engaged in the performance of the duties vested in the Commission. Such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members of the Commission, other than those appointed pursuant to section 3 (b) (2) of this act, shall each receive compensation at the rate of $50 per day when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties, but the aggregate compensation received by the members of the Commission pursuant to this subsection shall not exceed $12,000 per annum in the case of the Chairman, and $7,500 per annum in the case of members of the Commission other than those members appointed pursuant to section 3 (b) (2) of this act.

SEC. 7. In the formulation of a comprehensive and coordinated plan or plans for (a) the control, conservation, and utilization of the waters of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas), (b) conservation and development of the land resources of such

area; (c) flood control, navigation, reclamation, agriculture purposes, power, recreation, fish and wildlife, and (d) such other needs as are set forth in paragraph (a) of the first section of this act, the Commission shall—

(1) seek to secure maximum public benefits for the State of Texas and the Nation consistent with the specific directions contained in section 8 and elsewhere in this act;

(2) utilize the services, studies, surveys, and reports of existing Government agencies and shall encourage the completion of such current and additional studies and investigations by such agencies as will further the purposes of this act, and such agencies are authorized to cooperate within the limits of available funds and personnel to the end that the Commission may carry out its functions as expeditiously as possible;

(3) take into consideration the financial, physical, and economic benefits of existing and prospective Federal works constructed or to be constructed consistent with the purposes of this act;

(4) include in its plan or plans estimated costs and benefits; recommendations relating to the establishment of pay-out schedules (areawide or otherwise) taking into account the Federal Government's present and prospective investment in the area; costs reimbursable and nonreimbursable; sources for reimbursement; returns heretofore made from existing projects and estimates of returns from recommended projects; repayment schedules for water, irrigation, industrial, and other uses; power rates and recommendations for the marketing thereof in such manner as to encourage its most widespread use at the lowest possible rates consistent with the return of capital investment and interest thereon; and

(5) offer in its plan or plans proposals for the construction and operation of the projects contained therein, and designate the functions and activities of the various Federal departments and agencies in connection therewith consistent with existing law, except that no such plan or plans shall include final project designs and estimates.

SEC. 8. In the formulation of its plan or plans and in the preparation of its report to the President, the Commission shall comply with the following directives:

(1) The report shall contain the basic comprehensive plan for the development of the water and land resources of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) formulated by the Commission in accordance with the provisions of, and to accomplish the purposes of, this act;

(2) The Commission and the participating Federal departments and agencies shall comply substantially with the intent, purposes, and procedure set forth in the first section of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control and other purposes," approved December 22, 1944 (58 Stat. 887).

SEC. 9. (a) The Commission is authorized and directed to prepare a final report, within the time provided for in this section, for submission to the President. Before the Commission takes final action on the approval of such report for submission to the President, it shall transmit a copy of such report to each department, agency, and to the Governor of the State of Texas referred to in subsection (b) of section 3 of this act. Within 90 days from the date of receipt by each such department and agency, and by the Governor of the State of Texas of such proposed report, the written views, comments, and recommendations of such department, agency, and Governor shall be submitted to the Commission. The Commission may adopt in its report to the President any views, comments, and recommendations so submitted and change its report accordingly. The Commission shall transmit to the President, with its final report, the submitted views, comments, and recommendations of each such department and agency, and of the Governor of the State of Texas whether or not adopted by such Commission.

(c) The President shall, within 90 days after the receipt by him of the final report of the Commission, transmit it to Congress with his views, comments, and recommendations.

(d) The final report of the Commission and its attachments shall be printed as a House or Senate document.

SEC. 10. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this act.

Mr. WATKINS. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. The purpose of the bill is to authorize the establishment of a United States Study Commission, such as has been provided in other areas. There would be 14 members of the Commission, appointed by the President. Six of the members would be from Federal departments, and seven members would be from the respective river basins. The chairman, or 14th member, would be a resident of one of the basins. The Commission would submit a report to the President of the result of the study, and the President, in turn, would submit the report to the Congress.

Mr. WATKINS. Is this for the Colorado River?

Mr. JOHNSON of Texas. No; the Colorado of Texas.

Mr. WATKINS. Oh, the Colorado of Texas.

Mr. JOHNSON of Texas. Mr. President, when S. 4266 was introduced, providing for a Texas water study, my colleague the junior Senator from Texas [Mr. YARBOROUGH] was absent from the city. He has collaborated with me in the preparation of material on Texas water problems, and has served on the Lower Colorado River Authority of Texas, and I should like the record to show that he is associated with me on this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. I thank my colleague, the distinguished majority leader, the senior Senator from Texas, for the privilege of being a cosponsor on such vital legislation in our State in the Southwest, which calls for the survey of the fresh water resources of that State.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendment be agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the committee amendment is agreed to.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4266) was ordered to be engrossed for a third reading, read the third time, and passed.

AUTHORIZATION TO SELECT COMMITTEE ON SMALL BUSINESS TO FILE REPORT DURING SINE DIE ADJOURNMENT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Select Committee on Small Business be permitted to file a report entitled "Discount House Operations" during the sine die adjournment period.

This report, now being drafted, will cover the hearings held by the Subcommittee on Retailing, Distribution, and Fair Trade Practices of which I am chairman.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPROVEMENT OF TRINITY RIVER, TEX.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2445, Senate bill 4192.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4192) authorizing the project for improvement of the Trinity River, Tex.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with amendments, in line 9, after the word "estimated", to strike out "cost of $5,104,000" and insert "total cost of $6,992,000", and after line 9, to insert a new section, as follows:

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

So as to make the bill read:

Be it enacted, etc., That the project for modification of the comprehensive plan for improvement of the Trinity River and tributaries, Texas, to provide for construction of the Bardwell Reservoir on Waxahachie Creek, is hereby authorized in accordance with the recommendations of the Chief of Engineers as contained in House Document No. 424, 85th Congress, at an estimated total cost of $6,992,000.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill, as amended, is to authorize modification of the existing comprehensive plan of improvement for the Trinity River and tributaries, Texas, to provide for construction and operation of the Bardwell Reservoir on Waxahachie Creek, in the Trinity River Basin, for flood control and other purposes, in accordance with the recommendations of the Chief of Engineers in House Document No. 424, 85th Congress, at an estimated total cost of $6,992,000.

DESCRIPTION OF PROJECT

Location.—Waxahachie Creek is located in the central part of the Trinity River Basin in northeast Texas, and is a tributary of Chambers Creek which flows into Richland Creek, an important tributary of the Trinity River. The total watershed area of Richland Creek is 1,990 square miles, of which 1,072 square miles are drained by Chambers Creek. Waxahachie Creek drains 182 square miles of Chambers Creek.

Report authorized by resolutions of the Committee on Rivers and Harbors of the House of Representatives dated March 31, 1944, and February 28, 1945. The interim report on Waxahachie Creek has been completed and is published as House Document No. 424, 85th Congress.

Existing project.—There are no Federal projects authorized for construction on Waxahachie Creek.

Plan of recommended improvement.—Construction of the Bardwell Reservoir at mile 6 on Waxahachie Creek for flood control and water conservation, with a total storage capacity of 117,900 acre-feet, of which 8,700 acre-feet would be for sedimentation, 29,500 acre-feet for water conservation, and 79,600 acre-feet for flood control. The reservoir would control the runoff from 171 square miles of the drainage area.

Estimated cost (1956 price levels)

Federal	$5,104,000
Non-Federal	1,888,000
Total first cost	6,992,000

Cost of operation, maintenance, and replacement, $40,000 annually.

Local cooperation.—Provided that, prior to construction, local interests give assurances satisfactory to the Secretary of the Army that they will obtain all the necessary water rights and contribute the part of the total cost of the project and the annual cost of operation, maintenance, and replacements allocated to water conservation, presently estimated at 27 percent, which amounts to $1,888,000 and $11,000, respectively.

Project economics

Annual charges	$290,500
Annual benefits:	
Prevention of flood damages	236,750
Conservation of water	82,000
Total benefits	318,750
Benefit-cost ratio	1.10

Benefits.—Waxahachie Creek watershed is entirely within Ellis County which had a population of 45,645 in 1950. The principal cities and their 1950 populations are Waxahachie, 11,204, and Ennis, 7,815. The area is predominately agricultural, with manufacturing activities in the vicinities of those cities including cottonseed, wood, and paper products; candy; beverages; and flour. The Waxahachie Creek watershed is subject to severe intense storms occurring almost any time of year, the maximum of which occurred in December 1913. The flood-plain areas along Richland, Chambers, and Waxahachie Creeks contain 43,120 acres, with large areas downstream along the Trinity River. Flood damages are also suffered by transportation and utility facilities. The average annual damages are estimated at $465,300, of which $437,290 are along Waxahachie and Chambers Creeks and $28,010 are along Richland Creek. Flood-control benefits from the Bardwell Reservoir are estimated at $172,620 along Richland, Chambers, and Waxahachie Creeks, and $64,130 along the Trinity River downstream therefrom. The need for additional water supply is general throughout the area, but is urgent at the cities of Ennis, Corsicana, and Waxahachie. The Bardwell Reservoir would provide a dependable water supply to meet the municipal needs of the area. According to the 1950 census, about 2,013,000 people reside within a radius of 100 miles of the Bardwell Reservoir site, of which 1,015,000 reside within a 50-mile radius. Development of the recreational opportunities is believed to be in the public interest.

DISCUSSION

The committee is aware that parts of Texas, including the area adjacent to and in the vicinity of the proposed Bardwell Reservoir, have experienced severe floods and serious water shortages in recent years. Droughts in the area have lowered the ground water table and reduced water supply in the local wells. Domestic requirements have increased to such an extent that ground water supplies for municipal and industrial needs are inadequate. The provision of 29,500 acre-feet of conservation storage in the Bardwell Reservoir would, in addition to the benefits to be derived from flood control, provide a water supply for nearby municipalities and prevent a recurrence of the existing water shortage.

The committee believes that the proposed Bardwell Reservoir would contribute materially to control of floods on stream reaches downstream from the dam site, would provide a dependable water supply to meet municipal needs in the general area, and would be an important element in any comprehensive plan for the ultimate control and development of the water resources of the Trinity River Basin.

The committee has given careful consideration to the information presented by a representative of the Corps of Engineers at a hearing on August 7, 1958, and by local interests on this project. It is cognizant of the enormous recurring flood damages to which the area is subject. The need for water supply in the area is also apparent at the present time. As this area possesses great natural resources, it is to be expected that industrial expansion and continued growth of population will increase the water supply requirements in the future. The committee notes the resolution of a State agency that the requirements of local cooperation for their share of the cost of the water supply storage in the Bardwell Reservoir will be provided at the proper time.

The committee recommends enactment of this legislation. It feels that the Bardwell Reservoir is economically feasible, that the cities should not be deprived of the urgently needed water supply that would be available from that reservoir, and that the flood protection that would be provided in the local areas and downstream therefrom is essential for the continued development of the valley. The committee further believes that the cash contribution by local interests of a portion of the actual Federal construction cost, based on water supply storage provided, is equitable and in conformance with the provisions of title III of the act approved July 3, 1958, Public Law 500, 85th Congress (72 Stat. 319, 320).

The committee recommends an amendment to the bill in order to show the estimated total cost of the project, including the local contribution, which would indicate the total Federal appropriation necessary in the event that local interests desire to repay their share of the construction costs over the economic life of the project.

The committee is in accord with the recommendations of the Chief of Engineers that the storage capacity as proposed for Bardwell Reservoir should be subject to such modification as may be found advisable as a result of the upstream improvements developed by the Soil Conservation Service, but believes that such adjustment can be made during the planning stage as a result of more definite information on the time of the construction programs.

The comments of the Department of the Army on S. 4192 and of the Bureau of the Budget on the bill and on the report of the Chief of Engineers are shown in the following communications:

DEPARTMENT OF THE ARMY,
August 8, 1958.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of the Army with respect to S. 4192, 85th Congress, a bill authorizing the project for modification of the plan for improvement of the Trinity River and tributaries, Texas.

This bill would modify the comprehensive plan for improvement of the Trinity River and tributaries, Texas, to provide for construction of the Bardwell Reservoir on Waxahachie Creek for purposes of flood control and water conservation, in accordance with the recommendations of the Chief of Engineers as contained in House Document No. 424, 85th Congress, subject to a condition that local interests give assurance that they will contribute the part of the first cost of the project and the annual cost of operation and maintenance allocated to water conservation, presently estimated at 27 percent, amounting, respectively, to $1,888,000 and $11,000. Local interests would be permitted to contribute their share of the construction cost (a) in a lump sum prior to construction, (b) in annual amounts during construction, or (c) in annual payments within the economic life of the project but not to exceed 50 years.

The Department of the Army favors the proposed improvement work. Accordingly, the Department has no objection to enactment of S. 4192, subject to the revision suggested below.

The estimated total cost for construction is $6,992,000, with a total of $40,000 annually for operation and maintenance. Since local interests would be permitted in accordance with the recommendations of the Chief of Engineers to contribute their share of the construction cost over a period not to exceed 50 years, if they so elect, then the amount required to be appropriated for construction of the project would be $6,992,000. It is therefore recommended that this amount be substituted for the amount of $5,104,000 shown at line 9 of the bill.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 4, 1958.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of July 26, 1958, requesting the views of the Bureau of the Budget on S. 4192, a bill authorizing the project for modification of the plan for improvement of the Trinity River and tributaries, Texas.

The bill would modify the plan for improvement of the Trinity River and tributaries, Texas, to provide for the construction of the Bardwell Reservoir at an estimated Federal cost of $5,104,000, in accordance with the recommendations of the Chief of Engineers as contained in House Document No. 424, 85th Congress.

The Bureau of the Budget would have no objection to the enactment of S. 4192.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director
for Legislative Reference.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the votes by which the last three bills were passed be reconsidered.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

NAVAHO INDIAN IRRIGATION PROJECT AND THE SAN JUAN-CHAMA PROJECT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 3648, Calendar No. 2248.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3648) to authorize the Secretary of the Interior to construct, operate, and maintain the Navaho Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, after the enacting clause, to strike out:

That the Congress hereby approves as participating projects of the Colorado River storage project the Navaho Indian irrigation project as described in the Bureau of Indian Affairs report entitled "Navaho Project, New Mexico Feasibility Report, January 1955," and as modified by the Bureau of Indian Affairs Supplement Report entitled "Navaho Project, New Mexico Supplemental Report, 1957, to Feasibility Report, January 1955," and the San Juan-Chama project as described in the Bureau of Reclamation report entitled "San Juan-Chama Project, Colorado-New Mexico, November 1955," such project plans and reports having been prepared and submitted as required under the provisions of the act of April 11, 1956 (70 Stat. 105).

And in lieu thereof to insert:

That, for the purposes of furnishing water for irrigation or irrigable and arable lands, municipal, domestic, and industrial uses (and for other beneficial purposes), providing recreation and fish and wildlife benefits, controlling silt, the Congress hereby approves as participating projects of the Colorado River storage project the Navaho Indian irrigation project, New Mexico, and the San Juan-Chama project, Colorado-New Mexico. Principal engineering works of the Navaho Indian irrigation project shall be a main gravity canal, tunnels, siphons, pumps, and powerplants for project purposes, laterals, drains, distribution systems, and related works. The San Juan-Chama project facilities shall be comprised principally of regulating and storage reservoirs, collection, diversion and conveyance systems, and associated works.

The Navaho Indian irrigation project and the San Juan-Chama project herein approved are substantially those described in the proposed coordinated report of the Acting Commissioner of Reclamation and the Commissioner of Indian Affairs, approved and adopted by the Secretary of the Interior on October 16, 1957.

On page 3, line 5, after the word "construct", to insert a comma and "operate, and maintain"; in line 6, after the word "project", to strike out "to include a net area of" and insert "for the principal purpose of furnishing irrigation water to approximately"; in line 9, after the word "of", to strike out "land with" and insert "land, said project to have"; in line 10, after the word "diversion", to strike out "requirement"; on page 4, line 21, after the word "townships", to insert "susceptible to irrigation as part of the Navaho Indian irrigation project or necessary for location of any of the works or canals of such project"; on page 5, line 20, after the word "be", to insert "constructed", and, in the same line, after the amendment just above stated, to strike out "construed"; on page 6, line 1, after "Sec. 5.", to strike out "The Navaho Indian irrigation project shall be constructed, operated, and maintained subject to the provisions of section 4 of the act of April 11, 1956 (43 U. S. C. 620c), to the same extent as if such project were authorized by section 1 of said act (43 U. S. C. 620).."; in line 8, after the word "of", to insert "the act of August 1, 1914 (38 Stat. 582, 583), as amended by"; in line 11, after the word "his", to strike out "direction" and insert "discretion"; in line 18, after "Sec. 6.", to insert "(a)"; in line 21, after the word "project", to strike out "in accordance with the Bureau of Reclamation report entitled 'Supplemental Report, San Juan-Chama Project, Colorado-New Mexico, May 1957'." and insert "Colorado-New Mexico, for the principal purposes of furnishing water supplies to approximately thirty-nine thousand three hundred acres of land in Cerro, Taos, Llano, and Pojoaque tributary irrigation units in the Rio Grande Basin, about eighty-one thousand six hundred acres of land in the existing Middle Rio Grande Conservancy District, and municipal, domestic, and industrial uses, and providing recreation and fish and wildlife benefits,";

On page 7, line 8, after the word "water", to insert:

Principal engineering works of the initial stage development involving three major elements, shall include diversion dams and conduits, storage and regulation facilities at the Heron No. 4 Reservoir site and enlargement of outlet works of the existing El Vado Dam, and water use facilities consisting of reservoirs, dams, canals, lateral and drainage systems, and associated works and appurtenances. The construction of recreation facilities at the Nambe Reservoir shall be contingent upon the Secretary's making appropriate arrangements with the governing body of the Nambe Pueblo for the operation and maintenance of such facilities, and the construction of recreation facilities at the Heron No. 4, Valdez, and Indian Camp Reservoirs shall be contingent upon the Secretary's making appropriate arrangements with a State or local agency or organization for the operation and maintenance of those facilities: *Provided*, That—

(i) all works of the project, both in its initial stage and in its final development, shall be constructed so as to permit compliance physically with all provisions of the Rio Grande compact, and all such works shall be operated at all times in conformity with the Rio Grande compact;

(ii) the amount of water diverted in the Rio Grande Basin for uses served by the San Juan-Chama project shall be limited in any calendar year to the amount of imported water available to such uses from importation to and storage in the Rio Grande Basin in that year;

(iii) details of project operation essential to the accounting of diverted San Juan and Rio Grande flows shall be cooperatively developed through the joint efforts of the Rio Grande Compact Commission, the appropriate agencies of the United States and of the States of Colorado, New Mexico, and Texas, and the various project entities. In this connection the States of Texas and New Mexico shall agree, within a reasonable time, on a system of gaging devices and measurements to secure data necessary to determine the present effects of tributary irrigation, as well as present river channel losses: *Provided*, That if the State of Texas shall require, as a precedent to such agreement, gaging devices and measurements in addition to or different from those considered by the Department of the Interior and the State of New Mexico to be necessary to this determination, the State of Texas shall pay one-half of all costs of constructing and operating such additional or different devices and making such additional or different measurements which are not borne by the United States. The results of the action required by this subsection shall be incorporated in a written report transmitted to the States of Colorado, Texas, and New Mexico for comment in the manner provided in the Flood Control Act of 1944, before any appropriation shall be made for project construction.

(b) The Secretary of the Interior is hereby authorized to construct the tunnel and conduit works of the initial stage of the San Juan-Chama project with sufficient capacity for future diversion of an average of 235,000 acre-feet per annum, and to recognize the cost of providing such additional capacity as a deferred obligation to be paid at such time as the additional capacity may be required.

On page 9, after line 20, to strike out:

SEC. 7. (a) No person shall have or be entitled to have the use for any purpose, including uses under the Navaho Indian irrigation project and the initial stage of the San Juan-Chama project authorized by sections 2 and 6 of this act of water stored in Navaho Reservoir or of any other waters of the San Juan River and its tributaries originating above Navaho Dam to the use of which the United States is entitled, except under contract satisfactory to the Secretary of the Interior and conforming to the provisions of this act. Any such contract shall make provision for a sharing of the runoff available from the San Juan River and its tributaries above Navaho Dam in any year in which the Secretary anticipates a shortage taking into account both the prospective runoff and the water in storage, such sharing to be in the same proportion as the normal diversion requirement under said contract bears to the sum of the normal diversion requirements at said time of shortage under all contracts that have been made hereunder.

And, in lieu thereof, to insert:

SEC. 7. (a) No person shall have or be entitled to have the use for any purpose, including uses under the Navaho Indian irrigation project and the initial stage of the San Juan-Chama project authorized by sections 2 and 6 (a) of this act, of water stored in Navaho Reservoir or of any other waters of the San Juan River and its tributaries originating above Navaho Reservoir to the use of which the United States is entitled, except under contract satisfactory to the Secretary of the Interior and conforming to the provisions of this Act. Such contracts, which, in the case of water for Indian uses, shall be executed with the Navaho Tribe, shall make provision, in any year in which the Secretary anticipates a shortage taking into account both the prospective runoff originating above Navaho Reservoir and the available water in storage in Navaho Reservoir, for a sharing of the available water in the following manner: The prospective runoff shall be apportioned between the contractors diverting above and those diverting at or below Navaho Reservoir in the proportion that the total normal diversion requirement of each group bears to the total of all normal diversion requirements. In the case of contractors diverting above Navaho Reservoir, each such contract shall provide for a sharing of the runoff apportioned to said group in the same proportion as the normal diversion requirement under said contract bears to the total normal diversion requirements of all such contracts that have been made hereunder: *Provided*, That for any year in which the foregoing sharing procedure either would apportion to any contractor diverting above Navaho Reservoir an amount in excess of the runoff anticipated to be physically available at the point of his diversion, or would result in no water being available to one or more such contractors, the runoff apportioned to said group shall be reapportioned as near as may be among the contractors diverting above Navaho Reservoir in the proportion that the normal diversion requirements of each bears to the total normal diversion requirements of the group. In the case of contractors diverting from or below Navaho Reservoir, each such contract shall provide for a sharing of the remaining runoff together with the available storage in the same proportion as the normal diversion requirement under said contract bears to the total normal diversion requirements under all such contracts that have been made hereunder.

On page 12, line 10, after the numeral "6", to insert "(a)"; after line 17, to insert:

(c) This section shall not be applicable to the water requirements of the existing Fruitland, Hogback, Cudal, and Cambridge Indian irrigation projects, nor to the water required in connection with the extension of the irrigated acreages of the Fruitland and Hogback Indian irrigation projects in a total amount of approximately 11,000 acres.

On page 13, line 4, after the word "exceed", to strike out "$208,000,000" and insert "$221,000,000 (January 1958 prices) plus such amounts, if any, as may be required by reason of changes in construction costs an indicated by engineering cost indexes applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the projects."

And, after line 9, to insert a new section, as follows:

SEC. 9. The act of April 11, 1956 (70 Stat. 105) is hereby amended as follows: (i) In section 1, subsection (2), after "Central Utah (initial phase)" delete the colon and insert in lieu thereof a comma; (ii) in section 5, subsection (e) in the phrase "herein or hereinafter authorized" delete the word "hereinafter" and insert in lieu thereof the word "hereafter"; (iii) in section 7 in the phrase "and any contract lawfully entered unto under said compacts and acts" delete the word "unto" and insert in lieu thereof the word "into."

So as to make the bill read:

Be it enacted, etc., That, for the purposes of furnishing water for irrigation or irrigable and arable lands, municipal, domestic, and industrial uses (and for other beneficial purposes), providing recreation and fish and wildlife benefits, controlling silt, the Congress hereby approves as participating projects of the Colorado River storage project the Navaho Indian irrigation project, New Mexico, and the San Juan-Chama project, Colorado-New Mexico. Principal engineering works of the Navaho Indian irrigation project shall be a main gravity canal, tunnels, siphons, pumps, and powerplants for project purposes, laterals, drains, distribution systems and related works. The San Juan-Chama project facilities shall be comprised principally of regulating and storage reservoirs, collection, diversion and conveyance systems, and associated works.

The Navaho Indian irrigation project and the San Juan-Chama project herein approved are substantially those described in the proposed coordinated report of the Acting Commissioner of Reclamation and the Commissioner of Indian Affairs, approved and adopted by the Secretary of the Interior on October 16, 1957.

SEC. 2. Pursuant to the provisions of the act of April 11, 1956 (70 Stat. 105), the Secretary of the Interior is authorized to construct, operate, and maintain the Navaho Indian irrigation project for the principal purpose of furnishing irrigation water to approximately 110,630 acres of land, said project to have an average annual diversion of 508,000 acre-feet of water, the repayment of the costs of construction thereof to be in accordance with the provisions of said act of April 11, 1956 (70 Stat. 105), including, but not limited to, section 4 (d) thereof.

SEC. 3. (a) In order to provide for the most economical development of the Navaho Indian irrigation project, the Secretary of the Interior is hereby authorized and directed to declare by publication in the Federal Register that the United States of America holds in trust for the Navaho Tribe of Indians any legal subdivisions or unsurveyed tracts of federally owned land outside the present boundary of the Navaho Indian Reservation in New Mexico in townships 28 and 29 north, ranges 10 and 11 west, and townships 27 and 28 north, ranges 12 and 13 west, New Mexico principal meridian, susceptible to irrigation as part of the Navaho Indian irrigation project or necessary for location of any of the works or canals of such project: *Provided, however*, That no such legal subdivision or unsurveyed tract shall be so declared to be held in trust by the United States for the Navaho Tribe until the Navaho Tribe shall have paid the United States the full appraised value thereof: *And provided further*, That in making appraisals of such lands the Secretary of the Interior shall consider their values as of the date of approval of this act, excluding therefrom the value of minerals subject to leasing under the act of February 25, 1920, as amended (30 U. S. C. 181–286), and such leasable minerals shall not be held in trust for the Navaho Tribe and shall continue to be subject to leasing under the act of February 25, 1920, as amended, after the lands containing them have been declared to be held in trust by the United States for the Navaho Tribe.

(b) The Navaho Tribe is hereby authorized to convey to the United States, and the Secretary of the Interior is hereby directed to accept on behalf of the United States, title to any land or interest in land within the above-described townships, susceptible to irrigation as part of the Navaho Indian irrigation project or necessary for location of any of the works or canals of such project, acquired in fee simple by the Navaho Tribe, and after such conveyance said land or interest in land shall be held in trust by the United States for the Navaho Tribe as a part of the Navaho Indian irrigation project.

(c) The Secretary of the Interior is hereby authorized and directed to acquire by purchase, exchange, or condemnation any other land or interest in land within the townships above described susceptible to irrigation as part of the Navaho Indian irrigation project or necessary for location of any of the works or canals of such project. After such acquisition, said lands or interest in lands shall be held by the United States in trust for the Navaho Tribe of Indians and the price of such lands or interest in lands or of the land given in exchange therefor by the United States shall be charged to funds of the Navaho Tribe of Indians on deposit in the Treasury of the United States.

SEC. 4. In developing the Navaho Indian irrigation project, the Secretary is authorized to provide capacity for municipal and industrial water supplies or miscellaneous purposes over and above the diversion requirements for irrigation stated in section 2 of this act. But such additional capacity shall not be constructed and no appropriation of funds for such construction shall be made unless, prior thereto, contracts have been executed which, in the judgment of the Secretary, provide satisfactory assurance of repayment of all costs properly allocated to the purposes aforesaid with interest as provided by law.

SEC. 5. Payment of operation and maintenance charges of the irrigation features of the Navaho Indian irrigation project shall be in accordance with the provisions of the act of August 1, 1914 (38 Stat. 582, 583), as amended by the act of August 7, 1946 (60 Stat. 867): *Provided*, That the Secretary of the Interior in his discretion may transfer to the Navaho Tribe of Indians the care, operation, and maintenance of all or any part of the Navaho Indian irrigation project works, subject to such rules and regulations as he may prescribe, and, in such event, the Secretary may transfer to the Navaho Tribe title to movable property necessary to the operation and maintenance of project works.

SEC. 6. (a) Pursuant to the provisions of the act of April 11, 1956 (70 Stat. 105), the Secretary of the Interior is authorized to construct, operate, and maintain an initial stage of the San Juan-Chama project, Colorado-New Mexico, for the principal purposes of furnishing water supplies to approximately 39,300 acres of land in Cerro, Taos, Llano, and Pojoaque tributary irrigation units in the Rio Grande Basin, about 81,600 acres of land in the existing Middle Rio Grande Conservancy District, and municipal, domestic, and industrial uses, and providing recreation and fish and wildlife benefits, said initial stage to have an average annual diversion of 110,000 acre-feet of water. Principal engineering works of the initial stage development involving three major elements, shall include diversion dams and conduits, storage and regulation facilities at the Heron Numbered 4 Reservoir site and enlargement of outlet works of the existing El Vado Dam, and water use facilities consisting of reservoirs, dams, canals, lateral and drainage systems, and associated works and appurtenances. The construction of recreation facilities at the Nambe Reservoir shall be contingent upon the Secretary's making appropriate arrangements with the governing body of the Nambe Pueblo for the operation and maintenance

of such facilities, and the construction of recreation facilities at the Heron Numbered 4, Valdez and Indian Camp Reservoirs shall be contingent upon the Secretary's making appropriate arrangements with a State or local agency or organization for the operation and maintenance of those facilities: *Provided*, That—

(i) all works of the project, both in its initial stage and in its final development, shall be constructed so as to permit compliance physically with all provisions of the Rio Grande compact, and all such works shall be operated at all times in conformity with the Rio Grande compact;

(ii) the amount of water diverted in the Rio Grande Basin for uses served by the San Juan-Chama project shall be limited in any calendar year to the amount of imported water available to such uses from importation to and storage in the Rio Grande Basin in that year;

(iii) details of project operation essential to the accounting of diverted San Juan and Rio Grande flows shall be cooperatively developed through the joint efforts of the Rio Grande Compact Commission, the appropriate agencies of the United States and of the States of Colorado, New Mexico, and Texas, and the various project entities. In this connection the States of Texas and New Mexico shall agree, within a reasonable time, on a system of gaging devices and measurements to secure data necessary to determine the present effects of tributary irrigation, as well as present river channel losses: *Provided*, That if the State of Texas shall require, as a precedent to such agreement, gaging devices and measurements in addition to or different from those considered by the Department of the Interior and the State of New Mexico to be necessary to this determination, the State of Texas shall pay one-half of all costs of constructing and operating such additional or different devices and making such additional or different measurements which are not borne by the United States. The results of the action required by this subsection shall be incorporated in a written report transmitted to the States of Colorado, Texas, and New Mexico for comment in the manner provided in the Flood Control Act of 1944, before any appropriation shall be made for project construction.

(b) The Secretary of the Interior is hereby authorized to construct the tunnel and conduit works of the initial stage of the San Juan-Chama project with sufficient capacity for future diversion of an average of 235,000 acre-feet per annum, and to recognize the cost of providing such additional capacity as a deferred obligation to be paid at such time as the additional capacity may be required.

SEC. 7. (a) No person shall have or be entitled to have the use for any purpose, including uses under the Navaho Indian irrigation project and the initial stage of the San Juan-Chama project authorized by sections 2 and 6 (a) of this act, of water stored in Navaho Reservoir or of any other waters of the San Juan River and its tributaries originating above Navaho Reservoir to the use of which the United States is entitled, except under contract satisfactory to the Secretary of the Interior and conforming to the provisions of this act. Such contracts, which, in the case of water for Indian uses, shall be executed with the Navaho Tribe, shall make provision, in any year in which the Secretary anticipates a shortage taking into account both the prospective runoff originating above Navaho Reservoir and the available water in storage in Navaho Reservoir, for a sharing of the available water in the following manner: The prospective runoff shall be apportioned between the contractors diverting above and those diverting at or below Navaho Reservoir in the proportion that the total normal diversion requirement of each group bears to the total of all normal diversion requirements. In the case of contractors diverting above Navaho Reservoir, each such contract shall provide for a sharing of the runoff apportioned to said group in the same proportion as the normal diversion requirement under said contract bears to the total normal diversion requirements of all such contracts that have been made hereunder: *Provided*, That for any year in which the foregoing sharing procedure either would apportion to any contractor diverting above Navaho Reservoir an amount in excess of the runoff anticipated to be physically available at the point of his diversion, or would result in no water being available to one or more such contractors, the runoff apportioned to said group shall be reapportioned as near as may be among the contractors diverting above Navaho Reservoir in the proportion that the normal diversion requirements of each bears to the total normal diversion requirements of the group. In the case of contractors diverting from or below Navaho Reservoir, each such contract shall provide for a sharing of the remaining runoff together with the available storage in the same proportion as the normal diversion requirement under said contract bears to the total normal diversion requirements under all such contracts that have been made hereunder.

The Secretary shall not enter into contracts beyond a total amount of water that, in his judgment, in the event of shortage will result in a reasonable amount being available for the diversion requirements for the Navaho Indian irrigation project and the initial stage of the San Juan-Chama project as specified in sections 2 and 6 (a) of this act.

(b) In the event contracts are entered into for delivery from storage in Navaho Reservoir of water not covered by subsection (a) of this section, such contracts shall be subject to the same provision for sharing of available water supply in the event of shortage as in the case of contracts required to be made pursuant to subparagraph (a) of this section.

(c) This section shall not be applicable to the water requirements of the existing Fruitland, Hogback, Cudal, and Cambridge Indian irrigation projects, nor to the water required in connection with the extension of the irrigated acreages of the Fruitland and Hogback Indian irrigation projects in a total amount of approximately 11,000 acres.

SEC. 8. Section 12 of the act of April 11, 1956 (70 Stat. 105) shall not apply to the works authorized by this act. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, such funds as may be required to carry out the purposes of this act, but not to exceed $221 million (January 1958 prices) plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indexes applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the projects.

SEC. 9. The act of April 11, 1956 (70 Stat. 105) is hereby amended as follows: (i) In section 1, subsection (2), after "Central Utah (Initial phase)" delete the colon and insert in lieu thereof a comma; (ii) in section 5, subsection (e) in the phrase "herein or hereafter authorized" delete the word "hereinafter" and insert in lieu thereof the word "hereafter"; (iii) in section 7 in the phrase "and any contract lawfully entered unto under said compacts and acts" delete the word "unto" and insert in lieu thereof the word "into".

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from New Mexico [Mr. ANDERSON] is the author of this bill. Several days ago I assured him and the distinguished minority leader [Mr. KNOWLAND] that Calendar No. 2243, Senate bill 3648, and Calendar No. 2255, Senate bill 1887, would be considered. If the Senator from New Mexico will make a brief statement concerning Senate bill 3648, as soon as action on it is completed I shall ask that the Senate proceed to the consideration of Calendar No. 2255, Senate bill 1887.

Mr. ANDERSON. Mr. President, I hope I may have an opportunity to say a few words in behalf of Senate bill 1887, Calendar No. 2255, because I have just finished flying over that part of California.

Mr. JOHNSON of Texas. That bill will follow the one now under consideration.

Mr. ANDERSON. Mr. President, this bill follows the provisions of Public Law 485, the Upper Colorado River Storage Project Act. It would permit development of the lands of the Navaho Indians, comprising 110,000 acres of new agricultural land, which the Navahos will utilize as a farming area.

The water, which will be impounded behind the Navaho Dam, will be distributed by a system of canals.

The provisions of the bill are the same as previous provisions. The bill prevents the lands from being used for the production of crops which would be competitive with other crops.

It also includes the transmountain diversion from the San Juan River to the Rio Grande Valley. The initial stage of the San Juan-Chama project would help materially to meet the pressing need for additional supplies of water in the Rio Grande Basin.

A great deal depends upon the national defense aspect. Three military stations are located in the Albuquerque area—the Kirtland Air Force Base, Sandia and Manzano Bases, and West Mesa Air Force Station.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared dealing with this bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ANDERSON

It is my pleasure to present to the Senate the pending bill, S. 3648, which under Public Law 485, the Upper Colorado River Storage Project Act, will provide water and related economic benefits for a large and rapidly developing area of the United States, an area vital to the national defense and to the largest of American Indian tribes. This area lies in northwest New Mexico.

The bill now before the Senate would authorize construction of two participating units of the Upper Colorado River storage project. They are the Navaho Indian irrigation project which provides for the construction of canals and associated irrigation works to serve 110,000 acres of new agricultural land solely for the benefit of the Navaho Indian Tribe, and the initial phase of the San Juan-Chama transmountain diversion project. The initial phase of this project, which ultimately will divert 235,000 acre-feet of San Juan River water to the Middle Rio Grande Basin, contemplates the diversion of 110,000 acre-feet annually. The benefits of this diversion will be felt directly and indirectly by more than one-half of the population of New Mexico and by exceedingly important national defense and atomic weapons installations.

These two projects will draw upon the annual New Mexico entitlement of 835,000 acre-feet under the Upper Colorado River Compact. This entitlement derives almost entirely from runoff carried by the San Juan River. Even when the second phase of the San Juan-Chama diversion project is completed, the total withdrawal of all San Juan River water will fall well below New Mexico entitlement because only 508,000 acre-feet will be required annually to irrigate the 110,000 acres included in the Navaho Indian irrigation project.

These projects, while not actually a part of Navaho Dam which is now under construction, nonetheless are integral with it to the extent that they are the only means for putting to beneficial use the waters to be stored behind the dam.

The rights of all other parties to the waters of the Upper Colorado River Basin have been safeguarded by this bill, as have the rights of the Indians, the municipalities, and other users—in times of plenty as well as shortage.

The Subcommittee on Irrigation and Reclamation of the Senate Interior Committee studied these projects carefully and found them to be feasible from economic and engineering standpoints. The results of the hearings and a report thereon are set forth in the documents now on the desks of this Chamber.

In addition, I am happy to inform the Senate that there was no objection to this bill within the committee.

In order that Senators may follow my brief description of the benefits to result from these projects, I will discuss them separately. However, I wish to state here that as they now stand they will cost together a total of approximately $221 million.

It also should be stated now that among the benefits of the projects will be the preservation and propagation of fish and wildlife. There also will be incidental recreation and flood-control benefits, but these are not specifically provided for in the bill.

NAVAHO INDIAN IRRIGATION PROJECT

Section 2 of the pending bill authorizes the Secretary of the Interior to construct, operate, and maintain at a total construction cost of $135 million the Navaho Indian irrigation project for the principal purpose of furnishing irrigation water to 110,000 acres of land with an annual average diversion of 508,000 acre-feet of water. Repayment of construction costs are to be in accordance with the Colorado River Storage Project Act, which provides that construction costs beyond the payment capability of the land shall be nonreimbursable as a measure of assistance to the Navaho Indians. Repayment of construction costs within the capability of the lands is deferred as long as the lands remain in Indian ownership in accord with the so-called Leavitt Act.

The Navaho Indian Tribe of approximately 80,000 has looked to an irrigation development in New Mexico that would permit its tribal members to make a living from the fertile soil of the area that requires only irrigation to make it productive. Through the irrigation, the desert area will blossom. Homes and improvements will spring up.

The irrigation development will provide self-support from the irrigated soil for more than 1,100 families and create employment for an additional 2,200 families. In all, about 18,000 of the Navaho people will be directly benefited from the irrigation development.

A further potential benefit from the Navaho dam and irrigation developments is that these facilities may offer a source of municipal water supply to the cities of Gallup and Farmington in New Mexico. Both cities are expanding in population and existing water supplies for municipal, industrial, and other uses are severely limited.

The pending bill also provides adequate protection for irrigation requirements for the Navaho area, and establishes a method of cooperation in water uses for downstream mineral and industrial developments on Navaho land. Responsibility is placed on the Secretary of the Interior to assure full protection for the Navaho irrigation requirements in the event of water shortages.

SAN JUAN-CHAMA PROJECT

The bill authorizes the construction, operation, and maintenance of the initial stage of the San Juan-Chama project for the principal purposes of furnishing supplemental water supplies to approximately 39,300 acres of land in Cerro, Taos, Llano, and Pojoaque tributary irrigation units in the Rio Grande Basin, about 81,600 acres of land in the existing Middle Rio Grande Conservancy District, and municipal, domestic, and industrial uses, and providing recreation and fish and wildlife benefits.

The average annual diversion of the initial stage is limited to 110,000 acre-feet.

A proviso sets forth stream gaging and other operating details to be agreed upon by the States of Colorado, New Mexico, and Texas.

The Secretary also is authorized to construct certain facilities to provide for additional capacity for the future diversion of a total of 235,000 acre-feet.

The San Juan-Chama project is designed to improve and stabilize the economy of the water-deficient Rio Grande and Canadian River Basins of New Mexico by providing supplemental water to meet rapidly increasing needs. This would be accomplished by diverting water from the upper tributaries of the San Juan River. The water would be used for supplemental irrigation, for replacement of watershed depletions in the Rio Grande Basin, and for an additional supply for municipal, domestic, and industrial purposes. The evaluated total annual benefits for such a development would exceed the estimated annual costs in a ratio of about 1.7 to 1.

The construction cost of the initial phase of the San Juan-Chama project is estimated at $86 million. Of the total, $29,200,000 is allocated to municipal and industrial water purposes, which is to be repaid in 50 years with interest. In that period the interest payments will approximate $29,400,000.

The initial stage of the San Juan-Chama project would help materially to meet the pressing need for additional supplies of water in the Rio Grande Basin where the uses of water have been developed to the point where they far exceed available supplies. This need of the Rio Grande Basin vitally affects the welfare of more than half of the population of New Mexico and, if it is not satisfied in the near future, threatens to check the economic development of the State. Besides the requirements for irrigation, more water is needed to meet the domestic requirements of a growing urban population and of industry, particularly in the Albuquerque area.

The San Juan-Chama project, initial phase, contemplates the diversion of 110,000 acre-feet of water from the upper Colorado River Basin for the following beneficial purposes in New Mexico: 57,300 acre-feet for municipal and industrial supply for the city of Albuquerque, one of the fastest growing communities in the country; 30,100 acre-feet for supplemental irrigation for 39,300 acres in the Cerro, Laos, Llano, and Pojoaque, or other tributary irrigation districts; 22,600 acre-feet for supplemental irrigation supplies for 81,600 acres in the Middle Rio Grande Conservancy District. Underground water supplies are being depleted and the only source of additional supply is the proposed diversion.

NATIONAL DEFENSE ASPECTS

The national defense requirements which would be benefited by additional water supplies in the Rio Grande Basin include the Albuquerque area and the Tularosa Basin east of and adjacent to the Rio Grande watershed. The needs of the latter are not immediate from the standpoint of this diversion, but may become a factor later.

Three military stations are located in the Albuquerque area—Kirtland Air Force Base, Sandia and Manzano Bases, and West Mesa Air Force Station. The water requirements are expected to double by 1965 and nearly triple by 1975. The installations are dependent at high cost on the municipal water supply of Albuquerque.

The Tularosa Basin may find a more economical source in deep wells and is not necessarily an immediate problem, but in the future may look to a supply from the Rio Grande.

In addition, the United States has invested heavily in atomic energy installations in the Middle Rio Grande Basin. Much of the weight of our nuclear weapons program rests upon these installations. They, in turn, rest upon the manpower located within this basin. It is not possible at this time to draw for Senators the detailed interrelationship between water and an uninterrupted and secure atomic weapons program in this region, but I can assure them that the relationship is a vital one. We cannot afford at this time to underestimate the consequences to our national defense which might result from inadequate water supplies to these installations at some time in the future, no matter how slight that possibility may appear at this time.

In summary, these two projects fulfill a longstanding need in a water-short region. They have every justification and should be authorized and constructed so that they will be ready to receive water when the Navaho Dam is completed.

I sincerely and respectfully urge Senators to vote for passage of this bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection?

There being no objection, the committee amendments were agreed to en bloc.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ANDERSON. I move to lay that motion on the table.

The motion to reconsider was laid on the table.

CONSTRUCTION OF THE SAN LUIS UNIT OF THE CENTRAL VALLEY PROJECT, CALIFORNIA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2255, Senate bill 1887.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1887) to authorize the Secretary of the Interior to construct the San Luis unit

of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 7, after the word "unit", to strike out "which may be constructed to permit future expansion,"; in line 12, after the word "facilities", to insert:

The works (hereinafter referred to as joint-use facilities) for joint use with the State of California (hereinafter referred to as the State) shall be the dam and reservoir at or near the San Luis site, forebay and afterbay, if required, and the San Luis Canal. Those joint-use facilities may be constructed to permit future expansion upon agreement by the State or some other public agency to assume the added cost involved, as later provided in this act.

In line 24, after the word "act", to strike out:

Construction of the San Luis unit shall not be commenced until the Secretary has secured, or has satisfactory assurances of his ability to secure, all rights to the use of water which are necessary to carry out the purposes of the unit and the terms and conditions in this act.

And in lieu thereof to insert:

Construction of the San Luis unit shall not be commenced until the Secretary has (1) secured, or has satisfactory assurance of his ability to secure, all rights to the use of water which are necessary to carry out the purposes of the unit and the terms and conditions of this act, and (2) received satisfactory assurance from the State of California that it will make provision for a master drainage outlet and disposal channel for the San Joaquin Valley, as generally outlined in the California Water Plan, Bulletin Numbered 3, of the California Department of Water Resources, which will adequately serve, by connection therewith, the drainage system for the San Luis unit or has made provision, in accordance with section 4 of this act, for meeting the drainage requirements of the San Luis unit.

In line 20, after the name "California", to strike out "(hereinafter referred to as the State)"; in line 21, after the word "operation", to strike out "and joint use of the facilities"; in line 22, after the word "unit", to insert "including the joint use facilities"; on page 4, line 7, after the word "by", to strike out "May 1, 1958," and insert "July 1, 1960"; in line 12, after the word "this", to strike out "act." and insert "act: *Provided*, That if the Secretary so determines he shall report thereon to the Congress and shall not commence construction for 90 calendar days from the date of his report (which 90 days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than 3 days)."; on page 5, line 4, after the word "this", to strike out "act." and insert "act, but if the State shall make available to the Secretary sufficient funds to pay the additional cost of designing and constructing the joint use facilities so as to permit enlargement, it shall have an irrevocable right to enlarge or modify such facilities at any time in the future, and a perpetual right to the use of such additional capacity: *Provided*, That the performance of such work by the State, after approval of its plans by the Secretary, shall be so carried on as not to interfere with the operation of the project for the purposes set forth in section 1 of this act: *And provided further*, That this right may be relinquished by the State at any time at its option."; in line 20, after the word "the", to strike out "project works and features" and insert "joint use facilities"; in line 22, after the word "constructed", to insert "to such capacities and in such manner"; on page 6, line 12, after the word "facilities", to insert a semicolon and "the State may make advances to the United States in order to maintain a timely construction schedule of the joint use facilities and the works of the San Luis unit to be used by the State and the United States;"; in line 23, after "(d)", to insert "the United States and", in the same line, after the word "shall", to insert "each"; in line 24, after the word "appropriate", to strike out "service charge in connection with, and/or an appropriate"; on page 7, line 1, after the word "costs", to strike out "of," and insert "of the joint use facilities;"; in line 2, after the amendment just above stated, to strike out "those features of the San Luis unit which are used or designed to be used jointly by the United States and the State and any other features of the Central Valley project which are of service to the State;

"(e) upon completion of repayment of those portions of the reimbursable Federal costs of constructing the Central Valley project which are assignable to the San Luis unit, title to the facilities of the San Luis unit shall, upon request of the State, be conveyed to the State. Upon such conveyance, the State shall assume the obligation and responsibility of providing water service to the users of San Luis unit service area;"; at the beginning of line 14, to strike out "(f)" and insert "(e)"; in line 15, after the name "State", to insert "and for the purpose of said agreement,"; at the beginning of line 19, to strike out "facilities of the San Luis unit to be used jointly by the United States and the State" and insert "the joint use facilities"; in line 23, after the word "the", to strike out "San Luis unit" and insert "joint use facilities"; on page 8, line 3, after the word "with", to strike out "the San Luis unit" and insert "the joint use facilities"; at the beginning of line 4, to strike out "(g)" and insert "(f)"; at the beginning of line 11, to strike out "(h)" and insert "(g)"; at the beginning of line 16, to strike out "(i)" and insert "(h)"; at the beginning of line 22, to strike out "(j)" and insert "(i)"; on page 9, at the beginning of line 3, to insert "including joint use facilities"; at the beginning of line 11, to strike out "(k)" and insert "(j)"; on page 10, after line 13, to insert a new section, as follows:

SEC. 5. The Secretary is hereby authorized and directed to conduct the necessary studies and render a report to the Congress on the feasibility of a plan to provide Central Valley project services, by way of the Pacheco Tunnel route, to lands and municipalities in Santa Clara, San Benito, Santa Cruz, and Monterey Counties: *Provided*, That such studies shall be conducted only under a contract with the Santa Clara-Alameda-San Benito Water Authority pursuant to which the said authority will pay 50 percent of the cost thereof: And *provided further*, That in conducting the studies authorized herein, the Secretary shall give due consideration to the studies and plans of the California Department of Water Resources and of the Santa Clara-Alameda-San Benito Water Authority.

On page 11, at the beginning of line 4, to change the section number from "5" to "6"; after line 10, to insert a new section, as follows:

SEC. 7. The provisions of the Federal reclamation laws shall not be applicable to water deliveries or to the use of drainage facilities serving lands under contract with the State to receive a water supply, outside of the San Luis service area described in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project", dated December 17, 1956.

At the beginning of line 18, to change the section number from "6" to "8"; in line 19, after the word "unit", to insert "including joint use facilities"; and, in line 21, after the word "of", to insert $290,430,000"; so as to make the bill read:

Be it enacted, etc., That for the principal purpose of furnishing water for the irrigation of approximately 500,000 acres of land in Merced, Fresno, and Kings Counties, Calif., and as incidents thereto of furnishing water for municipal and domestic use and providing recreation and fish and wildlife benefits, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to construct, operate, and maintain the San Luis unit as an integral part of the Central Valley project. The principal engineering features of said unit shall be a dam and reservoir at or near the San Luis site, a forebay and afterbay, the San Luis Canal, the Pleasant Valley Canal, and necessary pumping plants and distribution systems, drains, channels, levees, flood works, and related facilities. The works (hereinafter referred to as joint-use facilities) for joint use with the State of California (hereinafter referred to as the State) shall be the dam and reservoir at or near the San Luis site, forebay and afterbay, if required, and the San Luis Canal. Those joint-use facilities may be constructed to permit future expansion upon agreement by the State or some other public agency to assume the added cost involved, as later provided in this act. In constructing, operating, and maintaining the San Luis unit, the Secretary shall be governed by the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) except so far as the provisions thereof are inconsistent with this act. Construction of the San Luis unit shall not be commenced until the Secretary has (1) secured, or has satisfactory assurance of his ability to secure, all rights to the use of water which are necessary to carry out the purposes of the unit and the terms and conditions of this act, and (2) received satisfactory assurance from the State of California that it will make provision for a master drainage outlet and disposal channel for the San Joaquin Valley, as generally outlined in the California Water Plan, Bulletin No. 3, of the California Department of Water Resources, which will adequateley serve, by connection therewith, the drainage system for the San Luis unit or has made provision, in accordance with section 4 of this act, for meeting the drainage requirements of the San Luis unit.

SEC. 2. The Secretary is authorized, on behalf of the United States, to negotiate and enter into an agreement with the State of California providing for coordinated operation of the San Luis unit, including the joint use facilities, in order that the State may, without cost to the United States, deliver water in service areas outside the San Luis service area as described in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project" dated December 17, 1956. The Secretary shall not commence construction of the San Luis unit, except for the preparation of designs and specifications and other preliminary work, until the execution of such an agreement between the United States and the State, but if such an agreement has not been executed by July 1, 1960, and if, after consultation with the Governor of the State, the Secretary determines that the prospects of reaching accord on the terms thereof are not reasonably firm, he may proceed to construct and operate the San Luis unit in accordance with section 1 of this Act: *Provided*, That if the Secretary so determines he shall report thereon to the Congress and shall not commence construction for 90 calendar days from the date of his report (which 90 days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than 3 days). In considering the prospects of reaching accord on the terms of the agreement the Secretary shall give substantial weight to any relevant affirmative action theretofore taken by the State, including the enactment of State legislation authorizing the State to acquire and convey to the United States title to lands to be used for the San Luis unit or assistance given by it in financing Federal design and construction of the unit. The authority conferred upon the Secretary by the first sentence of this section shall not, except as is otherwise provided in this section, be construed as a limitation upon the exercise by him of the authority conferred in section 1 of this act, but if the State shall make available to the Secretary sufficient funds to pay the additional cost of designing and constructing the joint use facilities so as to permit enlargement, it shall have an irrevocable right to enlarge or modify such facilities at any time in the future, and a perpetual right to the use of such additional capacity: *Provided*, That the performance of such work by the State, after approval of its plans by the Secretary, shall be so carried on as not to interfere with the operation of the project for the purposes set forth in section 1 of this act: *And provided further*, That this right may be relinquished by the State at any time at its option.

SEC. 3. The agreement between the United States and the State referred to in section 2 of this act shall provide, among other things, that—

(a) the joint use facilities to be constructed by the Secretary shall be so designed and constructed to such capacities and in such manner as to permit either (i) immediate integration and coordinated operation with the State's water projects or (ii) such subsequent enlargement or other modification as may be required for integration and coordinated operation therewith;

(b) the State shall make available to the Secretary during the construction period sufficient funds to pay an appropriate share of the construction costs of any facilities designed and constructed as provided in paragraph (a) above. The State contribution shall be made in annual installments, each of which bears approximately the same ratio to total expenditures during that year as the total of the State's share bears to the total cost of the facilities; the State may make advances to the United States in order to maintain a timely construction schedule of the joint use facilities and the works of the San Luis unit to be used by the State and the United States;

(c) the State may at any time after approval of its plans by the Secretary and at its own expense enlarge or modify San Luis Dam and Reservoir and other facilities to be used jointly by the State and the United States, but the performance of such work shall be so carried on as not to interfere with the operation of the San Luis unit for the purposes set forth in section 1 of this Act;

(d) the United States and the State shall each pay annually an appropriate share of the operation, maintenance, and replacement costs of the joint use facilities;

(e) promptly after execution of this agreement between the Secretary and the State, and for the purpose of said agreement, the State shall convey to the United States title to any lands, easements, and rights-of-way which it then owns and which are required for the joint use facilities. The States shall be given credit for the costs of these lands, easements, and rights-of-way toward its share of the construction cost of the joint use facilities. The State shall likewise be given credit for any funds advanced by it to the Secretary for preparation of designs and specifications or for any other work in connection with the joint use facilities;

(f) the United States shall have unrestricted use of such capacities in the works of the San Luis unit which are used jointly by the United States and the State as shall be required to carry out the purposes of section 1 of this Act. Such unrestricted use shall extend throughout the repayment period and so long thereafter as title to the works remains in the United States;

(g) the State shall have unrestricted use of the remainder of the capacity of San Luis Reservoir and of other jointly used facilities for water service outside the San Luis unit service area solely under the jurisdiction of the State;

(h) the Secretary may turn over to the State the care, operation, and maintenance of any works of the San Luis unit which are used jointly by the United States and the State at such time and under such conditions as shall be agreed upon by the Secretary and the State;

(i) notwithstanding transfer of title or of the care, operation, and maintenance of any works to the State, as hereinbefore provided, any organization which has theretofore entered into a contract with the United States under the Reclamation Project Act of 1939 for a water supply through the works of the San Luis unit, including joint use facilities, shall continue to have and to enjoy the same rights which it would have had under its contract with the United States and the provisions of paragraph (4) of section 1 of the act of July 2, 1956 (70 Stat. 483, 43 U. S. C. 485h–1) in the absence of such transfer, and its enjoyment of such rights shall be without added cost or other detriment arising from such transfer;

(j) if a nonreimbursable allocation to the preservation and propagation of fish and wildlife has been made as provided in section 2 of the act of August 14, 1946 (60 Stat. 1080, 16 U. S. C. 663), the features of the unit to which such allocation is attributable shall, notwithstanding transfer of title or of the care, operation, and maintenance to the State, be operated and maintained in such wise as to retain the bases upon which such allocation is premised and, upon failure so to operate and maintain those features, the amount allocated thereto shall become a reimbursable cost to be paid by the State.

SEC. 4. In constructing, operating, and maintaining a drainage system for the San Luis unit, the Secretary is authorized to permit the use thereof by other parties under contracts conforming generally to the provisions of the Federal reclamation laws with respect to irrigation payment or service contracts and is further authorized to enter into agreements and participate in construction and operation of drainage facilities designed to serve the general area of which the lands to be served by the San Luis unit are a part, to the extent the works authorized in section 1 of this act contribute to drainage requirements of said area. The Secretary is also authorized to permit the use of the irrigation facilities of the San Luis unit, including its facilities for supplying pumping energy, under contracts entered into pursuant to section 1 of the act of February 21, 1911 (36 Stat. 925, 43 U. S. C. 523).

SEC. 5. The Secretary is hereby authorized and directed to conduct the necessary studies and render a report to the Congress on the feasibility of a plan to provide Central Valley project services, by way of the Pacheco Tunnel route, to lands and municipalities in Santa Clara, San Benito, Santa Cruz, and Monterey Counties: *Provided*, That such studies shall be conducted only under a contract with the Santa Clara-Alameda-San Benito Water Authority pursuant to which the said authority will pay 50 percent of the cost thereof: *And provided further*, That in conducting the studies authorized herein, the Secretary shall give due consideration to the studies and plans of the California Department of Water Resources and of the Santa Clara-Alameda-San Benito Water Authority.

SEC. 6. The Secretary is authorized, in connection with the San Luis unit, to construct minimum basic public recreational facilities and to arrange for the operation and maintenance of the same by the State or an appropriate local agency or organization. The cost of such facilities shall be nonreturnable and nonreimbursable under the Federal reclamation laws.

SEC. 7. The provisions of the Federal reclamation laws shall not be applicable to water deliveries or to the use of drainage facilities serving lands under contract with the State to receive a water supply, outside of the San Luis service area described in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project," dated December 17, 1956.

SEC. 8. There is hereby authorized to be appropriated for construction of the works of the San Luis unit, including joint use facilities, authorized by this act, other than distribution systems and drains, the sum of $290,430,000, plus such additional amount, if any, as may be required by reason of changes in costs of construction of the types involved in the San Luis unit as shown by engineering indices. There are also authorized to be appropriated in addition thereto, such amounts as are required (a) for construction of such distribution systems and drains as are not constructed by local interests, and (b) for operation and maintenance of the unit.

Mr. ANDERSON. Mr. President, the two Senators from California will undoubtedly wish to make statements with regard to this bill. The bill deals with the San Luis project in California. Within the past 2 or 3 weeks it was my privilege to fly over this project and view it very carefully. I went in a plane past the Pine Tree Dam and other dams, saw the pumping station at Tracy, followed the Delta-Mendota Canal up to the area where water is to be impounded, and followed the water course to where the lands are to be given supplemental water.

I was very skeptical about the project in the beginning because I did not understand it. However, I am very happy to say now that I believe it is one of the finest projects I have ever

seen. It will pay out without question. It is of great economic value.

I do not wish to detract from the statements to be made by the Senators from California with respect to this fine project. I hope the Senate will approve it.

Mr. JOHNSON of Texas. Mr. President, I am very much pleased that this bill has been brought before the Senate. The able minority leader and the popular junior Senator from California [Mr. KUCHEL] have talked with me about it. I hope the Senate may be able to dispose of it reasonably early today, following which it is planned to proceed to the consideration of the supplemental appropriation bill. If the Senate is able to complete action on that bill, it is planned to take up the social security bill; and if Senators do not insist on talking into the night, and action can be completed on the social security bill, it is planned to adjourn until Monday. Otherwise there will be a Saturday session. There may be such a session for the consideration of nominations, if the minority leader would like to have it.

Mr. KNOWLAND. Mr. President, I express my appreciation for the earlier statement by the Senator from New Mexico relative to the San Luis project bill, Senate bill 1887. My junior colleague [Mr. KUCHEL] will discuss it more fully. However, I would not wish to let this opportunity pass without expressing our appreciation for the attention and help the Senator from New Mexico gave in working out the problems connected with this project.

I also very much appreciate the remarks of the majority leader.

Mr. ANDERSON. I thank the Senator. The able Senator from Utah [Mr. WATKINS] was very steadfast in examining this project, as was the junior Senator from California. I did not wish to let the opportunity pass without expressing my personal conviction that this is a very fine type of project, and it has been handled in a very intelligent manner.

Mr. KUCHEL. Mr. President, the legislation before you now is of great importance to the State of California. It is jointly sponsored by my senior colleague, Mr. KNOWLAND, and by me. The principles involved in it are recommended by the government of California. The Governor of California, Goodwin Knight, and the California director of water resources, Harvey Banks, have testified in favor of them. In an official State report, it is said:

> It is appropriate, before discussing detailed plans for the San Luis unit, to consider a broader subject; the place of the San Luis unit in a long-range water plan for California. Such a plan was presented to the California Legislature of 1931. • • • There appear to be no irreconcilable engineering or financial problems involved in coordinating the construction of the San Luis unit and of other features of the California water plan. The long-range, multiple-purpose plan developed by the State division of water resources provides for water storage on the Feather River, flood control on that stream, power generation, and transportation of water to the San Francisco Bay area, the San Joaquin Valley, and southern California. As far as service to the San Luis is concerned, the State and Bureau plans are basically similar. • • • Thus, physical coordination of the two plans should present no insurmountable engineering problems. Since the physical facilities and the plan of operation are so similar, it seems reasonable to expect that construction of the facilities by the United States for subsequent operation as a unit of the contemplated Feather River project should assist the State in its larger endeavor. (From pp. 5 and 6 of Views and Recommendations of the State of California on Proposed Report of Department of Interior on San Luis Unit.)

The Federal Government likewise approves this legislation. Favorable comment has come from both the Department of Interior and the Bureau of the Budget. Thus, the Bureau of the Budget says:

> The Bureau of the Budget believes that close Federal-State cooperation in the development of the San Luis unit is necessary for maximum utilization of the water resources of California. Accordingly, we suggest that the committee give consideration to amending the bill to require that, in the event the unit is constructed as a part of the Central Valley project, the basic designs make provision for possible future expansion. (July 2, 1957, letter to Hon. JAMES E. MURRAY, chairman, Senate Committee on Interior and Insular Affairs.)

And the Department of the Interior, in testimony before our committee by its representatives, and in official letters to our committee, recommends it. I ask unanimous consent that its letters of June 28, 1957, and July 30, 1958, be made a part of the RECORD at the conclusion of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

(See exhibit 1.)

Mr. KUCHEL. Mr. President, I wish, in passing, to thank the distinguished chairman of the Senate Subcommittee on Irrigation and Reclamation, Mr. ANDERSON, of New Mexico, for his endorsement of this unique proposal for Federal-State cooperation. Indeed, all members of the subcommittee and of the full committee, under the chairmanship of the able senior Senator from Montana [Mr. MURRAY], have favorably recommended this proposed law, and my colleague and I greatly appreciate their recommendations.

This legislation will provide for a joint-use reservoir at San Luis for supplemental water supplies for the San Joaquin Valley and all of southern California. It authorizes an agreement between the State and the Federal Governments, to be underwritten by both Governments. Before proceeding, the Secretary of Interior would need to acquire water rights from the State, all under State law. He would need to acquire the necessary real property on much of which the State itself holds an option to purchase.

It will give to the State government next year an additional incentive to make forward progress in the critical, indeed, worsening, California water problem, a problem confronting almost all of our near 15 million citizens.

Hoover Dam, in southern California, and the Central Valley project in our Sacramento and San Joaquin Valleys, both Federal reclamation projects, have truly been the difference between economic life and death for our State. Now, as our people must face up to approving and paying for a vast State water system, the continuing assistance of the Federal Government is indispensable. Senator KNOWLAND and I have jointly sponsored this legislation, in accordance with the State's wishes. We sincerely believe this legislation is in the best interest of all our State.

SECTION-BY-SECTION ANALYSIS OF S. 1887

A section-by-section analysis of the major provisions of S. 1887 are as follows:

Section 1 authorizes the Secretary of the Interior to construct, operate, and maintain the San Luis unit as an integral part of the Central Valley project, California, for the principal purpose of furnishing water for irrigation to approximately 500,000 acres of land in Merced, Fresno, and Kings Counties, and incident thereto, for municipal and domestic purposes, and providing recreation, fish, and wildlife benefits. The principal works are set forth in general terms.

Provision is also made for joint use of the dam, reservoir, and main canal with the State of California or some other public agency. Basic facilities to provide for an ultimate capacity of approximately 2 million acre-feet in the reservoir are also authorized.

One reservoir to serve 2 systems, 1 Federal and 1 State, is in the interests of efficiency and economy. Indeed, it may be that Mother Nature has precluded the possibility of 2 reservoirs, and thus herself has commanded that the governments of the Nation and the State should labor together, and at San Luis cooperate in the cost and in the use of a dam, so indispensable to the welfare of both the San Joaquin Valley and all of southern California. Federal law, by the bill, would govern the waters impounded at San Luis for the Central Valley project, and State law would govern the waters impounded there for use under the State Feather River project as a part of the State water plan.

Construction of the San Luis unit is contingent on the securing of all necessary water rights and assurances from the State that it will provide a master drainage outlet and disposal channel for the San Joaquin Valley.

Section 2 authorizes the Secretary, on behalf of the United States, to negotiate and enter into an agreement with the State of California for coordinated operation of the San Luis unit, including the joint facilities, in order that the State may at its own expense deliver water to service areas outside the San Luis unit area. July 1, 1960, is the cutoff date for agreement with the State. In the event of failure to reach an agreement by that date, the Secretary's report thereon must lie before the Congress for a period of 90 days. Provision is also made for consideration of any State action with respect to acquiring and transferring title to the site to the United States. The Secretary may accept funds from the State to defray the additional cost of designing and constructing the joint-use facilities.

Congress may authorize an extension of the cutoff date for the agreement.

Section 3 spells out the procedures in connection with the cooperation of the State of California with the Secretary in the authorized agreement. Provision is made for immediate integration with the State's water projects or for its future achievement. The State shall make available funds to pay for an appropriate share of the joint-use facilities and may make advances in order to maintain a timely construction schedule.

The State may at its own expense enlarge the San Luis Dam and Reservoir but the work shall be carried on so as not to interfere with the construction and operation of the Federal development.

Appropriate division of the operation and maintenance costs of the joint-use facilities shall be the subject of negotiation between the Secretary and the State.

Subject to agreement, the State shall convey to the United States title to land required for the joint-use facilities and the State shall be given credit for same on its share of the construction costs, as well as for any other funds advanced.

Section 3 (f) protects the interests of the United States in the joint-use facilities as long as title remains in the Federal Government. Section 3 (g) gives the State unrestricted rights to its share of the joint-use facilities.

Under section 3 (h) the Federal works may be turned over to the State for operation and maintenance and section 3 (i) protects any contracts under the Federal reclamation law notwithstanding transfer to the State for operation and maintenance of any of the facilities. Facilities for which nonreimbursable allocations are made are to be protected under any agreement with the State.

Section 3 (j) deals with nonreimbursable allocations for the preservation and propagation of fish and wildlife.

Section 4 authorizes contracts or agreements for the use of the irrigation facilities of the San Luis unit, including facilities for supplying pumping energy, in connection with activities under the State water plan.

Section 5 authorizes and directs a feasibility study for providing Central Valley project services by way of the Pacheco Tunnel route to land and municipalities in Santa Clara, San Benito, Santa Cruz, and Monterey Counties. Of the cost of such studies, local interests are to pay 50 percent.

Section 6 authorizes the construction of minimum basic public recreational facilities.

Section 7 exempts lands served by irrigation or drainage facilities outside the San Luis service area from all the excess land provisions of the Federal reclamation law. This section applies to land which may be served by State operations only, under the State's water plan, upon which, of course, State law should apply.

Section 8 authorizes appropriation of $290,430,000, the currently estimated cost of the San Luis unit, including joint use facilities, but other than distribution systems and drains. Provision is made for changes in costs. Also, appropriations are authorized by distribution and drainage systems not constructed by local interests, and for operation and maintenance.

Mr. President, the proposed San Luis irrigation development to be authorized under S. 1887, as amended, would be a unit of the Central Valley project, one of the most extensive multiple-purpose undertakings in the Federal reclamation program. Full integration of the unit, physically and financially, with the existing project is contemplated.

The authorization would be unique in that it provides potentially for the coordinated construction with the State of California of the main feature of the unit—San Luis Dam and Reservoir. The way is left open until July 1, 1960, for the State, in furtherance of its Feather River project, to enter into an agreement for a joint venture in connection with the dam-reservoir feature by which the capacity would be doubled in order to provide for transportation of surplus water from northern to southern California as a feature of the California State water plan.

Mr. President, I point out that, in 1940, California had a population of slightly less than 7 million. By 1950, it had increased to about 10,600,000. Today, it is estimated that it has a total population of about 14 million, or double what it was in 1940. Meanwhile, the per capita use of water has increased almost geometrically. The California Department of Water Resources reports that in 1950 the estimated seasonal shortage of water in the State was about 2,700,000 acre-feet, largely representing an overdraft of ground-water storage. By 1955, the deficit aggregated nearly 4 million acre-feet per year. It has been estimated by some water experts that by 1965 the net shortage of developed water supply could amount to more than 10 million acre-feet per season. Our water tables continue to drop as our water needs increase. This continuous drop in the water tables is, in itself, sufficiently alarming, and one of the collateral effects of water overdrafts has been the intrusion of seawater into the principal pumping sources along the coastal ground basins.

Mr. President, to me all of this indicates the desperate need for continuous water development in my State, a development in which the United States must continue to play her historic and cooperative role.

I ask the Senate to approve this bill.

EXHIBIT 1

UNITED STATES DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 28, 1957.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

DEAR SENATOR MURRAY: A report has been requested from this Department on S. 1887, a bill "to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes."

We recommend that S. 1887 be enacted.

This bill, if enacted, will permit the carrying out of the proposals made in this Department's project planning report on the San Luis unit, Central Valley project, dated August 1, 1956. After clearance through the Bureau of the Budget, copies of this report were transmitted to the President of the Senate on December 17, 1956, and were referred to your committee.

Section 1 of S. 1887 provides for Federal construction of the San Luis unit works. This unit is on the west side of the San Joaquin River Basin along the eastern flank of the coast range. The lands to be served are in western Merced, Fresno, and Kings Counties in a strip about 65 miles long and 13 miles wide with the central portion about 30 miles southwest of Fresno.

The primary purpose of the unit, which would be integrated both physically and financially with the overall Central Valley project, is the preservation and expansion of irrigation in the unit area through the importation of water from the Sacramento-San Joaquin Delta. Some domestic and municipal water also would be supplied. The San Luis Reservoir would meet an important local recreation need. Preservation and propagation of fish and wildlife resources also would be a project purpose.

Currently there are more than 400,000 acres within the unit area developed for irrigation. These acres are served by pumping from ground water which is seriously being overdrawn and lowered so that in any one year only a portion of the developed acreage actually receives water. The artesian water table has for years been dropping at an alarming rate, and it is estimated that under present conditions only 148,000 acres ultimately could be sustained in irrigation. An imported water supply is necessary to maintain even the present agricultural economy. Great improvement to the economy would be experienced by importation of this larger water supply. Domestic and municipal water supplies are also deficient. Existing supplies for these purposes are of poor quality, and in the case of the municipality of Coalinga potable water must be imported by railroad tank cars. The plan proposed would alleviate the domestic and municipal water problems.

The general plan provides for the utilization of surplus flows from the delta area which, when supplemented by ground water, would provide a full irrigation water supply for 440,000 acres out of a gross service area of about 500,000 acres. It is estimated that 1,126,000 acre-feet of water from the main San Luis Canal plus 540,000 acre-feet from ground water pumping would be required for unit purposes. All would be utilized for irrigation except 22,600 acre-feet and 17,400 acre-feet which would be used for, respectively, municipal and domestic farm uses.

The plan proposed would utilize off-season capacity of the existing Tracy pumping plant and Delta-Mendota Canal to deliver surplus delta water to the proposed San Luis pumping plant forebay. From there the water would be pumped for storage into the proposed 1 million acre-foot capacity San Luis Reservoir and for later delivery to the lands to be served. (It may be noted, in addition, that our plans call for the release of water from San Luis Reservoir to meet part of the demands in the Delta-Mendota Canal area in critical dry years when shortages would be shared by all Central Valley project water users.) When possible during the irrigation season, water would be pumped directly into the proposed 104-mile-long San Luis Canal for delivery to the unit distribution system. At mile 76 on the San Luis Canal, the proposed Pleasant Valley pumping plant would lift water into the proposed Pleasant Valley Canal to serve some of the higher elevation lands at the southern end of the unit area. An electrical distribution system to serve unit pumps; channels, levees,

and flood works to protect project features; and relift pumps on the high sides of the main canals would also be required unit works.

In addition to these major works, which are recommended for Federal construction, a distribution system, an adequate drainage system, and deep wells for ground-water pumping would be required. The last of these three items is proposed for non-Federal construction. The first two are recommended for either non-Federal or Federal construction. Suitable arrangement for their accomplishment prior to initiation of construction will be necessary to assure the success of the overall unit.

Section 1 of S. 1887 also provides that "construction of the San Luis unit shall not be commenced until the Secretary has secured, or has satisfactory assurances of his ability to secure, all rights to the use of water which are necessary to carry out the purposes of the unit and the terms and conditions of this act." In view of the uncertainties created by certain recent decisions of the California Supreme Court which are now before the United States Supreme Court for review, this is an eminently wise provision.

Sections 2 and 3 of S. 1887 deal with the making of an agreement between the State of California and the United States under which the San Luis unit works would be designed, constructed (either initially or later), and operated to permit their use by the State for delivering water to areas beyond the San Luis unit service area. Under the agreement contemplated by the bill, the State, among other things, would also make available to the United States a proper share of the funds needed for construction of the enlarged work; would transfer to the Government such lands and interests as it owns and as are required for joint facilities; would pay either an appropriate share of the operation and maintenance costs of San Luis unit works constructed or designed to be constructed for joint use and of other Central Valley project works which are of service to it or would pay a service charge in connection therewith; would be entitled to have transferred to it title to the San Luis unit works after repayment of the Central Valley costs assigned to the unit is completed; and would, if it takes title to the unit works or if their care, operation, and maintenance are transferred to it, also take over, in effect, the obligations of the United States with respect to water service.

Provision for such an agreement, the terms of which will necessarily have to be negotiated in detail, is satisfactory to this Department and will, it is believed, go a long way toward resolving potential conflicts of interest which earlier review of the planning report by the State revealed.

Section 4 of S. 1887 deals principally with the construction of a drainage system for the San Luis unit and provides for the use of the system by others. While the provisions of the first sentence of this section (p. 7, line 23, through p. 8, line 8) are adequate to serve the San Luis unit and would not be objected to by this Department, it should be pointed out that the State of California is contemplating a master drainage plan for the entire west side of the San Joaquin Valley. In order to permit better coordination of the San Luis project drainage needs with this plan, we recommend that consideration be given to broadening the scope of this sentence by substituting for that portion of it which begins with "to enter" at the end of line 3, page 8, and closes with line 8 of the same page, language along the following lines: "to construct, operate, and maintain and to participate with others in the construction, operation, and maintenance of drainage facilities to serve the general area of which the lands to be served by the San Luis unit are a part. No such construction or participation in construction which involves the expenditure of Federal funds shall be undertaken by the Secretary, however, until a contract or contracts conforming generally to the provisions of the Federal reclamation laws and providing, among other things, for the advance or repayment to the United States of its expenditures therefor shall have been entered into."

As is indicated in the planning report, to which reference has been made above, our studies show that the unit is economically feasible and has a very favorable benefit-cost ratio. The present indicated cost of the major works is about $305 million, and we suggest that the blank in line 24, page 8, of the bill be filled in with the expression "$305 million, January 1957 prices." Virtually all of these costs are reimbursable. All those that are would be returned within 50 years from the time the San Luis unit goes into operation. Any additional costs incurred for distribution systems would be covered by the usual 40-year repayment-type contract.

The data called for by Public Law 801, 84th Congress, are attached for your information.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

BILL TO AUTHORIZE CONSTRUCTION OF THE SAN LUIS UNIT, CENTRAL VALLEY PROJECT

Estimated additional man-years of civilian employment and expenditures for the first five years of proposed new or expanded programs

	1957	1958	1959	1960	1961
Estimated additional man-years of civilian employment:					
Executive direction:					
Executive		1	1	1	1
Clerical		1	1	1	1
Total, executive direction		2	2	2	2
Administrative services and support:					
Accountant			3	3	3
Clerical			7	7	7
Property management			6	6	6
Records maintenance			4	4	4
Total, administrative services and support			20	20	20
Substantive (program):					
Engineering aids		10	30	30	30
Engineers		15	59	59	59
Geologist		5	5	5	5
Total, substantive		30	94	94	94
Total, estimated additional man-years of civilian employment		32	116	116	116
Estimated additional expenditures:					
Personal services		$176,000	$638,000	$638,000	$638,000
All other		2,000,000	8,275,000	23,178,000	27,826,000
Total, estimated additional expenditures		2,176,000	8,913,000	23,816,000	28,464,000

UNITED STATES DEPARTMENT
OF THE INTERIOR,
Washington, D. C., July 30, 1958.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

DEAR SENATOR MURRAY: This responds to the request of June 25, 1958, from Senator ANDERSON, chairman of the Subcommittee on Irrigation and Reclamation, for the views of this Department on the proposed amendments contained in committee print No. 2, dated June 25, 1958, of S. 1887, the San Luis unit, Central Valley project, authorization bill.

Subject to the consideration of the views expressed herein and our suggestions for amendments, this Department would not object to the enactment of S. 1887 in the form in which it appears in committee print No. 2.

In our letter to you dated May 21, 1958, we commented on the proposed amendments contained in the committee print of S. 1887, dated May 1, 1958. We note that certain of the suggestions which were made in that letter have been incorporated in committee print No. 2.

The proposal contained in committee print No. 2 would authorize the construction by the Federal Government of the San Luis unit and certain facilities which would be used jointly by the United States and the State of California. Provision would be made for the United States and the State of California to enter into an agreement with respect to the construction, operation, and financing of the joint-use facilities. None of the construction authorized by the proposal could be undertaken until such an agreement is executed, except that, in the event no agreement is reached by July 1, 1960, if, after consultation with the Governor of California, the Secretary of the Interior shall determine that the prospects of reaching an accord are not "reasonably firm," he may proceed with construction, after having reported thereon to the Congress and the elapse thereafter of 90 days during which the Congress is not adjourned for more than 3 days. In general, this arrangement would provide a reasonable opportunity for negotiating an agreement on the construction of the Federal development in a manner which would permit certain of its main supply features to serve both the San Luis unit and the proposed Feather River project of the State of California and, in addition, a procedure whereby construction of the Federal project could proceed, after a given period of time, in the event of failure to reach such an agreement.

We should like to comment on the specific items mentioned in Senator ANDERSON'S June 25 letter in the order in which they are set forth:

1. Section 1 of committee print No. 2 is designed apparently to present a reasonable basis for adequately protecting the investment of the Federal Government in those facilities of the San Luis unit which would be constructed in a manner to permit future expansion for use by the State of California. However, the proposed language appears to us to be ambiguous in this connection. The sentence beginning at line 11 on page 2 defines the engineering features of the San

Luis unit, and included in this definition are the main supply features, such as the dam and reservoir, forebay, afterbay, and San Luis Canal. The first sentence of section 1 would authorize the Secretary of the Interior to construct, operate, and maintain the San Luis unit "and * * * additional works for joint use with the State of California * * * (hereinafter referred to as joint use facilities)." It has been our understanding that the concept of the construction of the San Luis unit in such a manner that certain of its main supply features could be used in the coordinated operations of both the federally constructed San Luis unit and the State-constructed Feather River project did not contemplate the construction of any separate additional works to be used jointly. If this understanding conforms with the purpose of the provisions of section 1, we suggest that it be amended to reflect this intention. This could be accomplished by amending section 1 in the following manner:

(a) After the word "project" in line 8 on page 2 insert a period, and delete the remainder of that sentence.

(b) Delete in lines 12 through line 15 on page 2 the language reading: ", which may, upon agreement by the State of California or some other public agency which agrees to assume the costs thereof, be constructed to permit future expansion,"

(c) In line 19 on page 2, after the period, add two new sentences reading substantially as follows: "The works (hereinafter referred to as joint-use facilities) for joint use with the State of California (hereinafter referred to as the State) shall be the dam and reservoir at or near the San Luis site, forebay and afterbay, if required, and the San Luis Canal. Those joint-use facilities may be constructed to permit future expansion upon agreement by the State or some other public agency to assume the added cost involved, as later provided in this act"

(d) In line 10 on page 4, in line 10 on page 10, and in line 4 on page 13, delete the word "and" and substitute therefor ", including."

2. The proposed amendment in lines 24 and 25 on page 2 and in lines 1 through 12 on page 3 would provide for (a) an irrigation repayment contract with a repayment period of not to exceed 50 years, (b) distribution systems repayment contracts, prior to construction of irrigation distribution facilities, with conservancy-type organizations, and (c) contracts for municipal water supply without regard to the limitations of section 9 (c) of the Reclamation Project Act of 1939.

Consistent with our pattern of operation of the Central Valley project in contracting with more than 50 irrigation districts or other water-users organizations, use on the San Luis unit of water service contracts under section 9 (c) of the 1939 act is required, in our opinion, for the orderly administration of the Central Valley project. This type of contract, which is renewable under the terms of the act of July 2, 1956 (70 Stat. 483), is admirably suited to the development of the entire project. A requirement along the lines of the proposed amendment which would be applicable only to the San Luis unit and which is not consistent with the manner of contracting with water-users organizations elsewhere on the Central Valley project would raise unnecessarily, it seems to us, difficult problems.

While contracts with conservancy-type organizations should be encouraged in all applicable instances, there appears to be little need for such assistance for distribution systems payout as the proposed amendment would require. It has been our experience on the Central Valley project that existing reclamation law contains adequate provision for such contractual arrangements as may be required in connection with the delivery of irrigation and municipal water supply. Accordingly, we recommend against the adoption of the proposed amendment.

3. The new proposal regarding the coordination of the State's master drainage system for the San Joaquin Valley with the requirements of the San Luis unit and the alternative authority to proceed in the event the State is unable to give assurances that it will proceed with its master drainage plan resolves adequately the problem we had with the comparable provisions in the committee print dated May 1, 1958.

4. The proposed provision, beginning at the bottom of page 4, dealing with the submission of a report to the Congress prior to proceeding with the construction of the San Luis unit in the event it is determined after July 1, 1960, that the prospects of an agreement with the State of California are "not reasonably firm" is acceptable to this Department.

5. The provision, beginning on line 18, on page 5, with respect to the advance of funds by the State to pay for the cost of designing and constructing the works so as to permit their future enlargement by the State and the right of the State thereafter to enlarge the works and to the use of such additional capacity is generally satisfactory to us. However, we still believe, as we mentioned in our May 21 letter, that the State should be required to submit its plans for enlargement and construction to the Secretary for approval to assure that the Federal structures will not be adversely affected. This could be accomplished by adding after the word "State" in line 24 on page 5, the words ", after approval of its plans by the Secretary." In order to conform the language of the proposed provision with the amendments suggested above, we recommend that the words "joint-use facilities" be substituted for the word "project" in line 20, on page 5.

6. The proposed language beginning in line 23 on page 6 with regard to the advance of payments by the State to permit a timely construction schedule is acceptable to this Department.

7. Subsection (d) of section 3 would fix the formula for the sharing of the operation, maintenance, and development costs of the joint-use facilities. This provision would require such cost-sharing on the basis of the ratio of the amount contributed by each to the total cost of construction. In our opinion, there are too many factors that should be taken into account to permit an equitable determination of cost-sharing by the adoption of a formula such as committee print No. 2 would provide. For example, use of the joint features for the Feather River project would involve year-round operation of the San Luis Canal to furnish municipal and industrial water to southern California. Service to the San Luis unit, on the other hand, would be on a seasonable basis. This is only one of the factors which ought to be considered in determining an equitable sharing of costs that would be ignored by the proposed formula. Other factors include the amounts of water delivered, peak canal capacity requirements, and magnitude of savings through joint use. We believe that an equitable sharing of costs should be determined by negotiation and agreement rather than by a fixed formula in authorizing legislation. Accordingly, we recommend that the language of the committee print dated May 1, 1958, be restored.

8. Senator ANDERSON'S letter indicates that the provision relating to the transfer of title to the facilities of the San Luis unit are proposed to be eliminated on the ground that section 6 of the Reclamation Act of 1902 (32 Stat. 388, 389) provides that title to such works shall remain in the United States until the Congress shall otherwise provide. We do not object to the proposed deletion of section 3 (c).

9. Proposed subsections (f) and (g) of section 3 would provide that the rights of the United States and of the State to the use of the capacities of the joint-use features shall be based upon the ratio of the contribution of each to the total capital costs of such features with a requirement that the United States shall have a right to the use of no less than 1 million acre-feet of the capacity of the San Luis Reservoir. While this proposed fixed formula might work for San Luis Reservoir, especially as the proposed language guarantees 1 million acre-feet of capacity for Federal use, we doubt that it would be workable for the San Luis Canal. On the basis of data now available, the ultimate capacity of the San Luis Canal for joint use would vary from 12,500 cubic feet per second at the head of the San Luis unit service area to 7,000 cubic feet per second at the lower end of the service area. The required capacity for the Federal project would vary from 6,800 cubic feet per second at the head of the service area to 700 cubic feet per second at the lower end of the service area. Thus, the requirements of the Federal project would range from 55 percent to 10 percent of the capacity of the San Luis-Kettleman City portion of the San Luis Canal. A formula that would give a flat overall percentage, such as the proposed language would provide, would obviously not conform with those requirements.

Detailed operational studies by the Bureau of Reclamation and the State will be required to formulate a plan of operation for joint use. Only after such a study can the Federal and State needs and their interrelationship be determined.

We believe that the Federal Government should be assured of the use of sufficient capacities in the joint facilities necessary to serve the San Luis unit. The problem then would become one of construction of the joint-use features to capacities sufficient to accommodate State needs also.

Sections 3 (g) and (h) of committee print dated May 1, 1958, would provide the necessary guaranties to protect both Federal and State investments if joint-use features are properly designed. We recommend that the language of the sections be restored to that which appeared in the committee print dated May 1, 1958, in lieu of sections 3 (f) and (g) of committee print No. 2.

10. Section 5 is a new proposal which would authorize water service from the Central Valley project, by way of the Pacheco Tunnel route, to lands and municipalities in Santa Clara, San Benito, Santa Cruz, and Monterey Counties. Under the provisions of section 5, an investigation and report on the feasibility of the proposal would be required, provided the local water authority or other public agency or agencies should agree to pay one-half of the cost thereof. If the report should indicate that the work would be feasible from an engineering and economic standpoint, is reviewed by the State, and is approved by the Secretary and the Congress, construction could then be undertaken, but not prior to July 1, 1962, unless in the meantime the Governor should notify the Secretary that the State approves the construction of the proposed works by the Federal Government.

As we indicated in our May 25 letter, the furnishing of a new supply of water to the area concerned is covered by the State's water plan and we would not wish to overlap or duplicate the State's program, studies, or plans, unless, of course, we were specifically directed to do so by the Congress.

The question of requiring the local interests to pay all of the costs of the investigation has not been raised heretofore to our knowledge. If the Congress were to direct us to undertake this proposed investigation, we would, of course, not object to a requirement that it be made only if the local interests advance all such costs.

11. We have no objection to the new section 7 which would provide specifically that the Federal reclamation laws shall not be applicable to lands served by the State outside the San Luis unit service area.

12. The present estimated capital cost of the San Luis unit is $290,430,000, exclusive of the costs of construction distribution, and drainage system. This estimate is based on October 1957 prices and upon use of off-peak power for project pumping. This represents an incerase of $61,300,000, over the cost estimate given in this Department's interim San Luis unit report to the Congress of December 17, 1956, which was based on January 1954 prices. About $29 million of this increase is due to rises in construction price levels and the remainder (about $32 million) to provisions for off-peak pumping not included in the plan presented in the interim report.

The estimated cost of the major features involved is as follows:

San Luis Dam and Reservoir	$67,178,000
Intake Canal (Delta-Mendota Canal to San Luis Forebay pumping plant)	903,000
San Luis forebay pumping plant	5,858,000
San Luis Forebay Dam and Reservoir	3,160,000
San Luis Intake Canal	1,920,000
San Luis pumping plant	60,241,000
Pleasant Valley pumping plant	5,759,000
Relift pumps on distribution system	21,738,000
San Luis Canal	77,900,000
Pleasant Valley Canal and pump intake canal	4,950,000
Channels, levees, and flood-works	25,200,000
Tracy switchyard additions	616,000
Tracy-San Luis 230 kilovolts transmission line	4,591,000
San Luis Canal transmission line, 115 kilovolts	1,893,000
San Luis switchyard	4,477,000
Transmission line to forebay pumping plant	133,000
San Luis forebay switchyard	223,000
Pleasant Valley switchyard	307,000
Relift substations	608,000
Distribution system, 13.8 kilovolts	1,546,000
General property	1,229,000
Total	290,430,000

The estimated cost of San Luis Dam and Reservoir constructed to 1 million acre-foot capacity and designed to serve the San Luis unit only is $56,364,000. The added cost of making provision for later enlargement is $10,814,000. However, even if it is built as an all-Federal project, future enlargement of San Luis Reservoir to 2 million acre-foot capacity would be contemplated to serve lands further south in the San Joaquin Valley in the potential Avenal Gap unit service area. For this reason the cost of providing for enlargement is included in the original plan for San Luis Dam and Reservoir as is reflected in the $290,430,000 total estimated cost of the San Luis unit supply works.

There are also other costs for future service provisions included in the above estimate. The estimate for pump discharge lines contains $4 million for future service and the San Luis Canal estimate includes $2,887,000 for the same purpose. Thus, of the $290,430,000 estimate a total of $17,701,000 is included for future enlargement or for future service.

If the San Luis unit is to be constructed for integration with the State's Feather River project, a problem exists as to construction of the San Luis Canal. A canal with a capacity of 6,800 cubic feet per second at the head of the service area would be required to serve only the San Luis unit. If the San Luis Canal is to serve both the San Luis unit and the Feather River project, it is presently estimated that a comparable capacity of 12,500 cubic feet per second would be required. It does not appear that construction of San Luis Canal with initial capacity of 6,800 cubic feet per second with provision for later enlargement would be economical. If the canal is to serve as a joint-use feature, it should be constructed initially to full capacity. For the stretch of the San Luis Canal from San Luis Dam to Kettleman City, the stretch required for the San Luis unit, the estimated cost of constructing the canal to full joint-use capacity is $123,600,000 as compared with an estimated cost of $77,900,000 if it is constructed to serve the San Luis unit only with provisions for future service in the Avenal Gap unit area.

In addition to the comments made above, we suggest that the following minor technical amendment be made in order to conform the provisions of the bill with the amendments suggested heretofore:

1. In line 8 on page 4, delete the phrase "(hereinafter referred to as the State)."

2. In line 7 on page 6, substitute the words "joint-use facilities" for the words "project works and features."

3. In line 17 on page 8, delete the words "the San Luis unit and."

The Bureau of the Budget has advised that there would be no objection to the submission of this proposed report to your committee. However, that Bureau requested that we advise your committee that the Bureau of the Budget would recommend against authorization of the extension contemplated in section 5 at this time and would recommend that the terms of the bill make it clear that recreation facilities be treated as a part of the overall Federal costs and allocated to major project purposes.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. DIRKSEN. I think it is worthy of note that the distinguished Senator from California is here so vigorously asserting the cause of his people and serving them so well on his 48th birthday. I wish to congratulate him.

Mr. KUCHEL. I must say that I am very grateful and appreciative of the Senator's remarks. However, I have now reached the time of life when I would just as soon forget this annual recurrence, although it is an otherwise happy one for me, and I look forward to this evening when Mrs. Kuchel will be with me for dinner downstairs. I say to my friend from Illinois: Thank you very much.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. KUCHEL. Yield.

Mr. WATKINS. Mr. President, first of all I wish to congratulate the youthful Senator from California, who has acquired a great deal of wisdom in his 48 years. I am sure he will grow in wisdom in his remaining years on earth, even though he does not want the anniversaries to come too often.

I rise to support the project which the Senator from California has presented to the Senate. It is a sound project. I do not care to discuss it in any detail. I wish to congratulate the State of California and California's representatives in the Senate, Senator KNOWLAND and Senator KUCHEL, on the fact that the great State of California will build this project, and a still larger project which will cost in the neighborhood of $11 billion, and do it on its own.

I believe firmly in policy that the people should only be helped to do those necessary things which they cannot do for themselves. California intends to build the larger project in connection with the present one. It is a sound program. It is gratifying to know that some States are willing to do these things on their own, without calling upon the Federal Government.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. NEUBERGER. I wish to express my approval of the San Luis project, which the distinguished junior Senator from California has sponsored on behalf of both Senators from the State of California.

As one Senator from a State which in much of its area has a plethora of water, particularly because of the great Columbia River watershed, I know and appreciate the urgency on the State of California, with its fast burgeoning population, to preserve every drop of water available, not only for irrigation and reclamation, but for domestic water supplies as well.

The Senator from California [Mr. KUCHEL] sponsored the project very ably in the Committee on Interior and Insular Affairs, where I was pleased to assist him in having the measure reported to the Senate. I wish again to say that it is a sound project. It is a worthy project. By helping the great State of California, the Queen State of the West, it will help all the West.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. DOUGLAS. The junior Senator from California knows the high esteem in which the Senator from Illinois holds him. I wish to congratulate him for the knowledge and ability which he has shown in connection with the pending bill. I should like to address some questions to him, if I may, particularly with reference to the so-called acreage limitation provisions of the bill.

Is my understanding correct that the 160-acre limitation is to continue as to all lands in the San Luis service area irrigated by the Federal share of the water?

Mr. KUCHEL. Yes.

Mr. DOUGLAS. I now refer to section 7 of the bill, and to this statement:

SEC. 7. The provisions of the Federal reclamation laws shall not be applicable to water deliveries or to the use of drainage facilities serving lands under contract with the State to receive a water supply, outside of the San Luis service area described in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project," dated December 17, 1956.

I take it, therefore, that the acreage limitation provisions of Federal reclamation laws will not apply if the State acts as an intermediary between the water sequestered by the dam and the owners of the land.

Mr. KUCHEL. No. I tried to cover that point in my opening comments. I shall repeat my comment about it now.

We have in the Central Valley, as the able Senator well knows, a vast Federal reclamation project, called the Central Valley project. We enlarged the area of the Central Valley project several years ago with the great Trinity project.

Mr. DOUGLAS. Which I supported.

Mr. KUCHEL. Indeed. It is now recommended that the Central Valley project be enlarged again in area and that waters from this dam serve the Federal system. It is also recommended, by reason of the fact that the location of the dam is unique, that it be used as a reservoir for water to be used under a State system yet to come into being, underwritten completely by the people of the State.

So I say to my friend from Illinois that in California, by reason of the acute water problem there, we not only have the assistance of the people of the United States with respect through Federal reclamation projects, but we also have, side by side, the concept of a State project as well. The State project, to which I referred, will cost the people of California $11 billion when completed——

Mr. DOUGLAS. How much?

Mr. KUCHEL. Eleven billion dollars when completed. That project will utilize this same reservoir site which the Creator placed there—there is not any other—for the storage of water which, under the State system, and obviously and logically in accordance with State law, will be brought down to the extreme south of the State for all the uses of which the people of that area of California have need.

Mr. DOUGLAS. What proportion of the land served by this joint-use project will be irrigated by water in the State system, as compared with the proportion of the land which will be irrigated by water in the Federal system?

Mr. KUCHEL. That would be extremely difficult for me to say, because in the State system the water will be used not only for the purposes of agriculture, but also and more important for the purposes of domestic consumption by people in cities and communities. Thus the whole concept of bringing northern California waters into the parched areas in the south is one of serving the needs of the people, as well as of industry and agriculture.

Mr. DOUGLAS. May I ask to whom the water in the Sacramento River belongs? It is a diversion of the Sacramento River, is it not, that is involved?

Mr. KUCHEL. There would be some exchanges of water. The answer is that the water belongs to the people.

Mr. DOUGLAS. Does it belong to the people of California, or to the people of the Nation?

Mr. KUCHEL. The people of California.

Mr. ANDERSON. I wonder whether the Senator from Illinois would permit me to say that there are possibilities of two irrigation projects. The water now flows to the Pacific Ocean from the Tracy pumping plant.

Mr. DOUGLAS. That is in northern California?

Mr. ANDERSON. Yes; at Stockton.

Mr. DOUGLAS. But it does come from the river.

Mr. KUCHEL. These are all purely intrastate waters, I may say.

Mr. DOUGLAS. They have been developed in the past by Federal moneys, I believe, and the Federal Government has expended $1 billion, thus far, for the Central Valley project.

Mr. KUCHEL. The Federal Government deserves the eternal gratitude of the people of California for this reclamation project. The people of California are paying back that money to the Federal Government.

Mr. DOUGLAS. Without interest, of course.

Mr. KUCHEL. I salute the Federal Government for this help. It is being repaid by the Californians deriving benefits from these projects, in accordance with Federal law.

Mr. ANDERSON. I was simply trying to say that this is the most complex irrigation problem I have ever seen. We started by favoring it as a strictly Federal project, which would have taken water from the Tracy pumping plant.

I want the Senator from Illinois to understand the peculiar nature of this project. Originally the proposal was to have a Federal project. The water which is flowing down the Sacramento River goes past the city of Stockton and is backed up in a very marshy area and brought to the Tracy pumping plant. The Tracy pumping plant takes that water, raises it 200 feet, and sends it by the Delta-Mendota plant back to an agricultural area. Then it comes back through a canal. The water is circulated throughout the system, just as air circulates in a room.

Mr. DOUGLAS. I have made a partial inspection of the system. While I do not know the subject as completely as do the Senator from California and the Senator from New Mexico, I have visited the area and I am not totally ignorant of it.

Mr. ANDERSON. I understand that. It is also proposed that a dam be constructed in that area to be utilized as a Federal project down below. In the construction of that project, it was discovered that there will be a need to store water in one period of time for the area to be served by the Federal project, and it could also be stored at another time for use by the city of Los Angeles and the area below Fresno, and all southern California.

The thought occurred to the people building the project that it would be simpler to build a structure which could be used for agricultural purposes in one period of the year, and for domestic purposes in another period of the year.

Therefore, there will be a rather peculiar mixing of Federal and State responsibilities; but my own personal conviction is that both the Federal and State projects will be helped thereby. They will use a common reservoir.

In addition, there is another area of the State which would be served by diversion from Pacheco Pass. I have flown over it and have looked at it. Water can be brought through a small channel to a large reservoir from a small reservoir. It will be brought through another valley, not for irrigation, but to flush out areas already waterlogged. It will help to make clean the water which flows into the ocean. Therefore, we will have a combination of 3 types of projects in 1 area. I know of no other place in the United States where such a situation exists.

The Federal reclamation laws will apply to the areas which will be served with Federal waters; but in the areas where the State puts up the money, without cooperation by the Federal Government, the State naturally has its own rights under its own laws.

Mr. DOUGLAS. Mr. President, will the Senator from California permit me to ask him some questions?

Mr. KUCHEL. Yes.

Mr. DOUGLAS. As the Senator from California well knows, the question of acreage limitation has been a dominant issue in California public life for at least 15 years. The issue has been fought over by the people of that State. I am one who believes in the acreage limitation principle. I believe in it because I think it is necessary to get a wide distribution of agricultural property in order to have small farms rather than huge farms.

I once made an inspection trip to the Central Valley. I was shocked at the huge estates which I found there—tens of thousands of acres, in some cases. Some of them came from the old Mexican land grants, and some of them, perhaps, have been otherwise derived, but in both cases with the land cultivated by farm laborers, generally Mexican in origin, and with a general social situation which resembles that of the huge estates of Sicily, rather than the United States.

I have believed, therefore, that it was a paramount principle of national policy that we should enforce acreage limitations on lands served by Federal irrigation projects so that there could be a large number of small farms instead of a small number of large estates.

I am happy that there is no exemption from this acreage limitation provision with respect to the Federal share of the project or to the use of Federal water. Indeed I am glad to note that the committee in its report on page 11 has made a special point of the fact that large land holdings will be dispersed in the San Luis area. But the Senator will forgive me if I say that I want to be very careful in seeing to it that this exemption of lands receiving water under contract with the State is not a device whereby the intent of the Federal reclamation law may be defeated. It would be possible to set up the State as an intermediate agent between the Federal Government and the farmers, and then have the State impose no acreage limitation.

By section 7, as I see it, there is a possibility of giving the State as the intermediary being, the right to violate the acreage limitation.

I know of the pressure in California in support of large farms and large agricultural holdings. I know that the advocates of such holdings are powerful, whereas the small farmers who might use that land are in the future; and they are therefore, for the present, nonexistent. It is always hard for the indefinite future to compete with the powerful present.

So the Senator from California will forgive me, I hope, if I scrutinize section 7 very carefully. I respect the Senator from California for his integrity, which he has demonstrated over and over again.

Mr. KUCHEL. I thank the Senator from Illinois. Our California farmers, big and little, are good people, exactly the same as my friend's farmer constituents in Illinois. Now, let the legislative history be made crystal clear. So far as the Central Valley project, a Federal project, is concerned, the reclamation laws are intended to apply, as I believe they should apply, in the Central Valley project area, and as the bill specifically states.

But let it also be clearly understood that we are dealing here with a single reservoir site to be most effectively utilized by two water systems. We are dealing with 2 separate water projects, 1 a Federal project, 1 a State project, each of which needs to store water at the reservoir in the single most available site which the Creator has placed at San Luis. Under the State system the State waters would be used in accordance with State laws; and under the Federal Central Valley project system, the waters would be used pursuant to Federal law. The fact that the same storage reservoir would be used by both should not alter that fact.

Mr. DOUGLAS. As I understand, there will be one dam.

Mr. KUCHEL. That is correct.

Mr. DOUGLAS. A part of the dam is to be a Federal dam, and a part of it is to be a State dam.

Mr. KUCHEL. That is correct.

Mr. DOUGLAS. How high will the Federal dam be, and how high will the State section of the dam be?

Mr. KUCHEL. The bill authorizes the Federal Government to construct a dam having a capacity of approximately 1 million acre-feet. It further authorizes the Federal Government to construct the dam, with respect to its underpinnings, in such fashion as to permit its enlargement to over double that capacity.

Mr. DOUGLAS. So roughly about one-half the water is to be allocated under State law.

Mr. KUCHEL. Except, as the Senator from New Mexico indicated, different times in the year would place different requirements on the water in the reservoir.

Mr. DOUGLAS. The Senator from California has appealed to the Creator.

Mr. KUCHEL. I have and I also appeal to the Members of the Senate to approve the bill.

Mr. DOUGLAS. Since the Senator from California has called upon the Creator, I know he is familiar with the Old Testament. Does the Senator remember the story of Solomon, the infant child of disputed parentage, and the two women who each claimed to be the mother of the child? The solution offered by Solomon was to cut the child in half, one-half to be given to one alleged mother, and the other half to be given to the other alleged mother. The obvious objection was that a child could not be divided in that way.

While a dam is perhaps not so organic as a child, not so interconnected as a child, I am very dubious about the 50–50 proposal—a dam half Federal and half State.

Mr. ANDERSON. The dam will be Federal and will handle Federal waters, unless the State of California within the time allowed in the bill, which the State representatives recommended determines to proceed with a joint-use agreement with the Secretary of the Interior. He will make the contract with the State of California, provided the State of California agrees to do certain things, as are outlined in the bill, again, as California recommended.

There are two possible locations for the canal. If the project remains a Federal project only, the canal will run at a level approximately 35 feet lower than it will run if it is a joint project.

I myself believe there is strong justification for going ahead with the proposal. I know there is complete justification for going ahead with it if it is only a Federal project. But if the State of California wishes to join on the terms outlined by the Federal Government to make additional use of the facility, they may have the privilege of doing so.

Mr. MORSE. Mr. President, I desire to address some questions to the Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. May we have the permission of the Senator from California?

Mr. KUCHEL. Certainly.

Mr. MORSE. Mr. President, I should like to address my questions to both the Senator from California [Mr. KUCHEL] and the Senator from New Mexico [Mr. ANDERSON], as well as to the Senate generally. I believe we can save time by proceeding in that way, if the Senate will authorize it. In short, I should like to carry on a colloquy for a few minutes with both the Senator from New Mexico and the Senator from California. Not all of my interruptions will be in the form of questions, so a point of order could be raised.

Mr. KUCHEL. I am sure none will be raised.

Mr. MORSE. I am sure none will be raised by the Senator from California or the Senator from New Mexico, but a point of order might be raised by some other Senator. After all, at this stage of the session, nerves are a little frayed; and some Senator might become impatient.

Therefore, Mr. President, I ask unanimous consent that I may engage in a brief colloquy on this subject with the Senator from California and the Senator from New Mexico.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Is there objection? Without objection, it is so ordered.

Mr. MORSE. Mr. President, both the Senator from California [Mr. KUCHEL] and the Senator from New Mexico [Mr. ANDERSON] know that I always lay my cards on the table. What I am presenting now is based on information I have received from public reclamation groups, forestry groups, and other groups vitally interested in the 160-acre limitation. I think both the Senator from California and the Senator from New Mexico know me well enough to be certain that I am never one to support so-called sacred cows in connection with any particular field. I never take a set attitude on the 160-acre limitation, although I believe it has been a sound one, and I wish to see it continued—just as I believe that the public-preference clause is sound, and I wish to see it continued. But, Mr. President, I shall never take the position that the 160-acre limitation or the public-preference clause can ever be used as a means of denying progress in particular fact situations wherein it might be shown that the use of the 160-acre limitation or the public-preference clause or any one of the other very desirable checks we have developed in the field of natural resource development might create unwarranted difficulties.

But I believe the people who have sent me the questions which I shall ask, and have raised with me the problems about section 7 to which I shall refer, are entitled to have me serve them by way of making a record here on the floor of the Senate. As I do so, I think both the Senator from California and the Senator from New Mexico know not only the high regard I have for them, but also the team relationship I have with them, with respect to the development of our natural resources.

Of course, we may disagree about a particular project here or there. But our goals are the same. In this instance, our controlling goal—and let me say that I have heard both the Senator from California and the Senator from New Mexico say this more than once—is to carry out our trusteeship in respect to God's heritage to this country, in the form of its natural resources, so that we shall leave them in better condition and greater abundance than when we found them. That is the Teddy Roosevelt-Gifford Pinchot principle.

By way of background, let me state that I am glad to note that insofar as the lands served by the Federal irrigation project under this bill are concerned, the provisions of the Federal reclamation law, including the so-called acreage limitation provisions, will apply.

The committee report, on page 11, emphasizes that this will result in the dispersal of some large holdings and the development of many family-sized farms—of which I heartily approve.

At the same time, under section 7 of the bill, the provisions of Federal reclamation law are specifically stated not to apply to the water deliveries to lands under contract with the State, outside of the San Luis service area. The implications of this provision and its possible effect on the acreage limitation policy applicable to the federally served lands are not altogether clear.

I have listened to much of the colloquy between the Senator from California, the Senator from New Mexico, and the Senator from Illinois [Mr. DOUGLAS]; but I was not here at the beginning of the colloquy. So some of my questions may be redundant. But, for the sake of the record, I should like to ask them, even though they may constitute repetition. I shall make the questions as brief as possible.

First, is it possible to indicate how much land is to be served under contract with the State of California, outside the San Luis service area?

Mr. KUCHEL. I would say to the Senator from Oregon that, as envisioned in the State of California water plan, supplemental water would pass through the San Luis reservoir, and would be utilized as far south as the counties of San Diego and the Imperial Valley.

Mr. MORSE. Let me say good-naturedly that I also thank the Senator from California for correcting my pronunciation of the name "San Luis."

Mr. ANDERSON. I wish to say to the Senator from Oregon that he and I will continue to pronounce the name in the same way, regardless of how it may be pronounced by the Senator from California. [Laughter.]

Mr. KUCHEL. I thank my friend, but the Senator from Oregon is correct in his corrected pronunciation. [Laughter.]

Mr. MORSE. Mr. President, my second question is as follows: Is it known what the present pattern of landownership is in the case of the lands that may be served under contract with the State? What are the total acreages involved, and what are the facts with reference to the size of the land holdings?

Mr. KUCHEL. Again, I would answer the question in this way: It is not known to me; but the State of California water plan—which, as I suggested earlier to the able Senator from Illinois [Mr. DOUGLAS] is an $11 billion proposed undertaking by the people of California—is designed to bring supplemental water for all the needs of the people—for domestic needs, for the needs of the rapidly expanding municipalities, as well, of course, as water which would be available for industrial or agricultural use.

But, I would say to my friend, the Senator from Oregon, that the primary problem confronting the people of California is that of supplying water to the people who are coming to California at the incredible rate of more than half a million a year.

Mr. ANDERSON. I should like to add that the testimony of the State of California, and the testimony, in particular, of the persons who represent the metropolitan area of Los Angeles, was that they will put up a very substantial fight for about all the water which may come from the State end of the project. I am not trying to enter into family quarrels in California. But the problem is that the cities of Los Angeles and San Diego and the other southern cities will get most of this water. My guess is that they will, for they have been told that by the State legislature, and they need a tremendous amount of water.

So I doubt that much of the water will be used agriculturally. Temporarily, some of it may be; but eventually a great deal of it will flow into Los Angeles, San Diego, and other cities which are hard pressed for municipal water supplies.

Mr. MORSE. I am glad the Senator from New Mexico has made that statement, because I think it important that we include in the legislative history a statement of the fact that not only are we dealing with water for irrigation purposes in the case of some land holdings, the total amount of acreage of which it is impossible to tell at this time, but we are also dealing, so says the Senator from New Mexico—and I note that his statement was followed by a nod of approval by the Senator from California [Mr. KUCHEL]—with a water-need problem and with water which primarily will go to the cities, in order to supply the water needs of the cities, and also to the suburbs and the municipal communities in the area.

Mr. KUCHEL. That is correct.

Mr. MORSE. My next question is as follows: In connection with the lands within the San Luis area served by the Federal part of the project, is it clear that the lands owned by the Southern Pacific Co. and the Southern Pacific Land Co.—which I understand amount to approximately 120,000 acres—will participate in the Federal irrigation project, so that that part of the total project is clearly economically feasible?

Mr. KUCHEL. In my judgment they will be compelled to participate through the force of public opinion.

Mr. ANDERSON. In my judgment, the Southern Pacific will reverse its decision, and will participate in the project, and will subdivide its lands. I think that position has been taken recently, although I am not in a position to announce it affirmatively.

At any rate, if they come in, they will have to do so on the basis of the 160-acre limitation; and the Southern Pacific officials realize that, and their announcement will be in accord with it.

Mr. MORSE. Mr. President, entirely aside from the other answers which may be developed by my questions, I believe that the answer I have just received is worth the time I am taking, because clear notice has now been given to the Southern Pacific Co. and to the land company affected—and it has been given by two very able and powerful Members of the Senate—as to what the goal of the bill is, in respect to the land holdings of those companies.

Mr. DOUGLAS. But suppose the Southern Pacific does not come in?

Mr. MORSE. The Senator from Illinois has asked me the question, Suppose they do not participate?

Mr. ANDERSON. The Southern Pacific Land Company, if it desires to receive irrigation water for its holdings, will have to execute a recordable contract to dispose of its holdings in excess of 160 acres of irrigable land on terms and conditions fixed by the Secretary of the Interior.

Mr. DOUGLAS. That is exactly the recommendation which the Senator from Illinois has been making for some time for a change in the reclamation law.

Mr. ANDERSON. And that recommendation is fully accepted in this bill.

Mr. DOUGLAS. I should like to see the power costs of the project charged proportionally to noncompliers.

Mr. ANDERSON. There will be no power generated, so they have to assume the full costs. This is a power-using, not a power-generating project. Water will be lifted from the Delta-Mendota Canal. The recommendation of the Senator from Illinois is met fully in this proposed legislation.

Mr. MORSE. While the statement by these companies on page 196 of the hearings suggests that they will cooperate, it does not indicate a willingness on their part to comply with the Federal reclamation law by making the necessary contracts of sale of their excess acreage. If, then, they determine not to sell and not to accept the Federal irrigation water, this would appear to take out of participation about one-fourth of the lands which are expected to be irrigated by the Federal project. Would the project be feasible under these circumstances?

Mr. ANDERSON. I have made a careful financial study of it. I would say the project is feasible even if the Southern Pacific stays out. I have had assurance from a man who is supposedly a director of the Southern Pacific that the Southern Pacific will come in, but I do not guarantee that. Without the Southern Pacific, it is still a feasible project.

Mr. MORSE. Does the Senator think enough progress has been made with the Southern Pacific holdings so the Secretary of the Interior should not base his proceeding with the construction work upon the condition of an assurance from the company that it will participate?

Mr. ANDERSON. I do not think the Secretary should hold it up. I remarked the other night to the senior Senator from California that I looked at some of the cotton there. It was the finest cotton I ever saw. The land will grow 4 bales to an acre. No corporation in its right mind would take that land out of cultivation if it could get 4 bales to an acres of that fine long-staple cotton. It would not be sensible. When I made that statement to a user of the land, he said, "We have already been notified that the Southern Pacific is going off." I do not vouch for it, but I do not see how any sensible person can get out.

Mr. MORSE. Public pressure does remarkable things to recalcitrant persons or companies.

Mr. KUCHEL. Public opinion will, in my judgment, compel the inclusion of all land in the contemplated expanded service area.

Mr. ANDERSON. I pledge to the Senator that if there is any power or influence I have, I will use it to make sure the project is utilized in accordance with Federal reclamation law.

Mr. KUCHEL. I wish to add that is also my position.

Mr. MORSE. Will the advantages of large ownership permitted under one part of the project create a competitive disadvantage for the family-sized farms receiving water under the terms of the Federal reclamation law? Note the Southern Pacific statement on page 196

reveals a further ownership of 30,000 acres in southern Kings and Kerns Counties which might be served by the State Feather River project.

Mr. KUCHEL. In answer to the Senator's question, I reply that I do not believe so, and, in my judgment, the proof of that pudding is the fact that the family-sized farms in the area served by the C. V. P. are now economically healthy.

Mr. MORSE. Will the State pay a fair share of the total costs of the construction and operation of all joint facilities?

Mr. KUCHEL. Yes. Under this bill.

Mr. ANDERSON. Yes.

Mr. MORSE. Is there any significance to the fact that the Senate committee did not include in S. 1887, as reported, the language suggested by the director of water resources for the State of California for inclusion in section 3 (b) shown in italic on page 53 of the hearings, "said share of costs to be based on the proportionate capacities of the San Luis unit and the joint use facilities required by the State's projects"?

Mr. KUCHEL. Yes; and I think for a very good reason. The Department of the Interior recommended that the precise guidelines by which the contract should be entered into should be as a result of negotiations between the Department and the State government, and that it would be too difficult to write those guidelines into a statute.

Mr. MORSE. After the State has made its own plans and provided its own funds for the State part of this joint project, will it be possible for the Congress and any executive department to review the equity and desirability of the plans and arrangements thus determined?

Mr. KUCHEL. Let me read the text of section 2 of the bill:

SEC. 2. The Secretary is authorized, on behalf of the United States, to negotiate and enter into an agreement with the State of California providing for coordinated operation of the San Luis unit, including the joint use facilities, in order that the State may, without cost to the United States, deliver water in service areas outside the San Luis service area as described in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project" dated December 17, 1956. The Secretary shall not commence construction of the San Luis unit, except for the preparation of designs and specifications and other preliminary work, until the execution of such an agreement between the United States and the State, but if such an agreement has not been executed by July 1, 1960, and if, after consultation with the Governor of the State, the Secretary determines that the prospects of reaching accord on the terms thereof are not reasonably firm, he may proceed to construct and operate the San Luis unit in accordance with section 1 of this act: *Provided*, That if the Secretary so determines he shall report thereon to the Congress and shall not commence construction for 90 calendar days from the date of his report (which 90 days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than 3 days). In considering the prospects of reaching accord on the terms of the agreement the Secretary shall give substantial weight to any relevent affirmative action theretofore taken by the State, including the enactment of State legislation authorizing the State to acquire and convey to the United States title to lands to be used for the San Luis unit or assistance given by it in financing Federal design and construction of the unit. The authority conferred upon the Secretary by the first sentence of this section shall not, except as is otherwise provided in this section, be construed as a limitation upon the exercise by him of the authority conferred in section 1 of this act, but if the State shall make available to the Secretary sufficient funds to pay the additional cost of designing and constructing the joint use facilities so as to permit enlargement, it shall have an irrevocable right to enlarge or modify such facilities at any time in the future, and a perpetual right to the use of such additional capacity: *Provided*, That the performance of such work by the State, after approval of its plans by the Secretary, shall be so carried on as not to interfere with the operation of the project for the purposes set forth in section 1 of this act: *And provided further*, That this right may be relinquished by the State at any time at its option.

Mr. MORSE. Lastly, are we or are we not setting a precedent whereby an Interior Department Secretary can turn all of the water from a project over to a State and thereby nullify the 160-acre limitation?

Mr. ANDERSON. No; we are not. We have written language into the bill which would absolutely prevent that. I am sure of that. I would not have helped report the bill to the Senate if we would be setting such a precedent. I know it is not true.

Mr. KUCHEL. I agree with the Senator from New Mexico in that answer.

Mr. MORSE. In the judgment of either of the Senators, would a motion to strike section 7, if it carried, do such damage to the bill that it would be a great mistake to propose to strike section 7?

Mr. KUCHEL. Yes, it would; because I believe the people of California should sit in judgment as to what their water laws should be. I believe the laws of California should govern the use to which waters of the State, carried from one part of the State to another, in a State system, should be subjected to. Therefore, I respectfully say to my friend that because one reservoir is here contemplated to be used by two systems is no reason for us to make the people of California subject, in their water system, even by indirection, to the laws of the Federal Government.

Mr. MORSE. May I have the attention of the Senator from Illinois for a moment? I joined with him this afternoon because of a comity of conviction with him on the importance of preserving the 160-acre limitation. I joined with him in trying to make this legislative record. I do not know how we could have had more cooperation, and more honest men with whom to make such a record, than the Senators who have answered every question we have put to them with their characteristic forthrightness.

I want to ask the Senator from Illinois if he thinks we have made a legislative record which makes perfectly clear two things: The first is that this bill, in its present form, even including section 7, does not in any way weaken or destroy the 160-acre limitation in regard to Federal waters. Second and I present this as a question: If we do not attempt to strike section 7 of the bill, will we not be subject, by way of inference at least, to the criticism that we went along with a bad precedent on the 160-acre limitation?

Mr. DOUGLAS. Mr. President, since the Senator from Oregon has addressed his query to me, I may say I would personally be much happier if section 7 were stricken, because, while the intentions expressed by the Senator from California and the Senator from New Mexico may be correct, what happened would depend largely on how the State government of California administered its water. I hope the State will put on such acreage limitations. But I know the forces against this principle, and I know that in the past they have prevailed.

I should like to ask if the so-called State water is primarily to serve domestic users, why should the acreage limitation provisions of Federal reclamation laws be waived? Obviously there is going to be some irrigation. If we are considering purely domestic use, why should we waive the Federal reclamation laws?

Furthermore, I should like to point out that the power of the Central Valley project, which has been developed at the expense of the Federal Government, is necessary to pump water into the system for storage, so that the Federal Government will be making a contribution at low rates on joint-use facilities. I believe also that since Federal help is supplying the water, the Federal reclamation laws should apply to all water going through the system, both for that portion which is under the control of the State, and for that portion which is to be kept under the control of the Federal Government.

In order to get an expression of opinion—and the Senator from Illinois thinks he will probably be voted down—I am going to move to strike section 7 from the bill and also to strike the words from lines 23 and 24 of page 2, "except so far as the provisions thereof are inconsistent with this act."

Mr. KNOWLAND. If the Senator will yield, I should like to make a parliamentary inquiry.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Senator will state it.

Mr. KNOWLAND. There are a number of committee amendments. Would it not be well to have the committee amendments agreed to, with the understanding that the bill would then be treated de novo? Then the motion to strike could be made.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc; and that the rights of the Senator from Illinois to make a motion to strike one of the sections, or any other part of the bill, be completely preserved.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and without objection the committee amendments are agreed to en bloc and the bill, as amended, will be treated as an original text for the purpose of amendment.

Mr. MORSE. Mr. President, we have been very frank with each other on the floor. I think we have made, I will say to the Senator from Illinois, a very fine legislative history among the four of us as to the intent of the bill and the very limited application of section 7. I do not think this can be used as an effective precedent in the future, when there is a clear 160-acre limitation problem before us for consideration, involving Federal water and nothing but Federal water. What worries me is what will be the effect of offering a motion to strike, and having the motion defeated. Will we not destroy a part of the legislative history?

Mr. DOUGLAS. I do not think so.

Mr. ANDERSON. I will say to the Senator that in flying over the project I took off from Fresno and I flew over Friant Dam and the lands nearby. Those lands were in large farms. There is not a single farm which would violate the 160-acre limitation.

I have known of the San Luis land for a long time. I know it will be divided up into family-sized farms. I say to the Senator it is my judgment that if the project can be so utilized that the water can be available to the municipalities of California, without trying to include Federal water laws and Federal rights, it will be a good thing. All the water developed under the Federal project will be used in strict conformance with the Federal reclamation laws.

I was talking to a man from Los Angeles, who asked me the size of the community where I live. I asked him whether he wanted the chamber of commerce figure or the census figure, but I told him the population was between 150,000 and 175,000. The metropolitan area of Los Angeles adds that sort of a community every 12 months to its population. It is hard to understand the urgency of the water needs.

I went along with the program to try to make this both a Federal and State project because I think it will be a good thing, in contemplating how to handle areas with enormous quantities of water so that the Secretary of the Interior will get control of the dam site and will be the primary operator of it. I think it is a good thing.

Mr. DOUGLAS. Mr. President, I move to strike out section 7, on page 11, and to strike out the words "except so far as the provisions thereof are inconsistent with this act" on page 2, in lines 23 and 24.

The PRESIDING OFFICER. Will the Senator from Illinois please repeat his motion?

Mr. DOUGLAS. I move to strike section 7, which is found on page 11 of the bill, and also move to strike the words in lines 23 and 24 on page 2 "except so far as the provisions thereof are inconsistent with this act."

The PRESIDING OFFICER. The amendment will be stated by the clerk for the information of the Senate.

The CHIEF CLERK. On page 11, line 11, it is proposed to strike out section 7.

On page 2, lines 23 and 24, it is proposed to strike out the words "except so far as the provisions thereof are inconsistent with this act."

Mr. KNOWLAND. Mr. President, I hope that the amendment will be rejected, for the reasons stated by my junior colleague. I think this would be an attempt to impose Federal legislation upon a State in the case of purely intrastate waters. I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. MORSE. Mr. President, although I think we have made a very good legislative record, I would prefer not to have the section in the bill. I will stand with my colleague from Illinois.

The PRESIDING OFFICER. The Chair did not hear the statement of the Senator from Oregon.

Mr. MORSE. I simply said I would prefer not to have section 7 in the bill, but I think the Senator from California and the Senator from New Mexico have made an excellent legislative history of the measure. I am going to stand with my friend from Illinois in support of the amendment.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was rejected.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND] to lay on the table the motion of the Senator from California [Mr. KUCHEL] to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1887) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

AMENDMENT OF TRADING WITH THE ENEMY ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2233, H. R. 11668, the amendment of the Trading With the Enemy Act.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 11668) to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 10, after the word "exceed", to strike out "$5,000,000" and insert "$3,750,000", and, on page 2, line 2, after the word "amended", to insert "There is hereby authorized to be appropriated to the Attorney General such sums as may be necessary to replace the sums deposited by him pursuant to this subsection."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the amendments are agreed to en bloc.

Mr. JOHNSON of Texas. Mr. President, I desire to make a brief statement. The bill was unanimously reported and has been cleared by both policy committees.

The purpose of the proposed legislation is to transfer funds from the proceeds of liquidated vested assets under the jurisdiction of the Attorney General into the War Claims Fund in order to satisfy unpaid awards heretofore or hereafter made under the War Claims Act of 1948, as amended. The proposed legislation provides no new class of payable claims. The effect would be simply to make funds available to carry out the previous authorizations in existing law.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 11668) was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

AMENDMENT OF MERCHANT MARINE ACT OF 1920

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2194, House bill 9833.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9833) to amend section 27 of the Merchant Marine Act of 1920.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks, a detailed explanation of the bill, following which I shall make a brief explanation and be ready to answer any questions which may be troubling Members of the Senate with regard to this proposed legislation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PASTORE

The Merchant Marine Act, 1920, prohibits vessels built in the United States and owned by corporations from transporting cargo between points in the United States, unless the corporation is organized under the laws of the United States or of a State thereof, and the president and managing directors thereof are citizens of the United States, and 75 percent of the stock of the corporation is owned by citizens of the United States.

Since the enactment of the basic legislation imposing restrictions on citizenship and trading limits, there have been certain examples of corporations created under the laws of States of the United States, but which have not been able to meet the test of citizenship under the Shipping Act of 1916, as amended, because of their corporate stock control and organization.

This matter came to the attention of your committee when Bowaters Southern Paper Corp., a domestic corporation with huge facility investments in Tennessee and elsewhere in southeastern United States, found that because of the extent of its Canadian and British financial control it was not permitted to own and operate its own barge and towing facilities in conjunction with and support of its production activities. Under the shipping laws it was deemed a noncitizen and not eligible for operation and ownership of vessels in the United States domestic trade. The proponents of the legislation contend that it is unfair and inequitable to treat the American Bowaters Corp. any differently than any other American corporation, notwithstanding the incident of alien stock and management control. It was pointed out that, in the circumstances, American merchant marine policy would not be prejudiced from the standpoint of either commerce or defense.

Another major example of an American corporation not meeting the citizenship standard of the 1916 Shipping Act, but otherwise extensively engaged in an important part of the economy of the United States is the Shell Oil Co. Shell's shipping problems involve their (a) coastwise tanker operations, (b) intracoastal and inland water transportation, and (c) operations in support of their extensive offshore drilling efforts in the Gulf of Mexico, serviced by relatively small utility vessels.

Bowaters Paper Co., Inc., of Calhoun, Tenn. was incorporated in Delaware in 1951 and its equity capital totaling $26 million is wholly owned by the Bowaters Corporation of North America, Ltd., a Canadian corporation. The latter company is, in turn a wholly owned subsidiary of the Bowater Paper Corporation, Ltd., of London, England. Tennessee Bowaters is the manufacturer of newsprint and other paper products. At the present time, some of the customers to whom it supplies newsprint include:

The New York Times, Philadelphia Bulletin, New York World Telegram, Philadelphia Inquirer, Wall Street Journal, Washington Post, Atlanta Journal, Miami News, Miami Herald, Houston Post, Houston Chronicle, Dallas Morning News, Tulsa World, Cleveland Press, Chicago Daily News, St. Louis Post-Dispatch, Detroit Free Press, Louisville Courier-Journal, Shreveport Times, Birmingham Post Herald, Chattanooga Times, Norfolk Virginia Pilot, Charlotte News, Fort Worth Star Telegram.

Except as to the citizenship of its stockholders, officers, and directors, Tennessee Bowaters is in every respect a domestic company. With the exception of a handful of Canadians and one Englishman, all of its 1,400 employees are United States citizens; all of its raw materials are obtained in the United States; its entire output of newsprint is sold in the United States; virtually all of the machinery and equipment which has been installed was manufactured in the United States and it has the reputation of being one of the most highly productive and efficient mills anywhere in the world. It is subject to all the tax regulations, Federal, State, and local as any other domestic corporation. All of its loan capital, initially totaling $86 million, was subscribed by leading United States financial institutions. The main raw material used is pulpwood, the bulk of which is purchased from landowners in Tennessee and neighboring States. Upon completion of their present expansion program, the annual payroll will exceed $9 million and the expenditure for pulpwood will total about $13 million per year. Since newsprint is a duty-free commodity, Tennessee Bowaters requires an efficient operation if it is to be competitive with their competitors in Canada and in the United States, all of whom may own their own vessels.

The Shell Oil Co. is incorporated under the laws of Delaware. All of its officers are citizens of the United States as are 13 of the 15-member board of directors. Over 98 percent of its employees are United States citizens. All of its business is conducted in the United States, its oil and gas production, its refineries, and its distribution of petroleum products. In 1957 Shell paid taxes to the Federal, State, and local governments of almost $90 million. The proponents of the legislation contend that it is unfair and inequitable to treat these companies any differently than any other American corporation, notwithstanding the incident of alien stock and management control.

Today to be a citizen corporation, the president and directors must be citizens and at least 75 percent of the stock must be owned by United States citizens. The present bill would apply to section 27 by restating the qualifications.

(a) A majority of the officers and directors of such corporation are citizens of the United States.

(b) Not less than 90 percent of the employees of such corporation are residents of the United States.

(c) Such corporation is engaged primarily in a manufacturing or mineral industry in the United States or any Territory, district, or possession thereof.

(d) The aggregate book value of the vessels owned by such corporation does not exceed 10 percent of the aggregate book value of the assets of such corporation.

(e) Such corporation purchases or produces in the United States, its Territories or possessions, not less than 75 percent of the raw materials used or sold in its operations.

Other restrictive provisions in the bill provide that such corporations would be restricted to the carriage of their own goods and could not engage as a common carrier and to the utilization of self-propelled vessels of 500 gross tons or less.

Mr. PASTORE. Mr. President, existing law prohibits vessels owned by corporations from transporting cargo between points in the United States unless the corporation is a United States corporation, and the president and managing directors thereof are citizens of the United States and 75 percent of the stock is owned by United States citizens.

The purpose of this bill, as amended by the House, is to authorize the operation in the domestic trade of the United States (a) barges or non-self-propelled vessels and (b) self-propelled vessels of less than 500 gross tons which are owned by noncitizen corporations—as defined by section 2, Shipping Act of 1916—but which meet the following standards:

First. Majority of officers and directors are citizens of United States.

Second. Ninety percent of employees are residents of the United States.

Third. Corporation is engaged primarily in manufacturing or mineral industry in the United States.

Fourth. The aggregate book value of the vessels owned by such corporation does not exceed 10 percent of the aggregate book value of the assets of such corporation.

Fifth. Such corporation purchases or prdouces in the United States, 75 percent of the raw materials used or sold in its operation.

The proponents of the bill are the Bowaters Southern Paper Corp. and the Shell Oil Co., both of which are foreign owned and controlled. Both corporations have large investments in the United States and contend that it is unfair and inequitable to treat them any differently than any other American corporation, notwithstanding the incident of alien stock and management control. The Attorney General, the Comptroller General, and the Department of State defer on the bill stating that it is a matter of Congressional policy. The Secretary of Commerce opposed the bill, as introduced; however, the House report states on page 4:

The Federal Maritime Administrator, representing the Department of Commerce, is in accord with the bill amended as hereby reported.

The American Merchant Marine Institute opposes the bill as tailored legislation and an initial breach of section 27. Section 27 restricts United States coastwise trade to United States-built and United States citizen-owned vessels.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to withdraw the amendment to the pending bill which I have submitted.

The PRESIDING OFFICER. Without objection, the Senate may withdraw the amendment.

Mr. YARBOROUGH. At this time, on behalf of myself and the Senator from Michigan [Mr. POTTER], I offer another amendment to the pending bill.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas will be stated.

The CHIEF CLERK. On page 3, line 6, after the word "carrier," it is proposed to insert "subject to part III of the Interstate Commerce Act, as amended."

Mr. YARBOROUGH. Mr. President, does the Senator from Rhode Island accept the amendment?

Mr. PASTORE. Mr. President, I have discussed this subject with members of the staff and with other members of the committee, and we are willing to accept the amendment, because I think it clarifies and defines more particularly the intent of the committee and the purpose of the legislation. I am perfectly willing to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. YARBOROUGH] for himself and the Senator from Michigan [Mr. POTTER].

The amendment was agreed to.

Mr. YARBOROUGH. I thank the distinguished Senator from Rhode Island. The purpose of the amendment is set forth on page 17504 of the CONGRESSIONAL RECORD for yesterday.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. POTTER. The purpose of the amendment is to prohibit the beneficiaries of this legislation, the Shell Oil Co. and the paper company to which reference has been made, from leasing their vessels to other types of carriers. Is that correct?

Mr. YARBOROUGH. That is correct.

Mr. PASTORE. They can lease them to water carriers which are licensed, but not to any other type of carrier.

Mr. POTTER. Not to railroads or any other type of carrier.

Mr. PASTORE. The Senator from Michigan is precisely accurate.

Mr. YARBOROUGH. That is the purpose of the amendment.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. JOHNSON of Texas. Mr. President, I understand that the yeas and nays have been ordered on the amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. KNOWLAND. Mr. President, this morning, at the White House, Mr. James Hagerty, the press secretary of the President of the United States, after consultation with the President, issued the following statement:

As far as the President is concerned, all this talk about surrender is nonsense. Let me set the record straight. There has been no public money spent to study how or when the United States might surrender. There will be no such money spent for such a purpose. Evidently the Senate feels about this as does the President. It wants to require that no appropriations be used for such a purpose. As to that, the President wants me to say this. Even if he were given money for this purpose, it would not be spent. The whole matter is too ridiculous for any further comment.

Mr. RUSSELL. Mr. President, I wish to express my delight at the President's statement. It removes this issue from the area of controversy. We are now marching together in the same direction. The Chief Executive has made his statement. The amendment pending before the Senate is designed to accomplish exactly the same purpose.

I should like to add that this is further evidence that the President of the United States has been keenly aware at all times of the division of powers and of the place of the legislative branch in our governmental structure.

Mr. KNOWLAND. Mr. President, I thank the distinguished chairman of the Committee on Armed Services. As the Senator knows, I have great respect and admiration for him. I know that the President of the United States does also. I shall support his amendment. I thought it was appropriate that this statement of the position of the White House be read at this time.

Mr. RUSSELL. I thank the Senator.

SEVERAL SENATORS. Vote! Vote!

Mr. WATKINS. Mr. President, I intend to vote for the amendment. I make that announcement in spite of the fact that I think it is absolutely unnecessary to adopt the amendment. Because there may be some implication raised, if I vote against it, that I am in favor of working out plans for a surrender, I have decided to vote for it, even though I do not think it is at all necessary. I made myself clear on this point last night. I want to make it abundantly clear now that I am voting for it even though I do not believe it is something we ought to do.

Mr. COOPER. Mr. President, last night, when the amendment of the senior Senator from Georgia [Mr. RUSSELL] was offered, I said I would vote against it. I intend to do so.

I wish to recapitulate briefly the reasons I gave last evening for my position. I make it clear that I have regard for the purpose of the distinguished senior Senator from Georgia, as I am sure all of us have. The motives which have led him to offer the amendment are patriotic.

I had hoped, however, that he would withdraw his amendment. I had hoped, if he believed there were any substance to the rumors of a surrender plan, that, as chairman of the Committee on Armed Services, he would convene his committee, one of the best in the Senate, and go to the very depth and root of this rumor. He has chosen not to do so. So the issue is before the Senate.

All of us agree, and the people of the United States agree, that our Government, its administration, and any future administration, its officers, agents, and military leaders, should never counsel or prepare plans for the surrender of the United States.

I oppose the amendment because I believe it is based on a fiction. The President has said it is a fiction.

I oppose it because I believe its consequences will be bad. I speak objectively of what the adoption of the amendment will imply to the country and to the world. I oppose it because I believe it could be interpreted as an expression of the Senate that it lacks faith in this Government, and in the country itself. If the amendment has any meaning at all, it contemplates that there is danger that such a plan as is mentioned in the amendment will be made.

Do we believe that there is danger that this administration or a future administration will make plans to surrender this country? I do not think so. But the amendment must mean that, because otherwise there is no point in the Senate considering it. If a plan to surrender this country is made surreptitiously, in conspiracy and treasonably, certainly this amendment could not reach it.

The President of the United States is reported to have said this morning that talk of surrender plans is "nonsense." He assured the country that no funds had been used for such a project, and that no funds would ever be used for such a project; he went on to say that even if Congress made available to him the funds for such a project, he would not use them. I have read the report of his statement, and there is nothing in it which implies that he favors the adoption of the amendment.

The report from the White House states that when he was asked to comment upon his attitude toward the amendment, the Press Secretary was reported to have said the President would make no further comment and that he had already stated it was ridiculous and pure nonsense.

If we adopt the amendment, the effect will be bad throughout the world. People will not know that the "surrender plan" story is a fiction, but may believe that, in fact, there is some danger that this Government of the United States, now or in the future, will plan the surrender of the United States. One can only contemplate the doubts and suspicions which will arise in the minds of our people if they believe that this is a fact.

Further, we might consider the effect of the amendment upon the people of the world. Do we want our friends throughout the world to believe that the United States attaches credence to a rumor that this Government has planned or will plan, or that some future Government will plan, the surrender of the United States?

At this very time, when we are confronted in New York, in the General Assembly of the United Nations, in the Mideast, and in truth throughout the world, with totalitarian forces which would like to see us surrender our ideals

of freedom and independence, shall we say to them that there is some danger that we are planning to surrender, and thus give them the greatest opportunity for propaganda they could have?

If there were any substance to this talk, there might be some reason or excuse for voting to adopt the amendment. But when the President of the United States has said the whole matter is ridiculous, why should we want to give substance to a fiction?

The chief reason I oppose the amendment is that I actually believe it questions the faith we have in our country. The United States has survived longer than any other free republic. We have fought and won wars. We have maintained the unity of the Nation in a great and sad conflict between two sections of the country. We have, by faith in our own system, given promise and inspiration to people throughout the world.

I do not believe the officials of this Government or the people of the country, either now or in the future, will surrender it. Yet we are asked to give credence to such a foolish idea.

With all deference to the distinguished Senator from Georgia who has offered the amendment, I must say that I do not believe it adds substance to the security of the Nation. Will the adoption of an amendment based on a fiction add anything to the security of the Nation? Adopting this amendment would be like adopting a resolution which stated that we opposed communism. It is the same sort of thing—proclamation without action.

There are positive things we can do to bolster the security of the Nation, but they require hard decisions and action on our part. If we want to assure the security of the country, and develop the strength which will give us security in the future, we can do so by adopting stronger defense measures. We can do so by making sacrifices. Our security will depend upon what we do constructively and positively, not by mere words.

Our country will be secured by our continuing willingness to strengthen it and fight for it, and, if need be, to help other free countries defend themselves. Our country will be secured by the proper conduct of our own affairs and our practice of freedom, so as to impress upon the people of the world our sense of justice and morality and our belief in freedom.

The future security of the Nation will depend on our understanding of the problems of the other peoples of the world and our good relations with them.

None of those conditions can be brought about unless we have faith in our Government, in our officials, and in future administrations.

I dislike to make so much out of the issue; but because I believe the amendment is wrong, I shall vote against it. I shall vote against it chiefly because I have faith in my country and its future.

Mr. REVERCOMB. Mr. President, before the vote is taken, I wish to make very clear my feelings about the amendment and its objectives. I feel just as deeply as does the able Senator from Kentucky [Mr. COOPER] that there is no substance whatsoever in the purpose of the amendment.

I do not for one moment have any fear that any part of our Government is taking such a step as that which seems to be contemplated by the amendment.

I think the amendment should have been withdrawn, but it has not been. Whatever may be the vote upon it, I have complete faith today in the security of the Nation. I have complete faith in what the administration and the Government are doing to make the Nation secure. I do not for one moment believe that any thought of surrender is contemplated by the Government.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Senate will be in order. If the Chair sees staff members talking, and if he has the power as the Presiding Officer to do so, he will have them evicted from the Senate Chamber.

The Senator from West Virginia may proceed.

Mr. REVERCOMB. I desired to summarize my own feelings in the matter, since the Senate is about to vote upon the amendment. It is, in a sense, a frivolous matter, because it is not based upon anything which has been proved. The very words of the President, repeated this morning by the minority leader, assure us that the President of the United States knows of no such effort as that at which the amendment is aimed, and that he would not for a moment brook such an activity in this Government.

I feel that any fears which may have been aroused by talk, hearsay, or comment can be allayed in the minds of the people of the Nation. I trust this discussion will not have the effect spoken of by the Senator from Kentucky, namely, of making the people feel that there is any fear or belief on the part of any Member of the United States Senate that something is being undertaken to lessen the absolute determination of victory and the strength and security of the country. To me, it is absurd even to think of such a thing.

If there is insistence that the amendment come to a vote as an expression of feeling regarding it, I have made this statement, so that my views and my feelings upon the subject may be a matter of record.

Mr. NEUBERGER. Mr. President, I hoped the distinguished Senator from Georgia [Mr. RUSSELL], one of the outstanding leaders of the country, would either withdraw the amendment which is now before the Senate or have the matter referred to the Committee on Armed Services, of which he is the able chairman.

I associate myself with the statement made a few minutes ago by the courageous Senator from Kentucky [Mr. COOPER].

The Senator from Kentucky not only is a great Senator, but he was a great Ambassador of the United States to a vital area overseas, India.

We have heard much at this session and the past session of the Senate about how proposed legislation should be referred to committees. Minor bills have been before us, and Senators opposed to them have said that they must be referred to committees for study.

Yet now we are about to take action on something so fundamental as a statement, proposed to be added on the floor to a supplemental appropriation bill, that no staff member or other policy planner for this Government shall plan any surrender, and there has not even been a committee hearing to determine the truth or falsity of the rumors and the newspaper accounts on which the assertion is based. Does this course seem wise?

If tomorrow there were a newspaper article to the effect that the President of the United States planned to paint the White House green, should we write into the next appropriation bill a provision that no Federal funds shall be used for that purpose, without even holding a hearing to determine whether the story was accurate?

To my knowledge, a committee hearing has not yet been held to determine whether the reports of plans to surrender have any substance, to justify this action. The reports have been authoritatively denied.

It has been implied that the President of the United States approves the amendment. But the concluding sentence in the statement read by the able minority leader on behalf of President Eisenhower a few moments ago is this:

> The whole matter is too ridiculous for any further comment.

Does that seem to indicate that the President of the United States believes that Congress should legislate?—on a matter as to which he has said:

> The whole matter is too ridiculous for any further comment.

I doubt that, Mr. President.

Mr. President, where will the particular provision of the amendment begin, and where will it end? I understand that the pending bill involves appropriations of approximatley $3,500,000,000. Earlier in the year, the Congress passed the defense appropriation bill, which carried appropriations of $39,400,000,000. If the pending amendment is attached as a rider to the pending appropriation bil, should not the defense appropriation bill be recalled and should not the amendment be attached to that bill, as a rider? Or is the Congress to be in the ridiculous position—and in this instance in using the word "ridiculous," I quote a word the President used—of saying that no surrender plans shall be made by means of the use of any of the $3,500,000,000, but that it will be all right to make surrender plans by means of the use of some of the $39,400,000,000 already appropriated?

Mr. CASE of South Dakota. Mr. President, may I suggest that if the Senator from Oregon will examine the amendment, which today is available in printed form, he will find that it uses the words "in this or any other act." So the amendment would apply to the $39,400,000,000 appropriation bill, as well as to the pending supplemental appropriation bill.

Mr. NEUBERGER. Then, do I correctly understand that the amendment constitutes general legislation submitted to an appropriation bill?

Mr. CASE of South Dakota. I believe that is correct; and I believe that on yesterday, when it was first proposed, the Senator from Georgia served notice of his intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing the amendment to the bill.

Mr. NEUBERGER. In other words, the amendment constitutes general legislation offered to an appropriation bill. Is that correct?

Mr. CASE of South Dakota. I believe that on yesterday the amendment would have been subject to such a point of order on that ground because it was general in its application and not limited to this particular appropriation bill. But, in view of the notice in writing which was submitted on yesterday, I believe the amendment is not today subject to such a point of order even though it is general legislation.

Mr. NEUBERGER. In other words, it is now proposed that the Senate take two steps, both of which have been severely criticized here in recent years: First, attach general legislation, by means of an amendment, to an appropriation bill; second, consider a matter which on its face would seem of vital importance to the entire Free World, without having the matter even considered by the appropriate committee. Is that also correct?

Mr. CASE of South Dakota. The Senator from Oregon is entitled to his own opinion on those matters.

But I thought it should be pointed out—in view of the first point that the Senator from Oregon made—that the amendment will apply to other appropriations, as well as to the pending one.

Mr. NEUBERGER. Then I should like to ask just where the authority will begin and where it will end. I hope the Senator from Georgia [Mr. RUSSELL], the author of the amendment, will answer some of these questions.

Mr. President, what about an American commander in the field? Today, we have troops in Lebanon. Am I to understand that, if the pending amendment were enacted into law, if the commander of our troops in Lebanon—either the commander in the field or the commander in the distant Pentagon—made any preparation or plan for the ultimate contingency of surrender, none of the funds provided by these appropriation bills could be used to pay his salary?

Suppose an Arab horde, armed with atomic weapons provided by our Russian enemies, threatened to annihilate American forces in Lebanon. Under those circumstances, would our forces there be supposed to fight until the last man died—as Custer did at the Battle of the Little Big Horn—or else their salaries would be cut off? Are we, while sitting in the Senate Chamber—while we sit in an air-conditioned building, and while we are living in the lap of luxury—going to say that no American forces shall ever surrender, regardless of the terrible odds against them?

In the last few days, I have heard a number of times in the Senate the statement "the word 'surrender' is not in my vocabulary." Mr. President, it is very easy for those who sit in an air-conditioned chamber to make such a statement while in such comfortable circumstances, far from any fighting front. But at Corregidor, where Gen. Jonathan Wainwright and his troops were wracked by malaria, and where their supplies became exhausted, finally they had either to surrender or to die. In my opinion, General Wainwright and his troops at Corregidor will forever rank high with honor in the esteem of all the people of the United States. The American people have the highest regard for their outstanding valor and patriotism.

So where will this amendment begin, and where will it end? Under the provisions of the amendment, will it be wrong and illegal for a commander besieged in the way that General Wainwright and his troops were—suffering severely from fever, and without ammunition or food—to surrender; or must such a commander and his troops continue to fight until they die either from wounds, from disease, or from starvation?

It may be said that the amendment relates to the surrender of the United States, not to the surrender of an armed force in the field. That may be true. But there have been many times in history when the surrender of a battle force was indistinguishable from the surrender of the country which that force served and protected.

I have been a student of the life of Gen. Robert E. Lee. General Lee was one of the greatest men in the history of our Nation. He had nobility of character, grandeur of intellect, and military genius. But General Lee had to surrender at Appomattox. I believe I was perhaps one of the few Senators who, several years ago, read in full the remarkable paper on General Lee that was written by the Senator from Mississippi [Mr. STENNIS]. If I am not mistaken, the junior Senator from Virginia [Mr. ROBERTSON] read the paper into the CONGRESSIONAL RECORD. Is that correct?

Mr. ROBERTSON. Yes.

Mr. NEUBERGER. It was a brilliant paper, and included references to General Lee, who was a stalwart commander. But he was required to surrender, because of a grave lack of supplies and resources. When General Lee surrendered his battle force, the Confederate States themselves were then and there surrendered. Suppose the Confederate States had made a legislative provision similar to the pending amendment? Would that have meant that General Lee and his men would not have received their last pay checks or the land grants or whatever else they were entitled to receive? Would that have meant that certain Confederate legislators would have regarded themselves as braver than Gen. Robert E. Lee and his troops?

Does the amendment mean that every American soldier and every squad, platoon, company, battalion, regiment, and division in the American forces is to be told, "You are members of a kamikaze force, and you must fight until you die"?

I note that the Senator from South Dakota [Mr. CASE] shakes his head in disagreement. But I have cited instances in which the fate of a battle force was no different from the fate of the country that force represented in the field.

Mr. CASE of South Dakota. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Oregon yield to the Senator from South Dakota?

Mr. NEUBERGER. I yield.

Mr. CASE of South Dakota. I think the answer to the question the Senator from Oregon has raised is to be found in the language of the pending amendment itself. I believe the amendment is not subject to the interpretation the distinguished Senator from Oregon has suggested.

The amendment does not provide that no money shall be available for the pay of an officer who surrenders himself or his command.

The amendment is in two parts. The first part forbids the use of the funds appropriated by means of this appropriation bill or any other appropriation bill—regardless of whether the bill is passed today or whether it was passed earlier this year—for two purposes. The first purpose is set forth in the amendment, as follows:

> No part of the funds appropriated in this (or any other) act shall be used to pay (1) any person, firm, or corporation, or any combinations of persons, firms, or corporations, to conduct a study or to plan when and how or in what circumstances the Government of the United States should surrender this country and its people to any foreign power.

I assume that part of the amendment deals with persons outside the Military Establishment, persons who are not employees or officials of the Military Establishment.

The second part of the amendment reads as follows:

> (2) the salary or compensation of any employee or official of the Government of the United States who proposes or contracts or who has entered into contracts for the making of studies or plans for the surrender by the Government of the United States of this country and its people to any foreign power in any event or under any circumstances.

Thus, the amendment does not provide that such funds shall be denied to anyone who surrenders under any circumstances. The denial of such funds will be made in the case of "any employee or official of the Government of the United States who proposes or contracts or who has entered into contracts for the making of studies or plans for the surrender by the Government of the United States of this country and its people to any foreign power in any event or under any circumstances."

I do not believe that provision covers the action of a military commander in the field, unless the military commander were to leave the field and were to make,

or attempt to make, a contract with someone else, to have the latter make a study in regard to how the commander could surrender the Government of the United States and its people.

Mr. NEUBERGER. Let me read from a statement of mine which I intend to have printed in the RECORD:

This amendment is phrased in terms of national surrender. Everyone detests and abhors that very thought. It seems easy and attractive to vote against surrender, to put this refusal even to consider surrender into the law. Then we can go home and say that if any planner in our Government even considers such an abhorrent thing, we have cut off his salary. We have shown the Russians what we are made of.

But the law would still remain to be administered. Since the President, the distinguished minority leader, Mr. KNOWLAND, and others have fully assured us that a policy of possible surrender is not and will not be studied, what—if anything—is it supposed to mean? When the administrators and the planners and the budget officers come to examine this subsection of the Supplemental Appropriation Act of 1959, at what point are the planners supposed to put on the blinders? At what point is the General Accounting Office supposed to say, "your studies have crossed the line laid down in subsection blank, please return your salary"?

I want to digress at that point to say this to the Senator from South Dakota: There must have been a point on Corregidor where General Wainwright and his brave officers felt they could not hold out much longer. There must have been a point where they met, under a kerosene lamp, or under whatever was left of their Delco plant on Corregidor, to decide whether or not they should surrender, and, if they did, on what terms they should surrender.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. NEUBERGER. Yes.

Mr. CASE of South Dakota. Again, the wording of the amendment is the answer to that statement. The men on Corregidor never planned to surrender the Government or its people to a foreign power. Whatever they dealt with was their own particular situation. The wording of the amendment is to plan for the "surrender by the Government of the United States of this country and its people to any foreign power." No battle commander, nobody at Corregidor, nobody at Wake Island, nobody in a field position that I know of, ever planned or ever contemplated with anybody to surrender the Government of the United States and its people.

Mr. NEUBERGER. The point I am making is that the very question the Senator raises is the one I introduced earlier. At what point does the surrender of a battle force become indistinguishable from the surrender of the country? Suppose a fleet of ours off some coast surrendered. At what point would that be or not be the surrender of the Government of the United States? The defense of the Government of the United States rests in its fleets on the oceans, its armies in the field, and its air forces in the sky. Is the General Accounting Office going to have to examine all the potential battle situations? The actual point the Senator from South Dakota makes seems to me to sustain what I am trying to point out.

Another thing I want to add is, Is this not in a way an expression of a lack of confidence in the President of the United States, who is the Commander in Chief of our Armed Forces? Is it not an expression of a lack of confidence in Gen. Nathan F. Twining, who is Chairman of the Joint Chiefs of Staff, and who attended high school in my State, and who was a member of the Oregon National Guard in 1916 and 1917? I know him and his fine family. I have every faith that General Twining needs no legislative handcuffs to keep him from planning the surrender of our Government. He never would contemplate or plan such a shameful contingency.

I have been critical of President Eisenhower on many political questions, but that certainly does not lessen my respect for his patriotism or fidelity to his country.

I believe the very fact that we have raised this issue is, in and of itself, not an expression of good faith in our Government.

I certainly think, when we see how complex this question is—the Senator from South Dakota and I have not agreed on what the terms might be—it ought to go to committee and be studied, when we perhaps do not know the legal differences between a force in the field and the Government which the force is defending.

Certainly we all abhor the thought of surrender. Every single American who loves his country cannot possibly contemplate that we would ever surrender. I believe the President does not contemplate it, and I believe the overwhelming majority of Americans do not contemplate it. But we have had American forces in the field who have surrendered. Those men were of the bravest and, I dare say, they were equally as brave as anybody here. I would hate to see us establish the precedent of writing into law the fact that our military planners and the Commander in Chief of our Armed Forces cannot take into contemplation every possible contingency which might confront them in an all-out atomic war, even though our military leaders would not contemplate surrender.

Does the Senator from South Dakota agree with that statement?

Mr. CASE of South Dakota. I really regret that I got into the colloquy and into the position of answering the questions asked by the Senator from Oregon. I rose because I wanted to be recognized in my own right to make comments relative to the amendment—very briefly, I might say. I endeavored to answer a couple of direct questions, but I really do not care to get into a general debate with the Senator from Oregon on the subject. I would not in any way wish to interrupt the Senator, for whom I have great respect, in setting forth his views fully and in whatever manner he desires.

Mr. NEUBERGER. I shall conclude in a moment, and if the Senator from South Dakota wants the floor in his own right, that is quite acceptable to me.

In conclusion, I want to say I do not think this amendment is necessary. I certainly feel it is not an expression of confidence in our President and the leaders for our Armed Forces. I have confidence in those men as respects the military needs, strategy, and planning for the security of our country.

In my opinion, an amendment of this seemingly comprehensive, sweeping, and cosmic nature should go to the appropriate committee, which I believe would be the Appropriations Committee or Armed Services Committee. It is still my hope it will be sent to a committee which will thoroughly consider and study the question, and the reliability of the rumors on which it is based, and that the committee will probe and analyze the matter; and that the Senate will then receive a comprehensive report from the appropriate committee to guide the Senate in whatever action it may take.

Mr. President, I ask unanimous consent that a statement I have prepared be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR NEUBERGER

I intend to vote against this amendment.

Yesterday, we heard many brave speeches about how the United States will never surrender to the enemy. It is proposed that, to make sure of this, we amend an appropriation act to cut off all salaries or other funds from anyone who would even consider such a thing.

Of course, it has been made quite clear by President Eisenhower, by the distinguished minority leader, Mr. KNOWLAND, and others that no one is in fact being paid in or by our Government to prepare studies for the ultimate surrender of the United States. No one is, in fact, studying plans for any such hypothetical decision.

Thank heavens, no such decision need yet be considered—even theoretically—by the United States Government. But, Mr. President, if we should ever come to that terrible and tragic state, the decision will not be made by any rider to a supplemental appropriation bill in the United States Senate.

Mr. President, yesterday this amendment was discussed as though the Senate was called upon to decide, on this vote, whether anyone in the employ of the United States should ever study the possibility that the United States might have to surrender to an enemy. Surely, it seemed, everyone should be able to vote against surrender. But look at the dilemma which was uncovered by the able and cogent remarks of the always thoughtful Senator from Kentucky [Mr. COOPER]. As Senator COOPER, and those who followed him, pointed out, to vote for any amendment such as this certainly raises the implication that the Senate thought the amendment necessary—that except for our vigilance, persons and agencies in the employ of the United States would be engaged in the planning of future United States surrenders. And would the rejection of such an amendment imply, on the other hand, that the Senate had no objection to such expenditures?

Mr. President, this dilemma is the consequence of discussing the amendment in terms of whether or not it is a good idea to study surrender—rather than whether or not it is a good idea to legislate what shall and what shall not be studied and considered by the policy planners of our State and Defense Departments, under pain of having their salaries cut off.

I believe it is not a good idea to do this kind of thing by legislation. It seems to me to be bad in principle, to try to write into a supplemental appropriation bill any

kind of legal limitations around the vitally important policy planning functions upon which our national survival may depend in this nuclear age.

This amendment is phrased in terms of national surrender. Everyone detests and abhors that very thought. It seems easy and attractive to vote against surrender, to put this refusal even to consider surrender into the law. Then we can go home and say that if any planner in our Government even considers such an abhorrent thing, we have cut off his salary. We have shown the Russians what we are made of.

But the law would still remain to be administered. Since the President, the distinguished minority leader, Mr. KNOWLAND, and others have fully assured us that a policy of possible surrender is not and will not be studied, what—if anything—is it supposed to mean? When the administrators and the planners and the budget officers come to examine this subsection of the Supplemental Appropriation Act of 1959, at what point are the planners supposed to put on the blinders? At what point is the General Accounting Office supposed to say, "your studies have crossed the line laid down in subsection blank, please return your salary"?

It is not difficult to think of a number of situations in our recent history which would have raised this question, if Congress had previously engaged in such efforts to limit policy planning as the one now proposed. I do not believe that it is any public service, or particularly complimentary to the American people, for the Senate to close its eyes to some of the harsh realities of modern warfare.

These are some of the hypothetical questions that occur to me:

Under the theory of this amendment, should the armed services abandon their preparation of young Americans to withstand Communist brainwashing, if they should possibly become prisoners? I recall that, when such training was first announced after the disclosure of the experiences of GI's released from North Korean Communist captivity, some people criticized it as implying the possibility of surrender, and weakening the will to resist. Since we all abhor surrender, should we not make sure that we cut off appropriations for any plans, studies and training that contemplates such a possibility?

When Gen. Jonathan Wainwright and his handful of heroic survivors were living through the days and nights of the siege of Corregidor, do we suppose that his staff was studying and considering plans for every eventuality and possibility except the one of surrender, because that word is not in the American vocabulary? And if they did consider it, should we not perhaps vote to withhold the pay of such staff officers in the future?

And, Mr. President, under the theory of this amendment, if anyone today is considering and planning for what alternative decisions might have to be made, under all possible and conceivable eventualities, with respect to our Marines and Army men in Lebanon—at what point shall the budget officers step in and tell the Joint Chiefs of Staff that they had better revise or edit their documents, because they were getting too close to some line of speculation forbidden by the Supplemental Appropriation Act of 1959?

Mr. President, I have said enough to explain why I shall vote against the amendment. Planning will be carried on by the Joint Chiefs, by the State and Defense Departments, by the President and the National Security Council, in whatever form and on whatever premises are required in contemplating the needs of our national security. Those grim and vital needs will determine the scope of their planning, and not some question of a limitation on appropriated funds. If we want to do something through the appropriation process, let us be sure that we vote adequate funds for our national security, and not to put artificial blinders on our military and strategic planners. That is a principle which I consider both wrong and unworkable, and that is why I shall vote against the amendment.

Mr. CASE of South Dakota. I appreciate that measures of great importance should be referred to committees, but here is an issue which is before the Senate. The amendment is at the desk. To defer action on it would only result in greater misinterpretation than any possible interpretation which could be placed on the amendment if it were acted on now. Therefore, I hope it will go to a vote.

Mr. President, I sit as a member of the Committee on Armed Services, who has heard many briefings and has participated in some decisions bearing upon the military posture of the United States.

My own deep conviction is that, on balance, this country will take care of itself if it becomes involved in a conflict today or in the near future. I am not worried about any need for surrender at this time or any time in the near future.

We may at a given moment be behind on one weapon or in one category but, on balance, our overall position is strong. We are not considering any plan for surrender to anybody at any time.

With respect to this amendment, however, since questions have been raised with respect to its interpretation, I want for emphasis to say—

First, that the amendment on its face applies not merely to this appropriation bill, but to any other act. So it is comprehensive, and does not apply merely to this bill, but to any appropriation bill passed this year or any other year as to which the conditions might be applicable. It is general legislation.

Also, it does not go to the act of the surrender of a single commander in the field. It relates only to a contract for a study or plan for the surrender of the Government or the people of the United States, which is a complete surrender of the country and its people.

Certainly there ought not to be any hesitancy on the part of anyone in saying, "We shall not appropriate any money for the surrender of the United States as a whole or of its people." This does not relate to the necessities which might arise with respect to an individual commander on a battlefield.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from New Hampshire.

Mr. BRIDGES. I concur with what the Senator from South Dakota has said. I think the Senator has made a clear-cut statement which goes to the heart of the issue, and I commend him for it.

Mr. CASE of South Dakota. I appreciate the comment of the Senator from New Hampshire.

Mr. President, another point which was raised has been with respect to the possible misinterpretation of an affirmative vote on the amendment. I think the President of the United States was entitled to make his statement. I think the Senate of the United States is entitled to make its statement as well.

It is true that the President concluded by saying that the situation was ridiculous. The President meant that he has said what he wanted to say and he thought any further comment by him would be unnecessary. But if the President thought he should make a statement because of the way in which the matter has come up, why should not the Senate of the United States, for its part, if it desires to make such a statement, also do so? If we want to say "those are our sentiments, too"—why not do so? If we want to subscribe to them in our way of speaking, why not do so?

I served for a number of years in the House of Representatives. When we as Members of the House of Representatives were to be sworn in we stood in a body and were sworn in en bloc. That constituted the affirmation of our loyalty and was our oath to support the Constitution of the United States.

We do it differently in this body. When a Member comes into the Senate of the United States he is not sworn in en bloc in a large group. A group of three or four, or an individual by himself, will approach the Presiding Officer and the oath will be administered to the group of three or four, or perhaps will be administered individually. Then what happens? Then the Member signs the oath in the book. He actually signs an oath, which is an affirmation of his oath of office to support the Constitution of the United States.

So far as I am concerned, both oaths are binding. But did I feel any less responsibility to support the Constitution of the United States as a Member of the House of Representatives, because I only held up my hand and made an oral affirmation of my intention to support the Constitution? Did I feel any greater obligation when I signed the book? I say that under either circumstance I felt I was bound by my oath to support the Constitution of the United States and the laws of the United States, and to support the United States against its enemies, foreign and domestic, with equal obligation.

And I would not deny to either body its own manner of subscribing loyalty to the Constitution—and here, just as I think the President's statement should not be misinterpreted and his right to make it be respected, so should our method of speaking and our right to speak be recognized without misinterpretation.

The absence of legislation in the past has not given anybody the right to think we favored the expenditure of money, or that anybody had license to spend money, to study how we might surrender the Government as a whole. But the absence of such legislation in the past does not mean we cannot affirm our position now when the question, frivolously or otherwise, has arisen. Indeed, since it has arisen, this is the time when we can speak in unmistakable terms. Were we to face this situation and back away from it, that indeed might be misconstrued.

So, Mr. President, I hope the Senate, since the issue is before it, will vote for the amendment. I think the chance of a misconstruction or misinterpretation would be far greater if it were rejected.

Mr. ALLOTT, Mr. CAPEHART, Mr. CLARK, and Mr. LAUSCHE addressed the Chair.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senator from Colorado is recognized.

Mr. CAPEHART. Mr. President, will the Senator yield to me?

Mr. ALLOTT. I yield to the Senator from Indiana.

Mr. CAPEHART. I congratulate the able Senator from South Dakota on his statement. It was excellent, as his remarks usually are. I assure the Senator that I appreciate very much his singling me out among the many others for compliment.

Mr. ALLOTT. Mr. President, I shall support and vote for the amendment. I wish to make a few remarks. I am sorry the Senator from Georgia (Mr. RUSSELL) has left the floor. I wish he were on the floor, because I should like to have him hear what I am about to say.

I think it is very unfortunate that, in the consideration of these matters, we have reached the point at which we seem to have arrived. Several of us, including the junior Senator from Oregon, have talked at length from time to time about material being printed in the CONGRESSIONAL RECORD. I assume that the article or editorials printed in the RECORD on request of Members of the Senate either carry with them an implied endorsement of brilliancy or soundness, or else contain such meritorious value in other ways that attention is called to them.

So it is with the article from the Post Dispatch. The Senator from Missouri had a perfect right to have it printed in the RECORD, but when he did so without reservations, in fact he in a pointed manner endorsed the article and the features included in it.

With respect to the application of that thought to the Kennedy speech, I think perhaps we were amiss last night. It is true that the Kennedy speech does not contain anything which in itself is a secret and because of which the Senate should close its doors. Instead, the Kennedy speech contains matters which, if uncontroverted, constitute a flat assertion that this country is in danger.

The Senator from Massachusetts said on the floor last night, subsequent to his speech—and I shall paraphase his remarks—that he was not a member of the Committee on Armed Services or a member of the Committee on Appropriations, and that he had no information which was not available to anyone else. However, the speech contains information which certainly cannot be obtained from ordinary sources. At least such information cannot be obtained from reliable newspaper and magazine sources.

Therefore, if we are going into the matter, it seems to me the proper and most expedient approach would be to invoke rule XXXV and take the Senate into executive session. In fact, I do not see how the chairman of the Armed Services Committee can fail, at some time before we adjourn, to take the Senate into executive session under rule XXXV to answer some of the allegations which have been made in the speech.

There is one other point I wish to make in conclusion. I think the amendment is superfluous.

I have been a Member of the Senate only 4 short years. I came to the Senate entertaining great respect for the Senator from Georgia, which I had acquired partly because of the high esteem in which my then colleague, the late Senator Millikin, had for the Senator from Georgia. I still have that respect.

I find it impossible to believe that it is necessary to consider such an amendment as is before the Senate. I find it impossible to believe in my heart that it is necessary. I find it simply impossible to believe the chairman of the Committee on Armed Services and the senior Senator from Arizona, who is the head of the Appropriations Committee, and the subcommittees of the Appropriations Committee, would permit such a thing as this amendment proposes to prevent to go on without taking appropriate action.

In a way, I think the amendment is in derogation, if I may say so, of the Senator from Georgia. The amendment is in derogation of the Senator's great principles and his great position, and the respect in which we all hold him.

There is no reason why any Senator should not vote for the amendment, and the sooner we vote on it and dispose of it the better off we will be.

If we are to consider the questions which were raised last night by the Senator from Missouri and the Senator from Massachusetts, the Senate should go into executive session so that we may be told by the members of the Committee on Armed Services the facts about the situation in the United States, so that we, as Senators, can go home to tell our constituents about the true condition of the country, without having them in hysteria from reading such allegations as are contained in the speech, and as have been made on this floor.

Mr. CLARK. Mr. President, I wish this amendment had not been offered, but I agree that to withdraw it now would do more harm than good.

Last year we debated for 2 months the Eisenhower doctrine, and with deep reluctance, at the end, I voted for it because I thought that to vote the other way would do more harm than good. For the same reason I shall support this amendment.

Ordinarily I am not rated as a great admirer of Presidential Press Secretary James Hagerty, but I must say that the last sentence of his statement today, in my judgment, laid it on the line:

> The whole matter is too ridiculous for any further comment.

I hope the Senate will soon vote.

Mr. LAUSCHE. Mr. President, at the very beginning I wish to state that I have no belief in the statement which was published with respect to a study being made by the Department of Defense in contemplation of surrender. I believe that the statement reported in the newspapers was false. I believe that it was the most vicious libel ever uttered to the people of the United States.

I begin to wonder whether we are directing our attention to the substance of the problem which confronts us. I think it has been demonstrated that we must pay a price for the right of free speech. We enjoy the right of free speech and a free press; but we must pay a price for such enjoyment. We are today paying that price.

Every loyal American ought always to remember that the enjoyment of the right of free speech requires the imposition of self-restraint. One should not speak unless he knows the truth. One should not label his country as contemplating surrender to communism unless the words which he utters can definitely be proved.

In my judgment, if such a statement was ever made by anyone connected with our Government, he was not an American. He was not a believer in those things represented by the flag which flies over the Capitol of the United States. He was a believer in communism.

How could one do greater damage to his country than to circulate throughout the world the statement that we are contemplating surrender? I will vote for the amendment offered by the Senator from Georgia, but I recognize the danger which is implicit in it. Senators who vote for it will declare that, in their judgment, no money should be used to study a purpose of surrendering the Government of the United States to an enemy.

The next query is, What do Senators who will vote against the amendment subscribe to? Especially, what will be the interpretation made by our enemies of that vote? The interpretation might well be that they want money expended to make a study about how and when we shall surrender. That is why I think it would be better if the amendment were not before us. But since it is here, I believe that we ought to be unanimous in supporting it.

We have already spent probably 10 hours on this subject.

I should like to say that the statement is ridiculous. It is ridiculous when we contemplate it from the standpoint of the absolute improbability of what has been declared to be a fact. But in the face of its being labeled as ridiculous and laughable, let us remember that the impact upon the world is not a laughable thing.

What will be said by people who have been wavering as to whether they should attach themselves to the Soviet orbit or to the United States? May they not well say, "In the United States they are talking surrender. Why should I affiliate myself with them? I will go with the victor." How wonderful it would be if we could glibly pass by the statement which has been made. It would have been better if it had never been made. I wonder if the man who wrote the piece in solitude, pondering the significance of what he did, suffers some remorse.

If there is any question whether or not this statement is true, the best thing the Senate could do would be to conduct an investigation and ascertain the truth.

I have nothing more to say on this subject. I will vote for the amendment. It is my sincere belief—subscribing substantially to what the Senator from Oregon and the Senator from Kentucky have said—that the issue is now in a state requiring that we be unanimous on the subject.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR] and the Senator from Florida [Mr. HOLLAND] are absent on official business.

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR] and the Senator from Florida [Mr. HOLLAND] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from New Eork [Mr. JAVITS] is absent by leave of the Senate to attend the NATO Parliamentary Conference in London as chairman of the Economic Section of the General Affairs Committee.

The Senator from Indiana [Mr. JENNER] and the Senator from Maine [Mr. PAYNE] are necessarily absent.

If present and voting, the Senator from Indiana [Mr. JENNER] and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 88, nays 2, as follows:

YEAS—88

Aiken	Gore	Morse
Allott	Green	Morton
Anderson	Hayden	Mundt
Barrett	Hennings	Murray
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Hobiltzell	Potter
Bricker	Hruska	Proxmire
Bridges	Humphrey	Purtell
Bush	Ives	Revercomb
Butler	Jackson	Robertson
Byrd	Johnson, Tex.	Russell
Capehart	Johnston, S. C.	Saltonstall
Carlson	Jordan	Schoeppel
Carroll	Kefauver	Smathers
Case, N. J.	Kennedy	Smith, Maine
Case, S. Dak.	Kerr	Smith, N. J.
Chavez	Knowland	Sparkman
Church	Kuchel	Stennis
Clark	Langer	Symington
Cotton	Lausche	Talmadge
Curtis	Long	Thurmond
Dirksen	Magnuson	Thye
Douglas	Malone	Watkins
Dworshak	Mansfield	Wiley
Eastland	Martin, Iowa	Williams
Ellender	Martin, Pa.	Yarborough
Ervin	McClellan	Young
Fulbright	McNamara	
Goldwater	Monroney	

NAYS—2

Cooper Neuberger

NOT VOTING—6

Flanders	Holland	Jenner
Frear	Javits	Payne

So Mr. RUSSELL's amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXCISE TAX TECHNICAL CHANGES ACT OF 1958—CONFERENCE REPORT

Mr. BYRD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 14, 1958, pp. 17635–17637, CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD. Mr. President, as is the case with all conference reports, the Senate conferees had to yield on some amendments in order to reach an agreement.

There were altogether 153 amendments. However, most of these were technical, clerical, or conforming changes.

In the case of amendments Nos. 2, 16, 35, and 53, which deal with the exemption for nonprofit private schools from various excise taxes, the Senate conferees receded.

Amendment 32a, proposed by Senator SMATHERS, would have moved back to June 1, 1958, the effective date of the provisions eliminating the club dues tax on assessments for construction of club facilities. The House conferees were not willing to accept this amendment, and the Senate conferees were forced to recede.

The House conferees were not willing to accept amendments Nos. 83a, 83b, and 88b, which dealt with Senator DOUGLAS' proposal to permit beer to be produced in the home, without payment of tax, and the Senate conferees were forced to recede.

In the case of Senate amendment No. 39, which would have removed the House ceiling of 6 cents a share on the stamp tax on the transfer of stock, the House receded with an amendment which would place an 8 cents a share limit on the tax. The Senate conferees agreed to the amendment.

The House conferees receded on the following major Senate amendments:

Amendment No. 3, dealing with farm machinery parts.

Amendments Nos. 7 and 8, which removed from the House bill the tax on tape and wire recorders and players.

Amendment No. 9, Senator DIRKSEN's amendment, which would exempt certain stencil-cutting machines from tax.

Amendment No. 11, which would extend the constructive sales price provisions to sales to certain special dealers in home appliances where such special dealers have no sales force of their own.

Amendment No. 25, which provides a $1 exemption to general admissions charges other than in the case of cabarets, racetracks, box seats, and so forth.

Amendment No. 28, which exempted from the admissions tax amounts which go to the benefit of a scholarship fund.

Amendment No. 32, which extended the nonprofit swimming pool exemption from the club dues tax to nonprofit skating clubs.

Senator BEALL's amendment No. 32 (b), which made January 1, 1958, the effective date of the swimming club exemption from the club dues tax, was agreed to by the House conferees with an amendment providing that no interest would be permitted on the refunds.

Senator JENNER's amendment No. 39a, which would permit transfer agents to rely on the transferor's certificate of actual value, was agreed to by the House conferees.

The House conferees accepted amendment No. 42 which exempted from the stamp taxes certain reorganizations involving mere change of form.

Senator HUMPHREY's amendment No. 62, which would retain the present law requiring notice of export in the case of refrigerators, phonograph and TV sets, and electric, oil and gas appliances, was accepted by the House conferees. This amendment is similar to committee action in the case of automobiles, and, to a certain extent, similar to the action taken in the case of mechanical pens and pencils.

Senator SALTONSTALL's amendment No. 80a, dealing with the blending of rum and the use of caramel in rum, was accepted by the House conferees.

The committee amendments, dealing with the application of the industrial alcohol laws to Puerto Rico and the Virgin Islands, and dealing with losses of Puerto Rico products in major disasters in the United States, were accepted by the House conferees, along with other amendments dealing with distilled spirits, wines, and beer, including provisions extending the effective date of these provisions.

The Senate committee amendment removing the requirement that the Secretary institute a 7-day return system for tobacco products was accepted by the House conferees. This provision for a 7-day return period would, in reality, have been of very little benefit to the tobacco industry. It is my hope that the Treasury Department will institute, under its discretionary power, a 30-day return system for tobacco products to equalize the tobacco industry with other industries on a return system.

Mr. President, I recommend that the Senate accept the conference report on H. R. 7125.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

TECHNICAL AMENDMENTS ACT OF 1958—CONFERENCE REPORT

Mr. BYRD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendmends, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 15, 1958, pp. 17807–17819, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD. Mr. President, there were 229 amendments to this bill. Many of the amendments were clerical or conforming. There were 56 substantive amendments. Of these, the House agreed to 37, compromising on 1, and the Senate receded on the 18 remaining. The bill, as agreed to in conference, amounts to a loss in revenue of $260 million, which is due to the small-business relief provisions. The remaining part of the bill on balance probably does not result in any loss in revenue. I will discuss only the Senate amendments which were rejected by the House conferees and as to which we were forced to recede in order to reach an agreement.

Amendment No. 6, which related to the retirement income credit, as applied to husbands and wives living in community and noncommunity property States, was eliminated by the conferees, as well as the provisions of the House bill, which the Senate believed discriminated against spouses living in community property States. The result of the conference action is to return to the existing law with the understanding that this matter will be further considered in the next Congress.

Amendment No. 11, offered by Senator TALMADGE, was to retain the police subsistence exemption granted under the Internal Revenue Code of 1954. Both the House provision and the Senate Finance Committee bill provided for the repeal of the provision in existing law authorizing the subsistence allowance, but the Senate Finance Committee amendment made the repeal effective only with respect to amounts received in a statutory subsistence allowance for any day after September 30, 1958, and then only with respect to taxable years ending after September 30, 1958. The House conferees insisted on repeal of the 1954 code provision, but agreed to make the repeal effective as provided in the Senate Finance Committee amendment.

Amendment No. 19 is concerned with the unlimited deduction for charitable contributions by individuals where in 8 out of the last 10 years an individual's charitable contributions, plus income taxes, exceed 90 percent of his taxable income. The Senate amendment consisted of two parts. One, added by the Senate Finance Committee, provided that instead of taking into account the amount of income-tax paid during any year in determining whether for that year his charitable contributions, plus income tax, exceed 90 percent, the individual could take into account the amount of income-tax paid "in respect of" such year, so long as this amount was not included in any other year. This part of amendment No. 19 the House accepted. However, the amendment offered by Senator CLARK was not agreed to by the House conferees. The amendment by Senator CLARK would have permitted the taxpayer to combine any 2 years in the 10 years preceding the taxable year in determining whether the sum of the contributions and income taxes for such 2 years exceed 90 percent.

Amendment No. 32. The Senate conferees were forced to recede on this amendment, which related to assessments levied by the water and soil conservation districts. The House conferees were in full approval with the objective of the amendment, but because of the complications in the amendment were of the opinion that the whole matter should be deferred for further study. The Senate conferees agreed to recede on this amendment with the understanding that the whole matter would be given further study and presented for future legislation.

Amendment No. 61. This amendment related to prepaid income from newspaper and periodical subscriptions and also contained a provision with respect to prepaid dues and fees received by nonprofit organizations, such as automobile clubs and so forth. The House conferees accepted that part of the amendment related to prepaid income from newspaper and periodical subscriptions but refused to accept that part of the amendment related to prepaid dues and fees received by nonprofit service organizations. It was the position of the House conferees that this matter of prepaid dues and fees received by nonprofit service organizations was a part of the entire subject dealing with the treatment of prepaid income and that such subject should be left for study of this entire problem. The Senate conferees were forced to recede on this point.

In amendment No. 48 the Senate had deleted a House provision amending section 358 of the 1954 code, relating to tax-free exchanges, to specifically provide for a downward adjustment of the basis of property received in an exchange where a loss was also recognized to the taxpayer in the exchange. The Senate had deleted this provision on the grounds that it was not necessary to achieve the intended result but the House Conferees believed that this should be provided for specifically in the tax laws. For that reason, the provision has been restored and your conferees agreed to the House provision.

Amendment No. 70 was offered by Senator BRICKER. Present law provides an exemption from income tax for nonprofit corporations organized before September 1, 1951, which are operated to provide reserve funds and insurance for domestic building and loan associations, mutual savings banks, and other similar organizations. Senator BRICKER'S amendment would have extended the exemption to corporations providing reserve funds, and insurance for these mutual organizations if they were organized before September 1, 1957. However, the House Conferees were opposed to extending this exemption and so the Senate Conferees reluctantly accepted the House position.

Amendment No. 80. This amendment related to leases entered into by certain medical research organizations. The problem involved was whether a lease to a medical clinic by a scientific organization engaged in medical research of premises adjoining those occupied by such scientific organizations meets the related activity test of the exempt corporation provision. The House conferees objected to including such a provision in the bill on the theory that the question involved was one of fact and should be established by the actual facts involved rather than through a statutory rule. The Senate conferees were forced to recede on this amendment.

Amendment No. 82. The Senate conferees were unable to reach an agreement with the House conferees on this amendment, which related to licensed personal finance companies and lending companies.

Amendment No. 90. This amendment was added by the Finance Committee but was modified by a floor amendment. The amendment as modified provided for a 23 percent depletion allowance in the case of gold mined in the United States where it was the principal mineral product of the taxpayer. The House conferees refused to agree to this amendment and the Senate conferees were forced to recede.

Amendment No. 96. This amendment related to regulated investment companies whose assets consisted mainly of State and local obligations. Under the amendment the exemption from the interest on such State and local obligations was passed through to the shareholders by exempting the dividends received by them. The House conferees did not believe that the exemption to the corporation should be continued in the hands of the shareholders and the Senate conferees were forced to recede.

Amendment No. 103. This amendment provided a special method for the taxation of real-estate investment trusts similar to that now applied in the case of regulated investment companies dealing in stocks and securities. This amendment was opposed by the Treasury and the House conferees were unwilling to accept it. The Senate conferees were, therefore, forced to recede.

Amendment No. 109. This amendment struck out the provisions of the House bill providing for a carryback and carryover of the unused foreign tax credit. The House conferees insisted on the provisions of the House bill granting such carryback and carryover and the Senate conferees were forced to recede.

Amendment No. 130. This amendment related to the sale or exchange of patents to a controlled corporation. Under the House bill the inventor was required to report the proceeds which he received from the sale of the patent to the corporation as ordinary income if he owned 25 percent or more of the stock of the corporation to which the patent was transferred. The Senate Finance Committee amendment returned to the existing law where capital gain treatment was allowed unless more than 50 percent of the stock was owned by the grantor. The House conferees insisted on their amendment and the Senate conferees were forced to recede.

Amendment No. 135. This amendment was offered by Senator LONG. It provided that where a taxpayer received treble damages as awards or settlements in antitrust actions under the Clayton Act these amounts would be taxable as though they had been received over the period from the time the injury was first sustained up to the time of the award or settlement. The House conferees limited the period over which the income could be spread for tax purposes to that in which such injuries were sustained by the taxpayer and the Senate conferees were forced to agree.

Amendment No. 211. This amendment related to the computation of equity invested capital in certain cases of railroad corporations under the World War II excess profits tax. The House conferees objected to opening up the excess profits tax provisions of World War II in this bill and the Senate conferees were forced to recede.

Amendment No. 221. This amendment related to reimbursement for moving expenses of employees of certain corporations organized to operate laboratories for the Atomic Energy Commission. This amendment was opposed by the Treasury and the House conferees were unwilling to accept it. The Senate conferees were, therefore, obliged to recede.

Amendment No. 225. This amendment was offered by Senator BUSH and provided for floor stock refunds of taxes paid on electric light bulbs by importers. Because of the reduction of the tax on electric lightbulbs in 1954, the House conferees refused to accept this amendment and the Senate conferees were forced to recede.

Amendment No. 226. This amendment, which was offered by Senator WILLIAMS, was intended to close a loophole by preventing a regulated investment company from setting up tax-free dividends to its shareholders by the reduction of its earnings and profits account through capital losses. The House conferees agreed to the amendment with an amendment, making it apply to taxable years of regulated investment companies beginning after March 1, 1958.

Amendment No. 227. This amendment was offered by Senator WILLIAMS to prevent a United States citizen from avoiding the Federal estate and gift taxes by becoming a resident in a possession of the United States. It was agreed to by the House conferees, except it was not to apply to a resident of a possession of the United States who was not otherwise a citizen of the United States. The conferees in adopting this modification of the Senate amendment desired to give the matter of the taxation of residents of a possession who were not otherwise citizens of the United States further study.

Amendment No. 229. This amendment relates to the provisions of the bill dealing with small business. The House accepted all but two features of this amendment. One feature not accepted related to that part of the amendment extending the present accelerated methods of computing depreciation to used property with a $50,000 limit. The House conferees did not go along with this amendment because of the complications involved and the fact that the recapture clause might result in undue hardship to many small businesses when the property was sold. The second modification relates to the 3-year net operating loss provided by this amendment. Under the Senate amendment the carryback of net operating losses to the third prior year was to be available only to the extent of a $50,000 loss ($100,000 in the case of a joint return). The House conferees, however, believed that this carryback should not be limited and, therefore, the Senate conferees were forced to agree to a net operating loss to the third prior year without any limitation.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BYRD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which clarifies certain language in the report of the Committee on Finance relating to collapsible corporations.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

H. R. 8381—COLLAPSIBLE CORPORATIONS

There appeared to be some misunderstanding of the language in the report of the Finance Committee relating to the amendment added by your committee dealing with collapsible corporations. This language concerned dealers in securities. Where a dealer holds stock in his investment account, the amendment added by your committee and accepted by the House treats such person, in determining whether the sale by him of such stock comes within the collapsible corporation provisions, in exactly the same manner as if he were not a dealer in stock or securities at all. Accordingly, it was considered desirable to clarify this matter in the statement of the managers on the part of the House by the following paragraph:

"It is the understanding of the conferees that, in applying the definition of subsection (e) assets, stock or securities held by a corporation (hereinafter referred to as 'Corporation A') shall not be considered subsection (e) assets merely because a more than 20 percent shareholder is a dealer in stock or securities, if such shareholder holds his Corporation A stock in his investment account (pursuant to section 1236 (a)). Therefore, the stock or securities held by Corporation A shall not be subsection (e) assets by reason of the more than 20 percent shareholder test unless, in the hands of such shareholder, the stock or securities held by Corporation A would, if held by such shareholder, constitute property gain from the sale of which would be considered ordinary income solely by reason of the application of section 341 as modified by this amendment."

STATUS OF BILLS BEFORE COMMITTEE ON FINANCE

Mr. JOHNSON of Texas. Mr. President, I should like to ask the distinguished Senator from Virginia about proposed legislation which is pending before his committee. Has the Committee on Finance concluded hearings on the debt limit bill?

Mr. BYRD. That bill was reported this afternoon.

Mr. JOHNSON of Texas. The Senator's committee has reported the debt limit bill?

Mr. BYRD. Yes.

Mr. JOHNSON of Texas. When will the Senator be ready to have that bill taken up?

Mr. BYRD. Whenever it suits the majority leader.

Mr. JOHNSON of Texas. What about the bill to extend the application of the Renegotiation Act?

Mr. BYRD. It will be acted on on Monday.

Mr. JOHNSON of Texas. The Finance Committee will act, on Monday, on the measure for extension of the Renegotiation Act; is that correct?

Mr. BYRD. Yes.

Mr. JOHNSON of Texas. I understand that the Finance Committee already has reported the bill dealing with the Social Security Act, and that the bill is on the calendar, and that copies of the bill and the report are available.

Mr. BYRD. Yes. The bill was reported by the Senator from Oklahoma [Mr. KERR].

Mr. JOHNSON of Texas. In short, the committee has reported the bill, and copies of the bill are available; is that correct?

Mr. BYRD. Yes.

Let me ask when it is desired to have the Senate take up the measure raising the debt limit?

Mr. JOHNSON of Texas. The Policy Committee has not yet discussed that matter. I wish to take it up with the Policy Committee, which will pass on it later.

Mr. President, I wish to congratulate the Senator from Virginia [Mr. BYRD] and his committee for what they have done. I have never known a committee to handle a greater volume of work with greater efficiency. So I certainly congratulate the chairman of the committee and the other members of the committee, and I appreciate very much, indeed, the excellent work they have done.

Mr. BYRD. I thank the Senator from Texas.

Mr. SPARKMAN. Mr. President, I was unable to obtain a copy of the conference report which was acted on by the Senate; I was told that the document room no longer had any copies of it. I did not hear all the distinguished Senator from Virginia said. I believe he said that the bill the committee had agreed upon—I refer to the bill relating to tax relief for small business—was added as an amendment. I understand

that amendment was included in conference, and that the language of the amendment is substantially the language of the bill which was passed by the Senate.

Mr. BYRD. Only one change was made.

Mr. SPARKMAN. Yes; I said "substantially."

Mr. President, I wish to say to the Senator from Virginia that I am very grateful to him and to his committee for the fine work they have done in regard to tax relief for small business. Even though all the recommendations of the Select Committee on Small Business were not included, I believe that a substantial part of them were; and I am very glad that the Senate Finance Committee made those additions to the bill.

Mr. BYRD. I may say that the Finance Committee followed very closely the recommendations of the Senator from Alabama [Mr. SPARKMAN]; we adopted all the recommendations we could of those made by his committee.

Mr. SPARKMAN. I appreciate that very much. I hope the others will be included next year. One of them has to do with used equipment. That provision is important, because many small-business men cannot afford to buy new equipment. The other provision has to do with plowing back into inventory. I realize that there is another version of the latter provision, but I believe that the one the committee approved is the better of the two.

I certainly hope both of those provisions will be included by the Finance Committee next year.

Mr. MORSE. Mr. President, at this time I should like to state that, for some years, the Senate has been served in an exceedingly effective fashion by Mr. Colin F. Stam, the chief of staff of the Joint Committee on Internal Revenue Taxation. His services are typical of those of so many of the Senate staff members. Sometimes I think that, in our busy lives, we quite forget the ones who make it possible for Senators to do good jobs—if they do. Certainly, our effectiveness now and then is due to the fact that in our committees and in our offices we have a dedicated group of public servants who work behind the scenes, but who really are the ones who make the Senate function.

I wish to cite Mr. Colin Stam as an example of that kind of public servant.

I have taken to him a great many problems in regard to fiscal matters; but over the years I have not seen the slightest evidence on his part of any partisanship. I have not always agreed with his interpretations and judgments; but they have been honest ones, and that is all I ever ask of any public servant.

On July 29, 1958, I wrote to Mr. Stam, in behalf of a proposed amendment to House bill 1725, which would revise the Federal log-truck tax—a matter of vital concern to the log-truck operators in Oregon. In the letter, I presented a series of technical questions which called for considerable information. I wished him to supply it to me at a very early date—particularly the information in regard to the effects of the proposed amendment.

On August 8, 1958, I received a reply from Mr. Stam. The reply is characteristic of his thoroughness.

I ask unanimous consent that my letter and Mr. Stam's reply be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 29, 1958.

Mr. COLIN F. STAM,
Chief of Staff, Joint Committee on Internal Revenue Taxation, House Office Building, Washington, D. C.

DEAR MR. STAM: With regard to a proposed amendment to H. R. 1725 which would revise the Federal log-truck tax, I desire the following information:

1. How many taxed log trucks are taxed under existing Federal law in Oregon?

2. What is the tax revenue derived from them?

3. What percentage of Oregon's log trucks would be affected by the adoption of the proposed amendment?

4. What would the estimated savings to the individual taxpayer and the total effect on Federal revenue be if the amendment should be adopted?

5. Do you consider the administrative difficulties alluded to by the Treasury Department serious enough to give cause for concern?

I would appreciate an early reply so that I may have a reasonable opportunity to study this matter.

For your information the amendment I refer to is in the RECORD of July 22, 1958, at pages 14628–14630.

Sincerely yours,

WAYNE MORSE.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON INTERNAL REVENUE TAXATION,
Washington, August 8, 1958.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: This is in reply to your letter of July 29, 1958, requesting information concerning the truck use tax.

The Internal Revenue Service does not have the data you desire concerning the number of log trucks taxed and the revenue derived from such trucks. The return form which is filed for the truck use tax (Form 2290) does not provide any information as to the use of the trucks, hence the Service cannot segregate returns covering log trucks.

We have learned the Oregon Public Utilities Commission collected some data on logging trucks, and, according to those tabulations, there were 3,100 logging trucks. This number does not include the general service and lumber trucks of the logging companies; the 3,100 trucks referred to are heavy trucks of the type used for logs.

We understand that these trucks would be subject to a truck use tax of $90 per truck, so the total revenue would amount to $279,000.

You asked what percentage of the log trucks would be affected by a proposed amendment to allow taxpayers to select the month in which the tax year for the truck use tax would begin, and you also asked about the effect of such amendment on individual taxpayers and the total effect on Federal revenues. We have been told that the Oregon log trucks generally operate for 8 or 9 months of any year. If this is true of all log trucks, then all would be affected by the amendment. If a certain truck is used only during the months of April through December, then under the proposal the taxpayer could select the calendar year as the tax year, and since the vehicle would not be put in use until April, the tax for the calendar year would be only $67.50 instead of $90. Thus, the tax saving for the truck owner is $22.50.

We do not have comprehensive data on this utilization of the various types of trucks subject to the truck use tax, and, consequently, we cannot estimate the revenue effect of the proposed amendment. We believe that the administrative problems would be serious.

Under the Federal-Aid Highway Act of 1956, the Secretary of Commerce is required to report to the Congress not later than March 1, 1959, the results of a study and investigation of—

(1) the effects on design, construction, and maintenance of Federal-aid highways of (A) the use of vehicles of different dimensions, weights, and other specifications, and (B) the frequency of occurrences of such vehicles in the traffic stream,

(2) the proportionate share of the design, construction, and maintenance costs of the Federal-aid highways attributable to each class of persons using such highways, such proportionate share to be based on the effects referred to in paragraph (1) and the benefits derived from the use of such highways, and

(3) any direct and indirect benefits accruing to any class which derives benefits from Federal-aid highways, in addition to benefits from actual use of such highways, which are attributable to public expenditures for such highways.

It would seem advisable to delay action on any amendments to the truck use tax until the results of this study are available.

Sincerely yours,

COLIN F. STAM,
Chief of Staff.

Mr. MORSE. In his letter, Mr. Stam pointed out that, under the Federal Aid Highway Act of 1956, the Secretary of Commerce is required to report to the Congress not later than March 1, 1959, the results of a study and investigation of this whole problem.

Mr. Stam concluded his letter by saying:

It would seem advisable to delay action on any amendments to the truck use tax until the results of this study are available.

Mr. President, I wish to say to the log-truck operators in Oregon that I believe Mr. Stam's advice is sound. I say to them that I am satisfied that that is also the advice of the members of the committee; and herefore I shall defer any further action on my part in regard to this matter until the Secretary of Commerce produces the result of his study and investigation—in March 1959.

But at this time, I wish publicly to thank Mr. Stam for the excellent cooperation he has always extended to my office.

MARKETING PROGRAMS FOR VARIOUS AGRICULTURAL COMMODITIES

The PRESIDING OFFICER (Mr. CHURCH in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities—which

was, to, strike out all after the enacting clause and insert:

TITLE I—COTTON

Program for 1959 and 1960

SEC. 101. The Agricultural Act of 1949, as amended, is amended by adding the following new section:

"SEC. 102. Notwithstanding any other provisions of law—

"(a) for each of the 1959 and 1960 crops of upland cotton the Secretary of Agriculture is authorized and directed to offer the operator of each farm for which an allotment is established under section 344 of the Agricultural Adjustment Act of 1938, as amended, a choice of (A) the farm acreage allotment determined pursuant to section 344 of the Agricultural Adjustment Act of 1938, as amended, and price support determined pursuant to section 101 of this act (the amount of cotton estimated to be produced on the additional acres allotted to producers selecting choice (B) for such year being taken into account in computing such support), except that for the 1959 crop the level of support shall be not less than 80 percent of parity, or (B) the farm acreage allotment determined pursuant to section 344 of the Agricultural Adjustment Act of 1938, as amended, increased by not to exceed 40 percent (such increased acreage allotment to be the acreage allotment for the farm for all purposes) and price support at a level which is 15 percent of parity below the level of support established for producers who elect choice (A). Any person operating more than one farm, in order to be eligible for choice (B), must elect choice (B) for all farms for which he is operator. Not later than January 31 the Secretary shall determine and announce on the basis of his estimate of the supply percentage and the parity price as of the following August 1, the price support level for producers who elect choice (A) and choice (B) respectively, and such price support levels shall be final. As soon as practicable after such announcement, the Secretary shall cause the operator (as shown on the records of the county committee) of each farm for which an allotment is established under section 344 of the Agricultural Adjustment Act of 1938, as amended, to be notified of the alternative levels of price support and the alternative acreage allotments available for his farm. The operator of each farm shall, within the time prescribed by the Secretary, notify the county committee in writing whether he desires the increased acreage allotment and the level of price support prescribed in choice (B) to be effective for the farm. If the operator fails to so notify the county committee within the time prescribed, he shall be deemed to have chosen the acreage allotment and the price support level prescribed in choice (A). The choice elected by the operator shall apply to all the producers on the farm. Notwithstanding the foregoing provisions of this subsection, the Secretary may permit the operator of a farm for which choice (B) is in effect to change to choice (A) where conditions beyond the control of the farm operator, such as excessive rain, flood, or drought, prevented the planting of acreage to cotton or having cotton acreage available for harvest on the farm in accordance with the plans of such operator in selecting choice (B). The additional acreage required to be allotted to farms under this section shall be in addition to the county, State, and national acreage allotments and the production from such acreage shall be in addition to the national marketing quota. The additional acreage authorized by this section shall not be taken into account in establishing future State, county, and farm acreage allotments. Notwithstanding any other provision of law, no farm participating in any cotton acreage reserve program established for 1959 under the Soil Bank Act shall receive an increased acreage allotment under the provisions of this section for 1959. Notwithstanding the provisions of section 344 (m) (2) any farm cotton acreage allotment increased as the result of the selection of choice (B) may not be released and reapportioned to any other farm. Price support shall be made available under this paragraph only to cooperators and only if producers have not disapproved marketing quotas for the crop.

"(b) for each of the 1959 and 1960 crops of upland cotton, price support shall be made available to producers who elect choice (A) through a purchase program. Price support shall be made available to producers who elect choice (B) through loans, purchases, or other operations.

"(c) the Commodity Credit Corporation is directed, during the period beginning August 1, 1959, and ending July 31, 1961, to offer any upland cotton owned by it for sale for unrestricted use at not less than 10 percent above the current level of price support prescribed in choice (B)."

Price support for 1961 and subsequent years

SEC. 102. (a) The Agricultural Act of 1949, as amended, is amended by adding a new section 103 as follows:

"SEC. 103. Notwithstanding the provisions of section 101 of this act, price support to cooperators for each crop of upland cotton, beginning with the 1961 crop, for which producers have not disapproved marketing quotas shall be at such level not more than 90 percent of the parity price therefor nor less than the minimum level prescribed below as the Secretary determines appropriate after consideration of the factors specified in section 401 (b) of this act. For the 1961 crop the minimum level shall be 70 percent of the parity price therefor, and for each subsequent crop the minimum level shall be 65 percent of the parity price therefor. Price support in the case of noncooperators and in case marketing quotas are disapproved shall be as provided in section 101 (d) (3) and (5)."

Acreage allotments and marketing quotas

SEC. 103. The Agricultural Adustment Act of 1938, as amended, is amended as follows:

(1) Section 342 is amended by striking out the third sentence and by changing the period at the end of the second sentence to a colon and adding the following: "*Provided*, That beginning with the 1961 crop, the national marketing quota shall be not less than a number of bales equal to the estimated domestic consumption and estimated exports (less estimated imports) for the marketing year for which the quota is proclaimed, except that the Secretary shall make such adjustment in the amount of such quota as he determines necessary after taking into consideration the estimated stocks of cotton in the United States (including the qualities of such stocks) and stocks in foreign countries which would be available for the marketing year for which the quota is being proclaimed if no adjustment of such quota is made hereunder, to assure the maintenance of adequate but not excessive stocks in the United States to provide a continuous and stable supply of the different qualities of cotton needed in the United States and in foreign cotton consuming countries, and for purposes of national security; but the Secretary, in making such adjustments, may not reduce the national marketing quota for any year below (i) 1 million bales less than the estimated domestic consumption and estimated exports for the marketing year for which such quota is being proclaimed, or (ii) 10 million bales, whichever is larger."

(2) Section 342 is further amended by adding at the end thereof the following: "Notwithstanding any other provision of this act, the national marketing quota for upland cotton for 1959 and subsequent years shall be not less than the number of bales required to provide a national acreage allotment for each such year of 16 million acres."

(3) Section 347 (b) is amended by changing the period at the end of the second sentence to a colon and adding the following: "*Provided*, That beginning with the 1961 crop of extra long staple cotton, such national marketing quota shall be an amount equal to (1) the estimated domestic consumption plus exports for the marketing year which begins in the next calendar year, less (2) the estimated imports, plus (3) such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks."

(4) The second sentence of section 344 (a) is amended by striking the word "five" and substituting the word "four."

Minimum farm allotments

SEC. 104. (a) Section 344 (b) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That there is hereby established a national acreage reserve consisting of 310,000 acres which shall be in addition to the national acreage allotment; and such reserve shall be apportioned to the States on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1), as determined by the Secretary without regard to State and county acreage reserves (except that the amount apportioned to Nevada shall be 1,000 acres). For the 1960 and succeeding crops of cotton, the needs of States (other than Nevada) for such additional acreage for such purpose may be estimated by the Secretary, after taking into consideration such needs as determined or estimated for the preceding crop of cotton and the size of the national acraege allotment for such crop. The additional acreage so apportioned to the State shall be apportioned to the counties on the basis of the needs of the counties for such additional acreage for such purpose, and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 percent of the county allotment determined without regard to such additional acreage). Additional acreage apportioned to a State for any year under the foregoing proviso shall not be taken into account in establishing future State acreage allotments. Needs for additional acreage under the foregoing provisions and under the last proviso in subsection (e) shall be determined or estimated as though allotments were first computed without regard to subsection (f) (1)."

(b) Section 344 (e) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided further*, That if the additional acreage allocated to a State under the proviso in subsection (b) is less than the requirements as determined or estimated by the Secretary for establishing minimum farm allotments for the State under subsection (f) (1), the acreage reserved under this subsection (f) (1), the acreage reserved under this subsection shall not be less than the smaller of (1) the remaining acreage so determined or estimated to be required for establishing minimum farm allotments or (2) 3 percent of the State acreage allotment; and the acreage which is required to be reserved under this proviso shall be allocated to counties on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1),

and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 percent of the county allotment determined without regard to such additional acreages)."

(c) Section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing paragraph (1) to read as follows:

"(1) Insofar as such acreage is available, there shall be allotted the smaller of the following: (A) 10 acres; or (B) the acreage allotment established for the farm for the 1958 crop."

(d) The first sentence of section 344 (f) (6) of such act is amended to read as follows: "Notwithstanding the provisions of paragraph (2) of this subsection, if the county committee recommends such action and the Secretary determines that such action will result in a more equitable distribution of the county allotment among farms in the county, the remainder of the county acreage allotment (after making allotments as provided in paragraph (1) of this subsection) shall be allotted to farms other than farms to which an allotment has been made under paragraph (1) (B) of this subsection so that the allotment to each farm under this paragraph together with the amount of the allotment of such farm under paragraph (1) (A) of his subsection shall be a prescribed percentage (which percentage shall be the same for all such farms in the county) of the average acreage planted to cotton on the farm during the 3 years immediately preceding the year for which such allotment is determined, adjusted as may be necessary for abnormal conditions affecting plantings during such 3-year period: *Provided*, That the county committee may in its discretion limit any farm acreage allotment established under the provisions of this paragraph for any year to an acreage not in excess of 50 percent of the cropland on the farm, as determined pursuant to the provisions of paragraph (2) of this subsection: *Provided further*, That any part of the county acreage allotment not apportioned under this paragraph by reason of the initial application of such 50 percent limitation shall be added to the county acreage reserve under paragraph (3) of this subsection and shall be available for the purposes specified therein."

(e) The amendments made by this section shall be effective beginning with the 1959 crop.

SEC. 105. Effective beginning with the 1959 crop, section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new paragraph:

"(7) (A) In the event that any farm acreage allotment is less than that prescribed by paragraph (1), such acreage allotment shall be increased to the acreage prescribed by paragraph (1). The additional acreage required to be allotted to farms under this paragraph shall be in addition to the county, State, and national acreage allotments and the production from such acreage shall be in addition to the national marketing quota.

"(B) Notwithstanding any other provision of law—

"(i) the acreage by which any farm acreage allotment for 1959 or any subsequent crop established under paragraph (1) exceeds the acreage which would have been allotted to such farm if its allotment had been computed on the basis of the same percentage factor applied to other farms in the county under paragraph (2), (6), or (8) shall not be taken into account in establishing the acreage allotment for such farm for any crop for which acreage is allotted to such farm under paragraph (2), (6), or (8); and acreage shall be allotted under paragraph (2), (6), or (8) to farms which did not receive 1958 crop allotments in excess of 10 acres if and only if the Secretary determines (after considering the allotments to other farms in the county for such crop compared with their 1958 allotments and other relevant factors) that equity and justice require the allotment of additional acreage to such farm under paragraph (2), (6), or (8),

"(ii) the acreage by which any county acreage allotment for 1959 or any subsequent crop is increased from the national or State reserve on the basis of its needs for additional acreage for establishing minimum farm allotments shall not be taken into account in establishing future county acreage allotments, and

"(iii) the additional acreage allotted pursuant to subparagraph (A) of this paragraph (7) shall not be taken into account in establishing future State, county, or farm acreage allotments."

Method of determining farm allotments

SEC. 106. Section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new paragraph:

"(8) Notwithstanding the foregoing provisions of paragraphs (2) and (6) of this subsection, the Secretary may, if he determines that such action will facilitate the effective administration of the provisions of the act, provide for the county acreage allotment for the 1959 and succeeding crops of cotton, less the acreage reserved under paragraph (3) of this subsection, to be apportioned to farms on which cotton has been planted in any one of the 3 years immediately preceding the year for which such allotment is determined, on the basis of the farm acreage allotment for the year immediately preceding the year for which such apportionment is made, adjusted as may be necessary (i) for any change in the acreage of cropland available for the production of cotton, or (ii) to meet the requirements of any provision (other than those contained in paragraphs (2) and (6)) with respect to the counting of acreage for history purposes."

Retention of surrendered acreage in county

SEC. 107. Paragraph (2) of section 344 (m) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of the second sentence of such paragraph and inserting in lieu thereof the following: "; but no such acreage shall be surrendered to the State committee so long as any farmer receiving a cotton acreage allotment in such county desires additional cotton acreage."

Standard grade

SEC. 108. Section 3 (a) of the act of August 29, 1949, Public Law 272, 81st Congress, and the last sentence of section 403 of the Agricultural Act of 1949, as amended, as hereby repealed. This section shall become effective with the 1961 crop.

CCC sales restrictions

SEC. 109. Section 407 of the Agricultural Act of 1949, as amended, is amended by substituting a colon for the period at the end of the third sentence and adding at the end thereof the following: "*Provided*, That effective with the beginning of the marketing year for the 1961 crop, the Corporation shall not sell any upland or extra long staple cotton for unrestricted use at less than 15 percent above the current support price for cotton plus reasonable carrying charges, except that the Corporation may, in an orderly manner and so as not to affect market prices unduly, sell for unrestricted use as the market price at the time of sale a number of bales of cotton equal to the number of bales by which the national marketing quota for such marketing year is reduced below the estimated domestic consumption and exports for such marketing year pursuant to the provisions of section 342 of the Agricultural Adjustment Act of 1938, as amended."

Cotton export program

SEC. 110. Nothing in this act shall be construed to affect or modify the provisions of section 203 of the Agricultural Act of 1956, and any cotton owned or acquired by the Commodity Credit Corporation under any price support program may be used for the purpose of carrying out the cotton export program provided for in section 203 of the Agricultural Act of 1956.

Split grades

SEC. 111. Section 403 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following sentence: "Beginning with the 1959 crop, in adjusting the support price for cotton on the basis of grade, the Secretary shall establish separate price support rates for split grades and for full grades substantially reflecting relative values."

TITLE II—CORN AND FEED GRAINS

Referendum

SEC. 201. Title I of the Agricultural Act of 1949, as amended, is further amended by adding at the end of such title the following:

"SEC. 104. (a) Not later than December 15, 1958, the Secretary shall conduct a referendum of producers of corn in 1958 in the commercial corn-producing area for 1958 to determine whether such producers favor a price support program as provided in subsection (b) of this section for the 1959 and subsequent crops in lieu of acreage allotments as provided in the Agricultural Adjustment Act of 1938, as amended, and price support as provided in section 101 of the Agricultural Act of 1949, as amended.

"(b) Notwithstanding any other provision of law, if less than a majority of the producers voting in the referendum conducted pursuant to subsection (a) hereof favor a price support program as provided in this subsection (b), the following provisions of law shall become inoperative:

"Discontinuance of acreage allotments on corn

"(1) The Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new section:

"'SEC. 330. Notwithstanding any other provision of law, acreage allotments and a commercial corn-producing area shall not be established for the 1959 and subsequent crops of corn.'

"Price support

"(2) The Agricultural Act of 1949, as amended, is amended by adding the following new section:

"'SEC. 105. (a) Notwithstanding the provisions of section 101 of this act, beginning with the 1959 crop, price support shall be made available to producers for each crop of corn at 90 percent of the average price received by farmers during the 3 calendar years immediately preceding the calendar year in which the marketing year for such crop begins, adjusted to offset the effect on such price of any abnormal quantities of low-grade corn marketed during any of such year: *Provided*, That the level of price support for any crop of corn shall not be less than 65 percent of the parity price therefor.

"'(b) Beginning with the 1959 crop, price support shall be made available to producers for each crop of oats, rye, barley, and grain sorghums at such level of the parity price therefor as the Secretary of Agriculture determines is fair and reasonable in relation to the level at which price support is made available for corn, taking into consideration the feeding value of such commodity in relation to corn, and the other factors set forth in section 401 (b) hereof.'

"(3) Section 101 (d) (4) of the Agricultural Act of 1949, as amended, is repealed effective with the 1959 crop."

TITLE III—RICE

Minimum National and State acreage allotments

SEC. 301. Section 353 (c) (6) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "1957 and 1958" in each place it occurs therein, and inserting "1957 and subsequent years."

Price support

SEC. 302. (a) Section 101 (a) of the Agricultural Act of 1949, as amended, is amended, effective beginning with the 1959 crop—

(1) by striking out "wheat, and rice" and inserting "and wheat"; and

(2) by adding at the end thereof the following new paragraph: "For rice of the 1959 and 1960 crops, the level of support shall be not less than 75 percent of the parity price. For rice of the 1961 crop the level of support shall be not less than 70 percent of the parity price. For the 1962 and subsequent crops of rice the level of support shall be not less than 65 percent of the parity price."

TITLE IV—WOOL

SEC. 401. Section 703 of the National Wool Act of 1954 (68 Stat. 910) is amended by striking out "March 31, 1959" and inserting in lieu thereof "March 31, 1962."

SEC. 402. The first proviso in section 704 of such act (68 Stat. 911) is amended by striking out "specific" the first time it appears therein, and by striking out "(whether or not such specific duties are parts of compound rates)."

SEC. 403. The proviso in section 705 of such act (68 Stat. 911) is amended by striking out "specific" the first time it appears therein, and by striking out "(whether or not such specific duties are parts of compound rates)."

TITLE V—MISCELLANEOUS

SEC. 501. The Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 377 the following new section:

"SEC. 378. (a) Notwithstanding any other provision of this act, the allotment determined for any commodity for any land from which the owner is displaced because of acquisition of the land for any purpose, other than for the continued production of allotted crops, by any Federal, State, or other agency having the right of eminent domain shall be placed in an allotment pool and shall be available only for use in providing allotments for other farms owned by the owner so displaced. Upon application to the county committee, within 3 years after the date of such displacement, or 3 years after the enactment of this section, whichever period is longer, any owner so displaced shall be entitled to have established for other farms owned by him allotments which are comparable with allotments determined for other farms in the same area which are similar except for the past acreage of the commodity, taking into consideration the land, labor, and equipment available for the production of the commodity, crop-rotation practices, and the soil and other physical factors affecting the production of the commodity: *Provided*, That the acreage used to establish or increase the allotments for such farms shall be transferred from the pool and shall not exceed the allotment most recently established for the farm acquired from the applicant and placed in the pool. During the period of eligibility for the making of allotments under this section for a displaced owner, acreage allotments for the farm from which the owner was so displaced shall be established in accordance with the procedure applicable to other farms, and such allotments shall be considered to have been fully planted. After such allotment is made under this section, the proportionate part, or all, as the case may be, of the past acreage used in establishing the allotment most recently placed in the pool for the farm from which the owner was so displaced shall be transferred to and considered for the purposes of future State, county, and farm acreage allotments to have been planted on the farm to which allotment is made under this section. Except where paragraph (c) requires the transfer of allotment to another portion of the same farm, for the purpose of this section (1) that part of any farm from which the owner is so displaced and that part from which he is not so displaced shall be considered as separate farms; and (2) an owner who voluntarily relinquishes possession of the land subsequent to its acquisition by an agency having the right of eminent domain shall be considered as having been displaced because of such acquisition.

"(b) The provisions of this section shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of the commodity from the farm acquired by the Federal, State, or other agency or by the owner of the farm; (2) any of the commodity produced on such farm has not been accounted for as required by the Secretary; or (3) the allotment next established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of the commodity produced on or marketed from such farm or due to a false acreage report.

"(c) This section shall not be applicable, in the case of cotton, tobacco, and peanuts, to any farm from which the owner was displaced prior to 1950, in the case of wheat and corn, to any farm from which the owner was displaced prior to 1954, and in the case of rice, to any farm from which the owner was displaced prior to 1955. In any case where the cropland acquired for nonfarming purposes from an owner by an agency having the right of eminent domain represents less than 15 percent of the total cropland on the farm, the allotment attributable to that portion of the farm so acquired shall be transferred to that portion of the farm not so acquired.

"(d) Sections 313 (h), 334 (d), 344 (h), 353 (f), and 358 (h) of the Agricultural Adjustment Act of 1938, as amended, are repealed, but any transfer or reassignment of allotment heretofore made under the provisions of these sections shall remain in effect, and any displaced farm owner for whom an allotment has been established under such repealed sections shall not be eligible for additional allotment under subsection (a) of this section because of such displacement."

SEC. 502. Section 405 of the Agricultural Act of 1949 is amended by adding at the end thereof the following: "There is authorized to be included in the terms and conditions of any such nonrecourse loan a provision whereby on and after the maturity of the loan or any extension thereof Commodity Credit Corporation shall have the right to acquire title to the unredeemed collateral without obligation to pay for any market value which such collateral may have in excess of the loan indebtedness."

SEC. 503. Section 201 (b) of the Agricultural Act of 1949, as amended, is amended by changing the semicolon at the end thereof to a colon and adding the following: "*Provided*, That in any crop year in which the Secretary determines that the domestic production of tung oil will be less than the anticipated domestic demand for such oil, the price of tung nuts shall be supported at not less than 65 percent of the parity price therefor."

Extend veterans and armed services milk program

SEC. 504. (a) The first sentence of section 202 (a) of the Agricultural Act of 1949, as amended (7 U. S. C. 1446a), is amended by striking out "1958" and inserting in lieu thereof "1961."

(b) Subsection (b) of section 202 of the Agricultural Act of 1949 (7 U. S. C. 1446a) is amended by striking out "1958" and inserting in lieu thereof "1961", by striking out "of the Army, Navy, or Air Force, and as a part of the ration" and inserting in lieu thereof "(1) of the Army, Navy, Air Force, or Coast Guard, (2)", and by inserting before the period at the end of the first sentence of such subsection the following: ", and (3) of cadets and midshipmen at, and other personnel assigned to, the United States Merchant Marine Academy."

SEC. 505. Commodity Credit Corporation is authorized, on such terms as the Secretary of Agriculture may approve, to donate cotton acquired through its price support operations to educational institutions for use in the training of students in the processing and manufacture of cotton into textiles.

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, and Mr. THYE the conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. WALTER, Mr. HOLTZMAN, Mr. KEATING, and Mr. CRAMER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13489) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SHEPPARD, Mr. SIKES, Mr. WHITTEN, Mr. CANNON, Mr. JONAS, Mr. LAIRD, and Mr. TABER were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 376) to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6239) to amend section 1461 and 1462 of title 18 of the United States Code.

The message further announced that the House had agreed to the report of

the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1633. An act for the relief of Jane Froman and Gypsy Markoff;

H. R. 5351. An act for the relief of Harlee M. Hansley;

H. R. 5411. An act to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage;

H. R. 7570. An act to amend section 403 of the Social Security Amendments of 1954 to provide social security coverage for certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7866. An act to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals;

H. R. 8599. An act to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (1) of such act is not applicable to payments to employees of a State or a political subdivision thereof for employment covered under voluntary agreements pursuant to section 218 of such act;

H. R. 8838. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957;

H. R. 9673. An act to amend title 10, United States Code, to provide the conditions under which retired pay may be paid in the case of retired officers dropped from the rolls, and for other purposes;

H. R. 9932. An act to provide for the reconveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 11125. An act to provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla.;

H. R. 11346. An act to amend title II of the Social Security Act to include Massachusetts among the States which are permitted to divide their retirement systems into two parts so as to obtain social security coverage, under State agreement, for only those State and local employees who desire such coverage; and

H. R. 13559. An act to amend the War Orphans' Educational Assistance Act of 1956 to authorize the enrollment of a handicapped eligible person in a specialized course of vocational training.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 8134. An act for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area; and

H. R. 10419. An act for the relief of North Counties Hydro-Electric Co.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 1168. An act to clarify the application of section 507 of the Classification Act of 1949 with respect to the preservation of the rates of basic compensation of certain officers or employees in cases involving downgrading actions;

H. R. 1329. An act for the relief of Massman-Patti-Tanner and Mitchell;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 2062. An act for the relief of John F. Smith;

H. R. 2338. An act for the relief of the Security Feed & Seed Co.;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an additional aid and attendance allowance of $150 per month shall be paid to certain service-connected severely disabled veterans during periods in which they are not hospitalized at Government expense;

H. R. 6773. An act for the relief of Bonifacio Santos;

H. R. 8602. An act to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservations, Mich.;

H. R. 8407. An act for the relief of Mrs. Margaret N. Meister;

H. R. 8905. An act for the relief of Hubert D. Thatcher, Robert R. Redston, Andrew E. Johnson, William L. Barber, Alex Kamkoff, and William S. Denisewich;

H. R. 9180. An act for the relief of Mr. and Mrs. John R. Hadnot;

H. R. 9197. An act for the relief of Mrs. Sumpter Smith;

H. R. 9627. An act to authorize the Secretary of the Interior to convey certain lands in Alaska to the city of Ketchikan, Alaska.

H. R. 9721. An act to amend section 1482 of title 10 of the United States Code to provide for the payment of transportation expenses of certain survivors of deceased servicemen to attend group burials in national cemeteries;

H. R. 9765. An act for the relief of Mr. Marion S. Symms;

H. R. 9740. An act to convey certain land to the Makah Tribe of Indians;

H. R. 9783. An act for the relief of Mrs. Henry Oscar (Olga McCurdy) Ramsey;

H. R. 10173. An act to provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes;

H. R. 10515. An act for the relief of Harley D. Rucker;

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes;

H. R. 11236. An act for the relief of Arthur G. Williams;

H. R. 12204. An act for the relief of Peter A. Beklemishev, Michael Linden, and Serge Oulassuk;

H. R. 12217. An act to amend paragraph (2) of subdivision (c) of section 77 of the Bankruptcy Act, as amended;

H. R. 12364. An act for the relief of Mrs. Viola Barksdale;

H. R. 12624. An act for the relief of Palmer-Bee Co.

H. R. 12942. An act for the relief of Walter H. Berry;

H. R. 12967. An act to amend the Fair Labor Standards Act of 1938 with respect to the frequency of review of minimum wage rates established for Puerto Rico and the Virgin Islands;

H. R. 13151. An act for the relief of Everett A. Ross;

H. R. 13170. An act to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy;

H. R. 13404. An act to amend section 404 (c) (1) of the Postal Field Service Compensation Act of 1955 to grant longevity credit for service performed in the Panama Canal Zone postal service; and

H. R. 13455. An act to amend the Atomic Energy Act of 1954, as amended.

SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. MORSE. Mr. President, I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, between lines 20 and 21, it is proposed to insert the following:

HOSPITAL FACILITIES IN THE DISTRICT OF COLUMBIA

For an additional amount for expenses necessary in carrying out the provisions of the act of August 7, 1946 (60 Stat. 896), as amended, authorizing the establishment of a hospital center in the District of Columbia including grants to private agencies for hospital facilities in said District, $1,020,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 3259, 85th Congress.

Mr. MORSE. Mr. President, this amendment provides an appropriation in the amount of $1,020,000 to carry out the provisions of authorizing legislation passed by both Houses of the Congress for the completion of the construction of Georgetown and Columbia Hospitals. The act authorizing this appropriation is at the White House, and is awaiting signature. The amendment, therefore, carries a proviso withholding the actual appropriations until after enactment of S. 3259.

I understand that the amendment has been discussed with the distinguished Senator from the State of Washington [Mr. MAGNUSON] and that he is willing to accept it. I further understand that the amendment is acceptable to the very able and distinguished chairman of the Appropriations Committee, the senior Senator from Arizona [Mr. HAYDEN].

Georgetown University Hospital Center receives $450,000 and Columbia Hospital for Women receives $570,000. Both hospitals have construction underway and need the money to complete construction. Georgetown University Hospital Center has about 62 percent of construction completed, and Columbia Hospital has about 38 percent completed.

The money authorized in S. 3259 is needed this fall, 1958, to continue construction contracts.

It is a very important matter, as I see it. There would be no saving through postponing action on this matter. All a postponement would do would be to cause great hardship, and really cause a loss to the two hospitals, because we all know money is not saved by permitting construction to go just so far and then turning the contractors away.

There certainly is a need for these hospital facilities in the District. Not adopting the amendment, if one does not want to put the question on the basis of sentiment, would really be an act of not providing services for the sick which already have been authorized.

I hope my amendment will be adopted.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MAGNUSON. I had occasion to go into the matter, and I have discussed it with the chairman of the committee. I think the amendment is a good one. A start should be made. I hope the House will accept the amendment. At least, we should be sure of providing funds in the first deficiency appropriation. It is a very important matter in the District of Columbia.

The Senator from Alabama [Mr. HILL] is also very familiar with the project.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HILL. This is simply an appropriation to meet an authorization which has been provided in the legislation to which the distinguished Senator has referred. There will be nothing gained by not granting the appropriation. In fact, all dictates of common sense and logic——

Mr. MORSE. And humanity.

Mr. HILL. And humanity require that the appropriation should be made at this time. So I hope the amendment of the Senator from Oregon will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, on behalf of myself, the Senator from Wisconsin [Mr. WILEY], and the Senator from Arizona [Mr. GOLDWATER], I send to the desk an amendment to the pending measure, and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois for himself and other Senators will be stated.

The CHIEF CLERK. It is proposed, on page 17, after line 24, to insert the following:

CORREGIDOR-BATAAN MEMORIAL COMMISSION

For administrative expenses necessary for the Corregidor-Bataan Memorial Commission, established by the act of August 5, 1953 (67 Stat. 366), as amended, $46,000.

Mr. DOUGLAS. Mr. President, the three Senators who are sponsors of the amendment are all members of the Corregidor-Bataan Memorial Commission. We unanimously urge that the work of the Commission be allowed to go forward, at least through the first session of the next Congress. This appropriation is necessary in order that the small staff may not have to be disestablished because of the lack of this provision.

Mr. HAYDEN. Mr. President, I may say to the Senator from Illinois that this matter was considered by the committee. While the amount involved is small, it was indicated that the result of granting authority to this Commission perhaps might ultimately impose a very heavy burden on the United States. I should like to try to clear that matter up, if I can.

Mr. DOUGLAS. I should like to make it clear, and I think the Senator from Wisconsin will confirm the statement that the amendment does not involve any appropriation of money for the construction of a memorial on the island of Corregidor. It is merely to keep the Commission alive. The Commission is exploring two methods of raising funds for the memorial. One is by popular subscription. We have not had too much luck with that method to date. The other method is the possibility of selling condemned and surplus Navy ships and having some of the proceeds go toward the memorial.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. POTTER. When this matter was discussed in committee, I raised the question—and I raised it on the floor when the authorization was first granted—that, in the first place, we would be establishing a dangerous precedent. There is a Battle Monuments Commission which has jurisdiction over and can provide memorials of the kind here proposed. Secondly, the people of the Philippines are not enthusiastic about this project. I have received copies of news reports from the Philippine press, which are on their way here from my office, which demonstrate very clearly that the people of the Philippines think we are "Mr. Sucker" for doing this.

While I grant to the Senator that the amendment merely provides funds so the Commission may carry on, the project involves a proposed multimillion dollar memorial or monument on Corregidor. Inasmuch as the Commission has not as yet had any definite plans as to what type of memorial will be established——

Mr. DOUGLAS. I may correct the Senator on that point. Definite plans have been authorized and accepted. There was competition between groups of architects all over the country. Plans were approved by an advisory commission. So we have definite plans.

Mr. POTTER. Is the plan which has been accepted the one for erecting a memorial arch on Corregidor itself?

Mr. DOUGLAS. It would be on Corregidor. I would not say it was described as an arch.

Mr. POTTER. Can the Senator tell us how much it would cost?

Mr. WILEY. Mr. President——

Mr. DOUGLAS. The Senator from Wisconsin wishes to speak on that matter.

Mr. WILEY. Mr. President, I want to make clear that the appropriation of $46,000, which is the amount requested, is very small, and is requested to enable the Commission to continue its work through the first session of the next Congress.

As a member of the Commission, I am sure I speak for the other five Members of Congress on the Commission in urging the Senate to accept the amendment, and not bring our plans, which are now in a fruitful stage, to a complete stop.

I have from the Department of State this statement: "You may wish to use the following in support of the $46,000 item."

That is the only question involved here. I want to get that straight. There has been a dispute about the particular style of the monument; there is no question about that. But some 3 years ago, the Commission was created by an act of Congress. The Commission was constituted. Three Senators were appointed to the Commission. We do not wish to say anything about the monument at the present time. We only say that there are in mothballs a number of ships, which it costs us about $7 million a year to keep in mothballs. One of the plans, which is not involved in the present consideration at all, was to dispose of some of the ships and from the amount realized construct the monument. However, that is on a tangent.

Let me read what the Department of State has to say:

The Department of State supports fully the purpose and aims of the Corregidor Bataan Memorial Commission. I have been informed today that they are highly concerned over the possibility that funds will be withheld for the expenses of the Commission and their position is that this small amount of $46,000 should be made available in order that the work of the Commission may go forward. If this work is stopped forthwith it will certainly be misinterpreted in a most unfavorable manner in certain areas.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. JOHNSON of Texas. I regret very much I was not present when the item was considered. I heartily agree with the Senator's suggestion. I hope the Senate will see fit to restore this very small amount for such a worthy purpose.

Mr. WILEY. I thank the Senator very much.

I should like to say one other word in explanation. Something has been said about the American Battle Monuments Commission being in favor of undertaking and carrying through the work of the Corregidor-Bataan Memorial Commission. That matter should be definitely settled.

If the American Battle Monuments Commission wants to do this, someone with authority should speak for it. I am sure the Corregidor-Bataan Memorial Commission, on which the Senator from Illinois [Mr. DOUGLAS] and I, as well as another distinguished Senator

and Members of the House of Representatives serve, would be glad to surrender the work. We have been working on the matter for some 3 years, with no compensation, and we expect none.

This is a problem which involves our foreign relations. If we put this Commission out of business, the reaction in the Orient will not be very good. We all know what the people of the Philippines did. A good many more of those people died than did Americans.

The question of the monument cannot be decided now. That question will be decided by future action of this body and of the House of Representatives. If permission is given in January or February to dispose of some of the mothball ships, it will not cost the Government a penny, but will actually save the Government money. If we get rid of all the mothball ships, which are no good in this age, we will save $7 million a year, which is the cost of maintaining them.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. POTTER. I happen to be a member of the American Battle Monuments Commission. The American Battle Monuments Commission is not looking for assignments. The Commission does not favor this type of program, whether it is a memorial on Corregidor or some other place. The President himself has constantly opposed the erection of this type of memorial.

One can go to Europe today and find memorials which have been put up by special groups, and then abandoned. Those memorials are a disgrace to the country.

When the Senator talks about our foreign policy in this regard, I thoroughly agree with him. I shall read from a news article from the Manila Bulletin of July 24, which refers to this matter:

> At the luncheon Mrs. C. A. Larsen gave yesterday, at the Champagne Room, for Mrs. Horace Smith, there was as much talk of that $7½ million monument the United States is going to build on Corregidor as there was of the sack and the trapeze. Which shows that women at lunch do not talk entirely of trivia. That proposed monument, which very few people will ever seen, is an old and sour story, but no one quite believed such a ridiculous proposal would ever pass the United States Congress. Monday the House of Representatives actually passed a bill authorizing $7½ million. One million would have been bad enough, but $7½ million. In a city that cries for a decent opera house or national theater (among a great many other things) we should have a $7½ million something or other way over on Corregidor. Incensed Americans here hope the Senate will toss the bill in the wastebasket.

I say to the Senator, if we want to do something for the people of the Philippines, if we want to establish good public relations, if we want to do something which will pay homage to the men who fought in the Philippines let us provide a living memorial, such as an opera house or a new hospital. We do not need a big piece of rock on Corregidor—another big rock.

The thought of $7 million, to begin with, which is only half the program, is repugnant to the people of the Philippines. Those people will not like us because of that; they will hate us for it, as the article states. If we want to do something, let us provide a living memorial. The suggestion of an opera house or something else, perhaps, is proper.

As to the selling of ships which are in the mothball fleet, I say to the distinguished Senator, are we kidding ourselves? Those are our ships. If we sell the ships we sell them for American dollars. It does not matter whether we sell Government property to secure the money to build the memorial, it will cost the same amount of money. American taxpayers' dollars will be spent for it.

I think the soldiers who fought on Corregidor and Bataan should be honored, but I do not care for the idea of a hollow monument on Corregidor at a contemplated cost of more than $7 million. That is fantastic, in an area where hospitals are needed, where schools are needed, and where an opera house is needed.

I am not going to object to the inclusion of the amount of money in the bill presently under consideration for the continuation of the Commission, but I hope the Commission will look into the facts to see what the people of the Philippines want. Let us not act like a great, rich Uncle Sam who wants to throw in a big monument which is not wanted. Let us not act like a rich uncle doing something not wanted by the people.

Mr. DOUGLAS. Mr. President, will my good friend yield for a question?

Mr. POTTER. I yield.

Mr. DOUGLAS. I take it the Senator from Michigan does not object to the pending amendment; that what the Senator is fearful of is the expenditure of $7½ million for the memorial building.

Mr. POTTER. The memorial is something which the people of the Philippines do not want.

Mr. DOUGLAS. These two questions are separate. The question immediately before the Senate is whether there should be an appropriation of $46,000 for the Commission.

Mr. POTTER. As I say, I am not going to object strenuously to the item, but I hope the Commission will consider the matter. I think it is bad public relations.

Mr. DOUGLAS. I will say to my good friend, the two are separable questions. I do not intend to speak on the question of the $7½ million memorial at great length. I will say that the evidence which the Senator produced is something less than substantial; namely, that a group of women gathered together in Manila in the Champagne Room discussed whether we should have this memorial, along with talk about sack and trapeze gowns. I should like to have a more substantive set of considerations.

Mr. POTTER. I think the distinguished Senator will find that is the sentiment. I know, certainly, before our committee there were representations made to me, as a member of the American Battle Monuments Commission, when this question first came up. The impetus for the project did not come from the Philippines, but instead came from people, who are very patriotic, who are interested in paying homage to the soldiers and military personnel who participated in the battle. We all would like to see homage paid to them.

In our zeal to do good, which we have a tendency to do as Americans, we are inclined to feel that we know best what is good for other people.

We say, "We are going to pay homage to those people by erecting a great monument on Corregidor." This impetus did not come from the people of the Philippines. I hope the Commission will look into the question to determine whether the people of the Philippines care for that kind of memorial. I am inclined to think that living memorials have a much more lasting value than cold marble.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I offer the amendment, which I send to the desk and ask to have stated. It is designated "8-14-58-I."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 34, after line 23, it is proposed to insert the following:

LIBRARY OF CONGRESS

Preservation of early American motion pictures

For expenses necessary to enable the Librarian of Congress to provide for the conversion to safety-base film of the George Kleine Collection of nitrate film, and the paper prints of early American motion pictures now in the custody of the Library, $60,000.

Mr. KUCHEL. Mr. President, across the street from this Capitol Building is the Library of Congress. It is under the control of the legislative branch. It has no lobbyists. It is a repository of priceless American history—books, periodicals, maps, and photographs. Its service to the Government and to the people is great and growing. It is one of the great libraries of the world.

The amendment which I offer is most earnestly requested by the Librarian of Congress in order that he may begin to refurbish the paper-print photographs now in the Library, and what are technically described as cellulose nitrate prints now in the Library, which are disintegrating, and will be lost for all time to come unless something is done about the situation now. These prints have been accumulating, under Federal law, for the last sixty-odd years. They need to be preserved, or they will disintegrate completely.

In the hearings the able Senator from Arizona [Mr. HAYDEN] referred to the 1912 film of the President of the United States signing the bill admitting Arizona into the Union. According to him, it apparently disintegrated. That bit of graphic history is gone.

Among the group of paper prints and cellulose prints in the Library of Congress is a great number of items in which Senators will be interested, as the American people will be interested, and which future generations of America will enjoy seeing. Among the collection in the Library of Congress are the following:

A picture of the *Titanic* in 1912, consisting of actual scenes on board the *Titanic* 10 minutes before the ship left Southampton; also pictures of the docking of the rescue ship in New York after the disaster.

The films The Last Days of Pompeii and Quo Vadis, both made in Italy in 1913.

The Hungarian Revolution—not of 2 years ago, but of 1919.

Theodore Roosevelt, when he was President, in numerous scenes.

A picture of the *Nautilus*, an American submarine—not the gallant modern atomic craft, but her predecessor of half a century ago.

President McKinley Taking the Oath, Edison, 1901.

Funeral Leaving the President's House and Church at Canton, Ohio, Edison, 1901.

Secretary Taft's Address and Panorama—American Mutoscope & Biography Co., 1904.

Gatling Gun Crew in Action, Edison, 1897.

War Correspondents—Spanish-American War, Edison, 1898.

Admiral Dewey at State House, Boston, Edison, 1899.

Red Cross Ambulance on Battlefield, Edison, 1920.

Delivering Mail From Sub-post Station, United States Post Office, American Mutoscope & Biography Co., 1903.

Automobile Race for the Vanderbilt Cup—Long Island—American Mutoscope & Biography Co., 1904.

A Trip in Wilbur Wright's Airplane—Kleine collection—Eclipse, France, 1909.

American Flag, Edison, 1898.

I pay tribute to the Academy of Motion Picture Arts and Sciences, and its president, George Seaton. Over the years they have contributed in excess of half a million dollars to the development of a method to preserve this perfectly priceless, indescribably valuable series of prints of American history deposited, during the last three-quarters of a century, in the Library of Congress. I have been glad to ask Congress now to play its part. I appeared before the committee. I know how busy Senators are. The able and distinguished chairman of the committee listened to me. I believe I can say that he looks with favor on the amendment. Unhappily, other members of the committee were engaged in other business.

The Librarian of Congress and his technical assistant appeared before the committee and said, in so many words, "If we cannot begin now to prevent this deterioration, the process of disintegration and decay is so rapid that these items will soon be gone."

Ten years ago Congress bought a collection of prints, the so-called Kleine collection, for $10,000. Now they are on the road to ruin. This is the testimony of the Librarian of Congress.

I sincerely hope that the Senate will see fit to approve, in the language of the amendment, an appropriation of $60,000, which, if approved, would be the first of four annual similar requests by which the Librarian of Congress would be enabled to preserve, not only for us, but for our children and our grandchildren, the record of a great part of American history, which the Government owns. I ask unanimous consent that a copy of my letter to the chairman of the subcommittee on appropriations, the Honorable JOHN STENNIS, be incorporated at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 10, 1958.

The Honorable JOHN STENNIS,
Chairman, Legislative Subcommittee of the Senate Appropriations Committee, Senate Office Building, Washington, D. C.

DEAR SENATOR STENNIS: I have been interested for some time in a proposed program for the preservation of a portion of Americana which exists in the form of a priceless collection of paper prints of the earliest American motion pictures, now located in the vaults of the Library of Congress. I frankly feel that legislative approval of it would be a great contribution to future generations. I would like to outline for you as briefly as I can the purposes and objectives of this program:

BACKGROUND OF THE PAPER PRINT COLLECTION, 1894–1912

The collection of motion picture prints by the Library of Congress commenced in 1894, when the first copy of a motion picture was deposited for copyright purposes. This was Thomas A. Edison's The Sneeze. It had to be deposited in the form of a still picture of 47 frames, because there was no provision in the copyright law until 1912 for the registration of motion pictures as such. It was during the interval from 1894 to 1912 that the Library's collection of paper prints accumulated.

The motion pictures represented by the paper prints were on cellulose-nitrate film, which is highly inflammable, deteriorates even under the best conditions of storage, and gives off toxic gas. Because of this, most of the original negatives have been lost or destroyed. Each year sees further disintegration of the fragile old paper prints, and it will soon be impossible to transfer this priceless record of American history into a permanent form.

NATURE OF THE PAPER PRINT COLLECTION

The pictures accumulated during the period 1894–1912 reflected many important events and personalities of that period. These were "pictures that moved"—not movies as we know them today. There were no stories, studio sets, or actors in most of this footage. Photographers at the turn of the century experimented with the new cameras that held a long strip (usually 50 feet) of film made from a new substance—cellulose-nitrate. They found that the cameras would take a sequence of "still" pictures so rapidly that when viewed in quick succession, the result was a pictorial reproduction of what the cameraman had seen with his own eyes. The streets of our cities, people, buildings, and vehicles of the day were the subjects of the first movie photographers. Without planning it, these men created a treasure house of pictorial Americana.

These paper prints include more than 1,015 different subjects, some of which are:

The battleship *Maine*, 1897. Believed to be the only pictures taken of this famous ship.

The Harvard-Pennsylvania football game, 1898, showing the excitement of the crowds and players.

The launching of the world's first submarine, the U. S. S. *Nautilus*, 1901.

The first parade of automobiles from all over the world, 1900.

Pictures of an airplane in flight in 1900, 3 years before the Wright brothers' famous demonstration at Kitty Hawk.

An on-the-spot record of the Klondike gold rush.

The great Baltimore fire, 1904.

The San Francisco earthquake, 1906.

Troop movements during the Spanish-American War.

President McKinley making a speech in Buffalo shortly before his assassination.

International Heavyweight Championship, Squires versus Burns.

With respect to the validity of this project, the Librarian of Congress wrote me a letter under date of December 12, 1957, and said:

"I can state that in my opinion the paper prints of the early motion pictures in our custody constitute very important and in many cases a unique documentation. They illuminate the social, economic, intellectual, and to some extent even the political history of the United States for some two decades. Their reconversion into motion pictures is most desirable.

"The Academy of Motion Picture Arts and Sciences has for several years put money and technical know-how into such a conversion program. In so doing, it has rendered a very real public service. I feel that it would not only be proper for the Government to assist financially in completing this program, but highly desirable for it to insure the availability of these documents in a form usable for research."

CONVERSION PROJECT STARTED BY AMPAS

To amplify the last statement of the Librarian, it may be said that the Academy of Motion Picture Arts and Sciences, a nonprofit organization, has during the past 10 years concerned itself with the conversion into motion picture film of the old paper prints deposited with the Library from 1894 to 1912. From its limited budget, the academy has spent almost a half million dollars for research and conversion. One of the main difficulties experienced in the conversion of the old paper prints to some permanent form was to work out a successful reclamation process. This has been done. In 1953, Mr. Kemp R. Niver, of the academy, worked out the first successful reclamation process which permitted the transfer of the original images from paper onto motion picture film that can be projected.

In 1956, the academy unfortunately was compelled to suspend the project for lack of funds. Meantime it had converted 170,000 feet of paper prints into a permanent form as a public service.

AUTHORITY OF LIBRARY OF CONGRESS TO COMPLETE THE PROJECT

In my efforts to assist in the preservation of this collection of old prints, I have asked the legislative counsel of the United States Senate whether statutory authority presently exists with the Library of Congress to perform this function. The legislative counsel informs me that such authority does exist under section 131 of title II of the United States Code, which provides:

"Collections composing library: The Library of Congress, composed of the books, maps, and other publications which on December 1, 1873, remained in existence, from the collections theretofore united under authority of law and those added from time to time by purchases, exchange, donation, reservation from publications ordered by Congress, deposit to secure copyright, and otherwise, shall be preserved in the Library Building. The Law Library shall be preserved in the Capitol in the rooms which were on July 4, 1872, appropriated to its use, and in such others as may hereafter be assigned thereto" (R. S. Par. 80; February 19, 1897, c. 265, par. 1, 29 Stat. 545, 546).

The legislative counsel, in commenting on this provision said:

"It will be noted that the provision quoted provides for the preservation of collections deposited 'to secure copyright.' The paper prints of early American motion pictures which it is proposed to convert to safety film were deposited under the copyright laws because of the unwillingness of the officials of the Library at that time to accept copyright on a motion picture in the absence of a specific provision in the copyright law.

"It is my opinion (and I may say that I have checked with the Law Department of the Library of Congress and they agree) that the provisions of the law referred to would be ample to justify an appropriation for this purpose and that no point of order would lie."

While statutory authority exists for the Library of Congress to carry out this project, no funds have ever been provided for this function. The Librarian of Congress in commenting on this pointed out that "the priority of other Library needs and my reluctance to ask Congress for the substantial sums that would be required to attack our motion-picture problems have restrained me from asking for the appropriations necessary even to make a beginning on a motion-picture program, but it is important that action not be postponed too long."

ESTIMATED COST TO COMPLETE CONVERSION OF PAPER PRINTS

The Academy of Motion Picture Arts and Sciences, the organization which has done this splendid work in research and conversion of the old paper prints, estimates that the total cost to preserve and put the remainder of the collection back on film will be at least $250,000. This figure is a minimum figure and does not represent in the judgment of the academy the ultimate cost. As a practical matter the academy would like to see a Federal contribution placed on an annual basis of $60,000 a year for 4 years.

OTHER EARLY CELLULOSE-NITRATE FILMS NEEDING CONVERSION

Since I first interested myself in this project, there has been one other development which I would like to bring to your attention. The Library of Congress, knowing of my interest in the preservation of old film, has called to my attention that they hold a private collection of old film known as the George Kleine Collection. This consists of about 1 million feet of film, and some 500 to 600 titles, in various stages of preservation. Sample titles in this collection are:

"Deliverance," 1919, featuring Helen Keller.

"Down the Old Potomac," 1919. A trip made by Thomas A. Edison along the C. & O. Canal from Cumberland to Washington, D. C.

"On a Good Old 5-Cent Trolley Ride," 1905. A Thomas A. Edison production.

"A Trip in Wilbur Wright's Airplane," 1909. Made in Italy. Shows Wright explaining his plane to the King of Italy and a photographer's trip in Wright's plane.

"Titanic," 1912. Actual scenes made on board 10 minutes before ship sailed from Southampton. Also the docking of a rescue ship in New York after the disaster.

"Vanity Fair," 1915, featuring Minnie Maddern Fiske.

"Last Days of Pompeii" and "Quo Vadis," 1913. Both made in Italy. Examples of early foreign films distributed in the United States.

"The Hungarian Revolution," 1919. Newsreel footage of the uprisings that followed World War I.

Theodore Roosevelt in a number of scenes—newsreels.

Films of the Carnegie Museum's expedition to Alaska, 1911.

ESTIMATED COST OF CONVERTING THE OLD CELLULOSE-NITRATE FILM

The Librarian informs me that to preserve this collection, the second in historical importance only to the Library's paper print collection, would cost $40,000 to make negatives on safety film. There is some duplication between the paper print collection and the Kleine collection, but in such cases, of course, safety film would be made of only one of the prints—probably that in the Kleine collection because it is easier and cheaper to duplicate nitrate film on acetate than it is to convert paper prints to projectionable film.

I hope that I have emphasized the need for immediate consideration of steps to be taken to preserve this priceless heritage. It is clear to me that if we are to protect this early Americana we must act at once, otherwise it may be lost forever.

I bring all of this material to your attention with the request and hope that you, and the members of the subcommittee, will give favorable consideration to the inclusion in the legislative appropriation bill for 1959 of an appropriation for the Library of Congress to carry forward the program suggested in this letter.

I specifically suggest, therefore, that your committee consider the following as an amendment to the legislative appropriation bill:

"Preservation of early American motion pictures: For expenses necessary to enable the Librarian of Congress to provide for the conversion to safety base film of the George Kleine Collection of nitrate film, and the paper prints of early American motion pictures now in the custody of the Library, $250,000."

Your favorable consideration of this request will be appreciated.

Sincerely yours,

THOMAS H. KUCHEL,
United States Senator.

Mr. KUCHEL. Mr. President, I hope the amendment will be approved.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. KUCHEL].

The amendment was agreed to.

Mr. HICKENLOOPER. I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 37, line 15, it is proposed to strike out "$249,429,000" and insert "$249,929,000."

Mr. HICKENLOOPER. Mr. President, this $500,000 is proposed to be added to the atomic energy plant acquisition and construction section of the bill so that the United States may carry out its bilateral agreement with the Philippine Government. By this agreement we agreed to participate to the extent of $500,000 in the building of a research reactor in the Philippines. In 1956 the funds were appropriated for this project, but for various reasons it has not been feasible to construct the reactor until this year.

The House committee report states that these funds were not appropriated again this year because there was no assurance that they would be needed. Mr. President, we now have such assurance—and it is firm and definite—from Ambassador Carlos Romulo and from our own State Department. The Philippine Government is ready to contract with an American firm for the reactor project.

Assistant Secretary of State Walter Robertson has advised me that it would be a severe embarrassment to the United States to back down from our previous commitment. The Senate, I am sure, remembers the recent visit paid to it by President Garcia, of the Philippines, and remembers that the Philippine nation is one of our stanchest allies in the Far East. It is certainly in our interest to help them in any way we can, and particularly by assisting them to develop the peaceful uses of atomic energy. Therefore, I hope that the distinguished chairman of the committee will accept the amendment.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. MANSFIELD. This is really a matter of good faith, and the keeping of a contract between the two governments, is it not?

Mr. HICKENLOOPER. It is not only a matter of good faith, but we have heretofore appropriated for it. The reason it was left out of the bill this year was that at the time the Committee on Appropriations of the House and the Senate Committee on Appropriations acted, it was not certain that the Philippine Government was ready to go ahead with the project. In effect, it was said, "Let it wait until next year."

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HAYDEN. We are well satisfied that the Philippine Government will do its share.

Mr. HICKENLOOPER. We are satisfied of that. There is an aide-memoire from the Philippines somewhere in the Chamber. The Philippine Government not only assures us of its ability, but its readiness to go ahead with the project. The money will be needed this year.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. SALTONSTALL. I wish to confirm what the Senator from Iowa has said. I was approached on the subject by the Assistant Secretary of State in Charge of Far Eastern Affairs. I have an aide-memoire which relates to this subject. With the permission of the Senator from Iowa, I should like to make it a part of the RECORD at this point.

Mr. HICKENLOOPER. I yield for that purpose.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have the document to which I have referred printed in the RECORD at this point.

There being no objection, the aide-memoire was ordered to be printed in the RECORD, as follows:

AIDE-MEMOIRE

The Philippine Government has been disturbed by the action taken by the House Appropriations Subcommittee in suppressing the item of $500,000 from the budget of the United States Atomic Energy Commission which was intended to cover the share of the United States Government of the expenses of establishing a nuclear research reactor in the Philippines under the Philippine-United States bilateral agreement. This reaction is heightened by the fact that the Philippine Atomic Energy Commission, which has recently been organized, plans to implement beginning this year the nuclear research reactor project under the terms of the agreement.

The Embassy has been informed by the Department of Foreign Affairs that the Philippine Atomic Energy Commission is ready to finalize a firm contract with a competent American consulting firm for the project scoping job which will be followed by formal bids for the reactor component parts. The commitment of dollar funds in the current calendar year is therefore indispensable for the successful operation of the project.

It is earnestly hoped that the said outlay of $500,000 could be restored to permit the implementation beginning this year of the nuclear research reactor project under the bilateral agreement. It is needless to point out that the implementation of this project, coming so close after President Garcia's state visit to the United States, would have a tremendous impact in bolstering further the ties of friendship between the Filipino and American peoples.

JULY 30, 1958.

Mr. SALTONSTALL. As the Senator from Montana and the Senator from Iowa have said, this is not a new request. The money was left out of the bill, and will have to be put back. The purpose is to carry out an agreement. The money had been previously appropriated, but it was taken out of the budget because we were not sure the Philippine Government was ready to go ahead. Now we are sure.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER].

The amendment was agreed to.

Mr. KNOWLAND. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 30, after line 10, it is proposed to insert the following:

OFFICE OF EDUCATION

Assistance for school construction

For an additional amount for providing school facilities and for grants to local educational agencies in federally affected areas, as authorized by the act of September 23, 1950, as amended (20 U. S. C., ch. 14), including not to exceed $250,000 for necessary expenses during the current fiscal year of technical services rendered by other agencies, $60,150,000, to remain available until expended: *Provided*, That no part of this appropriation shall be available for salaries or other direct expenses of the Department of Health, Education, and Welfare.

Payments to school districts

For payments to local educational agencies for the maintenance and operation of schools as authorized by the act of September 30, 1950, as amended (20 U. S. C., ch. 13), $149,700,000: *Provided*, That this appropriation shall also be available for carrying out the provisions of section 6 of such act.

Salaries and expenses

For an additional amount for "Salaries and expenses," $316,000.

Mr. KNOWLAND. Mr. President, the amendment as printed shows the sponsors as myself, the Senator from Texas [Mr. JOHNSON], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from California [Mr. KUCHEL], the Senator from Alabama [Mr. HILL], and the Senator from Maine [Mrs. SMITH].

In addition, the following Senators also are cosponsors of the amendment: The Senator from Missouri [Mr. SYMINGTON], the Senator from Minnesota [Mr. THYE], the Senator from Michigan [Mr. MCNAMARA], the Senator from Florida [Mr. SMATHERS], the senior Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. MAGNUSON], the Senator from New Hampshire [Mr. COTTON], the Senator from Michigan [Mr. POTTER], the Senator from Mississippi [Mr. STENNIS], the Senator from Idaho [Mr. CHURCH], the Senator from Oregon [Mr. MORSE], the Senator from Colorado [Mr. ALLOTT], the Senator from Utah [Mr. WATKINS], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from South Dakota [Mr. MUNDT]. Other Senators may wish to join in sponsoring the amendment.

Mr. President, this is the so-called school impacted area amendment. The President signed the authorization bill which was passed by Congress on the same day the Appropriations Committee of the Senate was acting on the supplemental appropriation bill, which we are now considering on the floor. A budget estimate has been made, but it came to us after the House had acted, and on the last day when the matter was before the Committee on Appropriations of the Senate.

I hold in my hand the budget message of the President, dated at the White House on August 12, 1958. I ask unanimous consent that the President's message to the Senate and the message of the Bureau of the Budget to the President be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, August 12, 1958.

THE PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of the Congress proposed supplemental appropriations for the fiscal year 1959 in the amount of $210,166,000 for the Department of Health, Education, and Welfare.

The details of these proposed appropriations, the necessity therefor, and the reasons for their submission at this time are set forth in the attached letter from the Director of the Bureau of the Budget, with whose comments and observations thereon I concur.

Respectfully yours,

DWIGHT D. EISENHOWER.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 12, 1958.

THE PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration proposed supplemental appropriations for fiscal year 1959 in the amount of $210,166,000, for the Department of Health, Education, and Welfare.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LAUSCHE. Do I understand that this money is intended to be used in areas which have developed school problems because of Federal activities in connection with certain projects?

Mr. KNOWLAND. The Senator is correct.

Mr. LAUSCHE. It has no relationship to general school aid?

Mr. KNOWLAND. No; it does not. This is the so-called impacted area amendment.

Mr. SALTONSTALL. Mr. President, I join in the amendment, for this reason: When the matter was presented to the Committee on Appropriations, there was no evidence that the House would accept this amendment. Therefore we voted to leave it out and to ask the administration to take the matter up with the House.

Mr. HAYDEN. The bill authorizing the appropriations had been at the White House for 10 days, and we received the budget request in the afternoon of the day we were buttoning up the bill. There was no opportunity to call witnesses or to hold any hearings to take any testimony. This is one of those things. Maybe the House will accept it, and maybe it will not. We have no knowledge what action the House will take. We felt, however, that we were not justified to take any action previously.

Mr. SALTONSTALL. Since that time we have learned that the Committee on Appropriations of the House would like us to take this procedure and that they would consider it if we sent it over to them.

Mr. POTTER. Mr. President, I am pleased to join the Senator from California in advocacy of the amendment, because we know that the request for appropriations on this item did not come to us until after the appropriation bill was buttoned up. The administration was unable to act because the continuing authorization bill had just been passed. Consequently a time factor has been involved. It is not a new program. It is a continuation of an existing program. It is of great benefit to many areas. Some of them are in Michigan. I am sure many other places in the country are also affected. I am delighted to join the Senator from California in offering the amendment.

Mr. WATKINS. Mr. President, the State of Utah has a number of Federal installations which have caused great difficulty in some of our school districts. Many people have come into some of our areas on a temporary basis, and they very much need this type of help. Our school districts have been having trouble. If the program were suddenly abandoned, they would be in real trouble, because they do not have the money with which to carry on, and in many instances they have exhausted their borrowing capacity.

Mr. MUNDT. It should be added that this particular appropriation is before the Senate under somewhat different circumstances from the other items which appear in the bill. On the other items we had in committee virtually unanimous votes to try to save a little money, and we have noted with regret that on virtually every one of those items the Senate has overruled the

Committee on Appropriations and has voted to spend the money which the committee had tried to save.

This item comes to us under different circumstances. In the first place, as the distinguished chairman of the Committee on Appropriations has stated, and as the distinguished minority leader also has stated, it came before our committee under the auspices of the Senator from Alabama [Mr. HILL] only a few hours before we were marking up the bill. We were given no opportunity to go into the subject. It is a renewal of an existing program, an extension of a function which has been of immeasurable service to school districts in every State of the Union where there is a federally impacted area as the result of an activity of the Federal Government.

On this item we did not take a vote. We did not reject it. We discussed what to do with it. We raised the question whether the House would act on it. Instead of acting on it affirmatively or negatively in committee, it was decided to consult with the Members of the House. Therefore, the pending amendment is in strict conformity with the planning of our Committee on Appropriations.

Mr. KNOWLAND. The Senator is correct. The Senator from Alabama [Mr. HILL] is the chairman of the subcommittee which would normally handle this matter if it came through in the regular order.

Mr. HILL. Mr. President, the distinguished Senator from South Dakota has stated the facts. The Budget Bureau estimate did not come to the committee until just as the committee was completing its work on the bill. But, as the distinguished Senator from California has said, we must make the appropriation. Many of the schools will be opening next month, which means in less than 30 days from now. They cannot wait until next January or February for the funds. The funds must be made available now.

The Senator from California knows that the program has been in effect for many years to meet the situation in areas which are impacted by Federal activity, and where the Federal Government has a direct responsibility for the impact.

So we must go forward. We must adopt the amendment offered by the Senator from California to make the funds available, and to make them available now.

Mr. KNOWLAND. I thank the Senator from Alabama.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MUNDT. Following the thought of the Senator from Alabama, even though the schools will be opening in 2 or 3 weeks, they are already contracted for their teachers and contracted for their educational expenses on the correct assumption that Congress will extend the program and make funds available to them.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. ALLOTT. I commend what the Senator from California has done. We in the Committee on Labor and Public Welfare have followed the matter very carefully. In the next few days, many schools will be opening, and they will not be able to get along without these funds. The funds need to be supplied.

I commend the Senator from California for offering the amendment. I think it should be adopted now, so that the schools may be taken care of and can go ahead with their programs.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KNOWLAND].

The amendment was agreed to.

Mr. ANDERSON. Mr. President, I call up my amendment designated 8–14–58–H, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 36, line 23, after the word "Foundation" it is proposed to insert:

Provided, That $3 million of the funds appropriated in this paragraph shall be available only upon the enactment of S. 4273 or H. R. 13749 for research and development costs in connection with agreements for cooperation with the European Atomic Energy Community.

On page 36, line 2, strike out "$2,415,840,000" and insert in lieu thereof "$2,418,840,000."

Mr. HAYDEN. Mr. President, my understanding is that this matter was pending before the committee with a request for a larger sum of money.

Mr. ANDERSON. It was $25 million.

Mr. HAYDEN. $25 million. It was decided that there was no authority of law for it. It now appears from this language that there is authority of law for $3 million.

Mr. ANDERSON. The authorizing bill will be brought up later. This is a matter of cooperation with the European Atomic Energy Community. The research is supposed to begin in the remaining months of this year.

The language has been drawn in conjunction with the staff of the Committee on Appropriations, so that in case the Senate and the House pass, and the President signs, one or the other of the bills, the $3 million will be available only in that event.

This is a very much worthwhile matter. The President sent a special message to Congress asking for $25 million. After much consideration, we felt that the $15 million for contingent liability guaranties was not necessary in this fiscal year. Of the $10 million for research, which the President requested, it was my feeling—and I did this on my own responsibility—that the amount could be safely reduced to $3 million.

Subsequently, the Joint Committee joined in the opinion that the work could be done for $3 million. Therefore, we have asked for only this modest amount for research and development in conjunction with the European Atomic Energy Community.

Mr. HAYDEN. The appropriation is contingent upon the enactment of either S. 4273 or H. R. 13749, is it not?

Mr. ANDERSON. Yes, it is.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. SALTONSTALL. I join with the chairman in the hope that the amendment will be agreed to. The Euratom program is very much desired by the administration. There was no chance to propose an appropriation until an authorization was received. Now the authorization has come. I join in the hope that the amendment will be accepted.

Mr. ANDERSON. I thank the Senator from Massachusetts.

Will the chairman of the committee accept the amendment?

Mr. HAYDEN. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON].

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, in the supplemental appropriation bill, funds are provided for our atomic energy program. I shall support the committee report, although in the committee, and in the Senate when the authorization bill was before us, I attempted to make certain changes which would have had the effect of eliminating the electric power convertible feature. The President has stated that in his opinion it is not necessary to appropriate money for this plant at the present time. However, if it is appropriated, it should be for producing plutonium, and the convertible feature should be omitted.

The committee's report provides the initial installment of $45 million of the $145 million necessary for the construction of the plant. The sole reason for building this reactor is to provide greater plutonium production capacity for defense purposes, but there is considerable conjecture as to whether existing capacity will be inadequate when the plant is completed. I am informed that two large private reactors being built in New York and Chicago will come into operation before the Hanford reactor, and they will produce plutonium. If the Euratom program is approved—and I understand it will be approved by the Joint Committee on Atomic Energy—sources of plutonium abroad will be expanded, although Euratom plutonium can only be used for peaceful purposes. The reactors which we now have will continue to produce plutonium for some time to come. Furthermore, we cannot be certain as to how much of our present stockpile will be expended.

My point is simply this: Because of the numerous unknown factors involved, it is difficult for anyone accurately to assess our plutonium requirements. Since the President has stated that there is no certain need for additional plutonium production capacity, I have favored the delay of this reactor.

The President has also stated that the reactor should not be converted to the production of electric power. The reason advanced for making the reactor convertible is that if a profit is realized from the power, it would offset part of the cost of making the plutonium. Obviously there would be a profit only if the value of the power produced by the reactor exceeded the expense of making the power.

The capital investment alone for making the reactor convertible is $25 million, plus $10 million to convert it when the time comes, and at least $60 million more to add the necessary generating equipment.

Whether the value of the power will exceed the total expense of making it, including that part of the operating expenses chargeable to power production, depends largely upon the military demand for plutonium. It is my understanding that for military purposes it is sound accounting to value plutonium at $30 a gram. If there is no military demand for plutonium, its only use is as fuel and its value is only $12 per gram. I am informed that if a 300,000-kilowatt generator is installed, to make the convertible feature of the reactor pay for itself in due time will depend upon plutonium being sold for military purposes at $30 a gram for at least 20 years. So, the question arises, do we need plutonium for military purposes for 20 years? We certainly hope not, but no one can foresee that accurately.

Deputy Secretary of Defense Quarles has stated to me in a letter that if there shall be any demand for plutonium from this reactor, it will not last longer than 10 years. On the basis of a 10-year demand, the Bureau of the Budget has calculated that if all relevant factors are considered, the net loss in making the reactor convertible to production of 300,000 kilowatts of power will be approximately $58 million. If as much as 700,000 kilowatts of capacity is added, there might actually be a saving on the production of plutonium, but this amount of power would overflow by some 400,000 kilowatts the requirements of the AEC installation at Hanford. This extra power, therefore, would have to compete with power from private and public sources.

The line between those undertakings which must be handled by the Government and those which are more suitable for private enterprise can never be clearly drawn. It is a question of tradition and sound policy. I, personally, have believed that private industry should build powerplants where they are capable of doing so. Where they are not capable of doing so, because of the size and other problems involved, then the Government should do it. In applying these principles to this project, I cannot see the necessity for convertibility, and certainly where there is considerable doubt, it is wiser to proceed on the more conservative costs of no convertibility, thereby saving some 75 to 80 million dollars.

Likewise, the President does not recommend appropriations for the gas-cooled reactor at this time. While the House did not put this money into the budget, the Senate Committee decided to do so. Conceding that it is a good project, is there any reason why the deadlines for a privtae industry group to agree to build the reactor should be set at such an early date that an agreement with industry is unlikely? We should give them more time to organize themselves. To appropriate money now is to take a long step toward insuring that the Government will be obliged to spend $51 million for this project when by waiting the same results could be obtained without expense.

While it is not a part of this bill, the question of Euratom is also before the Congress. I am glad the Senator from New Mexico [Mr. ANDERSON] had money added for that purpose in the pending bill this afternoon.

In view of the fact that Euratom will provide a greater source of plutonium in the free world and technical advancement both for us and our allies, its ends are very much at one with our own objectives.

Mr. President, as I have stated, I shall not offer an amendment to this bill because we have already debated this subject, but I do want to make clear my feelings on this important problem.

Mr. ANDERSON. Mr. President, I do not intend to take a great amount of time. However, I do not wish the Senate to feel that the decision of the Committee on Appropriations and the Joint Committee on Atomic Energy was a foolish one. I would bring to the Senate as the first witness on the question the former Chairman of the Atomic Energy Commission, Mr. Strauss, who appeared before the Joint Committee on June 24, 1958. The able Senator from Ohio [Mr. BRICKER] turned to him and asked:

> If this authorization is made, you would desire to put up a convertible type at the present time?

Mr. Strauss said:

> Personally, I would.

Admiral Strauss is a reasonably good businessman. I introduced that because he had made a careful study of the matter. Commissioner Vance, whose testimony is on page 315 of the authorization hearings, similarly expressed himself. Commissioner Libby, at page 317 of the same hearings, said:

> I think 1–B—the convertible type—is a pretty safe bet.

Commissioner Graham said:

> If I were forced to vote this morning on this question, I think I would go along with 1–B—the convertible type.

Commissioner Vance said:

> A question was asked a moment ago of Dr. Libby which one of these types we discussed with the Bureau of the Budget, and he said 1–A—single purpose. • • • We did not have the full figures on 1–B. Therefore, at that time it was largely a choice between 1–A and 3, and as between those two we discussed with the Bureau 1–A. I think if we had had all this information today, the discussion would have been on the basis of 1–B—the convertible type.

Every member of the Atomic Energy Commission expressed himself by saying that the convertible type was desired.

If the reactor is to run at full capacity for 20 years in making plutonium, the plant will pay for itself very easily. But if by some chance we should enter a period when it would not be producing plutonium, our only hope would be to convert the plant to the proper type. It is that process which we have recommended. I say it is the proper and logical business approach taken by Admiral Strauss, Dr. Libby, Dr. Vance, and Dr. Graham—by each of them.

I appreciate the fact that the able Senator from Massachusetts will not offer his amendment. I appreciate the way in which he stated his position. I simply wanted the Senate to know that this is not something which the Joint Committee and the Committee on Appropriations did capriciously. The committees had a chance to study all the information and came to the conclusion that the convertible type was the best.

Mr. SALTONSTALL. Mr. President, I appreciate the statement of the Senator from New Mexico. In the committee, I opposed putting in the convertible type of reactor. I also opposed putting in the gas-cooled reactors at this time. But I do not wish to offer the amendment, because, as the Senator stated, we discussed the subject before we had evidence on it, and I think it would be a waste of time to submit the amendment.

Mr. ANDERSON. I thank the able Senator from Massachusetts for helping to avoid a controversy which it is not necessary to have.

Mr. SMATHERS. Mr. President, on behalf of my colleague, the senior Senator from Florida [Mr. HOLLAND], and myself, and the Senator from Alabama [Mr. SPARKMAN], the Senator from Indiana [Mr. CAPEHART], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Minnesota [Mr. HUMPHREY], I call up my amendment designated 8–14–58–J and ask that it be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 19, line 21 it is proposed to strike out "$3,200,000" and insert in lieu thereof "$4,500,000."

Mr. HAYDEN. Mr. President, I should like to inquire if this is simply an increase in the limitation, and not a provision to increase the amount of money provided in the bill.

Mr. SMATHERS. The Senator from Arizona is correct. The amendment calls for no increased appropriation in the ordinary sense of the term. It merely increases the limitation and allows the FHA to use the money it has—and which it will earn—for the purpose of hiring employees to facilitate the handling of applications requiring FHA approval.

Mr. HAYDEN. Does the housing legislation which was passed earlier at this session of Congress impose a greater burden upon the FHA?

Mr. SMATHERS. By virtue of the housing program already passed, applications for FHA approval have been pouring in, particularly in certain rapidly growing areas of the country. The result is that the applications are piling up to the point where they are not processed for as long as 5 or 6 weeks.

The program is not moving forward as rapidly as it should be, so the FHA has asked merely that they be per-

mitted to use additional money from their earned income.

Mr. HAYDEN. Inasmuch as the amendment does not involve any increase in the amount of money in the bill, I think the Senate might adopt the amendment.

Mr. LAUSCHE. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. Has the agency to which the additional authority will be granted made a request for the additional funds?

Mr. SMATHERS. The agency asked that they be permitted to have $5 million. The Bureau of the Budget recommended that the agency have only $4,500,000. The Committee reduced that amount. Now we are restoring the amount to what the Bureau of the Budget recommended, but that is less than the amount which the agency requested.

Mr. SALTONSTALL. I join with the chairman in accepting the amendment. I hope it will be agreed to. The housing program has progressed much faster than had been expected. This is an administrative feature, to permit closer supervision of the houses which are being built. As I understand, this is particularly important in Florida, where, for some reason or other, people seem to like to go.

Mr. SMATHERS. I thank the Senator from Massachusetts. That feeling is becoming uniform throughout the Nation.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Alabama.

Mr. SPARKMAN. I express my appreciation to the chairman of the Committee on Appropriations for his willingness to accept the amendment. Something was said about the delays in processing. I have a schedule of the workload. I find, for example, that in Miami the work is running 48 days behind schedule. In Tampa, it is running 40 days behind. In Phoenix, Ariz., it is running 25 days behind. In Columbus, Ohio, it is running 24 days behind.

The load is getting bigger and bigger all the time because of the great stimulus which was given to housing construction under the Emergency Housing Act which was passed earlier this year.

If the Senator from Florida will not object, I ask unanimous consent to have printed at this point in the RECORD an article entitled "July Housing Starts 14 Percent Above 1957," which was published in the Washington Post and Times Herald for August 14, 1958.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JULY HOUSING STARTS 14 PERCENT ABOVE 1957

Housing construction activity held up better than usual in July, the Labor Department reported yesterday.

Not including farm housing, 111,000 units were started last month, a decline of 4,000 units from June, which the Department described as less than usual for this time of the year. Compared with July 1957, this represented an increase of 13,000 units—nearly 14 percent.

Private housing construction, which usually declines in July, rose this year by 2,800 units to a total of 107,300. This is a gain of 14 percent over July last year and the largest total for any month since May 1955.

Housing started under FHA and VA mortgage insurance programs accounted for the entire increase from June to July.

On a seasonally adjusted basis, private housing started in July was at an annual rate of 1,160,000 units, the highest in 2½ years.

Publicly owned housing started in July declined from 10,500 to 3,700 units. The 7-month total for this year so far was at a 6-year high of 40,300 units compared with 32,200 reported in the same period of 1957.

Mr. SPARKMAN. Mr. President, I ask unanimous consent, also, to have printed in the RECORD a table showing the work load which has built up in various areas of the United States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Fourteen days is considered normal processing time. The following offices have a backlog in excess of 14 days even though FHA has been employing overtime, per diem and fee appraisers:

	Days work on hand
Zone II:	
Wilmington, Del	19
Washington, D. C	24
Baltimore, Md	19
Philadelphia, Pa	20
Pittsburgh, Pa	17
Richmond, Va	17
Zone III:	
Birmingham, Ala	28
Miami, Fla	48
Tampa, Fla	40
Atlanta, Ga	22
Jackson, Miss	23
Greensboro, N. C	24
Columbia, S. C	17
Knoxville, Tenn	16
Zone IV:	
Chicago, Ill	22
Springfield, Ill	15
Indianapolis, Ind	25
Des Moines, Iowa	23
Detroit, Mich	25
Grand Rapids, Mich	22
Minneapolis, Minn	19
Cincinnati, Ohio	22
Cleveland, Ohio	19
Columbus, Ohio	24
Milwaukee, Wis	19
Zone V:	
Kansas City, Mo	16
Dallas, Tex	25
Fort Worth, Tex	26
Houston, Tex	20
Lubbock, Tex	16
Zone VI:	
Phoenix, Ariz	24
Los Angeles, Calif	24
Sacramento, Calif	35
San Diego, Calif	19
San Francisco, Calif	21
Boise, Idaho	28
Reno, Nev	25
Salt Lake City, Utah	15

Mr. SPARKMAN. Mr. President, sometimes I think we overlook the fact that FHA is a money-making organization. During the years it has been in operation since 1935, it has collected in fees, premiums, and investments almost $1,500,000,000. It has paid out in operating expenses about $500 million. There has been a net profit of almost $1 billion.

All this amendment does is to authorize them to use an additional amount of their earnings in order to do more work, and thereby produce an even greater profit.

Mr. SMATHERS. I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a copy of a release issued by the Federal National Mortgage Association in regard to the release of $100 million additional for this housing program, and also a statistical table of the income and operating expenses of the Federal Housing Administration through June 30, 1958.

There being no objection, the release and the table were ordered to be printed in the RECORD, as follows:

ONE HUNDRED MILLION DOLLARS MORE FNMA FUNDS MADE AVAILABLE FOR LOW- AND MODERATE-PRICED HOUSING MORTGAGES

Announcement was made today by the Federal National Mortgage Association that $100 million more is being made available for commitments to purchase low- and moderate-priced housing mortgages under its special assistance program authorized by the Emergency Housing Act of 1958. This action, taken with the approval of the Bureau of the Budget, increases the total available for this program to $850 million of the $1 billion authorized by the legislation.

In previous actions, $300 million of commitment authority was made available for the program on April 4, $300 million on May 26, and $150 million on July 23.

Under its special assistance program for low- and moderate-priced housing mortgages, FNMA issues commitments to purchase FHA-insured and VA-guaranteed mortgages of $13,500 or less covering housing on which construction had not started at the time the application was made for FNMA's commitment.

According to FNMA President J. Stanley Baughman, FNMA has entered into commitment contracts totaling $706 million for the purchase of 58,861 mortgages under this program. These figures reflect FNMA activities through August 12, and cover 33,428 VA mortgages totaling $411 million and 25,433 FHA mortgages amounting to $295 million. These mortgages will provide for 58,861 units of new housing, Mr. Baughman said.

Mr. Baughman stated that the funds are being made available to the Association with the understanding that the program will continue to be reviewed taking into consideration existing circumstances and conditions.

Federal Housing Administration—Income and operating expenses through June 30, 1958

Fiscal year—	Income from fees, premiums, and investments	Operating expenses	Net income
1935	$339,609	$6,336,905	−$5,797,296
1936	2,503,248	12,160,487	−9,657,239
1937	5,690,268	10,318,119	−4,627,851
1938	7,874,377	9,297,884	−1,423,507
1939	11,954,056	12,609,887	−655,831
1940	17,860,296	13,206,522	4,653,774
1941	24,126,366	13,359,588	10,766,778
1942	28,316,764	13,471,496	14,845,268
1943	25,847,785	11,160,452	14,687,333
1944	28,322,415	11,148,361	17,174,054
1945	29,824,744	10,218,994	19,605,750
1946	30,729,072	11,191,492	19,537,580
1947	28,790,341	10,063,870	10,726,471
1948	51,164,456	20,070,722	31,093,734
1949	63,983,953	23,378,483	40,605,470
1950	85,705,342	27,457,820	58,247,522
1951	98,004,922	31,314,309	66,690,613
1952	103,021,039	30,622,407	72,398,632
1953	115,298,193	31,348,172	83,943,021
1954	125,223,448	31,393,575	93,829,873
1955	138,823,312	36,202,404	102,620,908
1956	145,532,774	40,587,159	104,945,615
1957	146,969,012	41,261,452	105,707,560
1958	156,908,263	45,564,852	111,343,411
Total	1,471,004,055	509,742,412	961,261,643

Mr. SMATHERS. Mr. President, the Senator from Alabama agrees, does he not, that this addition will make it possible for this Federal agency to make even more money for the Federal Government than the agency previously has taken in.

Mr. SPARKMAN. Yes, and I have so stated.

Mr. SMATHERS. I thank the Senator from Alabama.

Mr. LAUSCHE. I should like to ask a question: Does this appropriation come out of administrative funds, or does it come from profit resulting from the payment of interest or from some other source?

Mr. SPARKMAN. It is the excess of insurance premiums and fees in connection with the insured loans, over the operating expenses and the losses which may have been incurred. It is really a reserve to protect the Government on its insurance risk.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Florida [Mr. SMATHERS], on behalf of himself and other Senators.

The amendment was agreed to.

Mr. BEALL. Mr. President, I submit the amendment which I send to the desk, and ask to have stated.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 27, after line 1, it is proposed to insert the following:

NATIONAL CAPITOL PLANNING COMMISSION LAND ACQUISITION

National Capitol Parkway and Playground System

For additional amount for "Land Acquisition for National Capitol Parkway and Playground System" for land acquisition for the George Washington Memorial Parkway, $2 million to remain available until expended: *Provided*, That not to exceed $120,000 of the funds provided herein may be used for necessary expenses of the Commission (other than payments for land) in connection with such acquisition.

Mr. BEALL. Mr. President, in 1930, the entire plan for the development of the George Washington Memorial Parkway was proposed. The project is practically completed from Mount Vernon to Great Falls, on the Virginia shore; and it is rapidly nearing completion on the Maryland side, from Great Falls to Washington.

It is uncontroverted that there exists a great necessity for additional park facilities in the metropolitan Washington area. Unquestionably, the continuation of this parkway development will add much to our Capital City; and the appropriation provided by my amendment will permit the early completion of this memorial to our first President.

Already, Mr. President, about $28 million, has been spent on the entire project.

In order that this entire project may be realized, continuation of the work from the Capital City to Fort Washington, in Prince Georges County, Md., must be permitted. All plans for that portion of the parkway are complete.

My amendment calls for an appropriation of $2 million for land acquisition to further the project. Actually, only $1 million of this sum represents Federal funds, because half of it—the other $1 million—is to be repaid to the Federal Government from local funds. The Prince Georges County Commissioners already have completed the necessary authorization for repayment of these funds to the Federal Government.

The urgency of this matter is indicated by the rapidly increasing land values south of the city of Washington. That is the only remaining area close to the city which is largely undeveloped; and it is changing rapidly every day. It is important, therefore, that we get at this job, and have the funds with which to complete the project.

Mr. HAYDEN. Mr. President, I regret that I have to oppose the amendment of the Senator from Maryland. But in view of the action taken by the committee, I have no choice.

Personally, I felt that funds should be provided for the acquisition of land for this portion of the George Washington Memorial Parkway. However, a majority of the members of the committee felt otherwise; and the proposal was rejected by the committee.

It was the view of the majority of the committee that an expenditure of some $10 million could provide greater recreational benefits at many other places throughout the country.

As I have stated, I have no choice. Therefore, I have to oppose the amendment of the Senator from Maryland.

I understood the Senator from Maryland to state that approximately $28 million has been expended on the project. However, so far as I know, no money has been spent by the Federal Government on the section between the District line and Fort Washington.

Mr. BEALL. That is correct; but the Federal Government has spent money on the project.

Mr. HAYDEN. I was here when the Capper-Crampton Act was originally enacted. The act authorizes a parkway from Mount Vernon to Great Falls, on the Virginia side of the river—of course, omitting Alexandria—and, on the Maryland side of the river, from Great Falls, omitting the District of Columbia, down to Fort Washington.

Mr. BEALL. Yes, down to Fort Washington.

Mr. HAYDEN. The project has been completed from Mount Vernon to Alexandria.

Mr. BEALL. That is correct.

Mr. HAYDEN. And the work has been extended upstream from this side of Alexandria to the site of the new building for the Central Intelligence Agency. The parkway has never reached Great Falls.

Mr. BEALL. On the Maryland side, the parkway must go through Montgomery County and Prince Georges County. The work in Montgomery County is either completed or is under contract.

Mr. HAYDEN. I understand. But nothing has been done from the District line south to Fort Washington.

Mr. BEALL. The counties are making their contributions. Prince Georges County is bound, by commitment, to pay 50 percent of the cost and is prepared to put up the matching funds now.

Mr. HAYDEN. Of course, if the work is ever to be done, it would be cheaper to do it now, because land values are rising. That is an appealing argument, and the one I used unsuccessfully in committee.

But there has not been any action in that section, or any contribution for it, so far as I know.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland [Mr. BEALL].

Mr. LAUSCHE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Maryland yield for that purpose?

Mr. BEALL. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LAUSCHE. Mr. President, I now understand that the chairman of the committee opposes the amendment. Therefore, if I may do so, I temporarily withdraw my suggestion of the absence of a quorum.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HAYDEN. Mr. President, inasmuch as the committee rejected this proposal, other members of the committee should express their views in regard to the amendment.

Mr. SALTONSTALL. Mr. President, when the matter came before the committee, there was no evidence—as the chairman of the committee has said—that work under the contract had gone forward. I understand that the committee unanimously rejected the proposal, and did so on the ground that at the present time other projects were more needed than this one.

Mr. BEALL. But is it not a fact that the committee did not know that $28 million was already invested in the project? Of course, no project is really worthwhile until it is actually completed. Inasmuch as $28 million has already been spent on the project, certainly we must keep it going.

Mr. BYRD. I should like to ask the chairman of the committee whether the money in this fund has been exhausted.

Mr. HAYDEN. No. The situation is that in Virginia, the parkway is completed from Mount Vernon to Alexandria. From Alexandria, upstream about as far as the site for the new building for the Central Intelligence Agency these sections of the parkway are either completed or are in process of completion.

There remains to be built—if it ever is built—the part of the parkway, on the Virginia side of the Potomac, from the site of the new building for the Central Intelligence Agency to Great Falls.

On the Maryland side, property has been acquired for construction of the parkway from Great Falls south to the District line. No expenditure has been made by either the District of Columbia or the State of Maryland on the

stretch of the parkway from the District of Columbia, south, through Maryland, to Fort Washington, other than small sums for surveys.

Mr. BEALL. In Montgomery County. The State and Montgomery County have spent money on the project from the District line to Great Falls.

Mr. HAYDEN. That is true. The money we are talking about appropriating is for the project from the District of Columbia south.

Mr. BEALL. The Senator is correct, but the other part of the project is practically completed.

Mr. BYRD. Unless the money is provided will there be an uncompleted link in the parkway?

Mr. BEALL. Yes. It goes from Great Falls to Washington. That part is either completed or under contract. It is true that the part of the project from Washington, D. C., to Fort Washington is not completed. But when the George Washington Parkway is completed it will leave one county and continue in another county.

Mr. CHAVEZ. Mr. President, the committee worked for days and days and days on this bill. After due consideration of all the testimony and facts on hand before the committee the bill was marked up. The bill was not marked up by 4 or 5 Senators; the committee did the marking up.

Mr. BEALL. But the committee did not know that $28 million had been spent on the project. That fact was not in the evidence.

Mr. CHAVEZ. The committee knew the money had been spent on the project. For the moment, I think the committee was correct in this action.

I hope the Senator from Maryland will not press his amendment, because acceptance of the amendment would be overriding the committee as a whole.

Mr. BEALL. I was not there, but I understand the committee did not have before it the fact that $28 million had been spent. Because the District of Columbia is between Prince Georges County and Montgomery County, there is an unconnected link in the parkway.

Mr. CHAVEZ. I think it is up to the committee to decide what money should be spent immediately.

Mr. HAYDEN. As I understand, there will never be a connection between the two links of the highway, because the District of Columbia separates Prince Georges County from Montgomery County. The committee was concerned about the question whether the State of Maryland or any local interest had done anything or had contributed anything toward acquiring the right of way from the District of Columbia south.

Mr. BEALL. No. Prince Georges County was not prepared, up until now, to put up matching funds. Now it is prepared to do so.

Mr. HAYDEN. There was no evidence before the committee to that effect.

Mr. DIRKSEN. If the Senator will yield, half of the $2 million, or $1 million, would be a loan to Prince Georges County, to be repaid by the county in 8 years. The request is for $2 million. One million dollars would be an advance to Prince Georges County, to be repaid in 8 years.

Mr. LAUSCHE. That is, the money which the local agency would put up would be loaned to it by the Federal Government?

Mr. DIRKSEN. One-half of it, which is to be repaid in 8 years.

Mr. LAUSCHE. The project would cost $2 million, and $1 million of it would be loaned.

Mr. BEALL. Mr. President, I have a sheet in my hand with figures which I have obtained from the Park and Planning Commission. I should like to read the figures.

The cost of Federal land acquisition is $974,553.20.

The cost of land added by State participation is $974,500.

Total land acquisition cost is $1,949,053.30.

The amount spent for construction is $1,757,930.

Funds obligated from funds already appropriated total $2,676,500.

Total land acquisition and construction costs, either spent or obligated, are $6,383,430.30.

Those are the figures which were given to me this morning by the Park and Planning Commission.

Mr. LAUSCHE. The figures still do not establish that any money has been spent by State or local agencies, or that there will be any money spent, except the $1 million which the Federal Government will lend.

I repeat the figures which I have read. The cost of the land that has been acquired is $1,949,053.30. They are the figures which were given to me today by the National Park and Planning Commission.

Mr. HAYDEN. My understanding is that practically nothing has been spent on the portion of the project between the District of Columbia and old Fort Washington.

Mr. BEALL. The parkway goes to the old fort. The State is ready to go ahead. If the purchase of the land is put off, land values will increase and the costs will go up.

Mr. HAYDEN. It is true that the amendment provides for a loan, which will be repaid by the county, for one-half of the $2 million. The total amount of $2 million consists of $1 million representing the share of the Federal Government, and $1 million representing the advance which will be made to Prince Georges County, which is to be repaid.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DIRKSEN. I wish to say to the Senator from Ohio, first of all, this is a part of an established project. Second, the District of Columbia intervenes between the two counties of Maryland involved. If this matter is postponed for a couple of years, we shall have to pay twice as much for the land. I have been around this city for 25 years. I remember when Chinatown was at the base of our Capitol. I remember something about real estate values here. I remember when there was an effort made to buy a parking site in the area next to the Senate Office Building. I am in favor of it. I think we should buy every square foot of that area, because eventually we shall have to pay three times as much. This is a growing area.

The system under discussion will have to be developed. There is involved a Federal share of $1 million. The other $1 million will be advanced to Prince Georges County, which will be repayable in 8 years. If we do not provide for the acquisition now, the Federal Government's share will be $2 million instead of $1 million. I think, as a matter of prudence and foresight, having in mind what happens to real estate values in this vicinity, the amendment should be adopted. It would be a wise move, because we shall have to complete the system, anyway. I think doing it at the present time will result in saving money.

Of course, the chairman of the committee cannot accept the amendment, because it was rejected by a majority vote of the committee; but I know where his heart was and how he felt about it. He is immobilized as a result of the majority vote in committee. I doubt whether the amendment received quite the discussion it merited in advance of the marking up of the bill by the committee.

So I support the amendment of the Senator from Maryland.

Mr. LAUSCHE. Is there any precedent for the Federal Government's lending money to local agencies?

Mr. DIRKSEN. Yes. We loan money to the District of Columbia. We have done it for years.

Mr. LAUSCHE. The Senator refers to the District of Columbia?

Mr. DIRKSEN. Yes.

Mr. LAUSCHE. That has never happened in Ohio. I recognize Ohio is far removed, but within the State we have local communities which say, "We cannot put up our money; we cannot go forward." In the State of Ohio we did not establish the principle of the State putting up its share and then lending to the local community the amount of money which was needed for the local community's share.

Mr. DIRKSEN. It is by no means an uncommon practice, and we have done it under the Federal Highway Act, as the Senator will recall.

Mr. LAUSCHE. If it is not an uncommon practice, it still is not a good practice. I do not know that under the Federal Highway program we loan money to local communities or State governments to put up their share. I do not believe that is done.

Mr. DIRKSEN. I do not pass upon the merits of the practice. Mr. President, I think the amendment of the distinguished Senator from Maryland ought to prevail and ought to go to conference, because this is an important matter.

Mr. MAGNUSON. Mr. President, I am not so familiar with the proposal as I should be, but I know in the hearings with respect to the National Planning Commission we did not have—whether we were unable to obtain them or they were not available I do not know—the figures as to the amounts spent. I believe the figure is $28 million already.

Mr. DIRKSEN. The Senator is correct.

Mr. MAGNUSON. The information might have thrown a different light on the committee action at the time. Those figures were not available at the time.

Mr. RUSSELL. Mr. President, I regret very much to be compelled to say anything about this matter. This is doubtless a most worthy and meritorious project.

Mr. President, I have a very great concern about what is happening to the Committee on Appropriations of the Senate of the United States. We go to the committee rooms. We conduct our hearings. We meet to mark up the bill. I certainly would not contend in any circumstances that we are correct in all decisions, but we are at least a standing committee of the Senate and we give attention to all these items.

I did not hear the evidence presented with respect to this specific item, but I know the committee discussed it at some length, and on a vote the committee rejected this proposed amendment. I did not hear the testimony, and I do not know about the validity of the $1 million loan to a county in Maryland. Such a loan perhaps would be perfectly sound, but in my opinion it certainly would set a precedent.

I see no connection whatever between loans which might be made to the District of Columbia, which is specifically and directly under the jurisdiction of the Congress, with the Congress sitting more or less as the governing body of the District, and loans which might be made to a county in Maryland.

This is a good project. It is a meritorious project. I would be more inclined, though, to desert the action of the Committee on Appropriations if the amendment provided the $1 million were to be taken from the Maryland allotment under one of the highway funds. We all know those funds have been increased substantially of late.

The action proposed, if taken, will undoubtedly establish a precedent. I do not see how we can reject a loan to any other county simply because it is not adjacent to the District of Columbia, and not close to the dome of the Capitol of the United States.

Above all, Mr. President, if the process of the Committee on Appropriations being reversed on every amendment it has considered continues, it certainly will not be calculated to encourage a member of the committee to sit through the long hours of the markup on bills. We must have spent 18 or 20 hours to mark up this bill alone, considering these items and mulling them over.

I have always endeavored to vote with the committee, even if I were on the opposite side of the committee vote, unless I served notice on the committee that I did not intend to follow the action of the committee on the floor.

If we are to reverse the committee on the floor, however desirable it might be for some of our colleagues, in all these instances, the committee might as well place in the bill, to start with, every amendment which is proposed, and then bring the bill to the floor.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield.

Mr. BEALL. I appreciate the position taken by the Senator from Georgia, but the committee did not have the figures I submitted today. As a matter of fact, I did not know myself until yesterday that $28 million had been spent. This practice has been followed up in Montgomery County, on the western end of the parkway. Prince Georges County was not ready until this year to guarantee the money until now.

There is a memorial highway which is being built from Great Falls to Fort George Washington, and more than half of it is either built or under construction; that is, in Montgomery County, the western end. It is true the District of Columbia is in between.

Prince Georges County was not ready to follow through until this year, but now it is ready. If there is to be a memorial highway it will have to go all the way. If the Appropriations Committee had had the figures available I think perhaps the committee would have taken different action. I think there would have been a different opinion about the project.

Mr. RUSSELL. I will say to the Senator I do not recall at the moment how I voted on this item in the committee, but the committee took action and acted unfavorably. Is this highway not on the Interstate System?

Mr. BEALL. No, it is on the park system.

Mr. RUSSELL. It is not a part of any highway?

Mr. BEALL. No.

Mr. RUSSELL. Why should the Treasury lend $1 million to the county in Maryland?

Mr. BEALL. This road is to be built by the park system. It is to be on the only undeveloped land within the vicinity of the Capital where a park and a parkway can be established. That is the main reason for the action. The actual construction will be by the Department of the Interior.

Mr. RUSSELL. Mr. President, it is always very painful to differ with our colleagues on these items. It was painful for me to differ with the distinguished Senator from Alabama yesterday, when we considered an amendment about which the Senator was very much concerned, which had been rejected by the committee. If committee action is to mean anything, I think the members of the committee should support the committee, and I shall vote to support it.

Mr. LAUSCHE. Mr. President, a moment ago the Senator from South Dakota [Mr. MUNDT] made a statement indicating his displeasure and disappointment that the committee was being reversed on items to which it gave study and recommended to the Senate the items be not allowed. In this case it has been pointed out that the Prince Georges County in Maryland, until now, was not ready to go forward with its contribution to the building of the road. Now it is said, "We are ready, provided the United States Government will loan us the money."

Mr. BEALL. Only temporarily.

Mr. LAUSCHE. There are 88 counties in the State of Ohio. If the Federal Government is to start loaning money to local counties and States to enable them to put up their share of projects, I had better let them know about it back home. I think the principle is unsound. If such procedure has been established, it ought to be stopped.

Mr. President, I suggest the absence of a quorum, and I shall ask for a yea-and-nay vote on this amendment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Maryland [Mr. BEALL].

The amendment was rejected.

Mr. NEUBERGER, Mr. SALTONSTALL, Mr. ALLOTT, Mr. HUMPHREY, and Mr. WATKINS addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. NEUBERGER. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is offered on behalf of the Senator from Montana [Mr. MURRAY], the Senator from South Dakota [Mr. MUNDT], the Senator from New Mexico [Mr. ANDERSON], the Senator from Michigan [Mr. POTTER], the Senator from Wyoming [Mr. BARRETT], the Senator from Utah [Mr. WATKINS], the Senator from Minnesota [Mr. HUMPHREY], and myself.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, after line 8, it is proposed to insert the following:

OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

For expenses necessary to carry out the provisions of the act of June 28, 1958 (Public Law 85-470), $100,000, to remain available until expended.

Mr. NEUBERGER. Mr. President, this amendment would provide funds for the National Outdoor Recreation Resources Review Commission, to enable it to get underway this year. Congress has already authorized an appropriation of $2,500,000 to carry out the vital work of this Commission, which will inventory the outdoor recreational and wildlife and scenic resources of our country.

The Congressional members from the Senate and House have already been appointed. Four members are now present in the Chamber, namely, the distinguished Senator from New Mexico [Mr. ANDERSON], the distinguished Senator from Utah [Mr. WATKINS], the distinguished Senator from Wyoming [Mr. BARRETT], and myself. The House members likewise have been appointed.

It is my understanding that the President has already named the public members of the Commission. However, the President has been unable to announce those members, I am informed by the White House, because they have not gone through the necessary FBI clearance. I presume they will all be cleared, and in a short time the President will announce his appointments; but we cannot really get underway until this appropriation of $100,000 is approved.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. HAYDEN. I read the following from the committee report on this subject:

The committee recommends the disallowance of the budget estimate of $100,000 for the salaries and expenses of the Outdoor Recreation Resources Review Commission. Inasmuch as all of the members of the Commission have not been appointed it is the view of the committee that funds for the work of the Commission should be deferred.

Mr. NEUBERGER. The only point is that the President has made his appointments, but cannot announce them until they go through the necessary security clearance.

Mr. BARRETT. Mr. President, I am advised the public members of the Commission have been selected by the President and the announcement of the appointments will be made as soon as FBI has concluded the clearance of those appointed. That will be taken care of in a matter of a week or two.

The whole difficulty is occasioned by reason of the fact that the legislation setting up this Commission was enacted only a short time ago. However it is desired that the Commission will start its work before the first of next year. I am hopeful that this amendment will be accepted by the distinguished chairman of the committee.

Mr. SALTONSTALL. Mr. President, the statements which have just been made by the Senator from Wyoming and the Senator from Oregon, I have been informed by the Secretary of the Interior, Mr. Seaton, are correct.

It will be recalled that in the committee we decided not to do anything because the public members had not been appointed. I should like to confirm what has been said. The members have been appointed, and the only thing holding them up is the customary FBI investigation. Therefore the reason the committee held up the appropriation is now water over the dam.

Mr. MUNDT. Mr. President, what the Senator from Massachusetts and the Senator from Arizona have advised the Senate is correct. This subject is now in quite a different category from what was considered by the committee. The subject was presented to the committee on the basis that the public members would not be appointed and ready to serve until next year, so we thought the subject could be brought up in January. Since information has been made available that the President has already made his appointments, it seems to me that it would be foolhardy and unwise for us to defer instituting the important work of the commission. I am sure that members of the Appropriations Committee are unanimously in favor of the work of the Commission. If it is ready and able to function, I think the chairman of the committee would be justified, on the basis of our discussion in the committee room, in accepting this amendment.

Mr. ANDERSON. Mr. President, I wish to make a very brief statement. While there were a great many sponsors of the bill, it finally bore the name of the junior Senator from New Mexico. However, all of us who were sponsors of it were interested in it.

I have had some discussion with members of the White House staff, in view of the fact that my name appeared on the bill. What has been stated here today is absolutely correct. I think it would be too bad if the President should name the public members in the fall, and they were not available to make preliminary inspection trips until next year.

Mr. BARRETT. I believe that the release of the names will take place in a matter of a week or 10 days, not next fall.

Mr. ANDERSON. I know that the names are ready to be announced, but the question was whether the Commission should start functioning next year or this fall. I took the very strong position with the White House staff that a preliminary survey should be made as quickly as possible. If the money is made available in this bill, the Commission can start its work this fall.

Mr. BARRETT. Plans are already underway for meetings this fall.

Mr. MORSE. Mr. President, my colleague and his cosponsors are to be highly commended for offering this amendment. I am sure the Senator from Arizona and the Senator from Massachusetts will see the equity of their claims. The Commission needs to get its work underway at once. I think it should be stressed that if the Commission does the job we think it will do, it will prove to be a very economical agency. It will be an economical expenditure of funds to have the Commission at work. This subject is of vital concern to us in the areas which have great recreational assets, and I hope the committee will accept the amendment.

Mr. THYE. Mr. President, as one who was present when the question was discussed in committee, in my opinion there is no question that the amendment should be agreed to. The only question was whether the committee should be appointed now. It is obvious that the Commission members have been appointed, and that the clearance is only a matter of days. The Commission should have the funds to enable it to function in accordance with the legislative act.

Mr. HAYDEN. Mr. President, pursuant to the advice which I have received from other members of the committee, I will accept the amendment.

Mr. NEUBERGER. I thank the distinguished Senator from Arizona. He was one of the principal supporters of the Outdoor Resources Review legislation when it went through, as he well might be, because of the great scenic attractions in his own beautiful State.

Mr. President, I ask unanimous consent that the name of the distinguished Senator from Colorado [Mr. ALLOTT] be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. I now yield to the Senator from Utah [Mr. WATKINS] one of the principal members of the Commission.

Mr. WATKINS. Mr. President, there is a time limit within which the Commission must do its work; and if it is to finish in time it should start immediately.

The PRESIDING OFFICER. The question is agreeing to the amendment offered by the Senator from Oregon [Mr. NEUBERGER].

The amendment was agreed to.

Mr. NEUBERGER. Mr. President, I ask unanimous consent that a brief statement on the work of the Outdoor Recreation Resources Review Commission be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR NEUBERGER

This amendment provides the sum proposed by the Bureau of the Budget for initial operations of the National Outdoor Recreation Resources Review Commission. Congress has authorized the appropriation of $2,500,000 to carry out the work of the Commission, which is to prepare a complete inventory and review, State by State, of the recreational facilities and possibilities of the entire Nation. The law establishing the Commission requires completion of the data and recommendations for a long-range recreational development program by September 1, 1961.

The Commission will be composed of 15 members. Four members have been appointed from membership of the House of Representatives and four from the membership of the Senate, as required by the statute. Seven members remain to be appointed by the President. I have received assurances from members of the White House staff that these appointments will be made within the next 2 or 3 weeks. It is my understanding that final action—after sifting through scores of nominations for appointment—has been delayed because of the time required to complete certain necessary investigative procedures.

It is my hope that the Senate will approve the sum proposed to carry on the work of the Commission and that its members can meet and organize at an early date. If the Commission is without funds until the next session of Congress, it will be seriously hampered in completing the review and report by the deadline specified in the act which created it. A great deal of work will have to be done by the Commission staff at the earliest possible date to achieve the objective of a thorough and complete study of our Nation's outdoor recreation facilities. Unless funds are provided at this session of Congress, some 4 to 6 months may be cut from the time available for completion of the study.

Mr. HUMPHREY. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is designated "8–14–58–N."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 17, between lines 11 and 12, it is proposed to insert the following:

FEDERAL CONTRIBUTIONS

For an additional amount for "Federal contributions" including financial contributions to the States pursuant to section 205 of the Federal Civil Defense Act of 1950, as amended, to be equally matched with State funds, $9 million: *Provided*, That funds appropriated under this head in the Independent Offices Appropriation Act, 1958, shall be available for the purposes of this appropriation.

Mr. HUMPHREY. Mr. President, I have sent to the desk an amendment to H. R. 13450, which would add to the bill the sum of $9 million, while retaining authority for the Office of Civilian and Defense Mobilization to expend existing funds in the amount of $3 million for the purposes of the act.

Mr. President, in passing H. R. 7576 on July 23 of this year, the Senate took one of the most forward steps in nonmilitary defense in 8 years.

Among other things, the bill authorized the expenditure of Federal matching funds of not more than 50 percent toward the cost of personnel and administrative expenses of State civil defense employees and for items of personal equipment for State and local civil defense workers.

As the senior Senator from Massachusetts pointed out at the time of consideration of the bill, civil defense is lagging in many States. In more than one-half of them there are less than 12 full-time civil defense employees. He pointed out quite clearly that no matter how many civil defense volunteers there might be, the services of these men and women may not be used effectively without a strong nucleus of trained leaders, professional people, available for civil defense or national disaster relief activities. The bill authorized a maximum of $25 million appropriations in any single year.

Mr. President, final passage of H. R. 7576 did not take place before the supplemental appropriation was sent to the Congress and action was taken on the bill by the House of Representatives. The President did request a supplemental appropriation of $9 million to supplement funds of $3 million already available to the Office of Civil and Defense Mobilization for the purposes of carrying out section 6, section 408, of the act as amended.

Mr. Hubert Schoen, director of the Minnesota civil defense, has brought to my attention the very great need to provide these appropriations as the President has requested. Unfortunately, the Committee on Appropriations did not see fit to provide the additional $9 million.

In Minnesota, for example, funds in the amount of $204,000 of the budgeted figure would be provided on a matching 50–50 basis to help the State civil defense organization add to its staff personnel with training capabilities who would assist us in building the local training programs for volunteers in the police, fire, rescue, medical, and radiological defense programs.

In addition, these funds would enable the target cities, such as Minneapolis, St. Paul, and Duluth to add to their civil defense staffs people who could assist in their own local training programs. The program would help some 35 counties in the State which have active civil defense programs, principally those which are in the so-called reception areas for disbursal from the cities.

Minnesota is fortunate in having vigorous leadership in its civil-defense program, but the huge demands on civil defense which the new weapons place upon our governmental structure require that we do everything possible to create even stronger civil defense programs in States like Minnesota, and to develop useful civil defense programs in those areas which are not quite so fortunate and perhaps may not have as effective a leadership.

Very recently, July 23, the President signed H. R. 7576 which modernized the Civil Defense Act of 1950, by authorizing Federal grants to the States and political subdivisions for administrative and personnel costs. The President's budget provided $18,600,000 per year for this purpose. The $9 million item for Federal contributions in this bill is needed to carry out the mandate of Congress.

A staff of trained, full-time specialists is required to develop an adequate civil defense capability at the local level—a capability useful also in case of natural disasters such as hurricanes and floods. Most of the States and localities have been unable by themselves to support such a staff. Due to lack of funds less than 600 full-time employees are engaged in civil defense work in the States, and in over half of the States there are less than 20 full-time employees—Federal, State, and local—employed in civil defense. What use are 4 million unskilled and untrained volunteers without supervision or direction? The lack of trained civil defense workers has been especially evident when the States have been hit by disasters.

The governors' conference, the mayors' conference, American Municipal Association, the Association of County Officials, and the American Legion have strongly supported such grants. Congressional committees which have studied civil defense have long recommended such grants. In the face of the recent enactment of H. R. 7576, and the recommendations of Congressional committees, how can the Senate reject such an appropriation?

Congressional committees and State and local officials have long stressed the need for a national civil defense plan. Such a plan has now been prepared, but to implement it will require Federal leadership, direction, and a grant-in-aid. Approval of this $9 million item will make this possible.

The advent of the H-bomb and the increasing threat of radioactive fallout has made civil defense more of a national problem. The Federal Government must assume more responsibility for its operation and assist in its financing. This was the recommendation of the Commission on Intergovernmental Relations as well as the Holifield and Kefauver subcommittees which have studied the problem. In addition, the governors' conference, the mayors, and associations of State and local directors have made similar recommendations as has the President.

The Commission on Intergovernmental Relations—the Kestnbaum Commission—of which I was a member, established a special task force on civil defense. As a result of its findings the Commission unanimously recommended:

The assumption by the National Government of a more dominant role in civil defense requires the full measure of financial responsibility and policy leadership by the legislative and executive branches of National Government. The Congress is urged to direct its energies toward developing a realistic national program of civil defense, with provision for adequate planning and operating funds. The Federal Civil Defense Administration should be given increased authority for planning and administration so that its authority matches its responsibility.

The Commission recommends that Congress amend the Federal Civil Defense Act to liberalize the financial participation of the National Government in State and critical target area civil defense administrative, planning, and training costs.

The Commission believes that civil defense grants-in-aid will continue to be necessary unless the Congress establishes a direct national program of civil defense involving the assumption by the National Government of predominant financial responsibility for this function.

I point out that from the enactment of the Federal Civil Defense Act of 1950, Congress has never cut FCDA's Federal contribution item. Much has been done with this money. It is now imperative that the Federal contribution of $9 million be included in this bill in order to stimulate State and local efforts and carry out the mandate of the Congress provided in the enactment of Public Law 85–606 (H. R. 7576).

I have here a table showing how the $9 million when added to existing balances will be allocated among the States, which I ask to have printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

State allocations based on $12 million, of which $3 million is carryover from the existing contributions balance

	Allocations
Alabama	$169,000
Arizona	90,000
Arkansas	99,000
California	1,141,000
Colorado	112,000
Connecticut	197,000
Delaware	68,000
Florida	205,000
Georgia	228,000
Idaho	49,000
Illinois	535,000
Indiana	233,000
Iowa	140,000
Kansas	119,000
Kentucky	150,000
Louisiana	194,000
Maine	87,000
Maryland	259,000
Massachusetts	392,000
Michigan	485,000
Minnesota	204,000
Mississippi	114,000
Missouri	248,000
Montana	661,000
Nebraska	94,000
Nevada	37,000

State allocations based on $12 million, of which $3 million is carryover from the existing contributions balance—Continued

	Allocations
New Hampshire	53,000
New Jersey	409,000
New Mexico	59,000
New York	1,869,000
North Carolina	216,000
North Dakota	51,000
Ohio	553,000
Oklahoma	130,000
Oregon	153,000
Pennsylvania	641,000
Rhode Island	86,000
South Carolina	117,000
South Dakota	53,000
Tennessee	207,000
Texas	443,000
Utah	67,000
Vermont	44,000
Virginia	192,000
Washington	188,000
West Virginia	107,000
Wisconsin	280,000
Wyoming	40,000
Washington, D. C.	81,000
Territories, and so forth	150,000

Mr. ALLOTT. Mr. President, on July 9, when we were discussing the public works appropriation bill, I had a colloquy with the Senator from Louisiana [Mr. ELLENDER] about the Purgatoire project. At that time he assured me that he would do everything he could to have $130,000 included in the bill for the planning of the Purgatoire project. I am informed that he did that. He made every effort he could to get the $130,000 item included in the bill. Previously this afternoon I talked with the distinguished Senator from Arizona [Mr. HAYDEN] and his staff. They have told me that under no circumstances would they accept an amendment or consider an amendment for the $130,000 item for the starting of the Purgatoire project.

This project has been pending for 14 or 15 years. Within the last 10 days there has been a disastrous flood there. I should like to have the Senator from Arizona comment on it if he would.

Mr. HAYDEN. As a result of our conferences with Members of the House of Representatives, we know that they will not accept the project because the total cost is above $5 million. It would be a waste of time to accept the amendment. The Senator could have the pleasure of having the Senate act on it, but the money would not be appropriated.

Mr. ALLOTT. Is it a fact that the situation is such that the House has refused to act on any projects which cost in excess of $5 million?

Mr. HAYDEN. In this bill, yes. We had so much trouble in the original bill, we are certain that we could not get the money in this bill.

Mr. ALLOTT. I thank the Senator.

Mr. SALTONSTALL. I join in what the chairman of the committee has stated, and confirm his statement. There are a number of projects in the public works appropriation bill, which is still pending in conference. We felt that putting in additional items costing more than $5 million would be a waste of time, because we were having such difficulty with the House on the principal appropriation bill. A meritorious project such as the Senator refers to should be added to the first appropriation bill next year.

Mr. HAYDEN. No doubt there will be a different picture next year.

Mr. ALLOTT. I will offer such an amendment next year. However, I believe that for the record this statement should be made, so that the people of Colorado will know why the matter is not being considered at this time, and why the Senator from Arizona feels it cannot be considered.

Mr. HUMPHREY. Mr. President, the amendment which is before us is to provide for matching funds for the Federal Civil Defense Agency, now known as the Office of Civil and Defense Mobilization. It was recommended by the Bureau of the Budget and was recommended by the spokesman of the agency, Leo Heogh, former Governor of Iowa. The funds are needed, I believe, because of the action of Congress in passing H. R. 7576, which was signed by the President on July 23.

This particular act modernized the Civil Defense Act of 1950, and authorized a Federal grant to States and critical subdivisions for administrative personnel costs.

In the hearings, starting at page 306 and going through page 337, considerable justification was presented by the agency for its request.

The report analyzes the hearings and notes on page 11, that of a request for $4 million for salaries and expenses—that is, for the central agency—$2,915,000 was granted.

For research and development, a request was made for $9,150,000. None was recommended by the committee.

The item this amendment goes to is Federal contributions. The supplemental estimate was $9 million. None was appropriated. I have talked over this matter with members of the committee and other Senators. I realize that their feeling is that until the States have had an opportunity to present their plans, and to give Congress more detailed information, the requested amount should not be allotted or appropriated.

There is a national plan for civil defense and defense mobilization. I realize the item is of recent origin. I realize full well that the request of the administration for $9 million was received at the last minute. But my feeling is that a great need exists to stimulate the local and State activities in the field of civil defense.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HAYDEN. This is what the report says:

> The committee appreciates that additional responsibilities have been added by the new legislation for the sharing of personnel and administrative costs of civil defense functions at State and local levels, but the committee believes that appropriations for contributions up to one-half of such total costs should await the more accurate figures to be presented following the approval of State plans.

The accurate figures on this item cannot be obtained at present. The only suggestion I can make, which might be helpful, is that instead of appropriating $9 million of new money, the $3 million which is now available be made applicable for this work. That can only be done by writing an amendment to this effect.

> Funds appropriated under this head in the Independent Offices Appropriation Act, 1958, shall be available for financial contributions to the States pursuant to section 205 of the Federal Civil Defense Act of 1950, as amended, to be equally matched with State funds.

If we were to proceed in that way, $3 million would be available with which to do some work between now and next year.

Mr. HUMPHREY. The chairman and I have discussed this matter privately. My feeling is that the $3 million which may be made available under the Independent Offices Appropriation Act would not be adequate for the purposes which the new Federal Civil Defense Act authorizes. That is H. R. 7576.

I say hopefully and I say it with a sense of realization that my information on the subject is not so complete as I should like it to be—that the request which was made by the Bureau of the Budget could be granted; but that if it could not be, we might at least take a portion of that request, along with the funds which have already been appropriated, and give this agency a chance to start.

The Director of the Agency has appeared before the subcommittee on the reorganization of defense mobilization in the Federal Civil Defense Agency. I have been impressed with his administrative ability, his knowledge of his organization, and his dedication to his work. There are many State agencies which are doing outstanding work. I have received numerous telegrams, letters, and reports. In fact, I know that many Senators have heard from their respective agencies.

The cities have simply no way to provide additional funds. The truth is that the Federal Government has asked that far more work be done by them, because H. R. 7576 places a heavy burden on civilian defense activities and puts the Federal Government into it.

I shall make a suggestion to the Senator from Arizona, knowing that he wants, above all, to do the right thing as he always does. I mean this most sincerely. I think we might consider putting these funds on a matching basis, recognizing that if the program gets under way, as we hope it will, the Agency can request an appropriation in a deficiency or supplemental appropriation bill in the next Congress and obtain additional funds.

But I have been told by responsible officers that unless some funds are made available over and beyond those which are provided in the Independent Offices Appropriation Act, the program will be stymied. They simply want to be able to undertake what they have planned to do this year.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CLARK. I may say to my friend, the chairman of the Committee on Appropriations, who has been so understanding of the problems in my State, that as a former mayor of the city of Philadelphia and vice president of the American Municipal Association, I have had some experience with the difficulties of the cities in meeting the civil defense problem which has been thrown on them.

In my judgment, civil defense should never have been thrown on the cities. It should be in the Department of Defense. The defense of our cities should be a high priority of the Army, with the assistance of the other agencies of the Department of Defense. But it is not there; it has been thrown on the cities.

I know the budgetary difficulty which I had as mayor of Philadelphia from 1952 to 1956 to try to get the money which was necessary to keep some semblance of civil defense agency going.

I have received a telegram from the civil defense director of Allegheny County, at Pittsburgh, pointing out the situation there. The Governor of Pennsylvania, George Leader, has sent a strong recommendation to me for an increased appropriation. I have also received a letter from the mayor of San Francisco, a vice president of the American Municipal Association, urging that the appropriation asked for be provided.

I know the Senator from Arizona receives from numerous Senators many requests for the inclusion of items in all of the appropriation bills, and I know he is very understanding of our problems. I do not mean to indicate that these matters have not received the very best of consideration by the committee.

However, the amendment submitted by the Senator from Minnesota calls for somewhat less than one-third of the amount of the item which has been recommended by the Bureau of the Budget; and this matter relates to one of the most important of all the needs with which we are dealing.

I do not believe that anyone else in the country knows more than he about the problems of fallout, shelter, and evacuation.

I am very much concerned lest we go through another year without making provision for what is generally recognized as a reasonable civil defense plan.

I apologize for taking this much time.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from the American Municipal Association and a telegram from the civil defense director of Allegheny County.

There being no objection, the letter and telegram were ordered to be printed in the RECORD, as follows:

AMERICAN MUNICIPAL ASSOCIATION,
Washington, D. C., August 14, 1958.

The Honorable JOSEPH S. CLARK,
United States Senate,
Washington, D. C.

DEAR SENATOR CLARK: We respectfully urge restoration of the $29,388,000 requested by the President in the supplemental appropriation bill, H. R. 13450, for use by the Office of Defense and Civilian Mobilization to establish a national civil defense program. With the unanimous approval of H. R. 7576 (now Public Law 606) earlier this month, the cities of the Nation felt that for the first time the Federal Government had recognized its longstanding obligation to assert leadership in this field. Further, it was expected the Federal Government would now render vitally needed assistance to help established local civil defense programs develop into well-manned, well-equipped operations.

The action of the Senate Appropriations Committee on August 13 to cut this appropriation to $6,815,000 should, I believe, be reconsidered because the request was specifically designed to achieve the objectives of H. R. 7576 as passed by the Senate only a few days earlier.

Despite their own relatively substantial efforts and expenditures on civil defense, the Nation's cities simply do not have the financial or technical resources to deal with the larger problems civil defense poses—such as adequate shelter design, warning systems, food stockpiling, mass evacuation, etc. The net result of our efforts so far is that the United States still continues to be extraordinarily vulnerable to destruction by atomic attack, and this vulnerability is so great as to seriously limit our ability to deal effectively with the international problems that confront us and all other free nations.

We respectfully urge your support for restoration of the $29,388,000, mentioned above, when the supplemental appropriation bill, H. R. 13450, is considered on the floor of the Senate.

Respectfully yours,
GEORGE CHRISTOPHER,
President; Mayor of San Francisco.

PITTSBURGH, PA., *August 15, 1958.*

Senator JOSEPH CLARK,
Senate Office Building,
Washington, D. C.:

Please support Public Law 606 by voting this afternoon, August 15, for the Potter-Humphrey amendment to provide funds for that law.

J. B. SULLIVAN, JR.,
Director, Civil Defense, Allegheny County and Pittsburgh.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram received by the Senator from Montana [Mr. MANSFIELD] from Hugh K. Potter, director of civil defense, Helena, Mont.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

HELENA, MONT., *August 13, 1958.*

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D. C.:

Following telegram sent to Senator HAYDEN: "Your action in our behalf most necessary. Elimination of $9 million supplemental appropriation requested by the President for Federal contributions to State and local governments for personnel and administrative expenses will defeat the purpose of H. R. 7576, recently passed and signed by the President. State and local governments are most anxious to proceed with defense plans, but elimination of funds will practically ruin civil defense activity. Please use all means possible to restore the $9 million requested by the President for this vital and necessary defense program."

HUGH K. POTTER,
Director, Civil Defense, Helena, Mont.

Mr. HUMPHREY. Mr. President, I thank the Senator from Pennsylvania for the very valuable observations he has made.

Mr. THYE. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from Minnesota yield to his colleague?

Mr. HUMPHREY. I am glad to yield to my colleague, who has joined me in sponsoring the amendment.

Mr. THYE. Mr. President, this item was discussed at great length in the committee. In fact, the question was before the committee on two different days. The committee voted once; and later reconsidered, and took action on the item a second time.

All of us had received communications from the governors and mayors who asked that we act favorably on the recommendation of the Bureau of the Budget.

Personally, I had a strong feeling that we should appropriate some funds, because no State civil defense administrator can proceed properly to meet his responsibility of providing adequately for the civil defense of the people of his State, if he does not know what funds will be available.

The mayors who also must take action in connection with the program, face a similar problem.

This is a new field. Every day there are new ideas regarding what would constitute a proper civil-defense program.

Therefore, I thought these funds should be appropriated. But the item was rejected by the committee.

I have brought to the floor an amendment which calls for a lesser appropriation than the one called for by the pending amendment. I am a cosponsor of the Humphrey amendment, together with the Senator from Michigan [Mr. POTTER] and the Senator from Illinois [Mr. DIRKSEN].

The Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. HAYDEN], the chairman of the committee, and I, and other members of the committee were present at the committee meeting when the Administrator, former Governor Hoegh, presented to the Appropriations Committee the needs of his Agency. I listened to the detailed report he made. He presented the matter very ably, and he convinced me. I know he is a good Administrator.

So I believe the Senate should take action on this matter.

However, in view of what we encountered in the committee, I anticipated that a few roadblocks would be thrown in the way as we proceeded to deal with this matter. Nevertheless, action on it should be taken; therefore, and I have risen to support the amendment which has been submitted by my colleague [Mr. HUMPHREY], inasmuch as I am a cosponsor of the amendment.

Mr. HUMPHREY. Mr. President, I am very grateful to my colleague.

Mr. PROXMIRE. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. PROXMIRE. Mr. President, I wish to congratulate both the Senators from Minnesota [Mr. HUMPHREY and Mr. THYE] on the amendment they have submitted.

Mr. HUMPHREY. Let me say that the Senator from Michigan [Mr. POTTER] had an amendment of his own, as did the Senator from Illinois [Mr. DIRKSEN]

and my colleage [Mr. THYE]. We have simply joined together, as a group.

Mr. PROXMIRE. That is fine. I think this is an excellent bipartisan amendment, and I wish to endorse it.

I commend the Senator from Pennsylvania [Mr. CLARK] for the remarks he has made. I think he speaks with unusual authority as a former mayor of Philadelphia, because he has had experience with civil defense. He knows what a shadow of civil defense we have today; and he knows how important civil defense can be, and should be. On the basis of the Gaither report and other studies, it is very clear that the failure to take proper action in this field is one of the great oversights—in fact, probably the most striking failure of our national defense program.

Mr. President, I hold in my hand telegrams from three outstanding Wisconsin citizens. One of the telegrams comes from Frank Zeidler, the mayor of Milwaukee. He is an outstanding national authority on civil defense, and he has a deep understanding of this matter. Frank Zeidler has been a great champion of civil defense, and he is a top expert, too. His telegram reads as follows:

MILWAUKEE, WIS., *August 13, 1958.*

WILLIAM PROXMIRE,
Senate Office Building,
Washington, D. C.:

Urge you arrange floor amendment to Senate appropriations bill to restore $9 million to implement terms of H. R. 7576. Appropriation urgently necessary to cities and States to build strong civil defense organizations vital to national safety.

FRANK P. ZEIDLER,
Mayor, City of Milwaukee.

Mr. Bernard Goecks, civil defense director for the city of Glendale, Wis., has sent to me the following telegram:

GLENDALE, WIS., *August 13, 1958.*

Senator WILLIAM PROXMIRE,
Senate Office Building,
Washington, D. C.:

Urge your support for restoration of funds to H. R. 7576 especially for personnel and administration.

BERNARD GOECKS,
Civil Defense Director, City of Glendale, Wis.

The other telegram has come to me from Mr. Harold P. Bruett, chief of public safety and civil defense director of Greendale, Wis. His telegram reads as follows:

GREENDALE, WIS., *August 13, 1958.*

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D. C.:

Urge you work for reinstatement of $9 million salary appropriation in bill H. R. 7576. I appreciate your past interest in this bill.

HAROLD P. BRUETT,
Chief of Public Safety and Civil Defense Director, Greendale, Wis.

Mr. MONRONEY. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. Mr. President, I thank my distinguished colleague for yielding to me; and I also thank him for the very thoughtful speech he has made on this subject.

It seems to me that with this matter in the offing, now that the Congress has passed the bill which provides for 50–50 sharing with the local groups and the States, unless the action now proposed is taken, the municipal authorities and the States will be placed in a most difficult and embarrassing position, because they could be charged with having spent the local funds before the matching Federal money was available.

So I agree with my distinguished colleague that in this instance the responsibility rests more on the Federal Government than on the States.

Literally hundreds of thousands of people are donating their services, free of charge, in order to teach classes, at night, in methods of survival and methods of combating catastrophic bombing in their home communities.

So I believe that failure to provide this amount would mean an end to the activities conducted thus far by the State leaders who have been doing their utmost to make the program a successful one.

Nine million dollars is but a drop in the bucket, when compared to the $45 billion the Federal Government is spending for military hardware—for instance, for atomic bombs which might be dropped on some country, in the event of the outbreak of war.

So the expenditure now proposed, as compared to the huge sum the Congress has voted as appropriations for military hardware—appropriations which I support—really amounts to only a few pennies. However, we must spend some pennies if we are to be able to know how to handle such catastrophic situations if and when they develop.

Therefore, I believe the requested appropriation should be made available; and I believe that if the conferees would be willing to include in the conference report a provision to the effect that the funds will be available only when a plan has been submitted to the proper authorities, then the objective of the Appropriations Committee will have been met, and we shall be fulfilling the pledge Congress has made; and in that way we shall make it possible for the program to continue—instead of promising 50–50 sharing, but then doing absolutely nothing about it at this session of Congress.

Mr. POTTER. Mr. President——

Mr. HUMPHREY. I yield to the Senator from Michigan.

Mr. POTTER. Mr. President, I am delighted to join my distinguished friend, the Senator from Minnesota, in submitting the amendment, because I believe it deals with the heart of the civil defense program, inasmuch as it gets down to the grassroots level.

In the committee hearings, whenever this item was discussed, it was stated that one of the reasons why the item was not allowed was that the Agency had not submitted its request or its program to the House Appropriations Committee.

I believe many of us fail to realize that the Congress, by its action in connection with the Reorganization Act—by means of which the Office of Defense Mobilization and the civil defense agency were merged—made it necessary for a new plan to be developed. The administration has developed a new plan of its own; and the authorization for appropriations for the new Agency was agreed to only in the last 3 weeks.

Therefore, the Agency did not have an opportunity to present it to the House, and the request came to the Senate pretty late. This is a national plan. If civil defense is to have any meaning, we must provide funds, as is proposed in the amendment.

Mr. HUMPHREY. I thank the Senator from Michigan.

I yield now to the Senator from Colorado, and then I shall yield to the Senator from Illinois.

Mr. CARROLL. Mr. President, I wish to say a few words, and I hope the Senator from Washington will listen. I join in support of the amendment for a very simple reason. The State of Colorado has become a prime military target, as a result of military installations in my State, and I want to see those concerned with the responsibility of civil defense make some plans.

I can understand the Appropriations Committee withholding money unless plans are made. I agree with the Senator from Minnesota, the Senator from Illinois, and Senators from other areas, that we have got to give those concerned an opportunity. If they do not have plans, they ought not to get the money. But let us give them an opportunity to draw up plans.

As I have said, this is a critical situation. My State is a prime military target. When I go home in September, I am going to ask those in civil defense what they are doing with the money Congress appropriated.

Mr. HUMPHREY. I thank the Senator from Colorado. I yield now to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I have been in contact with this matter in the Appropriations Committee, both in the full committee and the Independent Office Subcommittee, and also at the District level, for a great many years.

I think we can categorically say now—and I say it in the presence of my esteemed friend from Washington—that there is an indisposition on the part of Congress to move very deeply into the field. As an example, we discussed the shelter program. Some are apprehensive that it is going to cost a mint of money. It could. In view of the manifestations shown thus far, there is only one thing we can do in order to meet our responsibility, and that is to make sure we have a working force in the field, trained, and reasonably experienced, which will have some notion of what to do if an evil thing should befall the country. There are 44,000 Federal people involved. They are dedicated persons. They do not get paid. On the basis of 4 to 1, there will be 176,000 at the State level. That is the backbone, that is the core, of the whole organization.

One million persons could be assembled at the State level, but if they did not have expert supervision, they would mill around, they would have no sense of direction, and they would not know what to do. There are 5,133 positions involved.

Taking into consideration the number of positions which lapse, there will probably be 4,000 persons who will be experts, who will be trained, whose whole purpose will be, throughout the country, to give direction, to give information, to give instructions to the great army of persons who will carry out the burden of civil defense.

I think we have waited a little too long, as a matter of fact. I believe we are getting off a little cheaply with this amount of money. To be sure, for the contribution formula, the revised estimate is $23 million. There was available $14 million. But the job cannot be done unless the additional $9 million is provided. I think they have made a pretty good case. They will have to be experts, for one thing. They will have to be full-time specialists, for another. They are expected to prepare State plans. The State plans have to be approved at the Federal level, which is the only way to work a plan of this kind.

As I envision the plan now, I recall the Selective Service System. I recall my experience in the House when we authorized the Selective Service System. The whole accent was placed on the local boards. They were unsalaried, but if ever in the history of the country voluntary systems produced results, those in the Selective Service System did so. Obviously, there had to be selection and schooling, and persons from the Federal level had to do it. We cannot expect to have experts in the field unless we pay them. So under the bill we passed not too long ago we provided that the Federal Government would undertake one-half of the essential and necessary cost, and the States and the localities would assume the other half.

So what is before us at the present time is a budgeted item. But another $9 million are required in order to carry the program on and establish the ultimate backbone for civil defense.

We have not gotten very far in the shelter program. Funds for prototypes have been stricken. Funds for research and development have been stricken. Funds for supply have been stricken. $29,200,000 was asked, altogether. We provided $4 million for supplies and $2,900,000 for administrative expenses, because heretofore there were several agencies of Government to which we appropriated their share of civil defense. Now ODM, or its successor agency, has the whole job. It cannot do it unless we restore the money. So the committee restored over $6 million. But we provided no money to enable the responsibility on a matching basis might be met, and in order to provide a great corps of people throughout the country who would be on tap should an eventuality ever develop. I think the funds are indispensable when we consider what other countries have done. We have been laggard. Congress has been rather niggardly in providing funds for civil defense.

Should something happen, every conscience in the House and in the Senate will be charged with a great responsibility. I do not want to assume it without having made some effort to make sure we have done our full share toward setting up the group.

Mr. HUMPHREY. I thank the Senator. Now I yield to the Senator from Wisconsin, who has been very patient.

Mr. WILEY. Mr. President, the President of the United States and the Civil Defense Administration see the need for this appropriation. The Governor of my State and the mayor of Milwaukee and other officials see this need. I believe this amount is for an essential activity. We recognize, of course, that with the tremendous destructive power of nuclear bombs the task of protecting a target area against complete obliteration is something for which we have not found the answer. How are we going to find the answer? Civil defense stimulates Federal, State, and local coordination and cooperation.

We appreciate, Mr. President, that in our communities there are responsible citizens, groups, Civil Defense Administration officials who are making a conscientious effort to devise—that is the right word—plans and programs to give their communities the greatest chance of survival in the event of attack.

To me, at least, it is an age of exploration. In this field there is a need for exploration to find the answer to help equip our citizens to protect themselves and their country. I believe a strengthened civil defense effort along the lines of the modest program outlined in Public Law 606, for which this amendment would provide additional funds, is an absolute necessity.

Since I have received these telegrams from governors, mayors, and from humble citizens in my State, I felt I had to rise to say, "Good luck."

Several Senators addressed the Chair.

Mr. HUMPHREY. The Senator from Washington [Mr. MAGNUSON] asked me earlier to yield to him, so I now yield to the Senator from Washington.

Mr. MAGNUSON. Mr. President, I merely want to put this matter in a little bit of perspective. I appreciate that people all around the country, including my own Governor and my own civil defense director, have been working on Congress for a cause in which they sincerely believe, in view of the law we passed. I think we have to keep the matter in perspective.

I do not oppose the amendment, or a compromise reasonable procedure in the new setup we have for civil defense.

I think that no Member of Congress should feel we have been derelict in our duty. I believe the Senator from Illinois [Mr. DIRKSEN] said something a few minutes ago concerning this item. If something should happen, we should not feel that we had been derelict in our duty. We have appropriated millions of dollars for civil defense—large sums of money. I think the Appropriations Committee was justified on many occasions in asking, "What has been done with the money?" In many cases the agency has been groping in the dark, and the administrators have not known which way to go. There was a loose organization. ODM would determine the policy, and the civil-defense group was under ODM. ODM would say to the ICC, for instance, "You survey all the railroads of the country. In case Chicago should be bombed, you must determine how to run a train around Chicago to get to the west coast or to Milwaukee." The ICC would then come to the Appropriations Committee, and say, "We need another half million dollars because the ODM gave us this job to do."

That same thing is true with respect to many departments. The Corps of Engineers maintains a constant survey of waterfront facilities.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I hope the Senator will wait until I finish. I do not desire that there shall be any questions about whether we have been derelict in our duty of providing money for civil defense.

The Department of Labor has surveys of labor to be prepared in case something should happen. There has been work with the Atomic Energy Commission on some of the fallout problems.

The result has been that not only have we appropriated money for civil defense, but we have appropriated millions of dollars, for years, to various other departments. The Appropriations Committee could not keep track of this for a while. One agency would come forward to ask for extra money, and then we would find a request under the Civil Defense Organization for the same thing.

Finally, the office was consolidated by Executive order. The order took effect about a month ago, if I am correct. Now the ODM and Civil Defense are one organization.

Mr. HUMPHREY. The Senator is correct.

Mr. MAGNUSON. We did not appropriate too much money for civil defense this year. We did not appropriate in the regular appropriation, as much as was requested, because we said, "We know the Agency is going to be consolidated. Come to us later and we will consider your request."

That is why the item is in the supplemental bill. Much of the civil defense consolidation was simply a matter of taking over. The request was made for a vast amount of money to replenish the blood bank. Apparently blood is not worth much unless it is reconditioned. The request was for $18 million, and we appropriated that amount.

We have appropriated a great deal of money for this work. We also passed a law, as the Senator from Illinois [Mr. DIRKSEN] pointed out, to enable more of the work to be done in the field. We provided for grants-in-aid to the States. Some of the States have not done a thing. Some cities have not done a thing. Other States and other cities have been fairly alert to the problem. That law was passed very recently. We did not think there was an overall plan. Civil Defense did not present a plan, for instance, to cover the State of Colorado. I notice today there is a book which indicates a national plan. We have not had much of a chance to look at it.

We passed a law, in which we said there should be grants-in-aid to the States, so that a start could be made on the program.

I do not oppose the amendment offered by the Senator, but I hope the Members of the Senate and the Members of the other body will not have any qualms about the amount of money which has been appropriated for civil defense. A great deal of money has been used, some of it we do not know where, because there was not a plan.

We hope the new arrangement will give us a decent program, with grants-in-aid, proper plans for States, and proper plans for cities, so that we will know where we are going.

I know the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. SALTONSTALL], and I feel there should be some small amount provided to permit a start in the next 2 or 3 months, and that thereafter the Agency should come forward with a master plan, which I believe is on someone's desk at the present time. Then we can sit down to consider the appropriation of money on that basis. As I have said, much money has been appropriated. The Senator from Massachusetts [Mr. SALTONSTALL] and I were just discussing this matter.

Mr. SALTONSTALL. Mr. President, will the Senator yield at that point?

Mr. HUMPHREY. I am glad to yield to the Senator from Massachusetts.

Mr. MAGNUSON. We want to offer a suggestion, which I think will be agreeable to everyone. I hope the chairman will accept it. I believe it will start the program along the way Senators have in mind.

Mr. SALTONSTALL. I have talked to the Senator from Minnesota [Mr. HUMPHREY], to the Senator from Washington [Mr. MAGNUSON], to the Senator from Illinois [Mr. DIRKSEN], to the Senator from Arizona [Mr. HAYDEN] and very briefly to the Senator from Oklahoma [Mr. MONRONEY].

We worked for this item in the committee. There was a split vote in the committee. By the original vote, we provided $2,915,000 for salaries and expenses, and nothing else. Then the committee reconsidered the item at another meeting and, after some discussion, added, $4 million for emergency supplies and equipment, but nothing for Federal contributions. Since that time, the need for Federal contributions for plans to be prepared in the States, because of the law which was passed, has become evident.

I understand the Agency would prefer to have money for Federal contributions, instead of for the emergency supplies and equipment, for which we provided the $4 million.

The proposition I wish to present to the Senator from Minnesota, who has offered the amendment, is that perhaps we can take $2 million from the amount the committee has already recommended for the emergency supplies and equipment, leaving the figure for that item at $2 million at least until the first of the year, and apply the $2 million to Federal contributions. We could add $2 million to the Federal contributions as new money. Adding those figures to the $3 million from the unobligated funds, there would be a total of $7 million to finance the program to the first of the year.

I do not know whether the chairman will agree to that suggestion, but I offer it for his consideration. The chairman does not yield easily at times, and is a very pliable and helpful gentleman at other times. I do not know whether he will agree to this, but I hope he will.

Mr. MAGNUSON. I simply wish to add that I do not think this program will in any way jeopardize the appropriation for emergency supplies and equipment, because the bulk of the $18 million previously appropriated is for the project on reconditioning the blood bank.

Mr. HUMPHREY. As I understand the request, if a further need is developed, the civil defense group can come forward with a request for an extra amount in a deficiency or a supplemental appropriation bill.

Mr. MONRONEY. The amount appropriated would carry the Agency through January, and then we could take a look at the program.

Mr. MAGNUSON. At that time the plans will be ready, and we will know what we have to go on.

Mr. HUMPHREY. What does the chairman of the committee have to say? I should like to have the word of the chairman.

Mr. HAYDEN. I want to be sure about the additional money. As to the blood bank, can the Agency get along with less than $2 million?

Mr. MAGNUSON. Yes. The Agency will be able to come back to Congress for more money in January. I understand the Agency would prefer to start the program of grants to the States now. The amount provided will carry civil defense along fine. That is my understanding from Civil Defense itself.

Mr. HAYDEN. The Senator is suggesting we take $2 million from one place and put it in another?

Mr. HUMPHREY. As I understand, from the $4 million for emergency supplies and equipment, $2 million would be taken.

Mr. SALTONSTALL. The Senator is correct.

Mr. HUMPHREY. That amount would be moved to the category called Federal contributions.

Mr. SALTONSTALL. The Senator is correct.

Mr. HUMPHREY. Another $2 million would be added, which the committee did not recommend.

Mr. SALTONSTALL. The Senator is correct.

Mr. HUMPHREY. That would be the result of action of the Senate.

Mr. SALTONSTALL. The Senator is correct.

Mr. HUMPHREY. The $2 million would be added to the Federal contribution category.

Three million dollars was appropriated in the independent offices appropriation bill, which the amendment would reappropriate for the purposes of H. R. 7576.

Mr. SALTONSTALL. The Senator is correct.

Mr. MAGNUSON. That is correct.

Mr. HAYDEN. The reappropriation is entirely proper.

Mr. THYE. Mr. President, when I came away from the Appropriations Committee session that day and we had failed to get any funds for civil defense, I had an amendment prepared providing for an additional $5 million to do precisely what has now been suggested. The amendment was identified as 8–13–58–B, but there were those who felt that the sum should be greater than the $5 million. They thought it should be $10 million. So I joined with my colleague, Mr. HUMPHREY, the Senator from Michigan [Mr. POTTER], and the Senator from Illinois [Mr. DIRKSEN] in proposing $10 million. But I think we have arrived at a more economical approach, and there will be ample funds to carry the program through. In January the entire question can be reexamined, and a supplemental or deficiency appropriation can be made for the exact amount which will be administratively required.

Mr. MAGNUSON. For this feature.

Mr. THYE. Yes.

Mr. MAGNUSON. The RECORD should not show that we did not appropriate for civil defense. Forty-one million dollars has been previously appropriated.

Mr. THYE. But an additional sum was requested to supplement funds for the legislative authorization which had been passed.

Mr. HUMPHREY. Mr. President, if this suggestion is agreeable to the chairman, it is surely agreeable to me, in the light of the assurances which have been given.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. YARBOROUGH. I desire to associate myself with the distinguished Senator from Minnesota in his presentation. I ask unanimous consent to have printed in the RECORD at this point telegrams from: Barney Hunter, civil defense director, La Marque, Tex.; W. R. Brady, director of civil defense, Dickinson, Tex., and Col. Joseph T. Cain, director, Galveston County civil defense.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

LA MARQUE, TEX., *August 14, 1958.*

Senator RALPH YARBOROUGH,
United States Senate,
Washington, D. C.:

I believe that supplementary appropriation in H. R. 7576 be reinstated in view of present situation.

BARNEY HUNTER,
Civil Defense Director,
La Marque, Tex.

DICKINSON, TEX., *August 14, 1958.*

Senator RALPH YARBOROUGH,
Washington, D. C.:

We feel it absolutely essential that the $9 million appropriation for administrative matching funds be reinstated in Public Law 606.

W. R. BRADY,
Director of Civil Defense,
Dickinson, Tex.

TEXAS CITY, TEX., *August 14, 1958.*

Senator RALPH W. YARBOROUGH,
United States Senate,
Washington, D. C.:

We feel it imperative that the $9 million item for matching funds be reinstated in H. R. 7576.

Col. JOSEPH T. CAIN,
Director,
Galveston County Civil Defense.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. Many telegrams have been read into the RECORD. Many of them are in the possession of the Senator from Arizona, urging full and speedy action on the requests which have been made.

I should like to say in confidence—and I hope it does not get back to Ohio—that I received one letter telling me that there are afoot plans to increase wages substantially on the basis that Federal money is coming into the State. I suggest to the Senator from Arizona that the finding made in the report has considerable soundness, in my opinion. I read from page 11 of the report:

> The committee appreciates that additional responsibilities have been added by the new legislation for the sharing of personnel and administrative costs of civil-defense functions at State and local level, but the committee believes that appropriations for contributions up to one-half of such total costs should await the more accurate figures to be presented following the approval of State plans.

There is great wisdom in the suggestion that we take a look at what the agencies have in mind. Before the Senator from Arizona begins yielding to the encompassment to which he has been subjected, I suggest that he review the thoughts expressed in the committee report.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SALTONSTALL. I think we can add to the language in the report that the committee and the Congress will scrutinize very carefully next January the situation in any States which have substantially increased the salaries of employees by reason of Federal funds.

Mr. HUMPHREY. Mr. President, the Senator from Oklahoma, in his presentation, suggested that reference be made to the requirement that before funds are allocated, even on a State matching basis, the appropriate plans of the States must be approved by the responsible Federal agency, so we shall have the controls we need.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HAYDEN. The budget estimate was for $29 million. The committee allowed $6,915,000, as shown in the report. I now receive advice from six of the very best members of the committee that it is safe to add another $2 million in new funds.

Mr. HUMPHREY. Mr. President, in order that the amendment may be modified accordingly, I understand that in the category known as "Emergency supplies and equipment," the sum of $4 million will be reduced to $2 million.

Mr. HAYDEN. That is correct.

Mr. HUMPHREY. In the category known as Federal contributions, $2 million will be taken from equipment and supplies, plus another $2 million, which will be a sum total of $4 million; and, in addition, we are to reappropriate $3 million from the independent offices appropriation bill of last year.

Mr. HAYDEN. That is correct.

Mr. HUMPHREY. That is agreeable to me.

Mr. JOHNSON of Texas. Mr. President, may we have the modified amendment reduced to writing?

Mr. HUMPHREY. Mr. President, I modify my amendment so as to read as follows:

> For an additional amount for "Federal contributions" including financial contributions to the State pursuant to section 205 of the Federal Civil Defense Act of 1950, as amended, to be equally matched with State funds, $4 million: *Provided*, That funds appropriated under this head in the Independent Offices Appropriation Act of 1958 shall be available for the purposes of this appropriation.
>
> In line 16, page 17, change $4 million to $2 million for "Emergency supplies and equipment."

That takes care of three items. It offers $4 million for Federal contributions, reduces "Emergency supplies and equipment" to $2 million, and reappropriates the funds available under the Independent Offices Appropriation Act of 1958.

Mr. HAYDEN. The net result is that we are not appropriating as much as was asked by the Budget Bureau.

Mr. HUMPHREY. Yes.

Mr. HAYDEN. Under those circumstances I am willing to accept the amendment.

Mr. HUMPHREY. I thank the Senator from Arizona.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. What difference will that make in the total amount?

Mr. HUMPHREY. $2 million.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BARRETT. Do I correctly understand that $2 million of additional new money would be provided under this arrangement?

Mr. HUMPHREY. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Minnesota [Mr. HUMPHREY] for himself and other Senators.

The modified amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, on behalf of the minority leader [Mr. KNOWLAND], the senior Senator from New Hampshire [Mr. BRIDGES], the junior Senator from Illinois [Mr. DIRKSEN] and the senior Senator from Minnesota [Mr. THYE], I offer three amendments which I send to the desk and ask to have stated. I also ask that they be considered en bloc, inasmuch as they all relate to appropriations for the National Aeronautics and Space Administration.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 20, line 21, it is proposed to strike out "$5 million" and insert "$7 million."

On page 21, line 14, it is proposed to strike out "$35 million" and insert $70,200,000."

On page 21, line 24, it is proposed to strike out "$35 million" and insert "$47,800,000."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. JOHNSON of Texas. Mr. President, in reporting H. R. 13450, the supplemental appropriation bill for 1959, the Senate Appropriations Committee approved $50 million less than the requested 1959 budget of the National Aeronautics and Space Administration. The amount allowed was $75 million, against a request of $125 million.

The committee action was based on the belief that it would take some time to properly plan for the new Agency, and that the cuts recommended would not delay the Agency in getting started. The actual facts do not justify this belief.

The planning of the programs for the NASA has been underway by the staff of the NACA for over 4 months. The submission of the $125 million appropriation request came only after this careful planning and programing.

Incidentally, the $125 million appropriation request, which was a very modest one, and, we thought, considerably lower than it should have been, came only after careful planning and programing under the direction of the President.

The program has been laid out in detail and represents an integrated and balanced approach to the Agency's immense new responsibilities. The construction and equipment program has been reviewed by both the Senate Special Committee on Space and Astronautics and the House Select Committee on Astronautics and Space Exploration. I am satisfied these programs represent a reasonable and reliable approach for the fiscal year 1959.

The severe cut of $50 million will not have the effect of allowing the Agency additional time for planning. It will result only in delay in the execution of this country's already planned space program. It will cause delay in starting practically all the agency's work because the entire agency program must be reexamined if this cut is allowed to stand.

The cut of $2 million in the salaries and expenses appropriation represents almost a 30-percent reduction in the Agency's request for employees. This will undoubtedly seriously impair the Agency's efforts to obtain the necessary number of qualified personnel.

The cut of $35 million in the research and development budget will seriously cripple the Agency's space science and space technology programs. I am advised that such a reduction will require

the following specific reductions in the Agency's research and development program:

A cut of approximately $11 million in the space science program, resulting in the deletion of advanced lunar and interplanetary space vehicle projects that have been planned to increase our capabilities above any thus far demonstrated by our competition.

A cut of $10 million in the space technology program involving new space propulsion systems. This would result in a one-third cut in the development support on high energy rocket motors, solid propellant rocket motors, the million-pound thrust rocket motor, nuclear propulsion support, and electric propulsion components. These cuts may well delay by a year the development of new propulsion systems to achieve space supremacy.

A cut of $4 million in the program of space technology leading to vehicle development.

A cut of $10 million in the program for the development of manned space flight vehicles. This would cut the program by one-third, resulting in an unbalanced and, I am told by the officials in charge, a totally inadequate effort. Time lost now in this program cannot be regained.

The basic planinng on the Agency's research and development programs has already been completed. Their successful execution now depends upon the Agency's ability to make prompt commitments. Additional time for study is not required. The Agency now needs money to enter into its planned contractual commitments.

With regard to the construction and equipment appropriation, the committee's action reduces the NASA request from $47.8 million to $35 million. This action requires the start of the new space projects center to be deferred. It also requires a reduction in the planned long-range radar capabilities of the Agency's Wallops Island Station in the amount of $3.88 million; eliminates additional radar equipment required to track satellites in polar orbits in the amount of $2.6 million; and prevents the procurement of long-range telemeter data acquisition systems in the amount of $2.57 million.

The authorization bill for these construction and equipment items was recently passed unanimously by the Congress and signed by the President on August 8, 1958. The urgent need for improvement of the Wallops Island facilities and for the construction of the space projects center to coordinate the Agency's new responsibilities in the field of space research and exploration was thoroughly examined in detail during the hearings on the authorizing legislation.

Yesterday, when the very able new Space Director and his Deputy Director appeared before the committee which was considering the confirmation of their nominations I reexamined them again as to the need for these items. I say now to the Senate, on my responsibility as a member of the Space Committee and the Committee on Appropriations, that to delay the funds for the construction of these projects would result in at least a 6-month delay.

I agree with the Appropriations Committee's report that after the first of the year we should reexamine the new Agency's money needs, but we should not at this time require them to start over and plan a new program. We have asked them to do their job "under the most unrelenting urgency." They have done their planning and they are ready to go to work.

I urge the adoption of the amendment to provide for the restoration of the full amount of the Budget request. In that I am joined by the distinguished minority leader, the Senator from California [Mr. KNOWLAND] and the other Senators to whom I have made reference.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the distinguished Senator from New Mexico, who is the ranking Senate Member on the Joint Committee on Atomic Energy, and a distinguished Member of the Space Committee.

Mr. ANDERSON. I wish to join the distinguished majority leader in what he has said. We examined the witnesses in the Space Committee. The Wallops Island project must go forward. The creation of the new headquarters is a small item. They are doing it in a most economical fashion. It would be tragic if the funds were reduced to the level carried in the bill.

Mr. HAYDEN. I will say frankly that the facts presented by the Senator from Texas were not made available to the committee.

Mr. ANDERSON. They could not be.

Mr. HAYDEN. We acted very hurriedly. We wanted to get a bill out of committee which would cover this new legislation.

Mr. LAUSCHE. Mr. President, I was present yesterday morning when the Director, Mr. Glennan, and the Assistant Director, Mr. Dryden, of the Space Administration, were interrogated. It was disclosed that the appropriation was inadequate and was made under a misassumption of the facts.

I am in favor of giving every dollar needed to develop the defenses of our country. It may be asked why am I fighting what I believe to be unnecessary expenditures? My answer to that is that I want to save every dollar I can to make my country strong in case of war. I call upon my colleagues, who are complaining about the inadequacy of our defense, to stop spending money needlessly, so that we will be able to stand up and say to anyone: "You do not dare to challenge us." I frankly say to the Senate that in the granting of subsidies from the top down to the bottom we are doing wrong. Every week a bill comes to the Senate which asks for new subsidies. It seems to me that every time we pass such a bill somebody says, "Whoops. Let her go!" Then the trumpet blows in glee. We are spending the Nation down to rock bottom.

There is a must and there is a need. The need ought to cultivate wisdom. Wisdom should caution us, "Make yourselves strong so that in the matter of the defense of the Nation we will have all that we need."

Every hundred thousand dollars or every million dollars saved can be put into atomic weapons, or can be put into ships. In that way we will stand up. I subscribe wholeheartedly to the proposal made by the Senator from Texas.

Mr. JOHNSON of Texas. I thank the Senator from Ohio. I share the sentiments he has expressed on the need for being prudent with the Nation's money.

Mr. SALTONSTALL. Mr. President, I am sure the majority leader and all of us appreciate the sentiments of the Senator from Ohio. The great problem is where to do it and how to do it. As a member of the Committee on Appropriations for the past 10 years, I am aware of that fact. I am glad the chairman of our committee has made the statement to the majority leader that he has. We did not have very much information. I should like to call to the attention of the majority leader the statement on page 14 of the report of the committee. It was on the basis of that statement that the committee really acted:

> In addition, $117 million is to be provided by transfer from the Department of Defense and $294 million will be used in 1959 by the Department of Defense on space activities.

So with the money which was originally appropriated, there will be $536 million for space programs, and $101 million from the National Advisory Committee on Aeronautics for research work.

That was really the basis on which we worked. We said that this Agency could come back to us after the first of the year. They did not have too much knowledge of the subject, and we did not have too much knowledge of it either.

The majority leader has read the statement and has received evidence which shows that even the holding up of $50 million, which sounds like a lot of money, but is not so much when we talk in the big figures to which we are accustomed, will hurt the advancement of the program which we know is very necessary.

Mr. JOHNSON of Texas. It will simply result in delaying the program about 6 months.

Mr. SALTONSTALL. I join with the statement of the Senator from Texas. I hope the chairman will take the amendments to conference.

Mr. ELLENDER. Mr. President, I was not present to hear the full presentation made by the distinguished majority leader. But I point out that this is a brandnew agency. It is not yet fully organized. There will be an immediate transfer made of $117 million from the Department of Defense. Then there is an additional sum of $294 million which will be provided by the Department of Defense. That was what caused the committee to take the position it took.

I was very much impressed by the statement just made by the distinguished Senator from Ohio [Mr. LAUSCHE] but as a member of the committee I do not wish to deny any money which may be needed in this field. I feel as do the distinguished Senator from Ohio and the distinguished Senator from Texas.

But, as I have said, this is a brandnew agency. It is still in infant's clothes. It has not yet been fully organized. I am certain that with the money provided in the appropriation, ample funds will be available to last at least until January. When the Congress comes back next year, if there be any need for more money, I am sure it will be provided.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, offered by the Senator from Texas.

The amendments were agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the amendments were agreed to be reconsidered.

Mr. ANDERSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, one of the amendments I had intended to have considered en bloc was not included a moment ago. There is no controversy about it. It simply provides that all appropriations which may be made to the National Aeronautics and Space Administration must first be authorized by the Congress.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 21, between lines 18 and 19, it is proposed to insert the following:

> No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress.

Mr. HAYDEN. The purpose of this amendment is to make appropriations follow in the regular order.

Mr. JOHNSON of Texas. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. JOHNSON].

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, the junior Senator from New York [Mr. JAVITS] was called away on official business. The Senator asked me to have printed in the RECORD a brief statement regarding a budget request of $105,000 for the Department of Commerce for international travel promotion, and I ask unanimous consent that the statement may be printed at the proper place in the debate on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JAVITS

The report of the committee on this bill notes on page 6 the rejection of a budget request of $105,000 from the Department of Commerce for international travel promotion, recommending that such funds not be provided at this time. This budget request came about from the recommendations of

the recently issued International Travel Report by Hon. Clarence B. Randall, special assistant to the President, under authority of section 8 (m) of the Mutual Security Act of last year.

I wish to note that the refusal of the budget request was not based on a conclusion of a lack of merit but rather on the desire of the committee to further study the issues involved, and also since the Appropriations Committee in the other body had not had an opportunity to consider the request.

Mr. MAGNUSON. Mr. President, I call up my amendment designated 8–14–58–O and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate

The LEGISLATIVE CLERK. On page 40, after line 10, it is proposed to add a new section, as follows:

INTERNATIONAL CONTINGENCIES

For payment to defray expenses to hold the 12th session of the Assembly of the International Civil Aviation Organization (ICAO) in the United States, $200,000.

Mr. MAGNUSON. Mr. President, briefly, the amendment is to provide the International Contingent Fund of the State Department with the amount which would be our share of the expense incurred in the holding of the 12th session of the Assembly of the International Civil Aviation Organization. This organization has been in existence for many years. It is composed of all the nations of the Free World. Each year it holds a session. The meetings rotate each year from country to country. This year the United States is to be the host nation.

The amount which is sought is a comparatively small sum when we consider the work which the organization does. It formulates all the international air agreements and provides the bases for them, and also considers safety agreements.

The committee, in discussing the matter, felt that the State Department had approximately a million dollars for the holding of international conferences and conventions.

Mr. HAYDEN. The committee denied the appropriation because we thought the money could be obtained from other sources. What are the facts? Is the money not available? Has the money which was appropriated been allotted up to now?

Mr. MAGNUSON. All the money has been spent or allotted for other international agencies. As a matter of fact, the department is a little short because of the necessity for more traveling to many countries. So the funds for the International Civil Aviation Organization meeting could not be taken from the fund.

The convention is to be held next June so it is necessary to plan for it in advance.

Mr. HAYDEN. It seems to me that if the facts are different from what the committee was told, the action of the committee now should be different.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. What is the $200,000 to be spent for?

Mr. MAGNUSON. It is to be spent for the activities at the conference. The conference will last 28 days. The main headquarters is in Montreal. The money will be needed, among other things, for the traveling expenses of the Government personnel, for the renting of halls, and things of that kind which are necessary in the holding of a 28-day meeting of some 60 or 70 nations.

Mr. LAUSCHE. Will the delegates who will be in attendance be the representatives of airline companies of the different nations?

Mr. MAGNUSON. They will represent airline companies. They will be Government representatives, including military aviation representatives, and they will come from all the countries. I may say that in all countries except the United States, the airlines are operated by the government.

Mr. HAYDEN. When was the last meeting held in the United States?

Mr. MAGNUSON. It was, as I recall, 6 or 7 years ago. The United States will be the host nation in 1960.

Mr. HAYDEN. The program has been prearranged?

Mr. MAGNUSON. I have no doubt that it has been prearranged.

Mr. HAYDEN. The committee thought that money was available, but it is not. If the money is not provided, the arrangements cannot be made.

Mr. MAGNUSON. That is correct. I talked with representatives of the State Department, from Mr. Herter down, including the man in charge of arrangements. It was pointed out to me that all the funds they had for such purposes were already allocated.

The State Department was a little worried about the matter because they thought that the action of the committee in not providing the small amount needed, since the United States will be the host nation, might cause the idea to be spread around in the other countries that we were against the organization. I assured the State Department that that was not true; that it was merely that we hoped funds were available; but they are not available.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. THYE. I may say to the Senator from Ohio [Mr. LAUSCHE] that there is no question that these funds will be needed. If the Senator will read Senate Joint Resolution 166, passed at this session of Congress, and which was approved on June 4, 1958, he will find that section 2 reads as follows:

> The Secretary of State is authorized to accept and use contributions of funds, property, services, and facilities for the purpose of organizing and holding the 12th session of the Assembly of the International Civil Aviation Organization in the United States.

The $200,000 is only a small sum compared with what might be the entire cost of the conference, when we consider all the donations which will be made. If the Senator has not seen the joint resolution, I should like to show it to him, because

I think it will help him to understand that there is no question that the funds are needed, and that the United States is honored to have the opportunity of being the host nation.

Mr. LAUSCHE. I simply wanted to make an inquiry about some of the items of expense. It is my understanding that it is calculated that the total cost will be $285,000, and that the sponsoring body is providing $85,000.

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. It is asked that the Federal Government put up $200,000.

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. Mainly, this is an assembly of agencies connected with the manufacturing of planes and agencies engaged in commercial transportation by planes. It will have in attendance, of course, some military personnel and perhaps Government officials.

Mr. MAGNUSON. Mostly Government officials.

Mr. LAUSCHE. But in the main it will be a convention of civil aviation people?

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. And the United States is asked to provide $200,000 to help finance the convention?

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. It is my understanding that the convention will be held on the west coast.

Mr. MAGNUSON. No; the site has not yet been selected. The testimony shows that 7 or 8 cities are under consideration—including Chicago, San Diego, and Philadelphia: In fact, the only two cities omitted from consideration are Cleveland and Seattle. [Laughter.]

Mr. DIRKSEN. I certainly hope Chicago will be selected. [Laughter.]

Mr. LAUSCHE. An item for travel expenses is included. Whose travel expenses will be paid?

Mr. MAGNUSON. The travel expenses of our people will be paid.

Mr. LAUSCHE. Who are they?

Mr. MAGNUSON. State Department employees—Americans—who work for us in Montreal.

Mr. LAUSCHE. How many will attend?

Mr. MAGNUSON. I suppose there will be the necessary clerical help and the executive secretary. The staff may come from Washington; but the agency has its permanent headquarters in Montreal.

Mr. LAUSCHE. Will it cost $71,000 to pay the travel expenses of our personnel who will attend the convention?

Mr. MAGNUSON. That is correct—although, of course, the amount also covers the subsistence expense. The staff will be there for 3 or 4 weeks before the convention, and for some time following the convention. Perhaps they will have to be in Montreal for a total of 2 months. After all, it is necessary to make advance preparations, including preparations for the agenda.

All of the staff are Government employees.

The staff used by the United States in connection with this organization is somewhat similar to the staff of the Civil Aeronautics Administration, in that all of the employees are Government employees. Of course, in the case of our Civil Aviation Administration, we must realize that all the other governments of the world run the airlines themselves.

Mr. LAUSCHE. I understand that one government withdrew.

Mr. MAGNUSON. Yes, India withdrew; although I do not know why. The site has not yet been selected.

Mr. LAUSCHE. Does the Federal Government finance other conventions, such as railroad conventions or barge line conventions?

Mr. MAGNUSON. I do not believe there are any international railroads or any international barge lines.

Mr. LAUSCHE. I so understand. But the question I have in mind is whether the United States finances other conventions.

Mr. MAGNUSON. Yes—all kinds of international conventions, insofar as our share of the cost is concerned.

Mr. HAYDEN. Mr. President, the testimony showed that our most recent experience with that matter was in the case of the Minneapolis meeting of the World Health Organization. The city of Minneapolis contributed $85,000; the United States Government appropriated $332,500; and the budget of the World Health Organization contributed $200,000.

Mr. THYE. I was about to touch on that point. The Federal Government will participate only through the World Health Conference, which deals with all the nations of the world.

In the case of the airlines, they are certificated on an international basis. Certain of the United States airlines are certificated to fly to foreign countries; and, similarly, foreign airlines are certificated to fly to the United States. So there must be conferences in order to resolve the problems; and, of course, Civil Aeronnutics inspectors and technicians are employed. Such personnel are assigned all over the world—for instance, in Thailand, at the large airport there; and also in Turkey, in India, and in Australia. In short, it is necessary to have an international conference, in order to resolve the problems which arise in connection with the international flights.

Mr. MAGNUSON. And at such conferences the international safety regulations are developed.

Mr. THYE. Certainly.

Mr. MAGNUSON. In the case of the convention we are now discussing, it is expected that nine of our people will be sent there.

Mr. LAUSCHE. Will the expenses of those 9 people amount to $71,000—in the case of their subsistence for 28 days, or whatever the actual number of days is, and their travel expenses?

Mr. MAGNUSON. No, they will be there 3 or 4 weeks ahead of time, and 3 or 4 weeks afterwards.

Mr. LAUSCHE. Will the total of that expense be $71,000? If so, has a breakdown of the item been made?

Mr. MAGNUSON. I do not think it has been figured down to the last penny.

Mr. LAUSCHE. Let us do a little calculating: 9 people, for 60 days would make a total of 540 days—if they were there for 2 months. Then let us divide the $71,000 by 540, to find the expense a day.

Mr. HAYDEN. The allowance is $5 a day.

Mr. LAUSCHE. But I cannot understand why the travel and subsistence expenses of 9 persons, for 60 days, will amount to $71,000. That would come to approximately $8,000 a person.

Mr. MAGNUSON. The $71,000 covers more than that. I said there would be nine people there. They will be the so-called experts. It will be necessary to pay the travel expense and the per diem expense for those nine people. But there will also be a headquarters staff, composed of stenographers, and so forth.

Mr. DIRKSEN. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. DIRKSEN. The United States will be the host country, will it not?

Mr. MAGNUSON. Yes.

Mr. DIRKSEN. So considerable expense will be necessary in that connection.

Mr. LAUSCHE. But what will the $71,000 be spent for?

Mr. HAYDEN. As has been stated, the United States will be the host country.

Mr. DIRKSEN. Yes; and, of course, there will be expenses in connection with dinners, and so forth.

Mr. THYE. Not only that, but official reporters will have to be employed. The joint resolution authorizes all these expenditures; and the necessary personnel will be hired, and will be paid out of the funds appropriated. Payments will have to be made to the official reporters who will record all of the speeches made at the convention.

Mr. LAUSCHE. Has an itemized statement or breakdown for the $71,000 been submitted?

Mr. MAGNUSON. No payments may be made until vouchers are submitted. After all, the Government makes appropriations for various international conventions. For instance, in connection with the Geophysical Year, the State Department will attend a convention in Vienna. Many outstanding scientists will attend that convention. One of the things considered there will be the fallout program.

Furthermore, civil aviation is almost as important to the national defense as is military aviation.

Mr. LAUSCHE. I am interested in this item because I realize that this year our Committee on Interstate and Foreign Commerce has handled proposals for three subsidies of a most liberal character for airlines.

Mr. MAGNUSON. Mr. President, I do not wish to labor the point; but the statement of the Senator from Ohio is not correct. The Congress did not pass any measures providing for subsidies.

Mr. LAUSCHE. The Senate did, in connection with the capital gains of the airlines.

Mr. MAGNUSON. The Senate passed a bill in regard to the general policy. Long hearings were held in that connection. I do not know how much will be involved; that will be up to the Civil Aeronautics Administration. We, ourselves, cannot determine that here; if we attempted to do so, each Senator would have to employ perhaps 17 certified public accountants.

Mr. THYE. Mr. President, in connection with the reference which has been made to the Civil Aeronautics Administration, let us suppose an airline were certificated to operate a flight from Washington, D. C., to Tokyo. The civil aeronautics law makes it mandatory that the Federal Government audit the books. If the line operated in the red, the Federal Government would take care of the amount the firm was found to be in the red, and as a result of its operations. Why? Because we are pioneering in a new field. There is no case history regarding the operations and regarding the rates which properly can be charged, or regarding how to keep the operations in the black.

Furthermore, these lines carry the mail.

Let me also refer to the fact that the Government subsidizes our merchant marine. Why? Because without a subsidy, our merchant marine undoubtedly would go out of existence, in view of the fact that foreign vessels are able to operate offshore much more cheaply than American vessels can. So our Government has found that unless such subsidies are paid to our merchant marine, it would be very likely that our merchant fleet would no longer exist.

When World War II hit us we had to rely upon foreign vessels, because we did not have enough vessels of our own. In World War I we were confronted with the fact that we had to put our troops on foreign ships, and they went overseas much as cattle were shipped overseas. Those ships were used as military transports. I was one of the soldiers. I have seen cattle ships that had 1,000 percent better quarters than we had. But we survived. There comes a time when subsidies are evil; but when we get down to fundamentals, if we did not provide subsidies in a case such as the one before us, our Nation might not be prepared to meet an emergency? That is why some of the subsidies have to be paid.

Mr. LAUSCHE. I do not hesitate to say that, in my opinion, the great majority of the people of the United States do not know the extent to which we are subsidizing the merchant marine and the airlines. I know what the figures are. I am on the committee. Two months ago we went so far as to increase the subsidies for superliners to the extent that we practically gave $200 million away to two superliner companies.

I may be challenged for making that statement, but editorials I have seen demonstrate the fact that it was practically a $200 million gift.

I shall not vote for the project. I believe the committee was right when it rejected it. I am opposed to it because I do not believe that State governments, municipal governments, or the Federal Government, except on rare occasions, ought to be financing conventions.

Mr. MAGNUSON. Mr. President, I do not want to labor the point, because the hour is late. I think the Senator completely misunderstands the purpose of the organization. It has been in existence for many years. There have always been these conventions. If this were a convention only for commercial air organizations, I could agree with the Senator, but of the 67 nations involved, there is only one which has a truly commercial airline. In the others the airlines are operated by the government.

We talk about subsidies. I will show the Senator a chart indicating how other countries subsidize. I do not want to labor the point made about the superliners. We argued the matter on the floor of the Senate.

I do not think the Senator from Ohio meant exactly what he said, if he understood it. Certainly all of us are not wrong except the Senator from Ohio.

Mr. LAUSCHE. That is true, and the Senator from Ohio is wrong frequently; but I have seen certain measures passed, and the philosophy of giveaway and subsidize is attendant upon most of them. So long as I can, I shall fight against such subsidies.

Mr. MAGNUSON. I do not disagree with the Senator's viewpoint. I do not know of any Member of the Senate, or even those who receive the so-called subsidies, who would not like to do away with subsidies if it could possibly be done.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. DIRKSEN. If there is any difficulty in this respect it lies in the fact that we accept membership in international organizations. If we do not want to do so, the time to protest is at the time the matter of membership is under consideration. There are many ancillary commissions and bureaus that are a part of the United Nations, as the World Health Organization, for example. If we do not want to be a part of them, we ought to say so at the time the matter of joining comes before us. Once having accepted membership—and this is a matter of membership—we have the responsibility to take our full share of the load. It is at the point where the question of membership occurs that the criticism ought to be made, if there is a protest.

Mr. LAUSCHE. Mr. President, may I ask the Senator from Louisiana what his view on this amendment is? He is a member of the committee.

Mr. ELLENDER. We voted it down.

Mr. LAUSCHE. May I ask what the reasons were for voting it down?

Mr. ELLENDER. I wish to say I was not present when all the hearings were held, but there were so many commissions which applied for funds that we decided to turn some of them down, and this is one of them.

Mr. LAUSCHE. I do not understand the statement of the Senator. He stated that there were so many commissions applying for funds?

Mr. ELLENDER. Yes. For instance, certain centennial commissions applied for money in order to continue their work, such as the Bataan and other commissions. We felt we had to call a halt to some of the requests.

Mr. HAYDEN. In this case it was understood there was money available for this purpose and therefore it was not necessary to make an appropriation. It turns out the fund we thought was available is not available.

Mr. MAGNUSON. I myself voted not to put the item in the bill, because I thought the money had already been provided.

Mr. HAYDEN. I did, too. The State Department now informs us that we were misinformed as to the fact, and no money has been provided for this purpose. We have obligated ourselves to participate in the meeting.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a breakdown from the State Department of our participation. It is not exact to the dollar, but it is pretty close.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JUSTIFICATION

Additional funds in the amount of $200,000 are required to meet the costs of organizing and holding the 12th session of the Assembly of the International Civil Aviation Organization in the United States in 1959. This amount was authorized by the act of June 4, 1958 (Public Law 85-448).

These funds are needed by September 30, 1958, because, in making arrangements for a meeting of this nature, it is necessary to make firm commitments to the Organization and to others for such items as meeting rooms, office space, and rental of equipment several months prior to the convening date of the activity.

Public Law 85-448, which was approved June 4, 1958, authorizes an appropriation of $200,000 to defray the expenses of holding the 12th session of the Assembly of the International Civil Aviation Organization (ICAO) in the United States in 1959.

The United States played a major role in the establishment of the International Civil Aviation Organization and, as a leading aviation country, has a major interest in this Organization. However, an invitation has never been extended to the ICAO Assembly to meet in the United States.

The holding of the ICAO Assembly in this country would enhance United States leadership in ICAO and in aviation at a time when great international competition is developing in both the air-transport and aircraft-manufacturing fields. At the present time, the most important work being done by ICAO is the revision of its international standards and recommendations to meet the requirements of turbojet aircraft which will soon be flying in large numbers along the world's international civil air routes. It should be noted that the 1959 ICAO Assembly will coincide with the delivery date of American jet transport planes to both United States and foreign-flag airlines. If held in the United States, the Assembly would provide an excellent opportunity for foreign aviation officials to see and discuss the new planes with United States officials and representatives of the air-transport and aircraft-manufacturing industries.

The 11th session of the ICAO Assembly met in Montreal from May 20 through June 2, 1958. During the meeting, the United States representatives invited the Organization to hold the 1959 Assembly in the United States subject to appropriation of the necessary funds by the Congress. The Assembly took no final action on the site of its next meeting, but referred the matter to the ICAO Council for decision. It is understood

that the site of the next Assembly will be determined when the Council meets again in September, but that a location on the west coast of the United States is favored.

It is estimated that it will cost a total of $285,000 to hold the 12th Assembly in 1959 at a city on the west coast. Of this amount, $85,000 was voted by the Assembly from ICAO funds. The remaining $200,000 included in this supplemental request is required by the United States to meet expenses in its role as host Government to the ICAO Assembly, and for expenses incurred by ICAO in excess of costs which would ordinarily be incurred by the Organization in holding the next Assembly at headquarters in Montreal. Examples of such expenses are hire of temporary personnel, travel and transportation costs, and rental of space.

Personal services, $34,000: All personal-services costs are for temporary personnel, and the estimate is based on a meeting of 25 days' duration. Personal-services costs would provide verbatim reporters, secretaries, stenographers, typists, proofreaders, mimeograph operators, collators, clerks, sound operators, messengers, chauffeurs, guards, and ushers.

Travel, $71,000: This estimate provides for subsistence expenses of the ICAO headquarters staff, and travel and per diem for the United States liaison staff of nine persons.

Transportation of things, $8,000: This amount will be required for necessary expenses in shipping equipment and materials from Montreal and Washington and for local cartage.

Communication services, $3,090: Telephone installations, long-distance calls, telegrams, telex, local telephone, and postage are included in this item.

Rents and utility services, $66,000: This estimate is for rental of Assembly meeting rooms and secretariat office space; rental of office space for the United States liaison staff; rental of furniture and equipment, and cost of utilities.

Printing and reproduction, $1,000: The cost of printing invitations, name cards, signs, etc., are included in this estimate.

Other contractual services, $9,000: This estimate is for hire of 4 passenger vehicles and 2 station wagons, for hire of IBM technicians, and for maintenance of office equipment.

Supplies and materials, $8,000: This estimate is for expendable supplies over and above the amount included in the Organization's budget for this meeting.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

LOUIS S. LEVENSON—CONFERENCE REPORT

Mr. CARROLL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4544) for the relief of Louis S. Levenson. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4544) for the relief of Louis S. Levenson, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

JOHN A. CARROLL,
SAM J. ERVIN, JR.,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

E. L. FORRESTER,
HAROLD D. DONOHUE,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CARROLL. Mr. President, the Senate amended the House-passed bill by reducing the amount of the claim from $1,560 to $750. The House disagreed to the amendment and requested a conference. The conference report is now before the Senate, which would provide that the Senate recede from its amendment and restore the original amount of $1,500 in the bill as it was passed by the House. The conferees on the part of the Senate recommend that the Senate recede from its amendment.

Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

TWENTY-FIFTH ANNIVERSARY OF FAMINE IN THE UKRAINE

Mr. YOUNG. Mr. President, this year marks the 25th anniversary of the famine in the Ukraine artificially created by the despotic Communist rulers of Russia.

These brave Ukrainian people have won the deep respect and admiration of all the free people of the entire world. Here is a people who have endured more suffering and tragedy than perhaps any people in history. Despite all this they are still willing to fight to the bitter end for freedom if they have the slightest chance of attaining success. We owe much to these brave, good people.

Mr. President, I ask unanimous consent to have inserted in the RECORD as a part of my remarks a copy of a letter I have received from Dr. Anthony Zukowsky, president of the Ukrainian Congress Committee of America, Inc., State branch of North Dakota, together with a memorandum entitled "Famine in Ukraine of 1932–33," and also a short article entitled "Famine in Ukraine—A Warning for the West."

There being no objection, the letter, memorandum, and article were ordered to be printed in the RECORD, as follows:

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA, INC.,
Bismarck, N. Dak., July 31, 1958.

The Honorable MILTON R. YOUNG,
United States Senate,
Washington, D. C.

DEAR SENATOR YOUNG: I am taking the liberty of writing you that all over the United States and North Dakota special manifestations were held by Americans of Ukrainian descent to mark the tragic 25th anniversary of famine in the Ukraine, artificially created by Red rulers in 1932–33.

Twenty-five years ago the Communist rulers in the Kremlin instituted what history may one day record as the most inhuman act ever perpetrated on any nation, the famine which was deliberately started and maintained by the Russian communism, in an all-out effort to break the spirit of the Ukrainians, and to eradicate an element of the Soviet Union that milder methods failed to sway.

In 1933, through the streets of Kiev, Kharkiv, Odessa, and other cities, the miserable wrecks of humanity dragged themselves on swollen feet, begging for crusts of bread, or searching for scraps in garbage heaps, frozen and filthy. Each morning wagons rolled along the streets, picking up the emaciated remains of the dead. The year 1933 brought death to the villages of Ukraine. Many which had formerly boasted a population of from 2,500 to 3,000, now counted some 200 to 300.

The Russians attempted to destroy the Ukrainian nation as they did the Volga-Germans, Krymian-Tatars, and others after World War II, and there has been, perhaps, no disaster of comparable magnitude that received so little international attention.

Recent events indicate that no people enslaved by the Russian Communists' colonial empire either within the U. S. S. R. or as so-called satellites are willing to submit to oppression forever and without a fight. The Ukrainian, like other enslaved people, are just as willing and ready to make a bid for freedom as were recently their comrades in slavery, the Hungarians. It is, therefore, most fitting that at this moment of world tension and restive opposition to Soviet rule, we of the Free World demonstrate our unity of purpose with those behind the Iron Curtain.

Ukraine's armed and prolonged resistance to Communist military aggression likewise provided the Hungarians with an opportunity to oust the puppet Communist regime of Bela Kun in 1919 because Lenin, forced to wage bitter war in Ukraine, was not in a position to intervene by force of arms in Hungary in 1919, something which Khrushchev and Zhukov were quite free to do in 1956–57.

Speaking of our blood brothers in slavery, therefore, I respectfully request on behalf of the Ukrainian Congress Committee of America, Inc., State branch of North Dakota, and 20,000 Americans of Ukrainian descent living in our State, that you present to the United States Congress, this dreadful situation in the Ukraine and condemn the Red rulers of Moscow for their antihuman terror and to give hope to those people behind the Iron Curtain, who have kept glowing the flickering flame of freedom in Ukraine, in Hungary, in Poland, in East Germany, in the Baltic and Balkan States.

Enclosed please find memorandum, a booklet: The Golgotha of Ukraine, and a manifestation leaflet entitled, "Famine in Ukraine—A Warning for the West."

Our committee would appreciate inserting the memorandum and our manifestation leaflet, including this letter, in the CONGRESSIONAL RECORD, as a matter of public record. Thank you.

Very sincerely yours,
Dr. ANTHONY ZUKOWSKY,
President, U. C. C. A.

FAMINE IN UKRAINE OF 1932–33—METHOD OF RUSSIAN POLICY OF PEACE AND BUILDING OF COMMUNISM

This year is the 40th anniversary of the independence of the Ukraine.

On January 22, 1918, a freely and democratically elected Parliament and Government of Ukraine issued in the capital of Kiev a solemn act of proclamation and the reestablishment of Ukraine as a sovereign independent nation called the Ukrainian National Republic.

This sovereign Ukrainian State was immediately and duly recognized by a large number of foreign nations, and diplomatic relations were established with them forthwith. Recognition was even granted by Soviet Russia, but this did not prevent its Government and Communist Party from opening hostilities against the new Ukrainian State.

Ukraine was conquered by Moscow's armed forces and occupied, but the people have not acquiesced and are refusing to be slaves of Moscow to this day.

In spite of the military victory, the Soviets had to face serious difficulties in governing Ukraine. Those Ukrainian Communists—the fifth column—who gave them their support, hoping for an autonomous Soviet Ukrainian Republic, were soon disappointed in their hopes. They were all entirely liquidated in the early 1930's when Ukraine was once again subjected to Red terror. At the time of the first 5-year plan, and the forced collectivization, the Ukrainian workers, peasants, and intelligentsia rose united to oppose the Soviet policy. The purges and large-scale deportations were conducted under the personal supervision of the highest party officials—the Russian Postyshev, Kaganovich, and Khrushchev. It is they and their Kremlin masters who must be held responsible for the terrible famine in Ukraine in 1932–33 which took a toll running in millions of lives for the barbarous destruction of Ukrainian learning, science, and religion, for the persecutions of hundreds of thousands of innocent and peace-loving people.

This year is also the tragic 25th anniversary of the most appalling crime in history, the famine deliberately planned by Moscow in Ukraine, in the years 1932–33.

By this almost incredibly atrocious deed more than 7 million Ukrainians died of sheer starvation.

This happened in the smiling Ukraine, agriculturally the richest country in Europe, the owner of the famous black soil.

There was no natural cause for this famine; it was purposely created by Moscow to break the resistance of the Ukrainian peasants to the collective-farm system, a system of slavery, and was planned to teach the Ukrainians a lesson by the grim method of starvation to force them to recognize the supremacy of Russia, to accept Russian domination over Ukraine.

After the Communists had overrun Ukraine, Stalin soon made it clear that the time had come for a new reign of terror. The year 1930 brought the order for compulsory collectivization of all the land and the means of production. The peasants were ordered to turn over their land and animals to the collective farm or be deported. Naturally this aroused tremendous opposition. In many places the peasants killed their cattle rather than turn them over, and a condition of near revolt covered most of the Ukraine. Large forces of the NKVD and even military units were sent to the villages to force the people into the collective farms, and those who hesitated or showed any opposition were forced into them or deported without possessions. There was hardly in Ukraine a village in which, under the instructions of Moscow, 5 to 15 percent of the population were not uprooted. In many cases their houses and barns were actually destroyed so that there would be no trace left of the "enemies of the people."

When these methods failed to break the opposition of the peasants to the idea of the collective farms, Stalin decided upon a still more drastic device: the starvation of the Ukrainian village. This was carefully planned and worked out in the greatest detail.

During 1931 the demands for the delivery of grain reached an unprecedented height. New and extra delivery quotas were imposed upon the villages and the collective farms alike, and all the grain thus secured was either removed to the Russian Republic or was sold on the foreign market at dumping prices or even for the costs of unloading in some places in Italy. By these and other methods, the entire grain reserves were removed from Ukraine and so were all other crops that might support the population. The grain harvest of 1932 was somewhat below normal as a result of drought, but the population could have survived, had there been the normal grain reserves.

Signs of the approaching famine were evident in the autumn of 1932, but they increased rapidly during the winter months and shortly after the beginning of 1933 the storm broke with all its fury. To strengthen the hand of authorities, the Council of Commissars of the Union in Moscow passed on August 6, 1932, a law for the protection of Socialist property. This made it illegal to pick a single head of Socialist grain in the fields or even to pick up a stalk that had been overlooked in the harvesting. The same regulation applied to everything that was the nominal property of the collective farm.

To enforce this, Moscow sent to Ukraine, Pavel Postyshev as second secretary of the Communist Party of Ukraine with 7,000 political workers from the Russian Republic. These men were formed into special commissions for investigating the thefts of food by the peasants. They swarmed through the villages; they sounded the walls of the houses to make sure that no grain or other foodstuffs had been hidden in them; they investigated every place in the courtyards where the earth showed signs of having been disturbed.

The country became desolate. In the spring of 1933 there were many villages where the entire population had perished and almost one-third of the houses in some places were empty. There was no one to bury the dead. The bodies were hauled away on carts or thrown into ravines and allowed to lie as they fell, for no one had the strength to dig graves.

It is difficult to estimate the actual number of casualties during this artificial famine, for there is no doubt that it was artificial. In fact when Chubar, the chairman of the Soviet commissars, Premier of the Ukrainian Soviet Socialist Republic, appealed to Stalin for food at least for the starving children, he received the definite answer from Stalin: "No remarks on that question." It was not long before Chubar disappeared as an enemy of the people.

The most conservative estimate is that there were between 6 and 7 million deaths. No graphic account, however, can truly show the depth of this triumph of man's inhumanity to man.

That this was an artificially devised famine can be proven by the following facts:

1. There was no famine in Russia. In Russia normal Soviet life went on, monotonous and wretched, but nobody died of hunger.

2. In Siberia there were enormous supplies of government grain. When the grain was taken from Ukraine to Siberia, there was no place to store it, there were no warehouses.

3. The Ukrainians were forbidden to go to Russia for grain.

4. Russia gave no aid to Ukraine and rejected aid offered from abroad.

5. The rural population was forbidden to buy grain in the cities.

6. The Soviet NKVD staff in the cities and villages were well fed through the system of closed restaurants, entrance to which was forbidden to the starving village and town population.

7. In party institutions and factories of state importance, the workers received 4 pounds of bread a day.

8. It was forbidden to mention the famine under the threat of severe reprisals.

9. There was absolutely no mention of famine in the press and it was even emphasized that there was no famine and that the happy Ukrainian people thanked the leader of the world proletriat, Josef Stalin, for his liberality.

10. It was forbidden to give medical treatment to those dying of hunger and to receive them in hospitals.

11. If any of the starving did get into a hospital, it was forbidden to make the diagnosis exhaustion from hunger and to give hunger as cause of death.

12. It was forbidden to make statistics of the starving and of the rate of mortality.

To understand properly the atrocities of Postyshev and Khrushchev in Ukraine and the masterful plan of Stalin and his bloody counselors regarding the liquidation of Ukrainian opposition, we must review briefly the historical relationship between Russia and Ukraine and the growth of the Ukrainian movement in the first decade of the Soviet power in Ukraine.

Ukraine always posed a vital problem for Russia, in all the latter's stages of development. The nationality problem has been the Achilles' heel of all the regimes and political systems of this semifeudal and colonial slave state. Therefore, Russia's policy, with respect to the other nations has always been the same: Ruthless, and extreme. Brutality and police terror, including physical liquidation of all those who in one way or another aspired toward freedom, social justice, and the national and political independence of their people, were always the outstanding characteristics of Russia with respect to the non-Russian peoples.

By no means did the historic importance of Ukraine's independence end in 1920. The physical embodiment was destroyed then, but the fiery spirit of independence has lived to this day. It has for long been clearly evident that the destruction of the independent Ukrainian state laid the foundation for Moscow's subsequent aggressions and imperial aggrandisements. What Ukraine, Georgia, Armenia, Aserbaijan, White Ruthenia, Turkestan, and other non-Russian nations suffered at the beginning of the twenties, the Baltic Nations, Poland, Hungary, Czechoslovakia, and others experienced in the forties and fifties. Now, significantly enough, the same threat in this series of conquests confronts the United States, Canada, and countries of Western Europe, Middle East, and others in the Free World.

In spite of suffering and suppression, the Ukrainian people continue to this day to resist, actively and passively, tyranny in their country, and they will continue to resist until their final goal of a free and independent nation will be achieved.

Respectfully submitted by
Dr. ANTHONY ZUKOWSKY,
President, Ukrainian Congress Committee of America, Inc.

FAMINE IN UKRAINE—A WARNING FOR THE WEST

The Kremlin today dominates one-third of the world and threatens the entire Free World with subjugation and tyranny. The picture of conditions in the subjugated territories and enslaved nations shows only terror, slavery, mass genocide, persecution, and misery.

This manifestation is being held upon the 25th anniversary of one of the most horrible

crimes committed by the Kremlin upon its victims—an artificial famine calculated and carried out to break the will of the Ukrainians in their resistance and opposition to the regime.

Ukraine, with a population of 45 million, has the richest farming land in Europe. Sixty million acres of land produce wheat for 20 million tons of bread. From 1909 to 1913 Ukraine provided 20 percent of Europe's grain supply. It was known as the granary or bread basket of Europe.

In 1920, the Russian Communists overran Ukraine and made it their colony. They utilized the resources of Ukraine to develop their power and plans for sowing the seeds of chaos and revolution in the world. They introduced a system of slave labor in order to obtain products and goods cheaply and in this way to undermine the world economy.

In 1929, taking advantage of the economic crisis in the world, they began a 5-year drive against the peasants, forcing them into the collective farms. The Kremlin used the most diabolical methods on its resisting victims. In Ukraine, where the inhabitants by nature and tradition are most radically opposed to collectivization and state regimentation the effects were unbelievably horrible. From 1929 to 1932 the Moscow Communists confiscated 500,000 farms; drove 2,500,000 people with their children and aged out of their homes; deported 1 million peasants with their children, wives, aged, and ailing to slave labor camps into the tundras and Siberia to die of exhaustion and hunger.

With resistance still strong, Moscow resorted to extreme measures and calculated a plan of starvation. All food products in Ukraine were designated for export. By official edict of August 2, 1932, the peasants were forbidden under penalty of death to take any of the food they produced. They were forbidden to leave their villages in search of food beyond the borders of Ukraine, while throughout the other territories of the Soviet Union food was plentiful. Entire families died in the streets of the villages in the terrible tortures of starvation. Cannibalism was widespread. The grain elevators were overflowing, but they were vigilantly guarded by the armed Communist militia to prevent the people from reaching the life-giving grain—all of which was removed from Ukraine. The International Red Cross offered aid and relief to the victims of Moscow but the Soviet Government vehemently denied the very existence of famine and the need for aid. As a result of this famine between 6 and 7 million Ukrainians died.

Such methods are used by the Kremlin to Russify and subjugate the captive nations in the U. S. S. R. Even these methods, however, are not completely successful. The love of freedom is so strong and so firmly entrenched in the hearts and minds of the Ukrainians that they continue to this day to resist actively and passively the tyranny in their land. They will continue to resist until their final goal of a free and independent nation is achieved. And these gallant people deserve the support and encouragement of every American who believes in the principles of democracy and human rights.

The suffering and misery of the Ukrainians throughout their long enslavement in the Soviet Union should serve the Free World as a warning. We should not permit ourselves to be blinded to the real aims of the Kremlin by the current Russian peace offers. For the Kremlin offers the world not peace, but misery and enslavement.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment the bill (S. 3224) to improve opportunities for small business concerns to obtain a fair proportion of Government purchases and contracts, to facilitate procurement of property and services by the Government, and for other purposes.

The message also announced that the House insisted upon its amendment to the bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MURRAY, Mr. MORRISON, Mr. DAVIS of Georgia, Mr. REES of Kansas, and Mr. CORBETT were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MURRAY, Mr. MORRISON, and Mr. REES of Kansas were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 8606. An act to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress;

H. R. 12894. An act to authorize the making, amendment, and modification of contracts to facilitate the national defense; and

H. R. 13531. An act to amend the act of July 29, 1938, as amended, to increase the insurance coverage required to be carried by cabs for hire in the District of Columbia for the protection of passengers and others, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 13. An act for the relief of Hsiu-Kwang Wu and Hsiu-Huang Wu;

S. 92. An act for the relief of Robert Karia;

S. 160. An act for the relief of Georgios Ioannou;

S. 166. An act to amend the laws granting education and training benefits to certain veterans so as to extend, with respect to certain individuals, the period during which such benefits may be offered;

S. 228. An act for the relief of the Chamberlain Water Co., of Chamberlain, S. Dak.;

S. 400. An act for the relief of Paul Thury;

S. 489. An act for the relief of Mary K. Ryan and William A. Boutwell;

S. 761. An act for the relief of Charles C. and George C. Finn;

S. 784. An act for the relief of Dwight S. Sharer;

S. 1110. An act for the relief of Sono Hoshi;

S. 2004. An act for the relief of George and Emma Clifford;

S. 2052. An act for the relief of Heinz Farmer;

S. 2262. An act for the relief of Hasan Muhammad Tiro;

S. 2629. An act for the relief of John J. Spriggs;

S. 2935. An act for the relief of Mary Louise Shields Wilkinson;

S. 2936. An act for the relief of Feofania Bankevitz;

S. 2943. An act for the relief of Ketutua Olteanu;

S. 2983. An act for the relief of Bernabe Miranda and Manuel Miranda;

S. 2989. An act for the relief of Salvador Miranda;

S. 3010. An act for the relief of Jose Mararac;

S. 3031. An act for the relief of Joseph Daniel Maeda Betterley (Toshikazu Maeda);

S. 3055. An act for the relief of Ronald H. Denison;

S. 3130. An act for the relief of Georgios Papakonstantinou;

S. 3131. An act for the relief of Amile Hatem and Linda Hatem;

S. 3192. An act for the relief of Edeltraud Maria Theresia Collom;

S. 3270. An act for the relief of Nick Tsalikis;

S. 3305. An act for the relief of Adamantia Papavasiliou;

S. 3316. An act for the relief of Kiyoshi Ueda;

S. 3330. An act for the relief of Leopoldo Rodriguez-Meza and Adela Rodriguez Gonzales;

S. 3333. An act to facilitate the insurance of loans under title I of the Bankhead-Jones Farm Tenant Act, as amended, and the act of August 28, 1937, as amended (relating to the conservation of water resources), and for other purposes;

S. 3354. An act for the relief of Fuad E. Kattuah;

S. 3401. An act for the relief of Cho Hack Youn;

S. 3402. An act for the relief of Nessime Kadoch;

S. 3404. An act for the relief of Doulatram Chattulane Chavez;

S. 3421. An act for the relief of Alexander Nagy;

S. 3598. An act for the relief of Feiga Chirinsky Roseman;

S. 3615. An act for the relief of Wendy Levine;

S. 3641. An act for the relief of Gertrude Yang Koo;

S. 3665. An act for the relief of Choe Kum Bok;

S. 3894. An act for the relief of Joseph H. Lym, doing business as the Lym Engineering Co.;

S. 4002. An act to authorize the Gray Reef Dam and Reservoir as a part of the Glendo unit of the Missouri River Basin project;

H. R. 376. An act to prohibit trading in onion futures on commodity exchanges;

H. R. 6239. An act to amend sections 1461 and 1462 of title 18 of the United States Code;

H. R. 6382. An act to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended;

H. R. 6448. An act for the relief of Cathryn A. Giesener;

H. R. 6589. An act for the relief of Elizabeth C. Garner and Charles P. Garner;

H. R. 7198. An act for the relief of Col. Russell King Alspach;

H. R. 7738. An act for the relief of the State of New York;

H. R. 7746. An act for the relief of Elmer L. Conrad and others;

H. R. 7779. An act to authorize free transit at the Panama Canal for vessels operated by State nautical schools;

H. R. 8732. An act for the relief of Ella H. Natafalusy;

H. R. 9160. An act for the relief of Genoveva Rioseco Caswell;

H. R. 9851. An act for the relief of Tsuyako Ikeda;

H. R. 9993. An act for the relief of Miss Mary M. Browne;

H. R. 10045. An act to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.;

H. R. 12256. An act for the relief of Alphonse E. Jakubauskas;

House Joint Resolution 634. Joint resolution to facilitate the admission into the United States of certain aliens; and

House Joint Resolution 652. Joint resolution to facilitate the admission into the United States of certain aliens.

SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WATKINS. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 39, line 23, to strike out the figure "$693,000" and insert in lieu thereof the figure "$4,203,000."

Mr. WATKINS. Mr. President, this amendment adds to the appropriation for the Bureau of Reclamation an item of $3,510,000 to finance a loan under the Small Reclamation Projects Act of 1956, for construction of an irrigation water distribution system for the Bountiful Water Subconservancy District of Bountiful, Utah.

This project has been affirmatively approved by both the House and Senate Interior Committees. The Senate committee resolution was especially emphatic in urging appropriation of funds for this project this session. The project also was approved by the engineering staff of the Utah Water and Power Board.

I feel sure that the reason this project was not included in the bill reported by the committee was that it had not been before the Congress for the required 60 days when the committee acted on this bill. However, the Appropriations Committee informs me that the 60-day period will be completed on August 19—next Tuesday.

Mr. HAYDEN. That is 4 more days.

Mr. WATKINS. Mr. President, there is little possibility that conference action on the legislation can be completed by that time. At least, if action is completed, the President will not have signed the bill by that time.

Mr. HAYDEN. I do not think there is any question at all that the bill we are now considering will not become law within 4 days.

Mr. WATKINS. In view of the urgent necessity for an early start on this project, to use water available from the Weber River Basin project reservoirs already constructed, which the people of the vicinage are paying for and will have to pay for, thought they cannot use the water because they lack the distribution system, I do not see how my colleagues can fail to add this project to the bill.

Funds for the project were included in the President's budget request of $25.2 million for small project loans. I invite attention to the fact that the Congress decided to take each project as it came up, and if the project had 60 days' consideration, it would meet the criteria. Up to this time probably not more than $10 million or $12 million has been allocated, of the President's recommendation of $25 million.

Mr. President, I wish to reemphasize that the project would be well within what the President requested in the budget. The project has been pending within 4 days of the time necessary to comply with the 60-day requirement.

I have a statement in this regard, but I do not think it is necessary to go further. I simply wish to say this is in an area where we build reclamation projects. The people who need the distribution system are paying to the Federal Government the costs of the Weber River Basin Conservancy District. They have no means of using the water. They have had a severe drought with over 140 days without rain. The area is a market gardening center, and the project is badly needed. The appropriation will make it possible for these people to get the project completed.

Mr. HAYDEN. Mr. President, one project of this kind, the Walker River Irrigation District in Nevada, came within the scope of the law, for $693,000. It is stated in the committee report that in taking such action with respect to the Walker River project the committee desired to make clear it would consider funds for these proposed loans if they met the requirements of the authorizing act. This is a time requirement. For that reason I accept the amendment.

Mr. WATKINS. I thank the Senator. I appreciate his courtesy very much.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The Senator will state it.

Mr. WATKINS. Is it necessary for the amendment to be approved by action of the Senate, though it has been accepted by the chairman?

The PRESIDING OFFICER. Yes. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. WATKINS].

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I shall detain the Senate only a minute. There was a budgeted item in the bill before the committee for $100,000 for the Outdoor Recreation Resources Review Commission. A few weeks ago the Congress provided for a commission of 15 members; 8 Members of the House and Senate and 7 members to be appointed by the President.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I understand, Mr. President, the provision has been put in the bill.

Mr. HAYDEN. I so understand.

Mr. DIRKSEN. Then I will not offer the amendment, Mr. President, because the item has been incorporated in the bill.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. ELLENDER] is recognized.

Mr. ELLENDER. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 41, it is proposed to strike out lines 6 through 12.

Mr. ELLENDER. Mr. President, the purpose of the amendment is to delete from the bill the $5 million which the Appropriations Committee provided for the Informational Media Guaranty Fund. In my judgment this is an excellent opportunity to save the taxpayers a clear $5 million.

Mr. President, I have prepared a short statement with respect to the amendment, so that I can present to the Senate a history of the fund—how it has operated in the past, and the losses which have been sustained.

Mr. President, I regret that I find it necessary to oppose at least one item in the pending supplemental bill. I say this because the Senate is presently in the waning days of this arduous session and I realize that everyone is tired. However, I would be derelict in my duty to the taxpayers of this country if I did not make an effort to nullify the action taken by the Senate Appropriations Committee when it added $5 million to this bill for the informational media guaranty program which is operated by the United States Information Agency.

Mr. President, I wish to state to the Senate that the question involved has no connection with the normal activities and services of the United States Information Agency. As Senators know, we have already provided that agency with over $100 million to disseminate books and various data on our country, all over the globe so that we can tell the peoples of the world about our foreign policy. The record will show that in countries such as France, to whom we have made gifts aggregating many billions of dollars, and England, where we have done the same, we have many Americans whose sole job is to tell those friends of ours about our foreign policy. Peoples

in these countries are furnished copies of Time magazine, Life magazine, the New York Times, the New York Herald Tribune and many other newspapers and magazines which are published throughout this country. The expense incident to this service is borne by our Government.

The informational media guaranty fund which is over and beyond the United States information program, dates back to 1948. As I shall indicate, the fund has been depleted to some extent through depreciation in the value of the currencies which were taken over by us in return for American dollars. But aside from those losses, since 1956, as I shall show, these generated foreign currency funds were used for purposes other than those originally intended. That is why today we are confronted with the request to rebuild this revolving fund that does not revolve.

Before presenting the reasons why the Senate should delete this item from the supplemental bill, I should like the Senate to know that the distinguished chairman of our Appropriations Committee has done an outstanding job with a most difficult bill. Of all the markups confronting the Senate Appropriations Committee during a session, by far the most difficult is the markup of the supplemental bill. It is difficult because the bill invariably contains a hodgepodge of items from practically every agency of government. It also is the regular bill for providing funds for the Atomic Energy Commission, and foreign operations in Okinawa.

For these reasons it should not be difficult to understand that it is possible for an agency or agencies to put certain items in the bill that should only be considered in regular bills, and after adequate justification. In the bill presently before the Senate, many items were requested that had not been presented to the House. In the case of an emergency, such action can be condoned, but when it tends to become a standard practice, it in fact becomes impossible for the Appropriations Committee to do a good job of separating the wheat from the chaff. Many items are presented on the basis that they stand a better chance of being provided during the rush hours of a dying session than if the regular course were pursued.

Mr. President, in this supplemental bill, the Senate Appropriations Committee, under the leadership of its distinguished chairman, eliminated many such items that were not urgent in nature, and which had not been presented to the House.

However, it seems that during the course of debate before the full Senate many items which were stricken from the bill were restored. As some Members of the Senate have said, I often wonder what good it does for members of the committee to sit for hours listening to testimony, report a bill, and then be confronted on the floor of the Senate with a flood of amendments which seek to add to the bill items which the committee rejected.

When the Appropriations Committee first met to consider this item of $5 million it was turned down. That action took place on August 8. I felt then that the item was dead for the season, so to speak.

On Tuesday, August 12, 4 days later, and after there had been sufficient time for the United States Information Agency to learn of the action taken by the committee, the Senate Appropriations Committee met for the 4th day to continue with the markup of the other items contained in this bill. At this meeting, a motion was made that the committee reconsider the action taken on Friday, when they deleted the informational media guaranty item from the bill. Needless to say, the motion to reconsider was adopted and then a motion was made to put the entire $7 million in the bill. When it became evident that this motion would not succeed, a substitute motion was proposed, providing for a partial inclusion of the item to the extent of $5 million. This motion was agreed to and thus we have that item before us in this supplemental bill.

Mr. President, it is my firm conviction that the Senate should eliminate this item from this bill by voting for the amendment that I have offered. My conviction is based on the following:

First. That the informational media guaranty program is only another way to subsidize our large book and periodical publishers, notwithstanding that they are already subsidized by our Government through the United States Post Office.

Second. That the original purpose for which this program was created has been frustrated by poor management and has resulted in an undue impairment of the fund.

Mr. SALTONSTALL. Mr. President, will the Senator yield, or would he prefer not to yield at this time?

Mr. ELLENDER. I gladly yield.

Mr. SALTONSTALL. Reverting to the Senator's statement that this is a method of subsidizing the book industry, as I understand the program, the books are sold in regular commercial channels, but they are sold for soft currencies or local currencies.

Mr. ELLENDER. That is correct.

Mr. SALTONSTALL. The book publishers cannot get the soft currencies out of those countries at the value at which the books are sold. Therefore, if we are to try to get into those countries any of the books which we feel would help us, books which we believe are good reading and which are popular in this country, the only way to do it is not to subsidize the book publishers, but to help them sell the books for the soft currencies.

Mr. ELLENDER. The Senator can call this program what he likes, but it is a subsidy nevertheless. Why should we subsidize these publishers? They are engaged in trade, like anyone else.

I also desire to say to the Senate that this nonrevolving fund has actually been raped since 1956 by permitting the use of these soft currencies in a way other than that which the law intended. I shall read to the Senate some of the uses to which much of this money has been put. That is why we now have a request to replenish the so-called revolving fund. It is no longer a revolving fund. If the fund had been utilized as the Congress intended, there would be enough money in it to operate for at least 14 or 15 more years.

The loss up to now, since 1948 and through 1957, has been $2 million.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ELLENDER. Since 1956 we have permitted the use of these funds for purposes other than in operation of the revolving fund. Who did that? It was done by the present managers of this fund, the planners of the United States Information Agency. We can trace it back to them. They went far beyond what Congress intended for them to do with this fund.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ELLENDER. I am glad to yield.

Mr. SALTONSTALL. I will not ask the Senator to yield if he prefers not to yield at this time.

Mr. ELLENDER. I am glad to yield, although I would prefer to finish my address first.

Mr. SALTONSTALL. I was going to ask a question on this point. If the Senator would prefer to finish his speech, I will not interrupt him.

Mr. ELLENDER. Very well. I thank the Senator from Massachusetts.

Third. That even if the Congress should decide that it wishes to continue this program, the request for an appropriation should be considered along with the other USIA items when the Agency appears before the Senate Appropriations Committee for a regular appropriation in fiscal year 1960, since there is no urgency attaching to this item.

The purpose of the informational media guaranty program as outlined in the justifications presented to the Senate Appropriations Committee is to enable American exporters to sell books, periodicals, films, and other information materials for foreign currencies in countries where dollar shortages have eliminated or severely curtailed such sales. That is the purpose of the fund. The net proceeds of sales, that is, the local currency receipts which exceed expense needs and which cannot be converted back into dollars through normal channels, are turned over to the Treasury. The Treasury purchases these local currencies at fixed exchange rates and the exporters are reimbursed in dollars. Thus, the book and magazine sellers are assured of getting a full return and are fully protected from fluctuations in exchange rates. Only the Treasury stands to lose.

The extent to which publishers have been subsidized out of this fund may be ascertained by referring to pages 176 and 178 of the Senate committee hearings on the 1958 supplemental appropriation bill.

I ask unanimous consent to have printed in the RECORD at this point excerpts from those pages.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

United States Information Agency: Information medium guaranty program—Israel—Total guaranty contracts issued and dollar purchases of Israeli currency, by company, through June 30, 1957

Contractor	Total face amounts of contracts issued	Dollar payments for Israeli currency purchased
Academic Press, Inc.	$51,000.00	$25,468.14
Acme Code Co., Inc.	337,000.00	240,540.65
Addison Wesley Publishing Co., Inc.	5,000.00	
Aero Publishers, Inc.	2,350.00	1,203.35
American Biblical Encyclopedia Society, Inc.	282,750.00	256,124.41
American Book Sellers Agency	1,000.00	221.90
American & Foreign Trade Corp.	10,000.00	9,993.91
American Jewish Committee, The	10,600.00	2,933.70
American-Mitchell Fashions, Publishers, Inc.	9,500.00	2,791.31
American News Co.	171,500.00	167,205.58
Anseo Music Publishing Co.	67,500.00	46,788.23
Arco Publishing Co.	25,000.00	19,508.45
Auriams, Inc., Ad.	3,000.00	2,025.71
Avon Book Sales Corp.	95,000.00	51,611.32
Baker & Taylor Co.	30,000.00	29,099.07
Ballantine Books, Inc.	17,000.00	11,960.63
Bantam Books, Inc.	225,000.00	126,310.88
Bernett, F. A. & Bernett, I. B.	3,600.00	1,680.61
Bloch Publishing Co., Inc.	15,000.00	1,558.58
Bourts International Corp.	2,000.00	
Book Exports, Ltd.	35,000.00	3,090.15
Book Promotions	720,810.00	566,819.93
Boston Music Co.	9,000.00	1,812.56
Capital Distributing Co.	1,000.00	
Castle & Overton, Inc.	72,000.00	71,827.45
Central National Corp.	265,900.00	240,312.94
Century Music Publishing Co.	500.00	
Chelsea Publishing Co.	16,300.00	5,714.29
Crowell-Collier Publishing Co.	278,342.00	115,735.86
Curtis Publishing Co., The	322,340.00	169,738.34
Davis Book Wholesalers	200,000.00	66,795.05
Day Publishing Co., The	161,824.00	107,978.00
Decca Records, Inc.	5,000.00	4,963.00
Dell Publishing Co., Inc.	119,200.00	63,925.15
Denoyer-Geppert Co.	89,000.00	66,229.15
Doubleday & Co., Inc.	200,000.00	192,019.00
East European Fund, Inc., The	73,000.00	17,908.89
Editors & Engineers, Ltd.	1,500.00	1,000.00
Encyclopedia Britannica, Inc.	156,500.00	109,532.86
Encyclopedia Britannica Films, Inc.	43,000.00	17,980.26
Faxon Co., Inc., F. W.	73,000.00	68,768.81
Feffer & Simons, Inc.	170,000.00	92,296.49
Feldheim, Philipp	110,000.00	84,788.68
Fischer, Inc., Carl	6,950.00	5,901.69
Forward Association, The	92,000.00	31,525.63
Goldman, Sam	140,000.00	99,912.12
Goldman-Otzar Hesefarim Inc., S.	15,000.00	1,498.75
Farband Book Publishing Association, Inc.	12,000.00	
Fawcett Publications, Inc.	91,040.00	75,510.92
Goslava & A. J. Stybel Foundation for Hebrew Literature, Inc., The	30,000.00	
Greenberg Publishers	25,000.00	
Grune & Stratton, Inc.	36,000.00	27,229.51
Haagens, Gerard E.	38,192.40	28,955.17
Harcourt, Brace & Co., Inc.	38,000.00	17,342.62
Harper & Bros.	120,300.00	78,300.79
Hearst Corp., The	48,000.00	32,448.58
Hebrew Publishing Co., The	50,000.00	7,373.74
Hillman Periodicals, Inc.	11,300.00	5,557.83
Hoeber, Inc., Paul B.	12,800.00	6,733.14
Informational Media Purchasing Co.	22,135.00	15,507.50
Intercultural Publications, Inc.	15,000.00	2,590.20
International College of Surgeons, The	2,000.00	132.00
International Correspondence Schools, World Ltd., Inc.	20,000.00	2,243.40
International Music Co.	23,000.00	14,181.18
Interscience Publishers, Inc.	82,000.00	45,087.75
Jewish Labor Committee	80,222.33	4,591.63
Jewish Theological Seminary of America, The	87,500.00	$5,000.00
Johnson, Inc., Walter J.	19,945.00	13,099.25
Journal News Corp.	15,000.00	3,760.00
Kalmus Orchestra Scores, Inc., E. F.	19,500.00	8,995.68
Katz, Menyhert	63,323.71	63,323.71
Kleiman, Saul	460.00	454.41
Lana Lobell, Inc. (Cosmos, Ltd.)	16,900.00	3,431.80
Les & Febiger	29,750.00	25,724.28
Lippincott Co., J. B.	5,000.00	
Little Brown & Co.	7,500.00	
McGraw-Hill Book Co., Inc.	338,000.00	236,026.52
McGraw-Hill Publishing Co., Inc.	117,000.00	86,392.29
Macmillan Co., The	260,000.00	180,663.55
Marks Music Corp., Edward B.	17,500.00	6,190.34
Merkos L'Inyonei Chinuch, Inc.	260,000.00	192,417.00
Monde Publishers, Inc.	157,150.00	157,150.00
Monsky, Jacob	11,250.00	4,926.32
Moore-Cottrell Subscription Agencies, Inc.	380,000.00	264,934.61
Morehouse Associates, Inc.	1,000.00	1,000.00
Mosby Co., C. V.	39,480.00	18,974.93
Museum Publications, Inc.	425,000.00	377,794.55
New American Library of World Literature, Inc.	310,000.00	184,248.21
New World Club, Inc.	61,200.00	10,562.80
New York Herald Tribune, Inc.	39,650.00	11,706.38
New York Times Co.	8,000.00	405.89
Nystrom & Co., A. J.	40,000.00	20,012.82
Ottenheimer, L & M.	1,000.00	223.65
Pietro Deiro Accordian Headquarters	4,000.00	2,088.51
Pines Publications, Inc.	43,500.00	23,875.49
Pocket Books, Inc.[1]	580,000.00	387,943.76
Popular Mechanics Press	5,000.00	5,000.00
Praeger, Inc., Frederick A.	52,500.00	43,612.22
Prentice-Hall, Inc.	55,000.00	20,924.40
Princeton University Press	80,000.00	37,117.25
Prior Co., Inc., W. F.	13,000.00	6,715.53
Purchasing Service, Inc.	15,000.00	11,932.72
Reader's Digest Association, Inc., The	416,180.00	257,444.81
Research Institute of Religious Jewry, Inc.	10,000.00	
Sann's Publishing Co.	230,000.00	108,632.90
Saunders Co., W. B.	82,500.00	54,008.32
Schirmer, Inc., G.	85,000.00	69,973.60
Schultz, Albert	145,210.00	139,348.40
Seymour Mittlemark Organization, Inc., The	10,000.00	2,653.75
Shulsinger & Bros., Linotype & Publishing Co.	42,000.00	40,709.15
Sklarsky, Morris S.	68,000.00	30,938.66
Snyder & Co., Inc., Henry M.[2]	2,640,000.00	2,569,448.35
Time, Inc.	404,000.00	231,293.74
Tomkins Transcontinental Service, J. E.	5,000.00	
Ungar Publishing Co., Frederick	7,500.00	
United World Films, Inc.	14,000.00	5,747.86
Van Riemsdyck Book Service, Inc.	254,000.00	202,596.91
Vox Productions, Inc.	10,000.00	10,000.00
Weekly Publications, Inc.	57,000.00	29,613.60
Westminster Recording Co., Inc.	5,000.00	4,950.00
Wiley & Sons, Inc., John	107,000.00	86,299.07
Williams & Wilkins Co., The	34,700.00	21,326.97
Wolf Sales	5,000.00	5,000.00
Year Book Publishers, Inc., The	55,000.00	30,103.24
Total	13,727,654.44	9,879,493.84

[1] Contracts also issued in the name of Affiliated Publishers, Inc., a wholly owned subsidiary.

[2] Under these contracts, this company acted as exclusive export agency for approximately 160 American book publishers.

United States Information Agency: Information medium guaranty program—Israel—Total guaranty contracts issued and dollar purchases of Israeli currency, by company, through June 30, 1957—Continued

Mr. ELLENDER. Mr. President, let me point out to the Senate, for example, what has happened in the case of Israel. Although about a dozen countries participate in the program, Israel has accounted for almost a third of the funds in question. The way these contracts operate, briefly stated, is this. A contract is entered into, let us say, with the Academic Press, Inc., whereby Academic Press, Inc., is guaranteed against any loss on sales, in this case, $51,000 worth of their books or magazines or whatever they have to sell. When the transaction is completed, we buy, with dollars, from the Academic Press, Inc., which is one of the contractors in this field, the local currency which they are unable to convert into cash or that they are otherwise unable to use.

The Acme Code Co., Inc., sold books worth $337,000 in Israeli pounds. Of that local currency, $240,000 worth was purchased by our Government.

The American Biblical Encyclopedia Society, Inc., had a contract for $282,750.

Crowell-Collier Publishing Co. had a contract for $278,000.

Of that soft currency, we purchased back, $115,000.

Contracts were also entered into by Harper & Bros., Hearst Corp., and many other publishing companies throughout our country.

Let us take Time, Inc., for example. This is a very well-to-do concern, making money hand over fist. It is being heavily subsidized, in addition to the program we are now discussing, by the Federal Government through favorable postal rates. Time magazine sold its publication in Israel and received $404,000 worth of Israeli pounds in return. We, in turn, purchased all of this soft currency which Time magazine could not use in the scope of its normal operation in Israel. That amounted to $231,000.

Take the case of Snyder & Co., Inc. It had a contract for $2,640,000. Our Government purchased back $2,569,000 in soft currency from this company.

In all, the contracts which were entered into—and there were many—by the various publishing houses throughout this country aggregated $13,727,654.44. Of this soft currency, our Government purchased back with dollars $9,879,493.84.

These figures deal with contract guaranties with Israel alone—only one country. Of the total dollar cost of contract guaranties in the overall program, Israel accounts for approximatey one-third.

Mr. President, this exhibit is not all inclusive, but at least it gives an indication of the extent to which we have gone to further subsidize the publishing industry through the informational mediums guaranty program. If it is the wish of the Senate to continue this subsidy, then the way to do it is to vote against the amendment I have just offered.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a schedule of foreign currency purchases and sales from the inception of the program, and the balances on hand as of June 30, 1957.

There being no objection, the schedule was ordered to be printed in the RECORD.

Schedule of foreign currency purchases and sales from the inception of the program and balances on hand at June 30, 1957

Country	Currency	Purchases		Sales		Loss (gain) on sales	Balances		Cost of foreign currencies determined to be unavailable or in excess	
		Number of units	Dollar cost	Number of units	Dollar proceeds		Number of units	Dollar cost	Number of units	Dollar cost
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Austria	Schillings	7,887,504.07	$344,799.02	7,887,504.07	$305,168.50	$39,630.52	0	0		
Chile	Pesos	218,456,585.77	677,622.69	47,250,000.00	77,107.19	84,825.25	171,206,585.77	$515,660.25		
France	Francs	148,758,708.00	425,096.18	117,892,938.00	(20.95)	865,770.00	2,475.88			
Germany	Deutschemarks	29,624,337.52	7,068,728.94	29,624,337.52	7,057,036.03	11,692.91	0	0		
Indonesia	Rupiah	1,849,666.14	161,192.38	0	0	0	1,849,666.14	161,192.38	1,849,666.14	$161,192
Israel	Pounds	9,247,288,864	9,879,493.81	461,500,000	256,537.18	389,513.66	8,785,788,864	9,233,443.00	8,695,786,864	9,107,445
Italy	Lire	5,811,623.12	9,396.53	5,811,623.12	9,302.37	4.16	0	0		
Netherlands	Guilders	6,962,347.33	1,838,718.79	6,962,347.33	1,833,889.05	4,829.74	0	0		
Norway	Kroner	2,303,429.86	314,757.30	2,300,217.51	311,080.81	2,947.49	5,212.35	729.00		
Pakistan	Rupees	2,423,529,13.10	511,832.10	100,1210	0	20.97	2,423,129,1/0	511,781.13	2,423,129,1/0	511,781
Philippines	Pesos	8,761,245.83	4,257,184.19	8,114,194.95	4,041,868.15	(6,957.83)	447,050.88	222,273.87		
Spain	Pesetas	973,469.27	24,073.76	841,000.00	18,347.82	2,490.07	129,469.27	3,295.87		
Taiwan	New Taiwan dollars	14,000,634.55	558,665.55	13,844,199.13	885,870.82	6,496.97	155,365.42	6,288.75		
Turkey	Liras	2,796,277.58	980,762.00	2,504,389.51	227,606.57	669,458.68	291,888.07	92,697.14		
Vietnam	Piasters	1,955,721.80	55,877.76	841,780.70	11,372.36	12,678.60	1,113,938.10	31,826.80		
Yugoslavia	Dinars	1,021,554,207.00	3,405,210.49	892,833,170.00	1,841,735.48	1,034,404.89	128,721,037.00	520,070.12		
Total			30,502,201.91		16,999,482.58	2,252,015.13		11,310,704.20		9,780,418

Calculation of impairment under statutory formula as of June 30, 1957:

	Total
Col. 7: Loss on foreign currencies sold	$2,252,015
Col. 11:	
Foreign currencies unavailable or in excess of United States requirements	9,780,418
Foreign currencies transferred to other accounts without reimbursement	0
Interest payable on notes to June 30, 1957	767,783
Subtotal	12,800,216
Less:	
Income from fees and interest	$665,009
Restoration by prior appropriation	0
Total deductions	665,109
Impairment subject to appropriation	12,135,207

Mr. ELLENDER. In this table are included Austria, Chile, France, West Germany—imagine, Mr. President, we are subsidizing magazine sales in West Germany. Their currency is almost as good as ours. It has not fluctuated recently. Yet, we are asked to support this currency for the benefit of fat-cat publishers. Other countries in which the magazine publishers are subsidized are Indonesia, Israel, Italy, Netherlands, Norway, Pakistan, the Philippines, Spain, Taiwan, Turkey, Vietnam, and Yugoslavia.

In the case of Yugoslavia, we converted $3,405,210 of their currency which we had on hand, I presume, which amounted to 1,021,554,207 dinars. I wish the Senator from New Hampshire [Mr. BRIDGES] were here.

In the case of Turkey, we purchased or converted 2,796,277 liras for a total of $989,762. The loss sustained on that item alone was $669,458. In the case of Yugoslavia, as I have indicated, the loss was $1,034,404.

This information may be found on page 464 of the Senate hearings on the 1959 supplemental appropriation bill, which is on the desk of each Senator.

Mr. President, this informational media guaranty program commenced operating in 1948 under the auspices of the Economic Cooperation Administration and later the Mutual Security Agency where it was a part of the investment or industrial guaranty program. In 1952, administrative responsibility for the program was transferred to the International Information Administration in the Department of State and subsequently, in 1953, to the United States Information Agency. However, it was not until 1956, that it was separated from the investment guaranty program when the Mutual Security Act of 1956 divided the authorization and assigned $28 million to the informational media guaranty program and the remainder to the investment guaranty program.

Though it is never a good practice for the Congress to give any Government agency the right to obtain borrowing authority from the United States Treasury rather than obtain funds by authorization and appropriation from Congress, we went along with the 1956 legislation with the assurance that the informational media guaranty program would operate on a truly revolving fund basis. There is no doubt that if the funds were managed in such a way to fulfill the original purpose, as it was originally conceived, the fund would have been able to revolve and there would have been no need to come to Congress this year and seek authority to reimburse the fund on account of the drastic impairment of the fund which has resulted from extremely poor management.

Mr. President, as I said before, the stated purpose of the fund when it was created, was to subsidize our own publishers, by insuring them against any losses due to exchange fluctuations. If this had been the sole purpose and if it had operated as the Congress was told it would be operated, the fund would not be impaired today. But what did our dreamy-eyed planners do to rape this fund?

Instead of merely purchasing the foreign currencies and then permitting other agencies to use the funds in the country in which they were generated, thereby obtaining dollar reimbursement to the fund, our boys with the rose-colored glasses made agreements with the foreign countries placing restrictions on the use of the foreign currencies, which in turn made it impossible to keep the fund on a revolving basis.

I say that this was a direct violation of the trust which was imposed upon the United States Information Agency by the Congress.

In other words, the ink was barely dry on the act creating this so-called self-sustaining, revolving fund before the big-eyed State Department planners began to negotiate and consummate agreements with participating countries, which agreements gave firm and complete assurance that the fund would never be self-sustaining, and that it would never revolve.

I have cited the case of Israel. As a matter of fact, there were other countries. These agreements likewise specified that local currencies we obtained under the program could not be used in those countries for anything but cultural, educational, or similar purposes.

Our diplomats bargained away our right to use currencies which were our own property to support our Embassy and other operations.

Of course, the fact these agreements not only sealed the doom of the informational media guaranty revolving fund, but also resulted in increased costs of our own Government did not deter the diplomats one bit. There is no doubt in my mind but that the negotiation of these agreements was what broke the bank insofar as the informational media guaranty fund was concerned.

Certainly, losses due to exchange fluctuation, alone, would not have done so.

Actual losses sustained by the fund through exchange fluctuations through June 30, 1957, amounted to a total of $2,252,015.13. It is estimated that these losses will amount to $2,589,872 in fiscal year 1958 and only $1,858,729 in fiscal year 1959. At this rate of loss the fund would certainly revolve for many years to come.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a schedule showing the dollar losses incurred by the fund for the years mentioned and the countries in which these losses were sustained. This table appears on page 466 of the hearings on this bill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Informational media guaranty program—Dollar losses on foreign currency sold

Country	Inception to June 30, 1957, actual	Fiscal year 1958 estimate	Fiscal year 1959 estimate
Austria	$39,630.52	0	0
Burma	0	0	0
Chile	84,825.25	$238,955	$85,075
France	[1] (20.95)	501	0
Germany	11,692.91	0	0
India	0	0	0
Indonesia	0	0	0
Israel	389,513.66	117,511	192,905
Italy	4.16	0	0
Netherlands	4,829.74	0	0
Norway	2,947.49	[1] (3)	0
Pakistan	20.97	0	0
Philippines	[1] (6,957.83)	0	0
Poland	0	30,058	321,610
Spain	2,490.07	91,652	156,904
Taiwan	6,496.97	0	0
Turkey	669,458.68	1,105,955	827,225
Vietnam	12,678.60	1,113,938.10	31,826.80
Yugoslavia	1,034,404.89	158,721,037.00	520,070.12
Total	2,252,015.13	161,418,590	2,135,630

[1] Net profit on sales.

Mr. ELLENDER. Mr. President, the impairment to this fund came about because as I said before the restrictive agreements made with certain foreign countries precluded the fund from obtaining dollar reimbursements from other Government agencies which were incurring expenses in the countries in which the informational mediums guaranty program operated. I ask unanimous consent to have printed at this point in the RECORD a schedule which itemizes the losses by country and by year—due to negotiated restrictions on the use of currency purchased by the Treasury under the informational mediums guaranty program—losses which aggregate $13,367,634, or more than twice as much as the actual dollar losses arising from exchange fluctuations.

There being no objection, the schedule was ordered to be printed in the RECORD, as follows:

Informational media guaranty program—Dollar losses on foreign currency sold—Con.

Country	Inception to June 30, 1957 actual	Fiscal year 1958 estimate	Fiscal year 1959 estimate
Vietnam	$12,678.60	$539,900	274,920
Yugoslavia	1,034,404.89	465,283	0
Total	2,252,015.13	2,589,872	1,858,729

Informational media guaranty program schedule of foreign currencies determined to be unavailable for in excess of requirements of the United States

Country	Foreign currency	Inception of program to June 30, 1957		Fiscal year 1958 estimate		Fiscal year 1959 estimate	
		Number of units	Dollar cost	Number of units	Dollar cost	Number of units	Dollar cost
Burma	Kyats	0	0	71,478	$15,209	705,487	$150,024
Indonesia	Rupiah	1,849,666.14	$161,192	4,690,840	410,600	8,347,251	732,215
Israel	Pounds	8,695,786,864	9,107,445	1,216,717	869,084	0	0
Pakistan	Rupees	2,423,429/1/0	511,781	804,842	169,018	1,903,250	403,233
Yugoslavia	Dinars	0	0	37,339,200	124,464	211,613,400	705,378
Total			9,780,418		1,588,366		1,990,850

Mr. ELLENDER. Mr. President, this document shows that the losses through June 30, 1959, from the revolving fund amounted to $9,780,418, and the losses for fiscal year 1958 were $1,588,366. For the fiscal year 1959—the current year—the estimate is $1,990,850. That makes a total of $13,367,634.

After our administrators got this fund into such a grand and glorious mess, it was necessary that some way be found to obtain direct dollar reimbursement for the fund, since it was evident that dollar reimbursement from other Government agencies would be impossible, because of the restrictive agreements entered into with the foreign countries.

In 1957, less than a year after the revolving fund was established, it would have been a bit premature, and the wrath of Congress might have been incurred, if the USIA, which administers the fund, had sought an additional authorization for an appropriation to take care of impending and actual losses. So, what happened?

In the 1958 supplemental bill the USIA had the State Department request a total of $3,525,000 for education, scientific, and cultural purposes, to be used to purchase Israeli pounds—pounds which our Government already owned—that had accumulated as a result of the restrictive agreements made with Israel by the managers of the Informational Media Guaranty Fund. This was the method used to restore partially the Fund impairment resulting from those restrictive agreements. Because of the altruistic purposes for which the money would be used, it was very easy for the State Department to ram this scheme through Congress last year.

I ask unanimous consent to have printed at this point in the RECORD a list of the projects financed with the $3,525,000 which Congress provided in that bill. The tabulation appears on page 156 of the printed hearings on the 1958 supplemental appropriation bill.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Summary of projects through grants

Chairs in Israel universities	$222,222
Translations and publication program	222,222
University and teacher-training scholarships	55,556
American-Israel Friendship League—Beersheba	13,889
Artists Village (B'nai Zion Foundation)—Ein Hod	5,556
Association of the Deaf and Mute in Israel	27,778
Bar-Ilan University (construction of American science wing)	69,444
Beth Emmanuel Museum—Ramat Gen	41,667
Beth Esther (purchase of orphanage)	3,333
Beth Ha'am—Jerusalem (cultural center)	27,778
Beth Hanoar Haivri (YMHA: YWHA)—Jerusalem (English language teaching)	5,556
B'nai B'rith (Yehouda Halevy Lodge)—Tel Aviv (scholarship fund)	27,778
Boys' Town—Jerusalem	27,778
Chinuch Atzmai (elementary school system)	216,667
Community Centers—Nazareth, Kiryat Shmone	138,889
Council of the Sephardi Community—Jerusalem (study of American jurisprudence)	13,889
HIAS—United Service—Beersheba (assistance to immigrants)	25,000
Hadassah Medical Organization (construction of American wing)	105,556
Haifa Municipality (cultural center)	138,889
Hazamir (support of choir assembly)	8,333
Hebrew University (construction of teachers' training school)	111,111
Home for Blind Jewish Girls	27,778
Israel-American Archeological Foundation	333,333
Israel-American Museum Foundation (construction of a museum)	833,333
Israel Bar Association (erection of an American law library)	27,778
Israel Boy Scouts Association	5,556
Israel Conservatoire and Academy of Music—Tel Aviv	16,667
Israel Foundation for Infantile Paralysis	7,778
Israel Institute of Technology (Haifa Technion) (construction of vocational training building)	166,667
Jerusalem School of Archeology (archeological studies)	27,778
Kfar Silver Agricultural Training Institute	47,222
Kinneroth Esco Music Center (Ein Gev)	27,778
Pardess Katz Maabarah (construction of children's nursery)	30,556
P'eylim (camp for underprivileged children)	22,222
Science Laboratory, Herzlia High School—Tel Aviv	27,778
Tel Aviv Cultural Center	166,667
Torah Shelemah Institute (construction of library)	11,111
Water desalting research	111,111
World history of the Jewish people	41,667
Young Men's Christian Association—Nazareth	27,778
Zebulon Israel Seafaring Society	5,556
Zionist Organization of America—Tel Aviv	41,662
Total projects on grant basis	3,516,667

Mr. ELLENDER. Mr. President, as I said before instead of maintaining the revolving fund, the agreements entered into in 1956 to which I have referred, made it impossible to continue the program as Congress directed.

In Israel, the entire sum—all of the $3,516,667 in Israeli currency which was thereby purchased—was used. What was done with the money? It should have been used to replenish the revolving fund. But, under prior agreements, the money was used for the following projects, among others:

Chairs in Israel universities	$222,222
Translation and publication program	222,222
University and teacher-training scholarships	55,556
American-Israel Friendship League—Beersheba	13,889
Artists Village (B'nai Zion Foundation)—Ein Hod	5,556
Association of the Deaf and Mute in Israel	27,778
Bar-Ilan University (construcion of American science wing)	69,444
Boys' Town—Jerusalem	27,778
Chinuch Atzmai (elementary school system)	216,667
Community Centers — Nazareth, Kiryat Shmone	138,889
Hadassah Medical Organization (construction of American wing)	105,556
Haifa Municipality (cultural center)	133,889
Hazamir (support of choir assembly)	8,333
Hebrew University (construction of teachers' training school)	111,111
Home for Blind Jewish Girls	27,778
Israel-American Archeological Foundation	333,333
Israel-American Museum Foundation (construction of a museum)	833,333
Israel Institute of Technology (Haifa Technion) (construction of vocational training building)	166,667
Jerusalem School of Archeology (archeological studies)	27,778
Science Laboratory, Herzlia High School—Tel Aviv	27,778
Tel Aviv Cultural Center	166,667

And so on, down the list.

At the beginning of fiscal year 1958, the United States Information Agency knew that the informational media guaranty fund had been impaired. The USIA recognized that fact when it requested the aforementioned $3,525,000 in the 1958 supplemental bill, to acquire excess Israeli pounds which had been accumulated through the guaranty program.

The first thought of the USIA must have been to obtain additional borrowing authority from the Treasury, as had been done in 1956. But the USIA knew Congress would not approve such a method for further financing.

So, the USIA took another approach. It decided to obtain an open-end authorization for an appropriation.

What would be the best method of obtaining this authorization? Well, Mr. President, our planners figure that the best way to obtain an authorization for an appropriation for the fund was to tack the appropriate legislative item onto the authorization bill for mutual security. The USIA planners correctly figured that at a time when Congress would be gravely concerned with the money items in the mutual security bill, Congress, as a whole, would more or less overlook such an authorization item in the general provisions of the bill. I must confess, Mr. President, that is exactly what happened to me, because I did not know that included in the mutual security bill was an authorization for an appropriation for the informational media guaranty fund administered by the United States Information Agency. Excluding the Senators who serve on the Senate Foreign Relations Committee, I wonder how many Senators were aware that this item was included in the mutual security authorization bill.

When the matter came before the committee, my good friend, the Senator from Massachusetts—who does not happen to be in the Chamber at the moment—was surprised, as was I, to see that appropriation item in the mutual security bill, instead of coming before us openly in an authorization bill presented in the proper form.

However, Mr. President, that is water over the dam; and there is little that this Congress can do in regard to the authorization contained in the mutual security bill. Nevertheless, Mr. President, notwithstanding the authorization, the Senate can tonight delete from the pending appropriation bill the appropriation item for the Informational Media Guaranty program; and Congress can require the United States Information Agency in due course to come before the Senate Appropriations Committee and fully justify this item when the Agency makes its regular presentation for funds for the fiscal year 1960.

In this regard, Mr. President, I may point out that in March of this year, Israel removed the restrictions she had previously imposed on the use of informational media guaranty generated currencies within Israel.

Now we can use those currencies which may be generated in the future more or less as we please, I am informed.

If our planners had desired to make the terms of this new agreement retroactive, there is no doubt in my mind but they could have done so; and if this had been the case, there would be no need for a new appropriation to sustain the fund.

This is a compelling reason why, in my opinion, the Senate should delete the item of $5 million to replenish the IMG fund from the pending bill. In addition, it is my considered judgment that this item should be brought before the Senate next year, in the regular manner, in the appropriate USIA appropriation bill, so that it can receive the proper scrutiny.

We shall never convince our administrators that we mean business about obtaining a dollar's worth of value for every dollar spent unless and until we cease giving in to each and every so-called emergency demand they make upon us. Here with regard to this item we have a classic case of an agency utilizing the extraordinary means of a supplemental appropriation bill to obtain funds to finance an item which can wait until next year, and which, in all fairness, should lie over until next year, when it can be considered in the regular manner, and be fully justified.

Mr. President, I urge the Senate to adopt my amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD that part of the Mutual Security Act in which this authorization was provided.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

(1) Section 1011 of the United States Information and Educational Exchange Act of 1948, as amended, is further amended by adding the following new subsection at the end thereof:

"(h) (1) There is authorized to be appropriated annually an amount to restore in whole or in part any realized impairment to the capital used in carrying on the authority to make informational media guarantles, as provided in subsection (c), through the end of the last completed fiscal year.

"(2) Such impairment shall consist of the amount by which the losses incurred and interest accrued on notes exceed the revenue earned and any previous appropriations made for the restoration of impairment. Losses shall include the dollar losses on foreign currencies sold, and the dollar cost of foreign currencies which (a) the Secretary of the Treasury, after consultation with the Director, has determined to be unavailable for, or in excess of, requirements of the United States, or (b) have been transferred to other accounts without reimbursement to the special account.

"(3) Dollars appropriated pursuant to this section shall be applied to the payment of interest and in satisfaction of notes issued or assumed hereunder, and to the extent of such application to the principal of the notes, the Director is authorized to issue notes to the Secretary of the Treasury which will bear interest at a rate to be determined by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the guaranties. The currencies determined to be unavailable for, or in excess of, requirements of the United States as provided above shall be transferred to the Secretary of the Treasury to be held until disposed of, and any dollar proceeds realized from such disposition shall be deposited in miscellaneous receipts."

Mr. ELLENDER. Mr. President, I have other data before me which indicates that at the beginning of this program, there was a fund aggregating $28 million. Those funds were to be used solely to pay the difference in the fluctuating value of the foreign currencies.

The amount of money which has been borrowed from the Treasury and which is outstanding under contracts is $26,400,000, leaving a total of $1,600,000 of borrowing authority for the period ending June 30, 1958.

It is estimated the revenues which will be collected during fiscal year 1959, will aggregate $8,600,000, thereby making a total of $10,200,000 available for use during the ensuing fiscal year.

If this additional sum is appropriated it will mean we shall be increasing the total availability from $10,200,000 to $15,200,000.

I feel confident if the remaining funds are used as Congress intended, there is no need for an appropriation at this time.

It is my hope the Senate will see fit to defer an appropriation for this item until next year, when the regular appropriation will be presented by the USIA.

I wish to reiterate that the sum I have been talking about for the past half hour or more has absolutely and positively nothing to do with the regular program operated by the USIA. That program will continue in the same manner as it has been conducted. It is already fully funded.

But the IMG is a program under which the publishers can sell any of their books or periodicals without even consulting the information agency. A contract is entered into with the companies which desire to sell the books and periodicals. The United States Government assumes the responsibility of paying the exchange losses which may be sustained in the event the foreign currencies cannot be sold by the companies which take them over.

The actual loss which we have sustained thus far, through the revolving fund, is the difference between what the currencies were worth at the time of the contract and their value at the time they are purchased by guaranty fund, and amounts to approximately $2.5 million.

I wish to reiterate that from the inception of this program, through June 30, 1957, the entire loss was approximately $2.5 million. It was only because the USIA entered into agreements with the foreign countries limiting the use of the funds, that the fund began to become impaired.

I am very hopeful that the Senate will adopt my amendment.

Mr. DIRKSEN. Mr. President, first I wish to address myself to the observation by my esteemed colleague from Louisiana with respect to a sense of frustration about committee service. Mr. President, not all the wisdom of a Senate is compounded in a given committee. Moreover, not all Members can be present at all times. One Member may specialize in one field and one in another.

I point out that a good many of these matters on which we ballot in the committee win by a close vote in connection with a supplemental bill. There were a good many votes of 8 to 7 or 6 to 5. I suppose if some additional information had been provided the vote might have changed.

I do not go on the theory that I must necessarily be reticent about resisting my own committee when I think the committee is wrong, and particularly when I know the vote was very close.

I was one of those who urged reconsideration of this item when it was first deleted from the bill. My greatest regret is that we did not put back all the money, instead of $5 million. The request was for $7 million plus. We restored $5 million. I am sorry we did not restore all the money, because if there is any one program which has been useful and informative and if there is any one program which has helped this country to derive real benefit with respect to its policies, it is the program with respect to the guaranty of informational media.

Life is a relative thing. Consider for a moment the loss or impairment, in connection with Austria, of $30,000. Then think that just a short while ago we authorized the appropriation of $125 million for the new space agency. We are going to undertake lunar probes and interplanetary studies. I suppose when we launch the rockets perhaps we will catch up with the gremlins 400, 500, 50,000 or 100,000 miles away. We will have to go 240,000 miles to get to the moon. I do not know whether there are gremlins on the moon, but I know, Mr. President, this program becomes a pretty relative thing, because it deals with people and the hope that we can orient people toward the United States. It will be a long time before we orient the invisible and indefinable little bodies which dot the whole universe of space in our direction, because they could not understand our language, could not read the Reader's Digest, and could not understand the pictures in Life magazine if they wanted to.

We are dealing with people on the earth, which brings this program to a dimension we can understand.

A few weeks ago we authorized, among other things, an appropriation of $800 million for research and development for the Air Force. For what is that to be used? It is to be used to develop new and better ways of killing more people more quickly. God save the mark.

We appropriated seven hundred million-plus for the Navy for research. Why? It is to develop higher speeds for greater missiles to kill more people more expeditiously in the interest of our national defense.

And I am for that program. But along with that program I am for the flow of information to people in other lands so that they may understand us and what makes us tick. That is the reason for this program.

Mr. President, this program is 10 years old. I started in 1948. Somebody got the blessed idea that perhaps if our magazines, our newspapers, and our books could be sold abroad; if our textbooks could be put in foreign high schools and universities; and if our technical books could be made available to technical students in technical schools abroad it would provide a better understanding of the United States of America and its people. Therefore, we authorized this program and we put a limit on it. We said, "You can spend up to $28 million, and no more. That is the limit." We said, "We will make this a revolving fund. You go ahead and make contracts with these countries under which these publications can enter those countries and be sold."

When Life magazine, the Reader's Digest, Popular Mechanics, or some technical book is sold in Rangoon, Burma; Saigon, Indochina; or Bangkok, Thailand, it is not sold for dollars, but is sold for the local currency. If Life magazine or the Reader's Digest or any other magazine is sold in India, it must be sold for rupees. Then the question is, What does one do with the rupees? One cannot spend them in the United States. One cannot take a fistful of rupees to Lansburgh's; Hecht's; Sears, Roebuck; or any other department store, put the rupees on the counter and say, "I want a new power lawnmower and here are the rupees to pay for it." The clerk would laugh such a person right out of the store. One has to pay in the money of the country.

So what happens? We say, "We will make a contract with these countries. Under the contract you go ahead to sell your publications—the New York Times, the Herald Tribune, Newsweek, Life, Reader's Digest, or whatever it may be." Books are 60 percent of the program. Many of the books are published in Chicago, and I could have a selfish interest in this matter if I wanted to.

We say, "Go ahead and sell them. Then when you receive the local currency, if you cannot spend it we will buy it from you." We may have a loss in buying the currency, but that is what happens. The publications are sold. The proceeds pay the distributors and their staffs. They get a fistful of dinars, lire, marks, or pounds sterling, which are left over. They cannot spend those currencies.

A country can deal with that problem, though an individual company cannot. So we say to them, "We will buy the currency from you and put it in the Treasury. We may be able to sell it for dollars and put the dollars in the Treasury, and if we cannot sell it for dollars perhaps later on we can use the lire, the dinars, the marks, the rupees, and all the other currencies. Perhaps we can pay the Embassy clerks. Perhaps we can buy additional land for Embassy buildings. Perhaps we can spend it for normal expenditures."

When it is all put together, there is likely to be a little loss; so we have a loss. Since the beginning of the program I think altogether we have spent about $51 million and there has been a loss of about $12 million. So we have to repair the capital of the revolving fund. It is exactly that simple. That is what is involved.

How is the program going along? Some currencies, about $4 million worth can be sold. That will provide a certain amount. There will be an unexpended balance of a little less than $3 million. The total of those is $6 million. If we add $7 million to the figure, there will be enough to operate in fiscal year 1959, with a little money left over. That is how simple the program is.

As to its value, is it not a good thing that people in foreign lands can read the printed page of American publications and see what makes us tick? Is it not good that these people can see why the Giants defeated some other team, or the Washington Senators defeated the Boston Red Sox?

I do not know too much about baseball terminology. I would have to ask the Senator from West Virginia [Mr. HOBLITZELL] or the Senator from Ohio [Mr. BRICKER] about that. They know baseball much better than I do. I know they like to see the scores, because I have talked with them. They like to know what football team mauls another team, and what the score is. They like to know what the stock market has done. They like to know what is on the front page of American newspapers, and what are the things which captivate the imagination and attention of the American

people. I can think of nothing better to provide an impetus for study.

I received a letter from a professor overseas, who said, "I am in straitened circumstances. You could do me no greater favor than to subscribe for and send me a subscription to Reader's Digest, which I can use in my classrooms." I wrote to him, to obtain the whole story. He wanted that magazine more than he wanted a box of food, because he was feeding the minds of youngsters. That is how important it was to him.

English is studied all over the world, so people in foreign lands can absorb these books and magazines. These people get a better idea of this amazing country which we call the United States of America.

So we make these contracts on a bilateral basis with other people and the books and magazines are sold overseas. If there is a little loss we are willing to pay the cost. Imagine. A $10 million loss or a $12 million loss compared to the money we expend for national security and national survival.

We have appropriated $40 billion for that purpose, including $600 million for 1 branch of the service, to devise better ways to kill people. That is a great business, I will say to my friend from North Dakota [Mr. LANGER]. It shakes the heart of any Christian who has some estimate of the sanctity of human life.

I was in a war. I was on the front in a war. I do not want to go there again. I had a son-in-law in a patrol boat in the Pacific in the last war. I do not want to see my grandson have to go to war. So I will do what I think is the proper thing to make sure that we leave nothing undone to meet the challenges on the horizons of the world, in the hope that tensions can be eased, in the hope that somehow we can dissipate the business of resorting to war as a political action in order to settle differences between nations.

Is not this a good program? Is it not a good program to let other people know who we are? How is that accomplished under this program? We send books to the peoples of other nations. I think it is a wonderful program.

I landed in Ceylon, got out of the airplane, and started up to where our troops and the deputy supreme commander were located, in Colombo. As we went up the road I saw Tarzan Grocery Store, Tarzan Swimming Pool, Tarzan Flower Shop—Tarzan this, that, and the other. I said to myself, "I wonder how this happened." So I stopped. I wanted to find out.

When Johnny Weismuller was hopping around in trees in the films, those films were shown there, and every youngster in Ceylon wanted to be a Tarzan like Johnny Weismuller.

That shows the impact of these things on the minds of people elsewhere. What is our job? To maintain a free flow of information from America, so that other people will know what we are, and what we look like. Are we warmongers? Is there something cold and lifeless and so austere about us that our hearts do not throb in response to the problems and the impoverishment of people in all corners of the earth?

Is that not a loss? Why should we quake about a loss of 10 or 12 million dollars when we just appropriated $125 million for the Space Agency? The appropriation involved in this case is 10 percent of that. Wait until we get through with the Space Agency. The appropriations will mount to such astronomical heights as to make one's hair stand on end—so much to explore space, so much for weapons, and so forth.

But when it comes to the throbbing flesh and blood of people who are eager to know a little more about us, we hesitate because we may lose a little money on the transaction. Shades of Einstein, I say to the Senator from Rhode Island [Mr. GREEN]; shades of the whole doctrine of relativity; where is our perspective today?

I was delighted when our distinguished friend from Montana [Mr. MANSFIELD] made something of a report on the subject when he came to sit with us last year. He has an abiding interest in the larger frame, and understands how important it is that people know who we are.

Beside me sits a very distinguished Member of the Senate [Mr. COOPER] who was formerly our Ambassador to India. We were discussing India a little while ago. I remember when I went into a bookstore in Bombay. The place was loaded with people, mostly youngsters. They had on their tarbooshes, or whatever they are called. They were barefooted. Hundreds of millions of people in India do not know what shoes are. That did not concern them. They went in to see the bookstalls which we had installed. They wanted to get their hands on some American literature. They wanted to see what scientific and technical publications were there.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COOPER. The Senator has been kind enough to mention my name. I should like to make this comment:

The Soviet Union is flooding those countries with its books. Many of the books in our book stores would cost $4 or $5 if they were purchased at the going prices. The people in those countries, if they had to pay the actual cost of such books, would have to pay $4 or $5 in our money, and, of course, it would be impossible for them to buy them.

But the Communist booksellers, who are subsidized by the Soviet Union, sell their books at 20 or 25 cents apiece. They are scholarly books, textbooks, and classics.

Mr. WILEY. In what language?

Mr. COOPER. They are written in Russian. They are translated into the language of the particular country, and even the dialect of the particular district. So they go into the homes to carry to those young people the thought and propaganda of the Soviet Union.

We send lecturers to those countries to tell them of American thought. I suppose that to send one lecturer abroad might cost 2 or 3 thousand dollars. Under this program we could send 10,000 books for what it would cost to send 1 man. Those books will be seized upon by students, and be turned over again and again as one after another reads them.

There is this advantage, too. When the USIA speaks over our radio, the people in other countries sometimes think it is spreading propaganda. But when our great authors speak to them through books, that is the truth. It is a case of a great mind speaking to an individual young person who is searching for the truth. That is one way we have of bringing to millions of people throughout the world the best in our thought, the best in our philosophy, the best in government, the best in ideals. Such books speak the truth, without propaganda. I believe that this is one of the most effective programs the United States has to reach the people of the world.

Mr. DIRKSEN. I can echo what the distinguished Senator from Kentucky has said. I was one of the first to go into Berlin. Before the Soviets ever pushed a shovel into the debris to clean up, they started building a cultural center. They loaded it with books. Day after day when I was with General Clay for a while in Berlin I used to go over there. The place was loaded. That is the only way people can feel the soul and the spirit—through the communion of books. I am happy to say that about 50 percent of this appropriation goes for books; 15 percent for miscellaneous purposes; and probably 20 percent for technical publications, which are very important to the young minds abroad.

Mr. President, I will not labor the subject any further.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. DIRKSEN. I want to be sure of correcting one thing which the distinguished Senator from Louisiana [Mr. ELLENDER] said. He continues to speak about the rape of the program. That is an interesting and delicate term. I may add that a little knowledge is a dangerous thing, and the distinguished Senator from Louisiana simply did not have the facts. I am going to tell him what the facts are.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DIRKSEN. First I must tell the Senator what the facts are, because he labored this subject very earnestly. He read a great list of items showing the money which was expended in Israel for various things. I know about that. I was a part of the program. I helped to get a repealer through the Senate last year in order to put that program in shape. When the bilateral agreement was made between the United States and Israel as to how the money should be spent, it was limited to cultural subjects, with the result that when we did not have such projects we began to build up a fund. Pretty soon we had $9 million Israeli pounds in that fund. A mission was sent to Israel to take a look, and to come back with a program. I was asked about it. I even made some suggestions. I said, "Why not endow a chair in history at the university? Why not do something for a hospital?" So we removed the restrictions, and then the fund could be used.

That is quite a different thing from raping a fund. We have the same problem in Asia at the present time. In Burma, there is a limitation upon how these currencies may be used. We have some difficulty in Indonesia. It is probably the better part of wisdom not to disturb it at the present time. Sooner or later, we will have to change it. However, we cannot change it overnight. Calling that rape is not to state the issue exactly. Certainly, it is not rape. It was a too-limited agreement to begin with. We must take our time in order to get it squared away and cleaned up.

Now, I yield to my distinguished friend from Louisiana.

Mr. ELLENDER. Mr. President, I should like to ask my good friend from Illinois this question: Why has it been necessary for us to spend all this money in Israel? Was it done to show Israel that we are not warlike?

Mr. DIRKSEN. I will tell the Senator why. It is because of the avidity of the Israel mind, the way the Israelis absorb these things. They are far ahead of any country where, perhaps, the literacy rate is only about 10 percent. That is why.

Mr. ELLENDER. Is that convincing those people that we are not warlike?

Mr. DIRKSEN. It may not be convincing anyone, particularly, but we must make a start. If we do not make a start, we cannot convince anyone.

Mr. ELLENDER. The Senate Foreign Relations Committee has held hearings on this fund. The very complaint I have made this evening about the program was found to be the case by my good friend, the distinguished Senator from Montana [Mr. MANSFIELD]. This is the recommendation of the Senate Foreign Relations Subcommittee headed by him:

> The subcommittee recommends that the United States make every effort to obtain unrestricted use of IMG-acquired local currency in future IMG agreements and endeavor to amend existing agreements to broaden the purposes for which such currencies may be used.

That is what I am complaining about. If the fund had been used for the intended purpose we would not have to replenish the fund.

Mr. DIRKSEN. I am in favor of the unrestricted use of the fund. I will join anyone in removing the restrictions. However, we can move only so fast at a time. Would it be prudent and discreet to try to do it in Indonesia at the moment, with the fever of unrest we see there now? The State Department is more than anxious to remove the restrictions. In order to accomplish it, my distinguished friend from Louisiana would kill the program.

Mr. ELLENDER. No; I would not. The Senator is absolutely wrong. The foreign countries have placed these restrictions on the currencies generated, not our Government.

Mr. DIRKSEN. His amendment would kill it.

Mr. ELLENDER. No; it would not, because there will still be $10.2 million available to guarantee contracts during fiscal year 1959.

Mr. DIRKSEN. That is not what the budget justification shows.

Mr. ELLENDER. The figures I have were furnished by USIA to the clerk of our subcommittee. I believe the RECORD will bear me out. The Senator should take another look at his figures.

The PRESIDING OFFICER. The Senator has had 40 minutes to labor this point.

Mr. ELLENDER. I am merely trying to set the RECORD straight. I wish to make this one statement. If it were possible to compel Israel to make its March 1958 agreement retroactive, we could obtain almost $6 million to replenish this fund during the ensuing year. That would be in accordance with the recommendation made by the subcommittee headed by my good friend, the Senator from Montana. If that were done, we would not need a dime of this money.

Mr. DIRKSEN. Like Will Rogers, all I know is what I read in the newspapers, and what the Budget Bureau sends to Congress. If I know anything about arithmetic, this money is needed. That is the long and the short of it. Nothing has developed so much good for this country, for the amount of money we have expended, as this program. I am sorry I have labored it so long, but I believe we must put it in proper context. With the greatest affection for my friend from Louisiana, I hope his amendment will be overwhelmingly defeated.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. ELLENDER. Perhaps, the Senator should review his arithmetic. Is the Senator aware of the fact that these contracts have been entered into with only some 13 or 14 countries?

Mr. DIRKSEN. Yes.

Mr. ELLENDER. Is it not true that the Information Service has its offices throughout the world?

Mr. DIRKSEN. Surely.

Mr. ELLENDER. That is in addition to this program?

Mr. DIRKSEN. Definitely.

Mr. ELLENDER. Of course.

Mr. DIRKSEN. It is necessary to have a place for people to go and buy and read the books.

Mr. ELLENDER. Is it not a fact that there are no restrictions on the kind or type of literature that may be sold to the people in the various countries through the IMG program?

Mr. DIRKSEN. The country can determine that point.

Mr. ELLENDER. Exactly. They can even sell anti-American literature if they desire.

Mr. DIRKSEN. Yes. I recall that in the Constitution of the United States there is a Bill of Rights. Oh, how we orate and make the welkin ring with respect to freedom of expression and freedom of the press. I will be the last to put a damper upon what people read in other countries. If it means anything here, we must articulate it for the people in other countries, as well.

Mr. ELLENDER. I should like to ask the Senator one more question. Is the Senator aware of the fact that among all the countries involved in this program, there is included not a single Arab country, in spite of the fact that we are having so much trouble in those countries?

The program has been in effect since 1948. The revolving fund has been in operation since 1956. Yet, not one Arab country is included among those where this program operates.

Why do we court our friends and ignore those countries where we are obviously being misunderstood, if this program is so magnificent?

Mr. DIRKSEN. If that is true, there is only one reason for it, and that is that a bilateral agreement could not be contrived at the time. However, in the spirit with which the President addressed the world the other day, I earnestly hope that that will be contrived, too, so that those countries also will come into the orbit of American thought and American information. It will be good for us. It will be good for them.

Mr. MANSFIELD. Mr. President, I am somewhere in the middle, between my good friend on my left, the distinguished Senator from Louisiana, and my equally good friend on my right, the distinguished Senator from Illinois [Mr. DIRKSEN].

It is true, as the Senators have pointed out, that hearings were held on this particular matter, dealing with the informational media guaranty program by the State Department subcommittee of the Committee on Foreign Relations. There was a great deal done under this program which was open to question. Because of the activities and questioning by the Senator from Louisiana [Mr. ELLENDER] and the Senator from Georgia [Mr. RUSSELL], these hearings were held, and a report was issued, making certain recommendations. It was our hope that on the basis of those recommendations and on the basis of the promises made to us by USIA, which is charged with responsibility for the IMG program, there would be no difficulty this year, that hard and fast rules would be laid down, and that on the basis of those recommendations the program could remain on a somewhat stable basis. Personally, I believe the program should continue. However, I express the hope that the rules and regulations by which it operates will be nailed down hard and fast.

The IMG program was initiated by Members of the Congress in 1948 in recognition of the fact that a free flow of United States informational materials abroad is in the national interest. To date, the program has consisted primarily of books—about 60 percent—a large proportion of which are technical and scientific in nature. Magazines comprise about 25 percent; films 10 percent; and miscellaneous 5 percent.

Mr. President, the committee recommendation for a $5 million appropriation to the United States Information Agency to finance the operation of the IMG program during fiscal year 1959 should not be confused with the previous appropriation of $3.5 million for the Israel cultural program made to the Department of State by the Supplemental Appropriation Act, 1958, Public Law 85–170.

I am in accord with what the Senator from Louisiana has said about the program being provided for in the supplemental appropriation bill. I think it should be in the regular appropriation bill on request of the USIA. I hope, if the program is continued, that from now on it will not be on a supplemental basis, as it has in the past and as it has this year, but that it will be made on request of the USIA, at the regular time when appropriations for that organization are being considered.

It must be borne in mind that the Senate is considering today not the Katzen program, which applies to Israel, and has been, I believe, the cause of most of the trouble, but the overall informational media guaranty program, which makes possible the flow of American books, periodicals, and motion pictures through commercial channels to 11 countries of the world where they would otherwise be unavailable because of the lack of dollars.

For the last 10 years, the IMG program has operated under legislation authorizing the borrowing of funds directly from the Treasury without appropriation. In the current session, however, the Congress for the first time authorized annual appropriations to cover impairment to the IMG revolving fund. The recommended appropriation of $5 million is necessary to permit the continuation of the very worthwhile IMG program during fiscal year 1959. Without it, the program will come to a complete halt in the present year.

Under the authority of Public Law 85–477 the President submitted a supplemental appropriation request of $7 million to continue the IMG program. Funds appropriated will be used, first, to pay to the Treasury Department for interest charges of about $800,000 accrued on IMG borrowings from the Treasury to finance the program since its start. The balance will be used to retire outstanding IMG indebtedness, thus permitting the Agency to make new IMG borrowings in an equivalent amount within the present ceiling. Hereafter, the regular annual request for appropriations for USIA will contain an item to restore the impairment of the IMG fund resulting from the operation of the program for the preceding fiscal year. Thus, annual review of the program by the Appropriations Committees will take place.

After extensive hearings last fall, the Senate Foreign Relations Committee issued a report urging that the informational media guaranty program be continued as an important adjunct to the information program. It has been a worthwhile undertaking which deserves further support by the Congress until foreign exchange is freely convertible everywhere.

Mr. President, I hope the Senate will agree to continue this payment to the informational media guaranty program. I hope also that from now on, IMG will not present its request on almost the last day of the fiscal year. I hope the USIA will assume its responsibility in the matter.

I most sincerely hope, in line with the recommendations made by the Committee on Foreign Relations, the Committee on Appropriations will lay down hard and fast rules, so that a watchful and careful eye may be kept on this organization, so that a better accounting of its funds can be made and so that no single country will be given a preference over another, to the extent that questions are raised and confidence in the program is shaken.

Mr. ROBERTSON. Mr. President, I support the Ellender amendment, not because I do not agree with the theory behind the amendment, namely, that the diffusion of American books and magazines abroad is good, but because I am convinced that the way the program has been working has not been good.

I was interested in what our distinguished colleague from Illinois [Mr. DIRKSEN] said tonight. He asked, Why worry about a $5 million or a $10 million item, when we have just voted $125 million for the Space Agency. By the time the Space Agency completes its plans to investigate the moon, it will have spent money in a sum which will make one's hair curl, or words to that effect. He may be correct. I do not know what the Space Agency will spend.

But I cannot help worrying about even the small amounts. Last night I worried about spending what I thought was an unnecessary $10 million to move the east front of the Capitol 31½ feet forward. However, that was a minor part of my concern, because I thought we would be destroying a historic antique, so to speak, which should be preserved. But there was $10 million which was planned to be spent, and I thought unnecessarily so.

As was pointed out by the Senator from Louisiana, we have no control whatever over the kind of books which are sent abroad. If we are to spend $5 million to make friends and influence people, we ought to have some control over how the spending is to be done. Publishers can send anything they please; and no doubt that is what they do. This, in my opinion, is one of the defects of the program.

The second defect is that the fund was to be a revolving fund; and when the publisher was paid in the local soft currencies, and the Government reimbursed him, the soft currencies would return in some way, to a revolving fund, and we woud not have to keep paying out additional money. But, as was pointed out by the Senator from Louisiana, the program did not work out in that way. We are doing no lending, and the revolving funds just revolve and wind up in one country in the Middle East.

So I say this program has not worked as we had hoped it would work.

I shall give Senators a little information as to how the item happens to be in the bill. There was a quite spirited argument in the committee, pro and con, on this item. We had a show of hands. The fight against the item was led by our distinguished colleague from Louisiana. The clerk announced that the amendment had been adopted. The Senator from Louisiana then left the room.

The count which was made by the clerk was challenged. He admitted he had made a mistake, and said the amendment had been lost by one vote. In the meantime, the Senator from Louisiana had gone.

The Senator from Illinois said, "I will move now, not for $7 million, but for $5 million"; and that motion carried by 1 vote. So that was the way the item got into the bill. If the Senator from Louisiana had not thought he had lost, the item would not be in the bill.

I hope, as the distinguished acting majority leader has said, that the USIA will control this matter. It ought to be included in their budget, and it ought to come before us at the regular time. It should have come in the regular budget this year.

We can very well let this item go over and include it in the regular budget and handle it in a way which will be to our advantage.

I admit that we will spend a lot of money this year. We will probably spend $12 billion more than we have. It is a little disturbing to me that when our revenue is falling $2 billion or $3 billion below the estimate of last fall, when the budget was prepared, we seem to be losing all restraint over the spending program. There is more and more spending, and the amounts are getting larger and larger.

Time after time I have tried to have some restraint placed on what I thought was unnecessary domestic spending by the Committee on Appropriations. But the results speak for themselves.

I checked only today to ascertain what we have spent. If we eliminate the contributions which were included in the independent offices appropriation bill for the civil service retirement fund, in the amount of $587 million, which the President vetoed, and which we are taking out of the bill, the total we have spent in appropriations will be below the budget estimates.

I just had a quick check made of that. If that $500 million were to be counted in, the total appropriations would be above the budget estimate. But I do not think we have reached the point where we can calmly ignore such items as this.

It is very small compared with the total of $80 billion or $82 billion which it is estimated the budget will be, but $5 million is still a lot of money in the rural areas.

This is one instance in which I do not think the money will do us $5 million worth of good.

I hope the amendment offered by the Senator from Louisiana will be adopted.

Mr. DIRKSEN. Mr. President, I wish to correct two incorrect impressions. The first one was with respect to a statement made by my distinguished friend, the Senator from Virginia [Mr. ROBERTSON] who asked whether I believe $1 million constitutes a matter of concern. I certainly do; but I believe the amount involved should be viewed in proper perspective. For instance, I believe it would be the height of stupidity to build a $25,000 house and then not be willing to purchase a few gallons of paint to be used to keep the wood on the house from rotting.

The second statement to which I wish to refer was that we have no control over what we spend in these foreign countries. Mr. President, in January 1958, the Senate Committee on Foreign Relations published Report No. 1178, entitled "Informational Media Guaranty Program." I read the following from page 7 of that report:

> The material which an IMG exporter intends to sell is carefully screened, to insure that it meets the legislative requirement that it shall be consistent with the national interest of the United States.

And so forth. Mr. President, I did not write that; neither did the USIA. The language was used by the Foreign Relations Committee of the United States Senate; and I shall let it speak for itself as to whether these publications must be consistent with our national policy.

Mr. ELLENDER. Mr. President, I shall detain the Senate only a few minutes longer.

I wish to point out to my good friend, the Senator from Montana, that—as I stated earlier—the amount which will be collected during the present fiscal year will be $8,600,000. Inasmuch as the losses from the inception of the program to June 30, 1957, were only $2,252,000, and the losses estimated for 1959 will be one-million-eight-hundred-and-some-odd-thousand dollars, the agency certainly will have enough money to cover the losses. Furthermore, the funds are to be used only to pay the losses which result from changes in the value of the currencies from time to time. That is all the funds are supposed to be used for.

But I return to the finding made by the committee headed by my good friend, the Senator from Montana; namely, that if the fund had been used in the way Congress intended it to be used, today there would be no need for additional funds. The additional funds are requested now because the funds previously available were used for other purposes, not for the revolving fund. Therefore, tonight we are confronted with this request.

The cash on hand at the end of the past fiscal year and the money collected this year will be ample for the continuation of the program.

The distinguished Senator from Illinois and the distinguished Senator from Kentucky have referred to the reading of books by children in one country or another. Those books are not made available by means of use of the funds provided under this program. Instead, the books are made available by the Information Service. The United States maintains libraries in practically every country in the world, and sends to those libraries literature of its own choosing. That is where the books to which the Senator from Illinois referred are read by little children. The books are not provided by means of using the funds available to the IMG.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, on this question, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER]. On this question, the yeas and nays have been ordered.

Mr. KNOWLAND. Mr. President, during the course of the evening, this matter has been amply debated. I ask unanimous consent to have printed at this point in the RECORD an explanation of the informational media guaranty program.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

ADVANTAGES OF THE INFORMATIONAL MEDIA GUARANTY (IMG) PROGRAM

1. The IMG program was initiated by Members of the Congress in 1948 in recognition of the fact that a free flow of United States informational materials abroad is in the national interest. To date, the program has consisted primarily of books (about 60 percent)—a large proportion of which are technical and scientific in nature. Magazines comprise about 25 percent, films 10 percent, and miscellaneous 5 percent.

2. Because it operates through commercial channels, it is in effect an unattributed program which is carried out without the stigma of Government propaganda.

(a) Hence it has acceptability in certain countries which tend to shy away from the Agency's regular overseas informations program—e. g., Poland, where an agreement for a $1 million IMG program (books, periodicals, and films) was signed several months ago.

(b) Also it tends to develop markets and demands for United States informational and educational materials, as well as for other American products, which will continue after the IMG program becomes unnecessary.

3. IMG also operates, of course, in a number of other high-priority countries; for example, Yugoslavia, Indonesia, Vietnam, Pakistan.

4. It is important to note that IMG gets the job done at a relatively small cost to the United States. Because financing of the program is on a revolving-fund basis, about $3 or $4 in informational materials can be distributed overseas under IMG for every $1 of cost to the United States Government. Thus, some $30 million worth of American books, periodicals, and films, etc., have been sold overseas under the program since its beginning in fiscal year 1949 at an estimated net cost to the United States Government through June 30, 1957 of just over $7 million—about $800,000 per year.

5. Both the Senate Foreign Relations Committee and the House Committee on Foreign Affairs have expressed strong support for the IMG program.

(a) After extensive hearings last fall under the chairmanship of Senator MANSFIELD, the Senate Foreign Relations Committee issued a report urging that the informational media guaranty program be continued as an important adjunct to the information program. It has been a worthwhile undertaking which deserves further support by the Congress until foreign exchange is freely convertible everywhere.

OPERATION AND FINANCING

The IMG program guarantees dollar convertibility to American exporters of books, periodicals, films, etc., for sales made in foreign countries having a shortage of dollar exchange. American informational materials are sold to foreign importers, through regular commercial channels, against payment in foreign currency, and the American exporters then exchange the foreign currency for United States dollars through USIA. Most foreign currency thus acquired is sold for dollars by the United States Treasury to other United States Government agencies. The dollars thus made available, plus fees paid by American exporters for IMG coverage, become available to back the issuance of additional IMG guaranty contracts. Thus, the program operates in large part on a revolving fund basis. The additional dollar funds required to operate the program, over and above the dollars obtained from the conversion of foreign currencies just mentioned, have since the inception of the program been borrowed from the Treasury under a $28 million borrowing authority authorized in the basic legislation.

COST

From the start of the IMG program in fiscal year 1949 through June 30, 1957, the impairment to the IMG fund, as defined in the present legislation, has been about $12 million. This represents an exchange rate loss of $2.2 million on foreign currencies sold by Treasury, and $9.8 million paid for currencies not readily salable to other United States Government agencies. However, the latter figure includes currencies having a value of approximately $5.5 million, so the estimated net cost of the program for the 9 years through June 30, 1957, is actually just over $7 million or about $800,000 per year. This estimated net cost compares with some $30 million in American books, periodicals, and films, etc., sold overseas under the program during this period. In other words, because financing of the IMG program is on a revolving fund basis, about $3 or $4 in American informational materials can be distributed overseas under the IMG program for every $1 of cost to the United States Government.

SCOPE

The IMG program is currently operating in 11 countries under contracts approximating $12 million annually. About 500 IMG contracts are issued each year to some 160

American exporters, including all leading publishers of books and periodicals and distributors of feature motion pictures.

CURRENT STATUS OF THE IMG FUND

As of June 30, 1957, $13 million of the $28 million total authorized borrowing authority had been borrowed from the Treasury, and $9.6 million in IMG contracts were outstanding. Since each dollar of outstanding guaranty contracts must be backed by a dollar of borrowing authority, this left $5.4 million available to back the issuance of new contracts.

As of June 30, 1958, $16.7 million had been borrowed and $9.7 million in contracts were outstanding, leaving only $1.6 million to back the issuance of new contracts.

Unless new IMG financing is made available, the IMG program will necessarily grind to a halt early in this present fiscal year. To meet this situation, Congress recently enacted legislation (sec. 502 (i) of Public Law 85-477) authorizing annual appropriations to finance the program.

THE PRESENT NEED FOR AN APPROPRIATION

Under the authority of Public Law 85-477 the President submitted a supplemental appropriation request of $7 million to continue the IMG program. Funds appropriated will be used, first, to pay to the Treasury Department for interest charges of about $800,000 accrued on IMG borrowings from the Treasury to finance the program since its start. The balance will be used to retire outstanding IMG indebtedness, thus permitting the Agency to make new IMG borrowings in an equivalent amount within the present ceiling. Hereafter, the regular annual request for appropriations for USIA will contain an item to restore the impairment of the IMG fund resulting from the operation of the program for the preceding fiscal year. Thus, annual review of the program by the Appropriations Committees will take place.

Mr. KNOWLAND. Mr. President, I hope the amendment of the Senator from Louisiana will be rejected.

Mr. ROBERTSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Virginia will state it.

Mr. ROBERTSON. Do I correctly understand that, on the pending question, a vote "yea" will be to strike from the bill the item of $5 million, which is to reimburse the publishers for books they sold abroad for local currencies?

The PRESIDING OFFICER. A vote "yea" will be to strike out the item of $5 million for the informational media guaranty program.

The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senators from Georgia [Mr. RUSSELL and Mr. TALMADGE], are absent on official business.

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR], and the Senators from Georgia [Mr. RUSSELL and Mr. TALMADGE], would each vote "yea."

On this vote the Senator from Virginia, [Mr. BYRD] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Florida would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate to attend the NATO Parliamentary Conference in London as chairman of the Economic Section of the General Affairs Committee.

The Senators from Indiana [Mr. CAPEHART and Mr. JENNER] and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from California [Mr. KUCHEL] is detained on official business.

If present and voting, the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The result was announced—yeas 23, nays 59, as follows:

YEAS—23

Barrett	Green	Magnuson
Bricker	Hruska	McClellan
Curtis	Johnston, S. C.	Robertson
Dworshak	Jordan	Schoeppel
Eastland	Kerr	Thurmond
Ellender	Langer	Williams
Ervin	Lausche	Young
Goldwater	Long	

NAYS—59

Aiken	Gore	Morton
Allott	Hayden	Mundt
Anderson	Hennings	Neuberger
Beall	Hickenlooper	Pastore
Bennett	Hill	Potter
Bible	Hobiltzell	Proxmire
Bridges	Humphrey	Purtell
Bush	Ives	Revercomb
Butler	Jackson	Saltonstall
Carlson	Johnson, Tex.	Smathers
Carroll	Kefauver	Smith, Maine
Case, N. J.	Kennedy	Smith, N. J.
Case, S. Dak.	Knowland	Sparkman
Church	Malone	Stennis
Clark	Mansfield	Symington
Cooper	Martin, Iowa	Thye
Cotton	Martin, Pa.	Watkins
Dirksen	McNamara	Wiley
Douglas	Monroney	Yarborough
Fulbright	Morse	

NOT VOTING—14

Byrd	Holland	O'Mahoney
Capehart	Javits	Payne
Chavez	Jenner	Russell
Flanders	Kuchel	Talmadge
Frear	Murray	

So Mr. ELLENDER'S amendment was rejected.

Mr. THYE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Minnesota to reconsider.

The motion to lay on the table was agreed to.

ADDITIONAL PEREMPTORY CHALLENGES IN CIVIL CASES

Mr. EASTLAND. Mr. President, I ask the chair to lay before the Senate a message from the House of Representatives disagreeing to the Senate amendment to H. R. 3368, to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the distric courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. EASTLAND. I move that the Senate insist upon its amendment, agree to the request of the House for a conference and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. KEFAUVER, and Mr. DIRKSEN conferees on the part of the Senate.

SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. MAGNUSON. Mr. President, I offer an amendment, on page 20, line 14, to strike out "$300,000" and to insert in lieu thereof "$461,000."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 20, line 14, it is proposed to strike out "$300,000" and insert in lieu thereof "$461,000."

Mr. MAGNUSON. Mr. President, the purpose of my amendment is to add to the funds for the Interstate Commerce Commission an additional sum of $161,000.

When the Interstate Commerce Commission came before the committee to present its original budget, of course it had no knowledge that one of the major acts relating to transportation would be passed by the present Congress, namely, the Transportation Act of 1958. The act is commonly known as the Railroad Act, but it involves, as the committee members know, the entire field of transportation. The act can only be effective if the ICC has proper personnel to handle and administer it.

For instance, we gave the ICC the authority to discontinue interstate train services. We redefined the agricultural exemption, which alone will take a staff of 30 or 40 to establish proper rules. We established the right of the ICC to pass upon $700 million of possible loans to railroads in distress.

I need not go on. It was a major piece of transportation legislation, with the whole authority vested in the Interstate Commerce Commission. At the time the original budget was prepared, it was not known that this law would be enacted.

This amendment would provide something further which is quite important. We placed in the bill the so-called grandfather clause for trucking operators, barge operators, and railroads, involving the entire field of transportation. It is estimated that from 30 to 50 people will be required, working part time for 6 months, to run through the myriad of Interstate Commerce Commission decisions involving grandfather clauses. The additional $161,000 involves literally hundreds of millions of dollars in our transportation system. I hope the amendment can be taken to conference.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HAYDEN. The reason for the request is the passage of the Transportation Act of 1958.

Mr. MAGNUSON. That is true. That act is one of the major pieces of legislation of this Congress.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

Mr. ROBERTSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out the committee amendment on page 42 deleting lines 12 to 15, both inclusive.

Mr. ROBERTSON. Mr. President, the committee—in the judgment of the junior Senator from Virginia, without giving too much consideration to the matter—voted to strike out certain language in the House bill which would have authorized the Coast Guard to pay what was due certain officers who had been promoted in 1932, when there was no provision to pay them for the increase in rank.

As everyone knows, the Coast Guard is under the jurisdiction of the Treasury Department. The Treasury Department prepared a bill which it thought was in accordance with an act of Congress of last year, which authorized all the agencies—the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard—to pay back salaries. The bill passed the House and came to the subcommittee in the Senate of which the junior Senator from Virginia was chairman, and we naturally assumed that the language of the bill authorized payment to personnel of back pay as well as current pay. But the Comptroller General said they could not be paid, because the language was not sufficient.

So when our committee reported the defense bill we provided that the Army, the Navy, the Air Force, and the Marine Corps personnel should be paid. When the supplemental bill came before the House, the administration asked that the same treatment be given to the Coast Guard, involving only $29,000.

The Coast Guard is a very small organization as compared with the Army or Navy; but if any Senator is ever stranded in Chesapeake Bay and one of the Coast Guard boats comes to his rescue, he will think the coastguardsmen are mighty fine men. The fact that the Coast Guard is small leads the Senator from Virginia to go out of his way to see that justice is done to its personnel. I feel that that will be the sentiment of the Senate. The money is already appropriated. All we need is restoration of the House language to enable the Coast Guard to pay these men as Congress has voted they should be paid.

Mr. HAYDEN. As I understand, the Senator wants the House language restored.

Mr. ROBERTSON. Yes. The Senator from Virginia feels that in part he was responsible, because he handled the bill originally; but he was relying on the expert draftsmanship of the Treasury Department. The Comptroller General ruled otherwise, and this language is now necessary.

Mr. HAYDEN. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. ROBERTSON].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. COOPER. Mr. President, I ask unanimous consent to have inserted in the RECORD a statement on the supplemental appropriation bill, H. R. 13450.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I am glad that the emergency agricultural conservation program will be extended under this bill. This program has been important to farmers in the many Kentucky counties which suffered from floods in 1957. I am sure that it will continue to prove helpful in the future, not only to farmers in Kentucky, but in other States struck by natural disaster, some recently.

I recall that 3 months ago I called the attention of the Senate to the fact that authority for this program would expire on June 30. I introduced a bill to extend the program.

I was concerned because even though 31 counties in eastern and western Kentucky had been declared eligible for this flood-recovery assistance, most of our farmers had not been able to complete the work approved by the county ASC committees. With expiration of the authority, they could not have been paid under the cost-sharing program for the work they already had under way, and which had been approved by the Department of Agriculture.

On May 19, I also wrote the Secretary of Agriculture, urging that he request extension of the authority for the emergency ACP program, and suggesting that the supplemental appropriation bill would be a proper place to do so. Subsequently, the Secretary did ask for extension to December 31, and the President recommended that course to the Congress.

I also suggested making the funds already appropriated available until they were used up, so that future emergencies caused by floods and other natural disasters could be met promptly under this program, which has proved so helpful in the past. I am glad that the House and Senate Appropriations Committees recommended this course, and that the bill before us today provides for the continued availability of these rehabilitation funds.

I know that the extension of the emergency agricultural conservation program will be most helpful to hundreds of Kentucky farmers. And I hope that this program may be made a permanent provision of law in the next Congress.

BOMARC AIR DEFENSE MISSILE—VOYAGE OF ATOMIC SUBMARINE "SKATE"

Mr. CASE of South Dakota. Mr. President, during the debate on the bill some doubts and fears have been expressed. I should like to take a few minutes to place in the RECORD, before a vote is taken on final passage of the bill, a few words of cheer. I wish to read two items which came over the news ticker late this afternoon. The first is dated Cape Canaveral, Fla. It reads as follows:

A Bomarc air defense missile, manned by a military crew for the first time, blasted over the Atlantic today on a completely successful test after being fired remotely from 1,500 miles away.

The Bomarc performed so well, the Air Force said, that it tore off the aileron and stabilizer of its target, a World War II vintage B-17 pilotless drone bomber cruising some 250 miles out to sea.

That marks an epochal achievement. We can press a button 1,500 miles away which will release a defensive missile which will hit its target 250 miles at sea. That is shooting, even out in my part of the country.

The second item is dated Washington, D. C., and read as follows:

The atomic submarine *Skate* popped up through a crack in the Arctic ice again today, this time to visit 29 military men and scientists manning a floating ice island about 300 miles below the North Pole.

This was in the vicinity of 136 degress west longitude, near southernmost Alaska.

Cmdr. James F. Calvert, skipper of the submarine which has already crossed the North Pole, reported to the Navy that he has moored to the island with iron stakes driven into the ice and that he planned to spend the night there.

Earlier today Calvert reported finding an opening in the ice about 295 miles south of the Pole and surfacing near 136 degrees west longitude. The *Skate* found its first hole in the Arctic ice about 40 miles from the Pole Monday night.

Calvert, in a message to the Chief of Naval Operations, paid tribute to the navigation job done by Cmdr. John H. Nicholson of Reno, Nev. He said Nicholson "guided us directly to the front yard of drift station Alpha." This is the name of the ice island, also referred to by the Air Force as T-3. It is used by international geophysical year scientists.

Calvert said, "It was an incredible sight when my periscope broke water to see quonset huts of the ice station all around. In a few minutes all 29 of the ice station personnel were on the banks waving and photographing."

Those are two epochal events which marked real achievements, one in Air Defense Command, and the other in the Navy. They should be put alongside some of the fears and doubts which have been expressed on the floor during the past few days. They should give us a little cheer.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MUNDT. Mr. President, before a vote is taken on this great and costly supplemental appropriation bill, I should like to take a few minutes, first of all, to express my personal appreciation and sincere words of commendation and admiration for the chairman of our Senate Committee on Appropriations, the dean of the Congress, the senior Senator from the State of Arizona [Mr. HAYDEN].

I have watched him work long and hard, always good naturedly, and with calm determination, for as long as 15 to 20 or 25 hours in marking up the appropriation bill, to say nothing of the hearings which were involved.

I have watched him in operation this morning, beginning at 11 o'clock, in one of a series of conferences which we have been holding with the House Committee on Public Works, where we stayed in session until about 2 o'clock, without even a break for lunch. If he has had any lunch, he must have had it out of his pocket on the way through the cloakroom, because he has been on the floor of the Senate ever since, representing the Senate Committee on Appropriations on the floor. I wish to congratulate him on his fine, fair-minded, vigorous, and conscientious effort.

Now, Mr. President, I should like to take the opportunity, while I am on my feet, to point out that every Member of the Senate, in a sense, bears some responsibility for this supplemental appropriation bill which we are about to pass, because in a manner of thinking we have been serving as an appropriations committee of the whole since about 3:30 or 4 o'clock this afternoon.

We spent a great deal of time in the Appropriations Committee trying to make some savings, trying to reduce some of the appropriations, trying to delay until another fiscal year or another calendar year some of the expenditures on which there was a choice as to whether they should be made this year or later. We did that as members of the Committee on Appropriations seriously concerned by the fact that we face a deficit in the current fiscal year of from $10 billion to $15 billion. We desired to economize in every prudent manner that we could.

I mention this, as a member of the standing Committee on Appropriations, to my colleagues who are tonight wearing hats as members of the Senate committee on appropriations as a whole, so that all of us, therefore, will have to begin to whittle our pencils and begin to be a little more careful about our Federal expenditures, if we are not to plunge this country into an awesome era of inflation.

I have no desire to quarrel at this time with any of the extensions or expansions or additions which have been made. However, I do wish to point out that, in my opinion, we are, or should be, heading for a new era of national austere economy. While I recognize the fact that making predictions is the most precarious of all political pursuits, I will venture one tonight. I will venture that by next January or February we will be receiving some vigorous letters and messages and petitions and resolutions from home beseeching once again economy in government, as we had about 2 years ago. I, for one, will applaud that kind of reaction from the public. I believe it must come. I sincerely hope it does.

I wish to call to the attention of my colleagues of the Committee of the Whole on Appropriations, now that we all sit here as comrades on the same committee, some language at page 3 of the committee report, which I hope that all committee members, both those who are members of the regular Committee on Appropriations and those who have become ex officio, volunteer members of the Committee on the Whole on Appropriations, will read. It was submitted in a resolution originated by the Senator from Idaho [Mr. DWORSHAK] and the Senator from New Hampshire [Mr. BRIDGES], with which I associated myself. I wish to read it into the RECORD at this time, not because I believe perhaps some Members of the Senate have failed to read it, but because I think that those who read the CONGRESSIONAL RECORD should also be able to read it:

INCREASE IN GOVERNMENT PERSONNEL

The committee, already deeply concerned by the projected budget deficit for fiscal year 1959 and the necessity of raising the debt limit, is further disturbed by the latest report of the Joint Committee on Reduction of Nonessential Federal Expenditures, which shows a Federal civilian personnel increase of 32,832 for the month of June. Granted that this is partially seasonal, nevertheless that is the largest increase of any month since June 1952.

The committee is keenly aware that in the representations made by the various departments and agencies in connection with the granted pay raise, it was repeatedly emphasized that the increased pay would mean fewer employees. This result would obtain, Congress was informed, through increased efficiency and incentive. This explanation was received in good faith.

The committee is therefore strongly of the opinion that all departments and agencies should proceed as soon as possible to the reduction in staff contemplated by the pay raise. So that no hardship will result, the best course for accomplishment would seem to be some attrition formula such as filling only 3 of every 4 naturally occurring vacancies. It is the intention of the committee to scrutinize carefully the fiscal year 1960 regular budget estimates, especially in regard to personnel items, for a reflection of the committee's instructions.

Mr. President, we gave serious consideration to recommending reenacting once again the so-called Jensen formula, which used to be in operation in this country, through action of the Appropriations Committees of the House and the Senate some 8 or 9 or 10 or 12 years ago. The Jensen formula provided, by Congressional mandate that only a certain percentage of the naturally occurring vacancies in the bureaucratic offices should be filled during any fiscal year. Unless we can find some way to implement the promises and pledges of the department heads and agency directors that if we provided the salary increases the country could expect a better job done by fewer employees, it will simply mean that we are paying higher wages to more people to achieve the same result.

Every Member of the Senate has a responsibility in checking with the departments and agencies to determine whether an increase or a decrease in the number of people working in those departments or agencies has been effected.

I believe that every taxpayer has a very legitimate interest in asking his Representative and Senator to ascertain the facts and to supply them to him in his home or in his office.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MUNDT. Of course I yield.

Mr. CARLSON. The Senator has called the attention of the Senate to the increase in the number of Federal employees in the various agencies of the Government.

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order. The Senate will be in order.

Mr. CARLSON. In view of the fact that within the last 10 minutes we have added $461,000 in additional money for the Interstate Commerce Commission, for additional employees, let us not place all the blame on the executive branch of the Government, when we ourselves do the very thing we complain about. I believe we must do something about it ourselves.

Mr. MUNDT. I thank the Senator for his contribution. I was in no way trying to blame anyone in this connection. I am simply referring to the department heads and agency directors as the vehicles for reporting back the facts to us, so that we can report back to our constituents the true facts and so that Congress can take appropriate action. It is obvious that when the Committee on Appropriations makes the reductions we made, and the Senate, acting as a collective Committee on Appropriations, without any evidence, and without any testimony, overrides the committee, and says, "Let us add so many extra thousands or millions of dollars," then the Senators, as a whole, assume the responsibility for those appropriations.

I am not talking about assessing any blame. We have all been guilty of it. The point I am trying to make is that this has become a national problem. If we destroy the honest dollar of the United States, we tend to destroy the very basis of prosperity, the solvency of our standard of living, the basis of national defense, and of our international policy.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. MUNDT. This has become a matter, of major importance. I have said it many times in public addresses, and I say it now on the floor of the Senate. Sputnik, in my opinion, is not a military threat to the United States. I do not believe it has in any way imperiled us, so far as our capacity to defend ourselves is concerned. However, the sputnik psychology has probably done more than anything else that has happened in a long time to make a possibility out of Lenin's prediction, when he said, "You can compel the democracies to bankrupt themselves."

In the wave of sputnik, in which all of us have been caught up, we have voted here, there, and elsewhere additional millions and billions of dollars for programs, some essential to national defense, some synthetically labeled as essential to national defense, some remotely connected with national defense, and some just tossed in for good measure with the argument, "If you are doing it under foreign policy in the Middle East, why not do it in Podunk as well?"

So, gathered together, it has wrapped itself up in a pretty expensive ball of United States currency.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. BRIDGES. I compliment the distinguished Senator from South Dakota upon his remarks. In my judgment, there is no reason for a deficiency bill, and there is very little reason for supplemental appropriations, when appropriations are handled in the right way.

The amount provided in this bill is far too high; it should be cut down. If I did not have in mind offering a resolution or an amendment in conjunction with some other Senators to cut a certain percentage of all appropriations this year, and also the national debt, but excluding the interest on the national debt, veterans pensions, old-age retirement, and 1 or 2 similar items. I would now propose a percentage cut in this bill.

I think the total amount has gone out of all proportion. The Senator has very wisely called it to our attention. I am very happy he has also called attention to the paragraph on page 3.

Bear in mind that if the theory of government were carried out correctly, there would be no reason for a deficiency bill, because the departments and agencies should live within their budgets. There is no reason on God's green earth why we should have a supplemental appropriation bill totaling billions of dollars so soon after the regulation appropriation bills have been passed. All the appropriations in this bill are supplemental to them.

It is true that in this bill there is an appropriation for the atomic energy item, which is a large figure. But outside of that, there is no real excuse for supplemental appropriations, unless something has been missed. Of course, there are some justifiable items in that respect.

But, by and large, the Senator's approach is correct. He is to be complimented for what he has said. I hope his prediction comes true.

Mr. MUNDT. I deeply appreciate the compliment of the Senator from New Hampshire. After all, he holds on the Republican side of the aisle the same distinction which the Senator from Arizona [Mr. HAYDEN] holds on the other side of the aisle. The Senator from New Hampshire is the oldest ranking Republican in the United States Senate in point of service. His ample background of experience gives emphasis to his discussion of this very important matter.

Somehow or other—and I say this without rancor, without trying to point the finger of criticism at the legislative committees, or at the Republicans or the Democrats, or at the Committee on Appropriations per se, or at the volunteers who have been serving as members of the Committee on Appropriations on the floor of the Senate for some 6 or 7 hours, because this is a collective responsibility—somehow or other, I say, we shall individually have to do the things which we can do to impress upon every American the fact that there will have to be some belt tightening in a cold war, as there is belt tightening in a hot war, if we are not to run the currency of the United States into such a serious predicament that we will destroy the basis of the entire strength of the American Government, upon which so much of the hopes of the rest of the world rely.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. BUSH. I am very much impressed by what the Senator from South Dakota has said, and also with his suggestion. I refer the Senator to page 3 of the committee report and ask him just what this statement means. I read the last paragraph:

The committee is therefore strongly of the opinion that all departments and agencies should proceed as soon as possible to the reduction in staff contemplated by the pay raise. So that no hardship will result the best course for accomplishment would seem to be some attrition formula such as filling only 3 of every 4 naturally occurring vacancies. It is the intention of the committee to scrutinize carefully the fiscal year 1960 regular budget estimates, especially in regard to personnel items, for a reflection of the committee's instructions.

I do not quite understand that statement. What were the instructions?

Mr. MUNDT. The instructions are very clear that we believe there should be this reduction which is contemplated by the pay raise. Let me show how this works.

In the item for every one of the departments contained in the bill will be found a little item, snuggled in somewhere, providing for extra money to compensate for the pay increase which Congress voted. Not one department which came before us said, "We appreciate the pay increase, and we are reducing the personnel sufficiently to absorb it. We shall require no extra money."

There is another way it works. Congress, wisely, in my opinion, created some specialized grades, especially after sputnik, to attract some engineers and scientists who would receive more money than was received before in such positions. If we are to secure an adequate defense program, we must try to draw specialists into the Government in order to make ourselves strong in the modern defense area.

Congress expected at the time the pay raise was voted, that the various agencies would pick and choose carefully in order to select, for the specialized grades, able scientists for the defense effort. Authority for additional funds is now being asked. For what? To increase the amount in the bill out of all proportion and in all the areas in which they could possibly employ scientists in the specialized grades. It has simply become a blanket, horizontal increase. That is what I am talking about.

These instructions mean that it is the intention of Congress that there be a reduction in the overall personnel. The instructions are that there shall be a distinction shown between those who are going to be employed in the specialized grades because of the national defense effort, and those who normally have been functioning in certain areas of the civil service for many years.

Mr. BUSH. But what disturbs me is that, in the first place, the report does not reflect that the committee has given any instructions. Second, I do not know that the committee has the authority to give instructions which will be absolutely effective to bring about a reduction in personnel.

I ask the Senator, if we mean what we say about this, if we should not pass legislation which would require that these instructions be carried out. Is not that the only sure way of getting it done?

Mr. MUNDT. I think when one is out hunting for bear, he ought to have as much ammunition as he can get. I would certainly support the legislation which the Senator talks about. But our instructions are clear. They say that the departments and agencies should move in the direction of a reduction of staff, as contemplated by the pay raise act. Those are the final words of the first sentence of the last paragraph of this committee mandate.

Since the human race began getting control of its own destiny through the elementary processes of self-government, the power of the purse has been all the authority which legislators have needed to work their will on executive departments in any area of activity. We have the authority if we will use it; and the Committee on Appropriations will, I believe, use it. I think the Members of the Senate and of Congress as a whole will support the committees if it becomes necessary in the next fiscal year to do so by reenacting something similar to the Jensen formula which was originated by alert and able Congressman BEN JENSEN, of Iowa.

Mr. BUSH. I congratulate the Senator on bringing up the matter. I think it is a very constructive suggestion. I urge him, out of his long experience as a member of the Committee on Appropriations, to implement this thought with some legislative proposal that Congress can act upon. I should like to be in a position to vote for a proposal like that.

Mr. MUNDT. I appreciate the Senator's statement. The committee came very close to including it in this particular appropriation bill, in the form of what was known as the Jensen amendment, which I believe was probably an

effective piece of legislation, before the Senator from Connecticut came to the Senate. However, it was not appropriate legislation in a supplemental bill not touching alike all the executive departments.

That was a mandatory provision, I believe, to the effect that only 3 out of every 4 positions which normally were vacated could be filled during a fiscal year. That compelled steady contractions of employment rolls on a gradual basis. Certainly no Senator would vote to throw a career official out of a job on an economy wave; but that amendment closed the door to somebody in the Government coming in and asking for more money to bring in more personnel to replace those normally retiring. It was an ingenious and effective formula.

Mr. BUSH. I think it a highly desirable suggestion. I urge the Senator to introduce a resolution at the first possible moment it can be considered to implement these instructions so that they will have the force of authority behind them.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the Senator from Idaho, who did prodigious work on the committee.

Mr. DWORSHAK. The Senator from South Dakota has rendered timely service of great importance by recommending a Congressional mandate to the executive departments of the Government.

In answer to a question raised by the Senator from Connecticut, I point out that this being a supplemental bill, it was somewhat difficult, under the parliamentary situation, to apply an across-the-board cut to all the appropriation bills which previously had been approved by Congress.

Mr. MUNDT. Because not all the executive agencies of the Government are covered by this particular supplemental appropriation bill.

Mr. DWORSHAK. Mr. President, during the past several weeks of debate we have heard much about the military progress being made by the Soviet countries, and about how that military progress could jeopardize the security of our Nation. It seems to me that every Member of Congress realizes that there is little possibility that our Nation will suffer military defeat at the hands of the Soviets, but that there is a constant threat and challenge to our country to economize and to curtail expenditures, lest we spend ourselves into bankruptcy, and thereby weaken our ability, as the leader of the free nations, to help maintain the security and freedom of the other countries of the Free World.

In that respect, I should like to point out that if the executive branch of the Government realizes the importance of economy and efficiency, there will be a real response to the mandate set forth on page 3 of the report.

All of us recognize that the Appropriations Committees are under extremely heavy pressures, during the committee consideration of the appropriation bills, to add to or to increase the appropriations; and that thereafter, when the bills are under consideration on the floor of the respective Houses, the Appropriations Committees again are under extremely heavy pressure to increase the amounts of the various appropriation items. But, Mr. President, I am convinced that we can have economy and greater efficiency if there is sufficient acceptance of joint responsibility by the executive branch and the legislative branch of the Government. That situation constitutes a real challenge to all who are responsible for the operations of the Federal Government.

Although it has been difficult for the Appropriations Committees to curtail Federal spending, and thus to do what must be done in order to minimize the possibility of an extremely large deficit in this fiscal year, I am convinced that the legislative branch has now served notice—as is done by the statement in the report to which I have referred—on the executive branch that, come next January and February, the legislative branch will endeavor to ride herd upon the executive agencies, and expects their cooperation in curtailing Federal expenditures. If that is done, I am sure the Senate Appropriations Committee will endeavor to keep faith with the American people by seeing to it that the Congress does not spend unlimited amounts of the dollars of the American taxpayers, and thus jeopardize the solvency and security of the Nation.

Mr. President, I desire to thank the Senator from South Dakota [Mr. MUNDT] for his timely comments on this part of the report. Although the report is not contained in the bill, at least we have thus served notice on the executive branch that at the next session we shall see to it that there is wholehearted cooperation by the executive branch in a sincere effort to see to it that no dollars of the American taxpayers are wasted by the Federal Government.

Mr. MUNDT. Mr. President, I appreciate very much what the Senator from Idaho has said.

I am also grateful to the Senator from Connecticut [Mr. BUSH] for his assurance that there exists on the floor of the Senate a sentiment such as I have sensed, which will support the necessary reductions in appropriations of funds, and early next year we may well bring in something tantamount to the so-called Jensen amendment.

I should also like to recognize our debt of gratitude to the junior Senator from Ohio [Mr. LAUSCHE], whom I have observed on the floor of the Senate, during the debate on the supplemental appropriations bill, raising questions, urging economy, and resorting to a tactic which he tried twice, and which twice succeeded—namely, the tactic of stating, in effect, "If the Senate as a whole wishes to transform itself into a gigantic Appropriations Committee to spend more money, and if, in that connection, the various Members of the Senate wish to act, here on the floor of the Senate, like members of the Appropriations Committee, then let there be a quorum call, and, following it, a yea-and-nay vote." In both cases, his use of that tactic resulted in saving money for the American taxpayers. After all, in the Appropriations Committee itself, that is the practice; a record vote is taken, and the vote of each member is recorded.

So if the Senate as a whole is to be used as a king-sized appropriations committee, the device tried twice by the junior Senator from Ohio will obtain results. And certain it is that such results should be and must be obtained, because in the Nation there is a growing sentiment in favor of economy, and I expect that sentiment to be made more articulate in the days between now and the coming January and February.

Mr. CURTIS. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I yield.

Mr. CURTIS. The Senator from South Dakota and his associates are entitled to much commendation for placing in the RECORD the part of the committee report, on page 3, which deals with Government personnel.

However shocking it may be to find that the Federal civilian personnel increase of 32,832 for the month of June was a greater increase than that in any other month since 1952, we should realize that that figure does not fully show the trend, for that employment figure is based on the appropriations made at least a year prior thereto, and possibly before that, and also is based upon authorizations made many years ago.

The authorizations voted at this session and the increased appropriations which have been made this year will accentuate very very greatly that increase in the number of Federal civilian personnel, and thus will make the problem even more acute and even more dangerous than it is at the present time.

Mr. MUNDT. That is correct.

Mr. President, the information the Senator from Nebraska has given us should make all of us more serious minded.

But, Mr. President, it was my thought that before the adjournment of this session of Congress and before the Senate takes final action on what I hope will be the last supplemental appropriation bill to be considered at this session, a little frank discussion and letting down of the hair and baring of the soul would be good for all of us.

I do not know who or what has been responsible for the condition which now confronts us. Perhaps it is due to the trend of the times. Perhaps it was that Russian sputnik.

However, Mr. President, the growing demand for greater economy is most encouraging. Perhaps it comes in the backwash of the sputnik development in the field in which our developments have made us so strong militarily as to make our Nation absolutely invincible in the field of warfare, in my opinion. Even though our attempts to achieve absolute superiority in that field have been successful as was intended, nevertheless, if those developments have helped lead to the present pressures for reckless spending and padded payrolls, there will have been new perils created to take the place of those against which we have provided adequate protection.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 13450) was passed.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. ANDERSON, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, and Mr. KNOWLAND the conferees on the part of the Senate.

ORDER FOR CONVENING AT 10 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, it convene at 10 o'clock a. m.

The PRESIDING OFFICER. (Mr. MORSE in the chair). Without objection, it is ordered.

SOCIAL SECURITY AMENDMENTS OF 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 2453, House bill 13549, to increase benefits under the Federal old-age, survivors, and disability insurance system—the so-called social security benefit increase bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system; to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes, which had been reported from the Committee on Finance with amendments.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that two of the technicians of the Social Security Administration be granted the privilege of the floor during the consideration of this bill—namely, Robert J. Meyers, Chief Actuary of the Social Security Administration; and Charles E. Hawkins, legislative liaison officer of the Social Security Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERR. Mr. President, I asked unanimous consent that the committee amendments be agreed to en bloc; and that the bill, as thus amended, be considered as original text, for the purpose of amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 3, after line 3, to strike out:

"Table for determining primary insurance amount and maximum family benefits

"I	II	III	IV	V	I	II	III	IV	V
"(Primary insurance benefit under 1939 Act, as modified)	(Primary insurance amount under 1954 Act)	(Average monthly wage)	(Primary insurance amount)	(Maximum family benefits)	(Primary insurance benefit under 1939 Act, as modified)	(Primary insurance amount under 1954 Act)	(Average monthly wage)	(Primary insurance amount)	(Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—	Or his primary insurance amount (as determined under subsec. (e)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	If an individual's primary insurance benefit (as determined under subsec. (d)) is—	Or his primary insurance amount (as determined under subsec. (e)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least— / But not more than—	At least— / But not more than—	At least— / But not more than—			At least— / But not more than—	At least— / But not more than—	At least— / But not more than—		
	$10.00		$30.00		$54	$33	$53.00								
"$10.01	10.48	$30.10	31.00	$55	56	34	54.00	"$35.81	$36.40	$75.30	$76.10	$184	$188	$81	$146.80
10.49	11.00	31.10	32.00	57	58	35	55.00	36.41	37.08	76.20	77.10	189	193	82	152.80
11.01	11.48	32.10	33.00	59	60	36	56.00	37.09	37.60	77.20	78.00	194	197	83	156.40
11.49	12.00	33.10	34.00	61	61	37	57.00	37.61	38.20	78.10	78.90	198	202	84	160.00
12.01	12.48	34.10	35.00	62	63	38	58.00	38.21	39.12	79.00	79.90	203	207	85	164.00
12.49	13.00	35.10	36.00	64	65	39	59.00	39.13	39.68	80.00	80.80	208	211	86	167.60
13.01	13.48	36.10	37.00	66	67	40	60.00	39.69	40.33	80.90	81.70	212	216	87	171.20
13.49	14.00	37.10	38.00	68	69	41	61.50	40.34	41.12	81.80	82.70	217	221	88	175.20
14.01	14.48	38.10	39.00	70	70	42	63.00	41.13	41.76	82.80	83.60	222	225	89	178.80
14.49	15.00	39.10	40.00	71	72	43	64.50	41.77	42.44	83.70	84.50	226	230	90	182.40
15.01	15.60	40.10	41.00	73	74	44	66.00	42.45	43.20	84.60	85.50	231	235	91	186.40
15.61	16.20	41.10	42.00	75	76	45	67.50	43.21	43.76	85.60	86.40	236	239	92	190.00
16.21	16.84	42.10	43.00	77	78	46	69.00	43.77	44.44	86.50	87.30	240	244	93	193.60
16.85	17.60	43.10	44.00	79	80	47	70.50	44.45	44.88	87.40	88.30	245	249	94	197.60
17.61	18.40	44.10	45.00	81	81	48	72.00	44.89	45.60	88.40	89.20	250	253	95	201.20
18.41	19.24	45.10	46.00	82	83	49	73.50			89.30	90.10	254	258	96	204.80
19.25	20.00	46.10	47.00	84	85	50	75.00			90.20	91.10	259	263	97	208.80
20.01	20.64	47.10	48.00	86	87	51	76.50			91.20	92.00	264	267	98	212.40
20.65	21.28	48.10	49.00	88	89	52	78.00			92.10	92.90	268	272	99	216.00
21.29	21.88	49.10	50.00	90	90	53	79.50			93.00	93.90	273	277	100	220.00
21.89	22.28	50.10	50.90	91	92	54	81.00			94.00	94.80	278	281	101	223.60
22.29	22.68	51.00	51.80	93	94	55	82.50			94.90	95.80	282	286	102	227.20
22.69	23.08	51.90	52.80	95	95	56	84.00			95.90	96.70	287	291	103	231.20
23.09	23.44	52.90	53.70	97	97	57	85.50			96.80	97.60	292	295	104	234.80
23.45	23.76	53.80	54.60	98	99	58	87.00			97.70	98.60	296	300	105	238.40
23.77	24.20	54.70	55.60	100	101	59	88.50			98.70	99.50	301	305	106	242.40
24.21	24.60	55.70	56.50	102	102	60	90.00			99.60	100.40	306	309	107	246.00
24.61	25.00	56.60	57.40	103	104	61	91.50			100.50	101.40	310	314	108	249.60
25.01	25.48	57.50	58.40	105	106	62	93.00			101.50	102.30	315	319	109	253.60
25.49	25.92	58.50	59.30	107	107	63	94.50			102.40	103.20	320	323	110	254.00
25.93	26.40	59.40	60.20	108	109	64	96.00			103.30	104.20	324	328	111	254.00
26.41	26.94	60.30	61.20	110	113	65	97.50			104.30	105.10	329	333	112	254.00
26.95	27.46	61.30	62.10	114	118	66	99.00			105.20	106.00	334	337	113	254.00
27.47	28.00	62.20	63.00	119	122	67	100.50			106.10	107.00	338	342	114	254.00
28.01	28.68	63.10	64.00	123	127	68	102.00			107.10	107.90	343	347	115	254.00
28.69	29.25	64.10	64.90	128	132	69	104.00			108.00	108.50	348	351	116	254.00
29.26	29.68	65.00	65.80	133	136	70	107.00					352	356	117	254.00
29.69	30.36	65.90	66.80	137	141	71	111.20					357	361	118	254.00
30.37	30.92	66.90	67.70	142	146	72	115.20					362	365	119	254.00
30.93	31.52	67.80	68.70	147	151	73	119.20					366	370	120	254.00
31.53	32.00	68.80	69.60	152	155	74	122.80					371	375	121	254.00
32.01	32.60	69.70	70.50	156	160	75	126.40					376	379	122	254.00
32.61	33.40	70.60	71.50	161	165	76	130.40					380	384	123	254.00
33.41	33.88	71.60	72.40	166	169	77	134.00					385	389	124	254.00
33.89	34.50	72.50	73.30	170	174	78	137.60					390	393	125	254.00
34.51	35.20	73.40	74.30	175	179	79	141.60					394	398	126	254.00
35.21	35.80	74.40	75.20	180	183	80	145.20					399	400	127	254.00"

And in lieu thereof, to insert:

"Table for determining primary insurance amount and maximum family benefits

"I		II		III		IV	V	I		II		III		IV	V
"(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1954 Act)		(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)	(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1954 Act)		(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (e)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (e)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—	At least—	But not more than—	At least—	But not more than—			At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
----	$10.00	----	$30.00	----	$54	$33	$53.00	"$35.81	$36.40	$75.30	$76.10	$184	$188	$81	$150.40
"$10.01	10.48	$30.10	31.00	$55	56	34	54.00	36.41	37.08	76.20	77.10	189	193	82	154.40
10.49	11.00	31.10	32.00	57	58	35	55.00	37.09	37.60	77.20	78.00	194	197	83	157.60
11.01	11.48	32.10	33.00	59	60	36	56.00	37.61	38.20	78.10	78.90	198	202	84	161.60
11.49	12.00	33.10	34.00	61	61	37	57.00	38.21	39.12	79.00	79.90	203	207	85	165.60
12.01	12.48	34.10	35.00	62	63	38	58.00	39.13	39.68	80.00	80.80	208	211	86	168.80
12.49	13.00	35.10	36.00	64	65	39	59.00	39.69	40.33	80.90	81.70	212	216	87	172.80
13.01	13.48	36.10	37.00	66	67	40	60.00	40.34	41.12	81.80	82.70	217	221	88	176.80
13.49	14.00	37.10	38.00	68	69	41	61.50	41.13	41.76	82.80	83.60	222	225	89	180.00
14.01	14.48	38.10	39.00	70	70	42	63.00	41.77	42.44	83.70	84.50	226	230	90	184.00
14.49	15.00	39.10	40.00	71	72	43	64.50	42.45	43.20	84.60	85.50	231	235	91	188.00
15.01	15.60	40.10	41.00	73	74	44	66.00	43.21	43.76	85.60	86.40	236	239	92	191.20
15.61	16.20	41.10	42.00	75	76	45	67.50	43.77	44.44	86.50	87.30	240	244	93	195.20
16.21	16.84	42.10	43.00	77	78	46	69.00	44.45	44.88	87.40	88.30	245	249	94	199.20
16.85	17.60	43.10	44.00	79	80	47	70.50	44.89	45.60	88.40	89.20	250	253	95	202.40
17.61	18.40	44.10	45.00	81	81	48	72.00			89.30	90.10	254	258	96	206.40
18.41	19.24	45.10	46.00	82	83	49	73.50			90.20	91.10	259	263	97	210.40
19.25	20.00	46.10	47.00	84	85	50	75.00			91.20	92.00	264	267	98	213.60
20.01	20.64	47.10	48.00	86	87	51	76.50			92.10	92.90	268	272	99	217.60
20.65	21.28	48.10	49.00	88	89	52	78.00			93.00	93.90	273	277	100	221.60
21.29	21.88	49.10	50.00	90	90	53	79.50			94.00	94.80	278	281	101	224.80
21.89	22.28	50.10	50.90	91	92	54	81.00			94.90	95.80	282	286	102	228.80
22.29	22.68	51.00	51.80	93	94	55	82.50			95.90	96.70	287	291	103	232.80
22.69	23.08	51.90	52.80	95	96	56	84.00			96.80	97.60	292	295	104	236.00
23.09	23.44	52.90	53.70	97	97	57	85.50			97.70	98.60	296	300	105	240.00
23.45	23.76	53.80	54.60	98	99	58	87.00			98.70	99.50	301	305	106	244.00
23.77	24.20	54.70	55.60	100	101	59	88.50			99.60	100.40	306	309	107	247.20
24.21	24.60	55.70	56.50	102	102	60	90.00			100.50	101.40	310	314	108	251.20
24.61	25.00	56.60	57.40	103	104	61	91.50			101.50	102.30	315	319	109	254.00
25.01	25.48	57.50	58.40	105	106	62	93.00			102.40	103.20	320	323	110	254.00
25.49	25.92	58.50	59.30	107	107	63	94.50			103.30	104.20	324	328	111	254.00
25.93	26.40	59.40	60.20	108	109	64	96.00			104.30	105.10	329	333	112	254.00
26.41	26.94	60.30	61.20	110	113	65	97.50			105.20	106.00	334	337	113	254.00
26.95	27.46	61.30	62.10	114	118	66	99.00			106.10	107.00	338	342	114	254.00
27.47	28.00	62.20	63.00	119	122	67	100.50			107.10	107.90	343	347	115	254.00
28.01	28.68	63.10	64.00	123	127	68	102.00			108.00	108.50	348	351	116	254.00
28.69	29.25	64.10	64.90	128	132	69	105.60					352	356	117	254.00
29.26	29.68	65.00	65.80	133	136	70	108.80					357	361	118	254.00
29.69	30.36	65.90	66.80	137	141	71	112.80					362	365	119	254.00
30.37	30.92	66.90	67.70	142	146	72	116.80					366	370	120	254.00
30.93	31.36	67.80	68.60	147	150	73	120.00					371	375	121	254.00
31.37	32.00	68.70	69.60	151	155	74	124.00					376	379	122	254.00
32.01	32.60	69.70	70.50	156	160	75	128.00					380	384	123	254.00
32.61	33.20	70.60	71.40	161	164	76	131.20					385	389	124	254.00
33.21	33.88	71.50	72.40	165	169	77	135.20					390	393	125	254.00
33.89	34.50	72.50	73.30	170	174	78	139.20					394	398	126	254.00
34.51	35.00	73.40	74.20	175	178	79	142.40					399	400	127	254.00"
35.01	35.80	74.30	75.20	179	183	80	146.40								

On page 6, line 2, after "(b)" to insert "(1)"; on page 7, line 8, after the word "after", to strike out "the second month following the month in which the Social Security Amendments of 1958 are enacted" and insert "December 1958"; in line 11, after the word "such" to strike out "second"; in line 15, after the word "such", to strike out "second"; in line 19, after the word "such", to strike out "second"; in line 22, after "(f)", to strike out "(4)." " and insert "(4);"; after line 23, to insert:

"(E) who files an application for a recomputation under subparagraph (B) of section 102 (f) (2) of the Social Security Amendments of 1954 after such month and is (or would, but for the fact that such recomputation would not result in a higher primary insurance amount for such individual, be) entitled to have his primary insurance amount recomputed under such subparagraph."

On page 8, line 20, after the word "individual", to strike out "who"—"; in line 21, after "(A)", to insert "who"; in line 22, after "section 223", to strike out "prior to the third month following the month in which the Social Security Amendments of 1958 were enacted, or," and insert "or died prior to January 1959, and; on page 9, line 1, after "(B)", to strike out "died prior to such third month" and insert "to whom the provisions of paragraph (5) of subsection (b) are not applicable."; on page 12, line 1, after "(1)" to insert "and section 223 (b)"; in line 3, after the word "for" to strike out "the second month following the month in which the Social Security Amendments of 1958 were enacted" and insert "December 1958"; in line 25, after "(1)", to insert "and section 223 (b)"; on page 13, line 4, after the word "to" to strike out "the third month following the month in which the Social Security Amendments of 1958 were enacted" and insert "January 1959"; in line 7, after the word "continued"; to strike out "uninterruptedly"; in line 22, after the word "the", to strike out "smallest" and insert "smaller"; on page 14, line 10, after the word "after", to strike out "the second month following the month in which this act is enacted" and insert "December 1958"; in line 19, after the word "for", to strike out "the second month after the month in which this act is enacted" and insert "December 1958"; in line 22, after the word "in" where it occurs the first time, to strike out "the third month after the month in which this act is enacted" and insert "January 1959,"; on page 15, after line 6, to strike out:

"(1) With respect to monthly benefits under title II of the Social Security Act payable pursuant to section 202 (j) (1) of such act for any month prior to the third month following the month of enactment of this act, the primary insurance amount of the individual on the basis of whose wages and self-employment income such monthly benefits are payable shall be determined as though this act had not been enacted; such primary insurance amount shall be such individual's primary insurance amount for purposes of section 215 of such act for months after the second month following the month in which this act is enacted if it is larger than the primary insurance amount determined under section 215 of the Social Security Act as amended by this act, and shall be rounded to the next higher dollar if it is not a multiple of a dollar."

And in lieu thereof to insert:

"(1) In the case of any individual to whom the provisions of subsection (b) (5) of section 215 of the Social Security Act, as amended by this act, are applicable and on the basis of those wages and self-employment income benefits are payable for months prior to January 1959, his primary insurance amount for purposes of benefits for such prior months shall, if based on an application for such benefits or for a recomputation of such amount, as the case may be, filed after December 1958, be determined under such section 215, as in effect prior to the enactment of this act, and, if such individual's primary insurance amount as so determined is larger than the primary insurance amount determined for him under section 215 as amended by this act, such larger primary insurance amount (increased to the next higher dollar if it is not a multiple of a dollar) shall, for months after December 1958, be his primary insurance amount for purposes of such section 215 (and of the other provisions) of the Social Security Act as amended by this act in lieu of the amount determined without regard to this subsection."

On page 20, line 23, after the word "continues", to strike out "without interruption"; on page 22, line 6, after the word "of", to strike out "coverage." and insert "coverage; except that the provisions of subparagraph (A) of this paragraph shall not apply in the case of any individual with respect to whom a period of disability would, but for such subparagraph, begin prior to 1951."

On page 23, line 8, after the word "husband", to strike out "ceases, prior to the month in which he attains retirement age, to be entitled to disability insurance benefits" and insert "is not entitled to disability insurance benefits and is not entitled to old-age insurance benefits."

On page 24, line 17, after the word "wife," to strike out "ceases, prior to the month in which she becomes entitled to old-age insurance benefits, to be entitled to disability insurance benefits" and insert "is not entitled to disability insurance benefits and is not entitled to old-age insurance benefits."; on page 26, at the beginning of line 14, to strike out "month in which such individual ceases to be entitled to such benefits unless such individual is, for the month in which he ceases to be so entitled" and insert "first month for which such individual is not entitled to such benefits unless such individual is, for such later month"; on page 30, line 6, after the word "under", to strike out "paragraph (1) or (2) of section 203 (b), under section 203 (c), or under section 222 (b), and"."; after line 7, to strike out:

"(4) Such paragraph is further amended by striking out the period at the end of subparagraph (C) and inserting in lieu thereof ', and ', by striking out '(A), (B), and (C)' in the material following subparagraph (C) and inserting in lieu thereof '(A), (B), (C), and (D)', and by adding after subparagraph (C) the following new subparagraph."

At the beginning of line 14, to strike out "(D) the number equal to the number of months for which such wife's insurance" and insert "section 203 (b) (1) or (2) under section 203 (c), or under section 222 (b),"."

After line 16, to insert:

"(4) Such paragraph is further amended by striking out '(A), (B), and (C)' in the material following subparagraph (C) and inserting in lieu thereof '(A), (B), (C), and (D)', by redesignating subparagraph (C) as subparagraph (D), by inserting 'and' at the end of subparagraph (B) and by adding after such subparagraph (B) the following new subparagraph."

After line 23, to insert:

"'(C) the number equal to the number of months for which such'; on page 31, line 8, after the word 'inserting', to insert 'a comma and'; in line 9, after the word 'insurance', to strike out 'benefits' and insert 'benefits,'; on page 32, line 2, after the word 'by', to strike out 'inserting "or disability" immediately after "old age"' and insert "striking out 'or' immediately preceding '(3)' and by inserting 'or (4) in the case of any individual entitled to disability insurance benefits, the quarter in which he most recently became entitled to disability insurance benefits,' immediately after 'section,' "; in line 18, after the word "insurance", to strike out "benefit" and insert "benefit,"; in line 20, after the word "insurance", to strike out "benefits" and insert "benefits,"; in line 21, after the word "is", to strike out "entitled" and insert "entitled,"; on page 33, line 9, after the word "section", to strike out "202" and insert "202,"; on page 34, line 16, after the word "by", to strike out "subsection (k)" and insert "subsections (k) and (m)"; at the beginning of line 24, to strike out "subsection (k)" and insert "subsections (k) and (m)"; on page 42, at the beginning of line 13, to strike out "is not his widow as defined in section 216 (c)" and insert "is not, and upon filing application therefor in the month in which he died would not be, entitled to benefits for such month on the basis of his wages and self-employment income,"; on page 47, line 5, after the word "his", to strike out "death" and insert "death,"; on page 49, line 7, after the word "his", to strike out "death" and insert "death,"; on page 50, line 16, after the word "is", to strike out "entitled" and insert "entitled,"; on page 51, line 17, after the word "is", to strike out "entitled" and insert "entitled,"; at the beginning of line 19, to insert "such"; on page 52, line 19, after the word "under", to strike out "section 202 (d) of the Social Security Act for months in any taxable year, of the individual on the basis of whose wages and self employment income such benefits are payable" and insert "subsection (d) or (g) of section 202 of the Social Security Act for months in any taxable year, of the individual to whom the person entitled to such benefits is married,"; on page 54, line 19, after the word "suspended", to strike out "for all such months of such year"; at the top of page 58, to strike out:

"SICK LEAVE PAY OF STATE AND LOCAL EMPLOYEES

"SEC. 311. (a) Subsection (l) of section 209 of the Social Security Act is amended by inserting immediately before the semicolon a period and the following: 'As used in this subsection, the term 'sick pay' includes remuneration for service in the employ of a State or a political subdivision (as defined in section 218 (b) (2) of a State, or an instrumentality of two or more States, paid to an employee thereof for a period during which he was absent from work because of sickness.'

"(b) The amendment made by subsection (a) shall be applicable to remuneration paid after the enactment of this act, except that, in the case of any coverage group which is included under the agreement of a State under section 218 of the Social Security Act, the amendment made by subsection (a) shall also be applicable to remuneration for any member of such coverage group with respect to services performed after the effective date, specified in such agreement, for such coverage group, if such State has paid or agrees, prior to January 1, 1959, to pay, prior to such date, the amounts which under section 218 (e) would have been payable with respect to remuneration of all members of such coverage group had the amendment made by subsection (a) been in effect on and after January 1, 1951. Failure by a State to make such payments prior to January 1, 1959, shall be treated the same as failure to make payments when due under section 218 (e)."

On page 59, at the beginning of line 5, to change the section number from "312" to "311"; at the beginning of line 18, to change the section number from "313" to "312"; on page 60, at the beginning of line 23, to change the section number from "314" to "313"; on page 62, at the beginning of line 7, to change the section number from "315" to "314"; in line 9, after the word "section", where it appears the first time, to strike out "and section 215 (d)"; on page 63, at the beginning of line 15, to insert "(f) or"; on page 66, at the beginning of line 11, to change the section number from "316" to "315"; on page 67, line 12, after the name "Tennessee", to insert "Vermont"; in line 15, after the word "this", to strike out "subparagraph" and insert "subparagraph,"; on page 68, line 13, after the word "paragraph", to strike out "(8))" and insert "(8),"; on page 70, line 15, after the numeral "(6)", to insert "or the corresponding provision of prior laws"; in line 22, after the numeral "(6)", to insert "or the corresponding provision of prior law"; on page 73, after line 13, to strike out:

"POLICEMEN AND FIREMEN OF INTERSTATE INSTRUMENTALITIES

"SEC. 317. Subsection (k) of section 218 of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"'(3) Any agreement with any instrumentality for two or more States entered into pursuant to this act may, notwithstanding the provisions of subsection (d) (5) (A) and the references thereto in subsections (d) (1) and (d) (3), apply to service performed by employees of such instrumentality in any policeman's or fireman's position covered by a retirement system, but only upon compliance, to the extent practicable, with the requirements of subsection (d) (3). For the purpose of the preceding sentence, a retirement system which covers positions of policemen or firemen, or both, and other positions shall, if the instrumentality concerned so desires, be deemed to be a separate retirement system with respect to the positions of such policemen or firemen, or both, as the case may be.'"

On page 79, at the beginning of line 22, to insert "exceed $4,800, the employee shall be entitled (subject to the"; on page 90, line 20, after the word "Act", to insert "and requests filed under subparagraph (F) of such section after such date"; on page 91, line 18, after the word "commencing", to strike out "October 1, 1958" and insert "January 1, 1959"; on page 92, line 7, after the word "this", to strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection"; in line 17, after the letter "(A)", to strike out "but"; in line 19, after the word "of", to strike out "$66" and insert "$65"; on page 93, line 3, after the word "exceeds", to strike out "$36" and insert "$35"; in line 20, after the word "commencing", to strike out "October 1, 1958" and insert "January 1, 1959"; on page 94, at the beginning of line 8, to strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection"; in line 18, after the letter "(A)", to strike out "but"; in line 20, after the word "of," to strike out "$33" and insert "$30"; on page 95, line 24, after the word "commencing", to strike out "October 1, 1958" and insert "January 1, 1959"; on page 96, line 11, after the word "this", to strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection"; in line 23, after the word "of", to strike out "$66" and insert "$65"; on page 97, line 7, after the word "exceeds", to strike out "$36" and insert "$35"; on page 98, line 1, after the word "commencing", to strike out "October 1, 1958" and insert "January 1, 1959"; in line 14, after the word "this",

to strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection"; on page 99, line 3, after the word "of", to strike out "866" and insert "865"; in line 13, after the word "exceeds", to strike out "$36" and insert "$35"; on page 101, line 5, after the word "the", where it appears the first time, to strike out "eleven" and insert "ten"; in line 6, after the word "beginning", to strike out "October 1, 1958" and insert "January 1, 1959"; on page 102, line 1, after the name "Puerto Rico", to insert "The"; after line 17, to strike out:

"SPECIAL PROVISION FOR CERTAIN INDIANS REPEALED

"SEC. 510. Effective in the case of payments with respect to expenditures by States, under plans approved under title I, IV, or X of the Social Security act, for quarters beginning after September 30, 1958, section 9 of the act of April 19, 1950, as amended (25 U. S. C. 639), is repealed."

On page 103, at the beginning of line 2, to change the section number from "511" to "510"; at the beginning of line 8, to change the section number from "512" to "511"; in line 14, after the word "after", to strike out "September" and insert "December"; in line 18, after the word "after", to strike out "September" and insert "December"; on page 106, line 3, after the word "under", to strike out "section 522" and insert "this part"; in line 5, after the word "in", to strike out "such section 522" and insert "this part"; on page 110, line 7, after the word "the", to insert "Federal Security"; on page 111, line 6, after the word "the", to insert "Federal Security"; on page 112, after line 18, to strike out:

"COVERAGE FOR CERTAIN EMPLOYEES OF TAX EXEMPT ORGANIZATIONS WHICH PAID TAX

"SEC. 702. (a) Section 403 (a) (1) of the Social Security Amendments of 1954 is amended by striking out 'has failed to file prior to the enactment of the Social Security Amendments of 1956' and inserting in lieu thereof 'did not have in effect, during the entire period in which the individual was so employed.'

"(b) Section 403 (a) (3) of the Social Security Amendments of 1954 is amended by inserting 'performed during the period in which such organization did not have a valid waiver certificate' after 'service.'

"(c) Section 403 (a) (5) of the Social Security Amendments of 1954 is amended by inserting 'without knowledge that a waiver certificate was necessary, or' after 'in good faith and'."

On page 113, at the beginning of line 12, to change the section number from "703" to "702"; at the beginning of line 19, to change the section number from "704" to "703"; and after line 21, to insert a new section, as follows:

"ADVISORY COUNCIL ON PUBLIC ASSISTANCE

"SEC. 704. (a) There is hereby established an Advisory Council on Public Assistance for the purpose of reviewing the status of the public assistance program in relation to the old-age, survivors, and disability insurance program, the fiscal capacities of the States and the Federal Government, and any other factors bearing on the amount and proportion of the Federal and States shares in the public assistance program.

"(b) The Council shall be appointed by the Secretary before January 1959 without regard to the civil-service laws and shall consist of the Commissioner of Social Security, as chairman, and of 12 other persons who shall, to the extent possible, represent employers and employees in equal numbers, persons concerned with the administration or financing of the State and Federal programs, other persons with special knowledge, experience, or qualifications with respect to the program, and the public.

"(c) (1) The Council is authorized to engage such technical assistance, as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such other pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(2) Members of the Council, while serving on business of the Council (inclusive of travel time), shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per day; and shall be entitled to receive actual and necessary traveling expenses and per diem in lieu of subsistence while so serving away from their places of residence.

"(d) The Council shall make a report of its findings and recommendations (including recommendations for changes in the provisions of sections 3, 403, 1003, and 1403 of the Social Security Act) to the Secretary and the Congress, such report to be submitted not later than January 1, 1960, after which date such Council shall cease to exist."

Mr. KNOWLAND. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. KNOWLAND. Did I correctly understand the request which was granted to be that the committee amendments be agreed to en bloc?

Mr. KERR. Yes; my request was that the committee amendments be agreed to en bloc; and that the bill, as thus amended, be considered as original text, for the purpose of amendment. That request by me was agreed to.

Mr. KNOWLAND. Very well.

Mr. KERR. Mr. President, H. R. 13549, the social security amendments of 1958, makes the following major improvements in the social-security program:

INCREASES IN BENEFITS AND EARNINGS BASE

First. Increases benefit amounts for all beneficiaries—those now on the rolls and those who will come on in the future—by about 7 percent, with an increase of at least $3 in the amount payable to the retired worker. Increase the maximum on total benefits payable to a family from $200 to $254. Benefit increases will be effective for January 1959. The increased benefits will be reflected in checks received February 3, 1959.

Second. Increases, effective in 1959, the maximum amount of annual earnings taxable and creditable toward benefits from $4,200 to $4,800.

TAX RATE

Increases the scheduled rates in the law by one-fourth of 1 percent each for employees and employers, and three-eighths of 1 percent for the self-employed, above the rates now scheduled and provide for the scheduled increase in the rates to take place every 3 years instead of every 5 years.

[In percent]

	Employers	Employees	Self-employed
1959	2½	2½	3⅝
1960–62	3	3	4½
1963–65	3½	3½	5¼
1966–68	4	4	6
1969 and thereafter	4½	4½	6¾

DISABILITY

First. Provide benefits for wives, dependent husbands, and children of disability insurance beneficiaries like those now provided for dependents of old-age insurance beneficiaries. Set forth requirements for entitlement and amends appropriate provisions in present law to apply to such benefits.

Second. Eliminates the disability benefits offset provision for disability insurance benefits and childhood disability benefits.

Third. Removes the requirement for eligibility for the disability freeze or for disability insurance benefits that a disabled worker have 6 quarters of coverage out of 13 calendar quarters before disablement. Adds fully insured status as a requirement for the freeze in order to make requirements for both freeze and cash benefits alike.

Fourth. Provides that, for disability insurance benefit applications filed after December 1957 disability benefits may be paid for as many as 12 months before the month in which the application is filed.

Fifth. Postpones for 3 years the June 30, 1958, deadline for filing fully retroactive disability freeze applications.

Sixth. Requires that a person be continuously disabled throughout his freeze period and until disability freeze application is filed, and permits disability freeze applications filed after June 30, 1961, to establish a freeze period beginning as early as 18 months before the month of filing.

PROVISION FOR BENEFITS FOR DEPENDENTS

First. Where a person over age 18 is the child of a deceased or retired insured worker and has been disabled since before age 18, provides for the payment of benefits to the child without requiring proof, as required under present law, that he has been dependent upon the worker for one-half of his support. The change would make the requirement for the disabled adult child the same as for the child under age 18.

Second. Provides benefits for the dependent parent of a deceased worker even though there is a widow or child of the worker who is, or may become, eligible for benefits. Benefits payable to other survivors of a worker in the month of enactment will not be decreased if a parent comes on the rolls.

Third. Provides for the payment of a lump sum to the widow of a deceased worker only if she was living in the same household with him or had paid his burial expenses.

Fourth. Provides for payment of benefits to a child if the child was adopted by the widow of a worker within 2 years after the worker died, if the child had been living in the worker's household, and if the child had not been supported by anyone else.

Fifth. Permits payment of benefits to the mother of a child if the child had been adopted by her deceased husband.

Sixth. Removes the 3-year adoption requirement for the child of a retired worker.

Seventh. Where two secondary beneficiaries over age 18 marry each other—for example, the dependent parent of one worker and the widow of another—provide for continuing the payment of benefits to both beneficiaries.

RETIREMENT TEST

First. Provides that a person will not lose a benefit under the retirement test for any month in which he has not earned wages in excess of $100—rather than $80 as under present law—provided he does not perform substantial services in self-employment in that month.

Second. Drops the requirement that a person who is not entitled to receive benefits during a year because he is working and who has in fact not received any benefits nevertheless must file an annual report of his earnings under the retirement test.

COVERAGE

The bill modifies the existing law to facilitate the social-security coverage of employees of nonprofit organizations and certain State and local government workers.

PUBLIC ASSISTANCE

The bill would change the formula determining the Federal share of assistance payments to provide an average maximum on State expenditures for assistance in which there can be Federal sharing, including assistance in the form of medical care and as money payments, and make a portion of the Federal contribution related to the pro capita income of the States.

The maximum amount of payment to aged, blind, and disabled persons in which the Federal Government will participate, set in the House bill at $66 monthly on an average basis, was reduced to $65. In the aid to dependent children program the maximum was reduced from $33 to $30.

The effective date of increases in the Federal share of payments made under Federal-State public assistance programs was moved from October 1, 1958, to January 1, 1959.

The bill extends the benefits of the four public assistance programs to Guam with a dollar limitation on the total Federal grants of $400,000.

The dollar limitation on total Federal grant to Puerto Rico is increased from $5,312,500 to $8,500,000 and to Virgin Islands from $200,000 to $300,000.

BLIND PROGRAMS—MISSOURI AND PENNSYLVANIA

Special provisions regarding State blind programs in Pennsylvania and Missouri would be extended from June 30, 1959, to June 30, 1961.

MATERNAL AND CHILD WELFARE

The authorization for maternal and child health would be increased from $16.5 million to $21.5 million, the authorization for crippled children services from $15 million to $20 million, and the authorization for child welfare services from $12 million to $17 million. These increases would raise the total authorized for the three programs from $43.5 million to $58.5 million.

Briefly, that summarizes the provisions of H. R. 13549 as amended by the Committee on Finance and as reported to this body.

The PRESIDING OFFICER (Mr. MORSE in the chair). The bill is open to amendment.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to withdraw my printed amendments which were offered by me yesterday and printed, and which are identified as 8–14–58–B.

The PRESIDING OFFICER. The Senator is at liberty to withdraw his amendments.

Mr. YARBOROUGH. I offer herewith amendments to the bill. In substance they are identical to those which I offered on yesterday, but there were technical corrections to be made in 2 or 3 columns.

The PRESIDING OFFICER. The amendments offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out the table appearing on pages 5 and 6, and to insert in lieu thereof the following table:

"Table for determining primary insurance amount and maximum family benefits

"I	II	III	IV	V	"I	II	III	IV	V
"(Primary insurance benefit under 1939 act, as modified)	(Primary insurance amount under 1954 act)	(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)	"(Primary insurance benefit under 1939 act, as modified)	(Primary insurance amount under 1954 act)	(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—	Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	"If an individual's primary insurance benefit (as determined under subsec. (d)) is—	Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least— / But not more than—	At least— / But not more than—	At least— / But not more than—			"At least— / But not more than—	At least— / But not more than—	At least— / But not more than—		
"$10.01 / $10.00	$30.01 / $30.00	$55 / $54	$33	$53.00	$25.61 / $26.04	$58.70 / $59.30	$107 / $108	$65	$97.50
10.49 / 11.00	31.10 / 32.00	57 / 58	34	54.00	26.05 / 26.52	59.60 / 60.40	109 / 109	66	99.00
11.01 / 11.48	32.10 / 33.00	59 / 60	35	55.00	26.53 / 27.00	60.50 / 61.30	110 / 114	67	100.50
11.49 / 12.00	33.10 / 34.00	61 / 61	36	56.00	27.01 / 27.52	61.40 / 62.20	115 / 118	68	102.00
12.01 / 12.48	34.10 / 35.00	62 / 63	37	57.00	27.53 / 28.08	62.30 / 63.10	119 / 123	69	103.50
12.49 / 12.95	35.10 / 36.00	64 / 65	38	58.00	28.09 / 28.68	63.20 / 64.00	124 / 127	70	105.00
12.96 / 13.40	36.10 / 36.90	66 / 66	39	59.00	28.69 / 29.25	64.10 / 65.00	128 / 132	71	106.50
13.41 / 13.84	36.91 / 37.70	67 / 68	40	60.00	29.26 / 29.84	65.10 / 65.90	133 / 137	72	109.00
13.85 / 14.28	37.80 / 38.60	69 / 70	41	61.50	29.85 / 30.36	66.00 / 66.90	138 / 141	73	112.00
14.29 / 14.75	38.70 / 39.50	71 / 71	42	63.00	30.37 / 30.92	66.90 / 67.70	142 / 146	74	114.00
14.76 / 15.24	39.60 / 40.40	72 / 73	43	64.50	30.93 / 31.36	67.80 / 68.60	147 / 150	75	115.00
15.25 / 15.76	40.50 / 41.30	74 / 75	44	66.00	31.37 / 32.00	68.70 / 69.50	151 / 155	76	124.00
15.77 / 16.32	41.40 / 42.20	76 / 76	45	67.50	32.01 / 32.60	69.60 / 70.40	156 / 159	77	127.20
16.33 / 16.93	42.30 / 43.10	77 / 78	46	69.00	32.61 / 33.20	70.50 / 71.30	160 / 164	78	131.20
16.94 / 17.60	43.20 / 44.00	79 / 80	47	70.50	33.21 / 33.70	71.40 / 72.20	165 / 168	79	134.40
17.61 / 18.40	44.10 / 45.00	81 / 81	48	72.00	33.71 / 34.40	72.30 / 73.10	169 / 173	80	138.40
18.41 / 19.15	45.10 / 45.90	82 / 83	49	73.50	34.41 / 35.00	73.20 / 74.00	174 / 177	81	141.60
19.16 / 19.84	46.00 / 46.80	84 / 85	50	75.00	35.01 / 35.60	74.10 / 75.00	178 / 182	82	145.60
19.85 / 20.44	46.90 / 47.70	86 / 86	51	76.50	35.61 / 36.28	75.10 / 75.90	183 / 187	83	149.60
20.45 / 21.04	47.80 / 48.60	87 / 88	52	78.00	36.29 / 36.80	76.00 / 76.80	188 / 191	84	152.80
21.05 / 21.59	48.70 / 49.50	89 / 90	53	79.50	36.81 / 37.40	76.90 / 77.70	192 / 196	85	156.80
21.60 / 22.05	49.60 / 50.40	91 / 91	54	81.00	37.41 / 38.00	77.80 / 78.60	197 / 200	86	160.00
22.06 / 22.45	50.50 / 51.30	92 / 93	55	82.50	38.01 / 38.76	78.70 / 79.50	201 / 205	87	164.00
22.46 / 22.85	51.40 / 52.20	94 / 94	56	84.00	38.77 / 39.32	79.60 / 80.40	206 / 209	88	167.20
22.86 / 23.21	52.30 / 53.10	95 / 96	57	85.50	39.33 / 40.00	80.50 / 81.30	210 / 214	89	171.20
23.22 / 23.56	53.20 / 54.00	97 / 98	58	87.00	40.01 / 40.68	81.40 / 82.20	215 / 218	90	174.40
23.57 / 23.96	54.10 / 55.00	99 / 100	59	88.50	40.69 / 41.44	82.30 / 83.10	219 / 223	91	178.40
23.97 / 24.36	55.10 / 55.90	101 / 101	60	90.00	41.45 / 42.00	83.20 / 84.00	224 / 227	92	181.60
24.37 / 24.76	56.00 / 56.80	102 / 103	61	91.50	42.01 / 42.68	84.10 / 85.00	228 / 232	93	185.60
24.77 / 25.16	56.90 / 57.70	104 / 104	62	93.00	42.69 / 43.56	85.10 / 85.90	233 / 237	94	188.60
25.17 / 25.60	57.80 / 58.60	105 / 106	63	94.50	43.57 / 44.12	86.00 / 86.80	238 / 241	95	192.80
			64	96.00	44.13 / 44.78	86.90 / 87.70	242 / 246	96	196.80

"Table for determining primary insurance amount and maximum family benefits—Continued

"I		II		III		IV	V	"I		II		III		IV	V
"(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1954 act)		(Average monthly wage)		(Primary insurance amount payable)	(Maximum family benefits)	"(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1954 act)		(Average monthly wage)		(Primary insurance amount payable)	(Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—	At least—	But not more than—	At least—	But not more than—			"At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
$44.79	$45.60	$87.80	$88.60	$247	$250	$97	$200.00			$103.20	$104.00	$324	$327	$114	$260.00
		88.70	89.50	251	255	98	204.00			104.10	105.00	328	332	115	260.00
		89.60	90.40	256	259	99	207.20			105.10	105.90	333	337	116	260.00
		90.50	91.30	260	264	100	211.20			106.00	106.80	338	341	117	260.00
		91.40	92.20	265	268	101	214.40			106.90	107.70	342	346	118	260.00
		92.30	93.10	269	273	102	218.40			107.80	108.50	347	350	119	260.00
		93.20	94.00	274	277	103	221.60					351	355	120	260.00
		94.10	95.00	278	282	104	225.60					356	359	121	260.00
		95.10	95.90	283	287	105	229.60					360	364	122	260.00
		96.00	96.80	288	291	106	232.80					365	368	123	260.00
		96.90	97.70	292	296	107	236.80					369	373	124	260.00
		97.80	98.60	297	300	108	240.00					374	377	125	260.00
		98.70	99.50	301	305	109	244.00					378	382	126	260.00
		99.60	100.40	306	309	110	247.20					383	387	127	260.00
		100.50	101.30	310	314	111	251.20					388	391	128	260.00
		101.40	102.20	315	318	112	254.40					392	396	129	260.00
		102.30	103.10	319	323	113	258.40					397	400	130	260.00"

On page 13, line 13, strike out "is not less than $68" and insert in lieu thereof "is $70, then such total of benefits shall not be reduced to less than $108.90, or such primary insurance amount is so determined and is not less than $71."

Mr. KNOWLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from California?

Mr. YARBOROUGH. Provided I do not lose the floor.

The PRESIDING OFFICER. It is so understood.

Mr. KNOWLAND. The Senator from Texas has offered his amendment, which I understand is the pending question, but did the Senator intend merely to make an opening statement? He was not planning on having a vote on his amendment tonight; was he?

Mr. YARBOROUGH. It depends on how long the majority and minority leaders plan to stay in session tonight.

Mr. KNOWLAND. I suggest that the Senator proceed with his statement.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. YARBOROUGH. Mr. President, the amendment which I have offered to H. R. 13549 would change the social-security payment increase from 7 percent to 10 percent. H. R. 13549 as it passed the House and as it was reported by the Senate committee would increase the monthly payments which would be made under the social-security law to old people, retired workers, surviving widows or widowers, children, and surviving parents, all across the board, but the increase in the payments would be 7 percent. My amendment would simply increase the payment to 10 percent, an increase from 7 percent to 10 percent, or an additional 3 percent increase.

How much are these people receiving? There is a belief held by some in this country that social-security payments are high; that the payments are much higher than the old-age pensions provide. That is not true. In many States the old-age pensions are higher than the social-security payments the people have earned by putting their money into the social-security fund.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the Senator from Oregon.

Mr. NEUBERGER. Mr. President, I wish to associate myself with the remarks being made by the distinguished junior Senator from Texas. I feel certain the Senator from Texas has been aware of the great and unfortunate increase in the cost of living which has occurred in the past 2 or 3 years. If I am not mistaken, it has been the steepest increase in the cost of living ever to take place in our country in a comparable period, other than during a shooting war.

The people who are the most direct victims of such an increase in the cost of living are the elderly people, who must live on retirement incomes. Their incomes are fixed. There is no opportunity to increase them because of increased corporate profits or improved wage agreements negotiated by labor unions. The elderly people are caught in the vise.

It seems to me the amendment of the able Senator from Texas takes on added pertinence when we consider that fact. There is one further item which I think makes the amendment of the Senator from Texas more justified at this moment. I noted recently an article in the New York Times which stated that the largest single increase in the cost of living, compared to other items, was in medical care. Who are the people who necessarily require the most medical care? It is the elderly people. Of course, elderly people become sick more frequently than do the younger people, and they suffer the long, tragic, lingering illnesses which deplete family income and exchequer if there is any to deplete.

So I say to the Senator from Texas, I think he has submitted an amendment which has added justification today because of the distressing inflation which has eroded the purchasing power of so many elderly people who must live on fixed incomes.

Mr. YARBOROUGH. I thank the distinguished junior Senator from Oregon for his very pertinent remarks. The elderly people are caught in the rising spiral of inflation.

As has been pointed out, the spiral of inflation has been moving up and up, at a rate during the past 2 years which has never been exceeded except in the midst of a shooting war.

These people are too old to be able to increase their earnings by winning promotions in a trade, a business or a factory. They are past the age of employability in nearly all businesses. A few of them may be able to supplement income as baby sitters or night watchmen, but few trades are open to them.

The bill, without an increase to 10 percent, would fail to provide an amount sufficient to enable elderly people to have some measure of livable income. How much do these people receive? The average payment across the United States is $64.50 a month, for a person living on retirement pay. I am not speaking of the widows of dead workers, for the average pay to the widows is $51 a month, or less than $2 a day. That is far less than the old-age pension payments in many States.

We voted a 10-percent increase for the Federal workers. We voted a 10-percent increase for the postal workers. We voted a 10-percent increase in the retirement pay of Federal workers. We voted, last year, a 10-percent increase for disabled veterans. Even a year ago the cost of living had gone up so much that we in the Congress felt a 10-percent increase was required to permit the disabled veterans a measure of income which was necessary to enable them to live as they had lived 4 or 5 years ago.

I wish to serve notice on the Senate that the yeas and nays are going to be requested on this amendment. We are going to ask for a quorum call tonight, so that a sufficient number of Senators will be present to have a representative vote when the yeas and nays are called.

I think this type of legislation calls for a human heart. It calls for humanity.

Eleven million people are drawing social-security payments. To smaller groups—to 1 million here, 2 million there, another half million somewhere else—we have granted 10 percent increases. When we consider the 11 millions who need it the worst they have been told: "You may have only 7 percent." It would be an inadequate bill, with a 7 percent increase. I think the Senate ought to go on record in this matter.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. YARBOROUGH. In a moment I will yield to the distinguished Senator from Minnesota.

My amendment will not cause any taxes to be raised. My amendment will not add any tax burden. The bill reported by the House and reported by the Senate committee already contains an increase in the payroll tax of one-quarter of 1 percent, from 2¼ percent to 2½ percent. That is a sufficient increase to pay for the 10 percent increase in payments my amendment would provide.

I shall explain why my amendment would not cause an increase in the tax rate, but before I do so, I shall yield to the distinguished Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Texas for his courtesy in yielding to me.

I understand the Senator from Texas has proposed at least a 10 percent increase be granted to the beneficiaries of the social-security system.

Mr. YARBOROUGH. The Senator is correct.

Mr. HUMPHREY. The old-age and survivors' insurance beneficiaries?

Mr. YARBOROUGH. The amendment would raise the 7 percent increase provided in the bill to 10 percent.

Mr. HUMPHREY. I am happy the Senator has offered the amendment. I say to the Senator that a few minutes ago I laid such an amendment on the desk in my own name, but I am happy to associate myself with the amendment offered by the Senator from Texas.

Of course 10 percent is a fair and reasonable figure. I believe the Senator just stated that when it comes to ourselves, the employees of the Government, legislative employees, or whatever group of employees it may be, we think of a 10-percent increase as a reasonable adjustment, even though some of those employees have had salary increases since there were increases granted in the social security structure.

Furthermore, I am of the opinion that if one carefully examines the financing of the social security system, he will find these increases can be granted without in any way jeopardizing the stability of the fund. In fact, there will be tremendous funds accumulating under the tax schedule which is provided in the bill.

The grants of money are needed now. When I say the grants of money are needed, I refer to the insurance the bill provides. It is the insurance under the social security system which is needed now. It is not needed in the year 2000 or the year 2020.

An insurance officer calculates on an actuarial basis a program for 75 or 100 years hence, but what we need to think about is not only that which is ahead, which is indeed important, but also the actual benefits which will accrue to the individual citizen now.

I conclude on this note: There is no piece of legislation which Congress has ever passed which was more important to the well-being of America than social security legislation. There is no piece of legislation considered by this Congress which is more important than that increasing the benefits under the social security system. There is no group of people in America getting a rawer deal, getting mistreated quite so much by the impact of inflation and the price rises, as the elderly people who are the recipients of old-age and survivors' insurance and others who come under social security.

Our job, on the premise of sheer equity and social justice, is to at least keep the payments up with the cost of living and to at least give some modicum of relief in terms of increased benefits to those who are qualified under the program of social security.

I join with the Senator. I shall have more to say about this matter in the morning hour tomorrow. I understand we will be given that opportunity.

I plan to offer an amendment, which I want to note tonight, to provide for hospital insurance for our aged people. Any Senator who has ever been in a hospital to look over who is in the hospital knows that in community after community from 65 to 75 percent of the beds are occupied by the aged.

Today many a person must literally sacrifice his meager earnings because of sickness. Many a county or State is hard pressed because of the cost of hospitalization for our aged. I see no reason why the social-security program should not provide for at least 60 days nursing home or hospital care as a basic minimum. I know that there are millions of young people tonight who only wish that their dear mother or father had a kind of hospital-insurance program under social security which would supplement their voluntary plans, so that they would be given hospital care.

I am not talking about socialized medicine. I am not talking about doctors. I am not talking about any kind of British Labor Party socialized medicine. I am not even talking about medical insurance. That has nothing whatsoever to do with the case. I am merely arguing that when someone qualifies—under social security—a woman aged 62, or a man aged 65—and is stricken with illness, he should be entitled, by insurance, not by gift, not by charity, not out of the kindness of some rich man's heart, not because of relief, but because of insurance, to hospitalization, rather than that the States, counties, charities, churches, and, indeed, families themselves, should be compelled literally to use the last dime available for hospitalization of the aged.

I repeat, this is not medical care. That is a private matter, as to who shall be one's doctor, and what kind of care he will receive. I am talking about a bed, about shelter for a person who is ill. I have an amendment on the desk which provides such care. I intend to offer it. It may not be adopted. I am told that it will not be. But the day is not far off when every Member of the Senate can look back with a great deal of pride to the fact that Congress provided for the elderly people of America at least a modicum of hospital care in the great community hospitals we have built throughout the land.

Mr. JOHNSON of Texas. Mr. President, will my colleague yield to me?

Mr. YARBOROUGH. I yield to my senior colleague.

Mr. JOHNSON of Texas. The hour is growing late, and many Members have left the Chamber. I am sure they desire to be present before a vote is taken on this very important amendment.

It is planned to have the Senate meet at 10 o'clock tomorrow morning. I wonder if it would be possible, after the morning hour is concluded, after the introduction of bills and the transaction of routine business, to arrange a definite time for a vote, or if a unanimous-consent agreement could be reached with regard to the debate, both pro and con, with a vote on the amendment to come at the conclusion of debate. I wonder

if such an arrangement would be satisfactory, in order that Members who may be in their offices may know that they will not be recalled to the Chamber this evening. I do not know how much time the junior Senator from Texas would need tomorrow. He could use such time as he needed this evening, but I suggest that at the conclusion of the morning hour 30 minutes be allowed on the amendment, to be divided between the author of the amendment and the minority leader.

Mr. YARBOROUGH. The suggestion of the distinguished majority leader is perfectly acceptable to the sponsor of the amendment. I did not hear how much time had been suggested.

Mr. JOHNSON of Texas. At the conclusion of the morning hour——

Mr. YARBOROUGH. How much time should be allocated?

Mr. JOHNSON of Texas. How much time does the Senator think he would need?

Mr. YARBOROUGH. I believe 30 minutes to a side would be acceptable.

Mr. JOHNSON of Texas. I ask unanimous consent that, at the conclusion of the morning hour tomorrow, the debate on the pending amendment be limited to 30 minutes to a side, the time to be controlled by the sponsor and by the minority leader.

The PRESIDING OFFICER (Mr. MORSE in the chair). The Presiding Officer finds himself in an embarrassing situation. In his capacity as a Senator he would not agree to a unanimous-consent request tonight on the bill.

Mr. JOHNSON of Texas. The proposed unanimous-consent agreement relates only to this single amendment.

The PRESIDING OFFICER. The Chair, in his capacity as a Senator, cannot agree to such a request, either on the bill or on any amendment.

Mr. LONG. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I will yield in a moment to the distinguished Senator from Louisiana. Before I yield, I should like to say that the distinguished Senator from Minnesota [Mr. HUMPHREY] has shown his broad grasp of governmental policies tonight, as he has done many times before, in his description of the plight of the aged and the actuarial soundness of this fund, as well as in his conviction that these elderly people ought to get something now, rather than to have money piling up in the fund until the year 2050 A. D., to which some funds are projected. Many billions of dollars will be piled up that will not be used.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. HUMPHREY. I wonder if the Senator will permit me to join with him as the sponsor of this amendment, in order truly to associate myself with the wonderful endeavor on the part of the Senator from Texas.

Mr. YARBOROUGH. It is an honor to have the distinguished Senator from Minnesota join as a sponsor.

Mr. NEUBERGER. Mr. President, I asked unanimous consent to be allowed to join as a cosponsor.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the distinguished Senators from Minnesota and Oregon be permitted to join as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the distinguished Senator from Louisiana.

Mr. LONG. In my judgment the Senator is sound in the position he has taken. A number of us voted for the position the Senator is taking when this question was considered in the Finance Committee.

As one of those who voted that way, I feel that this should be a 10 percent bill, for the reason the Senator has mentioned, as well as for other reasons.

I made a request of the chief actuary of the Department of Health, Education, and Welfare to tabulate what would happen to the social security fund if the Senator's amendment were adopted. I have the figures before me. They show that if we should pay a 10 percent increase, under the schedules in the bill, paying the increase every year starting in 1960 and running up to the turn of the century, at the turn of the century the fund would then have $117 billion in it. If we did not adopt this amendment, and passed the bill in the form in which it came from the House, the increase in the fund by the year 2000 would bring it up to $163 billion.

The issue, as I see it, is whether, during the next 40 years, we want these old people to have the benefit of that $40 billion, or whether we want to pile up the money in such a manner that we could retire the entire public debt by the most aggressive sort of payroll tax, whereby we would not allow a man any exemption for a wife or children, or for personal expenses, and would not tax him more than $4800. That is what could be termed a most aggressive form of personal income tax.

Some contend that it would be desirable to build the fund up to $285 billion by the year 2020. If we accumulate such an enormous fund, the old folks will have to get by on less.

Eventually, when the fund is built up, assuming that the public debt remains constant, the Government will hold all the Government bonds. Every bond of the United States Government will be held by the United States Government, and I presume we could adopt a resolution to declare that the public debt no longer exists, inasmuch as the Government itself has all the Government bonds, and the Government owes the obligation to make such payments anyway. Even if we had such an enormous fund, I am sure that no one would suggest discontinuing the payroll tax.

If we can look forward to this fund accumulating to $110 billion by the year 2000, and having a 10 percent increase instead of a 7 percent increase, that would make it possible for the aged of this land, the retired, the widows, and survivors, to live substantially better.

For that reason, I am pleased to support the Senator's position.

Mr. President, I ask unanimous consent that the tabulation to which I have referred, which shows the soundness of the Senator's position from a fiscal point of view, be printed in the RECORD at this point in support of the argument.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the table referred to by the distinguished Senator from Louisiana be printed at this point in the RECORD. It shows—and I wish to refer to this fact again—that by the year 2000 there would be in this fund, if the rates voted by the House and recommended by the committee were adopted, a balance of $163 billion. If the 10 percent increase were granted, there would be in the fund by the year 2000, $117,042,000,000.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Progress of OASI trust fund under modification of H. R. 13549 increasing benefits by 10 percent (or $5) instead of by 7 percent (or $3) intermediate-cost estimate at 3 percent interest

[In millions]

Calendar year	Under bill modified to increase benefits 10 percent				Under bill passed by House, balance in fund
	Contributions	Benefit payments and other outgo [1]	Interest on fund [2]	Balance in fund	
1958	$7,297	$6,685	$565	$21,584	$21,696
1959	8,632	10,192	583	20,647	20,971
1960	10,621	10,705	577	21,140	21,794
1961	11,106	11,314	610	21,542	22,552
1962	11,256	11,929	636	21,505	22,902
1963	13,124	12,374	656	22,911	24,722
1964	13,652	12,735	701	24,539	26,784
1965	13,880	13,658	748	26,059	28,762
1970	19,404	15,767	1,254	44,869	50,330
1975	20,880	18,595	1,928	67,331	76,432
1980	22,301	21,747	2,464	84,881	98,678
2000	29,695	30,710	3,424	[3] 117,042	163,448

[1] Administrative expenses and payments to the railroad retirement account.
[2] At 3 percent, except 2.6 percent in 1958, 2.7 percent in 1959, 2.8 percent in 1960, and 2.9 percent in 1961.
[3] Fund exhausted in 2042.

Mr. YARBOROUGH. Mr. President, I wish to note for the record that I have been joined in offering my amendment by the Senator from Minnesota [Mr. HUMPHREY], the junior Senator from Oregon [Mr. NEUBERGER], the senior Senator from Oregon [Mr. MORSE], and the Senator from South Carolina [Mr. JOHNSTON].

Mr. President, I ask unanimous consent that at this point in the RECORD there may be printed in full the amendment I have offered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. YARBOROUGH, on behalf of himself and other Senators, ordered to be printed in the RECORD, is as follows:

Strike out the table appearing on pages 5 and 6, and insert in lieu thereof the following table:

"Table for determining primary insurance amount and maximum family benefits

"I	II	III	IV	V	I	II	III	IV	V
"(Primary insurance benefit under 1939 act, as modified)	(Primary insurance amount under 1954 act)	(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)	(Primary insurance benefit under 1939 act, as modified)	(Primary insurance amount under 1954 act)	(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—	Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income, shall be—	If an individual's primary insurance benefit (as determined under subsec. (d)) is—	Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least— / But not more than—	At least— / But not more than—	At least— / But not more than—			At least— / But not more than—	At least— / But not more than—	At least— / But not more than—		
"$10.00 / $10.48	$30.00 / $31.00	$54 / $56	$33	$53.00	$35.01 / $35.60	$74.10 / $75.00	$178 / $182	$82	$145.60
10.49 / 11.00	31.10 / 32.00	57 / 58	35	54.00	35.61 / 36.28	75.10 / 75.90	183 / 187	83	149.60
11.01 / 11.48	32.10 / 33.00	59 / 60	36	56.00	36.29 / 36.80	76.00 / 76.80	188 / 191	84	152.80
11.49 / 12.00	33.10 / 34.00	61 / 62	37	57.00	36.81 / 37.40	76.90 / 77.70	192 / 196	85	156.80
12.01 / 12.48	34.10 / 35.00	62 / 63	38	58.00	37.41 / 38.00	77.80 / 78.60	197 / 200	86	160.00
12.49 / 12.95	35.10 / 35.90	64 / 65	39	59.00	38.01 / 38.76	78.70 / 79.50	201 / 205	87	164.00
12.96 / 13.40	36.00 / 36.80	65 / 66	40	60.00	38.77 / 39.32	79.60 / 80.40	206 / 209	88	167.20
13.41 / 13.84	36.90 / 37.70	67 / 68	41	61.50	39.33 / 40.00	80.50 / 81.30	210 / 214	89	171.20
13.85 / 14.28	37.80 / 38.60	69 / 70	42	63.00	40.01 / 40.68	81.40 / 82.20	215 / 218	90	174.40
14.29 / 14.75	38.70 / 39.50	71 / 71	43	64.50	40.69 / 41.44	82.30 / 83.10	219 / 223	91	178.40
14.76 / 15.24	39.60 / 40.40	72 / 73	44	66.00	41.45 / 42.00	83.20 / 84.00	224 / 227	92	181.60
15.25 / 15.76	40.50 / 41.30	74 / 75	45	67.70	42.01 / 42.68	84.10 / 85.00	228 / 232	93	185.60
15.77 / 16.32	41.40 / 42.20	76 / 76	46	69.00	42.69 / 43.56	85.10 / 85.90	233 / 237	94	188.60
16.33 / 16.93	42.30 / 43.10	77 / 78	47	70.70	43.57 / 44.12	86.00 / 86.80	238 / 241	95	192.80
16.94 / 17.60	43.20 / 44.00	79 / 80	48	72.00	44.13 / 44.78	86.90 / 87.70	242 / 246	96	196.80
17.61 / 18.40	44.10 / 45.00	81 / 81	49	73.50	44.79 / 45.60	87.80 / 88.60	247 / 250	97	200.00
18.41 / 19.15	45.10 / 45.90	82 / 83	50	75.00		88.70 / 89.50	251 / 255	98	204.00
19.16 / 19.84	46.00 / 46.80	84 / 85	51	76.50		89.60 / 90.40	256 / 259	99	207.20
19.85 / 20.44	46.90 / 47.70	86 / 86	52	78.00		90.50 / 91.30	260 / 264	100	211.20
20.45 / 21.04	47.80 / 48.60	87 / 88	53	79.50		91.40 / 92.20	265 / 268	101	214.40
21.05 / 21.59	48.70 / 49.50	89 / 90	54	81.00		92.30 / 93.10	269 / 273	102	218.40
21.60 / 22.05	49.60 / 50.40	91 / 91	55	82.50		93.20 / 94.00	274 / 277	103	221.60
22.06 / 22.45	50.50 / 51.30	92 / 93	56	84.00		94.10 / 95.00	278 / 282	104	225.60
22.46 / 22.85	51.40 / 52.20	94 / 94	57	85.50		95.10 / 95.90	283 / 287	105	229.60
22.86 / 23.21	52.30 / 53.10	95 / 96	58	87.00		96.00 / 96.80	288 / 291	106	232.80
23.22 / 23.56	53.20 / 54.00	97 / 98	59	88.50		96.90 / 97.70	292 / 296	107	236.80
23.57 / 23.96	54.10 / 55.00	99 / 100	60	90.00		97.80 / 98.60	297 / 300	108	240.00
23.97 / 24.36	55.10 / 55.90	101 / 101	61	91.50		98.70 / 99.40	301 / 305	109	244.00
24.37 / 24.76	56.00 / 56.80	102 / 103	62	93.00		99.60 / 100.40	306 / 309	110	247.20
24.77 / 25.16	56.90 / 57.70	104 / 104	63	94.50		100.50 / 101.30	310 / 314	111	251.20
25.17 / 25.60	57.80 / 58.60	105 / 106	64	96.00		101.40 / 102.20	315 / 318	112	254.40
25.61 / 26.04	58.70 / 59.50	107 / 108	65	97.50		102.30 / 103.10	319 / 323	113	258.40
26.05 / 26.52	59.60 / 60.40	109 / 109	66	99.00		103.20 / 104.00	324 / 327	114	260.00
26.53 / 27.00	60.50 / 61.30	110 / 114	67	100.50		104.10 / 105.00	328 / 332	115	260.00
27.01 / 27.52	61.40 / 62.20	115 / 118	68	102.00		105.10 / 105.90	333 / 337	116	260.00
27.53 / 28.08	62.30 / 63.10	119 / 123	69	103.50		106.00 / 106.80	338 / 341	117	260.00
28.09 / 28.68	63.20 / 64.00	124 / 127	70	105.00		106.90 / 107.70	342 / 346	118	260.00
28.69 / 29.25	64.10 / 65.00	128 / 132	71	106.50		107.80 / 108.50	347 / 350	119	260.00
29.26 / 29.84	65.10 / 65.90	133 / 137	72	109.60			351 / 355	120	260.00
29.85 / 30.36	66.00 / 66.80	138 / 141	73	112.80			356 / 359	121	260.00
30.37 / 30.92	66.90 / 67.70	142 / 146	74	116.80			360 / 364	122	260.00
30.93 / 31.36	67.80 / 68.60	147 / 150	75	120.00			365 / 368	123	260.00
31.37 / 32.00	68.70 / 69.50	151 / 155	76	124.00			369 / 373	124	260.00
32.01 / 32.60	69.60 / 70.40	156 / 159	77	127.20			374 / 377	125	260.00
32.61 / 33.20	70.50 / 71.30	160 / 164	78	131.20			378 / 382	126	260.00
33.21 / 33.70	71.40 / 72.20	165 / 168	79	134.40			383 / 387	127	260.00
33.71 / 34.40	72.30 / 73.10	169 / 173	80	138.40			388 / 391	128	260.00
34.41 / 35.00	73.20 / 74.00	174 / 177	81	141.60			392 / 396	129	260.00
							397 / 400	130	260.00"

On page 13, line 13, strike out "is not less than $68" and insert in lieu thereof "is $70, then such total of benefits shall not be reduced to less than $108.90, or such primary insurance amount is so determined and is not less than $71."

Mr. YARBOROUGH. Mr. President, those opposing the 10-percent increase say that sometimes the people drawing social-security benefits have other income, and therefore do not need this additional money, and that they are well off. Let us look at the facts.

For many millions of Americans, social security is the only retirement income they receive.

A study was conducted for the House of Representatives last December by the Department of Health, Education, and Welfare, to determine the number of people on social security who received additional income, and how much they received. This is what the study showed:

Aside from social-security benefits, 1 out of every 5 retired couples, more than 1 out of every 4 single workers, and more than 1 out of every 3 aged widows who received any additional money income, had less than $75 in additional income a year. That is not $75 a month, but less than $75 an additional income a year. That income came from different sources.

One-fourth of the couples and aged widows and one-third of the retired single workers received all their income from old-age pensions. Because social-security benefits were so low, it took the old-age pension to make it possible for them to get perhaps a loaf of bread, and perhaps a bottle of milk—but generally beans and potatoes—because on $2 a day, or less, when people get old they cannot afford very much more, particularly because their medical costs increase.

Medicines which one could buy 25 years ago for perhaps 75 cents at the local drugstore, on a prescription, now cost $2 or $3, and sometimes even $4 or $5.

I have talked to the owners of small corner drugstores in the towns in my State, and they have said that higher old-age pensions and higher old-age security benefits, which I am advocating, are one of the most needed things in this country.

I have had the owners of small drugstores in the towns of my State tell me, with tears in their eyes, that old people come into their drugstores and ask for credit in order to buy some drugs. These drugstore owners have told me that they have given these old people all the credit they can under their own credit structure with their banks. They

are unable to extend any more credit to these old people. They are being asked to extend this additional credit so that the old people can get the medicines they so badly need. I have been told by such drugstore owners that they would be glad to extend them more credit, but are unable to do so. Medicine is one item we ought to consider as one reason for higher payments.

We must remember that with the average retired worker drawing social security of $64.50, if we were to increase that amount by 7 percent, we would increase it by the payment about $4.

If we were to increase it by 10 percent, we would be paying $6.45 a month more. That is not a large sum of money. It is enough, probably, for 1 more bottle of medicine, and perhaps for another loaf of bread every 3 or 4 days. Not an additional loaf of bread every day, but every 3 or 4 days, if we add a bottle of needed medicine.

That is the only increase I am asking for. It is too little, yes; it is not enough. However, I am asking only for what seems to be within grasp of the attainable. I cannot understand how a reasonable man could vote against such an amendment, particularly when we remember that it would not raise the payroll tax. That is already raised one-fourth of 1 percent by the House bill and by the bill recommended by the committee.

The purpose of that raise was to take care of the 7-percent increase which was voted. It was also said to be for the purpose of making the social-security fund actuarially sound. It is said by some statisticians that the social-security fund is actuarially unsound and that there is a deficit in it of some $400 million. Therefore, the increase in taxes voted was not merely to cover the 7-percent increase in the payments, but also to make it actuarially sound.

The increase in the tax would put into the fund, in addition to paying for the 7-percent increase, $42½ million excess a year.

This $42½ million additional which would be collected under taxes under the bill as passed by the House and under the bill as reported by the Senate committee, would be cut down somewhat if we raised the social security payments by 10 percent, instead of by the 7 percent, as recommended by the committee. However, there would still be, from the increase in the payroll taxes, an excess of $17½ million a year more in taxes collected than the amount of the increase in payments.

With the $17½ million more a year in taxes already voted in the House bill and recommended by the Senate committee over the amount the 10 percent would cost, it would mean wiping out the actuarial deficit in the course of years. That is why no additional tax is required by my amendment. The additional tax has already been voted by the House and has already been recommended by the committee.

The only difference would be that under my amendment—now cosponsored by the Senator from Oregon [Mr. NEUBERGER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oregon [Mr. MORSE], and the Senator from South Carolina [Mr. JOHNSTON]—would take a larger share of the tax money which is already being raised and would put it in the payments, and would put a smaller share in the actuarial fund. It would not involve deficit financing. It would not add to the $12⅕ billion deficit to which reference has been made on the floor of the Senate tonight. It would not cause a tax increase, because that has already been voted in the House bill. It would result in a different split of the money raised by the taxes. My amendment would give these starving people some income now, whereas the committee reported bill would put a larger share into the fund, so that there would be $163 billion in it in the year 2000.

These elderly people will all be dead and buried by the year 2000. I say let us give a share of it now to humanity. Let us give it now to people so that they can buy bread and medicine and live and breathe and let the good air blow over their bodies, and let them see the bright sunshine; and not let disease and lack of food break down their bodies. Any doctor will say that a starving body affects the mind. It is no wonder that so many of the older people should be afflicted with mental illness.

It is a fact that physical illness and undernourishment breaks down the vitality and the resistance of the body. Medical science has proved that to be a fact. Medical science has added to the problem. It has lengthened the life of man, but it has not lengthened his vitality along with it.

I am glad the distinguished Senator from Minnesota [Mr. HUMPHREY] mentioned the children. In generations gone by, the care of the old was not such a great burden on the children as it is today. We lived in an agrarian economy. The grandfathers and the grandmothers fitted into that economy. They lived on the farm. They helped to milk the cows and to tend the calves and the hogs, while the more vigorous younger and middle-aged members of the family did the hard physical labor on the farm. That day has gone in America. It has gone forever. Even farming has become mechanized, requiring able-bodied workmen. There is no place in the present farm economy for the old people. They have no work to do. They no longer fit into that society. It is not because the children are heartless. Through the efforts of medical science many more people are now living beyond the age of 65. The number was much smaller a half century ago. The older people constitute a great number today. The present economy does not support them by their labor, as it once did in a hand-labor economy.

We have become an urban people in one generation. In one generation we have changed to the point where only about 12 percent of our people live on farms and ranches. In a congested metropolitan area, a young couple trying to start life together and raise a family, do not have, in 95 percent of the cases, enough money to care for the bed cases of grandparents. Therefore, under our society, as the Senator from Minnesota [Mr. HUMPHREY] has said, the passage of the Social Security Act back in the mid-1930's was one of the greatest advances made by this Government in its domestic establishment and in its domestic policy that it had ever made.

The amendment I have offered is an act of justice. It is an act of humanity. It is an act of actuarial soundness. It is good fiscal policy, because the payments made will stay at home. This money will not be put in a sock. It will help business recovery, because these people, living on such narrow margins, 99 times out of 100 spend every last cent of it, generally on credit, before it is obtained. It goes into the channels of trade.

Mr. President, I yield the floor.

THE LABOR REFORM BILL

Mr. KENNEDY. Mr. President, I have in recent weeks invited attention to the fact that the leadership of some business organizations has made intemperate and unjustified attacks on the labor reform bill recently passed by this body. I have always felt that these expressions were not an accurate reflection of the views of individual members of the business community. Today, I wish to have printed in the RECORD, and ask unanimous consent to do so, a petition from a large and highly respected group of businessmen—the New York Board of Trade—which bears out my belief in this regard.

The board of trade recognizes that this bill in the words of its petition, "is a major stride in the direction of labor reform." Clearly this group of businessmen has calmly and dispassionately assessed this bill and has found it worthy of strong support. Their willingness to make such an assessment is worthy of strong commendation.

There being no objection, the letter and petition were ordered to be printed in the RECORD, as follows:

NEW YORK BOARD OF TRADE, INC.,
New York, N. Y., August 7, 1958.

Hon. JOHN F. KENNEDY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KENNEDY: Enclosed please find copy of wired petition to Speaker SAM RAYBURN and Hon. GRAHAM A. BARDEN, chairman, House Education and Labor Committee, petitioning for the enactment of the above bill before the Congress adjourns.

This bill would make unlawful certain nefarious practices disclosed at Congressional hearings and engaged in by both labor and management.

Government should perform this essential service of establishing the rules of conduct under which representatives of labor and management must abide.

We respectfully petition you to give this matter your thoughtful attention and lend your best efforts toward enactment during the present session.

I have the honor to remain,
Respectfully yours,
ASHBY E. BLADEN, *President.*

AUGUST 6, 1958.

Hon. GRAHAM A. BARDEN,
Chairman, Committee on Education and Labor, House Office Building, Washington, D. C.

Hon. SAM RAYBURN,
Speaker of the House, House Office Building, Washington, D. C.:

Respectfully petition enactment of Kennedy-Ives labor reform bill before Congress adjourns. Though this bill does not amend the Taft-Hartley law to meet desires of advocates of thorough reform, nevertheless it is a major stride in that direction. Enactment would demonstrate determination to outlaw nefarious practices disclosed at Congressional hearings. Our economy, our national standard of conduct, and our moral reputation throughout the world will suffer if Congressional inaction seems to condone publicly the practices that so profoundly shocked American sense of decency and fair play.

ASHBY E. BLADEN,
President, New York Board of Trade, Inc.

SENATOR MANSFIELD—DELEGATE TO THE UNITED NATIONS

Mr. HUMPHREY. Mr. President, as we near the adjournment of Congress, I want to take this opportunity to pay tribute to one of the hardest working and most effective Members of this body, the distinguished junior Senator from Montana [Mr. MANSFIELD].

As assistant majority leader, he has exercised his duties as whip with unfailing good humor and rare effectiveness. His imprint is on much of the legislation which is a part of the constructive record of this Congress. Senator MANSFIELD'S diligent work in behalf of parity for agriculture, full employment for labor, prosperity for industry, protection and development of our mines, forests, rivers, and great natural resources has earned for him the respect, admiration, and confidence of his colleagues and the people of Montana.

Equally important, however, has been his conscientious and devoted work as a member of the Senate Foreign Relations Committee. I have sat with him in that committee through long hours of hearings and of committee debate as we were considering legislation to report to the Senate. He has brought to our discussions of foreign policy, both in the committee and in the Senate, a keen understanding of the problems we face and creative, helpful suggestions as to how to meet those problems.

There are many people who think they are experts on foreign policy, Mr. President, but the Senator from Montana is one of the few people who really qualifies for that honor. He has traveled widely and thought deeply, and we are all in his debt for his wise counsel and cogent analyses.

I am particularly pleased that the President has seen fit to avail himself of these talents by appointing the Senator a delegate to the forthcoming regular session of the United Nations General Assembly which will meet in New York beginning next month. This will undoubtedly be one of the most momentous sessions the Assembly has ever held, and the American people can count themselves fortunate that their delegation will include men of the caliber of the Senator from Montana.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ADDITIONAL REPORTS OF A COMMITTEE

The following additional reports of a committee were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H. R. 1829. An act for the relief of the estate of Mrs. Frank C. Gregg (Rept. No. 2417); and

H. R. 6175. An act for the relief of Virginia Hell (Rept. No. 2418).

MISBRANDING AND FALSE ADVERTISING OF FIBER CONTENT OF TEXTILE FIBER PRODUCTS—AMENDMENTS

Mr. GOLDWATER submitted amendments, intended to be proposed by him, to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, which were ordered to lie on the table, and to be printed.

CONSOLIDATION OF LAWS ADMINISTERED BY VETERANS' ADMINISTRATION—AMENDMENTS

Mr. HUMPHREY submitted amendments, intended to be proposed by him, to the bill (H. R. 9700) to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes, which were ordered to lie on the table, and to be printed.

INCREASE OF BENEFITS UNDER FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE SYSTEM—AMENDMENTS

Mr. LONG submitted amendments, intended to be proposed by him, to the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes, which were ordered to lie on the table, and to be printed.

Mr. HUMPHREY submitted amendments, intended to be proposed by him, to House bill 13549, supra, which were ordered to lie on the table, and to be printed.

Mr. PURTELL submitted an amendment, intended to be proposed by him to House bill 13549, supra, which was ordered to lie on the table, and to be printed.

Mr. YARBOROUGH (for himself, Mr. HUMPHREY, Mr. NEUBERGER, Mr. MORSE, and Mr. JOHNSTON of South Carolina) submitted amendments, intended to be proposed by them, to House bill 13549, supra, which were ordered to lie on the table, and to be printed.

Mr. DOUGLAS submitted an amendment, intended to be proposed by him to House bill 13549, supra, which was ordered to lie on the table and to be printed.

ADJOURNMENT UNTIL 10 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 50 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Saturday, August 16, 1958, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 15 (legislative day of August 14), 1958:

The following-named officers for promotion in the Regular Air Force under the provisions of section 8293, title 10, United States Code. All officers are subject to physical examination required by law:

UNITED STATES AIR FORCE

Second lieutenant to first lieutenant, line of the Air Force

Moring, Eugene E., Jr., 47813A.
Evans, Harold R., 47811A.
Taylor, Billie J., 47824A.
Russell, Jerry W., 47827A.
McNally, Ray F., 47823A.
Fullam, Wayne E., 47819A.
Hart, Richard L., 47820A.
Baird, Robert V., 47807A.
Henrie, Gordon C., 47825A.
Jameson, Harold L., 47810A.
Booker, Hillard C., 47809A.
Rawlinson, Neil C., 47828A.
Johnston, Richard L., 47830A.
Parker, Norman M., 47832A.
Craver, Ivey D., 47831A.
Kovacich, Vincent J., 47835A.
Tindall, Richard D., 47840A.
Herndon, Thomas C., 47842A.
Hildreth, Richard L., 47860A.
Webb, Leonard W., 48000A.
Tardif, Charles H., 47855A.
Foxe, George E., Jr., 47859A.
Underwood, Harold W., 47857A.
Kastella, Kenneth G., 47850A.
Johnson, Edward V., Jr., 47844A.
Wiggins, Larry D., 47856A.
Treanor, Forrest L., Jr., 47861A.
Hegwer, Frank A., 31843A.
Farmer, Grover C., 47863A.
Devens, Allyn M., 47862A.
Thomas, George E., 47868A.
Holland, Darrell T., 47864A.
Macomber, Edward M., 47866A.
Jamesen, Roy W., 47865A.
VonKleist, Robert V., 47872A.
Leonard, Dan W., 47875A.
Weisbeck, Edward N., 47881A.
Wright, James R., 47886A.
Dickson, Paul W., Jr., 47888A.
Harmon, John F., 47889A.
Cannon, Jerald D., 47892A.
Leiby, Richard G., 47890A.
Thomas, Lloyd H., 47896A.

Hofmann, Frederick L., 47898A.
Doherty, Charles J., 47900A.
Julian, Robert E., 47903A.
Hughes, Eynon, 47905A.
Murray, James R., 47906A.
Plutt, Phillip E., 47907A.
Walker, Norman B., 47912A.
Wood, Floyd D., 47918A.
Hendrick, Alton J., 47909A.
Threatt, Thomas V., 47917A.
Blackman, Gordon, 47914A.
Ditz, James P., 47908A.
Capaldo, Roy P., 47922A.
Banks, James E., 47928A.
Wilson, Richard D., 47931A.
Williams, Earle D., Jr., 47933A.
Miller, Harlan S., Jr., 47939A.
Verch, Kenneth W., 47936A.
Day, Bobby G., 47949A.
Wilson, Melvin C., 47952A.
Shields, Don R., 47942A.
Zeeck, Richard C., 47951A.
Henderson, Hubert, M., 47948A.
Huskin, Frank P., Jr., 47954A.
Newton, Frank A., 47955A.
Kressin, Wolfgang K., 47956A.
Woods, Billy, Jr., 47970A.
McConathy, Jack, Jr., 47967A.
Kittle, Lane L., 47966A.
Singleton, Elmer R., 47968A.
Meyers, Ronald J., 47958A.
Moore, Frederick M., 47960A.
Blake, Thomas C., Jr., 47976A.
Yoshida, Yoshitaka, 47975A.
Mackin, Paul C., 47991A.
Driscoll, John J., 47980A.
Snyder, Benjamin C., 47982A.
Rhodes, Harold B., 47993A.
Mussman, Arthur C., 47996A.
Hickman, Elmer J., 47986A.
Smith, Lester S., 47998A.
Ewing, Stanley E., 47992A.
Bents, Richard, 47994A.
Cummings, John P., 48003A.
Elliott, Joseph, 48011A.
James, Charles L., Jr., 48006A.
Murf, John D., 48008A.
Roberts, Lionel W., 48009A.
Thompson, James E., 48014A.
Tuttle, George G., 48017A.
Dutton, Richard K., 31888A.
Goets, Muriel A., 48023W.
Smuck, Barre E., 48029A.
Leavitt, Alfred G., 48026A.
Fournier, Joseph D. L., 48021A.
Duff, Howard J., 48020A.
Johnston, Bruce J., 48025A.
Offen, Curt R., 48030A.
Plumb, Randall L., 48034A.
Miller, James I., Jr., 48032A.
Hunsuck, John D., 48036A.
Meiners, Paul A., 48035A.
Wise, Harold, Jr., 48037A.
Reese, Clyde H., 48042A.
Gabby, Harold H., 48045A.
Jones, John G., 48040A.
Millhaem, Robert N., 48044A.
Thomas, Timothy L., 48041A.
Mallet, William M., 48043A.
Steinke, David G., 48060A.
Ehmke, Charles A., 48054A.
Garner, Mark S., Jr., 31899A.
Wilmer, Joseph A., 48057A.
Leaphart, John L., 48064A.
Bowyer, Neal F., 48072A.
Utley, Russel K., 48078A.
Stephen, John G., 48070A.
VonWolffadt, Gustav S., 48079A.
Milburn, Richard A., 48073A.
Rea, Chalmers P., 48080A.
Hughes, Jerome E., 48085A.
McNamara, Donald P., 48087A.
Henriques, David R., 48096A.
Dans, Raymond A., 48095A.
Bauman, Edward J., 48101A.
Ferguson, Arthur E., 48102A.
Turner, Richard D., 48106A.
Koch, William C., Jr., 48110A.
Silva, Robert M., 48115A.
Leal, Richard E., 48113A.
Throckmorton, Alwyn A., Jr., 48119A.
Dennis, Robert C., 48125A.
Swarts, Frederick F., 48122A.
Krutsinger, Edwin H., 48127A.
Detering, Victor D., 48133A.
Jordan, Ralph M., Jr., 48736A.
McClure, Clifton M., 48140A.
Till, John F., 3d, 48146A.
Geer, Richard L., 48150A.
Beckman, Rodney B., 48152A.
O'Toole, Patrick J., 48157A.
Nunley, Bobby J., 48156A.
Reynolds, William R., 48172A.
Moure, Reinardo P., 48159A.
Falls, Clyde L., Jr., 48170A.
Lee, Thomas H., 48165A.
Hall, Jack R., 48160A.
Roberts, Linwood, 48163A.
Lanan, Kenneth F., 48164A.
Cloutier, Leo C., 48161A.
Bill, Charles G., 48174A.
Reding, John J., 48178A.
Fink, Richard B., 48179A.
Richards, Frank D., 48183A.
Tyler, William L., 48184A.
Joern, John G., 48187A.

MEDICAL SERVICE CORPS

Smith, Billy S., 49096A.
Kingsley, Willard E., 49094A.
Parrish, Dale W., 49095A.
O'Connor, James P., 49097A.
Wells, Darius L., 49098A.
Lyon, Byrd K., 49100A.
Ott, Richard N., 49101A.
Manfield, William P., Jr., 49103A.
Huntress, Dan W., 49102A.
Hancock, James A., Jr., 49104A.
Cravey, Robert H., 49105A.
Hammer, Stanley G., 49106A.
Noe, Edward R., 49107A.

NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate, August 15 (legislative day of August 14), 1958:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

T. Keith Glennan, of Ohio, to be Administrator of the National Aeronautics and Space Administration.

Hugh L. Dryden, of Maryland, to be Deputy Administrator of the National Aeronautics and Space Administration.

COMPTROLLER OF CUSTOMS

Mrs. Lorene W. Bowlus, of Maryland, to be comptroller of customs, with headquarters at Baltimore, Md.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 15, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Psalm 91: 15: *He shall call upon me, and I will answer him; I will be with him in trouble; I will deliver him, and honor him.*

Eternal God, our Father, we worship and wait upon Thee for Thou art our help in the labors and our hope in the longings of each new day.

We rejoice that daily Thy spirit of truth and righteousness is seeking to make its way into the minds and hearts of men to touch them to finer and nobler issues.

May Thy love be our strength and inspiration as we give ourselves to the arduous task of building a better world.

Grant that regardless of misgivings and disappointments we may continue to believe with increasing tenacity of faith that a day is dawning when peace and good will shall be established on earth.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 1168. An act to clarify the application of section 507 of the Classification Act of 1949 with respect to the preservation of the rates of basic compensation of certain officers or employees in cases involving downgrading actions;

H. R. 1329. An act for the relief of Massman-Patti-Tanner and Mitchell;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 2062. An act for the relief of John F. Smith;

H. R. 2338. An act for the relief of the Security Feed & Seed Co.;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 5865. An act to amend section 80 of the Hawaiian Organic Act, and for other purposes;

H. R. 6382. An act to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended;

H. R. 6448. An act for the relief of Cathryn A. Glesener;

H. R. 6589. An act for the relief of Elizabeth C. Garner and Charles P. Garner;

H. R. 6773. An act for the relief of Bonifacio Santos;

H. R. 6788. An act to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original papers and to make uniform the law relating to the record on review or enforcement of such orders, and for other purposes;

H. R. 7198. An act for the relief of Col. Russell King Alspach;

H. R. 7738. An act for the relief of the State of New York;

H. R. 7746. An act for the relief of Elmer L. Conrad and others;

H. R. 7779. An act to authorize free transit at the Panama Canal for vessels operated by State nautical schools;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservation, Mich.;

H. R. 8407. An act for the relief of Mrs. Margaret N. Meister;

H. R. 8732. An act for the relief of Ella H. Natafalusy;

H. R. 8905. An act for the relief of Hubert D. Thatcher, Robert R. Redston, Andrew E. Johnson, William L. Barber, Alex Kamkoff, and William S. Denisewich;

H. R. 9160. An act for the relief of Genoveva Rioseco Caswell;

H. R. 9180. An act for the relief of Mr. and Mrs. John R. Hadnot;

H. R. 9197. An act for the relief of Mrs. Sumpter Smith;

H. R. 9445. An act to amend the Hawaiian Organic Act, and to approve amendments of

the Hawaiian land laws, with respect to leases and other dispositions of land;

H. R. 9627. An act to authorize the Secretary of the Interior to convey certain lands in Alaska to the city of Ketchikan, Alaska;

H. R. 9721. An act to amend section 1482 of title 10 of the United States Code to provide for the payment of transportation expenses of certain survivors of deceased servicemen to attend group burials in national cemeteries;

H. R. 9740. An act to convey certain land to the Makah Tribe of Indians;

H. R. 9765. An act for the relief of Mr. Marion S. Symms;

H. R. 9783. An act for the relief of Mrs. Henry Oscar (Olga McCurdy) Ramsey;

H. R. 9851. An act for the relief of Tsuyako Ikeda;

H. R. 9993. An act for the relief of Miss Mary M. Browne;

H. R. 10045. An act to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.;

H. R. 10173. An act to provide for the transfer of title to certain land at Sand Island, Territory of Hawaii, to the Territory of Hawaii, and for other purposes;

H. R. 10515. An act for the relief of Harley D. Rucker;

H. R. 11236. An act for the relief of Arthur G. Williams;

H. R. 12204. An act for the relief of Peter A. Beklemishev, Michael Linden, and Serge Oulassuk;

H. R. 12217. An act to amend paragraph (2) of subdivision (c) of section 77 of the Bankruptcy Act, as amended;

H. R. 12256. An act for the relief of Alphonse E. Jakubauskas;

H. R. 12364. An act for the relief of Mrs. Viola Barksdale;

H. R. 12624. An act for the relief of Palmer-Bee Co.;

H. R. 12942. An act for the relief of Walter H. Berry;

H. R. 12967. An act to amend the Fair Labor Standards Act of 1938 with respect to the frequency of review of minimum wage rates established for Puerto Rico and the Virgin Islands;

H. R. 13151. An act for the relief of Everett A. Ross;

H. R. 13170. An act to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy;

H. R. 13404. An act to amend section 404 (c) (1) of the Postal Field Service Compensation Act of 1955 to grant longevity credit for service performed in the Panama Canal Zone postal service; and

H. J. Res. 652. Joint resolution to facilitate the admission into the United States of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and joint resolutions of the House of the following titles:

H. R. 1633. An act for the relief of Jane Froman and Gypsy Markoff;

H. R. 3368. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H. R. 5351. An act for the relief of Harlee M. Hansley;

H. R. 8090. An act to set aside certain lands in Oklahoma for the Cheyenne and Arapaho Indians;

H. R. 7450. An act to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7866. An act to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals;

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 8868. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957;

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957;

H. R. 9673. An act to amend title 10, United States Code, to provide the conditions under which retired pay may be paid in the case of retired officers dropped from the rolls, and for other purposes;

H. R. 9932. An act to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 10419. An act for the relief of North Counties Hydro-Electric Co.;

H. R. 10495. An act to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city;

H. R. 11125. To provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla.;

H. R. 12226. An act to amend the Virgin Island Corporation Act (63 Stat. 350), and for other purposes;

H. R. 12303. An act to amend the Revised Organic Act of the Virgin Islands;

H. R. 12894. An act to authorize the making, amendment, and modification of contracts to facilitate the national defense;

H. R. 13550. An act to amend the War Orphans' Educational Assistance Act of 1956 to authorize the enrollment of a handicapped eligible person in a specialized course of vocational training;

H. J. Res. 635. Joint resolution for the relief of certain aliens;

H. J. Res. 653. Joint resolution for the relief of certain aliens;

H. J. Res. 659. Joint resolution for the relief of certain aliens; and

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13439. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. STENNIS, Mr. BYRD, Mr. SALTONSTALL, Mr. BRIDGES, Mr. YOUNG, Mr. KNOWLAND, and Mr. THYE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following titles:

S. 166. An act to amend the laws granting education and training benefits to certain veterans so as to extend, with respect to certain individuals, the period during which such benefits may be offered.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 2728. An act to amend the act entitled "An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950;

S. 3224. An act to improve opportunities for small business concerns to obtain a fair proportion of Government purchases and contracts, to facilitate procurement of property and services by the Government, and for other purposes;

S. 3028. An act for the relief of Laszlo Cseri;

S. 3727. An act to amend the Public Health Service Act, as amended, so as to clarify the functions and responsibilities of the Surgeon General with respect to international health activities, to encourage and facilitate international cooperation in the conquest of disease and the promotion of health, and for other purposes;

S. 3814. An act for the relief of Dorothy Margarethe Hadjisky;

S. 3950. An act for the relief of Maria Micell;

S. 3966. An act to amend Public Law 85-422;

S. 3970. An act to facilitate the acquisition of real property under the District of Columbia Alley Dwelling Act;

S. 4031. An act to amend section 223 of the Veterans' Readjustment Assistance Act of 1952, as amended, relating to change of educational or training program by an eligible veteran;

S. 4061. An act for the relief of Francesco Riso;

S. 4068. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution;

S. 4232. An act to amend title V of the Agricultural Act of 1949, as amended; and

S. 4249. An act to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose.

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate to a bill of the House of the following title:

H. R. 9430. An act to amend the Veterans' Benefits Act of 1957 to provide that an aid and attendance allowance of $200 per month shall be paid to certain paraplegic veterans during periods in which they are not hospitalized at Government expense.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R.

6239) entitled "An act to amend sections 1461 and 1462 of title 18 of the United States Code."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13455) entitled "An act to amend the Atomic Energy Act of 1954, as amended."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3051) entitled "An act to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for Federal or private acquisition of the part of the tribal forest that must be sold, and for other purposes."

The message further announced that the Senator from Kentucky [Mr. MORTON] was appointed a conferee on the bill (H. R. 7785) entitled "An act to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia" in place of Mr. JAVITS, excused.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 683 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the investigation authorized by House Resolution 656, 85th Congress, incurred by the Special Committee To Investigate Campaign Expenditures, 1958, acting as a whole or by subcommittee, not to exceed $30,000, including expenditures for employment of experts, special counsel, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by said committee, signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia if not otherwise engaged.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MILITARY CONSTRUCTION FOR THE DEPARTMENT OF DEFENSE

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13489) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes, with Senate amendments thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none and appoints the following conferees: Messrs. SHEPPARD, SIKES, WHITTEN, CANNON, JONAS, LAIRD, and TABER.

WAR ORPHANS' EDUCATIONAL ASSISTANCE ACT OF 1956

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 13559) to amend the War Orphans' Educational Assistance Act of 1956 to authorize the enrollment of a handicapped eligible person in a specialized course of vocational training, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 4, insert:

"(1) Redesignating clauses (2) and (3) of subsection (a) of section 203 of such act as clauses (3) and (4), respectively; and by inserting after clause (1) a new clause (2) as follows:

"'(2) If he has a mental or physical handicap, and the Administrator determines that his best interests will be served by pursuing a program of special restorative training under title IV, or a specialized course of vocational training under title III, such period may begin before his 18th birthday, but not before his 14th birthday.'"

Page 1, line 5, strike out "(1)" and insert "(2)."

Page 2, line 1, strike out "(2)" and insert "(3)."

Amend the title so as to read: "An act to amend the War Orphans' Educational Assistance Act of 1956 to permit the Administrator of Veterans' Affairs to make payments with respect to special restorative training, or specialized courses of vocational training, for younger persons than those with respect to whom the Administrator may now make such payments, and for other purposes."

Mr. DORN of South Carolina. Mr. Speaker, this legislation was requested by the Veterans' Administration. The Senate amendment reduces the age limitation from 18 to 14 for retarded children, and there is no objection from that agency. The bill generally provides Veterans' Administration authority for special training for retarded war orphans of veterans of World War I, II, and Korea. The total number expected to be in training the first year is approximately 100, with not more than 1,500 throughout the entire life of the program.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

JANE FROMAN

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1633) for the relief of Jane Froman and Gypsy Markoff, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert "That (a) the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Jane Froman, the sum of $23,403.58, (2) to Gypsy Markoff, the sum of $23,403.58, and (3) to Jean Rosen (formerly the widow of Roy Rognan), the sum of $24,625.30, such sums being the amount which they would have received under the compensatory provisions of the Federal Employees' Compensation Act if they had been Federal employees at the time of the accident hereinafter referred to in this section. The payment of such sum shall, except as otherwise provided in section 2 of this act, be in full satisfaction of all claims of the said Jane Froman, Gypsy Markoff, and Jean Rosen arising out of an accident which occurred on or about February 22, 1943, when the Pan American Airways seaplane "Yankee Clipper," on which they were traveling to entertain members of the Armed Forces of the United States, crashed in the Tague River in the Port of Lisbon, Portugal: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to, or received by, any agent or attorney on account of services rendered in connection with the claims referred to herein, and the same shall be unlawful, any contract to the contrary notwithstanding.

"(b) The amounts authorized by subsection (a) may be paid to the said Jane Froman, Gypsy Markoff, and Jean Rosen, respectively, without prejudice to their right to receive such additional amounts, if any, as the Court of Claims hereafter may report to the Congress, in accordance with the provisions of section 2 of this act, as being legally or equitably due such persons.

"SEC. 2. The claims referred to in the first section of this act, together with any papers, documents, or other information pertaining to such claims which are in possession of any committee of Congress, may be referred by the chairman thereof to the Court of Claims; and the court shall proceed with the same in accordance with the applicable provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Committee on the Judiciary of the Senate and to the Committee on the Judiciary of the House of Representatives, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts over and above the amounts paid pursuant to the first section of this act, if any, legally or equitably due from the United States to any such claimants. In considering any claim pursuant to this section, the Court of Claims shall give consideration to any questions of law or fact which may be stated in letters transmitted to the court by the chairman of the Committee on the Judiciary of the Senate and the chairman of the Committee on the Judiciary of the House of Representatives within 90 days after the date of the enactment of this act."

Amend the title so as to read: "An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this in addition to the settlement previously conferred?

Mr. LANE. No; this cuts the settlement down from what was previously voted by the House.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COURT OF CUSTOMS AND PATENT APPEALS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7866) to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, strike out all after line 7 over to and including line 18 on page 6 and insert:

"(b) Any judge of the United States who has retired from regular active service under section 371 (b) or 372 (a) of this title shall be known and designated as a senior judge and may continue to perform such judicial duties as he is willing and able to undertake, when designated and assigned as provided in subsections (c) and (d).

"(c) Any retired circuit or district judge may be designated and assigned by the chief judge or judicial council of his circuit to perform such judicial duties within the circuit as he is willing and able to undertake. Any other retired judge of the United States may be designated and assigned by the chief judge of his court to perform such judicial duties in such court as he is willing and able to undertake.

"(d) The Chief Justice of the United States shall maintain a roster of retired judges of the United States who are willing and able to undertake special judicial duties from time to time outside their own circuit, in case of a retired circuit or district judge, or in a court other than their own, in the case of other retired judges, which roster shall be known as the roster of senior judges. Any such retired judge of the United States may be designated and assigned by the Chief Justice to perform such judicial duties as he is willing and able to undertake in a court outside his own circuit, in the case of a retired circuit or district judge, or in a court other than his own, in the case of any other retired judge of the United States. Such designation and assignment to a court of appeals or district court shall be made upon the presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises and to any other court of the United States upon the presentation of a certificate of necessity by the chief judge of such court. No such designation or assignment shall be made to the Supreme Court."

Page 7, after line 5, insert:

"SEC. 7. Nothing contained in this act shall be construed in any way to limit or alter the jurisdiction heretofore conferred upon the United States Court of Customs and Patent Appeals by any provision of law."

Page 7, line 6, strike out "7" and insert "8."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CERTAIN EMPLOYEES OF THE AIR FORCE

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8134) for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, strike out lines 22 and 23 and lines 1, 2, and 3 on page 4, and insert:

"(c) The Secretary of the Air Force, out of appropriations available to the Department of the Air Force, is authorized and directed to pay to any person named in subsection (a) such sums as that person may have refunded to the United States in repayment for all or part of any overpayment made as a result of the error described in subsection (a)."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

THE NORTH COUNTIES HYDRO-ELECTRIC CO.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 10419) for the relief of North Counties Hydro-Electric Co., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 13, after "act", insert ": *Provided*, That the enactment of this act shall not be construed as an inference of liability on the part of the Government of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

REMOVAL OF LIMITATION ON CERTAIN CLAIMS

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8868) to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "1958" insert "and title II of the Department of Defense Appropriation Act, 1959."

Page 2, strike out lines 3 to 10, inclusive, and insert:

"SEC. 2. Payments made pursuant to the Department of Defense Appropriation Act, 1958, and the Department of Defense Appropriation Act, 1959, for death, personal injury, and property loss claims, shall not be subject to insurance subrogation claims in any respect. No payments made pursuant to such acts shall include any amount for reimbursement to any insurance company or compensation insurance fund for loss payments made by such company or fund.

"No part of any amounts awarded pursuant to the acts referred to in section 1 of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TECHNICAL AMENDMENTS ACT OF 1958

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2632)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 32, 70, 80, 82, 90, 96, 98, 99, 100, 103, 106, 107, 129, 130, 131, 211, 221, and 225.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, 11½, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 40, 41, 42, 43, 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 75, 76, 77, 78, 79, 84, 86, 87, 92, 93, 101, 102, 108, 116, 119, 120, 122, 123, 125, 126, 137, 138, 139, 140, 142, 144, 145, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 168, 173, 177, 183, 184, 186, 189, 198, 199, 200, 202, 204, 205, 207, 208, 209, 210, 214, 215, 217, 218, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: Strike out the matter proposed to be stricken out by the Senate amendment, omit the

matter proposed to be inserted by the Senate amendment, and on page 4, line 1, of the House engrossed bill, strike out "3" and insert "2"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with the following amendments: Restore the matter proposed to be stricken out by the Senate amendment; on page 5, line 5, of the House engrossed bill, strike out "4" and insert "3"; on page 5, line 14, of the House engrossed bill, strike out "beginning after December 31, 1956" and insert "ending after September 30, 1958, but only with respect to amounts received as a statutory subsistence allowance for any day after September 30, 1958"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: On page 9, of the Senate engrossed amendments, strike out the last three lines and all that follows down through line 13 on page 10; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "11"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "15"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "16"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: On page 18, line 12, of the Senate engrossed amendments, strike out "16" and insert "17"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "18"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: On page 22, line 2, of the Senate engrossed amendments, strike out "20" and insert "19"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with the following amendments: On page 23, line 2, of the Senate engrossed amendments, strike out "21" and insert "20"; page 27, line 4, of the Senate engrossed amendments, strike out "of the corporation"; page 27, line 5, of the Senate engrossed amendments, strike out "such assets" and insert "the assets of the corporation"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken by the Senate amendment; and on page 19, line 17, of the House engrossed bill, strike out "17" and insert "21"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: On page 45, line 2, of the Senate engrossed amendments strike out "practice," and all that follows down through the last line on such page and insert "practice."; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "30"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "31"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "32"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "33"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "34"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "35"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "36"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: On page 50, line 11, of the Senate engrossed amendments strike out "41" and insert "37"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "38"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "39"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "40"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "41"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with the following amendments: Restore the matter proposed to be stricken out by the Senate amendment; on page 48, line 6, of the House engrossed bill, strike out "37" and insert "42"; on page 48, line 15, of the House engrossed bill, strike out "1956" and insert "1957"; on page 49, line 14, of the House engrossed bill, strike out "1957" and insert "1958"; on page 50, line 5, of the House engrossed bill, strike out "1956" and insert "1957"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows: On page 93, line 9, of the Senate engrossed amendments strike out "48" and insert "43"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "44"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "45"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, as follows: On page 96, line 7, of the Senate engrossed amendments, strike out "51" and insert "46"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "47"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "48"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, as follows: On page 98, line 12, of the Senate engrossed amendments, strike out "54" and insert "49"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "50"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "51"; and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "52"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "53"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "54"; and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "55"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "56"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment, as follows: On page 101, 5th line from the bottom of the page, of the Senate engrossed amendments, strike out "62" and insert "57"; and the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with the following amendments: On page 105, line 1, of the Senate engrossed amendments, strike out "63" and insert "58"; on page 105 of the Senate engrossed amendments, strike out the last line and all that follows down through line 2 on page 106, and insert "the period in which such injuries were sustained by the taxpayer"; and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "59"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "60"; and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "61"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment, as follows: On page 109, fifth line from the bottom of the page, of the Senate engrossed amendments, strike out "67" and insert: "62"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "63. Revocation of"; and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment, as follows: On page 113, line 6, of the Senate engrossed amendments, strike out "69" and insert: "64"; and the Senate agree to the same.

Amendment numbered 164: That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "65"; and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "66"; and the Senate agree to the same.

Amendment numbered 166: That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "67"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "68"; and the Senate agree to the same.

Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "69"; and the Senate agree to the same.

Amendment numbered 170: That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "70"; and the Senate agree to the same.

Amendment numbered 171: That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "71"; and the Senate agree to the same.

Amendment numbered 172: That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "72"; and the Senate agree to the same.

Amendment numbered 174: That the House recede from its disagreement to the amendment of the Senate numbered 174, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "73"; and the Senate agree to the same.

Amendment numbered 175: That the House recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "74"; and the Senate agree to the same.

Amendment numbered 176: That the House recede from its disagreement to the amendment of the Senate numbered 176, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "75"; and the Senate agree to the same.

Amendment numbered 178: That the House recede from its disagreement to the amendment of the Senate numbered 178, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "76"; and the Senate agree to the same.

Amendment numbered 179: That the House recede from its disagreement to the amendment of the Senate numbered 179, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "77"; and the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "78"; and the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "79"; and the Senate agree to the same.

Amendment numbered 182: That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "80"; and the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "81"; and the Senate agree to the same.

Amendment numbered 187: That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "82"; and the Senate agree to the same.

Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "83"; and the Senate agree to the same.

Amendment numbered 190: That the House recede from its disagreement to the amendment of the Senate numbered 190, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "84"; and the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "83"; and the Senate agree to the same.

Amendment numbered 192: That the House recede from its disagreement to the amendment of the Senate numbered 192, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "85"; and the Senate agree to the same.

Amendment numbered 193: That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "86"; and the Senate agree to the same.

Amendment numbered 194: That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "87"; and the Senate agree to the same.

Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "88"; and the Senate agree to the same.

Amendment numbered 196: That the House recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "89"; and the Senate agree to the same.

Amendment numbered 197: That the House recede from its disagreement to the amendment of the Senate numbered 197, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "90"; and the Senate agree to the same.

Amendment numbered 201: That the House recede from its disagreement to the amendment of the Senate numbered 201, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "91"; and the Senate agree to the same.

Amendment numbered 203: That the House recede from its disagreement to the amendment of the Senate numbered 203, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "90"; and the Senate agree to the same.

Amendment numbered 206: That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "92"; and the Senate agree to the same.

Amendment numbered 212: That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment, as follows: On page 139, line 2, of the Senate engrossed amendments, strike out "99" and insert "93"; and the Senate agree to the same.

Amendment numbered 213: That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "94"; and the Senate agree to the same.

Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "95"; and the Senate agree to the same.

Amendment numbered 219: That the House recede from its disagreement to the amendment of the Senate numbered 219, and agree to the same with an amendment, as follows: On page 142, line 12, of the Senate engrossed amendments, strike out "102" and insert "96"; and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment, as follows: On page 143, line 10, of the Senate engrossed amendments, strike out "103" and insert "97"; and the Senate agree to the same.

Amendment numbered 222: That the House recede from its disagreement to the amendment of the Senate numbered 222, and agree to the same with an amendment, as follows: On page 145, line 2, of the Senate engrossed amendments, strike out "105" and insert "98"; and the Senate agree to the same.

Amendment numbered 223: That the House recede from its disagreement to the amendment of the Senate numbered 223, and agree to the same with an amendment, as follows: On page 145, the sixth line from the bottom of the page, of the Senate engrossed amendments, strike out "106" and insert "99"; and the Senate agree to the same.

Amendment numbered 224: That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment, as follows: On page 147, line 4, of the Senate engrossed amendments, strike out "107" and insert "100"; and the Senate agree to the same.

Amendment numbered 226: That the House recede from its disagreement to the amendment of the Senate numbered 226, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 101. Definition of earnings and profits in the case of regulated investment companies.

"(a) Amendment of section 852 (a): Section 852 (a) (relating to requirements applicable to regulated investment companies) is amended by striking out 'this subchapter' and inserting in lieu thereof 'this subchapter (other than subsection (c) of this section).'

"(b) Amendment of section 852 (c): Section 852 (c) (relating to definition of earnings and profits in the case of regulated investment companies) is amended by adding at the end thereof the following new sentence: 'For purposes of this subsection, the term "regulated investment company" includes a domestic corporation which is a regulated investment company determined without regard to the requirements of subsection (a).'

"(c) Effective date: The amendments made by this section shall apply with respect to taxable years of regulated investment companies beginning on or after March 1, 1958."

And the Senate agree to the same.

Amendment numbered 227: That the House recede from its disagreement to the amendment of the Senate numbered 227, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 103. Application of estate and gift taxes in possessions.

"(a) Estate tax: Subchapter C of chapter 11 (relating to miscellaneous estate tax provisions) is amended by adding at the end thereof the following new section:

"'SEC. 2208. Certain residents of possessions considered citizens of the United States.

"'A decedent who was a citizen of the United States and a resident of a possession thereof at the time of his death shall, for purposes of the tax imposed by this chapter, be considered a "citizen" of the United States within the meaning of that term wherever used in this title unless he acquired his United States citizenship solely by reason of (1) his being a citizen of such possession of the United States, or (2) his birth or residence within such possession of the United States.'

"(b) Gift tax: Section 2501 (relating to imposition of gift tax) is amended by redesignating subsection (b) to be subsection (c) and by adding after subsection (a) the following new subsection:

"'(b) Certain residents of possessions considered citizens of the United States: A donor who is a citizen of the United States and a resident of a possession thereof shall, for purposes of the tax imposed by this chapter, be considered a "citizen" of the United States within the meaning of that term wherever used in this title unless he acquired his United States citizenship solely by reason of (1) his being a citizen of such possession of the United States, or (2) his birth or residence within such possession of the United States.'

"(c) Related amendments.

"(1) Section 2011 (a) (relating to the credit for estate, inheritance, legacy, or succession taxes) is amended by striking out 'or any possession of the United States,'.

"(2) Section 2014 (relating to credit for foreign death taxes) is amended by adding at the end thereof the following new subsection:

"'(f) Possession of United States deemed a foreign country: For purposes of the credits authorized by this section, each possession of the United States shall be deemed to be a foreign country.'

"(3) Section 2053 (d) (1) (relating to the deduction for estate, inheritance, legacy, or succession taxes paid in respect of a transfer for public, charitable, or religious uses) is amended by striking out 'or any possession of the United States,'.

"(4) The table of sections for subchapter C of chapter 11 is amended by adding at the end thereof the following:

"'SEC. 2208. Certain residents of possessions considered citizens of the United States.'

"(d) Effective date: The amendments made by this section (other than by subsection (b)) shall apply to the estates of decedents dying after the date of the enactment of this Act. The amendment made by subsection (b) shall apply to gifts made after the date of the enactment of this Act."

And the Senate agree to the same.

Amendment numoered 228: That the House recede from its disagreement to the amendment of the Senate numbered 228, and agree to the same with the following amendments: Page 153, line 2, of the Senate engrossed amendments, strike out "111" and insert "103"; page 153, line 5, of the Senate engrossed amendments, after "(a)" insert "Credit under 1939 Code.—"; page 153, line 10, of the Senate engrossed amendments, strike out "copyright," and insert "copyrights"; page 153, line 16, of the Senate engrossed amendments, strike out "of such royalty" and insert "to such royalty"; page 153, fourth line from the bottom of the page, of the Senate engrossed amendments, after "(b)" insert "Credit under 1954 Code.—"; page 153, last line, of the Senate engrossed amendments, strike out "the" the first place it appears; page 154, at the end of line 11, of the Senate engrossed amendments, strike out "taxable" and insert "gross"; page 154, line 13, of the Senate engrossed amendments, after "(c)" insert "Effective Date.—"; page 154, at the end of line 14, of the Senate engrossed amendments, strike out "and" and insert "or"; page 154, beginning in line 19, of the Senate engrossed amendments, strike out ", the date of enactment of the Internal Revenue Code of 1954"; and in line 20, after the period, insert "No interest shall be allowed or paid on any overpayment resulting from the amendments made by subsections (a) and (b) of this section"; and the Senate agree to the same.

Amendment numbered 229: That the House recede from its disagreement to the amendment of the Senate numbered 229, and agree to the same with the following amendments: page 155 of the Senate engrossed amendments, in the matter following line 11, strike out "(3)" and insert "(5)"; page 155, line 15, of the Senate engrossed amendments, strike out "at the end thereof" and insert "after section 1243 (as added by section 57 of this Act)"; page 155 of the Senate engrossed amendments strike out lines 18, 19, and 20 and insert the following:

"'(a) General rule: In the case of an individual, a loss on section 1244 stock issued to such individual or to a partnership which would (but for this section) be."

Page 156, line 24, of the Senate engrossed amendments, strike out "to the taxpayer"; page 157, line 5, of the Senate engrossed amendments, strike out "taxpayer sustains the loss on such stock" and insert "loss on such stock is sustained"; page 161, lines 9 and 10, of the Senate engrossed amendments, strike out "partnership, trust," and insert "trust"; page 161, line 17, of the Senate engrossed amendments, strike out "3" and insert "203"; page 161 of the Senate engrossed amendments, strike out the last three lines and insert the following:

"(a) Allowance: Paragraph (1), and so much of paragraph (2) as precedes the third sentence thereof, of section 172 (b) of the Internal Revenue Code of 1954 (relating to net operating loss deduction) are amended to read as follows:".

Page 162, line 18, of the Senate engrossed amendments, beginning with "carried", strike out all through "year)," in line 23, and insert "carried"; page 163, line 3, of the Senate engrossed amendments, beginning with "carried." strike out all through line 18 and insert "carried."."; page 163, line 22, of the Senate engrossed amendments after "(b)" insert "(as added by section 64 of this Act)"; page 164, lines 3, 4, and 5, of the Senate engrossed amendments, strike out "the amount of such loss which may be carried to such year, computed without regard to this subsection," and insert "such net operating loss"; page 164, line 7, of the Senate engrossed amendments, after "year." insert the following: "In determining the amount carried to any other taxable year, the reduction for the third taxable year preceding the loss year shall not exceed the portion of the net operating loss which is carried to the third preceding taxable year."; page 164 of the Senate engrossed amendments, beginning with line 11, strike out all through line 2 on page 168; page 168, line 3, of the Senate engrossed amendments, strike out "5" and insert "204"; page 168, line 8, of the Senate engrossed amendments, strike out "at the end thereof" and insert "after section 178 (as added by section 15 of this Act)"; page 172, line 10, of the Senate engrossed amendments, strike out "6" and insert "205"; page 173, line 1, of the Senate engrossed amendments, strike out "7" and insert "206"; and the Senate agree to the same.

W. D. MILLS,
N. J. GEORGOY,
AIME J. FORAND,
DANIEL A. REED,
RICHARD M. SIMPSON,
Managers on the Part of the House.

HARRY F. BYRD,
ROBERT S. KERR,
J. ALLEN FREAR, Jr.,
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Many of the Senate amendments made technical, clerical, clarifying, or conforming changes in the bill as passed the House. With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature, or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

The House bill (sec. 1 (c)) contained general effective date provisions. In addition, various sections of the bill contained special effective date provisions. The Senate amendments generally changed these special effective dates. In general, the action agreed upon by the conferees conformed to the effective date provisions contained in the Senate amendments.

In addition to the amendments of the nature described in the preceding paragraphs, the Senate amendments made a number of substantive changes. These changes, and the action agreed upon by the conferees, are explained below.

RETIREMENT INCOME CREDIT

Amendment No. 6: The House bill amended section 37 of the 1954 Code (relating to the retirement income credit) to remove certain differences between the application of such section to married individuals residing in community-property States and those residing in common-law States. In general, the House bill provided for the removal of these differences by making the rules applicable with respect to common-law States apply with respect to community-property States.

The Senate amendment in general provided for the removal of these differences by making the rules applicable with respect to community-property States apply with respect to common-law States.

The House recedes with an amendment eliminating the provision from the bill, so that no change is made in existing law.

DEALERS IN TAX-EXEMPT SECURITIES

Amendments Nos. 7 and 9: Section 75 of the 1954 Code provides for the amortization of the premium on short-term municipal bonds by dealers in tax-exempt securities. Excepted from the provision are bonds disposed of within 30 days after the date of acquisition by the dealer, and bonds with the earliest maturity or call date more than 5 years from the date acquired by the dealer.

The House bill amended section 75 (b) (1) of the 1954 Code by deleting the exception to amortization in the case of bonds with earliest maturity or call date more than 5 years after acquisition, and by providing that the exception for bonds which are disposed of within 30 days after acquisition shall apply only where the amount realized on the sale of the bond (or the fair market value of the bond at the time of its disposition in some other manner) is greater than the adjusted basis of the bond, computed without regard to any amortization of premium in the hands of the dealer under section 75.

The Senate amendments restore the exception to amortization for bonds maturing more than 5 years after acquisition, but make the availability of such exception subject to the requirement that the bond be disposed of at a gain (just as in the case of a bond disposed of within 30 days). The Senate amendments also make a technical change relating to the time for making the adjustment under section 75 in the case of bonds maturing more than 5 years after acquisition which are not disposed of at a gain.

The House recedes.

STATUTORY SUBSISTENCE ALLOWANCE RECEIVED BY POLICE

Amendment No. 11: This amendment struck out section 4 of the House bill, which provided for the repeal of section 120 of the 1954 Code effective for taxable years beginning after December 31, 1956.

The House recedes with an amendment. Under the conference agreement the House provision repealing section 120 is restored, but the effective date of the repeal is applicable to taxable years ending after September 30, 1958. However, the repeal is applicable only with respect to amounts received as a statutory subsistence allowance for any day after September 30, 1958.

DEFINITION OF DEPENDENT

Amendment No. 12: Under the first sentence of section 152 (b) (3) of the 1954 Code, the term "dependent" does not include any individual who is not a citizen of the United States unless (in effect) such individual is a resident of the United States, Canada, Mexico, the Canal Zone, or the Republic of Panama. This provision does not apply to a child of the taxpayer born to him (or legally adopted by him) in the Philippine Islands before January 1, 1956, if the child is a resident of the Republic of the Philippines, and if the taxpayer was a member of the Armed Forces of the United States at the time the child was born to him or legally adopted by him.

Under the Senate amendment, the first sentence of section 152 (b) (3) of the 1954 Code also would not apply with respect to a child of the taxpayer legally adopted by him if, for the taxable year of the taxpayer, the child has as his principal place of abode the home of the taxpayer and is a member of the taxpayer's household, and if the taxpayer is a citizen of the United States.

The House recedes.

IMPROPER PAYMENTS TO OFFICIALS OF FOREIGN COUNTRIES

Amendment No. 15: The Senate amendment adds a new section to the House bill which would deny a deduction under section 162 of the 1954 Code (relating to deduction for trade or business expenses) for any expenses paid or incurred if the payment is made, directly or indirectly, to an official or employee of a foreign country, and if the making of the payment would be unlawful under the laws of the United States if such laws were applicable to such payment and to such official or employee. The Senate amendment applies only with respect to expenses paid or incurred after the date of the enactment of the bill. The Senate amendment specifically provides that no inference is to be drawn from the enactment of this provision, where payments on or before the date of enactment are involved.

The House recedes.

FACILITIES FOR PRIMARY PROCESSING OF URANIUM ORE OR URANIUM CONCENTRATE

Amendment No. 18: The Senate amendment added a new section to the House bill which would amend section 168 of the 1954 Code (relating to amortization deduction for emergency facilities) to permit certifications with respect to facilities to be used to provide primary processing for uranium ore or uranium concentrate under a program of the Atomic Energy Commission for the development of new sources of uranium ore or uranium concentrate. Under the Senate amendment, no such certificate shall be made with respect to any facility unless existing facilities for processing the uranium ore or uranium concentrate which will be processed by such facility are unsuitable because of their location. The Senate amendment also contained transitional provisions relating to the effect of applications for certificates filed before the date of the enactment of the bill, or at any time within 3 months after such date of enactment.

The House recedes.

UNLIMITED DEDUCTION FOR CHARITABLE CONTRIBUTIONS BY INDIVIDUALS

Amendment No. 19: The Senate amendment adds a new section to the House bill which would amend section 170 (b) (1) (C) of the 1954 Code (relating to unlimited charitable deduction for certain individuals) to provide that instead of taking into account the amount of income tax paid during any year in determining whether for that year the individual's charitable contributions plus income tax exceed 90 percent of his taxable income, the individual can take into account the amount of income tax paid in respect of such year (so long as such amount is not included in any other year).

Subsection (c) of the section added by the Senate amendment also adds two new sentences at the end of section 170 (b) (1) (C), as amended by subsection (a) of the new section. Although over a long period of years a taxpayer may make large charitable contributions, he may fail to qualify for the unlimited charitable deduction because his contributions, plus taxes, did not in 1 year reach the required 90 percent of taxable income. This amendment would have permitted the taxpayer to combine any 2 years in the 10 years preceding the taxable year to determine whether the sum of the contributions and income taxes for such 2 years exceed 90 percent of the sum of the taxable incomes for such 2 years thereby permitting him to qualify for both of such 2 taxable years.

The House recedes, with an amendment striking subsection (c) of the new section.

REMAINDERS TO RELATED PERSONS IN THE CASE OF CERTAIN CHARITABLE TRUSTS

Senate amendment No. 20: The House bill amended section 170 (b) (1) of the 1954 Code to deny the charitable contribution deduction in the case of a trust, where the income is irrevocably payable for a charitable purpose for a period of 2 years or more, and the grantor's wife, children, or grandchildren, or other closely related members of the grantor's family, have a reversionary interest of more than 5 percent in the corpus or income of the trust.

The Senate amendment deleted this amendment to section 170 (b) (1).

The House recedes.

NET OPERATING LOSS DEDUCTION

Amendment No. 31: The House bill amended section 172 of the 1954 Code with respect to the effect of net operating losses carried to or through taxable years beginning in 1953 and ending in 1954 or beginning in 1954 and ending before August 17, 1954.

The Senate amendment provides that if refund or credit of any overpayment resulting from the application of these amendments to section 172 of the 1954 Code is prevented on the date of the enactment of the bill or within 6 months after such date, by the operation of any law or rule of law (other than those relating to closing agreements and compromises), the refund or credit may be made or allowed if claim therefor is filed within 6 months after such date. No interest is to be paid or allowed on any overpayment resulting from the application of these amendments to section 172.

The House recedes.

ASSESSMENTS LEVIED BY SOIL OR WATER CONSERVATION OR DRAINAGE DISTRICTS FOR CERTAIN DEPRECIABLE PROPERTY

Amendment No. 32: The Senate amendment added a new section to the House bill which would amend section 175 of the 1954 Code (relating to soil and water conservation expenditures) to provide a deduction with respect to any assessment, levied by a soil or water conservation or drainage district after December 31, 1957, which, while otherwise qualified under section 175, is denied deduction under existing law solely by reason of the fact that the expenditures defrayed by the assessments were made for structures, appliances, and facilities of a character subject to the allowance for depreciation provided in section 167. The deduction is available to the owner of the land in respect of which the assessment is levied. The Senate amendment contained rules for ascertaining the amount of the deduction, rules restricting the eligibility for the deduction, and its amount, and rules requiring appropriate basis adjustments.

The conferees on the part of the House believe that there is much to be said for providing a deduction for assessments used by a water conservation or drainage district to acquire depreciable assets. However, the new section which would be provided by the Senate amendment would be complicated in operation for taxpayers and the Internal Revenue Service alike, and raised problems of equity among taxpayers variously situated. For these reasons it was believed desirable to withhold this amendment at the present time in order that the problem might be given further study.

The Senate recedes.

IMPROVEMENTS ON LEASED PROPERTY

Amendment Nos. 34 and 35: The House bill provided that in determining the amount allowable to a lessee for depreciation or amortization in respect of improvements made on the leased property or in respect of the cost of acquiring the lease, the term of the lease was to be treated as including any period for which the lease may be renewed, extended, or continued pursuant to an option exercisable by the lessee, unless the lessee establishes that (as of the close of the taxable year) it is more probable that the lease will not be renewed, extended, or continued for such period than that the lease will be so renewed, extended, or continued. The House bill also provided that if a lessee and lessor are related persons at any time during the taxable year, the lease was to be treated as including a period of not less duration than the remaining useful life of the improvement.

Senate amendment No. 34 provides that the new statutory rule with respect to renewal periods is not to apply if the unexpired lease period (determined without regard to any unexercised option to renew) accounts for 60 percent or more of the useful life of the improvement. In the case of costs of acquiring a lease, the new provision is not to apply if 75 percent or more of this cost is attributable to the unexpired lease period. Under Senate amendment No. 35 however, where the 60 percent or 75 percent exceptions apply, the renewal period still will be taken into account if the lease has been renewed or there is "reasonable certainty" that the option to renew the lease will be exercised. Senate amendment No. 35 also includes among the persons defined as related persons for purposes of the new provision lessors and lessees who are corporations and members of an affiliated group which is eligible for filing a consolidated return (as defined in section 1504 of the 1954 Code).

The House recedes.

INCREASE IN LIMITATION ON MEDICAL DEDUCTION FOR A TAXPAYER OR HIS SPOUSE WHO HAS ATTAINED AGE 65 AND IS DISABLED

Amendment No. 38: Section 213 (c) of the 1954 Code (relating to maximum limitation on the deduction for medical, dental, etc., expenses) provides that the maximum deduction under section 213 for any taxable year shall be $10,000 in the case of a joint return or return of a head of a household or surviving spouse, and $5,000 in all other cases.

Senate amendment No. 38 adds a new subsection (g) to section 213 to provide an increased maximum limitation where the taxpayer or his spouse has attained age 65 and is disabled. The new ceiling is to be $15,000 if the taxpayer has attained age 65 before the close of the taxable year and is disabled, or if his spouse has attained age 65 before the close of the taxable year, is disabled, and does not make a separate return for the taxable year. The new ceiling is to be $30,000 if both the taxpayer and his spouse have attained age 65 before the close of the taxable year and are disabled, but only if they file a joint return for the taxable year. Amounts paid during any taxable year for medical care of a qualified taxpayer (or of a qualified spouse), to the extent that they exceed $15,000, will not be taken into account. Amounts paid for the medical care of individuals who do not qualify under the new provisions will still be subject to the maximum limitations contained in section 213 (c) of the 1954 Code. The Senate amendment provides that an individual is to be considered disabled for purposes of the new section 213 (g) (1) if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration.

The House recedes with a clerical amendment.

DEDUCTIONS BY CORPORATIONS FOR DIVIDENDS RECEIVED

Amendments Nos. 40, 41, and 42: The House bill added a new subsection (c) to section 246 of the 1954 Code under which the allowance of deductions for intercorporate dividends received is denied where the dividend is on a share of stock sold or otherwise disposed of in any case in which the taxpayer has held such share for 10 days or less. Special rules are included in the bill in the case of certain preference dividends and for determination of holding periods.

The Senate amendments change the 10-day period referred to above to a 15-day period.

The House recedes.

GAIN OR LOSS ON SALES OR EXCHANGES IN CONNECTION WITH CERTAIN LIQUIDATIONS

Amendment No. 46: Section 337 of the 1954 Code provides that if a corporation adopts a plan of complete liquidation, no gain or loss shall be recognized to the corporation from sales of property by the corporation after the adoption of the plan, if the corporation is completely liquidated within 12 months. Under section 337 (c) (2) (A), section 337 is made inapplicable to sales or exchanges by a corporation where the corporation is owned 80 percent by another corporation and where the basis of the property of the liquidating corporation in the hands of the parent corporation is determined under section 334 (b) (1) of the 1954 Code.

The Senate amendment adds a new section to the House bill which would add a new subsection (d) to section 337. Under this amendment, if a corporation adopts a plan of complete liquidation on or after January 1, 1958, and if section 337 (a) does not apply to sales or exchanges of property by such corporation solely by reason of the application of section 337 (c) (2) (A), then for the first taxable year of any shareholder (other than the parent corporation) in which he receives a distribution in complete liquidation—

(1) the amount realized by such shareholder on the distribution shall be increased by his proportionate share of the amount by which the tax imposed by subtitle A of the 1954 Code would have been reduced if section 337 (c) (2) (A) had not applied, and

(2) for purposes of the 1954 Code, such shareholder shall be deemed to have paid (on the last day prescribed by law for the payment of the tax imposed by subtitle A of such code on such shareholder for such taxable year) an amount of tax equal to the amount of the increase described in paragraph (1).

The House recedes with a clerical amendment.

COLLAPSIBLE CORPORATIONS

Amendment No. 47: Section 341 of the 1954 Code (relating to collapsible corporations) provides that under specified circumstances gain from the sale or exchange of stock of a collapsible corporation, from a distribution in partial or complete liquidation of a collapsible corporation, or from a distribution made by a collapsible corporation in an amount in excess of the basis of the stock, is to be treated as gain from the sale or exchange of property which is not a capital asset.

The Senate amendment adds a new section to the House bill which would add a new subsection (e) to section 341 to provide four exceptions under which gain will not be treated, by reason of section 341 (a), as ordinary income. The four exceptions to the existing rules applicable to collapsible corporations provided by this amendment relate to: (1) sales or exchanges of stock (other than sales or exchanges to the issuing corporation or to certain related persons); (2) certain distributions in complete liquidation taxed as capital gains under section 331; (3) certain complete liquidations for which nonrecognition treatment is provided under section 333; and (4) certain sales or exchanges of property under section 337 (relating to nonrecognition of gain or loss on sales or exchanges of corporate property in connection with certain complete liquidations). In order for a transaction to qualify for any of these 4 exceptions, the net unrealized appreciation on the ordinary income assets of the corporation (referred to in the amendment as "subsection (e) assets") must not exceed 15 percent of corporate net worth. The ordinary income assets of a corporation are those assets which, if sold at a gain, would result in the imposition of an ordinary income tax on the corporation. Under specified circumstances, certain transactions will qualify only if the 15 percent test is met after taking into account the net unrealized appreciation on assets of the corporation which, in the hands of certain shareholders, would be ordinary income assets, and the transactions with respect to certain other corporations in which certain shareholders of the corporation in question have held stock.

It is the understanding of the conferees that, in applying the definition of subsection (e) assets, stock or securities held by a corporation (hereinafter referred to as "Corporation A") shall not be considered subsection (e) assets merely because a more than 20 percent shareholder is a dealer in stock or securities, if such shareholder holds his Corporation A stock in his investment account (pursuant to section 1236 (a)). Therefore, the stock or securities held by Corporation A shall not be subsection (e) assets by reason of the more than 20 percent shareholder test unless, in the hands of such shareholder, the stock or securities held by Corporation A would, if held by such shareholder, constitute property gain from the sale of which would be considered ordinary income solely by reason of the application of section 341 as modified by this amendment.

The House recedes with clerical amendments.

PROPERTY RECEIVED IN CERTAIN CORPORATE ORGANIZATIONS AND REORGANIZATIONS

Amendment No. 48: The House bill contains a provision amending section 358 of the 1954 Code (relating to tax-free exchanges) to specifically provide for a downward adjustment of the basis of property received in the exchange where a loss to the taxpayer was recognized on such exchange.

The Senate amendment eliminated this provision from the House bill.

The Senate recedes.

TAXATION OF EMPLOYEE ANNUITIES

Amendment No. 52: Under section 403 of the 1954 Code an annuity purchased by an employer for an employee, under a qualified nondiscriminatory type of plan, is taxable at the time the employee receives the annuity payment rather than in the year the payments are made for the annuity by the employer. However, where the employer is a tax-exempt educational, charitable, or religious organization, described in section 501 (c) (3) of the 1954 Code, this deferment of tax in the case of an employee is available with respect to annuities whether or not they are paid under a qualified nondiscriminatory type of plan.

The House bill inserts a new subsection (b) in section 403 to provide that in the case of annuity contracts purchased for employees by organizations described in section 501 (c) (3), if the annuity contract does not come under a qualified nondiscriminatory plan and if the employee's rights to the contract are nonforfeitable, the amount contributed by the employer is to be excluded from the gross income of the employee in the taxable year of the contribution only to the extent that the contribution does not exceed an "exclusion allowance" for the year. The "exclusion allowance" is 20 percent of the employee's compensation for the last full year of service, multiplied by the employee's years of service, and reduced by the amounts contributed by the employer for annuity contracts for the employee which were excluded from the gross income of the employee in prior taxable years. The House bill also amended subsection (c) of section 403 (as redesignated by the bill) for the purpose of providing that if the rights of an employee of an organization exempt from tax under section 501 or 521 were forfeitable at the time the employer made the contributions, the annuity was to be taxable at the time the employee's rights changed from forfeitable to nonforfeitable.

The Senate amendment makes no change in the new subsection (b) of section 403 of the 1954 Code, as inserted by the House bill. However, the amendment (see the proposed section 403 (d)) changed the rule with respect to forfeitable rights under annuity contracts purchased by exempt organizations to clarify the tax treatment of these rights and to make the new rule apply only to the extent that the value of an annuity which becomes nonforfeitable after December 31, 1957, is attributable to amounts contributed by the employer after that date. This provision is effective for taxable years beginning December 31, 1957. In addition, the Senate amendment extended to annuity contracts purchased by certain exempt organizations three tax benefits provided with respect to qualified pension plans:

1. An exclusion from gross income of certain death benefits attributable to employer contributions.

2. An exclusion from gross estate, for purposes of the Federal estate tax, with respect to employer contributions.

3. An exclusion from the gift tax base with respect to an employer's contribution in the case of the exercise (or nonexercise) by an employee of an election as to survivor benefits.

These additional benefits will be available only if the employer organization is described in section 501 (c) (3) of the 1954 Code and is exempt from tax, and is a religious organization (other than a trust), an educational organization which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on, or is an organization which receives a substantial part of its support from a governmental unit or from the general public.

For a general explanation of the effect of the Senate amendment, see page 35 of the report of the Committee on Finance on the bill (Rept. No. 1983, 85th Cong.). For a technical explanation of the amendment, see page 147 of the report.

The House recedes.

PREPAID INCOME FROM NEWSPAPER AND PERIODICAL SUBSCRIPTIONS

Amendment No. 61: The Senate amendment added a new section 455 to the 1954 Code, relating to prepaid subscription income. Under this new section, prepaid subscription income is to be included in the income of the publisher in the year in which he is under a liability to furnish or deliver a newspaper, magazine, or other periodical. The deferral is to be available on an elective basis. The election may be made separately with respect to each trade or business, but cannot be made for one where the cash receipts and disbursements method of accounting is used. The election applies to all prepaid subscription income arising in the trade or business, except that the taxpayer need not defer income beyond the current year where the liability to furnish the newspaper, magazine, or other periodical does not extend beyond 12 months. An election once made is effective for all subsequent years unless the Secretary or his delegate consents to a revocation.

The new section 455 (which would be added by the Senate amendment) also contains a subsection (e) which provides that taxpayers who have in prior years reported prepaid subscription income under an established and consistent method or practice of accounting for such income may continue to report such income in accordance with that method or practice.

The Senate amendment also would have extended similar treatment to amounts received as dues or fees from members of a nonprofit corporation whose principal activity consists of providing services to such members.

The House recedes with an amendment deleting the Senate amendments relating to dues and fees contained in subsection (f) of section 455 as contained in the Senate bill.

ADJUSTMENTS REQUIRED BY CHANGES IN METHOD OF ACCOUNTING

Amendment No. 64: Section 481 of the 1954 Code provides statutory rules with respect to adjustments required because of changes in methods of accounting. This section now requires the adjustments to be made in full to the extent that they are

attributable to 1954 Code years, but no adjustments are required in respect of pre-1954 Code years. Under the House bill adjustments in respect of pre-1954 Code years are required in the case of a change in the method of accounting initiated by the taxpayer. This proposed change in law is retained by the Senate amendment.

The House bill provided that the net amount of any adjustment resulting in an increase in taxable income of more than $3,000 and attributable to pre-1954 Code years was to be taken into account ratably in the year of change and the 9 succeeding taxable years, but only if the taxpayer was engaged in the same trade or business for 9 years before 1954.

The Senate amendment provides that the full 10-year spread for pre-1954 Code year adjustments is to be available whether or not the taxpayer has been in the same trade or business for 9 years before 1954. The Senate amendment also provides that where the year of change was a 1954 Code year ending before January 1, 1958, the taxpayer may elect to begin the 10-year spread with his first taxable year which begins after December 31, 1957. The Senate amendment also contains rules relating to cases where one or more of the taxable years to which the adjustments may be spread are years with respect to which the assessment of a deficiency is barred. The House recedes.

Amendment No. 66: The House bill would have made the 10-year spread rule (discussed above in connection with amendment No. 64) the exclusive rule for pre-1954 positive adjustments of more than $3,000. The Senate amendment also makes available, on an elective basis, the alternative of spreading such adjustments under the method provided by paragraph (1) or (2) of section 481 (b) of the 1954 Code.

The House recedes.

Amendment No. 69: The Senate amendment contains a transitional rule permitting a taxpayer who, for a 1954 Code year ending before the date of the enactment of the bill, computed his taxable income under a method of accounting different from his method for the preceding taxable year to recompute his taxable income, beginning with the year of change, under the method used for such preceding taxable year. Such an election must be made within 6 months after the date of the enactment of the bill. It will not be available where the taxpayer and the Secretary of the Treasury or his delegate have agreed to the terms and conditions for making a change in method of accounting applied for by the taxpayer, nor will it be available to a taxpayer who was required by the Secretary of the Treasury or his delegate, before the date of the enactment of the bill, to change his method of accounting.

The House recedes.

For a general explanation of amendments nos. 64, 66, and 69, see page 44 of the report of the Committee on Finance on the bill. For a technical explanation, see page 159 of such report.

EXEMPTION OF CERTAIN ORGANIZATIONS OF THE TYPE DESCRIBED IN SECTION 501 (C) (14)

Amendment No. 70: This amendment would have amended section 501 (c) (14) of the Internal Revenue Code of 1954. Section 501 (c) (14) provides for exemption from income tax of certain nonprofit corporations and associations organized before September 1, 1951, and operated for the purposes of providing reserve funds for, and insurance of, shares or deposits in domestic building and loan associations or certain banks. This amendment would have extended the exemption to qualifying corporations and associations which were organized on or after September 1, 1951, and before September 1, 1957. The Senate recedes.

DENIAL OF EXEMPTION TO ORGANIZATIONS ENGAGED IN PROHIBITED TRANSACTIONS

Amendments Nos. 74 and 75: Section 503 (c) (1) of the 1954 Code (relating to prohibited transactions in the case of certain exempt organizations) provides that if any exempt organization subject to section 503 lends any part of its corpus or income to a person described in section 503 (c) without the receipt of adequate security and a reasonable rate of interest, it has engaged in a prohibited transaction (and, by reason of section 503 (a), it loses its exempt status).

The House bill amends section 503 of the 1954 Code by adding at the end thereof a new subsection (h) which provides that certain transactions entered into by an employees' trust described in section 401 (a) of the 1954 Code are not to be considered as loans made without the receipt of adequate security, but only if certain specified conditions are met. Paragraph (4) of the new subsection (h) contained the condition that, in the case of an obligation acquired after November 8, 1956, such obligation be issued pursuant to an indenture or other written agreement which provides that, if the issuer mortgages (or otherwise subjects to lien) substantially all of its property after the issuance of such obligation, such obligation will be secured by a preference no less adequate than that afforded by such mortgage (or lien). Senate amendment No. 74 struck out this condition.

Senate amendment No. 75 adds a new subsection (i) to section 503 of the 1954 Code. The provisions of the new subsection (i) are substantially the same as the provisions which would have been added to the 1954 Code by H. R. 9049, which passed the House in the first session of this Congress. The new subsection (i) provides that section 503 (c) (1) will not apply to a loan made by a trust described in section 401 (a) to the employer (or to a renewal or continuation of such loan) if the loan bears a reasonable rate of interest, and if:

(1) the employer is prohibited (at the time of the making or renewal) by any law of the United States or regulation thereunder from directly or indirectly pledging, as security for such a loan, a particular class or classes of his assets the value of which (at such time) represents more than one-half of the value of all his assets;

(2) the making or renewal of the loan is approved in writing, by a trustee who is independent of the employer, as an investment which is consistent with the exempt purposes of the trust (and no other such trustee had previously refused to give such written approval); and

(3) immediately following such making or renewal, the aggregate amount loaned by the trust to the employer, without the receipt of adequate security, does not exceed 25 percent of the value of all the assets of the trust.

The House recedes.

Amendment No. 80: Under existing law, exempt organizations subject to the unrelated business income tax must include in their gross income derived from an unrelated trade or business a percentage of the rentals derived from business leases of their rental property which is subject to an indebtedness. An exception provides that no lease shall be considered a business lease if it is entered into primarily for purposes which are substantially related (other than the need for income) to the exercise or performance of the functions which constitute the basis for the organization's exemption. In discussing the scope of this exception, the Senate Finance Committee report on the Revenue Act of 1950 said:

"'Related' is defined in a similar fashion as in the case of a related trade or business and is, for example, intended to exclude from the application of this tax leases by tax-exempt hospitals of part of the hospitals to doctors' associations to use as clinics. It is believed that leases of this type are entered into primarily to further the purpose of the exempt organization rather than to gain special benefits from tax exemption."

The Senate amendment added a section providing that a lease to a medical clinic by a scientific organization engaged in medical research of premises adjoining those occupied by such scientific organization is a lease primarily entered into for a purpose related to the organization's exempt purpose, if the scientific organization utilizes the medical clinic for medical research purposes by referring to the clinic's case histories and by using the donated services of clinic doctors. The report of the Senate Finance Committee indicates that the specific problem presented to the committee was that of a medical research foundation which leases a substantial portion of the building which it owns, and in which it is located, to a clinic of doctors.

The Senate amendment is stricken under the conference agreement. The conferees believe it is a question of fact to determine whether the activities of the doctors' clinic were substantially related to the exempt purposes of the foundation. If it can be established from the facts that the activities of the doctors' clinic were relevant to the activities of the research foundation, existing law would carry out the purposes for which the amendment was designed and legislation would not be necessary. It was for this reason that the amendment was stricken.

The Senate recedes.

LICENSED PERSONAL FINANCE COMPANIES AND LENDING COMPANIES

Amendment No. 82: The Senate amendment added a new section to the House bill which would have amended section 542 (c) (6) (relating to the exception of certain licensed personal finance companies from the term "personal holding companies") and section 542 (c) (7) (relating to the exception from such term of certain lending companies in small loan business directly regulated under State law). In addition to the corporations excepted by existing paragraphs (6) and (7) the amendment would have excepted from the term "personal holding company" a corporation 80 percent or more of whose gross income is interest received from loans made to the wholly owned licensed personal finance companies described in paragraph (6) or lending companies described in paragraph (7) or which is interest otherwise described in such paragraphs.

The Senate recedes.

RATE OF PERCENTAGE DEPLETION FOR CERTAIN GOLD MINED IN THE UNITED STATES

Amendment No. 90: This amendment added a new section to the House bill amending section 613 (b) (2) (B) of the 1954 Code so as to provide a 23-percent depletion rate in the case of gold mined from deposits in the United States, but only where the principal mineral product of the taxpayer was gold ore. The amendment was to apply to taxable years beginning after December 31, 1957. The Senate recedes.

DEFINITION OF PROPERTY FOR PURPOSES OF THE DEPLETION ALLOWANCE

Amendment No. 94: Section 32 of the House bill amended section 614 of the 1954 Code to provide, in effect, that any taxpayer could treat any mineral property as if section 614 of the 1954 Code had not been enacted and as if the 1939 Code rules pertaining to the definition of property continued to apply. Senate amendment 94 limits the application of section 32 of the House bill to operating mineral interests in the case of oil and gas wells. The amendment further provides a new set of rules which are applicable to operating mineral interests except in the case of oil and gas wells and to all nonoperating mineral interests.

These new rules for operating mineral interests except in the case of oil and gas wells are applicable to taxable years beginning after December 31, 1957, except that for any operating unit, the taxpayer may elect to apply the new rules starting with the first 1954 Code year for which assessment of a deficiency is not prevented by any law or rule of law on the date of enactment of the Technical Amendments Act of 1958. The new rules for nonoperating mineral interests are applicable to taxable years beginning after December 31, 1957, except that the taxpayer may elect to apply such new rules with respect to taxable years beginning before January 1, 1958, to which the 1954 Code is applicable.

The new rules applicable to operating mineral interests, except in the case of oil and gas wells, provide that a taxpayer may make any number of aggregations within an operating unit so long as each aggregation contains all of the mineral interests that comprise a complete mine or mines. Any mineral interest which subsequently becomes a part of an aggregated mine must also be included in such aggregation. Such new rules further provide that where a single mineral deposit representing a single mineral interest is being developed or operated by means of two or more mines, such single mineral interest may be treated as more than one property. For purposes of the amendment, the term "mine" includes a quarry, pit, Frasch-process sulfur mine, and natural brine mine. The number of Frasch-process sulfur wells or natural brine wells which constitute a mine is to be determined upon the basis of the facts and circumstances of the particular case.

Section 614 of existing law provides that the election to aggregate operating mineral interests is to be made for the taxable year of the first exploration expenditure. The amendment amends section 614 to provide that, in the case of mines, the taxpayer may wait until the time of his first development expenditure to elect to aggregate operating mineral interests. The amendment provides, however, for a recomputation of tax for a prior taxable year or years as though the operating mineral interests had been aggregated at the time of the first exploration expenditure and for a recovery of any tax saving disclosed by such recomputation. It is intended that all items affecting such recomputation, such as exploration expenditures and ad valorem taxes previously deducted with respect to the separate mineral interests aggregated, be taken into account.

In the case of nonoperating mineral interests, section 614 of existing law provides that the Secretary or his delegate may permit aggregation, but only if the nonoperating mineral interests are contiguous and if a showing is made that undue hardship will result to the taxpayer unless aggregation is permitted. The amendment provides that the Secretary or his delegate shall permit the aggregation of nonoperating mineral interests if such interests are adjacent (in reasonably close proximity to each other) rather than contiguous, provided that the taxpayer makes a showing that a principal purpose of the proposed aggregation is not the avoidance of tax. The House recedes with a clerical amendment.

TREATMENT OF DIVIDENDS OF REGULATED INVESTMENT COMPANIES WHOSE ASSETS CONSIST MAINLY OF STATE AND LOCAL OBLIGATIONS

Amendment No. 96: This amendment added a new section to the House bill amending subchapter M of chapter 1 of the 1954 Code to permit a regulated investment company, the bulk of whose assets is invested in State or local securities, to pass on the tax-free interest it receives from such securities to its shareholders in the form of exempt-interest dividends. This treatment is to be available only where 90 percent of the value of the assets of the regulated investment company represents cash and cash items and obligations of State and local governments the interest on which is excludable from gross income under section 103 (a) (1) of the 1954 Code. Also for a regulated investment company to qualify for this tax treatment the amount of interest excludable for the taxable year under section 103 (a) (1) must exceed 95 percent of such company's gross income (including such interest as gross income, and excluding gains from the sale or other disposition of capital assets). In other respects, the requirements which must be met by one of these companies are essentially the same as are required of regulated investment companies generally. One of these companies must distribute 90 percent of the investment company income to qualify for the pass-through treatment, and the shareholders must be informed in writing not later than 30 days after the close of the regulated investment company's taxable year of the amount of tax-exempt interest they are deemed to have received. Under the amendment, this provision is to be effective with respect to taxable years of regulated investment companies beginning after the date of the enactment of the bill.

The Senate recedes.

TRANSACTIONS IN REGULATED INVESTMENT COMPANY SHARES AROUND TIME OF DISTRIBUTING CAPITAL GAIN DIVIDENDS OR EXEMPT-INTEREST DIVIDENDS

Amendment No. 100: The House bill amended section 852 (b) of the 1954 Code (relating to taxation of regulated investment companies and their shareholders) to provide that where a shareholder of a regulated investment company is required, with respect to any share, to treat any amount as a long-term capital gain under subparagraph (B) or (D) of section 852 (b) (3) of such code, and where such share is held by the taxpayer for less than 31 days, then any loss on the sale or exchange of such share shall (to the extent of the amount so treated as a long-term capital gain) be treated as loss from the sale or exchange of a capital asset held for more than 6 months. The Senate amendment incoporates this provision, but adds a similar rule with respect to stock in regulated investment companies specializing in investments in tax-exempt State and local obligations (see amendment No. 96). Under Senate amendment No. 100, where stock in such a company is held for not more than 30 days and in that period an exempt-interest dividend becomes payable, then any loss on the sale or exchange of the stock will not be recognized to the extent of the amount of the exempt-interest dividend excludable from the taxpayer's gross income under section 103 (a) (1) of the 1954 Code.

The Senate recedes.

SPECIAL METHOD OF TAXATION FOR REAL ESTATE INVESTMENT TRUSTS

Amendment No. 103: This amendment added a new section to the bill. The new section added at the end of subchapter M of chapter 1 of the 1954 Code (relating to regulated investment companies) a new part II dealing with real estate investment trusts. Under the new part II, real estate investment trusts would have qualified for tax treatment similar to that now available to regulated investment companies.

The Senate recedes.

CARRYBACK AND CARRYOVER OF FOREIGN TAX CREDIT

Amendment No. 109: The House bill provides for the carryback and carryover of the foreign tax credit allowed by section 901 of the 1954 Code. The House bill adds a new subsection (c) to section 904 of the 1954 Code (relating to the limitation on the foreign tax credit) to provide that any excess of the taxes paid or accrued to any foreign country (or possession of the United States) for any taxable year beginning after December 31, 1958, over the amount allowable as a credit under the per-country limitation of section 904 may be carried back to the 2 preceding taxable years and then carried forward to the 5 succeeding taxable years. The bill does not, however, allow a carryback to any taxable year beginning before January 1, 1957. The House bill also adds a new subsection (g) to section 6611 of the 1954 Code (relating to interest on overpayments) so as to restrict the interest on an overpayment resulting from a carryback under new section 904 (c) of tax paid or accrued to a foreign country or possession of the United States. The Senate amendment eliminated these amendments made by the House bill.

Under the conference agreement, the provisions of the House bill are adopted, with changes in the effective dates.

BASIS OF PROPERTY ACQUIRED BY GIFT

Amendment No. 110: The Senate amendment adds a new section to the House bill which would amend section 1015 of the 1954 Code (relating to basis of property acquired by gifts and transfers in trust) by adding a new subsection (d) thereto. Subsection (d) (1) (A) will increase the basis of property acquired by gift on or after the date of enactment of the bill by the amount of gift tax paid under chapter 12 of the 1954 Code in connection with the making of the gift. However, any increase in basis under this subsection cannot increase the basis of the property above the fair market value of the property at the time the gift is made. Subsection (d) (1) (B) will increase the basis of property acquired by gift before the date of enactment of the bill by the amount of the gift tax paid under chapter 12 of the 1954 Code or the corresponding provisions of prior law in conection with the making of the gift, provided the property has not been sold, exchanged, or otherwise disposed of before that date. However, any such increase in basis under this subsection cannot exceed an amount equal to the amount by which the fair market value of the property at the time of the gift exceeded the basis of the property in the hands of the donor at the time of the gift.

The House recedes.

CONDEMNATION OF REAL PROPERTY HELD FOR PRODUCTIVE USE IN TRADE OR BUSINESS OR FOR INVESTMENT

Amendment No. 113: This amendment added a new section to the bill which would amend sections 1033 (involuntary conversions) and 1034 (sale of residence) of the 1954 Code.

Under the existing provisions of section 1033, in order for there to be nonrecognition of gain on an involuntary conversion of property, the property must be converted into property which is similiar or related in service or use to the converted property (or, within a prescribed period of time, replaced either with such similiar property or with stock resulting in the acquisition of control of a corporation owning such similar property).

The new section would amend section 1033 of the 1954 Code to provide an additional rule in cases where real property (not including stock in trade or other property held primarily for sale) held for productive use in trade or business or for investment is compulsorily or involuntarily converted as a result of its seisure, requisition, or condemnation, or threat or imminence thereof. In such casec the nonrecognition of gain provided for in section 1033 will apply if the property is converted into (or, within the prescribed period of time, replaced by) property of a like kind to be held either for productive use in trade or business or for investment. This additional rule does not apply to the purchase of stock in the acquisition of control of a corporation described

in section 1033 (a) (3) (A). The provision applies only if the disposition of the converted property occurs after December 31, 1957.

The new section would amend section 1034 (i) of the 1954 Code to give taxpayers whose personal residences are involuntarily converted and replaced an option to come under the involuntary conversion provisions of section 1033 or under the rules relating to sale of personal residences contained in section 1034.

The House recedes with a clerical amendment.

CASUALTY LOSSES SUSTAINED UPON CERTAIN INSURED PROPERTY

Amendment No. 117: This amendment adds a new section 53 to the bill which amends section 1231 (a) of the 1954 Code (relating to property used in the trade or business and involuntary conversions) by adding at the end thereof a new sentence. The new sentence provides that section 1231 (a) is not to apply, in the case of any property used in the trade or business (or in the case of any capital asset held for more than 6 months and held for the production of income), to any loss arising from casualty or theft in respect of which the taxpayer is not compensated for by insurance in any amount. The effect of this provision is to treat such losses as ordinary losses, and not to offset them against gains which might otherwise be treated as capital gains. The provision is to apply to taxable years beginning after December 31, 1957.

The House recedes with a clerical amendment.

BONDS ISSUED AT DISCOUNT

Amendment No. 119: Under section 1232 (a) (2) (A) of the 1954 Code, in the case of the sale or exchange of bonds or other evidences of indebtedness which are issued with an "original issue discount," any gain realized is to be treated as ordinary income to the extent that it does not exceed an amount which bears the same ratio to the "original issue discount" as the number of complete months which the bond or other evidence of indebtedness was held by the taxpayer bears to the number of complete months from the date of original issue to the date of maturity.

The House bill amended this provision to provide that any gain realized is to be treated as ordinary income, to the extent that it does not exceed the "original issue discount." Under the House bill, this new rule would have applied for taxable years ending after November 7, 1956, but only with respect to dispositions after that date.

Under the Senate amendment the new rule contained in the House bill will not be applied if at the time of the original issue there was no intension to call the bond or other evidence of indebtedness. In such a case, the rule contained in existing law would continue to apply. Under the Senate amendment, the new provision will apply to taxable years ending after December 31, 1957, but only with respect to dispositions after that date.

The House recedes.

SHORT SALES

Amendment No. 125: The House bill added a fourth paragraph to section 1233 (e) of the 1954 Code (relating to gains and losses from short sales) to provide that, in the case of a dealer in securities who sells a security short and closes such sale more than 20 days later, the holding period of substantially identical property which he has held in his investment portfolio for less than 6 months is to be considered to begin on the date of the closing of the short sale, or the date on which he disposes of the substantially identical property, whichever occurs first. Under the House bill the amendment was to apply to short sales made after October 24, 1956.

The Senate amendment revises this provision so as to restrict its application to stock, bonds, or other evidences of indebtedness convertible into stock, and evidences of an interest in (or right to subscribe to or purchase) stock, or bonds or other evidences of indebtedness convertible into stock. Under the Senate amendment, this provision applies to short sales made after December 31, 1957.

The House recedes.

SALE OR EXCHANGE OF PATENTS

Amendment No. 130: Section 1235 of the 1954 Code provides that the sale of a patent by the inventor, or certain other persons, generally is to receive capital gains treatment. This capital gains treatment is not available, however, where the patent is sold to certain specified related persons. The rules provided in section 267 (b) of the 1954 Code are generally followed in determining what constitutes a related person for purposes of this provision. These rules use a 50-percent test in determining relationship where a corporation is involved.

Under the House bill this provision was amended to provide that the capital gains treatment provided by section 1235 would not be available where the person selling patent rights owns 25 percent or more of the stock of the purchasing corporation (instead of where he owns 50 percent or more, as is provided by existing law). The Senate amendment restored the 50-percent test of existing law.

The Senate recedes.

Amendment No. 134: This amendment adds a new provision not appearing in the House bill setting forth three special rules with respect to taxation of small business investment companies operating under the Small Business Investment Act of 1958. The amendment adds new sections 1242 and 1243 at the end of part IV of subchapter P of chapter 1 of the Internal Revenue Code of 1954.

The new section 1242 provides that if a loss is on stock of such a company and such loss would otherwise be considered as a loss from the sale or exchange of a capital asset, then such loss shall be treated as a loss from the sale or exchange of property which is not a capital asset. For purposes of section 172 of the 1954 Code (relating to the net operating loss deduction), the loss is considered as a loss attributable to a trade or business.

The new section 1243 provides that if a small business investment company incurs a loss on convertible debentures (including stock received pursuant to the conversion privilege) acquired pursuant to section 304 of the Small Business Investment Act of 1958 it is to be treated as an ordinary loss where it would otherwise be treated as a loss on the sale or exchange of a capital asset.

The amendment also modifies section 243 of the code to allow, in the case of a small business investment company operating under the Small Business Investment Act of 1958, a 100-percent dividend received deduction (rather than the 85-percent deduction allowed corporations generally) with respect to dividends received from taxable domestic corporations.

The House recedes with a clerical amendment.

AMOUNTS RECEIVED AS DAMAGES FOR INJURIES UNDER THE ANTITRUST LAWS

Amendment No. 135: This amendment adds a new section which provides that if an amount representing damages is received or accrued by a taxpayer as a result of an award in, or settlement of, a civil action brought under the provisions of section 4 of the Clayton Act for injuries sustained by the taxpayer under the antitrust laws, then the tax attributable to the inclusion of such amount in gross income in the taxable year of receipt or accrual shall not exceed the aggregate of the increases in tax which would have resulted had such amount been received ratably over the period beginning with the first month in which the injuries were sustained and ending with the month in which such amount is received or accrued.

The House recedes with an amendment changing the period over which the amount received by the taxpayer is to be spread to the period during which the injuries were sustained by the taxpayer.

MITIGATION OF EFFECT OF LIMITATIONS

Amendment No. 137: This amendment adds a new paragraph to section 1312 of the 1954 Code to provide for an adjustment under section 1311 in a case in which a determination (as defined in sec. 1313 (a)) allows or disallows a deduction (including a credit) in computing the taxable income (or, as the case may be, net income, normal tax net income, or surtax net income) of a corporation, and a correlative deduction or credit has been erroneously allowed, omitted, or disallowed, as the case may be, in respect of a related taxpayer described in section 1313 (c) (7). The House recedes.

COMPUTATION OF TAX WHERE TAXPAYER RESTORES SUBSTANTIAL AMOUNT HELD UNDER CLAIM OF RIGHT

Amendment No. 142: Under section 1341 of the 1954 Code, if a taxpayer must restore a substantial amount, which had previously been included in income under a claim of right, his tax for the year of restoration is computed on the basis of allowing a deduction for the restoration or alternatively of computing the decrease in tax for the year of inclusion as if the inclusion had not been effected and reducing the current year's tax by that decrease, whichever computation results in the lesser tax. Existing law does not make it clear, if the alternative computation is followed, that the amount of the restoration is not to be taken into account, for example, in computing a net operating loss for the year of restoration. The House bill provides that, if the alternative method of computation is followed, the amount of the restoration is not to be taken into account for any purpose except such computation.

The Senate amendment makes three changes. First, an omission of the 1954 Code is remedied, by insuring that in computing the decrease in tax under the alternative method the World War II excess profits tax provisions will be taken into account. Secondly, although inventory items, etc., are generally excepted from the operation of section 1341, refunds or repayments made by regulated public utilities, required to be made by the regulatory body, do not come within the exception. The Senate amendment extends this treatment to refunds or repayments made by order of court or in settlement of litigation, or under the threat or imminence of litigation. Thirdly, the Senate amendment provides for the application of section 1341 to repayments, made pursuant to price redetermination provisions contained in subcontracts, to which section 1481 does not apply solely because the repayment involved is not made to the United States or an agency thereof.

The House recedes.

MITIGATION OF EFFECT OF PRICE REDETERMINATIONS OF SUBCONTRACTS SUBJECT TO RENEGOTIATION

Amendment No. 146: The Senate amendment adds a new section 1482 to the 1954 Code, relating to the tax treatment of payments made because of price redeterminations under subcontracts subject to statutory renegotiation. The amendment would fill a gap which exists under present law because of the limited application of section 1481, which provides relief to taxpayers whose prime contracts with the United States are renegotiated. Frequently, however, subcontracts under such contracts are subject to price redeterminations, and distortion because of tax rate changes results when a repayment is made as a result of a redetermination. The amendment provides that where a payment is made because of a price redetermination the tax of both payor and payee shall be recomputed, for the taxable year in which the original payment of price under the subcontract was made, as if the original payment had not been made to the extent that payment is returned as a result of the price redetermination. The resulting overpayment or deficiency, as the case may be, would, however, be treated as an overpayment or deficiency for the taxable year in which payment is made pursuant to the price redetermination. The amendment will apply only to subcontracts subject to statutory renegotiation, and only to the extent section 1481 does not apply. Only subcontracts entered into after December 31, 1957, will be covered by the amendment.

The House recedes with a clerical amendment.

REVOCATION OF ELECTION PERMITTING CERTAIN PROPRIETORSHIPS AND PARTNERSHIPS TO BE TAXED AS CORPORATIONS

Amendments Nos. 148 and 161: Section 1361 of the 1954 Code permits certain unincorporated business enterprises to elect to be treated for tax purposes as corporations. The House bill repealed section 1361 and section 1504 (b) (7) (relating to definition of includible corporation), effective with respect to taxable years beginning after December 31, 1957. The Senate amendment deletes this provision.

The House bill provided that a statement of election to be taxed as a corporation under section 1361 filed in accordance with regulations prescribed by the Secretary of the Treasury or his delegate shall be treated as a valid election, but that the election may be revoked within a prescribed period. The House bill also tolled the statute of limitations on assessments of deficiencies and credits or refunds of overpayments attributable to an enterprise which has made an election under section 1361. The Senate amendment makes these provisions inapplicable to any statement of election which has been withdrawn with the permission of the Secretary or his delegate before the date of enactment of the bill.

The House recedes.

ELECTION OF CERTAIN SMALL-BUSINESS CORPORATIONS

Amendment No. 163. This amendment adds a new subchapter S (consisting of secs. 1371–1377) to the code. Subchapter S is applicable to a "small-business corporation" which elects not to be subject to the income tax imposed by chapter 1 of the code and to the shareholders of such corporation. Where the tax treatment provided by this subchapter is elected, the shareholders include in their own income for tax purposes the current taxable income of the corporation, both the portion which is distributed and that which is not. Neither type of income in this case is eligible for a dividend received credit or exclusion. Generally, this income is treated as ordinary income to the shareholder without the retention of any special characteristics it might have had in the hands of the corporation. However, in the case of long-term capital gains the character carries over to the shareholder level.

If a shareholder has been taxed on corporate earnings which were not at that time distributed, and the corporation in a subsequent year distributes these earnings to such shareholder, no further tax is required from the shareholder at that time with respect to such earnings. The net operating losses of the small-business corporation are passed through currently to the shareholder. There is no carryover or carryback at the corporate level of operating losses to or from a year with respect to which this special treatment has been elected. At the individual level these corporate losses are to be treated in the same manner as any loss which the individual might have from a proprietorship.

Where this special treatment has been elected the basis of a shareholder's stock is increased for any of the corporate earnings taxed to him which are not then distributed, although this basis is subsequently reduced if these taxpaid corporate earnings are distributed. The basis of the stock of a shareholder is also reduced for any corporate losses which are passed through to him. The losses that he may take, however, are limited to the basis he has for the stock.

The right to elect the treatment provided under this new subchapter is limited to domestic corporations which are not eligible to file a consolidated return with any other corporation. Also, they must not have more than 10 shareholders, their shareholders must all be individuals (or an estate), no nonresident aliens may be shareholders, and the corporation may not have more than one class of stock.

An election may be made to apply the tax treatment provided by this new subchapter only if all of the shareholders consent to this election. For this purpose the shareholders are those of record as of the first day of the taxable year in question, or if the election is made after that time, shareholders of record when the election is made. An election to come under this provision must be made in a 2 months' interval, either in the first month before the beginning of the taxable year for which the election is to be made or in the first month of that year. (A longer period of time, up to 90 days after the date of enactment of this bill, is allowed for the first taxable year beginning after December 31, 1957.) Once this provision is elected it is effective not only for the taxable year but also for all subsequent years although this election may be terminated.

The election provided by subchapter S can be terminated in any one of several ways. However, if an election has been terminated or revoked, the corporation (or any successor) is not to be eligible to elect this treatment until its fifth year after the beginning of the year in which the termination or revocation is effective. The Secretary or his delegate is given the authority to make exceptions to this limitation, however.

The House recedes with a clerical amendment.

INCOME TAXES PAID UNDER CONTRACT

Amendment No. 208: The House bill provided that where a lease was entered into before January 1, 1952, between corporations, and under the lease, the lessee is obligated to pay or reimburse the lessor for any part of the tax imposed by chapter 1 of the 1939 Code with respect to the rentals derived under the lease, gross income of the lessor includes the rentals and any tax imposed by such chapter with respect to such rentals. It further provided that the lessee shall be allowed to deduct the amount of the rentals, the tax on such rentals, and the tax on such tax. The Senate amendment provides that where a contract (including a lease) was entered into before January 1, 1952, between corporations, and under the contract, which one party (the payor) is obligated to pay or reimburse another party (the payee) for any part of the tax imposed by chapter 1 of the 1939 Code with respect to the income derived under the contract, gross income of the payee includes the income so derived and any tax imposed by such chapter with respect to such income. The Senate amendment also provides that the payor will not be able to deduct any payment or reimbursement of Federal income tax imposed which, without the benefit of this provision, would have to be capitalized rather than deducted. The Senate amendment applies to a contract to which the payor and the payee are parties. It has no application to that part of a contract which provides for payment of Federal income taxes on income which is not derived under the contract by the payee.

The House recedes.

CERTAIN RECAPITALIZATIONS OF RAILROAD CORPORATIONS

Amendment No. 211: This amendment would have added a new subsection (c) to section 723 of the 1939 Code (relating to the computation of equity invested capital in special cases under the World War II excess-profits tax).

Section 760 of the 1939 Code (relating to the computation of equity invested capital in connection with certain exchanges) provided, in general, that where the assets of a corporation were transferred to another corporation in a tax-free reorganization, the equity invested capital of the old corporation was carried over to the new corporation for purposes of determining its excess-profits credit. It has been held, however, that section 760 is inapplicable where a railroad corporation was reorganized by means of a recapitalization, with the result that the equity invested capital of such a corporation may be reduced.

The Senate amendment provided that where a railroad corporation has been recapitalized after December 31, 1938, in a bankruptcy or receivership proceeding, the equity invested capital of the corporation, at the election of the taxpayer, will be determined as if the assets of the corporation had been transferred to a new corporation in a transaction to which section 760 of the 1939 Code applied.

The Senate recedes. In striking this amendment it was the understanding of the managers on the part of the House that this action taken is without prejudice as to the merits of the Senate amendment.

BEQUESTS, ETC., TO SURVIVING SPOUSE

Amendment No. 212: The Senate amendment adds a new section to the House bill which would amend section 812 (e) (1) (F) of the 1939 Code (relating to bequests, etc., to surviving spouse in trust with power of appointment).

Section 812 (e) of the 1939 Code allows as a deduction from the gross estate certain property interests passing to the decedent's surviving spouse. With several exceptions, no deduction is allowable under that section in the case of terminable interests. Paragraph (1) (F) of subsection (e) provides an exception to this rule in the case of certain terminable interests provided a number of conditions are met. Two important conditions are (1) that the transfer be in trust, and (2) that the surviving spouse be given all the income from the corpus of the trust during her life and a complete power to appoint the entire remainder of the corpus of the trust to herself or to her estate. These two conditions were relaxed in section 2056 (b) (5) of the 1954 Code so that (1) the transfer need not be in trust and (2) the rights to the income and corpus of the surviving spouse need extend only to a portion of the transferred property (in which case that portion would qualify for the deduction). Under the Senate amendment, the more lenient rules contained in the 1954 Code are made applicable with respect to decedents dying after April 1, 1948, and before August 17, 1954, which is substantially the period covered by the 1939 Code. The amendment further provides that if refund or credit of any overpayment resulting from

the application of such amendment was prevented on the date of the enactment of the bill, or at any time within 1 year from such date by the operation of any law or rule of law (other than those relating to closing agreements and compromises), refund or credit of such overpayment may, nevertheless, be made or allowed if claim therefor is filed within 1 year after the date of enactment of the bill. No interest shall be allowed or paid on any overpayment resulting from the application of this amendment.

The House recedes with a clerical amendment.

BASIS OF PROPERTY ACQUIRED IN CERTAIN RAILROAD REORGANIZATIONS

Amendment No. 218: The House bill amends section 372 of the 1954 Code (relating to basis in connection with certain receivership and bankruptcy proceedings) by adding thereto a new subsection (b) which provides for a mandatory adjustment to the basis of certain retirement-straight line property acquired in certain reorganizations for depreciation sustained before March 1, 1913. The amendment of section 372 applies to taxable years beginning after December 31, 1955.

The Senate amendment provides that the amendment of section 372 is not to apply to any taxpayer if, before the date of enactment of the bill, there has been a determination, for any taxable year, of the adjusted basis of the taxpayer's retirement-straight line property of the type described in new section 372 (b) by the Tax Court or other court of competent jurisdiction, in any proceeding in which the court's decision became final after December 31, 1955, and which established the taxpayer's right to use the straight-line depreciation method with respect to such property for any taxable year.

The House recedes.

EXTENSION FOR FILING CLAIMS FOR REFUNDS RELATING TO EDUCATIONAL EXPENSES

Amendment No. 219: This amendment, which adds a new section to the House bill, extends the period for filing claims for refund or credit relating to educational expenses paid or incurred for the taxpayer's first taxable year beginning after December 31, 1953, and ending after August 16, 1954, provided such claims are not prevented by operation of section 7121 or 7122 of the Internal Revenue Code of 1954 (relating to closing agreements and compromises). The House recedes with a clerical amendment.

DEDUCTIBILITY OF ACCRUED VACATION PAY

Amendment No. 220: The Senate amendments provide that a deduction under section 162 of the 1954 Code on account of accrued vacation pay shall not be denied for any taxable year ending before January 1, 1961, solely by reason of the fact that during the taxable year (1) the liability for the vacation pay to a specific person has not been clearly established, or (2) the amount of the liability to each individual is not capable of computation with reasonable accuracy, provided the employee has performed certain qualifying service.

The House recedes with a clerical amendment.

MOVING EXPENSES OF EMPLOYEES

Amendment No. 221: This amendment, for which there is no corresponding provision in the House bill, would have provided an exclusion from gross income of amounts received after December 31, 1949, and before enactment of this bill as reimbursement for moving expenses of new employees of certain corporations formed exclusively to operate laboratories for the Atomic Energy Commission. The exclusion would have been limited to the actual moving expenses paid or incurred by the employee, and it would have been denied to any employee who was advised, at the time of his employment, by an authorized representative of the corporation, that such reimbursement would be includible in gross income. The Senate recedes.

EXTENSION OF TIME FOR MAKING REFUND OF OVERPAYMENTS OF INCOME TAX RESULTING FROM ERRONEOUS INCLUSION OF CERTAIN COMPENSATION FOR INJURIES OR SICKNESS

Amendment No. 222: This amendment adds a new section to the House bill which extends the time within which refunds may be made for overpayments of income tax resulting from the erroneous inclusion in gross income of certain compensation for injuries or sickness, if a claim for credit or refund of such overpayment was filed after December 31, 1951, and within the time prescribed by law.

The House recedes.

AMOUNTS RECEIVED BY CERTAIN MOTOR CARRIERS IN SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES

Amendment No. 223: This amendment provides that amounts received in settlement of any claim against the United States arising out of the "taking" by the United States under Executive Order 9462 of possession or control of any motor carrier transportation system, shall, at the election of the taxpayer, be deemed to be income received or accrued in the taxable years during which such motor carrier system was in the possession or control of the United States. The Senate amendment also provides that the period for assessing any deficiency resulting from the application of this amendment shall not expire prior to 1 year after the date on which the taxpayer makes his election, and that no interest shall be assessed or collected for any period prior to March 15, 1953, with respect to that part of any deficiency which is attributable to the inclusion of income by reason of the application of this amendment.

The House recedes with a clerical amendment.

REASONABLE CAUSE FOR FAILURE TO FILE RETURN

Amendment No. 224: This amendment provides a new application of the second sentence of section 106 of the 1939 Code. That section limits the surtax of individuals to 30 percent on certain payments received from the United States, and subsection (b) extends this treatment to certain payments for the construction of military installations or facilities. The second sentence of section 106, for purposes of applying section 291 (a) of the 1939 Code (relating to additions to tax for failure to file a return) provides that in a case to which section 106 (b) applies, reasonable cause for failure to file a return shall include the filing of a timely incomplete return where the taxpayer was led to believe that no tax was due on amounts received under a settlement with the United States. For taxable years ending after December 31, 1942, this amendment will apply the second sentence of section 106 in any case where an amount is received in settlement of a claim arising under the same contract as a claim the settlement of which results in the receipt in a subsequent taxable year of any amount to which section 106 (b) applies.

The House recedes with a clerical amendment.

FLOOR STOCK REFUNDS APPLICABLE TO IMPORTERS OF ELECTRICAL LIGHT BULBS

Amendment No. 225: The Excise Tax Reduction Act of 1954 amended the 1939 Code to provide a floor stock refund of tax with respect to electric light bulbs held by dealers on the tax reduction date. Such refund (or credit) was to be made (if certain requirements were met) to the manufacturer or producer of the light bulbs.

Senate amendment No. 225 would amend section 1657 of the 1939 Code to allow refunds or credits to be made to importers of light bulbs as well as the manufacturers and producers. The Senate recedes.

EARNINGS AND PROFITS OF REGULATED INVESTMENT COMPANIES

Amendment No. 226: Under the provisions of section 362 (a) of the Internal Revenue Code of 1939, it was specifically provided that the current earnings and profits of any regulated investment company (but not its accumulated earnings and profits), whether or not it qualified for the conduit treatment of its income for the taxable year, would not be reduced by any amount which was not allowable as a deduction in computing its taxable income for the taxable year. Therefore, nondeductible losses, for example, would not reduce its current earnings and profits. The principle was inadvertently eliminated in the 1954 Code.

Senate amendment No. 226 reintroduced this principle to the regulated investment company provisions of the code for taxable years of a regulated investment company beginning after December 31, 1957.

The House receded with an amendment changing the effective date to taxable years beginning on or after March 1, 1958.

APPLICATION OF ESTATE AND GIFT TAXES TO CERTAIN RESIDENTS OF POSSESSIONS

Amendment No. 227: This Senate amendment added to the Internal Revenue Code of 1954 provisions relating to the imposition of estate and gift taxes on citizens of the United States residing in the possessions.

Under the provisions of this amendment United States citizens who are residents of the possessions and who acquired their United States citizenship completely independently of their connections with the possessions will have their estates taxed in the same manner as estates of citizens of the United States are taxed. The estates of all other residents of the possessions, regardless of citizenship, will be taxed in the same manner as the estates of nonresidents not citizens. The same line of demarcation is drawn in these provisions in taxing the making of gifts by residents of possessions. For example, a United States citizen who moves from the United States to one of the possessions will continue to be treated for estate and gift tax purposes in the same manner in which he would have been treated if he had remained in the United States. The Senate amendment also changes existing law so that any taxes paid to a possession will be treated as taxes paid to a foreign country for which credit will be allowed under section 2014 of the Internal Revenue Code of 1954 rather than as a credit under section 2011. The Senate amendment applies to estates of decedents dying after the effective date of this bill, and to gifts made after the effective date of this bill.

The House recedes with a modification that these provisions shall apply only to residents of possessions who acquired their United States citizenship completely independently of their connections with the possessions. With respect to all other residents of possessions, regardless of citizenship, existing law will continue to be applicable. It is recognized that with respect to these other residents of possessions a problem may still remain. However, it was believed that additional time is required for study in this area. For that reason no action is taken at this time with respect to these other residents of possessions.

CREDIT FOR UNITED KINGDOM TAX PAID ON ROYALTIES

Amendment No. 228: This amendment, for which there is no corresponding provision in the House bill, adds a new section to the bill. This section amends section 131 (e) of the 1939 Code and section 905 (b) of the 1954 Code, both of which relate to proof of the foreign tax credit, to provide that, for purposes of the foreign tax credit, the recipient of any royalty or other amount paid or accrued as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes, and formulas, trademarks, and other like property, and derived from sources within the United Kingdom of Great Britain and Northern Ireland, shall be deemed to have paid or accrued any income, war profits, and excess profits taxes paid or accrued to the United Kingdom with respect to such royalty or other amount (including the amount by which the payor's United Kingdom tax was increased by inability to deduct such royalty or other amount) if such recipient elects to include in its income the amount of such United Kingdom tax. The amendment of the 1939 Code will apply for all taxable years beginning on or after January 1, 1950, to which section 131 of the 1939 Code applies; and the amendment of the 1954 Code will apply with respect to all taxable years beginning after December 31, 1953, and ending after August 16, 1954.

Under this amendment the recipient of a patent or copyright royalty derived from sources within the United Kingdom will be entitled to a foreign tax credit for the United Kingdom tax deducted from the royalty payments if he elects to include the amount of such United Kingdom tax in his income.

The House recedes with amendments pursuant to which no interest will be paid or allowed on any overpayment resulting from the application of this provision.

Amendment No. 229: This amendment adds a new title II to the House bill, entitled "Small Business Tax Revision Act of 1958." The Senate amendment incorporates the provisions of H. R. 13382 as passed by the House, with several changes, and added one new provision. The House recedes and agrees to the Senate amendment No. 229, with amendments. Except for certain technical, clerical, and conforming amendments, the text of these provisions, as they are proposed to be amended under the accompanying conference report, is the text of the Senate amendment with the following changes:

(a) No limit on net operating loss carryback: The Senate amendment provided that the 2-year net operating loss carryback provision of present law is extended to provide a 3-year carryback. Under the Senate amendment, however, the 3-year carryback is limited so that the loss which may be carried back to this third prior year may not exceed $50,000 (or $100,000 in the case of a husband and wife filing a joint return). The effect of the conference actions was to eliminate the limitation on the carryback to the third prior year.

(b) Used property: The Senate amendment would have added a provision providing that a taxpayer may apply the rapid methods of depreciation (e. g., the double rate declining balance and the sum-of-the-years digits method) to $50,000 of certain used property acquired in any year after 1957 ($100,000 in the case of a huaband and wife filing a joint return). This was to be available only for tangible personal property having a useful life of 6 years or more. Gain realized on the sale of such property was to be treated as ordinary gain to the extent of depreciation taken under the rapid methods. The effect of the conference action was to eliminate this provision.

One of the provisions of the Senate amendment, which was also in H. R. 13382 as passed by the House, provides ordinary loss treatment for sales and other dispositions of certain small-business stock. Under H. R. 13382 as passed by the House this treatment was limited to stock issued to an individual and an individual was defined as not including a partnership, trust, or estate. Under the amendment, however, this treatment is also available in the case of stock issued to partnerships. The House has accepted this feature of the Senate amendment. It is understood that in the case of partnerships any losses from small-business stock will be passed through to the partners and that the $50,000 or $100,000 limitations will be applied by taking into account their share of any losses on stock disposed of which they had held directly. Also, since to qualify for the ordinary loss treatment the stock must be held by the individual or partnership to whom issued, loss on stock issued to a partnership which was distributed to a partner before the loss was sustained would not qualify.

W. D. MILLS,
N. J. GREGORY,
AIME J. FORAND,
DANIEL A. REED,
RICHARD M. SIMPSON,
Managers on the Part of the House.

Mr. MILLS. I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the conference report on H. R. 8381, which we are now considering marks the successful conclusion of one aspect of the undertaking of the Subcommittee on Internal Revenue Taxation of the Committee on Ways and Means. The bill, which is designed to eliminate a number of unintended hardships and unintended benefits arising under the provisions of the 1954 Code, began its history in the hearings conducted by the Subcommittee on Internal Revenue Taxation in November 1956. I had the honor of serving as the chairman of the subcommittee, and I wish to thank the membership of that subcommittee and the membership of the Committee on Ways and Means for their hard work and diligence in pursuing what is the essentially technical nature of the subject matter covered by the bill. The members of the subcommittee are the gentleman from Kentucky, the Honorable NOBLE J. GREGORY; the gentleman from Illinois, the Honorable THOMAS J. O'BRIEN; the gentleman from Texas, the Honorable FRANK IKARD; the gentleman from Pennsylvania, the Honorable RICHARD M. SIMPSON; the gentleman from New Jersey, the Honorable ROBERT W. KEAN; and the gentleman from Tennessee, the Honorable HOWARD H. BAKER.

While a large number of amendments were added by the other body when it was considering the bill, the chief amendment is contained in title II, which adds to the bill the provisions of H. R. 13382, the small business tax revision bill of 1958.

The great majority of the Senate amendments make no more than technical, clerical, clarifying, or conforming changes in the bill as it passed the House. Many of these changes were made necessary by the lapse of time entailed in the other body's consideration of the bill. In the case of amendments which are technical, clerical, clarifying, or conforming, the House either recedes or recedes with amendments made necessary to perfect the bill, or the Senate recedes in order to conform to other action agreed to by the committee of conference.

It is my purpose to discuss only the substantive action of the committee of conference respecting the bill.

Amendment No. 6: The House bill amended section 37 of the Internal Revenue Code of 1954 having to do with the retirement income credit to remove certain differences between the application of the retirement income credit provisions to married individuals residing in community property States and those individuals residing in the so-called common law States. The provisions of the House bill would have restricted the benefits of community property residents to those enjoyed by common law States. The Senate, in dealing with the problem, reversed this procedure and would have, in the case of joint returns, conferred the benefits now enjoyed by community property residents upon married individuals residing in common law States. The action of the conference committee results in the elimination of both the provision of the House and the Senate relating to this problem and has the effect of leaving existing law unchanged.

Amendments Nos. 7 and 9: The 1954 Code requires the amortization of premiums on short-term municipal bonds which are held by dealers in tax-exempt securities. However, bonds which are disposed of within 30 days after the date of acquisition by the dealer, and bonds with a call date more than 5 years from the date of acquisition by the dealer, do not fall under this requirement for amortization. The House bill would have deleted the exception for amortization in the case of bonds with the earliest maturity or call date more than 5 years after acquisition and, in addition, provided that the exception of existing law for bonds disposed of within 30 days after acquisition would apply only where the bonds were disposed of at a gain. The Senate amendments restored the exception of existing law for bonds maturing more than 5 years after acquisition, but limited the exception to cases in which such bonds are disposed of at a gain. The action of the committee of conference would accept the Senate amendments.

Amendment No. 11: The House bill would have repealed section 120 of the code which now permits police officials to exclude from income up to $5 per day as a subsistence allowance. The House was concerned because many States and localities were changing their method of compensating police officials in order to make use of this $5 per day exclusion. As a matter of fact, it was estimated that if all States and local governments were to make use of the exclusion it would result in a revenue loss of $50 million per year. On the floor of the Senate an amendment was adopted overturning the action of the House. As a result of the action of the committee of conference, the House provision is restored to the

bill and section 4 of the Internal Revenue Code will be repealed by its provisions. However, repeal will be applicable only with respect to amounts received as a statutory subsistence allowance for any day after September 30, 1958.

Amendment No. 12: The House bill would have changed the definition of dependent to make it clear that a dependency exemption is not allowable with respect to a member of the taxpayer's household where their relationship is in violation of local law. While retaining this provision, the Senate amendment further changes the definition of dependent so as to make it apply with respect to a child of the taxpayer legally adopted if for the taxable year of the taxpayer the child has his principal place of abode in the taxpayer's home and is a member of the taxpayer's household. In addition, the taxpayer must be a citizen of the United States. The action of the conference committee sustained the Senate amendment which is designed primarily for relief of American servicemen who adopt children abroad.

Amendment No. 15: The Senate amended the bill to add a new provision denying deduction to payments to foreign officials if such payments would be unlawful under the laws of the United States if applied to the foreign official. As a result of the conference committee action the Senate amendment is sustained. However, it applies only with respect to amounts paid or incurred after the date of enactment.

Amendment No. 18: In amending the emergency amortization provisions contained in section 168 of the 1954 Code in the first session of this Congress, it is possible that the Congress too narrowly restricted the application of emergency amortization in the case of facilities of interest to the Atomic Energy Commission. The Senate amendment adds a new provision to the bill to permit certifications with respect to facilities used to provide primary processing for uranium ore or concentrates under a program of the Atomic Energy Commission for the development of new sources of such ores or concentrates. However, under the amendment no certification may be made unless existing facilities are unsuitable because of their location. The action of the conference committee accepts the Senate amendment.

Amendment No. 19: Existing law provides for the unlimited deduction of charitable contributions by individuals if in 8 out of 10 years preceding the gift, 90 percent of the taxpayer's taxable income has been given to charity or paid to the Federal Government as income taxes. This test at present requires that the taxpayer take into account only those taxes paid in each year. The Senate amendment liberalizes this test to provide that instead of taking into account the amount of income tax paid during a particular year, the individual can take into account the amount of income tax paid in respect of the particular year. However, an amount paid as taxes may not be taken into account in more than one year. The action of the conference committee accepts the Senate amendment, with an amendment deleting an additional Senate floor amendment which would have permitted the taxpayer to combine any 2 years in the 10 preceding years in determining whether more than 90 percent of the taxpayer's income was represented by contributions and taxes, thereby permitting the taxpayer to qualify for the unlimited deduction of both of such 2 taxable years.

Amendment No. 20: The House bill would have amended section 170 (b) (1) of the 1954 Code to eliminate what was thought to be the double benefit accruing to the grantor of a short term charitable trust established for charitable purposes in cases where the grantor's wife, child, or grandchildren or other related members of the grantor's family have more than a 5 percent reversionary interest in the corpus or income of the trust. The Senate amendment deletes this section from the bill. The Senate amendment is sustained by the conference committee action.

Amendment No. 31: The House bill provided rules with respect to the effect of a net operating loss which is carried to or through the transitional years of the 1954 Code. That is, years beginning in 1953 and ending in 1954 or beginning in 1954 and ending before August 17, 1954. As amended by the Senate, refund or credit of any overpayment resulting from the application of these amendments would not be disallowed because of statutory bars if a claim for refund or credit is filed therefor within 6 months of the enactment of the bill. However, no interest would be paid in connection with such overpayments. The conference committee action accepts the Senate amendment.

Amendment No. 32: The Senate amendment would have added a new provision to the bill to provide a deduction in the case of assessments levied by a soil or water conservation or drainage district after December 31, 1957, which would otherwise qualify under section 175 relating to soil and water conservation expenditures. Deduction is denied such expenditures under existing law while they would be available in the case of the owner of land making such expenditures personally. Under the Senate amendment, rules are supplied for ascertaining the amount of the deduction restricting the eligibility for the deduction, its amount, and requiring basic adjustments. While very much sympathetic to the objective of the Senate amendment, your conferees were concerned about the complicated rules provided for its operation. These rules would have affected both taxpayers and the Internal Revenue Service and raised serious problems of equity among taxpayers variously situated. To provide time for the further study of the problem the action of the conference committee deletes the Senate amendment from the bill.

Amendments Nos. 34 and 35: The House bill contains rules providing that where a lessee constructs an improvement on leased property, he must take into account not only the period of the lease but the period covered by options to renew in determining the period over which the improvement may be depreciated, unless it is shown that it is more probable than not that the lease will not be renewed. Under the Senate amendments the rule of the House bill will operate only if less than 60 percent of the improvements useful life falls within the leased period without taking into consideration renewals. If more than 60 percent of the useful life of the improvement falls within the remaining leased period, depreciation may be computed without taking into account renewals unless the facts show with reasonable certainty that the lease will not be renewed. In addition, under the Senate amendments the rule of the House bill would be limited to cases where less than 75 percent of the cost of obtaining a lease is allocable to the remaining lease period without taking into account renewals. The Senate amendments also expand the definition of related persons contained in the House bill, in connection with these rules, to include lessors and lessees who are corporations and members of an affiliated group eligible to file a consolidated return. As a result of the conference action the Senate amendments are accepted.

Amendment No. 38: The Senate amendment adds a new provision to the Internal Revenue Code changing the limitations on the deductibility of medical expenses. Under existing law, the maximum deduction allowable for medical expenses is $5,000 a year in the case of an individual return or $10,000 in the case of a joint return. The Senate amendment increases this maximuin to $15,000 in the case of a taxpayer who is over 65 and disabled or whose spouse is over 65 and disabled. If a joint return is filed and both the taxpayer and his spouse are over 65 and disabled, the maximum would be increased to $30,000. For purposes of the amendment, disability covers only those who are unable to engage in any substantially gainful activity by reason of medically determinable physical or mental impairment which can be expected to result in death or to be of long continued and indefinite duration. The conference committee action would sustain the Senate amendment.

Amendments No. 40, 41, and 42: The House bill added a new subsection (c) to section 246 of the Internal Revenue Code of 1954, under which the intercorporate dividends received deduction will be denied if the dividend is on a share of stock sold or otherwise disposed of in a transaction where the share was held for 10 days or less. The 10-day holding-period requirement is changed by the Senate amendment, which is accepted by the conference action, to a 15-day period.

Amendment No. 46: The Senate amendment would provide new rules applicable to liquidations under section 337 of the Internal Revenue Code of 1954. Under existing law no gain or loss is recognized by corporations upon the sale of property if the sale is pursuant to a plan of complete liquidation and the corporation is completely liquidated within 12 months. However, the rule is not applicable to sales or exchanges made by a corporation owned 80 percent by another corporation where the basis of the property of the liquidated corporation is determined in the hands of a parent corporation under section 334 (b) (1). This exception is provided by section 337 (c) (2) (A) of the Internal Revenue Code. Under the Senate amendment, which adds a new provision to the House bill in the case of sales or exchanges of property which do not qualify for non-recognition of gain or loss because of section 337 (c) (2) (A), only in the case of minority shareholders who receive a distribution in complete liquidation—the amount realized shall be increased by the minority shareholder's proportionate share by which the tax would have been reduced if section 337 (c) (2) (A) had not been applied and, second, such shareholders shall be deemed for purposes of the 1954 Code to have paid an amount of tax equal to the amount of such increase, on the last day prescribed by law for the payment of the tax imposed by subtitle A for the taxable year. The conference action sustains the Senate amendment with a clerical amendment.

Amendment No. 47: The Senate amendment adds a new section to the House bill providing four exceptions to the collapsible corporation rule now contained in section 341 of the Internal Revenue Code. These exceptions would apply, first, in the case of sales or exchanges of stock by shareholders, and second, to liquidations if such liquidations would qualify as (a) complete liquidations taxed as capital gains under section 331 and which meet all of the requirements of section 337; (b) complete liquidations qualifying for nonrecognition of gain under section 333, and (c) sales or exchanges of property by the corporation qualifying under section 337 in connection with liquidations. However, no transaction would qualify for the new exception if the net unrealized appreciation realized by such transaction on the ordinary income assets of the corporation exceeds 15 percent of the net worth of the corporation. Special rules are provided for determining the ordinary income assets of the corporation which in some cases are applied on a stockholder-by-stockholder basis.

The purpose of the collapsible corporation rule now contained in section 341 is to prevent what would otherwise be ordinary income from being converted into capital gains. However, because of the breadth of the terms of the section it is being administered and interpreted so as to have the consequence of converting what would otherwise be capital gains into ordinary income. The Senate amendment will correct this in cases falling under its terms. As a result of the conference action, the Senate amendment is sustained.

Amendment No. 48: The House bill contained a provision designed to deal with what would be an unwarranted loss deduction in the case of transactions arising under section 358 of the code. This rule specifically provides for a downward adjustment of the basis of property received in an exchange where a loss to the taxpayer was recognized on such exchange. The Senate amendment would have eliminated this rule. As a result of the conference action, the Senate recedes.

Amendment No. 52: The House bill contained rules relating to the taxation of employee annuities purchased by a tax-exempt organization under a nonqualified plan. These rules provided that the annuity would be taxable at the time of becoming nonforfeitable to the employee to the extent that the value of the annuity exceeds 20 percent of the total compensation paid to the employee over the period to which the annuity relates. The Senate amendment would exempt from the House rule the portion of the annuity attributable to employer contributions made prior to December 31, 1957, and in addition provides new rules extending certain benefits now enjoyed only by annuitants under qualified plans to annuitants of nonqualified plans. These have to do with the $5,000 exclusion for employer contributions in the case of the estate tax and the exclusion for estate and gift tax in the case of survivor annuities. As a result of the conference action, the Senate amendments are sustained.

Amendment No. 61: The Senate amendment adds a new provision to the House bill relating to prepaid-subscription income. Under the Senate amendment, prepaid-subscription income will be included in the income of the publisher in the year in which he is under a liability to furnish or deliver a newspaper, magazine, or other periodical, if the publisher so elects. The election which is available with respect to each trade or business cannot be made with respect to a trade or business where the cash receipts and disbursements method of accounting is used. An election once made is irrevocable unless revocation obtains the consent of the Secretary of the Treasury or his delegate. In addition, the Senate amendment would permit deferral of amounts received as dues or fees from members of a nonprofit corporation whose principal activities consist of providing services to members. As a result of the conference action, that part of the Senate amendment relating to prepaid-subscription income is sustained and that part of the Senate amendment relating to dues and fees of nonprofit corporations is not sustained.

Amendment No. 64: The House bill provides rules for amending section 481 of the Internal Revenue Code of 1954. Section 481 provides rules respecting adjustments required because of changes in methods of accounting. The House bill provided that the net amount of any adjustment required under section 481 which results in an increase in taxable income of more than $3,000 and which is attributable to pre-1954 code years is to be taken into account ratable in the year of ths change of accounting method and the 9 succeeding taxable years, but only if the taxpayer was engaged in the same trade or business for 9 years before 1954. The Senate amendment would allow the full 10-year spread for pre-1954 code years provided by the House bill whether or not the taxpayer was engaged in the same trade or business for the 9 years succeeding 1954. The Senate amendment also provides an election whereby adjustments arising as a result of a change in accounting in a taxable year to which the 1954 code applies ending before January 1, 1958, may be spread for 10 years, beginning with the first taxable year which begins after December 31, 1957. As a result of the conference action, the Senate amendment is sustained.

Amendment No. 66: The Senate amendment retains, on an elective basis, the method of spreading adjustments arising under section 481 now provided by such section. Under the House bill, the 10-year-spread rule discussed above would have been an exclusive rule. The conference action accepts the Senate amendment.

Amendment No. 69: The Senate amendment contains a transitional rule applicable to taxpayers who change their method of accounting under section 481 of the 1954 code without complying with the regulations relating to changes in method of accounting. This transitional rule would permit the taxpayer in lieu of making the adjustments required under the provisions of the House bill to elect to return to the earlier method of accounting. The election must be made within 6 months after the date of the enactment of the bill and is not available after the taxpayer and the Treasury have agreed to the terms and conditions for making a change in method of accounting requested by the taxpayer and it will not be available to a taxpayer who is required by the Treasury to change his method of accounting before the date of enactment of the bill. The conference committee action sustains the Senate amendment.

Amendment No. 70: The Senate amendment would have provided an exemption from income tax in the case of certain nonprofit corporations and associations organized before September 1, 1955, if operated for the purpose of providing reserve funds for an insurance of shares or deposits in domestic building and loan associations or certain banks. As a result of the conference action, the Senate amendment is not sustained.

Amendment Nos. 74, 75: The bill as it passed the House dealt with the problem that has caused considerable concern since 1954, the fact that the 1954 code imposed severe penalties upon pension trusts that purchased unsecured debentures of the employer even though these purchases may have been made on the open market. The provision of the House bill specified four conditions which would make possible the purchase of unsecured debentures of an employer by a pension trust. The Senate amendment No. 74 eliminated one of the conditions as difficult to comply with and substantially unnecessary. In addition, the Senate amendment No. 75 provided a method by which a pension trust could make unsecured loans to the employer where the employer was prohibited by law from pledging his assets as security for a loan. The House conferees accepted these amendments.

Amendment No. 94: The House bill in section 32 dealt with the problem of the definition of property for purposes of the depletion allowance. Under present law,

where a taxpayer in the extractive industries has several properties, the way in which the various properties are aggregated can affect the amount of depletion deductions that he gets. The House bill dealt with the argument by a number of taxpayers that the rules relating to aggregation provided in the 1954 code, which were intended to be liberalizing, would, in fact, deprive a taxpayer of some benefits under the 1939 code. The House bill generally permitted taxpayers to use either the 1954 code provisions or the 1939 code provisions.

The Senate amendment No. 94 made a number of changes in this area which the managers on the part of the House accepted. The changes were as follows:

First. The provision of the House bill providing a choice between the 1939 code rules and the 1954 code rules was restricted to oil and gas wells.

Second. New rules were provided which will be the exclusive rules with respect to operating mineral interests other than oil and gas and nonoperating mineral interests after December 31, 1957. This new aggregation rule is also available on an elective basis between 1954 and 1958. In general, the theory of the new rule is that any aggregation of properties will be permitted so long as each aggregation contains all the mineral interests that comprise a complete mine or mines. Generally, it is believed that this will correspond to accounting practices in the extractive industries.

Third. The Senate amendment provides that the time for electing particular aggregations may be postponed from the taxable year of the first exploration expenditure as provided by present law to the year of the first development expenditure.

Fourth. In addition, the Senate amendment provides certain relaxation in the present rules dealing with the aggregation of nonoperating mineral interests.

Amendment No. 109: The House bill provided a carryback and carryover of the unused foreign tax credit. This carryback or carryover would correspond in method to the carryback and carryover of net operating losses. This section was deleted in the Senate bill and has been restored by the conferees.

Amendment No. 110: The Senate bill adopted a new provision dealing with the basis of property transferred by gift. Under present law, the recipient of a gift must treat as his basis the basis of the property in the hands of the donor. Under the Senate amendment, the recipient of the gift is permitted to add to the donor's basis in determining his own basis in the property the amount of any gift tax paid by the donor which is applicable to this property. The additional basis cannot increase the basis above the fair market value at the time of the gift. The House conferees accepted this amendment.

Amendment No. 113: The Senate added a new provision to the bill by amendment No. 113 which would increase the opportunity to make a reinvestment which will postpone any capital gains tax following the loss of one's property by seizure, requisition, or condemnation or threat or imminence thereof. Under present law, in these circumstances it is required that the new property be similar or related in use. Frequently, for example, where farm land has been condemned and the farmers, being unable to buy more farm land, have purchased urban real estate, they have found that they were not entitled to postponement of gain because the new real estate had a different use. The Senate amendment provides that the postponement of the gains tax will be allowed if the new property is of a like kind. Thus, in the example, purchase of other real estate would be satisfactory. The conferees accepted this amendment.

Amendment No. 117: The Senate bill added a provision which would permit taxpayers to deduct from ordinary income losses on property used in a trade or business arising from casualty or theft and for which the taxpayer is not compensated by insurance. This deduction could be made before having to offset these losses against gains from the sale of property used in the trade or business, which gains would otherwise be taxable at capital gains rates. Generally, this provision will offset a disadvantage under present law for taxpayers who insure their own properties. The conferees accepted this amendment.

Amendment No. 119: The House bill dealt with a loophole that had arisen under the 1954 code whereby bonds which had originally been issued at a discount were called before maturity at terms that were favorable to the bondholder. The Senate bill accepted the intention of this provision but in amendment No. 119 the Senate restricted the operation of this loophole-closing provision to cases where there was some intention at the time of issue to call the bond prior to maturity. The conferees accepted this amendment.

Amendment No. 125: The House bill dealt with a loophole that had developed after the 1954 code whereby dealers in securities could avoid the effect of section 1232 which was designed to prevent the use of short sales to artificially extend the holding period on investment securities. This could be done by closing short sales with stock held for customers in the ordinary course of trade or business. The House bill closed this loophole by restricting the 1954 code provision to routine short sales that were not used for tax avoidance. These were defined as short sales which were closed within 20 days. The Senate accepted this provision with respect to investments in stocks, but they did not apply it with respect to bonds. It appears that routinely dealers make short sales for longer than 20 days in the bond market, and the particular loophole with which section 1232 is concerned is not particularly significant in bond operations. The House conferees accepted this amendment.

Amendment No. 130: The House bill made two provisions with respect to the treatment of the sale of a patent by the inventor or by an original investor. In the first place, a technical defect of the 1954 code was corrected and the Senate bill accepted this amendment. In addition, the House bill provided that an inventor could not obtain capital gains by selling a patent to a corporation in which he owns 25 percent or more of the stock. Under present law, this prohibition operates only if the inventor owns 50 percent or more of the stock. The Senate restored the 50 percent test but the Senate receded in conference and the House provision was retained.

Amendment No. 134: The Senate bill added a new provision dealing with the taxation of small business investment companies. These companies are a new class of investment companies which are provided for in the Small Business Investment Act of 1958 which has recently passed the Congress. Generally, these companies are designed to provide a pool of equity funds for operating small businesses. The Senate amendment provides three tax advantages for these companies. They are permitted any ordinary deduction losses that they might realize from their investments in small businesses. Secondly, these investment companies are permitted a deduction of 100 percent of dividends received rather than the 85 percent deduction allowed corporations generally. In addition, individuals who invest in a small business investment company may take an ordinary deduction for losses realized on their stock in the investment company. The conferees accepted this amendment.

Amendment No. 135: The Senate bill provides that if a taxpayer receives triple damages for injuries sustained from violations of the antitrust laws, these may be taxed as though they had been received pro rata over the period for which the injury was sustained. This applies to amounts received as awards as well as amounts received as settlements of an action. Under present law the amounts are taxable as though received in 1 year. The House conferees accepted this amendment.

Amendment No. 137: The Senate amendment No. 137 dealt with a technical problem in the provisions which extend the statute of limitations where necessary to make an adjustment correlative to another adjustment required to be made by the taxpayer. The amendment would deal with the case where the correlative adjustments occurred, one in a parent corporation and the other in a subsidiary corporation. The House conferees accepted this amendment.

Amendment No. 142: This Senate amendment provides three specific changes in the provisions relating to the computation of tax where the taxpayer must restore a substantial amount which he had previously included in taxable income under a claim of right. The first amendment makes it clear that taxes to be taken into account on the previous inclusion of the income will include the World War II excess profits tax. The second amendment extends this treatment to certain refunds or repayments made by a regulated public utility under a court order in settlement of litigation or under the threat of litigation. The third Senate amendment extends this section to price redeterminations under subcontracts where higher up in the tiers of subcontracts the price redetermination involves a repayment to the United States. The conferees accepted these amendments.

Amendment No. 146: This Senate amendment deals with price redeterminations involving subcontracts under contracts subject to renegotiation. The material added by the Senate would provide that in lieu of taking into account a new deduction in income items for the repayments, the taxpayers involved may recompute the tax for the earlier year as though the amount of the overpayment had not in fact been paid. The House conferees accepted this amendment.

Amendments Nos. 148, 161: The House bill repealed the provisions of the 1954 code which permitted certain unincorporated businesses to elect to be taxed as corporations. The Senate amendment restored this election to the law and further made certain relatively technical amendments to the provisions for electing this treatment. These changes are required as a result of the fact that the Treasury has been unable so far to issue regulations under these provisions for the taxation of businesses as if they were corporations. The House conferees accepted the Senate amendments.

Amendment No. 163: This Senate amendment adds a new subchapter to the code which would permit certain small corporations to be taxed in a manner generally similar to the manner of taxing partnerships. Under the new provisions, if all the shareholders elect this treatment, the shareholders would be taxable on the corporate income whether it was distributed or not, and the corporation itself would not be subject to tax. Generally, the corporate income would be treated as ordinary income to the shareholder but in the case of long-time capital gains, this characteristic of the income would carry to the shareholder level. Losses incurred by the corporation would be deductible on a pro rata basis by the shareholder. The section contains a number of provisions dealing with the character of distributions to the shareholders following the year in which the corporation has elected this partnership type treatment. Generally, the right to the new treatment is limited to corporations with 10 or less shareholders.

Amendment No. 208: This Senate amendment dealt with the treatment between 1952 and 1954 of certain contracts wherein the payor agreed to pay any income taxes imposed on the payee attributable to payments under the contract. Previously the Congress had provided that the treatment accorded these contracts prior to 1952 would be extended between 1952 and the effective date of the 1954 code if the contracts were leases between corporations. The Senate amendment No. 208 extends this principle to contracts other than leases between two corporations. The House conferees accepted this amendment.

Amendment No. 212: This Senate amendment provides that the 1954 code rules with respect to the application of the marital deduction to property left in a life estate for a surviving spouse will apply in the case of decedents dying after April 1, 1948, and before the effective date of the 1954 code.

Amendment No. 218: The House bill contained provisions dealing with the determination of the basis of property in the case of railroad corporations that changed their method of accounting after 1940 from the retirement method to the depreciation method. Generally the provisions of the House bill were in the nature of a compromise of a dispute between the taxpayers and the Treasury as to the proper adjustment to be made at the time of this change. The Senate accepted the House provisions in this regard with one exception contained in amendment No. 218. This provided that the new provisions would not be applicable where the adjustment in the case of a particular taxpayer had been settled by a court decision which became final after 1955.

Amendment No. 219: This Senate amendment added to the House bill a provision to extend the time for filing claims for refund arising from deduction of certain educational expenses in 1954. The Treasury regulations indicating that these expenses, principally certain expenses of further education for teachers, were deductible under the 1954 code was not issued until a few days before the expiration of the statute of limitations for the first taxable year to which the 1954 code applied. The amendment would give taxpayers a reasonable time to comply with the Treasury regulations. The House conferees accepted the amendment.

Amendment No. 220: This Senate amendment extends the time through 1960 for which a taxpayer may take a deduction for the accrued costs of vacation pay even though those costs are not strictly accruable. These expenses were allowed under Treasury ruling in 1947 but the ruling was reversed in 1954. The effect of this reversal, however, has been postponed by successive Treasury actions through 1958. The House conferees agreed with this amendment.

Amendment No. 222: This Senate amendment adds to the House bill a provision extending the time within which refunds may be made for overpayments of income tax resulting from the erroneous inclusion in gross income of certain compensation for injuries or sickness if the claims were timely filed after 1951. These claims were initially filed under certain court decisions which indicated that the amounts received would not be includible in gross income but initially the Internal Revenue Service did not follow the court decision. In 1957 a Supreme Court decision made it clear that these amounts were not properly includible in income and in effect validated the refund claims. The amendment would permit payment of these refund claims despite the fact that the statute of limitations has expired. The House conferees accepted this amendment.

Amendment No. 223: This Senate amendment deals with amounts received by certain motor carriers in 1952 in settlement of claims against the United States arising out of Government seizure of the properties of these motor carriers in 1944 and 1945. The amendment provides that the amounts received in 1952 may at the election of the taxpayer be treated as though they had been received during the period of Government operation in 1944 and 1945. The House conferees accepted this amendment.

Amendment No. 224: This Senate amendment deals with a special provision of the 1939 Code which limits the surtax on individuals to 30 percent on certain payments received from the United States. This section further provides that in these cases reasonable cause for failure to file a return shall include the filing of a timely incomplete return where the taxpayer was led to believe that no tax was due on the amount received under a settlement with the United States. The amendment extends this latter provision to other payments received as settlements under the same claim. The House conferees accepted this amendment.

Amendment No. 226: This Senate amendment corrected an inadvertent error in the 1954 Code whereby it became possible for a regulated investment company to pay out less than 90 percent of its earnings and dividends in a year in which it realized large capital losses and thereby open up the possibility of using the capital losses to reduce its earnings and profits and making some dividends tax free in the hands of the shareholders. The amendment makes it clear that a regulated investment company would not be able to deduct from earnings and profits amounts which are not deductible in computing taxable income for the taxable year. The House conferees agreed to this amendment.

Amendment No. 227: This Senate amendment dealt with the imposition of estate and gift taxes on citizens of the United States residing in the possessions. The amendment, as modified in conference, provides that United States citizens who acquired their United States citizenship independently of their connection with the possessions will not be able to avoid the Federal estate tax by reason of dying while a resident of one of the possessions, nor will they be able to avoid the gift tax by making a gift while resident in one of the possessions. This is designed to prevent a serious loophole for the evasion of estate and gift taxes under present law. The amendment also provides that estate and gift taxes paid to the possessions will in these cases be treated as taxes for which a foreign tax credit is allowed. While the House conferees accepted these amendments, a further provision of the Senate bill was not accepted. This would have made subject to United States estate and gift taxes individuals who were United States citizens solely by reason of birth or residence in the possessions. It is believed that this particular area requires further study.

Amendment No. 228: This Senate amendment provides that a foreign tax credit will be allowed with respect to certain British taxes collected at the source on royalty payments. This provision will apply to taxable years beginning

after 1949. For the future it would appear to have no effect, in view of a provision under the tax convention with the United Kingdom recently approved by the Senate, since under that convention the United Kingdom will agree not to impose taxes on royalties in the particular circumstances under which the problem has arisen. If the foreign tax is not imposed, then no foreign tax credit will be necessary.

Amendment No. 229: In amendment No. 229 the Senate included with some modification the substance of H. R. 13382, the small business tax revision bill of 1958. The principal Senate amendments and the conference action thereon is as follows:

(a) A Senate amendment limited the 3-year loss carryback provision of the House bill by specifying that not more than $50,000 of loss could be carried back to the third preceding year. In conference the Senate receded from this amendment and restored the unlimited 3-year carryback of the House bill.

(b) A Senate amendment would have provided that the rapid methods of depreciation provided under the 1954 Code could be applied to $50,000 of certain used machinery and equipment acquired in any year after 1957. This amendment entailed some very complicated provisions designed to prevent the use of this rapid depreciation of used equipment as a device for converting ordinary income into capital gains. In view of the complexity of the provisions and the possibility that they might be a trap for the unwary under particular circumstances, the Senate conferees agreed to recede on this amendment.

(c) With respect to the provisions of the small business bill in the House dealing with the postponement of estate taxes the Senate bill contained two modifications designed to prevent circumstances which would inappropriately exclude certain taxpayers from the advantage of the section. The House conferees accepted these amendments.

(d) Finally the Senate amended the provision of the House bill dealing with ordinary loss treatment on certain stock investment in small corporations. Under the House bill an original investor in a small corporation could obtain ordinary loss treatment on losses on that stock but this applied only if the investor was an individual. The Senate amendment extends this ordinary loss treatment to an original investment by a partnership. The House accepted this amendment.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. REED. Mr. Speaker, I join with my distinguished chairman in urging the adoption by the House of the conference report on H. R. 8381. This legislation had its beginning in the Committee on Ways and Means as a legislative measure designed to remove inadvertent tax loopholes contained in our Federal tax structure and to remove unintended hardships that may result from the inequitable operation of certain provisions of our tax law. In the legislative process the loophole-closing and hardship-removing character of the legislation has been somewhat modified by the inclusion of many other proposals that do not quite meet the original definition of purpose of the bill. The bill as it has been modified in conference and brought back to the House by the House conferees is a meritorious measure that warrants the support of the membership of this august body. In this connection I would like to commend for your approval the very capable and effective work that was done by my fellow House conferees in constructively representing the best interests of the House in acting on this measure.

There were some provisions lost in conference that I would have preferred to see retained in the bill. Regrettably, the pressing time limitation imposed on the conferees did not accord adequate opportunity to have the meritorious provisions that were deleted sufficiently discussed so that they might be included in the conference report as having been accepted. It is my hope that during the next session of Congress we will proceed more deliberately on such provisions that fall in this meritorious category and eventually find them enacted into law.

It will not be my purpose in these closing days of the 85th Congress to discuss any of the substantive provisions of the bill as presented by the conference action. The conference report has been printed in the CONGRESSIONAL RECORD of today, beginning on page 17807 and is available to the membership of the House for its perusal.

Mr. Speaker, I would point out to the membership that through action in the other body the so-called small-business tax legislation that passed the House recently has been incorporated as a part of this bill. Operating within a very limited revenue loss margin I believe that the Congress has acted to provide significant improvements in important provisions of the tax law as they affect small business.

Mr. Speaker, I urge the adoption by the House of the conference report on H. R. 8381.

AMENDING TITLE II OF THE SOCIAL SECURITY ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11346) to amend title II of the Social Security Act to include Massachusetts among the States which are permitted to divide their retirement systems into two parts so as to obtain social security coverage, under State agreement, for only those State and local employees who desire such coverage, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out lines 3, 4, and 5, and insert "That the fourth sentence of section 218 (d) (6) of the Social Security Act is amended by inserting 'Massachusetts,' before 'Minnesota,' and by inserting 'Vermont,' before 'Washington.'"

After line 5, insert:

"SEC. 2. Such section 218 (d) (6) is amended by inserting after the fifth sentence the following new sentence: 'In the case of any retirement system divided pursuant to the fourth sentence of this paragraph, the position of any member of the division or part composed of positions of members who do not desire coverage may be transferred to the separate retirement system composed of positions of members who desire such coverage if it is so provided in a modification of such agreement which is mailed, or delivered by other means, to the Secretary prior to 1960 or, if later, the expiration of 1 year after the date on which such agreement, or the modification thereof making the agreement applicable to such separate retirement system, as the case may be, is agreed to, but only if, prior to such modification or such later modification, as the case may be, the individual occupying such position files with the State a written request for such transfer.'"

Amend the title so as to read: "An act to amend title II of the Social Security Act to include Massachusetts and Vermont among the States which are permitted to divide their retirement systems into two parts so as to obtain social security coverage, under State agreement, for only those State and local employees who desire such coverage, and to permit individuals who have decided against such coverage to change their decision within a year after the division of the system."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. NICHOLSON. Reserving the right to object, Mr. Speaker, will the gentleman explain this matter?

Mr. MILLS. Mr. Speaker, the Senate added two substantive amendments to this bill. First, the Senate included in addition to the State of Massachusetts, which was in the House bill, the State of Vermont, in a list of States which are permitted to divide their retirement systems into two parts. Second, the bill was amended to accord a second opportunity to individuals in States with a divided system to obtain coverage. We are advised that the Representative from Vermont feels that the amendment is acceptable. We have checked with the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], who is the author of the bill, and he says the amendments are acceptable to him.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H. R. 11346, in the form in which it passed the House of Representatives was to amend title II of the Social Security Act, as amended in 1956, to include the State of Massachusetts under the provision of present law which permits specified States to divide a retirement system into two parts and provide social security coverage for the part consisting of the positions of those employees who desire such coverage.

The Senate added two substantive amendments to this bill. First, it also included, in addition to the State of Massachusetts, the State of Vermont in the list of States which are permitted to divide their retirement systems into two parts. Second, the bill was amended to accord to those persons not originally choosing coverage under this provision of the law an additional opportunity to elect such coverage. Under this amendment a State would be permitted to modify its coverage agreement with the Department of Health, Education, and Welfare at any time before 1960, or, if later, within 1 year after coverage is approved for the group in question to transfer these people to the group desiring coverage. Such a transfer would be made only in the case of individuals who filed a written request with the State before the date of approval by the Secretary of the modification proposing the transfer.

I might point out that, with regard to the second amendment, the Committee on Ways and Means had two bills pending before it on this subject which were introduced by our colleagues on the committee, the Honorable HERMAN P. EBERHARTER and the Honorable JOHN W. BYRNES, and I should further point out that the Committee on Ways and Means acted favorably on the substance of those bills by including the provisions in the major social security bill which passed the House on July 31, 1958.

Mr. REED. Mr. Speaker, the House-passed version of H. R. 11346 had as its purpose the addition of the State of Massachusetts to the list of those States that are permitted to extend old-age and survivors insurance coverage to only those members of a retirement system who desire such coverage. The Senate, in its action on this legislation, has added the State of Vermont to this list and has in addition accorded to those persons not originally favoring coverage under this provision of the law an additional opportunity to elect such coverage.

AMENDMENT OF TITLE II OF SOCIAL SECURITY ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5411) to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 13, insert:

"SEC. 2. Subsection (k) of section 218 of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"'(3) Any agreement with any instrumentality of two or more States entered into pursuant to this act may, notwithstanding the provisions of subsection (d) (5) (A) and the references thereto in subsections (d) (1) and (d) (3), apply to service performed by employees of such instrumentality in any policeman's or fireman's position covered by a retirement system, but only upon compliance, to the extent practicable, with the requirements of subsection (d) (3). For the purpose of the preceding sentence, a retirement system which covers positions of policemen or firemen or both, and other positions shall, if the instrumentality concerned so desires, be deemed to be a separate retirement system with respect to the positions of such policemen or firemen, or both, as the case may be.'"

Page 8, after line 13, insert:

"POLICEMEN AND FIREMEN IN STATE OF WASHINGTON

"SEC. 3. Section 218 (p) of the Social Security Act (relating to policemen and firemen in certain States) is amended by inserting 'Washington,' immediately after 'Tennessee.'"

Amend the title so as to read: "An act to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage, to provide that interstate instrumentalities may secure coverage for policemen and firemen in positions under a retirement system of the instrumentality."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of this bill, as it passed the House of Representatives, was to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage.

The Senate added two amendments to this bill. First, a provision was added to permit any instrumentality of two or more States to obtain social security coverage, under its agreement, for those of its employees who are in policemen's or firemen's positions covered by a retirement system and who desire such coverage. Second, the State of Washington is added to the list of States contained in subsection (p) of section 218 of the act which are permitted to make coverage available to policemen and firemen.

Mr. REED. Mr. Speaker, I have joined in urging House concurrence in the Senate amendments to H. R. 5411. That legislation as it passed the House provided for the reinstatement of rights to mothers' insurance benefits under the Social Security Act that were terminated by remarriage under circumstances where the new husband dies prior to the surviving spouse qualifying as his widow for old-age and survivors insurance purposes. The change provided in the House bill gave to mothers protection that is similar to that accorded widows under similar circumstances.

The substantive amendment added by the Senate has as its purpose the authorization for interstate instrumentalities to secure OASI coverage for policemen and firemen who are employed by such instrumentalities and who are in positions covered under a retirement system.

AMENDMENT OF SECTION 403 OF SOCIAL SECURITY AMENDMENTS OF 1954

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7570) to amend section 403 of the Social Security Amendments of 1954 to provide social security coverage for certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out all after "is" over to and including line 4 on page 2 and insert "amended by striking out 'has failed to file prior to the enactment of the Social Security Amendments of 1956,' and inserting in lieu thereof 'did not have in effect, during the entire period in which the individual was so employed'."

Page 2, strike out lines 5, 6, and 7 and insert:

"SEC. 2. Section 403 (a) (3) of the Social Security Amendments of 1954 is amended by inserting 'performed during the period in which such organization did not have a valid waiver certificate in effect' after 'service'."

Page 2, after line 7, insert:

"SEC. 3. Section 403 (a) (5) of the Social Security Amendments of 1954 is amended by inserting 'without knowledge that a waiver certificate was necessary or' after 'in good faith and'."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H. R. 7570, in the form in which it passed the House of Representatives, was to amend section 403 of the Social Security Amendments of 1954 to provide that certain employees of nonprofit organizations may receive social-security credit for earnings in the employ of such an organization, even though at the time the wages were reported the organization had not filed the necessary certificate waiving its exemption from social-security taxes.

In brief, the purpose of the House bill was to liberalize the strict requirements of the act with respect to this particular area.

After the bill passed the House of Representatives, the Department of Health, Education, and Welfare advised the Senate Finance Committee that, in the light of cases which had recently come to the attention of the Department, it would be advisable to make certain technical amendments to this bill in order that its

basic purposes and objectives might be better achieved.

The Senate Finance Committee, as indicated in its report on the bill, did so amend this bill in accordance with the recommendations of the Department, and in that form the bill passed the Senate. As is explained in the Senate Finance Committee report on the bill, the modifications which were made by the Senate would provide retroactive social-security credit for certain employees of a nonprofit organization, regardless of when the organization filed a valid waiver certificate and regardless of whether the employment involved was terminated. The report stated that only if the provisions of the bill cover all these conditions fully would the Department be certain that the present coverage of section 403 would not be narrowed rather than liberalized. Thus, the amendments which were made by the Senate are technical in nature and designed not only to achieve the basic objectives of the original bill but also to assure that the present coverage of section 403 will not be narrowed.

Mr. REED. Mr. Speaker, it was the purpose of the House-passed version of this legislation to provide social-security coverage for certain employees of tax-exempt organizations which inadvertently failed to file the required waiver certificate in time to provide the intended coverage. H. R. 7570 would permit nonprofit organizations to include its employees under social security where the organization made the good faith assumption that it was not necessary to file a waiver certificate. The Senate in acting on this legislation amended the bill so as to clarify its provisions in conformity with recommendations made by the Department of Health, Education, and Welfare subsequent to the House action on the bill.

AMENDMENT OF TITLE II OF SOCIAL SECURITY ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8599) to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (1) of such act is not applicable to payments to employees of a State or a political subdivision thereof for employment covered under voluntary agreements pursuant to section 218 of such act, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike out all after "That" over to and including line 3 on page 2 and insert "subsection (1) of section 209 of the Social Security Act is amended by inserting immediately before the semicolon a period and the following: 'As used in this subsection, the term "sick pay" includes remuneration for service in the employ of a State, a political subdivision (as defined in sec. 218 (b) (2)) of a State, or an instrumentality of two or more States, paid to an employee thereof for a period during which he was absent from work because of sickness'."

Page 2, strike out lines 4 to 12, inclusive, and insert:

"SEC. 2. The amendment made by section 1 shall be applicable to remuneration paid after the enactment of this act, except that, in the case of any coverage group which is included under the agreement of a State under section 218 of the Social Security Act, the amendment made by section 1 shall also be applicable to remuneration for any member of such coverage group with respect to services performed after the effective date, specified in such agreement, for such coverage group, if such State has paid or agrees, prior to January 1, 1959, to pay, prior to such date, the amounts which under section 218 (e) would have been payable with respect to remuneration of all members of such coverage group had the amendment made by section 1 been in effect on and after January 1, 1951. Failure by a State to make such payments prior to January 1, 1959, shall be treated the same as failure to make payments when due under section 218 (e)."

Amend the title so as to read: "An act to amend title II of the Social Security Act so as to provide that the exception from 'wages' made by section 209 (1) of such act shall not be applicable to payments to employees of a State or a political division thereof for periods of absence from work on account of sickness."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED] and I may extend our remarks in connection with each of the bills from the Committee on Ways and Means now being passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, in the form in which it passed the House of Representatives, the purpose of H. R. 8599 was to amend title II of the Social Security Act to make inapplicable to payments to State and local government employees for employment covered under a Federal-State old-age and survivors' insurance coverage agreement the provision of present law which excludes from "wages" payments for periods after the employee reaches retirement age in which he renders no services. The principal effect of the House bill would have been to permit inclusion of salary of State and local government employees for periods during which the employee is on sick leave as wages for OASI purposes after the employee reaches retirement age, and also to apply the same treatment to any standby payments or other payments to such an employee for periods after retirement age in which he does no work for the employer.

The Senate amendments to this bill, according to the explanation made in the Senate Finance Committee report, were adopted at the suggestion of the Department of Health, Education, and Welfare and revised the language so as to make it apply only to State and local government sick-leave payments, and to make clarifying changes in the effective date of the bill. The Department advised that the language of section 1 of the House-passed bill was broader in its effect than was required to meet the problem presented by the States and, consequently, the bill was amended so as to restrict it to the basic problem.

Mr. REED. Mr. Speaker, H. R. 8599 has as its purpose the amendment of title II of the Social Security Act so as to permit the inclusion of salaries of State and local government employees for periods during which the employee is on sick leave as wages for OASI purposes after the employee reaches retirement age. The object of the House-passed version of this legislation and the Senate-passed version are identical. However, the Senate has made clarifying changes in the bill in conformity with recommendations made by the Department of Health, Education, and Welfare. It is appropriate that the House has agreed to these Senate amendments.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7670) to amend the Internal Revenue Code of 1954 to provide that clubs shall not be denied exemption from corporate income taxes if they would be exempt from such taxes as benevolent life insurance associations but for their activities as clubs, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 501 (c) (7) of the Internal Revenue Code of 1954 (relating to exemption of clubs from tax on corporations) is amended by adding at the end thereof the following new sentence: "Exemptions shall not be denied a club because it is also a benevolent life insurance association of a purely local character, if 85 percent or more of its income which is attributable to its life insurance operations consists of amounts collected from members for the sole purpose of meeting losses and expenses."

SEC. 2. The amendment made by this act shall be effective with respect to taxable years beginning more than 30 days after the enactment of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That (a) section 501 (c) (7) of the Internal Revenue Code of 1954 (relating to exemption of clubs from income tax) is amended by adding at the end thereof the following new sentence: 'Exemption shall not be denied a club because it is also a benevolent life insurance association of a purely local character, if 85 percent or more of its income which is attributable to its operations as a benevolent life insurance association consists of amounts collected from members for the sole purpose of meeting losses and expenses which are attributable to such operations, and if no part of the income which is attributable to such operations is used for purposes described in the preceding sentence.'

"(b) The amendment made by subsection (a) shall be effective with respect to taxable years beginning more than 30 days after the enactment of this act.

"SEC. 2. Section 4242 (a) of the Internal Revenue Code of 1954 (relating to definition of dues) is amended by striking out '; and' and inserting in lieu thereof a period, and by adding at the end thereof the following new sentence: 'In the case of an organization which is exempt from income tax under section 501 by reason of the second sentence of section 501 (c) (7), the term "dues" does not include an assessment for insurance purposes.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, it has come to the attention of the Committee on Ways and Means that some clubs which would otherwise be tax exempt under section 501 (c) (7) of the Internal Revenue Code of 1954 as clubs organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes are being subjected to tax merely because they also operate as a benevolent life-insurance association of a purely local character. Benevolent life-insurance associations of a purely local character are exempt from tax under section 501 (c) (12).

In considering this subject, it was the view of your committee that clubs which would otherwise be tax exempt should not be subjected to tax simply because they also conduct themselves as benevolent life-insurance associations of a purely local character providing death benefits to their members. H. R. 7670 as amended by the Committee on Ways and Means would provide that a club shall not be denied tax exemption because it is also a benevolent life-insurance association of a purely local character. However, 85 percent or more of a club's income attributable to operations as a benevolent life-insurance association must consist of amounts collected from members for the sole purpose of meeting losses and expenses attributable to such operations, and no part of such income may be used for the general purposes of the club looking toward pleasure, recreation, or other nonprofitable purposes.

To make plain that assessments for insurance purposes are not to be subjected to the Federal excise tax on club dues, an exemption is supplied in the case of such taxes for such assessments. As amended by your committee, the bill will be effective with respect to taxable years beginning more than 30 days after the date of enactment.

The Committee on Ways and Means was unanimous in ordering H. R. 7670 as amended favorably reported. I urge its adoption by the House.

Mr. REED. Mr. Speaker, I have concurred in the request of the distinguished chairman of the Committee on Ways and Means that H. R. 7670 receive the favorable consideration of the House. This legislation would amend the Internal Revenue Code to provide that clubs shall not be denied exemption from corporate income taxes if they would be exempt as a benevolent life-insurance association but for their club activities. The legislation would broaden the present concept of an exempt social club by according an exemption to a club if the club in addition to being a social organization also serves in the capacity of a benevolent life-insurance association of a local character.

It would seem, Mr. Speaker, that it is appropriate for an organization combining these two types of activities being allowed to have an exempt status.

TEMPORARY FREE ENTRY OF RELIGIOUS ARTICLES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 274) to provide for the temporary free entry of religious sceneramas and other articles imported for exhibition by religious societies or institutions, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 308 of the Tariff Act of 1930, as amended (19 U. S. C. 1308, relating to temporary free entry for articles under bond), is amended by adding at the end thereof the following new paragraph:

"(13) Articles for exhibition by religious societies or institutions."

(b) Such section 308 is further amended by striking out the word "and" at the end of paragraph (11), and by striking out the period at the end of paragraph (12) and inserting in lieu thereof a semicolon and the word "and."

With the following committee amendment:

Strike out all after the enacting clause and insert "That (a) section 308 of the Tariff Act of 1930, as amended (19 U. S. C., sec. 1308, relating to temporary free entry for articles under bond), is amended by adding at the end thereof the following new subdivision:

"'(14) Articles for exhibition by any corporation or association organized and operated for religious purposes, including cemeteries, schools, hospitals, orphanages, and similar nonprofit activities staffed and controlled by such corporation or association.'

"(b) Such section 308 is further amended by striking out 'and' at the end of subdivision (12), and by striking out the period at the end of subdivision (13) and inserting in lieu thereof '; and'."

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KEATING] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEATING. Mr. Speaker, this is a measure which deserves the wholehearted support of every Member of this body. It is designed to close one of those inequitable shortcomings in our laws which are constantly coming to light. By enacting this bill, we will be aiding numerous religious societies and institutions to better carry out their important work.

The need for this measure first came to my attention several years ago when I learned that the Sisters of Notre Dame in Rochester, N. Y., were charged duty on religious objects borrowed from their Motherhouse in Canada. The articles, consisting of several posters and small statuettes, were used in a mission scenerama at the Rochester War Memorial in October 1955. They were used to illustrate graphically the meaning of "Catholic action around the world."

Under the present law, such articles are not specifically exempted from duty payments. As a result, the Sisters were forced to pay the rate charged on all imported goods which consist chiefly of wood.

Such duties are clearly unjust when levied on objects for use by our religious organizations on a temporary basis. It seems obvious and unquestionably logical that material used strictly for and by religious groups, without profit to anyone, should be free from duty when brought into the United States.

H. R. 274 would eliminate this shortcoming in the present tariff laws. It would permit the temporary entry, under bond without payment of duty, of articles to be used for exhibition by religious societies or institutions. Such goods would have to be exported or destroyed under customs supervision within 3 years, or the importer would be held liable for damages under the terms of the bond he had posted.

As originally drafted, H. R. 274 drew favorable reports from the executive departments concerned with its policy and administration. The committee has added a clarifying amendment relating to the units which would be covered by this legislation. This language is perfectly acceptable to me, since it would include groups such as the Sisters of Notre Dame, and it is my understanding the amendment is also acceptable to the departments concerned.

My only regret concerning this measure is that it cannot be made retroactive to help those Sisters who originally inspired its introduction. However, I am confident they will be delighted by an affirmative action by this body today on this measure, since it will at least help similar groups in the future who wish to import goods for their activities.

Mr. Speaker, the scope of this measure is small. But the moral and legal justification is immense. It deserves the unanimous support of both Houses of Congress.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H. R. 274 is to permit the temporary entry under bond, without payment of duty, of articles for exhibition by religious societies or institutions, by

adding a new subdivision to section 308 of the Tariff Act of 1930 as amended. The articles so entered would have to be exported or destroyed under customs supervision within a maximum period of 3 years or the importer would be liable to liquidated damages under the terms of his bond.

As pointed out in the committee report on the bill, favorable reports were received on it from the Departments of State and Commerce, as well as an informative report from the Tariff Commission. The committee was advised by the Treasury Department that no unusual difficulty is anticipated in administering the legislation as amended by the committee.

The Committee on Ways and Means is unanimous in urging enactment of this legislation.

Mr. REED. Mr. Speaker, the legislation that has just passed the House would add to the list of articles that religious societies and institutions may import on a duty-free basis religious sceneramas and other articles for exhibition purposes. The importation of such articles would be of a temporary character. There are appropriate safeguards contained in the law to guard against abuses of this import privilege. The Committee on Ways and Means was unanimous in favorably reporting this legislation to the House.

ESTATE TAX DEDUCTION FOR CHARITABLE TRANSFERS SUBJECTED TO FOREIGN DEATH TAXES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 731) to give relief in the case of transfers to United States charities which are subject to State and foreign death taxes, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2053 (d) of the Internal Revenue Code of 1954 (relating to deductions from the gross estate for expenses, indebtedness, and taxes) is hereby amended to read as follows:

"(d) Certain State and foreign death taxes.

"(1) General rule: Notwithstanding the provisions of subsection (c) (1) (B) of this section, for purposes of the tax imposed by section 2001 the value of the taxable estate may be determined, if the executor so elects before the expiration of the period of limitation for assessment provided in section 6501, by deducting from the value of the gross estate the amount (as determined in accordance with regulations prescribed by the Secretary or his delegate) of any estate, succession, legacy, or inheritance tax imposed by a State or Territory or the District of Columbia, or any possession of the United States, upon a transfer by the decedent for public, charitable, or religious uses described in section 2055 or 2106 (a) (2), and of any such tax imposed by and actually paid to any foreign country in respect of any property situated within such foreign country and included in the gross estate of a citizen or resident of the United States upon a transfer by the decedent for public, charitable, or religious uses described in section 2055. The election shall be exercised in accordance with regulations prescribed by the Secretary or his delegate.

"(2) Condition for allowance of deduction: No deduction shall be allowed under paragraph (1) for a State death tax or a foreign death tax specified therein unless the decrease in the tax imposed by section 2001 which results from the deduction provided in paragraph (1) is paid to, or permanently set aside for the benefit of, the public, charitable, or religious transferees described in section 2055 or section 2106 (a) (2). In any case where the tax imposed by section 2001 is equitably apportioned among the transferees of property included in the gross estate, including those described in section 2055 and 2106 (a) (2) (taking into account any exemptions, credits, or deductions allowed by this chapter), in determining such increase, there shall be disregarded any decrease in the Federal estate tax which any transferees other than those described in section 2055 or section 2106 (a) (2) are required to pay.

"(3) Effect of deduction on credit for State death taxes and for foreign death taxes. See section 2011 (e) for the effect of a deduction taken under this subsection on the credit for State death taxes and see section 2014 (b) for the effect of a deduction taken under this subsection for the credit for foreign death taxes. An election under this subsection shall be deemed a waiver of the right to claim under this subchapter A a credit under any estate tax convention with any foreign country for any portion of any tax taken as a deduction under this subsection."

SEC. 2. Section 2014 (b) of the Internal Revenue Code of 1954 is amended by adding at the end thereof a new paragraph (3) as follows:

"(3) In any case where a deduction is allowed under section 2053 (d) for an estate, succession, legacy, or inheritance tax imposed upon a transfer for public, charitable, or religious uses described in section 2055, the allowance of the credit under this section shall be subject to the following additional conditions and limitations:

"(i) The taxes described in subsection (a) shall not include any estate, succession, legacy, or inheritance tax for which a deduction is allowed under section 2053 (d).

"(ii) In applying the ratio prescribed in subsection (b) (1), the amount of such tax actually paid to such foreign country shall be reduced by the amount of any deduction allowed for such tax under section 2053 (d)."

SEC. 3. The amendments to the Internal Revenue Code of 1954 made by sections 1 and 2 of this act shall apply to the estates of all decedents dying after July 1, 1955.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That section 2053 (d) of the Internal Revenue Code of 1954 (relating to deductions from the gross estate for certain State death taxes) is amended to read as follows:

"'(d) Certain State and foreign death taxes:

"'(1) General rule: Notwithstanding the provisions of subsection (c) (1) (B) of this section, for purposes of the tax imposed by section 2001 the value of the taxable estate may be determined, if the executor so elects before the expiration of the period of limitation for assessment provided in section 6501, by deducting from the value of the gross estate the amount (as determined in accordance with regulations prescribed by the Secretary or his delegate) of—

"'(A) any estate, succession, legacy, or inheritance tax imposed by a State or Territory or the District of Columbia, or any possession of the United States, upon a transfer by the decedent for public, charitable, or religious uses described in section 2055 or 2106 (a) (2), and

"'(B) any estate, succession, legacy, or inheritance tax imposed by and actually paid to any foreign country in respect of any property situated within such foreign country and included in the gross estate of a citizen or resident of the United States upon a transfer by the decedent for public, charitable, or religious uses described in section 2055.

The determination under subparagraph (B) of the country within which property is situated shall be made in accordance with the rules applicable under subchapter B (sec. 2101 and following) in determining whether property is situated within or without the United States. Any election under this paragraph shall be exercised in accordance with regulations prescribed by the Secretary or his delegate.

"'(2) Condition for allowance of deduction: No deduction shall be allowed under paragraph (1) for a State death or a foreign death tax specified therein unless the decrease in the tax imposed by section 2001 which results from the deduction provided in paragraph (1) will inure solely for the benefit of the public, charitable, or religious transferees described in section 2055 or section 2106 (a) (2). In any case where the tax imposed by section 2001 is equitably apportioned among all the transferees of property included in the gross estate, including those described in sections 2055 and 2106 (a) (2) (taking into account any exemptions, credits, or deductions allowed by this chapter), in determining such decrease, there shall be disregarded any decrease in the Federal estate tax which any transferees other than those described in sections 2055 and 2106 (a) (2) are required to pay.

"'(3) Effect on credits for State and foreign death taxes of deduction under this subsection:

"'(A) Election: An election under this subsection shall be deemed a waiver of the right to claim a credit, against the Federal estate tax, under a death tax convention with any foreign country for any tax or portion thereof in respect of which a deduction is taken under this subsection.

"'(B) Cross references:

"'See section 2011 (e) for the effect of a deduction taken under this subsection on the credit for State death taxes, and see section 2014 (f) for the effect of a deduction taken under this subsection on the credit for foreign death taxes.'

"SEC. 2. Section 2014 of the Internal Revenue Code of 1954 (relating to credit for foreign death taxes) is amended by adding at the end thereof the following new subsection:

"'(f) Additional limitation in cases involving a deduction under section 2053 (d): In any case where a deduction is allowed under section 2053 (d) for an estate, succession, legacy, or inheritance tax imposed by and actually paid to any foreign country upon a transfer by the decedent for public, charitable, or religious uses described in section 2055, the property described in subparagraphs (A), (B), and (C) of paragraphs (1) and (2) of subsection (b) of this section shall not include any property in respect of which such deduction is allowed under section 2053 (d).'

"SEC. 3. Section 2011 (e) of the Internal Revenue Code of 1954 (relating to limitation on credit for State death taxes) is amended—

"(1) by striking out 'imposed upon a transfer' and inserting in lieu thereof 'imposed by a State or Territory or the District of Columbia, or any possession of the United States, upon a transfer';

"(2) by striking out 'for which a deduction' in paragraph (1) and inserting in lieu thereof 'for which such deduction'; and

"(3) by striking out 'the deduction authorized by' each place it appears in paragraph (2) and inserting in lieu thereof 'such deduction authorized by.'

"SEC. 4. The amendments made by the preceding sections of this act shall apply with respect to the estates of decedents dying after the date of the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "A bill to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to death taxes."

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, as Members of the House will recall, prior to the enactment of Public Law 414 of the 84th Congress, a pyramiding of estate taxes resulted in instances of a gift by a decedent for charitable purposes which qualified for deduction under the Federal estate-tax law but which did not so qualify under the provision of applicable State law. This pyramiding came about as a result of the following rules. The amount allowable as a deduction for purposes of the Federal estate tax was limited to the amount payable to the charity. This amount was, of course, reduced by the amount of the State taxes imposed on the value of the gift. The combination of the two taxes, and the resulting pyramiding, could result in the Federal estate tax being increased by much more than the estate tax on the bequest and in a considerable reduction in the amount of the transfer to charity. To prevent this, Public Law 414 granted a deduction to the estate for the amount of the State death taxes imposed upon a charitable transfer in cases where the net decrease in Federal estate taxes resulting from the deduction inured solely to the benefit of a charitable transferee or the entire Federal estate tax is equitably apportioned among all of the transferees of the decedent. However, the rules thus provided do not extend to foreign death taxes, and the pyramiding sought to be avoided by Public Law 414 still results in cases where a foreign death tax is imposed upon a gift made to charity where the decedent is subject to the Federal estate tax.

To place such gifts on a parity with gifts subject to the death taxes of a State, the District of Columbia, or the Territories and possessions of the United States, H. R. 731 provides that an executor may elect to take a deduction for any foreign death tax actually paid with respect to property situated within the foreign country if such property is included in the gross estate of a citizen or resident of the United States. However, as is presently the case with respect to the deduction for State death taxes, the deduction for foreign death taxes will be allowed only if the decrease in Federal estate tax resulting from the deduction inures solely to the benefit of public, charitable, or religious transferees or if the entire Federal estate tax is equitably apportioned among all of the transferees of the decedent which received property included in the gross estate.

The Committee on Ways and Means was unanimous in ordering H. R. 731 favorably reported. I urge its adoption by the House.

Mr. REED. Mr. Speaker, existing law provides a deduction from the Federal estate tax with respect to charitable bequests. Foreign governments do not always follow the same rules as the Federal Government in determining what constitutes deductible charitable bequests. Consequently situations arise where a decedent leaves a remainder interest in his estate to what would be considered a deductible charitable purpose insofar as the Federal estate tax is concerned that is subject to tax under the laws of a foreign government. This has the effect of reducing the size of the charitable bequest that may be taken as a deduction for Federal estate tax purposes.

H. R. 731 would amend the code to allow an executor an election to take a deduction for death taxes paid to a foreign country on property within that country if the property is included in the gross estate of a United States taxpayer upon property which the decedent would otherwise transfer for public, charitable, or religious uses. An election to take the deduction for the foreign taxes is deemed to be a waiver of the right to claim any credit for the foreign death taxes under a treaty.

TEMPORARY SUSPENSION OF PROCESSING TAX ON PALM OIL

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10239) to amend certain subsections of subchapter B of chapter 37 of the Internal Revenue Code of 1954, and for other purposes, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4511 (a) of the Internal Revenue Code of 1954 (relating to rate of tax on first domestic processing of certain vegetable oils) is hereby amended to read as follows:

"The tax imposed under section 4511 (a) of the Internal Revenue Code of 1954 shall not apply with respect to the first domestic processing of palm oil, palm-kernel oil, fatty acids derived therefrom, or salts thereof, or of any combination or mixture solely because such combination or mixture contains a substantial quantity of such oils, fatty acids, or salts, during the period beginning with the first day of the first month which begins more than 10 days after the date of the enactment of this act and ending with the close of June 30, 1960."

With the following committee amendment:

Strike out all after the enacting clause and insert "That the tax imposed under section 4511 (a) of the Internal Revenue Code of 1954 shall not apply with respect to the first domestic processing of palm oil, palm-kernel oil, fatty acids derived therefrom, or salts thereof, or of any combination or mixture solely because such combination or mixture contains a substantial quantity of one or more of such oils, fatty acids, or salts, during the period beginning with the first day of the first month which begins more than 10 days after the date of the enactment of this act and ending with the close of June 30, 1960."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to suspend temporarily the tax on the processing of palm oil, palm-kernel oil, and fatty acids, salts, and combinations or mixtures thereof."

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the bill H. R. 10239, approved unanimously by the Committee on Ways and Means, corrects an inequitable competitive situation arising from Public Law 85–235 which suspended through June 30, 1960, the tax of 3 cents per pound imposed upon the first domestic processing of coconut oil.

The tax on the first domestic processing of coconut oil is imposed by section 4511 of the Internal Revenue Code of 1954. This same section imposes the same 3 cents per pound tax on the first domestic processing of palm oil, palm-kernel oil, and fatty acids or salts derived therefrom. All of these oils are used for broadly similar purposes such as in the production of soap. The temporary suspension of the tax on coconut oil had the unintended result of placing palm oil and palm-kernel oil at a serious competitive disadvantage. This bill provides that the temporary suspension of tax through June 30, 1960, presently provided for coconut oil will be extended to palm oil and palm-kernel oil.

Mr. REED. Mr. Speaker, this legislation would suspend through June 30, 1960, the 3-cent-per-pound processing tax imposed on palm oil, palm-kernel oil, and certain derivatives therefrom. The Committee on Ways and Means was unanimous in favorably acting on this legislation.

RELIEVING SURGEONS GENERAL OF ARMY AND NAVY OF CERTAIN RESPONSIBILITIES OUTSIDE DEPARTMENT OF DEFENSE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2006) to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 4818 (a) of the Internal Revenue Code of 1954 is amended by striking out the designation "(a)" in the first line thereof.

(b) Subsections (b) and (c) of section 4818 of the Internal Revenue Code of 1954 are repealed.

(c) Section 4835 of the Internal Revenue Code of 1954 is repealed.

SEC. 2. Section 351 (d) of the Public Health Service Act (58 Stat. 702; 42 U. S. C. 252 (d)) is amended by striking out the words "made jointly by the Surgeon General, the Surgeon General of the Army, and the Surgeon General of the Navy, and approved by the Administrator."

With the following committee amendment:

Strike out all after the enacting clause and insert "That (a) section 4818 of the Internal Revenue Code of 1954 (relating to administrative decisions in respect of adulterated butter) is amended—

"(1) by striking out '(a) Taxability.—'; and

"(2) by striking out subsections (b) and (c) thereof.

"(b) (1) Section 4835 of the Internal Revenue Code of 1954 (relating to administrative decisions in respect of filled cheese) is repealed.

"(2) The table of sections for subpart A of part II of subchapter C of chapter 39 of the Internal Revenue Code of 1954 is amended by striking out—

"'Sec. 4835. Administrative decisions.'

"(c) Paragraph (2) of section 7303 of the Internal Revenue Code of 1954 (providing for forfeiture of certain property) is repealed.

"SEC. 2. Section 351 (d) of the Public Health Service Act (58 Stat. 702; 42 U. S. C., sec. 262 (d)) is amended by striking out 'regulations made jointly by the Surgeon General, the Surgeon General of the Army, and the Surgeon General of the Navy, and approved by the Administrator,' and inserting in lieu thereof 'regulations.'"

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, at the present time, the Internal Revenue Code and the Public Health Service Act each impose certain responsibilities upon the Surgeons General of the Army and Navy and the Secretary of the Treasury with respect to what are essentially civilian public-health matters. These functions are quite unnecessary at the present time and this bill eliminates the functions.

The Internal Revenue Code in section 4818 deals with the determination of what particular products will be subjected to the tax on adulterated butter. The section further provides that the Secretary of the Treasury may decide whether any ingredient in a butter substitute is deleterious to the public health and provides that in disputes arising in connection with the taxability of some product as adulterated butter, appeal may be taken to a board including the Surgeons General of the Army and Navy and the Secretary of Agriculture. Similar provisions are provided for the tax on filled cheese by section 4835 of the Internal Revenue Code. In addition, section 351 of the Public Health Service Act provides that the regulations relating to the licensing of establishments for the manufacture of biological products such as serums or antitoxins shall be made jointly by the Surgeon General of the United States and the Surgeons General of the Army and Navy and approved by the Federal Security Administration.

The assignment of functions to the Army and Navy in these three instances arose at a time when the Army and Navy were principal purchasers of biological products and butter substitutes and were not adequately protected by the operation of a general civilian agency that was concerned with the particular product. At the present time, the Federal Food, Drug, and Cosmetic Act provides adequate safeguards to health with respect to adulterated butter and filled cheese. Similarly, the operation of the Public Health Service and the Department of Health, Education, and Welfare serves to protect the public interest with respect to biological products. In both of these cases it appears appropriate to eliminate the responsibility assigned to the Army and Navy and the Secretary of the Treasury in these purely health matters. It is not a matter of revenue.

The committee has added an amendment to the bill that will repeal certain obsolete provisions dealing with the seizure and forfeiture of adulterated butter and filled cheese containing ingredients deleterious to health. These provisions are not essentially tax enforcement provisions and the Federal Food, Drug, and Cosmetic Act provides ample authority for seizure of products containing substances deleterious to human health.

The Committee on Ways and Means was unanimous in reporting this bill.

Mr. REED. Mr. Speaker, this legislation would relieve the Surgeons General of the Army and Navy of certain duties imposed on them under the provisions of the Internal Revenue Code in regard to the regulatory taxes on adulterated butter and filled cheese. It would also relieve these offices of certain responsibilities imposed by the Public Health Service Act with respect to the licensing of establishments dealing in certain biological products.

The Committee on Ways and Means in acting unanimously upon this legislation was informed that these services are now being performed by other executive departments.

ESTATE TAX TREATMENT IN CASE OF FAILURE TO RELINQUISH CERTAIN POWERS ON ACCOUNT OF MENTAL DISABILITY

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5804) to amend section 2038 of the Internal Revenue Code of 1954—relating to revocable transfers—which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2038 of the Internal Revenue Code of 1954 (relating to the treatment of certain revocable transfers for purposes of the estate tax) is amended by adding at the end thereof the following new subsection:

"(c) Effect of disability in certain cases: For purposes of this section, in the case of a decedent who was (for a continuous period beginning not less than 3 months before December 31, 1947, and ending with his death) under a mental disability to relinquish a power, the term 'power' shall not include a power the relinquishment of which on or after January 1, 1940, and on or before December 31, 1947, would, by reason of section 1000 (e) of the Internal Revenue Code of 1939, be deemed not to be a transfer of property for purposes of chapter 4 of the Internal Revenue Code of 1939."

SEC. 2. The amendment made by the first section of this act shall apply only with respect to estates of decedents dying after August 16, 1954.

With the following committee amendment:

Page 2, at the end of line 9, insert: "No interest shall be allowed or paid on any overpayment resulting from the application of the amendment made by the first section of this act with respect to any payment made before the date of the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, under present law the gross estate of a decedent, for purposes of the Federal estate tax, includes property held in trust if the grantor of the trust reserves the right to change the trust beneficiaries even though in all other respects he has no interest in the corpus of the trust. Under the 1939 code, in the case of trusts created prior to January 1, 1939, a retained power to change beneficiaries could be relinquished if done so on or after January 1, 1940, or on or before December 31, 1947, without the imposition of a gift tax. In addition, as a result of the Technical Changes Act of 1953, in the case of mentally incompetent decedents who died after December 31, 1950, no Federal estate tax was imposed with respect to the corpus of a trust with a retained power to change beneficiaries if such property would have been free of gift tax had the power been relinquished under section 1000 (e) of the 1939 code. This latter rule is applicable if the decedent was under a mental disability for a period beginning at least 3 months prior to December 31, 1947, and continuing to the date of his death. The rule of the Technical Changes Act of 1953 was extended by Public Law 414 of the 84th Congress to decedents dying after December 31, 1947.

Because of the limitations contained in the Technical Changes Act of 1953, and Public Law 414 of the 84th Congress, notwithstanding the incompetence of the decedent to relinquish a power, such decedent's gross estate would include all property with respect to which he had a retained power if the decedent was mentally incompetent for a period 3 months or more before December 31, 1947, and continued so until the date of his death if his death occurred after August 16, 1954. To place the estates of such decedents on a parity with estates of decedents dying in years to which the 1939 code applies, H. R. 5804 provides that the term "power" is not to include a power, the relinquishment of which during the period January 1, 1940 to December 31, 1957, would have been free of the gift tax imposed by the 1939 code as a result of section 1000 (e) of such code. This new exception for mentally incompetent decedents will apply under the bill to all years from 1947 on so long as the decedent is mentally incompetent from October 1, 1947, to the date of his death.

The Committee on Ways and Means is unanimous in ordering H. R. 5804 favorably reported. I urge its adoption by the House.

Mr. REED. Mr. Speaker, this meritorious legislation relates to the Federal estate tax treatment in a case of a failure to relinquish certain powers where the failure is the result of mental disability. The bill would amend the 1954 code with respect to persons who have been mentally incompetent for a period commencing at least 3 months prior to December 31, 1947, and who have remained so incompetent until the date of their death. It would be provided that any powers such person may have had at the date of his death to change beneficiaries of a trust are not to result in inclusion of that property in his gross estate for estate tax purposes.

Mr. Speaker, this legislation that has just passed the House was unanimously reported favorably by the membership of the Committee on Ways and Means.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H. R. 5944, which was introduced by our colleague from the State of Washington, the Honorable DON MAGNUSON, is to amend paragraph 1629 of the Tariff Act of 1930, a free-list provision, by adding at the end thereof a new subparagraph covering tourist literature issued by certain groups and which relates chiefly to places or travel facilities outside the continental United States.

The basic statutory language in the tariff schedules of the Tariff Act of 1930 does not specifically mention tourist literature. In the schedules of that act such literature is embraced within broader tariff provisions in several paragraphs, chiefly paragraph 1410. Certain classes of tourist literature have been carved out of the broader statutory provisions as a result of trade-agreement concessions, and are presently dutiable at reduced rates of duty. Thus, the type of tourist literature that is principally covered by this bill is presently dutiable at the rate of 3¾ percent ad valorem, if of bona fide foreign authorship, and at the rate of 6¼ percent if not of such authorship. Paragraph 1629 provides for the free entry of public documents issued by foreign governments and this provision has been held to include tourist literature issued wholly by or at the instance and expense of a foreign government or subdivision thereof. The purpose and effect of H. R. 5944 is to simplify the tariff treatment of such tourist literature and to extend the application of the duty-free treatment to a broader class of tourist literature.

The Committee on Ways and Means was assured, during the course of consideration of this bill, that it would not affect or in any way alter existing statutory controls on the importation of so-called subversive or propaganda material. Favorable reports were received on the bill from the Departments of State, Commerce, and Treasury, as well as an informative report from the Tariff Commission.

The committee was unanimous in reporting this legislation.

Mr. REED. Mr. Speaker, H. R. 5944, which has just been favorably considered by the House of Representatives, would add to the free list of the tariff act a new subparagraph covering certain tourist literature relating chiefly to places or travel facilities outside the United States. In the consideration of this bill by the Committee on Ways and Means, we were assured that the legislation would not alter existing statutory controls on the importation of any subversive or propaganda material. Favorable reports on the legislation were received from the Departments of State, Treasury, and Commerce.

Mr. MILLS. Mr. Speaker, that disposes of the bills I had to call up.

Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED] and I may extend our remarks in connection with the passage of each of these bills, which was unanimously reported favorably by the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FREE IMPORTATION OF TOURIST LITERATURE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5944) to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature.

The Clerk read the title of the bill, which was unanimously reported favorably by the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) paragraph 1629 of the Tariff Act of 1930 is hereby amended by adding at the end thereof a new subparagraph to read as follows:

"(c) Tourist literature containing historical, geographic, timetable, travel, hotel, or similar information, chiefly with respect to places or travel facilities outside the continental United States, issued by foreign governments or departments, agencies, or political subdivisions thereof, boards of trade, chambers of commerce, automobile associations, or similar organizations or associations."

(b) This act shall be effective as to merchandise entered for consumption, or withdrawn from warehouse for consumption, on or after the day after the date of enactment of this act.

With the following committee amendment:

Page 1, line 6, strike out "(c)" and insert "(d)."

AMENDING TITLE 18 OF UNITED STATES CODE IN RE MAILING OF OBSCENE MATTER

Mr. WALTER. Mr. Speaker, I call up the conference report on the bill (H. R. 6239) to amend sections 1461 and 1462 of title 18 of the United States Code, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT No. 2624)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6239) to amend sections 1461 and 1462 of title 18 of the United States Code, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That the eighth paragraph of section 1461 of title 18 of the United States Code is amended to read as follows: 'Whoever knowingly uses the mails for the mailing, carriage in the mails, or delivery of anything declared by this section to be nonmailable, or knowingly causes to be delivered by mail according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, or knowingly takes any such thing from the mails for the purpose of circulating or disposing thereof, or of aiding in the circulation or disposition thereof, shall be fined not more than $5,000 or imprisoned not more than five years, or both, for the first such offense, and shall be fined not more than $10,000 or imprisoned not more than ten years, or both, for each such offense thereafter.'

"SEC. 2. (a) The first paragraph of section 1462 of title 18 of the United States Code is amended to read as follows:

"'Whoever brings into the United States, or any place subject to the jurisdiction thereof, or knowingly uses any express company or other common carrier, for carriage in interstate or foreign commerce—'.

"(b) That paragraph of such section 1462 which begins with the words 'Whoever knowingly takes' is amended to read as follows: 'Whoever knowingly takes from such express company or other common carrier any matter or thing the carriage of which is herein made unlawful—'.

"(c) The last paragraph of such section 1462 is amended to read as follows: 'Shall be fined not more than $5,000 or imprisoned not more than five years, or both, for the first such offense and shall be fined not more than $10,000 or imprisoned not more

than ten years, or both, for each such offense thereafter.'"

And the Senate agree to the same.

FRANCIS E. WALTER,
MICHAEL A. FEIGHAN,
FRANK CHELF,
PATRICK J. HILLINGS,
DEWITT S. HYDE,
Managers on the Part of the House.

ESTES KEFAUVER,
THOS. C. HENNINGS, JR.,
WILLIAM LANGER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6239) to amend sections 1461 and 1462 of title 18 of the United States Code, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Section 1 of H. R. 6239, as reported by the Committee on the Judiciary of the House, and passed by the House of Representatives on May 19, 1958, amended section 1461, title 18, United States Code, to make the mailing of obscene matter a continuing offense. This amendment brought section 1461 of title 18, United States Code, within the meaning and intent of section 3237, title 18, United States Code, which provides, in effect, that offenses involving the use of the mails "may be inquired of and prosecuted in any district from, through, or into which such commerce or mail matter moves."

In the decision of the United States Court of Appeals, Tenth Circuit, June 19, 1953, in *United States* v. *Ross et al.* (205 Fed. 2d 619), it was held that the unlawful act defined in title 18, United States Code, section 1461, "is the deposit for mailing and not a use of the mails which may follow such deposit. That act is complete when the deposit is made and is not a continuing act." The importance of this decision rests in the fact that it is sometimes difficult to obtain a conviction for the mailing of obscene matter in certain jurisdictions. In the Ross case, above, the defendant had mailed pictures of nude females in one State for delivery in another State. In the judicial district where the pictures were mailed, the court held that the pictures were not obscene, whereas in the judicial district where the pictures were delivered the court reached the conclusion that it did not have jurisdiction for the reason stated.

The Senate has deleted the provision for prosecution in judicial districts through which the obscene mail passes in transit from the venue provision (first paragraph) of the proposed amendment to section 1461, title 18, United States Code.

In addition, the Senate amendment would bring into section 1461 of title 18, United States Code, a paragraph relating to the mailing of obscene matter to persons under 19 years of age.

It is the position of the Post Office Department that the crime of sending obscene matter through the mails is a continuing crime from the point of deposit, in transit, and at the point of delivery. The House concurred in the position of the Post Office Department. However it appears that the Senate amendment of the venue provision would destroy the nature of the continuing offense. Furthermore, the striking out of the provision for the prosecution of the offense in the jurisdiction through which the obscene matter passes is contrary to the intent of Congress as expressed by the law in section 3237 of title 18, United States Code.

Question has been raised as to whether the Post Office Department intends to press for the prosecution of violations of the law in the jurisdictions through which the unlawfully mailed matter passes in transit, if the language of the House of Representatives is restored to the bill by the conferees. In a letter dated August 5, 1958, and addressed to the chairman of the House Committee on the Judiciary, the General Counsel of the Post Office Department, Mr. Herbert B. Warburton, stated that the Post Office Department answers this question "emphatically" in the negative.

The letter from the Post Office Department stated further that their main concern with the Senate amendment is the fact that the crime herein dealt with is not made a "continuing offense" and the letter goes on to say:

This omission might nullify the language inserted in the amendment to cover the prosecution for the offense in the jurisdiction where the matter is delivered. In *United States* v. *Ross et al.* (205 Fed. 2d 619), the court held that the unlawful act defined in title 18, United States Code, section 1461, "is the deposit for mailing and not a use of the mails which may follow such deposit. That act is complete when the deposit is made and is not a continuing act."

As regards the second paragraph of the bill, as amended and passed by the Senate, it is felt that the amendment serves no useful purpose except to double the penalty for the mailing of the prohibited matter to persons under 19 years of age. The present provisions of section 1461, title 18, United States Code, make it a criminal offense to mail matter of the type mentioned in the amendment. Furthermore, it is believed that the word "knowingly" defeats the purpose of the second paragraph since it has been the experience of the Post Office Department that the prohibited matter is mailed indiscriminately and without any effort being made on the part of the purveyors to ascertain whether any of the addressees are minors.

If the second paragraph should be declared unconstitutional by the courts (see *Butler* v. *Michigan* (352 U. S. 380)), the inclusion of the proposed second paragraph of the measure in section 1461 of title 18, United States Code, would jeopardize the entire section.

Consequently, the conferees have agreed to restore the language of the bill as approved by the House with a clarifying amendment pertaining to section 1462 of title 18 of the United States Code.

FRANCIS E. WALTER,
MICHAEL A. FEIGHAN,
FRANK CHELF,
PATRICK J. HILLINGS,
DEWITT S. HYDE,
Managers on the Part of the House.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. KEATING. Do I understand that under this conference report the Senate has yielded to conform to the House bill?

Mr. WALTER. That is it. The Senate yielded, so that what we are considering now is the bill as it passed the House.

Mr. KEATING. Mr. Speaker, since the conference report merely makes a technical change in the already good bill which previously passed the House, it has my strong backing and I hope it will gain the overwhelming support of this body.

The need for legislation relating to the mailing of obscene and crime-inciting literature was underscored by the decision in the 10th circuit, in the case of United States against Ross. This ruling held, in effect, that the act of mailing is complete when the deposit of the literature is made, and that it is thus not a continuing act.

The effect of this ruling could be serious. In certain jurisdictions it is often difficult to obtain convictions against those who engage in this sordid business. As a result, it is important that we place on the statute books the principle that the crime of sending obscene matter through the mails is a continuing crime, which may be prosecuted in any district through which it passes. That, in brief, is what this bill will accomplish.

This measure can do much to complement the valiant efforts of local and State officials who are fighting hard to wipe out the blight of obscenity and of crime-stimulating books, magazines, and other material. Hard as these people may try, their efforts may be thwarted by clever use of the mails and effective circumvention of the local laws.

Let there be no doubt about it. The peddlers of this sort of filth are in big business, and they will stop at nothing to ring up big profits. We must use every weapon possible to combat their insidious schemings.

Because H. R. 6239 represents a sound and effective means for helping the numerous local religious, civic, fraternal, and governmental groups which are fighting juvenile delinquency and the spread of obscene materials, it deserves the vigorous stamp of approval of Congress. It will go a long way toward wiping off the map of America the vile tripe and sordid literature by means of which a few unscrupulous operators are poisoning the minds of our young people.

I urge support of the conference report on H. R. 6239.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

RESTORING RETIRED PAY TO RETIRED OFFICERS DROPPED FROM THE ROLLS

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9673) to amend title 10, United States Code, to provide the conditions under which retired pay may be paid in the case of retired officers dropped from the rolls, and for other purposes, with Senate amendments thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert: "That notwithstanding any other provision of law, a former retired officer dropped from the rolls under section 10 of the act of May 5, 1950, ch. 169 (64 Stat. 146), or section 1161 of title 10, United States Code, after December 31, 1954, and before the date of enactment of this act shall, for the purposes of entitlement to retired or retirement pay after the date of enactment of this act, be treated as if he had not been dropped from the rolls. Such an officer is also entitled to retroactive retired or retirement pay for the period beginning on the date he was dropped from the rolls and ending on the date of enactment of this act, as if he had not been dropped from the rolls.

"SEC. 2. A former retired officer covered by this act is subject to the penal, prohibitory, and restrictive provisions of law applicable to the pay and civil employment of retired officers of the Armed Forces and is not entitled to any other benefit provided by law or regulation for retired officers of the Armed Forces. After the date of enactment of this act, such a former retired officer may, in the discretion of the President, have his entitlement to retired or retirement pay under this act terminated for any reason for which any retired officer may be dismissed from, or dropped from the rolls of, any Armed Force.

"SEC. 3. Appropriations available for the payment of retired pay to members of the Armed Forces are available for payments under this act."

Amend the title so as to read: "An act to restore retired pay to those retired officers of the Armed Forces dropped from the rolls after December 31, 1954, and before the date of enactment of this act, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RETIREMENT BENEFITS OF CERTAIN DEFENSE PERSONNEL

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7706) to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, strike out all after line 2 over to and including line 3 on page 2 and insert: "That any enlisted member retired with credit for 30 years' service in the Army, Navy, Air Force, or Marine Corps, which service includes double time credit under previous laws for service beyond the continental limits of the United States between 1898–1912, is entitled to retired or retirement pay as follows:

"(1) A member retired before June 1, 1958, is entitled to the maximum retired or retirement pay provided at the time of his retirement, as thereafter increased by law, for (A) the grade in which he was first retired; or (B) the highest enlisted, warrant, or commissioned officer grade in which he served satisfactorily during World War I; whichever is greater.

"(2) A member first retired after May 31, 1958, is entitled to the maximum retired pay provided by the rates in effect at the time of his retirement for (A) the grade in which he retired; or (B) the highest enlisted, warrant, or commissioned officer grade in which he served satisfactorily during World War I; whichever is greater."

Page 2, after line 16, insert:

"SEC. 4. No person is entitled to an increase in retired or retirement pay because of this act for any period before the enactment of this act."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ADDITIONAL PEREMPTORY CHALLENGES IN CERTAIN CIVIL CASES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference with the Senate on the disagreeing votes of the two Houses.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CELLER, WALTER, HOLTZMAN, KEATING, and CRAMER.

TRADING IN ONION FUTURES IN COMMODITY EXCHANGES

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H. R. 376) to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges, and ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, will the gentleman explain what this is about?

Mr. POAGE. This is a conference report on the onion futures bill. The House passed a bill prohibiting trading in onion futures.

The Senate changed the wording of the bill, leaving in all of the substance, but making it possible for prosecution to take place either under the Securities and Exchange Act or under this act and providing a penalty of $5,000. The effect of the whole bill when adopted will be to prohibit trading in onion futures.

We discussed this matter fully on the floor of the House and it was the feeling of those who favored the legislation that there was a good deal of money being made at the expense of the producers of onions by those who traded in onion futures when there were no onions on the market. The producers feel this futures trading is making the price of onions too high when there are few onions and too low when there are plenty of onions.

There were considerable hearings in the Committee on Agriculture on this. Apparently all of the people who are producing onions want to stop the trading, and all of the people who are trading in onions, of course, wanted to continue trading.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Michigan.

Mr. HOFFMAN. What does this do?

Mr. POAGE. This stops trading in onions which do not exist. It prevents selling contracts for the future delivery of onions.

Mr. HOFFMAN. Does this get rid of the trading?

Mr. POAGE. Yes, and provides a $5,000 penalty for violation.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2559)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 376) to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That (a) no contract for the sale of onions for future delivery shall be made on or subject to the rules of any board of trade in the United States. The terms used in this Act shall have the same meaning as when used in the Commodity Exchange Act.

"(b) Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not more than $5,000.

"SEC. 2. This Act shall take effect thirty days after its enactment."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

HAROLD D. COOLEY,
CLARK W. THOMPSON,
VICTOR ANFUSO,
WILLIAM S. HILL,
SID SIMPSON,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
JAMES O. EASTLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 376) to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

H. R. 376 passed the House on March 13, 1958, and was amended in the Senate by striking out all after the enacting clause and inserting different language approved by the Senate.

The essential difference between the House bill and the Senate amendment was that the bill as adopted by the House prohibited trading in onion futures by keeping onions within the jurisdiction of the Commodity Exchange Authority and applying the sanctions of the Commodity Exchange Act to enforce the ban on trading in onion futures. The Senate amendment took the opposite approach to the same objective, removed onions from the Commodity Exchange Act and the jurisdiction of the Commodity Exchange Authority, established a flat prohibition against trading in onion-futures contracts, and provided criminal penalties for the violation of that prohibition.

The amendment reported herewith combines the provisions of the House bill and the Senate amendment and was agreed to by the conferees as a substitute for the Senate amendment. Its major features are:

(1) It retains onions as a commodity subject to the provisions of the Commodity Exchange Act, thus continuing the authority which the Commodity Exchange Authority has under that act to take action against anyone who shall manipulate or attempt to manipulate the price of onions in the cash market.

(2) It retains the language of the Senate amendment which makes the making of an onion-futures contract a misdemeanor and providing a criminal penalty for such a violation of the act. Thus, in the event that there should be further trading in onion futures, criminal charges could be based directly on the legislation herewith reported, instead of under the provisions of the Commodity Exchange Act.

HAROLD D. COOLEY,
CLARK W. THOMPSON,
VICTOR ANFUSO,
WILLIAM S. HILL,
SID SIMPSON,
Managers on the Part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

STUDY COMMISSION ON SOUTHEASTERN RIVER BASINS

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4021) to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins, and intervening areas.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the purpose of this act is—

(a) to provide for an integrated and cooperative investigation, study, and survey by a Commission created pursuant to this act and composed of representatives of certain departments and agencies of the United States, and of certain States enumerated in this section, in connection with, and in promotion of, the conservation, utilization, and development of the land and water resources of the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins (and intervening areas) in the States of South Carolina, Georgia, Florida, and Alabama in order to formulate a comprehensive and coordinated plan for—

(1) flood control and prevention;

(2) domestic and municipal water supplies;

(3) the improvement and safeguarding of navigation;

(4) the reclamation and irrigation of land, including drainage;

(5) possibilities of hydroelectric power and industrial development and utilization;

(6) soil conservation and utilization;

(7) forest conservation and utilization;

(8) preservation, protection, and enhancement of fish and wildlife resources;

(9) the development of recreation;

(10) salinity and sediment control;

(11) pollution abatement and the protection of public health; and

(12) such other beneficial and useful purposes not herein enumerated; and

(b) to formulate, within the time provided for in section 9 of this act, a basic, comprehensive and integrated plan of development of the land and water resources within the area described in this section for submission to, and consideration by, the President and the Congress, and to make recommendations, after adequate study, for executing and keeping current such plan. It is not the purpose of this act to create any continuing or permanent instrumentality of the Federal Government or to take from, or reassign, the duties and powers of any department or agency of the United States represented on the Commission, except as herein provided in this act.

SEC. 2. In carrying out the purposes of this act it shall be the policy of Congress to—

(1) recognize and protect the rights and interests of the States in determining the development of the watersheds of the rivers herein mentioned and their interests and rights in water utilization and control, as well as the preservation and protection of established uses;

(2) protect existing and authorized projects and projects under construction whether public or private;

(3) utilize the services, studies, surveys, and continuing investigational programs of the departments, bureaus, and agencies of the United States;

(4) recognize an important body of existing Federal law affecting the public lands, irrigation, reclamation, flood control, grazing, geological survey, national parks, mines, and minerals; and

(5) to recognize the primary responsibilities of the States and local interests in developing water supplies for domestic, municipal, industrial, and other purposes and that the Federal Government should participate and cooperate with States and local interests in developing such water supplies in connection with the construction, maintenance, and operation of Federal navigation, flood control, irrigation, or multiple purpose projects.

SEC. 3. (a) In order to carry out the purposes of this act, there is hereby established a commission to be known as the United States Study Commission on the Savannah, Altamaha, Saint Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins and intervening areas (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of 11 members appointed by the President as follows:

(1) One member, who shall serve as Chairman, and who shall be a resident from the area comprising the Savannah, Altamaha, Saint Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins (and intervening areas) embraced within the States referred to in the first section of this act and who shall not, during the period of his service on the Commission, hold any other position as an officer or employee of the United States, except that a retired military officer or a retired Federal civilian officer or employee may be appointed under this act without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $12,000 in any one calendar year;

(2) Six members, of whom one shall be from the Department of the Army, one from the Department of Commerce, one from the Department of Health, Education, and Welfare, one from the Department of Agriculture, one from the Department of Interior, and one from the Federal Power Commission; and

(3) Four members, upon the recommendation and nomination, subject to the provisions of subsection (c) of this section, of the respective governors of each of the following States: South Carolina, Georgia, Florida, and Alabama.

(c) In the event of the failure of the governor of any of the States referred to in subsection (b) of this section to recommend and nominate a person or persons in accordance with the provisions of paragraph (3) of subsection (b) of this section satisfactory to the President within 60 days after a request by the President for such recommendation and nomination, the President shall then select and appoint a qualified resident from such State which failed to submit a satisfactory recommendation and nomination.

(d) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(e) Within 30 days after the appointment of the members of the Commission by the President, and funds have been made available by the Congress as provided for in this act, the Commission shall organize for the performance of its functions.

(f) The Commission shall elect a Vice Chairman from among its members.

(g) Six members of the Commission, of whom at least three shall have been appointed pursuant to subsection (b) (3) or (c) of this section, shall constitute a quorum for the transaction of business.

(h) Members of the Commission shall report from time to time to their respective departments or agencies, or to their respective governors if appointed pursuant to subsection (b) (3) or (c) of this section, on the work of the Commission, and any comments and suggestions pertaining to such work from such departments, agencies, or governors shall be placed before the Commission for its consideration.

(i) The Commission shall cease to exist within 3 months from the date of its submission to the President of its final report as provided for in section 9 of this act. All property, assets, and records of the Commission shall thereupon be turned over for liquidation and disposition to such agency or agencies in the executive branch as the President shall designate.

SEC. 4. The Commission may, for the purpose of carrying out the provisions of this act, hold such hearings, sit and act at such times and places, take such testimony, administer such oaths, and publish so much of its proceedings and the reports thereon as it may deem advisable; lease, furnish, and equip such office space in the District of Columbia and elsewhere as it may deem necessary; use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States Government; have printing and binding done in its discretion by establishments other than the Government Printing Office; employ and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended; purchase or hire, operate, maintain, and dispose of such vehicles as it may require; secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman, and employees of the departments or agencies from which persons have been appointed to the Commission pursuant to section 3 (b) (2) of this act may be assigned upon request by the Chairman of the Commission to temporary duty with the Commission without loss of seniority, pay, or other employee status; pay travel in accordance with standardized Government travel regulations and other necessary expenses incurred by it, or any of its officers or employees, in the performance of duties vested in such Commission; and exercise such other powers as are consistent with and reasonably required to perform the functions vested in such Commission under this act.

SEC. 5. Responsibility shall be vested in the Chairman for (1) the appointment and supervision of personnel employed under the Commission, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds: *Provided*, That in carrying out his functions under the provisions of this section, the Chairman shall be governed by the general policies of the Commission.

SEC. 6. (a) Members of the Commission appointed pursuant to section 3 (b) (2) of this act shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive the salary of their regular position when engaged in the performance of the duties vested in the Commission. Such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members of the Commission, other than those appointed pursuant to section 3 (b) (2) of this act, shall each receive compensation at the rate of $50 per day when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties, but the aggregate compensation received by the members of the Commission pursuant to this subsection shall not exceed $12,000 per annum in the case of the Chairman, and $7,500 per annum in the case of members of the Commission other than those members appointed pursuant to section 3 (b) (2) of this act.

SEC. 7. In the formulation of a comprehensive and coordinated plan or plans for (a) the control, conservation, and utilization of the waters of the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins (and intervening areas), (b) conservation and development of the land resources of such area; (c) flood control, navigation, reclamation, agriculture purposes, power, recreation, fish and wildlife, and (d) such other needs as are set forth in paragraph (a) of the first section of this act, the Commission shall—

(1) seek to secure maximum public benefits for the region and the Nation consistent with the specific directions contained in section 8 and elsewhere in this act;

(2) utilize the services, studies, surveys, and reports of existing Government agencies and shall encourage the completion of such current and additional studies and investigations by such agencies as will further the purposes of this act, and such agencies are authorized to cooperate within the limits of available funds and personnel to the end that the Commission may carry out its functions as expeditiously as possible;

(3) take into consideration the financial, physical, and economic benefits of existing and prospective Federal works constructed or to be constructed consistent with the purposes of this act;

(4) include in its plan or plans estimated costs and benefits; recommendations relating to the establishment of pay-cut schedules (areawide or otherwise) taking into account the Federal Government's present and prospective investment in the area; costs reimbursable and nonreimbursable; sources for reimbursement; returns heretofore made from existing projects and estimates of returns from recommended projects; repayment schedules for water, irrigation, industrial, and other uses; power rates and recommendations for the marketing thereof in such manner as to encourage its most widespread use at the lowest possible rates consistent with the return of capital investment and interest thereon; and

(5) offer in its plan or plans proposals for the construction and operation of the projects contained therein, and designate the functions and activities of the various Federal departments and agencies in connection therewith consistent with existing law, except that no such plan or plans shall include final project designs and estimates.

SEC. 8. In the formulation of its plan or plans and in the preparation of its report to the President and to the Congress, the Commission shall comply with the following directives:

(1) The report shall contain the basic comprehensive plan for the development of the water and land resources of the Savannah, Altamaha, Saint Marys, Apalachicola-Chattahoochee, and Alabama Coosa River Basins (and intervening areas) formulated by the Commission in accordance with the provisions of, and to accomplish the purposes of, this act;

(2) The Commission and the participating Federal departments and agencies shall comply substantially with the intent, purposes, and procedure set forth in the first section of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control and other purposes", approved December 22, 1944 (58 Stat. 887).

SEC. 9. (a) The Commission is authorized and directed to prepare a final report, within the time provided for in this section, for submission to the President. Before the Commission takes final action on the approval of such report for submission to the President, it shall transmit a copy of such report to each department, agency, and governor referred to in subsection (b) of section 3 of this act. Within 90 days from the date of receipt by each such department, agency, and governor of such proposed report, the written views, comments, and recommendations of such department, agency, and governor shall be submitted to the Commission. The Commission may adopt in its report to the President any views, comments, and recommendations so submitted and change its report accordingly. The Commission shall transmit to the President, with its final report, the submitted views, comments, and recommendations of each such department, agency, and governor whether or not adopted by such Commission.

(b) The President shall, within 90 days after the receipt by him of the final report of the Commission, transmit it to Congress with his views, comments, and recommendations.

(c) The final report of the Commission and its attachments shall be printed as a House or Senate document.

SEC. 10. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this act.

With the following committee amendments:

Page 2, line 3, strike out "Alabama-Coosa" and insert "Perdido-Escambia."

Page 4, line 17, strike out "Alabama-Coosa" and insert "Perdido-Escambia."

Page 4, line 24, strike out "Alabama-Coosa" and insert "Perdido-Escambia."

Page 10, line 6-7, strike out "Alabama-Coosa" and insert "Perdido-Escambia."

Page 12, line 7, strike out "Alabama-Coosa" and insert "Perdido-Escambia."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to establish the United States Study Commission on the Savannah, Atlamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

HARLEE M. HANSLEY

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5351) for the relief of Harlee M. Hansley, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, after "232.98" insert "less such amount as has been repaid by the claimant."

Page 2, strike out lines 5 to 11, inclusive.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE CITY OF VALPARAISO, FLA.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11125) to provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "3" insert "and section 4."

Page 2, after line 11, insert:

"SEC. 4. Conveyance authorized by this act shall be conditional upon the city of Valparaiso, Fla., paying to the Secretary of the Air Force as consideration for the tract of land conveyed under the provisions of this act, an amount equal to the fair market

value as determined by the Secretary of the Air Force after appraisal of such tract. The cost of any surveys and appraisals necessary as an incident to the conveyance authorized herein shall be borne by the city of Valparaiso, Fla."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LAND OF THE UNITED STATES TO THE STATE BOARD OF EDUCATION OF THE STATE OF FLORIDA

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9932) to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, after line 4, insert:

"SEC. 3. The conveyance authorized by this act, shall be conditional upon the State Board of Education of the State of Florida, paying to the Secretary of the Air Force, as consideration for the tract of land conveyed under the provisions of this act, an amount equal to 50 percent of its fair market value as determined by the Secretary of the Air Force after appraisal of such tract."

Page 3, after line 4, insert:

"SEC. 4. The cost of any surveys and appraisals necessary as an incident to the conveyance authorized herein shall be borne by the State Board of Education of the State of Florida."

Page 3, after line 4, insert:

"SEC. 5. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, will the gentleman please explain that amendment?

Mr. VINSON. The Senate amendment requires the State of Florida to pay 50 percent of the fair market value. I think it is a very worthwhile amendment.

Mr. ARENDS. I agree with the gentleman. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXCHANGE OF LANDS AT THE ROCHESTER FISH - CULTURAL STATION, INDIANA

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13475) to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to convey to the city of Rochester, Ind., all of the right, title, and interest of the United States in the following-described lands that are a part of the Rochester Fish-Cultural Station:

Beginning at the corner of sections 4, 9, 31 and 32 of township 30, north, range 3 east, second principal meridian; thence south 89 degrees 41 minutes east, 974.2 feet; thence north 26 degrees 34 minutes west, 684.4 feet; thence south 74 degrees 54 minutes east, 1,723.8 feet; thence south 0 degrees 02 minutes west, 170.2 feet; thence south 0 degrees 02 minutes west, 990.5 feet; thence north 76 degrees 24 minutes west, 2,399.4 feet; thence north 0 degrees 03 minutes east, 438.8 feet to point of beginning, containing 51.03 acres, more or less;

in exchange for a conveyance by the city of Rochester, Ind., to the United States of title to the following-described lands:

Two (2) parcels of land located in Indiana, Fulton County, city of Rochester, adjacent to State Highway No. 14, in township 30 north, range 3 west, second principal meridian, part in section 9 and part in section 32 of Michigan road lands, and described by metes and bounds as follows:

PARCEL 1

Beginning at a point north 62 degrees 43 minutes west, 577.1 feet from the center quarter corner of section 9, in the north right-of-way line of State Highway No. 14, 40 feet from and normal to the centerline thereof, thence with said north right-of-way line, north 67 degrees 53 minutes west, 1,898.0 feet to a right-of-way monument; thence continuing north 67 degrees 53 minutes west, 160.0 feet to a point; thence north 29 degrees 46 minutes west, 174.8 feet to a point in the boundary of the land of the Rochester Fish-Cultural Station; thence with said boundary south 68 degrees 27 minutes east, 1,640.9 feet; south 55 degrees 16 minutes east, 568.4 feet to the place of beginning; containing 4.99 acres, be the same more or less.

PARCEL 2

Beginning at the center quarter corner of section 9, a point in the boundary of land of the Rochester Fish-Cultural Station, thence with said boundary south 89 degrees 06 minutes west, 50.1 feet; south 33 degrees 10 minutes west, 91.6 feet; south 55 degrees 25 seconds east, 849.1 feet; south 85 degrees 24 minutes east, 90.0 feet; north 71 degrees 14 minutes east, 49.0 feet to a point on the southeast corner of the dam at the west end of the wing wall at Lake Manitou; thence with the shore of said lake south 7 degrees 07 minutes west, 134.6 feet to the northeast end of a wire fence around the raceway; thence south 37 degrees 19 minutes west, 47.0 feet to a point 7.4 feet southwest of the southeast fence corner; thence north 54 degrees 33 minutes west, 1,654.0 feet in part with the northeast right-of-way of Lake Shore Drive to a point at the intersection of said northeast right-of-way line with the south right-of-way line of Highway No. 14; thence with said south right-of-way line, south 67 degrees 53 minutes east, 321.4 feet; south 68 degrees 52 minutes east, 67.0 feet; south 71 degrees 21 minutes east, 77.38 feet to a point in the boundary line of land of the Rochester Fish-Cultural Station; thence with said boundary line, south 55 degrees 21 minutes east, 35.47 feet; south 66 degrees 10 minutes east, 53.64 feet; south 83 degrees 18 minutes east, 53.64 feet; north 89 degrees 06 minutes east, 43.59 feet to a point in the south right-of-way line of Highway No. 14; thence with said right-of-way line south 77 degrees 21 minutes east, 47.2 feet; south 80 degrees 21 minutes east, 54.4 feet to a point in the boundary lines of land of the Rochester Fish-Cultural Station; thence with said boundary line east 89 degrees 06 minutes west, 50.8 feet to the place of beginning; containing 3.01 acres, be the same more or less.

The above-described two parcels of land contain in the aggregate 8.00 acres, more or less.

When such lands are conveyed to the United States they shall become a part of the Rochester Fish-Cultural Station and shall be administered under the laws and regulations applicable thereto.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BONNER. Mr. Speaker, the purpose of the bill is to authorize the Department of the Interior to effect an exchange of lands at the Rochester, Ind., Fish Cultural Station. In exchange for 51.03 acres of cropland that is presently unused and for which there is no prospective use, the station would acquire 8 acres of land in front of the station and fronting on the highway, through which runs the canal supplying the hatchery with water. It was testified that the Fish and Wildlife Service had sought the parcel involved here for a number of years as a protection for its water supply but had been unable to reach any agreement with the City of Rochester, the owner. The present bill achieves the aim of obtaining the desired land at the expense of the transfer of unused acreage of approximately equal value, according to the witness for the Fish and Wildlife Service.

The committee unanimously recommends the enactment of this bill, believing it to be for the benefit of the hatchery.

LOAN SERVICE OF CAPTIONED FILMS FOR THE DEAF

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13678) to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

Mr. GROSS. Mr. Speaker, reserving the right to object, may we have a brief explanation of the bill?

Mr. McGOVERN. Mr. Speaker, this bill simply authorizes the Secretary of the Department of Health, Education, and Welfare to establish a loan service of captioned films for the deaf. Numerous educational films are available but they are not of any use to persons who are deaf.

This bill authorizes the Secretary to add captions to films that may then be loaned to schools for the deaf or other distribution centers designated by the Secretary.

The program would be a significant contribution to the welfare, happiness and enrichment of those suffering from deafness.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the objectives of this act are—

(1) to bring to deaf persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons;

(2) to provide, through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment; and

(3) to provide a wholesome and rewarding experience which deaf persons may share together.

SEC. 2. As used in this act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(2) The term "United States" means the several States, Territories, insular possessions, and the District of Columbia.

(3) The term "deaf person" includes a person whose hearing is severely impaired.

SEC. 3. (a) In order to carry out the objectives of this act, the Secretary shall establish a loan service of captioned films for the purpose of making such films available for nonprofit purposes to groups of deaf persons in the United States in accordance with regulations promulgated by the Secretary.

(b) In carrying out the provisions of this act, the Secretary shall have authority to—

(1) Acquire films (or rights thereto) by purchase, lease, or gift.

(2) Provide for the captioning of films.

(3) Provide for distribution of captioned films through State schools for the deaf and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution.

(4) Make use, consistent with the purposes of this act, of films made available to the Library of Congress under the copyright laws.

(5) Utilize the facilities and services of other governmental agencies.

(6) Accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

SEC. 4. There are hereby authorized to be appropriated not to exceed $250,000 annually to carry out the provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSIDERATION OF BILLS ON TUESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to recognize Members on Tuesday next for the consideration of any bill or bills reported out of the Committee on the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight Saturday night to file a report on H. R. 11763.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, does that include minority views?

Mr. McCORMACK. The minority may have the same right to file any report or accompanying views.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALL OF THE HOUSE

Mr. DAVIS of Georgia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 169]

Allen, Calif.	Dies	Marshall
Anderson, Mont.	Doyle	Martin
Anfuso	Durham	Mason
Ayres	Engle	Michel
Baumhart	Friedel	Miller, N. Y.
Bentley	Gordon	Mitchell
Blitch	Hébert	Neal
Boykin	Hillings	Powell
Brooks, La.	Holt	Preston
Brownson	James	Prouty
Buckley	Jenkins	Rabaut
Burdick	Jensen	Radwan
Cannon	Kearney	Robeson, Va.
Chamberlain	Kilburn	Rogers, Mass.
Christopher	Landrum	Shuford
Clark	Latham	Smith, Kans.
Collier	Lesinski	Teague, Calif.
Cooley	McGregor	Teague, Tex.
Dellay	McIntire	Vanik
	Maillard	Winstead

The SPEAKER. On this rollcall 366 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

PERMISSION TO FILE REPORT

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to have until 12 o'clock tonight to file a conference report on the bill (S. 2888) to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AREA REDEVELOPMENT ACT

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 623 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3683) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

The SPEAKER. The gentleman from Texas is recognized.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this rule is for the consideration of the bill (S. 3683) known as the distressed areas bill.

The question I understand that we have before us immediately is whether or not we will adopt this rule providing for the consideration of this bill.

Mr. Speaker, the House today has the opportunity to redeem a campaign pledge made by both political parties in their 1956 platforms. You will recall that in 1956 the Senate passed an area redevelopment bill, and the House Banking and Currency Committee reported a similar bill favorably to the House, but the House failed to act on it before adjournment. At that time, about 19 major labor areas and 65 smaller areas were classified by the Department of Labor as having areas of substantial labor surplus. Today 89 major labor areas and 182 smaller areas are so classified. About 70 of these areas, in 20 States, would qualify now for assistance under this bill. These are the hard-core depressed areas, whose people have been fighting depression for years; 10 of the major areas have had unemployment of 6 percent or more ever since 1951—7 long, weary years ago. For them, help is long past due. For years, too, we have been studying the problems of low-income farm families, concentrated largely in the Southeast, but covering 16 States in all. For these people, too, the time has come for action. And it is not just their problem; as the President has said:

The fate of distressed communities is a matter of national as well as local concern.

ELIGIBLE AREAS

The bill would establish a new Area Redevelopment Administration within the Housing and Home Finance Agency. The areas eligible for assistance under the bill would be designated by the head of this new Administration. He would

be required to designate as "industrial redevelopment areas" those areas which have suffered 12 percent unemployment for 12 months, 9 percent for 15 of the preceding 18 months, or 6 percent for 18 of the preceding 24 months. In his discretion, he could designate as an industrial redevelopment area any area which has suffered 15 percent unemployment for 6 months, if the cause is not temporary, or any other area which has suffered "substantial and persistent unemployment for an extended period of time." He would designate as "rural redevelopment areas" those rural areas with the largest number and percentage of low-income families, and substantial and persistent unemployment or underemployment.

HOW THESE AREAS WOULD BE HELPED

An overall program for the economic development of each area designated for help under the bill must first be worked out and submitted to the Area Development Commissioner. Planning grants under section 701 of the Housing Act of 1954 would be made available to assist in developing these programs, and the Commissioner could provide further technical assistance for this purpose. In other words, local people, with help from the Federal Government, would take stock of the advantages the area has to offer new businesses, and what needs to be done to achieve this potential growth.

After these plans have been made, an application may be filed wih the area development commissioner for a loan to help provide the plants needed for new industries in the area. The applicant must be approved by an instrumentality of the State or local government concerned with the economic development of the area, and the State or locality must find that the project for which the loan is sought is consistent with the overall development program for the area. Then the commissioner must determine that the loan cannot be obtained from other sources on reasonable terms; and that there is reasonable assurance of repayment. If the loan meets these conditions, it may be made with a term up to 40 years, and an interest rate of 3⅜ percent under present conditions. A revolving fund of $100 million is provided for such loans in industrial redevelopment areas, and another revolving fund of an equal amount for such loans in rural redevelopment areas.

The Federal loan is limited to 65 percent of project cost; the remaining 35 percent must be supplied by others. This means that other investors must be convinced that the project is sound.

Plants alone are not enough, of course, to attract new industries. In many cases, a town's water system or other public facilities are not adequate. The bill includes provisions for grants in those cases where a redevelopment area needs such facilities to cure its economic ills, but cannot finance them without a grant. The area would pay as much of the cost of such facilities as it could afford; the Commissioner would pay the rest. This authority is limited to cases of pressing need, where the project cannot be undertaken without such assistance. Annual appropriations of $75 million are authorized for this purpose.

The bill would permit financial assistance to be extended under the slum clearance and urban renewal program to clear sites for industrial and commercial development in industrial areas designated for help under the bill. No new authorization is provided for this purpose; this would come out of the funds otherwise authorized for the slum clearance and urban renewal program.

Finally, where unemployed workers in a redevelopment area need additional vocational training or retraining, the bill would authorize additional Federal assistance for that purpose.

AN INVESTMENT, NOT A GIVEAWAY

The modest sum authorized by this bill are needed to cure chronic illness in our economy which can spread like a cancer unless it is cured. Enlightened self-interest has led us to spend billions to help distressed areas abroad, this same self-interest dictates that we cannot let distress spread unchecked within our own borders.

I was impressed by testimony given by Hon. Arthur Larson, the Under Secretary of Labor, before the Banking and Currency Committee in 1956, when he appeared in support of the Administration's area redevelopment bill. He pointed out then that the total unemployment compensation benefits paid out in 1955 amounted to $1,350,000,000. Then he made this interesting observation:

> Suppose that we could reduce the ratio of unemployment in the labor-surplus areas to the national average. This would cut the overall national volume of unemployment by about 7½ percent and return a saving of about $100 million a year on unemployment insurance.

I have brought these figures up to date. If the ratio of unemployment in the industrial areas eligible for assistance under this bill could be reduced to the present national average, the annual rate of unemployment insurance benefits now being paid in this country—about $4.5 billion—would be reduced by approximately $450 million, instead of the $100 million that would have been saved in 1956.

If this bill can reverse the process we have seen in the last few years, and spread prosperity instead of unemployment, it will return far more to the Treasury of the United States than it takes out.

BIPARTISAN SUPPORT

In closing, let me point out that this bill was sponsored in the Senate by 40 Senators: 23 Democrats and 17 Republicans. The President has recommended enactment of a bill which contains many of the provisions in this bill. Many of us have felt that the administration's bill did not measure up to the President's 1956 statement that "bolder measures are needed" to meet this problem. A stronger bill passed the Senate in 1956 and another stronger bill was reported favorably to this House in 1956. I am satisfied that the bill before you now, which is a compromise between the administration bill and the 1956 bills, will make a satisfactory start toward helping these areas pull themselves out of their longstanding difficulties. I agree with the gentleman from Pennsylvania [Mr. VAN ZANDT], who stated before our Committee on Banking and Currency this year that "the time has arrived for the 85th Congress to stop squabbling over details and to unite in providing Federal aid for chronically distressed areas."

Mr. Speaker, I invite your attention to the fine report that has been filed by Chairman SPENCE of the Committee on Banking and Currency on this bill. It is a very comprehensive report; it is unusually good and gives all the information that a Member needs. If this rule is adopted—and I sincerely hope it will be—the distinguished gentleman from Georgia [Mr. BROWN] I understand, will have charge of presenting the bill to the Committee of the Whole. Now, the distinguished gentleman from Pennsylvania [Mr. FLOOD] has been, and is our chairman of the unofficial bipartisan steering committee that has been sponsoring this bill, and he has met with the people who are interested, including many Members of the Congress from both sides of the aisle for many days and he thoroughly understands it. I know that he, too, will be able to answer any questions that are propounded by the membership of the House.

So, I sincerely hope that this rule is adopted. It is not asking for much; just asking for consideration; just asking for an opportunity to give consideration by the Members of the House, and then if we can make a case, we will expect you to vote for it. If we cannot make a case, of course, you would not be expected to vote for it, so please vote for the rule.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the bill presently before us was devised as an antirecession measure. I think the first that I knew about it, at least, was last November, when we all admit it looked like we might go into some kind of a tailspin. Now I find—and I believe all will agree—that business conditions have picked up considerably. While 8 or 10 months ago we thought probably we would be in particularly bad shape, I think we will all agree that we are much pleased with the recent happenings in regard to the recession.

The administration several months ago presented a bill which provided $50 million in loans and $1.5 million in assistance grants, making a total of $51.5 million for loans and assistance. Then the Committee on Banking and Currency brought forth their version. Instead of the amount being $51.5 million, they raised it to $200 million in loans and $79.5 million in grants. In other words, now that there has been considerable improvement, so far as the recession is concerned, the Committee on Banking and Currency has jumped the amount in the bill by about 400 percent or $228 million.

Mr. Speaker, I think this bill is economically unsound. It grants to localities with no provision being made for local contributions $79½ million. Any

time you find the Federal Government pouring $79½ million into local communities, without any local contribution or local responsibility, you know there is going to be plenty of money wasted.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. Very briefly.

Mr. BAILEY. The gentleman made the comment that our economic condition was greatly improved. Let me remind him that in April of this year the average of national unemployment was 7.5 million and for the month of July it was 7.3 million.

Mr. ALLEN of Illinois. Mr. Speaker, the gentleman knows that one of the principal reasons for unemployment in the month of June, for instance, is that there are about 1,500,000 graduates from schools and colleges so that every year in the months of June and July there is more unemployment than during other months of the year.

Mr. Speaker, I have numerous requests for time to speak on this rule and so in conclusion let me say this. There are Members who have a more detailed knowledge of this bill than I, who are going to speak and who, I am sure, will say that it is nationally unsound and economically not feasible to pass this bill. I expect to ask for a rollcall on the rule. We are now nearing adjournment. This bill provides for 2 hours of general debate and I am certain, after you listen to those who are going to follow me, who have studied this as members of the committee, you will agree that this rule should be defeated.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Speaker, time is too limited to go too deeply into the merits of the bill. I can, however, speak with some information on the rural aspects of the bill and I beg you to hear me on that point briefly.

My good friend, the gentleman from Illinois [Mr. ALLEN], may be correct about the urban and industrial features having been advanced first in November. But in an effort to do something about the distressed areas in the South, in certain areas of the Midwest beginning in western Pennsylvania, certain portions of western Ohio, southern Indiana, and southern Illinois, regions in northern Minnesota, some areas in New Mexico, and other parts of the West—in an effort to do something about these conditions that are generally referred to by the economists as due not to unemployment but to underemployment, beginning many years ago, my good friend Senator Flanders and I began what we called a rural industries effort. It was presented then as an independent idea.

I would much prefer that the Congress consider the rural phases independently of the industrial problem. But the committee has chosen, perhaps wisely, to combine the two features. It was done by the Senate. The Senate, hearing the plea that Senator Flanders and I made for farm families, concluded that if there was to be general legislation dealing with unemployment it should also embrace underemployment, to do something about the very low income of the farm families in this category. Thus they added as an addendum to the general bill this feature which the Senator and I had sponsored and gave it equal treatment. So it comes to the House in that form with the approval of the House Committee on Banking and Currency. Our own House committee heard me many years ago present this plea and I am grateful for this evidence of their support.

It is a rather startling fact that 10 percent of the most favored farm families in the United States, those at the very top of the economic ladder, receive one-half of all of the income from American agriculture. The other half is divided among the 90 percent of the less favored. One-fourth of all the families in American agriculture today have less than $1,000 net income per year. Those families, it is true, live in a minority of the Nation's counties. But I do pose this as a national problem. It is for that reason I hope the House will adopt the rule.

Perhaps some of the Members will not be impressed with the arguments for the bill as a whole. I want to be entirely frank on that point. I do believe this is a difficult problem to decide. The solution must have sound wisdom back of it. There will undoubtedly be those who will find the bill unsatisfactory. But if, as a result of the general debate on both the agricultural and industrial features, we conclude that this is a sound effort to help people to help themselves and to extend credit so that self-help may be buttressed by sound credit procedures and some degree of technical assistance in the rural areas, then we can approve this measure and be prepared to defend it when we go home. I believe it would be very unfortunate if the House refused even to hear the plan itself that is advanced for meeting the rural situation.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Arkansas. I yield to the gentleman from California.

Mr. HIESTAND. Does the gentleman know of anything in the bill whatsoever which indicates how and under what means the rural areas can be helped?

Mr. HAYS of Arkansas. The gentleman is entitled to an answer, but in the remainder of the 5 minutes I have it would be impossible to give him a complete one. Briefly, however, there are two ways. One is by loans. Of course, local participation is required, not only local participation by State and county agencies, but also by individuals.

We must not expect too much of the local resources, because in many cases the communities that have suffered from this condition over the years are literally unable to put up all the necessary funds, so the States should participate in their behalf. There should be no rigid requirement that every locality participating in the benefits should participate in the financing, because if we really deal with the problem we have to recognize that they are not prospering financially. The second way it helps rural areas is by technical assistance. I would be among the last ever to set one interest against another, to say that we should not help foreign countries, but it is, I think, ironic that we are sending millions—and I helped to send it—to help the low-income farmers of Asia, Africa, and South America through technical assistance, a thoroughly sound procedure to share with them our techniques, and then not have one dollar for the American farmers.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT of Pennsylvania. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT of Pennsylvania. Mr. Speaker, Congress has over the years aided those who raise cotton or wheat and those who build homes or ships. This is a bill to meet the problem of those who need help in raising families, those who want the chance to build good lives.

This is a bill to relieve chronic unemployment and underemployment due in part to the largesse of Congress in developing the natural resources of other areas of the United States, to which areas many of our industries migrated to take advantage of the favorable industrial climate made possible by the allocation in their areas of Federal tax moneys.

In March of 1957 I introduced a somewhat similar bill, H. R. 5566. A long period of time elapsed, during which time we were unable to secure any favorable action by the House Committee on Banking and Currency, and a subsequent period of time elapsed in which we were unable to secure action by my own Committee on Rules. I would say that most of the Members of the Pennsylvania delegation experience the kind of condition in some parts of their district, which this bill is intended to relieve.

This measure is of special interest to the areas of my State which have been severely hurt by technological changes. These include, for example, our soft and hard coal mining areas, and railroad centers like Altoona, which until recently was the largest steam locomotive repair center in the Nation. Among the areas that would directly benefit from the passage of this legislation are Altoona, Erie, Johnstown, Scranton, Wilkes-Barre, Hazleton, Berwick, Bloomsburg, Clearfield, DuBois, Lewistown, Lock Haven, Pottsville, Sunbury, Shamokin, Mount Carmel, Uniontown, and Connellsville.

Mr. Speaker, I include at this point an informal opinion from the General Accounting Office on the question of whether or not this act authorizes the Secretary of Labor to obligate the United States by contract in advance of negotiations. This is a very interesting, albeit informal, opinion:

INFORMAL MEMORANDUM FROM THE GENERAL ACCOUNTING OFFICE

On August 12, 1958, an informal inquiry of the Assistant Comptroller General was made whether section 16 of S. 3683, 85th Congress, as passed by the Senate, entitled

"An act to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas," authorizes the Secretary of Labor to obligate the United States by contract in advance of appropriations.

The said section 16 provides as follows:

"SEC. 16. The Secretary of Labor shall, on behalf of the United States, enter into agreements with States in which redevelopment areas are located under which the Secretary of Labor shall make payments to such States for the purpose of enabling such States, as agents of the United States, to make weekly retraining payments to unemployed individuals residing within such redevelopment areas who are not entitled to unemployment compensation (either because their unemployment-compensation benefits have been exhausted or because they were not insured for such compensation) and who have been certified by the Secretary of Labor to be undergoing training for a new job. Such payments shall be made for a period not exceeding 13 weeks, and the amounts of such payments shall be equal to the amount of the average weekly unemployment-compensation payment payable in the State making such payments."

And section 21 of the bill provides:

"SEC. 21. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act."

Consideration of the question involves application of the following statutes:

The act of June 30, 1906 (34 Stat. 764, 31 U. S. C. 627):

"No act of Congress passed after June 30, 1906, shall be construed to make an appropriation out of the Treasury of the United States, or to authorize the execution of a contract involving the payment of money in excess of appropriations made by law, unless such act shall in specific terms declare an appropriation to be made or that a contract may be executed."

Section 3679, Revised Statutes, as amended (31 U. S. C. 665):

"No officer or employee of the United States shall make or authorize an expenditure from or create or authorize an obligation under any appropriation or fund in excess of the amount available therein; nor shall any such officer or employee involve the Government in any contract or other obligation, for the payment of money for any purpose, in advance of appropriations made for such purpose, unless such contract or obligation is authorized by law."

Section 3732, Revised Statutes (41 U. S. C. 11):

"No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment."

These statutes were designed to prevent Federal agencies from involving the Government in liabilities or expenditures beyond those authorized and contemplated by the Congress. In applying these statutes it has been held that departments and agencies are legally empowered to bind the Government by contract only in two cases: (1) where the contract is expressly authorized by law; and (2) where an appropriation already made is adequate to fulfillment of the contract. In the first case there is an express power to contract, which will obligate the faith and credit of the United States to its payment even in the absence of an appropriation to meet it. In the second, there is an implied power to contract for so much of the work or services determined necessary to accomplish the appropriation objects within the limit of the amount provided therefor. See 28 Comp. Gen. 163, 165, and the decisions and cases cited therein.

The second illustration for creating legal liabilities on the part of the Government by contract clearly is not applicable here because of the nonexistence of an appropriation. Hence, we have to determine whether the contract authority vested in the Secretary of Labor under section 16, comes within the express authority to contract and obligate the Government for future appropriations mentioned in the first illustration.

Section 16 quoted above directs the Secretary of Labor to enter into contracts with States and to make payments to them in order to enable such States to make payments to certain unemployed individuals for a period not exceeding 13 weeks, such weekly payments to be equal to the amount of the average weekly unemployment compensation payment payable in the State making such payment. It will be observed that the financial liability of the United States under this program is indefinite, being limited only by the number of unemployed individuals eligible to participate thereunder.

The statutory authority for agencies to obligate the United States by contract in advance of appropriations, known as "contract authorization," generally is contained in the annual appropriation acts. See the act of March 5, 1928 (45 Stat. 162, 177), and the act of June 14, 1948 (62 Stat. 394, 400), under the appropriation for "grants for hospital construction." Such authority also has been included in substantive legislation in some cases. For example, see section 1 (b) of the act of June 16, 1936, 49 Stat. 1519. Also see section 106 of the Federal-Aid Highway Act of 1956 (70 Stat. 376, 23 U. S. C. 155). In the latter situation the Congress in authorizing the execution of contracts expressly indicated that it intended to create a liability of the Government in advance of appropriations.

In the provision under consideration the Congress while directing the Secretary of Labor to enter into contracts with States has not expressly stated that such contracts shall be deemed a contractual obligation of the United States. Considered in conjunction with the provisions of section 21 of the bill, which contemplate appropriations from the general fund of the Treasury to carry out the purposes of the act there is reasonable basis for the view that the contractual authority is intended to be contingent upon the enactment of future appropriations and that, if and when such appropriations are made, such authority is mandatory upon rather than discretionary with the Secretary of Labor. Moreover, it could be argued that the contractual authority of section 16 in its present form imposes on the United States obligations so indefinite and uncertain as to bring the contracts within the class of prohibited contracts under the statutes quoted above.

To obviate any doubt in the matter, it is suggested that consideration be given to insertion of the phrase "within the limits of appropriations made available therefor" immediately following the word "States" in line 19, page 28, of the bill. On the other hand, if it be the intent of the Congress that the Secretary of Labor be authorized to obligate the United States by contract in advance of appropriations, it would appear desirable to fortify the printed legislative record on the bill with a specific statement to the effect that such agreements shall constitute contractual obligations of the United States.

It is understood that a similar question has been raised with respect to section 15, which authorizes the Secretary of Health, Education, and Welfare, through the Commissioner of Education, to provide assistance, including financial assistance when necessary, to the appropriate State vocational educational agency for vocational or retraining needs of unemployed individuals, or to provide for such needs in certain cases by contract with educational institutions. The views expressed herein on section 16 apply with equal force to section 15.

Mr. Speaker, I also include at this point a table showing the areas which would now or would in due time expect to benefit from the application of this legislation with particular reference to our Pennsylvania communities.

The table referred to is as follows:

Congressional districts which include areas eligible for Federal assistance for economic redevelopment under the Douglas-Payne bill

State and Congressional district	Industrial areas		Rural areas [3]
	Currently eligible for assistance [1]	Formerly distressed but no longer eligible for assistance [2]	
Pennsylvania:			
1		Philadelphia [4] (Philadelphia)	
2		do.[4]	
3		do.[4]	
4		do.[4]	
5		do.[4]	
6		do.[4]	
7		Philadelphia [4] (Delaware)	
8		Philadelphia [4] (Bucks)	
9		Philadelphia [4] (Chester)	
10	Scranton (Lackawanna)		
11	Wilkes-Barre-Hazelton (Luzerne)		
12	Pottsville (Schuylkill); Sunbury-Shamokin-Mount Carmel (Northumberland).		
13		Philadelphia [4] (Montgomery)	
14	Pottsville (part of Carbon)		
15	Lewistown (Juniata)		
16			

[1] Areas classified as "substantial surplus" by Bureau of Employment Security for 18 or more months of 24 months ended March 1958.

[2] Areas classified as "substantial surplus" by Bureau of Employment Security during 18 of 24 months during any period since January 1952 but not during 24 months ended March 1958.

[3] Counties ranked by the Department of Agriculture among those having the lowest levels of living for farm families and, at the same time, the highest proportion of nonincremental farms with sales of less than $2,500.

[4] Areas classified as "substantial surplus" by Bureau of Employment Security as of March 1958.

Congressional districts which include areas eligible for Federal assistance for economic redevelopment under the Douglas-Payne bill—Con.

State and Congressional district	Industrial areas		Rural areas
	Currently eligible for assistance	Formerly distressed but no longer eligible for assistance	
Pennsylvania—Con.			
17	Berwick-Bloomsburg (part of Columbia); Lock Haven (Clinton); Sunbury-Shamokin-Mount Carmel (Montour, part of Columbia).	Williamsport (Lycoming)	
18	Johnstown (Somerset); Lewistown (Mifflin); Sunbury-Shamokin-Mount Carmel (Snyder, Union).		
20	Altoona (Blair); Clearfield-DuBois (part of Centre, Clearfield).		
21		Pittsburgh [4] (Westmoreland)	
22	Johnstown (Cambria)	Indiana (Indiana); Kittanning-Ford City (Armstrong).	
23	Clearfield-Du Bois (part of Jefferson)		
24		Erie (Erie)	
25		New Castle (Lawrence); Pittsburgh [4] (Beaver)	
26	Union-Connellsville (Fayette)	Pittsburgh [4] (Washington)	
27		Pittsburgh [4] (Allegheny)	
28		do.[4]	
29		do.[4]	
30		do.[4]	

[4] Areas classified as "substantial surplus" by Bureau of Employment Security as of March 1958.

NOTE 1.—Parentheses following labor market areas contain those counties of the area which lie in the specified Congressional district.

NOTE 2.—The limitation in the Senate bill permitting benefits to only 300 rural counties was eliminated in the bill offered by the House Banking and Currency Committee. In other words, the House bill allows the benefits to apply to all rural counties that can qualify.

Mr. Speaker, as to whether or not this bill will be of assistance to rural areas, I would like to quote from the testimony of True D. Morse, Under Secretary of Agriculture, on April 8, 1957. He refers to the fact that—

On January 11, 1954, President Eisenhower in his message on agriculture called for special attention to the needs of low-income farm families.

And referring to the inquiries made as a result of that call, Mr. Morse said among other things, and I quote:

Industries need to be expanded in areas of underemployed rural people. Industrial expansion should increase where people can live on small farms and work full or part time in factories.

Leaders in 24 States have named a total of 57 pilot counties and areas for the Rural Development Program during 1956-57. These counties are receiving special educational, technical, administrative, and farm credit aid in moving forward with balanced farm-industry-community development.

Balanced economic development in the pilot rural areas is making progress. The large number of varied economic development projects include vocational training classes in industrial skills for adults, renovation of small industrial plants, promotion of new industries, better established rural community clubs, night classes in improved farming practices, and market development.

Mr. Morse concludes:

The need for public funds to supplement those available from private sources and banks in the promotion of new industries is often as great in distressed rural areas as in urban areas.

Mr. Speaker, I hope this rule will be adopted, and that those who want an opportunity to express themselves in opposition to the bill, will at least give those of us who feel the bill should pass, a full and fair opportunity to be heard in debate. There is a great and urgent need for this legislation.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I want to make it very clear I am not the alter ego of this act, and I do not have all the answers. I have been acting as chairman of a steering committee for the most completely bipartisan group of Members I have ever seen working together in this House on any bill. Let us make no mistake about that. Now, let me say I have the highest regard and admiration during all the years I have been a Member of the House of Representatives for my friend the gentleman from Illinois [Mr. ALLEN]. I do not think anybody in the House will disagree on that score. I am sure he would be the first to agree when I say this.

Mr. Speaker, this bill was introduced by a dozen Republican Members of this House 4 years ago, an administration bill similar to this, different in certain respects. The same number or more were introduced on the right side of the aisle. Four years ago Republican Members of the House—I see them back there, FENTON, VAN ZANDT, CARRIGG, SAYLOR, CANFIELD, 4 or 6 years back were devoting themselves to the fostering of similar legislation.

This bill and similar bills have passed the Senate at least 2 years ago and this year. Subcommittees have held hearings on this bill in 50 districts in the United States in the last 4 years. Let me say there have been few bills that have had more consideration in the other body and this body and publicly than this bill.

Mr. Speaker, nobody ever suggested, and I can say to my friend from Illinois, this is not an antirecession bill; nobody suggests that it is or ever was. Believe me, this is no long-haired, flat-heeled, hit-and-run job, under any circumstances; this is a carefully worked out, long-worked-on synthesis of the best suggestions the Senate and House have been able to get in 5 years from all the Government experts, and non-Government experts identified with this kind of problem.

Nobody denies there is a problem. Is there anybody who denies that these conditions exist in about one-quarter of the Congressional districts of the Nation? Nobody denies that 75, perhaps 100 districts, are in this condition.

The question is, What shall we do about it? Shall we have another commission to examine it?

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I am very sorry; I have only 4 or 5 minutes. The gentleman knows that.

I will be glad when we debate the bill as far as my poor abilities permit, to explain the bill.

Mr. McDONOUGH. I just want to ask a question.

Mr. FLOOD. I ask the gentleman, please; he understands; he has been faced with it before. I cannot yield.

This is the problem. This is an important, vital piece of legislation, nobody questions that. The debate, Mr. Chairman, is as to whether this is a good thing; is this the way we should do it? Something must be done. This is of economic concern in one-quarter of the Nation and it is spreading. This is a disease, an economic disease that we must diagnose and destroy before it affects everybody.

There is no piracy in this bill; if there were I would be the first to be against it; so would all of your colleagues on both sides of the aisle. This is a bill that vitally affects the gentleman from Maine [Mr. HALE], the gentleman from Pennsylvania [Mr. VAN ZANDT], and many others. They all recommend the legislation. Surely you do not consider them long-haired Socialists. You know they are not. If the rule is granted we will try to explain why we need this desperately.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. LANE] for a consent request.

Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Speaker, the area redevelopment bill now before the House, S. 3683, represents a bipartisan approach to a serious economic problem which has

existed in the United States for many years. This situation involves a tragic loss and waste of human resources, together with unnecessary human misery—it is the problem of chronic pockets of high and persistent unemployment and underemployment which are spread throughout the United States.

This matter has received detailed study by the Congress and various agencies in the executive branch. It has been the object of much oratory, and very little action. The House has before it today, in S. 3683, an opportunity to take the necessary action to develop a sound and effective program to cure these long-time ills by generating new employment opportunities for those so long out of work.

For many years committees of Congress have pointed out the urgent needs for new industry in many areas of this country where unemployment and underemployment reached high levels and remained almost unchanged for a period of years. They have revealed similar needs in areas where low incomes and underemployment in rural towns and counties have resulted in low standards of family living, business failures, and severe local government and community problems.

The Joint Economic Committee of the 84th Congress in 1955 called for action to aid chronically depressed areas with a public-works program, loans, and technical assistance. Again, in 1956, the Joint Economic Committee gave voice to the need for Federal help in this area with the following comment, taken from the report:

> It is evident that despite the generally prevailing high levels of employment and productivity and the steady economic growth which our country enjoys, some geographic areas have not shared in the overall advance. Some areas, especially rural areas, throughout their entire existence have never kept up with the rate of growth of the country as a whole; others have experienced a decline—slow or precipitous as the case may be—until the resulting economic stagnation has produced serious problems of continuing unemployment and underemployment of all local resources.
>
> The existence of areas of low economic activity seriously retards the rate of national growth, and is in itself a significant cause of self-perpetuation of low-income, underemployed groups. The goal of achieving full utilization of our national resources—land, labor, and capital—will never be attained as long as these geographic pockets of continuing economic depression persist.

Mr. Speaker, more recently President Eisenhower expressed a real interest in this problem, in his Economic Report of 1956, and made the following comment:

> The fate of distressed communities is a matter of national as well as local concern.

The President also recognized that present Federal action is inadequate, by his further statement in the 1956 Economic Report, as follows:

> Although these (Federal) programs have proved helpful, experience demonstrates that bolder measures are needed. To this end, a new area assistance program is recommended for aiding communities that have experienced persistent and substantial unemployment.

In my judgment, all these recommendations and studies have clearly shown that only a comprehensive Federal program, such as proposed by S. 3683, can meet the serious needs of depressed urban and rural areas.

Mr. Speaker, an economic recession has snowballing effects; and a declining level of economic activity in one area may spread to other areas if not stopped in time. Unemployment and underemployment in one area not only reduce the demand for goods and services from other areas, but may also affect the state of confidence in other areas and thereby affect the level of economic activities in different regions. The costs to rehabilitate a depressed area would be more than made up by the decreasing expenditures for public assistance and unemployment insurance and by an increased tax base resulting from improved economic conditions.

A comprehensive program to aid chronically depressed and low-income areas will also mean much to the people—the men and women and children—of the idle families in these areas. The statistics showing increases in unemployment compensation, public assistance, and county aid are distressing to the taxpayers who must make these payments. But they mean far more to the men and women who have no jobs or whose skills are being squandered by underemployment. And to the children of many families in these communities, these figures mean a future with little or no hope, with increased juvenile delinquency, and waste of the next generation.

It is difficult to estimate the human costs and social losses in these communities.

These depressed conditions, continued over a long period, mean the gradual disintegration of the community and all its physical resources built up over the years—schools, churches, stores, hospitals, banks, office buildings, public facilities, and homes. As the community deteriorates and declines, these facilities also become underused, and eventually become idle. All too often, when the people of the area move away, in search of jobs elsewhere, duplicate facilities must be built elsewhere, at great cost; and in some cases these duplicate facilities must be built with the help of Federal subsidies.

All in all, the costs of doing nothing to meet the needs of our depressed areas seemed far heavier than the costs of constructive action.

What this bill is seeking to achieve is to assist industries and plants to get started in such areas so that an increased volume of work may be provided for some of the unemployed, instead of all the unemployed being compelled to go elsewhere and seek employment. We believe, if the social capital of investment is taken into account, this is the wisest use of resources. We should also remember that men and women have a human attachment to their communities, homes, and associates. They cling to those communities as long as there is some hope of employment there. They cannot be shipped out as automatically and in so cold a fashion as can sand, gravel, or iron ore.

Mr. Speaker, I therefore urge a favorable vote on S. 3683.

Mr. SMITH of Virginia. Mr. Speaker, I yield such time as he may desire to the gentleman from New Mexico [Mr. MONTOYA].

Mr. MONTOYA. Mr. Speaker, I most sincerely want to commend the members of the House and Senate committees who have worked so long and so tirelessly on behalf of this legislation which is a long step forward toward establishing a really effective program to alleviate conditions of persistent unemployment in economically depressed areas throughout our great country. I sincerely hope that a strong bill will be agreed upon by the House and Senate before we adjourn this 85th Congress. I think it is a must and an obligation that we owe to our country.

We have many areas in New Mexico which have been hard hit for years and many rural areas in particular have reflected steady economic decline which can only be helped by the passage of legislation such as we have before us today. I want to assure the Members of the House that the people in the many depressed areas in my State have persistently done their very best to avert economic disaster and the record of hearings in both the House and Senate committees are replete with statements made by many of our New Mexico citizens who came to Washington at their own expense to try and give a clear and adequate picture of the situation in their areas. Many State agencies and many organizations throughout New Mexico have banded together to try and put these areas on a stable economic footing but they have fallen far short because they simply do not have adequate tools at their disposal.

Unemployment in some New Mexico counties has reached an alltime high in the past year. New Mexico State unemployment compensation claims in 1957 totaled 141,201 and from January through March 1958 alone there were 64,798 claims filed. For a similar period in 1957 there were approximately 45,000 claims filed which, I think, reflects the steady decline in employment available. In one industry alone, mining, New Mexico had some 1,800 unemployed and most of that covers one county in the southwestern part of the State. In addition to the figures which I have cited, we have an area in northern New Mexico where some type of redevelopment is an absolute must in order to create employment in the different communities of this region of our State. This is indeed a pocket of depression which can be relieved by this type of legislation. Because of the unemployment situation which has become most serious on account of the mining shutdowns Federal and State agencies have had to be alerted in some areas so as to provide surplus commodities for school children and families of unemployed workers. It is sad indeed that the surplus commodities available under our Federal program do not even constitute a minimum diet for bare subsistence. I know personally that

the business elements of these affected communities are most anxious to initiate some kind of development program which will insure employment to these unfortunate people, but the incentive and the means for initiating such a program must of necessity be nurtured by a program such as offered under this bill. Without it there is no other available vehicle which will carry it to realization.

It must also be emphasized that statisticians are inclined to analyze a State's economy in the light of overall statewide figures and on this basis our State as many others, presents a very rosy picture but in looking at this rosy picture we must pierce the superficial appearance and be realistic about the health of all its component parts. This is where we find the economic cancer of unemployment, suffering and all its attendant aspects. We in the Congress must face the challenge to serve these people and remove this economic cancer from our soil.

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Speaker, Oliver Wendell Holmes once said that America is the greatest country in the world because she always sails on, she never flounders around, she never lies at anchor. Sometimes she sails with the wind, sometimes she sails against the wind, but she always sails.

We, in the 25th Congressional District of southern Illinois, have not enjoyed the prosperity that some Congressional districts have enjoyed over the past several years.

If we are going to sail smoothly, if we are going to keep up with the rest of the economy of the country, it is necsary that we have some assistance. We have done everything we possibly can to pull ourselves up by our own bootstraps, but the decline has been greater than the progress.

Mr. Speaker, this is not a partisan issue. A Republican gets just as hungry as a Democrat; a Democrat gets just as hungry as a Republican. There are 25,000 people in my Congressional District in need of work.

How long are we going to keep on aiding other countries of the world and denying our own people the help which they need so badly?

Let me give you an example. Would you deny your child a loaf of bread and give it to a stranger down the street? That is the decision you will have to make here today. Due to coal and fluorspar mine closures and other factors, the economy of southern Illinois has been slipping for the past 12 years. The people of this region, through their chambers of commerce, Southern Illinois, Inc., Southern Illinois University, community development programs, and other groups have done an outstanding job in trying to promote private industry to our region to take up some of the unemployment slack; however, the decline has been greater than the progress. Southern Illinois is made up of fine people, good schools, churches, and bounded on both sides by two of the greatest navigable streams in the world, the Ohio and Mississippi Rivers, but is severely hurt economically and if some type of Federal assistance is not rendered thousands of people will continue to suffer and be forced to receive public aid, or leave the area. In the past 5 years approximately 30,000 people have left the area to find employment elsewhere. Approximately 25,000 able-bodied men and women remain unemployed in my District. According to the latest figures from the Illinois Public Aid Commission, there are approximately 60,000 persons receiving surplus food in the 17 lower counties of southern Illinois. This certainly is not a healthy situation.

As I said in my opening remarks, we are doing everything we can to help ourselves and much progress has been made; however, if the situation is to be corrected, we must have outside help.

This bill before us today will do the job if properly administered. It will not only aid the people of my District but the more than 200 other distressed areas of the country.

I was the first to introduce the companion bill in the House to S. 3683, and I want to thank Chairman SPENCE, Mr. BROWN, Mr. PATMAN, Mr. MULTER, and the other members of the House Committee on Banking and Currency for their courtesies extended to me during my appearance before that fine group and also for their diligent efforts in behalf of this legislation.

My mind goes back to the last campaign of 1956 when the Republicans sent 19 national speakers into my District in an effort to defeat me. Among those who traveled up and down my District were included Vice President NIXON, the distinguished minority leader, Mr. MARTIN, Secretary of Commerce Weeks, and several Senators and Congressmen. All of them had the same war cry, "Give Ike a Republican Congress so we can help you good people of southern Illinois." Well, Mr. Speaker, it is easy to make a promise but it is something else to keep it. We find today almost all of the Republican leadership lined up solidly against this bill. I hope the House will adopt this measure not on account of the Republican promises, but in spite of them.

In closing let me again stress upon my friends in the House the urgent need for this legislation. I urge the adoption of the rule and the passage of this most important bill.

Mr. SMITH of Virginia. Mr. Speaker, I yield such time as he may desire to the gentleman from Virginia [Mr. BYRD].

Mr. BYRD. Mr. Speaker, I am for this bill and I urge the House to adopt this rule.

For months we have been hearing spokesmen for the administration promising that the recession has leveled off and that by and by prosperity and full employment will return to the country. These rosy promises have served as a substitute for action to aid the millions of unemployed searching for jobs and the hundreds of thousands whose unemployment insurance is expiring monthly.

But we cannot escape the reality of the present economic situation. Exhortations do not make for jobs and prosperity is not made out of empty promises and wishful thinking.

The country needs a positive economic program which will create additional jobs, increase the purchasing power of the American people, restore confidence in the business community, and create the conditions which make for prosperity and plenty.

We must not be lulled into a sense of false security by the small decline in unemployment ballyhooed by administration spokesmen. About a million people have exhausted their unemployment insurance during the current year and I am sure that many of them have not succeeded in getting new jobs and are now depending upon general public assistance for their livelihood.

A positive program is necessary to combat the present economic conditions. The administration program is far from adequate to fill the needs of the unemployed whose unemployment insurance is rapidly being exhausted as the recession is being further prolonged.

Outstanding in this present recession is the economic need to aid depressed areas. The recession has accentuated the problems of these areas.

The fact is that even during the years of prosperity we had scores of industrial communities and hundreds of rural counties in the United States suffering from unemployment and underemployment. A great many of the residents in these areas have never really shared in the American standard of living which is supposed to be the birthright of every American man, woman, and child.

The Federal Government has a responsibility to improve the economic base of these areas and to create enough jobs so that depressed areas will be eliminated from our midst. A dozen years ago Congress made it a policy of the United States that it is the responsibility of the Federal Government to create economic conditions which would be conducive to maximum employment.

The Government has failed the depressed economic areas. So far very little has been done to pull them out of their economic morass.

Aid to depressed areas is desirable not only from a humanitarian point of view but it is also sound economic policy for the Nation as a whole. Depressed areas continue to exert a downward drag upon economic conditions. Depression in one area has a continuing downward impact on other sections. The Nation is now paying dearly for allowing depressed areas to continue, in terms of expenditures for public assistance, unemployment insurance and other costs. The depressed areas, instead of creating markets for the rest of the economy, are creating surpluses and recession in other areas.

Now is a particularly propitious time to inaugurate a comprehensive program to aid depressed rural and industrial areas in the United States. An effective program to aid these areas will not only improve economic conditions in the distressed areas but wil also create demand for the surplus goods produced in other

sections of the United States and will bolster the total economy.

I should like to distinguish between depressed areas and other communities which suffer from temporary unemployment. As I have mentioned before, it is imperative that we inaugurate a program to fight the recession. But most communities which suffer from chronic unemployment or underemployment require special attention and special programs. Of course, the danger exists that unless we inaugurate a program to fight the recession a great many communities in the United States would become subject to chronic unemployment. But fortunately, as the situation exists now, the blight of chronic depressed economic conditions is limited.

In order to distinguish between communities which would be eligible for a program aimed at aiding chronically depressed areas, we must establish special criteria upon which eligibility for aid would depend. I believe in the criteria established by S. 3683. According to this bill, industrial areas which have suffered from a high level of unemployment ranging from 6 months to 2 years, depending upon the rate of unemployment, would be eligible for aid.

In the case of rural areas, determination of eligibility guides for aid is much more difficult. Unemployment figures for rural communities are not available. I again agree with the approach proposed by S. 3683.

In my own State, I am sorry to say, there are many communities which have suffered for years from chronic unemployment and underemployment. These communities must have Federal aid to stimulate their economic development and to broaden their economic base. To a large extent, the problems of these communities are a result of fallacious and misguided economic policies of the Government which have encouraged economic imports from the four corners of the earth at the sacrifice of domestic industry and commerce. For example imports of residual oil have reduced the need for coal and have caused the economic decline of many communities and the unemployment of thousands of coal miners in West Virginia.

The least that the Government can do for the victims of reduced demand for coal and other industries in West Virginia is what it does for people suffering from underemployment all over the globe. We spend billions of dollars for foreign aid to nations outside the United States, but we have only crumbs for the areas in the United States which need aid just as much.

According to the United States Department of Labor many of the industrial communities in West Virginia suffer from chronic unemployment. At present there exists substantial unemployment in practically every major and smaller labor market area in the State. In many of these labor markets substantial unemployment has been of long duration and there is little hope that these communities will revive economically unless Federal aid will be forthcoming. According to the best estimates the following communities would be immediately eligible for much-needed aid if S. 3683 were enacted: Charleston, Huntington-Ashland, Beckley, Fairmont, Logan, Parkersburg, Point Pleasant-Gallipolis, Ronceverte, White Sulphur Springs, and Welch.

If this recession continues and if the Federal Government does not adopt a positive policy, many more communities will be subjected to prolonged unemployment which will further depress the economic conditions in these areas.

In addition there are many rural communities in the United States which have consistently suffered from underemployment and have never completely developed their economic potentials. Their tax base is very limited and without outside resources there is little chance that these communities will ever develop economically without Government aid. I believe that at least the following 17 counties in West Virginia would benefit by the enactment of S. 3683: Barbour, Braxton, Calhoun, Clay, Doddridge, Fayette, Lincoln, Mason, Mercer, Monroe, Nicholas, Putman, Raleigh, Roane, Sumniers, Wayne, and Wirt.

The argument has frequently been advanced that the proper solution to the problem of the people in distressed areas is to move to other parts of the United States where employment is more plentiful. During periods of full employment this was a partial solution. Many thousands of West Virginia families have indeed left their homes to seek fortune elsewhere. During the present recession this so-called solution is nonexistent. The more fortunate communities where the West Virginians migrated to seek employment are now themselves suffering from unemployment and they cannot absorb additional labor. The recession has aggravated the problems because many of the West Virginians, when they lost their jobs in the places to which they migrated, have returned home where they have a roof over their heads and to live among their kinfolks. Many of these people are now dependent upon relatives or upon general assistance.

But, even during a period of prosperity migration is no solution to the economic problems of distressed areas and to the unemployed and underemployed in these communities. Migration means the uprooting and breakup of many families. It eats away at the very foundation of the American way of life.

It also means immeasurable economic loss. The families from the distressed areas can rarely find buyers for their homes. Consequently, many of their homes go to waste. The migration from distressed areas also means underutilization of economic resources in terms of city facilities, schools, and other community institutions. At the same time the migrants moving to other areas cause overcrowding, slums, and financial burdens upon the areas to which they move.

The most efficient and sound solution from an economic as well as humane point of view is the bringing of jobs to the distressed communities rather than forcing the unemployed in the depressed areas to move elsewhere. This means that it is incumbent upon us to pass the proper legislation which would aid the unfortunate people in distressed areas and thereby aid the total American economy.

A comparative program to aid depressed areas, such as is embodied in S. 3683, must include at least the following three elements:

First. It must provide technical assistance to distressed areas in order to develop their full economic potential.

Second. It must provide capital for expanding a new business in distressed areas.

Third. It must provide grants for distressed communities to develop the public facilities.

Let me elaborate a bit on each one of these three points.

TECHNICAL ASSISTANCE

The first step in the redevelopment of an economically depressed area is the survey of the economic potential of the area. This helps the community in attracting new industry and helps industry searching for new locations to find the communities where it can expand most efficiently. A survey of the resources of an area involves both a study of its physical resources as well as its most precious resource—its labor force.

It is expected that the initial impetus for area redevelopment will come from the community itself. But most communities do not have the technical skill and know-how to appraise their resources. Specialists are needed in order to accomplish this.

The Federal Government has the necessary resources in order to develop a nationwide organization for community development. By providing the initial outlay and the technical know-how it would help stimulate local endeavors for self-development and pave the way for economic redevelopment. The technical assistance provided by the Government can be in the form of engineering, marketing and efficient utilization of personnel.

This technical assistance may not only help communities to attract new industry, but may help the local population to develop the indigenous economic resources, thus creating new jobs and new economic opportunities. For example, with technical assistance many areas in West Virginia may develop their natural resources as tourist centers and attract capital from the other areas. But, to accomplish this end, a thorough survey of the potentialities of these areas is needed.

LOANS

Extension of credit to expanding and new business or for the development of public facilities is another essential element in a comprehensive program for area redevelopment. Capital in distressed areas is not as venturesome as in the more prosperous communities in the United States. A Federal boost to local capital facilities is therefore essential in order to supply depressed areas with needed capital.

There is nothing new in this suggestion. The Federal Government has frequently used expansion of credit facilities as a means to achieve policy objectives.

It is, of course, anticipated that local resources would participate in extending credit either for the development of public facilities or for the expansion of business in the community. Therefore, each dollar supplied by the Federal Government in loans would actually supply a greater contribution to the community than was originally supplied by the the Federal Government.

It is essential that, in order to stimulate business to move to depressed areas or in order to stimulate local business to expand, the interest rate charged by the Federal Government should be sufficiently low to make it more attractive to business to locate in the depressed areas. There is ample economic justification that the Government should charge lower interest rates than the going rate in the free market or even below that paid by the Federal Treasury. The loans granted by the Federal Government would help the depressed areas to stimulate economic activity and thus encourage the utilization of wasted resources, and would make possible the expansion of taxes paid to the Federal Government, as well as reduce expenditures for public assistance.

GRANTS

Some depressed areas would not be in a position to benefit from a Federal loan program. Communities where low per capita income has prevailed for years and where unemployment or underemployment has been of long duration are not in a position to expand their facilities. The tax base of these communities is too limited to make it feasible to increase the burden of taxation necessitated by the repayment of loans and the payment of interest.

It is therefore essential that in the case of the most depressed communities the Federal Government should supply the needed funds in order to develop the essential public facilities which would make these communities sufficiently attractive to new industry. This may mean grants for the development of sewage systems, industrial water or industrial sites, or other essential public facilities needed for economic growth and industrial expansion.

Normally I do not favor community dependence upon Federal funds. But, in some cases, it would be only practical and realistic to have the Federal Government supply the foundation needed for the development of the most distressed communities. In such cases the Federal grant should be for the total amounts needed. In West Virginia we have many communities which need, for example, development of industrial water for the building of a small factory, but these communities do not have the needed funds. A relatively small grant would make it possible for these communities to develop this essential resource which would attract new plants to these communities which otherwise have all the needed resources for the successful operation of a new mill or factory. In such instances, the initial small outlay by the Federal Government means the difference between underemployment and low standards of living and jobs and happy communities.

The program I have outlined is urgently needed. It could help alleviate much of the suffering to which millions of people in the depressed industrial and rural areas in the United States are now subjected.

I am sure that the Members of this House will rise to the needs of the country and the needs of the depressed industrial and rural areas, by providing the necessary help to aid these unfortunate communities to participate in and contribute to the growth of the American economy and to the strength and soundness of the Nation.

I urge the House to adopt the rule and pass this bill.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, I strongly favor the pending rule and urge immediate passage of this bill (S. 3683) to provide prompt Federal assistance to chronically distressed and depressed communities of America. This bill is known as the distressed areas redevelopment bill.

We in Pennsylvania, as well as States all over the country, have depressed communities that only need a friendly and cooperative boost from the people of America, to start these areas on the road to progress and development. This bill will revive confidence and initiative of the local citizens in these communities, that will result in a new spirit of ambition, and increased spiritual and material welfare.

As the whole country will benefit from the clearing up of the present economic drain and lack of opportunity in these communities, America will be much stronger through this policy of forward-looking assistance. In a strong and vigorous America, we in Congress must see that all communities progress and have the opportunity of development, so that no group or class of any kind falls behind in our United States economy.

In order to be of every assistance to the passage of this legislation I have introduced and sponsored a companion bill to S. 3683. In addition, I have worked on a bipartisan basis with the members of the Pennsylvania Congressional delegation to organize our efforts toward passage of this constructive legislation. It is a pleasure to advise the Congress of the full cooperation in our efforts on this legislation by the secretary of labor and welfare of the Commonwealth of Pennsylvania, William Batt, the deputy secretary of labor and welfare, Joseph Sabel, of my home county of Allegheny. These men came to Washington, D. C., and worked with us who were deeply interested in the prompt passage of this type of measure for assistance to our United States home communities that have a permanent problem of economic depression and difficulties through depression or removal of local industries or depletion of local resources such as coal, oil, timber, or land.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Speaker, this bill is fantastic. It is almost unbelievable that such widespread Federal jurisdiction could even be considered. This is abdication of States rights and local responsibility. This is repudiating, not implementing, the Constitution. This is socialism.

It is equally inconceivable to me that a debt-ridden Federal Government, running a heavy deficit this year, should attempt to extend Federal aid to localities in this manner, no matter how critical is the alleged economic distress in these localities.

As to the basic reasons justifying this bill, there is no legislation that can stop or overcome the effects of, first, technological change; second, migration of industry; third, shift in demand; fourth, the seasonal nature of certain employment.

For example, the technological change from steam engine to diesel mentioned in the report as causing unemployment could be compared to the change from buggy manufacturing to auto manufacturing. By the logic of this bill buggy makers and buggy whip manufacturers would have been subsidized when they were outdated. Should we have subsidized the cobblers, wheelrights, lamplighters, blacksmiths, weavers, snuff makers, canal boat operators, pony expressmen? Of course not. It was necessary to change jobs. It was then and it is now, and so it will be in the future as new techniques replace the old, as new jobs replace the old.

Perhaps the basic difficulty of this bill is the conflicting interpretation given the Employment Act of 1946 cited in the report, page 9, that—

> It is the continuing policy and responsibility of the Federal Government—to coordinate and utilize all of its policies, functions, and resources for the purpose of creating and maintaining maximum employment.

If you want to, you can indeed give the Federal Government the right to organize, disrupt, and reorganize the entire economy of this Nation, industry by industry, area by area. The fatal flaw is simply that this is socialism, not the limited constitutional government of a Republic. Where is the difference between socialism and the provisions of this bill? There is none.

Why do industries move from one area to another? Because of more favorable business conditions. Is this bad? No, it is life under free enterprise. It is not planned economy, that is, socialism. Can we change such business shifts by legislation? No, we can only upset the normal flow of private enterprise; and disrupt and harm our prosperity, not improve it.

Can seasonal employment be changed? No. Summer resort business mentioned in the report is seasonal and no legislation can change this. There will always be some seasonal business. This is normal and typical of certain industry.

Can a shift in demand from coal to oil, as mentioned in the report, or from any resources or goods to other resources or goods be corrected by this legislation? No, there will always be

shifts in consumer and business demands. This is normal and usual and is right in itself since this is the law of supply and demand, which operates in private enterprise.

And, so logically we can dispose of the other arguments advanced by the proponents of this bill.

Mr. Speaker, I find it hard to believe that this House would take this valuable time for legislation so contradictory to our basic concepts of local and State rights of individual initiative, and so expensive to the taxpayers who once again will be gouged by taxes on the one hand or have the currency watered by inflation on the other. I am opposed to the bill and to the rule, and urge the rule be defeated.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Speaker, as Members of the House well know, my District in the anthracite region of Pennsylvania is one that has been beset with problems of unemployment for a long time.

Ever since the turn of the century, the number of jobs in the anthracite mines has been lessening, and the communities in my District have fought a valiant battle in trying to establish new industries to provide jobs for displaced miners and their families. This battle has been a monument to the principle of community self-help.

Even now people in my District do not seek charity or handouts. We are happy to continue to shoulder the main responsibility for providing new footings, a new base for our economy.

Now that brings me to the point of my remarks. We have before us a rule on S. 3683, the so-called Douglas-Payne bill as modified and reported out by the House Committee on Banking and Currency.

Now the administration, too, has a bill on this matter of area assistance, and I had the honor of introducing it in the House as H. R. 5468.

I wish to say that no one in the Congress is more keenly interested in helping our domestic distressed areas than am I.

Therefore, we ask that you adopt this rule so the House in open debate can determine the merits of this proposed legislation.

If there are objections to the Douglas-Payne bill—as there always is to any proposed legislation—then I and others who are sincerely interested in aiding these areas of severe chronic unemployment, stand willing and ready to offer any compromise legislation which will be acceptable to the House.

Mr. Speaker, the President, in a state of the Union message and in an economy report, announced the principle that there is a responsibility in the Federal Government to help areas of substantial and persistent labor surplus in their efforts to solve their problems. This is clear despite the fact that the Nation as a whole had enjoyed a period of general prosperity since 1952.

Many people have spoken at length in behalf of legislation of this kind at this and previous sessions of Congress. The Assistant Secretary of Commerce, the Honorable Frederick H. Mueller, on April 12, 1956, went into great detail in explanation of the administration bill at that time.

The Under Secretary of Labor, the Honorable Arthur Larson, likewise spoke in favor of this legislation on April 13, 1956, as did Mr. Follin, a representative of the Housing and Home Finance Administration.

Representatives of labor also testified before the Banking and Currency Committee, including the Honorable Thomas Kennedy, vice president of the United Mine Workers of America, on April 18, 1956, and again at the hearings on this bill. Mr. Kennedy resides in Luzerne County, adjacent to Schuylkill and Northumberland Counties of my District, in the anthracite-coal region of Pennsylvania. This is the area of the major reserves of hard coal.

I will try to give you some idea of our economic condition and the time and efforts given by the people of my area in trying to help themselves.

We have witnessed the population of my district shrink over 40,000 from 1940 to 1950.

We have seen our major and basic anthracite industry have its annual tonnage reduced from almost 100 million tons in 1919, in World War I, to around 30 million tons at the present time.

We have also seen the number of mine workers diminish from a peak of 179,679 in 1917 to less than 40,000 today.

Now the causes of all these decreases are well known to those of us from the hard coal fields. In fact, the Federal Government itself knows full well the condition in which our area finds itself, because, over the years, since I have been a Member of Congress, I have brought to the attention of our various administrations the economic plight of the anthracite industry and the people dependent upon it for a livelihood.

As a matter of fact, and the record will disclose this, I have been successful in having a number of my proposals enacted into law to assist the anthracite industry and our people. For example, first, Public Law 812, 77th Congress, which established the Anthracite Experiment Station; second, Public Law 738, 83d Congress, which authorizes the appropriation of Federal funds to the Bureau of Mines to fight mine fires and which eliminates the necessity of asking for special funds each year. The appropriations for this type of work over the past several years has saved over 250 million tons of coal from destruction at a cost of less than 1 cent a ton; third, Public Law 162, 84th Congress, which authorizes the Federal Government to appropriate $8,500,000 to match a similar amount from the State of Pennsylvania to dewater mines for health and safety purposes, and to conserve one of the Nation's greatest natural resources—Pennsylvania's anthracite mines.

While we have been trying to stay the continued onslaught of unemployment by helping to stabilize our anthracite mining industry, our people and our communities have been doing a splendid job in organizing in various ways, and indeed have succeeded in securing new plants in some communities and also expanding plants already there.

Our people want to work, as is evidenced by the fact that thousands of them travel over 100 miles each day in commuting back and forth to work. Others are compelled to leave their families for the week and return home on the weekends.

Our people cannot understand why a helping hand has not been extended them long ago as has been done by our Government to other segments of our economy. Neither can they understand why the Government, itself, permits the terrific influx of residual oil on the eastern seaboard, which displaces many millions of tons of coal each year. I understand that some 40 million or 45 million tons of coal is being displaced annually.

We have recommended that this excessive importation of residual or waste oil be curtailed or be placed on a proper quota basis, and I have introduced legislation to accomplish this. If this was done it would help in keeping down our unemployment.

In addition to the influx of foreign waste oil, we have been hurt by the big and little inch pipelines built by the Government. We had no complaint to make when these pipelines were built because of their necessity to aid in winning the war. We did not intend to have them later used by private enterprise in competition and injury to the coal industry.

We objected strenuously to their being sold to the oil and gas industries after the war because we knew it would hurt our anthracite markets. It did hurt us very severely, and the Government did assist the oil and gas industry in selling the pipelines.

I cite these several instances about the plight of our basic industry, because our pleas fell on deaf ears for many, many years.

We have, in various communities in my District, attempted to help ourselves and have succeeded in securing new plants, but we have reached the limit and we now look forward to the State and Federal Governments to assist us.

The President is concerned about areas of chronic unemployment and is attempting to do something about it.

At the present time the unemployment figures for my District in Pennsylvania is 22,500. In Schuylkill County we have 16,200 unemployed, and in Northumberland County, 6,350. In Schuylkill County alone this means that the percentage of unemployed is 20.6 percent.

Many bills have been introduced for distressed areas by members of both political parties in the 84th and 85th Congresses.

In the House, along with others, I introduced the administration bill H. R. 5468 on February 28, 1957. On March 20, 1957, Mr. SPENCE, your chairman, introduced H. R. 6215.

The Douglas bill, S. 964, was introduced in the Senate on January 29, 1957. However, another Douglas bill with 33 cosigners, S. 3683, was reported out of the Senate Banking and Currency Committee on April 28 last.

I trust this rule will pass and bring forth a bill that can be accepted by the House and Senate, and signed into law by the President.

Long before this recession, or whatever you wish to call it, there were economically distressed areas—chronic in nature. The anthracite coal producing area of Pennsylvania is one of these, and the people of my District will be especially grateful for favorable action.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CARRIGG].

Mr. CARRIGG. Mr. Speaker, my colleagues; I rise to ask your support of the rule to make in order general debate on the bill S. 3683, which is known as the Area Redevelopment Act, but sometimes referred to as the depressed area bill.

I have never cared for the term "depressed area" for to my mind it indicates a spirit of hopelessness on the part of the people who make up so many of these districts. My own term for these areas is "labor surplus areas" and I happen to have such an area in my district.

I wish to cite particularly conditions in my own District, which covers Lackawanna County in addition to five rural counties. We have in this District excellent industrial sites that are serviced by major truck lines, railroads, power companies, water companies and gas companies. There are in all seven major airlines and five major railroads servicing this area. In addition to this, we have a modern highway system and very recently the State of Pennsylvania has completed an extension of the Pennsylvania Turnpike which will service five of our counties, giving the entire area the most modern of transportation facilities. With these transportation facilities, the area is easily accesible to every metropolitan market in the United States and within a radius of 200 miles of this area there is located approximately one-third of the Nation's population.

Yet, despite all of this, Lackawanna County has been classified for a number of years as one of the primary labor surplus areas in the country. The employment decline in the anthracite industry started nearly 30 years ago and this constitutes by far the most important single factor in the development of the chronically depressed area in this county.

For many years most of the Nation's supply of anthracite coal was located in northeastern Pennsylvania and by far this was the most popular household heating fuel, and the population of this area came to depend principally on the coal mines for its support. In recent years, however, mining employment has been on the decline. Many mines have been worked out and technical improvements over a long period of years have reduced the manpower required in mining coal. As a result, joblessness has long since become our major problem, I can truthfully say, however, that no group of people in the United States has more courageously attacked this problem than have the people of my District, and it has become nationally known that by their efforts alone they have been able to build plants and induce industry to come into this section that has diversified to a large extent the employment in this area.

We do feel, however, that despite the willingness to work along these lines and the courage and industry of our people, we do need some assistance from our Federal and State Governments to carry on so that eventually we may leave the class known as the depressed-area region.

It is my belief that S. 3683, if enacted into law, would overcome both temporary and chronic spot unemployment. We would be able under this act to make a loan in order to help finance industrial development projects, for such a loan under the act is permissible to prepare land for commercial or industrial use; for constructing new factories and modernizing old factories. These loans are conditioned, however, on State and local participation, for it is my belief that loans of this type indicate good faith on the part of the borrower and a willingness to invest in his own cause rather than ask an outright grant from the Government.

In the work that we have done to date in improving conditions in the 10th Congressional District, we have never asked for working capital or for money for the purchase of machinery or equipment nor have we ever sought in the building of new industry to entice employees from other communities. We have enough people in our own district to properly man every industry that we may bring into the area.

I also feel that the urban renewal program of the Housing and Home Finance Agency and the Department of Labor's vocational retraining and skilled employment programs could be coordinated with the efforts that we are already making and in that way the entire program would be one of complete assistance to our communities which are also willing to make every effort to help themselves.

Our recourse is to legislation that would permit the Federal Government to be helpful to us. For that reason we are firmly convinced that S. 3683 should be enacted, and it is our sincere hope that the rule will be adopted in order to make debate on this bill possible. We expect to be in a position to prove to those of our colleagues who have expressed opposition to the measure that the bill is a good one, if we are permitted to debate the legislation on the floor.

This bill has been attacked as being socialistic and others claim that it is a giveaway program that will bring aid to only a few areas and not to the country generally.

To those who say that the measure is socialistic may I only say that their definition of socialism must be completely different from mine. Are we Socialists when we are willing to share some of our abundance with others who, by reason of circumstances over which they have no control, are less fortunate, and certainly we cannot be termed socialistic when we try to prevent the wasting of vital human resources? We are not giving away when we make it possible for people to borrow from funds they help create when such generosity will be helpful to the Nation as a whole.

This bill is designed to help the overall economy of our Government. Your support of this bill will be the American answer to the age-old question, "Am I my brother's keeper?"

Mr. ALLEN of Illinois. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I rise in support of the rule, because I believe that the membership of the House is entitled to discuss S. 3683, and then if after the discussion the majority feel the legislation is not a good piece of legislation, it is their privilege to vote against it. I think we who represent distressed areas are entitled to have our day in court.

Now, Mr. Speaker, in the United States there are 271 distressed areas; 89 of that number are classified as substantial labor surplus areas. In other words, they are pockets of chronic unemployment; and unless something is done immediately this chronic condition will continue to exist in these substantial labor surplus areas of the country.

In July of this year there were 5.2 million unemployed in the United States or 7.3 percent of our labor market. In the 271 distressed areas, 3,424,000 of the 5,200,000 unemployed reside. As I said a moment ago, 89 of the 271 substantial labor surplus areas are considered acute, and in these 89 acute unemployment areas reside 2,796,600 of the Nation's 5,200,000 unemployed. Therefore the heart of our unemployment problem in this country can be found in the 271 areas which includes the 89 acute or chronic unemployment areas.

It happens that two of these acute areas are in my Congressional District. One is the Altoona, Pa., labor market of 54,000 jobs with 18.1 percent of the labor market unemployed. The other labor market in my District is Clearfield-Du Bois, Pa., with 36,500 jobs and 13.6 percent unemployed.

Overall in my Congressional District we have 91,000 jobholders, and at this moment 15,000 of that number are unemployed or 16 percent. This unemployment situation has been with us for years, and for years we have been trying to do something about it. As an illustration, in Altoona, Pa., the residents contributed through payroll deductions $847,000, and others bought bonds in the amount of $134,000. With this money was brought to Altoona 3,600 new jobs with an increased annual payroll of $12 million. Regardless of this effort to bring new jobs into Altoona we still have unemployment. At the present time the Pennsylvania Railroad shops, the largest in the world, normally employing 14,000 are as of August 1 employing 2,500 or a reduction of 11,500.

Mr. Speaker, this bill will assist those who are trying to erase or banish unemployment in my District therefore I support it and hope the rule will be approved.

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. VAN ZANDT] has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 6 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, once again we face a situation in this House

which I think leads toward bad legislative procedure, namely, that committees which report out a bill and tell us that they have a good bill; they then come out to the floor and say, "All right, it is a bad bill, we will correct it; we will give in; we will take this amendment, we will take that amendment." Either a bill is a good bill when it is reported out of a committee or it is not. This procedure of any committee coming to the floor acknowledging, "It is a bad bill; let us correct it, and rewrite the whole proposal," is, I repeat, bad parliamentary procedure. The committee should stand on the bills as it reports them and not come in here and accept any and all amendments just to get their bill passed and thereby be able to take the bill to conference.

Mr. Speaker, this rule would make in order what is called an area redevelopment program. The bill from the Committee on Banking and Currency we are now asked to consider is, in my opinion, an economic monstrosity. It is so broad in its terms, so costly in dollars, so discriminatory in nature and so contrary to the proven principles of economics and of government to which we have historically adhered, we should summarily and overwhelmingly refuse even to consider it.

This measure is brought before us under the guise of being an antirecession bill. In what way can it be of any immediate help in easing a current economic situation when you consider how long it will take to set up the administrative machinery, to construct new industrial buildings and to retrain workers? In what way can a program of this character alleviate unemployment that exists not by virtue of the lack of plants but by virtue of the lack of public demand for what the existing plants can produce? There is no shortage of manufacturing plants in Detroit, for example, but there has been lack of buyers of automobiles.

Let us view this bill for what it actually is. It is not an antirecession measure. It is a vast socialistic scheme which, once inaugurated, will cost several billion dollars. This is one of those huge spending programs that invariably grow and grow, and will be a burden on the American people for many years to come.

The loans and grants proposed by the bill will cost almost $280 million. This sum will not be sufficient to meet the demand of all eligible areas, and we may anticipate from experience that in due course the argument will be made to expand the program and increase the Federal expenditure for it.

In addition to the loans and grants authorized by the bill, it provides for vast expenditures for vocational and retraining subsistence. The Secretary of Health, Education, and Welfare is to furnish financial assistance to vocational educational institutions. The Secretary of Labor is to make weekly retraining subsistence payments, for a period of 13 weeks, to the unemployed persons in a redevelopment area.

It is thus proposed that the Federal Government enter into an educational program. If a person is unemployed and has exhausted his unemployment benefits, or even not entitled to such benefits, and he lives in one of the designated redevelopment areas, he can avail himself of these additional benefits.

How much will all this cost? There is no limitation in the bill as reported by the Banking and Currency Committee. To say that it will cost a billion dollars would be a fair assumption. In due time it may cost many billions more, for once a program of this character is established, there are the usual pressures for its continuation and enlargement.

It is here proposed that a new subsidiary agency of Government be created—that a new bureaucracy be established—and that this new bureaucratic agency be vested with broad authority to determine what communities should have financial assistance from the Federal Government, what industrial plants shall be moved there, what sites should be purchased, what buildings erected, and what facilities acquired. By the terms of this legislation we are saying that the Federal Government can best determine what is economically best for a given area. We are proposing that the judgment of the Federal Government be substituted for the judgment of a local area and of private enterprise everywhere.

It is almost beyond comprehension that it would even be proposed that a measure of this character should be presented to us. Its adoption would lay the basis for an agency of the Federal Government to be able to remake our national economy and destroy our free, competitive enterprise system. The adoption of a bill like this destroys the principle of local rights and responsibilities. It would constitute a dangerous step toward the centralization of both our Government and our economy.

If you believe in an all-powerful central government, vote for this rule. If you believe in socialism, vote for this rule. If you have no concern about whether our Federal budget is balanced, how much is spent and how heavy the taxes, vote for this rule.

But if you believe in State and local rights and responsibilities, if you believe in our free, competitive enterprise system, if you believe in a sound fiscal policy, you must certainly vote against this rule, or any other rule, that would bring before us this type of legislation. It is a socialistic monstrosity.

This House should, in the best interests of our national welfare, vote down this rule.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, I know we are all highly in sympathy with areas which have depreciated for one reason or another and are in distress. The problem we face today, Mr. Speaker, is not that kind of problem. The problem is this bill before us.

I suggest, Mr. Speaker, that this bill could be characterized as a gigantic boondoggle. It is completely unlimited, as the gentleman from Illinois has so well said. It has in it a gigantic joker. It is supposed to be a bill to loan $200 million and to grant $75 million, and some more, but actually the bill permits a very, very large subsidizing of the people for retraining and, to take only about two-thirds of the figure of the gentleman from Pennsylvania on unemployment, that would cost us $975 million, which, plus the other cost, gets it into the billion-dollar class. That is the joker.

In addition, Mr. Speaker, a large part of this, or $200 million, is a public-debt transaction. It no longer sees the control of the Congress through the Appropriations Committee. Once we vote this, the Commissioner has authority to draw on the Treasury, and that type of procedure this House has recently voted down several times.

There could be amendments conceivably to take out both of those major features of the bill but, I suggest, the bill is a bad bill anyway. It is wrong in principle, and for that reason no matter how much we amend it, it is going to be a bad bill. It is wrong in principle because it would foster a Government-controlled system of industrial production completely unrelated to good economics, and absolutely the opposite of a free-enterprise system. There are some 2,000 development credit corporations successfully working out this problem in the United States now. The bill is a giant boondoggle and it will not work. It may be that there are a lot of Members of the House who say, "I have a depressed area in my territory and I cannot vote against this bill." May I suggest, Mr. Speaker, that this bill will not work and I can show you how. Actually, the moving of a plant into a district will not of itself assure success either to the industry or the workers. It will take 2 to 10 years to make it work. The district moreover from which it is moved is pirated and unemployment will be created in the district that is thus bereft.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield.

Mr. McDONOUGH. In regard to the local communities having some responsibilities for the promotion and expansion of industry; did we not pass a bill just a week or so ago to provide for loans through the Small Business Investment Corporations on a State basis to expand industries in those areas which would, in turn, provide employment in the local areas?

Mr. HIESTAND. I thank the gentleman. He is eminently correct. We did do that very thing. In this very bill there is $75 million for public facilities, additional public facilities, which project is being administered at the present time by the Housing and Home Finance agency for which there is plenty of money. This would add $75 million for the same purpose. We voted the rule on that measure down last week. Another reason why this bill is fundamentally wrong in principle is that it ignores the cause of depressions and the various causes that create unemployment. It ignores these causes all the way through and endeavors to correct the defects rather than the causes—transportation, the exhausting of raw materials, taxation, labor, competition, foreign competition, and domestic competition. Those are the causes and here we are trying to doctor the effects. We must get at the causes if we are going to legislate correctly. This is not an antirecessionary bill, as has been said. But, the important thing is we are not getting anywhere moving industries from one district into another. We have had trouble with this pirating of industries in many districts. But suppose that Uncle Sam, with untold millions of dollars and above the law, takes a hand in pulling an industry out of your district? Where would you be then?

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield.

Mr. GROSS. This bill would make a virtual czar of the commissioner to be established would it not?

Mr. HIESTAND. That is correct. It should be expressed also that with the letter circulated by the gentleman from Pennsylvania, there was a letter from the National Republican Committee, and I want to say right here and now, that the administration is violently opposed to this bill. It is in favor of the principle of helping distressed communities, but it is opposed to this bill emphatically.

The bill is highly inflationary because all the taxes we can now raise are used for current expenditures of government and to add this on top of our current expenditures is deficit spending and highly inflationary.

Mr. Speaker, I urge the rule will be voted down.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Speaker, I am unable to understand the attitude taken by those representing States where the great agricultural interests exist on this proposed legislation to create programs to assist distressed areas in the Nation, particularly the coal areas which have been hit hard in the last several years. This legislation has been referred to as somewhat confused. We had an agricultural bill which came up here the other day, and let me say there was about as much confusion in it as any legislation that has come before the House for some time. It was so confused it was recommitted. However, within several days it was brought right out again because the agricultural interests are determined to be protected, and do not forget that. But when a coal mine in the western part of my State of Pennsylvania folds up after 40 or more years of operation there are 300 or 400 men thrown out of employment with no place to go, no work available, no opportunities available, nobody seems to be particularly concerned about a situation of that kind. These folks, these areas, are in distressing circumstances, their homes and families to be cared for, and yet it is difficult to arouse interest to bring about programs to afford these folks relief.

But let us assume that such a situation arose in a farm State in an area where 400 or 500 farmers because of drought, flood, or some other circumstances found themselves in desperate need; rest assured programs and plans would be developed and legislation enacted to afford relief for those conditions that occurred in that particular area. What should be the difference in helping farm areas or coal mining areas? They are all our people. The coal industry today is making the fight of its life for its very existence, so when legislation is presented to afford relief from these conditions that exist in these distressed areas throughout the Nation, it should be given every consideration.

Now a word about mutual security and our worldwide programs to help people in distress all over the world; nobody is too concerned about the approximate $4 billion appropriation for foreign aid set up for the coming year.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I am sorry every Member of this body did not hear the excellent talk made by my good friend the gentleman from Illinois [Mr. ARENDS]. He certainly showed what would be the effect in every field of economics. Another thing he mentioned is something we all know, that today or tomorrow we provide for a temporary program, yet we find it becomes a permanent program, that once started it never stops.

Shortages. As the gentleman from Illinois Mr. [ARENDS] mentioned, there is no shortage of factories or buildings. If there is any question about that perhaps it would be well for you to go out to Detroit and check on the automobile industry. There is no shortage of buildings there. There is a shortage of those who are purchasing automobiles. Mr. Speaker, I hope the majority of the membership will vote this rule down.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Rhode Island [Mr. FORAND] for a unanimous-consent request.

Mr. FORAND. Mr. Speaker, within the next few minutes we will have before us the Area Development Act, a bill that has for its purpose the establishment of an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas.

It is my sincere hope that the House will act favorably on this bill, already too long delayed, and thus permit a conference committee of the House and the Senate to compromise the differences between the two Houses, and send it to the President for signature before this Congress adjourns.

In nearly every section of the country are areas where unemployment and underemployment is and has been running extremely high and causing extreme hardship to workers and communities as a result of circumstances far beyond their control. This is true particularly in areas where one or two factories that have been furnishing the major portion of the payroll in those communities are closed down, many times on short notice, because the owners decide to move to some other locality or to liquidate the plant for one reason or another.

In some instances, the reason is failure of the owners to modernize their plant to meet today's competition. In other instances, foreign imports are blamed. In other instances, such as happened in Rhode Island a few years ago, when some of our textile plants were experiencing losses, sharp operators stepped in and bought the plants in order to take advantage of their tax loss carryover. Rather than try to rehabilitate these plants, the liquidators sold the machinery to secondhand dealers and disposed of the real estate, thus, wiping out the job opportunities that existed in those areas.

To cite but a few of the plants liquidated in my own State which, I am sure most of you know has been in a major labor-surplus area for several years now, and in January of this year showed our unemployment rate to be 14.1 percent of our labor force, I list the White Mill, in Pascoag, where 200 people were made jobless, the Union Mill, in Pascoag, which meant the loss of jobs for 450 people, the Wanskuck Co., in Providence, and in Burrillville, where 2,000 workers were thrown out of employment, the Lymansville Co., employing about 400, closed its doors, the Lorraine Mills, the Manville Mills, the Atlantic Mills, the Guerin Mills, and others in the city of Woonsocket.

As a result of these unfortunate closings of plants, we find that the textile industry instead of furnishing 54 percent of the economy of our State, as it did a few years ago, is now at a level of approximately 30 percent.

Imports of Japanese textiles and jewelry have caused havoc in my State, while imports of lace from the European countries have practically put the lace industry in Rhode Island out of business. The rubber footwear industry also has been seriously affected by imports.

If our Government is to continue to trade away our industries, it has a responsibility to help restore the economy of these depressed areas whose present serious economic condition is being blamed on unfair foreign competition, as well as other areas that are depressed for other reasons. The bill before us is a step in the right direction.

We in Rhode Island, and I am sure others in other parts of the country, are doing our best with the means at our command to overcome this situation, but find that we do not have the wherewithal to restore our economy to a decent level. Help is needed, and only the Federal Government can provide it.

In Rhode Island the State government has set up what is known as the Rhode Island Development Council to seek to bring new industries into the State and to help rehabilitate those that are still with us. A group of businessmen have formed what is known as the Rhode Island Industrial Corp. and have raised funds for the purpose of building plants and leasing them on long leases to try to encourage industry to come into the State to provide employment. In the city of Woonsocket, a city of about 50,000 people, they have set up the Woonsocket Industrial Development Foundation and

are straining every effort to bring industry into the area to take up the slack in employment occasioned by the closing of textile plants. Some 3 or 4 years ago the Woonsocket Industrial Development Foundation raised in excess of $400,000 from their distressed population and their businessmen in an attempt to pull themselves out of their trouble.

The Rhode Island delegation in the Congress has arranged for a series of meetings of businessmen with representatives of several departments of the Federal Government who brought to Rhode Island exhibits of items which it was thought our manufacturers could produce. Clinics have been held and all are cooperating in the hope that we may soon find a remedy to cure our economic illness—unemployment.

Officials of the Federal Government, including the President himself, have oftentimes in the past made statements to the effect that Government contracts would be channeled into these distressed labor-surplus areas, but I regretfully report that I have seen little evidence of action along this line in my State.

What I have said about Rhode Island I am sure applies to many other areas in this country. We can no longer delay action and I, therefore, urge all of my colleagues to support this bill wholeheartedly so that it may go to conference and be sent to the President for his signature without delay.

Mr. SMITH of Virginia. Mr. Speaker, I yield the remainder of my time to the gentleman from Mississippi [Mr. COLMER].

The SPEAKER. The gentleman from Mississippi is recognized for 6½ minutes.

Mr. COLMER. Mr. Speaker, I should like to begin my remarks by joining in the statement just made by my colleague on the committee, the gentleman from Illinois [Mr. ALLEN], with reference to the splendid presentation of this matter that was made by the gentleman from Illinois [Mr. ARENDS].

Mr. Speaker, when one thinks of the gargantuan debt with which we are faced in this country, with the threat of runaway inflation, it makes one wonder where we are going. One would think it was time to stop, look, and listen before we engage in another gigantic expenditure of the taxpayers' money.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. According to the very distinguished gentleman in the other body who has been the guardian of expenditures, unless we change our course we are heading for certain disaster in our fiscal economy. Does not this bill follow in that direction and accelerate the process?

Mr. COLMER. Of course, I should have to go along with that statement. I could have said as much myself 10 years ago.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from West Virginia.

Mr. BAILEY. I was interested in the statement made by the gentleman from Wisconsin who wondered where we were going in this matter of pushing up the debt limit. Why did they not think about that on the first bill passed by the 2d session of the 85th Congress in which we gave $284 million to the insurance companies? The last one was a handout to the liquor producers of this country. These bills passed the House finally yesterday. You never heard that question brought up when the fat cats were getting taken care of, but now that the hungry folks are being heard from the economic royalists make a celebration on the floor of the House.

Mr. COLMER. Let me say to my distinguished friend from West Virginia that these economic royalists—if I am to be put in that class—are pursuing the same path today that I pursued when those matters were involved.

Mr. Speaker, when the whole matter is boiled down, it simply amounts to the fact that the bill is designed to prevent the further movement of industry to the South.

An investigation of the origin of the bill will prove this.

Mr. Speaker, here we are in the final hours of this session of the Congress and we are embarking, as I pointed out a moment ago, upon a new field of governmental activity, of concentrating all of the power of Government under the dome of this Capitol in Washington.

Mr. Speaker, I am opposed to the adoption of this rule and am pleased to have the opportunity to address myself to the many deficiencies contained in the bill S. 3683.

It is not a realistic approach to the problem of unemployment, as it is designed to give aid to select groups of unemployed and ignores areas unable to meet the arbitrary criteria established to determine eligibility for assistance. Only areas meeting the test for classification as industrial or redevelopment areas can obtain help under this fantastic proposal.

The program here proposed is typical of the alarming trend toward complete abandonment of all constitutional restraint upon spending. We actually have no authority to spend public funds for the purposes proposed in this bill. I seriously doubt that the general welfare clause of the Constitution intended or contemplated authority to tax for such an undertaking as envisioned by this proposed legislation.

The bill applies to less than 8 percent of the unemployed in so-called distressed areas and only about 10 percent of the 3,000 counties.

The complicated and cumbersome machinery which the bill seeks to establish refutes the claim that it will relieve the recession and some of its sponsors frankly admit that it is not an antirecession measure.

When this bill was before the other body, it was clearly established that its basic purpose is to use Federal money to attract new industries into certain arbitrarily selected areas. Such areas have chronic unemployment and are depressed because industry has been unable to operate there economically. This legislation would place the Federal Government in position of substituting its decision regarding the development of an area for the decision of our free-enterprise system.

The vast expenditure authorized herein represents a Federal subsidy to entice industries into depressed communities and in most instances they would leave communities in which they are already operating, thus creating an unhealthy cycle. There is surely no justification for the use of Federal funds to help certain communities attract new industries at the expense of other communities that receive no Federal aid.

This is just a new funnel into which to pour the taxpayers' money instead of a realistic and practical solution to the complex problems of chronic unemployment.

Obviously the funds proposed will not meet the demands and it staggers the imagination to contemplate the magnitude of requests to continue the program should this House be so unwise as to give the green light to its launching.

This proposal has been correctly described as one of the longest strides toward State socialism we have yet witnessed.

To summarize:

The bill is plainly discriminatory.

It presents formidable administrative difficulties.

The program proposed is not temporary.

The problem at which it is directed is by no means new. It is a paradox of our economic system that the Nation as a whole can enjoy prosperity while certain areas suffer depression.

Authority would be vested in an official of the Federal Government to determine by vague and arbitrary standards which communities are to receive aid, and when.

It is socialistic, impracticable, expensive, and will prove inefficient.

It will prove frustrating to practical efforts to solve unemployment.

Mr. Speaker, I hope this rule will be defeated.

Mr. PATMAN. Mr. Speaker, will the gentleman yield for a correction?

Mr. COLMER. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman stated that this only affects 10 percent of the counties. The House took out that 300-county limitation, so it will apply to all counties.

Mr. COLMER. I am trying to say that if you start out on this kind of a proposal, where are you going to end? You cannot solve this problem in this way. If you are going to dump Federal funds into Pennsylvania or Mississippi or some other State in order to relieve that situation, thereby drawing from some other section of the country these industries, a distressed situation will result in the latter case.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. ALLEN of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 216, nays, 159, not voting 54, as follows:

[Roll No. 170]

YEAS—216

Addonizio	Garmatz	Nimtz
Albert	Gavin	Nix
Andrews	George	O'Brien, Ill.
Ashley	Glenn	O'Brien, N. Y.
Aspinall	Granahan	O'Hara, Ill.
Bailey	Gray	O'Konski
Baker	Green, Oreg.	O'Neill
Baldwin	Green, Pa.	Osmers
Baring	Gregory	Patman
Barrett	Griffin	Patterson
Bass, Tenn.	Griffiths	Perkins
Beckworth	Hagen	Pfost
Bennett, Fla.	Hale	Philbin
Bennett, Mich.	Harden	Poage
Blatnik	Haskell	Polk
Boggs	Hays, Ark.	Porter
Boland	Hays, Ohio	Price
Boiling	Healey	Rabaut
Boyle	Heselton	Rains
Bray	Holifield	Reuss
Breeding	Holland	Rhodes, Pa.
Brooks, Tex.	Holmes	Roberts
Broomfield	Holtzman	Robsion, Ky.
Brown, Ga.	Horan	Rodino
Brown, Mo.	Huddleston	Rogers, Colo.
Byrd	Hyde	Rogers, Mass.
Byrne, Pa.	Ikard	Rooney
Canfield	Jarman	Roosevelt
Carnahan	Jennings	Rutherford
Carrigg	Johnson	Sadlak
Celler	Jones, Ala.	Santangelo
Chelf	Jones, Mo.	Saund
Chenoweth	Karsten	Saylor
Christopher	Kee	Schwengel
Clark	Kelly, N. Y.	Scott, Pa.
Coad	Kilday	Seely-Brown
Coffin	Kilgore	Shelley
Cooley	King	Sheppard
Corbett	Kirwan	Sieminski
Cretella	Kluczynski	Sikes
Cunningham, Iowa	Knox	Siler
Curtin	Knutson	Sisk
Dague	Lane	Smith, Miss.
Dawson, Ill.	Lankford	Spence
Delaney	Lennon	Staggers
Dent	Libonati	Steed
Denton	McCarthy	Sullivan
Diggs	McCormack	Taylor
Dingell	McFall	Teller
Dollinger	McGovern	Thomas
Donohue	McIntosh	Thompson, La.
Dorn, N. Y.	Macdonald	Thompson, N. J.
Dwyer	Machrowicz	Thompson, Tex.
Eberharter	Mack, Ill.	Thornberry
Edmondson	Mack, Wash.	Tollefson
Elliott	Madden	Trimble
Everett	Magnuson	Udall
Evins	Mahon	Ullman
Fallon	Meader	Van Zandt
Farbstein	Merrow	Vursell
Fascell	Metcalf	Walter
Feighan	Miller, Calif.	Watts
Fenton	Mitchell	Widnall
Fino	Moore	Wier
Fisher	Morano	Withrow
Flood	Morgan	Wolverton
Fogarty	Morris	Wright
Forand	Morrison	Yates
Ford	Moss	Young
Fountain	Moulder	Zablocki
Frazier	Multer	Zelenko
Fulton	Mumma	
	Natcher	

NAYS—159

Abbitt	Betts	Cramer
Abernethy	Bolton	Cunningham, Nebr.
Adair	Bonner	Curtis, Mass.
Alexander	Bosch	Curtis, Mo.
Alger	Bow	Davis, Ga.
Allen, Ill.	Brown, Ohio	Davis, Tenn.
Andersen, H. Carl	Broyhill	Dawson, Utah
Arends	Budge	Dennison
Ashmore	Burleson	Derounian
Auchincloss	Bush	Devereux
Avery	Byrne, Ill.	Dixon
Barden	Byrnes, Wis.	Dooley
Bass, N. H.	Cannon	Dorn, S. C.
Bates	Cederberg	Dowdy
Beamer	Chiperfield	Flynt
Becker	Church	Forrester
Belcher	Clevenger	Frelinghuysen
Berry	Colmer	Gary
	Coudert	Gathings
	Cramer	Grant
	Cunningham, Nebr.	Gross
	Curtis, Mass.	Gubser
	Curtis, Mo.	Gwinn
	Davis, Ga.	Haley
	Davis, Tenn.	Halleck
	Dawson, Utah	Hardy
	Dennison	Harris
	Derounian	Harrison, Nebr.
	Devereux	Harrison, Va.
	Dixon	Harvey
	Dooley	Hemphill
	Dorn, S. C.	Henderson
	Dowdy	Herlong
	Flynt	Hess
	Forrester	Hiestand
	Frelinghuysen	Hill
	Gary	Hoeven
	Gathings	Hoffman
	Grant	Hosmer
	Gross	Hull
	Gubser	Jackson
	Gwinn	Jensen
	Haley	Johansen
	Halleck	Jonas
	Hardy	Judd
	Harris	Kean
	Harrison, Nebr.	Keating
	Harrison, Va.	Kitchin
	Harvey	Krueger
	Hemphill	Lafore
	Henderson	Laird
	Herlong	LeCompte
	Hess	Lipscomb
	Hiestand	
	Hill	
	Hoeven	
	Hoffman	
	Hosmer	
	Hull	
	Jackson	
	Jensen	
	Johansen	
	Jonas	
	Judd	
	Kean	
	Keating	
	Kitchin	
	Krueger	
	Lafore	
	Laird	
	LeCompte	
	Lipscomb	
	Loser	
	McCulloch	
	McDonough	
	McGregor	
	McMillan	
	Matthews	
	May	
	Miller, Md.	
	Miller, Nebr.	
	Mills	
	Minshall	
	Murray	
	Nicholson	
	Norblad	
	Norrell	
	O'Hara, Minn.	
	Ostertag	
	Passman	
	Pelly	
	Pilcher	
	Pillion	
	Poff	
	Quie	
	Ray	
	Reece, Tenn.	
	Reed	
	Rees, Kans.	
	Rhodes, Ariz.	
	Riehlman	
	Riley	
	Robison, N. Y.	
	Rogers, Fla.	
	Rogers, Tex.	
	St. George	
	Schenck	
	Scherer	
	Scott, N. C.	
	Scrivner	
	Scudder	
	Selden	
	Sheehan	
	Simpson, Ill.	
	Simpson, Pa.	
	Smith, Calif.	
	Smith, Va.	
	Springer	
	Stauffer	
	Taber	
	Talle	
	Teague, Calif.	
	Tewes	
	Thomson, Wyo.	
	Tuck	
	Utt	
	Van Pelt	
	Vinson	
	Vorys	
	Weaver	
	Westland	
	Wharton	
	Whitener	
	Whitten	
	Wigglesworth	
	Williams, Miss.	
	Williams, N. Y.	
	Willis	
	Wilson, Calif.	
	Wilson, Ind.	
	Younger	

NOT VOTING—54

Allen, Calif.	Engle	Mason
Anderson, Mont.	Friedel	Michel
Anfuso	Gordon	Miller, N. Y.
Ayres	Hébert	Montoya
Baumhart	Hillings	Neal
Bentley	Holt	Powell
Blitch	James	Preston
Boykin	Jenkins	Prouty
Brooks, La.	Kearney	Radwan
Brownson	Kearns	Rivers
Buckley	Keogh	Robeson, Va.
Burdick	Kilburn	Shuford
Chamberlain	Landrum	Smith, Kans.
Collier	Latham	Teague, Tex.
Dellay	Lesinski	Vanik
Dies	McIntire	Wainwright
Doyle	Mailliard	Winstead
Durham	Marshall	
	Martin	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert for, with Mr. Allen of California against.

Mr. Keogh for, with Mr. Mason against.

Mr. Anfuso for, with Mr. Kilburn against.

Mr. Baumhart for, with Mr. Neal against.

Mr. Buckley for, with Mr. Collier against.

Mr. Engle for, with Mr. Miller of New York against.

Mr. Doyle for, with Mr. Mailliard against.

Mr. Vanik for, with Mr. Burdick against.

Mr. Friedel for, with Mr. Radwan against.

Mr. Dellay for, with Mr. Jenkins against.

Mr. Lesinski for, with Mr. Rivers against.

Mr. Anderson of Montana for, with Mr. Robeson of Virginia against.

Mr. Bentley for, with Mr. James against.

Mr. Marshall for, with Mrs. Blitch against.

Until further notice:

Mr. Boykin with Mr. Hillings.

Mr. Landrum with Mr. Prouty.

Mr. Preston with Mr. McIntire.

Mr. Powell with Mr. Brownson.

Mr. Winstead with Mr. Kearns.

Mr. Teague of Texas with Mr. Wainwright.

Mr. Shuford with Mr. Michel.

Mr. Gordon with Mr. Ayres.

Mr. Durham with Mr. Kearney.

Mr. Dies with Mr. Smith of Kansas.

Mr. Brooks of Louisiana with Mr. Chamberlain.

Mr. Montoya with Mr. Latham.

The result of the vote was announced as above recorded.

Mr. BROWN of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3683) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 3683, with Mr. BOGGS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Georgia [Mr. BROWN] will be recognized for 1 hour, and the gentleman from Iowa [Mr. TALLE] will be recognized for 1 hour.

The Chair now recognizes the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, the Members have indicated by their vote that they would like to hear debate on the bill. That is the way it should be. I had hoped that our heavy artillery from Banking and Currency would speak first, but let me say these few words. With reference to that section of the bill dealing with rural aid, it has been suggested that the gentleman from Arkansas [Mr. HAYS], the gentleman from Oklahoma [Mr. EDMONDSON], and the gentleman from West Virginia [Mr. BAILEY] would discuss those provisions in which they are better versed than I. My friends are well prepared to discuss the industrial sections. Let me speak generally to the bill.

I want you to know—this I repeat for the purpose of emphasis—this is a bipartisan operation. When my friend from California says that President Eisenhower and this administration are opposed to this legislation, that I deny categorically.

Mr. HIESTAND. Mr. Chairman——

Mr. FLOOD. Does the gentleman want me to yield?

Mr. HIESTAND. I do.

Mr. FLOOD. Go ahead, but do not make a speech.

Mr. HIESTAND. This is a question.

Mr. FLOOD. Do you have explicit, documentary evidence or telephone calls on which you can tell me that the administration is opposed to this legislation?

Mr. HIESTAND. I do.

Mr. FLOOD. Will you state them?

Mr. HIESTAND. I had a telephone call from the White House.

Mr. FLOOD. What name?

Mr. HIESTAND. On this particular pice of legislation.

Mr. FLOOD. Name the man.

Mr. HIESTAND. A number of this particular type of legislation——

Mr. FLOOD. Name the man. If you do not name the man I deny your allegation.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Mr. Chairman, this bill was reported out on July 1, 1958. On July 28, 1958, Meade Alcorn, chairman of the Republican National Committee, wrote the following letter to Mr. Bernard B. Blier, executive director, Northeast Pennsylvania Industrial Development Commission, Chamber of Commerce Building, Scranton, Pa.:

JULY 28, 1958.

Mr. BERNARD B. BLIER,
Executive Director, Northeast Pennsylvania Industrial Development Commission, Chamber of Commerce Building, Scranton, Pa.

DEAR MR. BLIER: I can assure you that the party leadership and the administration are in favor of legislation to assist depressed areas.

The impressive number of Republican-sponsored proposals which were under consideration by the committee on the subject indicates substantial agreement among Republicans that suitable Federal action should be taken immediately to assist these problem areas.

The President has asked for this legislation in his economic report to Congress. His favorable attitude on this subject has been expressed to Congress on several occasions.

I think there is considerable basic agreement among Republicans as to the overall objectives of this legislation. Therefore, I expect to see appropriate action on behalf of Republicans in passing suitable legislation in this session.

With all best wishes.

Sincerely,

MEADE ALCORN.

DEMOCRATIC NATIONAL COMMITTEE,
Washington, D. C., July 29, 1958.

Mr. BERNARD B. BLIER,
Executive Director, Northeast Pennsylvania Industrial Development Commission, Chamber of Commerce Building, Scranton, Pa.

DEAR MR. BLIER: This is my first opportunity to reply to your recent communication in reference to the area redevelopment bill.

We are especially aware of the current status of the area redevelopment bill now pending in the Congress. I want to assure you that we at the national committee are doing everything appropriate to help see that this legislation is enacted by the 85th Congress.

With kindest regards, I am

Sincerely,

PAUL M. BUTLER.

Mr. FLOOD. Mr. Chairman, I inserted that in the RECORD, and I have here also a letter from the chairman of the Democratic National Committee saying exactly the same thing, and for my friend from California, here is one from Sherman Adams at the White House, dated June 25, which says exactly the same thing as Mr. Alcorn. You had better get on that telephone again.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. It is my understanding that when this matter was before the Rules Committee two amendments would be offered by the gentleman's committee or members of his committee.

Mr. FLOOD. If the gentleman will permit, and I know what the gentleman is going to say, not by members of the committee. It was suggested that I introduce the amendment.

Mr. SMITH of Virginia. By advocates of the bill?

Mr. FLOOD. Yes.

Mr. SMITH of Virginia. One of them is on page 17, which has a title "Fund for Loans." They were to be drawn directly from the Treasury. I understand an amendment will be offered to require that they go to the Appropriations Committee of the House.

Mr. FLOOD. That amendment will be offered as a committee amendment by the Committee on Banking and Currency. That is consistent with what we have agreed to on all such bills from now on.

Mr. SMITH of Virginia. Then an amendment will be offered on page 28 to the paragraph entitled "Retraining Subsistence Payments," which was a matter also discussed.

Mr. FLOOD. Yes.

Mr. SMITH of Virginia. An amendment will be offered to strike that out?

Mr. FLOOD. It has been suggested, and I will offer that amendment reluctantly.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman emphasized the word "reluctantly." But he meant in good faith, did he not?

Mr. FLOOD. In good faith and reluctantly. I speak only in good faith, as does the gentleman from Michigan.

Mr. HOFFMAN. In other words, you do that to get the bill through.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from California.

Mr. McDONOUGH. The gentleman is from the great State of Pennsylvania?

Mr. FLOOD. Yes; that is correct.

Mr. McDONOUGH. If there is any State in the Union that has shown self-reliance and a complete dependence upon its own natural resources in producing its production, it is the great State of Pennsylvania.

Mr. FLOOD. Let me say to the gentleman from California that if it had not been for the gold and the toil of the taxpayers of Pennsylvania, there would not be a California, and probably not the gentleman either.

Now I refuse to yield further.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. PRICE. I would just like to comment that the gentleman from California was on the floor a few days ago in support of a bill amounting to $10 million for saline water conversion, almost principally for the State of California.

Mr. McDONOUGH. That is for the benefit of the whole world to convert sea water into potable water.

Mr. FLOOD. Mr. Chairman, I must respectfully decline to yield further.

Now, Mr. Chairman, the President of the United States in one of the greatest speeches he or anybody else ever made before the United Nations stated that he is in favor of a Middle East area development bill—that is good; his purpose is sound—to aid distressed agricultural areas and industrial areas of the Middle East. More power to him. The Secretary of State and Dr. Milton Eisenhower the very same day stated that this administration will propose a hemispheric area development bill to aid agriculture and industry in Central and South America. More power to them.

Mr. Chairman, we come to you with an American industrial development bill, a rural-aid bill. This is an American point 4 program, the same as that for the Middle East and that for Central and South America. Is that immoral? Is that bad? What is the matter with it? We do not come here as beggars. I speak for 100 men in this House whose districts suffer as does mine, desperately. We are your brothers. This is no boondoggle. Socialism! I have heard that threaded back and forth across here against everything. If at this stage of a debate, if at this stage of a conference, if at this stage of a second any committee brought in here the bill of rights, this wrecking crew would scream, "Socialism. That is for the people; that is bad." This House has manifested many times its understanding of the problems of the American people. You will not be swayed by that bugaboo, nonsense, fiddlesticks, balderdash, buncombe. You know in your hearts it is true. Steal one plant from another, from one district to another? That is not true. This bill contains express, specific statutory prohibtion against such a thing, and if the bill permitted it, there is not a man who sponsored this legislation who would vote for it. And, you know them all; you know them all. I ask you to look into your hearts and vote for this legislation for your American neighbors.

AREA REDEVELOPMENT

The President on three occasions has asked for legislation to help these economic distressed areas.

First. Nineteen hundred and fifty-six economic report to Congress:

The fate of distressed communities is a matter of national concern. We should give serious thought to ways and means of extending prosperity to the less flourishing sections of the economy.

Second. Dr. Arthur Byrne, National Economic Adviser to the President, during President's illness at Denver made the statement from Denver "that the President was cognizant of condition of distressed areas in the country and ordered to do something about it."

Third. After last Congress one of the newsmen asked the President what he thought of area redevelopment, and he stated that he had hoped that Congress would pass that legislation.

Fourth. Mr. John Herling, news correspondent, in a news conference as late as June 1958 at the White House asked the President what he intended to do concerning area redevelopment, at which time the President stated he approved of this type of legislation, and was asking his staff to look into it.

Fifth. Principal of Federal responsibility for local problems is recognized by Federal legislation dealing with social welfare. It is recognized by Federal support to reclamation projects in the West, by the TVA—and by the declaration by Congress in the Employment Act of 1946:

EMPLOYMENT ACT OF 1946

It is continued policy and responsibility of the Federal Government to use all practicable means for the purpose of creating and maintaining conditions under which there will be afforded employment opportunities including self-employment for those able, willing, and seeking to work and to promote maximum employment conditions and purchasing power.

The President as recently as this week before the United Nations called for an international area redevelopment program in helping a select group of countries in raising their standards of living.

There are many bills—reclamation bills concerning special interest.

This bill concerns many areas. The bill provides special studies to determine their true unemployment conditions—field studies showed that 5 to 10 percent of labor force in these areas come within the statistics of United States Labor Department, and that it is much better to be able to get in there and help these communities before the bottom falls out.

The only way in which this can help these areas is to scratch off the varnish and veneer covering the problem, and get to find out their basic needs.

And now I would like to raise some opposition questions and answer them.

The money authorized in the area redevelopment bill cannot be used to create industry in one place at the expense of industry which already exists in another place. The language of the bill states specifically that the financial assistance it provides "shall not be extended to assist establishments relocating from one area to another when such assistance will result in substantial detriment to the area of original location by increasing unemployment."

However, I understand that some opponents of the bill have fastened on this issue as a means of frightening away support on the grounds that this bill will precipitate a large scale movement of plants from one place to another, always at great damage to the areas in which industry is now located.

I cannot conceive of any such migration of industry resulting from the passage of this bill. I cannot conceive of any industry moving without substantial reason for doing so, whether this bill is passed or not. Neither can I picture an incentive to move being created under the language here being proposed.

Under the direst circumstances that I can picture, we are better off with the protection this bill offers than any of us can possibly be without it. Any plant which might be lost after this bill is passed, with the protection that is written into it, is likely to be marginal, no longer adapted to the place where it is located, and a candidate for moving under any circumstances. We will not hobble American enterprise, we will not nail down the plants where they now are if we refuse to pass this bill. However, by passing it, we make it possible to establish plants that are adapted to the areas of their location, properly, and economically designed and located. We encourage stability of industry and employment.

The insurance and assurance of such stability, is a far more helpful thing for America than would be the refusal to do anything for fear of upsetting the status quo in some isolated case.

THE RUNAWAY ISSUE

Opposition: Protection against "runaway" employers isn't strong enough. Section 6 (a) must be amended by placing a period after "another" on page 7, line 25, and striking the rest of the line and all of lines 1 and 2 on page 8. This would prevent any Federal aid going to plants that relocate and, thus, prevent aid to runaways.

Answer: First, the language now in the bill has been most carefully conceived. It would precisely exclude financial aid to runaways seeking to take advantage of the act, as intended by both the bill now before you and the one originally introduced by the administration. As a matter of fact, both bills deal with this problem with the use of precisely the same language.

Second. However, the proposed amendment—while certainly well-intentioned—would actually hamstring the Administrator in seeking to provide legitimate aid to the distressed areas without causing harm to any others.

In our dynamic free enterprise economy, industry is constantly relocating—for legitimate reasons in most cases. In some instances, local raw material resources become depleted and they must move. In others, markets shift and relocation closer to sources of supply and markets is frequently necessary for the survival of the enterprise. In others, a portion of an enterprise relocates and expands elsewhere without diminishing employment in the original area.

The issue before us is not relocation per se. It is our determination to deprive an enterprise of aid under this act if in relocating to a distressed area "substantial detriment to the area of original location by increasing unemployment" will occur.

This is the criteria by which this act would make final judgment. It is the proper and appropriate criteria.

Third. This criteria—which would deny Federal aid to the enterprise that simply seeks to take advantage of the benefits of this act while leaving distress and unemployment in its wake—is clearly established by the legislative history of this act and it is reaffirmed twice in the language of this act both in section 6 (a) and in section 2, the "Declaration of Purpose."

It is good language, it is clear language. The bill as now written provides a mandate to the Administrator. This mandate is completely in accord with the objective that those who now seek to amend wish to achieve. The proposed amendment is unnecessary; it would, in fact, be harmful.

STATEMENT OF THE NATIONAL GRANGE BEFORE THE HOUSE COMMITTEE ON BANKING AND CURRENCY, REGARDING H. R. 6215 AND OTHER BILLS PROVIDING FOR REDEVELOPMENT OF DEPRESSED AREAS BY HERSCHEL D. NEWSOM, MAY 2, 1958

The National Grange, a national organization of farm and rural families, appreciates this opportunity to express full support for the proposed legislation "to alleviate conditions of excessive unemployment and underemployment in depressed industrial and rural areas." We urgently recommend favorable action in general accord with the provisions of H. R. 6215 at this session of Congress.

The bills now being considered by your committee encompass improvement programs in both urban and rural areas of persistent economic distress. Even so, we take the position that this legislation is fundamental to lasting agricultural recovery and development in the United States. From the long-range standpoint, it could be the most important agricultural legislation of the 85th Congress.

There are at least six basic reasons why we in the grange regard this legislation as critical and why we so strongly urge its enactment:

1. It would strengthen the general economic health of the Nation by positive action to bolster employment—and income—in areas of persistent unemployment and underemployment.

2. It would provide an effective program for establishing new, off-the-farm jobs in rural areas that have been hurt for many years by chronic underemployment of the available manpower.

3. It would enhance and stabilize the purchasing power of industrial workers and other urban residents, in the affected areas, and thereby improve the market for farm products.

4. It would broaden the productive utilization of America's human resources and raise the level of living standards where the need is greatest.

5. It would relieve the problem of surplus agricultural production to the extent that currently underemployed farmers, now contributing to surplus production of some commodities, would be able to obtain full-time employment off the farm.

6. By relieving the political pressure generated by large numbers of underemployed farm families of excessively low income, it would help create the circumstances or atmosphere conducive to the enactment of truly constructive and effective farm programs for the Nation.

Our concern in the Grange for this problem of rural underemployment is not new. It is an increasingly serious problem that we have recognized for some time. At the annual meeting of the National Grange last November, the delegate body adopted the following policy statement:

"Within the ranks of agriculture there are approximately a million families with an annual income of less than $1,000. Perhaps of even greater concern than substandard income, is the absence of practical prospects or opportunity for many of these families to improve their situation wholly within the field of agriculture.

"As a general statement, these families frequently have inadequate farming resources to provide full-time, productive use of their labor under modern conditions.

"The fundamental remedy, we believe, is to expand employment opportunities in areas of chronic rural underemployment. We hold that where human dignity and a decent American standard of living are at stake, we cannot be satisfied with half measures. We believe these very low-income rural families deserve a positive and realistic effort that will help them obtain respectable, useful

employment—either part-time work to supplement farming operations, opportunity to move to areas needing additional farmers, or full-time off-the-farm employment for one or more members of the family. Accordingly, we favor expansion of existing rural development activities to include more attention by Government agencies to this problem: a central administration to give leadership to local, State, and national efforts in dealing with rural underemployment; and limited financial aid, primarily in the form of loans, to help in the location or expansion of industrial activities in areas of rural underemployment."

Off-the-farm employment is an increasingly important aspect in the economic life of America's farm families. In some instances, such off-the-farm employment provides a relatively small but extremely necessary supplement to farm income, and the farm itself continues to be the principal source of income.

In other and steadily increasing instances, off-the-farm employment is supplanting the farm as the chief source of income for the farm family.

The United States Department of Agriculture estimates that income from nonfarm sources is now the largest single source of earnings for farm people, and is currently amounting to more than $6 billion a year.

We must recognize not only the present but the potential value of off-the-farm employment for farm people. During the past two decades, major technological developments have produced changes of great magnitude in the pattern and practice of American agriculture.

The large-scale adoption of power machinery of all kinds, for example, has materially altered the farm labor situation. A single farmer using power machinery and other products of modern research can produce much more today than he could 25 years ago with animal power and a good deal of manual labor. He can handle the operations of a larger farm. As a matter of fact, the farmer in 1958 must utilize more acres more intensively than he did 25 years ago if he is to make efficient use of his machinery and his own ability and energy.

In response to this situation, American farms are increasing in size. The farmer with inadequate resources—either of land, capital, or any other essential—cannot compete successfully in either production or marketing with the farmer who does have adequate resources.

Of course, the farmer without enough capital and with less than an economic farming unit can hang on and survive, but it is a losing game and often a deplorable one. With shrinking income and declining opportunity, frustration is followed by discouragement. Under these circumstances, a man can lose ambition and incentive. Moreover, if he has spent all his adult life in farming, he is unprepared for any other occupation.

I am mindful, too, that the underemployed farmer or his son in Indiana or Georgia, for example, has little knowledge of employment opportunities in Cleveland or Atlanta. Even if he did, could he qualify for any but the more menial jobs in the city or the industrial plant?

There is another problem, too, for the family man who may want to make the shift from farm to factory: How does he handle the everyday living expenses for himself and his family while he is in the process of making the shift?

To some of our very low income farmers, I am sure the difficulties ahead seem insurmountable. They would like to stay on the farm, but they don't see how they can make a go of it. When they think of getting off the farm, they don't quite know how to look or where to go. So they stay put—using only by half their potential capabilities to produce and prosper.

It is important to note, also, that for reasons of geography and tradition, among others, some areas have experienced greater concentrations of underemployed farm families than others. The evidence has been effectively set forth in the 1955 study by the Joint Economic Committee, in the Department of Agriculture's report on "Development of Agriculture's Human Resources," and in testimony before committees of Congress.

In a nutshell, the 1954 Census of Agriculture showed that there are 458 counties in the United States in which a third or more of the commercial farms provided an annual income, from product sales, of between $250 and $1,200. A majority of these counties are in the South, but the South has no monopoly on the problem.

The Department of Agriculture has reported that "in 1954, a year of record prosperity, about one-fourth of America's 5 million farm families earned $1,000 or less in total income."

The Department has also stated that "about 7 million people live in the Nation's 315 rural counties ranked lowest in farm income and levels of living. These counties are found in 16 States. They contain 20 percent or more of the people in 6 of these States."

H. R. 6215, as well as the bill recently introduced in the Senate—S. 3683—would provide a positive program designed to help remedy this situation.

There are differences in the several bills on this subject, but we in the Grange have been pleased to note the widespread recognition of the problem—and the fact that members of both political parties seek legislation to deal with it.

In all of the bills we have examined, we have been impressed by the uniform decision to provide an area redevelopment program that will proceed carefully and deliberately—in an effort to produce permanently beneficial results. We agree completely that the problem is not subject to swift or sweeping correction.

As I mentioned earlier, the Grange favors the establishment of a central administration to give leadership to local, State, and national efforts in dealing with the problems of economically depressed areas. We favor the establishment of an independent Area Redevelopment Administration, as provided in H. R. 6215. There would appear to be administrative advantages in such an organizational approach, especially since one of the basic jobs ahead is coordination of the efforts in this field of several existing agencies of Government.

It would be improper to ask the Department of Agriculture to administer a program of this kind in urban areas, just as it would be improper for the Department of Commerce to administer the program in rural areas. The need is for an independent, conspicuous agency—not buried in any existing Department—that will keep the area redevelopment program conspicuously before the public so that it will not be neglected or permitted to fail.

As Americans, we have always prided ourselves on being generous. We are sharing our abundance and our skills with friendly peoples all around the world—for both practical and humanitarian reasons. We are providing practical aid to underdeveloped nations.

In the proposed Area Redevelopment Act we would be sharing our abundance and our skills with our own neighbors who happen to be in need. Persistent unemployment or underemployment, in areas marked by prolonged economic distress, can be overcome.

By the use of Federal loans and grants, the provision of vocational training and "retraining subsistence payments," material assistance in the establishment of job-creating business enterprises, and other actions provided in this legislation, the depressed areas of America can be truly "redeveloped."

More important—a great many of our own people who have been trapped by circumstances will be provided with new hope, and with new opportunities for full, rewarding employment.

We urge you to act favorably on H. R. 6215.

This act does not help the unemployed in my area.

Opposition: This bill is masquerading as a bill to help the unemployed. In reality it would do nothing for most of the 5½ million now out of jobs. It is a subterfuge.

Answer: First, this act has never been advertised by its sponsors as a measure to relieve cyclical unemployment. It is a long-range bill seeking to help those portions of our citizens in distressed industrial and urban areas who have remained unemployed or underemployed in both good times and bad, a segment of our population whose need is certainly the greatest.

Second, while every area where unemployment is presently great would not be aided the several scores already identified as areas of chronic distress would be immediately aided. Furthermore, many others on the fringe might soon fall into this unfortunate category. In thousands of communities, in fact, the sudden closing of a major enterprise on which much of the population depends for its jobs could bring calamity. This circumstance has occurred many times in many States. It could occur many times in the future. These communities, too, would be aided by this act.

Third, the extent that this act will ultimately provide jobs and incomes for thousands of people in distressed areas will be helpful in communities everywhere. The purchasing power granted will create demands for goods which are produced in every one of the 48 States.

"IT COSTS TOO MUCH"

Opposition: In the face of the unbalanced budget, rising defense needs, and the burden of overseas aid, this is no time to assume the costs of this new program, no matter how well meaning.

Answer: First, on the contrary, America cannot afford to ignore this program which would put idle communities and idle people to work, removing them from recipience of charity into productive employment. In addition to humane factors, and the tragedy of wasted resources, the Russian threat forces America to profitably utilize all of its resources. Passage of this act would move us in this direction. We cannot afford to ignore it.

Second, since World War II, America has spent billions to aid the distressed and to build up underdeveloped areas around the world. It is time for a point 4 program for America to aid our own people and our own communities that are underdeveloped and whose people are needy.

Third, the total authorization for the Area Redevelopment Act—America's own point 4 program—would be less than $300 million and most of this would be in the form of loans for investment capital—loans that will be repaid to the United States Treasury with interest. How can Americans deny the needs of our own industrial and rural areas when at the same time—perhaps wisely— we recognize the needs of communities overseas and are acting to help them.

Fourth, insofar as the Area Redevelopment Act restores fellow citizens now unemployed and underemployed to useful, self-respecting jobs, the taxes that they will pay to the Federal Government on the incomes they will earn will repay the United States Treasury many times over for the cost of the "seed money" you are now asked to invest in order to help restore prosperity to these underdeveloped areas of the United States.

SOCIALISM

Opposition: This bill would bring Government into an unwarranted interference with the operation of free enterprise. Capital and labor should move in response to natural laws of supply and demand. This bill violates this basic requirement in a free-enterprise system.

Answer: The act is designed to encourage free enterprise and to make it more secure, not to destroy it.

In normal years, about $7 billion is invested by American corporations in branch plants. Furthermore, if America is to maintain its recent rate of growth, an expansion of our gross national product by $100 billion can be expected to be achieved before 1965.

This act would take nothing from any area or region in the United States. It would simply help direct—through a system of incentives long recognized as valid by the Congress—a portion of this enterprise growth towards areas that have lagged behind for reasons for which their citizens have not been responsible.

Today we can no longer tolerate ghost towns throughout the American countryside. The modern distressed industrial community is a built-up area with homes, schools, churches and commercial and public buildings and facilities of all kinds. In these areas generations of Americans have been born, developed roots, and have died. We cannot simply tell these people to take up their stakes and move on.

In the face of the rising Russian economic threat, America cannot waste millions of dollars already invested in existing communities and the skills and creative potentialities of hundreds of thousands of workers who now live in them. This act is an American answer to a modern mid-20th century American problem that must be constructively resolved.

RURAL AREAS

Opposition: This bill is vague about precisely how rural areas will be helped. It may alleviate distress in industrial areas, but the rural aid aspect is unrealistic and will not pay off.

Answer: First, a complete analysis of the way the financial and other aid to be provided by the act will assist rural areas will be given by several of my colleagues from rural areas.

Second, on May 2, Mr. Herschel Newsom, master of the National Grange, told the Banking and Currency Committee in testifying for this bill:

> We take the position that this legislation is fundamental to lasting agricultural recovery and development in the United States. From the long-range standpoint, it could be the most important agricultural legislation of the 85th Congress. (Newsom testimony is attached.)

Third, passage of this act would help to maintain opportunities to earn a livelihood in the rural areas and smaller communities of the Nation, and lessen the drift to cities.

Already nearly two-thirds of all Americans live in 172 metropolitan areas that occupy only 7 percent of the land surface of the Nation.

As America has become more industrialized and urbanized, this drift to a few population centers has been inevitable. Yet millions might prefer for many reasons to remain in the rural areas and smaller communities of the Nation if opportunities for work could be maintained and expanded in them.

This bill would help to provide these work opportunities.

Fourth, mention should also be made here of the importance of dispersing our population and industrial facilities for reasons of national security.

[From Economic Trends and Outlook of May–June 1958]

HOPE FOR DEPRESSED AREAS AT LAST?

When the Senate passed the Douglas-Payne Area Redevelopment Act on May 13, it was expressing for the second time its view that effective aid for America's chronically depressed areas is indeed a Federal responsibility.

In the 83d Congress, the first comprehensive proposal for Federal assistance was introduced by Senator PAUL DOUGLAS, of Illinois. In the 84th Congress a bill providing limited technical assistance for depressed industrial areas and development loans for enterprises that locate in them, was finally introduced by the administration. Two years ago, after lengthy committee hearings, a measure substantially like the more liberal Douglas proposal was enacted by the Senate. Unfortunately, this action came too late to obtain a vote in the House.

DOUGLAS-PAYNE BILL

Recently, Senator DOUGLAS and Senator FREDERICK PAYNE (of Maine) succeeded in writing a new, compromised depressed area bill that blends the best of the earlier Douglas and administration proposals without sacrificing essential requirements for an effective attack on the cancer of area blight. The Douglas-Payne bill was sponsored by 40 Republicans and Democrats and it has been enacted by the Senate with broad bipartisan support.

In brief, the Area Redevelopment Act recognizes that the Federal Government is committed under the terms of the Employment Act of 1946 to utilize its resources to fight local chronic unemployment as well as cyclical unemployment that is nationwide in scope.

In cooperation with the States and affected localities, it seeks to eradicate the human misery, wasted resources and social costs of chronic joblessness and underemployment in industrial and rural areas alike.

In all parts of the Nation technological changes, shifting product demands and changing competitive factors—as well as raw material exhaustion—have been causing the closing of productive facilities on which the livelihood of an entire community often depends. The problems of older textile, mining and railroad centers are well known. However, similar crises also arise in other areas and, with the acceleration of technological change, plant closing and area dislocation are occurring with increasing frequency.

Despite the often valiant effort of local residents to literally lift themselves by their own bootstraps, existing local and State resources have proven insufficient for the job. Therefore, to aid the process of recovery, the Douglas-Payne bill would establish a special Area Redevelopment Administration in the Housing and Home Finance Agency through which a many-sided and coordinated attack on area blight would be gotten underway. These forms of aid would include:

Technical assistance to help chronically depressed industrial and rural areas appraise their own resources and realistically plan for redevelopment.

Federal low interest, long-term loans to aid private industrial and commercial enterprises to locate or expand in these areas with the proviso, however, that no assistance be given where a plant relocation will result in substantial detriment to the area of original location by increased unemployment.

Community facility loans and grants through which a distressed area could improve its water resources, roads, or other public facilities in a manner that would encourage long-run job creation.

Special vocational retraining aids through which displaced workers would learn new skills while at the same time receiving subsistence payments of up to 13 weeks duration.

Additional measures to encourage the placement of Government procurement contracts in areas of chronic unemployment, and other aids.

Opposition to the Area Redevelopment Act in the Senate was also bipartisan in nature; it came almost exclusively from conservative Republicans (including administration spokesmen) and conservative Democrats from the South. Because the arguments they leveled will be repeated in an effort to defeat the bill in the House, let us examine the most important of them.

EXPENDABLE COMMUNITIES?

In the mid-20th century, the view still lingers that only natural law should guide the economy of the United States. The Area Redevelopment Act is an attempt to defy the law of economics, one Senator piously proclaimed, and some others echoed this view.

Apparently, it is held even today that when an enterprise finds a dependent community unfruitful for profitmaking and departs, no governmental effort is ever justified to help bring new private enterprises into the area to help to obtain a livelihood for the jobless community left behind. According to this view, Altoona, Pa., Providence, R. I., Evansville, Ind., Kenosha, Wis., Durham, N. C., and dozens of other communities are simply expendable.

A more sophisticated argument against the Douglas-Payne bill begins with an avowal of concern for the plight of the blighted areas but rejects this Federal effort to aid them because every jobless individual everywhere would not be assisted under the terms of the Area Redevelopment Act.

The Congress, of course, is continuously passing special measures to meet the needs of particular industries, areas and individuals whenever the national welfare is deemed to be involved. For example, the Senator who most loudly voiced the "help all or none" argument during the course of the Senate debate, recently urged Congress to support Federal research on methods to produce fish on acreage on which rice is also grown. "I know of nothing which is more important to the welfare of my area," he forthrightly told

his colleagues during the course of that debate. The same Senator is widely acclaimed—and rightly so—for his support for economic aid for needy nations overseas.

MACHIAVELLIAN OBJECTION

Another Senatorial objection to the bill—a variation of the preceding one—echoes the current line of the national chamber of commerce. The Area Redevelopment Act won't alleviate unemployment caused by recurrent recession and, therefore, this isn't the time to help the depressed areas, it states.

However, has not the chamber itself opposed almost every legislative proposal which would directly and quickly aid the millions of cyclically unemployed, whose welfare it now pretends to champion? Furthermore, has not this same chamber actively propagandized against a Federal program to help the chronically depressed areas even in boomtime, when little unemployment existed elsewhere?

Even Machiavelli himself—the master planner of murder—could hardly have conceived a more cynical rationale for the murder of the depressed area bill.

Another stratagem of the opposition—this time aimed at dividing the supporters of the act—involved an attempt to revise language in the bill which already clearly denies Federal aid to any run-away employer. The author of this proposed amendment—a known opponent of an adequate program of Federal aid—was reminded, however, that the Douglas-Payne language on this issue is precisely the same as in the administration bill, which the Senator himself had sponsored.

In addition, the so-called high cost of the Area Redevelopment Act—it calls for an authorization of about $375 millions—is also under attack. However, the opposition carefully refrains from acknowledging that $300 millions of this total would go for industrial and public facility loans, ultimately to be repaid, with interest, to the United States Treasury. In contrast, the administration proposes to authorize only $50 million for all of its contemplated activities in behalf of the depressed areas, and practically all of this total would be in the form of loans.

POINT FOUR PROGRAM FOR USA

When nationwide prosperity returns, deepest depression will still blight the lives of millions of Americans who live in scores of industrial and rural areas across the country, unless an adequate program of Federal aid is quickly passed.

The problems of America's economically stranded communities can no longer be ignored. These are not jerry-built frontier villages that can be allowed to become "ghost towns," as during the days of our westward expansion. The areas that need help today are part of the established American scene. We ignore their chronic distress and their wasted human and physical resources at great social cost and peril.

NEGRO UNEMPLOYMENT—STILL THE FIRST TO BE FIRED

Despite gains in recent years toward reducing job discrimination based on race or color, the proportionately heavy unemployment among Negroes during the current recession indicates that the goal of equal employment opportunity is still a long way off.

According to census figures, Negroes are only 10 percent of the total civilian labor force, but in April 1958, the 1,024,000 Negro unemployed were fully one-fifth of the total number of jobless. In other words, unemployment has hit Negroes more than twice as hard as whites.

UNDEREMPLOYMENT

Moreover, part-time unemployment is more extensive among Negroes than among whites. In April 1958, nearly 30 percent of employed Negroes worked less than 35 hours a week as compared with only 19 percent of working whites. As the census lists anyone who worked at all during the reported week as "employed," official unemployment figures undoubtedly understate the real impact of job losses on Negroes.

This is particularly true of Negro women. Their official unemployment rate is slightly lower than for Negro men, but nearly two-fifths of the Negro women workers in April 1958 worked less than 35 hours a week. Many Negro women are in irregular domestic employment, some of them for only a few hours a week, even though they might prefer to work a full workweek. Thus, there is more underemployment among Negroes as well as unemployment.

Negroes are suffering more during the recession for other reasons, too. Since most of them were employed in lower paying jobs before they were laid off, they have slimmer reserves to fall back on when unemployment strikes.

LESS PROTECTION

Moreover, unemployment insurance offers less protection to Negroes than to white workers. With more likelihood of having been in intermittent work at relatively low pay when they were employed, both the duration and amount of benefits are apt to be considerably more restricted for Negroes than for whites.

Still another way in which Negroes are at a decided disadvantage is in duration of unemployment. Negro unemployment was worse prior to the economic downturn than it is for the whites during the recession.

From December 1954 to September 1957, the unemployment rate among Negroes averaged 7 7 percent and in some months exceeded 8 percent. This was above the national unemployment rate for whites in April 1958 of 6.8 percent.

The relatively heavy joblessness of Negroes during good times means of course that many Negro breadwinners had been unemployed for a considerable period of time when the economy turned downward and had long since exhausted their unemployment insurance rights if they ever had any.

It can be expected that when the economy enters a recovery phase, Negroes will have a more difficult time obtaining jobs than whites. One reason is of course the outright discriminatory policies still in effect in so many firms.

However, even if Negroes did not have to leap the discrimination barrier, they would still have fewer chances for reemployment. According to the Census, in April 1958, nearly half of the Negro unemployed had been working previously in unskilled jobs as compared with only a little more than one-fourth of the white unemployed.

The prevalence of Negroes in lower skilled categories in large part results from their being barred from educational and training opportunities for higher skilled jobs, another important aspect of their lack of economic opportunity.

It can be fairly definitely anticipated that in an economic upturn, job openings in lower skilled jobs in which Negroes predominate will be fewer than for higher skilled occupations. Thus, unemployment among Negroes can be expected to persist longer during a recovery period than is likely to be expected for whites.

THE PAST MONTH IN BRIEF

The long heralded spring upturn in business has not arrived and this recession now enters its 11th month. The picture in March—which became statistically available only in April—showed the recession deepening. Now, in mid-May, it becomes evident that even in April the downturn had not yet bottomed out; in fact, production and employment (when adjusted for seasonal factors) actually declined still further. Meanwhile, the worst recession since 1937 continues unabated and the administration's economic appraisal—promised for March as a guide for action—apparently has been forgotten.

Industrial production: The output of United States factories and mines declined still further during April and reached a point 13 percent below August 1957, when the present recession began.

The manufacture of hard goods dropped 18 percent during this 8-month period and soft goods productions went down 6 percent. At the same time mining operations declined 15½ percent.

While recent weeks have witnessed a slight upturn in steel production, automobile output continues to stagnate and steel shipments in mid-summer are likely to fall off again, unless new demand factors become evident.

Construction: The seasonally adjusted outlay for new construction fell again in April in both the residential and nonresidential categories while outlays for public construction continued at the same rate as the month before.

New private nonfarm housing starts rose to a yearly rate of 950,000 in April, after accounting for seasonal factors. Despite the impact of Federal housing stimulants, this rate still lagged slightly behind the rate of a year ago.

Employment: Between March and April the unemployment situation continued to worsen even though the number of persons employed actually went up and the jobless total went down. Because employment rose less than normally expected during this month, the number without jobs fell less, the seasonally adjusted unemployment rate actually went up from 7 percent of the civilian labor force in March to 7.5 percent in April.

Almost all of the 600,000 job rise in April occurred in agriculture (475,000) and in construction (75,000). Employment in nonagricultural establishments, on the other hand, actually went down by 160,000 (seasonally adjusted). Almost all of this continuing decline occurred in manufacturing (down another 165,000) and in wholesale and retail trade (down 75,000).

With the current seasonal pickup in jobs, new unemployment insurance claims and the total drawing compensation under the unemployment-insurance system are now tending down.

On the other hand, the rate of compensation exhaustion now is at a record weekly rate of 55,000 and 2.6 millions of the unemployed are expected to have exhausted their compensation benefits by the end of this year. Meanwhile, the Congress has rejected legislative proposals to insure extension of benefits for the unemployed.

Already it is predicted that the unemployment total will approximate 6 million in June, when a new class of school graduates begin seeking jobs.

Working hours: Average weekly working hours of production and maintenance workers in manufacturing fell further in April to 38.3 hours—the lowest for the same month since before World War II.

Personal income: Total personal income rose $600 million in April—on a seasonally adjusted annual basis—primarily because of a rise in Government insurance and social-security payments. On the other hand, income from wages and salaries dropped another $500 million during April.

New orders: Orders for goods placed with manufacturers fell again in March, the seventh continuous monthly decline since August 1957. It is noteworthy that new orders for machine tools slumped badly in April, according to preliminary reports by the National Machine Tool Builders Association. Earlier, a slight rise in February and March had been widely heralded as a sign of the approaching end of the recession.

Prices: The cost of living as measured by the Consumer Price Index reached another new peak in April, 123.5. This is 0.2 percent above March and 3.5 percent higher than April 1957. Food prices were 6.9 percent higher than in April last year.

Consumer spending: The dollar value of retail sales in April was the same as a year ago. The real volume—taking account of the rise in prices—is down about 3 percent. Furthermore, this dwindling volume of sales has occurred in a nation whose population is now 3 million greater than a year ago.

Congressional Districts with distressed industrial labor markets and markets suffering from substantial labor surplus—By State, as of July 1958 and rural areas and Indian reservations eligible for assistance under the Douglas-Payne bill

State and Congressional District	Congressman	Labor market area	Rural areas [1]
Alabama:			
1	Boykin	Mobile [2]	Choctaw, Clarke, Marengo, Monroe, Washington, Wilcox.
2	Grant		Butler, Conecuh, Covington, Crenshaw, Lowndes, Montgomery.
3	Andrews	Columbus Ga. (including Russell County)	Barbour, Bullock, Lee, Macon, Russell.
4	Roberts	Anniston (Calhoun), Talladega [2]	Autauga, Clay, Coosa, Dallas, St. Clair.
5	Rains	Gadsden (Etowah) [2]	DeKalb, Randolph, Tallapoosa.
6	Selden		Bibb, Chilton, Greene, Hale, Perry, Sumter, Tuscaloosa.
7	Elliott	Jasper (Walker); [2] Florence-Sheffield (Franklin) [2]	Blount, Cullman, Fayette, Franklin, Lamar, Marion, Pickens, Walker, Winston.
8	Jones	Florence-Sheffield (Franklin) [2]	Jackson, Lawrence, Morgan.
9	Huddleston	Birmingham (Jefferson)	
Arizona: 2 [4]	Udall		
Arkansas:			
2	Mills		Fulton, Izard, Sharp, Stone, White.
3	Trimble		Logan, Madison, Marion, Newton, Searcy Van Buren.
4	Harris	Texarkana (Miller) [2]	Conway, Pope.
5	Hays		Cleveland, Dallas, Drew, Grant.
6	Norrell		
California:			
1	Scudder	(Eureka [2]	
		(Ukiah [2]	
15	McDonough		
16	Jackson		
17	King		
18	Hosmer		
19	Holifield		
20	Smith		
21	Hiestand	Los Angeles-Long Beach [2]	
22	Holt		
23	Doyle		
24	Lipscomb		
25	Hillings		
26	Roosevelt		
28	Utt		
Colorado:			
3	Chenoweth	Pueblo [2]	
4 [4]	Aspinall		
Connecticut:			
At large	Sadlak		
1	May	Bristol, New Britain, Meriden (part), Middletown (part), Thompsonville (part), Torrington [2]	
2	Seely-Brown	Danielson,[2] Middletown (part) Norwich (part), Thompsonville (part) Willimantic (part) [2]	
3	Cretella	Ansonia (part),[2] Bridgeport (part),[2] Meriden (part),[2] New Haven (part),[2] Waterbury (part),[2] Bristol [2]	
4	Morano	Bridgeport (part), Ansonia (part),[2] Danbury (part) [2]	
5	Patterson	Bristol (part),[2] Waterbury (part),[2] Torrington (part),[2] Danbury (part) [2]	
Florida:			
3	Sikes		Holmes, Leon, Washington.
8	Matthews		Baker.
Georgia:			
1	Preston		Liberty, Screven.
2	Pilcher		Baker.
3	Forrester	Columbus (part) [2] (Chattahoochee, Muskogee)	
4	Flynt	LaGrange (Troup) [2]	Fayette, Heard.
6	Vinson		Hancock, Twiggs, Wilkinson.
7	Mitchell		Murray.
9	Landrum	Toccoa (Habersham, Stephens) [2]	Fannin, Union.
10	Brown	Toccoa (Franklin) [2]	Greene, Hart, Taliaferro.
Idaho:			
1 [4]	Pfost		
2 [4]	Budge		
Illinois:			
1	Dawson		
2	O'Hara		
3	Byrne		
4	McVey		
5	Kluczynski		
6	O'Brien		
8	Gordon	Chicago [2]	
9	Yates		
10	Collier		
11	Sheehan		
12	Boyle		
13	Church		
14	[Vacant]	Chicago (DuPage) [2] Woodstock (McHenry) [2]	
15	Mason	Joliet (Will); [2] LaSalle [2]	
16	Allen	Rockford (Winnebago) [2]	
18	Michel	Peoria (Peoria, Tazewell) [2]	
19	Chiperfield	Canton (Fulton) [2]	
21	Mack	Litchfield (Macoupin) [2]	
		Springfield (Sangamon) [2]	
22	Springer	Decatur (Macon) [2]	
23	Vursell	Harrisburg (White),[2] Litchfield (Montgomery),[2] Mount Carmel-Olney (Edwards, Lawrence, Richland, Wabash), Mount Vernon (Hamilton, Jefferson, Wayne),[2] Centralia (Clinton, Marion) [2]	
25	Gray	Harrisburg (Gallatin, Hardin, Pope Saline),[2] Herrin-Murphysboro-West Frankfort (Franklin, Jackson, Johnson, Perry, Union, Williamson) [2]	Hardin, Pope.
Indiana:			
1	Madden	Chicago (Lake) [2]	
2	Halleck	Lafayette [2]	
3	Nimtz	Michigan City-LaPorte (LaPorte),[2] South Bend (St. Joseph) [2]	
4	Adair	Fort Wayne (Allen) [2]	
5	Beamer	Anderson (Madison), Marion (Grant) [2]	

See footnotes at end of table.

Congressional Districts with distressed industrial labor markets and markets suffering from substantial labor surplus—By State, as of July 1958 and rural areas and Indian reservations eligible for assistance under the Douglas-Payne bill—Continued

State and Congressional District	Congressman	Labor market area	Rural areas [1]
Indiana—Con.			
6	Harden	Terre Haute (Vigo) [2]	
7	Bray	Vincennes (Knox) [2]	
8	Denton	Evansville (Vanderburgh) [2]	
9	Wilson	Connersville (Franklin) [2]	
10	Harvey	Muncie (Delaware),[2] Richmond (Wayne,[2] Connersville (Fayette, Rush, Union),[2] New Castle (Henry).[2]	
11	Brownson	Indianapolis (Marion) [2]	
Iowa: 4	LeCompte	Ottumwa (Wapello) [2]	
Kansas: 3	George	Coffeyville-Independence-Parsons (Labette, Montgomery),[2] Pittsburgh (Cherokee, Crawford) [2]	
Kentucky:			
1	Gregory	Madisonville (Muhlenberg),[2] Paducah [2]	
2	Natcher	Madisonville (Hopkins Webster),[2] Owensboro (Davies) [2]	Butler, Edmonson, Grayson.
3	Pedigo	Louisville [2]	
4	Chelf	Frankfort (Anderson) [2]	Adair, Metcalfe.
6	Watts	Frankfort (Franklin, Woodford) [2]	Casey, Estill, Powell.
7	Perkins	Hazard (Breathitt, Letcher, Perry),[2] Morehead-Grayson (Carter, Elliott, Greenup, Rowan),[2] Paintsville-Prestonburg (Floyd, Johnson, Knott, Magoffin, Martin),[2] Pikeville-Williamson (Pike),[2]	Breathitt, Carter, Elliott, Floyd, Greenup, Johnson, Lawrence, Lee, Magoffin, Menifee, Morgan, Pike, Rowan, Wolfe.
8	Siler	Corbin (Clay, Knox, Laurel, Whitley),[2] Middlesboro-Harlan (Bell, Harlan, Leslie).[2]	Clay, Clinton, Cumberland, Jackson, Knox, Laurel, Monroe, Owsley, Pulaski, Rockcastle, Russel, Wayne, Whitley.
Louisiana:			
4	Brooks		Bienville, Claiborne, DeSoto, Red River,
5	Passman		Avoyelles, LaSalle, Natchitoches, Winn.
8	[Vacant]		Franklin, Morehouse, Richland.
Maine:			
1	Hale	Biddeford-Sanford,[2] Portland [2]	
2	Coffin	Lewiston [2]	
Maryland:			
2	Devereux		
3	Garmatz		
4	Fallon	Baltimore [2]	
5	Lankford		
6	Hyde	Cumberland (Allegany) [2]	
7	Friedel	Baltimore [2]	
Massachusetts:			
1	Heselton	North Adams,[2] Pittsfield,[2] Greenfield,[2] Springfield-Holyoke (part) [2]	
2	Boland	Springfield-Holyoke (part),[2] Ware (part) [2]	
3	Philbin	Fitchburg (part),[2] Marlboro (part),[2] Milford (part),[2] Southbridge-Webster,[2] Ware (part).[2]	
4	Donohue	Worcester [2]	
5	Rogers	Lowell,[2] Fitchburg (part), Marlboro (part) [2]	
6	Bates	Lawrence (part),[2] Newburyport, Haverhill [2]	
7	Lane	Lawrence (part) [2]	
9	Nicholson	Brockton (part), Taunton (part), New Bedford, Springfield-Holyoke (part) [2]	
13	Wigglesworth	Brockton (part) [2]	
14	Martin	Fall River,[2] Brockton (part), Milford (part), Taunton (part) [2]	
Michigan:			
1	Machrowicz	Detroit (Wayne) [2]	
2	Meader	Monroe (Monroe),[2] Adrian, Ann-Arbor-Ypsilanti, Jackson [2]	
3	Johansen	Battle Creek [2]	
4	Hoffman	Benton Harbor [2]	
5	Ford	Grand Rapids [2]	
6	Chamberlain	Flint,[2] Lansing [2]	
7	McIntosh	Detroit (Macomb),[2] Port Huron (St. Clair) [2]	
8	Bentley	Saginaw, Ionia-Belding-Greenville, Owosso [2]	
9	Griffin	Muskegon (Muskegon) [2]	
10	Cederberg	Bay City [2]	
11	Knox	Escanaba [2]	
12	Bennett	Iron Mountain (Dickinson, Iron),[2] Marquette [2]	
13	Diggs		
14	Rabaut		
15	Dingell	Detroit (Wayne) [2]	
16	Lesinski		
17	Griffiths		
18	Broomfield	Detroit (Oakland) [2]	
Minnesota:			
2	O'Hara	Minneapolis-St. Paul (Dakota) [2]	
3	Wier	Minneapolis-St. Paul (Anoka, Hennepin) [2]	
4	McCarthy	Minneapolis-St. Paul (Ramsey) [2]	
5	Judd	Minneapolis-St. Paul (part of city of Minneapolis) [2]	
8	Blatnik	Duluth-Superior (St. Louis) [2]	
9 [4]	Knutson		
Mississippi:			
1	Abernethy		Alcorn, Attala, Calhoun, Chickasaw, Choctaw, Clay, Itawamba, Lowndes, Monroe, Noxubee, Oktibbeha, Pontotoc, Prentiss, Tishomingo, Webster, Winston.
2	Whitten		Benton, Carrol, Grenada, Lafayette, Montgomery, Panola, Tippah, Union, Yalobusha.
3	Smith	Greenville [2]	Holmes, Washington.
4	Williams		Adams, Amite, Claiborn, Copiah, Franklin, Hinds, Warren, Wilkinson, Yazoo, Jefferson, Waltham.
5	Winstead		Clarke, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Rankin, Scott, Simpson, Smith.
6	Colmer		Covington, Greene, Jefferson, Davis, Lamar, Lawrence, Marion, Perry, Wayne.
Missouri:			
1	Karsten	St. Louis (St. Louis) [2]	
2	Curtis		
3	Sullivan		
4	Christopher	Kansas City (Jackson) [2]	
5	Bolling	Kansas City (Kansas City) [2]	
6	Hull	Kansas City (Clay), St. Joseph [2]	
7	Brown	Springfield, Joplin (Jasper) [2]	Douglas, Ozark, Taney, Wright.
8	Carnahan	Flat River-DeSoto-Festus [2]	Carter, Howell, Iron, Reynolds, Shannon Wayne.
9	Cannon	St. Louis (St. Charles) [2]	
10	Jones	Cape Girardeau [2]	Ripley.

See footnotes at end of table.

Congressional Districts with distressed industrial labor markets and markets suffering from substantial labor surplus—By State, as of July 1958 and rural areas and Indian reservations eligible for assistance under the Douglas-Payne bill—Continued

State and Congressional District	Congressman	Labor market area	Rural areas [1]
Montana:			
1 [4]	Metcalf		
2 [4]	Anderson	Butte, Kalispell, Great Falls [2]	
Nebraska:			
1 [4]	Weaver	Lincoln (Lancaster) [2]	
3 [4]	Harrison		
Nevada: At large [4]	Baring		
New Jersey:			
1	Wolverton	Philadelphia (Camden, Gloucester) [2]	
2	Glenn	Atlantic City,[2] Bridgeton [2]	
3	Auchincloss	Long Beach,[2] Perth Amboy, Trenton [2]	
4	Thompson	Perth Amboy, Trenton, Philadelphia (Burlington) [2]	
5	Frelinghuysen	Plainfield-Somerville, Morristown-Dover, Perth Amboy, Paterson [2]	
6	Dwyer	Plainfield-Somerville, Newark [2]	
7	Widnall	Plainfield-Somerville, Morristown-Dover, Trenton, Paterson, Allentown-Bethlehem (Warren) [2]	
8	Canfield	Paterson [2]	
9	Osmers	Newark, Paterson [2]	
10	Rodino	Newark [2]	
11	Addonizio	....do [2]	
12	Kean	....do [2]	
13	Sieminski	Newark, Paterson	
14	Delray	Paterson, Newark [2]	
		Paterson [2]	
New Mexico: At large [4]	Montoya		
New York:			
1	Wainwright	Nassau, and Suffolk Counties [2]	
2	Derounian	Kings County [2]	
3	Becker	Nassau County [2]	
4	Latham		
5	Rosch	Queens County [2]	
6	Holtzman		
7	Delaney		
8	Anfuso		
9	Keogh	Kings County [2]	
10	Kelly		
11	Celler		
12	Dorn	Kings and Queens Counties [2]	
13	Multer	Kings County [2]	
14	Rooney		
15	Ray		
16	Powell		
17	Coudert		
18	Santangelo	New York County [2]	
19	Farbstein		
20	Teller		
21	Zelenko		
22	Resley		
23	Dollinger		
24	Buckley	Bronx County [2]	
25	Fino		
26	Dudley	Westchester County [2]	
27	Gwinn	....do [2]	
		Newburgh-Middletown-Beacon (Putnam) [2]	
28	St. George	Rockland County [2]	
		Newburgh-Middletown-Beacon (Orange) [2]	
29	Wharton	Newburgh-Middletown-Beacon (part of Dutchess) [2]	
30	O'Brien	Albany-Schenectady-Troy (Albany) [2]	
31	Taylor	Glens Falls-Hudson Falls (Warren-Washington), Albany-Schenectady-Troy (Rensselaer) [2]	
32	Kearney	Albany-Schenectady-Troy (Schenectady), Oneonta, Amsterdam, Gloversville [2]	
33	Kilburn	Watertown [2]	
34	Williams	Oneida (Madison) [2]	
35	Riehleman	Syracuse [2]	
36	Tabor	Auburn [2]	
37	Robeson	Elmira [2]	
39	Ostertag	Batavia [2]	
40	Miller	Buffalo (Niagara, part of Erie) [2]	
41	Radwan	Buffalo (city of Buffalo)	
42	Pillion	Buffalo (part of Erie) [2]	
43	Reed	Jamestown-Dunkirk [2]	
North Carolina:			
2	Fountain	Kinston (Lenoir),[2] Rocky Mount (Edgecombe) [2]	
4	Cooley	Rocky Mount (Nash) [2]	
5	Scott	Mount Airy (Surry) [2]	
6	Durham	Durham (Durham),[2] Greensboro-High Point [2]	
7	Lennon	Fayetteville (Cumberland) [2]	Brunswick.
8	Kitchin	Rockingham-Hamlet,[2] Thomasville-Lexington [2]	Anason.
9	Alexander		Alleghany, Ashe, Watanga.
10	Jonas	Morgantown [2]	Avery, Mitchell.
11	Whitener	Shelby-Kings Mountain (Cleveland), Rutherfordton-Forest City [2]	Madison, McDowell, Yancey.
12	Shuford	Asheville (Buncombe),[2] Waynesville (Haywood, part of Jackson) [2]	Graham, Jackson, Macon, Swain, Transylvania.
North Dakota:			
At large [4]	Burdick		
Do.[4]	Krueger		
Ohio:			
3	Schenck	Dayton (Montgomery), Hamilton-Middletown (Butler) [2]	
4	McCulloch	Lima, St. Marys [2]	
5	Clevenger	Toledo (part of Wood), Defiance, Sandusky-Fremont (Ottawa) [2]	
6	Polk	Portsmouth-Chillicothe (Pike, Ross, Sciota) [2]	
7	Brown	Springfield [2] Dayton (Greene) [2]	
8	Betts	Kenton, Marion (Crawford, Marion, Morrow), Findlay-Fostoria-Tiffin (Hancock, Seneca) [2]	
9	Ashley	Toledo (Lucas) [2]	
10	Jenkins	Portsmouth-Chillicothe (Jackson),[2] Athens-Logan-Nelsonville, Huntington-Ashland (Lawrence) [2]	
11	Dennison	Youngstown (part of Trumbull), Ashtabula-Conneaut, Kent-Ravenna (Portage) [2]	
13	Bannhart	Sandusky-Fremont (Erie, Huron, Sandusky) [2]	
14	Ayres	Akron [2]	
15	Henderson	Cambridge, Marietta, Zanesville [2]	
16	Bow	Canton, New Philadelphia-Dover (Tuscarawas) [2]	
17	McGregor	Mansfield [2]	

See footnotes at end of table.

Congressional Districts with distressed industrial labor markets and markets suffering from substantial labor surplus—By State, as of July 1958 and rural areas and Indian reservations eligible for assistance under the Douglas-Payne bill—Continued

State and Congressional District	Congressman	Labor market area	Rural areas [1]
Ohio—Con.			
18	Hays	New Philadelphia-Dover (Carroll-Harrison), Wheeling, W. Va.-Steubenville, Ohio, East Liverpool-Salem [2]	
19	Kirwan	Youngstown (Mahoning-Trumbull) [2]	
20	Feighan	Cleveland [2]	
21	Vanik		
22	Bolton		
23	Minshall		
Oklahoma:			
2 [4]	Edmondson	Okmulgee-Henryetta [2]	Cherokee, Haskell, McIntosh, Sequoyah.
3 [4]	Albert	McAlester [2]	Aloka, Latimer, LeFlore, McCurtain, Pittsburg, Pushmataha.
4	Steed		Hughes.
6 [4]	Morris		
Oregon:			
1	Norblad	Portland (Clackamas-Washington) [2]	
2 [4]	Ullman	Pendleton (Umatella) [2]	
3	Green	Portland (Multnomah) [2]	
4	Porter	Albany, Coos Bay, Roseburg, Eugene [2]	
Pennsylvania:			
1	Barrett	Philadelphia [2]	
2	Granahan		
3	Byrne		
5	Green		
6	Scott		
7	James		
8	Curtin	Allentown-Bethlehem (Lehigh), Philadelphia (Bucks) [2]	
9	Dague	Philadelphia (Chester) [2]	
10	Carrig	Scranton (Lackawanna) [2]	
11	Flood	Wilkes-Barre-Hazleton (Luzerne) [2]	
12	Fenton	Pottsville (Schuylkill), [2] Sunbury-Shamokin-Mount Carmel (Northumberland),[2] St. Marys (Cameron),[2]	
13	LaFore	Philadelphia (Montgomery) [2]	
14	Rhodes	Reading [2]	
15	Walter	Pottsville (part of Carbon),[2] Allentown-Bethlehem (Northampton),[2]	
16	Mumma	Lewistown (Juniata) [2]	
17	Bush	Berwick-Bloomsburg (part of Columbia),[2] Lock Haven (Clinton),[2] Sunbury-Shamokin-Mount Carmel (Mountour, part of Columbia),[2] Sayre-Athens-Towanda (Bradford) [2]	
18	Simpson	Johnstown (Somerset),[2] Lewistown (Mifflin),[2] Sunbury-Shamokin-Mount Carmel (Snyder Union),[2]	
19	Staffier	York [2]	
20	Van Zandt	Altoona (Blair), [2] Clearfield-DuBois (part of Centre, Clearfield),[2]	
21	Dent	Pittsburgh [2]	
22	Saylor	Johnstown (Cambria) [2]	
23	Gavin	Clearfield-DuBois (part of Jefferson),[2] St. Marys (Elk) [2]	
24	Kearns	Erie [2]	
25	Clark	Pittsburgh (Beaver), Butler, New Castle [2]	
26	Morgan	Uniontown-Connellsville (Fayette),[2] Pittsburgh (Washington) [2]	
27	Fulton		
28	Eberharter	Pittsburgh [2]	
29	Corbett		
30	Holland		
Rhode Island:			
1	Forand	Providence; [2] Newport [2]	
2	Fogarty	Providence [2]	
South Carolina:			
1	Rivers		Allendale, Berkely, Colleton, Dorchester, Jasper.
3	Dorn		McCormick.
4	Ashmore		Union.
5	Hemphill		Chesterfield, Fairchild, Kershaw.
South Dakota: 2 [4]	Berry		
Tennessee:			
1	Reece	Bristol-Johnson City-Kingsport [2]	Carter, Claiborne, Cocke, Grainer, Greene, Hancock, Hawkins, Johnson, Sevier, Unicoi.
2	Baker	Knoxville (Anderson, Blount, Knox),[2] LaFollette-Jellico-Tazewell (Campbell),[2]	Morgan, Scott, Union.
3	Frazier	Chattanooga [2]	Bledsoe, Grundy, Monroe.
4	Evins		Cannon, Clay, Cumberland, Jackson, Overton, Pickett, Putnam, Van Buren, Warren, White.
6	Bass		Houston, Humphreys, Lawrence, Lewis, Perry, Wayne.
7	Murray		Benton, Decatur, Fayette, Hardeman, Hardin,
8	Everett		Haywood.
9	Davis	Memphis [2]	
Texas:			
At large	Dies		
1	Patman	Texarkana (Bowie) [2]	
2	Brooks	Beaumont-Port Arthur [2]	
3	Beckworth		Upshur.
4	Rayburn		Rains.
6	Teague		Leon.
7	Dowdy		Houston, Trinity.
8	Thomas	Houston [2]	
12	Wright	Fort Worth [2]	
14	Young	Corpus Christi [2]	
15	Kilgore	Laredo [2]	
Utah:			
1 [4]	Dixon		
2	Dawson	Provo [2]	
Vermont: At large	Prouty	Springfield, Burlington [2]	
Virginia:			
4	Abbitt		Buckingham, Lunenberg.
5	Tuck	Radford-Pulaski (Wythe) [2]	Carroll, Charlotte, Grayson, Halifax.
6	Poff	Radford-Pulaski (Floyd, Montgomery),[2] Roanoke [2]	
9	Jennings	Big Stone Gap-Appalachia (Lee, Wise),[2] Bristol-Johnson City-Kingsport, Tenn. (Washington County, Va.), Richlands-Bluefield,[2]	Dickenson, Lee, Russell, Scott, Wise.
Washington:			
At large	Magnuson	Bremerton [2]	
1	Pelly	Anacortes, Bellingham, Everett, Port Angeles [2]	
2	Westland	Aberdeen, Olympia [2]	
3	Mack		
4 [4]	Holmes		
5	Horan	Spokane [2]	
6	Tollefson	Tacoma [2]	

See footnotes at end of table.

Congressional Districts with distressed industrial labor markets and markets suffering from substantial labor surplus—By State, as of July 1958 and rural areas and Indian reservations eligible for assistance under the Douglas-Payne bill—Continued

State and Congressional District	Congressman	Labor market area	Rural areas [1]
West Virginia:			
1	Moore	Fairmont (Marion),[2] Wheeling, W. Va.-Steubenville, Ohio [2]	
2	Staggers	Martinsburg, Morgantown [2]	
3	Bailey	Charleston (Fayette) [2] Clarksburg (Harrison), Parkersburg (Calhoun, Ritchie, Wirt) [2]	Barbour.
4	Neal	Logan (Lincoln),[2] Point Pleasant-Gallipolis (Jackson, Mason, Putnam),[2] Huntington-Ashland (Cabell, Wayne), Parkersburg (Pleasants, Wood);[2]	Braxton, Calhoun, Clay, Doddridge, Fayette, Nicholas, Wirt. Lincoln, Mason, Putnam, Roane, Wayne.
5	Kee	Ronceverte-White Sulphur Springs (Greenbrier, Monroe),[2] Welch (McDowell),[2] Bluefield (Mercer),[2]	Mercer, Monroe, Summers.
6	Byrd	Beckley (Raleigh),[2] Logan (Logan, part of Boone) [2]	Raleigh.
Wisconsin:			
1	(Vacant)	Kenosha,[2] Lake Geneva-Whitewater, Racine, Beloit [2]	
2	Tewes	Beaver Dam, Watertown [2]	
3	Withrow	LaCrosse [2]	
4	Zablocki	Milwaukee,[2]	
5 [4]	Reuss	do.[2]	
7 [4]	Laird		
10	O'Konski	Duluth-Superior (Douglas) [2]	
Wyoming: (At large) [4]	Thomson		

The labor surplus areas are grouped as follows:
[1] Rural areas currently eligible for assistance under the Douglas-Payne bill.
[2] Other areas with substantial labor surplus as of July 1958.
[3] Currently eligible for assistance under Douglas-Payne bill, i. e., unemployment of 6 percent or more in at least 18 of past 24 months.
[4] Congressional Districts with Indian reservations eligible for assistance under the Douglas-Payne bill.
[5] Will be eligible for assistance under Douglas-Payne bill if substantial labor surplus persists through December 1958.

Mr. TALLE. Mr. Chairman, I yield 9 minutes to the gentleman from Connecticut [Mr. SEELY-BROWN].

Mr. SEELY-BROWN. Mr. Chairman, I take this time to announce to the committee that at the appropriate time, when the bill is being read under the 5-minute rule, I shall offer an amendment.

As the members of the Committee on Banking and Currency know, I was one of those on my side of the aisle who voted to report out this bill, and so I speak as one who is as anxious as you to make this the best possible bill we can, so that we may approve it and get it enacted into law.

The purpose of the amendment which I shall offer will make it crystal clear that in no instance shall Federal money be available to pirate a plant from one section of the country to another. Certainly the plants in our industrial sections which are hard pressed as things are today, do not want to face the prospect of having their operations closed in one section of the country and having to move to another section. I think it is tremendously important for those of us who come from industrial areas that we write every possible safeguard we can into this bill.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I am happy to yield to the gentleman from New York.

Mr. KEATING. Mr. Chairman, I think the gentleman's amendment deserves the support of all of us who have been greatly disturbed about the move of plants out of our areas to other parts of the country. Certainly we should not use Federal funds to dig our own graves.

Mr. SEELY-BROWN. I thank the gentleman.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to my colleague from Connecticut.

Mr. MORANO. Mr. Chairman, I wish to commend my colleague from Connecticut for his intention to introduce the amendment to which he has referred. Certainly we in Connecticut—and I am sure my colleagues from the other States—would not like to support a bill that would, in effect, permit another State, another city or another industrial area to pirate one of the industries in our State. So I intend to support the gentleman's amendment.

Mr. SEELY-BROWN. I thank the gentleman.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman.

Mr. CEDERBERG. Where is the industry going to come from if it is not going to come from some other area? I call the gentleman's attention to the bill at the bottom of page 7 which says:

> Such financial assistance shall not be extended * * * when such assistance will result in substantial detriment—

What is substantial detriment?

Mr. SEELY-BROWN. That is the purpose of my amendment. I intend to ask to strike out that section. I am going to say that no financial aid shall be available for that purpose, period.

It occurs to me that the Administrator will find it very difficult to determine on any basis what is meant by "substantial detriment." We will run into the same problem we had in the debate the other day.

Mr. FLOOD. Mr. Chairman, if the gentleman will yield for a moment, may I point out to my friend, when we read the bill under the 5-minute rule, if my friend will raise that question—I know he is sincere and wants to know—I should be glad to make an attempt to answer the question at that time.

Mr. SEELY-BROWN. Mr. Chairman, certainly the purpose of my amendment is to make friends for the bill. I am sure the gentleman from Pennsylvania [Mr. FLOOD] knows that, because he and I have worked together on this legislation. What I want to do is to make absolutely sure that we prevent Federal assistance, under this proposed act, in any case where such assistance would result in relocating business operations from one area to another.

Mr. FLOOD. Mr. Chairman, I just want to say to the gentleman from Connecticut, who has worked as hard as anybody for the last 4 years to get this kind of legislation, that I shall discuss with him how we disagree merely on the language of his amendment, later on.

Mr. SEELY-BROWN. Mr. Chairman, what I am anxious to do is to call the attention of the House, and of those Members who come from any industrial areas, to what I am sure they already realize, what the dislocation of industry means to the human beings, to the people involved. Let us talk about the fathers and mothers and the children who have made their homes in a community, who have established their relationships, their church, their home, and their school, and suddenly find themselves dislocated, and find they have to go to an entirely new section of the country. I want to protect them from that happening.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I am happy to yield to the gentleman from Rhode Island.

Mr. FOGARTY. Mr. Chairman, I, too, want to commend the gentleman for his interest in this bill, and I should hope, as one who is interested in the passage of this bill, that the committee will see fit to adopt the amendment which the gentleman from Connecticut is going to offer; because certainly it would clarify the language in the bill. When you talk about "substantial detriment," that could be interpreted in any number of ways, as the Members who are lawyers know very well.

Mr. FLOOD. The gentleman from Rhode Island [Mr. FOGARTY] and I are quite in agreement about the purpose, but that is not the point.

Mr. SEELY-BROWN. I may say to the gentleman from Rhode Island that the bottom line on page 7 reads:

> When such assistance will result in substantial detriment to the area of original location by increasing unemployment.

I remind you of the vote we had on the floor of the House early this week when we had the Portsmouth Navy Yard

problem up. It was a very close vote. Why? Because one of the points in dispute was the area of original location. In my opinion, Portsmouth and Boston both represent the same area. Apparently in the minds of many other Members they were separate and distinct areas.

Now you are asking an administrator to make that decision. That kind of decision I think is a pretty tough decision for an administrator or a commissioner to make. That is why I want to cut out that entire language and just leave the language in this bill:

Such financial assistance shall not be extended for working capital, or to assist establishments relocating from one area to another.

I do want the provisions of the bill to make it possible for a new industry to start there, if you will, for a branch plant to be opened there. All of those purposes I completely support. But what I want to make sure of is that you cannot take this money and take a plant from your area or my area and move it somewhere else. That, I would say to my friend from Rhode Island and my friend from Pennsylvania, would be the purpose of the amendment. I suspect that under the 5-minute rule he and I will discuss it in further detail.

Mr. SADLAK. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from Connecticut.

Mr. SADLAK. I am sure the gentleman when he is permitted to explain his amendment will show that he has an amendment which will clearly and categorically pin this down, and he will also show from the hearings that witnesses asked for this particular type of amendment.

Mr. SEELY-BROWN. I thank the gentleman.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield.

Mrs. ROGERS of Massachusetts. I endorse the gentleman's amendment most wholeheartedly. It would be a horrible thing for me in my city of Lowell, which has had such a desperate time, to lose an industry to some other community.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from Connecticut.

Mr. CRETELLA. I commend my colleague from Connecticut for the proposal he has advanced here. The district which I represent is highly industrialized. We have been the victims of that movement of industry from our area into other areas of the country. It has left us in a sadly depressed area.

Mr. WOLVERTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Chairman, the purpose of the bill now before the House—S. 3683—is to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas.

I am in full accord with the general objectives of this legislation. I regret that there is any necessity for the same. I am happy in the thought, however, that the conditions which it seeks primarily to relieve have greatly changed for the better. It is my sincere hope that within the next few months the situation will continue to improve and thereby remove any general widespread need of the assistance this bill provides. I am pleased in this connection to note that the reports of improved employment conditions tend to give assurance that the normal employment situation will soon prevail.

Although the recent slump in employment gave rise to the introduction of this type of legislation, yet, we are aware of the fact that at all times, and in different areas, unemployment to some extent does exist no matter how general may be the prosperity of the Nation elsewhere, and regardless of what the political administration may be at the time. Thus, the purpose of this legislation is not merely to increase the degree of employment which recently lagged for a while, and, which happily is now mostly over with, but, to meet periods of unemployment whenever and wherever they exist and for whatever cause. I am of the opinion that it is wise and sound legislation to have ready remedial assistance for any such condition.

We cannot help but be aware of the fact that it is the low-income families that suffer when there is a condition of unemployment. In no way are they responsible for the conditions that result from unemployment and, consequently, there is an obligation ever resting upon their representatives in Congress to alleviate their distress by appropriate ways and means. This bill, in my opinion, with possibly some little amending, can accomplish the purpose of helping distressed areas and thereby the families within such areas without violating the fundamental principles that make for a sound national fiscal policy.

It is unfortunate that so often the question of the financial ability of our Nation to carry the additional expense is raised against worthwhile legislation such as this. It is true that our financial obligations at home and abroad are creating a terriffic strain upon us at this time. While we must give serious consideration to this situation, yet it seems to me we would not be justified in overlooking the welfare of our own people while we continue to recognize our obligation to maintaining the economic and military strength of friendly nations elsewhere in the world. There are domestic and foreign obligations that must be recognized and provided for. We cannot ignore them entirely. It does require us to use intelligence as to what priority should be given to each. It is in this connection that I feel legislation of this character is entitled to favorable consideration at this time. It deals primarily with the welfare of our own people. It seeks to promote their welfare and at the same time it strengthens our national economy.

I am convinced that chronic unemployment anywhere in our economy should be a matter of national concern. Consequently, I am further convinced that legislation establishing a comprehensive unified program at the Federal level to attack the many problems of continuing low income in depressed areas in a consistent and concerted fashion is due. Many localities have long been suffering from chronic unemployment. Unemployment always presents a double threat to our way of life. It threatens our internal development, and it can threaten our external security.

The Employment Act of 1946 states:

It is the continuing policy and responsibility of the Federal Government * * * to coordinate and utilize all of its plans, functions, and resources for the purpose of creating and maintaining * * * maximum employment.

I consider this legislation now before us as a means of fulfilling and making effective the principle above stated which appears in legislation that has previously had both the approval of Congress and the President at that time, and thus became the law of the land.

I conclude my remarks by stating that in my opinion the greater national interest dictates that continued economic distress anywhere is destructive of the national well-being. I, therefore, have given my wholehearted support to the rule to make this legislation in order, and I will likewise vote for the enactment of the bill itself.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I rise in support of the area redevelopment bill but with the inclusion of the anti-pirating amendment, offered by the gentleman from Connecticut [Mr. SEELY-BROWN], which will help New England to maintain its healthy industrial base for which this area has been so long noted.

This area redevelopment bill is very much needed and desired by many industrial and rural areas throughout this country suffering from high levels of unemployment and underemployment. Many of these areas are in a distressed position because workers have been displaced by innovations or technological shifts taking place in industry. The American economy benefits from technological progress, but not all of the displaced workers are immediately reabsorbed in new job opportunities.

Mr. Chairman, there are many areas of this country that would benefit from the assistance that could be offered under the provisions of this bill. The Federal Government has inaugurated a desirable point 4 program for the development of the so-called "underdeveloped" areas of the world and proposals have been made for area redevelopment programs for the Middle East and South America. I do not object to these proposals, but I submit that we also need an area redevelopment program for the United States.

However, I do not feel that this legislation should in any way assist, accelerate, or add to the industrial doom of New England, the cradle of the industrial revolution in America. Therefore, I am supporting Mr. SEELY-BROWN's antipirating amendment. I am well aware of the fact that a legislative body cannot stop industrial migration. As the Banking and Currency Committee report points out, "the migration of industry is not new in the United States; indeed, it has been going on virtually since the beginning of industrialization in this country." But this bill should not be used to assist the migration of industry. The Seely-Brown amendment would prohibit Federal financial assistance to assist establishments relocating from one area to another.

Mr. Chairman, the bill in its present form contains a provision in section 6 (a), lines 23, 24, and 25 on page 7 and lines 1 and 2 on page 8 which reads as follows: "Such financial assistance shall not be extended for working capital, or to assist establishments relocating from one area to another when such assistance will result in substantial detriment to the area of original location by increasing unemployment." This language is nebulous, particularly the words "when such assistance will result in substantial detriment to the area of original location by increasing unemployment." The draft of this section would allow an administrator to determine whether or not relocation of an industry will cause increasing unemployment in the original location. I can testify to the fact that the relocation of New England industries has caused increasing unemployment in New England cities and towns after other areas of the country have offered relocation inducements such as plant construction, tax benefits, and assurances of lower wages to industry. The result has been loss of industry to New England and dire social consequences in the communities affected.

The Seely-Brown anti-pirating amendment specifically prohibits Federal financial assistance to help industrial relocation from one area to another, period. I will support this amendment to this legislation which meets my approval in every other respect.

Mr. COFFIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. COFFIN. Mr. Chairman, this Congress will be guilty of a distortion in values if it fails to pass this area redevelopment bill.

Our leadership in the Free World demands commitments of us in mutual economic and military assistance and in trade policies. I have supported these because I believe the alternative of a nation going it alone spells ultimate doom.

But at the same time we cannot expect to maintain our strength to give the leadership demanded of us unless we move to wipe out the pockets of unemployment, underemployment, and economic blight that today exist in so many areas of this Nation.

If we accept the thinking that economic development and the wiping out of poverty are the best weapons the Free World has overseas, how can we abandon this thinking when we deal with acute unemployment at home?

Mr. Chairman, I come from a district which is both industrial and rural. I can see in this bill a valuable tool for rebuilding prosperity in both the city and country areas. I should like to remind this House that the master of the National Grange, Herschel D. Newsom, has endorsed this bill by saying:

From the long-range standpoint, it could be the most important agricultural legislation of the 85th Congress.

Looking toward the future, I can see the rural redevelopment part of this bill as being a major means of bolstering employment in rural areas, of stabilizing markets for farm products, and of helping rid this country of its problem of agricultural surpluses.

Mr. BROWN of Georgia. Mr. Chairman, I yield 8 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Chairman, as I have indicated in the brief statement I made to the House when we were considering the rule, it is my purpose to limit myself strictly to the rural phase of this bill, and I conceded indirectly then that I was hardly capable of rendering an objective judgment on the industrial phases of the measure. I am in the attitude of a parent whose child is desperately ill. The parent goes to the drugstore for medicine and the druggist says, "I have a remedy. Here it is, but I will not sell you this remedy unless you buy $2 worth of candy." Now I do not need the candy, but I am interested enough in the medicine to buy something else. Perhaps that eliminates the possibility of objectivity on my part as to the urban features. The fact that our low-income farmers are sorely pressed is enough to win my support for this measure. Furthermore I just do not have the background to contend with some of the difficult industrial problems that are involved. But I do have confidence in those who come from the industrial areas, and I have listened attentively to the arguments of the gentleman from Pennsylvania [Mr. VAN ZANDT], his colleague from Pennsylvania [Mr. FLOOD], and others as they have described difficulties in their districts. When industry shifts and when the normal course of economic influence produces a human problem, the Federal Government has a responsibiilty to act. And that is what we have here.

I would like to say at the outset, as one who represents a State which has been eager to get industry, I have steadfastly for 20 years, in the midst of that effort, opposed vigorously any policies that would aggravate the problems of other sections. We would be shortsighted and we would be subject to greatest criticism if we failed to see this as a national problem and if we sought some sectional advantage for ourselves, if it created dislocations elsewhere. I concede that at times in our eagerness to get industry, we may have failed to think in as broad terms as we should. Nevertheless, the criticism once directed at the neglected areas has, I think, diminished and with reference, too, to agricultural areas seeking industrial development in order to have a balanced economy.

Mr. Chairman, in recent years I think it has been apparent that generally the case of agricultural areas for industry has been presented not on the basis of moving industry from other States, but on the basis that each region should have a share in the growth of American industry. If this bill can be defended as aid to areas that have problems growing out of adversity—adversity that was too much for them to cope with by themselves—if this can be presented as a thoroughly sound way of enabling those areas whether in Pennsylvania or Arkansas to share in the normal growth of American industry so that there is a degree of sound planning in the process, then America will be able to go through this great transition in which we are now engaged with our economy unimpaired and with our human resources conserved. For we must consider something besides the normal economic forces that the business community deals with.

The business community cannot deal with all of these problems under the free enterprise system without help from Government. Such help I believe to be of a rational economic nature even though I must admit I have an emotional interest in this matter because of the plight of my people. If we can find that these credit provisions, as recommended by the Committee on Banking and Currency, will enable us to aid all distressed areas, avoiding any favoritism, then it seems to me that we can do something here which, while still of an experimental character because it is not too ambitious, will enable us to match the Soviets in the fierce competetion on the economic front. For the Kremlin does not have to worry about the things that distress us. Of course, we have to worry about human dislocations and human freedom, for they go with our system, but if it is found to be in the interest of the total military life of the Soviets for a certain thing to be done, it is done arbitrarily without much regard to what happens to the people. Then the dictatorship finds a way to deal with any recurring problems. But, with us there must be enough flexibility and enough imagination in our dealing with the solution of a national problem to set in motion in and within this American tradition those procedures which will help people.

The chronic problems are not due, as some have said, to a lack of imagination or industriousness on the part of the people involved.

You might say that when jobs are scarce, people should go to some other State; for instance, that the people of Arkansas might go to California. Well, our Arkansas people have contributed a lot to California. If they had redistricted me out of a job I decided at the last redistricting that I was going to go to California and gerrymander me a district there, a very attractive district where only Arkansas people lived. Yet,

some of the wisest men in California have said that people are actually coming in too fast for the municipalities and the areas to absorb them and provide adequate sanitary facilities, transportation facilities, and school facilities. These are very real problems, and many communities are faced with an utter inability to solve them. It is not a sufficient answer for the unemployed to move into a strange community. Let me illustrate that by these charts.

All these areas in red represent low-income farming areas where the average agricultural incomes are based not upon highly mechanized, highly successful organized farming operations, but where they depend upon the old system with which we are all too familiar under which the farmers, while doing their best, are yet not able to go in for mechanization. All of these areas in red represent the most acute situation with respect to large numbers of families that are classified as underemployed. These are areas that need the establishment of some industry, perhaps a food processing plant, to provide a market close to the farmer and part-time or full-time jobs for himself and his family. These are the areas that would profit from the establishment of these little processing plants.

I know that the map would indicate that the problem is the South's problem as shown by the red counties, but as I indicated a moment ago, even in Pennsylvania, in western Pennsylvania and some of these areas over here, there are low-income areas, or moderate-income areas.

The blue areas represent substantial areas of underemployment and we can see that there are some such areas in northern Michigan and northern Minnesota. I presume representatives from those areas will speak of the problem there.

Incidentally, the cost for technical assistance is not frightening. The kind of technical assistance of service to a great many farmers in small communities is not complicated. It might be that a group in an area would want to produce cucumbers for pickling, yet they should not go into that business unless they know how to grow cucumbers and have them pickled, and unless they have reasonable expectation of marketing their product. That kind of technical assistance, advice in such fields is needed and will prove valuable.

I subscribe very strongly to the statement of the gentleman from Connecticut that we must permit nothing in this bill to encourage the pirating of industry from one area to another. I believe the rural provisions have been so conceived, and I confine my remarks to them. The rural and industrial provisions have been soundly conceived so that all regions can share in our industrial growth and progress. The plan calls for loans with local participation, not necessarily community participation alone but through a State development program such as Mr. Winthrop Rockefeller heads in my own State—and I am sure that Winthrop Rockefeller is not interested in raiding New York to help Arkansas, for his family ties are very strong in the other direction. If we can arrange a program to get aid to low-income areas through State plans that will help even a little financially to establish industrial operations, I feel that we have done something we can defend when we go home.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, I favor the passage of this bill, and I cite our own State of Michigan as 1 of 48 reasons why it should pass. Other States are in no better shape.

Michigan has a higher rate of unemployment than most other areas. In June 1958, it was 15.4 percent of the labor force. Eighteen labor markets have substantial labor surpluses. Three additional areas have more than 6 percent unemployment but have not been designated as official surplus areas. Other smaller labor markets have substantial labor surpluses but have not been defined.

Four labor markets are eligible for assistance under S. 3683. They are Detroit, Iron Mountain, Monroe, and Muskegon. Three additional labor markets will qualify before the end of the year. They are Bay City, Flint, and Grand Rapids.

The basic cause for the distress in the State has been the decline in employment in the automobile industry. Metal and other industries have been affected by the shrinkage in employment and the closing of plants in the automobile industry. While Michigan employed 503,000 employees in this industry in 1953, the number has since declined to 395,000 in 1957. By June 1958 the number was down to 235,000 persons, or 46 percent below the 1953 level—table I. Unfortunately, the automobile industry has been seriously and adversely affected by many structural factors so that general industrial recovery will not increase its employment substantially or significantly.

The great need in this State is for an intensified effort at diversification and the stimulation of new industrial and other activities. The chronic nature of the unemployment problems makes it vital that these communities be assisted in rebuilding their economic structure in order that they create a permanent condition of economic good health. These problems will not be overcome by an upswing in business throughout the country. The great distress in these communities will persist. They will be the last to feel the tides of expansion. To hasten the process of recovery and bring them back into the mainstreams of American economic life, these communities must receive specific help.

The distressed communities need assistance in diagnosing their problems, organizing their community leadership in addition to the commercial interests, financial assistance to improve their facilities, and, finally, aid in building adequate industrial sites. They can obtain such assistance from the organization and funds which will be available under the area-redevelopment bill.

I. MICHIGAN HAS 21 AREAS OF SUBSTANTIAL LABOR SURPLUS

In July 1958, the United States Department announced that there were 18 labor markets with substantial surpluses. Three additional areas had substantial labor surpluses but were not so classified. In addition to the seven areas already noted, the following labor markets had substantial labor surpluses according to the United States Bureau of Employment Security: Adrian, Ann Arbor-Ypsilanti; Battle Creek; Benton Harbor; Escanaba; Ionia-Belding-Greenville; Jackson; Marquette; Lansing; Owosso; Saginaw. In addition, the other three surplus areas are Port Huron, Upper Peninsula, and Kalamazoo.

II. BASIC CAUSES OF CHRONIC UNEMPLOYMENT PROBLEMS

An old proverb has it that when the auto industry sneezes the State of Michigan's economy catches cold. This is only a way of saying that Michigan's economy is dominated by the automobile industry and gives a clue to one of the State's basic difficulties. Lack of industrial diversification makes the State's economy very sensitive to changes that occur within the auto industry. What appears to be evolutionary changes in the structure of the auto industry have tremendous effects upon the economic stability of the State. Thus, there is a temptation to simply point the finger of guilt at the automobile industry. However, it is not enough to point to the auto industry's dominance and conclude that it has sole responsibility for the State's economic well-being. Other forces are also at work and the sneeze heard in the auto industry may be the result of a cold caught from the national economy.

The basic causes of chronic unemployment in Michigan are:

A. GROWTH OF MICHIGAN'S POPULATION

A very high birthrate and immigration rate have combined to raise Michigan's population faster than the national average. This rapidly growing population means that new workers are constantly entering the labor market in Michigan seeking employment and an increasingly larger number of job positions must be found to keep these people employed.

B. ADVANCES IN PRODUCTIVITY BROUGHT ABOUT BY INCREASED EFFICIENCY AND AUTOMATION

One of the proudest traditions of the auto industry is their leading role as industrial innovators. Since the earliest days of the assembly line the auto industry has played a pioneering part in the introduction of more efficient cost-saving production methods and equipment. Today their leadership in the use of automatic equipment in the productive process has assured their position in the forefront of the movement toward fully automated factories. However, the vast investment in automatic-production equipment has reduced the number of job positions while at the same time increasing the productive capacity of the plant. Thus, in Michigan, for example, a return to a high level of automobile production will likely not provide sufficient job positions to even reemploy the workers who had previously been employed by the auto companies.

C. LOSS OF JOBS DUE TO CLOSING OF SEVERAL LARGE INDUSTRIAL PLANTS

Kaiser, Murray Body, Packard, Hudson, and Federal Truck are all examples of firms that closed their doors permanently during the last several years in Michigan. These are not firms that have relocated their production facilities. These are firms that have permanently stopped operating with a loss of literally thousands of job positions. Among the reasons responsible for these closings are: First, Competition within the automobile industry. Second, Changing production policies and methods in the large auto companies. Third, A substantial decrease in military procurement expenditures. Fourth, A nationwide slump in the demand for consumer durables.

D. DECENTRALIZATION OF THE AUTOMOBILE INDUSTRY

The fourth and final basic cause of chronic unemployment in Michigan is the tendency of the automobile companies to disperse their productive facilities. It is a widely held principle of locational economics that industry tends to disperse as new market areas grow large enough to warrant the construction of local assembly plants. In the auto industry the tendency for plant facilities to be dispersed has been in evidence for a number of years. This has had a particularly unhappy effect on Michigan where the construction of assembly facilities in other areas has resulted in a relative loss of facilities for Michigan.

III. CURRENTLY DISTRESSED LABOR MARKETS

A. DETROIT

The story of Detroit is of course tied up with automobile industry. It has been classified as having substantial labor surplus from January to July 1952, March 1953 to November 1954; May 1956 to November 1956; from July 1957 to date. In 1956, 7.2 percent of its working population was unemployed. The unemployment rate was subsequently increased so that in August 1956, it reached 11.5 percent. With the winter pickup, employment increased reducing the unemployment rate to 5.3 percent in November but it continued to rise through all of 1957 exceeding 8 percent unemployment in the last quarter of 1957. In 1958, the rates have been as follows:

	Number of unemployed	Rate of unemployment
		Percent
January		12.5
February	225,000	14.7
March	250,000	16.4
April	275,000	17.9
May	280,000	18.3
June	275,000	18.0

B. MUSKEGON

This labor market which includes all of Muskegon County has had a substantial labor surplus since June 1956. Its previous period of substantial labor surplus was from January 1954 to March 1955. At no time since that date has it fallen below 6 percent. The cutbacks in the automobile industry has caused a reduction in the nonelectrical machinery and primary metal industries which are basic to the community. Those receiving unemployment compensation benefits constituted 32.2 percent of the covered labor force in 1954 when the automobile industry was also hard hit. In 1956, 22.7 percent of the covered labor force was receiving unemployment benefits. Unemployment was of such long duration that in 1957 2,522 exhausted their unemployment compensation benefits.

The rate of unemployment reached its peak in 1956 in the month of July when it was 8.7 percent. But it never declined below 6.8 percent. In 1957, the rates of unemployment varied between 6.8 percent as a low reaching its top in December 1957 at 10.7. The numbers of unemployed and unemployment rates in 1958 were as follows:

	Number of unemployed	Rate of unemployment
		Percent
January		11.9
February	7,300	12.7
March	7,200	12.5
April	7,300	12.6
May	8,200	14.2
June	8,500	14.6

C. MONROE

This labor market includes Monroe County. The relocation of a large automobile plant which had been the principal employer in Monroe outside of this area created a condition of acute distress. Some persons were recently reemployed when a new operation began in this very plant, but the new employment has not been sufficient to absorb the unemployed. This labor market has had a substantial surplus during the last 3 years beginning in May 1956. In 1956, the highest months of unemployment were in July and August when the rate was 11.8 percent. In 1957, the month with the highest rate was July—10.7 percent. Unemployment rose sharply at the beginning of 1958, reaching 13.1 percent of the labor force in January and February.

D. IRON MOUNTAIN

This labor market includes Dickinson and Iron Counties. It has been classified as having a surplus since November 1952. This first period of chronic surplus extended to July 1953. After a short period of relief it was hit hard from April 1954 to September 1957. Some relief occurred in the winter of 1957, but it was reclassified as surplus in February 1958. This area has been dependent on iron ore mining which has been severely hurt by the slowdown in the steel industry and foreign imports.

E. BAY CITY AREA

This labor market is located in the northeast center of Michigan's lower penninsula. It includes all of Bay County. Automobile parts is its most substantial industry. Other key industries are electrical manufacturing, food processing, foundries, and furniture. It has suffered from substantial labor surpluses intermittently from February to July 1952; March 1954 to March 1955, and again from July 1957 to date.

In March 1956, its unemployment rate was 6.5 percent, but it rose to 8.1 percent in June 1956. The level receded slightly in the remainder of 1956, but in 1957 it had a rate in excess of 6 percent in 10 of the 12 months. In 1958 the number of unemployed and the rate was as follows:

	Number of unemployed	Rate of unemployment
		Percent
January		12.7
February	5,800	15.4
March	6,000	16.5
April	5,800	16.0
May	5,600	15.6
June	5,600	15.4

F. FLINT

This area includes all of Genessee County and the city of Flint—Michigan's third largest city. It is strongly dependent upon the automobile industry, with General Motors plants dominating the industrial scene. Flint had substantial labor surpluses in March 1952, from May to November 1956, and now from May 1957. The shrinkage in the automobile industry is hitting it hard.

The number of unemployed and the rate of unemployment has been as follows in 1958:

	Number of unemployed	Rate of unemployment
		Percent
January		5.1
February	14,500	10.0
March	20,000	13.8
April	25,000	17.4
May	26,500	18.5
June	27,000	18.8

G. GRAND RAPIDS

Grand Rapids went through one slump when it lost much of its furniture industry to the South. Now it is seriously affected by the drop in employment in the automobile industry. This labor market includes Kent County. Substantial unemployment appeared in February 1957, when it reached 6.2 percent of the labor force. It has grown substantially since that date, attaining a high level of 8.9 percent in December 1957. The number of unemployed and the rate of unemployment in 1958 have been as follows:

	Number of unemployed	Rate of unemployment
		Percent
January		11.1
February	16,600	11.8
March	17,600	12.5
April	18,900	13.4
May	19,200	13.7
June	19,800	14.1

IV. OTHER LABOR SURPLUS AREAS

In addition to the distressed areas there are 11 areas with substantial labor surplus and 3 surplus areas which are not classified. There are, no doubt, other areas which could be classified if they were defined.

Table II lists the periods when each area was classified as one with a substantial labor surplus. The areas are not so classified immediately after they register 6 percent or more unemployment. The area must be one in which the labor surplus is not due to seasonal or temporary factors to be so classified. As a result, the months during which

unemployment exceeded 6 percent is in all cases greater than the number during which the area has been classified as having a substantial surplus.

In table III the rate of unemployment is reported for eight areas for which regular reports are published. While Port Huron is not classified officially as distressed it has a chronic condition of high unemployment. As a matter of fact, the rate of unemployment exceeded 6 percent in all of 1956 and 1957. The lowest rate in 1956 was 6.4 and the highest, 8.4. In 1957, the lowest rate was 6.9 and the highest 9.4. In 1958, the unemployment rate has reached 13.2 percent.

The following table is indicative of seriousness of unemployment in these eight areas:

Labor market	Months in which unemployment rate exceeded 6 percent		
	1956	1957	In 1st 6 months of 1958
Battle Creek	0	2	6
Benton Harbor	0	3	6
Jackson	1	4	6
Lansing	6	3	1
Saginaw	3	1	5
Upper Peninsula	6	7	6
Port Huron	12	12	6
Kalamazoo	0	0	5

Source: Michigan Employment Security Commission.

V. LIST OF CLOSED PLANTS

To provide some indication of the extent to which the State has suffered from plant closings and an index of the degree of economic severity, we call attention to the following list of recent plant closings in the State of Michigan. We may note that many others have occurred but have not been publicly announced.

Company and plant location	Employment
Borg-Warner Corp., Detroit Gear Division, Detroit	400
Chrysler Corp.:	
Meldrum plant, Detroit	2,700
Russell plant, Detroit	150
McGraw plant, Detroit	600
Ford Motor Co.:	
Manchester	325
Waterford	175
General Motors Corp., Fisher Body Division, Detroit	650
Hayes Manufacturing Co., Grand Rapids	550
Michigan Steel Tube Co., Detroit	225
Welbilt Corp., Detroit	325
Allied Paper Co., Monarch Division, Kalamazoo	299
General Conveyor Corp., Pleasant Ridge	16
Picklands, Mather & Co., Youngstown Mines Corp., Anvil Palms Mine, Ramsey	289
Northwestern Leather Co., Sault Ste. Marie	500
Motor Wheel Corp., plant No. 4, Lansing	(1)

[1] Not indicated.

VI. EFFORTS MADE TO REHABILITATE DEPRESSED AREAS

A. STATE AND LOCAL GROUPS

Local governmental and private agencies in all parts of the State are engaged in a variety of developmental activities, including economic surveys, industry promotion campaigns, and plant building programs.

The State government, through the Michigan Department of Economic Development, provides guidance and technical assistance to local groups in setting up local industrial development corporations. The department also assembles information pertaining to the physical and economic development of the State. There is no State program for furnishing financial assistance to local development agencies.

B. FEDERAL PROGRAMS

The Federal Government has contributed to the reduction of unemployment in the following ways:

First. Military supply contracts between 1954 and 1957 totaled $337,836,000 of which $4,928,000 resulted from preference given to labor surplus areas.

Second. Special accelerated tax amortization for new plants in surplus areas has been used to induce firms to build defense facilities in distressed areas. Since August 1957, however, these inducements to expansion and creation of productive facilities have not been so numerous. Now certificates are limited to facilities to produce new or specialized defense items or to provide research, development or experimental services.

TABLE I.—*Employment in Michigan automobile industry, 1949-58*

	Average annual employment, automobile
1949	430,000
1950	468,000
1951	473,000
1952	435,000
1953	503,000
1954	417,000
1955	467,000
1956	404,000
1957	395,000
1958 March	308,000
1958 June	268,000

Source: Michigan Employment Security Commission.

TABLE II.—*Michigan labor surplus areas, by monthly periods of substantial surplus*

	Periods of substantial labor surplus	Number of months of substantial labor surplus in 1956, 1957, January to June 1958	Basic industry
Classified as labor surplus:			
Adrian	May 1954 to January 1955; March 1958	3	Auto related fabricated metals.
Ann Arbor-Ypsilanti	April 1954 to January 1955; April 1958	2	Auto related electrical equipment; auto parts.
Battle Creek	March 1954 to March 1955; January 1958	6	Autos; nonelectrical machinery and breakfast food.
Benton Harbor	do	6	Household appliances, autos.
Escanaba	May 1955 to May 1956; February 1958	12	Lumber and plywood and nonelectrical machinery.
Ionia-Belding-Greenville	January 1954 to January 1955; March 1958	3	Autos; nonelectrical machinery.
Jackson	April 1954 to January 1955; November 1957	8	Autos.
Marquette	July 1955 to July 1956; January 1958	11	Iron oreemining.
Lansing	July 1956 to September 1956; March 1958	6	Automobiles.
Owosso	July 1954 to January 1955; January 1958	6	Electrical equipment; auto related textiles.
Saginaw	March 1958	3	Automobiles, foundries, and nonelectrical machinery.
Not classified:			
Port Huron	March 1954 to May 1955; March 1956	27	
Upper Peninsula			
Kalamazoo			

Source: U. S. Bureau of Employment Security.

TABLE III.—*Michigan labor surplus areas by number of unemployed in June 1958 and rate of unemployment in 1958*

	Number unemployed June 1958	Rate of unemployment, 1958 (percent of labor force)					
		January	February	March	April	May	June
Battle Creek	5,000	9.0	8.8	9.1	9.5	9.8	9.2
Benton Harbor	6,000	11.5	13.0	13.3	14.0	14.2	11.5
Jackson	6,200	10.1	11.0	14.5	12.4	13.0	12.9
Lansing	10,000	6.1	7.1	8.6	10.6	11.5	11.8
Saginaw	7,900	5.8	6.8	9.0	11.8	11.3	11.3
Upper Peninsula	12,700	13.8	14.8	16.0	17.1	14.5	12.9
Port Huron	4,100	10.8	12.0	12.7	13.2	12.5	11.8
Kalamazoo	4,800	6.6	6.1	6.6	6.6	6.4	7.4

Source: Michigan Employment Security Commission.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. LESINSKI] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I should like to express my wholehearted support of the area redevelopment bill, for I believe it is one of the most urgently needed pieces of legislation to come before this Congress. I believe that it is needed to insure continuing growth and prosperity in our country.

The key to continuing prosperity in our country is full production and full employment. It has been estimated that, due to population growth and the consequent increase in number of workers and potential increase in output per manhour, our total national product needs to expand by about 4.5 percent a year. If it does not, more workers and higher productivity will not be absorbed and we will continue to have rising unemployment and unused productive facilities.

During 1947–53 the rate of economic growth in our economy was an annual average of 4.7 percent. From 1953 to 1957 it declined to 2.3 percent. From 1956 to 1957 the growth rate was only 1 percent. So, looking at the past 5 years, one can see that our economy has been steadily moving away from full production and full employment.

This trend is most graphically illustrated in the State of Michigan which has for many years been suffering from chronic unemployment. In 1949 the unemployment rate was 7.3 percent. That figure declined continuously until 1953 when it fell to 2.7 percent. But since that year the State has suffered from substantial unemployment. In 1954 the unemployment rate was 7.1 percent; in 1956 it was 6.5 percent; and in 1957 it had a rate of 6.8 percent. As of June 1958, the rate was 15.4 percent and in the Detroit area, which I represent, the rate was 18 percent.

A number of basic factors account for the situation in Michigan. Our State has been the victim of the conditions which I have briefly referred to previously, that is, increased population and increased output. Because of a high birthrate and immigration, Michigan's population has been growing at a rate much faster than the national average, and as a result a greater number of workers are constantly entering the labor market. Automation and increased efficiency have increased production, but have reduced the number of jobs available. For several reasons, large firms such as Packard, Hudson, Kaiser, which employed thousands of men, have permanently gone out of business. Finally, automobile companies, which employ the bulk of labor in Michigan, have been dispersing their productive facilities. Since Michigan's economy is so highly dependent on the automobile industry, one answer to the dilemma is to bring about a greater diversification of industry within the State—a goal toward which I have been working ever since I came to Congress. An area redevelopment program such as that contained in the proposal under consideration will provide means by which such diversification can be achieved.

However, Michigan does not stand alone in the need for this legislation. Other States have depressed areas which must be rehabilitated if they are to contribute their share to the continuing prosperity of the Nation. These areas are not isolates; they are more like sores which if untreated will spread to infect the entire Nation.

An area redevelopment program is insurance in the future of America. In and of itself, it is not the total answer to the problem of preventing and curing setbacks in the economy, for there are a number of other measures which should be taken, but it is an essential step in establishing a sound, stable economy with full production and full employment. For these reasons, I urgently recommend to my colleagues that they give full support to the legislation under consideration.

Mr. DENT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, in supporting this legislation I want to remind the House that this bill is not new, in concept or in operation.

This legislation aimed at helping distressed areas develop and redevelop their communities to meet the modern challenges to our economic welfare in local governments.

This is no giveaway in any sense. It means that the Congress can do in a small way something for ourselves that the Congress has been doing for foreign countries over a long period of years.

This is an American communities-aid bill as compared to a foreign economic-aid bill.

I cannot understand Republican opposition to this legislation for American welfare when their President and their party is asking for $685 million for development and redevelopment in foreign countries.

How can any member justify a vote for building water plants, factories, dams, utilities, sewerage plants, highways, streets, and public services all over the world while at the same time vote against helping local communities in the United States to build and maintain the very same public works.

In Pennsylvania, we are depending upon this Congressional action. We need this legislation to carry on our program of joint effort between local and State government.

Our program has moved, but only so far as we have been able to combine our efforts with Federal aid through the medium of this type of legislation.

Aid to the communities benefits all the segments of our society, people, business, industry, and, in fact, every facet of local activity.

Many communities find themselves in a sad state of affairs financially. They have used up all the borrowing power allowable by law and now find themselves in dire need of local facilities to keep their present industry, let alone attract expanding or new industries.

Many more communities, especially the coal areas of my District and great State of Pennsylvania, find themselves with depleted and reduced real-estate valuations. Under State law these areas find themselves helpless and although they have all the other requirements they lack the financial credit to move out of the depressed rut they are relegated to in this fast-moving, competitive, industrial era we live in.

This is not a make-work bill; it is only a make opportunity to create the conditions and facilities that in turn will make work.

I can name town after town, city after city, boroughs and townships ready and willing to help themselves. Can we do anything less than helping them to help themselves?

There is no American tragedy more poignant and depressing than a worked out community. Its people lose the pride of community, pride of family and soon the whole area wears that weary, despondent look of despair and frustration.

Can we hold out hope to all the world when we fail to recognize the needs in our own backyards?

No Member can be cold of heart and blind to reality as to believe that all is well with the world because his own personal fortunes are faring well. Americans like other men and women all over the world have their faults but I am sure callousness is not one of the faults.

I have found throughout my political lifetime that when the chips are down a majority of the elected representatives of the people find the right answer.

I will be a very disappointed and disillusioned Member of this Congress if we fail to pass this bill today, believing as I do, sincerely that it is the right, it is the honorable thing to do.

This is a democracy and as such every area, every community, every person deserves consideration when their problems become unsurmountable without the help of the rest of the country.

Let us then do that which the moment demands. Let us forget the petty arguments to the contrary and place our faith in our people, in our communities and in judgment to that which is right for all the people.

In ancient days during one of the numerous contests between Sparta and Athens an old man was walking between the opposing stands of spectators.

The men of Athens jumped to their feet and asked the old man if he wanted a seat. He replied in the affirmative and upon invitation walked slowly to the stands. When he arrived there the Athenians sat down and amid loud laughter and boisterous shouting ridiculed the old man for his cupidity.

Perceiving this the men of Sparta stood up and invited the old man to their side and promptly made room for him to sit with them.

The old man thanking them said: "The men of Athens know what is right, but the men of Sparta do what is right."

The question recurs, Do the Members of Congress know what is right and will they do what is right?

For myself I vote in favor of this bill.

Mr. TALLE. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Chairman, this is vital legislation designed to meet serious economic need

in many areas of unemployment throughout the United States, including the 12th District of Michigan—which I have the honor to represent. Earlier in this session I introduced a bill which in most respects is similar to the one presently before the House for consideration. In my District the one thing that is needed most is a program of encouragement and financial assistance to provide greater diversification of our industries. We have a great potential in natural resources, as well as an excellent geographical locality and more than ample manpower for such a program. For many years we have been dependent in large measure upon the stability of iron and copper mining operations which provide employment for many thousands of our people. Because of this fact we are particularly vulnerable in times of stress when the mining of these two minerals is curtailed. Our great dependence upon mining would be eliminated in large measure if financial assistance could be provided for new and expanded businesses and industries for which our area is naturally suited. In addition, it would provide the diversification to improve and stabilize jobs for our people.

The present bill would make possible long term loans for industrial projects in areas such as ours in northern Michigan and provides funds for technical assistance on redevelopment problems. There are many other areas throughout the entire country where similar situations prevail and the enactment of this legislation would make a tremendous contribution toward eliminating both unemployment and underemployment.

Mr. Chairman, we have been very generous in our gifts and loans to countries all over the world to assist them in the very type of program which this legislation would authorize in the United States. It surely does not make sense to recognize unemployment and underemployment in foreign countries and spend our money to cure these ills and yet refuse to recognize and provide the cure for similar problems at home.

I urge my colleagues to vote overwhelmingly this afternoon in support of this desperately needed program.

Mr. TALLE. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. SILER].

Mr. SILER. Mr. Chairman, like many others here in the House, I come from an area of distress. All of that red marking on the map indicates the various areas of the country that are in distress and, somehow or other, I believe that the red marking is indicative of the smouldering fires of real hardship among the people that live in these different parts of our country.

A few days ago I was in the House Rules Committee and had the privilege of listening to an inquiry by the distinguished chairman of the Rules Committee, the gentleman from Virginia [Mr. SMITH]. In his inquiry he asked, "What is a distressed area?" I will answer that question for him. It is a place where the dike of misfortune is so high that the flood tides of prosperity do not seep over into its little valley of despondency. It is a locality where the jam is never quite down on the lower shelf. It is a someplace where the mocking bird of despair sings so loudly that the nightingale of hope cannot be heard. It is a hungry bread line in a land that flows with milk and honey.

And I come from one of these distressed areas.

Between 1950 and 1956 there was an outward migration of 92,000 people from this eastern area of Kentucky, part of which I represent. It was the greatest exodus, perhaps, that has moved out of a place of residence since Moses led the children of Israel out of the land of Egypt over into the Promised Land. The jobless folks in my District increased, between 1950 and 1957 a total of about 75 percent, during a period when most of America was prosperous. Sometimes when you go to the county seat towns of my District, you can see aggregations of jobless people that remind you of the army that was led to Washington in 1894 by Gen. Jacob S. Coxey. Any one of these groups is a veritable Coxey's army.

You will remember they had 10 plagues visited on Pharaoh in the land of Egypt consisting of blood, flies, frogs, lice, locusts, and 5 others, making a total of 10 altogether. Now, down in my part of the country we have had the seven plagues of hangovers, harassment, hard times, helplessness, high water, hopelessness, and hunger. These are seven plagues that I can recall we have been visited with in southeastern Kentucky in recent times.

My District has 17 counties altogether; 14 out of the 17 in my District are under economic distress conditions, both in industrial areas and in rural areas down there in my part of the country.

So I say to you, Mr. Chairman, if we can provide money for the building of airports in Afghanistan, where they ride camels, if we can build concrete roads in Saudi Arabia for the Cadillacs of King Saud, if we can furnish grass seed to Great Britain, if we can send rock-and-roll singers to South America, all of which we have done with this foreign-aid money, not a dollar of which I have ever supported, then I say to you we can support and try out a program that should help the distressed areas of America.

This is an all-American program for a great segment of some fine American people.

In east Kentucky and east Tennessee and western North Carolina and southwestern Virginia, we have some of the purest strains of Anglo-Saxon blood to be found in the entire United States. Sometimes the oldtime natives use expressions of basic Chaucerian and Shakespearean English, such as that of "holp" instead of help. Reverting to this native expression of some of our mountain Kentuckians, I would now say to you, I hope you may see fit to "holp" us with this legislation in our time of economic distress.

Mr. BROWN of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. ADDONIZIO].

Mr. ADDONIZIO. Mr. Chairman, I urge the passage of S. 3683 as being in the national interest as well as of extreme importance to the special sections of the country that have experienced persistent and substantial unemployment. My home city of Newark is classified as an area with a substantial surplus of manpower and a number of other communities in my State are suffering from similar or worse conditions. Three labor markets in my State would be currently eligible for assistance under this measure. Thus, I am naturally deeply concerned about the issue, but I believe that my colleagues from those States without such unfortunate conditions should realize that this is a national as well as local problem. Depression in any part of our economy tends to depress the remainder; a declining level of economic activity in one area may spread to other areas. Every State has a tremendous stake in the general prosperity of the country, and developing the areas which need the assistance provided by this legislation would promote the general prosperity.

Experience proves that seriously depressed areas, with proper planning and leadership, plus the necessary loan and grant funds, can create new jobs and restore their communities to economic health.

It has been aptly said that the test of good legislation to aid a chronically depressed locality is that it should move a job to the man and not the man to a job. To me this is a fact that should be emphasized over and over again in connection with S. 3683. This bill recognizes that in America of 1958 we are not dealing with the kind of flimsy collection of board houses and saloons that became ghost towns when mines gave out in the West. Today the situation is completely different. In these places where economic calamity has occurred we have substantial community facilities—schools, firehouses, transit facilities, churches, clubs, and all the rest. It is a hideous waste to leave these huge investments to become a dead loss because a factory loses its market or, for some reason, good or bad, moves away. What we must do is to see to it that alternative employment is found so that we can continue to use and support these basic and essential community buildings and services and not lose these important resources. Quite apart from the material losses involved, there is the equally important question of attachment to a community or to a home and neighborhood. These are important associations which should not be disturbed unless no other alternative exists. This legislation seeks to prevent the needless destruction of communities and the important values of orderly neighborhood and family living.

The problem of high and persistent unemployment and underemployment involves a tragic waste of human resources as well as unnecessary human misery. The taxpayers are burdened with heavy costs in unemployment compensation, public assistance, and county aid, and the affected families must endure untold suffering. The children are faced with a future of little or no hope, and waste of the next generation. At

hearings, Mr. Solomon Barkin, secretary-treasurer of the Area Employment Expansion Committee and research director of the Textile Workers Union of America, AFL–CIO, submitted a carefully composed body of data bearing on various aspects of the problem including such matters as the relationship between chronic unemployment and the volume of public assistance, and so forth, payments in those localities. As Mr. Barkin pointed out in his testimony:

> The depression is creating a new group of chronically distressed communities which, added to the number currently in existence, will present our Nation with a truly staggering problem. The productive capacity of many consumer durable and capital goods industries was expanded during the recent investment boom 1955–57 to a level which will exceed the probable consumer and industrial demand for the products of these industries, during the next 2 or 3 years, or even a longer period. Moreover, the change in the military procurement policy from an emphasis on airplanes to missiles, and from standby plants, equipment, and mass production to production for immediate use with a minimum need for inventory is also creating vast industrial surpluses. Together, these two trends will likely result in the closing of additional plants and the continued existence of large pools of relatively long-term unemployed producing our chronically distressed areas.

The problem has received extensive study by the Congress and various agencies in the executive branch over a period of years. The urgent needs of these areas can no longer be ignored and neglected. It is past time that action is taken to develop a sound and effective program to remedy these ills. All evidence shows that only a comprehensive Federal program, such as proposed in S. 3683, can effect the cure. The reasonable remedies proposed in S. 3683 serve both widespread and local interests and the national interest. I repeat, passage of the bill is overdue.

Mr. BROWN of Georgia. Mr Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I am in favor of this bill. I want to express my personal appreciation to the great committee which has brought it to the floor for consideration and say that it could well be the most significant farm legislation to come out of the 85th Congress in one Congressman's personal opinion. A few hours ago, almost, the President of the United States electrified the General Assembly of the United Nations, and, I think, scored a great success all over the world, with a speech in which he said some things that should have significance here today. He told the United Nations General Assembly that the United States was ready to go ahead with an aggressive 6-point program for the Middle East, and 1 of the points in that program was this: "A regional economic development plan to assist and accelerate improvement in the living standards of the people in these Arab nations."

On what basis did the President make that recommendation? Why did he say that was good medicine for the Arab nations? His reason for it appeared a little earlier in a speech when he said this: "Only on the basis of progressing economies can truly independent governments sustain themselves." Throughout the Congress, I believe, there was almost universal applause for the speech of the President to the United Nations. All over the country the people said it was a great speech and a great message. The basic truth is that independent governments must have progressing economies and that it is in our interest to sustain these independent governments in the Arab nations by doing all we can to help them develop economically. Those basic truths have met with widespread acceptance, I think, across this land; at least, this Congress has overwhelmingly endorsed the program by votes on many occasions. And, today this committee comes to the floor of the House and says to the Members of this body: Let us do for the United States what we are undertaking to do for the Arab nations and for many other countries across the world where there is an urgent need for some kind of development program to see that the economies continue to progress. It is as simple as that. We are being asked to do for some communities in our own land, in our own 48 States, what we have decided is wise and provident all over the globe where our interests call for the maintenance of an independent government. And, is the independence of this Government of ours and its strength and the strength of our people any less important to this Nation and its future than the independence of the Arab nations? I say to you it is far more important that we have progressing economies in this land of ours and that we support those economies and help them to develop and progress by farsighted legislation such as this.

Now, no one can question the need for doing something to aid the economies in some parts of our country. Look at the red marking on the map which the gentleman from Arkansas just placed before us. In the State which I represent, more than one-third of the counties are in the critical area insofar as agricultural-economic conditions are concerned. Back in 1955 we had a Joint Economic Committee. The Joint Economic Committee made public certain studies made by the Department of Agriculture and other agencies, and let me quote to you from several of those findings. The 1951 census of agriculture showed that there are 458 counties in the United States in which one-third or more of the commercial farms provide an annual income from product sales of between $250 and $1,200. The Department of Agriculture reports that in 1954, a year of record prosperity, about one-fourth of America's 5 million farm families earned $1,000 or less in total income. Now, the gentleman from Arkansas a few moments ago used the figure $1,000 in net income. But, this is a figure for 1954, a record prosperity year, in which one-fourth of our 5 million American-farm families had less than $1,000 in total income. Imagine trying to meet the needs of a farm family in today's modern civilization with a total income of less than $1,000. That is the situation that we confront and that we undertake to meet and to deal with in this aggressive program. We must do something to raise this farm income. We must do something to create employment opportunities off the farm to enable these farm families to continue to operate their land and to produce from that land. This program offers that opportunity in this Congress, and I sincerely hope that we will not pass up that opportunity.

Mr. COFFIN. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman.

Mr. COFFIN. The gentleman began his remarks by saying that it was his opinion that this was important farm legislation. Would he agree with the statement of the master of the National Grange, Mr. Newsom, who said that from the long-range standpoint this could be the most important agricultural legislation of the 85th Congress?

Mr. EDMONDSON. I think the master of the Grange made an easily supported statement when he said that, and I would agree with him.

Mr. TALLE. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, I find it very difficult to understand how the adoption of this legislation will have anything but an adverse effect upon the State of Michigan. I say that for this reason. The problem in the State of Michigan—and at all times we are doing our very best in the State of Michigan through the Michigan Economic Development Association to attract new industry—is the exodus of industry to other areas of the country. Until that is corrected, our condition will get worse. If this legislation is adopted, it will further entice industry to go to other areas from our great State.

The problem in Michigan is that we have an economic, tax, and political climate that has not been favorable to industry for the past few years. I want to cite a few facts.

The total tax burden has risen drastically in Michigan recently. Corporation franchise fees in 1949 were $6 million; in 1958 they were approximately $51 million. The business-activities tax in 1949—none; in 1958 it is approximately $61 million. Local property taxes in 1950 were $342 million plus; in 1957, $710 million plus. The total State spending in 1951 was $601 million plus. In 1958 it is estimated it will go well over $1 billion.

Industry is interested in coming into a community, into an area where it will have a favorable tax climate, where it will have favorable recognition, a climate where they are not always faced with a club over their head threatening them with additional taxes year in and year out, which is what we have found in the State of Michigan. I say that until those conditions are corrected, whether it is in my State or any other State, you are not going to attract new industry. Let me say this further. I find nothing in this bill except some very questionable language which prevents the raiding of industry from my State to another State.

I fail to understand how that is going to help us in Michigan. Whether we

like it or not, you can make all the arguments about big business versus little business, labor versus management, the simple facts are that business is going to move into a favorable situation whenever it is going to invest.

Harlow Curtice, president of General Motors, said:

> The present level of business taxation in Michigan has already led us to locate plants in other States where the taxes per General Motors job are less than one-half of the present taxes per job in Michigan.

The same kind of statement came from the Ford Motor Co.

Robert E. Semples, President of the Wyandotte Chemical Corporation, computed the tax on a hypothetical chemical company of $10 million: In Michigan, $84,052; West Virginia, $52,734; Ohio, $18,073; and Illinois $12,369.

The Detroit Free Press on April 28, 1957, presented similar figures on a hypothetical $125 million plant. Prepared by tax experts, the table showed this comparison of the total annual Government-imposed costs: Detroit, $1,987,000; Chicago, $1,332,000; Indianapolis, $1,058,000; and it goes on down the line.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from California.

Mr. McDONOUGH. The question was raised a moment ago about whether the President of the United States favored the bill before us. Since that time I have contacted the White House, and I was informed by Mr. Jack Martin that the President is opposed to the bill that is before the House at the present time.

Mr. CEDERBERG. I am glad to have that information.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I do not have the time to yield. If I had the time, I would be very happy to yield.

The total spending for new plant construction in Michigan in 1956 and 1957 was $199 million, or $27 per capita; Ohio, $921 million, which is $101 per capita; and Indiana, $889 million, which is $201 per capita.

We can have all the bills we want, but unless we correct these inequities Michigan is going to suffer more under this bill than it will gain, because I fear the raiding of industry from Michigan to other areas where they have been offering-better conditions.

Let me say to you that the State of Michigan has everything to offer. It is a great State. It has communications, it has water, and everything else. But unless we change the political climate and take off this yoke or burden with which we threaten business and industry in our State, we are going to continue to be in trouble.

Mr. BROWN of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I want to comment on the remarks made by the previous speaker, the gentleman from Michigan [Mr. CEDERBERG] who is one of my dear friends. The first thing I want to call to your attention is that every one of these taxes about which he is complaining was enacted by a Republican legislature. If he wants to complain about the Republican legislature, that is perfectly all right. The climate of which he complains is their doing. What he has been making here on the floor of the House is the same old cracked record of a political speech we have been hearing year after year after year in the State of Michigan. The people in the State of Michigan have not been fooled. Republicans get scarcer there with each election.

The University of Michigan came out with a report just recently stating that the tax structure in the State of Michigan does not drive industry from that State. If the gentleman from Michigan who just preceded me wants to do our people the disservice of coming on the floor of the House and making the kind of statement he has made today, he is perfectly free to do it. But if there is anything in what he has said I have not seen anything which has much conformity with fact. The only thing the gentleman has said is that there has been a rise in the tax structure in the State of Michigan, but every one of our neighboring States around the State of Michigan has at least as high or a higher tax structure.

May I further say to the gentleman from Michigan who just preceded me that industry is not leaving the State of Michigan. We have had a net gain in the amount of industry in that State. The study which was prepared by the University of Michigan was headed by executives of industry in that State, a number of whom I believe the gentleman quoted in his remarks just made says that Michigan's tax climate is not a factor in industry location in our State.

I thank the gentleman from Georgia for yielding me this time.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. No.

Mr. Chairman, I yield back the balance of my time.

Mr. TALLE. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Chairman, the other body has just acted on S. 3883, a bill to block the extension of the east front. Fortunately, this bill was defeated.

This action prompts me to take the floor to get the RECORD straight on some matters relative to this very important subject. Many charges and claims have been made by those in opposition that are untrue.

Some, if not most, of these claims reflect on the integrity of this body and impugn the character of certain Members of this honorable body. Most of these charges have reflected, unfortunately, on one man, the honorable Speaker. As a Member, I resent these charges and implications. They are untrue, unfair, unfortunate, and unwarranted.

To prove this, I will file for the RECORD, some of the charges and claims that can and will be proved false or wrong. These will have proper and adequate documentation.

I should also like to call the attention of the Members of this body to a letter from a distinguished citizen and outstanding architect of my home town which reflects at least some of the thought of dues-paying members of the AIA. Then I should cite the RECORD and call for an apology from those who have had a part in promoting this very unfair anti-east-front campaign.

PARISH & RICHARDSON,
Davenport, Iowa, August 13, 1958.

The Honorable FRED SCHWENGEL,
House Office Building,
Washington, D. C.

DEAR FRED: You may be interested in the attached memo, which is the newsletter published by the American Institute of Architects. This relates the current institute stand on the rebuilding of the east front of the Capitol.

I know you are a historian and probably a traditionalist. If I remember correctly, you were at one time opposed to rebuilding the east front and now favor it.

As one lowly working member of the institute, I'd like to add my voice to those in favor of rebuilding the east front. In spite of the vote taken at the convention, I'm not at all sure that the institute membership as a whole subscribes to the institute's position. I'm afraid that many times institute policy is dictated by groups of people primarily on the east coast who do not reflect the opinion of the membership at large. I'd like to urge you to make up your own mind strictly on the merits of the case and not be influenced by institute opinion and, if I may call it that, institute propaganda.

One other item in the memo is of interest. That is the Keogh bill, H. R. 10. This seems to be a worthwhile piece of legislation and should be passed. I hope you can support it.

Sincerely,

W. L. PARISH.

AIA SHOULD LEARN TO KNOW SPEAKER SAM RAYBURN

Mr. Speaker, it is no secret that I have taken an active interest in the extension of the east front of the Capitol Building. Neither is it a secret that at one time I was opposed to any alteration of this building. I sponsored a bill which would prevent the proposed extension and I made my position known to a great number of interested people.

Because of my deep and abiding interest in this building and its historical significance, I took it upon myself to look into the need for these changes. I made a personal investigation of the structure and convinced myself that because of deterioration over the years, the east front would have to be renovated and repaired. The more that I looked into the proposal to make the necessary changes, the more convinced I became that I had been wrong in my position, and instead of opposing the extension, I should actually support it.

Accordingly on March 31 of this year, I appeared before this body and publicly announced that I had changed my position on this matter and at that time, I explained the reasons for my change of position. I was mildly criticized in some quarters for it, but I feel it is the only course that I could have taken under the circumstances.

Because the criticism still rages, and because much of it stems from a misunderstanding on the part of some of the members of the American Institute of Architects, I feel compelled to take the floor again today and attempt to set the record straight.

There is disagreement among the members of the AIA, and out of this disagreement have grown some charges which question this body in general, and the honorable Speaker of the House of Representatives in particular. I take issue with these charges, not so much because they reflect on me, but more so because I feel that there is a gross misunderstanding about Speaker RAYBURN's role in the extension.

Certain members of the AIA have taken to calling us here in this House and the Members of the other body, a company of "arrogant politicians"—their phrase—and charging us with "vandalism," "mutilation," and "destruction" for proposing as a matter of due legislative process to extend the east front of the Capitol of the United States.

This decision—to extend—was arrived at only after exhaustive hearings in which the AIA was invited and did participate. In fact the decision evolved out of bipartisan political judgments predicated upon the studied thinking and appraisal of many of the Nation's most distinguished—even immortal architects—themselves members of the AIA. The idea to extend the east front has its roots—I should point out at once—in the traditional architectural origins of the Capitol going back to the era of George Washington.

But for the pronouncements of certain influential officers of the AIA against the respected leadership of this House. I would, as the whole country eventually must, dismiss this as a case of misunderstanding.

But, let me be quick to add, there is no reason for any misunderstanding. Since I changed my position on the extension of the east front of the Capitol I have followed the statements and pronouncements of all those who were critical of the change. I was particularly careful to watch for any criticism from the outstanding architects who would have an inherent interest in the building and any plan to change or improve it.

In every instance when a critical statement was made, I asked the author if he had ever visited the Capitol and investigated the need for the extension. In every instance, the answer was "no." When I received such a reply, I invited the gentleman to come to the Capitol, and be my guest while I personnally conducted him on a tour of the area which would be affected by the extension. To this date, I have not had one acceptance to this invitation.

At the recent AIA's national convention in Cleveland there was apparent disagreement among the delegates about the extension. All that this adds up to is that the AIA, which just a year ago celebrated its one hundredth anniversay, and which is the only national organization of the architectural profession in the United States, is today as distinguished and established—and so far as I am concerned, as respected—as it ever was; except that it is now being misguided in its action to denounce Congress and the distinguished Speaker of the House of Representatives.

It is in favor of the AIA as an organization of American architects, and against the small band of dissenters that I direct my few remarks: For the fact nevertheless remains that this smaller group has drawn a determining number of Cleveland convention delegates to their decision in opposition to the extension of the east front of the Capitol. The same misunderstanding still exists and there seems to be no effort to get the true facts.

Members of the House of Representatives, I hesitate myself to be provoked by the intemperate attacks of the AIA official into making rejoinders in kind—although the temptation is inviting and highly justifiable. But this I must say:

There is an element of injustice—even irrelevance—on the part of responsible AIA officials, in singling out Speaker SAM RAYBURN for the brunt of their attack.

They reach out especially for him as if he, the Speaker, were the author-architect of the East Front Extension.

The fact, on the contrary, is that he was—as they well know—merely the instrument of legislative routine, acting within the prescribed orbit of his office, under the compulsion of the lawful demands of his function and in the normal train of our constitutional legislative process.

What these people have done is to focus their abuse dramatically at the Speaker of this House. It is their technique to raise so much noise largely around the Speaker that the disturbance will distract attention from their own disagreement and thus all the blows which they aim to rain upon each other, as architects in controversy, will fall upon SAM RAYBURN, whom they take it upon themselves to characterize as the "historic barbarian." All of us know that our Speaker by the longest stretch of the imagination does not deserve to be the victim of such name calling.

If I seem to be coming to the defense of Speaker RAYBURN for the target of unseemly attack the AIA has made of him, it is not because he is SAM RAYBURN, as because he is the Speaker. In that role he is a symbol of the priceless heritage of this country. I would as soon make myself heard in this wise had the Speaker been the redoubtable leader of my own party in this House, the Honorable JOSEPH W. MARTIN, Jr., of Massachusetts, who has formerly distinguished the Speaker's podium, or, for that matter, any other Speaker or any Member of this House.

SAM RAYBURN, American citizen, has a defense so formidable in the character and integrity of his service to the United States, that it would be presumptuous of me to come forward and seek to defend a personality of his stature, before the epithets they have thrown at him. Especially since their real resentment is not against the Speaker, whom they are using as a decoy, but against the peers of their own profession. These giants in their own field find the architectural opinion of their AIA brethren about the extension of the east front, deficient and unworthy and grossly unaware of the Capitol's historic background and the purposes of the proposed change. Moreover as we in this House so well know, had the charges against the Speaker been made by a Member of this House, that Member would have been required to make the charges good or see them expunged from the RECORD in contempt.

What is the substance of the AIA's charge architecturally, and what is the heart of the AIA's charge against Speaker RAYBURN personally?

Architecturally, the charge is that extension of the east front constitutes a desecration of the Capitol. Personally, the charge against SAM RAYBURN is that—I quote—he sneaked through the legislation for the extension.

Now what makes me tolerant of the AIA position—although not of their manners, their language, or their methods—is that the Speaker, himself, and I, FRED SCHWENGEL, looked askance and were at first sternly opposed to any modification of the superbly beautiful and traditional Thornton-Latrobe-Bulfinch design.

We were on the side of the AIA opposition before we even heard of them.

But our investigations, careful studies, and questionings of the most distinguished architects in America won us over not a RAYBURN or a SCHWENGEL architectural design, but to the very ideas Thornton-Latrobe-Bulfinch themselves had basically in mind when they presented their times and posterity with the magnificent structure to which all of us are devoted and toward which all of us feel such reverence, such respect, and such sensitivity.

This should be made crystal clear. The east front extension is not a 1957 or a 1958 idea; it goes back, so to speak, to the Capitol's inception. It was Thornton, the first Architect of the Capitol—not SAM RAYBURN—I repeat, Thornton, who in the era of George Washington, recommended what it is now proposed to do, to give the Capitol a marble and not a sandstone front. Economy, not beauty of design, determined otherwise at that time. What Thornton had recommended, his successor, Latrobe, urged all over again. It was not RAYBURN, who never made any pretense at more than respect for architectural tradition, but Thomas U. Walter, distinguished architect of his time, who, in the Abraham Lincoln era, officially in his 1863 report pleaded for the extension of the east front. What Walter asked for is precisely what it is now proposed to do except that the current plans, embodying the Walter design, are more nearly tailored to a current amplification of Walter's essential idea, thus taking into account the 95 years or so that have elapsed since Walter's urgings.

What the Congress of the United States under the proposed extension, and Speaker RAYBURN, and myself, as the elected representatives of the people charged with the responsibility, are doing, is the reverse of "vandalism," it is

the prevention of "mutilation," the stoppage to "destruction," the checking of deterioration. We are bringing about in identical or greater fulfillment the architectural integrities and the dream of the originators and the builders of the Capitol. We are giving greater strength, more permanence, more massive solidity, not to our ideas, but to the Thornton-Latrobe-Bulfinch ideas. And in assuring ourselves beyond even the point of reason that this sacred traditional orthodoxy shall not be violated—in spite of some of their own conflicting views—we have called into consultation, or listened to the judgments of the greatest architects of our time. Their qualification to speak is frozen into the stone of the noblest structures that now beautify the American scene. Thus, in essence and in broader concept, the present legislation calls for leaving the old East sandstone walls intact as is. Where possible, they are to remain as interior walls. An exact replica of the present front is to be made in marble extending 32 feet 6 inches beyond the present walls, but still well behind the front of the House and Senate Wings, thus retaining the indentation. Another basic advantage is the provision these changes afford for an additional 100,000 gross feet of space, an acute, a distressing need to the point of hardship.

Now, let me show you how some of the leading architects of our time are in disagreement with the AIA.

Edmund R. Purves, executive director of the American Institute of Architects, testified before a Congressional committee as far back as June 12, 1956, that the AIA's own Washington chapter—the National Capitol Committee, here on the ground and making it its business to be intimately conversant with the facts—favored the extension to which the AIA is now as a body opposed. What the AIA opposes from its remote and absentee position, its own local arm approves. The rift goes that deep to the very heart of the AIA. Moreover, Executive Director Purves himself, who came here to be the mouthpiece of the opposition to the extension, himself favors the extension, he cryptically told the Congress. He all but apologized for having to express the AIA point of view against the extension although he himself was for it. "I wish," he begged when he was pressed "that this were off the record."

But it was not off the record and I repeat it now:

In fact, perhaps to bolster his own opposition to the AIA message he had come to report, Executive Director Purvis himself made this point: I quote—"• • • the records will show that back in the 19th century," he said, "Mr. Thomas Walter, who was then the Architect of the Capitol, and, incidentally, was the president of the American Institute of Architects, advocated the extension of the east front."

Purves who had come to oppose, remained to sponsor.

I fail to see how the AIA can sustain their architectural charges without indicting themselves.

Even less substantive is the other charge that Speaker RAYBURN sneaked through the legislation for the extension. You have just heard me quote from records some of which are at least 2 years old on the legislation under question. Some of the facets of this legislation go back to 1905 and to House Document 385 in the 58th Congress. As a matter of fact extension legislation was passed by the House in 1903 but failed in the Senate. Both Houses over the years: 1935 and 1937 and 1956 and today, have given it close study and consideration from every angle of approach. A review of this legislative consideration would take reams of fine print.

Yet the AIA says: "Sneaked through."

But the best evidence of the rank absurdity of the charge that Speaker RAYBURN sneaked through this legislation is the membership of the Commission charged with the direction of all work in connection with this project, including the preparation of plans and the letting of contracts. This Commission is composed of: The President of the Senate, or Vice President NIXON; the Speaker of the House of Representatives; the minority leader of the Senate, or Senator WILLIAM E. KNOWLAND; the minority leader of the House of Representatives, or JOSEPH W. MARTIN, JR., and the Architect of the Capitol.

I ask: Are we to believe, is the country to believe, indeed, does the AIA believe that Speaker RAYBURN sneaked through legislation unbeknownst to such colleagues of his on the Commission as former Speaker JOSEPH W. MARTIN, Senator KNOWLAND, and Vice President NIXON?

How wrong can they be?

Above all I should like to make it as emphatic as I may that my deepest feelings in all of this is less to scold and more to seek conciliation. I cannot be persuaded that the architects of the United States, as a society, want or need to be drawn into a controversy that puts the AIA into the same stall with the outdated ward politics of two generations ago. It was a mistake of some group in the AIA to have it go out under their sanction that the very American, who more than any other American in history, has repeatedly won the highest order of applause and commendation from this House—the speakership—is an arrogant politician. They speak of the man who is third removed from the Presidency. The Speaker acted on the advice of architects, the advice of the professionals, when he backed the extension. And the advice, indeed, came right out of the fellows and members of the AIA itself.

When the AIA shouts "historic barbarian" do they mean such advocates of extension as: Carrere & Hastings? Do they mean Bacon, or Cass Gilbert, or McKin, Mead, & White? I ask: Who are the historic barbarians they speak of?

Such architects as Platt, Coolidge, Pope, York & Sawyer, Zantzinger, Wyeth, Sullivan, Cunningham, have advocated extension.

Are they historic barbarians?

Others named among the advocates are: Totten, Hirons, Howells, Swartwout, Magonigle, Delano, Eggers, and James Kellum Smith.

Among those I have named are the immortals of American architecture.

But when the AIA seeks to stamp the onus of architectural ignorance on the advocates of extension, they by-pass the greatest architectural names in their midst, and pretend that Speaker RAYBURN is their villain.

Is this the style of a society so distinguished as the AIA?

The advocates favoring extension gave this Nation such architectural masterpieces as the Lincoln Memorial, Constitution Hall, the Red Cross Building, the Department of Justice Building, the Supreme Court. It is they who designed the Archives Building, the Jefferson Memorial, the National Gallery of Art, the Senate and House Office Buildings. The Freer Art Gallery is theirs. They gave to the beauty of America such structures as the Philadelphia Museum of Art, the Panhellenic Tower, Liberty Memorial in Kansas City and the McKinley National Memorial in Ohio. Their work glamorizes Maine and Missouri, New Haven, and even cities abroad.

Of course if there are architects who disagree with their views they should be heard. Of course if there are architects in the AIA or anywhere who feel that the Capitol building should forever remain as it now stands without the change of so much as a single stone or a single paint brush they have a right to their opinion and perhaps even a duty to give voice to their convictions. That is not what is under challenge. What is under challenge is the strange business of singling out a Member of this body, the Speaker of this House for attack when what they really mean to attack is each other.

The AIA has committed a grave fault and I cannot believe that they mean not to repair the damage they have done. I spoke of conciliation. I urge the AIA formally, by written message and through a committee, to bravely confess its error. I suggest that they seek admission to Speaker SAM RAYBURN, and respectfully apologize. They may then resume if they like, in the manner of a distinguished professional society, to oppose the extension of the east front. It is on this plane of gentlemanly controversy that I, for one, should like to see questions that are in dispute among us, resolved. But before the AIA can earn itself a respectful hearing before the people of the United States it must first establish its recently lost self-respect.

This it can only do by a decent and sincere apology to Speaker SAM RAYBURN, of the House of Representatives of the United States.

Mr. TALLE. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. DEROUNIAN].

Mr. DEROUNIAN. Mr. Chairman, I would like to point out that today we have another bit of contradiction. We know that the TVA has enticed industry away from the North down to the South. The bill before us today wants to entice industry back over the line to the North. Now, this to me is enticement by Government at the expense of the taxpayer. He is caught in a bureaucratic crossfire and he has to pay for it. The present bill is inconsistent and it is not good for the country.

Mr. BROWN of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, despite the fact that I come from the heart of the coalfields in the largest bituminous coal producing section of the Nation, my colleagues are going to be somewhat surprised to find today that I am pleading for this legislation on the ground of the agricultural interests involved. Some 2 years ago when this legislation was first proposed and was approved in the other body and reported to the House a day or two before adjournment and no action was taken at that time our State of West Virginia took advantage of the legislation already on the statute books known as the agricultural development legislation and our State university and the extension department of our State university, which is under the administration of the Federal Department of Agriculture designated certain points, agricultural points, within the State of West Virginia or areas, for special treatment. They were called pilot areas. The first one to be set up was in the valley of the Little Kanawha River. It is strictly an agricultural area and has no industries and is not involved with industries or anything of the kind. The second one of these pilot areas that was set up in West Virginia is the largest glass-producing section in the State of West Virginia in the Monongahela River Valley where we have a great deal of unemployment. The third was down in the southern part of the State and involves an area that is partly agricultural and partly mining. Let me say to you in developing these pilot areas, there are three counties in each group. The necessary committees were set up and those committees were represented by the agricultural people and they had on the committee membership, members of the Chamber of Commerce, the transportaiton groups and the different service clubs, the labor groups, and the ministerial association. In fact, everybody participated. I just wanted to call the attention of my colleagues to one of the reports which comes from this area of the Fayette, Raleigh, and Summerlee section of the State of West Virginia. Here is what those 15 separate committees that were set up to make a survey reported. Let me call your attention to some of the things on which they reported: The first is a lamb pool; the second is a livestock show; the third is wool production; fourth, is model livestock farms; fifth, forestry demonstration; sixth, a complete dairy program; seventh, the purchase and establishment of canneries; a feeder calf program; arrangement for field days; an agricultural stabilization program. And also programs of marketing, poultry, sheep production, credit and loans, country life programs, and cooperatives.

This report is made by people who are ready to take over whenever the Government makes some provision for financing. They have the program ready out there and they have all the information and there should be no delay in putting a program into operation immediately.

What was the trouble? There were no local finances available to carry out these programs. So they said, "We will just have to wait until we have implemented the industrial part of this picture so that we can hope to bring some relief to these agricultural areas through the establishment of some industry, a small-type industry."

Let me say to you, Mr. Chairman, that these people have not been asleep even though the Congress of the United States has been asleep.

This particular area on the map is only a short distance from the huge Kaiser aluminum plant. The people here, to meet this situation have raised $25,000 in local funds. The county court donated them one-third of the county infirmary farm for a factory site, and we have interested this concern over here in establishing an aluminum processing plant there.

But people cannot continue to raise $25,000 for every small factory they expect to bring in; therefore, they must have some Federal financing, some Federal loan plan to aid them.

Forget about West Virginia's hunger in the mines. We could put up an argument on that which would last all day, but I am interested also in this agricultural part of the program, because it is necessary to bring the two programs together to make a success out of it. There must be cooperation between the people in industry and the people on the farm.

Mr. TALLE. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, I appreciate very much the opportunity which has been given me to participate in the debate on S. 3683—the so-called Douglas-Payne bill.

In the discussion on the rule I informed you that the anthracite coal region of Pennsylvania is one that has been plagued or beset with problems for many years and that the number of jobs in my district has been lessening.

Anthracite mining at one time was a flourishing industry and up until World War I it was our principal industry.

As a matter of fact in 1919 a peak of 100 million tons of anthracite coal was mined with approximately 170,000 mineworkers.

However, that tonnage has shrunk over the years, and now we find that last year there were but twenty-five to thirty million tons of anthracite mined with some thirty or thirty-five thousand workmen.

Consequently our population has also decreased over 40,000 in my District since the 1940 census.

Now you will ask, What have you people been doing about this condition?

Well, we have been doing various things.

First and foremost, we have been trying to aid our basic industry—anthracite mining—especially since I became the Representative of the 12th Congressional District of Pennsylvania.

We of course are familiar with the causes of all these decreases. In fact, the Federal Government itself knows full well the condition in which our area finds itself. Over the years—since 1939—I have brought to the attention of Congress and to our previous administrations, as well as the present administration, the economic plight of the anthracite industry and the people dependent upon it for a livelihood.

On December 19, 1941, Public Law 355 of the 77th Congress was approved. It was a joint resolution creating a Commission To Investigate Ways and Means for Improving Economic Conditions in the Anthracite Coal Producing Regions of the United States.

That Commission was composed of 7 members—2 from the Senate appointed by the President of the Senate, 2 from the House of Representatives appointed by the Speaker of the House, and 3 individuals appointed by President Roosevelt—one from the National Resources Planning Board, one from the Interstate Commerce Commission and one from the United States Bureau of Mines.

That Commission was composed of Senators Joseph F. Guffey and James J. Davis of Pennsylvania; Representatives of the House Patrick J. Boland, chairman, and Ivor D. Fenton, both of Pennsylvania; Interstate Commerce Commission, Ernest I. Lewis; National Resources Planning Board, Ralph J. Watkins; Bureau of Mines, R. R. Sayers, Secretary.

On April 2, 1942 the Commission sent letters of transmittal to the President, the Speaker of the House of Representatives, and the President of the Senate together with their recommendations both for (a) immediate improvements and (b) long-term improvements.

In the report to President Roosevelt certain salient facts were drawn to his attention, namely:

The anthracite industry has suffered continued depression despite unprecedented industrial activity of the country generally.

The chief manufacturing activity in the area has been the silk and rayon goods. This industry was dealt a crippling blow by the war emergency.

No Government financed war plants have been located in the anthracite-producing counties, and no major Government supply contracts have been placed there. We believe that, in the application of the strategic-zone rule, inadequate weight has been given to the fact that the anthracite area is well protected on all sides by mountains and is at all points more than 100 miles from the Atlantic coast.

The anthracite area has, through its vocational-training programs, trained thousands of workers in war occupations, but these workers have been forced to seek jobs in war plants outside the area, despite the congestion in those areas and despite the increasingly serious problems of transportation because of the rubber shortage.

The anthracite area has almost 500,000 families on relief and many thousands on part-time or substandard jobs. In addition to idle manpower, the area has underutilized housing and community facilities at a time when manpower and critical materials are being diverted from war production to build such facilities in the congested centers of industry.

Under-utilization of the resources of the area becomes increasingly evident as the Nation approaches exhaustion of its reserve productive capacity in an effort to meet the war objectives. It seems to us that the productive power of more than a million people

in the midst of the chief manufacturing section of the country should not be neglected—when in so many areas overcrowding and labor shortages deter the expansion of war production. Accordingly, we urge your thoughtful consideration of the attached recommendations, in which all members of the Commission concur, and particularly of the suggestions relating to the war program.

There are attached copies of our transmittal letters to the Speaker of the House of Representatives and the President of the Senate.

FEDERAL ANTHRACITE COAL COMMISSION.
PATRICK J. BOLAND,
Chairman.
JOSEPH F. GUFFEY.
ERNEST I. LEWIS.
RALPH J. WATKINS.
JAMES J. DAVIS.
IVOR D. FENTON.
R. R. SAYERS,
Secretary.

Mr. Speaker, the recommendations by that Commission were, as I said before, (a) for immediate improvement and (b) for long-term improvement.

For immediate improvement the investigation has shown that the anthracite area has substantial possibilities for industrial expansion. The most noteworthy advantages of the area consist of unused manpower, with mechanical aptitude and industrious habits, a reserve of community facilities, including housing, and accessibility both to sources of industrial material and to end-product plants and markets.

It was strongly recommended that the Government give careful consideration to the suitability of the area for the location of necessary war plants, particularly those for the production of aluminum, zinc, synthetic ammonia, explosives, castings, forgings, armor plate, machine parts, aircraft parts, tank parts, and ammunition.

I am indeed happy to say that from that one recommendation, as far as my particular district is concerned, an aluminum extrusion plant was erected at Cressona, Pa. which was a godsend to our area. It has since been purchased by the Aluminum Company of America and is one of our chief employers of fine workmen.

In Northumberland County, at Riverside, the Government also erected a chemical plant—now occupied by Merck & Co.

In accordance with another recommendation of the Commission to maintain our vocational training programs, particularly in the metal working industries, thousands of our men from my district left their homes for work in Philadelphia, in the shipyards in Chester, in Camden, in New York, and Connecticut where our war factories were concentrated in the East.

Another recommendation for immediate improvement was that in order to reduce mining hazards and pumping costs and to prevent loss of large reserves of coal, comprehensive surveys for mine flooding, plans for drainage tunnels, and for prevention of inflow should be pressed to completion.

I am also glad to say that a mine drainage survey was made and completed and from it stemmed, after many years of endeavor, Public Law 162 of the 84th Congress which authorizes the Federal Government to appropriate $8,500,000 to match a similar amount from the State of Pennsylvania to dewater mines for health and safety purposes and to conserve one of the Nation's greatest resources—Pennsylvania's anthracite mines. This program is now going on but it has not reduced our unemployment to any degree at all. It was the thought of those who originated the program that we could probably have work for 1,500 to 2,500 men.

In line with the conservation of our coal reserves Public Law 738 of the 83d Congress which authorizes Federal funds to the Bureau of Mines to fight mine fires was enacted. This act alone has already saved over 250 million tons of coal throughout the country.

Other recommendations made for immediate improvements such as development of stokers have been carried out by the industry. As a matter of fact this was long overdue and we hope that as long as we have anthracite that the industry will not cease to do research on the utilization of coal.

FOR LONG-TERM IMPROVEMENT

Our Commission recommended that an Anthracite Research Station should be established by the Federal Government under the Bureau of Mines to be located in the anthracite area, not only to develop and investigate new and extended uses for anthracite, but also as a center of organization for the study of mining methods, for the mine water survey, and for the engineering organizations concerned with the industrial development of the area. It could assist materially in the health problems in anthracite mining and in the solution of the acid and silt problems in mine waters. It would also help to coordinate the activities of the Pennsylvania State and local agencies with those of the Federal Government.

Mr. Speaker, long before that recommendation was made I had introduced a bill for the construction of a Laboratory or Research Station for Anthracite during the 76th Congress and it was finally adopted. The laboratory, established at Schuylkill Haven, Pa., following the war is now a reality and my hope is that there will emerge from that institution outstanding results.

Another long-term proposal is that the Allegheny Forest Experiment Station operated by the Federal Government should be given adequate support to expedite completion of its economic survey of the anthracite forest region with a view to the adoption of a vigorous program of reforestation.

Mr. Speaker, while not a great deal ever came from this proposal, I am now in possession of a report of a survey from the Forest Service of the Agriculture Department regarding reforestation in Northumberland and Schuylkill Counties and which I hope can be utilized in our efforts to strengthen our economy.

Mr. Speaker, those are a few of the things we have attempted to do from a legislative standpoint in helping our anthracite industry.

Now, while we have been trying to assist our basic industry, as related above, by attempting to stabilize the industry, this same Government of ours has been permitting the influx of residual oil on the eastern seaboard, which displaces many millions of tons of coal each year. I understand that such importations displace some 40 or 45 million tons of coal annually—both anthracite and bituminous coal.

In addition to the influx of foreign waste oil, we have been hurt by the Big and Little Inch pipelines built by the Government in the war effort. We had no complaint to make when these pipelines were built because of the necessity to aid in winning the war. We did not intend to have them later used by private enterprise in competition and injury to the coal industry.

We objected strenuously to their being sold to the oil and gas industries after the war because we knew it would hurt our anthracite markets. It did hurt us very severely and the Government did assist the oil and gas industries by so doing.

Mr. Speaker, this great Government of ours—and it is the greatest in the world—has seen to it that other great areas of our country have been rehabilitated and their economies increased by so doing—even though it has caused some dislocations in our own coal-mining areas. I will not take the time of the House to dwell on these particular areas at this time, but they have left their scars, nevertheless, in our area.

Now what have the people of the anthracite area done to help themselves?

Well, while we have been trying to stay the continued onslaught of unemployment by helping to stabilize our anthracite mining industry, our people and our communities have been doing a splendid job in organizing in various ways, and indeed have succeeded in securing new plants in many of our communities and also expanding plants already there.

Our people want to work, as is evidenced by the fact that thousands of them travel over 100 miles each day in commuting back and forth to work. Others are compelled to leave their families for the week and return home on weekends.

President Eisenhower very correctly said in a speech that in his opinion, "America does not prosper unless all Americans prosper."

The President is greatly concerned about unemployment and especially chronic unemployment, and is trying to do something about it.

At the present time the unemployment figure for my District in Pennsylvania is 22,500. In Schuylkill County we have 16,200 unemployed, and in Northumberland 6,350. This means in Schuylkill County alone 20.6 percent are unemployed.

In addition to the Douglas-Payne bill, S. 3683, many bills have been introduced by both political parties in the 84th and 85th Congresses.

In the House, along with others I introduced the administration bill on February 28, 1957. My particular bill is H. R. 5468.

I appreciate the fact that the Rules Committee has granted us a rule on S. 3683 that is an open rule and provides for 2 hours general debate.

I have tried to show you that the anthracite area at least, is chronically effected. We are still struggling to get out of it and it is my hope that we can get a bill out that will be satisfactory to all.

I mentioned before the Rules Committee and again in the debate today on the rule that I am for a bill which would have for its objective the rehabilitation of areas of severe chronic unemployment. I want a bill that will become law and that will meet with the President's approval.

I believe I have given you a true picture of the situation in the anthracite area and particularly in my District.

In spite of the several legislative aids which I enumerated and the wonderful job done by our various communities (and they are continuing their efforts in this respect) in which they have built plants and expanded and remodeled others they have reached the end of their own resources. They now look for Federal assistance.

Rather than have no bill at all and to meet the requirements of the administration, if we are to get any assistance for real chronic areas of unemployment I would ask that we substitute for S. 3683 the administration bill which is the same as the bill I introduced February 28, 1957, H. R. 5468.

Mr. BROWN of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, for some time I have been working to alleviate and aid the plight of the unemployed in my district. Therefore, I have a vital interest in this legislation because I believe that it will be helpful in offsetting the chronic unemployment in surplus labor areas not only in my District, but in other parts of the country.

In my Congressional District in Pennsylvania, we have a chronic unemployment problem. It has increased sharply during the past years. The increase in unemployment may be attributed in part to the decline of the coal industry of which a large portion of my District is concerned. Mines have been closed down due to the depletion of coal deposits, and due to the reduction of manpower required in mining coal through technological improvements. Competition from low-grade fuel oil for industrial and transportation use has also been responsible for the reduction in demand for soft coal. In the bituminous fields of central and southwestern Pennsylvania employment of miners has dropped steadily since 1950. We also have some steel mills, but many hundreds of men who worked in the steel mills have lost their jobs because of automation.

Recent figures from the Bureau of Employment Security in Harrisburg indicate that in Greene County in my Congressional District, 15.67 percent of the labor force is unemployed; in Washington County 15.1 percent is unemployed; and in Fayette County 27.8 percent is unemployed.

In the Uniontown-Connellsville area in Fayette County, which communities are eligible for aid under this bill, the average unemployment rate in 1953 was 12 percent. In 1954 the rate increased to 23 percent; in 1955 the rate was 21 percent and was the highest individual rate of unemployment in the State of Pennsylvania. In 1956, the unemployment rate was 13 percent; in 1957, 15 percent; and as of March 1958, it was 26 percent. The decline of bituminous coal mining and the gradual supplanting of the beehive-coke industry by more economical by-product coke have added to the unemployment in this area.

What happens in communities like these where there is excessive and chronic unemployment? Some of them become ghost towns. The people have no choice but to move to some other place or State in the hope of finding a more lucrative field of employment. In many and most instances, however, the people own their own homes or are buying their homes. They love their community. That is where they have their roots and they want to stay there so long as they have any chance at all of making a go of it. Many of these people will drive 75 or 100 miles to find employment and many travel this distance back and forth every day just so that they will be able to bring a paycheck back to the family.

Anyone who has seen a community affected by chronic unemployment knows how it stifles the economic life of the entire community. When this unemployment persists through months and in many cases years, families of jobless workers use up their savings and exhaust their entitlement to unemployment compensation and other benefits designed to serve as stopgap-short-run economic cushions. Because the economic life of many of our communities is based on a single dominant industry, it is exceptionally difficult for those out of work to find jobs in the area.

Economic revival is dependent upon creating a new base and nuclei for growth and expansion of employment. Through technical assistance and retraining facilities we can breathe new life into these communities.

Valiant efforts are being made to rehabilitate our depressed areas by local groups which are engaged in development activities, industry promotion campaigns, fund raising campaigns, and plant building programs. I have the highest of praise for them. It is evident, however, that State and local activities are not sufficient. Federal cooperation and support, such as provided under this bill are needed to supplement the efforts of State and local communities.

Mr. Chairman, we do not want handouts. We do want the prospect of work, of new jobs, and new industries, which in itself will bring about a more healthy community life and a fuller utilization and development of our human resources. I believe this bill goes direct to the problem and holds real promise of practical and effective assistance. It has my wholehearted support and I hope sincerely that the bill will pass.

Mr. BROWN of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. RHODES].

Mr. RHODES of Pennsylvania. Mr. Chairman, S. 3683, the Area Redevelopment Act is sound bipartisan legislation to provide the type of economic assistance program needed to solve the problems of chronic unemployment and severe economic distress which plague communities in every part of the country. Action on this legislation is long overdue. It deserves the support of every Member who is concerned with our Nation's economic stability and the well-being of our people.

Pennsylvania has been particularly hard hit by the economic recession. Our State has had more pockets of unemployment, in good times and bad, than any other State in the country. Eighteen labor areas in Pennsylvania have had 6 percent or more unemployed in at least 18 of the past 24 months. The coal mining industry has been a major cause of chronic economic distress for many years. The steel industry is always among the first to be affected by an economic downturn. The textile and hosiery industries have seriously declined during the past decade.

Gov. George Leader of Pennsylvania testified before the House Banking and Currency Committee last April on this legislation. He strongly supported the objectives of S. 3683 and outlined the steps being taken by our State to meet this critical problem. Pennsylvania has established an industrial development authority, making available second mortgage loans to encourage the influx of new and diversified types of industry. Industrial development groups have been established in many communities to bring in new industry. Pennsylvania is also assisting its municipalities with urban redevelopment programs, planning grants, and public works programs.

But Pennsylvania's experience, like that of many other States, has shown that regardless of the magnitude of the effort to solve this problem of economically depressed areas, high levels of unemployment have persisted. It is obvious that in a highly integrated national economy such as ours the economic policies of the Federal Government are a major overriding factor in the economic vitality of any labor market area in the Nation.

The Federal Government therefore has a direct responsibility in assisting its citizens at the State and local levels of government in the joint effort to solve this problem which is growing in scope and severity. Chronic unemployment is not an overnight development but a gradual deterioration of the economies of many communities. These pockets of unemployment are danger signals, warning us of basic weaknesses in our industrial machine. We can no longer afford to overlook or minimize their importance. Idle men and idle machines are a waste of human and productive capacities. If our Nation is to continue its economic growth and meet the challenge of the Soviet system throughout the world, we must utilize to the utmost all of our available skill and resources.

Mr. Chairman, this legislation has been referred to as "an American point 4 program." I say that it is about time that we take positive action to meet this critical problem. S. 3683 will help these distressed areas to help themselves again achieve a high level of productivity, employment, and a higher standard of living. It would provide Federal loans for industrial projects at reasonable rates of interest; it would authorize grants to assist redevelopment areas in providing needed public utility services for new plants; it would authorize technical assistance to depressed areas in planning their redevelopment programs; it would expedite urban renewal and planning assistance to communities of substantial and persistent unemployment; and, finally it provides assistance for the retraining of workers who have been displaced by technological changes in an industry, so that they may find employment in new industries located in the community.

Mr. Chairman, S. 3683 is a sound and logical approach to the problems of these areas of economic distress. It is a legitimate implementation of the Employment Act of 1946, which sets forth the basic responsibility of the Federal Government "to promote maximum employment, production, and purchasing power."

The Area Redevelopment Act would do much more than to increase the productive capacity, earning power, and living standards of the millions of Americans directly benefited. It would also provide a powerful stimulant to many other segments of our economy.

I urge the passage of S. 3683 without further delay.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, President Abraham Lincoln, the man who was the first President of the Republican Party made the statement, "That it is the obligation and the duty of Government to do those things for the people which they cannot do for themselves or do so well for themselves." Since 1954 I and many other Members of the House have been attempting to bring to the floor of the House of Representatives a bill in which the Government will assist some of our American citizens who happen to reside in communities that are classified as distressed areas. I am happy to support this piece of legislation. To me, the issue involved here is a moral issue—whether or not the Congress of the United States is going to recognize the plight of some of the citizens of this country who are in this condition through no fault of their own, and who have done everything within their power to help themselves.

I was amused by some of the comments that were made during the discussion on the rule, that this is a socialistic measure. Let us look at some of the men who are supporting this bill. The gentleman from Pennsylvania, Dr. FENTON, who just preceded me, has served in this House for 20 years. He served honorably in the First World War and was awarded the Silver Star for bravery. The Honorable JAMES E. VAN ZANDT has served in this House for 18 years, served in two world wars, is at the present time a captain in the United States Naval Reserves and the head of the Reserve unit on the Hill. He has served 3 times as National Commander of the Veterans of Foreign Wars, the only man in the history of that organization that ever served for 3 terms. A fine type of socialist that they are pointing to now. If that is socialism, then that is the kind of socialism that I am satisfied the people of this country want. I picked these two veteran Republicans out, but you can also find them on the other side as well. WRIGHT PATMAN, the distinguished gentleman from Texas, who is known to have at heart the interests of the American people; BROOKS HAYS, lay head of the Baptist Church in the United States. If men of that caliber are in favor of this legislation, in order to give a lift to the citizens of this country who have done everything that they can for themselves and now turn to their Government for help, I am in favor of it, and I think every Member of the House should be for it also.

Mr. CANFIELD. Mr. Chairman, if the gentleman will yield, why is the gentleman himself so modest?

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. MULTER. Just to mention a few other socialists who support this measure, Governor Knight of California, Mayor Miriana of Detroit, and any number of others I could list, Democrats and Republicans alike, Governors of States, mayors of cities, all of whom support this measure.

Mr. SAYLOR. This cuts across party lines, and I agree with the gentleman. This measure has the support of leaders in all branches of government both at the local, State, and national level.

For several years, I have been advocating enactment of area redevelopment legislation. I have contended that such action is a necessary step toward achieving economic stabilization on a country-wide basis. It would serve to bridge the gaps and crevices which inevitably occur along the road to economic progress in a highly industrialized society.

The bill we are considering today will benefit my Congressional District, and other surplus labor areas throughout this Nation. It calls for a Federal program designed to assist in maintaining a high level of prosperity and employment. It provides for the planning and construction of useful public facilities, not only to mitigate substantial unemployment, but to provide permanent capital improvements of a nature which will strengthen the national economy and increase the well-being of all citizens.

As a firm advocate of the free economic system, unfettered by Government restraints and devoid of Federal invasions into fields of business, I feel this program is especially necessary in a period of international uncertainty, for it would help to maintain the industrial flexibility required for a sound defense structure. It is additionally essential in an era of rapid technological advance in which local employment conditions are subject to sudden disruptions with extended applications of automatic devices. In brief, it appears that this legislation would tend to allay whatever fear might otherwise seize working men and women when automation threatens to dispense with their jobs.

The need for depressed area legislation has been proved conclusively, as evidenced by the hearings conducted by the House and Senate Banking and Currency Committees, the various bills introduced by colleagues, and the vigorous support given by them, the press, and State officials. It is a well-known fact that many communities in the United States have not shared in the economic growth and prosperity that have prevailed throughout the country, and the Federal Government shares the responsibility of alleviating the economic distress in these areas.

During the 83d, 84th, and 85th Congresses, I have introduced bills on area redevelopment legislation and vigorously supported their enactment. Since we have millions and millions of dollars to set up aid and assistance to all countries in the world, I contend that at least equal consideration should be given to the American worker in his request for legislation that would give him steady employment and enable him to pay his own way over a mighty bumpy economic highway.

Area redevelopment legislation is essential to prevent unnecessary waste of human resources. It is a deterrent to distasteful dependence upon direct aid, which is a more expensive and totally extravagant substitute. And it has invaluable psychological value, for it gives our working people a feeling of security otherwise wanting in these times.

Mr. Chairman, while extensive and sustained efforts on the part of many communities to make a comeback have been proven, the persistence of depressed conditions has often tended to sap the vitality of many communities, retarding local efforts to rehabilitate their industry.

Many towns are so-called one-industry, and economic revival is dependent upon creating a new base and nuclei for growth and expansion in employment. Our Nation will be less subject to the extremes of business cycles if distressed areas are revitalized as they appear. Federal assistance is necessary to help put communities back on their feet. Given appropriate guidance and financing, as in this bill, State and local redevelopment groups can be expected to create new opportunities for the revitalization of their areas.

Mr. Chairman, I support this measure and urge that it be passed.

Mr. TALLE. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT]

Mr. VAN ZANDT. Mr. Chairman, a special task force for the Rockefeller Brothers Fund recently made public a 2-year study on the rehabilitation of economically distressed areas and segments of the population. In reading the report, I was greatly impressed by it and especially this quotation: "The Nation is paying a high price for its depressed areas in terms of human wastage."

Mr. Chairman, my State of Pennsylvania has its share of this human wastage. To be frank, we have more than any other State in the Union since out of the 89 substantial labor-surplus areas in the Nation, 10 of them are located in the Keystone State. In addition, 9 of the 182 smaller labor-surplus areas are located in Pennsylvania.

These figures definitely prove that from an economic standpoint Pennsylvania is paying dearly today in terms of unemployment which, translated by the Rockefeller Brothers Fund reports, means human wastage.

As the Representative of the 20th Congressional District of Pennsylvania comprised of Blair, Centre, and Clearfield Counties, I have firsthand knowledge of the evils of unemployment and so-called human wastage, because for years two of my labor force areas have been classified by the United States Department of Labor as chronic labor-surplus areas.

At the moment, out of a labor force of approximately 91,000, nearly 15,000 or 16 percent are unemployed. Incidentally, we have had in recent months as high as 20 percent unemployment in these areas.

Mr. Chairman, the chronic unemployment that exists in my Congressional District had its beginning following World War II and has been constant with the exception of a short period during the Korean war. The unemployment results from depressed conditions in two basic industries; namely, bituminous coal and railroading. Naturally, related industries such as brick yards, machine shops, etc. are likewise affected.

The depressed conditions that I have mentioned result principally from substitute fuels such as foreign residual oil from Venezuela which have just about destroyed our eastern seaboard coal market. Then also, the loss of this coal as freight and the conversion of locomotive power from steam to diesel power, together with other technological developments in the railroad industry are contributing factors.

During the past several years I have called attention at various times to the depressed conditions in the coal and railroad industries and cited the underlying reasons for the chronic unemployment that has resulted from the distressing situation.

It is significant to state that my views have been confirmed by the House Committee on Banking and Currency. H. R. 2099 which accompanies S. 3683 specifically mentions my hometown of Altoona, Pa., as being adversely affected by "technological change" which is listed among the various contributing factors to chronic unemployment in labor surplus areas. The report states:

> The key to the increasing prosperity of the American economy has been productivity, which in turn stems from technological progress. The economy as a whole benefits from such technological change, but some of the workers displaced by innovations or technological shifts are not readily reabsorbed into the ranks of the employed.
>
> One community thus affected is Altoona, Pa. Until recently, Altoona was the largest steam locomotive repair center in the United States. The rapid dieselization of railways since the end of World War II has changed the pattern of skills required by locomotive repairmen. A large number of fairly specialized mechanics were formerly employed in Altoona in the repair shops. But as railroads switched from steam to diesel locomotives, their skills were no longer required. Diesel locomotives are not repaired by the same type of mechanic, nor in the same place, as the older steam locomotives.

The House report adds that "technological change has also contributed to the displacement of coal miners." In commenting on "shifts in demand" from coal to gas and oil, the House report states:

> Although technological change has contributed to the decline in coal mining by reducing employment per ton of output, an even more important cause has been a shift in demand from coal to oil on the railroads, in industry, and in homes. The declining consumption of coal has had secondary effects • • • for example where railroad manpower requirements have been severely curtailed due to the reduced shipments of coal.

To be a little more specific, in the central Pennsylvania area, which comprises several Congressional Districts, the production of bituminous coal has been on the decline since 1948. For example, 58 million tons were produced in 1948 as compared with 36 million tons in 1957 or a loss in production of 48 percent. In manpower, in 1948 these mines employed nearly 49,000 miners while in 1957 the number employed was approximately 23,000, a decrease of 54 percent. In other words, 26,000 coal miners lost their jobs.

In all fairness, the loss of coal production and jobs cannot be wholly charged to foreign residual oil because when the railroads shifted from steam to diesel power and homeowners converted to oil and gas, these changes were reflected in the total loss of coal production and manpower.

In addition to the loss of production and jobs in the coal industry, let me cite some figures concerning the unemployment situation at Altoona, Pa., where we have the largest railroad shops in the world.

As the following chart will show, from a peak employment of 14,361 in 1951 in the Pennsylvania Railroad shops at Altoona, the number has decreased to the point that as of August 1, 1958, there were only 2,500 employed or a reduction of 11,861 jobs.

Altoona, Pa., Pennsylvania RR. Works, number of employees (active) as of 15th of month

	1950	1951	1952	1953	1954	1955	1956	1957	1958
January	10,724	14,170	11,129	10,579	8,000	5,307	9,359	7,987	6,539
February	10,358	14,361	11,003	10,603	5,995	5,487	9,231	7,987	5,812
March	10,994	14,187	10,951	10,075	5,007	5,525	8,885	7,988	4,837
April	11,160	14,072	10,880	10,080	4,580	6,171	8,161	6,984	4,456
May	11,155	13,701	10,523	10,032	4,765	6,798	8,161	7,077	4,355
June	11,975	10,748	4,521	9,924	4,750	7,226	8,408	6,583	4,259
July	12,550	10,592	1,954	9,923	4,750	7,903	5,328	6,579	2,564
August	13,191	10,967	5,820	9,918	4,831	8,184	5,369	6,746	2,500
September	13,509	11,458	9,698	9,860	4,831	8,905	6,982	6,869	-------
October	13,871	11,551	10,412	9,814	5,104	8,973	7,577	6,695	-------
November	14,011	11,624	10,418	9,758	5,280	9,320	7,850	6,483	-------
December	14,046	11,152	10,545	8,140	5,179	9,358	7,850	6,458	-------

In addition to the loss of these jobs in the Pennsylvania Railroad shops, several thousand jobs have been abolished in the operating divisions of the Pennsylvania Railroad in the Altoona area.

Therefore, it is proper to say that in the railroad field alone in the Altoona area there has been a loss of some 14,000 jobs.

In mentioning this loss of jobs, as can be expected, many unemployed railroaders in the Altoona area as well as coal miners, have been forced to seek employment elsewhere. Therefore, as I said in the beginning of my statement, the overall unemployment at this time in my Congressional District is approximately 15,000.

It is interesting to note from the following chart that nearly 18 percent of the population of my Congressional District are living on surplus commodities. Among this large group are many of the unemployed who have exhausted their eligibility for unemployment benefits.

Surplus commodities

County	December 1956		June 1957		December 1957		February 1958		March 1958		April 1958		May 1958		June 1958	
	Recipients	Percent	Recipients	Percent	Recipients	Percent	Recipients	Percent	Recipients	Percent	Recipients	Percent	Recipients	Percent	Recipients	Percent
Blair	16,602	12	15,454	11	15,751	11	18,400	13.2	22,222	15.9	22,651	16.6	25,422	------	27,652	------
Centre	6,536	10	6,230	10	5,661	9	6,537	9.4	6,537	9.9	6,536	9.9	7,072	------	7,804	------
Clearfield	14,100	16	12,277	16	12,284	14	17,820	20.0	16,859	19.6	19,520	24.6	16,750	------	17,584	------
Total	37,247		33,170		33,696		42,457		45,618		48,707		49,244		52,940	
1950 census		12.8		12.1		11.6		14.6		15.1		17.3		16.8		18.0

NOTE.—The above figures represent the total recipients of surplus commodities and are comprised of public assistance cases, the unemployed, pensioners, and persons whose income is inadequate to meet the minimum requirements of need as established by the income scale of the Pennsylvania Department of Public Assistance.

Mr. Chairman, this unemployment in my Congressional District is chronic and not seasonal. It has plagued us for years despite our determined efforts to rehabilitate our economy through diversification of our industrial life.

The following chart covering a period from July 1956 to July 1958 shows very definitely that while the rest of the country has been enjoying prosperity the two labor areas in my Congressional District—namely, Altoona and Clearfield-Du Bois—have been the victims of chronic unemployment.

Unemployment and labor force data—State of Pennsylvania and selected labor market areas

Date	State of Pennsylvania			Altoona [1]			Clearfield-Du Bois [2]			Bellefonte-State College		
	Labor force	Unemployment	Ratio unemployment to labor force	Labor force	Unemployment	Ratio unemployment to labor force	Labor force	Unemployment	Ratio unemployment to labor force	Labor force	Unemployment	Ratio unemployment to labor force
			Percent			*Percent*			*Percent*			*Percent*
July 1958	4,720,000	517,000	10.9	54,000	9,800	18.1	36,700	5,000	13.6	.....	.....	.....
June 1958	4,753,000	520,000	10.9	54,000	9,000	16.7	36,500	5,200	14.2	.....	.....	−6.0
May 1958	4,669,200	473,000	10.1	53,700	9,200	17.0	36,500	5,000	13.7	24,000	1,500	6.1
April 1958	4,687,700	500,000	10.9	53,700	9,300	17.3	36,500	5,100	14.8	.....	.....	.....
March 1958	4,655,100	488,000	10.5	53,700	8,900	16.6	36,500	5,000	13.0	.....	.....	.....
February 1958	4,670,500	464,000	10.0	53,700	7,800	14.5	36,500	5,000	13.0	.....	.....	.....
January 1958	4,650,500	435,000	9.4	53,700	7,200	13.4	36,500	4,400	12.1	.....	.....	.....
July 1957	4,708,000	275,000	5.9	53,800	6,300	11.7	(3)	(3)	(3)	.....	.....	.....
January 1957	4,521,000	297,000	6.6	55,100	5,000	9.1	(3)	(3)	(3)	.....	.....	.....
July 1956	4,337,000	305,000	6.7	52,700	8,100	[4] 15.4	(3)	(3)	(3)	.....	.....	.....

[1] Area consists of Blair County.
[2] Area consists of all of Clearfield County and parts of Centre and Jefferson Counties.
[3] Drop in employment in railroad equipment industry due to effects of steel strike.
[4] Data not available.
Source: Pennsylvania Bureau of Employment Security.

Many times you hear unkindly criticism to the effect that local communities in labor surplus areas are lax in helping themselves. That is not true in my area of central Pennsylvania. Years ago my communities organized area redevelopment groups and have constantly sought to attract new industries in a determined effort to bolster the economy. They have given of their time, money, and effort. They have borrowed at the banks to the legal limit and have been aided by the Small Business Administration and the State of Pennsylvania. Frankly, they have gone the limit and need further assistance such as is provided for in the area redevelopment bill now before us for consideration.

Many communities through their area redevelopment groups have been successful in various degrees. Since 1946 in Altoona, Pa., as a result of an active industrial redevelopment group that raised nearly a million dollars mostly through voluntary payroll deductions, 11 new industries have been brought into the Altoona area solely through community, State, and Federal effort.

These new industries have provided 3,600 new jobs and a $12 million increased annual payroll. Seventy percent of the new jobs are for men. This highly successful effort stems from what is commonly known nationally as the Altoona plan.

Mr. Chairman, as I mentioned a moment ago these area redevelopment groups in their effort to attract new industries have borrowed at the banks to the legal limit and need further assistance such as provided for in the area redevelopment bill now before us.

In this connection, let me quote to you from a letter dated July 2, 1958, which I received from Mr. M. M. Devorris, vice president for industrial development, Chamber of Commerce, Altoona, Pa., in which he cites his group's major needs as follows:

1. A ready source for first-mortgage financing for less than blue chip concerns.

2. A similar financing source for working capital for small concerns where banking facilities are either inadequate or unable to handle such requirements.

3. A source for financing the purchase of suitable industrial sites by the community industrial development group.

In addition, Mr. Devorris has this to say:

In principle, may I add that none of us connected with this program here in Altoona would be very favorably inclined to any Federal legislation which would make funds available just for the asking. We believe that only those communities that are putting some of their own money into these ventures should be eligible for Federal financing aid, particularly in conjunction with local financing institutions and in a manner which would supplement their ability to finance both as to magnitude and risk. This, in my opinion, would be Federal aid in the true spirit of private enterprise.

Mr. Chairman, these observations by Mr. Devorris are the result of years of experience spent in the field of industrial development. As Mr. Devorris says, any bill enacted by Congress should provide Federal aid in the true spirit of private enterprise. In subscribing to these views, let me state it is my hope that such legislation will provide a schedule of real benefits to the 271 labor surplus areas and not prove to be merely of the stopgap variety.

We who reside in these 271 labor surplus areas referred to by President Eisenhower as "pockets of unemployment" have suffered too long from this human wastage described by the Rockefeller report.

Mr. Chairman, according to the United States Department of Labor the Nation's unemployment was 5.3 million as of July 15, 1958, of which about 3 million represents minimum annual unemployment, leaving about 2.3 million chargeable to present economic conditions.

According to the following chart which covers a period from 1952 through July 1958, the bulk of the unemployment in the country is found in the 271 labor surplus areas.

Unemployment in major areas of substantial labor surplus in areas regularly classified by U. S. Department of Labor, selected months, March 1952 to September 1958

Month and year	National unemployment	Percent of labor force	Number of labor surplus areas	Unemployment in labor surplus areas	Number of labor areas classified as major labor surplus	Unemployment in major labor surplus areas
July 1958	5,204,000	7.3	271	3,424,600	89	2,796,600
June 1958	5,437,000	7.7	263	3,200,000	86	2,500,000
May 1958	4,904,000	7.1	247	3,100,000	86	2,521,600
April 1958	5,200,000	7.5	247	3,124,000	86	2,521,000
March 1958	5,188,000	7.0	149	2,970,000	70	1,422,000
March 1957	2,693,000	4.0	149	1,885,000	19	155,000
March 1956	2,551,000	3.8	149	1,763,000	19	168,000
March 1955	2,654,000	4.0	149	2,491,000	43	782,000
March 1954	3,259,000	5.0	149	2,181,000	34	449,000
March 1953	1,662,000	2.5	149	1,443,000	17	199,000
January 1952	2,054,000	3.3	143	1,684,000	19	559,000

NOTE.—1. As of Apr. 15, the employment in the 247 labor-surplus areas represents 37 percent of the Nation's labor market. 2. The unemployment in 247 labor-surplus areas represents 60 percent of the Nation's unemployment. 3. The 86 major labor-surplus areas represents 48.5 percent of the national unemployment.

The above chart is conclusive proof why we need area redevelopment legislation since it reveals that much of the unemployment in the Nation today exists within the confines of the 271 labor surplus areas and is in excess of 3,400,000.

Allowing for a portion of this number to be charged to the Nation's annual minimum of 3 million unemployed, it simply means that if we can alleviate unemployment conditions in the 271 labor surplus areas, our overall unemployment problem today would be insignificant.

Looking at the unemployment problem from another angle, the unemployment in the 271 labor surplus areas represents over 60 percent of the Nation's total unemployed. In other words, the heart of the Nation's unemployment problem is centered in the 271 labor surplus areas. I should like to repeat that if we alleviate unemployment conditions in labor surplus areas, we are well on the way to solving the distressing problem of chronic unemployment.

Mr. Chairman, the answer to our unemployment problem is plainly area redevelopment legislation. I have conscientiously believed in the value of such legislation since 1954 when I introduced one of the first bills in Congress on the subject. Since that time I have introduced various versions of my first bill in a sincere effort to find a workable compromise to this thorny problem.

The bill before us known as S. 3683 contains many of the features of my bill, H. R. 6975. It also contains some provisions I do not wholly agree with, yet I realize no legislative measure is perfect. Therefore, I think the sooner we unite in support of S. 3683 and get it started on its way to the White House, the better it will be for millions of the unemployed, hundreds of communities, many States, and the Nation as a whole.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from New York.

Mr. MULTER. The gentleman has indicated that these people are seeking relief. I do not think he meant that. This is not a relief bill. This bill will merely give them an opportunity to earn a livelihood. This is not a make-work project. We will not make work. This will give these people an opportunity to earn their livelihood doing work that is needed in their communities.

Mr. VAN ZANDT. That is correct. The relief we are asking for is Government assistance in this way: We have exhausted our borrowing power at the local banks, we have exhausted our borrowing power from the Commonwealth of Pennsylvania, and we have exhausted our borrowing power from the Small Business Administration. Now, through this type of legislation, we look to the Federal Government for relief.

Mr. MULTER. It is not relief but assistance, so they can do the job they want to do and that every American should have the opportunity to perform.

Mr. VAN ZANDT. That is exactly right.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Iowa.

Mr. GROSS. How is it proposed to loan money under the terms of the bill? The bill provides as follows:

No evidences of indebtedness shall be purchased and no loans shall be made unless it is determined that there is a reasonable assurance of repayment.

On what other basis do banks lend money?

Mr. VAN ZANDT. May I say to the gentleman from Iowa that the people I represent can and will give ample assurance of repayment of any loans received from the Government.

Mr. BROWN of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BYRNE].

Mr. BYRNE of Pennsylvania. Mr. Chairman, I also represent a distressed area. The previous speaker spoke about railroaders. There are railroad yards filled to capacity with empty cars. I have about 25,000 railroaders unemployed in my District, besides those unemployed in the shipping industry, and other industries as well. One out of every ten is unemployed in my District. Industry has been moving to other cities causing greater distress. This bill will give our distressed areas a new opportunity to redevelop its industries and through local financing—35 percent—with loans from the Government—65 percent—to relieve the employment problem and return the area to productivity.

Mr. Chairman, I support this bill and ask that all Members give their wholehearted support to the bill.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-nine Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 171]

Allen, Calif.	Durham	Michel
Anderson, Mont.	Engle	Miller, N. Y.
Anfuso	Evins	Minshall
Ashley	Friedel	Montoya
Ayres	Glenn	O'Hara, Minn.
Bailey	Gordon	O'Neill
Bass, Tenn.	Gregory	Powell
Baumhart	Harris	Preston
Bentley	Hébert	Prouty
Blitch	Hillings	Radwan
Boland	Holt	Robeson, Va.
Bolling	James	Shelley
Boykin	Jenkins	Shuford
Brooks, La.	Kearney	Smith, Kans.
Brownson	Kearns	Smith, Miss.
Buckley	Keogh	Smith, Va.
Burdick	Kilburn	Spence
Cannon	Kluczynski	Steed
Celler	Landrum	Teague, Tex.
Chamberlain	Latham	Vanik
Collier	McIntire	Wainwright
Cooley	Magnuson	Weaver
Dellay	Mailliard	Williams, N. Y.
Dies	Marshall	Willis
Doyle	Mason	Winstead
	May	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Boggs, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3683), and finding itself without a quorum, he had directed the roll to be called, when 346 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. BROWN of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Chairman, I desire to announce that if this bill is disposed of today, I shall then ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. BROWN of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Chairman, this legislation establishing a comprehensive unified program at the Federal level to attack the many problems of continuing low income in depressed areas in a consistent and concerted fashion is long overdue. Many localities throughout the country have long been suffering from chronic unemployment. This unemployment and underemployment presents a double threat to our way of life. It threatens both our internal strength and our external security.

It threatens our internal strength because such strength has been and will continue to be based on a continually growing domestic market. If many of our people through unemployment are removed from the market as full-scale consumers our economy will not continue to grow as it should.

Moreover, a powerful motive force in our economic growth has been our acceptance of the idea of equality of opportunity as a social goal. If opportunity is drastically limited in many areas through no fault of the communities themselves, faith in our objectives will be impaired and the motive force which that faith supplies will be correspondingly weakened.

Chronic unemployment threatens our external security because it mars our posture and at the same time prevents us from realizing our full strength. The loss of production and income and the dissipation of human effort resulting from our failure to utilize our full economic potential is an added danger to our security. Chronic unemployment anywhere in our economy is a matter of national concern.

There are many areas in this country where local enterprise and initiative have been smothered and depressed by the existence of persistent and chronic unemployment. Areas suffering from prolonged unemployment are much like individuals who have been physically ill. They lose heart and courage, they become resigned and discouraged, their physical energies have been drained. Such communities, like the physically ill individual, need the outside help of a professional agency dedicated to providing them with specific guidance and courage and assistance.

Many of these areas of unemployment and underdevelopment have low financial resources and are, therefore, less capable of raising the capital required for long-term bold programs for development. The very fact that unemployment has persisted and become chronic has meant that the communities' tax rolls have suffered and their financial

resources have been drained. Such communities are not capable of financing their own programs for development.

This legislation is designed for the benefit of our own people. I urge the membership of the House to give this bill the support it deserves and trust that it will pass the House with an overwhelming majority.

Mr. BROWN of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I rise in support of S. 3683, the Area Redevelopment Act. I have been interested in legislation of this type for several years. I introduced legislation in the 82d, 83d, and 84th Congresses, and the first bill that I introduced when Congress convened in 1957 was an Area Redevelopment Act.

We were unable to get much support for legislation that would benefit these chronic labor-surplus areas until a report of the Joint Economic Committee in 1955 urged a program such as is contained in this legislation. Depressed areas are not a product of the recession. They have existed during periods when the rest of the Nation has enjoyed full employment and even shortages of labor. The recession has, however, accentuated the grave economic problems of these areas. During periods of prosperity, some persons from depressed areas have migrated at great sacrifices, to other more fortunate areas to secure employment there. But when the onslaught of unemployment hit the Nation many of these employees from depressed areas were the first victims of the recession and were the first to lose their jobs because of the limited seniority they had acquired in their new jobs. Consequently, they were forced to return to their old homes where they had at least a roof over their heads and where they could share in the meager resources of their relatives and friends.

It was a great source of disappointment that we refused even to consider a couple of weeks ago, the bill which provided for loans to build community facilities. We must not fail to discharge our responsibility to needy communities for a second time. However, the impact of the legislation which we are considering would be felt not only in depressed areas, it would help the total economy because by rehabilitating the chronic depressed areas we would be increasing demand for the products in more prosperous communities and the whole Nation will gain.

There are several important features about S. 3683 which I feel the committee should approve:

First. It establishes a revolving loan fund to be available to business which desires to expand in depressed areas. This will create new jobs in these communities.

Second. Depressed communities which have never had a chance to develop their resources and those which have suffered from chronic unemployment and whose tax base has deteriorated, will become eligible for grants in order to improve public facilities which would make them more attractive to private industry to locate new plants in these areas. For example, in my own district the development of industrial water would make some of the communities more attractive for expanding business and this would mean the difference between want and misery to many of the people in these communities and a life of productive contribution to the total economy.

Third. The bill provides for technical assistance to communities to survey their economic potential so that they could best plan for the expansion of their economic base.

Mr. Chairman, this legislation will also be beneficial to 38 percent of the commercial farms of the United States which are classified as lower production farms, defined as farms of less than $2,500 value, gross sales. You will notice from the report that the percentage of farm families receiving under $1,000 a year net money is 28 percent, with an additional 24 percent receiving between $1,000 and $2,000.

Mr. DENTON. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Indiana.

Mr. DENTON. I support this legislation. I have been in favor of such legislation for the past 3 or 4 years. Four years ago in the District I represent there was one industrial area where there was serious unemployment. Now we have 3 industrial areas where there is serious unemployment and 1 agricultural area that will benefit by the passage of this bill.

I know the need for this legislation. May I say to those people who do not have so-called distressed areas in their districts that I know by experience that unemployment spreads. You have it in one area and it spreads to another.

We hear a lot of talk about the budget being unbalanced, and I am worried about it, but the reason the budget is unbalanced is not so much because of expenditures, as it is because the Government's receipts are below the expectations. In the last year expenditures were $400 million less than estimated but we took in $3.2 billion less than expected. This was because income and profits were down due to the recession. Consequently, if legislation of this kind had been passed 3 or 4 years ago and it had prevented the spread of unemployment, we might have taken in more money and the budget might not have been as much out of balance as it is now.

Mr. PERKINS. I wholeheartedly agree with the gentleman from Indiana.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York.

Mr. TABER. Is the gentleman expecting that this bill will help balance the budget?

Mr. PERKINS. I want to say to the gentleman that this bill will eventually help balance the budget.

I made the statement that the insured unemployment of these coal-mining communities has averaged in excess of 15 percent since 1953. I happen to represent one of the outstanding bituminous-coal areas of the country. At no time has this Congress given any consideration to these communities. We came here a few years ago trying to get some preference on coal purchased by the Government and a rider was tacked onto an appropriation bill denying any preference to these distressed areas. I say this legislation will help to make these communities attractive so that industry will come to them and so that we can diversify our economy.

It is time that the Congress recognize that we have these chronic unemployment districts in our economy today. Without action on our part, it appears inevitable that these areas with the high unemployment rate may well cause additional areas of chronic depression to develop. I urge the committee to approve the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, when 271 labor market areas of the United States are classified as distressed, 89 of these being in the chronic or acute category, there must be national concern and action.

It distresses me to hear any colleague say the bill before us has no meaning to him simply because it does not carry the promise of immediate or specific aid to his particular district or State.

Whenever there is a serious fire, flood, or epidemic in any part of our land, all Americans are concerned and it is traditional that we come to the rescue.

Three years ago terrible flash floods caused serious loss of life, uprooted many homes, and caused millions in damage to New England, especially the Connecticut area, and within hours caravans from the Paterson-Passaic area I represent were on their way to Winstead and nearby towns with clothing, food, and, yes, money, to assist the suffering and needy.

While my District is a distressed area but does not qualify under the provisions of the bill before us because of its specific application to areas of chronic and lengthy unemployment, I feel certain I speak for my people when I support assistance for those who have been so long suffering.

A phrase has been coined on this floor today, "Vote For Your American Neighbor." Truly, it should be emphasized, when we help our neighbors we help ourselves.

Mr. TALLE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, talking about balancing the budget, I might say that the $3,750,000,000 British loan of several years ago and deferring of the payment of the interest charges on the British loan, certainly was no contribution to balancing budgets or reducing the national debt. Today we are taking into consideration the distressed areas of this great country, particularly in my great State of Pennsylvania. We are considering the people of our Nation who are trying to find an opportunity to earn a livelihood. In the past 10 years we spent $60 billion on various foreign-aid programs all over the world. As I said before, a million dollars is a thousand thousand dollars and a billion dollars is a thousand million dollars—we have spent sixty thousand million dollars to rehabilitate the economic and industrial life of the people of nations throughout the world, building hydroelectric projects, navigation projects, irrigation projects, land reclamation projects, highways, waterways, industrial projects, railway stations, and what not. Now this area development legislation is an opportunity to do something to help those of our own people who are in distressed areas—people who are desperately in need of assistance—people who are striving and trying, under difficult circumstance, to make a livelihood in areas where no work is available. Certainly our own distress areas are entitled to as much consideration as other areas throughout the world. I am appealing to those representing States with great agricultural interests.

Here is a quote from an article in the July 28, 1958, issue of Time:

> The new farm prosperity spread across the board. Hardly a crop or an area failed to prosper. Producers of livestock and livestock products took in $9.1 billion in the first half of this year for what actually was a smaller quantity of meat, poultry, and dairy products than they sent to market in January–June 1957. Even the surplus-ridden wheat, cotton, corn, and other crop producers managed to boost sales by 10 percent to $4.7 billion. In some States the increase in farmers' cash receipts was nearly 100 percent. Texas farmers, from January through May, took in $704 million versus $489 million in 1957. Nebraska cash receipts jumped from $339 million to $479 million, and Kansas from $212 million to $326 million. Leaving aside production costs, gross farm income during the first 6 months of this year ran at the rate of $38 billion—an alltime record.

It pleases me to know of this great agricultural prosperity so every effort must be made to create industrial prosperity. Industry and agriculture go hand in hand. This legislation is an opportunity for the agricultural States to show their great interest in the industrial States where many distressed areas exist and where many of our people are having a difficult time. This legislation gives them an opportunity to develop programs and plan techniques to rehabilitate these areas so sorely in need of help. Certainly, let it not be said we are not as much interested in our own people who are out of work and who need our help as we are in people in other nations of the world. I sincerely hope that you will vote favorably on this bill and that it will pass by an overwhelming majority.

Mr. BROWN of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE Mr. Chairman, in my opinion this is one of the most important pieces of legislation that we have had before the Congress this year. I know that the passage of this legislation will help so much so many throughout the United States.

Mr. Chairman, there are six industrial cities which have been classified as labor-surplus areas for 7 years • • • or ever since the present classification system went into operation in July of 1951.

The population of one city dropped from 85,000 to 76,000 between 1945 and 1955. This was a one-industry community, concentrating on the manufacture of textiles. As mill after mill liquidated, or moved to the new and modern textile mills that were going up in the South, many people had to migrate in order to find jobs to replace the ones they had lost.

The ancient mill buildings were not attractive to growth industries that might have filled the gap.

The once-busy Main Street began to show empty stores that, like missing teeth, were reminders of more vigorous days.

And the community, that through the years had made a considerable investment in "social capital", including roads, schools, hospitals, and municipal facilities of all kinds, found it difficult to maintain these essential services despite rigid economies.

Unemployment in excess of 12 percent of the labor force existed, even in the summer of 1956, when unemployment nationally was at the lowest possible level.

This was but one example.

Many industrial and rural areas have long been suffering from chronic unemployment.

The Labor Department maintains a bimonthly check on the 149 labor markets of the Nation according to the level of employment and unemployment. Of these, 70 have a substantial labor surplus, that is, unemployment in excess of 6 percent. This number reflects the current recession. But there are 15 to 20 chronically depressed areas which have more than 6 percent of the labor force unemployed, even in periods when the economy, as a whole, was booming.

The chronic localized unemployment of these industrial areas is usually the result of some basic economic change which affects a community's primary source of jobs. Such changes include: decline of an industry, rapid technological change in an industry, depletion of natural resources, industrial migration.

Some of these communities, on their own initiative, are making heroic efforts to solve their problems, but after 7 years it is apparent that they cannot do the job alone.

The report of the House Committee on Banking and Currency observes that: "Placing the major share of the responsibility upon the local community would be exceedingly unwise. We have relied upon such efforts in the past in most communities now considered distressed, and they proved to be inadequate. The failure of such local efforts is the reason that the distressed-areas problem has become a national problem. The greater national interest dictates that continued economic distress anywhere is destructive of the national well-being and at variance with the Employment Act of 1946, which states:

> It is the continuing policy of the Federal Government • • • to coordinate and utilize all of its plans, functions, and resources for the purpose of creating and maintaining full employment.

Some of the affected communities, no matter how hard they try, have difficulty in overcoming the psychological block. In areas formerly dominated by a single firm or industry, it was almost impossible for other industries to move in. Indeed, in some one-company towns, the growth of new businesses was often discouraged since the dominating firm wished to protect its labor supply. Although this obstacle may have long since disappeared with the liquidation of the dominant firm, old habits of thought persist and the development of new enterprises will require encouragement and assistance.

The purpose of S. 3683, is to help these areas lift themselves out of this situation, to transform themselves into productive communities enjoying the American high standard of living.

The main features of this legislation are the proposed loans and grants designed to attract industry into these areas to provide jobs.

Section 6 of the bill would provide two $100 million revolving funds, one for industrial projects in industrial redevelopment areas, the other for industrial projects in rural redevelopment areas. The provision of suitable plant facilities is a vital element in a program to create employment opportunities, as has been shown by the experience of a number of local communities.

This can be approached by acquiring sites and constructing buildings for sale or lease to business concerns even in advance of a definite agreement for their use by particular concerns, or by assisting a specified concern in providing the plant needed for its planned operations. The fact of having modern, efficient plant facilities readily available and calling them to the attention of potential users, often makes the difference between success and failure in obtaining or developing new industries in a community.

At least 10 percent of the total cost of the project must be supplied by the State, or any agency or subdivision thereof, or by a community or area organization, as equity capital, or as a loan. At least 5 percent of the total cost of any project in an industrial development area must be supplied from nongovernmental sources.

Section 7 would authorize appropriations of $75 million a year for grants for land acquisition or development for public facilities usage, or construction or alteration of public facilities in the area for the establishment or expansion of industrial or commercial plants or facilities.

Other features of S. 3683 include the establishment of an Area Redevelopment Administration in the Housing and Home Finance Agency, grants for technical assistance, special urban renewal privileges for eligible areas, vocational training for unemployed in eligible areas, and retraining subsistence payments (comparable to unemployment compensation benefits) to unemployed undergoing retraining under this program.

Of particular interest to communities engaged in urban renewal programs, are sections 13 and 14 of this bill. Section

13 would amend title 1 of the Housing Act of 1949 by adding a new section 112. The current limitation would be removed under the new proposed section 112 by making financial assistance available under the act for industrial development or redevelopment in project areas notwithstanding residential limitations. The amendment would also authorize financial assistance to industrial redevelopment areas by making eligible for rehabilitation a project area involving primarily industrial or commercial structures suitable for rehabilitation under the urban-renewal plan for the area.

Section 14 of the bill would make the planning advances provided by section 701 of the House act of 1954 available to all counties, cities, or other municipalities in industrial redevelopment areas without regard to the population limitation otherwise applicable. That section of the 1954 act now generally excludes the larger communities, that is, those over 25,000 population.

As both major parties in their 1956 platforms, called for Federal legislation to aid economically depressed areas, it is obvious that public opinion has crystalized in favor of such action.

The passage of S. 3683 will put area redevelopment to work.

Mr. KNOX. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOX. Mr. Chairman, I rise in support of S. 3683. I believe this legislation to be of great importance to the vast area of northern Michigan. Northern Michigan possesses most all of the natural resources essential to the development of a healthy industrial area. I believe the legislation to be a step in the right direction in an endeavor to bring some balance to the industrial field in all sections of Michigan. I urge a favorable vote by my colleagues on S. 3683.

Mr. TALLE. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Chairman, we have heard many, many patient pleas, and I know that we are all in sympathy with a lot of districts that have been so unfortunate as to become distressed areas. There has been so much misinformation spread around or employed by others than Members of this Congress that I feel we cannot legislate intelligently without considering the matter cooly and calmly and see just what this bill is.

I have characterized this bill as a gigantic boondoggle, and it has in it, as I mentioned before, a gigantic joker. This is not a $275 million bill; this is a bill that calls for the expenditure of over a billion and a quarter dollars. This you will see from the language at the bottom of page 28, section 16, where it states:

SEC. 16. The Secretary of Labor shall, on behalf of the United States, enter into agreements with States in which redevelopment areas are located under which the Secretary of Labor shall make payments to such States for the purpose of enabling such States, as agents of the United States, to make weekly retraining payments to unemployed individuals residing within such redevelopment areas who are not entitled to unemployment compensation (either because their unemployment compensation benefits have been exhausted or because they were not insured for such compensation) and——

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman is mistaken. May I invite his attention to the fact that there will be a motion offered to strike out section 16.

Mr. HIESTAND. I thank the gentleman. I understood an amendment was to be offered to that effect, but the point I wish to make, however, is that this and two other points are most likely to cause this bill to be defeated. Amendments will be offered to take them out; but that elimination cannot make a good bill out of a bad one.

Mr. PATMAN. Sixty million dollars would be a more accurate statement.

Mr. HIESTAND. I am talking about the billion and a quarter, because that is the cost figure the proponents of the bill claim will be cost of the unemployed that will be subject to this measure.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Indiana.

Mr. HALLECK. This is not in connection with the pending bill but has to do with another matter involving important legislation that I understand may be called up on Monday next. Do I understand correctly that the gentleman from California [Mr. HIESTAND], who now has the floor, has introduced a housing bill, H. R. 13776, as of today?

Mr. HIESTAND. That is correct.

Mr. HALLECK. I would like to suggest that the gentleman insert in the RECORD at the close of his remarks here today in connection with this bill an analysis of that bill.

May I say at this juncture that if we are to have housing legislation in this session of Congress that will finally become law, my impression is that the bill that has been introduced by the gentleman can be passed, can become law, it would be very helpful to the building industry throughout the whole country, it would meet the needs that have to be met, and certainly I want to commend that bill to the consideration of the membership generally.

Mr. HIESTAND. I thank the gentleman, and I shall ask to have that insertion made when we go back in the House.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. When this bill was before the Rules Committee I listened very attentively to the testimony. Then later on I read some statements as to the various States and areas of the country that would receive help under this legislation. Will the gentleman advise me and advise the House whether or not Ohio has any communities that would receive any aid under the provisions of the pending bill?

Mr. HIESTAND. In response to the gentleman's question, Ohio is not among those listed, either on the tentative list of areas that may qualify or upon smaller communities. Ohio, California, Michigan, and other places, as large States and communities, are not included.

Mr. BROWN of Ohio. Ohio is paying the bill, but Ohio would receive no benefits?

Mr. HIESTAND. That is correct. I think it is important to note, may I say to the gentleman from Ohio, that the list of communities that was circularized to all Members a day or so ago as having been gotten up by an official source was in effect gotten up by a source entirely unofficial; namely, the Area Employment Expansion Committee of the CIO, which said that 250 Congressional Districts in the United States were distressed areas and, therefore, would be eligible. I questioned the list at the time. It does not seem as if it were official.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Iowa.

Mr. GROSS. What about the State of Iowa, is it included?

Mr. HIESTAND. The State of Iowa is among those absent.

Mr. Chairman, if all of these amendments that are proposed were adopted, the bill is still a bad bill. It is bad in principle. The principle is wrong. It would foster a government control system of industry production completely unrelated to good economics. Just imagine a plant being moved into a district and taking 2 to 4 years to make good, to get on a paying basis. Just consider the rathole down which Federal tax money must go in this instance.

It is a giant boondoggle which will not work. It will not work in those districts where our Members are concerned, and the sooner the districts are informed, those people will know that it is a giant boondoggle and it cannot work. This billion-dollar extra added to the Federal debt must be financed by inflation and in no other way. And, there is where the little man, so-called, and the fixed-income people are hurt. They are hurt at the grocery store cash register.

Mr. Chairman, when we were discussing the rule I remarked that the administration was opposed to this measure. I reiterate that remark. I cannot give the names of the people down at the White House without their consent, but I reiterate that remark. If either the gentleman from Indiana, Mr. HALLECK, or the gentleman from Illinois, Mr. ARENDS, or the gentleman from California, Mr. MCDONOUGH, can supply the answer, I shall be glad to yield.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from California.

Mr. McDONOUGH. I did call the White House and I did get information from Mr. Jack Martin that the administration is opposed to the bill before the House at the present time.

Mr. HIESTAND. I thank the gentleman. And, I can assure this House that if the bill is passed in its present form, it is my firm belief it will not become law.

Mr. McDONOUGH. Mr. Chairman, if the gentleman will yield further, if the gentleman has an official list of these areas by States that are not classified distress areas, I think it would be very appropriate to read it.

Mr. HIESTAND. I thank the gentleman. But, those which are not in the distressed areas are so many, it will take more time than I could possibly get to enumerate them. That is a very extensive list, I assure you.

Mr. Chairman, the problem here is that we have a bill providing for pirating from one area to another. Who knows but what the pirating will remove plants from your particular district? An amendment will be offered to that section, but I suggest that when a plant is moved from the district, the reaction of the Member from whose district the plant is removed might be a very serious one.

Mr. Chairman, I am violently opposed to this bill. I think it is the greatest boondoggle that has been offered at this session of the Congress, and I hope it is voted down.

Mr. BROWN of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Chairman, may I ask the gentleman from New York [Mr. MULTER] a question dealing with this legislation? We discussed this privately, and I want to make sure I understand it. Does this bill consider regional absorption or elimination of high Government costs by possible consolidation of communities and reassessment of the tax structure? In brief, is there a test of efficiency to be applied to the community involved in the field of public administration? The tax structure invites industrial growth, does it not?

Mr. MULTER. Mr. Chairman, if the gentleman will yield, I think the answer to the gentleman's question is, If this bill were to attempt to invade that activity, it would be a clear invasion of States rights. We have no right to attempt to tell any State what its tax structure should or should not be.

Mr. SIEMINSKI. And the administrator under the act is entitled to ask the pertinent question in relation to efficient management?

Mr. MULTER. And if there is no assurance of repayment, because of bad administration, the administrator should not make the loan or the grant.

Mr. SIEMINSKI. We also know that unemployment can be caused by an improper tax structure.

Mr. TALLE. Mr. Chairman, I have no further requests for time.

Mr. BROWN of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

The CHAIRMAN. To conclude the debate?

Mr. BROWN of Georgia. Yes, Mr. Chairman.

Mr. PATMAN. Mr. Chairman, this bill involves only $275 million, which is not large in comparison to the billion-dollar bills we pass so often. Let us compare it with other bills that we have passed, believing that they were in the public interest, in the interest of the people of the United States. That is the only reason we could justify voting for them. And that they were in the interest of a permanent and lasting peace by helping other countries of the world.

We have today the Export-Import Bank, which is United States Government-owned 100 percent—American dollars, $7 billion, a large part of it already loaned to people in 59 countries of the world, but not one penny to the people in the United States of America.

We have the World Bank, to which we are one of the largest contributors. The World Bank is operating in all the countries of the world but is not operating here in the United States of America. We made the money possible.

We have the International Monetary Fund, of around $2 billion, that is operating in all of the countries of the world, but not here in the United States of America.

We have the International Finance Corporation, which was set up in the last 2 or 3 years. The money is furnished principally by the United States of America, and it does business all over the world.

We have the Loan Development Corporation, just recently established, with $600 million appropriated by this Congress, to make loans and grants all over the world, to help out communities in distress in other countries of the world, but not here in the United States of America.

We have the Mutual Security Agency and the International Cooperation Agency, which actually make grants and gifts, giveaways of our money, to other countries all over the world. In all these programs, Mr. Chairman, we have made available this year much more than $10 billion, to people who need help in other countries, much of it exactly as our own people in the United States of America need help.

Are we going to turn our backs on our own people for a mere pittance of $275 million when we have made available more than $10 billion during the second session of the 85th Congress for all the countries all over the world outside of the Iron Curtain countries? I do not think the Members of this Congress are going to do that. It would certainly not be understood by our own constituents, when we are being asked to turn our backs on our own people who are asking only for $275 million to relieve distress by getting loans, or getting assistance in the way of loans, which will be bankable loans; they will be paid back with interest. That is all we are asking. Only 65 percent will be loaned by the Federal Government and 35 percent will be provided by the local people in some way, manner or form.

But here there is opposition even to this little amount. How much is $275 million in comparison to $10 billion? Ten percent of $10 billion would be $1 billion, so it is much less than 10 percent. It is only about 2½ percent. Here we are winding up Congress, when we have made billions and billions of dollars available to people for the same purpose, in every country on earth except the Iron Curtain countries; but we are even quibbling about making loans to our own people here in the United States for the purpose of permitting them to eke out an existence, after borrowing the money and creating the facilities to give people employment, in order that they may support themselves and their families, in the same manner. I do not think this House is going to do it. I just do not believe we are going to wind up a session of Congress by voting these tens of billions of dollars to others and denying our own people this small amount of $275 million, not in grants, not in giveaways, not in subsidies, but just loans on security where the administrator that is appointed by the executive branch of our Government is willing to say that the loan granted is a good loan and that it will be repaid.

I certainly hope this bill is adopted by an overwhelming vote.

Mr. TALLE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. GWINN].

Mr. GWINN. We often hear Abraham Lincoln quoted as to what the objects of government are. We hear it lately more often than ever. Even the President when he wants to justify something that no really good conservative would justify says this:

> The legitimate object of government is "to do for the people what needs to be done, but which they cannot, by individual effort, do at all, or do so well, for themselves."

This is a quotation that Lincoln found of some other President or that someone said he had in his own papers or his own desk. Apparently he never used it in a speech or in any book or any paper.

But this is not the whole quotation. It is a misrepresentation of what he had in his notes, because in the same paragraph in the same note was this:

> There are many such things—
>
> That people cannot do for themselves—
>
> some of them exist independently of the injustice in the world. Making and maintaining roads, bridges, and the like; providing for the helpless young and afflicted; common schools; and disposing of deceased men's property, are instances.

But we find no authority in Lincoln for most of the things we have been doing lately, especially those things we propose to do today, not a line of it.

In the same paragraph Lincoln goes on to refer to the true functions of government, which have to do with the defense of the people, their rights, and their property, from the efforts of others and from injustice. That, said Lincoln, is the primary function of government, not those things which cause the expansion of the debt and the raising of the debt limit, including the kind of things we have today. If we are going to find authority for what we are trying to do today, then let us quote from the real authorities but not quote from Lincoln, as the gentleman from Pennsylvania quoted this very afternoon.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from Maryland.

Mr. HYDE. May I ask the gentleman if he will try to clarify a section in the bill on page 9. The bill provides that no loan shall be made to exceed 40 years. Then over on page 10, in subsection (D) it states that any Federal assistance will be paid back only after other loans made in connection with such project have been repaid in full. How will that affect the 40-year provision?

Mr. GWINN. The point I wanted to make was that Abraham Lincoln and our forefathers never talked about loans for 40 years or any other loans where the Federal Government would have to pretend to have the money to make the loans. I take it that Abraham Lincoln would not think it possible that the Federal Government could make loans for 40 days or 40 minutes.

Mr. HYDE. Is the gentleman familiar enough with the particular section I pointed out to tell me what the effect of this provision is on the 40 year limitation for these loans? One section provides that these loans should not be for a period longer than 40 years. Another section says they will not have to be paid back as long as there is any other indebtedness.

Mr. GWINN. I should not think that Lincoln would approve of that either.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield.

Mr. HIESTAND. The illustration that the gentleman from Maryland gave us shows how bad this bill is. It contradicts itself not only there but in a number of other places. It is a bad bill.

Mr. GWINN. I am rather inclined to think from what I hear that it is a bad bill.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act be cited as the "Area Redevelopment Act."

Mr. BROWN of Georgia. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, that it be considered as read and printed in the RECORD and that the bill be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. GROSS. Mr. Chairman, I object.

Mr. FENTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FENTON: On page 1, strike out all after the enacting clause of S. 3683 and insert the provisions of H. R. 5468 as follows:

Be it enacted, etc., That this act may be cited as the "Area Assistance Act of 1957."

DECLARATION OF PURPOSE

SEC. 2. The Congress declares that, notwithstanding the prosperity enjoyed by the Nation as a whole, some of our communities are suffering substantial and persistent unemployment; that such unemployment causes hardship to many individuals and their families and detracts from the national welfare by wasting vital human resources; that to overcome this problem the Federal Government, in cooperation with the States, should help areas of substantial and persistent unemployment to take effective steps in planning and financing their economic development; that Federal assistance should enable communities to achieve lasting improvement and enhance the domestic prosperity by the establishment of stable and diversified local economies; and that new employment opportunities should be created rather than merely transferred from one community to another.

AUTHORITY OF SECRETARY OF COMMERCE

SEC. 101. (a) To assist areas in the United States designated by the Secretary of Labor as areas of substantial and persistent unemployment, the Secretary of Commerce, hereinafter referred to as the Secretary, is authorized—

(1) to make grants for technical assistance for such areas in accordance with the provisions of section 106 of this act; and

(2) to provide financial assistance for such areas in accordance with the provisions of section 107 of this act.

(b) The Secretary is also authorized—

(1) to assist rural areas and rural communities in the United States in their efforts to develop manufacturing, processing, and service activities to supplement agricultural activities;

(2) to provide technical assistance and field consultation to areas in the United States in establishment of new industries based on local resources, in expansion of existing industries, and in economic diversification; and

(3) to coordinate the functions of the Secretary authorized by this act with other Federal programs affecting local economic conditions.

(c) As used in this act, the term "United States" includes the several States, the Territories of Alaska and Hawaii, and the District of Columbia.

AUTHORITY OF SECRETARY OF LABOR

SEC. 102. (a) The Secretary of Labor shall from time to time, upon request of the appropriate State government, certify to the Secretary the existence of an area of substantial and persistent unemployment whenever he finds—

(1) in the case of a major labor market area or other labor market area for which appropriate historical labor force data are available as determined by the Secretary of Labor, that the unemployment rate in such area (A) is currently 8 percent or more, adjusted seasonally, and (B) has been at least 8 percent for the major portion of each of the preceding 2 years; or

(2) in the case of other labor market areas for which appropriate historical labor-force data have not been compiled, that the unemployment rate and duration, based on a survey of available labor-force data, generally equals or exceeds the rate and duration specified in section 102 (a) (1).

(b) The Secretary of Labor is authorized, upon request and whenever he determines that such studies are needed, to undertake, or to provide assistance to others in studies, of the size, characteristics, skills, adaptability, occupational potentialities, and related aspects of the labor force of an area certified under section 102 (a).

(c) When skills of the labor force in area certified under subsection (a) are not such as to facilitate full utilization of the human resources in such area, the Secretary of Labor is authorized to provide advice and technical assistance in developing and carrying out a program to increase employment opportunities and improve the utilization of such labor force.

(d) Whenever the Secretary of Labor finds a need for vocational education services in an area certified under section 102 (a) and when such area has an economic development program as provided in section 107 (b) (8), he is authorized to assist interested agencies to determine the vocational training needs of unemployed individuals residing in the area, and he shall notify the Secretary of Health, Education, and Welfare of the vocational training or retraining requirements of the area. The Secretary of Health, Education, and Welfare, through the Commissioner of Education, is authorized to provide assistance, including financial assistance when necessary or appropriate, to the State vocational education agency in the provision of such services in the area.

AUTHORITY OF HOUSING AND HOME FINANCE ADMINISTRATOR

SEC. 103. Title I of the Housing Act of 1949, as amended, is amended by adding the following new heading and section at the end of title I:

"AREAS OF SUBSTANTIAL AND PERSISTENT UNEMPLOYMENT

"SEC. 112. (a) When the Secretary of Commerce certifies to the Administrator (1) that any county, city, or other municipality (referred to as 'municipality' in this section) is situated in an area designated by the Secretary of Labor pursuant to the Area Assistance Act of 1957 as an area of substantial and persistent unemployment, and (2) that there is a reasonable probability that with assistance provided under the Area Assistance Act of 1957 and other undertakings the area will be able to achieve lasting improvement in its economic development, the Administrator is authorized to extend financial assistance to a local public agency in any such municipality under this title and the provisions of this section.

"(b) The Administrator may provide such financial assistance under this section without regard to the requirements or limitations of section 110 (c) of this title that the project area be clearly predominantly residential in character or that it will be predominantly residential under the urban renewal plan.

"(c) Financial assistance under this section may be provided for any project involving a project area including primarily industrial or commercial structures suitable for rehabilitation under the urban renewal plan for the area.

"(d) Notwithstanding any other provisions of this title, a contract for financial assistance under this section may include provisions permitting the disposition of any land in the project area designated under the urban renewal plan for industrial or commercial uses to any public agency or nonprofit corporation for subsequent disposition as promptly as practicable by such public agency or corporation for the redevelopment of the land in accordance with the urban renewal plan: *Provided*, That any disposition of such land to such public agency or corporation under this section shall be made at not less than its fair value for uses in accordance with the urban renewal plan: *And provided further*, That the purchasers from or lessees of such public agency or corporation, and their assignees, shall be required to assume the obligations imposed in conformity with the requirements of section 105 (b) hereof.

"(e) Following the execution of any contract for financial assistance under this section with respect to any project, the Administrator may exercise the authority vested under this section for the completion of such project notwithstanding any determination made after the execution of such contract that the area in which the project is located may no longer be an area of substantial and persistent unemployment."

SEC. 104. The first sentence of section 202 (c) of title II of the Housing Amendments of 1955 is amended to read as follows:

"(c) In the processing of applications for financial assistance under this section, the Administrator shall give priority first to applications of counties, cities, and other municipalities and political subdivisions for financing needed public facilities in areas determined to be areas of substantial and persistent unemployment under the Area Assistance Act of 1957: *Provided*, That the Secretary of Commerce certifies there is reasonable probability that with assistance made available under the Area Assistance Act of 1957 and other undertakings such areas will be able to achieve lasting improvement in their economic development; and second, to applications of smaller municipalities for assistance in the construction of basic public works (including works for the storage, treatment, purification or distribution of water; sewage, sewage treatment, and sewer facilities; and gas distribution systems) for which there is an urgent and vital public need."

SEC. 105. The second sentence of section 701 of the Housing Act of 1954, as amended, is amended by adding the following in clause (2) after the words "decennial census which": "(i) are situated in areas designated by the Secretary of Labor under the Area Assistance Act of 1957 as areas of substantial and persistent unemployment or (ii)."

GRANTS FOR TECHNICAL ASSISTANCE

SEC. 106. In carrying out section 101 (a) (1), the Secretary is authorized to make grants for technical assistance including studies evaluating the needs of, and developing potentialities for, economic growth of areas designated under section 102 (a). These grants may be made without regard to section 3648 of the Revised Statutes, as amended (31 U. S. C. 529). Appropriations are hereby authorized for these grants in an amount not to exceed $1,500,000 annually.

LOANS AND PARTICIPATIONS

SEC. 107. (a) In carrying out section 101 (a) (2) of this act, the Secretary is authorized to purchase evidences of indebtedness and to make loans (including immediate participations therein) to aid in financing any project for the purchase or development of land and facilities for industrial usage, for the construction of new factory buildings, for rehabilitation of abandoned or unoccupied factory buildings, or for the alteration, conversion, or enlargement of any existing buildings for industrial use. Such financial assistance shall not be extended for working capital, for purchase of machinery or equipment, or to assist establishments relocating from one area to another when such assistance will result in substantial detriment to the area of original location by increasing unemployment.

(b) Financial assistance under this section shall be on such terms and conditions as the Secretary determines, subject, however, to the following restrictions and limitations:

(1) The total amount of loans and loan participations (including purchased evidences of indebtedness) outstanding at any one time shall not exceed $50 million;

(2) Such assistance shall be extended only to applicants, both private and public, approved by the State (or any agency or instrumentality thereof concerned with problems of economic development) in which the project to be financed shall be located;

(3) No such assistance shall be extended hereunder unless the financial assistance applied for is not otherwise available from private lenders or other Federal agencies on reasonable terms;

(4) No loan shall be made unless it is determined that an immediate participation is not available;

(5) No evidences of indebtedness shall be purchased and no loans shall be made unless it is determined that there is a reasonable assurance of repayment;

(6) No loan, including renewals or extension thereof, may be made hereunder for a period exceeding 25 years and no evidences of indebtedness maturing more than 25 years from date of purchase may be purchased hereunder: *Provided*, That the foregoing restrictions on maturities shall not apply to securities or obligations received by the Secretary as a claimant in bankruptcy or equitable reorganization or as a creditor in other proceedings attendant upon insolvency of the obligor, or if extension or renewal for additional periods, not to exceed, however, a total of 10 years, will aid in the orderly liquidation of such loan or of such evidence of indebtedness;

(7) Such assistance shall not exceed 35 percent of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of acquiring or developing land and facilities, and of constructing, altering, converting, rehabilitating, or enlarging the building or buildings of the particular project and shall, among others, be on the following conditions:

(A) That other funds are available in an amount which, together with the assistance provided hereunder, shall be sufficient to pay such aggregate cost; and

(B) That not less than 15 percent of such aggregate cost be supplied by the State or any agency, instrumentality, or political subdivision thereof or by a community or area organization, as equity capital or as a loan repayable only after the financial assistance hereunder has been repaid in full according to the terms thereof and, if such loan is secured, its security shall be subordinate and inferior to the lien or liens securing the financial assistance hereunder.

(8) No such assistance shall be extended unless there shall be submitted and approved by the Secretary an overall program for the economic development of the area and a finding by the State, or any agency, instrumentality, or local political subdivision thereof, that the project for which financial assistance is sought is consistent with such program: *Provided*, That nothing in this act shall authorize financial assistance for any project prohibited by laws of the State or local political subdivision in which the project would be located.

AREA ASSISTANCE FUND

SEC. 108. (a) There is hereby authorized to be established in the Treasury of the United States a revolving fund to be known as the area assistance fund (hereinafter referred to as the "fund"), which shall be available to the Secretary for the payment of all obligations and expenses in connection with the functions authorized under section 101 (a) (2).

(b) When requested by the Secretary, advances shall be made to the fund from the appropriations made therefor. There is hereby authorized to be appropriated for the purpose of making advances to the fund, without fiscal year limitation, an amount not exceeding $50 million.

(c) Receipts arising from the program authorized by section 101 (a) (2) shall be credited to the fund.

(d) Any moneys in the fund determined by the Secretary to be in excess of current needs shall be credited to the appropriation from which advanced to be held for future advances to the fund.

(e) There shall be paid into miscellaneous receipts of the Treasury at the close of each fiscal year interest on advances to the fund at a rate which shall be determined by the Secretary of the Treasury after taking into consideration the current average market yields of outstanding marketable obligations of the United States having comparable maturities.

(f) Contributions shall be made from the fund to the civil-service retirement and disability fund, on the basis of annual billings as determined by the Civil Service Commission, for the Government's share of the cost of the civil-service retirement system applicable to employees (and their beneficiaries) performing activities authorized under section 101 (a) (2). Contributions shall also be made to the employee's compensation fund, on the basis of annual billings as determined by the Secretary of Labor, for the benefit payments made from such fund on account of employees performing activities authorized under section 101 (a) (2). The annual billings shall also include a statement of the fair portion of the cost of the administration of the respective funds, which shall be paid by the Secretary into the Treasury as miscellaneous receipts.

BUDGET AND AUDIT

SEC. 109. In the performance of and with respect to the functions, powers, and duties vested in him by section 107 of this act, the Secretary shall—

(a) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act as amended; and by the Government Corporation Control Act as amended; and

(b) maintain a set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided*, That the Secretary with respect to the program of financial assistance authorized by section 101 (a) (2) shall determine the character of and the necessity for obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations.

AREA ASSISTANCE ADMINISTRATOR

SEC. 110. There shall be appointed by the President by and with the advice and consent of the Senate an Area Assistance Administrator who shall receive compensation at a rate equal to that received by Assistant Secretaries of Commerce. The Administrator shall perform such duties in the execution of this act as the Secretary may assign.

POWERS

SEC. 111. In the performance of, and with respect to the functions, powers, and duties vested in him under this act, the Secretary may—

(a) adopt, alter, and use a seal, which shall be judicially noticed; and subject to the civil service and classification laws, select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of this act, and define their authority and duties;

(b) hold such hearings, sit and act at such times and places, and take such testimony, as he may deem advisable;

(c) under such regulations as he may prescribe, make such findings and determinations as may be required for the proper administration of this act and such findings and determinations, together with those required to be made by the Secretary of Labor pursuant to section 102, hereof, shall be final and shall not be subject to review in any court by mandamus or otherwise: *Provided*, That with respect to the validity, effect and enforcement of section 101 (a) (2) hereof or security taken thereunder, statutes, rules and regulations pertaining generally to suits by and against the United States shall be applicable;

(d) under regulations prescribed by him, assign or sell at public or private sale, or otherwise dispose of for cash or credit, in his discretion and upon such terms and conditions and for such consideration as the Secretary shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with the payment of loans granted under this title, and to collect or compromise all obligations assigned to or held by him and all legal or equitable rights accruing to him in connection with the payment of such loans until such time as such obligation may be referred to the Attorney General for suit or collection;

(e) deal with, complete, renovate, improve, modernize, insure, rent, or sell for cash or credit, upon such terms and conditions and for such consideration as the Secretary shall determine to be reasonable, any real property conveyed to or otherwise acquired by him in connection with the payment of loans granted under this title;

(f) pursue to final collection, by way of compromise or other administrative action prior to reference to the Attorney General, all claims against third parties assigned to the Secretary in connection with loans made by him. Section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), shall not be construed to apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of property obtained by the Secretary as a result of loans made under this title if the premium therefor or the amount thereof does not exceed $1,000. The power to convey and to execute in the name of the Secretary deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real property or any interest therein acquired by the Secretary pursuant to the provisions of this title may be exercised by the Secretary or by any officer or agent appointed by him for the purpose;

(g) acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), whenever deemed necessary or appropriate to the conduct of the activities authorized in section 101 (a) (2) of this act; and

(h) in addition to any powers, functions, privileges, and immunities otherwise vested in him, take any and all actions, including the procurement of the services of attorneys by contract, determined by him to be necessary or desirable in making, servicing, compromising, modifying, liquidating, or otherwise administratively dealing with or realizing on loans made or securities or evidences of indebtedness acquired under the provisions of this title: *Provided*, That no attorney's services shall be produced by contract in any office where an attorney or attorneys are or can be economically employed full time to render such service.

ADVISORY BOARD

SEC. 112. To advise the Secretary in the performance of functions authorized by this act, there is authorized to be created an Area Assistance Advisory Board, hereinafter referred to as the "Board", which shall consist of the following members, all ex officio: The Secretary, as Chairman, the Secretaries of Agriculture, Health, Education, and Welfare, Labor, and Treasury, the Administrators of the Housing and Home Finance Agency and of the Small Business Administration. The Chairman may from time to time invite the participation of officials of other agencies of the Executive Branch interested in the functions herein authorized. Each member of the Board may designate an officer of his agency to act for him as a member of the Board with respect to any matter there considered.

DEPOSITARIES AND AGENTS

SEC. 113. The Federal Reserve banks are authorized and directed to act as custodians and fiscal agents for the Secretary in the general performance of the powers conferred by this title. Each Federal Reserve bank shall be entitled to be reimbursed for all expenses incurred as such fiscal agents. Any banks insured by the Federal Deposit Insurance Corporation, when designated by the Secretary of the Treasury, may act as custodians and depositaries for the Secretary.

PENALTIES

SEC. 114. With respect to financial assistance authorized by this act:

(a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any loan, or extension thereof by renewal, deferment of action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Secretary, or for the purpose of obtaining money, property, or anything of value, under this act, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

(b) Whoever, being connected in any capacity with the Secretary (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to him or pledged or otherwise entrusted to him, or (2) with intent to defraud the Secretary or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Secretary makes any false entry in any book, report, or statement of or to the Secretary, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft bill of exchange, mortgage, judgment, or decree thereof, or (3) with intent to defraud participates, shares, receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, commission, contract, or any other act of the Secretary, or (4) gives any unauthorized information concerning any future action or plan of the Secretary which might affect the value of securities, or, having such knowledge, invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving loans or other assistance from the Secretary shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

(c) As used in this section the term "Secretary" shall mean, with respect to the lending activities of the Housing and Home Finance Administrator authorized under this act, the Housing and Home Finance Administrator.

USE OF OTHER FACILITIES

SEC. 115. (a) To avoid duplication of activities and minimize expense in carrying out the provisions of this act, the Secretary shall to the extent practicable and with their consent use the available services and facilities of other agencies and instrumentalities of the Federal Government on a reimbursable basis.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this act. This act shall be supplemental to any existing authority and nothing herein shall be deemed to be restrictive of any existing powers, duties, and functions of any other department or agency of the Federal Government.

CONSULTANTS

SEC. 116. The Secretary is authorized to obtain services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55 (a)), at rates not to exceed $75 per diem for individuals.

ANNUAL REPORT

SEC. 117. The Secretary shall make a comprehensive annual report of his operations under this act for the fiscal year ending on the preceding June 30, to the President, for transmission to the Congress as soon as practicable in each year, but in no case later than the third day of the following January.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 118. In addition to appropriations specifically authorized by sections 106 and 108, appropriations are further authorized for the carrying out of other provisions and purposes of this act.

Mr. FENTON. Mr. Chairman, during the debate today I have heard it said many times that because of the fact that so much money is being spent for foreign assistance, there is no reason why this bill should not be passed. Certainly, I am in agreement that we Americans having districts such as mine, and in other parts of the country, should be taken care of. At the same time I would like the Members to understand that the President of the United States, too, is interested in our depressed areas and he has so demonstrated; the fact that he is concerned about our areas of unemployment, particularly chronic unemployment, that he saw fit to suggest legislation to try to help remedy that condition. Mr. Chairman, in view of some of the opposition being expressed here today to the bill, S. 3683, and in deference to the President, I am offering for your consideration the bill, H. R. 5468, which I introduced for the administration on February 28, 1957.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield.

Mr. PATMAN. How does this bill differ from the bill we have before us which was reported out by the committee?

Mr. FENTON. If the gentleman will be good enough to wait, I will try to outline the various differences.

Mr. PATMAN. May I ask the gentleman one other question. This bill has not received the consideration of the committee; has it?

Mr. FENTON. This bill was introduced by me on February 28, 1957, and has been in your committee ever since.

Mr. PATMAN. But, it has not received the consideration of the committee.

Mr. FENTON. I do not know. It should have, if it has not.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GRAY. Mr. Chairman, I object.

Mr. FENTON. Mr. Chairman, since objection is raised I just want to outline some of the differences between the two bills. I believe even S. 3683 as amended will go beyond the provisions of H. R. 5468, the administration bill. Believe me, I do want to help those who need it most.

The objective of H. R. 5468 is to assist, I repeat, to assist local areas with chronic, persistent unemployment usu-

ally resulting from conditions peculiar to the particular community involved and not to the general economic conditions.

It is not a cure-all for the present comparatively high rate of unemployment in the country as a whole.

It is not designed for the temporary situation confronting the communities producing durable goods—which areas are already showing good signs of recovery from the recession.

The scope and magnitude of S. 3683 goes way beyond that necessary or desirable for this purpose.

H. R. 5468 which embodies the proposals of the administration, after thorough study by competent and sympathetic executives in the several departments, will obtain the objectives I have enumerated.

First, S. 3683 imposes or can impose the heavy hand of Federal administration on local communities. H. R. 5468 insists on local management.

The underlying principle of this legislation should be to encourage local participation—S. 3663 requires only 5 percent participation from private capital sources and the balance from the Federal Government.

The administration bill requires 15 percent from private source, then at least 50 percent mortgage investment from private source, and the balance up to 35 percent from Federal participation. This assures the soundness of each venture, tested as it is by private investment.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. PELLY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. PELLY moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes on his preferential motion.

Mr. PELLY. Mr. Chairman, I am very anxious to hear a further explanation of the amendment. I wonder if the gentleman from Pennsylvania would tell us more about it.

Mr. FENTON. I shall be very glad to. I was about to say, Mr. Chairman, that the administration bill requires 15 percent from one private source and at least 50 percent mortgage investment from another private source, and the balance, or 35 percent, from Federal participation. This assures the soundness of each venture tested as it is by private investment.

S. 3683 calls for loans for $100 million for industrial area development, and $100 million for rural area development.

It also calls for $75 million for outright grants for public facilities and $4,500,000 for technical assistance purposes. It was only a week or so ago that the House turned down such a provision in the Community Facilities bill.

H. R. 5468, the administration bill, provides $50 million in loans and limits grants to $1,500,000 for technical purposes.

Loans under S. 3683 are for 40 years and can provide machinery for buildings that are erected.

Loans from the administration bill require repayment in 25 years, and does not permit the purchase of machinery.

Finally, in S. 3683, the Housing Agency is selected to administer the program, the primary objective of which is industrial development. This is a field which the Congress entrusted to the Department of Commerce in its basic legislation to foster, promote, and develop the domestic and foreign commerce of the United States. Furthermore, the Department of Commerce has already within it the nucleus organization for this program in the Office of Area Development. The Office of Area Development in the Department of Commerce has the talent, experience, and working relationship with the stricken areas to quickly launch the larger program.

In conclusion, I wish to say that no one in the Congress is more keenly interested in helping our domestic distressed areas than am I. I believe that the administration bill—H. R. 5468—will do the job, and I know that it is a bill that the President will support.

I trust that you will support and pass H. R. 5468 so that we can aid and assist areas of severe, persistent, and chronic unemployment.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from California.

Mr. McDONOUGH. In reply to the question of the gentleman from Texas as to whether this bill was before the committee, I have the hearings of the committee. The Secretary of Labor, Mr. Mitchell, testified concerning the administration bill at that time.

Mr. FENTON. I might say I also testified on behalf of some legislation which I thought included the administration bill.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from California.

Mr. HIESTAND. In substituting this bill for the other bill, which would cost the taxpayers an estimated billion and a quarter, how much would the gentleman estimate the administration bill would cost?

Mr. FENTON. Outside of the amounts enumerated in the bill, I might say to the gentleman, in technical assistance, and so forth, it would be up to the Department of Health, Education, and Welfare and the Department of Labor, and I have no idea.

Mr. HIESTAND. It is generally estimated to be less than $50 million?

Mr. FENTON. Oh, yes; I would certainly say so.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the preferential motion to strike the enacting clause.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. This bill has not been considered by the committee. No one in the Chamber knows anything about it.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. McDONOUGH. In answer to the gentleman from Georgia, that is not quite correct, because the gentleman from Pennsylvania [Mr. FENTON] did appear before the committee and testify as to the bill he introduced.

Mr. PATMAN. That is true.

Mr. McDONOUGH. I have the hearings right here before me.

Mr. PATMAN. But the gentleman from Georgia is correct in saying it was not given consideration by the committee. It did hear testimony from the gentleman from Pennsylvania [Mr. FENTON].

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New York.

Mr. MULTER. On the very point that the gentleman makes, of course, the gentleman from Pennsylvania [Mr. FENTON] did appear before our committee and testified for the principle of the bill. He told us about his bill that was introduced and he asked us to bring forth a bill. He did not spend 1 minute trying to explain why his bill was better than any other bill.

Mr. PATMAN. I thank the gentleman for his contribution.

Mr. Chairman, this bill has not been read. We do not know what is in the bill. We know one thing, that it provides only $50 million in comparison to $200 million in the bill reported by the committee. The $200 million is small enough, considering the huge and difficult job we have to do in so many States. It is real small.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Indiana, briefly.

Mr. HALLECK. I would like to say that maybe $50 million is enough to try out on this program. As far as I am concerned, that difference in cost is conclusive.

Mr. PATMAN. The gentleman is not asking me a question.

Mr. Chairman, let us take the Loan Development Corporation, we provided over $600 million for that this year. That money will be used as loans and grants all over the world. It is our money, United States dollars, to be used everywhere. That is just one. That is not considering the many other agencies we have doing business all over the world with our money in helping distressed communities in other countries of the world. We are asking to help our own people, and yet they want to reduce it from $200 million down to $50 million. In other words, they reduced it 75 percent in the proposal. You take this bill here. It is not enough. It is just a venture to try to help. And, we know that the loans will be repaid. They have got to be good loans, or they will not be made, and we are asked to use our own credit for our own people only in the amount of $200 million, and an effort is made to cut it down to $50 million. In

truth, we would not be acting intelligently here if we were to make the mistake of adopting this amendment. Imagine adopting an amendment of about 21 pages that has not even been read; that the committee has not taken up as a committee takes up a bill and reads it line by line, paragraph by paragraph, and considers the construction of every word and every phrase and every paragraph in the bill to make sure that the committee knows what it is doing before coming out with it.

Now the bill the committee brought out has been gone over that way. It was gone over for weeks, but this bill here, no one in the committee has given any consideration to it, because, like the gentleman from New York suggested, the gentleman from Pennsylvania [Mr. FENTON], appeared——

Mr. FENTON. Mr. Chairman, will the gentleman yield for a correction?

Mr. PATMAN. I do not yield because I do not have the time.

The bill has not been given the consideration that should be given a bill you are voting on. You cannot be proud to vote for this bill. You do not know what is in it. You know there is nothing in it to help rural communities; we know that much. We know it is only for $50 million. We do not know how far it goes or what its limitations are. We do not know what the provisions are. We would be voting in the dark, and we vote in the dark enough here without adding this bill to it.

Mr. Chairman, I hope that you vote down the substitute.

The CHAIRMAN. The question is on the preferential motion.

The motion was rejected.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think we ought to clarify this question about whether this bill has been heard by the committee or not. Insofar as writing it, every word, phrase, and considering it on that basis, no, not the same as the bill that is before the House. But I have Dr. FENTON's testimony here. He appeared before the committee. He referred to H. R. 5468, which is the bill he has just introduced. He took the time to read, section by section, the difference between his bill and the bill that was before the committee. He made the point very clear that his bill would serve the same purpose, with far less money expended, and he explained it would take the maximum amount of the bill before the House of some $240 million, as compared to some $50 million maximum that his bill would cost.

Now, we are moving into a new area here, the question of the Federal Government taking on the responsibility of determining where employment should be, where plant structures should be for employment, which is an entirely new experiment in Government; and I doubt very much that we should assume the responsibility of passing a bill that is so indefinite in its purposes as the one before the House rather than to attempt to pass a bill similar to the one that Dr. FENTON has proposed here, because we know, from information that I personally have, that the administration favors the bill submitted by Dr. FENTON and is opposed to the bill we are now considering.

Now, if we want to go through the same procedure and come to the same conclusion as we did with the community-facilities bill, it came over from the Senate for $1 billion and it was increased to $2 billion.

It came to the floor and the rule lost. If it had passed the House we know it would have been vetoed. Do we want such a bill to go to the White House now and be vetoed, or do we want legislation?

Mr. FENTON. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from Pennsylvania.

Mr. FENTON. As a matter of fact, after I introduced the administration bill, a few days after, if my memory serves me correctly, the chairman of the committee introduced the same bill for the administration.

Mr. McDONOUGH. That is correct, and the RECORD shows that. If we want legislation for the distressed areas of the Nation, to relieve unemployment in those areas, let us get legislation that will function rather than send something to the White House that may be vetoed.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. MULTER. Will the gentleman concede that there was no so-called administration bill offered as a substitute or as an amendment during the consideration of this bill in the Committee on Banking and Currency?

Mr. McDONOUGH. The gentleman from Pennsylvania [Mr. FENTON] has just said that the chairman of the committee introduced the administration bill a few days after he was before the committee.

Mr. MULTER. I am now talking about what happened during the consideration of the various bills in the committee. We had some 40 bills before the committee. Obviously we could not read 40 bills in executive sessions of the Committee on Banking and Currency.

Mr. McDONOUGH. I understand the point that the gentleman is making, but the gentleman must concede that the proposal of Dr. FENTON covers the area and goes straight to the problem we are seeking to solve; that is, to relieve unemployment in the depressed areas. So does the bill before the committee at the present time; but the bill before the committee, as the gentleman knows as well as I do, will cost far more money and probably will not accomplish any greater results.

Mr. MULTER. The point is, what did we consider in the committee? We did not consider the Fenton bill or the administration bill, because no one offered that to the committee as a substitute or as an amendment. We took the bill as it came to us from the Senate, we amended it and brought it here as amended.

Mr. McDONOUGH. We know what we are trying to do here. We want to deal with this problem in a reasonable manner. I think that the proposal the gentleman from Pennsylvania [Mr. FENTON] has submitted is a reasonable approach to the question, because otherwise we are getting into an area where we are not sure that the bill proposed is going to work if we try to put it into practice.

Mr. HYDE. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time to see if we can find out whether or not we really know what this bill does. If the members of the committee will listen to me for just a moment, the bill at page 9 provides that the period of these loans shall be 40 years. We have heard about this legislation providing for a loan program, that the money will be paid back to the Government. But at the bottom of page 10 it says:

> That any Federal financial assistance extended under this section in connection with a particular project shall be repayable only after other loans made in connection with such project and in accordance with this section have been repaid in full.

What does that do to the 40-year provision?

Mr. MULTER. In my opinion, it does not do anything. It will all have to come within the maximum period set out in the bill, to wit: 40 years.

Mr. HYDE. Where is that in the bill?

Mr. MULTER. The gentleman read it a moment ago, that the maximum period will be 40 years.

Mr. HYDE. That is for the Federal loan. But that loan does not have to be paid back until other loans are paid.

Mr. MULTER. It must be paid within 40 years, and the other loan must be for a shorter period. So it will all have to be paid back in 40 years.

Mr. HYDE. I would hate to try to make that stand up in court.

Mr. MULTER. I do not think the gentleman will have to make it stand up in court. The Administrator would say that it comes within the 40-year period, and that will be it.

Mr. HYDE. I have heard the gentleman's answer, but it does not satisfy me that we have a provision here for a 40-year loan.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. HYDE. Yes, if the gentleman can answer my question.

Mr. PATMAN. I shall endeavor to. It occurs to me that 10 more years are granted in a case like that.

Mr. HYDE. How is that?

Mr. PATMAN. Of course, that does not mean they will have 40 years.

Mr. HYDE. The gentleman does not agree with the gentleman from New York?

Mr. PATMAN. I did not hear his statement.

Mr. HYDE. He said it would just be 40 years.

Mr. PATMAN. Read the language.

Mr. HYDE. I have read it.

Mr. PATMAN. It reads:

> A total of 10 years will aid in the orderly liquidation of such loan—

That appears in lines 17 to 19 on page 10. Ten more years may be granted for the liquidation.

Mr. HYDE. Where is that?

Mr. PATMAN. That is on page 10, line 17:

> However, a total of 10 years will aid in the orderly liquidation of such loan or such evidence of indebtedness.

Mr. HYDE. I do not see any such language in line 17 on page 10 of S. 3683.

Mr. PATMAN. I must have the Dr. Fenton bill.

Mr. HYDE. Mr. Chairman, it seems to me we do not know a great deal about the pending legislation. I, like the gentleman from Pennsylvania, am most anxious to see something worthwhile done in this area. For that purpose I did vote for the rule. I think the amendment offered by the gentleman from Pennsylvania, which embodies the terms of H. R. 5468, is a good piece of legislation which we have some hope of having enacted into law. Wanting to see something done in this area, something about which we can do something intelligently and, of course, know what we are doing, I certainly hope the amendment offered by the gentleman from Pennsylvania is adopted.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from California.

Mr. HIESTAND. It might be remarked that although these loans are supposed to be 40 years, the loans to which they are subordinate have no limit whatever. Therefore, there is no limit on these subordinated loans.

Mr. HYDE. It seems to me from reading the bill that is the only way you can read it, that there is no limit on any other loans that might be made, and the Federal loans do not have to be paid back until the other loans are all paid back. So it seems to me there is no limit on the loan or, if there is, the language is so vague as to be unenforceable.

Mr. BEAMER. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Indiana.

Mr. BEAMER. Does it not appear to the gentleman that actually we would have a possibility of pyramiding or duplicating loans under this 40-year provision? They could have a loan up to 40 years, then they could have a multitude of other loans which probably would not be repaid.

Mr. HYDE. The most charitable thing you can say is that the pending bill is very loosely drawn.

Mr. HIESTAND. If the gentleman will yield further, it further demonstrates how loosely it was drawn, how loosely it was considered, and how loosely it must be construed in this and other ways.

Mr. GROSS. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Chairman, after listening to the gentleman from Arkansas [Mr. HAYS], the gentleman from Pennsylvania [Mr. FLOOD] and others talk about the foreign-aid program, for which they always vote, and how little we were doing for our own people, I toyed with the idea of offering an amendment to the title to call this bill "The Domesticated Point IV Act of 1958." But I will forego the Members the pleasure of voting on such an amendment.

If your hearts are bleeding because you are not doing for American citizens what you are doing for foreigners, why come in with this loan program, because you are giving the money to foreigners? Why not provide outright grants for so-called distressed areas instead of loading these people down with more debt, for that is what the bill provides.

We have unlimited money in the United States Treasury. We are having no trouble refinancing the debt that is due and payable. We have only $120 billion to refinance in the next 12 months. We have only some $219 billion to refinance in a period of 5 years. We have plenty of money. Why not just give them outright grants? Do not kid them with this loan business. If they are in distress, do not load their backs with more debt.

Mr. MULTER. If the gentleman will yield, would the gentleman go further with this bill and give them grants rather than loans?

Mr. GROSS. Why not?

Mr. MULTER. If the gentleman is going to offer an amendment to take out loans and substitute grants, I will support the gentleman's amendment. I will support it that we make this all grants and not loans, if the gentleman offers such an amendment.

Mr. GROSS. You go ahead and offer it. You vote for foreign aid for the foreigners—I do not. You give money to the foreigners—I do not.

Mr. Chairman, I cannot find any salary stipulated for this new bureaucrat that you are going to establish—this Commissioner. Can you tell me what the salary is?

Mr. MULTER. I think if you will look at——

Mr. GROSS. Yes; page 3 at the top of the page. What is the salary?

Mr. MULTER. Twenty thousand dollars.

Mr. GROSS. Twenty thousand dollars a year?

Mr. MULTER. Yes.

Mr. GROSS. What are you going to pay this new Advisory Board that you are going to set up, this bureaucratic setup?

Mr. MULTER. I am not going to set it up. Your party and your President, the leader of your party is going to set it up.

Mr. GROSS. You provide for it in this bill.

Mr. MULTER. We are authorizing them to do it.

Mr. GROSS. What are they going to be paid?

Mr. MULTER. It depends on what the Committee on Appropriations brings in and what you appropriate for it.

Mr. GROSS. I find some language in the report on this bill, page 13, about specialists in industrial locations. The report goes on and states this:

> Other specialists could help discover local entrepreneurial talent, and assist in the development of new indigenous economic activities.

What in the world is meant by that language? I went to the dictionary a few minutes ago to try to find out. This is the definition of an entrepreneur:

> An employer in his character of one who assumes the risk and management of business.

Then the dictionary goes on to say—and listen to this:

> An undertaker (in the economic sense).

I think the report is correct; that what this bill needs is an undertaker to bury it forthwith.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The question was taken; and on a division (demanded by Mr. FENTON), there were—ayes 74, noes 97.

Mr. FENTON. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FENTON and Mr. PATMAN.

The Committee again divided, and the tellers reported that there were—ayes 79, noes 106.

So the amendment was rejected.

Mr. BROWN of Georgia. Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the RECORD and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

(The balance of the bill reads as follows:)

DECLARATION OF PURPOSE

Sec. 2. The Congress declares that the maintenance of the national economy at a high level is vital to the best interests of the United States, but that some of our communities are suffering substantial and persistent unemployment and underemployment; that such unemployment and underemployment cause hardship to many individuals and their families and detract from the national welfare by wasting vital human resources; that to overcome this problem the Federal Government, in cooperation with the States, should help areas of substantial and persistent unemployment and underemployment to take effective steps in planning and financing their economic redevelopment; that Federal assistance to communities, industries, enterprises, and individuals in areas needing redevelopment should enable such areas to achieve lasting improvement and enhance the domestic prosperity by the establishment of stable and diversified local economies; and that under the provisions of this act new employment opportunities should be created by developing and expanding new and existing facilities and resources without substantially reducing employment in other areas of the United States.

AREA REDEVELOPMENT ADMINISTRATION

SEC. 3. To assist areas in the United States designated hereinafter as redevelopment areas, there is hereby created, as a constituent agency of the Housing and Home Finance Agency, an agency to be known as the "Area Redevelopment Administration" (hereinafter referred to as the "Administration"). The Administration shall be headed by an Area Redevelopment Commissioner (hereinafter referred to as the "Commissioner" who shall be appointed by the President, by and with the consent of the Senate, and who shall receive compensation at a rate equal to that received by the heads of other constituent agencies of the Housing and Home Finance Agency.

ADVISORY BOARD

SEC. 4. (a) To advise the Commissioner in the performance of functions authorized by this act, there is authorized to be created an Area Redevelopment Advisory Board (hereinafter referred to as the "Board"), which shall consist of the following members, all ex officio: The Commissioner as Chairman; the Secretaries of Agriculture; Commerce; Defense; Health, Education, and Welfare; Interior; Labor; and Treasury; the Administrators of the General Services Administration; Housing and Home Finance Agency; and Small Business Administration; and the Director of the Office of Defense Mobilization.

The Chairman may from time to time invite the participation of officials of other agencies of the executive branch interested in the functions herein authorized. Each member of the Board may designate an officer of his agency to act for him as a member of the Board with respect to any matter there considered.

(b) The Commissioner shall appoint a National Public Advisory Committee on Area Redevelopment which shall consist of 25 members and which shall be composed of representatives of labor, management, agriculture, and the public in general. From the members appointed to such Committee the Commissioner shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Commissioner relative to the carrying out of his duties under this act. Such Committee shall hold not less than two meetings during each calendar year.

(c) The Commissioner is authorized from time to time to call together and confer with representatives of the various parties in interest from any industry in which employment has dropped substantially over an extended period of years and which in consequence has been a primary source of high levels of unemployment in several areas designated by the Commissioner as redevelopment areas. The Commissioner may also call upon representatives of interested governmental departments and agencies, together with representatives of transportation and other industries, to participate in any conference convened under authority of this subsection whenever he determines that such participation would contribute to a solution of the problems creating such unemployment. The representatives at any such conference shall consider with and may recommend to the Commissioner plans and programs to further the objectives of this act with special reference to the industry with respect to which the conference was convened.

REDEVELOPMENT AREAS

SEC. 5. (a) The Commissioner shall designate as "industrial redevelopment areas" those industrial areas within the United States in which he determines that there has existed substantial and persistent unemployment for an extended period of time. There shall be included among the areas so designated any industrial area in which there has existed unemployment of not less than (1) 12 percent of the labor force during the 12-month period immediately preceding the date on which an application for assistance is made under this act, (2) 9 percent of the labor force during at least 15 months of the 18-month period immediately preceding such date, or (3) 6 percent of the labor force during at least 18 months of the 24-month period immediately preceding such date. Any industrial area in which there has existed unemployment of not less than 15 percent of the labor force during the 6-month period immediately preceding the date on which application for assistance is made under this act may be designated as an industrial redevelopment area if the Commissioner determines that the principal causes of such unemployment are not temporary in nature.

(b) The Commissioner shall also designate as rural redevelopment areas those rural areas within the United States (not exceeding at any time 300 counties in the United States) in which he determines that there exist the largest number and percentage of low-income families, and a condition of substantial and persistent unemployment or underemployment. In making the designations under this subsection, the Commissioner shall consider, among other relevant factors, the number of low-income farm families in the various rural areas of the United States, the proportion that such low-income families are to the total farm families of each of such areas, the relationship of the income levels of the families in each area to the general levels of income in the United States, the current and prospective employment opportunities in each such area, and the availability of manpower in each such area for supplemental employment.

(c) In making the determinations provided for in this section, the Commissioner shall be guided, but not conclusively governed, by pertinent studies made, and information and data collected or compiled, by (1) departments, agencies, and instrumentalities of the Federal Government, (2) State and local governments, (3) universities and land-grant colleges, and (4) private organizations.

(d) Upon the request of the Commissioner, the Secretary of Labor, the Secretary of Agriculture, and the Director of the Bureau of the Census are respectively authorized to conduct such special studies, obtain such information, and compile and furnish to the Commissioner such data as the Commissioner may deem necessary or proper to enable him to make the determinations provided for in this section. The Commissioner shall reimburse, out of any funds appropriated to carry out the purposes of this act, the foregoing officers for any expenditures incurred by them under this section.

(e) As used in this act, the term redevelopment area refers to any area within the United States which has been designated by the Commissioner as an industrial redevelopment area or a rural redevelopment area, and may include 1 or more counties, or 1 or more municipalities, or a part of a county or municipality.

LOANS AND PARTICIPATIONS

SEC. 6. (a) The Commissioner is authorized to purchase evidences of indebtedness and to make loans (including immediate participations therein) to aid in financing any project within a redevelopment area for the purchase or development of land and facilities (including machinery and equipment) for industrial usage, for the construction of new factory buildings, for rehabilitation of abandoned or unoccupied factory buildings, or for the alteration, conversion, or enlargement of any existing buildings for industrial use. Such financial assistance shall not be extended for working capital, or to assist establishments relocating from one area to another when such assistance will result in substantial detriment to the area of original location by increasing unemployment.

(b) Financial assistance under this section shall be on such terms and conditions as the Commissioner determines, subject, however, to the following restrictions and limitations:

(1) The total amount of loans and loan participations (including purchased evidences of indebtedness) outstanding at any one time under this section (A) with respect to projects in industrial redevelopment areas shall not exceed $100 million, and (B) with respect to projects in rural redevelopment areas shall not exceed $100 million;

(2) Except as provided in subsection (c), such assistance shall be extended only to applicants, both private and public (including Indian tribes), which have been approved for such assistance by an agency or instrumentality of the State or political subdivision thereof in which the project to be financed is located, and which agency or instrumentality is directly concerned with problems of economic development in such State or subdivision;

(3) No such assistance shall be extended hereunder unless the financial assistance applied for is not otherwise available from private lenders or other Federal agencies on reasonable terms;

(4) No loans shall be made unless it is determined that an immediate participation is not available;

(5) No evidences of indebtedness shall be purchased and no loans shall be made unless it is determined that there is a reasonable assurance of repayment;

(6) Subject to section 12 (5) of this act, no loan, including renewals or extension thereof, may be made hereunder for a period exceeding 40 years and no evidences of indebtedness maturing more than 40 years from date of purchase may be purchased hereunder: *Provided*, That the foregoing restrictions on maturities shall not apply to securities or obligations received by the Commissioner as a claimant in bankruptcy or equitable reorganization or as a creditor in other proceedings attendant upon insolvency of the obligor, or if extension or renewal for additional periods, not to exceed, however, a total of 10 years, will aid in the orderly liquidation of such loan or of such evidence of indebtedness;

(7) Such loans shall bear interest at a rate equal to the rate of interest paid by the Commissioner on funds obtained from the Secretary of the Treasury as provided in section 9 of this act, plus one-quarter of 1 percent per annum;

(8) Such assistance shall not exceed 65 percent of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of acquiring or developing land and facilities (including machinery and equipment), and of constructing, altering, converting, rehabilitating, or enlarging the building or buildings of the particular project and shall, among others, be on the following conditions:

(A) That other funds are available in an amount which, together with the assistance provided hereunder, shall be sufficient to pay such aggregate cost.

(B) That not less than 10 percent of such aggregate cost be supplied by the State or any agency, instrumentality, or political subdivision thereof, or by a community or area organization, as equity capital or as a loan.

(C) That in extending financial assistance under this section with respect to an industrial redevelopment area, the Commissioner shall require that not less than 5 percent of the aggregate cost of the project for which such loan is made shall be supplied by nongovernmental sources.

(D) That any Federal financial assistance extended under this section in connection with a particular project shall be repayable

only after other loans made in connection with such project and in accordance with this section have been repaid in full. If any Federal financial assistance extended under this section is secured, its security shall be subordinate and inferior to the lien or liens securing other loans made in connection with the same project.

(9) No such assistance shall be extended unless there shall be submitted to and approved by the Commissioner an overall program for the economic development of the area and a finding by the State, or any agency, instrumentality, or local political subdivision thereof, that the project for which financial assistance is sought is consistent with such program: *Provided*, That nothing in this act shall authorize financial assistance for any project prohibited by laws of the State or local political subdivision in which the project would be located.

(c) If there is no agency or instrumentality in any State, or political subdivision thereof, qualified to approve applicants for assistance under this section as provided in paragraph (2) of subsection (b), the Commissioner shall, upon determining that any area in such State is a redevelopment area, appoint a local redevelopment committee (hereinafter referred to as a "local committee") to be composed of not less than seven residents of such area who, as nearly as possible, are representative of labor, commercial, industrial, and agricultural groups, and of the residents generally of such area. In appointing any such local committee, the Commissioner may include therein members of any existing local redevelopment committees. Financial assistance under this section in connection with projects located in a redevelopment area, for which a local committee has been appointed under this section, shall be extended only to applicants, both private and public (including Indian tribes), which have been approved by such local committee.

(d) Of the funds authorized to be raised under section 9 of this act, not more than $100 million shall be deposited in a revolving fund which shall be used for the purpose of making loans under this section with respect to projects in industrial redevelopment areas, and not more than $100 million shall be deposited in a revolving fund which shall be used for the purpose of making loans under this section with respect to projects in rural redevelopment areas.

LOANS FOR PUBLIC FACILITIES

SEC. 7. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public organization or association representing any redevelopment area or part thereof, the Commission is authorized to make loans to assist in financing the purchase or development of land for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of public facilities within any redevelopment area, if he finds that—

(1) the project for which financial assistance is sought will provide more than a temporary alleviation of unemployment or underemployment in the redevelopment area wherein such project is, or will be, located, and will tend to improve the opportunities in such area for the successful establishment or expansion of industrial or commercial plants or facilities;

(2) the funds requested for such project are not otherwise available on reasonable terms;

(3) the amount of the loan plus the amount of other available funds for such projects are adequate to insure the completion thereof; and

(4) there is a reasonable expectation of repayment.

(b) No loan under this section shall be for an amount in excess of 65 percent of the aggregate cost of the project for which such loan is made. Subject to section 12 (5), the maturity date of any such loan shall be not later than 40 years after the date such loan is made. Any such loan shall bear interest at a rate equal to the rate of interest paid by the Commissioner on funds obtained from the Secretary of the Treasury as provided in section 9 of this act, plus one-quarter of 1 percent per annum.

(c) In making any loan under this section, the Commissioner shall require that not less than 10 percent of the aggregate cost of the project for which such loan is made shall be supplied by the State (including any political subdivision thereof) within which such project is to be located as equity capital, or as a loan. In determining the amount of participation required under this subsection with respect to any particular project, the Commissioner shall give consideration to the financial condition of the State or local government, and to the per capita income of the residents of the redevelopment area, within which such project is to be located.

(d) Any loan made under this section in connection with a particular project shall be repayable only after other loans made in connection with such project and in accordance with this section have been repaid in full. If any loan made under this section is secured, its security shall be subordinate and inferior to the lien or liens securing other loans made in connection with the same project.

(e) Of the funds authorized to be raised under section 9 of this act, not more than $100 million shall be deposited in a revolving fund which shall be used for the purpose of making loans under this section.

GRANTS FOR PUBLIC FACILITIES

SEC. 8. (a) The Commissioner may conduct studies of needs in the various redevelopment areas throughout the United States for, and the probable cost of, land acquisition or development for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of useful public facilities within such areas, and may receive proposals from any State, or political subdivision thereof, Indian tribe, or private or public organization or association representing any redevelopment area, or part thereof, relating to land acquisition or development for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of public facilities within any such area. Any such proposal shall contain plans showing the project proposed to be undertaken, the cost thereof, and the contributions proposed to be made to such cost by the entity making the proposal. The Commissioner, in consultation with such entity, is authorized to modify all or any part of such proposal.

(b) The Commissioner, pursuant to a proposal received by him under this section, may make grants to any State, or political subdivision thereof, Indian tribe, or private or public organization or association representing any redevelopment area, or part thereof, for land acquisition or development for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of public facilities within a redevelopment area, if he finds that—

(1) the project for which financial assistance is sought will provide more than a temporary alleviation of unemployment or underemployment in the redevelopment area wherein such project is, or will be, located, and will tend to improve the opportunities in such area for the successful establishment or expansion of industrial or commercial plants or facilities;

(2) the entity requesting the grant proposes to contribute to the cost of the project for which such grant is requested in proportion to its ability so to contribute; and

(3) the project for which a grant is requested will fulfill a pressing need of the area, or part thereof, in which it is, or will be located, and there is little probability that such project can be undertaken without the assistance of a grant under this section.

The amount of any grant under this section for any such project shall not exceed the difference between the funds which can be practicably obtained from other sources (including a loan under section 7 of this act) for such project, and the amount which is necessary to insure the completion thereof.

(c) The Commissioner shall by regulation provide for the supervision of carrying out of projects with respect to which grants are made under this section so as to insure that Federal funds are not wasted or dissipated.

(d) There is hereby authorized to be appropriated not to exceed $75 million annually for the purpose of making grants under this section.

FUNDS FOR LOANS

SEC. 9. To obtain funds for loans under this act, the Commissioner may, with the approval of the President, issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $300,000,000. Such notes or other obligations shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury, and shall bear interest at a rate determined by the Secretary of the Treasury, but such rate shall not be greater than the current average yields on outstanding marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of such notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued under this section and for such purpose is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act are extended to include any purchases of such notes and other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated in every respect as public debt transactions of the United States.

INFORMATION

SEC. 10. The Commissioner shall aid redevelopment areas by furnishing to interested individuals, communities, industries, and enterprises within such areas any assistance, technical information, market research, or other forms of assistance, information, or advice which are obtainable from the various departments, agencies, and instrumentalities of the Federal Government and which would be useful in alleviating conditions of excessive unemployment or underemployment within such areas. The Commissioner shall furnish the procurement divisions of the various departments, agencies, and other instrumentalities of the Federal Government with a list containing the names and addresses of business firms which are located in redevelopment areas and which are desirous of obtaining Government contracts for the furnishing of supplies or services, and designating the supplies and services such firms are engaged in providing.

TECHNICAL ASSISTANCE

SEC. 11. In carrying out his duties under this act, the Commissioner is authorized to provide technical assistance to areas which he has designated as redevelopment areas under this act. Such assistance shall include studies evaluating the needs of, and developing potentialities for, economic growth of such areas. Such assistance may be provided

by the Commissioner through members of his staff or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purpose. Appropriations are hereby authorized for the purposes of this section in an amount not to exceed $4,500,000 annually.

POWERS OF COMMISSIONER

SEC. 12. In performing his duties under this act, the Commissioner is authorized to—

(1) adopt, alter, and use a seal, which shall be judicially noticed; and subject to the civil service and classification laws, select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of this act, and define their authority and duties, provide bonds for them in such amounts as the Commissioner shall determine, and pay the costs of qualification of certain of them as notaries public;

(2) hold such hearings, sit and act at such times and places, and take such testimony, as he may deem advisable;

(3) request directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics needed to carry out the purposes of this act; and each department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Commissioner;

(4) under regulations prescribed by him, assign or sell at public or private sale, or otherwise dispose of for cash or credit, in his discretion and upon such terms and conditions and for such consideration as he shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with the payment of loans made under this act, and collect or compromise all obligations assigned to or held by him in connection with the payment of such loans until such time as such obligations may be referred to the Attorney General for suit or collection;

(5) further extend the maturity of or renew any loan made under this act, beyond the periods stated in such loan or in this act, for additional periods not to exceed 10 years, if such extension or renewal will aid in the orderly liquidation of such loan;

(6) deal with, complete, renovate, improve, modernize, insure, rent, or sell for cash or credit, upon such terms and conditions and for such consideration as he shall determine to be reasonable, any real or personal property conveyed to, or otherwise acquired by, him in connection with the payment of loans made under this act.

(7) pursue to final collection, by way of compromise or other administrative action, prior to reference to the Attorney General, all claims against third parties assigned to him in connection with loans made under this act. This shall include authority to obtain deficiency judgments or otherwise in the case of mortgages assigned to the Commissioner. Section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), shall not apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of property obtained by the Commissioner as a result of loans made under this act if the premium therefor or the amount thereof does not exceed $1,000. The power to convey and to execute, in the name of the Commissioner, deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real or personal property or any interest therein acquired by the Commissioner pursuant to the provisions of this act may be exercised by the Commissioner or by any officer or agent appointed by him for that purpose without the execution of any express delegation of power or power of attorney;

(8) acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), whenever deemed necessary or appropriate to the conduct of the activities authorized in sections 6 and 7 of this act;

(9) in addition to any powers, functions, privileges, and immunities otherwise vested in him, take any and all actions, including the procurement of the services of attorneys by contract, determined by him to be necessary or desirable in making, servicing, compromising, modifying, liquidating, or otherwise administratively dealing with or realizing on loans made under this act;

(10) to such an extent as he finds necessary to carry out the provisions of this act, procure the temporary (not in excess of 6 months) service of experts or consultants or organizations thereof, including stenographic reporting services, by contract or appointment, and in such cases such service shall be without regard to the civil service and classifications laws, and, except in the case of stenographic reporting services by organizations, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); any individual so employed may be compensated at a rate not in excess of $75 per diem, and, while such individual is away from his home or regular place of business, he may be allowed transportation and not to exceed $15 per diem in lieu of subsistence and other expenses; and

(11) establish such rules, regulations, and procedures as he may deem appropriate in carrying out the provisions of this act.

TERMINATION OF ELIGIBILITY FOR FURTHER ASSISTANCE

SEC. 13. Whenever the Commissioner shall determine that employment conditions within any area previously designated by him as a redevelopment area have changed to such an extent that such area is no longer eligible for such designation under section 5 of this act, no further assistance shall be granted under this act with respect to such area and, for the purposes of this act, such area shall not be considered a redevelopment area: *Provided*, That nothing contained herein shall (1) prevent any such area from again being designated a redevelopment area under section 5 of this act if the Commissioner determines it to be eligible under such section, or (2) affect the validity of any contracts or undertakings with respect to such area which were entered into pursuant to this act prior to a determination by the Commissioner that such area no longer qualifies as a redevelopment area. The Commissioner shall keep the departments and agencies of the Federal Government, and interested State or local agencies, advised at all times of any changes made hereunder with respect to the designation of any area.

URBAN RENEWAL

SEC. 14. (a) Title I of the Housing Act of 1949, as amended, is amended by adding at the end thereof the following new section:

"INDUSTRIAL REDEVELOPMENT AREAS UNDER THE AREA REDEVELOPMENT ACT

"SEC. 112. (a) When the Area Redevelopment Commissioner certifies to the Administrator (1) that any county, city, or other municipality (in this section referred to as a 'municipality') is situated in an area designated under section 5 (a) of the Area Redevelopment Act as an industrial redevelopment area, and (2) that there is a reasonable probability that with assistance provided under such act and other undertakings the area will be able to achieve more than temporary improvement in its economic development, the Administrator is authorized to provide financial assistance to a local public agency in any such municipality under this title and the provisions of this section.

"(b) The Administrator may provide such financial assistance under this section without regard to the requirements or limitations of section 110 (c) that the project area be clearly predominantly residential in character or that it be redeveloped for predominantly residential uses; but no such assistance shall be provided in any area if such Administrator determines that it will assist in relocating business operations from one area to another when such assistance will result in substantial detriment to the area of original location by increasing unemployment.

"(c) Financial assistance under this section may be provided for any project involving a project area including primarily industrial or commercial structures suitable for rehabilitation under the urban renewal plan for the area.

"(d) Notwithstanding any other provision of this title, a contract for financial assistance under this section may include provisions permitting the disposition of any land in the project area designated under the urban renewal plan for industrial or commercial uses to any public agency or nonprofit corporation for subsequent disposition as promptly as practicable by such public agency or corporation for the redevelopment of the land in accordance with the urban renewal plan: *Provided*, That any disposition of such land under this section shall be made at not less than its fair value for uses in accordance with the urban renewal plan: *And provided further*, That the purchasers from or lessees of such public agency or corporation, and their assignees, shall be required to assume the obligations imposed under section 105 (b).

"(e) Following the execution of any contract for financial assistance under this section with respect to any project, the Administrator may exercise the authority vested in him under this section for the completion of such project, notwithstanding any determination made after the execution of such contract that the area in which the project is located may no longer be an industrial redevelopment area under the Area Redevelopment Act."

(b) The next to the last paragraph of section 110 (c) of such act is amended by inserting after "such projects" the following: "(including projects assisted under section 112 of this title)".

URBAN PLANNING GRANTS

SEC. 15. The second sentence of section 701 of the Housing Act of 1954 is amended by adding the following in clause (2) after the words "decennial census which": "(1) are situated in areas designated by the Area Redevelopment Commissioner under section 5 (a) of the Area Redevelopment Act as industrial redevelopment areas, or (11)".

VOCATIONAL TRAINING

SEC. 16. (a) The Secretary of Labor shall determine the vocational training or retraining needs of unemployed individuals residing in redevelopment areas and shall cooperate with the Secretary of Health, Education, and Welfare and with existing State and local agencies and officials in charge of existing programs relating to vocational training and retraining for the purpose of assuring that the facilities and services of such agencies are made fully available to such individuals.

(b) Whenever the Secretary of Labor finds that additional facilities or services are needed in the area to meet the vocational training or retaining needs of such individuals, he shall so advise the Secretary of Health, Education, and Welfare. The Secretary of Health, Education, and Welfare, through the Commissioner of Education, shall provide assistance, including financial assistance when necessary, to the appropriate

State vocational educational agency in the provision of such additional facilities or services. If the Secretary of Health, Education, and Welfare finds that the State vocational educational agency is unable to provide the facilities and services needed, he may, after consultation with such agency, provide for the same by agreement or contract with public or private educational institutions: *Provided*, That the Secretary of Labor shall arrange to provide any necessary technical assistance for setting up apprenticeship, journeyman, and other job training needed in the locality.

RETRAINING SUBSISTENCE PAYMENTS

SEC. 17. The Secretary of Labor shall, on behalf of the United States, enter into agreements with States in which redevelopment areas are located under which the Secretary of Labor shall make payments to such States for the purpose of enabling such States, as agents of the United States, to make weekly retraining payments to unemployed individuals residing within such redevelopment areas who are not entitled to unemployment compensation (either because their unemployment compensation benefits have been exhausted or because they were not insured for such compensation) and who have been certified by the Secretary of Labor to be undergoing training for a new job. Such payments shall be made for a period not exceeding 13 weeks, and the amounts of such payments shall be equal to the amount of the average weekly unemployment compensation payment payable in the State making such payments.

PENALTIES

SEC. 18. (a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any loan, or extension thereof by renewal, deferment of action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Commissioner, or for the purpose of obtaining money, property, or anything of value, under this act, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

(b) Whoever, being connected in any capacity with the Commissioner (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to him or pledged or otherwise entrusted to him, or (2) with intent to defraud the Commissioner or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Commissioner, makes any false entry in any book, report, or statement of or to the Commissioner, or without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, or (3) with intent to defraud participates, shares, receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, commission, contract, or any other act of the Commissioner, or (4) gives any unauthorized information concerning any future action or plan of the Commissioner which might affect the value of securities, or having such knowledge, invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving loans or other assistance from the Commissioner shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

EMPLOYMENT OF EXPEDITERS AND ADMINISTRATIVE EMPLOYEES

SEC. 19. No loan shall be made by the Commissioner under this act to any business enterprise unless the owners, partners, or officers of such business enterprise (1) certify to the Commissioner the names of any attorneys, agents, or other persons engaged by or on behalf of such business enterprise for the purpose of expediting applications made to the Commissioner for assistance of any sort, and the fees paid or to be paid to any such person; and (2) execute an agreement binding any such business enterprise for a period of 2 years after any assistance is rendered by the Commissioner to such business enterprise, to refrain from employing, tendering any office or employment to, or retaining for professional services, any person who, on the date such assistance or any part thereof was rendered, or within 1 year prior thereto, shall have served as an officer, attorney, agent, or employee of the Commissioner, occupying a position or engaging in activities which the Commissioner shall have determined involve discretion with respect to the granting of assistance under this act.

PREVAILING RATE OF WAGE AND 40-HOUR WEEK

SEC. 20. The Commissioner shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on projects undertaken by public applicants assisted under this act (1) shall be paid wages at rates no less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the act of August 30, 1935 (Davis-Bacon Act), and (2) shall be employed not more than 40 hours in any 1 week unless the employee receives wages for his employment in excess of the hours specified above at a rate not less than 1½ times the regular rate at which he is employed.

ANNUAL REPORT

SEC. 21. The Commissioner shall make a comprehensive and detailed annual report to the Congress of his operations under this act for each fiscal year beginning with the fiscal year ending June 30, 1959. Such report shall be printed, and shall be transmitted to the Congress not later than January 3 of the year following the fiscal year with respect to which such report is made. Such report shall show, among other things, (1) the number and size of Government contracts for the furnishing of supplies and services placed with business firms located in redevelopment areas, and (2) the amount and duration of employment resulting from such contracts. Upon the request of the Commissioner, the various departments and agencies of the Government engaged in the procurement of supplies and services shall furnish to the Commissioner such information as may be necessary for the purposes of this section.

APPROPRIATION

SEC. 22. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

USE OF OTHER FACILITIES

SEC. 23. (a) To avoid duplication of activities and minimize expense in carrying out the provisions of this act, the Commissioner shall, to the extent practicable and with their consent, use the available services and facilities of other agencies and instrumentalities of the Federal Government on a reimbursable basis.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this act. This act shall be supplemental to any existing authority, and nothing herein shall be deemed to be restrictive of any existing powers, duties, and functions of any other department or agency of the Federal Government.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 24, strike out "'Commissioner'" and insert "'Commissioner')".

The amendment was agreed to.

The Clerk read as follows:

Committee admendment: Page 5, line 25, and page 6, line 1, strike out the words "(not exceeding at any time 300 counties in the United States)."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 8, line 13, strike out "except as provided in subsection (c), such" and insert "Such."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 9, line 6, strike out "section 12 (5)" and insert "section 11 (5)."

Mr. HOFFMAN. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. HOFFMAN. Mr. Chairman, this legislation in the way it is being considered now is similar to the manner in which we have enacted legislation at other times. A committee comes in with a bill which some of us do not want any part of. And committee members get a rule by promising amendments. They realize that if the bill goes through as written it will be vetoed. So what happens? Amendments are offered and adopted to obtain support. The bill is adopted by the House. It goes to conference. It finally turns up a twin of the original, which standing on its own merit never would have come out of Rules. The wonder is Rules so long and so often is hooked. This bill is just like another bill that went over to the other body not many weeks ago. I am talking about that reciprocal trade bill. They got a few votes by exempting certain minerals and the bill was approved. That is what is being tried here. They are trying to get a bill that the President, they think, will be forced to sign into law. It involves millions and the President has told us to watch our step on appropriations.

What is the trouble? What they are trying to do all grows out of the fact that we are trying to run the universe.

We are redistributing the wealth. Trying to divide up the property owned by some—not held by others.

We are taking from those who have, giving to others with less. Of course we must take care of those in need. We always have. But that does not mean that everyone in need must give up something so that those less thrifty can buy what they want. If we continue to supply all with the kind of a job they are willing to accept, we will be in a leaky boat. When I cannot retain a fair share of my earnings, my savings acquired by thrift, I too will demand help. Follow through and we will all be paupers.

What did they do with TVA? They took our power companies from the North and established the TVA down South—with the cheap power industries flocking in from other places, which then in some cases became what we now

call "disaster areas." Some of our areas are distress areas because of that. They appropriated billions of dollars to build dams in the West to the injury of our power companies, our communities, and our industries. Fine, wonderful, for the area where people benefited, but hardship for the contributors.

What did they do over here for the South? Let me speak to you from the Northeast. They spent money down there in the South, they established conditions down there and away from the North went industrial plants. But what about the cotton and other industries up in New England? They went South—tax subsidies. Relief for a time from labor trouble. There is a distressed area for you. Why? Because the Congress stuck its nose in and began to move people and business around; first here, then there, and all over the country. Congressional meddlesome interference is what caused much of our present trouble.

Bills of this kind will not cure the situation. They may help; they undoubtedly will for a time. It will enable people in these communities where there is a distressed area to maybe do something in some other activity. We have distressed areas in Michigan. We have them in my District. We have unemployment, altogether too much of it. You know why we have it? Brother Reuther and brother Soapy Williams established a tax policy and a labor policy which made it impossible for industry to exist. The motors joined in. You have the same thing in steel. Together they kept raising the wages until the ordinary fellow would not buy the product. People had and have the money to buy. There is plenty of money in the banks. Folk just backed up and said they would not buy. And they will not. So we have unemployment. A buyers strike. There are plenty of jobs if the price was one an investor could afford to pay. And the sad result is that the high wage earner's wage does not profit him. Before he can get to the market the price has gone up.

So we come along now and we are going to fix it all up. We are going to take care of the folks over here and over there. But you cannot get anywhere doing that kind of business so long as we take from a neighbor to do it and we all know it.

Mr. Chairman, I just cannot get out of my mind the statement made by the gentleman from Virginia [Mr. SMITH] a few days ago, when he was speaking on a rule. He said we were going into debt, and that before his committee were all of these bills calling for billions upon billions of additional dollars which we do not have, which we must borrow and pay an excessive rate of interest on. Then there was a statement by the gentleman from Wisconsin [Mr. LAIRD] who put a table in the RECORD showing what those bills called for.

There is not a Member of this House who does not know that we are headed straight for disaster if we keep on, yet we keep right on, day after day, passing these bills when we have not a red cent in our pockets. We pass bills involving billions of dollars that we know we do not have the money to pay and that we will have to borrow at an excessive interest rate. Does it make sense? It certainly does not make sense to me, and I want no part of it. I will not rob Peter to pay Paul.

A Member with tears in his voice said we must do as much for our own as we have been doing for people abroad. Sure. And more—perhaps we could and would if the spenders and the wasters had not given so many billions away. The ones who are doing the weeping and wailing today are the lads who have been shouting for foreign aid. They are today the victims of their own folly. They eat their cake and then squeal because when their home folks need and ask for help there is no cake.

It is my hope they will some day learn we cannot spend the same dollar twice at the same time. And the further fact that Uncle Sam never had a dollar in his life until he took it from a taxpayer.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. ROOSEVELT. Mr. Chairman, I am in wholehearted agreement not only with the purpose of the Area Redevelopment Act, but with the approach that is used in this bill to implement its purpose.

I would like to point out one very telling example, among the many that we know exist, for the need for this measure from my own experience. This is the impact which drastic cuts in aircraft manufacture has had on the Long Beach-Los Angeles, Calif., area. The Department of Labor's Industry Manpower Survey for February 1958, points out that of the total surveyed establishments, one-fourth of the employment in aircraft plants was concentrated in the Long Beach-Los Angeles area alone. These plants manufacture, in the main, conventional aircraft in an era when conventional aircraft are rapidly becoming obsolescent. The new emphasis is on jet and missile production—and this is the trend which has caused layoffs in Los Angeles and Long Beach to the extent that that area has now been cited as shifting to the unemployment category of up to 8.9 percent between May and July.

The unemployment situation is reaching crisis proportions in that area, which impelled me to write to the Secretary of Labor on July 20, to ask for a current report on the situation, and for his plans to attempt a solution. I would like to quote briefly from his answer. On August 7, James T. O'Connell, Under Secretary of Labor, replied as follows, confirming the seriousness of the situation:

> The most recent of the detailed bimonthly area reports from the California Department of Employment shows that since May 1957 more than 35,000 aircraft jobs have been lost in the Los Angeles area and that these cutbacks have indirectly affected employment in other industries.

Mr. Chairman, let me emphasize this last point. It is important testimony to the indisputable fact that unemployment is never restricted to the one plant, or even the one area affected, but spreads its sickness in ever-widening circles if left to go unchecked.

Mr. O'Connell goes on:

> On the basis of employer forecasts of labor requirements to September, further layoffs were in prospect. Primarily because of these developments, as you may know, the Los Angeles-Long Beach area was classified as an area of substantial labor surplus in the Department of Labor's July release.

In his consideration of a solution to this, Mr. O'Connell had this to say:

> The prospects for reemployment of unemployed aircraft workers in Los Angeles depend primarily upon general economic recovery, including renewed expansion in such other important industries in the area as machinery, metals, and motor vehicles.

Mr. Chairman, this official pronouncement of the Department of Labor should be ample evidence of the real need for enactment of this legislation. In saying that reemployment will depend on expansion of other industries, Mr. O'Connell is recognizing the basic fact of life that underlies this bill. However, this necessary expansion cannot take place without the capital that will make it possible. Some industries might well have to convert to new operations. Others will need to expand or adjust their facilities to attract the new business on which economic recovery will depend.

It is of the utmost importance that we today make this possible, for truly a crisis in employment in Los Angeles is not just a Los Angeles problem. It is not even just a California problem. It is a national problem, and only a solution on the national level will suffice.

Not long ago I had an opportunity to address some of the people who had known my father well at Warm Springs. I was talking about a few of the similarities, and I must confess, dissimilarities which I saw between the early days of my father's administration and now. If I may, I would like to repeat a little of what I said then, because it has direct application to the legislation before us today. I had mentioned the new philosophy of government which was born then, which had its expression in programs which served the broad base of the population.

A new kind of responsibility had dawned, growing from the recognition of the interdependence of diverse national interests. It meant, and still means, that a farm foreclosure in Iowa touches the man in the city who produces the consumer goods which the farmer can no longer buy; and that a factory layoff is a pebble thrown in a pool which sends out ever widening circles of economic distress. Because this is true, and because the Federal Government and only the Federal Government can act as a reverse catalyst and cure for national ills, new reins demanded to be taken up—and were taken up with the vision and courage that the times required. We were not given emergency measures alone in the 1930's but sound programs for tax structures, public welfare, housing and public works that did initially cure the economic ills of the twenties, but more important, laid the foundation for a healthy expanding economy.

Mr. Chairman, we have an opportunity today to institute a permanent, effective program to cope with unemployment in economically distressed areas, in the tradition of the broad programs which were begun in the thirties, and which have stood us in such good and important stead ever since.

The record of this session of Congress will be made primarily on our actions to cope with crisis—the emergency measures which we have passed have been important, and have had significant and beneficial effect on the recession. But we must not leave without also enacting solid, long-range legislation that will guarantee our growing economic well-being. The Area Redevelopment Act is such legislation. I strongly urge its passage.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from California.

Mr. HIESTAND. I congratulate the gentleman on his statement. I think that is one of the most effective statements against the bill that has yet been made. This business of attempting to cure unemployment by moving industries into such communities as Los Angeles, which has plants to spare and just not enough business existing—and Detroit, especially, is eligible under that law—I believe demonstrates the weakness of the bill.

Mr. ROOSEVELT. The gentleman, of course, is quite wrong. The bill would help the empty plants in Los Angeles become filled with employed, working people. I must point out that there is nothing in this bill that requires piracy of industry from one place to another. This bill would make it possible to give people new industries and expand existing industries in the area, and I believe it would prevent piracy.

Mr. Chairman, I sincerely hope that this bill will be passed.

Mr. BROWN of Georgia. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

> Amended offered by Mr. Brown of Georgia: Page 9, strike out lines 19 through 23 and insert the following:
>
> "(7) Such loans shall bear interest at a rate determined by the Secretary of the Treasury which shall not be greater than the current average yield on outstanding marketable obligations of the United States of comparable maturities as computed (in the case of any loan) at the end of the month preceding the month in which the loan is made, plus one-quarter of 1 percent per annum."
>
> Page 12, line 6, strike out "raised" and insert "appropriated."
>
> Page 17, strike out line 13 and all that follows down through line 16 on page 18 and insert the following:
>
> "SEC. 8. There is hereby authorized to be appropriated not to exceed $200 million to provide funds for loans under this act."

Mr. BROWN of Georgia. I yield to the gentleman from Iowa [Mr. TALLE].

Mr. TALLE. Will the gentleman from Georgia inform the committee what the real rate would be under this language?

Mr. BROWN of Georgia. Well, the real rate would be 3⅜ percent.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. SEELY-BROWN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair is attempting to dispose of the committee amendments. When we have disposed of them, the bill will be open to amendment at all points.

The Clerk will report the next committee amendment.

The Clerk read as follows:

> Committee amendment: Page 11, strike out line 13 and all that follows, down through line 5 on page 12.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, here again we have another bill reported by the committee, presumably after careful study; a rule granted, some controversy over whether the rule should be called up. Finally, the rule was called up, and I am glad that it was. Now, we see in the consideration of the bill what seems to be a whole series of amendments that I presume are important in their effect on the bill and presumably change it very materially.

To my mind, it just points up once more what I said the other day during consideration of a rule on a similar bill. It certainly would make for much better legislation and would develop a sounder legislative process if the committees would get their bills in the form in which they want them before they bring them here.

An amendment was offered after the first section was read, by the gentleman from Pennsylvania [Mr. FENTON], who with many others in this body, is genuinely interested in accomplishing something that would be worthwhile, that would be in line with what the President has recommended and would result in legislation. Many are interested in an approach under which we could make what is argued would be an effective attack on this problem, if it can be solved this way, but which would not take us clear off the deep end as we start out on the program.

I supported the amendment of the gentleman from Pennsylvania. It was defeated. So now, presumably, we are to have a bill that is going to cost $200 million instead of $50 million that was in the bill as originally recommended and offered by the gentleman from Pennsylvania, Dr. FENTON.

The gentleman from Texas argues that because the committee bill is going to cost $200 million and the other proposal would cost a paltry $50 million we ought to vote for the committee bill. As far as I am concerned, that is the best reason for me to vote against it.

Finally, I believe, considering the shape in which this has come to us, and the way this whole procedure is developing, you are going to wind up with a bill costing $200 million, with many objectionable provisions in it. When the time comes, I trust that a motion to recommit the bill will be made and that the bill will be recommitted to the committee. Then, if they want to get a bill together that is realistic, that can become law, that is worthwhile and what they really want, let them bring it back and we will act on it.

Mr. HIESTAND. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. HIESTAND moves to to strike the enacting clause.

Mr. PATMAN. Mr. Chairman, I make the point of order that it is not sufficient.

The CHAIRMAN. What is the gentleman's point?

Mr. PATMAN. The gentleman did not offer a motion that the Committee rise and report the bill back to the House with the proviso that the enacting clause be stricken out.

Mr. Chairman, I do not insist on the point of order, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. HIESTAND. Mr. Chairman, I thank the gentleman from Texas for withdrawing his point of order.

Mr. Chairman, I introduced this measure in all seriousness. I think we have shown that this is a bad bill in a great many ways, not only in theory, but in its details all the way through.

It is highly inflationary. It is going to come up and hit us in the face years from now. This initial proposal of $200 million is only the camel's nose under the tent. We know that it is going to have to be upped and upped and upped. It is a pork barrel bill in almost every sense.

Mr. Chairman, I ask for a vote on the motion.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, this bill carries $200 million, and that is low enough considering the big job that has to be done through the use of the money.

This is the usual procedure for a bill coming before the House in the form of a Senate bill. The gentleman from Indiana [Mr. HALLECK] left the impression that we were reporting a House bill and that after we had reported the House bill we suggested a number of amendments. That is not the situation at all. If we had reported a House bill it would have been a clean bill and no amendment would have been printed in the bill. But when reporting a Senate bill it is entirely different. This is the usual, ordinary, customary procedure.

Further, the report contains every amendment that is suggested. Not only that, the bill itself contains each and every amendment. So there is no valid complaint to the effect that the committee after voting for a bill has asked that a number of changes be made. It is the usual procedure when a Senate bill is used.

There is one difference between this bill and the bills the gentleman from Indiana usually votes for. This bill provides for millions for our own people. The bills the gentleman has been voting for—and I have been voting for a lot of them myself, and I can be criticized if he can—contain billions of dollars for people outside of the United States of America.

I am not trying to incite people to vote for this bill because of foreign aid.

That is not the question. The point is that we have voted for bills here during the 85th Congress that had billions of dollars in them for all the countries in the world. There are lots of countries that receive more than the United States of America will receive under this one bill. I doubt if there is an important country in South America that will not receive more from bills we have voted during the 85th Congress, 2d session, than the people of the United States of America will receive from this bill if it becomes a law with the full $200 million. So this is not a bill involving billions of dollars, it is a bill involving millions of dollars, and a very small percentage of what we are voting to send to foreign countries, to relieve the same kind of distress there that we now want to relieve right here in the United States.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Why not do the same for Americans in this bill that you have been doing for foreigners?

Mr. PATMAN. We would certainly like to do that.

Mr. GROSS. Why not do that? You want to load our Americans down with debt.

Mr. PATMAN. The gentleman can offer his amendment. I know what it is.

Mr. GROSS. No. You brought out the bill.

Mr. PATMAN. I would be glad to consider the gentleman's amendment. I do not think I would vote for it, but I would be glad to consider it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. HALLECK. Can the gentleman show us where in the bill reported out of the committee that last amendment was included?

Mr. PATMAN. I do not recall exactly, but I think that was the one where we had to yield to the Committee on Rules or we could not get the bill out. You know the gentleman from Virginia [Mr. SMITH] was out of pocket here a few days and we did not know where he was and we did not know where we could get hold of him, and during that time we became very anxious to get something done on this bill. When he came back here, he was very kind and considerate about it, and I commend him for being so generous toward us.

Mr. BROWN of Georgia. Every member of the Committee on Banking and Currency considered the last committee amendment at a meeting called for that purpose. The amendment changed the financing of the bill from public debt transactions to appropriations, and I believe the gentleman from Indiana, himself, favors the appropriations method rather than financing through public debt transactions.

Mr. PATMAN. I do not see why we should pick on our own bills for our own people. When these other bills come here involving billions of dollars, we do not ask any questions about where we are going to get the money.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from California [Mr. HIESTAND].

The question was taken; and on a division (demanded by Mr. HIESTAND), there were—ayes 99, noes 112.

So the motion was rejected.

Mr. BROWN of Georgia. Mr. Chairman, I ask unanimous consent that the remaining committee amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 11, strike out line 13 and all that follows down through line 5 on page 12.

Page 12, line 6, strike out "(d)" and insert "(c)."

Page 12, beginning in line 6, strike out "section 9" and insert "section 8."

Page 12, strike out line 14 and all that follows down through line 17 on page 14.

Page 14, line 19, strike out "8" and insert "7."

Page 16, beginning in line 15, strike out "(including a loan under section 7 of this act)."

Page 17, beginning in line 1, insert the following:

"(e) No financial assistance shall be extended under this section with respect to any public facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State regulatory body, unless the State regulatory body determines that in the area to be served by the public facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it is prepared to undertake."

Page 18, line 18, strike out "10" and insert "9."

Page 19, line 10, strike out "11" and insert "10."

Page 19, line 15, strike out "may" and insert "shall."

Page 19, beginning in line 16, strike out "or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purpose" and insert ", including persons whose services are procured under section 11 (10)."

Page 19, line 24, strike out "12" and insert "11."

Page 22, line 21, strike out "sections 6 and 7" and insert "section 6."

Page 23, line 24, strike out "13" and insert "12."

Page 24, line 19, strike out "14" and insert "13."

Page 25, line 1, immediately after "municipality" insert "or part thereof."

Page 26, line 22, strike out "Act.'" and insert "Act.".

Page 26, strike out line 23 and all that follows down through line 2 on page 27 and insert the following:

"(f) Not more than 10 per centum of the funds authorized for capital grants under section 103 after June 1, 1958, shall be available to provide financial assistance under this section."

Page 27, line 8, strike out "15" and insert "14."

Page 27, line 15, strike out "16" and insert "15."

Page 28, line 18, strike out "17" and insert "16."

Page 29, line 10, strike out "18" and insert "17."

Page 30, line 20, strike out "19" and insert "18."

Page 31, line 15, strike out "20" and insert "19."

Page 32, line 4, strike out "21" and insert "20."

Page 32, line 21, strike out "22" and insert "21."

Page 33, line 2, strike out "23" and insert "22."

Page 33, immediately after line 14, insert the following:

"RECORDS AND AUDIT

"SEC. 23. (a) Each recipient of assistance under section 6 or 7 of this act shall keep such records as the Commissioner shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Commissioner and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under section 6 or 7 of this act."

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. SEELY-BROWN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SEELY-BROWN: Page 7, line 25, after the word "result" add "to any extent" and strike out the word "substantial" in that same line.

On page 25, line 19, after the word "result" add "to any extent" and strike out the word "substantial" in that same line.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield.

Mr. BROWN of Georgia. We have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The amendment was agreed to.

Mr. FLOOD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLOOD: On page 28, strike out lines 17 and all that follows down through line 8 on page 29, and renumber the succeeding sections accordingly.

Mr. FLOOD. This was the amendment I mentioned in general debate and discussed with the gentleman from Virginia [Mr. SMITH].

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I have no objection to this amendment.

Mr. HIESTAND. Mr. Chairman, may we have an explanation of the amendment?

Mr. FLOOD. I thank the gentleman from Georgia. Of course, the gentleman from California is entitled to an explanation. I explained this during general debate and to the gentleman from Virginia [Mr. SMITH], at some length.

This is the amendment to strike out the 13-week retraining provision. I think it is pretty generally understood. It has been covered by press, radio, and television over a period of days. I am surprised there is any mystery about it.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when this bill was before the Committee on Rules we discovered this clause which provided for some sort of training program by which an unemployed person might seek to retrain for 13 weeks under this provision and then be able to draw 13 weeks more of unemployment compensation.

As you know, in recent weeks we already increased the period for unemployment benefits and this just looked like a third round of raises on unemployment compensation.

When this was brought to the attention of the members of the Banking and Currency Committee and before the Rules Committee voted to bring the bill up, it was generally agreed that that clause perhaps was not exactly necessary in that bill, and it was agreed that this amendment would be offered. It was generally understood that the amendment would be adopted.

Now, the gentleman from Pennsylvania [Mr. FLOOD], has performed his duty. Whether or not he will vote for the amendment I do not know; but at least he has done what he said he would do.

The amendment ought to be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. BYRNES of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this has been called the depressed areas bill.

It is aptly named. It may well along with other spending legislation this Congress is enacting, make depressed areas of every prosperous community in this Nation.

What kind of madness are we engaged in anyway?

Inflation is rife now. We still have ahead of us the greatest deficit periods in our peacetime history. Those deficits, as a result of spending we have already authorized, will let loose almost uncontrollable inflationary forces.

In the words of a man who knew what he was talking about, we are setting the stage for a depression that will curl our hair.

That is not my opinion alone. It is the considered opinion of almost every knowledgeable person who has given the matter any thought.

Yet, what are we doing here today?

Are we trimming our sails to prepare for the blow we can see on the horizon? Are we battening down hatches, lashing the tiller and breaking out the lifejackets?

No, Mr. Chairman.

Today, we are loading on more canvas, dumping ballast overboard and playing cribbage on the poopdeck. We are acting like a drunken crew that wants to wreck the ship.

This bill to spend money we have not got, should not be before this body today. Now that it is here, let us give it the kind of treatment it deserves. Let us feed it to the seagulls.

At a time when we should be cutting spending, let us not make the fatal error of embarking on still another spending program.

Let us not put this Nation on a course which will put it stranded on the desolate beach of a great depression.

And, in the name of sanity, Mr. Chairman, let us not do it under the guise of helping the unemployed.

Mr. GRIFFIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to focus the attention of the Members on section 7 of this bill which provides $75 million a year for construction of public facilities and to ask some member of the committee on the other side if this bill contains a definition of the term "public facilities." If so, I have not been able to find it.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I shall be glad to yield to the gentleman.

Mr. PATMAN. This is needed for waterworks.

Mr. GRIFFIN. Will the gentleman tell me whether there is a definition of the term "public facilities" in the bill?

Mr. PATMAN. I believe the term "public facilities" is generally understood.

Mr. GRIFFIN. Mr. Chairman, I do not yield further. I asked the gentleman a simple question. I understood that in the community facilities bill which we had before us a while ago there was a definition of the term "public facilities" and it was so defined as to exclude schools and school construction. I would like to ask the question just so I will know how to vote, whether this term "public facilities" as used in the bill includes school construction.

Mr. PATMAN. It is not intended; no, sir.

Mr. GRIFFIN. How does anybody know?

Mr. PATMAN. It does not.

Mr. GRIFFIN. What does it include?

Mr. PATMAN. We will make a point of legislative history right now, and state it was the intention——

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to my colleague from Michigan.

Mr. HOFFMAN. Under this definition it would include playgrounds, improvements in parks, or anything of that nature.

Mr. GRIFFIN. I will yield further to the gentleman from Texas if he wants to explain it.

Mr. PATMAN. I thank the gentleman.

There are a number of cities and towns that have voted the limit of bonds. They cannot go any further. There is no way for them to meet the health standards of their communities. It really goes to the question of public health, antipolio campaigns, and things of that kind. It is all in the report.

Mr. GRIFFIN. What does the term "public facilities" mean in this report?

Mr. PATMAN. What are customarily and ordinarily used as public facilities, involving sewers and so forth.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from California.

Mr. McDONOUGH. If the definition of "public facilities," as described by the gentleman from Texas is true, we are back on the old communities facilities bill on which we defeated a rule some time ago.

Mr. GRIFFIN. That is what I think.

Mrs. KNUTSON. Mr. Chairman, I join in support of the area redevelopment bill which includes as one of its provisions, the establishment of a revolving fund of $100 million for rural redevelopment. The bill, S. 3683, is designed to create additional employment in depressed areas—both rural and urban. There are at least 761 low-income counties in the United States in need of this type of aid—most of them rural. Most of them have underdeveloped economies. They need the help of the Federal Government, particularly in these days of recession-low farm incomes. We cannot fully return to a prosperous national economy and full employment without a healthy improvement in farm income. The national economic chain is only as strong as its weakest link. There is no question that the farmers are the greatest single group of consumers of industrial products. Of the greatest assistance in this task of increasing the purchasing power of our farmers, would be the economic aid provided by this $100 million revolving fund for rural development. It is practical and it is direct. This is not a permanent solution of the family farm income problems—and does not pretend to be. It will be needed as an assistance in rural counties until we have, by other means, brought the level of farm income to something like parity with urban community income. Without these means, these areas bid to become permanently depressed-income areas, which would do permanent injury to our national economy.

The facts and figures are matters of public record. I need not go into the bitter details of the farm families that continue to be forced off the farms and of the thousands who remain still trying to earn a living under present circumstances, without money to repair equipment, struck by disaster, and without disaster relief, caught in the increasing cost-price squeeze. Industrial development offers some hope of relief.

The rural development program now under the Department of Agriculture has been inadequate for the purpose. To my way of thinking such a program should not have been placed in that Department as it is not equipped to cope with the problems. The special problems should be handled by a special agency, staffed by specialists in industrial development and provided with adequate funds for a full-scale study and work program. It is one of the vital needs of our rural depressed areas. The possibilities for improvements in depressed rural communities under such a program are limitless. I

urge prompt and full approval of the measure.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman from Maryland (Mr. GARMATZ) may extend his remarks at this point in the RECORD and to include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GARMATZ. Mr. Chairman, the telegrams and letters coming into my office urging passage of S. 3683, the area-redevelopment bill, have been many. The people of Maryland have been especially conscious of the need for legislation to provide some help to the areas of chronic unemployment or labor surpluses, which undermine the area economy, because there is such region in the State.

They do not favor this bill, because they consider it an effort to help the present temporary recession, but a necessary measure to alleviate conditions of continued unemployment and underemployment, which develop as a result of technological advances and the depletion of natural resources in various areas. An example of this is Cumberland, in the western part of Maryland, where substantial unemployment has existed for years and has now reached 15 percent. Despite the best efforts of the local authorities and the State government, it has not been possible to improve conditions there. It is to help such areas that it has become imperative that the Government take positive and immediate action, and I strongly urge the Congress to approve this bill before adjournment.

In further support of this legislation, I would like to insert in the RECORD at this point, a statement made by Mayor Thomas D'Alesandro, Jr., of Baltimore, speaking as mayor of Baltimore and also as chairman of the legislative committee of the United States Conference of Mayors, before the House Committee on Banking and Currency, when it had this matter under consideration.

STATEMENT OF THOMAS D'ALESANDRO, JR., MAYOR OF BALTIMORE, AND CHAIRMAN OF THE LEGISLATIVE COMMITTEE OF THE UNITED STATES CONFERENCE OF MAYORS, BEFORE THE HOUSE COMMITTEE ON BANKING AND CURRENCY, MAY 16, 1958

Mr. Chairman and members of the committee, I am Thomas D'Alesandro, Jr., mayor of Baltimore and chairman of the legislative committee of the United States Conference of Mayors. I appreciate the opportunity to appear here this afternoon. I am here to testify to the need for immediate action by the Federal Government to help bring economic health back to the United States. We are in a serious recession. It is folly for the administration to attempt to talk it away or pretend it is about to disappear. The situation may become worse. "Leveling out" only means that more than 7 million people will remain unemployed or underemployed. The waste that the present serious underemployment of our manpower and our productive machinery represents can never be recaptured. The idle man and idle machine in our Nation and abroad cannot be justified, when there is so great a need for the products of agriculture and labor. I believe that the Federal Government must take the lead in seeking the remedy and using it without delay.

I desire to emphasize the pressing need for prompt action by the Congress to meet the nationwide economic crisis. If the 85th Congress will make additional funds available for slum clearance, urban renewal, public housing, airports, stream pollution control, hospitals and medical facilities, the grants will rapidly be translated into jobs. Jobs on projects in every community across this great Nation. Jobs on much needed worthwhile public works.

Now, I am not here today to tell you of the needs of the city of Baltimore alone. During the past several weeks I have visited every community in Maryland. I have talked with hard pressed farmers and miners in and from Garrett and Allegany Counties, unemployed aircraft workers in Hagerstown, laid-off steel workers in Baltimore and the unemployed and underemployed citizens of our Eastern Shore. Conditions are bad throughout the length and breadth of Maryland, and there is little hope that the State as a whole or the communities individually can materially improve things. Let us for instance look at the Cumberland situation.

The Cumberland area has been a "substantial labor surplus area"—which means an area in which substantial unemployment exists—every since that classification was adopted by the Federal Government in 1951. A year ago unemployment in Cumberland was almost 14 percent of the labor force—today it is 15 percent. The good people of Cumberland have tried everything they could think of to improve their situation. But each year things have gotten a little worse and now with the general recession, there is simply no way for Cumberland to lift itself. I suggest that all Americans have an interest and an obligation to assist the people of Cumberland, Md., and the other chronic economically depressed communities in the United States. The area redevelopment bill, H. R. 6215, introduced by the chairman of this committee, would have the Federal Government accept its responsibility. The Douglas-Payne bill, S. 3683, which passed the Senate earlier this week has the same objectives. I most earnestly hope that this legislation will soon be law.

For the areas not so badly off as those to which H. R. 6215 would give assistance, I believe that increased Federal grants to existing programs on the matching basis provided in existing law provides the surest route to economic recovery. Several of the bills pending before you would provide loan funds for community facilities at interest rates ranging from 2 percent (H. R. 11272, introduced by Congressman RAINS), to 3 percent (H. R. 11474, introduced by Chairman SPENCE), to 3.5 percent (S. 3497, the Fullbright bill as it passed the Senate).

These bills propose to alleviate the economic recession by expanding the community facilities program of the Housing and Home Finance Agency. This program, in general, provides loans for water and sewage projects to communities of less than 5,000 population. The pending bills would expand this program to make it available to all cities and other State and local jurisdictions.

The bills would also liberalise the terms of the community facility loans, providing repayment over a period of up to 50 years and the bills would expand the types of local public-works projects eligible for participation in the program. Besides water and sewage facilities, other local projects that would become eligible would include those for public roads, parks, airports, hospitals, utilities, schools, libraries, buildings, and the like.

Such a program would be most valuable from two standpoints. First, it would provide an effective economic stimulant; and second, it would provide help to our cities and towns, which have long been neglected by Federal policies.

Federal construction projects certainly have an important place in our national economy. Being usually large projects, they involve delays for planning and the drafting of detailed specifications, and so forth, before construction can proceed. The present recession calls for much faster action than the Federal Government has been taking. Those Federal projects already under way should be speeded up, and the lag time on new projects can and should be drastically shortened.

Local projects tend to be larger in number and smaller in size permitting them to move forward more rapidly. Moreover there is a huge backlog of such propects which are needed in communities all over the country. There are several causes for this situation. First, it was the depression, then it was war. Next came inflation, high interest rates, and tight money.

There are, I believe, very few communities with credit rating so low that they cannot borrow money for less than 3.5 percent. A law providing this high a rate probably would be of very little value in meeting the needs imposed by the recession.

There are but few large communities that cannot borrow money for less than 3 percent. A law with this rate of interest would have little effect in putting the unemployed to work. I understand that there is a feeling among some members of Congress that the big cities would take advantage of a law with an interest rate of, let us say, 2 percent, and therefore the rate must be 3 percent or more so that the big cities won't take all the money. Gentlemen, what is the purpose of the legislation we are here to support? Isn't the point to put the unemployed to work on worthwhile projects? The fact is, except for the chronic areas, the great bulk of the 7 million unemployed and underemployed are in the large metropolitan areas. Therefore, I say to you in all sincerity, if your purpose in passing a community facilities bill is to get at and remedy the unemployment situation, then make the funds available at 2 percent interest so that they will be used where the unemployment is. In my city of Baltimore 7.8 percent of the labor force is unemployed, and a loan program with a 3.5 percent or 3 percent price tag in addition to what the State and my city is doing and proposes to do won't put these men and women to work.

At best a Federal loan program will take a long time to get into operation. In some instances cities have borrowed to the limit set by State law and in many other instances a city would be required to go to the people in a bond referendum before borrowing.

Let me add a word about two other matters—unemployment compensation and taxes. I hope the Congress will approve a federally financed extension of benefits to the unemployed. The relief problems of our cities are tremendous, and as unemployed workers exhaust their unemployment insurance benefits many of our communities just won't have the funds to manage the added burden on their relief rolls.

Congress should start working on tax reduction legislation now. Excises on many manufactured items should be eliminated or reduced so as to lower prices and individual income taxes should be reduced so as to bolster consumption. Since the purpose of a tax reduction is to increase purchasing power, the substantial part of the relief should go to those in the lower tax bracket. An increase in the exemption or a uniform individual tax credit would seem to be the best way to accomplish this aim.

I want to thank this committee for providing this opportunity for those of us who are trying to manage local government to bring in our problems and our ideas and discuss them with the Congress.

Mr. MACK of Illinois. Mr. Chairman, I strongly support this legislation which, in my opinion, is badly needed and long overdue. This bill, known as the Area Redevelopment Act, would cure weaknesses in our economic structure which unfortunately exist even in periods of prosperity. For the past 10 years, the great industrial State of Illinois has been plagued with areas of depression caused by technological changes and the shifting of product demands. These depressed areas with persistent unemployment occurred first with the closing of many of the mines in Illinois. In recent times, we have also noted similar conditions existing in other industrial areas where lack of product demand has caused a slowdown in these industries. When this happens entire communities often become depressed overnight and although the individual citizens of these communities make determined efforts to solve their problems, it is obvious that they need outside assistance.

This bill would assist these citizens in solving their problems in many areas of Illinois by providing loans for industrial projects in areas designated as industrial redevelopment areas. What is more important is that this bill would provide technical assistance, including studies evaluating the need of and developing potentials for economic growth for these areas. It would also provide vocational training or rehabilitation for the people of areas where the industry has been abandoned, such as our mining communities.

Mr. Chairman, I was privileged to join with my colleagues from these redevelopment areas in urging action on this legislation prior to the adjournment of Congress. I am pleased that the Congress has agreed to consider this bill. In my opinion this is probably the most important bill that the 85th Congress had had an opportunity to consider, and I am hoping that the Congress will approve this bill by an overwhelming majority.

Mr. ROBISON of New York. Mr. Chairman, I have voted against the rule on this bill—S. 3683—and I intend to vote against the bill itself. It is my belief that this is not good legislation, and is, in fact, perhaps the least desirable bill that has been offered this session.

I think it is unnecessary, discriminatory, and will not accomplish anything beyond the creation of another costly Federal boondoggle that we can ill afford in this era of deficit spending. It would attempt to aid some communities at the expense of others. It would even attempt to justify Federal help in "pirating" an industry from one district to another, without trying to find and cure the basic reasons why the latter district has become chronically distressed. Such tampering with the economic laws of the free enterprise system can end in nothing but costly chaos and confusion.

Those areas in my District and throughout the Nation that have suffered economic distress are themselves valiantly fighting their own battles and, in almost every instance, are succeeding. Why should we now destroy such local initiative? Moreover, the problems facing these distressed areas are not superficial, but complex, and to believe that Federal money alone can solve those problems is like believing that aspirin can cure alcoholism. I think we should vote down this bill, and then find some better, more American way to help my distressed neighbors in the coal-mining areas of Pennsylvania, and similarly troubled areas around the Nation, than this. Their economic ills have been long standing. Their problems deserve continued study, and I am sure a more constructive treatment and prescription than here offered can be found without undue delay.

Mr. BROWN of Missouri. Mr. Chairman, I am appalled at the gross distortions about this Area Redevelopment Act.

Now, I have studied this bill carefully. I have read page after page of testimony about its every provision. I have talked at length with members of the House Banking and Currency Committee about the implications and stipulations in every section. I have seen many but probably not all of the amendments that will be offered.

May I say frankly that this Area Redevelopment Act is neither as good as some of its advocates would lead us to believe, nor is it as bad as some of its enemies contend.

Now, let us clear up some misunderstandings. This bill—

First. Makes it possible for a rural county where there are large numbers of low-income families to borrow money from an area redevelopment administration for the purpose of acquiring suitable sites and buildings for new industry, not to pirate somebody else's industry, but new industry that wants to move into that rural county.

In the Senate bill, only 300 rural counties in America would be eligible. The House bill changes that provision and makes eligible more counties, those with largest number and percentage of low-income families. The committee intends for the Administration to establish the criteria for determining which counties are eligible. The committee counsel assures me that at least 4 rural counties in southwest Missouri will be eligible under the strictest interpretation of this provision, and he feels that we have 2 or 3 more that can qualify.

Second. These loans shall be interest-bearing sound loans with a 40-year payback period; and there is no interest subsidy in this bill. To the contrary, the borrowers are required to pay a premium of one-fourth of 1 percent above the average interest rate paid by the United States Treasury on Government borrowings.

Third. These loans shall not exceed 65 percent of the aggregate cost of the land, facilities, construction, alteration costs, and so forth, incurred by the applicant. The State or community or area organization must have at least 10-percent equity in the aggregate cost. And at least 5 percent of the total aggregate cost must be put up by nongovernmental sources—private enterprise.

The total amount authorized for such rural redevelopment loans subject to appropriation, is $100 million, a revolving fund. Not all of it could be loaned in 1 year, but if it could be, that is three-tenths of 1 percent of the total amount spent in the United States last year for new plant and equipment. At the most, only three-tenths of 1 percent of America's new industrial plant expansion would go into chronically depressed rural areas. Isn't that precious little? Does anyone begrudge them this?

Now, there is a provision in this bill to deal with other areas where they have had industry in the past but it has died out. These areas can secure loans and facilities for rehabilitating plants and sites for industry. How do you determine one of these areas?

The bill says such a city is one, if for 1 whole year 12 percent of the labor force has been unemployed, or if unemployment has been 9 percent or more for 15 months, or if unemployment has been 6 percent for 2 years, or if unemployment has represented 15 percent of the labor force for 6 months.

If a city is in this shape, they can go to the Area Redevelopment Administration for interest-bearing loans for improving or rehabilitating or adapting sites and facilities for industrial redevelopment, just as outlined for rural counties. No loans for working capital, all fixed capital loans, to be paid back with interest and the equity share must be well established.

Now, the total amount of money made available in the revolving fund for this purpose is $100 million. That is $200 million in Federal money for loans over a period of years.

Also in this bill is a provision, if it stays in, providing $75 million worth of Federal grants for improving public facilities in these redevelopment areas when they get an industry and need better water systems, sewage facilities, or some other public facility to accommodate the new industry.

Many of these areas cannot even float bonds for public facilities. They have no source of money. This bill makes grants for this purpose only, just as the Federal Government has given money to several cities in my District to help out on sewage disposal plants, hospital construction under the Hill-Burton program, and other purposes.

Surely, there cannot be too much wrong with this. If there is, some towns and cities have committed many a sin in recent years.

Now, one feature of the Senate bill is being eliminated by committee compromise with opponents of the bill. That is the section providing vocational training and retraining of unemployed individuals to develop a reservoir of trained skillful workers that would attract industry. I hope we can pass the vocational training education bill to do this job. It contains a better section.

In my Ozarks, many of our rural counties could attract any industry that needed trained vocational agricultural graduates. We have the finest vocational agricultural training in America. But industry is not looking for trained agricultural graduates. We sorely need more vocational training facilities and programs to train people in industrial skills. More and more industries are looking for areas with a supply of skilled workers. Not only should the young be trained but adults, too, so they can have something to offer an employer besides the will to work.

But the vocational training and retraining section is now out, I understand.

Now, that is the bill. In its present form, it provides:

An Area Redevelopment Administration authorized to loan $200 million over a period of years to areas with chronic economic problems for industry sites and facilities. If and when those areas attract some industry, the Area Redevelopment Administration could then make a Federal contribution if necessary to help them improve any public facilities that have to be improved to accommodate the industry.

Now, is this the humbug that its enemies would have us believe? To the contrary, my misgivings about the bill are that it will probably not be anywhere near as much help as the advocates would lead us to believe.

There is no program here for dispersing United States defense plants, though the Rockefeller and Gaither reports and every other study have pleaded with us to scatter them out and play safe.

There is no foundation program for training farm youngsters to be skillful industrial workers, as an attraction to industry to move to rural areas.

There is no real tangible inducement to American industry to broaden their horizons and take a look at rural areas as a possible new location where they could find willing workers a plenty, and workers who know how to give a full day's work for a day's pay.

This is a loan program for areas that cannot get loans anywhere else. The real job of locating and selling industry prospects is still up to the citizens of each community and that is where it will always be. It still takes wide-awake people to get industry.

I hope this bill will do some good, because the need is great. I have too many rural counties in my District that have lost 17 to 20 percent of their population in the past 10 years. I have some cities that are now industrializing. Right now, we are riding high. But who knows when, through no fault of anybody's, prolonged shutdowns might hit Springfield, Joplin, Monett, Carthage, Webb City, Neosho, Aurora, Mansfield, Pierce City, and other cities where we have factories and payrolls that are vitally important. Getting new industry is only part of the story. The other part is to keep it going full blast.

The Small Business Administration has already helped my area with a few loans for industrial development. Maybe this new agency will help some others. The experts think it will be of some help. I urge its adoption.

Nothing is worse than a semighost city where prolonged shutdowns have forced people to leave their homes, their schools, their churches, and their friends. That is a waste of money and waste of happiness. When they move to a new city their new hometown has to build new classrooms, sewer facilities, and so forth.

Nothing is worse than seeing plain honest God-fearing country folks unable to make a living on the family farm, forced to leave their lifelong homes and neighbors to go looking for work in strange and distant cities where they do not choose to live. That is cruel.

As I say, this bill may not help solve these problems; but let us hope it does, because it is not in the national interest for all industrial growth to occur in already overburdened giant metropolises.

If we ever get back to booming and growing, there will be industry looking for new locations. Surely, there will be years again when there will be $40 billion worth of new plants built or more each year.

Do you not think that the people would do well to loan $200 million of their money, of that good year's industrial expansion, to get six-tenths of 1 percent of that expansion into areas that really need it most? Or shall we, in shortsightedness and selfishness, let these areas dry up completely? Let us try the loans.

Mr. LIBONATI. Mr. Chairman, this bill, S. 3683, the Area Redevelopment Act, will benefit many industrial and rural areas that are suffering through the years of chronic unemployment and underemployment.

It is unfortunate that these depressed areas, having at least 12 percent of its labor pool unemployed, due to the fact that industrial redevelopment projects cannot be financed because of a depletion of resources or inability for low-income areas to qualify for funds through the ordinary financial channels.

A chronic localized depression, due to technological changes, resulting in the displacement of workers by innovations or industrial shifts to other areas; also to overcome disadvantages of distances to source of raw materials or assembling plant problems, to say nothing of replacement by modernized methods and revolutionary changes in methods or mechanical revolutionary advancement.

The Government, under this bill, furnishes 65 percent of the funds and the local interests 35 percent. These are loans, not grants, and they are secured. An administrator or commissioner determines the adequacy of the security in the making of the loan.

The assistance under this act will return to productivity many communities that are now stagnant because of many factors that resulted from conditions of the past without the control of the local inhabitants, such as the sad conditions that exist in the southern 26 counties of the State of Illinois, almost wholly dependent upon the coal industry.

The competition of other fuels and the development of appurtenances for the use of other fuels, together with the public demand for easier and functional handling of fuels, spelled doom to the coal industry. The change of the utility companies in the generation of electricity from use of coal to oil as well as the railroads and home-heating consumption change to oil.

The Government's two revolving funds of $100 million each—one for industrial projects in industrial redevelopment areas, and the other in rural redevelopment areas. The Commissioner could make grants to $75 million for public facilities.

This act will save untold millions of tax dollars paid for relief purposes in a distressed area in southern Illinois, a truly depressed area—65 percent of employables on the relief rolls. The citizens of this area have for years struggled to keep their communities together and seek financial support to redevelop their area in establishing a sound and healthy financial community through the development of its industrial productivity.

The problem of unemployment is of national concern. The newer industries will preserve the millions of dollars of properties in these areas, that if conditions persist can result in becoming ghost areas.

Further, the concentration of effort toward establishing a prosperous community, will attract many others, who, being unemployed can concentrate in these progressive areas, and contribute to the internal development of our cities and rural areas. The acquisition of slum areas and the building programs under the various sections of this act will promote needed employment in this segment of labor. It will give these real Americans in need of financial backing, a real chance for an opportunity to save their American cities and rural areas—to promote real industry with their own dollars, together with a Government loan.

RECESSION OVER BUT JOBLESSNESS CONTINUES

Mrs. GRANAHAN. Mr. Chairman, I am going to vote for the distressed areas bill because we cannot continue to allow these pockets of joblessness and unemployment to exist throughout the industrial areas of the Nation, and expect to have prosperity for the rest of us.

I congratulate the Committee on Banking and Currency for the work and effort they have put into this legislation. In our State of Pennsylvania, where we have one of the largest groups of substantial labor surplus areas, this legislation can be of great assistance in helping to provide new job opportunities, attracting new industries, and so on.

Our Governor, George Leader, has taken a leading role in seeking to attract new industry to the distressed areas of the State, and he has done an excellent job on this. But much remains to be done. New industry has been going, too often, to areas which offered low wages as their main attraction. Under this legislation, the existing industrial areas, which pay decent wages, can compete more effectively in seeking to attract new plants.

Let us not delude ourselves that this legislation is unnecessary on any grounds such as the claim that the recession is over. We know that joblessness continues, and that most of our major industrial centers, including Philadelphia, are still on the list of those cities with substantial unemployment. The recession has been tragic in many families and to whole areas of the country. This bill will help us move forward economically.

FEDERAL RESPONSIBILITY

Mr. BLATNIK. Mr. Chairman, we must face the fact that the Federal Government has the responsibility to aid areas which suffer from chronic unemployment and underemployment. A dozen years ago Congress declared that it is the policy of this Government to encourage conditions of maximum employment and income. This, in my mind, and I believe in the mind of every fair-minded person, means aid to depressed communities which cannot emerge from want and unemployment unless they get some aid from outside.

I believe that S. 3683 would provide the needed aid. The bill, I am convinced, is carefully drawn; and the Banking and Currency Committee has had the benefit of and lengthy hearings on the subject and has given it the most careful consideration. The criteria it outlines for community qualifications to get Federal aid are fair. It provides for help to industrial areas which have suffered from chronic unemployment as well as for rural areas which have been subject to prolonged underemployment and low income. I am also very happy to find that the bill contains adequate provisions to help Indian communities. Enactment of this legislation may mean the difference between want, misery, and starvation, yes, literally starvation in some areas, and opportunity for a better and more productive life for thousands of people.

The bill, however, does not place full responsibility upon the Federal Government. The authors of the area redevelopment bill have wisely realized that help to the depressed communities must come only after the depressed areas show that they are fully ready to initiate and participate in programs of economic redevelopment. There is no substitute for self-help.

MIGRATION NO SOLUTION

Let me point out that unless Federal aid comes to these depressed areas they will not be able to rehabilitate themselves without outside help. During periods of prosperity some of the victims of unemployment and underemployment in chronically depressed areas found partial relief by migration to more fortunate areas. But, during the present period of recession, as I said before, the problems of distressed areas have been found accentuated by the fact that many of the migrants to the more fortunate areas have lost their jobs and have returned to their old homes, where they could, at least, find a roof over their heads and share in the want of their kinfolk.

But even during periods of prosperity migration to other areas is not the proper solution to the problems of depressed areas. A family that is forced to migrate from such an area to seek fortune elsewhere is forced to abandon its home and there are rarely any newcomers to buy the vacated home or farm or to utilise other community facilities, such as churches and schools. Thus resources go unused and wasted, not to mention the untold suffering, which cannot be measured in dollars and cents, that is an inevitable result of uprooting of families.

NEED IN THE EIGHTH CONGRESSIONAL DISTRICT

I know whereof I speak because many of my neighbors and friends in the 8th Congressional District in Minnesota have experienced this unfortunate lot. The northern part of Minnesota has accounted for more than 40 percent of the total out-migration from Minnesota. This is a disproportionate amount relative to the population in the area. For example, Koochiching, one of the six counties comprising the 8th Congressional District of Minnesota, has shown an almost stationary population during the current decade compared with the more than 10 percent increase in population for the total State of Minnesota.

Average annual gross farm income in every one of the six counties in my district was below $2,500, according to the 1954 Census of Agriculture, and in Lake County it was below a thousand dollars. This means that many of the farmers in the district are subsisting at a level below a minimum decent standard of living. The largest metropolitan area in my district, Duluth, has suffered from consistently high levels of seasonal unemployment. It has appeared on the list of major surplus areas for a majority of the time during the past 5 years.

The Federal Government must also make it possible to help the Indians to improve their standard of living. According to the last decennial population-census there were close to 1,700 Indians in my district. Their average cash income per family was an unbelievably low of $400 per year. We must provide a base which would make it possible for the Indians to expand their income and economic opportunity. The bill before you will go far in the right direction.

PROVISIONS OF S. 3683

I believe that the program proposed in S. 3683 is carefully conceived and should do a great deal to alleviate suffering in depressed areas. It provides for technical aid to help communities survey their physical and human resources. This would help them to develop their potential along lines which are most promising for growth.

The loan provisions will make it possible for these communities to attract new industry. The poorest communities, whose resources are deteriorated, would be eligible for grants which would provide them with a base for soumd economic development.

To develop the human resources in the areas eligible for assistance the bill provides for retraining of the unemployed and the underemployed. It is only reasonable that persons undergoing retraining would be eligible for a short period of time to receive subsistence allowances. It can hardly be expected that unemployed persons who have exhausted their unemployment insurance or who have never been eligible for unemployment insurance, would be able to undergo an effective training program without the benefits of subsistence.

I repeat, Mr. Chairman, this is a program that the country needs and that is essential for the economic redevelopment of hundreds of rural and industrial communities and Indian reservations throughout the Nation. It is by no means regional legislation. Communities from many States and regions will be eligible for much needed assistance under the program.

Mr. METCALF. Mr. Chairman, as has been brought out, there are two types of redevelopment areas. Industrial redevelopment areas are defined as those which have suffered 12 percent unemployment during the year preceding the application, or 9 percent unemployment during 15 out of the preceding 18 months, or 6 percent unemployment during 18 out of the preceding 24 months. Rural redevelopment areas are defined as those where there exists "The largest number and percentage of low-income families and a condition of substantial and persistent unemployment and underemployment."

Many Montana communities should be able to qualify. The Labor Department lists Butte, Kalispell, and Great Falls, Mont., among areas of substantial labor surplus. As I have said many times, Butte, Mont., is probably the most depressed community in the Nation as a result of the crisis in the metal mining industry.

But I wish to call attention to the effect this bill has on Indians. There are more than 300 separate and distinct areas occupied by Indians and in Federal jurisdiction, although all of them are not called reservations. They are located in 25 States and the Territory of Alaska.

The States are Arizona, California, Colorado, Florida, Idaho, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

Under either test, Indian reservations throughout the Nation would qualify, for many of them have been depressed areas since the day they were established. Instead of the 12 percent or 9 percent or 6 percent unemployment test of this bill, unemployment on Indian reservations ranges up to 90 percent. Instead of a duration of a year, or a year and one-half, this shockingly high unemployment has existed for a generation—or longer.

As for low income, the most recent average annual income per family on Montana's seven reservations ranges from $2,600 on the Blackfeet Reservation down through $1,100 on the Flathead to a rockbottom $450 on the Northern Cheyenne Reservation.

The Northern Cheyennes are one of the most primitive and poverty-stricken Indian tribes in the Nation. Out of 972 adult males in the tribe, only 189 were employed according to the most recent report I have. In other words, the unemployment rate on that reservation was 81.5 percent.

It was even higher, 90 percent, on the Rocky Boy's Reservation.

Three years ago, I visited the town of Hays, Mont., on the Fort Belknap Reservation, a little village 30 miles from a surfaced highway, 30 miles off the railroad. The only two white men in town manage the town's two stores. There is almost 100 percent unemployment in the town of Hays.

While I was there, school was out. And Indian boys and girls were thronging the streets. I asked the reservation superintendent, "What is the future for these boys and girls? What will happen to them when they are out of school?"

He told me that the only opportunity for the boys, if they stay healthy, is to join the armed services. All the girls have to look forward to is to having children, legitimate or illegitimate, and start drawing aid to dependent children.

That is the future for our first Americans in the town of Hays.

Similar conditions exist on other reservations throughout the Nation. For years, Indian standards of living have been shockingly low, and economic opportunity either extremely limited or nonexistent.

There was testimony before the committee that inadequate work opportunities exist in Indian communities not only in Montana but also in the Dakotas, Idaho, New Mexico, Arizona, Oklahoma, Wisconsin, and other States.

Essentially, the cause of this distress is that the population on most reservations has outgrown land resources. In 1919, the Navaho population of Arizona, New Mexico, and California numbered 29,000 people. Today there are more than 78,000 Navahos on land inadequate to furnish even a fraction of them a minimum decent standard of living.

In a few instances where industrial plants have been located near a source of Indian labor, the results have been encouraging, both to management and to the Indians. A watch company established a plant for precision parts several years ago in Rolla, N. Dak. This plant employs about 80 Indians from the Turtle Mountain Reservation. The plant has been a success and the Indians generally have proven to be excellent workers. This has brought new life and hope to the people in that area. Passage of this bill would do the same thing elsewhere.

Mr. ASHLEY. Mr. Chairman, the state of our Nation's economy continues to be the domestic issue of overriding interest to all Americans. For the 5½ million who are presently unemployed, it is the question mark to the kind of life that lies ahead for them and their families. Despite optimistic reports that the current recession is levelling off, the economic outlook is still dark, and reassuring as reported increases in industrial production may be, they must not blind us to the inescapable fact that the shadow of unemployment is still with us and will be for many months to come.

Indeed a bleak economic prospect is forecast for my own district of Toledo as well as 60 other industrial areas throughout the country which, according to the Department of Labor, have been classified as "areas of substantial labor surplus" now for several years running. These areas are not suffering entirely because of the current recession. They are afflicted by one or a combination of more deeply rooted problems of technological change, industrial migration or shift in demand. Many of these areas of depression have existed for years.

Industries upon which they once depended have declined and industrial replacement programs or defense contracts have not made up for the jobs lost. Labor statistics have shown no real change in these areas for two or more years. Courageous local efforts to bring in new industry or expand existing businesses have failed to meet the critical need for more jobs and general economic opportunity.

The bill before us today (S. 3683), the Area Redevelopment Act, will supplement the efforts of these communities to overcome the problems which they cannot solve alone. In other words, this legislation is more than an antirecession measure. It is a program of sustained economic redevelopment and adjustment to enable a large number of communities to share in economic prosperity when it prevails generally throughout the country.

It does this by establishing an Area Redevelopment Administration which is authorized, by means of loans for new and expanded business and by grants for special public facilities, to help these distressed areas help themselves. Technical assistance for redevelopment as well as retraining facilities and subsistence payments are envisaged in the program.

There is no need, I am sure, for me to point out that the economic status of these communities has not only undermined the education, health, and living standards of millions of our citizens, it has resulted in a serious loss in our Nation's potential production, not to mention the added burden in taxes required to pay for welfare and assistance costs.

The responsibility of the Federal Government to aid these areas is commonly acknowledged and is no longer a matter of partisan controversy. The bill before us is adaptable to the diverse needs of industrial and rural communities alike. It has been the subject of extensive hearings in both Houses and has had the enthusiastic support of representatives on both sides of the aisle who have given unstintingly of their talents and time to the development and advancement of this legislation.

The Senate has already approved this legislation. The hour of adjournment is close upon us. We cannot—we must not—allow the final gavel to fall without enacting this vitally important legislation.

Mr. ELLIOTT. Mr. Chairman, I rise in support of S. 3683, known as the Area Redevelopment Act, or the bill for relief of areas suffering economic distress.

This is a bill to establish an active program to relieve conditions of substantial and persistent unemployment, and underemployment in certain economically depressed and distressed areas.

This is an important bill, Mr. Chairman. It is not perfect, but it does go a good long way toward doing for the distressed areas of the country what actually should have been done for them several years ago.

I represent an area that is distressed because of substantial and persistent unemployment, and which has suffered therefrom since about 1949 or 1950. I believe it was in 1950 that I introduced a bill providing for a complete investigation of the coal industry to determine what could be done to provide new markets and new conditions to bring back the coal industry that was suffering greatly at that time and that in many areas still continues to suffer.

Almost overnight, certainly within a period of a very few months, employment in the coal industry in Walker County, Ala., my home county, declined from about 7,000 people to about 1,000 people. This was occasioned by the railroads switching to diesel fuel instead of coal. It was occasioned by the loss of foreign markets for coal. It was occasioned by the fact that people in larger and larger numbers were heating their homes, and particularly new homes, with fuels other than coal.

We were unable to get the bill providing for an investigation of the coal industry passed. If it had been passed, undoubtedly we would have by now made great strides in solving the unemployment existing then and now in the coal industry.

Then, beginning about 1951, and for several years since then, I have introduced bills providing for relief to the areas distressed by substantial and persistent unemployment. I am happy that this bill is before us today.

This bill, S. 3683, is not an antirecession measure, designed to solve a temporary problem. Unemployment is a blight upon the economy of our Nation. Unemployment says to us that our efforts to provide full employment have failed insofar as the areas where unemployment is heavy are concerned. We have many areas of substantial and persistent unemployment today. I believe there are about 100 of them. They are primarily the reason that in the good times of early 1957 we had 3 million workers unemployed in America. Today that figure has grown to 5 million, which highlights and signalizes the job before us. It is important to our Nation that both in good times and bad that unemployment be, insofar as it is possible, driven from the economic face of America.

These areas of substantial unemployment actually constitute pockets of depression and apparently these pockets have a way of holding on even though the prosperity of the rest of the country seems to be high. The intention of the bill, S. 3683, is to aid these pockets of depression wherever they appear in the country.

This bill provides that "industrial redevelopment areas" will be formed where "there has existed substantial and persistent unemployment for an extended period of time." This definition is intended to direct the benefits of the bill to those industrial areas which are suffering from unusual chronic problems rather than areas which are suffering from nationwide temporary unemployment resulting from a general temporary recession.

The boundaries of these redevelopment areas would be defined. An industrial redevelopment area might include one or more towns or cities or it might include a part of a county or municipality. Rural redevelopment areas will be designated where "there exists the largest number and percentage of low income families and a condition of substantial and persistent unemployment."

The bill provides $100 million as a revolving fund for industrial projects, to be used in industrial redevelopment areas, and another $100 million, as a revolving fund, to be used for industrial projects in rural redevelopment areas.

If employment is to be created, suitable plant facilities are a vital element in the program. The redevelopment area must take the initiative in making suitable sites and buildings readily available for business concerns, in order to facilitate the location of their operations in the distressed area. The solution of this problem can be approached by acquiring sites and constructing buildings for sale or lease to business concerns even in advance of a definite agreement for their use by particular concerns. In any case, it will be necessary for the business concern coming into one of these areas to make a substantial investment for machinery and other needed equipment. And the business concern must, of course, also pay for the use of the land and the plant either through purchase or lease or both.

The bill particularly provides that in making these loans for industrial projects in the redevelopment areas that the moneys must not be used to assist businesses in relocating from one area to another, when such action would result in substantial detriment to the area of original location in increasing unemployment there. In other words, the bill underscores its intention to create new employment opportunities for developing and expanding facilities and resources without substantially reducing employment in other areas of the United States.

Loans from the $200 million fund could be made only to applicants approved by a State or local agency directly concerned with economic development in the area. This is as it should be, and gives due consideration to, and respect for, the efforts of local development agencies which abound in every State and county and municipality of the United States.

There are many other beneficial provisions of this bill. I like the one providing grants to assist redevelopment areas in providing the public utilities services that are necessary for the operation of industrial plants and facilities of the type which would be attracted to such areas under the programs of assistance provided for in this bill. I regret that the House a few weeks ago refused to pass the community facilities bill.

I like the title on technical assistance, which I think will be of great benefit.

I want to close, Mr. Chairman, by saying, first, that this is a badly needed bill; second, that it is long overdue; third, that in modern America there is no place for substantial and persistent unemployment, and areas of distress that accompany it; fourth, that it is the concern of the United States of America to see that the cancer of unemployment does not spread to the economic body of America; fifth, that in times of relative prosperity we should take the steps necessary to economically rehabilitate these pockets of substantial and persistent unemployment; and, sixth, that this bill starts us on the road toward erasing pockets of unemployment from the face of America.

Mr. Chairman, in my period of service in the Congress of the United States, I have tried to keep close to the efforts being made by the communities and the people of the Seventh Congressional District of Alabama, which I am honored to represent, to provide more employment. By and large, they have done a fine job. However, there are areas of the Seventh Congressional District where the job of economic rehabilitation has been more costly than local efforts could bear. This bill will assist such areas.

I am glad the rural areas are included for consideration in this bill.

I represent an area that has had great outmigration of farm people in recent years.

I stopped a few years ago to visit with my old friend, Ross Weatherford, who at that time operated the Weatherford Mercantile Co., at Vina, Ala. I asked him how business was. He said the suitcase business was mighty good, meaning that he was selling lots of suitcases to people who were packing their clothes in them and going North, usually to the Midwest to work in the industrial plants there.

This bill would take into consideration the economic needs of rural areas of the United States and will aid their own efforts to redevelop themselves along lines that will bring employment, and prosperity to the communities.

There is a great job of this kind waiting to be done in the hill areas of north Alabama where the impact of a changing agriculture has been so great.

I hope this bill will pass overwhelmingly.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and, the Speaker having resumed the chair, Mr. BOGGS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3683) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas, pursuant to House Resolution No. 682, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. HIESTAND. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HIESTAND. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HIESTAND moves to recommit the bill to the Committee on Banking and Currency.

The SPEAKER. The question is on the motion to recommit.

Mr. HIESTAND. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 188, not voting 71, as follows:

[Roll No. 172]

YEAS—170

Abbitt	Gary	Passman
Abernethy	Gathings	Pelly
Adair	Grant	Pilcher
Alexander	Griffin	Pillion
Alger	Gross	Poage
Allen, Ill.	Gubser	Poff
Andersen, H. Carl	Haley	Quie
Arends	Halleck	Ray
Ashmore	Hardy	Reece, Tenn.
Auchincloss	Harris	Reed
Avery	Harrison, Nebr.	Rees, Kans.
Bass, N. H.	Harrison, Va.	Rhodes, Ariz.
Bates	Harvey	Riehlman
Beamer	Haskell	Riley
Belcher	Hemphill	Rivers
Bennett, Fla.	Henderson	Robison, N. Y.
Berry	Herlong	Rogers, Fla.
Betts	Hess	Rogers, Tex.
Boggs	Hiestand	Rutherford
Bolton	Hill	Sadlak
Bosch	Hoeven	St. George
Bow	Hoffman	Schenck
Broomfield	Hosmer	Scherer
Brown, Ohio	Hull	Scott, N. C.
Broyhill	Jackson	Scrivner
Budge	Jarman	Scudder
Burleson	Jensen	Selden
Byrne, Ill.	Johansen	Sheehan
Byrnes, Wis.	Jonas	Sikes
Cederberg	Judd	Simpson, Ill.
Chenoweth	Kearns	Simpson, Pa.
Chiperfield	Keating	Smith, Calif.
Church	Kilgore	Smith, Miss.
Clevenger	Krueger	Smith, Va.
Cramer	Lafore	Springer
Cretella	Laird	Stauffer
Cunningham, Nebr.	LeCompte	Steed
Curtis, Mass.	Lennon	Taber
Curtis, Mo.	Lipscomb	Talle
Davis, Ga.	Loser	Teague, Calif.
Davis, Tenn.	McCulloch	Tewes
Dawson, Utah	McDonough	Thomson, Wyo.
Dennison	McGregor	Tuck
Derounian	McMillan	Utt
Devereux	Mack, Wash.	Van Pelt
Dixon	Mahon	Vorys
Dooley	Matthews	Weaver
Dorn, S. C.	Meader	Westland
Dowdy	Miller, Md.	Wharton
Fallon	Miller, Nebr.	Whitener
Fisher	Mills	Whitten
Flynt	Minshall	Wigglesworth
Ford	Murray	Williams, Miss.
Forrester	Nicholson	Wilson, Calif.
Fountain	Norblad	Wilson, Ind.
Frelinghuysen	Norrell	Younger
	O'Hara, Minn.	
	Ostertag	

NAYS—188

Addonizio	Cooley	George
Albert	Corbett	Granahan
Andrews	Cunningham, Iowa	Gray
Ashley	Curtin	Green, Oreg.
Aspinall	Dague	Green, Pa.
Bailey	Davis, Ill.	Griffiths
Baker	Delaney	Hagen
Baldwin	Dent	Hale
Baring	Denton	Harden
Barrett	Diggs	Hays, Ark.
Bass, Tenn.	Dingell	Hays, Ohio
Beckworth	Dollinger	Healey
Bennett, Mich.	Donohue	Heselton
Blatnik	Dorn, N. Y.	Holifield
Boland	Dwyer	Holland
Bolling	Eberharter	Holmes
Boyle	Edmondson	Holtzman
Bray	Elliott	Horan
Breeding	Everett	Huddleston
Brooks, Tex.	Evins	Hyde
Brown, Ga.	Farbstein	Ikard
Brown, Mo.	Fascell	Jennings
Buah	Feighan	Johnson
Byrd	Fenton	Jones, Ala.
Byrne, Pa.	Fino	Karsten
Canfield	Flood	Kean
Carnahan	Fogarty	Kee
Carrigg	Forand	Kelly, N. Y.
Chelf	Frazier	Kilday
Christopher	Fulton	King
Clark	Garmatz	Kirwan
Coad	Gavin	Klucsynski
Colmer		Knox

Knutson	O'Brien, N. Y.	Shelley
Lane	O'Hara, Ill.	Sheppard
Lankford	O'Konski	Sieminski
Libonati	O'Neill	Siler
McCarthy	Osmers	Sisk
McCormack	Patman	Spence
McFall	Patterson	Staggers
McGovern	Perkins	Sullivan
McIntosh	Pfost	Taylor
Macdonald	Philbin	Teller
Machrowicz	Polk	Thomas
Mack, Ill.	Porter	Thompson, N. J.
Madden	Price	Thompson, Tex.
Magnuson	Rabaut	Thornberry
Merrow	Rains	Tollefson
Metcalf	Reuss	Trimble
Miller, Calif.	Rhodes, Pa.	Udall
Mitchell	Roberts	Ullman
Moore	Robsion, Ky.	Van Zandt
Morano	Rodino	Vursell
Morgan	Rogers, Colo.	Walter
Morris	Rogers, Mass.	Watts
Moss	Rooney	Widnall
Moulder	Roosevelt	Withrow
Multer	Santangelo	Wolverton
Mumma	Saund	Wright
Natcher	Saylor	Yates
Nimtz	Schwengel	Young
Nix	Scott, Pa.	Zablocki
O'Brien, Ill.	Seely-Brown	Zelenko

NOT VOTING—71

Allen, Calif.	Doyle	Martin
Anderson, Mont.	Durham	Mason
Anfuso	Engle	May
Ayres	Friedel	Michel
Barden	Glenn	Miller, N. Y.
Baumhart	Gordon	Montoya
Becker	Gregory	Morrison
Bentley	Gwinn	Neal
Blitch	Hébert	Powell
Bonner	Hillings	Preston
Boykin	Holt	Prouty
Brooks, La.	James	Radwan
Brownson	Jenkins	Robeson, Va.
Buckley	Jones, Mo.	Shuford
Burdick	Kearney	Smith, Kans.
Cannon	Keogh	Teague, Tex.
Celler	Kilburn	Thompson, La.
Chamberlain	Kitchin	Vanik
Collier	Landrum	Vinson
Colmer	Latham	Wainwright
Coudert	Lesinski	Wier
Dellay	McIntire	Williams, N. Y.
Dies	Mailliard	Willis
	Marshall	Winstead

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Allen of California for, with Mr. Hébert against.
Mr. Collier for, with Mr. Keogh against.
Mr. Miller of New York for, with Mr. Anfuso against.
Mr. Mailliard for, with Mr. Celler against.
Mr. Burdick for, with Mr. Friedel against.
Mr. Jenkins for, with Mr. Engle against.
Mr. Mason for, with Mr. Doyle against.
Mr. Kilburn for, with Mr. Vanik against.
Mr. Radwan for, with Mr. Marshall against.
Mr. James for, with Mr. Gregory against.
Mrs. Blitch for, with Mr. Bentley against.
Mr. Becker for, with Mr. Lesinski against.
Mr. May for, with Mr. Anderson of Montana against.
Mr. Colmer for, with Mr. Montoya against.
Mr. Robeson of Virginia for, with Mr. Glenn against.
Mr. Brownson for, with Mr. Baumhart against.
Mr. Coudert for, with Mr. Thompson of Louisiana against.
Mr. Gwinn for, with Mr. Morrison against.
Mr. Williams of New York for, with Mr. Willis against.

Until further notice:

Mr. Gordon with Mr. Latham.
Mr. Powell with Mr. McIntire.
Mr. Preston with Mr. Chamberlain.
Mr. Landrum with Mr. Neal.
Mr. Kitchin with Mr. Michel.
Mr. Shuford with Mr. Smith of Kansas.
Mr. Teague of Texas with Mr. Wainwright.
Mr. Vinson with Mr. Ayres.
Mr. Winstead with Mr. Holt.
Mr. Dies with Mr. Kearney.
Mr. Wier with Mr. Prouty.
Mr. Boykin with Mr. Hillings.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question has taken; and on a diversion (demanded by Mr. TALLE) there were—ayes 176, noes 130.

So the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7125) entitled "An act to make technical changes in the Federal excise tax laws, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8381) entitled "An act to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes."

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 4071) entitled "An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, and Mr. THYE to be the conferees on the part of the Senate.

H. R. 11094—THE ANTIMILITARY WORKSHOP BILL

Mr. WILSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILSON of California. Mr. Speaker, legislation was introduced during this session which has been termed the antimilitary workshop bill, H. R. 11094, by the gentleman from California, Congressman HIESTAND. The intent of this legislation is to remove certain military overhaul and repair work from Government-operated facilities and place it with private industry.

The effect of the bill can be disastrous. Under its terms military aviation could suffer a serious curtailment in its ability to carry out its assigned defense mission. There is no stronger advocate for the system of free enterprise than I. But when it comes to a question of penalizing the defense of our country in the manner dictated by the proposed legislation, then I, for one, say, "defense first."

POLICY INCLUDES PRIVATE INDUSTRY

The present policy of the Department of Defense provides that only such maintenance, overhaul, and modification of military aircraft and associated equipment as is necessary to insure the technical readiness of the strike and defense force required for national security shall be performed in military depots. This policy further directs that other maintenance and modification functions should be done contractually by private industry. In other words, the respective military branches are obligated and directed to perform only that work which is vital and essential to the security of the United States.

THE NAVY POSITION

To further emphasize these points, I wish to include herewith the text of a statement released by the Navy a few days ago. This release outlines the general policy of the Navy and Department of Defense:

Naval aircraft overhaul, repair, and modernization work is being performed on a substantial scale by private industrial concerns, Navy authorities stated today.

As a result of contracts let in 1957, more than one-fourth of Navy's total amount of these aircraft services will be performed by commercial sources in 1958. A like amount will be done in the fiscal year 1959, and the percentage is expected to reach one third in fiscal 1960.

In discussing problems connected with the letting of Navy overhaul and repair work to private industry, Rear Adm. Robert E. Dixon, Chief of the Bureau of Aeronautics, noted that the dispersal of first line combat aircraft to scattered commercial shops could impair fleet readiness. Yet, he pointed out, Navy is warmly interested in taking advantage of private aircraft service shops to the greatest extent possible.

"This we are doing," Admiral Dixon said, "with the exception of first line carrier aircraft such as in the Sixth Fleet in the Mediteranean. Aircraft sent to commercial shops for reworking include basic commercial types such as the AEW Constellation, older combat aircraft, and aircraft of all types where Navy shops are overlonded with emergency demands."

In its contracting procedure, the Bureau of Aeronautics draws up a maintenance, overhaul, or modernization specification for which bid proposals are asked. In order to take advantage of a commercial concern's accumulated learning and experience with naval aircraft, contracts are let on a 3-year basis. Also, this time period precludes undue shifting of Government furnished equipment as would be the case if contracts were on shorter time scales. Last bids were accepted in 1957; the next bid proposals will go out in 1960.

One of the most successful commercial reworkings of naval aircraft involved the outfitting of patrol airplanes for Operation Deepfreeze in the Antarctic. Another was a progressive maintenance contract for 2,000 hour overhauls on transport aircraft such as the R4Y, the work being performed at commercial sources of skill and labor.

At least once annually, Navy reviews the entire maintenance and repair workload to determine whether Government or commercial shops can perform it to best advantage for fleet requirements.

Favorable action by the Congress on the Hiestand bill would affect the Navy operation far more severely than the other services. I am familiar with the Navy operation, since one of the Navy's largest overhaul and repair facilities is located in my district, at the Naval Air Station, North Island, San Diego, Calif.

OVERHAUL AND REPAIR DEPARTMENTS STRATEGICALLY LOCATED

Each of the Navy's nine major air stations is part of an aircraft operational complex, with the overhaul and repair department at the heart. Due to the strategic location of these facilities, the overhaul and repair departments are most sensitive and responsive to fleet operating command needs and especially to emergency requirements. The Navy has built its aeronautical support organization on flexibility, self-sufficiency, economy of operation, and immediate responsiveness to fleet needs and logistic support. Navy fleet forces are operated on the basis of mobility and self-sufficiency at sea, overseas, and in the continental United States. These forces must be able to deploy at a moment's notice, and dependency on immediate and direct local resources is a logistics requirement.

DIRECT FLEET SUPPORT MISSION

A major part of the overhaul and repair work accomplished at the air stations is in the area of direct fleet support. Most stations have a direct fleet support mission of nearly 40 percent with some stations running as high as 65 percent. To close the overhaul and repair department of one of these bases would create heavy burdens and increased operating costs to our fleet. The direct support mission is necessary to maintain a ready air arm in the Navy. Aircraft aboard carriers must be overhauled and/or repaired and placed back on the ready line promptly and with the dispatch now existent in the overhaul and repair departments of our Naval Air Stations.

The direct fleet support mission cannot and must not be jeopardized by closing down the overhaul and repair departments.

SHORE DUTY ESSENTIAL

This legislation, if passed, would eliminate much of the important rotation and training of our sailors. Technical personnel must be assigned to shore duty not only to catch up on the latest technical developments but to allow them to spend a reasonable amount of time with their families. Certainly, the Hiestand bill would eliminate this possibility and would definitely be inconsistent with the Navy's efforts to provide a balanced rotation plan for military personnel.

CIVILIAN TALENTS IMPORTANT

The Navy considers the overhaul and repair facilities a vital part of their mobilization requirements. While it is true that these facilities could be mothballed, we cannot put away on a shelf the talents of the thousands of men and women who have gained the experience and the intricate technical know-how of our complicated aircraft and missiles and expect to have them ready in an emergency. To keep our fleet operating with a real striking potential, we must have not only the facilities but the power in being ready for any call. I am proud of the fine work the civilian specialists are performing in the Government facilities around the country. I am particularly proud of their work at the naval bases in my district.

It is just good business to keep these facilities operating as long as the fleet sails the seas.

LEGISLATIVE PROGRAM FOR WEEK OF AUGUST 18, 1958

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he will kindly inform us as to the program beginning on Monday next.

Mr. McCORMACK. I will be very happy to.

On Monday, bills on the Consent Calendar will be called.

Then there are 35 suspensions to be considered, as follows:

S. 4035, renewal of housing and urban communities.
S. 3974, labor practices of labor organizations and employers.
S. 3502, Federal Airport Act.
H. R. 13067, food stamp plan.
House Concurrent Resolution 373, establish a force for United Nations.
H. R. 12640, convey piers, Philadelphia, Pa.
S. 3335, National Capital Center of the Performing Arts.
S. 3942, Azores, relief, aliens.
H. R. 13757, education, retarded children.
S. 4039, funds for science research.
S. 2119, television facilities in schools and colleges.
H. R. 13676, amend United States Code, espionage and censorship.
S. 3295, increase authorization fisheries loan.
S. 3653, training school, Immigration and Naturalization Service.
H. R. 13343, authorization appropriation, Pan American Games.
S. 1864, Patent Office, increase Board of Appeals.
H. R. 13241, vocational education.
H. R. 7166, technical amendments, Railroad Retirement Tax Act.
S. 4249, Hawaii, conservation Nene geese.
S. 2719, fish, salmon, and halibut bounties.
S. 3712, appropriations for Roma Road, Nicaragua.
H. R. 13715, foreign service annuities.
S. 3680, participation, World Science-Pan Pacific Exposition.
House Joint Resolution 658, participation, California Trade Fair—International Exposition.
S. 4096, compensation, Board of Parole.
H. R. 12115, Bankruptcy Act, monetary limitation.
H. R. 13354, International Criminal Police Organization.
H. R. 11257, annual meeting, National Science Board.
S. 3694, sanitation facilities for Indians.
S. 2114, field sites, National Bureau of Standards.
House Joint Resolution 608, National Allergy Day.
Senate Joint Resolution 178, National Childrens Dental Health Week.
S. 1438, bonds of United States marshals.
S. 1985, authorizing plans for national air museum.
House Joint Resolution 686, Admiral Rickover Medal.

The last bill I am hoping we can pass by unanimous consent.

For Tuesday and the balance of the week as follows: The Private Calendar will be called on Tuesday. Tuesday is District Day, and there is one bill, S. 1764, the school-lunch program. The other bill programed for next week is S. 4036, minerals production bill.

Then there is the usual reservation that conference reports may be brought up at any time, and any further program will be announced later.

Mr. ARENDS. Let me say to the gentleman that on one occasion I saw a movie in which the character said, "It is going to be a bad day in Deep Rock." It is evident from the list here presented that it is going to be a bad day in Washington and a bad day for the country.

AGRICULTURAL ACT OF 1958

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities, with House amendments thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HOFFMAN. I object, Mr. Speaker.

Mr. H. CARL ANDERSEN. I object, Mr. Speaker.

INSURANCE COVERAGE REQUIRED BY CABS FOR HIRE IN THE DISTRICT OF COLUMBIA

Mr. MULTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 13531) to amend the act of June 29, 1938, as

amended, to increase the insurance coverage required to be carried by cabs for hire in the District of Columbia for the protection of passengers and others, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "That", insert "section 2 of."

Page 3, line 11, strike out all after "obligations." down to and including line 16 and insert "The liability of an insurance company in any policy of insurance or of any indemnity company in a bond issued pursuant to this act shall, within the limits of coverage required by this act, become and be absolute for damages adjusted against the insured on account of injuries to or death of persons or damage to or destruction of property resulting from the insured's ownership, maintenance, or use of the motor vehicle or vehicles described in the said policy or bond."

Page 5, lines 17 and 18, strike out "less than $160,000, or more than $150,000" and insert "to exceed $75,000."

Page 5, lines 23 and 24, strike out "less than $100,000, or more than $150,000" and insert "to exceed $75,000."

Page 8, after line 8, insert:

"SEC. 3. Section 4 of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 122; sec. 40-420, D. C. Code 1951 edition), is amended by striking the second sentence of said section and inserting in lieu thereof the following: 'Application for review of any such order or act shall be in writing and shall set out in detail the reasons for such review. Such application shall be filed with the Commissioners within 5 days after the issuance of the order or occurrence of the act in question.'"

Page 8, strike out lines 9 and 10 and insert:

"SEC. 4. (a) Section 7 of such act approved May 25, 1954 (D. C. Code,"

Page 8, line 12, after "'Nonresident.—'" insert "and by inserting immediately before the colon at the end of the first proviso the following: ', except that nothing contained in this proviso shall be construed to require the United States or the District of Columbia to file the undertaking hereby required'."

Page 8, lines 13 and 14, strike out "of the Motor Vehicle Safety Responsibility Act of the District of Columbia" and insert "of such act approved May 25, 1954."

Page 9, after line 19, insert:

"SEC. 5. Subsection (b) of section 12 of such act, approved May 25, 1954 (sec. 40-428 (b), D. C. Code, 1951), is amended by inserting immediately after 'accident report' the following: ', or refuses or neglects to make such report.'"

Page 9, after line 19, insert:

"SEC. 6. Paragraph numbered (4) of section 18 of such act approved May 25, 1954 (sec. 40-434 (4), D. C. Code, 1951), is amended by inserting immediately after 'section 79' the following: 'of this act or part II of the Interstate Commerce Act.'"

Page 9, after line 19, insert:

"SEC. 7. Section 22 of such act approved May 25, 1954 (sec. 40-438, D. C. Code, 1951 edition), is amended by adding the following new subsection:

"'(d) In any accident involving property of the United States or the District of Columbia, should it appear upon investigation by or on behalf of the United States or the District that a person involved in such accident may not be liable to the United States or the District for any damage resulting therefrom, such person may submit, and the appropriate United States official and the Commissioners are hereby authorized to give to him, a statement to such effect, and such statement may be in lieu of the release required by this section: *Provided*, That the United States and the Commissioners may withdraw such statement at any time if it should appear that the person to whom it was given may be liable to the United States or the District for damages arising out of such accident, and if such statement be withdrawn, the person to whom it was given shall be required to comply with the provisions of this act.'"

Page 9, after line 19, insert:

"SEC. 8. Section 24 of such act approved May 25, 1954 (sec. 40-440, D. C. Code, 1951), is amended by adding the following subsection:

"'(e) The Commissioners may accept evidence of a payment to the driver or owner of a vehicle involved in any accident by any other person involved in such accident or by the insurance carrier of any other person involved in such accident on account of damage to property or bodily injury as a settlement agreement relieving such driver or owner from the security and suspension provisions of this article in respect to any possible claim by the person on whose behalf such payment has been made might have for property damage or bodily injury arising out of the accident. A payment to the insurance carrier of a driver or owner under the carrier's right of subrogation for the purposes of this article shall be considered the equivalent of a payment to such driver or owner.'"

Page 9, after line 19, insert:

"SEC. 9. Section 37 of such act approved May 25, 1954 (sec. 40-453, D. C. Code, 1951) is amended to read as follows:

"'SEC. 37. Proof required upon certain convictions: (a) The license and registration of all vehicles registered in the name of any person who by a final order or judgment shall have forfeited any bond or collateral given to secure appearance for trial for a violation of any of the following provisions of law:

"'(1) Operating a motor vehicle under the influence of any intoxicating liquor or narcotic drug;

"'(2) Any homicide committed by means of a motor vehicle;

"'(3) Leaving the scene of an accident in which the motor vehicle driven by him was involved and in which there is personal injury, without giving assistance or making known his identity and address and the identity and address of the owner of said vehicle;

"'(4) Reckless driving involving personal injury;

"'(5) Any felony in the commission o which a motor vehicle is used; or

"'(6) A conviction of, or forfeiture of bail or collateral for an offense in any State which, if committed in the District of Columbia, would be one of the offenses listed in paragraphs (1) through (5) of this subsection (a);

shall be suspended by the Commissioners and shall remain so suspended and shall not at any time thereafter be renewed, nor shall any other motor vehicle be thereafter registered in the name of such person as owner, except that (1) if such owner has previously given or shall immediately give and thereafter maintain proof of financial responsibility for the future with respect to all such vehicles registered by such person as the owner, the Commissioners shall not suspend such registration unless otherwise required or permitted by law, or (2) if a conviction arose out of the operation, with permission, of a vehicle owned by or leased to the United States, the District of Columbia, a State, or a political subdivision of a State or a municipality thereof, the Commissioners shall not suspend the registration of any vehicle so owned or leased. If such person be not a resident of the District of Columbia, the privilege of operating any motor vehicle in the District of Columbia and the privilege of operation within the District of Columbia of any motor vehicle owned by him shall be suspended until he shall have furnished proof of financial responsibility for the future with respect to all such vehicles registered by such person as the owner, and such person shall not be allowed a license, nor shall such owner be allowed to register any vehicle in the District of Columbia, until he has complied with the requirements of this article to the same extent that would be necessary if, at the time of the conviction or forfeiture, he had held a license or had been the owner of a vehicle registered in the District of Columbia.

"'(b) Upon receipt of a certification from any State that the operating privilege of a resident of the District of Columbia has been suspended or revoked pursuant to a law providing for such suspension or revocation for a conviction or forfeiture under circumstances which would require the Commissioner to suspend a nonresident's operating privilege had the offense occurred in the District of Columbia, the Commissioners shall suspend the license of such resident and the registration of all vehicles registered in his name.'"

Page 9, after line 19, insert:

"SEC. 10. Section 39 of such act approved May 25, 1954 (sec. 40-455, D. C. Code, 1951), is amended to read as follows:

"'SEC. 39. Action in respect to unlicensed person: (a) If a person by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for:

"'(1) Driving a motor vehicle upon the highways without being licensed to do so under the laws of the District of Columbia when so required; or

"'(2) Driving a vehicle not registered under the laws of the District of Columbia when so required;

the operating privilege of such person shall be suspended and no license shall thereafter be issued to such person, but if such person has obtained a license prior to the time the Commissioners have issued an order precluding the issuance of such license, then such license shall be suspended; and no vehicle shall continue to be registered or thereafter be registered in the name of such person as owner, unless such person shall give and thereafter maintain proof of financial responsibility.

"'(b) It shall be the duty of the clerk of the court in which any such conviction or forfeiture is ordered to forward immediately to the Commissioners a certified copy of said order, which certified copy shall be prima facie evidence of the facts stated therein.'"

Page 9, after line 19, insert:

"SEC. 11. Section 41 of such act approved May 25, 1954 (sec. 40-457, D. C. Code, 1951), is amended by striking 'a certified copy of such judgment,' and inserting in lieu thereof 'a certificate of facts relative to such judgment, upon a form provided by the Commissioners,' and by striking 'certified copy' and inserting in lieu thereof 'certificate'."

Page 9, after line 19, insert:

"SEC. 12. Section 43 of such act approved May 25, 1954 (sec. 40-459, D. C. Code, 1951), is amended by striking the word 'and' where it first appears and inserting the word 'or' in lieu thereof and by striking ', on a form provided by the Commissioners'."

Page 9, after line 19, insert:

"SEC. 13. Section 72 of such act approved May 25, 1954 (sec. 40-488, D. C. Code, 1951 edition), is amended (a) by inserting the subsection symbol '(a)' immediately before the first sentence; and (b) by adding the following subsection:

"'(b) No person shall swear falsely to any affidavit required by the Commissioners under the authority of this act.'"

Page 9, after line 19, insert:

"SEC. 14. Section 73 of such act approved May 25, 1954 (sec. 40-489, D. C. Code, 1951 edition), is amended (a) by striking 'or Registration' in the caption; and (b) by striking 'or registration' and 'or knowingly permits any vehicle of a type subject to registration under the law of the District of Columbia owned by such person to be operated by another upon any highway'."

Page 9, strike out lines 20 and 21 and insert:

"SEC. 15. Section 78 of such act approved May 25, 1954 (D. C. Code, sec."

Page 10, after line 3, insert:

"SEC. 16. Nothing in this act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia Reorganization Plan No. 5 of 1952 (66 Stat. 824). The performance of any function vested by this act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan."

Page 10, strike out lines 4, 5, and 6, and insert:

"SEC. 17. Section 2 of this act shall take effect 60 days after its enactment."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HALLECK. Mr. Speaker, reserving the right to object, and on this matter I shall not object, in view of the list of 35 suspensions that have just been read, I think a few observations ought to be made at this point.

In the first place, I think it ought to be understood by all of us here and by the people of the country that on Monday next, under the rules of the House, suspensions, of course, can be called as determined by the Speaker. And, to that, certainly we have no quarrel. But, it should be understood in connection with that that the consent of the minority to call up these measures under suspension is not required on next Monday.

Now, just as evidence of what we are up against, the housing bill will be called. I do not know what form it will be in. But, that is a $2.4 billion bill. The so-called Kennedy-Ives labor bill, the consideration of which only on Thursday last was refused in the Committee on Education and Labor by a vote of 22 to 7, will be called under suspension. There are many other important bills involving the expenditure of millions, if not billions, of dollars on that program. Now, I do not know how much opportunity we will have to get ready to present the issues on Monday next, but certainly some of these measures could have been acted upon in the regular way earlier. Some of these measures are minor, of course, and there is no question about them. Suspension of the rules is an easy and available way to handle them. But, speaking for myself, and I think a great number of Members on this side of the aisle as well as on the other side of the aisle, it is kind of a sorry situation that is going to confront us next Monday.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I want to ask the distinguished majority leader one question, if I may. When can we expect to get the foreign aid bill?

Mr. McCORMACK. Well, that bill is in the Senate, as the gentleman knows. No one can answer that question until we know when the Senate acts upon it.

Mr. GROSS. Can the distinguished gentleman give us any reason why this bill is being held until the last minute?

Mr. McCORMACK. What bill?

Mr. GROSS. The foreign aid bill, the appropriation bill.

Mr. McCORMACK. Of course, the gentleman knows that the authorization bill had to go through first. In the first place, the administration delayed for many, many weeks sending the recommendation up. If they had gotten the recommendation for the authorization bill up when we expected it, the situation with reference to the mutual assistance appropriation would not have existed at the tail end of the session. So, the responsibility rests with the White House.

Mr. GROSS. I sincerely hope it is not being held up for the purpose of trading stock as it was last year.

Mr. McCORMACK. I am very sorry that my friend from Iowa is so disappointed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO STABILIZE PRODUCTION OF COPPER, LEAD, ZINC, ET CETERA

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 689, Rept. No. 2653), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of S. 4036 to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

FRYINGPAN-ARKANSAS PROJECT, COLORADO

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 690, Rept. No. 2654), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H. R. 13523 to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado. After general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

RETIREMENT, ET CETERA, FORMER PRESIDENTS OF THE UNITED STATES

Mr. MURRAY. I ask unanimous consent that the conferees on the bill S. 607 to provide retirement, clerical assistants, and free-mailing privileges to former Presidents of the United States, and for other purposes, have until midnight tomorrow to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Speaker, I object.

INCREASES IN COMPENSATION TO WAGE BOARD EMPLOYEES

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees, with House amendments thereto, insist on the House amendments and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MURRAY, MORRISON, DAVIS of Georgia, REES of Kansas, and CORBETT.

LUMP-SUM PAYMENT OF ACCUMULATED AND ACCRUED ANNUAL LEAVE OF DECEASED EMPLOYEES

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MURRAY, MORRISON, and REES of Kansas.

ANNUITIES OF SURVIVORS OF EMPLOYEES ELECTED MEMBERS OF CONGRESS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8606) to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 4 and 5, strike out "'or survivor of a Member'" and insert "'Member service'" in the last sentence and inserting in lieu thereof "civilian service'."

Page 2, after line 8, insert:

"(d) Section 4 of such act is amended by adding at the end thereof a new subsection as follows:

"'(h) For purposes of survivor annuity, deposits authorized by subsections (c) and (d) may also be made by the survivor of an employee or Member.'

"(e) The amendments made by this section shall take effect as of March 1, 1958."

Page 2, after line 8, insert:

"SEC. 2. (a) In the administration of the Civil Service Retirement Act, George Morris Fay shall be considered to have retired for disability under the provisions of such act on May 31, 1957, the date of his separation from service as an employee of the United States Senate, to have elected a reduced annuity, and to have designated his wife, Dorothy D. Fay, to receive an annuity after his death equal to 50 percent of the annuity which he would have received upon such retirement in the absence of such election.

"(b) No annuity shall be payable under this section—

"(1) until there shall have been repaid to the Civil Service Retirement and Disability Fund the amount of any lump-sum benefit heretofore paid on account of the death of the said George Morris Fay, or

"(2) for any period prior to the first day of the month in which this act is enacted."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MAKING, AMENDMENT, AND MODIFICATION OF CONTRACTS TO FACILITATE THE NATIONAL DEFENSE

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12894) to authorize the making, amendment, and modification of contracts to facilitate the national defense, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line, after "defense," insert "The authority conferred by this section shall not be utilized to obligate the United States in an amount in excess of $50,000 without approval by an official at or above the level of an Assistant Secretary or his Deputy, or an assistant head or his deputy, of such department or agency, or by a Contract Adjustment Board established therein."

Page 2, line 11, after "advertising" insert "and competitive bidding."

Page 3, line 3, strike out "incompatible with the public interest" and insert "detrimental to the national security."

Page 3, line 14, strike out "Each" and insert "Every."

Page 4, line 1, after "above," insert "and under regulations prescribed by the President."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. KEATING. Mr. Speaker, reserving the right to object, will the gentleman from Georgia please explain these amendments?

Mr. FORRESTER. Mr. Speaker, I will say to the gentleman from New York that, of course, the gentleman knows this is a very comprehensive bill. The amendments thereto I think are a compliment to the work of the committee and this House. The only thing I see of substance here is the limitation that no obligation of over $50,000 shall be made unless it is done on a higher level. As a matter of fact, we had treated that as a regulation whereas they make it as a matter of law. So I say again I think we should be complimented on this measure.

Mr. KEATING. So that the amendment to which the gentleman has referred is the only one which he considers of substance which has been added to the bill as it passed the House?

Mr. FORRESTER. That is exactly right.

Mr. KEATING. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DISPOSAL OF PROPERTY, BOULDER CITY, NEV.

Mr. ASPINALL submitted the following conference report and statement on the bill (H. R. 9147) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes.

RADIO STATIONS ON AIRCRAFT

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8543) to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 8 and 9, strike out "thereby and that security considerations have been satisfied," and insert "thereby."

Page 1, line 10, and page 2, line 1, strike out "issued by the Civil Aeronautics Administration."

Page 2, line 12, strike out "issued by the Civil Aeronautics Administration."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. THOMSON of Wyoming. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Illinois if this has been submitted to the ranking members of the committee on this side of the aisle?

Mr. MACK of Illinois. Yes. This has been cleared with the gentleman from New Jersey [Mr. WOLVERTON]. The bill was unanimously passed by the House of Representatives. The amendments of the Senate were offered because of the Federal Aviation Act which was passed subsequently.

Mr. THOMSON of Wyoming. What is the effect of the main amendment?

Mr. MACK of Illinois. That amendment has to do with security. It was offered by the gentleman from Texas [Mr. ROGERS], to provide for security clearance in the Federal Communications Commission. That Commission has no facilities for security clearance. When the Federal Aviation Act was written a security provision was written into it, and that would cover this question.

Mr. THOMSON of Wyoming. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SMALL BUSINESS

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3224) to improve opportunities for small-business concerns to obtain a fair proportion of Government purchases and contracts, to facilitate procurement of property and services by the Government, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. LIPSCOMB. Reserving the right to object, Mr. Speaker, will the gentleman from Texas explain what this bill does?

Mr. BROOKS of Texas. Concisely, this bill allows the General Services Administration and other Government agencies to set aside proposed procurements of various commodities not in excess of $2,500. It is designed to enable them to route more business through small-business concerns.

Mr. LIPSCOMB. This bill was reported from the Committee on Government Operations?

Mr. BROOKS of Texas. It was reported unanimously by the Committee on Government Operations and has been cleared with the distinguished minority whip and the senior Republicans on the committee.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 302 (a) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 393), as amended (41 U. S. C. 252 (a)), is amended further to read as follows:

"(a) The provisions of this title shall be applicable to purchases and contracts for property or services made by—

"(1) The General Services Administration, for the use of such agency or otherwise; or

"(2) any other executive agency (except the departments and activities specified in title 10, United States Code, section 2303 (a)) in conformity with authority to apply such provisions delegated by the Administrator in his discretion. Notice of every such delegation of authority shall be furnished to the General Accounting Office."

SEC. 2. Section 302 (c) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 393), as amended (41 U. S. C. 252 (c)), is amended further—

(a) by revising paragraph (3) to read:

"(3) the aggregate amount involved does not exceed $2,500;"

(b) by renumbering paragraphs (9), (10), (11), (12), (13), and (14), as paragraphs (10), (11), (12), (13), (14), and (15), respectively; and

(c) by adding, immediately after paragraph (8), a new paragraph (9), reading as follows:

"(9) for perishable or nonperishable subsistence supplies."

SEC. 3. Section 302 (e) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 394; 41 U. S. C. 252 (e)) is amended by striking out "(9)", "(10)", "(11)", and "(13)" and substituting therefor "(10)", "(11)", "(12)", and "(14)", respectively.

SEC. 4. Section 305 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 396), as amended (41 U. S. C. 255), is amended further to read as follows:

"SEC. 305. (a) Any executive agency may—

"(1) make advance, partial, progress or other payments under contracts for property or services made by the agency; and

"(2) insert in bid solicitations for procurement of property or services a provision limiting to small business concerns advance or progress payments.

"(b) Payments made under subsection (a) may not exceed the unpaid contract price.

"(c) Advance payments under subsections (a) may be made only upon adequate security and a determination by the agency head that to do so would be in the public interest. Such security may be in the form of a lien in favor of the Government on the property contracted for, on the balance in an account in which such payments are deposited, and on such of the property acquired for performance of the contract as the parties may agree. This lien shall be paramount to all other liens."

SEC. 5. Section 307 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 396; 41 U. S. C. 257) is amended—

(a) by striking out "(10)", "(11)", "(12)", and "(13)" wherever they appear therein, and substituting therefor "(11)", "(12)", "(13)", and "(14)", respectively;

(b) in subsection (b), by striking out "and in section 305 (a)"; and

(c) in subsection (c), by striking out "305 (a)" and substituting therefor "305 (c)".

SEC. 6. Section 310 (b) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 397), as amended (41 U. S. C. 260 (b)), is amended further by adding after "thereof" a comma and the following: "or any other executive agency delegated authority pursuant to section 302 (a) (2),".

SEC. 7. Section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), is amended further by striking out "$500" in the first sentence thereof and substituting therefor "$2,500".

SEC. 8. Section 2304 (a) of title 10 of the United States Code is amended—

(a) in clause (3), by striking out "$1,000" and substituting therefor "$2,500"; and

(b) in clause (9), by adding "or nonperishable" after "perishable".

SEC. 9. The text of section 2307 of title 10 of the United States Code is amended to read as follows:

"(a) The head of any agency may—

"(1) make advance, partial, progress, or other payments under contracts for property or services made by the agency; and

"(2) insert in bid solicitations for procurement of property or services a provision limiting to small business concerns advance or progress payments.

"(b) Payments made under subsection (a) may not exceed the unpaid contract price.

"(c) Advance payments made under subsection (a) may be made only if the contractor gives adequate security and after a determination by the head of the agency that to do so would be in the public interest. Such security may be in the form of a lien in favor of the United States on the property contracted for, on the balance in an account in which such payments are deposited, and on such of the property acquired for performance of the contract as the parties may agree. This lien is paramount to any other liens."

SEC. 10. Section 2310 (b) of title 10 of the United States Code is amended by striking out "2307 (a)" and substituting therefor "2307 (c)."

SEC. 11. Section 2311 of title 10 of the United States Code is amended by striking out "or section 2307 (a)" and the preceding comma.

SEC. 12. Section 2 of the act of June 13, 1934 (48 Stat. 948), as amended (40 U. S. C. 276c), is amended further—

(a) by striking out "sworn affidavit" and substituting therefor "statement"; and

(b) by adding at the end thereof the following sentence: "Section 1001 of title 18 of the United States Code [Criminal Code and Criminal Procedure] shall apply to such statements."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SECTION-BY-SECTION SUMMARY OF DRAFT "HOUSING ACT OF 1958," H. R. 13776

Mr. HIESTAND. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a summary of H. R. 13776.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Section 1. Short title.

Section 2. Increased maximum mortgage amount for FHA sales housing: This section would increase from $20,000 to $25,000 the maximum mortgage amount for a 1- or 2-family dwelling under section 203 or section 220 of the National Housing Act. These increases are in partial recognition of increased construction costs. The maximum amount for sales housing under section 203 was $16,000 in the original National Housing Act enacted in 1934. Despite the fact that construction costs had more than doubled in the 20 intervening years, no change in the maximum mortgage amount for 1- and 2-family homes under that section was made until 1954 when the limit was increased to $20,000. The present ceiling is far too low to permit the FHA program to cover the normal range of private construction in a community as the Congress originally intended in enacting the National Housing Act.

Section 3. FHA trade-in house provision: This section would permit a nonoccupant owner of a home financed under section 203 of the National Housing Act to receive the same maximum mortgage amount as an owner occupant if the nonoccupant owner puts into escrow 15 percent of the original principal mortgage amount until such time as he sells the property to an owner occupant. At the end of 18 months, if the property has not been sold to an owner occupant, the funds held in escrow would be applied to a reduction in the mortgage amount. This section would help existing homeowners in trading their old homes for new ones. It would enable the seller of the new house to place a mortgage on the old house equal to that which can now be obtained when a purchaser for the old house is found. It provides the builder or real-estate dealer up to 18 months to resell the trade-in house and transfer the mortgage debt to the purchaser. This procedure would eliminate much of one set of closing costs.

Section 4. Inclusion of existing housing in FHA program for outlying areas: Under section 203 (i) of the National Housing Act the FHA has a program of assisting low-cost housing in outlying areas where the building standards applicable to built-up areas are not appropriate. This program is limited to new construction and this section of the bill would extend the program to existing construction. This would assist families in acquiring existing low-cost homes in outlying areas.

Section 5. Increased maximum mortgage ratio for elderly housing under section 207: Under the existing section 207 of the National Housing Act, special mortgage insurance terms are authorized for rental housing designed for the use and occupancy of elderly persons if the mortgagor is a nonprofit organization and other conditions are met. The mortgage may not exceed $8,100 per family unit (or $8,400 per family unit in the case of projects to consist of elevator-type structures) and may not exceed 90 percent of the estimated replacement cost of the property. This amendment would change these figures to $9,000, $9,400 and 95 percent, respectively. These changes would further liberalize mortgage insurance terms for rental housing to be occupied by elderly persons, and would thus provide an added incentive for the construction of such housing with private funds.

Section 6. Broadening FHA section 221 housing program for families displaced by urban renewal and other governmental activities: Under existing law the maximum mortgage amount for this housing is $9,000 per dwelling unit except that in high-cost areas the maximum amount is $10,000 per dwelling unit. This section would increase these figures to $10,000 and $12,000 respectively in partial recognition of increased construction costs. This increase for high-cost areas is particularly desirable because of the costs in some of the large cities. The construction costs and family incomes vary widely between some of the larger cities

and the smaller cities where this housing is needed.

This section of the bill would also authorize mortgage insurance for rental housing constructed by builders for profit. Under existing law only nonprofit corporations can get the benefit of special mortgage insurance for rental housing for displaced families. Under this section, maximum mortgage amount would be 95 percent of value. One of the greatest problems in connection with the urban renewal program is the housing of displaced families. A majority of these families desire to rent rather than buy homes so that the provision of rental housing for them is very important.

Section 7. Technical.

Section 8. Increased maximum mortgage amount for servicemen's housing: This section would increase from $17,100 to $20,000 the maximum mortgage amount under section 222 of the National Housing Act. This section is designed to provide liberal mortgage insurance for servicemen so that they can acquire homes on terms similar to the terms provided to veterans under the GI bill, and the Defense Department pays the annual insurance premium. The increased mortgage amount is in partial recognition of increased construction costs during the last 4 years.

Section 9. Mortgage insurance for nursing homes: This section would authorize a new FHA program of mortgage insurance for nursing homes. There is a large section of the elderly who need the facilities of a properly equipped nursing home but who do not require hospitalization. The American Nursing Home Association and the American Medical Association, among others, have testified as to the great need for nursing homes where these elderly persons can get the care they need at less expense than is required for hospitalization, and with less burden on the overburdened hospital facilities of the country.

Under the proposed new mortgage insurance program the Federal Housing Commissioner would be authorized to insure mortgages financing the construction of new privately owned nursing homes or the rehabilitation of such homes. The amount of such an insured mortgage could not exceed $1 million nor 75 percent of the estimated value of the completed home. The maximum interest rate on the mortgage would be 5 percent and mortgage could be amortized within such terms as the FHA Commissioner would prescribe. The nursing home would have to be licensed or regulated by the State or a local government and a State agency would have to certify to the Commissioner that the nursing home covered by the mortgage is needed.

Section 10. FNMA—Increased dollar limit for mortgages purchased under secondary market operations: This section would increase the limit on the amount of a mortgage which can be purchased by FNMA under its secondary market operations from $15,000 for each family residence or dwelling unit covered by the mortgage to $17,500. The $15,000 limit would remain applicable to mortgages purchased under FNMA's special assistance functions.

The section would make possible assistance through the secondary market operations to housing serving additional families of moderate income, particularly larger families and families living in high-cost areas. The change would also recognize the progressive increase in housing costs which have taken place in recent years.

Section 11. FNMA—Secondary market standby commitments on existing homes: This section would make mortgages on existing homes eligible for standby commitment under FNMA's secondary market operations. Under present law, such commitments are available only for new construction.

Section 12. Urban renewal capital grant authorization: This section would increase the Housing Administrator's urban renewal capital grant authorization by $200 million. Together with about $50 million in unused existing authorization, this would provide over $250 million of capital grant funds for use during fiscal year 1959.

Section 13. College housing loan authorization: This section would increase the Housing Administrator's college housing loan authorization by $200 million. Along with about $27 million in unused authorization, this would provide for $227 million of additional loan funds during fiscal year 1959.

Section 14. Armed services housing: This section would provide for a 1-year extension, from June 30, 1959 to June 30, 1960, in the program of mortgage insurance for rental housing at essential military installations.

Section 15. Passyunk war housing projects, Philadelphia, Pa.: This section would extend by 2 years the period during which military personnel may continue to occupy the Passyunk war housing projects, which are presently owned by the Housing Authority of Philadelphia, with occupancy preference and without regard to their income. It would also permit civilians employed in defense activities to continue to occupy the housing during a 2-year period without regard of their income.

HON. HUBERT B. SCUDDER

Mr. McDONOUGH. Mr. Speaker, for the benefit of the members of the California delegation and others who were notified that 1 hour would be taken tonight to speak about the retirement of one of our colleagues, the gentleman from California [Mr. SCUDDER], I ask unanimous consent that this time be deferred until Tuesday next, following the legislative program.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

THE CHALLENGE OF THE "NAUTILUS"

Mr. UDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, the 85th Congress has already passed legislation to reorganize the Department of Defense. In my opinion, the major residual question is whether Congress—and the Pentagon—will follow through and reorganize their concepts of military planning to meet the revolutionary developments in weapons.

I believe the overriding peril today is that we will fail to exploit the opportunity presented us by the daring polar feats of atomic submarines. In my opinion, this can be a decisive American answer to the Soviet sputniks, if we will only seize the advantage it offers.

For one, I am convinced we can regain the initiative we have lost if this new achievement galvanizes us and transforms our defense policies. We must without delay develop and implement the clear concepts required for a balanced defense effort which embodies both an ineluctable and unerring deterrent and an adequate mobile force to deal with limited war situations.

The problem now is whether we have sufficient foresight to overrule the overweening demands of those who have a vested interest in our existing weapons systems and decelerate our investment in obsolescent weapons—the bombers of SAC, and strategic-role aircraft carriers—and greatly accelerate the Polaris program.

For example, Mr. Speaker, can we afford to build a nuclear aircraft carrier which will probably be obsolete as a deterrent weapon before it is launched 4 or 5 years hence?

The truth of the matter is that if we overspend on the deterrent—by failing to make decisions on the issue of priorities, with corresponding cutbacks in some areas—we will run the risk of having insufficient funds for an adequate conventional force to deal with future Lebanons and Koreas. In my opinion, General Gavin has rendered a real service in forcefully reminding the country that if we succeed in maintaining the deterrent it is far more likely that the ultimate test will be whether we also succeed in simultaneously maintaining a military component which can handle limited wars as well.

And is it not painfully clear that a weapon which requires no launching sites of foreign bases will be the supreme deterrent? Is it not also plain that we can best maintain an invulnerable deterrent by pressing our advantage in areas where we are superior?

Mr. Speaker, the men of the *Nautilus* and the *Skate* have presented Congress and the country with a great challenge.

Will their achievement shake us out of our present preoccupation with bombers and bases? Will it revolutionize our thinking on military planning?

Mr. Speaker, it is generally agreed that the American people, and their Government, misjudged the impact of the Soviet sputniks on world affairs and American prestige. Let us hope we will not fail to capitalize on the opportunities of the present.

INTERNATIONAL MEDICAL RESEARCH

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, in all of my 18 years of service in this House, I have labored to insure adequate support by the Congress for medical research, particularly through the National Institutes of Health of the Public Health Service in the Department of Health, Education, and Welfare. In these labors I have been inspired by the deep conviction that through research the health of our people will be enhanced and that premature deaths due to disease, and crippling of minds and bodies, will be reduced.

In my efforts, I have held no narrow views limiting the benefits of research

to our Nation. I have always recognized, as has my distinguished colleague in the Senate, that just as disease knows no national boundaries so also the benefits of medical research and indeed research itself can know no boundaries.

Although we in the United States do not suffer from the devastating illnesses which plague populations in other parts of the world, we nevertheless stand to gain from the new knowledge to be gained from an international effort in medical and biological research.

Just as medical benefits know no geographic boundaries, the desire for these medical and health benefits knows no partisan boundaries. I am happy to note that the President's brother, in his appearance before the World Health Assembly in Minneapolis last spring, called for more rapid exchanges of ideas and information between laboratories and scientists in various nations. He pointed to the need for more opportunities for scientists to meet and to discuss freely their work and their problems and the need to develop research workers and to give them scope and opportunity. He said that we must examine those materials and ideas that have persisted through the centuries as traditions and superstitions in the folklore of the world in our efforts to bring to all peoples the benefits of all medical and health knowledge accumulated throughout the world.

The time has now come in my opinion to implement a greatly expanded endeavor in the field of international medical research. I, therefore, introduce to this House a bill now before the Senate which aims to establish machinery for mobilization of the maximum international health and medical research resources.

As my illustrious colleague in the Senate has recognized, there are some points that need to be discussed in more detail, so I do not present this as a definitive proposal but I can assure you that these details can and will be worked out in future discussions.

I have had an interest in the international aspects of health for some time. Health cannot exist in a vacuum. We are continuously exposed to dangers from abroad. As some of the well known infectious diseases are brought under control such as smallpox, yellow fever, and malaria, new viruses appear and create new threats. Japanese B encephalitis, which extends across India and Southeast Asia is an excellent example. We cannot find health security for ourselves unless we make others secure, as well. There can no longer be such a thing as a purely domestic health program. We cannot isolate ourselves, healthwise, from the realities of the world of which we are a part.

Furthermore, in health, we have a great tool of diplomacy. The DDT sprayer has replaced striped pants. I have had the rare privilege of attending a meeting of the World Health Assembly, in Geneva, representing the Congress as a member of the United States delegation. It was my further privilege to extend on behalf of the Congress to the World Health Organization, from the rostrum of historic Assembly Chamber of the Palais des Nations, an invitation to hold its 10th anniversary session and the 11th Assembly, in the United States. As you are aware, this invitation was accepted and the meetings were held here in the city of Minneapolis. They were a triumphant success. The work of the World Health Organization was moved many steps forward. But of greater importance, a warm, sincere, and homey welcome was given by the people of Minnesota and elsewhere to the delegates from 85 countries.

They left, I am told, with a new-found understanding of and deep friendship for the American people. They took home with them, too, a new respect for our institutions. They had an opportunity to visit hospitals, research institutes, health centers, medical schools, and other facilities in New York, San Francisco, Minneapolis, Rochester, Washington, and elsewhere.

The top leaders of public health in 85 countries left our shores with a new comprehension of what we are, as people who are interested in our own people and all the people of the world.

In Geneva, as a member of the United States delegation, I found within the Assembly itself a friendliness among the delegates that recognized no boundaries of nation, race, or color. The World Health Assembly, I am sure, outranks all other international bodies in creating lasting international friendships. First names are common in the halls of the World Health Assembly. Mutual respect; interest and concern in each other's problems; constructive help; a sharing of ideas and of friendship characterizes these great assemblies.

Even where international relations are darkest—our relations with the Soviet Union—we find in the World Health Assembly an active and constructive relationship. I am told that in Minneapolis the Soviet delegation and our own delegation worked very closely together on such knotty problems as the peaceful uses of atomic energy and its relationship to the dangers of fall-out. Even here, in this touchy area, it was possible for the United States and the Soviet Union to present a joint resolution which was adopted unanimously. Any field that can build such an atmosphere and mood among high officials of all nations of the world, cries for our support in these troubled times. Here is a school of diplomacy which can lead us onward into cooperation in bigger and broader fields if we nurture it well.

The President, in his recent speech before the United Nations on the Middle East problem, called the world's attention to disease in the Middle East and assured United States support in an all-out joint attack upon it. The President was right to recognize preventable infectious disease as a major and manageable problem of the Middle East. I was glad that he referred to the World Health Organization as the vehicle through which control should be effected.

Aid will be welcome from the WHO. At the assembly in Minneapolis, the Minister of Health of the United Arab Republics made a plea for WHO help in dramatic language. He said:

> In the name of every sick, undernourished or disabled man, woman, or child in the four corners of the world I appeal to you all to spare no effort in extending all possible moral, technical, and material assistance to the World Health Organization in the years to come, because, if such cooperative assistance was essential in past decades, I am sure it is a must in the decades ahead. If, in the past, diseases observed no boundaries and required international cooperative work for their control, I am sure that, in the era of atomic energy and control of outer space, the alleviation of human sufferings should be the immediate concern of us all. Let us hope for a day, in the not too distant future, when all countries will realize this responsibility and will join in mobilizing even a part of their resources under the leadership of the World Health Organization for attaining the highest possible standard of health for all mankind.

The great potential markets of the underdeveloped areas of the world cannot be fully opened to us until the economies of these areas are expanded and purchasing power increased. This economic advance cannot take place unless the manpower is vigorous and productive. Sick people are net consumers, not producers. And a high percentage of the people of the Middle East and much of Asia, as well as large parts of South America and most of Africa, are chronically sick. They suffer from chronic preventable disease and from undernutrition. They cannot build the type of world that makes for the realization of their dreams and hopes, nor can they build the base upon which a sound and expanding economy can be built, nor can they be good customers. And disease prevents the development of great masses of land. It has been estimated that the vast continent of Africa could accommodate at a reasonable level of living 2 billion people, almost the total population of the world at the present time. It has only some 150 million people and most of them undernourished.

Why is this? Is it because of the ravages of preventable disease. It is impossible to raise the cattle to provide the protein requirements of the population, because of the tsetse fly that transmits trypanosomiasis to the cattle.

One of the great facts of our time, then, is that the world cannot accommodate, economically and socially, the expanding populations unless those populations are healthy, vigorous producers who can use the land and resources that God has given us and unless those lands are available for use to man, without endangering his life and health.

In what field could the United States show its great concern for human beings and their happiness—no matter who or where they are—better than in helping them gain a healthier life through modern technology? Here is a great opportunity, the greatest of all, to show the people of the world that we are concerned with them for their own sake—not to master them but to master their great enemy, disease. Let us tell the world, in great blazing signs of service, what we are and what we stand for and what we want them to be. Let it be said

of us in the corridors of history that we helped our brother when he was sick.

War will not befall us if the peoples of the world know us for what we are. I could, of course, say a great deal more about health and its importance in the world scene. Senator LISTER HILL, that great spokesman of health in the Senate, in introducing his bill recently, spoke clearly, forcefully, and knowingly on this subject.

I have introduced the same bill which I consider to be of the very greatest importance. It greatly increases the scope and the opportunity of medical research. It provides for the fullest development of the medical research potential of the whole world. If we are going to get the breakthroughs that we all yearn for and if we are going to get them soon, it is necessary to develop every resource, human or otherwise that is at our disposal.

We tend to forget, I think, that the great discoveries of medicine constitute no monopoly of any Nation or any culture. The sulfa drugs, the antibiotics, the modern insecticides which are changing the face of the world through the conquest of infectious disease, came from Western Europe. The first tranquilizer, which opened up the whole area of drug treatment in the control of mental disease, came from India. The history of medicine shows that every part of the world has made major contributions to the progress that has brought us to where we are today. You, I am sure, have no great interest in who it is who finds the key to cancer or heart disease. We do not care where he is. But we do want to be sure that he has an opportunity to exercise the full scope of his imagination and has the facilities he needs to unlock these great mysteries.

The bill that I am introducing provides an opportunity to develop the latent medical research potential on a worldwide basis. It further provides that this shall be done under the leadership and guidance of the world's greatest medical research center—the National Institutes of Health of the Public Health Service. The scientists of those institutes have demonstrated in dramatic fashion what they can do in providing leadership and guidance to our own nationwide medical research effort through the grant programs, as well as by conducting research of the highest order—standard-setting research—in their own facilities.

A National Institute of International Medical Research working within the framework of the National Institutes of Health and under the direction of the Surgeon General of the Public Health Service and the Secretary of the Department of Health, Education, and Welfare, could give unique leadership and stimulation to the development of the whole world's research potential.

As my earlier remarks indicated, this is only part of the opportunity that presents itself in the field of health in its international aspects. Research is one of the important aspects of any health program but there are also important aspects of services rendered to people. The United States is engaged in an international health program which has a number of facets. We participate as the major member of the World Health Organization and of the Pan American Sanitary Organization. We contribute to the UNICEF and the U. N. Technical Assistance Program, each of which has a large program component in the health field under the technical direction of the WHO.

Through the International Cooperation Administration we conduct cooperative bilateral programs in health in some 40 nations. The program is important and is having wide effect, but I have been startled to find that it accounts for only 1 percent of the total expenditure of the International Cooperation Administration. The field of health, which has so much to offer, which reaches into the very homes of people throughout the world, should, in my view, be the largest single element in the whole foreign-aid program. And gentlemen, we find it to be 1 percent. We should ask ourselves if this is right. We should ask ourselves indeed, if we are putting ourselves before the world in a true light. As for me, it is wrong. Inexcusably wrong. How has this come about? Health, which is a great weapon of friendship, has been overwhelmed in a program conducted by administrators who have no comprehension of the significance and opportunities of health. Those who speak for health in this agency are placed so low in the hierarchy that their screams are not even heard as squeaks at the levels that determine policy. I submit, gentlemen, that if health is to make its great contribution—the contribution that I have tried to hint at in my remarks but which is greater than I have been able to describe—it can do so only with understanding direction. The Department of Health, Education, and Welfare and particularly the Public Health Service and its great institutes have demonstrated over and over again that they understand and can cash in on the potentials that are inherent in health. I submit that our international health program should be in the hands of those who know the health business. The Department of Health, Education, and Welfare, chiefly through the Public Health Service, should be giving the technical direction, the guidance, and leadership of this program in all its aspects—bilateral as well as multilateral. It would work, of course, within the framework of the foreign policy of the United States as laid down by the Secretary of State. With this one proviso, the competent technical agency should have the scope, opportunity, and resources to carry out the program that can so uniquely build up the human resources throughout the vast populations of the underdeveloped areas; open huge new tracts of land so that they can produce the food and raw materials that are so badly needed; develop the great research potential that lies latent for lack of opportunity and facilities, and, last but not least, present to the whole world the interest of the American people in the welfare of our fellowman everywhere.

In submitting a bill that would mark a great step forward in one area of the total field of international health, I have taken the opportunity of directing your attention to the importance of the problems and scope of the total program. I hope these problems may be met squarely and in short order and that our international health program may be developed vigorously and forcefully as a single program under the direction and leadership of those in our Government who are most competent to give it such leadership. The agency that has been given the responsibility for health leadership in our Government and which has developed the people and facilities that know how to do this kind of job is the Public Health Service.

ONCE AGAIN THE ADMINISTRATION AND THE FEDERAL RESERVE RIDE OFF IN OPPOSITE DIRECTIONS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, yesterday the Federal Reserve Board approved an increase in the discount rate for the San Francisco Reserve Bank. The facts are set forth in the following news story from today's Wall Street Journal:

FRB RAISES DISCOUNT RATE TO 2 PERCENT FROM 1¾ PERCENT AT SAN FRANCISCO, UNDERLINING POLICY CHANGE—SOME INDICATION WHITE HOUSE OPPOSES MOVE; BANKS SEE NO PRIME RATE HIKE NOW

The Federal Reserve Board approved an increase in the discount rate for the San Francisco Reserve Bank to 2 percent from 1¾ percent effective today—the first increase in a Federal Reserve discount rate in a year.

It was the Board's second move in less than 2 weeks to signal a change from its policy of credit ease.

The discount rate is the fee Federal Reserve banks charge for loans to member commercial banks. Though the increase affects only the San Francisco bank, other Federal Reserve banks usually bring their rates in line within a matter of time after one or more banks change. There are 12 Federal Reserve districts.

Bankers across the country generally were surprised by the rate hike at this time, and said it was unlikely to be followed right away by an increase in the 3½ percent "prime" rate—the interest banks charge their biggest borrowers with the best credit standing.

FEDERAL RESERVE BOARD EXPLANATION

An FRB spokesman declared the increase for the San Francisco bank was influenced by changed business conditions and recent appearances of some inflationary sentiment. The official did not elaborate.

The first concrete sign that the Reserve Board was getting ready to change courses came on August 5 with a boost to 70 percent from the previous 50 percent in stock margin requirements—the maximum down payment required for the purchase of corporate stocks. Yesterday's discount-rate move confirmed the change of direction.

Even during the business slump, FRB officials considered inflation, not recession, the long-range threat. Quite obviously now, they have decided the recession is just about over and that the inflation threat is no longer long-range, but immediate. Signs of this heightened concern show up in the White House and in Congress, as well as at the FRB, though there was some reason to believe the Eisenhower administration did not agree with the discount rate increase. The Reserve Board is an independent agency responsible to Congress.

Current Washington concern over inflation stems from a variety of reasons. The Treasury faces the almost certain prospect of multi-billion-dollar deficits for the next 2 years, quite possibly longer. Major steel companies just increased prices. Auto manufacturers threaten to increase prices on 1959 models. Current troubles in the Middle East have given a fillip to inflationary sentiment. Some high administration officials, however, do discount the inflationary danger. They argue the greatest insurance against it is the country's vast productive capacity.

CHANGES IN POLICY

The increase was the first since August 13, 1957, when the rate rose to 3½ percent from 3 percent. The rate stayed at 3½ percent until November 15, when it was lowered to 3 percent. It was this action that signaled a change in the Board's credit policy from restraint to ease as the effects of the business recession began to show themselves.

Late in January, the rate was dropped to 2¾ percent. The Board approved a 2¼ percent rate in March. The last cut was April 18, to 1¾ percent.

As well as lowering the discount rate, the Federal Reserve approved several cuts in member bank reserve requirements, thus freeing funds by the banks. At the same time, the Federal Reserve purchased increased amounts of Government securities, pumping more money into the banking system. More recently it has been selling Treasury bills.

Early this year, the San Francisco Bank refused to join the other 11 Reserve districts in one round of discount rate cuts, and did not bring its rate into line with other banks until a subsequent cut in the rate several weeks later.

The San Francisco Bank said at the time it was standing pat on the rate change on the ground the continuation of inflationary pressures on the west coast did not then warrant a credit-easing move.

Yesterday, Herman N. Mangels, president of the San Francisco Bank, said the reason for its ¼-point boost is that "our board of directors is concerned with inflationary pressures in our area, which now give evidence of being on the increase." One of these indicators, he said, is a continuing rise in prices.

While administration officials currently seem less concerned than the FRB in Washington over inflation as an immediate threat, they agree it is the coming problem. As one high official put it: "Business was never as bad as business sentiment earlier this year. Inflationary sentiment now is greater than actual inflationary danger."

APPROVED BY ANDERSON

Thus, some administration policymakers disagreed with yesterday's increase in the discount rate. They expressed fear that the timing of the action may raise the structure of interest rates and, thus, impede business recovery. However, a spokesman for Treasury Secretary Anderson said he approved of the new FRB move.

Mr. Speaker, two facts stand out in the Federal Reserve Board's action. First, it comes at a time when there are still more than 5 million unemployed, and the percentage rate of unemployment nationwide stands at close to a record for any time since the great depression. Secondly, as the Wall Street Journal story points out, "there was some reason to believe the Eisenhower administration did not agree with the discount rate increase."

On June 3, 1958, I introduced H. R. 12785, a bill to provide anti-inflation machinery for the President by requiring him to include in his economic program under the Employment Act of 1946 recommendations concerning monetary and credit policies, and by empowering him to marshal the force of public opinion against wage or price increases which he finds inflationary. Hearings on H. R. 12785 were held by the Subcommittee on Executive and Legislative Reorganization of the House Committee on Government Operations on July 21–22. Statements at the hearings covered both the monetary-credit and the wage-price aspects of H. R. 12785. Because of their relevance to yesterday's action by the Federal Reserve Board, I include portions of some of the statements on the monetary-credit aspect at the hearings.

In my own testimony on the monetary-credit aspect of H. R. 12785, I said this:

The first of H. R. 12785's two main provisions is to require the President to include in his economic program recommendations concerning monetary and credit policy.

These recommendations on monetary and credit policy should be made not only in the area governed by the Federal Reserve System, but in the important area controlled by various executive lending agencies, and in the area of proposed new legislation. These recommendations, together with recommendations on tax and spending policy, should be pulled together and presented as a package, and carried out as far as possible as a package, not as a haphazard collection of disconnected policies. Only if this is done can monetary and credit activities be effective in combating inflation.

I believe that such an amendment is (a) meaningful, since it imposes responsibilities which, under the President's interpretation, are not included within the present act; that (b) it is desirable; and that (c) it would have no harmful consequences.

A. The amendment is needed.

By the "practical construction" of the administration, the act at present does not impose any responsibility upon the President to make recommendations concerning monetary and credit policy. This interpretation of the act is evident from (1) formal statements by the administration; by (2) its consistent practice; and by (3) its report on H. R. 12785:

1. The President has formally renounced any responsibility to advise the Federal Reserve Board and its Open Market Committee of the administration's position on monetary and credit policy. This has been made clear over a period of years.

In the 1952 campaign, Mr. Eisenhower advocated: "a Federal Reserve System which exercises its functions in the money and credit system without pressure for political purposes from the Treasury or the White House." (Testimony of Secretary of Treasury Humphrey, Senate Finance Committee, Investigation of the Financial Condition of the United States, pt. 1, p. 16, June 18, 1957.)

In a similar vein, Under Secretary of the Treasury W. Randolph Burgess recently said:

"The job of the bank of issue is making money scarcer and costlier when boom psychology appears. This takes courage and judgment. That is the reason why it can't be done safely or well by politicians. The usefulness of the bank of issue is exactly in doing the unpopular things at the right time. The wise government knows this and leaves these unpopular jobs to the bank of issue." (Ibid., pt. 2, p. 960, August 3, 1957.)

It is apparent from numerous utterances of President Eisenhower that he regards the independence of the Federal Reserve as a reason for refraining from even making administration recommendations in the field of monetary and credit policy. Discussing the Federal Reserve's April 1956 increase in the discount rate, the President said at a press conference:

"The Federal Reserve Board is set up as a separate agency of Government. It is not under the authority of the President, and I personally believe it would be a mistake to make it definitely and directly responsible to the political head of state. I do have this confidence in the Federal Reserve Board: * * * they are watching it very closely, and I personally believe that if money gets to what is normally referred to as too tight, they will move in the other direction in some way or other as soon as they can." (New York Times, April 26, 1956, p. 18.)

In a Presidential press conference on October 5, 1956, the following colloquy took place:

Mrs. SARA MCCLENDIN, of El Paso Times. "Mr. President, sir, we know that many communities want more school buildings, and we know you said you wanted to help them, I believe, on the partnership basis; but how can these communities build more schools when the cost of doing so would be a million or two higher as a result of the interest they would have to pay, as a result of your policies on high interest." [Laughter.]

The PRESIDENT. "What are my policies on high interest? You have not explained that."

Mrs. MCCLENDIN. "Well, the Treasury Department and the Federal Reserve Board, under your administration, have contributed to raising interest rates all over the country."

The PRESIDENT. "To what extent is the Federal Reserve Board under my control?"

Mrs. MCCLENDIN. "Well, I would imagine—I don't know, sir, but I would imagine you would have some influence."

The PRESIDENT. "Then, the only thing I am getting at is don't start out with a premise that isn't quite correct. The Federal Reserve Board is not under my control, and I think it is proper that the Congress did set it up as an independent agency."

2. Not only has the President thus repeatedly used the Federal Reserve's independence as a reason for renouncing the responsibility of making recommendations in monetary and credit policy, but, in fact, since 1953 the President's statutory programs, as contained in the economic report, have omitted any recommendations for action by the Federal Reserve or the Open Market Committee.

Both these bodies, of course, exert a profound influence over employment, production, and purchasing power. They do so through the Board's power over changes in Reserve requirements, rediscount rates, regulation of stock market credit, and setting of maximum rates of interest for savings deposits in member banks; and through the Open Market Committee's power over the purchase and sale of Government securities.

In this year's 1958 economic report of the President, dozens of specific recommendations for action were made to the Congress and to State and local governments—see 1958 Economic Report, pages 77–80—but not a single recommendation or suggestion to the Federal Reserve Board or to the Open Market Committee. Chairman Raymond J. Saulnier of the CEA has since testified—Joint Economic Committee hearings, January 27, 1958, page 29:

"In the economic report we have expressed no judgments as to the adequacy or inadequacy of credit policy. We have done the best we can to describe that policy and to describe the movement of our economy, and have left evaluations of it completely out of the story."

Similarly, in the 1955, 1956, and 1957 economic reports, State and local governments were advised to rewrite their tax and debt limitation statutes in order to relieve the problems caused by tight money. Yet no recommendations were made to the Federal Reserve concerning tight money itself.

3. In their adverse reports to the Committee on Government Operations on H. R. 12785, both Federal Reserve Chairman William McChesney Martin, Jr., and Council of Economic Advisers Chairman Raymond J. Saulnier, in opposing H. R. 12785's requirement for Presidential recommendations regarding monetary and credit policies, indicate clearly that the act at present contains no such requirement.

Mr. Martin's letter of June 27, 1958, says:

"It is the view of the Board that a further requirement that the President shall include in his reports specific recommendations as to the monetary and credit policies to be followed in the future would be undesirable. Some instruments of national economic policy, such as fiscal policy, housing policy, and agricultural policy, are by their nature adaptable only slowly over a period of time to changing economic conditions. They lend themselves much more readily to longer term recommendations. Monetary and credit policy, on the other hand, is the most flexible of the instruments of national economic policy, and it would lose this highly important advantage if it were tied into a program of longer term recommendations.

"Decisions in the area of monetary and credit policy are the responsibility of the Board of Governors of the Federal Reserve System, entrusted to it pursuant to the constitutional powers of Congress in this field. A mandate to the Executive in other legislation to make recommendations in the field of monetary and credit policy would conflict with the statutory relationships of the Federal Reserve System to the Congress and the independent performance of the duties that are entrusted to its administration."

In his letter of July 1, 1958, Chairman Saulnier says:

"It is not clear • • • what the effect would be of making explicit provision for recommendations regarding monetary and credit policies in the economic program called for by the Employment Act. The effect might be to alter the long-established relationship between the independent Federal Reserve System, on the one hand, and the Office of the President, on the other hand. In our judgment, any revision of this relationship should be undertaken, if at all, only after very careful study of the works of present arrangements."

B. The amendment is desirable.

The changes in the Employment Act of 1946 which would be brought about by requiring the President to make recommendations concerning monetary and credit policy would greatly strengthen the act as an anti-inflationary instrument.

By and large, as we have just seen, the President's present interpretation of the act is such as to bring about his retirement from the field of monetary and credit policy. The basic intention of the act was to centralize in the President responsibility to make appropriate recommendations not only to achieve maximum employment and production but maximum price stability as well. As the President interprets the act, he equates the attack on inflation with the use of monetary and credit policy, and thus steers clear of the whole field because he regards this as the exclusive domain of the Federal Reserve System. If we accept the President's claim that he has no responsibilities in the area of monetary and credit policy, we wipe out an important part of our anti-inflationary arsenal.

It is perfectly true that the Federal Reserve System, like other branches of the Federal Government, has acknowledged a responsibility to promote the goals of the Employment Act of 1946. It is also true that, at least since September 1957 an informal committee on credit policy, consisting of the President's economic adviser, the Chairman of the Federal Reserve Board, the Secretary of the Treasury, and the Chairman of the Council of Economic Advisers, permits a useful informal exchange of information and views on monetary and credit policy.

Neither of these, however, meets the fundamental need which gave rise to the Employment Act of 1946 in the first place—the need to centralize in the President the responsibility for coming forward with a constantly revised program for maximum employment without inflation, which is then to be implemented in the executive branch where it is a matter for the executive branch, and referred with a recommendation where the responsibility for carrying out the recommendation must in the nature of things be on someone else—as on the Congress, State, and local governments, or the Federal Reserve.

If the President believes that the Federal Reserve is exercising its rediscount and reserve powers properly, or too severely, or too laxly, he should say so. If, at a time when credit needs to be made easier, he believes that national economic goals will be enhanced by open-market purchases of government securities, rather than by changing Reserve or rediscount requirements, he should say so.

In fact, he has not said so. Recent examples of administration irresponsibility in failing to state its position to the Federal Reserve at the relevant time, apparently in the hope that all will come right in the end, are not lacking. For example, Chairman Martin of the Federal Reserve testified as follows concerning the administration's position on the Federal Reserve's April 1956 increase in the discount rate:

"By the last week in March the position in the Federal Reserve—which was not a one-man operation; you see, the 12 bank directors were considering all aspects of this—was that it would be wise for us to go up in the discount rate.

"I think Secretary Humphrey subsequently testified that his judgment at that time was that the timing was poor, but that he was not opposed to the long-run objective.

"We finally reached a point where there was no meeting of the minds that could be had, and there was nothing for the Federal Reserve to do except to go and act. And we acted."

Senator Long. "Since that time the discount rate has been advanced several additional steps, has it not?"

Mr. Martin. "It has. And it has been discussed persistently with the Treasury and with the Council of Economic Advisers and others in the administration. And we benefit a great deal from these discussions with them, just as we benefit from the meeting here before this committee, getting the different points of view."

Senator Long. "Are you free to say whether there was a divergence of opinion on the subsequent increase in the rediscount rate?"

Mr. Martin. "In some degree, I think there was. There was no pressure put on us not to do what we did. Everything was very friendly and amicable, but I am inclined to believe, to be honest, that if it had been handled by the administration it would have been handled differently." (Senate Finance Committee, investigation of the financial condition of the United States, pt. 3, p. 1363, Aug. 16, 1957.)

Asked "what communications and representations from executive department officials or their subordinates" the Federal Reserve Board had before it in its decision to up the discount rate in April 1956, Chairman Martin replied:

"The answer is none. I informed the Board, as is my practice, of the conversations which had been carried on, and of the fact that Secretary Humphrey and Chairman Burns questioned the wisdom of the action, but there were no formal representations. That was conveyed to the Board. They knew that at the time they took their action." (Conflicting Official Views on Monetary Policy: April 1956, Subcommittee on Economic Stabilization, Joint Committee on the Economic Report, p. 40.)

The August 1957 increase in the discount rate by the Federal Reserve Board is another instance where the administration, although apparently disagreeing with Federal Reserve action, was silent at the time. The August 1957 discount rate-increase action was taken despite months of increasing business failures, falling agriculture incomes, declining employment, and falling prices of sensitive commodities. A New York Times story of January 20, 1958, by Edwin L. Dale, Jr., on the filing of this year's economic report, reported that:

In elaborating on the report, administration sources made these points:

"The Federal Reserve, in the administration's view, carried on its tight-money policy too long, and even now has not switched sufficiently to easy money. Current Federal Reserve policy was described as a trifle overstern. The Reserve operates independently of the administration."

To the same effect, Mr. Raymond J. Saulnier, Chairman of the Council of Economic Advisers, testified on January 27, 1958, that he "would have welcomed a shift toward a somewhat easier credit policy at an earlier date" than the November date the Federal Reserve in fact selected. (Joint Economic Committee hearings in January 1958, Economic Report, p. 29.) But the CEA apparently did nothing about it at the time.

The practice of leaving the fight against inflation to the Federal Reserve System—"let Bill do it"—means that the overall attack on inflation on the demand-pull side (let alone on the cost-push side, which will be discussed later) is a most inadequate one. The Federal Reserve's anti-inflationary powers, such as they are, stem from its power to exercise some control over the amount of money the commercial banks have to lend, and the interest rates they charge for borrowings. It has no control over the credit and interest practices of such other financial institutions as banks which do not belong to the Federal Reserve System, insurance companies, savings and loan associations, finance companies, pension funds.

Even on the commercial banks, which the Federal Reserve does affect by restrictions on reserve requirements and rediscount rates, these restrictions can be largely circumvented by the banks' selling Government securities in their portfolios and obtaining loanable funds instead.

But at some point a policy of tightened credit does take hold. Bank loans are harder to get, and do cost more. Even so, any anti-inflationary effect of such credit stringency must depend upon the extent to which it dampens the demand, or spending, of consumers or business investors. In practice, credit stringency has little effect on consumer borrowing and spending, since increases in the interest charge amount only to very small increases in the monthly payments on the installment plan, and even these increases can be avoided altogether by stringing out the number of monthly payments.

The anti-inflationary effect of tight money on business spending, while somewhat greater than on consumer spending, is still not very great. If times are good, and inflationary pressures are boiling, small increases in the interest rates do not deter business investors from borrowing and spending, particularly where other governmental actions encourage capital investment. Strong businesses can pass on to consumers the cost of increased interest rates, or avoid borrowing altogether by drawing on their own savings or by going into the security market for funds. So a policy of credit stringency operates mainly on small business, homebuilders, farmers—and the effects on them are frequently diluted by special governmental programs to make available by specific means the credit which has just been taken away by the overall means of credit stringency.

Thus, to leave the fight against inflation to the Federal Reserve System is to send a boy to do a man's work.

If the President is compelled to include monetary and credit recommendations in his economic program, the inadequacy of leaving everything to the Federal Reserve will become more apparent. The amendment proposed by H. R. 12785 will require the President not only to bemoan inflation, but to do something about it. The requirement that he make monetary and credit recommendations will have the following effects, in addition to the effect already described of requiring him to make recommendations where appropriate relating to the Federal Reserve's present powers of reserve requirements, rediscount rates, and open market policy:

1. Recommendations will have to be made concerning the credit policy of executive lending agencies responsible to the President, such as the Housing and Home Finance Agency, the Farm Home Administration, the Farm Credit Administration, and the Small Business Administration. In the recent past, while the Federal Reserve was moving to tighten bank credit, lending agencies elsewhere in the Government were busy increasing the supply of credit, thus moving in just the opposite direction.

2. Recommendations will have to be made concerning monetary and credit matters not within the present legal authority of the Federal Reserve. A good example of this is possible controls over the amount of downpayment, and length, of consumer installment credit, and of housing mortgage credit. Certainly this would have been a more effective instrument of preventing inflation in the last 2 years than relying exclusively on the diffused existing powers of the Federal Reserve over bank reserves and interest rates.

3. The requirement that the President make recommendations concerning monetary and credit policy would tend not only to produce such recommendations, where needed, but to show their limitations. In fact, any comprehensive attack on inflation must include not only monetary and credit policy, but policy with regard to governmental taxing and spending. If demand is excessive, and the Government is sincere in its desire to do something about inflation, it must accompany anti-inflation credit and monetary policy by spending less, or taxing more, or both. Yet in the recent past, at a time when the Federal Reserve was applying anti-inflationary credit stringency, the administration was proposing the largest peacetime spending budget in history; and, far from recommending increased taxes, the administration was continuing the 1954 tax reduction, including accelerated depreciation and the lavish granting of rapid tax amortization certificates, which were feeding the capital goods inflationary boom.

C. It will do no harm.

We must now ask ourselves whether the proposed strengthening of the Employment Act of 1946 so as to require monetary and credit recommendations would impair the independence of the Federal Reserve. It should be noted at the outset that the question of impairing the Federal Reserve's independence only arises in connection with the first of the four anti-inflationary Presidential recommendations described: (1) Monetary and credit recommendations in the field of the Federal Reserve's present reserve, rediscount and open market powers; (2) monetary and credit recommendations to lending agencies of the executive branch; (3) monetary and credit recommendations having to do with new legislation in either of the first two fields; and (4) anti-inflationary recommendations in fields other than in monetary and credit policy, such as on tax and spending policy.

Yet, even this first area of traditional Federal Reserve powers, requiring the President to make appropriate recommendations to the Federal Reserve System, in no way destroys the Federal Reserve's independence. That independence springs from the fact that once the members of the Board of Governors of the Federal Reserve System are appointed by the President, they are not subject to removal except for cause during their 14-year term. If the Federal Reserve System does not agree with the President's recommendations, it surely has enough gumption to say so, and to use its own judgment. No one suggests that the Congress, or State and local governments, are not independent of the administration. Yet, no one disputes the fact that the act, and practice under it, requires that the President make recommendations to Congress and to State and local governments. In fact, the President has repeatedly done so. If Congress and State and local governments can take these recommendations without losing their independence, why can't the Federal Reserve?

Portions of the statement of Gerhard Colm, chief economist of the National Planning Association and professorial lecturer at George Washington University, appearing in his individual capacity, follow:

In recent economic reports the President has refrained from including recommendations on monetary policy. It is my conviction that this omission is not in accord with the philosophy incorporated in the Employment Act. The Employment Act states in section 2 in part that the Federal Government [is] to use all practical means • • • to coordinate and utilize all its plans, functions, and resources for the purposes • • •. These plans, functions, and resources include monetary as well as fiscal and other policies—a view which has been specifically affirmed repeatedly by the Chairman of the Federal Reserve Board. The President is called upon to submit a report which includes a review of the economic program of the Federal Government and a program for carrying out the policy declared in section 2.

In my opinion, it is incumbent on the President to include in his economic report a statement not only about the role monetary policy has played in the past, but also about the part which monetary policy is to play in a future program designed to accomplish the objectives of the act. Making recommendations on monetary policy would not imply that the President has control over the monetary authorities. The President recommends legislation. Does that imply that he has full control over the legislature? He has made recommendations concerning State and local government policies, concerning business, labor, and consumer behavior. Does that imply that they are all under his control?

I believe most economists will agree that neither a meaningful anti-inflation nor a meaningful antirecession program can be presented which omits recommendations about monetary and credit policy. The members of the Federal Reserve Board and of the Open Market Committee need for their guidance the knowledge about the role monetary and credit policy have to play in a particular economic situation. They cannot make meaningful decisions of their own unless they find a program of economic policies proposed which embrace Government expenditure policies, tax policies, debt management, price policies, and monetary and credit policies. The fact that the President's program should include monetary and credit policies does not deprive the Federal Reserve agencies of their responsibilities any more than the legislative tax and appropriating committees and Congress as a whole are deprived of their responsibility by the fact that the President's program also includes tax and expenditure recommendations. The main difference consists in the fact that the Chairman of the Federal Reserve Board and his experts presumably participate in the development of the President's program so that they have an influence not only on the monetary and credit policy but also on the other aspects of the economic program which is proposed.

The references to monetary and credit policies in the proposed amendment, therefore, do not imply that monetary policies come under the "control" of the executive branch; these references are, in my opinion, nothing but an explicit interpretation of the original intent of the Employment Act. If it were not for the recent practice of omitting recommendations on monetary policy in the President's reports, I would say that this part of the amendment would not be necessary. In the light of the recent practice, however, it might be desirable if the interpretation of the act be clarified in that respect by an amendment or some other method of legislative expression.

Portions of the statement of Seymour E. Harris, chairman of the economics department at Harvard University, and vice president of the American Economic Association, speaking on his own behalf, follow:

1. The central problem:

Clearly, there is something wrong with our economic policy. In the last few years we have achieved neither price stabilization nor maximum output. The failures are due, I believe, in no small part to the inability or unwillingness to integrate monetary and other economic policies. According to the Employment Act of 1946, the President is responsible for maximum employment, maximum output, and purchasing power, but he has been most reluctant to make any suggestions about monetary policy.

This failure to integrate may have been acceptable many years ago; but it is no longer acceptable. The theory of the independence of the Federal Reserve goes back to a day when the Government's responsibility for the economy was rather primitive. Now we have many additional sharp weapons for economic control, and we cannot allow the Federal Reserve to move in one direction and other agencies and departments to move in another.

This is the crucial problem which Congressman Reuss is trying to cope with by sponsoring H. R. 12785.

2. The independence myth:

In the last few years the Federal Reserve has been under attack for its policies. Indeed, the Federal Reserve deserves much credit for showing much courage in trying to cope with inflationary policies. In fact, the Federal Reserve showed more courage in the last few years than in the famous inflationary period of the late 1920's. But with equal candor I must say that these policies have not been successful, and they often have not been wise. Smarting from these attacks, the Federal Reserve and its defender, the President, have time and again in the last few years proclaimed the independence of the Federal Reserve.

In the 1957 investigation of the financial condition of the United States before Senator Byrd's Committee on Finance, the

Chairman of the Federal Reserve Board, Mr. Martin, put the issue as follows (hearings, III, p. 1258):

"This question of independence has been thoroughly debated throughout the long history of central banking. On numerous occasions when amendments to the Federal Reserve Act were under consideration the question has been reexamined by Congress, and it has reaffirmed its original judgment that the Federal Reserve should be independent—not independent of government but independent within the structure of government. That does not mean that the Reserve banking mechanism can or should pursue a course that is contrary to the objectives of national economic policies. It does mean that within this technical field in deciding upon and carrying out monetary and credit policies it shall be free to exercise its best collective judgment independently."

I am not sure exactly what this means. It is clear that in 1956 the Treasury Department and the Council of Economic Advisers were frequently in disagreement with the Federal Reserve. Who was deciding the objectives of national economic policies? Clearly, the 1946 act provided for maximum employment and output, and surely the Federal Reserve policy was not consistent with these objectives.

Indeed, in the war period and up until 1951 the Federal Reserve was largely under the control of the Treasury and the President. Surely during this period there was little talk about independence so far as policy was concerned, though there were protests from the Federal Reserve. One may go even further and say that during this period the Treasury may have had too much authority over the Federal Reserve and may have contributed toward lower interest rates more than was good for the economy. Indeed, the accord of 1951 to some extent corrected this situation. But it is a mistake to assume that the accord of 1951 meant that the Federal Reserve was now free to do as it pleased.

Current policies seem to me to be unwise. Indeed under the pressure of events the President has now introduced informal meetings among relevant governmental agencies inclusive of the Federal Reserve Board, but we can only judge the results of these meetings by the events; and I shall show that the policies seem to be strangely inconsistent. In hearings before the Joint Economic Committee (Monetary Policy 1955–56, pp. 2 et seq.), Elliott V. Bell, editor and publisher of Business Week, presented a strong case for a more integrated policy between the Federal Reserve and other agencies of the Government. He pointed out that the control of money was in the hands of Congress and not the Federal Reserve and that Congress had merely delegated the administration of this power to the Federal Reserve. He said, "The United States is, I believe, the only country in which the central bank is not owned outright or controlled directly by the political government," and "We must always be alert, however, to the danger that considerations dictated by the private interests may come to influence the decisions of the Reserve authorities."

Mr. Bell went on, "I venture • • • to suggest the desirability of a national economic council which would function in respect to economic policies somewhat as the National Security Council functions with respect to defense policies. In some quarters this suggestion has been misinterpreted as an assault upon the independence of the Federal Reserve System • • • that independence, as I see it, simply means that the Federal Reserve must not be compelled in peacetime to use its credit-making power to facilitate the Treasury's financing needs as was done in two world wars."

In response to criticism of this type, the President introduced his informal monetary or economic conferences.

Indeed, we may be critical of the Treasury for excessively cheap money policy in the 1940's and particularly in the early post-war period. But may we not be even more critical of the Federal Reserve in recent years for asserting its independence and not giving adequate consideration to the problems of Federal financing?

May I quote here what I said to the Byrd committee on April 24 of this year: "This restricted monetary policy had unfortunate effects on other counts. It amounted to an induced desertion of the Government security market. Whereas in the years before the 1951 accord the charge was made that monetary policy was subservient to the Treasury, in 1956–57 the monetary authorities could be criticized for introducing a policy which largely abandoned the interests of the Treasury.

"Thus from 1954 to 1957 financial institutions under pressure of induced higher rates and unavailability of credit, disposed of $19 billion of public securities. Purchases of $15 billion by Federal agencies, State and local governments and individuals, etc., required a substantial drop in prices, that is, a large increase in rates, that increased the annual cost of financing the debt by $1 billion in 3 years, or about 15 percent."

3. Independence or integration?

The Federal Reserve has put up a strong fight for its independent position. But if the Federal Reserve is more independent, one can be sure that other agencies and departments of the Federal Government will be more independent. For example, in 1953 the Treasury introduced a vigorous dear-money policy. Mr. Burgess had been very much impressed by the writings of academic men including his own of the desirability of a free Government bond market. He had hardly come into office when he introdueed his 3¼ percent long-term bond rate which demoralized the bond market and requifed a hasty retreat. Here the Federal-Reserve acquiesced, but one does not know with what reluctance. Here the Treasury independence was forcing the hand of the Federal Reserve.

Or consider the Treasury policies in 1957 and 1958. In the middle of 1957 the Federal Reserve was working hard at its anti-inflationary policy. This means a policy to raise interest rates and cut down the amount of borrowing and increase the amount of savings. The objective is higher interest rates. What did the Treasury do? Did the Treasury issue long-term securities—considered the proper policy in such a period? The objective of issuing long-term securities is to raise the rate of interest; in other words, increase the supply and the rate of interest goes up. Instead of issuing long-term securities, consistent with its long-run objective of reducing the floating debt, the Treasury nullified to some extent the effects of Federal Reserve policy by issuing short-term securities. Here is a direct conflict between the independent Treasury and the independent Federal Reserve.

Again in 1958 the Federal Reserve had reversed its policy and had introduced a modest cheap-money policy. What did the Treasury do? Did it issue short-term securities so that the interest rate should not rise? Indeed it did not. It concentrated heavily on long-term and intermediate securities, with the result that the Federal Reserve's efforts to bring down the rate of interest were nullified to some extent by the Treasury policy of competing with the private market and issuing large quantities of relatively long-term securities.

Another argument against the independence theory is that independence suggests power and therefore an excessive attention to monetary policy. There is no doubt about it but that the present administration has not used fiscal policy effectively or adequately. This may in part be due to a prejudice against our modern developments. But it is also the result of overemphasizing the independence and authority and power of the Federal Reserve.

Congressman Reuss is quite right to emphasize this failure to use fiscal policy as being related to the unacceptable theories of independence.

I can only summarize this issue of independence by raising the following question. Why does the Congress support the independence of the Federal Reserve? The theory is based on a bygone period when monetary policy was the exclusive weapon, when Government assumed little responsibility for the economy, when the 1946 act had not been born. Now independence means failure to use all available weapons and a failure to introduce the degree of cooperation that is necessary to achieve the objectives of the 1946 act.

4. Relevance of the Reuss bill:

Impressed by the failure of the President to recommend in the area of monetary and credit policy in his Annual Report to the Congress on the Economic State of the Nation, Congressman Reuss proposes that the President should assume this responsibility. This seems to the Speaker a sensible program. We would all agree that the Government should use all possible weapons in order to control the economic situation and achieve the objectives of the 1946 act. That also means monetary and credit policies. If monetary and credit policies are important weapons of control, then the President should have the right to make recommendations in this field as well as in others. Current practice is remindful of the physician who is proposing therapy for the patient with a heart attack. He proposes therapy in numerous fields, but he says that the problem of reducing calorie intake is the problem of the dietitian and therefore he would make no recommendations in this area. There is no more sense in the current policy than there would be if the diagnostician or the heart expert took his particular position.

This failure to make recommendations in this area, and giving the Federal Reserve complete independence have resulted in an excessive emphasis on monetary policy and a growing feeling that monetary power is more potent that it really is and, therefore, in a failure to use alternative weapons of control. This failure to use fiscal policy especially may be the result of the difficulties of the agencies and departments to keep up with modern economic trends, but it is undoubtedly also related to the extreme emphasis on the great powers of the Federal Reserve and the need of allowing these powers to be used in an independent manner.

5. Independence and the Inadequacies of Policies:

Objections to Federal Reserve policy and its independence would not be so great if one could agree with the objectives of this policy and with the effectiveness of its operation. The administration (and especially the Federal Reserve) is excessively concerned with inflation even in the midst of a recession. In fact, this has been the policy of the administration over the years. But we all realize that there are other objectives of economic life. Indeed, we must keep inflation down as much as possible, but we also must have growth and we must have fair distribution. In an article in the British Economic Journal of March 1958, I wrote as follows: "There [that is the administration] No. 1 problem is inflation. Indeed, Mr. Martin and others suggest that they have a responsibility for growth. But what they emphasize now is the need of containing or even stopping the inflation. Martin sees little hope of a creeping inflation not turning into a more violent inflation. The job of the Federal Reserve, in his view, seems to be to stop any inflation. At present Mr. Martin and others members of the administration are seeking Congressional support for a clear-cut mandate that stabilization of the currency should be a fundamental objective of policy. But on other occasions when Congress wished to thrust upon the administration or the Federal Reserve the objectives of a stable price level the Federal Reserve has protested on the grounds that they were not capable of stabilizing the price level. Now they seem to have come out for such a responsibility to be imposed on them by Congress."

Inflation is a disease that should be controlled as much as possible. But it is not a question of white or black. A 1-percent inflation and a 10-percent rise of output is good policy, and a 10-percent inflation and a 1-percent rise of output is bad policy.

If we object to the objectives of the administration and the Federal Reserve, we also object to the weapons that have been used. Altogether too much confidence has been placed in monetary policy. A policy which aims to increase the rate of interest is bound to have a serious effect on employment and output because businessmen compare the rate of interest they have to pay and the profits they expect to make. If the rate of interest rises, profit anticipations decline. If the correct policy is an anti-inflationary policy, it would be much better to depend upon fiscal policy to a much greater degree. In other words, keep the rate of interest down to encourage investment and then deal with the problem of inflation through spending and tax policy and especially the latter.

In this connection we should note the glaring inconsistencies of Federal policy. On the one hand, the Federal Reserve tries to control inflation through the use of the rate of interest. At the same time, the Federal agencies keep expanding their loans and guaranties and put more and more burdens on State and local governments which finance their needs through regressive taxes. These taxes, in turn, have a serious effect on the price level and would not have nearly as serious effect if the obligations were undertaken by the Federal Government.

Even in the monetary field the Federal Reserve has failed to use its weapons effectively. Why the concentration on bills rather than on the purchase of bonds? If the objective is to influence the rate of interest, the most effective approach is to operate on the long-term rate of interest, that is, through the purchase and sale of Government bonds by the Federal Reserve. Yet the Federal Reserve, despite the opposition of President Sproul, has insisted upon bills as the only policy. This in part explains the failure of the long-term interest rate to come down as rapidly as it otherwise might have during the recession period. As far as I can gather, the main reason for this policy is that the Federal Reserve does not want to interfere with the free-market forces in the bond market. This may be embarrassing to dealers. But, after all, the control of the whole economy is much more important than is the market conditions for the bond dealers.

One is also impressed by the fact that in the recession period the Federal Reserve was slow to deal with the recession. Discount rates rose even after it was clear to most that the economy had been moving sideways or even worse for quite a long period. The reversal of policy came after several months of decline. What is more, for almost a year after the initial decline the reserves of member banks were roughly unchanged.

It would be well to compare our recent policies with those in the years 1930–1932 when the Federal Reserve was supposed to know very little about some of these issues. Yet from 1930 to 1932 the Federal Reserve increased its holdings of government securities by $1.7 billion, or by about 250 percent. A corresponding increase in 1957–1958 would have involved an increase of about $55–60 billion of public securities held, not one of a few hundred million dollars. We are of course not proposing such increases. But why did not the Federal Reserve at least increase the reserve of member banks by an additional billion dollars?

We can present many reasons for the failure of monetary policy. The first one is of course the reluctance to use fiscal policy as a complement or even as the major weapon. A second factor was the continued rise of wages and prices, sometimes in excess of the increase suggested by rising productivity, and sometimes the rise of prices exceeding the increase to be suggested by the increase of costs. The third factor was the failure to deal with the intermediaries. Despite the long discussion before the Byrd committee, the administration never came up with an answer to the problem of the intermediary. Obviously with the intermediaries expanding their assets more rapidly than the commercial banks, the control of the economic system through monetary policy is endangered unless measures are found to deal with the intermediaries. Yet the Federal Reserve has been remarkably silent on this issue.

In 1954 to fiscal 1957 there was a rise in loans and investments of Federal agencies from $15.5 billion to $18.4 billion and in guarantees and insurance from $40.5 to $57.8 billion. For fiscal year 1958 the respective figures are estimated at $19.6 billion and $65.5 billion. These figures are from the 1958 budget, page 1106, and earlier budgets. Indeed in the hearings before the Senate Finance Committee on savings and bond interest rate increases in 1957, Secretary Burgess admitted that the increase of assets of commercial banks had been only one-half as large as for life insurance companies, and only one-sixth as large as for saving and loan associations. See the hearings, page 32.

A fourth factor was the liquidity of business. Control of monetary supplies does little good if the intermediaries can expand and if business by using its own resources can expand to a substantial degree.

All these factors point to the relevance of the rise of banking debits, an index of the activity of money as against the rise of money. From 1952 until 1957 the rise in supply of money was 7 percent, but the rise of banking debits was 40 percent.

A final point relates to the incidence of the higher money rate policy. This problem has been discussed by many, inclusive of the writer on numerous occasions. I should only say here that on the whole the large corporation is in a better position to withstand the increase in the rate of interest than many other borrowers. This is particularly true, for example, of the school districts which are embarrassed by the increase in the rate of interest, an increase that affects them much more than other borrowers, and also the effects on small business are often rather unfortunate.

We conclude therefore that on the basis of the objectives, the failure to use all weapons adequately, and in view of all the obstacles to monetary policy, the Federal Reserve policy has not been successful, and it therefore should be part of overall policy and should not receive the independence that it and the President apparently desire for it.

The powerful Bank of England long ago recognized that it could not operate independently and that the potency of its instruments had been considerably dulled by fiscal policy. It is time for the Federal Reserve to make similar admissions. If control is only a part of the market and it is unable to cope with such factors as wage and price policy in any clearly effective manner, its failure to deal with the intermediaries only accentuates the difficulties.

6. Recent policy and the theory of independence:

What I propose to do in this section is to consider recent policy in relation to the achievements. Certainly what has happened does not give strong support to the theory that independence of the Federal Reserve is the way out.

For about 10 months the country experienced a moderately serious decline. The loss to the economy is in the order of $50 billion. Throughout this period the administration has taken the position that it would be unwise to cut taxes or to increase spending in any serious way in order to deal with the recession. The view of the administration has been that the upturn will come without that kind of intervention. Indeed there has been some retiming of expenditures and under the pressure of the international situation security plans have been broadened or expanded. But at least through the second quarter of 1958 the contribution of the Government toward either tax cuts or increased spending to contend with the recession have been minimum. In addition, the Federal Reserve, terribly concerned about the future inflation, has been reluctant to introduce a really vigorous cheap-money policy which might have brought the rate of interest down much more and therefore have contributed toward an earlier upturn.

As I write these lines in July 1958 it seems clear that the recession has bottomed. The administration may take some consolation from this, but it does not solve the fundamental problem; namely, that by earlier intervention the Nation may have been saved $40 billion a year and perhaps 750,000 man-years of jobs per month.

What is the explanation of this failure of the administration to take the advice of the vast majority of economists on the appropriate policies?

Undoubtedly one factor is the lack of confidence or understanding of fiscal policy. In 1953–54 economists were overjoyed that the administration by reducing taxes substantially had contributed toward a recovery. But the economists were too quick in giving the administration credit. As we look back, we understand that the reduction of taxes offset the unfavorable effects of reduced spending and that the tax cut was not in response to the acceptance of modern fiscal policy but rather primarily to fulfill a promise that under the Eisenhower administration taxes would be cut. Since 1954 it has been clear from innumerable statements by Secretary Humphrey that the administration did not take modern fiscal policy seriously. They seemed to be absolutely ignorant of the fact that a substantial reduction in taxes by stimulating spending, consumption and investment both would increase income sufficiently so that the net deficit might be reduced rather than increased. This is a hard message to get across.

Indeed as Senator Bush argues in reply to a letter of mine of May 29 in the Washington Post of June 11, the Democrats to some extent are responsible for this failure to cut taxes. But it should be noted that on the crucial Douglas amendment of June 20 Democrats voted 18 in favor of cutting taxes substantially and 19 against; the Republican vote was 2 for and 36 against. And for the amendment to repeal the 10 percent tax on local phone service, the Democrats voted 19 in favor and 18 against; the Republican vote was 13 in favor and 25 against. The Democrats seem to have moved further in the direction of appropriate fiscal policy than the Republicans have. What then has brought about the end of the decline as now seems likely, though we may also expect a very slow recovery because the administration has not taken sufficiently aggressive measures?

The answer lies in small part in a favorable monetary policy though one that was not sufficiently vigorous and aggressive. But the major issue is what has offset the very marked decline of private investment inclusive of the de-cumulation of inventories at any unprecedented rate. These declines in

spending must be offset elsewhere in the economy. In the second quarter of 1958 the rise of Government spending was still negligible and most disappointing. But there have been a number of fortunate events. The first is the increase of transfer payments which has kept up the spending of the masses of the population. This is of course the result of legislation of the thirties and forties to deal with issues of social security. Another factor of importance has been the continued expansion of local and State expenditures. This in the long run is likely to have serious effects, but temporarily it has helped to bolster the economy. Another factor has been the improvement in the housing situation, the result in part of legislation by the Congress that went beyond the recommendations of the President. Another favorable factor has been the large increase in Federal payrolls which may contribute toward a rise of Federal spending of the order of $3 billion in the third quarter. Here again the security situation is a factor of some importance.

Recovery then has resulted in part from the increase of pay and the expansion of our defense program but there does not seem to be any great prospects of a large recovery in private spending inclusive of investment. In fact, investment may continue to decline for quite a time.

Mr. Speaker, the administration refuses to accept the responsibility of even making recommendations on monetary and credit matters to the Federal Reserve system. Once again, the administration stands idly by while the Federal Reserve pursues policies that seem to be squarely at variance with the rest of the administration's program, so far as it has a program. Thus a vital area of economic policy is removed from the field of democratic responsibility.

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, it would be interesting to know whether visitors from abroad would understand something more of America if they attended some of our college and university reunions.

I wonder how many of our official visitors in Washington are invited to June reunions? I am not thinking of the learned who are honored at reunions with degrees. I am thinking of visitors, diplomats, and students who share in the fun of a June reunion.

There is nothing abroad to compare to our June reunions. There are no private universities in Europe. They are state supported. They have strong student associations proud of their education. European alumni have a strong feeling for learning.

However, on several occasions during the course of a year, invitations are issued at Oxford to boat races on the Thames and to a founder's-day celebration. The Oxford-Cambridge crew race draws classic interest. But there is no fixed tradition abroad like an alumni reunion.

The question is, Would college reunions hold interest for visitors? Would they gain an insight into something that helps hold America together, something invisible to the eye, to the front page or the bold headline? Something in a June reunion that allows Americans to laugh at themselves and at dictators, homegrown or foreign, and slap them down if need be? Perhaps there is something about a June reunion worth noting, Mr. Speaker.

On that account, under leave to extend my remarks, I should like to include at this point in the RECORD a description of the 25th reunion of the class of 1933 as it appeared in the July 4 issue of the Princeton Alumni Weekly. As a member of that class who was unable to attend the festivities, I trust that I will be forgiven the personal reference to Princeton:

How does one begin to chronicle the happenings of 5 wonderful days—days long and carefully planned, enthusiastically enjoyed, and already among our pleasantest memories? The 5 days that shook Holder Court. Mais, oui.

Dave Park of St. Louis was the first to sign the roster, and Frank Gordon of Scarsdale the 234th and last, and in between arrived as happy and fine a looking group of men as ever came back after 25 years—young looking, too, as we told ourselves.

From Honolulu came Howie Wallace; from Tampa, Wes Woltman; from Louisiana, Fred Baxter, George Howell, Eddie Gay and Win Wilson; from Albuquerque, Frank Hibben; from California, Stan Backus, Hal Edwards, Dodo Wilson, Henry McIntyre, George White, and Bob Fulton; from Laurel, Miss., none other than Gardner Green; from Houston, Art Terrell and Sandy Schwing; from Georgia, Ernie Wetherbee; from Tulsa, Vinnie Mulford; from Colorado, Struby Graham and Ted Tettemer; from Toronto, Banny ("I'm a missionary from Inja") Richardson; from Phoenix, Ed Marston—to mention just a few from the farther corners.

The early comers, ensconced under the great orange, white, and black tent, watched those arriving as they swung in under Holder Arch—first into one entry to sweeten the till under the watchful and unsympathetic eye of Ferd ("Now hear this") Roebling, and then to the next entry to pick up a large paper bag filled with straw hats, T-shirts, blazers, ties, and a new Stokes-model cow button—broader in the beam to accommodate names of a size visible even to the bifocal set.

Wednesday night—with a surprising 69 already in—was gay, and the music good, loud, and extending to the small hours. The place was beginning to warm up under the twinkling lights of "George Cinq de Kingston," "Nouvelle Eve," and the beauties of the Follies girls in the cloisters, appropriately lighted. Hon. mem. Net Poe '97 was our guest.

Thursday, the ranks grew, and in the afternoon many proceeded to Woodrow Wilson Hall to hear Frank Pace ably discuss the problems of national defense—his presentation and handling of questions were universally admired. Shrimp Glazebrook, leading the singing that evening on the steps of Nassau Hall (only there weren't any steps) tried to read some verses without success, but with Tom Ballantine's help, we sang until the familiar bell tolled out 9 o'clock. Back at headquarters, Lee Harris, Walter Mack, and Harold Perrine, the three men who have faithfully and timelessly tended our June thirst every year since 1933, were honored in timely fashion.

Friday was a wet day—especially for Arch Brooks, who found himself coxswain of the winning crew (what a fine looking shell load of men) and was promptly and thoroughly dunked. The climax of the day was the cocktail party and class dinner. Our guests were honorary members President Bob Goheen, who addressed us seriously but briefly, Dr. Harold Dods, Deans Jerry Finch and Bill Lippincott, and Dick Coleman. Also hon. mems. Matty Geis and Homer Spofford—and our favorite, Prof. Buzzer Hall. Harry Garrett presided, and Tony Nichol, in top form, presented the class history in delightfully whimsical fashion. (It was recorded on tape, and will be sent to all classmates.)

The new class officers were announced: Arch Brooks, president; Bill Crow, vice president; Bill Wright and Bill Cahn continuing. Howie Wallace was presented with the long-distance cup, and Steve Fox—in grateful appreciation for a great job as reunion chairman, was presented with a silver bowl from the class.

Nineteen hundred and thirty-three proudly led the parade, under Herb Cragin's guidance. Our banner followed President Goheen, Trustee Chairman Harold Helm, and National Alumni Association President Dorrance Sexton. Then Garrett, Brooks, Crow, Cahn, Fox, and Wright, the 50th Armored Division Band, and then—to quote the New York Times: "Decked out in natty orange and black striped blazers and straw hats, 300 members of the silver jubilerian class of 1933 led the march." The Times continued, "Wearing a tag inscribed 'Soapy,' Gov. G. Mennen Williams, of Michigan, was among the 25th reunion paraders."

The hay wagon, graced by La Vache Celebre and many small fry, the 1933 Ford piloted by Mike, and containing senior class president Burt Etherington and Dr. Dodds, and the 1913 Mercer carrying the class son, Tom Mettler, are now all history. No accurate count exists of members of families present, but 600 hats weren't enough, and well over 100 sons over 12 were on hand.

Saturday night, 1933 played host—as it has before—to the entire reunioning alumni body. It was unreliably estimated about midnight that there were 3,000 people in the court—and it seemed like more.

Sunday dawned, as it had to, and a game—if less fresh-looking—group gathered in commons for breakfast. At the National Alumni Association meeting, presided over by Sexton, 1933 was presented the cup for the largest reunion attendance. At the service of remembrance in the chapel, 1933's departed but not forgotten were honored—55 of us are gone. The Goheens' garden party was visited, and families were collected from the Columbus Boychoir School. A brief stop at Buzz Stockton's tapering-off party, where those of all classes agreed—1933's was the best ever.

The 25th brought back the faithful, like Henry Blake and Tom Sawyer, and those whom far places have kept from many reunions, like Kim Chalmers. Will any of us ever forget the very temporary quieting of conversation as Roebling's voice came over the loudspeaker: "Now hear this • • • we're missing a piano—will whoever took it please return it to the bandstand," or, "A serious situation exists. A fourth for golf is needed at once." We'll also remember Brud Pitkin's successful chase of a snatched hat.

Frank Metcalf wrote: "As we paraded past the other classes and heard the recognition by the others for the 25-year class, it certainly awakened in my mind a realization of what a tremendous force a group such as ours must have on the world in which they live as living representatives of an institution such as Princeton. As I could see the long line of orange-and-black coats and realize the hopes and aspirations, the successes and failures of this group of men, the wives that they married, the children that they had brought into the world, and the unrelated but cohesive effort of this group of men, it brought a sense of nostalgia to me which, frankly, I had never experienced before in relation to the university and the class of 1933."

I think that well expresses the thoughts of many of us. Till fall, then, to all you sons of 1933's La Vache Celebre—a good summer and the best of everything.

COMDR. JOHN L. GENTA

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, I have been shocked by the untimely death of my good friend and fellow townsman, Comdr. John L. Genta. John and I attended high school and college together. We both became naval aviators and served in the Navy during World War II.

John turned out to be one of our war heroes who courageously fought against great odds in the early days of the war. After the war Commander Genta was assigned to research and development and in this capacity was greatly responsible for the development of the Navy's fastest and perhaps our country's best airplane, the F8U–2.

John Genta was a self-made man who not only met with success but also made a great contribution to his country.

Mr. Speaker, under leave to extend my remarks, I wish to include the following editorial from the Macoupin County Enquirer:

THE DEATH OF COMDR. JOHN GENTA

The tragic death of Comdr. John L. Genta is one of the most distressing casualties this community has experienced in years. He was killed by lightning Friday afternoon as he and his brother, Peter, on a fishing trip near Mattoon, sought refuge from a sudden storm under their boat.

Here was a man who had made his own mark in the world. Coming from a family of moderate means, Johnny Genta had to struggle for his education. He worked his way through college and when he chose the Navy as a career he put everything he had into it.

A graduate of Pensacola Naval Airbase, he saw service as a naval flier in World War II, being decorated for participating in three major engagements. His serious attention to the smallest detail of every assignment brought him upward through the commissioned line to the rank of commander. He was on leave of absence and visiting at home here at the time of the fatal accident. He was due to report for command school training, and was no doubt soon to be promoted to the rank of captain.

Johnny Genta was serious, thorough, certain. He worked hard and he played hard. When he worked it was with all the intensity that he possessed; he had great professional pride in the United States Navy and in the wonderful planes and jets he flew. Such things are part of a man's character, and when he played bridge or hunted, or fished or was working on a difficult tactical problem, time ceased to exist as he concentrated on the business at hand.

Johnny Genta was as fine a lad as ever walked the streets of Carlinville. While still a young man, he had lived a full life, with a wife and four fine children. His hometown mourns with his relatives and friends, while it honors his memory and exults in his splendid accomplishments.

THE LABOR REFORM BILL

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include therein a memorandum.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, for some time I have been urging to the best of my ability that the House pass the labor reform bill which passed the other body recently.

The House very wisely passed the welfare and pension disclosure legislation, but we need to move now to enact the other major labor-management reform bill—the Kennedy-Ives bill—that is pending before us. Every day that we delay is another day of Hoffa-type tactics at the expense of the American people.

I wish that time would permit extended, full-scale hearings by the committees of the House. I wish, too, that there were time to consider possible amendments to improve the bill. But, to take that course of action in the closing days of the session would be to kill any chance of legislation for this year.

I realize that some employers are worried about the language of the bill, more particularly section 103. It was my hope that the language of this section could be amended to make its legislative intent perfectly clear to those who were in doubt about it. But such an amendment would throw the legislation into conference and thus jeopardize its passage prior to adjournment.

I am convinced, however, that if the legislative intent of section 103 relating to employer reporting responsibilities is correctly understood, employers will have nothing to fear.

I believe the following memorandum which I have had prepared on this section will demonstrate that the requirements of employers under this section are reasonable.

EMPLOYER REPORTING REQUIREMENTS OF KENNEDY-IVES BILL (S. 3974)

Section 103 (a) of the Kennedy-Ives bill (S. 3974) requires every employer engaged in an industry affecting interstate commerce who spends more than $5,000 in any fiscal year for activities intended to influence or affect employees in the exercise of their rights to organize and bargain collectively to report annually to the Secretary of Labor the details of such expenditures, including the names of unions with which the employer has dealings and detailed financial data of expenditures for all such activities. Similar reports must be filed by every employer who is a party to an agreement or arrangement under which another person undertakes to influence or affect employees in the exercise of their rights to organize and bargain collectively, or to provide the employer with the services of paid informants or investigators or any other agency or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of such rights.

Various claims about the scope of these reporting requirements for employers have been made by certain employer groups. These claims are summarized in the detailed description of H. R. 13739, including a general comparison with the so-called Kennedy-Ives bill, S. 3974, which was included in the CONGRESSIONAL RECORD of August 12, 1958, by the distinguished gentleman from Pennsylvania, Mr. KEARNS, when he introduced his bill.

It has been contended, for example, that expenditures to promote good will or good personnel relations, such as house organs, recreation facilities, outings, and other benefits, would have to be reported under S. 3974. There is no sound basis for this claim. These expenditures are intended to promote good will and good personnel relations. They are not intended to influence or affect employees in the exercise of their rights to organize and bargain collectively.

It has also been contended that under the Taft-Hartley Act (section 8 (c)) employers are protected in the right to express their views and opinions on organizing and collective bargaining as long as they make no threats or promises to their employees. S. 3974 would, it is argued, interfere with this protection which employers enjoy under the Taft-Hartley Act by requiring employers to report expenditures they make to explain to employees, by letter or otherwise, why they think the employees need no union, why the employers' offers are fair, why the employees should not strike, or why, if they are striking, they should return to work. There are several things to be said about this contention.

First it should be obvious that there is all the difference in the world between expenditures employers make to promote employee good will and good personnel relations and expenditures which they make to explain to employees why they do not need a union. The first type of expenditure is clearly not intended to influence or affect the exercise by employees of their rights to organize and bargain collectively; the second type of expenditure is clearly so intended. If unions are to be required, as S. 3974 provides, to report all their expenditures, whether for organizing purposes or not, there is no reason why employers should not be required to report expenditures for activities in which they engage, such as sending letters to their employees, telling them why they should not join a union, which clearly are intended to influence or affect the exercise by the employees of their right to organize or join a union.

In the second place, section 103 (a) of S. 3974 is simply a reporting requirement. It does not prohibit or restrict in any way any of the types of expenditures which must be reported. Insofar as the right of an employer to send his employees letters telling them why they do not need a union, or why his offer is fair, or why they should not strike, or why, if they are striking, they should return to work, such protection as he presently enjoys with respect to such activities under section 8 (c) of the Taft-Hartley Act would continue in effect unimpaired by anything contained in section 103 (a) of S. 3974. The only difference the bill would make would be to require employers who spend more than $5,000 in any fiscal year for activities intended to influence or affect employees in the exercise of their rights to organize and bargain collectively, to make public disclosure of such expenditure through report thereon filed with the Secretary of Labor.

It has already been noted that unions engaged in industries affecting interstate commerce would, under S. 3974, be required to make public disclosure of all their expenditures, whatever the purpose of such expenditures may be. The proposed requirement for employer reporting of expenditures in excess of $5,000 per year intended to influence or affect employees in the exercise of their rights to organize and bargain collectively is obviously far less difficult and burdensome.

By requiring employers to report their labor relations expenditures intended to influence or affect employees in the exercise of their rights to organize and bargain collectively, S. 3974 does not in any way imply that such expenditures, if not used in such a way as to constitute unfair labor practices under section 8 (a) of the National Labor Relations Act, as amended, are improper. The unions desiring to use the procedures of the National Labor Relations Board have for more than 10 years been required to report all their expenditures. No one has ever been heard to contend during this period of time that this union reporting requirement implies that all union expenditures are improper.

Senators KENNEDY and IVES on August 5, 1958, issued a statement explaining the effect of section 103 (a) which should dispel the fears some employer groups have expressed as to the scope of the reporting requirements applicable to employers. That statement makes clear that:

"This line is not difficult to draw. An employer who makes a certain expenditure—let us say to hire a Shefferman—knowns full well what his purpose is in making it. It should be added that this section in no way interferes with the right of an employer to communicate with his employees. The only penalty which attaches to the section is for a willful, and I repeat the word 'willful,' failure to report relevant material. This section imposes no terribly onerous burden on employers. As compared with the detailed statements required from a trade union, listing every receipt and disbursement, including officer salaries, strike funds, organizational expenses, political activity, etc., this is a mild provision indeed. Its principal purpose is to smoke out the unsavory activity of Shefferman-type operators who disturb industrial relations to the disadvantage of both employers and workers."

THE LATE HONORABLE JOHN Q. TILSON

The SPEAKER. The Chair recognizes the gentleman from Connecticut [Mr. CRETELLA].

Mr. CRETELLA. Mr. Speaker, and Members of the House, it is my sad duty today to announce to the House the death of our former colleague, John Q. Tilson, a former Representative of the Third Congressional District, which District I now have the honor to represent. John Tilson died this morning at his summer home in New Hampshire. He was born in Clearbranch, Tenn., on April 5, 1866, and attended public schools in his native State and also in North Carolina. He then transferred to New Haven where he attended Yale University and graduated from Yale University in 1891 and then graduated from the Yale Law School in 1893. Thereafter he practiced law in the State of Connecticut. He was active in military affairs, having joined the Army in the war with Spain. He served in the House of Representatives in the State of Connecticut and was later elected as a Representative to the 61st and 62d Congresses, skipping one term and thereafter in 1912 was then elected and served continuously for many, many years. As a matter of fact, he served until 1932. While in this House he acted as Republican majority leader in the 69th, 70th, and 71st Congresses. He was not a candidate for renomination in 1932. Following his resignation from the Congress, he served his constituency and his friends well. He returned to New Haven where he taught parliamentary law and procedure for a long period of time. Those of us who knew John Tilson know that he was devoted to his family and friends and to his many, many constituents who knew him so well and loved him so dearly. To his widow and the other members of his family, I extend my most heartfelt sympathy.

Mr. SADLAK. Mr. Speaker, will the gentleman yield?

Mr. CRETELLA. I yield.

Mr. SADLAK. Mr. Speaker, I join my distinguished colleague, Mr. CRETELLA, the present incumbent of the Third Connecticut District, in paying tribute and respect to John Q. Tilson, whom it had been my privilege to know for the past 30 years.

My first acquaintance with him came during my infrequent visits to this House when Congressman Tilson was the majority leader and I was a student at Georgetown University. Colonel Tilson, by which title he was best known, had served in this House as the Congressman at Large prior to becoming the Congressman from the Third District. I had never dreamed that one day I would be the Congressman at Large from Connecticut and that I would follow in his footsteps in serving on the great House Ways and Means Committee, having the honor of being the first Connecticut member of that committee since Mr. Tilson's service in 1925.

I have seen the colonel at Republican functions during the past 12 years and looked forward to pleasant visits with him annually in September at the Eastern States Exposition in West Springfield, Mass., where he has been a visitor to this outstanding fair for many years.

In April of this year, since Congressman Tilson's 92d birthday came on April 5, I had much difficulty in finding an appropriate card, since I wanted one that specified "92d birthday," and I finally succeeded in finding one which had numbers up to a hundred and the card could be turned to the aperture showing the appropriate year. I had no indication at that time that he was seriously ill. Colonel Tilson had, in the halls of this Congress, left a remarkable record of achievement for the people of his District, the State of Connecticut, and our Nation, and I send to his wife, his son, and daughters, my deepest sympathy on their bereavement.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. CRETELLA. I yield to our distinguished Speaker.

Mr. RAYBURN. Mr. Speaker, it was my privilege to serve for many years with John Q. Tilson. He developed into a great parliamentarian and wrote a book on parliamentary law.

Mr. Tilson was majority leader of the House of Representatives. He was one of those stately individuals who came from the mountains of east Tennessee, not far from where I was born. He was a legislator of fine capacity, and he was at the same time one of the best trained and one of the most gentle men it has ever been my privilege to associate with. He was gentle in expression.

I have a feeling of deep regret that his useful and full life has been completed. To his loved ones I express my deepest and most sincere sympathy.

Mr. CRETELLA. I thank you, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CRETELLA. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I join with the Speaker and my other colleagues in expressing my keen regret on the passing of my dear friend John Tilson.

John Q. Tilson was a man who inspired others by his nobility of character and, as the Speaker so well said, by his gentle disposition. He was eminently fair. He filled the role of majority leader to the highest degree humanly possible, always fair to all of his colleagues, and particularly to us on the Democratic side who at that time were in the minority.

Since his retirement John Tilson and I have kept in contact with each other, exchanging letters from time to time. A close friendship developed between us, a friendship which I valued and which I shall always treasure.

The people of Connecticut are justified in feeling proud of the services rendered by this great man while he was a Member of this body in which he served for so many years with such distinction—always constructive-minded, always clean in every respect, and all during his service as majority leader, a real majority leader of the House of Representatives. I join in expressing my deep sympathy to his loved ones.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CRETELLA. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, when I came to Washington over 33 years ago John Q. Tilson was our Republican floor leader. I never shall forget his ability, his courtesy, and his tremendous knowledge of parliamentary procedure.

He was a very great leader, one of the finest the Congress has ever had. He was a very fine and courteous gentleman. He and his wife I termed as among my finest friends. I suppose one of the things that stands uppermost in my memory was his tremendous moral courage, his courage to vote against what he considered his own political future. He never considered his own welfare.

John Q. Tilson was a great asset to his State, and to the Nation. I mourn with his lovely family and the people of Connecticut and all of those who are here in the Congress. A great man, soldier, statesman, and great patriot has gone to his rest.

GENERAL LEAVE TO EXTEND

Mr. CRETELLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend or to extend their remarks on the life, character, and public service of the late John Q. Tilson.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

ADJOURNMENT UNTIL MONDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourns to meet on Monday next.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE REFERENCE SERVICE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. JONES] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I have today introduced a bill the title of which is, "A bill to change the name of the Legislative Reference Service, to clarify its functions, and for other purposes."

I realize, of course, there is no likelihood that the bill can be considered at this session of Congress, but I think it might be well for the Members to familiarize themselves with the purposes of the bill, which I intend to reintroduce in January.

While the bill does not make any radical changes in the law, it does set forth and clarify some of the services rendered by the Legislative Reference Service, which I believe might more appropriately be referred to as the Congressional Research Service as provided in the bill.

This bill follows to a large degree recommendations contained in a memorandum on the Legislative Reference Service of the Library of Congress, prepared by Ernest S. Griffith, Director of the Legislative Reference Service. While Dr. Griffith has given the best years of his life to this Service, and has rendered an outstanding service to this Congress and its Members, he is now retiring from that position to accept a position as dean of the International Service School at American University. Therefore, none of the recommendations which he has made as a result of his long experience could benefit him in any way, but I do feel that his recommendations are worthy of consideration and adoption by Congress.

In order for the Members to become more familiar with the Legislative Reference Service, as well as with the recommendations of Dr. Griffith, I would suggest that they avail themselves of the opportunity to read the committee print on the Legislative Reference Service, printed on July 1, 1958, by the Committee on House Administration.

SMALL INVESTMENT COMPANY ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, what I propose to discuss is the Small Investment Company Act. The Congress has passed a bill S. 3651, which was sent to the White House, I believe, on Monday of this week. This bill was authored by the distinguished majority leader of the Senate, Hon. LYNDON B. JOHNSON of Texas, and by me. The identical which I introduced in the House is H. R. 10246.

I am reading into the RECORD a statement about this legislation, which tells what it will do.

This gives simple questions and answers about the bill, in terms which any small-business man can understand. It tells exactly how small-business concerns can get financing under the legislation, and it tells how local people can form new small-business investment companies.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Michigan.

Mr. HOFFMAN. After you have inserted your remarks in the RECORD, I would like to have my question appear there. This is what bothers me. The gentleman has been working on this small-business legislation which provides, as I understand, for loans to small business.

In the city of Niles we have a mushroom growing and canning industry employing quite a few people, though not too many. They asked for a loan of $100,000 a short time ago and their application was turned down because it was stated they were too big, that they were not small business.

Now, this morning I got a letter of protest asking me why it is that a Montana corporation was successful in getting a loan of $250,000 when the corporation did far more business than the one in the Fourth District of Michigan, at Niles. Can the gentleman give me any idea where I can register my complaint for this apparent discrimination? I know you are against discrimination, and so am I.

Mr. PATMAN. Yes.

Mr. HOFFMAN. Especially on a matter of this kind.

Mr. PATMAN. I suggest to the gentleman that if he will give that to me in writing, as chairman of the Committee on Small Business I will have it looked into and give it personal attention and see if it cannot be straightened out.

Mr. HOFFMAN. I thank the gentleman. I will do that, and include two carbon copies which I hope will be helpful.

Mr. PATMAN. It will be a pleasure to cooperate with the gentleman. I will do everything possible to help the gentleman assist his constituents. Our Committee on Small Business has a good staff and we are helping Members of this House on small-business problems affecting their constituents every day. During the recess of Congress our staff will continue to be available to help Members. If any Member of the House desires my personal attention to any problem he has affecting small business in his District I shall be glad to cooperate. I consider the Small Business Committee, whose members are appointed by the Speaker of the House, Mr. RAYBURN, an agency of the House and obligated to render service to all of its Members.

The following statement is intended to be helpful to the Members. If it does prove useful, I hope that printed copies will be available.

HOW THE JOHNSON-PATMAN ACT CAME TO BE ENACTED

The Johnson-Patman Act is a new approach to helping small business find a solution to one of its most pressing problems—the problem of obtaining adequate financing. In enacting this legislation in 1958, Congress has provided a new system whereby small-business concerns will have better access to equity capital and to long-term loans.

The purpose of this report is to describe in everyday language how the new system works. Simple questions and answers are supplied for this purpose.

This new system is not just another Government "loan" program. It is a way to help private enterprise help itself. Furthermore, the purpose is to help small-business firms obtain the kind of financial assistance which they have not generally been able to obtain, either through any Government lending authority or through financial institutions.

For many years there has been a growing public concern over the handicaps which face small- and medium-size firms in our business system. One handicap which has long been of major concern in Congress is small firms' relative inability to obtain financing—particularly equity and long-term debt financing—such as the major corporations obtain with relative ease. The problem arises—and this now seems well-established—from the fact that there is no financial machinery, certainly no adequate financial machinery, which serves the function of gathering together investment capital and making such capital available at places and at costs which make it practical for small firms to bid for its use. The problem has been growing more acute. While the great majority of small firms are limited in their capital by the amount of personal savings their family and friends may have, the amount of capital equipment needed to operate an efficient firm, either large or small, has been increasing.

During the past 25 years this problem has been met with a variety of Federal loan programs. But while these programs have been most helpful to

small business—and financially successful for the Government—none has offered help of the kind that is most needed, which is help in obtaining equity and long-term debt capital.

In the 85th Congress, small-business financing problems were the subjects of intensive investigations and studies by both the Small Business Committees and the Committees on Banking and Currency of both the Senate and the House, as well as by the Federal Reserve Board. These studies have pinpointed the problem and brought about a wider understanding of its exact nature. The picture which has emerged shows the problem to be not so much in the field of commercial credit, nor even in the availability of well-secured loans of short and intermediate maturities. Rather, the principal shortcomings are in the fields of capital—risk capital and long-term debt capital. Bigger corporations obtain outside capital from the centralized stock and bond markets, such as those centered on Wall Street, but no such organized market or financing machinery is available to smaller companies.

The new act provides a number of ways by which small-business concerns will be given better access to both equity capital and long-term debt capital. In this, the act provides considerable flexibility. It also provides for a minimum of redtape and Government regulations. For the most part, investment decisions will be made solely by privately owned and operated small-business investment companies. The SBA has certain duties for issuing general regulations under the act, but as a general rule small-business concerns will have no dealings with the SBA, directly or otherwise.

The principal method of the new program is to encourage the establishment of local small-business investment companies which will be voluntarily formed, and may be formed by any 10 or more stockholders. These privately owned and operated companies will decide which small-business concerns they will invest in, or make loans to, and in these loans and investments they will risk a substantial portion of their own money. It is this feature of the program which permits a minimum of Government regulation and permits investments and loans of a risk nature.

The spirit of the new legislation is perhaps best described by its principal authors. Senator LYNDON JOHNSON, majority leader of the Senate, who introduced the bill (S. 3651) in the Senate, told the Senate during debate on the bill that the purpose was to set up a program "that does no violence to free enterprise, that does not raise the specter of Federal control of, and competition with, private business. Eventual private ownership is what is proposed here for the small-business investment companies."

Representative WRIGHT PATMAN, chairman of the House Small Business Committee, who introduced the bill (H. R. 12064) in the House of Representatives, told the House that the legislation has two goals:

"First, the individual investment decisions should be made not by a bureau in Washington, but by local businessmen who will be backing their decisions with substantial amounts of their own money.

"The second goal of the system is that it should provide for private capital to come in and take over complete ownership and operation of the system."

Senator SPARKMAN, chairman of the Senate Small Business Committee, and a cosponsor of the Senate bill, told the Senate that the legislation is similar to bills which he introduced in the 82d, 83d, 84th, and 85th Congresses, and that it has the same purpose and objective of his bills—"namely, to establish privately owned and operated investment companies which would provide long-term loans and equity capital to small-business concerns. The time is long overdue for such legislation, and the needs of small business have never been more pressing."

Representative JAMES ROOSEVELT told the House that the legislation had not lost sight of the principles and guidelines established in earlier bills which he had coauthored with Representative PATMAN, which were to—"assist free enterprise to do the small-business financing job; not merely to set up or expand a governmental bureau. * * * Local investors will undoubtedly cooperate, and cooperate enthusiastically, if SBA provides prompt and dynamic leadership. I hope SBA will provide that leadership. It holds a large part of America's future in its hand."

Senator FULBRIGHT, chairman of the Committee on Banking and Currency of the Senate, said the legislation "offers a way to help small-business concerns to remain independent and to maintain the free economy so essential to our democratic Nation."

Representative BRENT SPENCE, chairman of the Committee on Banking and Currency of the House, told the House that "if you want to open the door of opportunity to all who are willing to knock at it and to profit by it, you must preserve small business. * * * The big institution that is nationally known, that has a financial status, that attracts the investing public to buy its debentures and obligations, has no trouble in acquiring this character of capital and reserves. The small-business man cannot get that support."

The new program is not intended to replace the Small Business Administration's regular loan program. On the contrary, the 85th Congress enacted several important small-business measures, one of which was to make the SBA a permanent agency of the Federal Government. The SBA legislation also raised the maximum loan which the SBA can make from $250,000 to $350,000. It is recognized that there will be a continuing need for SBA lending of the type previously available, to supplement the services which the private banks and other lending institutions supply in extending low-risk credit for short and intermediate periods.

Nor is it intended that the new financing programs will compete with private commercial banks. Commercial banks can, and do, make loans to small firms. But such loans are necessarily for short and intermediate terms—usually for periods of less than 10 years. And commercial bank loans must also involve very little risk. Commercial banks must necessarily limit their lending, for the most part, to loans of short terms and high security. Funds on which the banks operate are only a small percentage paid-in capital, and a very large percentage demand deposits. To obtain a sizable commercial bank loan, to run for a period of several years, a small firm must usually pledge tangible assets which would bring an amount more than adequate to cover the loan in a distress sale.

In the hearings of the Select Committee on Small Business of the House, the witness who appeared on behalf of the American Bankers Association said:

> The banks, as this committee knows, are not set up, they are not capitalized, they are not organized for the purpose of providing equity capital, and they are certainly not organized for the purpose of providing long-term loans.

The Johnson-Patman Act also authorizes SBA to make loans to State development companies. And it authorizes SBA to make loans under more restrictive terms and conditions to both State and local development companies.

The act authorizes $250 million to be appropriated for the entire new financing program, which amount is to be operated as a revolving fund. In addition, the act makes available to SBA $27.5 million for use in making grants to States, State agencies, colleges, and universities for research and counseling relating to small-business concerns.

As the legislation was originally introduced, it contained amendments to the Internal Revenue Code intended to encourage the new small-business investment companies to invest in the stocks of small-business concerns, and to encourage private investors to invest in these investment companies. Before passage, however, these tax provisions were transferred to another bill (H. R. 8381) which created the Technical Amendments Act of 1958. This latter act, another important small-business measure passed by Congress in 1958, contains tax benefits for small business generally—not just for the new small-business investment companies.

The 10 chapters which follow explain the ways by which small firms may participate in the new financing program. These chapters explain the ways in which new small-business investment companies may be formed, and how they will operate. They also explain how State and local development companies may obtain loans to assist in financing small-business concerns. They explain certain exemptions from the Securities and Exchange Commission regulations which may be obtained by the small-business investment companies. Funds available to SBA for making grants to State agencies, colleges, and universities for research and counseling on small-business problems are also described.

Finally, since the success of the new small-business financing program depends in large part on necessary amendments to the Federal tax laws, there is a separate chapter on the tax benefits for small business, and for the new small-business investment companies, provided by the Technical Amendments Act of 1958.

I. HOW A SMALL-BUSINESS INVESTMENT COMPANY MAY BE FORMED UNDER THE ACT

To form an SBI company under the act, there are only five general requirements which must be met. The SBI company must:

First. Be formed to carry out the purpose of the act, which is to finance small-business concerns.

Second. Have at least 10 members, or stockholders.

Third. Have $300,000 of paid-in capital and surplus, half of which may be obtained from the Small Business Administration.

Fourth. Obtain a charter—or articles of incorporation—for the purpose of operating under the act.

Fifth. Obtain the approval of the Small Business Administration. These requirements will be explained in the questions and answers below:

1. Question. What is the purpose of an SBI company?

Answer. To help small-business concerns raise capital.

2. Question. How will it do this?

Answer. By making loans directly, or by purchasing the debentures of the small-business concern.

3. Question. Will an SBI company be owned by the Government?

Answer. No. It will be owned and operated entirely by private citizens.

4. Question. Will SBI companies be nonprofit enterprises?

Answer. No. It is hoped that they will be profitable. There are special tax provisions to encourage profitmaking.

5. Question. Who may form an SBI company?

Answer. Any 10 or more people who can invest, altogether, $150,000 in the company.

6. Question. Will an SBI company be limited to 10 stockholders?

Answer. No. The act places no top limit on the number. There may be more at the beginning; and more may be added later.

7. Question. Must the 10 people who form an SBI company all live in the community where it will operate?

Answer. No. The act says nothing about this. However, the spirit of the act intends that the stockholders will usually live in the community. This is because local citizens are likely to be in the best position to judge the character and needs of the small-business concerns in their community.

8. Question. When 10 people form an SBI company, may some of these be blood relatives or man and wife?

Answer. Yes. The act places no restrictions on this.

9. Question. May two or more of the stockholders in an SBI company be in the same line of business?

Answer. Yes. The act places no limit on this.

10. Question. Must the stockholders all be in business?

Answer. No. The act places no restriction on this. It is hoped that, for the most part, the stockholders will be small-business people. Professional people, retired people, and even people who are active in big business may also be stockholders.

11. Question. May an SBI company invest in or make loans to small-business concerns outside the local community?

Answer. The act places no restriction on this. The answer will depend upon how the charter of the SBI company is written. State laws may sometimes place restrictions.

12. Question. Must an SBI company be incorporated?

Answer. Yes.

13. Question. Where may an SBI company obtain a charter?

Answer. Normally, from officials of the State where the principal office of the SBI company is to be located. In some cases, however, the Small Business Administration may grant a charter.

14. Question. Under what circumstances may SBA grant a charter?

Answer. If an investment company cannot be chartered under the laws of the State, to operate in accordance with the purposes of the act, SBA may grant a charter. However, SBA's authority to issue charters expires on June 30, 1961.

15. Question. Does a State charter automatically entitle an SBI company to operate under the act?

Answer. No. The SBI company will have to obtain the approval of SBA.

16. Question. What must be done to receive SBA's approval to operate under the act?

Answer. The articles of incorporation must be sent to the Small Business Administration in Washington.

17. Question. What must the articles of incorporation contain?

Answer. They must give the name of the company, the location of its principal office, the area or areas where it will operate, the amount and classes of its shares of capital stock, and, in general terms, the objects for which the company is formed.

18. Question. May the articles of incorporation contain other provisions?

Answer. Yes. They may contain any other provisions which the company may see fit to adopt for the regulation of its business and the conduct of its affairs, as long as these are not inconsistent with the provisions of the act.

19. Question. May an SBI company's articles of incorporation be amended at a future time?

Answer. Yes, subject to the approval of the Small Business Administration.

20. Question. What else is required to obtain SBA's approval to operate an SBI company under the act?

Answer. SBA must review to see that the articles of incorporation are in order. In deciding whether to give its approval, SBA must consider the need for the financing of small-business concerns in the area, the general character of the proposed management of the SBI company, and the number and volume of the operations of such companies previously organized.

21. Question. When SBA grants a charter, for how long is the charter good?

Answer. Thirty years. The act provides for SBA to renew the charter for additional 30-year periods.

22. Question. In what States can SBA issue charters?

Answer. This is not yet known. The SBA Administrator will have to make a determination. So if you are interested in forming an SBI company you should write to the SBA Administrator in Washington, or consult a local lawyer, or both.

II. HOW A SMALL-BUSINESS INVESTMENT COMPANY MAY BE FINANCED

The act requires an SBI company, to begin operations, to have at least $300,000 of paid-in capital; under the act the SBI company may receive funds in four ways, as follows:

First. As part of its permanent capital, the SBI company may obtain $150,000 of Federal funds—no more and no less—by turning over subordinated debentures in that amount to SBA. Such $150,000 will be part of the SBI company's paid-in capital.

Second. The SBI company may, in addition, obtain loans from SBA—at the beginning of operations or later. The amount of such loans outstanding cannot exceed 50 percent of the SBI company's total paid-in capital and surplus.

Third. At least $150,000 of paid-in capital must be obtained from private sources before the SBI company can be approved. The act places no limit on the amount of additional paid-in capital which the SBI company may raise from private sources.

Fourth. The act places no limit on the amount of loans the SBI company may obtain from private sources.

The following questions and answers will help in understanding these methods of financing:

1. Question. How much money must an SBI company have to begin operations under the act?

Answer. $300,000 of paid-in capital.

2. Question. What is meant by paid-in capital?

Answer. Paid-in capital is the risk capital invested in the company.

3. Question. How much of the SBI company's paid-in capital must come from private sources?

Answer. At least $150,000.

4. Question. How much paid-in capital may an SBI company obtain from SBA?

Answer. $150,000.

5. Question. Is the SBI company permitted to obtain more than $150,000 of paid-in capital from private sources?

Answer. Yes. The act places no maximum on the amount of capital that may be raised from private sources.

6. Question. May an SBI company obtain more than $150,000 of paid-in capital from SBA?

Answer. No. The act provides only for $150,000—no more and no less. However, an SBI company may obtain certain loans from SBA in addition to the $150,000 of paid-in capital obtained from SBA.

7. Question. How does an SBI company obtain paid-in capital from SBA?

Answer. By issuing "subordinated debenture bonds" to SBA in the amount of $150,000.

8. Question. How does an SBI company obtain paid-in capital from private sources?

Answer. By issuing common stock in the SBI company.

9. Question. How is common stock in an SBI company defined?

Answer. Just as common stock in any other company. A share of common stock is an ownership share in the company.

10. Question. Will the SBI company pay interest on its common stock?

Answer. No. A share of common stock entitles the owner to a share of the company's profits, if any.

11. Question. Will the capital received from SBA in exchange for subordinated debentures have to be repaid by any specified date?

Answer. No. Funds received from these debentures are part of the paid-in capital of the SBI company.

12. Question. Will subordinated debentures issued to SBA be secured by any specific assets of the SBI company?

Answer. No. They will have a claim on the SBI company's general earning ability. But they will not contain a pledge of the tangible properties of the SBI company.

13. Question. Will the SBI company have to pay SBA interest on capital received in exchange for its subordinated debentures?

Answer. Yes. These debentures will specify the rate of interest and the dates when interest payments are to be made.

14. Question. What rate of interest will be paid on the subordinated debentures issued to SBA?

Answer. SBA must issue regulations fixing the rate of interest and the interest payment dates.

15. Question. Can the SBI company buy back its subordinated debentures from SBA?

Answer. Yes. It has the right to buy back these debentures at any time—by paying back the amount of capital received plus the accrued interest.

16. Question. Why are the debenture bonds issued to SBA called subordinated debentures?

Answer. Because in case an SBI company is liquidated, these debentures have a lower claim on the assets of the SBI company than the claims of some of the company's other obligations.

17. Question. What claim do the subordinated debentures have on the assets of the SBI company?

Answer. In case an SBI company is liquidated, the subordinated debentures have a claim which comes just ahead of the claim of the common stock. Borrowed money, promissory notes, and other obligations and liabilities of the SBI company, including any outstanding loans from SBA, will have a higher claim on the company's assets than the subordinated debentures have.

18. Question. Is SBA permitted to sell the subordinated debentures of an SBI company to a third party?

Answer. Yes. These debentures are negotiable, which means they may be sold and resold. The purchaser, or holder in due course, will have all the rights SBA had.

19. Question. May other institutions purchase stock issued by an SBI company?

Answer. Yes. The act does not exclude any institution or person. And, to make it easier for the SBI companies to raise capital from private sources, the act authorizes the national banks to purchase such stocks. In addition, the act authorizes purchase of such stock by State member banks of the Federal Reserve System and by FDIC-insured State banks where such purchases are not contrary to State law.

20. Question. To what extent may a bank invest in the stock of SBI companies?

Answer. The authority provided in the act limits the investment by a bank in such stocks to no more than 1 percent of the bank's capital and surplus.

21. Question. May the SBI company obtain loans from SBA, in addition to the paid-in capital obtained from SBA?

Answer. Yes. The Johnson-Patman Act authorizes funds from which SBA may make loans to SBI companies. SBA may also use these funds to purchase the obligations, such as debenture bonds and promissory notes, of SBI companies.

22. Question. Under what terms and conditions may SBA make loans to an SBI company?

Answer. The act authorizes SBA to fix the terms on which it will lend money and purchase obligations of SBI companies. The only limit is that at any one time, the borrowed capital from SBA cannot amount to more than 50 percent of the SBI company's paid-in capital and surplus.

23. Question. What interest rate must an SBI company pay on a loan from SBA?

Answer. The act calls for SBA to issue regulations fixing the rate.

24. Question. In case SBA makes a loan to the SBI company, would such a loan have a higher claim on the assets of the company than other obligations or liabilities of the SBI company?

Answer. This will depend entirely upon the terms of the contract entered into with SBA at the time of the loan is made.

25. Question. May the SBI company borrow money from private sources?

Answer. Yes. It may receive loans, issue promissory notes or debt obligations. The conditions, limitations, and terms may be fixed by regulations to be issued by the SBA.

26. Question. If an SBI company raises $150,000 of capital from private sources, what is the maximum amount it may obtain from SBA?

Answer. $300,000. SBA may purchase $150,000 in subordinated debentures; and $150,000 may be made up of loans or purchases of other obligations of the SBI company.

III. HOW A SMALL-BUSINESS CONCERN MAY OBTAIN EQUITY CAPITAL UNDER THE ACT

Equity capital may be obtained, under the act, only through an SBI company. The main points are:

First. The SBI company must first purchase "convertible" debentures of the small-business concern. The SBI company may then exchange such convertible debentures for common stock of the small-business concern, at an exchange ratio based on the sound book value of the stock as determined at the time the convertible debentures are issued.

Second. When the small-business concern obtains capital through sale of convertible debentures to the SBI company, the small-business concern must at the same time purchase stock in the SBI company, amounting to between 2 percent and 5 percent of the capital which the small-business concern receives from the sale of its convertible debentures. The Small Business Administration will issue regulations fixing the exact rate between 2 percent and 5 percent.

Third. The amount of the SBI company's total investment (equity capital plus outstanding loans) in a single small-business concern must not be more than 20 percent of the SBI company's paid-in capital and surplus.

The following questions and answers will help to make clear the act's provisions on this subject:

1. Question. What is equity capital?

Answer. Capital obtained by a business concern from the sale of its common stock.

2. Question. Why is it called "equity capital"?

Answer. Because the owner of the stock has an equity, or ownership share in the business concern.

3. Question. Does the business firm have to repay the capital which it receives from the buyers of its common stock?

Answer. No. Buying common stock gives the purchaser an ownership claim on the assets of the business.

4. Question. What responsibilities does the business concern have to its stockholders?

Answer. It has only a general obligation to try to make profits, in which case the stockholders share proportionately in the company's dividends.

5. Question. Can the business concern buy back the stock it has issued?

Answer. No, except in rare circumstances.

6. Question. Does common stock pay the owner a specified rate of interest?

Answer. No. Common stock does not call for the payment of interest; it calls for the owner to receive a certain share of whatever dividends the company may declare.

7. Question. To obtain equity capital under the Johnson-Patman Act, must a small-business concern be incorporated?

Answer. Yes. But unincorporated small-business concerns may obtain loans under the act. (See chapters IV, V, and VI.)

8. Question. How may a small-business concern obtain equity capital under the act?

Answer. Only from an SBI company.

9. Question. May an SBI company invest in a small-business concern simply by purchasing the concern's stock?

Answer. No. To invest in a small-business concern's common stock, the SBI company must first purchase "convertible" debentures of the small-business concern; after this it may exchange

the convertible debentures for common stock.

10. Question. What is a convertible debenture?

Answer. In the act, these are called "debenture bonds." This means that they must carry a specified rate of interest and have a specified maturity date.

11. Question. What makes them "convertible"?

Answer. "Convertible" means that before the bonds mature, the bondholder may choose to exchange his debentures for common stock in the company.

12. Question. Who decides whether or not an SBI company may purchase convertible debentures in any particular small-business concern?

Answer. The SBI company alone decides this. The Small Business Administration will issue general regulations concerning the operations of the SBI companies, but SBA has no authority to interfere in the individual investment decisions of the SBI company.

13. Question. When must the debenture bonds be paid off?

Answer. The act places no maximum time for these bonds. It does, however, require that the SBI company obtain SBA's approval of its debenture bond program.

14. Question. What interest rate will the small-business concern have to pay on its debenture bonds?

Answer. The act places no limitation on this, except here again this is one of the items in the SBI company's program for which it must obtain the general approval of SBA.

15. Question. May the debenture bonds be paid off before they are due?

Answer. Yes. The small-business concern has a right, upon 3 months' notice, to repay any or all of its bonds on any interest payment date.

16. Question. Who decides whether or not convertible debentures will be exchanged for common stock in the small-business concern?

Answer. Under the act, the SBI company has the option. The small-business concern has no such option.

17. Question. Under the act, may the SBI company and the small-business concern have an understanding or a contract, at the time convertible debentures are issued, calling for these debentures to be converted into common stock?

Answer. Yes. There is nothing in the act which prohibits such an agreement being made at any time.

18. Question. Must the debenture bonds be converted into common stock?

Answer. No. The SBI company, or the holder in due course, has the option.

19. Question. What is meant by the "holder in due course"?

Answer. This is a person who has purchased the debenture bonds, or otherwise acquired them in a legal way. The SBI company has the right to sell these bonds; and the purchasers may in turn resell them.

20. Question. How many shares of common stock of the small-business concern can be exchanged for the small-business concern's convertible debentures?

Answer. The exchange rate will be fixed at the time the convertible debentures are issued. This will be based on the "sound book value" of the small-business concern's stock as determined at the time the debentures are issued.

21. Question. May a small-business concern which already has debts or obligations outstanding obtain equity capital from an SBI company?

Answer. Yes. But the SBI company may require such a concern first to refinance any or all of its indebtedness, so that all of the concern's debt is held by the SBI company.

22. Question. May a small-business concern obtain other loans or issue other obligations after it obtains equity capital from an SBI company?

Answer. The small-business concern must agree that it will not incur any future debt without the approval of the SBI company, which must be given the first opportunity to finance such new debt. SBA may provide for certain minor exceptions.

IV. HOW A SMALL-BUSINESS CONCERN MAY OBTAIN LONG-TERM LOANS FROM SMALL-BUSINESS INVESTMENT COMPANIES

The act authorizes SBI companies to make loans to both incorporated and unincorporated small-business concerns. The main points are:

First. Such loans must be of "such sound value, or so secured, as reasonably to assure repayment."

Second. Such loans may be made for terms up to 20 years, and the SBI company may extend the term up to another 10 years if such extension will aid in orderly liquidation of the loan.

Third. Such loans may be made either directly by the SBI company, or in participation with other lending institutions.

Fourth. The amount which an SBI company may have outstanding to a single small-business concern may not be more than 20 percent of the SBI company's paid-in capital and surplus—except with the approval of SBA. (Amount outstanding includes both loans and stock investments.)

The following questions and answers will give more details:

1. Question. What is a small-business concern?

Answer. The Johnson-Patman Act specifies that the same definitions which SBA makes for its regular loan program under the authority of the Small Business Act will also apply to the new act.

2. Question. May partnership firms and single-proprietorship firms obtain loans from an SBI company?

Answer. Yes, and small corporations may also obtain such loans.

3. Question. Must a small-business concern put up security to obtain a loan from an SBI company?

Answer. Not necessarily. The loan must be "of such sound value, or so secured, as reasonably to assure repayment." This means that if the small-business concern has good management and good earning prospects, the SBI company need not require security.

4. Question. For what purposes may an SBI company make loans to small-business concerns?

Answer. Any good business purpose. The act states "to provide such concerns with funds needed for sound financing, growth, modernization, and expansion."

5. Question. Can loan funds obtained from an SBI company be used for working capital?

Answer. This depends upon the agreement reached between the small-business concern and the SBI company. The act permits it.

6. Question. May an SBI company make a loan in participation with other lending institutions?

Answer. Yes. The SBI company may make a loan where it puts up part of the money and one or more banks or other lending institutions put up the other part. This may be done on either an "immediate" or a "deferred" basis.

7. Question. What is meant by "immediate" participation?

Answer. This is where the SBI company puts up its part of the money at the time the loan is made.

8. Question. What is meant by "deferred" participation?

Answer. This is where the other lending institution puts up all of the money, but the SBI company agrees it will put up some specified part at a later time—if called upon to do so.

9. Question. May an SBI company "guarantee" 100 percent of a deferred participation loan?

Answer. No. The act says an SBI company cannot agree to put up more than 90 percent of a loan made on a deferred participation basis.

10. Question. What is the maximum loan that an SBI company can make to a single small-business concern?

Answer. There is no special maximum for loans by themselves. But an SBI company cannot tie up more than 20 percent of its own paid-in capital and surplus in any single small-business concern without SBA's consent.

11. Question. Exactly what is included in this maximum amount?

Answer. This amount must include loans, convertible debentures, stock acquired through convertible debentures, and all other obligations of the small-business concern held by the SBI company.

12. Question. May SBI companies make loans to new small-business concerns?

Answer. Yes. New concerns may be formed with the help of SBI loans.

13. Question. What interest rate will small-business concerns pay on loans from SBI companies?

Answer. The act does not specify, but it does require SBA to set the maximum rate. Where SBI companies make loans in participation with other institutions, this maximum will apply only to the SBI company's share of the loan.

V. HOW A STATE DEVELOPMENT COMPANY MAY OBTAIN UNSECURED LOANS UNDER THE ACT

The act—section 501—authorizes SBA to make loans to State development companies to "assist in carrying out the purposes of the act." State development companies are those which have been chartered by a number of the States to foster industrial development. State development companies chartered

after passage of the act will also be eligible. The main features of the authority are:

First. Any funds SBA advances to a State development company must be in exchange for obligations of the company, containing an interest rate and such other terms as SBA may fix.

Second. The funds need not be secured by anything more than the general obligation of the State development company.

Third. The total amount of obligations which SBA may hold at any one time may not exceed the total amount of funds borrowed by the State development company from all other sources.

The following questions and answers will give more details:

1. Question. For what purpose may SBA make loans to State development companies?

Answer. Such loans must be for the purpose of financing small-business concerns.

2. Question. Can SBA make loans to a State development company if that company engages also in other activities besides financing small-business concerns?

Answer. Yes. SBA may make such loans without regard to the kind of use or investment which the State development company makes of funds which it obtains from other sources.

3. Question. What security must a State development company offer in order to obtain a loan from SBA?

Answer. It need not offer any security more than its general obligation to repay.

4. Question. What claim on the assets of a State development company may SBA accept as security?

Answer. The act requires that funds lent by SBA have as high a priority as funds obtained by the State development company from any source after date of enactment of this act. This does not apply to funds borrowed by the State development company before the act was passed.

5. Question. What is the maximum loan SBA can make to a State development company?

Answer. There is no limit, except that a State development company cannot have outstanding from SBA an amount greater than the amount which that State development company has borrowed from all other sources combined.

6. Question. Does the amount of paid-in capital in a State development company determine the maximum loan which the company may obtain from SBA?

Answer. No. The limitation in the act refers to the amount which the State development company has "borrowed" from all other sources.

7. Question. What is the maximum term of a loan which SBA may make to a State development company?

Answer. The act specifies no maximum number of years.

8. Question. What is the maximum interest rate which a State development company will have to pay on an SBA loan?

Answer. SBA will determine; the act states no maximum.

VI. HOW SMALL-BUSINESS CONCERNS MAY OBTAIN SECURED LOANS THROUGH STATE AND LOCAL DEVELOPMENT COMPANIES

The act—section 502—authorizes SBA to make secured loans to both State and local development companies where the proceeds of the loan are to be used solely to assist one or more identifiable small-business concerns in certain ways. The term "local development company" is not defined, and any local organization may qualify if it meets standards set by SBA. The main points are:

First. The proceeds of the loan must be used solely to assist identifiable small-business concerns for a sound business purpose approved by SBA.

Second. The proceeds of the loan can be used only for plant construction, conversion or expansion, including the acquisition of land.

Third. Such loans must be so secured as reasonably to assure repayment.

Fourth. The maximum loan is $250,000 for each identifiable small-business concern; and the loan may be made in participation with other lending institutions.

Fifth. Such loans can be made for periods of no more than 10 years, plus estimated construction time, except that SBA may renew the loan for periods up to 10 years, if such renewal will aid the orderly liquidation of the loan.

Sixth. SBA cannot make such loans to any local development company after June 30, 1961, but can continue making such loans to State development companies.

The following questions and answers will give more details:

1. Question. How is a small-business concern defined for purposes of a loan which may be made through a State or local development company?

Answer. The same as for SBA's regular loan program.

2. Question. How are State and local development companies defined for purposes of such loans?

Answer. The act gives no definition, because it was intended that any State or local development company whose purpose is to foster industrial development in the State or locality may qualify if it meets the standards to be issued by SBA.

3. Question. For what purpose can SBA make State and local development loans?

Answer. The proceeds of the loan must be used to construct, convert, or expand a plant, and some of the proceeds may also be used to acquire land needed for the project.

4. Question. May SBA make loans for plant construction, conversion, or expansion regardless of the size of the business or the plans for using the plant?

Answer. No. It must be to assist one or more small-business concerns in a sound business purpose approved by SBA.

5. Question. Can SBA make loans of this type without security?

Answer. No. The act requires that the loan be so secured as reasonably to assure repayment. This means there must be a pledge of specific tangible assets.

6. Question. How does the security for a loan under this section of the act—section 502—differ from the security on which SBA may make a loan to State development companies only, as discussed in chapter V?

Answer. The unsecured loans which SBA may make to State development companies discussed in chapter V must be of such sound value that repayment is reasonably assured. This does not necessarily require the pledge of specific tangible assets.

7. Question. What is the largest loan SBA can make to a single State or local development company?

Answer. $250,000 for each separate small-business concern that is involved in the project.

8. Question. Why may more than one small-business concern be involved in a single plant construction, conversion, or expansion?

Answer. Because sometimes several small-business concerns wish to pool their resources to build a plant, or to convert a plant building, which is large enough to accommodate the several firms. Congress recognized this in 1956 when it amended the Small Business Act so as to authorize SBA "to make pool loans"—Public Law 85–536, 85th Congress, section 7 (a) (5). Pool loans which can also be made under the new act allow SBA to make a loan to a corporation formed by a group of small-business concerns in an amount up to $250,000 for each small-business concern forming the corporation. The proceeds of such loans, however, must be used for the purpose of obtaining—for the use of the small-business concerns—raw materials, equipment, inventories, or supplies, or for establishing facilities to carry out any of these purposes.

9. Question. What is the maximum number of small-business concerns that may participate in a pool loan?

Answer. There is no maximum number.

10. Question. What is the maximum amount which can be lent to a State or local development company on a secured loan?

Answer. There is no limit, except the limit of $250,000 for each identifiable small-business concern to be assisted. For instance, if 10 small-business concerns participate, the amount of the loan may be $250,000 for each, or $2,500,000.

11. Question. Must the small-business concerns that are to be assisted own the plant, or become owners of the plant, for which loans may be made under the new act?

Answer. No. These small-business concerns may only rent the plant or use it under some other terms. It is expected that either the local development company or the small-business concerns themselves will usually own the plant, but the act does not require this.

12. Question. May loans made to State and local development companies be made by SBA in participation with banks and other lending institutions?

Answer. Yes. SBA may make such loans on either an immediate or a deferred participation basis. In the case of "deferred" participation, SBA cannot guarantee more than 90 percent of the original amount of the loan.

13. Question. In the case of a participation loan, do the funds applied by the bank or other lending institution count against the loan limit of $250,000 per small-business concern?

Answer. No. Only the amount which SBA lends, or is committed to lend under a deferred participation agreement, counts against the maximum.

14. Question. In participation loans, may the funds supplied by the bank or other lending institution be used for working capital rather than for plant construction, conversion, or expansion?

Answer. No. These loans can be made only for the purpose which has been specified. However, the bank or other lending institution is free to make a separate loan to supply working capital.

15. Question. What interest rate must be paid on SBA loans to State and local development companies?

Answer. The interest rate will be fixed by regulations to be issued by SBA.

16. Question. For what period of years may State and local development company loans be made?

Answer. For any period up to 10 years. In addition, SBA may extend or renew these loans for periods up to another 10 years, if this will aid in the orderly liquidation of a loan.

VII. HOW THE TAX BENEFITS PROVIDED BY THE TECHNICAL AMENDMENTS ACT OF 1958 APPLY TO SMALL BUSINESS AND SMALL-BUSINESS INVESTMENT COMPANIES

As originally introduced, the bills to create the Small Business Investment Act of 1958 (S. 3651 and H. R. 12064) contained important amendments to the Federal tax laws which were intended to encourage investment in the new SBI companies and to encourage SBI companies to invest in the stocks of small-business concerns. Before the legislation was finally passed, these tax provisions were transferred to another bill (H. R. 8381), which became the Technical Amendments Act of 1958.

The Technical Amendments Act of 1958 is another important small-business enactment by Congress in 1958. It contains tax benefits for small business generally—not just SBI companies. The most important benefits for small-business firms generally are these:

(a) Small firms may write off, for tax purposes, 20 percent of the cost of tangible personal property (machinery, equipment, etc.) used in the trade or business, in the year of purchase; this applies to purchases of "used" as well as "new" equipment; the new 20-percent writeoff in the first year is in addition to the normal depreciation allowance that may be charged off in the first year; it is a speed-up depreciation privilege, not a "tax forgiveness," and if taken will reduce the normal depreciation available in later years. It applies to both incorporated and unincorporated firms; it can be applied only to the first $10,000 of investment in the year, or $20,000 in case of a joint return; the property must have a useful life of 6 years or more; and the property must have been acquired after December 31, 1957.

(b) Individuals and corporations who invest in the stock of small firms and suffer a loss on that stock may, for tax purposes, treat such a loss as an ordinary loss rather than as a capital loss; but investors who enjoy a capital gain may still treat it as a capital gain. However, the ordinary loss applies only to new stock purchased from the small-business concern, not to stock purchased from others.

(c) A net operating loss for any taxable year ending after December 31, 1957, may be carried back and deducted against income for 3 years previous, instead of only the 2 preceding taxable years.

(d) Corporations may have a $100,000 credit, instead of a $60,000 credit, for determining the special surtax on accumulated earnings.

(e) Estate taxes may be postponed and paid in 10 annual installments, where the estate is largely an interest in a closely-held business, by paying an interest charge of 4 percent.

(f) Small corporations having no more than 10 stockholders, and deriving their income mostly from trade or industry, may elect to be excused from paying the corporate income tax, in which case undistributed income, or losses, would be included in the individual tax returns of the stockholders.

The benefits which apply to SBI companies, and to investors in SBI companies, are as follows:

First. Dividends which the SBI company receives on stocks of small-business concerns are 100 percent exempt from the corporate income tax. The normal rule for corporations is that dividends received on stocks of other corporations are only 85 percent exempt.

Second. Investors, both individuals and corporations, in the stock of an SBI company who suffer a loss on that stock may take an ordinary-loss deduction, rather than a capital-loss deduction.

Third. The SBI company that suffers a loss on its investment in convertible debentures or in the stock of a small-business concern may take an ordinary-loss deduction rather than a capital-loss deduction.

The following questions and answers will give more details:

1. Question. Does the new "speedup" depreciation apply only to corporations?

Answer. No. Individuals who receive income from business partnerships or sole proprietorships may take deductions for this on their individual income tax returns.

2. Question. Can the new "speedup" depreciation be used for buildings?

Answer. No. It can be used only for tangible personal property. This means machinery and equipment of all kinds used in the business.

3. Question. Can retail stores use the new "speedup" depreciation?

Answer. Yes. Cash registers, refrigerators, counters, air conditioners—things of that kind are eligible, if they are expected to have a useful life of 6 years or more.

4. Question. What is the maximum amount of the new speedup depreciation that may be charged off for machinery or equipment in the year when the purchase is made?

Answer. Twenty percent of the cost, but no more than $10,000 in case of an individual income tax return, and $20,000 in case of a joint return.

5. Question. Can the new 20-percent depreciation be deducted in the first year in addition to the amount of the depreciation normally allowed for the first year?

Answer. Yes.

6. Question. If the new speedup depreciation is used in the first year, what depreciation rate may be used in the second year?

Answer. Only the normal rate which would have applied if the new speedup depreciation privilege had not been used.

7. Question. Is the new speed-up depreciation privilege a "tax forgiveness"?

Answer. No. Whatever depreciation is taken in the first year must be subtracted from the amount which could have been taken in later years.

8. Question. Is there any new speed-up depreciation for the second year after the machinery or equipment is purchased?

Answer. No. After the first year only the normal depreciation rate previously provided in the law can be taken.

9. Question. When an investor suffers a loss on an investment, what is the advantage of taking an ordinary loss rather than a capital loss?

Answer. An ordinary loss means that he can deduct it from the amount of the income on which the income tax must be paid. A capital loss means that he can use the loss only to offset a capital gain.

10. Question. Can an ordinary loss be taken in case of a loss on the stock of any small-business concern?

Answer. No. The taxpayer must have bought the stock from the small-business concern, and under a corporate plan adopted after June 30, 1958. The stock must be among the first $500,000 of capital raised by the corporation after June 30, 1958, and the paid-in capital plus surplus of the corporation must not exceed $1 million.

11. Question. What is the maximum amount of ordinary-loss deduction which a taxpayer may take for losses suffered on the stock of small-business concerns?

Answer. $25,000 in the case of an individual return, or $50,000 in the case of a joint return.

12. Question. What is the advantage of being able to carry a net operating loss back for 3 years, instead of only for 2 years?

Answer. This increases the chances that a firm which suffers a loss can obtain an immediate refund of taxes paid in earlier years.

13. Question. May an operating loss incurred in 1958 be carried back for 3 years?

Answer. Yes. The new 3-year carryback provision is available for any taxable year ending after December 31, 1957.

14. Question. What is the advantage of having a $100,000 credit, instead of a $60,000 credit, for determining the special surtax on the accumulated earnings?

Answer. This means that corporations may hold a larger amount of accumulated earnings without having to prove that the funds are needed in the business.

The increased amount of the credit benefits smaller corporations more than larger corporations.

15. Question. What is the purpose of allowing a postponement of the estate tax where the estate consists largely of an interest in a closely held business?

Answer. Sometimes a family is forced to sell a small family business—usually to a larger firm—in order to raise money to pay the estate tax.

16. Question. Must an SBI company pay any corporate income tax on dividends received from stocks held in small-business concerns?

Answer. No. Such dividends are 100 percent tax exempt.

17. Question. Will interest payments received by an SBI company on convertible debentures of small-business concerns be subject to the Federal income tax?

Answer. Yes. The new law exempts dividend payments, but not interest payments. But of course the concern making the interest payments may deduct them as a business cost.

18. Question. May SBI companies treat any loss they suffer on investments in stocks in small-business concerns as an ordinary-loss deduction?

Answer. Yes. Such losses may occur only when the SBI company sells the stock or a small-business concern is liquidated.

19. Question. May an SBI company treat as an ordinary-loss deduction any losses it may suffer on convertible debentures of small-business concerns?

Answer. Yes; the new act gives these benefits for convertible debentures also.

20. Question. May both corporate and individual investors take an ordinary-loss deduction for losses suffered on stocks in SBI companies?

Answer. Yes.

VIII. HOW SMALL-BUSINESS INVESTMENT COMPANIES MAY OBTAIN EXEMPTIONS FROM THE SECURITIES ACT OF 1933, THE TRUST INDENTURE ACT OF 1939, AND THE INVESTMENT COMPANY ACT OF 1940

To make it easier to form and operate small-business investment companies, the act—section 307—authorizes the Securities and Exchange Commission to exempt the SBI companies from the registration requirements of the Securities Act of 1933 and the Trust Indenture Act of 1939. In addition, the act gives SBI companies an outright exemption from section 18 (A) and (B) of paragraph 1 of the Investment Company Act of 1940. The main features are as follows:

First. The Securities Act of 1933 requires a corporation to file a registration and comply with certain other SEC regulations when it makes a public offering of securities—including stocks, bonds, and other securities—exceeding $300,000 in any 1 year. In addition, this act generally requires the company issuing less than $300,000 of securities to notify the regional office of the SEC and to file a copy of its offering circular.

The new act authorizes the SEC to exempt offerings of SBI companies from either or both of these requirements.

Second. The Trust Indenture Act of 1939 makes certain requirements for companies issuing bonds, notes, and other debt securities to provide a trustee to protect the rights and interests of the purchasers of such securities and to comply with other provisions of the act and SEC regulations.

The Small Business Investment Act of 1958 authorizes the SEC to exempt SBI companies from these requirements where the SEC finds that the requirements are not necessary in the public interest and for the protection of investors.

The Trust Indenture Act of 1939 already exempts offerings of not more than $250,000 made during 12 consecutive months where the debt security is not issued under an indenture, and it exempts offerings of $1 million or less in 36 consecutive months when they are issued under an indenture which limits the total securities outstanding to $1 million.

The SEC may issue special regulations providing for the exemption of SBI companies which might otherwise come under the first two acts—the Securities Act of 1933 and the Trust Indenture Act of 1939.

Third. Section 18 of the Investment Company Act of 1940—title 15, United States Code, sections 80a–18—forbids a "registered closed-end" investment company to issue debt securities unless it has assets to cover at least 300 percent of such securities, and it also sets out prohibitions against paying stock dividends under certain conditions.

The new act exempts SBI companies from these provisions of law.

IX. HOW UNIVERSITIES, COLLEGES, AND RESEARCH GROUPS MAY OBTAIN GRANTS FOR SMALL-BUSINESS RESEARCH

The act—section 602—transfers from the Federal Reserve banks the funds remaining in the Federal Reserve's 13b authority—approximately $27.5 million—and makes these funds available to the Small Business Administration to be used in making grants for small-business studies, research, and counseling. The main features of SBA's authority to make such grants are:

First. The grants are to be made to States, State agencies, State development companies, colleges, and universities.

Second. The grants must be used for studies, research, or counseling relating to managing, financing, or operating small-business concerns.

Third. No more than 1 grant can be made in any 1 State in any 1 year; and no single grant may exceed $40,000.

Applications for grants should be made to the Small Business Administration.

X.—HOW A SMALL-BUSINESS CONCERN IS DEFINED

The Small Business Act of 1953, as amended, defines a small-business concern as one which is "independently owned and operated and which is not dominant in its field of operation."

And that act places on the Small Business Administration the duty of making more precise definitions for the various industries or lines of business.

The Johnson-Patman Act specifies that the term "small-business concern" shall have the same meaning as in the SBA Act. This means that whatever definitions the SBA has in effect for its regular loan program will also apply to the new program. According to SBA regulations in effect on August 15, 1958, the definitions were generally as follows:

Retail and service trade firms: Most of these are small if their annual gross sales are $1 million or less.

Wholesale firms: Most of these are small if their sales are under $5 million.

Manufacturing firms are small if they employ 250 workers or less, and are large if they employ more than 1,000 workers. If in between 250 and 1,000 workers, the definition depends upon the kind of industry.

SBA has more exact definitions for specific industries. If you cannot be sure whether your firm qualifies as small by the general definitions above, write to the nearest regional or branch office of the Small Business Administration, or to the Small Business Administration in Washington, D. C. SBA has authority to expand these definitions, so they change from time to time.

URBAN REDEVELOPMENT

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am glad the urban redevelopment bill has passed, because Lowell, Mass., which is in my District, is one of the cities that is designated to receive aid from this bill. It has been difficult to get what is necessary for the Lowell area and other parts of my District. Industries have been taken away, and we have had a difficult time. I hope this bill will render great benefit to the country. I do not like certain provisions in the bill, but I believe on the whole it will the beneficial. Small business has not done all it could to help us.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MAY (at the request Mr. SADLAK) on account of illness.

Mr. TRAGUE of Texas (at the request of Mr. KILDAY) for 10 days on account of official business.

Mr. JONES of Missouri for the week of August 18–23 on account of attending field training of Missouri National Guard at Camp Ripley, Minn.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MADDEN, for 20 minutes, on Tuesday, next.

Mr. TOLLEFSON to transfer his special order for today to Tuesday.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent that on Monday next after the regular business of the day and the special orders heretofore entered that I may address the House for 30 minutes to do honor to two retiring Members of the New Jersey delegation, Mr. WOLVERTON and Mr. KEAN.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

To Mr. SIKES (at the request of Mr. MCCORMACK) for 15 minutes on Monday and Tuesday of next week.

To Mr. REES of Kansas for 10 minutes on Monday next.

To Mr. BRAY (at the request of Mr. THOMSON of Wyoming) for 15 minutes on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE in three instances and to include extraneous matter.

Mr. ROOSEVELT and to include extraneous matter.

Mr. BYRNE of Illinois in three instances and to include extraneous matter.

Mr. TOLLEFSON in two instances and to include extraneous matter.

Mr. DOOLEY and to include extraneous matter.

Mr. LIBONATI (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. SCHWENGEL (at the request of Mr. THOMSON of Wyoming) the remarks he made in Committee of the Whole, and to include extraneous matter.

Mr. OSMERS (at the request of Mr. THOMSON of Wyoming) and to include extraneous matter.

Mr. MOORE (at the request of Mr. THOMSON of Wyoming) and to include extraneous matter.

Mr. BRAY (at the request of Mr. THOMSON of Wyoming) and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1258. An act for the relief of M. Sgt. Robert A. Espe; to the Committee on the Judiciary.

S. 1801. An act for the relief of Guerdon Plumley; to the Committee on the Judiciary.

S. 2728. An act to amend the act entitled "An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950; to the Committee on the District of Columbia.

S. 3026. An act for the relief of Laszlo Cseri; to the Committee on the Judiciary.

S. 3224. An act to improve opportunities for small business concerns to obtain a fair proportion of Government purchases and contracts, to facilitate procurement of property and services by the Government, and for other purposes; to the Committee on Government Operations.

S. 3727. An act to amend the Public Health Service Act, as amended, so as to clarify the functions and responsibilities of the Surgeon General with respect to international health activities, to encourage and facilitate international cooperation in the conquest of disease and the promotion of health, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3814. An act for the relief of Dorothy Margarethe Hadjisky; to the Committee on the Judiciary.

S. 3950. An act for the relief of Maria Miceli; to the Committee on the Judiciary.

S. 3966. An act to amend Public Law 85–422; to the Committee on Armed Services.

S. 3970. An act to facilitate the acquisition of real property under the District of Columbia Alley Dwelling Act; to the Committee on the District of Columbia.

S. 4031. An act to amend section 223 of the Veterans' Readjustment Assistance Act of 1952, as amended, relating to change of educational or training program by an eligible veteran; to the Committee on Veterans' Affairs.

S. 4061. An act for the relief of Francesco Riso; to the Committee on the Judiciary.

S. 4088. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 13. An act to amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto;

H. R. 376. An act to prohibit trading in onion futures on commodity exchanges;

H. R. 1168. An act to clarify the application of section 507 of the Classification Act of 1949 with respect to the preservation of the rates of basic compensation of certain officers or employees in cases involving downgrading actions;

H. R. 1329. An act for the relief of Massman-Patti-Tanner and Mitchell;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 2062. An act for the relief of John F. Smith;

H. R. 2338. An act for the relief of the Security Feed & Seed Co.;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an additional aid and attendance allowance of $150 per month shall be paid to certain severely service-connected disabled veterans during periods in which they are not hospitalized at Government expense;

H. R. 6239. An act to amend sections 1461 and 1462 of title 18 of the United States Code.

H. R. 6382. An act to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended;

H. R. 6448. An act for the relief of Cathryn A. Giesener;

H. R. 6589. An act for the relief of Elizabeth C. Garner and Charles P. Garner;

H. R. 6773. An act for the relief of Bonifacio Santos;

H. R. 7198. An act for the relief of Col. Russell King Alspach;

H. R. 7738. An act for the relief of the State of New York;

H. R. 7746. An act for the relief of Elmer L. Conrad and others;

H. R. 7779. An act to authorize free transit at the Panama Canal for vessels operated by State nautical schools;

H. R. 8002. An act to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservations, Mich.;

H. R. 8407. An act for the relief of Mrs. Margaret N. Meister;

H. R. 8732. An act for the relief of Ella H. Natafalusy;

H. R. 8905. An act for the relief of Hubert D. Thatcher, Robert R. Redston, Andrew E. Johnson, William L. Barber, Alex Kamkoff, and William S. Denisewich;

H. R. 9160. An act for the relief of Genoveva Rioseco Caswell;

H. R. 9180. An act for the relief of Mr. and Mrs. John R. Hadnot;

H. R. 9197. An act for the relief of Mrs. Sumpter Smith;

H. R. 9627. An act to authorize the Secretary of the Interior to convey certain lands in Alaska to the city of Ketchikan, Alaska;

H. R. 9721. An act to amend section 1482 of title 10 of the United States Code to provide for the payment of transportation expenses of certain survivors of deceased servicemen to attend group burials in national cemeteries;

H. R. 9740. An act to convey certain land to the Makah Tribe of Indians;

H. R. 9765. An act for the relief of Mr. Marion S Symms;

H. R. 9783. An act for the relief of Mrs. Henry Oscar (Olga McCurdy) Ramsey;

H. R. 9851. An act for the relief of Tsuyako Ikeda;

H. R. 9893. An act for the relief of Miss Mary M. Browne;

H. R. 10045. An act to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.;

H. R. 10173. An act to provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes;

H. R. 10515. An act for the relief of Harley D. Rucker;

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes;

H. R. 11236. An act for the relief of Arthur G. Williams;

H. R. 12204. An act for the relief of Peter A. Beklemishev, Michael Linden, and Serge Oulassuk;

H. R. 12217. An act to amend paragraph (2) of subdivision (c) of section 77 of the Bankruptcy Act, as amended;

H. R. 12256. An act for the relief of Alphonse E. Jakubauska;

H. R. 12364. An act for the relief of Mrs. Viola Barksdale;

H. R. 12624. An act for the relief of Palmer-Bee Co.;

H. R. 12776. An act to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highway";

H. R. 12942. An act for the relief of Walter H. Berry;

H. R. 12967. An act to amend the Fair Labor Standards Act of 1938 with respect to the frequency of review of minimum wage rates established for Puerto Rico and the Virgin Islands;

H. R. 13151. An act for the relief of Everett A. Ross;

H. R. 13170. An act to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy;

H. R. 13404. An act to amend section 404 (c) (1) of the Postal Field Service Compensation Act of 1955 to grant longevity credit for service performed in the Panama Canal Zone postal service;

H. R. 13455. An act to amend the Atomic Energy Act of 1954, as amended;

H. J. Res. 424. Joint resolution to improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes;

H. J. Res. 595. Joint resolution for the relief of certain aliens;

H. J. Res. 634. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 652. Joint resolution to facilitate the admission into the United States of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 13. An act for the relief of Hsiu-Kwang Wu and Hsiu-Huang Wu;

S. 92. An act for the relief of Robert Karia;

S. 160. An act for the relief of Georgios Ioannou;

S. 166. An act to amend the laws granting education and training benefits to certain veterans so as to extend, with respect to certain individuals, the period during which such benefits may be offered;

S. 228. An act for the relief of the Chamberlain Water Co., of Chamberlain, S. Dak;

S. 400. An act for the relief of Paul Thury;

S. 489. An act for the relief of Mary K. Ryan and William A. Boutwell;

S. 761. An act for the relief of Charles C. and George C. Finn;

S. 784. An act for the relief of Dwight S. Sharer;

S. 1110. An act for the relief of Sono Hoshi;

S. 2004. An act for the relief of George and Emma Clifford;

S. 2062. An act for the relief of Heinz Farmer;

S. 2262. An act for the relief of Hasan Muhammad Tiro;

S. 2629. An act for the relief of John J. Spriggs;

S. 2935. An act for the relief of Mary Louise Shields Wilkinson;

S. 2936. An act for the relief of Feofania Bankevitz;

S. 2943. An act for the relief of Ketutua Oiteanu;

S. 2983. An act for the relief of Bernabe Miranda and Manuel Miranda;

S. 2989. An act for the relief of Salvador Miranda;

S. 3010. An act for the relief of Jose Mararac;

S. 3031. An act for the relief of Joseph Daniel Maeda Betterley (Toshikazu Maeda);

S. 3055. An act for the relief of Ronald H. Denison;

S. 3130. An act for the relief of Georgios Papakonstantinou;

S. 3131. An act for the relief of Amile Hatem and Linda Hatem;

S. 3192. An act for the relief of Edeltraud Maria Theresia Collom;

S. 3270. An act for the relief of Nick Tsaliki;

S. 3305. An act for the relief of Adamantia Papavasiliuo;

S. 3316. An act for the relief of Kiyoshi Ueda;

S. 3330. An act for the relief of Leopoldo Rodriques-Mesa and Adela Rodriques Gonzales;

S. 3333. An act to facilitate the insurance of loans under title I of the Bankhead-Jones Farm Tenant Act, as amended, and the act of August 28, 1937, as amended (relating to the conservation of water resources), and for other purposes;

S. 3354. An act for the relief of Fuad E. Kattauh;

S. 3401. An act for the relief of Cho Hack Youn;

S. 3402. An act for the relief of Nessime Kadoch;

S. 3404. An act for the relief of Duolatram Chattulane Chavez;

S. 3421. An act for the relief of Alexander Nagy;

S. 3598. An act for the relief of Feiga Chirinsky Roseman;

S. 3615. An act for the relief of Wendy Levine;

S. 3641. An act for the relief of Gertrude Yang Koo;

S. 3665. An act for the relief of Choe Kum Bok;

S. 3894. An act for the relief of Joseph H. Lym, doing business as the Lym Engineering Co.; and

S. 4002. An act to authorize the Gray Reef Dam and Reservoir as a part of the Glendo unit of the Missouri River Basin project.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On August 14, 1958.

H. R. 3820. To amend sections 490 and 645 of title 14, United States Code, relative to the settlement of claims of military and civilian personnel of the Coast Guard, and for other purposes;

H. R. 4804. For the relief of the Newington School district, New Hampshire;

H. R. 6701. Granting the consent and approval of Congress to the Tennessee River Basin water pollution control compact;

H. R. 7260. To amend title 18, United States Code, section 3651, so as to permit confinement in jail-type institutions or treatment institutions for a period not exceeding 6 months in connection with the grant of probation on a one-count indictment; and

H. R. 9022. To amend title 10, United States Code, to authorize the Secretaries of the military departments to settle certain claims in the amount of $5,000, or less, and to partially pay certain claims which are certified to Congress.

On August 15, 1958:

H. R. 13. To amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto;

H. R. 1244. To provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes;

H. R. 3140. For the relief of Erika Gorenstein Nathanson;

H. R. 4635. To provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended;

H. R. 7330. For the relief of Demetrius Daskalakis;

H. R. 7466. To provide for the establishment of a facility of the Vicksburg National Military Parks;

H. R. 7725. For the relief of Shizuko Sese Sheveland;

H. R. 8308. To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes;

H. R. 8478. Amending the Hawaiian Homes Commission Act to permit the establishment of a post office on Hawaiian homelands, and for other purposes;

H. R. 11123. Providing for the extension of certain authorized functions of the Secretary of the Interior to areas other than the United States, its Territories and possessions;

H. R. 13021. To amend section 41 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide a system of safety rules, regulations, and safety inspection and training, and for other purposes;

H. J. Res. 424. To improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes;

H. J. Res. 595. For the relief of certain aliens;

H. J. Res. 620. For the relief of certain aliens; and

H. J. Res. 636. To waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 3 minutes p. m.), under its previous order, the House adjourned until Monday, August 18, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2235. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report concerning agreements concluded under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), pursuant to Public Law 128, 85th Congress; to the Committee on Agriculture.

2236. A letter from the Secretary of Defense, transmitting the semiannual report of the Secretary of Defense and the semiannual reports of the Secretary of the Army, Secretary of the Navy, and the Secretary of the Air Force, for the period from July 1 to December 31, 1957, pursuant to section 202 (d) of the National Security Act of 1947, as amended; to the Committee on Armed Services.

2237. A letter from the Acting Secretary of the Navy, transmitting a report showing receipt of payment of $5,407.42 from Toth Motorships Co., Inc., Wilmington, Del., owners of the motor vessel *Julius H. Barnes*, in full settlement of a claim for damage to the Coast Guard cutter *Aurora*, pursuant to title 14, United States Code, section 647 (b); to the Committee on the Judiciary.

2238. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relative to the case of Margaret Anne McSherry, nee Finn, also known as Mary Ellen Finn, A-5066275, involving suspension of deportation under the provisions of the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 663. Resolution authorizing payment, out of the contingent fund of the House, of expenses incurred by the Special Committee to Investigate Campaign Expenditures, 1958; without amendment (Rept. No. 2633). Ordered to be printed.

Mr. JONES of Alabama: Committee on Public Works. S. 1985. An act to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto; without amendment (Rept. No. 2634). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. S. 2114. An act to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for field sites, to undertake construction and improvement of buildings, and for other activities; without amendment (Rept. No. 2635). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 2119. An act to expedite the utilization of television facilities in our public schools and colleges, and in adult training programs; with amendment (Rept. No. 2636). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. S. 3694. An act to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; without amendment (Rept. No. 2637). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 3741. An act to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests; without amendment (Rept. No. 2638). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. S. 3882. An act to amend the act of July 1, 1948, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers; without amendment (Rept. No. 2639). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. S. 4039. An act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes; with amendment (Rept. No. 2640). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 7166. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act; with amendment (Rept. No. 2641). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 11257. A bill to amend the National Science Foundation Act of 1950, as amended, and for other purposes; with amendment (Rept. No. 2642). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. H. R. 13191. A bill to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science; without amendment (Rept. No. 2643). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. H. R. 13757. A bill to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; without amendment (Rept. No. 2644). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. H. R. 13678. A bill to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf; without amendment (Rept. No. 2645). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 13262. A bill to amend the Federal Crop Insurance Act; with amendment (Rept. No. 2646). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H. R. 13749. A bill to provide for cooperation with the European Atomic Energy Community; with amendment (Rept. No. 2647). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. House Concurrent Resolution 376. Concurrent resolution to approve agreement between the Government of the United States of America and the European Atomic Energy Community (Euratom) concerning cooperation to advance the peaceful application of atomic energy; without amendment (Rept. No. 2648). Referred to the House Calendar.

Mr. BARDEN: Committee on Education and Labor. H. R. 13241. A bill to provide assistance to the States for area vocational education programs, and for other purposes; without amendment (Rept. No. 2649). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 204. An act to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes; with amendment (Rept. No. 2650). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H. R. 13676. A bill to repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship; without amendment (Rept. No. 2651). Referred to the House Calendar.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 2445. A bill to regulate the interstate transportation of lobsters, and to define the term "lobster" for the purpose of the Federal Food, Drug, and Cosmetic Act; with amendment (Rept. No. 2652). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 689. Resolution for the consideration of S. 4036, an act to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines; without amendment (Rept. No. 2653). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 690. Resolution for consideration of H. R. 13523, a bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; without amendment (Rept. No. 2654). Referred to the House Calendar.

Mr. ASPINALL: Committee of conference. H. R. 9147. A bill to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes (Rept. No. 2655). Ordered to be printed.

Mr. BARDEN: Committee of conference. S. 2888. An act to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans (Rept. No. 2656). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL (by request):

H. R. 13773. A bill to amend the Postal Field Service Compensation Act of 1955 to credit nonpostal Federal service for longevity purposes under such act; to the Committee on Post Office and Civil Service.

By Mr. DOWDY:

H. R. 13774. A bill to amend the act of March 3, 1901, to establish certain increased penalties in the District of Columbia for habitual criminals; to establish the rules of evidence to be followed for insanity as a defense in criminal prosecutions; to provide for the admissibility of confessions in criminal prosecutions; and for other purposes; to the Committee on the District of Columbia.

By Mr. CURTIS of Missouri:

H. R. 13775. A bill to amend section 104 of the Revised Statutes, with respect to contempt citations in the case of witnesses before Congressional committees, and for other purposes; to the Committee on the Judiciary.

By Mr. HIESTAND:

H. R. 13776. A bill to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities; and for other purposes; to the Committee on Banking and Currency.

By Mr. DEROUNIAN:

H. R. 13777. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

By Mr. FULTON:

H. R. 13778. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations, and for other purposes; to the Committee on Government Operations.

H. R. 13779. A bill to amend section 170 of the Internal Revenue Code of 1954 to increase the amount of the charitable contributions made by corporations and individuals which may be deducted from gross income, where such contributions are for basic research; to the Committee on Ways and Means.

H. R. 13780. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TABER:

H. R. 13781. A bill relating to the Italian-American World War Veterans of the United States, Inc., and the status of that organization under certain laws of the United States; to the Committee on Veterans' Affairs.

By Mr. BENNETT of Florida:

H. R. 13782. A bill to amend the Employment Act of 1946 to make relative stability of prices an explicit aim of Federal economic policy; to the Committee on Government Operations.

By Mr. JONES of Missouri:

H. R. 13783. A bill to change the name of the Legislative Reference Service, to clarify its functions, and for other purposes; to the Committee on House Administration.

By Mr. PELLY:

H. R. 13784. A bill to amend the Federal Reserve Act to authorize the establishment

of 13 Federal Reserve districts; to the Committee on Banking and Currency.

By Mr. SHUFORD:

H. R. 13785. A bill prohibiting the erection of carillons on land of the United States near the Arlington Memorial Amphitheater; to the Committee on Interior and Insular Affairs.

By Mr. BECKWORTH:

H. R. 13786. A bill to eliminate the requirement that veterans have served for 90 days or more to qualify for certain benefits under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

H. R. 13787. A bill to amend title II of the Social Security Act to provide benefits thereunder for certain individuals who have paid social security taxes as employers but have not themselves become entitled to such benefits; to the Committee on Ways and Means.

By Mr. HAYS of Ohio:

H. R. 13788. A bill to provide for the denial of passports to members of the Communist Party and to persons knowingly engaged in activities intended to further the international Communist movement; to the Committee on Foreign Affairs.

By Mr. HOSMER:

H. J. Res. 699. Joint resolution to authorize the Chairman of the Joint Committee on Atomic Energy to confer medal on Rear Adm. Hyman George Rickover; to the Committee on Banking and Currency.

By Mr. YATES:

H. J. Res. 700. Joint resolution to authorize the Chairman of the Joint Committee on Atomic Energy to confer medal on Rear Adm. Hyman George Rickover, United States Navy; to the Committee on Banking and Currency.

By Mr. FULTON:

H. J. Res. 701. Joint resolution to authorize the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy; to the Committee on Banking and Currency.

By Mr. DEROUNIAN:

H. J. Res. 702. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H. Res. 688. Resolution to provide for the unity of Ireland; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GRIFFIN:

H. R. 13789. A bill for the relief of Ronald Ragnar Long; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 13790. A bill for the relief of Elizabeth B. Phillips; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 13791. A bill for the relief of Pei-Shing Li; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 13792. A bill for the relief of Eva Gurman; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 13793. A bill for the relief of Martin Unkovic; to the Committee on the Judiciary.

By Mr. UTT:

H. Con. Res. 378 Concurrent resolution expressing the sense of the Congress with respect to the granting of political asylum to Andrija Artukovic and his family; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Expert Market for Coal

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mrs. KEE. Mr. Speaker, one of the most heartening developments for the United States coal industry has been the development in recent years of a strong export market. During 1957 about 55 million tons of coal were shipped to overseas markets, thus providing jobs for a large number of miners.

Recent developments overseas have raised some serious threats to this important export market and unless the trend is checked it could result in a complete loss of these overseas shipments. As a matter of fact, during this year of 1958 we are facing a loss of 12 million tons in exports.

Where does this threat to United States coal come from? It stems from the economic war which the Russians have declared upon the United States and the West in general. Russia and its satellites are going all out to displace United States coal in markets which were built up through hard work and smart, aggressive merchandising.

The saddest part of the story is that many so-called friendly countries are using United States dollars, made available as a part of the foreign economic aid program, in exchange for coal from Russia and Poland.

Other countries which in the past have used United States coal are now making barter agreements under which they exchange their products for Communist coal. In the long run these countries will find that they are paying through the nose for this Communist coal. In barter exchanges, the Russians always charge artificially high prices for their coal or else accept products in exchange at a price far below the prevailing world market.

The United States coal industry has called this serious matter to the attention of the State Department. All sorts of vague promises have been made that proper action would be taken.

Unfortunately, the practice has not stopped. In fact, it has become more prevalent in recent months. Just recently, Argentina concluded a trade agreement with Poland under which Polish coal will be imported to replace about 2 million tons of United States coal each year. Japan's deal with Communist China to use coal from that Communist country instead of United States coal is another example of the type of competition United States coal is facing.

It is my firm belief that the United States Government, in its dealing with countries which are turning to Communist countries for coal, is not exercising its full powers in behalf of this great American industry. We should recognize this is a part of the Russian trade offensive and take appropriate action to counter it.

The coal industry is beset by serious problems at home. The Government encourages the import of residual fuel oils from friendly nations despite the fact that this "liquid coal" is competing directly and unfairly with domestic coal.

The Government is encouraging Federal installations to convert from coal to other fuels for heating purposes despite the fact that in many instances coal is a more dependable and cheaper fuel source.

Now, the Government is standing by while the coal industry fights a losing battle with Communist coal in foreign countries. The Government should step in and use all of its influence to help the United States coal industry in the fight it is waging for important export markets against long odds.

Lithuania

EXTENSION OF REMARKS
OF
HON. EMMET F. BYRNE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. BYRNE of Illinois. Mr. Speaker, the welfare of the Lithuanians enslaved by the Communists has long been a deep concern of mine. From time to time I have been in touch with Ambassador Henry Cabot Lodge at the United Nations.

It gave me heart as I read Ambassador Lodge's reassuring letter of August 19. I wish that every American, regardless of ethnic origin, could read it.

UNITED STATES REPRESENTATIVE
TO THE UNITED NATIONS,
New York, N. Y., August 19, 1958.

The Honorable EMMET F. BYRNE,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN BYRNE: Thank you for your letter of August 13. I am grateful to you for your kind words of encouragement.

The United States Government, as you well know, is acutely aware of the tragedy which has befallen the gallant people of Lithuania and her sister Baltic republics. The 13th session of the United Nations General Assembly will give us, once again, the opportunity to remind world opinion of this great injustice.

As President Eisenhower pointed out in his recent speech to the special session of the General Assembly, "change is indeed the law of life." As long as the Baltic peoples retain their will to be independent and their friends in the Free World remain unrelenting in their opposition to Soviet colonial rule, there is reason to think that the future holds promise of better days. You can be sure that I will continue to do everything I can here at the United Nations to see that this is the case.

With all best wishes,

Sincerely yours,

HENRY CABOT LODGE.

As our President said recently, "change is indeed the law of life." Within the hearts and minds of every man must be impregnated an indomitable will to remain free and to resist all efforts of the godless to impose their atheistic philosophy on us.

In the battles that have been fought and won, and in those to come, whether mental or physical, political or civil, the most important quality in assuring victory is faith in our objective and ourselves. Following this, comes the need for assurance of moral support from our friends and allies.

As a Christian nation we must assume the responsibility of reassuring the enslaved. There are many ways to assist nations and not the least is letting them know that we are giving them moral support. One of the most important elements of human relations is the need to put ourselves in the other person's place.

Trade Agreements Act

EXTENSION OF REMARKS
OF
HON. THOR C. TOLLEFSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. TOLLEFSON. Mr. Speaker, the Reciprocal Trade Act has now been extended for another 4 years with authority for our Government to cut tariffs on foreign imports up to 20 percent. I voted against this extension as I did against the last one in 1955. We all understand the need for trade with other nations and want to increase it wherever possible. However, some of us cannot understand the utter lack of concern by Congress over the welfare of domestic industries which have been seriously injured by cheaply produced foreign imports. There are many of them such as the plywood and fisheries industries, the blackberry, raspberry, and daffodil industries of the Pacific Northwest. They have been badly hurt by imports. My vote against the extension of the Trade Agreements Act was primarily a vote of protest against the lack of concern about what happens to these industries and others.

Foreign industries can produce products much cheaper than can domestic industries because of the great difference in wages paid to workers. For instance, plywood workers in Japan receive an average of 15 cents per hour. In the United States the average pay for plywood workers on the west coast is $2.06 per hour. Therefore, Japanese plywood can be shipped to our country and sold at a cheaper price than we can produce it. Last year 686 million square feet of Japanese plywood was imported into the United States. One can easily understand the effect of such imports upon our domestic industry.

A similar situation exists with respect to other United States industries. Foreign blackberries, raspberries, fish, daffodil bulbs take markets away from our own producers. In several instances domestic industries have closed down and have established plants in foreign countries. American fish producers have moved to Canada. United States plywood people are building plants or planning them in South America, Japan, Turkey, Australia, and elsewhere. Other American industries have done likewise, and more will do so. Unless Congress acts to halt the trend we will have some real problems in the years ahead.

Your Congressman Comments

EXTENSION OF REMARKS
OF
HON. WILLIAM LANGER
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Friday, August 15, 1958

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement issued by Representative USHER L. BURDICK, of North Dakota.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

YOUR CONGRESSMAN COMMENTS ON SECRET TREATIES

(By USHER L. BURDICK)

WILLISTON, N. DAK.—The following item has been carried in the daily press of the country, and there is no doubt it is true:

"UNITED STATES STRENGTHENS BAGHDAD PACT TIES UNDER NEW COMMITMENTS

"LONDON.—Secretary of State Dulles Monday night committed the United States to defense of Iran, Turkey, and Pakistan as a virtual partner in the Baghdad Pact.

"The pact is being realined to take into account the apparent loss of Iraq.

"Dulles signed up after twice talking with President Eisenhower in Washington by telephone. American backing was thus pledged for security of Western-allied Moslem nations on or near the Soviet southern frontiers. Automatically, the United States became more deeply involved in the Middle East than ever before.

"Without technically joining the pact, the United States virtually became a member through the new obligations undertaken in declaration that Dulles signed with leaders of the four active members—Iran, Turkey, Pakistan, and Britain.

"With this dramatic stroke, the United States immensely increased the strength and power of the alliance weakened so badly after the violent overthrow of the pro-Western Royal Government of Iraq, the fifth member.

"Iraq was not represented at the Baghdad Pact council meeting. The late King Faisal's government had been the lone Arab keystone of the pact designed, among other things, to bar communism from the Middle East. His capital city of Baghdad originally gave the alliance its name.

"A spokesman for Britain said: 'We greatly welcome the strengthening of American ties with members of the Baghdad Pact organization.' The declaration provides that the United States will promptly enter into two-way agreements with Iran, Pakistan, Turkey, and Britain. The document expressed determination of the signers 'to maintain their collective security and to resist aggression—direct or indirect'.

"Some Western statesmen have accused the Soviet Union of indirectly bringing about unrest and revolution in the Middle East and threatening other nations in adjacent areas.

"The countries signing the declaration took under consideration whether substantial alterations should be made in the Baghdad Pact and its organization. This means that they are not completely sure what the new Iraq Government is going to do. They feel there may be a bare chance that Iraq will continue its membership."

Regardless of whether or not we should have signed up the name of this Government binding us further into the Baghdad Pact, the dangerous thing is that we allow the Secretary of State to sign such documents. No one in the United States knows about what is to be signed except the executive department, and to allow one department to bind this country to a contract that may, or possibly will, involve us in war is not protecting this Government through the representatives of the people. Congress has nothing to say, and doesn't even know what is in the mind of the executive department.

The result of executive action like this might well amount to a declaration of war without the consent or knowledge of the Congress, for if we have pledged this Government to go to the assistance of any country, then if that country is attacked, we are in a war.

During the Democratic administrations of Roosevelt and Truman, many commitments were made without the consent of Congress, and now the Republican administration is following the same course. No Congressman, nor anybody else outside the executive department, knows how many contracts we have signed and propose to sign. These contracts or treaties have the force of law, and it appears to me that Congress is not needed in dealing with foreign government, according to the ideas of those who make the agreements. The only safe way to handle matters of this kind is to submit the treaty to Congress before it is signed. Any other course may involve us in war without the people knowing a thing about it. If there is a good reason for us to enter into such a contract a patriotic Congress will know it, and we can envision that many of these treaties would not be made.

The executive department handles these matters in a secret way and gets away with it because any information about a treaty before it is signed is marked "secret information," and that is as far as we can go in finding out what is in the wind. It would be interesting to the people of this country to know how many of these secret treaties are in existence today, and to what extent they bind the United States to support them.

Dealing with foreign countries is a live issue today, and the Congress of the United States should have at least some slight information about making contracts that may involve us in a war. This last contract with the Baghdad Pact countries has all the earmarks of danger to this Nation, but the Secretary of State signs them as easily as a debtor renews a note.

Conversion of Sea Water to Potable Water

EXTENSION OF REMARKS
OF
HON. EDWIN R. DOOLEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. DOOLEY. Mr. Speaker, water experts have pointed out repeatedly over the last few years that many areas of

our country face a critical, even perilous situation if the water table continues to decline. Already water in certain places in the great State of California is being transported from a source hundreds of miles away, at considerable expense to the consumers. Were it not for the Colorado River, for example, large cities in California would be in a most trying situation.

The development of a mechanism to transform sea water into potable water has long since been successfully achieved. Fighting ships of large size, certain island possessions of the United States, and hotels on such islands as Bermuda are already equipped with devices which are successfully converting sea water into drinking water.

The writer recently witnessed a demonstration in the State of Connecticut where thousands of gallons of drinking water were made from salt water successfully and economically. A Bermuda hotel is now being equipped with a similar installation at a cost not prohibitive to its management.

The major problem today is to devise a method of producing large quantities of potable water from sea water or brackish water—as found in certain parts of the Southwest in natural underground storage—at a cost in keeping with a community's ability to pay for it.

Most processes—and there are a number of them—resort to heat as the motivating factor in conversion, and heat, whether generated electrically or by coal or oil, is expensive. The introduction of atomic energy into the process of conversion may soon come about. Another possibility is that the powerplants of littorally situated cities will be transformed for the dual purpose of supplying not only electric power for the community but even for the transformation of sea water or brackish water into potable water in vast quantities. This, of course, will be an answer to the problem facing many communities.

Whether the sea water or brackish water is converted into drinking water by means of radiation, membrane filter—osmosis—distillation, or any other way, the problem of cost is the paramount one. But success in the effort is necessary if hundreds of thriving communities are not to be changed into tombstone cities. People will have to remove themselves to areas where water is plentiful.

The chances of success have been multiplied many times by the passage by the House of Senate Joint Resolution 135 on August 12—passed Senate June 10. This joint resolution provides for the establishment of no less than five water demonstration plants designed to discover the most feasible and economic means of attaining the aforementioned objective. Once we find a means of supplying unlimited quantities of drinking water from the sea or from underground brackish deposits, man the world over will sleep better content in the knowledge that one of the basic necessities of life is always within his reach.

The House, as well as the other body, is to be commended for the swift enactment of a most important piece of legislation.

Thoughts as Adjournment Nears

EXTENSION OF REMARKS
OF
HON. EMMET F. BYRNE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. BYRNE of Illinois. Mr. Speaker, all of us are feeling the pressure of these crucial days of the 2d session of the 85th Congress. We have suffered many losses, physically, and a number of our able colleagues are withdrawing to pursue other activities. Adjournment for some can be considered as graduation and for others of us, only a change until a new curriculum begins.

I would like to express my sincere good wishes to all of my colleagues and in particular to my colleagues from Illinois. I hope that between now and the time Congress reconvenes in January 1959, you will each enjoy good health, strength, and success. I extend this wish regardless of party and may each of us who desires to be returned to Congress be successful on November 4.

The purpose of our being here in this great legislative body is to serve the interests and the well-being of our Nation and more specifically, the people whom we represent, to the very best and fullest of our ability. We sought the office and we must assume the responsibility willingly. I consider it a privilege to represent the Third District of Illinois.

Many of us disagree as to what is best for our country and our constituents. We may differ as to what is the best way to accomplish our purpose. The important element is not our differences as men or as parties but our unity in desiring that, as our loyal and able minority leader, JOE MARTIN, says, "America should come first."

As long as the House of Representatives and the Senate lend themselves to the privilege of free speech, only found so abundantly in the Halls of Congress, I believe our Nation may well earn the distinction as being the only nation governed by men able to survive the myriad attacks against her, both from without but more lamentably, the attacks from within. To our children and grandchildren, let us bequeath not a spectral America but a vibrant America.

I am deeply appreciative of the following letter which our minority leader sent me:

OFFICE OF THE MINORITY LEADER,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 11, 1958.

Hon. EMMET F. BYRNE,
House of Representatives,
Washington, D. C.

DEAR EMMET: Congress is about to adjourn, and I cannot let you go home without expressing my appreciation of your personal loyalty as well as your support of a legislative program that is full of outstanding achievements.

Although we Republicans were in a minority of 30, we were the driving force that brought about most of the program of President Eisenhower. We were stalwart supporters of his splendid efforts to maintain peace, and we vigorously supported his measures to stimulate the business recovery which is now apparent. We were able to defeat some fantastic spending schemes. If we had not been successful, the country would now be headed toward disastrous inflation and possible bankruptcy. The country has profited from your judgment and courageous service.

I do hope you will be successful in your fall campaign and with additional recruits return to help solve these momentous problems that are ahead. As a capable, tested legislator you deserve the support of your District regardless of party affiliation. America should come first.

With best wishes, I am

Sincerely yours,

JOSEPH W. MARTIN, JR.

Watershed Development Program

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include copy of my weekly newsletter Keenotes for the week of August 11, 1958:

KEENOTES
(By Representative ELIZABETH KEE)

Conservation of soil and water is one of the most pressing problems facing the country today. Soil and water are not inexhaustible. We cannot expect the United States to retain its position as the world's preeminent nation if we squander these two precious resources.

It is because of the compelling urgency of the soil and water problem that I have strongly supported the watershed development program—an entirely new cooperative approach to the problem of saving of water and soil and making the maximum use of them and, at the same time, preventing damaging floods.

Congress created the watershed development program in 1954, making it possible for the first time for local, State, and Federal agencies to enter into agreements to control the flow of water in an entire watershed. A number of pilot projects were authorized, many of which are now nearing completion.

On the basis of a recent study I have made on the effects of this program, I am convinced that it has been one of the most successful conservation programs ever undertaken. The cost has been extremely modest, local initiative has been emphasized, and the role of the Federal Government minimized.

The program operates on the theory that floods can be minimized and the maximum amount of water retained on the land if the problem is attacked at the headwaters of small streams. Dams to retard the flow of water during flooding are built and channels of small streams are cleared of underbrush, straightened and deepened to speed the flow of water. In addition, farmers in the watershed area build farm ponds, plant trees, and begin other practices designed to check the flow of water over their lands.

The Salem watershed in West Virginia was one of the first of the pilot projects undertaken. It is now practically completed and will be dedicated on September 11. The experiences in watershed development are dramatic proof that the program will work.

During recent heavy rains, after most of the work was completed, the level of floods was considerably reduced, thereby greatly

reducing property damage. Also, water receded much faster after flooding rains. The flow of water across farmlands, which used to carry away tons of rich topsoil, was slowed down considerably.

About seven projects in West Virginia are either under construction or in the planning stages. Others, including the Brush Creek watershed in Mercer County, are being considered now.

One thing I like about the program is the fact that local interests must initiate the projects. Local groups must also help defray the costs of construction and maintenance. The program seems to have won wide acceptance on the part of farmers and other interested parties.

When the watershed approach is applied nationwide, it should be possible for the Federal Government to avoid having to build costly downstream flood control dams. If the water can be retained in the upper reaches, the problems of many downstream areas will be solved.

I regard the watershed legislation as an example of what can be accomplished for our people when all agencies of government get together in a cooperative venture. Not only can money be saved but local and State initiative is preserved.

I was gratified to have had the opportunity to work and vote for this program in Congress, and I will continue to do everything I can to see that it is carried out as rapidly as possible.

Tenth Anniversary of the Founding of the Republic of Korea

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. BRAY. Mr. Speaker, we note today the 10th anniversary of the founding of the Republic of Korea.

A fateful and eventual 10 years have passed in the life of the Asian republic which has been our close friend, and our ally in combat. Starting from truly humble beginnings among the destruction left by war and long foreign occupation, this ancient land of honorable people hardly had established their goals and objectives before they were invaded and forced to defend at great cost and sacrifice their homes and their liberties. They were assisted by many free nations, and greatly by the United States, for the sinister force which threatened their independence was the same one that threatens the liberties of free men everywhere.

After the end of the fighting, the Korean people again turned to the tasks of developing a country which, although without great wealth, does have many resources. Not the least of these resources is the spirit of the people and a determination to find their own way and be accountable only to their own national conscience.

My interest in the progress of Korea is more than casual. I served in military government in Korea from October 1945 to July 1946 when this brave country was attempting to formulate an economic and governmental stability that would represent their needs and would permit them to take their place as a free nation among other free nations of the world. I have returned to Korea several times since then so that I am able to attest to the steady progress that they are making. In this country I am one of the directors of the American-Korean Foundation.

They are making progress. They live still in the shadow of the evil which almost engulfed them. We may find it difficult to fully understand them at times, for our Nation, even in its struggling years, did not know the kind of hazards which have beset Korea in the last decade.

We can take pride in their accomplishments, for they have demonstrated the type of national feeling which turns people to the moral dedication and objectives which free people share. Their ultimate victory will be, in part, our victory, for we both seek honorable peace based on the freedom and dignity of man.

Transportation Act of 1958

EXTENSION OF REMARKS
OF
HON. FRANK C. OSMERS, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. OSMERS. Mr. Speaker, often when legislation is being considered by the House, dire predictions are made by individual Members as to the impact of the legislation under discussion. Sometimes the House is persuaded by these predictions and sometimes not. A few weeks ago the House had under consideration the Transportation Act of 1958, the so-called railroad assistance bill. Just prior to passage I specifically warned the Members from the New York metropolitan area and a few other commuting localities that the bill would produce disastrous results. Members of the Committee on Interstate and Foreign Commerce, and some others, scoffed at my warnings. The bill passed, however, and was signed into law by the President on August 12.

Only one Member of the House, in addition to myself, saw fit to vote against the bill.

Unfortunately, confirmation of my worst fears was not long in coming. Practically at dawn, on August 13, the day following the President's signing of the bill, the New York Central Railroad posted abandonment notices announcing the termination in 30 days of its West Shore ferry service between Weehawken, N. J., and New York City. These notices had obviously been prepared long in advance.

Unless the ICC should intervene, on September 13, this century-old vital transportation link will be entirely abandoned under the new section 13A of the Transportation Act of 1958. This section grants the railroads the power of abandonment, after posting notice, and at the same time takes away from the public and the community any specific rights to intervene which may have existed prior to the passage of the act. The same situation exists with respect to Erie Railroad ferry service between New York and New Jersey.

There are a few loosely organized commuter groups which are working in conjunction with several municipalities; the Bergen County, N. J., governing body; and the attorney general of New Jersey in an effort to prevent the catastrophe which will befall thousands of innocent people should these facilities be abandoned. With what limited resources are available to them, I am sure that every effort will be made to have the ICC suspend these abandonments while the unfairness and unconstitutionality of these provisions in the Transportation Act can be established in the courts.

In its haste to bail out the railroads, Congress has ridden rough-shod over the future of many of our people. The economic disturbance, possible loss of employment, and the major congestion of highways, bridges, and tunnels that will be caused, is impossible to estimate at this time. In the future, it might be well for Congress to consider, in this connection, individual rights as well as the financial needs of the railroads. I favor helping the railroads, but it should not be done unless those affected are given the right to protect themselves.

The underlying value of every home and business in northern New Jersey is threatened by these abandonments. Every person, community, and county in that area should immediately give full support to those leading the fight for continued rail and ferry service.

If justice cannot be obtained from the ICC or the courts, then Congress must amend the act and fully protect these innocent citizens.

TVA a Costly Burden on Taxpayers

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. MOORE. Mr. Speaker, under leave to extend my remarks, I would like to place in the RECORD a statement which I made before the House Committee on Public Works on July 30, in opposition to the TVA revenue bond bill S. 1869.

As I indicated on that occasion, this legislation if enacted could prove to be one of the most costly mistakes ever made by the Congress, and would impose further burdens on the taxpayers in addition to the billions of dollars which TVA has already cost this country.

The statement follows:

STATEMENT BY HON. ARCH A. MOORE, JR., FIRST DISTRICT, WEST VIRGINIA, BEFORE COMMITTEE ON PUBLIC WORKS, UNITED STATES HOUSE OF REPRESENTATIVES, JULY 30, 1958

Mr. Chairman, ladies, and gentlemen, I appear in opposition to Senate bill 1869. My opposition to this bill is based primarily on the unfair competitive situation in which

others parts of the United States find themselves when competing for the location of new industry with the TVA. My position is so clearly stated by a news story appearing in the Wheeling News-Register of February 20, 1956, that I would like to quote this story in is entirety:

"VALLEY TAXPAYERS GIVE INDUSTRY TO ALABAMA—$75 MILLION PLANT LOST BY WEST VIRGINIA TO TVA REGION

"(By Hane Cochran, News-Register staff writer)

"Ohio Valley residents helped pay to keep a new $75 million aluminum industry from locating in West Virginia.

"They didn't realize it—but even if they had, they couldn't have done anything about it.

"The decision was made in Washington.

"It's the age-old story of government subsidy versus free enterprise and fair competition.

"The News-Register learned today that the Reynolds Metal Co., the second largest aluminum company in the United States decided to locate a huge aluminum plant in TVA territory rather than along the Ohio River, south of Point Pleasant, probably because of the cheaper, Government-subsidized power available at Lister Hill, Ala.

"Philip Sporn, president of the American Gas & Electric Service Corp., told the News-Register his firm was 'working on' locating the new industry in West Virginia.

"'We were not successful. Reynolds told us that our power rate was too high. I can't say that is the real basis, but it was one given.'

"Sporn said the American Gas & Electric gave Reynolds a 'good rate, the same rate we offered to Kaiser Aluminum and Olin-Mathieson.' But, he added, there was a large tax component in the American Gas & Electric rate.

"'They (the Reynolds officials) told me the TVA rate was lower.'

"Further evidence of the manner in which the Reynolds plant was lost to West Virginia because of a Government-subsidized power project is found in a letter sent West Virginia Senators Matthew M. Neely and Harley M. Kilgore by M. C. Funk, vice president of the Appalachian Electric Power Co., a member firm of American Gas & Electric.

"In his letter, Funk points out that 'I feel sure you will be interested in knowing about the latest instance of the pulling of industries into TVA territory. This one greatly concerns West Virginia.'

"According to Funk, the 'Appalachian Co. had been approached by Reynolds Metals Co., now the second largest aluminum company in the United States, with regard to a proposed aluminum plant in the Ohio Valley.

"'The required 225,000 kilowatts of electric power was to be furnished by our company. Of course, power is a principal element in aluminum cost.'

"Funk pointed out that the site of the Reynolds aluminum plant was to be at Apple Grove, W. Va., some 10 miles below Point Pleasant.

"'In the meantime, however,' Funk told the Senators, 'the Reynolds Co. was negotiating with TVA. We knew this and did our utmost to land the business for our system and West Virginia.

"'In fact,' he stated, 'our quoted price for power exceeded the TVA price by only one-third of the difference between the taxes which we have to pay and the scant tax contribution which TVA makes.

"'Nevertheless,' Funk's letters to Neely and Kilgore continue, 'the Reynolds Co. has announced that it will locate in Alabama, with power to be supplied by TVA. It is reported that this new Reynolds plant will cost about $75 million.'

"In concluding his letters to the Senators, the power firm official notes that 'as a consequence, TVA will now somehow have to get the money for and to build more steam electric power—which, of course, will enable it to do more of this same sort of thing.'

"And the same sort of thing will mean that tax dollars, from residents of the Ohio Valley, West Virginia, and Ohio as well as the rest of the Nation, will aid the TVA cause.

"'Competition in which a substantial portion of the tax component is eliminated can be very deadly,' Sporn commented.

"The American Gas & Electric president pointed out that 20 cents of every dollar private electric firms receive for power service goes to the Government.

"'Excluding the tax component, we can give them (industry) a better rate than TVA or any of the public power installations. The people are being asked to develop the power in TVA.'

"'When it comes right to the point,' the head of American Gas & Electric stated, 'West Virginia is going to have to fight for industry.'

"'But the State shouldn't have to fight an agency which has the weapons.'

"He explained that the TVA, through Government subsidy, has the weapons to attract industry in the area around such installations.

"'Why should the Government so equip other States?' he asked.

"Sporn pointed out that West Virginians should naturally be against Government power projects. 'They're in the disinterest of the State.'

"The power official pointed out that West Virginia today is in wonderful shape to attract new industry with its abundant availability of coal and manpower, but it's going to have a tough time meeting Government subsidy.

"There have been other instances of new industry being lost to the Ohio Valley and West Virginia because of Government-subsidized power projects. The Reynolds plant is merely most recent.

"In an address delivered as part of the Cooper Foundation Series at Swarthmore College in 1954—but which is as 'valid today as on the day it was made'—Sporn pointed out that 'a basic difficulty with public power is that it is subsidized power and that cannot be in the public interest.'

"'The most common form of subsidy of public power is the tax route. Interestingly enough, it is now being claimed that public power operation is more desirable because it can be carried out without paying taxes.'

"'It is quite clear that tax savings as such do not exist.'

"'So-called savings, by going to a governmental setup, merely result in the general taxpayers, rather than those benefiting from the project, paying in additional taxes the subsidy granted the tax-free power project. A general application of the tax-free subsidy principle would result in complete disorganization of all government.'

"Sporn labeled the tax differential an irresistible magnet which draws industries requiring particularly heavy quantities of electric energy 'from other locations that but for taxes are equally as well situated and might perhaps otherwise be even more favorably situated'."

Transportation Legislation

EXTENSION OF REMARKS
OF
HON. EMMET F. BYRNE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. BYRNE of Illinois. Mr. Speaker, as the House sponsor of the legislation which is now Public Law 625, called the Transportation Act of 1958, I wish to point out that while we have stepped in the right direction, we still have work to do next year in the transportation area.

I come from Chicago, which is the major hub of railroad activity in America. My own District, Illinois' Third, is served by and uses 11 railroads. Thousands and thousands of commuters live in the Third District and they depend on the trains to take them to and from their business. I want the commuters throughout the United States to have the best, the safest, and the most reasonable fare, in their daily commuting to and from their offices.

During the recent weeks I have made my views known on the need to assist the railroads. They are one of the largest employers in the Nation. They have contributed immeasurably to the health, security and progress of America.

With the increasing gravitation by the populace to the suburbs, the commuter problem is changing. We must make every endeavor to be prepared to have an answer to the questions and problems arising. I expect to question thousands of commuters during the weeks of adjournment to ascertain their suggestions and recommendations. When Congress reconvenes in January, I plan to introduce legislation which will facilitate the commuter problems.

In closing, I want to acknowledge the debt that Congress, both the Members and the committee, owe to the railroads, both management and employees, the rail and other carrier associations, and the public at large, for standing firm and urging action now on the railroad problems. In unity there is success.

A particular or special word of praise and thanks is due an Illinois gentleman, Thomas W. Smiley, executive representative of the Illinois Railroad Association, located in Chicago.

A Tribute to Eagles

EXTENSION OF REMARKS
OF
HON. THOR C. TOLLEFSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. TOLLEFSON. Mr. Speaker, before the 85th Congress draws to a close I must pay tribute to a fraternal organization which for years has concerned itself with the welfare and well-being of the citizens of our great Nation. I refer to the Fraternal Order of Eagles which has constantly been in the forefront of many movements to better the lot of their fellow man. Not the least of Eagles' activities has been their efforts to bring about a pension or retirement program for our elderly citizens.

When I joined the Eagles organization more than a quarter of a century ago it was pressing for what was then known as the Eagles pension program. Since that time State governments as well as the Federal Government have adopted

pension and retirement programs which are designed to assist our elder citizens. Much of the credit for these programs must go to the Eagles who sparkplugged the idea.

Their activity in this field had much to do with the adoption of our national social security laws more than 20 years ago. Today 75 million persons in the United States are currently contributing to the social-security program. They and their families constitute the great majority of American people. Twelve million of our people now rely on monthly checks from the social-security system as the foundation for their economic security. As the years pass, more and more of our citizens will receive the benefits of the system.

Since the system was first adopted by Congress it has been improved from time to time as experience has dictated. The coverage has been extended and the benefits increased. This pattern will be followed in the future, I am sure.

The second session of the 85th Congress, during the closing weeks, overwhelmingly voted to further improve the system. While it did not increase the benefits as much as many of us would have liked, it did increase payments to beneficiaries to the extent of 7 percent. It increased from $4,200 to $4,800 the annual earnings on which workers could pay social-security taxes. Thus, the worker could earn a larger retirement benefit.

This Congress also liberalized the disability protection under the social security laws. This action certainly needed to be taken. Prior thereto the disability provisions were too strictly administered. Many disabled persons were not permitted to qualify for benefits because of the strict provisions and the strict application of the law. Now, many disabled persons who could not previously qualify for benefits may be able to obtain relief. Furthermore, their dependents will qualify for assistance where previously they were not entitled to help.

The Eagles organization can well be proud of its contributions to the welfare of American citizens. I am sure that it will continue its efforts in this direction. These contributions make every member proud to be called an Eagle.

Judge Eugene McGarry, of the Old School, Not Forgotten

EXTENSION OF REMARKS
OF
HON. ROLAND V. LIBONATI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. LIBONATI. Mr. Speaker, Judge Lou Eugene McGarry died the other day, February 24, 1958, at 4:30 p. m., just like a real lawyer would wish it—in a profound sleep, in the place he loved, in his law office.

He started out as a lad around his father's boiler works, in the early nineties, and did well. Then, as a young man, he went off to the Spanish-American War. He came back, got married, studied law at night school and became a lawyer. He specialized in the criminal practice. Judge McGarry had 10 children and he reared them well. Lou was a real father and proud of his family. One boy, Joe, now a colonel in the Air Corps, served in World War II, with honor, and all the children married. He had 32 grandchildren and 8 great-grandchildren. His lovely mate died 15 years ago.

All in all, he was versatile and clever. He knew every trick and kept the prosecution in trouble all the time. We all learned things from Lou.

Congressmen EMMET BYRNE and BARRATT O'HARA were numbered among his good friends. The camaraderie around the criminal court building was something to talk about in the old days. Great prosecutors and the best of the criminal defense matched wits and maneuvered about on the legal field of battle, as knights of old.

The fellows were around the criminal court one day and talking of days gone by. How men thought of things a little differently than they do now. And then one perked up, it was an old courtroom fan, a curbstone bard, and strictly between the two of us, he mentioned a lawyer whose name was Lou.

Said he:

This fellow was fast on the lip and words flowed like a Texas well. He splintered the air with his vibrant talk and the juries were under his spell. He breezed right through a murder trial and gave the State just 'ell. He knew how to talk to juries, the kind that had only heard the school bell. (The hi-falutin' guys were too busy to serve a spell.)

Those days are over now; people got smarter with the newspapers, radio, and television giving the straight information. Schooling, too, is more to the reading and writing side. People have better training. But in the old days, Lou was the best.

He was a popular person and the people elected him to a judgeship. He was crossed up in a big political fight and the party did not reslate him. He ran as an independent and lost—but nearly 300,000 voters said Lou was a good judge—but the party beat him.

After leaving the bench he was placed by Democratic Party Leader Joseph Gill in the recorder's office as a lawyer in the title section, retiring after 10 years.

He returned to his old love, the criminal court. He was one of the best brief writers of appeals to the supreme court, and one of his briefs so impressed the supreme court that his contentions as to the archaic nature of its operation resulted in a complete rewriting of the Habitual Criminal Act of the State of Illinois. I know, because I introduced and passed the law, together with Representative Burhans of Peoria, he in the house and I in the State senate, under the advisory guidance of Chief Justices Daley and Schaefer of the Supreme Court of the State of Illinois.

He practiced law for a while—and everybody was glad to help him. He came into my office. He died there the other day, and the legal fraternity gave him a good sendoff to his Maker.

In attendance were members of the criminal court press, George Wright, Chicago Daily Tribune; Art Summerfield, Chicago Daily News; and others; together with the distinguished lawyers of the civil and criminal bar, Crane, McDonald, Bieber, Brodkin, Bellows, Petrone, Stewart, Nicosia, Love, Bulger, Brody, Mallerdino, Busch, Meyers, the Devine brothers, Schultz, Barbaro, Scalise, the Stillo brothers, and Altieri.

Among the outstanding members of the bench attending were O'Connell, Dougherty, Butler, Crowley, Hartigan, Lupe, Sbarbaro, Pope, Cilella, Barth, Geroulies, Cornelius Harrington, Morrissey, Quilici, Green, Dunne, McDermott, Chelos, Drucker, McSweeney, Kula, McCormick, Covelli, Austin, Weiss, Padden, Casey, Norncyle, Wells, Dempsey, Barry, Robson, Holmgren, Roberts, Kluczynski, Ward, Burke, Block, Tucker, Leonard, Riley, Touhy, Lyons, Adesko.

Do not worry about Lou—he did more than his share to make men a happier lot. He fought all the way, and strictly among these lawyers they said that goodhearted Lou was one of the greatest lawyers of his time. So we who knew him say "Ditto". And the Good Lord will see to it that he makes the Gate to the Promised Land. We all are proud that we knew Lou, and his good friends just ask in their prayers that he travels the road to Kingdom Come a little light.

God is good and sees in man His likeness. And Lou was a real servant to the end.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include copy of my weekly newsletter Keenotes for the week of August 3, 1958.

KEENOTES
(By Representative ELIZABETH KEE)

The 2d session of the 85th Congress, which is rapidly drawing to a close, has been marked by three distinct moods:

1. Congress reconvened amid deep public concern over the tremendous Russian advances in science and technology as evidenced by the launching of two earth satellites.

2. Public concern shifted early in the spring from this grave national problem to the growing threat of a serious economic recession.

3. In recent weeks, attention of official Washington and the public has shifted to foreign affairs and particularly to events in the Middle East which have created the most serious war threat since Korea.

This has, indeed, been a momentous session of Congress and, contrary to some who have tried to label this a do nothing Congress, I believe this session will go down in history as one of the most productive in recent years.

In many respects, Congress was ahead of the administration on matters relating to outer space. Congress demanded that positive action be taken so this country could overtake the lead which the Russians had

taken in this vital field. Both Houses appointed special committees on space and astronautics and let it be known in no uncertain terms that they wanted a single new agency to direct United States activities in space. The result has been the creation of a new agency on space and astronautics, and in the future all activities will be closely coordinated. This should save money and, more importantly, save time in space developments.

I am sorry that the sense of urgency seems to have disappeared. We are still behind the Russians and constant driving and pushing will be needed to overtake them. I am sure that the Congress will not neglect this issue.

People are alarmed over the high level of unemployment and other indications of an economic downturn. Recently, there have been signs of an upturn, which is good news to all of us. But here, too, I am afraid that the sense of urgency has gone out of this problem. We are not out of the economic woods despite the optimistic indications. A sound, prosperous America is absolutely essential if we are to maintain our freedom.

An atmosphere of gloom was apparent when events in the Middle East assumed crisis proportions. There is no denying that the situation is extremely grave. As much as any of us might deplore the necessity for sending American troops into a danger area, we can agree, I am sure, that we all must support the stand taken by the President. Many people here believe the gravest dangers are now passed. This may be true, but the fact remains that this is a crisis that will be with us for a long time. We cannot afford to allow any temporary easing of the crisis to lull us into any feeling of false security.

Price Fixing Conspiracy Indictment Delayed

EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 15, 1958

Mr. ROOSEVELT. Mr. Speaker, I have written the below quoted letter to the Attorney General because of my hope that the small-business people of this country will not feel that justice is such a cumbersome and slow matter that it cannot afford them any adequate relief.

The case illustrated below is of importance, and I hope that Members having small gasoline dealers in their Districts will take an interest in this matter. Under leave to extend my remarks, I include it in the RECORD, as follows:

AUGUST 15, 1958.

Hon. WILLIAM PIERCE ROGERS,
Attorney General of the United States, Department of Justice, Washington, D. C.

MY DEAR MR. ATTORNEY GENERAL: It surprised me greatly when I recently learned that the price-fixing conspiracy indictment, in the case of *United States* v. *Standard Oil Company, et al.*, was dismissed by the United States District Court for the Northern District of Indiana, South Bend Division, because it was returned by an illegally drawn grand jury. The defendants in this case are 14 major oil companies who were charged with an unlawful combination and conspiracy in unlawful restraint of gasoline traffic in violation of the Sherman Antitrust Act.

It was entirely through the efforts of Subcommittee No. 5 of the House Small Business Committee that facts were uncovered which appeared to present a clear case of price fixing in the South Bend, Ind., area. This came to light during one of the subcommittee's hearings on distribution practices in the petroleum industry last year.

I immediately sent a telegram to the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice advising him of the situation and requesting that immediate action be taken to determine the existence of possible violations of the antitrust laws on the part of the petroleum companies involved. Transcripts of the hearings were promptly forwarded to the Department of Justice for evaluation as soon as they became available. The information contained in these transcripts was deemed by the Antitrust Division to be sufficiently complete to enable action to be undertaken by way of grand jury proceedings which culminated in the indictment of these 14 major oil companies for alleged violations of the Sherman Act.

I deeply regret that this indictment was dismissed, not so much because the subcommittee had announced that it desired to make it a test case in regard to the length of time that would elapse in the proceedings, but because of the importance of this case to the small business segment of the petroleum industry.

The price fixing in this case arose in connection with a gasoline price war. The hearings of the subcommittee have shown that price wars often reduce the retail dealers to a desperate financial plight from which they are usually unable to extricate themselves. Price fixing associated with such situations frequently serves to narrow the retailer's normal margin of profit. This particular situation also clearly indicates that any tampering with retail gasoline prices may take the ultimate form of antitrust violations.

In this case it was reported that the jury commissioner did not draw the jurors' names in public from a box containing names of at least 300 qualified persons as required by law, but that the names were picked from slips placed on a desk in the office of the jury commissioner. The indictment was dismissed because certain officials charged with the administration and enforcement of Federal laws did not perform their respective duties in a proper manner.

The fact that the jury commissioner and the clerk of the court were derelict in their obligations to follow the mandatory provisions of the statute dealing with the method of selecting a grand jury does not, I submit, absolve the Department of Justice of its responsibility. Actually the Attorney General, as the chief law enforcement officer of the United States, is vested with complete control over all criminal prosecutions through the United States attorneys and other subordinates.

The duties of all officers of the Department of Justice and all functions of the agencies and employees of such Department were, with few exceptions, transferred to the Attorney General by the 1950 Reorganization Plan No. 2.

It is strange indeed that the United States attorney for that district was not more careful, especially in this case which appears to be one of national importance. The United States attorney as Federal prosecutor acts also in an administrative capacity and has wide discretion to be exercised for the general public welfare. Since he is the legal advisor of the grand jury and has the duty to present evidence to such body, it is, I think, not unreasonable to require that he make sure that the grand jury is properly selected and legally qualified to act, otherwise all criminal charges presented by it would be vulnerable to attack and all prosecutive efforts go for naught.

The Department of Justice has promised to seek a new and valid indictment this coming autumn. Frankly, I do not understand why this matter must be delayed until a later date. It is a known fact that the longer any case, particularly one involving charges of criminal violations, is delayed, the more difficult it becomes to obtain a conviction.

Subcommittee No. 5 of the House Small Business Committee has been vitally interested in the welfare of the small-business man in the petroleum industry. During the hearings held by the subcommittee during 1955, and again in 1957, the records were replete with allegations of coercive practices, price fixing and other undesirable methods of operations, to the detriment of small business.

Here, we have an indictment involving some of the biggest corporations in the country which was thrown out of court, due to what appears to be the obvious incompetence of important officials of the Department of Justice in failing to see that court officials comply fully with the express requirements of statutory law.

I shall follow this matter with a great deal of interest in observing what action is taken in its prosecution and what the ultimate outcome will be, and will appreciate your keeping me fully informed.

Very sincerely yours,

JAMES ROOSEVELT.

United States Foreign Policy

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Friday, August 15, 1958

Mr. WILEY. Mr. President, I have prepared a statement in regard to our foreign policy and the attitude of some of us on that subject. I ask unanimous consent that the statement be printed in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

From time to time my colleagues on the other side of the aisle have utilized the Senate as a forum to discuss the foreign policy of the United States. For the most part their remarks have been fair and they have avoided injecting partisan considerations into their discussions.

They are to be commended not only for the light which they have shed on many of the problems we face in this precarious world, but for the support which they have given to the programs of the President.

In recent weeks, however, my Democratic colleagues have begun to harp on the theme that the administration has failed in leadership; that somehow the administration is to be held responsible for the fact that the world of 1958 is a precarious place in which to live.

I have searched these recent speeches for the positive suggestions which are allegedly lacking in the present leadership. I have sought to separate the wheat from the chaff. I am frank to say that I have found remarkably few kernels of wheat amongst all of the words that have been launched on this floor.

It is always easier to demand an idea than to develop one.

I do not deny that from time to time we read in the press or find in the remarks of my colleagues the germ of a new idea. But many, many times those ideas which are supposed to be positive in character are nothing more than glittering generalities or procedural gimmicks.

Among the generalities we hear such suggestions as:

NATO should be strengthened; or

NATO must concentrate on economic problems; or

The Algerian problem should be settled by giving Algeria commonwealth status; or

We should concentrate on economic aid instead of military aid; or

We must pay more attention to Latin America, or Canada, or southeast Asia, or the Middle East.

I must say if I were the Secretary of State I would certainly not know what to do with advice of this kind. The Secretary of State must live in a world of reality.

There may be some things he can do and some actions he may take which will induce change in the current of events. But I suggest that much of what happens in this world is outside the control of the United States.

It is unrealistic to expect that a note from Washington will force nationalism into constructive channels; or that a word from the President will settle a constitutional crisis in France, or Lebanon; or, for that matter, even in a neighboring Latin American country.

It is a wise man—it is a wise nation—that realizes its own limitations.

It seems to me that one of the first steps toward international responsibility would be for the American people and their representatives in Congress to realize our limitations. This is the first step toward wisdom.

We cannot legislate peace and security throughout the world.

We cannot extend a little aid here and there and expect automatically that our troubles will be over.

Certainly, this Nation is not without influence throughout the world. But at the same time we must realize that our influence is in many instances of a marginal character.

I can illustrate this fact by referring to the situation in India and in China.

During recent floor debate it was suggested that massive doses of economic assistance to India would somehow be decisive in preserving her independence from Soviet control. It was argued that India should not be lost to freedom, as was China—a loss attributed to a failure to give Generalissimo Chiang timely help.

My point is that the loss of China to the side of freedom and the preservation of Indian independence are events of such magnitude and complexity that what the United States does or fails to do is not necessarily decisive. In short, our sights must be geared to reality. Unless the United States imposes a Pax Americana on the world—which I do not think we could or should do—what this Nation may do in the world is important, but not by any means of controlling significance.

I labor this point in order to inject some reality in our thinking about problems of international relations. It is time for us to realize that Dwight Eisenhower is President of the United States, and not omnipotent in the world. It is as unrealistic to give him credit for all that is right about the world as it is to hold him responsible for all that is wrong with the world.

The same may be said of Mr. Dulles. He handles the foreign relations for the United States, and, despite our undoubted power and influence, Mr. Dulles cannot snap his fingers and bring peace to the Middle East, or restore the satellites to freedom.

If India is to preserve its independence, it will be largely because of what the Indian people and their leaders do for themselves. And the same is true with respect to many of the other problems with which nations are burdened.

The United States, with the most admirable foreign policy we could dream up, can only be of marginal influence on the future of the Middle East, of Africa, of south Asia, and of the Far East. This is not to say that we should throw up our hands in hopelessness. It is only to emphasize that good intentions may pave some roads, but that the hard work of salvation, the building of the trails and the heaviest work must come from the peoples who are principally concerned.

We are doomed to continuing disappointment in our foreign policy if we do not learn to keep our feet on the ground and to base our policies on reality instead of fancy.

I would warn, also, against allowing ourselves to be taken in by what I would call procedural gimmicks.

We cannot expect to solve our problems in Africa by creating an Assistant Secretary of State for African Affairs—even though I support that proposition.

We are not going to solve problems of our relationships with Latin America by rushing headlong into an all-American summit meeting.

We are not going to bring peace to the world by grasping blindly at summit conferences with the Russians.

Procedural gimmicks are not without use, but let us not condemn the President or Mr. Dulles because they have not grasped at the procedural gimmicks put forth on the floor of the Senate or because they have not dreamed up a few such gimmicks of their own.

There have been many times over the years I have served in the Senate when I have seen my colleagues on both sides of the center aisle in moods of frustration. Many times this frustration had risen out of events in the field of foreign relations.

I recall the years when Members on this side of the aisle were frustrated with the foreign policies of members of the other party who controlled the executive branch of the Government. I detect in some of the remarks that I have heard in recent months here that my Democratic friends have felt some frustration with the foreign policies of 1958.

Now, frustration is a normal, human, emotion. It has its place in life. But let us remember that frustration is an emotion and as such it does not provide a solid basis upon which to build a foreign policy.

I do not propose to stand on this floor today, or any other day, to try to tell the President of the United States how to conduct the foreign policy of the Nation. Although it is the purpose of our foreign policy to promote peace and freedom in this world so that the values we cherish and nurture may forever be preserved, that purpose may best be achieved if we leave its day-to-day direction to our President.

One of the popular topics for students of foreign affairs is the role of Congress in the formulation of foreign policy. This topic is more popular than simple. Indeed, it is perhaps easier to describe what the foreign policy role of Congress should not be than it is to describe what that role should be.

Certainly, it is not the role of Congress to quarterback every move which the President and the Secretary of State undertake. If 531 Members of Congress were to undertake that duty, the main effect would be to telegraph our punches to every nation in the world, friend and foe alike.

Clearly, it is not the role of Congress to second guess every act of the Executive, telling him how something should have been done. It is easy to be smart after the event—but this kind of smartness is not very helpful.

The Congress cannot expect to substitute for the executive departments in the gathering of information upon which our foreign policy must be based. We cannot substitute for the thousands of able, devoted, members of our Foreign Service who are stationed throughout the world.

Finally, it is not the role of Congress to "bird dog" the Secretary of State as he wends his way through the jungles of international relations.

Yet Congress has a positive role to play in the formulation of foreign policy. I would stress that in discharging this role, however, Congress proceed on the basis of a little bit of faith. We should certainly assume that the President and the Secretary of State are conscientiously working to promote the interests of the United States.

Mr. Dulles is one of the hardest working Secretaries of State this Nation has ever had. He may make mistakes, even as Members of the Senate do on occasion, but no one can deny that his actions spring from the highest motives and his labors have been far and above the calls of duty.

It seems to me that the principal role for Congress in the field of foreign policy is to try to keep the people and the executive in tune. In other words, Congress is exercising its proper role when it serves as go-between. In some instances, this means that we must go to our constituents to explain to them and help them understand the reasons why certain foreign-policy actions may be necessary. In other instances, it is our duty to go to the executive and pass on to it the views of the American people.

We must help to link the common sense of the American people with the facts and the expert advice we receive from those Americans who are engaged in the day-to-day strategy of foreign policy.

A good example of the need for explaining certain policies to our constituents can be found in the mutual-security legislation upon which we act each year. Of course, the President can, as we say, "go to the people," but I have never been convinced that he can do the carefully tailored job of explaining and answering the many questions which Americans have about the need of this program. That is our job.

It has been my experience that my Wisconsin constituents are quick to grasp the importance of the mutual-security program to our own security when I can sit with them and describe in detail the consequences of failure to keep that program going.

A good example of the influence of the people in getting the executive branch to tailor its programs to the felt needs of the American people was found in the wartime resolutions expressing the sense of Congress that the United States should help to create and should join a postwar international organization devoted to the maintenance of peace. And in more recent years, I am convinced that it has been the constant pressure of the American people which has kept the executive hard at work in seeking reliable means to suspend nuclear tests, despite the difficulties of negotiating with the Russians in this important field.

Our Government is a Government of separation of powers. It works best if the executive, the legislative, and the judicial branches tend to their own knitting. Yet we see many instances in which individuals in these branches of the Government are tempted to tell other branches how to do their work while they neglect their own responsibilities. This tendency must always be resisted.

Fortunate indeed are we that our Founding Fathers devised constitutional safeguards to keep our branches of Government separate in the discharge of their duties, and unfortunate indeed are we that the American people can sit in ultimate judgment of our faithful discharge of our constitutional duties.

SENATE

SATURDAY, AUGUST 16, 1958

Dr. Durwood Fleming, pastor, St. Luke's Methodist Church, Houston, Tex., offered the following prayer:

Father, Thou hast given us life, to be handled as a sacred trust: we pray that we may hold and use it with respect and reverence. Our dignity is tied to Thy holiness, and our needs are supplied by thy grace. We acknowledge our need of Thee for guidance, for comfort, and for strength.

We ask Thee to continue to place Thy divine favor upon our President, upon his Cabinet, upon our courts and legislative bodies. We pray especially for our Senators—their families, and the problems they must face and solve. Keep us sensitive to the burdens they bear in our behalf, and appreciative of pressures and strains under which they are working. Refresh and inspire these, Thy servants, today.

And for all Americans we pray: Place in our minds insights into Thy purposes; place into our characters industry and sacrifice; and place within our spirits courage and perseverance. Make us worthy recipients of our priceless freedoms; may they be held so dear that they may become the experiences of men everywhere. In the name of the Prince of Peace, we offer this prayer. Amen.

Mr. JOHNSON of Texas. Mr. President, I know that all the other Members of the Senate join me in expressing our appreciation for the inspiring message which Dr. Durwood Fleming, pastor of St. Luke's Methodist Church, of Houston, Tex., brought to us this morning in the prayer. He is one of the most distinguished and eminent clergymen in Texas, and is the pastor for some of my dearest and closest friends. We are very much pleased that he has opened the session of the Senate this morning with prayer.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 15, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 2006) to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 3683. An act to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; and

S. 4021. An act to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins, and intervening areas.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 274. An act to provide for the temporary free entry of religious sceneramas and other articles imported for exhibition by religious societies or institutions;

H. R. 731. An act to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes;

H. R. 5804. An act to amend section 2038 of the Internal Revenue Code of 1954 (relating to revocable transfers);

H. R. 5944. An act to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature;

H. R. 7670. An act to amend the Internal Revenue Code of 1954 to provide that clubs shall not be denied exemption from corporate income taxes if they would be exempt from such taxes as benevolent life insurance associations but for their activities as clubs;

H. R. 10239. An act to suspend temporarily the tax on the processing of palm oil, palmkernel oil, and fatty acids, salts, and combinations or mixtures thereof;

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Ind.; and

H. R. 13673. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 274. An act to provide for the temporary free entry of religious sceneramas and other articles imported for exhibition by religious societies or institutions;

H. R. 731. An act to allow a deduction, for Federal estate tax purposes, in the case of certain transfers to charities which are subjected to foreign death taxes;

H. R. 5804. An act to amend section 2038 of the Internal Revenue Code of 1954 (relating to revocable transfers);

H. R. 5944. An act to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature;

H. R. 7670. An act to amend the Internal Revenue Code of 1954 to provide that clubs shall not be denied exemption from corporate income taxes if they would be exempt from such taxes as benevolent life insurance associations but for their activities as clubs; and

H. R. 10239. An act to suspend temporarily the tax on the processing of palm oil, palmkernel oil, and fatty acids, salts, and combinations or mixtures thereof; to the Committee on Finance.

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana; to the Committee on Interstate and Foreign Commerce.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary, with an amendment:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc. (Rept. No. 2420).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H. R. 12365. An act for the relief of the estate of Suck Pil Ra (Rept. No. 2419).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

H. R. 12808. An act to amend the Federal-Aid Highway Act of 1958 to extend for an additional 2 years the estimate of cost of completing the Interstate System (Rept. No. 2421).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 4300. A bill to provide for the temporary suspension of duties on certain types of limestone; to the Committee on Finance.

By Mr. JOHNSTON of South Carolina (by request):

S. 4301. A bill to amend section 3 of the act of March 2, 1931 (46 Stat. 1469), to increase the fees to be paid as compensation to certain persons making delivery of special-delivery mail; and

S. 4302. A bill to permit variation of the 40-hour workweek of Federal employees for educational purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bills, which appear under separate headings.)

By Mr. JACKSON:

S. 4303. A bill for the relief of Floyd Oles; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 4304. A bill to authorize an Under Secretary of State for Western Hemisphere Affairs; to the Committee on Foreign Relations.

(See the remarks of Mr. SMATHERS when he introduced the above bill, which appear under a separate heading.)

AVAILABILITY TO CERTAIN COMMITTEES OF CONGRESS SERVICES OF EXPERIENCED SCIENTISTS AND CONSULTANTS

Mr. YARBOROUGH. Mr. President, I submit a concurrent resolution providing for the creation of a panel of not less than 100 scientists, to be appointed on a rotating basis, to keep Congress advised of matters pertaining to the national defense.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 119) was referred to the Committee on Government Operations, as follows:

Whereas the Congress of the United States of America and the scientific community are in urgent need of continuous consultations in order to serve the needs of the United States of America appropriately and adequately in the general national interest and for the national defense needs in the present period of accelerated research and development;

Whereas problems and issues of great significance to mankind are daily before the Congress of the United States, and the solution of many of those problems and issues require contributions from the knowledge and experience of the scientific community; and

Whereas the Congress has need for consultation with qualified members of the scientific community in arriving at timely and judicious decisions and procedures: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(a) a continuously revised and rotated panel of not less than 100 competent and experienced members of the scientific community of the United States who are available for service on request as scientific consultants to committees of the Congress should be prepared by the Committees on Government Operations of the Senate and the House of Representatives; and that select personnel of such a panel should be made available to the appropriate committees of the Congress; and upon committee invitation, at least semiannual reporting and/or conferring should be arranged and otherwise meetings should be called by the request of the chairman of appropriate committees of the Congress;

(b) individuals whose names are selected for placement upon such panel should be chosen from Government officers and employees and from individuals in private life on the basis of competence, experience, integrity, availability, and ability to communicate not only to professional scientists, but to laymen; and

(c) the Committees on Government Operations of the Senate and the House of Representatives should devise suitable procedures to provide for individuals whose names are placed on such panel appropriate compensation and reimbursement for expenses incurred while rendering service for Congressional committees.

Mr. YARBOROUGH. Mr. President, the Committee on Government Operations considered Senate bill 3126, a bill to create a Department of Science and Technology. In the course of the consideration of the bill, the committee found there had been no regular consultation between the scientific community and Congress.

The Russian sputniks awakened both Congress and the general public to the urgent need for accelerated developments of basic scientific research, as well as the construction of modern defense weapons.

In order to make sound appraisals of the programs submitted by the various defense forces, the advice of eminent scientists is necessary on a continuous basis.

In December 1957, after the firing of the sputniks, Congress called top scientists to Washington to testify on the problems arising from our lag in missles and rocket development.

However, only one committee held hearings, and no regular means of collaboration with the scientific community was established beyond the hearing date. The accelerated development program undertaken by the defense forces has produced results which now need reexamination and reevaluation.

During the week of August 9, 1958, the Secretary of Defense invited 20 top scientists of the United States to review the development programs at the Institute of Defense Analysis and to discuss the future plans for the fundamental research for the Defense forces. In contrast, Congress has not had the benefit of current advice on the developments. As a consequence, Congress lacks adequate knowledge on which to base sound appropriations. Furthermore, general policies in the Middle East and elsewhere cannot be safely made while these developments remain without evaluation by the Congress.

The concurrent resolution I submit today supplies a possible means for periodic reporting and conferring with select personnel of the scientific community by the committees of the Congress. Such a channel is urgently needed.

I hope the Senate will give speedy and favorable consideration to the concurrent resolution.

FLOYD OLES—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. JACKSON submitted the following resolution (S. Res. 379), which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 4303) entitled "A bill for the relief of Floyd Oles," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

INCREASED FEES TO CERTAIN PERSONS DELIVERING SPECIAL-DELIVERY MAIL

Mr. JOHNSTON of South Carolina. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 3 of the act of March 2, 1931 (46 Stat. 1469), to increase the fees to be paid as compensation to certain persons making delivery of special-delivery mail. I ask unanimous consent that a letter from the Postmaster General requesting the proposed legislation be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 4301) to amend section 3 of the act of March 2, 1931 (46 Stat. 1469), to increase the fees to be paid as compensation to certain persons making delivery of special-delivery mail, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The letter presented by Mr. JOHNSTON of South Carolina is as follows:

WASHINGTON, D. C., *July 28, 1958.*

The PRESIDENT OF THE SENATE,
United States Senate,
Washington, D. C.

DEAR MR. PRESIDENT: Submitted herewith, for consideration by the Congress, is proposed legislation "To amend section 3 of the act of March 2, 1931 (46 Stat. 1469), to increase the fees to be paid as compensation to certain persons making delivery of special-delivery mail."

Section 3 of the act of March 2, 1931 (46 Stat. 1469), provides:

"For making special delivery there may be paid to the messenger or other person making such delivery 9 cents, for matter of the first class weighing not in excess of 2 pounds, 10 cents for matter of other than the first class weighing not in excess of 2 pounds, 15 cents for mail matter of any class weighing more than 2 pounds but not in excess of 10 pounds, and 20 cents for mail matter of any class weighing in excess of 10 pounds.

Although this provision is not applicable to special-delivery messengers at first-class post offices, it governs the payment of fees as compensation for the delivery of special-delivery mail at post offices of the second, third, and fourth class, and by rural carriers and star route contractors at post offices of the first class (25 Comp. Gen. 71, 287).

The amount of the fees payable as compensation for such special-delivery service has not been increased since the enactment of the law on March 2, 1931, whereas the compensation received by other postal employees has been increased considerably. Also increases have been made in the fees charged for the mailing of special-delivery mail. It is estimated that the increases will produce revenue of approximately $6.5 million per annum. Accordingly, it is proposed to increase the fees payable under section 3 of the act of March 2, 1931, to persons making delivery of special-delivery mail.

The attached legislation is designed to accomplish the purpose desired. It will modify the present law to specify the persons who may now be paid a fee for the delivery of special-delivery mail.

The total expenditures during the fiscal year incident to the payment of fees as compensation for the delivery of special-delivery matter are around $421,000. It is estimated that the enactment of the proposed bill will result in an increase in expenditures for this service of approximately $280,000 per annum. However, in the circumstances it is believed that this increase in expenditures is warranted. The best interests of the service demand that reasonable compensation be paid and fees authorized for personal services in 1931 are certainly not adequate for payment in 1958.

The Bureau of the Budget has advised that there would be no objection to the submission of this legislative proposal to Congress.

Sincerely yours,

ARTHUR E. SUMMERFIELD,
Postmaster General.

VARIATION OF 40-HOUR WORKWEEK OF FEDERAL EMPLOYEES FOR CERTAIN PURPOSES

Mr. JOHNSTON of South Carolina. Mr. President, by request, I introduce, for appropriate reference, a bill to permit variation of the 40-hour workweek of Federal employees for educational purposes. I ask unanimous consent that the letter of the Administrative Assistant Secretary of the Interior requesting the proposed legislation be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 4302) to permit variation of the 40-hour workweek of Federal employees for educational purposes introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title,

and referred to the Committee on Post Office and Civil Service.

The letter presented by Mr. JOHNSTON of South Carolina is as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
Washington, D. C. July 29, 1959.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

DEAR MR. PRESIDENT: There is enclosed a draft of a proposed bill, "To permit variation of the 40-hour workweek of Federal employees for educational purposes." We suggest that the bill be submitted to the appropriate committee for consideration and recommend that it be enacted.

Section 210 of the act of September 1, 1954 (68 Stat. 1112, 5 U. S. C. 944 (2)) amended section 604 (a) of the Federal Employees Pay Act of 1945 to provide that Government agencies shall provide with respect to all their officers and employees—(A) that assignments to tours of duty shall be scheduled in advance over periods of not less than one week, (B) that the basic forty-hour workweek shall be scheduled on five days, which shall be Monday through Friday wherever possible and the two days outside the basic workweek shall be consecutive, (C) that the working hours in each day in the basic workweek shall be the same, (D) that the basic nonovertime workday shall not exceed eight hours, (E) that the occurrence of holidays shall not affect the designations of the basic workweek, and (F) that breaks in working hours of more than one hour shall not be scheduled in any basic workday. Certain exceptions are made but these exceptions are too narrow to give the Department the flexibility deemed necessary.

The purpose of the statute referred to was apparently to prevent indiscriminate assignment of employees to uncommon or inconvenient tours of duty. This is of course highly commendable and the Department is fully in accord with such a legislative aim. However, if rigidly construed it would unfavorably affect a certain class of employees—namely, those needing a variation in tours of duty for educational purposes.

Before the enactment of these provisions it was common practice for the Bureau of Mines to vary the 40-hour workweek to permit some of its technical employees to complete requirements for technical degrees or for other educational purposes of direct or indirect benefit to both the Bureau and the employee. Many of the installations of that Bureau are on or near college or university campuses and the aid given by the Bureau employees in working hour arrangements had excellent results in recruitment and development programs.

Outside education benefits the Government since it broadens the scope of employees' abilities and provides recruitment and retention incentive. Advanced education enables employees to keep abreast of developments in their fields. This is especially important for all Government agencies whose main functions are that of research and development.

The Government is already at a serious disadvantage in competing with industry for professional and scientific personnel in pay and opportunities for advancement. Industry encourages outside education; many companies permit work schedule adjustments to permit the employee to further his education, and in many cases the companies provide the opportunities for this outside study free to the employee and often on company time. Approval of the proposed legislation would aid materially in increasing the supply and caliber of scientists and engineers that are so urgently needed in the present critical times. Such legislation would not only benefit the Bureau of Mines but also other bureaus of the Department and other Government agencies as well.

The Bureau of the Budget advises that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,
D. OTIS BEASLEY,
Administrative Assistant,
Secretary of the Interior.

AMENDMENT OF PACKERS AND STOCKYARDS ACT—REPRINTING OF BILLS

Mr. O'MAHONEY. Mr. President, on the 15th of May the Senate passed Senate bill 1356, a bill to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts or practices and other unlawful restraints in commerce by certain persons engaged in commerce in meat products, and for other purposes. The bill was sent to the House of Representatives, but it was never printed by order of the House, as it passed the Senate.

On Tuesday last the House passed House bill 9020, a bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes.

This measure deals with the same subject. The House bill has now come over from the House, and lies on the table. I ask unanimous consent that both these measures may be printed for the use of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the executive calendar, beginning with the new reports.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of James L. Kinzie, to be postmaster at Troutville, Va., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

B. Hayden Crawford, of Oklahoma, to be United States attorney for the northern district of Oklahoma; and

Paul W. Cress, of Oklahoma, to be United States attorney for the western district of Oklahoma.

By Mr. BYRD, from the Committee on Finance:

William M. Drennen, of West Virginia, to be judge of the Tax Court of the United States.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar, beginning with new reports, will be stated.

UNITED STATES CIVIL SERVICE COMMISSION

The Chief Clerk read the nomination of Barbara Bates Gunderson, of South Dakota, to be Civil Service Commissioner for the remainder of the term of 4 years expiring March 1, 1961.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. CLARK subsequently said: Mr. President, the Gunderson nomination was not acted on during consideration of the executive calendar, was it?

Mr. JOHNSON of Texas. Yes, and the nomination has been confirmed.

Mr. CLARK. I had asked to be notified before the nomination was considered.

Mr. JOHNSON of Texas. To whom did the Senator from Pennsylvania make his request?

Mr. CLARK. To Mr. Baker and Mr. McDonell.

Mr. JOHNSON of Texas. No such notice has been given to me; on the copy of the calendar which I have, the nomination is marked "O. K."

Mr. President, in view of the request of the Senator from Pennsylvania, I ask unanimous consent that the vote by which the Gunderson nomination was confirmed be reconsidered.

The VICE PRESIDENT. Is there objection?

Mr. CARLSON. Mr. President, do I correctly understand that it was the desire of the Senator from Pennsylvania to speak on the nomination before it was acted on?

Mr. JOHNSON of Texas. Yes.

Mr. CARLSON. Very well; I shall not object.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas that the vote by which the nomination was confirmed be reconsidered? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, let me state that I expect to speak for less than 10 minutes on the nomination. It was my understanding that the nomination would be taken up after the social security bill was disposed of.

Mr. JOHNSON of Texas. I do not know who gave the Senator from Pennsylvania that understanding. The Senate acts on the executive calendar every morning.

Mr. CLARK. Mr. Baker told me.

If the Senator from Texas wishes me to proceed ad lib with my remarks on the nomination, I am willing to do so.

Mr. JOHNSON of Texas. That will be agreeable to me.

Mr. CLARK. Mr. President, I rise to note an objection to confirmation of the nomination of Barbara Bates Gunderson of South Dakota, to be a Civil Service Commissioner for the remainder of the term expiring March 1, 1961.

At the outset, let me say that my objection has nothing to do with the character of Mrs. Gunderson, which I am sure is beyond reproach; nor does my objection have anything to do with the latent and inherent ability of Mrs. Gunderson, because I am confident that she is an extremely able woman.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, the biography of Mrs. Gunderson which was approved by her and which was before the members of the Committee on Post Office and Civil Service when her nomination was under consideration by it.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

BARBARA BATES GUNDERSON (MRS. ROBERT W. GUNDERSON)

Born: Bradley, S. Dak., March 28, 1917.

Education: 1938 Yankton College, S. Dak., bachelor of arts.

Marital status: Married.

Experience:

1938–41: Radio writer, broadcaster, women's director, stations WNAX, Yankton, S. Dak.

1941–42: Radio director, R. J. Potts, Calkins & Holden Agency, Kansas City, Mo.

1942–46: Chief of continuity, featured broadcaster, station WOW, Omaha, Nebr.

1947–49: Chief of continuity, featured broadcaster, station KOTA, Rapid City, S. Dak.

Since 1952: Free lance writer, McCalls, Seventeen, Saturday Evening Post, Life.

Since 1952: Member of Republican National Committee; member, Citizens for Eisenhower (vice chairman, Pennington County, S. Dak.); covice chairman for State of South Dakota.

1954: National cochairman, Citizens for Eisenhower Congressional Committee, District of Columbia.

Appeared on 21st annual New York Herald Tribune forum, December 1952. With Mr. Gunderson, was team of Government observers to surplus food distribution, Germany and France, December to January 1955. Member, National Safety Advisory Council Spokesman for Republican Women in Politics forum, Rockford, Ill., College. In 1957, keynote speaker Status of Women, American Association of University Women, Minneapolis.

Home: 3625 Hall Street, Rapid City, S. Dak.

Present position: Member, Republican National Committee.

Mr. CLARK. Mr. President, from a reading of Mrs. Gunderson's biography, it will be clear that Mrs. Gunderson has been an active and effective citizen in women's groups in South Dakota; that she has made a good living as a radio commentator and as a free-lance writer; that she is married to a member of the bar; and that during her entire career she has not had the slightest connection with anything remotely having to do with personnel management.

Mr. President, in my opinion there is an excellent chance that by the time her term expires on March 1, 1961, Mrs. Gunderson will have become a good Civil Service Commissioner. At the moment she knows no more about the work of a Civil Service Commissioner than she does about the work of a surgeon; probably less than she does about the work of a lawyer, because her husband is a lawyer. In fact, she has absolutely no qualifications for the particular position to which she has been nominated.

I say again that my comments are intended as no reflection on Mrs. Gunderson. I am sure her activities in television, radio, and public relations work would qualify her to be a Federal Communications Commissioner; would qualify her for a high position in the United States Information Service; would qualify her for a number of other positions in the Government to which her stalwart work for the Republican Party probably entitles her.

Mrs. Gunderson is national committeewoman for South Dakota. I am sure she is a good one. Certainly the results of party conflicts in South Dakota would indicate that the Republican Party in which she has played an important part has had success in that State.

If there is one position in the Government of the United States to which Mrs. Gunderson should not have been appointed, it is as a Civil Service Commissioner. That is a job which calls for an individual qualified in personnel administration. That is a job which calls for a person who has not had in the immediate past an active connection with partisan politics.

When the nomination of Mr. Flanagan to be a member of the Civil Service Commission was sent to the Senate by the President, I thought that was about as bad an appointment as it would be possible for the President to make. I am glad to say the nomination was withdrawn after the facts appeared.

I am fully aware of the long history of advice and consent of the Senate to executive nominations. I know it is not customary for the Senate to refuse to advise and consent to the nominations of individuals of good character, individuals of intelligence and ability, whether or not they have the slightest qualifications for the position to which they have been nominated.

For that reason, I do not press the objections which I am now filing as a matter of record. I merely want these few comments to indicate to the people of the United States and to the White House that the kind of nominations of unqualified persons which are being sent to the Senate month after month are doing a disservice to the administration of the executive arm of the United States Government.

I regret having to make these remarks, because Mrs. Gunderson, in addition to being a woman of intelligence and ability, is a very charming lady. I would not want anything I have said here to be taken as a reflection on her, in any way. My reflection is not on her, but on the White House. The Civil Service Commission today stands at its low point in history. Its present chairman had no particular qualifications for his appointment other than that he was a defeated member of the Republican Party in the Congress of the United States from Kansas. The minority party member, to be sure, is qualified by reason of his long service in Government.

Now we have the name of a nominee sent to the Senate who has no knowledge of personnel administration—a charming lady, but one who has never employed more than 5 or 6 people. I think it is a shame.

I have trespassed too long on the time of the Senate. I shall take no further steps in opposition to the nomination.

Mr. KNOWLAND. Mr. President, I merely wish to say I think the distinguished Senator from Pennsylvania was as inaccurate in his statement regarding Mrs. Gunderson as he was when he referred to the chairman of the Civil Service Commission as being from Kansas. He is former Representative Ellsworth, from Oregon.

Mr. CLARK. Mr. President, if the Senator will yield. I am glad he has called my attention to my mistake. I apologize for having made it. The RECORD now stands corrected.

Mr. KNOWLAND. It is true that anyone in public life, with rare exceptions, comes to his office without experience. There have been many Members of the Senate of the United States without experience as Senators, certainly, before they came here, and some who have come here without experience even in a State legislative body. That does not make them less qualified to be Senators of the United States.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will in a moment. One has to serve in a position to gain experience in it. I am sure in our history many persons who have had no legislative experience whatsoever have developed into qualified legislators. Many of our colleagues of today have developed into able and efficient legislators. Many persons who have been elected to positions in Government, as mayors or governors or as supervisors, had no experience for the offices to which they were chosen, but they gained experience and became able public servants.

I would not want either our appointive or elective officials to be limited only to those who have had experience in the particular fields for which they were chosen, because if we did that we would soon build up a class of officeholders, and none who had not had such experience would be considered eligible. I think the public service would lose a great deal as a result.

I have known Mrs. Gunderson for a number of years. I know that she is a person of integrity and ability, and I think she will add to the service in the new capacity to which she has been called.

I merely wanted to state these few words, because sometimes the question of experience is raised. I do not think it is a valid argument against a person of intelligence, integrity, ability, and devotion to the public good, who may bring a fresh point of view to our public service.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KNOWLAND. Yes; I yield to the Senator from Pennsylvania.

Mr. CLARK. I think my good friend from California would agree with me, would he not, that the situation of an elected official, who is put in office as the result of an election by his constituency, is different from that of an official appointed to a position which requires some specialized knowledge?

Mr. KNOWLAND. I do not care to reopen a lot of old wounds or go back too much into past history, but even in the 13 years I have been in the Senate, through two administrations, I can recall some persons in appointive positions who were selected for those positions when they had no prior experience, and who, I think, had fewer qualifications than has Mrs. Gunderson for the office to which she has been appointed.

Mr. CLARK. I think my friend knows he has not answered my question. There is no particular reason for him to answer if he does not care to. I should like to ask one more question, and then I shall drop the matter. I do not want to prolong it, either.

I am sure the Senator agrees it would be unwise to appoint an individual to the Supreme Court who was not a lawyer, or to appoint to the Public Health Service an individual with no training along public health lines. I suggest that this appointment presents the same situation. I know my friend disagrees.

Mr. KNOWLAND. I do not agree on that point.

I will say, in answer to the Senator's specific question as to whether I feel there is a difference between elective positions, to which I have previously referred, and appointive positions, other than doctors, as to which the answer is obvious, I do not think there is a basic difference. I should like to see the public service opened up to people who are not necessarily those who have had experience in a particular job. I think if persons have an interest in public service and have taken an interest in civic matters, if they have ability, integrity, and intelligence we should not foreclose appointive positions to them.

Mr. CLARK. I suggest that the Senator's point of view was far more pertinent 100 years ago than it is today.

Mr. CARLSON. Mr. President, I regret sincerely that the distinguished Senator from Pennsylvania has brought up this issue this morning. While the Senator is within his rights in making a statement with regard to the nomination of Mrs. Gunderson, this nomination was thoroughly discussed in the committee, as the distinguished chairman of the committee, who is on the floor, well knows. While the nomination was not recommended unanimously in the report of the committee, the vote was substantially unanimous.

I did not want to have to discuss this matter. I became a Member of Congress in 1935. I served during the administration of President Roosevelt. I served during the administration of President Truman. I have always felt that a President is entitled to nominate persons he wanted to nominate for positions in the executive department. I have felt that if there was no question as to integrity or character, the nominations should be confirmed.

The Ways and Means Committee of the House of Representatives did not have the power to confirm nominations to positions in the executive branch of the Government, but I was a member of that committee when the then President sent to Congress the nomination of Robert Hannegan to be Commissioner of Internal Revenue. There was quite considerable discussion in the committee about the matter. I think everyone would agree Mr. Hannegan's main qualification was that he was chairman of the Democratic National Committee; there can be no question about that. Yet Mr. Hannegan's nomination was confirmed. I thought the President was entitled to submit his nomination.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CARLSON. Not at the present time.

I was a member of the Committee on Ways and Means at that time. I remember the discussion very well.

I was a member of the Committee on Ways and Means when the then President submitted the name of Oscar Ewing to be Federal Security Administrator. We discussed that nomination in the committee. While there was no action we could take on the nomination, there was a question as to why the President should make the nomination. The main qualification of Mr. Ewing was that he was the treasurer of the Democratic National Committee and collected moneys for the campaign.

We are considering a bill having to do with an agency which deals with people. At the present time there are 75 million people on the rolls of social security. The roll was not that large at the earlier time, but it was building up very rapidly.

I think the distinguished Senator from Pennsylvania, who has not been a Member of the Senate so many years, should keep in mind these facts. I hope the Senator will agree that whenever Presidents, Democratic or Republican, send to Congress nominations the President is entitled to submit those names and, as I said earlier, if there is no question as to integrity or character, the nominations should be confirmed. I have always followed that procedure myself.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CARLSON. Not yet. I should like to speak briefly about Mrs. Gunderson. I am pleased to do so. Mrs. Gunderson's qualifications are in the RECORD.

I said the other day in the committee, and I repeat: It is about time we began to get some people in Government who have an interest in the individual. There are some who would like to look on every Federal employee in the Government service through a Form 57, with a social-security number, and regard that person as a statistic. I think it is about time we should have officials with a little milk of human kindness in their natures and a personal interest in the workers of the Government. I think that is one thing we are going to get from Mrs. Gunderson. Mrs. Gunderson has demonstrated she is able to work with people.

After all, that is what is important in this life. That is what politics represents—working with people, knowing how to work with people, and having an interest in them.

Mr. President, I sincerely hope the nomination will be confirmed

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CARLSON. I am happy to yield.

Mr. CLARK. First, I apologize to my good friend from Kansas for having suggested that the present chairman of the Civil Service Commission came from his State. I am happy to acknowledge that is not correct.

Secondly, if I may ask my good friend from Kansas a question, does he not think the whole burden of his argument with respect to Mr. Hannegan and Mr. Ewing is merely the theory that two wrongs make a right?

Mr. CARLSON. The distinguished junior Senator from Pennsylvania is absolutely in error. I do not make that contention. I make the contention that the President is entitled to submit nominations, and if there is nothing wrong with the character or integrity of the nominees it is up to the Senate to confirm the nominations. I have voted before according to that principle. I expect to continue to do so.

Mr. JOHNSTON of South Carolina. Mr. President, I am the chairman of the committee which reported the nomination to the Senate. We in the committee voted for the confirmation of the nomination.

I look upon the appointments of the President, perhaps, not in the same light as do some others. I think the President should have certain rights in making appointments. I have been a governor of a State. I felt that the time I was governor that I had certain prerogatives as governor. The State senate, in confirming my nominations, looked upon them as appointments by the governor. The records of the nominees would be studied to ascertain if they were qualified for the positions, or disqualified because of some activities in the past.

In considering the instant nomination, I am reminded of the time I was asked to go to the White House to confer with President Roosevelt, I believe in 1937.

I was governor of my State at that time. The President said he was polling people and talking with various and sundry people about the appointive power, and wanted me to give him my honest and candid opinion. He said, "I simply want to know your opinion. I am feeling out various governors and various other people with respect to exactly what would be their reaction if I should appoint someone to the Supreme Court who was not a lawyer."

I did not hesitate to tell the President I thought such an appointment would be out of order, because I thought a man appointed to serve on the Supreme Court ought to know the law, and ought to know something about the interpretation of the procedures and various and sundry matters concerning law.

When I first met the present nominee and looked into the case, I learned she had not had any qualifications for the office so far as her experience in the past was concerned. I must say, however, that is not all we must look into. I was very much impressed by Mrs. Gunderson's testimony, and the committee and I were impressed with the fact that she is a lady of exceeding ability. I believe she will gain experience in working with the other Commissioners. There are two other Commissioners with whom she will work. I believe she will be more or less a good influence with respect to the other Commissioners, for the reason that I think she will be looking at the different cases which come before the Commission purely from the standpoint of justice. In respect to activities in the particular field in which she will act as Commissioner, as the cases come up, a great deal will be left to commonsense.

Moreover, she will probably know the likes and shortcomings of her own sex. About 50 percent of the employees who will be under her jurisdiction are of her sex. That being so, I think it is a good thing to have one woman on the Commission. I think it would have a good effect on the Commission. I tried to look at the question from that standpoint, and I believe the commmittee did also.

What impressed me more than anything else about her testimony was that when she did not know something she did not try to pretend that she knew something about it. That is a pretty good sign. A person who acknowledges that he does not know anything about a particular subject is a person who is likely to labor to learn something about it.

I asked her if she had any recommendations to make. She said she had not. She said, "I have not studied the subject, and I have not had time to look into it thoroughly, and for that reason I prefer to answer your question in the negative." She answered other questions along the same line. Her character and reputation are beyond question. In my opinion she will be a good Commissioner.

Mr. NEUBERGER. Mr. President, I desire to point out to the Senate why I voted in committee to confirm the nomination of Mrs. Barbara Bates Gunderson to be a member of the Civil Service Commission. I might have wished that we had a Democratic President in the White House who would have appointed a Democratic member of the Civil Service Commission. There being a Republican in the White House, I think the President had an equal right to appoint a Republican Civil Service Commissioner.

Recently I have been reading a historic—and I believe monumental—book, written by an outstanding constituent of the senior Senator from California, Dr. Joseph P. Harris, of the department of political science of the great University of California at Berkeley. The title of the book is "With the Advice and Consent of the Senate." It is a definitive work on the subject of confirmation of nominations by the United States Senate: It is in keeping with the high reputation of Dr. Harris for scholarship.

Dr. Harris pointed out that there have been some administrations in our history which have not put greater emphasis on partisan political considerations in making appointments. Other administrations have laid great stress on it.

I think this administration had laid much stress—perhaps undue stress—on partisan political allegiance to the administration. But I do not believe that this constitutes any valid, justifiable ground for rejecting a nomination.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. NEUBERGER. Not now.

Mrs. Neuberger and I spend a great deal of time traveling around our State, visiting colleges and high schools, and urging students to take an active part in politics. We often quote Elihu Root, Secretary of State under President Theodore Roosevelt. He said, "The principal grounds of reproach against an American citizen is that that citizen is unwilling to be a politician." I think it is very poor practice for those of us in office, and for the press and other media of public opinion, to encourage young men and young women to go into partisan politics—either in the Democratic Party or in the Republican Party—and then to make such activity a criterion for rejecting the nomination of an individual to some appointive post in the executive branch, or to some commission within our Government. I feel that partisan political activity, on the part of an appointee of the President of the United States, certainly should not be used by any Member of the Senate as a reason for voting against confirmation of the nomination of a particular individual.

Coming from the State of Oregon, I have a particular interest in this question. In January 1957, the President appointed as Chairman of the Civil Service Commission, Harris Ellsworth, a defeated Republican Member of the House of Representatives from the State of Oregon. Mr. Ellsworth had been far more active in partisan politics than Mrs. Gunderson has been. He had held partisan political office for a good many years; and, if I may say so—and I think I can say so without being offensive—he was a particularly partisan Republican. Yet the nomination of Mr. Ellsworth to be Chairman of the Civil Service Commission was confirmed on April 17, 1957. I have before me the record of the vote. I find that the distinguished senior Senator from Oregon [Mr. MORSE], who is present in the Chamber, spoke in favor of confirmation of his nomination. I find that the junior Senator from Oregon spoke in favor of confirmation, and the distinguished Senator from Kansas [Mr. CARLSON], the ranking Republican member of the committee, spoke in favor of the nomination.

In my opinion—although Mrs. Gunderson does not come from my State, as does Mr. Ellsworth—she is just as well qualified to be a member of the Civil Service Commission as is Mr. Harris Ellsworth. I also believe it is wise to have a woman member on the Commission, for over 50 percent of all Federal employees are of that sex.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. CLARK. I should like to ask my friend whether he does not believe that his argument is that two wrongs make a right.

Mr. NEUBERGER. No; it is not. It has been the practice in our history, under Democratic as well as Republican administrations, to appoint to office those who have been active in partisan politics. Some have been successful in office, and some have been unsuccessful; but a partisan political background was not the determining factor. If we did not want partisan members on the Commission, we should have rejected the nomination of Mr. Ellsworth to be Chairman of the Commission.

Mr. CLARK. In my judgment, we made a serious error in not rejecting the nomination of Mr. Ellsworth to be Chairman of the Commission. I am startled because my good friend, with whom I almost always agree, does not clearly see the difference between putting a partisan politician on the Civil Service Commission and putting him or her in almost any other branch of Government. This is one agency in the Government in which partisan political considerations should not enter into decisions.

Mr. NEUBERGER. I will say in reply to the Senator from Pennsylvania that I would rather have a partisan politician in charge of the Civil Service Commission than to have one in charge of the Internal Revenue Service, which reaches into the pockets of every single taxpayer of the United States.

Mr. CLARK. That is the same argument—two wrongs make a right.

Mr. NEUBERGER. Let us face up to the fact that throughout the history of the country Presidents of the United States have drawn from their own political followers, from people who gave them allegiance in political campaigns, for appointment to appointive offices. I am not saying that that is wholly right, but when the nomination of Mrs. Barbara Bates Gunderson comes before the Senate, I do not think that is the time to reverse a practice which dates far back to 1789.

If we are to have a new set of criteria, the Committee on Post Office and Civil Service should hold hearings, and should come forward with a statement of policy and a committee report saying that in the future, partisan political activity should perhaps be cause for rejection of a nomination, and the Senate should debate that issue on its merits.

This practice, as I say, dates back to 1789. This is a poor time, when the nomination of a woman comes before the Senate for confirmation, to reverse that practice. There is not a single blemish on her character, her loyalty, her integrity, or her patriotism. This is no time suddenly to propose a new set of standards for confirming nominations.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. CASE of South Dakota. I wish to express my appreciation to the distinguished Senator from Oregon for the statement he has made. I also express my appreciation for the statement by the chairman of the committee [Mr. JOHNSTON], the distinguished Senator from South Carolina, and to our distinguished minority leader, the Senator from California [Mr. KNOWLAND].

I particularly wish to commend the Senator from Oregon for what he has said with respect to the question of party affiliation. It would be impossible for the President to name a member of the Civil Service Commission who did not have a party affiliation. The only requirement in the law for membership on the Civil Service Commission is that the

President shall not name more than two who are members of the same political party. Unless some political identity was established for the nominee, it would be impossible for the President to know whether he was abiding by the law. It is expected that the nominees will have a party affiliation.

With respect to Mrs. Gunderson, I might say that her major political activity before she became national Republican committeewoman for South Dakota was her activity in the bipartisan movement to enlist Mr. Eisenhower's interest in becoming a candidate for President. She was cochairman of the citizens for Eisenhower movement in 2 different campaigns, 1 of them a Congressional campaign.

In South Dakota, there might arise some doubt about Mrs. Gunderson's qualifications for receiving an appointment from the President from those who perhaps are not too happy about the fact that in the strictest sense of the term she has not been a hidebound Republican, so to speak.

Mr. NEUBERGER. I am gratified to learn that.

Mr. CASE of South Dakota. Her attitude has been one of respect for merit wherever it exists. I might even go further and point out that the Senator from Pennsylvania, when he was interrogating Mrs. Gunderson, developed some of the qualifications of the lady. He asked her if she was a member of the American Association of University Women. With the gentleness which she has always displayed, she said that she had been president of the largest AAUW chapter in South Dakota, with 250 members. The frankness, candor, and honesty which the chairman of the committee has already noted certainly were present and could be noted by anyone at the hearing who went there with an objective point of view.

Mr. NEUBERGER. I should like to call to the attention of the Senator from South Dakota, at this point, that when Representative Ellsworth was confirmed to be Chairman of the Civil Service Commission the senior Senator from Oregon [Mr. MORSE] cited four criteria for a nominee for such a position. I am summarizing them, and am not reading them in full. They were, first, character qualifications. Second, the question of patriotism and loyalty to our system of government. Is the nominee competent? That was the third qualification. Last, is the nominee free from any conflict of interest?

I believe those were very reasonable criteria as set down by the senior Senator from Oregon. If I am not mistaken, Mrs. Gunderson certainly has met favorably all those criteria. If she has not met them, certainly the matter was not brought to our attention in committee.

Mr. CASE of South Dakota. I believe that in her personal testimony she met those tests. With respect to the point which the chairman of the committee has made about her answers, she was forthright and she was frank. She did indicate that she regarded her primary responsibility as that of following the law. She said that if questions arose with regard to political activity or activity under the Hatch Act, it would be her responsibility to follow the law.

There is another point with reference to her appearance before the committee which is worthy of comment. I believe it was the Senator from Oregon [Mr. NEUBERGER] or the Senator from Oklahoma [Mr. MONRONEY] who commented on the fact that Mrs. Gunderson came before the committee without a prepared statement and without counsel at her elbow.

Mr. NEUBERGER. I believe I made that statement.

Mr. CASE of South Dakota. She answered every question that was asked of her. She met the questions as they were asked. She was not sarcastic. She was deferrential to the committee. Yet she did not hesitate to give a positive answer when she was asked a white and black question which called for a direct answer.

I believe she is eminently qualified for the position. As a person she knows how to work with people. She instills enthusiasm in any group she addresses or works with. Her service on the Commission will be marked not merely by the fact that, being a woman, she understands women's problems, but she also understands people as such. She will bring to the Civil Service Commission the viewpoint of a citizen. She ought not be disqualified because she has been able to show leadership. As the junior Senator from Oregon has said, we encourage young people to take an active part in politics. We ought not to disqualify them from positions of responsibility because they show an ability to lead and get to know people.

Mr. NEUBERGER. I thank the junior Senator from South Dakota. I now yield to the senior Senator from South Dakota.

Mr. MUNDT. Mr. President, I wish to express my appreciation to the distinguished Senator from Oregon, and to congratulate him on the fairminded and objective approach which he is making to a question of this type. It is typical of the kind of objectiveness and fairmindedness we are coming to expect of him on the floor of the Senate, based on the record which he is establishing.

It would be easy enough on either side of the aisle for the party which is out of power to vote against the confirmation of any nomination by the party in power. That is a natural political impulse. It is not, in my opinion, however, a recognition of the basic concept of how our Government operates or of responsibilities as Senators. I congratulate the junior Senator from Oregon on his appreciation of the fact that if we are to have party responsibility, the party in power must make the appointments. I do not believe we should vacate entirely or to any degree the right we have to vote against a nomination made by the President. I have voted against some nominations made by the President, who belongs to my party. It is our responsibility to do so if we have valid reasons. Certainly if in the mind of the President the nominee has the characteristics and background and experience to fill the position, the fact that she is a woman should not induce anyone to vote against her; or the fact that, as some believe, Government administrative positions should be filled entirely from among Federal employees already on the job. Some believe that. I do not share that view. Neither should any Senator vote against the nomination because he feels that the taxpayers should never be able to have their point of view brought into Government, and thereby have brought in a fresh, objective look from outside the Government.

As to the lady's party activities, to me they furnish a very fine qualification for a position of this kind. It is a qualification because the function and purpose of the Civil Service Commission is to secure people to work for the Federal Government, and they should be given positions on merit. They should be promoted on merit. Party considerations, whether Democratic or Republican, should not be permitted to interfere with the tenure and promotion of Federal employees once they become part of our civil service system.

How in the world are we to get members on the Civil Service Commission who understand how the political mechanism operates or how the political machinery functions or how the party organizations function, if we recruit every administrator from an ivory tower where the people have been active in neither Republican nor Democratic Party affairs?

I believe Mrs. Gunderson has been active enough in the Republican Party to understand how parties function. Political functioning is in itself a high qualification for a lady who is to umpire the honesty and objectivity of our civil-service system.

If we were called upon to get an umpire for a baseball game, I dare say no Senator would suggest that we get one who had never played baseball. The analogy is pat. The position of Civil Service Commissioner calls for someone to umpire the functions of the big service departments of this country. The person must have had some experience in politics to know whether the merit system functions honestly or not in its responsibility to prevent the operation of political preferment and to insist that promotions are on merit.

No one has questioned the lady's honesty. No one has questioned her character. No one has questioned her educational background. No one has questioned her experience outside the field of government. She has told the committee with honesty that when she becomes a member of the Commission she will doff her political hat and put on the hat of the umpire in this particular function, and that she will serve fairly and objectively. Anyone who knows her record knows that when she says something, she means it.

I commend not only the distinguished Senator from Oregon, but also the chairman of the committee, my good friend from South Carolina [Mr. JOHNSTON], with whom I have served on the Committee on Agriculture and Forestry, and who is known for his fair-minded approach. No one would imply, I am sure, that the distinguished Senator from South Carolina is a Republican, or that

he is influenced by Republicans. He is fair and honest, and he recognizes the fact that in our system of government we must recruit for service in the Government people who have demonstrated their leadership capacity and their capacity to function. Mrs. Gunderson is that type of citizen.

I also appreciate what has been said by other Senators who have spoken in support of Mrs. Gunderson. Speaking as one United States Senator, who has voted many, many times for the confirmation of appointments made by Democratic Presidents, when the Democratic Party has been in power, I appreciate the attitude of Senators on the other side of the aisle who say we are not engaged in a partisan approval of an appointee of the President, but that we are engaged in making the objective confirmation of a nomination, making an examination of the qualifications of a woman of high reputation, who has been appointed to do certain work which, in the main, has been, in my opinion, done too exclusively by men.

I am proud that the President has named a woman for this position. More than half the civil service employees are women. They are entitled to have on the Civil Service Commission a representative of their sex, and they are exceedingly fortunate in getting a woman who is able to speak up eloquently and persuasively in public and in committee rooms in support of any position in which she believes.

I believe that in the selection of an appointee for the Civil Service Commission, it is well to select someone who has actually had experience in politics, so that she can determine which activities are political and which are not. I urge her confirmation by the Senate.

Mr. NEUBERGER. I thank the distinguished Senator from South Dakota for his commendation of Mrs. Gunderson, and particularly for his generous references to the junior Senator from Oregon.

I now yield to my colleague, the senior Senator from Oregon.

Mr. MORSE. Mr. President, I associate myself with the remarks which have been made this morning by my colleague [Mr. NEUBERGER] on the floor of the Senate with respect to this nomination. This is an old issue with the senior Senator from Oregon, dating back to 1945, when the nomination of Henry Wallace to be Secretary of Commerce was before the Senate. I was then sitting on the other side of the aisle.

At that time I made a thorough research study of all the confirmation-of-nomination disputes in the history of the Senate. It took me some time to make that study, but when it was completed, I presented the analysis, as it will be found in the CONGRESSIONAL RECORD, in a rather long speech on the subject of Senate confirmations of nominations under the advice and consent clause of the Constitution.

My colleague, the junior Senator from Oregon, has cited all four of the criteria I mentioned in connection with the nomination of Harris Ellsworth by President Eisenhower for the Chairmanship of the Civil Service Commission. Those were not my criteria; they were the criteria followed by the United States Senate over the decades. They were based on the historic practice of the United States Senate.

There are four criteria which are always applied, except in those instances where the personally obnoxious objection is raised, and even that objection, as the cases show, goes primarily to the basis of the so-called character and competency qualifications.

I can remember very well the series of conferences I had with Professor Harris, of the University of California, to whose book my colleague has referred, because Professor Harris was then in the process of preparing the material for his book, and conferred with me about my study of 1945 on the Henry Wallace case.

The RECORD will show that in the debate on the Wallace case we checked off on the floor of the Senate each of those criteria by my asking the questions: Does any Senator want to challenge the character of Henry Wallace? Does anyone want to challenge the loyalty of Henry Wallace to his country? Does anyone want to challenge his general competency? Does anyone want to challenge his freedom from conflicting interests?

I think my colleague, Mr. NEUBERGER, has performed a service this morning in pointing out that in a democracy we should encourage public service. What is wrong with appointing party leaders of good character and competency to important Government posts? Are we to take the position that when one becomes a party leader, he or she then disqualifies himself or herself for public service? Granted that if a party leader should engage in a campaign of dirty politics and false representations he should not be nominated in the first place or confirmed in the second place. In such a case a Senator from the State of the nominee has the right to raise the personal obnoxious objection. However, this nomination does not involve such a case.

I have such faith in the democratic process that I believe, as I have said so many times, that when a political party is elected to office, the President of the United States has the right to appoint a party leader of good character and competency to a position of trust within his administration. He is entitled to have persons of his political faith carrying out the responsibilities of the offices which fall under the advice-and-consent clause of the Constitution. Therefore, I raise no objection to this nomination on partisan grounds. I shall support it.

Mr. NEUBERGER. I thank my colleague. I now yield to the Senator from Utah.

Mr. WATKINS. Mr. President, I associate myself with the very excellent statement made by the senior Senator from South Dakota [Mr. MUNDT]. I think he has put his finger squarely on the important question when he refers to the qualifications of a person who has been active in political life as being helpful rather than hurtful.

Certainly if we urge people to take an interest in the political affairs of the country, then we should not deny them the opportunity to serve their Government if they are appointed to positions of the kind the Senate is now considering.

I am only too happy to support the nomination of Mrs. Gunderson.

Mr. NEUBERGER. I thank the Senator from Utah for his observation. I now yield to the senior Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, there is one thing I have always thought should be a qualification of a person whose nomination comes before us for confirmation; that is, whether he or she has ever been active, in the right way, in running the affairs of our Government. I am proud that in the United States there are two great parties, one the Democratic Party, and one the Republican Party. I am always glad to see people take an interest in one party or the other. By having two strong parties, the United States has been made strong.

When the nomination of a person who has not taken an active part in politics in the past comes before the Senate for confirmation, then, so far as I am concerned, that is one factor which will help to disqualify him or her for the appointment.

I was glad when I learned that this nominee had taken an active part in politics. The only regret I had was that her activity had not been in the Democratic Party. I am sincere in making that statement. But, at the same time, in this country, where we have two great parties, a person is privileged to choose the one in which he or she wishes to serve. It is not for me to say that because a person has chosen one of the parties, he is disqualified for office.

I, for one, think Mrs. Gunderson made an excellent case when she said she had taken an active part in politics. I commend her for that. I commend all citizens who take an active part in politics. If they desire appointments such as the one which has been made, then, so far as I am concerned, I hope they have taken an active part in politics in the past. That will be really a qualification instead of a disqualification, when such a nomination comes before me.

Mr. MUNDT. Mr. President, I express my appreciation to my distinguished friend from South Carolina for what he has said, not only because it relates to a citizen who is a friend of mine and a credit to the State of South Dakota, but also because it is an expression of common sense.

We have all at times been active in trying to interest in political efforts men and women of our communities in whom we have confidence and whom we respect. Most Senators, I think, have delivered addresses at high school and college graduation exercises and have pointed out to the young graduates, who still had stardust in their eyes, that one of the things they should do when they grew up was to take an active part in politics. I think that is good counsel. I do not care whether they take such interest in the Republican Party or in the Democratic Party, so long as they exercise their right to do so.

As a Republican, naturally I would rather see them work in the vineyard of the Republicans; my friend from South Carolina would rather see them work in the vineyard of the Democrats. But I want them to be in one party or the other. I do not want them to say, "I have washed my hands of politics. I do not want to belong to any political party, because I want to be independent and form my own judgments and I consider politics as dirty business."

Therefore, I think it is commendable that the statements on this nomination have been made; and I am glad the debate of this morning has occurred, because I am confident that the Senate will never get itself into the position, on the one hand, of urging people to be active in politics, and, on the other hand, of dropping a blackball into the box when consideration is being given by the Senate to the nomination of someone who has been active in politics and then tries to "get into the club."

This nominee has been active in politics. Everyone knows that when a person becomes active in politics that person's qualifications are tested day by day, because about half of the people of the area immediately become critical as soon as they learn that a person has registered in a political party different from their own.

So I am happy to see the President nominate a person who has been active in politics, and whose qualifications thus have been carefully scrutinized and tested in public performances.

I commend the senior Senator from Oregon [Mr. MORSE] also for the scholarly review he has made of the entire confirmation practices of the United States Senate; and I also commend his colleague, the junior Senator from Oregon [Mr. NEUBERGER], for calling our attention to a current book which goes into that matter in great detail.

Mr. President, historic precedent and background exist in regard to this function, and the four criteria to which our attention has been called are significant. Certainly the Senate has a responsibility in this connection. So Senators should apply those criteria, and they should vote accordingly.

If any Senator has any private or personal information about a nominee which makes that Senator seriously question the nominee's loyalty, capacity, ability, morality, or honesty, then that Senator's responsibility is to vote against confirmation of the nomination and to bring such information to the attention of the Senate.

However, I am happy to say that in the instant case there is no such evidence; and I am pleased to believe that the Senate will vote overwhelmingly in favor of confirmation of the nomination of Mrs. Gunderson, as did the Committee on Post Office and Civil Service itself, in its good judgment, after meeting her and hearing her. We have heard no criticism of her ability, and we should consider her political experience an asset.

Mr. NEUBERGER. Mr. President, I ask that the nomination of Mrs. Gunderson be confirmed.

The PRESIDING OFFICER (Mr. CARLSON in the Chair). The question is, Will the Senate advise and consent to this nomination? (Putting the question.)

Mr. PROXMIRE. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I was seeking recognition by the Chair before the vote was taken on the question of confirmation of the nomination of Mrs. Gunderson.

The PRESIDING OFFICER. The vote on the nomination has not yet been completed and announced.

Mr. PROXMIRE. Very well.

Mr. President, I wish to make it clear that I am opposed to confirmation of the nomination of Mrs. Gunderson.

I believe the junior Senator from Pennsylvania [Mr. CLARK] has rendered a great service by the speech he has made this morning. It takes considerable courage—and the Senator from Pennsylvania is endowed with plenty of courage—for a Senator to oppose on the floor of the Senate a nomination on the ground that the principal qualification of the nominee is a political one.

The Senate is composed of 96 vigorous partisan politicians. They are here because they are proud of their party and believe in working for their party.

However, I believe the Senator from Pennsylvania [Mr. CLARK] has made a completely legitimate and basically defensible point when he has said that the Civil Service Commission, of all agencies, should be free from vigorous partisan politicians; and I think the Senator from Pennsylvania made a particularly strong point—and one which has not been answered in the course of all the very eloquent speeches which have been made on the other side of this issue—when he stated that the Civil Service Commissioners should be professionally qualified. However, I have not heard a single word which would establish the professional competence or professional qualification of Mrs. Gunderson for the position to which she has been nominated.

Mr. President, I am very proud and happy to say that I warmly support the position taken by the Senator from Pennsylvania [Mr. CLARK]. I think the entire record of American government—its record of clean government and responsible government—has been achieved by clean government fighters like the Senator from Pennsylvania opposing, and gradually overcoming, the spoils system. So I am glad the Senator from Pennsylvania is still in that fight; and I shall follow him just as long as he is in it.

The PRESIDING OFFICER. The Senate, in executive session, is considering the nomination of Barbara Bates Gunderson, of South Dakota, to be Civil Service Commissioner for the remainder of the term of 4 years expiring March 1, 1961.

The question now before the Senate is, Will the Senate advise and consent to this nomination? [Putting the question.]

The nomination was confirmed.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of the confirmation of this nomination.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the postmaster nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE AND EXECUTIVE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I should like to announce that at the conclusion of the consideration of the social security bill, I hope to have the Senate go into executive session to consider the nomination—previously passed over—of W. Wilson White, of Pennsylvania, to be an Assistant Attorney General. I expect the Senate to remain in session tonight, if necessary, to try to conclude action on that nomination.

The Senate has at least five very important bills on which it must complete action before sine die adjournment; they are the mutual security appropriation bill; the bill to extend the Renegotiation Act; the social security bill, which is the unfinished business, and which we hope to pass today; the bill to raise the ceiling on the public debt—which bill was reported yesterday; and the Agricultural Trade and Development Act. In the case of the last-mentioned bill, the action taken by the House must be accepted by the Senate, or there must be a conference.

On Monday, we expect to receive a report on the bill to extend the Renegotiation Act. We expect the social security bill to be passed today. We expect the bill to raise the ceiling on the public debt to be considered during the early part of next week. We expect the mutual security appropriation bill to be considered during the early part of next week.

Mr. President, I hope the Senate will be able to take final action today, at an early hour, on the social security bill. I understand that there are very few amendments to be proposed—perhaps only 2 or 3.

Then I hope the Senate will proceed to consider the White nomination. Several speeches will be made on the nomination; and Senators should be prepared to remain here for an evening session, if necessary, in order to have the Senate take final action on the nomination.

Mr. President, I know that the Members of the Senate will be glad to learn that we expect the Senate to adjourn sine die next week. How early in the week that adjournment will occur will depend on how long Senators wish to talk. If Senators wish to talk, they can talk—and talk and talk, and we can remain here another week. The Senator from Texas has no objection. But if Senators really want the session to adjourn, following completion of action on the five bills which must be acted on, and following completion of action on the conference reports, then the Senate can adjourn.

I expect to have a meeting of the policy committee; and I expect to have the Senate consider any general bills on the calendar which Members desire to have considered.

Mr. President——

The VICE PRESIDENT. The Senator from Texas.

ORDER FOR CALL OF THE CALENDAR ON MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order for the calendar to be called on Monday.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I should like to have the attachés of the Senate and the calendar committees for the majority and the minority take notice of this order and be prepared for the calendar call on Monday, as soon as the morning hour has been completed.

REHABILITATION OF YOUNG PEOPLE

Mr. JACKSON. Mr. President, under the able leadership of Governor Rosellini, the State of Washington has moved forward with a program to aid young people who have gotten on the wrong side of the law. The State operates Youth Forest Camps, where these young people work in a healthy atmosphere.

The camp in Thurston County, Wash., is a former CCC camp. This great program in the thirties did a great deal for our young people. It prevented much juvenile delinquency. Today, over 20 years later, this camp is still serving the Nation, by helping our young people.

Under this present State program, the State Department of Natural Resources cooperates with the State Department of Institutions, Division of Children and Youth Services.

Some 400 boys between 16 and 18 years of age have been at the Cedar River Camp, and over 90 percent have benefited from the opportunity. Usually, there are 32 boys at the camp, and their main work is in the forest. They serve as fire fighters and tree planters on the Capitol State Forest. They fix forest recreation areas, prune trees, maintain forest roads and trails, and help grow trees.

Many communities are struggling with the problem of how to help young people who need some special assistance to take their place in society. Our young people find that the atmosphere and the type of work at these camps gives them a chance to get their thoughts in focus.

The success that Washington has enjoyed with this program commends it for wider application.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Rx For Boys in Trouble—Life at Cedar Creek," which was published in the Weyerhaeuser magazine for May 1958.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RX FOR BOYS IN TROUBLE—LIFE AT CEDAR CREEK

He was young and he was in trouble.

Not an unusual combination. Behind the bars he could feel sorry for himself. But he knew he was no different than most young fellows who get on the wrong side of the law.

Then, for a change, something good came his way—a chance to straighten himself out at Cedar Creek Youth Forest Camp.

Like most of the fellows at the camp, he didn't know at first what it could do for him. It took some getting used to.

He started adjusting to it his first day there. He learned that the Cedar Creek Forest Camp is a former CCC camp.

He was told that the camp is run by the Division of Children and Youth Services of the State Department of Institutions, in cooperation with the State Department of Natural Resources.

The purpose of the camp was no secret. He knew it was there to help boys readjust to life. It had helped hundreds in just his fix to get back into step with society.

In 6 years of operation, the camp has seen nearly 400 boys between the ages of 16 and 18 come and go. Some of them, when they left, went into military service. Others returned to school.

So far, the record shows that more than 90 percent of the camp's "grads" have made successful readjustments and are happy, useful people, no longer fighting themselves and others around them.

Work duties included repair and upkeep of forest roads and fire trails in the 80,000 acres of the Capitol Forest Area in which the camp is situated. The 32 boys (usual camp population) also assist in reforestation work. They help improve stands of timber by trimming, pruning, thinning, and salvaging cedar.

The boys help improve the area for recreation and camping by opening up trails and building camp sites. As a fire-fighting crew, they serve the Thurston County District of the State Department of Natural Resources.

Much of the modernization of the camp has been done by the boys who have lived there. They rebuilt the barracks, and through their work have helped pay for their subsistence.

With the hard work, rest, and good food, most boys in the camp grow strong physically as well as mentally. Average weight increase for each boy who spends the usual 6 to 7 months in the camp is 25 pounds.

The forestry camp provides an opportunity for rehabilitation of the boys through training in forestry practices and good work habits. And it also provides assistance in caring for the State's interest in the Capitol State Forest.

Part of this interest is the 15-acre Capitol Tree Nursery near camp, and the 80-acre Tumwater Tree Nursery just out of Olympia. WTCo has contracted for the production of planting stock in both these tree nurseries. There are currently more than 3 million Weyerhaeuser seedlings growing in the Tumwater Nursery.

Viewing the boys in the forestry camp and the seedlings in the nursery, it might be said that these young men and young trees are together establishing firm roots and growth for the future.

NATIONAL FOREST PROGRAMS

Mr. JACKSON. Mr. President, it is with some reluctance that I rise near the close of this great, constructive session to discuss the National Forest timber sale program. All of us have a high opinion of the great work the Forest Service has done, and we in the Congress have done our best to make what has been a good program better.

The senior Senator from Oregon [Mr. MORSE] has expressed his concern about the national forest road program and the problems it has created in the Pacific Northwest. I shall not dwell on this point, except to state that the Department of Agriculture and the Budget Bureau have been instrumental in holding back this great work. The record shows this.

I ask unanimous consent that two tabulations be printed at this point in the RECORD. One sets forth the 5-year record of funds and accomplishments for timber sales administration and management. The other lists the entire picture for the major Forest Service appropriations, exclusive of the 10 percent fund made available for roads.

There being no objection, the tabulations were ordered to be printed in the RECORD, as follows:

Timber sales administration and management [1]

	Fiscal year 1955	Fiscal year 1956	Fiscal year 1957	Fiscal year 1958 [2]	Fiscal year 1959
Forest Service request to Department (Agency estimates)	$8,100,665	$8,922,500	$8,995,000	$13,435,000	$12,930,000
Department's request to Budget Bureau	$6,545,665	$7,745,000	$10,220,000	$12,529,950	$12,830,000
Budget estimate (President's budget)	$6,545,665	$7,745,000	$10,145,000	$12,505,000	$12,505,000
House allowance	$6,765,365	$7,745,000	$10,145,000	$12,505,000	$12,505,000
Senate allowance	$6,765,365	$8,745,000	$10,145,000	$12,505,000	$12,505,000
Appropriation act	$6,765,365	$8,745,000	$10,145,000	$12,505,000	$12,505,000
Timber cut (million board-feet)	6,328	6,907	6,974	6,420	[3] 8,000
Timber sold (do.)	[4] 9,627	6,837	6,533	[4] 13,290	[3] 8,500
Receipts, timber sales	$75,043,577	$110,127,124	$106,872,791	$86,275,208	[5] $112,666,000

[1] Adjusted to reflect appropriation structure in the 1958 budget estimates.
[2] Excludes $275,000 transferred to pest-control projects.
[3] Estimated.
[4] Includes: 1955, 1 50-year sale of 3,000,000,000 board-feet; 1958, 1 50-year sale of 5,250,000,000 board-feet.

Forest Service appropriated funds

Fiscal years	Forest protection and utilization [1]							
	Forest land management							
	National forest protection and management	Fighting forest fires	Insect and disease control	Acquisition of lands	Total, forest land management	Forest research	State and private forestry cooperation	Total, forest protection and utilization
Forest Service request to Department (agency estimates):								
1955 [2]	$35,733,351	$6,000,000	$6,657,130		$48,390,481	$7,540,525	$13,102,860	$69,033,866
1956	39,756,500	6,000,000	7,775,000	$75,000	53,606,500	10,194,000	12,706,690	76,509,190
1957	43,663,000	5,250,000	6,271,500		55,214,500	10,084,000	11,385,000	76,683,500
1958	73,278,400	5,250,000	6,418,550	100,000	85,046,950	13,401,626	16,872,000	115,320,576
1959	63,900,000	5,000,000	6,250,000	100,000	75,250,000	12,735,000	13,745,000	101,730,000
Department's request to Budget Bureau (Department estimates):								
1955 [2]	29,461,000	6,000,000	5,286,354		40,747,354	6,362,664	9,121,525	56,231,543
1956	32,411,500	5,250,000	6,107,500		43,769,000	7,254,000	9,600,000	60,623,000
1957	42,038,000	5,250,000	5,122,000		52,410,000	9,456,000	11,385,000	73,251,000
1958	62,245,650	5,250,000	5,208,550	100,000	72,804,200	11,346,000	13,247,000	97,397,200
1959	63,700,000	5,000,000	5,380,000	100,000	73,980,000	12,685,000	13,445,000	100,110,000
Budget estimates (President's budget):								
1955 [3]	29,935,000	6,000,000	5,015,000		39,950,000	6,528,500	9,123,000	55,601,500
1956	32,411,500	5,250,000	6,107,500		43,769,000	7,254,000	9,600,000	60,623,000
1957	41,998,000	5,250,000	5,120,000		52,038,000	9,350,000	11,385,000	72,773,000
1958	62,175,000	5,250,000	5,205,000	100,000	72,730,000	11,325,000	13,245,000	97,300,000
1959	58,052,000	5,000,000	5,205,000	100,000	68,357,000	12,128,000	12,195,000	92,680,000
House allowance:								
1955 [3]	30,132,700	6,000,000	4,800,000	75,000	41,007,700	6,528,500	10,608,690	58,144,890
1956	32,411,500	5,250,000	4,937,500		42,599,000	7,254,000	10,683,690	60,536,690
1957	41,998,000	5,250,000	5,120,000		52,038,000	9,350,000	11,385,000	72,773,000
1958	58,445,000	5,250,000	5,205,000	100,000	69,000,000	11,325,000	13,245,000	93,570,000
1959	58,552,000	5,000,000	5,205,000	100,000	68,857,000	12,128,000	12,195,000	93,180,000
Senate allowance:								
1955 [3]	30,960,000	6,000,000	5,075,000	125,000	42,060,000	6,918,500	10,683,690	59,662,190
1956	37,111,500	5,250,000	6,537,500	100,000	49,089,000	7,754,000	12,983,690	69,826,690
1957	46,032,500	5,250,000	5,120,000	100,000	56,533,500	10,650,000	15,165,000	82,348,500
1958	58,445,000	5,000,000	5,205,000	100,000	68,750,000	11,835,000	13,245,000	93,830,000
1959	70,652,000	5,000,000	6,205,000	100,000	81,357,000	16,728,000	13,245,000	111,330,000
Appropriation act:								
1955 [3]	30,490,200	6,000,000	4,937,500	125,000	41,552,700	6,538,500	10,683,690	58,774,890
1956	35,511,500	5,250,000	6,272,500	190,000	47,224,000	7,754,000	11,337,129	66,315,129
1957	44,300,750	5,250,000	5,120,000	100,000	54,770,750	10,000,000	12,190,000	76,960,750
1958	58,445,000	5,000,000	5,205,000	100,000	68,750,000	11,835,000	13,245,000	93,830,000
1959	64,302,000	5,000,000	5,765,000	100,000	75,167,000	15,678,000	12,720,000	103,565,000

Fiscal years	Forest roads and trails	Cooperative range improvements	Acquisition of lands for National forests, special acts (receipts fund)	Acquisition of lands for Superior National Forest	Acquisition of lands for Cache National Forest	Assistance to States for tree planting	Total
Forest Service request to Department (agency estimates):							
1955 [2]	$22,522,464	$700,000					$92,256,330
1956	29,500,000	700,000	$10,000				106,719,190
1957	24,000,000	700,000					101,380,500
1958	27,350,000	700,000	10,000	$500,000	$50,000	(3)	143,930,576
1959	25,336,000	700,000	10,000	500,000	50,000	$1,000,000	129,826,000
Department's request to Budget Bureau (Department estimates):							
1955 [2]	11,998,000	281,000					68,510,543
1956	24,000,000	280,000					84,903,000
1957	24,000,000	700,000					97,951,000
1958	25,350,000	700,000	10,000	500,000	50,000	(3)	124,007,200
1959	25,336,000	700,000	10,000	500,000	50,000	1,000,000	127,706,000
Budget estimated (President's budget):							
1955 [3]	16,000,000	281,000					71,882,500
1956	24,000,000	280,000					84,903,000
1957	24,000,000	700,000					97,473,000
1958	24,350,000	700,000	10,000	500,000	50,000	[4] 4,000,000	126,806,000
1959	21,000,000	700,000	10,000	500,000	50,000		116,830,000
House allowance:							
1955 [3]	16,000,000	281,000	10,000				74,435,890
1956	24,000,000	400,000					84,936,690
1957	24,000,000	700,000					97,473,000
1958	24,350,000	700,000	10,000	500,000	50,000		119,106,000
1959	23,750,000	700,000	10,000		50,000		117,000,000
Senate allowance:							
1955 [3]	16,000,000	800,000	10,000				76,172,190
1956	24,000,000	700,000	10,000				94,586,690
1957	24,000,000	700,000	10,000				107,088,500
1958	24,350,000	700,000	10,000	500,000	50,000	800,000	119,926,000
1959	27,000,000	700,000	10,000	500,000	50,000	800,000	139,980,000
Appropriation act:							
1955 [3]	16,000,000	400,000	10,000				76,184,890
1956	24,000,000	700,000	10,000				91,025,129
1957	24,000,000	700,000	10,000				101,970,750
1958	24,350,000	700,000	10,000	500,000	50,000	800,000	119,926,000
1959	26,000,000	700,000	10,000				130,264,000

[1] Prior to fiscal year 1956 the title of this matching appropriation was "Salaries and expenses" and included national forest protection and management, fighting forest fires, control of forest pests (now insect and disease control), and forest research. For comparative purposes, we have shown appropriation structure as contained in the 1958 Budget estimate.

[2] Adjusted to reflect transfers from and to other agencies under departmental reorganization.

[3] At the Department estimate stage, this was submitted as a supplemental for fiscal year 1957. Under final Budget consideration it was decided to eliminate the 1957 supplemental and request the $4,000,000 as part of the regular 1958 submission.

NOTE: Forest Service Branch, August 8, 1956.

Mr. JACKSON. Mr. President, I call attention to the situation in the 1958 fiscal year, for which the funds actually requested and appropriated were $12,780,000, and the Budget Bureau impounded $275,000.

I also call attention to the accomplishments. Timber cut is a result, not only of sales, but also of economic activity. The cut decreased by one-half billion board-feet in 1958, due to economic conditions. Federal timber sold represents timber placed under both long-term and short-term contracts. As the notes show, 2 large 50-year sales, which were in Alaska, account for the major part of the increase in 1955 and 1958. I dare say that a few other large sales, which will not be cut for years, represent the remainder of the increase in 1958. The timber sale business has not increased in the way I think it should. In view of the large increases in appropriations we have granted the Forest Service, we should see a marked increase in the number of medium and small short-term contracts in the Pacific Northwest. But this has not occurred. I am disappointed that the Forest Service has not met its timber sales goals. This statement should be fair notice that promises cannot be sawed in a sawmill, chipped at the pulp plant, and peeled in the veneer mills of the Northwest.

The substantial increase in funds granted by the Congress should have resulted in better performance. Only recently, I visited—for the second time in a month—with some Northwest lumbermen. They point out that there have been modest improvements in national forest timber sales, but that the Forest Service falls far short of meeting its publicly announced program.

Let me make abundantly clear that I want to see a healthy forest industry. If it is to do its share in the achievement of this healthy condition, the Forest Service must sell the maximum amount of timber permissible under sustained yield, in sales of a size and length that all timber operators, large and small alike, can bid upon. This also means making sales at the dates originally announced, clearing up access and other technical problems before a sale is tentatively announced, and timing sales so as to serve the requirements for both summer and winter logging.

I turn now to the broader aspects of the national forest programs, and call attention to the record. Time after time, in one program or another, the top officials of the Department of Agriculture or of the Budget Bureau have slashed the fund request of the Forest Service. No program has escaped. National forest management, insect and disease control, forest research, State and private forestry, roads and trails, and cooperative funds have all been victims. In contrast, the Congress has shown considerate understanding of the economic role our national forests play. The Congress also has been close to the conservation problems that face our national forests.

I would be remiss if I did not say that the fiscal year 1959 budget submitted by the Forest Service to the Department of Agriculture looks incongruous. The fiscal 1959 request looks strangely small, in relation to the requests of past years. One could easily conclude that the Department of Agriculture had told the Forest Service: "You know we are going to cut you back, so please spare us the trouble."

Mr. President, from some sources, we hear a great deal about local opinion, grassroots government, and what the business experts say. Here is a concrete example of expert advice and economic needs that have been ignored at the top levels of the administration.

This year, we celebrate President Theodore Roosevelt's centennial. Let those who eulogize the great Teddy Roosevelt—and his able forester, Gifford Pinchot—pause and reflect. Is this administration meeting the challenge as well as it might? Is this administration "filling the unforgiving minute with 60 seconds worth of distance run?" I say that it is not. But it should—and it can. Our national forests are a prime example of unchallenged Federal responsibility to the people and to local governments, as well as to the several States. It is high time that the secretariat for the Department of Agriculture and the bureaucracy of the Budget Bureau to take off their blinders and look to the goals that must be achieved.

GORDON DEAN

Mr. JACKSON. Mr. President, the Senate has been deeply saddened by the news, this morning, of the passing of Gordon Dean.

Mr. Dean was born in Seattle, Wash. He had a distinguished career as a professor, a scholar, a lawyer, a member and Chairman of the Atomic Energy Commission, an investment banker, and an outstanding business executive.

Mr. President, I have had the high honor of knowing Gordon Dean since 1949, when he was first named a member of the Atomic Energy Commission. Later—in the year 1950—he became Chairman of that great Commission. During his service both as member and as Chairman of the Atomic Energy Commission, he had charge of the great expansion of our atomic energy effort, following the Soviet achievement of a nuclear explosion in 1949.

Mr. Dean's last great contribution to his Government was as member of an advisory panel to the Joint Committee on Atomic Energy. That panel of distinguished scientists made recommendations regarding the need for certain additional reactor projects. Only last night part of the recommendations made by Mr. Dean as a member of that panel were approved by the Senate.

It is a tragedy indeed that he should leave us in the prime of life with so many fruitful years ahead of him. The Nation has suffered a great loss. To his family I extend my deepest sympathy in their hour of sorrow.

SENATOR MANSFIELD, OF MONTANA

Mr. CHURCH. Mr. President, yesterday the distinguished senior Senator from Montana [Mr. MURRAY] spoke of the work and service of his eminent colleague, MIKE MANSFIELD, in the Senate of the United States. It was not possible for me to be on the floor yesterday when the senior Senator from Montana and other Members of this body paid well-deserved tributes to MIKE MANSFIELD. So today I should like to associate myself with the remarks which were made yesterday, and to say that few men have gone so far in the Senate in so short a period of time.

The fact that MIKE MANSFIELD is now the distinguished assistant majority leader bespeaks the high esteem in which he is held by his fellow Democrats in the Senate, and the fact that he speaks with such acknowledged authority on questions of foreign policy, and that his opinions have such great influence with regard to many matters which are indigenous to the West—the husbanding of our natural resources, the establishment of proper measures to protect and preserve a healthy metals industry in the United States, and the need for comprehensive development of the great river resources of this country—combine to emphasize his extraordinary and versatile ability.

I should like only to say that the people of Montana can be rightly proud to be represented in the Senate by a man of such excellence, and in choosing him they have served not only themselves, but the interests of their country.

TRADING RESTRICTIONS WITH IRON CURTAIN COUNTRIES

Mr. POTTER. Mr. President, today's press carries a report to the effect that the United States has modified its trading restrictions to permit substantially more of our goods to go into Iron Curtain countries. Russia and its European satellites now can purchase some new items, such as chemicals and electronic gear. In fact, the new list of western goods to be denied the Soviet bloc nations has been chopped down to almost half its former length.

Mr. President, I seriously question the wisdom of these moves. I do so in the light of information which has developed indicating that valuable strategic materials may be slipping through our restrictions. Last Tuesday, for example, a highly placed Commerce Department official publicly stated that petroleum and steel products are leaking into Soviet bloc countries. I am told that aviation gas has gone into Prague, soft sheet steel into the U. S. S. R. itself, bunker fuel to Russian ships, and lubricating oil for farm implements elsewhere behind the Iron Curtain.

In the best interest of the United States, no such strategic items—even in the smallest quantity—should be permitted to squeak through. Steel and oil, as is well known, have a war potential. I am looking into the matter now, and if the facts justify it, will recommend a Congressional investigation.

Last Wednesday, August 13, I presented my views on this subject over a nationwide radio hookup. I should like to include in the RECORD the transcript

of the outstanding program, Capital Assignment, broadcast by Mutual Broadcasting System. In that interview, during which I was questioned by a well-known newspaperman, Mr. Don O'Connor, Washington correspondent for the Detroit Times, I stated my opposition to trading with any countries behind the Iron or Bamboo Curtains. I pointed out that trading with Red China is the first step toward diplomatic recognition of that nation.

As a member of the Interstate and Foreign Commerce Committee, I expect to watch this situation closely. I am now awaiting a report from the Bureau of Foreign and Domestic Commerce on exceptions which have been made to our regulations banning shipment or transshipment of strategic materials to unfriendly areas.

I ask unanimous consent to have printed in the RECORD the transcript of the Mutual Broadcasting System program.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TRANSCRIPT FROM CAPITAL ASSIGNMENT, AUGUST 13, 1958—SENATOR CHARLES E. POTTER, REPRESENTATIVE FROM MICHIGAN, AND DON O'CONNOR, WASHINGTON CORRESPONDENT, DETROIT TIMES

Mr. O'CONNOR. Senator POTTER, world tensions continue to mount. In fact, they have reached the point where the United Nations has felt it expedient to call another meeting of the General Assembly. One of the annual questions which comes up in this country, of course, is what to do about Red China. Last night on this network Nathaniel Knowles, of the Bureau of Foreign and Domestic Commerce, said that some of our materials are getting into Soviet countries despite an embargo against such countries as Red China. He mentions specifically certain types of steel and petroleum. What do you think should be done about this, Senator?

Mr. POTTER. Well, Don, I didn't hear Mr. Knowles' interview last night. However, if it be true that some petroleum and steel is going behind the Bamboo or Iron Curtain, certainly Congress should look into it. I should say that Congress should investigate to see whether the statement that Mr. Knowles made over this network is based upon fact. Now my position is pretty well known. I believe that we shouldn't be trading with Red China and that certainly under the policy we have at the present time not to trade with Red China, it is most unfair to allow some business concerns to slide under the curtain prohibited to others. Either we have an embargo against trading with Red China or we don't, and I think the Congress certainly should look into this situation to see whether Mr. Knowles' statement is based upon fact.

Mr. O'CONNOR. Well, Senator, you are a high-ranking member of the Senate Committee on Interstate and Foreign Commerce. If Mr. Knowles' statement could be substantiated, would you recommend an investigation by your committee?

Mr. POTTER. Yes. I think first what I would do would be to contact Mr. Knowles to find out on what basis he made his statement over this network, and if there is any basis for it turn that information over to the committee and ask the committee to investigate. Of course, as you know, Congress is about due, we hope, to adjourn, but there will be much staff work to be done and certainly by the beginning of the next session this investigation could get under way.

Mr. O'CONNOR. Among other things, Senator, Mr. Knowles also said more than 250 firms had been blacklisted because they had been trading in controvention of the regulations with Red China and other Soviet bloc countries. What can be done about such companies that get around the law in this way?

Mr. POTTER. Well, of course, at the present time, apparently the only penalty involved is that their export licenses are lifted. Possibly if this is going on, stiffer penalties should be imposed and possibly we need a greater enforcement agency. At the present time the enforcement is left, I assume, primarily to the Customs Bureau and possibly to the Department of the Treasury. However, maybe we don't have rigid enough enforcement procedures to detect this trading with the enemy that may be going on, and if that be the case perhaps we should have more enforcement and possibly more stringent penalties for those that do trade in violation of existing policy.

Mr. O'CONNOR. Well, I take it then, Senator, if an investigation showed that the enforcement was not sufficient to maintain this no-trade-with-Red-China policy, you would recommend legislative steps to correct it. To crack down, in other words.

Mr. POTTER. Yes. I would assume that your investigation would determine, first, whether Mr. Knowles' statement was based upon fact. If so, how widespread has this practice become of trading with Red China in strategic materials and also how they are doing it? Is it being done through so-called middlemen, by transshipment of goods, or done directly? I think those are some of the questions any investigating committee should determine. Then, based upon their findings, if legislation is required, then the committee should make recommendations for new legislation. It may be that it is just a question of beefing up an administrative agency which has the jurisdiction and responsibility in this field.

Mr. O'CONNOR. Well, Senator POTTER, where do you think the strong impetus for trade with Red China comes from? From this country or from Red China?

Mr. POTTER. I think possibly it comes from both. We know that Red China is very much interested in trading with the United States in certain commodities.

Mr. POTTER. Not only that, if she can start trading with the United States, it gives her the prestige for diplomatic relationship and recognition so that she could possibly become a member of the United Nations. I think that's behind the whole move of Red China.

Mr. O'CONNOR. Well, Senator, you have always been opposed to any relations between the United States and Red China. Do you feel that opening the door to trade with that nation as you just indicated would actually make it easier for them to get into the United Nations?

Mr. POTTER. There is no question about it. I am sure that that's where the impetus is coming from. Now it may be true that certain American exporting firms are interested in the market in Red China. However, at the present time the wherewithal that China has to purchase any major purchases is pretty small, so I think you will find that the great impetus is coming from them, and it is primarily for political reasons rather than economic.

Mr. O'CONNOR. In other words, you don't believe it is so much that they need materials we could provide as the fact that they are trying, having been thwarted in shooting their way into the United Nations, to get in the back door so to speak?

Mr. POTTER. Yes. I think there is no question that they need the things that they can get from the United States, but I think more importantly, it is the political recognition that they would receive. If the United States lets down its barriers to establish trade with Red China, it would be very difficult for us as a nation to oppose political recognition of Red China, not only as a member of the U. N. but also as unilateral recongition of our country for Red China. Of course that would mean, conversely, that Nationalist China would be thrown out the back window.

Mr. O'CONNOR. And, the implication being, I take it, that this would strengthen the hand of Russia in world affairs?

Mr. POTTER. No question about it. It is the old question of whether the United Nations, which really is an instrument for peace, can be a successful instrument for peace if we can allow countries to shoot their way in. So I believe it is a very important policy question. Time and time again, the Congress and the administration have enunciated their position that we won't stand by and allow Red China to shoot their way into the U. N. By the same token, we can't allow this to happen through the back door by opening up economic trade with Red China, which would give them the political recognition they don't have now.

Mr. O'CONNOR. Do you feel that we would have anything to gain at all by opening the door to trading with Red China?

Mr. POTTER. No; not only do I feel that we would have nothing to gain. I feel that it could put us in a most awkward international political position. I think we would then be telling the entire world that the United States has changed its policy. That we are not concerned how a country gains this national recognition, even if it is by shooting their way into the U. N. We also would, by that token, discard the relationship we have had with Nationalist China, and Nationalist China has been a symbol to the free Asiatic people throughout the world. By doing that I think the Communist other world would gain a political advantage.

Mr. O'CONNOR. Is there much clamor in Congress, Senator, for trading with Red China?

Mr. POTTER. Very little.

Mr. O'CONNOR. Very little. How about from the grassroots, so to speak, back home? Do you receive much correspondence on it?

Mr. POTTER. No; as a matter of fact I can't recall ever receiving over 2 or 3 letters in an entire year.

Mr. O'CONNOR. So that your conclusion definitely is that we have nothing to gain and everything to lose by trading with Red China?

Mr. POTTER. That is absolutely right.

Mr. O'CONNOR. Thank you, Senator POTTER.

AID FOR OLDER AMERICANS

Mr. PROXMIRE. Mr. President, yesterday I hopefully said on the floor that by now the Senate would have passed a social security improvement bill. That hour was brought closer by yesterday's action, but we have yet to do the job. I hope today will be the day the old people of the Nation will finally see their hopes fulfilled. It is immensely gratifying to me to see this moment. Since July 18, I have spoken every day to get action on this vital matter.

An immense and important task faces this Nation in the immediate future—adequate insurance for its senior citizens. We have the largest percentage of old people in this country that we have ever had, and the number is growing rapidly.

At the same time our central problem is how to take full advantage of the abundance of this Nation. In many, many other countries throughout the world, the problem is one of dividing scarcity. Our problem is one of sharing abundance. Yet our old people, in spite

of our great abundance of production, do not share in it, and are not as well off as those in other countries, in terms of our national income.

We have tremendous surpluses of food to dispose of. We worry about keeping our tremendous productive capacity fully employed. We cannot find enough markets for what we can produce. And there is every indication that our productivity will continue to grow more rapidly than our population.

Mr. President, with such wealth, with such abundance, there is simply no excuse for allowing anyone to go hungry. The American people are generous. The American people do not want to fail to provide for our aged citizens, to allow them to go hungry and insecure in the midst of our great wealth.

Yet that is exactly what is happening in this country. In Milwaukee the cost of living is so high that the social-security benefits are little more than one-half of the minimum cost of the necessities of life, according to responsible Milwaukee agencies.

Millions of our old people are living in terrible hardship and poverty. While tons and tons of surplus food piles up in our storehouses, our older workers suffer want and despair.

The parents and grandparents of this Nation should be living in comfort. They should be living in dignity and with peace of mind. But literally millions of them live in daily dread of the wolf at their door.

Many old people are forced to supplement their inadequate social-security benefits to avoid starvation. With 5½ million breadwinners out of work, jobs are next to impossible for an older person to find.

Thousands and thousands of old people are forced to live with their children or relatives. This imposes a terrific hardship and financial burden on young couples who, themselves, are hard pressed to provide for their own families. Worst of all, many old persons must depend on private or public charity to survive at all.

Is this, Mr. President, a proper way to live out one's retirement, the years we have named the golden years? It is of the very greatest urgency and importance that the Senate act to increase social-security benefits today.

A BLOW TO THE TVA

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from this morning's issue of the New York Times entitled "A Blow to TVA."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BLOW TO TVA

To meet the steady growth in demand for electric power in its recognized territory the Tennessee Valley Authority estimates it needs about 800,000 kilowatts of new generating capacity annually. Yet the administration and Congress have become increasingly reluctant to grant funds for expanded power facilities, and, in fact, none at all have been appropriated since 1953 to start construction of new generating units.

The authority has recently been financing additional capacity out of uncommitted power revenues, but this source will clearly be insufficient to meet the rapidly rising need. For some 3 years now TVA has been vainly trying to get Congress to give it the right to issue its own revenue bonds for this purpose. The Senate passed such a bill last year by the overwhelming vote of 61 to 20, and the House Public Works Committee has just approved a similar measure, incidentally turning down President Eisenhower's request that certain restrictions be written into the bill.

However, it is now buried in the House Rules Committee, where TVA's enemies hope not only to kill it for the session but even to prevent the House from voting upon it. The TVA needs this authority and the Tennessee Valley needs the additional power capacity it would provide. Failure of the Rules Committee to act fits in perfectly with the desire of powerful forces that would still like to strangle TVA despite its quarter century of successful contribution to the welfare, prosperity, and defense of the Nation.

Mr. KEFAUVER. I wish to emphasize, as pointed out in the thoughful editorial of the New York Times, that the Tennessee Valley Authority is of tremendous benefit to the United States and is a fine example of how a great river can be harnessed for the benefit of people, which is being exemplified in many nations of the world.

The private power lobby and many people objected to direct appropriations for the construction of dams and steam plants by the Tennessee Valley Authority. The private power lobby said that TVA should be put on a self-financing basis. Therefore, beginning in 1953, the Tennessee Valley Authority has had no appropriation from Congress for major projects such as a steam plant or hydroelectric facilities. The President at that time recommended that the TVA be authorized to issue its own bonds and finance itself. The TVA and those of us who support the TVA are perfectly willing to do exactly that.

In spite of our efforts to have a self-financing bill passed through Congress, such a bill has not become a law. A good bill was passed by the Senate in the last session. My colleague from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. KERR], the Senator from Kentucky [Mr. COOPER], and the Senator from South Dakota [Mr. CASE] and many other Senators played an important part in its preparation and passage. The bill is now stymied in the Rules Committee of the House. The proposed legislation has been fought by the private power lobby, which I think shows the real attitude of that group. First that group did not want appropriations from Congress for the TVA, and now, when the TVA is trying to get a plan approved to finance itself, they oppose even that.

The editorial concludes by stating that the proposed legislation is probably dead for the present session of Congress. I hope, Mr. President, in the interest of protecting this great investment and of enabling the TVA to go forward on the basis of financing itself, the chairman and the other members of the Rules Committee of the House may yet grant a rule so that the Members of the House can at least consider this important bill which is of vital importance to the Tennessee Valley, and which I think is the best example of building up the resources of our Nation in a democratic way.

DEATH OF GORDON DEAN

Mr. GORE. Mr. President, I was shocked and deeply grieved to learn this morning of the tragic death of my friend and relative, Gordon Dean, the former chairman of the Atomic Energy Commission, at about midnight last night. The tragedy of his death calls attention to the quality of his citizenship and his service to his country. Gordon Dean brought to public service an ability, an awareness of public service, an administrative capacity, and a quality of patriotism, which are all too rare.

Under his leadership the carrying out of the atomic-energy program made great progress. Under his leadership the cooperation between that independent agency and the Congress of the United States was all that could be desired. He recently finished service on a panel for the Joint Committee on Atomic Energy, on which once again he contributed valuable and valiant service.

I know the Senate joins me in grief at his passing, and will join in the extension of sympathy to his bereaved wife, my cousin Mary, and the two little children he leaves behind.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KEFAUVER. I join my colleague in expressing great sorrow over the untimely death of one of our finest American citizens. Gordon Dean was an outstanding administrator of the Atomic Energy Commission at the time it was started, and directed it on a most useful course.

Another important thing about Gordon Dean was that his interest in public affairs did not diminish after he left the Government service. Whenever he was called upon as a private citizen to render some service of benefit to his Nation or the world he always responded. He was always glad to help, and to discuss with Members of the House and Senate problems with respect to which he had superior knowledge.

There have not been very many men of the caliber and ability of Gordon Dean. The Nation has suffered a great loss.

It has been my pleasure also to know his wonderful wife, who is a kinswoman of my colleague from Tennessee, and I join in expressing deep sympathy to her and to other members of the family.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GORE. Mr. President, I ask unanimous consent that I be allowed 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. I now yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I join the Senator from Tennessee in paying respect to the memory of Gordon Dean. When I come to evaluate the wealth any person can have in life, I always come to the conclusion that one's greatest treasure is to be found in his friends.

Gordon Dean was a close friend of mine. He happened to be my superior officer in the Department of Justice from 1936 to 1938. He was a brilliant lawyer and a very able administrator. I think history will record that his work on the Atomic Energy Commission was very fruitful in laying the foundation for a sound atomic energy program.

Gordon Dean was the type of friend who performed friendly services far beyond the right of anyone to expect from a friendship. He was very helpful to me in two of my campaigns, in connection with raising campaign contributions in the East.

I knew him to be a man of high idealism, a dedicated, religious man, and, incidentally, a man of high academic standing. He was a fine teacher. He had great faith in the youth of America.

Mrs. Morse and I want Mrs. Dean to know that our sympathies are with her, and she has our fervent prayers that she may be granted strength during this ordeal.

Mr. MONRONEY. Mr. President, I wish to join my colleague in expressing a deep sense of personal loss and national loss by the death of Gordon Dean in an airplane crash at Nantucket last night.

I knew Gordon Dean when he was a member of the Atomic Energy Commission, and I was familiar with the manner in which he discharged his great responsibility as Chairman of that Commission. I knew him after he left the Government. I place emphasis on his dedication to public service. Although he left Government work, his interest in the continuing development of atomic energy for peacetime use was sustained, and he made great sacrifices in addressing conventions and other gatherings and groups, to impress upon them the necessity of making the atom man's best servant instead of man's greatest instrument of destruction.

I express my sympathy to his wife and their two children, who survive him. The Nation can ill afford to lose the kind of dedication to public service and the leadership which Gordon Dean always displayed.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. I should like to add my personal word of tribute to the life, character, and service of Gordon Dean. It was my privilege to know something of his work on the Atomic Energy Commission. His service there was of a high order, reflecting intelligence, industry, patriotism, and a spirit of devotion to the public welfare. The country can ill afford to lose men of his quality at this time.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. COOPER. I should like to join my friend from Tennessee in an expression of regret at the passing of Gordon Dean.

It was my good fortune to meet him when I first came to Washington in 1947. I have had the happy pleasure of seeing him many times since 1947. He was a friend of my brother, Don Cooper, in college, and their friendship had been maintained throughout the years.

I am sure that when the history of the development of atomic energy is known to all our people, the contribution of Gordon Dean toward its development will be regarded as one of the great contributions in that field.

As has been said, after leaving the Government service he never failed to fulfill his responsibility as a citizen.

I have the good fortune to know his wife, a cousin of the junior Senator from Tennessee. We all join in extending to her our heartfelt sympathy.

Mr. GORE. Mr. President, on my own behalf and on behalf of members of the family, I appreciate the generous remarks of my colleagues. The passing of Gordon Dean has been an untimely one. The life which was so tragically ended, however, has been one for which the entire country can be thankful, and in which it can take great pride.

The PRESIDING OFFICER. Is there further morning business?

SOCIAL SECURITY AMENDMENTS OF 1958

Mr. MORSE. Mr. President, I wish to send to the desk an amendment to the pending bill, and to make a brief explanation as to why I am offering it.

The PRESIDING OFFICER. Morning business is still in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the morning business is concluded, debate on the Yarborough amendment be limited to 30 minutes to a side, the time to be divided and controlled by the sponsor and the minority leader.

The PRESIDING OFFICER. Is there objection to the unanimous consent agreement proposed by the majority leader?

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I objected to this proposal last night, as the RECORD shows. I have talked with the junior Senator from Texas [Mr. YARBOROUGH] and he has expressed the wish that his amendment be so handled. I am very happy to agree to the unanimous consent request with respect to this amendment, with the distinct understanding that I reserve all my rights with respect to any future unanimous consent proposals with regard to any other matter.

Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I should like to make a brief statement about the amendment which I propose to offer to the bill, because I think such a statement should be matter of record before discussion of the Yarborough amendment is resumed. May I make such a statement during the morning hour, or is unanimous consent necessary?

The PRESIDING OFFICER. A Senator may rise during the morning hour and speak for 3 minutes on any subject he desire to address himself to.

Mr. MORSE. Three minutes is all I need. I have no objection to the proposed unanimous consent agreement.

The PRESIDING OFFICER. Is there objection to the proposed unanimous consent agreement?

Mr. CASE of South Dakota. Do I understand that the proposed unanimous consent agreement has the approval of the minority leader?

Mr. JOHNSON of Texas. It does. Last night, in consultation with the minority leader, the Senator from Minnesota, and the junior Senator from Texas [Mr. YARBOROUGH], we proposed the agreement. It was objected to at that time by the senior Senator from Oregon. He has now withdrawn his objection. I am proposing the agreement again.

Mr. CASE of South Dakota. Does it have the approval of the distinguished Senator from Pennsylvania [Mr. MARTIN], the ranking minority member of the committee?

Mr. JOHNSON of Texas. I would assume it has, in light of the minority leader's attitude.

Mr. CASE of South Dakota. Will the Chair have the agreement stated?

Mr. JOHNSON of Texas. It amounts to limiting the debate on the Yarborough amendment to 30 minutes to each side.

The PRESIDING OFFICER. It is the understanding of the Chair that the agreement would limit debate on the pending amendment to 30 minutes to each side.

Mr. JOHNSON of Texas. Yes; to be controlled by the proposer of the amendment and the minority leader.

The PRESIDING OFFICER. Is there objection to the proposed unanimous consent agreement?

The Chair hears none, and the order is entered.

Mr. MORSE. Mr. President, I send to the desk, as an amendment to the social-security bill, S. 1313. I send it to the desk with the comments I am about to make.

I have just come from conference with a group of people who are vitally interested in S. 1313. They say a problem exists in connection with getting House action on S. 1313 in accordance with what they alleged was their honest belief a commitment was made to them on the House side that the bill would be brought up in the House under a suspension of the rule.

I speak on this matter as chairman of the Subcommittee on Railroad Retirement. I am aware that terrific pressure is being brought to bear on Congress in these closing days of the session in opposition to S. 1313. It is my position, however, that we ought to vote it up or down. I propose to do everything I can, from now until the adjournment hour, to get a vote on S. 1313, and I shall use every parliamentary rule available to me to get a yea-and-nay vote on S. 1313.

The history of S. 1313, on a thumbnail, is this: In 1956 Congress passed legislation which had to do with railroad retirement. However, it failed to provide funds to take care of the deficit which would exist in the railroad retirement fund. It was understood among us that at the next session of Congress, which was the 1st session of the 85th Congress, legislation would be passed which would take care of that deficit. I believe it is our obligation to see that that is done.

Last year and again this year the Railroad Retirement Subcommittee spent hours and days, yes, if we were to add it all up, even weeks on this difficult matter. We have come out of my subcommittee this year and out of the Committee on Labor and Public Welfare with S. 1313.

I should like to make it perfectly clear that my major premise involves this question: What is a fair retirement program for the railroad workers? I submit S. 1313 is such a program. If it is a fair program, I do not propose to oppose that program on the basis of the argument that the railroad workers and even the retired railroad employees should subsidize the carriers on the ground that the carriers now claim they cannot afford a fair retirement system.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I ask for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Oregon may proceed for an additional 3 minutes.

Mr. MORSE. If the railroads, in order to supply the people of the country with the continuing transportation, which is essential to national defense, need a further subsidy along the lines of the Smathers bill which was passed during this session of Congress, I will vote for it. However, we have just finished putting through Congress a handout to the railroads in the form of the Smathers bill. I voted for it, because it was a just bill. If the railroads need a subsidy in order to build the boxcars necessary to take care of the defense needs of the Nation, as I said to the President of the Pennsylvania Railroad, Mr. Symmes, when he was on the witness stand 3 weeks ago today in my subcommittee, I will vote for such a subsidy. I will vote for any subsidy the railroads need to meet national defense needs.

I have voted millions of dollars of subsidy to railroads abroad. So has every Senator who has voted for foreign aid. We voted to build, at 100 percent of the cost, the railroad terminal in Rome, Italy. That cost the American taxpayers between $3 million and $4 million. I was for it. I would do it again. I believe it was a very effective expenditure against the spread of communism in Italy.

What I wish to point out is that we have subsidized railroads in other countries with foreign-aid money so far in excess of what the railroads in this country need that I am ready to vote whatever subsidy is necessary to the carriers in order to meet their defense costs.

It is interesting to note, as the transcript of the hearings will show, that the president of the Pennsylvania Railroad and I agree on this point.

Thousands and thousands of old railroad people on retirement cannot begin to live on the retirement allowance granted to them. They are entitled to the relief which S. 1313 would give them. The social-security bill is the most appropriate bill to which to attach my amendment, if we cannot get action on S. 1313 as separate legislation.

At a later hour today, I shall proceed to discuss at some length my reasons for supporting S. 1313, and offer it as an amendment to the bill.

The PRESIDING OFFICER. Is there further morning business?

Mr. GOLDWATER. Mr. President, I should like to ask a question of the distinguished Senator from Oregon.

Mr. MORSE. I yield.

Mr. GOLDWATER. In the event the distinguished Senator from Oregon offers S. 1313 as an amendment to the social-security bill, would he entertain an amendment to his amendment which would make the tax date coincide with the date of the amendment?

Mr. MORSE. The Senator from Arizona knows, as a member of our full committee, that we discussed the matter rather thoroughly in committee. We decided against it for this major reason: The fund will not be in jeopardy as a result of our bill. We thought it was important to fix a date certain when the tax would automatically apply. We did not do that in 1956. In my opinion we made a mistake. I believe the 1956 legislation should have fixed a date certain. If we had done it, we would not have the problem before us today. What we have done this year is to fix a date certain for the automatic application of the tax.

Why did we not fix the date as that of the enactment of the act or the date the act was to take effect?

It was because most of us, after listening to the testimony of carriers with respect to the effect the immediate operation of the tax would have felt that they had reasonable grounds to believe and predict that an upturn will take place in their business within the next year or 18 months. After we heard such testimony, we decided that we could defer the application of the tax until the predicted upward business swing took place. We postponed the effective date of the tax only out of consideration for the carriers.

I wish to be frank with the Senator. There is much that can be said in support of the view he takes. A couple of other members of the committee took the same view in committee, namely, that we must face the reality now and apply the tax immediately. Unless we can follow the argument that the postponement is a part of the antirecession railroad program, so to speak, there is great merit in the Senator's position.

I do not think that any harm will be done by adopting the deferment date. Therefore, I intend to stand with the majority of the committee for the deferment date.

Mr. GOLDWATER. That is the reason I asked the question. That is my chief objection to S. 1313. I agree with the Senator from Oregon that the retired railroad employees need an increase in their pensions. In fact, in the 83d Congress, as the Senator from Oregon may remember, I argued that point. I opposed giving benefits to the working railroad employees when the retired railroad employees would not benefit. They did not benefit then, and neither have they benefited since that time.

My chief concern is based on a desire for sound fiscal policies. That fund, up until recent years, has been a very—I will not say "very," but it has been a sound fund when compared with other retirement funds which are either administered or are controlled by the Federal Government.

I would not like to see Congress place the railroad retirement fund in jeopardy by designating a period of from a few months to a year and a few months during which no taxes would be collected to meet the increased benefits.

I shall be perfectly willing to listen to the debate on the question, because I might offer an amendment to the amendment. However, I shall discuss it with the Senator from Oregon before I do so, because, while I do not desire to jeopardize the chances of the retired railroad employees getting an increase in benefits, I want to maintain my position of insisting on the soundness, if it can be obtained, of these funds.

Mr. MORSE. I understand the Senator's viewpoint. I think, in fairness to our committee, it should be pointed out that the deferment date was voted only after we checked with the Railroad Retirement Board and its actuaries in regard to the effect of a deferment. I think it is fair to say that the RECORD shows the deferment date was selected on the basis, not of their recommendations, let me make clear, but on the basis of the findings of the experts of the Railroad Retirement Board that the fund would not be jeopardized if we operated on the basis of a deferment.

Mr. GOLDWATER. I thank the Senator from Oregon. If I offer such an amendment, I shall certainly discuss with him the advisability of doing so.

SOCIAL SECURITY AMENDMENTS OF 1958

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Texas [Mr. YARBOROUGH].

Mr. JOHNSON of Texas. Mr. President, before the time limitation on the amendment begins, I suggest the absence of a quorum, with the understanding that the time for the quorum call will not be charged to either side.

The PRESIDING OFFICER. The clerk will call the the roll. The understanding is that the time for the quorum call will not be charged to either side.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KEFAUVER in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. I understand that under the unanimous-consent agreement, the distinguished junior Senator from Texas [Mr. YARBOROUGH], the author of the amendment, controls the time of Senators who wish to speak in favor of the amendment; and the distinguished minority leader [Mr. KNOWLAND] controls the time of Senators who wish to speak in opposition to the amendment. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. I further understand that the Senate is now proceeding under the time limitation provided by the agreement. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. YARBOROUGH. Mr. President, on the question of agreeing to the amendment which I have proposed, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. REVERCOMB. Mr. President, I rise to a parliamentary inquiry.

Mr. YARBOROUGH. Mr. President, I yield for that purpose to the Senator from West Virginia; and I ask unanimous consent that the time required for his parliamentary inquiry not be charged to the time available to me under the terms of the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REVERCOMB. Mr. President, my parliamentary inquiry is as follows: As I understand, the unanimous-consent agreement, which limits to 1 hour the time available for debate, applies only to debate on the amendment of the junior Senator from Texas [Mr. YARBOROUGH], and does not extend beyond that amendment. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. REVERCOMB. I thank the Chair.

Mr. CURTIS. Mr. President, will the Senator from Texas yield at this time to me, with the understanding that the time required for that purpose not be charged to the time available to him under the provisions of the unanimous-consent agreement?

Mr. YARBOROUGH. I yield, with that understanding.

Mr. CURTIS. I so request, Mr. President.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I ask unanimous consent that the Senate temporarily lay aside the further consideration of the amendment submitted by the Senator from Texas [Mr. YARBOROUGH], without causing him to lose the floor, and do so for the limited purpose of permitting me to submit, without debate, an amendment which I understand is acceptable to the authors of the bill and to the Department.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object—and certainly I wish to cooperate with my friend, the Senator from Nebraska—I must state that I cannot bind myself in advance, without knowing what is provided by the amendment referred to. It may be that the Department likes the amendment, and it may be that other Senators like the amendment; but I wish to have an opportunity to examine and consider the proposed amendment, rather than to bind myself, in advance, to its adoption.

Mr. CURTIS. Mr. President, I withdraw the request.

The PRESIDING OFFICER. The request of the Senator from Nebraska is withdrawn.

Mr. YARBOROUGH. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Texas yield to himself?

Mr. YARBOROUGH. I yield myself 12 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 12 minutes.

Mr. YARBOROUGH. Mr. President, the amendment was submitted on yesterday by me, on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], the junior Senator from Oregon [Mr. NEUBERGER], the senior Senator from Oregon [Mr. MORSE], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Louisiana [Mr. LONG].

The amendment is proposed to House bill 13549, which would increase the social-security payments and the public-welfare payments. The amendment is directed only to the portion of the bill which would increase the social-security payments.

The bill, as passed by the House of Representatives, and as reported by the Senate committee, provides for a 7-percent increase in the social-security payments. Both the House version of the bill and the Senate committee version of the bill provide for an increase in the social-security payroll tax from 2¼ to 2½ percent. But the increased tax revenues thus obtained would not be used by means of the provisions of the House version and the Senate committee version of the bill, because it was the purpose of both versions not only to increase the benefits, but also to improve the actuarial status of the fund.

My amendment does not provide for using for increased benefit payments all the money which would be obtained by means of the increased taxes which would be levied in accordance with the provisions of the bill as passed by the House and as reported by the Senate committee. The amendment I propose would increase the payments, but would leave part of the new tax money, thus raised, to be used to help improve the actuarial status of the fund. Thus, the fund would be in good shape.

The statistics which were presented on the floor, last evening, by the distinguished junior Senator from Louisiana [Mr. LONG] show that if the amendment I propose is defeated, by the year 2000, the fund will have in it actuarially, according to computation made by the Department of Health, Education, and Welfare, the stupendous sum of $163 billion.

If the amendment I propose is adopted, then, according to the computation of the Board, the Government agency which administers the fund, by the year 2000 the fund will have in it the sum of $117 billion. The table which shows these figures was placed in the RECORD last evening by the junior Senator from Louisiana [Mr. LONG]. The table was received from the Department of Health, Education, and Welfare. So the fund then would be actuarially sound.

My amendment will cause a portion of the increased tax revenues thus obtained to be used now to increase the payments. But the amendment will leave a portion of the increased tax revenues to be applied to what almost everyone agrees will be an actuarial deficit in the fund. My amendment will do that at a slower rate than that at which it would be done by the bill as reported by the Senate committee.

Mr. President, these payments are needed.

First of all, let us consider what my amendment provides. It provides for increasing by 10 percent the amount of the payments to the beneficiaries of the fund. The committee has proposed a 7-percent increase.

In terms of the money which the beneficiaries receive, and on which they must live, what will the adoption of my amendment mean? Today, the average payment made under the Social Security Act to retired workers is $64.10 a month. The average payment to the widows of retired workers is $51 a month. If we average all the types of social security payments—those to retired workers, those to the children of deceased workers, those to the widows of deceased workers, those to the grandparents who are entitled to receive the payments; in other words, if we average all types of payments thus made, we find that the average payment made today by the Federal Government is $54.40.

If the 7-percent increase voted by the House of Representatives and recommended by the Senate committee is made, the payments will be increased by the amount of $3.71 a month, in the case of the average social-security payment of $54.40 a month. If the 10-percent increase which my amendment proposes is made, the average social-security payment will be increased by $5.44 a month. In other words, under the provisions of my amendment, the increase in the average monthly payment will be $5.44 a month, instead of $3.71 a month. My amendment will increase by $20.76 a year—a small amount—the amount the average recipient receives.

I know that when the Members of the Senate return to their home States, they will find that these elderly people are having a desperate time in trying to make ends meet. As they grow older, they need more medicines, which, on the average, cost $3, $4, or $5 a bottle; and the more expensive medicine costs a great deal more than that. These elderly people are unable to purchase sufficient medicine with the low payments they now receive.

We request only a modest increase. It will be possible for the proposed 10 percent increase to be paid from the tax revenues raised by means of the provisions of the House version of the bill and the Senate committee's version of the bill; and part of those additional tax funds will remain, to be applied to the actuarial deficit.

Mr. PASTORE and Mr. KEFAUVER addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and if so, to whom?

Mr. YARBOROUGH. I yield 1 minute to the Senator from Rhode Island [Mr. PASTORE], not out of the 12 minutes which I have allotted to myself, but out of the overall 30 minutes on my amendment.

Mr. PASTORE. I compliment the distinguished Senator from Texas for the excellent presentation of his amendment. Is it his firm conviction, after study, that the fund can sustain the increase of 10 percent?

Mr. YARBOROUGH. Yes; it can.

I have in my hand an explanation and a detailed analysis from the Legislative Reference Service of the Library of Congress. While time under the unanimous-consent agreement will not permit me to read in full the explanation, I ask unanimous consent that it may be printed in the RECORD. I will insert the report later in my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. PASTORE. Mr. President, will the Senator yield further?

Mr. YARBOROUGH. I yield to the Senator from Rhode Island.

Mr. PASTORE. I am very happy to support the amendment of the distinguished junior Senator from Texas.

Mr. President, I ask unanimous consent that the name of the junior Senator from Rhode Island may be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the distinguished Senator from Tennessee.

Mr. President, I request unanimous consent that the distinguished Senator from Tennessee may be granted 2 minutes at this point. I have not quite completed my 12 minutes.

The PRESIDING OFFICER. Without objection, the Senator from Tennessee is recognized for 2 minutes.

Mr. CASE of South Dakota. Mr. President, reserving the right to object, I understand the time is to be taken out of the time under the agreement.

The PRESIDING OFFICER. That is correct, out of the time of the Senator from Texas.

Mr. KEFAUVER. I congratulate the junior Senator from Texas for presenting this amendment, and for his arguments in support of it. I think anyone who has recently visited persons receiving social-security benefits must realize it is almost impossible for them to survive on their present payments. The amendment proposes a modest increase, which the additional tax will allow.

As I understand, the present payments were set in 1954 and they were set too low, in my opinion. Is that not correct?

Mr. YARBOROUGH. That is correct.

Mr. KEFAUVER. Is it not true that since 1954 there has been more than a 10-percent increase in the cost of living, according to statistics of the Labor Department?

Mr. YARBOROUGH. The increase has been far more than 7 percent. I think the distinguished Senator from Tennessee is correct. There has been an 8-percent increase in the past 2 years.

Mr. KEFAUVER. I know it has been more than 10 percent. So all the Senator's amendment would really do would be to bring the payments, which were low to begin with, in line with the increased cost of living. I think it is fair to point out that with the increase in the price of steel and other items, we can anticipate further inflation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. I yield 1 further minute to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 1 additional minute.

Mr. KEFAUVER. There will be further inflation before we can ever get around to considering again increasing the benefits under the social-security legislation.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the distinguished Senator from Washington.

Mr. MAGNUSON. I merely wanted to ask unanimous consent and the permission of the junior Senator from Texas to add my name as a cosponsor of the amendment.

Mr. YARBOROUGH. I am happy to have the cosponsorship of the distinguished senior Senator from Washington.

Mr. MAGNUSON. When I came into the Chamber the junior Senator from Texas was mentioning the small fixed incomes which elderly people have. In addition, usually, elderly persons need more medical care than others, and much of their income goes to pay for drugs and other medical care.

The junior Senator from Texas gave very valuable help to the Committee on Interstate and Foreign Commerce when, about a year ago, we directed the Federal Trade Commission to look into the exorbitant prices being charged persons in this category and the cost to them of new drugs which are so vital. The results of that investigation came out last week, and they proved we were correct in our premise that the prices charged were exorbitant, and that the cost of medical care could eat up a large percentage of the income of these people.

The result was that about six chemical concerns were indicted. I think there may be other indictments. So we were rendering yeoman service in that respect. The Senator from Texas pointed out that approximately 50 percent of the income of persons in the category we are discussing was used in paying for drugs which bring 500, 600, and 700 percent profit to companies which sell the drugs.

Mr. YARBOROUGH. I thank the distinguished senior Senator from Washington for his very valuable contribution on the question of the expense of medical care for the people we are seeking to assist.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. I wish to point out that we have given the average amount per month per person under social security. Statistics show that as to the 11 million people on social security, 1 out of every 5 retired couples, 1 out of every 4 single retired workers, and 1 out of every 3 aged widows, have no other source of income, or, even if they have additional income, it is, on the average, less than $75 a year.

One-fourth of the retired couples and one-third of the single retired workers received all their income from old-age pensions. In the case of widows they receive supplementary payments, simply because social security payments are lower than old-age payments.

In spite of the belief of many persons, social-security benefits are not so high as old-age benefits. Social security payments have to be supplemented to keep people from starving. I have asked what the cost will be under the bill as reported by the Senate committee, providing for increases in payroll taxes. It is fifty-seven one-hundredths of 1 percent. As passed by the House, and as it went through the Senate committee, the additional benefits would use twenty-five one-hundredths of 1 percent of the additional tax money raised. The fund is to that extent overfinanced.

If my amendment shall be adopted, it will use up another twenty-five one-hundredths of 1 percent of the payroll tax. The plan will still be overfinanced to the extent of seven one-hundreds of 1 percent. The additional tax as voted by the House and Senate committee will result in leaving $17½ million a month to be put into the fund to make the fund actuarially sound.

The PRESIDING OFFICER. The time the Senator has allotted to himself has expired.

Mr. CASE of New Jersey. Mr. President, will the Senator yield me 1 minute?

Mr. YARBOROUGH. I yield 1 minute to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 1 minute.

Mr. CASE of New Jersey. The junior Senator from Texas has taken the words out of my mouth, in a way.

In behalf of the Senator from New York [Mr. JAVITS], the Senator from Maine [Mr. PAYNE], and myself, on July 9 I introduced a bill providing for a 10-percent increase in social security payments. Would the Senator have any objection to our associating ourselves with his amendment?

Mr. YARBOROUGH. It is an honor to have the distinguished junior Senator from New Jersey associate himself as a cosponsor of the amendment. We welcome support from the other side of the aisle. I think the amendment should have strong support from both sides.

Mr. President, the Senator from Tennessee [Mr. KEFAUVER] has asked me if I would request that his name be added as a cosponsor, and I so request.

The PRESIDING OFFICER. Without objection, the names of the junior Senator from New Jersey and the senior Senator from Tennessee will be added as cosponsors of the amendment of the junior Senator from Texas.

Mr. CASE of New Jersey. I thank the Senator. The Senator is correct about the size of the increase in the cost of living since 1954. It is roughly 8 percent. The increase in the general standard of living, as measured by increased wage rates in the country since that time, is about 12 percent. A 10 percent increase in benefits is no more than fair insofar as it would represent an opportunity for our older citizens to share, partially, in the general rise in the standard of living, as well as to meet the cost incident to the increase in the cost of living since that time.

The Senator is also correct in regard to the question of financing the amendment. The increase in the wage base from $4,200 to $4,800, plus the acceleration of already scheduled increases in tax rates, provided by the House bill and by the Senate committee amendment, will more than take care of the 10-percent increase in benefits. We were assured earlier this year by the trustees of the social security trust fund that the fund is solvent under existing law.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I yield 1 additional minute to the Senator from New Jersey.

Mr. CASE of New Jersey. In addition, the former Secretary of Health, Education, and Welfare, Mr. Folsom, testified this June, before the House Ways and Means Committee that the fund was absolutely sound. Even with the amendment, providing a 10-percent increase in benefits, the bill will increase the income of the trust fund by more than the cost of the increased benefits. Therefore, there can be no question as to the fiscal responsibility of the pending amendment. I hope very much the Senate will agree to it.

Mr. PROXMIRE. Mr. President, will the Senator yield me 2 minutes?

Mr. YARBOROUGH. I yield 2 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 2 minutes.

Mr. PROXMIRE. I warmly commend the Senator from Texas on the offering of the amendment. The Senator from Texas has recently won a great victory in Texas. The Senator won by a smashing 200,000 votes against a very formidable opponent. One of the great reasons the Senator from Texas won his victory was that he had a slogan in his campaign of "YARBOROUGH will put the jam on the lower shelf." This slogan really caught on in Texas, and the people of Texas recognized that the Senator would fight for all the people, particularly the little people who have been forgotten and who do not receive from their Government what they deserve. Mr. President, the Senator from Texas is keeping his promise today—right now—by putting the jam where it belongs, right on that lower shelf.

Mr. President, I warmly support the amendment, because there is not any question—whether one is conservative or liberal, whether one believes in helping those people who need help or not—that the social-security system is a system of insurance. The social-security system is a system which gives self-reliance to our older people. If the system does the job it should, if it is adequate, it will mean our older people can live in dignity and self-respect without relying on charity or the sufferance of relatives or the State or anyone else.

The Senator has offered a fine amendment. I enthusiastically support the amendment. I am delighted to see the number of cosponsors is increasing. I hope by the time the vote is taken the amendment will have 95 cosponsors.

The PRESIDING OFFICER. Do other Senators desire to speak on the amendment?

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield me 2 minutes?

Mr. YARBOROUGH. I yield 2 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 2 minutes.

Mr. JOHNSTON of South Carolina. Mr. President, the amendment would do nothing but that which is right under existing circumstances. The committee on which I serve, of which the Senator from Texas [Mr. YARBOROUGH] is a member, increased retirement benefits in 1956. On October 1 we increased the rates an average of between 25 and 30 percent. That was an increase for the people who had been working for the Government, but who had retired. We also increased approximately 10 percent the payments for those who were already retired. This year we have again increased the payments 10 percent. All this was necessary and just. So the need for increasing social-security benefits is just.

I make these statements to show that those who are retired were entitled to the increase, even as a result of the funds they were paying at that time.

I wish also to say that we have increased Government employees' salaries 10 percent this year. All the large corporations, during the same period of time covered by the 10-percent increase in governmental salaries, increased salaries of their employees, in some cases, even more. Senators will find that most corporations of the United States have increased salaries of employees almost twice that amount. That is what the records of the committee show.

Senators will also find that the cost of living since the beginning of 1952 has increased approximately 13 percent, according to the evidence produced in the hearings of the committee.

The terms of the bill would provide for the additional cost. That is another item of importance. Senators will notice that the increases in tax rates are shown on page 77:

(1) with respect to wages paid during the calendar year 1959, the rate shall be 2½ percent;

(2) with respect to wages paid during the calendar years 1960 to 1962, both inclusive, the rate shall be 3 percent;

(3) with respect to wages paid during the calendar years 1963 to 1965, both inclusive, the rate shall be 3½ percent——

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. YARBOROUGH. I yield 1 additional minute to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 1 more minute.

Mr. JOHNSTON of South Carolina. I continue to read from page 77:

(4) with respect to wages paid during the calendar years 1966 to 1968, both inclusive, the rate shall be 4 percent; and

(5) with respect to wages paid after December 31, 1968, the rate shall be 4½ percent.

I have not heard one Senator say on the floor that the fund would not be solvent and would not make possible the payment of a 10-percent increase. That being so, the old people of this Nation are entitled to the increase. We are paying more than 10 percent additional to those aged people who did not pay anything into the fund at all. Why should we not provide an increase for the people who are paying into the fund, and who will pay their pro rata share?

I commend the Senator from Texas for offering the amendment, and I am glad to be a cosponsor of the amendment.

Mr. YARBOROUGH. Mr. President, I commend the distinguished senior Senator from South Carolina for his remarks and his coauthorship of the amendment. The Senator has been a leader in the field of improving working conditions for Federal employees, and his leadership is well known.

I yield the floor, Mr. President, reserving the remainder of my time on the amendment for rebuttal.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The question is on agreeing to the amendment offered by the Senator from Texas [Mr. YARBOROUGH] for himself and other Senators.

Mr. KERR. Mr. President, I ask the acting minority leader to yield me 10 minutes.

Mr. CASE of South Dakota. Mr. President, I yield 10 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 10 minutes.

Mr. KERR. Mr. President, there is no Senator on this floor who would go further to provide a 10-percent increase instead of a 7-percent increase, or a $5 increase instead of a $3 increase, than the senior Senator from Oklahoma, if, in the first place, it were presented in a manner in which it would be justified, and if, in the second place, it could be done without jeopardizing the passage of a bill which the authors of the amendment, in my judgment, have as great a desire to avoid jeopardizing as any other Members of the Senate.

The bill which is before the Senate provides for additional benefits to those who are now retired, and to those who will retire. The bill provides a tax to pay for those additional benefits to those who have retired and to those who will retire. The actuarial experts of the Department of Health, Education, and Welfare came before the committee and testified as to the actuarial soundness of the program under existing law and under the proposed amendment. Those technicians and actuarial experts have been with the Department for many years. They were in the Department under the Democratic administrations and have continued under the Republican administration. So far as I know, Mr. President, neither their professional ability nor their integrity has ever been questioned.

They tell us that as of this time there is an actuarial deficit of 0.42 of 1 percent with the present rate of tax income and benefits provided; and that the increased tax provided in the bill is necessary to provide the money to pay for the increased benefits to be given under the bill and to reduce the actuarial deficit.

Mr. MARTIN of Pennsylvania. Mr. President, may we have order? This is a most important statement, one of the most important relating to the bill, and all Senators should pay close attention to it.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Senate will be in order so that the very important remarks of the Senator from Oklahoma may be heard.

Mr. KERR. If Senators are sincere in believing that this fund is actuarily sound without an increased tax, they should be here with an amendment to delete the tax feature from the bill, because the increased tax is being imposed to provide benefits for a few people who will make no contribution to the amount of money necessary to provide the increased benefits. The only justification for an increased tax is to make this fund actuarily sound.

If the fund is actuarily sound, without an increased tax, then we are being irresponsible and doing violence to basic American principles of justice by imposing a tax on the present group of employers and employees to provide additional benefits to those already retired under provisions of law which fix their benefits.

I would vote for additional assistance to those now retired on the old-age assistance rolls, but I would do so on the basic, honest principle of making such benefits available to every citizen of this country equally in need, and on the basis of paying it out of a tax which would apply to every taxpayer in the country.

The technicians and actuarial experts told our committee that as of the present time there is an actuarial deficit of 0.42 of 1 percent of the payroll; that with the additional benefits and the imposition of the tax proposed in the bill, that deficit will be reduced to less than one-fourth of 1 percent; that the proposed amendment of the Senator from Texas, if made a part of the bill without making provision for the taxes necessary to pay it, would then increase the actuarial deficit to 0.54 of 1 percent.

I believe in being generous. I believe in being just, and I believe in meeting the responsibilities of the office which I occupy. I could not do that if I would vote for a measure on the assumption of actuarial soundness, which does not exist, except, in my judgment, in the minds of wishful thinkers.

I will illustrate what I am talking about. I wish to say something about one of the dearest friends I have, the junior Senator from Louisiana [Mr. LONG], who is present. I should like his attention. He said on the floor of the Senate last night:

If we did not adopt this amendment, and passed the bill in the form in which it came from the House, the increase in the fund by the year 2000 would bring it up to $163 billion.

The issue, as I see it, is whether, during the next 40 years, we want these old people to have the benefit of that $40 billion, or whether we want to pile up the money in such a manner that we could retire the entire public debt by the most aggressive sort of payroll tax.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. KERR. Mr. President, I ask for 5 additional minutes.

Mr. CASE of South Dakota. I yield 5 additional minutes to the Senator from Oklahoma.

Mr. KERR. As I understand that language, it tells us that if the bill is not amended, and goes into effect and remains in effect——

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. MARTIN of Pennsylvania. Can the Senator translate that into dollars? I think it would be more understandable to many of us. If necessary, I will yield time to the Senator to do so.

Mr. KERR. I shall try to do so.

If I correctly understand the Senator from Louisiana, he tells us that by the year 2000 the fund would be $163 billion, which would be enough to retire the entire public debt.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. LONG. The Senator well knows that the reporters do not always get things down exactly the way we say them. I had in mind not the year 2000, but the year 2020. Under the schedule set forth in the committee report, we would eventually build up a fund exceeding $285 billion. I believe that is about what the public debt is.

Mr. KERR. I say to the good Senator that I was present when he made the statement. I thought I understood him, and I got the RECORD to read his statement. He went on to say:

Some contend that it would be desirable to build the fund up to $285 billion by the year 2020.

But that was in a paragraph subsequent to the one I have just read.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. LONG. I do not believe the Senator is under the misapprehension that the junior Senator from Louisiana thinks the public debt is $163 billion.

Mr. KERR. No; but I will tell the Senator what I do think.

The Senator was present in the committee yesterday when the authorization to increase the debt limit to $288 billion was approved. The Senator from Oklahoma believes that it will have to be more than $300 billion before 2 more years have gone by. Let me say to my friend that the statement that $163 billion would pay off the entire national debt is as nearly accurate as is the statement that this fund would be actuarially sound, with the amendment proposed by the Senator from Texas and without provision for additional taxes.

There is another element in the bill which I know is in the minds of Senators. We read in the Bible, "For what shall it profit a man if he shall gain the whole world and lose his own soul?" I ask, What would we profit if we were to increase the benefit to 12 percent, or $7, and have the bill vetoed?

I do not propose to kid the old people in Oklahoma. They would not receive any benefit from a veto. They could not eat a veto. They could not clothe themselves in a veto.

I might say to them, "The Congress gave you 10 percent, and that fellow in the White House—what is his name—President Eisenhower—vetoed it."

Do Senators think I would help myself with those people? They would reply, "You could have got 7 percent for us, or $3." I might say, "Oh, but I thought you were entitled to $10 or $5." I do think they are entitled to it, and if I thought there was a chance of getting it for them, and if we had before us a measure which was fiscally sound, and which would provide it, I would vote for it. But I do not propose to kid myself or my people in Oklahoma; and I will not participate in an action which, in my judgment, would insure defeat of the bill through a veto.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. KERR. With pleasure.

Mr. THYE. Was the pending amendment considered in committee?

Mr. KERR. The amendment was offered in committee by the distinguished Senator from Tennessee [Mr. GORE], and a very eloquent presentation was made by him on behalf of the amendment. It was considered by the committee. On the basis of the advice of the actuarial experts of the Department of Health, Education, and Welfare, as to how much it would jeopardize the bill, and also on the basis of what we regard to be the attitude of the Secretary of Health, Education, and Welfare, it was voted down in committee.

Mr. THYE. On this subject, the House bill contains the same provision found in the Senate bill, does it not?

Mr. KERR. In that regard; yes.

Mr. THYE. It does?

Mr. KERR. Yes.

Mr. THYE. I have listened to the distinguished Senator from Oklahoma in his defense of the committee action and his explanation. It is most impressive. I wish to commend the distinguished Senator from Oklahoma for making clear to us what is involved in the amendment. I, like the Senator from Oklahoma, know that my people in Minnesota cannot be clothed in a veto.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CASE of South Dakota. I yield 5 additional minutes to the Senator from Oklahoma.

Mr. THYE. Nor can they be clothed with an explanation. I commend the Senator.

Mr. KERR. I thank the Senator. If an amendment were offered providing additional benefits, and if the amendment were actuarially and fiscally sound, and if we had time to stay in session and take action on a veto, I would support such an amendment. Those conditions do not prevail with respect to the pending amendment. Therefore, I say to my colleagues that, in my judgment, we can take to our people the results of the bill that is before us, with some additional amendments which I believe we will have to take—not to increase the amounts, but to make some reductions in the assistance part of the bill—and all of us, including the Senator from Oklahoma, will be able to take home a sack half full, rather than go home and show our people a sack which would have been wonderful had it been full, but which had had the bottom shot out of it by a veto.

Mr. CASE of South Dakota. I am willing to yield back the remainder of my time.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KERR. I yield back to the acting minority leader the remainder of the 3 minutes I have been yielded.

Mr. THYE. Mr. President, will the distinguished Senator from Oklahoma yield?

The PRESIDING OFFICER. The acting minority leader is in control of the time.

Mr. THYE. Will the acting minority leader yield me a minute?

Mr. CASE of South Dakota. I yield 1 minute to the Senator from Minnesota.

Mr. THYE. As I examine the proposals in the committee bill, I find that Minnesota would receive $4,509,000 in additional money. The increase for old-age assistance would be $7.63 a month. The increase for a dependent child would be $1.35 a month. The amount of aid to the blind would be increased by $7.46 a month.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. THYE. May I have an additional half minute?

Mr. CASE of South Dakota. I yield a half minute to the Senator from Minnesota.

Mr. THYE. The totally disabled would receive an increase of $7.01 a month. This matter is of great importance to all of us. It is of great concern to me. It is of great concern to me that the bill pass, and not be rejected or vetoed.

Mr. KERR. I thank the Senator.

FARM ACT OF 1958—MOTION TO RECONSIDER ACTION OF SENATE REQUESTING A CONFERENCE WITH THE HOUSE

Mr. CASE of South Dakota. Mr. President, I yield one-half minute to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I ask unanimous consent to make a motion and that the time for it be not charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ELLENDER. Mr. President, I was directed a few minutes ago by the Committee on Agriculture and Forestry to make the following motion:

Mr. President, I enter a motion to reconsider the votes disagreeing to the amendment of the House of Representatives to the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural products, asking a conference with the House thereon, and appointing conferees.

The bill having been transmitted to the House, I move, pursuant to the rule, that the House be requested to return the said bill, with the accompanying papers, to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

Mr. CASE of South Dakota. Mr. President, what is the pending motion?

The PRESIDING OFFICER. The pending motion is the motion of the Senator from Louisiana to request the House to return the bill (S. 4071).

Mr. ELLENDER. And all the papers attached thereto.

Mr. CASE of South Dakota. Would the Senator from Louisiana withhold the motion for a moment? I understand a Senator desired to be advised when the Senator from Louisiana made his motion. May we defer action on it for a moment?

The PRESIDING OFFICER. Without objection, action on the motion will be postponed.

SOCIAL SECURITY AMENDMENTS OF 1958

The Senate resumed the consideration of the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes.

Mr. CASE of South Dakota. Mr. President, I yield 2 minutes to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. Mr. President, I have been very greatly impressed by what the distinguished Senator from Oklahoma has said. No member of the Committee on Finance is more in favor of taking care of the unfortunate of this country and who is more interested in keeping the bill actuarially sound than is the Senator from Oklahoma.

Mr. JOHNSON of Texas. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MARTIN of Pennsylvania. Unfortunately, a few years ago we increased the benefits to a point beyond the receipts in the fund. We do not want that situation to occur again. Social security is really a forced saving. It has done a great deal of good in the United States. We do not wish to endanger it. It is not fair to those who make contributions. Therefore I wish to associate myself with the sound argument of the distinguished Senator from Oklahoma. I sincerely hope that the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Texas.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from South Dakota yield me 1 more minute?

Mr. CASE of South Dakota. I yield 1 minute to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. The Senate should take into consideration one other point. There has been some talk about a possible Presidential disapproval of the bill if it is made more expensive than it was when it came from the House and as approved by the Committee on Finance. We must remember that the President of the United States has the overall picture to consider. It will be only a few days before the Senate will be confronted with the question of raising the debt limit. From the best information we can get, our fiscal officials do not see a chance of balancing the budget for the next 4 or 5 years, and perhaps longer. That is a serious thing confronting the people of the United States. Our old people are confronted with a serious situation, as are the young men and women who are starting out in life. So we must take those things into consideration, too. It is absolutely necessary for our President to have the courage to take all of those matters into consideration when bills are before him for approval or disapproval.

RETIREMENT, CLERICAL ASSISTANTS, AND FREE MAILING PRIVILEGES FOR FORMER PRESIDENTS—CONFERENCE REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) entitled "An act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1:

That the Senate recede from its disagreement to the amendment of the House numbered 1 and agree to the same.

Amendment numbered 2:

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows:

Restore the matter proposed to be stricken out by the House amendment with the following changes:

Page 1, line 9, of the Senate engrossed bill, strike out all matter following the word "President" down to but not including the period in line 11, and insert in lieu thereof the words "an office staff."

Page 2, line 4, of the Senate engrossed bill, strike out all matter following the word "exceed" down to and including the period in line 10, and insert in lieu thereof "$50,000 per annum. The rate of compensation payable to any such person shall not exceed the maximum aggregate rate of compensation payable to any individual employed in the office of a Senator. Each individual appointed under this subsection to a position on the office staff of a former President shall be held and considered to be an employee of the Government of the United States for the purposes of the Civil Service Retirement Act, the Federal Employees' Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954.".

Page 2, line 14, of the Senate engrossed bill, strike out the words "located in a Federal building".

And the House agree to the same.

Amendments numbered 3, 4, 5, and 6:

That the House recede from its amendments numbered 3, 4, 5, and 6.

Amendment to the title:

That the House recede from its amendment to the title of the bill.

OLIN D. JOHNSTON,
MIKE MONRONEY,
DICK NEUBERGER,
FRANK CARLSON,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. JOHNSON of Texas. Mr. President, I shall not object; but I desire that the standing committees will please show the leadership on both sides the courtesy of informing us of their desires. I have asked two chairmen to stand by for the calling up of conference reports until we have had a vote on the Yarborough amendment, on which there is a limitation of debate.

I have a responsibility to the minority leader not to call up anything requiring unanimous consent without first informing him. The minority leader tells me that he had no knowledge of this request; and I had no knowledge of it.

I am enthusiastic about the proposed legislation. I know the Senator from South Carolina carries a heavy burden of work. I am familiar with that. But if we are to have a system of procedure, we shall have to coordinate our efforts. It is difficult for me to ask the chairman of one standing committee to wait until we have voted on the amendment, and then say to another chairman, "You can ask for unanimous consent, and then we will discuss your report."

I shall not object in this instance; but in the future, I hope the chairman and ranking minority member of a committee will notify the two leaders of their intentions, so that we may inform Senators who may be interested, and that we may have one rule for all Senators.

Mr. IVES. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield, with the understanding that the time will not be charged to either side.

Mr. IVES. Is my understanding correct that conference reports can be considered only between the consideration of amendments?

Mr. JOHNSON of Texas. Not at all. Conference reports can be considered at any time when the leadership can clear them and has made certain that the chairmen and ranking minority Senators are present. It is desired to treat all chairmen on the same basis.

Conference reports are highly privileged matters. No one is more desirous of having them considered and expedited than are the Senator from Texas and the Senator from California [Mr. KNOWLAND]. But if an orderly procedure is not followed when such requests are made, we cannot protect Senators who ask us to protect them.

In this instance, no Senator has asked to be protected on the consideration of the report. I shall not object to its present consideration. I realize the problem of the Senator from South Carolina, because the Senator from Kansas [Mr. CARLSON] must be present when the report is considered. But I ask that in the future the two leaders be notified in advance, so that all Senators may be treated alike.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSTON of South Carolina. Mr. President, I assure the majority leader that there is no objection to the consideration of the report, and that I was presenting it as a matter of form, so that it would not be necessary to bring it back to the Senate later.

Mr. President, the conference agreement on S. 607, the bill which provides certain retirement benefits to former Presidents, is, I think, very satisfactory. As usual in matters of this kind, the House gave on some points and the Senate yielded on other points.

The main thing is that the bill makes it possible for former Presidents to fulfill certain obligations to the American people which continue after they have left the White House.

The conference agreement does the following:

First. It provides a pension of $25,000 per year to former Presidents. This provision was the same in both the Senate and House versions, so no change occurred in conference.

Second. It provides funds for a staff to serve the President at an annual expense of not to exceed $50,000. This is a compromise right down the middle between the House and Senate versions.

Third. It authorizes the Administrator of General Services to provide suitable space, appropriately furnished, to our former Presidents.

Fourth. It extends the franking privilege to former Presidents, and finally, it provides a pension of $10,000 per annum to widows of former Presidents, provided any such widow waives her right to any other Federal annuity or pension.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a comparative analysis of the bill.

There being no objection, the comparative analysis was ordered to be printed in the RECORD, as follows:

COMPARATIVE ANALYSIS OF S. 607, AN ACT TO PROVIDE RETIREMENT, CLERICAL ASSISTANTS, AND FREE MAILING PRIVILEGES TO FORMER PRESIDENTS OF THE UNITED STATES, AND FOR OTHER PURPOSES

TITLE

Senate: Same as above.

House: Amended to read "An act to provide retirement benefits to former Presidents of the United States, and their widows."

SEC. (A)—PENSION (FORMER PRESIDENT)

Senate: Provides $25,000 per annum.

House: Same as Senate.

SEC. (B)—STAFF

Senate: Provides staff to be selected by each former President without regard to civil service and classification laws, whose salaries shall not in the aggregate exceed amount for such purposes authorized for a Senator from least populous State.

House: No provision.

SEC. (C)—OFFICE SPACE

Senate: Authorizes Administrator of General Services to provide suitable space, appropriately furnished, in a Federal building.

House: No provision.

SEC. (D)—FREE POSTAGE

Senate: Provides free postage for all mail sent by each former President, under his written autograph signature, to any place within the United States and its Territories and possessions. Postal revenues to be reimbursed out of general funds of Treasury.

House: No provision.

SEC. (E)—WIDOWS OF FORMER PRESIDENTS

Senate: Provides $10,000 if widow waives right to any other annuity and pension.
House: Provides $10,000.

SEC. (F)—DEFINITION

Senate: Defines the term "former President."
House: Same.

REPEAL PROVISIONS

Senate: None.
House: Repeals act of February 28, 1929, granting pension of $5,000 to Edith B. Wilson, widow of Woodrow Wilson.

Mr. CARLSON. Mr. President, I am pleased that we are able to conclude action on the bill to provide pensions for ex-Presidents, after reaching an agreement in conference between the House and the Senate.

I have done a little research into history. I think it is interesting to note that many Presidents had a hard time after leaving the White House.

Thomas Jefferson was almost bankrupt and had to mortgage Monticello and sell some of his belongings.

James Madison wrote notes on the Constitutional Convention for income, and his widow could not live comfortably on what he left.

James Monroe lost his Virginia estate and went to live with relatives in New York.

The widow of Abraham Lincoln finally asked the Congress for a pension.

Ulysses S. Grant lost money in Wall Street and wrote his memoirs to help pay the expense of his final illness.

Mrs. Benjamin Harrison had to scrimp after her husband died.

Woodrow Wilson was able to live on his wife's income after friends paid off the mortgage on his house in Washington.

Calvin Coolidge's earnings, after he left the White House, came from writing a newspaper column and from a life insurance company for which he served as a trustee.

I think the proposed legislation should have been enacted years ago. But since it has not been, I am pleased that we have brought it to the Senate for final consideration today.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Pensions for Presidents," published in the Topeka Daily Capital of August 9, 1958.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PENSIONS FOR PRESIDENTS

One piece of legislation which may clear Congress before adjournment is one which would provide pensions for former Presidents. Its passage would mean $25,000 a year for life for a President after he leaves office. Widows of former Presidents would get $10,000.

The bill doesn't stem from the need of the two former Presidents now alive. Herbert Hoover and Harry Truman need no assistance nor will Dwight Eisenhower when he leaves office, it was noted in Congressional debate.

Why the pension, then?

A look into history shows some Presidents had a hard time after leaving the White House. Thomas Jefferson was near bankruptcy, had to mortgage Monticello and sell some of his belongings. James Madison wrote notes on the Constitutional Convention for income and his widow, Dolly, couldn't live comfortably on what he left.

James Monroe lost his Virginia estate and went to live with relatives in New York. Abraham Lincoln's wife finally asked Congress for a pension. Ulysses Grant lost money in Wall Street and wrote his memoirs to help pay the expense of his final illness, and Mrs. Benjamin Harrison had to scrimp after her husband died.

Woodrow Wilson was able to live on his wife's income after friends paid off the mortgage on his house in Washington. Calvin Coolidge's earnings, after leaving the White House, came from a newspaper column and a life insurance company for which he served as a trustee.

Presently, the President's salary is $100,000 a year. He also has a $50,000 allowance from defraying official expenses. Both of these amounts are taxable. The President is also allowed up to $40,000 a year for travel and entertainment expenses. But it has often been said that a President leaves the White House poorer than he went in.

The present bill would relieve former Presidents of making business connections if they so desired but it wouldn't mean luxury living by any means. The Federal income tax would take its bite and the $25,000 a year would probably net about $18,000 at present rates on a husband-and-wife gross income.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from South Dakota [Mr. MUNDT] may have 3 minutes to discuss the motion previously made by the Senator from Louisiana [Mr. ELLENDER], action on which was withheld until the Senator from South Dakota could be present. I ask unanimous consent that this time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, at the conclusion of the action on the motion of the Senator from Louisiana, I ask unanimous consent that the conference report on the welfare and pension bill may be called up, and that the time for its consideration not be charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

FARM ACT OF 1958

Mr. MUNDT. Mr. President, I voted as I did yesterday against the procedure of relieving the House from the necessity of appointing a conference committee on the farm bill because I did not think the Senate should yield to the House in its position on this matter. While I voted against that procedure again this morning, and made my reasons clear in committee, I assured the chairman of the committee that I would not delay the proceeding at this time by asking for a yea and nay vote, or by employing other dilatory tactics. I was defeated in committee. I shall not press the issue at this time.

But I call the attention of the Senate to the fact that when the agricultural bill passed the Senate, it contained some provisions which were at least of some value and virtue to the farmers of the upper Midwest. It contained a provision removing the restrictions on corn production and provided the farmers with an acceptable price for full production. That provision has not been changed materially by the House legislation, other than to provide for a referendum by which the farmers shall decide which program they want.

I do not object, of course, to giving farmers their right to vote in a referendum, since I consistently support giving our farmers the maximum degree of self-determination in their farming plans and programs.

But the small grain sections have been changed more significantly by the House. Our price support provisions on feed grains have been decreased in their effectiveness by the House. When the bill passed the Senate, it established mandatory price supports for feed grains for the first time, and set a minimum floor of 60 percent of parity. By House action, that minimum floor has been removed. I consider that to be a direct step backward and it creates a very definitely depressing price factor, as compared to our Senate provisions on feed grains.

I, as one, felt that if we maintained our position, we would have succeeded in convincing the Members of the House that a conference committee should be appointed. I am the one member of the Senate Committee on Agriculture and Forestry who has served in the House of Representatives. I served there for 10 years. I think I know something about the strategy which is sometimes employed by the other body. I am disinclined to surrender to it.

There has been much discussion in the past few days about unconditional military surrender. I for one do not like to be pushed into an unconditional legislative surrender by the House Committee on Agriculture and Forestry. If we have to surrender, I think there should be at least some creditable terms under which we yield to the other body.

I shall not insist on a yea-and-nay vote. I shall not fight the matter any further, except to explain to the Senate and Congress as a whole the basis for the action which I took on the vote yesterday, which was consistent with the vote I took again this morning when I voted against the idea of our asking that the bill come back from the House. I believe a conference should be held, and I am confident one would be held if the Senate insisted on the position we adopted by our vote yesterday. Out of such a conference, also, should come an agriculture bill far better than that adopted by the House.

Mr. THYE. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I yield.

Mr. THYE. I wish to associate myself with the remarks which have been made by the distinguished Senator from South Dakota. I have voted as he did; and his remarks cover my own convictions.

Mr. MUNDT. I thank the Senator very much.

I regret sincerely that the House of Representatives has delayed unconscionably, month after month after month, its passage of the bill extending Public Law 480. That delay has worked directly to the disadvantage of the American farmer, who, as a result of the delay, has lost hundreds of millions of dollars in export opportunities. It seems to me that the Senate acted in a very sound manner in passing the measure promptly and sending it to the other body for action by it. Likewise the delay by the House in extending our National Wool Act has been injurious to the Nation's sheep raisers.

Mr. ANDERSON. It is my understanding, however, that the bill, as it has returned to us from the House, must be accepted.

Mr. MUNDT. That is also my understanding in view of the failure of the House to appoint a conference committee.

The PRESIDING OFFICER. The time yielded to the Senator from South Dakota has expired.

The question is on agreeing to the motion of the Senator from Louisiana [Mr. ELLENDER], that the House be requested to return Senate bill 4071, with the accompanying papers, to the Senate. The motion is not debatable.

The question now is on agreeing to the motion.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I understood the Senator from Massachusetts was to be yielded 3 minutes.

The PRESIDING OFFICER. First, the motion of the Senator from Louisiana had to be acted on.

Mr. IVES. Mr. President, I understood that the Senator from Massachusetts was to call up the conference report on Senate bill 2888.

Mr. JOHNSON of Texas. No. The Senator from Louisiana submitted a motion, and it was acted on by the Senate. Thereafter, the minority leader said the Senator from South Dakota [Mr. MUNDT] wished to speak on the motion. Accordingly, the Senate vitiated the action it already had taken on the motion.

Then the Senator from South Dakota stated he wished to speak for only 3 minutes; and I asked unanimous consent that he be allowed to speak for 3 minutes, prior to having the Senate vote on the motion again. At the time when I made that request, the Senator from New York asked about having the conference report on the labor bill acted on.

Earlier today, I asked the chairman of the committee to wait until the Yarborough amendment to the social-security bill was disposed of. But the committee members were in a hurry, and wanted to have the conference report on the labor bill considered by the Senate before the vote on the Yarborough amendment to the social-security bill was taken. I treat all committee chairmen alike; so I said that as soon as the motion of the Senator from Louisiana was disposed of, the Senate would take up the conference report on the labor bill, in which the Senator from Massachusetts is interested.

I hope that in a moment the motion of the Senator from Louisiana will finally be disposed of.

Mr. IVES. The final vote on it already has been taken.

Mr. JOHNSON of Texas. Very well.

Then the Senate is now ready to proceed with consideration of the conference report in which the Senator from Massachusetts is interested.

REGISTRATION AND DISCLOSURE OF EMPLOYEE WELFARE AND PENSION BENEFIT PLANS—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2888) to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 19, 1958, pp. 18552–18555, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection the Senate proceeded to consider the report.

Mr. KENNEDY. Mr. President, the most important differences between the bills passed by the House and Senate—which relate to the reporting and disclosure of information about pension and welfare plans—concern the powers of the Secretary of Labor and the penalties to attach to failures and omissions on the part of plan administrators. In general, the Senate bill was the stronger of the two, since it placed direct responsibility on the Secretary of Labor, and granted him extensive powers to protect the interests of participants and beneficiaries in pension and welfare plans.

The report—in the nature of a substitute for the House amendment—agreed to by the conferees is not as strong as the Senate-passed bill. Nevertheless, the report embodies all of the important principles which were the foundation of the Senate bill. The conference report provides that reports must be made by the administrators of all types of plans; recognizes that plans covering small numbers of employees need not be put to the burden of reporting; provides that reports shall be filed with, and made available to, the public, through the Secretary of Labor; grants the Secretary power to prescribe standard forms of reporting, although it does not insist that plan administrators use these standard forms of reports; recognizes that a system of reporting to beneficiaries cannot be effective unless there is a strong criminal penalty for false reporting; reduces the reporting burden on multi-State plans, by making information filed under this act available to State authorities.

The provisions in regard to the information required to be reported to beneficiaries and the manner of reporting are substantially the same as those in Senate bill 2888. The Senate conferees were forced to recede from their desire to place in the Secretary explicit power to conduct investigations, issue subpenas, and seek injunctions to prevent violations of the act.

Although the conference report is not as strong as the Senate desired, nevertheless, as I have previously pointed out, the report does embody sound principles upon which we can build in future years as we gain more experience. The report is definitely a step in the right direction, and has some real substance, as a result of the conference. On this basis, I recommend that the Senate agree to the conference report on Senate bill 2888.

Unfortunately, Mr. President, the Senate conferees negotiated with the House conferees under considerable difficulties. There were some differences between the Senate bill and the House bill, particularly in regard to the powers given by the Senate bill to the Secretary of Labor—extensive powers to protect the interests of the beneficiaries of the welfare plans and the participants in the welfare plans. Unfortunately, many Members of the other body preferred no bill at all to the bill which had been passed by the Senate. Therefore, the Senate conferees negotiated under considerable difficulties, for they recognized that if they did not agree to make substantial concessions, no bill at all would be enacted. Therefore, the Senate conferees gave way on substantial points in disagreement, although we greatly regretted the necessity to do so.

Nevertheless, the conference report provides for an important forward step in this field, and provides a substantial basis for improvements in the public interest.

Therefore, Mr. President, I ask that the report be agreed to.

Mr. MUNDT. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. I yield.

Mr. MUNDT. Let me ask whether the so-called Mundt amendment, which prohibited persons with criminal records from holding these positions, is retained in the conference report.

Mr. KENNEDY. No, it is not.

Mr. MUNDT. I am severely disappointed by that deletion. Let me say that although the conference report may be the best the Senate conferees were able to obtain at this juncture, I understand that the report also gives the rank-and-file working members of the unions less protection than that given them by the bill which was passed by the Senate.

Mr. KENNEDY. That is correct. Instead of giving the Secretary of Labor broad powers to insure compliance with minimum standards, the conference report makes him the custodian of the reports. Instead of making the Secretary of Labor the pivot point of the entire program, the conference report

makes him little more than the recipient of the reports.

Mr. MUNDT. I thank the Senator from Massachusetts for the explanation. I understand that the conference report makes the Secretary of Labor the gathering point for the reports, but removes from him the police power that the Senate attempted to provide, by means of the bill it passed.

Mr. KENNEDY. That is correct.

It was contrary to the sentiments of the majority of the Senate conferees to accept the conference report; but a substantial number of the Members of the House of Representatives preferred no bill at all to the bill which had been passed by the Senate. Therefore, the Senate conferees were negotiating from a point of weakness, in regard to a bill which we wanted very much to have enacted. Under the circumstances, the Senate conferees had to recede.

Mr. GOLDWATER. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. I yield.

Mr. GOLDWATER. I wish to take this opportunity to commend the Senate conferees for the job they have done. I recognize that they had an almost impossible task, in view of the fact that the bill passed by the House was radically different from the bill passed by the Senate.

Although I was not wholly in accord with the bill passed by the Senate, nevertheless, I feel, as does the Senator from South Dakota [Mr. MUNDT], that the conference report provides some protection to the working people of the country.

But I did not want this opportunity to pass without complimenting the chairman of the subcommittee and the other Senate conferees on the conference report which has been brought to the Senate.

I hope the Senate will agree to the report.

Mr. KENNEDY. I thank the Senator from Arizona.

Mr. ALLOTT. Mr. President.

Mr. KENNEDY. I am glad to yield to the Senator from Colorado, who is one of the conferees.

Mr. ALLOTT. Mr. President, I think several things should be said in regard to the conference report—although I do not want anything I may say to be regarded as a statement in criticism of any Member of the Senate, and, in particular, any of the conferees.

But I believe the people of the country, particularly the laboring people, should understand that the report will not remedy many of the troubles which afflict the pension and welfare plans. I believe that point should be clearly understood, so that the people of the country who work and who are members of some kind of fund or plan will understand the limitations of the conference report legislation.

The report will give to each individual member information about how his fund is operated, what it consists of, and what his benefits and his rights under it are. But so far as being a really tough bill to stop the abuses which are found in abundance in many, many of these funds, throughout the country, particularly in the fixed-cost, Taft-Hartley type plans, the conference report does not provide any effective authority to clean up the funds.

Under the circumstances, I believe the conference report probably is weaker in some respects than Senate bill 2888. The conference report will do what I have just said, but no more.

Nevertheless, I believe the wisest thing we can do at this time is agree to the conference report, and go along with it for a year or two; and then, when the next session of Congress convenes, proceed to make improvements.

When the next session of Congress convenes it is my intention to propose legislation which will give Congress and our committees—perhaps joint committees—an opportunity to survey the reports filed and to compile statistical information. I believe that with the information which is given to individual Members, and with the statistical information made available, within a year and a half, or 2 years at the most, we can have a wealth of information which will permit us to legislate far more adequately than at the present time.

Mr. KENNEDY. And that is very important. After all, $36 billion are involved. We shall know a great deal more about the programs as a result of the bill. I think the point which has been brought up is important, and is a very excellent reason why the Senate should accept the conference report.

Mr. ALLOTT. I thank the Senator. What the Senator said as to what we were bargaining for at the conference table is completely true. There is one thing we got out of it, which was a commitment to make the forms uniform. While use of the forms is not a necessity, I think, from the language, most of the forms will be uniform, and from them we shall be able to get a wealth of information which will be of great help to us in the future.

I thank the Senator.

Mr. KENNEDY. I thank the Senator from Colorado.

Now I yield to the Senator from New York, who was the original stimulus in this legislation.

Mr. IVES. Mr. President, I join with the able junior Senator from Massachusetts [Mr. KENNEDY] in urging that the Senate accept S. 2888 as reported by the House and Senate conferees to the respective Houses of the Congress.

I am disappointed that the 85th Congress is unable to enact more meaningful legislation affecting the rights and privileges of approximately 85 million Americans for whom pension and welfare plans have been established.

Three successive subcommittees of the Senate Committee on Labor and Public Welfare over a period of 4 years have compiled literally thousands of pages of testimony concerning the need for effective legislation in this field. The laborious efforts of these consecutive subcommittees resulted in S. 2888, and it passed the United States Senate by a vote of 88 to 0. It is indeed unfortunate that the House of Representatives is unwilling to accept the important findings and recommendations compiled by the Senate Committee on Labor and Public Welfare. However, the legislation before us is slightly more than an empty gesture. It is at least a step—even though a creep in the right direction. I believe that this bill, when enacted, can be helpful to the beneficiaries and their families.

Therefore, I urge that S. 2888, as it now appears before us, be approved by the United States Senate.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1958

The Senate resumed the consideration of the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the Senator from Texas [Mr. YARBOROUGH]. The proponents of the amendment have 10 minutes remaining; the opponents have 9 minutes.

Mr. YARBOROUGH. Mr. President, I believe the opponents have 4 minutes.

Mr. WILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield time to the Senator from Wisconsin?

Mr. YARBOROUGH. I yield 1 minute to the distinguished Senator from Wisconsin.

NEEDED: 10 PERCENT INCREASE IN SOCIAL SECURITY RETIREMENT BENEFITS

Mr. WILEY. Mr. President, I rise to support the amendment proposing to raise the level of retirement benefits from 7 percent to 10 percent.

The more than 12 million folks on social security, I believe, deserve such an increase in benefits. As the Finance Committee reports, wages have increased about 12 percent and prices about 8 percent since the last benefit increase was put into effect in 1954.

Now the question is, Can we face our senior citizens and say: "The costs of living have gone up 8 percent since your last improvement in benefits. The chances are that you won't get another increase for at least a couple of years. However, we are not going to allow you to catch up with the costs of living. Instead, we are going to hold you about 1 percent short. If the costs of living continue to rise—as the trend upward unfortunately continues—you are going to be left farther and farther behind"?

My friends, I, for one, cannot do this thing. I know that the more than 281,000 folks in Wisconsin depend, for sole income, or important supplements, on social-security benefits.

Right now, the minimum benefit is $30 per month.

Think of it: $30 per month. What will this buy? How much food? Will it pay the rent? Looking at the facts, we can only conclude that on any one of these single basic items of necessity, that $30 is likely to fall short.

I am hopeful, therefore, that the Senate will see its way to lift the percentage of increase to 10 percent above present levels of benefits. This increase, I believe, is absolutely justified. If proved to be actuarily not sound, that can be remedied next year.

As we all appreciate, the bill, H. R. 13549, contains a number of other important improvements under social security, including increased benefits for families, dependents of disabled workers, disability insurance, survivor, and many other desirable adjustments in the program.

As a matter of fact, it contains an important amendment which I proposed earlier this session, and which was passed earlier in the bill H. R. 11346. This measure would provide additional time for members of State and local retirement systems to choose, if they so desire, to be covered by social security.

There is, of course, one supplementary amendment which I had hoped the measure would include. This proposal would allow the folks on social security to increase their extra earnings from $1,200 to $1,800 annually, without suffering loss of social-security benefits. Now, we know that it is extremely difficult for folks in the upper age brackets to find work; where a job is available, however, I believe that we should not jeopardize their opportunity to be as independent as possible, and to maintain as fair a standard of living as possible.

I believe this legislation, too, would have made it a stronger, better bill. In fact, I recall to my colleagues that, recently, over 80 percent of the members of the National Federation of Independent Businessmen approved its objectives. The measure, of course, has the vast majority of support from our social security beneficiaries themselves.

However, I am not offering the amendment at this time. Why? Basically, I believe that the Finance Committee, with its tremendously heavy workload, has done a spendid job in bringing this measure to the floor as quickly as possible. I do not, therefore, want to jeopardize the ultimate approval of the overall bill, even though I am fully convinced of the merits of the measure, and hope that the Congress will approve it next session.

I do, however, hope that the Senate will find it in its heart to provide the 10-percent increase in benefits which I believe is merited; though there is a dispute as to whether it is actuarily sound.

THE COMPREHENSIVE NEEDS OF AMERICA'S ELDERLY CITIZENS

The social security legislation which we are considering today is important. But it is by no means the only answer to the needs of our elder citizens.

Pension checks are helpful, particularly to senior citizens in the low-income brackets. Indeed, pension checks often make the difference between utter destitution and being able to eke out an existence. But once a man or woman has the financial wherewithal to survive, he or she sees that far more than money is needed. Man does not live by bread alone, or pension checks alone.

I send to the desk, therefore, a statement listing some of the other needs of our elderly citizens. I ask unanimous consent that this statement be printed in the body of the RECORD at this point, preceded by a fine little editorial entitled "Age and Opportunity," from the Christian Science Monitor of Wednesday, August 6.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

AGE AND OPPORTUNITY

"Grow old along with me," wrote the poet Robert Browning, "The best is yet to be • • •."

Chief Judge Archibald K. Gardner of the 7-judge United States Circuit Court of Appeals which is now formulating its decision on the significant Little Rock segregation case is approaching his 91st birthday. (He is still known as a rugged outdoors man.) The other 6 justices grade youthward—84, 74, 63, 60, 58, to a boyish 52. Whatever their decision, they can hardly be accused of halfbaked liberalism.

Dr. William F. Durand, known for a generation as the dean of American engineering, has just passed away at 99. He had retired (from teaching at Stanford) at 65. Thereafter he won 6 gold medals, including the Guggenheim and the Wright Brothers Trophy, wrote a massive 6-volume work, Aerodynamic Theory, and headed the Government's wartime effort to design and produce jet-propulsion engines.

"For age is opportunity, no less than youth," wrote Longfellow, "though in another dress."

SUPPLEMENTARY STATEMENT BY SENATOR WILEY

What do elderly citizens need?

This is a subject on which I have commented on many occasions. For example, I referred to the review of this question by the Wisconsin Conference on the Aging on February 20 of this year.

I have introduced legislation on old-age problems. I have sent out special reports to Senior Citizens, including, most recently, a report on helpful Federal and other publications available to them free or at nominal cost.

I have corresponded extensively with the old-age groups, with the Senior Citizens of America, Golden Age Clubs, together with Federal, State, and local experts on the problem.

I have stressed the importance of sound planning for the White House Conference on the Aging in 1960, including planning for the various preceding State conferences. Here now, based on my previous work, is a listing of a half-dozen of the top needs of our elderly citizens.

NEED FOR A MISSION IN LIFE

1. A purpose. The most essential need of men and women 65 years or over, or, for that matter, at younger ages, is a purpose. I mean a mission, a goal, something they can look forward to, something they can strive for.

For too many elderly citizens find, so to speak, that the fire has gone out within their heart. They find that they are only dragging themselves through, day after day, of existence. They find that they lack a zest for living.

Some loved one is gone. Children have grown up and established their own homes. Life seems empty and barren. The future seems to hold nothing but sitting and listening to radio or watching television and then, eventual death.

Fortunately, this grim picture does not by any means reflect what needs prevail or what does always prevail.

On the contrary, life is full of great purpose for countless elderly citizens.

There are countless senior citizens who, after ending one career, have wisely started a whole new career. They have developed a new skill or polished an old one. They have become interested in some community work and/or they have taken on the responsibility of helping some friends, of helping their children, and their grandchildren. They work for some charity, or they have some particular hobby which they tremendously enjoy.

This is what is truly needed: a driving purpose, a motivation for long life.

Average men cannot pretend that they are completely like Konrad Adenauer or a Winston Churchill or a Frank Lloyd Wright or a Douglas MacArthur, accomplishing great things, long after 70. But so-called average people can nonetheless achieve a great deal, each in their own spheres.

With their purpose, there must be a faith in that purpose. There must be a faith in themselves. Yes, countless individuals have found they need faith in a power, higher than themselves, faith in an all-knowing, all-seeing, all-powerful Creator, a God of love and truth. And it is their purpose to serve their Creator with love and truth.

THE NEED FOR ESTEEM

2. Esteem. Elderly citizens need respect. They need to be wanted, to be appreciated.

It has often been said that this has become a young man's civilization. Our culture honors youth, good looks, so-called glamor.

It tends to play down the judgment of age. While we still follow the commandment, "Honor thy father and thy mother," many people tend to take it far less seriously than before. I refer to the days when Americans, by and large, lived in rural areas, when old folks lived with their youngsters. Then, the judgment of the preceding generation was constantly available and was sought so as to be of help to the present generation.

The tempo of life has picked up rapidly. There has been so much change that youth tends not to go by former standards. Youth tends to feel that old folks have little to contribute to them. "The old fogies don't understand us or our problems," many young people assert.

So, elderly citizens find all too often a lack of respect and appreciation.

But they need such esteem. And of course they must earn it. They must try to understand youth, just as youth must understand age.

THE NEED FOR A JOB

3. Fruitful activity. I have said that elderly citizens need a purpose. And they need esteem. I know of no single way by which they can have a purpose and gain esteem than by earning their own way to the extent that this is feasible.

There is nothing like a job to keep a man's or woman's self-respect. There is nothing like a feeling that one can still put in an honest day's work and can still earn one's daily bread through one's skill.

By contrast, there is nothing more damaging than to feel that one has lost one's skill, that one must live exclusively on pension checks, or on doles, or on handouts.

So elderly citizens need jobs. But at what age does one become elderly? Some employers, unfortunately, seem to think at the age of 50 or 45 or even earlier.

Serious job discrimination against elderly citizens still continues. Some women applying for work find that the employment bars are lowered against anyone even at the age of 35, much less older. And there is many a company which looks askance at a male applicant over 40.

Obviously, we need to reeducate American employers to the value of utilizing skills of the middle and later years.

THE NEED FOR ADEQUATE HOUSING

4. Housing: In recent years, we have made great strides in housing, especially adapted to the elderly. I mean housing which they can maintain relatively easily. It must be housing which is not so big as to be beyond their ability to keep neat, or not so small as to make them feel they are living in a prison cubicle.

I mean housing with special fixtures, housing with ramps, rather than steeply inclined steps for those who might not be able to walk up steps too easily. I mean housing with built-in fixtures, with handrails, nonslip surfaces, easily operated windows and doors. It must usually be housing relatively near to needed public facilities.

And, of course, it might be housing they can pay for, on their existing level of income.

Fortunately, Congress has taken action to encourage both private profit and nonprofit housing for the elderly. Private builders have only, however, begun to utilize these provisions, both in individual homes and in new developments. And the churches and fraternal organizations of America have only begun to utilize the nonprofit provisions.

So, too, nursing homes in America are sadly lacking. They are too few in number and usually too obsolescent and overcrowded. These are serious lacks indeed.

THE NEED FOR ADEQUATE COUNSELING, INCLUDING FINANCIAL ADVICE

5. Counseling. We would not think of sending youngsters out from high school into the world, without adequate vocational guidance. And yet, in far too few communities, is there adequate counseling for senior citizens on all the diverse problems which they face at another critical turning point in life.

Too few welfare departments and organizations have recognized their responsibilities for special guidance for our senior citizens.

"Where can I find part-time time work? Where can I find recreation? Where can I get special instructions?" These are but a few of hundreds of similar questions.

To cite but one need, they need sound financial counseling from experts. Time after time, one reads in the newspapers that gullible elderly citizens have been swindled out of their life investments by some crook who has promised them allegedly to double their meager savings overnight.

Even more often than the case of having their money stolen are instances where old folks have unwisely put all their financial eggs in one unsound basket. They have, for example, put all their savings into some fixed income investment. Then, they find that inflation has completely robbed that investment of purchasing power. Or, they have allowed their investments to remain in corporations which have long since been on the skids, or have no real earning or growing possibilities.

Financial counseling, therefore, should play a very important role for elderly citizens.

"Where do United States savings bonds fit in?

"How about stocks, bonds, mutual funds, real estate trusts, savings and loans, annuities, variable annuities? Should I sell my old home and buy a new one or another old one? Should I buy a cooperative apartment? How much of my savings should be in fixed yield form and how much in flexible yield investments? How should I set up my will?"

Is it any wonder that these and similar questions prove so perplexing, especially in a time such as this, with its dynamic financial changes?

Obviously, despite the increasing availability of helpful financial advice, elderly citizens need more objectivity in such advice.

THE NEED FOR HEALTH AID AND RESEARCH

6. Research: The science of geriatrics is still only in its infancy. We must learn far more about the process of aging. We will get more insight when we learn more about the process of growth itself, about the behavior of cells. In other words, basic research will teach us much.

One of the ironic facts is most of the principal research developments in recent years have enabled us to increase longevity by improving life expectancy in younger years, from birth on. Peculiarly enough, a person at the age of 65 today has only the same approximate life expectancy from now on as would have a person at the age of 65 a century ago.

As the late Dr. John Schindler, of Monroe, Wis., put it:

"It is important to note that the group of people over 65 is the only group whose life expectancy has not increased since 1900. At any age up to 65 you can expect to live longer than an individual of the same age in 1900. But after 65 you cannot expect to live longer than a person of the same age did a hundred years ago.

"This holds in spite of the fact that practically no old person today dies of pneumonia or other infection, and in spite of the fact that people even with some of the degenerative diseases, such as heart disease, can be carried on for years longer than might have been possible even 20 years ago. It can mean only that degenerative disease has been accelerated in our time, and the cause of the acceleration is an increase in emotional stress."

Yet, surely, with more diligent effort, we can find how to extend life for many years longer for our senior citizens. And, as I have emphasized, it is not simply the number of years; it is the fullness of years, the happiness of years, which counts.

Fortunately, a National Advisory Committee on Chronic Illness and Health of the Aged has been appointed by the United States Surgeon General to review the complex medical, social, and economic problems associated with chronic illness and aging and to advise on policy and programs in these fields.

In announcing the appointment, Surgeon General Leroy E. Burney stated: "Since 1900 the number of people 45 and over has increased 3½ times. Today, more than 40 million people—approximately 30 percent of the total population—are in this age group. Moreover, 40 percent of the chronically ill in this country are persons 65 years of age and over, of whom there are now 14 million in the United States.

There is one additional phase which might be mentioned now, health insurance.

I have referred in several instances to the economic side of elderly citizens' problems. They need a job. They need adequate old age and survivors' insurance. They need financial counseling. They also need to have health insurance, especially adopted to their needs.

Only within the past few years, for example, have the insurance companies awakened to the fact that it is not fair to cancel health insurance contracts at age of 65. Why? Because that is precisely the age when such insurance is needed most of all.

These, then, are a few of the needs of our elderly citizens. This represents, by no means, a complete list, but at least, it does touch upon the high spots.

Elderly people want the opportunity to work on these needs themselves. They have pride. They do not want handouts. They do not like to be treated like children. They want neither our pity nor our charity. They are willing to help themselves, but they do need a helping hand by society, the society which they, themselves, enriched through a lifetime of endeavor. Can we do anything less than give them that helping hand?

Fortunately, progress is being made. Many fine individuals and groups are hard at work in my own and other States on old age problems. And they are pointing out that old age does not begin arbitrarily at 65 or even 70 or 75.

The middle years must be happy and fruitful and secure if one's later years are to be happy and fruitful and secure.

"Added Years—For What?" That was the provocative title of the 1957 annual meeting of the National Committee on the Aging of the National Social Welfare Assembly. Added years—for lots of happiness, that must be our goal.

None of us has all the answers. We are all inquiring; we are learning new facts in this trial-and-error kindergarten which we call life.

But this we do know—higher pension checks—as important as they are—do not provide all the answers.

There must be purpose and faith and recreation. There must be jobs and health and security and counseling. There must be all this and more.

Mr. LONG. Mr. President, will the Senator from Texas yield 2 minutes to me?

Mr. YARBOROUGH. I yield 2 minutes to the distinguished Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 minutes.

Mr. LONG. I support the amendment. I have supported a similar concept on other occasions. It is my general feeling we would do well to adopt the concept that we shall collect contributions on an annual basis that will exceed payments from the fund, and that we should eventually depart from the concept of building a fund of $285 million. As a matter of fact, under the existing law, this fund can be held only in Government obligations and the Government debt today is about $285 billion.

The schedule as proposed in the House bill, and as reported in that fashion to the Senate, would in a number of years require collections into the fund to be more than $3 billion in excess of the payments from the fund.

The actuary who made the estimates on what the fund would be under the House bill, who is the chief actuary for the Department of Health, Education, and Welfare, estimates that if the amendment offered by the Senator from Texas is adopted, we shall have $117 billion in the fund in the year 2000, if we take the approach of a 10-percent increase at the existing rate.

It is true that sometime after the year 2000 we shall have to have another increase in the social-security tax. The fact of the matter is that there is going to be an increase in the social-security tax after the year 2000 whether we adopt the amendment or not. But I think it is a mistake to take the attitude that the situation is comparable to that of the Metropolitan Life Insurance Co., which has to have enough money in the reserve to take care of accrued liabilities in the event no new policies are sold in the future.

This is a compulsory program. I am not the only one who feels this way about it. The United States Chamber of Commerce has consistently advocated that this program should be on a pay-as-you-go basis. Yet we do not have to stay on a strict pay-as-you-go basis under the amendment of the Senator from Texas. A huge reserve can be carried. The schedule indicates there would gradually be built up a reserve of $117 billion, under the proposed rates, if the amendment is adopted.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. LONG. May I have 30 additional seconds?

Mr. YARBOROUGH. I yield 30 additional seconds to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 30 more seconds.

Mr. LONG. I submit the fund can support the proposal. We can gradually build up the fund. By building up the fund a little more slowly, we can do better for the retired people who find that inflation has, in large degree, wiped out the income on which they thought they could look forward to retirement.

Mr. HUMPHREY. Mr. President, will the Senator from Texas yield 30 seconds to me so I may ask him a question?

Mr. YARBOROUGH. I yield 30 seconds to the Senator from Minnesota.

Mr. HUMPHREY. Does the Senator from Texas have a report which indicates that a 10-percent increase in the schedule for old-age and survivors insurance benefits would still provide an excess of new income into the fund, on the basis of the tax rate in the bill before the Senate?

Mr. YARBOROUGH. The answer is "Yes." The distinguished Senator from Oklahoma has stated he has statements from some actuaries who say——

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. YARBOROUGH. I yield myself 3½ minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 3½ minutes.

Mr. YARBOROUGH. The distinguished senior Senator from Oklahoma has stated that some actuaries say this fund is actuarily unsound. I have reports of actuaries who say it is sound today, even without the new taxes. Who are the ones on whom I rely? Secretary of the Treasury Robert Anderson, the major trustee of this fund; James P. Mitchell, Secretary of Labor; Marion B. Folsom, Secretary of Health, Education, and Welfare; Charles I. Schottland, Commissioner of the Social Security Administration, and Secretary of the Board of Trustees.

I have in my hand the printed report of the Board of Trustees, who have the sworn constitutional duty to preserve the fund, which was filed March 1 of this year. They say the fund is actuarily sound right now.

Mr. President, I ask unanimous consent to have printed in the RECORD 3 pages of the annual report of the Board of Trustees, starting at page 30 and ending at page 32.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The excess of the level-premium contribution rate equivalent to the graded schedule in the law over the level-premium cost of benefits and administrative expenses (after appropriate adjustment for the effect of interest earnings on the existing trust fund) is used to indicate the actuarial balance of the system. A negative figure indicates the extent of lack of actuarial balance; a positive figure indicates more than sufficient financing (according to the estimate). The following table shows these figures for the old-age and survivors insurance program and the disability insurance program (computed as of the beginning of 1958):

[Percent]

Item	Low cost	High cost	Intermediate cost
	Old-age and survivors insurance		
Contributions	7.38	7.28	7.33
Benefit cost [1]	6.97	8.99	7.90
Net difference	.41	−1.71	−.57
	Disability insurance		
Contributions	0.50	0.50	0.30
Benefit cost [1]	.24	.49	.35
Net difference	.26	.01	.15

[1] Including adjustments (a) to reflect lower contribution rate for self-employed as compared with employer-employee rate, (b) for existing trust fund, and (c) for administrative expenses.

In view of the very long range nature of these projections, and the many variable factors involved, the deficiency for the old-age and survivors insurance system under the intermediate-cost estimate is relatively small, and so the system may be said to be in approximate actuarial balance. Under the intermediate-cost estimate the old-age and survivors insurance trust fund would have a balance of more than $55 billion in the year 2025 and thus there is ample time in the future to make any adjustments which might be needed in the light of further experience and of future estimates. The disability insurance program shows a small surplus according to the intermediate-cost estimate. However, considering the variability of cost estimates for disability benefits, this program also may be considered in approximate actuarial balance, and this small actuarial excess is certainly no more than a moderate safety factor.

A discussion of the assumptions upon which these tables have been calculated is presented in appendix I.

CONCLUSION

During the past 5 fiscal years, the contribution income of the old-age and survivors insurance trust fund has increased substantially for a number of reasons. In addition to a rise in earnings levels and the normal growth of the labor force as the population becomes larger, contribution rates increased in 1954; moreover, coverage was extended to additional employments by the 1954 and 1956 amendments and the maximum limit on taxable earnings was raised in 1955. With the growth of the trust fund, interest received on investments had also increased.

Trust fund disbursements, however, have risen even more sharply than contribution income. Basic factors in this increase are the long-term growth in the aged population and, more significantly, the lengthening period during which workers have had an opportunity to earn the quarters of coverage required to be insured. More immediate causes have been the amendments to the Social Security Act during 1950-56, which have extended the program's coverage, lowered the requirements for eligibility to benefits for persons who retire and for the survivors of individuals who die in the early years of the program, reduced the retirement age of women from 65 to 62, increased the benefits payable, and liberalized the retirement test. As a result of the rapid rise in disbursements, the trust fund's receipts in fiscal year 1957 exceeded its disbursements by only $436 million.

Long-range cost estimates show that for practical purposes the old-age and survivors insurance program is in actuarial balance according to the best available cost estimates. This concept means that for the long-range future, the system will have sufficient income from contributions based on the tax schedule now in the law and from interest earned on investments to meet all future payments for benefits and administrative expenses. Although aggregate disbursements of the old-age and survivors insurance trust fund over the period of the next several years are estimated to exceed aggregate receipts—a situation which, however, will be only temporary—there will be ample funds on hand to meet expenditures of the program during this period. The trust fund is intended to serve as a contingency fund as well as a source of investment income to supplement contribution receipts, and it is to be expected therefore that the fund may be drawn upon from time to time. Temporary periods when the assets of the fund decline are not in themselves an indication of financial weakness and do not change the fact that the program is for practical purposes in actuarial balance.

Aggregate income of the disability insurance trust fund will be wholly sufficient during the period immediately ahead to meet aggregate disbursements and in fact will build up a substantial fund. Long-range cost estimates show that the disability insurance program is more than in actuarial balance.

In its annual reports, the Board of Trustees has emphasized that the continued financial soundness of the old-age and survivors insurance and disability insurance programs is a major concern both to the contributors and to the Nation as a whole. The 1956 amendments to the Social Security Act provided for a careful review of both the short-range and long-range financial aspects of the old-age and survivors insurance program by a representative advisory council before each of the scheduled contribution rate increases. The first Advisory Council on Social Security Financing has now been appointed under these provisions. This Council's study can be expected to result in findings which will help to assure the continued financial strength of these programs and to maintain public confidence in the economic security they provide.

Mr. YARBOROUGH. I wish to read one paragraph from the report. The paragraph reads:

Long-range cost estimates show that for practical purposes the old-age and survivors insurance program is in actuarial balance according to the best available cost estimates. This concept means that for the long-range future, the system will have sufficient income from contributions based on the tax schedule now in the law and from interest earned on investments to meet all future payments for benefits and administrative expenses.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. HUMPHREY. That is a reference to the present law?

Mr. YARBOROUGH. The Senator is correct.

Mr. HUMPHREY. The bill before the Senate provides for an increase in the tax rate?

Mr. YARBOROUGH. The Senator is correct.

Mr. HUMPHREY. And the bill also provides for an increase in the base?

Mr. YARBOROUGH. The bill provides for an increase in the tax rate and in the base.

Mr. HUMPHREY. Would those provisions provide enough money, according to the report the Senator has from the Library of Congress, the Legislative Reference Service, to properly fund the 10 percent increase in benefits?

Mr. YARBOROUGH. The tax increase which has been voted by the House and agreed to and included in the Senate committee report will take care of the cost of my amendment, with the 10-percent increase, and will provide money over that amount to go into the fund. There will be a surplus of money created by the tax increase.

The distinguished senior Senator from Oklahoma has argued in circles, when he has said that without the tax we would be wrecking the fund. The tax is provided in the bill, Mr. President, and an increase is provided. The tax provision was put in by the House of Representatives, and it was kept in by the Senate committee. I warn all Senators who would vote against the amendment on the ground of actuarial unsoundness that they will be voting upon a false premise. This report from the trustees of the fund shows that to be true. The report is being printed in the CONGRESSIONAL RECORD for today.

The fund is actuarially sound, according to Robert B. Anderson, the sworn trustee of the fund.

The bill which was passed by the House and which was reported by the Senate committee provides for raising the tax rate. Even if we pass a 10-percent increase in benefits, all of the income the tax increase would provide would not be used.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. YARBOROUGH. How much time do the proponents have remaining?

The PRESIDING OFFICER. The Senator from Texas has 3½ minutes remaining.

Mr. YARBOROUGH. I yield myself 1½ minutes, Mr. President.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1½ minutes.

Mr. YARBOROUGH. The argument has been made that if we pass the bill with the amendment I have proposed, the amendment would jeopardize the enactment of the bill into law, and that the President might veto the bill. I remember a statement was made in the newspapers to the effect that the Secretary of the Treasury said that the President would veto the bill if a whole lot of old age pension increases were put in, because those persons did not provide money to pay for the expense. The amendment which I have offered is limited solely to social security, and the money is to be raised as we go along. Every penny is to be raised under the terms of the bill which was reported by the committee.

I say to Senators, this is an anti-inflation measure. This is a built-in anti-inflation measure and a built-in anti-deficit spending measure. It has a built-in provision to protect us from deficit financing, because my amendment is offered to a bill which contains a provision for the raising of sufficient money to pay the cost as we go along. The President could not, under any justifiable excuse, veto the bill if the amendment is agreed to.

Why do I make that statement? I make it because the vote in both the House of Representatives and the Senate committee was for a bill which provides for raising more money than my amendment would provide for disbursing. The President would come out at the long end of the horn, because he would have more money left in the fund, even after the 10-percent increase. What excuse would there be for any intelligent man to veto the bill?

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I yield myself 15 seconds.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. JOHNSTON of South Carolina. May I ask how many billions of dollars would be left over?

Mr. YARBOROUGH. There are so many billions I do not know how many there would be.

Mr. JOHNSTON of South Carolina. Billions, not millions.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the name of the junior Senator from Idaho [Mr. CHURCH] be added as a cosponsor of the amendment. The Senator sent that request to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. YARBOROUGH. How much time do I have left, Mr. President?

The PRESIDING OFFICER. The Senator from Texas has 2 minutes remaining.

Mr. YARBOROUGH. Mr. President, I yield the floor.

Mr. KERR. Mr. President, I ask the minority leader to yield me an additional 3 minutes.

Mr. KNOWLAND. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. How much time do the opponents have remaining?

The PRESIDING OFFICER. The opponents have 9 minutes remaining.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Oklahoma.

Mr. KERR. Mr. President, I appreciate what the Senator from Texas said about my talking in circles. I want to say that I talk in circles from a sound position to a sound position. The difference is that the Senator from Texas talks in circules from an error to an error.

The Senator says that his actuaries, Mr. Robert Anderson and somebody else, have told him the fund is sound. I did not know that Robert Anderson was an actuary. If Mr. Anderson is, then he ought to get his chief to fire those who have been in the Department all of these years under both administrations who have given the evidence to the committee that the proposal of the Senator from Texas is unsound.

I wish to state what the report referred to says:

> In view of the very long range of these projections and the many variable factors involved, the deficiency for the old-age and survivors insurance system under the intermediate cost estimate is relatively small and so the system may be said to be in approximate actuarial balance.

That was what the trustee had to say. He admits that there is a deficiency, which he says is relatively small.

Now, the Senator says that his proposal is actuarially sound. The fact about the matter is that the additional benefits which are provided in the bill, plus the additional benefits which would be provided in the amendment, would cost a total of 1.05 percent of the payroll. The amount to be added in taxes is nine-tenths of 1 percent of the payroll. Therefore, instead of the fund being more actuarially sound, as it would be under the provisions of the committee bill, it would be even more actuarially unsound than it now is if the amendment is agreed to, because the amendment woud create an additional fifteen one-hundredths of 1 percent deficit.

Furthermore, since reference has been made to the statement of the actuaries—I think the Secretary of the Treasury ought to feel good about being promoted to the status of an actuary by his fellow Texan—there was a reference to the fund and the benefits of the dependency feature, which we put into the law in this body 2 years ago, which has been creating a surplus of fifteen one-hundredths of 1 percent. Under the provisions of the bill presently under consideration additional benefits are to be provided to those who are found disabled, and to their dependents, which will utilize the surplus, which experience has indicated has been accumulating under the provisions of the disability section of the law.

Therefore, not only would the amendment create an additional deficit, but a part of the fund, as it has been operating, which has been keeping the deficiency down no longer will be available for that purpose, because the additional benefits to be provided in the bill for the disabled will take up the amount which has been permitted to accumulate in a small surplus as to the disability phase of the bill.

Mr. President, I ask that 3 minutes be yielded to the distinguished Senator from New Mexico.

Mr. KNOWLAND. Mr. Preisdent, I yield 3 minutes to the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 3 minutes.

Mr. ANDERSON. Mr. President, no one could have sat through the testimony without being impressed by the accuracy of the work done by the group which brought forward the figures. The witnesses from the Social Security Board who testified gave us what I regarded as being the soundest business and actuarial judgment possible. They told us that the deficit in the Old-Age and Survivors' Insurance Fund in the calendar year 1958 will be $730 million. We are told that the deficit in 1959, under the rates we are using will be $1.2 billion. No one who has any concern or respect for those who are to participate in this fund can favor putting the fund in worse and worse shape.

The proposal which has been made was brought before the committee. The proposal was considered by the committee, and I believe carefully considered.

The amendment, if adopted, would result in throwing the fund out of balance. The taxes to be provided by the Senate bill would give us a little chance to accumulate some additional money in the fund. There is today, in the social security fund, a balance of some $23 billion. That may sound like a lot of money, but I say that under all the circumstances it is not an excessive sum. It could be, with the passing of the years, the fund will get larger. The fund should get larger as we deal with more and more customers and as we have more and more responsibilities for caring for more and more cases. The reserve fund should be larger, and properly so. I hope the Senate will not go off the deep end to destroy what already has been done.

Mr. KERR. Mr. President, will the Senator yield for a question?

Mr. ANDERSON. I yield.

Mr. KERR. Does the Senator realize that the amount now in the fund would carry the present load only 3 years, and that the average expectancy of participants is 10 years?

Mr. ANDERSON. Yes. I say we must have a reserve and must build the fund to a larger sum, as we have more and more cases.

With reference to my State, I realize that the average increase in old age assistance under the bill as reported by the Senate committee would be approximately $12 a month for the people who are receiving old-age assistance.

I do not want to lose that. I do not want to jeopardize it. The imposition of additional burdens would be dangerous to the bill.

When the question was presented to the Finance Committee, the inflationary effects of adding $288 million were stressed. Those inflationary effects are not reduced by any factors we know of. A $12 billion deficit faces us in the fiscal year 1959.

Under all the circumstances, I think the Finance Committee did the sensible and prudent thing, having regard for the people who will participate in the fund, when it voted to report the bill as it is now before the Senate, and voted to reject the amendment which is now the pending amendment.

I believe we would do the people of the country serious injustice if we were to jeopardize possible gains under the bill by voting for an amendment which might be too much for it to carry.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. I wonder if it is not true that one of the reasons for the heavy burden on the social-security fund at present is the large number of people who were blanketed in without making payments into the fund over a long period of time. Yet they are receiving benefits from the fund.

Mr. ANDERSON. I think that is true; but I think the tendency will be constantly to move in that direction.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

The opponents have 1 minute remaining, and the proponents have 2 minutes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side, and that each side may be granted 5 minutes additional.

The PRESIDING OFFICER. Is there objection?

Mr. YARBOROUGH. I object to extending the time. I think we should stay within the limits of 1 minute for the opponents and 2 minutes for the proponents. That is the only portion of the request to which I object.

Mr. JOHNSON of Texas. Does the Senator wish a shorter period of time?

Mr. YARBOROUGH. No. Under the unanimous consent agreement, 1 minute remains for the opponents, and 2 minutes for the proponents. I ask the Chair if that is not correct.

The PRESIDING OFFICER. That is correct. The proponents have 2 minutes remaining and the opponents 1 minute.

The question is on agreeing to the amendment offered by the Senator from Texas [Mr. YARBOROUGH].

Mr. JOHNSON of Texas. Mr. President, I withdraw my request. The reason for the request was that the attendance of Senators thus far has been very small. I thought it would be to the advantage of the junior Senator from Texas to have a live quorum call, in order that more Senators might be present.

Mr. YARBOROUGH. Mr. President, I withdraw my objection to the unanimous consent request of the senior Senator from Texas.

Mr. JOHNSON of Texas. I shall be glad to reduce the additional time requested, if the junior Senator from Texas wishes to reduce it. I thought, in fairness to the proponents of the amendment, as well as to the opposition, we should try to obtain as good an attendance of Senators as possible. I renew my request.

The PRESIDING OFFICER. Is there objection to the request of the senior Senator from Texas that there be a quorum call, without the time being charged to either side, and that at the conclusion thereof, 5 minutes additional be allotted to each side? The Chair hears none.

The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Morse
Allott	Green	Morton
Anderson	Hayden	Mundt
Barrett	Hennings	Murray
Beall	Hickenlooper	Neuberger
Bennett	Hill	O'Mahoney
Bible	Hruska	Pastore
Bridges	Humphrey	Potter
Bush	Ives	Proxmire
Byrd	Johnson, Tex.	Purtell
Carlson	Johnston, S. C.	Revercomb
Carroll	Jordan	Robertson
Case, N. J.	Kefauver	Russell
Case, S. Dak.	Kennedy	Saltonstall
Chaves	Kerr	Schoeppel
Church	Knowland	Smathers
Clark	Kuchel	Smith, Maine
Cooper	Langer	Smith, N. J.
Cotton	Lausche	Sparkman
Curtis	Long	Stennis
Dirksen	Magnuson	Symington
Douglas	Malone	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Fulbright	McNamara	Yarborough
Goldwater	Monroney	Young

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of death in his family.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate to attend the NATO parliamentary conference in London as chairman of the economic section of the General Affairs Committee.

The Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], and the Senator from Maine [Mr. PAYNE] are necesarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the junior Senator from Texas [Mr. YARBOROUGH]. Each side has 5 additional minutes, under the unanimous consent agreement. The Senator from California [Mr. KNOWLAND] has control of the opposition time, and the Senator from Texas [Mr. YARBOROUGH] has control of the time of the proponents.

Mr. YARBOROUGH. Mr. President, I yield myself 2½ minutes. Since we will vote within a few minutes on the

pending amendment, I should like briefly to state what the amendment would do. First, I ask unanimous consent that the junior Senator from Massachusetts [Mr. KENNEDY] may be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. The amendment would increase the raise in social-security benefits voted by the House and approved by the Senate committee from 7 percent to 10 percent. The average amount of social-security benefits paid to a retiree in the United States today, so far as retired workers are concerned, is $64.50. For a widow who has retired from work, it is $51. The average across-the-board payment to all social-security covered retired workers is $54.40.

The amendment voted by the House and approved by the Senate committee would increase the average by $3.71 a month. My amendment would bring that up to $5.44 a month, an increase of $1.73 a month.

The money has been voted by the House and has been approved by the Senate committee to pay for the increases. They have raised the social-security taxes from 2¼ to 2½ percent. They have voted enough taxes to pay for the 7-percent raise and also to pay for the 10-percent raise, and, in addition, to have some money left over. The need is desperate, as Senators know. The only argument worthy of note that I have heard advanced against the amendment, and the only possible reason that could be advanced, is that it is actuarially unsound.

I would remind Senators who were not present during the debate that in the 18th Annual Report of the Board of Trustees of the Federal Old Age and Survivors Insurance and Disability Insurance Trust Funds, there is a very significant statement. The report was issued by Mr. Robert B. Anderson, Secretary of the Treasury, Mr. James P. Mitchell, Secretary of Labor, Mr. Marion B. Folsom, Secretary of Health, Education, and Welfare, and Mr. Charles I. Schottland, Commissioner of Social Security. This is the Board which is sworn to protect the fund. I shall read from that report. In the previous debate I read from it, but many Senators present now were not in the Chamber when I read it. I therefore should like to read from the report of the Board headed by the Secretary of the Treasury, as the trustee of the fund, as follows:

> Although aggregate disbursements of the old-age and survivors insurance trust fund over the period of the next several years are estimated to exceed aggregate receipts—a situation which, however, will be only temporary—there will be ample funds on hand to meet expenditures of the program during this period. The trust fund is intended to serve as a contingency fund as well as a source of investment income to supplement contribution receipts, and it is to be expected therefore that the fund may be drawn upon from time to time. Temporary periods when the assets of the fund decline are not in themselves an indication of financial weakness and do not change the fact that the program is for practical purposes in actuarial balance.

It is in actuarial balance, and the present tax rate is raised by the House bill and is approved by the Senate committee.

Our amendment does not apply to the old-age pensions, as stated by the Senator from New Mexico. The tax raised in the bill would be sufficient to pay for the increases and, in addition, have all that money I mentioned left over to be added to what the Secretary of the Treasury has already said is a fund in actuarial balance. So, therefore, it is a fiscally and actuarially and financially sound amendment.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. KNOWLAND. Mr. President, I yield myself one-half minute. I am sorry that all the Members of the Senate were not able to be present when the distinguished Senator from Oklahoma [Mr. KERR], who is handling the bill on the floor of the Senate, the distinguished Senator from New Mexico [Mr. ANDERSON], and the Senator from Pennsylvania [Mr. MARTIN], and other Senators, gave their reasons for opposing the amendment. I believe the amendment should be defeated. I yield the balance of my time to the Senator from Oklahoma.

Mr. KERR. Mr. President, I yield to no man in the Senate in the desire to increase the benefits for the beneficiaries of the retirement fund. However, I will not go through the empty motion of voting it to them on the basis of actuarial soundness, when the experts in the Department, who have been there for years under both administrations, tell us it is not sound.

The junior Senator from Texas tells us that the increase in the taxes provided in the bill will pay for all the benefits, plus providing additional money for the fund. The actuarial experts of the Department tell us that the increase in the taxes would lack 15/100 of 1 percent doing that. Therefore if we increase the tax and give the benefits provided, plus what the Senator is asking for, instead of reducing the unsoundness of the fund or improving the soundness of it, we would add to the unsoundness of the bill. I ask Senators this question. If we add to the tax in the bill in order to provide actuarial soundness and then give additional benefits, as we have, would we not be silly to give benefits beyond that, which would prevent actuarial soundness being attained and add to the deficit?

The money has not been provided to pay for the benefits the Senator from Texas is requesting. The evidence before the committee was as follows: On the basis of present law there is a forty-two one-hundredth of 1 percent deficit. This fund this year ran behind $730 million. If it is not changed next year, it will run behind $1,100,000,000 more.

There are 12 million people on the rolls, now retired. Approximately $2 billion is in the trust fund. It is enough to pay the present retirees at present rates for 3 years. They have an average expectancy of 10 years. On the basis of the present income, there is a billion dollars more going out than there is coming in. Can anyone say that that is a sound position?

The proposal of the junior Senator from Texas would make it more unsound. The fund is not only to be used to pay present retirees, but benefits and liabilities are accumulating for those now paying. The present retirees are not paying. They are getting their annual benefits out of the trust fund, plus the accumulations from the taxes paid by the present workers, who are accumulating benefits to be paid to them in the future.

The Senator from New Mexico did not say that the old-age assistance people were going to be paid out of this fund. He called attention to the fact that under the pending bill additional benefits go to those now receiving assistance under the old-age assistance programs. He said that he did not want the bill to be loaded down in such a way as to be vetoed, because if it is vetoed it not only will be vetoed with reference to social security but also with reference to those who are now on the assistance rolls.

I too, would like to give them more. However I am not going to kid them. I am not going to vote for benefits under this program, which is paid for out of taxes assessed against employees and employers, when the benefits are not covered by a tax sufficient to pay at least for the additional benefits. I am not going to go home and tell my people, "I voted you a lot of money, but you are not going to get it, because it has been vetoed." I will vote for what I can actually deliver to them.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Texas has a minute and a half remaining.

Mr. YARBOROUGH. Mr. President, I yield 30 seconds to the Senator from Louisiana.

Mr. LONG. Mr. President, my impression is that the bill was not asked for by the administration. The administration was satisfied with the actuarial balance in the fund, because the increase in rates in 1960 will take care of the deficit.

I thought we were trying to pass a bill to provide for retired people, who have suffered by the rising cost of living. At page 17800 of the RECORD there is shown the difference in the fund under either of the two approaches.

In any event, the fund will grow rapidly and tremendously under whichever approach is taken. The only question is whether during the next 4 years we want to provide a little more assistance for the aged and needy persons.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. YARBOROUGH. Mr. President, my study of the actuarial soundness of the fund is based upon an official report filed March 1 by the Secretary of the Treasury, the Secretary of Labor, the Secretary of Health, Education, and Welfare, and the Chairman of the Social Security Board. The computation was based on reports. The reports were not compiled in the heat of argument in 5 minutes of debate on the floor. They have been carefully made. As I stated earlier, I have a report from the Education and Public Welfare Division of the Library of Congress which I again ask unanimous consent to have printed in the RECORD.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

AUGUST 14, 1958.

To: The Honorable RALPH YARBOROUGH.
From: Education and Public Welfare Division.
Subject: Supplementary information which may be of use to you in supporting the cost aspect of your amendment to H. R. 13549.

As indicated in the statement prepared for you, the amendment you intend to introduce providing a 10-percent benefit increase would add 0.25 percent of taxable payroll to the cost of the bill as approved by the House. H. R. 13549, with your amendment, would still be overfinanced to the extent of 0.07 percent of payroll since the House bill was overfinanced to the extent of 0.32 percent of payroll.

One objective of the House-passed bill was to reduce the actuarial deficiency of the old-age and survivors insurance (OASI) trust fund which, according to the latest estimate of the Chief Actuary of the Social Security Administration, stands at 0.57 percent of payroll. The House bill, in its present form, would reduce it to 0.25 percent of payroll. The House committee report states:

"Your committee has not been able to recommend benefits at as high a level as, in our opinion, would be justified if one considered solely the need for this protection. The increase of approximately 7 percent provided by the bill is actually somewhat short of the rise in the cost of living that has taken place since 1954. We believe, however, that it is essential that a significant part of the additional contributions to the system that we are recommending be used to strengthen the financing of the system rather than to improve benefit protection." (H. Rept. 2288, 85th Cong., p. 2.)

We are enclosing herewith the 18th Annual Report of the Trustees of the OASI Trust Fund which was recently released. This publication shows the present condition of the trust fund and includes long-range estimates up to the year 2050. Although it states that there is a long-range deficiency in the OASI trust fund of 0.57 percent of payroll, the conclusion of the report declares:

"Long-range cost estimates show that for practical purposes the old-age and survivors insurance program is in actuarial balance according to the best available cost estimates. This concept means that for the long-range future, the system will have sufficient income from contributions based on the tax schedule now in the law and from interest earned on investments to meet all future payments for benefits and administrative expenses. Although aggregate disbursements of the old-age and survivors insurance trust fund over the period of the next several years are estimated to exceed aggregate receipts—a situation which, however, will be only temporary—there will be ample funds on hand to meet expenditures of the program during this period. The trust fund is intended to serve as a contingency fund as well as a source of investment income to supplement contribution receipts, and it is to be expected, therefore, that the fund may be drawn upon from time to time. Temporary periods when the assets of the fund decline are not in themselves an indication of financial weakness and do not change the fact that the program is, for practical purposes, in actuarial balance." (H. Doc. 401, 85th Cong., p. 31–32.)

FREDERICK B. ARNER.

SOCIAL SECURITY AMENDMENTS OF 1958

Mr. President, my amendment to the social-security bill, H. R. 13549, has the simple but very important purpose of providing a 10-percent increase in social-security benefits rather than the 7-percent increase contained in the bill as passed by the House of Representatives.

Senators will recall that last Monday, August 11, the Senate passed a 10-percent increase for the Foreign Service retirement system which had the support of the administration and the Bureau of the Budget. Similar cost-of-living increases have been made by Congress and signed by President Eisenhower, for employees of the Federal civil service, postal workers, and retired members of the Armed Forces. Is it equitable, therefore, to be content with a pared-down 7-percent increase for the people of this country who are suffering the most from rising prices—the men and women receiving benefits under our social-security system?

Let us recognize first of all that the average benefit for a retired worker is now only $64.50 per month—a few pennies over $2 per day—a pitifully small amount. We must not, moreover, delude ourselves with the happy thought that these meager social-security benefits are only a supplementation to other retirement income. The facts are otherwise. For millions of Americans social security is the only retirement income they receive. In recommending an increase in benefits at this time the House of Representatives cited a study conducted last December by the Department of Health, Education, and Welfare which made it perfectly clear that, for most people on the rolls, social-security benefits constitute their major source of income. This study showed that, aside from their social-security benefits, one out of five retired couples, more than one in every four single retired workers, and more than one in every three aged widows had no additional money income or had less than $75 in additional income during the year. Of the total number who had some additional money income, one-fourth of couples and aged widows and one-third of the single retired workers derived such income from temporary sources such as part-time earnings or by supplementary payments from the "needs test" public-assistance programs.

Mr. President, we owe it to the 11 million older Americans who are now receiving social-security benefits to examine this matter carefully. I need not remind the Members of the Senate that each rise in living costs chips away at the purchasing power of these older men and women living on a fixed retirement income. No increase has been made in the amount of benefits they are receiving since the 1954 amendments. During this period wages have increased by 12 percent and the cost of living has gone up 8 percent.

My amendment will add a cost of only 0.25 percent of payroll to H. R. 13549. The House bill, with a 7-percent increase, is overfinanced to the extent of 0.32 percent of payroll. Even with the additional cost of the 10-percent increase provided by my amendment, the bill will still be overfinanced to the extent of 0.07 percent of payroll.

It is, of course, true that one of the purposes of the House bill—that of eliminating a possible long-range actuarial deficiency in the old-age and survivors insurance system—will be qualified to some degree. But I am not persuaded by the argument that we should penalize our older citizens now on the basis of a guess that the trust fund may be running in the red in the year 2032. Moreover, the Advisory Council on Social Security Financing established by the 1956 amendments has not yet made its report. When this report appears, at the end of the year, Congress will have ample opportunity of evaluating the total situation and can make its decision as to appropriate financing of the old-age and survivors insurance plan.

I, for one, believe that our economy is dynamic enough, and strong enough, to support such an increase. And I am certainly convinced that we owe it to our older men and women to make the same 10-percent increase in their payments which we have provided for other retired people in legislation passed during this session.

Mr. YARBOROUGH. Mr. President, the reports represent days of work. They show that there will be, if my amendment is not adopted, a 32 percent surplus.

If my amendment shall be adopted, there will be a surplus.

The PRESIDING OFFICER. All time has expired on the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR] would vote "nay."

On this vote the Senator from Florida [Mr. HOLLAND] has a pair with the Senator from Georgia [Mr. TALMADGE]. If present and voting the Senator from Florida [Mr. HOLLAND] would vote "yea" and the Senator from Georgia [Mr. TALMADGE] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of death in his family.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate to attend the NATO parliamentary conference in London as chairman of the economic section of the General Affairs Committee.

The Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay."

On this vote the Senator from New York [Mr. JAVITS] is paired with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from New York would vote "yea," and the Senator from Ohio would vote "nay."

On this vote the Senator from Maine [Mr. PAYNE] is paired with the Senator from West Virginia [Mr. HOBLITZELL]. If present and voting, the Senator from Maine would vote "yea," and the Senator from West Virginia would vote "nay."

The result was announced—yeas 32, nays 53, as follows:

YEAS—32

Carroll	Johnson, Tex.	Neuberger
Case, N. J.	Johnston, S. C.	Pastore
Chavez	Kefauver	Potter
Church	Kennedy	Proxmire
Clark	Langer	Revercomb
Douglas	Long	Smith, Maine
Gore	Magnuson	Sparkman
Hennings	Mansfield	Symington
Hill	McNamara	Wiley
Humphrey	Morse	Yarborough
Jackson	Murray	

NAYS—53

Aiken	Ellender	Monroney
Allott	Ervin	Morton
Anderson	Fulbright	Mundt
Barrett	Goldwater	O'Mahoney
Beall	Green	Purtell
Bennett	Hayden	Robertson
Bible	Hickenlooper	Russell
Bridges	Hruska	Saltonstall
Bush	Ives	Schoeppel
Byrd	Jordan	Smathers
Carlson	Kerr	Smith, N. J.
Case, S. Dak.	Knowland	Stennis
Cooper	Kuchel	Thurmond
Cotton	Lausche	Thye
Curtis	Malone	Watkins
Dirksen	Martin, Iowa	Williams
Dworshak	Martin, Pa.	Young
Eastland	McClellan	

NOT VOTING—11

Bricker	Frear	Jenner
Butler	Hoblitzell	Payne
Capehart	Holland	Talmadge
Flanders	Javits	

So Mr. YARBOROUGH's amendment was rejected.

Mr. ANDERSON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

EXTENSION AND AMENDMENT OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954, which was to strike out all after the enacting clause and insert:

That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

(a) Sections 109 and 204 of such act are amended by striking out "1958" and substituting in lieu thereof "1959".

(b) Section 103 (b) of such act is amended by striking out $4,000,000,000" and inserting in lieu thereof "$5,500,000,000".

SEC. 2. Section 303 of the Agricultural Trade Development and Assistance Act of 1954 is amended to read as follows:

"SEC. 303. The Secretary is directed, to the maximum extent practicable within the limit permitted by this section, to barter or exchange agricultural commodities owned by the Commodity Credit Corporation for (a) strategic materials or other materials of which the United States does not domestically produce its requirements and which entail less risk of loss through deterioration or substantially less storage charges, or (b) materials, goods, or equipment required in connection with foreign economic and military aid and assistance programs, or (c) materials or equipment required in substantial quantities for offshore construction programs. He is hereby directed to use every practicable means, in cooperation with other Government agencies, to arrange and make, through private channels, such barters or exchanges or to utilize the authority conferred on him by section 4 (h) of the Commodity Credit Corporation Charter Act, as amended, to make such barters or exchanges: *Provided*, That the total volume of the transactions directed by this section shall not exceed $500 million annually, unless specifically authorized by the Congress. In carrying out barters or exchanges authorized by this section, no restrictions shall be placed on the countries of the Free World into which surplus agricultural commodities may be sold, except where the Secretary has made a specific finding as to a particular transaction that such transaction will replace a cash sale for dollars. The authorities contained in this section shall, in addition to other types of transactions, permit the domestic processing of raw materials of foreign origin or of domestic origin where the domestic processor agrees to import an equivalent amount of similar foreign material. Agencies of the United States Government procuring such materials, goods, or equipment are hereby directed to cooperate with the Secretary in the disposal of surplus agricultural commodities by means of barter or exchange. The Secretary is also directed to assist, through such means as are available to him, farmers' cooperatives in effecting exchange of agricultural commodities in their possession for strategic materials."

SEC. 3. Section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by substituting a semicolon for the period at the end of paragraph (j) and adding the following new paragraph:

"(k) For the acquisition by purchase, lease, rental, or otherwise, of sites and buildings and grounds abroad, for United States Government use, including offices, residence quarters, community and other facilities, and for construction, repair, alteration, and furnishing of such buildings and facilities: *Provided*, That foreign currencies shall be available for the purposes of this subsection (in addition to funds otherwise made available to for such purposes) in such amounts as may be specified from time to time in appropriation acts;".

SEC. 4. Section 104 of such act is amended by adding thereto the following new paragraph:

"(l) For financing in such amounts as may be specified from time to time in appropriation acts trade fair participation and related activities authorized by section 3 of the International Cultural Exchange and Trade Fair Participation Act of 1956 (22 U. S. C. 1992);".

SEC. 5. Section 104 of such act is amended by adding the following paragraph:

"(m) For financing under the direction of the Librarian of Congress, in consultation with the National Science Foundation and other interested agencies, in such amounts as may be specified from time to time in appropriation acts, (1) programs outside the United States for the analysis and evaluation of foreign books, periodicals, and other materials to determine whether they would provide information of technical or scientific significance in the United States and whether such books, periodicals, and other materials are of cultural or educational significance; (2) the registry, indexing, binding, reproduction, cataloging, abstracting, translating, and dissemination of books, periodicals, and related materials determined to have such significance; and (3) the acquisition of such books, periodicals, and other materials and the deposit thereof in libraries and research centers in the United States specializing in the areas to which they relate;".

SEC. 6. Such act is amended by adding thereto the following new section:

"SEC. 306. Any provision of this act or of section 32 of the act of August 24, 1935, as amended (7 U. S. C. 612c), may be extended by the President to any area under the jurisdiction or administration of the United States."

SEC. 7. Section 104 of such act is amended by inserting in the first proviso after the lettered paragraphs thereof, after "(d)" and "(e)", in lieu of the word "and", the following: "except when used in such amounts as may be specified from time to time in appropriation acts for cooperative nonself-liquidating projects for the development of human resources and skills;"

SEC. 8. (a) Section 104 of such act is amended by inserting before the period at the end of the first sentence of paragraph (h) thereof the following: "and for the financing in such amounts as may be specified from time to time in appropriation acts of programs for the interchange of persons under title II of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1446)".

(b) Such section is further amended by adding the following new paragraph:

"(n) For providing assistance, in such amounts as may be specified from time to time in appropriation acts, by grant or otherwise, in the expansion or operation in foreign countries of established schools, colleges, or universities founded or sponsored by citizens of the United States, for the purpose of enabling such educational institutions to carry on programs of vocational, professional, scientific, technological, or general education; and in the supporting of workshops in American studies or American educational techniques, and supporting chairs in American studies:".

SEC. 9. Section 101 of such act is amended by striking out the semicolon at the end of paragraph (a) thereof and adding "or normal patterns of commercial trade with friendly countries;".

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, and Mr. THYE conferees on the part of the Senate.

SETTLEMENT OF CERTAIN CLAIMS BY MILITARY DEPARTMENTS—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law. I ask unanimous consent for the present consideration of the report.

I have consulted the leaders on both sides. This matter is a privileged one.

The measure is noncontroversial. The Senate amendments, which would tighten up the bill, have been accepted substantially by the House. The conference report provides that the Senate yield only in one minor respect.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Page 2, strike out lines 1 to 21, inclusive, and insert:

"§ 2736. Property loss; personal injury or death; incident to use or operation of property of the United States and not cognizable under other law

"(a) Under such regulations as the Secretary of a military department may prescribe, he or his designee, may settle, and pay in an amount not more than $1,000, a claim against the United States, not cognizable under any other provision of law, for—

"(1) damage to, or loss of, property; or

"(2) personal injury or death;

caused by a civilian officer or employee of the the office of the Secretary of Defense, a civilian officer or employee of a military department, or a member of the Army, Navy, Air Force, or Marine Corps, as the case may be, incident to the use and operation of Government vehicles, or incident to the use of other property of the United States on a Government installation. Regulations prescribed by the Secretary of a military department under the authority of this section shall not become effective until the expiration of 60 days after they have been filed with the Committees on the Judiciary of the House and Senate of the United States; and the Congress may, within such time, amend or disapprove any such regulation by a concurrent resolution embodying the amendment or statement of disapproval.

"(b) A claim may not be allowed under subsection (a) if the damage to, or loss of, property, or the personal injury or death, was caused wholly or partly by a negligent or wrongful act of the claimant, his agent, or his employee."; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Page 3, line 5, strike out " "; and" and insert:

"(c) A claim may not be paid under subsection (a) unless the amount tendered is accepted by the claimant in full satisfaction.

"(f) Any payment made under this section shall be reduced by any amount received by the claimant in the form of insurance payments or compensation based on the same damage, loss, personal injury, or death. A payment made under authority of this section is not subject to any claim for reimbursement by any insurance company or compensation insurance fund; and such a payment does not absolve any insurer, in whole or in part, of any obligation under any contract of insurance."; and the Senate agree to the same.

Amendment numbered 3: That the Senate recede from its amendment numbered 3.

JOSEPH C. O'MAHONEY,
SAMUEL J. ERVIN, JR.,
ARTHUR V. WATKINS,
Managers on the Part of the Senate.

THOMAS J. LANE,
EDWIN E. WILLIS,
RICHARD H. POFF,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. O'MAHONEY. Mr. President, under existing provisions of law, the Secretary of the Navy has authority to pay property damage claims in an amount not exceeding $500, if the damage was caused by a member of the Naval Service acting outside the scope of his employment.

House bill 1061 proposes to repeal the existing statute, and to extend the authority previously conferred upon the Secretary of the Navy by, first, making it applicable to all branches of the armed services; second, making it applicable in cases of personal injury and death claims, as well as property claims; third, making it applicable where the damage, injury, or death was caused by a civilian employee of the military department as well as a member of the armed services; fourth, permitting delegation of the authority to settle such claims; fifth, raising the limitation on any award from $500 to $1,000, with an additional limitation that, in cases of personal injury or death, claims be confined to the payment of reasonable medical, hospital, and burial expenses actually incurred and not otherwise furnished or paid by the United States.

As approved by the Senate, this measure would require that such damage, injury, or death occur as an incident to the use or operation of Government vehicles or incident to the use of other Government property on a Government installation. It would further require that any award received pursuant to this legislation be in full satisfaction of the claim. It would also bar approval of the claim if the claimant were guilty of contributory negligence. It would likewise bar the payment of a claim asserted by an insurer under a subrogation agreement in an insurance contract. It would further require that the claim, to be compensable, must be filed in writing within 2 years after it accrues.

These, or other safeguards, appear in other provisions of law granting authority to the military departments to settle claims against the United States.

The Senate also inserted in the bill a provision by which the regulations promulgated by the military departments and the Department of Defense must be submitted to Congress 60 days in advance of their effective date, in order that they will be subject to Congressional review. All these provisions were added in order to safeguard the interests of the Government, since the claims which would be payable, if this legislation were enacted, are of a type in which no legal liability exists, but in which there may be a degree of responsibility on the part of the United States.

All the basic proposals approved by the Senate are, by the conference agreement, to be accepted by the House of Representatives. The Senate recedes only from its amendment to the analysis or heading of the section in question.

Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1958

The Senate resumed the consideration of the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes.

Mr. KUCHEL. Mr. President, on behalf of myself, my senior colleague [Mr. KNOWLAND], and the junior Senator from Minnesota [Mr. HUMPHREY], I submit the amendments which I send to the desk, and ask to have stated.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 92, in line 19, it is proposed to strike out "$65" and insert in lieu thereof "$70."

On page 93, line 3, strike out "$35" and insert in lieu thereof "$40."

On page 96, line 23, strike out "$65" and insert in lieu thereof "$70."

On page 97, line 7, strike out "$35" and insert in lieu thereof "$40."

On page 99, line 3, strike out "$65" and insert in lieu thereof "70."

On page 99, line 13, strike out "$35" and insert in lieu thereof "$40."

The PRESIDING OFFICER. Does the Senator from California desire to have the amendments considered en bloc?

Mr. KUCHEL. Yes.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. KUCHEL. Mr. President, after all the mumbo-jumbo of the involved so-called variable formula written into the bill is cleared away, one shocking, incredible fact comes to light; namely, the gross, indefensible, inequitable, and miserable manner in which aged citizens in some States of the American Union are treated by the bill, in contrast to the manner in which similarly situated elderly Americans in other States are treated. Thus, if the Senate approves what the Senate committee has proposed under this new, complicated formula, an aged person in 1 or 2 States of the Nation will receive from the Federal Government an increase of more than $10 a month, whereas an aged person in California will receive an increase of only 77 cents a month. That is the unfair, unjust, and unholy result which this bill would produce.

Thus, Mr. President, it should be very clear that the pending amendments, which relate to the provisions of the bill which would result in unequal treatment, should be agreed to.

Mr. President, I recognize that in the United States, some States are better able to take care of their responsibilities in public assistance and other State problems than are other States.

The State from which I come spends, today, more money on public assistance than do any other three States in the Nation combined. The people of California are proud of their accomplishments through their State government.

In 1956, Congress authorized an increase of $4 for each recipient of old-age aid, subject to what each State legislature would provide. The California Legislature immediately thereafter approved that increase, and gave that increased benefit to the recipients of old-age assistance in our State.

Last year, the California Legislature approved a general increase in the old-age and blind assistance and, in addition, appropriated the moneys necessary to take advantage of the medical program which the Congress had adopted in 1956.

Under this State legislation, the people of California contributed $17 million more to the public-assistance program in California, plus $13 million more for medical care, the latter to be matched by the Federal Government in an equal amount. So the people of California increased, by $30 million a year their expenditures in this field of State government. I have mentioned these facts, in order to demonstrate what I believe should be abundantly clear—namely, that the people of my State have been generous with the aged, and the blind, and with those other of our fellow citizens who need assistance.

Mr. President, should the Senate penalize an American State for being fair and just? Should the Senate of the United States now approve the action recommended by the Senate Finance Committee—which has written into the pending bill provisions for such an amazing disparity of treatment that an elderly person in one State will have his old-age assistance payments automatically increased by $10.29, whereas such a person in another State will have his payments increased by the munificent sum of 77 cents. But that is what the bill, as reported to the Senate, would do, and the Senate ought to remedy the situation by adopting our amendments.

Mr. President, the amendments which have been drafted and which are now before the Senate do not close that disparity completely, but they do provide for lessening the tremendous differences of treatment which the bill before the Senate now unhappily provides. Thus, in a State such as mine, about $3.50 more a month would come to the individual who is qualified for old-age aid, under the provisions of the pending amendments.

The cost to the Federal Government would be about $40 million a year. There is no question about that. But I ask Senators whether in good conscience we can approve the action of a committee which has resulted in such a perfectly incredible mistreatment of elderly Americans in one American State as against treatment of citizens similarly qualified for assistance in another State?

Mr. POTTER. Mr. President, will the Senator yield?

Mr. KUCHEL. No; not yet. I want to say one more thing, Mr. President. Mine is the example of a liberal State which has its growing fiscal problems. Mine is an example of an American State with fairly high State tax laws. The people of my State are going to have to face up to increased costs of State government to solve many of their problems.

I indicated on the floor of the Senate yesterday when the Senate approved some California reclamation bills that the people of California will be required to pay $11 billion—I want to repeat that, because I do not want to be misunderstood, $11 billion—to provide for a State water system in order to bring water to the people who live in California and who are coming into our State at the rate of 500,000 a year.

So there is not involved here a question of saying, "Oh, California is a wealthy State. Let us, here in the Senate, leave it alone. Let us make an additional contribution of 77 cents to that Senator's State, because the people of that State are wealthy and they can absorb the difference." That simply is not so. So I am glad to inquire into this highly technical field and to offer an amendment which, as I say, would provide that in such a State as mine about $3.66 a month would be given to the recipient of aged aid, without lessening by a single penny or, indeed, adding to the $12.16 which an elderly citizen in at least one American State would receive under the terms of the bill as reported by the committee.

I ask that the Senate approve these amendments.

Mr. KERR. Mr. President, will the Senator yield?

Mr. KUCHEL. I first yield to my distinguished friend from Michigan.

Mr. POTTER. I came into the Chamber while the distinguished Senator was explaining his amendments, and I did not hear how the formula, under his amendments, would work. Can the Senator briefly explain the formula? As I understand, adoption of the amendments will mean an increase in cost of about $40 million in the program.

Mr. KUCHEL. It will not touch the formula, but by raising the maximum amount on which the formula would operate to $70—translated into plain language which the Senator and I can understand—it would mean no one would be given less than the schedule which the distinguished Senator from Oklahoma has provided, but some of us come from States whose eligible recipients would be given, as I say, about $3.66, instead of 77 cents as this present bill provides.

Mr. POTTER. I believe, under the schedule of what the States will receive under the pending bill, the State of Michigan will receive about $3.82 for each recipient. Is that correct?

Mr. KUCHEL. No. For old-age assistance, the increase would be $5.32.

Mr. POTTER. What effect would the amendments have?

Mr. KUCHEL. They would have the effect of increasing that amount slightly.

I now yield to the able, genial, friendly Senator from Oklahoma, with the hope that in his courtesy and recognition of the principle of equity, he will accept the amendments.

Mr. KERR. Mr. President, I want to thank my esteemed friend from California for his kind remarks, and say I share his sentiments of affection and respect.

As I understand the Senator's amendments, they would raise at the upper limits the percentages to be paid by the Federal Government to be used as funds to be dispersed in certain States for old-age assistance. Is that the purpose of the Senator's amendments?

Mr. KUCHEL. That is generally true. I would answer the Senator's question in this way: Under the formula which he and his committee worked out, the $70 figure would replace the $65, which would be the maximum which would apply under the Senator's formula.

Mr. KERR. The Federal Government then would pay its percentage up to $70. Is that correct?

Mr. KUCHEL. Rather than $65.

Mr. KERR. Rather than the $65. Does the Senator know how much additional Federal revenue that would require?

Mr. KUCHEL. Forty million dollars.

Mr. KERR. Is the Senator prepared to tell the Senate that if the amendments are adopted the bill will be signed by the President of the United States?

Mr. KUCHEL. I am not. Neither am I prepared to tell the Senate it would be in the interest of having this bill signed to see a disparity which the able Senator, I know, will acknowledge exists in the bill as it relates to the treatment which the elderly will receive under it.

Mr. KERR. Would the Senator want his amendments to prevail if, in succeeding to have it prevail, they would mean a veto of the bill?

Mr. KUCHEL. Let me ask the Senator from Oklahoma first if he suggests that the adoption of the amendments now before the Senate will incite or guarantee a veto.

Mr. KERR. I can only say this to him: That the bill as it came to the Finance Committee carried an upper limit of $66 for the aged, and $33 for dependent children.

We were told by the distinguished Secretary of Health, Education, and Welfare, Mr. Flemming, that if the Senate adopted such a provision in the bill he would recommend and urge the veto of the bill. I was advised that the distinguished senior Senator from California, the following day, after a visit to the White House, made a public statement concerning the President's attitude on the matter. Rather than to have the statement in any way other than as the Senator gave it, I would appreciate it if the Senator will tell the Senate what his statement was in that regard.

Mr. KNOWLAND. So many things have happened I do not want to be held word for word to the exact statement. I do not recall making the statement the Senator has referred to. I recall a White House meeting at which the administration indicated the old-age and survivors insurance provisions were generally acceptable, in the form they had been passed by the House and as they apparently were being considered in the Senate.

As to the second section, with which we are now dealing, on the public assistance phase of the matter, I believe the President was concerned that we might reverse the process and get away from 50–50 contributions when payments were above the first $30, as to which the Federal Government makes a contribution of 80 percent. When considering the second category, the general administration view was that payments should be on a 50–50 basis, or that we should work toward the 50–50 basis.

I do not recall any statement as to dollar amount having been mentioned by me, nor do I recall the dollar amount, as such, having been mentioned at the White House. I believe the discussion was concerned with the percentage, and getting back, as to a number of the grants to the States, to the percentage approach, so that we would approach, in the second category, the dollar-for-dollar basis on the matching by the States and the Federal Government, except for the lower amounts, as to which the Federal Government pays the larger proportion.

Mr. KERR. I thank the distinguished senior Senator from California. I appreciated the Senator's announcing his impression of what had been the discussion at the White House. I am not saying anything now in criticism of it. Although I am not in agreement, I recognize it as a fact and not a theory.

It has been my purpose both in the Committee on Finance and on the floor to secure, if possible, the passage of legislation which the President, in his wisdom, will see fit to sign, and not feel compelled to veto. I gathered, from what I read in the newspapers, that the distinguished senior Senator from California had indicated the Secretary of Health, Education, and Welfare had spoken the attitude of the administration with reference to the public assistance section of the bill.

Mr. KNOWLAND. I think the statement to which the Senator refers was not one made at the White House, but was one made subsequent to a policy committee meeting, when I was asked by the press as to whether I had knowledge of what the President would do with respect to the bill. I told the representatives of the press that during the period of time I had been in the Senate the President had never made a final decision as to what he would do on a bill until the bill arrived before him in the form he would have to consider it. I stated also that the Secretary of Health, Education, and Welfare had indicated that if the bill arrived with the old-age assistance in the form as it was provided in the House of Representatives, he, the Secretary of Health, Education, and Welfare, would recommend a veto. I think that was the statement.

Mr. KERR. Again I want to thank my good friend the senior Senator from California. It is not my purpose, in anything I say or in the questions which I ask, to start a discussion of who might be right or who might be wrong. I am only appealing to Members of the Senate—who are as interested as I am in securing additional benefits not only for those under the old-age and survivors' insurance program and the other categories of social security but also those who are now on the public assistance rolls—to provide an additional benefit for those who, in view of their great need, should have it.

Mr. KNOWLAND. I will say to the Senator, speaking now only in my capacity as a Senator from California and not as the minority leader, I do not believe that either the addition or the nonaddition of the amendment would make the bill veto proof or nonveto proof. I would not say the addition or the lack of addition of the amendment would change the status of the bill.

I will say to the distinguished Senator from Oklahoma, I think there should be equity and fairness to the people of California and to the people of other States of the Union. When there is such a wide disparity as exists, between an addition of 76 cents compared to an addition of $10-plus, it is a discrepancy which is pretty hard to justify, and in due time I think it will be detrimental to our whole program. I do not think a State which has carried very heavy burdens upon its own taxpayers in order to bring up the level of the assistance should be penalized.

I know the Senator from Oklahoma is one of the leading exponents of fair and equitable treatment for the elderly people of the country. I do not think it is helpful to penalize a State which has done a great deal and which, despite the formula which may be written into the bill because of State size—even though under the formula it is assumed to be a State which is better off than others—has very heavy obligations in the field of education, in the field of highway development, and, as my junior colleague pointed out, in the field of providing water for a vast number of additional people, over 500,000 a year, who come into the State. The State does have budgetary problems not unlike the problems of the Federal Government and other States of the Union.

Again speaking in my capacity as a Senator from California, it does seem to be a gross discrepancy and inequity to have a wide range of 76 cents additional payment for the beneficiaries in one State and as high as $10 or more additional payment for beneficiaries in another State.

I do not believe the Senator was suggesting that there should be a change, because I do not think one can rewrite formulas on the floor of the Senate. Following Congresses must give that matter consideration. I hope in the national interest something will be worked out to provide an equitable formula for the large and the small States, with respect to those which in some respects are economically better off, which perhaps have problems some other States do not have, and which perhaps have standards higher than some other States.

It seems to me the amendment offered by my junior colleague from California, who is joined by the Senator from Minnesota, would at least partially remedy the gross inequity which—I am sure inadvertently and not by design of the committee—appears to be in the bill as presently written.

Mr. KERR. I thank the distinguished Senator for his comments. I recognize the disparity which he suggests exists in the bill. It implements what has been referred to before the committee as the variable formula.

Mr. KUCHEL. Does the Senator mean "variable matching?"

Mr. KERR. As I recall, the expression is "the variable grant formula."

Let me say to the distinguished Senator from California that the formula was recommended to the committee by the administration. I asked the Secretary of Health, Education, and Welfare this question: "If the Congress is to provide additional funds for the assistance program, does the administration favor increasing the amount under the formula now in use, or under the new formula, referred to as the variable grant formula?"

Mr. KUCHEL. The variable matching formula.

Mr. KERR. The variable matching formula.

The Secretary replied, "We very definitely favor the new formula."

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. KERR. I will yield in just a moment.

Mr. KUCHEL. Do I not have the floor?

Mr. KERR. I shall be glad to take my seat if that is what the Senator desires.

Mr. KNOWLAND. There is quite an angular colloquy going on.

Mr. KERR. The distinguished Commissioner of Social Security, Mr. Schottland, who, I believe, is from California, appeared before the committee. He is in charge of the program. He was asked about the formula in the bill, as contrasted with the formula now in effect. He stated that the position of the administration and of the Association of State Directors, without exception, is favorable to the new formula, in preference to the one now in use.

The commissioner from the State of New York, who is in charge of the assistance program in New York, under which I believe the average payment is nearly as high as that in the State of California—and I shall address myself to that great State in a moment—said that although the benefits under the bill would be correspondingly small on a per capita basis, it was felt that from the standpoint of the application of a principle throughout the Nation, the new formula should be recommended.

I know that the State of California has a great burden. It also has great capacity. I was examining the figures showing the amount of old-age assistance received in California, New York, and Pennsylvania. The great State of California receives almost twice as much as New York and Pennsylvania combined.

Mr. KUCHEL. Why is that?

Mr. KERR. Because the State has a tremendous capacity. It draws young people from across the Nation—including Oklahoma.

Mr. KUCHEL. Should California be denounced for that reason?

Mr. KERR. Oh, no. I am for it.

Mr. KUCHEL. Should that capacity be used as a basis for beating us down?

Mr. KERR. No. Last year the Government sent the State of California $127 million in connection with the assistance program. California is a great State. It is on the way to becoming the first in terms of population and per capita income. Some of the finest people from Oklahoma have gone out there. California siphons off our young people.

The Senator speaks about education. We educate the young people in Oklahoma, and California lures them to that State. When I was Governor of Oklahoma the war was in progress, and rationing was in effect. It was difficult to obtain tires and gasoline.

I made periodic trips to California. The great Governor of that State at that time, now Chief Justice, was very courteous to me. On one of my visits he said to me, "You come out here quite often, do you not?" I said, "Yes, I do." He said, "You must like our State." I said, "Yes, but I come here because of a campaign pledge which I made. When I was elected Governor of Oklahoma I said I would stay with them for 4 years; and with as many Oklahomans as there are out here, how could I keep that pledge without coming out here?" [Laughter.]

So we congratulate the State of California. We envy it. I know that the source of the greatest pride in the hearts of the Senators from California is the tremendous surge of development and progress that has been achieved out there. We only wish we could emulate the example of California, from the standpoint of productivity, wealth, and ability.

Mr. KUCHEL. Let me tell the Senator how we accomplish that, in part. We have high State taxes, and it is generally conceded that taxes in California must be increased next year to keep our government solvent, to keep our schools open, and to provide the services our State laws require. The reason we have been able to be just and fair and decent with those in need is that we have taken a notch in our belts to enable us to help our fellow citizens.

Mr. KERR. In whose belts?

Mr. KUCHEL. The belts of the people of California.

Mr. KERR. Is the Senator speaking for himself or for his colleague? [Laughter.]

Mr. KUCHEL. I am speaking for myself. That is the reason we are able to do what we have done. It should not be a principle of lawmaking that States which find it possible to deal at all generously with some of these problems should be penalized by action of the Congress. I know that my able friend agrees with me.

Mr. KERR. I would not be a party to penalizing any State, especially the great State so well represented in the Senate by the two distinguished Senators from California.

I thank the Senator for allowing me to participate in this colloquy with him and to share his time.

The Finance Committee made two reductions in the amount of money required under the assistance program. It reduced the figure of $66 as a maximum for the aged and the $33 for dependent children to $65 and $30, respectively. It postponed the effective date of the additional assistance grants from October 1 of this year to January 1, 1959.

Amendments will be offered on the floor of the Senate to reduce the $65 in the bill and to bring about another reduction in order to bring the amount for additional assistance below $200 million, in the hope that by so doing we may obtain a signature by the President to this bill, rather than what we feel may be a certain veto of it if we keep the present amount of assistance in it. On the basis of what I have been able to learn and the indications I have seen—and if there are contrary indications, certainly the distinguished Senator from California [Mr. KNOWLAND] is in as good a position to learn of them as is anyone else—the additional amount would not be acceptable. If the additional amount would be acceptable, I should like to know it. But, failing that, I do not believe the Senator should press an amendment which, in my judgment—and I believe in the judgment of the committee—would add to the probability of a veto of the bill.

Mr. KUCHEL. I thank my friend from Oklahoma.

The amendment we have offered operates also on the programs for the blind. I think every Member of the Senate shares the compassion I feel for one who cannot see. There is no need to dwell on that. So we can be glad that under the provisions of the bill before us, 1 State in the Union will receive $17 for each blind person receiving assistance.

Others will receive $12 additional per capita; others, $10 additional per capita. We ought to be glad, and we ought to say that this is fine and that we recognize the very great difficulties of one who is blind. However, let us suppose that the blind person lives in California. If he lives in California under the bill before us, we do not give him a penny more from the Federal Government. Suppose he lives in the State so ably represented in part by my able friend from Massachusetts. The Federal Government would give him 70 cents from the Federal Treasury. The problems of a blind citizen are no different whether he lives in Oklahoma or Massachusetts or California, but the treatment he receives from the Federal Government, under the bill, is vastly different.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. KUCHEL. Anyone who uses that kind of yardstick may be able to justify that kind of action. It is beyond my capacity to understand it. So far as I am concerned, there ought not to be any problem as to whether this type of amendment should be adopted. I yield to the Senator from Kentucky.

Mr. COOPER. So that the Senator's proposal may be clear, will he take the cases he has cited and add the Federal amounts for the various States to the amounts a blind person receives in the various States?

Mr. KUCHEL. The only thing I say is that a State which treats its blind people liberally ought not to be penalized.

Mr. COOPER. Can the Senator give the figures he used?

Mr. KUCHEL. The State of California gives $105 a month to a blind person.

Mr. COOPER. The point I make is this. The Senator's statement might give the impression that the increases stand alone. To give the full picture the amounts would have to be added to the amount the blind persons receive in the various States.

Mr. KUCHEL. I have answered with respect to my State.

Mr. COOPER. The Senator has given three examples. Would he mind adding the amounts to the amounts a person now receives in those three States?

Mr. KUCHEL. I cannot do that, because it is an involved and new formula which is used. I cannot answer that question. It may be that the Senator from Oklahoma can refer the questions to one of the members of the staff of the Department of Health, Education, and Welfare, and get that answer for us. It may be true, and probably is, that in a State in which the additional payment of $17 would be made to a blind person, that blind person may still be receiving less than a blind person receives in the State of California.

Mr. KUCHEL. The amendment we have offered does not destroy the additional $17 the blind person will receive in one of our States. However, it does increase from zero to a modest amount what a person would get if he lived in California.

Mr. COOPER. I appreciate the Senator's argument. I understand what he is trying to do. However, it may be helpful to Senators to understand that the purpose of the variable amounts is to make it possible for States to give a reasonable level of assistance to blind people, to aged people who receive old-age assistance, and to mothers having dependent children.

Mr. KUCHEL. I should like to ask my friend from Massachusetts if he knows what a blind person in Massachusetts receives. We can then add that amount to the 70 cents, which this bill provides he shall receive additionally in Massachusetts and find out what he would get under the bill.

Mr. KENNEDY. I do not have the figures. However, I believe that the thesis the Senator is developing is extremely important. The bill in its present form gives no incentive to the States which attempt to make an effort on their own and enforce a high tax level in order to pay these benefits. I would say that in a State like Massachusetts, under the bill passed by the House, there would be provided $2.61 per recipient. As reported by the Senate Finance Committee, that amount would be reduced to $1.81 per recipient. The amendment of the Senator from California would increase it to $4.61 per recipient. It seems to me that the Federal Government, particularly with the emphasis which is placed today on States playing a larger part in meeting their responsibilities, ought to enter into a partnership arrangement with the States, and help them in that effort, instead of, in effect, encouraging States to lessen their own effort and rewarding those States who for one reason or another are reluctant to play their full role. The Senator's point is extremely important.

Mr. KUCHEL. I thank the Senator. He is completely right in his comments with respect to the question of whether it should be the good faith policy of the Government of the United States to penalize those States which try themselves to do a better job in this field.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. ALLOTT. As the distinguished Senator from California knows, my own State of Colorado is one of the leading States from the standpoint of the amount of pension paid to its aged people. We tax ourselves heavily in order to provide for our aged people. It is the philosophy of our people in Colorado that it is our duty to do so, in order to take care of our own people in this way.

I am referring to the report on the bill. I do not have the figures available, but apparently they have come to the Senator's attention. As I understand, the matching 50–50 fund has now been changed to 50 percent in some cases and 70 percent in other cases. Is that correct?

Mr. KUCHEL. That is my understanding of the application of the so-called variable formula.

Mr. ALLOTT. In other words, the bill takes those States which are above average income and divides the list of States and Territories in half, and to those which are in the upper half the Federal Government will contribute only to the extent of 50 percent, and to those which are in the lower half the Federal Government will contribute up to 70 percent. Is that correct?

Mr. KUCHEL. That is my general understanding of the formula.

Mr. ALLOTT. I cannot agree with that philosophy of Government in any respect. I do not agree with the philosophy behind the bill. It matters not whether it is the position of the Department of Health, Education, and Welfare, or of the Committee on Finance. I do not care who promulgated that formula. I cannot go along with that kind of thinking. Is it not correct to say that under the bill the Senator's State would get a monthly increase of 76 cents?

Mr. KUCHEL. Seventy-seven cents.

Mr. ALLOTT. The report states 76 cents.

Mr. KNOWLAND. That is a combination of all.

Mr. ALLOTT. A combination of all?

Mr. KNOWLAND. Yes.

Mr. ALLOTT. My own State, which already taxes itself heavily, would get $2.72. Then I notice the amounts for other States. They range through $4, $7.96, $9.10, $10.29, $7.72, $7.85, $9,43, $10.26, $8.65, and so on.

Is it not correct to say that there is no assurance that the increased tax will raise the amount of the benefit that will be paid? In other words, to some extent the increase in Federal contribution may be used by the States as a replacement of the State share, so that the amount received by the recipient need not be increased, necessarily, because a State may lower its own contribution. Can the Senator answer that question?

Mr. KUCHEL. I certainly believe that a State may change its own laws with respect to participation in any of these formulas. In addition to that, it is true that what we do here, as the Senator has so aptly put it, will go a long way to determine just exactly the action which States will take.

Mr. ALLOTT. Is it not correct to say that the States shown on page 41 of the report, which receive the highest contribution under the new formula, are, overall, the States which make the least effort to take care of their aged people?

Mr. KUCHEL. I cannot honestly answer that question. I do not know. Certainly a State so ably represented in part by my friend from Colorado, which has been in the vanguard in facing up to the problem, would, as these statistics of mine demonstrate, be penalized for the zeal which the Senator's State has shown in this field. I may say that the figures I am using are the official figures of the Department of Health, Education, and Welfare.

Mr. ALLOTT. I should like to make one other statement with respect to the remarks of the Senator from Oklahoma.

He quoted the rather large amount which the State of California receives by way of assistance. That is true. It is large. But I think it is well to state for the record that the amounts he quoted are not based upon a per-capita basis, and that actually California, like Colorado, is not in any peculiar or favorable position now, whereas the formula in the bill certainly puts them at a disadvantage. In other words, the States which have struggled to help their aged are placed at a greater disadvantage and are asked to pay more, while the States which have not struggled so hard will get additional assistance from the Federal Government.

Mr. KUCHEL. I thank the Senator from Colorado for his excellent contribution to this discussion.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. POTTER. Is it not true that under the old formula of a 50 to 50 matching basis, all States were treated equitably according to the State's ability to finance its own program or its desire to finance its part in the program?

Under the formula in the bill, some of the States will receive a matching Federal contribution of 70 percent, while others will receive a smaller amount, which will actually put a penalty on the States which have tried to meet their obligations, and give an advantage to the States which have not done so.

I know the Senator from California is very familiar with the problems confronting a State government and a State legislature. I can well understand the reaction of a legislature in California or Colorado or Michigan, or other States which have been completely meeting the pressures to build up their own State obligations in this field, to finding that their very efforts have resulted in penalizing the States, rather than being an asset.

I am fearful that in the future of the program, this formula could very well destroy the worthwhile relationship of the Federal Government to the States in meeting the needs of the aged, the dependent children, and the blind.

If I were a member of the California Legislature, the next time an authorization bill for an increase in funds for old-age assistance came before me, I would ask, "Why should the State of California tax itself more, when it can sit back and let the Federal Government contribute a greater percentage of the program, as it has done for other States?" I think it is very unfortunate to get away from the principle of equality of treatment for the individual States.

I know it can be argued, on a national basis, that the aged in certain States do not receive as much money under this program as do the aged in California, Colorado, Michigan, and some of the other States. But, after all, the States have responsibility in this matter, too.

Mr. KUCHEL. Of course, they do.

Mr. POTTER. If the States do not wish to accept that responsibility, the alternative is to make the program completely a Federal program. But I feel certain that none of us wants such a program at this time.

I commend the Senator from California for raising this important issue now. I am convinced that unless the formula is changed, irreparable damage will be done to a program which has great merit.

Mr. KUCHEL. I thank the Senator from Michigan for his constructive and logical comments. I respect him as does every Senator, and I salute his effective leadership in the problems of social legislation.

Mr. ALLOTT. Mr. President, will the Senator yield for 1 more minute?

Mr. KUCHEL. I yield.

Mr. ALLOTT. With respect to the remarks I made a few minutes ago, I point out that as to Colorado the amount of variance is very small anyway. Within the last day, I have talked with the State director of Colorado and also with the welfare director of the city and county of Denver, which is our largest city.

Colorado has established its plan primarily by its constitutional amendments with supplemental laws. According to how the respective States have passed their laws, all States will not follow the program alike. But, the bill before us will not and cannot mean an additional dollar of old-age assistance to any person in Colorado. Under our plan additional money will go into the welfare fund but benefits are limited so that any increase will spill over into the general fund. Under our law as it is written, it cannot mean any additional assistance or any increase to any person in Colorado.

So the people of Colorado will hear about a bill passed by Congress to raise the amount of their benefits, and they will ask their Senators, "Where is our share?" But under Colorado law, they will not get a cent of increase under the bill when it is passed. The net effect will only be for Coloradans to send an additional amount to Washington and have a portion returned for the general fund.

Mr. KUCHEL. I thank the Senator from Colorado, who has demonstrated a great understanding of the involved problems in this important field.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. CARLSON. First, I have some sympathy for the position which the Senator from California is in. I raised this question in committee.

If the Senator from California will look at the table on page 41 of the report, he will see that Mississippi is in even worse condition than is California.

Mr. KUCHEL. Yes, I see that.

Mr. CARLSON. I remind the Senator that when we attempt to alter these formulas, we get into difficulty. At present, California is not the leading State in the amount of money which is paid to recipients under old-age assistance. The first State in that respect is Connecticut, which pays $107.32. The second State is Massachusetts, with $97.85. The third State is New York, with $93.89. Colorado is fourth, with $92.30. California is fifth, with $84.02. That is under the present schedule of payments.

But under the system under which we are operating, California has received the highest Federal contribution of any State in the Union—$40.73.

Mr. THYE. Mr. President, will the Senator from Kansas permit me to ask the amount of the payments being made in Minnesota?

Mr. CARLSON. Minnesota pays $79.54, and receives at present from the Federal Treasury $36.67 for every recipient.

Under the bill, Minnesota will receive $44.88. Also, 23.4 percent of Minnesota's recipients receive also OASI benefits.

In California, 42.9 percent of the recipients also receive OASI benefits. That is not the highest percentage in the Nation. Nevada happens to be the leading State in that respect.

It is interesting to see how this program works out. In Nevada, 45.6 percent of the recipients also get OASI benefits.

Mr. THYE. What impresses me in the amendment offered by the Senator from California, is the endeavor to equalize the amount which a recipient in each of the States will receive from the Federal Government.

When I examined the record—I had asked for the information from the committee staff—I found that some States receive as little as $36, $38, $24, and $36.70, as compared with those which were receiving almost $100.

The amendment proposes equalizing the amount of Federal contribution paid to each of the recipients in the different States. The national average was $66.55, according to the information I obtained from the staff. I believe I am correct in that statement; am I not?

Mr. CARLSON. That is correct. I have raised the point simply to express sympathy with the Senator from California. I should like to help in any way I can, but I am not certain, as has been stated by the Senator from California, that this is the amendment which should be adopted to remedy that situation. I do not believe we can add $40 million—I take the Senator's figures for that—to the bill.

Mr. KUCHEL. I thank the Senator from Kansas.

Mr. President, that is about all I can do. I believe the incredible inequity which exists in the committee bill is 100 percent indefensible. I believe the adoption by the Senate of the amendment now before us will at least to some degree ameliorate a very bad situation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. ANDERSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERR. Mr. President, I sincerely hope the Senate will not agree to the amendment of the Senator from California. In the first place, in my judgment, it would insure—if action of this Senate could do so—the veto of the bill.

Next to Oklahoma, there is no State I would rather help than California. I want to say the amendment would help Oklahoma.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. JOHNSON of Texas. I want to register a strong objection to the statement the Senator just made.

Mr. KERR. I appreciate the statement of my friend from Texas, but I want to say to him that in his absence the Senators from California and I got in a very cozy attitude toward each other on the floor of the Senate. [Laughter.]

Mr. JOHNSON of Texas. Now that I am back I hope the Senator will modify his statement and include Texas along with Oklahoma and California.

Mr. KERR. We will not exclude California. We will make this big enough for the three of us.

I appreciate having the opportunity to make this matter clear. As I said a while ago, I would love to help California nearly as much as I would love to help Oklahoma. If such were the law, Mr. President, before too long Oklahoma would become a beneficiary of it. But not even California can become the beneficiary of a vetoed bill.

I am looking at men on this floor who helped pass 3 rivers and harbors bills before we finally had 1 bill signed. While the part which Oklahoma got from the signed bill was about 30 percent of what it would have received had either of the other bills been signed, I want to say what Oklahoma got from the signed bill was a lot more substantial than what Oklahoma got from the vetoed bills. That is all I can say to my friend from California.

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield?

Mr. KERR. I will say something to the rest of the Senators.

Mr. KUCHEL. Mr. President, will the Senator yield to me?

Mr. KERR. I yield.

Mr. KUCHEL. I want to very respectfully ask my able colleague, who has not been known as an ardent supporter of this administration, when he suggests with such finality that adoption of my amendment would result in the veto of the bill, is it possible he has some secret pipeline into the inner circles of the executive branch which he has not disclosed to his brothers in the Senate?

Mr. KERR. I cannot tell whether the Senator is talking from envy or fear. [Laughter.] But I am willing to answer the question.

Mr. KUCHEL. I am speaking from envy.

Mr. KERR. I do not have any pipeline except through the distinguished Senator from California.

Mr. KUCHEL. Then how can the able Senator from Oklahoma inform his brethren that the amendment will kill the bill if the Senate agrees to it?

Mr. KERR. I did not so inform them.

Mr. KUCHEL. I gathered the Senator did.

Mr. KERR. I express the opinion that the amendment would in my judgment increase the probability of a veto.

Since the Senator has asked, I am glad to tell the Senator why I believe so. The bill before the Committee on Finance provided an assistance program which would cost an additional $288 million per year. The Secretary of Health, Education, and Welfare said that he wanted the provision stricken from the bill. The Secretary recommended it be stricken from the bill. There was a motion made in the Finance Committee to strike the assistance provision from the bill. The motion failed by 1 vote to carry.

The Secretary of Health, Education, and Welfare said that his reason for wanting the provision stricken was that if the bill were passed with the assistance provision in it he would recommend the entire bill be vetoed, and he did not want to recommend the veto of the old-age and survivors' insurance provisions.

I submit to the distinguished Senator that if a bill which carries $288 million for additional assistance will invite a veto and bring about the certainty of a recommendation of a veto by the Secretary of Health, Education, and Welfare, does the Senator not conceive of the possibility that the addition of another $40 million to $50 million would increase the probability of a veto?

Mr. KUCHEL. The Senator assumes there is a probability of a veto. I want to say to the Senator that I would not have been successful with the authorization of some of the public works projects in California if it had not been for the assistance the Senator from Oklahoma gave me. We stood together. Were we daunted by the threat of a veto?

Mr. KERR. We were not daunted. Neither did we ever get more than 10 feet from where they told us not to go. [Laughter.]

I say to the Senator we are already further out into space than our Government has ever been able to put a satellite, with respect to the bill as it is written. Now the Senator is inviting the Senate to go off yonder into the realm. If we did so, the Defense Department would not have to try to shoot a rocket around the moon. All the Defense Department would have to do is wait until we got back, and we could give them a report on it.

I hope the amendment will not be agreed to.

Mr. KUCHEL. Mr. President, I shall take but a moment.

I do not see how Senators can justify voting for a bill which will give a blind person $17 more a month if he lives in Oklahoma, but will give him only 70 cents more a month if he lives in Massachusetts, and, if he happens to have his domicile in California, will give him nothing. I do not see how Senators can approve such an elastic yardstick. I do not see how we can approve a bill giving a person who is receiving old-age assistance in the State of Oklahoma $12 a month more, but the person who lives in California only 77 cents more per month. That is the way the formula in the bill goes, up and down. It simply does not seem to me proper. We should not abuse States in this Union which have tried to be, and have succeeded in being, a bit more fair and just with their fellow citizens in need.

Mr. KERR. Mr. President, I wish to answer the Senator's one question.

The reason the administration itself said, as between the 2 formulas, it would recommend the one in the bill, is that the average payment to the blind person in California is now $104.85. The average payment to the blind person in Oklahoma is now $84.58. The average payment to the blind person in some of the States, as of now, is about $40 per month. In some States the payment is below $40 per month.

With reference to the blind person who is already receiving $104.85, that amount plus 75 cents would leave him in a considerably better position than the blind person who is now receiving $37 per month, who might get an additional $7 per month, would have.

That is the reason why the Secretary of Health, Education, and Welfare said that if the administration were to accept an additional amount of expenditure for assistance, it would prefer that it be under the formula in the bill, rather than the formula now in effect.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc offered by the Senator from California [Mr. KUCHEL]. (Putting the question.)

Mr. KUCHEL. Mr. President, I ask for a division.

On a division, the amendments were rejected.

Mr. KUCHEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The suggestion of the absence of a quorum will have to be withdrawn in order to permit a parliamentary inquiry.

Mr. KUCHEL. Mr. President, I withdraw the suggestion of the absence of a quorum, and ask for the yeas and nays.

Mr. KERR. Mr. President, a point of order.

The PRESIDING OFFICER. The Chair informs the Senator that the result of the vote had been announced. It is not in order to request the yeas and nays when the result of a division has already been announced.

Mr. KUCHEL. I did not hear the announcement; otherwise I would not have suggested the absence of a quorum.

The PRESIDING OFFICER. There was considerable confusion in the Chamber.

Mr. REVERCOMB. Mr. President, I offer the amendments which I send to the desk and asked to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from West Virginia will be stated.

The LEGISLATIVE CLERK. On page 74, between lines 7 and 8, it is proposed to insert the following new section:

FULL RETIREMENT BENEFITS FOR MEN AND WOMEN AT AGE 62

SEC. 316. (a) Section 216 (a) of the Social Security Act is amended to read as follows:

"RETIREMENT AGE

"(a) The term 'retirement age' means age 62.

"(b) Section 202 (a) (3) of such act is amended by striking out 'the age of 65' and inserting in lieu thereof 'retirement age.'

"(c) The last sentence of section 202 (a) of such act is amended by striking out 'Except as provided in subsection (q), such' and inserting in lieu thereof 'Such.'

"(d) Section 202 (b) (2) of such act is amended by striking out 'Except as provided in subsection (q), such' and inserting in lieu thereof 'Such.'

"(e) Section 202 (j) of such act is amended by striking out paragraph (3).

"(f) Section 202 (k) (3) of such act (as amended by section 205 (b) of this act) is amended by striking out 'any reduction under subsection (q) and' and '(after reduction under subsection (q)).'

"(g) Section 202 (m) of such act (as amended by section 101 (e) of this act) is amended by striking out 'and subsection (q)' each place it appears.

"(h) Subsections (q), (r), and (s) of section 202 of such act are repealed; and subsections (t) and (u) of such section are redesignated as subsections (q) and (r), respectively.

"(i) Section 203 (b) (3) of such act is amended to read as follows:

"'(3) in which such individual, if a wife under retirement age entitled to a wife's insurance benefit, did not have in her care (individually or jointly with her husband) a child of her husband entitled to a child's insurance benefit; or'.

"(j) Section 216 (i) (2) of such act (as amended by sec. 201 of this act) is amended by striking out 'the age of 65' each place it appears and inserting in lieu thereof 'retirement age'.

"(k) Section 233 (a) (1) (B) of such act is amended by striking out 'the age of 65' and inserting in lieu thereof 'retirement age (defined in sec. 216 (a))'.

"(l) Section 223 (a) (1) of such act is amended by striking out 'he attains the age of 65' and inserting in lieu thereof 'he attains retirement age'.

"(m) (1) The amendment made by subsection (a) of this section shall apply only in the case of lump-sum death payments under section 202 (i) of the Social Security Act with respect to deaths occurring after 1958, and in the case of monthly benefits under title II of such act for months after December 1958.

"(2) For purposes of section 215 (b) (3) (B) of the Social Security Act (but subject to par. (1) of this subsection)—

"(A) a man who attains the age of 62 prior to 1959 and who was not eligible for old-age insurance benefits under section 202 of such act (as in effect prior to the enactment of this section) for any month prior to January 1959 shall be deemed to have attained the age of 62 in 1958 or, if earlier, the year in which he died;

"(B) a man shall not, by reason of the amendment made by subsection (a) of this section, be deemed to be a fully insured individual before January 1959 or the month in which he died, whichever month is the earlier; and

"(C) the amendment made by subsection (a) of this section shall not be applicable in the case of any man who was eligible for old-age insurance benefits under such section 202 for any month prior to January 1959.

A man shall, for purposes of this paragraph, be deemed eligible for old-age insurance benefits under section 202 of the Social Security Act for any month if he was or would have been, upon filing application therefor in such month, entitled to such benefits for such month.

"(3) For purposes of section 209 (l) of the Social Security Act, the amendment made by subsection (a) of this section shall apply only with respect to remuneration paid after December 1958.

"(n) The amendments made by subsections (b) through (i) of this section shall take effect January 1, 1959, and shall be applicable with respect to monthly benefits under title II of the Social Security Act for months after December 1958."

On page 29, beginning with line 1, it is proposed to strike out all through line 3, page 27.

On page 91, between lines 9 and 10, insert the following new section:

"STAND-BY PAY

"SEC. 407. (a) Section 3121 (a) (9) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(9) any payment (other than vacation or sick pay) made to an employee after the month in which he attains the age of 62, if he did not work for the employer in the period for which such payment is made; or'.

"(b) The amendment made by subsection (a) shall be effective with respect to remuneration paid after 1958."

Mr. REVERCOMB. Mr. President, the purpose of these amendments is to reduce the retirement age from the present age of 65 to age 62, for both men and women, for full retirement benefits.

In 1956, in the amendments to the Social Security Act, the first step was taken toward cracking the age barrier when women became eligible, with certain reservations, at age 62, rather than being required to wait until they reached age 65. While I welcomed this change because it challenged the persistent idea that the age 65 figure was somehow sacrosanct, I did not believe then, and I do not believe now, that we went far enough.

It seemed to me that it would be wise to allow full benefits to wives and dependent mothers when they reached age 62, as provided in those amendments; but I did not feel that we should require wives and women workers to accept an actuarially reduced benefit if they retired at age 62, as the law in existence today requires.

The simplest and most equitable solution, it seems to me, is to face up to the realities, and to lower the retirement age to 62 for all men and women, for full benefits at that time to those who are qualified under the act.

The concept that 65 is the magic age for retirement, which persisted for so long under our social security plan, is, I submit, a myth, based upon another myth. The first myth is that the founders of the social security system, back in 1934 and 1935, carefully weighed the question of what should be the most equitable retirement age, and then chose age 65. This is not the case, for, as I have pointed out on the floor of the Senate previously, one of the men who, as a member of the staff, participated in those decisions of the 1930's, Professor Wilbur J. Cohen, of the University of Michigan, recently wrote:

Although the committee studied many alternative financing proposals as a basis for making the recommendations for a contributory old-age insurance plan, every proposal considered was based upon 65 as the retirement age and upon retirement from work as a condition for eligibility. The committee made no detailed studies of alternative ages or of any proposals for voluntary retirement at earlier ages or of compulsory retirement or of any flexible retirement program in relation to the disability of an individual.

Why, in the face of such evidence, we continued for almost 20 years to refuse to make any change in the age 65 figure, while we changed practically every other feature of the system, is a question I have often asked myself. It was challenged in 1948, when I sought to have the Senate reduce the retirement age from 65 to 60, but that proposal was not accepted at the time. My present proposal, to reduce retirement age to 62, is a more modest one. I offer it, however, because I believe that some progress in this area must be made immediately.

I believe, Mr. President, that the answer to our rigidity in this matter lies with the persistence of another myth—the myth that if we lower the retirement age to 62 for both men and women, everyone will flock to retire at that age. But all evidence shows that, even with the age 65 figure, most people continue working if they are able to and if they can find work or are allowed to continue on their jobs. Surveys conducted by the Social Security Administration have established this fact. The most recent one, in 1951, showed that more than half the people who retired had lost their jobs and had been forced to exist somehow for several years until they became eligible for social security. Another 30 percent had been forced to quit their jobs prior to age 65 for health reasons. Thus, more than four-fifths of the people who applied for benefits at age 65 had been forced into retirement before that age either because of poor health or because they had been laid off.

In this connection, let me quote from a news story that appeared in the Charleston, W. Va., Daily Mail not long ago:

Our latest local figures show that the great majority of full-time workers retire because they are in ill health or because they have lost their jobs. Few people in West Virginia are retiring from full-time work just to collect their social security payments, Paul L. Jefferson, manager of the Charleston social security district office said today.

This conclusion is further supported by the fact that the average retirement age under social security today is not age 65, but age 68 for men, and that there are about 2.3 million people 65 or over now in the Nation's working force.

Moreover, it is estimated that about 60 percent of these elderly workers are eligible for social security benefits. I point this out to show that lowering the age from 65 to 62 would not be an invitation to people and would not cause people who could continue to work to stop working because of the lowering of the age. I would point out that in many industries in this country today men and women are worn and tired before they reach 65.

I hope that the day will come when age 60 will be adopted. For that reason, and in that hope, I today urge the taking of this first step, which would be the first step so taken since the social security plan was enacted.

This, to my mind, is very vivid evidence of the fact that the retirement habits of the American people are not governed by the age specified in the Social Security Act, but rather by their individual circumstances. For it is rather evident, I think, that no one in good health and gainfully employed is going to rush into retirement to receive the sum of $76 per month—the average social-security benefit today.

The facts of the matter, then, whether we like them or not, are that many American workers are forcibly retired prior to age 65 either because of poor health or because they have been laid off. It is time that we recognize this fact in our social security plan by lowering the eligibility age to at least age 62 for both men and women.

Let me dwell for a moment on something which has grown up in the industry of this country. Men beyond the age of 45, if they find themselves out of work, have great difficulty in obtaining new work. They are men in the very peak years of their productive capacity. They are finding it difficult to find work. Those men, plus those who have passed age 60, and certainly those who have passed age 62, who are deprived of work and who cannot get any because of the system which has grown up in the industry of this country, of the nonemployment of older people, do not seek to retire. They do not want to retire. If this great plan of ours, to look after the aged people and to look after those who have become disabled through no fault of their own—through illness or through the passage of years—is to be carried out—and I certainly hope we will always have it with us and that we will constantly improve it—I feel we should now proceed to take steps to make improvements in it.

We must face these facts. Many people, especially those who spend their working life at hard physical labor, suffer injury or a chronic illness during their later years. These people, as far as our social security plan is concerned, are in a twilight zone. They are so handicapped that they cannot continue at the hard physical labor to which they are accustomed, but they are not so totally and permanently disabled that they can qualify for social security's disability benefits. I have been appalled by the large number of older workers who have written to me to point out that they are too disabled to compete in the labor field with their younger contemporaries; yet, they cannot qualify, because of one reason or another, for the cash disability benefits which were authorized by the 1956 amendments.

Moreover, their chances of finding another lighter job are very remote. For they are bucking a growing reluctance to hire older people which begins as early as age 40. A recent 7-area study conducted by the Department of Labor showed that people age 45 and over make up 40 percent of those seeking a job, and the rate increases progressively as age increases. Moreover, this study showed very clearly that unemployed older workers have less chance of finding employment once they have been laid off than do younger workers. Older men accounted for over two-fifths of the male job seekers, but represented less than one-fourth of the total of those who were hired.

In lowering the retirement age of our social security plan we will not only relieve the distress of thousands of these older men and women who are now struggling to maintain themselves until they reach age 65, but we will bring the system into line with the realities of an age of mechanization and automation. The increase in productivity per man-hour of about 36 percent since World War II, means that American workers can retire earlier without impairing our productive power as a Nation. One worker today can produce as much as did 3 workers 50 years ago. This steady increase in productive capacity means that the worker who retires at age 63 will have produced far more in his shorter working life than did his father or grandfather who retired at age 75.

I realize that this change will cost some money. It would not be paid out of the Treasury of the United States or out of the public purse, but would be laid on what we know as the payroll tax, contributed one-half by the employer and one-half by the employee.

By reducing the age from 65 to 62, as I urge, the payroll tax of the employer and the employee would be increased by one-half of 1 percent. Each would pay that increase. That is 5 mills on the dollar. That is all the increase would amount to if we dropped the age from 65 to 62.

Under present law, the tax is already 2¼ percent, each, for the employer and the employee. Under the proposed committee amendment, which is before the Senate, the social-security tax would be increased by one-fourth of 1 percent. In other words, if the committee amendment were adopted, the tax would go to 2½ percent, each, for the employer and the employee. If the bill is passed with my amendment added to it, reducing the age to 62, the total tax will be 3 percent for the employer and 3 percent for the employee. In other words, there would be taken out of the employee's pay 3 cents out of every dollar, and that amount would be matched by the employer.

That is an increase, to be sure. I know that people do not like to have deductions made from their pay, whether it be for payroll taxes or for any other purpose. However, I urge that Congress—and the Senate in particular—proceed at this time to meet this problem, so that the elderly people may retire if they are unable to continue to work. There are many people, particularly those who work and toil in the rugged pursuits of life, who are tired and worn out at age 62.

We quite rightfully appropriate money for the defense and security of this country.

It is our most important problem and our primary duty, because it means our very existence. But as we protect the country and the people in it, there is no higher duty upon all the citizens, through their Government, than to make certain that their aged people are properly cared for, and to see to it that those who are afflicted receive reasonable support in this life.

I urge the adoption of my amendments. I think it is time that such a proposal be acted upon. I do not think the cost is too burdensome. I urge the adoption of the amendments to the amendment of the Committee on Finance.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. COOPER. Do I correctly understand the Senator from West Virginia to say that the increase in the payroll tax on the employee and the employer, if both the committee amendment and the amendments of the Senator from West Virginia are adopted, will be a total of three-quarters of 1 percent?

Mr. REVERCOMB. That is correct.

Mr. COOPER. So an employee whose maximum salary is about $4,800 would pay a tax, under the bill and the amendments of the Senator from West Virginia, if they should be adopted, of about $50 a year?

Mr. REVERCOMB. It is three-quarters of 1 percent of the amount of the salary. But I cannot think of any employer who would object to paying that for his aged employees.

Mr. COOPER. I was merely going to say that that is not a very large increase.

Mr. REVERCOMB. I thank the Senator for making that point. I think it is timely.

Mr. COOPER. If the amendments of the Senator from West Virginia shall be adopted, an employer having a payroll of $100,000 will have his tax increased by $500. That is not a very large increase.

Mr. REVERCOMB. No. I am glad the Senator from Kentucky has pointed that out so succinctly and definitely. The cost is not great. The cost to an employer having a payroll of $100,000, as has been pointed out, is approximately $500 a year. I think that in itself is cheap insurance for the employer to make certain that his employees, when they reach an age when they are no longer able to work, will have the benefits of the bill.

I point out, further, that in most retirement plans today, the retirement age is 60, 61, or 62 years. Seldom does the retirement age go above that, from the information I have received. It seems only proper for Congress, after all the years in which this system has continued unchanged as to the aged, to meet the problem fairly and to reduce the age limit for retirement by those who need to retire, who are worn out, sick, and unable to continue with their work.

I shall vote to reduce the age limit to 62 years. Therefore, I urge the adoption of the amendments.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. BENNETT. Does the Senator from West Virginia remember when Congress amended the law 2 years ago to permit women to retire at the age of 62? We required that if they chose that age to retire, their benefits must be reduced 20 percent.

Mr. REVERCOMB. They could make a choice as to the time of retirement.

Mr. BENNETT. That is the way the bill was passed. A sliding scale was provided. If women retire at the age of 63, the amount of reduction in benefits is less. But there is a specific requirement. They may not retire at age 62 with the full benefits which will be received by those who retire at age 65.

Is it the purpose of the Senator from West Virginia to change the law and to restore the figure of 20 percent, so as to permit women to retire at age 62 with the benefits they would have received at age 65?

Mr. REVERCOMB. As the Senator from Utah knows, widows and elderly and dependent persons do not have their benefits reduced under the statute he mentions. I believe the benefits of working women are reduced. My plan would absolutely make the provision apply to working women. They could retire at age 62 with full benefits and without any actuarial reduction.

Mr. BENNETT. Is not the Senator from West Virginia concerned about adding 10 percent to the total cost of social security? He says the amount is only one-half of 1 percent. Actually, in terms of the present cost, the increase is 10 percent.

Mr. REVERCOMB. It is based on whatever the comparative costs are. However the Senator desires to approach the question, it does not seem to me that 5 mills on the dollar, or one-half of 1 percent, is very much.

Mr. BENNETT. It is 5 mills on the dollar for employees and 5 mills on the dollar for employers, a total of an additional 1 cent on the dollar, added to the 5 cents which will now be taken out under the bill, thus making it 6 cents. So it is not a 10-percent increase; it is a 20-percent increase in terms of the total cost of the system and in terms of money. It means that we are legislating to tax the working people and the corporations which provide them with their jobs an additional $1,800,000,000.

It is easy to talk about 5 mills; but when we talk in terms of $1,800,000,000 to be added to the tax—and this is a tax which is to be imposed—in the face of the figures which the Senator from West Virginia himself has given, it shows that the people who voluntarily retire do so at an average of 3 years above 65, not 3 years below.

Mr. REVERCOMB. That is a point I made. They would retire at 68.

My amendments provide for reducing the age to 62 for those who need to retire, for those who cannot continue their work. They do not entitle anyone who is able to continue to stop working at an early age.

The Senator from Utah says that the average age of retirement is 68. It will remain 68. But my amendments provide for those who are broken down in health and cannot work beyond the age of 62. They are the ones whom the law was intended to cover.

Mr. BENNETT. The Senator is penalizing every workingman and woman in the United States by adding another $1,800,000,000 to the tax which is paid, so that a few people—and the Senator insists they are comparatively few—will have the privilege of retiring 3 years earlier.

Mr. REVERCOMB. Will it penalize the working people and penalize the employers? I doubt if they will consider it as a penalty upon them. I doubt that they will consider it a penalty to know that they can retire 3 years earlier, under the law, in the event that illness or disability prevents them from continuing to work. I do not consider it a penalty; I consider it as an opportunity to provide insurance against want in later years.

Also, the self-employed would have to pay on their social-security tax the rate of increase of three-fourths of 1 percent, which is another 20 percent, on top of the tax they pay at present. They are paying 3¾ percent themselves as against the 3 percent paid by the man who works for someone else. The Senator's amendments would raise the rate to 4½ percent on all the income up to $4,800.

However, much the Senator from Utah may dread it, and however bad a picture he may paint, I do not think it is too much of a burden to meet the situation today, even if it does raise the tax.

Mr. BENNETT. Why did not the Senator from West Virginia come before the Committee on Finance and give us an opportunity to study his proposal?

Mr. REVERCOMB. I am glad the Senator has asked that question. I did go before the Committee on Finance when Senators were invited to present their views. This very matter was presented to the Committee on Finance. But it was not presented in person, and was not considered by the Committee on Finance.

If the Committee on Finance invites Senators to present their position in writing, and makes that request specially, as was done in this case, and then does not read what was presented and does not consider what was presented, I am rather surprised at the members of the Committee on Finance for inviting statements from other Members of the Senate on this subject. When one is invited to appear before a committee and make a statement, often he has expressed a desire to submit a statement to the committee, if he then finds that, because of a lack of time, he is unable to appear in person at the committee hearing, and if, under those circumstances, he submits in writing his presentation, certainly he has a right to believe that his presentation will be considered.

So it is surprising to me to hear the able Senator from Utah say that my statement was not considered. I thought it was considered. When I presented a statement in writing on this subject, certainly I expected it to be considered.

Mr. BENNETT. I think the reason why it was not considered is that there was no evidence that anyone else in the country was interested in the Senator's proposal to increase by a total amount of $1,800,000,000 the taxes on the nearly 70 million employed persons and on the other millions who are self-employed.

Mr. REVERCOMB. If the Senator from Utah thinks there is no interest in the subject, I wish he would read some of the mail I have received from my own State, and I wish he would hear the stories of those who have reached age 62 and have to live on a mere existence basis until they reach age 65. Certainly they are interested in these amendments. Certainly the people of the United States are interested in these amendments. Accordingly, I believe that, in connection with the pending bill, the Members of the Senate must be interested in the amendments.

Mr. President, I hope my amendments will be agreed to.

Mr. ANDERSON. Mr. President, I shall not speak long, because we must move on.

The very able Senator from Utah [Mr. BENNETT], who is an exceedingly fine and able member of the Finance Committee, has taken particular pains with the pending measure, and has presented the facts in regard to it.

A few minutes ago, it was stated that if the Yarborough amendment had been agreed to, and if subsequently it had been enacted into law, it would have been inflationary in its effect. But the pending amendments would cost well over $1 billion; in fact, I do not question at all the figure used by the Senator from Utah, namely, $1,800 million.

Mr. BENNETT. Mr. President, will the Senator from New Mexico yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from New Mexico yield to the Senator from Utah?

Mr. ANDERSON. I yield.

Mr. BENNETT. The figure I used, namely, $1,800 million, is the official figure obtained from the Social Security Administration.

Mr. ANDERSON. I am sure the Senator from Utah was correct in using the figure.

The point is that a while ago we tried to provide for a graduated application.

Mr. LONG. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. LONG. Actually, if a person found it necessary to retire because of physical disability, under the provisions of the bill he would be able to receive these payments; and the bill also provides for the making of payments in order to assist in the care of his dependents.

For instance, in the case of a person who suffered from hypertension, and who was unemployable, I believe that person would be able to retire and, under the provisions of the bill, not only receive benefit payments, but also be able to receive payments for his or her dependents, if there were such dependents.

But the pending amendments, as I understand them, would enable a person to retire and to receive the payments, even if the circumstances I have enumerated did not exist.

Mr. ANDERSON. Yes.

Mr. President, when we are trying to get the fund into the black, and to keep it in the black, obviously, it would be unwise to add to the law amendments which would cost $1.8 billion. Therefore, I hope the pending amendments will be rejected.

Mr. REVERCOMB. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Morton
Allott	Hayden	Mundt
Anderson	Hennings	Murray
Barrett	Hickenlooper	Neuberger
Beall	Hill	O'Mahoney
Bennett	Hruska	Pastore
Bible	Humphrey	Payne
Bridges	Ives	Potter
Bush	Jackson	Proxmire
Byrd	Johnson, Tex.	Purtell
Carlson	Johnston, S. C.	Revercomb
Carroll	Jordan	Robertson
Case, N. J.	Kefauver	Russell
Case, S. Dak.	Kennedy	Saltonstall
Chavez	Kerr	Schoeppel
Church	Knowland	Smathers
Clark	Kuchel	Smith, Maine
Cooper	Langer	Smith, N. J.
Cotton	Lausche	Sparkman
Curtis	Long	Stennis
Dirksen	Magnuson	Symington
Douglas	Malone	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Fulbright	McNamara	Yarborough
Goldwater	Monroney	Young
Gore	Morse	

The PRESIDING OFFICER. A quorum is present.

Mr. REVERCOMB. Mr. President, I ask for the yeas and nays on the amendments.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from West Virginia [Mr. REVERCOMB].

The amendments were rejected.

Mr. NEUBERGER subsequently said: Mr. President, I should like to have the RECORD show that I voted in favor of the Revercomb amendment, to lower the social security qualifying age to 62. I ask unanimous consent that a very brief statement which I have prepared be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR NEUBERGER

In my opinion, the reduction of the social security retirement age to 62 is fully merited and justified.

After all, Members of Congress can qualify for their pensions at 62.

Why should there be a different retirement age for social security annuitants?

Mr. KENNEDY. Mr. President, I have an amendment at the desk, offered by me and the Senator from New Jersey [Mr. CASE], identified as "8–8–58–F," which I ask be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Beginning on page 3, after line 2, it is proposed to strike out all up to line 1, page 4, and insert in lieu thereof the following:

Table for determining primary insurance amount and maximum family benefits

I (Primary insurance benefit under 1939 act, as modified)		II (Primary insurance amount under 1954 act)		III (Average monthly wage)		IV (Primary insurance amount payable)	V (Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
	$10.00		$30.00		$54	$33	$53.00
$10.01	10.48	$30.10	31.00	$55	56	34	54.00
10.49	11.00	31.10	32.00	57	58	35	55.00
11.01	11.48	32.10	33.00	59	60	36	56.00
11.49	12.00	33.10	34.00	61	61	37	57.00
12.01	12.48	34.10	35.00	62	73	38	58.00
12.49	13.00	35.10	36.00	64	65	39	59.00
13.01	13.48	36.10	37.00	66	67	40	60.00
13.49	14.00	37.10	38.00	68	69	41	61.50
14.01	14.48	38.10	39.00	70	70	42	63.00
14.49	15.00	39.10	40.00	71	72	43	64.50
15.01	15.60	40.10	41.00	73	74	44	66.00
15.61	16.20	41.10	42.00	75	76	45	67.50
16.21	16.84	42.10	43.00	77	78	46	69.00
16.85	17.54	43.10	43.90	79	79	47	70.50
17.55	18.32	44.00	44.90	80	81	48	72.00
18.33	19.08	45.00	45.80	82	83	49	73.50
19.09	19.77	45.90	46.70	84	84	50	75.00
19.79	20.40	46.80	47.60	85	86	51	76.50
20.41	21.04	47.70	48.60	87	88	52	78.00
21.05	21.59	48.70	49.50	89	90	53	79.50
21.60	22.05	49.60	50.40	91	91	54	81.00
22.06	22.45	50.50	51.30	92	93	55	82.50
22.46	22.88	51.40	52.30	94	95	56	84.00
22.89	23.24	52.40	53.20	96	96	57	85.50
23.25	24.60	53.30	54.10	97	98	58	87.00
23.61	23.96	54.20	55.00	99	100	59	88.50
23.97	24.40	55.10	56.00	101	101	60	90.00
24.41	24.80	56.10	56.90	102	103	61	91.50
24.81	25.20	57.00	57.80	104	105	62	93.00
25.21	25.64	57.90	58.70	106	106	63	94.50
25.65	26.16	58.80	59.70	107	108	64	96.00
26.17	26.64	59.80	60.60	109	110	65	97.50
26.65	27.12	60.70	61.50	111	115	66	99.00
27.13	27.73	61.60	62.50	116	120	67	100.50
27.74	28.31	62.60	63.40	121	124	68	102.00
28.32	28.92	63.50	64.30	125	129	69	103.50
28.93	29.40	64.40	65.20	130	133	70	105.20
29.41	29.92	65.30	66.20	134	138	71	108.90
29.93	30.52	66.30	67.10	139	143	72	112.80
30.53	31.08	67.20	68.00	144	147	73	116.40
31.09	31.64	68.10	68.90	148	152	74	120.00
31.65	32.28	69.00	69.90	153	157	75	124.00
32.29	32.80	70.00	70.80	158	161	76	127.60
32.81	33.40	70.90	71.70	162	166	77	131.20
33.41	34.00	71.80	72.60	167	170	78	134.80
34.01	34.68	72.70	73.60	171	175	79	138.40
34.69	35.30	73.70	74.50	176	180	80	142.40

I (Primary insurance benefit under 1939 act, as modified)		II (Primary insurance amount under 1954 act)		III (Average monthly wage)		IV (Primary insurance amount payable)	V (Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
$35.31	$35.80	$74.60	$75.40	$181	$184	$81	$146.00
35.81	36.60	75.50	76.30	185	189	82	149.60
36.61	37.20	76.40	77.30	190	194	83	153.60
37.21	37.70	77.40	78.20	195	198	84	157.20
37.71	38.44	78.30	79.10	199	203	85	160.80
38.45	39.12	79.20	80.00	204	207	86	164.40
39.13	39.76	80.10	81.00	208	212	87	168.00
39.77	40.56	81.10	81.90	213	217	88	172.00
40.57	41.12	82.00	82.80	218	221	89	175.60
41.13	41.76	82.90	83.70	222	226	90	179.20
41.77	42.68	83.80	84.70	227	231	91	183.20
42.69	43.20	84.80	85.60	232	235	92	186.80
43.21	43.89	85.70	86.50	236	240	93	190.40
43.90	44.68	86.60	87.50	241	245	94	194.40
44.69	44.98	87.60	88.40	246	249	95	198.00
44.89	45.60	88.50	89.30	250	254	96	201.60
		89.40	90.20	255	258	97	205.20
		90.30	91.20	259	263	98	209.20
		91.30	92.10	264	268	99	212.80
		92.20	93.00	269	272	100	216.40
		93.10	93.90	273	277	101	220.00
		94.00	94.90	278	282	102	224.00
		95.00	95.80	283	286	103	227.60
		95.90	96.70	287	291	104	231.20
		96.80	97.60	292	295	105	234.80
		97.70	98.60	296	300	106	238.40
		98.70	99.50	301	305	107	242.40
		99.60	100.40	306	309	108	246.00
		100.50	101.30	310	314	109	249.60
		101.40	102.30	315	319	110	253.60
		102.40	103.20	320	323	111	256.00
		103.30	104.10	324	328	112	256.00
		104.20	105.00	329	332	113	256.00
		105.10	106.00	333	337	114	256.00
		106.10	106.90	338	342	115	256.00
		107.00	107.80	343	346	116	256.00
		107.90	108.50	347	351	117	256.00
				352	356	118	256.00
				357	360	119	256.00
				361	365	120	256.00
				366	370	121	256.00
				371	374	122	256.00
				375	379	123	256.00
				380	383	124	256.00
				384	388	125	256.00
				389	393	126	256.00
				394	397	127	256.00
				398	400	128	256.00

Mr. KENNEDY. Mr. President, the arguments for this amendment—or at least most of them—have been made during the discussion of the amendment offered by the Senator from Texas [Mr. YARBOROUGH].

The amendment offered by the Senator from Texas would have provided for a 10-percent increase. The bill provides for a 7-percent increase. The amendment now before the Senate would provide for an 8-percent increase. The justification for the increase is twofold.

First, the cost of living has gone up since the last increase was provided, according to the report of the Senate committee, by an average of 8 percent. The report states that since the last benefit increase was put into effect in 1954 wages have increased about 12 percent and prices have increased about 8 percent.

The second argument in favor of the amendment is that while the present deficit under which the bill would operate is 0.57, the bill would reduce the deficit to 0.25. If the amendment were accepted, the deficit would be 0.33.

I think the statement of Mr. Flemming and others brings this matter within a reasonable range. Although the percentage increase is slight, nevertheless the people involved are living on a marginal standard of existence and $1 or $1.50 per month increase could make some difference in their standard of living.

For these reasons the Senator from New Jersey [Mr. CASE] and I offer the amendment. We hope the amendment will be agreed to by the Senate. It is my understanding that influential members of the House Committee on Ways and Means originally favored a 10-percent increase, but finally went to the 7-percent increase because of strong pressure which was applied. It is my understanding of their feelings that an 8-percent increase would not be wholly unsatisfactory to them.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from New Jersey.

Mr. CASE of New Jersey. I thank the Senator. I, of course, join the Senator from Massachusetts in offering the amendment. The arguments for the amendment, as the Senator said, have been fully made in the discussion of the amendment offered by the Senator from Texas [Mr. YARBOROUGH] to provide a 10-percent increase in benefits, which both the Senator from Massachusetts and I cosponsored. The amendment is more than fiscally responsible.

Mr. President, I ask unanimous consent that the data I have prepared in support of this amendment be printed in the RECORD at this point in my remarks, and I shall not detain the Senate further.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR CASE OF NEW JERSEY

I rise in support of the amendment offered jointly by the Senator from Massachusetts [Mr. KENNEDY] and myself.

It would provide for an 8 percent increase in social-security benefits instead of the 7 percent increase provided for by the committee bill.

On July 9, on behalf of Senators PAYNE and JAVITS, as well as myself, I introduced a bill, S. 4121, to increase social-security benefits by 10 percent. My bill also provided for an increase from $4,200 to $4,800 in the amount of an individual's annual earnings on which social-security taxes and benefits are computed and for a moderate acceleration in already scheduled increases in social-security tax rates.

In my judgment, a 10 percent increase in social-security benefits would be amply justified in view of the increases in the cost of living and in the general standard of living which have occurred since social-security rates were last adjusted in 1954.

Since 1954, the cost of living has increased approximately 8 percent as shown by the Consumer Price Index. But in the same period wages generally have increased approximately 12 percent and, in my judgment, that increase should certainly be taken into account in considering social-security benefits. For, so far as it is feasible, social-security beneficiaries should be allowed to share in the rising standard of living enjoyed by Americans generally. People who retired in earlier years when wages were low worked just as hard to build a prosperous nation as those who are still working today and they are equally entitled to share in the increased productivity of the American economy.

And so, Mr. President, I was a cosponsor of the 10 percent amendment offered earlier today by the Senator from Texas [Mr. YARBOROUGH].

But, though I believed, and still believe, a 10 percent increase in social-security benefits is justified, I recognized that considering, among other things, the action taken by the House of Representatives, it would probably not be realistic to hope to secure a 10 percent increase at this time. Accordingly, I joined on August 8 with Senator KENNEDY in sponsoring an amendment to increase benefits by 8 percent and I join him now in sponsoring the pending amendment for an 8 percent increase. This, Mr. President, I firmly believe is the very least we should do. As I have already pointed out, it would raise social-security benefits only to the extent of the increase in the general cost of living since 1954. It would take no account of the larger increase which has taken place in the general living standards of the American people as measured by wage increases during that period.

Both my original bill, S. 4121, and the Yarborough 10 percent amendment were, and the pending Kennedy-Case amendment is, sound from the standpoint of fiscal responsibility. Under all these proposals the increased income to the social security trust fund would be greater than the cost of the increase in benefits. Each of them would actually improve the actuarial condition of the trust fund.

Under S. 4121, the increased net income to the trust fund would be 0.02 percent of payroll. Under the pending Kennedy-Case amendment the increased net income to the trust fund would be 0.24 percent of payroll. I recognize, of course, that under the 7-percent House bill, H. R. 13549, the increased net income to the trust fund would be even larger, namely, 0.32 percent of payroll.

But I emphasize that even under my original 10 percent bill, the actuarial condition of the trust fund would be improved over what it would be under existing law. And, despite concern which has been expressed about a theoretic actuarial imbalance of the trust fund, on a level premium basis calculated into perpetuity, we have it on the highest authority that for practical purposes the old-age and survivors insurance program is presently in actuarial balance according to the best available cost estimates.

The 18th annual report of the board of trustees of the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund states this in so many words. The trustees are the Secretaries of Treasury, Labor, and Health, Education, and Welfare, with the Secretary of the Treasury serving as managing trustee. This report states:

"Long-range cost estimates show that for practical purposes the old-age and survivors insurance program is in actuarial balance according to the best available cost estimates. This concept means that for the long-range future, the system will have sufficient income from contributions based on the tax schedule now in the law and from interest earned on investments to meet all future payments for benefits and administrative expenses. Although aggregate disbursements of the old-age and survivors insurance trust fund over the period of the next several years are estimated to exceed aggregate receipts—a situation which, however, will be only temporary—there will be ample funds on hand to meet expenditures of the program during this period. The trust fund is intended to serve as a contingency fund as well as a source of investment income to supplement contribution receipts, and it is to be expected, therefore, that the fund may be drawn upon from time to time. Temporary periods when the assets of the fund decline are not in themselves an indication of financial weakness and do not change the fact that the program is for practical purposes in actuarial balance.

"In view of the very long-range nature of these projections, and the many variable factors involved, the deficiency for the old-age and survivors insurance system under the intermediate-cost estimate is relatively small, and so the system may be said to be in approximate actuarial balance. Under the intermediate-cost estimate the old-age and survivors insurance trust fund would have a balance of more than $55 billion in the year 2025 and thus there is ample time in the future to make any adjustments which might be needed in the light of further experience and of future estimates."

And on June 16, 1958, Marion B. Folsom, former Secretary of Health, Education, and Welfare, told the House Ways and Means Committee:

"My own conclusion from these figures is that the system is in essentially sound financial condition for the foreseeable future and there is no cause for concern for the long-range financial condition of the program."

The following table shows the net increases which would be made in the old-age and survivors insurance trust fund for the current calendar year and the 7 succeeding calendar years under existing law, under H. R. 13549, and under S. 4121, my 10-percent bill.

OASI trust fund

Calendar year	Net increase in fund (in millions)		
	Present law	H. R. 13549	S. 4121 (Case bill)
1958	$927	$980	$1,009
1959	1,420	942	1,166
1960	259	605	366
1961	139	765	503
1962	354	574	289
1963	520	2,246	144
1964	620	2,659	1,948
1965	1,089	2,809	2,410

	Billion
Balance in the fund beginning of this fiscal year	$22.8
Year 2020:	
Present law	$55
H. R. 13549	$285
Case bill (S. 4121)	$60 to $65

While I do not at the moment have the exact figures as to increases in the fund which would result if the pending 8 percent benefits amendment is adopted, they would, of course, be somewhat larger than those shown in the table for S. 4121 and somewhat smaller than those shown for H. R. 13549.

So, it is clear that under my original bill as well as under the pending Kennedy-Case amendment, the fiscal condition of the trust fund would be actuarily improved over what it is under present law. That fund, already sound according to the best authority, would be made even sounder under either of these proposals.

It is my earnest hope that the Senate will adopt the pending amendment in simple justice to the millions already on the social security rolls as well as those who will come upon the rolls in the future. An 8-percent increase in benefits, more than adequately financed, is the very least this Congress should enact.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. POTTER. I wish to join the Senator from Massachusetts and the Senator from New Jersey in sponsoring this amendment, which is a compromise with the Yarborough amendment.

I wonder if the Senator from Massachusetts has ever given consideration to the possibility, rather than having a social security increase bill come up every 2 years, of adopting an escalator clause tied to the cost of living, so that as the cost of living increases, rather than having to wait 6 months or a year for Congress to act, the administration could employ the built-in escalator clause in the social security program, so that, without Congressional action, the differential could be taken care of automatically.

Mr. KENNEDY. I think that is a good suggestion.

Mr. POTTER. I hope the Finance Committee will consider that as a possibility in its later deliberations.

Mr. KENNEDY. I appreciate what the Senator has said.

This amendment is tied to the increase in the cost of living, based upon the report, and I believe it would give actuarial soundness to the program.

I hope the Senate will accept the amendment.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. LONG. The Senator refers to the fact that there is an actuarial deficit at the moment; but I believe, in addition to the increase in the bill, there will be an increase in 1960, 2 years from now, and every 3 years, until 1969. So, beginning in 1960, and every year thereafter, the fund would continue to grow, either under the Senator's amendment or the amendment of the Senator from Texas.

Mr. KENNEDY. The Senator is correct. Even if no amendments were accepted, there would be an actuarial deficit of 0.57 of 1 percent. If this amendment were accepted, the deficit would be 0.33 percent, which I believe is within a reasonable zone.

Mr. LONG. In 1960, when the next increase goes into effect, the contribution will well exceed the cost of the program.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. NEUBERGER. I believe that the amendment of the Senator from Massachusetts and his colleague from New Jersey is eminently justified. One reason which impels me to think it has great merit is the fact that I noted recently that in the soaring cost of living, the one item which has gone up more than any other single item is the cost of medical care. This burden falls particularly on elderly people. They become sick more often, which is inevitable because they are reaching the end of their lives and they have expensive, lingering illnesses which dip most heavily into their meager savings. The cost of medical care has increased more in proportion than the cost of any other phase involved in the cost of living.

I believe that the amendment offered by the Senator from Massachusetts, while more modest than the amendment of the Senator from Texas [Mr. YARBOROUGH] has the same essential justification as the amendment voted on earlier today, although it does not go quite so far, and thus, perhaps, would obtain the votes of some of our colleagues who have certain reservations regarding the amendment of the Senator from Texas, although I do not believe such reservations are justified.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts, for himself and the Senator from New Jersey [Mr. CASE].

Mr. KERR. Mr. President, those sponsoring the amendment have described it accurately. It has the same merit as the amendment of the Senator from Texas [Mr. YARBOROUGH]. By the same token, it has the same lack of justification.

The Senator from Massachusetts was almost accurate in the figures he gave the Senate with reference to the actuarial deficit as of the present time. I believe he stated that on the basis of the present law it is a little over one-half of 1 percent. The statement given me by the actuarial experts of the Department is that the current actual deficit is forty-two one-hundredths of 1 percent. With the passage of this bill, if it is passed as it is now before the Senate, with the increase in taxes and the increase in benefits provided in the bill, there will still be an actuarial deficit of twenty-four one-hundredths of 1 percent. If this amendment were to be adopted, it would increase the actuarial deficit to thirty-four one-hundredths of 1 percent, which would be more than halfway between the twenty-four one-hundredths of 1 percent which the bill would result in, and the forty-two one-hundredths of 1 percent now in effect.

The Senator states that the amendment is modest in comparison with the amendment of the Senator from Texas [Mr. YARBOROUGH]. I will not deny that. I will never deny to any Senator the right to describe modesty in his own words.

However, I am reminded of the story of the boy who was confronted with what he thought was the necessity of cutting off his dog's tail. He finally decided to cut it off an inch at a time, so that it would not hurt the dog so much. It appears that the sponsors of the proposal to increase the benefits without proportionately increasing the taxes with which to pay them would do so a little at a time rather than all at once.

In view of the fact that we are confronted with the realities as they are, and not as we would like them, I certainly hope that the amendment will not be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts, for himself and the Senator from New Jersey [Mr. CASE].

The amendment was rejected.

Mr. KENNEDY. Mr. President, on behalf of the Senator from Florida [Mr. SMATHERS] and myself, I offer the amendment which I send to the desk and ask to have stated. It is designated "8-8-58—E."

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts will be stated.

The LEGISLATIVE CLERK. On page 41, line 3, immediately after "by" it is proposed to insert "striking out ', or an amount equal to $255, whichever is the smaller,' and by."

Mr. KENNEDY. Mr. President, this amendment is sponsored by the Senator from Florida [Mr. SMATHERS] and myself.

The amendment would remove the dollar ceiling of $255 which now limits the lump sum payable upon death to the survivor of a person under social security. Congress intended the lump sum payment to be 3 times the regular monthly benefit, and it was, under the 1952 benefits, when the maximum monthly payment was $85.

In 1954 the benefits were increased, but the maximum remained. If the ceiling is removed, the maximum rate will be increased to $381. Payments could still be as low as $99, which would restore the 3-to-1 ratio.

The amendment was approved by the Senate Finance Committee in 1954 and passed the Senate. The cost would be two one-hundredths of 1 percent of payroll, an increase so negligible as to be meaningless in a 50-year actuarial projection. Nevertheless, it would help 300,000 widows and orphans each year.

In 1954, the average cost of funerals was $578, according to the Social Security Administration. In 1957 a study in New York showed the average cost of funerals to be $875.

I emphasize to the Senate that this amendment is an amendment which the Senate Finance Committee previously reported. It would restore a principle which has been in our social security laws for many years. It seems to me in accordance with justice to provide that the 3-to-1 ratio shall continue.

In effect, it will lift the limitation of $255, which is now in effect, to $381, and thus provide a more substantial death benefit at a very trying time of illness and death in the home of the survivor, either the widow or the widower. It is therefore the hope of myself and the Senator from Florida [Mr. SMATHERS], a member of the Committee on Finance, that the Senate will see fit to accept the amendment.

Mr. KERR. Mr. President, I should like to ask the Senator a question, if he will yield.

Mr. KENNEDY. I yield.

Mr. KERR. What would be the result of the amendment?

Mr. KENNEDY. The result of the amendment would be to lift the limitation on the cost of a funeral. It is my understanding that at the present time the law provides that the death benefit ratio shall be three times the monthly payments. However, there is a limitation imposed, existing from 1952, of $255. It is my further understanding that the Committee on Finance and the Senate itself in 1954 lifted that limitation when it lifted the social security monthly payments. That provision was not accepted in conference. The amendment would raise the limitation. The 3-to-1 principle would remain. The death benefit would be 3 times the monthly benefit. To be realistic, it would raise that amount to $381, in accordance with the rise in the monthly benefits during the past 8 years.

Mr. KERR. Mr. President, I hope the amendment will not be agreed to. It is true that the cost of it is small. However, I have analyzed it as carefully as I can, and find in it no benefit for the beneficiary under the old-age and survivors' insurance program. The purpose of the bill is to meet the increased cost of living, not to meet any increased cost, actual or otherwise, of dying. I will say to the distinguished Senator from Massachusetts that I have received about 10 letters asking that the amendment be adopted. Every one of them has been from a funeral director. I have had no request for the adoption of the amendment from any of the beneficiaries under the old-age and survivors' insurance program. I hope that the amendment will not be enacted.

Mr. KENNEDY. Mr. President, I shall have to take a minute or two to respond to the Senator from Oklahoma. The amendment is not for the relief of

funeral directors. In 1954 the average cost of a funeral was $578. That was 4 years ago. The cost of dying, so far as funeral expenses are concerned, has gone up substantially. Since 1954 the cost—and I admit I was as shocked as the Senator from Oklahoma, to learn this—has gone up to $875. That is the average cost.

Mr. KERR. Mr. President, will the Senator yield again?

Mr. KENNEDY. I yield.

Mr. KERR. Was that for the beneficiaries of the old-age and survivors' insurance?

Mr. KENNEDY. No. That is what the average cost of a funeral is today. The beneficiaries under this amendment would include those who have additional sources of income, as well as those who do not have additional sources of income. The point I make is that when we include the cost of the funeral and the cost of the lingering illness which usually leads up to the funeral, I believe the limitation in the law of $255 is much too small. An amendment similar to this was adopted by the Senate 4 years ago.

I should think that the family of the deceased person would still have to make up a substantial amount of the cost of the funeral in order to meet the total cost. Nevertheless, it does seem to me we would provide a more realistic figure than the present limitation of $255. It would permit a death benefit of three times the monthly payment, which I understand has been in the law from the enactment of the social-security law.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY].

The amendment was rejected.

Mr. CURTIS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 41, line 15, after the word "died," it is proposed to insert "or the date of enactment of this act."

Mr. CURTIS. Mr. President, the amendment merely refers to the date controlling the benefits in the case of an adopted child where the primary insured is deceased. I believe the distinguished Senator from Oklahoma will accept the amendment.

Mr. KERR. I will accept the amendment. I do not believe it will result in any appreciable cost. I think it is a worthy amendment, and insofar as I am concerned I am willing to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska. Without objection, the amendment is agreed to.

Mr. PURTELL. Mr. President, I call up my amendment identified as "8–15–58—K."

The PRESIDING OFFICER. Does the Senator wish to have the amendment stated?

Mr. PURTELL. I ask unanimous consent that it may be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. PURTELL, ordered to be printed in the RECORD, is as follows:

At the end of the bill add the following new section:

"ADVISORY COUNCIL ON CHILD WELFARE SERVICES

"SEC. 705. (a) There is hereby established an Advisory Council on Child-Welfare Services for the purpose of making recommendations and advising the Secretary of Health, Education, and Welfare in connection with the effectuation of the provisions of part 3 of title V of the Social Security Act, as amended by the Social Security Amendments of 1958.

"(b) The Council shall be appointed by the Secretary before January 1959, without regard to the civil-service laws, and shall consist of 12 persons representative of public, voluntary, civic, religious, and professional welfare organizations and groups, or other persons with special knowledge, experience, or qualifications with respect to child-welfare services, and the public.

"(c) (1) The Secretary shall make available to the Council such secretarial, clerical, and other assistance and such other pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(2) Members of the Council, while serving on business of the Council (inclusive of travel time), shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per day; and shall be entitled to receive actual and necessary traveling expenses and per diem in lieu of subsistence while so serving away from their places of residence.

"(d) The Council shall make a report of its findings and recommendations (including recommendations for changes in the provisions of part 3 of title V of the Social Security Act) to the Secretary and to the Congress on or before January 1, 1960, after which date such Council shall cease to exist."

Mr. PURTELL. Mr. President, under the present social security law, funds allocated for child-welfare services "shall be expended for payment of part of the cost of district, county, or other local child-welfare services in areas predominantly rural, for developing State services for the encouragement and assistance of adequate methods of community child-welfare organizations in areas predominantly rural and other areas of special need."

H. R. 13549 would change this concept so as to allow the allocations for this program to be expended both in rural and urban areas.

Since the inception of this program in 1935, the activities of voluntary agencies have been mostly in the field of the urban area, although not restricted thereto. These agencies have accepted this challenge readily and performed admirably in this field. Their fine accomplishments are evidenced by the fact that no change has been made in legislative form for a period of 23 years.

I do not rise in opposition to the proposed change. On the contrary, I merely point out that this is a significant change and its effect cannot accurately be predicted until some time after this proposal becomes law.

If we are to have public agencies working in an area in which the voluntary agencies have been most active, then I say it is important that we insure that the two agencies work cooperatively and toward the same general goals and that the work done by voluntary agencies is not taken over or restricted by the public agencies. Certainly, we do not wish this new program to operate in any way which would remotely indicate that the public agency is preempting this welfare field.

The entrance into urban areas of child welfare activities under title V of the Social Security Act should be considered—or should be directed—in those fields or in those areas not presently adequately covered by voluntary agencies and should definitely not be so employed as to supplant the existing voluntary agencies.

Surely the admirable work being done by voluntary organizations and associations—wherever it properly can be encouraged—should be encouraged to meet the public need; should not only be encouraged to continue, but to even expand in these fields. Duplication of effort could well result in waste of both money and time to the detriment of all agencies. In order to avert any such situation arising, and to utilize to the fullest extent the existing voluntary agencies and the public agencies now existing or that might well be created or expanded by this program, I suggest that we provide the machinery to help direct and assess the progress of the program initiated by the change in the law. In this regard, Mr. President, I offer an amendment, the purpose of which is to establish an advisory council to assist the Social Security Commissioner in promulgating the necessary rules and regulations to carry out this program in the urban areas. My amendment, as stated, provides that this council shall be composed of 12 members drawn from representatives of public, voluntary, civic, religious, and professional welfare organizations and the public. I have purposely made the membership sufficiently large in order that all the fine groups which have given such excellent and devoted service in this field may be represented.

I have used the arbitrary figure of 1 year for the duration of the life of the Advisory Council, but it may well be that this consulting group will prove so useful to this program and general activities in this field that the Department will wish at some future date to recommend additional legislation making this Council a permanent adjunct of its child welfare activities.

I wish to inform my colleagues, Mr. President, that I have discussed with the Social Security Commissioner, Mr. Schottland, this proposed amendment, both as to the Advisory Council and the reporting of its activities. I am happy to inform my colleagues that Commissioner Schottland approves of the ideas incorporated in my amendment and assures me that he and his department would welcome such a Council and feels that it would be of not only much help to him and the Department in initiating and evaluating the program, but would obviate much initial possible misunderstanding amongst welfare agencies and be of help in getting the new program on a proper course.

I feel that we cannot overemphasize the great importance of child welfare services and that the Advisory Council for which my amendment provides will serve, in addition to the duties outlined, a most useful purpose as a forum for all these fine groups serving humanity to exchange ideas to meet the mounting problems with which they are faced.

To insure the more effective use of the expenditures provided for in this program, and in the interest of the children to be served, as well as in the interests of all those groups who serve so unselfishly, and further, in the interest of the successful operation of this program, I urge that my colleagues vote in favor of this amendment.

Mr. President, I understand the distinguished Senator from Oklahoma agrees with me that the amendment is worthwhile, and has indicated a willingness to accept it.

Mr. KERR. Mr. President, I am in accord with the purpose of the amendment. So far as I am concerned, I am perfectly willing to accept it. Under existing law, an advisory council is at work to make recommendations and suggestions with reference to the old-age and survivors insurance program. Their report will be due to the last of this year.

The bill provides for a similar advisory council to study a formula for the assistance programs. The proposal of the Senator from Connecticut concerns a child-welfare program. I shall be happy to have the Senate agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut.

The amendment was agreed to.

Mrs. SMITH of Maine. Mr. President, I offer an amendment for myself and on behalf of my colleague [Mr. PAYNE], which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 70, between lines 3 and 4, insert the following new section:

TEACHERS IN THE STATE OF MAINE

SEC. 318. For the purposes of any modification which might be made after the date of enactment of this act and prior to July 1, 1960, by the State of Maine of its existing agreement made under section 218 of the Social Security Act, any retirement system of such State which covers positions of teachers and positions of other employees shall, if such State so desires, be deemed (notwithstanding the provisions of subsection (d) of such section) to consist of a separate retirement system with respect to the positions of such teachers and a separate retirement system with respect to the positions of such other employees; and for the purposes of this sentence, the term "teacher" shall mean any teacher, principal, supervisor, school nurse, school dietitian, school secretary or superintendent employed in any public school, including teachers in unorganized territory.

Mrs. SMITH of Maine. Mr. President, I have discussed the amendment with the chairman of the Committee on Finance. It proposes to facilitate the extension of social-security coverage to employees of certain municipalities in the State of Maine until July 1, 1960, after which it would expire. Precedent on this was established by the provision adopted for Oklahoma as part of the Social Security Amendments of 1956.

The 98th Maine Legislature enacted a law—chapter 338, Public Laws of 1957—providing that employees of the political subdivisions of the State are eligible for the benefits of social security. This act specifically excluded teachers, policemen, and firemen from its coverage if they were under an existing pension or retirement plan. In Maine, teachers are covered by the Maine State Retirement System as a class and do not depend upon the municipalities membership to make them eligible. Consequently, those political subdivisions of the State of Maine which joined the Maine retirement system without first securing social-security coverage are precluded from such coverage by the requirements of the Social Security Act. The purpose of this amendment is to provide a period during which the State of Maine could treat teachers in the same manner that the Social Security Act treats police and firemen, that is, as a separate class. During this period the political subdivisions which belong to the Maine Retirement System could bring their employees under the coverage of the Social Security Act.

The legislation was developed in close cooperation with the Maine Municipal Association and the executive secretary of the Maine State retirement system. It would eliminate a great inequity in Maine where the employees of some local governments are now eligible for social security while the employees of adjacent communities are not.

This amendment will not impair or affect section 218 (D) (5) (A), which excludes policemen and firemen from coverage by the Social Security Act.

If it is desired, I shall be glad to discuss the amendment further, but I hope that the chairman of the Senate Finance Committee will accept it and take it to conference.

Mr. KERR. Mr. President, the amendment offered by the Senator from Maine is acceptable to me. It provides only for a situation in the State of Maine which is similar to those which have been taken care of in other States which have made similar requests. The amendment is acceptable.

The question is on agreeing to the amendment of the Senator from Maine [Mrs. SMITH].

The amendment was agreed to.

Mr. LONG. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 104, between lines 4 and 5, it is proposed to insert the following new section:

GENERAL PROVISIONS

SEC. 512. Title XI of the Social Security Act (relating to general provisions) is amended by adding at the end thereof the following new section:

"PAYMENTS TO STATES UNDER PUBLIC ASSISTANCE PROGRAMS

"SEC. 1111. The Secretary shall not refuse to certify for payment any amount to which a State might otherwise be entitled under the provisions of title I, IV, IX, or XIV because such State has made benefit payments under its program of assistance established by any such title to a person other than the individual upon whose behalf such payments are made, if such person has been duly appointed as guardian of such individual for the purpose of receiving such payments under the law of the State in which such individual resides."

Mr. LONG. Mr. President, the amendment relates to a difficulty experienced by the States of Louisiana and Texas, and perhaps other States, where it is necessary to appoint a guardian to receive and to administer welfare payments made on behalf of a person who is legally incompetent or who, for one reason or another, is unable to handle his own affairs.

Mr. KERR. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. KERR. I desire to suggest a little change in the language. I ask the Senator to look at it and see if it is acceptable to him. Perhaps the Senator may wish to withdraw his amendment until he can determine whether he will agree to the language I have suggested. If he is agreeable to it, I shall be happy to accept the amendment.

Mr. LONG. I suggest that we adopt the amendment; and if the Senator from Oklahoma finds that the language he suggests is——

Mr. KERR. There is a remote possibility of our not having to have a conference.

Mr. LONG. Then I shall withdraw my amendment until I have considered the modifications proposed by the Senator from Oklahoma.

Mr. REVERCOMB. Mr. President, I call up my amendment designated "8–14–58—E," and ask that it be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 31, between lines 4 and 5, it is proposed to insert the following new section:

DEFINITION OF DISABILITY

SEC. 208. Paragraph (2) of subsection (c) of section 223 of the Social Security Act is amended to read as follows:

"(2) The term 'disability' means inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. For purposes of the preceding sentence, an individual who has such a medically determinable physical or mental impairment shall, in the absence of substantial evidence to the contrary, be deemed to be unable to engage in any substantial gainful activity if, solely by reason of having such an impairment, he is unable, as a practical matter, to obtain employment. An individual shall not be considered to be under a disability unless he furnishes proof of the existence of such disability."

Mr. REVERCOMB. Mr. President, I should very much like to have the amendment accepted, but I have no such hope. However, I wish to present it to the Senate this evening.

As the amendment states in its title, it deals with the definition of disability.

It elaborates on and more distinctly defines "disability" as it is used in the Social Security Act.

It is true that H. R. 13549, as passed by the House and reported by the Committee on Finance, provides a number of improvements in the disability program.

First, dependents' benefits would be payable. Second, the offset provision, because of the receipt of other disability benefits, would be eliminated.

Third, a slight modification in the length of service requirement immediately preceding the disability would be effectuated. These are all good changes. None of these provisions, however, would change the very strictly phrased and even more strictly administered definition of "disability" in the Social Security Act.

The amendments which appear in the House passed bill will be of absolutely no help to the tens of thousands of disabled workers who have been denied benefits because the social-security people have said that they did not have a disability so severe that it made them "unable to engage in any substantial gainful activity."

According to the words of their own publication, entitled "If You Are Disabled," and the letters I have received from many disabled workers in West Virginia, the administrators of the act are interpreting this to mean that "you must have a disability which is so severe that it prevents you from doing any kind of work. Not only has the word "substantial" gotten lost in the shuffle but it appears to be immaterial as to whether the applicant for disability benefits has any real chance of finding work at all in his locality.

The strict definition of disability, in my view, is directly responsible for the greatly reduced estimates in the number of workers who will qualify for benefits. When the 1956 amendments were passed is was stated that the program was overfinanced to the extent of 0.08 percent of taxable payroll. The latest trustees' report, however, shows that this surplus has now grown to 0.15 percent of taxable payroll. That is the surplus in the trust fund today. In other words, because many disabled workers are being denied benefits under the present definition, benefit disbursements and administrative costs are equal to only 0.30 percent while contribution income and interest are equal to 0.50 percent. This means that the disability trust fund will, under existing law, build up at a rapid rate because estimated benefits are 30 percent less than the amount of money which will go into the fund. Moreover, there are indications that even these cost estimates are too high. The acturial section of the House report on this legislation states:

> The actual experience to date under the very strict definition of disability in the law has been significantly lower in cost than the intermediate-cost assumptions would indicate.

It is perhaps gratifying to some persons that the disability program is not costing as much money as originally estimated. But it is of little solace to a disabled coal miner in my State to be told that this is a strict definition and, though it is true that he cannot get work around home, the Social Security Administration has concluded that he is not eligible because it might be possible to for him to get work as a janitor in New York City. I believe that the latest report of the trustees of the disability fund shows that I am not overstating my case.

In discussing the probable increase in the number of disability claims under a low-employment assumption, the report states:

> Most of these claims would be denied, since the determination of disability, while considering such factors as age, prior work experience, education and training, rests primarily on a medical determination of limitation in functional capacity, rather than on the availability of gainful employment.

If this is to be the interpretation of the disability definition, I believe Congress will have to amend the definition in the act, in order to protect the basic purpose which the program was to serve. As a clarification of Congressional intent, I suggest, therefore, the adoption of my amendment, which would add the following sentence to the existing definition:

> For the purposes of the preceding sentence, an individual who has such a medically determinable physical or mental impairment shall, in the absence of substantial evidence to the contrary, be deemed to be unable to engage in any substantial gainful activity if, solely by reason of having such an impairment, he is unable, as a practical matter, to obtain employment.

This qualification of present law retains, I believe, the basic concept that the disabling condition must be the sole reason that prevents the worker from finding substantial work. It would, however, override the highly subjective judgment of some employee of the Social Security Administration who, through some mysterious mental process, had determined that the worker might, under certain economic conditions, and in certain parts of the country, be able to find work. Moreover, this judgment, under present law, also requires the social security man to make a further determination—namely, that the work the applicant could theoretically pursue would be substantial, taking into consideration all sorts of factors in the applicant's education and employment history.

Such latitude of administrative discretion not only results in great variation in determinations of disability, but means, for many workers, the denial of benefits on one official's application of extremely vague standards.

I wish to call to the attention of the Senate two cases, Mr. President—and many others have come to my notice. One is that of a man who lost both his legs. He was over 50 years of age. In every way he was qualified to receive the payments—except for the ruling, by someone in the Social Security Administration, that, although he had lost both his legs, he still could perform some work. But that person in the Social Security Administration failed to take into consideration the fact that, as a practical matter, that disabled man had traveled from place to place, seeking employment, but had not been able to find employment, and also the fact that, because of his physical condition, there was no employment for him.

Another case which has come to my attention is that of a man who had a splendid job in one of the plants in my State; but he suffered a severe heart attack. Thereafter, he could not continue his work; and his doctor said he was unable to perform it. He had made payments into the fund for years; the deductions had been made regularly from his wages. Yet the ruling was that although he had a heart condition, it was likely that he could find some work, somewhere. As a matter of fact, Mr. President, he could not find any work; and his doctor continued to tell him that he could not and should not continue his regular work; and he could not find some lighter type of work.

So my amendment would add that one sentence to the definition of "total and permanent disability," as the definition is found in the existing law.

Not only would such a person have to show that he was totally and permanently disabled—and in that connection, he would have to bear the burden of showing that, by means of medical testimony—but he would also have to prove that, as a matter of fact, he could not—because of his physical disability—obtain employment, and that therefore he was qualified to receive the payments.

I believe such procedure would be fair and practical; and I believe it would be in accordance with the Congressional intent in enacting the law; and I believe we must include in the statute a definition which will result in the proper administration of the act, in accordance with the Congressional intent.

According to estimates which have been furnished to me by the Chief Actuary of the Social Security Administration, the cost of the change I propose would be between one-quarter and one-half of 1 percent of the payroll. According to the actuary, the cost of the amendment cannot be estimated with any degree of definiteness.

Although I believe the estimate made by the Social Security Administration is too high—in line with the other overestimates which have characterized this program—I am willing to assume that the estimated cost might be reached, for the sake of preserving the principle of a soundly financed social-security plan. I believe, however, that Americans would be willing to pay this relatively small increase of one-fourth of 1 percent—which would amount to only $10.50 a year for a worker who was paying the tax on wages of $4,200, or to only $12 a year in the case of a worker paying the tax on wages of $4,800 a year—in order to be assured of having genuine disability insurance. I believe there is not a worker or an employer in the United States who will be unwilling to contribute that much, in order to make sure that the totally and permanently disabled are, in fact, made secure under the law.

Therefore, Mr. President, I hope the amendment will receive the earnest consideration of the Senate, and will be agreed to.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on agreeing to the amendment of the Senator from West Virginia.

Mr. KERR. Mr. President, much as I regret it, I must rise in opposition to the amendment submitted by the Senator from West Virginia.

I understand he has predicated the submission of his amendment on the assumption that there is now a surplus in the fund for the disability program of our social security structure.

Mr. REVERCOMB. On that point, will the Senator from Oklahoma yield to me?

Mr. KERR. I yield.

Mr. REVERCOMB. I was informed that there was a surplus, to the extent I have stated.

Mr. KERR. The Senator from West Virginia is entirely correct; there has been a surplus.

Mr. REVERCOMB. In fact, I went further; I pointed out that the amendment might cost an additional amount, in order to make the fund secure. I stated that it is my information that the amendment would cost one-half of 1 percent to one-quarter of 1 percent more. But my point is that even if the amendment were found to cost that much more, adoption of the amendment is justified, and that it is necessary that the amendment be adopted, in order to carry out the intent of the act.

So I desire to point out that fact to the Senator from Oklahoma, particularly when he says that I premise my amendment on a belief that there is a surplus in the fund.

Mr. KERR. I appreciate that.

However, the statement the Senator from West Virginia has just concluded indicates the difficulty in connection with his amendment. He said that his amendment, if adopted, might make it necessary to raise the tax in one amount or another; he said he does not know which one would be required. I submit to him that neither do I know that.

But with reference to the current surplus, I must say to him that the provisions, already in the bill, for increased benefits for those who are disabled, and who are eligible, under the provisions of existing law, to receive these payments, will end the possibility of the further existence of a surplus under the current rate of taxation for this part of the program.

In other words, the pending bill contains provisions for additional benefits for the disabled, benefits in the form of payments for dependents. The pending bill calls for requirements which will be easier to comply with. In the pending bill, the requirement that payments must be made during the 13 months prior to the certification of disability is eliminated; and the pending bill is more liberal in regard to the disability program than is the existing law.

The estimate is that if the bill, as it now stands, is enacted, its requirements for the payment of benefits are such that no surplus will be accumulated from the tax now provided for the program.

Mr. REVERCOMB. Mr. President, will the Senator yield at that point?

Mr. KERR. I yield.

Mr. REVERCOMB. I have not said there is no improvement made. In my statement I said there is an improvement, but I took the position, and take it now, that it does not go far enough, particularly in defining what disability is. That is a practical question. I spoke of two examples—there are many—of where men are declared medically to be able to work. A man without legs will be declared able to perform certain work. When he goes to find work, he learns that nobody has a job for him, because he is a legless man.

The question of who is disabled becomes not only a medical question, but very much a practical question. Such a man cannot find work because of his disability and affliction. It is to that type of case that I wanted a practical type of definition extended.

Mr. KERR. I may say to the Senator that I was one of those who sponsored disability provisions which are in the law in effect at this time. I did so on the floor of the Senate in 1956, when such a provision was adopted. I favored it then. I favor it now. I favor such an expansion. It is expanded in the current bill. But I remind the Senator, as he has indicated, that not even he, the author of his own amendment, knows how much the provision for it would cost.

Mr. REVERCOMB. Will the Senator yield further?

Mr. KERR. Yes.

Mr. REVERCOMB. Using figures given by the Chief Actuary of the Social Security Administration, as conveyed to me—and I used the figures in my statement—on a $4,200 basis, at one-quarter of 1 percent, it would cost $10.50 a year a person. On the basis of the act proposed to be enacted, which raises the amount of the payroll tax to be laid, it would amount to $12 a year.

I make the argument, and have made the argument, that is not an excessive cost in order to carry out the purposes of the law and protect these people.

We may differ about it. Some may say it is too much. I take the position it is not.

The Senator from Oklahoma has stated I do not know what it will cost. My statement was based upon the figures of the Chief Actuary, wherein he stated that, estimated actuarially, it would cost between one-quarter of 1 percent and one-half of 1 percent—$2,500,000 to $5 million—which is not very much, in my opinion.

Mr. KERR. I may say to the distinguished Senator his response to my statement demonstrates that neither he nor the actuarial authorities he is quoting know what it will cost. Therefore, it would not be consistent with the modesty which the Senator from Oklahoma has to try to tell the Senate what it would cost. The Senator from West Virginia has said it would cost between one-quarter and one-half of 1 percent on the payroll tax. I say the present program in its entirety amounts to one-half of 1 percent. So the Senator does not know whether it will increase the amount 50 percent or 100 percent.

I say to the Senator from West Virginia, he cannot go to any insurance company on this earth and buy a policy containing the kind of provision he is attempting to write into this bill. I say to him there is no basis of actuarial experience for the administration of such a program. It is a worthy effort, and no one would be happier to make such benefits available to workers than would the Senator from Oklahoma. But there is a disability provision in the law. Under it we have an obligation to those who are eligible. A program is set up on the basis of which it can be observed, and under which experience can be obtained.

I do not believe it would be wise to launch into an expansion of it, the limits of which are not known, and cannot be determined, and with reference to which there is no actuarial experience available to enable us to determine exactly what the cost might be.

I would think the Senator himself would believe that, if we are going to undertake such a tremendous expansion of the program, we would do well to have extended hearings, so that we would have the best knowledge and the best thoughts on the subject which are available, and so there might be deliberations by whichever committee would have appropriate jurisdiction, in order that after such investigation, hearings, and deliberations, there might be brought before the Senate what the cost would be, what the benefits would be, and a provision for collecting the money with which to pay for the benefits.

I do not need to remind my good friend his amendment does not provide the means for financing the benefits provided by his amendment. If it would cost one-half of 1 percent, and he has told us it might do so, and in view of the fact that is the amount involved in the bill providing for beneficiaries, and assuming it would cost an additional one-half of 1 percent, the Senator would confront the Congress with the necessity of either doubling the payment for the disability program or having it operate on the basis of paying enough money to take care of only 50 percent of the claims which would be made under the law as it exists, or under the law as it would be if the amendment were adopted.

Mr. REVERCOMB. Let me relieve the worry of the Senator that no provision is made for an increase in the payroll tax in this particular amendment. If the Senator will accept the amendment, or if this body will adopt it, there will immediately be offered an amendment to provide for an increase in the tax. I realize the amendment does not carry with it any provision for increasing the payroll tax, but if the amendment is adopted at this stage, there will promptly be offered, I assure the Senator, an amendment to provide the necessary increased payroll tax.

Mr. KERR. In view of the fact that the Senator does not know now whether the amendment would mean a 50 percent or a 100 percent increase in the payroll tax at this moment, I do not know what could transpire so that all of a sudden his mind would be illumined and would become enlightened. The Senator does not know now, but if the amendment is adopted, eo instanti he will.

Mr. REVERCOMB. The Senator will know, because he is using the figures of the Chief Actuary, which he has used several times. The figure is that the cost will be between one-fourth of 1 percent and one-half of 1 percent. I have spoken of those figures two or three times this evening. The figures have been furnished by the official whom the Senator from Oklahoma is now defending, the Chief Actuary of the Social Security Administration.

Mr. KERR. I do not think an amendment could be offered which would provide for either one-half or one-quarter of 1 percent without specifically stating the amount.

ORDER TO CONVENE AT 10 O'CLOCK A. M. MONDAY

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. JOHNSON of Texas. I ask unanimous consent that when the Senate adjourns today it convene at 10 o'clock a. m., Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I am hopeful we will be able to complete action on the pending bill and complete action on the Executive Calendar before we leave this evening. We have very important legislation which the policy committee has cleared for next week. I hope we may get the social security bill and the White nomination behind us this evening.

SOCIAL SECURITY AMENDMENTS OF 1958

The Senate resumed the consideration of the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes.

Mr. KERR. I yield the floor, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from West Virginia.

The amendment was rejected.

Mr. LONG. Mr. President, I offer the amendment at the desk, which is not printed but is typed. It is the amendment which the Senator from Oklahoma said he was willing to accept as a substitute for the amendment I previously offered.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. LONG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with, and that the amendment be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 103, after line 6, insert the following:

"PAYMENTS TO LEGAL REPRESENTATIVES

"SEC. 511. (a) Title XI of the Social Security Act is amended by adding after section 1110 the following new section:

" 'PUBLIC ASSISTANCE PAYMENTS TO LEGAL REPRESENTATIVES

" 'SEC. 1111. For purposes of titles I, IV, X, and XIV, payments on behalf of an individual, made to another person who has been judicially appointed, under the law of the State in which such individual resides, as legal representative of such individual for the purpose of receiving and managing such payments (whether or not he is such individual's legal representative for other purposes), shall be regarded as money payments to such individual.'

"(b) The amendment made by subsection (a) shall be applicable in the case of payments to legal representatives by any State made after June 30, 1958; and to such payments by any State made after December 31, 1955, and prior to July 1, 1958, if certifications for payment to such State have been made by the Secretary of Health, Education, and Welfare with respect thereto, or such State has presented to the Secretary a claim (and such other data as the Secretary may require) with respect thereto, prior to July 1, 1959."

On page 103, line 8, strike out "511" and insert in lieu thereof "512."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. KERR. Mr. President, the amendment, as modified, is acceptable.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was agreed to.

Mr. CHURCH. Mr. President, the Senate is soon to take another memorable stride toward perfecting a great social security system and keeping it abreast of the time. The bill before the Senate will give adequate strength to the social security system while increasing the size of each month's check to older citizens who are drawing retirement benefits.

While I do not believe a 7 percent increase is large enough to compensate for the rise in the cost of living which has occurred since the last adjustment was made in social security benefits, nevertheless the bill will help immensely toward alleviating hardships so many people who depend upon social security checks for sustenance face.

I commend also the provisions of the bill which upgrade public assistance in the various States. These provisions will greatly benefit the needy, the feeble, and the handicapped in Idaho, and will improve the maternal and child welfare programs as well.

With the passage of this historic measure Congress will keep faith with our senior citizens who in their more active and vigorous years contributed so much to build and enrich our land.

Mr. THYE. Mr. President, on page 43 of the committee report on the bill, I find a statement with respect to the question of wages paid and the number of jobs in the supergrades in the Social Security Administration. The statement is as follows:

For many years this committee has worked with officials and technical staff of the Social Security Administration in connection with the analysis legislation and the development of proposals for such legislation. The committee has been impressed with the high caliber and outstanding ability of the staff and with their diligence and devotion to the task which the committee has assigned to them. The committee is quite concerned over the fact the Social Security Administration, with over 23,000 employees, has one of the lowest incidences of supergrades of any comparable Federal agency. For example, the Bureau of Old-Age and Survivors Insurance with over 22,000 employees has only 3 supergrades. There are many agencies in the Government with only a fraction of this number of employees with more supergrades.

Mr. President, I have discussed this matter with the chairman of the Committee on Finance, and other members of the committee. I have also spoken to the chairman of the Committee on Post Office and Civil Service, the distinguished Senator from South Carolina [Mr. JOHNSTON], and the minority member on the Republican side, the Senator from Kansas [Mr. CARLSON]. All concede that the divisions are understaffed in the higher grades.

It seems to me that while we are considering changes in the social-security law, this is the time to give consideration to an injustice with respect to the division, and to provide the proper staffing to which the division is entitled, so that this agency will have the same kind of staff we have provided for every other agency of Government.

For that reason, Mr. President, I have prepared an amendment, which is as follows: At the end of the bill add the following new section:

SEC. 705. Section 701 of the Social Security Act is amended to read as follows:

"SEC. 701. The Secretary of Health, Education, and Welfare is authorized, subject to the procedures prescribed by section 505 of the Classification Act of 1949 (5 U. S. C. 1105), to place a total of 18 positions in the Social Security Administration in grades 16, 17, and 18 of the general schedule. Notwithstanding any other provision of law, such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b) of such section 505: *Provided further*, That the rate of basic compensation of the Commissioner of Social Security is hereby established at $20,000 per annum."

Mr. President, I could give a further explanation of the need for this action, but I do not believe it is necessary. The committee recognizes the need. The committee has so stated in its report. The distinguished chairman of the Senate Committee on Post Office and Civil Service is on the floor, as is the distinguished minority member of the committee on the Republican side, the Senator from Kansas [Mr. CARLSON].

Mr. President, I offer the amendment and ask that it be agreed to.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 705. Section 701 of the Social Security Act is amended to read as follows:

"SEC. 701. The Secretary of Health, Education, and Welfare is authorized, subject to the procedures prescribed by section 505 of the Classification Act of 1949 (5 U. S. C. 1105), to place a total of 18 positions in the Social Security Administration in grades 16, 17, and 18 of the General Schedule. Notwithstanding any other provision of law, such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b) of such section 505: *Provided further*, That the rate of basic compensation of the Commissioner of Social Security is hereby established at $20,000 per annum."

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. THYE. I am delighted to yield.

Mr. JOHNSTON of South Carolina. We have handled this matter of supergrades on an overall basis, as the present Presiding Officer, the Senator from Kentucky [Mr. MORTON] knows. The administration comes before the committee and asks for the total number of supergrades needed for all departments. The provision is made in one pool, and the pool is then divided among the various departments in accordance with what is felt to be the need for supergrades. That is the way the matter is handled at the present time.

If we start taking such action on the floor, I fear it will not be long before every time a department request is under consideration we will have to consider nothing but supergrades.

Mr. President, under such a system it would not be long until we would have more chiefs than we would have warriors, squaws, and papooses.

Boiling it all down, we must not legislate in this manner. If we do so, it will be the wrong approach and we will simply muddy up the supergrade situation. Each agency should go to the Commission pool for needed supergrades. I do not question that this agency needs the supergrades. I am only questioning the method of obtaining them.

The agency may well need some more supergrades at the present time. I have not looked into that matter thoroughly. I take for granted what the Senator from Minnesota says is correct. I have also been advised by the Commission itself. The agency quite possibly may need these positions. But the proper consideration of the matter is before the group which allots the grades; the application can be made to the Post Office and Civil Service Committee, and we can provide the necessary positions in the proper way.

Mr. CARLSON. Mr. President, will the Senator from Minnesota yield?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Kansas?

Mr. THYE. Before I yield to the Senator from Kansas, I should like to comment on the remarks made by the distinguished chairman of the Post Office and Civil Service Committee. We have long recognized the inequity of the low scale of supergrades in these important agencies. We have talked about the matter in previous debate. The committee itself has recognized the inequity by writing the report. The committee statement is to be found in the report on page 43.

If we have failed to act, I cannot understand who is responsible. If the Post Office and Civil Service Committee has not acted, then it certainly behooves me to seek action on the floor, when we are adding to the responsibilities of these divisions in a legislative enactment which is before us. For that reason, I offer the amendment and ask that it be agreed to.

I am now happy to yield to my friend from Kansas.

Mr. CARLSON. Mr. President, I brought this question up in the Finance Committee during the consideration of the bill. The Senator's amendment has great merit, but the committee and the distinguished chairman, the Senator from Virginia [Mr. BYRD] convinced me that it should not be offered in connection with that bill, and therefore I withdrew it.

Anyone who studies the salaries in the Social Security Administration must admit that there should be some increases. The Social Security Commissioner receives a salary of $17,500. I proposed $20,000. I find that at the present time he is receiving less salary than the Chairman of the Railroad Retirement Board, who holds a very minor position, from the standpoint of the number of employees under his control and regulation. He receives less salary than the two other members of the Railroad Retirement Board.

The Administrator of the social security program has 75,000,000 beneficiaries under the program, and 23,000 employees. There are three supergrade positions. I have urged that we provide 18 additional supergrade positions. At the beginning of the next session of Congress, when our committee begins to consider salary increases, if this amendment is not approved today, I expect to take action.

Mr. THYE. Mr. President, in view of the objection voiced by the chairman of the committee and the assurance I have that this question will be considered as soon as the new Congress convenes, I see nothing to be accomplished by pressing for a vote on the amendment, because I can foresee that I might meet with failure. I do not want to suffer failure. For that reason I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MORTON. Mr. President, I am glad the Senator from Minnesota has withdrawn his amendment. As a member of the Post Office and Civil Service Committee, I am most sympathetic with the problem he has brought to our attention today. The administration has come forward in the past couple of years and asked for an increase in supergrades in general. The Civil Service Commission can then assign super grades. I intend personally to look into the problem to see if there are not some supergrades available and unassigned, which might be assigned to this agency, which, according to the Finance Committee's report and the remarks of the distinguished Senator from Minnesota, are so badly needed. If they are not available, I shall cooperate in every way I can in the next Congress to see that they are made available.

Mr. SMATHERS. Mr. President, I had intended, on behalf of the senior Senator from Florida [Mr. HOLLAND] and several other Senators, including myself, to offer an amendment to provide that people drawing social security benefits would be able to work outside and make up to $1,800 a year and still be eligible to draw their full social security benefits. The present limit as to what a recipient can earn and still draw social security is $1,200. The previous limitation until 2 years ago was only $900.

I think the present limitation of $1,200 should be raised to $1,800, because many people—certainly in my State, particularly, and in California and other States where there is a large proportion of elderly people—who would like to work, because they find it impossible to enjoy a decent living on the limited amount of social security payments they now receive. These fine elderly people are now unable to get full-time jobs, or even dignified part-time jobs. It is my belief that our Nation actually needs the productive capacity of these elderly people. We are not now producing as we should. It is undignified and indecent when these elderly people cannot get sufficient benefit from the social security program to live in some dignity and they make it so they cannot get jobs worth anything as regular employment in order to make up the difference.

I thought we would try to remedy that particular situation at this time, but I am advised that if such an amendment were adopted, it would cost the social security fund some $600 million. The actuary has just told me that rather astounding fact. I have not had a chance to study this conclusion, and so must for the time being accept it.

I know that this bill already faces a prospect of veto. Rather than pursue our amendment at this particular time, I have decided not to press it, for it would increase the possibility of a veto, but I will press it next year. I shall not press it now because I think it better to make the forward step in social security, public assistance, and aid to orphans and blind which we are making in the present bill, rather than to try to get everything we would like to have, and have the bill finally vetoed, so that nothing would be gained this year.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KERR. Mr. President, I believe the Senator from Florida [Mr. SMATHERS] has a couple of amendments to offer.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I have been waiting to offer an amendment to the bill.

Mr. SMATHERS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 100, line 14, it is proposed to strike out "70 per centum" and insert in lieu thereof "65 per centum."

Mr. KERR. Mr. President, this statement, if adopted, would reduce the assistance program cost.

Mr. SMATHERS. Mr. President, if the Senator will yield, I will state that I have been advised that it would reduce the cost of the total bill from $288 million down to $217 million.

Mr. KERR. That is correct.

Mr. SMATHERS. The reason for offering the particular amendment is that I think we must be practical and sensible. Other Senators and I have been rather reliably informed that the bill in its present form would be vetoed. I know that there are some who would take the position that we ought to pass the bill we wish to pass, and let it be vetoed. But that would avail our old and needy nothing. Even with this particular amendment, the present bill would represent a sizable step forward for those eligible and enjoying the benefits of social security and the old-age assistance program. I have always believed it is better to get something rather than nothing. It is for that reason that I offer this amendment, in the belief that if adopted, the bill then would have better prospects of becoming law, and the old people of the country would then receive some increased advantages over the present situation, beginning next January.

Mr. KERR. Mr. President, I agree with what the Senator from Florida has said with reference to this amendment. The same thing applies to the amendment he will offer next. I ask that the Senate accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 94, line 3, it is proposed to strike out "five-sixths" and insert "fourteen-seventeenths"; on page 94, line 5, it is proposed to strike out "$18" and insert "$17."

Mr. SMATHERS. Mr. President, I offer this amendment for exactly the same reasons as I offered the previous amendment. I think it is important that we take a step forward this year with respect to improving the benefits of the social security program to the elderly people and the needy people of the Nation. It serves no purpose for a dog to sit back and bay at the moon. Nor does it accomplish anything for Senators to hold glittering promises, or assurances, before our elderly people—and then know they will be snatched away by veto. That is cruel and hurtful. If the Senate accepts this amendment, there is no doubt that the President will accept the bill and we shall have made a considerable step forward. This particular amendment would reduce the cost of the program to $197 million.

Mr. KERR. Mr. President, I feel the same way about this amendment as I did with respect to the previous amendment. It is with deep regret that I contemplate it, but, sharing the feeling of the Senator from Florida, I agree to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. SMATHERS].

The amendment was agreed to.

Mr. MORSE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Does the Senator desire to have the amendment printed in the RECORD?

Mr. MORSE. Yes, but it is not necessary to read it. I shall discuss it.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

The amendment offered by Mr. MORSE, ordered to be printed in the RECORD, is as follows:

It is proposed to strike out all after the enacting clause and to insert in lieu thereof the following:

"TITLE I—AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT

"Increase in primary insurance amount

"SEC. 101. (a) Subsection (a) of section 215 of the Social Security Act is amended to read as follows:

"'(a) Subject to the conditions specified in subsections (b), (c), and (d) of this section, the primary insurance amount of an insured individual shall be whichever of the following is the largest:

"'(1) The amount in column IV on the line on which in column III of the following table appears his average monthly wage (as determined under subsection (b));

"'(2) The amount in column IV on the line on which in column II of the following table appears his primary insurance amount (as determined under subsection (c));

"'(3) The amount in column IV on the line on which in column I of the following table appears his primary insurance benefit (as determined under subsection (d));

"'(4) In the case of an individual who was entitled to a disability insurance benefit for the month before the month in which he became entitled to old-age insurance benefits or died, the amount in column IV which is equal to his disability insurance benefit.

"'Table for determining primary insurance amount and maximum family benefits

"'I	II	III	IV	V	"'I	II	III	IV	V
"'(Primary insurance benefit under 1939 act, as modified)	(Primary insurance amount under 1954 act)	(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)	"'(Primary insurance benefit under 1939 act, as modified)	Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"'If an individual's primary insurance benefit (as determined under subsec. (c)) is—	Or his primary insurance amount (as determined under subsec. (c)) is—				"'If an individual's primary insurance benefit (as determined under subsec. (c)) is—				
"'At least— / But not more than—	At least— / But not more than—				"'At least— / But not more than—				
"'$10.96 / $10.96	---------- / $31.90	Less than $59	$40.00	$60.00	"'$15.77 / $16.04	$41.40 / $41.80	Less than $76	$52.30	$78.50
11.24 / $32.00	32.50	59	40.70	61.10	16.05 / 16.44	41.90 / 42.40	77	53.00	79.50
11.25 / 11.48	32.60 / 33.00	60	41.30	62.00	16.45 / 16.80	42.50 / 42.90	78	53.70	80.60
11.49 / 11.80	33.10 / 33.60	61	42.00	63.00	16.81 / 17.23	43.00 / 43.50	79	54.40	81.60
11.81 / 12.04	33.70 / 34.10	62	42.70	64.10	17.24 / 17.60	43.60 / 44.00	80	55.00	82.50
12.05 / 12.35	34.20 / 34.70	63	43.40	65.10	17.61 / 18.08	44.10 / 44.60	81	55.80	83.70
12.36 / 12.60	34.80 / 35.20	64	44.00	66.00	18.09 / 18.50	44.70 / 45.10	82	56.40	84.60
12.61 / 12.88	35.30 / 35.80	65	44.80	67.20	18.51 / 19.00	45.20 / 45.70	83	57.20	85.80
12.89 / 13.15	35.90 / 36.30	66	45.40	68.10	19.01 / 19.36	45.80 / 46.20	84	57.80	86.70
13.16 / 13.44	36.40 / 36.90	67	46.20	69.30	19.37 / 19.84	46.30 / 46.80	85	58.50	87.80
13.45 / 13.68	37.00 / 37.40	68	46.80	70.20	19.85 / 20.20	46.90 / 47.30	86	59.20	88.80
13.69 / 14.00	37.50 / 38.00	69	47.50	71.30	20.21 / 20.60	47.40 / 47.90	87	59.90	89.90
14.01 / 14.24	38.10 / 38.50	70	48.20	72.30	20.61 / 20.92	48.00 / 48.40	88	60.50	90.80
14.25 / 14.55	38.60 / 39.10	71	48.90	73.40	20.93 / 21.28	48.50 / 49.00	89	61.30	92.00
14.56 / 14.80	39.20 / 39.60	72	49.50	74.30	21.29 / 21.59	49.10 / 49.50	90	61.90	92.90
14.81 / 14.12	39.70 / 40.20	73	50.30	75.50	21.60 / 21.88	49.60 / 50.10	91	62.70	94.10
15.13 / 15.43	40.20 / 40.70	74	50.90	76.40	21.89 / 22.16	50.20 / 50.60	92	63.30	95.00
15.43 / 15.76	40.80 / 41.30	75	51.70	77.60	22.17 / 22.40	50.70 / 51.20	93	64.00	96.00

"'Table for determining primary insurance amount and maximum family benefits—Continued

"'I	II	III	IV	V	"'I	II	III	IV	V
"'(Primary insurance benefit under 1939 act, as modified)	(Primary insurance amount under 1954 act)	(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)	"'Primary insurance benefit under 1939 act, as modified)	Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"'If an individual's primary insurance benefit (as determined under subsec. (c)) is—	Or his primary insurance amount (as determined under subsec. (c)) is—				"'If an individual's primary insurance benefit (as determined under subsec. (c)) is—				
"'At least— / But not more than—	At least— / But not more than—				"'At least— / But not more than—				
$22.41 / $22.65	$51.30 / $51.70	Less than $94	$64.70	$97.10	$33.01 / $33.[illegible]	$74.20 / $74.30	Less than $179	$92.90	$165.00
22.66 / 22.88	51.80 / 52.30	94	65.40	98.10	33.21 / 33	74.40 / 74.50	180	93.20	166.50
22.89 / 23.08	52.40 / 52.80	96	66.00	99.00	33.31 / 33	74.60 / 74.70	181	93.40	167.50
23.09 / 23.32	52.90 / 53.40	97	66.80	100.20	33.49 / 33	74.80 / 74.90	182	93.70	168.40
23.33 / 23.52	53.50 / 53.90	98	67.40	101.10	33.61 / 33	75.00 / 75.10	183	93.90	169.30
23.53 / 23.76	54.00 / 54.50	99	68.20	102.30	33.71 / 33	75.20 / 75.30	184	94.20	170.20
23.77 / 23.96	54.60 / 55.00	100	68.80	103.20	33.81 / 33	75.40 / 75.50	185	94.40	171.20
23.97 / 24.20	55.10 / 55.60	101	69.50	104.30	33.91 / 33	75.60 / 75.70	186	94.70	172.10
24.21 / 24.44	55.70 / 56.10	102	70.20	105.30	34.11 / 34	75.80 / 75.90	187	94.90	173.00
24.45 / 24.70	56.20 / 56.70	103	70.90	106.40	34.29 / 34	76.00 / 76.10	188	95.20	173.90
24.71 / 24.96	56.80 / 57.20	104	71.50	107.30	34.41 / 34	76.20 / 76.30	189	95.40	174.90
24.96 / 25.20	57.30 / 57.80	105	72.30	108.50	34.61 / 34	76.40 / 76.50	190	95.70	175.80
25.21 / 25.44	57.90 / 58.30	106	72.90	109.40	34.61 / 34	76.60 / 76.70	191	95.90	176.70
25.45 / 25.78	58.40 / 58.90	107	73.70	110.60	34.81 / 34	76.80 / 76.90	192	96.20	177.60
25.79 / 26.00	59.00 / 59.40	108	74.30	111.50	34.91 / 37	77.00 / 77.10	193	96.40	178.60
26.01 / 26.28	59.50 / 60.00	109	75.00	112.50	37.09 / 37	77.20 / 77.30	194	96.70	179.50
26.29 / 26.60	60.10 / 60.50	110	75.70	113.60	37.21 / 37	77.40 / 77.50	195	96.90	180.40
26.61 / 26.70	60.60 / 60.70	111	75.90	113.90	37.31 / 37	77.60 / 77.70	196	97.20	181.30
26.71 / 26.76	60.80 / 60.90	112	76.20	114.30	37.41 / 37	77.80 / 77.90	197	97.40	182.30
26.77 / 26.88	61.00 / 61.10	113	76.40	114.60	37.61 / 37	78.00 / 78.10	198	97.70	183.20
26.89 / 27.00	61.20 / 61.30	114	76.70	115.10	37.71 / 37	78.20 / 78.30	199	97.90	184.10
27.01 / 27.12	61.40 / 61.50	115	76.90	115.40	37.89 / 38	78.40 / 78.50	200	98.20	185.00
27.13 / 27.24	61.60 / 61.70	116	77.20	115.80	38.01 / 38	78.60 / 78.70	201	98.40	186.00
27.25 / 27.32	61.80 / 61.90	117	77.40	116.01	38.12 / 38	78.80 / 78.90	202	98.70	186.90
27.33 / 27.46	62.00 / 62.10	118	77.70	116.60	38.21 / 38	79.00 / 79.10	203	98.90	187.80
27.47 / 27.60	62.20 / 62.30	119	77.90	116.90	38.45 / 38	79.20 / 79.30	204	99.20	188.70
27.61 / 27.73	62.40 / 62.50	120	78.20	117.30	38.57 / 38	79.40 / 79.50	205	99.40	189.70
27.74 / 27.80	62.60 / 62.70	121	78.40	117.60	38.77 / 38	79.60 / 79.70	206	99.70	190.60
27.81 / 27.92	62.80 / 62.90	122	78.70	118.10	38.89 / 39	79.80 / 79.90	207	99.90	191.50
27.93 / 28.08	63.00 / 63.10	123	78.90	118.40	39.01 / 39	80.00 / 80.10	208	100.20	192.40
28.09 / 28.24	63.20 / 63.30	124	79.20	118.80	39.13 / 39	80.20 / 80.30	209	100.40	193.40
28.25 / 28.36	63.40 / 63.50	125	79.40	119.10	39.21 / 39	80.40 / 80.50	210	100.70	194.30
28.37 / 28.44	63.60 / 63.70	126	79.70	119.60	39.45 / 39	80.60 / 80.70	211	100.90	195.20
28.45 / 28.61	63.80 / 63.90	127	79.90	119.90	39.69 / 39	80.80 / 80.90	212	101.20	196.10
28.62 / 28.76	64.00 / 64.10	128	80.20	120.30	39.77 / 39	81.00 / 81.10	213	101.40	197.10
28.77 / 28.92	64.20 / 64.30	129	80.40	120.60	39.90 / 40	81.20 / 81.30	214	101.70	198.00
28.93 / 29.00	64.40 / 64.50	130	80.70	121.10	40.01 / 40	81.40 / 81.50	215	101.90	198.90
29.01 / 29.16	64.60 / 64.70	131	80.90	121.40	40.21 / 40	81.60 / 81.70	216	102.20	199.80
29.17 / 29.25	64.80 / 64.90	132	81.20	122.10	40.34 / 40	81.80 / 81.90	217	102.40	200.80
29.26 / 29.40	65.00 / 65.10	133	81.40	122.10	40.57 / 40	82.00 / 82.10	218	102.70	201.70
29.41 / 29.48	65.20 / 65.30	134	81.70	124.00	40.69 / 40	82.20 / 82.30	219	102.90	202.60
29.49 / 29.58	65.40 / 65.50	135	81.90	124.90	40.79 / 40	82.40 / 82.50	220	103.20	203.50
29.59 / 29.68	65.60 / 65.70	136	82.20	125.80	40.89 / 41	82.60 / 82.70	221	103.40	204.50
29.69 / 29.84	65.80 / 65.90	137	82.40	126.80	41.13 / 41	82.80 / 82.90	222	103.70	205.40
29.85 / 29.92	66.00 / 66.10	138	82.70	127.70	41.23 / 41	83.00 / 83.10	223	103.90	206.30
29.93 / 30.08	66.20 / 66.30	139	82.90	128.60	41.45 / 41	83.20 / 83.30	224	104.20	207.20
30.09 / 30.16	66.40 / 66.50	140	83.20	129.50	41.57 / 41	83.40 / 83.40	225	104.40	208.20
30.17 / 30.27	66.60 / 66.70	141	83.40	130.50	41.68 / 41	83.60 / 83.70	226	104.70	209.10
30.28 / 30.36	66.80 / 66.90	142	83.70	131.40	41.877 / 42	83.80 / 83.90	227	104.90	210.10
30.37 / 30.52	67.00 / 67.10	143	83.90	132.50	42.00 / 42	84.00 / 84.10	228	105.20	210.90
30.53 / 30.64	67.20 / 67.30	144	84.20	133.20	42.12 / 42	84.20 / 84.30	229	105.40	211.90
30.65 / 30.80	67.40 / 67.50	145	84.40	134.20	42.33 / 42	84.40 / 84.50	230	105.70	212.80
30.81 / 30.92	67.60 / 67.70	146	84.70	135.10	42.45 / 42	84.60 / 84.70	231	105.90	213.70
30.93 / 31.00	67.80 / 67.90	147	84.90	136.00	42.56 / 42	84.80 / 84.90	232	106.20	214.60
31.01 / 31.08	68.00 / 68.10	148	85.20	136.90	42.68 / 42	85.00 / 85.10	233	106.40	215.60
31.09 / 31.16	68.20 / 68.30	149	85.40	137.80	42.88 / 42	85.20 / 85.30	234	106.70	216.50
31.17 / 31.36	68.40 / 68.50	150	85.70	138.80	43.00 / 43	85.40 / 85.50	235	106.90	217.40
31.37 / 31.52	68.60 / 68.70	151	85.90	139.70	43.01 / 43	85.60 / 85.70	236	107.20	218.30
31.53 / 31.64	68.80 / 68.90	152	86.20	140.80	43.21 / 43	85.80 / 85.90	237	107.40	219.30
31.65 / 31.73	69.00 / 69.10	153	86.40	141.60	43.33 / 43	86.00 / 86.10	238	107.70	220.20
31.74 / 31.80	69.20 / 69.30	154	86.70	142.50	43.45 / 43	86.20 / 86.30	239	107.90	221.10
31.81 / 32.00	69.40 / 69.50	155	86.90	143.40	43.57 / 43	86.40 / 86.50	240	108.20	222.00
32.01 / 32.10	69.60 / 69.70	156	87.20	144.30	43.77 / 43	86.60 / 86.70	241	108.40	223.00
32.11 / 32.28	69.80 / 69.90	157	87.40	145.30	43.89 / 44	86.80 / 86.90	242	108.70	223.90
32.29 / 32.40	70.00 / 70.10	158	87.70	146.20	44.12 / 44	87.00 / 87.10	243	108.90	224.80
32.41 / 32.50	70.20 / 70.30	159	87.90	147.10	44.20 / 44	87.20 / 87.30	244	109.20	225.70
32.51 / 32.60	70.40 / 70.50	160	88.20	148.00	44.33 / 44	87.40 / 87.50	245	109.40	226.70
32.61 / 32.80	70.60 / 70.70	161	88.40	149.00	44.34 / 44	87.60 / 87.70	246	109.70	227.60
32.81 / 32.90	70.80 / 70.90	162	88.70	149.90	44.45 / 44	87.80 / 87.90	247	109.90	228.50
32.91 / 33.08	71.00 / 71.10	163	88.90	150.80	44.69 / 44	88.00 / 88.10	248	110.20	229.40
33.09 / 33.20	71.20 / 71.30	164	89.20	151.70	44.81 / 44	88.20 / 88.30	249	110.40	230.40
33.21 / 33.30	71.40 / 71.50	165	89.40	152.70	44.85 / 44	88.40 / 88.50	250	110.70	231.30
33.31 / 33.40	71.60 / 71.70	166	89.70	153.60	44.89 / 45	88.60 / 88.70	251	110.90	232.20
33.41 / 33.60	71.80 / 71.90	167	89.90	154.50	45.60	88.80 / 88.90	252	111.20	233.10
33.61 / 22.70	72.00 / 72.10	168	90.20	155.40		89.00 / 89.10	253	111.40	234.10
33.71 / 33.88	72.20 / 72.30	169	90.40	156.40		89.20 / 89.30	254	111.70	235.00
33.89 / 34.00	72.40 / 72.50	170	90.70	157.30		89.40 / 89.50	255	111.90	235.90
34.01 / 34.10	72.60 / 72.70	171	90.90	158.20		89.60 / 89.70	256	112.20	236.80
34.11 / 34.20	72.80 / 72.90	172	91.20	159.10		89.80 / 89.90	257	112.40	237.80
34.21 / 34.40	73.00 / 73.10	173	91.40	160.10		90.00 / 90.10	258	112.70	238.70
34.41 / 34.50	73.20 / 73.30	174	91.70	161.00		90.20 / 90.30	259	112.90	239.60
34.51 / 34.68	73.40 / 73.50	175	91.90	161.90		90.40 / 90.50	260	113.20	240.60
34.69 / 34.80	73.60 / 73.70	176	92.20	162.80		90.60 / 90.70	261	113.40	241.50
34.81 / 34.90	73.80 / 73.90	177	92.40	163.80		90.80 / 90.90	262	113.70	242.40
34.91 / 35.00	74.00 / 74.10	178	92.70	164.70		91.00 / 91.10	263	113.90	243.30

" 'Table for determining primary insurance amount and maximum family benefits—Continued

" 'I		II		III	IV	V	" 'I		II		III	IV	V
" '(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1954 act)		(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)	" '(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1954 act)		(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)
" 'If an individual's primary insurance benefit (as determined under subsec. (c)) is—		Or his primary insurance amount as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	" 'If an individual's primary insurance benefit (as determined under subsec. (c)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
" 'At least—	But not more than—	At least—	But not more than—				" 'At least—	But not more than—	At least—	But not more than—			
		$91.20	$91.30	Less than $264	$114.20	$244.20			$108.20	$108.30	Less than $349	$135.40	$322.80
		91.40	91.50	265	114.40	245.20			108.40	108.50	350	135.70	323.80
		91.60	91.70	266	114.70	246.10					351	135.90	324.70
		91.80	91.90	267	114.90	247.00					352	136.20	325.60
		92.00	92.10	268	115.20	247.90					353	136.40	326.50
		92.30	92.30	269	115.40	248.90					354	136.70	327.50
		92.40	92.50	270	115.70	249.80					355	136.90	328.40
		92.60	92.70	271	115.90	250.70					356	137.20	329.30
		92.80	92.90	272	116.20	251.60					357	137.40	330.30
		93.00	93.10	273	116.40	252.60					358	137.70	331.20
		93.30	93.30	274	116.70	253.50					359	137.90	332.10
		93.40	93.50	275	116.90	254.40					360	138.20	333.00
		93.60	93.70	276	117.20	255.30					361	138.40	334.00
		93.80	93.90	277	117.40	256.30					362	138.70	334.90
		94.00	94.10	278	117.70	257.20					363	138.90	335.80
		94.30	94.30	279	117.90	258.10					364	139.20	336.70
		94.40	94.50	280	118.20	259.00					365	139.40	337.70
		94.60	94.70	281	118.40	260.00					366	139.70	338.60
		94.80	94.90	282	118.70	260.90					367	139.90	339.50
		95.00	95.10	283	118.90	261.80					368	140.20	340.40
		95.30	95.30	284	119.20	262.70					369	140.40	341.40
		95.40	95.50	285	119.40	263.70					370	140.70	342.30
		95.60	95.70	286	119.70	264.60					371	140.90	343.20
		95.80	95.90	287	119.90	265.50					372	141.20	344.10
		96.00	96.10	288	120.20	266.40					373	141.40	345.10
		96.20	96.30	289	120.40	267.40					374	141.70	346.00
		96.40	96.50	290	120.70	268.30					375	141.90	346.20
		96.60	96.70	291	120.90	269.20					376	142.20	346.20
		96.80	96.90	292	121.20	270.10					377	142.40	346.20
		97.00	97.10	293	121.40	271.10					378	142.70	346.20
		97.20	97.30	294	121.70	272.00					379	142.90	346.20
		97.40	97.50	295	121.90	272.90					380	143.20	346.20
		97.60	97.70	296	122.20	273.80					381	143.40	346.20
		97.80	97.90	297	122.40	274.80					382	143.70	346.20
		98.00	98.10	298	122.70	275.70					383	143.90	346.20
		98.20	98.30	299	122.90	276.60					384	144.20	346.20
		98.40	98.50	300	123.20	277.50					385	144.40	346.20
		98.60	98.70	301	123.40	278.50					386	144.70	346.20
		98.80	98.90	302	123.70	279.40					387	144.90	346.20
		99.00	99.10	303	123.90	280.30					388	145.20	346.20
		99.20	99.30	304	124.20	281.20					389	145.40	346.20
		99.40	99.50	305	124.40	282.20					390	145.70	346.20
		99.60	99.70	306	124.70	283.10					391	145.90	346.20
		99.80	99.90	307	124.90	284.00					392	146.20	346.20
		100.00	100.10	308	125.20	284.90					393	146.40	346.20
		100.20	100.30	309	125.40	285.90					394	146.70	346.20
		100.40	100.50	310	125.70	286.80					395	146.90	346.20
		100.60	100.70	311	125.90	287.70					396	147.20	346.20
		100.80	100.90	312	126.20	288.60					397	147.40	346.20
		101.00	101.10	313	126.40	289.60					398	147.70	346.20
		101.20	101.30	314	126.70	290.50					399	147.90	346.20
		101.40	101.50	315	126.90	291.40					400	148.20	346.20
		101.60	101.70	316	127.20	292.30					401	148.40	346.20
		101.80	101.90	317	127.40	293.30					402	148.70	346.20
		102.00	102.10	318	127.70	294.20					403	148.90	346.20
		102.20	102.30	319	127.90	295.10					404	149.20	346.20
		102.40	102.50	320	128.20	296.00					405	149.40	346.20
		102.60	102.70	321	128.40	297.00					406	149.70	346.20
		102.80	102.90	322	128.70	297.90					407	149.90	346.20
		103.00	103.10	323	128.90	298.80					408	150.20	346.20
		103.20	103.30	324	129.20	299.70					409	150.40	346.20
		103.40	103.50	325	129.40	300.70					410	150.70	346.20
		103.60	103.70	326	129.70	301.60					411	150.90	346.20
		103.80	103.90	327	129.90	302.50					412	151.20	346.20
		104.00	104.10	328	130.20	303.40					413	151.40	346.20
		104.20	104.30	329	130.40	304.40					414	151.70	346.20
		104.40	104.50	330	130.70	305.30					415	151.90	346.20
		104.60	104.70	331	130.90	306.20					416	152.20	346.20
		104.80	104.90	332	131.20	307.10					417	152.40	346.20
		105.00	105.10	333	131.40	308.10					418	152.70	346.20
		105.20	105.30	334	131.70	309.00					419	152.90	346.20
		105.40	105.50	335	131.90	309.90					420	153.20	346.20
		105.60	105.70	336	132.20	310.80					421	153.40	346.20
		105.80	105.90	337	132.40	311.80					422	153.70	346.20
		106.00	106.10	338	132.70	312.70					423	153.90	346.20
		106.20	106.30	339	132.90	313.60					424	154.20	346.20
		106.40	106.50	340	133.20	314.50					425	154.40	346.20
		106.60	106.70	341	133.40	315.50					426	154.70	346.20
		106.80	106.90	342	133.70	316.40					427	154.90	346.20
		107.00	107.10	343	133.90	317.30					428	155.20	346.20
		107.20	107.30	344	134.20	318.20					429	155.40	346.20
		107.40	107.50	345	134.40	319.20					430	155.70	346.20
		107.60	107.70	346	134.70	320.10					431	155.90	346.20
		107.80	107.90	347	134.90	321.00					432	156.20	346.20
		108.00	108.10	348	135.20	321.90					433	156.40	346.20

" 'Table for determining primary insurance amount and maximum family benefits—Continued

" 'I		II		III	IV	V	" 'I		II		III	IV	V
" '(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1954 act)		(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)	" 'Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1954 act)		(Average monthly wage)	(Primary insurance amount payable)	(Maximum family benefits)
" 'If an individual's primary insurance benefit (as determined under subsec. (c)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	" 'If an individual's primary insurance benefit (as determined under subsec. (c)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—	The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
" 'At least—	But not more than—	At least—	But not more than—				" 'At least—	But not more than—	At least—	But not more than—			
				Less than $134	$156.70	$346.20					Less than $468	$165.20	$346.20
				435	156.90	346.20					469	165.40	346.20
				436	157.20	346.20					470	165.70	346.20
				437	157.40	346.20					471	165.90	346.20
				438	157.70	346.20					472	166.20	346.20
				439	157.90	346.20					473	166.40	346.20
				440	158.20	346.20					474	166.70	346.20
				441	158.40	346.20					475	166.90	346.20
				442	158.70	346.20					476	167.20	346.20
				443	158.90	346.20					477	167.40	346.20
				444	159.20	346.20					478	167.70	346.20
				445	159.40	346.20					479	167.90	346.20
				446	159.70	346.20					480	168.20	346.20
				447	159.90	346.20					481	168.40	346.20
				448	160.20	346.20					482	168.70	346.20
				449	160.40	346.20					483	168.90	346.20
				450	160.70	346.20					484	169.20	346.20
				451	160.90	346.20					485	169.40	346.20
				452	161.20	346.20					486	169.70	346.20
				453	161.40	346.20					487	169.90	346.20
				454	161.70	346.20					488	170.20	346.20
				455	161.90	346.20					489	170.40	346.20
				456	162.20	346.20					490	170.70	346.20
				457	162.40	346.20					491	170.90	346.20
				458	162.70	346.20					492	171.20	346.20
				459	162.90	346.20					493	171.40	346.20
				460	163.20	346.20					494	171.70	346.20
				461	163.40	346.20					495	171.90	346.20
				462	163.70	346.20					496	172.20	346.20
				463	163.90	346.20					497	172.40	346.20
				464	164.20	346.20					498	172.70	346.20
				465	164.40	346.20					499	172.90	346.20
				466	164.70	346.20					500	173.20	346.20'
				467	164.90	346.20							

"Determinations for computation of primary insurance amount

"(b) (1) The first word in subsection (b) (1) of section 215 of such act is deleted and the following words are substituted: 'For the purposes of column III of the table appearing in subsection (a) of this section an.'

"(2) Paragraph 4 of such section 215 (b) of such act is amended to read as follows:

"'(4) In the case of any individual, the Secretary shall determine the five or fewer full calendar years after his starting date and prior to his closing date which, if the months of such years and his wages and self-employment income for such years were excluded in computing his average monthly wage, would produce the highest primary insurance amount. Such months and such wages and self-employment income shall be excluded for purposes of computing such individual's average monthly wage. In the case of any individual who has not less than 28 quarters of coverage, the maximum number of full calendar years determined under the first sentence of this paragraph shall be increased by the number equal to the quotient obtained by dividing the quarters of coverage such individual has by 28, except that if the quotient so obtained is not a whole number, it shall be reduced to the next lower whole number.'

"(3) Such section 215 (b) of such act is further amended by adding at the end thereof the following paragraph:

"'(5) The provisions of this subsection shall be applicable only in the case of an individual—

"'(A) with respect to whom not less than six of the quarters elapsing after 1950 are quarters of coverage and

"'(B) (i) who becomes entitled to benefits under section 202 (a) or section 223 after the second month following the month in which the Social Security Amendments of 1958 are enacted, or (ii) who dies after such second month without being entitled to benefits under such section 202 (a) or section 223, or (iii) who files an application for a recomputation under section 215 (f) (2) (A) after such second month and is (or would, but for the provisions of section 215 (f) (6), be) entitled to have his primary insurance amount recomputed under such section, or (iv) who dies after such second month and whose survivors are (or would, but for the provisions of section 215 (f) (6), be) entitled to a recomputation of his primary insurance amount under section 215 (f) (4) (A).'

"(c) Section 215 (c) of the such act is amended to read as follows:

"'(c) (1) For the purposes of column II of the table appearing in subsection (a) of this section, an individual's primary insurance amount shall be computed as provided in, and subject to the limitations specified in, (A) this section as in effect prior to the enactment of the Social Security Amendments of 1958, and (B) the applicable provisions of the Social Security Amendments of 1954.

"'(2) The provisions of this subsection shall be applicable only in the case of an individual who—

"'(A) became entitled to benefits under section 202 (a) or section 223 prior to the second month following the month in which the Social Security Amendments of 1958 were enacted, or

"'(B) died prior to such second month and was not entitled to benefits under such section 202 (a) or such section 223.'

"(d) Section 215 (d) of such act is amended to read as follows:

"'(d) (1) For the purposes of column I of the table appearing in subsection (a) of this section an individual's primary insurance benefits shall be computed as provided in this title as in effect prior to the enactment of the Social Security Act Amendments of 1950 except that—

"'(A) In the computation of such benefit, such individual's average monthly wage shall (in lieu of being determined under section 209 (f) of such title as in effect prior to the enactment of such amendments) be determined as provided in subsection (b) of this section (but without regard to paragraph (5) thereof), except that his starting date shall be December 31, 1936.

"'(B) For purposes of such computation, the date he became entitled to old-age insurance benefits shall be deemed to be the date he became entitled to primary insurance benefits.

"'(C) The 1 percent addition provided for in section 209 (e) (2) of this act in effect prior to the enactment of the Social Security Act Amendments of 1950 shall be applicable only with respect to calendar years prior to 1951, except that any wages paid in any year prior to such year any part of which was included in a period of disability shall not be counted.

"'(D) The provisions of subsection (e) shall be applicable to such computation.

"'(2) Except as provided in paragraph (3) of this subsection, the provisions of this subsection shall be applicable only in the case of an individual—

"'(A) with respect to whom at least one of the quarters elapsing prior to 1951 is a quarter of coverage, and

"'(B) who meets the provisions of any of the clauses in subparagraph (B) of paragraph (5) of subsection (b) of this section.

"'(3) The provisions of this subsection shall not apply in the case of an individual who attained age 22 after 1950 and with respect to whom not less than 6 of the quarters elapsing after 1950 are quarters of coverage.'

"Certain wages and self-employment income not to be counted

"(e) (1) Section 215 (e) (1) of such act is amended to read as follows:

"'(1) in computing an individual's average monthly wage there shall not be counted the excess over $3,600 in the case of any calendar year after 1950 and before 1955, the excess over $4,200 in the case of any calendar year after 1954 and before 1959, and the excess over $6,000 in the case of any calendar year after 1958, of (A) the wages paid to him in such year, plus (B) the self-employment income credited to such year (as determined under section 212);'

"(2) Section 215 (e) of such act is amended by striking out '(d) (4)' each place it appears and inserting in lieu thereof '(d).'

"Recomputation of benefits

"(f) Section 215 (f) (2) (B) of such act is amended to read as follows:

"'(B) A recomputation pursuant to subparagraph (A) shall be made as provided in subsection (a) of this section and as though the individual first became entitled to old-age insurance benefits in the month in which he filed the application for such recomputation, but only if the provisions of subsection (b) (4), as amended by section 101 (b) of the Social Security Amendments of 1958 were not applicable to the last previous computation of his primary insurance amount. If the provisions of such subsection (b) (4) were applicable to such previous computation, the recomputation under subparagraph (A) of this paragraph shall be made only as provided in subsection (a) (other than the provisions of paragraphs 2 and 3 of such subsection) and for such purposes his average monthly wage shall be determined as though he became entitled to old-age insurance benefits in the month in which he filed the application for recomputation under subparagraph (A), except that, of the provisions of paragraph (3) of subsection (b), only the provisions of subparagraph (A) thereof shall be applicable.'

"Effective dates

"(g) (1) The amendments made by subsections (a), (b), (c), and (d) shall be applicable, in the case of monthly benefits under title II of the Social Security Act, for months after the second month following the month in which this act is enacted, and in the case of the lump-sum death payments under such title, with respect to deaths occurring after such second month.

"(2) The amendments made by subsection (f) shall apply with respect to the wages and self-employment income of an individual who—

"(A) files an application for a recomputation under section 215 (f) (2) (A) of the Social Security Act as amended by this act, after the second month following the month in which this act is enacted and who is (or, but for the provision of section 215 (f) (6) of such act, would be) entitled to have his primary insurance amount recomputed under such section 215 (f) (2) (A) pursuant to such application; and recomputed benefit payable for any month prior to the third month following the month in which this act is enacted on the basis of such application shall be determined as though this act had not been enacted, or

"(B) dies after such second month and whose survivors are (or, but for the provision of section 215 (f) (6) of the Social Security Act, would be) entitled to a recomputation of his primary insurance amount under section 215 (f) (4) (A) of such act.

"Definition of wages and self-employment income

"SEC. 102. (a) (1) Paragraph (2) of section 209 (a) of the Social Security Act is amended to read as follows:

"'(2) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $4,200 with respect to employment has been paid to an individual during any calendar year after 1954 and prior to 1959, is paid to such individual during such calendar year.'

"(2) Section 209 (a) of such act is further amended by adding at the end thereof the following new paragraph:

"'(3) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsection of this section) equal to $6,000 with respect to employment has been paid to an individual during any calendar year after 1958, is paid to such individual during such calendar year;'.

"(b) Paragraph (1) of section 211 (b) of the Social Security Act is amended to read as follows:

"'(1) That part of the net earnings from self-employment which is in excess of—

"'(A) For any taxable year ending prior to 1955, (i) $3,600 minus (ii) the amount of wages paid to such individual during the taxable year; and

"'(B) For any taxable year ending after 1954 and prior to 1959, (i) $4,200, minus (ii) the amount of the wages paid to such individual during the taxable year; and

"'(C) For any taxable year ending after 1958, (i) $6,000, minus (ii) the amount of wages paid to such individual during the taxable year, or.'

"Quarter and quarter of coverage

"SEC. 103. Clauses (ii) and (iii) of section 213 (a) (2) (B) of the Social Security Act are amended to read as follows:

"'(ii) if the wages paid to any individual in any calendar year equal $3,600 in the case of a calendar year after 1950 and before 1955, or $4,200 in the case of a calendar year after 1954 and before 1959, or $6,000 in the case of a calendar year after 1958, each quarter of such year shall (subject to clause (i)) be a quarter of coverage.

"'(iii) if an individual has self-employment income for a taxable year, and if the sum of such income and the wages paid to him during such year equals $3,600 in the case of a taxable year beginning after 1950 and ending before 1955, or $4,200 in the case of a taxable year ending after 1954 and before 1959, or $6,000 in the case of a taxable year ending after 1958, each quarter any part of which falls in such year shall (subject to clause (i)) be a quarter of coverage.'

"Minimum survivors or dependents benefit

"SEC. 104. (a) Section 202 (m) of the Social Security Act is amended by striking out '$30' wherever it occurs and inserting in lieu thereof '$40.'

"(b) The amendment made by this section shall be applicable with respect to monthly benefits under section 202 of the Social Security Act for months after the second month following the month in which this act is enacted.

"Maximum benefits

"SEC. 105. (a) Subsection (a) of section 203 (a) of the Social Security Act is amended to read as follows:

"'(a) Whenever the total of monthly benefits to which individuals are entitled under section 202 for a month on the basis of the wages and self-employment income of an insured individual is greater than the amount appearing in column V of the table in section 215 (a) (1) on the line on which appears, in column IV, such insured individual's primary insurance amount, such total of benefits shall, after any deductions under this section, after any deductions under section 222 (b), and after any deduction under section 224, be reduced to such amount, except that when any of such individuals so entitled would (but for the provisions of section 202 (k) (2) (A)) be entitled to child's insurance benefits on the wages and self-employment income of one or more other insured individuals, such total of benefits, after any deductions under this section, after any deductions under section 222 (b), and after any reduction under section 224, shall not be reduced to less than the smaller of: (A) the sum of the maximum amounts of benefits payable on the basis of the wages and self-employment income of all such insured individuals, or (B) $346.20. Whenever a reduction is made under this subsection, each benefit, except the old-age insurance benefit, be proportionately decreased.'

"(b) The amendment made by this section shall be applicable with respect to monthly benefits under section 203 of the Social Security Act for months after the second month following the month in which this act is enacted.

"SEC. 106. (a) Title II of the Social Security Act is amended by adding after section 225 the following new section:

"'*Hospitalization and surgical insurance*

"'Eligibility for Insurance

"'SEC. 226. (a) (1) The cost of hospital or nursing home services furnished to any individual during any month for which he is entitled to monthly benefits under section 202 (whether or not such benefits are actually paid to him) or is deemed entitled to such benefits under the provisions of paragraph 2, or the cost of such services furnished to him during the month of his death where he ceases to be entitled by reason of his death, and the cost of surgical services which are not of an elective nature, shall, subject to the provisions of this section, be paid from the Federal Old-Age and Survivors Insurance Trust Fund to the hospital, physician, and nursing home which furnished him the services. Services to be paid for in accordance with the provisions of this section include only services provided in the United States.

"'(2) For purposes of this section, (A) any individual who would upon filing application therefore, be entitled to monthly benefits for any month under section 202 shall, if he files application under this section within the time limits prescribed in section 202 (j) be deemed, for purposes of this section only, to be entitled to benefits for such month, (B) such individual shall, whether or not he files application under this section, be deemed to be entitled to benefits under section 202 for such month for purposes of determining whether the wife, husband, or child of such individual comes within the provisions of clause (A) hereof, and (C) any individual shall, for purposes of this section, be deemed entitled to benefits under section 202 if such individual could have been deemed under clauses (A) or (B) of this paragraph to have been so entitled had he not died during such month.

"'(3) For purposes of paragraph (2), an individual's application under this section

may, subject to regulations, be filed (whether such individual is legally competent or incompetent) by any relative or other person, including the hospital, physician, or nursing home furnishing him hospital, surgical, and nursing home services and, after such individual's death, his estate.

"'(4) Payments may be made for hospital services furnished under this section to an individual during his first 60 days of hospitalization in a 12-month period that begins with the first day of the first month in which the individual received hospital services for which a payment is made under this section, and during his first 60 days of hospitalization in each succeeding 12-month period; and for nursing home services furnished under this section to an individual if the individual is transferred to the nursing home from the hospital, and if the services are for an illness or condition associated with that for which he received hospital services: *Provided*, That the number of days of nursing home services for which payments may be made shall, in any 12-month period as described above, not exceed 120 less the number of days of hospital services (in the same 12-month period) for which payments are made under this section.

"'(5) The provisions of section 205 relating to the making and review of determinations shall be applicable to determinations as to whether the costs of hospital, nursing home, and surgical services furnished an individual may be paid for out of the Federal Old-Age and Survivors Insurance Trust Fund under this subsection, and the amount of such payment.

"'Description of Hospital, Nursing Home, and Surgical Services

"'(b) (1) For purposes of this section, the term "hospital services" means the following services, drugs, and appliances furnished by a hospital to any individual as a bed patient: bed and board and such nursing services, laboratory services, ambulance services, use of operating room, staff services, and other services, drugs, and appliances as are customarily furnished by such hospital to its bed patients either through its own employees or through persons with whom it has made arrangements for such services, drugs, or appliances; the term "hospital services" includes such medical care as is generally furnished by hospitals as an essential part of hospital care for bed patients; such term shall include care in hospitals described in paragraph (1) of subsection (d); such term shall not include care in any tuberculosis or mental hospital.

"'(2) The term "nursing home services" means skilled nursing care, related medical and personal services and accompanying bed and board furnished by a facility which is equipped to provide such services, and (A) which is operated in connection with a hospital, or (B) in which such skilled nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State.

"'(3) The term "surgical services" means surgical procedures (other than elective surgery) provided in a hospital, or in case of an emergency or for minor surgery, provided in the outpatient department of a hospital or in a doctor's office. Surgical services may include oral surgery when provided in a hospital. The term "elective surgery" means surgery that is requested by the patient, but which in the opinion of cognisant medical authority is not medically required.

"'Free Choice by Patient

"'(c) (1) Any individual referred to in paragraphs (1) and (2) of subsection (a) may obtain the hospital or nursing home services for which payment to the hospital or nursing home is provided by this section from any hospital or nursing home which has entered into an agreement under this section, which admits such individual and to which such individual has been referred by a physician or (in the case of hospital or nursing home services furnished in conjunction with oral surgery) dentist licensed by the State in which such individual resides or the hospital or nursing home is located, upon a determination by the physician or dentist that hospitalization or nursing home care for such individual is medically necessary; except that such referral shall not be required in an emergency situation which makes such a requirement impractical.

"'(2) Any individual referred to in paragraphs (1) and (2) of subsection (a) may, with respect to the surgical services for which payment is provided by this section, freely select the surgeon of his choice, provided that the surgeon is certified by the American Board of Surgery or is a member of the American College of Surgeons except that such certification shall not be required in cases of emergency where the life of the patient would be endangered by any delay, or in such other cases where such certification is not practicable, and except that, in the case of oral surgery, such individual may select a duly licensed dentist.

"'(3) Regulations under this section shall provide for payments (in such amounts and upon such conditions as may be prescribed in such regulations) to (A) hospitals for hospital services rendered in emergency situations to individuals referred to in paragraphs (1) and (2) of subsection (a) by hospitals which have not entered into an agreement under this section, and (B) physicians for surgical services rendered by physicians not certified by the American Board of Surgery or not members of the American College of Surgery.

"'Agreements With Hospitals, Nursing Homes, and Providers of Surgical Services

"'(d) (1) Any institution (other than a tuberculosis or mental hospital) shall be eligible to enter into an agreement for payment from the Federal Old-Age and Survivors Insurance Trust Fund of the cost of hospital or nursing home serivces furnished to individuals referred to in paragraphs (1) and (2) of subsection (a) if it is licensed as a hospital or nursing home pursuant to the law of the State in which it is located.

"'(2) Each agreement with a hospital under this section shall cover all hospital services included under subsection (b) (which services shall be listed in the agreement), shall provide that such services shall be furnished in semiprivate accommodations if available unless other accommodations are required for medical reasons, or are occupied at the request of the patient, shall be made upon such other terms and conditions as are consistent with the efficient and economical administration of this section, and shall continue in force for such period and be terminable upon such notice as may be agreed upon.

"'(3) An agreement with a hospital or nursing home under this section shall provide for payment, under the conditions and to the extent provided in this section, of the cost of hospital and nursing home services which are furnished individuals referred to in paragraphs (1) and (2) of subsection (a): *Provided*, That no such payment shall be made for services for which the hospital or nursing home has already been paid (excluding payments by such individuals for which reimbursement to them by the hospital has been assured); but no such agreement shall provide for payment with respect to hospital or nursing home services furnished to an individual unless the hospital or nursing home obtains written certification by the physician (if any) who referred him pursuant to subsection (c) that his hospitalization or care in the nursing home was medically necessary and, with respect to any period during which such services were furnished, written certification by such individual's attending physician during that period that such services were medically necessary. The amount of the payments under any such agreement shall be determined on the basis of the reasonable cost incurred by the hospital or nursing home for all bed patients, or, when use of such a basis is impractical for the hospital or nursing home or inequitable to the institution or the Federal Old-Age and Survivors Insurance Trust Fund, on a reasonably equivalent basis which takes account of pertinent factors with respect to services furnished to individuals referred to in paragraphs (1) and (2) of subsection (a). Any such agreement shall preclude the hospital or nursing home with which the agreement is made from requiring payments from individuals for services, payment of the cost of which is provided by this section, after it has been notified that the cost of such services is payable from the Federal Old-Age and Survivors Insurance Trust Fund, except that it may require payments from such individuals for the additional cost of accommodations occupied by them at their request which are more expensive than semiprivate accommodations.

"'(4) Except as provided by regulation, no agreement may provide for payments (A) to any Federal hospital, or to any other hospital for hospital services which it is obligated by contract with the United States (other than an agreement under this section) to furnish at the expense of the United States, or (B) to any hospital for hospital services which it is required by law or obligated by contract with a State or subdivision thereof to furnish at public expense except where the eligibility of the individual for such services is determined by application of a means test.

"'(5) No supervision or control over the details of administration or operation, or over the selection, tenure, or compensation of personnel, shall be exercised under the authority of this section over any hospital or nursing home which has entered into an agreement under this section.

"'(6) Agreements under this subsection shall be made with the hospital or nursing home providing the services, but this paragraph shall not preclude representation of such institution by any individual, association, or organization authorized by the institution to act on its behalf.

"'(7) The Secretary shall enter into agreements with qualified providers of surgical services as defined in paragraph (2) of subsection (c). Such agreements shall stipulate that the rates of payment agreed on shall constitute full payment for these services. Such agreements may be made with any qualified individual, or with any association or organization authorized by the surgeons, dentists, or physicians to act in their behalf.

"'(8) Nothing in such agreements or in this act shall be construed to give the Secretary supervision or control over the practice of medicine or the manner in which medical services are provided.

"'(9) Except to the extent the Secretary has made provision pursuant to subsection (h) for the making of payments to hospitals and nursing homes by a private nonprofit organization or for the making of payments to physicians, dentists, and surgeons by their designated representatives, he shall from time to time determine the amount to be paid to such provider of service under an agreement with respect to services furnished, and shall certify such amount to the Managing Trustee of the Federal Old-Age and Survivors Insurance Trust Fund, except that such amount shall, prior to certification, be reduced or increased, as the case may be, by any sum by which the Secretary finds that the amount paid to the provider of

services for any prior period was greater or less than the amount which should have been paid to it for such period. The Managing Trustee prior to audit or settlement by the General Accounting Office, shall make payment from the Federal Old-Age Survivors Insurance Trust Fund, at the time or times fixed by the Secretary, in accordance with such certification.

"'Nondisclosure of Information

"'(e) Information concerning an individual, obtained from him or from any physician, dentist, nurse, hospital, nursing home, or other person pursuant to or as a result of the administration of this section, shall be held confidential (except for statistical purposes) and shall not be disclosed or be open to public inspection in any manner revealing the identity of the individual or other person from whom the information was obtained or to whom the information pertains, except as may be necessary for the proper administration of this section. Any person who shall violate any provision of this subsection shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both.

"'Medical and Hospital Services Under Workmen's Compensation

"'(f) The provisions of subsection (a) shall not be applicable to any services which an individual required by reason of any injury, disease, or disability on account of which such services are being received or the cost thereof paid for, or upon application therefor would be received or paid for, under a workmen's compensation law or plan of the United States or of any State, unless equitable reimbursement to the Federal Old-Age and Survivors Insurance Fund for the payments hereunder with respect to such services have been made or assured pursuant to agreements or working arrangements negotiated between the Secretary and the appropriate public agency. Notwithstanding the above sentence, if (1) the individual's entitlement to receive such services (or to have the cost thereof paid for) under such a workmen's compensation law or plan is in doubt when such services are required, (2) the cost of such services is otherwise payable from the Federal Old-Age and Survivors Insurance Trust Fund pursuant to this section, and (3) the individual makes an appropriate application under such workmen's compensation law or plan and agrees, in the event that he is subsequently determined to be entitled to receive such services (or to have the cost thereof paid for) under such law, to reimburse the Federal Old-Age and Survivors Insurance Trust Fund in the amount of any loss it might suffer through its payment for such services, then the cost of such services may be paid from such Trust Fund in accordance with this section. In any case in which the cost of services is paid from the Federal Old-Age and Survivors Insurance Trust Fund pursuant to the immediately preceding sentence, or is paid from such Trust Fund with respect to any such injury, disease, or disability for which no reimbursement to such Trust Fund has been made or assured pursuant to the first sentence of this subsection, the United States shall, unless not permitted under the law of the applicable State (other than the District of Columbia) be subrogated to all rights of such individual, or of the provider of services to which payments under this section with respect to such services are made, to be paid or reimbursed pursuant to such workmen's compensation law or plan for such payments. All amounts recovered pursuant to this subsection shall be deposited in the Treasury of the United States to the credit of the Federal Old-Age and Survivors Insurance Trust Fund.

"'Regulations and Functions of Advisory Council

"'(g) All regulations specifically authorized by this section shall be prescribed by the Secretary. In administering this section, the Secretary shall consult with a National Advisory Health Council consisting of the Commissioner of Social Security, who shall serve as Chairman ex officio, and 8 members appointed by the Secretary. Four of the eight appointed members shall be persons who are outstanding in fields pertaining to hospital and health activities, and the other four members shall be appointed to represent the consumers of hospital, nursing-home, and surgical services, and shall be persons familiar with the need for such services by eligible groups. Each appointed member shall hold officer for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as described by the Secretary at the time of appointment, two at the end of the first year, two at the end of the second year, two at the end of the third year, and two at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms but shall be eligible for reappointment if he has not served immediately preceding his reappointment. The Council is authorized to appoint such special advisory and technical committees as may be useful in carrying out its functions. Appointed Council members and members of advisory or technical committees, while serving on business of the Council, shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence. The Council shall meet as frequently as the Secretary deems necessary, but not less than once each year. Upon request by three or more members it shall be the duty of the Secretary to call a meeting of the Council.

"'Utilization of Private Nonprofit Organizations

"'(h) (1) The Secretary may utilize, to the extent provided herein, the services of private nonprofit organizations exempt from Federal income taxation under section 501 of the Internal Revenue Code which (A) represents qualified provideds of hospital, nursing home, or surgical services, or (B) operate voluntary insurance plans under which agreements, similar to those provided for under subsection (d), are made with hospitals, nursing homes, and physicians for defraying the cost of services. Such organizations shall be utilized by the Secretary to the extent that he can make satisfactory agreements with them and to the extent he determines that such utilization will contribute to the effective and economical administration of this section. Such agreements shall not delegate (A) his functions relating to determinations as to whether the costs of hospital, nursing home, and surgical services furnished an individual may be paid for out of the Federal Old-Age and Survivors Insurance Trust Fund under this section and the amount of such payment, and (B) his functions relating to the making of regulations.

"'(2) An agreement under paragraph (1) shall provide for payment from the Federal Old-Age and Survivors Insurance Trust Fund to the organization of the amounts paid out by such organization to hospitals, nursing homes, physicians, and dentists, under this section and of the cost of administration determined by the Secretary to be necessary and proper for carrying out such organization's functions under its agreement pursuant to this subsection. Such payments to any organization shall be made either in advance on the basis of estimates by the Secretary or as reimbursement, as may be agreed upon by the organization and the Secretary, and adjustments may be made in subsequent payments on account of overpayments or underpayments previously made to the organization under this subsection. Such payments shall be made by the Managing Trustee of the Trust Fund on certification by the Secretary and at such time or times as the Secretary may specify and shall be made prior to audit or settlement by the General Accounting Office.

"'(3) An agreement under paragraph (1) with any organization may require any of its officers or employees certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from the Federal Old-Age and Survivors Insurance Trust Fund.

"'Certifying and Disbursing Officers

"'(i) (1) No individual designated by the Secretary pursuant to an agreement under this section, as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

"'(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1).

"'Adjustments in Cash Benefits

"'(j) For purposes of section 204, any payment under this section to any hospital, nursing home, physician, or dentist, with respect to hospital, nursing home, or surgical services furnished an individual shall be regarded as a payment to such individual."

"(b) The amendments made by subsection (a) shall be effective on the first day of the 12th calendar month after the month in which this act is enacted.

"(c) Notwithstanding the provisions of section 226 (a) (2) of the Social Security Act, as amended by this act, and subsection (b) of this section, applications filed under such section 226 which would otherwise be valid shall, subject to regulations of the Secretary, be considered valid even though filed more than 3 months prior to the effective date of this act, but not if filed prior to the first day of the fourth calendar month after the month in which this act is enacted.

"TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1954

"Tax on self-employment income

"SEC. 201. Section 1401 of the Internal Revenue Code of 1954 is amended to read as follows:

"'In addition to other taxes, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax as follows:

"'(1) in the case of any taxable year beginning after December 31, 1958, and before January 1, 1961, the tax shall be equal to 5¼ percent of the amount of the self-employment income for such taxable year;

"'(2) in the case of any taxable year beginning after December 31, 1960, and before January 1, 1965, the tax shall be equal to 6 percent of the amount of the self-employment income for such taxable year;

"'(3) in the case of any taxable year beginning after December 31, 1964, and before January 1, 1970, the tax shall be equal to 6¾ percent of the amount of the self-employment income for such taxable year;

"'(4) in the case of any taxable year beginning after December 31, 1969, and before January 1, 1975, the tax shall be equal to 7½ percent of the amount of the self-employment income for such taxable year;

"'(5) in the case of any taxable year beginning after December 31, 1974, the tax shall be equal to 8¼ percent of the amount of the self-employment income for such taxable year.'

"Definition of self-employment income

"SEC. 202. (a) Subparagraph (B) of section 1402 (b) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(B) for any taxable year ending after 1954 and before 1959, (i) $4,200, minus (ii) the amount of the wages paid to such individual during the taxable year; and'

"(b) Paragraph 1 of section 1402 (b) of the Internal Revenue Code of 1954 is further amended by adding at the end thereof the following new subparagraph:

"'(C) for any taxable year ending after 1958, (i) $6,000, minus (ii) the amount of wages paid to such individual during the taxable year; or'

"Tax on employees

"SEC. 203. Section 3101 of the Internal Revenue Code of 1954 is amended to read as follows:

"In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121 (a)) received by him with respect to employment (as defined in section 3121 (b))—

"'(1) with respect to wages received during the calendar years 1959 and 1960, the rate shall be 3½ percent;

"'(2) with respect to wages received during the calendar years 1961 to 1964, both inclusive, the rate shall be 4 percent;

"'(3) with respect to wages received during the calendar years 1965 to 1969, both inclusive, the rate shall be 4½ percent;

"'(4) with respect to wages received during the calendar years 1970 to 1974, both inclusive, the rate shall be 5 percent; and

"'(5) with respect to wages received after December 31, 1974, the rate shall be 5½ percent.'

"Tax on employers

"SEC. 204. Section 3111 of the Internal Revenue Code of 1954 is amended to read as follows:

"'In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 3121 (a)) paid by him with respect to employment (as defined in section 3121 (b))—

"'(1) with respect to wages paid during the calendar years 1959 and 1960, the rate shall be 3½ percent;

"'(2) with respect to wages paid during the calendar years 1961 to 1964, both inclusive, the rate shall be 4 percent;

"'(3) with respect to wages paid during the calendar years 1965 to 1969, both inclusive, the rate shall be 4½ percent;

"'(4) with respect to wages paid during the calendar years 1970 to 1974, both inclusive, the rate shall be 5 percent;

"'(5) with respect to wages paid after December 31, 1974, the rate shall be 5½ percent.'

"General provisions

"SEC. 205. (a) Section 3121 (a) of the Internal Revnue Code of 1954 (relating to the definition of wages) is amended by striking out '$4,200' wherever it appears and inserting in lieu thereof '$6,000.'

"(b) Section 3122 of such Code (relating to Federal service) is amended by striking out '$4,200' wherever it occurs and inserting in lieu thereof '$6,000.'

"(c) The amendments made by subsections (a) and (b) shall be applicable only with respect to remuneration paid after 1958.

"Refund

"SEC. 206. (a) Paragraph (1) of section 6413 (c) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(1) In general: If by reason of an employee receiving wages from more than one employer during a calendar year after the calendar year 1950 and prior to the calendar year 1955, the wages received by him during such year exceed $3,600, the employee shall be entitled (subject to the provisions of section 31 (b)) to a credit or refund of any amount of tax, with respect to such wages, imposed by section 1400 of the Internal Revenue Code of 1939 and deducted from the employee's wages (whether or not paid to the Secretary or his delegate), which exceeds the tax with respect to the first $3,600 of such wages received; or if by reason of an employee receiving wages from more than one employer (A) during any calendar year after 1954 and prior to the calendar year 1959, the wages received by him during such year exceed $4,200, or (B) the wages received by him during any calendar year after 1958 exceed $6,000, the employee shall be entitled (subject to the provisions of section 31 (b)) to a credit or refund of any amount of tax, with respect to such wages, imposed by section 3101 and deducted from the employee's wages (whether or not paid to the Secretary or his delegate), which exceeds the tax with respect to the first $4,200 of such wages received in such calendar year after 1954 and before 1959, or which exceeds the tax with respect to the first $6,000 of such wages received in such calendar year after 1958.'

"(b) Subparagraph (A) of section 6413 (c) (2) of such code is amended to read as follows:

"'(A) Federal employees: In the case of remuneration received from the United States or a wholly owned instrumentality thereof during any calendar year, each head of a Federal agency or instrumentality who makes a return pursuant to section 3122 and each agent, designated by the head, of a Federal agency or instrumentality, who makes a return pursuant to such section shall, for purposes of this subsection, be deemed a separate employer, and the term "wages" include for purposes of this subsection the amount, not to exceed $3,600 for the calendar year 1951, 1952, 1953, or 1954, $4,200 for the calendar year 1955, 1956, 1957, or 1958, or $6,000 for any calendar year after 1958, determined by each such head or agent as constituting wages paid to an employee.'

"TITLE II

"Amendment preserving relationship between railroad retirement and old-age, survors, and disability insurance

"SEC. 301. Section 1 (q) of the Railroad Retirement Act of 1937, as amended, is amended by striking out '1956' and inserting in lieu thereof '1958.'

"TITLE IV—PUBLIC ASSISTANCE AMENDMENTS

"SEC. 401. Section 3 of the Social Security Act (relating to payments to the States for purposes of old-age assistance) is amended by adding at the end thereof the following new subsection:

"'(c) (1) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance and which is qualified under this subsection, for each quarter, beginning with the quarter commencing October 1, 1958, in the case of any State, an amount (in addition to the amount paid to such State under the provisions of subsection (a)) which shall be used exclusively for old-age assistance and which shall be equal to 25 percent of the total amounts which would (except for the provisions of this subsection) be expended during such quarter as old-age assistance in the form of money payments under the State plan.

"'(2) A State shall be qualified to receive the amount provided by paragraph (1) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"'(A) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the two quarters immediately preceding the quarter commencing October 1, 1958; and

"'(B) if, in the case of any quarter occurring after the quarter commencing January 1, 1958, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the two quarters immediately preceding the quarter commencing October 1, 1958.

"'(3) Such amounts shall be computed and paid in the manner provided by subsection (b) for the computing and paying of amounts provided for in subsection (a).'

"SEC. 402. Section 403 of the Social Security Act (relating to payments to the States for purposes of aid to dependent children) is amended by adding at the end thereof the following new subsection:

"'(c) (1) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children and which is qualified under this subsection, for each quarter, beginning with the quarter commencing October 1, 1958, in the case of any State, an amount (in addition to the amount paid to such State under the provisions of subsection (a) which shall be used exclusively for aid to dependent children and which shall be equal to 25 percent of the total amounts which would (except for the provisions of this subsection) be expended during such quarter as aid to dependent children in the form of money payments under the State plan.

"'(2) A State shall be qualified to receive the amount provided by paragraph (1) with respect to any quarter, beginning with the quarter commencing October 1, 1958—

"'(A) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the two quarters immediately preceding the quarter commencing October 1, 1958; and

"'(B) if, in the case of any quarter occurring after the quarter commencing January 1, 1958, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the two quarters immediately preceding the quarter commencing October 1, 1958.

"'(3) Such amounts shall be computed and paid in the manner provided by subsection (b) for the computing and paying of amounts provided for in subsection (a).'

"SEC. 403. Section 1003 of the Social Security Act (relating to payments to the States for purposes of aid to the blind) is

amended by adding at the end thereof the following new subsection:

"'(c) (1) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind and which is qualified under this subsection, for each quarter, beginning with the quarter commencing October 1, 1958, in the case of any State, an amount (in addition to the amount paid to such State under the provisions of subsection (a)) which shall be used exclusively for aid to the blind and which shall be equal to 25 percent of the total amounts which would (except for the provisions of this subsection) be expended during such quarter as aid to the blind in the form of money payments under the State plan.

"'(2) A State shall be qualified to receive the amount provided by paragraph (1) with respect to any quarter, beginning with the quarter commencing October 1, 1958—

"'(A) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the two quarters immediately preceding the quarter commencing October 1, 1958; and

"'(B) if, in the case of any quarter occurring after the quarter commencing January 1, 1958, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the two quarters immediately preceding the quarter commencing October 1, 1958.

"'(3) Such amounts shall be computed and paid in the manner provided by subsection (b) for the computing and paying of amounts provided for in subsection (a).'"

Mr. MORSE. Mr. President, I am one in whose breast hope springs eternal. I refuse to stop hoping that Congress, representing the American people, will recognize that one of its great moral responsibilities is to see to it that before it adjourns, justice is done to the elderly people of this country.

I hold to the view that the pending bill needs to be greatly expanded. Therefore, I offer as a substitute the so-called Morse omnibus social security bill, which has been pending before the Committee on Finance for some time. It includes not only improvements in provisions in the social security system as it now exists, but it also includes a health insurance program.

I wish briefly to discuss the provisions of my bill, which I offer in the form of an amendment, in substitution for the pending bill.

Mr. President, the bizarre economic situation we are in today—a record high in the cost of living coupled with unemployment and distress throughout the country—points up the fact that no change has been made in the amount of social security benefits since 1954.

It is obvious that older Americans, largely people living on fixed incomes, have steadily been victimized by the sharp rise in prices in these 4 years, which now stand at an alltime high.

It has become axiomatic that a growing American economy over the decades will be accomplished by a slowly rising price level. If that is to be an inevitable accompaniment of full employment—and right now we are seeing that it is even accompanying unemployment—society cannot permit those retired from the labor force to pay the price in reduced living standards they are now paying.

This group is the first to be victimized by our present economic condition. Higher costs of food and other necessities have shrunk their benefit dollars, and as employment opportunities decline, their possibilities of supplementing their meager incomes decreases with every passing day.

Inasmuch as the older worker is often the first to be laid off, many men and women have recently found it necessary to apply for their benefits. Almost half a million more people are relying on their social security benefits as a primary source of income than were doing so 6 months ago.

I am also concerned with the fact that our social security system ignores what has often been called the greatest single unmet need of the aged—medical care. Yesterday the Senator from Minnesota [Mr. HUMPHREY] made a brilliant speech on the floor of the Senate regarding the need for a hospital-care program. He restricted his remarks to his proposed amendment having to do with hospitalization benefits for the aged. My substitute amendment goes further. Based upon the principle of health insurance, it provides not only hospitalization, but also surgical care. It transgresses not one iota on the private practice of medicine. I am aware of the fact, of course, that the medical profession is opposed to my type of amendment, because doctors fear it might lead—it might lead—to socialized medicine.

However, I do not propose to fail to carry out my obligation to the aged of trying to have enacted some legislation which will remove from them the constant lurking fear that they may be confronted with lingering disease without the wherewithal with which to alleviate their suffering to the maximum extent that medical science is able to alleviate it.

Our Government must have a social conscience. I believe we can protect the doctors in their very important and justifiable right to the private practice of medicine. At the same time the Government must carry out its obligations which go along with a governmental social conscience. Therefore, I shall not be deterred by the medical profession from continuing my fight in the Senate for a health insurance program for the people of this country, because I believe the people are entitled to it. It is a test of whether we are going to take advantage of the modern advances of science, particularly medical science, and see to it that all our people will be assured of an opportunity to benefit from those advances.

While the cost-of-living index has gone up generally by 20 percent in the last 10 years, the cost of medical care has gone up by about 40 percent and hospital costs are up 75 percent.

Oh, Mr. President, I know that we took a licking this morning on a proposal for a 10 percent increase in retirement benefits. The Yarborough amendment was defeated. Therefore, it can be said—in fact, it has been said—"You do not have a ghost of a chance. The Yarborough amendment was defeated."

The question presents itself: If some of us believe a piece of proposed legislation pending before the Senate is not adequate, and we are satisfied that we do not have the votes to get more adequate legislation, should we let the record close without a statement about a proposal by us that would provide adequate legislation?

It has been my position time and time again that I have the duty, in representing the people of my State, to fight to the very last for what I think is appropriate legislation that ought to be passed. Failing in that, I should support the best legislation that can be obtained. But in all cases, I should make clear what I believe the desirable legislation would be.

As I have said, the history of the Senate shows that it is that type of position,

taken in the Senate, which paves the way in future years for success.

It is the record made by those few men who have been defeated time and time again on the floor of the Senate on worthwhile social improvement legislation which helps followers years later, as they come to occupy the places in the Senate, to finally succeed. There are a great many pieces of such legislation now on the books which first went down to defeat session after session before being adopted.

After all, fighting for this type of legislation is a part of the political education process. In America, we all know, there is at least a 2- to 10-year lag between the introduction and passage of worthy social legislation. We introduce measures one year and fight for them the next year and the next year and the next year; then finally our number increases, and a minority eventually turns into a majority.

I am perfectly aware of that fact this afternoon. I suppose I should apologize to my colleagues for taking the time to argue in behalf of a proposal we all know is doing down to certain defeat. However, I do not utter such apology, because my responsibility in the Senate is far beyond my personal relationship to my colleagues in the Senate. My responsibility in the Senate is to carry out what I consider to be my obligations to the people of my State and of my Nation. I am sure that all my colleagues would like to go home almost immediately, or at least some of them would. However, even though they may disagree with my position on this subject, I am sure they at least respect my right to carry out what I consider to be my duty with regard to the proposal.

My substitute will increase social-security benefits by 25 percent across the board. It will raise by that percentage the benefits now received by retired persons, survivors, and those receiving disability insurance payments.

It will raise future benefits by that percentage.

The bill raises the minimum monthly benefit from $30 to $40.

It increases today's maximum retirement or disability benefit from $108.50 to $135.70 and makes possible an eventual maximum payment of $173.20.

It will also institute new minimums and maximums on benefits paid to a family, so the lowest will be $60 instead of $50, and the highest $323.80 instead of $200. In the future, the maximum family benefit can be as high as $346.20, the traditional figure of twice the highest individual benefit.

During my campaign 2 years ago, I promised the people of Oregon that I would do something about the situation in which so many of our older people find themselves. Last year, I met these promises by sponsoring or cosponsoring bills dropping the age requirement for disability and reducing the eligibility age for women to 60 with full benefits.

In that campaign, I also supported the position of Adlai Stevenson that it should be our objective to raise the family income of the aged from about 55 percent of the national average for all families to about 75 percent. At that time, this would have required an increase of $800 a family a year—that is, from $2,300 to $3,100 a year. This is only a minimum program for the aged. My proposal would be one important step toward that goal.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PROXMIRE. First, I congratulate the Senator from Oregon on his proposal. I think it is excellent. It is urgently needed. I am delighted that he is proposing, as I understand, to increase benefits to the 25-percent figure.

Mr. MORSE. That is correct.

Mr. PROXMIRE. The country should notice that this proposal is being made. I think, as I am certain the Senator from Oregon thinks, that the increase should be more than 25 percent. I believe more than 25 percent can be justified, and the old people would not live in anything like luxury if the increase were 25 percent. I point out some statistics to support my contention.

The average old couple receiving social-security benefits today receives income of $108 a month. According to figures released on July 13 by the Department of Health, Education, and Welfare, for single retired workers the amount received today is $60 a month, or less than $15 a week. An aged widow receives $51 a month on which to live, or approximately $12.25 a week. A young widow having 2 children receives $145 a month.

Mr. President, just think how totally inadequate the social-security payments today are. The cost of living for a couple in Milwaukee, Wis., is $186 a month for the bare necessities of life. That is a reasonably fair minimum income. This means that a couple receiving the average old-age insurance checks would be $76 short in Milwaukee.

The source of my information is a reliable economic almanac which has been adjusted for the cost-of-living increases.

I should like to make one other suggestion in connection with the fine speech being made by the Senator from Oregon. I think many persons have the idea that a social-security check is a little additional money, but the OASI benefits are less than $75 a year in additional income. That fact was brought out by the Senator from Texas this morning. I think the figure ought to be repeated—$75 a year. It adds up to $5 a month, or $1.25 a week to supplement the social-security check.

One in every four single retired workers receives about the same amount; 1 in every 3 aged widows. Half the retired couples had assured incomes of less than $15 a month with which to supplement their social-security payments.

I have received many letters on this issue, and I have read every one of them. I have read them carefully. I have been deeply moved by those letters. They are from persons who are not asking for any kind of handout. They are too proud. They would not think of asking for a handout. What they are asking is that the insurance system to which they contributed at a time when the value of the dollar was much higher be adjusted, so that they can receive the kind of income which they earned when they paid into the fund.

I think this is the least we can do. It is the kind of thing which the Senator from Oregon is asking the Senate to do in the excellent speech he is making and in the thoroughly responsible proposal he is making.

Is it the understanding of the Senator that his proposal is actuarially sound?

Mr. MORSE. Yes; I shall discuss that feature at some length before I finish. My proposal which has been developed on the basis of actuarially sound principles.

Mr. PROXMIRE. Has the actuarial soundness of the proposal been verified?

Mr. MORSE. I shall offer my authorities.

Mr. PROXMIRE. When the Senator from Oregon reaches that point, I shall discuss the matter a little further.

Mr. MORSE. The need for a substantial increase in benefits can hardly be questioned by anyone who has talked to persons now trying to exist on fixed annuities, and certainly not by anyone who reads the mail coming into Congressional offices, as has just been referred to by the Senator from Wisconsin [Mr. PROXMIRE]. This was brought out vividly by a recent statistical survey in the Christian Science Monitor. This newspaper reported on a survey made for urban renewal purposes in a district in downtown Portland in my own State.

It showed that a great number of persons in that district were 60 years of age or older and lived in small residential hotels, tumbledown apartments, and converted dwellings.

These elderly persons were subsisting on social security or State welfare allotments which have changed little, if at all, in recent years of climbing prices. After payment of rent, it was not at all uncommon for these people on social security to be required to budget their food, transportation, entertainment, clothing, and incidentals—all taken together—at least about $1 a day.

Such a budget obviously permits only a bare existence. The simplest fare—a quart of milk at 23 cents, a pound loaf of bread at 23 cents, and a can of soup at 15 cents—takes a major share of the day's dollar.

Malcolm Bauer, who wrote the story in the Monitor, commented:

> Anyone who entertains the delusion that the march of inflation has not yet brought real personal hardship to many persons should examine the results of this survey. • • • One does not often have opportunity for an intimate view of the financial problems of his neighbor, such as that afforded by the Portland urban-renewal survey. • • • The picture of the devastating effect of postwar inflation on the fortunes of the fixed-income oldsters, many of whom had reason to hope for real security in social-security benefits, is a stark one.

Our challenge is to distribute abundance rather than to share scarcity. We must find better ways to divide our output of material goods equitably among ourselves. The trend over the decades

has been not only toward higher real incomes, but also toward a broader distribution of goods.

However, at present our older people are not getting their fair share of this tremendous output which the Nation is capable of producing. That is because they leave the labor force, thereby getting off the escalator, so to speak, in terms of income, while the price escalator continues to go up.

That is where the obligation of Government comes in. Retired citizens have earned a larger share of the Nation's goods because they played such a vital part in the creation of this great productive capacity. We must see to it that they get it and are not bypassed simply because they have reached retirement age.

One economist has pointed out that a chart showing the distribution of incomes in America looked like a pyramid a few decades ago, with a small number of persons at the top receiving large incomes and a very large number at the low-income base. Today, in contrast, this same chart looks like a barrel, with a great bulge in the middle, where the middle-income people are found, and smaller numbers of people proportionately at the high and low ends of the income scale.

Our older citizens, as a group, are the ones who are scraping the bottom of this economic barrel. As legislators, we have a special obligation to make certain, through our social-security system, that older people are given the chance to live out their lives in dignity and are not the forgotten men and women of our times.

My substitute not only increases benefits for everyone by 25 percent, but it also takes account of the fact that the heavy costs of an illness may destroy the best-laid plans for a comfortable retirement. Under its provisions, the social-security system will pay the costs of care in qualified hospitals and nursing homes in a manner similar to the Blue Cross plans. Surgical care would also be provided and, in all instances, there would be free choice of doctors and patients.

These health benefits would be available to all persons eligible for social-security benefits. Thus, the man who has continued to work beyond age 65, and has not applied for benefits, would be eligible if illness struck. Each person would be insured against the cost of hospital and surgical care, including a semiprivate room and all hospital services, medical care, drugs, and appliances which the hospital customarily furnishes its bed patients. The substitute provides for 60 days of hospital care but, if nursing home care is also indicated, it provides an additional 60 days, or up to 120 days of combined care.

This section of my substitute is identical to the health insurance provisions of H. R. 9467, introduced in the House of Representatives by Congressman AIME FORAND, of Rhode Island.

I express my personal thanks and appreciation to Representative FORAND for his leadership in this matter. I am happy to acknowledge that I have simply followed his lead by incorporating into my substitute the health-insurance program he had first introduced in H. R. 9467. I hope that by so doing, I can reinforce the chances that a health insurance program will soon be adopted. Of course, both our measures are but modifications of the health-insurance programs long championed by the great Senator from Montana [Mr. MURRAY].

This new program has been attacked on the ground that it will socialize medical care for our older people and discourage thrift and initiative. But the same charges were made back in 1935 when our social-security system was established. One commentator, at that time, called it a plan which would "kill the goose that lays the golden eggs." From other quarters came dire predictions that it would discourage thrift and initiative and regiment our society. The individual social-security numbers were described as "dog tags."

Today, we know that none of these predictions have come true. The effectiveness of this method of social insurance in a county such as ours has been so clearly demonstrated that even the Republican National Committee has claimed that social security was really their idea. For social security has become so much a part of our way of life that the only points of difference today are as to how realistic benefits should be and how much real protection should be afforded.

I subscribe to the philosophy expressed by Justice Cardozo in the Supreme Court case upholding the constitutionality of the Social Security Act, which states:

> Nor is the concept of the general welfare static. Needs that were narrow or parochial a century ago may be interwover in our day with the well-being of the Nation. What is critical or urgent changes with the times.

The facts of our time are the urgent advocates of this new program. More than half of the clinical part of medicine is now concerned with the health problems of older persons. A recent nationwide survey of families and individuals, as conducted by the Health Information Foundation, showed that people 65 years of age and over experience medical costs 57 percent greater than those for the general population, and that although this age group constitutes only 9 percent of the population, it experiences 13 percent of all medical costs.

The same study showed that the total annual cost for all private personal health services is $65 a person, but that for those 65 years of age and over it is $102 a person.

How do the 14 million people in this country who are past 65 years of age meet this cost of medical service? We know that a single illness can wipe out a lifetime's savings, or can place a severe and unpredictable strain upon the sons and daughters of our older people, at a time when their children's own family responsibilities are heaviest. As a result, part of these older people receive public or charitable care. But most of them must meet medical expenses out of a small fixed income.

Only one-third—and I stress this point because it is why I included a health-insurance provision in the bill—only one-third of these 14 million people over 65 are covered by any kind of health insurance. Group health coverage tends to cease when employment is terminated by retirement.

And since the number of days of hospital care per person age 65 and over is almost double that for younger adults, Blue Cross plans vary in the extent to which they attempt to confine these added costs to groups containing a high proportion of older persons, or to pass along these costs to the entire membership of the plans.

According to a survey of Blue Cross provisions for persons 65 and over, 56 plans increased premium charges for the same benefits when a member reached 65, in amounts varying from less than $3 to more than $15 for a family. Twenty-three plans reduced benefits below those available to group members, when the member reached age 65.

Thus, the trend in private-insurance coverage is to increase costs or reduce services at the very time when purchasing power has sharply declined, but when the need for medical care has increased.

Dr. Wilma Donohue, of the Division of Gerontology, of the Institute for Human Adjustment, of the University of Michigan, says that many old people simply ignore or neglect chronic illness—thus increasing eventual costs—while others obtain medical care by sacrificing other essentials of healthful living. She believes that the mounting number of admissions of older patients to mental hospitals is one evidence of the effects of worry and lack of preventive and restorative medical care of this group.

Many of our older people are beset by fears of becoming ill and not being able to pay for medical care. Under my proposal, the American people would be buying health insurance when they could pay for it—during their working lives, and its protection would be effective at retirement age, when they need it most.

The essence of the method of social insurance has been to provide against the expensive and predictable risks which threaten the self-sufficiency and independence of the individual. Sickness is certainly such a risk. Indeed, in most European countries, health insurance has been the cornerstone of the social-insurance plan.

Today, all the major industrial countries in Europe have long-established national programs to provide health care for their working population, as well as for retirees. This is also increasingly true of our Latin American neighbors. The German plan, which was the model around which other early plans were built, was established as long ago as 1883. Austria followed in 1888, and Hungary in 1891. The growing knowledge that the health of the individual was important to the nation led to early action by other European countries. Luxembourg established its compulsory insurance plan in 1901; Norway, in 1909; Great Britain and Russia, in 1911; Rumania, in 1912; and the Netherlands, in 1913. Compulsory health-insurance plans were established in Bulgaria in 1918; in Portugal, in 1919; and in Greece, in 1922. The comprehensive French insurance law of 1928 became operative in 1930.

In 1943, Italy passed a law providing for the fusion of existing mutual funds for workers in industry and commerce in order to bring about a national system. One of the questions which invariably is asked by Europeans who visit this country is, "How can you say you have social security, when you do not have health insurance?"

The proposal I am sponsoring is certainly a very conservative approach, as compared to these foreign systems; but it is a step in the right direction.

In the first place, the health insurance provided by my bill is limited to persons who receive retirement benefits and their dependents, the totally disabled who are 50 years of age or over, and the widows and children of insured workers who have died—a relatively small segment of our total population. Currently, around 12½ million people would be eligible.

In the second place, the proposal provides only for hospital, surgical, and nursing-home care, following the pattern developed by many of our voluntary prepayment plans. The bill specifically states that the Secretary of Health, Education, and Welfare shall have no supervision or control over, first, the practice of medicine or the manner in which services are provided; second, the details of the administration or operation of hospitals or nursing homes; and, third, the selection, tenure, or compensation of hospital or nursing home personnel.

One of the results of this proposed legislation would be its salutary effect on the Nation's medical facilities whose financial burdens are due in part to expenses they must bear in providing free care for indigent patients. By providing reasonable reimbursement for some of these services, we shall not only be providing better care for our older citizens, but we shall also be improving the financial position of our hospitals and nursing homes, so that they can furnish better care for all of us.

This proposal also will extend the dropout provision, so that a worker, in computing his average monthly wage for benefit purposes, can skip not only his 5 years of lowest earnings or no earnings, as under existing law, but also an additional year for each 7 years of coverage he has under the system. This will be an advantage to all workers who have made substantial contributions to the social-security system, and will be especially helpful to workers nearing retirement who wish to take full advantage of the new $6,000 earnings base.

I want to call attention to a new provision in Senate bill 3508—a provision which I hope will be the start of a real attempt to simplify the Social Security Act. All the benefit computation formulas were consolidated in one table, so that beneficiary, by applying his average monthly wage or previous benefit amount figure, can determine exactly what his new benefit amount and new maximum family benefit will be.

Mr. President, I wish to say that I am very pleased and very proud of the fact that the Kerr bill, which now is before the Senate, contains this new benefits table. I say with some personal satisfaction that that form or table was developed by the Social Security Administration, upon my request, when I was working on my omnibus bill. In connection with this matter, I had the assistance of the Library of Congress and, through the Library of Congress, the Social Security Administration developed the table I am now describing, which first appeared in my bill when it was introduced in the Senate last March.

Compare this provision with that which exists in present law, whereby it is impossible for the average person—or, for that matter, the average lawyer—to ascertain with any facility what he is entitled to under the act. I hope similar simplifications will be effectuated throughout the act, so that this law, which affects 100 million Americans, will be understandable to all the people, and not to only a select few employees of the Bureau of Old Age and Survivors Insurance.

This table now appears in House bill 13549, although the increase in that bill is only 7 percent, whereas the increase in the table in my bill is 25 percent. The table is contained, as I have already stated, in House bill 13549 as reported to us by our Finance Committee.

Now we come to the matter of financing these benefits. In order to finance these benefits in the social-security system, my bill would increase the tax rate for both the employer and employee by 1.25 percent of payroll, and would increase the earnings ceiling, for contribution and benefit purposes, from $4,200 to $6,000 a year. The latter change will reflect the steady increase in the earnings level that has occurred in the last few years. It is estimated that this year, 60 percent of those regularly employed will earn more than the present ceiling of $4,200. Under my proposed ceiling of $6,000 a year, only 1 person in 4, or 25 percent, will have earnings above those covered by social security.

The increase in the social-security tax will pay for the improvements in the system that are provided by the bill. I strongly favor the insurance principle which underlies social security, and I believe this principle should be preserved.

It assures every covered person an equity in his retirement plan. I do not think social security should become a Government dole. The Federal Government should be the trustee of the money, and should adjust upward the benefits, and also the levies to pay for them, as the level of the economy requires.

But I agree with the Senator from Louisiana [Mr. LONG] that we should not accumulate in this fund billions and billions of dollars to be used 40, 60, 80, or 100 years from now, while the old people of our generation continue to live in the misery in which they are now living. I think we should take advantage of the kind of actuarial program which my substitute provides; and I believe we should see to it that these old people receive reasonable benefits now. We can increase current taxes to pay for future benefits.

Therefore, I am not very much moved by the argument that proposals such as the one I am offering will cost too much and will impose an additional burden on the employers and the workers, because I think the security and health benefits, economic benefits, and psychological benefits which will flow from a bill such as mine are worth the price we shall have to pay for them. Furthermore, I believe such a measure will set a great example, around the world, of the advantages which a free-enterprise system such as ours, with a social conscience, offers, over the conditions existing under the totalitarian system of the slave states of Communist Russia.

Social security under my plan would remain an insurance program for which employer and employee pay the premiums, so to speak. I hope the day will come when every American who works for a living will be able to make this sound, businesslike investment for his own retirement.

Finally, I have also sought my measure to increase public assistance by 25 percent; and it is the kind of public assistance provisions in my bill for which the Senator from Louisiana [Mr. LONG] has been such an ardent advocate in the Senate.

I appreciate that it is a difficult task to draft legislation that will assure that an increase in the Federal contribution to the States for public assistance will be passed on to those for whom it is intended.

In order to avoid—I hope—the possibility that the States will simply reduce their own contribution to public assistance, I have said in this bill that whatever the combined Federal-State expenditure is in a State, the Federal Government will match it with an additional 25 percent.

This does not affect the present formula at all. Under present law the Federal Government contributes $24 of the first $30 and $15 of the next $30 of the State's minimum public-assistance payment. That formula would remain untouched by my proposal.

But after contributing $39 to the $60 minimum, my amendment would add 25 percent of that $60, or $15 more as a Federal bonus. If the State's minimum is $100, the Federal bonus would be $25, again in addition to the $39 it contributed under the basic formula.

Thus, no State action is needed to obtain the 25 percent increase.

In order to discourage the States from decreasing their own contribution, I have provided that a State will receive no bonus at all if its own average monthly payment drops from the previous year.

There is no certainty that my proposal will work out as I intend that it should. The junior Senator from Louisiana [Mr. LONG] has labored valiantly to perfect language to assure that recipients will benefit from an increase in Federal contributions to public assistance, and not just State treasuries. I understand that he has not been satisfied that any of the proposals which have been offered are certain to accomplish this.

I realize that this proposal does not give the most to those receiving the least. It would revise benefits proportionately, instead of trying to equalize them. The equalization principle is found in the basic formula, and I think an across-the-board percentage increase

for all States would be salutary simply in itself, and also in encouraging the States to improve and raise their own contributions.

It is quite possible that the State agencies which administer public assistance will have some criticism of this proposal. I invite them to come forward with it. I hope hearings can be held by appropriate committees on both sides of the Capitol on this matter.

If my proposal is not adopted this afternoon—and there is every indication it will not be—I hope that by this speech I may succeed in laying a foundation of interest on the part of the Senate committee, so that next year we can have hearings on such a bill.

Under this section, the Federal bonus of 25 percent of the combined Federal-State effort would apply to all public-assistance programs to which the Federal Government now contributes, including aid to the blind and aid to dependent children.

Of course, this money would come out of general appropriations, since it is not a part of the old-age and survivors insurance system.

I believe we must make these changes in our social-security plan in order to keep it up to date and to keep it responsive to the ideals of our country. The goal for such a program has been well stated by one of its founders, the great Edwin E. Witte. Professor Witte was a former professor of mine in graduate study at the University of Wisconsin. He is a man on whom I have heavily leaned for parts of the material I have used in the presentation this afternoon. I think it will be agreed by the Senator from Illinois [Mr. DOUGLAS] that Prof. Edwin Witte, of the University of Wisconsin, is recognized as one of the outstanding living authorities on social security. Therefore, I am very proud to quote from this old professor of mine, from the University of Wisconsin, these words:

> Those who believe in social insurance, as I do, see in it a bulwark for a free economy and a democratic government. They regard the increasing attention given social security the world over as a necessary, perhaps an inevitable, consequence of an aging population, of industrialization and urbanization, of technological progress and the advance of science and medicine, of rising standards of living and a growing concern for the unfortunate and underprivileged. To them, social security means not a featherbed provided at public expense, but a net to catch those who fall, or rather a floor which will assure all Americans in all contingencies of life a minimum income sufficient for an existence in accordance with prevailing concepts of decency. Anything above such a minimum, the citizens must still provide for themselves.

I have presented the main features of my bill this afternoon in order to make a record, always, as I said at the beginning, in the hope and expectation that the time will come when the Senate and the Congress of the United States will adopt it.

Now, in my closing remarks, I should like to have the attention of the Senator from Oklahoma [Mr. KERR]. Although I am presenting my amendment as a complete substitute for the bill on which he, as chairman of the subcommittee, has worked so hard and made such a great record, I want him to know that in presenting it I show no lack of appreciation for his work as chairman of the subcommittee. The Senator from Oklahoma, against terrific odds—and I know what some of those odds have been—has piloted through his committee the bill now pending on the floor of the Senate. I shall vote for the bill.

I think the Senator from Oklahoma, and his remarks on the floor indicated it clearly, would be the first to say he would like a better bill and wish we could be in a position to have better legislation enacted. It is not my intention to commit the Senator from Oklahoma in the future with regard to a single line of my bill; but I want him to know that in presenting my bill as an amendment this afternoon, I make no reflection on his leadership on social security legislation in this session of Congress.

I say to the elderly people of America, if we did not have in this body a man with the social conscience of the Senator from Oklahoma, they would not be getting the bill which is going to pass the Senate this afternoon. After all, it is one thing for the senior Senator from Oregon to stand up on the floor of the Senate and fight for the ideal bill; and I am going to continue to fight for the ideal in the hope we can get some of the fruits of that ideal into a piece of legislation before the Senate. It is quite a different thing for a chairman of a committee who has to consider, throughout committee hearings, diverse points of view, and who has to iron out in committee, on the anvil of conscionable compromise, the best bill he can get.

So when I offer my bill as an amendment, I want the Senator from Oklahoma to know I am offering an ideal. I hope it can be adopted, but I am fully appreciative of the fact that his not bringing my bill out of committee in no way subjects him to any deserved criticism; but, to the contrary, he is deserving of high praise for the great leadership he has given us on this bill.

I want him to know I am going to be at his committee doorstep come next January, pressing him again for further consideration of those parts of my bill which have not found their way into the bill now before the Senate.

Mr. President, there are other Senators who are supporting my bill in the form of an amendment, and who think at least we ought to go through to a voice vote. I want to say to the Senator from Oklahoma, in their behalf and mine, I am going to let it go through to a voice vote; but I think he should know that come next January we will be back trying to get some hearings on the bill, and next time we are going to do our best to take the bill through to a yea-and-nay vote.

Mr. President, I offer the amendment.

Mr. KERR. Mr. President, I am very appreciative of the kind remarks of the distinguished Senator from Oregon. I acknowledge the brilliant and able sponsorship the Senator has always given to progressive legislation in many fields of great interest and merit to our people, and certainly in the field of social legislation, social security, and assistance.

It is with great regret that I have not been able to help bring to the Senate proposed legislation which would be more far reaching and of greater benefit than that which is contained in the bill before the Senate.

As the Senator from Oregon indicated, my action has been in accordance with the judgment I had that the provisions in the bill have seemed to be the best we could hope to have a chance of securing the adoption and acceptance of.

Naturally, under those circumstances, I could not favor the substitution of the bill proposed by the Senator from Oregon as an amendment to the bill before us, but I certainly understand the great desire the Senator has expressed, manifested, and made a living thing for better and more progressive legislation.

Mr. PROXMIRE. Mr. President, I wonder if the senior Senator from Oregon will permit me to ask 1 or 2 questions on the actuarial aspects of his proposal.

It is my understanding that the social-security segment of the amendment proposed by the Senator from Oregon, as distinct from the public assistance aspects, the proposal is self-financing.

Mr. MORSE. It would simply raise rates enough to make it self-financing.

Mr. PROXMIRE. The rates would be raised how much, roughly?

Mr. MORSE. I have set that forth in my manuscript. The rates would be raised 2½ percent.

Mr. PROXMIRE. Two and one-half percent on each?

Mr. MORSE. One and one-quarter percent on each.

Mr. PROXMIRE. One and one-quarter percent on each. In other words, the rate would be increased from 2¼ percent to 3½ percent.

I should like to point out to the distinguished senior Senator from Oregon what a modest proposal he is making. The fact is that every other large civilized industrial country in the world pays benefits which are more ample in relation to the national income and assesses a social security tax which is more substantial.

I should like to cite the example of West Germany, where employers pay a tax of 7 percent and employees pay a tax of 7 percent, and of course benefits are accordingly higher.

The bill as offered in the form of an amendment by the distinguished senior Senator from Oregon would provide a tax of 3½ percent. That is only one-half of the tax paid in West Germany, which everybody recognizes now has a great free-enterprise economy.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Oregon.

Mr. MORSE. I want the Senator to know the manner in which I prepared the bill. I do not deserve any credit for the preparation of the bill or of the technical material in the bill. I do not want to seem to take any credit.

The bill was prepared with the assistance of experts from the Library of Congress and from the Social Security Administration. The Social Security Administration made it very clear it was simply supplying me with technical assistance, at my request, and in no way was to be associated with the merits of the proposal, but I want to thank, in the best manner I can, the people from the Social Security Administration and the Library of Congress, for the wonderful technical and expert assistance rendered me.

Mr. PROXMIRE. In France, in Italy, and in virtually every other country the social security tax in respect to earnings, and therefore the benefits, are far higher. The tax is not 25 percent higher, as the senior Senator from Oregon has suggested, but 100 percent or 200 percent higher. The benefits are—in proportion—accordingly higher.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me so that I may ask for the yeas and nays on final passage of the bill, so that Senators who have been sitting around waiting to vote on the bill will know we will have a yea-and-nay vote?

Mr. SMATHERS. Does the Senator have any idea as to the time for the vote?

Mr. PROXMIRE. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on final passage.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

Mr. JOHNSON of Texas. I am asking for the yeas and nays on final passage of the bill, so that all Senators who are in the cloakrooms or at other places will be prepared for the vote.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, in conclusion I should like to say, as I believe I said once before, the senior Senator from Oregon deserves the greatest commendation for his proposal. I am delighted to support it, and I shall vote for it. I have no illusions about the amendment being agreed to, exactly as the Senator from Oregon has no illusions.

Mr. President, if I may I should like to have the attention of the senior Senator from Oklahoma [Mr. KERR] for just a moment. I should like to say to the senior Senator from Oklahoma that I, too, am very much aware of the great odds the Senator faced in getting a social-security bill through the Congress in the present session. I know as well as the Senator does the bill should contain more than a 7-percent increase if it had been possible to get that kind of a bill passed by the Senate, passed by the House, and signed by the President. However, the ultimate ideal—the Morse ideal or the Proxmire ideal—was not possible. I think the Senator has performed a great service to the old people of Wisconsin and the old people of America. All our people should thank the senior Senator from Oklahoma for a grand job.

I have talked with a number of Senators who serve on the Committee on Finance, and I felt a month ago there was almost no chance of having a social-security bill passed by the Congress. However, we had a great champion on the Finance Committee in the person of the senior Senator from Oklahoma, who was ably assisted by a number of other members of the committee, who fought very hard. I think the country owes the senior Senator from Oklahoma a great debt of gratitude for the fine job he has done.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Oregon.

Mr. MORSE. The Senator from Wisconsin has been a great stimulus and inspiration to those of us who have fought for social-security legislation this year. I hope we have been of some assistance to the Senator from Oklahoma, if it has not been any more than to put him in a position to say, "You had better go this far, because look at what these other fellows want."

When I say "these other fellows" I mean the Proxmires, the Churches, the Yarboroughs, the McNamaras, and the whole group of us who week after week reminded the Senate of its obligation to pass social-security legislation before the session adjourned.

I want to pay my high thanks to the Senator from Wisconsin for the prodding he has given me in seeing to it that I kept on the ball, so to speak, with respect to social-security legislation. I hope in turn this has been helpful to our great leader on this matter, the Senator from Oklahoma [Mr. KERR].

Mr. PROXMIRE. Mr. President, the senior Senator from Oregon needs no prodding from anyone on this kind of legislation.

I should like to say, in conclusion, that Wisconsin is a State in which people believe deeply in social security. We are very proud of the fact that two of the men who had the most to do with social security in all America came from Wisconsin. One was Arthur Altmeyer, who is considered to be the father of social security by many, and who was a Social Security Commissioner for many years. The other was Edwin Witte, who was on the first Cabinet Commission, which set up the Social Security Administration and the basic social security law in this country, and who has become recognized as the personification of the Wisconsin idea.

Wisconsin has contributed greatly to social-security legislation, and we are deeply indebted to the Senator from Oklahoma for making the present improvement possible.

Mr. President, I yield the floor.

Mr. KERR. Mr. President, I wish to express my appreciation to the distinguished Senator from Wisconsin for his kind words. I say to the Senator, I glory in the fact that he has been energetic, diligent, and vigorous in his support of the general purposes of the bill.

I hope the time may come when I can join with the Senator in moving faster in the direction of a greater program and a more complete program, as he has envisioned and worked for.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

Mr. WILLIAMS. Mr. President, I ask for the yeas and nays on the amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, may we have a vote on the Morse amendment?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

The amendment was rejected.

Mr. LONG. Mr. President, I offer the amendments which I send to the desk and ask to have stated. They are designated, collectively, as "8–15–58–E."

The PRESIDING OFFICER. The amendments offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 91, lines 18 and 19, it is proposed to strike out "January 1, 1959" and insert in lieu thereof "October 1, 1958."

On page 93, line 21, it is proposed to strike out "January 1, 1959" and insert in lieu thereof "October 1, 1958."

On page 95, lines 24 and 25, it is proposed to strike out "January 1, 1959" and insert in lieu thereof "October 1, 1958."

On page 98, line 1, it is proposed to strike out "January 1, 1959" and insert in lieu thereof "October 1, 1958."

On page 101, line 5, it is proposed to strike out "ten" and insert in lieu thereof "eleven."

On page 101, line 6, it is proposed to strike out "January 1, 1959" and insert in lieu thereof "October 1, 1958."

On page 103, lines 14 and 15, it is proposed to strike out "December" and insert in lieu thereof "September."

On page 103, line 19, it is proposed to strike out "December" and insert in lieu thereof "September."

Mr. LONG. Mr. President, I withdraw all portions of the printed amendments beginning with line 9 on page 2; in other words, the amendment consists only of page 1 and the first 8 lines on page 2.

The amendments would retain the effective dates, as approved by the House, in connection with the public assistance program. In the committee the effective dates were changed, based upon the effective date of the act. The main reason for that was to pare down the cost of the bill. However, amendments have been adopted to reduce the cost of the bill. Therefore, I believe it would be well to allow the effective dates with respect to the public assistance portion to remain as they were in the House bill. I believe the distinguished Senator in charge of the bill is willing to accept the amendments. They would make it possible for the aged people to receive their public assistance about 3 months sooner than they otherwise would. The

amendments would be administratively feasible. They would retain that portion of the House bill as it was passed by the House. There may not be a conference on the bill. I would not like to see the effect of not having a conference mean a substantial postponement of the dates which Congress intended.

Mr. KERR. Mr. President, inasmuch as I believe the adoption of other amendments has achieved the purpose of reducing the cost of the bill to the extent the Senate is willing to do so. If reductions would make it possible to have the bill enacted into law, they have already taken place. I ask that the amendments of the Senator from Louisiana be accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Louisiana [Mr. LONG]. Without objection, they will be considered en bloc.

The amendments were agreed to.

Mr. HUMPHREY. Mr. President, I offer the amendment which I send to the desk and ask to have printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD without reading.

The amendment was, to add the following new title at the end of the bill:

TITLE VIII—HOSPITALIZATION INSURANCE AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT

SEC. 801. (a) Title II of the Social Security Act is amended by adding after section 225 the following new section:

"HOSPITAL INSURANCE

"Eligibility for Insurance

"SEC. 226. (a) (1) The cost of hospital or nursing home services furnished to any individual during any month for which he is entitled to monthly benefits under section 202 (whether or not such benefits are actually paid to him) or is deemed entitled to such benefits under the provisions of paragraph 2, or the cost of such services furnished to him during the month of his death where he ceases to be entitled by reason of his death, shall, subject to the provisions of this section, be paid from the Federal Old-Age and Survivors Insurance Trust Fund to the hospital or nursing home which furnished him the services. Services to be paid for in accordance with the provisions of this section include only services provided in the United States.

"(2) For purposes of this section, (A) any individual who would upon filing application therefor, be entitled to monthly benefits for any month under section 202 shall, if he files application under this section within the time limits prescribed in section 202 (j) be deemed, for purposes of this section only, to be entitled to benefits for such month, (B) such individual shall, whether or not he files application under this section, be deemed to be entitled to benefits under section 202 for such month for purposes of determining whether the wife, husband, or child of such individual comes within the provisions of clause (A) hereof, and (C) any individual shall, for purposes of this section, be deemed entitled to benefits under section 202 if such individual could have been deemed under clauses (A) or (B) of this paragraph to have been so entitled had he not died during such month.

"(3) For purposes of paragraph (2), an individual's application under this section may, subject to regulations, be filed (whether such individual is legally competent or incompetent) by any relative or other person, including the hospital or nursing home furnishing him hospital or nursing home services and, after such individual's death, his estate.

"(4) Payments may be made for hospital services furnished under this section to an individual during his first 60 days of hospitalization in a 12-month period that begins with the first day of the first month in which the individual received hospital services for which a payment is made under this section, and during his first 60 days of hospitalization in each succeeding 12-month period; and for nursing home services furnished under this section to an individual if the individual is transferred to the nursing home from the hospital, and if the services are for an illness or condition associated with that for which he received hospital services: *Provided*, That the number of days of nursing home services for which payments may be made shall, in any 12-month period as described above, not exceed 120 less the number of days of hospital services (in the same 12-month period) for which payments are made under this section.

"(5) The provisions of section 205 relating to the making and review of determinations shall be applicable to determinations as to whether the costs of hospital or nursing home services furnished an individual may be paid for out of the Federal Old-Age and Survivors Insurance Trust Fund under this subsection, and the amount of such payment.

"Description of hospital and nursing home services

"(b) (1) For purposes of this section, the term 'hospital services' means the following services, drugs, and appliances furnished by a hospital to any individual as a bed patient: bed and board and such nursing services, laboratory services, ambulance services, use of operating room, staff services, and other services, drugs, and appliances as are customarily furnished by such hospital to its bed patients either through its own employees or through persons with whom it has made arrangements for such services, drugs, or appliances; the term 'hospital services' includes such medical care as is generally furnished by hospitals as an essential part of hospital care for bed patients; such term shall include care in hospitals described in paragraph (1) of subsection (d); such term shall not include care in any tuberculosis or mental hospital.

"(2) The term 'nursing home services' means skilled nursing care, related medical and personal services and accompanying bed and board furnished by a facility which is equipped to provide such services, and (A) which is operated in connection with a hospital, or (B) in which such skilled nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State.

"Free choice by patient

"(c) (1) Any individual referred to in paragraphs (1) and (2) of subsection (a) may obtain the hospital or nursing home services for which payment to the hospital or nursing home is provided by this section from any hospital or nursing home which has entered into an agreement under this section, which admits such individual and to which such individual has been referred by a physician or (in the case of hospital or nursing home services furnished in conjunction with oral surgery) dentist licensed by the State in which such individual resides or the hospital or nursing home is located, upon a determination by the physician or dentist that hospitalization or nursing home care for such individual is medically necessary; except that such referral shall not be required in an emergency situation which makes such a requirement impractical.

"(2) Regulations under this section shall provide for payments (in such amounts and upon such conditions as may be prescribed in such regulations) to hospitals for hospital services rendered in emergency situations to individuals referred to in paragraphs (1) and (2) of subsection (a) by hospitals which have not entered into an agreement under this section.

"Agreements with hospitals and nursing homes

"(d) (1) Any institution (other than a tuberculosis or mental hospital) shall be eligible to enter into an agreement for payment from the Federal old-age and survivors insurance trust fund of the cost of hospital or nursing home services furnished to individuals referred to in paragraphs (1) and (2) of subsection (a) if it is licensed as a hospital or nursing home pursuant to the law of the State in which it is located.

"(2) Each agreement with a hospital under this section shall cover all hospital services included under subsection (b) (which services shall be listed in the agreement), shall provide that such services shall be furnished in semiprivate accommodations if available unless other accommodations are required for medical reasons, or are occupied at the request of the patient, shall be made upon such other terms and conditions as are consistent with the efficient and economical administration of this section, and shall continue in force for such period and be terminable upon such notice as may be agreed upon.

"(3) An agreement with a hospital or nursing home under this section shall provide for payment, under the conditions and to the extent provided in this section, of the cost of hospital and nursing home services which are furnished individuals referred to in paragraphs (1) and (2) of subsection (a) provided that no such payment shall be made for services for which the hospital or nursing home has already been paid (excluding payments by such individuals for which reimbursement to them by the hospital has been assured); but no such agreement shall provide for payment with respect to hospitals or nursing home services furnished to an individual unless the hospital or nursing home obtains written certification by the physician (if any) who referred him pursuant to subsection (c) that his hospitalization or care in the nursing home was medically necessary and, with respect to any period during which such services were furnished, written certification by such individual's attending physician during that period that such services were medically necessary. The amount of the payments under any such agreement shall be determined on the basis of the reasonable cost incurred by the hospital or nursing home for all bed patients, or, when use of such a basis is impractical for the hospital or nursing home or inequitable to the institution or the Federal old-age and survivors insurance trust fund, on a reasonably equivalent basis which takes account of pertinent factors with respect to services furnished to individuals referred to in paragraphs (1) and (2) of subsection (a). Any such agreement shall preclude the hospital or nursing home with which the agreement is made from requiring payments from individuals for services, payment of the cost of which is provided by this section, after it has been notified that the cost of such services is payable from the Federal old-age and survivors insurance trust fund, except that it may require payments from such individuals for the additional cost of accommodations occupied by them at their request which are more expensive than semiprivate accommodations.

"(4) Except as provided by regulation, no agreement may provide for payments (A) to any Federal hospital, or to any other hospital for hospital services which it is obligated by contract with the United States (other than an agreement under this section) to furnish at the expense of the United States, or (B) to any hospital for hospital services which it is required by law or obligated by contract with a State or subdivision thereof to furnish at public expense except where the eligibility of the individual for such services is determined by application of a means test.

"(5) No supervision or control over the details of administration or operation, or over the selection, tenure, or compensation of personnel, shall be exercised under the authority of this section over any hospital or nursing home which has entered into an agreement under this section.

"(6) Agreements under this subsection shall be made with the hospital or nursing home providing the services, but this paragraph shall not preclude representation of such institution by any individual, association, or organization authorized by the institution to act on its behalf.

"(7) Except to the extent the Secretary has made provision pursuant to subsection (h) for the making of payments to hospitals and nursing homes by a private nonprofit organization, he shall from time to time determine the amount to be paid to any hospital or nursing home under an agreement with respect to services furnished, and shall certify such amount to the managing trustee of the Federal old-age and survivors insurance trust fund, except that such amount shall, prior to certification, be reduced or increased, as the case may be, by any sum by which the Secretary finds that the amount paid to the hospital or nursing home for any prior period was greater or less than the amount which should have been paid to it for such period. The Managing Trustee prior to audit or settlement by the General Accounting Office, shall make payment from the Federal old-age and survivors insurance trust fund, at the time or times fixed by the Secretary, in accordance with such certification.

"Nondisclosure of information

"(e) Information concerning an individual, obtained from him or from any physician, dentist, nurse, hospital, nursing home, or other person pursuant to or as a result of the administration of this section, shall be held confidential (except for statistical purposes) and shall not be disclosed or be open to public inspection in any manner revealing the identity of the individual or other person from whom the information was obtained or to whom the information pertains, except as may be necessary for the proper administration of this section. Any person who shall violate any provision of this subsection shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both.

"Hospital services under workmen's compensation

"(f) The provisions of subsection (a) shall not be applicable to any hospital or nursing home services which an individual required by reason of any injury, disease, or disability on account of which such services are being received or the cost thereof paid for, or upon application therefor would be received or paid for, under a workmen's compensation law or plan of the United States or of any State, unless equitable reimbursement to the Federal old-age and survivors insurance fund for the payments hereunder with respect to such services have been made or assured pursuant to agreements or working arrangements negotiated between the Secretary and the appropriate public agency. Notwithstanding the above sentence, if (1) the individual's entitlement to receive such services (or to have the cost thereof paid for) under such a workmen's compensation law or plan is in doubt when such services are required, (2) the cost of such services is otherwise payable from the Federal old-age and survivors insurance trust fund pursuant to this section, and (3) the individual makes an appropriate application under such workmen's compensation law or plan and agrees, in the event that he is subsequently determined to be entitled to receive such services (or to have the cost thereof paid for) under such law, to reimburse the Federal old-age and survivors insurance trust fund in the amount of any loss it might suffer through its payment for such services, then the cost of such services may be paid from such trust fund in accordance with this section. In any case in which the cost of services is paid from the Federal old-age and survivors insurance trust fund pursuant to the immediately preceding sentence, or is paid from such trust fund with respect to any such injury, disease, or disability for which no reimbursement to such trust fund has been made or assured pursuant to the first sentence of this subsection, the United States shall, unless not permitted under the law of the applicable State (other than the District of Columbia) be subrogated to all rights of such individual, or of the provider of services to which payments under this section with respect to such services are made to be paid or reimbursed pursuant to such workmen's compensation law or plan for such payments. All amounts recovered pursuant to this subsection shall be deposited in the Treasury of the United States to the credit of the Federal old-age and survivors insurance trust fund.

"Regulations and functions of advisory council

"(g) All regulations specifically authorized by this section shall be prescribed by the Secretary. In administering this section, the Secretary shall consult with a National Advisory Health Council consisting of the Commissioner of Social Security, who shall serve as chairman ex officio, and eight members appointed by the Secretary. Four of the eight appointed members shall be persons who are outstanding in fields pertaining to hospital and health activities, and the other four members shall be appointed to represent the consumers of hospital and nursing-home services, and shall be persons familiar with the need for such services by eligible groups. Each appointed member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as described by the Secretary at the time of appointment, 2 at the end of the first year, 2 at the end of the second year, 2 at the end of the third year, and 2 at the end of the fourth year after the date of appointment. An appointed mmeber shall not be eligible to serve continuously for more than two terms but shall be eligible for reappointment if he has not served immediately preceding his reappointment. The council is authorized to appoint such special advisory and technical committees as may be useful in carrying out its functions. Appointed council members and members of advisory or technical committees, while serving on business of the council, shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per day, and shall also be entitled to receive an allowance for actual and necessary travel, and subsistence expenses while so serving away from their places of residence. The council shall meet as frequently as the Secretary deems necessary, but not less than once each year. Upon request by three or more members it shall be the duty of the Secretary to call a meeting of the council.

"Utilization of private nonprofit organizations

"(h) (1) The Secretary may utilize, to the extent provided herein, the services of private nonprofit organizations exempt from Federal income taxation under section 501 of the Internal Revenue Code which (A) represent qualified providers of hospital or nursing home services, or (B) operate voluntary insurance plans under which agreements, similar to those provided for under subsection (d), are made with hospitals and nursing homes for defraying the cost of services. Such organizations shall be utilized by the Secretary to the extent that he can make satisfactory agreements with them and to the extent he determines that such utilization will contribute to the effective and economical administration of this section. Such agreements shall not delegate (A) his functions relating to determinations as to whether the costs of hospital and nursing home services furnished an individual may be paid for out of the Federal old-age and survivors insurance trust fund under this section and the amount of such payment, and (B) his functions relating to the making of regulations.

"(2) An agreement under paragraph (1) shall provide for payment from the Federal old-age and survivors insurance trust fund to the organization of the amounts paid out by such organization to hospitals and nursing homes under this section and of the cost of administration determined by the Secretary to be necessary and proper for carrying out such organization's functions under its agreement pursuant to this subsection. Such payments to any organization shall be made either in advance on the basis of estimates by the Secretary or as reimbursement, as may be agreed upon by the organization and the Secretary, and adjustments may be made in subsequent payments on account of overpayments or underpayments previously made to the organization under this subsection. Such payments shall be made by the managing trustee of the trust fund on certification by the Secretary and at such time or times as the Secretary may specify and shall be made prior to audit or settlement by the General Accounting Office.

"(3) An agreement under paragraph (1) with any organization may require any of its officers or employees certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from the Federal old-age and survivors insurance trust fund.

"Certifying and disbursing officers

"(i) (1) No individual designated by the Secretary, pursuant to an agreement under this section, a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

"(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1).

"Adjustments in cash benefits

"(j) For purposes of section 204, any payment under this section to any hospital or nursing home, with respect to hospital or nursing home services furnished an individual, shall be regarded as a payment to such individual."

(b) The amendments made by subsection (a) shall be effective on the 1st day of the 12th calendar month after the month in which this act is enacted.

(c) Notwithstanding the provisions of section 226 (a) (2) of the Social Security Act, as amended by this act, and subsection (b) of this section, applications filed under such section 226 which would otherwise be valid shall, subject to regulations of the Secretary, be considered valid even though filed more than 3 months prior to the effective date of this act, but not if filed prior to the 1st day of the 4th calendar month after the month in which this act is enacted.

Mr. HUMPHREY. Mr. President, this amendment is not original with the Senator from Minnesota. It was long ago incorporated into social-security bills advanced by the distinguished senior Senator from Montana [Mr. MURRAY].

It is not to be confused with what has been called socialized medicine, because it has nothing whatsoever to do with the selection of doctors, the payment of doctor bills, choice of doctors, or anything relating to healing, except so far as a hospital room would be concerned.

The amendment is offered at this time merely to initiate discussion on what I sincerely believe will be one of the important advances in the field of social security in the years to come.

In talking with the Governor of my State I find that the largest single expense in the entire welfare program in the State of Minnesota is for hospital care for the aged; not the doctor, but the hospital. Many of those people are victims of diseases which keep them in the hospital for months. My amendment would relieve the local district and State governments from the responsibility for such payments. If adopted it would cause the payments to come from the social-security fund, by reason of a tax on the income, which is provided, and by reason of the base of the income. Presently the base is being raised from $4,200 to $4,800. I think it is fair to say that if we included any kind of hospital insurance we would have to raise the base to $5,500, at least, possibly adding a quarter of 1 percent or a half of 1 percent to the tax.

I do not intend to press this amendment to a vote. I intend to withdraw it.

The time is at hand when the Senate Finance Committee, along with the Senate Committee on Labor and Public Welfare, should be giving very serious attention to hospital costs for the aged.

Let me make it quite clear that this amendment would not interfere with the so-called Blue Cross program or the voluntary programs in which all of us have such faith, and in which so many Americans have made their investments. I happen to believe in those voluntary programs. But everyone knows that it is very difficult to obtain hospital insurance for a person 65 years of age or over. Such persons are not considered to be the best of risks so far as a voluntary insurance program is concerned; and if many of them go into the voluntary programs, the cost of the programs is increased to the point where they are almost prohibitive for the younger group.

This particular amendment has its genesis in long studies which have been made over the past years of the needs of our aged people. I am hopeful that someday we shall be able to do something about those needs.

Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement relating to my amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUBERT H. HUMPHREY—IMPROVEMENTS IN SOCIAL SECURITY

I have introduced amendments to the Social Security Act to increase benefits under the old-age, survivors, and disability program, and to provide insurance against the costs of hospital and nursing home service for persons eligible for benefits under the OASDI program.

We must constantly be alert to keep our social insurance programs realistically up to date. Our present program is inadequate in two areas, which I am attempting to remedy by this legislation. First, cash benefit payments under the old-age, survivors, and disability program have not kept up with rising living costs, or with earning levels. If this insurance program is to fulfill its purpose, we must assist people to contribute during their working years so that they might receive in retirement an amount at least sufficient to maintain them at a minimum income level proportionate to that which they enjoyed during their working years. One problem—a benefit payment that is simply too small—affects people in the lowest earning groups. This level needs to be raised. Another problem—a benefit payment ceiling that is reached too soon—affects people in higher earning brackets. Under the present law, once earnings have reached $4,200 a year, no further increases in retirement or survival benefits are possible. Yet the advance in incomes has enabled 3 workers of every 5 with full-year employment to surpass this level. Thus when they reach the age where they are entitled to draw benefits, or when the family provider can no longer provide, the family unit suffers a drop in income that is too severe for it to absorb. An increase in maximum earnings is justified.

There is a further reason for raising the ceiling. In order to follow sound American tradition, it has always been the intent of Congress that the social insurance measures we adopt should not act so as to reduce incentives for self-advancement. Instead, they should be proportional, within limits, to earnings. An insured worker should not be confronted with the situation that anything he earns beyond $4,200 a year will not provide his survivors any better care or himself a more nearly adequate retirement.

The second inadequacy of our old-age, survivors, and disability insurance program which I seek to remedy by this bill is our present failure to provide for one of the major financial disasters threatening those who receive benefits. I refer to the possible need for hospital and nursing home care. During the time a person is in his earning years, he can often provide for such contingencies through voluntary organizations that provide hospital care on an insurance plan. The wide group coverage at many places of employment may bring such a program within his financial reach. Yet when he retires, or when his providing days come to an end, he or his survivors face the possibility of hospital expenses with a dual handicap. On the one hand their income is suddenly and substantially reduced; on the other, their right to group coverage in hospital insurance plans is lost, and the cost of such insurance is probably beyond their reach. When sickness strikes, many are left with two alternatives—either to forego the desired treatment and suffer, or apply for public assistance. If the latter, the regular welfare funds are diminished or the overburdened hospitals are denied repayment for their services.

How much more logical it would be to provide a hedge against the additional hazards of hospital expense by incorporating an insurance policy to take care of it into our already operating national old-age and survivors program. This is not medical insurance, it is limited only to hospitalization for those eligible to OASDI.

Under my amendments, the two changes I have proposed in the OASDI program—higher benefit payments under the existing program and hospital insurance for persons eligible to receive those benefits—would be financed by a modest increase in payroll tax—one-half percent—by employee and employer, and an additional three-quarters percent payment by the self-employed.

BENEFITS

First, let us look at the increased benefits proposed under the existing old-age and survivors program. My amendment would increase monthly benefits about 10 percent on the average. The largest percentage increases, as in past amendments to this law, go to those in the bottom brackets. Thus, retired individuals whose average monthly earnings were $50 would receive an increase of $5 a month in benefits, raising their total monthly payment to $35. Under the present maximum coverage, anyone earning $350 a month or over can receive only $108.50. Under my proposal those at $350 would get $118.80, and by raising the ceiling, those who earned $500 a month could receive $151.80, the top payment. My colleagues will note that even with this substantial raise, the beneficiary still receives just over 30 percent of his former monthly income.

Family benefits are raised in a similar manner. The present $50 for a widow and two children in the lowest bracket is raised to $55. The present maximum family benefit of $200 would be raised to $305, or 61 percent of previous monthly earnings.

These provisions would go into effect for the third month after enactment of the bill. The higher earnings base would be effective in 1959. For the people now on the benefit rolls, the bill provides for increases of from $5 to $10.30.

In order to allow the new higher earnings ceiling to benefit people in the near future, the bill proposes to allow dropping out 1 additional year of low monthly earnings for each 7 years of coverage in addition to the 5 years now allowed to be eliminated. If this is not done, no one could reach the full maximum payments until 1997. If we do allow this new drop-out, one who has been covered since 1936 could reach the maximum in 1961.

HOSPITALS AND NURSING HOMES

Turning to the proposal to add to our present program against hospital expenses, let me first say that my bill makes people eligible for benefits under this provision if they are eligible for old-age insurance, whether or not they have yet applied for it. Certainly it would be undesirable to compel aged persons to stop working in order to be covered against hospital expenses, if they feel that continued work will be socially constructive and advantageous to them.

The hospital insurance program would entitle those eligible to up to 60 days of hospital care, with subsequent nursing home care if necessary, up to a combined total of 120 days in any year. Benefits included are hospital services, drugs, appliances, and care ordinarily furnished to patients in semiprivate accommodations. Persons certified by a physician as needing the care could choose any hospital that admits them and that had contracted with the Secretary of Health, Education, and Welfare to furnish the services. Tuberculosis and mental hospitals are not covered, and hospital care received under workmen's compensation statutes would not be reimbursed by this insurance.

If a physician directed that nursing home care was needed for a condition that had required hospitalization, this would also be covered. Nursing home service would include skilled nursing care, related medical and personal services, and accompanying bed and board provided by a licensed nursing home operated in connection with a hospital or in which a medical doctor directs the care.

Positive prohibition of any direction of hospital activities is specified in the amendment.

If effective and economical administration of hospital insurance can be achieved through private, nonprofit insurance organizations, the Secretary is authorized to contract with them to provide it.

Hospital insurance payments under the bill would begin in the twelfth month after the bill is enacted. It is estimated that 12 to 13 million persons would be eligible for coverage.

I have outlined the provisions of the amendments I am suggesting in this bill to the old-age, survivors, and disability insurance program. The bill also, of course, includes changes in the Internal Revenue Code to include the wage and payroll tax increases that will finance the program.

The provisions of this bill are modest—deliberately limited in scope to facilitate enactment of this much-needed measure in 1958. They deal with social insurance only. I have had a bill for improvements in public assistance pending in the Senate for several months. Other bills I have introduced or cosponsored would develop our welfare programs further.

The distinguished former Director of the Division of Research and Statistics of the Social Security Administration, Professor Wilbur J. Cohen, now of the school of social work at the University of Michigan, Ann Arbor, Mich., recently testified before the House Committee on Government Operations on Federal-State programs and policies in health, education and welfare. Nowhere have I seen a more cogent and complete analysis of this whole subject.

Since many of Professor Cohen's suggestions in regard to social insurance are in agreement with the provisions of my bill, I ask unanimous consent that the text of his remarks be printed at this point in the RECORD.

In my opinion, the changes I have suggested today should be enacted this year. I believe they are necessary to meet two of the major deficiencies in our welfare program. I believe they are realistic in that they are modest efforts to handle these problems within our presently established social security system. I believe they are financially sound in that they will be financed by the earning power of those who stand to benefit. I trust that my colleagues will join in this effort to meet the continuing challenge of meaningful social security.

Mr. HUMPHREY. Mr. President, I want the RECORD to show that my amendment relates to nursing home care as well. It provides for 60 days a year of nursing home care, and 60 days of hospital care for those who are the beneficiaries of old-age and survivors' insurance. It is limited to that group. I am of the opinion that sometime in the not too distant future we shall find a program before the Congress which will begin to meet this basic objective.

Earlier today the Senator from Texas [Mr. YARBOROUGH] discussed his amendment for a 10-percent increase in social security payments for old-age and survivors' insurance beneficiaries. That amendment was rejected.

I have an amendment lying on the desk dealing with the same subject. It is designated "8–15–58–I." I joined with the Senator from Texas, rather than to press my own amendment. I am very happy with the vote we obtained. We knew that it was an uphill fight, but I am still convinced that a 10-percent increase would have been meritorious, financially sound, and just for the recipients of old-age and survivors' insurance benefits.

I regret that we were unable to obtain a majority vote for it. However, I am grateful for the fact that we have a social security bill before the Senate. The Senator from Oklahoma and his colleagues are to be thanked and congratulated on doing a very fine job in bringing such a bill to us.

I regret that the Kuchel amendment for old-age assistance, with its pension program, was not adopted. I was a cosponsor of that amendment. I knew that when we had the first vote on the self-liquidating feature for the old-age and survivors' insurance beneficiaries, and when that amendment was turned down, that the odds of obtaining a favorable vote on the Kuchel amendment, which was to increase the old-age assistance payments, was remote.

Nevertheless, it was a good amendment and I supported it. I shall be back to support it again.

Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Minnesota withdraws his amendment.

Mr. DOUGLAS. Mr. President, I send my amendment to the desk. It is identified as 8–15–58–J. I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 98, between lines 20 and 21, it is proposed to insert the following new section:

AMOUNTS DISREGARDED IN DETERMINING NEED FOR OLD-AGE ASSISTANCE AND AID TO DEPENDENT CHILDREN

SEC. 513. (a) Section 2 (a) (7) of the Social Security Act is amended to read as follows:

"(7) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance; except that in making such determination the State agency may disregard not more than $20 per month of net earned income."

(b) Section 402 (a) (7) of the Social Security Act is amended to read as follows:

"(7) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to dependent children; except that in making such determination the State agency may disregard not more than $20 per month of net earned income."

(c) The amendment made by subsections (a) and (b) of this section shall be effective on and after July 1, 1959.

Mr. DOUGLAS. Mr. President, this is a very simple amendment. What it does is to permit the recipient of old-age assistance and of aid to dependent children to earn up to $20 a month without having those earnings deducted from their subsistence amounts.

The present law provides, in the case of the aged, that the State agency shall, in determining need, take into account the entire income and resources of an individual. This means, in practice, that every dollar a person on old age assistance earns is deducted from the amount of aid which that person would get if he did not earn the money.

Let us suppose that a social worker approves a budget of $55 for an aged person. If there are no earnings, that is the amount paid in the form of old-age assistance. If the old man or old woman earns $15 a month, that amount is deducted from the amount of the grant, and the payment is only $40. In that way, all inducement to earn money by an aged person is completely discouraged. Every dollar such a person earns is subtracted from the assistance which he otherwise would get. A good deal of criticism which has been directed at the old-age assistance program comes from this very fact, when it is said that the payment of these grants discourages effort and encourages shiftlessness. When one considers that the average age of those on old age assistance is 75 years, it can be seen clearly that the present law really stops the elderly from earning money from such efforts as baby sitting.

The same thing is true with reference to the provisions for dependent children. The amount of money a dependent child earns, by cutting lawns or delivering newspapers or sawing wood or running errands, is deducted from the grant which would otherwise be given to his parent or to his custodian.

One cannot imagine a better system for discouraging effort and encouraging idleness than the grants which are now provided.

What the amendment would do would be to permit the parties to earn up to $20 without any deductions from the assistance or grant which would otherwise be given to them. It is therefore an encouragement to thrift and it is an encouragement to effort.

Two years ago, in 1956, I proposed a similar amendment, except that it provided for an exemption of $50 a month in earned income, so that a person could earn up to $50 a month and would not have the sum deducted from the old age assistance which would otherwise be given to him.

It is very interesting to note that the vote on that amendment was 56 yeas and only 34 nays. In other words, it carried in the Senate. However the conference committee turned it down. The cost of that amendment would not have exceeded $12 million. I understand that the Social Security Administration fixes the cost of $15 million on the present amendment. I cannot conceive that the cost would be $15 million for the pending amendment because whereas the amendment of 2 years ago provided for a $50 exemption, this provides for only a $20 exemption, although it does extend it to dependent children.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. KERR. The Senator knows that I am just as strong for his amendment

as he is, although I could not accept it on the pending bill. As I understand, the estimate of $15 million for the amendment is as nearly accurate as we can get. The reason there is a difference in the amount greater than it would seem it should be, although the amendment calls for a $20 exemption, whereas the other called for a $50 exemption, is that the previous amendment applied only to the aged, and the pending amendment applies also to the other group.

Mr. DOUGLAS. I can only say that it would be impossible to have $15 million invested to better advantage than by permitting this group in our population to earn something from effort. May I ask my good friend from Oklahoma, who has rendered yeoman service, whether the administration is favorable to the proposal?

Mr. KERR. I am compelled to tell my good friend from Illinois that I have investigated the matter and have been told that they could not favor it, especially on the pending bill. They have advised me, in fact—but of course so far as we are concerned it does not change our basic support of the principle—that it would be a substantive change with reference to the basis of assistance as it is now in the law.

Mr. DOUGLAS. Does the administration know that the proposed provision would not take effect until after the first of next July, and would therefore not apply to the current fiscal year?

Mr. KERR. I can only say that I submitted the amendment as the Senator had submitted it to me. I presumed that when they examined it, they thoroughly read its contents.

Mr. DOUGLAS. I must say that if that is true—and I am sure that the Senator from Oklahoma is a truth-telling man and is stating the exact truth—that this is a shameful act by the administration. It is a shameful act. It is an act which discourages effort and thrift. No administration can stand up before the American people and pose as having any humanitarianism if it refuses to accept a provision costing only $15 million, and which would permit old people and youngsters to work and to earn up to $20 a month without having it taken out of their hide. If that is the attitude of the administration, they deserve to be exposed to the public in this country.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. KERR. I did not report to the Senator that I was informed that if the amendment were added to the bill it would be vetoed. I asked if they favored or disapproved the proposal. They advised me that they could not favor it in this bill. Therefore, that was the extent of their statement. I know that is what the Senator would wish to address his remarks to.

Mr. DOUGLAS. I know the very difficult task the Senator from Oklahoma has had in negotiating with an administration which seems to be impervious to the aged and the poor, and which pays little attention to balancing the human budget and is interested only in the financial budget. He has had a very difficult set of customers downtown to deal with. I exempt from that statement the members of the Social Security Administration, because they are errand boys in this case. They are fine people themselves, but they have to take their orders from others. I have helped the administration on a number of measures and have taken a political risk to help it. The administration ought to do something for the people of the United States.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

Mr. KERR. Mr. President, the Senator from Illinois has an amendment pending.

The PRESIDING OFFICER. The Chair stands corrected. The Chair was misinformed. The question is on agreeing to the amendment of the Senator from Illinois. (Putting the question.)

The Chair is in doubt. Those in favor of the amendment will please stand.

The Senate proceeded to divide.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. What is the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

Mr. DOUGLAS. I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. KERR. Mr. President, I ask unanimous consent, notwithstanding the third reading of the bill, that I may offer technical amendments and have them acted upon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 42, line 5, after "SEC. 303.", it is proposed to insert "(a)."

On page 43, after line 3, insert the following new subsection:

(b) The paragraph (3) added to such section 202 (g) by H. R. 5411, 85th Congress, is hereby repealed effective with respect to benefits payable for any month following the month in which this act is enacted.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

Mr. NEUBERGER. Mr. President, three of the most important programs of our Government which have not received adequate attention by the general public are the grants-in-aid program of the Children's Bureau, dealing with maternal and child health, child welfare, and crippled children's services. Unfortunately, these activities do not seem to have much political appeal, and for that reason, perhaps, they receive comparatively little attention. Yet they are urgently important, particularly to a group of people who often are desperately in need of such assistance—the Nation's children.

I am especially pleased to call this matter to the attention of the Senate tonight, because sitting beside me is the distinguished Senator from Alabama [Mr. HILL], who has been a leader in the establishment of these services, particularly in the case of improved maternal and child health.

Mr. President, I desire to have printed in the RECORD while we are discussing the urgent question of social-security benefits an except from a letter dated February 18, written to me by Dr. Martha M. Eliot, chairman of the department of maternal and child health at Harvard University, and former Chief of the Children's Bureau; correspondence I have had with an eminent physician in my State, Dr. Richard L. Sleeter, associate professor of pediatrics and director of that division at the University of Oregon Medical School; correspondence I have had with Mr. Stuart R. Stimmel, State director of the Boys and Girls Aid Society of Oregon, and with other leaders in this very vital work; and letters I have written to the distinguished senior Senator from Virginia [Mr. BYRD], chairman of the Committee on Finance; to the Honorable Wilbur Mills, chairman of the House Committee on Ways and Means; to Dr. Harold M. Erickson, able State health officer of the Oregon State Board of Health; and to Mr. George J. Hecht, chairman of the American Parents Committee, Inc. Mr. Hecht has been a foremost advocate of action in this field, through Parents Magazine, which he publishes very effectively.

I ask unanimous consent that the letters be printed at this point in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

EXCERPT OF FEBRUARY 26, 1958, LETTER OF DR. MARTHA M. ELIOT, CHAIRMAN OF THE DEPARTMENT OF MATERNAL AND CHILD HEALTH, HARVARD UNIVERSITY, AND FORMER CHIEF OF THE CHILDREN'S BUREAU

It is most urgent at this time that more Federal funds be made available for these child health programs and, in particular, for the program of services to crippled children. Quite recently I learned that there are many children with congenital heart disease whose operative care must be delayed because of the lack of funds in the State agencies responsible for the care of crippled children. Likewise, many States are not able to do the work that they would like to do for children with rheumatic heart disease, for children who are deaf and require hearing aids, for

children with cleft palate. One of the newest and most appealing programs that is limited because of funds is the provision of artificial arms and legs for children who are born without an arm or a leg or children who have been injured in accidents and lose an extremity. Recently amazing advances have been made in the manufacture of small-sized arms and legs, even for infants of no more than 18 months of age, and clinics are being organized with a staff of doctors, nurses, social workers, physical therapists, and psychologists to help parents with these difficult problems. Senator POTTER of Michigan has taken a great interest in this program, which started in the Michigan Commission for Crippled Children. It was due to Senator POTTER's influence that the appropriations for grants to States for these medical services to crippled children, in 1955, finally reached the ceiling of $15 million.

I am sure that Sidney Farber could expand his good work for children with cancer if he could be assured of more money from many State health departments to pay for the care of the most obvious cases.

UNIVERSITY OF OREGON MEDICAL SCHOOL,
CRIPPLED CHILDREN'S DIVISION,
Portland, Oreg., May 22, 1958.

Hon. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR NEUBERGER: I have just read Senate bill 3504 in which you seek an increase in funds for the programs of maternal and child health services and services for crippled children provided for by title V of the Social Security Act.

It seems appropriate at this time to present for you a picture of the University of Oregon Medical School, crippled children's division. Consequently, I am enclosing a brochure which depicts some of the services available through this division to the children with crippling diseases in our State. In contrast to the majority of States, we feel quite fortunate that the Oregon program, through the farsighted State legislators, was placed under the aegis of the medical school and the State board of higher education. It is quite unique from this standpoint and now forms an integral part of the medical school. The office and outpatient facilities are now housed in a building built for this organization in 1953 on the medical school campus.

The program at present includes most of the services offered to crippled children by all crippled children's services throughout the United States and Territories. In addition, however, because of the medical school affiliation, it has several distinct advantages in that the organization is used to teach medical, dental, nursing, occupational therapy, physical therapy, and speech therapy students, as well as interns and residents in the various departments. These individuals are taught the medical problems as well as many of the social factors so vital to understanding the care of the handicapped and crippled child.

Another distinct advantage is that the organization is in a position to participate in research, seeking more factual data pertaining to the crippled child, his care and treatment and when possible, data regarding prevention of handicapping conditions. You are undoubtedly acquainted with the collaborative cerebral palsy project of the National Institute of Neurological Diseases and Blindness in which 14 institutes and medical schools scattered throughout the United States are cooperatively participating. At the University of Oregon Medical School, the departments of obstetrics and gynecology, pediatrics, and the crippled children's division form the nucleus of the project in the local area on this tremendous research project.

If I can send you any pertinent information regarding the crippled children's service which will be of benefit regarding Senate bill 3504, please let me know.

Sincerely yours,
RICHARD L. SLEETER, M. D.,
Associate Professor of Pediatrics and Director.

JUNE 5, 1958.

RICHARD L. SLEETER, M. D.,
Associate Professor, University of Oregon Medical School, Portland, Oreg.

DEAR DR. SLEETER: Thank you for your letter of May 22, 1958.

I appreciate learning of your support of my bill to raise the statutory limit for maternal and child health and crippled children services of the Children's Bureau and of the fine work which has been done at the University of Oregon in these fields.

It is especially gratifying to know of Oregon's farsighted approach to the crippled-children programs and of the success which has been enjoyed. Although hearings have not yet been scheduled on my bill, I feel certain that I will have an opportunity to utilize the information which you so kindly offered to furnish. Oregon's unique and successful program is vivid testimony of the good use to which these funds are put and of the need for additional appropriations.

Because of your interest, I am enclosing a tear sheet from the CONGRESSIONAL RECORD of May 15, 1958, regarding the abandonment of the heart operation projects at the University of Minnesota due to a lack of money. Your experience will allow you to fully appreciate the problem of inadequate funds faced by the Minnesota program.

If I can be of any assistance at any time, please do not hesitate to write.

With best wishes, I am,
Sincerely,
RICHARD L. NEUBERGER,
United States Senator.

THE BOYS AND GIRLS
AID SOCIETY OF OREGON,
Portland, Oreg., April 1, 1958.

Senator RICHARD L. NEUBERGER,
United States Senator,
Washington, D. C.

DEAR DICK: Thank you very much for sending me the material from the CONGRESSIONAL RECORD regarding your bill to increase the funds for maternal and child health. I hope your efforts are successful. I thoroughly agree with you regarding the importance of this.

Please give our best to Maureen and to the Lindes.

Cordially,
STUART R. STIMMEL,
State Director.

AUGUST 7, 1958.

Hon. HARRY F. BYRD,
Chairman, Senate Finance Committee, Senate Office Building, Washington, D. C.

DEAR SENATOR BYRD: I was pleased to learn today that you have scheduled 2 days of your committee's valuable time for the Social Security Amendments Act of 1958. I know that this long-overdue legislation will receive full consideration under your able chairmanship.

As you may know, I have sponsored legislation in the Senate to raise the statutory limit on maternal and child health, crippled children, and child welfare services to $25 million. After introducing this legislation, I was gratified with the widespread support which arose on behalf of the increases.

In the House, similar bills were introduced by members of both parties, and received the support of leading representatives of social welfare and parent organizations who testified before the House Ways and Means Committee. However, the House committee recommended only a $5 million increase in each of the 3 programs; an increase which, in view of rising costs and increased child population, is hardly adequate to meet the needs of our children. Rather than go into detail regarding the financial needs of these programs, I am enclosing my most recent remarks in the CONGRESSIONAL RECORD, which include an excellent statement by Dr. Martha Eliot, chairman of the department of maternal and child health at Harvard University and former Chief of the Children's Bureau. I know that you will give this your full consideration.

I would be delighted, along with many others who are concerned with the social and health problems of our children, if the Senate were to increase the House-passed figure.

With best wishes, I am,
Sincerely,
RICHARD L. NEUBERGER.

JUNE 13, 1958.

Hon. WILBUR MILLS,
Chairman, House Committee on Ways and Means, House Office Building, Washington, D. C.

DEAR CONGRESSMAN MILLS: I have learned from my good friend, Dr. Martha Eliot, of your decision to devote part of your very valuable social security hearing time to Representative EUGENE MCCARTHY's bill, H. R. 12834, to raise the statutory limit on maternal and child health, crippled children, and child welfare grants-in-aid programs of the Children's Bureau. As the sponsor of the identical legislation in the Senate which is dependent on your action, I am delighted at your decision.

Because you will hear from experts, much more qualified than I, I shall not cite the many reasons for enactment of this long-overdue legislation. However, I am enclosing copies of my remarks when I introduced S. 3504 and S. 3925, which may be of interest to you.

With best wishes, I am,
Sincerely,
RICHARD L. NEUBERGER,
United States Senator.

MAY 8, 1958.

Dr. HAROLD M. ERICKSON,
State Health Officer, Oregon State Board of Health, Portland, Oreg.

DEAR DR. ERICKSON: I am pleased to learn of your interest in my bill, S. 3504, to raise the statutory limit on funds for maternal and child health and crippled children's services. It is very satisfying to know of the progress which has been made in Oregon with limited funds presently available and of your plans for the future.

I will appreciate any information which you may send me on our State programs. These will be especially valuable for committee hearings.

In case you have not seen it, I am enclosing a copy of my article from the Progressive magazine entitled "The Greatest Killer of Kids," which calls attention to the tragic number of children who are stricken by cancer.

With best wishes, I am
Sincerely,
RICHARD L. NEUBERGER,
United States Senator.

MAY 22, 1958.

Mr. GEORGE J. HECHT,
Chairman, the American Parents Committee, Inc., New York, N. Y.

DEAR MR. HECHT: Thank you for your letter of May 14, 1958, and the enclosed information regarding the status of the Nation's children. This, together with the insight which I received from our conversation, will be of particular value to me. You may be assured of my support of an increase for child welfare services as well as that which I have proposed for maternal and child health and crippled children's services.

I am sure that you will be interested to know that I saw Miss Furman's moving article in the New York Times and subsequently

asked that it be printed in the CONGRESSIONAL RECORD. It is my sincere hope that this will encourage House action. I am enclosing a copy of my remarks at the time the article was inserted.

Please do not hesitate to advise me of any other matters regarding child welfare which are of concern to you.

With best wishes, I am

Sincerely,

RICHARD L. NEUBERGER,
United States Senator.

Mr. KERR. Mr. President, I ask unanimous consent that technical changes in section numbers and cross references be made in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I give my wholehearted support to H. R. 13549, a bill which will increase benefits under the Social Security Act. I will vote for the bill on final passage. I make this statement to inform the people of my State, now insured and who are receiving benefit payments under the social-security system, of the increases they will receive if this bill becomes law. I also think it fair to state that it will raise the tax contributions that employers and employees will make to the trust fund from which benefits are paid. Seventy-five million people, employers and employees, now contribute through the social-security program to the benefits that insured employees will need when they retire or are too disabled to work, and their families will need when they die. And contributions by the Federal Government and the States give needed assistance to the aged, blind, dependent children and those totally disabled. There are 12 million people who are now receiving benefit checks from the social-security system each month.

Since 1954, when the last benefit increase was put into effect, and I was in the Senate at that time and voted for the benefits, wages have increased by about 12 percent and prices by 8 percent. This bill will increase the average level of payments to persons who have retired, are disabled, or, if dead, to their survivors, about 7 percent and help catch up with the increased cost of living. It is estimated that the average increase per month for workers now retired will be about $4.75 a month and the total benefits payable to a family will be raised from $200 to $254.

The officials who administer the social-security system have reported to the Congress that additional payroll taxes must be levied if the trust fund from which benefits are paid, is to be maintained actuarily sound. At the present rate of payments they estimate that $750 million additional must be paid into the fund each year to keep the fund sound. For this reason the bill provides that the payroll payments of both employers and employees will be increased from the present rate of 2¼ to 2½ percent in 1959 up to a total salary of $4,800. It is estimated that the self-employed rate will increase from 3⅜ to 3¾ percent in 1959.

The bill makes an important change in that part of the Social Security Act which provides for Federal contributions to the States to make payments for old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled. This bill embodies the so-called variable grants provision. It means that a part of the Federal appropriation for these purposes will be distributed to the States upon the basis of per capita income. It is designed to help the poorer States, and to bring benefit payments to the aged, dependent children, blind, and the disabled in the poorer States, to a level more nearly equal to those paid in the richer States of the Union. For Kentucky, it is estimated, that because of this new provision, average payments for old-age assistance would increase $5.87 per month, for dependent children $2.82 per month, for the blind $6.67 a month, and to the totally disabled, $5.33 per month. These are not large sums, but they will be of help. I was glad to see this new formula, to help the lower income States, adopted. In 1947, when I was first a Member of the Senate, I introduced a bill for this purpose. I am glad that the principles of my bill, introduced 11 years ago, will finally be adopted by the Senate of the United States.

I know this is a brief summary of the bill and I have not attempted to cover all of the changes that it makes. I am attaching a statement which summarizes many of the provisions. I believe that it will be of help to the millions of our workers who pay, with their employers, into the social-security system. And I know that the increase in monthly payments to the aged, to the blind, to the disabled, and to dependent children, will be of help. These benefits will cost employers and employees, and our taxpayers generally, an increase in their payments. But I believe we all agree that it is a responsibility of those who are working, who are healthy and physically fit, to make contributions for the welfare of the aged, the sick, the disabled, the blind, and those dependent upon them.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

Mr. HILL. Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD, Senate Joint Resolution 199, which I introduced on August 13 last.

There being no objection, the resolution (S. J. Res. 199) to establish in the Department of Health, Education, and Welfare the National Advisory Council for International Medical Research, and to establish in the Public Health Service the National Institute for International Medical Research, in order to help mobilize the efforts of medical scientists, research workers, technologists, teachers, and members of the health professions generally, in the United States and abroad, for assault upon disease, disability and the impairments of man and for the improvement of the health of man through international cooperation in research, research training, and research planning, introduced by Mr. HILL on August 13, 1958, and referred to the Committee on Labor and Public Welfare, was ordered to be printed in the RECORD, as follows:

Whereas it is recognized that disease and disability are the common enemies of all nations and peoples, and that the means, methods, and techniques for combating and abating the ravages of disease and disability and for improving the health and health standards of man should be sought and shared, without regard to national boundaries and divisions; and

Whereas advances in combating and abating disease and in the positive promotion of human health can be stimulated by supporting and encouraging cooperation among scientists, research workers, and teachers on an international basis, with consequent benefit to the health of our people and of all peoples; and

Whereas there already exist tested means for international cooperation in matters relating to health, including the World Health Organization, the Pan American Sanitary Bureau, and the United Nations International Children's Fund (UNICEF), with which the United States is identified and associated, and it is highly desirable that the United States establish domestic machinery for the maximum mobilization of its health research resources, and more efficiently to cooperate with and support the research, research-training, and research-planning endeavors of such international organizations: Therefore be it

Resolved, etc., That this joint resolution does establish the domestic machinery for such maximum mobilization of its health research resources, the more efficiently to cooperate with and support the research, research-training, and research-planning endeavors of the international organizations.

SEC. 2. The purpose of this joint resolution is:

(1) To encourage and support on an international basis studies, investigations, experiments, and research, including the conduct and planning thereof, relating to:

(A) The causes, diagnosis, treatment, control, and prevention of physical and mental diseases and other killing and crippling impairments of man.

(B) The rehabilitation of the physically handicapped, including the development and use of appliances for the mitigation of the handicaps of such individuals.

(C) The origin, nature, and solution of health problems not identifiable in terms of disease entities.

(D) Broad fields of science, including the natural and social sciences, important to or underlying disease and health problems.

(2) To encourage and support the rapid international interchange of knowledge and information concerning developments in those branches of science pertaining directly or indirectly to the prevention, diagnosis, treatment, or mitigation of disease and disability and other health and rehabilitation problems.

(3) To encourage and support, on an international basis, the training of personnel in research and research training through interchange of scientists, research workers, research fellows, technicians, experts, and teachers in research specialties not otherwise or generally provided for in the programs authorized by section 32 of the Surplus Property Act of 1944, as amended, and the United States Information and Educational Exchange Act of 1948, as amended.

(4) To encourage and cooperate with research programs undertaken by the World Health Organization and other international bodies engaged in, or concerned with, international endeavors in the health sciences, and to support such programs in cases in which such international organizations can more effectively carry out activities authorized by this joint resolution.

(5) To advance the status of the health sciences in the United States, the health standards of the American people, and those of other countries and peoples, by cooperative endeavors with the scientists, research workers, technicians, experts, teachers, and practitioners of those countries in research and research training.

(6) To help mobilize the health sciences in the United States as a force for peace,

progress, and good will among the various peoples and nations of the world.

SEC. 3. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to in this joint resolution as the "Secretary") is authorized and directed to carry out the purposes of this joint resolution in conformity with its provisions.

(b) The Secretary may utilize, for the performance of his duties authorized by this joint resolution, the Public Health Service, including the National Institute for International Medical Research established by this joint resolution and the other National Institutes of Health, and, where appropriate, the Office of Vocational Rehabilitation, the Children's Bureau, and such other agencies and offices in the Department as he may deem desirable to carry out the functions authorized herein.

(c) The duties and functions hereby authorized shall be carried out in consultation and cooperation with the National Advisory Council for International Health Research established by this joint resolution.

SEC. 4. There is hereby established, in the Public Health Service, as a part of the National Institutes of Health, the National Institute for International Medical Research. This Institute, in cooperation with the other National Institutes, shall carry out such major duties and functions of operation and administration in connection with this joint resolution, as may be assigned by the Surgeon General, including the support of research and research training through grants, contracts and cooperative activities and the direct conduct of research in facilities outside the United States.

SEC. 5. (a) There is hereby established, in the Department of Health, Education, and Welfare, the National Advisory Council for International Medical Research (hereinafter referred to in this joint resolution as the "Council"), to advise, consult with, and make recommendations to the Secretary or the Surgeon General or the Director of the Office of Vocational Rehabilitation, or such other officers of the Department as may be appropriate, on matters relating to the purposes and programs authorized by this joint resolution. The internal procedures of the Council shall be governed by rules and regulations adopted by the Council and approved by the Secretary.

(b) The Council shall receive reports on and review all research and research-training projects or programs undertaken, or proposed to be undertaken, pursuant to this joint resolution, and no grant, contract, or loan for any such research project or program shall be approved by the Surgeon General, the Director of the Office of Vocational Rehabilitation, or the Secretary except after review and recommendation by the Council.

(c) The Council shall consist of the Surgeon General of the Public Health Service, who shall be Chairman, a duly designated representative of the Secretary of State, and 16 members appointed by the Secretary without regard to civil service laws. The Director of Vocational Rehabilitation shall be a member ex officio. The Secretary may appoint additional ex officio members on either a permanent or temporary basis, as desirable, but the number of such additional ex officio members shall not be greater than two at any one time. The 16 appointed members shall be leaders in the fields of medical research, teaching and training, medical or biological science, rehabilitation, education, or public and international affairs. Eight of the sixteen shall be selected from among leading experts and authorities in the fields with which this joint resolution is concerned, with special emphasis on association with research and research training.

(d) Each appointed member of the Council shall hold office for a term of 4 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed either for the balance of that term, or for a full 4-year term at the discretion of the Chairman, and (2) the terms of the members first taking office after September 30, 1958, shall expire as follows: 4 shall expire 4 years after such date; 4 shall expire 3 years after such date; 4 shall expire 2 years after such date; and 4 shall expire 1 year after such date, as designated by the Secretary at the time of appointment. None of the 16 appointed members shall be eligible for reappointment until a year elapses since the end of his preceding term.

(e) Members of the Council, other than ex officio members and members who are officers or full-time employees of the Government, while attending conferences or meetings of their respective council or committees thereof, or while otherwise engaged in the work of the Council or of the committees thereof, upon the specific authorization of the Chairman of the Council or the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence. This authorization for compensation and expenses shall also extend to consultants and members of special field or other committees engaged or established pursuant to section 6 of this joint resolution.

(f) The Council shall meet at the call of the Chairman or on the request of a third of its membership, but in no event less than three times during the year.

(g) Provision shall be made by the Secretary, through the Surgeon General, for coordination of the work of and consultation between the Council and the National Advisory Health Council, and the national advisory councils of the National Institutes of Health, and through the Director of Vocational Rehabilitation, the National Advisory Council on Vocational Rehabilitation, with respect to matters bearing on the purposes and administration of this joint resolution.

SEC. 6. The Secretary is authorized to secure, from time to time, and for such periods as he deems advisable, the assistance and advice of consultants who are technicians, experts, scholars, or otherwise especially qualified in fields related to research, research training, or research planning, from the United States or abroad. These experts, individually or in groups, shall advise the Secretary or the Surgeon General or the Director of Vocational Rehabilitation, or the Council, on such matters as are appropriate.

SEC. 7. The Secretary is hereby authorized to engage in the following activities:

(1) Encourage and support research, investigations, and experiments by individuals, universities, hospitals, laboratories, or other public or private agencies or institutions, in countries other than the United States, relating to the cause, prevention, and methods of diagnosis and treatment of physical and mental diseases and impairments of man, referred to in paragraph (1) of section 2, by means of: the direct conduct of research in countries other than the United States, financial grants, contracts, grants or loans of equipment, and grants or loans of medical, biological, physical, or chemical substances or standards where required for research or research training, and furnishing expert personnel from the United States (including the payment of travel and subsistence for such experts when away from their places of residence).

(2) Encourage and support research, investigations, and experiments conducted in countries other than the United States, related to the rehabilitation of the physically handicapped, by the means referred to in paragraph 2 hereof.

(3) Encourage and support the coordination of experiments and programs of research conducted in the United States with related programs conducted abroad, by facilitating the interchange of research scientists and experts between the United States and foreign countries who are engaged in such experiments and programs of research, including the payment of per diem compensation, subsistence, and travel for such scientists and experts when away from their places of residence, as provided for consultants in section 5 (e) hereof.

(4) Make grants for the improvement or alteration of facilities needed for medical research and research training, including the provision of equipment for research and training purposes.

(5) Establish and maintain research fellowships within the National Institutes of Health and elsewhere with such allowances (including travel and subsistence expenses) as may be deemed necessary to train United States research workers, research teachers, technicians, and experts in the laboratories of other countries, and to procure the assistance of talented research fellows from abroad, and, in addition, to provide for such fellowships and other research training through grants, upon recommendation of the Council, to public and other nonprofit institutions. This program of fellowships and grants shall not duplicate or replace the programs authorized under section 32 of the Surplus Property Act of 1944, as amended, and the United States Information and Educational Exchange Act of 1948, as amended.

(6) Encourage and support broad surveys of the incidence of the major diseases endemic in various parts of the world and initiate comprehensive plans for their eradication or mitigation through cooperative programs of research and research training in regard to these diseases, including research in pertinent phases of the science of public health.

(7) Support and encourage international communication in the medical and biological sciences, international scientific meetings, conferences, translation services and publications, including provision for travel funds to permit participation in such conferences.

SEC. 8. The Secretary shall keep the Secretary of State fully informed concerning the projects and programs undertaken pursuant to this joint resolution, and shall solicit and secure from him policy guidance with regard to such projects, programs, or other activities proposed to be undertaken under this joint resolution. No project, program, or activity shall be undertaken which is contrary to or inconsistent with such policy guidance.

SEC. 9. Programs authorized by this joint resolution shall not unnecessarily duplicate those undertaken by other departments and agencies of the Government pursuant to law, and the Secretary shall take proper precaution to this end. Nothing contained in this joint resolution shall be applied or construed to diminish the authority or responsibility of other departments and agencies in the field of international cooperation in medical or other scientific endeavors.

SEC. 10. The activities authorized herein shall not extend to the support of public health nor other programs of an operational nature as contrasted with research, nor shall any of the grants herein authorized include grants for the improvement or extension of public health administration in other countries except for necessary research in the science of public health and public health administration.

SEC. 11. The Secretary shall prepare an annual report, which shall include a report from the Council, and submit it to the President, for transmittal to the Congress, summarizing the activities under this joint resolution, and making such recommendations as he, and the Council, may deem appropriate.

SEC. 12. The Secretary, or the Surgeon General, or the Director of Vocational Rehabilitation, is authorized to use the services of any member or members of the Council, and where appropriate, any member or members of the other several national advisory councils, or study sections, or committees advisory thereto of the Public Health Service, or of the Office of Vocational Rehabilitation, in connection with matters related to the administration of this joint resolution, for such periods as may be determined necessary.

SEC. 13. Any alien whom the Secretary deems it desirable to come to the United States under the terms of paragraphs (4) and (7) of section 7 of this joint resolution, who is otherwise excluded from admission into the United States by the provisions of section 212 of the Immigration and Nationality Act, may, upon certification by the Secretary, upon recommendation of the Surgeon General or the Director of Vocational Rehabilitation, as may be appropriate, be paroled into the United States by the Attorney General pursuant to the authority contained in section 212 (d) (5) of such act.

SEC. 14. There is hereby authorized to be appropriated the sum of $50 million annually, to carry out the provisions of this joint resolution. Such amount is to be apportioned as the Congress may direct to the office of the Secretary, the Public Health Service (including the National Institute for International Health and Medical Research), the Office of Vocational Rehabilitation, and other agencies in the Department of Health, Education, and Welfare as appropriate.

The PRESIDING OFFICER. House bill 13549 having been read the third time, the question now is, Shall it pass?

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the distinguished senior Senator from Ohio [Mr. BRICKER]. If the Senator from Ohio [Mr. BRICKER] were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that, if present and voting, the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Georgia [Mr. TALMADGE] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of death in his family.

The Senator from New York [Mr. JAVITS] is absent, by leave of the Senate, to attend the NATO Parliamentary Conference in London, as chairman of the Economic Section of the General Affairs Committee.

The Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Kansas [Mr. SCHOEPPEL] is detained on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from New York [Mr. JAVITS], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The pair of the Senator from Ohio [Mr. BRICKER] has previously been announced.

The result was announced—yeas 79, nays 0, as follows:

YEAS—79

Aiken	Hayden	Morse
Allott	Hennings	Morton
Anderson	Hickenlooper	Mundt
Barrett	Hill	Neuberger
Beall	Hruska	Pastore
Bennett	Humphrey	Potter
Bible	Ives	Proxmire
Bridges	Jackson	Purtell
Bush	Johnson, Tex.	Revercomb
Carlson	Johnston, S. C.	Robertson
Carroll	Jordan	Russell
Case, N. J.	Kefauver	Saltonstall
Case, S. Dak.	Kennedy	Smathers
Chavez	Kerr	Smith, Maine
Church	Knowland	Smith, N. J.
Clark	Kuchel	Sparkman
Cooper	Langer	Stennis
Cotton	Lausche	Symington
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Malone	Watkins
Eastland	Mansfield	Wiley
Ellender	Martin, Iowa	Williams
Ervin	Martin, Pa.	Yarborough
Goldwater	McClellan	Young
Gore	McNamara	
Green	Monroney	

NAYS—0

NOT VOTING—17

Bricker	Frear	Murray
Butler	Fulbright	O'Mahoney
Byrd	Hoblitzell	Payne
Capehart	Holland	Schoeppel
Curtis	Javits	Talmadge
Flanders	Jenner	

So the bill (H. R. 13549) was passed.

Mr. KERR. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. KERR. Mr. President, I ask unanimous consent that the bill H. R. 13549, which has just been passed, be printed as it passed the Senate, with the Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERR. I move that the Senate insist upon its amendments, ask for a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. LONG, Mr. MARTIN of Pennsylvania, Mr. WILLIAMS, and Mr. FLANDERS conferees on the part of the Senate.

PRODUCTION AND CONSERVATION OF COAL—MOTION TO RECONSIDER

Mr. KERR. Mr. President, I enter a motion that the vote by which the bill (S. 4248) to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes, was passed earlier in the day be reconsidered.

The PRESIDING OFFICER. The motion will be entered.

THE SOCIAL SECURITY BILL

Mr. JOHNSON of Texas. Mr. President, I want to commend the very able senior Senator from Oklahoma [Mr. KERR] for his diligence and his dedication and the masterful manner in which he handled this most complex bill. He and the Senator from New Mexico [Mr. ANDERSON] have piloted through one of the most important pieces of legislation this Congress will pass. It affects the lives and the futures of millions of our citizens.

I have known for a long time that the people of this country—the average citizen—had no better friends than the able Senator from Oklahoma [Mr. KERR] and his associate, my friend from New Mexico [Mr. ANDERSON]. But I would not do my duty as I see it if I let this opportunity pass without telling them I am grateful for their untiring efforts, the long hours they spent in connection with this bill and their work with the Senator from Illinois [Mr. DOUGLAS], who offered meritorious amendments which prehaps should have been in the bill, and perhaps will be some day. In legislation I am a patient man. I realize that we must proceed a step at a time and that progress rarely comes in one leap.

I want also to thank the members of the minority on the committee, who contributed to bringing about the unanimous result that obtained tonight. I think it is a credit to the Senate, and certainly to the Finance Committee.

That committee has carried one of the heaviest burdens of work that any committee of the Congress has. It has carried it efficiently, and it is deserving of the statement, "A job well done."

I want to commend and applaud each member of the committee, both on the majority and minority sides, for the results which have been obtained. Under the leadership of the Senator from Virginia [Mr. BYRD], with the cooperation of the Senator from Oklahoma [Mr. KERR], the Senator from Delaware [Mr. FREAR], the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. SMATHERS], the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Tennessee [Mr. GORE],

this committee has carried a heavy load with honor and distinction. The members deserve the thanks of the country.

Mr. KERR. Mr. President, I am very grateful to the distinguished majority leader for his kind remarks. I want to say the bill was brought to the Senate by the Finance Committee in its entirety. That could not have been done without the cooperation of its distinguished chairman [Mr. BYRD] and every member of the committee on both sides of the aisle.

There was not complete agreement in the committee as to all provisions in the bill, but there was complete agreement that we would work together and bring out of the committee the best bill we could, and it was brought out by the membership of the entire committee.

I want to observe, with deep regret, that our distinguished chairman [Mr. BYRD] is not present. As many of us know, he has been needed at the bedside of his fine wife, who has been seriously ill within the last few days. He has attended the Senate in spite of that fact, and his absence at this time was caused only by reason of that fact.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. KEFAUVER. I wish to join in congratulating the Senator from Oklahoma and the Senator from New Mexico and other Senators who, through their foresight, brought to the Senate the social security bill and got it passed. We all appreciate the fact that it provides only for a minimum increase in social security benefits. Much more might have been done, especially in view of conditions in the country.

I think the Senator from Oklahoma has exhibited real statesmanship in getting a bill passed which at least provided for moderate increases in benefits. I commend him and his associates who joined him in his efforts.

Mr. JOHNSON of Texas. Mr. President, we have some bills which have been cleared on both sides of the aisle, which are noncontroversial. We do not expect any yea and nay votes tonight. We expect the Senate to meet at 10 o'clock Monday morning. We will have a call of the calendar. Then we will take up certain bills upon motion. I believe there will be some yea and nay votes Monday, although I am not certain.

CHIYOKO YOSHIMOTO

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2406, Senate bill 3915.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3915) for the relief of Chiyoko Yoshimoto.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. The purpose of the bill before us now is to enable the fiance of a United States citizen serviceman to enter the United States so that she may marry her citizen fiance and thereafter reside in the United States.

The beneficiary of the bill is a 24-year-old native and citizen of Japan who presently resides in that country. She is engaged to marry Lt. Theodore T. Oyler, Jr., a United States citizen. Lieutenant Oyler became engaged to the beneficiary while stationed in Japan. Lieutenant Oyler has recently returned to the United States and could not complete arrangements for the marriage prior to the time he departed from Japan.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3915) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Chiyoko Yoshimoto, the fiancée of Theodore T. Oyler, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Chiyoko Yoshimoto is coming to the United States with a bona fide intention of being married to the said Theodore T. Oyler and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Chiyoko Yoshimoto, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Chiyoko Yoshimoto, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Chiyoko Yoshimoto as of the date of the payment by her of the required visa fee.

MAINTENANCE OF EXISTING MINIMUM POSTAGE RATES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2368, S. 4191.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4191) to maintain existing minimum postage rates on certain publications mailed in the county of publication.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 4191) to maintain existing minimum postage rates on certain publications mailed in the county of publication, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That section 2 (c) of the act of October 30, 1951 (65 Stat. 673; 39 U. S. C. 289a), as amended by the act of May 27, 1958 (72 Stat. 139; Public Law 85-426), is amended by inserting after the words "this section" the following: ", and on each individually addressed copy of a publication of the second class addressed for delivery within the county of publication and not entitled to the free-in-county mailing privilege."

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to prevent an increase in the existing minimum per copy postage charge of one-eighth cent on publications mailed for delivery within the county of publication but which are not entitled to the free-in-county privilege.

I ask unanimous consent to have an explanation of the bill printed in the RECORD at this point.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

Under law, in existence prior to enactment of the Postal Rate Increase Act, 1958, the minimum postage rate for the publications concerned was one-eighth of 1 cent per copy.

H. R. 5836, as passed in the House, did not change the existing rate. The bill, as amended, and passed in the Senate, provided for an increase of from one-eighth of 1 cent to one-fourth of 1 cent, three-eighths of 1 cent, and one-half of 1 cent in 3 successive annual increments starting January 1, 1959.

The committee of conference on the disagreeing votes of the two Houses on H. R. 5836 considered both second- and third-class rates on an overall package basis but did not discuss or agree upon the rate herein involved as a specific item. While the language of the bill as enacted is that which appeared in the Senate version and thus requires that the rate be increased the statement of the managers on the part of the House clearly states that no increase will apply. S. 4191 is designed to carry out the view expressed in the House report.

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Oklahoma [Mr. MONRONEY] asked that the bill be considered. I should like to ask the Senator from Oklahoma to make a statement.

Mr. MONRONEY. Mr. President, is the Senate considering Calendar No. 2451?

The PRESIDING OFFICER. Calendar No. 2368, S. 4191, is presently under consideration.

Mr. MONRONEY. Mr. President, the bill would merely correct an error which was made at the time the postal rate bill was passed, with respect to the effect on county papers mailed in the county of their publication. There has been assurance from the Committee on Post Office and Civil Service and from the conference committee in this regard. The bill merely would correct an inadvertent error in the draftsmanship and would enact into law what the Senate and House understood was to be enacted at the time the conference report was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill (S. 4191) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication."

MONROE WOOLLEY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2408, H. R. 8688.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8588) for the relief of Monroe Woolley.

The PRESIDING OFFICER The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8688) for the relief of Monroe Woolley.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to authorize and direct the Secretary of the Treasury to pay the sum of $500 to Monroe Woolley, of Crockett, Tex., in full settlement of all his claims against the United States for damage resulting from a fire set by the United States Forest Service, Department of Agriculture, on February 27, 1956.

I ask unanimous consent to have printed in the RECORD at this point a statement with reference to the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Records of the Department of Agriculture disclose that on February 26, 1956, employees of the United States Forest Service started fires on land adjoining the property of Monroe Woolley. After those fires were started, the wind shifted and the fire spread to the Woolley property. The fire burned over a tract of land belonging to Mr. Woolley which was made up of 15 acres of pastureland and 35 acres of timberland.

A claim for damages in the amount of $500 arising from the incident was initially filed with the Forest Service on March 30, 1956, and upon determination that there was insufficient evidence of negligence to support allowances under the Federal Tort Claims Act (28 U. S. C. 2671-2680), it was considered under the act of May 27, 1930 (46 Stat. 387). This act authorizes reimbursement not to exceed $500 to an owner of private property for damages thereof caused by employees of the United States in connection with the protection, administration, or improvement of the national forests without negligence on the part of such employees.

The Forest Service conducted an investigation to determine what actual damages had been sustained on the claimant's property by reason of fire. It was concluded that the damages to the fence, pasture, and woodland totaled $47.60 as shown by the enclosed appraisal. Accordingly, Mr. Woolley's claim was approved in that amount and voucher was forwarded to him for execution. Mr. Woolley declined to accept settlement in the amount of $47.60.

Affidavits made by persons from the area of the fire who are familiar with the matter have been filed with the committee. These fix the approximate value of the damage to the timberland at amounts between $110 and $130. The damage to the improved pastureland was set at $150, and the damage to the fence was fixed at $240. The figure for damage to the fence included the cost of replacing the posts, the wire, and labor and cost of hauling materials to the site. In the light of the circumstances, the committee has concluded that the amount stated in the bill is a fair amount.

This committee has further determined that the relief provided for in H. R. 8688 should be extended to Mr. Woolley. Clearly the damage he suffered resulted from the actions of the employees of the United States in starting a fire which spread to his land. Under these circumstances it is only right that provision be made for the United States to pay him for the damage he suffered. Accordingly, the committee recommends that the bill be considered favorably.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 8688) was ordered to a third reading, read the third time, and passed.

NATIONAL JUNIOR ACHIEVEMENT WEEK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2456, Senate Joint Resolution 89.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 89) to authorize and request the President to proclaim 1 week each year as National Junior Achievement Week.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (S. J. Res. 89) to authorize and request the President to proclaim 1 week each year as National Junior Achievement Week, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 4, after the word "year", where it appears the second time, to strike out "1958" and insert "1959", so as to make the joint resolution read:

Resolved, etc., That the President is authorized and requested to issue each year, beginning with the year 1959, a proclamation designating 1 week, during the period commencing on the first day of January and ending on the last day of February, as National Junior Achievement Week, and urging all citizens of our country to salute the activities of Junior Achievers and their volunteer adult advisers through appropriate ceremonies.

Mr. JOHNSON of Texas. Mr. President, the purpose of the resolution is to authorize and request the President of the United States to issue each year, beginning with 1958, a proclamation designating 1 week during the period commencing on the 1st day of January and ending on the last day of February, as National Junior Achievement Week and urging all citizens of our country to salute the activities of Junior Achievers and their volunteer adult advisers through appropriate ceremonies.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The joint resolution (S. J. Res. 89) was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was amended, so as to read:

Whereas it was the initiative, the sense of individual dignity, and the determination to mold their own futures that motivated those who founded this Nation; and

Whereas Junior Achievement, Incorporated, through its learn-by-doing program is inculcating those ideals in American youth by helping them to set up and operate their own small-scale business enterprises; and

Whereas their experience in running Junior Achievement companies will provide these young people with a heightened understanding of the privileges and duties of citizenship and better prepare them to assume the responsibilities of community leadership; and

Whereas thousands of American businessmen voluntarily give unstintingly of their time, their counsel, and their experience for the benefit of the members of Junior Achievement; and

Whereas it is understood that one week during the period commencing on the first day of January and ending on the last day of February 1958 will be observed as National Junior Achievement Week: Now, therefore, be it

ESTATE OF MRS. FRANK C. GREGG

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of calendar No. 2482, H. R. 1829.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 1829) for the relief of the estate of Mrs. Frank C. Gregg.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 1829) for the relief of the estate of Mrs. Frank C. Gregg.

Mr. JOHNSON of Texas. Mr. President, the purpose of the proposed legislation is to provide that in determining the individual liability for income taxes of Mrs. Frank C. Gregg for the year 1951, her election as a stockholder in the Scott & Gregg Real Estate Co. to have the benefits of section 112 (b) (7) of the Internal Revenue Code of 1939, shall be held and considered fully effective, Mrs. Gregg's election being held invalid due to the fact that it was not filed within the 30 days required. Claimant's notice of election was not mailed until July 30, 1951, 9 days after the running of the statutory 30-day period which commenced at the date of the stockholders' adoption of the plan of dissolution on June 21, 1951.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 1829) was ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF JEFFERSON NATIONAL EXPANSION MEMORIAL

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2412, S. 4085.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4085) to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of Old St. Louis, Mo., and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 4085) to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of Old St. Louis, Mo., and for other purposes.

Mr. JOHNSON of Texas. Mr. President, the bill is being considered at the request of the distinguished junior Senator from Missouri, and I ask unanimous consent that there be printed in the RECORD at this point a brief statement of the Senator with respect to the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HISTORY OF JEFFERSON NATIONAL EXPANSION MEMORIAL

The idea of the Jefferson National Expansion Memorial was first conceived in 1933 by a group of public-spirited citizens from Missouri and contiguous States. This group envisioned a commanding riverfront memorial to commemorate the fortuitous Louisiana Purchase of March 9, 1804, by President Thomas Jefferson The purchase marked the opening of the great western domain and the memorial would additionally honor the courageous pioneers who explored the vast unknown and ultimately developed the productive civilization of present times.

The United States Territorial Expansion Memorial Commission was established in June 1934 (48 Stat. 964). In 1935, by Executive Order 7253 (December 21), President Roosevelt authorized the Secretary of the Interior to acquire and develop the old St. Louis as a historic site; $6,750,000 was made available to the Secretary for the purpose. This amount was matched by the city of St. Louis to the extent of $2,250,000, approximately one-third of a $7,500,000 bond issue authorized by the citizens of St. Louis in a referendum.

Actual construction of the memorial was authorized in 1954 (68 Stat. 98) in accordance with designs formulated by Mr. Eero Saarinen which were approved by the Commission in 1948.

PURPOSE OF S. 4085

Enactment of this legislation would constitute one of the final steps in the establishment of the Jefferson National Expansion Memorial. Many legal and other obstacles, including World War II and the Korean war, have held up the completion of the memorial. Despite the intervening years and the changes in costs which have occurred, it is expected that the total cost of the memorial, including all funds heretofore expended, will be approximately $30 million, which is the amount originally estimated in 1935 as needed to erect an appropriate memorial. Expenditures are to be made in a ratio of 3 Federal dollars for each dollar contributed by the city of St. Louis and other sources. The total Federal contribution estimated to complete all elements of the memorial as conceived in the Saarinen plan is $15,750,000; $5 million of Federal funds were authorized to be appropriated in the act of May 17, 1954 (68 Stat. 98); of that amount, $2,640,000 was appropriated in 1956. The reported legislation authorizes the appropriation of the balance of the Federal obligation in this project.

The amount of money required to complete the Jefferson National Expansion Memorial is approximately as follows:

	St. Louis	Government	Total	Terminal railroad
Arch	$2,250,000	$6,750,000	$9,000,000	
Museum buildings and exhibits	1,333,333	4,000,000	5,333,333	
Historic reconstruction		1,500,000	1,500,000	$500,000
Total	3,583,333	12,250,000	15,833,333	500,000

The $500,000 item under "Terminal railroad" represents a deposit in that amount made in escrow by the Terminal Railroad Association for the relocation of elevated railroad tracks.

In excess of $9 million has been spent thus far, largely for the acquisition of hundreds of parcels of land which make up the 82-acre tract which will be developed.

AGENCY REPORTS

The report of the Department of the Interior had not been received by the committee at the time of filing this report. The Department advised the committee that its comments were of a favorable character.

Set forth below is the report of the Bureau of the Budget in which it is stated that the Bureau has no objection to the authorization of the development of the memorial in accordance with the plans approved by the Territorial Commission. The Bureau states, however, that it is unable to make a commitment at this time with reference to recommendations for appropriations for this purpose.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs has unanimously recommended the enactment of this legislation.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 4, 1958.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget with respect to S. 4085, a bill to amend the act of May 17, 1954 (68 Stat. 98), providing the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes.

If enacted, the bill would (1) raise the existing limitation on Federal appropriations to assist in the construction of the Jefferson National Expansion Memorial from $5 million to $17,250,000, (2) eliminate the existing prohibition against the utilization of funds to plan or construct a 576-foot stainless steel arch, included in the plan for the memorial approved by the United States Territorial Expansion Memorial Commission in 1948, and (3) repeal an existing provision which makes the authorization of Federal appropriations contingent upon the concurrence or the forecast of a balanced budget.

The Department of the Interior in report to be submitted to your committee recommends favorable consideration of the proposed authorization.

This Bureau would have no objection to authorizing development of the memorial in accord with the plans approved by the United States Territorial Expansion Memorial Commission. However, in view of the present budgetary outlook, no commitment can be made as to the timing of recommendations for appropriations for this purpose.

Sincerely yours,
ROBERT E. MERRIAM, *Deputy Director.*

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4085) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of May 17, 1954, (68 Stat. 98), entitled "An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes" is hereby amended by striking sections 4 and 5 therefrom and inserting in lieu thereof the following:

"SEC. 4. There is hereby authorized to be appropriated not to exceed $17,250,000 to carry out the purposes of this act: *Provided*, That funds authorized to be appropriated by this act shall be expended by the United States for construction of the memorial in the ratio of $3 of Federal funds for each $1 of money contributed hereafter by the city of Saint Louis or other non-Federal source or purposes of the memorial, and for such purposes the Secretary is authorized to accept from the said city or other non-Federal sources, and to utilize for purposes of this act, any money so contributed: *Provided further*, That the value of any land hereafter contributed by the city of Saint Louis shall be excluded from the computation of the city's share."

SOUTHWEST RESEARCH INSTITUTE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2475, H. R. 1494.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 1494) for the relief of the Southwest Research Institute.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 1494) for the relief of the Southwest Research Institute, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the name "Texas", to strike out "the sum of $8,200.84" and insert "such sum, not exceeding $8,200.84, as the Housing and Home Finance Administrator may accept as allowable costs payable under contract H-76 or under any amendment thereto had such contract provided for an estimated total cost of $33,700.84."

Mr. JOHNSON of Texas. Mr. President, the purpose of the proposed legislation, as amended, is to authorize and direct the Secretary of the Treasury to

pay to the Southwest Research Institute, of San Antonio, Tex., such sum not exceeding $8,200.84 as the Housing and Home Finance Administrator may accept as allowable costs payable under contract H-76 or under any amendment thereto had such contract provided for an estimated total cost of $33,700.84. Payment of such sum shall be in full settlement of all its claims against the United States for research work performed by the institute.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill (H. R. 1494) was ordered to be engrossed for a third reading, read the third time, and passed.

DETENTION OF MAIL FOR TEMPORARY PERIODS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2451, S. 4287.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4287) to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 4287) to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases.

Mr. JOHNSON of Texas. Mr. President, the bill amends the law relating to the mailing of obscene matter. It closes a loophole in the law adopted in 1954, when the Postmaster General's authority to withhold mail was denied in the case of obscene mail addressed to publishers or distributors of publications. The law is amended to read "publishers or agents of such publishers." This was an alternative means of amendment, suggested by the Post Office Department.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4287) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases", approved July 27, 1956 (Public Law 821, 84th Cong.; 70 Stat. 700), is hereby amended to read as follows:

"SEC. 2. The provisions of this act shall not apply to mail addressed to publishers of publications which have entry as second-class matter under the act of March 3, 1879, as amended (ch. 180, 20 Stat. 358; 39 U. S. C. 221, and the following), or to mail addressed to the agents of such publishers."

Mr. JOHNSON of Texas. Mr. President, that concludes the bills I intended to bring up for consideration, but I have three requests I would like to make. If the Senate will indulge me momentarily, I think we can complete our business.

LORI BIAGI

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1542) for the relief of Lori Biagi which was, to strike out all after the enacting clause and insert:

That, for the purposes of section 203 (a) (3) and 205 of the Immigration and Nationality Act, Lori Biagi shall be held and considered to be the minor natural-born alien child of Mr. and Mrs. Maurizio Biagi, lawfully resident aliens in the United States.

Mr. JOHNSON of Texas. Mr. President, on May 21, 1958, the Senate passed S. 1542, to grant the status of permanent residence in the United States to the 25-year-old son of lawful permanent residents of the United States. On August 13, the House of Representatives passed S. 1542, with an amendment to preserve the beneficiary's status as a third preference quota immigrant, to which he would normally be entitled were it not for the fact that he is over 21 years of age inasmuch as information was received that the beneficiary had departed from the United States.

I move that the Senate concur in the House amendment to S. 1542.

This has the approval of the minority leader.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

ORDER OF BUSINESS

Mr. CHAVEZ. Mr. President, there are five noncontroversial bills before the Senate, which have been reported by the Committee on Public Works.

One of the bills is S. 3776, Calendar No. 2443, to extend the time for the collection of tolls to amortize the cost of a bridge across the Missouri River at Miami, Mo.

Mr. JOHNSON of Texas. I will say to my friend that we will have a calendar call on Monday. In the meantime I shall try to arrange with the minority leader to consider these bills. I think the policy committee has cleared them. I have not cleared the bills with the minority leader. I will look at my calendar as soon as I finish the routine requests.

Mr. CHAVEZ. In order that the memory of the majority leader may be refreshed, the next bill is S. 4179, Calendar No. 2444, to authorize the Tahchevah Creek project, Palm Springs, Calif.

The third bill is H. R. 12216, Calendar No. 2449, to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the Cordell Hull Dam and Reservoir.

Mr. JOHNSON of Texas. The Senator talked to me about the bills. I am under the impression the policy committee intended to clear the bills the Senator has mentioned this afternoon.

Mr. CHAVEZ. I hope the Senator is correct. The committee plays no politics whatsoever with regard to another bill, introduced by the Senators from New York [Mr. IVES and Mr. JAVITS]. The Senators are not on my side of the fence, politically.

Mr. JOHNSON of Texas. When were the bills to which the Senator refers reported?

Mr. CHAVEZ. The bills were reported yesterday.

Mr. JOHNSON of Texas. The bills were cleared today, I think, and will be considered Monday. That is pretty fast action.

Mr. CHAVEZ. I hope the Senator loves Oklahoma no more than he loves New Mexico.

Mr. JOHNSON of Texas. If the bills were reported yesterday they were cleared this afternoon and we expect them to be acted on Monday.

Mr. CHAVEZ. The Senator is very kind.

GENOVEFFA MIGLIOZZI

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2043 for the relief of Genoveffa Migliozzi, which was, in line 7, after "States" to insert ": *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act."

Mr. JOHNSON of Texas. Mr. President, on August 20, 1957, the Senate passed S. 2043, to grant to the minor child to be adopted by citizens of the United States the status of a nonquota immigrant.

On August 13 the House of Representatives passed S. 2043 with an amendment to provide that the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment is acceptable, and I move that the Senate concur in the House amendment to S. 2850.

The motion was agreed to.

MARIA PONTILLO

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2850) for the relief of Maria Pontillo, which was in line 7, after "fee" to insert ": *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act."

Mr. JOHNSON of Texas. Mr. President, on June 23, 1958, the Senate passed S. 2850, to grant the status of permanent residence in the United States to a native and citizen of Italy who has been adopted by her uncle, who is a United States citizen.

On August 13 the House of Representatives passed S. 2850 with an amendment to provide that the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment is acceptable, and I move that the Senate concur in the House amendment to S. 2850.

The motion was agreed to.

MARIA MICHELA LEO DI GIOIA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3676) for the relief of Maria Michela Leo Di Gioia, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Maria Michela Leo Di Gioia. From and after the date of the enactment of this act, the said Maria Michela Leo Di Gioia shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

Mr. JOHNSON of Texas. Mr. President, on July 15, 1958, the Senate passed S. 3676, to grant the status of permanent residence in the United States to a 69-year-old widow who resides with her daughter, a lawful permanent resident, and son-in-law, a United States citizen.

On August 13 the House of Representatives passed S. 3676 with an amendment to provide for cancellation of deportation proceedings.

I move that the Senate concur in the House amendment to the bill, S. 3676.

The motion was agreed to.

TEACHERS' SALARIES IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I note the presence in the Chamber of the chairman of the Committee on the District of Columbia [Mr. BIBLE]. We have a conference report ready to submit which involves teachers' salaries in the District of Columbia. My chairman is very cooperative about postponing consideration of it until we can have a discussion on the floor. If he would like to present it at this time, I shall raise no objection to the conference report. Any question I wish to raise in regard to the procedure which was followed in the conference can be raised in the District of Columbia Committee on Monday morning. We could agree to the conference report now without debate.

Mr. BIBLE. I shall be happy to present it, if that meets with the approval of the majority leader.

CONFERRAL OF MEDAL ON REAR ADM. HYMAN GEORGE RICKOVER, UNITED STATES NAVY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2438, Senate Joint Resolution 201, a joint resolution to authorize the Chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

Mr. SALTONSTALL. Mr. President, I ask that the joint resolution be passed over.

The PRESIDING OFFICER. The joint resolution will be passed over.

Mr. DOUGLAS subsequently said: Mr. President, may I ask what action was taken with respect to Calendar No. 2438, Senate Joint Resolution 201, to authorize the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy?

The PRESIDING OFFICER. The joint resolution was passed over on objection by the acting minority leader [Mr. SALTONSTALL].

Mr. DOUGLAS. Mr. President, I address myself to my good friend from Massachusetts. I hope the minority will not object to the conferring of this gold medal on Admiral Rickover. Time is running through our fingers. We have only a few days more. I hope the minority will not make this a party matter in any respect. I wish the distinguished acting minority leader would withdraw his objection and permit the joint resolution to go through.

Mr. SALTONSTALL. I am sorry, but I cannot comply with the Senator's request. Some Members who have now left the Chamber are interested in discussing this question. It can be discussed on Monday, so far as I know.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. SMATHERS. I should like to associate——

Mr. JOHNSON of Texas. I will yield to my friend from Florida, but before he associates himself with anyone, I wish to commend him for the fine job he did in connection with the social security bill which we have just passed. He is a very modest man of great talents. I appreciate the contribution he made today when some of us could not be present on the floor to help.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. SYMINGTON. I should like to associate myself with the remarks of the majority leader with respect to the outstanding job done by the junior Senator from Florida.

Mr. SMATHERS. Mr. President, I am overwhelmed and delighted. I am sorry I did not get here sooner. I thank the Senator from Texas and the Senator from Missouri.

I rose to associate myself with the remarks of the able Senator from Illinois [Mr. DOUGLAS] with respect to Admiral Rickover. I think one of the glaring responsibilities which this Government owes is that to Admiral Rickover, because in my judgment he has changed the whole concept of our defense program. It is my personal opinion that up to this time he has been rather well ignored by the people with whom, unfortunately, he has had to work.

Mr. JOHNSON of Texas. Mr. President, I share the sentiments expressed by the Senator. As he and the Senator from Illinois and the Senator from Missouri will well remember, one of the best witnesses before our Preparedness Subcommittee was Admiral Rickover. We learned that, except for the help of a great many people, his entire effort might have gone down the drain. It almost did go down the drain. A lady's powder room was converted into an office for him. He received very little recognition. It was against great odds that he made this wonderful contribution.

I was very eager to have the legislation considered. When the committee acted on it I asked the Senator from New Mexico [Mr. ANDERSON] if the measure was controversial. I understood him to say it was not. Otherwise, I would not have asked that it be considered. I am sure it will be considered on Monday, and I hope it will be adopted unanimously. The Senator may be assured of my cooperation.

Mr. SYMINGTON. I should like to associate myself also with the remarks of the distinguished majority leader and the Senator from Florida and the Senator from Illinois. It seems to me incredible that after all that has happened to the great admiral, who has done so much for seapower, that we are unable to get a unanimous decision to give him some recognition at this time.

Mr. McNAMARA. Mr. President, I too wish to associate myself with the remarks of the distinguished Senators who have spoken on this subject of recognition for Admiral Rickover.

Mr. JOHNSON of Texas. I should like to say to my good friend from Massachusetts that I was told by the Senator from New Mexico [Mr. ANDERSON] that this was a unanimous matter, and had been cleared. I apologize for calling it up, but I had been told that it was a unanimous matter.

If it is desired to have it go over until Monday, that certainly will be done. I assume a Senator wishes to be present to discuss it. That is frequently the case.

Mr. SALTONSTALL. I do not believe there ought to be any critical comments made at this time. The acting minority leader is alone in his glory on this side of the aisle. [Laughter.]

There are Senators on this side who may feel just as strongly about Admiral Rickover as do the Senators on the other side who have expressed themselves.

Mr. JOHNSON of Texas. I am sure that is true.

Mr. SALTONSTALL. Criticism at this time is unjustified.

Mr. JOHNSON of Texas. If the situation were reversed, and the minority leader wanted to bring up a matter which the majority leader thought should go over, I am sure the same thing would happen that happened today with reference to this matter. It will go over. It will be taken up when it is convenient to the minority leader, which I hope will be on Monday. I thought it had been cleared. Otherwise I would not have called it up tonight.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I wish to announce for the RECORD a list of bills which we have cleared with the policy committee, so that the minority leader may note from the RECORD all the action which the policy committee took this afternoon. It involves a number of private bills. If the acting minority leader will follow the list, he can make a record, as we go along, of the bills which will be taken up upon motion if they do not pass upon the call of the calendar.

If the Senator from South Carolina [Mr. THURMOND] will follow me, it may be that his bill is in this group:

Calendar No. 861, S. 1483, a bill to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries.

Calendar No. 153, H. R. 7168, a bill to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes.

Calendar No. 1660, H. R. 5497, a bill to amend the Watershed Protection and Flood Prevention Act.

Calendar No. 2144, H. R. 8943, a bill to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code.

Calendar No. 2235, H. R. 12126, a bill to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes.

Calendar No. 2236, H. R. 11477, a bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

That is the Mallory bill. That will be taken up on motion on Monday. I should like to have all Senators on notice that it is planned to do so.

Calendar No. 2249, S. 654, a bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

That is the Bridges bill. We expect to take that up on motion in due time.

Calendar No. 2251, H. R. 6894, a bill to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and splittings.

Calendar No. 2258, H. R. 13192, a bill making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

Calendar No. 2260, S. J. Res. 190, a joint resolution to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska.

Calendar No. 2280, H. R. 8361, a bill to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus for persons in custody pursuant to the judgment of a State court.

This bill has previously been cleared.

Calendar No. 2282, S. 337, a bill to establish rules of interpretation governing questions of the effects of acts of Congress on State laws.

Calendar No. 2296, S. 1913, a bill to amend the code of law for the District of Columbia by modifying the provision relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors and for other purposes.

Calendar No. 2300, H. R. 912, a bill to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

That bill is marked "hold."

Calendar No. 2304, H. R. 12876, a bill to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes.

Calendar 2311, Senate Resolution 362, a resolution to cite Maurice A. Hutcheson for contempt of the Senate.

Also, the following contempt citation resolutions, beginning with Calendar No. 2312, on page 10 of the calendar, and running through Calendar No. 2323, on page 12 of the calendar:

Calendar No. 2312, Senate Resolution 363, a resolution to cite Ernest Mark High for contempt of the Senate.

Calendar No. 2313, Senate Resolution 364, a resolution to cite Peter Licavoli for contempt of the Senate.

Calendar No. 2314, Senate Resolution 365, a resolution to cite Jack Cerone for contempt of the Senate.

Calendar No. 2315, Senate Resolution 366, a resolution to cite Ross Prio for contempt of the Senate.

Calendar No. 2316, Senate Resolution 367, a resolution to cite Joseph DiVarco for contempt of the Senate.

Calendar No. 2317, Senate Resolution 368, a resolution to cite Sam Battaglia for contempt of the Senate.

Calendar No. 2318, Senate Resolution 369, a resolution to cite Marshall Caifano for contempt of the Senate.

Calendar No. 2319, Senate Resolution 370, a resolution to cite Dan Lardino for contempt of the Senate.

Calendar No. 2320, Senate Resolution 371, a resolution to cite John Lardino for contempt of the Senate.

Calendar No. 2321, Senate Resolution 372, a resolution to cite Joseph Aiuppa for contempt of the Senate.

Calendar No. 2322, Senate Resolution 373, a resolution to cite Anthony Accardo for contempt of the Senate.

Calendar No. 2323, Senate Resolution 374, a resolution to cite Abraham Teitelbaum for contempt of the Senate.

Calendar No. 2324, H. R. 9700, a bill to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes.

Calendar No. 2368, S. 4191, a bill to maintain existing minimum postage rates on certain publications mailed in the county of publication.

Calendar No. 2384, S. 4213, a bill to afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of a disability rated 30 percent or more incurred in or aggravated by active service subsequent to January 31, 1955.

Calendar No. 2387, S. 3229, a bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes.

Calendar No. 2393, H. R. 11078, a bill to promote boating safety on the navigable waters of the United States, to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes.

Calendar No. 2395, H. R. 12883, a bill to provide for certain improvements relating to the Capitol Power Plant and its distribution systems.

Calendar No. 2400, S. 3626, a bill to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes.

Calendar No. 2403, S. 3944, a bill to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State.

Calendar No. 2404, S. 4214, a bill for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute.

Calendar No. 2406, S. 3915, a bill for the relief of Chiyoko Yoshimoto.

Calendar No. 2407, H. R. 1695, a bill for the relief of Harry N. Duff.

Calendar No. 2408, H. R. 8688, a bill for the relief of Monroe Woolley.

Calendar No. 2409, H. R. 9371, a bill to provide for the relief of certain members and former members of the Army and the Air Force, and for other purposes.

Calendar No. 2412, S. 4085, a bill to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of Old St. Louis, Mo., and for other purposes.

Calendar No. 2413, Senate Resolution 345, a resolution to increase funds for the Committee on Interior and Insular Affairs, for the investigation of certain matters.

Calendar No. 2414, Senate Resolution 347, a resolution authorizing the study of worldwide health activities.

Calendar No. 2415, Senate Resolution 356, a resolution authorizing additional expenditures by the Committee on Interior and Insular Affairs.

Calendar No. 2416, Senate Concurrent Resolution 111, a concurrent resolution to print the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations.

Calendar No. 2417, Senate Resolution 351, a resolution authorizing the printing as a Senate document of the study entitled "Legal Aspects of the Use of Systems of International Waters."

Calendar No. 2418, Senate Resolution 354, a resolution to print additional copies of the report entitled "Government Programs on International Education."

Calendar No. 2419, Senate Resolution 331, a resolution authorizing the printing as a Senate document of a staff study by the Subcommittee on Constitutional Rights entitled "The Right To Travel and United States Passport Policies."

Calendar No. 2420, Senate Resolution 332, a resolution to print as a Senate document, "The Soviet Empire: Prison House of Nations and Races."

Calendar No. 2421, H. R. 13688, a bill to provide airmail and special delivery postage stamps for Members of the House of Representatives on the basis of regular sessions of Congress, and for other purposes.

Calendar No. 2422, House Joint Resolution 648, a joint resolution for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln.

Calendar No. 2423, Senate Resolution 355, a resolution authorizing the Committee on Government Operations to employ 1 additional professional staff member.

Calendar No. 2424, Senate Concurrent Resolution 37, a concurrent resolution favoring Congressional recognition of the

Baseball Hall of Fame at Cooperstown, N. Y.

Calendar No. 2426, H. R. 9822, a bill to provide for holding a White House conference on aging, and for other purposes.

Calendar No. 2427, S. 2020, a bill to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act.

Calendar No. 2428, S. 1313, a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act so as to provide increases in benefits and for other purposes.

This is the railroad retirement bill which was reported on August 13. The Senator from Oregon [Mr. MORSE] cleared it before the policy committee today. That measure will be taken up before adjournment. It will not be taken up out of order, but we expect to take it up on motion and give the Senate an opportunity to debate it and act upon it.

The following additional measures have been cleared:

Calendar No. 2429, S. 3009, a bill to amend the Immigration and Nationality Act to accord Korean war veterans equal naturalization privileges.

Calendar No. 2430, Senate Resolution 376, a resolution to pay a gratuity to Fannie May Floyd.

Calendar No. 2431, S. 3268, a bill to amend the National Science Foundation Act of 1950, as amended, and for other purposes.

Calendar No. 2432, H. R. 12662, a bill to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of Standing Rock Sioux Reservation in South Dakota and North Dakota and for other purposes.

Calendar No. 2433, H. R. 12670, a bill to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project and for other purposes.

Calendar No. 2434, H. R. 12663, a bill to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project and for other purposes.

Calendar No. 2435, H. R. 7860, a bill to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range.

Calendar No. 2436, S. 4273, a bill to provide for cooperation with the European Atomic Energy Community.

Calendar No. 2437, Senate Concurrent Resolution 116, concurrent resolution to approve agreement between the Government of the United States and the European Atomic Energy Community—Euratom—concerning cooperation to advance the peaceful application of atomic energy.

Calendar No. 2438, Senate Joint Resolution 201, joint resolution to authorize the Chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

Calendar No. 2439, H. R. 11630, a bill to amend title XV of the Social Security Act to extend the unemployment system to ex-servicemen, and for other purposes.

Calendar No. 2440, H. R. 12489, a bill to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956.

Calendar No. 2441, H. R. 11889, a bill to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair to be admitted without payment of tariff, and for other purposes.

Calendar No. 2442, S. 3571, a bill to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States.

Calendar No. 2443, S. 3776, a bill to extend the time for the collection of tolls to amortize the cost of a bridge across the Missouri River at Miami, Mo.

Calendar No. 2444, S. 4179, a bill to authorize the Tahchevah Creek project, Palm Springs, Calif.

Calendar No. 2446, H. R. 8160, a bill authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes.

Calendar No. 2447, H. R. 8652, a bill to rescind the authorization for the Waldo Lake Tunnel and regulating works, Willamette River, Oreg.

Calendar No. 2449, H. R. 12216, a bill to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the Cordell Hull Dam and Reservoir.

Calendar No. 2450, H. R. 13342, a bill to provide for a survey of Parish Line Canal, La.

Calendar No. 2451, S. 4287, a bill to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases.

Calendar No. 2454, H. R. 13580, a bill to increase the public debt limit.

Calendar No. 2455, H. R. 13518, a bill to incorporate the Blinded Veterans Association.

Calendar No. 2456, Senate Joint Resolution 89, joint resolution to authorize and request the President to proclaim 1 week each year as National Junior Achievement Week.

Calendar No. 2457, H. R. 4642, a bill to establish a Commission and Advisory Committee on International Rules of Judicial Procedure.

Calendar No. 2458, S. 1885, a bill for the relief of David Forbes.

Calendar No. 2459, S. 2469, a bill for the relief of Dr. Brant Bonner.

Calendar No. 2460, S. 3338, a bill for the relief of Erminio Neglia.

Calendar No. 2461, S. 3523, a bill for the relief of Benedict Eremenko and Victor Tatarnikov.

Calendar No. 2462, S. 4109, a bill for the relief of Dr. Herbert H. Schafer, and his wife, Irma Niemeyer Schafer.

Calendar No. 2463, S. 449, a bill for the relief of Johann Kalatschan.

Calendar No. 2464, S. 951, a bill for the relief of Stasys Sereika.

Calendar No. 2465, S. 3503, a bill for the relief of Marie Inette Konomos.

Calendar No. 2466, S. 3565, a bill for the relief of Ellen B. Mueller.

Calendar No. 2467, S. 4169, a bill to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization.

Calendar No. 2468, S. 448, a bill for the relief of Maria Lorenz.

Calendar No. 2469, S. 453, a bill for the relief of Peter Menzer.

Calendar No. 2470, S. 1944, a bill for the relief of Ethel Auth.

Calendar No. 2471, S. 1945, a bill for the relief of Jacob Libling, Jr.

Calendar No. 2472, S. 2186, a bill for the relief of Martin Albert.

Calendar No. 2473, S. 4032, a bill for the relief of Mercede Svaldi.

Calendar No. 2474, H. R. 3904, a bill for the relief of Nunik Firjanian and Florence Thomasi.

Calendar 2475, H. R. 1494, a bill for the relief of the Southwest Research Institute.

Calendar No. 2476, H. J. Res. 585, a joint resolution authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, Calif.

Calendar No. 2477, H. R. 9239, a bill to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes.

Calendar No. 2478, H. R. 13558, a bill to incorporate the Military Order of the Purple Heart of the United States of America, of combat wounded veterans who have been awarded the Purple Heart.

Calendar No. 2479, S. 1870, a bill to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines.

Calendar No. 2480, H. R. 8481, a bill to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii.

Calendar No. 2481, H. R. 12494, a bill to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes.

Calendar No. 2482, H. R. 1829, a bill for the relief of the estate of Mrs. Frank C. Gregg.

Calendar No. 2483, H. R. 6175, a bill for the relief of Virginia Heil.

Perhaps most of those bills will pass on the calendar call, but those which do not will be subject to a motion following the call of the calendar.

Mr. WILEY. Does the Senator mean at 10 o'clock on Monday morning?

Mr. JOHNSON of Texas. Yes. There will be a morning hour, following which there will be a call of the calendar. Following the call of the calendar, certain bills will be taken up on motion.

ANNOUNCEMENT OF CONSIDERATION OF BILL ON MISBRANDING OF FIBER CONTENT OF TEXTILE PRODUCTS

Mr. GORE. Mr. President, the junior Senator from Tennessee arrived in the Chamber a little late. Did the majority leader make an announcement with reference to Order No. 1689, H. R. 469, to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products? Did he announce that the bill would be called up?

Mr. JOHNSON of Texas. It had been cleared previously and a previous announcement has been made with respect to it. It has not been called up, because some Senators are attempting to work out an amendment which will be satisfactory to the opposition and to the proponents of the bill. I understood the Senators were to meet, probably today. I said that if we considered everything we announced as having been cleared, we would probably be here until October, perhaps even longer. The bills I have announced are the bills which the Policy Committee has authorized the leadership to bring up on motion. Some will be brought up by motion, and some not. The bill to which the Senator has made reference is one which I have been authorized to bring up by motion.

I had anticipated doing so this week. However, when the two sides said they were attempting to get together, I did not wish to rush them. I hope to bring it up next week. There is great interest in the bill. I know it is of great interest to some 25 or 30 Senators, and they are extremely concerned about it. I wish to be fair with the opponents of the bill. If there is any area of agreement which can be reached, I wish to give them ample opportunity to reach it. If they do not do so by the middle of the week, I shall try to find a place for it somewhere in the schedule.

Mr. GORE. I thank the Senator. It is a much-needed bill. The cotton farmers and the cotton industry are very much interested in it, and the public is entitled to protection against misbranding and false advertising of the fiber content of textile material.

Mr. JOHNSON of Texas. I quite agree with the Senator. When the Senator was occupied in Tennessee recently, he expressed his position on two bills. One was the labeling bill, to which we have had reference, and the other was the tax bill. The tax bill has already gone to the President. I suspect the bill we are discussing will be passed before next week is over. I appreciate the Senator's suggestion, and he may be assured of my full cooperation. I want the opponents to be able to work something out with the proponents, if it is possible to do so.

Mr. GORE. I am perfectly willing to give them opportunity to work it out, but I do not want the opponents to prevent consideration of the bill.

Mr. JOHNSON of Texas. They are not going to.

AMENDMENT OF DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1955—CONFERENCE REPORT

Mr. BIBLE. Mr. President, on behalf of the Senator from Delaware [Mr. FREAR], I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13132) to amend the District of Columbia Teachers' Salary Act of 1955. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 19, 1958, p. 18559, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. Mr. President, I will say for the benefit of the acting minority leader that I have discussed this matter and have cleared it on his side of the aisle. The report was signed by the two conferees on that side of the aisle.

Mr. MORSE. Mr. President, the present Presiding Officer, the Senator from Wisconsin [Mr. PROXMIRE] and the senior Senator from Oregon did not sign the conference report, although we were conferees. We did not sign the report because, in the first place, we did not believe the report provides an adequate salary increase for the teachers. We did not sign it, in the second place, because we thoroughly disapproved of the procedure which was followed in conference. It was a procedure for which the Senator from Nevada [Mr. BIBLE] is not in the slightest degree responsible. He was not one of the conferees. He is presenting the report in behalf of the conferees.

As to the first point of our objection, namely, that we do not believe the bill provides an adequate salary increase for the teachers, we are confronted with this situation. It is this or nothing. We want the teachers of the District of Columbia to know that, come January, we will again be proposing legislation which seeks to obtain for them a salary commensurate with the value of their services, and a salary in keeping with the obligations of Congress toward the teachers of the District, which means a substantial increase.

The second matter I believe should be considered at a meeting of the District of Columbia Committee, which meets next Monday. We shall present our point of view on it, in the hope that the precedent which was established in the conference, to which we objected, will never again take place in a District Committee conference.

Mr. BIBLE. I appreciate the sentiments of the Senator from Oregon. As to the first point, the matter has been thoroughly explored, not only by the committee but by the conferees as well. It was felt that a 14-percent increase was a fair and just and financially responsible increase to the teachers of the District of Columbia. For that reason it was recommended. It is now before the Senate for final action.

As to the second point, I am happy to state to the senior Senator from Oregon that there will be a committee meeting on Monday of next week. The problem to which he has alluded is one which can be discussed at that time.

Mr. President, I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CELEBRATION OF CENTENNIAL OF DISCOVERY OF SILVER IN UNITED STATES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives the concurrent resolution (S. Con. Res. 52) extending greetings to the citizens of Nevada concerning the celebration of the centennial of the discovery of silver in the United States, which were, on page 2, line 2, strike out all after "States," down through and including line 5, and in the preamble, line 3, strike out all after "Nevada" down through and including "Union" in line 9.

Mr. BIBLE. Mr. President, the concurrent resolution has been cleared by the majority leader, the minority leader, the chairman of the Committee on the Judiciary, the Senator from Wyoming [Mr. O'MAHONEY], who is in charge of the measure, and the Senator from Massachusetts [Mr. SALTONSTALL], the acting minority leader.

I move that the Senate concur in the amendments of the House.

The motion was agreed to.

VOCATIONAL REHABILITATION TO CERTAIN VETERANS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2384, Senate bill 4213.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4213) to afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of a disability rated 30 percent or more incurred in or aggravated by active service subsequent to January 31, 1955.

The PRESIDING OFFICER. The question is on agreeing to the motion of then Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments.

PROPOSED CURBING OF UNITED STATES SUPREME COURT

Mr. McNAMARA. Mr. President, I am very much pleased to find that the State bar of Michigan has gone on record opposing the so-called Jenner-Butler legislation to curb the Supreme Court.

The board of commissioners of the State bar, without dissent, adopted a resolution stating their opposition. I am in complete agreement with their position on this proposed legislation.

I ask unanimous consent that a letter informing me of their action be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE BAR OF MICHIGAN,
Lansing, Mich., August 14, 1958.

Senator PATRICK V. MCNAMARA,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MCNAMARA: At its regular meeting on July 11, the board of commissioners of the State Bar of Michigan discussed the matter of the Jenner-Butler legislation, now before the Senate for consideration, then went on record as opposing it.

A resolution was approved without dissent that Michigan's Senators be informed of the action taken by the governing body of the legal profession in this State.

We urge you to give careful consideration to the measure, and hope that your thinking will coincide with that of the board members.

Yours sincerely,

JAMES E. HAGGERTY,
President.

UNITED STATES RELATIONS WITH SOUTH AMERICA—PROPOSED HEMISPHERE BANK

Mr. SMATHERS. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD an article which appeared in the August 13 issue of the Washington Post and Times Herald, entitled "United States To Weigh Joining New Hemisphere Bank."

The article discusses the State Department's decision to finally join with representatives of Latin American countries in the creation of a new hemisphere bank. I am delighted that they have seen fit finally to undertake this step. I can say very modestly but I think factually that as long as 8 years ago I recommended that this be done. As a matter of fact, 2 years ago I directed a letter to the then Deputy Secretary of State in Charge of Latin American Affairs, Mr. Henry Holland, recommending that this proposal be adopted.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES TO WEIGH JOINING NEW HEMISPHERE BANK

(By Henry Raymont)

The United States did an about-face yesterday and agreed to consider taking part in a proposed inter-American development bank in a new effort to improve its Latin American relations.

C. Douglas Dillon, Under Secretary of State for Economic Affairs, announced the decision at a meeting of the Inter-American Social and Economic Council, an agency of the Organization of American States.

In the meantime, officials said Brazil this week would formally propose a series of steps for carrying out President Juscelino Kubitschek's program for strengthening hemispheric ties.

They said Brazilian Foreign Minister Negrao de Lima would urge that a high-level diplomatic committee be set up in Washington as soon as possible to consider the program. The program would be known as Operation Pan-Americanism.

Last year this country turned down Latin American appeals for a new financing institution. It said then that the Export-Import Bank, the World Bank, and the International Monetary Fund could meet Latin America's borrowing needs.

The change in policy was an obvious attempt to counteract the growth in anti-United States sentiment in Latin America, which was dramatized by the hostile reception given Vice President RICHARD M. NIXON in South America earlier this year.

Dillon told the Inter-American Council the United States "for some time has been giving unceasing attention to the economic problems of Latin America." He noted that visits had been made by Nixon, Secretary of State John Foster Dulles, Treasury Secretary Robert B. Anderson, and Milton S. Eisenhower, the President's brother.

As a result of their reports, Dillon said, the United States "is prepared to consider the establishment of an inter-American regional development institution which would receive support from all its member countries."

The possible creation of an inter-American bank was one of the principal topics discussed by Dulles and Kubitschek in their conferences in Rio de Janeiro last week.

Mr. SMATHERS. Mr. President, I am delighted to know that the State Department has seen fit to make this very sensible, useful recommendation. It is a recognition of the importance of the Latin American countries and the standing which those countries occupy in the Western Hemisphere. Such recognition by the United States has been long overdue.

I am very much pleased to notice that all over the country today there is increasing recognition of the importance of Latin America with respect to the problems of the United States.

In that connection, I ask unanimous consent to have printed at this point in the RECORD an article entitled "We Turn Our Eyes to South," written by Roscoe Drummond, and published in the Miami Herald of Sunday, August 10, 1958.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE TURN OUR EYES TO SOUTH

(By Roscoe Drummond)

WASHINGTON.—President Eisenhower is going to a summit conference after all; not the Khrushchev summit but the Kubitschek summit.

This will be a meeting of the heads of state of the 21 American Republics which has been a special project of President Juscelino Kubitschek, of Brazil.

A Western Hemisphere summit is needed. The United States has permitted the impression to grow that it is more interested in the welfare of nations far away than it is in its neighbors to the south. It is a complaint which has some substance.

The Nixon, Milton Eisenhower, and Dulles trips have served to bring into the open the need to clear away misunderstandings which get in the way of solving real problems.

The grievances arise mainly out of misunderstandings of United States policy which Latin American Communists do their best to distort. The principal ones are these:

Grievance 1: That while we have given large economic aid elsewhere, Latin American countries can't even get loans.

Balancing facts: Two-way trade with the United States is up sixfold since the end of the war. While it is true that the United States devoted billions to rescue the economic structure of Western Europe, this has made Western Europe a buying market for all Latin American countries. American military aid serves the security of the whole Western Hemisphere.

Grievance 2: Latin Americans eye the vast American budget and wonder why more economic aid cannot be easily forthcoming.

Balancing facts: Because of their own relatively low taxes—nothing over 16 percent—Latin Americans have little appreciation of the heavy tax burdens carried by citizens of the United States—as steep as 92 percent in the highest brackets.

Grievance 3: Democratic forces in Latin America resent our dealing with dictatorship governments.

Balancing facts: The policy of the United States is nonintervention in the political processes of Latin American countries. The alternative would be to take sides in national elections which would be more resented.

There are, of course, grievances which do not rest upon misunderstanding. The one-commodity economies of many Latin American nations are especially vulnerable to any recession in the United States. When free-market prices in the United States go down, a country like Guatemala, for example, 85 percent of whose foreign exchange comes from coffee, is acutely hurt. They would like price-quota stabilization.

The World Bank, Export-Import Bank, Economic Development Fund, have been administered without a coherent policy toward Latin America and Latin Americans have suffered from inability to survey their own needs expertly and from being shunted from one institution to another.

There are great capital opportunities in Latin America and if we do not help develop them the temptation is to turn to the Communist demagogue who gives the appearance, if not the substance, of economic hope.

Mr. SMATHERS. Mr. President, since the conclusion of World War II, American foreign policy has gone through one crisis after another, with the result that areas of the world which have avoided crisis have generally languished outside our field of vision.

One can argue at great length about the wisdom of conducting foreign policy in this fashion. But to avoid irrelevant political discussion, I think it can be conceded by all concerned that a genuine crisis must necessarily preempt the time and the energies of anyone from the President on down, whose primary responsibility is the overall conduct of our foreign policy.

What we have failed to do is to adjust our thinking and our institutional forms to the plain fact that we are living in an era of perpetual crisis.

In much of the world, instability is the order of the day, and the best we can hope for is to manage the direction of the flux. Moreover, we are confronted with an enemy whose object it is to foster trouble wherever and whenever he can.

Under these circumstances, we must continue to expect recurrent challenges on the periphery of the Free World, demanding from us the utmost in skill and ingenuity. The logic of events and the nature of our enemy make it imperative that the development of a strategy and the improvization of tactics to meet such challenges must, for the foreseeable future, occupy a central place in both official and unofficial discussions of foreign policy.

Nonetheless, it is clear that a foreign policy shaped by emergency tends inevitably to be dependent upon emergency for its inspiration. That is, when policy is oriented toward the resolution of crises, it is likely to focus sharply on the crisis of the moment, and to relax in those places where no crisis is apparent.

Thus, the implication of breeding policy in crisis is that where there is no crisis, there is no policy. However, the implication is not felt automatically in every area of the world. Many crises have, by extention, immediate meaning elsewhere.

The present crisis in Lebanon and Jordan, for example, has an obvious immediacy for Western Europe and therefore for American policy in Western Europe. There is the problem of Middle East oil and Western Europe's oil needs. Likewise, the problem of protecting Europe's underbelly under new military conditions.

Similarly, the invasion of South Korea in 1950 was widely understood to be a feint to draw attention away from the situation along the border between the Soviet satellites and the Free World. We were quick to adjust our European policy to this new development.

But, Mr. President, such rapid adjustment does not occur whenever the crisis in one part of the world is largely irrelevant to conditions in another part of the world. Thus, our policy in the Middle East, until recently, has been bound by the limitations of our experience elsewhere.

Out of the challenges which had been made to our security in Europe and Asia, we evolved the policy of containment, and applied it, without discrimination, to the Middle East situation. Events now have proved the unwisdom of such a policy extension.

Nonetheless, it seems to me, the diplomatic history of the past decade-and-a-half has now made it clear to our policy leaders how interconnected are our fortunes in the Eastern Hemisphere. There is now little disposition to regard policy in Europe or Asia or Africa as self-contained. So an emergency in any one of these areas is likely to force a reevaluation, to some degree, of policy in all other Eastern Hemisphere areas.

The same, unfortunately, cannot be said of policy in the Western Hemisphere. As has been amply demonstrated on recent occasion, our State Department seems to concern itself with the home front only when screams of anguish are heard.

Our Canadian neighbors, for example, were unable to secure any attention to their problems until their discontent was visibly demonstrated. And at this point it was necessary for us to dispatch the President of the United States himself to do something about healing the breach.

The same is true of our relations with Latin America. In the midst of the crisis in the Middle East, in the midst of delicate negotiations leading up to an international conference on which a great deal hangs, the Secretary of State has found himself obligated to chase off to Brazil to patch up a dangerous schism that developed there.

It will be remembered that in 1953 President Eisenhower dispatched his brother, Dr. Milton Eisenhower, on a tour of Latin America. As a gesture of goodwill and as an exercise in personal diplomacy, Dr. Eisenhower's tour was a considerable success.

Dr. Eisenhower is a charming and persuasive man. His interest in the problems of Latin America is very real indeed.

Moreover, the fact that one of President Eisenhower's first acts as President was to send him south on a factfinding tour indicates that fundamentally the Eisenhower administration took its responsibilities toward Latin America with great seriousness.

The immediate outcome of Dr. Eisenhower's visit was a 10-point proposal for improvement of economic relations with Latin America and a 9-point proposal for strengthening mutual understanding. In most respects, the 19 recommendations were both constructive and to the point.

But, Mr. President, I do not think it cynical to point out that Dr. Eisenhower has just now returned from another tour of Latin America and no one would be in the least surprised if he resubmitted his lists. So far as policy is concerned the proposals have never been used.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield.

Mr. PROXMIRE. I commend the Senator from Florida for what he has just said. The Milwaukee Journal did some research on that subject and learned that the recommendations made in 1953 by Dr. Eisenhower were almost the same—practically word for word—as the recommendations he made in 1958.

The Milwaukee Journal did not criticize Dr. Eisenhower's recommendations; they were good ones. But the Journal pointed out that this administration did not seem to do anything about them. They had 5 years in which to act on the recommendations but did absolutely nothing about them.

I commend the Senator from Florida for raising this point. It is evidence of this administration's inaction concerning the problems of South America.

Mr. SMATHERS. I thank the Senator from Wisconsin for his statement. He is exactly correct. Nothing was done about the recommendations made in 1953. They probably will be resubmitted, but the likelihood is that nothing will be done about them again. I propose tonight to challenge the system under which we are considering our Latin American affairs.

Mr. PROXMIRE. I think this statement is most significant. Obviously there is no one in the United States who is closer to the President than is the President's brother. I assume that there is no one in whom the President has more confidence than his own brother.

Dr. Eisenhower is a great and distinguished American. It seems to me that the inaction on his recommendations is the most dramatic kind of failure which this administration could demonstrate.

Mr. SMATHERS. I thank the Senator from Wisconsin. I agree with him completely.

In 1956, President Eisenhower himself met with the Presidents of other Latin American Republics in Panama. At that time he called for a conference of Presidential advisers to study ways of strengthening the Inter-American system. The conference met, consulted, debated, and submitted recommendations. Again, nothing much has resulted.

Similar reports have been submitted by the International Development Advisory Board, which met in 1954 under the chairmanship of Eric Johnston, and by one of the Rockefeller study groups.

Through the Economic and Social Council of the Organization of American States, our Latin neighbors have again and again tried to make us aware of their problems. They have voted innumerable resolutions which seem to have found their way into innumerable pigeonholes.

The complaints voiced last year at the Buenos Aires Economic Conference should have been a warning of incipient disaster. But like the other warnings, these, too, went unheard.

Again, let me emphasize, I do not wish to engage in partisan discussion. Let us reserve such discussion for another time. It does not bear upon the point I wish to stress at this time.

I do not suppose it is necessary to convince anyone of the need for a hemispheric policy.

However, I hope Senators will bear with me while I put several basic facts into the RECORD, pinpointing the importance of the Western Hemisphere.

In 1956, the United States exported a total of $16,583,600,000—sixteen and a half billion—in commodities. Of this amount, Canada alone received $3,972,200,000, the other American Republics $3,680,300,000. Thus, roughly 46 percent of all goods exported by the United States were purchased in the Western Hemisphere.

The situation as to imports is even more striking. Our imports in 1956 totaled $12½ billion, of which $2.9 billion was received from Canada and $3.6 billion from the other American Republics. Thus, we received 52 percent of our imports from countries in this, our own hemisphere.

The situation with respect to particular commodities is even more clearcut. Of the total of approximately $3½ billion of machinery exports made by the United States in 1956, more than $2 billion were taken by our near neighbors. Two-thirds of our exports of automobiles and automobile accessories were confined to this hemisphere. Well over half of our chemical exports and our iron and steel product exports were taken up by our friends in Canada and to the south of us.

We receive a fraction more than 90 percent of our paper and paper materials imports from Canada, about 54 percent of our petroleum imports from South America, and an additional 10 percent from Canada. We receive approximately 55 percent of our nonferrous metals and their alloys from Western Hemisphere nations. We get 87 percent of our sawmill-product imports from Canada.

A United States Bureau of Mines survey for the war year 1944, discloses the extent of our reliance on Latin America for strategic materials. In that year, the American Republics furnished us with 100 percent of our imported petroleum, antimony, and bismuth, 82 percent of our copper imports, 77 percent of our lead imports, and 96 percent of our cadmium imports.

Among the pure consumer products, we obtain from South America more than 92 percent of our coffee.

From these statistics, it is clear that the economies of the nations of the Western Hemisphere are intimately bound together. This interrelation is disclosed most sharply by the figures for direct American investments abroad.

Totals for 1956 show all—or total—American investments abroad of $22.1 billion. Of this amount, fully $14.8 billion or approximately 67 percent, was invested in Canada and Latin America—$7.4 billion in Canada; $7.4 billion in Latin America.

Last year, United States investments in Latin America reached more than $8 billion, thus increasing our role in their economies, and, correspondingly, increasing their importance to our economy.

There is another matter which merits consideration: Latin America has the fastest-growing population in the world. According to latest estimates, the 20 Latin American Republics have a total population of 183 million. Canada's population is approximately 17.5 million. The United States population is estimated at 174 million.

At the expected rate of growth, by the year 2000, the population of the Latin American countries will be approximately 500 million; the Canadian population, approximately 54 million. The United States population will certainly be no more than 250 or 260 million.

From the figures I have cited, it should be quite apparent that the United States economy is remarkably dependent upon smooth relations with Western Hemisphere nations.

However, the economies of our neighbors are even more dependent on the economy of the United States than ours is on theirs, which means several things:

First, the slightest change in our economic policy can bring to them prosperity or near disaster; and it has, on different occasions, done both.

Second, any appearance we give of ignoring Western Hemisphere problems is certain to create fear and, therefore, to give rise to political rumblings, on the one hand, and to economic speculation, on the other.

Third, in an effort to escape from this overdependence on the undependable, the responsible leaders in Latin America will naturally be disposed to seek means of relieving that dependence.

In the present state of the world, this third point has a real and unsettling application. We have already seen, throughout Latin America, the effects of the trade offensive undertaken by the Kremlin.

We have also seen the application of the second point—that is, economic uncertainty, accompanied by political discontent. This factor, more than propaganda by Soviet agents, accounts for the reception accorded Vice President NIXON during his visit to South America.

I do not believe it is necessary at this time to repeat arguments concerning the dangers of Communist infiltration into this Hemisphere. The dangers are real, only if we continue to ignore the realities of Western Hemisphere relations. However, the danger that we shall continue to exhibit such ignorance is painfully real.

The consequences of Soviet infiltration into Latin America would be so dire as to defy calculation. We must accept, and must successfully meet, the Soviet challenge, or else be prepared to suffer the consequences. In this respect, the Monroe Doctrine is as much in point today as it was on the day when it was proclaimed.

In this connection, we find sobering food for thought in the study of Latin American public opinion, released last week by Life magazine. Life magazine's poll discloses that—

> Latin American peoples are now predominantly on the side of neutralism in the continuing cold war between the Communist dictatorship and the Western allies.

It is readily apparent that, under present circumstances, the proper consideration of Western Hemisphere policy is certain to be ignored, unless, most unfortunately, trouble were to occur, and the resulting flame of fire in the Western Hemisphere were to burn brighter than that in any other part of the world.

To correct this obvious defect, I am introducing, for appropriate reference, a bill, the purpose of which is to establish, within the Department of State, the office of Under Secretary of State for Western Hemisphere Affairs. The creation of this new post would recognize, and give institutional expression to, an existing set of facts—namely, that American foreign policy now is, and to an extent must be, so thoroughly preoccupied with the problems of the immediate present, that little attention is directed to less urgent matters. This is true, even though in the long run the less urgent problems may be the more crucial ones.

The change which would be brought about by my proposal may seem, outwardly, to be insignificant. But as a result of the foreign-policy tendency which I have outlined, and of what might otherwise be called the inevitable "hot spot method," all of our officials in the Department of State are disposed to give priorities to matters outside this hemisphere.

At this point it will be well to consider briefly the present organization of the Department of State. Let me say, first, that my discussion of this point will be stripped of complications. Hence, it will be something of an oversimplification. However, for the purposes of this preliminary presentation, I feel it is better not to be weighted down by details.

The Secretary of State, Mr. Dulles, has as his chief lieutenant, the Under Secretary of State, Mr. Herter. Immediately below the Under Secretary comes the recently created post of Under Secretary of State for Economic Affairs, which is occupied by Mr. Dillon.

On the next level are the two Deputy Under Secretaries, one for Administration, the other for Political Affairs. They constitute the fourth level.

On the fifth level are 11 Assistant Secretaries of State, plus the Administrator of the Bureau of Security and Consular Affairs, the Department's Legal Adviser, and the Director of the Bureau of Intelligence and Research—making 14 persons, in all on this level.

The person chiefly responsible for Western Hemisphere affairs, in practice, though not in theory, is the Assistant Secretary for Inter-American Affairs, a fifth-level figure.

The Under Secretary for Western Hemisphere Affairs, for which this bill provides, would be either a second-level, or a third-level figure.

The bill I am introducing is not intended as a criticism of Mr. Dulles or of the Department of State, or of the Assistant Secretary of State for Inter-American Affairs, but is meant to be a constructive proposal rooted in what I conceive to be an inescapable fact—namely, that the present structure of the State Department, given the situation of worldwide attention and recurrent crises, leads inevitably to preoccupation with immediate troubles and to neglect of longer-range needs.

Certainly, Mr. President, all of us can agree that such a state of affairs is completely undesirable. Our objective should be to secure an effective balance between a foreign policy shaped to fit present problems and one adapted to future needs, as well.

Balance is needed; and it can be accomplished by the creation of the new post of Under Secretary of State for Western Hemisphere Affairs, within the State Department, in such a fashion as to give equal footing to officers charged with the development of the two aspects of policy. It is my firm conviction that the creation of this new post must be accomplished only on the level of Under Secretary, thus giving the two persons named to these offices equal access to the Secretary of State, and, in the absence of the Secretary, equal access to the President of the United States.

Many problems—all of them important—now exist between the United States and its allies in the Western Hemisphere; and each of these problems is receiving attention, although in varying degrees.

However, it is my judgment that all of these problems can be solved and a longer step can be taken toward the establishment of a cooperative and happy hemisphere if we recognize that the essential first step is the appointment of an Under Secretary for the Western Hemisphere. To make this step is to let the other peoples of this hemisphere know of the important position they occupy in the minds of the people of the United States of America, their principal neighbor.

The purpose of this bill is to satisfy their justified longing and desire for

recognition; it is to set in motion machinery which will reverse the policy of "Latin America last," and will—as it properly should—put the Western Hemisphere first.

It is clear, beyond sensible doubt, that the importance of these problems justifies and, in fact, demands the creation in our Government of a position which will enable some person of ability to have the rank and the prestige of a position which will enable him to go directly to the President of the United States, and, thus, to cut through the red-tape and delay which now separate the Assistant Secretary in charge of Inter-American affairs from the Secretary of State and the President of the United States.

Unquestionably, the lack of rank, prestige, and influence of the existing position of Assistant Secretary of Inter-American Affairs has made it difficult for any one who occupies that position to come to grips properly and directly with the many and varied problems which exist, and to solve them expeditiously and wisely.

The result has been, throughout the whole Western Hemisphere, smoldering fires, which from time to time erupt into bright flames. On such occasions, we see the use, once again, of our "fire truck" foreign policy—when some of our top officials rush in, and do their best to extinguish the flames, but leave the fire smoldering.

Too long have the problems of the Western Hemisphere received only fifth-echelon attention and consideration. To enable us to prevent neglect and postponed consideration of these problems while the Secretary of State and other top-level officials look intently at flames—which may appear to be burning more brightly—in the Mid-East and in other areas of the world, it is essential that we insure the consideration of Western Hemisphere problems at the level their importance demands, by having them considered by one who will have the prestige of the position of Under Secretary of State for Western Hemisphere Affairs.

For all these reasons, Mr. President, I believe it imperative that we give to Western Hemisphere policy, not priority, but a greater measure of equality. I do not wish to divert attention from other areas of foreign-policy concern. I intend merely to insure that the Western Hemisphere shall no longer be neglected, simply because it has the "misfortune"—so to speak—to be relatively stable and dependable. I, for one, would not like to see us awakened by catastrophe. I hope the rocks, the jeers, and the spit at Lima and Caracas have provided an adequate, sufficient, and timely warning to all of us.

I sincerely trust that the Committee on Foreign Relations, to which this bill will undoubtedly be referred, and both Houses of Congress will act promptly and favorably on it. In so doing, an inestimable contribution will be made toward the development of an effective and stabilized foreign policy.

Mr. President, I now introduce the bill, send it to the desk, and request its appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4304) to authorize an Under Secretary of State for Western Hemisphere Affairs, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Foreign Relations.

SESSIONS BEHIND CLOSED DOORS—PROPOSED AMENDMENT OF SENATE RULE NO. XXXV

Mr. MORSE. Mr. President, last Thursday night, the Senate was treated to a very interesting parliamentary maneuver, when, on two occasions, an attempt was made to invoke Senate rule XXXV.

On the first occasion, the Senator who attempted to invoke the rule, withdrew his motion. On the occasion of the second attempt to invoke the rule, the Senator invoking the rule failed to obtain a second to his motion.

I believe that incident needs to be reviewed very briefly, by way of background, before I submit a proposed amendment to Rule XXXV, which, at the conclusion of my remarks, I shall send to the desk.

It will be recalled that on Thursday, the Senator from Massachusetts [Mr. KENNEDY] made a speech, in the course of which he pointed out that the United States is lagging far behind Russia in many phases of national defense. He warned the people of the Nation that appropriate action must be taken, in order to remedy this very serious situation.

Subsequently, it was charged by the Senator from Indiana [Mr. CAPEHART] that the Senator from Massachusetts [Mr. KENNEDY] had violated some great rule of secrecy which, supposedly, should exist, and, supposedly, should apply when a Senator stands on the floor of the Senate to warn the people of America that all is not going well with our national defense.

When the discussion was continued again Thursday night, and some of the same statements were made in the debate that the Senator from Massachusetts had made in his speech earlier in the day on Thursday, it was suggested that rule XXXV be invoked, the galleries be cleared, and the Senate go into a closed-door session.

On Friday, August 15, the Senator from Massachusetts [Mr. KENNEDY], as appears on page 16282 of the RECORD, had this to say:

> Mr. KENNEDY. Mr. President, in the discussion concerning my speech yesterday afternoon relative to the coming years of the gap, it was implied that some of these statements were either so secret or so alarming that they should not be publicly stated on the floor of the Senate. It was pointed out by several Senators—including such experts in this field as the distinguished Senator from Washington [Mr. JACKSON] and the distinguished Senator from New Mexico [Mr. ANDERSON]—that these facts were neither confidential nor new, and had in fact been stated by administration and Defense Department spokesmen. I would like at this time to insert in the RECORD quotations from the President, the Secretary of Defense, and others confirming the facts summarized in my speech yesterday afternoon.

The Senator from Massachusetts then proceeded to insert in yesterday's CONGRESSIONAL RECORD statements, made by leaders of this administration, which not only confirmed what the Senator from Massachusetts had said in his speech, but, in my opinion, in some instances went even further.

For the benefit of the Republican critics of the speech of the Senator from Massachusetts, I reiterate that those confirmatory speeches were made by leaders of this administration.

The discussion of last Thursday does not represent an incident that can be forgotten in this session of Congress, because it is a foreboding. It forebodes ill. I think we have to establish once and for all we are going to see to it, as Senators, that untrammeled free speech prevails in the Senate, and that we are not going to adopt a Russian Politburo police-state technique of concealing from the American people the facts the American people ought to know about the administration of their Government.

I think we are all indebted to the Senator from Massachusetts [Mr. KENNEDY] for his forthrightness, his courage, and his determination in this matter. I salute him for the speech he made on Thursday, and for the additional proof he presented to the Senate on Friday in support of the documentation which he had presented to the Senate on Thursday.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MORSE. I shall return to that proof in just a moment.

I am now pleased to yield to the Senator from Missouri. He can close his ears for a moment, because the man I am now yielding to, the former Secretary of the Air Force of this country, one of the great public servants of our generation, has stood on the floor of the Senate for the past several years and, as has the Senator from Massachusetts, in speech after speech, warned the American people of what was happening to the defenses of this country.

The action on the floor of the Senate on Thursday night from the other side of the aisle causes some of us to raise the question, "What is the matter? Can't the Republicans take it? Don't the Republicans want the American people to know the facts in regard to what is happening to the defenses of this country under a Republican administration?"

Here is one Senator who will exercise every power within the office of United States Senator, under the rules of the Senate, to see to it that the American people are guaranteed the preservation of free speech in the Senate.

I do not intend to go along with a rule which in its present form can be abused; and what was tried the other night was an abuse of rule XXXV. Those seeking to invoke the rules were within the letter of the rule, but, I respectfully submit, they were not within the spirit of the rule, because a rule was never put in the rule book to cover the type of situation occasioned by the speech of the distinguished Senator from Massachusetts last Thursday, or the discussion of last Thursday night, as the proof to which I am about to refer in the Kennedy speech of yesterday clearly shows.

I now yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the able Senator for his remarks in respect to my interest in national defense. As he remembers, I first met him when he was a distinguished member of the Armed Services Committee. I have told him many times that I wish he was back on the committee to handle the very problem he has brought up tonight, namely, giving the American people the truth with reference to the relative military strength of this country vis-a-vis a possible enemy.

I did not know the Senator was going to speak on the subject tonight. I must attend another engagement. I congratulate him for bringing the matter up.

For many years some of us have been trying to present to the American people the truth with respect to the military strength of this country. When the very able Senator from Massachusetts, in his address, brought up many of these matters, as a result of the interest displayed, for some reason—I do not know why—Members of the Senate on the other side of the aisle attempted to invoke a rule which, in effect, as I stated on the floor at that time, was a rule against free speech.

I am very glad that the able and articulate Senator from Oregon is going back to one of his first loves—an attempt to get the facts with respect to the defense of this country before the American people.

Regardless of anything said by any Member of the Senate, in the Senate the other day, I intend to pursue in the future, as I have in the past, every effort to present to the Senate and the American people the increasingly disturbing situation which was so ably revealed on the floor by some of my colleagues the other evening. I thank the Senator.

Mr. MORSE. I thank the Senator from Missouri for his very kind and overgenerous remarks. I want him to know I stand shoulder to shoulder with him in the Senate in efforts to strengthen the defenses of this country, which I think have been sorely weakened by the administration policies.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Florida.

Mr. SMATHERS. I thank the Senator for this opportunity to associate myself with the statements which he has made, including those with respect to the junior Senator from Missouri, who over the period of the last 6 years has so consistently stood on the floor of the Senate and pointed out to the American people the particular manner in which we were falling behind the Soviet Union, and the areas in which the Soviet Union was even getting ahead of us. He has endeavored, over that long period of time, to alert us to the problems with which we are faced.

I want to join the Senator from Oregon in his praise of the junior Senator from Missouri.

I wish to congratulate the Senator from Oregon for what he is doing tonight, and for what it seems to me has been a consistent fight of his ever since it has been my privilege to serve with him in the Senate, to protect the right of the representatives of the people to speak out and tell them the truth, in his sincere, and I think correct, belief it is only right that the American people should have the facts. After all, this is a democracy, and the strength of it will depend on how well the people are informed.

On many occasions I have seen the able Senator from Oregon stand up to defend the right of the people to know. I congratulate the Senator once again for his effort tonight in pointing out the evil of a rule which is on the books, and which might some day be used to prevent the people from knowing the truth. I should like to associate myself with the remarks of the Senator.

Mr. MORSE. I thank the Senator from Florida very much for his kind remarks.

I am offering the amendment to rule XXXV tonight because of the principle I have enunciated so many times in my speeches in the Senate during the past 14 years; namely, that in a democracy there is no substitute for full public disclosure of the people's business. I believe, Mr. President, that national defense is the people's business, and if the national defense is not going well, the American people should know of it. Disclosing the facts, no matter how ugly they may be, in my opinion, does not in any way jeopardize the security of this Nation.

I wish to refer now to the documents printed in the RECORD yesterday by the Senator from Massachusetts [Mr. KENNEDY]. The Senator invited attention, for example, to a statement of Secretary of Defense McElroy.

> Secretary of Defense McElroy said on November 15, 1957, in a press conference:
>
> "We are behind the Russians in missile and satellite developments."

Yet, when the Senator from Massachusetts [Mr. KENNEDY] brought that out on the floor of the Senate by other proof which he offered, it was suggested that in some way he was violating some sacred principle of secrecy involving the defenses of this country and that we ought to clear the galleries and go into session behind closed doors.

It is the proposal I am objecting to. Surely, we could clear the galleries and go into executive session, and then by a vote overrule the objectors and go back into public session. This kind of procedure, throwing us into that kind of secret session, in my judgment has no place in a democracy, and should not be countenanced.

The Senator from Massachusetts [Mr. KENNEDY] had printed in the RECORD some testimony involving one of the outstanding authorities in the field of atomic development, as follows:

> In the Preparedness Investigating Subcommittee, on December 14, 1957, in response to questioning, Dr. Wernher von Braun (Director, Development Operations Division, Army Ballistics Missile Agency, Huntsville, Ala.) said:
>
> "Mr. WEBB. You do not underestimate the ability of the Russians to make and develop and plan and research into the missile field, do you?
>
> "Dr. VON BRAUN. No, sir; I don't.
>
> "Mr. WEBB. Do you believe the Russians are ahead of us in this field?
>
> "Dr. VON BRAUN. In the ballistic missile and satellite business, definitely; yes, sir."

That is public information, published all over the country. It is the same kind of information the Senator from Massachusetts [Mr. KENNEDY] had in his speech last Thursday. There was no great Republican protest against von Braun, yet when the Senator from Massachusetts said something which was very similar in his speech, and in fact no stronger, it was suggested that we ought to clear the galleries and go into a closed-door session of the Senate.

The Senator from Massachusetts [Mr. KENNEDY] had printed in the RECORD a reference to a statement of Admiral Radford, who used to be chairman of the Joint Chiefs of Staff, as follows:

> Admiral RADFORD. I would say this Nation is really in more danger today than it ever has been in its history.

The Senator from Massachusetts did not go any further than that in his speech of last Thursday, for which he was attacked from the Republican side of the aisle as violating some great doctrine of secrecy, yet it was proposed that we ought to clear the galleries and go into a closed-door session.

I have made these references, because I think it is a fitting introduction to the amendment, which I shall now briefly discuss.

I do not object to a closed-door meeting of the Senate in extraordinary situations in which there is a justification for them, but I want the Senate to take a long look at rule XXXV, which reads:

> On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

There was an aborted attempt to do so last Thursday night in the Senate. The rule literally means what it says. Senator X may be making a speech on the floor of the Senate. We can assume hypothetically that the Senator may be talking about an inadequacy in our missile program. A Senator may rise and has the right under the rule, apparently, to interrupt the Senator who is making the speech, to demand recognition, and say, "Mr. President, I move that the doors be closed." Another Senator may second the motion. There can be no discussion about it. The rule would operate automatically. The Presiding Officer would have to order the doors closed, which would mean that the galleries, including the Press Gallery, would have to be cleared, and the Senate would go into a closed session to determine whether it would close the doors, after the doors really had been closed. If the Senate decided not to support the mover of the motion the doors could be opened again, and the public readmitted. Five minutes later the same motion could be

made, and the exhibition could be gone through again.

Mr. President, it is to be understood that Senators would not be so unreasonable; but we know that there is an old rule which is a pretty good rule to follow, which is that if a given procedure is subject to abuse it is better to correct the procedure so that it cannot be abused.

I point out that rule XXXV could be subject to abuse, and it would become subject to abuse if the kind of partisanship exhibited on the floor of the Senate last Thursday night should ever take root and grow.

Mr. President, I am going to offer an amendment which I think would protect the Senate and protect the country. I hope Senators will keep in mind my hypothetical statement. I am offering an amendment tonight that the text of rule XXXV of the Standing Rules of the Senate be amended to read as follows:

On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall at once, and without debate, submit the question to the Senate by a yea-and-nay vote. If the question shall be determined in the affirmative, the Presiding Officer shall direct the galleries to be cleared for the consideration of matters by the Senate behind closed doors.

I would have the Senate keep in mind that my amendment would modify rule XXXV so as to provide that the motion would be nondebatable. It would also provide that the question would have to be put by the Presiding Officer immediately. It would provide that the yea-and-nay vote would have to be taken. It would provide that the business on the motion would be transacted in full view of the American public. It would exclude any secrecy in connection with the motion, as to whether the Senate of the United States, which belongs to the people of the United States, should proceed to do business behind closed doors.

If the Senate decided to close the doors then, Mr. President, in that kind of an executive session we could proceed to discuss whether we should leave the doors closed.

I happen to believe, Mr. President—and the experience of the other night ought to convince us all—that the first check upon the exercise of arbitrary action on the part of two Senators in this body should be an immediate yea-and-nay vote on their motion. Then, if a majority of the Senate should agree that the doors should be closed, the galleries could be cleared and the Senate can proceed to discuss whether it wishes to leave the doors closed.

I respectfully submit, Mr. President, that the incident the other night has imbedded in it a very dangerous possible abuse, and we ought to eliminate that possible abuse before we get into any serious situation created by it.

Therefore, Mr. President, I send my resolution to the desk and ask that it be referred to the appropriate committee, which I assume in this instance will be the Committee on Rules and Administration.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 380) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the text of rule XXXV of the Standing Rules of the Senate is amended to read as follows:

"On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall at once, and without debate, submit the question to the Senate by a yea-and-nay vote. If the question shall be determined in the affirmative, the Presiding Officer shall direct the galleries to be cleared for the consideration of matters by the Senate behind closed doors."

Mr. MORSE. I should also like to say to the Committee on Rules and Administration that I would appreciate it very much, notwithstanding the shortness of the remaining part of the session, if I might have the privilege of appearing before the committee at an early date next week to testify in support of my resolution, in the hope that even before this session of Congress adjourns rule XXXV can be amended. I think it is important that, before this session of Congress adjourns, we make a record on this subject, to give the American people the assurance that there is no danger that in the Senate we are going to adopt Politburo tactics or procedures which would turn this body into a star chamber session behind closed doors, and thus deny to the American people such information as the Senator from Massachusetts offered last Thursday.

I close with this point. As a member of the Foreign Relations Committee of the Senate and a former member of the Armed Services Committee, I know that there is information which must be kept secret for a time because its publication would give comfort to the enemy. But no such information was contained in the Kennedy speech. I think it is unfortunate that an attempt was made to give the American people the impression that the Senator from Massachusetts was in some way violating the security interests of the United States Government. I think the best way to prevent such partisan abuse is to debate the proposed amendment to rule XXXV, which I have sent to the desk.

Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

NECESSITY FOR IMMEDIATE CESSATION OF NUCLEAR BOMB TESTING BY MAJOR POWERS

Mr. MORSE. Mr. President, the Senate knows that time and time again I have spoken out in favor of immediate cessation of nuclear-bomb testing by the major powers. The American public knows this, too, as evidenced by the mail that constantly pours into my office from every State in the Union and countries abroad. Thoughtful, anxious people everywhere are urging me to stand my ground, to do everything in my power to curb the ghastly armaments race that threatens the entire world. This I intend to do.

I am highly pleased that the Disarmament Subcommittee, which demonstrated such independent thinking in regard to nuclear-bomb testing, has at last been made a standing subcommittee of the Committee on Foreign Relations. I am pleased, too, that my esteemed colleague, Senator HUMPHREY, remains as chairman.

I should like again to bring to your attention Senator HUMPHREY'S pungent speech on the floor last Tuesday in behalf of his amendment to the National Defense Education Act. I should like to reemphasize his indignation, and mine, over the inexplicable attitude of a Government that will condone the fantastic expense of testing nuclear bombs, thereby endangering our lives and those yet to come by exposing the universe to the hazards of radiation fallout, yet pinch pennies in offering scholarships to students with unusual mental ability.

I should like to emphasize his great struggle, in which I have tried to join.

It is indeed gratifying to me that I find intelligent support of my stand for the discontinuance of nuclear-bomb testing among my fellow Oregonians. Especially noteworthy is a petition signed by 147 Oregon members of the clergy.

Mr. President, I ask unanimous consent that the full statement by these ministers be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Basing their plea on moral grounds, 147 Oregon ministers have called upon the United States to secure an international agreement to suspend all nuclear weapons tests.

This announcement was made Wednesday, the 13th anniversary of the United States atomic bombing of Hiroshima, by the American Friends Service Committee in Portland.

The ministers represent 71 Oregon communities and 14 Christian denominations.

The appeal was addressed to President Eisenhower, Secretary of State Dulles, and John A. McCone, Chairman of the Atomic Energy Commission. It asked that each work to bring an end to United States tests in the Pacific, and "to bend all possible efforts to secure an agreement with the other nuclear powers which will suspend all nuclear weapons tests."

The ministers questioned the morality of continued testing in light of the "mounting evidence of radioactive fallout and by the widely held opinion of scientists that harmful effects will be visited upon unborn generations."

"We deplore the perfecting of weapons capable of total and instant annihilation of millions of people in one blow," the statement continued.

"We are saddened that the world believes it can sow the seeds of peace by using implements of destruction."

The statement was a project initiated by the American Friends Service Committee in cooperation with the Reverend George G. Roseberry, First Methodist Church of Medford; the Reverend J. J. Clow, Mt. Olivet Baptist Church of Portland; the Reverend John L. Anderson, chaplain at Lewis and Clark College, Portland; the Reverend Albert F. King, Bethel Congregational Church of Beaverton, and the Reverend Harold Glen Brown, First Christian Church of Portland.

Communities represented by signatories include Albany, Ashland, Aurora, Baker, Beaverton, Bend, Carlton, Cave Junction, Coos Bay, Cornelius, Corvallis, Creswell, Dillard, Dundee, Eagle Creek, Eugene, Falls City, Forest Grove, Garden Home, Grants Pass, Gresham, Harrisburg, Hillsboro, Hood River, Independence, Junction City, Klamath Falls, La Grande, Lake Grove, Lakeview, Lebanon, Madras, McMinnville, Medford, Mehama, Mill City, Milton-Freewater, Molalla, Mulino, Myrtle Point, Newberg, Newport, North Bend, Oakridge, Ontario, Oregon City, Oswego, Portland, Prairie City, Prospect, Riddle, Rockaway, Roseburg, St. Helens, Salem, Sandy, Scappoose, Sheridan, Silverton, Springfield, Stayton, The Dalles, Tualatin, Turner, Umatilla, Veneta, Weston, Willamina, Woodburn, Yoncalla.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 16, 1958, he presented to the President of the United States the following enrolled bills:

S. 13. An act for the relief of Hsiu-Kwang Wu and Hsiu-Huang Wu;

S. 92. An act for the relief of Robert Karis;

S. 160. An act for the relief of Georgios Ioannou;

S. 166. An act to amend the laws granting education and training benefits to certain veterans so as to extend, with respect to certain individuals, the period during which such benefits may be offered;

S. 228. An act for the relief of the Chamberlain Water Co., of Chamberlain, S. Dak.;

S. 400. An act for the relief of Paul Thury;

S. 489. An act for the relief of Mary K. Ryan and William A. Boutwell;

S. 761. An act for the relief of Charles C. and George C. Finn;

S. 784. An act for the relief of Dwight S. Sharer;

S. 1119. An act for the relief of Sono Hoshi;

S. 2004. An act for the relief of George and Emma Clifford;

S. 2082. An act for the relief of Nolan Farmer;

S. 2868. An act for the relief of Hasan Muhammad Tiro;

S. 2930. An act for the relief of John J. Spriggs;

S. 2935. An act for the relief of Mary Louise Shields Wilkinson;

S. 2966. An act for the relief of Feofania Bankevitz;

S. 2943. An act for the relief of Ketutua Olteanu;

S. 2963. An act for the relief of Bernabe Miranda and Manuel Miranda;

S. 2969. An act for the relief of Salvador Miranda;

S. 3010. An act for the relief of Jose Mararac;

S. 3031. An act for the relief of Joseph Daniel Maeda Betterley (Toshikazu Maeda);

S. 3055. An act for the relief of Ronald H. Denison;

S. 3130. An act for the relief of Georgios Papakonstantinou;

S. 3131. An act for the relief of Amile Hatem and Linda Hatem;

S. 3192. An act for the relief of Edeltraud Maria Theresia Colloni;

S. 3270. An act for the relief of Nick Tsaliklis;

S. 3305. An act for the relief of Adamantia Papavasiliou;

S. 3316. An act for the relief of Kiyoshi Ueda;

S. 3330. An act for the relief of Leopoldo Rodriques-Mesa and Adela Rodriques Gonzales;

S. 3333. An act to facilitate the insurance of loans under title I of the Bankhead-Jones Farm Tenant Act, as amended, and the act of August 28, 1937, as amended (relating to the conservation of water resources), and for other purposes;

S. 3354. An act for the relief of Fuad E. Kattuah;

S. 3401. An act for the relief of Cho Hack Youn;

S. 3402. An act for the relief of Nassime Kadoch;

S. 3404. An act for the relief of Doulatram Chattulane Chaves;

S. 3421. An act for the relief of Alexander Nagy;

S. 3596. An act for the relief of Feiga Chirinsky Roseman;

S. 3615. An act for the relief of Wendy Levine;

S. 3641. An act for the relief of Gertrude Yang Koo;

S. 3665. An act for the relief of Choe Kum Bok;

S. 3894. An act for the relief of Joseph H. Lym, doing business as the Lym Engineering Co.; and

S. 4002. An act to authorize the Gray Reef Dam and Reservoir as a part of the Glendo unit of the Missouri River Basin project.

RECESS TO 10 A. M. MONDAY

Mr. MORSE. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 10 o'clock a. m. on Monday next.

The motion was agreed to; and (at 8 o'clock and 34 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, to Monday, August 18, 1958, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 16, 1958:

UNDER SECRETARY OF THE ARMY

Hugh M. Milton II, of New Mexico, to be Under Secretary of the Army, vice Charles C. Finucane, resigned.

UNITED STATES JUDGES

Wm G. Knoch, of Illinois, to be United States circuit judge for the seventh circuit, vice Walter C. Lindley, deceased.

Gilbert H. Jertberg, of California, to be United States circuit judge for the ninth circuit, vice Dal M. Lemmon, deceased.

George L. Hart, Jr., of the District of Columbia, to be United States district judge for the District of Columbia, vice James R. Kirkland, deceased.

Omer Poos, of Illinois, to be United States district judge for the southern district of Illinois, vice Charles G. Briggle, retired.

UNITED STATES ATTORNEYS

Wilbur G. Leonard, of Kansas, to be United States attorney for the district of Kansas for a term of 4 years, vice William C. Farmer, resigned.

Howard W. Babcock, of Nevada, to be United States attorney for the district of Nevada for a term of 4 years, vice Franklin P. Rittenhouse, resigned.

William B. West III, of Texas, to be United States attorney for the northern district of Texas for a term of 4 years, vice Heard L. Floore, resigned.

UNITED STATES MARSHAL

Paul Kearney, of Oregon, to be United States marshal for the district of Oregon for a term of 4 years, vice Harold Sexton, resigned.

BOARD OF PAROLE

Edward J. Donovan, of New York, to be a member of the Board of Parole for the term expiring September 30, 1962, vice Harvey G. Straub, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 16, 1958:

UNITED STATES CIVIL SERVICE COMMISSIONER

Barbara Bates Gunderson, of South Dakota, to be Civil Service Commissioner for the remainder of the term of 4 years expiring March 1, 1961.

POSTMASTERS

CALIFORNIA

Dorothy M. Primorac, Adin.
Blanche M. Calahan, Ryde.

CONNECTICUT

Rudolph R. Nelson, Merrow.

FLORIDA

Robert L. Luga, Orange Park.
William H. Bowes, St. Petersburg.

GEORGIA

Robert Lyman Ray, Albany.

IDAHO

James W. Hart, Buhl.

ILLINOIS

Kathryn L. Wallrich, Mossville.
Theodore W. Fadler, Prairie du Rocher.
Martin D. Baum, Shannon.
James E. Hill, Streator.
William C. Hallock, Tilden.
Leslie R. Stein, Trivoli.

INDIANA

Gene Elmo Martin, Borden.
Bobby C. Evans, Odon.

KANSAS

Ralph F. Johnson, McPherson.

MAINE

Richard A. Smith, Northeast Harbor.
Glendon L. Harding, East Holden.

MICHIGAN

Leon H. McNeill, Alma.

MINNESOTA

Robert C. Westrup, Eden Valley.
Donald G. Johnson, Lake Wilson.
Glenn O. Syner, Maple Plain.
Alphonse A. Theien, Melrose.
Lester R. Larson, Moorehead.
Stephen B. Magnuson, Rothsay.
Sylvester V. Eitzmann, Vesta.

MISSISSIPPI

Nolan C. McCraine, Centreville.

MISSOURI

James A. Peth, Bland.
Charles G. Morrison, Cameron.
Raymond J. Ketterer, Gerald.
Elon B. Keller, La Monte.
Richard M. Butterfield, Linneus.
Robert H. Horine, Norborne.

NEBRASKA

James B. Haddix, Oshkosh.

NEW HAMPSHIRE

Katherine L. Post, Spofford.

NEW JERSEY

Evelyn T. McGill, Alpine.

NEW MEXICO

Margarito Arellano, Springer.

NEW YORK

Arthur P. Nichols, Cold Spring Harbor.
Donato V. Saracino, Maybrook.
Sidney V. Fort, Jr., Mechanicville.
Donald A. Creveling, Retsof.

NORTH CAROLINA

Wren Hunter Freeman, Alexander.
Edward H. Thomas, Charlotte.
John E. Thompson, Colerain.
Keith Ray Howard, Cornelius.
Arnold Edward Bullock, Fuquay Springs.

NORTH DAKOTA

Marie E. Checkley, Forest River.
Darrell A. Wischer, Gardner.
Harold E. Retten, Petersburg.

OKLAHOMA

Grady V. Duncan, Durant.
Calvin W. Fargo, Muldrow.

OREGON

Lola V. Moorehouse, Noti.

PENNSYLVANIA

Lawrence A. Floro, Smithton.

TENNESSEE

Harold T. Hammontree, Greenback.
John C. Hamilton, Pikeville.

TEXAS

Walter Teal Adkins, Beeville.
Alton B. Daniels, Bynum.
Hugh S. Davenport, Hutto.
Roland L. Brockington, Lancaster.

VIRGINIA

Mable F. Herbert, Waverly.

WASHINGTON

Norman P. Kramer, Colton.
Jane L. Kitching, Midway.
Stewart L. Olson, Winlock.

WEST VIRGINIA

Loren A. Hoffman, Grafton.
Fannie Napier, Mount Gay.

WITHDRAWAL

Executive nomination withdrawn from the Senate:

POSTMASTER

James L. Kinzie to be postmaster at Troutville, in the State of Virginia.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308 (b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORT

The following reports for the first calendar quarter of 1958 were received after April 20, 1958, too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.
D. (6) $567. E. (9) $564.14.

A. The Aircraft Service Association, 530 West Sixth Street, Los Angeles, Calif.
D. (6) $11,000. E. (9) $6,125.70.

A. American Automobile Association, 1712 G Street NW., Washington, D. C.

A. American Civil Liberties Union, Inc., 170 Fifth Avenue, New York, N. Y.
D. (6) $1,724.97. E. (9) $1,724.97.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $9,086.74. E. (9) $9,086.74.

A. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $193.61. E. (9) $4,822.25.

A. The American Legion, Post Office Box 1055, Indianapolis, Ind.
D. (6) $60,321.19. E. (9) $32,609.43.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N. Y.
E. (9) $6,064.55.

A. American Personnel & Guidance Association, 1534 O Street NW., Washington, D. C.

A. American Trucking Associations, Inc., 142 16th Street NW., Washington, D. C.
D. (6) $10,290.06. E. (9) $20,620.20.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $468.82.

A. Ash, Bauersfeld & Burton, 1921 I Street NW., Washington, D. C.
B. Edwin W. Pauley, 717 North Highland Avenue, Los Angeles, Calif.
E. (9) $189.75.

A. Baldwin & Mermey, 205 East 42d Street, New York, N. Y.
B. Bureau of Education on Fair Trade, 205 West Wacker Drive, Chicago, Ill.
E. (9) $20,502.88.

A. N. C. Banfield, 110 Seward Street, Juneau, Alaska.
B. Klukwan Iron Ore Corp., 110 Seward Street, Juneau, Alaska.
D. (6) $991.12.

A. Barnes, Dechert, Price, Myers & Rhoads, 1600 Three Penn Center Plaza, Philadelphia, Pa.
B. Association of American Railroads, Transportation Building, Washington, D. C.
E. (9) $112.62.

A. Barnes, Dechert, Price, Myers & Rhoads, 1600 Three Penn Center Plaza, Philadelphia, Pa.
B. New York Water Service, Inc., New York, N. Y.
E. (9) $48.65.

A. Irvin L. Barney, Room 303, 401 Third Street NW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $2,625.

A. J. A. Beirne, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. Admiral Frederick J. Bell, 2000 K Street NW., Washington, D. C.
B. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
D. (6) $3,346.14. E. (9) $20.

A. Helen Berthelot, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $2,966.30. E. (9) $2,966.30.

A. Thomas D. Blake, 4664 Reservoir Road, Washington, D. C.
B. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
D. (6) $1,350.

A. Charles B. Blankenship, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $2,864.40. E. (9) $2,864.40.

A. A. Dewey Bond, 721 National Press Building, Washington, D. C.
B. American Meat Institute, 59 East Van Duren Street, Chicago, Ill.
D. (6) $100. E. (9) $51.09.

A. Boston & Maine Railroad, 150 Causeway Street, Boston, Mass.
D. (6) $288.86. E. (9) $500.

A. Roland Boyd, 202 Central National Bank Building, McKinney, Tex.
B. North Texas Municipal Water District, Wylie, Tex.
D. (6) $1,250. E. (9) $13.76.

A. Roland Boyd, 202 Central National Bank Building, McKinney, Tex.
B. Wherry Housing Association, 1737 H Street NW., Washington, D. C.
D. (6) $9,150. E. (9) $784.83.

A. Boykin & De Francis, Shoreham Building, Washington, D. C.
B. Mrs. Claire Hugo Stinnes, Grossenbaumerstrasse 253, Mulheim-Ruhr, Germany.
E. (9) $141.

A. Boykin & De Francis, Shoreham Building, Washington, D. C.
B. Studiengesellschaft fur Privatrechtliche Auslandsintressen, e. v., Contrescarpe 46, Germany.
D. (6) $10,000. E. (9) $251.

A. Harry R. Brasher, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association, 610 Shoreham Building, Washington, D. C.
A. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,240.41. E. (9) $3,240.41.

A. C. Blake Brown, 839 17th Street NW., Washington, D. C.
B. National Association of Motor Bus Operators, 839 17th Street NW., Washington, D. C.

A. George B. Burnham, 132 Third Street NE., Washington, D. C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D. C.
D. (6) $84. E. (9) $84.

A. Bernard N. Burnstine, 900 F Street NW., Washington, D. C.
B. Retail Jewelers of America, Inc., 551 Fifth Avenue, New York, N. Y.

A. Sherman E. Burt, 1625 I Street NW., Washington, D. C.
B. American Coal Sales Association, 1625 I Street NW., Washington, D. C.

A. H. St. John Butler, 1624 I Street NW., Washington, D. C.
B. City of Long Beach, Long Beach, Calif.
D. (6) $2,500. E. (9) $2,022.10.

A. Butler & McKinney, 1624 I Street NW., NW., Washington, D. C.
B. Mr. and Mrs. Laurence Lerno, Westminster, Calif., Mr. Prudent Bovendaerde, Los Alamitos, Calif., Mrs. Genevieve Bovendaerde, Montebello, Calif.
E. (9) $100.

A. Canal Zone, Central Labor Union, Metal Trades Council, AFL-CIO, Box 471, Balboa Heights, C. Z.
D. (6) $3,136.10. E. (9) $1,607.10.

A. Albert E. Carter, 1026 16th Street, NW., Washington, D. C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $3,000. E. (9) $1,054.80.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D. C.

A. Citizens Committee on Natural Resources, 2140 P Street NW., Washington, D. C.
D. (6) $6,172. E. (9) $2,445.90.

A. Joseph Coakley, 815 Sixteenth Street NW., Washington, D. C.
B. Building Service Employees International Union, 155 North Wacker Drive, Chicago, Ill.
D. (6) $2,000.

A. Colorado Railroad Legislative Committee, 615 C. A. Johnson Bldg., Denver, Colo.
E. (9) $851.99.

A. Committee for Broadening Commercial Bank Participation in Public Financing.
D. (6) $9,875.

A. Committee for Oil Shale Development, 1036 Grant Street, Denver, Colo.
E. (9) $10,031.51.

A. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $1,350,779.45. E. (9) $5,830.70.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Amana Refrigeration, Inc., Amana, Iowa.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Independent Advisory Committee to the Trucking Industry, Inc.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Salt Producers Association, 726 La Salle-Wacker Building, Chicago, Ill.

A. Leo E. Connor, chairman of the legislation committee of the Council for Exceptional Children, 1201 16th Street NW., Washington, D. C.
B. Lexington School for the Deaf, 904 Lexington Avenue, New York, N. Y.
E. (9) $53.91.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
D. (6) $3,250.

A. Cordage Legislative Committee, 350 Madison Avenue, New York, N. Y.
E. (9) $33.56.

A. Council of Conservationists, 588 Fifth Avenue, New York, N. Y.
B. Fred Smith & Co., Inc., 588 Fifth Avenue, New York, N. Y.

A. Council for Exceptional Children (a department of the National Education Association), 1201 16th Street NW., Washington, D. C.
D. (6) $434.20. E. (9) $325.07.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue, Washington, D. C.
D. (6) $558.36. E. (9) $558.36.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D. C.
B. American Corn Millers' Federation, 140 South Dearborn Street, Chicago, Ill.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D. C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.
D. (6) $1,575. E. (9) $4,068.27.

A. Paul L. Courtney, 1001 Connecticut Avenue NW., Washington, D. C.

A. Gilbert Cox, Elliston, Va.
B. National Association of Soil Conservation Districts, League City, Tex.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.
D. (6) $851.99. E. (9) $851.99.

A. John L. Crull, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. Michael P. Daniels, 1000 Connecticut Avenue, Washington, D. C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue, Washington, D. C.
D. (6) $150. E. (9) $42.

A. Joan David, 4737 36th Street NW., Washington, D. C.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $600.

A. Joffre C. David, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $277.75. E. (9) $267.26.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $2,989.39. E. (9) $4,306.31.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.
B. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.

A. Robert J. Demichelis, 640 Central Avenue, Deerfield, Ill.
B. The National Committee for Insurance Taxation, the Hay-Adams House, Washington, D. C.
D. (6) $1,575. E. (9) $198.45.

A. Mary S. Deuel, 3026 Cambridge Place NW., Washington, D. C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D. C.

A. Ralph B. Dewey, 1625 K Street NW., Washington, D. C.
B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.
D. (6) $750. E. (9) $917.17.

A. John M. Dickerman, 1625 L Street NW., Washington, D. C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $1,031.25. E. (9) $66.74.

A. Doyle, Lewis & Warner, 904 National Bank Building, Toledo, Ohio.
B. National Association of Employment Agencies, 143 Superior Street, Toledo, Ohio.
D. (6) $500.

A. Carlyle M. Dunaway, 1800 H Street NW., Washington, D. C.
B. The National Association of Life Underwriters, 1800 H Street NW., Washington, D. C.
D. (6) $410. E. (9) $252.17.

A. William M. Dunn, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $174.15. E. (9) $14.52.

A. John W. Emeigh, 1040 Warner Building, Washington, D. C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D. C.
D. (6) $496.06. E. (9) $20.

A. Mrs. Albert E. Farwell, Box 188, Route 2, Vienna, Va.
B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.

A. Berchmans T. Fitzpatrick, 1025 Connecticut Avenue NW., Washington, D. C.
B. Wood, King & Dawson, 48 Wall Street, New York, N. Y.
A. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $668.53. E. (9) $668.53.

A. Forest Farmers Association, Post Office Box 7284, Station C, Atlanta, Ga.
E. (9) $217.18.

A. James P. Fort, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $500. E. (9) $181.06.

A. Maurice H. Fouracre, 1201 16th Street NW., Washington, D. C.
B. Teachers College, Columbia University, 120th Street, New York, N .Y.
E. (9) $25.24.

A. Henry T. Gage, 1100 National Press Building, Washington, D. C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. General Federation of Women's Clubs, 1734 N Street NW., Washington, D. C.

A. Cassius B. Gravitt, Jr., 1110 F Street NW., Washington, D. C.
B. National League of Postmasters of the United States.
D. (6) $200.

A. Group Health Federation of America, 343 South Dearborn Street, Chicago, Ill.
D. (6) $300. E. (9) $217.

A. Carl O. Gustafson, 588 Fifth Avenue, New York, N. Y.
B. Council of Conservationists, 588 Fifth Avenue, New York, N. Y.
E. (9) $3,885.79.

A. William A. Hanscom, 100 Indiana Avenue NW., Washington, D. C.
B. Oil, Chemical & Atomic Workers International Union, 1846 California Street, Denver, Colo.
D. (6) $1,062.50. E. (9) $360.

A. Charles H. Heltzel, 1700 K Street NW., Washington, D. C.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.
D. (6) $930. E. (9) $131.45.

A. William B. Henderson, 925 15th Street NW., Washington, D. C.
B. Parcel Post Association, 925 15th Street NW., Washington, D. C.
D. (6) $5,405. E. (9) $5,396.

A. Raymond F. Hesch, Lafayette Hotel, Washington, D. C.
B. Canal Zone Central Labor Union & Metal Trades Council, Balboa, C. Z.
D. (6) $768.45. E. (9) $638.65.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.
E. (9) $446.78.

A. Jake D. Hill, 1005 Security Federal Building, Columbia, S. C.
B. South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S. C.
E. (9) $194.50.

A. Fuller Holloway, 1000 Shoreham Building, Washington, D. C.
B. Toilet Goods Association, Inc., 1270 Avenue of the Americas, New York, N. Y.
D. (6) $5,000.

A. Victor Hood, 1906 Erie Street, Hyattsville, Md.
B. Journeymen Barbers, Hairdressers, Cosmetologists International Union, Indianapolis, Ind.
D. (6) $2,486.65. E. (9) $756.65.

A. Mrs. Jency Price Houser, 1420 New York Avenue NW., Washington, D. C.
D. (6) $1,843.03. E. (9) $1,843.03.

A. Harold K. Howe, Mills Building, Washington, D. C.
B. American Institute of Laundering, Box 1187, Joliet, Ill.
D. (6) $2,649.99. E. (9) $1,594.81.

A. Harold K. Howe, 207 Mills Building, Washington, D. C.
B. The Lawn Mower Institute, Inc., 207 Mills Building, Washington, D. C.
D. (6) $2,400.

A. Ray L. Hulick, 1040 Warner Building, Washington, D. C.
B. The National Rural Letter Carriers Association, 1040 Warner Building, Washington, D. C.
D. (6) $498.06. E. (9) $30.

A. John M. Hurley, 302 Hoge Building, Seattle, Wash.
B. Washington Railroad Association.
D. (6) $839.88. E. (9) $933.36.

A. Independent Advisory Committee to the Trucking Industry, Inc., 1000 Vermont Avenue NW., Washington, D. C.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D. C.
D. (6) $7,495.93. E. (9) $7,495.93.

A. Nelson P. Jackson, 777 14th Street NW., Washington, D. C.
B. Atomic Products Division, General Electric Co., Schenectady, N. Y.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.

A. Jewelry Industry Tax Committee, Inc., 820 Highland Avenue, Newark, N. J.
D. (6) $425.

A. William T. Jobe, 810 18th Street NW., Washington, D. C.
B. National Association of Ice Industries, 810 18th Street NW., Washington, D. C.

A. Journeymen Barbers, Hairdressers, Cosmetologists International Union, 1141 North Delaware Street, Indianapolis, Ind.
E. (9) $2,486.65.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.
E. (9) $528.92.

A. Elizabeth A. Kendall, 2310 Connecticut Avenue, Washington, D. C.
E. (9) $15.

A. William F. Kenney.
B. Shell Oil Co., 50 West 50th Street, New York, N. Y.
E. (9) $225.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, 1022 Transportation Center, Philadelphia, Pa.

A. Rowland F. Kirks, 2000 K Street NW., Washington, D. C.
B. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
D. (6) $3,807.66. E. (9) $542.49.

A. Klukwan Iron Ore Corp., 110 Seward Street, Juneau, Alaska.
E. (9) $991.12.

A. A. W. Koehler, 839 17th Street NW., Washington, D. C.
B. National Association of Motor Bus Operators, 839 17th Street NW., Washington, D. C.

A. Raymond F. Kohn, 1411 Hamilton Street, Allentown, Pa.
B. Zenith Radio Corp., 6001 Dickens Avenue, Chicago, Ill.
D. (6) $1,650. E. (9) $313.21.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $5,532.14. E. (9) $7,254.43.

A. Dillard B. Lasseter, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,200. E. (9) $260.08.

A. Dillard B. Lasseter, Post Office Box 381, Washington, D. C.
B. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.
D. (6) $450.

A. Francis E. Law, 1001 Connecticut Avenue NW., Washington, D. C.
B. Great Western Savings & Loan Association, 4401 Crenshaw Boulevard, Los Angeles, Calif.
D. (6) $6,000. E. (9) $87.10.

A. J. M. B. Lewis, Jr., Box 1517, Bluefield, W. Va.
B. Iron Ore Lessors Association, Inc., W–1481 First National Bank Building, St. Paul, Minn.
E. (9) $320.87.

A. Harold O. Lovre, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,200. E. (9) $330.05.

A. Harold O. Lovre, 821 15th Street NW., Washington, D. C.
B. Chicago Mercantile Exchange, 110 North Franklin Street, Chicago, Ill.
D. (6) $3,000. E. (9) $536.99.

A. William D. McAdams, 1200 South Courthouse Road, Arlington, Va.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $1,083.32. E. (9) $280.

A. J. A. McCallam, 1507 M Street NW., Washington, D. C.
E. (9) $468.82.

A. Alfred R. McCauley, 1108 16th Street NW., Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.

A. Alfred R. McCauley, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. William A. McClintock, Jr., 7447 Skokie Boulevard, Skokie, Ill.
B. The National Committee for Insurance Taxation, the Hay-Adams House, Washington, D. C.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D. C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $1,750. E. (9) $173.66.

A. George McLain, 200 C Street SE., Washington, D. C.
B. National Institute of Social Welfare, 1031 South Grand Avenue, Los Angeles, Calif.
D. (6) $2,066.

A. MacLeish, Spray, Price & Underwood, 134 South La Salle Street, Chicago, Ill.
B. National Committee for Insurance Taxation, 221 North La Salle Street, Chicago, Ill.
D. (6) $5,935. E. (9) $608.58.

A. James D. Mann, 714 Sheraton Building, Washington, D. C.
B. Private Truck Council of America, Inc., 714 Sheraton Building, Washington, D. C.

A. H. B. Markham, 825 New Hampshire Avenue NW., Washington, D. C.
B. Outdoor Advertising Association of America, Inc., 24 West Erie Street, Chicago, Ill.

A. Marks & Trowbridge, Ring Building, Washington, D. C.
B. Basic Industries Power Committee, 400 Erie County Savings Bank Building, Buffalo, N. Y.

A. Mike M. Masaoka, 1217 Hurley-Wright Building, Washington, D. C.
B. Japanese American Citizens League, 1759 Sutter Street, San Francisco, Calif.
D. (6) $200. E. (9) $175.

A. Arnold Mayer, 100 Indiana Avenue NW., Room 409, Washington, D. C.
B. Amalgamated Meat Cutters & Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $860.

A. Ross A. Messer, Post Office Box 1611, Washington, D. C.
B. National Association of Post Office & General Services Maintenance Employees, Post Office Box 1611, Washington, D. C.
D. (6) $700. E. (9) $102.22.

A. Kenneth A. Meiklejohn, 1908 Q Street NW., Washington, D. C.
B. Retail, Wholesale, & Department Store Union, 132 West 43d Street, New York, N. Y.
D. (6) $675.

A. Joseph L. Miller, 1025 Connecticut Avenue, Washington, D. C.
B. Northern Textile Association, Quinebaug-French River Manufacturers Association, and the Maytag Co.
D. (6) $3,050. E. (9) $724.69.

A. Moot, Sprague, Marcy & Gulick, 400 Erie County Savings Bank Building, Buffalo, N. Y.
B. Basic Industries Power Committee, 400 Erie County Savings Bank Building, Buffalo, N. Y.
D. (6) $2,140.85.

A. Kenneth R. Morefield, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.

A. Andrew P. Murphy, 1625 L Street NW., Washington, D. C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $1,500. E. (9) $166.75.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Coop., Post Office Box 7284, Station C, Atlanta, Ga.
E. (9) $217.18.

A. John H. Myers, 1234 Cleveland Street, Wilmette, Ill.
B. The National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.

A. National Associated Businessmen, Inc., 910 17th Street NW., Washington, D. C.
D. (6) $1,237.98. E. (9) $1,448.83.

A. National Association of Alcohol & Tobacco Tax Field Officers, 402 Fourth Avenue, New Kensington, Pa.
D. (6) $670.95. E. (9) $400.

A. National Association of Employment Agencies, 143 Superior Street, Toledo, Ohio.
D. (6) $500. E. (9) $500.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D. C.
D. (6) $24,979.40 E. (9) $15,044.93.

A. National Association of Life Underwriters, 1800 H Street NW., Washington, D. C.
D. (6) $2,593.38. E. (9) $2,593.38.

A. National Association of Motor Bus Operators, 839 17th Street NW., Washington, D. C.

A. National Association of Post Office & General Services Maintenance Employees, Post Office Box 1611, Washington, D. C.
D. (6) $13,665.36. E. (9) $1,237.15.

A. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D. C.
E. (9) $16,736.67.

A. National Association of Wheat Growers, Wasco, Oreg.
D. (6) $899.51. E. (9) $899.51.

A. National Audio-Visual Association, Inc., Box 337, Fairfax, Va.
D. $66.88. (E) $132.88.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
E. (9) $14,929.14.

A. National Board of Fur Farm Organizations, Inc., 152 West Wisconsin Avenue, Suite 315, Milwaukee, Wis.
D. (6) $1,250. E. (9) $1,263.57.

A. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.
D. (6) $22,100. E. (9) $19,957.64.

A. National Congress of Petroleum Retailers, Inc., 325 Farwell Building, Detroit, Mich.
D. (6) $1,055.37. E. (9) $965.92.

A. National Council Against Conscription, Box 170, Nyack, N. Y.

A. National Federation of Independent Business, Inc., 740 Washington Building, Washington, D. C.
D. (6) $7,747.73. E. (9) $7,747.73.

A. National Postal Committee for Books, 24 West 40th Street, New York, N. Y.
D. (6) $15,575.

A. National Rehabilitation Association, Inc., 1025 Vermont Avenue NW., Washington, D. C.
D. (6) $3,770.61. E. (9) $680.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $452.89. E. (9) $46.27.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D. C.
D. (6) $7,015. E. (9) $8,177.01.

A. National Tax Equality Association, 1000 Connecticut Avenue NW., Washington, D. C.

A. Ross D. Netherton, 1712 G Street NW., Washington, D. C.
B. American Automobile Association, 1712 G Street NW., Washington, D. C.
D. (6) $3,000.

A. Joseph A. Noone, 1145 19th Street NW., Washington, D. C.
B. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D. C.

A. John A. O'Donnell, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $700. E. (9) $100.65.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D. C.
B. Philippine Sugar Association, 1025 Connecticut Avenue NW., Washington, D. C.

A. Ohio Coal Association, 209 Hoge Building, St. Clairsville, Ohio.

A. Robert Oliver, 1026 17th Street NW., Washington, D. C.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D. C.
D. (6) $3,000. E. (9) $1,220.

A. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.
D. (6) $1,346.79. E. (9) $1,281.53.

A. George F. Parrish, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association, Post Office Box 7, Charleston, W. Va.

A. Patent Equity Association, Inc., 540 West 58th Street, New York, N. Y.

A. Perry S. Patterson, 800 World Center Building, Washington, D. C.
B. Automatic Phonograph Manufacturers Association, 1603 Orrington Avenue, Evanston, Ill.

A. Peoples Lobby, Inc., 2147 O Street NW., Washington, D. C.
D. (6) $302.32.

A. Mrs. Esther Peterson, 815 16th Street NW., Washington, D. C.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D. C.
D. (6) $1,038.45. E. (9) $125.43.

A. Andrew A. Pettis, Room 301, Bond Building, 1404 New York Avenue NW., Washington, D. C.
B. Industrial Union of Marine and Shipbuilding Workers of America, 594 Cooper Street, Camden, N. J.
D. (6) $3,660.04. E. (9) $1,121.62.

A. James F. Pinkney, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,000. E. (9) $52.56.

A. Kenneth M. Plaisted, 152 West Wisconsin Avenue, Milwaukee, Wis.
B. National Board of Fur Farm Organizations, Inc., 152 West Wisconsin Avenue, Milwaukee, Wis.
D. (6) $450.

A. Homer V. Prater, Room 750, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, Room 716, 900 F Street NW., Washington, D. C.
D. (6) $1,712.28.

A. Mrs. R. I. C. Prout, 1714 M Street NW., Washington, D. C.

A. Gordon M. Quarnstrom, 7447 Skokie Boulevard, Skokie, Ill.
B. The National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Box 48, Durant, Okla.
D. (6) $150.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N. Y.

A. George L. Reid, Jr., 1424 16th Street, NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $799.99. E. (9) $149.40.

A. George L. Reid, Jr., 1010 Vermont Avenue NW., Washington, D. C.
B. National Association of Wheat Growers, Wasco, Oreg.
D. (6) $800. E. (9) $99.51.

A. John Arthur Reynolds, 633 Cortland, Fresno, Calif.
B. Western Cotton Growers Association, 2201 F Street, Bakersville, Calif.
E. (9) $1,817.64.

A. William Neale Roach, 1424 16th Street NW., Washington, D. C.
B. American Trucking Association, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,200. E. (9) $145.06.

A. Maurice Rosenblatt, 316 A Street NE., Washington, D. C.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $1,300.

A. Francis M. Russell, 1625 K Street NW., Washington, D. C.
B. National Broadcasting Co., Inc., 1625 K Street NW., Washington, D. C.

A. Francis J. Ryley, 519 Title & Trust Building, Phoenix, Ariz.
B. General Petroleum Corp., Los Angeles; Richfield Oil Corp., Los Angeles; Shell Oil Co., San Francisco; Standard Oil Company of California, San Francisco; Tidewater Oil Co., San Francisco; Union Oil Co., Los Angeles.

A. Ira Saks, 1006 Standard Building, Cleveland, Ohio.

A. James D. Secrest, 1721 De Sales Street NW., Washington, D. C.
B. Electronic Industries Association, 1721 De Sales Street NW., Washington, D. C.

A. Salvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. Carpet Institute, Empire State Building, New York, N. Y.
D. (6) $3,000. E. (9) $423.14.

A. Salvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. Chicago Mercantile Exchange, 110 North Franklin Street, Chicago, Ill.
D. (6) $5,000. E. (9) $235.96.

A. Salvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $416.66.

A. Salvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. New York Coffee & Sugar Exchange, 79 Pine Street, New York, N. Y.
D. (6) $1,200. E. (9) $62.01.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.
D. (6) $200. E. (9) $34.24.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif., Plywood Group, National Council of American Importers, New York, N. Y., American Association of Hardwood Plywood Users, Washington, D. C.
D. (6) $2,500. E. (9) $1,726.66.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif., Plywood Group, National Council of American Importers, New York, N. Y., American Association of Hardwood Plywood Users, Washington, D. C.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. William L. Shea, 1001 Connecticut Avenue NW., Washington, D. C.
B. Great Western Savings & Loan Association, 4401 Crenshaw Boulevard, Los Angeles, Calif.
D. (6) $6,000. E. (9) $87.10.

A. Paul Sifton, 1126 16th Street NW., Washington, D. C.
B. United Automobile, Aircraft, Agricultural Implement Workers of America (UAW).
D. (6) $2,416. E. (9) $709.85.

A. Fred Smith & Co., Inc., 586 Fifth Avenue, New York, N. Y.
B. Edward Mallinckrodt, Jr., 16 West Moreland Place, St. Louis, Mo.
D. (6) $6,353.50.

A. John A. Smith, Post Office Box 9063, Denver, Colo.
B. Continental Air Lines, Inc., Post Office Box 9063.
E. (9) $3,228.37.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 2140 P Street NW., Washington, D. C.
D. (6) $981.60. E. (9) $82.93.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $3,257.47. E. (9) $3,505.01.

A. Raymond E. Steele, National Press Building, Washington, D. C.
E. (9) $329.41.

A. Mrs. Ada B. Stough, 132 Third Street SE., Washington, D. C.
B. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. Adhesive Manufacturing Association of America, 441 Lexington Avenue, New York, N. Y.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. National Boating Association, 1521 Hennepin Avenue, Minneapolis, Minn.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. Stein, Hall & Co., 285 Madison Avenue, New York, N. Y.

A. William L. Sturdevant, Jr., 8300 Burdette Road, Bethesda, Md.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $1,300.

A. Dwight D. Taylor, Jr., 918 16th Street NW., Washington, D. C.
B. American Airlines, Inc., 918 16th Street NW., Washington, D. C.
D. (6) $2,500. E. (9) $525.

A. The Townsend Plan, Inc.; and Townsend National Weekly, Inc., 808 North Capitol Street NW., Washington, D. C.

A. Paul T. Truitt, 1700 K Street NW., Washington, D. C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D. C.
E. (9) $63.43.

A. United States-Japan Trade Council, 1000 Connecticut Avenue, Washington, D. C.
D. (6) $648. E. (9) $648.

A. Universal Research & Consultants, Inc., 221 Dupont Circle Building, Washington, D. C.
B. Republic of Venezuela, 2445 Massachusetts Avenue NW., Washington, D. C., and Republic of Cuba, Box 1383, Habana, Cuba.
E. (9) $8,086.56.

A. Herbert F. Walton, 7447 Skokie Boulevard, Skokie, Ill.
B. The National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D. C.
B. Eastern Meat Packers Association, Inc., Statler Hotel, New York, N. Y.
D. (6) $500. E. (9) $121.69.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D. C.
B. National Electrical Contractors Association and the Council of Mechanical Specialty Contracting Industries, Inc., Ring Building, Washington, D. C.
D. (6) $12,000. E. (9) $599.99.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D. C.
B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
D. (6) $3,000. E. (9) $592.41.

A. Thomas D. Webb, Jr., 1001 Connecticut Avenue NW., Washington, D. C.
B. Great Western Savings & Loan Association, 4401 Crenshaw Boulevard, Los Angeles, Calif.
D. (6) $6,000. E. (9) $87.10.

A. Bernard Weitzer, 1712 New Hampshire Avenue NW., Washington, D. C.
B. Jewish War Veterans of the USA, 1712 New Hampshire Avenue NW., Washington, D. C.
D. (6) $2,749.98. E. (9) $456.47.

A. Don Welch, Jr., Post Office Box 231, Madill, Okla.
B. Oklahoma Railways Committee.

A. George Y. Wheeler 2d, 1625 K Street NW., Washington, D. C.
B. Radio Corporation of America, 1625 K Street NW., Washington, D. C.

A. Carroll M. White, 1721 De Sales Street, Washington, D. C.
B. Electronic Industries Association, 1721 De Sales Street, Washington, D. C.

A. Don White, Box 337, Fairfax, Va.
B. National Audio-Visual Association, Inc., Box 337, Fairfax, Va.
D. (6) $3,250. E. (9) $1,055.

A. John C. White, 838 Transportation Building, Washington, D. C.

A. John J. Wicker, Jr., 501 Mutual Building, Richmond, Va.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $3,172.34. E. (9) $3,172.34.

A. Burton C. Wood, 1625 L Street NW., Washington, D. C.
B. National Association of Home Builders of the U. S., 1625 L Street NW., Washington, D. C.
D. (6) $1,375. E. (9) $115.51.

A. Wood, King & Dawson, 48 Wall Street, New York, N. Y.
B. Committee for Broadening Commercial Bank Participation in Public Financing, 50 South La Salle Street, Chicago, Ill.

A. Harley Z. Wooden, 1201 16th Street NW., Washington, D. C.
B. Council for Exceptional Children, a department of the National Education Association, 1201 16th Street NW., Washington, D. C.
D. (6) $55.

A. Albert Young Woodward, 1625 I Street NW., Washington, D. C.
B. Signal Oil & Gas Co., 811 West 7th Street, Los Angeles, Calif.

QUARTERLY REPORTS

The following quarterly reports were submitted for the second calendar quarter 1958:

(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_____

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302 (e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description; (b) quantity distributed; (c) date of distribution; (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302 (a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYEE.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this Report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $_____Dues and assessments
2. $_____Gifts of money or anything of value
3. $_____Printed or duplicated matter received as a gift
4. $_____Receipts from sale of printed or duplicated matter
5. $_____Received for services (e. g., salary, fee, etc.)
6. $_____TOTAL for this Quarter (Add items "1" through "5")
7. $_____Received during previous Quarters of calendar year
8. $_____TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302 (a).

9. $_____TOTAL now owed to others on account of loans
10. $_____Borrowed from others during this Quarter
11. $_____Repaid to others during this Quarter
12. $_____"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more

(from Jan. 1 through this Quarter)

13. Have there been such contributors?
Please answer "yes" or "no": _____
14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	("*Period*" from Jan. 1 through _____, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N. Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302 (b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $_____Public relations and advertising services
2. $_____Wages, salaries, fees, commissions (other than item "1")
3. $_____Gifts or contributions made during Quarter
4. $_____Printed or duplicated matter, including distribution cost
5. $_____Office overhead (rent, supplies, utilities, etc.)
6. $_____Telephone and telegraph
7. $_____Travel, food, lodging, and entertainment
8. $_____All other expenditures
9. $_____TOTAL for this Quarter (Add "1" through "8")
10. $_____Expended during previous Quarters of calendar year
11. $_____TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302 (b).

12. $_____TOTAL now owed to person filing
13. $_____Lent to others during this Quarter
14. $_____Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7–11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7–15, 8–15, 9–15: Britten & Blatten, 3127 Gremlin Bldg., Washington, D. C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Claris Adams, 1701 K Street NW., Washington, D. C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

A. J. Carson Adkerson, 976 National Press Building, Washington, D. C.
D. (6) $100. E. (9) $79.43.

A. Arthur F. Aebersold, 900 F Street NW., Room 906, Washington, D. C.
B. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Room 906, Washington, D. C.
D. (6) $1,422.01. E. (9) $37.50.

A. AFL–CIO Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $9,820.65. E. (9) $7,299.56.

A. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
D. (6) $5,841.29. E. (9) $5,841.29.

A. Alex Akerman, Jr., 1366 National Press Building, Washington, D. C.
B. National Anti-Price Fixing Association, 1366 National Press Building, Washington, D. C.

A. Louis J. Allen, 1121 Nashville Trust Building, Nashville, Tenn.
B. Class I railroads in Tennessee.

A. Nicholas E. Allen, 1001 15th Street NW., Washington, D. C.
B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif.
E. (9) $1,209.83.

A. W. L. Allen, 8606 Cameron Street, Room 416, Silver Spring, Md.
B. The Commercial Telegraphers' Union, International, 8606 Cameron Street, Room 416, Silver Spring, Md.

A. William B. Allen, 917 15th Street NW., Washington, D. C.
B. United Rubber, Cork, Linoleum & Plastic Workers of America, High at Mill Street, Akron, Ohio.
D. (6) $2,080. E. (9) $6.24.

A. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D. C.

A. American Automobile Association, 1712 G Street NW., Washington, D. C.

A. American Bottlers of Carbonated Beverages, 1128 16th Street NW., Washington, D. C.

A. American Cancer Society, 521 West 57th Street, New York, N. Y.
E. (9) $7,532.68.

A. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $7,716.57. E. (9) $7,716.57.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $10,567.08. E. (9) $10,567.08.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D. C.
D. (6) $24,247. E. (9) $24,247.

A. American Federation of Labor and Congress of Industrial Organizations, AFL–CIO Building, Washington, D. C.
E. (9) $35,072.31.

A. American Federation of Musicians, 425 Park Avenue, New York, N. Y.
D. (6) $3,042.90. E. (9) $7,904.60.

A. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $978.08.

A. American Hotel Association, 221 West 57th Street, New York, N. Y.
D. (6) $156,556.34.

A. American Humane Association, 896 Pennsylvania Street, Denver, Colo.
D. (6) $144.50. E. (9) $2,464.61.

A. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $864.22. E. (9) $928.62.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $25,000. E. (9) $12,638.06.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N. Y.
E. (9) $6,014.35.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $24,504.25. E. (9) $4,388.06.

A. American Nurses' Association, Inc., 2 Park Avenue, New York, N. Y.
D. (6) $296,870.91. E. (9) $5,208.32.

A. American Optometric Association, Inc., c/o Dr. H. Ward Ewalt, Jr., 8001 Jenkins Arcade, Pittsburgh, Pa.
D. (6) $3,918.13.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $522.25. E. (9) $522.25.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.

A. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C., and 52 Vanderbilt Avenue, New York, N. Y.
D. (6) $1,418.51. E. (9) $1,026.85.

A. American Personnel & Guidance Association, 1534 O Street NW., Washington, D. C.
E. (9) $2,500.

A. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $3,679. E. (9) $10,089.

A. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $45,938.24. E. (9) $9,575.78.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $2,942.95. E. (9) $2,942.95.

A. American Tariff League, Inc., 19 West 44th Street, New York, N. Y.

A. American Textile Machinery Association, 60 Batterymarch Street, Boston, Mass.
D. (6) $11.09.

A. American Tramp Shipowners Association, Inc., 11 Broadway, New York, N. Y.
D. (6) $11,860. E. (9) $4,572.06.

A. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $10,290.06. E. (9) $47,939.92.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $472.17.

A. AMVETS, 1710 Rhode Island Avenue NW., Washington, D. C.
E. (9) $1,562.50.

A. American Warehousemen's Association, Merchandise Division, 222 West Adams Street, Chicago, Ill.

A. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
D. (6) $909.42. E. (9) $933.72.

A. America's Wage Earners' Protective Conference, 815 15th Street NW., Room 400, Washington, D. C.
D. (6) $1,785. E. (9) $1,758.75.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.

A. Samuel W. Anderson, 1700 K Street NW., Washington, D. C.
B. Cerro de Pasco Corp., 300 Park Avenue, New York, N. Y.
D. (6) $227. E. (9) $10.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $1,100. E. (9) $2,613.53.

A. Area Employment Expansion Committee, 1144 Pennsylvania Building, Washington, D. C.
D. (6) $1,000. E. (9) $3,242.65.

A. Arkansas Railroad Committee, 1115 Boyle Building, Little Rock, Ark.
B. Class I railroads operating in the State of Arkansas.
D. (6) $4,500. E. (9) $1,046.40.

A. Merrill Armour, 1001 15th Street NW., Washington, D. C.
B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif.
E. (9) $1,209.83.

A. W. C. Arnold, 200 Colman Building, Seattle, Wash.
3. Alaska Salmon Industry, Inc., 200 Colman Building, Seattle, Wash.

A. Arthritis & Rheumatism Foundation, 10 Columbia Circle, New York, N. Y.
E. (9) $1,220.88.

A. Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. Associated Third Class Mail Users, 1406 G Street NW., Washington, D. C.
D. (6) $405. E. (9) $10,287.99.

A. Association of American Medical Colleges, 2530 Ridge Avenue, Evanston, Ill.
E. (9) $2,500.02.

A. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $1,500.

A. Association of American Railroads, 929 Transportation Building, Washington, D. C.
D. (6) $21,576.49. E. (9) $21,576.49.

A. Association of American Ship Owners, 76 Beaver Street, New York, N. Y.

A. Association of Casualty & Surety Co., 60 John Street, New York, N. Y.
D. (6) $1,957.88. E. (9) $1,957.88.

A. Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $1,092. E. (9) $1,092.

A. Charles E. Babcock, Route 7, Box 406, Vienna, Va.
B. National Council, Junior Order United American Mechanics, 3627 North Broad Street, Philadelphia, Pa.
D. (6) $150. E. (9) $10.72.

A. Harry S. Baer, Jr., 1115 17th Street NW., Washington, D. C.
B. Aeronautical Training Society, 1115 17th Street NW., Washington, D. C.
D. (6) $2,500. E. (9) $2.99.

A. Charles B. Bailey, Sr., 2025 South Avenue, Toledo, Ohio.
B. Brotherhood of Railway Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $300.

A. George P. Baker, Soldiers Field Post Office, Boston, Mass.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. John A. Baker.
B. The Farmers' Educational & Co-Operative Union of America (National Farmers' Union), 1404 New York Avenue NW., Washington, D. C.
D. (6) $3,019.52. E. (9) $353.14.

A. Baker, McKenzie & Hightower, 901 Barr Building, Washington, D. C.
B. Club Managers Association of America, 1028 Connecticut Avenue NW., Washington, D. C.

A. Baker, McKenzie & Hightower, 901 Barr Building, Washington, D. C.
B. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.

A. J. H. Ballew, 1103 Stahlman Building, Nashville, Tenn.
B. Southern States Industrial Council, Nashville, Tenn.
D. (6) $2,400.

A. Barash & Hoffman, 710 Sheraton Building, Washington, D. C.
B. Michel T. Halbouty, 5111 Westheimer Road, Houston 27, Tex., Skyline Oil Co., Atlas Building, Salt Lake City, Utah, Global Enterprises Corp., 800 Petroleum Club Building, Denver, Colo.
D. (6) $5,000.

A. Barash & Hoffman, 710 Sheraton Building, Washington, D. C.
B. John H. Trigg, Hinkle Building, Roswell, N. Mex.
D. (6) $2,000.

A. Hartman Barber, Room 301, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,233.21. E. (9) $720.68.

A. James M. Barnes (deceased), and Thurman Hill, 1025 Connecticut Avenue NW., Washington, D. C.
B. National Association of Retired Civil Employees, Frank J. Wilson, president, 1625 Connecticut Avenue, Washington, D. C.
D. (6) $1,500.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D. C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,395.17. E. (9) $119.91.

A. Irvin L. Barney, Room 303, 401 Third Street NW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $2,625.

A. William G. Barr, 711 14th Street NW., Washington, D. C.
B. National Parking Association, Inc., 711 14th Street NW., Washington, D. C.

A. Roy Battles, 744 Jackson Place NW., Washington, D. C.
B. The National Grange, Patrons of Husbandry, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,450.

A. E. F. Behrens, 1319 18th Street NW., Washington, D. C.
B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
D. (6) $852.50. E. (9) $32.25.

A. Bert Bell, 1 Bala Avenue, Bala-Cynwyd, Pa.
B. National Football League, 1 Bala Avenue, Bala-Cynwyd, Pa.
E. (9) $651.47.

A. George L. Bell, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.

A. Mrs. Rachel S. Bell, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.

A. Ernest H. Benson, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $4,500.

A. Bergson & Borkland, 918 16th Street NW., Washington, D. C.
B. Freeport Sulphur Co., 161 East 42d Street, New York, N. Y.
E. (9) $1.25.

A. J. Raymond Berry, 85 John Street, New York, N. Y.
B. National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $360. E. (9) $159.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D. C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $3,510. E. (9) $721.30.

A. Walter J. Bierwagen, 900 F Street NW., Washington, D. C.
B. Division 689, Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, AFL-CIO, 900 F Street NW., Washington, D. C.

A. Hudson Biery, 4517 Carew Tower, Cincinnati, Ohio.
B. Ohio Valley Improvement Association, Inc., 4517 Carew Tower, Cincinnati, Ohio.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, N. Y., and 839 Shoreham Building, Washington, D. C.

B. The American Institute of Marine Underwriters, the Association of Marine Underwriters of the United States, American Cargo War Risk Reinsurance Exchange, American Hull Insurance Syndicate.
E. (9) $60.

A. Robert J. Bird, 816 Connecticut Avenue NW., Washington, D. C.
B. Massachusetts Protective Association, Worcester, Mass.

A. Robert J. Bird, 816 Connecticut Avenue NW., Washington, D. C.
B. Paul Revere Life Insurance Co., Worcester, Mass.

A. John H. Bivins, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $550.

A. James C. Black, 1625 K Street NW., Washington, D. C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
D. (6) $600. E. (9) $500.

A. Joel D. Blackmon, 1028 Connecticut Avenue NW., Washington, D. C.
B. Confederated Unions of America, Reymond Building, Baton Rouge, La.
D. (6) $450. E. (9) $52.89.

A. Joel D. Blackmon, 1028 Connecticut Avenue NW., Washington, D. C.
B. Federation of Independent Oil Unions, Post Office Box 1449, Ponca City, Okla.
D. (6) $450. E. (9) $26.68.

A. Thomas D. Blake, 4664 Reservoir Road, Washington, D. C.
B. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
D. (6) $2,025.

A. William Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $3,750.

A. Mrs. Paul Blanshard, 408 A Street NE., Washington, D. C.
B. Unitarian Fellowship for Social Justice, 408 A Street NE., Washington, D. C.
D. (6) $300. E. (9) $120.

A. W. G. Blewett, 301 Olive Street, St. Louis, Mo.
B. Peabody Coal Co., 301 Olive Street, St. Louis, Mo.

A. Blue Cross Commission, 425 North Michigan, Chicago, Ill.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D. C.
B. National Association of Investment Companies, 61 Broadway, New York, N. Y.
D. (6) $333.34. E. (9) $21.38.

A. John J. Boland, 40 Wall Street, New York, N. Y.
B. Merrill, Lynch, Pierce, Fenner & Smith, 70 Pine Street, New York, N. Y.

A. Hyman Bookbinder, 815 16th Street NW., Washington, D. C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $3,029. E. (9) $609.01.

A. Joseph L. Borda, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $1,092.

A. Robert T. Borth, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $375. E. (9) $201.47.

A. G. Stewart Boswell, Room 502, 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $487.50.

A. J. Wiley Bowers, Sixth and Cherry Streets, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Sixth and Cherry Streets, Chattanooga, Tenn.
D. (6) $262. E. (9) $1,569.50.

A. Boykin & De Francis, Shoreham Building, Washington, D. C.
B. Mrs. Claire Hugo Stinnes, Grossenbaumerstrasse 253, Mulheim-Ruhr, Germany.
E. (9) $135.

A. Boykin & De Francis, Shoreham Building, Washington, D. C.
B. Studiengesellschaft fur Privatrechtliche Auslandsinteressen, e. v., Contrescarpe 46, Germany.
E. (9) $262.

A. Ira P. Bradford, 1319 18th Street NW., Washington, D. C.
B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
D. (6) $900. E. (9) $102.40.

A. Joseph E. Brady, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink, & Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.
E. (9) $260.30.

A. Harold F. Braman, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
B. National League of Insured Savings Associations, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
D. (6) $1,800.

A. Harry R. Brashear, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Frank P. Brennan, Avoca, Iowa.
B. Iowa Power & Light Co., Des Moines, Iowa.
E. (9) $1,125.16.

A. W. Kenneth Brew, 122 East 42d Street, New York, N. Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.

A. Homer L. Brinkley, 744 Jackson Place NW., Washington, D. C.
B. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
D. (6) $6,049.96. E. (9) $38.25.

A. W. S. Bromley, 220 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Milton E. Brooding, 215 Fremont Stregt, San Francisco, Calif.

B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $300. E. (9) $100.

A. Derek Brooks, 1026 Connecticut Avenue NW., Washington, D. C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
D. (6) $600. E. (9) $674.07.

A. Brotherhood of Locomotive Engineers, 1122 Engineers Building, Cleveland, Ohio.

A. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employes, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $6,466.49. E. (9) $6,466.49.

A. J. Olney Brott, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $537.50. E. (9) $481.04.

A. Bryant C. Brown, 425 13th Street NW., Washington, D. C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. J. D. Brown, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $275.

A. Brown & Lund, 1625 I Street NW., Washington, D. C.
B. American & Foreign Power Co., Inc., 2 Rector Street, New York, N. Y.
D. (6) $500. E. (9) $73.89.

A. Brown & Lund, 1625 I Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,415. E. (9) $1,415.

A. Russell B. Brown, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $30.70.

A. Lyman L. Bryan, 270 Madison Avenue, New York, N. Y.
B. American Institute of Certified Public Accountants, 270 Madison Avenue, New York, N. Y.
D. (6) $100. E. (9) $45.

A. George S. Buck, Jr., 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, P. O. Box 9905, Memphis, Tenn.
D. (6) $225. E. (9) $17.12.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
D. (6) $1,250. E. (9) $81.16.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. The Florida Ship Canal Navigation District, 720 Florida Title Building, Jacksonville, Fla.
D. (6) $1,350. E. (9) $471.33.

A. George J. Burger, 740 Washington Building, Washington, D. C.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N. Y., and National Federation of Independent Business, 740 Washington Building, Washington, D. C.

A. John J. Burke, 1062 West Platinum Street, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Box 1445, Spokane, Wash.
E. (9) $350.

A. Thomas Burke, 1126 16th Street NW., Washington, D. C.
B. United Automobile, Aircraft, Agricultural Implement Workers of America, Solidarity House, 800 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,091. E. (9) $395.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $11,300. E. (9) $460.79.

A. F. Hugh Burns, 821 Cafritz Building, Washington, D. C.
B. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
D. (6) $2,700. E. (9) $47.19.

A. Robert M. Burr, 101 Park Avenue, New York, N. Y.
B. Mica Industry Tariff Committee, care of S. A. Montague, Spruce Pine Mica Co., Spruce Pine, N. C.
E. (9) $156.41.

A. Robert M. Burr, 101 Park Avenue, New York, N. Y.
B. National Electrical Manufacturers' Association, 155 East 44th Street, New York, N. Y.
D. (6) $406. E. (9) $364.57.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D. C.
D. (6) $2,874.99.

A. Hollis W. Burt, Munsey Building, Washington, D. C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D. C.
D. (6) $20.62.

A. Sherman E. Burt, 1625 I Street NW., Washington, D. C.
B. American Coal Sales Association, 1625 I Street NW., Washington, D. C.

A. Charles C. Butler, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $275. E. (9) $4.35.

A. George P. Byrne, Jr., 53 Park Place, New York, N. Y.
B. U. S. Wood Screw Service Bureau, 53 Park Place, New York, N. Y.

A. Lawrence V. Byrnes, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.
D. (6) $3,313.50.

A. C. G. Caffrey, 1145 19th Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $760.20. E. (9) $41.50.

A. Leonard J. Calhoun, 411 Washington Building, Washington, D. C.
B. Public Information Committee of the Cotton Industries, 304 Empire Bank Building, Dallas, Tex.
D. (6) $750.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D. C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D. C.
D. (6) $300. E. (9) $438.55.

A. Campaign for the 48 States, Cotton Exchange Building, Memphis, Tenn.

A. Carl C. Campbell, 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. James A. Campbell, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,961.56. E. (9) $206.16.

A. Canal Zone Central Labor Union, Metal Trades Council, AFL-CIO, Box 471, Balboa Heights, C. Z.
D. (6) $2,719.10. E. (9) $4,265.25.

A. John L. Carey, 270 Madison Avenue, New York, N. Y.
B. American Institute of Certified Public Accountants, 270 Madison Avenue, New York, N. Y.
D. (6) $250.

A. John T. Carlton, 2517 Connecticut Avenue NW., Washington, D. C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.

A. Cliff D. Carpenter, 59 East Madison Street, Chicago, Ill.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $625. E. (9) $36.75.

A. Braxton B. Carr, 1025 Connecticut Avenue NW., Washington, D. C.
B. The American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $3,000. E. (9) $250.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D. C.
B. Hiram Walker & Sons, Inc., Penobscot Building, Detroit, Mich.

A. T. C. Carroll, 12050 Woodward Avenue, Detroit, Mich.

A. Henderson H. Carson, 600 First National Bank Building, Canton, Ohio, and 744 Pennsylvania Building, Washington, D. C.
B. East Ohio Gas Co., 1405 East Sixth Street, Cleveland, Ohio.
D. (6) $1,000. E. (9) $780.

A. William L. Carter, 1105 Barr Building, Washington, D. C.
B. International Association of Ice Cream Manufacturers.
E. (9) $145.16.

A. Benjamin F. Castle, 1145 19th Street NW., Washington, D. C.
B. The Milk Industry Foundation.

A. Larry Cates, 1143 National Press Building, Washington, D. C.
B. Air Line Pilots Association, 55th Street and Cicero Avenue, Chicago, Ill.
D. (6) $3,143.57.

A. Francis R. Cawley, 1101 Vermont Avenue NW., Washington, D. C.
B. Magazine Publishers Association, Inc., 232 Madison Avenue, New York, N. Y.
D. (6) $2,060. E. (9) $114.09.

A. Jay H. Cerf, 300 Independence Avenue SE., Washington, D. C.
B. Foreign Policy Clearing House, 300 Independence Avenue SE., Washington, D. C.
D. (6) $3,000. E. (9) $300.72.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D. C.

A. Justice N. Chambers, 2521 Connecticut Avenue NW., Washington, D. C.
B. M. Goldetz & Co., 120 Wall Street, New York, N. Y.
D. (6) $2,500.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $7,063.14. E. (9) $3,730.24.

A. Earl W. Clark, 132 Third Street SE., Washington, D. C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $900. E. (9) $111.40.

A. Omer W. Clark, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $2,793.54.

A. Robert M. Clark, 525 Shoreham Building, Washington, D. C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D. C.

A. Clarence E. Cleveland, Montpelier, Vt.
B. Vermont State Railroads Association, Montpelier, Vt.
D. (6) $113.19. E. (9) $252.27.

A. Coles & Goertner, 1000 Connecticut Avenue, Washington, D. C.
B. American Tramp Shipowners Association, Inc., 11 Broadway, New York, N. Y.
E. (9) $488.73.

A. Committee for Broadening Commercial Bank Participation in Public Financing, 50 South La Salle Street, Chicago, Ill.

A. Committee for Collective Security, 20 John Street, New York, N. Y.
D. (6) $145. E. (9) $480.57.

A. Committee on Laws, National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $2,193. E. (9) $4,669.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N. Y.
D. (6) $10,258.99. E. (9) $5,762.96.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Amana Refrigeration, Inc., Amana, Iowa.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Independent Advisory Committee to the Trucking Industry, Inc.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. H. Kempner, Galveston, Tex., Galveston Cotton Co., Galveston, Tex., Texas Cotton Industries, Galveston, Tex.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Salt Producers Association, 726 La Salle-Wacker Building, Chicago, Ill.

A. John C. Cone, 815 15th Street NW., Washington, D. C.
B. Pan American World Airways System, 815 15th Street NW., Washington, D. C.

A. Julian D. Conover, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $2,500. E. (9) $68.94.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
B. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $3,250.

A. Orval R. Cook, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Raymond A. Cook, 2200 Gulf Building, Houston, Tex.
B. Hughes Tool Co., Houston, Tex.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D. C.
B. New York Stock Exchange, 11 Wall Street, New York, N. Y.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D. C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N. C.

A. Cooper & Silverstein, 1100 Bowen Building, Washington, D. C.
B. Association of Advanced Life Underwriters, 708 Bowen Building, Washington, D. C.

A. Cooper & Silverstein, 1100 Bowen Building, Washington, D. C.
B. Fountain Pen & Mechanical Pencil Manufacturer's Association, Inc., 1426 G Street NW., Washington, D. C.

A. Cooper & Silverstein, 1100 Bowen Building, Washington, D. C.
B. National Coal Association, Southern Building, 15th and H Streets NW., Washington, D. C.

A. Wilmer A. Cooper, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $155.77.

A. Cordage Legislative Committee, 350 Madison Avenue, New York, N. Y.
E. (9) $34.26.

A. Edward J. Coughlin, 900 F Street NW., Washington, D. C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D. C.
D. (6) $195. E. (9) $20.

A. Council of Conservationists, 588 Fifth Avenue, New York, N. Y.
B. Fred Smith & Co., Inc., 588 Fifth Avenue, New York, N. Y.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D. C.
D. (6) $650. E. (9) $12,652.10.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue, Washington, D. C.
D. (6) $2,024.30. E. (9) $2,024.30.

A. Edsall Lee Couplin, 441 East Jefferson, Detroit, Mich.

B. Michigan Hospital Service, 441 East Jefferson, Detroit, Mich.
D. (6) $1,200. E. (9) $35.85.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Chicago & North Western Railway System, 400 West Madison Street, Chicago, Ill.
E. (9) $17.32.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Committee on Joint Resolution 1955 Legislature, Post Office Box 3170, Honolulu, Hawaii.
D. (6) $1,950. E. (9) $5.70.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Embassy of Denmark, 2374 Massachusetts Avenue NW., Washington, D. C.
E. (9) $2.30.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. International Nickel Co., Inc., 67 Wall Street, New York, N. Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Mutual Savings Banks' Committee on Taxation, 60 East 42d Street, New York, N. Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. National Machine Tool Builders' Association, 2071 East 102d Street, Cleveland, Ohio.

A. Gilbert Cox, Elliston, Va.
B. National Association of Soil Conservation Districts, League City, Tex.

A. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $264,900.30. E. (9) $1,253.85.

A. Edward B. Crosland, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $4,999.99.

A. John W. Cross, 729 15th Street NW., Washington, D. C.
B. Deutsche Amerikakohlen-Transportgesellschaft (American German Coal Transport Co.), 17 Grabenstrasse, Dusseldorf, Germany.

A. Paul Cunningham, 575 Madison Avenue, New York, N. Y.
B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N. Y.

A. John T. Curran, 815 16th Street NW., Washington, D. C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $3,029. E. (9) $519.80.

A. Ralph E. Curtiss, 917 15th Street NW., Washington, D. C.
B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.
D. (6) $750.

A. Bernard Cushman, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.
B. Vincenzo Buttaro, 64 Nelson Street, Brooklyn, N. Y.; Miss Domenica Buttaro, Via Zuccarine No. 76, Mola di Bari, Province of Bari, Italy.
E. (9) $32.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.
B. Fathy A. Kashmiry, 1845 West 24th Street, Erie, Pa.
D. (6) $100. E. (9) $36.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Louis S. Damiani, Post Office Box 54, Gatun, C. Z.
B. Canal Zone Postal Union No. 23160, Balboa, C. Z.; Canal Zone Firefighters Union No. 13, Balboa, C. Z.
D. (6) $435. E. (9) $1,565.

A. D. C. Daniel, 1627 K Street NW., Washington, D. C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D. C.
D. (6) $1,000. E. (9) $1,000.

A. Michael P. Daniels, 1000 Connecticut Avenue, Washington, D. C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue, Washington, D. C.
D. (6) $150. E. (9) $60.98.

A. John C. Datt, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,150. E. (9) $28.65.

A. Joan David, 4737 36th Street NW., Washington, D. C.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $600.

A. Joffre C. David, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.

A. Bertram G. Davis.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $1,905.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $10.12.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.
E. (9) $3,213.97.

A. Joseph B. Davis, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $600. E. (9) $48.62.

A. Donald S. Dawson, 731 Washington Building, Washington, D. C.
B. Hilton Hotels Corp., 720 South Michigan Avenue, Chicago, Ill.

A. Donald S. Dawson, 731 Washington Building, Washington, D. C.
B. Schenley Industries, Inc., Empire State Building, New York, N. Y.

A. Michael B. Deane, 1700 K Street NW., Washington, D. C.
B. American Watch Association, Inc., 1700 K Street NW., Washington, D. C.
D. (6) $4,250.22.

A. Tony T. Dechant.
B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $67.98.

A. Mary S. Deuel, 3036 Cambridge Place, NW., Washington, D. C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D. C.

A. Philip M. De Vany, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,250.

A. R. T. DeVany, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y.

A. Ralph B. Dewey, 1625 K Street NW., Washington, D. C.
B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.
D. (6) $750. E. (9) $861.56.

A. George J. Dietz, 2300 Merchandise Mart, Chicago, Ill.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $900. E. (9) $27.65.

A. Disabled American Veterans, National Headquarters, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $4,299.54.

A. Disabled Officers Association, 1604 K Street NW., Washington, D. C.
E. (9) $3,192.33.

A. District of Columbia Petroleum Industries Committee, 1625 K Street NW., Washington, D. C.
B. Petroleum Industry Trade Association.
D. (6) $410.75. E. (9) $410.75.

A. District Lodge No. 44, International Association of Machinists, Room 303, 1029 Vermont Avenue NW., Washington, D. C.
D. (6) $18,659.68. E. (9) $17,951.92.

A. Division 689, Amalgamated Association of Street, Electric Railway, & Motor Coach Employees of America, AFL-CIO, 900 F Street NW., Washington, D. C.

A. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
E. (9) $21,507.77.

A. William H. Doherty, 1300 Wyatt Building, Washington, D. C.
B. The American Tariff League, Inc., 19 West 44th Street, New York, N. Y.
D. (6) $1,675. E. (9) $223.35.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $283.25. E. (9) $107.35.

A. Paul E. M. Donelan, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $500. E. (9) $10.98.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers Association, 200 South Michigan Avenue, Chicago, Ill.
E. (9) $174.95.

A. Robert F. Donoghue, 239 Wyatt Building, Washington, D. C.
B. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.
D. (6) $1,624.99.

A. Thomas J. Donovan, 155 East 44th Street, New York, N. Y.

A. J. Dewey Dorsett, 60 John Street, New York, N. Y.
B. Association of Casualty & Surety Companies, 60 John Street, New York, N. Y.
D. (6) $116.75.

A. C. L. Dorson, 900 F Street NW., Washington, D. C.
B. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Washington, D. C.
D. (6) $1,473.18. E. (9) $142.

A. Robert E. Dougherty, 1145 19th Street NW., Washington, D. C.
B. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $1,088.83. E (9) $96.96.

A. Doyle, Lewis & Warner, 904 National Bank Building, Toledo, Ohio.
B. National Association of Employment Agencies, 143 Superior Street, Toledo, Ohio.

A. W. A. Dozier, Jr., 17 Molton Building, Montgomery, Ala.
B. Medical Association of the State of Alabama, 17 Molton Building, Montgomery, Ala.
D. (6) $2,500. E. (9) $225.

A. Ben DuBois.
B. Independent Bankers Association, Sauk Centre, Minn.
D. (6) $3,750.

A. Stephen M. DuBrul, 11-134 General Motors Building, Detroit, Mich.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. J. R. Dunkerley, 12 East 36th Street, New York, N. Y.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $500. E. (9) $400.

A. Read P. Dunn, Jr., 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $255. E. (9) $8.69.

A. Stephen F. Dunn, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. William E. Dunn, 20th and E Streets NW., Washington, D. C.
B. The Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. Henry I. Dworshak, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,250.

A. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D. C.
D. (6) $345.33. E. (9) $82.56.

A. Herman Edelsberg, 1640 Rhode Island Avenue NW., Washington, D. C.
B. Antidefamation League of B'nai B'rith, 515 Madison Avenue, New York, N. Y.
D. (6) $140. E. (9) $15.

A. Lynn R. Edminster, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,950. E. (9) $61.35.

A. Bernard H. Ehrlich, 1002 Ring Building, Washington, D. C.,
B. National Association & Council of Business Schools, 2400 16th Street NW., Washington, D. C.
D. (6) $1,425. E. (9) $331.73.

A. John Doyle Elliott, 808 North Capitol Street, Washington, D. C.
B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D. C.
D. (6) $1,365. E. (9) $156.56.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D. C.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D. C.

A. Clyde T. Ellis, 2000 Florida Avenue, NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $175.15. E. (9) $16.55.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D. C.
B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D. C.
D. (6) $10,000.

A. John H. Else, 302 Ring Building, Washington, D. C.
B. National Retail Lumber Dealers Association, 302 Ring Building, Washington, D. C.
D. (6) $3,550. E. (9) $163.30.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $2,000.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.
B. Department of Water & Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.
D. (6) $1,500.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.
B. Department of Water Resources, State of California, Sacramento, Calif.
D. (6) $1,625.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,200.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100. E. (9) $41.19.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.
B. Six Agency Committee and Colorado River Board of California, 909 South Broadway, Los Angeles, Calif.
D. (6) $5,632.50 E. (9) $16.70.

A. Myles W. English, 966 National Press Building, Washington, D. C.
B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D. C.

A. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
D. (6) $645. E. (9) $6,352.94.

A. Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.
D. (6) $51,750.95. E. (9) $25,245.82.

A. Joseph G. Feeney, 201 World Center Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $3,000. E. (9) $150.

A. Harold E. Fellows, 1771 N Street NW., Washington, D. C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D. C.

A. John A. Ferguson, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. Josiah Ferris, 510 Union Trust Building, Washington, D. C.
B. American Sugar Cane League of the USA., New Orleans, La.; United States Sugar Corp., Clewiston, Fla.; Fellsmere Sugar Producers Association, Fellsmere, Fla.; Okeelanta Sugar Refinery, Inc., South Bay, Fla.
D. (6) $6,129.96.

A. Joel H. Fisher, 1001 Connecticut Avenue NW., Washington, D. C.
B. Civil Aviation Medical Association, 1402 East Washington Street, Bloomington, Ill.
D. (6) $225.

A. John B. Fisher, Pennsylvania Building, Washington, D. C.
B. American Coal Shipping, Inc., 17 State Street, New York, N. Y.

A. John B. Fisher, Pennsylvania Building, Washington, D. C.
B. Bangor & Aroostook Railroad, 84 Harlow Street, Bangor, Maine.

A. John B. Fisher, Pennsylvania Building, Washington, D. C.
B. C. R. Sprague & Son Co., 10 Post Office Square, Boston, Mass.

A. Berchmans T. Fitzpatrick, 1025 Connecticut Avenue NW., Washington, D. C.
B. Wood, King & Dawson, 48 Wall Street, New York, N. Y.

A. Norman A. Flaningam, 425 13th Street NW., Washington, D. C.
B. Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York, N. Y.

A. Roger Fleming, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,250. E. (9) $21.16.

A. Florida Citrus Mutual (Legislative Fund), Lakeland, Fla.
E. (9) $2,040.26.

A. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $859.37. E. (9) $859.37.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
E. (9) $1,431.16.

A. Florida Railroad Association, 404 Midyette-Moor Building, Tallahassee, Fla.
D. (6) $11,777.50. E. (9) $7,402.28.

A. Florida Ship Canal Navigation District, 720 Florida Title Building, Jacksonville, Fla.
E. (9) $1,821.33.

A. W. Robert Fokes, 400 Midyette-Moor Building, Tallahassee, Fla.
B. Florida Railroad Association, Midyette-Moor Building, Tallahassee, Fla.

A. W. Robert Fokes, 400 Midyette-Moor Building, Tallahassee, Fla.
B. The Florida Savings & Loan League, Post Office Box 2246, Orlando, Fla.

A. E. F. Forbes, 604 Mission Street, San Francisco, Calif.
B. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $7,500.

A. Mrs. J. A. Ford, 808 North Capitol Street, Washington, D. C.
B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D. C.

A. Foreign Policy Clearing House, 300 Independence Avenue SE., Washington, D. C.
E. (9) $6,031.43.

A. Forest Farmers Association, Post Office Box 7284, Station C, Atlanta, Ga.
D. (6) $234.44. E. (9) $234.44.

A. James W. Foristel, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $737.50. E. (9) $23.93.

A. James F. Fort, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $500. E. (9) $234.21.

A. Ronald J. Foulis, 1001 Connecticut Avenue NW., Washington, D. C. and 195 Broadway, New York, N. Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $2,250.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D. C.
B. Bulova Watch Co., Inc., Bulova Park, Flushing, N. Y.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D. C.
B. Waterways Council Opposed to Regulation Extension, 21 West Street, New York, N. Y.

A. L. S. Franklin, 2309 Pine Craft Road, Greensboro, N. C.
D. (6) $902.50. E. (9) $902.50.

A. Robert W. Frase, 812 17th Street NW., Washington, D. C.
B. American Book Publishers Council, Inc., 24 West 40th Street, New York, N. Y.
D. (6) $979.75. E. (9) $661.85.

A. Robert W. Frase, 812 17th Street NW., Washington, D. C.
B. National Postal Committee for Books, 24 West 40th Street, New York, N. Y.
D. (6) $979.75. E. (9) $563.

A. George H. Frates, 1163 National Press Building, Washington, D. C.
B. National Association of Retail Druggists.
D. (6) $3,900. E. (9) $1,124.

A. William E. Fravel, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.

A. Elmer M. Freudenberger, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $1,500.

A. Philip P. Friedlander, Jr., 1012 14th Street NW., Washington, D. C.
B. The National Tire Dealers & Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.
D. (6) $20. E. (9) $4.

A. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $17,606.27. E. (9) $6,486.74.

A. George Milan Fuller, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y.

A. Wallace H. Fulton, 1707 H Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.

A. Nolen J. Fuqua, Duncan, Okla.
B. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $374.39. E. (9) $374.39.

A. Henry T. Gage, 1100 National Press Building, Washington, D. C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Lawrence H. Gail, 918 16th Street NW., Suite 501, Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Suite 501, Washington, D. C.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
B. Minnesota Railroads.
D. (6) $500. E. (9) $1,233.79.

A. Earl H. Gammons, 1735 De Sales Street NW., Washington, D. C.

A. Marion R. Garstang, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $200. E. (9) $10.25.

A. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N. Y.

A. Gus F. Geissler.
B. The Farmers' Educational & Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. J. M. George, 165 Center Street, Winona, Minn.
B. The Inter-State Manufacturers Association, 163–165 Center Street, Winona, Minn.
D. (6) $1,500.

A. J. M. George, 165 Center Street, Winona, Minn.
B. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. Stanley Gewirtz, 1000 Connecticut Avenue NW., Washington, D. C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.
E. (9) $56.

A. Ernest Giddings, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,766.25. E. (9) $204.04.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
D. (6) $1,600. E. (9) $723.57.

A. Leif Gilstad, 1000 Connecticut Avenue NW., Washington, D. C.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Henry W. Goodall, 209 South La Salle Street, Chicago, Ill.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $2,250. E. (9) $129.97.

A. John A. Gosnell, 801 19th Street NW., Washington, D. C.
B. National Small Business Men's Association, 801 19th Street NW., Washington, D. C.
D. (6) $1,500.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D. C.
B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $375.

A. Government Employees' Council, 100 Indiana Avenue NW., Washington, D. C.
E. (9) $6,742.59.

A. Government Relations Committee of the Office Equipment Manufacturers Institute, 777 14th Street NW., Washington, D. C.
E. (9) $722.

A. James L. Grahl, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $110.

A. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D. C.
D. (6) $86.53. E. (9) $45.38.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 316/418 Keith Building, Cleveland, Ohio.
D. (6) $15,297.80. E. (9) $10,737.11.

A. Mrs. Edward R. Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. Citizens Committee for UNICEF, 132 Third Street SE., Washington, D. C.
D. (6) $390. E. (9) $30.30.

A. Richard D. Green, 515 Investment Building, Washington, D. C.
B. National Editorial Association, 603 South Dearborn Street, Chicago, Ill.
D. (6) $50. E. (9) $50.

A. Jerry N. Griffin, 731 Washington Building, Washington, D. C.
B. National Coal Association, 15th and H Streets NW., Washington, D. C.
D. (6) $1,875.

A. Weston B. Grimes, 1001 Bowen Building, Washington, D. C.
B. Cargill, Inc., 200 Grain Exchange, Minneapolis, Minn.
D. (6) $6,000.

A. I. J. Gromfine, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C., and 11 South La Salle Street, Chicago, Ill.

A. Clair P. Guess, Jr., League City, Tex.
B. National Association of Soil Conservation Districts, League City, Tex.

A. Mrs. Violet M. Gunther, 1341 Connecticut Avenue NW., Washington, D. C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,769.95. E. (9) $292.65.

A. Carl O. Gustafson, 588 Fifth Avenue, New York, N. Y.
B. Council of Conservationists, 588 Fifth Avenue, New York, N. Y.
E. (9) $3,983.70.

A. Frank E. Haas, 260 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D. C.
B. AFL–CIO Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $1,560. E. (9) $393.85.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D. C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $900. E. (9) $215.52.

A. Hal H. Hale, 423 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $158.27. E. (9) $9.60.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. Hugh F. Hall, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $725. E. (9) $6.73.

A. Radford Hall, 801 East 17th Avenue, Denver, Colo.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $3,000. E. (9) $1,028.77.

A. E. C. Halbeck, 711 14th Street NW., Washington, D. C.
B. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
D. (6) $2,875.12. E. (9) $390.15.

A. Harold F. Hammond, 1000 Connecticut Avenue NW., Washington, D. C.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $900. E. (9) $8,106.05.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. L. James Harmanson, Jr., 744 Jackson Place NW., Washington, D. C.
B. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,024.96. E. (9) $144.80.

A. Conrad P. Harness, 1117 Barr Building, Washington, D. C.
D. (6) $1,250.

A. Robert E. Harper, 1913 I Street NW., Washington, D. C.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D. C.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $633.34. E. (9) $20.37.

A. Winder R. Harris, 441 Washington Building, Washington, D. C.
B. Shipbuilders Council of America, 21 West Street, New York, N. Y.

A. Merwin K. Hart, 7501 Empire State Building, New York, N. Y.
D. (6) $500.

A. Stephen H. Hart, 520 Equitable Building, Denver, Colo.
B. National Live Stock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $6,017.86.

A. Robert N. Hawes, 1145 19th Street NW., Washington, D. C.
B. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $3,244.45. E. (9) $23.50.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D. C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.
D. (6) $525. E. (9) $147.34.

A. Glynn C. Hawthorne, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen & Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $165.

A. Kit H. Haynes, 744 Jackson Place NW., Washington, D. C.
B. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
D. (6) $2,625. E. (9) $69.90.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. John C. Hazen, 711 14th Street NW., Washington, D. C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N. Y.
E. (9) $96.70.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.
E. (9) $2,339.72.

A. Patrick B. Healy, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $300. E. (9) $31.30.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N. Y., and 132 Third Street SE., Washington, D. C.
B. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D. C.
B. National Canners Association, 1133 20th Street NW., Washington, D. C.
D. (6) $875. E. (9) $783.22.

A. Kenneth G. Heisler, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
B. National League of Insured Savings Associations, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
D. (6) $1,600.

A. Willon A. Henderson, 612 South Flower Street, Los Angeles, Calif.
B. General Petroleum Corp., 612 South Flower Street, Los Angeles, Calif.

A. Jerome O. Hendrickson, 1016 20th Street NW., Washington, D. C.
B. National Association of Plumbing Contractors, 1016 20th Street NW., Washington, D. C.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N. Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N. Y.
D. (6) $1,844.57. E. (9) $719.57.

A. Maurice G. Herndon, 1002 Washington Loan & Trust Building, Washington, D. C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N. Y., and 1002 Washington Loan & Trust Building, Washington, D. C.
D. (6) $51.55. E. (9) $51.55.

A. Raymond F. Hesch, Claridge Hotel, Washington, D. C.
B. Canal Zone Central Labor Union & Metal Trades Council, Balboa, C. Z.
D. (6) $2,049.20. E. (9) $2,047.23.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. National Football League, 1 Bala Avenue, Bala Cynwyd, Pa.
E. (9) $353.54.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $23.99.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. National Association of Hot House Vegetable Growers, Post Office Box 659, Terre Haute, Ind.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. National Wool Trade Association, 263 Summer Street, Boston, Mass.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. Philadelphia Wool & Textile Association, Post Office Box 472, Station E, Philadelphia, Pa.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. United States Brewers Foundation, 535 Fifth Avenue, New York, N. Y.
D. (6) $5,000. E. (9) $483.88.

A. W. J. Hickey, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $218.75.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.
E. (9) $1,470.11.

A. Ray C. Hinman, 150 East 42d Street, New York, N. Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N. Y.
D. (6) $1,250.

A. L. S. Hitchner, 1145 19th Street NW., Washington, D. C.

A. Claude E. Hobbs, Room 204, 1625 I Street NW., Washington, D. C.
B. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.
D. (6) $1,250.

A. John R. Holden, 1710 Rhode Island Avenue NW., Washington, D. C.
B. AMVETS (American Veterans of World War II), 1710 Rhode Island Avenue NW., Washington, D. C.
D. (6) $1,000. E. (9) $75.

A. George C. Holdrege, 1416 Dodge Street, Omaha, Nebr.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.
D. (6) $4,750. E. (9) $595.41.

A. Edward D. Hollander, 1341 Connecticut Avenue NW., Washington, D. C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D. C.
E. (9) $283.49.

A. Richard C. Holmquist, 570 Lexington Avenue, New York, N. Y.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $460. E. (9) $167.81.

A. Home Manufacturers Association, Suite 1117 Barr Building, Washington, D. C.
D. (6) $1,250. E. (9) $2,200.

A. Winfield M. Homer, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. J. M. Hood, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $318.75.

A. Victor Hood, 1906 Erie Street, Hyattsville, Md.
B. Journeyman Barbers, Hairdressers, Cosmetologists International Union, Indianapolis, Ind.
D. (6) $2,850.44. E. (9) $1,055.44.

A. Samuel H. Horne, Munsey Building, Washington, D. C.
B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.
E. (9) $3,213.97.

A. Lawrence W. Horning, 1010 Pennsylvania Building, Washington, D. C.
B. New York Central Railroad Co., 466 Lexington Avenue, New York, N. Y.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association.

A. J. Cline House, 711 14th Street NW., Washington, D. C.
B. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
D. (6) $3,000.

A. Harold A. Houser, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $1,950.

A. Vernon F. Hovey, 101 Nott Terrace, Schenectady, N. Y.
B. National Dairy Products Corp., 260 Madison Avenue, New York, N. Y.
D. (6) $3,000. E. (9) $507.77.

A. Harold K. Howe, Mills Building, Washington, D. C.
B. American Institute of Laundering, Box 1187, Joliet, Ill.
D. (6) $2,649.99. E. (9) $1,321.47.

A. Harold K. Howe, 207 Mills Building, Washington, D. C.
B. The Lawn Mower Institute, Inc., 207 Mills Building, Washington, D. C.
D. (6) $2,400.

A. Erma D. Hubbard, 509 Ridgely Avenue, Annapolis, Md.
B. Military Survivors, Inc., 509 Ridgely Avenue, Annapolis, Md.
E. (9) $10.

A. William T. Huff, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. William J. Hull, 1625 I Street NW., Washington, D. C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1625 I Street NW., Washington, D. C.
B. Ohio Valley Improvement Association, Inc.
E. (9) $43.

A. Robert L. Humphrey, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y.

A. B. A. Hungerford, 53 Park Place, New York, N. Y.
B. George P. Byrne, 53 Park Place, New York, N. Y.

A. C. E. Huntley, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $298.75.

A. Illinois Railroad Association, 33 South Clark Street, Chicago, Ill.
E. (9) $2,702.48.

A. Bernard J. Imming, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.

A. Independent Advisory Committee to the Trucking Industry, Inc., 1000 Vermont Avenue NW., Washington, D. C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.
D. (6) $25,615.

A. Independent Refiners Association of America, 1201 Shoreham Building, Washington, D. C.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D. C.
D. (6) $7,138.57. E. (9) $7,138.57.

A. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $2,475.02. E. (9) $2,475.02.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D. C.
D. (6) $300. E. (9) $124.95.

A. The Inter-State Manufacturers Association, 163–165 Center Street, Winona, Minn.
D. (6) $3,000. E. (9) $5.27.

A. Iron Ore Lessors Association, Inc., W-1461, First National Bank Building, St. Paul, Minn.
D. (6) $15. E. (9) $2,466.27.

A. Chester W. Jackson, 744 Jackson Place NW., Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,000.

A. Robert C. Jackson, 1145 19th Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $1,977. E. (9) $175.28.

A. David A. James, Shelton, Wash.
B. Simpson Logging Co., Shelton, Wash.

A. Japanese American Citizens League, 1759 Sutter Street, San Francisco, Calif.
D. (6) $400. E. (9) $375.

A. Daniel Jaspan, Post Office Box 2013, Washington, D. C.
B. National Association of Postal Supervisors, Post Office Box 2013, Washington, D. C.
D. (6) $2,647.51. E. (9) $31.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $56.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Co., Paris, Tenn.; Bell Clay Co., Gleason, Tenn.; United Clay Mines Corp., Trenton, N. J.; Old Hickory Clay Co., Paducah, Ky.; Kentucky-Tennessee Clay Co., Cooley Clay Co., Kentucky Clay Mining Co., Mayfield, Ky.; Tennessee Absorbent Co. and Southern Clay Co., Paris, Tenn.
E. (9) $21.80.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational & Co-Operative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,688.96. E. (9) $88.84.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. L. Dan Jones, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $41.75.

A. Lyle W. Jones, 705 Warner Building, 501 13th Street NW., Washington, D. C.
B. The United States Potters Association, East Liverpool, Ohio.
D. (6) $2,650. E. (9) $476.

A. Rowland Jones, Jr., 1145 19th Street NW., Washington, D. C.

B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $3,750. E. (9) $347.54.

A. Journeymen Barbers, Hairdressers, Cosmetologists International Union, 1141 North Delaware, Indianapolis, Ind.
E. (9) $2,850.44.

A. Max M. Kampelman, 1700 K Street NW., Washington, D. C.
B. Lipschultz, Altman, Geraghty & Mulally, 530 Minnesota Building, St. Paul, Minn.

A. John E. Kane, 1625 K Street NW., Washington, D. C.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $3,780. E. (9) $840.97.

A. John E. Kane, 1625 K Street NW., Washington, D. C.
B. District of Columbia Petroleum Industries Committee, 1625 K Street NW., Washington, D. C.
D. (6) $300. E. (9) $110.75.

A. Kimon T. Karabatsos, 897 National Press Building, Washington, D. C.
B. Velsicol Chemical Corp., 897 National Press Building, Washington, D. C.
D. (6) $2,750. E. (9) $775.

A. James C. Kelley, 1900 Arch Street, Philadelphia, Pa.
B. American Machine Tool Distributors' Association, 1900 Arch Street, Philadelphia, Pa.

A. William Edward Kelly, 9532 Justine Drive, Falls Church, Va.
B. The Mosaic Tile Co., Zanesville, Ohio.

A. Elizabeth A. Kendall, 2310 Connecticut Avenue, Washington, D. C.
E. (9) $20.

A. I. L. Kenen, 1737 H Street NW., Washington, D. C.
B. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.

A. William J. Kennard, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $725. E. (9) $137.11.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D. C.
B. The Ohio Oil Co., Findlay, Ohio.
D. (6) $500. E. (9) $337.35.

A. Miles D. Kennedy, 1608 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,500. E. (9) $44.35.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $248.06. E. (9) $550.53.

A. Omar B. Ketchum, 610 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
B. Veterans of Foreign Wars of the United States.
D. (6) $3,500. E. (9) $280.

A. Jeff Kibre, 1341 G Street NW., Washington, D. C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $1,454.93. E. (9) $1,459.42.

A. John A. Killick, 740 11th Street NW., Washington, D. C.
B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D. C.
D. (6) $12.50.

A. John A. Killick, 740 11th Street NW., Washington, D. C.
B. National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
D. (6) $221.25.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D. C.
B. Minot, DeBlois & Maddison, 294 Washington Street, Boston, Mass.
D. (6) $964.80. E. (9) $189.75.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $325. E. (9) $4.09.

A. Ludlow King, 2071 East 102d Street, Cleveland, Ohio.
B. National Machine Tool Builders' Association, 2071 East 102d Street, Cleveland, Ohio.

A. T. Bert King, 812 Pennsylvania Building, Washington, D. C.
B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,250. E. (9) $22.65.

A. Clifton Kirkpatrick, 1916 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9305, Memphis, Tenn.
D. (6) $450. E. (9) $62.27.

A. Clarence C. Klocksin, 2649 North Hackett Avenue, Milwaukee, Wis.
B. The National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $3,000. E. (9) $900.

A. Burt L. Knowles, 20th and E Streets NW., Washington, D. C.
B. The Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. Robert M. Koch, 1015 12th Street NW., Washington, D. C.
B. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
E. (9) $35.

A. Robert M. Koch, 1015 12th Street NW., Washington, D. C.
B. National Crushed Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
E. (9) $15.

A. Kominers & Fort, 529 Tower Building, Washington, D. C.
B. A. H. Bull Steamship Co., 115 Broad Street, New York City, N. Y.

A. Kominers & Fort, 529 Tower Building, Washington, D. C.
B. Marine Transport Lines, Inc., 11 Broadway, New York, N. Y.

A. Germaine Krettek, Hotel Congressional, Washington, D. C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $2,158.38.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $4,900.27. E. (9) $7,400.78.

A. Frank W. Kuehl, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $575. E. (9) $62.78.

A. Catherine G. Kuhne, 2012 Massachusetts Avenue NW., Washington, D. C.
B. National Federation of Business & Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D. C.

A. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $5,363.33. E. (9) $5,462.46.

A. Lake Carriers' Association, Cleveland, Ohio.

A. A. M. Lampley, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen & Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $2,750.

A. Samuel J. Lanahan, 616 Transportation Building, Washington, D. C.
B. Family Finance Corp., 201 West 14th Street, Wilmington, Del.
E. (9) $102.09.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. American Fair Trade Council, 1434 West 11th Avenue, Gary, Ind.
D. (6) $249.96.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. National Patent Council, Inc., 1434 West 11th Avenue, Gary, Ind.
D. (6) $999.96.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. Trinity Improvement Association, Inc., 718 Insurance Building, Fort Worth, Tex.
D. (6) $1,275.

A. Dillard B. Lasseter, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,200. E. (9) $261.69.

A. J. Austin Latimer, 1001 Connecticut Avenue NW., Washington, D. C.
D. (6) $450.

A. John Lawler, 270 Madison Avenue, New York, N. Y.
B. American Institute of Certified Public Accountants, 270 Madison Avenue, New York, N. Y.
D. (6) $200. E. (9) $75.

A. John V. Lawrence, American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,190. E. (9) $3.60.

A. Warren Lawrence, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $200. E. (9) $200.

A. Elton J. Layton, 4730 Arlington Boulevard, Arlington, Va.
B. The National Association of Retail Druggists, 205 West Wacker Drive, Chicago, Ill.
D. (6) $200. E. (9) $385.28.

A. Ivy Lee and T. J. Ross, 405 Lexington Avenue, New York, N. Y.
D. (6) $6,249.99. E. (9) $6,721.62.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $8,098. E. (9) $11,485.50.

A. G. E. Leighty, 401 Third Street NW., Washington, D. C.

A. Hal Leyshon, 122 East 42d Street, New York, N. Y.
B. American Federation of Musicians, 425 Park Avenue, New York, N. Y.
D. (6) $4,999.98. E. (9) $3,607.36.

A. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y., and 1701 K Street NW., Washington, D. C.
D. (6) $10,696. E. (9) $10,696.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D. C.
B. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $3,125. E. (9) $605.50.

A. Lester W. Lindow, 1735 De Sales Street NW., Washington, D. C.
D. (6) $40.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,100. E. (9) $100.16.

A. Walter J. Little, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $620.83. E. (9) $425.68.

A. John M. Littlepage, 15th and K Streets NW., Washington, D. C.
B. The American Tobacco Co., Inc., 150 East 42d Street, New York, N. Y.

A. Arthur Y. Lloyd, 1025 Connecticut Avenue NW., Washington, D. C.
B. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $330. E. (9) $130.79.

A. George E. Long, 10 East 40th Street, New York, N. Y.
B. Eugene R. Pickrell, 10 East 40th Street, New York, N. Y.

A. Leonard Lopez, Room 303, 1029 Vermont Avenue NW., Washington, D. C.
B. District Lodge, No. 44, International Association of Machinists, 303 Medical Science Building, Washington, D. C.
D. (6) $2,492.10. E. (9) $15.

A. Joe T. Lovett, 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $207.68. E. (9) $138.61.

A. Harold O. Lovre, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,200. E. (9) $163.05.

A. Harold O. Lovre, 821 15th Street NW., Washington, D. C.
B. Chicago Mercantile Exchange, 110 North Franklin Street, Chicago, Ill.
D. (6) $3,000. E. (9) $1,392.07.

A. Harold O. Lovre, 821 15th Street NW., Washington, D. C.
B. Porter Bros. Corp., Post Office Box 667, Boise, Idaho.
D. (6) $200.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street, Washington, D. C.
D. (6) $750.

A. Lowenstein, Pitcher, Spence, Hotchkiss, Amann & Parr, 25 Broad Street, New York, N. Y.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Finance Conference, 176 West Adams Street, Chicago, Ill.
D. (6) $1,250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Emmco Insurance Co., South Bend, Ind.
D. (6) $500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Regular Common Carrier Conference, 1424 16th Street NW., Washington, D. C.
E. (9) $10.50.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Republic of Panama, Panama, Panama.
E. (9) $6.50.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Roadside Business Association, 646 North Michigan Avenue, Chicago, Ill.
D. (6) $500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Joseph E. Seagram & Sons, Inc., 375 Park Avenue, New York, N. Y.
D. (6) $1,250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Western Medical Corporation, 415–423 West Pershing Road, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. World Commerce Corp., 445 Park Avenue, New York, N. Y.
D. (6) $1,250.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Adolph von Zedlitz, 60 Sutton Place, South, New York, N. Y.

A. Milton F. Lunch, 2029 K Street NW., Washington, D. C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $750.

A. John C. Lynn, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $2,025. E. (9) $44.63.

A. A. E. Lyon, 401 Third Street NW., Washington, D. C.
B. Railway Labor Executives' Association.
D. (6) $900.

A. Robert J. McBride, 1424 16th Street NW., Washington, D. C.
B. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $2,750.

A. J. A. McCallam, 1507 M Street NW., Washington, D. C.
E. (9) $472.17.

A. William C. McCamant, 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $1,100. E. (9) $25.

A. John A. McCart, Room 716, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,055.55. E. (9) $42.50.

A. J. L. McCaskill, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,199.70. E. (9) $113.41.

A. Alfred R. McCauley, 1108 16th Street NW., Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.

A. Alfred R. McCauley, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y., and American Association of Hardwood Plywood Users, Washington, D. C.

A. Alfred R. McCauley, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. Robert S. McClelland, Duncan, Okla.
B. National Association of Soil Conservation Districts, League City, Tex.

A. McClure & McClure, 626 Washington Building, Washington, D. C.
B. The Coca-Cola Export Corp., 515 Madison Avenue, New York, N. Y.

A. McClure & McClure, 626 Washington Building, Washington, D. C.
B. Twenty Grand Towing Corp., Offshore Oil Center, Morgan City, La., and Tidewater Marine Service, Inc., 211 The Warwick, New Orleans, La.
D. (6) $2,000. E. (9) $572.98.

A. Angus McDonald.
B. The Farmers' Educational & Cooperative Union of America, 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,953.28. E. (9) $272.70.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.

A. Robert P. McElroy, 801 Sheraton Building, Washington, D. C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N. Y.
E. (9) $105.10.

A. E. D. McElvain, 1625 I Street NW., Washington, D. C.
B. Phillips Petroleum Co., Bartlesville, Okla.
D. (6) $500. E. (9) $320.

A. A. J. McFarland.
B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $999.99. E. (9) $250.

A. Thomas Edward McGrath, 4012 14th Street NW., Washington, D. C.
B. Taxpayers, U. S. A., 4012 14th Street NW., Washington, D. C.
D. (6) $225. E. (9) $225.

A. William F. McKenna, 1200 Wyatt Building, Washington, D. C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $1,750. E. (9) $887.35.

A. James H. McKenzie, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $1,106.55.

A. William H. McLin, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,622.50. E. (9) $39.70.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D. C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D. C.

A. Clarence M. McMillan, 1424 K Street NW., Washington, D. C.
B. National Candy Wholesalers Association, Inc., 1424 K Street NW., Washington, D. C.

A. Ralph J. McNair, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $731.25. E. (9) $17.15.

A. Charles R. McNeill, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.
D. (6) $425. E. (9) $265.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW, Washington, D. C.
B. American Association of University Women, 1634 I Street NW., Washington, D. C.
E. (9) $2.70.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D. C.
B. American Optometric Association, Inc., Development Fund (Legislative), 8001 Jenkins Arcade, Pittsburgh, Pa.
E. (9) $42.29.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D. C.
B. Frankel Bros., 521 Fifth Avenue, New York, N. Y.
E. (9) $1.25.

A. John G. MacFarlan, 1503 H Street NW., Washington, D. C.
B. Railway Express Agency, Inc., 1503 H Street NW., Washington, D. C.
D. (6) $1,935.48. E. (9) $778.92.

A. James E. Mack, 1028 Connecticut Avenue NW., Room 1018, Washington, D. C.
B. American Home Laundry Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.

A. James E. Mack, 1028 Connecticut Avenue NW., Room 1018, Washington, D. C.
B. National Confectioners' Association, 1028 Connecticut Avenue NW., Room 1018, Washington, D. C.

A. James E. Mack, Room 1018, 1028 Connecticut Avenue NW., Washington, D. C.
B. Rolled Zinc Emergency Tariff Committee, Room 1018, 1028 Connecticut Avenue NW., Washington, D. C.

A. Maclay, Morgan & Williams, 76 Beaver Street, New York, N. Y.
B. Association of American Ship Owners, 76 Beaver Street, New York, N. Y.

A. James B. Madaris, Room 303, 401 Third Street NW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $990.

A. Don Mahon, Box 959, Ben Franklin Station, Washington, D. C.
E. (9) $423.87.

A. William J. Mahon, 1 Gracie Terrace, New York, N. Y.
B. Associated Railroads of New York State.

A. John H. Mahoney, 80 Broad Street, New York, N. Y.
B. Seaboard & Western Airlines, Inc., 80 Broad Street, New York, N. Y.
D. (6) $250.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D. C.
D. (6) $1,200.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Coal Association, Southern Building, Washington, D. C.
D. (6) $3,000. E. (9) $225.80.

A. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.
D. (6) $2,375. E. (9) $2,375.

A. Mrs. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D. C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N. Y.
D. (6) $1,739.02. E. (9) $113.33.

A. Rodney W. Markley, Jr., 1200 Wyatt Building, Washington, D. C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $4,200. E. (9) $887.35.

A. E. E. Marsh, Salt Lake City, Utah.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $2,500.02. E. (9) $1,598.62.

A. Winston W. Marsh, 1012 14th Street NW., Washington, D. C.
B. National Tire Dealers & Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.
D. (6) $88.48. E. (9) $3.45.

A. Fred T. Marshall, 1112–18 19th Street NW., Washington, D. C.
B. The B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. J. Paull Marshall, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $388.13. E. (9) $59.50.

A. Mike M. Masaoka, Suite 1217, Hurley-Wright Building, Washington, D. C.
B. Japanese American Citizens League, 1759 Sutter Street, San Francisco, Calif.
D. (6) $200. E. (9) $185.

A. Walter J. Mason, 615 16th Street NW., Washington, D. C.
B. American Federation of Labor-Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $3,029. E. (9) $526.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. Pittsburgh Coal Exchange, 345 Fourth Avenue, Pittsburgh, Pa., and Mechanical Contractors Association of Pittsburgh, Inc., 345 Fourth Avenue, Pittsburgh, Pa.
E. (9) $100.69.

A. P. H. Mathews, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $1,098.73. E. (9) $453.19.

A. Joe G. Matthews, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D. C.
B. National Association of Waste Material Dealers, Inc., 271 Madison Avenue, New York, N. Y.
D. (6) $500. E. (9) $7.25.

A. Cyrus H. Maxwell, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $750.50. E. (9) $41.87.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D. C.
B. Amalgamated Meat Cutters & Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $1,037.47. E. (9) $1,863.02.

A. Medical Association of the State of Alabama, 17 Molton Building, Montgomery, Ala.
D. (6) $67,575. E. (9) $2,725.

A. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.

A. Ellis E. Meredith, 635 Southern Building, Washington, D. C.
B. American Association of Nurserymen, 635 Southern Building, Washington, D. C.
E. (9) $26.80.

A. Ross A. Messer, 724 Ninth Street NW., Washington, D. C.
B. National Association Post Office & General Services Maintenance Employees, Post Office Box 1611, Washington, D. C.
D. (6) $700. E. (9) $97.98.

A. J. T. Metcalf, 1002 L & N Building, Louisville, Ky.
E. (9) $582.86.

A. James G. Michaux, 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $1,500. E. (9) $285.25.

A. Michigan Hospital Service, 441 East Jefferson, Detroit, Mich.
E. (9) $1,255.03.

A. Louis J. Michot, 1000 Connecticut Avenue NW., Washington, D. C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $650. E. (9) $82.65.

A. G. R. Milburn, Grassrange, Mont.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
E. (9) $359.41.

A. Clarence R. Miles, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the U. S. A.

A. John R. Miles, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the U. S. A.

A. Military Survivors, Inc., 509 Ridgely Avenue, Annapolis, Md.
D. (6) $286. E. (9) $858.36.

A. Milk Industry Foundation, 1145 19th Street NW., Washington, D. C.

A. Charles C. Miller, 1346 Connecticut Avenue NW., Washington, D. C.
B. Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N. Y.
D. (6) $253.60. E. (9) $70.

A. Miller & Chevalier, 1001 Connecticut Avenue NW., Washington, D. C.
B. Blue Cross Association, 55 East 34th Street, New York, N. Y.
D. (6) $3,000. E. (9) $13.97.

A. Miller & Chevalier, 1001 Connecticut Avenue NW., Washington, D. C.
B. Blue Shield Medical Care Plans, 425 North Michigan Avenue, Chicago, Ill.
D. (6) $575.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Intracoastal Canal Association of Louisiana & Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,250.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N. Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $2,430. E. (9) $1,883.05.

A. Harold C. Miller, 1001 Connecticut Avenue NW., Washington, D. C.
B. American Society of Composers, Authors, & Publishers, 575 Madison Avenue, New York, N. Y.
D. (6) $1,200. E. (9) $96.05.

A. Lloyd S. Miller, 1001 Connecticut Avenue NW., Washington, D. C., and 195 Broadway, New York, N. Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $4,500.

A. Claude Minard, 215 Market Street, San Francisco, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.

A. Seymour S. Mintz, 810 Colorado Building, Washington, D. C.
B. Tennessee Products & Chemical Corp., Nashville, Tenn.

A. Seymour S. Mintz, William T. Plumb, Jr., Robert K. Eifler, and Richard A. Mullens, 810 Colorado Building, Washington, D. C.
B. American Discount Company of Georgia, Charlotte, N. C.

A. Seymour S. Mintz, William T. Plumb, Jr., Robert. Eifler, and Richard A. Mullens, 810 Colorado Building, Washington, D. C.
B. Hughes Tool Co., Houston, Tex.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D. C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.
D. (6) $1,875. E. (9) $291.70.

A. Mitchell & Conway, Board of Trade Building, Chicago, Ill.
B. National Security Committee of National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.
D. (6) $20,000. E. (9) $2,952.25.

A. Mobilehome Dealers National Association, 39 South La Salle Street, Chicago, Ill.
E. (9) $2,069.90.

A. M. D. Mobley, 1010 Vermont Avenue NW., Washington, D. C.
B. American Vocational Association, Inc.

A. Harry L. Moffett, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,650. E. (9) $40.22.

A. Albert H. Monacelli, 161 East 42d Street, New York, N. Y.
B. National Committee for Municipal Bonds, Inc., 161 East 42d Street, New York, N. Y.

A. Marion S. Monk, Jr., Batchelor, La.
B. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $197.53. E. (9) $197.53.

A. Donald Montgomery, 777 14th Street NW., Washington, D. C.
B. American Hotel Association, 221 West 57th Street, New York, N. Y.
D. (6) $400. E. (9) $117.05.

A. Walter H. Moorman, 4650 East-West Highway, Bethesda, Md.
B. Maryland Railroad Association, Care of E. H. Burgess, 2 North Charles Street, Baltimore, Md.
D. (6) $2,500. E. (9) $119.26.

A. Kenneth R. Morefield, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $26.25. E. (9) $100.64.

A. Silas A. Morehouse, Post Office Box 4085, Jefferson Manor, Alexandria, Va.
B. F. W. Clarke, 112 North St. Asaph Street, Alexandria, Va.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D. C.
B. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.
D. (6) $1,249.98.

A. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. American Reciprocal Insurance Association, Kansas City, Mo.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. Area Employment Expansion Committee, 1144 Pennsylvania Building, Washington, D. C.
D. (6) $500.

A. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.
B. Brewers' Association of America, 188 West Randolph Street, Chicago, Ill.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. Ford Motor Co., 3000 Schaefer Road, Dearborn, Mich.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. Lewis, Field, DeGoff & Stein, DeYoung Building, San Francisco, Calif.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N. Y.
D. (6) $500.

A. Giles Morrow, 1111 E Street NW., Washington, D. C.
D. (6) $4,999.98. E. (9) $74.97.

A. H. S. Mosebrook, 220 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Harold G. Mosier, 610 Shoreham Building, Washington, D .C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
D. (6) $4,056. E. (9) $296.35.

A. William J. Mougey, Washington, D. C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers.
D. (6) $2,600.

A. Vincent S. Mullaney, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $875. E. (9) $683.09.

A. T. H. Mullen, 711 14th Street NW., Washington, D. C.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.

A. T. H. Mullen, 711 14th Street NW., Washington, D. C.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Walter J. Munro, Hotel Washington, Washington, D. C.
B. Brotherhood of Railroad Trainmen.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D. C.
B. National Chiropractic Insurance Co., National Building, Webster City, Iowa.
D. (6) $300. E. (9) $300.

A. Ray Murphy, 60 John Street, New York, N. Y.
B. Association of Casualty & Surety Companies, 60 John Street, New York, N. Y.
D. (6) $118.75.

A. Mutual Savings Banks Committee on Taxation, 60 East 42d Street, New York, N. Y.
E. (9) $463.50.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.
D. (6) $83.31. E. (9) $151.13.

A. Paul A. Nagle, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Postal Transport Association, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $3,000.

A. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
D. (6) $2,180.75. E. (9) $2,180.75.

A. National Anti-Price-Fixing Association, 1366 National Press Building, Washington, D. C.
D. (6) $470. E. (9) $47.23.

A. National Association & Council of Business Schools, 2400 16th Street NW., Washington, D. C.

A. National Association of Direct Selling Cos., 163-65 Center Street, Winona, Minn.
D. (6) $13,875. (E) (9) $24.36.

A. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $1,545.63. E. (9) $15,667.54.

A. National Association of Employment Agencies, 143 Superior Street, Toledo, Ohio.

A. National Association of Frozen Food Packers, 1415 K Street NW., Washington, D. C.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N. Y.
D. (6) $3,394.81. E. (9) $6,147.24.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D. C.

A. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.

A. National Association of Plumbing Contractors, 1016 20th Street NW., Washington, D. C.

A. National Association of Post Office and General Services Maintenance Employees, Post Office Box 1611, Washington, D. C.
D. (6) $10,275.49. E. (9) $1,379.82.

A. National Association of Postal Supervisors, Post Office Box 2013, Washington, D. C.
D. (6) $8,200. E. (9) $6,945.62.

A. National Association of Refrigerated Warehouses, Inc., 1210 Tower Building, Washington, D. C.

A. National Association of Social Workers, Inc., 95 Madison Avenue, New York, N. Y., and 1346 Connecticut Avenue NW., Washington, D. C.
D. (6) $2,235. E. (9) $7,235.

A. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $897.53. E. (9) $830.29.

A. National Association of Travel Organizations, 1424 K Street NW., Washington, D. C.
D. (6) $9,487.92. E. (9) $682.50.

A. National Board of Fur Farm Organizations, Inc., 152 West Wisconsin Avenue, Milwaukee, Wis.
D. (6) $1,250. E. (9) $802.85.

A. National Bureau for Lathing & Plastering, 1401 K Street NW., Washington, D. C.

A. National Business Publications, Inc., 1913 I Street NW., Washington, D. C.

A. National Canners Association, 1133 20th Street NW., Washington, D. C.
D. (6) $294,608.74. E. (9) $2,818.14.

A. National Coal Association, 802 Southern Building, Washington, D. C.

A. National Committee for Municipal Bonds, Inc., 161 East 42d Street, New York, N. Y.
D. (6) $2,250. E. (9) $3,541.23.

A. National Committee on Parcel Post Size and Weight Limitations, 1625 I Street NW., Washington, D. C.
E. (9) $208.

A. National Committee for Research in Neurological Disorders, University Hospital, Minneapolis, Minn.
E. (9) $5,000.

A. National Conference for Repeal of Taxes on Transportation, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $850.70. E. (9) $2,449.93.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Post Office Box 23, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $9,549.96. E. (9) $9,549.96.

A. National Council on Business Mail, Inc., 1028 Connecticut Avenue NW., Washington, D. C.
D. (6) $182.94. E. (9) $635.55.

A. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,602.33. E. (9) $2,229.

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $150.

A. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
B. Independent Airlines Association, 1328 I Street NW., Washington, D. C.
D. (6) $5,500. E. (9) $1,990.08.

A. National Crushed Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
D. (6) $578.50. E. (9) $578.50.

A. National Economic Council, 7501 Empire State Building, New York, N. Y.
D. (6) $1,777.13. E. (9) $1,665.20.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D. C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.
D. (6) $24,533.41. E. (9) $24,533.41.

A. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.
D. (6) $99,019.82. E. (9) $13,410.59.

A. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
D. (6) $152,297.08. E. (9) $30,872.26.

A. National Food Brokers Association, 1916 M Street NW., Washington, D. C.
D. (6) $1,477.72. E. (9) $1,477.72.

A. The National Grange, 744 Jackson Place NW., Washington, D. C.
E. (9) $26,900.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $16,270.07. E. (9) $16,118.99.

A. National Independent Dairies Association, 1627 K Street NW., Washington, D. C.
D. (6) $1,672. E. (9) $1,672.

A. National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
D. (6) $4,882.84. E. (9) $2,833.06.

A. National League of Insured Savings Associations, 907 Ring Building, 18th & M Streets NW., Washington, D. C.
D. (6) $6,216.08. E. (9) $4,143.39.

A. National Live Stock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $6,017.86. (7) $3,949.59.

A. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
D. (6) $2,080.60. E. (9) $2,743.40.

A. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $5,549.91. E. (9) $5,549.91.

A. National Multiple Sclerosis Society, 257 Fourth Avenue, New York, N. Y.
E. (9) $813.92.

A. National Parking Association, Inc., 711 14th Street NW., Washington, D. C.

A. National Postal Transport Association, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $7,750.29. E. (9) $7,750.29.

A. National Reclamation Association, 897 National Press Building, Washington, D. C.
D. (6) $15,582. E. (9) $14,632.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N. Y.
D. (6) $4,125. E. (9) $5,052.08.

A. National Rivers & Harbors Congress, 1028 Connecticut Avenue NW., Washington, D. C.
D. (6) $12,745.77. E. (9) $14,405.50.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
E. (9) $567.66.

A. National Small Business Men's Association, 801 19th Street NW., Washington, D. C.
D. (6) $5,079.40. E. (9) $2,337.65.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $103,361.09. E. (9) $2,307.32.

A. The National Tire Dealers & Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.
D. (6) $579.93. E. (9) $579.93.

A. The National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $3,299.24. E. (9) $2,515.60.

A. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $2,058. E. (9) $4,602.17.

A. Nation-Wide Committee of Industry, Agriculture & Labor on Import-Export Policy, 815 15th Street NW., Washington, D. C.
D. (6) $6,300. E. (9) $17,904.35.

A. Robert R. Neal, 1701 K Street NW., Washington, D. C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.

A. William S. Neal, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. A. Z. Nelson, 1319 18th Street NW., Washington, D. C.
B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
E. (9) $37.10.

A. Paul Nelson, 2000 Florida Avenue, Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $20.

A. Ross D. Netherton, 1712 G Street NW., Washington, D. C.
B. American Automobile Association, 1712 G Street NW., Washington, D. C.
D. (6) $3,000. E. (9) $29.15.

A. George S. Newcomer, 900 First National Bank Building, Baltimore, Md.
B. The People's Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.

A. Herschel D. Newsom, 744 Jackson Place NW., Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,750.

A. New York & New Jersey Dry Dock Association, 161 William Street, New York City.
D. (6) $4,131.88. E. (9) $4,268.44.

A. New York Stock Exchange, 11 Wall Street, New York, N. Y.
E. (9) $3,000.

A. Russ Nixon, 1319 F Street NW., Washington, D. C.
B. United Electrical, Radio & Machine Workers of America, 11 East 51st Street, New York, N. Y.
D. (6) $747.51. E. (9) $260.

A. Henry G. Nolda, 1729 G Street NW., Washington, D. C.
B. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.
D. (6) $2,307.72. E. (9) $46.39.

A. Joseph A. Noone, 1145 19th Street NW., Washington, D. C.
B. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D. C.

A. O. L. Norman, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $735. E. (9) $24.02

A. Robert H. North, 1105 Barr Building, Washington, D. C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D. C.
E. (9) $288 07.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.,
B. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. Northern Hemlock & Hardwood Manufacturers Association, 105 Washington Avenue, Oshkosh, Wis.
D. (6) $100. E. (9) $28.84.

A. E. M. Norton, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $300. E. (9) $197.50.

A. Brice O'Brien, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,250.

A. George J. O'Brien, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.

A. E. H. O'Connor, 176 West Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 176 West Adams Street, Chicago, Ill.
D. (6) $7,547.30.

A. R. E. O'Connor, 122 East 42d Street, New York, N. Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.

A. Herbert R. O'Conor, 1701 K Street NW., Washington, D. C.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C. and 11 Broadway, New York, N. Y.

A. John A. O'Donnell, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $700. E. (9) $232.05.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D. C.
B. Philippine Sugar Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,000. E. (9) $135.

A. Eugene O'Dunne, Jr., Southern Building, Woshington, D. C.
B. The Associated Business Publications, 305 East 42d Street, New York, N. Y.
D. (6) $5,000. E. (9) $89.65.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N. Y.
D. (6) $2,500. E. (9) $176.20.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $2,912.68.

A. Alvin E. Oliver, 400 Folger Building, Washington, D. C.
B. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D. C.
D. (6) $28.85. E. (9) $3.

A. E. L. Oliver, 1001 Connecticut Avenue NW., Washington, D. C.
B. Labor Bureau of Middle West, 1001 Connecticut Avenue NW., Washington, D. C.

A. Fred N. Oliver, 110 East 42d Street, New York, N. Y. and Investment Building, Washington, D. C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y. and Mutual Savings Banks Committee on Taxation, 60 East 42d Street, New York, N. Y.
D. (6) $463.50.

A. Robert Oliver, 1026 17th Street NW., Washington, D. C.
B. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.

A. Clarence H. Olson, 1606 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,490. E. (9) $32.65.

A. Samuel Omasta, 1015 12th Street NW., Washington, D. C.
B. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
E. (9) $15.

A. Charles T. O'Neill, Jr., 730 15th Street NW., Washington, D. C.
B. 12 East 36th Street, New York, N. Y.
D. (6) $375.

A. W. D. Johnson, 401 Third Street NW., Washington, D. C.
B. Order of Railway Conductors & Brakemen, O. R. C. & B. Building, Cedar Rapids, Iowa.

A. Order of Railway Conductors and Brakemen, O. R. C. & B. Building, Cedar Rapids, Iowa.
E. (9) $4,169.90.

A. Order of Railway Conductors & Brakemen, O. R. C. & B. Building, Cedar Rapids, Iowa.
E. (9) $896.39.

A. Clayton L. Orn, 539 South Main Street, Findlay, Ohio.
B. The Ohio Oil Co., Findlay, Ohio.
E. (9) $62.50.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.
E. (9) $1,146.40.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $1,600.

A. Vaux Owen, 1729 G Street NW., Washington, D. C.
B. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.
D. (6) $2,884.62 E. (9) $47.20.

A. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.
D. (6) $200. E. (9) $1,624.99.

A. Edwin F. Padberg, 1223 Pennsylvania Building, Washington, D. C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
E. (9) $204.66.

A. Lew M. Paramore, Town House Hotel, Post Office Box 356, Kansas City, Kans.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $3,375.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $625.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Institute of American Poultry Industries, 50 East Madison Street, Chicago, Ill.
D. (6) $562.50. E. (9) $32.38.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $500. E. (9) $23.30.

A. Lovell H. Parker, 605 Colorado Building, Washington, D. C.
D. (6) $625.

A. A. Lee Parsons, 1145 19th Street NW., Washington, D. C.
B. Cotton Manufacturers Institute, 1501 Johnston Building, Charlotte, N. C.
D. (6) $350. E. (9) $221.50.

A. Perry S. Patterson, 800 World Center Building, Washington, D. C.
B. Automatic Phonograph Manufacturers Association, 1603 Orrington Avenue, Evanston, Ill.

A. James G. Patton.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo. and 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,250. E. (9) $870.94.

A. Robert T. Patton, 1008 West Sixth Street, Los Angeles, Calif.
B. Shell Oil Co., 1008 West Sixth Street, Los Angeles, Calif.
D. (6) $1,434. E. (9) $1,112.57.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $438.81.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $181.43.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. Saturday Review, Inc., 25 West 45th Street, New York, N. Y.
E. (9) $153.02.

A. Edmund W. Pavenstedt, care of White & Case, 14 Wall Street, New York, N. Y.

A. Albert A. Payne, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $2,000. E. (9) $155.79.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Family Tax Association, 1616 Walnut Street, Philadelphia, Pa.
D. (6) $5,200. E. (9) $681.38.

A. Francis E. Perkins, 21 School Street, Concord, N. H.
B. Boston & Maine Railroad, North Station, Boston, Mass.

A. Hugh Peterson.
B. Georgia Power Co., 75 Marietta Street, Atlanta, Ga.
D. (6) $3,750.

A. Iris V. Peterson, 4201 Massachusetts Avenue NW., Washington, D. C.
B. Air Line Stewards & Stewardesses Association, Inc., 55th and Cicero Avenue, Chicago, Ill.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. Florida Citrus Mutual (legislative fund), Lakeland, Fla.
D. (6) $1,800. E. (9) $240.26.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. Peoples Lobby, Inc., 2147 O Street NW., Washington, D. C.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Bradenton, Fla.
D. (6) $600. E. (9) $167.35.

A. J. E. Phillips, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $750. E. (9) $250.

A. Eugene R. Pickrell, 10 East 40th Street, New York, N. Y.

A. Albert T. Pierson, 54 Meadow Street, New Haven, Conn.
B. The New York, New Haven & Hartford Railroad Co., 54 Meadow Street, New Haven, Conn.
D. (6) $1,169.92. E. (9) $1,264.11.

A. Albert Pike, Jr., 488 Madison Avenue, New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $67.50.

A. James F. Pinkney, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,000. E. (9) $76.30.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
E. (9) $960.33.

A. Piper & Marbury, 900 First National Bank Building, Baltimore, Md.
B. The Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.
E. (9) $28.55.

A. Ralph D. Pittman, 500 Wire Building, Washington, D. C.
B. George B. Soto, 1501 Calvert Street NW., Washington, D. C.

A. Plains Cotton Growers, Inc., 220-21 Lubbock National Building., Lubbock, Tex.
D. (6) $30,705.33. E. (9) $3,025.

A. Kenneth M. Plaisted, 152 West Wisconsin Avenue, Milwaukee, Wis.
B. National Board of Fur Farm Organizations, Inc., 152 West Wisconsin Avenue, Milwaukee, Wis.
D. (6) $207.72.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D. C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.
D. (6) $765.25.

A. James K. Polk, 40 Wall Street, New York, N. Y.
B. Consolidated Edison Company of New York, Inc., 4 Irving Place, New York, N. Y.
D. (6) $3,525. E. (9) $180.87.

A. James K. Polk, 40 Wall Street, New York, N. Y.
B. The Western Pacific Railroad Co., 526 Mission Street, San Francisco, Calif.

A. Frank M. Porter, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.

A. Nelson J. Post, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $200. E. (9) $22.30.

A. Powell, Dorsey, Blum & White, 1741 K Street NW., Washington, D. C.
B. Committee for the Study of Revenue Bond Financing, 149 Broadway, New York, N. Y.
D. (6) $787.50. E. (9) $7.90.

A. Powell, Dorsey, Blum & White, 1741 K Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.

A. William I. Powell, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $16.45.

A. William H. Press, 1616 K Street NW., Washington, D. C.
B. Washington Board of Trade, 1616 K Street NW., Washington, D. C.
D. (6) $4,800.

A. Herman P. Pressler, Room 650-A, Humble Building, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Allen I. Pretzman, 150 East Broad Street, Columbus, Ohio.
B. Scioto-Sandusky Conservancy District, 150 East Broad Street, Columbus, Ohio.
D. (6) $468.32. E. (9) $234.53.

A. Harry E. Proctor, 319 Investment Building, Washington, D. C.
B. Oliver & Donnally, 319 Investment Building, Washington, D. C.

A. Public Information Committee of the Cotton Industries, 304 Empire Bank Building, Dallas, Tex.

A. Ganson Purcell, 910 17th Street NW., Washington, D. C.
B. Insular Lumber Co., 1406 Locust Street, Philadelphia, Pa.
E. (9) $3.75.

A. Purcell & Nelson, 910 17th Street NW., Washington, D. C.
B. Detroit Bakery Employers' Council, 2901 Grand River Avenue, Detroit, Mich.
E. (9) $44.84.

A. Purcell & Nelson, 910 17th Street NW., Washington, D. C.
B. Government Development Bank for Puerto Rico.
E. (9) $80.03.

A. Alexander Purdon, 1000 Connecticut Avenue NW., Washington, D. C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $937.50. E. (9) $224.45.

A. C. J. Putt, 920 Jackson Street, Topeka, Kans.
B. The Atchison, Topeka & Santa Fe Railway Co., 920 Jackson Street, Topeka, Kans.
E. (9) $770.32.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D. C.
B. American Cancer Society, Arthritis & Rheumatism Foundation, United Cerebral Palsy Associations, National Multiple Sclerosis Society, New York, N. Y.; National Committee for Research in Neurological Disorders, Association of American Medical Colleges, Evanston, Ill.
D. (6) $15,749.99. E. (9) $6,547.88.

A. Alex Radin, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $311.52.

A. Mrs. Richard G. Radue, 3406 Quebec Street NW., Washington, D. C.
B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.

A. Railway Labor Executives' Association, 401 Third Street NW., Washington, D. C.

A. Alan T. Rains, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.
E. (9) $1,548.89.

A. Donald J. Ramsey, 1612 I Street NW., Washington, D. C.
B. Silver Users Association, 1612 I Street NW., Washington, D. C.
D. (6) $425. E. (9) $82.14.

A. Thomas M. Raysor, 1366 National Press Building, Washington, D. C.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Box 48, Durant, Okla.
D. (6) $150. E. (9) $520.33.

A. Joseph H. Ream, 1735 De Sales Street NW., Washington, D. C.
B. Columbia Broadcasting System, Inc., 485 Madison Avenue, New York, N. Y.
E. (9) $62.85.

A. Stanley Rector, Hotel Washington, Washington, D. C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. Otis M. Reed, 1107 19th Street NW., Washington, D. C.
B. National Creameries Association, 817 New York Building, St. Paul, Minn.
D. (6) $1,875. E. (9) $1,773.42.

A. William T. Reed, 11 Fourth Street SE., Washington, D. C.
B. Standard Oil Co., 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $280.

A. J. B. Reeves, Ninth and Jackson, Topeka, Kans.
B. The Atchison, Topeka & Santa Fe Railway Co., Ninth and Jackson, Topeka, Kans. Street NW., Washington, D. C.
E. (9) $573.52.

A. George L. Reid, Jr., 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $799.99. E. (9) $101.95.

A. James Francis Reilly, 1625 K Street NW., Washington, D. C.
B. Potomac Electric Power Co., 929 E Street NW., Washington, D. C.
D. (6) $8,000. E. (9) $225.

A. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16 Street NW., Washington, D. C.
D. (6) $8,735.89. E. (9) $735.89.

A. Louis H. Renfrow, 1000 Connecticut Avenue, Washington, D. C.
B. Thirty-one producers of bituminous coal.
D. (6) $5,000. E. (9) $7,278.56.

A. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.

A. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $48,566.06.

A. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Room 906, Washington, D. C.
D. (6) $11,189. E. (9) $7,229.44.

A. Hubert M. Rhodes, 740 11th Street NW., Washington, D. C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $575. E. (9) $7.90.

A. Thomas E. Rhodes, 219 Southern Building, Washington, D. C.
B. Sigfried Olsen, 1 Drumm Street, San Francisco, Calif.

A. Roland Rice, 618 Perpetual Building, Washington, D. C.
B. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,125.

A. Theron Jennings Rice, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D. C.

A. Harry H. Rieck, Preston, Md.
B. National Association of Soil Conservation Districts, League City, Tex.

A. Siert F. Riepma, Munsey Building, Washington, D. C.
B. National Association of Margarine Manufacturers.

A. John J. Riegle, 744 Jackson Place NW., Washington, D. C.
B. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,024.96.

A. George D. Riley, 815 16th Street NW., Washington, D. C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $3,029. E. (9) $493.05.

A. John J. Riley, 1128 16th Street NW., Washington, D. C.
B. American Bottlers of Carbonated Beverages, 1128 16th Street NW., Washington, D. C.

A. H. J. Ripp, 811 North 22d Street, Milwaukee, Wis.
B. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express, & Station Employes, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $875. E. (9) $684.45.

A. E. W. Rising, 328 Pennsylvania Avenue SE., Washington, D. C.
B. Western Sugar Beet Growers Association, Post Office Box 742, Great Falls, Mont.
D. (6) $300. E. (9) $423.60.

A. William Neale Roach, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,200. E. (9) $523.56.

A. Paul H. Robbins, 2029 K Street NW., Washington, D. C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $250.

A. Frank L. Roberts, 1700 K Street NW., Suite 1306, Washington, D. C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $250. E. (9) $100.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $53.50.

A. Edward O. Rodgers, 1000 Connecticut Avenue NW., Washington, D. C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $950. E. (9) $62.55.

A. Frank W. Rogers, Suite 801, 1701 K Street NW., Washington, D. C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $4,213.50.

A. Watson Rogers, 1916 M Street NW., Washington, D. C.
B. National Food Brokers Association, 1916 M Street NW., Washington, D. C.
D. (6) $1,000.

A. George B. Roscoe, 1200 18th Street NW., Washington, D. C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D. C.

A. Royall, Koegel, Harris & Caskey, Wire Building, Washington, D. C.
B. National Tax Equality Association, 231 South LaSalle Street, Chicago, Ill.
D. (6) $3,087.60. E. (9) $1,088.78.

A. Royall, Koegel, Harris & Caskey, 500 Wire Building, Washington, D. C.
B. Rayon Staple Fiber Producers Association, 7319 Empire State Building, New York, N. Y.
D. (6) $9,085. E. (9) $929.59.

A. Robert M. Ruddick, 738 Shoreham Building, Washington, D. C.
B. United Air Lines, 5959 South Cicero Avenue, Chicago, Ill.

A. John Forney Rudy, 902 Ring Building, Washington, D. C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $630. E. (9) $114.64.

A. Francis M. Russell, 1625 K Street NW., Washington, D. C.
B. National Broadcasting Co., Inc., 1625 K Street NW., Washington, D. C., and affiliated companies.

A. Horace Russell, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $481.25.

A. M. O. Ryan, 777 14th Street NW., Washington, D. C.
B. American Hotel Association, 221 West 57th Street, New York, N. Y.
D. (6) $500. E. (9) $412.25.

A. William H. Ryan, Room 302, 1029 Vermont Avenue NW., Washington, D. C.
B. District Lodge, No. 44, International Association of Machinists, Room 302, 1029 Vermont Avenue NW., Washington, D. C.
D. (6) $2,988.18. E. (9) $60.

A. Joseph O. Parker, 831 Washington Building, Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $500. E. (9) $23.30.

A. Lovell H. Parker, 605 Colorado Building, Washington, D. C.
D. (6) $625.

A. A. Lee Parsons, 1145 19th Street NW., Washington, D. C.
B. Cotton Manufacturers Institute, 1501 Johnston Building, Charlotte, N. C.
D. (6) $350. E. (9) $221.50.

A. Perry S. Patterson, 800 World Center Building, Washington, D. C.
B. Automatic Phonograph Manufacturers Association, 1603 Orrington Avenue, Evanston, Ill.

A. James G. Patton.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo. and 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,250. E. (9) $870.94.

A. Robert T. Patton, 1008 West Sixth Street, Los Angeles, Calif.
B. Shell Oil Co., 1008 West Sixth Street, Los Angeles, Calif.
D. (6) $1,434. E. (9) $1,112.57.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $438.81.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $181.43.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. Saturday Review, Inc., 25 West 45th Street, New York, N. Y.
E. (9) $153.02.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. Peoples Lobby, Inc., 2147 O Street NW., Washington, D. C.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Bradenton, Fla.
D. (6) $600. E. (9) $167.35.

A. J. E. Phillips, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $750. E. (9) $250.

A. Eugene R. Pickrell, 10 East 40th Street, New York, N. Y.

A. Albert T. Pierson, 54 Meadow Street, New Haven, Conn.
B. The New York, New Haven & Hartford Railroad Co., 54 Meadow Street, New Haven, Conn.
D. (6) $1,169.92. E. (9) $1,264.11.

A. Albert Pike, Jr., 488 Madison Avenue, New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $67.50.

A. James F. Pinkney, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,000. E. (9) $76.30.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
E. (9) $960.33.

A. Piper & Marbury, 900 First National Bank Building, Baltimore, Md.
B. The Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.
E. (9) $28.55.

A. Ralph D. Pittman, 500 Wire Building, Washington, D. C.
B. George B. Soto, 1601 Calvert Street NW.,

A. Nelson J. Post, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $200. E. (9) $22.30.

A. Powell, Dorsey, Blum & White, 1741 K Street NW., Washington, D. C.
B. Committee for the Study of Revenue Bond Financing, 149 Broadway, New York, N. Y.
D. (6) $787.50. E. (9) $7.90.

A. Powell, Dorsey, Blum & White, 1741 K Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.

A. William I. Powell, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $16.45.

A. William H. Press, 1616 K Street NW., Washington, D. C.
B. Washington Board of Trade, 1616 K Street NW., Washington, D. C.
D. (6) $4,800.

A. Herman P. Pressler, Room 659–A, Humble Building, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Allen I. Pretzman, 150 East Broad Street, Columbus, Ohio.
B. Scioto-Sandusky Conservancy District, 150 East Broad Street, Columbus, Ohio.
D. (6) $468.32. E. (9) $234.83.

A. Harry E. Proctor, 319 Investment Building, Washington, D. C.
B. Oliver & Donnally, 319 Investment Building, Washington, D. C.

A. Public Information Committee of the Cotton Industries, 304 Empire Bank Building, Dallas, Tex.

A. Ganson Purcell, 910 17th Street NW., Washington, D. C.
B. Insular Lumber Co., 1406 Locust Street,

A. Robert A. Saltzstein, 506 Wyatt Building, Washington, D. C.
B. Associated Business Publications, 205 East 42d Street, New York, N. Y.
D. (6) $4,375. E. (9) $186.75.

A. Robert A. Saltzstein, 506 Wyatt Building, Washington, D. C.
B. Smaller Magazines Postal Committee, Post Office Box 975, New Canaan, Conn.
D. (6) $750. E. (9) $58.80.

A. Kimball Sanborn, 4000 Massachusetts Avenue NW., Washington, D. C.
B. Boston & Maine Railroad, Boston, Mass.
E. (9) $583.33.

A. L. R. Sanford, 21 West Street, New York, N. Y.
B. Shipbuilders Council of America, 21 West Street, New York, N. Y.

A. Harrison Sasscer, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $161.40.

A. Satterlee, Warfield & Stephens, 460 Park Avenue, New York, N. Y.
B. American Nurses' Association, 2 Park Avenue, New York, N. Y.
D. (6) $300. E. (9) $74.01.

A. O. H. Saunders, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $1,350.

A. Henry P. Schmidt.
B. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $725. E. (9) $545.61.

A. Schoene & Kramer, 1625 K Street NW., Washington, D. C.
B. Railway Labor Executives' Association, 401 Third Street NW., Washington, D. C.

A. C. E. Schwab, Box 29, Kellogg, Idaho.
B. Emergency Lead-Zinc Committee, 1102 Ring Building, Washington, D. C.
D. (6) $5,595. E. (9) $9,595.

A. J. A. Schwab, 1223 Pennsylvania Building, Washington, D. C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Seaboard & Western Airlines, Inc., 80 Broad Street, New York, N. Y.
E. (9) $450.

A. Durward Seals, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.

A. Hollis M. Seavey, 532 Shoreham Building, Washington, D. C.
B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D. C.

A. Harry See, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.
E. (9) $92.50.

A. Fred G. Seig, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D. C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,125. E. (9) $74.45.

A. Alvin Shapiro, 1701 K Street NW., Washington, D. C.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C. and 11 Broadway, New York, N. Y.
D. (6) $1,500. E. (9) $224.36.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.
D. (6) $139.75. E. (9) $45.91.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y., and American Association of Hardwood Plywood Users, Washington, D. C.
D. (6) $3,333. E. (9) $6,095.35.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y., and American Association of Hardwood Plywood Users, Washington, D. C.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.
B. Scandinavian Fur Farm Organizations.

A. A. Manning Shaw, 1625 I Street NW., Washington, D. C.
B. Brown & Lund, 1625 I Street NW., Washington, D. C.
D. (6) $893.

A. George F. Shea, 930 Tower Building, Washington, D. C.
B. George B. Soto, 1801 Calvert Street NW., Washington, D. C.

A. Leander I. Shelley, 30 Broad Street, New York, N. Y.
B. American Association of Port Authorities, Inc., Washington, D. C. and Airport Operators Council, Inc., Washington, D. C.
D. (6) $1,041.65. E. (9) $382.38.

A. Bruce E. Shepherd, 488 Madison Avenue, New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $150.

A. Laurence P. Sherfy, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,250.

A. W. Lee Shield, 1701 K Street NW., Washington, D. C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $475.64. E. (9) $14.85.

A. Richard C. Shipman.
B. The Farmers' Educational & Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C.
D. (6) $753.20. E. (9) $156.55.

A. Robert L. Shortle, 801 International Building, New Orleans, La.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $2,750. E. (9) $271.99.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $625.

A. Silver Users Association, 1612 I Street NW., Washington, D. C.
D. (6) $433. E. (9) $855.34.

A. Leonard L. Silverstein, 1100 Bowen Building, Washington, D. C.
B. National Association of Women's & Children's Apparel Salesmen, Inc., Atlanta, Ga.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
E. (9) $3,241.70.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D. C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $26.15.

A. Smaller Magazines Postal Committee, Post Office Box 975, New Canaan, Conn.
D. (6) $1,052.50. E. (9) $3,899.37.

A. Elizabeth A. Smart, 144 Constitution Avenue NE., Washington, D. C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $606.12. E. (9) $258.57.

A. T. W. Smiley, 135 East Eleventh Place, Chicago, Ill.
B. Illinois Railroad Association, 33 South Clark Street, Chicago, Ill.
E. (9) $1,805.74.

A. Charles M. Smith, 740 11th Street NW., Washington, D. C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $480. E. (9) $18.30.

A. Fred Smith & Co., Inc., 588 Fifth Avenue, New York, N. Y.
B. Edward Mallinckrodt, Jr., 16 West Moreland Place, St. Louis, Mo.
D. (6) $6,288.23.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $250. E. (9) $90.

A. James R. Smith, 719 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $3,750.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D. C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.
D. (6) $4,257.

A. Wallace M. Smith, 425 13th Street NW., Washington, D. C.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. Lyle O. Snader, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $1,175.24. E. (9) $367.50.

A. Edward F. Snyder, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $1,080.99.

A. J. D. Snyder, 1150 La Salle Hotel, Chicago, Ill.
B. Illinois Railroad Asosciation, 33 South Clark Street, Chicago, Ill.
D. (6) $625. E. (9) $71.74.

A. J. R. Snyder, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.

A. Marvin J. Sonosky, 1028 Connecticut Avenue NW., Washington, D. C.

A. J. Taylor Soop., 401 Third Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $722.96.

A. W. Byron Sorrell, 1028 Connecticut Avenue NW., Washington, D. C.
B. Mobilehome Dealers National Association, 39 South La Salle Street, Chicago, Ill.
D. (6) $1,500. E. (9) $569.90.

A. Southern States Industrial Council, 1103 Stahlman Building, Nashville, Tenn.
D. (6) $18,184.30. E. (9) $25,440.31.

A. W. W. Spear, Fremont, Nebr.
B. Standard Oil Co., 910 South Michigan Avenue, Chicago, Ill.
D. (6) $900. E. (9) $354.63.

A. Lyndon Spencer, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Thomas G. Stack, 1104 West 104th Place, Chicago, Ill.
B. National Railroad Pension Forum, Inc., 1104 West 104th Place, Chicago, Ill.
D. (6) $1,800. E. (9) $6,894.67.

A. Howard M. Starling, 837 Washington Building, Washington, D. C.
B. Association of Casualty & Surety Companies, 60 John Street, New York, N. Y.
D. (6) $150. E. (9) $7.50.

A. Raymond E. Steele, National Press Building, Washington, D. C.
E. (9) $1,452.28.

A. Mrs. Nell F. Stephens, Post Office Box 6234, Northwest Station, Washington, D. C.

A. Russell R. Stephens, 900 F Street NW., Washington, D. C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D. C.
D. (6) $240. E. (9) $20.

A. Herman Sternstein, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. B. H. Steuerwald, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Signalmen of America, 503 Wellington Avenue, Chicago, Ill.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Ampex Corp., Redwood City, Calif.
E. (9) $1.20.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. N. R. Caine & Co., 40 Exchange Place, New York, N. Y.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Howard F. Knipp, 3401 South Hanover Street, Baltimore, Md.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.
D. (6) $4,287.50. E. (9) $63.78.

A. Charles T. Stewart, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $1,500.

A. Erskine Stewart, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Council on Business Mail, Inc., 1028 Connecticut Avenue NW., Washington, D. C.
E. (9) $35.55.

A. Nelson A. Stitt, 1000 Connecticut Avenue, Washington, D. C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue, Washington, D. C.
D. (6) $50.

A. Edwin L. Stoll, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $1,125.

A. Joseph M. Stone, 621 15th Street NW., Washington, D. C.
B. Local 1, AFSCME, National Press Building, Washington, D. C.

A. W. S. Story, 1729 H Street NW., Washington, D. C.
B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D. C.
D. (6) $300. E. (9) $1.25.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.
D. (6) $1,250. E. (9) $184.79.

A. Francis W. Stover, 610 Wire Building, Washington, D. C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,625. E. (9) $100.95.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
D. (6) $1,691.36.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
D. (6) $625.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
D. (6) $5,000.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. Blackfeet Tribe, Browning, Mont.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. Laguna Pueblo of New Mexico, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. National Boating Association, 1521 Hennepin Avenue, Minneapolis, Minn.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The San Carlos Apache Tribe, San Carlos, Ariz.

A. Norman Strunk, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $950. E. (9) $70.32.

A. William L. Sturdevant, Jr., 8300 Burdette Road, Bethesda, Md.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
D. (6) $1,300.

A. Arthur Sturgis, Jr., 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $211.40. E. (9) $26.55.

A. J. E. Sturrock, Box 2084, Capitol Station, Austin, Tex.
B. Texas Water Conservation Association, Box 2084, Capitol Station, Austin, Tex.
D. (6) $1,800. E. (9) $1,158.41.

A. Joseph Monroe Sullivan, 1000 Connecticut Avenue NW., Washington, D. C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D. C.
D. (6) $468.75. E. (9) $112.94.

A. Frank L. Sundstrom, 350 Fifth Avenue, New York, N. Y.
B. Schenley Industries, Inc., 350 Fifth Avenue, New York, N. Y.

A. Noble J. Swearingen, 1790 Broadway, New York, N. Y.
B. National Tuberculosis Association, 1790 Broadway, New York, N. Y.
D. (6) $475. E. (9) $194.24.

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $2,600. E. (9) $239.36.

A. Glenn J. Talbott.
B. The Farmers' Educational & Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C. and 1575 Sherman Street, Denver, Colo.
D. (6) $175. E. (9) $211.96.

A. Edward D. Taylor, 777 14th Street NW., Washington, D. C.
B. Office Equipment Manufacturers Institute, 777 14th Street NW., Washington, D. C.

A. Texas Water Conservation Association, Box 2084, Capitol Station, Austin, Tex.
D. (6) $4,100. E. (9) $5,159.17.

A. Christy Thomas and Barry Sullivan, 536 Washington Building, Washington, D. C.
B. The National Association of River and Harbor Contractors, 15 Park Row, New York, N. Y.
D. (6) $650. E. (9) $181.74.

A. J. Woodrow Thomas, 806 Connecticut Avenue NW., Washington, D. C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.
D. (6) $1,500. E. (9) $218.58.

A. Oliver A. Thomas, 125 North Center Street, Reno, Nev.
B. Nevada Railroad Association, 125 North Center Street, Reno, Nev.; Southern Pacific Co.; Western Pacific Railroad; Union Pacific Railroad Co.
D. (6) $525. E. (9) $1,782.35.

A. Julia C. Thompson, 711 14th Street NW., Washington, D. C.
B. American Nurses' Association, Inc., 2 Park Avenue, New York, N. Y.
D. (6) $1,593.42.

A. Eugene M. Thoré, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N Y.
D. (6) $2,250. E. (9) $63.24.

A. G. D. Tighman, 1604 K Street NW., Washington, D. C.
B. Disabled Officers Association, 1604 K Street NW , Washington, D. C.
D. (6) $3,187.33. E. (9) $5.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D. C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 4200 Cathedral Avenue, Washington, D. C.
B. Armed Services Committee, Chamber of Commerce, Vallejo, Solano County, Calif.
D. (6) $295. E. (9) $289.56.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D C.
E. (9) $2,931.

A. H. Willis Tobler, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $2,418.75. E. (9) $242.26.

A. John H. Todd, 1065 Shrine Building, Memphis, Tenn.
B. National Cotton Compress & Cotton Warehouse Association, 1065 Shrine Building, Memphis, Tenn.

A. F. Gerald Toye, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $1,000. E. (9) $166.85.

A. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Richard S. Tribbe, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Matt Trigg, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,537.50. E. (9) $84.55.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D. C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $875. E. (9) $60.75.

A. J. T. Trullinger, National Bank of Commerce Building, Olympia, Wash.
B. General Petroleum Corp., 612 South Flower Street, Los Angeles, Calif.; Richfield Oil Co., 555 South Flower Street, Los Angeles, Calif.; Shell Oil Co., Shell Building, San Francisco, Calif.; Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.; Tidewater Oil Co., 79 New Montgomery Street, San Francisco, Calif.; Union Oil Company of California, 617 West 7th Street, Los Angeles, Calif.
E. (9) $16.85.

A. Stanley R. Tupper, 154 State Street, Augusta, Maine.
B. Boston & Maine Railroad, North Station, Boston, Mass.
D. (6) $750. E. (9) $461.35.

A. Harold J. Turner, Henry Building, Portland, Oreg.
B. Spokane, Portland & Seattle Railway Co., Southern Pacific Co., Union Pacific Railroad Co., Henry Building, Portland, Oreg.

A. William S. Tyson, 736 Bowen Building, 821 15th Street NW., Washington, D. C.
B. Local No. 30, Canal Zone Pilots, I. O. M. M. & P., Post Office Box 601, Balboa, C. Z.
E. (9) $88.65.

A. Lewis H. Ulman, 1001 Connecticut Avenue NW., Washington, D. C., and 195 Broadway, New York, N. Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $2,250.

A. Union Producing Co. and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

A. United Cerebral Palsy Associations, 321 West 44th Street, New York, N. Y.
E. (9) $1,356.53.

A. United States Citizens' Association, Box 354, Balboa, C. Z.
D. (6) $242.65. E. (9) $141.59.

A. United States-Japan Trade Council, 1000 Connecticut Avenue, Washington, D. C.
D. (6) $390.98. E. (9) $390.98.

A. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
E. (9) $15,529.37.

A. George J. VanLink, 323 South Main, Columbia, Ill.
B. International Brotherhood of Firemen & Oilers, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $1,163.

A. Vegetable Growers Association of America, 528 Mills Building, Washington, D. C.
E. (9) $186.80.

A. Velsicol Chemical Corp., 897 National Press Building, Washington, D. C.
E. (9) $3,525.

A. Velsicol International, C. A., 897 National Press Building, Washington, D. C.

A. Richard E. Vernor, 1701 K Street NW., Washington, D. C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $388.58.

A. L. T. Vice, 1700 K Street NW., Washington, D. C.
B. Standard Oil Company of California, 1700 K Street NW., Washington, D. C.
D. (6) $420. E. (9) $273.75.

A. R. K. Vinson, 1346 Connecticut Avenue NW., Washington, D. C.
B. Machinery Dealers National Association, 1346 Connecticut Avenue NW., Washington, D. C.

A. Carl M. Walker, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $250. E. (9) $122.70.

A. Paul H. Walker, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $198.33. E. (9) $3.42.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $179.25. E. (9) $25.45.

A. Thomas G. Walters, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $3,000.

A. Charles A. Washer, 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $92.30.

A. Washington Board of Trade, 1616 K Street NW., Washington, D. C.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D. C.
D. (6) $1,884.39. E. (9) $1,053.23.

A. Vincent T. Wasilewski, 1771 N Street NW., Washington, D. C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D. C.

A. Jeremiah C. Waterman, 165 Broadway, New York, N. Y.
B. Southern Pacific Co., 165 Broadway, New York, N. Y.
D. (6) $6,925.74. E. (9) $85.19.

A. Waterways Council Opposed to Regulation Extension, 21 West Street, New York, N. Y.
D. (6) $13,490. E. (9) $7,156.23.

A. J. R. Watson, Room No. 1, I. C. R. R. Passenger Station, Jackson, Miss.
B. Mississippi Railroad Association, Room No. 1, I. C. R. R. Passenger Station, Jackson, Miss.
E. (9) $968.42.

A. Watters & Donovan, 161 William Street, New York City, N. Y.
B. New York & New Jersey Dry Dock Association, 161 William Street, New York City, N. Y.
D. (6) $3,750.

A. William H. Webb, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Rivers & Harbors Congress, 1028 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,836.51. E. (9) $445.04.

A. E. E. Webster, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $1,657.81.

A. William E. Welsh, 697 National Press Building, Washington, D. C.
B. National Reclamation Association, 697 National Press Building, Washington, D. C.
D. (6) $3,750. E. (9) $173.32.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.
E. (9) $1,236.89.

A. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $23,306.02. E. (9) $701.50.

A. George Y. Wheeler II, 1625 K Street NW., Washington, D. C.
B. Radio Corporation of America, 1625 K Street NW., Washington, D. C.

A. Wherry Housing Association, 1737 H Street NW., Washington, D. C.
E. (9) $9,843.83.

A. Carroll M. White, 737 Warner Building, Washington, D. C.
B. Special Industrial Radio Service Association, 737 Warner Building, Washington, D. C.

A. J. M. White.
B. Railroads in North Carolina.

A. Richard P. White, 635 Southern Building, Washington, D. C.
B. American Association of Nurserymen, 635 Southern Building, Washington, D. C.
D. (6) $3,750. E. (9) $94.03.

A. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.
B. The American Humane Association.
D. (6) $1,249.98.

A. H. Leigh Whitelaw, 60 East 42d Street, New York, N. Y.
B. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N. Y.

A. Louis E. Whyte, 918 16th Street NW., Suit 501, Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Suite 501, Washington, D. C.

A. Warren E. Whyte, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago ,Ill.
D. (6) $1,218. E. (9) $166.35.

A. Claude C. Wild, Jr., 1625 K Street NW., Washington, D. C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $450. E. (9) $50.

A. Albert E. Wilkinson, 417 Investment Building, Washington, D. C.
B. The Anaconda Co., 616 Hennessy Building, Butte, Mont.
E. (9) $628.46.

A. Wilkinson, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Arapahoe Tribe of Indians, Wind River Reservation, Fort Washakie, Wyo.
E. (9) $64.73.

A. Wilkinson, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. The Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.
E. (9) $3.

A. Wilkinson, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Klamath Indian Tribe, Klamath Agency, Oreg.
E. (9) $125.79.

A. Wilkinson, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Menominee Tribe of Indians, Menominee Indian Reservation, Kashena, Wis.
E. (9) $247.66.

A. Wilkinson, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Quinaielt Indian Tribe, Taholah, Wash.
E. (9) $1.20.

A. Wilkinson, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Spokane Indian Tribe, Wellpinit, Wash.
E. (9) $3.38.

A. Franz O. Willenbucher, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $2,250.

A. Edward Brown Williams, 411 Washington Building, Washington, D. C.
B. United Fresh Fruit & Vegetable Association, the Wyatt Building, Washington, D. C.
D. (6) $5,100.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $3,200. E. (9) $599.65.

A. James L. Wilmeth, 3027 North Broad Street, Philadelphia, Pa.
B. National Council of the Junior Order of United American Mechanics of the United States of North America.

A. E. Raymond Wilson, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $1,246.16.

A. John J. Wilson, 815 15th Street NW., Washington, D. C.
B. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.
D. (6) $1,249.98.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.
B. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La. and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $4,125. E. (9) $477.69.

A. Theodore Wiprup, 1718 M Street NW., Washington, D. C.
B. The Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.

A. Frank G. Wollney, 59 East Madison Street, Chicago, Ill.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $290. E. (9) $97.40.

A. Wood, King & Dawson, 48 Wall Street, New York, N. Y.
B. Committee for Broadening Commercial Bank Participation in Public Financing, 50 South La Salle Street, Chicago, Ill.

A. Wood, King & Dawson, 48 Wall Street, New York, N. Y.
B. Committee for Broadening Commercial Bank Participation in Public Financing, 50 South La Salle Street, Chicago, Ill.

A. Walter F. Woodul, 1828 Bank of the Southwest Building, Houston, Tex.
B. Angelina & Neches River RR. Co., Keltys, Tex., et al.
D. (6) $6,450.75. E. (9) $1,572.14.

A. Walter F. Woodul, 1828 Bank of Southwest Building, Houston, Tex.
B. Humble Oil & Refining Co., Houston, Tex.
D. (6) $1,281.35. E. (9) $1,222.65.

A. Frank K. Woolley, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,662.50. E. (9) $80.04.

A. Edward W. Wootton, 1100 National Press Building, Washington, D. C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Donald A. Young, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the United States of America.

A. J. Banks Young, 1200 18th Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $1,680.

A. Gordon K. Zimmerman, 744 Jackson Place NW., Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,000.

A. O. David Zimring, 11 South La Salle Street, Chicago, Ill. and 1001 Connecticut Avenue NW., Washington, D. C.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America.

REGISTRATIONS

The following registrations were submitted for the period from April 21, 1958, to July 20, 1958, inclusive.

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19------

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B"—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the ground are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302 (e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed, (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

A. Aircraft Service Association.

A. Alex Akerman, Jr., 1366 National Press Building, Washington, D. C.
B. National Anti-Price Fixing Association.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.

A. Samuel W. Anderson, 1700 K Street NW., Washington, D. C.
B. Cerro de Pisco Corp., 300 Park Avenue, New York, N. Y.

A. Samuel W. Anderson, 1700 K Street NW., Washington, D. C.
B. United States Lines Co., 1 Broadway, New York, N. Y.

A. Sash, Bauersfeld & Burton, 1921 I Street NW., Washington, D. C.
B. Edwin W. Pauley, 717 North Highland Avenue, Los Angeles, Calif.

A. Charles B. Bailey, Sr., 2035 South Avenue, Toledo, Ohio.
B. Brotherhood of Railway Clerks, 1015 Vine Street, Cincinnati, Ohio.

A. Balfour, Guthrie & Co., Ltd., 72 Wall Street, New York, N. Y.

A. Barash & Hoffman, 710 Sheraton Building, Washington, D. C.
B. Michel T. Halbouty, 5111 Westheimer Road, Houston, Tex.; Skyline Oil Co., Atlas Building, Salt Lake City, Utah; Global Enterprises Corp., 800 Petroleum Club Building, Denver, Colo.; and Don R. Link, 841 Petroleum Club Building, Denver, Colo.

A. William J. Barnhard, 923 Pennsylvania Building, Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.

A. Bennett Associates, Inc., 6 East 45th Street, New York, N. Y.
B. National Wool Textile Export Corporation, Commerce House, Bradford, Yorkshire, England.

A. Lambert C. Burkhalter, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen & Enginemen, 318 Keith Building, Cleveland, Ohio.

A. Hollis W. Burt, Munsey Building, Washington, D. C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D. C.

A. Chapman, Wolfsohn & Friedman, 923 Pennsylvania Building, Washington, D. C.
B. American Importers of Brass & Copper Mill Products, Inc., 501 Fifth Avenue, New York, N. Y.

A. Chapman, Wolfsohn & Friedman, 923 Pennsylvania Building, Washington, D. C.
B. Vanadium Corporation of America.

A. Edward F. Colladay, 1331 G Street NW., Washington, D. C.
B. D. C. Transit System, Inc., 36th and M Streets NW., Washington, D. C.

A. Victor F. Condello, 466 Lexington Avenue, New York, N. Y.
B. Associated Railroads of New York State, 466 Lexington Avenue, New York, N. Y.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. H. Kempner, Galveston, Tex.; Galveston Cotton Co., Galveston, Tex., and Texas Cotton Industries, Galveston, Tex.

A. Congenial Retirement Association, Hampton Bays, N. Y.

A. Ben C. Corlett, 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.
B. Fathy A. Kashmiry, 1845 West 24th Street, Erie, Pa.

A. Charles B. Deane, 923 Pennsylvania Building, Washington, D. C.
B. Chapman, Wolfsohn & Friedman, 923 Pennsylvania Building, Washington, D. C.

A. John F. Deeds, 311 Western Union Building, Washington, D. C.

A. Perry R. Ellsworth, 1145 19th Street NW., Washington, D. C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D. C.

A. John B. Fisher, 1112 Pennsylvania Building, Washington, D. C.
B. Jenney Manufacturing Co., 250 Boylston Street, Chestnut Hill, Mass.

A. John B. Fisher, 1112 Pennsylvania Building, Washington, D. C.
B. Suffolk Farms Packing Co., 152 Pearl Street, Chelsea, Mass.

A. N. Robert Fokes, 400 Midyette Moor Building, Tallahassee, Fla.
B. Florida Savings & Loan League, Post Office Box 2286, Orlando, Fla.

A. Allie Frechette, Neopit, Wis.
B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. James G. Frechette, Keshena, Wis.
B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. Cornelius R. Gray, 815 16th Street NW., Washington, D. C.
B. Building & Construction Trades Department, 815 16th Street NW., Washington, D. C.

A. Frank B. Hand, Jr., Transportation Building, Washington, D. C.

A. Glynn C. Hawthorne, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen & Enginemen, 318 Keith Building, Cleveland, Ohio.

A. F. Eberhart Haynes, 940 Investment Building, Washington, D. C.
B. Cooke Trust Co., Ltd., Honolulu, T. H., receiver for Trent Trust Co., Ltd., Honolulu, T. H.

A. Hedrick & Lane, 1001 Connecticut Avenue NW., Washington, D. C.
B. Motorola, Inc., 4545 West Augusta Boulevard, Chicago, Ill.

A. Robert L. Humphrey, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y., and 918 16th Street NW., Washington, D. C.

A. Industrial Union Department, 815 16th Street NW., Washington, D. C.

A. Hugo E. Johnson, 1400 Hanna Building, Cleveland, Ohio.
B. American Iron Ore Association, 1400 Hanna Building, Cleveland, Ohio.

A. George W. Kenote, Keshena, Wis.
B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. W. A. Key, Room 302, 401 Third Street NW., Washington, D. C.
B. Order of Railway Conductors & Brakemen, Cedar Rapids, Iowa.

A. Kominers & Fort, 529 Tower Building, Washington, D. C.
B. Luckenbach Steamship Co., Inc., 120 Wall Street, New York, N. Y.

A. Elton J. Layton, 4730 Arlington Boulevard, Arlington, Va.
B. The National Association of Retail Druggists, 205 West Wacker Drive, Chicago, Ill.

A. H. Harold Leavey, 2020 L Street, Sacramento, Calif.
B. California-Western States Life Insurance Co., 2020 L Street, Sacramento, Calif.

A. Donald Linville, 205 West Wacker Drive, Chicago, Ill.
B. Hardboard Association, 205 West Wacker Drive, Chicago, Ill.

A. Harold O. Lovre, 821 15th Street NW., Washington, D. C.
B. Porter Bros. Corp., Post Office Box 667, Boise, Idaho.

A. McClure & McClure, 626 Washington Building, Washington, D. C.
B. Twenty Grand Towing Corp., Offshore Oil Center, Morgan City, La., and Tidewater Marine Service, Inc., 211 The Warwick, New Orleans, La.

A. James H. McKenzie, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D. C.
B. American Association of University Women, 1634 I Street NW., Washington, D. C.

A. James E. Mack, 1028 Connecticut Avenue, Room 1018, Washington, D. C.
B. American Home Laundry Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.

A. MacLeish, Spray, Price & Underwood, 134 South La Salle Street, Chicago, Ill.
B. United States Gypsum Co., Adams and Franklin Streets, Chicago, Ill.

A. James B. Madaris, Room 303, 401 Third Street NW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.

A. David Martin.
B. The Zellerbach Commission on the European Refugee Situation, 342 Madison Avenue, Suite 504, New York, N. Y.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Harry B. Betty Estate, in care of Roy W. Van Der Kamp, First Federal Building, Davenport, Iowa.

A. Mitchell & Conway, Board of Trade Building, Chicago, Ill.
B. National Security Committee of National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.

A. Motorola, Inc., 4545 West Augusta Boulevard, Chicago, Ill.

A. Joseph J. Mulhern, 11 Pemberton Square, Boston, Mass.
B. Boston & Maine Railroad, Boston, Mass.; New Haven Railroad, New Haven, Conn., and New York Central Railroad, New York City.

A. Vincent S. Mullaney, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.

A. National Anti-Price Fixing Association, 1366 National Press Building, Washington, D. C.

A. National Turkey Federation, Post Office Box 69, Mount Morris, Ill.

A. John J. O'Connor, 423 Washington Building, Washington, D. C.

B. Isbrandtsen Co., Inc., 26 Broadway, New York, N. Y.

A. Charles T. O'Neill, Jr., 730 15th Street NW., Washington, D. C.
B. American Bankers Association, 12 East 36th Street, New York, N. Y.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. National Turkey Federation, Post Office Box 69, Mount Morris, Ill.

A. W. D. Partlow, Jr., Box 720, Tuscaloosa, Ala.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. Saturday Review, Inc., 25 West 45th Street, New York, N. Y.

A. Ralph D. Pittman, 500 Wire Building, Washington, D. C.
B. George B. Soto, 1801 Calvert Street NW., Washington, D. C.

A. James K. Polk, 40 Wall Street, New York, N. Y.
B. Consolidated Edison Company of New York, Inc., 4 Irving Place, New York, N. Y. and Western Pacific Railroad Co., 526 Mission Street, San Francisco, Calif.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 1017 Barr Building, 910 17th Street NW., Washington, D. C.

A. H. B. Raskin, 5555 South Everett Avenue, Chicago, Ill.
B. Chicago Mercantile Exchange, Chicago, Ill.

A. J. B. Reeves, Ninth and Jackson, Topeka, Kans.
B. Atchison, Topeka & Santa Fe Railway Co., Ninth and Jackson, Topeka, Kans.

A. Herbert S. Reid, 466 Lexington Avenue, New York, N. Y.
B. Associated Railroads of New York State, 466 Lexington Avenue, New York, N. Y.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.

A. John J. Riley, 20th and E Streets NW., Washington, D. C.
B. The Associated General Contractors of America, Inc., 20th and E Streets NW., Washington, D. C.

A. H. J. Ripp, 811 North 22d Street, Milwaukee, Wis.
B. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.

A. Eugene Ritzner, 2400 Benedict Canyon Drive, Beverly Hills, Calif.

A. Henry P. Schmidt, 1015 Vine Street, Cincinnati, Ohio.
B. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.

A. George F. Shea, Tower Building, Washington, D. C.
B. George B. Soto, 1801 Calvert Street NW., Washington, D. C.

A. M. C. Small, Post Office Box 69, Mount Morris, Ill.
B. National Turkey Federation, Post Office Box 69, Mount Morris, Ill.

A. J. R. Snyder, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.

A. J. Taylor Soop, 401 Third Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.

A. Spencer & Whalen, 2000 Massachusetts Avenue NW., Washington, D. C.
B. Group of residents of Porter Street NW., area in Washington, D. C., headed by Sigmund Timberg, 3519 Porter Street NW., Washington, D. C.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D. C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D. C.

A. J. Monroe Sullivan, 1625 K Street NW., Washington, D. C.
B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.

A. Surrey, Karasik, Gould & Efron, 1116 Woodward Building, Washington, D. C.
B. Shell Oil Co., 50 West 50th Street, New York, N. Y.

A. John U. Terrell, 306 West Third Street, Los Angeles, Calif.
B. Colorado River Association, 306 West Third Street, Los Angeles, Calif.

A. Stanley R. Tupper, 154 State Street, Augusta, Maine.
B. Boston & Maine Railroad, North Station, Boston, Mass.

A. United States Lines Co., 1 Broadway, New York, N. Y.

A. A. Devitt Vanech, 1025 Connecticut Avenue NW., Washington, D. C.
B. American President Lines, 1000 Connecticut Avenue NW., Washington, D. C.

A. George J. VanLuik, 323 South Main, Columbia, Ill.
B. International Brotherhood of Firemen & Oilers, 100 Indiana Avenue NW., Washington, D. C.

A. Bernard S. Van Rensselaer, 777 14th Street NW., Washington, D. C.
B. Citizens Committee for the Study of Foreign Aid, 777 14th Street, NW., Washington, D. C.

A. Jeremiah C. Waterman, 165 Broadway, New York, N. Y.
B. Southern Pacific Co., 165 Broadway, New York, N. Y.

A. Hilary Waukau, Box 82, Neopit, Wis.
B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. E. N. Webster, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. Wenchel, Schulman & Manning, 1625 K Street, NW., Washington, D. C.
B. American Metal Climax, Inc., 61 Broadway, New York, N. Y.

A. J. M. White, P. O. Box 2635, Raleigh, N. C.
B. Railroads in North Carolina.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Helena, Mont.

A. Edward Brown Williams, 411 Washington Building, Washington, D. C.
B. United Fresh Fruit & Vegetable Association, The Wyatt Building, Washington, D. C.

A. Lee G. Williams, 1900 Pecos Street, Austin, Tex.
B. Industrial Union Department, AFL-CIO.

A. William Zimmerman, Jr., 2144 P Street NW., Washington, D. C.
B. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.

SENATE

MONDAY, AUGUST 18, 1958

(Legislative day of Saturday, August 16, 1958)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. Edwin T. Williams, rector, St. Andrew's Episcopal Church, Lawrenceville, Va., offered the following prayer:

Almighty God, who hast created the universe with its trackless space, microscopic oganisms, and man in Thine own image, we ask Thy fatherly patience, in that we have left undone many things which we ought to have done, and have done many things which we ought not to have done.

Our humble and hearty thanks we offer for all the blessings that are ours in these United States, by virtue of Thy unfailing guidance in the past months and years.

Now, in these closing days of the 85th Congress, turn not now Thy guiding hand from these, Thy servants, who struggle valiantly with the weight of government—government whose beacon light shines in the great cities, the tiny hamlets, the tilled and wooded lands of our Nation, and even unto the remote corners of this world.

According to Thy wisdom, give unto these Senators of the United States abundant health for their bodies, high inspiration and sound judgment, serenity for their souls, and all other things necessary for the life which is theirs.

And when, at last, their work in this session of the Congress is done, conduct them in safety to their homes.

These things we ask in Thy name, O great God of the universe. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, August 16, 1958, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE AND LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I announce that I expect to have a call of the Executive Calendar before the end of the day, probably at the conclusion of legislative business this evening.

At the conclusion of the morning hour, we expect to have a call of the regular calendar of bills and other measures.

At the conclusion of the call of the calendar, we expect to bring up, by way of motion, the so-called Mallory bill. We hope to have action on it concluded today; and when that occurs, we expect to have a call of the Executive Calendar, beginning with the nomination of Mr. White. I hope debate and action on the nomination will be concluded this evening.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

DEVELOPMENT OF TEXAS WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, Texas is a State of infinite diversity, yet held together by a single, preoccupying challenge. That challenge is water. It is the key to our future.

Texas is a storehouse of undeveloped resources which the Nation will need in decades to come. To realize our manifold opportunities, we must solve our water problem. And the time for solving it is long overdue.

A hundred years ago the possibilities for advancement were not so obvious. A hundred years ago, this is what a visitor said about a section of Texas which today is one of our most enterprising and prosperous:

It is • • • smooth and level • • • without tree, shrub, or other herbage to intercept the vision. The traveler sees • • • one vast dreary waste of barren solitude. It is an ocean of desert • • • where the voice of man is seldom heard and where no living being • • • resides. The almost total absence of water causes all animals to shun it • • • The Indians do not venture to cross it • • • (the area) presents an impassable barrier to a wagon road (and cannot be) selected for a • • • road of any description.

So we have come a long way. What has been accomplished in the past is evidence of what can be realized in the future. We have made remarkable advances; growth has been phenomenal. But we have failed to match our progress and expansion with adequate planning for flood control and development of water resources.

We need to make our inland rivers navigable. We need to control floods and contain floodwaters, for future use. We need to prepare for the vastly increased demand for water that will come with continued industrial growth. There is so much that needs to be done, and so much that can be realized if we do these things, that it is a wonder all of us are not staggering under the alternating emotional extremes of dejection and elation.

We have floods and we have drought, and sometimes we have them at the same time, on the same land. When the rains come, 85 percent of the runoff flows down the rivers and streams, unharnessed, unused. It needs to be impounded in surface tanks, lakes, or river dams. In some parts of our State, a 2-inch rain will leave water standing for a week. In other parts, the soil is baked so hard that all the water runs off.

Mr. President, Senate bill 4266, which was passed by this body on Friday last, would establish a United States Study Commission for seven Texas river basins. The Commission would prepare plans for the development of land and water resources in the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins. The Commission would submit to the President and the Congress a report on its plans.

This is the most recent effort we have made to establish a unified Texas water program that would capitalize effectively upon all agencies concerned with water in Texas. The first effort was made in 1953, by means of Senate Document No. 57, which established principles and suggested approaches. The second move was to support the Corps of Engineers and the Bureau of Reclamation in a comprehensive series of studies of Texas water programs from the national standpoint. Our third effort was assembly and publication of a document entitled "Water Development and Potentialities of the State of Texas," which set up, on the basis of the principles previously established, the mechanics for interagency and interechelon coordination for a unified program.

The present bill, therefore, is the next logical step in the orderly development of a realistic program.

The Study Commission to be created by Senate bill 4266 is not intended to, and will not be, a substitute for any existing Federal, State, or local water agency. It will aid and abet—it will not supplant—our board of water engineers and the concerned river authorities.

The expenditures we have made for water projects in our country are shamefully small, compared to the return we are going to get from such projects in years to come. For the first time in history, a public-works appropriation bill has reached the figure of a billion dollars. But we have spent more than $11 billion on resource development in India alone, since the end of World War II.

It is good that we are able to assist other nations in realizing their opportunities. I think it would be wise if we helped ourselves, as well.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMPTROLLER OF THE CURRENCY

A letter from the Comptroller of the Currency, transmitting, pursuant to law, his report, for the year 1957 (with an accompanying report); to the Committee on Banking and Currency.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order granting the application for permanent residence filed by Woo Yung Ploy (with an accompanying paper); to the Committee on the Judiciary.

COST ASCERTAINMENT REPORT, POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, his cost ascertainment report for the fiscal year 1957 (with an accompanying report); to the Committee on Post Office and Civil Service.

CONSTRUCTION PROJECTS IN SUPERIOR NATIONAL FOREST—RESOLUTIONS

Mr. HUMPHREY. Mr. President, I have received resolutions from the city of Tower, Minn., the city of Eveleth, Minn., and the village of Kinney, Minn., urging the Congress of the United States to appropriate funds additional to funds heretofore appropriated to the Department of the Interior for construction projects and other projects which have been planned or are in the planning stage for Superior National Forest. I ask unanimous consent that these resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

CITY OF TOWER,
Tower, Minn.

Resolved, That the City Council of the City of Tower request the Congress to appropriate additional funds to the Department of Interior, to be used for the operation of construction projects, and other projects which have been planned, or are in the planning stages, for the Superior National Forest.

Presented by Alderman Hendrickson, on motion, supported by Alderman Morin.

The vote thereon was as follows: Ayes, Aldermen Hendrickson, Morin, Axelson, and Mayor Erickson; nays, none.

Adopted this 12th day of August 1958.

A. ERICKSON,
Mayor.

ROSE STEFANICH,
City Clerk.

Resolution 1937

Resolution requesting Congress to appropriate funds for the Department of Interior

Be it resolved by the City Council of the City of Eveleth, That Congress be requested to appropriate additional funds to the Department of Interior, to be used for the operation of construction projects, and other projects which have been planned, or are in the planning stages, for the Superior National Forest;

If such funds are appropriated by the Congress for such use, many of the unemployed men in this area could be employed on these projects in the forests, thus alleviating the acute unemployment situation which exists on the range; be it further

Resolved, That copies of said resolution be forwarded to Congressman JOHN A. BLATNIK, Senator HUBERT HUMPHREY, Senator EDWARD J. THYE, and Congresswoman COYA KNUTSON.

The foregoing resolution was offered by Councilman Filipovich and on his motion supported by Councilman Stanaway was declared carried on the following vote: Ayes, Councilmen Filipovich, Lessar, Lund, Stanaway, and Mayor Jagunich; nays, none.

Passed August 5, 1958.

JOSEPH J. JAGUNICH,
Mayor.

Attest:

ELMER A. TAIPALE,
City Clerk.

Whereas there are a great many unemployed men in the village of Kinney, Minn.; and

Whereas the Superior National Forest adjoins said village limits and thus projects providing work in said forest would be easily accessible to such unemployed persons and provide work which all of them are experienced in; and

Whereas the village council of the village of Kinney, Minn., deems it to be in the best interests of said unemployed persons and of the village as a whole and to the Superior National Forest that such work be done now: Now, therefore, be and it hereby is

Resolved, That this council hereby urges the Congress of the United States to appropriate funds additional to funds heretofore advocated and appropriated to the Department of the Interior for the operation of construction projects, and other projects which have been planned, or are in the planning stages, for said Superior National Forest; be it further

Resolved, That copies of this resolution be sent to Congressman JOHN A. BLATNIK, Congresswoman COYA KNUTSON, and Senators HUBERT HUMPHREY and EDWARD J. THYE with the urgent request that they do all they can to carry out these worthwhile projects.

At a regular meeting of said village of Kinney council held at the village hall at 7 o'clock p. m., on August 5, 1958, trustee Veikko Maki moved the adoption of the foregoing resolution and upon a support thereof by trustee Waine Tarvas the same was adopted and so declared by the following vote—yeas 5, nays 0.

GEORGE REKELA, *Mayor.*

Attest:

RICHARD HILL, *Clerk.*

RESOLUTION OF EAST RIVER ELECTRIC POWER COOPERATIVE, INC.

Mr. HUMPHREY. Mr. President, I have received a resolution from the East River Electric Power Cooperative, Inc., urging the Congress of the United States to act upon the bills, S. 2990 and H. R. 11762, which provide for the return to the Rural Electrification Administrator all functions which were transferred from him to the Secretary of Agriculture under Reorganization Plan No. 2 of 1953. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION, BOARD OF DIRECTORS OF THE EAST RIVER ELECTRIC POWER COOPERATIVE, INC., JULY 2, 1958

Whereas the East River Electric Power Cooperative member delegates unanimously supported resolution number c-3 at the NRECA annual meeting at Dallas, Tex., on February 6, 1958, which stated our objections to the reorganization of the Rural Electrification Administration by the Secretary of Agriculture; and

Whereas, individual East River Electric Power Cooperative spokesmen assisted in the preparation of testimony presented to the Subcommittee on Government Operations for their hearings on June 5 and 9, 1958; and

Whereas, it is the unanimous opinion of the East River Electric Power Cooperative board of directors assembled in regular directors meeting this 2d day of July 1958, that: The present administration does not allow adequate Congressional jurisdiction, and prevents rural electric cooperative borrowers from having immediate and responsible authority available from their duly appointed Administrator: Now, therefore, be it

Resolved, That we, the directors of the East River Electric Power Cooperative, respectively urge that the honorable members of the subcommittee of the Committee on Government Operations to report to their committee favorable action on S. 2990 and H. R. 11762; and be it further

Resolved, That we urge these bills be moved for Senate and House action during the present session of the Congress of the United States; and be it further

Resolved, That copies of this resolution be sent to Hon. HUBERT HUMPHREY, Senator from Minnesota, chairman, Senate Government Operations Committee; also Hon. CHARLES PRICE, Representative from Illinois, chairman, House Government Operations Committee; and also the honorable members of the South Dakota Congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety (Rept. No. 2422).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams (Rept. No. 2429);

H. R. 2265. An act for the relief of Clifford Oesterlei (Rept. No. 2448);

H. R. 2269. An act for the relief of Truck & Axle Manufacturing Co. (Rept. No. 2449);

H. R. 4991. An act for the relief of Waldo E. Miller (Rept. No. 2430);

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory orders (Rept. No. 2434);

H. R. 6789. An act to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies (Rept. No. 2435);

H. R. 7337. An act for the relief of James McGuire (Rept. No. 2450);

H. R. 7374. An act for the relief of Angelo Sardo (Rept. No. 2431);

H. R. 7720. An act for the relief of Viola Belger (Rept. No. 2432);

H. R. 8014. An act for the relief of Miss Edith Dorn (Rept. No. 2433);

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall (Rept. No. 2451);

H. R. 9262. An act for the relief of the estate of A. A. Alexander (Rept. No. 2452);

H. R. 10587. An act for the relief of Homer G. Preston (Rept. No. 2453);

H. R. 10813. An act for the relief of Maj. Anthony R. Parriah (Rept. No. 2436);

H. R. 10993. An act for the relief of Kiiko Nemoto (Rept. No. 2437);

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore (Rept. No. 2454);

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased (Rept. No. 2455);

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori (Rept. No. 2438);

H. R. 12144. An act for the relief of Paul E. Nolan (Rept. No. 2439);

H. R. 12154. An act for the relief of Ernest T. Stephens (Rept. No. 2440);

H. R. 12655. An act for the relief of S. Jackson & Son, Inc. (Rept. No. 2441); and

H. R. 12867. An act for the relief of Clayton T. Wells (Rept. No. 2456);

H. R. 12906. An act for the relief of Anneliese Ottolenghi (Rept. No. 2442).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 4113. A bill for the relief of Harold Pangelinan (Rept. No. 2428);

H. R. 3571. An act for the relief of Boris F. Navratil (Rept. No. 2443);

H. R. 9950. An act for the relief of D. A. Whitaker and others (Rept. No. 2444); and

H. R. 10473. An act for the relief of Hipolito C. DeBaca (Rept. No. 2457).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes Rept. No. 2446);

H. R. 9817. An act relating to venue in tax refund suits by corporations (Rept. No. 2445); and

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 2427).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. R. 7499. An act for the relief of the Cooper Tire & Rubber Co. (Rept. No. 2424).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals and for other purposes (Rept. No. 2423).

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

S. 3287. A bill for the relief of Vivian D. Giesey (Rept. No. 2425).

By Mr. BEALL, from the Committee on the District of Columbia, without amendment:

H. J. Res. 630. Joint resolution to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the Southwest area in the District of Columbia (Rept. No. 2447).

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes (Rept. No. 2458).

T. R. MACKIE—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. BUTLER. Mr. President, from the Committee on the Judiciary, I report an original resolution to refer the bill (S. 2682) for the relief of T. R. Mackie to the Court of Claims, and I submit a report (No. 2426) thereon.

The VICE PRESIDENT. The report will be received, and the resolution will be placed on the calendar.

The resolution (S. Res. 381) was placed on the calendar, as follows:

Resolved, That the bill (S. 2682) entitled "A bill for the relief of T. R. Mackie," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts, if any, legally or equitably due from the United States to the claimant.

MACARTHUR MINING CO., INC.—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 382) referring the bill (S. 263) for the relief of the MacArthur Mining Co., Inc., to the Court of Claims, and submitted a report (No. 2459) thereon; which resolution was placed on the calendar, as follows:

Resolved, That the bill (S. 263) entitled "A bill for the relief of the MacArthur Mining Co., Inc., in receivership," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts, if any, legally or equitably due from the United States to the claimants.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

S. 4305. A bill to establish a body corporate within the Department of Commerce to extend financial assistance to public and private companies providing transit and commuter service in our major metropolitan areas; to the Committee on Banking and Currency.

By Mr. WILLIAMS:

S. 4306. A bill for the relief of Dexter Phillips and Jeanette H. Phillips; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 4307. A bill for the relief of the Union Hardware Co., Inc.; to the Committee on the Judiciary.

PRESIDENTIAL ITEM VETO

Mr. BUSH. Mr. President, I submit for appropriate reference, a concurrent resolution to change the joint rule of the Senate and of the House of Representatives contained in section 138 of the Legislative Reorganization Act of 1946 to require that appropriation bills, and non-appropriation bills which authorize the borrowing of money directly from the Treasury, contain sections permitting an item veto by the President.

On August 12, I introduced a joint resolution proposing an amendment to the Constitution to give the President item veto powers over bills of this type.

However, if the President can be given such powers by a simple change in the joint rule much time can be saved.

Whether an amendment to the Constitution is required for this purpose is a matter of dispute among legal authorities. There is a considerable body of opinion that an amendment is required to give the President an item veto. A contrary view was expressed by a former general counsel of the Treasury Department, Elbert P. Tuttle, in testimony before a subcommittee of the Senate Committee on Rules and Administration on May 19, 1953.

Mr. President, I ask unanimous consent that Mr. Tuttle's statement on that occasion may be printed in the RECORD following these remarks.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution and statement will be printed in the RECORD.

Mr. BUSH. Mr. President, the change in the joint rule I am proposing would take effect on the first day of the second regular session of the 86th Congress. I am introducing the concurrent resolution at the present time in order that it may be studied by the staff of the Committee on Rules and Administration, and by interested departments and agencies, after the 85th Congress adjourns. I hope they will be in a position to make recommendations promptly when the 1st session of the 86th Congress convenes.

The concurrent resolution (S. Con. Res. 120) was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), effective on the 1st day of the 2d regular sessions of the 86th Congress, the joint rule of the Senate and of the House of Representatives contained in section 138 of the Legislative Reorganization Act of 1946 is amended by adding at the end thereof the following new subsection:

"(c) No bill or joint resolution making appropriations or authorizing the borrowing of money directly from the Treasury shall be reported to or considered in either House unless it contains a section which shall read as follows ((1) in the case of any bill (or joint resolution) making an appropriation or (2) in the case of any bill (or joint resolution) authorizing the borrowing of money directly from the Treasury):

"(1) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any amount or any provision, whether or not related to an amount, which is contained herein, in the same manner as he may, under said section 7, disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any amount or provision or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety.

"(2) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any authorization for borrowing money directly from the Treasury, which is contained herein, in the same manner as he may, under said section 7, disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any authorization or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety."

The statement presented by Mr. BUSH is as follows:

STATEMENT OF ELBERT P. TUTTLE, GENERAL COUNSEL OF THE TREASURY DEPARTMENT, ON THE CONSTITUTIONALITY OF THE ITEM VETO, BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON RULES AND ADMINISTRATION, UNITED STATES SENATE, MAY 19, 1953

Mr. Chairman and members of the committee, I appreciate the privilege you have accorded me of appearing here today to discuss the constitutionality of the proposal for giving the President the power to disapprove individual items and provisions in appropriation bills. I consider it an honor that the subcommittee has asked me to express my views.

I understand that the matter specifically under discussion is the constitutionality of a provision proposed as a concurrent resolution which would be an exercise of the rulemaking power of the Senate and the House of Representatives requiring that each appropriation measure include an authorization for the President to disapprove individual items or provisions. I will, therefore, limit my remarks to the issue of constitutionality, not touching upon the question of the desirability of the proposal except to indicate here at the outset that the Treasury Department is very much in favor of such a provision if the Congress should see fit to adopt it.

Before beginning my discussion of the constitutional question I would like to say that my years of practice as a lawyer have fostered in me a jealous regard for the Constitution. I could not support or defend any proposal for item veto if I had any doubts concerning its constitutionality. I should like to disclaim in advance any pretensions that I am an expert on a subject on which all of you gentlemen know far more than I will ever know. I refer to the power of the Houses of Congress to make their own rules.

As we all know, article I, section 7, of the Constitution describes in general language the procedure for enacting a bill. Among other things it provides that every bill which shall have passed the House of Representatives and the Senate, shall * * * be presented to the President * * *; if he approves he shall sign it, but if not he shall return it. * * *

Neither this nor any other provision of the Constitution defines or indicates what shall constitute a bill, however. From the history of the Constitutional Convention it seems clear that the framers of the document meant that details such as this should be entrusted to Congressional determination, not embodied in rigid constitutional provisions. In this respect the authority of the Congress is greater than that of the legislatures of many States whose constitutions contain provisions dealing with the form and essential requirements of bills.

But the Constitution does expressly give the two Houses of the Congress the power to determine the rules of their proceedings. The Supreme Court has said that this power to make rules is absolute and beyond the challenge of any other body or tribunal. In *United States* v. *Ballin* (144 U. S. 1), the Court called attention to the fact that while the Constitution requires the presence of a quorum, it sets up no method of making this determination, and that it is therefore within the power of each House to prescribe any method which would be reasonably certain to ascertain the fact.

Under this explicit provision of the Constitution, then, it seems eminently reasonable that each of the two Houses may prescribe its own rules as to the form and consideration of bills. A bill, after all, is nothing but a vehicle for carrying a proposed law through the legislative process; it is simply a device by which the legislative will is expressed.

I think that clause 6 of rule XXIV of the House is particularly relevant here, because it shows that rules of this character have in fact been adopted. That rule provides that after an omnibus private relief bill has passed the House under certain circumstances "said bill shall be dissolved into the several bills and resolutions of which it is composed." The rule also provides that in the consideration of any omnibus bill the proceedings "shall have the same force and effect as if each Senate and House bill or resolution therein contained or referred to were considered by the House as a separate and distinct bill or resolution." This seems to indicate clearly that the House had no doubt that it could legislatively determine under its own rules what constitutes a bill. It shows clearly that it is not a novel concept that there can be a bill within a bill, as we ordinarily use that term. Thus, the reference to "bill" in article I, section 7, need not, if the Congress wishes to provide otherwise, mean exclusively the single package presented to the President.

Not only can the Senate and House prescribe their own separate rules of this character, but they can and have made joint rules. In my opinion, they have done this in the statutes which set out the form of enacting or resolving clauses, the form of appropriation-act titles, and the procedure for engrossing, enrolling, signing by officers of Congress, and so on. While these joint rules happen to be in the form of statutes, there does not appear to be any reason why they would not be equally effective had they been adopted merely as joint rules.

There cannot be any doubt that the Congress could take each item or provision in an appropriation measure and set it up as a separate bill. If this were done, the President would, of course, have the authority to disapprove each item. Since the result can be achieved by Congress if it desires, and since the Congress has the authority to prescribe by joint rules what it considers a "bill," there appears to be no reason why the Congress should have to resort to the cumbersome device of physically separating the item to achieve the desired result. It does not seem reasonable to believe that the framers of the Constitution intended giving the word "bill" such a rigid and limited meaning that the Congress would be required to enact thousands of separate bills rather than one inclusive bill, simply to enable the Congress to carry out its own intent with respect to the executive veto. Surely such a construction of the Constitution would subordinate substance to form.

Article I, section 7, simply means that all legislation which has passed the Congress must, before it becomes law, be presented to the President for his approval. The intent of the Constitution is that legislation shall be a meeting of the minds of the Congress and the Executive—the Congress affirmatively creating the legislation and the President exercising a right of approval or disapproval.

The Constitution has left the methods by which this result is to be accomplished largely in the discretion of the Congress. I believe that the method adopted in the proposal before you is clearly within the competence of Congress.

There are not, as you will readily understand from the nature of this subject as I have discussed it, Federal court decisions which supply precedents in our inquiry. I would like to close my remarks, however, by referring to the words of a State court when it deal with a similar subject. The case is *State* v. *Platt* (2 S. C. 150; Am. Repts. 647), and while it does not, of course, deal with the Federal Constitution nor with precisely the same issue, I think the views expressed are especially pertinent. I attach a quotation from this decision as an annex to my remarks:

"EXCERPTS FROM 'STATE V. PLATT' (2 S. C. 150; 16 AM. REPTS. 647)

"Section 22, article II, of the (South Carolina) constitution, declares that every bill or joint resolution which shall have passed the general assembly, except on a question of adjournment, shall, before it becomes a law, be presented to the governor, and if he approves of it, he shall sign it.'

"There are but two modes of viewing this clause as it regards the present question: either the term 'bill' is to be regarded as exclusively applicable to the entire enactment of a whole, or else each substantial part thereof is to be regarded as a separate bill, dependent for its force upon its relation to the several stages of legislative and executive action.

* * * * *

"In a technical sense, the term 'bill' is applicable properly to the enactment as a whole. Although the technical sense of words should prevail, where not inconsistent with the clear intent of the instrument, yet when such intent requires that words should be used in the larger sense, it is competent so to regard them. If we should hold that the constitution regards the enactment as a whole, in an exclusive sense, we would be led to the inevitable conclusion that to become a law all the substantial parts of the message must have together passed through all the requisite stages. * * *

* * * * *

"Forced upon the opposite construction, that every substantial part of a bill is to be regarded as a bill in the sense of the constitution, we find nothing in our way but the technical import of the term 'bill.' It is not easy to perceive why, if any detached part of a statute is a law within the meaning of the constitution of the United States forbidding States passing laws impairing the obligation of contracts, any part of a bill is not a bill under a clause intended to secure deliberation on the passage of legislative enactments. Such a conclusion is inevitable, if regard is had to the fixed principles governing constitutional construction. The objects had in view, by a constitution of government, are habitually substantial; matters of form are usually left to the legislative body, as subject to change with the progress of ideas and events. The great objects in views, in framing a constitution, are the division and distribution of the powers of government, the establishment of limits and boundaries beyond which they shall not be exercised, and the creation of an efficient rsponsibility tending to restrain and furnish the means to correct or abuse of public authority. Clauses having for their object the creation of responsibility in the exercise of political functions, are, to a large extent, intended to act upon the motive, either by way of creating inducements for right action, or removing the temptation or opportunity to such abusive exercises. This is, in part, accomplished by fixing the responsibility for all political action in some defined person, or body of persons, by securing deliberation in the performance of public acts, and by ascertaining modes of authentication and action in important cases vitally affecting the welfare of the State. It is obvious that, in construing clauses of this class, substance, rather than form, is to be considered. The object to be secured is to be sought for, not alone in the formal expressions of the constitution, nor yet in the technical character of the means employed to secure its ends, but, in the nature of the subject, intended to be acted upon through such means. In a word, the language of the constitution, in such cases, is to be construed in the largest sense fairly attributable to it, and that will best subserve the objects it has in view."

RESOLUTION

Mr. BUTLER, from the Committee on the Judiciary, reported an original resolution (S. Res. 381) to refer the bill (S. 2682) for the relief of T. R. Mackie to the Court of Claims, which was placed on the calendar.

(See the above resolution printed in full, which appears under the heading "Reports of Committee.")

RELIEF OF CERTAIN ALIENS—AMENDMENT

Mr. CHURCH submitted an amendment, intended to be proposed by him, to the bill (S. 3959) for the relief of certain aliens, which was referred to the Committee on the Judiciary and ordered to be printed.

INCREASED DIVERSION OF WATER FROM LAKE MICHIGAN INTO ILLINOIS WATERWAY—AMENDMENT

Mr. CLARK submitted an amendment, intended to be proposed by him, to the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, which was referred to the Committee on Public Works, and ordered to be printed.

Mr. POTTER submitted amendments, intended to be proposed by him, to House bill 2, supra, which were referred to the Committee on Public Works and ordered to be printed.

TRIBUTES TO DEPARTING SENATORS, AND LETTER OF APPRECIATION FROM SENATOR SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. President it had been my purpose, this year, to express my appreciation of my 14 years as a Member of the Senate and what this association has meant to me. With the pressure we are under during these closing days of the session, I feel that it is unfair to the Senate to take the time to say what really is in my heart. On reflection, therefore, it has seemed to me to be wiser to address my colleagues individually, in the form of a personal letter—which I sent out a few days ago. The letter I prepared without knowing of the plans of my colleagues to pay me the wonderful tributes which I received last week.

I do desire, however, that the RECORD of this session in its closing hours may contain my personal expression of affection for, and appreciation of, my colleagues. I therefore ask unanimous consent that a copy of my letter be printed in the body of the RECORD at the conclusion of these remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit A.)

Mr. SMITH of New Jersey. Mr. President, at the end of my letter, I have referred briefly to those who are "graduating" with me. I desire to add publicly my personal appreciation of these particular colleagues.

Taking them alphabetically, I come first to one of the most delightful and kindliest individualists in this body. I am speaking of RALPH FLANDERS, of Vermont, who contributes his own thinking, votes his own convictions, and is ever and always a stanch supporter of the Republican Party. He and his distinguished colleague, GEORGE AIKEN, have made a wonderful pair in representing the sovereign State of Vermont, and keeping us constantly alerted to the "inventions" of the Vermont mind as typified by them. It is certainly most refreshing.

The next on my list in alphabetical order is IRV IVES. He is a special pal of mine because of our close association together on the Committee on Labor and Public Welfare during my time here. I have learned that no one can tell IRV how to think because he has the capacity to think intelligently and constructively with a wealth of background from years of practical parliamentary experience. There is no one in the Senate, and I speak advisedly, who knows more of the problems of labor, and especially of the growth of labor unionism in this country than IRV IVES. It has been a real pleasure to work with him and, during these last 2 years, with his distinguished colleague, JACK JAVITS, who served so brilliantly as attorney general of the State of New York. New York has been wonderfully represented.

Next I come to that unique and ingenius friend of us all, BILL JENNER. BILL and I have differed in our views on the international situation, but that in no way has affected our warm friendship. From the very first day that I came to the Senate in December of 1944—and as the newest Member I was at the foot of the totem pole—I found that BILL was my immediate predecessor because of an appointment made shortly before from his sovereign State of Indiana. He and I became close friends at that time, and I have always valued that friendship. I regretted very much that there was an interval of time before he came to us again as the junior Senator with his colleague HOMER CAPEHART, both of whom have meant so much to us during our activities here. BILL has one of the greatest assets anyone can have, namely, an outstanding sense of humor, and he has the ability to dramatize that humor. We have appreciated his easing of intense moments and his sincere and eloquent standing by his convictions.

BILL KNOWLAND comes next, and I feel that there are few words that I can add to what we all know, namely, his distinguished career here with us and the deep regret that we all feel that he, with his youth and vigor and imagination, cannot continue as our leader. As BILL himself has said, he and I have been closely identified with Republican affairs for many years. We served on the Glenn Frank committee together back in 1936; we then served on the Republican National Committee together; and now we have been in the Senate together for 13 years. I antedate him in the Senate by about 1 year. He and his charming wife, Helen, have been warm friends of my wife and myself, and no matter what happens in the future we hope we can continue to see a great deal of them, even if it means a trip to California to take a meal with them in the Governor's mansion. TOMMY KUCHEL is left with a tough job as senior Senator from California, but he is certainly up to it.

And finally I come to the distinguished Senator from Pennsylvania, ED MARTIN, whose record has already been eloquently set forth on the floor of the Senate. I was more than happy to contribute to the discussion which Senator FRANCIS CASE, of South Dakota, initiated a short time ago. I need not repeat the recital of great achievements of ED MARTIN, especially in the field of his military experience and then as Governor of Pennsylvania. We all know his record here. I wish to stress again the inspiration it has been for Mrs. Smith and myself to have as valued friends the Martins of Pennsylvania. We have been fortunate to have been their neighbors at the Sheraton Park Annex during most of our terms of service here, and through these contacts we have built up an intimate friendship.

I deeply regret that the Senate will lose as sound a counselor as ED MARTIN, especially in the field of fiscal matters. Both Mrs. Smith and I are looking forward to many more years of close friendship with them, due to the nearness of Pennsylvania to New Jersery.

The Senate will certainly miss the inspiration and services of these fine outstanding statesmen. I salute them all.

EXHIBIT A

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 15, 1958.

No one could possibly have sat through the heartwarming experience of last Thursday morning without a deep feeling of personal gratitude to every Member of the Senate, and especially to those who were so kind in their tributes to Mrs. Smith and myself. We do thank you from the bottom of our hearts.

As I will not be with my colleagues as a Senator next year, it seems to me appropriate to address each of you with a few words of affection and appreciation as we approach the close of the present session.

My decision not to run again has been a difficult one to make, but I feel it is the right decision from the standpoint both of my constituents and the Senate itself, as well as for personal reasons. I believe that our lives move in cycles and that new chapters occur as we mature and develop new capabilities to do those things which our age and experience may call upon us to do.

These 14 years in the Senate have been the outstanding period of my life, and I feel a sense of deep gratitude to and affection for every Member of the Senate with whom I have been associated, both in years past and today. What stands out especially in my memory is the great privilege of meeting day after day, week after week, and, yes, really year after year, with two distinguished leaders from each State in our great Union. We have 48 States soon to become 49 or 50. I have always felt that this body of warm friends could speak together for our entire country. I

have felt the dedication of everyone here, irrespective of politics, to the service of our country and to the cause of world peace.

During this anxious and yet inspiring period of service I have been privileged to live through many stupendous world changes: the closing of World War II; V-E Day; V-J Day; the setting up of the United Nations; the development and extension of the Soviet threat; the Marshall plan; and its later development, our mutual security policy; the new and terrifying weapons of warfare: Atomic bombs, MIG's, and jet-planes, and now outer space.

But personalities are to me even more important than events. I could name many individual Members of this great body with whom I have had especially close relations during these years, but today I am only going to refer to some of those who have passed away during the time I have been in the Senate. Let me just recall that we have had among us during these 14 years the beloved Senator from Ohio, Bob Taft; the great leader in foreign affairs, Arthur Vandenberg, of Michigan; the zealous foe of Communist corruption, Joe McCarthy of Wisconsin; the lovable and deeply admired figure of former Vice President Alben Barkley of Kentucky; and our beloved colleague on the Foreign Relations Committee, the symbol of sound internationalism, Walter George of Georgia.

More recently there passed away in Colorado that great personality, Gene Millikin, whose combined abilities, and great human friendship and humor, have been sorely missed by us all since his enforced retirement 2 years ago. As I write this letter many other names come to me—Herman Welker, of Idaho and Kerr Scott, of North Carolina; Matt Neely, of West Virginia; whose sad deaths occurred so recently, and many others through the years.

The mere naming of these men with whom we may have been in agreement, or disagreement, brings vividly to my mind the value of friends; the inspiration of friends, the continuity of human understanding that flows through this great body.

With the experience that I have had here I am convinced that there are no problems at home or abroad that we are incapable of mastering through our democratic processes of open and free debate and the exchange of views on the highest level. During my time here we as a body have supported three Presidents: Franklin Roosevelt during his closing days; Harry Truman with his amusing whistle-stop expressions, and, finally, our own beloved leader, President Dwight D. Eisenhower, who came to us as President after his dedication to the preservation of the free way of life by his brilliant military accomplishments. It is noteworthy that a military man who is the acknowledged leading expert in the art of war should be the most outstanding advocate today of dedicating our highest energies to the cause of lasting peace.

In deciding not to return to participation in the activities of the Senate, it is not my purpose to seek retirement and leisure or to discontinue my public activities.

During these years certain issues stand out which need attention and will continue to need attention, and I hope to be able to contribute my experience to the solution of some of these.

My own experience tells me that the real approach to human understanding between individuals within our country generally, and in our relations with the other countries of the world, must be built upon the fundamentals of our Christian faith. The greatest teacher of all times 2,000 years ago dramatized for us the sacredness of the individual and the significance of what we mean by "neighbor". The freedom of the individual human being is the great challenge. The pattern of history is one of external controls by the strong over the weak, but the continual quest of man has been to be free from these external controls. The big issue is between communistic, atheistic totalitarianism which suppresses the individual, and individual freedom under the guidance of God. Our forefathers brought this concept to the New World. We are challenged to preserve this precious heritage and to demonstrate its eternal truth if we are to find lasting peace between all nations.

One of the greatest privileges that I have had during these 14 years has been to meet weekly on Wednesday mornings with those of this great body who have felt the vital need of rebuilding our spiritual foundations.

In conclusion let me express my special affection for those who are "graduating" from the Senate with me this year. I refer, of course, to RALPH FLANDERS, IRV IVES, BILL JENNER, BILL KNOWLAND and ED MARTIN. I feel that I am moving out with them to new adventures.

With my warmest affections to you all,

Always cordially yours,

H. ALEXANDER SMITH.

P.S.—I want to thank you for all your wonderful cooperation with my loyal staff in the assembling of the autographed photographs of the entire Senate.

WATER RESOURCE DEVELOPMENT OF UNITED STATES AND RUSSIA

Mr. WATKINS. Mr. President, two articles in the New York Times of August 11 are of particular interest to the Senate, in view of the recent passage by this body of Senate Resolution 248.

Senate Resolution 248 directed the Senate Interior and Insular Affairs Committee to continue a comparative study of United States and Russian water resource development. This resolution was passed following committee hearings, which unfortunately gave wide publicity to the purported advances made in water resource development in Russia without proper attention to the very extensive development made in this country.

The news articles in the Monday Times are especially interesting, because they disclose not only that the Russians are considerably behind schedule in their water resource development plans, but also that they are changing their plans to include greater emphasis on thermal power generation, in spite of the fact that Russia has the world's greatest potential for hydropower production.

The articles are self-explanatory, and underscore one of the major findings of the Senate Interior and Insular Affairs Committee—that the United States is still the world's greatest producer of electric power.

I ask unanimous consent that the two articles be printed as a part of the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SOVIET DAM WORK FAR OFF SCHEDULE—KUIBYSHEV PROJECT ORIGINALLY WAS PLANNED FOR 1955—ORDERED BY STALIN

(By Harry Schwartz)

The dedication yesterday of the Kuibyshev hydroelectric station, the world's largest, was 3 years beyond schedule.

The Soviet decree ordering construction of the station was published August 21, 1950, and called for its operation at full capacity by 1955. The assignment proved to be beyond the capabilities of the Soviet economy to fulfill on time.

Premier Nikita S. Khrushchev indicated his awareness of the high capital costs involved in building giant hydroelectric stations when he spoke at Kuibyshev yesterday.

His speech indicated that he was now including in costs of such projects the time during which large amounts of capital must lie idle in projects awaiting their completion.

Soviet economists and planners have tended to underestimate this kind of cost because the Soviet Government does not normally recognize interest on invested capital as a legitimate cost. It is this interest cost that enables business men in a capitalist economy to take account of the factor of time whose importance Premier Khrushchev has now emphasized.

Thermal power stations using conventional fuels account for most of the electric power output in the United States and in the Soviet Union.

The Soviet Union produced last year 209,500,000,000 kilowatt-hours of electricity, of which 39,300,000,000 came from waterpower and the rest from thermal sources. The United States produced last year more than 600 billion kilowatt-hours of electric power, of which somewhat more than 120 billion came from hydroelectric sources and the remainder from thermal sources.

The Kuibyshev Dam was one of a series of major projects announced in 1950 and then labeled "The Great Construction Projects of Communism." This series of projects proved to be one of Stalin's most expensive economic miscalculations, since the Soviet economy was found not to have the resources needed to accomplish all of them simultaneously.

To make possible completion of the Kuibyshev project, Stalin's successors were forced to abandon one of these projects and postpone completion of another.

CANAL WAS ABANDONED

The abandoned project was the main Turkmen Canal, which was supposed to run from the Amu Darya to the Caspian Sea through the Kara Kum desert of Central Asia. The project whose completion was postponed is the Stalingrad hydroelectric station. The latter, which will be about the same size as the Kuibyshev Dam, was supposed to be completed in 1956. Its first turbine is now expected to go into operation later this year and completion is scheduled for 1960.

One of the 1950 projects that has been completed, the Volga-Don Canal, has turned out to be an uneconomical investment. Completed in 1952, its usefulness has proved to be below expectations. There have been complaints in the Soviet press that it is not being used adequately for transport purposes.

No estimate has appeared in the Soviet press as to the cost suffered because of the false starts and delays in these projects. One indication appeared last year when the director of the Stalingrad project wrote in Pravda that a vast amount of equipment and a large number of workers had remained virtually idle for 2 years.

It was presumably memory of these costs that caused Premier Nikita S. Khrushchev to demand yesterday, in his Kuibyshev speech, that hydroelectric stations now under construction be built more speedily.

A number of hydroelectric stations, some of which are even larger than the Kuibyshev Dam, are under construction in the Soviet Union. Besides the Stalingrad project, they include the giant Bratsk and Krasnoyarsk stations, designed to be parts of the ambitious Angara-Yenisei complex in Siberia, as well as other stations on the Irtysh, Ob, and Kama Rivers.

Even after completion of the Kuibyshev Dam, Soviet hydroelectric generating capacity remains behind that of the United States. Last year the Soviet Union produced 39.3 billion kilowatt-hours of hydroelectric power while the United States has produced more than 120 billion kilowatt-hours of hydroelectric power annually in recent years.

At the beginning of this year the Soviet Union had a total generating capacity of about 47,900,000 kilowatts, of which 10 million kilowatts was in hydroelectric stations. This generating capacity was less than half that of the United States.

KHRUSHCHEV URGES MORE STEAM POWER

(By William J. Jorden)

Moscow, August 10.—Premier Nikita S. Khrushchev proposed today another revision of the Soviet Union's economic program. He said the Soviet Union should concentrate on building thermal power stations instead of hydroelectric stations to catch up more quickly with the United States in industrial output.

In the same speech, the Soviet leader repeated his criticism of the United States and Britain for their aggression in the Middle East. He said the threat of war in the area was still acute and urged the prompt withdrawal of western forces from Lebanon and Jordan.

Mr. Khrushchev spoke at the dedication of the hydroelectric station near Kuibyshev on the Volga River. The project, now in full operation, is the world's largest. It has a capacity of 2,100,000 kilowatts and produces 10,800,000,000 kilowatt-hours of electric energy annually.

The Soviet Premier used the formal opening of the plant to stress that the Soviet Union should cut back its investments in such power stations. Noting that it had taken 7 years to complete the Kuibyshev complex, Mr. Khrushchev said it would be faster to build thermal power stations.

He said the saving in time was more important than the fact that thermal power would be more expensive than hydroelectric.

The Soviet Premier did not discuss the possibility of using atomic power to fuel the new thermal plants. He referred to conventional fuels, such as low-grade coal, natural gas, and oil.

"The building of some hydropower stations must be stopped for some time," the Soviet leader said, "in order to give priority to the building of some thermal stations."

He said he did not propose to halt the construction of hydroelectric power stations completely or indefinitely. But he said that it would be faster to put up thermal stations and that "in the present conditions the most important thing is to win time."

Mr. Khrushchev said the goal was to catch up in the shortest possible time with the most advanced capitalist countries in industrial output per person. Sources of new power are needed to attain that goal, he said, as well as larger investments in heavy industry.

The Soviet leader noted that the Soviet Union once lagged behind most other powers in electrical output. Now, he said, this country is the largest producer of electric power in Europe and the second largest in the world, topped only by the United States. It is an important Soviet goal to overcome that gap.

Mr. Khrushchev concedes that electricity produced by thermal stations would be more expensive than that produced by hydropower stations. He said the gain would be in the shorter time required to build the plants and put them into operation. That is important, he said, in pushing the Soviet Union more quickly along the path of increasing its industrial output.

In his discussion of the international situation, the Soviet Premier added nothing new to statements made by him recently or to the comments that have appeared in the Soviet press in the past week or so.

He blamed the Western Powers for having frustrated a summit meeting on the Middle East situation. He said the United States and Britain had used the delay to build up their armed might in the Middle East. He said the protests against their actions by the Soviet Union and other countries had forced the Western Powers to retreat from their original plans to attack the Iraqi Republic and other Arab States.

Once again Mr. Khrushchev came out as spokesman for the Arabs and said they have the right to organize their lives as they wished without interference from others. He also promised that the Soviet Union, China, and other Communist countries would "take all measures to bridle the most shameless aggressive circles of the West and not let them unleash a new war."

Mr. Khrushchev hailed the unity of the Communist world, referring particularly to the Soviet Union and China. He said their friendship was a power that no one will ever be able to conquer.

COMPARED WITH UNITED STATES DAM

KUIBYSHEV, U. S. S. R., August 10.—Mr. Khrushchev said the Kuibyshev Dam was larger and had been built in a shorter time than the Grand Coulee Dam in the United States, previously the largest hydroelectric dam in the world.

He said Grand Coulee, with a capacity of 1,974,000 kilowatts, took more than 20 years to build while the Kuibyshev Dam, with a capacity of 2,100,000 kilowatts, was built in 7 years.

NO UNITED STATES CRASH PROGRAM

WASHINGTON, August 10.—Reclamation Commissioner W. A. Dexheimer said today that the United States had no crash program in building Grand Coulee and that any time we are given a full program and the money, we can build dams just as fast as or faster than they can.

UTAH REPORTS FIRST YEAR PROGRESS UNDER LIBRARY SERVICES PROGRAM

Mr. WATKINS. Mr. President, stimulating progress has been made in my State of Utah in library achievement this last 12 months, much of it largely as the result of action taken by Congress in passing the Library Services Act.

Utah did not have a true State library organization prior to passage of this act; now, it has a fine one, with Russell L. Davis as its director.

Also, through the rural areas of the State interest has been gaining in momentum. We are working out a bookmobile service program and a regional organization that give much promise for the future.

I know that the Library Services Act has found welcome reception throughout all of the States.

In the belief that fellow Members of Congress would appreciate a full report on what one State—Utah—is doing and has done as a result of this legislation, I have asked Mr. Davis to prepare such a statement.

I request unanimous consent that it appear as a part of my remarks at this point in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FIRST YEAR PROGRESS REPORT UTAH STATE LIBRARY

July 1, 1957, saw the beginning of a new era of library service for the State of Utah. With the enactment of the Utah State library law by the 1957 legislature, the above date brought the organization of the Utah State Library Commission. The following individuals were appointed by the Governor to serve as members of this commission: Wilburn N. Ball, Golden Black, Guy N. Cardon, Jr., Wendell E. Gile, Mrs. Dan Jones, A. R. Mortensen, Miss Lucy Phillips, C. Perry Smith, Ralph D. Thomson, and Lamont F. Toronto. This commission was immediately faced with many problems which demanded solution, and the accomplishment of the first year are here listed for the benefit of any persons who may be interested.

At the first meeting of the commission it was realized that a shortage of time would be a significant problem in getting the new program started. The Federal Library Services Act was already in its first year and Utah would have to make tremendous strides in order not to be penalized for starting late. Because of this delay the first item of business had to be the presenting of an acceptable plan to the Federal Government so that Utah might receive its portion of the Library Services Act money.

The first year's objectives set forth by the commission were:

1. Establish a State library agency.

2. Promote library service in the rural areas of Utah.

These two would be followed, as soon as feasible, with a third objective.

3. Adequate public library service throughout the State of Utah.

The appointment of a director was now imperative so these polices could be put into operation. After 3 months of investigating qualified candidates September 15 saw the appointment of Russell L. Davis as director of the Utah State Library.

The next urgent problem presented itself that same day. When Director Davis reported for duty it was realized that there was no available housing from the State for this new library. In solving the housing problem, temporary headquarters were established in a small room of the Historical Society building. However, this provided only one small office from which the search for a library staff and adequate housing could be conducted. In order that the work of the State library could go ahead immediately, further temporary housing was obtained through the use of some of the buildings at the Utah State Fair Grounds. These quarters allowed for the gathering of the library staff and the shelving of State library books. After extensive searching throughout the Salt Lake City area it was decided that the best interest of the State and the State library could be met through the remodeling of the coach house at the rear of the former governor's mansion. This project was undertaken, and the State of Utah now has 7,000 square feet of good office space from the nominal investment of $23,000. The remodeling costs will serve as the State library's rent for the next 3 years. At the writing of this report the State library is in the process of moving to these remodeled quarters which will satisfy their needs for several years to come.

Simultaneously with the solution of the housing problem another urgent need, that of assembling a library staff, was being carried on at full speed. In the face of extreme shortages of trained library personnel this was no small task. However, because of the challenges to be offered in the establishment of a new library three professional librarians

have accepted appointments to the staff. The early appointment of two qualified secretaries helped greatly in pushing the work forward. To further help out in pushing the work forward four school librarians were employed for the summer on an increased work program schedule. In addition four clerical assistants have been employed.

As the library staff was assembled and more work undertaken it was necessary to establish priority of activities. First, new library and office equipment had to be purchased in order for the staff to carry on their duties. Second, books and library materials had to be ordered and processed. Third, means had to be obtained by which library materials and services could be taken to the rural areas of Utah.

At the time of this report, through the concentrated efforts of the total library staff, the following has been accomplished on the aforementioned items:

OFFICE EQUIPMENT

Ten desks, twelve chairs, seven typewriters, one adding machine, vertical files, supply cabinet, Thermo-Fax, coat rack, and many other small items.

LIBRARY EQUIPMENT

One thousand four hundred and twenty-eight feet of shelving, one Mini-Labeler, six book trucks, one offset printing machine, two 60-drawer card-catalog cabinets, three stepstools, and many other small items.

LIBRARY MATERIALS

Seventeen thousand books, twenty-five periodical subscriptions, six thousand library books cataloged and processed ready for use, complete with Plasti-Kleer jackets.

AUTOMOTIVE EQUIPMENT

Station wagon and one bookmobile received and one bookmobile to be received shortly.

As these organizational needs were being accomplished the real purpose for the Federal Library Services Act, that of extending and improving rural library service for the State of Utah, was undertaken. Based on previous studies of Utah's library needs, coupled with modern library recommendations, the following plan was established as the best way to reach the greatest number of people in Utah with good library service. Counties would be asked to cooperate with neighboring counties in organizing the State of Utah into regional library service units. The State library would then use the resources made available to it from the State and Federal governments in aiding these regions to serve people of their areas with the best library service possible with the amount of money available.

These regional units would give the State the greatest economies of operation and the best public library service for the money invested. In order to get this plan under way committees were needed throughout the State to aid the State library and the local communities in promoting this new service. In this capacity, organizational meetings were held throughout the State where the potentials of this new service were explained, local support solicited, and committees organized.

At this writing committees have been organized for all but two regions of the State. Extension activities of the State library have increased rapidly in working with these committees in explaining to library boards, county commissioners, and other organizations and groups how to help organize this service. As is recognized by all concerned it will take time to organize the State into regional library units. Thus to give immediate service to rural areas during this organizational period another extension project has been initiated. This includes professional help to small rural libraries in solving their immediate problems, such as help in book selection, cataloging solutions, moving problems, personnel training and placement; and the loan of State library books to supplement book stocks in small libraries and to meet specific requests of individuals in areas where library service is not available.

In carrying out these two activities the professional staff has held 63 meetings; worked with 8 libraries for 20 full days; visited 50 of the 53 public libraries; demonstrated the bookmobile in 12 counties; held a 2-week library workshop; published 6 pamphlets on library development; and 3,000 books have been loaned to small libraries for a 6-month period.

With the move into adequate library quarters, and the establishment of a trained and experienced staff, we are hopeful that in the year to come regions of Utah, with assistance from the State library, may be fully organized to give the type of library service recommended by the American Library Association, and the citizens of Utah may see an improvement in their daily lives as the result of this kind of library service.

UNITED STATES AND RUSSIAN MISSILE DEVELOPMENT

Mr. SYMINGTON. On Sunday, August 17, an article by Joseph Alsop which discussed the great speech made last week by the distinguished junior Senator from Massachusetts [Mr. KENNEDY] was published in the press. The article was entitled "An Authentic Voice of America."

Mr. President, I asked unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of August 17, 1958]

AN AUTHENTIC VOICE OF AMERICA

(By Joseph Alsop)

The Senate put on a pretty remarkable show the other day—a show which was at once flesh-crawling, wonderfully encouraging, and rather moving.

The show began with an eerie debate on what must surely be the most eerie measure ever considered by the American Congress—an amendment to the military appropriations bill by Senator RICHARD RUSSELL of Georgia forbidding the Defense Department to spend any of its appropriated funds on plans for the surrender of the United States.

The occasion of the amendment was a story published in the St. Louis Post-Dispatch by Brig. Gen. Thomas Phillips. Gen. Phillips revealed that the Air Force subsidiary, the Rand Corp., had been peering ahead into the years when the Soviet Union is due to acquire overwhelming superiority in nuclear striking power. Contemplation of this period, wrote Gen. Phillips with complete accuracy, had led the Rand scientists to make a study of the circumstances in which the United States ought to surrender.

The Republicans, led by Senator WILLIAM F. KNOWLAND of California, were indignant at the mere suggestion that the Eisenhower administration could be studying surrender, as the Russell amendment seemed to imply.

But what made the debate so eerie was the simple fact that no one on either side of the aisle really tried to defy the grim facts which had impelled the Rand scientists to make their grim study.

Then, much later in the crowded day, Massachusett's hard-hitting young Senator, JACK KENNEDY, rose to make one of the most remarkable speeches on American defense and national strategy that this country has heard since the end of the last war. It was a speech about those same facts that drove the Rand scientists to make their hideous calculations. It was a speech that every thoughtful American ought to read and ponder. Its theme was simple.

"We must realize," said KENNEDY bleakly, "that the nuclear deterrent ratio during 1960–64 will in all likelihood be weighted very heavily against us."

KENNEDY dealt in facts—much more detailed and hard facts than Senators like Missouri's SYMINGTON and JACKSON of Washington have been able to deal in, because they are impeded by their access to classified information, and KENNEDY is not thus impeded. He showed the gradual weakening of the American nuclear deterrent, the rapid gain in Soviet nuclear striking power during the so-called years of the gap.

"The Soviets," he remarked with bitterness, "will be as aware of their advantage during the years of the gap as we are • • • and nuclear destruction is not the only way in which the Soviets will be able to use their advantage. • • • Their missile power will be the shield from behind which they will slowly but surely advance—through sputnik diplomacy, limited both by wars, indirect aggression, intimidation and subversion • • • and the vicious blackmail of our allies • • •. The balance of power will gradually shift against us. Each Soviet move will weaken the West, but none will seem to justify our initiating the nuclear war that might destroy us."

But enough has been said already to suggest why this strange day in the Senate was flesh-crawling. What made it encouraging was hearing the hard facts being laid on the line at last, in this era of officially propagated complacency. What made it even more encouraging was hearing KENNEDY's calm but bold call for a vastly greater American effort to overcome the danger of the years of the gap. And what made the day downright stirring was hearing this young Senator, himself no stranger to war or danger, confidently forecasting that there was no future danger which an aroused and mobilized American people would not and could not overcome.

KENNEDY borrowed his closing words from Churchill: "Come then, let us to the task, to the battle and the toil—each to our part, each to our station—let us go forward together in all parts of the land. There is not a week, nor a day, nor an hour to be lost."

This was the language, charged with remembered glory, of the greatest Englishman of the century. But the voice—the voice that faced facts, that rejected every complacency, that called for efforts worthy of this country and its role—was the authentic voice of America.

Mr. SYMINGTON. Mr. President, I hope and believe Mr. Alsop is right when he calls the line of thinking in Senator KENNEDY's speech "the authentic voice of America."

Every person interested in freedom should be grateful to the junior Senator from Massachusetts for the courage and clarity of his analysis of our own defense position vis-a-vis that of the Soviet Communists.

Today, Monday, August 18, in a second article entitled "A Very Big Issue," Mr. Alsop publishes what he calls "the corrected—ICBM-United States versus Russian—figures, accepted as realistic on the highest American governmental level."

These intercontinental ballistic missile figures, showing our position vis-a-vis that of the Communists, are as follows:

1960: United States, 30 ICBM's versus U. S. S. R., 100 ICBM's.

1961: United States, 70 ICBM's versus U. S. S. R., 500 ICBM's.

1962: United States, 130 ICBM's versus U. S. S. R., 1,000 ICBM's.

1963: United States, 130 ICBM's versus U. S. S. R., 1,500 ICBM's.

1964: United States, 130 ICBM's versus U. S. S. R., 2,000 ICBM's.

I ask unanimous consent that the second article by Mr. Alsop be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of August 18, 1958]

A VERY BIG ISSUE

(By Joseph Alsop)

Fundamental questions about the inner workings of our kind of human society are not often argued in the American Congress. But last week the Senate actually got around to arguing rather heatedly about what may well be the biggest single question confronting the democracies in the H-bomb age.

This is the question whether the people have a right to know the hard facts of the national situation or whether these facts should be sedulously concealed from all but the enemy.

The macabre debate about this question followed the important speech by Senator JOHN F. KENNEDY, of Massachusetts. KENNEDY had gravely warned of the danger of present American defense policies, which will concede to the Soviets' overwhelming superiority in nuclear striking power during the years of gap or missile lag—the years 1960 through 1964. He had earnestly and stirringly called for a great national effort to avert the mortal peril of these years just ahead.

The nature of the peril was most concisely summed up in the figures on the predicted balance of intercontinental ballistic missiles, which Senator KENNEDY quoted from a report in this space. Since that report was published, it has been reported that the American Government's official forecasts of Soviet output of intercontinental ballistic missiles have been adjusted downward by 1 year. Here, then, are the corrected figures, accepted as realistic on the highest American governmental level. They give the long-range missile balance which our defense policies will tolerate.

1960: United States 30 ICBM's versus U. S. S. R. 100 ICBM's.

1961: United States 70 ICBM's versus U. S. S. R. 500 ICBM's.

1962: United States 130 ICBM's versus U. S. S. R. 1,000 ICBM's.

1963: United States 130 ICBM's versus U. S. S. R. 1,500 ICBM's.

1964: United States 130 ICBM's versus U. S. S. R. 2,000 ICBM's.

There is nothing in prospect that will alter this balance in the years of gap, except a few score of the Navy's submarine-borne Polaris missiles. The Pentagon's hucksters have lately hurried into print a glowing feature about the solid-fuelled Minuteman missile which is counted on to close the gap in the end. A major national magazine presented the figure in a way that suggested Minuteman was already entering our armory. But on present schedules, there is no likelihood of a single Minuteman becoming operational before the gap's last year.

Such was the situation that drove KENNEDY to speak out, and to urge drastic remedies. The sequel got almost no notice because the debate occurred late at night. It began when good, bumbling Senator HOMER CAPEHART, of Indiana, rose to speak in a condition of really frothing excitement. Senator CAPEHART announced his intention of invoking Senate rule 35—the rule that clears the galleries when secret matters are under discussion—if any Senator ever again publicly told such unpleasant truths as KENNEDY had told.

"How is it going to sound to the Russian people," cried CAPEHART, "when they read that a Senator of the United States • • • said that the United States is inferior to Russia? Perhaps I am wrong. Senators can say what they please or do what they please, but I say that • • • could give comfort to our enemies."

CAPEHART did not once deny the accuracy of KENNEDY's facts. He said he hoped they were not accurate, but had no means of knowing. On the Senate floor were many members of the Senate Armed Services Committee and Joint Atomic Energy Committee, having the access to the classified information that KENNEDY does not have. Not one of these men rose to dispute the accuracy of KENNEDY's facts. Instead, a whole series of them, led by Senators SYMINGTON, of Missouri, and JACKSON, of Washington, rose to praise KENNEDY. They affirmed that he had spoken no more than the truth, with no whit of exaggeration.

Again, poor CAPEHART did not suggest that KENNEDY had given any new information to the masters of the Kremlin. He could not do so. Even he was well aware that the American missile program is a matter of public record. Even he could hardly claim that the Kremlin does not know about its own missile program. Informing the American people, not the Kremlin, was what he really objected to. But once he cried out:

"If what the Senator from Massachusetts said is true • • • Congress should not adjourn. If what he says is true Congress should appropriate another $20 billion."

It reminded one of the tagline in Evelyn Waugh's "Put Out More Flags." At the end of the book, on the eve of the Battle of Britain, the man-of-Munich, the Chamberlain-and-Baldwinite who is a central comic figure, commits his solitary blunder into sense. The tagline is: "And poor booby, he was bang right."

Mr. SYMINGTON. Mr. President, in his previous article Mr. Alsop stated that the position of the able junior Senator from Washington and myself on defense matters is impeded by access to classified information.

On that he could not be more right. We cannot make public or private use of information obtained in executive session.

Mr. Alsop also pointed out that in debate last week one of the senior Senators on the other side of the aisle stated:

If what the Senator from Massachusetts said is true • • • Congress should not adjourn.

That statement is also food for thought.

If these figures are correct, our policies designed for national security are indefensible.

W. KERR SCOTT

Mr. SYMINGTON. Mr. President, I regret I was unable to be in the Senate Chamber on August 4, the day when memorial services were held for our late colleague, W. Kerr Scott.

In the comparatively short time he was with us, he became one of the most respected Members of the Senate. It was my pleasure to serve with him on the Committee on Agriculture and Forestry; and Mrs. Symington and I counted him and his gracious lady among our dear friends in Washington.

Senator Scott was one of the most down-to-earth people I have ever known. He was humble, and he was sincere. There was nothing pretentious about him.

I shall always remember him and the devotion with which he served on the Agriculture Committee. The soil and fields and forests were his life and his inspiration. For hours on end, he worked at the committee conference table, seeking ways to make rural living a better way of life.

He made frequent trips to his farm and his home in North Carolina; and when he returned to Washington after such trips, it gave him a great deal of satisfaction to talk about his crops, the weather, and prospects for the coming harvest.

One occasion I remember well. It was in May 1955, only a few months after Senator Scott had taken office. The Senate was debating a measure affecting the soil conservation program. He left his home in North Carolina at 3 o'clock in the morning, in order to be on the floor of the Senate when the bill was voted on.

He was deeply moved by what he had seen and experienced during that trip to his home. A late spring freeze had all but wiped out the crops in North Carolina and other Southern States.

In one of his rare speeches in the Senate, Kerr Scott expressed that day, in just a few words, the feeling he held for agriculture and the people who till the soil.

His remarks were, in part, as follows:

By daylight early this morning, I saw people working in the tobacco fields, trying to make the best of an extremely bad situation. • • •

We are but the tenants of the Almighty. We are charged with the responsibility of determining how we shall use land which the Lord has given us to work with. We are doing the best we can. We need no handicaps.

Kerr Scott spent his life making farming and rural living more worthwhile and more rewarding for those who follow.

We who knew him and treasured his friendship will miss him, but his work and his deeds will live for generations.

THE INTERNATIONAL HEALTH AND MEDICAL RESEARCH ACT OF 1958

Mr. HUMPHREY. Mr. President, one of the Nation's leading medical authorities and most public-spirited citizens is the illustrious and distinguished Dr. Howard A. Rusk.

In his column in the New York Times of Sunday, August 17, he pays special tribute to our distinguished colleague Senator LISTER HILL of Alabama. Senator HILL has recently introduced a bill entitled "The International Health and

Medical Research Act of 1958." This is a forward-looking proposal and one that fits within the President's concept of the works of peace. Senator HILL deserves commendation and thanks again for his splendid leadership.

I ask unanimous consent that the article entitled "New War on Disease," which is an analysis of Senator HILL's plan to mobilize weapons of research, written by Dr. Howard A. Rusk, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW WAR ON DISEASE—AN ANALYSIS OF SENATOR HILL'S PLAN TO MOBILIZE WEAPONS OF RESEARCH

(By Howard A. Rusk, M. D.)

While President Eisenhower was presenting his framework of a plan for peace in the Middle East to the United Nations last Wednesday, Senator LISTER HILL of Alabama was introducing legislation in the Senate that could contribute substantially to such a framework of a plan for peace for the entire world.

Senator HILL's bill is titled: "The International Health and Medical Research Act of 1958." Its objective, in the Senator's own words, is to make possible "an international mobilization for war—a cooperative war against disease and disability, those historic enemies of all men and peoples."

This objective would be achieved through mobilization of the weapons and techniques of scientific research. Here are the major provisions of the bill:

Authorization of an appropriation of $50 million annually to be spent under the supervision of the Secretary of Health, Education, and Welfare, chiefly through the Public Health Service, and specifically by the National Institutes of Health.

Establishment of a National Institute for International Medical Research as a part of the National Institutes of Health.

Creation of a National Advisory Council for International Medical Research composed of nongovernmental leaders to guide policy, make recommendations, and approve grants and loans under the program.

AIMS OF PLAN

The specific activities authorized would be to encourage and support research, the exchange of information on research, the training of research personnel, and the improvement of research facilities throughout the world.

In his Senate speech, Senator HILL pointed out that less than 1 percent of the United States foreign-aid program went for health and he reiterated his belief that foreign aid for health activities should be increased. He emphasized strongly, however, that this new legislation was directed toward international health research and not toward technical assistance in health activities.

Senator HILL said he was aware of the implications of an addition of $50 million to the Federal budget. He points out, however, that as compared to $40 billion voted for defense, last year only $400 million of both Federal and voluntary funds was spent on medical research.

To substantiate his thesis that a further investment of $50 million in research would be sound, he quoted estimates made by the Reference Service of the Library of Congress. The estimates show that in 1955 alone, 1,911,000 American lives were saved by scientific advances since 1900.

Senator HILL said that because of the shortage of trained researchers and research facilities in the United States all the medical scientists he had consulted, including experts from the National Institutes of Health, had agreed that the most efficient and effective use of further research investments would result from an international research program such as he had proposed.

The Secretary of Health, Education, and Welfare recently issued a report by his consultants on medical research and education. The consultants are 10 of the Nation's top experts in this field. At one point in this document, they say:

"Growth and development of research and education are essential to the cultural and material development of the Nation. * * * Special attention to medical education and research is called for by the significance of health as a national resource. Activities in these fields should be viewed as a contribution to the solution of larger problems.

These wise words are not limited in their application to our own Nation. They apply to the world at large.

PLAN CALLED MAJOR STEP

Senator HILL's health for peace plan is a major step toward the implementation of a major recommendation made by President Eisenhower in his state of the Union message last January. The President called then for an international science for peace program to attain a good life for all.

He first invited the Soviet Union to join with the other nations of the world in the present 5-year program to eradicate malaria. He then invited the Soviet Union to join us in an international campaign against the diseases that are the common enemy of all mortals—such as cancer and heart disease.

At the World Health Assembly in Minneapolis in June, the President's brother, Dr. Milton Eisenhower, announced on the President's behalf that the United States was making available $300,000 to aid the World Health Organization in a special study of its role in research.

The aim of Senator HILL's proposal is to wage war on disease and disability on an international front. It is not, as he said, a proposal for partisan, national, military, or economic gain, but a venture in the cause of humanity. By seeking to advance the welfare of all men everywhere and the peace of all the world, this proposal might be considered a new approach in American foreign policy.

WILLIAM K. HUTCHINSON

Mr. MALONE. Mr. President, it is fitting that before departing this great Capital City, to hurry homeward upon errands of our own, we pay tribute to a man whose long and distinguished service in Washington enriched our Nation's history and vastly benefited all of us who knew him.

I refer to William K. Hutchinson. "Hutch" was my friend. His untimely death on the 25th day of last May cut short a journalistic career which was notable for extraordinary accomplishments, and was noble in the dedication and selflessness he brought to his profession.

Bill Hutchinson was, for nearly 20 years, chief of the Washington bureau of the International News Service. Prior to his assumption of that key post, he covered the Capitol for International News Service, and for many years was head of a staff reporting the activities of the Senate.

His nearly four decades as a Washington correspondent, editor, and interpreter of historic events, from the repeal of the Volstead Act to the launching of America's first earth satellite, provided unique opportunities for the exercise of his brilliant talent.

His feats of wire service journalism are legendary. His competitors, saddened by his passing, wholeheartedly acknowledged that his perseverance, his insight, his dramatic flare for the flash story, and his enviable treasury of news sources made him a giant of the wires.

Bill Hutchinson's career was remarkable for many things. Among them was the fact that in the turbulent and volatile world of politics with which he was so familiar, he never lost a friend.

He walked and talked with the great men of his time, yet kept the common touch. He was an intimate of Presidents and policemen, of Ambassadors and telegraphers, of generals and GI's. He treated all men, regardless of their rank, with kindness and respect.

Bill Hutchinson was a fearless man. When he believed he was in the right, he resisted pressure and blandishment alike, and unerringly carried out his mission, which was to tell his readers the unvarnished truth about the affairs of Government.

He never betrayed a confidence; he never harmed a fellow man. He carried with him to his grave on a verdant slope in Arlington National Cemetery profound secrets of politics and statecraft.

His job was his life. He permitted no limitations upon his time or his energy. Three o'clock in the morning often found him hard at work. He was ever alert to the bold challenges of the age in which he lived.

Leaders of Government, Members of Congress, men burdened with grave responsibilities, sought his advice; and he gave it unstintingly. His long years as a shrewd and philosophical observer of the Washington scene endowed him with a singular gift for rendering wise counsel.

The quality of his friendships was epitomized by the mourners who assembled in the chapel at Fort Myer to accord him a sorrowful salute. Among them were the Vice President of the United States, the Director of the Federal Bureau of Investigation, Senators, Cabinet members, diplomats, military officers, and his admiring rivals in the fiercely competitive news business.

They were present at the rites honoring Bill Hutchinson, not in their official capacities, but as friends, drawn together by a common feeling that in his death, there was a deep personal loss to all of them.

William K. Hutchinson will live on in the memory of the Capital, in the memories of many men.

Some will recall him as an indomitable, incisive reporter, with a blazing belief in the right of the American people to know the truth.

Some will remember him as a good companion of social hours, an inimitable raconteur, a master of the humorous anecdote, a storehouse of political lore.

Some will recollect his beats and scoops and famous flashes.

Some will hold vividly in mind the driving enthusiasm with which he directed his staff, setting an inspiring pace,

bright with the joy of intense competition.

Some will picture him as a man who perhaps in the far, still reaches of the night was lonely because, truly wedded to his work, he was denied the solace of domestic companionship to which so many of us can turn for comfort in time of stress.

Some of those in his profession will find it difficult to accept his absence from their midst, for he had seemed to be indestructible.

Some—millions of newspaper readers, perhaps—will wonder why William K. Hutchinson's byline, a hallmark of accuracy and integrity, has vanished.

Bill Hutchinson's byline no longer appears in print; but it is indelible, and it is set in imperishable type in the minds and hearts of those who called him friend.

I am proud, Mr. President, to be a member of that privileged band.

ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business? If, not morning business is closed.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and before the roll is called I suggest that aides notify the calendar committees we expect to proceed with the consideration of bills on the calendar with dispatch as soon as the call of the roll is completed.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

PRESIDENT EISENHOWER'S REPLY TO: "WHAT IS THE HARDEST PART OF YOUR JOB?"

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by President Eisenhower in reply to the question "What is the hardest part of your job?" The question was posed by young Glenn Bayless, of Arlington, Va., age 11, in a private interview with the President. I believe the statement gives insight into the President's philosophy about his office which will be of interest to all readers.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PRESIDENT EISENHOWER'S REPLY TO "WHAT IS THE HARDEST PART OF YOUR JOB?"

When you sit in this chair you are faced not only with the problems of the United States, but with those of the entire world. Every position you take and every decision you make is like throwing a pebble into a pool. Thus, the ripples spread out touching the lives of millions of people here and abroad.

In studying all the problems that come to this desk you have to ask yourself always two questions: What will be the short range effect of a decision? What will be the long range effect?

When I first sat down behind this desk I used to think that weighing the problems was the most difficult part of my day. But over the years my opinion has changed somewhat. Many problems come across this desk—economic problems, foreign policy problems, military problems, even space-flight problems. Possibly today there are more problems than ever. On the surface it would appear that working on these problems and trying to resolve them is the hardest part of the job. But the fact is that this is only the beginning.

As President I am first of all responsible for the welfare of the American people, not only for today, but for tomorrow, too.

What I do today cannot fail to influence the work of the man who follows me. Knowing that, I have come to the realization that making a decision is only the beginning. The true test is that it must be the very best decision of which I am capable and the test for that must be one's own conscience.

If I had to answer your question in two words, I would say the hardest part of the job is satisfying yourself. And by that I mean satisfying yourself that you have done your level best for the American people for today and tomorrow.

LEGAL SAFEGUARDS FOR MIGRATORY FISH AND WILDLIFE

Mr. NEUBERGER. Mr. President, on August 5 the distinguished senior Senator from Oregon [Mr. MORSE] spoke in the Senate in opposition to S. 3185, a bill which I had introduced. This is the bill which seeks to improve legal safeguards for migratory fish and wildlife which have been threatened by Federal Power Commission licensing procedures.

At that time, the senior Senator from Oregon also submitted amendments to S. 3185 which, in my opinion, would drastically alter the character and intent of the bill, changing it from a measure that would require the approval of the Secretary of the Interior to plans for FPC-licensed projects, into a bill that would merely call for secretarial recommendations—recommendations that the FPC might continue to dismiss lightly, just as it has in the past when objections were raised against dams imperiling outdoor values.

I introduced S. 3185 on January 29, 1958. I presented it early in the session because of widespread alarm among conservationists and commercial fishermen over an FPC decision favorably supporting the 700-foot Nez Perce Dam on the Oregon-Idaho border, which could imperil a fishery valued in excess of $5 million annually, including almost the entire spring Chinook salmon run in the Columbia River Basin.

Extensive hearings on S. 3185 were held on March 7 before the Senate Committee on Interstate and Foreign Commerce, presided over by the able senior Senator from Washington [Mr. MAGNUSON]. On July 29, S. 3185 was reported favorably to the Senate by a unanimous vote of the Interstate and Foreign Commerce Committee. The objections raised on August 5 thus came more than a half year after the bill had first been introduced.

In its original form, my bill to protect fisheries followed the language closely parallel to that used for so many years in the Federal Power Act to safeguard navigation. I thought that was reasonable. However, the Interior Department suggested that my bill be modified to read as follows:

That the first sentence of subsection (e) of section 4 of the Federal Power Act is amended by inserting before the period at the end thereof a colon and the following: "*And provided further*, That no license affecting fish and wildlife resources shall be issued until the plans of the dam or other structures affecting such fish and wildlife resources have been approved by the Secretary of the Interior."

I accepted the modification for several reasons. First, I desired to be as fair as I possibly could. Secondly, I thought that bipartisan cooperation with the Department of the Interior was certainly to be desired. My bill, as modified, then was reported out by the Senate Interstate and Foreign Commerce Committee with a favorable report; the vote in committee was unanimous.

All of this is why I am deeply distressed that opposition against S. 3185 was delayed until this late hour in the session, when any such controversy is quite likely to make impossible enactment of a bill during the adjournment rush. Such objections would far more properly have been voiced at the extensive hearings of March 7.

CONSERVATION GROUPS BACKING S. 3185

S. 3185, in its original form, was endorsed by many of the great outdoor and conservation organizations in America, including the Columbia River Fishermen's Protective Union; Idaho, Oregon, Washington, and Montana Wildlife Federation; Izaak Walton League of America; National Audobon Society; National Fisheries Institute; National Parks Association; National Wildlife Federation; North American Wildlife Federation; Sport Fishing Institute; and the Pacific Marine Fisheries Commission. It also had the support of the Washington State Director of Fisheries and the Oregon State Fish Commission. Since this legislation was endorsed by so many groups and individuals, it is only fair and proper that they should know my views on the objections voiced against it. I will attempt to answer the questions raised as briefly and objectively as possible.

In his address to the Senate on August 5 the senior Senator from Oregon declared:

Both public and private power groups have felt that to give priority, and essentially a veto power, to the fish and game considerations involved in a proposed project is entirely unwarranted.

As written, the bill is bad legislative practice. I do not believe the Secretary of Interior should, in effect, be given veto power over the Federal Power Commission.

Yet, Mr. President, the following language has been in the Federal Power Act for 37 years—I repeat, 37 years:

That no license affecting the navigable capacity of any navigable waters of the United States shall be issued until the plans of the dam or other structures affecting the navigation have been approved by the Chief of Engineers and the Secretary of the Army.

Mr. President, under the language of this statute a veto power over FPC licenses which might imperil navigation is given to both the Chief of Engineers and the Secretary of the Army. To my knowledge, neither of these officials has ever abused the authority. Why is this good legislative practice, while it evidently is bad legislative practice to give similar authority to the Secretary of Interior to safeguard fish and wildlife? Is there something less precious about salmon runs and elk herds, which renders them unfit to be safeguarded by an executive department intervention while such veto power has been held without protest for 37 years in behalf of navigation interests on rivers of America?

Furthermore, I subscribe to the statement contained in a splendid letter which I have received from an outstanding conservationist, Mr. Joseph W. Penfold, conservation director of the Izaak Walton League of America, an organization to which I have the honor of belonging. Mr. Penfold writes:

There has been objection to the enactment of this legislation on the grounds that it would give fish and wildlife considerations veto power over power considerations. Essentially this would be true, in the same sense that navigation considerations now have such veto power. We could point out that FPC now has life and death veto power over fish and wildlife.

I think Mr. Penfold has summarized the situation very succinctly. When the FPC licenses a project like Mayfield Dam on Washington's Cowlitz River or the proposed Nez Perce Dam on the Snake River, it possibly vetoes the further existence in those watersheds of fish runs of immense value and great traditional memory. That apparently is quite all right, according to tenets of opponents of S. 3185. But, according to such a view, it is bad legislative practice to give the Secretary of the Interior, speaking for the Fish and Wildlife Service, any kind of control over licensing of dams where fish pilgrimages face ruthless extinction.

In his pending amendment to S. 3185, the distinguished senior Senator from Oregon [Mr. MORSE] would provide that no license could be issued by the FPC until recommendations are received from the Secretary of the Interior. I am certain the purposes of the senior Senator from Oregon are good, Mr. President, but this provision operates already under existing statutes and I cannot see that it would affect the status quo which has many shortcomings when fish and wildlife are concerned. Let me indicate what I mean.

I have received a statement from Mr. Jerome K. Kuykendall, Chairman of the Federal Power Commission, setting forth procedures followed by the Commission under section 18 of the Federal Power Act, especially with reference to the requirement therein regarding the construction, maintenance, and operation of such fishways as the Secretary of the Interior may prescribe. Mr. Kuykendall wrote me on August 7, 1958:

The following paragraph appears in all Commission letters to the Secretary of the Interior transmitting copies of applications for licenses and requesting his comments thereon:

It is requested that you give the Commission your views as to the measures which should be given to protect wildlife resources in connection with the project in accordance with the provisions of the act of August 14, 1946 (60 Stat. 1080). Your advice concerning fishways is also requested pursuant to the provisions of section 18 of the Federal Power Act, 16 U. S. C. 811.

Thus it is apparent that existing FPC procedures call for the collection of recommendations from the Secretary of the Interior concerning wildlife, fishways and related matters when all projects are under consideration. But this has failed to protect fish and wildlife from depredations sanctioned by the FPC.

FISH AND WILDLIFE OPPOSES THE NEZ PERCE DAM

For instance the record of the FPC proceedings on Project 2173, the license application of Pacific Northwest Power Co. for Mountain Sheep-Pleasant Valley Dams is replete with testimony from fishery experts on the effect which dams in the Middle Snake River would have on migratory fish runs of the Columbia Basin. At those hearings, Mr. Samuel J. Hutchinson, Regional Director, Bureau of Commercial Fisheries, Seattle, Wash., testified in no uncertain terms that the Department of the Interior is opposed to the construction of Nez Perce Dam due to the terrific impact it will have on the Columbia River fishery. The conclusion of a statement which was made a part of hearing record on this matter made this opposition of the Interior Department quite plain.

I ask consent that this portion of the Department of Interior statement be inserted in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MR. SAMUEL J. HUTCHINSON, UNITED STATES FISH AND WILDLIFE SERVICE, SEPTEMBER 1956: PROBABLE EFFECTS OF TWO ALTERNATE HYDROELECTRIC POWER PROPOSALS ON THE ANADROMOUS FISH RUNS OF THE COLUMBIA RIVER

CONCLUSION

The anadromous fish runs in the Snake River have great monetary and intangible value and should be conserved in the public interest. The Mountain Sheep-Pleasant Valley Dams would impair these runs only by adding slightly to an already existing problem. However, the Nez Perce Dam would present an obstacle to fish passage of the major part of the Snake River run of anadromous fish. These fish are of such value that their very existence should not be jeopardized by placing reliance upon undesigned and untried fish facilities. The only sound conclusion from the standpoint of the conservation of the fishery resource is that the Mountain Sheep-Pleasant Valley Dams would be far less detrimental than the Nez Perce Dam.

Mr. NEUBERGER. Mr. President, despite a recommendation of the Department of the Interior to the contrary, the Federal Power Commission, in its decision and order of January 20, 1958, stated:

There is nothing in this record which convinces us that the Nez Perce project could not be constructed under a license issued pursuant to the provisions of the Federal Power Act.

The statement has been made that S. 3185 does not necessarily affect the very project at which it is aimed—namely the Nez Perce project. In my opinion, the decision of the FPC in favor of a high dam at the Nez Perce site is an open invitation for the filing of a license application by public power or private power entities. Need for the restraints provided by S. 3185 is borne out by the declaration of the FPC on behalf of the Nez Perce project. Thus, S. 3185 would very directly affect the proposed Nez Perce Dam.

These views are affirmed in a letter which I have received from Mr. Charles H. Callison, able conservation director of the National Wildlife Federation. He pointed out that:

The Federal Power Commission, after hearing exhaustive testimony from the United States Fish and Wildlife Service and from State fish and game officials to the contrary, has recommended a high dam at the Nez Perce site on the Snake River. A high dam at Nez Perce would destroy the great fishruns of the Salmon River and other tributaries of the Snake that now produce a major part of the commercial and sport fisheries of the Columbia Basin. In short, Senator NEUBERGER, conservationists have learned through bitter experience that the Federal Power Commission is not mindful of the impact of dams on fish and wildlife resources. It is a single-purpose Commission with a one-track mind. It thinks in terms of kilowatt-hours, refusing to give adequate recognition to other resource values.

That, of course, is the overriding purpose of S. 3185—to assure a better balance between resources involved in development of our Nation's rivers. Mr. Callison has raised another point in response to objections that S. 3185 would be a barrier to hydroelectric progress. He states:

To say that enactment of S. 3185 would stall hydroelectric development in the Columbia Basin and elsewhere, as opponents of your bill have argued, is to assume that the Secretary of the Interior is going to be unreasonable and arbitrary in his judgments. No Secretary would dare block a Federal Power Commission license unless the fish and wildlife values were preeminent. If they are more important than a dam that would destroy them, then it would be his duty to block the project and the public would back up his judgment.

I will venture the prediction that should Congress undertake to authorize construction of a Nez Perce dam, the outcry of conservation-minded citizens across the country would dwarf the public protest that forced abandonment of the plan to build Echo Park Dam in Dinosaur National Monument. But the Federal Power Commission is peculiarly beyond the reach of public opinion. It has shown that it can be capricious and arbitrary in its decisions. For this reason, and to protect the growing public interest in the recreational and commercial values of fish and wildlife resources, S. 3185 should be enacted.

Mr. President, there is a further reason why I believe we must restrain the Federal Power Commission from licensing Nez Perce Dam—as the FPC already has indicated it is disposed and even eager to do.

Canada is considering the diversion of 15 million acre-feet of water out of the upper Columbia River. This is a quantity comparable to the flow of the Colorado at Glenn's Ferry. Such a diversion would be disastrous to future waterpower plans on the main stem of the Columbia.

The only real restraint on the Canadians is the fact that the diversion would be poured into the Fraser River watershed, which is a vast water course for Sockeye salmon runs. American fishing interests have urged Canada not to blockade the Fraser with dams, and so have Canadian fishing groups. Yet, if our own Federal Power Commission announces that a huge dam like Nez Perce can blockade off the Chinook salmon migrations of the Salmon River watershed, what happens to our argument that it would be fatal to blockade off the Sockeye salmon migrations of the Fraser River watershed?

This is another reason for the enactment of legislation similar to S. 3185—to keep a pattern from forming which could encourage Canadian diversion of the upper Columbia. I have sought to forestall this diversion ever since I came to the Senate, even making a trip to British Columbia to confer with Canadian leaders who share my opposition to the proposal.

However, Mr. President, the diversion is not yet dead, and I ask unanimous consent to have printed in the RECORD at this point a dispatch from the Vancouver (B. C.) Daily Province of August 5, 1958, in which Gen. A. G. L. McNaughton, foremost advocate of the upper Columbia diversion, insists that the project is very much alive and in existence—much to my regret, incidentally.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

MCNAUGHTON SAYS: RIVER DIVERSION IDEA STILL ALIVE

Diversion of Columbia River floodwaters into the Fraser is still a live engineering proposal on the Columbia power question, Gen. A. G. L. McNaughton said in Vancouver Monday.

The general is chairman of the Canadian section of the International Joint Commission which deals with problems arising from lakes and rivers straddling the international border.

He also said he shares the optimism of American members of the IJC that Canada and the United States would soon reach an agreement.

The plan to divert Columbia floodwaters into the Fraser at Revelstoke by a series of tunnels so the water could be used to generate electricity on the Fraser for Canadians only was put forward in 1955 by General McNaughton.

At that time the Americans adamantly refused to pay money for power that could be generated on the American section of the Columbia by impoundment of Columbia floodwaters in southern British Columbia.

Under the latter plan dams would be built in British Columbia to hold floodwater so they could be released gradually for power generation instead of flowing suddenly into the sea during rapid runoff periods.

The American argument has been that the United States should not pay for added downstream benefits because Canada would have to control streamflow anyway for her generating stations.

Recently American hydropower negotiators have come around to the view that the United States should pay for downstream benefits.

Now the general says the diversion scheme is still a live, practical engineering alternative to impounding surplus water in southern British Columbia and regulating stream flow for the benefit of United States dams to the south.

Mr. NEUBERGER. Mr. President, when all questions of the specific application of my bill to a particular project, such as the Nez Perce project recommended by the Federal Power Commission, are left aside, the heart of the opposition to S. 3185 is that it would superimpose a binding executive determination upon the discretion of the Federal Power Commission in a licensing proceeding. That is the objection which was expressed in the remarks of my senior colleague. He stated his belief that this would be an undesirable infringement of the independence of the Federal Power Commission, as the expert agency which was charged by Congress with the duty of determining the best adaptability of any proposed project to a plan of comprehensive development of a river.

IS FPC QUALIFIED TO DECIDE FATE OF FISH RUNS?

Mr. President, in introducing S. 3185 I was quite prepared to face this key issue squarely. This question of the competence and the independence of the FPC as an expert river planning agency is not a new issue that we are facing for the first time. It has been a matter of great concern to us, particularly to members of the delegations from the Pacific Northwest, during the entire period that I have been in the Senate.

There have been objections to decisions of the FPC based specifically on its apparent low regard for objections from State agencies and private organizations concerned with fish and wildlife, in such cases as the Pelton Dam, the proposed Beaver Marsh project, and the Mayfield Dam. But the greatest loss of confidence in the Federal Power Commission, as a truly farsighted and responsible multipurpose river basin planning agency, came of course with its decision in the Hells Canyon case.

Many of us have said that the Hells Canyon case was the crucial test of the Federal Power Commission, as an agency to which could be entrusted the complex, controversial and vitally important functions of planning and controlling the development of our great river resources, with confidence that they were in good hands. Hells Canyon was that test, not because a controversy over public versus private development was involved—that had been the case on earlier occasions. Rather it was a unique case because it raised the issue of true multipurpose, comprehensive planning against short-run, single-pupose development. Hells Canyon involved a question of unequal quantities of power development, yes—but it also involved loss of flood control, loss of recreational benefits, and most important in the present context, the fate of fish and wildlife, in a manner which has immediately been brought home to us by the pressures which at once developed for the construction of projects elsewhere in the basin that would invade these conservation values.

After the withdrawal of the Interior Department's earlier intervention in favor of a high Hells Canyon Dam, the Hells Canyon case also became the unique test of whether or not the public interest might be presented in the FPC by someone other than the executive branch itself, when an unprecedented fight was organized by public-spirited private persons and organizations to carry the issue through the commission and the courts.

Sadly, Mr. President, this great fight was lost. But it was the Federal Power Commission, and not the interveners, who failed the test. From that date on, the people of the Pacific Northwest lost all confidence in the Federal Power Commission as a planning agency. It had plainly displayed itself as merely a license-granting agency—not very different from, let us say, the Federal Communications Commission. Since that time, any concern about invading the independence of the Federal Power Commission as an agency for planning comprehensive multipurpose river development is certainly misplaced.

These are by no means new or unusual views which I am expressing today, in support of S. 3185. Actually, they correspond rather closely to the views which were repeatedly expressed by my senior colleague, as well as others of us from the Northwest, in our comments on the Hells Canyon decision of the FPC, and in explaining why it was right and proper for the Congress to override the Commission's conclusions in that instance, and to reaffirm those of the Corps of Engineers and the Department of the Interior for river development on a basin-wide basis.

Both my senior colleague and I expressed similar views about the relative functions of the Federal Power Commission and the executive resource-planning agencies in connection with the reconfirmation of Mr. Jerome Kuykendall to be chairman of the Federal Power Commission last year. Both he and I have joined in sponsorship of other bills which were designed to amend and rectify the standards under which the Federal Power Commission would be bound to a broader view of multipurpose, comprehensive development—corresponding more to the approach on the standards followed by the Department of the Interior and the Corps of Engineers.

Mr. President, I shall not elaborate this point further. The Federal Power Commission should, indeed, be and remain an independent agency. But the record of the last few years plainly shows that there is no merit and no gain whatever to the public interest in jealously guarding the Commission's independence, insofar as its planning functions are concerned.

WILDLIFE VALUES NOT SAFE IN CUSTODIANSHIP OF POWER COMMISSION

Particularly with respect to the fish resource, I think it is absolutely plain that the Commission—which let us remember, is a power commission—has neither special competence nor special sympathy for conservation goals and methods, when they would militate against construction of a power project.

It is right and proper that this particular aspect of river-resources planning should be given effective protection by placing it under the responsibility of the Secretary of Interior, whose Department includes the bureaus concerned with both commercial and sports fisheries. I might point out, in concluding this portion of my remarks, that the present language of S. 3185 was actually recommended by the administration itself. No one familiar with the record of this administration in power and water-resource matters would accuse it of undue eagerness to tie the FPC's hands in licensing non-Federal power projects. Thus, even an administration which, more than any other in the past quarter century, has stressed the licensing function of the FPC, is prepared to entrust to the executive Department of the Interior the protection of the fisheries aspect of multipurpose planning, as the navigation aspect is already entrusted by law to the Corps of Engineers.

The wildlife of the United States has been drastically diminished during the 150 years since Lewis and Clark first carried our flag across the continent. The pressures of an industrial civilization are crowding out the wild creatures which once teemed in our land. For decades Columbia River fisheries have been dropping, although the Columbia is the greatest of the fish streams of the United States. One last lingering salmon-spawning sanctuary is left—the Salmon River in the Idaho solitudes. Yet the Federal Power Commission has indicated willingness to license a towering dam at Nez Perce which would blockade off those fastnesses to migrating Chinook salmon. The FPC has announced its intentions for all the world to know. My bill, S. 3185, seeks to give the Fish and Wildlife Service an opportunity to prevent construction of Nez Perce, until we learn a good deal more about artificial fish passage over a 700-foot barricade than we do today. I deeply regret that my able colleague has objected to so reasonable a proposal.

Also, it is a keen disappointment that public-power groups and private utilities have launched so determined a fight against S. 3185. I wish they could put this same energy into joining in my efforts to try to have our Government reach a successful agreement with Canada for mutual use of the vast water-power resources of the upper Columbia River beyond the international border.

My personal friend, Dr. Ira N. Gabrielson, who is one of the greatest biologists and fishery experts in the world, has rightly described the upper Columbia as a fishless river. Its salmon migrations ended when Grand Coulee sealed the river. This means that immense quantities of hydroelectricity can be generated by impounding the upper Columbia without destroying salmon pilgrimages. Why concentrate on Nez Perce, with its disastrous impact on fisheries, so long as the abundant kilowatts of the upper Columbia vanish into wasted spray and mist?

Mr. President, few Members of the Senate have hammered away as persistently as I have regarding the urgent need of low-cost power for new industrial payrolls in the Northwest. But I believe we first should get that power at sites which do not involve the loss of priceless—and indeed irreplaceable—resources in fish and game and other wildlife. That is why I have favored projects at places like Mica Creek, John Day, and Hells Canyon rather that at Nez Perce, Bruces Eddy, or Penny Cliffs. I discover that I thus find myself in conflict on occasion both with private utilities and public power, because these groups are not entirely discriminating in their views between sites which do not damage wildlife and sites which are terribly perilous to wildlife.

This position may be all right for special-interest forces, be they PUD's or power companies. But a Senator of the United States must be interested in salmon runs as well as in kilowatts, in elk and moose as well as in reclamation. At least, that is my conception of the duties we hold here.

In conclusion, Mr. President, I ask consent to include with my remarks letters in support of S. 3185 which I have received from the Izaak Walton League of America, dated August 6, 1958, and from the National Wildlife Federation, dated August 8, 1958, signed by the able conservation directors of the respective organizations, Mr. J. W. Penfold and Mr. Charles H. Callison.

I also desire to include an editorial from the Oregonian of Portland of August 12, 1958, entitled "Useless Fish Amendment." This editorial points out that the amendment to my bill proposed by Senator MORSE would weaken greatly the fish-protection authority which I propose to vest in the Fish and Wildlife Service. The editorial also correctly emphasizes that the amendment of the distinguished senior Senator from Oregon would provide to fish migrations far less protection than is presently given to navigation and flood control, through the power vested in the Army engineers to approve FPC licensing procedures.

There being no objection, the letters and editorial were ordered to be printed in the RECORD, as follows:

THE IZAAK WALTON LEAGUE OF AMERICA, INC.,
Washington, D. C., August 6, 1958.

Hon. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR: As you know, the Izaak Walton League has supported the principle proposed in S. 3185, which would protect major fish and wildlife values in project applications before the Federal Power Commission for licensing. This principle is consistent with that of the Coordination Act, which the Congress recently strengthened by amendment.

There has been objection to the enactment of this legislation on the grounds that it would give fish and wildlife considerations veto power over power considerations. Essentially this would be true, in the same sense that navigation considerations now have such veto power. We could point out that FPC now has life and death veto power over fish and wildlife.

It has been proposed that the legislation be amended to eliminate the requirement for approval of the Secretary of the Interior, substituting a requirement that his recommendations be considered. We do not believe that such an amendment will meet the problem. FPC presumably gave consideration to recommendations of the Interior Department, State game and fish agencies, and the public generally in the matter of high dams on the Deschutes in Oregon and the Cowlitz in Washington, but they were substantially disregarded. We have no reason to believe that such recommendations on future projects will not also be disregarded.

The anadromous fish of the Columbia will not be preserved in reasonable quantities by pious hope. At this late date, they will be so preserved only by determination and strong legislative mandate.

I believe the reasonable attitude of the Izaak Walton League toward the complex resource problems of the the Columbia is borne out by the policy unanimously adopted at our recent national convention. A copy is attached for your information.

Sincerely,

J. W. PENFOLD,
Conservation Director.

RESOLUTION NO. 6—COLUMBIA RIVER BASIN POLICY

We recognize that the waters of the Columbia River Basin are a great natural resource, the development of which should be for the benefit of the people and that any program for the use and control of these waters should give consideration to all beneficial uses, especially to navigation, industrial, pollution abatement, fish and wildlife, domestic, irrigation, recreation, hydropower, and municipal.

The fishery resource of the Columbia River and its tributaries is an important economic recreational asset. Due regard should be given to means and methods of protecting this resource in the planning and construction of obstructions in the river system.

We approve the construction of impoundments above Grande Coulee Dam in the mainstem of the Columbia River.

We approve the construction of impoundments on the Snake River, tributary to the Columbia River, under 100 feet in height, located below its confluence with the Salmon River, provided the best fish passage facilities now known are included. We approve the construction of impoundments on the Middle Snake if located above the confluence of the Imnaha River and below the present site of Brownlee Dam, provided the best fish passage facilities now known are installed.

We approve the construction of impoundments in upper tributaries of the Snake River, when there are no migratory fish and especially recommend the construction of the Garden Valley and Scrivner Creek project in Idaho.

We oppose the construction of any impoundment of the waters of the tributaries of the Snake River known as Salmon, Clearwater, Grand Ronde and Imnaha and especially to a dam called Nez Perce which would block salmonoid runs to Upper Snake, Imnaha and the Salmon River, and we oppose any construction in national parks, national monuments or other specially designated public lands.

We urge the State and Federal agencies to accelerate their research program in developing fish passage facilities and in methods of restoring loss of fish runs by reason of impoundments now built or which may be constructed.

We request that Congress and State governments appropriate such funds as may be necessary for this research.

We commend the private power company for having recently employed fish biologists and for research in methods of saving fish runs—for having set aside substantial sums but that they be urged to budget additional money for this purpose.

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., August 8, 1958.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: The National Wildlife Federation and its State affiliate organizations have strongly supported S. 3185 and will continue to do so. We urge its enactment by the Congress in the public interest.

Under the Coordination Act of 1946 and under a provision of the Federal Power Act of 1920, the Secretary of the Interior now can and does make recommendations to the Federal Power Commission regarding the effects of a proposed hydroelectric project upon fish and wildlife resources. Experience has shown, however, that such recommendations often are ignored by the Commission. Such was the experience in the case of the Pelton dam on the Deschutes River of Oregon and again in the case of the Cowlitz River dam in Washington. In these instances specific acts of the State legislature were ignored and the unanimous objections of State and Federal conservation agencies were brushed aside.

More recently the Federal Power Commission, after hearing exhaustive testimony from the United States Fish and Wildlife Service and from State fish and game officials to the contrary, has recommended a high dam at the Nez Perce site on the Snake River. A high dam at Nez Perce would destroy the great fishruns of the Salmon River and other tributaries of the Snake that now produce a major part of the commercial and sport fisheries of the Columbia Basin.

In short, Senator NEUBERGER, conservationists have learned through bitter experience that the Federal Power Commission is not mindful of the impact of dams on fish and wildlife resources. It is a single-purpose Commission with a one-track mind. It thinks in terms of kilowatt hours, refusing to give adequate recognition to other resource values.

To say that enactment of S. 3185 would stall hydroelectric development in the Columbia Basin and elsewhere, as opponents of your bill have argued, is to assume that the Secretary of the Interior is going to be unreasonable and arbitrary in his judgments. No Secretary would dare block a Federal Power Commission license unless the fish and wildlife values were pre-eminent. If they are more important than a dam that would destroy them, then it would be his duty to block the project and the public would back up his judgment.

I will venture the prediction that should Congress undertake to authorize construction of a Nez Perce dam, the outcry of conservation-minded citizens across the country would dwarf the public protest that forced abandonment of the plan to build Echo Park dam in Dinosaur National Monument. But the Federal Power Commission is peculiarly beyond the reach of public opinion. It has shown that it can be capricious and arbitrary in its decisions. For this reason, and to protect the growing public interest in the recreational and commercial values of fish and wildlife resources, S. 3185 should be enacted.

We commend your leadership in sponsoring this legislation.

Sincerely yours,

NATIONAL WILDLIFE FEDERATION,
CHARLES H. CALLISON,
Conservation Director.

[From the Oregonian of August 12, 1958]

USELESS FISH AMENDMENT

Senator WAYNE L. MORSE's proposed amendment to Senator RICHARD L. NEUBERGER's bill giving the Interior Department (Fish and Wildlife Service) equal authority with the Defense Department (Army Engineers) in restraining the Federal Power Commission's licensing of dams is of no value at all. But it may be enough to kill the bill.

Instead of requiring approval of plans for dams which would affect fish migrations, Senator MORSE's amendment would weaken this to review by Interior. This is by no means comparable to the Army Engineers' authority in protecting navigation and flood control needs.

Senator MORSE's amendment, which is in response to public power groups who have their eyes on Nez Perce Dam in the Snake River, is of no practical value since the Federal Power Act already requires FPC to take resources other than power into consideration. In practice, plans for dams are submitted to and reviewed by all agencies affected. In practice, also, FPC has given only lip service to fish protection. There is no reason to believe FPC would change under the Morse amendment.

Mr. NEUBERGER. In conclusion, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a very effective column entitled "Defense Line for Salmon River Fishery," written by Herbert Lundy, and published in the Oregonian of Portland on June 16, 1958, dealing with the fate of the Salmon River salmon fisheries; also an informative editorial entitled "FPC Made This Legislation Necessary," published in the East Oregonian, of Pendleton, Oreg., for June 20, 1958.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Oregonian of June 16, 1958]

DEFENSE LINE FOR SALMON RIVER FISHERY

(By Herbert Lundy)

Leaders in the long fight to prevent destruction of the salmon and steelhead runs of such great productive rivers as the Salmon in Idaho were stimulated to action in Washington, D. C., last week. For months they had been hearing, as we have in the Northwest, rumors that either a group of Washir gton State public power agencies or a group of private utilities, or both, were preparing to file for the Nez Perce damsite in the Snake River, a half mile below the mouth of the Salmon River, or for the Lower Canyon damsite in the Salmon itself.

But what touched off hurryup meetings with such Northwest Congressional friends of fish and wildlife conservation as Senator NEUBERGER, of Oregon, was the action of the House Appropriations Committee. This was another open invitation for someone to build Nez Perce Dam which would cripple the Columbia River salmon and steelhead runs.

In eliminating a budget item of $196,536 requested by Secretary of Interior Fred Seaton for a Bureau of Reclamation study of a high Federal dam in the Snake River above both the Salmon and Oregon's Imnaha River confluences, the Appropriations Committee said:

"The only feasible storage project which could be built at this (the Pleasant Valley) site would flood out the Hells Canyon site already licensed to the Idaho Power Co. for construction of a hydroelectric plant.

"In addition, the Federal Power Commission has found that any combination of projects in this region of the Snake River which does not include the Nez Perce Dam, downstream from the Pleasant Valley site, would be less feasible than a plan which does include the Nez Perce site. Should the Nez Perce Dam be constructed, it would flood out the Pleasant Valley site. The committee refused to permit investigations at the Pleasant Valley site during the fiscal year 1958 and has been offered no evidence which would indicate that this position should be changed."

The Federal Power Commission is already on record in favor of the Nez Perce Dam, although no application for such a project has ever been made. It took this position in rejecting the license applications of Pacific Northwest Power Co. (four private utilities) for dams at the Pleasant Valley and Mountain Sheep sites in the Nez Perce reservoir area. With the House Appropriations Committee taking the same position, the prospects for a non-Federal high dam at Nez Perce or in the Salmon River are enhanced.

As a result of the conservationists' alarm, quick action was obtained on Senator NEUBERGER's bill to give the Secretary of Interior (in effect, the United States Fish and Wildlife Service) collateral jurisdiction over issuance of dam licenses by the Federal Power Commission. This is a status already enjoyed by the Defense Department, which through the United States Army Corps of Engineers can put thumbs down on FPC projects if they are harmful to flood control and navigation.

Senator NEUBERGER agreed to modification of his veto bill at the request of Senator WARREN G. MAGNUSON of Washington. The amendment was similar to that proposed by the Interior Department in bill to alter the Federal power coordination act to prevent FPC from riding roughshod over fish and wildlife objections.

In its new form, the Neuberger bill amends sec. 4 of the Federal Power Act to provide "That no license affecting fish and wildlife resources shall be issued until the plans of the dam or other structures affecting such fish and wildlife resources have been approved by the Secretary of the Interior."

This is a little stronger in the veto line than Secretary Seaton wanted to go, but it represents substantial agreement.

With this amendment, the Senate Commerce Committee voted favorably to send to the floor Senator NEUBERGER's bill, S. 3185.

This legislation, if adopted by Congress, may be enough to save the Salmon River for the fish. But conservationists still would not be on safe ground, for Congress can change its mind at any time.

The only positive insurance against Nez Perce would be the actual construction of dams at the Pleasant Valley or Mounain Sheep sites. In company with this should go a Congressional reservation of the Salmon River as a fish sanctuary. Congress finally is showing some signs of recognizing the value of the fishery and recreation resource. Now is the time for the Northwest to increase the pressure for comprehensive development, which means conservation and enhancement of all resources not single-purpose use.

[From the East Oregonian, of June 20, 1958]

FPC MADE THIS LEGISLATION NECESSARY

The United States Army Corps of Engineers has for a long time recognized that one of the most desirable projects in the Columbia Basin is Nez Perce Dam on the Snake River. It would provide a tremendous amount of storage which would level off production of downstream dams through low water periods. And it would produce in excess of 1 million kilowatts of hydroelectric energy.

However, the engineers have not asked for the project. A 700-foot Nez Perce Dam would be below the mouth of the Salmon River, the Snake's principal tributary. Over 60 percent of the spring chinook salmon runs of the Columbia River Basin spawn in the headwaters of the Salmon River and the engineers have accepted the obvious fact that until a satisfactory means of getting migratory fish over a structure of the height

of Nez Perce is found the project cannot be considered.

In view of this situation, the Federal Power Commission shocked almost everybody who has studied water resource development on the Snake when it recommended a few months ago that Nez Perce Dam be built.

The FPC recommendation was shocking. But there is one aspect of the situation which should have warned us that the recommendation was a possibility. Regulations under which the FPC operates do not require that the agency give full consideration to the migration of fish when it is considering a hydroelectric project. The agency can decide that the fish resource is of sufficient importance to be considered or can give no consideration to it.

When the FPC decision on Nez Perce was handed down, Oregon's Senator RICHARD NEUBERGER got busy. On last January 29 he introduced a proposal to the Senate Commerce Committee and on June 10 an amended version of the proposal was passed out by the Committee. It reads: "No license affecting fish and wildlife resources shall be issued until the plans of the dam or other structures affecting such fish and wildlife resources have been approved by the Secretary of the Interior."

This may have the effect of pouring gasoline on the fire that has been kept burning in the Northwest for many years by the fish and wildlife people and the exponents of hydroelectric projects—not the people who take a moderate, sensible view in this controversy, but the extremists—those who oppose all dams and those who consider the fish resource to be of little importance. Feeding that fire is not desirable. But, it seems to us, the action of the Federal Power Commission in the Nez Perce case made it inevitable that some protection be afforded the fish resource, by writing specific safeguards into law.

We can, and should have both hydroelectric projects, and a valuable fish resource in the rivers of the Columbia Basin. Both are necessary in the economy of the region. Both must be given careful regard. Neither can be treated as the FPC handled the Nez Perce problem.

If Senator NEUBERGER's legislation is approved by the Congress, and we anticipate it will be, we feel certain that he will be among the Senators who will insist that the authority given to the Secretary of Interior, and in turn to the Fish and Wildlife Service, be exercised with caution and good judgment. If there is any indication that the authority is to be used to diminish the hydroelectric development program in the Columbia Basin, Senator NEUBERGER will, we are sure, insist that things be brought into proper balance.

Mr. NEUBERGER. Mr. President, this last editorial, written by Mr. J. W. Forrester, publisher of the East Oregonian, emphasizes that without the passage of a bill such as S. 3185, the dam at Nez Perce will destroy the great Chinook salmon fisheries of the Salmon River watershed in Idaho.

THE U. N. AND DEMOCRACY

Mr. WILEY. Mr. President, in these days, when the United Nations plays such an important part in the thinking of our people, many persons are inquiring as to what is the meaning of the United Nations in the international picture today. In the New York Times this morning there appears an editorial entitled "The U. N. and Democracy," which phrases the issue very well. It states:

The issue, always in the background ever since its foundation, is whether the United Nations shall function as an international democracy based on the sovereign equality of all its members as provided in the Charter, or whether it is to be dominated by a dictatorship of big powers making their own deals in a game of power politics.

The editorial states that the first concept, that it is to be a democracy of all the powers, "has always been espoused by the West, in particular by the United States, which has made the United Nations the fulcrum of its foreign policy."

In the past we have seen time and time again such espousal by the United States, very recently by the President in his address, in which he affirmed our faith in the United Nations as the world body primarily responsible for international peace and security.

In contrast to that concept, on every occasion the Kremlin has taken the position that the small nations should be subject to the authority of the big nations. The editorial stresses this fact also. It states that the Soviet Union has always taken the position, as "was expressed by Mr. Gromyko as early as the San Francisco Conference of 1954—that the smaller nations should trust the big powers and for the rest observe discipline."

The editorial continues: "It has been expressed by the deluge of Soviet vetoes which has paralyzed the Security Council."

Time and time again the Soviets have run contrary to the position we have taken with reference to what should be the purpose and the function of the United Nations.

Again we see the Kremlin, in line with its philosophy, calling for a big power agreement on the Middle East. "But," the editorial continues, "the ultimate Soviet goal, as bluntly proclaimed by the Kremlin and backed by 'ballistic blackmail,' is, of course, not dictatorship by several but by only one." I believe the editorial very well analyzes the different approaches as between ourselves and the Kremlin to what might be a possible solution.

I have spoken on the floor many times that an agreement with the Kremlin, unless one can read into it that it is for the mutual benefit of the Kremlin and the United States, would be but a scrap of paper. In other words, the Kremlin is following the philosophy of the Kaiser, who held that a treaty was but a scrap of paper. Therefore I repeat what I said on other occasions on the floor of the Senate, that we Americans have a tendency to become complacent, and that at times we have a tendency to become a little too complacent. When we talk about solutions, the mechanism is not merely an agreement, but an agreement with the nations of the earth which the nations agreeing to it have the same fundamental interest in maintaining. Unless that fact is pressed home, we may find ourselves, as has been suggested, falling asleep, as we have in the past. We cannot afford to do that today, because this world of ours is a different world from what it was even 10 years ago. Now it is just a little globe which we can circle in 44 hours, and around which a missile can travel in 15 minutes. Consequently the imperative need today is to remain awake, not to be sabotaged into complacency.

I ask unanimous consent that the editorial may be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE U. N. AND DEMOCRACY

In its latest effort to wrestle with the Middle Eastern problem, the United Nations General Assembly is again confronted with an issue that reaches far beyond the Middle East and involves the basic character and possibly the very existence of the United Nations itself. The issue, always in the background ever since its foundation, is whether the United Nations shall function as an international democracy based on the sovereign equality of all its members, as provided in the Charter, or whether it is to be dominated by a dictatorship of big powers making their own deals in a game of power politics.

The first concept of an international democracy has always been espoused by the West, in particular by the United States, which has made the United Nations the fulcrum of its foreign policy. It is espoused again in the present instance, as eloquently demonstrated by President Eisenhower's address, in which he reaffirmed our faith in the United Nations as the world body primarily responsible for both international peace and security, invoked the United Nations' own resolutions against any kind of aggression and repudiated the very idea of any one power or group of powers dominating the world. In keeping with this concept the United States, while presenting its own proposals, gladly backs the efforts of smaller nations to find solutions for the Middle East through the United Nations and its Secretary General.

In contrast, the second concept of big power dictatorship always has been and is still propagated by the Soviets. It was expressed by Mr. Gromyko as early as the San Francisco Conference of 1945, when he demanded that the smaller nations should trust the big powers and for the rest observe discipline. It has been expressed by the deluge of Soviet vetoes which has paralyzed the Security Council, by the Soviet attempt to take important problems, such as disarmament, out of the United Nations and, most pointedly, by the Soviet drive for a summit meeting to decide world issues by a few big power heads of government whom the Soviet must view as dictators akin to their own, which the Western statesmen are not.

In line with that concept Mr. Gromyko again calls for a big power agreement on the Middle East as an essential precondition for a settlement. But the ultimate Soviet goal, as bluntly proclaimed by the Kremlin and backed by "ballistic blackmail," is, of course, not dictatorship by several but by only one big power in a final world triumph of communism.

There are those who criticize the American concept of the United Nations as too idealistic and back the Soviet concept of big power rule as closer to the realities. The big powers cannot, of course, abdicate their responsibilities, and the United States has specifically reserved the right of individual and collective self-defense within the spirit of the Charter whenever the United Nations is unable to act. But when the United Nations is able to act, as in Korea, or is at least able to take a stand, as on Hungary and Suez, the United States has supported it and will do so again in the Middle East. It is, however, up to the smaller nations, constituting the great majority in the United Nations, to make international democracy work, and do so without penalizing those who bow to United Nations decisions or rewarding those who systematically defy them.

CALL OF THE CALENDAR

The PRESIDING OFFICER. The clerk will proceed with the call of the calendar.

Mr. CLARK. Mr. President, I ask that all measures beginning with Calendar No. 69 and continuing through Calendar No. 2249 be passed over.

The PRESIDING OFFICER. All measures beginning with Calendar No. 69 and continuing through 2249 will be passed over.

The measures passed over are as follows:

Calendar No. 69, Senate Resolution 24, resolution to amend rule XIV of the Standing Rules of the Senate.

Calendar No. 131, Senate Concurrent Resolution 20, concurrent resolution authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce.

Calendar No. 249, S. 1164, a bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes.

Calendar No. 264, S. 1639, a bill to provide for the suspension of the vesting of alien property and the liquidation of vested property, under the Trading With the Enemy Act.

Calendar No. 415, S. 931, a bill to provide for the reorganization of the safety functions of the Federal Government and for other purposes.

Calendar No. 585, S. 2150, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

Calendar No. 722, S. 1168, a bill to amend the Securities and Exchange Act, as amended.

Calendar No. 726, Senate Resolution 118, a resolution to amend rule XXVI so as to require committee reports proposing legislation or ratification of treaties, involving expenditure of public funds, to show the estimated costs thereof.

Calendar No. 861, S. 1483, a bill to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries.

Calendar No. 1074, S. 984, a bill conferring jurisdiction on the court of claims to make certain findings with respect to the amount of compensation to which certain independent ore producers are equitably entitled for uranium supplied by them to the United States during the period May 1, 1943, to August 5, 1945, and to provide for payment of the amounts so determined.

Calendar No. 1153, H. R. 7168, an act to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes.

Calendar No. 1183, Senate Joint Resolution 80, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

Calendar No. 1198, S. 50, a bill to provide for the admission of the State of Hawaii into the Union.

Calendar No. 1298, S. 5, a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to prevent the allocation of procurement contracts to certain designated geographical areas, and for other purposes.

Calendar No. 1337, S. 213, a bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of custom officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law.

Calendar No. 1343, S. 3039, a bill amending the Agricultural Trade and Assistance Act of 1954, as amended.

Calender No. 1392, S. 3441, a bill to provide for a minimum acreage allotment for corn and other purposes.

Calendar No. 1393, S. 3408, a bill to amend the Agricultural Adjustment Act of 1938, as amended, so as to provide that cotton acreage allotments for the States for 1958 and subsequent years shall be no less than in 1956, and for other purposes.

Calendar No. 1486, S. 2861, a bill to extend for an additional 4-year period the provisions of the National Wool Act of 1954.

Calendar No. 1499, S. Con. Res. 62, concurrent resolution to request the President to use his best efforts to bring about a meeting of representative citizens from all the North Atlantic Treaty Organization nations to examine ways to promote greater cooperation among those nations.

Calendar No. 1518, H. R. 2783, an act to amend the Tariff Act of 1930, to provide for the free importation of amorphous graphite.

Calendar No. 1534, S. Res. 17, resolution to amend section 2 of rule XXII of the Standing Rules of the Senate.

Calendar No. 1616, S. 2646, a bill to limit the appellate jurisdiction of the Supreme Court in certain cases.

Calendar 1644, S. 3862, a bill to establish certain provisions with respect to the removal and the terms of office of the members of certain regulatory agencies.

Calendar No. 1647, S. J. Res. 16, joint resolution to establish a joint committee to investigate the gold-mining industry.

Calendar No. 1660, H. R. 5497, an act to amend the Watershed Protection and Flood Prevention Act.

Calendar No. 1672, S. 3918, a bill to authorize the sale of nonessential vessels of the merchant marine national defense reserve fleet.

Calendar No. 1684, S. 3560, a bill to authorize the construction of a courthouse and a Federal office building in Memphis, Tenn., and for other purposes.

Calendar No. 1689, H. R. 469, an act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

Calendar No. 1900, S. Res. 83, resolution to refer to the Court of Claims the bill (S. 819) for the relief of Mary A. Ford.

Calendar No. 2009, S. 3290, a bill to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals.

Calendar No. 2056, S. 11, a bill to amend the Robinson-Patman Act with reference to equality of opportunity.

Calendar No. 2063, H. R. 1435, an act for the relief of John I. Strong.

Calendar No. 2066, H. R. 6595, an act for the relief of Markus H. Teitel.

Calendar No. 2086, S. 3185, a bill to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Permit Act.

Calendar No. 2091, H. R. 6995, an act to amend Public Law 883, 84th Cong., to provide for the conveyance of certain additional property of the United States to the city of Roseburg, Oreg., and for other purposes.

Calendar No. 2104, S. 4146, A bill providing for payments as incentives for the production of certain strategic and critical minerals, and for other purposes.

Calendar No. 2109, S. 237, a bill to regulate the interstate transportation of lobsters, and to define the term "lobster" for the purpose of the Federal Food, Drug, and Cosmetic Act.

Calendar No. 2139, S. 4162, a bill to further amend the Defense Production Act of 1950, as amended.

Calendar No. 2144, H. R. 8943, an act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code.

Calendar No. 2146, S. Res. 353, resolution opposing the suspension of deportation of James Chin Lee.

Calendar No. 2235, H. R. 12126, an act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes.

Calendar No. 2236, H. R. 11477, an act to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Calendar No. 2241, S. 2142, A bill to amend section 8e of the Agricultural Adjustment Act, to provide for the extension of the restrictions on imported citrus fruits, sliced figs, dried figs, and fig paste.

Calendar No. 2248, H. R. 11697, an act to amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the Harbor of New York, to extend the application of that act to Hampton Roads.

Calendar No. 2249, S. 654, a bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

UNMANUFACTURED MICA AND MICA FILMS AND SPLITTINGS

The bill (H. R. 6894) to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and

splittings was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, was announced as next in order.

Mr. MORTON. Over.

The PRESIDING OFFICER. The bill will be passed over.

APPROVAL OF REPORT ON RED WILLOW DAM AND RESERVOIR IN NEBRASKA

The joint resolution (S. J. Res. 190) to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the report of the Secretary of the Interior demonstrating economic justification for construction and operation of the Red Willow Dam and Reservoir is hereby approved.

BILLS PASSED OVER

The bill (H. R. 8361) to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus for persons in custody pursuant to the judgment of a State court, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 337) to establish rules of interpretation governing questions of the effects of acts of Congress on State laws was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. CLARK. Mr. President, I ask that all measures beginning with Calendar 2296 through 2400 be passed over.

The PRESIDING OFFICER. Without objection, all calendar numbers beginning with 2296 through 2400 will be passed over.

The bills passed over are as follows:

Calendar No. 2296, S. 1913, a bill to amend the code of law for the District of Columbia by modifying the provision relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors and for other purposes.

Calendar No. 2300, H. R. 912, an act to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

Calendar No. 2304, H. R. 12876, an act to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes.

Calendar No. 2311, Senate Resolution 362, resolution to cite Maurice A. Hutcheson for contempt of the Senate.

Calendar No. 2312, Senate Resolution 363, resolution to cite Ernest Mark High for contempt of the Senate.

Calendar No. 2313, Senate Resolution 364, resolution to cite Peter Licavoli for contempt of the Senate.

Calendar No. 2314, Senate Resolution 365, resolution to cite Jack Cerone for contempt of the Senate.

Calendar No. 2315, Senate Resolution 366, resolution to cite Ross Prio for contempt of the Senate.

Calendar No. 2316, Senate Resolution 367, resolution to cite Joseph DiVarco for contempt of the Senate.

Calendar No. 2317, Senate Resolution 368, resolution to cite Sam Battaglia for contempt of the Senate.

Calendar No. 2318, Senate Resolution 369, resolution to cite Marshall Caifano for contempt of the Senate.

Calendar No. 2319, Senate Resolution 370, resolution to cite Dan Lardino for contempt of the Senate.

Calendar No. 2320, Senate Resolution 371, resolution to cite John Lardino for contempt of the Senate.

Calendar No. 2321, Senate Resolution 372, resolution to cite Joseph Aiuppa for contempt of the Senate.

Calendar No. 2322, Senate Resolution 373, resolution to cite Anthony Accardo for contempt of the Senate.

Calendar No. 2323, Senate Resolution 374, resolution to cite Abraham Teitelbaum for contempt of the Senate.

Calendar No. 2324, H. R. 9700, an act to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes.

Calendar No. 2384, S. 4213, a bill to afford vocational rehabilitatic to certain veterans in need thereof to overcome the handicap of a disability rated 30 percent or more incurred in or aggravated by active service subsequent to January 31, 1955.

Calendar No. 2386, S. 4091, a bill to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia.

Calendar No. 2387, S. 3229, a bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes.

Calendar No. 2393, H. R. 11078, an act to promote boating safety on the navigable waters of the United States, to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes.

Calendar No. 2394, S. 2373, a bill for the relief of Janet R. Parker.

Calendar No. 2395, H. R. 12883, an act to provide for certain improvements relating to the Capital powerplant and its distribution systems.

Calendar No. 2400, S. 3626, a bill to establish a teaching hospital for Howard University, to transfer Freedman's Hospital to the university, and for other purposes.

Mr. MORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will resume the call of the calendar.

COMPACT BETWEEN STATE OF MINNESOTA AND THE PROVINCE OF MANITOBA, CANADA—DEVELOPMENT OF HIGHWAY

The bill (S. 3944) to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the State of Minnesota to negotiate and enter into a compact with the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State. Such compact shall not be binding or obligatory upon the State of Minnesota unless and until it has been ratified by such State and by the Province of Manitoba and approved by the Congress of the United States.

MARY F. C. LEUTE

The Senate proceeded to consider the bill (S. 4214) for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute, which had been reported from the Committee on Foreign Relations, with an amendment in line 7, after the word "a", to strike out "Foreign Service officer" and insert "vice consul", so as to make the bill read:

Be it enacted, etc., That, in the administration of section 5 of the act entitled "An act to make certain increases in the annuities of annuitants under the Foreign Service retirement and disability system", approved May 1, 1956 (70 Stat. 125), Joseph Henry Leute, a vice consul of the United States who died on August 5, 1909, while en route to a new assignment with the Foreign Service, shall be deemed to have been a participant under the Foreign Service retirement and disability system within the meaning of such section at the time of his death.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1695) for the relief of Haddy N. Duff was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

RELIEF OF CERTAIN MEMBERS OF THE ARMY AND AIR FORCE

The bill (H. R. 9371) to provide for the relief of certain members and former members of the Army and the Air Force,

and for other purposes was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 411) to amend the Trading With The Enemy Act, as amended, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

INCREASED FUNDS FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The resolution (S. Res. 345) to increase funds for the Committee on Interior and Insular Affairs, for the investigation of certain matters was considered and agreed to, as follows:

Resolved, That section 3 of Senate Resolution 229, agreed to January 29, 1958, is hereby amended by striking out the figure "$180,000" where it appears therein, and by inserting in lieu thereof the figure "$188,750."

RESOLUTION PASSED OVER

The resolution (S. Res. 347) authorizing a study of worldwide health activities, which had been reported from the Committee on Government Operations with amendments and subsequently reported from the Committee on Rules and Administration without additional ament was announced as next in order.

Mr. HRUSKA. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The resolution (S. Res. 356) authorizing additional expenditures by the Committee on Interior and Insular Affairs was considered and agreed to, as follows:

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000, in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

PRINTING OF FINAL REPORT OF THE SUBCOMMITTEE ON DISARMAMENT OF COMMITTEE ON FOREIGN RELATIONS

The concurrent resolution (S. Con. Res. 111) to print the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations, under authority of Senate Resolution 241, agreed to January 20, 1958, shall be printed as a Senate document, with illustrations, and that 2,000 additional copies shall be printed for use of the Committee on Foreign Relations.

PRINTING OF SENATE DOCUMENT

The resolution (S. Res. 351) authorizing the printing as a Senate document of the study entitled "Legal Aspects of the Use of Systems of International Waters" was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document a study prepared by William Griffin, of the Department of State, entitled "Legal Aspects of the Use of Systems of International Waters."

PRINTING OF ADDITIONAL COPIES OF REPORT ENTITLED "GOVERNMENT PROGRAMS ON INTERNATIONAL EDUCATION"

The resolution (S. Res. 354) to print additional copies of the report entitled "Government Programs on International Education" was considered and agreed to, as follows:

Resolved, That a report, entitled "Government Programs in International Education," prepared in the Legislative Reference Service, Library of Congress, at the request of the Senate Committee on Government Operations, be printed as a Senate document, and that 4,000 additional copies be printed for the use of the Senate Committee on Government Operations.

PRINTING AS SENATE DOCUMENT STAFF STUDY ENTITLED "THE RIGHT TO TRAVEL AND UNITED STATES PASSPORT POLICIES"

The resolution (S. Res. 331) authorizing the printing as a Senate document of a staff study by the Subcommittee on Constitutional Rights entitled, "The Right To Travel and United States Passport Policies" was considered and agreed to, as follows:

Resolved, That the manuscript entitled "The Right to Travel and United States Passport Policies", prepared as a staff study by the Subcommittee on Constitutional Rights of the Committee on the Judiciary, be printed as a Senate document, and that 1,000 additional copies be printed for the use of that committee.

PRINTING AS SENATE DOCUMENT "THE SOVIET EMPIRE: PRISON HOUSE OF NATIONS AND RACES"

The Senate proceeded to consider the resolution (S. Res. 332) to print as a Senate document "The Soviet Empire: Prison House of Nations and Races", which had been reported from the Committee on Rules and Administration with amendments, in line 4, after the word "a", to strike out "subcommittee" and insert "committee", and in line 8, after the word "the", to strike out "Subcommittee on Internal Security of the", so as to make the resolution read:

Resolved, That a study of Soviet genocide and related practices, prepared for the Senate Internal Security Subcommittee of the Senate Committee on the Judiciary and heretofore printed as a committee print under the title "The Soviet Empire: Prison House of Nations and Races", be printed as a Senate document.

SEC. 2. There shall be printed 7,000 additional copies of such Senate document for use of the Senate Committee on the Judiciary.

The amendments were agreed to.

The resolution, as amended, was agreed to.

POSTAGE STAMPS FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

The bill (H. R. 13688) to provide airmail and special delivery postage stamps for Members of the House of Representatives on the basis of regular sessions of Congress, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

JOINT SESSION OF CONGRESS COMMEMORATING THE 150TH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

The Senate proceeded to consider the joint resolution (H. J. Res. 648) for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln, which had been reported from the Committee on Rules and Administration, with an amendment, on page 4, line 4, after the word "States", to insert "Secretaries of departments, heads of independent agencies, offices, and commissions."

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

ADDITIONAL STAFF MEMBER, COMMITTEE ON GOVERNMENT OPERATIONS

The resolution (S. Res. 355) authorizing the Committee on Government Operations to employ one additional professional staff member was considered and agreed to, as follows:

Resolved, That the Committee on Government Operations is authorized to employ one additional professional staff member to be paid from the contingent fund of the Senate at a rate of compensation to be fixed by the chairman in accordance with section 202 (e), as amended, of the Legislative Reorganization Act of 1946.

SEC. 2. Such additional professional staff member shall be a person experienced in Congressional editorial and printing work whose major responsibility shall be the preparation of the annual chart and report on the Organization of Federal Executive Departments and Agencies, but who shall be available for the performance of other committee duties.

CONGRESSIONAL RECOGNITION OF THE BASEBALL HALL OF FAME

The concurrent resolution (S. Con. Res. 37) favoring Congressional recognition of the Baseball Hall of Fame at Cooperstown, N. Y., was considered and agreed to, as follows:

Resolved by the Senate (the House of Representative concurring), That the Congress hereby recognizes the Baseball Hall of Fame at Cooperstown, N. Y., as a memorial to individuals who have made outstanding

contributions to the sport of baseball and as a fitting and valuable institution for the collection and preservation of famous tokens and other evidences and data relating to our national game.

BILLS PASSED OVER

The bill (H. R. 9822) to provide for holding a White House conference on aging, and for other purposes, was announced as next in order.

Mr. HRUSKA. Over.

The bill (S. 2020) to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1313) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

NATURALIZATION PRIVILEGES FOR KOREAN WAR VETERANS

The Senate proceeded to consider the bill (S. 3009) to amend the Immigration and Nationality Act to accord Korean war veterans equal naturalization privileges, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That subsection (a) of section 329 of the Immigration and Nationality Act is amended by inserting after "December 31, 1946," the following: "or during a period beginning June 25, 1950, and ending July 1, 1955,".

SEC. 2. Paragraph (4) of subsection (b) of section 329 of the Immigration and Nationality Act is amended by inserting after "December 31, 1946," the following: "or during a period beginning June 25, 1950, and ending July 1, 1955,".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. NEUBERGER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following the passage of Senate bill 3009, a brief statement which I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR NEUBERGER

I am indeed pleased by the passage of S. 3009, which I introduced early in January which enables veterans who served honorably during the Korean war to acquire United States citizenship. Section 329 of the Immigration and Nationality Act already provides this benefit to veterans of the First and Second World Wars. It seems only fair to me that veterans of the Korean war should be afforded equal naturalization privileges.

This oversight in our naturalization laws was first brought to my attention by the American Legion Cathay Post No. 384, in San Francisco, Calif. Last fall I had the pleasure of addressing this American Legion post and this situation was brought to my attention. Comdr. Robert K. Fong of the Cathay Post has been most helpful in presenting information to me that has enabled favorable consideration of my bill by the Senate.

It is indeed a pleasure to report that both the American Legion and the Veterans of Foreign Wars have indorsed my proposal to grant equal naturalization privileges to veterans of the Korean war. Both the American Legion and the Veterans of Foreign Wars have been of invaluable assistance.

Despite the lateness of the Congressional session, it is my hope that the House of Representatives can favorably consider my bill. Congressman CLAIR ENGLE, of California, has introduced a companion bill to mine, H. R. 13606, which is now before the House Judiciary Committee.

I attach hereto correspondence I have received from Omar B. Ketchum, director, National Legislative Service, Veterans of Foreign Wars, and Miles D. Kennedy, director, Legislative Commission, the American Legion:

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Washington, D. C., April 2, 1958.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

(Attention: Mr. Walter H. Dodd.)

MY DEAR SENATOR: This is to express the interest and support of the Veterans of Foreign Wars of the United States for your bill S. 3009, to amend the Immigration and Nationality Act to accord Korean war veterans equal naturalization privileges.

S. 3009 was endorsed by the VFW national legislative committee in an official meeting during the month of February 1958. If and when hearings should be set for this bill I would appreciate being advised so that a representative from this office may be present and testify in behalf of our organization.

Sincerely yours,

OMAR B. KETCHUM, *Director.*

THE AMERICAN LEGION,
LEGISLATIVE COMMISSION,
Washington, D. C., May 15, 1958.

Mr. WALTER DODD,
Care of Hon. Richard L. Neuberger,
Senate Office Building, Washington, D. C.

DEAR MR. DODD: In keeping with our telephone conversation of this afternoon, I enclose two copies of Resolution No. 16 adopted at the April 30 to May 2, 1958, meeting of the national executive committee of the American Legion.

It is my opinion that, in keeping with this resolution, our organization can support Senator NEUBERGER'S bill S. 3009 which would amend section 329 (a) of the Immigration and Nationality Act.

Thanking you for calling this matter to our attention, I am

Sincerely,

MILES D. KENNEDY, *Director.*

RESOLUTION NO. 16

NATIONAL EXECUTIVE COMMITTEE MEETING, THE AMERICAN LEGION, HELD APRIL 30–MAY 2, 1958

Committee: National Americanism Commission.

Subject: Amend section 329 (a) of the Immigration and Nationality Act.

Whereas, under section 329 (a) of the Immigration and Nationality Act, any person who, while an alien or a noncitizen national of the United States, has served honorably in an active-duty status in the Armed Forces of the United States during either World War I or World War II, and who, if separated from such service, was separated under honorable conditions, may be naturalized; and

Whereas, any person who has served honorably in the Armed Forces of the United States during the Korean war is not accorded the same rights and privileges of naturalization as given to the veterans of World War I and World War II; and

Whereas, simple justice requires that Korean war veterans be treated alike for they fought and died in the same manner as the veterans of World War I or World War II, in the service of their country, in its hour of need; and

Whereas the Veterans' Administration treats all veterans alike in passing on their service-incurred disabilities: Now, therefore, be it

Resolved, That the American Legion in national executive committee assembled in Indianapolis, Ind., April 30–May 2, 1958, exert its wholehearted efforts to amend section 329 (a) of the Immigration and Nationality Act to read as follows:

"Any person who, while an alien or a noncitizen national of the United States, has served honorably in an active-duty status in the military, air, or naval forces of the United States during either World War I or during a period beginning September 1, 1939, and ending December 31, 1946, or during a period beginning June 25, 1950, and ending July 1, 1955, and who, if separated from such service, was separated under honorable conditions, may be naturalized as provided in this section."

FANNIE MAY FLOYD

The resolution (S. Res. 376) to pay a gratuity to Fannie May Floyd was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Fannie May Floyd, mother of Josephine Floyd, an employee of the Senate at the time of her death, a sum equal to 11 months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

AMENDMENT OF NATIONAL SCIENCE FOUNDATION ACT OF 1950

The Senate proceeded to consider the bill (S. 3268) to amend the National Science Foundation Act of 1950, as amended, and for other purposes, which had been reported from the Committee on Labor and Public Welfare, with an amendment, on page 8, after line 18, to strike out:

SEC. 9. Section 14 of the National Science Foundation Act of 1950, as amended, is amended by adding a new subsection (j) at the end thereof to read as follows:

"(j) To the extent he finds it will contribute to the more effective functioning of the National Science Foundation, the Director is authorized to conduct or provide training and to assign employees for training or attendance at meetings at Federal or non-Federal facilities, including public or private agencies, institutions of learning, laboratories, industrial or commercial organizations or other appropriate organizations or institutions, and, if he deems it appropriate, to pay in whole or in part, the following: The salaries of such employees for the period of training or attendance; the cost of their transportation and per diem in lieu of subsistence in accordance with the Travel Expense Act of 1949, as amended; necessary expenses incident to their training including tuition, study materials, and other customary expenses. Appropriations or other funds available to the National Science Foundation for salaries and for expenses shall be available for the purposes of this subsection.

"An employee who accepts assignment for training for more than 15 days at any one time shall agree in writing to remain in the Government service, unless involuntarily separated therefrom, for a period equal to three times the length of any time off with pay granted without charge to annual leave for the purpose of such training. Any such trainee who fails to fulfill such agreement shall be required to reimburse the Government for whatever portion of the travel, subsistence, tuition, fees and related expenses paid by the Government during such training the Director determines to be appropriate."

So as to make the bill read:

Be it enacted, etc., That the National Science Foundation Act of 1950, as amended, is amended in the following manner:

Section 4 (d) and section 4 (e) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"(d) The Board shall meet annually on a day during the last 2 weeks of May and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the voting members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail mailed to his last-known address of record not less than 15 days prior to any meeting, of the call of such meeting.

"(e) The first Chairman and Vice Chairman of the Board shall be elected by the Board to serve until the first Monday in December next succeeding the date of election at which time a Chairman and Vice Chairman shall be elected for a term of 2 years. Thereafter such election shall take place at the second annual meeting occurring after each such election. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect a member to fill such vacancy."

SEC. 2. Section 5 (b) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(b) In addition to the powers and duties specifically vested in him by this act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by sections 10 and 11 of this act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11 (c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board to the Director or to the executive committee."

SEC. 3. Section 6 (a) and section 6 (b) (1) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"SEC. 6. (a) The Board is authorized to appoint from among its members an executive committee, and to assign to the executive committee such of the powers and functions granted to the Board by this act as it deems appropriate; except that the Board may not assign to the executive committee the function of establishing policies.

"(b) If an executive committee is established by the Board—

"(1) such committee shall consist of the Director, as a nonvoting ex officio member, and not less than 5 nor more than 9 other members elected by the Board from among their number;

"(2) the term of office of each voting member of such committee shall be 2 years, except that (A) any member elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was elected shall be elected for the remainder of such term; and (B) the term of office of 4 of the members first elected after the date of enactment of this act shall be 1 year;

"(3) any person who has been a member of such committee for 6 consecutive years shall thereafter be ineligible for election during the 2-year period following the expiration of such sixth year;

"(4) the membership of such committee shall, so far as practicable, be representative of diverse interests and shall be so chosen as to provide representation, so far as practicable, for all areas of the Nation;

"(5) such committee shall render an annual report to the Board, and such other reports as it may deem necessary, summarizing its activities and making such recommendations as it may deem appropriate. Minority views and recommendations, if any, of members of the executive committee shall be included in such reports."

SEC. 4. Section 10 of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"SEC. 10. The Foundation is authorized to award, within the limits of funds made available specifically for such purpose pursuant to section 16, scholarships and graduate fellowships for scientific study or scientific work in the mathematical, physical, medical, biological, engineering, and other sciences at appropriate nonprofit American or nonprofit foreign institutions selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States, and such selections shall be made solely on the basis of demonstrated and potential ability; but in any case in which two or more applicants for scholarships or fellowships, as the case may be, are deemed by the Foundation to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships or fellowship or fellowships shall be awarded to the applicants in such manner as will tend to result in a wide distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia."

SEC. 5. Section 11 (c), section 11 (d), and section 11 (e) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"SEC. 11. The Foundation shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this act, including, but without being limited thereto, the authority—

"(c) to enter into contracts or other arrangements, or modifications thereof, for the carrying on, by organizations or individuals in the United States and foreign countries, including other Government agencies of the United States and of foreign countries, of such scientific activities as the Foundation deems necessary to carry out the purposes of this act, and, at the request of the Secretary of Defense, specific scientific activities in connection with matters relating to the national defense, and, when deemed appropriate by the Foundation, such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes;

"(d) to make advance, progress, and other payments which relate to scientific activities without regard to the provisions of section 3648 of the Revised Statutes (31 U. S. C. 529);

"(e) to acquire by purchase, lease, loan, gift, condemnation, or otherwise, and to hold and dispose of by grant, sale, lease, loan, or otherwise, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this act."

SEC. 6. Section 13 (a) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"SEC. 13. (a) The Foundation is hereby authorized to facilitate any international scientific activities consistent with the purposes of this act and to expend for such international scientific activities such sums within the limit of appropriated funds as the Foundation may deem desirable. The Director, with the approval of the Board, may defray the expenses of representatives of Government agencies and other organizations and of individual scientists to accredited international scientific congresses and meetings whenever he deems it necessary in the promotion of the objectives of this act. In this connection, with the approval of the Secretary of State, the Foundation may undertake programs granting scholarships and fellowships to, or making other similar arrangements with, foreign nationals for scientific study or scientific work in the United States or foreign countries without regard to section 10 or the affidavit of allegiance to the United States required by section 15 (d) (2) of this act."

SEC. 7. Section 13 (b) of the National Science Foundation Act of 1950, as amended, is amended by inserting in lieu thereof a new section 13 (b) as follows:

"(b) The Foundation is also authorized, with the approval of the Secretary of State, to undertake programs providing for the conduct or facilitation of such other scientific activities abroad as are deemed to be in the interest of the United States."

SEC. 8. Section 13 of the National Science Foundation Act of 1950, as amended, is further amended by renumbering former section 13 (b) to become section 13 (c) and by amending section 13 (c) (1) to read as follows:

"(c) (1) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 11 (c), and the authority to facilitate international scientific activities as provided in subsections (a) and (b) of this section, shall be exercised only with the approval of the Secretary of State, to the end that authority to undertake such programs shall be exercised in such manner as is consistent with the foreign-policy objectives of the United States.

"(2) If, in the exercise of the authority referred to in paragraph (1) of this subsection, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ACQUISITION OF LANDS FOR A RESERVOIR ON THE MISSOURI RIVER—BILL PASSED TO FOOT OF CALENDAR.

The bill (H. R. 12662) to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River, and for rehabilitation of the Indians of Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes, was announced as next in order.

Mr. HRUSKA. Mr. President, may we have an explanation of the bill?

Mr. CLARK. Mr. President, may that bill be passed to the foot of the calendar?

Mr. HRUSKA. I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. The bill will be passed to the foot of the calendar.

ADDITIONAL PAYMENTS TO INDIANS OF THE CROW CREEK SIOUX RESERVATION, S. DAK.

The Senate proceeded to consider the bill (H. R. 12670) to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 1, line 9, after the word "between", to strike out "$2,019,219.94" and insert "$1,395,811.94."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

ADDITIONAL PAYMENTS TO INDIANS OF THE LOWER BRULE SIOUX RESERVATION, S. DAK.

The Senate proceeded to consider the bill (H. R. 12663) to provide additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 9, to strike out "$1,175,231", and insert "$976,523."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

PAYMENTS TO CERTAIN MEMBERS OF THE PINE RIDGE SIOUX TRIBE OF INDIANS

The Senate proceeded to consider the bill (H. R. 7860) to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, after line 4, to strike out:

That (a) the Secretary of the Interior is authorized and directed to pay the sum of $3,500 to each of the following Indians or their estates: Edith Apple Bear, Ephriam Brafford, Catherine Jones Brewer, Lamont Cook, Eloise Ruff Garnett, Jake Harvey, Ambrose Hernandez, Floyd F. Hernandez, Thomas Hollow Horn, Steven L. Hunter, Edward Janis, Jr., Norman Janis, George Jensen, William Jones, Carrie Knee, Clency Kocer, Seth P. Martinez, Walter Martinez, George Mountain Sheep, Jack O'Rourke, Wilbur Pourier, Josephine Thunder Bull, Gilbert Twiss, Martha E. Clifford Whiting, Patrick O'Rourke, William Clifford, Bertha Huebner Darling, Iris Huebner Marak, Loren Pourier, Julia Davidson, Sally Bullman, Herbert Clifford, Sadie Crawford, Martha Fast Eagle, Filia Garnett, Emily Palmier, Amos L. Pulliam, Vincent Thunder Bull, William Twiss, and Bernice Shangreau Watters.

And, in lieu thereof, to insert:

That (a) the Secretary of the Interior is authorized and directed to pay the sum of $3,500 to each of the following Indians or their estates: Edith Apple Bear, Ephriam Brafford, Catherine Jones Brewer, Lamont Cook, Eloise Ruff Garnett, Jake Harvey, Ambrose Hernandez, Floyd F. Hernandez, Thomas Hollow Horn, Steven L. Hunter, Edward Janis, Jr., Norman Janis, George Jensen, William Jones, Carrie Knee, Clency Kocer, Seth P. Martinez, Walter Martinez, George Mountain Sheep, Jack O'Rourke, Wilbur Pourier, Josephine Thunder Bull, Gilbert Twiss, Martha E. Clifford Whiting, Patrick O'Rourke, William Clifford, Bertha Huebner Darling, and Loren Pourier.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

Mr. HRUSKA. Mr. President, I ask that Calendar Nos. 2436, 2437, 2438, and 2439 may be passed over.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I announce that it is planned to call up, perhaps today, Calendar No. 2436, S. 4273; Calendar No. 2437, Senate Concurrent Resolution 116; and Calendar No. 2438, Senate Joint Resolution 201. I desire that all Senators be on notice that we expect to have these measures called up. I will speak with the minority leader about them before calling them up.

Mr. HRUSKA. The objection made by the members of the calendar committee on this side of the aisle is that these measures are not properly calendar business, but I am glad to know that they will be called up on motion.

Mr. JOHNSON of Texas. I thank the Senator from Nebraska.

The bills passed over are as follows:

Calendar No. 2436, S. 4273, a bill to provide for cooperation with the European Atomic Energy Community.

Calendar No. 2437, Senate Concurrent Resolution 116, concurrent resolution to approve agreement between the Government of the United States and the European Atomic Energy Community (Euratom) concerning cooperation to advance the peaceful application of atomic energy.

Calendar No. 2438, Senate Joint Resolution 201, joint resolution to authorize the Chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

Calendar No. 2439, H. R. 11630, an act to amend title XV of the Social Security Act to extend the unemployment system to ex-servicemen, and for other purposes.

EXTENSION OF TIME FOR FILING CERTAIN REPORTS UNDER THE HIGHWAY REVENUE ACT OF 1956

The bill (H. R. 12489) to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956 was considered, ordered to a third reading, read the third time, and passed.

FREE IMPORTATION OF ARTICLES FOR EXHIBITION AT THE MINNESOTA STATE FAIR

The Senate proceeded to consider the bill (H. R. 11889) to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair to be admitted without payment of tariff, and for other purposes, which had been reported from the Committee on Finance with an amendment on page 4, after line 6, to insert a new section, as follows:

SEC. 7. Paragraph 1798, Tariff Act of 1930, as amended (U. S. C., title 19, sec. 1201, par. 1798), is further amended by redesignating subparagraph (h) as subparagraph (i), and by inserting a new subparagraph (h) to read as follows:

"(h) Automobiles rented by any resident of the United States while abroad may be imported into the United States by or on behalf of such resident for the transportation of such resident, his family and guests, and such incidental carriage of articles as may be appropriate to his personal use of the automobile without paymentof duty, for such temporary periods as the Secretary of the Treasury by regulation may prescribe. Any automobile exempted from duty under this subparagraph which is used otherwise than for a purpose herein expressed or is not returned abroad within the time and manner as the Secretary may prescribe by regulation, or the value of such automobile (to be recovered from the importer), shall be subject to forefeiture to the United States."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

TAKING BY THE UNITED STATES OF STATE-OWNED HYDROELECTRIC POWER PROJECTS

The bill (S. 3571) to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States was announced as next in order.

Mr. KUCHEL. Mr. President, may we have a brief explanation of the bill?

Mr. CLARK. Mr. President, the purpose of Senate bill 3571 is to repeal the exception contained in Public Law 278, 83d Congress, which continued the provision of sections 14 and 4 (b) of the Federal Power Act as applicable to any license issued for a hydroelectric development in the International Rapids section of the St. Lawrence River, where other State and municipal licensees were exempted from certain provisions of the Federal Power Act.

I hope that explanation will be sufficient for my friend, the Senator from California.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3571) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to facilitate the development and construction of water conservation facilities by States and municipalities, and for other purposes," approved August 15, 1953 (Public Law 278, 83d Cong., 67 Stat. 587; 16 U. S. C. 828) is hereby amended by deleting from section 3 thereof the following: ", except that the provisions of section 14 and section 4 (b) shall continue to be applicable to any license issued for a hydroelectric development in the International Rapids section of the St. Lawrence River."

COLLECTION OF TOLLS TO AMORTIZE COST OF BRIDGE ACROSS THE MISSOURI RIVER AT MIAMI, MO.

The Senate proceeded to consider the bill (S. 3776) to extend the time for the collection of tolls to amortize the cost of a bridge across the Missouri River at Miami, Mo., which had been reported from the Committee on Public Works, with an amendment, at the beginning of line 6, to strike out "forty-five years" and insert "thirty-five years", so as to make the bill read:

Be it enacted, etc., That the first sentence of section 2 of the act of January 16, 1936 (49 Stat. 1093), as amended, is hereby amended by striking out "twenty years" and inserting in lieu thereof "thirty-five years."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TAHCHEVAH CREEK PROJECT, PALM SPRINGS, CALIF.

The Senate proceeded to consider the bill (S. 4179) to authorize the Tahchevah Creek project, Palm Springs, Calif., which had been reported from the Committee on Public Works, with amendments, in line 7, after the word "as", to strike out "referred to" and insert "recommended", and in line 8, after the figures "1958", to insert "at an estimated Federal cost of $1,658,000"; so as to make the bill read:

Be it enacted, etc., That the project for flood control on Tahchevah Creek, in Riverside County, Calif., is hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers substantially as recommended in the report of the Chief of Engineers, dated July 2, 1958, at an estimated Federal cost of $1,658,000.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SURVEY OF THE TENSAW RIVER, ALA.

The bill (H. R. 8160) authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes, was considered, ordered to a third reading, read the third time, and passed.

RESCINDING OF AUTHORIZATION FOR THE WALDO LAKE TUNNEL AND REGULATING WORKS, OREGON.

The bill (H. R. 8652) to rescind the authorization for the Waldo Lake Tunnel and regulating works, Willamette River, Oreg., was considered, ordered to a third reading, read the third time, and passed.

PREVENTION OF OBSTRUCTIVE AND INJURIOUS DEPOSITS AT HAMPTON ROADS, VA.

The bill (H. R. 11697) to amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the Harbor of New York, to extend the application of that act to Hampton Roads, was considered, ordered to a third reading, read the third time, and passed.

CORDELL HULL DAM AND RESERVOIR—STUDY COMMISSION ON CERTAIN TEXAS RIVERS

The Senate proceeded to the consideration of the bill (H. R. 12216) to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the Cordell Hull Dam and Reservoir.

Mr. JOHNSON of Texas. Mr. President, I submit the amendment which I send to the desk and ask to have stated. The amendment proposes the addition of a new title at the end of the bill.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The amendment submitted by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to insert the following:

TITLE II

That the purpose of this title is—

SEC. 201. (a) to provide for an integrated and cooperative investigation, study, and survey by a Commission created pursuant to this title and composed of representatives of certain departments and agencies of the United States, and of the State of Texas, in connection with, and in promotion of, the conservation, utilization, and development of the land and water resources of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) in the State of Texas in order to formulate a comprehensive and coordinated plan for—

(1) flood control and prevention;

(2) domestic and municipal water supplies;

(3) the improvement and safeguarding of navigation;

(4) the reclamation and irrigation of land, including drainage;

(5) possibilities of hydroelectric power and industrial development and utilization;

(6) soil conservation and utilization;

(7) forest conservation and utilization;

(8) preservation, protection, and enhancement of fish and wildlife resources;

(9) the development of recreation;

(10) salinity and sediment control;

(11) pollution abatement and the protection of public health; and

(12) such other beneficial and useful purposes not herein enumerated; and

(b) to formulate, within the time provided for in section 9 of this title, a basic, comprehensive, and integrated plan of development of the land-water resources within the area described in this section for submission to, and consideration by, the President and the Congress, and to make recommendations, after adequate study, for executing and keeping current such plan. It is not the purpose of this title to create any continuing or permanent instrumentality of the Federal Government or to take from, or reassign, the duties and powers of any department or agency of the United States represented on the Commission, except as herein provided in this title.

SEC. 202. In carrying out the purposes of this title it shall be the policy of Congress to—

(1) recognize and protect the rights and interests of the State of Texas in determining the development of the watersheds of the rivers herein mentioned and its interests and rights in water utilization and control as well as the preservation and protection of established uses;

(2) protect existing and authorized projects and projects under construction whether public or private;

(3) utilize the services, studies, surveys, and continuing investigational programs of the departments, bureaus, and agencies of the United States;

(4) recognize an important body of existing Federal law affecting the public lands, irrigation, reclamation, flood control, grazing, geological survey, national parks, mines, and minerals; and

(5) to recognize the primary responsibilities of the State of Texas and local interests in such State in developing water supplies for domestic, municipal, industrial, and other purposes and that the Federal Government should participate and cooperate with such State and local interests in developing such water supplies in connection with the construction, maintenance, and operation of Federal navigation, flood control, irrigation, or multiple-purpose projects.

SEC. 203. (a) In order to carry out the purposes of this title, there is hereby established a Commission to be known as the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins and intervening areas (hereinafter referred to as the Commission).

(b) The Commission shall be composed of 14 members appointed by the President as follows:

(1) One member, who shall serve as chairman, and who shall be a resident from the area comprising the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) embraced within the State of Texas and who shall not, during the period of his service on the Commission, hold any other position as an officer or employee of the United States, except that a retired military officer or a retired Federal civilian officer or employee may be appointed under this title without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $12,000 in any one calendar year;

(2) Six members, of whom 1 shall be from the Department of the Army, 1 from the Department of Commerce, 1 from the Department of Health, Education, and Welfare, 1 from the Department of Agriculture, 1 from the Department of Interior, and 1 from the Federal Power Commission; and

(3) Seven members, nominated by the Governor of Texas subject to the provisions of subsection (c) of this section, each of which shall be a resident of a different one of the following geographical areas of Texas:

(A) Neches River Basin;
(B) Trinity River Basin;
(C) Brazos River Basin;
(D) Colorado River Basin;
(E) Guadalupe-San Antonio River Basin;
(F) Nueces River Basin; and
(G) San Jacinto River Basin.

(c) In the event of the failure of the Governor of the State of Texas to nominate a person or persons in accordance with the provisions of paragraph (3) of subsection (b) of this section satisfactory to the President within 60 days after a request by the President for such nomination, the President shall then select and appoint a qualified resident from the State of Texas.

(d) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(e) Within 30 days after the appointment of the members of the Commission by the President, and funds have been made available by the Congress as provided for in this title, the Commission shall organize for the performance of its functions.

(f) The Commission shall elect a vice chairman from among its members.

(g) Eight members of the Commission, of whom at least four shall have been appointed pursuant to subsection (b) (3) or (c) of this section, shall constitute a quorum for the transaction of business.

(h) Members of the Commission shall report from time to time to their respective departments or agencies, or to the Governor of the State of Texas if appointed pursuant to subsection (b) (3) or (c) of this section, on the work of the Commission, and any comments and suggestions pertaining to such work from such departments, agencies, or governor shall be placed before the Commission for its consideration.

(i) The Commission shall cease to exist within 3 months from the date of its submission to the President of its final report as provided for in section 209 of this title. All property, assets, and records of the Commission shall thereupon be turned over for liquidation and disposition to such agency or agencies in the executive branch as the President shall designate.

SEC. 204. The Commission may, for the purpose of carrying out the provisions of this title, hold such hearings, sit and act at such times and places, take such testimony, administer such oaths, and publish so much of its proceedings and the reports thereon as it may deem advisable; lease, furnish, and equip such office space in the District of Columbia and elsewhere as it may deem necessary; use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States Government; have printing and binding done in its discretion by establishments other than the Government Printing Office; employ and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended; purchase or hire, operate, maintain, and dispose of such vehicles as it may require; secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman or vice chairman, and employees of the departments or agencies from which persons have been appointed to the Commission pursuant to section 203 (b) (2) of this title may be assigned upon request by the chairman of the Commission to temporary duty with the Commission without loss of seniority, pay, or other employee status; pay travel in accordance with standardized Government travel regulations and other necessary expenses incurred by it, or any of its officers or employees, in the performance of duties vested in such Commission; and exercise such other powers as are consistent with and reasonably required to perform the functions vested in such Commission under this title.

SEC. 205. Responsibility shall be vested in the chairman for (1) the appointment and supervision of personnel employed under the Commission, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds: *Provided*, That in carrying out his functions under the provisions of this section, the chairman shall be governed by the general policies of the Commission.

SEC. 206. (a) Members of the Commission appointed pursuant to section 203 (b) (2) of this title shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive the salary of their regular position when engaged in the performance of the duties vested in the Commission. Such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members of the Commission, other than those appointed pursuant to section 203 (b) (2) of this title, shall each receive compensation at the rate of $50 per day when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties, but the aggregate compensation received by the members of the Commission pursuant to this subsection shall not exceed $12,000 per annum in the case of the chairman, and $7,500 per annum in the case of members of the Commission other than those members appointed pursuant to section 203 (b) (2) of this title.

SEC. 207. In the formulation of a comprehensive and coordinated plan or plans for (a) the control, conservation, and utilization of the waters of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas), (b) conservation and development of the land resources of such area; (c) flood control, navigation, reclamation, agriculture purposes, power, recreation, fish and wildlife, and (d) such other needs as are set forth in paragraph (a) of the first section of this title, the Commission shall—

(1) seek to secure maximum public benefits for the State of Texas and the Nation consistent with the specific directions contained in section 8 and elsewhere in this act;

(2) utilize the services, studies, surveys, and reports of existing Government agencies and shall encourage the completion of such current and additional studies and investigations by such agencies as will further the purposes of this title, and such agencies are authorized to cooperate within the limits of available funds and personnel to the end that the Commission may carry out its functions as expeditiously as possible;

(3) take into consideration the financial, physical, and economic benefits of existing and prospective Federal works constructed or to be constructed consistent with the purposes of this title.

(4) include in its plan or plans estimated costs and benefits; recommendations relating to the establishment of pay-out schedules (areawide or otherwise) taking into account the Federal Government's present and prospective investment in the area; cost reimbursable and nonreimbursable; sources for reimbursement; returns heretofore made from existing projects and estimates of returns from recommended projects; repayment schedules for water, irrigation, industrial, and other uses; power rates and recommendations for the marketing thereof in such manner as to encourage its most widespread use at the lowest possible rates consistent with the return of capital investment and interest thereon; and

(5) offer in its plan or plans proposals for the construction and operation of the projects contained therein, and designate the functions and activities of the various Federal departments and agencies in connection therewith consistent with existing law, except that no such plan or plans shall include final project designs and estimates.

SEC. 208. In the formulation of its plan or plans and in the preparation of its report to the President, the Commission shall comply with the following directives:

(1) The report shall contain the basic comprehensive plan for the development of the water and land resources of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) formulated by the Commission in accordance with the provisions of, and to accomplish the purposes of, this title.

(2) The Commission and the participating Federal departments and agencies shall comply substantially with the intent, purposes, and procedure set forth in the first section of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control and other purposes," approved December 22, 1944 (58 Stat. 887).

SEC. 209. (a) The Commission is authorized and directed to prepare a final report, within the time provided for in this section, for submission to the President. Before the Commission takes final action on the approval of such report for submission to the President, it shall transmit a copy of such report to each department, agency, and to the Governor of the State of Texas referred to in subsection (b) of section 203 of this title. Within 90 days from the date of receipt by each such department and agency, and by the Governor of the State of Texas of such proposed report, the written views, comments, and recommendations of such department, agency, and Governor shall be submitted to the Commission. The Commission may adopt in its report to the President any views, comments, and recommendations so submitted and change its report accordingly. The Commission shall transmit to the President, with its final report, the submitted views, comments, and recommendations of each such department and agency, and of the Governor of the State of Texas whether or not adopted by such Commission.

(b) The President shall, within 90 days after the receipt by him of the final report of the Commission, transmit it to Congress with his views, comments, and recommendations.

(c) The final report of the Commission and its attachments shall be printed as a House or Senate document.

SEC. 210. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this title.

Mr. JOHNSON of Texas. Mr. President, I submit the amendment because I am informed that it is unlikely that the House Committee on Public Works will hold another meeting at this session.

This amendment has already been passed unanimously, as a bill, by the Senate; and we are very anxious to have the amendment effective immediately. In view of the fact that the House Committee on Public Works will not likely meet again at this session, I am proposing the addition of this language as an amendment to this House bill, in the hope that the House will concur in the Senate amendment, and then will send the bill directly to the President.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the Cordell Hull Dam and Reservoir, and to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Neuces, and San Jacinto River Basins, and intervening areas."

SURVEY OF PARISH LINE CANAL, LA.

The bill (H. R. 13342) to provide for a survey of Parish Line Canal, La., was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 13580) to increase the public debt limit was announced as next in order.

Mr. CLARK. Over, as not calendar business.

The PRESIDING OFFICER. The bill will be passed over.

INCORPORATION OF BLINDED VETERANS' ASSOCIATION

The bill (H. R. 13518) to incorporate the Blinded Veterans' Association was considered, ordered to a third reading, read the third time, and passed.

COMMISSION AND ADVISORY COMMITTEE ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

The Senate proceeded to consider the bill (H. R. 4642) to establish a Commission and Advisory Committee on International Rules of Judicial Procedure, which had been reported from the Committee on the Judiciary, with an amendment, on page 6, line 15, after the word "amounts", to insert "not to exceed a total of $75,000."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

DAVID FORBES

The bill (S. 1885) for the relief of David Forbes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, David Forbes shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

DR. BRANT BONNER

The bill (S. 2469) for the relief of Dr. Brant Bonner was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Dr. Brant Bonner, who lost United States citizenship under the provisions of section 404 (b) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Dr. Brant Bonner shall have the same citizenship status as that which existed immediately prior to its loss.

ERMINIO NEGLIA

The bill (S. 3338) for the relief of Erminio Neglia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Erminio Neglia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

BENEDICT EREMENKO AND VICTOR TATARNIKOV

The bill (S. 3523) for the relief of Benedict Eremenko and Victor Tatarnikov was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Benedict Eremenko (Ben Zuke) and Victor Tatarnikov (Victor Kalin) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

Mr. CLARK subsequently said: Mr. President, may we return to Calendar No. 2461, Senate bill 3523? The title of the bill, as I understood it from its reading by the clerk, is not in accord with the title of the bill, as it appears on the Calendar, namely, "A bill for the relief of Benedict Eremenko and Victor Tatarnikov." I understood the clerk to read quite a different name, although I understand the difficulties of pronunciation.

The PRESIDING OFFICER. The bill will be read again by title.

The LEGISLATIVE CLERK. A bill (S. 3523) for the relief of Benedict Eremenko (Ben Zuke) and Victor Tatarnikov (Victor Kalin).

Mr. CLARK. Mr. President, I thank my friend for his accuracy.

BILL PASSED OVER

The bill (S. 4109) for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer, was announced as next in order.

Mr. MORTON. Over.

The PRESIDING OFFICER. The bill will be passed over.

JOHANN KALATSCHAN

The Senate proceeded to consider the bill (S. 449) for the relief of Johann Kalatschan, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after the word "act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Johann Kalatschan may, if he is found to be otherwise admissible under the provision of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Johann Kalatschan in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STASYS SEREIKA

The Senate proceeded to consider the bill (S. 951) for the relief of Stasys Sereika, which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 6, after the word "act", to insert "be issued a visa and", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Stasys Sereika may, if he is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Stasys Sereika in the same manner and subject to the same conditions as bonds or undertakings given under

section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIE INETTE KONOMOS

The Senate proceeded to consider the bill (S. 3503) for the relief of Marie Inette Konomos, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the words "United States", to insert a colon and "*Provided*, That no natural parent of the beneficiary, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Marie Inette Konomos, shall be held and considered to be the natural-born alien child of John S. Konomos and Wilma I. Konomos, citizens of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN B. MUELLER

The Senate proceeded to consider the bill (S. 3565) for the relief of Ellen B. Mueller, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ellen B. Mueller shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PLACED AT FOOT OF THE CALENDAR

The bill (S. 4169) to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization was announced as next in order.

Mr. BUSH. Mr. President, may we have a brief explanation of the bill?

Mr. CLARK. Mr. President, I ask my colleague whether we may have the bill go to the foot of the calendar, until I can obtain a copy of the report on the bill.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

MARIA LORENZ

The Senate proceeded to consider the bill (S. 448) for the relief of Maria Lorenz, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Maria Lorenz may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States, Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Maria Lorenz in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER MENZER

The Senate proceeded to consider the bill (S. 453) for the relief of Peter Menzer, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc, That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Peter Menzer may, if he is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Peter Menzer in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ETHEL AUTH

The Senate proceeded to consider the bill (S. 1944) for the relief of Ethel Auth, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the word "act", to insert "be issued a visa and", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Ethel Auth may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Ethel Auth in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAKOB LIBLANG, JR.

The Senate proceeded to consider the bill (S. 1945) for the relief of Jakob Liblang, Jr., which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the words "United States", to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Jakob Liblang, Jr., may, if he is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Jakob Liblang, Jr., in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTIN ALBERT

The Senate proceeded to consider the bill (S. 2186) for the relief of Martin Albert, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "Act", to insert "be issued a visa and", and at the beginning of line 10, to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Martin Albert may, if he is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Martin Albert in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MERCEDE SVALDI

The Senate proceeded to consider the bill (S. 4032) for the relief of Mercede Svaldi, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the numeral "(1)", to strike out "and 212 (a) (7)", and in line 10, after the word "That", to strike out "these exemptions" and insert "this exemption", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (1) of the Immigration and Nationality Act, Mercede Svaldi, may be issued a visa and admitted to the United States if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NUNIK FIRJANIAN AND FLORENCE THOMASI

The bill (H. R. 3904) for the relief of Nunik Firjanian and Florence Thomasi was considered, ordered to a third reading, read the third time, and passed.

SERVICE FROM CENTRAL VALLEY PROJECT, CALIFORNIA

The joint resolution (H. J. Res. 585) authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California, was considered, ordered to a third hearing, read the third time, and passed.

The preamble was agreed to.

CONSTRUCTION OF IRRIGATION DISTRIBUTION SYSTEM

The bill (H. R. 9239) to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

INCORPORATION OF MILITARY ORDER OF THE PURPLE HEART

The bill (H. R. 13558) to incorporate the Military Order of the Purple Heart of the United States of America, of combat-wounded veterans who have been awarded the Purple Heart was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1870) to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines was announced as next in order.

Mr. CLARK. Mr. President, I ask that the bill go over, as not being calendar business, although personally I have no objection to the bill.

The PRESIDING OFFICER. The bill will be passed over.

APPLICATION OF TITLE IV OF THE AGRICULTURAL ACT OF 1956 TO HAWAII

The bill (H. R. 8481) to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii was considered, ordered to a third reading, read the third time, and passed.

SALE OF LANDS TO THE STATE OF NORTH CAROLINA

The bill (H. R. 12494) to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes was considered, ordered to a third reading, read the third time, and passed.

VIRGINIA HEIL

The bill (H. R. 6175) for the relief of Virginia Heil was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 12365) for the relief of Suck Pil Ra was announced as next in order.

Mr. CLARK. Mr. President, no committee reports were available on the last three bills on the calendar at the time these matters were brought to the attention of the calendar committee. I therefore ask that they be passed over.

The PRESIDING OFFICER. Without objection, the bills will be passed over.

The bills which were passed over are as follows:

H. R. 12365. An act for the relief of Suck Pil Ra.

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.

H. R. 13606. An act to amend the Federal-Aid Highway Act of 1956, to extend for an additional 2 years the estimate of cost of completing the Interstate System.

AMENDMENT OF FEDERAL-AID HIGHWAY ACT OF 1956

Mr. CLARK. Mr. President, after consultation with my friend across the aisle, the acting minority leader, we have agreed, if it is agreeable to the Chair, to call up Calendar No. 2466, H. R. 13606.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 13606) to amend the Federal-Aid Highway Act of 1956, to extend for an additional 2 years the estimate of cost of completing the Interstate System, which had been reported from the Committee on Public Works, with amendments, on page 1, line 6, after the word "ending," to strike out "June 30, 1960, 1961, and 1962" and insert "June 30, 1960, and June 30, 1961," and after line 7, to insert a new section, as follows:

Sec. 2. That the sixth sentence of section 108 (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 379) is amended to read as follows: "The Secretary of Commerce shall make a revised estimate of cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within 10 days subsequent to January 2, 1961."

The amendments were agreed to.

Mr. HRUSKA. Mr. President, I should like to make a brief explanation of the bill. Time is somewhat of the essence in the passage of the measure. It has already been approved by the House. There is an amendment which has been made by the committee which should be referred back to the House at the earliest opportunity.

Pursuant to section 108 (d) of the Federal-Aid Highway Act of 1956, the Secretary of Commerce submitted to Congress on January 7, 1958, a State-by-State estimate of cost for completing the Interstate System, which was published as House Document No. 300, 85th Congress, for use as a basis for apportionment to the States of funds authorized for such system for the fiscal years 1960, 1961, and 1962.

The Congress approved the estimate of cost as a basis for the apportionment of funds authorized for the Interstate System for fiscal year 1960 by the provisions of section 8 of the Federal-Aid Highway Act of 1958. These apportionments were made to the States by the Secretary of Commerce on July 21, 1958.

The purpose of H. R. 12808, as amended, is to extend approval of the estimate of cost of completing the Interstate System in each State, transmitted to Congress on January 7, 1958, by the Secretary of Commerce, as the basis for making apportionment of the Federal funds authorized for the Interstate System to the States for an additional fiscal year ending June 30, 1961, and for advancing the date for submission of a revised estimate of cost for completing the Interstate System from January 12, 1962, to January 12, 1961.

One of the reasons for asking an extension of the estimate of cost approval to the fiscal year 1961, is to permit the State legislatures which meet next January to make provision for the succeeding biennium, which would not be possible without enactment of the bill under discussion.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to amend the Federal-Aid Highway Acts of 1956 and 1958 by advancing the date for submission of the revised estimate of cost of completing the Interstate System and to extend the approval of such estimate for an additional year."

ACQUISITION OF LANDS FOR RESERVOIR ON THE MISSOURI RIVER

The PRESIDING OFFICER. There are two bills at the foot of the calendar. The clerk will state the first one.

The LEGISLATIVE CLERK. A bill (H. R. 12662) to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 15, after the word "of," to strike out "$3,937,832" and insert "$3,299,513," and on page 5, line 8, after the word "of," to strike out "$8,500,000" and insert "$6,960,000."

The amendments were agreed to.

Mr. MUNDT. Mr. President, I appreciate the opportunity which has been given me by the Senate to get back from an Appropriations Committee conference to say a few words in explanation of the bill and to bring it back on the Senate floor for consideration. I see the chairman of the subcommittee, the Senator from Oregon [Mr. NEUBERGER], is also present now.

This bill is in direct line with the bills which the Senate passed this morning, Calendar No. 2433, H. R. 12670, and Calendar No. 2434, H. R. 12663.

This particular bill, insofar as the Standing Rock Sioux Reservation is concerned, which is in both South Dakota and North Dakota, involves even a little more urgency than the other two bills, by virtue of the fact that a decision of the district court in that area has threatened to hold construction up unless this bill is passed. Construction of the Oahe Dam is subject to being held up by a possible court injunction until and unless Congress provides legislation to compensate the Indian tribes whose land is being taken over and inundated. I hope the Senate will approve the bill, so nothing can develop which will stop construction of the dam.

On August 3, I was in South Dakota for the closure ceremonies on the Oahe Dam. The waters of the great Missouri River are backing up on this Indian land as we consider the matter here. The time for favorable action is now. I hope the Senate will now approve this bill.

Mr. NEUBERGER. Mr. President, I wish to concur in what has been stated by the Senator from South Dakota. We held prolonged hearings on the bill as it came from the House. As a result of the hearings, and as a result of the presentations by the Congressional delegation from South Dakota, the two Senators from South Dakota [Mr. MUNDT and Mr. CASE] and Representative BERRY, who comes from the District in which the reservation is located, the amounts of the indemnity were scaled down from the sum passed by the House to conform with the recommendation made by the Bureau of Indian Affairs and the Corps of Army Engineers. If I am not mistaken, both Senators from South Dakota and Representative BERRY concurred in the changes made in the bill.

I recommend strongly that the bill in its present form be passed.

Mr. MUNDT. I wish to say we concurred in the changes, and concurred only after consulting with the tribe involved and with their legal counsel. This is a satisfactory formula for the parties immediately concerned.

Mr. NEUBERGER. I appreciate the Senator's correction. We did prolong our hearings and reporting the bill in final form until both Senators from South Dakota [Mr. MUNDT and Mr. CASE] and Representative BERRY could confer with the Indian tribe and with the legal representatives of the tribe, and then they concurred in the amount recommended by the Department of the Interior and the Corps of Army Engineers. I believe the bill in its present form should be passed.

Mr. HRUSKA. Mr. President, I wish to say I asked for an explanation of the bill by request. I have no personal objection to the bill. I agree with the statements made that the bill is of great merit. I think a fine legislative history has been developed for the RECORD by the Senator from South Dakota and the Senator from Oregon.

Mr. NEUBERGER. I think the RECORD should show that both Senators from South Dakota [Mr. MUNDT and Mr. CASE] were very fair in meeting the suggestions of the Senator from New Mexico [Mr. ANDERSON] and myself.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendments to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PARTICIPATION IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

The PRESIDING OFFICER. The clerk will state the next bill which was passed to the foot of the calendar, which was Calendar No. 2467, S. 4169.

The LEGISLATIVE CLERK. A bill (S. 4169) to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 2, after the word "membership", to insert "The total dues to be paid for the membership of the United States shall not exceed $25,000 per annum.", so as to make the bill read:

Be it enacted, etc., That the act of June 10, 1938 (ch. 335, 52 Stat. 640 (22 U. S. C. 263a)) is amended to read as follows: "That the Attorney General is authorized to accept and maintain, on behalf of the United States, membership in the International Criminal Police Organization, and to designate any departments and agencies which may participate in the United States representation with that organization. Each participating department and agency is authorized to pay its pro rata share, as determined by the Attorney General, of the expenses of such membership. The total dues to be paid for the membership of the United States shall not exceed $25,000 per annum."

The amendment was agreed to.

Mr. CLARK. Mr. President, I am happy to give a brief explanation of the bill, as requested by the Senator from Connecticut.

Its purpose is to permit the United States to rejoin the International Criminal Police Organization so as to raise the amount of expenses which may be incurred by reason of United States membership in that organization to a sum not to exceed $25,000 per annum. The bill also permits the Attorney General of the United States to designate any departments and agencies which may participate in the United States representation with that organization.

In 1938, the Congress authorized the United States to become a member of the International Criminal Police Organization, but our country has not held membership in it since 1950. The Department of the Treasury now has asked for this legislation, believing it would be in the interest of the United States to rejoin.

The organization maintains a secretariat in Paris which is staffed with experts in various fields of law enforcement. These experts furnish member police agencies with studies, reports, and intelligence on the activities of various individuals and groups who are engaged in international criminal operations.

The Department of the Treasury desires to reactivate membership in Interpol by reason of the responsibility of that Department relating to the suppression of narcotic traffic, counterfeiting, and smuggling. It would be of assistance to it to have the United States rejoin.

In a memorandum by the Department in support of the bill it is stated:

> The excellent result of the work of our agents overseas is far out of proportion to their number, and is in great part attributable to the splendid cooperation rendered by Interpol and its member police agencies.

The sum of $25,000 was fixed with the thought in mind of providing a ceiling somewhat above the present need, so that it would not be necessary for the Department to come back to Congress at a later date for what would be a relatively small amount.

Mr. BUSH. I thank the Senator for that explanation. I have no objection.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 4169) was ordered to be engrossed for a third reading, read the third time, and passed.

THE MIDDLE EAST PROBLEM

Mr. WATKINS. Mr. President, for the past several weeks the spotlight of world attention has been focused on President Eisenhower and his efforts in Lebanon and in the United Nations Assembly to bring the world back from a serious threat of war in the Middle East.

The Middle East tinderbox still smolders, and we are not out of the woods yet, by any means.

But all of us can be proud of the performance of our President and his brilliant, inspirational program for peace advanced in the U. N. Assembly. That speech engendered a favorable reaction throughout the world for its moderate and practical approach to a peaceful solution in the Middle East and to a better understanding everywhere of our peaceful aims and aspirations. Editorial comment throughout the Nation and in many parts of the world has been most favorable, and I am pleased that the members of this body joined in the chorus of praise and approbation on a high, bipartisan level.

Unfortunately, though, an inspirational speech, however brilliant, is not sufficient when the world teeters on the brink of nuclear disaster.

Words must be followed by deeds.

Statesmen here and in other capitals of the world and in the U. N. must work out a program to meet the President's prescription. Now comes the period of testing to see whether the executive branch, the Congress, the United Nations organization—in fact, all the governments of the world sincerely interested in world peace—are willing to respond in deeds comparable to the words which the President uttered and worthy of the hopes they inspired throughout the world.

But unless there begins to be evidenced some concrete performance to make those hopes materialize, the world reaction evoked by the President's constructive performance at the U. N. can turn to more gloom and despair. Such a loss in mementum and morale must be avoided.

Let us dedicate ourselves to active support of what may well be one of the last great efforts to prevent a suicidal world war which has been threatening in the Middle East for many years.

Some may have difficulty in seeing the connection between the President's U. N. speech and the appropriations bill which we are debating here today. But it is there. Today the world spotlight on this mid-1958 movement for peace is divided between the U. N. session in New York and this session here in Washington. Yes, Mr. President, we are on the spot today, and our actions on this bill will be noted in the U. N. and in every capital in the world.

In the U. N. they debate the means of implementing the President's talk with collective action.

Here, we shall be considering the appropriation of funds for the President to engage in active works of peace and freedom in the Middle East and in other parts of the world where free nations are similarly threatened by Communist subversion and by direct and indirect aggression. These are the sinews, the tools with which we can oppose Communist imperialism and work for peace in the Middle East and elsewhere in this troubled world.

We have applauded the President in his pledge to assist in a peaceful solution to the problems of the Middle East. Now, let us back up that approval with action to give him the tools, the means with which to pursue his program in the Middle East and elsewhere.

I know that the mutual security program has come in for considerable criticism throughout the country—much of it, I might add, by people who did not truly understand its aims and objectives. But there also has been justifiable criticism and that criticism has resulted in improvements that all of us can applaud. I have criticized certain features of the program and I retain the prerogative of continuing to scrutinize the program and make constructive suggestions.

But today is not the time to split hairs and pick at gnats.

This Nation is committed before the world to assist in an economic development program in the Middle East. Some have estimated that the United States share of this program may amount to $100 million. No official estimate has been given, but it most assuredly will cost millions, and those millions will have to come from mutual security funds.

These millions required for a constructive, peaceful program, I might add, will be exceedingly, infinitesimally less than the costs of a war in that area—even a small, well-contained nonnuclear war.

Several years have elapsed since we had a threat to world peace in Korea. Had we been able to avert the outbreak of war there, as an example, we would have been saved total expenditures estimated to range up to a maximum of $79 billion and the tragic American casualty list of 103,284 wounded and 33,629 killed in action. Losses of this kind in efforts to preserve liberty and justice in the world make even many years of mutual aid expenditures pale into insignificance. In addition, we must consider that a large part of our mutual security expenditures are still required for Korea, and only an armed truce exists today on that ill-fated peninsula.

Under the circumstances, I believe that it is incumbent upon the Congress to grant the President the full amount he requested for this program.

Let us make our vote on this measure an expression of confidence in the President for all the world to see and heed.

Let us give him the means, the tools with which to wage this country's dedicated crusade for world peace.

We can continue to scrutinize and improve the mutual security program, and to help the President in his continuing efforts to avoid duplication and waste in these world-wide programs of mutual assistance.

But let us present a strong front on this first Congressional test of support for the President and by a big vote give the money the President requests so that he can make a strong beginning in the new Middle East program and carry out our pledges and commitments in threatened parts of the world.

I have every confidence that if we give the President solid backing in the program he has announced for the Middle East, that the path will be opened to peaceful solutions and reduced tensions not only in that trouble-ridden, intercontinental crossroads, but also in other parts of the world where the grave threat of nuclear war still hangs over the heads of all of us.

Mr. President, the press of the United States, so far as I can learn, is overwhelmingly supporting the President's overall proposals for a peaceful solution of the troubles in the Mid-East. However, in connection with his program, the point is made that he did not say anything about what most people consider another of the Mid-East problems; to wit, the controversy between Israel and the Arab States.

It is increasingly evident that the United Nations will have to deal with this problem before it can get Arab acceptance of the economic development proposed by the President. This has been my contention for a long time, as

my speeches over the years will show. I ask unanimous consent to have printed in the RECORD at this point newspaper editorials and articles bearing on this subject.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune of August 14, 1958]

UNITED STATES PLAN TO LAUNCH GREAT NEW ARAB ERA

President Eisenhower's appearance and speech before the United Nations General Assembly Wednesday was not as dramatic, nor as headline-catching, as his previous appearance nearly 5 years ago when he made his atoms for peace proposal.

In some respects, however, his presentation Wednesday had greater significance and offered potentially a more positive proposal for peace.

In his address Mr. Eisenhower spelled out certain American policies and attitudes which need the focus of global attention and understanding provided by the United Nations forum.

First, the President said the United States is not going to submit to what might be called ballistic blackmail. It is not going to accept the apparent choice between supine surrender and war.

Second, the security of all small nations is jeopardized if it is made an international crime to help a small nation maintain its independence.

Third, aggression, direct or indirect, must be checked before it gathers such momentum as to destroy us all. (The world should have learned that clearly in the consequences of its failure to deal forthrightly with aggressive actions during the 1930's.)

Fourth, the United States does not insist on maintenance of the status quo in the world, but changes should reflect the will of the people and be brought about peacefully.

Fifth, the world's hope of peace and progress is shadowed by the nuclear arms race which drains off our best talents and vast resources, straining the nerves of all our peoples.

Sixth, the idea that 1 power, or group of powers, or 1 ideology will dominate the world is an impossible dream.

These basic principles should appeal to most of the nations of the world. And if they accept them, then the specific proposals presented by the President for dealing with the Middle East crisis become realistic and hopeful.

These proposals are:

United Nations action to assure the independence and integrity of Lebanon.

United Nations action to preserve the peace in Jordan. (It may be significant Mr. Eisenhower did not include maintaining the independence of Jordan in his proposal.)

United Nations monitoring of radio broadcasts to end the fomenting of civil strife from without.

Creation of a standby United Nations peace force.

Establishment of a regional economic development program to help the Arab countries fulfill (their) aspirations.

Arms-limitation arrangements in the area.

These are, the President made clear, package proposals, integral elements of a single concerted effort.

But most significant is the proposal for regional economic development, in which the United States would assist, but which the Arab States would control.

Here is the incentive to the nations and peoples of the Middle East to bury the hates and agitations and tensions which have kept the area in turmoil and instead turn their energies and resources, under the peace-promoting protection of the United Nations, and with the support and help of the United States and other cooperating nations and interests to constructive Arab States development.

"This program," Mr. Eisenhower said, "could mean the emergence of modern Arab states that would bring to this century contributions surpassing those we cannot forget from the past." He referred specifically to past Arab contributions in mathematics, medicine, astronomy, and religion. "We might then," the President said, "in a few years look back to the Lebanon and Jordan crises as the beginning of a great new era of Arab history."

This ought to be an exciting prospect to the Arab peoples and their leaders. It ought to be both a challenge and a promise.

It could indeed mean the beginning of a new era of peace and progress, rather than turmoil and impoverishment, for the Middle East.

Soviet Russia will not like the American proposal, for communism thrives on turmoil and want. But the Arabs have nothing to gain by playing that Russian game. Nor have any of the smaller nations.

They should all welcome these American principles and proposals.

Unfortunately there is no assurance they will.

But the policies and programs presented are good. They should be given thorough and thoughtful United Nations consideration. We can only hope they will also be given approval.

[From the Deseret News of Thursday, August 14, 1958]

WHERE THE MIDEAST CAN GO

President Eisenhower's address to the United Nations yesterday was a bright, penetrating, hopeful light on dark places. It was just such a call to constructive action as the world has badly needed.

By contrast, Andrei Gromyko's weary, repetitious, threadbare indictment of United States imperialism was pathetic. Seldom has the actual bankruptcy of Soviet foreign policy been so nakedly exposed. What a pity that we so seldom expose this bankruptcy by such constructive leadership as the President displayed in the United Nations General Assembly.

The Eisenhower message puts both Mr. Khrushchev and Mr. Nasser squarely on the spot.

If Khrushchev is really concerned about the peace, security, and well-being of the Middle East, he can hardly avoid supporting the President's proposals. If he does not support them, his subversive, strife-creating motives will be clear for all to see.

If Nasser is really concerned about a strong, peaceful, prosperous Arab world, he can hardly avoid supporting the program offered. If he does not, the world will have reason to wonder whether he is more interested in the welfare of the Arabs or in building his own personal empire on the misery and crises of his people.

What President Eisenhower proposed was, with one glaring omission, an overall plan through which the Middle East could achieve unity, self-determination, and a measure of prosperity. Regional economic development, with and through the leadership of the Arabs themselves, is the great hope of that area.

Before that is possible, these other goals outlined by the President must be accomplished:

Security and free choice of governments and alliances must be guaranteed for Lebanon and Jordan.

The vicious propaganda campaign, some examples of which are given in Drew Pearson's column today, must be stopped.

An adequate United Nations armed force must be created to guarantee borders and preserve peace in the Middle East.

But for some reason, Mr. Eisenhower's outline omitted perhaps the most grave problem of all. Surely any permanent, stable program for the Middle East can only come after the Israeli problem is settled and the Arab refugees resettled. This, too, should be a job for U. N. leadership.

Now, are there really valid reasons for hoping that such a program of economic development as Mr. Eisenhower proposes can be put into effect Certainly the potentialities are there. Water is the critical factor. The potentialities of the three great river valleys, the Nile, Tigris-Euphrates, and Jordan, have hardly been scratched so far. Moreover, as the President hinted, the use of radioactive isotopes to locate wells could bring water to uncounted acres of desert.

But most of this has been proposed—and worked for—before. Senator WATKINS proposed an economic development plan after his Mideast trip of 1953. Even before that, in 1950, the U. N. actually voted $30 million to finance studies for irrigating the Sinai Peninsula with Nile River water piped from the Suez Canal, and for developing the entire Jordan River system. Eric Johnston spent 2 years trying to push these ideas. Many other persons, including President Truman, have urged similar plans.

So far, every plan has deadended against the same barriers, Arab-Israeli hatred and—for all the talk of Arab nationalism—inability of the Arab leaders to agree among themselves.

Perhaps now there is more hope. President Nasser is giving stronger leadership than the Middle East has ever had before. Nor has the world ever focused such attention on the area before.

But one fact is certain. If progress is really to be made, the leadership must come from the Arabs themselves. Any program we attempted to push on them would be branded as imperialism. The Arab nations have no lack of dollars; more than $1 billion flows to them every year from oil alone. Economic development is their problem and can only be achieved if they, themselves, want to achieve it.

[From the Salt Lake Tribune of Friday, August 15, 1958]

UNITED STATES PRESS FAVORS IKE'S MIDEAST PLAN

Editorial comment on President Dwight D. Eisenhower's speech Wednesday before the special session of the United Nations General Assembly in New York:

New York Times: An American policy for the Middle East shaped up as President Eisenhower spoke to the United Nations General Assembly yesterday. It was a good, constructive framework which offers the Arab nations what they should be wanting, which stays within the principles of the United Nations Charter, and which safeguards United States interests.

New York Herald Tribune: A good beginning has been made on the road to peace. Let us hope the Assembly pursues it with adequate enabling action.

New York Daily News: This Eisenhower plan for the Middle East, as spelled out to the world, proved to be both bold and comprehensive.

New York Mirror: The second phase of the President's speech, which was really a challenge to Soviet Russia, Red China and their satellites was a clear-cut statement that no one power and no one ideology will dominate the world or make the world conform to its particular point of view.

Eisenhower • • • is asking the United Nations to supply the force. And he is offering, without saying so, to foot the bill largely at the expense of the United States for the maintenance of that force.

Meanwhile, the U. N. is an assemblage of mice eyeing the eagle and the bear.

Boston Herald: President Eisenhower's speech yesterday went beyond greatness, it was history-making. • • • The address has created a great new potential in the world. We must pray that it is realized.

Boston Daily Globe: He offered economic progress, but no approach to final settlements. Great skills will be required to get his program off the ground. Great tact will be needed if the assembly debate is to maintain the high level he has set.

New York Post: It was not a great speech. It left many questions about United States policies unanswered • • • but in presenting a broad outline of possible action to remove the danger of war, President Eisenhower opened many avenues for negotiation and closed none.

Des Moines Register: President Eisenhower's speech • • • marked a striking turn in United States foreign policy: From trying to divide and bottle up Arab nationalism to trying to work with it constructively. • • • He took the initiative from the Soviet Union by presenting a promising program for a path to peace in the Mideast.

Omaha World-Herald: As to Lebanon itself, we think almost all Americans agree with the views expressed, or implied, by President Eisenhower. • • • But when it comes to the President's proposal for an international Mideast development fund, we venture to express a dissent from the chorus of Hosannas which has been coming from new dealers, fair dealers and modern Republicans. • • • The net effect (of the program) would be to produce in the Middle East a new crop of signs reading "Yankee Go Home."

Dallas Morning News: President Eisenhower came only a little closer actually to dealing with what the shooting is all about. Eisenhower, in effect, recognizes that treaty with Russia is a waste of time, declares that force alone in the Lebanon and Jordan areas can protect those little countries against Russia, against Nasser—and against Israel.

And force alone can protect Israel against its Arab foes.

ISRAEL IS AT HEART OF REAL U. N. PROBLEM

(By William R. Frye)

UNITED NATIONS, N. Y.—Against its will, the United Nations General Assembly is being forced by the logic of events to tackle the problem of an Arab-Israel peace.

This is precisely what nearly every delegate, except Abba Eban of Israel, wanted the Assembly to avoid—for fear of becoming so deeply enmeshed in insoluble, emotion-packed issues as to face total failure. Secretary-General Dag Hammarskjold warned the Assembly at the outset to steer clear, and President Eisenhower largely followed this advice.

But the Israel problem apparently cannot be avoided; it lies at the heart of virtually every issue, political or economic, that is raised.

The reason why Jordan is so potentially explosive is that were it to disintegrate or be partitioned, Israel has made clear she would seize the west bank of the Jordan, and thus quite possibly touch off a world war.

The reason why Nasserism is considered dangerous by many who would otherwise sympathize with Arab nationalism is not merely that it is the vehicle of a burgeoning Egyptian empire, but that President Nasser and his supporters frankly acknowledge their purpose to be the encirclement of Israel by a single political and military entity.

THE RING AROUND ISRAEL

Commenting on President Eisenhower's dramatic address to the Assembly this week, one Arab diplomat told an Asian:

"Go tell your American friends this 'You offer us refrigerators and television sets; but we have a dagger at our heart. You cannot stop us from building a ring around Israel.'"

Reluctantly, therefore, delegates are coming to the conclusion that the Arab-Israel problem must be eased or settled before it will be practical to contain the spread of President Nasser's empire.

Israel is lobbying furiously behind the scenes to bring about an Arab-Israel negotiation, through appropriate intermediaries, preferably Mr. Hammarskjold.

Britain is sympathetic with the effort and is trying to help. The United States would have preferred a different kind of approach, but is entirely prepared to go along.

The principal difficulty is that any such effort must be kept entirely below the surface. No Arab diplomat can go home and face his people if he admits he has been negotiating with Israel, directly or indirectly. But the Arabs are willing to talk with the U. N., meaning with Mr. Hammarskjold.

WILL RUSSIANS HELP?

Whether the Russians will cooperate is not yet clear. But some high-ranking Western diplomats predict privately that they will. Secretary of State John Foster Dulles and Soviet Foreign Minister Andrei Gromyko are reported to have begun what has all the earmarks of a Soviet-American negotiation over key issues of the Middle East, including the Arab-Israel problem. And Mr. Gromyko is said to have indicated an interest in a settlement.

Whether these reports are true or not it is impossible to say. But this correspondent has heard them from an experienced Asian diplomat and a Western foreign minister, the latter by no means given to easy optimism.

Mr. Hammarskjold and his key aids are seeking to arrange a subsummit conference of foreign ministers, to consist—if present plans work out—of the United States, Britain, France (De Murville is planning to come to the U. N.), Russia, and Egypt. The ostensible subject would be Lebanon and Jordan; but Israel would be tacitly on the agenda.

THE IMMEDIATE TASK

Meanwhile the immediate task—finding solutions for Lebanon and Jordan—is becoming more complicated by the day.

The minimum Western objective is to fend off Soviet and United Arab Republic pressure for a premature troop withdrawal under conditions which would be humiliating for Washington and London and which could lead to the engulfment of Lebanon and Jordan in the Egyptian Empire.

It is no easy task to fend off this pressure. There is a great deal of latent sentiment in favor of applying it.

President Eisenhower struck a skillful and effective blow against the pressure with his widely acclaimed peace plan, presented in person last week. Even this, however, was not enough wholly to turn the tide.

In the eyes of Washington and London, the logical solution—both for purposes of face-saving and as a practical matter—would be to have the U. N. take over the job of protecting Lebanon and Jordan. The instrument suggested is a United Nations peace force.

But Jordan said last week that it would have nothing to do with a U. N. force. A country cannot be forced to accept U. N. protection if it does not want it. How else to make Jordan a kind of ward to the U. N. is a real stickler.

With Russia and a substantial number of Afro-Asian neutralists pressing the United States and Britain to pull out, and Jordan resisting the only visible machinery for facilitating such a withdrawal, the Assembly faces an impasse from which it will not be easy to escape.

WHAT MIGHT HAPPEN

The temptation in such cases is simply to turn the problem over to Mr. Hammarskjold and let him try to work it out. There is serious talk of doing just that—of saying something to this effect (though, of course, in proper diplomatic language):

"Dag, we are really up a tree. The Americans and British want to get out. If Chehab will go along, you can solve Lebanon by beefing up the U. N. observer team there.

"But what in the world can we do about Jordan? Why don't you take another trip out there, talk to Hussein and Nasser, and try to work out some formula for a 'U. N. presence' which Jordan will accept, Nasser will respect, and Israel will trust. You can have the Eisenhower development agency to use as bait.

"In your spare time, see what you can do about the Arab-Israel problem. Report back to us in a couple of weeks when you have the whole thing ironed out."

The chances of this happening are good enough so that Mr. Hammarskjold already, at least figuratively speaking, has his bags packed.

[From the New York Herald Tribune of August 18, 1958]

UNREST OF 936,000 ARAB REFUGEES IS PEARED NEAR THE EXPLOSIVE POINT

(By Philip S. Cook)

There are many fuses burning in the Near East, all of them dangerous, but the most relentlessly dangerous of all is the smoldering violence hidden among 936,000 Arab refugees in Gaza, Lebanon, Syria, and Jordan.

Ever since these Arabs fled their homes in Palestine 10 years ago there have been sporadic outbursts in the crowded refugee camps. Lebanon clamped down on them last January when it was found that anti-government forces were recruiting terrorists from these jobless wards of the United Nations.

EXPLOSIVES REPORTED

Last Friday, Jordanian police and soldiers raided 3 large U. N. refugee camps outside Amman and reportedly seized 142 persons for questioning. The camps were known to be seething with opposition to King Hussein and it was rumored that arms and explosives had been discovered.

The desperately impoverished Arab refugees are caught firmly in a monstrous deadlock. The problem goes back to 1947 when the General Assembly partitioned Palestine into a Jewish state and an Arab state. When British troops withdrew in May 1948, the Arabs attacked but they were pushed back by a remarkably efficient Israeli army and when an armistice was signed, Israel was left with more territory than originally assigned by the U. N.

Before and during the fighting (it is still argued whether the refugees were forced out by the Jews or urged to flee by Arab radio broadcasts) some 774,000 Palestinian Arabs fled their homes. Natural increases has raised the total to nearly 936,000. More than half live in Jordan, where they make up a third of the population; there are 221,000 in the Gaza Strip, 103,000 in Lebanon, and 93,000 in Syria.

MOST AIDED BY UNITED NATIONS

Most of the refugees receive food rations from the United Nations Relief and Works Agency for Palestine Refugees and 931,000 live in temporary camps maintained by the agency. U. N. R. W. A. was set up in 1949 and is due to expire June 30, 1959. It has been increasingly difficult for the agency to raise funds and it may be impossible to extend its existence.

U. N. R. W. A. has tried not only to keep the refugees alive (it spends about seven cents a day per refugee) but also began work projects and vocational training schemes to help them support themselves in their host countries. All but a few of these

programs have collapsed for lack of funds or because of adamant opposition by the Arab governments which refuse to tolerate anything which hints at resettlement outside Palestine.

HATRED OF ARABS CITED

After years of painful effort by U. N. R. W. A. officials (headed by Henry R. Labouisse until he resigned last May) there appeared to be growing trust of the agency among the refugees and a corresponding awareness that they were being used as political pawns in the Arab cold war against Israel.

The Arab countries, who are united by nothing so much as their hatred of Israel, have refused to negotiate a general peace settlement until the refugees have been repatriated or compensated for lost property. Israel has agreed in principle to compensation but disputes the value of expropriated property and refuses to consider any refugee settlement apart from a general peace settlement.

On Friday, Frank Aiken, minister for external affairs of Ireland, told the General Assembly that the U. N. should take over the $1 billion job of compensating the Arab refugees. He thought it could be done for $1,000 per refugee but he did not say where most of them might be resettled. Most Near East experts agree that the only country in the area with enough potentially arable land to take any sizable number of refugees is Iraq.

LEADERS BLAME EACH OTHER

Without general Arab agreement to the principle of resettlement outside Palestine no Moslem nation in the world would dare consider such a solution. No agreement appears in sight. In 1956, Ralph Galloway, formerly with the U. N. R. W. A. mission in Jordan, declared:

"The Arab states do not want to solve the refugee problem. They want to keep it an open sore, as an affront to the United Nations, and as a weapon against Israel. Arab leaders don't give a damn whether the refugees live or die."

Refugees in Gaza have neither citizenship nor the right to move freely. Lebanon would find it hard to take many because they would upset the delicate balance between Christian and Moselm. Syria opposes all resettlement plans.

UNITED STATES PAYS MOST OF COST

And in all the refugee camps, radios blare forth incitements to violence by Cairo radio. With nothing to do and little to eat, the refugees are constantly reminded of the injustice done them. Even the children, according to Dr. Luther Evans, director general of UNESCO, are being taught inflammatory political views.

Sir Leslie Munro, of New Zealand, told the General Assembly on December 12, 1957, "U. N. R. W. A. is one of the prices • • • that our assembly of nations is paying for its present inability to solve with equity the political problem of the refugees from Palestine." The price now runs to $40 million a year with the United States paying some 70 percent.

[From the Salt Lake Tribune of Friday, August 15, 1958]

GROMYKO'S FILIBUSTER

In contrast to President Eisenhower's imaginative proposals to the United Nations General Assembly, Andrei Gromyko's address was a repetition of the old Soviet propaganda line. The Soviet foreign minister had little to offer except denunciation.

Gromyko, of course, was at a disadvantage. He had to say what he was told by his bosses in the Kremlin. And since they had no advance knowledge of what Mr. Eisenhower was going to propose, Gromyko had to rely on the clichés of his trade, thus contributing nothing to the subject under discussion.

In fact, Gromyko appeared to be filibustering against an attempt by the General Assembly to solve the Middle East's problems.

On the other hand, Mahmoud Fawzi, foreign minister of the United Arab Republic, made a contribution of sorts. His remarks were cryptic, but he spoke of "words of blessing" and said that Mr. Eisenhower's statement "in its own way offered good cheer." In view of the venom and sarcasm of many of Fawzi's speeches, that is almost an endorsement, though we will have to wait further developments to determine just what he meant.

President Eisenhower's speech was widely praised, both in this country and abroad. Critics of administration foreign policy, like Senators MORSE and HUMPHREY, were enthusiastic. France and Britain welcomed the proposals.

But what of the peoples of the Middle East—and of Russia, too—who will have the most to gain from an easing of tensions?

They had a hard time finding out that Mr. Eisenhower spoke, much less learning what he said.

The Soviet Government jammed Voice of America broadcasts of General Assembly proceedings. And Union radio broadcast all the President's address with a 7-minute summary after giving Gromyko's performance top billing.

That is one reason why world misunderstanding abroad World opinion isn't given a fair chance to operate.

But it may be possible to mobilize world opinion if Western leaders are persistent. Good news can eventually penetrate the iron and other curtains.

Mr. Eisenhower has offered "the framework of a plan for peace." Now to exploit his program to its full advantage.

VOCATIONAL REHABILITATION TO CERTAIN VETERANS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 4213) to afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of a disability rated 30 percent or more incurred in or aggravated by active service subsequent to January 31, 1955, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 2 line 5, after the word "of", to strike out "part B," in the same line, after the word "title", to strike out "III," and insert "III of the"; in line 6, after the word "Veterans' ", to strike out "Benefit" and insert "Benefits"; and, in the same line, after the numerals "1957", to strike out "or in cases rated 30 percent or more under part D, title III, Veterans' Benefit Act of 1957,"; so as to make the bill read:

Be it enacted, etc., That so much of the act of December 28, 1950 (Public Law 894, 81st Congress), as amended, as precedes the exception in clause numbered (1) thereof is amended to read as follows: "That service in the active military, naval, or air service of the United States on or after June 27, 1950, shall afford basic entitlement to vocational rehabilitation under Public Law 16, 78th Congress, as amended, needed to overcome the handicap of a disability incurred in or aggravated by such service for which compensation is payable (or would be but for the receipt of retirement pay) under the provisions of title III of the Veterans' Benefits Act of 1957, subject to the applicable provisions, conditions, and limitations of Public Law 16, 78th Congress, as amended, except as follows:

"(1) Vocational rehabilitation based on service as prescribed in this act may be afforded until 9 years after August 20, 1954, or until 9 years after discharge or release from such service, whichever date is the later, and with respect to persons eligible for such vocational rehabilitation by reason of a disability arising from active service subsequent to January 31, 1955, such vocational rehabilitation may be afforded until 9 years after the enactment of this amendment, if later;".

Mr. THURMOND. Mr. President, I move that the committee amendments be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. THURMOND. Mr. President, the purpose of this bill is to restore the employability of disabled peacetime veterans, i. e., persons who entered the military service subsequent to January 31, 1955. This is accomplished by amending Public Law 894, 81st Congress, as amended, so as to provide a program of vocational rehabilitation for these veterans.

To obtain benefits under the bill, a peacetime veteran must be in need of vocational rehabilitation training to overcome the handicap of a physical or mental disability incurred in or aggravated by active military service. The Administrator of Veterans' Affairs would determine whether the disabled veteran does have need of such training and would also prescribe, consistent with the degree of disability, the kind of training necessary to prepare the veteran for employment.

The bill also affects in a minor way the program of vocational rehabilitation already provided for Korean veterans. Presently, all Korean veterans do not have the same length of time within which to complete a program of vocational rehabilitation. This problem is corrected by language in the bill which provides a uniform completion period measured from the veteran's date of discharge or release from service.

BACKGROUND OF BILL

Mr. President, the program provided for disabled peacetime veterans is patterned after similar programs hitherto provided by the Congress for disabled veterans of World War II and of the Korean conflict. The Labor and Public Welfare Committee carefully studied the existing rehabilitation programs and found them to be most worthwhile, both from the standpoint of the Nation and of the individual veteran. Physical handicaps which were once regarded as insurmountable have been overcome by the Nation's disabled veterans who have trained under the programs. Moreover, since rehabilitation work has progressed rapidly during the 16-year history of the programs, even greater benefits can be expected from the rehabilitation program established by this bill.

NEED FOR PROGRAM

Mr. President, clearly there is a need for a vocational rehabilitation training program for disabled peacetime veterans.

Never before in this Nation's history has there been a compulsory draft law during peacetime. Yet today, by virtue of the Universal Military Training and Service Act, individuals must serve in the Armed Forces throughout troubled parts of the world, thereby subjecting themselves to mental and physical hazards which are peculiar to military service and which do not exist in normal civilian employment. The actual occurrence of service-connected disabilities will, of course, be far less during periods of peace, as compared to periods of war or armed conflict. Nonetheless, in the view of the Committee on Labor and Public Welfare, when a peacetime veteran does sustain a service-connected disability which causes a serious employment handicap, he is entitled to be restored as nearly as possible to the employability status he might have attained had the handicap not occurred. The committee, therefore, recommends that rehabilitation training now be recognized as a proper obligation of the Government to veterans who enter the Armed Forces subsequent to January 31, 1955, and who have need of such training to overcome the handicap of a physical or mental disability incurred in or aggravated by active military service.

NUMBER OF PERSONS AFFECTED

Mr. President, through June 30, 1958, there have been approximately 16,500 peacetime veterans declared by the Veterans' Administration to have service-connected disabilities. By the end of fiscal year 1963, the Veterans' Administration estimates there will be an additional 71,500 disabled peacetime veterans.

Mr. President, the bill, S. 4213, has been endorsed by the majority of the principal veterans organizations and has also received favorable recommendations from both the Veterans' Administration and the Bureau of the Budget.

Mr. President, I urge that the bill, S. 4213, as amended, be passed by the Senate.

Mr. POTTER. Mr. President, I commend the distinguished Senator from South Carolina and the Committee on Labor and Public Welfare for reporting the bill. Actually, the bill will provide for taking care of a disparity which has existed with relation to our peacetime veterans, and will extend to them the same vocational rehabilitation benefits which have been accorded to wartime veterans. The bill will extend the time for rehabilitation which can be rendered to our Korean veterans, to make the benefits compatible with benefits received by veterans of World War II.

I commend the distinguished Senator and the committee for reporting the bill to the Senate.

Mr. THURMOND. Mr. President, the distinguished Senator from Michigan is one of our great heroes of World War II, and I greatly appreciate his endorsement of the bill.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of a disability incurred in or aggravated by active service subsequent to January 31, 1955."

COOPERATION WITH THE EUROPEAN ATOMIC ENERGY COMMUNITY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2436, S. 4273.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4273) to provide for cooperation with the European Atomic Energy Community.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 4273) to provide for cooperation with the European Atomic Energy Community, which had been reported from the Joint Committee on Atomic Energy, with amendments.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO THE SENATE BY ROSETTA CODACCI-PISANELLI, PRESIDENT OF THE INTERPARLIAMENTARY UNION

Mr. MONRONEY. Mr. President, one of the most pleasant duties and privileges we have in the Senate is welcoming visiting parliamentarians of the friendly nations of the world. Today it is my great honor to be able to welcome to the Senate a distinguished statesman, who is not only a representative of a very warm and friendly nation, Italy, but also the President of the Interparliamentary Union. He was elected at the London meeting last year and presided with great dignity and great effectiveness at the recent Interparliamentary Union meeting held at Rio de Janeiro. A very warm friend of the United States, he has presided with great fairness and with great effectiveness over the meeting of the representatives of 72 nations in the Interparliamentary Union, in trying to bring together the rival political viewpoints which exist in any international organization. It gives me great pleasure to introduce to my colleagues in the Senate the President of the Interparliamentary Union, Mr. Rosetta Codacci-Pisanelli. [Applause, Senators rising.]

The PRESIDING OFFICER. The Chair wishes to state on behalf of the Senate that it is very happy to greet the distinguished visitor.

EXTENSION OF TITLE VII OF THE PUBLIC HEALTH SERVICE ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar 2304, H. R. 12876.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 12876) to extend title VIII of the Public Health Service Act, relating to health research facilities, for 3 years, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I am informed that the distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Alabama [Mr. HILL], believes that the bill is noncontroversial. He and the distinguished Senator from New Hampshire [Mr. BRIDGES] are very eager to have it passed. I ask that the Senator from Alabama give a brief explanation of the bill.

Mr. HILL. Mr. President, the bill would extend the Health Research Facilities Act, which Congress passed in 1956, and which the distinguished Senator from New Hampshire [Mr. BRIDGES] and the Senator from Alabama introduced. The pending bill was unanimously passed by the House of Representatives, and unanimously reported to the Senate by the Committee on Labor and Public Welfare. It would merely extend the program to help finance the construction of facilities for research in the fields of the killing and crippling diseases such as cancer, heart disease, mental illness, arthritis, rheumatism, diabetes, and many others.

Mr. JOHNSON of Texas. Mr. President, I should like to observe that there is no program the 85th Congress has dealt with which has given me greater pride than the health research program under the leadership of the very able Senator from Alabama. We have tremendously increased the appropriations in the field of health research. I am sure they will bring great dividends in the years to come. I am pleased that the Senator has seen fit to bring up this measure this morning. I hope he will continue in his efforts to obtain increased appropriations for research in the field of dread diseases like polio, heart disease, cancer, and others.

Mr. HILL. I thank the Senator from Texas for what he has said. No one has supported the health research program with greater devotion or with more understanding than the distinguished Senator from Texas. The bill would permit us to continue our battle against crippling and killing diseases like heart disease, cancer, mental illness, arthritis, and others.

Mr. JOHNSON of Texas. I am pleased to observe that we are spending in the neighborhood of $300 million a year on this program, which is several times the amount we spent only a few

years ago. I am sure that money is bound to produce results.

Mr. HILL. With the support of men like the Senator from Texas, the program has been getting results. Unless I am badly mistaken, in the next few years we will see a tremendous breakthrough in the battle we are waging in these fields. I see on the floor the distinguished Senator from Maine [Mrs. SMITH]. No one has worked in behalf of the program with greater dedication and enthusiasm than has the great Senator from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. Mr. President, I am deeply grateful to my able colleague from Alabama for his generous reference to me. I rose to ask that I be associated with the distinguished Majority Leader in his commendation of Senator HILL. It has been my privilege to work with him on the Committee on Appropriations. I know of no one who has been more realistic in approaching the subject of medical research than has the Senator from Alabama. He has had an understanding which few possess, and has made a tremendous contribution toward solution of the general health problems of our people. We are fortunate to have one in our midst who has had the experience possessed by the Senator from Alabama and the courage to continue the fight.

Mr. HILL. I thank the distinguished Senator from Maine.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 12876) was ordered to a third reading, read the third time, and passed.

CITATION OF MAURICE A. HUTCHESON AND OTHERS FOR CONTEMPT OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 2311, Senate Resolution 362.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 362) to cite Maurice A. Hutcheson for contempt of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, on August 8, the Select Committee on Improper Activities in the Labor or Management Field unanimously reported 13 resolutions requesting the Senate to cite for contempt of the Senate 13 witnesses who had appeared before the committee, two of whom had refused to appear after being duly subpenaed.

Members of the Senate will note that there are 13 contempt resolutions on the calendar, asking the Senate to cite certain witnesses for contempt.

I believe it will be hardly necessary to speak about each one, but I shall make a general statement at this time covering all 13 resolutions.

Every Member of the Senate certainly knows, and the country generally knows, that the committee, set up about 18 months ago, was charged with the responsibility of inquiring into these practices and recommending proposed legislation to the Senate in that connection. In the course of that time we have heard probably more than 700 witnesses. I do not have the latest count. In many instances we have been unable to get the cooperation of the witnesses and to obtain the evidence and information which the committee had a right to expect from them.

In some instances, of course, we are dealing with characters who are not really concerned about proper practices and ethics and proper management in labor and industrial relations. We found them to be recalcitrant. We found them to be reluctant. We found them to be obstreperous, and we found them to be using every device they could conceive of to prevent the committee from carrying out the assignment the Senate has given to it.

The first resolution is Calendar No. 2311, Senate Resolution 362, citing Maurice A. Hutcheson for contempt of the Senate. He is the general president of the United Brotherhood of Carpenters and Joiners of America. Mr. Hutcheson appeared before the committee in responce to a subpena. He answered some questions, and others, which were very pertinent to our inquiry, he declined to answer.

He refused to answer on the ground that the committee was not pursuing due process of law and on the ground that the committee lacked jurisdiction to question him along the lines which the committee interrogated him.

The committee was interested in ascertaining how union funds had been spent and whether they had been spent for union purposes, or if certain union funds had been expended for purposes unrelated to the interest and welfare of union members.

Mr. Hutcheson declined to take the fifth amendment, but simply stated that he refused to answer those questions for other reasons. The circumstances and nature of his refusal are completely covered in the report. I assume that Senators who are interested have read the report and have had an opportunity to familiarize themselves with it. I feel it is unnecessary to dwell upon it at length.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MUNDT. I join with the distinguished Senator from Arkansas, the chairman of the Select Committee To Investigate Improper Activities in the Labor or Management Field, in urging the Senate to vote approval of the citations for contempt, not only the first one, concerning Maurice A. Hutcheson, but the whole series of 13.

I think it is only fair to point out that a study of the report on the individual resolutions will disclose different reasons for citing the different individuals for contempt. But in the instant case it seems to me there is no other way in which the Senate can establish its jurisdiction to conduct these investigations except to cite Mr. Hutcheson for contempt, so as to find out in the courts whether we do have jurisdiction to elicit from witnesses the information required, in order that we may conduct an investigation which will lead to appropriate corrective legislation.

I think it is also fair to point out that Mr. Hutcheson in this series of contempt citations finds himself in the company of some rather unsavory characters involved in the investigation in the Chicago area, where we found a lot of crooks and racketeers in the union movement.

This does not mean, however, that they are all involved in the same kind of shenanigans. Mr. Hutcheson was cited because of a refusal to answer questions involving his union and his operations as president. It is in no way an implication that he is any way involved in the Chicago area difficulties, concerning the Restaurant Workers Union. I think the chairman of the committee will confirm that statement.

Mr. McCLELLAN. That is correct. Mr. Hutcheson's activities were unrelated to the Restaurant Workers Union investigation in Chicago. The record so reflects. His citation has been kept separate from the others.

Mr. Hutcheson's position, in effect, is that the committee had no right to inquire into what he did with union funds—whether he expended them for personal reasons or for union purposes.

Mr. MUNDT. Precisely. His position was very analogous to the position taken by Einar Mohn and Frank Brewster, at the time the Committee on Government Operations initiated the entire investigation.

Mr. McCLELLAN. Yes; except that Mr. Hutcheson simply refused to answer on the ground that the committee was not following due process of law. Although we subpenaed him in the proper way, he took the position that we had no right to inquire into his personal affairs.

When asked directly whether he spent union money for personal purposes or for union purposes, or whether he used the money to give to someone to perform personal services for him or for the union, he still refused to answer.

Mr. MUNDT. Precisely. It is important, so as to maintain the authority of the Senate and the whole investigative authority of this body, that these matters be threshed out in court, and that we cite Mr. Hutcheson for contempt, so that we may ascertain, once and for all, whether or not court decisions will uphold the investigative authority of Congress.

My only purpose of stating that the Hutcheson case is unrelated to the Chicago area union activities in the restaurant area is that some newspapermen and some newspaper articles have bunched them together and have made an erroneous implication in connection therewith.

Mr. McCLELLAN. I thank the distinguished Senator from South Dakota for his contribution to the discussion. He sits with the committee daily when we meet, and he has observed, as have all other members of the committee, the difficulty as I have already expressed it, namely, the obstructive tactics which are being used by the underworld elements within the United States to prevent the committee from carrying out its mission.

The next two resolutions on the calendar, Calendar Nos. 2312 and 2313, Senate Resolution 363 and Senate Resolution 364, respectively, relate to the witnesses Ernest Mark High and Peter Licavoli. They failed and refused to appear before the committee after having been subpenaed. They were given every opportunity to appear. They refused to do so for reasons which, as is stated in the report, were wholly unjustified.

The other 10 resolutions deal with witnesses who, as we believe, took the fifth amendment frivolously. They refused even to answer whether they were American citizens, where they were born, their occupations, or their business. They were asked with reference to those inquiries: Do you honestly believe, if you gave a truthful answer to the question as to where you were born; do you honestly believe, if you gave a truthful answer to the question as to whether you are an American citizen; do you honestly believe that if you gave a truthful answer to the question as to what is your business or profession, that such truthful answers might tend to incriminate you? Even to those questions, they again invoked the fifth amendment.

I take the position—and I believe every member of the committee agrees with me in this position—that it was never intended by the Founding Fathers that the fifth amendment should be used as a device to enable one to avoid giving testimony against another. That is what is being resorted to before the committee, even though the testimony of the witness, as it has become clearly apparent to us in many instances, would not in any way incriminate the witness himself. The witness himself has invoked the fifth amendment in order to avoid giving testimony as to matters wholly unrelated to himself and his own activities.

It reminds me of the fellow who was testifying in court. The judge became apprehensive that the witness was not telling the truth. He asked the witness:

> Don't you know the Bible admonition that you must not and should not give false testimony about your neighbor? That you should not bear false witness against him?

The witness replied:

> Your Honor, I am not bearing false witness against him; I am bearing false witness for him.

That is the position in which we find ourselves concerning these witnesses. I do not think the fifth amendment was intended to cover that. I think the court would hold that that is a flagrant abuse of the privileges it grants. If the court does not so hold, I think it will be a reflection upon our Founding Fathers. I do not believe they ever intended the fifth amendment to be a device to enable a witness to avoid giving testimony against another person.

I hope these cases will be adjudicated. If the committee is sustained in its position, the work of the committee will be made much easier. The members of the committee have labored hard and long to get the information which Congress needs so as to present a picture of all the areas in which there should be legislation to bring about a reform in some of the bad practices we know now persist.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MUNDT. I think the legislative history should include also that while it is perfectly conceivable that a proper use of the fifth amendment might be made by a witness concerning the question: Are you a citizen of the United States? provided he has reason to believe that the answer to the question might honestly disclose the fact that he is not a citizen and that he is here illegally; nevertheless, in the instant cases those who took the fifth amendment and refused to answer whether or not they were citizens of the United States, are known to the committee to be citizens of the United States.

I doubt that any judge or court in the United States will hold that as to a man who is a citizen of the United States, it is self-incriminating to proclaim the fact that he is such a citizen.

It should also be established in the legislative history that these were relative and pertinent questions. They were not merely exploratory questions asked by members of the committee on a fishing expedition. The questions went to the meat of the whole matter with which we are dealing, namely, Is there a sort of international underground composed of crooks, gangsters, and racketeers who are moving into the labor movement?

Are there in the labor movement persons who should be deported because they are holding offices and are engaging in corrupt practices and, in the first place, are in this country illegally—not established citizens of the Nation?

So, no court can hold that these questions are not pertinent and relevant, because they go to the whole purpose of the investigation, namely, in what areas is it necessary to write legislation? When, in connection with that matter, witnesses frivolously and capriciously take the fifth amendment, it is time to cite them for contempt, so that the courts of the Nation, from the lowest tribunal to the highest in the land, will be able to protect honest, decent American citizens from the corruption of those aliens who engage in such activities, and who have tried to protect themselves by a capricious use of the fifth amendment.

Mr. GORE. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Arkansas yield to the Senator from Tennessee?

Mr. McCLELLAN. I am very happy to yield to the distinguished Senator from Tennessee.

Mr. GORE. The able Senator from Arkansas will recall that the same Mr. Hutcheson was quite uncooperative when called before the Highway Subcommittee and asked about his activity and that of others in a situation which involves Federal highway funds in the State of Indiana. The grand jury in Indiana has presented an indictment of Mr. Hutcheson and some of the officers of his union. However, Mr. Hutcheson has not been brought to trial.

This has no particular bearing upon the justification for a contempt citation in the present instance; but it is information in the public interest, and I cite it in that light.

Mr. McCLELLAN. I thank the distinguished Senator from Tennessee. I may say to him and to the other Members of the Senate that we refrained from asking Mr. Hutcheson any question relating to the subject matter involved in the indictment. I did not feel that the committee had a right to do so.

But we undertook to trace other funds of the union, and to determine whether they were expended for Mr. Hutcheson's personal benefit or for the personal benefit of someone else, rather than for union affairs; and those are the questions which he refused to answer. In that connection, he did not take the fifth amendment. He was given an opportunity to take the fifth amendment in regard to those questions, but he refused to take the fifth amendment. Instead, he took the position that the committee had no jurisdiction, and that that was not due process of law.

Mr. President, I wish to say that it is unfortunate and tragic that today, in too many areas—certainly I do not mean in all areas—of labor-management relations, we have found the crook, the hoodlum, the racketeer, and even the murderer, dominating and controlling affairs in regard to which only decent, honest men should have such positions of trust and responsibility.

Mr. President, at this time, I have occasion to say that these citations for contempt are incidental. They are to support the power and integrity of the United States Senate and of the Congress of the United States, the highest legislative body in this land and, we believe, the greatest in the world. If the Senate will not back up this committee, after it has labored hard and long, and has encountered resistance of this kind from the underworld elements, then the Senate should disband the committee.

Mr. President, I hope there will not be a dissenting vote on one of these resolutions.

The Senate and the House of Representatives still have responsibility to legislate in this field. We shall never correct the evils which the committee's investigations have revealed except by laws with teeth in them—laws which will protect the innocent working people who, in many instances, feel that they are compelled to belong to unions and pay dues to those unions, in order to be able to work.

Mr. President, at this session of Congress, the Senate has taken some action in that direction. I understand that the House of Representatives will have an opportunity today to take similar action.

Mr. President, again I say that this investigation, within itself, and all the activities and the power of the AFL–CIO federation and its ethical practices committee—all of them—will, in my judgment, be inadequate and, in many instances, ineffective unless there is enacted legislation which will deal with

this corruption and with the evil elements and disreputable characters which today in some areas are in command.

The first five titles of the bill the Senate passed are designed to deal with this very problem.

Mr. President, I shall not proceed further at this time. As I have stated, I hope my remarks will cover each of the other 12 resolutions which will be considered by the Senate following its consideration of Calendar 2311, Senate Resolution 362.

Mr. President, I call for a vote.

The PRESIDING OFFICER (Mr. MORTON in the chair). Without objection, the 13 resolutions, beginning with Calendar——

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I understand the distinguished chairman of the committee, the Senator from Arkansas [Mr. MCCLELLAN], has asked unanimous consent, or plans to ask unanimous consent, to have all these resolutions to cite for contempt considered en bloc. Will the Senator make that request?

Mr. MCCLELLAN. Mr. President, I ask unanimous consent that Calendar No. 2311, Senate Resolution 362, through and including Calendar No. 2323, Senate Resolution 374, be considered en bloc.

I believe, for the information of the Senate, Mr. President, I should at this time have the RECORD show the names of those who are the subjects of the various resolutions.

Beginning with 2311, Senate Resolution 362, the one to be cited is Maurice A. Hutcheson.

Calendar No. 2312, Senate Resolution 363, Ernest Mark High.

Calendar No. 2313, Senate Resolution 364, Peter Licavoli.

Calendar No. 2314, Senate Resolution 365, Jack Cerone.

Calendar No. 2315, Senate Resolution 366, Ross Prio.

Calendar No. 2316, Senate Resolution 367, Joseph DiVarco.

Calendar No. 2317, Senate Resolution 368, Sam Battaglia.

Calendar No. 2318, Senate Resolution 369, Marshal Caifano.

Calendar No. 2319, Senate Resolution 370, Dan Lardino.

Calendar No. 2320, Senate Resolution 371, John Lardino.

Calendar No. 2321, Senate Resolution 372, Joseph Aluppa.

Calendar No. 2322, Senate Resolution 373, Anthony Accardo.

Calendar No. 2323, Senate Resolution 374, Abraham Teitelbaum.

Mr. President, I ask unanimous consent that the resolutions bearing the calendar numbers I have given, and citing for contempt the persons I have named, now be considered en bloc, and voted en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the resolutions will be considered en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, I wish to say for the record that a "yea" vote is a vote to cite for contempt every one of those whose names have been read. Any Senator not wanting to cite them for contempt should vote "nay."

Mr. IVES. Mr. President, in line with what the Senator from South Dakota has said, I want to say every one of the persons named should be cited for contempt, and the vote should be "yea" in each case.

The PRESIDING OFFICER. The question is on agreeing to the resolutions en bloc. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Michigan [Mr. MCNAMARA], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], and the Senator from Georgia [Mr. TALMADGE] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. COOPER], the Senator from Maine [Mr. PAYNE] and the Senator from Minnesota [Mr. THYE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

If present and voting, the Senator from Maine [Mr. PAYNE], the Senator from Kentucky [Mr. COOPER], and the Senator from Minnesota [Mr. THYE] would each vote "yea".

The result was announced—yeas 87, nays 0, as follows:

YEAS—87

Aiken	Gore	McClellan
Allott	Green	Monroney
Anderson	Hayden	Morse
Barrett	Hennings	Morton
Beall	Hickenlooper	Mundt
Bennett	Hill	Murray
Bible	Hoblitzell	Neuberger
Bricker	Hruska	O'Mahoney
Bridges	Humphrey	Pastore
Bush	Ives	Potter
Butler	Jackson	Proxmire
Byrd	Javits	Purtell
Carlson	Jenner	Revercomb
Carroll	Johnson, Tex.	Robertson
Case, N. J.	Johnston, S. C.	Russell
Case, S. Dak.	Jordan	Saltonstall
Chavez	Kefauver	Schoeppel
Church	Kennedy	Smathers
Clark	Kerr	Smith, Maine
Cotton	Knowland	Smith, N. J.
Curtis	Kuchel	Sparkman
Dirksen	Langer	Stennis
Douglas	Lausche	Symington
Dworshak	Long	Thurmond
Eastland	Magnuson	Watkins
Ellender	Malone	Wiley
Ervin	Mansfield	Williams
Fulbright	Martin, Iowa	Yarborough
Goldwater	Martin, Pa.	Young

NAYS—0

NOT VOTING—9

Capehart	Frear	Payne
Cooper	Holland	Talmadge
Flanders	McNamara	Thye

So the resolutions were agreed to, as follows:

S. RES. 362

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Maurice A. Hutcheson to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Maurice A. Hutcheson may be proceeded against in the manner and form provided by law.

S. RES. 363

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United State Senate as to the refusal of Ernest Mark High to appear before the Senate Select Committee on Improper Activities in the Labor or Management Field and to produce certain papers, records, and documents, and to answer questions pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Ernest Mark High may be proceeded against in the manner and form provided by law.

S. RES. 364

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Peter Licavoli to appear before the Senate Select Committee on Improper Activities in the Labor or Management Field and to testify relative to the subject matters under consideration by said committee, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Peter Licavoli may be proceeded against in the manner and form provided by law.

S. RES. 365

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Jack Cerone to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Jack Cerone may be proceeded against in the manner and form provided by law.

S. RES. 366

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Ross Prio to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Ross Prio may be proceeded against in the manner and form provided by law.

S. RES. 367

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Joseph DiVarco to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Joseph DiVarco may be proceeded against in the manner and form provided by law.

S. RES. 368

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Sam Battaglia to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Sam Battaglia may be proceeded against in the manner and form provided by law.

S. RES. 369

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Marshal Caifano to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Marshal Caifano may be proceeded against in the manner and form provided by law.

S. RES. 370

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Dan Lardino to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Dan Lardino may be proceeded against in the manner and form provided by law.

S. RES. 371

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of John Lardino to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said John Lardino may be proceeded against in the manner and form provided by law.

S. RES. 372

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Joseph Aluppa may be proceeded against in the manner and form provided by law.

S. RES. 373

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Anthony Accardo to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Anthony Accardo may be proceeded against in the manner and form provided by law.

S. RES. 374

Resolved, That the President of the Senate certify the report of the Select Committee on Improper Activities in the Labor or Management Field of the United States Senate as to the refusal of Abraham Teitelbaum to answer questions before the Senate Select Committee on Improper Activities in the Labor or Management Field, pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Abraham Teitelbaum may be proceeded against in the manner and form provided by law.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the resolutions were agreed to.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 3051. An act to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes;

S. 3284. An act to improve opportunities for small-business concerns to obtain a fair proportion of Government purchases and contracts, to facilitate procurement of property and services by the Government, and for other purposes;

H. R. 1633. An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen;

H. R. 1829. An act for the relief of the estate of Mrs. Frank C. Gregg;

H. R. 5351. An act for the relief of Harlee M. Hansley;

H. R. 5411. An act to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage, to provide that interstate instrumentalities may secure coverage for policemen and firemen in positions under a retirement system of the instrumentality;

H. R. 5865. An act to amend section 80 of the Hawaiian Organic Act, and for other purposes;

H. R. 6786. An act to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original papers and to make uniform the law relating to the record on review or enforcement of such orders, and for other purposes;

H. R. 7570. An act to amend section 403 of the Social Security Amendments of 1954 to provide social-security coverage for certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7866. An act to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals;

H. R. 8134. An act for the relief of certain employees of the Department of the Air Force, Mobile Air Material Area;

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 8599. An act to amend title II of the Social Security Act so as to provide that the exception from wages made by section 209 (1) of such act shall not be applicable to payments to employees of a State or a political subdivision thereof for periods of absence from work on account of sickness;

H. R. 8606. An act to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress;

H. R. 8688. An act for the relief of Monroe Woolley;

H. R. 8868. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957;

H. R. 9445. An act to amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws, with respect to leases and other dispositions of land;

H. R. 9673. An act to restore retired pay to those retired officers of the Armed Forces dropped from the rolls after December 31, 1954, and before the date of enactment of this act, and for other purposes;

H. R. 9932. An act to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 10419. An act for the relief of North Counties Hydro-Electric Co.;

H. R. 11125. An act to provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla.;

H. R. 11346. An act to amend title II of the Social Security Act to include Massachusetts and Vermont among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage, and to permit individuals who have decided against

such coverage to change their decision within a year after the division of the system;

H. R. 12894. An act to authorize the making, amendment, and modification of contracts to facilitate the national defense;

H. R. 13531. An act to amend the act of June 29, 1938, as amended, to increase the insurance coverage required to be carried by cabs for hire in the District of Columbia for the protection of passengers and others, and for other purposes; and

H. R. 13559. An act to amend the War Orphans' Educational Assistance Act of 1956 to permit the restorative training, or specialized courses of vocational training, for younger persons than those with respect to whom the Administrator may now make such payments, and for other purposes.

APPROVAL OF AGREEMENT BETWEEN THE UNITED STATES AND THE EUROPEAN ATOMIC ENERGY COMMUNITY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2437, Senate Concurrent Resolution 116.

The PRESIDING OFFICER. The concurrent resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A concurrent resolution (S. Con. Res. 116) to approve agreement between the Government of the United States and the European Atomic Energy Community (Euratom) concerning cooperation to advance the peaceful application of atomic energy.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution.

Mr. JAVITS. Mr. President, by leave of the Senate I attended a conference in London which took place on Thursday, Friday, and a part of Saturday, relating to the affairs of NATO, the activities being those of the economic session of the NATO parliamentarians. At a more appropriate moment—I hope today—I shall make a report to the Senate on some of the findings. At this point I wish to emphasize to my colleagues the exceedingly great importance which is ascribed by our colleagues and friends in the NATO alliance, in an economic way, to the approval of the arrangements relating to Euratom.

I emphasize that factor at this time because it is so appropriate to my return. I express my gratification that I have arrived in time to add my voice to the approval of this exceedingly important development for Europe. No one knows better than the Europeans that they must in some way reorient their energy needs away from oil, with respect to which they are entirely dependent on the Middle East. They recognize better than most people the fact that their needs for oil are increasing at the rate of about 3 percent a year. So even if they do have atomic energy for peacetime, they will nevertheless continue—they think until about 1975—to have very material needs for oil, in order that there may not be a major dislocation in the world's economic picture.

Nevertheless, Europe will be put into a much better economic position. I found a real disposition on the part of European countries, through their representatives at the conference, to join with us in a partnership effort for economic aid, about which I shall speak more fully when we discuss appropriations for mutual security.

I certainly wish to congratulate our colleagues, both on the Republican and Democratic sides, who have led in this effort. I feel it is absolutely necessary that these nations be partners with us, not only in a military sense, but in a social and economic sense as well, at a time when that is so important in terms of the entire Free World. I am, therefore, very glad to express, right from the horse's mouth, so to speak, the feeling I found in Europe today, which is a feeling of approval that we are considering the Euratom treaty at this session, even though there had been some doubt about it before.

Mr. PASTORE. Mr. President, the proposed legislation before the Senate this morning comes to us in two parts. The first is Senate Concurrent Resolution 116. After that resolution is disposed of, we will proceed to consider the authorization legislation, which is S. 4273.

The proposed legislation we have before us today pertains to proposed cooperation between the United States and the six nations of the European Atomic Energy Community in a joint program of atomic power development. The proposed program is important both in terms of strengthening the move toward European integration and in terms of fostering an attractive new market for the sale of American atomic power equipment abroad.

The target of the proposed Euratom program is to achieve 1 million kilowatts of nuclear power capacity in Europe by 1963 through the joint efforts of the Euratom countries and the United States. The importance of this program has been dramatically underscored in recent weeks by the situation in the Middle East and the realization on the part of our allies in Europe that some means must be found to relieve European dependence on Middle Eastern oil for power production.

The 6 Euratom nations which include Belgium, France, West Germany, Italy, the Netherlands, and Luxembourg are the same 6 nations which make up the European Coal and Steel Community which originally joined together for economic cooperation under the so-called Schuman plan. In a sense, Euratom is an extension of this European move toward economic integration through providing for cooperation in atomic power development.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GORE. The distinguished junior Senator from Rhode Island, as chairman of the Subcommittee on Cooperation, is rendering a great service in bringing the proposed legislation to the floor of the Senate with the overwhelming endorsement and recommendation of the Joint Committee on Atomic Energy. The able Senator's power of persuasion, discernment, and legal construction has been brought to bear upon this proposed legislation. His colleagues have responded with appreciation. We recognize his great talent and his great good will. The able Senator has just referred to the necessity of providing an alternate source of energy, which will relieve the nations of Western Europe from such very great dependence upon the oil of the Middle East as a source of their industrial and economic energy.

Does not the able Senator believe that the need for the proposed legislation which he now proposes is dramatized by the grasping reach of the Soviets into the Middle East at the present time?

Mr. PASTORE. I certainly do. First of all, I wish to thank the distinguished Senator from Tennessee, who is always so gracious and generous. I wish also to reiterate the sentiments he has expressed. We have no pretense that the proposed legislation will cure the situation, either today or tomorrow. All of us who have dealt in this field realize that the day must come and will come when there will be a substitute power for the conventional fossil fuels. We are looking to the promise of the atom. By application and cooperation—and that is precisely what we are doing here—with our friends and allies in the free part of the world we hope, if we exert and utilize and employ and apply our common talents, we hope to bring about that promise one day, perhaps in our time, but certainly in the time of our children, so that the world will be able to rely upon this power of nature and bring about a higher standard of living for all the people of the world, remove the causes of war and remove pestilence and disease, and find the answer to the very sensitive and delicate situation we have confronting us constantly in the Middle East only because our friends in Western Europe must rely on Mideast oil.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. GORE. Perhaps the able Senator will recall the conference, in a country of Western Europe, which he and the junior Senator from Tennessee attended, at which one of the leaders of the government of that country reminded the American delegation that, while the United States was blessed with comparative abundance of fossil fuels—coal, oil, and gas—his country, on the other hand, must import every ounce of coal, every cubic foot of gas, and every drop of oil. Therefore, Mr. President, Western Europe is in a precarious position, as he pointed out, when the Soviet Union is reaching graspingly, not out of a desire to show affection to the Arabs, in my opinion, but out of a desire to clutch the sources of energy, upon which the economy of Western Europe is largely dependent.

Mr. PASTORE. I agree wholeheartedly with the Senator from Tennessee. Let me add, by way of a last rejoinder to him, that the contest which faces the world today in the field of utilizing to the optimum the peaceful atom, does not lie in whether America will reach competitiveness before Great Britain or France

or Italy or the Netherlands or Sweden, or any other nation of the Free World—that the contest is not between us and our allies—but that the contest is between the Free World and the Iron Curtain world. Unless we come alert and unless we exert all our efforts and unless we do the research and development which is necessary in order to allow the Free World to reach competitiveness before the Kremlin does, I believe in our day we will have lost one of the great opportunities to capture the imagination of the people all over the world. That is the contest. The question is, Do we get there together before the Kremlin does, or do we allow ourselves to divide one another and get into petty contests among ourselves, and to permit ourselves to be diverted from the real objective, which is one of great challenge, to beat the Russians to it?

The proposed legislation which is presently before the Senate for its consideration is in two parts, namely, Concurrent Resolution 116 and Senate bill 4273, and covers the proposed cooperation with the Euratom nations. There have been numerous changes in the legislation as originally proposed by the executive department, including the Atomic Energy Commission and the State Department. However, I am happy to say that through extensive hearings, detailed study, and numerous meetings, formal and informal, we have achieved a result which has met with the unanimous support of the committee and the concurrence of the respective departments.

The proposals sent to the Congress on June 23 by the President break down into three general categories so far as legislative action is concerned. First, an international agreement as incorporated in Senate Concurrent Resolution 116; second, an agreement for cooperation to be signed later, once the necessary legislative authority has been provided under the concurrent resolution; and, third, legislation to enable the United States to carry out its part of the proposed cooperative program as incorporated in S. 4273, which is presently before us.

With regard to the first category, the President has asked for legislative authority, pursuant to section 124 of the Atomic Energy Act of 1954, to enter into an arrangement with the six Euratom nations for cooperation in atomic-power development. This authority is contained in Senate Concurrent Resolution 116, which is, essentially, a brief statement of intent and is the basis for a later agreement for cooperation which will come to Congress under section 123 of the act.

This agreement for cooperation, which will come later, will contain the details of how a cooperative development program between the United States and the Euratom nations will be carried out. This agreement for cooperation is not now before us and will not come before us until the pending proposed legislation is passed.

The third major category which I mentioned is the proposed legislation—as incorporated in S. 4273—which is designed to provide the necessary authorization for United States participation in the proposed cooperative program. The Joint Committee has spent many hours considering the bill and has made substantial changes in it to insure that Congress will have adequate control over the way in which the program will be carried out. The bill also provides certain defined limitations on the financial obligations which the United States will undertake in connection with the proposed cooperative program.

It will be noted on page 2, starting on line 9, of the bill that the committee has provided greater flexibility for the construction of reactors under the program by specifying that 2 of the 6 reactors to be built will not have to be in operation until December 31, 1965, rather than December 31, 1963, as originally proposed for all 6 of the reactors.

This is to take into account the possibility that promising reactor types may be developed in the next several years, which might be desirable to include in the program but which could not meet the December 31, 1963, deadline.

In section 3, starting on line 15—I am now speaking of the bill—it will be noted that the sum of $3 million is provided as an initial authorization for fiscal year 1959 for use in a cooperative program of research and development between the United States and Euratom countries. This $3 million represents what the AEC believes will be necessary in the coming year in terms of research and development. It might be called the first installment of a joint 5-year program of research and development, during which time it is proposed that the United States and Euratom each contribute $50 million.

It should be pointed out that this $3 million is to be matched by a similar amount on the part of Euratom. You will note on page 3, lines 1, 2, and 3, that the American contribution for research and development is contingent upon an equivalent amount being provided by the Euratom Community in carrying out the cooperative program. Additional funds for this cooperative program will be provided on a dollar-for-dollar basis and the executive branch must—in each instance—come to the Congress for specific authorization before such funds are committed. This joint research and development effort is designed to benefit both parties to the agreement in terms of increased knowledge and technical know-how.

Section 4 of the bill, starting on line 4 of page 3, would authorize the Commission, within limits of amounts which may be authorized, to make guarantee contracts for fuel elements, whose aggregate is not to exceed a total contingent liability of $90 million. Such funds would be drawn upon only where fuel elements provided by United States manufacturers do not live up to their guaranteed performance or where defective fuel elements must be replaced by new ones.

I want to make clear that the $90 million acts as a ceiling—not a commitment—and that specific authorization by Congress will be needed in each instance where funds are required to carry out the purposes of this section. In other words, the executive branch must come back to Congress every time additional funds are needed to make good these guaranties and must receive specific authorization before these funds can be used.

One of the major purposes of this guaranty is to make it possible for American manufacturers of fuel elements to take part in the proposed Euratom program. In effect, it will help to stimulate business for American manufacturers to sell their products in the Euratom area. It will also provide an opportunity for small, as well as large, manufacturers to compete for contracts and thereby promote a strong competitive situation.

In this connection, it will be noted that the committee has written into the bill a series of criteria for selection of projects which the Atomic Energic Commission shall be guided by in entering into these guaranteed contracts. As stated in subsection a of section 4, on the top of page 4:

> The Commission shall encourage a strong and competitive atomic-equipment-manufacturing industry in the United States designed to provide diversified sources of supply for reactor parts and reactor-fuel elements under the joint program.

It will be noted also that one of the criteria the committee has inserted in the bill is subparagraph d of section 4, starting on line 18 of page 4, providing that the guaranty by the manufacturer coming in under the Euratom program shall be as favorable as any other guaranty offered by the manufacturer for any comparable fuel element within a reasonable time period. This is to prevent a manufacturer from utilizing the Government guaranty as a means for lowering its own guaranties to the European customer and thereby increasing the Government's liability.

Section 5 of the bill, beginning on page 5 at line 3, authorizes the sale or lease to the Euratom Community of 30,000 kilograms of uranium 235 and 1 kilogram of plutonium for purposes of fueling the power reactors contemplated in the program. This 30,000 kilograms of uranium 235 would be provided over a period of 20 years. The first loading would amount to 9,000 kilograms, which would be sold to the Community on a deferred-payment basis for the first 10 years with charges for interest. Any amounts over the initial loading of 9,000 kilograms would be purchased by the Community for cash.

Title would pass to the Community on such material as it is sold, but the United States would obtain the equivalent of a first lien on such material for which payment is not made in full at the time of the transfer. Of course, our ultimate control would come from our ability to shut off further transfer of fissionable materials to the Euratom countries in the event that they did not live up to their end of the agreement.

Section 6 of the bill, starting on page 5, line 16, authorizes the AEC to purchase or otherwise acquire from the Community special nuclear materials from reactors constructed under the joint program, including up to 4,100 kilograms of plutonium for peaceful purposes. Such

plutonium would be purchased at prevailing domestic prices at the time of delivery to the Commission.

Section 7 provides that the United States shall not be liable for any damages or public liability resulting from the joint program with Euratom, and instructs the Atomic Energy Commission to take the necessary steps—including appropriate disclaimer or indemnity arrangements—in order to carry out this intention. This would protect the United States Government from liability in the case of incidents abroad which occur in reactors for which components have been provided by United States manufacturers and for which the fuel has been provided by the United States Government. In the case of an incident involving a United States manufacturer in this country performing research and development work under the program, the ordinary indemnity provisions of last year's indemnity law for nuclear powerplants would apply.

I believe, Mr. President, that the legislation I have described is desirable, and that it will effectively carry out the purposes of the proposed joint program with Euratom. As I have mentioned earlier, the members of the Joint Committee on Atomic Energy have gone over the proposed legislation carefully and have made many changes in the legislation, which I believe will provide a maximum of Congressional supervision over the program, consistent with the ultimate objective of the President's proposal.

I therefore recommend, Mr. President, that the Concurrent Resolution 116 be agreed to.

I am hopeful that S. 4273, the companion measure, will be called up immediately thereafter, and that it also will receive favorable action.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. I notice a reservation in Senate Concurrent Resolution 116 which reads:

> This resolution does not constitute approval or disapproval of the memorandum of understanding, or any other agreements which have not been formally approved or authorized by the Congress.

Does that reservation have any special significance in terms of making this proposal work?

Mr. PASTORE. No, not in terms of making it work. The reason for it is quite obvious. It was inserted in the resolution because, in making the staff study and in scrutinizing the provisions with the AEC and the State Department, amendments were made to the original proposals. The original proposals were predicated upon a working agreement with a memorandum of understanding. We are not approving or disapproving; we are leaving the matter so that there will not be any question as to the intent of Congress.

Mr. JAVITS. The Senator made his statement as covering Senate Concurrent Resolution 116 and also S. 4273, which I assume will be called up on motion by the majority leader. I think that is all to the good. I agree with the Senator from Rhode Island that the 2 measures should be in 1 package. I therefore desire to ask the Senator a question.

In a very real way, based upon my experiences of the last few days, I think the country should be grateful to my colleagues on this side of the aisle, the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Ohio [Mr. BRICKER], and to my colleagues on the other side of the aisle, the Senator from Rhode Island [Mr. PASTORE] and the Senator from Washington [Mr. JACKSON], who, with the help of the majority leader and the minority leader, have brought this matter before us at this session.

I ask this question: Does the committee feel and does the Senator from Rhode Island [Mr. PASTORE] feel that, with the authorization contained in this measure—which I understand is rather conservative in its approach; I refer to the authorization contained in Senate bill 4273—this effort can be made to move forward in the spirit in which it was conceived by the joint effort of the Europeans and ourselves?

Mr. PASTORE. The answer to the question is in the affirmative; there is no question at all about it. This was a very complex and complicated arrangement. It came to us toward the close of this session. We worked upon it very scrupulously, carefully, ardently, fervently, and enthusiastically. I consider this a fine project, and it has the concurrence of the Atomic Energy Commission and the concurrence of the State Department. Both of them are satisfied with it; and we are more than satisfied with it.

Mr. JAVITS. In the minds of the Europeans, this equates with the sort of thing they have done in the Coal and Steel Community. They think it very significant.

Mr. PASTORE. In a large sense, I think it carries out that objective.

Mr. JAVITS. I thank the Senator very much.

Mr. ANDERSON. Mr. President will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. ANDERSON. In connection with the questions the Senator from New York asked, let me say there is attached to the original agreement a memorandum of understanding which has reference to a loan of $135 million. We did not seek by our action to have any action taken on what the Export-Import Bank must do.

Furthermore, I fully subscribe to the answer given by the Senator from Rhode Island, namely, that this means that the bank can go ahead; and we are very anxious that it do go ahead.

Mr. JAVITS. I thank the Senator from New Mexico.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 116) was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the concurrent resolution was agreed to be reconsidered.

Mr. ANDERSON. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

COOPERATION WITH THE EUROPEAN ATOMIC ENERGY COMMUNITY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2436, Senate bill 4273.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4273) to provide for cooperation with the European Atomic Energy Community.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 4273) to provide for cooperation with the European Atomic Energy Community, which had been reported from the Joint Committee on Atomic Energy, with amendments, on page 3, line 8, after the word "make", to strike out "guaranty" and insert "guaranteed"; in line 13, after the word "life", to strike out "guaranties" and insert "guarantees"; in line 23, after the word "for", to strike out "up to" and insert "not more than"; in line 24, after the numeral "2", to strike out "(b)" and insert "(c)"; on page 4, line 1, after the word "such", to strike out "guaranty" and insert "guarantee"; in line 9, after the word "The", where it appears the first time, to strike out "guaranty" and insert "guarantee"; in line 19, after the word "The", where it appears the first time, to strike out "guaranty" and insert "guarantee"; in line 20, after the word "other", to strike out "guaranty" and insert "guarantee"; on page 6, line 12, after the figures "1973", to insert "(or December 31, 1975, for not more than two reactors selected under section 2 (c)"; and on page 7, line 20, after the word "or", to strike out "public" and insert "third party"; so as to make the bill read:

Be it enacted, etc., That this act may be cited as the "Euratom Cooperation Act of 1958."

SEC. 2. As used in this act—

(a) "The community" means the European Atomic Energy Community (Euratom).

(b) The "Commission" means the Atomic Energy Commission, as established by the Atomic Energy Act of 1954, as amended.

(c) "Joint program" means the cooperative program established by the community and the United States and carried out in accordance with the provisions of an agreement for cooperation entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, to bring into operation in the territory of the members of the community powerplants using nuclear reactors of types selected by the Commission and the community, having as a goal a total installed capacity of approximately 1 million kilowatts of electricity by December 31, 1963, except that 2 reactors may be selected to be in operation by December 31, 1965.

(d) All other terms used in this act shall have the same meaning as terms described in section 11 of the Atomic Energy Act of 1954, as amended.

SEC. 3. There is hereby authorized to be appropriated to the Commission, in accordance with the provisions of section 261 (a) (2) of the Atomic Energy Act of 1954, as amended, the sum of $3 million as an initial authorization for fiscal year 1959 for use in a cooperative program of research and development in connection with the types of reactors selected by the Commission and the community under the joint program. The Commission may enter into contracts for such periods as it deems necessary, but in no event to exceed 5 years, for the purpose of conducting the research and development program authorized by this section: *Provided*, That the community authorizes an equivalent amount for use in the cooperative program of research and development.

SEC. 4. The Commission is authorized, within limits of amounts which may hereafter be authorized to be appropriated in accordance with the provisions of section 261 (a) (2) of the Atomic Energy Act of 1954, as amended, to make guarantee contracts which shall in the aggregate not exceed a total contingent liability of $90 million designed to assure that the charges to an operator of a reactor constructed under the joint program for fabricating, processing, and transporting fuel will be no greater than would result under the fuel fabricating and fuel life guarantees which the Commission shall establish for such reactor. Within the limits of such amounts, the Commission is authorized to make contracts under this section, without regard to the provisions of sections 3679 and 3709 of the Revised Statutes, as amended, for such periods of time as it determines to be necessary: *Provided, however*, That no such contracts may extend for a period longer than that necessary to cover fuel loaded into a reactor constructed under the joint program during the first 10 years of the reactor operation or prior to December 31, 1973 (or December 31, 1975, for not more than 2 reactors selected under section 2 (c)), whichever is earlier. In establishing criteria for the selection of projects and in entering into such guarantee contracts, the Commission shall be guided by, but not limited to, the following principles:

(a) The Commission shall encourage a strong and competitive atomic equipment manufacturing industry in the United States designed to provide diversified sources of supply for reactor parts and reactor fuel elements under the joint program;

(b) The guarantee shall be consistent with the provisions of this act and of attachment A to the memorandum of understanding between the Government of the United States and the community, signed in Brussels on May 29, 1958, and in Washington, D. C., on June 12, 1958, and transmitted to Congress on June 23, 1958;

(c) The Commission shall establish and publish minimum levels of fuel element cost and life to be guaranteed by the manufacturer as a basis for inviting and evaluating proposals.

(d) The guarantee by the manufacturer shall be as favorable as any other guarantee offered by the manufacturer for any comparable fuel element within a reasonable time period; and

(e) The Commission shall obtain a royalty-free, nonexclusive, irrevocable license for governmental purposes to any patents on inventions or discoveries made or conceived by the manufacturer in the course of development or fabrication of fuel elements during the period covered by the Commission's guaranty.

SEC. 5. Pursuant to the provisions of section 54 of the Atomic Energy Act of 1954, as amended, there is hereby authorized for sale or lease to the community:

Thirty thousand kilograms of contained uranium 235

One kilogram of plutonium

in accordance with the provisions of an agreement for cooperation between the Government of the United States and the community entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided*, That the Government of the United States obtains the equivalent of a first lien on any such material sold to the community for which payment is not made in full at the time of transfer.

SEC. 6. (a) The Atomic Energy Commission is authorized to purchase or otherwise acquire from the community special nuclear material or any interest therein from reactors constructed under the joint program in accordance with the terms of an agreement for cooperation entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided*, That neither plutonium nor uranium 233 nor any interest therein shall be acquired under this section in excess of the total quantities authorized by law. The Commission is hereby authorized to acquire from the community pursuant to this section up to 4,100 kilograms of plutonium for use only for peaceful purposes.

(b) Any contract made under the provisions of this section to acquire plutonium or any interest therein may be at such prices and for such period of time as the Commission may deem necessary: *Provided*, That with respect to plutonium produced in any reactor constructed under the joint program, no such contract shall be for a period greater than 10 years of operation of such reactors or December 31, 1973 (or December 31, 1975, for not more than two reactors selected under section 2 (c), whichever is earlier: *And provided further*, That no such contract shall provide for compensation or the payment of a purchase price in excess of the Commission's established price in effect at the time of delivery to the Commission for such material as fuel in a nuclear reactor.

(c) Any contract made under the provisions of this section to acquire uranium enriched in the isotope uranium 235 may be at such price and for such period of time as the Commission may deem necessary: *Provided*, That no such contract shall be for a period of time extending beyond the terminal date of the agreement for cooperation with the community or provide for the acquisition of uranium enriched in the isotope U-235 in excess of the quantities of such material that have been distributed to the community by the Commission less the quantity consumed in the nuclear reactors involved in the joint program: *And provided further*, That no such contract shall provide for compensation or the payment of a purchase price in excess of the Atomic Energy Commission's established charges for such material in effect at the time delivery is made to the Commission.

(d) Any contract made under this section for the purchase of special nuclear material or any interest therein may be made without regard to the provisions of section 3679 of the Revised Statutes, as amended.

(e) Any contract made under this section may be made without regard to section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable.

SEC. 7. The Government of the United States of America shall not be liable for any damages or third party liability arising out of or resulting from the joint program: *Provided, however*, That nothing in this section shall deprive any person of any rights under section 170 of the Atomic Energy Act of 1954, as amended. The Government of the United States shall take such steps as may be necessary, including appropriate disclaimer or indemnity arrangements, in order to carry out the provisions of this section.

Mr. PASTORE. Mr. President, this bill is a companion measure to Calendar No. 2437, Senate Concurrent Resolution 116, to which the Senate agreed only a moment ago. In connection with consideration of the concurrent resolution, I have already explained this bill. It carries out the first phase of the program reported by the joint committee.

At this time I shall be glad to yield to the Senator from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. I should be glad to speak a little later.

Mr. ANDERSON. Mr. President——

Mr. PASTORE. I yield now to the Senator from New Mexico.

Mr. ANDERSON. I am glad to join the Senator from Rhode Island in the position he has taken in regard to the bill, and my other colleagues on the Joint Committee on Atomic Energy, just as a few minutes ago I was also glad to join the Senator from Rhode Island in the position he took on Senate Concurrent Resolution 116.

The Joint Committee on Atomic Energy has reviewed this proposed legislation very carefully. The bill which is before the Senate today differs in several respects from what originally was proposed by the Department of State and the Atomic Energy Commission. The difference resulted from the detailed study and analysis made by the joint committee members and staff.

The clean bill before the Senate today differs principally from the originally suggested legislation in that it reserves to the Congress financial commitments on the part of the United States in this partnership program. For example, whereas the Commission is authorized to make guaranteed contracts up to an overall maximum liability of $90 million for the purpose of guaranteeing nuclear fuel fabrication, specific authorization must be obtained from the Congress each and every time such a contract is entered into. Another example is in the field of research and development wherein the United States and Euratom nations join together to advance the art of nuclear-reactor technology to the mutual advantage of all participants. It is anticipated that eventually Euratom will contribute a total of $50 million for this purpose, and the United States an equal amount. S. 4273 authorizes an appropriation of $3 million as an initial authorization for this cooperative program, provided that Euratom authorized an equivalent amount. Additional money for this joint program can only be made available by the United States with specific authorization of the Congress. At the time of such request, the Congress will be able to assure itself that Euratom has been carrying its fair share of the cost.

The Senate on August 15, 1958, appropriated the initial $3 million through acceptance of an amendment by me to the supplemental appropriation bill, which, of course, is contingent upon enactment of this authorization legislation. I am certain that the House conferees will accept that amendment and that the United States will thus be able to join its Euratom friends in this joint program.

Enactment of this legislation will not only assist our friends, but on the basis of the knowledge which will be obtained in the field of research and development will, in the long run, be of great benefit to the United States in the drive for production of electricity by nuclear energy competitive with the cost of conventional fuels.

Mr. President, there are two items to which I wish to refer. One is the question of bail out, which is dealt with on page 472 of the hearings. At the hearing on August 7 I asked Mr. Floberg whether the money could be used to bail out the deal in the case of the Senn project; and Mr. Floberg answered that he had no objection whatsoever to our stating in our committee report that it is our specific understanding that no project on which bids have already been accepted, or no project on which contracts, either contingent or firm, have been entered into, shall be eligible for participation in this program.

I also asked Mr. Floberg whether the money was to be used to bail out the Edison-Volta situation. Again Mr. Floberg answered my question in the negative. In other words, no money provided by the proposed legislation is to be used to bail out any existing proposal; and I believe the Senator from Rhode Island [Mr. PASTORE] took the same position with respect to that question.

Mr. PASTORE. That is precisely right. I asked that question of the witness; it was asked about each project which came before us before the authorization was obtained; and that is covered under section 4.

Mr. ANDERSON. I thank the Senator from Rhode Island.

I merely wished to serve notice that the acceptance of this program does not mean that Congress has committed itself to any kind of bail out of the transaction now under way, but, on the contrary, some of us are absolutely opposed to trying to bail out these transactions through the medium of the Euratom agreement.

I think the Euratom agreement will make a great contribution if it accepts new designs and tries to work toward the development of more economical power.

Finally, the question was asked as to whether this program, if adopted, would be an excuse to slow down the domestic atomic power program which, of course, many of us thought would be too bad. Representative HOLIFIELD asked this question at page 508 of part 2 of the Joint Committee's Euratom hearings:

In your opinion, do you think this Euratom program will in any way detract or preclude a vigorous program here in our domestic program in the United States?

The new AEC Chairman, Mr. McCone, replied as follows:

No; I do not think it would detract from it.

Then Representative HOLIFIELD asked:

It will not be used as a reason for not conducting a vigorous program here?

Mr. McCone replied:

No; I think, if anything, it will stimulate it.

I thought that that answer by the Chairman of the Atomic Energy Commission was a very worthwhile and very hopeful one.

The Joint Committee turned in its report on Calendar No. 2436, Senate bill 4273, and on page 12 of the report the following appears:

The Joint Committee has been assured by the Atomic Energy Commission that support of the Euratom program will in no way provide a basis for lessening of effort in the domestic atomic power program. The committee looks on the Euratom program as part of the broad, long-range program of domestic and foreign atomic power development.

I merely wish to say that the assurances given by Mr. Floberg, on the one hand, and the assurances finally given by Mr. McCone, the Chairman of the Atomic Energy Commission, persuaded me that the matter has been put in extremely good shape, that the interests of the United States are adequately protected, and that, therefore, we can look forward to the enactment of this proposed legislation as a means of stimulating and substantially advancing the development of nuclear power in the six countries of Europe that are component parts of this agreement and this pact.

I hope the measure will be passed without amendment and will go to the House, and in the House will receive satisfactory and speedy treatment; and that the countries of Europe will, by that means, be notified that the United States intends to go ahead with the program in compliance with the procedures specified.

The PRESIDING OFFICER. Is there objection to the consideration of the committee amendments en bloc? The Chair hears none; and, without objection, the committee amendments will be considered en bloc.

The question now is on agreeing to the committee amendments.

The amendments were agreed to en bloc.

Mr. DWORSHAK. Mr. President, again I find myself in disagreement with some of my colleagues on the Joint Committee on Atomic Energy.

I am a realist, so I do not intend at this time to make an extended effort to oppose the taking of favorable action on the bill as reported by the committee.

I should like to commend my colleagues on the Joint Committee for having greatly improved the bill to implement the agreement with the Euratom nations, as the bill originally was submitted by the Atomic Energy Commission.

I believe that the bill, as first proposed, involved many hazards and ambiguities. I wish to commend particularly the Senator from New Mexico [Mr. ANDERSON] for his diligence and his persistence in seeing to it that there would be retained some legislative controls and restrictions, instead of giving carte blanche to the Atomic Energy Commission and to the State Department to carry on with little concern for the wishes of the Congress or the welfare of the American people.

I rise at this time, Mr. President, primarily to turn the coin to the other side, because I believe that it is somewhat inappropriate to consider the pending authorizing legislation at this time. I think it certainly could have gone over until January without any adverse effects, so far as progress to be made by Euratom is concerned. But I believe that this proposal should be considered essentially as a part of our ICA program, because, while I have not analyzed it as carefully and as thoroughly as have the Senator from Rhode Island, the senior Senator from Iowa, and the Senator from New Mexico, I have had prepared a statement indicating that the maximum potential United States financial obligations under this program in 10 years could be $475 million—virtually a half billion dollars.

That is the maximum amount of financial obligations which the United States Government may assume under this program. It has been pointed out that the initial 5 years of the proposed 10-year program involves the subsidizing of 1 million kilowatts of nuclear power by 1963.

I want to read what the potential commitments are for this country:

First. Research and development costs for the first 5 years, $50 million.

Second. Research and development costs for the second 5 years, which is under an optional agreement, $50 million.

Third. Fuel cycle guaranty—fabrication, reprocessing, and so forth—$90 million.

Fourth. Plutonium repurchase, which we are obligated to follow through on, may involve about $50 million.

Of course, in all fairness, I should point out we would receive some plutonium under the program which could be used only for peaceful purposes. However, we recently had a debate in the Senate on the question of whether there is an actual shortage of plutonium for military purposes in this country which would justify the construction of a large plutonium plant at Hanford, Wash. So I think this item of $50 million should be included.

Fifth. Long-term line of credit, $135 million.

Again, this is in the form of a loan; but extensive hearings before the Joint Committee indicated the possibility of a default of all or part of it. It was quite uncertain whether the United States might be justified in providing the entire amount of $135 million, instead of using a coverup in the form of a loan which would be guaranteed by this country. Of course, this credit would mean we would be responsible for most of that amount.

Sixth. Value of nuclear fuel to be made available. Euratom is supposed to pay for it on a deferred payment plan within 25 years, with interest at 4 percent. But the total amount is $100 million.

So if these amounts are totaled, it will be found that the United States will have committed itself to the extent of $475 million, under the Euratom program, for the development of nuclear power.

Mr. President, I emphasize that while there has been great opposition in this country to the development of nuclear power or hydroelectric power by the Government, on the ground that it is extremely sinful and harmful if it bears the label of public power, under Euratom, France, which is one of the six participating nations, has nothing but public power. So it is justifiable, it is contended.

Perhaps somebody can justify the expenditure of millions of dollars—half a billion dollars—of our taxpayers' money to develop public power in Europe. It may be desirable. I do not think it can be justified on the basis of national defense. Evidently public power in this country is one thing, and public power in Europe is entirely different, even when subsidized by our Government.

The Joint Committee on Atomic Energy submitted questionnaires to some of the leading manufacturers of equipment which conceivably might be used in the building of the six nuclear powerplants in Europe. Many of these companies gave adverse reports and questioned whether we might not be participating in a program which might become obsolete within a short time. So the primary reason, it is contended, by supporters of the program, is that the United States would benefit indirectly from the research experience and the benefits to the art which might be developed through the program. Companies which are directly concerned in the possibility of getting some of the business point out we may be agreeing to an archaic or obsolete program which would give little, if any, benefits, so far as research is concerned.

Mr. President, at this point I ask unanimous consent to include in my remarks comments made by about a dozen private companies in Nucleonics for August 1958. The comments are not necessarily adverse, but it is significant that most of them point out the program justifies closer scrutiny, because it is apparent we are encouraging a program which offers little, even indirectly, to the United States, so far as benefits are concerned.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

Allis-Chalmers: "The 1963 target date is 'unrealistic and may not be met'; the arrangement should be tightened up to guarantee full dissemination of information developed in the joint research and development program on fuel; consideration should be given to extending the fuel element guaranty provisions to United States reactors."

Atomics International: "Euratom must not be permitted (if the agreement so implies) to make public disclosure of reactor designs, plans and specifications; commended AEC for listing organic-moderated concept as 'proven,' therefore eligible for the program along with the light-water reactors."

Babcock & Wilcox: "Program should be restricted to light-water reactors; solution of the third-party liability problem is of great importance to American industry."

Du Pont: "Time limit might be extended to 1965 to permit consideration of 'advanced offspring' of light-water reactors, or of sodium and heavy-water reactors."

Foster-Wheeler: "Predicted delays stemming from safety requirements, material standards and third-party liability, though none of these will be serious; called for flexibility and consideration of heavy-water moderation with various coolants."

General Electric: "Hailed AEC plans to permit maximum participation by United States firms in research-development program; light-water reactors only practical types to permit meeting 1963 date, other types should be reserved for later programs; Euratom should be required to spend all of $135 million loan from Export-Import Bank (or equivalent amount) in United States; contracts with United States manufacturers must be signed by 1959 to meet schedule and contracts should be conditioned on solution of third-party liability problem."

General Nuclear Engineering: "Foreign operators might remove fuel charges at first sign of failure to take advantage of guarantees; suggested AEC manufacture fuel elements and guarantee these only, leaving Euratom utilities free to make commercial purchases without AEC guarantees."

Kaiser Engineers: "Gas-cooled, graphite-moderated, enriched concept may be ready within a year."

Westinghouse: "Only light-water reactors eligible in view of 1963 date; deadline can be met if program approved and contracts signed by end of this year; 'nuclear power and Euratom means too much to Europe to risk having any controversy over hazards in the very first venture. * * * We should stick to proven types like light-water reactors'."

Mr. DWORSHAK. Mr. President, I appreciate that representatives of some of the labor organizations in this country and the representatives of many private firms which may profit from the agreement under Euratom have encouraged prompt action in implementing the program, instead of waiting until next January, when we might have a better opportunity to examine all aspects of the agreement. But it seems to me, Mr. President, without being critical of my colleagues on the Joint Committee—because I defer to their collective judgment—we ought to take action on the basis that our eyes are open and that we realize fully the commitments we are assuming at this time. Only on that basis can we justify subsequently, in the next session, and in the years ahead, continuing requests for appropriations, which I am sure will be made.

Adverting to the remarks I made a few minutes ago, that there is a shortage of plutonium in this country, or that we are going to lag behind European countries, and probably also the Soviet countries, in the building of nuclear powerplants in the United States, it seems to me that when we face a deficit of $10 billion or $12 billion this year, Congress will find it extremely difficult to justify the expenditure of many millions of dollars to implement such a program.

I appreciate that only $3 million will be directly appropriated at this time, but we are opening the door, Mr. President, and I question at this particular time, when we have increased our national-defense budget by more than $1 billion in excess of the requests made by the President, and when we are attaching the label of "national defense" to every conceivable program in this country, ostensibly to strengthen and bulwark our national preparedness program, whether we can justify using I O U's to finance this kind of program under the Euratom agreement.

We need to spend American dollars to expedite development of nuclear power at home for both peacetime and military uses. But, Mr. President, it is extremely difficult for me to justify accelerating and encouraging programs in Europe which will make it possible for countries in Europe to excel the United States.

I remind my colleagues that we have, through the AEC program, expended $15 billion for research and for the building of reactor plants and other facilities and operations in this country. Why have we done so? We have done so because we realize in the years ahead the development of atomic energy will play a vital part not only in the peacetime development of the free nations and the nations behind the Iron Curtain, but also that we must be alert at all times to the need for utilizing atomic energy to strengthen our own national defense.

On that basis, Mr. President, I am somewhat reluctant that I cannot give my approval to the proposed legislation which I think will commit us, without any opportunity for reconsideration later, to cooperation with the six countries in Euratom on this extensive program designed, during the next 10 years, to subsidize 15 million kilowatts of nuclear power.

I am hopeful that early in the next session of the Congress it will be possible to give further consideration to some of the other responsibilities which we are to assume under the program.

I have confidence in my colleagues on the Joint Committee on Atomic Energy, because I have seen them in action. I appreciate that the consideration of the proposed legislation today is largely because of the fact that the State Department does not want to delay for 6 months official notice to the Euratom countries that we will give them our support. On this basis, there perhaps is some justification for action today, but I think if the Euratom program is to be successful it would be far more desirable and advisable to defer action until the next session of Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the Washington Atomic Energy Report of August 4, 1958.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

VIEWS OF UNITED STATES INDUSTRY ON THE EURATOM PROGRAM

Joint Committee on Atomic Energy mail poll of American industry, which drew 34 responses, showed that industry view is unanimous that the Euratom program, considered in the broad dimensions of its objectives, will (1) stimulate development in the six

Community countries; (2) give the American reactor industry a boost, and (3) politically, will contribute materially to United States-European relations.

However, opinion diverges on the precise features of the program. Major objections involve (1) limitation of reactors to proven types; (2) fuel element guaranties; (3) patent protection; (4) third party liability; (5) benefits to the domestic industry and power development; (6) construction schedule. A topical summary of the more pertinent views on these points follows:

(1) Reactor limitation: This subject is closely related to the question (6) of the extent to which the program will benefit United States industry and our own power program.

Thomas H. Johnson, Raytheon Manufacturing Co., Waltham, Mass., observed that water reactors offer limited promise and will eventually be outmoded. * * * Emphasis carries risk that Euratom will become entrenched in outmoded technology.

R. M. Casper, Allis-Chalmers Manufacturing Co., Milwaukee, wrote that "way should be left open" to include other types of reactors.

R. C. Roe, Burns & Roe, New York, wrote that water reactors are suitable but to produce competitive power in United States more advanced types must be developed. He lamented that program slights role of consulting engineer. A similar plaint was heard from E. V. Sayles, Commonwealth Associates, Jackson, Mich.

Kenneth Kasschau, Alco Products, Inc., Schenectady, N. Y., observed that benefits will be more indirect than direct. "It is difficult to see." Kasschau wrote, "how systems as inefficient as water reactors will be able to develop low enough fuel costs to offset built-in headwind of the high capital costs in this country."

A. B. Greninger, General Electric Co. general manager at Hanford, warned that "there is danger that we may expect too much return and thus give too prominent a position to the Euratom program in domestic planning for economic power. * * * Euratom does not provide answer to needs of United States power program."

(2) Fuel element guaranty: This feature involves a United States commitment of $90 million to subsidize over a 10-year period the difference between the cost of producing power in American-built Euratom reactors and the conventional cost. AEC Commissioner John Floberg estimated in his Joint Committee on Atomic Energy testimony that the subsidy would actually amount to about half this sum.

W. H. Zinn, General Nuclear Engineering Corp., Dunedin, Fla., a leading exponent of the gas-cooled reactor type, wrote that the fuel element guaranty "substitutes AEC negotiation for competition in developing better elements. * * * It may harm long-term development of power. * * * Resemblance to farm-crop subsidies too real for comfort."

J. R. Stoudt, Gilbert Associates, Reading, Pa., commented that "fuel element guaranty is desirable but should not be overdone as it will destroy incentive for improvement." He predicted that making it work would be a formidable problem. Stoudt likewise questioned need of spending $50 million (another United States commitment) for additional research on highly developed water reactor types.

R. E. Moser, Blaw-Knox Co., Pittsburgh, after observing that fuel cycle costs, and particularly reprocessing, are key to economic nuclear power, said that AEC's recently published information on fuel processing costs did not prove to be a basis for normal business negotiations in connection with the power demonstration program, and presumably would be no more suitable for Euratom projects. Problem, Moser advised, should be approached from actual conditions to be met.

Hood Worthing, E. I. du Pont de Nemours Co., Wilmington, Del., suggested that guaranty should cover exposure of fuel elements in thermal, not electrical, megawatt days "otherwise it may run far longer than intended."

Francis K. McCune, General Electric Co., raised question of whether Government commitment to underwrite commercial warranties would make fuel fabricator and reactor owner unwilling to assume risks to minimize extent of Government liability. He also asked what will be the respective obligations of the Government, the fuel fabricator, and the utility in event of failure, and who will settle disputes over whether manufacturing errors or improper operations caused failures.

Patrick J. Selak, Kaiser Engineers, Oakland, Calif., wrote that British Government is providing form of subsidization relative to fuel warranties in reactor proposals of British firm permitting a significant differential between costs which United States firms cannot offer without assuming appreciable risk.

David B. Sloan, Gibbs & Hill, New York, forecast that additional assistance will be necessary to make power competitive.

Chauncey Starr, Atomics International, suggested to the Joint Committee on Atomic Energy that if similar fuel elements guaranties were provided domestic utility industry, "it is likely they would be encouraged to consider further participation in the development of new reactor concepts." In same vein, letter from Carper of Allis-Chalmers, urged more serious consideration to similar Government assistance for the domestic program.

J. S. Fluor, Fluor Corp., Ltd., Los Angeles, gave as his opinion that the provision for United States reprocessing of fuel from other than domestic sources will in essence subsidize foreign manufacturers.

(3) Patents and R. & D. information: W. E. Kelley, Associated Nucleonics, Inc., Garden City, observed that the information provision "taken literally is requirement that all proprietary developments made by an engineering firm would immediately become public property within the Community and the United States. * * * This is a high price to pay for modest immediate profit that might result from participation in the program since the procedure would reduce the possibility of future profit."

W. H. Colqhoun, Ebasco Services, New York, said the agreement is not clear whether United States contractor would be entitled to any patent rights resulting from the inventions conceived during work related to the supply of the reactor system if AEC should insist on surrender of patent rights on the ground that the fuel-element guaranty represents assistance.

McCune, General Electric, commented that program should deal more explicitly with rights to proprietary data developed by American industry with own funds, and program should be administered to give utmost freedom of normal commercial negotiations with utility customers.

Starr, Atomic International, said information provisions require clarification. In effect, the provisions, he wrote, would turn over all our privately financed as well as Government-financed know-how and technology to European manufacturers who then would be in a preferred position to compete with us in the world market with our own technology.

Charles H. Weaver, Westinghouse Electric Corp., recommended that R. & D. feature should be tied in with fuel cycle in order to assure lower eventual fuel costs to the utility, but with understanding that United States industries are not compelled to divulge their own know-how.

Casper, Allis-Chalmers, questioned whether adequate provision is made to provide American industry with technical information developed in joint R. & D. effort.

Worthing of Du Pont commented that memorandum of understanding seems on this point to commit United States to full and prompt disclosure of results of our work on thermonuclear power which may be contrary to desire.

M. Nielson, of Babcock & Wilcox, New York, declared that American manufacturers should not be required to divulge private know-how. Our R. & D. funds, and Export-Import Banks loan funds should be expended at home, he wrote, emphasizing that it is important that industry participate directly in the R. & D. work and not merely be a recipient of data developed by others.

(4) Third-party liability: Nielson, of Babcock & Wilcox, wrote that solution of third-party liability should be pressed. He pointed out that British industry in sales abroad benefits from some type of Government-indemnity protection.

McCune of General Electric, which figures with Westinghouse to derive the most business from Euratom venture as leading manufacturers of the proven reactor types selected for the program, declared, however, that until the third-party liability question is settled he seriously doubted whether a responsible American firm could make a contract and undertake work unless the contract provided that the manufacturer would not be obligated to make delivery and be made whole for costs involved. The problem, McCune emphasized, is one requiring solution now, not in 1963, the target date for the completion of the five plants embraced in the program, a building schedule that he further observed may not be possible.

(5) Completion schedule: Casper of Allis-Chalmer, and Kelley of Associated Nucleonics both commented that the 1963 date is unrealistic. Nielson of Babcock & Wilcox said it would make it impossible from engineering standpoint to develop something new. Worthing of Du Pont wrote that if skilled manpower is available, date might be relaxed to allow for introduction of other reactor types.

Footnote: It's too late to be asking questions, Joseph V. Santry, Combustion Engineering, Inc., snapped in his reply to Joint Committee on Atomic Energy. The documents, he declared, do not contain exact provisions others would have negotiated but on the whole they were designed and drafted with the best of intentions.

Mr. HICKENLOOPER. Mr. President, I shall not delay the Senate more than a very few minutes on this matter today.

At the outset, I wish to pay my respects and my compliments to the distinguished Senator from Rhode Island [Mr. PASTORE] for his tremendous patience, his great judgment and wisdom in the matter, and his sincere determination to work out legislation which would bring all the various views and counterviews together, which has resulted in the bill which is before us today. The committee had the cooperation of other Members, but it was a successful operation, in my judgment, and one which is more satisfactory, because of the time and effort spent on it.

The Senator from Rhode Island has given a very clear and concise analysis of the proposed legislation.

I did not say anything as to the resolution, because I thought the few remarks I desired to make I could make on the bill. There is some misconception about the bill. I find myself unable to agree with my friend, the senior Senator from Idaho [Mr. DWORSHAK] as to his understanding of some of the figures.

I am quite sure—and if I am incorrect the Senator from Rhode Island can correct me—that the only direct expenditure to be called for under the bill which we know of at the moment, would be the amount of money for research and development as a committed, firm expenditure. As to that expenditure, the other nations in the arrangement in Euratom will put up an equal amount, an equivalent amount. From that standpoint, we should get $2 worth of research for every dollar we put up in cash.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. HICKENLOOPER. I am glad to yield.

Mr. PASTORE. We were given assurance by the members of the Atomic Energy Commission that the money for research and development would be spent in the United States.

Mr. HICKENLOOPER. I thank the Senator. The Senator is correct.

The potential expenditure which is included in the proposed legislation is the $90 million, as a total overall authorization amount to guarantee that the cost of fuel elements will not be over a certain figure to the Euratom group, and that the life of these fuel elements will equal a specified period of time. The total authorization may not be expended. There is little doubt in my mind that some of the money will be spent. It will be necessary to spend some money, I assume as a matter of fact, almost.

I do not necessarily assume—and I think I am objective in this; or I try to be, at least—that all the money will be spent, by any means, because I think that the big bulk of the expenditure might be required if the fuel elements did not live up to the minimum standards of life. I believe the fuel elements will eventually live up to those standards, and that we will not be called upon for delivery on the guaranties on that portion of the matter. There is a great possibility that we will not be called upon for performance on a substantial portion of the authorization.

On the other phases of the cost of the matter, not a dollar of American money is going into bricks and mortar in these plants, and not a dollar is going into capital investment in these plants abroad, except by way of loans through the Export-Import Bank. Those loans are to be repaid. Knowing the integrity of the countries, we know the loans of course will be repaid, barring some unforeseen catastrophe of some sort. These are honorable countries and these are honorable people with whom we are dealing. They are our lifetime friends. The loans will be repaid.

Without speaking further on the matter I merely want to say I endorse the statement made by the Senator from Rhode Island and by the Senator from New Mexico. We have threshed these things out time and again. There is no use in repeating the arguments again today. The arguments have already been well stated, and I think the record is clear.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Wyoming.

Mr. BARRETT. I should like to make certain I have a correct understanding of the proposal to help these European countries develop and build reactors and do research work.

As I understand the statement of the Senator from Rhode Island, all the research work will be carried on in this country, but half the money will be put up by the other participants?

Mr. PASTORE. No; I did not say that. I said we were given assurance that, insofar as the money being advanced by the United States is concerned, in all probability that money will be spent in the United States. There is not a commitment in that respect, but there is a desire to live up to the realism involved. Much of the research is being done in the United States already. These reactors are going to be fabricated in America, for the large part. For that reason, much of the research and development money will have to be spent in the United States.

Mr. BARRETT. So I understand.

Mr. PASTORE. Perhaps even some of the other money will be spent in the United States.

Mr. BARRETT. Will we have the benefit of the research and development work done by the other countries?

Mr. PASTORE. We will. This is strictly a cooperative undertaking.

Mr. BARRETT. The reactors will be built in this country and sold to foreign countries through loans; will they not?

Mr. PASTORE. No. The foreign countries will use their own money to buy the reactors. They will use their own money, and borrow $135 million from the Export-Import Bank. The remainder they will have to raise themselves, by loans or contributions.

Mr. BARRETT. What will our contribution be, other than research work?

Mr. PASTORE. First, we are to match, over a period of 5 years, $50 million on our part and $50 million on their part, for research development. We have already authorized $3 million, and already have conditionally appropriated $3 million.

Under section 4 of the bill we deal with the contingent liability. In some instances manufacturers will not be able to guarantee up to the optimum the cost of the fuel and the performance of the fuel. When it becomes necessary for the Government itself to guarantee the difference, we have authorized negotiations to the extent of $90 million to cover that phase. However, in every instance the executive branch must come back to Congress to have the authorization approved by the Joint Committee and the Congress.

Mr. BARRETT. That brings me to my last question.

The distinguished senior Senator from Iowa was in Wyoming last fall and he very kindly spent a little time visiting the uranium mines in our State. By the way, Wyoming is the second largest producer of uranium in the country today, and we hope in the foreseeable future that it will become the largest producer among the States.

We learned over the past year that there is a great surplus of uranium throughout the world—in Canada, Africa, some places in Europe, and certainly in the United States. Inasmuch as we are financing this program, I wonder if any arrangements have been made for the countries which are obtaining financial help from us under the Euratom program to obtain their uranium from us.

Mr. PASTORE. That is precisely the efficacy of this arrangement. We are now getting into enriched uranium. We are talking about U–235, which is a highly enriched development and refinement of the uranium the Senator is discussing.

These nations will experiment with reactors which will utilize not natural uranium, which they themselves could procure, but enriched uranium, which is manufactured in this country and with respect to which we have great potentialities. So in that respect we are developing an American market in Europe.

Mr. HICKENLOOPER. This is the only country from which they can get it.

Mr. PASTORE. That is correct.

Mr. BARRETT. That was one of the questions I had in mind to ask. I knew about the U–235, but I was under the impression that it could be obtained elsewhere than in the United States.

Mr. PASTORE. England has some potentiality. We do not know about Russia. I think it is fair to say that we have almost a monopoly.

Mr. HICKENLOOPER. Without doubt, Russia can produce U–235. England has the capability at the present time to produce it if she desires, but in small quantities. The practical end result, however, is that this is the only place in the world—unless those countries are going to deal directly with Russia, which they have no disposition to do; and I do not know that Russia has offered at any time to deal with them—where they can get U–235 in the quantities they will need.

Mr. BARRETT. Mr. President, I should like to ask one further question. It seems to me that this is the only outlet for the vast supply of uranium which is being developed in this country and elsewhere throughout the world. If we are to continue the search for uranium and to produce it, we must find some outlet for it. It seems to me that if we can find an economic outlet through these reactors for the production of power——

Mr. HICKENLOOPER. Let me make a suggestion to the Senator from Wyoming. As the Senator from Rhode Island has pointed out, this is a partnership arrangement in which they and we join in research and development. They join in the construction and operation of the plants for power purposes. We have every hope that in this program we shall learn lessons which will enable us to produce more competitive power in this country, eventually from uranium

sources, so the lessons we learn may not only open up that opportunity for the increased use of uranium, but we may discover the answers to some of the power problems we now have, with respect to which we are unable to compete.

Mr. BARRETT. I appreciate very much everything the Senator has said.

Mr. HICKENLOOPER. The other countries are putting up 50 percent of the money for research and development.

Mr. BARRETT. The Senator has not quite answered my question. Does the Senator agree with me that there is hardly any other outlet for uranium through commercial channels, except through this method of power development?

Mr. HICKENLOOPER. There is no outlet for uranium through commercial channels, except either in military weapons or reactors, with the exception, of course, of the use of certain isotopes. We hope that peaceful uses along that line will continue to increase. Some uranium oxide is used in ceramics, for coloring plates, and things of that kind, but such uses represent a very small part in comparison with the other uses. This program offers the major outlet for it.

Mr. BARRETT. I thank the Senator from Iowa and the Senator from Rhode Island. I think this is a good bill.

Mr. HICKENLOOPER. Mr. President, that is all I have to say about the bill. I hope the bill will pass. I think it would be of benefit to the United States, not only from the standpoint of foreign policy, but from the standpoint of the reactor program generally, among ourselves and our friends.

Mr. ANDERSON. Mr. President, the question raised by the Senator from Wyoming was covered to a degree in the hearings. I ask unanimous consent that the testimony appearing on page 15 of the hearings, in the paragraph beginning "the testimony and working papers," be printed in the RECORD at this point as a part of my remarks. Also I would like to include certain discussions in the hearings at pages 251 and 253 relating to the Sentor's interest in natural uranium sales abroad.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

"The testimony and working papers submitted by the Commission during the hearings indicated that the pressurized water and boiling-water reactors had been designated by the Commission as proven types, and that the Commission had also recommended the organic moderated type reactor for inclusion in the program. By striking the word proven and permitting extension of the goal for 2 years for 2 reactors, the Joint Committee intended that additional reactor types might be considered for selection in the program, as, for example, natural uranium—heavy water moderated reactors or gas-cooled reactors. It is also noted that the United States program includes homogeneous type and sodium-graphite type reactors now in operation. The goal, as modified, would also permit, but not require selection of a reactor of an existing type but of improved or more advanced design after an additional year or two. Also, the program could include reactors utilizing additional types of fuel elements. By modifying the definition of joint program in subsection 2 (c) of the bill the Joint Committee intended that these additional possibilities might be taken into consideration by the parties in selecting reactors for the joint program." (From p. 15 of Joint Committee report.)

"Mr. LARSON (of Uranium Institute of America). • • • So long as this phase of the Euratom program is tied to reactors using enriched fuels, the United States Atomic Energy Commission is necessarily a middleman in the production of those fuels.

"To the extent that this program will require additional fuel for its operation, it is assumed that the domestic uranium industry will participate in a fair share of the supplying of the raw materials that go into the program.

"However, we wish to point to a problem inherent in this type of arrangement. That problem is the complete reliance on the Federal Government as our only customer for the sale of the raw material that goes to make up these enriched fuels.

"Such a situation presents a grave obstacle in the way of the attainment of the domestic uranium industry's goal to free itself from dependence upon the United States Government as its sole customer.

"You can readily understand the apprehension of this young and dynamic industry, growing as it has under the impetus of the constructive programs of a benevolent government, wanting to take its place among the other free enterprises and competitive suppliers of fuels being marketed in the world today.

"We understand and appreciate the fact that insofar as these agreements are concerned, the representatives of the Euratom countries have specified the general type of reactor to be built for their use.

• • • • •

"Mr. RAMEY. • • • The committee, as you know, has encouarged the study of natural uranium reactors along with enriched fuel type reactors. They have also encouraged the plutonium recycle concept that would permit the reactor to start out with slightly enriched uranium and then switch over to using plutonium as the enrichment and thereby use natural uranium from then on, both of which concepts are being pursued in the Commission's domestic atomic energy program.

"The committee has received a few comments from industrial equipment concerns, pointing out that in the proposed Euratom program part of it might very well take account of the development of natural uranium reactors in addition to the more advanced enriched type.

"Chairman DURHAM. Mr. Weller, do you have any statement which you would like to make?

"Mr. WELLER. In connection with Mr. Ramey's statement, it is our position that from our viewpoint we would certainly favor the development of natural uranium reactors.

"We do not wish to inject any proposal at this point that would tend to delay the development as it is now contemplated for this first phase of the Euratom program.

"The opportunity, however, to market natural uranium directly to customers wherever they may exist in the world and which are qualified and licensed to receive uranium, is one of the great appeals to the domestic industry.

"Chairman DURHAM. I think it is basic, of course, that we have a sound mining-development program in this country." (From pp. 251 and 253 of vol. 1 of Joint Committee report.)

Mr. ANDERSON. Finally, the vigor with which the Senator from Idaho [Mr. DWORSHAK] expressed himself a few minutes ago is evidence of the fact that the Joint Committee on Atomic Energy carefully considered the bill. This was not an arrangement by which the State Department and the Atomic Energy Commission shoved something for us to swallow. The Joint Committee spent much time on the bill.

I commend the senior Senator from Iowa, whose long experience on the committee was very helpful to us.

I was particularly pleased by the fact that the Senator from Idaho stayed with his point all the way through, and has given notice today that when this subject is before us next year he will be on hand to see to it that the amounts of money are satisfactory, and not exorbitant, and that the interests of the United States are protected. I think that is the best assurance this Nation could have upon the passage of the bill. I hope it will soon be passed.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That this act may be cited as the "Euratom Cooperation Act of 1958."

SEC. 2. As used in this act—

(a) The Community means the European Atomic Energy Community (Euratom).

(b) The Commission means the Atomic Energy Commission, as established by the Atomic Energy Act of 1954, as amended.

(c) Joint program means the cooperative program established by the Community and the United States and carried out in accordance with the provisions of an agreement for cooperation entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, to bring into operation in the territory of the members of the Community powerplants using nuclear reactors of types selected by the Commission and the Community, having as a goal a total installed capacity of approximately 1 million kilowatts of electricity by December 31, 1963, except that two reactors may be selected to be in operation by December 31, 1965.

(d) All other terms used in this act shall have the same meaning as terms described in section 11 of the Atomic Energy Act of 1954, as amended.

SEC. 3. There is hereby authorized to be appropriated to the Commission, in accordance with the provisions of section 261 (a) (2) of the Atomic Energy Act of 1954, as amended, the sum of $3 million as an initial authorization for fiscal year 1959 for use in a cooperative program of research and development in connection with the types of reactors selected by the Commission and the Community under the joint program. The Commission may enter into contracts for such periods as it deems necessary, but in no event to exceed 5 years, for the purpose of conducting the research and development program authorized by this section: *Provided*, That the Community authorizes an equivalent amount for use in the cooperative program of research and development.

SEC. 4. The Commission is authorized, within limits of amounts which may hereafter be authorized to be appropriated in accordance with the provisions of section 261 (a) (2) of the Atomic Energy Act of 1954, as amended, to make guarantee contracts which shall in the aggregate not exceed a total contingent liability of $90 million designed to assure that the charges to an operator of a reactor constructed under the joint program for fabricating, processing,

and transporting fuel will be no greater than would result under the fuel fabricating and fuel life guarantees which the Commission shall establish for such reactor. Within the limits of such amounts, the Commission is authorized to make contracts under this section, without regard to the provisions of sections 3679 and 3709 of the Revised Statutes, as amended, for such periods of time as it determines to be necessary: *Provided, however*, That no such contracts may extend for a period longer than that necessary to cover fuel loaded into a reactor constructed under the joint program during the first 10 years of the reactor operation or prior to December 31, 1973 (or December 31, 1975, for not more than two reactors selected under sec. 2 (c)), whichever is earlier. In establishing criteria for the selection of projects and in entering into such guarantee contracts, the Commission shall be guided by, but not limited to, the following principles:

(a) The Commission shall encourage a strong and competitive atomic equipment manufacturing industry in the United States designed to provide diversified sources of supply for reactor parts and reactor fuel elements under the joint program;

(b) The guarantee shall be consistent with the provisions of this act and of Attachment A to the Memorandum of Understanding between the Government of the United States and the Community, signed in Brussels on May 29, 1958, and in Washington, D. C., on June 12, 1958, and transmitted to Congress on June 23, 1958;

(c) The Commission shall establish and publish minimum levels of fuel element cost and life to be guaranteed by the manufacturer as a basis for inviting and evaluating proposals.

(d) The guarantee by the manufacturer shall be as favorable as any other guarantee offered by the manufacturer for any comparable fuel element within a reasonable time period; and

(e) The Commission shall obtain a royalty-free, nonexclusive, irrevocable license for governmental purposes to any patents on inventions or discoveries made or conceived by the manufacturer in the course of development or fabrication of fuel elements during the period covered by the Commission's guarantee.

SEC. 5. Pursuant to the provisions of section 54 of the Atomic Energy Act of 1954, as amended, there is hereby authorized for sale or lease to the Community:

Thirty thousand kilograms of contained uranium 235

One kilogram of plutonium

in accordance with the provisions of an agreement for cooperation between the Government of the United States and the Community entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided*, That the Government of the United States obtains the equivalent of a first lien on any such material sold to the Community for which payment is not made in full at the time of transfer.

SEC. 6. (a) The Atomic Energy Commission is authorized to purchase or otherwise acquire from the Community special nuclear material or any interest therein from reactors constructed under the joint program in accordance with the terms of an agreement for cooperation entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided*, That neither plutonium nor uranium 233 nor any interest therein shall be acquired under this section in excess of the total quantities authorized by law. The Commission is hereby authorized to acquire from the Community pursuant to this section up to 4,100 kilograms of plutonium for use only for peaceful purposes.

(b) Any contract made under the provisions of this section to acquire plutonium or any interest therein may be at such prices and for such period of time as the Commission may deem necessary: *Provided*, That with respect to plutonium produced in any reactor constructed under the joint program, no such contract shall be for a period greater than 10 years of operation of such reactors or December 31, 1973 (or December 31, 1975, for not more than two reactors selected under section 2 (c), whichever is earlier: *And provided further*, That no such contract shall provide for compensation or the payment of a purchase price in excess of the Commission's established price in effect at the time of delivery to the Commission for such materials as fuel in a nuclear reactor.

(c) Any contract made under the provisions of this section to acquire uranium enriched in the isotope uranium 235 may be at such price and for such period of time as the Commission may deem necessary: *Provided*, That no such contract shall be for a period of time extending beyond the terminal date of the agreement for cooperation with the Community or provide for the acquisition of uranium enriched in the isotope U-235 in excess of the quantities of such material that have been distributed to the Community by the Commission less the quantity consumed in the nuclear reactors involved in the joint program: *And provided further*, That no such contract shall provide for compensation or the payment of a purchase price in excess of the Atomic Energy Commission's established charges for such material in effect at the time delivery is made to the Commission.

(d) Any contract made under this section for the purchase of special nuclear material or any interest therein may be made without regard to the provisions of section 3679 of the Revised Statutes, as amended.

(e) Any contract made under this section may be made without regard to section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable.

SEC. 7. The Government of the United States of America shall not be liable for any damages or third party liability arising out of or resulting from the joint program: *Provided, however*, That nothing in this section shall deprive any person of any rights under section 170 of the Atomic Energy Act of 1954, as amended. The Government of the United States shall take such steps as may be necessary, including appropriate disclaimer or indemnity arrangements, in order to carry out the provisions of this section.

CONFERRING OF MEDAL ON REAR ADM. HYMAN GEORGE RICKOVER, UNITED STATES NAVY

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2438, Senate Joint Resolution 201, to authorize the Chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 201) to authorize the Chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ANDERSON. Mr. President, I have no statement to make, except to say that it is a matter of great satisfaction to me that 47 other Senators joined in the introduction of this joint resolution. I think the number would have been much greater than 48 if the junior Senator from New Mexico had had time to confer with more Senators.

I appreciate the support from both sides of the aisle. If the joint resolution is passed it will be an indication to the young scientists and engineers all over the land that America is happy to make its contribution and give its recognition to those who render unusual service.

The area of the nuclear-powered submarine is the one great area in which America knows it stands preeminent all over the world. So far as we know—and we have reason to believe that we do know this—nothing anywhere else in the world compares with the achievement of the nuclear submarine. I hope that if the joint resolution is enacted it will be regarded by the people in the services and by scientists, and engineers everywhere as evidence that a man who has brains, and courage, and sole devotion to his country in his heart will always be recognized by Congress, and by the people Congress represents.

Mr. PASTORE. Mr. President, Adm. Hyman Rickover is an inspiration to all of us. He is a great admiral. He is one man in this country who has alerted us to the need of scientific knowhow and the development of atomic power in our Nation.

Mr. MANSFIELD. Mr. President, I wish to associate myself with everything the distinguished Senator from New Mexico has said, and to express the hope that the talents of this great man of independent judgment and outstanding ability will be used to advantage by our services, and that he will be retained in the service of our country for a long time to come.

Mr. JAVITS. Mr. President, the Senator from New Mexico is to be congratulated and commended for giving us an opportunity to express our feelings by the adoption of the pending resolution. It is a resolution in which I am sure every Member of the Senate will wish to join. The resolution shows particularly that Congress, too, knows how to honor outstanding scientific achievement. We always hear it said that only in the Soviet Union do scientists receive recognition by their government. The pending resolution shows in a very practical way that we, too, can honor our heroes and reward our leaders.

Mr. JOHNSON of Texas. Mr. President, the Senator from New Mexico is to be commended for his work in connection with the pending resolution proposing to confer a medal on Admiral Rickover in recognition of his activities through the years. The consideration of the resolution by the Senate also shows that the Senator from New Mexico is always in the forefront of those who wish

to give recognition to anyone who exercises initiative and leadership and outstanding ability.

I have expressed myself on two previous occasions on the subject of the talents of Admiral Rickover, and I do not believe that I should dwell on them at length at this time. Admiral Rickover is a dedicated, talented public servant. A great injustice has been done to him. I particularly appreciate the activities of the Senator from New Mexico in behalf of the admiral.

Mr. DIRKSEN. Mr. President, I certainly applaud the Senator from New Mexico for formalizing this matter and bringing it to the attention of the world. Most important of all, I believe it is necessary to make certain that incentive in the public service, whether military or civilian, is always recognized. I believe that fact is being shown here.

Mr. JACKSON. Mr. President, I wish to commend the distinguished Senator and vice chairman of the Joint Committee on Atomic Energy, for initiating the resolution now before us. The Senate knows full well my views on Admiral Rickover. I have had the privilege of knowing him since 1949, when I first became a member of the Joint Committee on Atomic Energy. He has always been a dedicated, selfless, and determined man in his work.

In 1953 I had the privilege of appearing before the Committee on Armed Services in his behalf, at a time when he, then a captain, had already been passed over twice. That meant that he would be retired or dismissed from the Navy.

I am pleased that the then Secretary of the Navy, Robert B. Anderson, took the matter into his own hands and convened a special board, so that the Admiral could be promoted.

What we are doing here today is merely giving recognition to the great contribution which this remarkable man has made to the security of our country and to the free world.

Admiral Rickover has provided leadership not only in the military atom but also in the development of the peaceful atom. He is father of the Shippingport reactor, the first large-scale civilian atomic powerplant in this country. This, in itself, is a formidable achievement and a great advance for the good of the Nation.

Mr. ANDERSON. I thank the Senator for referring to something which otherwise might be forgotten. It was the Secretary of the Navy, Robert B. Anderson, who intervened in behalf of Admiral Rickover. It is significant that Mr. Anderson, who is today the Secretary of the Treasury, is held in high esteem by every Member of Congress.

Mr. BARRETT. Mr. President, I desire to associate myself with the distinguished Senator from New Mexico and my other colleagues in what has been said on this subject. It seems to me it is particularly appropriate that the Senate take this action at this time. Admiral Rickover is a great scientist and engineer and a dedicated American, who has rendered great service to his country in many fields, particularly in the atomic submarine field. I believe the distinguished Senator from New Mexico should ask for a yea and nay vote on the measure, because I am confident every Member of the Senate, on both sides of the aisle, would wish to vote in favor of the proposal. All of them, I am sure, feel deeply that Admiral Rickover is entitled to whatever recognition the resolution will give him. Certainly it is little enough to give him in view of the great service he has rendered his country.

Mr. ANDERSON. I wish merely to comment on the suggestion of the able Senator from Wyoming by saying that, because of the pressures at this time on the leadership I said I would not take the time to call for a yea and nay vote. I assure the Senator that I agree with him every Member wishes to vote affirmatively on the pending resolution.

Mr. CASE of South Dakota. Mr. President, it has been my privilege to sit at meetings of the Armed Services Committee on two different occasions when Admiral Rickover has appeared before it. On each occasion I was impressed by his directness, by his enthusiasm for his work, and by his dedication to it.

A few days ago something was said with reference to Admiral Rickover which should be mentioned at this time. The distinguished Senator from Vermont [Mr. FLANDERS] said to me that when he visited the plant at Arco, Idaho, and spent a few days there, the thing that amazed him most was to find lieutenant commanders, for example, working under the direction and supervision of a lieutenant junior grade. That was because the people around Admiral Rickover become so dedicated and devoted to the work they do that they are not interested in rank; they are interested only in getting the work done. It certainly is admirable to find such a man, who can display such fine quality of leadership as to inspire men to work together as a team in such a fine fashion. It is another indication of the achievement and genius of Admiral Rickover. I certainly wish to be associated with everything that has been said about him today.

Mr. MARTIN of Pennsylvania. Mr. President, it is an honor to be associated with the Members of the Senate who are making the proposal now under consideration. It brings out the fact that America has always been defended by the spirit of its people. We have great, dedicated leaders who instill enthusiasm in their subordinates. For that reason, it is most important that we should thank the distinguished vice chairman of the Joint Committee on Atomic Energy for bringing this matter before us.

Mr. ANDERSON. Mr. President, I wish to close by pointing to something the Senator from South Dakota [Mr. CASE] has said. He has stressed the teamwork of the admiral and his associates. I hope that the medal will be regarded as recognition of that team work, not only in connection with the development of nuclear submarines, but also the great peacetime atomic powerplant at Shippingport, Pa.

The PRESIDING OFFICER. The question is on agreeing to the joint resolution.

The joint resolution (S. J. Res. 201) was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF TITLE V OF AGRICULTURAL ACT OF 1949, AS AMENDED

The PRESIDING OFFICER laid before the Senate the bill (H. R. 10360) to amend title V of the Agricultural Act of 1949, as amended, which was read twice by its title.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of H. R. 10360.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, this measure has been cleared with the distinguished minority leader. It was passed unanimously by the House. The bill as passed by the House provides for a 2-year extension and a report from the Department.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

WHITE HOUSE CONFERENCE ON AGING

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 2426, H. R. 9822, to provide for holding a White House conference on aging, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 6, line 21, after the word "States", to insert "in January 1961"; and on page 8, at the beginning of line 1, to strike out "$50,000" and insert "but not less than $5,000 nor more than $15,000."

Mr. JOHNSON of Texas. Mr. President, this is a very important bill. The Senator from Rhode Island has asked that it be considered at this time. I have conferred with the minority leadership, and they are agreeable to having it considered now. I ask the Senator from Rhode Island to make the explanation.

Mr. PASTORE. Mr. President, the bill provides for a White House conference on the problems of elderly citizens. The House bill was amended by the Senate committee to provide for holding the conference in January 1961 and makes a modest appropriation. The House bill provided originally $50,000. The amount has been reduced by the Senate committee to $15,000, but in no case is it to be less than $5,000.

The conference will be rather panoramic in its scope. It will study all the problems of our elderly citizens. The bill is an excellent piece of proposed legislation, and comes before us at an appropriate time. I hope the Senate will act favorably upon it.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a statement prepared by the junior Senator from Connecticut [Mr. PURTELL] regarding the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PURTELL

The Senate has been much concerned especially in recent days with educational measures to improve the opportunities of youth for effective participation in the life of our times. We should be equally aware of the needs and potentialities of the growing millions of middle-aged and older people. They, too, should have opportunities to lead lives of dignity and purpose. The President has said, "Our Nation now must learn to take advantage of the full potential of our old citizens—their skills, their wisdom, and their experience. We need those traits fully as much as we need the energy and boldness of youth."

The problems of the aging touch all aspects of life and only very limited study has been given to them. It seems almost inevitable therefore that a bill such as that for the White House Conference on Aging should be proposed, and I think we may learn from the experience with the Conference on Education what we may gain from such a Conference on Aging.

Each of the 53 States and Territories invited to participate in the White House Conference on Education in 1955 conducted a conference program in preparation for the national conference. Thirty-five States in addition to holding State conferences organized community, county, and regional conferences. Approximately 3,600 of these were reported to the Committee for the White House Conference on Education. In Illinois more than 500 community conferences were held prior to the conference. In Connecticut the first statewide meeting was followed by six regional meetings in which the conclusions of the State conferences were discussed. In Iowa it was estimated that more than 40,000 persons were involved in the preparation for a statewide conference.

All but 6 of the 53 States and Territories applied for conference funds as authorized by the act. Although 5 States and 1 Territory did not apply for funds, each cooperated fully and submitted a report. The findings of the State and territorial conferences were released within the States following the meetings there.

At local, State, and finally the national conference, participants representing wide citizen interest discussed thoroughly the following six basic questions affecting education:

1. What should our schools accomplish?
2. In what ways can we organize our school systems more efficiently and economically?
3. What are our schools building needs?
4. How can we get enough good teachers?
5. How can we finance our schools?
6. How can we obtain a continuing public interest in education?

Almost 2,000 persons participated in the White House Conference, including representatives of 283 national organizations in addition to the delegates designated by the States.

The limited investment of Federal funds and personnel in the White House Conference brought about the most widespread and concerted consideration of their educational problems by the people, in the history of this country.

Congress would do well to assure that at least as much attention is given to the varied and complex needs of our senior citizens as has been given to the education needs of our youth. The White Conference on Aging will lay a sound foundation for the development of programs for older people. This legislation has a number of virtues which briefly stated are:

1. The bill recognizes the problems of an increasing number of older persons in the population and the need for a balanced national program with emphasis on the responsibility of the State and community.

2. The White House Conference would convene the best qualified persons in the field and provide a forum for discussion of latest developments and experience.

3. The bill makes it possible for each State to conduct a conference to define its needs and recommendations for consideration. By providing funds for State conferences and studies, the bill provides a strong incentive to States to give immediate and thorough consideration to present and potential programs.

4. The White House Conference would provide a national forum to translate conferences, surveys, and studies into action programs.

5. The bill provides a dramatic, "grassroots" medium for calling attention to needs and programs, and authorizes funds which have been hitherto unavailable for widening public awareness of needs and resources in the field of aging.

There are those who may say: "Why do we need all this discussion and exploration? Raise the income of older people so that they can buy the goods and services they need." Income, of course, is basic, but the problem is not so simple even if you disregard the enormous tax burden upon the working population. The problems that come with age may appear in any aspect of living—income, employment, health, housing, and civic and social participation.

The solution does not lie in any one of these areas—income or health, or housing—but in all of these and the interrelationships among them. We must see the field of aging whole. There are no quick and easy solutions. Fortunately we are in no crisis situation; all the more reason why we should explore and plan to avoid a critical situation from the sheer piling up of unmet needs as the numbers of our older people increase.

The goal is the opening up of opportunities for varied courses of action, so that each of our older citizens can pursue a way of life suited to his individual needs and capacities. If we continually examine our needs and potentials in the field of aging, we will continue to advance as individuals, as communities and as a nation, in this aspect of life which touches every family. Passage of this legislation will mean that in the next 2 years, not only the "paid professionals" but citizens in every State and many communities will get together to explore and take action to meet the challenge of aging, building up finally in the White House Conference to a truly national expression of the goals of our people for living in the later years.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes."

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DIRKSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE FINANCIAL OUTLOOK

Mr. MARTIN of Pennsylvania. Mr. President, in today's Wall Street Journal, appears a very interesting article on the financial outlook of the country, written by Mr. George Shea. I think all Senators, and the general public, as well, will be very much interested in reading this careful comment. I ask unanimous consent that it may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of August 18, 1958]

THE OUTLOOK—APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

(By George Shea)

Probably the word most often used nowadays in writings about business or securities is inflation. That this Nation is on a treadmill of even more rapid inflation than experienced so far in the war and postwar periods is an article of faith accepted and loudly repeated by all. A unanimity so nearly complete—almost as complete, for instance, as the new-era thinking of 1929 just before that year's stock market crash—ought to be examined to see if inflation is the major cause of the recent stock market boom.

One example is current talk about the rise in stock prices since last winter. Because earnings are down sharply from last year's and as yet show few signs of upturn, most commentators say flatly that fear of inflation lies at the root of the rise. Yet there are two reasons for questioning this explanation.

One is the kind of stocks that rose first. The advance was led by the utilities, which are among the stocks least likely to benefit from inflation, and by drug shares, which are not traditional inflation hedges. Later other groups joined in, but still not those regarded as true inflation hedges. For instance, the steels rose at a time when their costs were going up and their selling prices weren't, and went up further when the price advances came even though these

proved to be far smaller than the cost increases. Steel, in any case, is not a good inflation hedge because it is such a universally used product that its price advances usually run into heavy political as well as consumer resistance. Meanwhile, the stocks normally sought for protection against inflation, copper, and domestic oil shares, did share in the rise, but were laggard until this summer.

The other reason for doubt is that a stock market rise almost always precedes a business recovery from recession. Careful studies by economists show that such stock price advances have in the majority of recessions started while business was still on the way down, sometimes preceding the start of recovery by half a year or more. Thus it is not necessary to cite inflation as the cause in this instance, if one accepts the widespread judgment that the recession is at or close to bottom.

The reason why everyone expects inflation, of course, is the rapid increase in the Federal deficit. That such governmental red ink tends to rot the value of the currency admits of no discussion or disagreement. Furthermore, that our system of government—indeed almost any system of government—has a built-in bias toward deficits and inflation is also just about unarguable.

However, the sizes of deficits do matter. Inflations of the most extreme kind, such as the one in Germany after World War I, come from deficits that double or triple year after year. The much milder inflation we have suffered in this Nation since World War II came principally from deficits that ran above $20 billion a year for 5 war years, and above $50 billion a year in 3 of those years. The current fiscal year's projected deficit, at $12 billion, is by no means as big as those wartime figures.

The economic background also makes a great difference. In the past year private debt has shown very little gain, in contrast to the huge increases which helped finance the boom of 1955–56. Furthermore, a $12 billion Federal deficit is less than 3 percent of the Nation's overall output of goods and services. The deficits of the 1930's, which mostly varied between $2.6 billion and $4.4 billion (the sole exception was 1938, when the figure fell to $1.2 billion) were proportionately somewhat larger, ranging around 4 percent to 5 percent of gross national product. Yet they produced no appreciable inflation after the initial rebound in the general price level in 1934–35 from the extremely low levels of 1932–33.

One reason why the deficits of the 1930's had so little inflationary effect is that the Nation's productive capacity was not being used fully. There was room for more production than the market demanded, so that price boosts were not needed to stimulate the creation of added capacity.

In contrast, for a good many years after World War II there wasn't enough capacity here or in the rest of the world to produce the goods market demanded. Under such conditions price advances were needed to stimulate the building of added capacity.

Today that situation has changed radically. The producing rates in steel, copper, and aluminum testify to the fact demand is now below capacity. And that's not just because of recession. Indications are that even after recovery has taken place, there will be enough of most goods to go around.

That's true not only here but abroad. The Russian offerings of aluminum, tin, gold, and other metals in world markets are often given dramatic names such as the "ruble war" or the "Communist economic offensive." More probably, the Russians, too, have reached the stage where in spite of the needs of their people they have too much of some primary products. For instance, their switch toward missiles from airplanes may have helped bring about a surplus of aluminum there just as here.

Another factor pointing toward ample supplies of goods is the multiplication of new products that compete with each other. Plastics are being substituted for metals as well as for wood in increasing quantities, and still other new materials, such as Corning Glass' proceram, threaten to invade old fields.

These conditions have already found reflection in prices, although advances in the broad wholesale and consumer indexes generally in use, which contain a large element of labor cost, have tended to conceal the fact. In contrast, the Dow Jones spot price index is now, and has been for many months, down around 160 percent of its 1925 base compared with a 1951 Korean war high of almost 225. A Department of Commerce index of raw materials prices (not published regularly in this paper) has fluctuated in the past year between 84 percent and 90 percent of its 1947–49 base, down even more from its Korean high above 135. The kind of inflation we are experiencing is not a one-way street.

PROTECTION AGAINST THE INTRODUCTION AND DISSEMINATION OF LIVESTOCK DISEASES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of calendar 2235, H. R. 12126.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 12126) to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 7, after the word "amended," and insert "(1)," and, in line 9, after the word "animals," to insert a semicolon and "and (2) by inserting before the period at the end thereof a colon and the following: '*Provided*, That wild ruminants or swine may be imported from any such country upon such conditions, including post-entry conditions, to be prescribed in import permits or in regulations, as the Secretary may impose for the purpose of preventing the dissemination of said diseases into or within the United States: *And provided further*, That the subsequent distribution, maintenance, and exhibition of such animals in the United States shall be limited to zoological parks approved by said Secretary as meeting such standards as he may by regulation prescribe for the purpose of preventing the dissemination of said diseases into or within the United States. The Secretary may at any time seize and dispose of any such animals which are not handled in accordance with the conditions imposed by him or which are distributed to or maintained or exhibited at any place in the United States which is not then an approved zoological park, in such manner as he deems necessary for said purpose.'"

Mr. HUMPHREY. Mr. President, the House bill was reported by the Committee on Agriculture and Forestry with amendments. The only purpose of the amendments is to permit the Secretary of Agriculture to have all the regulatory authority which may be required to protect the public health and also to protect animal health.

The House had laid down a strict prohibition. The testimony before the Senate committee revealed that it would be better for the Secretary to have powers of regulation both on post-entry and pre-entry for animals which would be featured in zoological parks.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXTENSION OF UNEMPLOYMENT SYSTEM TO EX-SERVICEMEN

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to consideration of Calendar No. 2439, H. R. 11630.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11630) to amend title XV of the Social Security Act to extend the unemployment system to ex-servicemen, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KERR. Mr. President, the bill extends to ex-servicemen in the various States who have either volunteered for military service, or who have been drafted into the military service, and have been discharged, the same unemployment benefits by reason of their services in the Armed Forces of our country which they would have earned had they remained in civilian life and been engaged in civilian employment on the same basis as their employment in the military service.

It is a matter of simple equity and justice to our ex-servicemen that by reason of their service to their country they do not lose the opportunity to qualify for unemployment insurance.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. KERR. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF NAVY RATION STATUTE TO PROVIDE FOR SERVING OF OLEOMARGARINE OR MARGARINE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2300, H. R. 912.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 912) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROUTY in the chair). Without objection, it is so ordered.

IMPROVEMENTS TO CAPITOL POWER PLANT

Mr. JOHNSON of Texas. Mr. President, I move that Calendar 2300, House bill 912, be temporarily laid aside, and that the Senate now proceed to the consideration of Calendar 2395, House bill 12883, to provide for certain improvements relating to the Capitol Power Plant and its distribution systems.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 12883) to provide for certain improvements relating to the Capitol Power Plant and its distribution systems, which had been reported from the Committee on Public Works, with amendments, on page 1, line 9, after the word "new", to strike out "oil burning", and, on page 2, line 8, after the word "fuel," to strike out "oil."

Mr. JOHNSON of Texas. Mr. President, I yield now to the Senator from New Mexico, who will explain the bill. In a moment he must leave the Chamber to attend a conference.

Mr. CHAVEZ. Mr. President, as the Senate knows, considerable construction is now proceeding in and about the Capitol Building, both on the Senate side, the House side, and in the central part of the Capitol Building.

The pending bill provides the authority necessary in order to make the necessary changes at the Capitol Power Plant and in the plant's distribution system, to provide heat and refrigeration for the additional House Office Building now under construction, and for other improvements now under construction or authorized by Congress for construction, to be performed by the Architect of the Capitol, under the direction of the House Office Building Commission. In other words, the bill, which is a House bill, provides the necessary legislative authority for the large expansion of the House facility, the Senate facility, and the main section of the Capitol Building.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments, which, without objection, will be considered en bloc.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 12883) was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. CHAVEZ. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

AMENDMENT OF NAVY RATION STATUTE TO PROVIDE FOR SERVING OF OLEOMARGARINE OR MARGARINE

Mr. JOHNSON of Texas. Mr. President, I thank the Senator from Wisconsin [Mr. WILEY] for his cooperation in connection with our consideration of the bill which the Senate has passed just now.

I now move that the Senate resume the consideration of Calendar No. 2300, House bill 912.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 912) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine, which had been reported from the Committee on Armed Services, with an amendment, on page 1, after line 6, to strike out:

SEC. 2. During any period when surplus butter stocks are available to the Navy through the Commodity Credit Corporation no oleomargarine or margarine shall be acquired for use by the Navy or any branch or department thereof, except that limited supplies thereof may be acquired for use in special overseas areas upon certification that the use of butter in such areas would be impractical.

And, in lieu thereof, to insert:

SEC. 2. Section 6082 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(d) During any period when surplus butter stocks are available to the Navy through the Commodity Credit Corporation, no oleomargarine or margarine may be acquired for use by the Navy, except that limited supplies thereof may be acquired for use in special operations where the use of butter would be impractical. Unused stocks of oleomargarine or margarine so acquired may be utilized by any means other than by serving them as a component of the Navy ration."

Mr. WILEY. Mr. President, when I previously objected to consideration of the bill, I had not seen a copy of the bill or a copy of the report.

In amending the bill, the committee included the following provision:

(d) During any period when surplus butter stocks are available to the Navy through the Commodity Credit Corporation, no oleomargarine or margarine may be acquired for use by the Navy, except that limited supplies thereof may be acquired for use in special operations where the use of butter would be impractical. Unused stocks of oleomargarine or margarine so acquired may be utilized by any means other—

And I emphasize these words—

than by serving them as a component of the Navy ration.

I believe that with the inclusion of that amendment, the bill should be passed.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 912) was read the third time and passed.

CONSOLIDATION OF LAWS ADMINISTERED BY THE VETERANS' ADMINISTRATION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 2324, House bill 9700.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9700) to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 9700) to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes, which had been reported from the Committee on Finance, with an amendment, to strike out all after the enacting clause and insert:

TITLE 38—VETERANS' BENEFITS

Part	Sec.
I. General provisions	101
II. General benefits	301
III. Readjustment and related benefits	1501
IV. General administrative provisions	3001
V. Boards and departments	4001
VI. Acquisition and disposition of property	5001

PART I. GENERAL PROVISIONS

Chapter	Sec.
1. General	101
3. Veterans' Administration; officers and employees	201

PART II. GENERAL BENEFITS

11. Compensation for service-connected disability or death	301
13. Dependency and indemnity compensation for service-connected deaths	401
15. Pension for non-service-connected disability or death or for service	501
17. Hospital, domiciliary, and medical care	601

TITLE 38—VETERANS' BENEFITS—Continued

PART II. GENERAL BENEFITS—Continued

Chapter	Sec.
19. Insurance	701
21. Specially adapted housing for disabled veterans	801
23. Burial benefits	901

PART III. READJUSTMENT AND RELATED BENEFITS

31. Vocational rehabilitation	1501
33. Education of Korean conflict veterans	1601
35. War orphans' educational assistance	1701
37. Home, farm, and business loans	1801
39. Automobiles for disabled veterans	1901
41. Unemployment benefits for veterans	2001
43. Mustering-out payments	2101

PART IV. GENERAL ADMINISTRATIVE PROVISIONS

51. Applications, effective dates, and payments	3001
53. Special provisions relating to benefits	3101
55. Minors, incompetents, and other wards	3201
57. Records and investigations	3301
59. Agents and attorneys	3401
61. Penal and forfeiture provisions	3501

PART V. BOARDS AND DEPARTMENTS

71. Board of Veterans' Appeals	4001
73. Department of Medicine and Surgery	4101
75. Veterans' Canteen Service	4201

PART VI. ACQUISITION AND DISPOSITION OF PROPERTY

81. Acquisition and operation of hospital and domiciliary facilities; procurement and supply	5001
83. Acceptance of gifts and bequests	5101
85. Disposition of deceased veterans' personal property	5201

PART I. GENERAL PROVISIONS

1. General	101
3. Veterans' Administration; officers and employees	201

Chapter 1—General

Sec.
101. Definitions.
102. Dependent parents.
103. Special provisions relating to marriages.
104. Approval of educational institutions.
105. Line of duty and misconduct.
106. Certain service deemed to be active service.
107. Certain service deemed not to be active service.
108. Seven-year absence presumption of death.
109. Benefits for discharged members of allied forces.
110. Preservation of total disability ratings.
111. Travel expenses.

SEC. 101. Definitions

For the purposes of this title—

(1) The term "Administrator" means the Administrator of Veterans' Affairs.

(2) The term "veteran" means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

(3) The term "widow" means (except for purposes of ch. 19 of this title) a woman who was the wife of a veteran at the time of his death, and who lived with him continuously from the date of marriage to the date of his death (except where there was a separation which was due to the misconduct of, or procured by, the veteran without the fault of the wife) and who has not remarried (unless the purported remarriage is void).

(4) The term "child" means (except for purposes of ch. 19 of this tile and sec. 5202 (b) of this title) a person who is unmarried and—

(A) who is under the age of 18 years;

(B) who, before attaining the age of 18 years, became permanently incapable of self-support; or

(C) who, after attaining the age of 18 years and until completion of education or training (but not after attaining the age of 21 years), is pursuing a course of instruction at an approved educational institution;

and who is a legitimate child, a legally adopted child, a stepchild who is a member of a veteran's household or was a member at the time of the veterans' death, or an illegitimate child but, as to the alleged father, only if acknowledged in writing signed by him, or if he has been judicially ordered to contribute to the child's support or has been, before his death, judicially decreed to be the father of such child, or if he is otherwise shown by evidence satisfactory to the Administrator to be the father of such child.

(5) The term "parent" means (except for purposes of ch. 19 of this title) a father, a mother, a father through adoption, a mother through adoption, or an individual who for a period of not less than 1 year stood in the relationship of a parent to a veteran at any time before his entry into active military, naval, or air service or if 2 persons stood in the relationship of a father or a mother for 1 year or more, the person who last stood in the relationship of father or mother before the veteran's last entry into active military, naval, or air service.

(6) The term "Spanish-American War" (A) means the period beginning on April 21, 1898, and ending on July 4, 1902, (B) includes the Philippine Insurrection and the Boxer Rebellion, and (C) in the case of a veteran who served with the United States military forces engaged in hostilities in the Moro Province, means the period beginning on April 21, 1898, and ending on July 15, 1903.

(7) The term "World War I" (A) means the period beginning on April 6, 1917, and ending on November 11, 1918, and (B) in the case of a veteran who served with the United States military forces in Russia, means the period beginning on April 6, 1917, and ending on April 1, 1920.

(8) The term "World War II" means (except for purposes of chapters 31 and 37 of this title) the period beginning on December 7, 1941, and ending on December 31, 1946.

(9) The term "Korean conflict" means the period beginning on June 27, 1950, and ending on January 31, 1955.

(10) The term "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the Reserve components thereof.

(11) The term "period of war" means the Spanish-American War, World War I, World War II, the Korean conflict, and the period beginning on the date of any future declaration of war by the Congress and ending on a date prescribed by Presidential proclamation or concurrent resolution of the Congress.

(12) The term "veteran of any war" means any veteran who served in the active military, naval, or air service during a period of war.

(13) The term "compensation" means a monthly payment made by the Administrator to a veteran because of service-connected disability, or to a widow, child, or parent of a veteran because of the service-connected death of the veteran occurring before January 1, 1957.

(14) The term "dependency and indemnity compensation" means a monthly payment made by the Administrator to a widow, child, or parent (A) because of a service-connected death occurring after December 31, 1956, or (B) pursuant to the election of a widow, child, or parent, in the case of such a death occurring before January 1, 1957.

(15) The term "pension" means a monthly payment made by the Administrator to a veteran because of service, age, or non-service-connected disability, or to a widow or child of a veteran because of the non-service-connected death of the veteran.

(16) The term "service-connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty in the active military, naval, or air service.

(17) The term "nonservice-connected" means, with respect to disability or death, that such disability was not incurred or aggravated, or that the death did not result from a disability incurred or aggravated, in line of duty in the active military, naval, or air service.

(18) The term "discharge or release" includes retirement from the active military, naval, or air service.

(19) The term "State home" means a home established by a State (other than a possession) for veterans of any war (including the Indian Wars) disabled by age, disease, or otherwise who by reason of such disability are incapable of earning a living.

(20) The term "State" means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(21) The term "active duty" means—

(A) full-time duty in the Armed Forces, other than active duty for training;

(B) full-time duty (other than for training purposes) as a commissioned officer of the Regular or Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to "full military benefits" or (iii) at any time, for the purposes of chapter 13 of this title;

(C) full-time duty as a commissioned officer of the Coast and Geodetic Survey (i) on or after July 29, 1945, or (ii) before that date (a) while on transfer to one of the Armed Forces, or (b) while, in time of war or national emergency declared by the President, assigned to duty on a project for one of the Armed Forces in an area determined by the Secretary of Defense to be of immediate military hazard, or (c) in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter, or (iii) at any time, for the purposes of chapter 13 of this title;

(D) service as a cadet at the United States Military, Air Force, or Coast Guard Academy, or as a midshipman at the United States Naval Academy; and

(E) authorized travel to or from such duty or service.

(22) The term "active duty for training" means—

(A) full-time duty in the Armed Forces performed by Reserves for training purposes;

(B) full-time duty for training purposes performed as a commissioned officer of the Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to "full military benefits", or (iii) at any time, for the purposes of chapter 13 of this title;

(C) in the case of members of the National Guard or Air National Guard of any State, full-time duty under section 316, 502, 503, 504, or 505 of title 32, or the prior corresponding provisions of law; and

(D) authorized travel to or from such duty.

The term does not include duty performed as a temporary member of the Coast Guard Reserve.

(23) The term "inactive duty training" means—

(A) duty (other than full-time duty) prescribed for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) by the Secretary concerned under section 301 of title 37 or any other provision of law; and

(B) special additional duties authorized for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) by an authority designated by the Secretary concerned and performed by them on a voluntary basis in connection with the prescribed training or maintenance activities of the units to which they are assigned.

In the case of a member of the National Guard or Air National Guard of any State, such term means duty (other than full-time duty) under sections 316, 502, 503, 504, or 505 of title 32, or the prior corresponding provisions of law. Such term does not include (i) work or study performed in connection with correspondence courses, (ii) attendance at an educational institution in an inactive status, or (iii) duty performed as a temporary member of the Coast Guard Reserve.

(24) The term "active military, naval, or air service" includes active duty, any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty, and any period of inactive duty training during which the individual concerned was disabled or died from an injury incurred or aggravated in line of duty.

(25) The term "Secretary concerned" means—

(A) the Secretary of the Army, with respect to matters concerning the Army;

(B) the Secretary of the Navy, with respect to matters concerning the Navy or the Marine Corps;

(C) the Secretary of the Air Force, with respect to matters concerning the Air Force;

(D) the Secretary of the Treasury, with respect to matters concerning the Coast Guard;

(E) the Secretary of Health, Education, and Welfare, with respect to matters concerning the Public Health Service; and

(F) the Secretary of Commerce, with respect to matters concerning the Coast and Geodetic Survey.

(26) The term "Reserves" means members of a Reserve component of one of the Armed Forces.

(27) The term "Reserve component" means, with respect to the Armed Forces—

(A) the Army Reserve;

(B) the Naval Reserve;

(C) the Marine Corps Reserve;

(D) the Air Force Reserve;

(E) the Coast Guard Reserve;

(F) the National Guard of the United States; and

(G) the Air National Guard of the United States.

SEC. 102. Dependent parents

(a) Dependency of a parent, which may arise before or after the death of a veteran, shall be determined in accordance with regulations prescribed by the Administrator.

(b) Except for purposes of chapter 33 of this title, dependency of a parent shall not be denied (1) solely because of remarriage, or (2) in any case in any State where the monthly income for a mother or father, not living together, is not more than $105, or where the monthly income for a mother and father living together, is not more than $175, plus, in either case, $45, for each additional member of the family whom the father or mother is under a moral or legal obligation to support, as determined by the Administrator.

(c) For the purposes of this section in determining monthly income the Administrator shall not consider any payments under laws administered by the Veterans' Administration because of disability or death or payments of bonus or similar cash gratuity by any State based upon service in the Armed Forces.

SEC. 103. Special provisions relating to marriages

(a) Whenever, in the consideration of any claim filed by a woman as the widow of a veteran for gratuitous death benefits under laws administered by the Veterans' Administration, it is established by evidence satisfactory to the Administrator that she, without knowledge of any legal impediment, entered into a marriage with such veteran which, but for a legal impediment, would have been valid, and thereafter cohabitated with him for 5 or more years immediately before his death, the purported marriage shall be deemed to be a valid marriage, but only if no claim has been filed by a legal widow of such veteran who is found to be entitled to such benefits. No duplicate payments shall be made by virtue of this subsection.

(b) Where a widow has been legally married to a veteran more than once, the date of original marriage will be used in determining whether the statutory requirement as to date of marriage has been met.

(c) In determining whether or not a woman is or was the wife of a veteran, their marriage shall be proven as valid for the purposes of all laws administered by the Veterans' Administration according to the law of the place where the parties resided at the time of the marriage or the law of the place where the parties resided when the right to benefits accrued.

SEC. 104. Approval of educational institutions

(a) For the purpose of determining whether or not benefits are payable under this title (except chapter 35 of this title) for a child over the age of 18 years and under the age of 21 years who is attending a school, college, academy, seminary, technical institute, university, or other educational institution, the Administrator may approve or disapprove such educational institutions.

(b) The Administrator may not approve an educational institution under this section unless such institution has agreed to report to him the termination of attendance of any child. If any educational institution fails to report any such termination promptly, the approval of the Administrator shall be withdrawn.

SEC. 105. Line of duty and misconduct

(a) An injury or disease incurred during active military, naval, or air service will be deemed to have been incurred in line of duty and not the result of the veteran's own misconduct when the person on whose account benefits are claimed was, at the time the injury was suffered or disease contracted, in active military, naval, or air service, whether on active duty or on authorized leave, unless such injury or disease was the result of his own willful misconduct. Venereal disease shall not be presumed to be due to willful misconduct if the person in service complies with the regulations of the appropriate service department requiring him to report and receive treatment for such disease.

(b) The requirement for line of duty will not be met if it appears that at the time the injury was suffered or disease contracted the person on whose account benefits are claimed (1) was avoiding duty by deserting the service, or by absenting himself without leave materially interfering with the performance of military duties; (2) was confined under sentence of court-martial involving an unremitted dishonorable discharge; or (3) was confined under sentence of a civil court for a felony (as determined under the laws of the jurisdiction where the person was convicted by such court).

SEC. 106. Certain service deemed to be active service

(a) (1) Service as a member of the Women's Army Auxiliary Corps for 90 days or more by any woman who before October 1, 1943, was honorably discharged for disability incurred or aggravated in line of duty which rendered her physically unfit to perform further service in the Womens' Army Auxiliary Corps or the Women's Army Corps shall be considered active duty for the purposes of all laws administered by the Veterans' Administration.

(2) Any person entitled to compensation or pension by reason of this subsection and to employees' compensation based upon the same service under the Federal Employees' Compensation Act must elect which benefit she will receive.

(b) Any person—

(1) who has applied for enlistment or enrollment in the active military, naval, or air service and has been provisionally accepted and directed or ordered to report to a place for final acceptance into such service; or

(2) who has been selected or drafted for service in the Armed Forces and has reported pursuant to the call of his local draft board and before rejection; or

(3) who has been called into the Federal service as a member of the National Guard, but has not been enrolled for the Federal service; and

who has suffered an injury or contracted a disease in line of duty while en route to or from, or at, a place for final acceptance or entry upon active duty, will, for the purposes of chapters 11, 13, 19, 21, 31, and 39 of this title, and for purposes of determining service-connection of a disability under chapter 17 of this title, be considered to have been on active duty and to have incurred such disability in the active military, naval, or air service.

(c) For the purposes of this title, whenever an individual is discharged or released after December 31, 1956, from a period of active duty he shall be deemed to continue on active duty during the period of time immediately following the date of such discharge or release from such duty determined by the Secretary concerned to be required for him to proceed to his home by the most direct route, and in any event, until midnight of the date of such discharge or release.

(d) For the purpose of this title, any individual—

(1) who, when authorized or required by competent authority, assumes an obligation to perform active duty for training or inactive duty training; and

(2) who is disabled or dies from an injury incurred after December 31, 1956, by him while proceeding directly to or returning directly from such active duty for training or inactive duty training, as the case may be;

shall be deemed to have been on active duty for training or inactive duty training, as the case may be, at the time such injury was incurred. In determining whether or not such individual was so authorized or required to perform such duty, and whether or not he was disabled or died from injury so incurred, the administrator shall take into account the hour on which he began so to proceed or to return; the hour on which he was scheduled to arrive for, or on which he ceased to perform, such duty; the method of travel employed; his itinerary; the manner in which the travel was performed; and the immediate cause of disability or death. Whenever any claim is filed alleging that the claimant is entitled to benefits by reason of this subsection, the burden of proof shall be on the claimant.

SEC. 107. Certain service deemed not to be active service

(a) Service before July 1, 1946, in the organized military forces of the Government of

the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, shall not be deemed to have been active military, naval, or air service for the purposes of any law of the United States conferring rights, privileges, or benefits upon any person by reason of the service of such person or the service of any other person in the Armed Forces, except benefits under—

(1) contracts of National Service Life Insurance entered into before February 18, 1946;

(2) the Missing Persons Act; and

(3) chapters 11, 13 (except section 412), and 23 of this title.

Payments under such chapters shall be made at the rate of one peso for each dollar otherwise authorized, and where annual income is a factor in entitlements to benefits, the dollar limitations in the law specifying such annual income shall apply at the rate of one Philippine peso for each dollar. Any payments made before February 18, 1946, to any such member under such laws conferring rights, benefits, or privileges shall not be deemed to have been invalid by reason of the circumstances that his service was not service in the Armed Forces or any component thereof within the meaning of any such law.

(b) Service in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945 shall not be deemed to have been active military, naval, or air service for the purposes of any of the laws administered by the Veterans' Administration except—

(1) with respect to contracts of National Service Life Insurance entered into (A) before May 27, 1946, (B) under section 620 or 621 of the National Service Life Insurance Act of 1940, or (C) under section 722 of this title; and

(2) chapters 11 and 13 (except section 412) of this title.

Payments under such chapters shall be made at the rate of one peso for each dollar otherwise authorized, and where annual income is a factor in entitlement to benefits, the dollar limitations in the law specifying such annual income shall apply at the rate of one Philippine peso for each dollar.

SEC. 108. Seven-year absence presumption of death

(a) No State law providing for presumption of death shall be applicable to claims for benefits under laws administered by the Veterans' Administration.

(b) If evidence satisfactory to the Administrator is submitted establishing the continued and unexplained absence of any individual from his home and family for 7 or more years, and establishing that after diligent search no evidence of his existence after the date of disappearance has been found or received, the death of such individual as of the date of the expiration of such period shall be considered as sufficiently proved.

(c) Except in a suit brought pursuant to section 784 of this title, the finding of death made by the Administrator shall be final and conclusive.

SEC. 109. Benefits for discharged members of allied forces

(a) (1) In consideration of reciprocal services extended to the United States, the Administrator, upon request of the proper officials of the government of any nation allied or associated with the United States in World War I (except any nation which was an enemy of the United States during World War II), or in World War II, may furnish to discharged members of the armed forces of such government, under agreements requiring reimbursement in cash of expenses so incurred, at such rates and under such regulations as the Administrator may prescribe, medical, surgical, and dental treatment, hospital care, transportation and traveling expenses, prosthetic appliances, education, training, or similar benefits authorized by the laws of such nation for its veterans, and services required in extending such benefits. Hospitalization in a Veterans' Administration facility shall not be afforded under this section, except in emergencies, unless there are available beds surplus to the needs of veterans of this country. The Administrator may also pay the court costs and other expenses incident to the proceedings taken for the commitment of such discharged members who are mentally incompetent to institutions for the care or treatment of the insane.

(2) The Administrator, in carrying out the provisions of this subsection, may contract for necessary services in private, State, and other Government hospitals.

(3) All amounts received by the Veterans' Administration as reimbursement for such services shall be credited to the current appropriation of the Veterans' Administration from which expenditures were made under this subsection.

(b) Persons who served in the active service in the armed forces of any government allied with the United States in World War II and who at time of entrance into such active service were citizens of the United States shall, by virtue of such service, and if otherwise qualified, be entitled to the benefits of chapters 31 and 37 of this title in the same manner and to the same extent as veterans of World War II are entitled. No such benefit shall be extended to any person who is not a resident of the United States at the time of filing claim, or to any person who has applied for and received the same or any similar benefit from the government in whose armed forces he served.

SEC. 110. Preservation of total disability ratings

A rating of total disability or permanent total disability which has been made for compensation, pension, or insurance purposes under laws administered by the Veterans' Administration, and which has been continuously in force for 20 or more years, shall not be reduced thereafter, except upon a showing that such rating was based on fraud.

SEC. 111. Travel expenses

(a) Under regulations prescribed by the President, the Administrator may pay the actual necessary expense of travel (including lodging and subsistence), or in lieu thereof an allowance based upon mileage traveled, of any person to or from a Veterans' Administration facility or other place in connection with vocational rehabilitation, counseling required by the Administrator pursuant to chapter 33 or 35 of this title, or for the purpose of examination, treatment, or care.

(b) Mileage may be paid under this section in connection with vocational rehabilitation, counseling, or upon termination of examination, treatment, or care, before the completion of travel.

(c) When any person entitled to mileage under this section requires an attendant (other than an employee of the Veterans' Administration) in order to perform such travel, the attendant may be allowed expenses of travel upon the same basis as such person.

(d) The Administrator may provide for the purchase of printed reduced-fare requests for use by veterans and their authorized attendants when traveling at their own expense to or from any Veterans' Administration facility.

Chapter 3—Veterans' Administration; officers and employees

Subchapter I—Veterans' Administration

Section
201. Veterans' Administration an independent agency.
202. Seal of the Veterans' Administration.

Subchapter II—Administrator of Veterans' Affairs

210. Appointment and general authority of Administrator.
211. Decisions by Administrator; opinions of Attorney General.
212. Delegation of authority and assignment of duties.
213. Contracts and personal services.
214. Reports to the Congress.
215. Publication of laws relating to veterans.
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Subchapter III—Veterans' Administration regional offices; employees

230. Central and regional offices.
231. Placement of employees in military installations.
232. Employment of translators.
233. Employees' apparel; school transportation; recreational equipment; visual exhibits.
234. Telephone service for medical officers.

Subchapter I—Veterans' Administration

SEC. 201. Veterans' Administration an independent agency

The Veterans' Administration is an independent establishment in the executive branch of the Government, especially created for or concerned in the administration of laws relating to the relief and other benefits provided by law for veterans, their dependents, and their beneficiaries.

SEC. 202. Seal of the Veterans' Administration

The seal of the Veterans' Administration shall be judicially noticed. Copies of any public documents, records, or papers belonging to or in the files of the Veterans' Administration, when authenticated by the seal and certified by the Administrator or by any employee of the Veterans' Administration to whom proper authority shall have been delegated in writing by the Administrator, shall be evidence equal with the originals thereof.

Subchapter II—Administrator of Veterans' Affairs

SEC. 210. Appointment and general authority of Administrator

(a) The Administrator of Veterans' Affairs is the head of the Veterans' Administration. He is appointed by the President, by and with the advice and consent of the Senate. He shall receive a salary of $21,000 a year, payable monthly.

(b) The Administrator, under the direction of the President, is responsible for the proper execution and administration of all laws administered by the Veterans' Administration and for the control, direction, and management of the Veterans' Administration. Except to the extent inconsistent with law, he may consolidate, eliminate, abolish, or redistribute the functions of the bureaus, agencies, offices, or activities in the Veterans' Administration, create new bureaus, agencies, offices, or activities therein, and fix the functions thereof and the duties and powers of their respective executive heads.

(c) The Administrator has authority to make all rules and regulations which are necessary or appropriate to carry out the laws administered by the Veterans' Administration and are consistent therewith, including regulations with respect to the nature and extent of proofs and evidence and the method of taking and furnishing them in order to establish the right to benefits under such laws, the forms of application by claimants under such laws, the methods of making investigations and medical examinations, and the manner and form of adjudications and awards.

SEC. 211. Decisions by Administrator; opinions of Attorney General

(a) Except as provided in sections 784, 1661, 1761, and as to matters arising under chapter 37 of this title, the decisions of the Administrator on any question of law or fact concerning a claim for benefits or payments under any law administered by the Veterans' Administration shall be final and conclusive and no other official or any court of the United States shall have power or jurisdiction to review any such decision.

(b) The Administrator may require the opinion of the Attorney General on any question of law arising in the administration of the Veterans' Administration.

SEC. 212. Delegation of authority and assignment of duties

(a) The Administrator may assign duties, and delegate authority to act and to render decisions, with respect to all laws administered by the Veterans' Administration, to such officers and employees as he may find necessary. Within the limitations of such delegations or assignments, all official acts and decisions of such officers and employees shall have the same force and effect as though performed or rendered by the Administrator.

(b) There shall be included on the technical and administrative staff of the Administrator such staff officers, experts, inspectors, and assistants (including legal assistants), as the Administrator may prescribe.

SEC. 213. Contracts and personal services

The Administrator may, for purposes of all laws administered by the Veterans' Administration, accept uncompensated services, and enter into contracts or agreements with private or public agencies or persons, for such necessary services (including personal services) as he may deem practicable.

SEC. 214. Reports to the Congress

The Administrator shall make annually, at the close of each fiscal year, a report in writing to the Congress, giving an account of all moneys received and disbursed by the Veterans' Administration, describing the work done, and stating the activities of the Veterans' Administration for such fiscal year.

SEC. 215. Publication of laws relating to veterans

The Administrator may compile and publish all Federal laws relating to veterans' relief, including such laws as are administered by the Veterans' Administration as well as by other agencies of the Government, in such form as he deems advisable for the purpose of making currently available in convenient form for the use of the Veterans' Administration and full-time representatives of the several service organizations an annotated, indexed, and cross-referenced statement of the laws providing veterans' relief. The Administrator may maintain such compilation on a current basis either by the publication, from time to time, of supplementary documents or by complete revision of the compilation. The distribution of the compilation to the representatives of the several service organizations shall be as determined by the Administrator.

SEC. 216. Research by Administrator

(a) The Administrator shall conduct research in the field of prosthesis, prosthetic appliances, orthopedic appliances, and sensory devices.

(b) In order that the unique investigative materials and research data in the possession of the Government may result in improved prosthetic appliances for all disabled persons, the Administrator may make available to any person the results of his research

(c) There is authorized to be appropriated annually $1 million to remain available until expended, to carry out this section.

SEC. 217. Studies of rehabilitation of disabled persons

(a) The Administrator may make or have made studies, investigations, and reports relative to the rehabilitation of disabled persons, the relative abilities, aptitudes, and capacities of the several groups of the variously handicapped, and how their potentialities can best be developed and their services best utilized in gainful and suitable employment, including the rehabilitation programs of foreign nations.

(b) In carrying out this section, the Administrator may cooperate with such public and private agencies as he may deem advisable, and may employ consultants who shall receive a reasonable per diem, as prescribed by the Administrator, for each day actually employed, plus necessary travel and other expenses.

Subchapter III—Veterans' Administration Regional Offices; employees

SEC. 230. Central and regional offices

(a) The Central Office of the Veterans' Administration shall be in the District of Columbia. The Administrator may establish such regional offices and such other field offices within the United States, its Territories, Commonwealths, and possessions, as he deems necessary.

(b) The Administrator may exercise authority under this section in territory of the Republic of the Philippines until June 30, 1960.

SEC. 231. Placement of employees in military installations

The Administrator may place officers and employees of the Veterans' Administration in such Army, Navy, and Air Force installations as may be deemed advisable for purpose of adjudicating disability claims of, and giving aid and advice to, members of the Armed Forces who are about to be discharged or released from active military, naval, or air service.

SEC. 232. Employment of translators

The Administrator may contract for the services of translators without regard to sections 39, 46, and 50 of title 5, and the Classification Act of 1949.

SEC. 233. Employees' apparel; school transportation; recreational equipment; visual exhibits

The Administrator, subject to such limitations as he may prescribe, may—

(1) furnish and launder such wearing apparel as may be prescribed for employees in the performance of their official duties;

(2) transport children of Veterans' Administration employees located at isolated stations to and from school in available Government-owned automotive equipment;

(3) provide recreational facilities, supplies, and equipment for the use of patients in hospitals, and employees in isolated installations; and

(4) provide for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures and other visual educational information and descriptive material.

For the purposes of subparagraph (4), the Administrator may purchase or rent equipment.

SEC. 234. Telephone service for medical officers

The Administrator may pay for official telephone service and rental in the field whenever incurred in case of official telephones for medical officers of the Veterans' Administration where such telephones are installed in private residences or private apartments or quarters, when authorized under regulations established by the Administrator.

PART II. GENERAL BENEFITS

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Chapter 11—Compensation for service-connected disability or death

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Subchapter I—General

SEC. 301. Definitions

For the purposes of this chapter—

(1) The term "veteran" includes a person who died in the active military, naval, or air service.

(2) The term "period of war" includes, in the case of any veteran—

(A) any period of service performed by him after November 11, 1918, and before July 2, 1921, if such veteran served in the active military, naval, or air service after April 5, 1917, and before November 12, 1918; and

(B) any period of continuous service performed by him after December 31, 1946, and

before July 26, 1947, if such period began before January 1, 1947.

(3) The term "chronic disease" includes—

Anemia, primary
Arteriosclerosis
Arthritis
Atrophy, progressive muscular
Brain hemorrhage
Brain thrombosis
Bronchiectasis
Calculi of the kidney, bladder, or gallbladder
Cardiovascular-renal disease, including hypertension
Cirrhosis of the liver
Coccidioidomycosis
Diabetes mellitus
Encephalitis lethargica residuals
Endocarditis
Endocrinopathies
Epilepsies
Hodgkin's disease
Leprosy
Leukemia
Myasthenia gravis
Myelitis
Myocarditis
Nephritis
Organic diseases of the nervous system
Osteitis deformans (Paget's disease)
Osteomalacia
Palsy, bulbar
Paralysis agitans
Psychoses
Purpura idiopathic, hemorrhagic
Raynaud's disease
Sarcoidosis
Scleroderma
Sclerosis, amyotrophic lateral
Sclerosis, multiple
Syringomyelia
Thromboangiitis obliterans (Buerger's disease)
Tuberculosis, active
Tumors, malignant, or of the brain or spinal cord or peripheral nerves
Ulcers, peptic (gastric or duodenal).

and such other chronic diseases as the Administrator may add to this list;

(4) The term "tropical disease" includes—

Amebiasis.
Blackwater fever.
Cholera.
Dracontiasis.
Dysentery.
Filariasis.
Leishmaniasis, including kala-azar.
Leprosy.
Loiasis.
Malaria.
Onchocerciasis.
Oroya fever.
Pinta.
Plague.
Schistosomiasis.
Yaws.
Yellow fever.

and such other tropical diseases as the Administrator may add to this list.

Sec. 302. Special provisions relating to widows

(a) No compensation shall be paid to the widow of a veteran under this chapter unless she was married to him—

(1) before the expiration of 10 years after the termination of the period of service in which the injury or disease causing the death of the veteran was incurred or aggravated; or

(2) for 5 or more years; or

(3) for any period of time if a child was born of the marriage.

(b) Subsection (a) shall not be applicable to any widow who, with respect to date of marriage, could have qualified as a widow for death compensation under any law administered by the Veterans' Administration in effect on December 31, 1957.

Subchapter II—Wartime Disability Compensation

Sec. 310. Basic entitlement

For disability resulting from personal injury suffered or disease contracted in line of duty, or for aggravation of a preexisting injury suffered or disease contracted in line of duty, in the active military, naval, or air service, during a period of war, the United States will pay to any veteran thus disabled and who was discharged or released under conditions other than dishonorable from the period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, compensation as provided in this subchapter, but no compensation shall be paid if the disability is the result of the veteran's own willful misconduct.

Sec. 311. Presumption of sound condition

For the purposes of section 310 of this title, every veteran shall be taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, infirmities, or disorders noted at the time of the examination, acceptance, and enrollment, or where clear and unmistakable evidence demonstates that the injury or disease existed before acceptance and enrollment and was not aggravated by such service.

Sec. 312. Presumptions relating to certain diseases

For the purposes of section 310 of this title, and subject to the provisions of section 313 of this title, in the case of any veteran who served for 90 days or more during a period of war—

(1) a chronic disease becoming manifest to a degree of 10 percent or more within 1 year from the date of separation from such service;

(2) a tropical disease, and the resultant disorders or disease originating because of therapy, administered in connection with such diseases, or as a preventative thereof, becoming manifest to a degree of 10 percent or more within 1 year from the date of separation from such service, or at a time when standard or accepted treaties indicate that the incubation period thereof commenced during such service;

(3) active tuberculosis disease developing a 10 percent degree of disability or more within 3 years from the date of separation from such service.

(4) multiple sclerosis developing a 10 percent degree of disability or more within 2 years from the date of separation from such service;

shall be considered to have been incurred in or aggravated by such service, notwithstanding there is no record of evidence of such disease during the period of service.

Sec. 313. Presumptions rebuttable

(a) Where there is affirmative evidence to the contrary, or evidence to establish that an intercurrent injury or disease which is a recognized cause of any of the diseases within the purview of section 312 of this title, has been suffered between the date of separation from service and the onset of any such diseases, or the disability is due to the veteran's own willful misconduct, service-connection pursuant to section 312 of this title will not be in order.

(b) Nothing in section 312 of this title or subsection (a) of this section shall be construed to prevent the granting of service-connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active military, naval, or air service.

Sec. 314. Rates of wartime disability compensation

For the purposes of section 310 of this title—

(a) if and while the disability is rated 10 percent the monthly compensation shall be $19;

(b) if and while the disability is rated 20 percent the monthly compensation shall be $36;

(c) if and while the disability is rated 30 percent the monthly compensation shall be $55;

(d) if and while the disability is rated 40 percent the monthly compensation shall be $73;

(e) if and while the disability is rated 50 percent the monthly compensation shall be $100;

(f) if and while the disability is rated 60 percent the monthly compensation shall be $120;

(g) if and while the disability is rated 70 percent the monthly compensation shall be $140;

(h) if and while the disability is rated 80 percent the monthly compensation shall be $160;

(i) if and while the disability is rated 90 percent the monthly compensation shall be $179;

(j) if and while the disability is rated as total the monthly compensation shall be $225;

(k) if the veteran, as the result of service-connected disability, has suffered the anatomical loss or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, the rate of compensation therefor shall be $47 per month independent of any other compensation provided in subsections (a) through (j) of this section; and in the event of anatomical loss or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, in addition to the requirement for any of the rates specified in subsections (l) through (n) of this section, the rate of compensation shall be increased by $47 per month for each such loss or loss of use, but in no event to exceed $450 per month;

(l) if the veteran, as the result of service-connected disability, has suffered the anatomical loss or loss of use of both hands, or both feet, or of 1 hand and 1 foot, or is blind in both eyes, with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, the monthly compensation shall be $309;

(m) if the veteran, as the result of service-connected disability, has suffered the anatomical loss or loss of two extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or has suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, the monthly compensation shall be $359;

(n) if the veteran, as the result of service-connected disability, has suffered the anatomical loss of two extremities so near the shoulder or hip as to prevent the use of a prosthetic appliance or has suffered the anatomical loss of both eyes, the monthly compensation shall be $401;

(o) if the veteran, as the result of service-connected disability, has suffered disability under conditions which would entitle him to 2 or more of the rates provided in 1 or more subsections (l) through (n) of this section, no condition being considered twice in the determination, or has suffered total deafness in combination with total blindness with 5/200 visual acuity or less, the monthly compensation shall be $450;

(p) in the event the veteran's service-connected disabilities exceed the requirements for any of the rates prescribed in this section, the Administrator, in his discretion, may allow the next higher rate or an intermediate rate, but in no event in excess of $450; and

(q) if the veteran is shown to have had a service-connected disability resulting from an active tuberculous disease, which disease in the judgment of the Administrator has reached a condition of complete arrest, the monthly compensation shall be not less than $67.

Sec. 315. Additional compensation for dependents

(a) Any veteran entitled to compensation at the rates provided in section 314 of this title, and whose disability is rated not less than 50 percent, shall be entitled to additional compensation for dependents in the following monthly amounts:

(1) In and while rated totally disabled and—

(A) has a wife but no child living, $23;
(B) has a wife and one child living, $39;
(C) has a wife and two children living, $50;
(D) has a wife and three or more children living, $62;
(E) has no wife but one child living, $15;
(F) has no wife but two children living, $27;
(G) has no wife but three or more children living, $39; and
(H) has a mother or father, either or both dependent upon him for support, then, in addition to the above amounts, $19 for each parent so dependent.

(2) If and while rated partially disabled, but not less than 50 percent, in an amout having the same ratio to the amount specified in paragraph (1) as the degree of disability bears to total disability. The amounts payable under this paragraph shall be adjusted upward or downward to the nearest dollar, counting 50 cents and over as a whole dollar.

(b) The additional compensation for a dependent or dependents provided by this section shall not be payable to any veteran during any period he is in receipt of an increased rate of subsistence allowance or education and training allowance on account of a dependent or dependents under any other law administered by the Veterans' Administration.

The veteran may elect to receive whichever is the greater.

Subchapter III—Wartime Death Compensation

Sec. 321. Basic entitlement

The surviving widow, child or children, and dependent parent or parents of any veteran who died before January 1, 1957 (or after April 30, 1957, under the circumstances described in section 417 (a) of this title) as the result of injury or disease incurred in or aggravated by active military, naval, or air service, in line of duty, during a period of war, shall be entitled to receive compensation at the monthly rates specified in section 322 of this title.

Sec. 322. Rates of wartime death compensation

The monthly rates of death compensation shall be as follows:

(1) Widow but no child, $87;
(2) Widow with one child, $121 (with $29 for each additional child);
(3) No widow but one child, $67;
(4) No widow but two children, $94 (equally divided);
(5) No widow but three children, $122 (equally divided) (with $23 for each additional child, total amount to be equally divided);
(6) Dependent mother or father, $75;
(7) Dependent mother and father, $40 each.

Subchapter IV—Peacetime Disability Compensation

Sec. 331. Basic entitlement

For disability resulting from personal injury suffered or disease contracted in line of duty, or for aggravation of a preexisting injury suffered or disease contracted in line of duty, in the active military, naval, or air service, during other than a period of war, the United States will pay to any veteran thus disabled and who was discharged or released, under conditions other than dishonorable, from the period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, compensation as provided in this subchapter but no compensation shall be paid if the disability is the result of veteran's own willful misconduct.

Sec. 332. Presumption of sound condition

For the purposes of section 331 of this title, every person employed in the active military, naval, or air service for 6 months or more shall be taken to have been in sound condition when examined, accepted and enrolled for service, except as to defects, infirmities, or disorders noted at the time of the examination, acceptance and enrollment, or where evidence or medical judgment is such as to warrant a finding that the disease or injury existed before acceptance and enrollment.

Sec. 333. Presumptions relating to certain diseases

(a) For the purposes of section 331 of this title, and subject to the provisions of subsection (b) and (c) of this section, any veteran who served for 6 months or more and contracts a tropical disease or a resultant disorder or disease originating because of therapy administered in connection with a tropical disease, or as a preventative thereof, shall be deemed to have incurred such disability in the active military, naval, or air service when it is shown to exist within 1 year after separation from service, or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service.

(b) Service-connection shall not be granted pursuant to subsection (a), in any case where the disease or disorder is shown by clear and unmistakable evidence to have had its inception before or after active military, naval, or air service.

(c) Nothing in this section shall be construed to prevent the granting of service-connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active military, naval, or air service.

Sec. 334. Rates of peacetime disability compensation

For the purposes of section 331 of this title, the compensation payable for the disability shall be equal to 80 per centum of the compensation payable for such disability under section 314 of this title, adjusted upward or downward to the nearest dollar, counting 50 cents and over as a whole dollar.

Sec. 335. Additional compensation for dependents

Any veteran entitled to compensation at the rates provided in section 334 of this title, and whose disability is rated not less than 50 per centum, shall be entitled to additional monthly compensation for dependents equal to 80 per centum of the additional compensation for dependents provided in section 315 of this title, and subject to the limitations thereof. The amounts payable under this section shall be adjusted upward or downward to the nearest dollar, counting 50 cents and over as a whole dollar.

Sec. 336. Conditions under which wartime rates payable

Any veteran otherwise entitled to compensation under the provisions of this subchapter shall be entitled to receive the rate of compensation provided in sections 314 and 315 of this title, if the disability of such veteran resulted from an injury or disease received in line of duty (1) as a direct result of armed conflict, (2) while engaged in extrahazardous service, including such service under conditions simulating war, or (3) after December 31, 1946, and before July 26, 1947.

Subchapter V—Peacetime Death Compensation

Sec. 341. Basic entitlement

The surviving widow, child or children, and dependent parent or parents of any veteran who died before January 1, 1957 (or after April 30, 1957, under the circumstances described in section 417 (a) of this title), as the result of injury or disease incurred in or aggravated by active military, naval, or air service, in line of duty, during other than a period of war, shall be entitled to receive compensation as hereinafter provided in this subchapter.

Sec. 342. Rates of peacetime death compensation

For the purposes of section 341 of this title, the monthly rates of death compensation payable shall be equal to 80 per centum of the rates prescribed by section 322 of this title, adjusted upward or downward to the nearest dollar, counting 50 cents and over as a whole dollar.

Sec. 343. Conditions under which wartime rates payable

The dependents of any deceased veteran otherwise entitled to compensation under the provisions of this subchapter shall be entitled to receive the rate of compensation provided in section 322 of this title, if the death of such veteran resulted from an injury or disease received in line of duty (1) as a direct result of armed conflict, (2) while engaged in extrahazardous service, including such service under conditions simulating war, or (3) after December 31, 1946, and before July 26, 1947.

Subchapter VI—General Compensation Provisions

Sec. 351. Benefits for persons disabled by treatment or vocational rehabilitation

Where any veteran shall have suffered an injury, or an aggravation of an injury, as the result of hospitalization, medical or surgical treatment, or the pursuit of a course of vocational rehabilitation under chapter 31 of this title, awarded him under any of the laws administered by the Veterans' Administration, or as a result of having submitted to an examination under any such law, and not the result of his own willful misconduct, and such injury or aggravation results in additional disability to or the death of such veteran, disability or death compensation under this chapter and dependency and indemnity compensation under chapter 13 of this title shall be awarded in the same manner as if such disability, aggravation, or death were service-connected; except that no benefits shall be awarded unless application be made therefor within 2 years after such injury or aggravation was suffered, or such death occurred.

Sec. 352. Persons heretofore having a compensable status

The death and disability benefits of this chapter shall, notwithstanding the service requirements thereof, be granted to persons heretofore recognized by law as having a compensable status, including persons whose claims are based on war or peacetime service rendered before April 21, 1898.

Sec. 353. Aggravation

A preexisting injury or disease will be considered to have been aggravated by active military, naval, or air service, where there is an increase in disability during such service, unless there is a specific finding that the increase in disability is due to the natural progress of the disease.

SEC. 354. Consideration to be accorded time, place, and circumstances of service

(a) The Administrator shall include in the regulations pertaining to service-connection of disabilities, additional provisions in effect requiring that in each case where a veteran is seeking service-connection for any disability due consideration shall be given to the places, types, and circumstances of his service as shown by his service record, the official history of each organization in which he served, his medical records, and all pertinent medical and lay evidence.

(b) In the case of any veteran who engaged in combat with the enemy in active service with a military, naval, or air organization of the United States during a period of war, campaign, or expedition, the Administrator shall accept as sufficient proof of service-connection of any disease or injury alleged to have been incurred in or aggravated by such service satisfactory lay or other evidence of service incurrence or aggravation of such injury or disease, if consistent with the circumstances, conditions, or hardships of such service, notwithstanding the fact that there is no official record of such incurrence or aggravation in such service, and, to that end, shall resolve every reasonable doubt in favor of the veteran. Service-connection of such injury or disease may be rebutted by clear and convincing evidence to the contrary. The reasons for granting or denying service-connection in each case shall be recorded in full.

SEC. 355. Authority for schedule for rating disabilities

The Administrator shall adopt and apply a schedule of ratings of reductions in earning capacity from specific injuries or combination of injuries. The ratings shall be based, as far as practicable, upon the average impairments of earning capacity resulting from such injuries in civil occupations. The schedule shall be constructed so as to provide 10 grades of disability and no more, upon which payments of compensation shall be based, namely, 10 percent, 20 percent, 30 percent, 40 percent, 50 percent, 60 percent, 70 percent, 80 percent, 90 percent, and total, 100 percent The Administrator shall, from time to time, readjust this schedule of ratings in accordance with experience.

SEC. 356. Minimum rating for arrested tuberculosis

Any veteran shown to have active tuberculosis which is compensable under this chapter, who in the judgment of the Administrator has reached a condition of complete arrest, shall be rated as totally disabled for a period of 2 years following such date of arrest, as 50 percent disabled for an additional period of 4 years, and 30 percent for a further 5 years. Following far advanced active lesions the permanent rating shall be 30 percent, and following moderately advanced lesions, the permanent rating, after 11 years, shall be 20 percent, provided there is continued disability, dyspnea on exertion, impairment of health, and so forth; otherwise the rating shall be zero percent. The total disability rating herein provided for the 2 years following a complete arrest may be reduced to 50 percent for failure to follow prescribed treatment or to submit to examination when requested. This section shall not be construed as requiring a reduction of compensation authorized under any other provision of this chapter.

SEC. 357. Combination of certain ratings

The Administrator shall provide for the combination of ratings and pay compensation at the rates prescribed in subchapter II of this chapter to those veterans who served during a period of war and during any other time, who have suffered disability in line of duty in each period of service.

SEC. 358. Disappearance

Where an incompetent veteran receiving compensation under this chapter disappears, the Administrator, in his discretion, may pay the compensation otherwise payable to the veteran to his wife, children, and parents. Payments made to a wife, child, or parent under the preceding sentence shall not exceed the amounts payable to each if the veteran had died from service-connected disability.

Chapter 13—Dependency and indemnity compensation for service-connected deaths

Subchapter I—General

Sec.
401 Definitions.
402. Computation of basic pay.
403. Coverage of members of Reserve Officers' Training Corps.
404. Special provisions relating to widows.

Subchapter II—Dependency and Indemnity Compensation

410. Deaths entitling survivors to dependency and indemnity compensation.
411. Dependency and indemnity compensation to a widow.
412. Benefits in certain cases of in-service or service-connected deaths.
413. Dependency and indemnity compensation to children.
414. Supplemental dependency and indemnity compensation to children.
415. Dependency and indemnity compensation to parents.
416. Dependency and indemnity compensation in cases of prior deaths.
417. Restriction on payments under this chapter.

Subchapter III—Certifications

421. Certifications with respect to basic pay.
422. Certifications with respect to social-security entitlement.
423. Certifications by Administrator.

Subchapter I—General

SEC. 401. Definitions

As used in this chapter—

(1) The term "basic pay" means the monthly pay prescribed by sections 232 (a), 232 (e), or 308 of title 37, as may be appropriate, for a member of a uniformed service on active duty.

(2) The term "veteran" includes a person who died in the active military, naval, or air service.

SEC. 402. Computation of basic pay

(a) With respect to a veteran who died in the active military, naval, or air service, his basic pay shall be that prescribed on January 1, 1957, or on the date of his death (whichever is the later date) for a member of a uniformed service on active duty of the same rank and years of service as that of the deceased veteran at the time of his death.

(b) With respect to a veteran who did not die in the active military, naval, or air service, his basic pay shall be that prescribed on January 1, 1957, or on the date of his death (whichever is the later date) for a member of a uniformed service on active duty of the same rank and years of service as that of the deceased veteran—

(1) at the time of his last discharge or release from active duty under conditions other than dishonorable; or

(2) at the time of his discharge or release from any period of active duty for training or inactive duty training, if his death results from service-connected disability incurred during such period and if he was not thereafter discharged or released under conditions other than dishonorable from active duty.

(c) (1) The basic pay of any veteran described in section 106 (b) of this title shall be that to which he would have been entitled upon final acceptance or entry upon active duty.

(2) The basic pay of any person not otherwise described in this section, but who had a compensable status on the date of his death under laws administered by the Veterans' Administration, shall be determined by the head of the department under which such person performed the services by which he obtained such status (taking into consideration his duties, responsibilities, and years of service) and certified to the Administrator. For the purposes of this chapter, such person shall be deemed to have been on active duty while performing such services.

SEC. 403. Coverage of members of Reserve Officers' Training Corps

For the purposes of this chapter and section 722 of this title, annual training duty to which ordered for a period of 14 days or more by a member of a Reserve Officers' Training Corps, and authorized travel to or from such duty, shall be deemed to be active military, naval, or air service. The basic pay of any such member shall be considered to be the monthly pay of a person having the rank and years of service of those members of a uniformed service to which such member's pay is assimilated.

SEC. 404. Special provisions relating to widows

No dependency and indemnity compenration shall be paid to the widow of a veteran dying after December 31, 1956, unless she was married to him—

(1) before the expiration of 15 years after the termination of the period of service in which the injury or disease causing the death of the veteran was incurred or aggravated; or

(2) for five or more years; or

(3) for any period of time if a child was born of the marriage.

Subchapter II—Dependency and Indemnity Compensation

SEC. 410. Deaths entitling survivors to dependency and indemnity compensation

(a) When any veteran dies after December 31, 1956, from a service-connected or compensable disability, the Administrator shall pay dependency and indemnity compensation to his widow, children, and parents. The standards and criteria for determing whether or not a disability is service connected shall be those applicable under chapter 11 of this title.

(b) Dependency and indemnity compensation shall not be paid to the widow, children, or parents of any veteran dying after December 31, 1956, unless he (1) was discharged or released under conditions other than dishonorable from the period of active military, naval, or air service in which the disability causing his death was incurred or aggravated, or (2) died while in the active military, naval, or air service.

SEC. 411. Dependency and indemnity compensation to a widow

(a) Dependency and indemnity compensation shall be paid to a widow at a monthly rate equal to $112 plus 12 percent of the basic pay of her deceased husband.

(b) If there is a widow and two or more children below the age of 18 of a deceased veteran, and—

(1) the total of the monthly benefits to which such widow and children are (or would be, upon the filing of an application) entitled on the basis of such deceased veteran's status under the laws referred to in subsection (d);

is less than

(2) the amount described in subsection (e);

then the dependency and indemnity compensation paid monthly to the widow shall be increased by $25 for each such child in excess of one; however, the total of increases under this subsection shall not exceed the difference between the amounts referred to in subparagraphs (1) and (2) of this subsection.

(c) If the amount determined under subsection (a), after increase (if any) under subsection (b), involves a fraction of a dollar, the amount payable shall be increased by the Administrator to the next higher dollar.

(d) The laws referred to in subsection (b) (1) are—

(1) section 412 of this title;

(2) section 402 of title 42 (including the reduction provisions of subsection (a) of section 403 of title 42, but without regard to the deduction provisions of section 403); and

(3) section 228e of title 45 (including the reduction provisions of section 228c-1 (i) and 228e (h) of title 45).

(e) The amount referred to in subsection (b) (2) is an amount equal to the total of the monthly benefits to which a widow and two children of a deceased fully and currently insured individual would be entitled under section 402 of title 42 (after reduction under subsection (a) of section 403 of title 42 but without regard to deduction provisions of section 403) if such deceased individual's average monthly wage had been $160.

(f) The amount referred to in subsection (b) (1) shall be determined by the Secretary of Health, Education, and Welfare, or the Railroad Retirement Board, as the case may be, and shall be certified to the Administrator upon his request.

SEC. 412. Benefits in certain cases of in-service or service-connected deaths

In the case of any veteran—

(1) who dies after December 31, 1956, and is not a fully and currently insured individual (as defined in section 414 of title 42) at the time of his death; and

(2) whose death occurs—

(A) while on active duty, active duty for training, or inactive duty training; or

(B) as the result of a service-connected disability incurred after September 15, 1940; and

(3) who leaves one or more survivors who are not entitled for any month to monthly benefits under section 402 of title 42 on the basis of his wages and self-employment income but who would, upon application therefor, be entitled to such benefits if he had been fully and currently insured at the time of his death;

the Administrator shall pay for such month benefits under this section to each such survivor in an amount equal to the amount of the benefits which would have been paid for such month to such survivor under subchapter II of chapter 7 of title 42, if such veteran had been both fully and currently insured at the time of his death and if such survivor had filed application therefor on the same date on which application for benefits under this section is filed with the Administrator.

SEC. 413. Dependency and indemnity compensation to children

Whenever there is no widow of a deceased veteran entitled to dependency and indemnity compensation, dependency and indemnity compensation shall be paid in equal shares to the children of the deceased veteran at the following monthly rates:

(1) One child, $70.

(2) Two children, $100.

(3) Three children, $130.

(4) More than 3 children, $130; plus $25 for each child in excess of 3.

SEC. 414. Supplemental dependency and indemnity compensation to children

(a) In the case of a child entitled to dependency and indemnity compensation who has attained the age of 18 and who, while under such age, became permanently incapable of self-support, the dependency and indemnity compensation paid monthly to him shall be increased by $25.

(b) If dependency and indemnity compensation is payable monthly to a woman as a "widow" and there is a child (of her deceased husband) who has attained the age of 18 and who, while under such age, became permanently incapable of self-support, dependency and indemnity compensation shall be paid monthly to each such child, concurrently with the payment of dependency and indemnity compensation to the widow, in the amount of $70.

(c) If dependency and indemnity compensation is payable monthly to a woman as a "widow" and there is a child (of her deceased husband) who has attained the age of 18 and who, while under the age of 21, is pursuing a course of instruction at an educational institution approved under section 104 of this title, dependency and indemnity compensation shall be paid monthly to each such child, concurrently with the payment of dependency and indemnity compensation to the widow, in the amount of $35.

SEC. 415. Dependency and indemnity compensation to parents

(a) Dependency and indemnity compensation shall be paid monthly to parents of a deceased veteran in the amounts prescribed by this section.

(b) Except as provided in subsection (d), if there is only one parent, dependency and indemnity compensation shall be paid to him at a monthly rate equal to the amount under column II of the following table opposite his total annual income as shown in column I:

Column I		Column II
Total annual income		
More than—	Equal to or less than—	
$750	$1,000	$75.
$1,000	$1,250	$60.
$1,250	$1,500	$45.
$1,500	$1,750	$30.
$1,750	----------	$15.
		No amount payable.

(c) Except as provided in subsection (d), if there are two parents, but they are not living together, dependency and indemnity compensation shall be paid to each at a monthly rate equal to the amount under column II of the following table opposite the total annual income of each as shown in column I:

Column I		Column II
Total annual income		
More than—	Equal to or less than—	
$750	$1,000	$50.
$1,000	$1,250	$40.
$1,250	$1,500	$30.
$1,500	$1,750	$20.
$1,750	----------	$10.
		No amount payable.

(d) If there are two parents who are living together, or if a parent has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to each such parent at a monthly rate equal to the amount under column II of the following table opposite the total combined annual income of the parents, or of the parent and his spouse, as the case may be, as shown in column I:

Column I		Column II
Total annual income		
More than—	Equal to or less than—	
$1,000	$1,300	$50.
$1,300	$1,700	$40.
$1,700	$2,050	$30.
$2,050	$2,400	$20.
$2,400	----------	$10.
		No amount payable.

(e) The Administrator shall require as a condition of granting or continuing dependency and indemnity compensation to a parent that such parent file each year with him (on the form prescribed by him) a report showing the total income which such parent expects to receive in that year and the total income which such parent received in the preceding year. The parent or parents shall file with the Administrator a revised report whenever there is a material change in the estimated annual income.

(f) If the Administrator ascertains that there have been overpayments to a parent under this section, he shall deduct such overpayments (unless waived) from any future payments made to such parent under this section.

(g) (1) In determining income under this section, all payments of any kind or from any source shall be included, except—

(A) payments of the 6 months' death gratuity;

(B) donations from public or private relief or welfare organizations;

(C) payments under this chapter (except sec. 412) and chapter 11 of this title;

(D) lump-sum death payments under subchapter II of chapter 7 of title 42;

(E) payments of bonus or similar cash gratuity by any State based upon service in the Armed Forces.

(2) The Administrator may provide by regulation for the exclusion from income under this section of amounts paid by a parent for unusual medical expenses.

SEC. 416. Dependency and indemnity compensation in cases of prior deaths

(a) (1) Any person who is eligible as a widow or child for death compensation by reason of a death occurring before January 1, 1957, may receive dependency and indemnity compensation upon application therefor.

(2) Any person who is eligible as a parent, or, but for his annual income, would be eligible as a parent, for death compensation by reason of a death occurring before January 1, 1957, may receive dependency and indemnity compensation upon application therefor; however, the annual income limitations established by section 415 of this title shall apply to each such parent.

(b) (1) Whenever the widow of a veteran has been granted dependency and indemnity compensation by reason of this section, payments to her and to the children of the veteran shall thereafter be made under this chapter, and shall not thereafter be made to them by reason of the death of the veteran under (A) other provisions of law administered by the Veterans' Administration providing for the payment of compensation or pension, or (B) the Federal Employees' Compensation Act.

(2) Whenever the child or parent of any veteran is granted dependency and indemnity compensation, payments shall not thereafter be made to such child or parent by reason of the death of the veteran under (A) other provisions of law administered by the Veterans' Administration providing

for the payment of compensation or pension, or (B) the Federal Employees' Compensation Act.

(c) If children of a deceased individual are receiving death compensation, and all such children have not applied for dependency and indemnity compensation, (1) dependency and indemnity compensation paid to each child who has applied therefor shall not exceed the amounts which would be paid if the application had been made by, or on behalf of, all such children, and (2) benefits paid under other provisions of law administered by the Veterans' Administration providing for the payment of compensation or pension, or under the Federal Employees' Compensation Act, to each child who has not so applied therefor shall not exceed the amounts which would be paid to him if no such application had been made.

(d) If there are two parents of a deceased individual eligible for benefits by reason of subsection (a), and an application for dependency and indemnity compensation is not made by both parents, (1) dependency and indemnity compensation paid to the parent who applies therefor shall not exceed the amounts which would be paid to him if both parents had so applied, and (2) benefits paid under other provisions of law administered by the Veterans' Administration providing for the payment of compensation, or under the Federal Employees' Compensation Act, to the parent who has not so applied therefor shall not exceed the amounts which would be paid to him if no such application had been made.

(e) (1) Except as provided in paragraphs (3) and (4), no person who, on January 1, 1957, was a principal or contingent beneficiary of any payments under the Servicemen's Indemnity Act of 1951 may receive any such payments based upon the death giving rise to such payments after he has been granted dependency and indemnity compensation based upon that death. No principal or contingent beneficiary who has assigned his interest in payments under the Servicemen's Indemnity Act of 1951 after June 28, 1956, may receive any payments under this chapter based upon the death giving rise to such payments until the portion of the indemnity so assigned is no longer payable to any person.

(2) Where a beneficiary is barred from the receipt of payments under the Servicemen's Indemnity Act of 1951 by virtue of the first sentence of paragraph (1), no payment of the portion of indemnity in which such beneficiary had an interest shall be made to any other beneficiary.

(3) In the case of a child who has applied for dependency and indemnity compensation pursuant to this section or prior corresponding provisions of law, and who is or becomes a beneficiary under the Servicemen's Indemnity Act of 1951 by reason of the death giving rise to his eligibility for dependency and indemnity compensation, the Administrator shall determine and pay to such child for each month, or part thereof, payments under this chapter or under such act, whichever payment he determines to be the greater amount.

(4) Notwithstanding paragraph (2), where a child receives dependency and indemnity compensation under this chapter, and thereafter dies, the portion of servicemen's indemnity in which such child had an interest may be paid (subject to paragraph (3)) to another child of the person by reason of whose death such servicemen's indemnity was payable.

Sec. 417. Restriction on payments under this chapter

(a) No dependency and indemnity compensation shall be paid to the widow, children, or parents of any veteran dying after April 30, 1957, having in effect at the time of death a policy of United States Government life insurance or National Service Life Insurance under waiver of premiums under section 724 of this title, unless waiver of premiums on such policy was granted pursuant to the first proviso of section 622 (a) of the National Service Life Insurance Act of 1940, and the death occurs before the veteran's return to military jurisdiction or within 120 days thereafter. Where dependency and indemnity compensation is not payable by reason of the preceding sentence, death compensation may be paid under section 321 or 341 of this title, as applicable.

(b) No person eligible for dependency and indemnity compensation by reason of any death occurring after December 31, 1956, shall be eligible by reason of such death for any payments under (1) provisions of law administered by the Veterans' Administration providing for the payment of death compensation or death pension, or (2) the Federal Employees' Compensation Act.

Subchapter III—Certifications

Sec. 421. Certifications with respect to basic pay

(a) The Secretary concerned shall, at the request of the Administrator, certify to him the basic pay, considering rank or grade and cumulative years of service for pay purposes, of deceased persons with respect to whose deaths applications for benefits are filed under this chapter. The certification of the Secretary concerned shall be binding upon the Administrator.

(b) Whenever basic pay (as defined in section 401 of this title) is increased or decreased, basic pay determined pursuant to this chapter shall increase or decrease accordingly.

Sec. 422. Certifications with respect to social security entitlement

(a) Determinations required by section 412 of this title (other than a determination required by section 412 (2) of this title) as to whether any survivor described in section 412 (3) of this title of a deceased individual would be entitled to benefits under section 402 of title 42 for any month and as to the amount of the benefits which would be paid for such month, if the deceased veteran had been a fully and currently insured individual at the time of his death, shall be made by the Secretary of Health, Education, and Welfare, and shall be certified by him to the Administrator upon request of the Administrator.

(b) Upon the basis of estimates made by the Secretary of Health, Education, and Welfare after consultation with the Administrator, the Administrator shall pay to the Secretary an amount equal to the costs which will be incurred in making determinations and certifications under subsection (a). Such payments shall be made with respect to the costs incurred during such period (but not shorter than a calendar quarter) as the Secretary and the Administrator may prescribe. The amount payable for any period shall be increased or reduced to compensate for any underpayment or overpayment, as the case may be, of the costs incurred in any preceding period.

(c) Except with respect to determinations made under subsection (a) of this section, the Administrator shall prescribe such regulations as may be necessary to carry out the provisions of this section and section 412 of this title.

Sec. 423. Certifications by Administrator

Whenever the Administrator determines on the basis of a claim for benefits filed with him that a death occurred under the circumstances referred to in section 1476 (a) of title 10, or section 321 (b) of title 32, he shall certify that fact to the Secretary concerned. In all other cases, he shall make the determination referred to in such section 1476 (a) or 321 (b) at the request of the Secretary concerned.

Chapter 15—Pension for non-service-connected disability or death or for service

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Sec.
560. Medal of honor roll; persons eligible.
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Subchapter I—General

Sec. 501. Definitions.

For the purposes of this chapter—

(1) The term "Indian Wars" means the campaigns, engagements, and expeditions of the United States military forces against Indian tribes or nations, service in which has been recognized heretofore as pensionable service.

(2) The term "World War I" includes, in the case of any veteran, any period of service performed by him after November 11, 1918, and before July 2, 1921, if such veteran served in the active military, naval, or air service after April 5, 1917, and before November 12, 1918.

(3) The term "Civil War Veteran" includes a person who served in the military or naval forces of the Confederate States of America during the Civil War, and the term "active military or naval service" includes active service in those forces.

Sec. 502. Determinations with respect to disability

(a) For the purposes of this chapter, a person shall be considered to be permanently and totally disabled if he is suffering from—

(1) any disability which is sufficient to render it impossible for the average person to follow a substantially gainful occupation, but only if it is reasonably certain that such disability will continue throughout the life of the disabled person; or

(2) any disease or disorder determined by the Administrator to be of such a nature or extent as to justify a determination that persons suffering therefrom are permanently and totally disabled.

(b) For the purposes of this chapter, a person shall be considered to be in need of a regular aid and attendance if he is helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

Sec. 503. Items not considered in determining income

For the purposes of this chapter, in determining annual income, the Administrator shall not consider—

(1) payments under laws administered by the Veterans' Administration because of disability or death;

(2) payments of mustering-out pay;

(3) payments of the 6 months' death gratuity;

(4) annuities under chapter 73 of title 10;

(5) payments of adjusted compensation; and

(6) payments of bonus or similar cash gratuity by any State based on service in the Armed Forces.

Sec. 504. Persons heretofore having a pensionable status

The pension benefits of subchapters II and III of this chapter shall, notwithstanding the service requirements of such subchapters, be granted to persons heretofore recognized by law as having a pensionable status.

Sec. 505. Payment of pension during confinement in penal institutions

(a) No pension under public or private laws administered by the Veterans' Administration shall be paid to or for an individual who has been imprisoned in a Federal, State, or local penal institution as a result of conviction of a felony or misdemeanor for any part of the period beginning 61 days after his imprisonment begins and ending when his imprisonment ends.

(b) Where any veteran is disqualified for persion for any period solely by reason of subsection (a) of this section, the Administrator may apportion and pay to his wife or children the pension which such veteran would receive for that period but for this section.

(c) Where any widow or child of a veteran is disqualified for pension for any period solely by reason of subsection (a) of this section, the Administrator may (1) if the widow is so disqualified, pay to the child, or children, the pension which would be payable if there were no such widow or (2) if a child is so disqualified, pay to the widow or other children, as applicable, the pension which would be payable if there were no such child.

Subchapter II—Veterans' Pensions

Service pension

Sec. 510. Confederate forces veterans

The Administrator shall pay to each person who served in the military or naval forces of the Confederate States of America during the Civil War a monthly pension in the same amounts and subject to the same conditions as would have been applicable to such person under the laws in effect on December 31, 1957, if his service in those forces had been service in the military or naval service of the United States.

Sec. 511. Indian War veterans

(a) The Administrator shall pay to each veteran of the Indian Wars who meets the service requirements of this section a pension at the following monthly rate:

(1) $101.59; or

(2) $135.45 if the veteran is in need of regular aid and attendance.

(b) A veteran meets the service requirements of this section if he served in one of the Indian Wars—

(1) for 30 days or more; or

(2) for the duration of such Indian War; in any military organization, whether or not such service was the result of regular muster into the service of the United States, if such service was under the authority or by the approval of the United States or any State.

Sec. 512. Spanish-American War veterans

(a) (1) The Administrator shall pay to each veteran of the Spanish-American War who meets the service requirements of this subsection a pension at the following monthly rate:

(A) $101.59; or

(B) $135.45 if the veteran is in need of regular aid and attendance.

(2) A veteran meets the service requirements of this subsection if he served in the active military or naval service—

(A) for 90 days or more during the Spanish-American War;

(B) during the Spanish-American War and was discharged or released from such service for a service-connected disability; or

(C) for a period of 90 consecutive days or more and such period began or ended during the Spanish-American War.

(b) (1) The Administrator shall pay to each veteran of the Spanish-American War who does not meet the service requirements of subsection (a), but who meets the service requirements of this subsection, a pension at the following monthly rate:

(A) $67.73; or

(B) $88.04 if the veteran is in need of regular aid and attendance.

(2) A veteran meets the requirements of this subsection if he served in the active military or naval service—

(A) for 70 days or more during the Spanish-American War; or

(B) for a period of 70 consecutive days or more and such period began or ended during the Spanish-American War.

Non-service-connected disability pension

Sec. 521. Veterans of World War I, World War II, or the Korean conflict

(a) The Administrator shall pay to each veteran of World War I, World War II, or the Korean conflict, who meets the service requirements of this section, and who is permanently and totally disabled from non-service-connected disability not the result of the veteran's willful misconduct or vicious habits, a pension at the following monthly rate:

(1) $66.15; or

(2) $78.75 if (A) the veteran is 65 years of age or older, or (B) the veteran has been rated as permanently and totally disabled for a continuous period of 10 years and he has been in receipt of pension throughout such period; or

(3) $135.45 if the veteran is in need of regular aid and attendance.

(b) A veteran meets the service requirements of this section if he served in the active military, naval, or air service—

(1) for 90 days or more during either World War I, World War II, or the Korean conflict;

(2) during World War I, World War II, or the Korean conflict, and was discharged or released from such service for a service-connected disability; or

(3) for a period of 90 consecutive days or more and such period ended during World War I, or began or ended during World War II or the Korean conflict.

Sec. 522. Income limitations

(a) No pension shall be paid under section 521 of this title to any unmarried veteran whose annual income exceeds $1,400, or to any married veteran or any veteran with children whose annual income exceeds $2,700.

(b) As a condition of granting or continuing pension under section 521 of this title, the Administrator may require from any veteran applying for, or in receipt of, pension under such sections such information, proofs, or evidence as he desires in order to determine the anual income of such veteran.

Sec. 523. Combination of ratings

(a) The Administrator shall provide that, for the purpose of determining whether or not a veteran is permanently and totally disabled, ratings for service-connected disabilities may be combined with ratings for non-service-connected disabilities.

(b) Where a veteran, by virtue of subsection (a), is found to be entitled to a pension under section 521 of this title, and is entitled to compensation for a service-connected disability, the Administrator shall pay him the greater benefit.

Subchapter III—Pensions to Widows and Children

Wars before World War I

Sec. 531. Widows of Mexican War veterans

The Administrator shall pay to the widow of each veteran of the Mexican War, who is on the pension rolls on December 31, 1958, under any public law, a pension at the monthly rate of $65.

Sec. 532. Widows of Civil War veterans

(a) The Administrator shall pay to the widow of each Civil War veteran who met the service requirements of this section a pension at the following monthly rate:

(1) $40.64 if she is below 70 years of age; or

(2) $65 if she is 70 years of age or older; unless she was the wife of the veteran during his service in the Civil War, in which case the monthly rate shall be $75.

(b) If there is a child of the veteran, the rate of pension paid to the widow under subsection (a) shall be increased by $8.13 per month for each such child.

(c) A veteran met the service requirements of this section if he served for 90 days or more in the active military or naval service during the Civil War, as heretofore defined under public laws administered by the Veterans' Administration, or if he was discharged or released from such service upon a surgeon's certificate of disability.

(d) No pension shall be paid to a widow of a veteran under this section unless she was married to him—

(1) before June 27, 1905; or

(2) for 5 or more years; or

(3) for any period of time if a child was born of the marriage.

Sec. 533. Children of Civil War veterans

Whenever there is no widow entitled to pension under section 532 of this title, the Administrator shall pay to the children of each Civil War veteran who met the service requirements of section 532 of this title a pension at the monthly rate of $73.13 for one child, plus $8.13 for each additional child, with the total amount equally divided.

Sec. 534. Widows of Indian War veterans

(a) The Administrator shall pay to the widow of each Indian War veteran who met the service requirements of section 511 of this title a pension at the following monthly rate:

(1) $40.64 if she is below 70 years of age; or

(2) $65 if she is 70 years of age or older; unless she was the wife of the veteran during his service in one of the Indian Wars, in which case the monthly rate shall be $75.

(b) If there is a child of the veteran, the rate of pension paid to the widow under subsection (a) shall be increased by $8.13 per month for each such child.

(c) No pension shall be paid to a widow of a veteran under this section unless she was married to him—

(1) before March 4, 1917; or

(2) for five or more years; or

(3) for any period of time if a child was born of the marriage.

SEC. 535. Children of Indian War veterans

Whenever there is no widow entitled to pension under section 534 of this title, the Administrator shall pay to the children of each Indian War veteran who met the service requirements of section 511 of this title a pension at the monthly rate of $73.13 for one child, plus $8.13 for each additional child, with the total amount equally divided.

SEC. 536. Widows of Spanish-American War veterans.

(a) The Administrator shall pay to the widow of each Spanish-American War veteran who met the service requirements of section 512 (a) of this title a pension at the monthly rate of $65, unless she was the wife of the veteran during his service in the Spanish-American War, in which case the monthly rate shall be $75.

(b) If there is a child of the veteran, the rate of pension paid to the widow under subsection (a) shall be increased by $8.13 per month for each such child.

(c) No pension shall be paid to a widow of a veteran under this section unless she was married to him—

(1) before January 1, 1939; or

(2) for 5 or more years; or

(3) for any period of time if a child was born of the marriage.

SEC. 537. Children of Spanish-American War veterans

Whenever there is no widow entitled to pension under section 536 of this title, the Administrator shall pay to the children of each Spanish-American War veteran who met the service requirements of section 512 (a) of this title a pension at the monthly rate of $73.13 for one child, plus $8.13 for each additional child, with the total amount equally divided.

World War I, World War II, and the Korean conflict

SEC. 541. Widows of World War I veterans

(a) The Administrator shall pay to the widow of each veteran of World War I who met the service requirements of section 521 of this title, or who at the time of his death was receiving (or entitled to receive) compensation or retirement pay based upon a service-connected disability, a pension at the following monthly rate:

(1) Widow, no child, $50.40;

(2) Widow, one child, $63, with $7.56 for each additional child. (b) No pension shall be paid to a widow of a veteran under this section unless she was married to him—

(1) before December 14, 1944; or

(2) for 5 or more years; or

(3) for any period of time if a child was born of the marriage.

SEC. 542. Children of World War I veterans

(a) Whenever there is no widow entitled to pension under section 541 of this title, the Administrator shall pay to the children of each veteran of World War I who met the service requirements of section 521 of this title, or who at the time of his death was receiving (or entitled to receive) compensation or retirement pay based upon a service-connected disability, a pension at the following monthly rate:

(1) One child, $27.30;

(2) Two children, $40.95; and

(3) Three children, $54.60, with $7.56 for each additional child. (b) Pension prescribed by this section shall be paid to eligible children in equal share.

SEC. 543. Widows of World War II or Korean conflict veterans

(a) The Administrator shall pay to the widow of each veteran of World War II or of the Korean conflict—

(1) who met the service requirements of section 521 of this title, and at the time of his death had a service-connected disability for which compensation would have been payable if 10 percent or more in degree disabling; or

(2) who, at the time of his death, was receiving (or entitled to receive) compensation or retirement pay based upon a service-connected disability;

a pension at the rate prescribed by section 541 of this title for the widow of a veteran of World War I.

(b) No pension shall be paid to a widow of a veteran under this section unless she was married to him—

(1) before January 1, 1957, in the case of a widow of a veteran of World War II, or before February 1, 1965, in the case of a widow of a veteran of the Korean conflict; or

(2) for 5 or more years; or

(3) for any period of time if a child was born of the marriage.

SEC. 544. Children of World War II or Korean conflict veterans

Whenever there is no widow entitled to pension under section 543 of this title, the Administrator shall pay to the children of each veteran of World War II or of the Korean conflict described in paragraph (1) or (2) of section 543 (a) of this title a pension at the rate prescribed by section 542 of this title for the children of a veteran of World War I.

SEC. 545. Income limitations

(a) No pension shall be paid under sections 541–544 of this title to any widow without child, or to or on account of any child, whose annual income exceeds $1,400, or to a widow (with a child) whose annual income exceeds $2,700.

(b) Where pension is not payable to a widow because of this section, payments to children shall be made as though there were no widow.

Subchapter IV—Army, Navy, and Air Force Medal of Honor Roll

SEC. 560. Medal of Honor Roll; persons eligible

(a) There shall be in the Department of the Army, the Department of the Navy, and the Department of the Air Force, respectively, a roll designated as the "Army, Navy, and Air Force Medal of Honor Roll."

(b) Upon written application to the Secretary concerned, the Secretary shall enter and record on such roll the name of each surviving person who has served in the active military, naval, or air service of the United States in any war, who has attained the age of 65 years, and who has been awarded a medal of honor for having in action involving actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty, and who was honorably discharged from service by muster out, resignation, or otherwise.

(c) Applications for entry on such roll shall be made in the form and under regulations prescribed by the Secretary concerned. Proper blanks and instructions shall be furnished by the Secretary concerned, without charge, upon the request of any person claiming the benefits of this subchapter.

SEC. 561. Certificate entitling holder to pension

(a) The Secretary concerned shall determine whether or not each applicant is entitled to the benefits of this subchapter. If the official award of the Medal of Honor to the applicant, or the official notice to him thereof, shows that the Medal of Honor was awarded to the applicant for an act described in section 560 of this title, such award or notice shall be sufficient to entitle the applicant to special pension under this subchapter without further investigation; otherwise, all official correspondence, orders, reports, recommendations, requests, and other evidence on file in any public office or department shall be considered.

(b) Each person whose name is entered on the Army, Navy, and Air Force Medal of Honor roll shall be furnished a certificate of service and of the act of heroism, gallantry, bravery, or intrepidity for which the medal of honor was awarded, of enrollment on such roll, and of his right to special pension.

(c) The Secretary concerned shall deliver to the Administrator a certified copy of each certificate which he issues under this subchapter. Such copy shall authorize the Administrator to pay to the person named in the certificate the special pension provided for in this subchapter.

SEC. 562. Special provisions relating to pension

(a) The Administrator shall pay monthly to each person whose name has been entered on the Army, Navy, and Air Force Medal of Honor roll a special pension at the rate of $10, beginning as of the date of application therefor under section 560 of this title.

(b) The receipt of special pension shall not deprive any person of any other pension or other benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law. Special pension shall be paid in addition to all other payments under laws of the United States.

(c) Special pension shall not be subject to any attachment, execution, levy, tax lien, or detention under any process whatever.

(d) If any person has been awarded more than one medal of honor, he shall not receive more than one special pension.

Chapter 17—Hospital, domiciliary, and medical care

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Subchapter I—General

SEC. 601. Definitions.

For the purposes of this chapter—

(1) The term "disability" means a disease, injury, or other physical or mental defect.

(2) The term "veteran of any war" includes any veteran of the Indians Wars.

(3) The term "period of war" includes each of the Indian Wars.

(4) The term "Veterans' Administration facilities" means—

(A) facilities over which the Administrator has direct and exclusive jurisdiction;

(B) Government facilities for which the Administrator contracts; and

(C) private facilities for which the Administrator contracts in order to provide hospital care (i) in emergency cases for persons suffering from service-connected disabilities or from disabilities for which such persons were discharged or released from the active military, naval, or air service; (ii) for women veterans of any war; or (iii) for veterans of any war in a Territory, Commonwealth, or possession of the United States.

(5) The term "hospital care" includes medical services rendered in the course of hospitalization and transportation and incidental expenses for veterans who are in need of treatment for a service-connected disability or are unable to defray the expense of transportation.

(6) The term "medical services" includes, in addition to medical examination and treatment, dental and surgical services, and dental appliances, wheelchairs, artificial limbs, trusses, and similar appliances, special clothing made necessary by the wearing of prosthetic appliances, and such other supplies as the Administrator determines to be reasonable and necessary.

(7) The term "domiciliary care" includes transportation and incidental expenses for veterans who are unable to defray the expense of transportation.

SEC. 602. Presumption relating to psychosis

For the purposes of this chapter, any veteran of World War II or of the Korean conflict who developed an active psychosis (1) within 2 years after his discharge or release from the active military, naval, or air service, and (2) before July 26, 1949, in the case of a veteran of World War II, or February 1, 1957, in the case of a veteran of the Korean conflict, shall be deemed to have incurred such disability in the active military, naval, or air service.

Subchapter II—Hospital or Domiciliary Care and Medical Treatment

SEC. 610. Eligibility for hospital and domiciliary care

(a) The Administrator, within the limits of Veterans' Administration facilities, may furnish hospital care which he determines is needed to—

(1) a veteran of any war for a service-connected disability incurred or aggravated during a period of war, or for any other disability if such veteran is unable to defray the expenses of necessary hospital care;

(2) a veteran whose discharge or release from the active military, naval, or air service was for a disability incurred or aggravated in line of duty; and

(3) a person who is in receipt of, or but for the receipt of retirement pay would be entitled to, disability compensation.

(b) The Administrator, within the limits of Veterans' Administration facilities, may furnish domiciliary care to—

(1) a veteran who was discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, or a person who is in receipt of disability compensation, when he is suffering from a permanent disability or tuberculosis or neuropsychiatric ailment and is incapacitated from earning a living and has no adequate means of support; and

(2) a veteran of any war who is in need of domiciliary care, if he is unable to defray the expenses of necessary domiciliary care.

SEC. 611. Hospitalization during examinations and in emergencies.

(a) The Administrator may furnish hospital care incident to physical examinations where such examinations are necessary in carrying out the provisions of other laws administered by him.

(b) The Administrator may furnish hospital care as a humanitarian service in emergency cases, but he shall charge for such care at rates prescribed by him.

SEC. 612. Eligibility for medical treatment

(a) Except as provided in subsection (b), the Administrator, within the limits of Veterans' Administration facilities, may furnish such medical services for a service-connected disability as he finds to be reasonably necessary to a veteran of any war, to a veteran discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, or to a person who is in receipt of, or but for the receipt of retirement pay would be entitled to, disability compensation. Veterans eligible under this subsection by reason of discharge or release for disability incurred or aggravated in line of duty may also be furnished medical services for that disability, even though it is not a service-connected disability for the purposes of this chapter.

(b) Outpatient dental services and treatment, and related dental appliances, shall be furnished under this section only for a dental condition or disability—

(1) which is service-connected and compensable in degree;

(2) which is service-connected, but not compensable in degree, but only (A) if it is shown to have been in existence at time of discharge or release from active military, naval, or air service and (B) if application for treatment is made within 1 year after such discharge or release;

(3) which is a service-connected dental condition or disability due to combat wounds or other service trauma, or of a former prisoner of war;

(4) which is associated with and is aggravating a disability resulting from some other disease or injury which was incurred in or aggravated by active military, naval, or air service; or

(5) from which a veteran of the Spanish-American War is suffering.

(c) Dental services and related appliances for a dental condition or disability described in clause (2) of subsection (b) of this section shall be furnished on a one-time completion basis, unless the services rendered on a one-time completion basis are found unacceptable within the limitations of good professional standards, in which event such additional services may be afforded as are required to complete professionally acceptable treatment.

(d) Dental appliances, wheelchairs, artificial limbs, trusses, special clothing, and similar appliances to be furnished by the Administrator under this section may be procured by him either by purchase or by manufacture, whichever he determines may be advantageous and reasonably necessary.

(e) Any disability of a veteran of the Spanish-American War, upon application for the benefits of this section or outpatient medical services under section 624 of this title, shall be considered for the purposes thereof to be a service-connected disability incurred or aggravated in a period of war.

SEC. 613. Fitting and training in use of prosthetic appliances

Any veteran who is entitled to a prosthetic appliance shall be furnished such fitting and training, including institutional training, in the use of such appliance as may be necessary, whether in a Veterans' Administration facility or other training institution, or by outpatient treatment, including such services under contract, and including necessary travel expenses to and from his home to such hospital or training institution.

SEC. 614. Seeing-eye dogs

The Administrator may provide seeing-eye or guide dogs trained for the aid of the blind to veterans who are entitled to disability compensation, and he may pay all necessary travel expenses to and from their homes and incurred in becoming adjusted to such seeing-eye or guide dogs. The Administrator may also provide such veterans with mechanical or electronic equipment for aiding them in overcoming the handicap of blindness.

SEC. 615. Tobacco for hospitalized veterans

The Administrator may furnish tobacco to veterans receiving hospital or domiciliary care.

SEC. 616. Hospital care by other agencies of the United States

When so specified in an appropriation or other act, the Administrator may make allotments and transfers to the Departments of Health, Education, and Welfare (Public Health Service), the Army, Navy, Air Force, or Interior, for disbursement by them under the various headings of their appropriations, of such amounts as are necessary for the care and treatment of veterans entitled to hospitalization from the Veterans' Administration under this chapter. The amounts to be charged the Veterans' Administration for care and treatment of veterans in hospitals shall be calculated on the basis of a per diem rate approved by the Bureau of the Budget.

Subchapter III—Miscellaneous Provisions Relating to Hospital Care and Medical Treatment of Veterans

SEC. 621. Power to make rules and regulations

The Administrator shall prescribe—

(1) such rules and procedure governing the furnishing of hospital and domiciliary care as he may deem proper and necessary;

(2) limitations in connection with the furnishing of hospital and domiciliary care; and

(3) such rules and regulations as he deems necessary in order to promote good conduct on the part of persons who are receiving hospital or domiciliary care in Veterans' Administration facilities.

SEC. 622. Statement under oath

For the purposes of section 610 (a) (1), section 610 (b) (2), and section 624 (c) of this title, the statement under oath of an applicant on such form as may be prescribed by the Administrator shall be accepted as sufficient evidence of inability to defray necessary expenses.

SEC. 623. Furnishing of clothing

The Administrator shall not furnish clothing to persons who are in Veterans' Administration facilities, except (1) where the furnishing of such clothing to indigent persons is necessary to protect health or sanitation, and (2) where he furnishes veterans with special clothing made necessary by the wearing of prosthetic appliances.

SEC. 624. Hospital care and medical services abroad

(a) Except as provided in subsections (b) and (c), the Administrator shall not furnish

hospital or domiciliary care or medical services outside the continental limits of the United States, or a Territory, Commonwealth, or possession of the United States, except that he may furnish necessary hospital care and medical services for service-connected disabilities incurred during a period of war to veterans who are citizens of the United States temporarily sojourning or residing abroad.

(b) The Administrator may furnish necessary hospital care and medical services for any service-connected disability—

(1) if incurred during a period of war, to any veteran who is a citizen of the United States temporarily sojourning or residing abroad except in the Republic of the Philippines; or

(2) whenever incurred, to any otherwise eligible veteran in the Republic of the Philippines.

(c) Within the limits of those facilities of the Veterans Memorial Hospital at Manila, Republic of the Phillippines, for which the Administrator may contract, he may furnish necessary hospital care to a veteran of any war for any non-service-connected disability if such veteran is unable to defray the expenses of necessary hospital care. The Administrator may enter into contracts to carry out this section.

Sec. 625. Arrests for crimes in hospital and domiciliary reservations

For the purpose of maintaining law and order and of protecting persons and property at hospitals and domiciliaries of the Veterans' Administration, the Administrator may designate at such hospitals and domiciliaries persons who shall have authority to make arrests for any crime or offense against the United States committed on the reservation of the hospital or domiciliary. Any person so arrested shall be taken forthwith before the nearest United States commissioner, within whose jurisdiction the hospital or domiciliary is located.

Sec. 626. Reimbursement for loss of personal effects by fire

The Administrator shall, under regulations which he shall prescribe, reimburse veterans in Veterans' Administration hospitals and domiciliaries for any loss of personal effects sustained by fire while such effects were stored in designated locations in Veterans' Administration hospitals or domiciliaries.

Sec. 627. Persons eligible under prior law

Persons who have a status which would, under the laws in effect on December 31, 1956, entitle them to the medical services, hospital and domiciliary care, and other benefits, provided for in this chapter, but who do not meet the service requirements contained in this chapter, shall be entitled to such benefits notwithstanding failure to meet such service requirements.

Subchapter IV.—Hospital and Medical Care for Commonwealth of the Philippines Army Veterans

Sec. 631. Grants to the Republic of the Philippines

(a) The President, in accordance with the agreement entered into pursuant to the act of July 1, 1948, respecting hospitals and medical care for Commonwealth Army veterans (63 Stat. 2563), is authorized to assist the Republic of the Philippines in providing medical care and treatment for Commonwealth Army veterans in need of such care and treatment for service-connected disabilities through grants to reimburse the Republic of the Philippines for expenditures incident to hospital care of Commonwealth Army veterans in need thereof for such disabilities. The total of such grants shall not exceed $1½ million for the calendar year 1958, and $1 million for the calendar year 1959. If agreement is reached to modify the plan of assistance as provided for in paragraph (1) of section 632, the total of grants for 1958 up to July 1 may be as much as $1 million.

Sec. 632. Modification of agreement with the Republic of the Philippines effectuating the act of July 1, 1948

The President, with the concurrence of the Republic of the Philippines, is authorized to modify the agreement between the United States and the Republic of the Philippines respecting hospitals and medical care for Commonwealth Army veterans (63 Stat. 2593) in either or both of the following respects:

(1) To provide that in lieu of any grants being made after July 1, 1958, under section 631 of this title, the Administrator may enter into a contract with the Veterans Memorial Hospital, with the approval of the appropriate department of the Government of the Republic of the Philippines, under which the United States will pay for hospital care in the Republic of the Philippines of Commonwealth Army veterans determined by the Administrator to need such hospital care for service-connected disabilities. Such contract must be entered into before July 1, 1958, may be for a period of not more than five consecutive fiscal years beginning July 1, 1958, and shall provide for payments for such hospital care at a per diem rate to be jointly determined for each fiscal year by the two Governments to be fair and reasonable; but the total of such payments plus any payments for authorized travel expenses in connection with such hospital care shall not exceed $2 million for any 1 fiscal year. In addition, such modified agreement may provide that, during the period covered by such contract, medical services for Commonwealth Army veterans determined by the Administrator to be in need thereof for service-connected disabilities shall be provided either in Veterans' Administration facilities, or by contract, or otherwise, by the Administrator in accordance with the conditions and limitations applicable generally to beneficiaries under section 612 of this title.

(2) To provide for the use by the Republic of the Philippines of beds, equipment, and other facilities of the Veterans Memorial Hospital at Manila, not required for hospital care of Commonwealth Army veterans for service-connected disabilities, for hospital care of other persons in the discretion of the Republic of the Philippines. If such agreement is modified in accordance with this paragraph, such agreement (A) shall specify that priority of admission and retention in such hospital shall be accorded Commonwealth Army veterans needing hospital care for service-connected disabilities, and (B) shall not preclude the use of available facilities in such hospital on a contract basis for hospital care or medical services for persons eligible therefor from the Veterans' Administration.

In addition, such agreement may provide for the payment of travel expenses pursuant to section 111 of this title for Commonwealth Army veterans in connection with hospital care or medical services furnished them.

Sec. 633. Supervision of program by the President

The President, or any officer of the United States to whom he may delegate his authority under this section, may from time to time prescribe such rules and regulations and impose such conditions on the receipt of financial aid as may be necessary to carry out this subchapter.

Sec. 634. Definitions

For the purposes of this subchapter—

(1) The term "Commonwealth Army veterans" means persons who served before July 1, 1946, in the organized military forces of the Government of the Philippines, while such forces were in the service of the Armed Forces pursuant to the military order of the President dated July 6, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, and who were discharged or released from such service under conditions other than dishonorable.

(2) The term "service-connected disabilities" means disabilities determined by the Administrator under laws administered by the Veterans' Administration to have been incurred in or aggravated by the service described in paragraph (1) in line of duty.

Subchapter V—Payments to State Homes

Sec. 641. Criteria for payment

(a) The Administrator shall pay each State at the annual rate of $700 for each veteran of any war cared for in a State home (whether or not he is receiving hospitalization or domiciliary care therein) in such State who is eligible for such care in a Veterans' Administration facility; however, such payment shall not be more, in any case, than one-half of the cost of such veteran's maintenance in such State home.

(b) The amount payable on account of any State home pursuant to subsection (a) for any veteran cared for therein shall be reduced—

(1) by one-half of any amounts retained by such home from any payments of pension or compensation made to such veteran; and

(2) unless the widows or wives of veterans of any war are admitted and maintained in such State home, by any other amounts collected in any manner from such veteran to be used for the support of such State home.

(c) No amounts shall be paid on account of any State home under this section if a bar or canteen is maintained therein where intoxicating liquors are sold.

Sec. 642. Inspections of such homes; restrictions on beneficiaries

(a) The Administrator may inspect any State home at such times as he deems necessary.

(b) The Administrator may ascertain the number of persons on account of whom payments may be made under this subchapter on account of any State home, but shall have no authority over the management or control of any State home.

Sec. 643. Applications

Payments on account of any veteran of any war cared for in a State home shall be made under this subchapter only from the date the Administrator receives a request for determination of such veteran's eligibility; however, if such request is received by the Administrator within 10 days after care of such veteran begins, payments shall be made on account of such veteran from the date care began.

Chapter 19—Insurance

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Subchapter I—National Service Life Insurance

Sec. 701. Definitions

For the purposes of this subchapter—

(1) The term "insurance" means National Service Life Insurance.

(2) The terms "widow" or "widower" mean a person who was the lawful spouse of the insured at the maturity of the insurance.

(3) The term "child" means a legitimate child, an adopted child, and, if designated as beneficiary by the insured, a stepchild or an illegitimate child.

(4) The terms "parent", "father", and "mother" mean a father, mother, father through adoption, mother through adoption, persons who have stood in loco parentis to a member of the military or naval forces at any time before entry into active service for a period of not less than 1 year, and a stepparent, if designated as beneficiary by the insured.

Sec. 702. Premium rates and policy values

Premium rates for insurance shall be the net rates based upon the American Experience Table of Mortality and interest at the rate of 3 percent per annum. All cash, loan, paid-up, and extended values, and all other calculations in connection with insurance, shall be based upon said American Experience Table of Mortality and interest at the rate of 3 percent per annum.

Sec. 703. Amount of insurance

Insurance shall be issued in any multiple of $500 and the amount of insurance with respect to any one person shall be not less than $1,000 or more than $10,000. No person may carry a combined amount of National Service Life Insurance and United States Government life insurance in excess of $10,000 at any one time.

Sec. 704. Plans of insurance

Insurance may be issued on the following plans: Five-year level premium term, ordinary life, 20-payment life, 30-payment life, 20-year endowment, endowment at age 60, and endowment at age 65. Level premium term insurance may be converted as of the date which any premium becomes or has become due, or exchanged as of the date of the original policy, upon payment of the difference in reserve, at any time while such insurance is in force and within the term period to any of the foregoing permanent plans of insurance, except that conversion to an endowment plan may not be made while the insured is totally disabled.

Sec. 705. Renewal

All level premium term policies, except as otherwise provided in this section, shall cease and terminate at the expiration of the term period. At the expiration of any term period any 5-year level premium term policy which has not been exchanged or converted to a permanent plan of insurance and which is not lapsed shall be renewed as level premium term insurance without application for a successive 5-year period at the premium rate for the attained age without medical examination. However, renewal will be effected in cases where the policy is lapsed only if the lapse occurred not earlier than 2 months before the expiration of the term period, and reinstatement in such cases shall be under the terms and conditions prescribed by the Administrator. In any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration of the level premium term period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, his insurance, if subject to renewal under this section, shall be automatically renewed for an additional period of 5 years at the premium rate for the then attained age, unless the insured has elected insurance on some other available plan.

Sec. 706. Policy provisions

Provisions for cash, loan, paid-up and extended values, dividends from gains and savings, refund of unearned premiums, and such other provisions as may be found to be reasonable and practicable may be provided for in the policy of insurance from time to time by regulations promulgated by the Administrator.

Sec. 707. Dividends to pay premiums

Until and unless the Veterans' Administration has received from the insured a request in writing for payment in cash, any dividend accumulations and unpaid dividends shall be applied in payment of premiums becoming due on insurance subsequent to the date the dividend is payable after January 1, 1952.

Sec. 708. Premium payments

The Administrator shall, by regulations, prescribe the time and method of payment of the premiums on insurance, but payments of premiums in advance shall not be required for periods of more than 1 month each, and may at the election of the insured be deducted from his active-service pay or be otherwise made. An amount equal to the first premium due under a national service life insurance policy may be advanced from current appropriations for active-service pay to any person in the active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard, which amount shall constitute a lien upon any service or other pay accruing to the person for whom such advance was made and shall be collected therefrom if not otherwise paid. No disbursing or certifying officer shall be responsible for any loss incurred by reason of such advance. Any amount so advanced in excess of available service or other pay shall constitute a lien on the policy within the provisions of section 5101 (b) of this title.

Sec. 709. Effective date of insurance

Insurance may be made effective, as specified in the application, not later than the first day of the calendar month following the date of application therefor, but the United States shall not be liable thereunder for death occurring before such effective date.

Sec. 710. Incontestability

Subject to the provisions of section 711 of this title all contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable from the date of issue, reinstatement, or conversion except for fraud, nonpayment of premium, or on the ground that the applicant was not a member of the military or naval forces of the United States. However, in any case in which a contract or policy of insurance is canceled or voided after March 16, 1954, because of fraud, the Administrator shall refund to the insured, if living, or, if deceased, to the person designated as beneficiary (or if none survives, to the estate of the insured) all money, without interest, paid as premiums on such contract or policy for any period subsequent to 2 years after the date such fraud induced the Veterans' Administration to issue, reinstate, or convert such insurance less any dividends, loan, or other payment made to the insured under such contract or policy.

Sec. 711. Forfeiture

Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections, refuses to perform service in the Armed Forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to national service life insurance. No insurance shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States; but the cash surrender value, if any, of such insurance on the date of such death shall be paid to the designated beneficiary, if living, or otherwise to the beneficiary or beneficiaries within the permitted class in accordance with the order specified in section 716 (b) of this title.

Sec. 712. Total disability waiver

(a) Upon application by the insured and under such regulations as the Administrator may promulgate, payment of premiums on insurance may be waived during the continuous total disability of the insured, which continues or has continued for 6 or more consecutive months, if such disability began (1) after the date of his application for insurance, (2) while the insurance was in force under premium-paying conditions, and (3) before the insured's 60th birthday.

(b) The Administrator, upon any application made after August 1, 1947, shall not grant waiver of any premium becoming due more than 1 year before the receipt in the Veterans' Administration of application for the same, except as provided in this section. Any premiums paid for months during which waiver is effective shall be refunded. The Administrator shall provide by regulations for examination or reexamination of an insured claiming benefits under this section, and may deny benefits for failure to cooperate. If it is found that an insured is no longer totally disabled, the waiver of premiums shall cease as of the date of such finding and the policy of insurance may be continued by payment of premiums as provided in said policy. In any case in which the Administrator finds that the insured's failure to make timely application for waiver of premiums or his failure to submit satisfactory

evidence of the existence or continuance of total disability was due to circumstances beyond his control, the Administrator may grant waiver or continuance of waiver of premiums.

(c) If the insured dies without filing application for waiver, the beneficiary, within 1 year after the death of the insured, or, if the beneficiary is insane or a minor, within 1 year after removal of such legal disability, may file application for waiver with evidence of the insured's right to waiver under this section. Premium rates shall be calculated without charge for the cost of waiver of premiums provided in this section and no deduction from benefits otherwise payable shall be made on account thereof.

SEC. 713. Death before 6 months' total disdisability

Whenever premiums are not waived under section 712 of this title solely because the insured died prior to the continuance of total disability for 6 months, and proof of such facts, satisfactory to the Administrator, is filed by the beneficiary with the Veterans' Administration within 1 year after the insured's death, his insurance shall be deemed to be in force at the date of his death, and the unpaid premiums shall become a lien against the proceeds of his insurance. If the beneficiary is insane or a minor, proof of such facts may be filed within 1 year after removal of such legal disability.

SEC. 714. Statutory total disabilities

Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of 1 foot and 1 hand, or of 1 foot and 1 eye, or of 1 hand and 1 eye, or the total loss of hearing of both ears, or the organic loss of speech, shall be deemed total disability for insurance purposes.

SEC. 715. Total disability income provision

The Administrator shall, upon application by the insured and proof of good health satisfactory to the Administrator and payment of such extra premium as the Administrator shall prescribe, include in any National Service Life Insurance policy on the life of the insured (except a policy issued under section 620 or 621 of the National Service Life Insurance Act of 1940, or section 722 of this title), provisions whereby an insured who is shown to have become totally disabled for a period of 6 consecutive months or more commencing after the date of such application and before attaining the age of 60 and while the payment of any premium is not in default, shall be paid monthly disability benefits from the 1st day of the 7th consecutive month of and during the continuance of such total disability or $5 for each $1,000 of such insurance in effect when such benefits become payable. Policies containing additional provisions for the payment of disability benefits may be separately classified for the purpose of dividend distribution from otherwise similar policies not containing such benefit.

SEC. 716. Insurance which matured before August 1, 1946

(a) Insurance which matured before August 1, 1946, is payable in the following manner:

(1) If the beneficiary to whom payment is first made was under 30 years of age at the time of maturity, in 240 equal monthly installments.

(2) If the beneficiary to whom payment is first made was 30 or more years of age at the time of maturity, in equal monthly installments for 120 months certain, with such payments continuing during the remaining lifetime of such beneficiary.

(3) If elected by the insured or a beneficiary entitled to make such an election under prior provisions of law, as a refund life income in monthly installments payable for such period certain as may be required in order that the sum of the installments certain, including a last installment of such reduced amount as may be necessary, shall equal the face value of the contract, less any indebtedness, with such payments continuing throughout the lifetime of the first beneficiary. A refund life income optional settlement is not available in any case in which such settlement would result in payments of installments over a shorter period than 120 months. If the mode of payment is changed to a refund life income in accordance with prior provisions of law, after payment has commenced, payment of monthly installments will be adjusted as of the date of maturity of such policy with credit being allowed for payments previously made on the insurance.

(b) Such insurance shall be payable only to a widow, widower, child, parent, brother or sister of the insured. Any installments certain of such insurance remaining unpaid at the death of any beneficiary shall be paid in equal monthly installments in an amount equal to the monthly installments paid to the first beneficiary, to the person or persons then in being within the following classes, and in the order named, unless designated by the insured in a different order:

(1) To the widow or widower of the insured, if living.

(2) If no widow or widower, to the child or children of the insured, if living, in equal shares.

(3) If no widow, widower, or child, to the parent or parents of the insured who last bore that relationship, if living, in equal shares.

(4) If no widow, widower, child, or parent, to the brothers and sisters of the insured, if living, in equal shares.

(c) The provisions of this section shall not be construed to enlarge the classes of beneficiaries heretofore authorized under section 602 (d) of the National Service Life Insurance Act of 1940, for payment of gratuitous insurance.

(d) If no beneficiary of insurance which matured before August 1, 1946, was designated by the insured or in the designated beneficiary did not survive the insured, the beneficiary shall be determined in accordance with the order specified in subsection (b) and the insurance shall be payable in equal monthly installments in accordance with subsection (a). The right of any beneficiary to payment of any installments of such insurance shall be conditioned upon his or her being alive to receive such payments. No person shall have a vested right to any installment or installments of any such insurance and any installments not paid to a beneficiary during such beneficiary's lifetime shall be paid to the beneficiary or beneficiaries within the permitted class next entitled to priority, as provided in subsection (b).

(e) No installments of insurance which matured before August 1, 1946, shall be paid to the heirs or legal representatives as such of the insured or of any beneficiary, and if no person within the permitted class survives to receive the insurance or any part thereof no payment of the unpaid installments shall be made, except that if the reserve of a contract of converted National Service Life Insurance, together with dividends accumulated thereon, less any indebtedness under such contract, exceeds the aggregate amount paid to beneficiaries, the excess shall be paid to the estate of the insured unless the estate of the insured would escheat under the laws of his place of residence, in which event no payment shall be made. When the amount of an individual monthly payment of such insurance is less than $5, such amount may, in the discretion of the Administrator, be allowed to accumulate without interest and be disbursed annually.

(f) Any payments of insurance made to a person, represented by the insured to be within the permitted class of beneficiaries, shall be deemed to have been properly made and to satisfy fully the obligation of the United States under such insurance policy to the extent of such payments.

SEC. 717. Insurance maturing on or after August 1, 1946

(a) The insured shall have the right to designate the beneficiary or beneficiaries of insurance maturing on or after August 1, 1946, and shall, subject to regulations, at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries.

(b) Insurance maturing on or after August 1, 1946, shall be payable in accordance with the following optional modes of settlement:

(1) In one sum.

(2) In equal monthly installments of from 36 to 240 in number, in multiples of 12.

(3) In equal monthly installments for 120 months certain with such payments continuing during the remaining lifetime of the first beneficiary.

(4) As a refund life income in monthly installments payable for such period certain as may be required in order that the sum of the installments certain, including a last installment of such reduced amount as may be necessary, shall equal the face value of the contract, less any indebtedness, with such payments continuing throughout the lifetime of the first beneficiary; however, such optional settlement shall not be available in any case in which such settlement would result in payments of installments over a shorter period than 120 months.

(c) Unless the insured elects some other mode of settlement, such insurance shall be payable to the designated beneficiary or beneficiaries in 36 equal monthly installments. The first beneficiary may elect to receive payment under any option which provides for payment over a longer period of time than the option elected by the insured, or if no option has been elected by the insured, in excess of 36 months. If the option selected requires payment to any one beneficiary of monthly installments of less than $10, the amount payable to such beneficiary shall be paid in such maximum number of monthly installments as are a multiple of 12 as will provide a monthly installment of not less than $10. If the present value of the amount payable at the time any person initially becomes entitled to payment thereof is not sufficient to pay at least 12 monthly installments of not less than $10 each, such amount shall be payable in one sum. Options (3) and (4) shall not be available if any firm, corporation, legal entity (including the estate of the insured), or trustee is beneficiary, or in any case in which an endowment contract matures by reason of the completion of the endowment period.

(d) If the beneficiary of such insurance is entitled to a lump-sum settlement but elects some other mode of settlement and dies before receiving all the benefits due and payable under such mode of settlement, the present value of the remaining unpaid amount shall be payable to the estate of the beneficiary. If no beneficiary is designated by the insured, or if the designated beneficiary does not survive the insured, or if a designated beneficiary not entitled to a lump-sum settlement survives the insured, and dies before receiving all the benefits due and payable, then the commuted value of the remaining unpaid insurance (whether accrued or not) shall be paid in one sum to the estate of the insured. In no event shall there be any payment to the estate of the insured or of the beneficiary of any sums unless it is shown that any sums paid will not escheat.

SEC. 718. Assignments

Assignments of all or any part of the beneficiary's interest may be made by a designated beneficiary to a widow, widower, child, father, mother, grandfather, grandmother, brother, or sister of the insured, when the designated contingent beneficiary, if any, joins the beneficiary in the assignment, and if the assignment is delivered to the Veterans' Administration before any payments of the insurance shall have been made to the beneficiary. However, an interest in an annuity, when assigned, shall be payable in equal monthly installments in such multiple of 12 as most nearly equals the number of installments certain under such annuity, or in 240 installments, whichever is the lesser.

SEC. 719. National Service Life Insurance appropriation

(a) The National Service Life Insurance appropriation is continued and there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this chapter and the provisions heretofore prescribed in the National Service Life Insurance Act of 1940, or related acts, for the payment of liabilities under National Service Life Insurance. Payment from this appropriation shall be made upon and in accordance with awards by the Administrator.

(b) All premiums heretofore and hereafter paid on insurance issued or reinstated under subsections 602 (c) (2) and 602 (v) (1) of the National Service Life Insurance Act of 1940 where the requirement of good health was waived under such subsections because of a service-incurred injury or disability shall be credited directly to the National Service Life Insurance appropriation and any payments of benefits heretofore and hereafter made on such insurance shall be made directly from such appropriation.

SEC. 720. National Service Life Insurance Fund

(a) The National Service Life Insurance Fund heretofore created in the Treasury is continued as a permanent trust fund. Except as otherwise provided in this chapter, all premiums paid on account of National Service Life Insurance shall be deposited and covered into the Treasury to the credit of such fund, which, together with interest earned thereon, shall be available for the payment of liabilities under such insurance, including payment of dividends and refunds of unearned premiums. Payments from this fund shall be made upon and in accordance with awards by the Administrator.

(b) The Administrator is authorized to set aside out of such fund such reserve amounts as may be required under accepted actuarial principles to meet all liabilities under such insurance; and the Secretary of the Treasury is authorized to invest and reinvest such fund, or any part thereof, in interest-bearing obligations of the United States or in obligations guaranteed as to principal and interest by the United States, and to sell such obligations for the purposes of such fund.

SEC. 721. Extra hazard costs

(a) The United States shall bear the excess mortality cost and the cost of waiver of premiums on account of total disability traceable to the extra hazard of military or naval service, as such hazard may be determined by the Administrator.

(b) Whenever benefits under insurance become payable because of the death of the insured as the result of disease or injury traceable to the extra hazard of military or naval service, as such hazard may be determined by the Administrator, the liability for payment of such benefits shall be borne by the United States in an amount which, when added to the reserve of the policy at the time of death of the insured will equal the then value of such benefits under such policy. Where life contingencies are involved in the calculation of the value of such benefits of insurance heretofore to hereafter matured, the calculation of such liability or liabilities shall be based upon such mortality table or tables as the Administrator may prescribe with interest at the rate of 3 percent per annum. The Administrator shall transfer from time to time from the National Service Life Insurance appropriation to the National Service Life Insurance Fund such sums as may be necessary to carry out the provisions of this section.

(c) Whenever the premiums under insurance are waived because of the total disability of the insured as the result of disease or injury traceable to the extra hazard of military or naval service, as such hazard may be determined by the Administrator, the premiums so waived shall be paid by the United States and the Administrator shall transfer from time to time an amount equal to the amount of such premiums from the national service life insurance appropriation to the national service life insurance fund.

(d) Whenever benefits under the total disability income provision become, or have become, payable because of total disability of the insured as a result of disease or injury traceable to the extra hazard of the military or naval service, as such hazard may be determined by the Administrator, the liability shall be borne by the United States, and the Administrator shall transfer from the national service life insurance appropriation to the national service life insurance fund from time to time any amounts which become, or have become, payable to the insured on account of such total disability, and to transfer from the national service life insurance fund to the national service life insurance appropriation the amount of the reserve held on account of the total disability benefit. When a person receiving such payments on account of total disability recovers from such disability, and is then entitled to continue protection under the total disability income provision, the Administrator shall transfer to the national service life insurance fund a sum sufficient to set up the then required reserve on such total disability benefit.

(e) Any disability for which a waiver was required as a condition to tendering a person a commission under Public Law 816, 77th Congress, shall be deemed to be a disability resulting from an injury or disease traceable to the extra hazard of military or naval service for the purpose of applying this section.

SEC. 722. Service disabled veterans' insurance

(a) Any person who is released from active military, naval, or air service, under other than dishonorable conditions on or after April 25, 1951, and is found by the Administrator to be suffering from a disability or disabilities for which compensation would be payable if 10 percent or more in degree and except for which such person would be insurable according to the standards of good health established by the Administrator, shall, upon application in writing made within 1 year from the date service-connection of such disability is determined by the Veterans' Administration and payment of premiums as provided in this subchapter, be granted insurance by the United States against the death of such person occurring while such insurance is in force. If such a person is shown by evidence satisfactory to the Administrator to have been mentally incompetent during any part of the 1-year period, application for insurance under this section may be filed within 1 year after a guardian is appointed or within 1 year after the removal of such disability as determined by the Administrator, whichever is the earlier date. If the guardian was appointed or the removal of the disability occurred before January 1, 1959, application for insurance under this section may be made within 1 year after that date. Insurance granted under this section shall be issued upon the same terms and conditions as are contained in the standard policies of national service life insurance except (1) the premium rates for such insurance shall be based on the Commissioners 1941 Standard Ordinary Table of Mortality and interest at the rate of 2¼ percent per annum; (2) all cash, loan, paid-up, and extended values shall be based upon the Commissioners 1941 Standard Ordinary Table of Mortality and interest at the rate of 2¼ percent per annum; (3) all settlements on policies involving annuities shall be calculated on the basis of the Annuity Table for 1949, and interest at the rate of 2¼ percent per annum; (4) insurance granted under this section shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited directly to a revolving fund in the Treasury of the United States, and any payments on such insurance shall be made directly from such fund. Appropriations to such fund are hereby authorized. As to insurance issued under this section, waiver of premiums pursuant to section 602 (n) of the National Service Life Insurance Act of 1940 and section 712 of this title shall not be denied on the ground that the service-connected disability became total before the effective date of such insurance.

(b) (1) Any person who, on or after April 25, 1951, was otherwise qualified for insurance under the provisions of section 620 of the National Service Life Insurance Act of 1940, or under subsection (a) of this section, but who did not apply for such insurance and who is shown by evidence satisfactory to the Administrator (A) to have been mentally incompetent from a service-connected disability (i) at the time of release from active service, or (ii) during any part of the 1-year period from the date the service connection of a disability is first determined by the Veterans' Administration, or (iii) after release from active service but is not rated service-connected disabled by the Veterans' Administration until after death; and (B) to have remained continuously so mentally incompetent until date of death; and (C) to have died before the appointment of a guardian, or within 1 year after the appointment of a guardian, shall be deemed to have applied for and to have been granted such insurance, as of the date of death, in an amount which, together with any other United States Government or national service life insurance in force, shall aggregate $10,000. The date to be used for determining whether such person was insurable according to the standards of good health established by the Administrator, except for the service-connected disability, shall be the date of release from active service or the date the person became mentally incompetent, whichever is the later.

(2) Payments of insurance granted under paragraph (1) shall be made only to the following beneficiaries and in the order named—

(A) to the widow or widower of the insured, if living and while unremarried;

(B) if no widow or widower entitled thereto, to the child or children of the insured, if living, in equal shares;

(C) if no widow or widower or child entitled thereto, to the parent or parents of the insured who last bore that relationship, if living, in equal shares.

(3) No application for insurance payments under subsections (b) shall be valid unless filed in the Veterans' Administration within 2 years after the date of death of the insured or before January 1, 1961, whichever is the later, and the relationship of the applicant shall be proved as of the date of death of the

insured by evidence satisfactory to the Administrator. Persons shown by evidence satisfactory to the Administrator to have been mentally or legally incompetent at the time the right to apply for death benefits expires, may make such application at any time within 1 year after the removal of such disability.

(4) Notwithstanding the provisions of section 717 of this title, insurance under this subsection shall be payable at the election of the first beneficiary in 240 equal monthly installments or under the options specified in section 717 (b) (3) or (4) of this title. Any installments certain of insurance remaining unpaid at the death of any beneficiary shall be paid in equal monthly installments in an amount equal to the monthly installments paid to the first beneficiary, to the person or persons then in being within the classes specified in subsection (b) (2) of this section and in the order named.

(5) the right of any beneficiary to payment of any installments shall be conditioned upon his or her being alive to receive such payments. No person shall have a vested right to any installment or installments of any such insurance and any installments not paid to a beneficiary during such beneficiary's lifetime shall be paid to the beneficiary or beneficiaries within the permitted class next entitled to priority, as provided in subsection (b) (2) of this section. No installments of such insurance shall be paid to the heirs or legal representatives as such of the insured or of any beneficiary, and if no person within the permitted class survives to receive the insurance or any part thereof no payment of the unpaid installments shall be made.

SEC. 723. Veterans' special term insurance

(a) Insurance heretofore granted under the provisions of section 621 of the National Service Life Insurance Act of 1940, against the death of the policyholder occurring while such insurance is in force, is subject to the same terms and conditions as are contained in standard policies of National Service Life Insurance on the 5-year level premium term plan except (1) such insurance may not be exchanged for or converted to insurance on any other plan; (2) the premium rates for such insurance shall be based on the Commissioners 1941 Standard Ordinary Table of Mortality and interest at the rate of 2½ percent per annum; (3) all settlements on policies involving annuities shall be calculated on the basis of the annuity table for 1949, and interest at the rate of 2½ percent per annum; (4) such insurance shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited to a revolving fund in the Treasury of the United States and the payments on such term insurance shall be made directly from such fund. Appropriations to such fund are hereby authorized.

(b) The Administrator is authorized to invest in, and the Secretary of the Treasury is authorized to sell and retire, special interest-bearing obligations of the United States for the account of the revolving fund with a maturity date as may be agreed upon by the Administrator and Secretary. The rate of interest on such obligations shall be fixed by the Secretary of the Treasury at a rate not exceeding the average interest rate on all marketable obligations of the United States Treasury outstanding as of the end of the month preceding the date of issue of this special obligation.

SEC. 724. In-service waiver of premiums

(a) Waiver of all premiums on 5-year level premium term insurance and that portion of any permanent insurance premiums representing the cost of the pure insurance risk, as determined by the Administrator, granted on National Service Life Insurance or United States Government life insurance under section 622 of the National Service Life Insurance Act of 1940 and in effect on January 1, 1959, shall, unless canceled, continue in effect according to the provisions of such section for the remainder of the insured's continuous active service and for 120 days thereafter. Such premium waiver renders the contract of insurance nonparticipating during the period the waiver is in effect.

(b) whenever benefits become payable because of the maturity of such insurance while under the premium waiver continued by this section, liability for payment of such benefits shall be borne by the United States in an amount which, when added to any reserve of the policy at the time of maturity, will equal the then value of such benefits under such policy. Where life contingencies are involved in the calculation of the value of such benefits, the calculation of such liability or liabilities shall be based upon such mortality table or tables as the Administrator may prescribe with interest at the rate of 2¼ percent per annum as to insurance issued under sections 620 and 621 of the National Service Life Insurance Act of 1940, at the rate of 3 percent per annum as to other National Service Life Insurance, and 3½ percent per annum as to United States Government life insurance. The Administrator shall transfer from time to time from the National Service Life Insurance appropriation to the National Service Life Insurance Fund and from the military and naval insurance appropriation to the United States Government Life Insurance Fund such sums as may be necessary to carry out the provisions of this section.

Subchapter II—United States Government Life Insurance

SEC. 740. Definition

For the purposes of this subchapter, the term "insurance" means United States Government life insurance.

SEC. 741. Amount of insurance

United States Government life insurance shall be issued against death or total permanent disability in any multiple of $500 and not less than $1,000 or more than $10,000. No person may carry a combined amount of National Service Life Insurance and United States Government life insurance in excess of $10,000 at any one time.

SEC. 742. Plans of insurance

Regulations shall provide for the right to convert insurance on the 5-year level premium term plan into ordinary life, 20-payment life, endowment maturing at age 62, and into other usual forms of insurance as may be prescribed by the Administrator. Provision shall be made for reconversion of any such policies to a higher premium rate or, upon proof of good health satisfactory to the Administrator, to a lower premium rate, in accordance with regulations to be issued by the Administrator. No reconversion shall be made to a 5-year level premium term policy.

SEC. 743. Premiums

The premium rates for insurance shall be the net rates based upon the American Experience Table of Mortality and interest at 3½ percent per annum. Regulations shall prescribe the time and method of payment of premiums, but payments of premiums in advance shall not be required for periods of more than 1 month each, and may be deducted from the pay or deposit of the insured or be otherwise made at his election.

SEC. 744. Policy provisions

(a) Provisions for maturity at certain ages, for continuous installments during the lifetime of the insured or beneficiaries, or both, for refund of premiums, cash, loan, paid-up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable may be provided for in insurance contracts or from time to time by regulations.

(b) All calculations on insurance shall be based upon the American Experience Table of Mortality and interest at 3½ percent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months.

(c) On and after July 19, 1939, the rate of interest charged on any loan secured by a lien on insurance shall not exceed 5 percent per annum.

SEC. 745. Renewal

(a) Effective July 23, 1953, at the expiration of any term period any insurance policy issued on the 5-year level premium term plan which has not been exchanged or converted to a permanent plan of insurance and which is not lapsed shall be renewed as level premium term insurance without application for a successive 5-year period at the premium rate for the attained age without medical examination. However, on and after such date renewal shall be effected in cases where the policy is lapsed only if the lapse occurred not earlier than 2 months before the expiration of the term period, and reinstatement in such cases shall be under the terms and conditions prescribed by the Administrator. In any case where the 5-year level premium term period expired between July 23, 1953, and December 31, 1953, both dates inclusive, under the conditions set forth in the preceding sentence, the insured, notwithstanding the expiration of an intervening 5-year period, shall have not less than 6 months following the date of enactment of this title within which to meet the terms and conditions prescribed by the Administrator under the preceding sentence.

(b) This section shall take effect on the date of enactment of this title.

SEC. 746. Dividends to pay premiums

Until and unless the Veterans' Administration has received from the insured a request in writing for payment of dividends in cash or that the dividends be placed on deposit in accordance with the provisions of his policy, any regular annual dividends shall be applied in payment of premiums becoming due on insurance after the date the dividend is payable on or after December 31, 1958.

SEC. 747. Incontestability

Subject to the provisions of section 754 of this title all contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable from the date of issuance, reinstatement, or conversion, except for fraud, nonpayment of premiums, or on the ground that the applicant was not a member of the military or naval forces of the United States. The insured under such contract or policy may, without prejudicing his rights, elect to make claim to the Veterans' Administration or to bring suit under section 784 of this title on any prior contract or policy, and if found entitled thereto, shall, upon surrender of any subsequent contract or policy, be entitled to payments under the prior contract or policy. In any case in which a contract or policy of insurance is canceled or voided after March 16, 1954, because of fraud, the Administrator shall refund to the insured, if living, or, if deceased, to the person designated as beneficiary (or if none survives, to the estate of the insured) all money, without interest, paid as premiums on such contract or policy for any period subsequent to 2 years after the date such fraud induced the Veterans' Administration to issue, reinstate, or convert such insurance less any dividends, loan, or other payment made to the insured under such contract or policy.

SEC. 748. Total disability provision

The Administrator shall include in United States Government life-insurance policies provision whereby an insured, who is totally disabled as a result of disease or injury for a period of 4 consecutive months or more before attaining the age of 65 years and before default in payment of any premium, shall be paid disability benefits at the rate of $5.75 monthly for each $1,000 of insurance in force when total disability benefits become payable. The amount of such monthly payment under the provisions of this section shall not be reduced because of payment of permanent and total disability benefits under the insurance policy. Such payments shall be effective as of the first day of the fifth consecutive month, and shall be made monthly during the continuance of such total disability. Such payments shall be concurrent with or independent of permanent and total disability benefits under the insurance policy. In addition to the monthly disability benefits the payment of premiums on the life insurance and for the total disability benefits authorized by this section shall be waived during the continuance of such total disability. Regulations shall provide for reexaminations of beneficiaries under this section; and, in the event that it is found that an insured is no longer totally disabled, the waiver of premiums and payment of benefits shall cease and the insurance policy, including the total disability provision, may be continued by payment of premiums as provided in said policy and the total disability provision. Neither the dividends nor the amount payable in any settlement under any United States Government life-insurance policy shall be decreased because of disability benefits granted under the provisions of this section. The payment of total disability benefits shall not prejudice the right of any insured, who is totally and permanently disabled, to permanent and total disability benefits under his insurance policy. The provision authorized by this section shall not be included in any United States Government life-insurance policy heretofore or hereafter issued, except upon application, payment of premium by the insured, and proof of good health satisfactory to the Administrator. The benefit granted under this section shall be on the basis of multiples of $500, and not less than $1,000 or more than the amount of insurance in force at time of application. The Administrator shall determine the amount of the monthly premium to cover the benefits of this section, and in order to continue such benefits in force the monthly premiums shall be payable until the insured attains the age of 65 years or until the prior maturity of the policy. In all other respects such monthly premium shall be payable under the same terms and conditions as the regular monthly premium on the United States Government life-insurance policy.

SEC. 749. Change of beneficiary

Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of a United States Government life-insurance policy without the consent of such beneficiary or beneficiaries.

SEC. 750. Payment to estates

If no beneficiary of insurance is designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, then there shall be paid to the estate of the insured the present value of the remaining unpaid monthly installments. If the designated beneficiary survives the insured and dies before receiving all of the installments of insurance payable and applicable, then there shall be paid to the estate of such beneficiary the present value of the remaining unpaid monthly installments. No payments shall be made to any estate which under the laws of the residence of the insured or the beneficiary, as the case may be, would escheat, but same shall escheat to the United States and be credited to the United States Government Life Insurance Fund.

SEC. 751. Payment of insurance

United States Government life insurance, except as provided in this subchapter, shall be payable in 240 equal monthly installments. When the amount of an individual monthly payment is less than $5, such amount may in the discretion of the Administrator be allowed to accumulate without interest and be disbursed annually.

SEC. 752. Optional settlement

The Administrator may provide in insurance contracts for optional settlements, to be selected by the insured, whereby such insurance may be made payable either in one sum or in installments for 36 months or more. A provision may also be included in such contracts authorizing the beneficiary to elect to receive payment of the insurance in installments for 36 months or more, but only if the insured has not exercised his right of election as provided in this subchapter. Even though the insured may have exercised his right of election the beneficiary may elect to receive such insurance in installments spread over a greater period of time than that selected by the insured.

SEC. 753. Assignments

Any person to whom United States Government life insurance shall be payable may assign his interest in such insurance to the spouse, child, grandchild, parent, brother, sister, uncle, aunt, nephew, niece, brother-in-law, or sister-in-law of the insured. Insofar as applicable, the definitions contained in section 3 of the World War Veterans' Act, 1924, in effect on December 31, 1958, shall apply to this section.

SEC. 754. Forfeiture

No yearly renewable term insurance or United States Government life insurance shall be payable for death inflicted as a lawful punishment for crime or military offense, except when inflicted by the enemy. In such cases the cash surrender value of United States Government life insurance, if any, on the date of such death shall be paid to the designated beneficiary if living, or if there be no designated beneficiary alive at the death of the insured the said value shall be paid to the estate of the insured.

SEC. 755. United States Government Life Insurance Fund

(a) All premiums paid on account of United States Government life insurance shall be deposited and covered into the Treasury to the credit of the United States Government Life Insurance Fund and shall be available for the payment of losses, dividends, refunds, and other benefits provided for under such insurance, including such liabilities as shall have been or shall hereafter be reduced to judgment in a district court of the United States or the United States District Court for the District of Columbia. Payments from this fund shall be made upon and in accordance with awards by the Administrator.

(b) The Administrator is authorized to set aside out of the funds so collected such reserve funds as may be required, under accepted actuarial principles, to meet all liabilities under such insurance; and the Secretary of the Treasury is authorized to invest and reinvest the said United States Government Life Insurance Fund, or any part thereof, in interest-bearing obligations of the United States or bonds of the Federal farm-loan banks and to sell said obligations of the United States or the bonds of the Federal farm-loan banks for the purposes of such Fund.

SEC. 756. Military and naval insurance appropriation

All sums heretofore or hereafter appropriated for the military and naval insurance appropriation and all premiums collected for yearly renewable term insurance deposited and covered into the Treasury to the credit of this appropriation shall be made available to the Veterans' Administration. All premiums that may hereafter be collected for yearly renewable term insurance shall be deposited and covered into the Treasury for the credit of this appropriation. Such sum is made available for the payment of the liabilities of the United States incurred under contracts of yearly renewable term insurance. Payments from this appropriation shall be made upon and in accordance with the awards by the Administrator.

SEC. 757. Extra hazard costs

(a) The United States shall bear the excess mortality and disability cost resulting from the hazards of war on United States Government life insurance.

(b) Whenever benefits under United States Government life insurance become, or have become, payable because of total permanent disability of the insured or because of the death of the insured as a result of disease or injury traceable to the extra hazard of the military or naval service, as such hazard may be determined by the Administrator, the liability shall be borne by the United States. In such cases the Administrator shall transfer from the military and naval insurance appropriation to the United States Government Life Insurance Fund, a sum which, together with the reserve of the policy at the time of maturity by total permanent disability or death, will equal the then value of such benefits. When a person receiving total permanent disability benefits under a United States Government life insurance policy recovers from such disability and is then entitled to continue a reduced amount of insurance, the Administrator shall transfer to the military and naval insurance appropriation all of the loss reserve to the credit of such policy claim except a sum sufficient to set up the then required reserve on the reduced amount of the insurance that may be continued, which sum shall be retained in the United States Government Life Insurance Fund for the purpose of such reserve.

(c) Whenever benefits under the total disability provision become, or have become, payable because of total disability of the insured as a result of disease or injury traceable to the extra hazard of the military or naval service, as such hazard may be determined by the Administrator, the liability shall be borne by the United States, and the Administrator shall transfer from the military and naval insurance appropriation to the United States Government Life Insurance Fund from time to time any amounts which become or have become payable to the insured on account of such total disability, and shall transfer from the United States Government Life Insurance Fund to the military and naval insurance appropriation the amount of the reserve held on account of the total disability benefit. When a person receiving such payments on account of total disability recovers from such disability and is then entitled to continued protection under the total disability provision, the Administrator shall transfer to the United States Government Life Insurance Fund a sum sufficient to set up the then required reserve on such total disability benefit.

(d) Any disability for which a waiver was required as a condition to tendering a person a commission under Public Law 816, 77th Congress, shall be deemed to be a disability resulting from an injury or disease traceable to the extra hazard of military or

naval service for the purpose of applying this section.

Sec. 758. Statutory total permanent disability

Without prejudice to any other cause of disability, the permanent loss of the use of both feet, or both hands, or of both eyes, or of 1 foot and 1 hand, or of 1 foot and 1 eye, or of 1 hand and 1 eye, or the loss of hearing of both ears, or the organic loss of speech, shall be deemed total permanent disability for insurance purposes. This section shall be deemed to be in effect on and after April 6, 1917, and shall apply only to automatic insurance, yearly renewable term insurance, and United States Government life insurance issued prior to December 15, 1936.

Sec. 759. Waiver of disability for reinstatement

(a) In the event that all provisions of the rules and regulations other than the requirements as to the physical condition of the applicant have been complied with, an application for reinstatement, in whole or in part, of lapsed United States Government life insurance may be approved if made within 2 years after the date of lapse and if the applicant's disability is the result of an injury or disease, or of an aggravation thereof, suffered or contracted in the active military or naval service during the period beginning April 6, 1917, and ending July 2, 1921, and the applicant during his lifetime submits proof satisfactory to the Administrator showing that he is not totally and permanently disabled. As a condition to the acceptance of an application for reinstatement under this section, the applicant shall be required to pay all the back monthly premiums which would have become payable if such insurance had not lapsed, together with interest at the rate of 5 percent per annum, compounded annually, on each premium from the date said premium is due by the terms of the policy.

(b) Premium liens established under the provisions of section 304 of the World War Veterans' Act, 1924, shall continue to bear interest at the rate of 5 percent per annum, compounded annually, and will be deducted from any settlement of insurance to which they are attached.

Sec. 760. Waiver of premium payments on due date

(a) The Administrator is authorized to provide by regulations for waiving the payment of premiums on United States Government life insurance on the due date thereof and the insurance may be deemed not to lapse in the cases of the following persons: (1) those who are confined in hospital under the Veterans' Administration for a compensable disability during the period while they are so confined; (2) those who are rated as temporarily totally disabled by reason of any injury or disease entitling them to compensation during the period of such total disability and while they are so rated; (3) those who, while mentally incompetent and for whom no legal guardian had been or has been appointed, allowed or may allow their insurance to lapse during the period for which they have been or hereafter may be rated mentally incompetent, or until a guardian has notified the Veterans' Administration of his qualification, but not later than 6 months after appointment of a guardian. In mentally incompetent cases the waiver is to be made without application and retroactive when necessary. Relief from payment of premiums on the due date thereof shall be for full calendar months, beginning with the month in which said confinement to hospital, the temporary total disability rating, or the mental incompetency began or begins and ending with that month during the half or major fraction of which such persons are no longer entitled to waiver as provided above.

(b) All premiums the payment of which when due is waived as provided in this section shall bear interest at the rate of 5 percent per annum, compounded annually, from the due date of each premium, and if not paid by the insured shall be deducted from the insurance in any settlement thereunder, or when the same matures either because of permanent total disability or death. In the event any lien or other indebtedness established by this section or prior corresponding provision of law exists against any policy of United States Government life insurance in excess of the then cash surrender value thereof at the time of the termination of such policy of insurance for any reason other than by death or total permanent disability the Administrator is authorized to transfer and pay from the military and naval insurance appropriation to the United States Government life insurance fund a sum equal to the amount such lien or indebtedness exceeds the then cash surrender value.

Subchapter III—General

Sec. 781. Replacement of surrendered and expired insurance

(a) Any person who surrendered a policy of National Service Life Insurance or United States Government life insurance on a permanent plan for its cash value while in the active service after April 24, 1951, and before January 1, 1957, who was entitled on December 31, 1958, to reinstate or replace such insurance under section 623 of the National Service Life Insurance Act of 1940, may, upon application in writing made while on continuous active duty which began before January 1, 1959, or within 120 days after separation therefrom, be granted, without medical examination, permanent plan insurance on the same plan not in excess of the amount surrendered for cash, or may reinstate such surrendered insurance upon payment of the required reserve and the premium for the current month. Waiver of premiums and total disability income benefits otherwise authorized under this chapter shall not be denied in any case of issue or reinstatement of insurance on a permanent plan under this section or the prior corresponding provision of law in which it is shown to the satisfaction of the Administrator that total disability of the applicant began before the date of application. The cost of the premiums waived and total disability income benefits paid by virtue of the preceding sentence and the excess mortality cost in any case where the insurance matures by death from such total disability shall be borne by the United States and the Administrator shall transfer from time to time from the National Service Life Insurance appropriation to the National Service Life Insurance Fund and from the military and naval insurance appropriation to the United States Government Life Insurance Fund such sums as may be necessary to reimburse the funds for such costs.

(b) Any person who had United States Government life insurance or National Service Life Insurance on the 5-year level premium term plan, the term of which expired while he was in the active service after April 25, 1951, or within 120 days after separation from such active service, and in either case before January 1, 1957, who was entitled on December 31, 1958, to replace such insurance under section 623 of the National Service Life Insurance Act of 1940, shall, upon application made while on continuous active duty which began before January 1, 1959, or within 120 days after separation therefrom, payment of premiums and evidence of good health satisfactory to the Administrator, be granted an equivalent amount of insurance on the 5-year level premium term plan at the premium rate for his then attained age.

Sec. 782. Administrative cost

The United States shall bear the cost of administration in connection with this chapter, including expenses for medical examinations, inspections when necessary, printing and binding, and for such other expenditures as are necessary in the discretion of the Administrator.

Sec. 783. Settlements for minors or incompetents

When an optional mode of settlement of National Service Life Insurance or United States Government life insurance heretofore or hereafter matured is available to a beneficiary who is a minor or incompetent, such option may be exercised by his fiduciary, person qualified under section 14 of title 25, or person recognized by the Administrator as having custody of the person or the estate of such beneficiary, and the obligation of the United States under the insurance contract shall be fully satisfied by payment of benefits in accordance with the mode of settlement so selected.

Sec. 784. Suits on insurance

(a) In the event of disagreement as to claim, including claim for refund of premiums, under contract of National Service Life Insurance, United States Government life insurance, or yearly renewable term insurance between the Veterans' Administration and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the United States District Court for the District of Columbia or in the district court of the United States in and for the district in which such person or any one of them resides, and jurisdiction is conferred upon such courts to hear and determine all such controversies. All persons having or claiming to have an interest in such insurance may be made parties to such suit, and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the Veterans' Administration acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a bill of interpleader may be brought at the request of the Veterans' Administration in the name of the United States against all persons having or claiming to have any interest in such insurance in the United States District Court for the District of Columbia or in the district court in and for the district in which any such claimant resides; however, no less than 30 days before instituting such suit the Veterans' Administration shall mail a notice of such intention to each of the persons to be made parties to the suit. The courts of appeals for the several circuits, including the District of Columbia, shall respectively exercise appellate jurisdiction and, except as provided in section 1254 of title 28, the decrees of such courts of appeals shall be final.

(b) No suit on yearly renewable term insurance, United States Government life insurance, or national service life insurance shall be allowed under this section unless the same shall have been brought within 6 years after the right accrued for which the claim is made. For the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded. The limitation of 6 years is suspended for the period elapsing between the filing in the Veterans' administration of the claim sued upon and the denial of said claim: *Provided*, That in any case in which a claim is timely filed the claimant shall have not less than 90 days from the date of mailing of notice of denial within which to file suit. After June 28, 1936, notice of denial of the claim under a contract of insurance shall be by registered mail directed to the claimant's last address of record. Infants, insane persons, or persons rated as incompetent or insane by the Veterans' Administration shall have 3 years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitation has elapsed. No State or other statute of limitations shall be applicable to suits filed under this section.

(c) In any suit, action, or proceeding brought under the provisions of this section subpenas for witnesses who are required to attend a court of the United States in any district may run into any other district: *Provided*, That no writ of subpena shall issue for witnesses living out of the district in which the court is held at a greater distance than 100 miles from the place of holding the same without the permission of the court being first had upon proper application and cause shown. The word "district" and the words "district court" as used herein shall be construed to include the District of Columbia and the United States District Court for the District of Columbia.

(d) Attorneys of the Veterans' Administration, when assigned to assist in the trial of cases, and employees of the Veterans' Administration when ordered in writing by the administrator to appear as witnesses, shall be paid the regular travel and subsistence allowance paid to other employees when on official travel status.

(e) Part-time and fee-basis employees of the Veterans' Administration, in addition to their regular travel and subsistence allowance, when ordered in writing by the administrator to appear as witnesses in suits under this section, may be allowed, within the discretion and under written orders of the administrator, a fee in an amount not to exceed $50 per day.

(f) Employees of the Veterans' Administration who are subpenaed to attend the trial of any suit, under the provisions of this section, as witnesses for a party to such suit shall be granted court leave or authorized absence, as applicable, for the period they are required to be away from the Veterans' Administration in answer to such subpenas.

(g) Whenever a judgment or decree shall be rendered in an action brought under the provisions of this section, the court, as a part of its judgment or decree, shall determine and allow reasonable fees for the attorneys of the successful party or parties and apportion same if proper, said fees not to exceed 10 percent of the amount recovered and to be paid by the Veterans' Administration out of the payments to be made under the judgment or decree at a rate not exceeding one-tenth of each of such payments until paid; except that, in a suit brought by or on behalf of an insured during his lifetime for waiver of premiums on account of total disability, the court, as part of its judgment or decree, shall determine and allow a reasonable fee to be paid by the insured to his attorney.

(h) The term "claim" as used in this section means any writing which uses words showing an intention to claim insurance benefits; and the term "disagreement" means a denial of the claim, after consideration on its merits, by the administrator or any employee or organizational unit of the Veterans' Administration heretofore or hereafter designated therefor by the Administrator.

(i) The Attorney General of the United States is authorized to agree to a judgment to be rendered by the chief judge of the United States court having jurisdiction of the case, pursuant to compromise approved by the Attorney General upon the recommendation of the United States attorney charged with the defense, upon such terms and for sums within the amount claimed to be payable, in any suit brought under the provisions of this section, on a contract of yearly renewable term insurance, and the administrator shall make payments in accordance with any such judgment. The Comptroller General of the United States shall allow credit in the accounts of disbursing officers for all payments of insurance made in accordance with any such judgment. All such judgments shall constitute final settlement of the claim and no appeal therefrom shall be authorized.

Sec. 785. Decisions by the administrator

Except in the event of suit as provided in section 784 of this title, or other appropriate court proceedings, all decisions rendered by the administrator under the provisions of this chapter shall be final and conclusive on all questions of law or fact, and no other official of the United States shall have jurisdiction to review any such decisions.

Sec. 786. Deposits in and disbursements from trust funds

All cash balances in the United States Government Life Insurance Fund and the National Service Life Insurance Fund on January 1, 1959, together with all moneys thereafter accruing to such funds, including premiums, appropriated moneys, the proceeds of any sales of investments which may be necessary to meet current expenditures, and interest on investments, shall be available for disbursement for meeting all expenditures and making investments authorized to be made from such funds.

Sec. 787. Penalties

(a) Any person who shall knowingly make or cause to be made, or conspire, combine, aid, or assist in, agree to, arrange for, or in anywise procure the making or presentation of a false, or fraudulent affidavit, declaration, certificate, statement, voucher, or paper, or writing purporting to be such, concerning any application for insurance or reinstatement thereof, waiver of premiums or claim for benefits under National Service Life Insurance, United States Government life insurance, or yearly renewable term insurance for himself or any other person, shall be fined not more than $1,000, or be imprisoned for not more than one year, or both.

(b) Whoever in any claim for National Service Life Insurance, United States Government life insurance, or yearly renewable term insurance makes any sworn statement of a material fact knowing it to be false, shall be guilty of perjury and shall be fined not more than $5,000, or be imprisoned for not more than two years, or both.

Sec. 788. Savings provision

Nothing in this title or any amendment or repeal made by the act enacting this title shall affect any right, remedy, liability, authorization or requirement pertaining to Government insurance, the respective insurance funds, or the insurance appropriations, authorized or prescribed under the provisions of the War Risk Insurance Act, the World War Veterans' Act, 1924, the National Service Life Insurance Act of 1940, or any related act, which was in effect on December 31, 1958.

Chapter 21—Specially adapted housing for disabled veterans

Sec.
801. Veterans eligible for assistance.
802. Limitations on assistance furnished.
803. Furnishing of plans and specifications.
804. Benefits additional to benefits under other laws.
805. Nonliability of United States.

Sec. 801. Veterans eligible for assistance

The Administrator is authorized, under such regulations as he may prescribe, to assist any veteran, who is entitled to compensation under chapter 11 of this title, based on service after April 20, 1898, for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor. The regulations of the Administrator shall include, but not be limited to, provisions requiring findings that (1) it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; (2) the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and (3) the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

Sec. 802. Limitations on assistance furnished

The assistance authorized by section 801 of this title shall be limited in the case of any veteran to one housing unit, and necessary land therefor, and shall be afforded under one of the following plans, at the option of the veteran but shall not exceed $10,000 in any one case—

(1) where the veteran elects to construct a housing unit on land to be acquired by him, the Administrator shall pay not to exceed 50 percent of the total cost to the veteran of (A) the housing unit and (B) the necessary land upon which it is to be situated;

(2) where the veteran elects to construct a housing unit on land acquired by him prior to application for assistance under this chapter, the Administrator shall pay not to exceed the smaller of the following sums: (A) 50 percent of the total cost to the veteran of the housing unit and the land necessary for such housing unit, or (B) 50 percent of the cost to the veteran of the housing unit plus the full amount of the unpaid balance, if any, of the cost to the veteran of the land necessary for such housing unit;

(3) where the veteran elects to remodel a dwelling, which is not adapted to the requirements of his disability, acquired by him prior to application for assistance under this chapter, the Administrator shall pay not to exceed the total of (A) 50 percent of the cost to the veteran of such remodeling, plus (B) the smaller of the following sums: (i) 50 percent of the cost to the veteran of such dwelling and the necessary land upon which it is situated, or (ii) the full amount of the unpaid balance, if any, of the cost to the veteran of such dwelling and the necessary land upon which it is situated; and

(4) where the veteran has acquired a suitable housing unit, the Administrator shall pay not to exceed the smaller of the following sums: (A) 50 percent of the cost to the veteran of such housing unit and the necessary land upon which it is situated, or (B) the full amount of the unpaid balance, if any, of the cost to the veteran of such housing unit and the necessary land upon which it is situated.

Sec. 803. Furnishing of plans and specifications

The Administrator is authorized to furnish to veterans eligible for assistance under this chapter, without cost to the veterans, model plans and specifications of suitable housing units.

Sec. 804. Benefits additional to benefits under other laws

Any veteran who accepts the benefits of this chapter shall not by reason thereof be denied the benefits of chapter 37 of this title; however, the assistance authorized by this

chapter shall not be available to any veteran more than once.

SEC. 905. Nonliability of United States

The Government of the United States shall have no liability in connection with any housing unit, or necessary land therefor, acquired under the provisions of this chapter.

Chapter 23—Burial benefits

Sec.
901. Flags.
902. Funeral expenses.
903. Death in Veterans' Administration facility.
904. Claims for reimbursement.
905. Persons eligible under prior law.

SEC. 901. Flags

(a) The Administrator shall furnish a flag to drape the casket of each deceased veteran who—

(1) was a veteran of any war;

(2) had served at least one enlistment; or

(3) had been discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty.

(b) After the burial of the veteran the flag so furnished shall be given to his next of kin. If no claim is made for the flag by the next of kin, it may be given, upon request, to a close friend or associate of the deceased veteran. If a flag is given to a close friend or associate of the deceased veteran, no flag shall be given to any other person on account of the death of such veteran.

SEC. 902. Funeral expenses

(a) Where a veteran dies who—

(1) was a veteran of any war;

(2) had been discharged from the active military, naval, or air service for a disability incurred or aggravated in line of duty; or

(3) was in receipt of, or but for the receipt of retirement pay would have been entitled to, disability compensation;

the Administrator, in his discretion having due regard to the circumstances in each case, may pay a sum not exceeding $150 to such person as he prescribes to cover the burial and funeral expenses of the deceased veteran and the expense of preparing the body and transporting it to the place of burial.

(b) Except as hereafter provided in this subsection, no deduction shall be made from the burial allowance because of the veteran's net assets at the time of his death, or because of any contribution from any source toward the burial and funeral expenses (including transportation) unless the amount of expenses incurred is covered by the amount actually paid therefor by the United States, a State, any agency or political subdivision of the United States or of a State, the employer of the deceased veteran, or a burial association. No claim shall be allowed for more than the difference between the entire amount of the expenses incurred, and the amount paid by any or all of the foregoing. The Administrator shall not deny or reduce the amount of the burial allowance otherwise payable because of a cash contribution made by a burial association to any person other than the person rendering burial and funeral services. The burial allowance or any part thereof shall not be paid in any case where specific provision is otherwise made for payment of expenses of funeral, transportation, and interment under any other act.

SEC. 903. Death in Veterans' Administration facility

(a) Where death occurs in a Veterans' Administration facility to which the deceased was properly admitted for hospital or domiciliary care under authority of section 610 or 611 (a) of this title, the Administrator shall pay the actual cost (not to exceed $150) of the burial and funeral.

(b) In addition to the foregoing, when such a death occurs in the continental United States, the Administrator shall transport the body to the place of burial in the United States, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care. Where such a death occurs in a Territory, a Commonwealth, or a possession of the United States, the Administrator shall transport the body to the place of burial within such Territory, Commonwealth, or possession.

(c) Within the limits prescribed in subsection (a), the Administrator may make contracts for burial and funeral services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans' Administration.

SEC. 904. Claims for reimbursement

Applications for payments under section 902 of this title must be filed within 2 years after the burial of the veteran. If a claimant's application is incomplete at the time it is originally submitted, the Administrator shall notify the applicant of the evidence necessary to complete the application. If such evidence is not received within 1 year from the date of such notification, no allowance may be paid.

SEC. 905. Persons eligible under prior law

The death of any person who had a status which would, under the laws in effect on December 31, 1957, afford entitlement to the burial benefits and other benefits provided for in this chapter, but who did not meet the service requirements contained in this chapter, shall afford entitlement to such benefits, notwithstanding the failure of such person to meet such service requirements.

PART III—READJUSTMENT AND RELATED BENEFITS

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Chapter 31—Vocational rehabilitation

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SEC. 1501. Definitions

For the purposes of this chapter—

(1) The term "World War II" means the period beginning on September 16, 1940, and ending on July 25, 1947.

(2) The term "vocational rehabilitation" means training (including educational and vocational counseling and other necessary incidental services) for the purpose of restoring employability, to the extent consistent with the degree of disablement, lost by virtue of a handicap due to service-connected disability.

SEC. 1502. Basic entitlement

(a) Every World War II or Korean conflict veteran who has a service-connected disability arising out of service during World War II or the Korean conflict which is, or but for receipt of retirement pay would be, compensable under chapter 11 of this title, who is in need thereof on account of such disability shall be furnished such vocational rehabilitation as may be prescribed by the Administrator.

(b) Unless a longer period is prescribed by the Administrator, no course of vocational rehabilitation may exceed 4 years.

(c) (1) Vocational rehabilitation may not be afforded after July 25, 1960, to a veteran on account of World War II service, and may be afforded him after July 25, 1956, only if such veteran was prevented from entering, or having entered, from completing such training before July 26, 1956, because—

(A) he had not timely attained, retained, or regained medical feasibility for training because of disability;

(B) he had not timely met the requirement of a discharge or release under conditions other than dishonorable, but the nature of such discharge or release was later changed by appropriate authority; or

(C) he had not timely established the existence of a compensable service-connected disability.

(2) Vocational rehabilitation may not be afforded a veteran on account of Korean conflict service—

(A) after August 20, 1963, if he was discharged or released before August 20, 1954; or

(B) after 9 years following his discharge or release (but in no event after January 31, 1964), if he was discharged or released after August 19, 1954.

Notwithstanding the preceding provisions of this paragraph, where a veteran is prevented from entering, or having entered, from completing vocational rehabilitation training, because of one of the reasons set forth in subparagraphs (A) through (C) of paragraph (1), such training may be afforded him during a period of not to exceed 4 years beyond the period otherwise applicable to him.

(3) Vocational rehabilitation may not be afforded outside of a State to a veteran on account of Korean conflict service if the veteran, at the time of his service during the Korean conflict, was not a citizen of the United States.

(d) Vocational rehabilitation may be afforded a veteran under this chapter on account of Korean conflict service, notwithstanding the fact that vocational rehabilitation, or education and training under part VIII of Veterans Regulations No. 1 (a), may have been previously afforded him on account of World War II service.

SEC. 1503. Training and training facilities

The Administrator shall prescribe and provide vocational rehabilitation to veterans eligible therefor. For such purpose, the Administrator may—

(1) employ additional personnel and experts, as he deems necessary;

(2) utilize and extend Veterans' Administration facilities;

(3) utilize facilities of any agency of the United States, or any facilities maintained by joint Federal and State contributions;

(4) provide, by agreement or contract with public or private institutions or establishments, for such additional training facilities as may be suitable and necessary;

(5) cooperate with and employ the facilities of other governmental and State employment agencies for the purpose of placing in gainful employment persons who have received vocational rehabilitation.

SEC. 1504. Subsistence allowances

(a) While pursuing a course of vocational rehabilitation training and for 2 months after his employability is determined, each veteran shall be paid a subsistence allowance as prescribed in this section.

(b) If a veteran has no dependent, his subsistence allowance each month shall equal $65, increased by an amount which bears the same ratio to $10 as the institutional part of the veterans' training course bears to a course of full-time institutional training. In no event shall the veterans' subsistence allowance be an amount less than an amount which, when added to any compensation or other benefit payable to him, will equal $105 monthly if his service-connected disability is less than 30 percent, or $115 monthly if his service-connected disability is 30 percent or more.

(c) If a veteran has one dependent, his subsistence allowance each month shall equal $30, increased by an amount which bears the same ratio to $15 as the institutional part of the veterans' training course bears to a course of full-time training. If a veteran has more than one dependent, his subsistence allowance each month shall equal $90, increased by an amount which bears the same ratio to $30 as the institutional part of the veterans' training course bears to a course of full-time training. In no event shall the veteran's subsistence allowance be an amount less than an amount which, when added to any compensation or other benefit payable to him, will equal—

(1) if his service-connected disability is less than 30 percent, $115, plus the following amounts for additional dependents: (A) $10 for 1 child and $7 for each additional child, plus (B) $15 for a dependent parent; or

(2) if his service-connected disability is 30 percent or more, $135, plus the following amounts for additional dependents: (A) $20 for 1 child and $15 for each additional child, plus (B) $15 for a dependent parent.

(d) Where the course of vocational rehabilitation training consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement in writing showing any wage, compensation, or other income paid by him to the veteran during the month, directly or indirectly. Based upon such written statements, the Administrator is authorized to reduce the subsistence allowance of such veteran to an amount considered equitable and just.

SEC. 1505. Leaves of absence

The Administrator shall prescribe such regulations as he deems necessary for granting leaves of absence to veterans pursuing a course of vocational rehabilitation training. Such leaves of absence shall not be granted to any veteran in excess of 30 days in any consecutive 12 months, except in exceptional circumstances. During authorized leaves of absence, a veteran shall be considered as pursuing his course of vocational rehabilitation training.

SEC. 1506. Medical care for trainees

The Administrator may furnish veterans receiving vocational rehabilitation such medical care, treatment, hospitalization, and prosthesis, as may be necessary to accomplish the purposes of this chapter, whether or not such medical care, treatment, hospitalization, or prosthesis, is otherwise authorized under chapter 17 of this title.

SEC. 1507. Loans to trainees

The revolving fund which was established pursuant to part VII of Veterans Regulation Numbered 1 (a) is continued in effect, and may be used by the Administrator, under regulations prescribed by him, for making advances, not in excess of $100 in any case, to veterans commencing or undertaking courses of vocational rehabilitation. Such advances, and advances heretofore made, shall bear no interest, shall be repaid in such installments as may be determined by the Administrator, by proper deductions from future payments of subsistence allowance, compensation, pension, or retirement pay.

SEC. 1508. Regulations to promote good conduct

The Administrator shall prescribe such rules and regulations as he deems necessary in order to promote good conduct and cooperation on the part of veterans who are receiving vocational rehabilitation. Penalties for the breach of such rules and regulations may extend to (1) forfeiture by the offender for 3 months of subsistence allowance otherwise payable, and (2) permanent disqualification for further vocational rehabilitation.

SEC. 1509. Books, supplies, and equipment.

(a) Any books, supplies, or equipment furnished a veteran under this chapter shall be deemed released to him, except that if, because of fault on his part, he fails to complete the course of vocational rehabilitation, he may be required by the Administrator to return any or all of such books, supplies, or equipment not actually expended, or to repay the reasonable value thereof.

(b) Returned books, supplies, and equipment may be turned in to educational or training institutions for credit under such terms as may be approved by the Administrator, or may be disposed of in such other manner as he may approve.

SEC. 1510. Vocational rehabilitation for hospitalized persons

Vocational rehabilitation may be afforded under this chapter to any person who is hospitalized pending final discharge from the active military, naval, or air service, if he is qualified for such vocational rehabilitation in every respect except for discharge. No subsistence allowance shall be payable to any person while he is receiving vocational rehabilitation solely by reason of this section.

Chapter 33—Education of Korean conflict veterans

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Subchapter I—Definitions

SEC. 1601. Definitions

(a) For the purpose of this chapter—

(1) The term "basic service period" means the Korean conflict, except that with respect to persons on active duty on January 31, 1955, such term means the period commencing on June 27, 1950, and ending on the date of the person's first discharge or release from such active duty after January 31, 1955.

(2) The term "eligible veteran" means any veteran who is not on active duty and who—

(A) served on active duty at any time during the Korean conflict;

(B) was discharged or released therefrom under conditions other than dishonorable; and

(C) served on active duty for 90 days or more (exclusive of any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians, or as cadet or midshipman at one of the service academies), or was discharged or released from a period of active duty, any part of which occurred during the Korean conflict, for an actual service-connected disability.

(3) The term "program of education or training" means any single unit course or subject, any curriculum, or any combination of unit courses or subjects, which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

(4) The term "course" means an organized unit of subject matter in which instruction is offered within a given period of time or which covers a specific amount of related subject matter for which credit toward graduation or certification is usually given.

(5) The term "dependent" means—

(A) a child of an eligible veteran;

(B) a parent of an eligible veteran, if the parent is in fact dependent upon the veteran; and

(C) the wife of an eligible veteran, or, in the case of an eligible veteran who is a woman, her husband if he is in fact dependent upon her.

(6) The term "educational institution" means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers college, college, normal school, professional school, university, scientific or technical institution, or other institution furnishing education for adults.

(7) The term "training establishment" means any business or other establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprentice committee, or the Bureau of Apprenticeship established in accordance with chapter 4C of title 29, or any agency of the Federal Government authorized to supervise such training.

(8) The term "State" includes the Canal Zone.

(9) The term "Commissioner" means the United States Commissioner of Education.

(b) Benefits shall not be afforded under this chapter to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or of the Regular or Reserve Corps of the Public Health Service, unless such service would have qualified such individual for benefits under title II of the Veterans' Readjustment Assistance Act of 1952.

(c) The Congress of the United States hereby declares that the veterans' education and training program created by this chapter is for the purpose of providing vocational readjustment and restoring lost educational opportunities to those service men and women whose educational or vocational ambitions have been interrupted or impeded by reason of active duty during the Korean conflict and for the purpose of aiding such persons in attaining the educational and training status which they might normally have aspired to and obtained had they not served their country.

Subchapter II—Eligibility

Sec. 1610. Entitlement to education or training generally

Each eligible veteran shall, subject to the provisions of this chapter, be entitled to the education or training provided under this chapter.

Sec. 1611. Duration of veteran's education or training

(a) Each eligible veteran shall be entitled to education or training under this chapter for a period equal to 1½ times the duration of his service on active duty during his basic service period (or to the equivalent thereof in part-time training), except that—

(1) in computing the duration of such service, there shall be excluded a period equal to any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians or served as a cadet or midshipman at one of the service academies;

(2) the period of education or training to which an eligible veteran shall be entitled under this chapter shall not, except as provided in subsection (b), exceed 36 months reduced by a period equivalent to any period of educational assistance afforded him under chapter 35 of this title; and

(3) the period of education or training to which an eligible veteran shall be entitled under this chapter together with education or training received under chapter 31 of this title, part VIII of Veterans Regulation No. 1 (a), and section 12 (a) of the act enacting this title shall not, except as provided in subsection (b), exceed 48 months in the aggregate.

(b) Whenever the period of entitlement to education or training under this chapter of an eligible veteran who is enrolled in an educational institution regularly operated on the quarter or semester system ends during a quarter or semester and after a major part of such semester or quarter has expired, such period shall be extended to the termination of such unexpired quarter or semester. In all other courses offered by educational institutions, whenever the period of eligibility ends after a major portion of the course is completed such period may be extended to the end of the course or for 9 weeks, whichever is the lesser period.

(c) In the case of any eligible veteran who is pursuing any program of education or training exclusively by correspondence, one-fourth of the elapsed time in following such program of education or training shall be charged against the veteran's period of entitlement.

Sec. 1612. Commencement; time limitations

(a) No eligible veteran shall be entitled to initiate a program of education or training under this chapter after 3 years after his discharge or release from active duty.

(b) The program of education and training of an eligible veteran under this chapter shall, on and after the delimiting date for the veteran to initiate his program, be pursued continuously until completion, except that an eligible veteran may suspend the pursuit of his program for periods of not more than 12 consecutive months, and may suspend the pursuit of such program for longer periods if the Administrator finds that the suspension for each such period was due to conditions beyond the control of the eligible veteran.

(c) If an eligible veteran returned to active duty before February 1, 1955, his date of discharge or release shall, for the purposes of this section and section 1613 of this title, be the date of his discharge or release from his last period of active duty which began before February 1, 1955.

Sec. 1613. Expiration of all education and training

No education or training shall be afforded an eligible veteran under this chapter beyond 8 years after either his discharge or release from active duty or the end of his basic service period, whichever is earlier, and in no event shall education or training be afforded under this chapter after January 31, 1965.

Subchapter III—Enrollment

Sec. 1620. Selection of program

Subject to the provisions of this chapter, each eligible veteran may select a program of education or training to assist him in attaining an educational, professional, or vocational objective at any educational institution or training establishment selected by him, whether or not located in the State in which he resides, which will accept and retain him as a student or trainee in any field or branch of knowledge which such institution or establishment finds him qualified to undertake or pursue. Notwithstanding the foregoing provisions of this section, an eligible veteran may not pursue a program of education or training at an educational institution or training establishment which is not located in a State, unless such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the enrollment under this chapter of any veteran in a foreign educational institution if he finds that such enrollment is not for the best interest of the veteran or the Government.

Sec. 1621. Applications; approval

Any eligible veteran who desires to initiate a program of education or training under this chapter shall submit an application to the Administrator which shall be in such form, and contain such information, as the Administrator shall prescribe. The Administrator shall approve such application unless he finds that such veteran is not eligible for or entitled to the education or training applied for or that his program of education or training fails to meet any of the requirements of this chapter, or that the eligible veteran is already qualified, by reason of previous education and training, for the educational, professional, or vocational objective for which the courses of the program of education or training are offered. The Administrator shall notify the eligible veteran of the approval or disapproval of his application.

Sec. 1622. Change of program

(a) Subject to the provisions of section 1621 of this title, each eligible veteran (except an eligible veteran whose program has been interrupted or discontinued due to his own misconduct, his own neglect, or his own lack of application) may, at any time before the end of the period during which he is entitled to initiate a program of education or training under this chapter, make not more than one change of program of education or training.

(b) Each eligible veteran, who has not made a change of program of education or training before the expiration of the period during which he is entitled to initiate a program of education or training under this chapter, may make not more than one change of program of education or training with the approval of the Administrator. The Administrator shall approve such a change if he finds that—

(1) the eligible veteran is not making satisfactory progress in his present program and that the failure is not due to his own misconduct, his own neglect, or his own lack of application, and if the program to which the eligible veteran desires to change is more in keeping with his aptitude or previous education and training; or

(2) the program to which the eligible veteran desires to change, while not a part of the program currently pursued by him, is a normal progression from such program.

Sec. 1623. Disapproval of enrollment in certain courses

(a) The Administrator shall not approve the enrollment of an eligible veteran in any bartending course, dancing course, or personality development course.

(b) The Administrator shall not approve the enrollment of an eligible veteran—

(1) in any photography course or entertainment course; or

(2) in any music course—instrumental or vocal—public-speaking course, or course in sports or athletics such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, bowling, sports officiating, or other sport or athletic courses, except courses of applied music, physical education, or public speaking which are offered by institutions of higher learning for credit as an integral part of a program leading to an educational objective; or

(3) in any other type of course which the Administrator finds to be avocational or recreational in character;

unless the eligible veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

(c) The Administrator shall not approve the enrollment of any eligible veteran, not already enrolled, in any nonaccredited course below the college level offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 percent of the students enrolled in the course are having all or any part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this chapter, chapter 31 of this title, or section 12 (a) of the act enacting this title.

Sec. 1624. Discontinuance for unsatisfactory progress

The Administrator shall discontinue the education and training allowance of an eligible veteran if, at any time, he finds that, according to the regularly prescribed standards and practices of the educational institution or training establishment, the conduct or progress of such veterans is unsatisfactory.

Sec. 1625. Period of operation for approval

(a) The Administrator shall not approve the enrollment of an eligible veteran in any course offered by an educational institution when such course has been in operation for less than 2 years.

(b) Subsection (a) shall not apply to—

(1) any course to be pursued in a public or other tax-supported educational institution;

(2) any course which is offered by an educational institution which has been in operation for more than 2 years, if such course is similar in character to the instruction previously given by such institution;

(3) any course which has been offered by an institution for a period of more than 2 years, notwithstanding the institution has moved to another location within the same general locality; or

(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree.

Sec. 1626. Institutions listed by Attorney General

The Administrator shall not approve the enrollment of, or payment of an education and training allowance to, any eligible veteran in any course in an educational institution or training establishment while it is listed by the Attorney General under section 3 of part III of Executive Order 9835, as amended.

Subchapter IV—Payments to Veterans

Sec. 1631. Education and training allowance

(a) The Administrator shall pay to each eligible veteran who is pursuing a program of education or training under this chapter, and who applies therefor, an education and training allowance to meet in part the expenses of his subsistence, tuition, fees, supplies, books, and equipment.

(b) The education and training allowance for an eligible veteran shall be paid, as provided in section 1632 of this title, only for the period of the veteran's enrollment as approved by the Administrator, but no allowance shall be paid—

(1) to any veteran enrolled in an institutional course which leads to a standard college degree or a course of institutional on-farm training for any period when the veteran is not pursuing his course in accordance with the regularly established policies and regulations of the institution and the requirements of this chapter;

(2) to any veteran enrolled in an institutional course which does not lead to a standard college degree or in a course of apprentice or other training on the job for any day of absence in excess of 30 days in a 12-month period, not counting as absences weekends or legal holidays established by Federal or State law during which the institution or establishment is not regularly in session or operation; or

(3) to any veteran pursuing his program of education exclusively by correspondence for any period during which no lessons were serviced by the institution.

(c) No education and training allowance shall be paid to an eligible veteran for any period until the Administrator shall have received—

(1) from the eligible veteran (A) in the case of an eligible veteran enrolled in an institutional course which leads to a standard college degree or a course of institutional on-farm training, a certification that he was actually enrolled in and pursuing the course as approved by the Administrator, or (B) in the case of an eligible veteran enrolled in an institutional course which does not lead to a standard college degree or a course of apprentice or other training on the job, a certification as to actual attendance during such period, or (C) in the case of an eligible veteran enrolled in a program of education or training by correspondence, a certification as to the number of lessons actually completed by the veteran and serviced by the institution; and

(2) from the educational institution or training establishment, a certification, or an endorsement on the veteran's certificate, that such veteran was enrolled in and pursuing a course of education or training during such period, and, in the case of an institution furnishing education or training to a veteran exclusively by correspondence, a certification, or an endorsement on the veteran's certificate, as to the number of lessons completed by the veteran and serviced by the institution.

Education and training allowances shall, insofar as practicable, be paid within 20 days after receipt by the Administrator of the certifications required by this subsection.

Sec. 1632. Computation of education and training allowances

(a) The education and training allowance of an eligible veteran who is pursuing a program of education or training in an educational institution and is not entitled to receive any education and training allowance under subsection (b), (c), (d), (e), or (f) shall be computed as follows:

(1) If such program is pursued on a full-time basis, such allowance shall be computed at the rate of $110 per month, if the veteran has no dependent, or at the rate of $135 per month, if he has 1 dependent, or at the rate of $160 per month, if he has more than 1 dependent.

(2) If such program is pursued on a three-quarters time basis, such allowance shall be computed at the rate of $80 per month, if the veteran has no dependent, or at the rate of $100 per month, if he has 1 dependent, or at the rate of $120 per month, if he has more than 1 dependent.

(3) If such program is pursued on a half-time basis, such allowance shall be computed at the rate of $50 per month, if the veteran has no dependent, or at the rate of $60 per month, if he has 1 dependent, or at the rate of $80 per month, if he has more than 1 dependent.

(b) The education and training allowance of an eligible veteran who is pursuing a full-time program of education and training which consists of institutional courses and on-the-job training, with the on-the-job training portion of the program being strictly supplemental to the institutional portion, shall be computed at the rate of (1) $90 per month, if he has no dependent, or (2) $110 per month, if he has one dependent, or (3) $130 per month, if he has more than one dependent.

(c) The education and training allowance of an eligible veteran pursuing apprentice or other training on the job shall be computed at the rate of (1) $70 per month, if he has no dependent, or (2) $85 per month, if he has one dependent, or (3) $105 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of each 4-month period as his program progresses by an amount which bears the same ratio to the basic education and training allowance as 4 months bears to the total duration of his apprentice or other training on the job; but in no case shall the administrator pay an education and training allowance under this subsection in an amount which, when added to the compensation to be paid to the veteran, in accordance with his approved training program, for productive labor performed as a part of his course, would exceed the rate of $310 per month. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of months of such training a multiple of 4.

(d) The education and training allowance of an eligible veteran pursuing institutional on-farm training shall be computed at the rate of (1) $95 per month, if he has no dependent, or (2) $110 per month, if he has one dependent, or (3) $130 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of the third, and each subsequent, 4-month period as his program progresses by an amount which bears the same ratio to $65 per month, if the veteran has no dependent, or $80 per month, if he has one dependent, or $100 per month, if he has more than one dependent, as 4 months bear to the total duration of such veteran's institutional on-farm training reduced by 8 months. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of such months of such training a multiple of 4.

(e) The education and training allowance of an eligible veteran pursuing a program of education or training exclusively by correspondence shall be computed on the basis of the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran and serviced by the institution, as certified by the institution.

(f) The education and training allowance of an eligible veteran who is pursuing a program of education or training under this chapter in an educational institution on a less-than-half-time basis shall be computed at the rate of (1) the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, or (2) $110 per month for a full-time course, whichever is the lesser.

(g) Each eligible veteran who is pursuing an approved course of flight training shall be paid an education and training allowance to be computed at the rate of 75 percent of the established charge which similarly circumstanced nonveterans enrolled in the same flight course are required to pay for tuition for the course. If such veteran's program of education or training consists exclusively of flight training, he shall not be paid an education and training allowance under one of the preceding subsections of this section; if his program of education or training consists of flight training and other education or training, the allowance payable under this subsection shall be in addition to any education and training allowance payable to him under one of the preceding subsections of this section for education or training other than flight training. Such allowance shall be paid monthly upon receipt of certification from the eligible veteran and the institution as to the actual flight training received by the veteran. In each such case the eligible veteran's period of entitlement shall be charged (in addition to any charge made against his entitlement by reason of education or training other than flight training) with 1 day for each $1.25 which is paid to the veteran as an education and training allowance for such course.

(h) No eligible veteran shall be paid an education and training allowance under this chapter for any period during which (1) he is enrolled in and pursuing a course of education or training paid for by the United States under any provision of law other than this chapter, where the payment of such allowance would constitute a duplication of benefits paid to the veteran from the Federal Treasury, or (2) he is pursuing a course of apprentice or other training on the job, a course of institutional on-farm training, or a course of education and training described in subsection (b) on a less than full-time basis.

Sec. 1633. Measurement of courses

(a) For the purposes of this chapter, (1) an institutional trade or technical course

offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of 30 hours per week of attendance is required with not more than 2½ hours of rest periods per week allowed, (2) an institutional course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction is required, and (3) an institutional undergraduate course offered by a college or university on a quarter or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of 14 semester hours or its equivalent is required.

(b) The Administrator shall define full-time training in the case of all types of courses of education or training other than institutional on-farm training and the types of courses referred to in subsection (a); except that, the Administrator shall not define full-time apprentice training for a particular establishment other than that established as the standard workweek through bona fide collective bargaining between employers and employees.

SEC. 1634. Overcharges by educational institutions

The Administrator may, if he finds that an institution has charged or received from any eligible veteran any amount in excess of the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, disapprove such educational institution for the enrollment of any veteran not already enrolled therein, except that, in the case of a tax-supported public educational institution which does not have established charges for tuition and fees which it requires nonveteran residents to pay, such institution may charge and receive from each eligible veteran who is a resident an amount equal to the estimated cost of teaching personnel and supplies for instruction attributable to such veteran, but in no event to exceed the rate of $10 per month for a full-time course.

Subchapter V—State Approving Agencies

SEC. 1641. Designation

(a) Unless otherwise established by the law of the State concerned, the chief executive of each State is requested to create or designate a State department or agency as the "State approving agency" for his State for the purposes of this chapter.

(b) (1) If any State fails or declines to create or designate a State approving agency, the provisions of this chapter which refer to the State approving agency shall, with respect to such State, be deemed to refer to the Administrator.

(2) In the case of courses subject to approval by the Administrator under section 1642 of this title, the provisions of this chapter which refer to a State approving agency shall be deemed to refer to the Administrator.

SEC. 1642. Approval of courses

(a) An eligible veteran shall receive the benefits of this chapter while enrolled in a course of education or training offered by an educational institution or training establishment only if such course is approved by the State approving agency for the State where such educational institution or training establishment is situated or by the Administrator. Approval of courses by State approving agencies shall be in accordance with the provisions of this chapter and such other regulations and policies as the State approving agency may adopt. Each State approving agency shall furnish the Administrator with a current list of educational institutions and training establishments, specifying courses which it has approved, and, in addition to such list, it shall furnish such other information to the Administrator as it and the Administrator may determine to be necessary to carry out the purposes of this chapter. Each State approving agency shall notify the Administrator of the disapproval of any course previously approved and shall set forth the reasons for such disapproval.

(b) The Administrator shall be responsible for the approval of courses of education or training offered by any agency of the Federal Government authorized under other laws to supervise such education or training. The Administrator may approve any course in any other educational institution or training establishment in accordance with the provisions of this chapter.

SEC. 1643. Cooperation

(a) The Administrator and each State approving agency shall take cognizance of the fact that definite duties, functions, and responsibilities are conferred upon the Administrator and each State approving agency under the veterans' educational programs. To assure that such programs are effectively and efficiently administered, the cooperation of the Administrator and the State approving agencies is essential. It is necessary to establish an exchange of information pertaining to activities of educational institutions and training establishments, and particular attention should be given to the enforcement of approval standards, enforcement of wage and income limitations, enforcement of enrollment restrictions, and fraudulent and other criminal activities on the part of persons connected with educational institutions and training establishments in which veterans are enrolled under this chapter.

(b) The Administrator will furnish the State approving agencies with copies of such Veterans' Administration informational material as may aid them in carrying out this chapter.

SEC. 1644. Use of office of education and other Federal agencies

(a) In carrying out his functions under this chapter, the Administrator may utilize the facilities and services of any other Federal department or agency. The Administrator shall utilize the services of the Office of Education in developing cooperative agreements between the Administrator and State and local agencies relating to the approval of courses of education or training as provided for in section 1645 of this title, in reviewing the plan of operations of State approving agencies under such agreements, and in rendering technical assistance to such State and local agencies in developing and improving policies, standards, and legislation in connection with their duties under this chapter.

(b) Any such utilization shall be pursuant to proper agreement with the Federal department or agency concerned; and payment to cover the cost thereof shall (except in the case of the Office of Education) be made either in advance or by way of reimbursement, as may be provided in such agreement. Funds necessary to enable the Office of Education to carry out its functions under this chapter are authorized to be appropriated directly to such office.

SEC. 1645. Reimbursement of expenses

The Administrator is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies in (1) rendering necessary services in ascertaining the qualifications of educational institutions and training establishments for furnishing courses of education or training to eligible veterans under this chapter, and in the supervision of such educational institutions and training establishments, and (2) furnishing, at the request of the Administrator, any other services in connection with this chapter. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of this chapter.

Subchapter VI—Approval of Courses of Education and Training

SEC. 1651. Apprentice or other training on the job

(a) Apprentice or other training on the job shall consist of courses offered by training establishments whenever such courses of training are furnished in accordance with the provisions of this section. Any training establishment desiring to furnish a course of apprentice or other training on the job shall submit to the appropriate State approving agency a written application setting forth the course of training for each job for which an eligible veteran is to be trained. The written application covering the course of training shall include the following:

(1) Title and description of the specific job objective for which the eligible veteran is to be trained;

(2) The length of the training period;

(3) A schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

(4) The wage or salary to be paid at the beginning of the course of training at each successive step in the course, and at the completion of training;

(5) The entrance wage or salary paid by the establishment to employees already trained in the kind of work for which the veteran is to be trained; and

(6) The number of hours of supplemental related instruction required.

(b) The appropriate State approving agency may approve a course of apprentice or other training on the job specified in an application submitted by a training establishment in accordance with subsection (a) if such training establishment is found upon investigation to have met the following criteria:

(1) The training content of the course is adequate to qualify the eligible veteran for appointment to the job for which he is to be trained.

(2) There is reasonable certainty that the job for which the eligible veteran is to be trained will be available to him at the end of the training period.

(3) The job is one in which progression and appointment to the next higher classification are based upon skills learned through organized training on the job and not on such factors as length of service and normal turnover.

(4) The wages to be paid the eligible veteran for each successive period of training are not less than those customarily paid in the training establishment and in the community to a learner in the same job who is not a veteran.

(5) The job customarily requires a period of training of not less than 3 months and not more than 2 years of full-time training, except that this provision shall not apply to apprentice training.

(6) The length of the training period is no longer than that customarily required by the training establishment and other training establishments in the community to provide an eligible veteran with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the eligible veteran will need to learn in order to become competent on the job for which he is being trained.

(7) Provision is made for related instruction for the individual eligible veteran who may need it.

(8) There is in the training establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

(9) Adequate records are kept to show the progress made by each eligible veteran toward his job objective.

(10) Appropriate credit is given the eligible veteran for previous training and job experience, whether in the military service or elsewhere, his beginning wage adjusted to the level to which such credit advances him, and his training period shortened accordingly, and provision is made for certification by the training establishment that such credit has been granted and the beginning wage adjusted accordingly. No course of training will be considered bona fide if given to an eligible veteran who is already qualified by training and experience for the job objective.

(11) A signed copy of the training agreement for each eligible veteran, including the training program and wage scale as approved by the State approving agency, is provided to the veteran and to the Administrator and the State approving agency by the employer.

(12) Upon completion of the course of training furnished by the training establishment the eligible veteran is given a certificate by the employer indicating the length and type of training provided and that the eligible veteran has completed the course of training on the job satisfactorily.

(13) That the course meets such other criteria as may be established by the State approving agency.

SEC. 1652. Institutional on-farm training

(a) An eligible veteran shall be entitled to the benefits of this chapter while enrolled in a course of full-time institutional on-farm training which has been approved by the appropriate State approving agency in accordance with the provisions of this section.

(b) The State approving agency may approve a course of institutional on-farm training when it satisfies the following requirements:

(1) The course combines organized group instruction in agricultural and related subjects of at least 200 hours per year (and of at least 8 hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment.

(2) The eligible veteran will perform a part of such course on a farm or other agricultural establishment under his control.

(3) The course is developed with due consideration to the size and character of the farm or other agricultural establishment on which the eligible veteran will receive his supervised work experience and to the need of such eligible veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farming management, and the keeping of farm and home accounts.

(4) The eligible veteran will receive not less than 100 hours of individual instruction per year, not less than 50 hours of which shall be on such farm or other agricultural establishment (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

(5) The eligible veteran will be assured of control of such farm or other agricultural establishment (whether by ownership, lease, management agreement, or other tenure arrangement) until the completion of his course.

(6) Such farm or other agricultural establishment shall be of a size and character which (A) will, together with the group-instruction part of the course, occupy the full time of the eligible veteran, (B) will permit instruction in all aspects of the management of the farm or other agricultural establishment of the type for which the eligible veteran is being trained, and will provide the eligible veteran an opportunity to apply to the operation of his farm or other agricultural establishment the major portion of the farm practices taught in the group instruction part of the course, and (C) will assure him a satisfactory income for a reasonable living under normal conditions at least by the end of his course.

(7) Provision shall be made for certification by the institution and the veteran that the training offered does not repeat or duplicate training previously received by the veteran.

(8) The institutional on-farm training meets such other fair and reasonable standards as may be established by the State approving agency.

SEC. 1653. Approval of accredited courses

(a) A State approving agency may approve the courses offered by an educational institution when—

(1) such courses have been accredited and approved by a nationally recognized accrediting agency or association;

(2) credit for such course is approved by the State department of education for credit toward a high-school diploma;

(3) such courses are conducted under sections 11–28 of title 20; or

(4) such courses are accepted by the State department of education for credit for a teacher's certificate or a teacher's degree.

For the purposes of this chapter the Commissioner shall publish a list of nationally recognized accrediting agencies and associations which he determines to be reliable authority as to the quality of training offered by an educational institution and the State approving agencies may, upon concurrence, utilize the accreditation of such accrediting associations or agencies for approval of the courses specifically accredited and approved by such accrediting association or agency. In making application for approval, the institution shall transmit to the State approving agency copies of its catalog or bulletin.

(b) As a condition to approval under this section, the State approving agency must find that adequate records are kept by the educational institution to show the progress of each eligible veteran. The State approving agency must also find that the educational institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

SEC. 1654. Approval of nonaccredited courses

(a) No course of education or training (other than a course of institutional on-farm training) which has not been approved by a State approving agency pursuant to section 1653 of this title, which is offered by a public or private, profit or nonprofit, educational institution shall be approved for the purposes of this chapter unless the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.

(b) Such application shall be accompanied by not less than two copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner or official and includes the following:

(1) Identifying data, such as volume number and date of publication;

(2) Names of the institution and its governing body, officials, and faculty.

(3) A calendar of the institution showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;

(4) Institution policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

(5) Institution policy and regulations relative to leave, absences, class cuts, makeup work, tardiness and interruptions for unsatisfactory attendance;

(6) Institution policy and regulations relative to standards of progress required of the student by the institution (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student);

(7) Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;

(8) Detailed schedules of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

(9) Policy and regulations of the institution relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;

(10) A description of the available space, facilities, and equipment;

(11) A course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

(12) Policy and regulations of the institution relative to granting credit for previous educational training.

(c) The appropriate State approving agency may approve the application of such institution when the institution and its nonaccredited courses are found upon investigation to have met the following criteria:

(1) The courses, curriculum, and instruction are consistent in quality, content, and length with similar courses in public schools and other private schools in the State, with recognized accepted standards.

(2) There is in the institution adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.

(3) Educational and experience qualifications of directors, administrators, and instructors are adequate.

(4) The institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

(5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absence, grading policy, and rules of operation and conduct will be furnished the veteran upon enrollment.

(6) Upon completion of training, the veteran is given a certificate by the institution indicating the approved course and indicating that training was satisfactorily completed.

(7) Adequate records as prescribed by the State approving agency are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.

(8) The institution complies with all local, city, county, municipal, State, and Federal regulations, such as fire codes, building and sanitation codes. The State approving agency may require such evidence of compliance as is deemed necessary.

(9) The institution is financially sound and capable of fulfilling its commitments for training.

(10) The institution does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation. The institution shall not be deemed to have met this requirement until the State approving agency (A) has ascertained from the Federal Trade Commission whether the Commission has issued an order to the institution to cease and desist from any act or practice, and (B) has, if such an order has been issued, given due weight to that fact.

(11) The institution does not exceed its enrollment limitations as established by the State approving agency.

(12) The institution's administrators, directors, owners, and instructors are of good reputation and character.

(13) The institution has and maintains a policy for the refund of the unused portion of tuition, fees, and other charges in the event the veteran fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion and such policy must provide that the amount charged to the veteran for tuition, fees, and other charges for a portion of the course shall not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the completed portion of the course bears to its total length.

(14) Such additional criteria as may be deemed necessary by the State approving agency.

SEC. 1655. Notice of approval of courses

The State approving agency, upon determining that an educational institution has complied with all the requirements of this chapter, will issue a letter to such institution setting forth the courses which have been approved for the purposes of this chapter, and will furnish an official copy of such letter and any subsequent amendments to the Administrator. The letter of approval shall be accompanied by a copy of the catalog or bulletin of the institution, as approved by the State approving agency, and shall contain the following information:

(1) date of letter and effective date of approval of courses;

(2) proper address and name of each educational institution or training establishment;

(3) authority for approval and conditions of approval, referring specifically to the approved catalog or bulletin published by the educational institution;

(4) name of each course approved;

(5) where applicable, enrollment limitations such as maximum numbers authorized and student-teacher ratio;

(6) signature of responsible official of State approving agency; and

(7) such other fair and reasonable provisions as are considered necessary by the appropriate State approving agency.

SEC. 1656. Disapproval of courses and discontinuance of allowances

(a) Any course approved for the purposes of this chapter which fails to meet any of the requirements of this chapter shall be immediately disapproved by the appropriate State approving agency. An educational institution or training establishment which has its courses disapproved by a State approving agency will be notified of such disapproval by a certified or registered letter of notification and a return receipt secured.

(b) The Administrator may discontinue the education and training allowance of any eligible veteran if he finds that the course of education or training in which such veteran is enrolled fails to meet any of the requirements of this chapter or if he finds that the educational institution or training establishment offering such course has violated any provisions of this chapter or fails to meet any of its requirements.

(c) Each State approving agency shall notify the Administrator of each course which it has disapproved under this section. The Administrator shall notify the State approving agency of his disapproval of any educational institution or training establishment under chapter 31 of this title.

Subchapter VII—Miscellaneous Provisions

SEC. 1661. Authority and duties of Administrator

(a) Payments under this chapter shall be subject to audit and review by the General Accounting Office as provided by the Budget and Accounting Act of 1921 and the Budget and Accounting Procedures Act of 1950.

(b) The Administrator may arrange for educational and vocational counseling to persons eligible for education and training under this chapter. At such intervals as he deems necessary, he shall make available information respecting the need for general education and for trained personnel in the various crafts, trades, and professions. Facilities of other Federal agencies collecting such information shall be utilized to the extent he deems practicable.

SEC. 1662. Advisory Committee

(a) There shall be an advisory committee formed by the Administrator, which shall be composed of persons who are eminent in their respective fields of education, labor, and management, and of representatives of the various types of institutions and establishments furnishing education and training to veterans enrolled under this chapter. The Commissioner and the Director, Bureau of Apprenticeship, Department of Labor shall be ex officio members of the advisory committee. The Administrator shall advise and consult with the committee from time to time with respect to the administration of this chapter and the committee may make such reports and recommendations as it deems desirable to the Administrator and to the Congress.

(b) The Administrator may advise and consult with the committee from time to time with respect to the administration of chapters 31 and 35 of this title.

SEC. 1663. Control by agencies of United States

No department, agency, or officer of the United States, in carrying out this chapter, shall exercise any supervision or control, whatsoever, over any State approving agency, State educational agency, or State apprenticeship agency, or any educational institution or training establishment. Nothing in this section shall be deemed to prevent any department, agency, or officer of the United States from exercising any supervision or control which such department, agency, or officer is authorized by law to exercise over any Federal educational institution or training establishment, or to prevent the furnishing of education or training under this chapter in any institution or establishment over which supervision or control is exercised by such other department, agency, or officer under authority of existing provisions of law.

SEC. 1664. Conflicting interests

(a) Every officer or employee of the Veterans' Administration, or of the Office of Education, who has, while such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this chapter shall be immediately dismissed from his office or employment.

(b) If the Administrator finds that any person who is an officer or employee of a State approving agency has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, an educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this chapter, he shall discontinue making payments under section 1645 of this title to such State approving agency unless such agency shall, without delay, take such steps as may be necessary to terminate the employment of such person and such payments shall not be resumed while such person is an officer or employee of the State approving agency, or State department of veterans affairs or State department of education.

(c) A State approving agency shall not approve any course offered by an educational institution operated for profit and, if any such course has been approved, shall disapprove each such course, if it finds that any officer or employee of the Veterans' Administration, the Office of Education, or the State approving agency owns an interest in, or receives any wages, salary, dividends, profits, gratuities, or services from, such institution.

(d) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the case of any officer or employee of the Veterans' Administration, of the Office of Education, or of a State approving agency, if he finds that no detriment will result to the United States or to eligible veterans by reason of such interest or connection of such officer or employee.

Sec. 1665. Reports by institutions

(a) Educational institutions and training establishments shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education or training of each eligible veteran enrolled therein under this chapter.

(b) The Administrator shall pay to each educational institution which is required to submit reports and certifications to the Administrator under this chapter, an allowance at the rate of $1 per month for each eligible veteran enrolled in and attending such institution under the provisions of this chapter to assist the educational institution in defraying the expense of preparing and submitting such reports and certifications. Such allowances shall be paid in such manner and at such times as may be prescribed by the Administrator, except that if any institution fails to submit reports or certifications to the Administrator as required by this chapter, no allowance shall be paid to such institution for the month or months during which such reports or certifications were not submitted as required by the Administrator.

SEC. 1666. Overpayments to veterans

Whenever the Administrator finds that an overpayment has been made to a veteran as the result of (1) the willful or negligent failure of the educational institutions or training establishment to report, as required by this chapter and applicable regulations, to the Veterans' Administration excessive absences from a course, or discontinuance or interruption of a course by the veteran, or (2) false certification by the educational institution or training establishment, the amount of such overpayment shall constitute a liability of such institution or establisment, and may be recovered in the same manner as any other debt due the United States. Any amount so collected shall be reimbursed if the overpayment is recovered from the veteran. This section shall not preclude the imposition of any civil or criminal liability under this or any other law.

SEC. 1667. Examination of records

The records and accounts of educational institutions and training establishments pertaining to eligible veterans who received education or training under this chapter shall be available for examination by duly authorized representatives of the Government.

SEC. 1668. False or misleading statements.

The Administrator shall not make any payments under this chapter to any person found by him to have willfully submitted any false or misleading claims. In each case where the Administrator finds that an educational institution or training establishment has willfully submitted a false or misleading claim, or where a veteran, with the complicity of an educational institution or training establishment, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and where deemed advisable to the Attorney General of the United States for appropriate action.

SEC. 1669. Information furnished by Federal Trade Commission

The Federal Trade Commission shall keep all State approving agencies advised of any information coming to its attention which would be of assistance to such agencies in carrying out their duties under this chapter.

Chapter 35—War orphans' educational assistance

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Subchapter I—Definitions

SEC. 1701. Definitions

(a) For the purposes of this chapter—

(1) The term "eligible person" means a child of a person who died of a service-connected disability arising out of active military, naval, or air service during World War I, World War II, or the Korean conflict, but only if such service did not terminate under dishonorable conditions. The standards and criteria for determining whether or not a disability is service connected shall be those applicable under chapter 11 of this title.

(2) The term "child" includes individuals who are married and individuals who are above the age of 21 years.

(3) The term "duty with the Armed Forces" as used in section 1712 of this title means (A) active duty, (B) active duty for training for a period of 6 or more consecutive months, or (C) active duty for training required by section 1013 (c) (1) of title 50.

(4) The term "guardian" includes a fiduciary legally appointed by a court of competent jurisdiction, or any person who is determined by the Administrator in accordance with section 3202 of this title to be otherwise legally vested with the care of the eligible person.

(5) The term "program of education" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is generally accepted as necessary to fulfill the requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

(6) The term "educational institution" means any public or private secondary school, vocational school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above.

(7) The term "special restorative training" means training furnished under subchapter V of this chapter.

(8) The term "State" includes the Canal Zone.

(b) If an eligible person has attained his majority and is under no known legal disability, all references in this chapter to "parent or guardian" shall refer to the eligible person himself.

(c) Any provision of this chapter which requires any action to be taken by or with respect to the parent or guardian of an eligible person who has not attained his majority, or who, having attained his majority, is under a legal disability, shall not apply when the Administrator determines that its application would not be in the best interest of the eligible person, would result in undue delay, or would not be administratively feasible. In such a case the Administrator, where necessary to protect the interest of the eligible person, may designate some other person (who may be the eligible person himself) as the person by or with respect to whom the action so required should be taken.

(d) The Congress hereby declares that the educational program established by this chapter is for the purpose of providing opportunities for education to children whose education would otherwise be impeded or interrupted by reason of the death of a parent from a disease or injury incurred or aggravated in the Armed Forces during World War I, World War II, or the Korean conflict, and for the purpose of aiding such children in attaining the educational status which they might normally have aspired to and obtained but for the death of such parent.

Subchapter II—Eligibility and Entitlement

SEC. 1710. Eligibility and entitlement generally

Each eligible person shall, subject to the provisions of this chapter, be entitled to receive educational assistance.

SEC. 1711. Duration of educational assistance

(a) Each eligible person shall be entitled to educational assistance under this chapter for a period not in excess of 36 months (or to the equivalent thereof in part-time training).

(b) The period of entitlement of an eligible person under this chapter shall be reduced by a period equivalent to any period of education or training received by him under chapter 31 or 33 of this title.

(c) If an eligible person is entitled to educational assistance under this chapter and also to vocational rehabilitation under chapter 31 of this title, he must elect whether he will receive educational assistance or vocational rehabilitation. If an eligible person is entitled to educational assistance under this chapter and is not entitled to such vocational rehabilitation, but after beginning his program of education or special restorative training becomes entitled (as determined by the Administrator) to such vocational rehabilitation, he must elect whether to continue to receive educational assistance or whether to receive such vocational rehabilitation. If he elects to receive vocational rehabilitation, the program of education or special restorative training pursued under this chapter shall be utilized to the fullest extent practicable in determining the character and duration of vocational rehabilitation to be furnished him.

SEC. 1712. Periods of eligibility

(a) The educational assistance to which an eligible person is entitled under section 1711 of this title or subchapter V of this chapter may be afforded him during the period beginning on his 18th birthday, or on the successful completion of his secondary schooling, whichever first occurs, and ending on his 23d birthday, except that—

(1) if he is above the age of compulsory school attendance under applicable State law, and the Administrator determines that his best interests will be served thereby, such period may begin before his 18th birthday;

(2) if he had not reached his 23d birthday on June 29, 1956, and—

(A) he had reached his 18th birthday on such date; or

(B) he serves on duty with the Armed Forces as an eligible person before his 23d birthday and on or after such date; or

(C) the death of the parent from whom eligibility was derived occurs after such date and after his 18th birthday but before his 23d birthday;

then such period shall end 5 years after such date, his first discharge or release after such date from duty with the Armed Forces if such duty began before his 23d birthday, or the death of such parent, whichever occurs last, except that in no event shall such period be extended beyond his 31st birthday by reason of this paragraph; and

(3) (A) if he is enrolled in an educational institution regularly operated on a quarter or semester system and such period ends during the last half of a quarter or semester, such period shall be extended to the end of the quarter or semester; or

(B) if he is enrolled in an educational institution operated other than on a quarter or semester system and such period ends during the last half of the course, such period shall be extended to the end of the course, or until 9 weeks have expired, whichever first occurs.

(b) No eligible person may be afforded educational assistance under this chapter unless he was discharged or released after each period he was on duty with the Armed Forces under conditions other than dishonorable, or while he is on duty with the Armed Forces.

SEC. 1713. Application

The parent or guardian of a person for whom educational assistance is sought under this chapter shall submit an application to the Administrator which shall be in such form and contain such information as the Administrator shall prescribe. If the Administrator finds that the person on whose

behalf the application is submitted is an eligible person, he shall approve the application provisionally. The Administrator shall notify the parent or guardian of his provisional approval, or of his disapproval of the application.

Sec. 1714. Processing of applications

(a) Further processing of an application for educational assistance and the award of such assistance shall be pursuant to the requirements of subchapters III and IV of this chapter unless the parent or guardian requests special restorative training for the eligible person, in which case the application will be processed under subchapter V of this chapter.

(b) If the request for special restorative training is approved, educational assistance will be afforded pursuant to the terms of subchapter V of this chapter. If the request for special restorative training is disapproved, or if approved the restorative training is completed or discontinued, any educational assistance subsequently afforded will be in accordance with subchapters III and IV of this chapter.

Subchapter III—Program of Education

Sec. 1720. Development of educational plan

Upon provisional approval of an application for educational assistance, the Administrator shall arrange for, and the eligible person shall take advantage of, educational or vocational counseling to assist the parent or guardian and the eligible person in selecting his educational, vocational, or professional objective and in developing his program of education. During, or after, such counseling, the parent or guardian shall prepare for the eligible person an educational plan which shall set forth the selected objective, the proposed program of education, a list of the educational institutions at which such program would be pursued, an estimate of the sum which would be required for tuition and fees in completion of such program, and such other information as the Administrator shall require. This educational plan shall be signed by the parent or guardian and shall become an integral part of the application for educational assistance under this chapter.

Sec. 1721. Final approval of application

The Administrator shall finally approve an application if he finds (1) that section 1720 of this title has been complied with, (2) that the proposed program of education constitutes a "program of education" as that term is defined in this chapter, (3) that the eligible person is not already qualified, by reason of previous education or training, for the educational, professional, or vocational objective for which the courses of the program of education are offered, and (4) that it does not appear that the pursuit of such program would violate any provision of this chapter.

Sec. 1722. Change of program

An eligible person, with the concurrence of his parent or guardian, may request changes in his program. The Administrator shall approve an initial change of program, and may approve not more than one additional change, if he finds that—

(1) the program of education which the eligible person proposes to pursue is suitable to his aptitudes, interests, and abilities; and

(2) in any instance where the eligible person has interrupted, or failed to progress in, his program due to his own misconduct, his own neglect, or his own lack of application, there exists a reasonable likelihood with respect to the program which the eligible person proposes to pursue that there will not be a recurrence of such an interruption or failure to progress.

Sec. 1723. Disapproval of enrollment in certain courses

(a) (1) The Administrator shall not approve the enrollment of an eligible person in any bartending course, dancing course, or personality development course.

(2) The Administrator shall not approve the enrollment of an eligible person—

(A) in any photography course or entertainment course; or

(B) in any music course—instrumental or vocal—public speaking course, or course in sports or athletics such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, bowling, sports officiating, or other sport or athletic courses, except courses of applied music, physical education, or public speaking which are offered by institutions of higher learning for credit as an integral part of a program leading to an educational objective; or

(C) in any other type of course which the Administrator finds to be avocational or recreational in character;

unless the eligible person submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

(b) The Administrator shall not approve the enrollment of an eligible person in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible person is seeking.

(c) The Administrator shall not approve the enrollment of an eligible person in any course of apprentice or other training on the job, any course of institutional on-farm training, any course to be pursued by correspondence, television, or radio, or any course to be pursued at an educational institution not located in a State or in the Republic of the Philippines.

(d) The Administrator shall not approve the enrollment of an eligible person in any course which is to be pursued as a part of his regular secondary school education, but this subsection shall not prevent the enrollment of an eligible person in a course to be pursued below the college level if the Administrator finds that such person has ended his secondary school education (by completion or otherwise) and that such course is a specialized vocational course pursued for the purpose of qualifying in a bona fide vocational objective.

Sec. 1724. Discontinuance for unsatisfactory progress

The Administrator shall discontinue the educational assistance allowance on behalf of an eligible person if, at any time, the Administrator finds that according to the regularly prescribed standards and practices of the educational institution he is attending, his conduct or progress is unsatisfactory. The Administrator may renew the payment of the educational assistance allowance only if he finds that—

(1) the cause of the unsatisfactory conduct or progress of the eligible person has been removed; and

(2) the program which the eligible person now proposes to pursue (whether the same or revised) is suitable to his aptitudes, interests, and abilities.

Sec. 1725. Period of operation for approval

(a) The Administrator shall not approve the enrollment of an eligible person in any course offered by an educational institution when such course has been in operation for less than 2 years.

(b) Subsection (a) shall not apply to—

(1) any course to be pursued in a public or other tax-supported educational institution;

(2) any course which is offered by an educational institution which has been in operation for more than 2 years, if such course is similar in character to the instruction previously given by such institution;

(3) any course which has been offered by an institution for a period of more than 2 years, notwithstanding the institution has moved to another location within the same general locality; or

(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree.

Sec. 1726. Institutions listed by Attorney General

The Administrator shall not approve the enrollment of, or payment of, an educational assistance allowance to any eligible person in any course in an educational institution while it is listed by the Attorney General under section 3 of part III of Executive Order 9835, as amended.

Subchapter IV—Payments to Eligible Persons

Sec. 1731. Educational assistance allowance

(a) The Administrator shall pay to the parent or guardian of each eligible person who is pursuing a program of education under this chapter, and who applies therefor on behalf of such eligible person, an educational assistance allowance to meet, in part, the expenses of the eligible person's subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

(b) The educational assistance allowance on behalf of an eligible person shall be paid, as provided in section 1732 of this title, only for the period of his enrollment as approved by the Administrator, but no allowance shall be paid—

(1) on behalf of any person enrolled in a course which leads to a standard college degree for any period when such person is not pursuing his course in accordance with the regularly established policies and regulations of the educational institution and the requirements of this chapter; or

(2) on behalf of any person enrolled in a course which does not lead to a standard college degree for any day of absence in excess of 30 days in a 12-month period, not counting as absences weekends or legal holidays established by Federal or State law (or in the case of the Republic of the Philippines, Philippine law) during which the institution is not regularly in session.

(c) No educational assistance allowance shall be paid on behalf of an eligible person for any period until the Administrator shall have received—

(1) from the eligible person (A) in the case of an eligible person enrolled in a course which leads to a standard college degree, a certification that he was actually enrolled in and pursuing the course as approved by the Administrator, or (B) in the case of an eligible person enrolled in a course which does not lead to a standard college degree, a certification as to actual attendance during such period; and

(2) from the educational institution a certification, or an endorsement on the eligible person's certificate, that he was enrolled in and pursuing a course of education during such period.

Educational assistance allowances shall, insofar as practicable, be paid within 20 days after receipt by the Administrator of the certifications required by this subsection.

Sec. 1732. Computation of educational assistance allowance

(a) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate of (1) $110 per month if pursued on a full-time basis, (2) $80 per month if pursued on a three-quarters-time basis, and (3) $50 per month if pursued on a half-time basis.

(b) The educational assistance allowance to be paid on behalf of an eligible person who is pursuing a full-time program of education which consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion, shall be computed at the rate of $90 per month.

(c) No educational assistance allowance shall be paid on behalf of an eligible person for any period during which he is enrolled in and pursuing an institutional course on a less than half-time basis, or any course described in subsection (b), on a less-than-full-time basis.

Sec. 1733. Measurement of courses

(a) For the purposes of this chapter, (1) an institutional trade or technical course offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of 30 hours per week of attendance is required with no more than 2½ hours of rest periods per week allowed, (2) an institutional course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction is required, and (3) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of 14 semester hours or its equivalent is required.

(b) The Administrator shall define part-time training in the case of the types of courses referred to in subsection (a), and shall define full-time and part-time training in the cases of all other types of courses pursued under this chapter.

Sec. 1734. Overcharges by educational institutions

(a) If the Administrator finds that an educational institution has charged or received from any eligible person pursuing a course of education under this chapter any amount in excess of the charges for tuition and fees which such institution requires similarly circumstanced students, not receiving educational assistance under this chapter, who are enrolled in the same course to pay, he may disapprove such educational institution for the enrollment of any eligible person not already enrolled therein under this chapter and any eligible veteran not already enrolled therein under chapter 31 or 33 of this title.

(b) Any educational institution which has been disapproved under section 1634 of this title shall be deemed to be disapproved for the enrollment under this chapter of any eligible person not already enrolled therein.

Sec. 1735. Approval of courses

(a) An eligible person shall receive the benefits of this chapter while enrolled in a course of education offered by an educational institution only if such course is approved in accordance with the provisions of this section.

(b) Any course offered by an educational institution (as defined in this chapter) shall be considered approved for the purposes of this chapter if it is approved under either section 1653 or section 1654 of this title before the date for the expiration of all education and training under chapter 33 of this title, and has not been disapproved under section 1656 of this title.

(c) After the date for the expiration of all education and training under chapter 33 of this title, the Administrator shall be responsible for the approval of any additional courses for the purposes of this chapter. In approving such a course, the criteria of sections 1653 and 1654 of this title shall be applicable to approvals under this subsection and the Administrator may utilize the services of State educational agencies in connection therewith.

Sec. 1736. Discontinuance of allowances

The Administrator may discontinue the educational assistance allowance of any eligible person if he finds that the course of education in which the eligible person is enrolled fails to meet any of the requirements of this chapter or any of the standards and criteria of sections 1653 and 1654 of this title or if he finds that the educational institution offering such course has violated any provision of this chapter or fails to meet any of its requirements.

Subchapter V—Special Restorative Training

Sec. 1740. Purpose

The purpose of special restorative training is to overcome, or lessen, the effects of a manifest physical or mental disability which would handicap an eligible person in the pursuit of a program of education.

Sec. 1741. Entitlement to special restorative training

(a) The Administrator at the request of the parent or guardian of an eligible person is authorized—

(1) to determine whether such person is in need of special restorative training; and

(2) where need is found to exist, to prescribe a course which is suitable to accomplish the purposes of this chapter.

Such a course, at the discretion of the Administrator, may contain elements that would contribute toward an ultimate objective of a program of education.

(b) In no event shall the total period of educational assistance under this subchapter and other subchapters of this chapter exceed the amount of entitlement as established in section 1711 of this title.

Sec. 1742. Special training allowance

(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on his behalf a special training allowance computed at the basic rate of $110 per month. If the charges for tuition and fees applicable to any such course are more than $35 per calendar month the basic monthly allowance may be increased by the amount that such charges exceed $35 a month, upon election by the parent or guardian of the eligible person to have such person's period of entitlement reduced by 1 day for each $3.60 that the special training allowance paid exceeds the basic monthly allowance.

(b) No payments of a special training allowance shall be made for the same period for which the payment of an educational assistance allowance is made or for any period during which the training is pursued on less than a full-time basis.

(c) Full-time training for the purpose of this section shall be determined by the Administrator with respect to the capacities of the individual trainee.

Sec. 1743. Special administrative provisions

(a) In carrying out his responsibilities under this chapter the Administrator may by agreement arrange with public or private educational institutions or others to provide training arrangements as may be suitable and necessary to accomplish the purposes of this subchapter. In any instance where the Administrator finds that a customary tuition charge is not applicable, he may agree on the fair and reasonable amounts which may be charged the parent or guardian for the training provided to an eligible person.

(b) The Administrator shall make such rules and regulations as he may deem necessary in order to promote good conduct on the part of the persons who are following courses of special restorative training and otherwise to carry out the purposes of this chapter.

Subchapter VI—Miscellaneous Provisions

Sec. 1761. Authority and duties of Administrator

(a) Payments under this chapter shall be subject to audit and review by the General Accounting Office, as provided by the Budget and Accounting Act of 1921, and the Budget and Accounting Procedures Act of 1950.

(b) The Administrator may provide the educational and vocational counseling required under section 1720 of this title, and may provide or require additional counseling if he deems it to be necessary to accomplish the purposes of this chapter.

(c) In carrying out his functions under this chapter, the Administrator may utilize the facilities and services of any other Federal department or agency. Any such utilization shall be pursuant to proper agreement with the Federal department or agency concerned; and payment to cover the cost thereof shall be made either in advance or by way of reimbursement, as may be provided in such agreement.

(d) Where any provision of this chapter authorizes or requires any function, power, or duty to be exercised by a State, or by any officer or agency thereof such function, power, or duty shall, with respect to the Republic of the Philippines, be exercised by the Administrator.

Sec. 1762. Nonduplication of benefits

(a) The commencement of a program of education or special restorative training under this chapter shall be a bar (1) to subsequent payments of compensation, dependency and indemnity compensation, or pension based on the death of a parent to an eligible person over the age of 18 by reason of pursuing a course in an educational institution, or (2) to increase rates, or additional amounts, of compensation, dependency and indemnity compensation, or pension because of such a person.

(b) No educational assistance allowance or special training allowance shall be paid on behalf of any eligible person under this chapter for any period during which such person is enrolled in and pursuing a course of education or training paid for by the United States under any provision of law other than this chapter, where the payment of an allowance would constitute a duplication of benefits paid from the Federal Treasury to the eligible person or to his parent or guardian in his behalf.

Sec. 1763. Control by agencies of the United States

No department, agency, or officer of the United States, in carrying out this chapter, shall exercise any supervision or control, whatsoever, over any State approving agency, or State educational agency, or any educational institution. Nothing in this section shall be deemed to prevent any department, agency, or officer of the United States from exercising any supervision or control which such department, agency, or officer is authorized by law to exercise over any Federal educational institution or to prevent this furnishing of education under this chapter in any institution over which supervision or control is exercised by such other department, agency, or officer under authority of law.

Sec. 1764. Conflicting interests

(a) Every officer or employee of the Veterans' Administration who has, while such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any educational institution operated for profit in which an eligible person was pursuing a course of education under this chapter shall be immediately dismissed from his office or employment.

(b) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the

case of any officer or employee of the Veterans' Administration, if he finds that no detriment will result to the United States or to eligible persons by reason of such interests or connection of such officer or employee.

SEC. 1765. Reports by institutions

(a) Educational institutions shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education of each eligible person enrolled therein under this chapter.

(b) The Administrator shall pay to each educational institution which is required to submit reports and certifications to the Administrator under this chapter, an allowance at the rate of $1 per month for each eligible person enrolled in and attending such institution under the provisions of this chapter to assist the educational institution in defraying the expense of preparing and submitting such reports and certifications. Such allowances shall be paid in such manner and at such times as may be prescribed by the Administrator, except that in the event any institution fails to submit reports or certification to the Administrator as required by this chapter, no allowance shall be paid to such institution for the month or months during which such reports or certifications were not submitted as required by the Administrator.

SEC. 1766. Overpayments to eligible persons

Whenever the Administrator finds that an overpayment has been made to an eligible person as the result of (1) the willful or negligent failure of an educational institution to report, as required by this chapter and applicable regulations, to the Veterans' Administration excessive absences from a course, or discontinuance or interruption of a course by the eligible person, or (2) false certification by an educational institution, the amount of such overpayment shall constitute a liability of such institution, and may be recovered in the same manner as any other debt due the United States. Any amount so collected shall be reimbursed if the overpayment is recovered from the eligible person. This section shall not preclude the imposition of any civil or criminal liability under this or any other law.

SEC. 1767. Examination of records

The records and accounts of educational institutions pertaining to eligible persons who received education under this chapter shall be available for examination by duly authorized representatives of the Government.

SEC. 1768. False or misleading statements

The Administrator shall not make any payments under this chapter to any person found by him to have willfully submitted any false or misleading claims. Whenever the Administrator finds that an educational institution has willfully submitted a false or misleading claim, or that a person, with the complicity of an educational institution, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and, where deemed advisable, to the Attorney General of the United States for appropriate action.

Chapter 37—Home, farm, and business loans

Subchapter I—General

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Subchapter II—Loans

Sec.
1810. Purchase or construction of homes.
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Subchapter I—General

SEC. 1801. Definitions

(a) For the purposes of this chapter—

(1) The term "World War II" (A) means the period beginning on September 16, 1940, and ending on July 25, 1947, and (B) includes, in the case of any veteran who enlisted or reenlisted in a Regular component of the Armed Forces after October 6, 1945, and before October 7, 1946, the period of the first such enlistment or reenlistment.

(2) The term "veteran" includes the widow of any veteran (including a person who died in the active military, naval, or air service) who died from a service-connected disability, but only if such widow is not eligible for benefits under this chapter on the basis of her own active duty. The active duty of her husband shall be deemed to have been active duty by such widow for the purposes of this chapter.

(b) Benefits shall not be afforded under this chapter to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or of the Regular or Reserve Corps of the Public Health Service, unless such service would have qualified such individual for benefits under title III of the Servicemen's Readjustment Act of 1944.

SEC. 1802. Basic entitlement

(a) Each veteran who served on active duty at any time during World War II or the Korean conflict and whose total service was for 90 days or more, or who was discharged or released from a period of active duty, any part of which occurred during World War II or the Korean conflict, for a service-connected disability, shall be eligible for the benefits of this chapter. Entitlement derived from service during the Korean conflict (1) shall cancel any unused entitlement derived from service during World War II, and (2) shall be reduced by the amount by which entitlement from service during World War II, has been used to obtain a direct, guaranteed, or insured loan—

(A) on real property which the veteran owns at the time of application; or

(B) as to which the Administrator has incurred actual liability or loss, unless in the event of loss or the incurrence and payment of such liability by the Administrator the resulting indebtedness of the veteran to the United States has been paid in full.

(b) In computing the aggregate amount of guaranty or insurance entitlement available to a veteran under this chapter—

(1) the Administrator may exclude the initial use of the veterans' entitlement for any loan with respect to which the security has been (A) taken (by condemnation or otherwise) by the United States or any State, or by any local government agency for public use, (B) destroyed by fire or other natural hazard, or (C) disposed of because of other compelling reasons devoid of fault on the part of the veteran; and

(2) the Administrator shall exclude the amount of guaranty or insurance entitlement previously used for any guaranteed or insured home loan which has been repaid in full, and with respect to which the real property which served as security for the loan has been disposed of because the veteran, while on active duty, was transferred by the service department with which he was serving.

Entitlement restored under this subsection may be used at any time before February 1, 1965.

(c) An honorable discharge shall be deemed to be a certificate of eligibility to apply for a guaranteed loan. Any veteran who does not have a discharge certificate, or who received a discharge other than honorable, may apply to the Administrator for a certificate of eligibility. Upon making a loan guaranteed or insured under this chapter, the lender shall forthwith transmit to the Administrator a report thereon in such detail as the Administrator may, from time to time, prescribe. Where the loan is guaranteed, the Administrator shall provide the lender with a loan guaranty certificate or other evidence of the guaranty. He shall also endorse on the veteran's discharge, or eligibility certificate, the amount and type of guaranty used, and the amount, if any, remaining. Nothing in this chapter shall preclude the assignment of any guaranteed loan or the security therefor.

(d) Loans will be automatically guaranteed under this chapter only if made (1) by any Federal land bank, national bank, State bank, private bank, building and loan association, insurance company, credit union, or mortgage and loan company, that is subject to examination and supervision by an agency of the United States or of any State, or (2) by any State. Any loan proposed to be made to a veteran pursuant to this chapter by any lender not of a class specified in the preceding sentence may be guaranteed by the Administrator if he finds that it is in accord otherwise with the provisions of this chapter.

(e) The Administrator may at any time upon 30 days' notice require loans to be made by any lender or class of lenders to be submitted to him for prior approval. No guaranty or insurance liability shall exist with respect to any such loan unless evidence of guaranty or insurance is issued by the Administrator.

(f) Any loan at least 20 percent of which is guaranteed under this chapter may be made by any national bank or Federal savings and loan association, or by any bank, trust company, building and loan association, or insurance company, organized or authorized to do business in the District of Columbia. Any such loan may be so made without regard to the limitations and restrictions of any other law relating to—

(1) ratio of amount of loan to the value of the property;

(2) maturity of loan;

(3) requirement for mortgage or other security;

(4) dignity of lien; or

(5) percentage of assets which may be invested in real estate loans.

SEC. 1803. Basic provisions relating to loan guaranty

(a) (1) Any loan made to a World War II veteran, if made before July 26, 1960 (or, in the case of a veteran described in section 1801 (a) (1) (B) of this title, before the expiration of 13 years after World War II is deemed to have ended with respect to him), or to a Korean conflict veteran, if made before February 1, 1965, for any of the purposes, and in compliance with the provisions, specified in this chapter, is automatically guaranteed by the United States in an amount not more than 60 percent of the loan if the loan is made for any of the purposes specified in section 1810 of this title and not more than 50 percent of the loan if the loan is for any of the purposes specified in section 1812, 1813, or 1814 of this title.

(2) If a loan report or an application for loan guaranty relating to a loan under this chapter to a World War II veteran whose entitlement would otherwise expire on July 25, 1960, has been received by the Administrator before July 26, 1960, such loan may be guaranteed or insured under the provisions of this chapter before July 26, 1961.

(b) Except as provided in sections 1810 and 1811 of this title, the aggregate amount guaranteed shall not be more than $2,000 in the case of non-real-estate loans, nor $4,000 in the case of real-estate loans, or a prorated portion thereof on loans of both types or combination thereof. The liability of the United States under any guaranty, within the limitations of this chapter, shall decrease or increase pro rata with any decrease or increase of the amount of the unpaid portion of the obligation.

(c) (1) Loans guaranteed or insured under this chapter shall be payable upon such terms and conditions as may be agreed upon by the parties thereto, subject to the provisions of this chapter and regulations of the Administrator issued pursuant to this chapter, and shall bear interest not in excess of such rate as the Administrator, with the approval of the Secretary of the Treasury, may from time to time find the loan market demands, but the rate of interest so prescribed by the Administrator shall not exceed at any time the rate of interest (exclusive of premium charges for insurance, and service charges if any), established by the Federal Housing Commissioner under section 203 (b) (5) of the National Housing Act, less one-half of 1 percent per annum; except that such rate shall in no event exceed 4¾ percent per annum.

(2) The provisions of the Servicemen's Readjustment Act of 1944 which were in effect before April 1, 1958, with respect to the interest chargeable on loans made or guaranteed under such act shall, notwithstanding the provisions of paragraph (1) of this subsection, continue to be applicable—

(A) to any loan made or guaranteed before April 1, 1958; and

(B) to any loan with respect to which a commitment to guarantee was entered into by the Administrator before April 1, 1958.

(d) (1) The maturity of any non-real-estate loan shall not be more than 10 years. The maturity of any real-estate loan (other than a loan on farm realty) shall not be more than 30 years, and in the case of a loan on farm realty, shall not be more than 40 years.

(2) Any loan for a term of more than 5 years shall be amortized in accordance with established procedure.

(3) Any real-estate loan (other than for repairs, alterations, or improvements) shall be secured by a first lien on the realty. Any non-real-estate loan (other than for working or other capital, merchandise, goodwill, and other intangible assets) shall be secured by personalty to the extent legal and practicable.

SEC. 1804. Restrictions on loans

(a) No loan for the purchase or construction of residential property shall be financed through the assistance of this chapter unless the property meets or exceeds minimum requirements for planning, construction, and general acceptability prescribed by the Administrator; however, this subsection shall not apply to a loan for the purchase of residential property on which construction is fully completed more than 1 year before such loan is made.

(b) The Administrator may refuse to appraise any dwelling or housing project owned, sponsored, or to be constructed by any person identified with housing previously sold to veterans under this chapter as to which substantial deficiencies have been discovered, or as to which there has been a failure or indicated inability to discharge contractual liabilities to veterans, or as to which it is ascertained that the type of contract of sale or the methods or practices pursued in relation to the marketing of such properties were unfair or unduly prejudicial to veteran purchasers.

(c) No loan for the purchase or construction of residential property shall be financed through the assistance of this chapter unless the veteran applicant, at the time that he applies for the loan, and also at the time that the loan is closed, certifies, in such form as the Administrator may require, that he intends to occupy the property as his home. No loan for the repair, alteration, or improvement of residential property shall be financed through the assistance of the provisions of this chapter unless the veteran applicant, at the time that he applies to the lender for the loan, and also at the time that the loan is closed, certifies, in such form as may be required by the Administrator, that he occupies the property as his home. For the purposes of this chapter, the requirement that the veteran recipient of a guaranteed or direct home loan must occupy or intend to occupy the property as his home means that the veteran as of the date of his certification actually lives in the property personally as his residence or actually intends upon completion of the loan and acquisition of the dwelling unit to move into the property personally within a reasonable time and to utilize such property as his residence.

(d) Whenever the Administrator finds with respect to guaranteed or insured loans that any lender or holder has failed to maintain adequate loan accounting records, or to demonstrate proper ability to service loans adequately or to exercise proper credit judgment or has willfully or negligently engaged in practices otherwise detrimental to the interest of veterans or of the Government, he may refuse either temporarily or permanently to guarantee or insure any loans made by such lender or holder and may bar such lender or holder from acquiring loans guaranteed or insured under this chapter; however, the Administrator shall not refuse to pay a guaranty or insurance claim on loans theretofore entered into in good faith between a veteran and such lender.

SEC. 1805. Warranties

(a) The Administrator shall require that in connection with any property upon which there is located a dwelling designed principally for not more than a four-family residence and which is approved for guaranty or insurance before the beginning of construction, the seller or builder, and such other person as may be required by the Administrator to become warrantor, shall deliver to the purchaser or owner of such property a warranty that the dwelling is constructed in substantial conformity with the plans and specifications (including any amendments thereof, or changes and variations therein, which have been approved in writing by the Administrator) on which the Administrator based his valuation of the dwelling. The Administrator shall deliver to the builder, seller, or other warrantor his written approval (which shall be conclusive evidence of such approval) of any amendment of, or change or variation in, such plans and specifications which the Administrator deems to be a substantial amendment thereof, or change or variation therein, and shall file a copy of such written approval with such plans and specifications. Such warranty shall apply only with respect to such instances of substantial nonconformity to such approved plans and specifications (including any amendments thereof, or changes or variations therein, which have been approved in writing, as provided in this section, by the Administrator) as to which the purchaser or home owner has given written notice to the warrantor within 1 year from the date of conveyance of title to, or initial occupancy of, the dwelling, whichever first occurs. Such warranty shall be in addition to, and not in derogation of, all other rights and privileges which such purchaser or owner may have under any other law or instrument. The provisions of this section shall apply to any such property covered by a mortgage insured or guaranteed by the Administrator on and after October 1, 1954, unless such mortgage is insured or guaranteed pursuant to a commitment therefor made before October 1, 1954.

(b) The Administrator shall permit copies of the plans and specifications (including written approvals of any amendments thereof, or changes or variations therein, as provided in this section) for dwellings in connection with which warranties are required by subsection (a) of this section to be made available in their appropriate local offices for inspection or for copying by any purchaser, home owner, or warrantor during such hours or periods of time as the Administrator may determine to be reasonable.

Subchapter II—Loans

SEC. 1810. Purchase or construction of homes

(a) Any loan to a veteran, if made pursuant to the provisions of this chapter, is automatically guaranteed if such loan is for one or more of the following purposes:

(1) To purchase or construct a dwelling to be owned and occupied by him as a home.

(2) To purchase a farm on which there is a farm residence to be owned and occupied by him as his home.

(3) To construct on land owned by him a farm residence to be occupied by him as his home.

(4) To repair, alter, or improve a farm residence or other dwelling owned by him and occupied by him as his home.

If there is an indebtedness which is secured by a lien against land owned by the veteran, the proceeds of a loan guaranteed under this section or made under section 1811 of this title for construction of a dwelling or farm residence on such land may be used also to liquidate such lien, but only if the reasonable value of the land is equal to or greater than the amount of the lien.

(b) No loan may be guaranteed under this section or made under section 1811 of this title unless—

(1) the proceeds of such loan will be used to pay for the property purchased, constructed, or improved;

(2) the contemplated terms of payment required in any mortgage to be given in part payment of the purchase price or the construction cost bear a proper relation to the veteran's present and anticipated income and expenses;

(3) the veteran is a satisfactory credit risk;

(4) the nature and condition of the property is such as to be suitable for dwelling purposes;

(5) the price paid or to be paid by the veteran for such property, or for the cost of construction, repairs, or alterations, does not exceed the reasonable value thereof as determined by the Administrator; and

(6) if the loan is for repair, alteration, or improvement of property, such repair, alteration, or improvement substantially protects or improves the basic livability or utility of such property.

(c) The amount of guaranty entitlement available to a veteran under this section shall not be more than $7,500 less such entitlement as may have been used previously under this section and other sections of this chapter.

SEC. 1811. Direct loans to veterans

(a) The Congress finds that housing credit under section 1810 of this title is not

and has not been generally available to veterans living in rural areas, or in small cities and towns not near large metropolitan areas. It is therefore the purpose of this section to provide housing credit for veterans living in such rural areas and such small cities and towns.

(b) Whenever the administrator finds that private capital is not generally available in any rural area or small city or town for the financing of loans guaranteed under section 1810 of this title, he shall designate such rural area or small city or town as a "housing credit shortage area." He shall make, or enter into commitments to make, to any veteran eligible under this title, a loan for any or all of the purposes listed in section 1810 (a) in such area.

(c) No loan may be made under this section to a veteran unless he shows to the satisfaction of the administrator that—

(1) he is unable to obtain from a private lender in such housing credit shortage area, at an interest rate not in excess of the rate authorized for guaranteed home loans, a loan for such purpose for which he is qualified under section 1810 of this title; and

(2) he is unable to obtain a loan for such purpose from the Secretary of Agriculture under sections 1000–1029 of title 7 or under sections 1471–1483 of title 42.

(d) (1) Loans made under this section shall bear interest at a rate determined by the Administrator, not to exceed the rate authorized for guaranteed home loans, and shall be subject to such requirements or limitations prescribed for loans guaranteed under this title as may be applicable.

(2) The original principal amount of any loan made under this section shall not exceed an amount which bears the same ratio to $13,500 as the amount of guaranty to which the veteran is entitled under section 1810 of this title at the time the loan is made bears to $7,500; and the guaranty entitlement of any veteran who heretofore or hereafter has been granted a loan under this section shall be charged with an amount which bears the same ratio to $7,500 as the amount of the loan bears to $13,500.

(3) No veteran may obtain loans under this section aggregating more than $13,500.

(e) Loans made under this section shall be repaid in monthly installments, except that in the case of any such loan made for any of the purposes described in paragraphs (2), (3), or (4) of section 1810 (a) of this title, the Administrator may provide that such loan shall be repaid in quarterly, semiannual, or annual installments.

(f) In connection with any loan under this section, the Administrator may make advances in cash to pay taxes and assessments on the real estate, to provide for repairs, alterations, and improvements, and to meet the incidental expenses of the transaction. The Administrator shall determine the expenses incident to origination of loans made under this section, which expenses, or a reasonable flat allowance in lieu thereof, shall be paid by the veteran in addition to the loan closing costs.

(g) The Administrator may sell, and shall offer for sale, to any person or entity approved for such purpose by him, any loan made under this section at a price not less than par; that is, the unpaid balance plus accrued interest, and shall guarantee any loan thus sold subject to the same conditions, terms, and limitations which would be applicable were the loan guaranteed under section 1810 of this title.

(h) No loan may be made under this section after July 25, 1960, except pursuant to commitments issued by the Administrator before that date.

(i) (1) If any builder or sponsor proposes to construct one or more dwellings in a housing credit shortage area, the Administrator may enter into commitment with such builder or sponsor, under which funds available for loans under this section will be reserved for a period not in excess of 3 months, or such longer period as the Administrator may authorize to meet the needs in any particular case, for the purpose of making loans to veterans to purchase such dwellings. Such commitment may not be assigned or transferred except with the written approval of the Administrator. The Administrator shall not enter into any such commitment unless such builder or sponsor pays a nonrefundable commitment fee to the Administrator in an amount determined by the Administrator, not to exceed 2 per centum of the funds reserved for such builder or sponsor.

(2) Whenever the Administrator finds that a dwelling with respect to which funds are being reserved under this subsection has been sold, or contracted to be sold, to a veteran eligible for a direct loan under this section, the Administrator shall enter into a commitment to make the veteran a loan for the purchase of such dwelling. With respect to any loan made to an eligible veteran under this subsection, the Administrator may make advances during the construction of the dwelling, up to a maximum in advance of (A) the cost of the land plus (B) 80 per centum of the value of the construction in place.

(3) After the Administrator has entered into a commitment to make a veteran a loan under this subsection, he may refer the proposed loan to the Voluntary Home Mortgage Credit Committee, in order to afford a private lender the opportunity to acquire such loan subject to guaranty as provided in subsection (g) of this section. If, before the expiration of 60 days after the loan made to the veteran by the Administrator is fully disbursed, a private lender agrees to purchase such loan, all or any part of the commitment fee paid to the Administrator with respect to such loan may be paid to such private lender when such loan is so purchased. If a private lender has not purchased or agreed to purchase such loan before the expiration of 60 days after the loan made by the Administrator is fully disbursed, the commitment fee paid with respect to such loan shall become a part of the special deposit account referred to in subsection (c) of section 1823 of this title. If a loan is not made to a veteran for the purchase of a dwelling, the commitment fee paid with respect to such dwelling shall become a part of such special deposit account.

(4) The Administrator may exempt dwellings constructed through assistance provided by this subsection from the minimum land planning and subdivision requirements prescribed pursuant to subsection (a) of section 1804 of this title, and with respect to such dwellings may prescribe special minimum land planning and subdivision requirements which shall be in keeping with the general housing facilities in the locality but shall require that such dwellings meet minimum requirements of structural soundness and general acceptability.

(j) (1) The Administrator shall commence the processing of any application for a loan under this section upon the receipt of such application, and shall continue such processing notwithstanding the fact that the assistance of the Voluntary Home Mortgage Credit Committee has been requested by the Administrator for the purpose of ascertaining whether or not such loan can be placed with a private lender.

(2) If the assistance of such committee has been requested by the Administrator in connection with any such application, and the Administrator is not notified by such committee within 20 working days after such assistance has been requested that it has been successful in enabling the applicant to place such loan with a private lender or expects to do so within 10 additional working days, the Administrator shall proceed forthwith to complete any part of the processing of such application remaining unfinished, and to grant or deny the application in accordance with the provisions of this section.

(3) As used in this subsection, the term "working days" means calendar days exclusive of Saturdays, Sundays, and legal holidays.

(k) Without regard to any other provision of this chapter, the Administrator may take or cause to be taken such action as in his judgment may be necessary or appropriate for or in connection with the custody, management, protection, and realization or sale of investments under this section, may determine his necessary expenses and expenditures, and the manner in which the same shall be incurred, allowed and paid, may make such rules, regulations, and orders as he may deem necessary or appropriate for carrying out his functions under this section and section 1823 of this title and, except as otherwise expressly provided in this chapter, may employ, utilize, compensate, and, to the extent not inconsistent with his basic responsibilities under this chapter, delegate any of his functions under this section and section 1823 of this title to such persons and such corporate or other agencies, including agencies of the United States, as he may designate.

Sec. 1812. Purchase of farms and farm equipment

(a) Any loan to a veteran, if made pursuant to the provisions of this chapter, is automatically guaranteed if such loan is for one or more of the following purposes:

(1) To purchase any lands, buildings, livestock, equipment, machinery, supplies or implements, or to repair, alter, construct, or improve any land, equipment, or building, including a farmhouse, to be used in farming operations conducted by the veteran involving production in excess of his own needs.

(2) For working capital requirements necessary for such farming operations.

(3) To purchase stock in a cooperative association where the purchase of such stock is required by Federal law as an incident to obtaining the loan.

(b) No loan may be guaranteed under this section unless—

(1) the proceeds of the loan will be used for one of the purposes listed in subsection (a) in connection with bona fide farming operations conducted by the veteran;

(2) such property will be useful in and reasonably necessary for efficiently conducting such operations;

(3) the ability and experience of the veteran, and the nature of the proposed farming operations to be conducted by him, are such that there is a reasonable likelihood that such operations will be successful; and

(4) the price paid or to be paid by the veteran for such property, or for the cost of construction, repairs, or alterations, does not exceed the reasonable value thereof as determined by the Administrator.

(c) For the purpose of encouraging the construction and improvement of farm housing, the Administrator may guarantee a loan for the construction or improvement of a farmhouse which loan is secured by a first lien on a portion of the farm suitable in size and location as an independent home site, and may permit payment out of the proceeds of such loan any sum required to obtain the release of such site from existing indebtedness. The Administrator may, in his discretion, except any loan for the construction or improvement of a farmhouse from the first lien requirement imposed by section 1803 (d) (3) of this title.

Sec. 1813. Purchase of business property.

(a) Any loan to a veteran, if made pursuant to the provisions of this chapter, is automatically guaranteed if such loan is for one or more of the following purposes:

(1) To be used for the purpose of engaging in business or pursuing a gainful occupation.

(2) For the cost of acquiring for such purpose land, building, supplies, equipment, machinery, tools, inventory, or stock in trade.

(3) For the cost of the construction, repair, alteration, or improvement of any realty or personality used for such purpose.

(4) To provide the funds needed for working capital for such purpose.

(b) No loan may be guaranteed under this section unless—

(1) the proceeds of such loan will be used by the veteran for any of the specified purposes in connection with bona fide pursuit of a gainful occupation by the veteran;

(2) such property will be useful in and reasonably necessary for the efficient and successful pursuit of such business or occupation;

(3) the ability and experience of the veteran, and the conditions under which he proposes to pursue such business or occupation, are such that there is a reasonable likelihood that he will be successful in the pursuit of such business or occupation; and

(4) the price paid or to be paid by the veteran for such property, or for the cost of construction, repairs, or alterations, does not exceed the reasonable value thereof as determined by the Administrator.

Sec. 1814. Loans to refinance delinquent indebtedness

(a) Any loan to a veteran, if made pursuant to the provisions of this chapter, is automatically guaranteed if such loan is for one or more of the following purposes:

(1) To refinance any indebtedness of the veteran which is secured of record on property to be used or occupied by him as a home or for farming purposes.

(2) To refinance any indebtedness incurred by him in the pursuit of a gainful occupation which he is pursuing or which he proposes in good faith to pursue.

(3) To pay any delinquent taxes or assessments on such property or business.

(b) No loan may be guaranteed under this section unless—

(1) such refinancing will aid the veteran in his economic readjustment;

(2) the amount of the loan does not exceed the reasonable value of the property or business as determined by the Administrator; and

(3) such loan became in default or the delinquency occurred (A) before July 26, 1960, in the case of a World War II veteran (or in the case of a veteran described in section 1801 (a) (1) (B) of this title, before the expiration of 13 years after World War II is deemed to have ended with respect to him, or (B) before February 1, 1965, in the case of a Korean conflict veteran.

Sec. 1815. Insurance of loans

(a) Any loan which might be guaranteed under the provisions of this chapter, when made or purchased by any financial institution subject to examination and supervision by an agency of the United States or of any State may, in lieu of such guaranty, be insured by the Administrator under an agreement whereby he will reimburse any such institution for losses incurred on such loan up to 15 percent of the aggregate of loans so made or purchased by it.

(b) Loans insured under this section shall be made on such other terms, conditions, and restrictions as the Administrator may prescribe within the limitations set forth in this chapter. The Administrator may fix the maximum rate of interest payable on any class of non-real-estate loans insured under this section at a figure not in excess of a 3 percent discount rate or an equivalent straight interest rate on nonamortized loans.

Sec. 1816. Procedure on default

In the event of default in the payment of any loan guaranteed under this chapter, the holder of the obligation shall notify the Administrator who shall thereupon pay to such holder the guaranty not in excess of the pro rata portion of the amount originally guaranteed, and shall be subrogated to the rights of the holder of the obligation to the extent of the amount paid on the guaranty. Before suit or foreclosure the holder of the obligation shall notify the Administrator of the default, and within 30 days thereafter the Administrator may, at his option, pay the holder of the obligation the unpaid balance of the obligation plus accrued interest and receive an assignment of the loan and security. Nothing in this section shall preclude any forbearance for the benefit of the veteran as may be agreed upon by the parties to the loan and approved by the Administrator. The administrator may establish the date, not later than the date of judgment and decree of foreclosure or sale, upon which accrual of interest or charges shall cease.

Sec. 1817. Release from liability under guaranty

Whenever any veteran disposes of residential property securing a guaranteed, insured, or direct loan obtained by him, the Administrator, upon application made by such veteran and by the transferee incident to such disposal, shall issue to such veteran in connection with such disposal a release relieving him of all further liability to the Administrator on account of such loan (including liability for any loss resulting from any default of the transferee or any subsequent purchaser of such property) if the Administrator has determined, after such investigation as he may deem appropriate, that (1) the loan is current, and (2) the purchaser of such property from such veteran (A) has obligated himself by contract to purchase such property and to assume full liability for the repayment of the balance of the loan remaining unpaid, and as assumed by contract all of the obligations of the veteran under the terms of the instruments creating and securing the loan, and (B) qualifies from a credit standpoint, to the same extent as if he were a veteran eligible under section 1810 of this title, for a guaranteed or insured or direct loan in an amount equal to the unpaid balance of the obligation for which he has assumed liability.

Subchapter III—Administrative Provisions

Sec. 1820. Powers of Administrator

(a) Notwithstanding the provisions of any other law, with respect to matters arising by reason of this chapter, the Administrator may—

(1) sue and be sued in his official capacity in any court of competent jurisdiction, State or Federal;

(2) subject to specific limitations in this chapter, consent to the modification, with respect to rate of interest, time of payment of principal or interest or any portion thereof, security or other provisions of any note, contract, mortgage or other instrument securing a loan which has been guaranteed or insured under this chapter;

(3) pay, or compromise, any claim on, or arising because of, any such guaranty or insurance;

(4) pay, compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right of redemption;

(5) purchase at any sale, public or private, upon such terms and for such prices as he determines to be reasonable, and take title to, property, real, personal, or mixed; and similarly sell, at public or private sale, exchange, assign, convey, or otherwise dispose of any such property; and

(6) complete, administer, operate, obtain, and pay for insurance on, and maintain, renovate, repair, modernize, lease, or otherwise deal with any property acquired or held pursuant to this chapter. The acquisition of any such property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction of, on, or over such property (including power to tax) or impair the rights under the State or local law of any persons on such property.

(b) The powers granted by this section may be exercised by the Administrator without regard to any other provision of law not enacted expressly in limitation of this section, which otherwise would govern the expenditure of public funds; however, section 5 of title 41 shall apply to any contract for services or supplies on account of any property acquired pursuant to this section if the amount of such contract exceeds $1,000.

(c) The financial transactions of the Administrator incident to, or arising out of, the guaranty or insurance of loans pursuant to this chapter, and the acquisition, management, and disposition of property, real, personal, or mixed, incident to such activities and pursuant to this section, shall be final and conclusive upon all officers of the Government.

(d) The right to redeem provided for by section 2410 (c) of title 28 shall not arise in any case in which the subordinate lien or interest of the United States derives from a guaranteed or insured loan.

Sec. 1821. Incontestability

Any evidence of guaranty or insurance issued by the Administrator shall be conclusive evidence of the eligibility of the loan for guaranty or insurance under the provisions of this chapter and of the amount of such guaranty or insurance. Nothing in this section shall preclude the Administrator from establishing, as against the original lender, defenses based on fraud or material misrepresentation. The Administrator shall not, by reason of anything contained in this section, be barred from establishing, by regulations in force at the date of such issuance or disbursement, whichever is the earlier, partial defenses to the amount payable on the guaranty or insurance.

Sec. 1822. Recovery of damages

(a) Whoever knowingly makes, effects, or participates in a sale of any property to a veteran for a consideration in excess of the reasonable value of such property as determined by the Administrator, shall, if the veteran pays for such property in whole or in part with the proceeds of a loan guaranteed by the Veterans' Administration under section 1810, 1812, or 1813 of this title, be liable for three times the amount of such excess consideration irrespective of whether such person has received any part thereof.

(b) Actions pursuant to the provisions of this section may be instituted by the veteran concerned, in any United States district court, which court may, as a part of any judgment, award costs and reasonable attorneys' fees to the successful party. If the veteran does not institute an action under this section within 30 days after discovering he has overpaid, or having instituted an action shall fail diligently to prosecute the same, or upon request by the veteran, the Attorney General, in the name of the Government of the United States, may proceed therewith, in which event one-third of any recovery in said action shall be paid over to the veteran and two-thirds thereof shall be paid into the Treasury of the United States.

(c) The remedy provided in this section shall be in addition to any and all other penalties imposed by law.

Sec. 1823. Direct loan revolving fund

(a) For the purposes of section 1811 of this title, the revolving fund heretofore

established by section 513 of the Servicemen's Readjustment Act of 1944 is continued in effect. For the purposes of further augmenting the revolving fund, the Secretary of the Treasury is authorized and directed to advance to the Administrator from time to time after December 31, 1958, and until June 30, 1960, such sums (not in excess of $150 million in any 1 fiscal year, including prior advancements in fiscal year 1959) as the Administrator may request, except that the aggregate so advanced in any 1 quarter annual period shall not exceed the sum of $50 million, less that amount which has been returned to the revolving fund during the preceding quarter annual period from the sale of loans pursuant to section 1811 (g) of this title. In addition the Secretary is authorized and directed to make available to the Administrator for this purpose from time to time as he may request the amount of any funds which may have been deposited to the credit of miscellaneous receipts under this subsection or subsection (c) of this section, except that no sums may be made available after July 25, 1960. After the last day on which the Administrator may make loans under section 1811 of this title, he shall cause to be deposited with the Treasurer of the United States, to the credit of miscellaneous receipts, that part of all sums in such revolving fund, and all amounts thereafter received, representing unexpended advances or the repayment or recovery of the principal of direct home loans, retaining, however, a reasonable reserve for making loans with respect to which he has entered into commitments with veterans before such last day.

(b) On advances to such revolving fund by the Secretary of the Treasury, less those amounts deposited in miscellaneous receipts under subsections (a) and (c) the Administrator shall pay semiannually to the Treasurer of the United States interest at the rate or rates determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the advance.

(c) In order to make advances to such revolving fund, as authorized by law to effectuate the purposes and functions authorized in section 1811 of this title, the Secretary of the Treasury may use, as a public debt transaction, the proceeds of the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under the Second Liberty Bond Act include such purposes. Such sums, together with all receipts under this section and section 1811 of this title, shall be deposited with the Treasurer of the United States, in a special deposit account, and shall be available, respectively, for disbursement for the purposes of section 1811 of this title. Except as otherwise provided in subsection (a) of this section, the Administrator shall from time to time cause to be deposited into the Treasury of the United States, to the credit of miscellaneous receipts, such of the funds in such account as in his judgment are not needed for the purposes for which they were provided, including the proceeds of the sale of any loans, and not later than June 30, 1961, he shall cause to be so deposited all sums in such account and all amounts received thereafter in repayment of outstanding obligations, or otherwise, except so much thereof as he may determine to be necessary for purposes of liquidation of loans made from the revolving fund.

SEC. 1834. Waiver of discharge requirements for hospitalized persons

The benefits of this chapter may be afforded to any person who is hospitalized pending final discharge from active duty, if he is qualified therefor in every respect except for discharge.

Chapter 39—Automobiles for disabled veterans

Sec.
1901. Veterans eligible for assistance.
1902. Limitation on types of assistance furnished and veterans otherwise entitled.
1903. Limitation on amounts paid by United States.
1904. Prohibition against duplication of benefits.
1905. Applications.

SEC. 1901. Veterans eligible for assistance

(a) The Administrator, under such regulations as he may prescribe, shall provide or assist in providing an automobile or other conveyance by paying not to exceed $1,600 on the purchase price, including equipment with such special attachments and devices as the Administrator may deem necessary, for each veteran who is entitled to compensation under chapter 11 of this title for any of the following due to disability incurred in or aggravated by active military, naval, or air service during World War II or the Korean conflict:

(1) Loss or permanent loss of use of one or both feet;

(2) Loss or permanent loss of use of one or both hands;

(3) Permanent impairment of vision of both eyes of the following status: Central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20 degrees in the better eye.

(b) For the purposes of this section, the term "World War II" includes, in the case of any veteran, any period of continuous service performed by him after December 31, 1946, and before July 26, 1947, if such period began before January 1, 1947.

SEC. 1902. Limitation on types of assistance furnished and veterans otherwise entitled

No payment shall be made under this chapter for the repair, maintenance, or replacement of any such automobile or other conveyance and no veteran shall be given an automobile or other conveyance until it is established to the satisfaction of the Administrator that such veteran will be able to operate such automobile or other conveyance in a manner consistent with his own safety and the safety of others and will be licensed to operate such automobile or other conveyance by the State of his residence or other proper licensing authority; however, a veteran who cannot qualify to operate a vehicle shall nevertheless be entitled to the payment of not to exceed $1,600 on the purchase price of an automobile or other conveyance, as provided in section 1901 of this title, to be operated for him by another person, but only if such veteran meets the other eligibility requirements of this chapter.

SEC. 1903. Limitation on amounts paid by United States

The furnishing of such automobile or other conveyance, or the assisting therein, shall be accomplished by the Administrator paying the total purchase price, if not in excess of $1,600, or the amount of $1,600, if the total purchase price is in excess of $1,600, to the seller from whom the veteran is purchasing under sales agreement between the seller and the veteran.

SEC. 1904. Prohibition against duplication of benefits

No veteran shall be entitled to receive more than one automobile or other conveyance under the provisions of this chapter.

SEC. 1905. Applications

The benefits provided in this chapter shall not be available to any veteran who has not made application for such benefits to the Administrator within 5 years after the date of the veteran's discharge or release from active military, naval, or air service; except that in the case of any veteran whose loss or permanent loss of use of one or both feet, or one or both hands, or permanent impairment of vision, as specified in section 1901 of this title, shall have occurred after his discharge or release from active military, naval, or air service, application may be made within 3 years after the occurrence of such disability. Notwithstanding the foregoing time limits, no otherwise eligible veteran shall be denied the benefits of this chapter who makes application within 1 year from the date on which his entitlement to compensation for loss or permanent loss of use of one or both feet, or one or both hands, or permanent impairment of vision, as specified in section 1901 of this title, shall have been determined.

Chapter 41—Unemployment benefits for veterans

Subchapter I—Unemployment Compensation

Sec.
2001. Compensation for veterans under State agreements.
2002. Unemployment compensation in absence of State agreements.
2003. Payments to States.
2004. Information.
2005. Penalties.
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Subchapter I—Unemployment Compensation

SEC. 2001. Compensation for veterans under State agreements

(a) The Secretary of Labor is authorized on behalf of the United States to enter into an agreement with any State, or with the agency administering the unemployment compensation law of such State, under which such State agency (1) will make, as agent of the United States, payments of unemployment compensation to Korean conflict veterans, in accordance with the provisions of this chapter, and (2) will otherwise cooperate with the Secretary, and with other State agencies, in making payments of unemployment compensation under this chapter.

(b) Any such agreement shall, except as provided in section 2008 of this title, provide that unemployment compensation at the rate of $26 per week will be paid by the State to any Korean conflict veteran in such State with respect to weeks of unemployment (not in excess of a total of 26 weeks). If a Korean conflict veteran is eligible to receive mustering-out payment under section 2102 of this title, he shall not be eligible to receive unemployment compensation under this chapter with respect to weeks of unemployment completed within 30 days after his discharge or release, if he receives $100 in such mustering-out payment; within 60 days after his discharge or release if he receives $200 in such mustering-out payment; or within 90 days after his discharge or release if he receives $300 in such mustering-out payment.

(c) Any such agreement shall provide that any determination by a State agency with respect to entitlement to unemployment compensation pursuant to an agreement under this section shall be made in accordance with the State unemployment compensation law, insofar as such law is applicable, and shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in such manner and to such extent.

(d) Each agreement shall provide the terms and conditions upon which it may be amended or terminated.

(e) Each agreement entered into pursuant to title IV of the Veterans' Readjustment Assistance Act of 1952 shall be deemed to have been entered into pursuant to this chapter.

(f) Benefits shall not be afforded under this chapter to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or of the Regular or Reserve Corps of the Public Health Service, unless such service would have qualified such individual for benefits under title IV of the Veterans' Readjustment Assistance Act of 1952.

SEC. 2002. Unemployment compensation in absence of State agreements

(a) In the case of a Korean conflict veteran who is in a State which has no agreement under this chapter with the Secretary of Labor, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such veteran of a claim for unemployment compensation under this subsection, make payments of unemployment compensation to him in the same amounts and for the same periods as provided in section 2001 (b) of this title. Any determination by the Secretary with respect to entitlement to unemployment compensation under this subsection shall be made in accordance with the State unemployment compensation law of the State in which the veteran is insofar as such law is applicable.

(b) In the case of a Korean conflict veteran who is in Puerto Rico or in the Virgin Islands, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such veteran of a claim for unemployment compensation under this subsection, make payments of unemployment compensation to him in the same amounts and for the same periods as provided in section 2001 (b) of this title. Any determination by the Secretary with respect to entitlement to unemployment compensation under this subsection shall be made in accordance with the unemployment compensation law of the District of Columbia insofar as such law is applicable.

(c) Any Korean conflict veteran whose claim for unemployment compensation under subsection (a) or (b) of this section has been denied shall be entitled to a fair hearing in accordance with regulations prescribed by the Secretary. Any final determination by the Secretary with respect to entitlement to unemployment compensation under this section shall be subject to review by the courts in the same manner and to the extent as is provided in section 405 (g) of title 42, with respect to final decisions of the Secretary of Health, Education, and Welfare under such title.

(d) The Secretary may utilize for the purposes of this section the personnel and facilities of the agencies in Puerto Rico and the Virgin Islands cooperating with the United States Employment Service under sections 49–49c, 49d–49k of title 29. For the purpose of payments made to such agencies under such act, the furnishing of such personnel and facilities shall be deemed to be a part of the administration of the public employment offices of such agencies.

SEC. 2003. Payments to States

(a) Each State shall be entitled to be paid by the United States an amount equal to payments of unemployment compensation made by such State under and in accordance with an agreement under this chapter.

(b) In making payments pursuant to subsection (a) of this section there shall be paid to the State, either in advance or by way of reimbursement, as may be determined by the Secretary of Labor, such sum as the Secretary estimates the State will be entitled to receive under this chapter for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

(c) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State sums payable to such State under this section. The Secretary of the Treasury, before audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the funds for carrying out the purposes of this chapter.

(d) All money paid to a State under this chapter shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this chapter, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this chapter may be made.

(e) An agreement under this chapter may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from funds for carrying out the purposes of this chapter.

(f) No person designated by the Secretary, or designated pursuant to an agreement under this chapter, as a certifying officer, shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any unemployment compensation certified by him under this chapter.

(g) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this chapter if it was based upon a voucher signed by a certifying officer designated as provided in subsection (f) of this section.

(h) For the purpose of payments made to a State under subchapter III of chapter 7 of title 42, administration by the State agency of such State pursuant to an agreement under this chapter shall be deemed to be a part of the administration of the State unemployment compensation law.

SEC. 2004. Information

(a) All Federal departments and agencies shall make available to State agencies which have agreements under this chapter or to the Secretary, as the case may be, such information with respect to military service of any veteran as the Secretary may find practicable and necessary for the determination of such veteran's entitlement to unemployment compensation under this chapter.

(b) The agency administering the unemployment compensation law of any State shall furnish to the Secretary such information as the Secretary may find necessary or appropriate in carrying out the provisions of this chapter, and such information shall be deemed reports required by the Secretary for the purposes of paragraph (6) of subsection (a) of section 503 of title 42.

SEC. 2005. Penalties

(a) Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment authorized to be paid under this chapter or under an agreement thereunder shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

(b) Any person who makes, or causes to be made by another, a false statement or representation of a material fact knowing it to be false or knowingly fails, or causes another to fail, to disclose a material fact, and, as a result thereof, has received any amount as unemployment compensation under this chapter to which he was not entitled, shall be liable to repay such amount to the State agency or the Secretary of Labor, as the case may be, for the fund from which the amount was paid or, in the discretion of the State agency or the Secretary, as the case may be, to have such amount deducted from any future unemployment compensation payable to him under this chapter within the 2-year period following the finding, if the existence of such nondisclosure or misrepresentation has been found by a court of competent jurisdiction or in connection with a reconsideration or appeal.

SEC. 2006. Regulations

The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this chapter. The Secretary shall, insofar as practicable, consult with representatives of the State unemployment compensation agencies before prescribing any rules or regulations which may affect the performance by such agencies of functions pursuant to agreements under this chapter.

SEC. 2007. Definitions

When used in this subchapter—

(a) The term "Korean conflict veteran" means any person who has served in the active service in the Armed Forces at any time on or after June 27, 1950, and before February 1, 1955, and who has been discharged or released from such active service under conditions other than dishonorable after continuous service of 90 days or more, or by reason of an actual service-incurred injury or disability.

(b) The term "unemployment compensation" means the money payments to individuals with respect to their unemployment.

(c) The term "State" includes Hawaii, Alaska, Puerto Rico, the Virgin Islands, and the District of Columbia.

SEC. 2008. Nonduplication of benefits

(a) Notwithstanding any other provision of this chapter, no payment shall be made under any agreement under this chapter, or, in the absence of such an agreement, by the Secretary under this chapter to a veteran—

(1) for any week or any part of a week he is eligible (or would be eligible except for the provisions of this chapter or except for any action taken by such veteran under this chapter) to receive unemployment benefits at a rate equal to or in excess of $26 per week under any Federal or State unemployment compensation law;

(2) for any period with respect to which he receives an education and training allowance under subsection (a), (b), (c), or (d) of section 1632 of this title or a subsistence allowance under chapter 31 of this title or section 12 (a) of the act enacting this title; or

(3) for any period he receives additional compensation necessary for his maintenance under section 756 (b), (2), of title 5.

(b) In the case in which, for any week or any part of a week, a veteran is eligible for payment of unemployment compensation under this chapter and is also eligible (or would be eligible except for the provisions of this chapter or except for any action taken by such veteran under this chapter) to receive for such week or such part of a week unemployment benefits at a rate of less than $26 per week under any Federal or State unemployment compensation law, such

veteran may elect to receive payment of unemployment compensation under this chapter; but if the veteran so elects, the amount of unemployment compensation payable under this chapter shall be reduced by the amount of such unemployment compensation benefits for which such veteran is eligible (or would be eligible except for the provisions of this chapter or except for any action taken by such veteran under this chapter) under such Federal or State unemployment compensation law.

(c) If the veteran elects under subsection (b) to receive payment of unemployment compensation under this chapter, he shall be entitled to unemployment compensation at the rate of $26 per week after the exhaustion of State unemployment benefits until the total unemployment compensation received under this chapter and title IV of the Veterans' Readjustment Assistance Act of 1952 equals $676.

(d) Under no circumstances shall any veteran receive unemployment compensation under this chapter and title IV of the Veterans' Readjustment Assistance Act of 1952 from more than one State at one time or in a total amount in excess of $676.

SEC. 2009. Terminations

(a) No unemployment compensation shall be paid under this chapter for any benefit week which begins more than 3 years after the effective date of the discharge or release prescribed in section 2007 (a) of this title.

(b) In no event shall unemployment compensation be paid under this chapter for any benefit week which begins after January 31, 1960.

Subchapter II—Employment Service for Veterans

SEC. 2010. Purpose.

The Congress declares as its intent and purpose that there shall be an effective job counseling and employment placement service for veterans of any war, and that, to this end, policies shall be promulgated and administered, so as to provide for them the maximum of job opportunity in the field of gainful employment.

SEC. 2011. Assignment of veterans' employment representative

The Secretary of Labor shall assign to each of the States a veterans' employment representative, who shall be a veteran of any war, who at the time of appointment shall have been a bona fide resident of the State for at least 2 years, and who shall be appointed in accordance with the civil-service laws, and whose compensation shall be fixed in accordance with the Classification Act of 1949. Each such veterans' employment representative shall be attached to the staff of the public employment service in the State to which he has been assigned. He shall be administratively responsible to the Secretary of Labor, for the execution of the Secretary's veterans' placement policies through the public employment service in the State. In cooperation with the public employment service staff in the State, he shall—

(1) be functionally responsible for the supervision of the registration of veterans of any war in local employment offices for suitable types of employment and for placement of veterans of any war in employment;

(2) assist in securing and maintaining current information as to the various types of available employment in public works and private industry or business;

(3) promote the interests of employers in employing veterans of any war;

(4) maintain regular contact with employers and veterans' organizations with a view of keeping employers advised of veterans of any war available for employment and veterans of any war advised of opportunities for employment; and

(5) assist in every possible way in improving working conditions and the advancement of employment of veterans of any war.

SEC. 2012. Employees of local offices

Where deemed necessary by the Secretary of Labor, there shall be assigned by the administrative head of the employment service in the State one or more employees, preferably veterans of any war, of the staffs of local employment service offices, whose services shall be primarily devoted to discharging the duties prescribed for the veterans' employment representative.

SEC. 2013. Cooperation of Federal agencies

All Federal agencies shall furnish the Secretary such records, statistics, or information as may be deemed necessary or appropriate in administering the provisions of this chapter, and shall otherwise cooperate with the Secretary in providing continuous employment opportunities for veterans of any war.

SEC. 2014. Estimate of funds for administration

The Secretary shall estimate the funds necessary for the proper and efficient administration of this subchapter; such estimated sums shall include the annual amounts necessary for salaries, rents, printing and binding, travel and communications. Sums thus estimated shall be included as a special item in the annual budget of the Bureau of Employment Security. Any funds appropriated pursuant to this special item as contained in the budget of the Bureau of Employment Security shall not be available for any purpose other than that for which they were appropriated, except with the approval of the Secretary.

Chapter 43—Mustering-out payments

Sec.
2101. Eligibility.
2102. Determination of payments.
2103. Deceased members.
2104. Administration of chapter.

SEC. 2101. Eligibility

(a) Except as provided in subsection (b) of this section, each member of the Armed Forces who served on active duty during the Korean conflict and who is discharged or released from active duty under honorable conditions, shall be eligible for mustering-out payment.

(b) No mustering-out payment shall be made—

(1) to any member of the Armed Forces who, at the time of discharge or release is in a pay grade higher than O-3, or if he is a commissioned officer, unless he was discharged or released before January 31, 1958;

(2) to any member of the Armed Forces who, at the time of discharge or release is entitled to severance pay, or is transferred or returned to the retired list with retired pay, retirement pay, retainer pay, or equivalent pay, or to a status in which he receives such pay; except that this paragraph shall not apply upon retirement or separation pursuant to chapter 61 of title 10;

(3) to any member of the Armed Forces for any active duty performed before the date of his discharge or release from active duty on his own initiative to accept employment, or in the case of any member so released from active duty, for any active duty performed before the date of his discharge while in such inactive status, unless he served outside the continental limits of the United States or in Alaska;

(4) to any member of the Armed Forces whose total period of active duty has been as a student assigned by the Armed Forces to a civilian institution for a course of education or training substantially the same as established courses offered to civilians;

(5) to any member of the Armed Forces for any active duty performed before the date of his discharge from such forces for the purpose of entering the United States Military, Air Force, Naval, or Coast Guard Academy;

(6) to any member of the Armed Forces whose sole service has been as a cadet or midshipman at one of such academies;

(7) to any member of the Armed Forces who has received mustering-out payments under title V of the Veterans' Readjustment Assistance Act of 1952, or to any such member for any period elected by him to be taken into account in determining his eligibility for, or the amount of, mustering-out payment under the Mustering-Out Payment Act of 1944.

(c) Benefits shall not be afforded under this chapter to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or of the Regular or Reserve Corps of the Public Health Service, unless such service would have qualified such individual for benefits under title V of the Veterans' Readjustment Assistance Act of 1952.

SEC. 2102. Determination of payments

(a) Mustering-out payments for persons eligible under section 2101 of this title shall be in sums as follows:

(1) $300 for persons who, having performed active duty for 60 days or more, have served outside the continental limits of the United States or in Alaska.

(2) $200 for persons who, having performed active duty for 60 days or more, have served no part thereof outside the continental limits of the United States or in Alaska.

(3) $100 for persons who have performed active duty for less than 60 days.

(b) Each person eligible to receive mustering-out payment under subsection (a) (1) shall receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active service, or at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a Regular component of the Armed Forces; and the remaining amount of such payment shall be paid in 2 equal installments—1 month and 2 months, respectively, from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (2) shall receive one-half of the stipulated amount at the time of final discharge or ultimate relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a Regular component of the Armed Forces; and the remaining amount of such payment shall be paid 1 month from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (3) shall receive the stipulated amount at the time of such discharge or relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a Regular component of the Armed Forces. A person entitled to receive the first installment of the mustering-out payment at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a Regular component of the Armed Forces shall, at his election, receive the whole of such payment in one lump sum, rather than in installments.

SEC. 2103. Deceased members

If any member of the Armed Forces, after his discharge or release from active duty, shall die before receiving any portion of or the full amount of his mustering-out payment, the balance of the amount due him shall be payable, on appropriate application therefor, to his surviving lawful wife or husband, if any; and if he shall leave no surviving lawful wife or husband, then in equal shares to his child or children (without regard to their age or marital status), then in equal shares to his surviving parents, if any. No payments under this chapter shall be made to any other person.

SEC. 2104. Administration of chapter

(a) Mustering-out payments due or to become due under this chapter shall not be assignable and any payments made to or on account of a veteran under this chapter shall be exempt from taxation, shall be exempt from the claims of creditors, including any claim of the United States, and shall not be subject to attachment, levy, or seizure by or under any legal or equitable process whatever either before or after receipt by the payee.

(b) The Secretaries of the Army, Navy, Air Force, and Treasury may make such regulations not inconsistent with this chapter as may be necessary effectively to carry out the provisions thereof, and their decisions shall be final and not subject to review by any court or other Government official.

(c) The Secretaries of the Army, Navy, Air Force, and Treasury, or such subordinate officers as they may designate, are authorized to make direct payment to survivors over 17 years of age, and to select a proper person or persons to whom mustering-out payments may be made for the use and benefit of former active members of the Armed Forces, or survivors thereof, as defined by section 2103 of this title, without the necessity of appointment by judicial proceedings of a legal representative of any such former member or such survivors when, in the opinion of the respective Secretaries or their designees, the interests of persons under 17 years of age so justify, or where the former active member or his survivors is suffering from a mental disability sufficient to make direct payment not in the best interests of such person or persons. Payments made under the provisions of this subsection shall constitute a complete discharge of the obligation of the United States as provided in this chapter; and the selection of a proper person or persons, as provided in this subsection, and the correctness of the amount due and paid to such person or persons shall have the same finality as that accorded decisions made pursuant to subsection (b). The provisions of this subsection shall not apply where a legal guardian or committee has been judicially appointed, except as to any payments made under this subsection before the receipt of notice of appointment.

(d) No person entitled to mustering-out payment under this chapter shall be eligible for such payment under title V of the Veterans' Readjustment Assistance Act of 1952.

PART IV—GENERAL ADMINISTRATIVE PROVISIONS

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Chapter 51—Applications, effective dates, and payments

Subchapter I—Applications

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3003. Incomplete applications.
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Subchapter I—Applications

SEC. 3001. Claims and forms

(a) A specific claim in the form prescribed by the Administrator (or jointly with the Secretary of Health, Education, and Welfare, as prescribed by section 3005 of this title) must be filed in order for benefits to be paid or furnished to any individual under the laws administered by the Veterans' Administration.

(b) (1) A claim by a widow or child for compensation or dependency and indemnity compensation shall also be considered to be a claim for death pension and accrued benefits, and a claim by a widow or child for death pension shall be considered to be a claim for death compensation (or dependency and indemnity compensation) and accrued benefits.

(2) A claim by a parent for compensation or dependency and indemnity compensation shall also be considered to be a claim for accrued benefits.

SEC. 3002. Application forms furnished upon request

Upon request made in person or in writing by any person claiming or applying for benefits under the laws administered by the Veterans' Administration, the Administrator shall furnish such person, free of all expense, all such printed instructions and forms as may be necessary in establishing such claim.

SEC. 3003. Incomplete applications

(a) If a claimant's application for benefits under the laws administered by the Veterans' Administration is incomplete, the Administrator shall notify the claimant of the evidence necessary to complete the application. If such evidence is not received within 1 year from the date of such notification, no benefits may be paid or furnished by reason of such application.

(b) This section shall not apply to any application or claim for Government life insurance benefits.

SEC. 3004. Disallowed claims

(a) Where a claim has been finally disallowed, a later claim on the same factual basis, if supported by new and material evidence, shall have the attributes of a new claim, except that whenever any disallowed claim is reopened and thereafter allowed on the basis of new and material evidence resulting from the correction of the military records of the proper service department under section 1552 of title 10, or the change, correction, or modification of a discharge or dismissal under section 1553 of title 10, or from other corrective action by competent authority, the effective date of commencement of the benefits so awarded shall be the date on which an application was filed for correction of the military record or for the change, modification, or correction of a discharge or dismissal, as the case may be, the date such disallowed claim was filed, or August 1, 1956, whichever date is the later.

(b) This section shall not apply to any application or claim for Government life insurance benefits.

SEC. 3005. Joint applications for social security and dependency and indemnity compensation

The Administrator and the Secretary of Health, Education, and Welfare shall jointly prescribe forms for use by survivors of members and former members of the uniformed services in filing application for benefits under chapter 13 of this title and subchapter II of chapter 7 of title 42. Each such form shall request information sufficient to constitute an application for benefits under both chapter 13 of this title and subchapter II of chapter 7 of this title 42; and when an application on such form has been filed with either the Administrator or the Secretary of Health, Education, and Welfare, it shall be deemed to be an application for benefits under both chapter 13 of this title and subchapter II of chapter 7 of title 42. A copy of each such application filed with the Administrator, together with any additional information and supporting documents (or certifications thereof) which may have been received by the Administrator with such application, and which may be needed by the Secretary in connection therewith, shall be transmitted by the Administrator to the Secretary; and a copy of each such application filed with the Secretary, together with any additional information and supporting documents (or certifications thereof) which may have been received by the Secretary with such form, and which may be needed by the Administrator in connection therewith, shall be transmitted by the Secretary to the Administrator. The preceding sentence shall not prevent the Secretary and the Administrator from requesting the applicant, or any other individual, to furnish such additional information as may be necessary for purposes of chapter 13 of this title and subchapter II of chapter 7 of title 42, respectively.

Subchapter II—Effective Dates

SEC. 3010. Effective dates of awards

(a) Unless specifically provided otherwise in this chapter, the effective date of an award of compensation, dependency and indemnity compensation, or pension, shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of application therefor.

(b) The effective date of an award of disability compensation to a veteran shall be the day following the date of his discharge or release if application therefor is received within 1 year from such date of discharge or release.

(c) The effective date of an award of death compensation, dependency and indemnity compensation, or death pension shall be the day after the date of death if application therefor is received within 1 year from such date of death.

(d) The effective date of an award of dependency and indemnity compensation to a child shall be the date the child's entitlement arose if application therefor is received within 1 year from such date the entitlement arose.

(e) Where a report or a finding of death of any person in the active military, naval, or air service has been made by the Secretary concerned, the effective date of an award of death compensation, dependency and indemnity compensation, or death pension, as applicable, shall be the day after the date fixed by the Secretary as the date of death in such report or finding, if application therefor is received within 1 year from the date such report or finding has been made; however, such benefits shall not be payable to any person for any period for which such person has received, or was entitled to receive, an allowance, allotment, or service pay of the deceased.

SEC. 3011. Effective dates of increases

The effective date of an award of increased compensation, dependency and indemnity compensation, or pension (amending, reopening, or supplementing a previous award, authorizing any payments not previously authorized to the individual involved) shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of evidence showing entitlement thereto.

SEC. 3012. Effective dates of reductions and discontinuances

(a) Except as otherwise specified in this section, the effective date of reduction or discontinuance of compensation, dependency, and indemnity compensation, or pension shall be fixed in accordance with the facts found.

(b) Where compensation, dependency, and indemnity compensation, or pension has been awarded and a reduction or discontinuance is thereafter effected as to rates, such reduction or discontinuance shall be effective the last day of the month in which the reduction or discontinuance is approved.

(c) The effective date of a reduction or discontinuance of compensation, dependency, and indemnity compensation, or pension—

(1) by reason of death, shall be the date of death;

(2) by reason of marriage or remarriage, shall be the day before the date of marriage or remarriage;

(3) by reason of attaining age 18 (or 21, as applicable), shall be the day before the 18th (or 21st) birthday;

(4) by reason of fraud on the part of the beneficiary, or with his knowledge, shall be the effective date of the award; and

(5) by reason of receipt of active service pay or retirement pay, shall be the day before the date such pay began.

SEC. 3013. Effective dates of educational benefits

Effective dates relating to awards under chapters 31, 33, and 35 of this title shall, to the extent feasible, correspond to effective dates relating to awards of disability compensation.

Subchapter III—Payment of benefits

SEC. 3020. Payment of benefits by check; delivery

(a) Monetary benefits under laws administered by the Veterans' Administration shall be paid by checks drawn, pursuant to certification by the Administrator, in such form as to protect the United States against loss, and payable by the Treasurer of the United States. Such checks shall be payable without separate vouchers or receipts except in any case in which the Administrator may consider a voucher necessary for the protection of the Government. Such checks shall be transmitted by mail to the payee thereof at his last known address and, if he has moved and filed a regular change of address notice with the Post Office Department, shall be forwarded to him. The envelope or cover of each such check shall bear on the face thereof the following notice: "Postmaster: Please forward if addressee has moved and filed a regular change-of-address notice. If addressee is deceased, return the letter with date of death, if known."

(b) Postmasters, delivery clerks, letter carriers, and all other postal employees are prohibited from delivering any mail addressed by the United States and containing any such check to any person whomsoever if he has died or, in the case of a widow, if the postal employee believes that she has remarried (unless the mail is addressed to her in the name she has acquired by her remarriage). The preceding sentence shall apply in the case of checks in payment of benefits other than pension, compensation, dependency, and indemnity compensation, and insurance, only insofar as the Administrator deems it necessary to protect the United States against loss.

(c) Whenever mail is not delivered because of the prohibition of subsection (b), such mail shall be returned forthwith by the postmaster with a statement of the reason for so doing, and if because of death or remarriage, the date thereof, if known. Checks returned under this subsection because of death or remarriage shall be canceled.

SEC. 3021. Payment of certain accrued benefits upon death of a beneficiary

(a) Except as provided in section 3203 (a) (2) (A) of this title and sections 123–128 of title 31, periodic monetary benefits (other than insurance and servicemen's indemnity) under laws administered by the Veterans' Administration to which an individual was entitled at his death under existing ratings or decisions, or those based on evidence in the file at date of death (hereafter in this section and section 3022 of this title referred to as "accrued benefits") and due and unpaid for a period not to exceed 1 year, shall, upon the death of such individual be paid as follows:

(1) Upon the death of a person receiving an apportioned share of benefits payable to a veteran, all or any part of such benefits to the veteran or to any other dependent or dependents of the veteran, as may be determined by the Administrator;

(2) Upon the death of a veteran, to the living person first listed below:

(A) His spouse;

(B) His children (in equal shares);

(C) His dependent parents (in equal shares);

(3) Upon the death of a widow or remarried widow, to the children of the deceased veteran;

(4) Upon the death of a child, to the surviving children of the veteran who are entitled to death compensation, dependency, and indemnity compensation, or death pension; and

(5) In all other cases, only so much of the accrued benefits may be paid as may be necessary to reimburse the person who bore the expense of last sickness and burial.

(b) No part of any accrued benefits shall be used to reimburse any political subdivision of the United States for expenses incurred in the last sickness or burial of any beneficiary.

(c) Applications for accrued benefits must be filed within 1 year after the date of death. If a claimant's application is incomplete at the time it is originally submitted, the Administrator shall notify the claimant of the evidence necessary to complete the application. If such evidence is not received within 1 year from the date of such notification, no accrued benefits may be paid.

SEC. 3022. Cancellation of checks mailed to deceased payees

A check received by a payee in payment of accrued benefits shall, if the payee died on or after the last day of the period covered by the check, be returned to the issuing office and canceled, unless negotiated by the payee or the duly appointed representative of his estate. The amount represented by such check, or any amount recovered by reason of improper negotiation of any such check, shall be payable in the manner provided in section 3021 of this title, without regard to section 3021 (c) of this title. Any amount not paid in the manner provided in section 3021 of this title shall be paid upon settlement by the General Accounting Office to the estate of the deceased payee unless the estate will escheat.

Chapter 53—Special provisions relating to benefits

Sec.
3101. Nonassignability and exempt status of benefits.
3102. Waiver of recovery of overpayments.
3103. Certain bars to benefits.
3104. Prohibition against duplication of benefits.
3105. Waiver of retired pay.
3106. Renouncement of right to benefits.
3107. Apportionment of benefits.
3108. Withholding benefits of persons in territory of the enemy.
3109. Payment of certain withheld benefits.

SEC. 3101. Nonassignability and exempt status of benefits

(a) Payments of benefits due or to become due under any law administered by the Veterans' Administration shall not be assignable except to the extent specifically authorized by law, and such payments made to, or on account of, a beneficiary shall be exempt from taxation, shall be exempt from the claim of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary. The preceding sentence shall not apply to claims of the United States arising under such laws nor shall the exemption therein contained as to taxation extend to any property purchased in part or wholly out of such payments. The provisions of this section shall not be construed to prohibit the assignment of insurance otherwise authorized under chapter 19 of this title, or of servicemen's indemnity.

(b) This section shall prohibit the collection by setoff or otherwise out of any benefits payable pursuant to any law administered by the Veterans' Administration and relating to veterans, their estates, or their dependents, of any claim of the United States or any agency thereof against (1) any person other than the indebted beneficiary or his estate; or (2) any beneficiary or his estate except amounts due the United States by such beneficiary or his estate by reason of overpayments or illegal payments made under such laws to such beneficiary or his estate or to his dependents as such. If the benefits referred to in the preceding sentence are insurance payable by reason of yearly renewable term insurance, United States Government life insurance, or national service life insurance issued by the United States, the exemption provided in this section shall not apply to indebtedness existing against the particular insurance contract upon the maturity of which the claim is based, whether such indebtedness is in the form of liens to secure unpaid premiums or loans, or interest on such premiums or loans, or indebtedness arising from overpayments of dividends, refunds, loans, or other insurance benefits.

(c) Notwithstanding subsection (a), payments of benefits under laws administered by the Veterans' Administration shall not be exempt from levy under subchapter D of chapter 64 of the Internal Revenue Code of 1954 (relating to seizure of property for collection of taxes).

SEC. 3102. Waiver of recovery of overpayments

(a) There shall be no recovery of payments or overpayments of any benefits (except servicemen's indemnity) under any of the laws administered by the Veterans' Administration from any person who, in the judgment of the Administrator, is without fault on his part, and where, in the judgment of the Administrator, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience.

(b) No certifying or disbursing officer shall be liable for any amount paid to any person where the recovery of such amount is waived under subsection (a).

(c) Where the recovery of a payment or overpayment made from the national service life insurance fund or United States Government life insurance fund is waived under this section, the fund from which the payment was made shall be reimbursed from the national service life insurance appropriation or the military and naval insurance appropriation, as applicable.

SEC. 3103. Certain bars to benefits

(a) The discharge or dismissal by reason of the sentence of a general court-martial of any person from the Armed Forces, or the discharge of any such person on the ground that he was a conscientious objector who refused to perform military duty or refused to wear the uniform or otherwise to comply with lawful orders of competent military authority, or as a deserter, or of an officer by the acceptance of his resignation for the good of the service, or (except as provided in subsection (c)) the discharge of any individual during a period of hostilities as an alien, shall bar all rights of such person under laws administered by the Veterans' Administration based upon the period of service from which discharged or dismissed.

(b) Notwithstanding subsection (a), if it is established to the satisfaction of the Administrator that, at the time of the commission of an offense leading to his court-martial, discharge, or resignation, any person was insane, such person shall not be precluded from benefits under laws administered by the Veterans' Administration based upon the period of service from which he was separated.

(c) Subsection (a) shall not apply to any alien whose service was honest and faithful, and who was not discharged on his own application or solicitation as an alien.

(d) This section shall not apply to any war-risk insurance, Government (converted) or national service life insurance policy.

SEC. 3104. Prohibition against duplication of benefits

(a) Except to the extent that retirement pay is waived under other provisions of law, not more than one award of pension, compensation, emergency officers', regular, or reserve retirement pay, or initial award of naval pension granted after July 13, 1943, shall be made concurrently to any person based on his own service.

(b) (1) Except as provided in paragraph (2), the receipt of pension, compensation, or dependency and indemnity compensation by a widow, child, or parent on account of the death of any person, or receipt by any person of pension or compensation on account of his own service, shall not bar the payment of pension, compensation, or dependency and indemnity compensation on account of the death or disability of any other person.

(2) If a child receives or there is paid by the Veterans' Administration on account of a child dependency and indemnity compensation, or death compensation, by reason of the death of a parent, dependency and indemnity compensation by reason of the death of another parent in the same parental line may not be paid to or on account of such child.

(c) Pension, compensation, or retirement pay on account of his own service shall not be paid to any person for any period for which he receives active service pay.

SEC. 3105. Waiver of retired pay

Any person who is receiving pay pursuant to any provision of law providing retired or retirement pay to persons in the Armed Forces, or as a commissioned officer of the Coast and Geodetic Survey or of the Public Health Service, and who would be eligible to receive pension or compensation under the laws administered by the Veterans' Administration if he were not receiving such retired or retirement pay, shall be entitled to receive such pension or compensation upon the filing of such person with the department by which such retired or retirement pay is paid of a waiver of so much of his retired or retirement pay as is equal in amount to such pension or compensation. To prevent duplication of payments, the department with which any such waiver is filed shall notify the Veterans' Administration of the receipt of such waiver, the amount waived, and the effective date of the reduction in retired or retirement pay.

SEC. 3106. Renouncement of right to benefits

(a) Any person entitled to pension, compensation, or dependency and indemnity compensation under any of the laws administered by the Veteran's Administration may renounce his right thereto. The application renouncing the right shall be in writing over the person's signature. Upon the filing of such an application, payment of such benefits and the right thereto shall be terminated, and such person shall be denied any and all rights thereto from such filing.

(b) Renouncement of rights shall not preclude any person from filing a new application for pension, compensation, or dependency and indemnity compensation at a later date, but such new application shall be treated as an original application, and no payments shall be made for any period before the date such new application is filed.

SEC. 3107. Apportionment of benefits

(a) All or any part of the compensation, pension, or emergency officers' retirement pay payable on account of any veteran may—

(1) if the veteran is being furnished hospital treatment, institutional, or domiciliary care by the United States, or any political subdivision thereof, be apportioned on behalf of his wife, children, or dependent parents; and

(2) if the veteran is not living with his wife, or if his children are not in his custody, be apportioned as may be prescribed by the Administrator.

(b) Where any of the children of a deceased veteran are not in the custody of the veteran's widow, the pension, compensation, or dependency and indemnity compensation otherwise payable to the widow may be apportioned as prescribed by the Administrator.

(c) If a veteran is not living with his wife, or if any of his children are not in his custody, any subsistence allowance payable to him under chapter 31 of this title may be apportioned as may be prescribed by the Administrator.

SEC. 3108. Withholding benefits of persons in territory of the enemy

(a) When an alien entitled to gratuitous benefits under laws administered by the Veterans' Administration is located in territory of, or under military control of, an enemy of the United States or of any of its allies, any award of such benefits in favor of such alien shall be terminated forthwith.

(b) Any alien whose award is terminated under subsection (a) shall not thereafter be entitled to any such gratuitous benefits except upon the filing of a new claim, accompanied by evidence satisfactory to the Administrator showing that such alien was not guilty of mutiny, treason, sabotage, or rendering assistance to such enemy. Except as provided in section 3109 of this title, such gratuitous benefits shall not be paid for any period before the date the new claim is filed.

(c) While such alien is located in territory of, or under military control of, an enemy of the United States or of any of its allies, the Administrator, in his discretion, may apportion and pay any part of such benefits to the dependents of such alien. No dependent of such alien shall receive benefits by reason of this subsection in excess of the amount to which he would be entitled if such alien were dead.

SEC. 3109. Payment of certain withheld benefits

(a) Any person who, but for section 3108 of this title, was entitled to benefits under any of the laws administered by the Veterans' Administration, whose awards of benefits was terminated under such section, or whose benefits were not paid pursuant to sections 123–128 of title 31, 76th Congress, and who was not guilty of mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or its allies, shall be paid the full amount of any benefits not paid because of such section 3108, or withheld (including the amount of any checks covered on his account into the Treasury as miscellaneous receipts together with any amount to his credit in the special-deposit account) pursuant to sections 123–128 of title 31. The Administrator shall certify to the Secretary of the Treasury the amounts of payments which, but for this section, would have been made from the special deposit account, and the Secretary of the Treasury, as directed by the Administrator, shall reimburse the appropriations of the Veterans' Administration from such special deposit account, or cover into the Treasury as miscellaneous receipts the amounts so certified.

(b) No payments shall be made for any period before the date claim therefor is filed under this section to any person whose award was terminated, or whose benefits were not paid, before July 1, 1954, because he was a citizen or subject of Germany or Japan residing in Germany or Japan.

Chapter 55—minors, incompetents, and other wards

Sec.
3201. Commitment actions.
3202. Payments to and supervision of guardians.
3203. Hospitalized veterans and estates of incompetent institutionalized veterans.
3204. Administration of trust funds.

SEC. 3201. Commitment actions

The Administrator may incur necessary court costs and other expenses incident to proceedings for the commitment of mentally incompetent veterans to a Veterans' Administration hospital or domiciliary when necessary for treatment or domiciliary purposes.

SEC. 3202. Payments to and supervision of guardians

(a) Except as provided in section 1701 (c) of this title, where any payment of benefits under any law administered by the Veterans' Administration is to be made to a minor, other than a person in the active military, naval, or air service, or to a person mentally incompetent, or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian, curator, or conservator by the laws of the State of residence of the claimant, or who is otherwise legally vested with the care of the claimant or his estate. Where in the opinion of the Administrator any guardian, curator, conservator, or other person is acting as fiduciary in such a number of cases as to make it impracticable to conserve properly the estates or to supervise the persons of the wards, the Administrator may refuse to make future payments in such cases as he may deem proper. Before receipt of notice by the Veterans' Administration that any such person is under such other legal disability adjudged by some court of competent jurisdiction, payment may be made to such person direct. Where no guardian, curator, or conservator of the person under a legal disability has been appointed under the laws of the State of residence of the claimant, the Administrator shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

(b) Whenever it appears that any guardian, curator, conservator, or other person, in the opinion of the Administrator, is not properly executing or has not properly executed the duties of his trust or has collected or paid, or is attempting to collect or pay, fees, commissions, or allowances that are inequitable or in excess of those allowed by law for the duties performed or expenses

incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward, then the Administrator may appear, by his duly authorized attorney, in the court which has appointed such fiduciary, or in any court having original, concurrent, or appellate jurisdiction over said cause, and make proper presentation of such matters. The Administrator, in his discretion, may suspend payments to any such guardian, curator, conservator, or other person who shall neglect or refuse, after reasonable notice, to render an account to the Administrator from time to time showing the application of such payments for the benefit of such incompetent or minor beneficiary, or who shall neglect or refuse to administer the estate according to law. The Administrator may appear or intervene by his duly authorized attorney in any court as an interested party in any litigation instituted by himself or otherwise, directly affecting money paid to such fiduciary under this section.

(c) Authority is hereby granted for the payment of any court or other expenses incident to any investigation or court proceeding for the appointment of any guardian, curator, conservator, or other person legally vested with the care of the claimant or his estate or the removal of such fiduciary and appointment of another, and of expenses in connection with the administration of such estates by such fiduciaries, or in connection with any other court proceeding hereby authorized, when such payment is authorized by the Administrator.

(d) All or any part of any benefits the payment of which is suspended or withheld under this section may, in the discretion of the Administrator, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary, to be used solely for the benefit of such beneficiary, or, in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is an inmate nor apportioned to his dependent or dependents may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order and in the discretion of the Administrator for the benefit of such beneficiary or his dependents. Any balance remaining in such fund to the credit of any beneficiary may be paid to him if he recovers and is found compentent, or if a minor, attains majority, or otherwise to his guardian, curator, or conservator, or, in the event of his death, to his personal representative, except as otherwise provided by law; however, payment will not be made to his personal representative if, under the law of this last legal residence, his estate would escheat to the State.

(e) Any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the beneficiary or his estate, derived from benefits payable under laws administered by the Veterans' Administration; which under the law of the State wherein the beneficiary had his last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the beneficiary or his estate, or by the personal representative of the deceased beneficiary, less legal expenses of any administration necessary to determine that an escheat is in order, to the Veterans' Administration, and shall be deposited to the credit of the applicable revolving fund, trust fund, or appropriation.

(f) In the case of any incompetent veteran having no guardian, payment of compensation, pension, or retirement pay may be made in the discretion of the Administrator to the wife of such veteran for the use of the veteran and his dependents.

(g) Payment of death benefits to a widow for herself and child or children, if any, may be made directly to such widow, notwithstanding she may be a minor.

SEC. 3203. Hospitalized veterans and estates of incompetent institutionalized veterans

(a) (1) Where any veteran having neither wife, child, nor dependent parent is being furnished hospital treatment, institutional or domiciliary care by the Veterans' Administration any pension, compensation, or retirement pay otherwise payable shall continue without reduction until the 1st day of the 7th calendar month following the month of admission of such veteran for treatment or care. If treatment or care extends beyond that period, the pension, compensation, or retirement pay, if $30 per month or less, shall continue without reduction, but if greater than $30 per month, the pension, compensation, or retirement pay shall not exceed 50 percent of the amount otherwise payable or $30 per month, whichever is the greater. If such veteran is discharged from such treatment or care upon certification by the officer in charge of the hospital, institution, or home, that maximum benefits have been received or that release is approved, he shall be paid in a lump sum such additional amount as would equal the total sum by which his pension, compensation, or retirement pay has been reduced under this section. If treatment or care is terminated by the veteran against medical advice or as the result of disciplinary action the amount by which any pension, compensation, or retirement pay is reduced hereunder, shall be paid to him at the expiration of 6 months after such termination or, in the event of his prior death, as provided in paragraph (2) of this subsection; and the pension, compensation, or retirement pay of any veteran leaving against medical advice or as the result of disciplinary action shall, upon a succeeding readmission for treatment or care, be subject to reduction, as herein provided, from the date of such readmission, but if such subsequent treatment or care is continued until discharged therefrom upon certification, by the officer in charge of the hospital, institution, or home in which treatment or care was furnished, that maximum benefits have been received or that release is approved, the veteran shall be paid in a lump sum such additional amount as would equal the total sum by which his pension, compensation, or retirement pay has been reduced under this section after such readmission.

(2) (A) In the event of the death of any veteran subject to the provisions of this section, while receiving hospital treatment, institutional or domiciliary care, or before payment of any lump sum authorized herein, such lump sum shall be paid in the following order of precedence: First, to the spouse; second, if the decedent left no spouse, or if the spouse is dead at time of settlement, then to the children (without regard to their age or marital status) in equal parts; third, if no spouse or child, then to the father and mother in equal parts; fourth, if either the father or mother is dead, then to the one surviving; fifth, if there is no spouse, child, father, or mother at the time of settlement, then to the brothers and sisters in equal parts. If there are no persons in the classes named to whom payment may be made under this paragraph, no payment shall be made, except there may be paid only so much of the lump sum as may be necessary to reimburse a person who bore the expenses of last sickness or burial, but no part of the lump sum shall be used to reimburse any political subdivision of the United States for expenses incurred in the last sickness or burial of such veteran.

(B) No payment shall be made under this paragraph (2) unless claim therefor is filed with the Veterans' Administration within 5 years after the death of the veteran, except that, if any person so entitled under this paragraph is under legal disability at the time of death of the veteran, such 5-year period of limitation shall run from the termination or removal of the legal disability.

(b) (1) Where any veteran having neither wife, child, nor dependent parent is being furnished hospital treatment, institutional or domiciliary care by the Veterans' Administration, and is rated by the Veterans' Administration in accordance with regulations as being incompetent by reason of mental illness, the pension, compensation, or retirement pay of such veteran shall be subject to the provisions of subsection (a) of this section; however, no payment of a lump sum herein authorized shall be made until after the expiration of 6 months following a finding of competency.

(2) In any case where the estate of such incompetent veteran derived from any source equals or exceeds $1,500, further payments of such benefits (except retired pay, but including emergency officers' retirement pay) shall not be made until the estate is reduced to $500. The amount which would be payable but for this subsection shall be paid to the veteran as provided for the lump sum in paragraph (1) of this subsection, but in the event of the veteran's death no part thereof shall be payable.

(3) All or any part of the pension, compensation, or retirement pay payable on account of any incompetent veteran who is being furnished hospital treatment, institutional or domiciliary care may, in the discretion of the Administrator, be paid to the chief officer of the institution wherein the veteran is being furnished such treatment or care, to be properly accounted for by such chief officer and to be used for the benefit of the veteran.

(c) Any veteran subject to the provisions of subsection (a) or (b) shall be deemed to be single and without dependents in the absence of satisfactory evidence to the contrary. In no event shall increased compensation, pension, or retirement pay of such veteran be granted for any period more than 1 year before receipt of satisfactory evidence showing such veteran has a wife, child, or dependent parent.

(d) Notwithstanding any other provision of this section or any other provision of law, no reduction shall be made in the pension, compensation, or retirement pay of any veteran for any part of the period during which he is furnished hospital treatment, or institutional or domiciliary care, for Hansen's disease, by the United States or any political subdivision thereof.

SEC. 3204. Administration of trust funds

All cash balances in the personal funds of patients and the funds due incompetent beneficiaries trust funds administered by the Veterans' Administration, and all moneys received which are properly for deposit into these funds, may be deposited, respectively, into deposit fund accounts with the United States Treasury and such balances and deposits shall thereupon be available for disbursement for properly authorized purposes. When any balances have been on deposit with the Treasurer of the United States for more than 1 year and represent moneys belonging to individuals whose whereabouts are unknown, they shall be transferred and disposed of as directed in the last proviso of subsection (a) of section 725s of title 31.

Chapter 57—Records and investigations

Subchapter I—Records

Sec.
3301. Confidential nature of claims.
3302. Furnishing of records.
3303. Certification of records of District of Columbia.
3304. Transcript of trial records.

Subchapter II—Investigations

3311. Authority to issue subpenas.
3312. Validity of affidavits.
3313. Disobedience to subpena.

Subchapter I—Records

SEC. 3301. Confidential nature of claims

All files, records, reports, and other papers and documents pertaining to any claim under any of the laws administered by the Veterans' Administration shall be confidential and privileged, and no disclosure thereof shall be made except as follows:

(1) To a claimant or his duly authorized agent or representative as to matters concerning himself alone when, in the judgment of the Administrator, such disclosure would not be injurious to the physical or mental health of the claimant.

(2) When required by process of a United States court to be produced in any suit or proceeding therein pending.

(3) When required by any department or other agency of the United States Government.

(4) In all proceedings in the nature of an inquest into the mental competency of a claimant.

(5) In any suit or other judicial proceeding when in the judgment of the Administrator such disclosure is deemed necessary and proper.

(6) The amount of pension, compensation, or dependency and indemnity compensation of any beneficiary shall be made known to any person who applies for such information, and the Administrator, with the approval of the President, upon determination that the public interest warrants or requires, may, at any time and in any manner, publish any or all information of record pertaining to any claim.

(7) The Administrator in his discretion may authorize an inspection of Veterans' Administration records by duly authorized representatives of recognized organizations.

(8) The Administrator may release information, statistics, or reports to individuals or organizations when in his judgment such release would serve a useful purpose.

SEC. 3302. Furnishing of records

Any person desiring a copy of any record, paper, and so forth, in the custody of the Veterans' Administration, which may be disclosed under section 3301 of this title, must make written application therefor to the Veterans' Administration, stating specifically—

(1) the particular record, paper, and so forth, a copy of which is desired and whether certified or uncertified; and

(2) the purpose for which such copy is desired to be used.

(b) The Administrator is authorized to fix a schedule of fees for copies and certification of such records.

SEC. 3303. Certification of records of District of Columbia

When a copy of any public record of the District of Columbia is required by the Veterans' Administration to be used in determining the eligibility of any person for benefits under laws administered by the Veterans' Administration, the official custodian of such public record shall without charge provide the applicant for such benefits or any person (including any veterans' organization) acting on his behalf or the authorized representative of the Veterans' Administration with a certified copy of such record.

SEC. 3304. Transcript of trial records

The Administrator may purchase transcripts of the record, including all evidence, of trial of litigated cases.

Subchapter II—Investigations

SEC. 3311. Authority to issue subpenas

For the purposes of the laws administered by the Veterans' Administration, the Administrator, and those employees to whom the Administrator may delegate such authority, to the extent of the authority so delegated, shall have the power to issue subpenas for and compel the attendance of witnesses within a radius of 100 miles from the place of hearing, to require the production of books, papers, documents, and other evidence, to take affidavits, to administer oaths and affirmations, to aid claimants in the preparation and presentation of claims, and to make investigations and examine witnesses upon any matter within the jurisdiction of the Veterans' Administration. Any person required by such subpena to attend as a witness shall be allowed and paid the same fees and mileage as are paid witnesses in the district courts of the United States.

SEC. 3312. Validity of affidavits

Any such oath, affirmation, affidavit, or examination, when certified under the hand of any such employee by whom it was administered or taken and authenticated by the seal of the Veterans' Administration, may be offered or used in any court of the United States and without further proof of the identity or authority of such employee shall have like force and effect as if administered or taken before a clerk of such court.

SEC. 3313. Disobedience to subpena.

In case of disobedience to any such subpena, the aid of any district court of the United States may be invoked in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such court within the jurisdiction of which the inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any officer, agent, or employee of any corporation or to any other person, issue an order requiring such corporation or other person to appear or to give evidence touching the matter in person; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Chapter 59—Agents and attorneys

Sec.
3401. Prohibition against acting as claims agent or attorney.
3402. Recognition of representatives of organizations.
3403. Recognition with respect to particular claims.
3404. Recognition of agents and attorneys generally.
3405. Penalty for certain acts.

SEC. 3401. Prohibition against acting as claims agent or attorney

No individual may act as an agent or attorney in the preparation, presentation, or prosecution of any claim under laws administered by the Veterans' Administration unless he has been recognized for such purposes by the Administrator.

SEC. 3402. Recognition of representatives of organizations

(a) (1) The Administrator may recognize representatives of the American National Red Cross, the American Legion, the Disabled American Veterans, the United Spanish War Veterans, the Veterans of Foreign Wars, and such other organizations as he may approve, in the preparation, presentation, and prosecution of claims under laws administered by the Veterans' Administration.

(2) The Administrator may, in his discretion, furnish, if available, space and office facilities for the use of paid full-time representatives of national organizations so recognized.

(b) No individual shall be recognized under this section—

(1) unless he has certified to the Administrator that no fee or compensation of any nature will be charged any individual for services rendered in connection with any claim; and

(2) unless, with respect to each claim, such individual has filed with the Administrator a power of attorney, executed in such manner and form as the Administrator may prescribe.

(c) Service rendered in connection with any such claim, while not on active duty, by any retired officer, warrant officer, or enlisted man of the Armed Forces recognized under this section shall not be a violation of section 281 or 283 of title 18, or a violation of section 99 of title 5.

SEC. 3403. Recognition with respect to particular claims

The Administrator may recognize any individual for the preparation, presentation, and prosecution of any particular claim for benefits under any of the laws administered by the Veterans' Administration if—

(1) such individual has certified to the Administrator that no fee or compensation of any nature will be charged any individual for services rendered in connection with such claim; and

(2) such individual has filed with the Administrator a power of attorney, executed in such manner and in such form as the Administrator may prescribe.

SEC. 3404. Recognition of agents and attorneys generally

(a) The Administrator may recognize any individual as an agent or attorney for the preparation, presentation, and prosecution of claims under laws administered by the Veterans' Administration. The Administrator may require that individuals, before being recognized under this section, show that they are of good moral character and in good repute, are qualified to render claimants valuable service, and otherwise are competent to assist claimants in presenting claims.

(b) The Administrator, after notice and opportunity for a hearing, may suspend or exclude from further practice before the Veterans' Administration any agent or attorney recognized under this section if he finds that such agent or attorney—

(1) has engaged in any unlawful, unprofessional, or dishonest practice;

(2) has been guilty of disreputable conduct;

(3) is incompetent;

(4) has violated or refused to comply with any of the laws administered by the Veterans' Administration, or with any of the regulations or instructions governing practice before the Veterans' Administration; or

(5) has in any manner deceived, misled, or threatened any actual or prospective claimant.

(c) The Administrator shall determine and pay fees to agents or attorneys recognized under this section in allowed claims for monetary benefits under laws administered by the Veterans' Administration. Such fees—

(1) shall be determined and paid as prescribed by the Administrator;

(2) shall not exceed $10 with respect to any one claim; and

(3) shall be deducted from monetary benefits claimed and allowed.

SEC. 3405. Penalty for certain acts

Whoever (1) directly or indirectly solicits, contracts for, charges, or receives, or attempts to solicit, contract for, charge, or receive, any fee or compensation except as provided in sections 3404 or 784 of this title, or (2) wrongfully withholds from any claimant or beneficiary any part of a benefit or claim allowed and due him, shall be fined not more than $500 or imprisoned at hard labor for not more than 2 years, or both.

Chapter 61—Penal and forfeiture provisions

Sec.
3501. Misappropriation by fiduciaries.
3502. Fraudulent acceptance of payments.
3503. Forfeiture for fraud.
3504. Forfeiture for treason.

SEC. 3501. Misappropriation by fiduciaries

(a) Whoever, being a guardian, curator, conservator, committee, or person legally vested with the responsibility or care of a

claimant or his estate, or any other person having charge and custody in a fiduciary capacity of money heretofore or hereafter paid under any of the laws administered by the Veterans' Administration for the benefit of any minor, incompetent, or other beneficiary, shall lend, borrow, pledge, hypothecate, use, or exchange for other funds or property, except as authorized by law, or embezzle or in any manner misappropriate any such money or property derived therefrom in whole or in part and coming into his control in any manner whatever in the execution of his trust, or under color of his office or service as such fiduciary, shall be fined not more than $2,000 or imprisoned not more than 5 years, or both.

(b) Any willful neglect or refusal to make and file proper accountings or reports concerning such money or property as required by law shall be taken to be sufficient evidence prima facie of such embezzlement or misappropriation.

Sec. 3502. Fraudulent acceptance of payments

(a) Any person entitled to monetary benefits under any of the laws administered by the Veterans' Administration whose right to payment thereof ceases upon the happening of any contingency, who thereafter fraudulently accepts any such payment, shall be fined not more than $2,000, or imprisoned not more than 1 year, or both.

(b) Whoever obtains or receives any money or check under any of the laws administered by the Veterans' Administration without being entitled to it, and with intent to defraud the United States or any beneficiary of the United States, shall be fined not more than $2,000, or imprisoned not more than 1 year, or both.

Sec. 3503. Forfeiture for fraud

(a) Whoever knowingly makes or causes to be made or conspires, combines, aids, or assists in, agrees to, arranges for, or in any way procures the making or presentation of a false or fraudulent affidavit, declaration, certificate, statement, voucher, or paper, concerning any claim for benefits under any of the laws administered by the Veterans' Administration (except laws pertaining to insurance benefits) shall forfeit all rights, claims, and benefits under all laws administered by the Veterans' Administration (except laws pertaining to insurance benefits).

(b) Whenever a veteran entitled to disability compensation has forfeited his right to such compensation under this section, the compensation payable but for the forfeiture shall thereafter be paid to his wife, children, and parents. Payments made to a wife, children, and parents under the preceding sentence shall not exceed the amounts payable to each if the veteran had died from service-connected disability. No wife, child, or parent who participated in the fraud for which forfeiture was imposed shall receive any payment by reason of this subsection.

(c) Forfeiture of benefits by a veteran shall not prohibit payment of the burial allowance, death compensation, dependency and indemnity compensation, or death pension in the event of his death.

Sec. 3504. Forfeiture for treason

(a) Any person shown by evidence satisfactory to the Administrator to be guilty of mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or of its allies shall forfeit all accrued or future gratuitous benefits under laws administered by the Veterans' Administration.

(b) The Administrator, in his discretion, may apportion and pay any part of benefits forfeited under subsection (a) to the dependents of the person forfeiting such benefits. No dependent of any person shall receive benefits by reason of this subsection in excess of the amount to which he would be entitled if such person were dead.

PART V—BOARDS AND DEPARTMENTS

Chapter Sec.
71. Board of Veterans' Appeals 4001
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75. Veterans' Canteen Service 4201

Chapter 71—Board of Veterans' Appeals

Sec.
4001. Composition of Board of Veterans' Appeals.
4002. Assignment of members of Board.
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Sec. 4001. Composition of Board of Veterans' Appeals

(a) There shall be in the Veterans' Administration a Board of Veterans' Appeals (hereafter in this chapter referred to as the "Board") under the administrative control and supervision of a chairman directly responsible to the Administrator. The Board shall consist of a Chairman, a Vice Chairman, such number (not more than 50) of associate members as may be found necessary, and such other professional, administrative, clerical, and stenographic personnel as are necessary in conducting hearings and considering and disposing of appeals properly before the Board.

(b) Members of the Board (including the Chairman and Vice Chairman) shall be appointed by th Administrator with the approval of the President.

Sec. 4002. Assignment of member: of Board

The Chairman may from time to time divide the Board into sections of three members, assign the members of the Board thereto, and designate the chief thereof. If a section as a result of a vacancy or absence or inability of a member assigned thereto to serve thereon is composed of a number of members less than designated for the section, the Chairman may assign other members to the section or direct the section to proceed with the transaction of business without awaiting any additional assignment of members thereto. A hearing docket shall be maintained and formal recorded hearings shall be held by such associate member or members as the Chairman may designate, the associate member or members being of the section which will make final determination in the claim. A section of the Board shall make a determination on any proceeding instituted before the Board and on any motion in connection therewith assigned to such section by the Chairman and shall make a report of any such determination, which report shall constitute its final disposition of the proceeding.

Sec. 4003. Determinations by the Board

(a) The determination of the section, when unanimously concurred in by the members of the section shall be the final determination of the Board, except that the Board on its own motion may correct an obvious error in the record, or may upon the basis of additional official information from the service department concerned reach a contrary conclusion.

(b) When there is a disagreement among the members of the section the concurrence of the Chairman with the majority of members of such section shall constitute the final determination of the Board, except that the Board on its own motion may correct an obvious error in the record, or may upon the basis of additional official information from the service department concerned reach a contrary conclusion.

Sec. 4004. Jurisdiction of the Board

(a) All questions on claims involving benefits under the laws administered by the Veterans' Administration shall be subject to one review on appeal to the Administrator. Final decisions on such appeals shall be made by the Board.

(b) When a claim is disallowed by the Board, it may not thereafter be reopened and allowed, and no claim based upon the same factual basis shall be considered; however, where subsequent to disallowance of a claim, new and material evidence in the form of official reports from the proper service department is secured, the Board may authorize the reopening of the claim and review of the former decision.

(c) The Board shall be bound in its decisions by the regulations of the Veterans' Administration, instructions of the Administrator, and the precedent opinions of the chief law officer.

Sec. 4005. Applications for review on appeal

(a) Except in the case of simultaneously contested claims, applications for review on appeal shall be filed within 1 year from the date of mailing of notice of the result of initial review or determination. Such applications must be filed with the activity which entered the denial. If such an application is timely filed, a reasonable time thereafter will be allowed, if requested, for the perfection of the appeal and the presentation of additional evidence before final determination or decision is made. Applications postmarked before the expiration of the 1-year period will be accepted as timely filed.

(b) If no application for review on appeal is filed in accordance with this chapter within the 1-year period, the action taken on initial review or determination shall become final and the claim will not thereafter be reopened or allowed, except that where subsequent to such disallowance new and material evidence in the form of official reports from the proper service department is secured the Administrator may authorize the reopening of the claim and review of the former decision.

(c) (1) Application for review on appeal may be made in writing by the claimant, his legal guardian, or such accredited representative, or authorized agent, as may be selected by him. Not more than one recognized organization or authorized agent will be recognized at any one time in the prosecution of a claim.

(2) Application for review on appeal may be made within the 1-year period prescribed by this section by such officials of the Veterans' Administration as may be designated by the Administrator. An application entered under this paragraph shall not operate to deprive the claimant of the right of review on appeal as provided in this chapter.

(d) In each application for review on appeal the name and service of the veteran on account of whose service the claim is based must be stated, together with the number of the claim and the date of the action from which the appeal is taken. The application must clearly identify the benefit sought.

(e) Each application for review on appeal should contain specific assignments of the alleged mistake of fact or error of law in the adjudication of the claim. Any application which is insufficient may be dismissed.

Sec. 4006. Docketing of appeals

All cases received pursuant to application for review on appeal shall be considered and decided in regular order according to their places upon the docket; however, for cause shown a case may be advanced on motion for earlier consideration and determination. Every such motion shall set forth succinctly the grounds upon which it is based. No such motion shall be granted except in cases involving interpretation of law of general application affecting other claims, or for other sufficient cause shown.

Sec. 4007. Simultaneously contested claims

(a) In simultaneously contested claims where one is allowed and one rejected, the time allowed for the filing of an application for review on appeal shall be 60 days from the date notice is mailed of the original action to the claimant to whom the action is adverse. In such cases the activity concerned shall promptly notify all parties in interest of the original action taken, expressly inviting attention to the fact that an application for review on appeal will not be entertained unless filed within the 60-day period prescribed by this subsection. Such notices shall be forwarded to the parties in interest to the last known address of record.

(b) Upon the filing of an application for review on appeal in simultaneously contested claims, all parties other than the applicant for review on appeal whose interest may be adversely affected by the decision, shall be notified of the substance thereof and allowed 30 days from the date of mailing of such notice within which to file brief or argument in answer thereto before the record is forwarded on application for review on appeal. Such notice shall be forwarded to the last known address of record of the parties whose interests may be adversely affected, and such action shall constitute sufficient evidence of notice.

Sec. 4008. Rejection of applications

An application for review on appeal shall not be entertained unless it is in conformity with this chapter.

Chapter 73—Department of medicine and surgery

Sec.
4101. Functions of Department.
4102. Divisions of Department.
4103. Appointments and compensation.
4104. Additional appointments.
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4106. Period of appointment; promotions.
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Sec. 4101. Functions of Department

There shall be in the Veterans' Administration a Department of Medicine and Surgery under a Chief Medical Director. The functions of the Department of Medicine and Surgery shall be those necessary for a complete medical and hospital service, including medical research, as prescribed by the Administrator pursuant to this chapter and other statutory authority, for the medical care and treatment of veterans.

Sec. 4102. Divisions of Department

The Department of Medicine and Surgery shall include the following: Office of the Chief Medical Director, Medical Service, Dental Service, Nursing Service, and Auxiliary Service.

Sec. 4103. Appointments and compensation

(a) The Office of the Chief Medical Director shall consist of the Chief Medical Director, one Deputy Chief Medical Director, not to exceed eight Assistant Chief Medical Directors, and such other personnel and employees as may be authorized by this chapter.

(b) The Chief Medical Director shall be the Chief of the Department of Medicine and Surgery and shall be directly responsible to the Administrator for the operations of the Department. He shall be a qualified doctor of medicine, appointed by the Administrator. During the period of his service as such, the Chief Medical Director shall be paid a salary of $19,580 a year.

(c) The Deputy Chief Medical Director shall be the principal assistant of the Chief Medical Director. He shall be a qualified doctor of medicine, appointed by the Administrator. During the period of his service as such, the Deputy Chief Medical Director shall be paid a salary of $18,480 a year.

(d) Each Assistant Chief Medical Director shall be appointed by the Administrator upon the recommendation of the Chief Medical Director and shall be paid a salary of $17,380 a year. One Assistant Chief Medical Director shall be a qualified doctor of dental surgery or dental medicine who shall be directly responsible to the Chief Medical Director for the operations of Dental Service. Not to exceed 25 directors of service or chiefs of division designated by the Chief Medical Director, shall, within the limitations otherwise prescribed in this chapter, be paid a salary of $14,545 minimum to $16,500 maximum.

(e) The Director and Deputy Director of Nursing Service shall be qualified registered nurses, appointed by the Administrator and shall be responsible to the Chief Medical Director for the operation of the Nursing Service. During the period of her service as such, the Director of Nursing Service shall be paid a salary of $12,770 minimum to $13,970 maximum a year and the Deputy Director shall be paid a salary of $11,355 minimum to $12,555 maximum a year.

(f) The Administrator may appoint a chief pharmacist, a chief dietitian, a chief physical therapist, and a chief occupational therapist. During the period of his service as such, the chief pharmacist and the chief dietitian shall be paid a salary of $12,770 minimum to $13,970 maximum a year and the chief physical therapist and the chief occupational therapist shall be paid a salary of $11,355 minimum to $12,555 maximum a year.

(g) Any appointment under this section shall be for a period of 4 years subject to removal by the Administrator for cause.

(h) Reappointments may be made for successive like periods.

Sec. 4104. Additional appointments

There shall be appointed by the Administrator additional personnel as he may find necessary for the medical care of veterans, as follows:

(1) Physicians, dentists, and nurses;

(2) Managers, pharmacists, physical therapists, occupational therapists, dietitians, and other scientific and professional personnel, such as optometrists, pathologists, bacteriologists, chemists, biostatisticians, and medical and dental technologists.

Sec. 4105. Qualifications of appointees

Any person to be eligible for appointment in the Department of Medicine and Surgey must—

(1) be a citizen of the United States;

(2) in the Medical Service—

hold the degree of doctor of medicine or of doctor of osteopathy from a college or university approved by the Administrator, have completed an internship satisfactory to the Administrator, and be licensed to practice medicine, surgery, or osteopathy in a State;

(3) in the Dental Service—

hold the degree of doctor of dental surgery or dental medicine from a college or university approved by the Administrator, and be licensed to practice dentistry in a State;

(4) in the Nursing Service—

have successfully completed a full course of nursing in a recognized school of nursing, approved by the Administrator, and be registered as a graduate nurse in a State;

(5) in the Auxiliary Service—

(A) manager of hospital, home, or center—

have such business and administrative experience and qualifications as the Administrator shall prescribe;

(B) optometrist—

be licensed to practice optometry in a State;

(C) pharmacist—

hold the degree of bachelor of science in pharmacy, or its equivalent, from a school of pharmacy approved by the Administrator, and be registered as a pharmacist in a State;

(D) physical therapists, occupational therapists, dietitians, and other auxiliary employees shall have such scientific or technical qualifications as the Administrator shall prescribe.

Sec. 4106. Period of appointments; promotions

(a) Appointments of physicians, dentists, and nurses shall be made only after qualifications have been satisfactorily established in accordance with regulations prescribed by the Administrator, without regard to civil-service requirements.

(b) Such appointments as described in subsection (a) of this section shall be for a probationary period of 3 years and the record of each person serving under such appointment in the Medical, Dental, and Nursing Services shall be reviewed from time to time by a board, appointed in accordance with regulations of the Administrator, and if said board shall find him not fully qualified and satisfactory he shall be separated from the service.

(c) Promotions of physicians, dentists, and nurses shall be made only after examination given in accordance with regulations prescribed by the Administrator. Automatic promotions within grade may be made in increments of the minimum pay of the grade in accordance with regulations prescribed by the Administrator.

(d) In determining eligibility for reinstatement in Federal civil service of persons appointed to positions in the Department of Medicine and Surgery, who at the time of appointment shall have a civil-service status, and whose employment in the Department of Medicine and Surgery is terminated, the period of service performed in the Department of Medicine and Surgery shall be included in computing the period of service under applicable civil-service rules and regulations.

Sec. 4107. Grades and pay scales

(a) The grades and per annum full-pay ranges for positions provided in paragraph (1) of section 4104 of this title shall be as follows:

Medical service

Chief grade, $12,770 minimum to $13,970 maximum.

Senior grade, $11,355 minimum to $12,555 maximum.

Intermediate grade, $9,890 minimum to $11,090 maximum.

Full grade, $8,330 minimum to $9,530 maximum.

Associate grade, $7,030 minimum to $8,230 maximum.

Junior grade, $6,505 minimum to $7,405 maximum.

Dental service

Chief grade, $12,770 minimum to $13,970 maximum.

Senior grade, $11,355 minimum to $12,555 maximum.

Intermediate grade, $9,890 minimum to $11,090 maximum.

Full grade, $8,330 minimum to $9,530 maximum.

Associate grade, $7,030 minimum to $8,230 maximum.

Junior grade, $6,505 minimum to $7,405 maximum.

Nursing service

Assistant Director, $8,330 minimum to $9,530 maximum.

Senior grade, $7,030 minimum to $8,230 maximum.

Full grade, $5,985 minimum to $6,885 maximum.

Associate grade, $5,205 minimum to $6,165 maximum.

Junior grade, $4,425 minimum to $5,385 maximum.

Administration

(b) Notwithstanding any law, Executive order, or regulation, the Administrator shall prescribe by regulation the hours and conditions of employment and leaves of absence of physicians, dentists, and nurses.

SEC. 4108. Specialist ratings

(a) Within the restrictions herein imposed, the Chief Medical Director may rate any physician appointed under paragraph (1) of section 4104 of this title as a medical or surgical specialist, and, upon the recommendation of the Assistant Chief Medical Director for Dentistry, may rate any doctor of dental surgery or dental medicine, appointed under paragraph (1) of section 4104 of this title as a dental specialist; however, no person shall at any one time hold more than one such rating.

(b) No person may be rated as a medical, surgical, or dental specialist unless he is certified as a specialist by an American specialty board, recognized by the Administrator where such boards exist; or if no such boards exist, he has been examined and found qualified by a board appointed by the Chief Medical Director from specialists of the Department of Medicine and Surgery holding ratings in the specialty to which the candidate aspires. Whenever there are insufficient specialists, rated in the proper specialty, who are readily available to constitute such a board, the Chief Medical Director may substitute consultants with comparable qualifications employed under section 4114 of this title.

(c) Any person, rated as a medical, surgical, or dental specialist under the provisions of this section shall retain such rating until it shall be withdrawn by the Chief Medical Director. The Chief Medical Director shall not withdraw any such rating until it shall have been determined by a board of specialists that the person holding such rating is no longer qualified in his specialty.

(d) Any person, rated as a medical, surgical, or dental specialist under the provisions of this section, shall receive, in addition to his basic pay, an allowance equal to 15 percent of such pay, but in no event shall the pay plus the allowance authorized by this subsection exceed $16,000 per annum.

SEC. 4109. Retirement rights

Persons appointed to the Department of Medicine and Surgery shall be subject to the provisions of and entitled to benefits under the Civil Service Retirement Act.

SEC. 4110. Disciplinary boards

(a) The Chief Medical Director, under regulations prescribed by the Administrator shall from time to time appoint boards to be known as disciplinary boards, each such board to consist of not less than 3 nor more than 5 employees, senior in grade, of the Department of Medicine and Surgery, to determine, upon notice and fair hearing, charges of inaptitude, inefficiency, or misconduct of any person employed in a position provided in paragraph (1) of section 4104 of this title. When such charges concern a dentist, the majority of employees on the disciplinary board shall be dentists.

(b) The Administrator shall appoint the chairman and secretary of the board, each of whom shall have authority to administer oaths.

(c) The Chief Medical Director may designate or appoint one or more investigators, to assist each disciplinary board in the collection and presentation of evidence. Any person answering to charges before a disciplinary board may be represented by counsel of his own choosing.

(d) A disciplinary board, when in its judgment charges are sustained, shall recommend to the Administrator suitable disciplinary action, within limitations prescribed by the Administrator, which shall include reprimand, suspension without pay, reduction in grade, and discharge from the Department of Medicine and Surgery of such person. The Administrator shall either approve the recommendation of the board, approve such recommendation with modification or exception, approve such recommendation and suspend further action at the time, or disapprove such recommendation. He shall cause to be executed such action as he approves. The decision of the Administrator shall be final.

SEC. 4111. Appointment of additional employees

(a) There shall be appointed by the Administrator under civil-service laws, rules, and regulations, such additional employees, other than those provided in section 4103, paragraph (1) of section 4104, and those specified in section 4114 of this title, as may be necessary to carry out the provisions of this chapter.

(b) Notwithstanding any other provision of law, the per annum rate of salary of each individual serving as a manager of a hospital, domiciliary, or center who is not a physician in the medical service shall not be less than the rate of salary which he would receive under section 4107 of this title if his service as a manager of a hospital, domiciliary, or center had been service as a physician in the medical service in the chief grade. This subsection shall not affect the allocation of any position of manager of a hospital, domiciliary, or center to any grade of the general schedule of the Classification Act of 1949, except with respect to changes in rate of salary pursuant to the preceding sentence, and shall not affect the applicability of the Performance Rating Act of 1950 to any individual.

SEC. 4112. Medical advisory group

The Administrator shall establish a special medical advisory group composed of members of the medical, dental, and allied scientific professions, nominated by the Chief Medical Director, whose duties shall be to advise the Administrator, through the Chief Medical Director, and the Chief Medical Director direct, relative to the care and treatment of disabled veterans, and other matters pertinent to the Department of Medicine and Surgery. The special medical advsory group shall conduct regular calendar quarterly meetings. The number, terms of service, compensation, and allowances to members of such advisory group shall be in accord with existing law and regulations.

SEC. 4113. Travel expenses of employees

The Administrator may pay the expenses, except membership fees, of employees described in section 4103 and paragraph (1) of section 4104 of this title detailed by the Chief Medical Director to attend meetings of associations for the promotion of medical and related science.

SEC. 4114. Temporary and part-time appointments

(a) The Administrator, upon the recommendation of the Chief Medical Director, may employ, without regard to the Classification Act of 1949, physicians, dentists, and nurses, on a temporary full-time, part-time, or fee basis; and dietitians, social workers, librarians, and such other professional, clerical, technical, and unskilled personnel, in addition to personnel described in section 4103, paragraph (1) of section 4104, and section 4111, of this title on a temporary full-time or part-time basis at such rates of pay as he may prescribe. No temporary full-time appointment shall be for a period of more than 90 days.

(b) The Administrator shall have authority to establish residencies and internships; to appoint qualified persons to such positions without regard to civil-service or classification laws, rules, or regulations; and to prescribe the conditions of such employment, including necessary training, and the customary amount and terms of pay during the period of such employment and training.

SEC. 4115. Regulations

The Chief Medical Director with the approval of the Administrator, unless specifically otherwise provided, shall promulgate all regulations necessary to the administration of the Department of Medicine and Surgery and consistent with existing law, including regulations relating to travel, transportation of household goods and effects, and deductions from pay for quarters and subsistence; and to the custody, use, and preservation of the records, papers, and property of the Department of Medicine and Surgery.

Chapter 75—Veterans' Canteen Service

Sec.
4201. Purpose of Veterans' Canteen Service.
4202. Duties of Administrator with respect to Service.
4203. Operation of Service.
4204. Financing of Service.
4205. Revolving fund.
4206. Budget of Service.
4207. Audit of accounts.
4208. Service to be independent unit.

SEC. 4201. Purpose of Veterans' Canteen Service

The Veterans' Canteen Service (hereafter in this chapter referred to as the "Service") in the Veterans' Administration is an instrumentality of the United States, created for the primary purpose of making available to veterans of the Armed Forces who are hospitalized or domiciled in hospitals and homes of the Veterans' Administration, at reasonable prices, articles of merchandise and services essential to their comfort and well-being.

SEC. 4202. Duties of Administrator with respect to Service

The Administrator shall—

(1) establish, maintain, and operate canteens where deemed necessary and practicable at hospitals and homes of the Veterans' Administration and at other Veterans' Administration establishments where similar essential facilities are not reasonably available from outside commercial sources;

(2) establish, maintain, and operate such warehouses and storage depots as may be necessary in operating the canteens;

(3) furnish the Service, without charge, rental, or reimbursement, for its use in connection with the establishment, maintenance, and operation thereof, such space, buildings, and structures under control of the Veterans' Administration as he may consider necessary, including normal maintenance and repair service thereon;

(4) transfer to the Service without charge, rental, or reimbursement such necessary equipment as may not be needed for other purposes, and furnish the Service such services and utilities, including light, water, and heat, as may be available and necessary for its use. Reasonable charges, to be determined by the Administrator, shall be paid annually by the Service for the utilities so furnished;

(5) employ such persons as are necessary for the establishment, maintenance, and operation of the Service, and pay the salaries, wages, and expenses of all such employees from the funds of the Service. Personnel necessary for the transaction of the business of the Service at canteens, warehouses, and storage depots shall be appointed, compensated from funds of the Service, and removed by the Administrator without regard to civil-service laws and the Classification Act of 1949. Such employees shall be subject to the Veterans' Preference Act of 1944, the Civil Service Retirement Act, and laws administered by the Bureau of Employees' Compensation applicable to civilian employees of the United States;

(6) make all necessary contracts or agreements to purchase or sell merchandise, fixtures, equipment, supplies, and services, without regard to section 5 of title 41, and to do all things necessary to carry out such contracts or agreements, including the making of necessary adjustments and compromising of claims in connection therewith;

(7) fix the prices of merchandise and services in canteens so as to carry out the purposes of this chapter;

(8) accept gifts and donations of merchandise, fixtures, equipment and supplies for the use and benefit of the Service;

(9) make such rules and regulations, not inconsistent with the provisions of this chapter, as he considers necessary or appropriate to effectuate its purposes;

(10) delegate such duties and powers to employees as he considers necessary or appropriate, whose official acts performed within the scope of the delegated authority shall have the same force and effect as though performed by the Administrator;

(11) authorize the use of funds of the Service when available, subject to such regulations as he may deem appropriate, and without regard to the provisions of sections 521 and 543 of title 5, for the purpose of cashing checks, money orders, and similar instruments in nominal amounts for the payment of money presented by veterans hospitalized or domiciled at hospitals and homes of the Veterans' Administration, and by other persons authorized by section 4203 of this title to make purchases at canteens. Such checks, money orders, and other similar instruments may be cashed outright or may be accepted, subject to strict administrative controls, in payment for merchandise or services, and the difference between the amount of the purchase and the amount of the tendered instrument refunded in cash.

SEC. 4203. Operation of Service

(a) The canteens at hospitals and homes of the Veterans' Administration shall be primarily for the use and benefit of veterans hospitalized or domiciled at such hospitals and homes. Service at such canteens may also be furnished to personnel of the Veterans' Administration and recognized veterans' organizations employed at such hospitals and homes and to other persons so employed, to the families of all the foregoing persons who reside at the hospital or home concerned, and to relatives and other persons while visiting any of the persons named in this subsection; however, service to any person not hospitalized, domiciled, or residing at the hospital or home shall be limited to the sale of merchandise or services for consumption or use on the premises.

(b) Service at canteens other than those established at hospitals and homes shall be limited to sales of merchandise and services for consumption or use on the premises, to personnel employed at such establishments, their visitors, and other persons at such establishments on official business.

SEC. 4204. Financing of Service

To finance the establishment, maintenance, and operation of the Service there is hereby authorized to be appropriated, from time to time, such amounts as are necessary to provide for (1) the acquisition of necessary furniture, furnishings, fixtures, and equipment for the establishment, maintenance, and operation of canteens, warehouses, and storage depots; (2) stocks of merchandise and supplies for canteens and reserve stocks of same in warehouses and storage depots; (3) salaries, wages, and expenses of all employees; (4) administrative and operation expenses and premiums on fidelity bonds of employees; and (5) adequate working capital for each canteen and for the Service as a whole. Amounts appropriated under the authority contained in this chapter, amounts heretofore appropriated to carry out Public Law 636, 79th Congress, and all income from canteen operations become and will be administered as a revolving fund to effectuate the provisions of this chapter.

SEC. 4205. Revolving fund

The revolving fund shall be deposited in a checking account with the Treasury of the United States. Such amounts thereof as the Administrator may determine to be necessary to establish and maintain operating accounts for the various canteens may be deposited in checking accounts in other depositaries selected by the Administrator.

SEC. 4206. Budget of Service

The Service shall prepare annually and submit a budget program as provided for wholly owned Government corporations by sections 841–869 of title 31, which shall contain an estimate of the needs of the Service for the ensuing fiscal year including an estimate of the amount required to restore any impairment of the revolving fund resulting from operations of the current fiscal year. Any balance in the revolving fund at the close of the fiscal year in excess of the estimated requirements for the ensuing fiscal year shall be covered into the Treasury as miscellaneous receipts.

SEC. 4207. Audit of accounts

The Service shall maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by sections 841–869 of title 31. No other audit shall be required.

SEC. 4208. Service to be independent unit

It is the purpose of this chapter that, under control and supervision of the Administrator, the Service shall function as an independent unit in the Veterans' Administration and shall have exclusive control over all its activities including sales, procurement and supply, finance, including disbursements, and personnel management, except as otherwise herein provided.

PART VI—ACQUISITION AND DISPOSITION OF PROPERTY

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Chapter 81—Acquisition and operation of hospital and domiciliary facilities; procurement and supply

Subchapter I—Provisions Relating to Hospitals and Homes

Sec.
5001. Hospital and domiciliary facilities.
5002. Construction and repair of buildings.
5003. Use of Armed Forces facilities.
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Subchapter II—Procurement and Supply

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Subchapter I—Provisions Relating to Hospitals and Homes

SEC. 5001. Hospital and domiciliary facilities

(a) The Administrator, subject to the approval of the President, shall provide hospitals, domiciliaries, and out-patient dispensary facilities for veterans entitled under this title to hospital or domiciliary care or medical services. Such hospitals, domiciliaries, and other facilities may be provided by (1) purchase, replacement, or remodeling or extension of existing plants, or (2) construction of such facilities on sites already owned by the United States or on sites acquired by purchase, condemnation, gift, or otherwise.

(b) Hospitals and domiciliaries provided by the Administrator under subsection (a) shall be of fireproof construction. Where an existing plant is purchased it shall be remodeled to be fireproof.

(c) The location of each hospital or domiciliary and its nature (whether for domiciliary care or the treatment of tuberculosis, neuropsychiatric cases, or general medical and surgical cases) shall be within the discretion of the Administrator, subject to the approval of the President.

(d) The Administrator may accept gifts or donations for any of the purposes of this section.

(e) The Administrator, subject to the approval of the President, may use as hospitals, domiciliaries, or out-patient dispensary facilities such suitable buildings, structures, and grounds owned by the United States on March 3, 1925, as may be available for such purposes, and the President may by Executive order transfer any such buildings, structures, and grounds to the control and jurisdiction of the Veterans' Administration upon the request of the Administrator.

(f) As used in this section and in sections 5002 and 5003 of this title, the term "hospitals, domiciliaries, or out-patient dispensary facilities" includes necessary buildings and auxiliary structures, mechanical equipment, approach work, roads, and trackage facilities leading thereto, sidewalks abutting hospital reservations, vehicles, livestock, furniture, equipment, accessories, accommodations for officers, nurses, and attending personnel, and proper and suitable recreational facilities.

SEC. 5002. Construction and repair of buildings

The construction of new hospitals, domiciliaries and out-patient dispensary facilities, or the replacement, extension, alteration, remodeling, or repair of all such facilities shall be done in such manner as the President may determine. The President may require the architectural, engineering, constructing, or other forces of any of the departments of the Government to do or assist in such work, and he may employ individuals and agencies not connected with the Government, if in his opinion desirable, at such compensation as he may consider reasonable.

SEC. 5003. Use of Armed Forces facilities

The Administrator and the Secretary of the Army, the Secretary of the Air Force, and the Secretary of the Navy may enter into agreements and contracts for the mutual use or exchange of use of hospitals and domiciliary facilities, and such supplies, equipment, and material as may be needed to operate such facilities properly, or for the transfer, without reimbursement of appropriations, of facilities, supplies, equipment, or material necessary and proper for authorized care for veterans, except that at no time shall the Administrator enter into any agreement which will result in a permanent reduction of Veterans' Administration hospital and domiciliary beds below the number established or approved on June 22, 1944, plus the estimated number required to meet the load of eligibles under this title, or in any way subordinate or transfer the operation of the Veterans' Administration to any other agency of the Government.

SEC. 5004. Garages on hospital and domiciliary reservations

The Administrator may construct and maintain on reservations of Veterans' Administration hospitals and domiciliaries,

garages for the accommodation of privately owned automobiles of employees at such hospitals and domiciliaries. Employees using such garages shall make such reimbursement therefor as the Administrator may deem reasonable. Money received from the use of such garages shall be covered into the Treasury of the United States as miscellaneous receipts.

Sec. 5005. Acceptance of certain property

The President may accept from any State or other political subdivision, or from any person, any building, structure, equipment, or grounds suitable for the care of the disabled, with due regard to fire or other hazards, state of repair, and all other pertinent considerations. He may designate which agency of the Federal Government shall have the control and management of any such property so accepted.

Sec. 5006. Property formerly owned by National Home for Disabled Volunteer Soldiers

If by reason of any defeasance or conditional clause or clauses contained in any deed of conveyance of property to the National Home for Disabled Volunteer Soldiers, which property is owned by the United States, the full and complete enjoyment and use of such property is threatened, the Attorney General, upon request of the President, shall institute in the United States district court for the district in which the property is located such proceedings as may be proper to extinguish all outstanding adverse interests. The Attorney General may procure and accept, on behalf of the United States by gift, purchase, cession, or otherwise, absolute title to and complete jurisdiction over all such property.

Subchapter II—Procurement and Supply

Sec. 5011. Revolving supply fund

(a) The revolving supply fund established for the operation and maintenance of a supply system for the Veterans' Administration (including procurement of supplies and equipment and personal services) shall be—

(1) available without fiscal year limitations for all expenses necessary for the operation and maintenance of such supply system;

(2) reimbursed from appropriations for the cost of all services, equipment, and supplies furnished, at rates determined by the Administrator on the basis of estimated or actual direct and indirect cost; and

(3) credited with advances from appropriations for activities to which services or supplies are to be furnished, and all other receipts resulting from the operation of the fund, including the proceeds of disposal of scrap, excess or surplus personal property of the fund, and receipts from carriers and others for loss or damage to personal property.

At the end of each fiscal year, and net income of the fund, after making provision for prior losses, shall be covered into the Treasury of the United States as miscellaneous receipts.

(b) An adequate system of accounts for the fund shall be maintained on the accrual method, and financial reports prepared on the basis of such accounts. An annual business type budget shall be prepared for operations under the fund.

(c) The Administrator is authorized to capitalize, at fair and reasonable values as determined by him, all supplies and materials and depot stocks of equipment on hand or on order.

Sec. 5012. Authority to procure and dispose of property

(a) The Administrator may lease for a term not exceeding 3 years lands or buildings, or parts or parcels thereof, belonging to the United States and under his control. The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts.

(b) The Administrator may, for the purpose of extending benefits to veterans and dependents, and to the extent he deems necessary, procure the necessary space for administrative, clinical, medical, and outpatient treatment purposes by lease, purchase, or construction of buildings, or by condemnation or declaration of taking, pursuant to law.

Sec. 5013. Procurement of prosthetic appliances

The Administrator may procure prosthetic appliances and necessary services required in the fitting, supplying, and training and use of prosthetic appliances by purchase, manufacture, contract, or in such other manner as he may determine to be proper, without regard to any other provision of law.

Sec. 5014. Grant of easements in Government-owned lands

The Administrator, whenever he deems it advantageous to the Government and upon such terms and conditions as he deems advisable, may grant on behalf of the United States to any State, or any agency or political subdivision thereof, or to any public-service company, easements in and rights-of-way over lands belonging to the United States which are under his supervision and control. Such grant may include the use of such easements or rights-of-way by public utilities to the extent authorized and under the conditions imposed by the laws of such State relating to use of public highways. Such partial, concurrent, or exclusive jurisdiction over the areas covered by such easements or rights-of-way, as the Administrator deems necessary or desirable, is hereby ceded to the State in which the land is located. The Administrator may accept or secure on behalf of the United States from the State in which is situated any land conveyed in exchange for any such easement or right-of-way, such jurisdiction as he may deem necessary or desirable over the land so acquired. Any such easement or right-of-way shall be terminated upon abandonment or nonuse of the same and all right, title, and interest in the land covered thereby shall thereupon revert to the United States or its assignee.

Chapter 83—Acceptance of gifts and bequests

Sec.,

5101. Authority to accept gifts, devises, and bequests.
5102. Legal proceedings.
5103. Restricted gifts.
5104. Disposition of property.
5105. Savings provision.

Sec. 5101. Authority to accept gifts, devises, and bequests

The Administrator may accept devises, bequests, and gifts, made in any manner, with respect to which the testator or donor shall have indicated his intention that such property shall be for the benefit of groups of persons formerly in the active military, naval, or air service who by virtue of such service alone, or disability suffered therein or therefrom, are or shall be patients or members of any one or more hospitals or homes operated by the United States Government, or has indicated his intention that such property shall be for the benefit of any such hospital or home, or shall be paid or delivered to any official, as such, or any agency in administrative control thereof.

Sec. 5102. Legal proceedings

For the purpose of acquiring title to and possession of any property which he is by this chapter authorized to accept, the Administrator may initiate and appear in any appropriate legal proceedings, and take such steps therein or in connection therewith as in his discretion may be desirable and appropriate to reduce said property to possession. He may incur such expenses incident to such proceedings as he deems necessary or appropriate, which shall be paid as are other administrative expenses of the Veterans' Administration. All funds received by devise, bequest, gift, or otherwise, for the purposes contemplated in this chapter, including net proceeds of sales authorized by this chapter, shall be deposited with the Treasurer of the United States to the credit of the General Post Fund.

Sec. 5103. Restricted gifts

Disbursements from the General Post Fund shall be made on orders by and within the discretion of the Administrator and in the manner prescribed in section 5223 of this title; except that (1) if the testator or donor has directed or shall direct that his devise, bequest, or gift be devoted to a particular use authorized by this chapter, the same, less expenses incurred, or the net proceeds thereof, shall be used or disbursed as directed, except that a precatory direction shall be fulfilled only insofar as may be proper or practicable; and (2) if the testator or donor shall have indicated his desire that his devise, bequest, or gift shall be for the benefit of persons in hospitals or homes, or other institutions operated by the United States but under the jurisdiction of an official other than the Administrator, the same, less expenses incurred, or the net proceeds thereof which may come into possession of the Administrator, shall be disbursed by transfer to the governing authorities of such institution, or otherwise, in such manner as the Administrator may determine, for the benefit of the persons in the institution indicated by the testator or donor, for proper purposes, as nearly as practicable in conformity with such desire of the testator or donor.

Sec. 5104. Disposition of property

If the Administrator receives any property other than moneys as contemplated by this chapter, he is authorized in his discretion to sell, assign, transfer, and convey the same, or any interest therein claimed by virtue of such devise, bequest, or gift, for such price and upon such terms as he deems advantageous (including consent to partition of realty and compromise of contested claim of title) and his assignment, deed, or other conveyance of any such property, executed in the name and on behalf of the United States, shall be valid to pass to the purchaser thereof such title to said property as the United States, beneficially or as trustee of the General Post Fund, may have by virtue of any such devise, bequest, or gift, and the proceedings incident thereto, subject to the conditions, limitations, and provisions of the instrument so executed by the Administrator.

Sec. 5105. Savings provision

(a) Nothing contained in this chapter shall be construed to repeal or modify any law authorizing the acceptance of devises, bequests, or gifts to the United States for their own use and benefit or for any particular purpose specified by the donors or testators.

(b) Whenever the United States receives property and it appears that it is, or shall have been, the intention of the testator or donor that such devise, bequest, or gift be for the benefit of those persons described in section 5101 of this title, or any particular hospital or other institution operated primarily for their benefit, such property or the proceeds thereof shall be credited to the General Post Fund, and shall be used or disbursed in accordance with the provisions of this chapter.

Chapter 85—Disposition of deceased veterans' personal property

Subchapter I—Property Left on Veterans' Administration Facility

Sec.
5201. Vesting of property left by decedents.
5202. Disposition of unclaimed personal property.
5203. Notice of provisions of this part.
5204. Disposition of other unclaimed property.
5205. Sale or other disposition of property.
5206. Notice of sale.
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Subchapter II—Death While Inmate of Veterans' Administration Facility

5220. Vesting of property left by decedents.
5221. Presumption of contract for disposition of personalty.
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Subchapter I—Property Left on Veterans' Administration Facility

Sec. 5201. Vesting of property left by decedents

(a) Personal property left by any decedent upon premises used as a Veterans' Administration facility, which premises are subject to the exclusive legislative jurisdiction of the United States and are within the exterior boundaries of any State or dependency of the United States, shall vest and be disposed of as provided in this subchapter, except that—

(1) if such person died leaving a last will and testament probated under the laws of the place of his domicile or under the laws of the State or dependency of the United States within the exterior boundaries of which such premises are a part thereof may be, the personal property of such decedent situated upon such premises shall vest in the person or persons entitled thereto under the provisions of such last will and testament; and

(2) if such person died leaving any such property not disposed of by a last will and testament probated in accord with the provisions of paragraph (1) such property shall vest in the persons entitled to take such property by inheritance under and upon the conditions provided by the law of the decedent's domicile. This paragraph shall not apply to property to which the United States is entitled except where such title is divested out of the United States.

(b) Any officer or employee of the United States in possession of any such property may deliver same to the executor (or the administrator with will annexed) who shall have qualified in either jurisdiction as provided in subsection (a) (1); or if none such then to the domiciliary administrator or to any other qualified administrator who shall demand such property. When delivery shall have been made to any such executor or administrator in accordance with this subsection, neither the United States nor any officer or employee thereof shall be liable therefor.

Sec. 5202. Disposition of unclaimed personal property

(a) Notwithstanding the provisions of section 5201 of this title, the Administrator may dispose of the personal property of such decedent left or found upon such premises as hereafter provided in this subchapter.

(b) If any veteran (admitted as a veteran), upon his last admission to, or during his last period of maintenance in, a Veterans' Administration facility, shall have designated in writing a person (natural or corporate) to whom he desires his personal property situated upon such facility to be delivered, upon the death of such veteran the Administrator or employee of the Veterans' Administration authorized by him so to act, may transfer possession of such personal property to the person so designated. If there exists no person so designated by the veteran or if the one so designated declines to receive such property, or if he has failed to request such property within 90 days after the Veterans' Administration mails to such designate a notice of death and of the fact of such designation, a description of the property, and an estimate of transportation cost, which shall be paid by such designate if required under the regulations hereinafter mentioned, or if the Administrator declines to transfer possession to such designate, possession of such property may in the discretion of the Administrator or his designated subordinate, be transferred to the following persons in the order and manner herein specified unless the parties otherwise agree as provided in this subchapter, namely, executor or administrator, or if no notice of appointment received, to the spouse, child, grandchild, mother, father, grandmother, grandfather, brother, or sister of the veteran. In case 2 or more of those named above request the property, only 1 shall be entitled to possession thereof and in the order hereinbefore set forth, unless they otherwise agree in writing delivered to the Veterans' Administration. If claim is made by 2 or more such relatives having equal priorities, as hereinabove prescribed, or if there are conflicting claims the Administrator or his designee may in such case select the 1 to receive such possession, or may make delivery as may be agreed upon by those entitled, or may in his discretion withhold delivery from them and require the qualification of an administrator or executor of the veterans' estate and thereupon make delivery to such.

(c) If the property of any decedent is not so delivered or claimed and accepted the Administrator or his designee may dispose of such property by public or private sale in accordance with the provisions of this subchapter and regulations prescribed by the Administrator.

(d) All sales authorized by this subchapter shall be for cash upon delivery at the premises where sold and without warranty, express or implied. The proceeds of such sales after payment of any expenses incident thereto as may be prescribed by regulations, together with any other moneys left or found on a facility, not disposed of in accordance with this subchapter, shall be credited to the General Post Fund, National Homes, Veterans' Administration, a trust fund provided for in section 725s (a) (45) of title 31. In addition to the purposes for which such fund may be used under the existing law, disbursements may be made therefrom as authorized by the Administrator by regulation or otherwise for the purpose of satisfying any legal liability incurred by any employee in administering the provisions of this subchapter, including any expense incurred in connection therewith. Legal liability shall not exist when delivery or sale shall have been made in accordance with this subchapter.

(e) If, notwithstanding such sale, a claim is filed with the Administrator within 5 years after notice of sale as herein required, by or on behalf of any person or persons who if known would have been entitled to the property under section 5201 of this title or to possession thereof under this section, the Administrator shall determine the person or persons entitled under the provisions of this subchapter and may pay to such person or persons so entitled the proceeds of sale of such property, less expenses. Such payment shall be made out of the said trust fund, and in accord with the provisions of this section or sections 5201 of this title. Persons under legal disability to sue in their own name may make claim for the proceeds of sale of such property at any time within 5 years after termination of such legal disability.

(f) Any such property, the sale of which is authorized under this subchapter and which remains unsold, may be used, destroyed, or otherwise disposed of in accordance with regulations promulgated by the Administrator.

Sec. 5203. Notice of provisions of this subchapter

All persons having or bringing personal property on the premises of a Veterans' Administration facility shall be given reasonable notice of the provisions of this subchapter. In case of a mentally incompetent person, notice hereof shall be given the guardian or other person having custody or control of such person or, if none, to his nearest relative, if known. The admission to or continued maintenance in such facility after reasonable notice of the provisions of this subchapter shall constitute consent of the provisions hereof. The death of any person on any such facility or the leaving of property thereon shall be prima facie evidence of a valid agreement for the disposition of such property in accordance with the provisions of this subchapter.

Sec. 5204. Disposition of other unclaimed property

Any other unclaimed property found on the premises under the control of the Veterans' Administration shall be stored by the officer in charge of such premises and may be sold, used, destroyed, or otherwise disposed of in accordance with regulations promulgated by the Administrator if the owner thereof fails to claim same within 90 days. If undisposed of, the same may be reclaimed by the owner, his personal representative, or next of kin, upon payment of reasonable storage charges prescribed by regulations. If sold, the net proceeds thereof shall be credited to said post fund to be expended as other assets of such fund. The person who was entitled to such property, or his legal representatives, or assignee, shall be paid the proceeds of sale thereof, less expenses, if claim therefor be made within 5 years from the date of finding. If the owner shall have died intestate without creditors or next of kin surviving, such proceeds shall not be paid to his legal representative.

Sec. 5205. Sale or other disposition of property

Any unclaimed personal property as described in section 5202 of this title of veterans who have heretofore died or who may hereafter die while maintained as such in a Veterans' Administration facility, and also any unclaimed property heretofore or hereafter found or situated in such facility, may be sold, used, destroyed, or otherwise disposed of in accordance with this subchapter, and subject to regulations promulgated by the Administrator pursuant hereto; and the net proceeds of sale thereof shall be credited and be subject to disbursement as provided in this subchapter.

Sec. 5206. Notice of sale

At least 90 days before any sale pursuant to this subchapter, written or printed notice thereof describing the property to be sold shall be mailed to the owner of the property or, if deceased, to his executor or administrator, or to the nearest of kin, if any such appear by the records of the Veterans' Administration. If none such appears from said records, similar notice shall be posted at the facility where the death occurred or

property shall have been found (if in existence) and at the place where such property is situated at the time of such notice, and also at the place where probate notices are posted in the county wherein the sale is to be had. The person posting such notice shall make an affidavit setting forth the time and place of such posting and attaching thereto a copy of such notice, and such affidavit shall be prima facie evidence of such posting and admissible in evidence as proof of the same.

SEC. 5207. Payment of small shipping charges

Upon receipt of a proper claim for such property under the provisions of this subchapter the Administrator is hereby authorized, in his discretion and in accordance with regulations by him promulgated, to pay mailing or shipping charges not to exceed $25 in the case of each deceased veteran as hereinabove defined.

SEC. 5208. Relinquishment of Federal jurisdiction

Subject to the provisions of this subchapter and to the extent necessary to effectuate the purposes of this subchapter, there is hereby relinquished to the respective State or dependency of the United States such jurisdiction pertaining to the administration of estates of decedents as may have been ceded to the United States by said State or dependency of the United States respecting the Federal reservation on which is situated any Veterans' Administration facility while such facility is operated by the Veterans' Administration; such jurisdiction with respect to any such property on any such reservation to be to the same extent as if such premises had not been ceded to the United States. Nothing in this section shall be construed to deprive any State or dependency of the United States of any jurisdiction which it now has nor to give any State, possession, or dependency of the United States authority over any Federal official as such on such premises or otherwise.

SEC. 5209. Definitions

The term "facility" or "Veterans' Administration facility" as used in this subchapter means those facilities over which the Veterans' Administration has direct and exclusive administrative jurisdiction, including hospitals or other facilities on property owned or leased by the United States while operated by the Veterans' Administration.

SEC. 5210. Finality of decisions

Decisions by the Administrator under this subchapter shall not be reviewable administratively by any other officer of the United States.

Subchapter II—Death While Inmate of Veterans' Administration Facility

SEC. 5220. Vesting of property left by decedents

(a) Whenever any veteran (admitted as a veteran) shall die while a member or patient in any facility, or any hospital while being furnished care or treatment therein by the Veterans' Administration, and shall not leave surviving him any spouse, next of kin, or heirs entitled, under the laws of his domicile, to his personal property as to which he dies intestate, all such property, including money and choses in action, owned by him at the time of death and not disposed of by will or otherwise, shall immediately vest in and become the property of the United States as trustee for the sole use and benefit of the General Post Fund (hereafter in this subchapter referred to as the "Fund"), a trust fund prescribed by section 725e (a) (45) of title 31.

(b) The provisions of subsection (a) are conditions precedent to the initial, and also to the further furnishing of care or treatment by the Veterans' Administration in a facility or hospital. The acceptance and the continued acceptance of care or treatment by any veteran (admitted as a veteran to a Veterans' Administration facility or hospital) shall constitute an acceptance of the provisions and conditions of this subchapter and have the effect of an assignment, effective at his death, of such assets in accordance with and subject to the provisions of this subchapter and regulations issued in accordance with this subchapter.

SEC. 5221. Presumption of contact for disposition of personality

The fact of death of a veteran (admitted as such) in a facility or hospital, while being furnished care or treatment therein by the Veterans' Administration, leaving no spouse, next of kin, or heirs, shall give rise to a conclusive presumption of a valid contract for the disposition in accordance with this subchapter, but subject to its conditions, of all property described in section 5220 of this title owned by said decedent at death and as to which he dies intestate.

SEC. 5222. Sale of assets accruing to the Fund

Any assets heretofore or hereafter accruing to the benefit of the Fund, other than money, but including jewelry and other personal effects, may be sold at the times and places and in the manner prescribed by regulations issued by the Administrator. Upon receipt of the purchase price he is authorized to deliver at the place of sale, said property sold, and upon request to execute and deliver appropriate assignments or other conveyances thereof in the name of the United States, which shall pass to the purchaser such title as decedent had at date of death. The net proceeds after paying any proper sales expense as determined by the Administrator shall forthwith be paid to the Treasurer of the United States to the credit of the Fund; and may be disbursed as are other moneys in the Fund by the Division of Disbursements, Treasury Department, upon order of said Administrator. Articles of personal adornment which are obviously of sentimental value, shall be retained and not sold or otherwise disposed of until the expiration of 5 years from the date of death of the veteran, without a claim therefor, unless for sanitary or other proper reasons it is deemed unsafe to retain same, in which event they may be destroyed forthwith. Any other articles coming into possession of the Administrator or his representatives by virtue of this subchapter which, under regulations promulgated by the Administrator, are determined to be unsalable may be destroyed forthwith or at the time prescribed by regulations, or may be used for the purposes for which disbursements might properly be made from the Fund; or if not usable, otherwise disposed of in accordance with regulations.

SEC. 5223. Disbursements from the fund

Disbursements from the fund shall be made by the Division of Disbursements, Treasury Department, upon the order and within the discretion of the Administrator for the benefit of members and patients while being supplied care or treatment by the Veterans' Administration in any facility or hospital. The authority contained in the preceding sentence is not limited to facilities or hospitals under direct administrative control of the Veterans' Administration. There shall be paid out of the assets of the decedent so far as may be the valid claims of creditors against his estate that would be legally payable therefrom in the absence of this subchapter and without the benefit of any exemption statute, and which may be presented to the Veterans' Administration within 1 year from the date of death, or within the time, to the person, and in the manner required or permitted by the law of the State wherein administration, if any, is had upon the estate of the deceased veteran; and also the proper expenses and costs of administration, if any. If the decedent's estate is insolvent the distribution to creditors shall be in accordance with the laws of his domicile, and the preferences and priorities prescribed thereby shall govern, subject to any applicable law of the United States.

SEC. 5224. Disposal of remaining assets

The remainder of such assets or their proceeds shall become assets of the United States as trustee for the fund and disposed of in accordance with this subchapter. If there is administration upon the decedent's estate such assets, other than money, upon claim therefor within the time required by law, shall be delivered by the administrator of the estate to the Administrator or his authorized representative, as upon final distribution; and upon the same claim there shall be paid to the Treasurer of the United States for credit to the fund any such money available for final distribution. In the absence of administration, any money, chose in action, or other property of the deceased veteran held by any person shall be paid or transferred to the Administrator upon demand by him or his duly authorized representative, who shall deliver itemized receipt therefor. Such payment or transfer shall constitute a complete acquittance of the transferor with respect to any claims by any administrator, creditor, or next of kin of such decedent.

SEC. 5225. Court actions

If necessary to obtain such assets the Administrator, through his authorized attorneys, may bring and prosecute appropriate actions at law or other legal proceedings, the costs and expenses thereof to be paid as are other administrative expenses of the Veterans' Administration.

SEC. 5226. Filing of claims for assets

Notwithstanding the crediting to said fund of the assets, or proceeds thereof, of any decedent, whether upon determination by a court or the Veterans' Administration pursuant to the provisions of section 5220 of this title, any person claiming a right to such assets may within 5 years after the death of the decedent file a claim on behalf of himself and any others claiming with the Administrator. Upon receipt of due proof that any person was at date of death of the veteran entitled to his personal property, or a part thereof, under the laws of the State of domicile of the decedent, the Administrator may pay out of the fund, but not to exceed the net amount credited thereto from said decedent's estate less any necessary expenses, the amount to which such person, or persons, was or were so entitled, and upon similar claim any assets of the decedent which shall not have been disposed of shall be delivered in kind to the parties legally entitled thereto. If any person so entitled is under legal disability at the date of death of such decedent, such 5-year period of limitation shall run from the termination or removal of legal disability. In the event of doubt as to entitlement, the Administrator may cause administration or other appropriate proceedings to be instituted in any court having jurisdiction. In determining questions of fact or law involved in the adjudication of claims made under this section, no judgment, decree, or order entered in any action at law, suit in equity, or other legal proceeding of any character purporting to determine entitlement to said assets or any part thereof, shall be binding upon the United States or the Administrator or determinative of any fact or question involving entitlement to any such property or the proceeds thereof, or any part of the fund, unless the Administrator has been seasonably served with notice

and permitted to become a party to such suit or proceeding if he makes a request therefor within 30 days after such notice. Notice may be served in person or by registered mail upon the Administrator, or upon his authorized attorney in the State wherein the action or proceedings may be pending. Notice may be waived by the Administrator or by his authorized attorney, in which event the finding, judgment, or decree shall have the same effect as if the Administrator were a party and served with notice. Any necessary court costs or expenses if authorized by the Administrator may be paid as are other administrative expenses of the Veterans' Administration.

SEC. 5227. Notice of provisions of subchapter

The Administrator shall prescribe a form of application for hospital treatment and domiciliary care which shall include notice of the provisions of this subchapter.

SEC. 5228. Investment of the fund

Money in the fund not required for current disbursements may be invested and reinvested by the Secretary of the Treasury in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

EFFECTIVE DATE AND SAVINGS PROVISIONS

Effective date

SEC. 2. Except as otherwise provided in this act, this act shall take effect on January 1, 1959.

Offenses committed under repealed laws

SEC. 3. (a) All offenses committed and all penalties and forfeitures incurred under any of the provisions of law amended or repealed by this act or the Veterans' Benefits Act of 1957 may be prosecuted and punished in the same manner and with the same effect as if such acts had not been enacted.

(b) Forfeitures of benefits under laws administered by the Veterans' Administration occurring before January 1, 1959 shall continue to be effective.

Continuation of authority under act of July 3, 1930

SEC. 4. All functions, powers, and duties conferred upon and vested in the President and the Administrator by the act of July 3, 1930 (46 Stat. 1016) and which were in effect on December 31, 1957, are continued in effect.

Cross references

SEC. 5. (a) References in other laws to any provision of law replaced by title 38, United States Code, shall, where applicable, be deemed to refer also to the corresponding provision of title 38, United States Code.

(b) References in title 38, United States Code, to any provision of title 38, United States Code, shall, where applicable, be deemed to refer also to the prior corresponding provisions of law.

Continuing availability of appropriations

SEC. 6. (a) Amounts heretofore appropriated to carry out the purposes of any provision of law repealed by this act, and available on December 31, 1958, shall be available to carry out the purposes of the corresponding provisions of title 38, United States Code.

(b) The availability and use of appropriations made for the purposes of the act of July 1, 1948 (62 Stat. 1210; 50 App. U. S. C. 1991–1996) shall not be affected by the repeal of such act.

Outstanding rules, regulations, and orders

SEC. 7. All rules, regulations, orders, permits, and other privileges issued or granted by the Administrator of Veterans' Affairs before December 31, 1958, and in effect on such date (or scheduled to take effect after such date) shall remain in full force and effect until modified, suspended, overruled, or otherwise changed by the Administrator.

Publication of this act

SEC. 8. This act shall be printed in slip-law form with a table of contents and a comprehensive index and tables furnished by the Committee on Veterans' Affairs of the House of Representatives; however, such table of contents, comprehensive index, and tables shall not be printed in the United States Statutes at Large.

Pending claims

SEC. 9. A claim for benefits which is pending in the Veterans' Administration on January 1, 1959, or filed thereafter, shall be adjudicated under the laws in effect on December 31, 1958, with respect to the period before January 1, 1959, and, except as provided in section 10, under title 38, United States Code, thereafter.

Persons receiving benefits

SEC. 10. Any individual receiving benefits as a veteran, or as the widow, child, or parent of a veteran, under public laws administered by the Veterans' Administration on December 31, 1958, shall, as long as entitlement under such laws continues, receive benefits under the corresponding provisions of title 38, United States Code, thereafter, or benefits at the rate payable under such public laws, whichever will result in the greater benefit being paid to the individual. The provisions of this section shall apply to those claims within the purview of section 9 in which it is determined that benefits are payable for December 31, 1958.

Persons entitled to emergency officers' retirement pay

SEC. 11. Any person who was receiving, or entitled to receive, emergency officers' retirement pay, or other privileges or benefits as a retired emergency officer of World War I, on December 31, 1958, under the laws in effect on that day, shall, except where there was fraud, clear and unmistakable error as to conclusion of fact or law, or misrepresentation of material facts, continue to receive, or be entitled to receive, emergency officers' retirement pay at the rate otherwise payable on December 31, 1958, and such other privileges and benefits, so long as the conditions warranting such pay, privileges, and benefits under those laws continue.

Continuation of certain rights and benefits

SEC. 12. (a) The repeal of part VIII, and paragraphs 10 and 11 of part VII, of Veterans Regulation No. 1 (a), sections 3 and 4 of Public Law 16, Seventy-eighth Congress, and section 1507 of the Servicemen's Readjustment Act of 1944, shall not apply in the case of any veteran who enlisted or reenlisted in a regular component of the Armed Forces after October 6, 1945, and before October 7, 1946.

(b) Nothing in this act or any amendment or repeal made by it, shall affect any right, liability, penalty, authorization, or requirement pertaining to World War adjusted compensation authorized or prescribed under the provisions of the World War Adjusted Compensation Act, or the Adjusted Compensation Payment Act, 1936, or any related act, which was in effect on December 31, 1958.

(c) Nothing in this act, or any amendment or repeal made by it, shall deprive any person of benefits under the Mustering-Out Payment Act of 1944 to which he would have been entitled if this act had not been enacted.

(d) Nothing in this act, or any amendment or repeal made by it, shall affect any right of any person based on a contract entered into before the effective date of this act, or affect the manner in which such right could have been enforced or obtained but for this act, or such amendment or repeal.

(e) Chapter 37 of title 38, United States Code, is a continuation and restatement of the provisions of title III of the Servicemen's Readjustment Act of 1944, and may be considered to be an amendment to such title III.

AMENDMENTS AND REPEALS

Amendments

SEC. 13. (a) Section 22 of part I of the Interstate Commerce Act (49 U. S. C. 22) is amended by striking out "the National Homes or" and inserting in lieu thereof "Veterans' Administration facilities or"

(b) The paragraph which begins "The Secretary of War" under the center heading "Miscellaneous Objects," in the act of March 3, 1901 (31 Stat. 1163; 24 U. S. C. 197), is amended by striking out ", and inmates of the National Home for Disabled Volunteer Soldiers on the Pacific coast at any State asylum in California."

(c) Clause (2) of subsection (b) of section 3 of the Civil Service Retirement Act (5 U. S. C. 2253) is amended by striking out "title III of the Veterans' Benefits Act of 1957" and inserting in lieu thereof "chapter 11 of title 38."

(d) Subsection (b) of section 212 of the act of June 30, 1932 (47 Stat. 406; 5 U. S. C. 59a), is amended by striking out "title III of the Veterans' Benefits Acts of 1957" and inserting in lieu thereof "chapter 11 of title 38."

(e) The first sentence of section 10 (b) of the Federal Home Loan Bank Act (12 U. S. C. 1430 (b)) is amended by inserting immediately after "Servicemen's Readjustment Act of 1944, as amended," the following: "chapter 37 of title 38."

(f) The second paragraph and the last sentence of the first paragraph of section 5 (c) of the Home Owners' Loan Act of 1933 (12 U. S. C. 1464 (c)) are each amended by inserting immediately after "Servicemen's Readjustment Act of 1944, as amended" the following: ", or chapter 37 of title 38."

(g) Section 302 (b) of the Federal National Mortgage Association Charter Act (12 U. S. C. 1717 (b)) is amended by inserting immediately after "Servicemen's Readjustment Act of 1944, as amended" the following: ", chapter 37 of title 38."

(h) Section 512 of the National Housing Act (12 U. S. C. 1731a) is amended (1) by inserting "or of chapter 37 of title 38" immediately after "Servicemen's Readjustment Act of 1944, as amended," each time it occurs, and (2) by inserting "or chapter 37" immediately after "said title III" each time it occurs.

(i) (1) Section 202 (o) of the Social Security Act (42 U. S. C. 402 (o)) is amended by striking out "prescribed under section 601 of the Servicemen's and Veterans' and Survivor Benefits Act" and inserting in lieu thereof "described in section 3005 of title 38."

(2) Section 217 (b) (2) of such act (42 U.S.C. 417 (b) (2)) is amended by striking out "section 3 of the act of August 12, 1935, as amended (38 U. S. C., sec. 454a)" and inserting "section 3101 of title 38."

(j) Section 1 (b) (2) of the Bankhead-Jones Farm Tenant Act (7 U. S. C. 1001 (b) (2)) is amended by adding at the end thereof the following: "Any veteran who is eligible for the benefits of chapter 37 of title 38 who is found by the Secretary, by reason of his ability and experience (including training as a vocational trainee), to be likely to carry out successfully undertakings required of him under a loan which may be made under this act, shall be eligible for the benefits of this act to the same extent as if he were a farm tenant."

(k) Section 408 of the Federal Employees' Pay Act of 1945 (5 U. S. C. 948) is amended by striking out "section 422 of the Veterans' Benefits Act of 1957" and inserting in lieu thereof "section 522 of title 38."

(1) (1) Section 3 (a) of the District of Columbia Servicemen's Readjustment Enabling Act of 1945 (D. C. Code 45–1701 (a4) is amended (A) by inserting "or chapter 37 of title 38 of the United States Code" immediately after "(58 Stat. L. 284)" and (B) by inserting "or chapter" immediately after "said act."

(2) Section 2 (b) of such act is amended by inserting "or chapter 37 of title 38 of the United States Code" immediately after "Servicemen's Readjustment Act of 1944."

(m) Section 8 of the act of August 4, 1947 (61 Stat. 728; 5 U. S. C. 1057) is amended by striking out "title XIV of the Veterans' Benefits Act of 1957" and inserting in lieu thereof "chapter 73 of title 38."

(n) The act of August 4, 1947 (61 Stat. 747; 25 U. S. C. 331 note) is amended (1) by inserting "or chapter 37 of title 38" immediately after "Servicemen's Readjustment Act of 1944" and (2) by inserting "or chapter 37" immediately after "such title III."

(o) Paragraph (3) of section 202 of the Classification Act of 1949 (5 U. S. C. 1082) is amended by striking out "title XIV of the Veterans' Benefits Act of 1957" and inserting in lieu thereof "chapter 73 of title 38."

(p) Paragraph (3) of subsection (b) of section 2 of the Performance Rating Act of 1950 (5 U. S. C. 2001) is amended by striking out "title XIV of the Veterans' Benefits Act of 1957" and inserting in lieu thereof "chapter 73 of title 38."

(q) Section 505 of the Housing Act of 1950 (12 U. S. C. 1701k) is amended by striking out all that follows "National Housing Act, as amended" and inserting a period.

(r) Section 265 (a) of the Armed Forces Reserve Act of 1952 (50 U. S. C. 1016 (a)) is amended by inserting immediately before the period at the end thereof "or chapter 43 of title 38."

(s) (1) Sections 602 (a) and 607 of the Housing Act of 1954 are each amended by striking out "Servicemen's Readjustment Act of 1944, as amended" each place it occurs and inserting in lieu thereof "chapter 37 of title 38."

(2) Section 801 of such act (12 U. S. C. 1701j-1 is amended (1) by striking out "and the Administrator of Veterans' Affairs, respectively, are" each place it occurs and inserting "is"; and (2) by striking out each of the following phrases wherever they appear:

(A) "or guaranty";
(B) "or Administrator";
(C) "or the Administrator of Veterans' Affairs";
(D) "or the Administrator";
(E) "or guaranteed"; and
(F) "and Administrator."

(t) Paragraph (18) of section 121 (a) of the Internal Revenue Code of 1954 is amended by striking out "section 1001 of the Veterans' Benefits Act of 1957" and inserting in lieu thereof "section 3101 of title 38."

(u) Section 501 (c) (2) of the Servicemen's and Veterans' Survivor Benefits Act (5 U. S. C. 2091 note) is amended by striking out "under this act" and inserting "under chapter 13 of title 38."

(v) Title 10 of the United States Code is amended as follows:

(1) By amending section 1441 by inserting immediately after "and" the following: "(except as provided in section 415 (g) of title 38)."

(2) By amending chapter 79 by adding at the end thereof the following:

"SEC. 1553. Review of discharges and dismissals

"(a) There is in each military department, and in the Coast Guard when it is not operating as a service in the Navy, a board of review established by the Secretary of that department after conference with the Administrator of Veterans' Affairs. Each such board has five members, and shall review, on its own motion, upon the request of any former member of an armed force, or in the case of a deceased member or former member of an armed force, upon the request of his surviving spouse, next of kin, or legal representative, the type and nature of the discharge or dismissal of such member or former member, unless such discharge or dismissal resulted from the sentence of a general court-martial. Such review shall be based upon all available records of the military department concerned, or the Coast Guard, relating to the member or former member, and such other evidence as may be presented. Witnesses shall be permitted to present testimony either in person or by affidavit, and the person requesting review shall be allowed to appear before such board in person or by counsel.

"(b) Each board shall have authority, except in the case of a discharge or dismissal resulting from the sentence of a general court-martial, to change, correct, or modify any discharge or dismissal, and to issue a new discharge in accord with the facts presented to the board. The findings of each board shall be subject to review only by the Secretary concerned.

"(c) No review is authorized under this section unless application therefor is filed with the proper board within 15 years after whichever last occurred, (1) the date of the discharge or dismissal sought to be reviewed, or (2) June 22, 1944.

"§ 1554. Review of decisions of retiring boards and similar boards

"(a) The Secretary of each military department, and with respect to the Coast Guard, the Secretary of the Treasury, shall establish, from time to time, boards of review composed of 5 officers, 2 of whom shall be selected from the Medical Corps of the Army, from the Bureau of Medicine and Surgery of the Navy, from officers of the Air force designated as medical officers, or from the Public Health Service. Each board shall review, at the request of any officer retired or released from active duty, without pay, for physical disability pursuant to the decision of a retiring board, board of medical survey, or disposition board, the findings and decisions of such board. Such review shall be based upon all available records of the military department concerned, or the Coast Guard, relating to the officer, and such other evidence as may be presented by him. Witnesses shall be permitted to present testimony either in person or by affidavit, and the officer requesting review shall be allowed to appear before such board in person or by counsel.

"(b) Each board of review shall have the same powers as are exercised by, or vested in, the board whose findings and decision are being reviewed. The findings of each board of review shall be transmitted to the Secretary concerned and shall be laid by him before the President for his approval or disapproval and orders in the case.

"(c) No review is authorized under this section unless application therefor is filed within 15 years after whichever last occurred, (1) the date of the retirement or release for disability sought to be reviewed, or (2) June 22, 1944.

"(d) As used in this section and section 1553, the term 'counsel' includes any accredited representative of a service organization recognized by the Administrator of Veterans' Affairs under chapter 59 of title 38."

(3) The analysis of such chapter 79 is amended by inserting immediately below

"1552. Correction of military records: claims incident thereto."

the following:

"1553. Review of discharges and dismissals.
"1554. Review of decisions of retiring boards and similar boards."

(4) Effective as of January 1, 1958, section 6160 is amended by adding at the end thereof the following: "In the case of any initial award of naval pension granted before July 14, 1943, where the person granted the naval pension is also entitled to pension or compensation under laws administered by the Veterans' Administration, such naval pension shall not exceed one-fourth of such pension or compensation."

(x) Effective as of January 1, 1958, the Veterans' Benefits Act of 1957 is amended as follows:

(1) By adding at the end of section 103 thereof the following new subsection:

"(c) In determining whether or not a woman is or was the wife of a veteran, their marriage shall be proven as valid for the purposes of all laws administered by the Veterans' Administration according to the law of the place where the parties resided at the time of the marriage or the law of the place where the parties resided when the right to benefits accrued."

(2) By striking out "disability compensation" in section 351 and inserting "disability or death compensation."

(3) By striking out "parts D and E" in section 352 and inserting "this title."

(4) By striking out "under section 921" each place it occurs in section 901.

(5) By inserting "day following the" immediately before "date of his discharge" in section 910 (b).

(6) By striking out "Pension" in section 921 (a) and inserting "Except as provided in section 1503 (a) (2) (A) and Public Law 828, 76th Congress, pension."

(7) By inserting in subsection (a) of section 2101 immediately after "vocational rehabilitation," the following: "counseling required by the Administrator pursuant to the War Orphans' Educational Assistance Act of 1956 or title II of the Veterans' Readjustment Assistance Act of 1952,"; and by inserting "counseling" immediately after "vocational rehabilitation," in subsection (b) of such section.

Repeals

SEC. 14. The following provisions of law are repealed, except with respect to rights and duties that matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun, before January 1, 1959:

(1) In the Revised Statutes of the United States, sections 4825 (24 U. S. C. 71); 4826 (24 U. S. C. 73); 4827 (24 U. S. C. 74); 4829 (24 U. S. C. 91); 4830 (24 U. S. C. 77); 4831 (24 U. S. C. 111); 4833 (24 U. S. C. 133); and 4834 (24 U. S. C. 76).

(2) The paragraph which begins "That so much" under the center heading "War Department" in the act of March 3, 1875 (18 Stat. 359; 24 U. S. C. 111, 122).

(3) The provisos in the paragraph which begins "Support of National Home" under the center heading "Miscellaneous Objects Under War Department" in the act of March 3, 1879 (20 Stat. 390; 24 U. S. C. 80).

(4) Section 2 of the act of February 26, 1881 (21 Stat. 350; 24 U. S. C. 138).

(5) The paragraph which begins "That all pensions" under the center heading "Miscellaneous Objects" in the act of August 7, 1882 (22 Stat. 322; 24 U. S. C. 138).

(6) The second sentence in the paragraph which begins "For outdoor relief" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of March 3, 1885 (23 Stat. 510; 24 U. S. C. 76).

(7) The act of July 9, 1886 (24 Stat. 129; 24 U. S. C. 117, 117 note).

(8) The act of March 2, 1887 (ch. 316, 24 Stat. 444; 24 U. S. C. 73 note).

(9) In the act of March 3, 1887, all of the paragraph which begins "For outdoor relief" under the center heading "National Home for Disabled Volunteer Soldiers" except the first sentence therein (24 Stat. 539; 24 U. S. C. 76, 120).

(10) The act of August 27, 1888 (25 Stat. 450; 24 U. S. C. 134).

(11) The second sentence in the paragraph which begins "For outdoor relief" in the act of October 2, 1888 (25 Stat. 543; 31 U. S. C. 719).

(12) The proviso in the paragraph which begins "State or Territorial Homes:" under the center heading "National Home for Disabled Volunteer Soldiers" in section 3 of the act of March 2, 1889 (25 Stat. 975).

(13) The joint resolution of March 3, 1891 (No. 21, 26 Stat. 1117; 24 U. S. C. 73 note).

(14) The paragraph which begins "In all, 2 million" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of August 5, 1892 (27 Stat. 384; 24 U. S. C. 123).

(15) In the act of March 3, 1893, the portion of the paragraph which begins "Office of the Inspector General:" under the center heading "War Department" which begins "; and the Secretary of War" and ends "Army" (27 Stat. 653; 24 U. S. C. 118).

(16) In the act of August 18, 1894, the provisos in the paragraph which begins "In all, 2 million" under the center heading "National Home for Disabled Volunteer Soldiers"; the seven paragraphs immediately following such paragraph (24 U. S. C. 75, 85, 93, 94, 112, 119; 39 U. S. C. 321); and the proviso in the paragraph which begins "For construction" under the heading "At the Marion Branch, at Marion, Ind." (28 Stat. 411).

(17) The proviso in the paragraph which begins "For repairs" under the heading "At the Marion Branch, at Marion, Ind.:" under the center heading "National Home for Disabled Volunteer Soldiers" in each of the following acts—

(A) the act of March 2, 1895 (28 Stat. 954);
(B) the act of June 11, 1896 (29 Stat. 448);
(C) the act of June 7, 1897 (30 Stat. 54);
(D) the act of July 1, 1898 (30 Stat. 639);
(E) the act of March 3, 1899 (30 Stat. 1112);
(F) the act of June 6, 1900 (31 Stat. 635);
(G) the act of March 3, 1901 (31 Stat. 1177);
(H) the act of June 28, 1902 (32 Stat. 471);
(I) the act of March 3, 1903 (32 Stat. 1135);
(J) the act of April 28, 1904 (33 Stat. 503);
(K) the act of March 3, 1905 (33 Stat. 1203).

(18) The paragraph which begins "That hereafter" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of June 11, 1896 (29 Stat. 445; 24 U. S. C. 82).

(19) The second sentence in the paragraph which begins "In all, two million" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of July 1, 1898 (30 Stat. 640; 24 U. S. C. 81).

(20) The paragraph which begins "For president" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of July 1, 1898 (30 Stat. 639; 24 U. S. C. 95 note).

(21) The paragraph which begins "Hereafter the following" under the center heading "Ordnance Department" in the act of May 26, 1900 (31 Stat. 217; 24 U. S. C. 131 note).

(2) The paragraph which begins "That appropriations" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of June 6, 1900 (31 Stat. 294; 24 U. S. C. 114).

(23) The paragraph which begins "For president" under the center heading "National Home for Disabled Soldiers" in the act of June 6, 1900 (31 Stat. 636; 24 U. S. C. 95).

(24) The act of January 28, 1901 (ch. 184, 31 Stat. 745).

(25) In the act of March 3, 1901 (31 Stat. 1178), under the center heading "National Home for Disabled Volunteer Soldiers" the paragraph which begins "Hereafter the Board" (24 U. S. C. 96); and the proviso in the paragraph which begins "In all, three million" (24 U. S. C. 121).

(26) The paragraph which begins "Hereafter" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of July 1, 1902 (32 Stat. 564; 24 U. S. C. 139).

(27) The paragraph which begins "Appropriations herein" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of March 3, 1903 (32 Stat. 1137; 24 U. S. C. 115).

(28) The Joint Resolution of March 31, 1904 (No. 15, 33 Stat. 585; 44 U. S. C. 276).

(29) The proviso in the paragraph which begins "For repairs, namely:" under the center heading "National Home for Disabled Volunteer Soldiers" in each of the following acts—

(A) the act of June 30, 1906 (34 Stat. 746);
(B) the act of March 4, 1907 (34 Stat. 1352);
(C) the act of May 27, 1908 (35 Stat. 369);
(D) the act of March 4, 1909 (35 Stat. 1008);
(E) the act of June 25, 1910 (36 Stat. 732);
(F) the act of March 4, 1911 (36 Stat. 1409);
(G) the act of August 24, 1912 (37 Stat. 449); and
(H) the act of June 23, 1913 (38 Stat. 39).

(30) The paragraph which begins "In addition to those classes" under the center heading "National Home for Disabled Volunteer Soldiers" in each of the following acts—

(A) the act of May 27, 1908 (35 Stat. 372; 24 U. S. C. 131 note); and
(B) the act of March 4, 1909 (35 Stat. 1012; 24 U. S. C. 131).

(31) The paragraph which begins "Hereafter vacancies" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of June 23, 1913 (38 Stat. 43; 24 U. S. C. 73 note).

(32) The proviso in the paragraph which begins "Repairs:" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of August 1, 1914 (38 Stat. 639; 24 U. S. C. 116).

(33) The proviso in the joint resolution of October 19, 1914 (No. 49, 38 Stat. 780; 24 U. S. C. 73 note).

(34) In the act of March 3, 1915, under the center heading "National Home for Disabled Volunteer Soldiers," the proviso in the paragraph which begins "Repairs:" (38 Stat. 850; 24 U. S. C. 116); and the paragraph which begins "The following persons" (24 U. S. C. 131 note).

(35) The paragraph which begins "The headquarters of" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of July 1, 1916 (39 Stat. 297; 24 U. S. C. 72).

(36) The paragraph under the center heading "National Home for Disabled Volunteer Soldiers" in the act of October 6, 1917 (40 Stat. 368; 24 U. S. C. 131 note).

(37) The joint resolution of February 12, 1918 (40 Stat. 438).

(38) Section 20 of the act of June 25, 1918 (40 Stat. 615).

(39) The act of February 26, 1919 (ch. 46, 40 Stat. 1179).

(40) The act of February 28, 1919 (ch. 82, 40 Stat. 1212).

(41) The paragraph which begins "The following persons" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of June 5, 1920 (41 Stat. 905; 24 U. S. C. 131 note).

(42) The joint resolution of August 24, 1921 (ch. 93, 42 Stat. 202).

(43) The act of April 20, 1922 (42 Stat. 496).

(44) The paragraph which begins "For the fiscal year 1924" under the center heading "National Home for Disabled Volunteer Soldiers" in the act of June 30, 1922 (24 Stat. 763; 42 U. S. C. 113 note).

(45) The act of September 22, 1922 (ch. 426, 42 Stat. 1038).

(46) In the act of March 2, 1923, the paragraph which begins "*Provided*" and the paragraph which begins "For the fiscal year 1925" under the center heading "National Home for Disabled Volunteer Soldiers" (42 Stat. 1424; 24 U. S. C. 113, 113 note).

(47) The World War Adjusted Compensation Act (38 U. S. C. 591–613, 614–618, 619–649, 661–668, 681–683).

(48) The act of June 5, 1924 (ch. 262, 43 Stat. 389).

(49) (A) The amendment made to the act of June 7, 1924, by the act of March 26, 1928 (ch. 245, 45 Stat. 366), which amendment is hereby declared to have been solely an amendment to the paragraph which begins "The following persons" on page 519 of volume 43 of the United States Statutes at Large (24 U. S. C. 131).

(B) The paragraph referred to in subparagraph (A).

(50) The act of June 7, 1924 (43 Stat. 534; 24 U. S. C. 135).

(51) In the World War Veterans Act, 1924, title I (38 U. S. C. 421–445, 447–459c); title III (38 U. S. C. 511–512b, 512c–518); and section 605 (38 U. S. C. 574).

(52) The proviso in the paragraph which begins "State and Territorial homes for disabled soldiers and sailors:" under the center heading "National Home for Disabled Volunteer Soldiers" in each of the following acts:

(A) the act of February 12, 1925 (43 Stat. 933);
(B) the act of April 15, 1926 (44 Stat. 294);
(C) the act of February 23, 1927 (44 Stat. 1145);
(D) the First Deficiency Act, fiscal year 1928 (45 Stat. 39);
(E) the act of March 23, 1928 (45 Stat. 362);
(F) the act of February 28, 1929 (45 Stat. 1385); and
(G) the act of May 28, 1930 (46 Stat. 466).

(53) The fourth proviso in the paragraph which begins "Vocational rehabilitation" under the center heading "United States Veterans' Bureau" in the act of March 3, 1925 (43 Stat. 1211).

(54) The act of July 3, 1926 (44 Stat. 826; 38 U. S. C. 618a–618e, 669).

(55) The act of March 4, 1927 (ch. 490, 44 Stat. 1410).

(56) The act of March 4, 1927 (ch. 491, 44 Stat. 1411).

(57) The act of March 4, 1927 (ch. 504, 44 Stat. 1421).

(58) Section 7 of the act of May 29, 1928 (45 Stat. 949; 38 U. S. C. 670).

(59) The act of February 20, 1929 (ch. 272, 45 Stat. 1248).

(60) The act of May 16, 1930 (ch. 290, 46 Stat. 366).

(61) Sections 4 and 5 of the act of June 5, 1930 (46 Stat. 497; 38 U. S. C. 613a).

(62) The act of June 21, 1930 (ch. 562, 46 Stat. 792).

(63) The act of July 3, 1930 (ch. 832, 46 Stat. 852).

(64) The proviso in the paragraph which begins "State and Territorial Homes for Disabled Soldiers and Sailors:" under the center heading "Veterans' Administration" in each of the following acts—

(A) the Independent Offices Appropriation Act, 1932 (46 Stat. 1375); and
(B) the Independent Offices Appropriation Act, 1933 (47 Stat. 472).

(65) Sections 3 and 4 of the Emergency Adjusted Compensation Act, 1931 (46 Stat. 1430; 38 U. S. C. 650).

(66) The joint resolution of July 8, 1932 (47 Stat. 654).

(67) Parts VII and VIII of Veterans Regulation No. 1 (a) (38 U. S. C. ch. 12A) except that the repeal of part VII shall not take effect in such manner as to impair the operation of the deferred repeal of a portion of paragraph 9 of such part as provided in section 21 of the Government Employees Training Act (72 Stat. 338).

(68) In the Independent Offices Appropriation Act, 1934 (48 Stat. 283), the sixth paragraph under the center heading "Veterans' Administration" (38 U. S. C. 445b); and section 20.

(69) The joint resolution of January 28, 1935 (49 Stat. 1; 38 U. S. C. 445c).

(70) Section 5 of the act of August 23, 1935 (49 Stat. 730; 38 U. S. C. 622 note).

(71) The Adjusted Compensation Payment Act, 1936 (49 Stat. 1099; 38 U. S. C. ch. 11A).

(72) Section 404 of the act of June 29, 1936 (38 U. S. C. 445d).

(73) Section 7 of the act of July 19, 1939 (53 Stat. 1070; 38 U. S. C. 512b–1).

(74) Section 2 of the act of August 1, 1939 (53 Stat. 1145; 24 U. S. C. 134 note).

(75) The National Service Life Insurance Act of 1940 (38 U. S. C. 801–805, 806–818, 820–824).

(76) The last sentence of section 407 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 App. U. S. C. 547).

(77) The act of February 10, 1942 (56 Stat. 87; 38 U. S. C. 805a).

(78) Section 4 of the act of July 11, 1942 (56 Stat. 658).

(79) Section 2 of the act of December 3, 1942 (56 Stat. 1038; 33 U. S. C. 855a).

(80) Section 2 of the act of December 18, 1942 (ch. 768, 56 Stat. 1066).

(81) Sections 3 and 4 of the act of March 24, 1943 (57 Stat. 45; 38 U. S. C. ch. 12A, note to pt. VII of VR 1 (a)).

(82) The paragraph headed "Veterans' Administration" in title I of the Urgent Deficiency Appropriation Act, 1943 (57 Stat. 434; 38 U. S. C. ch. 12A, note to pt. VII of VR 1 (a)).

(83) The act of October 25, 1943 (ch. 276, 57 Stat. 575).

(84) The act of November 22, 1943 (57 Stat. 590; 36 U. S. C. 183–184).

(85) Section 2 of the act of December 17, 1943 (57 Stat. 603; 24 U. S. C. 134 note).

(86) The Mustering-Out Payment Act of 1944 (58 Stat. 8; 38 U. S. C. 691–691g).

(87) The Servicemen's Readjustment Act of 1944 (38 U. S. C. 693 note, 693h–694n, 695–696f, 696g–697g).

(88) Section 4 of the act of September 27, 1944 (58 Stat. 753).

(89) The first section and section 3 of the act of September 30, 1944 (58 Stat. 764; 38 U. S. C. 819, 819 note).

(90) Section 3 of the act of September 20, 1945 (59 Stat. 535).

(91) The paragraph which begins "Hospital and domiciliary facilities:" under the centerheading "Veterans' Administration" in the First Deficiency Appropriation Act, 1946 (59 Stat. 642).

(92) The paragraph which begins "Operation of canteens:" under the centerheading "Veterans' Administration" in the Third Deficiency Appropriation Act, 1946 (60 Stat. 615).

(93) The proviso in the paragraph which begins "Operation of canteens:" in the Independent Offices Appropriation Act, 1948 (61 Stat. 606).

(94) Section 5 of the act of August 6, 1947 (61 Stat. 791; 38 U. S. C. ch. 12A, note to pt. VIII of VR 1 (a)).

(95) Section 2 of the act of May 18, 1948 (62 Stat. 237; 24 U. S. C. 134 note).

(96) The act of June 3, 1948 (ch. 380, 62 Stat. 292).

(97) Section 3 of the act of June 19, 1948 (62 Stat. 501).

(98) Section 2 of the act of June 23, 1950 (64 Stat. 254; 38 U. S. C. ch. 12A, note to pt. VIII of VR 1 (a)).

(99) The last proviso in the paragraph which begins "Administration" under the centerheading "Veterans' Administration" in the Independent Offices Appropriation Act, 1951 (64 Stat. 718; 38 U. S. C. 696f–1).

(100) The act of December 28, 1950 (64 Stat. 1121; 38 U. S. C. 701a).

(101) The Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 901–975, 976–1016).

(102) The act of June 18, 1953 (ch. 127, 67 Stat. 64).

(103) The last proviso in the paragraph which begins "Readjustment benefits" under the centerheading "Veterans' Administration" in the Second Independent Offices Appropriation Act, 1954 (67 Stat. 192; 38 U. S. C. ch. 12A, note to pt. VIII of VR 1 (a)).

(104) In the Independent Offices Appropriation Act, 1955, under the centerheading "Veterans' Administration", the last proviso in the paragraph which begins "General operating expenses" (68 Stat. 290; 38 U. S. C. 975a); and the provisos in the paragraph which begins "Readjustment benefits" (38 U. S. C. 694o note).

(105) The act of July 15, 1954 (ch. 506, 68 Stat. 477).

(106) Section 2 of the act of August 21, 1954 (68 Stat. 758; 24 U. S. C. 134 note).

(107) The act of August 28, 1954 (ch. 1049, 68 Stat. 916).

(108) Subsection (b) of the first section of the act of June 16, 1955 (38 U. S. C., ch. 12A, note to VR 7 (a)).

(109) Sections 2 (b) and 4 (b) of the act of June 21, 1955 (69 Stat. 168; 38 U. S. C. 694l note).

(110) In the Independent Offices Appropriation Act, 1956, under the centerheading "Veterans' Administration", the last proviso in the paragraph which begins "General operating expenses" (69 Stat. 209; 38 U. S. C. 975a); and the provisos in the paragraph which begins "Readjustment benefits" (38 U. S. C. 694o).

(111) Section 2 of the act of August 9, 1955 (ch. 640, 69 Stat. 559).

(112) The last proviso in the paragraph which begins "General operating expenses" under the centerheading "Veterans' Administration" in the Independent Offices Appropriation Act, 1957 (70 Stat. 348; 38 U. S. C. 975a).

(113) The War Orphans' Educational Assistance Act of 1956 (38 U. S. C. 1031–1084).

(114) In the Servicemen's and Veterans' Survivor Benefits Act, paragraphs (1), (6) (B), (7), (8), (11), and (12) of section 102; title II (38 U. S. C. 1111–1119); section 405 (38 U. S. C. 1103); in section 501, subsections (a) (3) (B) (38 U. S. C. 823 note), (s) (2) (38 U. S. C., ch. 12A), and (u) (2) (38 U. S. C., ch. 12A, note to VR 2 (a)); and section 601 (38 U. S. C. 1102).

(115) In the act of August 27, 1957 (71 Stat. 424), the first section (38 U. S. C. 748 note; ch. 12A); section 2 (38 U. S. C. 473–480 note); and section 8 (38 U. S. C. 2315 note).

(116) The first section and section 2 of the act of September 7, 1957 (71 Stat. 632; 38 U. S. C. 503 note).

(117) The Veterans' Benefits Act of 1957 (except title XXII) (38 U. S. C. 2101–4008), except that the repeal of sections 235 and 1413 (b) and (c) of such act shall not take effect in such manner as to impair the operation of the deferred repeal of such sections as provided in section 21 of the Government Employees Training Act (72 Stat. 338).

(118) Paragraph (e) (2) of section 5 of the act of April 1, 1958 (72 Stat. 77; 38 U. S. C. 694 note).

(119) Section 2 of the act of June 18, 1958 (72 Stat. 200; 38 U. S. C. 911 note).

Mr. BYRD. Mr. President, this bill is a codification of all the laws which apply to the veterans.

The bill was unanimously passed by the House of Representatives, was unanimously approved by the Senate Finance Committee, and has the approval of all the veterans' organizations. I know of no objection to the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. HUMPHREY. Mr. President, I had intended to submit an amendment to the bill, but after discussion with the chairman of the committee, who was kind enough to cite to me the jurisdictional problem existing between the Senate Finance Committee and the Senate Committee on Labor and Public Welfare, I discussed the amendment with the chairman of the Subcommittee on Veterans' Legislation of the Committee on Labor and Public Welfare. Therefore, I am not submitting my amendment to this particular bill. The amendment applies to the rights of Air Force Reserve officers who, I believe, have certain rights under the GI bill of rights, although those rights have been denied them, in violation of a contract on the part of the Federal Government.

My amendment will be taken up next year by the Committee on Labor and Public Welfare. I have been given assurance by the Senator from South Carolina [Mr. THURMOND] that the committee will give priority attention to my amendment, and that action will follow the subcommittee hearings.

I desire to thank the Senator from Virginia for his helpfulness in connection with this matter, and for his willingness to give me the utmost of cooperation.

Mr. BYRD. I thank the Senator from Minnesota.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 9700) was read the third time, and passed.

CODIFICATION OF MILITARY LAW

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2144, House bill 8943.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8943) to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8943) to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code, which had been reported from the Committee on the Judiciary with amendments.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I yield to the Senator from North Carolina [Mr. ERVIN] to make an explanation of the bill.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, the purpose of the bill is simply to codify the laws relating to the Armed Services, the Coast Guard, and the National Guard which have been enacted subsequent to the codification of the laws relating to these subjects several years ago. The bill does not make any substantive changes in law. It merely brings forward the statutes enacted since that time relating to these subjects. It makes certain grammatical and technical changes. The bill makes no changes in the substantive law.

The object of the bill is to bring up to date, in connection with the codification made several years ago, all the laws relating to title 10, title 14, and title 32, so there can be a republication in official form of all of the statutes relating to these matters.

A number of inconsequential technical changes were made in committee. The bill, as amended, contains several hundred of these technical and clarifying amendments.

In order to save the expense of printing, I ask unanimous consent that the amendments not be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendments en bloc.

The committee amendments en bloc were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 8943) was read the third time and passed.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 1660, H. R. 5497.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 5497) to amend the Watershed Protection and Flood Prevention Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. COTTON. Mr. President, I have amendments at the desk, which I call up.

The PRESIDING OFFICER. The amendments offered by the Senator from New Hampshire will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 1, line 6, after the word "for" to strike out "recreational and."

It is proposed, on page 1, lines 10 and 11, to strike out "recreational and."

Mr. COTTON. Mr. President, I ask that the two amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

The question is on agreeing to the amendments of the Senator from New Hampshire.

Mr. PROXMIRE. Mr. President, will the Senator from New Hampshire explain the amendments, briefly?

Mr. COTTON. I shall be very glad to do so. The bill provides that upon approval by the Secretary of Agriculture the Federal Government may participate in the expense of the development of fish and wildlife facilities and of recreational facilities in connection with watershed flood control dams.

Incidently, on this bill there were no hearings in the Senate committee, and the Senate committee simply passed on the House committee report.

My amendments leave the words "fish and wildlife" in the bill, but strike out the word "recreational," for the following reasons. In the first place, the Department of Agriculture and the Bureau of the Budget are both opposed to the bill. The letter from the Department of Agriculture very wisely, I think, states that before we go into the field indiscriminately of Federal participation in the expenses of recreational development, we should await the report of a commission that is making a study of it and know what we are doing when we adopt a national policy of permitting or declaring the Federal Government to participate in the expense of developing recreational resources.

I am frank to say, Mr. President, that as a representative of the people of a State which depends in large measure on its income from recreational attractions, we naturally view with apprehension and with a great deal of scrutiny bills which inject the principle of having the Federal Government use our tax money to develop facilities in competition with us. But regardless of that point, the bill, which had no committee hearings, which was put through hastily, which establishes absolutely no criteria, and which simply gives carte blanche authority to the Secretary of Agriculture to commit the Federal Government to develop recreational facilities of any flood control or watershed dam, is poor legislation.

While I do not like the bill, I have offered amendments which would take out of the bill the reference to recreation facilities and leave the reference to fish and wildlife in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from New Hampshire.

Mr. HUMPHREY. Mr. President——

Mr. COTTON. Mr. President, I have not yielded the floor. If the amendments are to be opposed, I want to ask for a quorum.

Mr. PROXMIRE. Mr. President, this bill, H. R. 5497, would amend the Watershed Protection and Flood Prevention Act to permit Federal grants for wildlife, fish, game, or recreational purposes in watershed projects. It is a good bill, and in my opinion it should be approved by the Senate.

This bill was passed by the House by unanimous consent. It was reported to the Senate on May 26, 1958, by the distinguished Senator from Mississippi [Mr. EASTLAND], with unanimous approval by the Committee on Agriculture and Forestry.

Under the present law, it is not possible to make Federal grants for wildlife, fish, game, or recreational purposes in watershed projects. In many projects, this unfortunate legal prohibition results in an inefficient utilization of the available resources, and incomplete realization of the total potential benefits to the public.

Often a relatively small additional expenditure for the excluded purposes would make it possible to enlarge the basic watershed project, so as to yield substantial additional benefits to the public. For example, providing for a somewhat larger pond than is required for the present allowable purposes, such as crop and timber management, livestock watering, erosion control, and flood prevention, might create very substantial additional benefits to the public for fishing, waterfowl, and recreational uses.

In this way, a relatively small additional expenditure would result in very substantial additional values to the public.

In the case of many desirable watershed projects, the present legal prohibition against allowing grants for wildlife and recreation purposes makes the project unfeasible. This is true, although the full potential benefits of the project, including all of its benefits, may far exceed the cost.

Mr. President, there is an intense pressure upon outdoor recreational resources in almost every section of the country. For one thing, our population has been and still is expanding at an explosive rate. For another thing, there is increasing interest in outdoor recreation among our people. As more and more of our population moves into the cities and suburbs, people must look to public outdoor resources for the contact with nature that they want. Our rising standard of living likewise provides more and more people with the opportunity to enjoy hunting and fishing and camping. The available facilities for swimming, boating, water sports, hunting, fishing, and camping, are becoming burdened with the rising demand for this kind of recreation.

This bill would make it possible to help provide for this growing public need at a very modest additional investment cost,

by expanding watershed projects which are required primarily for soil and water conservation and agricultural projects, so as to furnish as much as possible in the way of wildlife and recreational benefits as well.

This bill, Mr. President, has strong and unified support from the conservation organizations. It is supported by the various State directors of conservation. It has been endorsed by the International Association of Fish, Game, and Conservation Commissioners.

I appreciate the position taken by the Senator from New Hampshire. He is trying to preserve the advantages for fish and wildlife. On the other hand, I feel the bill is immensely important from the standpoint of recreation. I would be particularly reluctant to see the bill amended, because it would have to go to conference. As I understand, if no amendment were accepted, it would not be necessary for the bill to go to conference. Is that the understanding of the Senator from New Hampshire, too?

Mr. COTTON. If the bill is passed without amendment, I do not suppose it will go to conference.

Mr. PROXMIRE. What I meant to ask the Senator was: Does he know of any other amendment to the bill?

Mr. COTTON. Not that I am aware of. This is the only amendment I shall offer, and I know of no other.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield, with the understanding that I shall not lose my right to the floor.

Mr. HUMPHREY. As the Senator knows, the bill which was reported by the Senate committee is exactly the same as the bill which came over from the other body.

Mr. COTTON. Yes. All the House would have to do is accept the amendment. It would not be necessary to have a conference.

Mr. HUMPHREY. I understand. It seems to me there is no administration objection to the bill.

Mr. COTTON. I beg the Senator's pardon. Both the Department of Agriculture and the Bureau of the Budget are opposed to the bill.

Mr. HUMPHREY. That is not the understanding of the Senator from Minnesota. If there is opposition, it surely came in late.

Mr. COTTON. I invite the Senator's attention to a statement of Mr. Don A. Williams, Administrator, accompanied by Carl B. Brown, Director, Planning Division, Soil Conservation Service, Department of Agriculture, which is in the report, in which he says very clearly, and I think with great force and logic, that before we open the door haphazardly to the participation of the Federal Government in both recreational and fish and wildlife development, we should await the report of the commission making a study of the matter, and lay down a national policy, with some criteria. We should not open up the dike in such a lefthanded way.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. COTTON. I will yield in just a moment.

I have in my hand a letter addressed to the Hon. ALLEN J. ELLENDER, from the Department of Agriculture, signed by Philip S. Hughes, Assistant Director for Legislative Reference, in which this is set forth very clearly.

Mr. HUMPHREY. Who is Mr. Hughes? I am very well acquainted with the officials of the Department of Agriculture.

Mr. COTTON. I beg the Senator's pardon. This is signed by True D. Morse, Acting Secretary. I turned an extra page. I also have a letter from the executive office of the President, Bureau of the Budget, signed by Mr. Hughes.

Mr. HUMPHREY. What are the dates of those letters?

Mr. COTTON. The date of the letter from the Department of Agriculture is June 6, of this year. The date of the letter from the Bureau of the Budget is June 2, of this year.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. COTTON. I am happy to yield.

Mr. PROXMIRE. I think I can clear up part of the problem.

When hearings were held on this bill by the House Agriculture Committee, the bill was endorsed by the same Mr. Don A. Williams, Administrator of the Soil Conservation Service of the United States Department of Agriculture. The Department of Agriculture raised no objections to this bill until after it had been approved unanimously by the House of Representatives and by the Senate Committee on Agriculture and Forestry, and had been reported to the Senate.

However, adverse reports were submitted after the bill had been cleared by the Senate Agriculture and Forestry Committee, by the Department of Agriculture and the Bureau of the Budget. The primary argument followed in these extremely belated objections was that the proposed legislation should not be considered until the Outdoor Recreation Resources Review Commission, which was recently authorized by Congress, has completed its study and made its report.

Mr. President, the Commission's report is not due until 1961. In view of the unanimous agreement among all the interested and informed specialists in this field that the bill is needed and should be adopted immediately, delay for another 2 or 3 years certainly does not seem warranted. There can be no value in putting off action, and permitting 2 or 3 or more years' of watershed work to go on without this important feature, while we are waiting for a report which is certain eventually to uphold the need for it.

Mr. COTTON. Mr. President, I have a few facts I should like to bring to the attention of the Senate with regard to this matter.

Mr. HUMPHREY. Mr. President, before the Senator suggests the absence of a quorum, will the Senator yield?

Mr. COTTON. Certainly.

Mr. HUMPHREY. As the Senator knows, the language added in the House was ultimately confirmed by the Senate committee. The bill was reported May 26, 1958, and provides, as one of the additional conditions for Federal assistance for the installation of these watershed projects, that the Secretary shall take into consideration the recreational and fish and wildlife development, and that such items shall be included as factors in the consideration of cost sharing on the part of the Federal Government.

The Senator from New Hampshire lives in an area where the watershed programs are as important as they are in the area I am privileged to represent in part. Everyone knows the upstream water control fundamentally affects fish and wildlife preservation and surely has an impact upon recreational resources. That is true in my State, where watershed development affects lake levels and actually affects the entire recreational area of the State.

What is proposed to be taken into consideration is that when the watershed projects are instituted or undertaken, as the report says:

> The Secretary shall require as a condition to providing Federal assistance for the installation of works of improvement that local organizations shall—
>
> 1. Acquire without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance;
>
> 2. Assume (A) such proportionate share, as is determined by the Secretary to be equitable in consideration of the direct identifiable benefits, of the costs of installing any works of improvement, involving Federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for recreational and fish and wildlife development.

In fact, some of this procedure is followed now. Actually, where there is upstream development and water development, some of the procedure is followed. I know of a pilot project in Swift County, Minn., where the watershed project itself took into consideration certain recreational and fish and wildlife developments within its jurisdiction.

Mr. COTTON. Mr. President, I say to my good friend from Minnesota that what he says about the possibilities of watershed dams upstream affecting fish and wildlife on the entire river undoubtedly and unquestionably has merit.

Mr. HUMPHREY. Is the Senator asking to exclude only the word "recreational"?

Mr. COTTON. Yes. My amendments would not touch the fish and wildlife provisions.

Mr. HUMPHREY. The Senator would leave in the fish and wildlife provision?

Mr. COTTON. Certainly. That is the reason why I made reference only to recreation. For years now there has been an attempt to get a foot in the door. I do not want to stir up old controversies, but the people of my State have been paying taxes to help the Tennessee Valley Authority make beautiful artificial lakes. Then we have to turn around and pay taxes to help the local chambers of commerce advertise those lakes as beautiful places to visit, when, I will say to every Member of the Senate, we want the people to come to the most beautiful State in the Union——

Mr. HUMPHREY. Minnesota.

Mr. COTTON. No; the State of New Hampshire.

Mr. HUMPHREY. Excuse me.

Mr. COTTON. Minnesota is a very beautiful State, too.

Mr. President, at this point in my remarks, I ask to have printed in the RECORD the two letters I have referred to, from the Department of Agriculture and the Bureau of the Budget.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 6, 1958.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, United States Senate

DEAR SENATOR ELLENDER: This is in reply to your request of February 21, 1958, for the views of this Department on H. R. 5497, a bill "To amend the Watershed Protection and Flood Prevention Act."

This Department does not favor the enactment of H. R. 5497 in its present form, and believes that it would be advisable to defer action at this time pending the outcome of additional studies relating to broad phases of recreational development policy which could appropriately be undertaken under other pending legislation. If, however, current action on the bill is to be taken, we would recommend that it be amended to provide that any Federal funds for installing recreational and fish and wildlife improvements on non-Federal lands in watershed protection and flood prevention projects be made under authorities for recreational and fish and wildlife development rather than under the provisions of the Watershed Protection and Flood Prevention Act.

The bill would amend the present section 4 (2) (A) of the Watershed Protection and Flood Prevention Act, as amended, to make the recreational and fish and wildlife phases of the conservation, development, utilization, and disposal of water eligible for Federal cost-sharing as a part of watershed projects on the same basis as the agricultural phases of such projects if the Secretary finds that they produce other than direct identifiable benefits.

Recreation and fish and wildlife improvements may now be included as local interests wish at non-Federal expenses in watershed projects developed under the Watershed Protection and Flood Prevention Act. The inclusion of improvements for these purposes is encouraged. Most watershed projects now produce some recreational and fish and wildlife benefits incidental to their primary purposes. These benefits usually are local in nature.

This Department favors the multipurpose development of watersheds. It is in agreement with the general desirability of adequately and appropriately minimizing and mitigating damages to wildlife resources and of enhancing these and other recreational resources when consistent with well-balanced multiple-purpose water resource development.

The Watershed Protection and Flood Prevention Act now permits payment for recreational and fish and wildlife improvements on non-Federal land only at non-Federal expense. The amendment mentioned above—of having any Federal appropriation for installing recreational and fish and wildlife improvements in watershed protection and flood prevention projects made under authorities for recreational and fish and wildlife development rather than under the provisions of the Watershed Protection and Flood Prevention Act—would assure that funds appropriated under that act would be used to accomplish the basic purposes of that act. For the most effective and best coordinated use of funds provided in accordance with the amendment, they should be made available to local organizations sponsoring the project under the Watershed Protection and Flood Prevention Act.

The Bureau of the Budget in a letter to the Department, dated June 2, 1958, advised the Department that the Bureau of the Budget recommends against enactment of H. R. 5497 for the reasons discussed in that letter, and requested that a copy of the letter accompany this report. A copy is enclosed.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., June 2, 1958.

MY DEAR MR. SECRETARY: This will acknowledge Mr. Grant's letter of March 28, 1958, transmitting copies of the report which the Department of Agriculture proposes to present to the Chairman of the Senate Committee on Agriculture and Forestry with respect to H. R. 5497, a bill to amend the Watershed Protection and Flood Prevention Act.

The bill would amend the present provisions of Public Law 566, the Watershed Protection and Flood Prevention Act, to permit Federal cost sharing for recreational and fish and wildlife phases of the conservation, development, use, and disposal of water in watershed projects. The proposed report states that the Department of Agriculture favors multiple-purpose development of watersheds, including appropriate measures for the protection or enhancement of fish and wildlife and recreational resources, but suggests that appropriations for these purposes should be made under authorities for recreational and wildlife development rather than under the provisions of Public Law 566.

H. R. 5497 is one of a number of bills now pending before the Congress which seek to clarify and expand the role of the Federal Government in recreational and wildlife programs. These bills have been carefully reviewed by the agencies concerned and by the Bureau of the Budget, and recommendations concerning fish and wildlife have been presented to the Congress by the Secretary of the Interior in the form of a draft bill to amend the Wildlife Coordination Act and the Watershed Protection and Flood Prevention Act.

With respect to recreation, it has become apparent that additional study is needed concerning such matters as the evaluation of recreational benefits, the proper role of Federal, State, and local interests, and the distribution of responsibilities among the Federal agencies concerned with recreation programs. For this reason, the Department of the Interior, in its report to the Senate Committee on Interior and Insular Affairs, recommended enactment of S. 846, a bill to establish an Outdoor Recreation Resources Review Commission. This bill would provide a focal point for the conduct of the studies referred to above, and for the development of appropriate recommendations that could serve as a basis for comprehensive recreation legislation. Pending the outcome of these further studies, the Bureau of the Budget believes that enactment of H. R. 5497 or any of the related bills dealing with the Federal role in recreation would be premature.

While there would be no objection to the presentation to the Committee of such a report as you deem appropriate, the Bureau of the Budget recommends against enactment of H. R. 5497 for the reasons discussed above. It is requested that a copy of this letter accompany your report to the Committee.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

The honorable the Secretary of Agriculture.
Attention: Mr. Carl R. Sapp.
105–A Administration Building.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. PROXMIRE. The Senator from New Hampshire obviously has a very strong argument. I am sure the Senator feels very deeply about the subject and has considerable support. The bill is so enormously important to conservation groups and fish and wildlife that, after a conference with my good friend from Minnesota [Mr. HUMPHREY], I think we are willing to accept the amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield, but I will say I yield briefly because, if I am going to have my amendment agreed to, I want to do so quickly, before any Senator changes his mind.

Mr. AIKEN. I know the Senator from New Hampshire is very proud of his State, which is a beautiful State. I cannot concede that New Hampshire is the most beautiful State in the Union, but I will concede that it is next to the most beautiful State in the Union, with only a river between.

Mr. COTTON. Mr. President, I appreciate the courtesy of my friends in this matter. Having practiced law, I never make a speech if I can get what I want without it. I shall withhold the long speech I have, if the amendment can be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from New Hampshire, en bloc.

The amendments were agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 5497) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

PROMOTION OF BOATING SAFETY ON NAVIGABLE WATERS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2393, House bill 11078, a bill to promote boating safety.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 11078) to promote boating safety on the navigable waters of the United States, to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, I am happy to make a brief explanation of the bill on behalf of Senator MAGNUSON—the distinguished and able chairman of the Committee on Interstate and Foreign Commerce, who is presently attending a conference on the supplemental appropriations bill.

The bill passed the House. It has been approved by the Senate Committee on Interstate and Foreign Commerce, and is now before the Senate. The purpose of the bill is to enable the States to enact safety measures with respect to the use of recreational boats which operate on our lakes and up and down most of our rivers.

The reason the Federal Government must act is that these are navigable waters, and the Federal Government has jurisdiction over navigable waters. Yet the Federal Government does not wish to become a policeman over the myriad of small boats, most of which are pleasure boats. Therefore, it becomes necessary for us to pass this enabling legislation to insure boating safety.

I have only one objection to the bill at the moment. In that connection, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Florida will be stated.

The CHIEF CLERK. On page 2, line 13, after the word "than" it is proposed to strike out "7½" and insert "10."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. SMATHERS].

Mr. SMATHERS. The only purpose of the amendment is to raise the limitation from 7½ horsepower to 10 horsepower. The danger comes from small boats which have highpowered engines, rather than small engines. We do not wish to restrict or work a hardship upon the fishermen in various waters who make their livelihood in small boats. These individuals are expert boatsmen and thoroughly familiar with the rules of the road.

I hope the Senate will approve the amendment and pass the bill.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JAVITS. Can the Senator tell us whether associations of small boating enthusiasts are for or against the bill?

Mr. SMATHERS. The small boat manufacturers are for it, as are the engine manufacturers. Apparently everyone is for the bill except small fishermen groups, and I believe that we can take care of them by the amendment offered at this time. It is a reasonable amendment and in no way affects the safety aspects of the legislation.

Mr. JAVITS. I do not believe the Senator quite understood my question. What is the attitude of the small boating associations, small yacht clubs, and those who operate boats for pleasure? How do they feel about it?

Mr. SMATHERS. They are very strongly in favor of the bill.

Mr. JAVITS. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. As a member of the committee, I listened to the testimony on the bill and to the arguments, negative and affirmative, which were made with respect to it. All the proof clearly showed that there was some need for the enactment of a law which would provide for the safety of users of boats on our navigable streams. From the standpoint of Ohio, I have had indications from practically every industry and recreational agency interested in this type of recreation and use of our waters. They give support to the bill. I therefore join the Senator from Florida in urging that the bill be passed.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. KNOWLAND. I wish to confirm what the Senator from Ohio has said. All the reports I have received from those interested in small boat development, small boat harbors, and recreational facilities, are in support of the proposed legislation.

Mr. SMATHERS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. SMATHERS].

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SMATHERS. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. SMATHERS. Mr. President, in connection with the passage of the bill, I ask unanimous consent that there be printed in the RECORD telegrams and letters which I send to the desk.

There being no objection, the telegrams and letters were ordered to be printed in the RECORD, as follows:

THE COUNCIL OF STATE GOVERNMENTS,
Chicago, Ill., August 13, 1958.

To All Members of the United States Senate:

The Council of State Governments is pleased that H. R. 11078, the bill relating to boating safety, has been reported by the Committee on Interstate and Foreign Commerce. For the reasons set forth below, it urges that Congressional action on the bill be completed this year.

The council regards the cooperative Federal-State regulatory procedure proposed by the bill as an almost ideal way to protect States rights, duties, and responsibilities in this important field. It views the procedure utilized in drafting this legislation as one which should be considered for possible application in other areas where responsibilities of the two levels of government—Federal and State—coincide or overlap. In our opinion, this procedure almost assures that the rights and privileges of neither sovereign will be infringed.

In response to a request of the House Merchant Marine and Fisheries Committee a subcommittee of the Council's Committee on Suggested State Legislation was set up to cooperate in drafting generally uniform Federal and State legislation to regulate pleasure boating. The Subcommittee on Recreational Boating Safety, made up entirely of State officials, has as members or consultants one or more representatives of 10 States—California, Colorado, Florida, Michigan, New Hampshire, North Carolina, New York, Pennsylvania, Virginia, and West Virginia. Working with the staff of the House committee and the Coast Guard, and with the advice and counsel of representatives of the boating industry and public, the subcommittee developed H. R. 11078. The combined group is now working on a complementary model State bill to present to the States whose legislatures meet next year.

Enactment of H. R. 11078 this year will permit the legislatures of 45 States to consider the complementary State bill next year. If Congressional enactment is delayed until 1959, the legislatures of 36 States will be unable to consider a model State bill before 1961. By that time, the pressures on State legislatures to enact boating safety legislation may be irresistible and, as many different regulatory schemes are enacted, the opportunity to adopt a cooperative Federal-State uniform approach will have been lost.

To our certain knowledge, many States are anxious to consider the State bill to implement this Federal-State program. These include, in addition to the States represented on our subcommittee, Arizona, Arkansas, Connecticut, Delaware, Louisiana, Massachusetts, Minnesota, Missouri, Montana, Nebraska, New Jersey, Tennessee, Washington, and Wisconsin, and Alaska and Hawaii. In at least some of these States, enactment or implementation of State legislation has been delayed pending the results of our work.

Sincerely yours,
CHARLES F. SCHWAN, Jr.,
Washington Representative.

SAN FRANCISCO, CALIF., *August 15, 1958.*
Hon. GEORGE SMATHERS,
United States Senator From Florida,
Senate Office Building,
Washington, D. C.:

Charles Tom Henderson, Ernest Mitts and I urge your support of Bonner bill, H. R. 11078. We were very active in the drafting of this bill as members of the committee of the Council of State Governments which feels very acutely the need for this legislation in the Congress. Understand the objectionable features were amended out of the original House version and that most States feel the need for this permissive legislation to provide the States with some degree of control of boating safety. The vote in the House is indicative of the State support although we know that BOB SIKES opposed the bill for various reasons. I am here for national budget officers' meeting and cannot reach Tom Henderson because he is en route by auto to Los Angeles for another meeting or you would also hear from him direct. We feel that this bill is good and sound for Florida where boating safety is of tremendous importance. We urge your support in the passage of this bill. Kindest regards.

HARRY G. SMITH.

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., August 13, 1958.

Senator GEORGE D. AIKEN, Senator GORDON ALLOTT, Senator CLINTON P. ANDERSON, Senator ALAN BIBLE, Senator JOHN MARSHALL BUTLER, Senator HARRY FLOOD BYRD, Senator FRANCIS CASE, Senator DENNIS CHAVEZ, Senator FRANK CHURCH, Senator EVERETT MCKINLEY DIRKSEN, Senator PAUL H. DOUGLAS, Senator ALBERT GORE, Senator CARL HAYDEN, Senator LISTER HILL, Senator ROMAN L. HRUSKA, Senator HUBERT H. HUMPHREY, Senator ESTES KEFAUVER, Senator THOMAS H. KUCHEL, Senator JOHN L. MCCLELLAN, Senator WARREN G. MAGNUSON, Senator WAYNE MORSE, Senator KARL E. MUNDT, Senator JAMES E. MURRAY, Senator RICHARD L. NEUBERGER, Senator WM. E. PROXMIRE, Senator A. WILLIS ROBERTSON, Senator ANDREW F. SCHOEPPEL, Senator JOHN J. SPARKMAN, Senator STUART SYMINGTON, Senator HERMAN E. TALMADGE, Senator EDWARD J. THYE, Senator ARTHUR WATKINS, Senator ALEXANDER WILEY, Senator RALPH YARBOROUGH, and Senator MILTON R. YOUNG,
Washington, D. C.:

We would like to take this brief opportunity to advise you that the National Wildlife Federation, representing affiliates in 50 States and Territories and more than 2 million individual sportsmen-conservationists, has approved of H. R. 11078, the Federal Boating Act.

The federation believes this measure, which already has passed the House and won favorable approval by the Senate Committee on Interstate and Foreign Commerce, will help stimulate needed State boating safety legislation of a uniform nature. We hope you can see fit to give favorable consideration to this measure when it is brought before the Senate.

Sincerely,
NATIONAL WILDLIFE FEDERATION,
LOUIS S. CLAPPER,
Assistant Conservation Director.

WASHINGTON, D. C., *August 13, 1958.*
Hon WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

The Outboard Boating Club of America, the American Yachtmen's Association, the National Association of Marine Dealers and the National Association of Engine and Boat Manufacturers represent many thousands of boat owners, marine dealers and manufacturers of marine engines, boats, and equipment throughout the United States.

We have given our complete support to H. R. 11078, the Federal Boating Act of 1958, as have many other groups familiar to you, such as the United States Coast Guard Auxiliary, United States Power Squadrons, the Council of State Governments and the United States Coast Guard.

This bill is now awaiting final action by the Senate and is No. 2393 on the calendar.

The Council of State Governments which cooperated completely in the drafting of H. R. 11078, and can reasonably be expected to have watched for and guarded against any possible invasion of States rights by the Federal Government, is 100 percent in favor of this legislation and will give you their views by letter.

H. R. 11078 updates existing laws applicable to pleasure boating and provides for:

1. Numbering for identification purposes, all boats propelled by machinery of over 7½ horsepower.

2. A fee for so doing and the States to do the numbering job and keep the fees.

3. Civil penalty authority for the Coast Guard in addition to their existing criminal penalty authority.

4. Mandatory obligation to render assistance and reports in cases of serious boating accidents.

5. Concurrent jurisdiction on the navigable waters of the United States for both State and Federal enforcement of boating laws.

6. Specifically provides that no State jurisdiction is affected by the act.

H. R. 11078 is a completely nonpartisan boating safety measure which regulates, but does not restrict, pleasure boating in the United States.

We earnestly solicit your support for this bill to promote boating safety and urge that favorable action be taken before final adjournment.

Respectfully submitted,
OUTBOARD BOATING CLUB OF AMERICA.
CHICAGO.
AMERICAN YACHTMEN'S ASSOCIATION.
ANNAPOLIS.
NATIONAL ASSOCIATION OF MARINE DEALERS.
WASHINGTON.
NATIONAL ASSOCIATION OF ENGINE AND BOAT MANUFACTURERS.
NEW YORK.

Mr. SMATHERS. Mr. President, our very able and respected chairman of the committee, Senator MAGNUSON, for the purpose of clarifying the intent of section 8 (c) of the bill prepared a statement of an explanatory nature, and I ask unanimous consent that it be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Question has been raised that section 8 (c) of the bill might be construed to limit the authority of the Coast Guard to board vessels to those required to be numbered by this act. Earlier stages of the bill did not provide for any exemption from the numbering requirement on the basis of the horsepower of motors, and boarding authority for all mechanically powered boats was contemplated. Since the act of April 25, 1940, and the applicable rules of the road, specifically mentioned in section 8 (c), likewise apply to all motorboats, whether numbered or not, obviously the proposed legislation does not intend to limit the boarding authority of the Coast Guard which it has under other laws, such as title 14 United States Code, section 89, nor is there any intent to curtail the separate authority of the Coast Guard to administer and enforce any other statutes not mentioned in section 8 (c).

Mr. MAGNUSON subsequently said: Mr. President, the Senate a few minutes ago passed, with an amendment, H. R. 11078, which provides for safety on navigable waters of the United States.

I move that the Senate insist on its amendment, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. BIBLE, Mr. YARBOROUGH, Mr. BRICKER, and Mr. POTTER conferees on the part of the Senate.

MISBRANDING AND FALSE ADVERTISING OF TEXTILE FIBER PRODUCTS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1689, House bill 469.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce, with amendments, on page 4, line 17, after the word "transported", to insert "in commerce"; in line 18, after the word "product", to strike out "which has been advertised or offered for sale in commerce,"; on page 5, line 2, after the word "in", to insert "interstate or foreign"; on page 6, line 10, after the word "produced", to insert "by the manufacturer or processor"; on page 7, line 17, after the word "name", to insert a colon and "*Provided*, That, exclusive of permissible ornamentation, any fiber or group of fibers present in an amount of 5 percent or less by weight of the total fiber content shall not be designated by the generic name or the trademark of such fiber or fibers, but shall be designated only as 'other fiber' or 'other fibers' as the case may be."; on page 9, line 5, after the word "unless", to strike out "such written advertisement contains the same information with respect to fiber content as that required to be shown on the stamp, tag, label, or other identification under paragraph (1) of section 4 (b)" and insert "the same information as that required to be shown on the stamp, tag, label, or other identification under section 4 (b) (1) and (2) is contained in the heading, body, or other part of such written advertisement, except that the percentages of the fiber present in the textile fiber product need not be stated."; on page 10, after line 17, to insert: "(g) For the purposes of this act, a textile fiber product shall be considered to be falsely or deceptively advertised if the name or symbol of any fur-bearing animal or any term identified with furs is used in the advertisement of such product unless such product or the part thereof in connection with which the name or symbol of a fur-bearing animal, is used, is a fur or fur product within the meaning of the Fur Products Labeling Act: *Provided, however*, That where a textile fiber product contains the hair or fiber of a fur-bearing animal, the name of such animal, in conjunction with the word 'fiber', 'hair', or 'blend', may be used."

On page 14, line 8, after the word "make", to insert "such"; on page 18, line 12, after the numeral "(2)", to insert "upholsteries and", and in the same line, after the word "of", to insert "mattresses and box springs"; in line 13, to strike out the word "furniture"; in line 19, after the numeral "(6)", to strike out "backings of" and insert "paddings or cushions to be used under"; in line 22, after the word "bandages", to strike out "and", and in the same line, after the word "dressings", to insert "and other textile fiber products, the labeling of which is subject to the requirements of the Federal Food, Drug, and Cosmetic

Act of 1938, as amended;"; and on page 19, at the beginning of line 7, to insert "catamenial devices, adhesive tapes and adhesive sheets, cleaning cloths impregnated with chemicals, or diapers."

Mr. THURMOND. Mr. President, I have an amendment to offer to the bill.

Mr. JOHNSON of Texas. Mr. President, the bill will not be passed for some time. As I understand, the motion to proceed to the consideration of the bill has been agreed to. Is that correct?

The PRESIDING OFFICER. It has.

STUDY OF WORLDWIDE HEALTH ACTIVITIES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar 2414, Senate Resolution 347, in order to afford an opportunity to the attaches to notify Senators that in a short time we shall resume the consideration of Calendar No. 1689, House bill 469.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 347) authorizing a study of worldwide health activities.

Mr. JOHNSON of Texas. Mr. President, I ask for the attention of the Senator from Minnesota.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Government Operations with amendments, and subsequently reported from the Committee on Rules and Administration without additional amendment.

The amendments of the Committee on Government Operations were: On page 3, line 13, after the word "programs," to insert "international cultural, educational, and exchange of persons programs"; in line 20, after the word "health," to insert "international cultural, educational, and exchange of persons program"; in line 24, after the name "Administration," to insert "the United States Information Agency"; and on page 5, line 2, after the word "exceed," to strike out "$20,000" and insert "$30,000"; so as to make the resolution read:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the international activities of Federal executive branch departments and agencies relative to worldwide health matters, and of any and all matters pertaining to intergovernmental relations between the United States and international organizations of which the United States is a member, as provided for in rule XXV (1) (g) (2) (B) and (D) of said Standing Rules of the Senate, and of any and all matters pertaining to international health research, rehabilitation, and assistance programs, international cultural, educational, and exchange of persons programs, including but not limited to (1) the general level of authorization of funds for the future to enable the programs efficiently to achieve their purposes, including the use of United States appropriations and foreign currencies generated by American aid and sales of farm surpluses; and (2) the coordination of programs related to international health, international cultural, educational, and exchange of persons programs, on the part of interested United States Government agencies, including but not limited to, the programs of the Department of State, the International Cooperation Administration, the United States Information Agency, the Department of Health, Education, and Welfare, the Atomic Energy Commission, the Veterans' Administration, and the National Science Foundation, in appropriate cooperation with nongovernmental organizations.

SEC. 2. For the purposes of this resolution the committee, from date of approval to January 31, 1959, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1959.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $30,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. HUMPHREY. Mr. President, Senate resolution 347 was approved by the Committee on Government Operations, and also by the Committee on Rules and Administration. It would authorize a study of all the international health and cultural activities. Ordinarily such a study would be conducted by a standing subcommittee of the Committee on Government Operations. Such a subcommittee, called the Subcommittee on International Organizations, was in existence at one time. This is a supplemental organization to the standing Subcommittee on Reorganization.

I believe that the proposed study is needed, and that it can yield some concrete results next year, in terms of both authorizations and appropriations.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Committee on Government Operations.

Mr. JOHNSON of Texas. Mr. President, I ask that the committee amendments be agreed to en bloc.

There being no objection, the committee amendments were agreed to en bloc.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement explaining the resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

I am pleased that the Senate has approved Calendar No. 2414, Senate Resolution 347, which will authorize a study by the Senate Committee on Government Operations of worldwide health activities.

I should like to add that I am most gratified that this resolution was adopted on the very day after a major landmark in the international health field was reached. I refer to the action of the distinguished senior Senator from Alabama [Mr. HILL] in introducing Senate Joint Resolution 199.

The purpose of that resolution is to establish, in the Department of Health, Education, and Welfare, the National Advisory Council for International Medical Research and to establish, in the Public Health Service the National Institute for International Medical Research.

My able colleague, the chairman of the Senate Committee on Labor and Public Welfare proceeds from the very same general premises as I do in focusing the attention of the American people on this important subject of the advancing mankind's health through worldwide cooperation.

I ask unanimous consent that there appear in the RECORD, immediately following the action on Calendar No. 2414 a statement which I have prepared on the subject of Senate Resolution 347.

BACKGROUND STATEMENT BY SENATOR HUMPHREY

Senate Resolution 347 was introduced by myself on July 25, 1958, and referred to the Senate Committee on Government Operations.

Its purpose is to make a full and complete study of all matters pertaining to international health research, rehabilitation, and assistance programs.

I am glad to say that the distinguished Senator from Iowa [Mr. MARTIN] had kindly indicated to me that he would be pleased to serve as a cosponsor of Senate Resolution 347.

On August 4, 1958, it was my pleasure to report Senate Resolution 347, which had been approved with an amendment, by unanimous action of the Committee on Government Operations.

The amendment provided for a study, as well, of international cultural, educational, and exchange of persons programs.

I may say that the amendment arose out of the deep interest of the able senior Senator from South Dakota [Mr. MUNDT], who has made notable contributions to this field.

Yesterday, the Senate Committee on Rules unanimously reported this resolution with Senate Report 360.

BROAD JURISDICTION OF GOVERNMENT OPERATIONS COMMITTEE

It should be noted that the Senate Committee on Government Operations is uniquely qualified to make such a broad study.

Rule XXV of the standing rules of the Senate, provides that the Committee on Government Operations has the duty of studying the operations of government activities at all levels, with a view to determining economy and efficiency and the further duty of studying international relationships between the United States and international organizations of which the United States is a member.

MANY AGENCIES ENGAGED IN MEDICAL RESEARCH

It must be remembered that a great many United States Government agencies are involved in health research and assistance programs.

In the field of medical research alone, on which our good friend, the senior Senator from Alabama, made so outstanding an address yesterday, let it be noted that the following Government agencies and bureaus are engaged directly: The National Institutes of Health, the Atomic Energy Commission, the Veterans' Administration, the National Science Foundation, the Department of the Army, the Department of the Navy, the Department of the Air Force.

MORE AGENCIES INTERESTED IN OVERSEAS HEALTH

On the subject of international health assistance, again we find a considerable number of Government agencies interested; notably the Department of State, the International Cooperation Administration, the United States Information Agency, the Central Intelligence Agency, and the Department of Health, Education, and Welfare.

In connection with entomological work, the Department of Agriculture is likewise deeply interested in overseas efforts.

INTERNATIONAL AGENCIES INVOLVED

Many multigovernmental agencies are likewise involved in this field, principally the World Health Organization. Other multilateral agencies interested are the United Nations Children's Fund, the Food and Agricultural Organization, the International Labor Organization, the United Nations Educational, Scientific, and Cultural Organization, and United Nations Technical Assistance.

INVITATION FOR SENATORS' COOPERATION

I should like, at this point, to convey my warmest invitation to Members of the Senate to help us to achieve the objectives of Senate Resolution 347.

I know that a great many of my colleagues are interested in this subject.

I may say that, in our earlier thinking on this resolution, consideration had been given to the possibility of establishing a select committee which might have included not only members of the Committee on Government Operations, but ranking members of two other committees; namely, the Committee on Labor and Public Welfare, which has basic jurisdiction in the field of health legislation, and the Committee on Foreign Relations, which has basic jurisdiction, of course, in international activities.

One of the problems that we faced, however, is that the ranking members on these committees are heavily engaged in diverse activities, as are my colleagues on the Committee on Government Operations.

But the fact that this study will be made, by the Committee on Government Operations, does not, in the slightest, limit our desire to get the fullest benefit of the judgment of the distinguished members of these two other committees which I have mentioned.

We know that these members, such as the able junior Senator from Arkansas [Mr. FULBRIGHT], possess a great degree of knowledge and insight which would be highly helpful to us. We warmly invite them to sit with us in our meetings, to convey their suggestions to us; to give us and the staff of the Committee on Government Operations the benefit of their judgment and the benefit of the judgment of staff members on the other two committees.

INVITATION TO GOVERNMENT OPERATIONS COMMITTEE

The Senate Government Operations Committee's Subcommittee on Reorganization and International Organizations will be making this study. As yet, I do not know which of the particular members of the subcommittee will be able actively to participate. I hope that all of them will be able to do so, although I recognise the many burdens which bear upon them.

And I am not familiar, as yet, with the schedules of those of my colleagues on the full Committee on Government Operations who are not members of this subcommittee, but who, I earnestly hope, will, likewise, be able to participate in our activities.

ASSISTANCE FROM SENATORS ON FOREIGN RELATIONS COMMITTEE

Let me say that it is a source of particular gratification to me that the membership of the Committee on Rules, which without dissent approved the resolution, includes the distinguished chairman of the Senate Committee on Foreign Relations, Mr. GREEN, and the junior Senator from Montana [Mr. MANSFIELD].

I may say that a previous subcommittee study made by my able colleague from Montana in the field of international technical assistance serves as a model, not only for the review under Senate Resolution 347, but for any other review which may be made by any other Congressional committee.

MINIMUM OF FUNDS PROVIDED

I should like to point out that $30,000 is authorized for Senate Resolution 347. Thus, we have restricted our request of funds to a minimum. As was stated in my report to the Rules Committee, it is the intention of this subcommittee to utilize to the fullest, to the extent that it is feasible, the services of staff members of Government agencies whose day-to-day work bears directly upon this field.

In addition, we expect to get the benefit, as I have previously indicated, of the judgment of those members of the staff of other Senate committees who have become expert in this field, together with skilled judgment of staff members in the offices of the individual Members of the Senate.

In summary, it is our desire to mobilize, with a minimum of financial outlay, the best thinking which is available so as to achieve the purposes of this resolution.

COOPERATION WITH LABOR COMMITTEE

I may say that I look forward with pleasure to the hearings which will be conducted by our colleague from Alabama [Mr. HILL] and his associates on the Committee on Labor and Public Welfare on Senate Joint Resolution 199. I am sure that those hearings will shed important light on this general subject.

Our own purview is, of course, not any particular bill, but the broad subject as stated in our resolution.

I foresee a maximum of cooperation with the Labor Committee. We will delienate, I am sure, very carefully the respective areas in which we will be engaged, and we will proceed with teamwork and harmony.

This, then, is our goal, and this is our procedure—a goal of better health and a procedure of fullest cooperation.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the international activities of Federal executive branch departments and agencies relative to worldwide health matters, and of any and all matters pertaining to intergovernmental relations between the United States and international organizations of which the United States is a member, as provided for in rule XXV (1) (g) (2) (B) and (D) of said Standing Rules of the Senate, and of any and all matters pertaining to international health research, rehabilitation, and assistance programs, international cultural, educational, and exchange of persons programs, including but not limited to (1) the general level of authorization of funds for the future to enable the programs efficiently to achieve their purposes, including the use of United States appropriations and foreign currencies generated by American aid and sales of farm surpluses; and (2) the coordination of programs related to international health, international cultural, educational, and exchange of persons programs, on the part of interested United States Government agencies, including but not limited to, the programs of the Department of State, the International Cooperation Administration, the United States Information Agency, the Department of Health, Education, and Welfare, the Atomic Energy Commission, the Veterans' Administration, and the National Science Foundation, in appropriate cooperation with nongovernmental organizations.

SEC. 2. For the purposes of this resolution the committee, from date of approval to January 31, 1959, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1959.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $30,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The preamble was agreed to.

PROGRESS IN LEGISLATION FOR SMALL BUSINESS

Mr. JOHNSON of Texas. Mr. President, there have been many aspects of this session of Congress which have filled me with great pride. But one I consider of particular importance consists of the progress that has been made in legislation for small business.

For too many years small business has been very much like the weather—something that everybody talks about but nobody does anything about.

This has been due largely to some of the peculiar economic problems of small business. It took time to gather information; it took time to form coherent policies; and it took time to pass the necessary measures.

This year, however, we were able to achieve some solid and concrete steps.

These steps were well summarized by Richard Rutter in an article in the New York Times yesterday. This article gives specific examples of how the new measure to provide equity capital for small business will operate.

I ask unanimous consent that this article be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SMALL BUSINESS HITS THE JACKPOT—NEW LEGISLATION GOES LONG WAY IN PROVIDING TAX AND FINANCING RELIEF

(By Richard Rutter)

The ways of Congress probably are more predictable than is a slot machine. But there are times, it must be admitted, when there is a certain tantalizing resemblance.

Ask the Nation's 4 million small-business men. For nearly 5 years they—or rather their very articulate spokesmen in and out of Congress—pulled all the levers in an effort to win some measure of financial aid. They got lots of publicity and sympathy, but little else. Then in the closing days of the 85th Congress: Jackpot!

Chances are even the small-business lobby is rather taken aback by the bonanza. It consists of three important measures dealing with loans and tax relief. One has been signed into law, another is on the President's desk, and the other is expected to be there soon.

SBA NOW PERMANENT

In some ways, the first new piece of legislation may be the most far reaching. The Small Business Administration was set up in 1953 as a temporary agency to assist smaller concerns to obtain credit. It has now become a permanent independent Federal agency.

The ceiling on the individual loans it may grant has been raised from $250,000 to $350,000. The interest rate charged has been reduced from 6 percent to 5½ percent. The little fellow now has a permanent big friend at court, so to speak.

The significance of the second new piece of legislation was dramatized in Atlanta, Ga., last week. The Citizens & Southern National Bank announced that it had authorized the investment of $325,000 in capital in a new corporation to be sponsored by the bank and formed for the express purpose of providing venture capital for small and expanding businesses. This was the quick reaction to the passage of the Small Business Investment Act of 1958.

The $325,000 put up by the Atlanta bank will be augmented by $115,000 from interested individuals or corporations in that State, plus $60,000 from citizens and southern affiliates. The private investment will thus amount to $500,000, and the total initial funds to some $1 million including loans and investment aid from the Small Business Administration.

TWO HUNDRED AND FIFTY MILLION DOLLARS AUTHORIZED

Under the new law, that agency has been given $250 million in loan authority to furnish long-term equity capital to small business. The funds will not go directly to the individual entrepreneurs but to investment companies such as the one planned in Georgia. These concerns, in turn, will funnel long-term capital to small companies unable to obtain the needed financing elsewhere.

The investment companies must be formed by at least 10 persons, have a minimum capital and surplus of $300,000, half of which they can get from the SBA, and limit loans to not more than 20 percent of a borrower's capital.

The recession notwithstanding, tax relief for the average taxpayer never got to first base in this session of Congress. With a minimum of fanfare, however, small business got several breaks:

Faster tax writeoffs on new equipment in the first year after its purchase.

Extension from 2 to 3 years of the period for which a loss may be carried back and applied against previous income, to gain a retroactive tax refund.

Ten years instead of fifteen months in which to pay estate taxes on a business held by a few persons.

An increase from $60,000 to $100,000 on the amount of earnings that may be retained, instead of being distributed, without stiff tax charges.

Why all this attention to the small business?

The Small Business Administration defines a small business as follows: A wholesaler with annual sales of less than $5 million; a retailer or a dealer in services with volume of less than $1 million; a construction company whose annual receipts for the preceding 3 years have been less than $5 million; a manufacturer with 250 or fewer employees. Manufacturers with between 250 and 1,000 employees are classed as small or large depending upon the type of activity.

NINETY-EIGHT PERCENT OF COMPANIES ARE SMALL

On this basis, the overwhelming number of all American enterprises—more than 98 percent—fall into the small-business category. They account for a good 35 percent of all dollar sales. So it's impossible to talk of the American economy without taking full note of small business.

In recent years about 380,000 new enterprises have been started annually. At least 99 percent are small operations. Each year between 325,000 and 340,000 concerns have passed into limbo. And the vast majority of them have been small. The result has been a net increase in the business population of about 50,000 new companies a year.

The unfortunate majority have gone under for various reasons. Chief among them have been poor management, strong competition, lack of experience—and lack of credit. Until very recently there has been an almost complete dearth of knowledge about the importance of this last problem, and some economic observers have insisted that it was no problem at all. They contended that sound operators could obtain all the credit they needed, and that unsound ones had no business being in business.

Last year the research staff of the Federal Reserve System studied the whole matter of credit availability for the little fellow. The first installment of a massive report was delivered to interested Congressional committees this spring. The survey is still continuing, and will not be completed until some time next year at the earliest.

THEY HOE A TOUGH ROW

Some conclusions, however, do seem evident from the Fed's findings so far. Generalizations are risky, but the consensus is that small companies are up against greater financial difficulties than the bigger ones. Their credit standings are lower, they find it much harder to get long-term loans and equity capital. Interest rates are higher, maturities shorter. The pinch is severest for those concerns that are able and willing to grow but are stymied by lack of funds.

Commercial banks are by far the chief source for small-business financing. Insurance companies, mutual funds, investment trusts, and institutional investors largely shy clear of small borrowers. Even the Government has contributed comparatively little. At the end of last year, for instance, the combined loan and commitment total for the SBA and the Veterans' Administration was 4 percent of the $6,900 million in small loans outstanding by member banks of the Federal Reserve System.

That's all the more reason why the measures just enacted by Congress should gladden the heart of the corner butcher, tailor, and antique candlestick seller. The establishment of private investment companies in particular may signal the beginning of a real breakthrough in the field of equity financing.

COLLEGE COACHES' CRITICISM OF PRO FOOTBALL DRAFT REFUTED

Mr. DIRKSEN. Mr. President, three college coaches, Bud Wilkinson, of Oklahoma; Duffy Daugherty, of Michigan State, and Bowden Wyatt, of Tennessee, at the recent hearings held by the Senate Judiciary Antitrust and Monopoly Subcommittee of which I am a member, criticized the drafting by the National Football League of college graduates.

The coaches were testifying on bills S. 4070 and H. R. 10378 which would exempt the sports aspects of organized professional team sports from the antitrust laws and place the business aspects under the antitrust laws. They maintained that the football draft deprives the player of an opportunity to shop around and sell his services to the highest bidder.

Subsequently, Terry Brennan, Notre Dame football coach, urged that a restriction be adopted by colleges which would deprive the high school and prep school graduate of the opportunity of shopping around and playing football for the college which offers him the most attractive scholarship.

Mr. President, I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD an Associated Press article in the August 6, 1958, Washington Evening Star in which Mr. Brennan urges a nationwide college ban against shopping around by high school football stars for college football scholarships.

Also, an article by Lewis F. Atchison in the Washington Evening Star of July 31, 1958, pointing out that in several football conferences or leagues college freshmen are obliged to sign a statement of intent before they may participate in collegiate sports. Once a boy's name is on that document, he cannot transfer to any other school and play football. This is something college football players drafted by the National Football League can do under the league's transfer rule.

In answer to Mr. Wilkinson's contention that the draft has not equalized the playing strength of the football teams to such an extent that on any given day it is impossible to forecast the winner, I likewise request unanimous consent to have inserted excerpts from an article by Mr. Arthur Daley, Pulitzer prize winner and sports columnist of the New York Times, which appeared in the May 17, 1957, issue of that newspaper. Mr. Daley graphically illustrates how the draft has saved and popularized professional football by equalizing the strength on the playing field of the teams in the National Football League and, as a result, has greatly increased attendance and players' salaries.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D. C.) Evening Star of Wednesday, August 6, 1958]

BRENNAN URGES CURB ON PREP STAR SHOPPING

CHICAGO, August 6.—By way of protecting the integrity of high school stars, a national-level curb on shopping for college football scholarships is urged by Terry Brennan, Notre Dame head coach.

In a news conference yesterday, Brennan said that an organization like the National Collegiate Athletic Association should require declarations of intent for enrollment at college of prep stars.

He emphasized that Notre Dame had no great problem in losing prospects to other schools, but said he believed it would be very helpful to the sport generally to have such a rule.

Particularly, Brennan said, it would "make high school boys become a little more men of their word."

"Now a high school star agrees to go to one college," Brennan explained "but 3, 4, or 5 other schools then approach him and the boy gets so confused he doesn't know where he finally wants to go."

Brennan suggested that a governing group, like the NCAA, could effect a policy several conferences already have adopted, requiring a letter of intent by prospective prep athletes committing them to one school within the conference.

Brennan suggested that a national policy would eliminate the possibility of a prep athlete jumping from one conference to another as well as from one independent school to another, in making his final commitment to attend college.

The Irish coach suggested that the deadline for a choice might be May or June after a high school athlete graduates. As for sanctions, the governing group might require that an athlete who violates the agreement be made ineligible for a couple of years.

"Once a boy gets in college, he will realize that there are more things important than accepting what he may have thought was the best offer," said Brennan.

[From the Washington (D. C.) Evening Star of July 31, 1958]

ATCHISON'S ANGLE

(By Lewis F. Atchison)

LOS ANGELES, July 31.—It was surprising to hear that Bud Wilkinson, Bowden Wyatt, and Duffy Daugherty had rapped a pro career for college football players before the Senate Antitrust Subcommittee the other day. Surprising and disappointing. It sounded like sour grapes. What they said, in effect was, "It's all right for us to earn a living in football but not the players."

Perhaps it is wrong for a college graduate to continue playing games, but most can't earn as much money when starting out in their chosen academic fields as they can in pro football. What's wrong with getting a stake, getting enough to buy a home or to set up in business? Were the coaches envious?

Just as surprising was Wilkinson's knock against the National Football League player draft. Did the subcommittee know that college freshmen are obliged to sign a statement of intent before they may participate in collegiate sports? Was it told that once a boy's name is on that document he can't change his mind. It's school No. 1 for him, even though he may want to change because a buddy is going to another or no school at all.

Wyatt is the chap who busted a couple of college contracts and rode off in a brand-new car, presented as a token of esteem, when Tennessee made a more generous offer. Daugherty is hard to figure. Duffy hasn't been a head coach long enough to make his weight felt.

Wilkinson commands respect in pro football and he speaks with authority. He rakes in more dough through his coaching salary, television broadcasts, banquet appearances and magazine and newspaper articles that the Senators before whom he testified. What's his beef against pro football. Isn't he making enough?

Why would Bud make a statement that only players of rare ability, or those with a definite goal, such as financing graduate education, should play pro ball? Should a boy be penalized for trying simply because he isn't a Bronko Nagurski, a Sammy Baugh, or a Frank Gifford? We know Oklahoma must be choosy in its selection of candidates for the squad, but only a couple of years ago Eddie Erdelatz said his Navy team wasn't great but won because it had the desire to win. What's wrong with that?

It makes no difference here if the National Football League goes broke tomorrow and the 12 clubowners go back into whatever businesses they had before venturing into sports.

But looking back at owners who went broke vainly trying to keep teams going, at the players who were thankful to get $125 a game—or less, and to an era when certain college gentlemen looked down on pro football as a haven for tramp athletes, it seems that there is only one explanation when men who apparently have no ax to grind knock the game.

It's a four-letter word spelling "envy."

[From the New York Times of Friday, May 17, 1957]

FOR WHOM THE BELL TOLLS—ROUGH GOING

(By Arthur Daley)

So tough was the going in the early days that 42 franchises have folded since the founding of the National Football League in 1921. Unrestricted competition for new talent resulted in the rich getting richer and the poor getting poorer. Four teams dominated the league—the Chicago Bears, the Green Bay Packers, the Washington Redskins, and the New York Giants. They won almost all the championships.

During the years between 1933 and 1945, the so-called Big Four won 252 games and lost only 59 against the lesser lights. In the slightly shorter period between 1946 and 1956, the same Big Four won only 133 and lost 136 against those same teams. What made the difference? It was the player draft or "annual player selective system," as the NFL prefers to term it.

This is the core of the argument that Bell (Bert Bell, commissioner, National Football League) makes to the legislators. He says, in effect, that whatever monopoly the league exercises is a benevolent one. By keeping the league balanced, interest is maintained among the fans. This is reflected in the hundred percent increase in attendance in the past decade and it also is reflected in huge advances in player salaries.

When Bell the owner was skipping blithely ahead of the bill collectors in 1938, he had a payroll of $38,000 per season. The average league payroll now is better than $300,000. So reports Commissioner Bell.

A BIT TOO BRIEF

Because the low-ranking teams have first shot at the best of the new prospects, violent changes in the standings are possible from year to year. Unfortunately, Bert kept his brochure a mite too short.

He could have mentioned the Cleveland Browns, who began operations with Arthur McBride's unlimited bankroll in 1946. That genius at organization, Paul Brown, handpicked his players without restriction, and even reached into the established NFL for whomsoever he wanted. He built a team so strong that there was no genuine challenger to his Browns in the now defunct All-America Conference and it was so topheavy it collapsed.

Nor could the Browns be stopped when they were absorbed into the NFL. So deep was the manpower pool that it took 10 years for Cleveland to be overhauled. Nothing could demonstrate the necessity of the draft more than this.

The commissioner also could have cited the way the Detroit Lions shot up from last in their division in 1955 to a near miss for the championship in 1956. The draft accomplished that swift elevation, too.

The world of sport is a microcosm, a little world in itself. The laws, which are imperative for constraining the world at large, would place the sphere of athletics in an operational straitjacket, unable to breathe or move. Unless Congress specifically exempts team sports from the danger of prosecution under the Antitrust Act, they'll be strangled to death.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities.

The message announced that the House insisted upon its amendment to the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. ANFUSO, Mr. HILL, and Mr. HOEVEN were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6090) to set aside certain lands in Oklahoma for the Cheyenne and Arapaho Indians; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HALEY, Mr. ASPINALL, Mr. EDMONDSON, Mr. BERRY, and Mr. THOMSON of Wyoming were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. O'BRIEN of New York, Mr. ASPINALL, Mr. SISK, Mr. MILLER of Nebraska, and Mr. SAYLOR were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. THOMAS, Mr. KIRWAN, Mr. ROONEY, Mr. GARY, Mr. TABER, Mr. JENSEN, Mr. VURSELL, and Mr. BOW were appointed managers on the part of the House at the conference.

MISBRANDING AND ADVERTISING OF TEXTILE FIBER PRODUCTS

The Senate resumed the consideration of the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator

from South Carolina [Mr. THURMOND] has a statement to make on the bill.

Mr. THURMOND. Mr. President, I have an amendment to the bill which I had intended to call up. However, instead, I should like to call up the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] on behalf of himself and the Senator from New Hampshire [Mr. COTTON], the Senator from Georgia [Mr. TALMADGE], and the Senator from Pennsylvania [Mr. MARTIN]. I ask unanimous consent that I may be made a cosponsor of the amendment. I shall then not offer my amendment. The chairman of the committee has accepted the Bridges amendment.

The PRESIDING OFFICER. Action must first be taken on the committee amendments.

Mr. GORE. Mr. President, what is the request?

The PRESIDING OFFICER. The committee amendments must first be disposed of. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. THURMOND. Mr. President, I ask that the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] on behalf of himself and other Senators, be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 18, it is proposed to strike out lines 19 and 20 and insert in lieu thereof the following:

(6) backings of, and padding or cushions to be used under, floor coverings.

Mr. THURMOND. I understand the chairman of the committee is willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina.

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. GORE. I understand the amendment was offered originally by the Senator from New Hampshire, and that the Senator from South Carolina now wishes to be made a cosponsor of it.

Mr. THURMOND. Yes. I shall not offer my own amendment. The pending amendment covers the same subject.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ATTACHMENT AND GARNISHMENT OF WAGES, SALARIES, AND COMMISSIONS OF JUDGMENT DEBTORS

Mr. MORSE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2296, S. 1913.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1913) to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with an amendment to strike out all after the enacting clause, and insert:

That the act entitled "An act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is amended by inserting after section 1104 thereof a new section as follows:

"SEC. 1104A. Attachment of wages: (a) Notwithstanding any other provision of this chapter, where an attachment is levied upon wages due a judgment debtor from an employer garnishee, such attachment shall become a lien and a continuing levy upon the gross wages due or to become due to the judgment debtor for the amount specified in the attachment to the extent of (1) 10 percent of so much of the gross wages as does not exceed $500 due or to become due to the judgment debtor from the employer garnishee for the pay period or periods ending in any calendar month, plus (2) 50 percent of so much of the gross wages as exceeds $500 due or to become due to the judgment debtor from the employer garnishee for the pay period or periods ending in any calendar month. Such levy shall be a continuing levy until the judgment, interest, and costs thereof are fully satisfied and paid, but in no event shall the payments in satisfaction of such execution reduce the amount payable to the judgment debtor to less than $50 per week and in no event shall moneys be withheld, by the employer garnishee from the judgment debtor, in amounts greater than those prescribed by this section. Only one attachment upon the wages of a judgment debtor shall be satisfied at one time. Where more than one attachment is issued upon the wages of the same judgment debtor and served upon the same employer garnishee, the attachment first delivered to the marshal shall have priority, and all subsequent attachments shall be satisfied in the order of priority set forth in section 452 of this act.

"(b) It shall be the duty and responsibility of any employer upon whom an attachment is served, and who at such time is indebted for wages to an employee who is the judgment debtor named in such attachment, or who becomes so indebted to such judgment debtor in the future and while such attachment remains a lien upon such indebtedness, to withhold and pay over to the judgment creditor, or his legal representative, within 15 days after the close of the last pay period of the judgment debtor ending in each calendar month, that percentage of the gross wages payable to the judgment debtor for the pay period or periods ending in such calendar month to which the judgment creditor is entitled under the terms of this section until such attachment is wholly satisfied. Any payments made by an employer-garnishee in conformity with this subsection shall be a discharge of the liability of the employer to the judgment debtor to the extent of such payments. Not more than 10 percent of the gross wages payable to the judgment debtor for any pay period ending in any calendar month shall be withheld and paid over by the employer-garnishee under this subsection until the total amount of gross wages paid or payable to the judgment debtor for all pay periods ending in such calendar month equals $500.

"(c) It shall be the duty and responsibility of the judgment creditor (1) to file with the clerk of the court, every 3 months after the serving of an attachment, a receipt showing the amount received and the balance due under the attachment as of the date of filing, and (2) to file a final accounting with the court and to obtain a vacation of the attachment within 20 days after the attachment has been satisfied. If the judgment creditor fails to file any of the receipts or the final accounting prescribed in this subsection, any interested party may move the court to compel the defaulting judgment creditor to appear in court and make an accounting forthwith. The court may, in its discretion, enter judgment for any damages suffered by, and tax costs in favor of, the party filing the motion to compel the accounting.

"(d) If the employer-garnishee willfully fails to pay to the judgment creditor the percentage prescribed in this section of the wages which become payable to the judgment debtor for any pay period, judgment shall be entered against him for the whole amount of the judgment creditor's judgment and costs, and execution shall be had thereon, except that in no event shall judgment be entered against the employer-garnishee in an amount greater than the gross wages which became payable to the judgment debtor for the pay period or periods with respect to which the employer-garnishee willfully failed to pay to the judgment creditor the percentage prescribed in this section. If the employer-garnishee fails, but not willfully, to pay to the judgment creditor the percentage prescribed in this section of the wages which become payable to the judgment debtor for any pay period, judgment shall be entered against him for an amount equal to the percentage with respect to which such failure occurs. The judgment debtor shall not be liable to the employer-garnishee for any amount for which judgment is entered against the employer-garnishee under this subsection.

"(e) If a judgment debtor resigns or is dismissed from his employment while an attachment upon his wages is wholly or partly unsatisfied, and he is subsequently reinstated or reemployed by the same employer, such attachment shall lapse and no further deduction shall be made thereon unless such reinstatement or reemployment occurs within 90 days after such resignation or dismissal.

"(f) For purposes of this section, the term 'wages' means—

"(1) wages, salary, commissions, or other remuneration for services performed by an employee for his employer, including any such remuneration measured partly or wholly by percentages or share of profits, or by other sums based upon work done or results produced, whether or not the employee is given a drawing account, and

"(2) any drawing account made available to an employee by his employer.

Such term does not include any amount paid or payable to an employee who is not a resident of the District of Columbia as remuneration for services performed within the District of Columbia, if the period for which the employee is engaged by the employer to perform such services within the District of Columbia is less than 15 consecutive days duration; and any such amount shall be subject to attachment without regard to this section.

"(g) The percent limitations prescribed by subsection (a) of this section shall not apply in the case of execution upon a judgment, order, or decree of any court of the District of Columbia for the payment of any sum for the support or maintenance of a person's wife, or former wife, or children, and any such execution, judgment, order, or decree shall, in the discretion of the court, have priority over any other execution which is subject to the provisions of this section.

"(h) No attachment issued by the municipal court for the District of Columbia upon a judgment of such court duly docketed in the United States District Court for the District of Columbia, and levied within 6 years from the date of such judgment upon the wages due or to become due to the judgment debtor from the employer-garnishee, shall lapse or become invalid prior to complete satisfaction solely by reason of the expiration of the period of limitation set forth in section 4 (c) of the act of April 1, 1942 (56 Stat. 193; D. C. Code 11-755)."

SEC. 2. Subsection (b) of section 1089 of the act entitled "An act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D. C. Code 15-304), is amended by adding at the end thereof the following: "This subsection shall not apply with respect to an attachment upon wages to which section 1104A of this act applies."

SEC. 3. Section 1098 of such act, as amended (D. C. Code 15-312), is amended by striking out "If" and inserting in lieu thereof "Subject to the provisions of section 1104A of this act, if."

SEC. 4. Section 1107 of such act, as amended (D. C. Code 15-403), is amended—

(a) by striking out "earnings, salary" each place it appears in subsection (a) and (b) and inserting in lieu thereof "earnings (other than wages, as defined in section 1104A)"; and

(b) by striking out "salaries," in the proviso in subsection (a).

SEC. 5. (a) Section 456 of such act, as amended (D. C. Code 16-312), is amended by adding at the end thereof a new subsection as follows:

"(c) In any case in which the cause of action arises in the District of Columbia or in which judgment is sought in the District of Columbia on a judgment secured outside of the District of Columbia, an attachment which is issued under section 445 of this act solely on the ground that the defendant is not a resident of the District, and which is levied upon the wages (as defined in section 1104A (f)) due or to become due to the defendant from his employer, shall be subject to the provisions of section 1104A of this act, except that the employer-garnishee shall pay over the wages withheld pursuant to such section only pursuant to the order of the court which has jurisdiction of the case. In applying the provisions of such section to any such attachment, the term 'judgment debtor' as used in such section shall be considered to refer to the defendant in the case in which such attachment is issued; and the term 'judgment creditor' shall be considered to refer to the plaintiff in such case."

(b) Subsection (b) of such section 456 is amended by striking out "wages" and inserting in lieu thereof "earnings."

SEC. 6. The amendments made by this act shall apply only with respect to attachments upon wages (as defined in section 1104A (f) of this act) which are issued on or after 60 days from the date of the enactment of this act.

Mr. MORSE. Mr. President, the purpose of this bill is to completely put into effect within the District of Columbia a garnishment statute which will be workable, and not only fair to creditors, but equitable to debtors and employers. The passage of this bill will also be beneficial to the local courts in that it will reduce the workload that the courts presently endure as a result of the existing garnishment procedure.

The bill provides a 10 percent continuing lien and levy on wages, payable monthly by the employer to the creditor until the judgment is satisfied except that $50 of each employee's paycheck (per week) is exempt from garnishment and that all of an employee's gross wages over $500 per month are subject to an added 50 percent lien to be paid over as above. Only 1 attachment will be satisfied at 1 time, and any other attachments will take precedence in the order in which they were chronologically given to the United States marshal.

The bill puts certain responsibilities on all parties involved in a garnishment action and would, in the event the attachment is against a nonresident, treat such nonresident in the same manner as a resident upon proper adjudication by a local court of competent jurisdiction.

Mr. President, the report is unanimous. The bill is recommended by the District of Columbia officials.

There is a committee amendment, which has been stated and I ask to have action taken on it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISBRANDING AND FALSE ADVERTISING OF TEXTILE FIBER PRODUCTS

The Senate resumed the consideration of the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

Mr. MAGNUSON. Mr. President, textile fiber labeling has been the subject of much attention by Congress for some time. At the time of the passage of the Wool Labeling Act, which was an act for the protection of consumers, a suggestion was made that Congress should go further and require the labeling, for consumer protection, of all textile fibers. At that time it was deemed not advisable to do so.

The Wool Labeling Act has now been in effect for a number of years and has been very successful. The Federal Trade Commission tells us that it gives the public useful knowledge concerning all types of wool products.

In the House of Representatives, Representative SMITH of Mississippi, and other Representatives, after having observed the experience with the Wool Labeling Act, introduced a bill for the labeling of other fibers. Lengthy hearings were held on that bill.

The bill came to the Senate early in this session. At that time I told the proponents of the bill that I would be glad to hold hearings on the matter. That was done. They were lengthy hearings. All segments of the textile industry testified. I think that in 3 or 4 days, 70 or 80 witnesses were heard. I believe everyone agreed to the fundamental objectives of the bill, namely, that there should be consumer protection in the matter of the purchasing of textile fibers.

However, some amendment to the proposal was needed. Everyone wanted to "get out from under." Some of the requests were justifiable. In this day and age cotton and other natural fibers are in competition with synthetic fibers, so it was necessary to provide suitable labeling for all fibers.

One witness who came before the committee held up two cotton dresses. Both had been washed. One of them proved to be all right. But no self-respecting woman would have wanted to be caught dead in the other. That gives some insight into the problem which we faced.

The manufacturers of the synthetics such as nylon and dacron, asked for special consideration. They had no objection to the purpose of the bill at all, but they were concerned about what might happen in the development of new fibers.

Then there was a question about how to label material which was made of 40 percent cotton and 60 percent dacron, or some other synthetic material. Some persons might have thought it was a good fiber, but when it came out of the laboratory it might be found that the percentage relationship was not quite exact.

There was much discussion about the bill and the amendment. The manufacturers of carpet undercovering wanted an exemption, because they said it did not make any difference what was put under a carpet so long as it wore well. They said there was no need to label that material.

The manufacturers of furniture covering material testified that the average housewife who buys furniture is not concerned with the material in the covering; she is more concerned with the quality of the frame; if the color of the cloth is lasting and wears well, it is a satisfactory material; that it is not what the material is made of which concerns her. The point was that an expensive brocade or silk would not be so valuable to a housewife who was purchasing furniture as material which was cheaper, would hold its color, and would wear well.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. GORE. Does the bill, in general, apply to textile products, such as cotton and synthetics, regulations similar to those contained in the Wool Labeling Act?

Mr. MAGNUSON. Yes, it does. The Wool Labeling Act, as I have pointed out, has been very successful in its operation. I do not think any Members of Congress would suggest repealing or making a basic change in the Wool Labeling Act.

Mr. GORE. Was it not the Wool Labeling Act, as administered by the Federal Trade Commission, which got the renowned Mr. Goldfine into some difficulty?

Mr. MAGNUSON. I am not familiar with that.

Mr. GORE. At least, according to the newspaper reports.

Mr. MAGNUSON. Yes, according to the newspaper reports. But he was not a witness at our hearings; I suppose he was busy somewhere else at the time.

Mr. GORE. The bill requires proper labeling as a protection for the consuming public, does it not?

Mr. MAGNUSON. That is its general objective, yes.

Mr. GORE. The bill gives enforcement power and investigatory power to the Federal Trade Commission, the same as does the Wool Act, does it not?

Mr. MAGNUSON. That is correct.

Mr. GORE. It follows, in general, the fair labeling provisions of the Wool Labeling Act, does it not?

Mr. MAGNUSON. That is correct.

Then the Senator from Washington, the Senator from Wisconsin, and Senators from some of the other States, where there reside many persons who raise fur-bearing animals, wanted some change made in the act to protect that industry. Advertisements were shown to us which used the genetic name of an animal, and it was desired to protect the buyer in that respect. Even the drug manufasturers showed up. They wanted to know whether it would be necessary to label bandages by showing the content of cotton and other fabrics in them.

I think we have taken care of the legitimate exemptions for products which need not be labeled. The general purpose of the bill is good. Both the Senate and House committees held lengthy hearings on the bill. The bill covers a wide and complex field, and if there is something which has not been taken care of, surely Congress will be ready to make further examination, in the light of experience with the bill and of suggestions which may be made by the public.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. DOUGLAS. First, I think this is, in general, an excellent bill. The Committee on Interstate and Foreign Commerce deserves great credit for having it reported to the Senate. The consumer is entitled to know the quality and contents of what he is purchasing.

However, I believe that one part of the bill deserves some attention; I refer to section 4 (b), paragraph 4, on page 8. As I understand it, it provides:

4. If it is an imported textile fiber product the name of the country where processed or manufactured.

Do I correctly understand this provision to mean that if it is a piece of cotton goods made in Japan, it will have to be marked so as to show that the goods were fabricated in Japan?

Mr. MAGNUSON. No. The committee received much testimony on that point. The State Department objected to that. In the case of a shirt, for which the goods themselves were made in Japan, it would not be required to mark the shirt "Made in Japan."

On the other hand, a box made in Japan, and shipped into the United States, would have to be stamped "Made in Japan," but that would not be true of an individual garment.

Mr. DOUGLAS. Suppose a bolt of cloth were made in Japan, and suppose some article were made from that bolt of cloth. Would a label "Made in Japan" have to be affixed to the bolt?

Mr. MAGNUSON. No.

Mr. DOUGLAS. Is the Senator from Washington sure of that?

Mr. MAGNUSON. To what page is the Senator from Illinois referring?

Mr. DOUGLAS. Page 7, where we find the following:

(b) Except as otherwise provided in this act, a textile fiber product shall be misbranded if a stamp, tag, label, or other means of identification, or substitute therefor authorized by section 5, is not on or affixed to the product showing in words and figures plainly legible, the following:

Thereafter, on pages 7 and 8, we find a list of requirements. The fourth requirement—on page 8—is as follows:

4. If it is an imported textile fiber product the name of the country where processed or manufactured.

That would seem to indicate that German or Japanese or other imported manufactured textiles would have to be clearly branded.

Mr. MAGNUSON. No, they would not have to be. They would have to be branded only when they came in—in other words, not in the case of a bolt of goods; such information would not have to be stamped on the bolt.

Mr. DOUGLAS. But would not a tag have to be attached to the article at that time?

Mr. MAGNUSON. No. We tried to make that clear in the report. The purpose is merely to show the general source or origin—in other words, to state where they were made. But in the case of articles imported in bulk, the customs regulations provide for that, anyway.

Let me state, as chairman of the committee—and I state this for the benefit of the Federal Trade Commission—that it is not intended by this language to have the Federal Trade Commission require, in the case of a bolt of goods or textiles imported from Japan, that every item be stamped or labeled "Made in Japan."

Mr. DOUGLAS. But the statement of intent by the chairman of the committee seems—on a superficial reading—to be contrary to the purpose of the bill which we are asked to pass.

Mr. MAGNUSON. No, because here we are saying:

If it is an imported textile fiber product the name of the country where processed or manufactured.

We are discussing how far to break down that requirement. We intend only that if a big crate containing bolts of goods is imported, the crate be stamped on the outside "Made in Japan."

Mr. DOUGLAS. Does the same interpretation apply to the other requirements, as set forth in the subparagraphs of this section? If so, there will not be much consumer protection.

Mr. MAGNUSON. No, it does not, because in other cases it is required that a stamp or label be affixed to the articles to be displayed in the retail stores. The manufacturer must do that—on the invoice, and in other places.

Mr. DOUGLAS. Is there any specific exemption regarding affixing retail stamps or labels in the case of textile products which are imported?

Mr. MAGNUSON. No; there is no specific exemption, except that the products which are imported are largely made up in the United States. In other words, most of the textiles which come from Japan and are imported into the United States are imported in the form of bolts of goods, and in the United States are made up into shirts, for instance.

Mr. DOUGLAS. Suppose a shirt were imported from Japan. Would a label have to be placed on it?

Mr. MAGNUSON. No, not when the shirt was made up in the United States.

Mr. DOUGLAS. But suppose the shirt were made in Japan and were imported from Japan. Would a label "Made in Japan" have to be attached to the shirt?

Mr. MAGNUSON. I would not think so, if the shirts were imported in bulk.

Mr. DOUGLAS. This is an extremely important point. As all of us know, in many sections of the country there is a good deal of prejudice against the use of foreign goods. That sentiment could lend itself very readily to a boycott of foreign goods, if retail labeling were required.

Mr. MAGNUSON. There would not be any retail labeling.

My understanding of this matter is as follows: If a product made in a foreign country is imported, for sale, it must be stamped—under the requirements of customs law—"Made in Czechoslovakia" or "Made in England" or "Made in France," as the case may be.

Mr. DOUGLAS. On the crate?

Mr. MAGNUSON. Yes, and sometimes on the base—for instance, in the case of figurines.

But all that is required by this measure—and the same is required by customs—is that the crate of bolts of fiber or cloth which is imported from Japan be stamped "Made in Japan." Then the cloth is sent to one of our mills, and is made into shirts. The requirement is that then there be attached to each shirt a tag which states that the shirt contains a certain percentage of cotton.

Mr. DOUGLAS. But there is no requirement that the tag state that the cotton in the shirt was fabricated in Japan?

Mr. MAGNUSON. No; the words "fabricated in Japan" would not have to be on the tag.

Mr. GOLDWATER. Mr. President, will the Senator from Washington yield to me?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Washington yield to the Senator from Arizona?

Mr. MAGNUSON. I yield.

Mr. GOLDWATER. I have asked the Senator from Washington to yield to me, because I believe I may be able to clarify

the question which is in the mind of the Senator from Illinois.

I have had some experience in the field of importing fabrics and other articles manufactured in foreign countries. Very few foreign countries require by law, as we do, that the manufacturer and the retailer observe the labeling requirements upon which we insist. For instance, if one of us were to purchase neckties in Italy, we know the neckties are made, very generally, of silk, although we know they have some cotton content, and possibly some acetate fiber content. But since those countries do not have such laws, I do not see how the United States could require them to label the goods as completely as we require in the case of products of the United States.

I believe that will be to our advantage. I know that many of my customers ask about the fiber content of goods purchased overseas; and I am unable to answer their question, except to say, "It is silk," or "cotton" or "acetate."

So it would be an impossibility for the United States to dictate to the other countries how they shall handle the labeling.

I believe that will answer the question which has been asked.

Mr. MAGNUSON. Yes.

Furthermore, I think the Senator from Arizona—based upon his vast business experience—would say that the real problem exists in the case of textiles imported, and subsequently manufactured in the United States.

Mr. GOLDWATER. I understand the point the Senator from Illinois has in mind, because today many shirts are made in Japan or Puerto Rico, and then are imported into the United States. More and more inexpensive men's and women's sportswear is being manufactured in Japan, Puerto Rico, Italy, or France, and is being imported; and the manufacturers do not have to attach labels, nor will they attach labels, which will show the fiber content.

Under those circumstances, all that the retailer can say is, "It is silk," whereas in the case of such articles manufactured in the United States, the exact fiber content must be shown on the label.

Mr. MAGNUSON. Furthermore, it would be difficult to determine the contents, except by having the goods analyzed by a laboratory.

Mr. JORDAN. Mr. President, will the Senator from Washington yield to me?

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from Washington yield to the Senator from North Carolina?

Mr. MAGNUSON. I yield.

Mr. JORDAN. It seems to me that is exactly what the United States manufacturers are being asked to do—and it is something that the importers are not being asked to do. The bill provides that American manufacturers shall place such a label on every pair of socks, every shirt, every blouse, every sports jacket; every textile product that is displayed on the counters, for sale.

But the Senator has said that such an article—for instance, a shirt—can be imported from Japan, Germany, or elsewhere, under a low tariff, and after having been manufactured in a plant where the workers have been paid low wages—and then can flood our markets, and that there will not be a requirement that the customers be told what it is, except that it is a shirt.

On the other hand, the American manufacturer would be required to attach a label which would give all the information to which Senators have referred—and that would be done at tremendous expense—which is not what the bill is intended to do.

Mr. MAGNUSON. I appreciate what the Senator from North Carolina has said. I hope he does not say I am doing what he questions. I want my position clear.

Mr. JORDAN. I certainly am not. I want to be fair to the American manufacturer.

Mr. MAGNUSON. Many persons are opposed to the bill, which is very complex. The Federal Trade Commission will have to make a lot of rules, and perhaps change many of its rules. Representatives of the Dan River Mills came before the committee. They sell to country stores, in bulk, all kinds of goods of different texture and color, for example, calico goods. The material is sold in one large bundle. The representatives of the company said obviously they could not check each piece of material and put a label on it. So the testimony indicated that in such a case it would be well merely to have the bulk itself labeled "assorted cotton goods."

Mr. JORDAN. The trouble about that is that a woman does not go into a country store to buy a bale of cloth. She buys a piece of cloth for a dress. I know the head of the Dan River Mills very well, and that what he was talking about was that a piece of cloth does not always come out the same length. There may be 3 or 4 or 6 or 7 yards left over. That material goes into what they call mill ends, or remnants, which are sold for whatever can be obtained. Under the bill, the mill would have to label every piece.

Mr. MAGNUSON. No.

Mr. JORDAN. I think he would.

Mr. MAGNUSON. No, he would not.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MAGNUSON. Let me finish my general statement. Then I shall yield the floor.

As I have stated, this is a complex piece of legislation, involving all kinds of problems. We left some discretion in the Federal Trade Commission. I am sure the Commission will have to make some rules, and revise others, and revise in the light of experience. There probably were many problems involved that could not be solved by writing provisions in the bill.

Again I say the overall objective is one of considerable benefit to the consumer. We tried to follow as nearly as possible the Wool Labeling Act. I see the able Senator from Rhode Island [Mr. PASTORE] is on his feet. Because of the problems involved in the textile industry, a resolution was adopted expressing the hope that a study—not an investigation—could be made of the whole problem of textile manufacture, including the shifting of the industry out of New England States, problems of imports, and the inability last year to get the type of cotton the manufacturers wanted.

Our committee is now undertaking that study, under the able chairmanship of the distinguished Senator from Rhode Island, which would involve many of the problems raised in connection with the bill.

I have no feeling one way or the other about it, but it is my personal opinion that the whole matter, and the problems involved therein, should be studied. I think the bill is a good bill. If it is amended too much, I suppose the effect will be to kill it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MAGNUSON. Yes.

Mr. PASTORE. I certainly, by nature and background, would not be opposed to anything which is in the interest of protecting the consuming public. I think my record in the Senate and in public life indicates that pretty well.

If the ultimate and sole purpose of this proposed legislation is to protect the consuming public, which in turn will result in a little added cost, perhaps the advantage which will result from the legislation will outweigh the little added cost.

I think it is fair for me to say—and I think the members of my subcommittee will bear me out—that when we held hearings on July 8, 9, and 10, and representatives of the textile industry appeared before the committee, the disapproval of this proposed legislation was quite universal. They all felt we were getting into something that would not be properly understood. The bill was far reaching. It involved the question of imports, and exports as well. The question was raised as to how far we should go in the matter of labeling as it affected an already declining textile industry.

My position in this matter is precisely this, with the indulgence and forebearance of the distinguished chairman of our committee: The merits of the bill should be thoroughly investigated. There are merits in it. The purpose is to protect the public against deception, and we ought to do that. If it resulted in raising the cost of a shirt by 1 penny I think it would be wise to spend 1 more penny for a shirt, rather than pay 1 cent less and have a shirt which could not be worn after the first washing.

In view of the fact that a panoramic investigation has been ordered, I think it would be best to refer this matter to the committee with the admonition and direction that it learn a little more about the ramifications and implications involved, and come back with a sound answer.

I know the cotton growers want to sell more cotton, but I think it should be realized that the cotton manufacturer has to process the cotton which will ultimately go to the wearer of the clothing manufactured from the cotton. If we are going to do somethhing to injure the textile industry, I do not know how the cotton producer can say it will help him.

Regardless of the views of the cotton producers and mill operators, if the proposal is for the public interest, and is necessary, by all means we should pass the bill. However, there are many implications involved in the bill. I have been presented with two amendments on behalf of the distinguished Senator from Georgia. I understand there are a half dozen amendments ready to be offered. That goes to prove how complicated and complex this whole subject is.

I say it is the better part of wisdom, especially in the twilight of this session, to refer the bill to committee. When a report is made, the committee can have a comprehensive report, and if what is here proposed should be done, the committee will so report. If we are going to kill the goose that lays the golden egg, then we may be killing the egg, too.

Several Senators addressed the Chair.

Mr. PASTORE. I do not have the floor. The Senator from Washington has the floor.

Mr. MAGNUSON. I wish to make a few more statements. Then I shall take my seat.

The Senator from Michigan has individual views to present on the matter. I know he will make them known.

It will be found from the committee report that practically every department in Government sent a letter to the committee. I think the committee received more replies from the departments on this bill than on any other.

I, myself, personally would vote for the bill. I think it is a good bill. I think we have made about as many changes as seem to be necessary at the time.

The hearings comprise something over 300 pages of testimony, to which Senators have access. Sixty or seventy witnesses were heard. Most of them merely asked for an exemption from the provisions of the bill. In most cases where they were exempt, there was good reason for it. Representatives of thread manufacturers which are located in the State of the Senator from North Carolina——

Mr. JORDAN. It is all made down there.

Mr. MAGNUSON. On good brand-name men's socks, for example, one will always find labels at the heel reading "Half cotton" or "Half wool" or "Half nylon," or something like that.

We made all the amendments we thought were justifiable. We covered every phase of the problem. I am sure this is complex enough so that there will have to be a great many regulations.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I am willing to yield the floor.

Mr. GORE. I should like to ask the Senator a question.

Mr. MAGNUSON. I yield to the Senator from Tennessee.

Mr. GORE. I notice that accompanying the committee report there are only the individual views of the junior Senator from Michigan. Does that indicate that the committee action was unanimous, except for one Senator?

Mr. MAGNUSON. No. There was no formal vote in the committee. The majority voted to report the bill. The Senator from Michigan had some individual views. The report was left open for other Senators. We held the report for several days so that everyone could have a say. Apparently the Senator from Michigan was the only Senator to express his views.

Mr. GORE. But the committee did act, after hearing a sufficient number of witnesses to make a record of 300 pages of testimony.

Mr. MAGNUSON. The Senator is correct.

I yield the floor.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I am glad to yield for a question.

Mr. JAVITS. I invite the attention of the Senator to page 7, lines 16 and 17 of the bill:

the use of a nondeceptive trademark in conjunction with a designated generic name:

Mr. MAGNUSON. Yes.

Mr. JAVITS. I should like to ask a question. Does that language mean if one designates a part of the contents as being, let us say, dacron, one would have to describe it by some generic chemical name as well? Exactly what does the language mean?

Mr. MAGNUSON. To what page does the Senator refer?

Mr. JAVITS. To page 7, lines 16 and 17. The reference is to the fact that a textile fiber shall be described by its generic name. It is stated that one can use a nondeceptive trademark in conjunction with a designated generic name.

Mr. MAGNUSON. That language will mean whatever the Federal Trade Commission will say it means. The Federal Trade Commission now has regulations under its general authority with regard to false advertising or misleading advertising. There is a long list now. The language will mean whatever the Federal Trade Commission will determine.

Mr. JAVITS. I should like to ask the Senator another question. I have had tremendous objection to the bill expressed by all the small manufacturers in New York. I should like to ask the Senator why it was not thought best to leave the entire question of regulation to the Federal Trade Commission, to give the Commission the authority, instead of writing specifics in a law, which is bound to get us into difficulty. I am all for the consumer. I have showed that by 100 votes, at least. This language worries me, and I think the manufacturers have a point.

Mr. MAGNUSON. The small manufacturers from New York testified. Some of the manufacturers, particularly those in the garment industry, had objection.

Mr. JAVITS. That is correct.

Mr. MAGNUSON. Those manufacturers have an association.

Mr. JAVITS. They sell popular-priced dresses.

Mr. MAGNUSON. Yes. Those manufacturers testified. The committee felt there would not be a particular hardship, because in most cases the manufacturers who are good, reliable manufacturers follow this procedure anyway. There would not be a particular hardship. I think the objection expressed the most was the bother and fuss of the matter. It was not an objection about the goods being something they were not, but the objection was that the process would be a bother. Pretty nearly all of this matter will be left up to the Federal Trade Commission. We did have that problem.

If the Senator will look at the report, he will find on page 7 we expressed the belief that we thought we should protect the fur people against use of a generic name of a fur-bearing animal. That was made specific.

Much of the regulation will be in the body of regulations by the Federal Trade Commission.

Mr. JAVITS. I will say to the Senator from Washington that what the dress people say is that one does not tell a person anything by giving this kind of label, when one considers a 5 percent provision. If one says "color fast" or "nonshrinkable," or uses some broad classification like 50 percent wool and 50 percent cotton, one is stating something of value. However, if one gives the generic name for every part of the content over 5 percent, the manufacturers do not think it will do anything but confuse the consumers.

Mr. MAGNUSON. There was testimony to the effect that what the Senator says is what the manufacturers thought. As I pointed out earlier, there are many new products which are coming on the market today, manmade fibers with new and different names. I suppose some perfectly naive shopper, such as the Members of the Senate, clotheswise, might find that the word "dacron" meant something to them because we have heard that name so long. We might want to buy a lightweight suit. Dacron may not mean what people believe it means. Perhaps some other name will show up for a better material, but we might buy it because we were familiar with the term. A man is a notoriously poor shopper, anyway. A man probably would not look at the label.

Mr. JAVITS. Sometimes we break the consumer's back by trying to protect him too much. That was the argument which was made.

Mr. MAGNUSON. There will be some little expense involved, but most manufacturers put labels on the garments anyway. All the good manufacturers of textiles in this country, whether of men's clothing, women's clothing, covering, or whatever else it is, do that. The manufacturers are proud to put on a statement as to content of the material. The manufacturers think that makes the goods more salable. Those who do not label things are those who protest and say it would cost them a little more. I do not think the cost is going to be too great. We had some testimony to the effect that the cost would be a fraction of 1 percent for what would have to be done.

Mr. JAVITS. Including the defense of actions by the Federal Trade Commission?

Mr. MAGNUSON. Of course, we have to rely upon the Federal Trade Commission to use good judgment. The Federal Trade Commission has not always done so. We have had to jump on the Commission, or to repeal a law, or to suggest a change, at times. I believe the Federal Trade Commission will proceed very slowly with this matter. I think if any manufacturer could show that such a label was not really necessary, that it did not mean much to the housewife to know exactly what was in the material, as to the fiber content of the textile, the Federal Trade Commission would say, "All right."

Mr. JAVITS. The chairman of the committee must know that the Federal Trade Commission cannot do that. The bill has the Federal Trade Commission tied down with respect to 5 percent or more of the content, and the label must be put on, exactly in the manner the bill states. There is no discretion.

Mr. MAGNUSON. If the Senator from New York will look at page 19 of the bill——

Mr. JAVITS. I am glad to.

Mr. MAGNUSON. In line 14, subsection (b), we specifically insert this language:

The Commission may exclude from the provisions of this act other textile fiber products (1) which have an insignificant or inconsequential textile fiber content, or (2) with respect to which the disclosure of textile fiber content is not necessary for the protection of the ultimate consumer.

Mr. JAVITS. Knowing the Federal Trade Commission as I do, I do not think it will do so.

Mr. MAGNUSON. The Federal Trade Commission can do practically what it wants to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and, if so, to whom?

Mr. MAGNUSON. I yield to the Senator from Oklahoma.

Mr. MONRONEY. I think the best evidence in this regard is an editorial column from the Women's Wear Daily, written by the highly respected and long-time columnist, Dorothy L. Wallis, under date of May 27, 1958. Dorothy Wallis is not an idle dreamer or a "do-gooder," but a lady who writes for what is probably the most respected trade magazine in the business.

Mr. STENNIS. Mr. President, may we have order so that the Senator can be heard?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Oklahoma may proceed.

Mr. MONRONEY. The title of the editorial is "What's in It?" and it reads:

May a consumer have an opinion? Amid current hullabaloo on the subject of compulsory fabric fiber labeling, has it not occurred to some of the disputants that in many cases the consumer wants to know?

The pros and the cons battle, scourging each other with selfish interests, high-powered promotion, protection of the customer, and other robust terms. "The textile industry is not misrepresenting its products," insists a spokesman in a lately published letter to the New York Times. Hardship, high costs, hitting an industry when it's down are all bandied about freely. "We tell the consumer what she needs to know," insists one faction. "She's more interested in durability, shrinkage, colorfastness, and service."

The columnist then says, after quoting these charges:

Well, here's one consumer who wants to know all that, and still wants to know what fibers go into the materials she buys. I'm no textile technician, but I'd like respect for the small knowledge I have, when it comes to materials with which I've had, or am going to have, experience.

I'm able to learn what specific fur I'm buying. And incidentally, from what country in the world it comes, another controversial aspect of the textile labeling bill, as it's being juggled about in House and Senate. Perhaps the bill is, as argued by some antagonists, a propaganda effort on the part of cotton growers. Certainly parts of the fur industry fought their bill before it finally became law. Presumably, nobody's yet gone out of the fur business simply by reason of having to identify his goods. The same situation may well continue in the textile fields. And here's one consumer who will be happier and more satisfied—if anybody in textiles cares.

This lady certainly knows the textile industry, forward and backward. She is writing in the trade magazine of that industry. She feels that the bill would protect the consumer. The bill is perfectly workable. It would work like the Fur Labeling Act and the Wool Labeling Act.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JAVITS. I believe the Senator read that article in response to my expression. I happen to come from that particular town.

I do not believe that anyone would disagree with the lady—not the Senator from Rhode Island [Mr. PASTORE], if I may be so bold as to speak for him, or myself, or any other Senator. The thing that worries us is the question whether the bill is written with sufficient particularity or whether it is written in generic terms which would favor widely advertised fibers, so as to cause the bill to operate against the best interests of the consumer.

I am delighted to see such a bill. I am worried lest it may fall down because of the great desire for particularity, so as to hamper its effectiveness with the consumer. I think that was the argument of the Senator from Rhode Island. I do not express opposition to the bill. I am merely seeking information.

Mr. MONRONEY. The same industry confusion existed when the wool labeling bill was under consideration. Everyone who challenged it said that it could not possibly work. Yet it has worked very smoothly and practically, and the consumer has been insured against fraudulent labeling, whether the fiber involved be animal fiber or vegetable fiber, or whether it be natural or artificial fiber.

Perhaps the bill is not perfect. Most of the work will be done under the broad general specifications in the bill. The committee has worked hard to pick out all the bugs possible, so as to make the bill as nearly foolproof as it could.

The distinguished Senator from North Carolina raised a question with respect to bags of remnants. That subject was considered specifically before our committee. All a manufacturer has to do with respect to the grab-bag of remnants is to state the percentage, by weight, of the various fibers in the entire bag of remnants.

The manufacturers were told that by the committee; yet, they come forward with the old objection. They say the bill will not work. They ask, "What are we going to do about mill ends?" That subject was taken care of in the committee, and they know it.

Mr. PROXMIRE. Mr. President, I send to the desk an amendment——

The PRESIDING OFFICER. There is an amendment already pending.

Mr. STENNIS. Mr. President, does the Senator from Wisconsin yield the floor?

Mr. PROXMIRE. I yield the floor.

Mr. MAGNUSON. Mr. President, we may as well dispose of this question. The Senator from Wisconsin has an amendment in which I am happy to join. I should like to accept it. It involves a change in the wording so as to accomplish more completely what the bill does, in part. It is thought that that amendment might make the situation clearer, by forbidding the use of the generic term in advertising, when it relates to natural fur, such as mink, or whatever other fur might be involved. That is all the amendment does.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BUSH. Does the Senator say that the amendment would forbid the use of the generic term?

Mr. PROXMIRE. Mr. President, on page 10, line 20, the amendment would delete 6 words, namely, "or any term identified with furs." In other words, it would confine the provision to fur, rather than apply the broader term.

Mr. MAGNUSON. Mr. President, is there another amendment pending?

The PRESIDING OFFICER. There is another amendment pending.

Mr. PROXMIRE. Mr. President, I shall offer my amendment later.

Mr. STENNIS. Mr. President, I do not have an amendment to offer. I merely wish to address the Senate quite briefly on the broad outlines and the merits of the bill.

The practical effect of this measure would be, undoubtedly, in my opinion, to afford a needed protection to the consumer. The bill is not a restriction of any kind on any form of fabric, whether synthetic or otherwise. It goes to the very heart of the consumer's problem, in this technical age, of knowing exactly what he is buying in the field of textiles. Today that is impossible at any store counter in any store anywhere in the United States, so far as this kind of textiles is concerned.

The same situation does not prevail as to wool. There is a Wool Labeling Act, which operates to the benefit of the general public, without imposing any great burden upon the textile manufacturers. This bill is bottomed on the identical principle, of trying to protect the consumer. Naturally, when we do that, we encounter some technical problems, some complications, and some burdens of some kind along the way.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield briefly.

Mr. BUTLER. Does not the Senator believe that reused stuffing should be clearly marked, under the terms of the bill?

Mr. STENNIS. I believe so.

Mr. BUTLER. I have an amendment to that effect.

Mr. STENNIS. That is one of the points involved in the bill, as I understand.

If I may continue my general discussion, I wish to emphasize that the bill in no way attacks any other kind of textiles, synthetic or otherwise. Both kinds are manufactured in Mississippi—both synthetic textiles and cotton textiles. The effect of the bill is merely to bring everything out in the open, and let each kind of textile carry its own freight and its own passport, which can be read by anyone.

We are talking about a practical matter. I have just pulled the label off a suit of clothes which I bought the other day, manufactured by Haspel, of New Orleans. It is made from one of the better wash-and-wear fabrics. Even before the advent of wash-and-wear fabrics, this concern manufactured a better grade men's summer clothes.

These fabrics are made in New Orleans; and some of the better factories of this company are in Mississippi. The label reads "dacron-cotton." The manufacturer is a high class concern. It places upon the label the fabric content. It does not show what percentage of each fabric is in the textile. However, it would not place much of a burden on the manufacturer to say how much dacron and how much cotton are in the fabric, by percentage.

The other day I picked up an advertisement by Lewis & Thomas Saltz, one of the leading men's stores in Washington. The advertisement reads "50 percent dacron and 50 percent fine combed cotton." The bill would require something to be done that is already being done by a large segment of the trade.

There is a certain element of fairness to cotton and cotton textiles involved, because under the present scheme of things, I have no doubt in my mind that cotton is suffering greatly because of a situation in which no labeling is required.

The bill would bring the situation out into the open. It would afford protection to everyone against unfair competition. I am in favor of lightening the burden of anyone as much as possible, in line with fair trade, fair practice, and fair competition. The bill would bring everything out into the open, and require only such regulation as is necessary to label the goods in an honest market, for a purchaser who is not an expert in the field.

Mr. GORE. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Tennessee.

Mr. GORE. Is it not fair to assume that most women in the country who shop are aware of the relative merits of cotton, rayon, dacron, and so forth, but that, unless there is some requirement for labeling—indeed, unless there is some accurate labeling of a garment or a material—the housewife is without a means of determining the percentage content of the garment or fabric?

Mr. STENNIS. She is absolutely without a guide except her own personal knowledge and intuition. That is very good, but in this day and age of technology and synthetics, it does not go far enough, and lacks a great deal.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield.

Mr. GORE. In the absence of any law to the effect, is it not possible now, and would it not continue to be possible in the future, to have mislabeling without any violation of the law?

Mr. STENNIS. That is correct. To a large extent it is a matter of misleading the purchaser if a garment is not labeled, in view of the practice of many manufacturers.

Mr. GORE. Is not one of the purposes of the bill to declare what is labeling and to make mislabeling and misleading advertising a violation of the law?

Mr. STENNIS. That is the practical effect of it; yes. The purpose is to put down some guidelines, so that those who do not follow those guidelines will be subject to some kind of penalty.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield.

Mr. GORE. With respect to the suggestion of the able and distinguished junior Senator from Rhode Island, that the subcommittee of which he is the chairman—and if he is chairman of it, the subcommittee will be ably led——

Mr. STENNIS. I heartedly agree with that.

Mr. GORE. With respect to the suggestion that the subcommittee be given the opportunity to study this field, would it not be the better part of wisdom, in view of the absence of any law with respect to labeling or to prevent mislabeling, to pass the bill and then give the subcommittee headed by the distinguished junior Senator from Rhode Island an opportunity to study its operation?

Mr. STENNIS. The Senator from Tennessee is eminently correct. In the field of law and regulation, the only real way to get at the problem is to pass a law and adopt regulations, and work the matter out in the best way we can in view of the facts available, and then see how it operates. I have found Congress to be very liberal, indeed, when a showing has been made of a pinch in the wrong place or when an injury has been worked, to pass a bill to correct the situation, and that has usually been done by unanimous vote.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. YARBOROUGH. Since the distinguished Senator from Mississippi was not on the committee which heard the testimony in this case, I should like to state for his benefit that the bill was passed in the House last year, and that the distinguished chairman of the Committee on Interstate and Foreign Commerce, the Senator from Washington [Mr. MAGNUSON], sent out inquiries in 1957, and that the committee conducted hearings and received testimony from 100 witnesses or so, either orally, or by statements received by letter or by telegram.

The bill was fully discussed in committee on more than 1 day. I serve on the committee. In light of the experiences of the distinguished Senator from Mississippi, I wonder whether we have not had ample hearings on the bill to give everyone an opportunity to be heard. Therefore, I do not believe there is any need to put the matter off for another year or two, when 2 years have already passed, during which ample opportunity has been given for everyone to be heard.

Mr. STENNIS. Yes. The pending bill is fair to all kinds of textiles, whether they be synthetic or natural fiber.

I yield the floor.

Mr. ERVIN. Mr. President, I believe that the argument and the colloquy which have been heard during the last few minutes in respect to the bill manifests the wisdom of——

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Senators who wish to converse will please retire to the cloakroom.

Mr. ERVIN. The arguments and colloquy which have been heard on the floor of the Senate in the last few minutes manifest the wisdom of the suggestion made by the able and distinguished junior Senator from Rhode Island that the bill should be referred to the subcommittee which he heads in such an able manner.

It appears that we are discussing a bill which undertakes to deal with the fiber contents of garments and other materials. It is also apparent from the questions asked that a large number of Senators are not familiar with the contents of the bill. It is also apparent that many of those who are familiar with the contents of the bill are not very much satisfied with its provisions, because they have proposed 10 or 15 amendments to it. The able and distinguished junior Senator from Rhode Island, with the assistance of other able members of the Committee on Interstate and Foreign Commerce, is making a study of the entire textile problem at this time, especially that part which deals with the impact of governmental policies upon the textile industry.

It seems to me that wisdom justifies the Senate taking the suggestion of the Senator from Rhode Island, because his subcommittee is making an investigation of the subject. The members of the subcommittee contemplate visiting the various States where the matter is of concern. It seems to me, therefore, that it would be wise to await the result of their investigation.

The bill is 20 pages long. I am in favor of the objective of the bill. However, I do not see why we need 20 pages. If we want a law to provide for the disclosure of the fiber contents of a garment, why not pass a law so providing in 1 or 2 sentences? The first sentence could state that every person who manufactures or sells a garment shall specify its fiber contents on the garment. Then the act could provide that the Federal Trade Commission shall have the power to determine whether the law is being violated or observed, with power to issue cease and desist orders in the event the law is not observed. That is all we would need in the way of a law. That would protect the public in a sensible way. We do not need a 20-page bill. The suggestion of the Senator from Rhode Island is a very sensible suggestion and ought to be adopted.

Mr. POTTER. Mr. President, first I wish to associate myself with the remarks of the distinguished Senator from North Carolina [Mr. ERVIN], that we follow the suggestion made by the Senator from Rhode Island. I do not know of any Member of the Senate who is as familiar with the bill as is the Senator from Rhode Island. He was present during the hearings and heard all the testimony. There is no Member of the Senate who would do more to protect the public than the Senator from Rhode Island. This is a very complex piece of proposed legislation. The situation is quite different from wool. Wool has a characteristic of its own. Here we are dealing with synthetics, which feel like cotton, and we have materials of different qualities. In connection with a bill of this kind, the implication is raised that it will cost more to the consumers because of the additional expense the manufacturers would incur. Those of us who have sat in the hearings believe that the consumer will not receive the protection which the proponents of the bill claim the bill will give the consumer. There are many things which should be included, such as the construction of the material, its durability, whether it will run, or whether the dye is fast. We saw exhibits in the hearings which dealt with two garments manufactured of the same type of material, with the same percentage content relationship. Yet one was worthless and the other was a good garment. The percentage of the fiber content itself means little from the standpoint of the protection of the consumer. We should not be discussing an important bill like this without having a report on it available.

Under the title in which we are supposedly protecting the consumers, we should consider carefully whether we are not doing something which will be harmful to the consumers. As the Senator from Rhode Island has stated, the entire complex of the textile industry should be considered. I think we should consider the bill in that light.

Let me read certain statements made before the Senator's committee by Mr. Halbert M. Jones, president of the American Cotton Manufacturers Institute, Inc. This testimony appears on page 54 of the unprinted hearings, where the Senator from Rhode Island [Mr. PASTORE] was questioning the witness. I quote Mr. Jones now:

> It is my understanding that the Senate is presently weighing the need for legislation in the field of textile fiber labeling.

This is an important matter for the textile industry, and it occurs to us that perhaps this inquiry will deal with this subject also.

Senator PASTORE. What is your offhand feeling with relation to that; are you for it or against it?

Mr. JONES. It is difficult for me to see how a description of the components in a fabric can give to a customer an estimate of quality. The quality of a garment or fabric are dependent on so many things in addition to the fiber content. The legislation which required labeling of fiber content will be costly to the industry, it will impose a burden on it, and it is difficult for me to see how it will add any real value in expanding markets for any fiber, or for textiles as a whole.

Senator PASTORE. I hope it is easy for you to understand that Senator PASTORE agrees with you.

That is the testimony which has been brought out not only during the hearings before our committee, but also before the special committe studying textiles. I sincerely think the Senate should adopt the suggestion of the Senator from Rhode Island and send the bill back to the special committee for a study of this important question.

Mr. MONRONEY. Mr. President, will the Senator from North Carolina yield so that I may ask a question of the Senator from Michigan?

Mr. ERVIN. I yield.

Mr. MONRONEY. As I understand, the gentleman the Senator has quoted was invited to testify on the labeling act, but he did not appear. The testimony which the Senator from Michigan has read was in the hearing on an entirely different matter.

Mr. POTTER. He was testifying on Senate Resolution 287, but he was also directing his remarks to the bill which is now before the Senate.

Mr. MONRONEY. Why did he not answer the invitation to come and testify directly on this measure, when everyone else in the industry was coming before the committee?

Mr. POTTER. Whether he did or did not accept the invitation, he testified on the bill which we are considering at present, and he opposed it.

Mr. MONRONEY. He opposed it in an entirely different hearing on an entirely different subject. I do not agree that he was representing his association. If this matter was important to his association, why did he not answer the invitation of the committee to appear before us and testify?

Mr. ERVIN. Mr. President, I yield the floor.

Mr. YARBOROUGH. Mr. President, I rather gathered the impression from the Senator from Michigan that he contended that other materials could not be blended with wool. It seems to me that I read in the Goldfine hearings that material labeled as 90 percent wool and 10 percent vicuna had in it the hairs of 14 different kinds of other animals. An investigation by the Federal Trade Commission showed that.

The hearings before the Senate Committee on this bill are available to the Senate. I have one in my hand. They are available; they are printed; they are here in the Chamber. This report contains 347 pages. The report is available in the Chamber, for any Senator who wishes to look at it.

The Department of Agriculture is in accord with the purpose of the bill. It has letters in both the report and the hearings. The Department of Agriculture said:

> The correct labeling of textiles would be of great benefit to the ultimate users of these products, and in our opinion, it should be of help to cotton and its competition with man-made fibers.

The Federal Trade Commission has endorsed the bill. It said, in its concluding paragraph:

> The proper labeling and advertising of textile fiber products is a subject, the importance of which is emphasized by the increasing use of manufactured fibers and the mixture of manufactured with natural fibers. Consequently, there is need that there be means by which the public can determine what the textile fiber products which are offered actually contain, and thereby what can be expected in the use and treatment of such products.

At the hearings on the subject, one of the Senators present said that he had had the experience of cigarette ashes falling on his shirt and burning a hole in the synthetic material, although ashes falling on a cotton shirt did not burn a hole in the material. He said he now looks for the labeling on his shirt, and buys those labeled cotton. That Senator was not from a cotton-growing State.

I have had complaints from persons whose children are allergic to certain types of synthetic materials. For the protection of their children, these parents want labeling to be made mandatory, so that they may know the kinds of synthetics which are involved.

It has been said that a further study is necessary. We have already had a 2-year study. The bill provides for a further study. The last paragraph of the bill, section 15, on page 20, reads:

> This act shall take effect 18 months after enactment, except for the promulgation of rules and regulations by the Commission, which shall be promulgated within 9 months after the enactment of this act.

If the objection is based on the need for a study, to take place now, the answer is in the law. The Federal Trade Commission will have 9 months in which to make a study. That Commission is the most experienced body in the country to do that. When it has completed that study, it will promulgate rules and regulations under this law. It will be another 9 months after their study is completed before the act will take effect.

The last sentence of section 15 reads:

> The Commission shall provide for the exception of any textile-fiber product acquired prior to the effective date of this act.

The bill will not apply to any goods which are already manufactured. It will not apply to anything manufactured in the next 18 months, so long as it is acquired prior to the effective date of the act, and the effective date is 18 months away.

This is a little, timid step in the right direction.

On page 18 of the bill there are 11 exceptions, 11 different categories of manufactured goods as to which the provisions of the bill do not apply.

The bill will not be a burden on the textile manufacturers. In my part of the country, we want to see them prosper.

The bill is designed to protect the consumers. It is not intended to punish anyone, or limit manufacturing. It is intended only to require honest labeling. It is intended to protect the consumer by letting the consumer receive a dollar's worth of goods for the consumer's dollar spent.

It seems to me that since the bill provides that it shall not take effect for a year and a half, Congress will have an opportunity next session to consider further the effective date of the act, months before even the Federal Trade Commission itself has completed the promulgation of its rules. If a further extension of the effective date proves necessary, the next Congress will have ample opportunity to consider it before the act becomes effective.

The Federal Trade Commission now enforces the Wool Labeling Act. That act is working well for the benefit of the producer and of the public. It is of benefit to every honest manufacturer who properly labels his products, and it gives the retailer and the public the opportunity to know exactly what they are selling and buying.

There are other persons involved in the bill who are not regulated in the law. They are the persons engaged in the retail trade. The retailers are entitled to receive consideration. Since they do not manufacture the goods, they are entitled to know what they are selling to the public, to enable them to make honest representations to the public in their stores.

In light of the fact that the act will not take effect for a year and a half, during which the Federal Trade Commission will have 9 months in which to promulgate rules and regulations, it seems to me that a further postponement will be a surrender to that segment of the industry which does not want to label and state what is in the product which they manufacture.

I think it would be a disadvantage to the country to delay further this step in the right direction. It is merely one step in the right direction. I respectfully submit that this first step should be taken.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. ERVIN. I ask the Senator from Texas if he does not think the provision of the bill that it shall not take effect for 18 months is an argument in favor of the wisdom of the suggestion of the Senator from Rhode Island?

Mr. YARBOROUGH. No; quite the contrary. This investigation is a very technical matter. The bill requires an investigation to be made by the Federal Trade Commission, an experienced body which is specially charged with that duty. We, as Members of the Senate, manifestly cannot make the chemical tests and the measurements which will be required. I think the provision for a delay of 18 months shows that the bill has been thoughtfully drawn to take care of everyone concerned, and to make certain that no vested rights are impaired. By giving every manufacturer notice of a long-range plan, no change of machinery will be required.

He can continue to manufacture for a year and one-half, without making any change at all.

Mr. MONRONEY. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair.) Does the Senator from Texas yield to the Senator from Oklahoma?

Mr. YARBOROUGH. I yield.

Mr. MONRONEY. I wish to associate myself with what my colleague has said; namely, that there is to be a long time lag, and that if any bugs show up, they can easily be corrected.

Furthermore, New England and other sections of the country are vitally interested in the textile industry. The study of the textile industry which we have voted is for the purpose of finding means to restore prosperity to that industry—for instance, by means of the installation of mechanical devices, and by other means which will be of help to the domestic textile industry.

This subject has been before the Congress for 2 or 3 years. If this industry is required to spend 2 or 3 additional years in studying the matter of fiber labeling, it will simply impede the other investigation which has been ordered to find ways to improve the economic welfare of the industry.

Mr. YARBOROUGH. I concur in what the distinguished Senator from Oklahoma has said, and commend the able Senator from Oklahoma for his fine presentation of this matter.

I think all Members of the Senate want our textile industry to be prosperous. It is one of the early industries of the Nation, and it has benefited the American economy; and we wish to see it prosper.

The extra cost of labeling will be passed on to the consumers, anyway—as in the case of all other costs; but the consumers will be protected by knowing the fiber contents of the goods they buy.

Mr. President, I yield the floor.

Mr. PASTORE. Mr. President, because I realize that there are a number of amendments to be proposed, and because I also realize that there seems to be quite a divergence of opinion, I thought that at this time I would withdraw my motion, so as not to prevent any Senator from making an argument or submitting an amendment to the bill itself.

Mr. LAUSCHE. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. LAUSCHE. I am a member of the committee which listened to the testimony in regard to the bill. At the conclusion of the testimony, I formed the judgment that it was impossible for me to say that the testimony preponderated in favor of passage of the bill.

The State Department opposed the bill. The Department of Commerce expressed its opposition.

The Federal Trade Commission gave support to the bill. The Department of Agriculture supported it.

But from all the testimony there stuck in my mind the idea that all of the separate acts cited which supposedly deal with fair-trade practices ought to be reviewed; and that is the position which was taken by the Secretary of Commerce.

In 1940 a bill was passed which gave the Federal Trade Commission the authority to adopt rules and regulations dealing with fair practices if and when a particular industry desired regulation. That bill was contemplated as one which would cope with the general problem. Subsequently came the Wool Act, and then the Fur Act; and now there is before the Senate the pending bill, which deals with textiles.

I am fully aware of what Mr. Gwynne said; that the bill is a laudable one. I think there is need to assure the consumer that when an article is represented on television or radio or in the newspapers as being manufactured of cotton or wool, the article sold should be of that composition and that material. I must, however, state that, based on the testimony offered in the committee, and based upon the division of view of the different members of the Federal Government, when the committee acted I could not give support to the bill. The chairman of the committee, the Senator from Washington [Mr. MAGNUSON], in general stated the position correctly. I did not vote against sending the bill to the floor of the Senate, but I reserved to myself the right to oppose it on the floor.

If it comes to a vote, based upon the judgment which I reached upon the testimony, I would have to say the matter ought to be given further attention and we ought to approach it from the standpoint of reviewing all of the laws on the subject, and thereafter report to the Senate one bill which will give protection to the consuming public so that they will get what they are told they are getting, and nothing else.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. POTTER. Is it not true that if the Senate were to adopt proposed legislation to give the consuming public the protection which it is supposed to get, and which the proponents of the bill say it will get under the bill, the labeling of the percentage of the fiber itself means little, unless something is stated about the construction of the article, and whether the construction of the article or the bolt of cloth is good? With respect to articles manufactured of cotton, they may be manufactured of long or short staple cotton. One is thicker than the other. If labels are to be provided which are to be informative to customers, then the bill does not begin to meet the purpose. There are a half dozen or more amendments about to be proposed providing for exemptions. Everyone says, "I am for the bill, but I do not want my pet little project covered by it."

The enforcement of the bill will fall on the retailers. Cotton is a little different from wool. Wool has characteristics all its own. Cotton, because of the difference in fiber, and because of the

synthetics which may go into it, does not have the characteristic that wool has, for example.

Let us not kid ourselves one bit. This proposal was not initiated by the consumer; it was initiated by the cotton people. I say, God bless them, if it accomplishes what they say it will. If the proposal will protect the consumers, I share the views of the Senator from Ohio that it should be passed. But here we are doing one thing and saying it will help the consumer, when the Senator from Ohio and the Senator from Michigan know that is not the fact. I share the sentiments of the Senator from Ohio. I think the bill should go back to committee so a further study may be made.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. Who has the floor?

The PRESIDING OFFICER. The Senator from Rhode Island has the floor.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. The Senator from Michigan has touched upon a subject on which I should like to comment. On the basis of the testimony, it was brought out that the composition of a textile may be made up of a synthetic mixed with cotton and other basic materials. The relative goodness of those different materials has a relationship to comfort, wear, durability, and so forth. Based upon what I heard, I was in utter confusion as to how Congress could write a law which would clearly delineate the advantages which it was said would come about. I subscribe to what the Senator from North Carolina has said. If it is our desire to have more cotton sold, there is a far simpler method of doing it than that provided in the bill.

Mr. BUSH. Mr. President——

Mr. PASTORE. I yield to the Senator from Connecticut.

Mr. BUSH. Does the Senator from Rhode Island wish to make his motion first? Then I shall ask him to yield?

Mr. PASTORE. Mr. President, I should like to get my motion on record. I shall yield in just a moment.

At this time I move that Calendar No. 1689, H. R. 469, be recommitted, with the understanding that the committee will make a complete overhaul of all labeling acts, in the interest of the public and consumers.

I want to be clearly understood that in making this motion I have no desire to kill any legislation which is intended in any way to protect the consumers. Fundamentally, I am interested in the textile industry. Fundamentally, I am interested in many of the matters which have been discussed. But my ultimate interest is in the consumers of America. In view of the recommendations made by the various departments, including the Agriculture Department, which is interested in cotton, and the Commerce Department, which should be interested in the welfare of the consumer, and which thinks that all our labeling acts should be overhauled, I believe the bill should be recommitted. I am for the objective of protecting the consumers of America. Let us protect them in grand style.

I repeat, if this bill is to protect the sale of cotton, that is one matter. If the sole purpose of the bill is to protect the consumers of America, then I think we can say it much more simply. We are confronted this afternoon with about a dozen amendments. I am wondering, Whom we will take care of and whom will we neglect this afternoon? I think it is important that the entire field ought to be reviewed and studied very carefully.

For that reason I am asking that the bill be recommitted.

I yield now to the Senator from Connecticut.

Mr. BUSH. Mr. President, if I may say merely a word, I want to congratulate the Senator from Rhode Island on his motion to recommit the bill. The Senator is a member of the Committee on Interstate and Foreign Commerce, is he not?

Mr. PASTORE. I am.

Mr. BUSH. I think he has analyzed the situation very well, as has the Senator from Ohio, who, as I understand, agrees with the Senator who has made the motion to recommit the bill.

I was very much impressed with the minority views of the Senator from Michigan. For that reason I think the best interests of the country will be served by supporting the motion of the Senator from Rhode Island to send the bill back to committee, where amendments can be carefully considered and the whole matter can be carefully reconsidered, so the Senate can act a little more intelligently.

There are some manufacturers in the State of Connecticut who strongly oppose this measure. On the other hand, I am impressed with the consumers' interest which is involved in the bill, as the Senator from Rhode Island has stated. I would welcome action by the Senate to recommit the bill at this time, without prejudice.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Washington.

Mr. MAGNUSON. The amendments which have been made are minor in nature. The amendments now being referred to were considered by committee. One of them concerned whether or not the term "padding" instead of "backing" should be applied to what is used under a rug. The amendments being considered on the floor today are not new amendments. All of this has been considered very carefully by the committee.

Mr. PASTORE. I have been handed two amendments to be offered on behalf of the distinguished Senator from Georgia. Have those amendments been considered?

Mr. MAGNUSON. I do not know what those amendments are.

Mr. PASTORE. That is exactly the point.

Mr. MAGNUSON. Every bill which comes to the floor has some amendments proposed to it.

Mr. PASTORE. The distinguished Senator said that all these amendments had been considered.

Mr. MAGNUSON. I refer to the amendments we are about to propose. I do not know what all the other amendments are. Those are the only other two amendments pending, I believe. I do not know what those are. They may have been included.

Mr. PASTORE. I understand there are others.

Mr. MAGNUSON. There may be 3 or 4 amendments.

Mr. PASTORE. Perhaps I am misinformed. The only reason I made the motion to recommit is so that we can properly consider the matter. If the Senate does not want to recommit the bill, that is up to the Senate.

Mr. MAGNUSON. This bill does not have any more amendments proposed to it than would any bill of the same importance. I think the amendments of the Senator from Georgia, if I remember correctly, relate to thread manufacturers not being covered by provisions of the bill.

Mr. PASTORE. That is correct.

Mr. MAGNUSON. One of the amendments includes handicraft thread. We did not know of the term "handicraft thread." Amendments of that type are involved.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Arizona.

Mr. GOLDWATER. When I came into the Chamber this afternoon, Mr. President, to enter into the discussion of this bill, I was favorably inclined toward passage of the bill. I thought the bill had received the unanimous approval of the committee.

I now find myself in doubt as to the wisdom of considering the bill this afternoon, because I find the committee is not unanimous, and I find the minority views are well expressed by at least two different members of the committee.

Mr. President, there were a total of 6 amendments I intended to offer to the bill, but I was convinced that 5 of them had no opportunity of being adopted, so I have retained only 1. However, that is a very important amendment, and would go a long way toward changing the bill. It is an amendment I feel should be accepted, or agreed to by the Senate if not accepted.

Mr. President, there are probably those in this body who have had intimate experience with the labeling acts, but I do not see any such present. I have had experience. I remember when the Wool Labeling Act was passed. The retailers of America shuddered, because we were the ones on whom the onus was put to see to it that the act worked, exactly as in the bill under consideration the merchant is the final one on whom the onus is put. If the merchants do not live up to the provisions of the bill, there will be a $5,000 fine.

We did not think we could live with the Wool Labeling Act, but we have lived with it. I am not the first retailer to say that we have had trouble with the act. I should like to see the Wool Labeling Act amended in some respects.

The suggestion of the Senator from Rhode Island intrigues me, in that the Senator includes all labeling acts in the

study he proposes, to help the retailers of America, when they come in to explain the difficulties which are involved.

I believe the retailers of this country think well of labeling. The retailers do not oppose the bill presently under consideration or the Wool Labeling Act, but in the years since the Wool Labeling Act became law some troubles have arisen which have caused additional expense.

I should like to cite one thing which can easily happen to put a retailer "behind the 8 ball," if I may use that expression. If a customer comes into a store and asks to have 2 or 3 coats sent out to her home, on approval, and during the course of showing the coats to her husband that night she removes the wool-labeling label from one of the coats, and does not buy that coat, which then comes back to the store, and if the store does not notice the fact that the label is missing, the store owner is liable to a $5,000 fine.

Mr. STENNIS. Mr. President, will the Senator yield at that point?

Mr. GOLDWATER. May I finish, please?

That is the type of trouble which one can run into. I do not object to that. We have had to hire extra people to take care of those things, but I think the consumer needs that kind of protection.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. STENNIS. Does the Senator know of any case in which anyone has ever been proceeded against on the basis of the facts the Senator has stated? Does the bill not contain the word "willful"? Before any charge can be preferred, there has to be a willful act.

Mr. GOLDWATER. In answer to the Senator's question, I cannot recall anyone ever having been brought up on that basis. I will say that investigators go through my particular business from time to time, and I remember once they found a coat without a label, but they did accept the explanation.

There are advantages and disadvantages to this matter, which my experience has shown to me. I believe that ultimately we should have a cotton-labeling bill and a fabric-labeling bill, to provide for disclosure of contents.

When I came to the Chamber this afternoon I thought we had something to consider which the committee had agreed to unanimously, and which the Senate could agree to unanimously, but I find that is not the case.

Let us consider advantages in the bill. Certainly there is an advantage to the consumer, who wants to know what he or she is buying. The customer can look at the piece of merchandise and see whether it is dacron, nylon, any acetate fabric, part manmade, part natural, or whatnot. This is an advantage to the person who wants to know. It certainly protects the fabric and the originator of the fabric, particularly with respect to the manmade fabrics. It protects the cottongrower from having a manmade fabric identified as almost cotton. It protects the woolgrower from the use of manmade wool. It protects all those people, and it is an advantage.

It certainly advertises the fabric, and that is something we cannot overlook. I do not say we should overlook it. I think the more advertising we have in America, the better off everybody will be with respect to business.

But, Mr. President, there are certain disadvantages also. The disadvantages have been mentioned this afternoon. The small manufacturer is charged with the responsibility of accurately labeling the product. One of the questions which now is in my mind is, how far does this accuracy have to go under the bill? My experience with customers is that they want to know if the product will shrink; if it is colorfast; if it is cotton, how much cotton; or if it is wool, how much wool? If it is a manfabric, the customer wants to know what it will do and what it will not do.

If we are going into the generic terms, I am afraid we will find labels of such a size that they will in some cases outshine the garment or the piece of merchandise.

Let me cite an example. Let us say that a merchant is preparing a catalog which he is going to send to his customers. It is possible under the type of labeling which is described in the bill, and even possible under the Wool Labeling Act, that the man may have to print so much of a description of his fabric on the page, to identify the garment, that he will have little room to tell how much it costs or to describe it in terms which might interest the customer. That is a risk. I simply mention that risk at this point.

I have already mentioned the risk to the individual retailer, in that the retailer will have a difficult time of keeping up his responsibility from day to day. I will say in that respect that the Federal Trade Commission has been very lenient with these cases, but there is always the chance we will not have such an operation of that Commission.

One other thing of importance has been under consideration this afternoon, which I had not thought of before I came to the Chamber. I think it is of particular concern to those Senators who represent the fabric-producing States and those Senators who represent the fabricating States.

What effect will the bill have on domestic commerce? I do not have the answer. Will the passage of the bill tend, with respect to the merchant who is selling on a very quick turnover, low profit standard—who is seeking cheaper merchandise all the time—to force the merchant to go abroad to buy manufactured articles and bring them into this country, which might hurt rather than help the fabric industry of this country?

That is a question which I believe we must consider, because, while the bill is intended to be rather specific, we can find merchandise in stores in this country which comes in from overseas—for example from Puerto Rico, one of our commonwealths—with respect to which there is no labeling of the contents.

As I stated at the outset, I came here today believing that we had a workable labeling bill. I now believe that we would be wise if we should decide to accept the suggestion of the Senator from Rhode Island and send the bill back to committee for a thorough and complete study of the entire field—looking into the Wool Labeling Act, discussing the new fiber labeling legislation, and listening to all those who are affected, including the consumer, the retailer, and the manufacturer.

No retailer in the country would object to the extra cost involved in providing labels for the protection of his customers. My experience has always shown that if one wishes good merchandise he goes to a good store. If he does not care much about what he buys, he goes to a store where he pays less, and the quality is not so high. Manufacturers themselves pretty well take care of the question of quality.

Much as I agree with the principles of the bill, I think we would be wise to send it back to the committee for thorough study.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MONRONEY. I cannot find any provision of the bill which exempts the products of Puerto Rico. On page 3 of the bill I find the following:

> The term "Territory" includes the insular possessions of the United States, and also any Territory of the United States.

I believe the Senator is incorrect in his assumption that anything from Puerto Rico could be imported without having the same rules applied to it.

Mr. GOLDWATER. In the proposed act, that is what is called for; but at the present time sports clothes are brought from Puerto Rico with no labeling.

Mr. MONRONEY. They are also brought in from Arizona and Oklahoma with no labeling.

Mr. GOLDWATER. They are not brought in from Arizona without labeling, except in cases in which they are not covered under one or more of the various classifications of fabrics.

Mr. MONRONEY. There is no labeling law at present.

Mr. GOLDWATER. I understand.

Mr. MONRONEY. That applies even to the fine product known as pima cotton, which is much more desirable than dacron or orlon. Hathaway advertises a $12 shirt, made from pima cotton. That is an example showing that fibers need to be identified. There is nothing in the law today to prevent an unscrupulous manufacturer of shirts from saying, "These shirts are made of pima cotton." There may be only 2 percent of pima cotton in the shirts.

Under the terms of the bill it would be 36 months before such a practice could be stopped; and if the bill were recommitted, it would be 48 months before we could prevent the perpetuation of fraud when mislabeling is involved. A product can be mislabeled and exploited to the point where people will say, "That is no good. I have tried it." Perhaps it would have only 2 or 3 percent of pima cotton in it.

Mr. GOLDWATER. I certainly am not against labeling acts. I believe they are just and right; but after hearing today the disunity which exists in the committee——

Mr. MAGNUSON. Mr. President, there was no disunity in the committee.

Mr. GOLDWATER. Minority views filed by two members of the committee.

Mr. MAGNUSON. Two members out of a total membership of 15.

Mr. GOLDWATER. How many others disagreed?

Mr. MAGNUSON. No others disagreed.

Mr. GOLDWATER. Did not the Senator from Ohio [Mr. LAUSCHE] disagree?

Mr. MAGNUSON. The Senator from Ohio and the Senator from Michigan [Mr. POTTER] disagreed.

Mr. GOLDWATER. That makes 3.

Mr. MAGNUSON. No.

Mr. GOLDWATER. Did not the Senator from Rhode Island [Mr. PASTORE] disagree?

Mr. MAGNUSON. The Senator from Rhode Island did not disagree. He desires to have a study of textiles made. He is not against the bill. He is for the bill.

Mr. GOLDWATER. That is my stand, but I think we could do a better job, in view of the lack of unanimity, if we were to study the subject a little longer.

Mr. MAGNUSON. Sometimes we can study something too long.

This bill received just as much consideration as any bill of this importance before the Senate or before the committee. The committee held long hearings. I invited every Senator to come forth and testify. None of them came except the proponents of the bill. I even went so far as to invite Members of the House who were the authors of the bill to come before the committee and give testimony so we could have almost a joint hearing. I heard nearly 100 witnesses. This bill has had more consideration than most bills receive. It was reported on June 6, and has been on the calendar ever since.

Mr. PASTORE. Mr. President, in view of the arguments made here today, does not the Senator from Washington feel that we would proceed much faster if we were to dispose of the question of recommittal first, and then, if the consensus is not in favor of recommitting the bill, proceed by way of amendment?

Mr. MAGNUSON. Oh, yes.

Mr. PASTORE. I have explained my position. In view of the testimony which developed before our committee, I feel constrained to vote to send the bill back to the committee for further study. If the Senate is not of that mind, I think we should resolve that issue, and proceed by way of amendment to dispose of the proposed legislation. If the bill should come to a final vote, I would have to vote for it. I am not against the bill. However, I think it shoud be clarified, refined, and broadened. In view of the fact that another investigation is in progress, the bill should go back to the committee, in the public interest. If the Senate is not inclined to recommit the bill, we should proceed by way of amendment, and then vote the bill up or down.

Mr. JAVITS. Mr. President, does not the mere fact that the operation of the bill would be suspended for 18 months indicate that the consumer is not in imminent danger of suffering horrible losses tomorrow? Does not that fact clearly demonstrate the wisdom of the position of the Senator from Rhode Island, that the bill should be recommitted? In practical effect, the bill would lash us to the mast with respect to specifics. It would not take effect for 18 months. Is not that the best argument for recommitting it, so that it may possibly be made effective sooner?

Mr. PASTORE. I do not think we should belabor that point. This is the kind of bill which cannot take effect upon passage. A certain length of time is required for the Federal Trade Commission to draft regulations. There must be a sufficient period of time subsequent to the enactment of the bill to allow for the drafting of regulations. I do not think that should be used as an argument.

In view of the misunderstanding, and in view of the fact that many Senators do not quite understand the bill as it is drawn at present, it seems to me that it would be in the public interest to recommit it. In any event, we should dispose of that question now; and if it is not the desire of the Senate to recommit the bill for further study, we should proceed by way of amendment, and vote the bill up or down.

Mr. HILL. Mr. President, there is no Member of this body for whom I have a greater respect or admiration than the Senator from Rhode Island. He is able and brilliant. However, I cannot agree with him that the bill should be sent back to the committee.

So far as concerns any study of the entire field of labeling, the Senator's committee needs no authorization, and no instruction. It does not even need an invitation from the Senate to carry on such a study, if the committee feels that the study should be made.

This bill has not come to the floor of the Senate overnight. Proposed legislation on this subject has been before the Senate for a period of years. Two years ago the House Committee on Interstate Commerce reported a bill favorably to the House of Representatives. A year ago the House Committee on Interstate Commerce again reported a bill favorably to the House of Representatives; and a year ago, on August 14, 1957, the House of Representatives passed this bill.

Subsequent to the passage of the bill by the House, thorough hearings were held on the proposed legislation by the Senate Committee on Interstate and Foreign Commerce. The printed record of the hearings consist of 347 pages. Forty-one witnesses appeared personally to testify before that committee. They made their statements, and were asked questions. The committee went into the subject very thoroughly.

In addition to the 41 witnesses who appeared personally, 55 other witnesses testified either by way of filing statements, or through communications of some kind. Therefore, the committee heard from approximately 100 witnesses in connection with the bill before it acted on it. After hearing the witnesses, the committee considered the bill very carefully. It received reports from the various departments of Government. It had a report from the Department of Agriculture, a report from the Department of Commerce, a report from the Comptroller General, a report from the Federal Trade Commission, a report from the Interior Department, a report from the Justice Department, a report from the State Department, a report from the Tariff Commission, and a report from the Treasury Department. Surely the bill could not have had more careful and thorough consideration, after hearing all those witnesses and getting all those statements and all that presentation of testimony and all these reports from the various departments of Government.

The effect of sending the bill back to the committee would mean to kill the bill and to wipe out all that has been done up to date. The bill has been passed by the House of Representatives. The bill must be passed at this session, or it is dead. If it is killed, it will mean that we will have to go all the way back to the House committee and through the House and through the Senate committee and then come to the Senate again before any action can be taken on it. There would be weeks of delay and months of delay, and perhaps even years of delay before the legislation could be enacted.

The bill is now before the Senate. It has reached the final step. There never was a truer saying than the declaration of the famous English jurist that justice delayed is justice denied. It is all right for people to say, "We are in favor of the purposes of the bill. It is a good bill. It ought to be passed. However, we want to delay, we want to postpone, we want to wait." To delay justice, Mr. President, is to deny it.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr GORE. Lest the Members of the Senate from the Northeast, where a great number of the garment manufacturers are located, be misled, let them be advised that there, too, the largest number of customers are located. A few very cogent sentences appear at page 41 of the hearings, and I should like to read them, if the Senator from Alabama will permit me to do so.

Mr. HILL. I yield to the Senator from Tennessee for that purpose.

Mr. GORE. This statement appears at page 41:

> There are many new developments in fiber blending, in chemical finishing of fabrics, and in weaving techniques. As a result, a consumer cannot be sure she is getting what she wants and is paying for when she buys textile products without fiber identification. Nowadays, it is possible to make almost any fabric of a particular fiber look and feel like a fabric made from another fiber. It is impossible for a technician, much less a layman, to detect any difference between them by sight or touch.
>
> For example, it is easy to make a rayon-cotton blend look and feel like an all-cotton fabric. Such a blend often sells as an all-cotton fabric. Unless the fabric is appropriately labeled, the consumer has no way to be sure of its fiber content at the time of purchase.

study he proposes, to help the retailers of America, when they come in to explain the difficulties which are involved.

I believe the retailers of this country think well of labeling. The retailers do not oppose the bill presently under consideration or the Wool Labeling Act, but in the years since the Wool Labeling Act became law some troubles have arisen which have caused additional expense.

I should like to cite one thing which can easily happen to put a retailer "behind the 8 ball," if I may use that expression. If a customer comes into a store and asks to have 2 or 3 coats sent out to her home, on approval, and during the course of showing the coats to her husband that night she removes the wool-labeling label from one of the coats, and does not buy that coat, which then comes back to the store, and if the store does not notice the fact that the label is missing, the store owner is liable to a $5,000 fine.

Mr. STENNIS. Mr. President, will the Senator yield at that point?

Mr. GOLDWATER. May I finish, please?

That is the type of trouble which one can run into. I do not object to that. We have had to hire extra people to take care of those things, but I think the consumer needs that kind of protection.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. STENNIS. Does the Senator know of any case in which anyone has ever been proceeded against on the basis of the facts the Senator has stated? Does the bill not contain the word "willful"? Before any charge can be preferred, there has to be a willful act.

Mr. GOLDWATER. In answer to the Senator's question, I cannot recall anyone ever having been brought up on that basis. I will say that investigators go

It certainly advertises the fabric, and that is something we cannot overlook. I do not say we should overlook it. I think the more advertising we have in America, the better off everybody will be with respect to business.

But, Mr. President, there are certain disadvantages also. The disadvantages have been mentioned this afternoon. The small manufacturer is charged with the responsibility of accurately labeling the product. One of the questions which now is in my mind is, how far does this accuracy have to go under the bill? My experience with customers is that they want to know if the product will shrink; if it is colorfast; if it is cotton, how much cotton; or if it is wool, how much wool? If it is a man-fabric, the customer wants to know what it will do and what it will not do.

If we are going into the generic terms, I am afraid we will find labels of such a size that they will in some cases outshine the garment or the piece of merchandise.

Let me cite an example. Let us say that a merchant is preparing a catalog which he is going to send to his customers. It is possible under the type of labeling which is described in the bill, and even possible under the Wool Labeling Act, that the man may have to print so much of a description of his fabric on the page, to identify the garment, that he will have little room to tell how much it costs or to describe it in terms which might interest the customer. That is a risk. I simply mention that risk at this point.

I have already mentioned the risk to the individual retailer, in that the retailer will have a difficult time of keeping up his responsibility from day to day. I will say in that respect that the Federal Trade Commission has been very lenient with these cases, but there

cept the suggestion of the Senator from Rhode Island and send the bill back to committee for a thorough and complete study of the entire field—looking into the Wool Labeling Act, discussing the new fiber labeling legislation, and listening to all those who are affected, including the consumer, the retailer, and the manufacturer.

No retailer in the country would object to the extra cost involved in providing labels for the protection of his customers. My experience has always shown that if one wishes good merchandise he goes to a good store. If he does not care much about what he buys, he goes to a store where he pays less, and the quality is not so high. Manufacturers themselves pretty well take care of the question of quality.

Much as I agree with the principles of the bill, I think we would be wise to send it back to the committee for thorough study.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MONRONEY. I cannot find any provision of the bill which exempts the products of Puerto Rico. On page 3 of the bill I find the following:

> The term "Territory" includes the insular possessions of the United States, and also any Territory of the United States.

I believe the Senator is incorrect in his assumption that anything from Puerto Rico could be imported without having the same rules applied to it.

Mr. GOLDWATER. In the proposed act, that is what is called for; but at the present time sports clothes are brought from Puerto Rico with no labeling.

Mr. MONRONEY. They are also brought in from Arizona and Oklahoma with no labeling.

Mr. GOLDWATER. They are not

Is that not the condition which would be extended without control, without prohibition, without regulation, unless the bill were passed?

Mr. HILL. The Senator is absolutely right. He has well and accurately described the condition. As I said, this bill has come to the floor and is in the last stage so far as Congressional action on it is concerned. It has had action by the House committee, action by the House, and action by the Senate committee. Having passed through those stages, the committee reported the bill favorably to the Senate and recommended its passage. Why should we send it to the committee now? The bill should be passed, and it should be passed now. It is vitally needed for the protection of both the consumer and the cotton producer. We know there is more and more blending all the time with synthetic fibers. I wish to emphasize the fact that I am not opposed to blending. Blending oftentimes adds desirable qualities, such as luster and strength and crease resistance. However, I insist that where there is blending the consumer ought to know that blending is being done. He ought to know just what that blending is. He should know the different fibers that go into a product.

Mr. GORE. I have just read testimony to the effect that without labeling even a technician cannot, by the feel or by sight, detect erroneous labeling.

Mr. HILL. I wish to thank the Senator for emphasizing that point. I was about to come to it. He has emphasized it better than I could. The consumer cannot, by looking at the product, tell what is in the product, and he cannot tell by feeling it either. The only way the consumer can have the knowledge he is entitled to have, and which will properly protect him in his purchasing, is by having the product properly labeled, as the pending bill provides.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HILL. I am glad to yield to my friend from Rhode Island.

Mr. PASTORE. Is there anything in the bill which requires the manufacturer or retailer to say that a garment is nonshrinkable?

Mr. HILL. No; there is nothing to that effect.

Mr. PASTORE. Does not the Senator believe that the consumer ought to be protected in that regard? Is it not important, when a person buys a shirt, to know whether the shirt will shrink? Is it not just as important to know that as it is to know how much dacron or how much cotton is in the shirt? Why is it not more important to know that a shirt will not shrink?

Mr. HILL. I know of no standard by which one could write that determination into the law.

Mr. PASTORE. Does the Senator mean to tell me that if we tell a consumer a shirt contains 40 percent cotton, 10 percent dacron, and 50 percent nylon, for example, the purchaser of the shirt will know that it will not shrink?

Mr. HILL. That is the reason why I do not buy an off-brand product. I buy a certain brand.

Mr. PASTORE. The point I am making is that the distinguished Senator from Tennessee has made a strong point about the fact that there are more consumers in the Northeast than anywhere else, and that we have more consumers than textile manufacturers. I know that. That is why I am constantly and continuously fighting for the cause of the consumer. I wonder whether the purpose of the bill is to sell cotton or to protect the consumer. If we wish to protect the consumer, let us tell the consumer that an item is colorfast, or that it is nonshrinkable, for example. If we want to say, "Please buy more cotton," this is fine. If we are to protect the consumer, let us protect him. The pending bill does not do that completely.

Mr. HILL. At least it tells the consumer what he is buying in terms of the fibers in the product he buys. We give the consumer all the protection we can.

Mr. PASTORE. What good will it do him if the shirt will still shrink?

Mr. HILL. He knows what will shrink and what will not shrink if we tell him the fibers in the product he buys.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays ordered on the motion to recommit, so that Senators may be informed?

The yeas and nays were ordered.

Mr. HILL. Mr. President, I shall not detain the Senate long, but I wish to say that it is not only to the interest of the producer and to the interest of the consumer to pass the bill, but it is also to the interest of the manufacturer, because sooner or later, unless a manufacturer labels his product, he will find that, although he is trying to do the right thing, he will come in competition with the manufacturer who does not do the right thing. He will be confronted with the unfair competition of that manufacturer who is not doing the right thing.

The bill would simply provide what the Wool Products Labeling Act has required for some 19 years; namely, the labeling of the products for the protection of the consumer, the purchaser, and the manufacturer. I urge the defeat of the Pastore motion and the passage of the bill.

Mr. JOHNSTON of South Carolina. Mr. President, in my opinion, the bill would do more harm than good as it is written at present. I have listened to the discussion, and particularly the remarks of the Senator from Rhode Island. I have had some experience with the manufacture of cloth. I have had the benefit of a textile manufacturing course and have looked thoroughly into this matter. I am thoroughly convinced that the bill will not do the textile industry of the United States any good. Neither will it be of any help to the person who purchases cloth.

Immediately after I finished college and finished a course in textile manufacturing, I went on the road as a traveling salesman for a cloth manufacturer. I sold what was known as character cloth. It received that name because it was made of the very best cotton which could be purchased, and was made by the very best process which could be used for the making of cloth. Boys and girls who were working their way through school were employed in the cotton mill.

In Charlotte, N. C., in July 1921, a department store conducted a demonstration, not for 1 hour, but for 12 hours, of boiling cotton. The strongest soap which could be obtained was used in the water to prove that the colors were fast, and also to prove that the cloth could stand boiling for several hours.

If the manufacturer does nothing but what he says, makes the article of cotton, and has a label on it, as the bill provides, I fear that many people will be misled into purchasing it. They will think they are getting the very best fabric, when in reality the article may be an inferior one. That is what I fear.

Let us not mislead the purchasing public by putting our approval on a bill such as this. I hope the Senate will do as the Senator from Rhode Island has requested; namely, refer it back to the committee for a further and more thorough study.

Mr. POTTER. Mr. President, the discussion clearly indicates that the motion of the Senator from Rhode Island should prevail. I think I attended the committee hearings on the bill, together with the Senator from Rhode Island, and the Senator from Ohio, as much as any other Senators. I will be very frank and say that when the bill was first taken up by our committee, my general inclination was to favor it, because it came under the heading of protection for the consumer.

Cotton is not grown in Michigan; neither are there any textile manufacturing plants in Michigan. As the hearing progressed I think it became apparent that the bill was introduced to afford relief for the cotton farmer, not protection for the consumer.

If protection for the consumer were provided, I would say that was fine. If it would help the cotton farmer, I would say that was all right. But as the hearing progressed, I became convinced that it did neither. It would help neither the cotton farmer nor the product consumer.

I think we can go back and consider what happened under the Silk Labeling Act. At one time—and the history of its operation is replete with evidence—a great effort was made to provide labeling for silk. It was backed by the Japanese silk textile industry. They hoped that by achieving their objective, there would be an increase in the sale of Japanese silk in the American market.

But rayon came onto the market. As a result of the large amount of advertising which rayon received, silk was run off the market.

It is interesting to read some of the testimony of the synthetic cloth manufacturers before our committee. They are not interested in the cotton farmer. Why did they testify for the bill? Because they got free advertising. They got free advertising on every article which they made, advertising which otherwise would have cost perhaps a million dollars.

Orlon and other synthetics are becoming, today, as commonplace as cotton, so far as the American housewife is concerned. What are the criteria? When a Senator's wife buys an article, whether it be a dress or some other garment, or when a Senator buys a shirt, is he or she interested in whether the article is made 60 percent of cotton and 40 percent of orlon? No; we are interested in a shirt which is washable, a shirt which is durable, a shirt which is constructed properly, as well.

Our wives feel the same with respect to the articles which they buy. I am sure my wife would not care whether an article contained 60 percent cotton and 40 percent orlon. In many cases, it will be found that the blending with a synthetic adds to the value, the durability, and the luster of an article. The distinguished Senator from Rhode Island brought out that point.

Let me quote from the statement of Mr. James O. Graves at the hearings before our committee. Mr. Graves, by the way, testified in favor of the bill. He said:

> The blending of fibers to achieve optimum performance for a particular end use is an ancient art, and the advent of synthetic fibers has provided the textile blender with many new components and has made many new and improved fabric concepts possible.

He cites shirts as an example. He says:

> Similarly, a shirt containing 65 percent dacron and 35 percent cotton and one containing 50 percent dacron and 50 percent cotton would bear the same label—that is, "dacron polyester fiber and cotton." The 65–35 shirt would have the performance and ease-of-care properties we advertise and promote. The 50–50 shirt would not. Yet, so far as the required label is concerned, the consumer would have no way of distinguishing between the two. The differences in performance would be even greater if the dacron content were 21 percent and cotton, 79 percent. The label would read simply "cotton and dacron polyester fiber," or "cotton and polyester fiber," and we doubt that the order of generics would adequately inform the customer.
>
> Or, take the case of 2 pairs of boys' slacks—1 containing 75 percent orlon and rayon, the other 50 percent orlon and 50 percent rayon. Both would be labeled, "orlon acrylic fiber and rayon." One would be a wash-and-wear garment, the other would not; yet, the customer, even with our advertising in mind, would not be able to distinguish between the two.

Mr. President, I cite those excerpts from the hearings held by the committee, in order to point out that the percentage of fiber has little to do with matters which will aid or protect the consumers, in that the consumers have little or no knowledge about what properties the fibers have. In many cases, a blend of fibers makes the resulting textile wear much better. But the consumers would not know whether a particular percentage constituted the ideal blend or not.

Certainly the consumers should be protected against false advertising; and we now have on the statute books laws which protect the consumers in that way.

Even so, I believe legislation in this field is needed. But, Mr. President, let us not fool ourselves at all. If legislation in this field is to be enacted, let us vote for measures which will permit the consumers to know whether the articles are washable, whether they are made of long fibers or short fibers, and so forth.

But the proposal now before us has been brought before the Congress, not by the consumer interests, but by the cotton-producing interests. I certainly commend their interest in the cotton growers of the country. But let us not misunderstand; we should not for one moment believe that the proposal which has been advanced by the cotton growers will, if enacted into law, be of great value to the consumers. On the contrary, it will be of very dubious value to the consumers.

Furthermore, we know that the additional cost to the manufacturer will not be paid by him, but will be passed on by him to the consumer.

So, under the guise of protecting the consumer, we would be forcing him to pay more for the articles he purchases; and we would be doing so in the hope of aiding the cotton farmers.

Therefore, Mr. President, I hope the motion of the Senator from Rhode Island [Mr. PASTORE] will be agreed to, and that the bill will be recommitted, for further hearings.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD my individual views, as set forth in connection with the committee's report.

There being no objection, the excerpt from the report (No. 1658) was ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR CHARLES E. POTTER

This legislation seeks to protect the purchaser of certain products by use of a label containing information about the textile fiber used in the product. I cannot agree that H. R. 469 adequately achieves its purpose. In my opinion it does not protect the consumer.

Under this legislation, the label would be required to contain information on the components of the product designating their percentage by weight. In addition, the label would carry the name of the manufacturer or distributor and would indicate the country of origin if the product was imported into the United States from abroad.

The information required to be disclosed would not provide the ultimate consumer with any more information than can be obtained from an honest, legitimate merchant selling standard merchandise. The consumer through past purchases has developed experience which is either favorable or unfavorable to certain kinds of fibers and material. Through this experience of past purchasing, a consumer knows that a certain fabric or type of fiber will give satisfactory service from the standpoint of wear and that it is suitable for washing or cleaning. It is important that the consumer know the advantages of certain types of fabrics. It is my frank opinion that the information required to be set forth on the label will not disclose how well the fabric or garment will wear nor will it disclose washability.

It is well known that certain products made from natural fibers such as cotton or wool may have definite advantages over fibers or fabrics which have been developed through chemical processes. It is true, also, that certain manmade fibers may have superior advantages when put to particular uses. It is difficult for me to see how disclosure of the fiber content by percent of weight is considered to be an advantage for the consumer. I believe that most manufacturers have an honest desire to put more quality and value into their merchandise than additional labels. Testimony has been received by the committee which indicates that many fabrics are actually blends of more than one type of fiber. Through such processes, the fabric may be changed in its character or serviceability by varying the percentages of the component parts. I firmly believe that unless the consumer knows the desirable blend of the materials in a garment it is possible to mislead and deceive the consumer in such a way that the product will be inferior from the standpoint of washability and wearability. Thus, even if the actual content is known to the consumer, it does not, in most cases, convey information of real value to the user on the characteristics of the fabric used in the product.

Our committee has been told that extensive experimentation has taken place in the trade to determine the suitability of certain blends for a particular end use. Unless the manufacturer adheres to the recommended blend, there would be no protection to the consumer because the consumer would have no way of knowing whether the product was serviceable until it had been used. Unfortunately, not all manufacturers are interested in having a high-quality material and as a result quality is sometimes reduced to effect a cost saving. In all cases this might not be to the advantage of the consumer who has no way of obtaining adequate information except through experimentation. This legislation will not offer the quality standards on which the consumer may rely. In addition, our committee received testimony that wide variation exists in using the same process because of other factors which may affect the ultimate result achieved during the manufacturing or finishing process.

According to my information, this bill would not in any way assist the consumer in making a more intelligent selection of garments or fabrics.

Mandatory disclosure of the fiber content of all textile products is not needed nor desirable.

At the present time, there are certain manmade fibers on the market which are offered to the public under certain proprietary names. It is understandable that each manufacturer wants to promote his particular synthetic product. There is no way for the consumer to know that two manufacturers are producing an almost identical or identical fiber or product because the consumer would not know the scientific nomenclature for the product. The exact fiber content of a textile is an academic nicety important to trained scientific persons but not to the consumer. There is no way that the consumer can know, through the provisions of this legislation, that two textile manufacturers are using similar synthetics of fiber or yarn.

I believe that the labeling required under H. R. 469 would serve to confuse a consumer who is already uncertain and perplexed over the many synthetic fibers and blends of fibers which are offered to the public today.

Legislation, in my opinion, would not accomplish its objectives and may result in considerable more confusion and additional difficulties. I can see few advantages resulting from this legislation.

If the provisions of this bill become law, it will burden the manufacturers, processors, distributors, and retail merchants with additional responsibilities for recordkeeping and labeling. It would result in increased costs to the manufacturer and retailer. It is well known that these costs are not absorbed by those persons but are directly passed on to the consumers in the form of an increased cost of the product.

It is well known in the trade, and perhaps generally, that nylon and other synthetics have characteristics which impart greater strength to the garment or fabric. In certain garments, only a small percentage of nylon may be used in a certain area to impart greater strength which results in more serviceability of the garment. The same result is achieved in such products as curtains

and draperies by the use of certain fibers which will impart strength to the product which will enable the drape to wear longer and not pull apart by its own weight. The manufacturer of such products would ordinarily indicate that nylon or another fiber was added for purposes of strength. The percentage by weight of the fiber may be very small. Increasing the percentage of that fiber would not result in a better quality item. I do not think that most consumers have enough experience to adequately evaluate the information which may be required under this legislation. By using certain blends of synthetics or synthetics and natural fibers, the characteristics of the end product may be varied greatly. To a large degree the characteristics of the final fabric may also be varied by the processing used or the finishing applied to the fabric. I believe that the consumer will have no way of determining the characteristics of the final fabric merely through a disclosure of the percentage by weight of the components of the product.

It has been suggested that this legislation has been advocated by certain cotton interests. There can be no doubt but that the market for goods produced by the cotton industry has been invaded by manmade synthetics. This labeling bill will not help the cotton industry sell more cotton goods and I cannot see where it will in any way enhance the standing of cotton to promote greater use of cotton. The cotton industry has been characterized as a sick one but its illness is not in reality caused by the development of synthetics. To a far greater degree, this industry has suffered from import of cotton fabrics produced abroad. Enactment of this legislation will not reduce that competition.

I wish to make my position clear regarding past labeling legislation. I believe that the benefits are great which have come to the consumer as a result of the provisions contained in the Wool Products Labeling Act and the Fur Labeling Act. I do not believe that similar results can be achieved through enactment of H. R. 469.

CHARLES E. POTTER.

Mr. MONRONEY. Mr. President, in connection with the alternative which has been mentioned, I should like to direct attention to Senate Resolution 287, which was agreed to by the Senate on May 6 of this year. I read now the first part of the resolution:

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, to conduct a full and complete study of all factors affecting commerce and production in the textile industry of the United States, including but not limited to (a) the extent, nature, and causes of the decline in interstate and foreign commerce in textile mill products; (b) the decline in employment in the textile industry; (c) the effects of policies and programs of the Federal Government on the industry; and (d) the impact of commercial policies of other nations on the industry.

The committee is to look into the chaotic economic conditions existing in the textile industry. But if the committee is to study the question of whether labels should be used, and if that question becomes the major concern of the committee, the question of unemployment in the textile factories in New England and the South may never be studied. I am afraid that unemployment will continue to grow while the committee hears once again the testimony of dozens of witnesses whose testimony already has been heard by the Senate committee.

It has also been argued that the bill should be recommitted, because several amendments are at the desk. We have gone over the amendments. I have prepared an amendment, which I shall submit on behalf of myself and several other members of the Committee on Interstate and Foreign Commerce, which combines nine-tenths of the amendments now at the desk, and which will be in accord with the purpose of the bill and with the views of a majority of the members of the committee who have heard the testimony.

Therefore, I trust that the motion to recommit will be rejected, and that the work which has been done over a period of many weeks by the members of both the Senate committee and the House committee will not be negated, but that the bill will be passed.

Mr. JORDAN. Mr. President, reference has been made to pima cotton. It is clearly against the law to mislabel any product; it is illegal to label a garment as containing pima cotton, if it does not contain pima cotton. So such mislabeling cannot be done, unless a person is to violate the law. Of course, we realize that almost all laws are violated at times, by those who have no regard for the law.

Mr. MONRONEY. Mr. President, will the Senator from North Carolina yield to me?

Mr. JORDAN. I yield.

Mr. MONRONEY. If the garment contained 5 percent pima cotton and 95 percent ordinary cotton, under the law the garment could be labeled "pima cotton and cotton." And in that case the customer would not know what the respective percentages were.

Mr. JORDAN. Yes.

Mr. MONRONEY. In fact, I think that could be done even if only 2 percent of pima cotton were used.

The purpose of the bill is to insure truth in advertising and merchandising, so that the consumer can judge for himself, by means of the information obtained from the tag or label.

Mr. JORDAN. But under existing law, I believe the larger percentage has to be stated first, in other words, the label must read cotton and pima cotton, if more than 50 percent of the garment is cotton, and if pima cotton constitutes a smaller percentage of the garment.

I am in the cotton manufacturing business, and have been most of my life; and cotton is what I spin in my mill.

However, I do not believe the bill will help the cotton farmer one whit. Instead, I believe the bill will hurt him. The cotton farmer thinks the bill will help him, but I do not believe it will.

I think the testimony which has been brought out on the floor this afternoon—testimony to the effect that the customer does not particularly need to know exactly what the fiber content is—shows that the bill, if enacted, will not help the customer one iota. If the bill is to be enacted, then I am glad I voted the other day for the education bill, because, if the pending bill is enacted, all the consumers will have to be college graduates, or have to go to college and study about textile content, if they are to know about what they have purchased.

As I have stated, I am not opposed to the bill if its enactment will aid the consumers. However, I think other factors are much more important to the consumers.

The bill, if enacted, will be confusing, and will result in great additional expense to the manufacturers. However, enactment of the bill would not affect me one whit in connection with the manufacturing process; but enactment of the bill would cost the consumers a tremendous amount of money, for the additional cost would certainly be passed on to the consumers.

So, I believe the bill should be considered further by the committee which is investigating all phases of the industry. After that is done, I hope the committee will report a bill which I shall be glad to help enact.

Mr. STENNIS. Mr. President, will the Senator from North Carolina yield for a question?

Mr. JORDAN. I yield.

Mr. STENNIS. I had to leave the floor for a short time; and when I returned, I was not certain whether I had heard the entire statement made by the Senator from North Carolina. Did I correctly understand him to state that the use of a label which would show the contents of a garment would not help the consumers know more about the fabrics?

Mr. JORDAN. I doubt that it would help them. In other words, under the present law, a garment made of 100-percent cotton or 100-percent wool can be labeled "100-percent cotton" or "100-percent wool."

Mr. STENNIS. But if a consumer undertakes to appraise the actual quality of the cloth used in the garment—whatever it may be—such disclosure of the fiber content of the fabric or textile would be helpful to him, would it not?

Mr. JORDAN. I doubt it.

Mr. STENNIS. I believe the Senator from North Carolina underestimates the intelligence of the American women, as well as the intelligence of other consumers.

Mr. JORDAN. I do not think so, for this reason: I believe that the manufacturers make the very best fabrics they know how to make; and when the manufacturers include synthetics such as nylon, Orlon, or Dacron, those synthetics are much more expensive than cotton; but the synthetics I have mentioned improve the fabric, by increasing its abrasion-resistant qualities. That is why those synthetics are used.

Mr. STENNIS. Can the average consumer tell the value of the average percentages used?

Mr. JORDAN. I do not think so.

Mr. STENNIS. If they cannot, would not a disclosure of the facts help them determine whether they wish to buy the particular garment or do not wish to buy it?

Mr. JORDAN. That might help if the customer wanted to purchase a garment made of 100-percent cotton fabric. In that case, if the garment were so labeled, I believe that information would help the consumer a great deal.

But in the case of a blend of 3 or 4 different fabrics—as usually contained in a great deal of the cloth used—I doubt that that knowledge would help the consumer any. I have no objection to having that information disclosed; but I do not think this bill would do that. Instead, I believe the pending bill would only confuse the public, because the bill is designed to help the cotton farmer; there is no doubt about that.

I want to help the cotton farmers as most of my colleagues do. But I do not believe the pending bill actually will help the cotton farmer.

If we really wish to help the cotton farmer by means of a labeling act, then we should enact a bill which would require that the rayon content be shown, along with the cotton content, because rayon is the cheapest fabric that is made.

Mr. STENNIS. Will not the pending bill do the very thing which the Senator has pointed out would be helpful?

Mr. JORDAN. It would; but it would go far beyond that, and the result would be to confuse the entire situation; and, in addition, enactment of the bill is unnecessary, and would result in great additional expense to the manufacturers, in my opinion.

Mr. STENNIS. If the Senator will permit me to make this observation—it is not a question—he has clearly stated the primary purpose of this bill is to bring such disclosures; and a statement as to how much rayon and other fibers are in the material would be helpful to the consumer, would it not?

Mr. JORDAN. Under existing law, rayon cannot be put in material with another fiber and the claim made that the material is cotton. It must be stated that it is cotton-rayon. A fabric cannot be labeled "cotton," if it has rayon in it. That is against the law.

Mr. STENNIS. Would the present law require a disclosure as to how much rayon is in the material?

Mr. JORDAN. No.

Mr. STENNIS. The proposed law would so provide?

Mr. JORDAN. Yes.

Mr. STENNIS. So the bill would help the consumer to that extent, would it not?

Mr. JORDAN. It would, if the consumer did not want any rayon in the material.

Mr. STENNIS. I thank the Senator.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CLARK in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Rhode Island [Mr. PASTORE] to recommit the bill. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERR (when his name was called). On this vote I have a pair with the distinguished Senator from Georgia [Mr. TALMADGE]. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

On this vote, the Senator from Florida [Mr. HOLLAND] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Florida would vote "nay" and the Senator from Virginia would vote "yea."

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR] and the Senator from Montana [Mr. MURRAY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Maine [Mr. PAYNE], and the Senator from Minnesota [Mr. THYE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Connecticut [Mr. PURTELL] is absent on official business.

The Senator from Kansas [Mr. SCHOEPPEL] is detained on official business.

On this vote the Senator from Maine [Mr. PAYNE] is paired with the Senator from Kansas [Mr. SCHOEPPEL]. If present and voting, the Senator from Maine would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 36, nays 47, as follows:

YEAS—36

Bennett	Green	Lausche
Bush	Hickenlooper	Malone
Byrd	Hoblitzell	Martin, Iowa
Carlson	Hruska	Martin, Pa.
Case, N. J.	Ives	Morton
Case, S. Dak.	Javits	Pastore
Cooper	Johnston, S. C.	Potter
Cotton	Jordan	Saltonstall
Curtis	Kennedy	Smith, Maine
Dirksen	Knowland	Smith, N. J.
Ervin	Kuchel	Watkins
Goldwater	Langer	Wiley

NAYS—47

Aiken	Fulbright	Morse
Allott	Gore	Mundt
Anderson	Hayden	Neuberger
Barrett	Hennings	O'Mahoney
Beall	Hill	Proxmire
Bible	Humphrey	Revercomb
Bricker	Jackson	Russell
Butler	Jenner	Smathers
Carroll	Johnson, Tex.	Sparkman
Chavez	Kefauver	Stennis
Church	Long	Symington
Clark	Magnuson	Thurmond
Douglas	Mansfield	Williams
Dworshak	McClellan	Yarborough
Eastland	McNamara	Young
Ellender	Monroney	

NOT VOTING—13

Bridges	Kerr	Schoeppel
Capehart	Murray	Talmadge
Flanders	Payne	Thye
Frear	Purtell	
Holland	Robertson	

So Mr. PASTORE's motion to recommit was rejected.

Mr. GORE. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. HILL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. CHURCH in the chair) The question is on agreeing to the motion of the Senator from Alabama to lay on the table the motion of the Senator from Tennessee to reconsider.

The motion to lay on the table was agreed to.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. CHURCH in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AMENDMENT OF VIRGIN ISLANDS CORPORATION ACT

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Texas. Has the Senator from Washington cleared this matter with the minority leader?

Mr. JACKSON. I have cleared it with the Senator from Utah [Mr. WATKINS].

The PRESIDING OFFICER. The Senator from Washington [Mr. JACKSON] is recognized.

Mr. JACKSON. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BUTLER. What is the business before the Senate?

The PRESIDING OFFICER. The business now before the Senate has to do with sending a bill to conference.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Have the conferees been appointed?

The PRESIDING OFFICER. They have not been appointed.

The PRESIDING OFFICER appointed Mr. JACKSON, Mr. ANDERSON, and Mr. KUCHEL conferees on the part of the Senate.

MISBRANDING AND ADVERTISING OF TEXTILE FIBER PRODUCTS

The Senate resumed the consideration of the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I have an amendment at the desk which is similar to an amendment offered by the Senator from New Hampshire [Mr. BRIDGES] and other Senators; but inasmuch as the sense of my amendment is embodied in an omnibus amendment which will be offered by the Senator from Oklahoma, I shall withdraw my amendment in favor of the omnibus amendment.

I now yield to the Senator from Oklahoma in order that he may offer an amendment.

Mr. MONRONEY. Mr. President, Senators PROXMIRE, BUTLER, BRIDGES, COTTON, MARTIN of Pennsylvania, THURMOND, PASTORE, TALMADGE, and BEALL have introduced proposed amendments to this measure. For the sake of ease in handling them, I have incorporated them into one amendment which I now send to the desk, and which I desire to explain.

On page 10, starting on line 20, strike the words "or any term identified with furs."

Section 4 (g) was inserted at the request of the fur farm organizations so that the Federal Trade Commission could better supervise the marketing of pile cloth garments made to look as nearly as possible like fur. The deletion I have suggested has been agreed to by the fur farm organizations and the manufacturers of pile cloth so as to make the section more workable.

Section 12 (a) (6) on page 18, as it now reads, would exempt from the bill "paddings or cushions to be used under floor coverings." The House version would have exempted "backings of floor coverings." I now suggest that the two be combined so that both the backings and the pads or cushions would be exempt. The rug industry backs this change solidly.

The bill would exempt "sewing thread." I suggest amending section 12 (a) (7) so that it would read "sewing and handicraft threads." Senator TALMADGE, as well as producers from other States are interested in this change. Thread is made of one fiber, so that it is 100 percent of that fiber. There would seem no need to add the percentage to the labels of this product. Handicraft threads are used in homes for knitting and such. It should be exempt. The deletion of the numeral (7) from page 19, line 10, makes these threads completely exempt.

Add a new subsection (h) to section 4. The bill as reported would exempt upholstery stuffing. This change would require that only in the case of reused stuffing would a label be required. A few States now requires such labeling both as a protection to the consumer and as a health measure. It seems to us that making such a label uniform throughout the country would be a wise thing. These are the amendments I recommend, and I suggest they be voted on en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. PASTORE. Mr. President, I have been asked, on behalf of the Senator from Georgia [Mr. TALMADGE], to offer an amendment in which he is interested. It reads as follows:

On page 18, line 21, strike out the semicolon and insert in lieu thereof "and handicraft thread;".

Mr. MONRONEY. That amendment is included in the omnibus amendment, which includes nine-tenths of the amendments which have been submitted.

Mr. PASTORE. Mr. President, I ask unanimous consent that a statement prepared by the Senator from Georgia explaining his amendment be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TALMADGE

This amendment simply proposes to add handicraft threads to the list of materials exempted by section 12 (a) from the provisions of this act.

I point out that sewing thread already is one of the items specifically exempted and it would appear only fair and logical that handicraft threads should be treated in the same manner.

There are only two essential differences between sewing and handicraft threads.

Sewing threads are hard-finished, single-fiber yarns used primarily for machine sewing while handicraft threads are soft-finished, single-fiber yarns used principally in the various hand needlecraft arts of darning, mending, crocheting, tatting, embroidering, and handknitting.

Sewing threads generally are sold by the spool; handicraft threads, by the hank or skein.

Inasmuch as it already has been determined by the committee that sewing threads should be exempted from the provisions of this act, I submit that consistency dictates that handicraft threads likewise should be exempted as a matter of simple justice.

The purpose of this legislation is to protect the purchasers of fabrics and I cannot see how it will detract in the slightest from that purpose to exempt from its provisions handicraft threads which are not used—nor intended to be used—within the terms of this bill for fabricating into a fabric in the commercial sense.

I hope the amendment will be adopted.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. BUTLER. As I understand, the omnibus amendment comprehends the amendment which I offered in connection with reused stuffing.

Mr. MONRONEY. Yes. That is a very valuable part of the bill, and I think the Senator and his colleague are to be complimented for submitting the amendment.

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the RECORD in this connection a statement which I have prepared on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

The purpose of the amendment is the same as that for the labeling act itself. The principle underlying these acts is that while the Government should not seek to set product quality standards, the purchaser should be protected to the extent of a label containing basic information about items, the composition of which is not readily apparent. In other words, it is a disclosure bill, for the protection of the consumer.

Many irresponsible manufacturers practice fraud upon the consumer of mattresses, furniture, and other upholstered products through the use of secondhand filling material which is not labeled as such or is improperly labeled. In such cases the consumer has no way of knowing that he is not obtaining new, clean, and sanitary filling material for these personal items.

Although several States currently have laws governing the labeling of bedding materials, with few exceptions these State laws are poorly enforced. Most of the States back the staff and money for policing the laws, and frequently they are regarded primarily as a source of revenue rather than as a means of protecting the consumer.

The Federal Trade Commission advises that this area of commerce urgently needs regulation to avoid not only the fraud perpetrated upon the public, but also for the protection of public health. Mr. Harold A. Whittaker, Professional Associate, Academy Research Council, Washington, is of the opinion that used raw materials do constitute a serious health hazard in bedding and furniture. For support of this opinion, see National Academy of Sciences, National Research Council, Division of Medical Sciences, Committee on Sanitary Engineering and Environment, Minutes of 15th Meeting, June 4, 1957, page 8.

Dr. Milton J. Foter, United States Public Health Service, Cincinnati, states that investigation has shown that certain pathogenic fungi, virus, and bacteria, including staphylococci, streptococci, and virus diseases can be transferred through the use of unsanitary used filling materials. Dr. Foter is chairman of L 12 subcommittee on bedding sterilization of the American Standards Association and adviser on military sanitation to the National Research Council.

A recent article in the May 17 issue of the Saturday Evening Post emphasizes the seriousness of this problem. Certain "strains of staphylococcus aureus are turning up in epidemic proportions as the cause of painful boils and abscesses, hard-to-cure infections of the digestive, urinary, and respiratory tracts, and fatal pneumonias. * * * It remains impervious to penicillin, streptomycin, aureomycin, and most other antibiotics. * * * It fights off and sometimes destroys the scavenging white blood corpuscles mobilized by the body to combat it. * * * It seems to be much more virulent than most staphylococci."

As the Post article points out, these germs which are resistant to so-called wonder drugs thrive best in the intimate contacts of home or hospital and is carried on such things as bedding and mattresses and other items which come into close contact with the body.

These items are the very same ones which find their way back into the trade channels and from which secondhand upholstery stuffing is obtained. It seems obvious that the public must be warned of the dangers to their health and well-being of such secondhand material, at least to the extent of our requiring a label, stamp, or tag showing the words plainly legible that the upholstered product contains reused upholstery, mattress, or cushion filling, or stuffing.

It is believed that a forewarned public will demand new material in these products with which they have intimate contact, and a salutory byproduct will be the consumption of many thousands additional pounds of domestic textile materials, thus furthering one of the basic policies of the administration.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JAVITS. I think the inclusion of handicraft thread is a real improvement.

I should like to ask the Senator a question. The one remaining thing about the bill that troubles me is that not enough tolerances are left to the Federal Trade Commission. I think we would be better off not to lash the Commission absolutely to the 5 percent figure.

Mr. MONRONEY. It is not confined to the 5 percent figure.

Mr. JAVITS. Will the Senator state again for the record exactly what latitude the Federal Trade Commission would have in its regulations, as the Senator understands the bill?

Mr. MONRONEY. As I understand the bill, up to 5 percent would be allowed for added fabric decorations. Up to that point, such additions need not be listed as a part of the fabric content. If the added fabric is more than 5 percent of the fabric content, it should be covered by the label on the fabric. However, the degree of error or variance as the cloth is woven is left open, with the proper rate of tolerance to be determined later by the Federal Trade Commission. We were not qualified to say that exactly the same percentage should be applied to all cloth. The Federal Trade Commission will be able to establish its own tolerances, so that a man would not be penalized by reason of the fact that a certain fabric varied from the standard.

Mr. JAVITS. Whatever the Commission considers to be a reasonable tolerance, under the circumstances, is permissible under the bill?

Mr. MONRONEY. That is the clear provision of the bill; and I believe that is the way in which the Commission would enforce it.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. ALLOTT. There was so much confusion in the Chamber that I could not hear the Seantor's answer a while ago. Does the omnibus amendment do, with respecting to carpeting, what the Talmadge amendment would have done?

Mr. MONRONEY. It does for carpeting what I believe the Bridges-Cotton amendment and the Talmadge amendment would do. The Talmadge amendment involved the addition of handicraft threads. So far as the Senator from Oklahoma knows, the omnibus amendment incorporates almost every amendment submitted by the Senators whose names I have read, namely, Senators PROXMIRE, BUTLER, BRIDGES, COTTON, MARTIN of Pennsylvania, THURMOND, PASTORE, TALMADGE, and BEALL.

Mr. ALLOTT. I thank the Senator.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a number of telegrams which I have received on this subject.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DELTA, COLO., *July 30, 1958.*

Hon. GORDON C. ALLOTT,
United States Senator,
Senate Office Building,
Washington, D. C.:

We understand that the Senate will be considering textile labeling bill, H. R. 469, at any hour now. This bill contains several provisions beneficial to Colorado's two-hundred-odd fur farmers raising mink and foxes. As legislative representative of these fur farmers, we urge you to support for passage this legislation. I would appreciate being advised of its progress.

LLOYD W. GIBSON.

BROOMFIELD, COLO., *July 30, 1958.*

Hon. GORDON C. ALLOTT,
United States Senate Office Building,
Washington, D. C.:

We sincerely urge you to act favorably on textile labeling bill, H. R. 469.

SHERMAN P. C. REED,
President, Rocky Mountain Fur Farmers Co-op Association.

DENVER, COLO., *July 31, 1958.*

Hon. GORDON ALLOTT,
United States Senator, State of Colorado, United States Senate Office Building, Washington, D. C.:

Request your support Senator TALMADGE's amendment to the labeling bill, H. R. 469. Senator TALMADGE's amendment exempts carpet backing materials from requirements of the bill. These backing materials are used for structural purposes only. Their identification is onerous and wasteful to carpet manufacturers, serves no useful purpose to the consumer, and only tends to confuse the consumer between backing materials and the surface or pile materials which represent most of the value of the carpet.

E. J. HORNER,
Bigelow Rugs and Carpets.

DENVER, COLO., *July 31, 1958.*

Hon. GORDON ALLOTT,
Senate Office Building,
Washington, D. C.:

Inclusion carpet backing materials Textile Labeling Act adds no useful information for consumer. Misleads by implying backing materials as important as surface yarn. Complicates problem of selection by unnecessarily adding to factors to be evaluated. Urge elimination of carpet backing materials from labeling bill.

CARL H. HILEMAN.

DENVER, COLO., *July 31, 1958.*

Senators GORDON ALLOTT and JOHN CARROLL,
Washington, D. C.:

Inclusion carpet backing materials Textile Labeling Act adds no useful information for consumer. Misleads by implying backing materials as important as surface yarn. Complicates problem of selection by unnecessarily adding to factors to be evaluated. Urge elimination of carpet backing materials from labeling bill.

JOHN P. FLOOD,
Orchard & Wilhelm Co.

The PRESIDING OFFICER. The amendments offered by the Senator from Oklahoma [Mr. MONRONEY], which will be considered en bloc, will be stated.

The CHIEF CLERK. On page 10, lines 20 and 21, it is proposed to strike out "or any term identified with furs."

On page 11, after line 3, it is proposed to insert the following:

(h) For the purposes of this act, a textile fiber product shall be misbranded if it is used as stuffing in any upholstered product, mattress, or cushion after having been previously used as stuffing in any other upholstered product, mattress, or cushion, unless the upholstered product, mattress or cushion containing such textile fiber product bears a stamp, tag, or label approved by the Commission indicating in words plainly legible that it contains reused stuffing.

On page 18, line 11, it is proposed to strike out the semicolon and insert in lieu thereof a comma and the following: "except as provided in section 4 (h)."

On page 18, line 19, immediately before the word "paddings" it is proposed to insert "backings of and."

On page 18, line 21, it is proposed to strike out "thread" and insert in lieu thereof "and handicraft threads."

On page 19, lines 9 and 10, it is proposed to strike out "(3), (4), or (7)" and insert "(3) or (4)."

Mr. MAGNUSON. Mr. President, so far as the chairman of the committee is concerned, the amendments offered by the Senator from Oklahoma embody many of the minor technical amendments, and I shall be glad to accept them, if there is no objection on the part of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, offered by the Senator from Oklahoma [Mr. MONRONEY].

The amendments were agreed to.

Mr. PASTORE. Mr. President, I should like to have the RECORD show that I am in favor of the Monroney amendments, and in favor of the bill as amended.

Mr. LANGER. Mr. President, I should like the RECORD to show that I favor enactment of the bill, as amended.

Mr. GOLDWATER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The CHIEF CLERK. On page 9, at the beginning of line 19, it is proposed to strike out all of subsection (e), as follows:

(e) This section shall not be construed as requiring the affixing of a stamp, tag, label, or other means of identification to each textile fiber product contained in a package if (1) such textile fiber products are intended for sale to the ultimate consumer in such package, (2) such package has affixed to it a stamp, tag, label, or other means of identification bearing, with respect to the textile fiber products contained therein, the information required by subsection (b), and (3) the information on the stamp, tag, label, or other means of identification affixed to such package is equally applicable with respect to each textile fiber product contained therein.

And to renumber the sections.

On page 12, line 8, it is proposed to strike out all of section 5 (c), as follows:

(c) If any person other than the ultimate consumer breaks a package which bears a stamp, tag, label, or other means of identification conforming to the requirements of

section 4, and if such package contains 1 or more units of a textile fiber product to which a stamp, tag, label, or other identification conforming to the requirements of section 4 is not affixed, such person shall affix a stamp, tag, label, or other identification bearing the information on the stamp, tag, label, or other means of identification attached to such broken package to each unit of textile fiber product taken from such broken package.

Mr. GOLDWATER. Mr. President, I have certain reservations about the bill. My chief objection deals with those parts of the bill covering the labeling of packaged items. Section 4 (e) provides that individual items in a package need not be labeled if the packaged products are intended for sale to the ultimate consumer as a package, and if the package is properly labeled as to the fiber content of the merchandise contained therein. Section 5 (c) requires that any person breaking a package which is labeled according to the provisions of this bill must label each article taken from that package.

These provisions would impose a completely unreasonable burden on retailers. Quite often customers only buy one item from the package supplied to the retailers by the manufacturer. If the individual items in the package are not labeled, retailers have three choices: They can either provide a label, decline the sale, or break the law by selling an unlabeled product.

Obviously, this is unreasonable from the retailer's standpoint. These provisions would require him to maintain a stock of labels at each sales counter showing the fiber content of every textile product sold from that counter. Retailers are simply not equipped to perform this task.

Therefore, I have prepared an amendment which would eliminate both these provisions, and offer it with the hope that it will be acceptable to the sponsors of the bill.

The PRESIDING OFFICER. The Senate will be in order. Senators who desire to converse will please retire to the cloakrooms.

Mr. MAGNUSON. Mr. President, I believe the effect of the Senator's amendment is that when a package is labeled and everyone knows what is in it, and that package becomes broken or the contents become separated from one another, separate labeling of each item in the countainer would not be necessary. The amendment would not require putting individual labels on the items.

Mr. GOLDWATER. The Senator is correct. I should like to give a quick example. Let us say that there are cotton napkins contained in a package, and that each package contains a dozen napkins. The packages, each containing 12 napkins, are piled up on the counter. Let us assume that a customer buys six napkins. The retailer breaks the package and takes six napkins out of the package. Every package of 12 bears on it a label showing the fiber content of the merchandise, and the box in which the napkins were packed also shows the fiber content. It would be almost impossible for the retailer to stock enough labels with which to label each individual napkin.

Mr. MAGNUSON. I understand the purpose of the amendment. There was a great deal of testimony heard on the subject. I am willing to take the amendment to conference.

Mr. GOLDWATER. I thank the distinguished Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona. Without objection, the amendment is agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I call up the amendment identified as 7-18-58-B, submitted by the Senator from Georgia [Mr. TALMADGE]. He has asked me to have it called up.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 14, line 16, beginning with the word "Whenever", it is proposed to strike out all down through line 3 on page 15 and insert in lieu thereof the following:

Whenever the Commission—

(a) has reasonable cause to believe that any person is committing an act which by section 3, 5, 6, 9, or 10 (b) is declared to be unlawful; and

(b) has issued a complaint under the Federal Trade Commission Act against the person committing such act; and

(c) believes that it would be in the public interest to enjoin the doing of such act until such complaint is dismissed by the Commission, or until an order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Act, or until such order has been set aside by the court on review.

Mr. JOHNSTON of South Carolina. I make this statement on behalf of the Senator from Georgia [Mr. TALMADGE].

The purpose of the amendment, Mr. President, is to eliminate the great potential for harassment and abuse inherent in the broad injunctive power granted to the Federal Trade Commission in section 8.

As now written, that section provides that a person may be enjoined from something he is about to do and that the Commission may initiate injunction proceedings even before it has issued a formal complaint.

Such procedure, Mr. President, directly contravenes basic legal doctrine and the repeated rulings of the Federal courts that injunctive relief cannot be afforded in speculative instances. Furthermore, it is totally contrary to the American tradition of presumed innocence until proved guilty.

To authorize a Federal agency to seek court orders restraining persons thought or rumored to be about to do something would be ridiculous on its face; that is, unless such authorization is to be accompanied by supplemental authority for that agency to employ a staff of seers and mindreaders to tell it when and where such acts might be being contemplated.

The amendment would bring the injunctive authority into play whenever the Commission had:

First. Reasonable cause to believe a person actually is committing an act declared to be unlawful by this statute.

Second. Issued a complaint against such person under the Federal Trade Commission Act.

Third. Determined it would be in the public interest to enjoin such person pending adjudication of its specific complaints or orders.

It would appear to me, Mr. President, that such limited injunctive authority would be more than adequate to carry out the terms of the act.

Otherwise, I can foresee instances in which firms might be enjoined from the sale of their products in interstate commerce before the Commission has sufficiently conclusive evidence to warrant the filing of formal complaints. And such situations, under the bill now before the Senate, could be continued indefinitely.

I am convinced, Mr. President, that the Commission should be required to specify its charges in the form of specific complaints setting forth exact details about acts actually being committed before it is permitted to go into court to seek to enjoin firms from selling their products in interstate commerce.

It is the purpose of this measure to protect the public from the mislabeling of textile products.

I believe the Senate will agree, however, that the broad injunctive power contemplated by this bill as reported is neither in the public interest nor in keeping with American concepts of jurisprudence and free enterprise.

This measure is one which can be productive of great good for the consuming public and I hope this Senate will assure that it accomplishes that good by perfecting it with this amendment.

I have made the statement on behalf of the Senator from Georgia [Mr. TALMADGE].

Mr. MONRONEY. Mr. President, I rise in opposition to the amendment offered by the distinguished Senator from Georgia through the Senator from South Carolina [Mr. JOHNSTON]. The language in the bill dealing with this subject is the standard language used by the Federal Trade Commission in its enforcement procedures.

It has been in the Labeling Act for many years, and no one has had reason to complain about it. Most of it goes back through 17 years of experience. In issuing a complaint, it takes a considerable length of time for the complaint to be docketed, and so forth. In the meantime, the company against whom the Federal Trade Commission would proceed in trying to prevent a violation from the standpoint of mislabeling or fraudulent merchandising, if the amendment were adopted, could dispose of its entire stock before the Federal Trade Commission complaint could have been brought up. Therefore, it would negate the purposes of the act to protect the public, and would result in a flood of mislabeled and misbranded items. Therefore, I ask that the amendment be not adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia [Mr. TALMADGE].

The amendment was rejected.

Mr. JAVITS. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 8, lines 23 and 24, it is proposed to strike out subsection (4).

Mr. JAVITS. Mr. President, the amendment deals with what I consider to be a very vexing problem of draftsmanship in the bill which met with objection on the part of the Department of State. I think the Department of State is right.

The provision I seek to strike out reads as follows:

(4) If it is an imported textile fiber product the name of the country where processed or manufactured.

I believe that, in practical effect, if the bill is read carefully, the clause not only will result in compelling a manufacturer to set forth in his labeling not only the fiber content, but also, in respect of a particular fiber, will require him to say that that fiber was imported from wherever it was received—Austria, Germany, Japan, or anywhere else.

When the Senator from Illinois [Mr. DOUGLAS] raised this question, it was my distinct impression that the Senator from Washington sought to explain that that was not the intention of the bill; that the intention was simply to make the bill applicable to the total number of items imported from abroad.

First, I respectfully submit to the Senator from Washington that apparently the legal analysts in the Department of State analyzed that provision as I did.

Second, if we will turn to the definition of "textile fiber product" in this measure, I think inevitably a question of doubt will arise and, I believe, will have to be resolved in favor of requiring the labeling of the fiber right on the label, so that it will show that the fiber comes from a foreign country. That is what the Department of State thought, and they recommended against the inclusion of the item.

Mr. MAGNUSON. I think the amendment of the Senator from New York clarifies that matter. I shall be glad to accept it.

Mr. ERVIN. Mr. President, some persons are desirous of knowing where things are made, just as they are desirous of knowing the fiber contents of articles. I do not see why we should adopt an amendment which might lead a person to believe that an article which was manufactured in a foreign country was manufactured in the United States. Therefore, I oppose the amendment. I think if we make it possible for a person to know what is in a garment, we should make it possible for him to know everything about the garment.

I think the bill should be left so that it will permit the operation of the tariff clause.

Mr. MAGNUSON. That is exactly what the amendment does. The subsection in question does not appear to add anything to the rest of the language. Taking it out of the bill will not make any difference.

Mr. ERVIN. My position is that if we do not propose to let people be misled on one thing, we should not allow them to be misled on another.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York. [Putting the question.] The ayes appear to have it. The ayes have it. The amendment is agreed to.

Mr. ERVIN. Mr. President, a division.

The PRESIDING OFFICER. The Chair points out to the Senator from North Carolina that the result of the vote has been announced. It is too late for a division.

Mr. ERVIN. Mr. President, I ask unanimous consent that we may have a division.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. JAVITS. Mr. President, reserving the right to object, may I make a parliamentary inquiry?

The PRESIDING OFFICER. The Senator from New York will state his parliamentary inquiry.

Mr. JAVITS. Was the result announced?

The PRESIDING OFFICER. Yes.

Mr. JAVITS. Then, I object to the request of the Senator from North Carolina.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, this measure is a disclosure bill, designed to protect and inform the ultimate consumer in his purchases of textile fiber products used or intended to be used in household textile articles. Incidentally, the bill defines household textile articles as articles of wearing apparel, costumes and accessories, draperies, floor coverings, furnishings, beddings, and other textile goods of a type customarily used in a household regardless of where used in fact.

This bill is in the tradition of the Wool Labeling Act of 1939 and the Fur Products Labeling Act of 1951, and is based on the same underlying principle that while the Government should not set quality standards, the purchaser should be protected by disclosure of basic information about the composition of items not ascertainable by sight or touch. Of course wool and fur products remain under their respective acts.

The legislation would require the disclosure of the fiber content of articles in the form intended for use by the consumer, together with the name of the manufacturer or distributor. A fabric would be misbranded if disclosure was not made, or if the information was false.

The report on the bill goes into great detail, and I believe the amendments improve the measure. It is my hope, and I believe that of the committee also, that the Federal Trade Commission, after consultation with industry representatives and other interested persons, will be able to establish generic names which will serve adequately to distinguish between the many fibers of different properties which are now available.

If the Commission is successful in this task, and I believe it will be, the effectiveness of this bill, as far as protection of the consumer is concerned, will be increased.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, and to be read a third time.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent that the RECORD show, prior to the vote, that I support the passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MAGNUSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INCORPORATION OF JEWISH WAR VETERANS, U. S. A., NATIONAL MEMORIAL, INC.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2485, H. R. 109.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 109) to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the following-named persons, to wit: Ben Kaufman, Trenton, N. J.; William Berman, Westbrook, Maine; Joseph Gilman, Manchester, N. H.; Capt. Louis H. Albrand, Burlington, Vt.; Mrs. Ethel Cohen, Providence, R. I.; Paul J. Robin, Providence, R. I.; Frederick S. Harris, Meriden, Conn.; Edward Lettick, New Haven, Conn.; William Carmen, Brookline, Mass.; David Lasker, Boston, Mass.; Mrs. Sarah Stone, Brighton, Mass.; Harry D. Henshel, New York, N. Y.; Capt. Joshua Goldberg, New York, N. Y.; Sol Masch, New York, N. Y.; Sam Slutsky, Peekskill, N. Y.; I. T. Rockman, Harrisburg, Pa.; Harry H. Schaffer, Pittsburgh, Pa.; Dr. David Coyne, Hoboken, N. J.; Edward Nappen, Atlantic

City, N. J.; Howard M. Berg, Wilmington, Del.; Samuel Michaelson, Baltimore, Md.; Louis E. Spiegler, Washington, D. C.; Joseph F. Barr, Washington, D. C.; Joseph A. Reshefsky, Portsmouth, Va.; Edward Leyton, High Point, N. C.; Dr. Harry Appel, Charleston, S. C.; Harry Harrison, Atlanta, Ga.; Paul Ginsberg, Atlanta, Ga.; Harry Cohen, Miami Beach, Fla.; Louis B. Lepp, Birmingham, Ala.; Edwin I. Baer, Louisville, Ky.; Dr. Yale Burke, South Bend, Ind.; Harry T. Madison, Oak Park, Mich.; William Bobier, Phoenix, Ariz.; Samuel Shaikewitz, St. Louis, Mo.; Maj. Gen. Julius Klein, Chicago, Ill.; Nathan Rakita, Milwaukee, Wis.; Myer Dorfman, St. Paul, Minn.; Hyman Greenspan, Dallas, Tex.; Harold Freeman, Phoenix, Ariz.; Harry Pells, Denver, Colo.; Hy Weitzman, San Bernardino, Calif.; Don Kapner, Seattle, Wash.; Sherman Z. Lipstein, Omaha, Nebr.; William Stern, Fargo, N. Dak.; and their successors, are hereby created and declared to be a nonprofit body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Jewish War Veterans, U. S. A., National Memorial, Inc. (hereinafter referred to as the corporation), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws, not inconsistent with the provisions of this act, and the doing of such other acts as may be necessary for such purpose.

PRINCIPLES AND OBJECTS OF THE CORPORATION

SEC. 3. The principles and objects of the corporation shall be—

(a) to maintain and conduct a national memorial and museum dedicated to, and commemorating the service and sacrifice in the Armed Forces of the United States during the period of war by Americans of the Jewish faith;

(b) to gather, collate, edit, publish, and exhibit the memorabilia, data, records, military awards, decorations, citations, and so forth, for the purpose of preserving the memories and records of patriotic service performed by men and women of the Jewish faith while in the armed services of the United States in time of war; and

(c) to stimulate patriotism in the minds of all Americans by encouraging the study of the military and naval history of our Nation.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(a) to have succession by its corporate name;

(b) to sue and be sued, complain and defend in any court of competent jurisdiction;

(c) to adopt, use, and alter a corporate seal;

(d) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States, for the management of its property and the regulation of its affairs; said constitution and bylaws should likewise not be inconsistent with the laws of any State in which the corporation is to operate;

(e) to contract and be contracted with;

(f) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual, and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(g) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property; and

(h) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Washington, D. C., but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall at all times maintain in its headquarters in the District of Columbia a designated agent to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the headquarters of the organization in the said District of Columbia, shall be deemed notice or service upon the said corporation.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 6. (a) Upon the enactment of this act, the initial board of directors of the corporation shall consist of the present officers and members of the board of directors of the existing corporation, entitled "Jewish War Veterans U. S. A., National Memorial, Inc.", an organization incorporated under the laws of the District of Columbia.

(b) Thereafter, the board of directors of the corporation shall be of such number (not less than 36) who shall be selected in such manner, including the filling of vacancies, and serve such terms as shall be prescribed under the constitution and bylaws of the corporation.

(c) The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

OFFICERS, ELECTION OF OFFICERS

SEC. 7. (a) The officers of the corporation shall be a president and such number of vice presidents as shall be provided for in the constitution and bylaws, as well as a secretary and treasurer.

(b) The officers of the corporation shall be elected in such manner and for such terms as well as with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 8. (a) No part of the income or assets of the corporation shall inure to any officer or director or be distributable to any such person. Nothing in this section, however, shall be construed to prevent the payment of compensation to the officers or employees of the corporation in amounts approved by the executive committee of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loans, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 9. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 10. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 11. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 13. (a) The financial transactions shall be audited annually, at the end of the fiscal year established by the corporation, by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than 6 months following the close of such fiscal year for which the audit is made. The report shall set forth the scope of the audit and shall include verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OF LIQUIDATION

SEC. 14. Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporaton may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto. Nothing in this section shall be construed so as to permit any such assets being distributed to any officer or employee or inuring to the benefit of any private person.

TRANSFER OF ASSETS

SEC. 15. The corporation may acquire the assets of the Jewish War Veterans, U. S. A., National Memorial, Inc., a body corporate organized under the laws of the District of Columbia, upon discharging or satisfactorily providing for the payment and discharge of all of the liabilities of such corporation and upon complying with all the laws of the District of Columbia applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 16. The right to alter, amend, or repeal this act is expressly reserved.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill, as proposed to be amended, is to grant a Federal charter to the Jewish War Veterans, U. S. of A., National Memorial, Inc.—

(a) to maintain and conduct a national memorial and museum dedicated to and commemorating the service and sacrifice in the Armed Forces of the United States during the period of war by Americans of the Jewish faith;

(b) to gather, collate, edit, publish, and exhibit the memorabilia, data, records, military awards, decorations, citations, etc., for the purpose of preserving the memories and records of patriotic service performed by men and women of the Jewish faith while in the armed services of the United States in time of war; and

(c) to stimulate patriotism in the minds of all Americans by encouraging the study of the military and naval history of our Nation.

The bill was reported unanimously from the Judiciary Committee by the Senator from Wyoming [Mr. O'MAHONEY], and I hope the Senate will take action on the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. HICKENLOOPER. Mr. President, will the Senator from Texas yield for a question?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Does the Senator from Texas yield to the Senator from Iowa?

Mr. JOHNSON of Texas. I yield.

Mr. HICKENLOOPER. Have any other religious groups of American war veterans been granted charters by the Federal Government?

Mr. JOHNSON of Texas. I am not informed as to that.

Mr. HICKENLOOPER. Is there present in the Chamber any Senator who can give me that information?

Mr. DIRKSEN. This is a memorial.

Mr. HICKENLOOPER. I do not object, if it is a memorial. But some years ago, I opposed the granting of a charter which was proposed in the case of the French-American War Veterans. I would oppose the granting of a Federal charter to the veterans who belong to my own church, to the Methodist War Veterans. I would oppose the granting of a Federal charter to any particular group. I do not oppose having the groups organize; but I believe that if a Federal charter is to be granted, it should be granted to an organization that includes all veterans, regardless of race, color, or creed.

I should like to have the purpose of the pending measure clarified, because if the purpose is to have a Federal charter granted to a particular group which is not open to membership by all veterans, I shall oppose passage of the bill.

Mr. DIRKSEN. This case, as distinguished from those in which charters heretofore have been issued to organizations——

Mr. HICKENLOOPER. Such as the American Legion?

Mr. DIRKSEN. Yes—this one is for the purpose of a memorial. The basic purpose is the construction, in the District of Columbia, of a museum in which such records can be deposited.

Mr. HICKENLOOPER. Would the museum include records for other groups?

Mr. DIRKSEN. No. This is the only group that appeared before the committee, and this is the only one which made the request.

I read from the report on the bill:

This legislation, as amended, would incorporate a national memorial and museum dedicated to and commemorating the service of Americans of the Jewish faith in the Armed Forces of the United States. In this memorial it is intended not only to memorialize the sacrifices of those who died in the Nation's service, but also to establish a repository for memorabilia symbolizing the ideals for which these men fought. It is contemplated that there will be gathered and safeguarded here the story of American Jewish patriotism so that both the ordinary citizen and the scholar may readily ascertain the part played by the Jewish citizen in the military history of this country. It is hoped that this shrine will not only symbolize the sacrifices of American Jewish fighting men on behalf of their country, but will also be a reminder of the freedom which they have found in that country. The committee is of the view that a Federal charter will be of great value in giving prestige and recognition to this worthy purpose.

Mr. HICKENLOOPER. Will the Federal Government have to make any payment in connection with this matter?

Mr. DIRKSEN. No. This bill is for a memorial, and no expense will inure to the Federal Government.

Mr. HICKENLOOPER. I have no objection to a memorial of this kind. But certainly I would object to a request to have the Federal Government permit the establishment, in connection with military service to the country, of a specialized group not open to all veterans.

But if this is not to be financed by the Federal Government——

Mr. DIRKSEN. This matter involves absolutely no financial obligation on the part of the Federal Government.

Mr. HICKENLOOPER. I am sorry I do not know more about the proposal. I did not even know it was to be considered.

Mr. DIRKSEN. This measure was handled in the Judiciary Committee by the Senator from Wyoming [Mr. O'MAHONEY]. But I know this matter does not involve any expense to the Federal Government.

Mr. HICKENLOOPER. Then why is it the subject of a request for Federal action?

Mr. DIRKSEN. Memorials have heretofore been incorporated by Federal action, although they do not come readily to my mind.

But in the present instance, the matter is of quite a different kind, as compared to the issuance of a charter to an organization such as the Veterans of Foreign Wars.

Mr. HICKENLOOPER. Then am I assured that the enactment of this measure will not constitute a precedent?

Mr. DIRKSEN. I am reasonably sure it will not constitute a precedent; but I shall have to ask others about organizations which have had similar memorials.

Mr. HICKENLOOPER. Proposals of this kind have been before us before. Although I am not at all opposed to recognition of this sort, I feel that when military service to one's country in time of war is involved, there should be no differentiation because of any special associations or special groups.

Mr. DIRKSEN. I am advised by the staff that this is the first request of this kind that has come before us.

Mr. HICKENLOOPER. I am still in a quandary. Inasmuch as this is the first of its sort, it would constitute a precedent. Basically, I think that it would be bad practice. Once such a precedent were established, I believe a flood of such proposals would come before us.

Mr. DIRKSEN. I believe I have explained the bill.

Mr. HICKENLOOPER. But it is in the nature of blind legislation which suddenly comes welling up from some place, without having much attention.

Mr. DIRKSEN. I may say that the matter has been pending before the Judiciary Committee for a considerable period of time.

Mr. HICKENLOOPER. But hundreds and hundreds of bills which have been pending before the Judiciary Committee never see the light of day.

Mr. KEFAUVER. Mr. President, the chairman of the House Committee on the Judiciary made a strong personal plea for favorable consideration of the proposed legislation. I do not have before me a copy of his testimony; but he pointed out that no cost to the Federal Government is involved, and he also pointed out that this measure does not involve a precedent.

Mr. HICKENLOOPER. But a moment ago it was stated that it will constitute a precedent, that no similar action has previously been taken by the Congress. So I wonder which statement is correct.

Mr. KEFAUVER. Well, there is a great deal of interest in this proposal.

Mr. HICKENLOOPER. Regardless of the amount of interest in it or the amount of support for it, a principle is involved.

As I have said before, when other groups were trying to obtain the enactment of legislation which called for Federal recognition of special groups of persons who had served the country in time of war, I do not care whether the proposal involves the Jewish veterans or the French-American veterans or the Methodist veterans; in any case, we have had this matter out on the floor of the Senate before.

I think it is wrong to single out for special recognition, in connection with military service to the country in time of war, an exclusive group, regardless of what the group involved may be. I think that would be wrong in principle, because I do not think military service in the defense of the country in time of war should be subject to segregation, let us say; and that is what the pending bill would do.

Mr. DIRKSEN. I want the RECORD on this point to be absolutely straight, namely, that the pending bill does not

call for a charter to a membership organization; the bill is in the nature of a charter to a memorial. So I think there is a definite distinction between the two.

I also want the RECORD to show that this is the first time such a measure has come before the Senate.

Mr. HICKENLOOPER. But I think the principle is exactly the same. I have no objection to recognition of the sacrifice and the bravery of the Jewish soldiers, or the Irish soldiers, or the Methodist soldiers, or the Presbyterian soldiers, or any other soldiers. All honor and credit and praise to all of them. I simply think the pending bill would, if enacted, constitute bad practice. Once such a measure were enacted, it would open the gate; and thereafter, from time to time, I believe we would be confronted with many similar applications as has been the case in the past.

But in the past we have not enacted legislation which would establish such specialized groups. However, once the bill which relates to this particular situation were enacted, the Congress would be requested to pass favorably on bills relating to memorials to all sorts of special groups.

Mr. DIRKSEN. I know nothing that I can add to what I have already said. The bill has been called up. It would be for the majority leader to determine whether the bill should go over.

Mr. HICKENLOOPER. Mr. President, this matter is rather embarrassing.

Is the report on the bill available?

Mr. JOHNSON of Texas. Yes. Various Senators have been reading from the report. The bill has been reported unanimously from the Committee on the Judiciary, which is made up of members of different philosophies and different parties. Apparently there is no objection to the bill. It has been cleared by the majority leader as a noncontroversial bill; and the acting minority leader [Mr. DIRKSEN] read from the report on the bill.

Mr. LANGER. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER (Mr. PROUTY in the chair). Does the Senator from Texas yield to the Senator from North Dakota?

Mr. JOHNSON of Texas. I yield.

Mr. LANGER. I wish to say to the majority leader and also to my distinguished friend, the Senator from Iowa, that the matter was thoroughly discussed, hour after hour, in the Judiciary Committee.

Mr. JOHNSON of Texas. I hope the Senator from North Dakota will make sure that the Senator from Iowa understands that.

Mr. LANGER. I wish to say to my friend, the Senator from Iowa, that the matter was discussed for hours in the Judiciary Committee; and the committee's report on the bill is a unanimous one. The bill simply is for a memorial——

Mr. HICKENLOOPER. Oh, I know; it is simply to create a special charter for a particular group. I am not opposed to any particular group. But what is proposed is wrong in principle. We have defeated such measures before.

Mr. JOHNSON of Texas. If the Senator wants to read the report, I hand it to him.

Mr. HICKENLOOPER. I read from page 8 of the bill, under the heading "corporate powers":

SEC. 4. The corporation shall have power—
(a) to have succession by its corporate name;
(b) to sue and be sued, complain and defend in any court of competent jurisdiction;
(c) to adopt, use, and alter a corporate seal;
(d) to adopt, amend, and alter a constitution and bylaws.

And so on.

The bill states a whole list of corporate powers. It is an entity which is being sought.

I am told it requires an annual report to Congress. It is a special charter. I do not care by what name it is denominated. I have been against special charters for special organizations before. I see no reason to change my views.

Mr. JOHNSON of Texas. I do not seek to change the views of the Senator. He usually has very sound views. Although I do not always agree with him, I have no desire to change them.

I may point out that earlier in the day the Senate passed Calendar No. 2455, H. R. 13518, to incorporate the Blinded Veterans Association. Perhaps we want to reconsider that action, but the purpose of that prior action was to confer a Congressional charter on the Blinded Veterans Association. The Blinded Veterans Association was founded in Connecticut in March 1945. It came to Congress and asked the Judiciary Committee to act upon its incorporation.

Mr. HICKENLOOPER. And that is perfectly all right.

Mr. JOHNSON of Texas. After giving full consideration to the plea of the organization, the Judiciary Committee uanimously reported that bill, and it passed the Senate today. It seems to me somewhat similar to the bill now under consideration.

Mr. HICKENLOOPER. There is no similarity at all in principle, no similarity at all.

Mr. HUMPHREY. Mr. President, if the Senator will yield, is it my understanding the bill relates to a memorial for the Jewish War Veterans. That organization is a going establishment. This bill is with reference to a memorial. It seems to me we have passed other measures for memorials. We are building a memorial that is believed to be most needed within a short distance of the Capitol.

Mr. HICKENLOOPER. The bill relates to much more than a memorial. It provides a corporate structure and sets for a whole list of responsibilities.

Mr. HUMPHREY. So the organization can receive gifts and contributions.

Mr. HICKENLOOPER. Where is the memorial to be built? My objection is a fundamental one, which goes to all kinds of such special organizations. The matter was before the Senate previously 2 or 3 years ago, with respect to various organizations applying for charters having to do with the armed services of the country. I opposed such measures in those cases. I think it is just as wrong now to start this precedent.

Mr. HUMPHREY. I point out that the following language is contained on page 5 of the report:

It is to be noted that H. R. 109 does not grant a Federal charter to the membership organization—the Jewish War Veterans of the United States of America—but rather is limited to the national memorial.

One of the purposes of the charter is to permit the acquiring of assets already in the possession of the organization, but which it cannot transfer without this specific legislation.

Mr. HICKENLOOPER. Why cannot the assets be transferred, if the organization has them?

Mr. HUMPHREY. Because it is incorporated under the laws of the District of Columbia. For example, in order for the assets of the Jewish War Veterans to be transferred and used for a memorial, a change in the law is required. Furthermore, it is not uncommon to establish memorials. I do not see what all the hullabaloo is about with respect to those who want to establish a memorial on the basis of contributions of their own people.

Mr. HICKENLOOPER. The organization can establish and build the memorial. There is nothing to prohibit it. I am against the principle of opening the gates for specialized groups to get such legislation. I think it is wrong.

Mr. JOHNSON of Texas. I point out that we also passed a measure for the Purple Heart Association.

Mr. HICKENLOOPER. There is no similarity between the Purple Heart Association and this kind of legislation.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 109) was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

AMENDMENT OF UNITED STATES CODE TO PROVIDE ADMISSION OF CERTAIN EVIDENCE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 2236, H. R. 11477.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

DEPARTMENT OF JUSTICE—W. WILSON WHITE

The Chief Clerk read the nomination of W. Wilson White, of Pennsylvania, to be an Assistant Attorney General.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Robert L. Kunzig, of Pennsylvania, to be a member of the Foreign Claims Settlement Commission;

Wilbur G. Leonard, of Kansas, to be United States attorney for the district of Kansas; and

Gilbert H. Jertberg, of California, to be United States circuit judge for the ninth circuit.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Win G. Knoch, of Illinois, to be United States circuit judge for the seventh circuit; and

Omer Poos, of Illinois, to be United States district judge for the southern district of Illinois.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, before I suggest the absence of a quorum, I move that the Senate return to legislative session. The Senator from Louisiana is ready to call up the agricultural bill.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MARKETING PROGRAMS FOR VARIOUS AGRICULTURAL COMMODITIES

Mr. ELLENDER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives.

The Presiding Officer laid before the Senate the amendment of the House of Representatives to the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities—which was to strike out all after the enacting clause and insert:

TITLE I—COTTON

Program for 1959 and 1960

SEC. 101. The Agricultural Act of 1949, as amended, is amended by adding the following new section:

"SEC. 102. Notwithstanding any other provisions of law—

"(a) for each of the 1959 and 1960 crops of upland cotton the Secretary of Agriculture is authorized and directed to offer the operator of each farm for which an allotment is established under section 344 of the Agricultural Adjustment Act of 1938, as amended, a choice of (A) the farm acreage allotment determined pursuant to section 344 of the Agricultural Adjustment Act of 1938, as amended, and price support determined pursuant to section 101 of this act (the amount of cotton estimated to be produced on the additional acres allotted to producers selecting choice (B) for such year being taken into account in computing such support), except that for the 1959 crop the level of support shall be not less than 80 percent of parity, or (B) the farm acreage allotment determined pursuant to section 344 of the Agricultural Adjustment Act of 1938, as amended, increased by not to exceed 40 percent (such increased acreage allotment to be the acreage allotment for the farm for all purposes) and price support at a level which is 15 percent of parity below the level of support established for producers who elect choice (A). Any person operating more than one farm, in order to be eligible for choice (B), must elect choice (B) for all farms for which he is operator. Not later than January 31 the Secretary shall determine and announce on the basis of his estimate of the supply percentage and the parity price as of the following August 1, the price support level for producers who elect choice (A) and choice (B) respectively, and such price support levels shall be final. As soon as practicable after such announcement, the Secretary shall cause the operator (as shown on the records of the county committee) of each farm for which an allotment is established under section 344 of the Agricultural Adjustment Act of 1938, as amended, to be notified of the alternative levels of price support and the alternative acreage allotments available for his farm. The operator of each farm shall, within the time prescribed by the Secretary, notify the county committee in writing whether he desires the increased acreage allotment and the level of price support prescribed in choice (B) to be effective for the farm. If the operator fails to so notify the county committee within the time prescribed, he shall be deemed to have chosen the acreage allotment and the price support level prescribed in choice (A). The choice elected by the operator shall apply to all the producers on the farm. Notwithstanding the foregoing provisions of this subsection, the Secretary may permit the operator of a farm for which choice (B) is in effect to change to choice (A) where conditions beyond the control of the farm operator, such as excessive rain, flood, or drought, prevented the planting of acreage to cotton or having cotton acreage available for harvest on the farm in accordance with the plans of such operator in selecting choice (B). The additional acreage required to be allotted to farms under this section shall be in addition to the county, State, and national acreage allotments and the production from such acreage shall be in addition to the national marketing quota. The additional acreage authorized by this section shall not be taken into account in establishing future State, county, and farm acreage allotments. Notwithstanding any other provision of law, no farm participating in any cotton acreage reserve program established for 1959 under the Soil Bank Act shall receive an increased acreage allotment under the provisions of this section for 1959. Notwithstanding the provisions of section 344 (m) (2), any farm cotton acreage allotment increased as the result of the selection of choice (B) may not be released and reapportioned to any other farm. Price support shall be made available under this paragraph only to cooperators and only if producers have not disapproved marketing quotas for the crop.

"(b) for each of the 1959 and 1960 crops of upland cotton, price support shall be made available to producers who elect choice (A) through a purchase program. Price support shall be made available to producers who elect choice (B) through loans, purchases, or other operations.

"(c) the Commodity Credit Corporation is directed, during the period beginning August 1, 1959, and ending July 31, 1961, to offer any upland cotton owned by it for sale for unrestricted use at not less than 10 percent above the current level of price support prescribed in choice (B)."

Price support for 1961 and subsequent years

SEC. 102. (a) The Agricultural Act of 1949, as amended, is amended by adding a new section 103 as follows:

"SEC. 103. Notwithstanding the provisions of section 101 of this act, price support to cooperators for each crop of upland cotton, beginning with the 1961 crop, for which producers have not disapproved marketing quotas shall be at such level not more than 90 percent of the parity price therefor nor less than the minimum level prescribed below as the Secretary determines appropriate after consideration of the factors specified in section 401 (b) of this act. For the 1961 crop the minimum level shall be 70 percent of the parity price therefor, and for each subsequent crop the minimum level shall be 65 percent of the parity price therefor. Price support in the case of noncooperators and in case marketing quotas are disapproved shall be as provided in section 101 (d) (3) and (5)."

Acreage allotments and marketing quotas

SEC. 103. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) Section 342 is amended by striking out the third sentence and by changing the period at the end of the second sentence to a colon and adding the following: "*Provided*, That beginning with the 1961 crop, the national marketing quota shall be not less than a number of bales equal to the estimated domestic consumption and estimated exports (less estimated imports) for the marketing year for which the quota is proclaimed, except that the Secretary shall make such adjustment in the amount of such quota as he determines necessary after taking into consideration the estimated stocks of cotton in the United States (including the qualities of such stocks) and stocks in foreign countries which would be available for the marketing year for which the quota is being proclaimed if no adjustment of such quota is made hereunder, to assure the maintenance of adequate but not excessive stocks in the United States to provide a continuous and stable supply of the different qualities of cotton needed in the United States and in foreign cotton consuming countries, and for purposes of national security; but the Secretary, in making such adjustments, may not reduce the national marketing quota for any year below (i) 1 million bales less than the estimated domestic consumption and estimated exports for the marketing year for which such quota is being proclaimed, or (ii) 10 million bales, whichever is larger."

(2) Section 342 is further amended by adding at the end thereof the following: "Notwithstanding any other provision of this act, the national marketing quota for upland cotton for 1959 and subsequent years

shall be not less than the number of bales required to provide a national acreage allotment for each such year of 16 million acres."

(3) Section 347 (b) is amended by changing the period at the end of the second sentence to a colon and adding the following: "*Provided*, That beginning with the 1961 crop of extra long staple cotton, such national marketing quota shall be an amount equal to (1) the estimated domestic consumption plus exports for the marketing year which begins in the next calendar year, less (2) the estimated imports, plus (3) such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks."

(4) The second sentence of section 344 (a) is amended by striking the word "five" and substituting the word "four."

Minimum farm allotments

SEC. 104. (a) Section 344 (b) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That there is hereby established a national acreage reserve consisting of 310,000 acres which shall be in addition to the national acreage allotment; and such reserve shall be apportioned to the States on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1), as determined by the Secretary without regard to State and county acreage reserves (except that the amount apportioned to Nevada shall be 1,000 acres). For the 1960 and succeeding crops of cotton, the needs of States (other than Nevada) for such additional acreage for such purpose may be estimated by the Secretary, after taking into consideration such needs as determined or estimated for the preceding crop of cotton and the size of the national acreage allotment for such crop. The additional acreage so apportioned to the State shall be apportioned to the counties on the basis of the needs of the counties for such additional acreage for such purpose, and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 percent of the county allotment determined without regard to such additional acreage). Additional acreage apportioned to a State for any year under the foregoing proviso shall not be taken into account in establishing future State acreage allotments. Needs for additional acreage under the foregoing provisions and under the last proviso in subsection (e) shall be determined or estimated as though allotments were first computed without regard to subsection (f) (1)."

(b) Section 344 (e) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided further*, That if the additional acreage allocated to a State under the proviso in subsection (b) is less than the requirements as determined or estimated by the Secretary for establishing minimum farm allotments for the State under subsection (f) (1), the acreage reserved under this subsection (f) (1), the acreage reserved under this subsection shall not be less than the smaller of (1) the remaining acreage so determined or estimated to be required for establishing minimum farm allotments or (2) 3 percent of the State acreage allotment; and the acreage which is required to be reserved under this proviso shall be allocated to counties on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1), and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 percent of the county allotment determined without regard to such additional acreages)."

(c) Section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing paragraph (1) to read as follows:

"(1) Insofar as such acreage is available, there shall be allotted the smaller of the following: (A) 10 acres; or (B) the acreage allotment established for the farm for the 1958 crop."

(d) The first sentence of section 344 (f) (6) of such act is amended to read as follows: "Notwithstanding the provisions of paragraph (2) of this subsection, if the county committee recommends such action and the Secretary determines that such action will result in a more equitable distribution of the county allotment among farms in the county, the remainder of the county acreage allotment (after making allotments as provided in paragraph (1) of this subsection) shall be allotted to farms other than farms to which an allotment has been made under paragraph (1) (B) of this subsection so that the allotment to each farm under this paragraph together with the amount of the allotment of such farm under paragraph (1) (A) of his subsection shall be a prescribed percentage (which percentage shall be the same for all such farms in the county) of the average acreage planted to cotton on the farm during the 3 years immediately preceding the year for which such allotment is determined, adjusted as may be necessary for abnormal conditions affecting plantings during such 3-year period: *Provided*, That the county committee may in its discretion limit any farm acreage allotment established under the provisions of this paragraph for any year to an acreage not in excess of 50 percent of the cropland on the farm, as determined pursuant to the provisions of paragraph (2) of this subsection: *Provided further*, That any part of the county acreage allotment not apportioned under this paragraph by reason of the initial application of such 50 percent limitation shall be added to the county acreage reserve under paragraph (3) of this subsection and shall be available for the purposes specified therein."

(e) The amendments made by this section shall be effective beginning with the 1959 crop.

SEC. 105. Effective beginning with the 1959 crop, section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new paragraph:

"(7) (A) In the event that any farm acreage allotment is less than that prescribed by paragraph (1), such acreage allotment shall be increased to the acreage prescribed by paragraph (1). The additional acreage required to be allotted to farms under this paragraph shall be in addition to the county, State, and national acreage allotments and the production from such acreage shall be in addition to the national marketing quota.

"(B) Notwithstanding any other provision of law—

"(i) the acreage by which any farm acreage allotment for 1959 or any subsequent crop established under paragraph (1) exceeds the acreage which would have been allotted to such farm if its allotment had been computed on the basis of the same percentage factor applied to other farms in the county under paragraph (2), (6), or (8) shall not be taken into account in establishing the acreage allotment for such farm for any crop for which acreage is allotted to such farm under paragraph (2), (6), or (8); and acreage shall be allotted under paragraph (2), (6), or (8) to farms which did not receive 1958 crop allotments in excess of 10 acres if and only if the Secretary determines (after considering the allotments to other farms in the county for such crop compared with their 1958 allotments and other relevant factors) that equity and justice require the allotment of additional acreage to such farm under paragraph (2), (6), or (8),

"(ii) the acreage by which any county acreage allotment for 1959 or any subsequent crop is increased from the national or State reserve on the basis of its needs for additional acreage for establishing minimum farm allotments shall not be taken into account in establishing future county acreage allotments, and

"(iii) the additional acreage allotted pursuant to subparagraph (A) of this paragraph (7) shall not be taken into account in establishing future State, county, or farm acreage allotments."

Method of determining farm allotments

SEC. 106. Section 344 (f) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new paragraph:

"(8) Notwithstanding the foregoing provisions of paragraphs (2) and (6) of this subsection, the Secretary may, if he determines that such action will facilitate the effective administration of the provisions of the act, provide for the county acreage allotment for the 1959 and succeeding crops of cotton, less the acreage reserved under paragraph (3) of this subsection, to be apportioned to farms on which cotton has been planted in any 1 of the 3 years immediately preceding the year for which such allotment is determined, on the basis of the farm acreage allotment for the year immediately preceding the year for which such apportionment is made, adjusted as may be necessary (i) for any change in the acreage of cropland available for the production of cotton, or (ii) to meet the requirements of any provision (other than those contained in paragraphs (2) and (6)) with respect to the counting of acreage for history purposes."

Retention of surrendered acreage in county

SEC. 107. Paragraph (2) of section 344 (m) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of the second sentence of such paragraph and inserting in lieu thereof the following: ": but no such acreage shall be surrendered to the State committee so long as any farmer receiving a cotton acreage allotment in such county desires additional cotton acreage."

Standard grade

SEC. 108. Section 3 (a) of the act of August 29, 1949, Public Law 272, 81st Congress, and the last sentence of section 403 of the Agricultural Act of 1949, as amended, as hereby repealed. This section shall become effective with the 1961 crop.

CCC sales restrictions

SEC. 109. Section 407 of the Agricultural Act of 1949, as amended, is amended by substituting a colon for the period at the end of the third sentence and adding at the end thereof the following: "*Provided*, That effective with the beginning of the marketing year for the 1961 crop, the Corporation shall not sell any upland or extra long staple cotton for unrestricted use at less than 15 percent above the current support price for cotton plus reasonable carrying charges, except that the Corporation may, in an orderly manner and so as not to affect market prices unduly, sell for unrestricted use at the market price at the time of sale a number of bales of cotton equal to the number of bales by which the national marketing quota for such marketing year is reduced below the estimated domestic consumption and exports for such marketing year pursuant to the provisions of section 342 of the Agricultural Adjustment Act of 1938, as amended."

Cotton export program

SEC. 110. Nothing in this act shall be construed to affect or modify the provisions of section 203 of the Agricultural Act of 1956, and any cotton owned or acquired by the Commodity Credit Corporation under any price support program may be used for the purpose of carrying out the cotton export program provided for in section 203 of the Agricultural Act of 1956.

Split grades

SEC. 111. Section 403 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following sentence: "Beginning with the 1959 crop, in adjusting the support price for cotton on the basis of grade, the Secretary shall establish separate price support rates for split grades and for full grades substantially reflecting relative values."

TITLE II—CORN AND FEED GRAINS

Referendum

SEC. 201. Title I of the Agricultural Act of 1949, as amended, is further amended by adding at the end of such title the following:

"SEC. 104. (a) Not later than December 15, 1958, the Secretary shall conduct a referendum of producers of corn in 1958 in the commercial corn-producing area for 1958 to determine whether such producers favor a price support program as provided in subsection (b) of this section for the 1959 and subsequent crops in lieu of acreage allotments as provided in the Agricultural Adjustment Act of 1938, as amended, and price support as provided in section 101 of the Agricultural Act of 1949, as amended.

"(b) Notwithstanding any other provision of law, if less than a majority of the producers voting in the referendum conducted pursuant to subsection (a) hereof favor a price support program as provided in this subsection (b), the following provisions of law shall become inoperative:

"Discontinuance of acreage allotments on corn

"(1) The Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new section:

" 'SEC. 330. Notwithstanding any other provision of law, acreage allotments and a commercial corn-producing area shall not be established for the 1959 and subsequent crops of corn.'

"Price support

"(2) The Agricultural Act of 1949, as amended, is amended by adding the following new section:

" 'SEC. 105. (a) Notwithstanding the provisions of section 101 of this act, beginning with the 1959 crop, price support shall be made available to producers for each crop of corn at 90 percent of the average price received by farmers during the 3 calendar years immediately preceding the calendar year in which the marketing year for such crop begins, adjusted to offset the effect on such price of any abnormal quantities of low-grade corn marketed during any of such year: *Provided*, That the level of price support for any crop of corn shall not be less than 65 percent of the parity price therefor.

" '(b) Beginning with the 1959 crop, price support shall be made available to producers for each crop of oats, rye, barley, and grain sorghums at such level of the parity price therefor as the Secretary of Agriculture determines is fair and reasonable in relation to the level at which price support is made available for corn, taking into consideration the feeding value of such commodity in relation to corn, and the other factors set forth in section 401 (b) hereof.'

"(3) Section 101 (d) (4) of the Agricultural Act of 1949, as amended, is repealed effective with the 1959 crop."

TITLE III—RICE

Minimum National and State acreage allotments

SEC. 301. Section 353 (c) (6) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "1957 and 1958" in each place it occurs therein, and inserting "1957 and subsequent years."

Price support

SEC. 302. (a) Section 101 (a) of the Agricultural Act of 1949, as amended, is amended, effective beginning with the 1959 crop—

(1) by striking out "wheat, and rice" and inserting "and wheat"; and

(2) by adding at the end thereof the following new paragraph: "For rice of the 1959 and 1960 crops, the level of support shall be not less than 75 percent of the parity price. For rice of the 1961 crop the level of support shall be not less than 70 percent of the parity price. For the 1962 and subsequent crops of rice the level of support shall be not less than 65 percent of the parity price."

TITLE IV—WOOL

SEC. 401. Section 703 of the National Wool Act of 1954 (68 Stat. 910) is amended by striking out "March 31, 1959" and inserting in lieu thereof "March 31, 1962."

SEC. 402. The first proviso in section 704 of such act (68 Stat. 911) is amended by striking out "specific" the first time it appears therein, and by striking out "(whether or not such specific duties are parts of compound rates)."

SEC. 403. The proviso in section 705 of such act (68 Stat. 911) is amended by striking out "specific" the first time it appears therein, and by striking out "(whether or not such specific duties are parts of compound rates)."

TITLE V—MISCELLANEOUS

SEC. 501. The Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 377 the following new section:

"SEC. 378. (a) Notwithstanding any other provision of this Act, the allotment determined for any commodity for any land from which the owner is displaced because of acquisition of the land for any purpose, other than for the continued production of allotted crops, by any Federal, State, or other agency having the right of eminent domain shall be placed in an allotment pool and shall be available only for use in providing allotments for other farms owned by the owner so displaced. Upon application to the county committee, within 3 years after the date of such displacement, or 3 years after the enactment of this section, whichever period is longer, any owner so displaced shall be entitled to have established for other farms owned by him allotments which are comparable with allotments determined for other farms in the same area which are similar except for the past acreage of the commodity, taking into consideration the land, labor, and equipment available for the production of the commodity, crop-rotation practices, and the soil and other physical factors affecting the production of the commodity: *Provided*, That the acreage used to establish or increase the allotments for such farms shall be transferred from the pool and shall not exceed the allotment most recently established for the farm acquired from the applicant and placed in the pool. During the period of eligibility for the making of allotments under this section for a displaced owner, acreage allotments for the farm from which the owner was so displaced shall be established in accordance with the procedure applicable to other farms, and such allotments shall be considered to have been fully planted. After such allotment is made under this section, the proportionate part, or all, as the case may be, of the past acreage used in establishing the allotment most recently placed in the pool for the farm from which the owner was so displaced shall be transferred to and considered for the purposes of future State, county, and farm acreage allotments to have been planted on the farm to which allotment is made under this section. Except where paragraph (c) requires the transfer of allotment to another portion of the same farm, for the purpose of this section (1) that part of any farm from which the owner is so displaced and that part from which he is not so displaced shall be considered as separate farms; and (2) an owner who voluntarily relinquishes possession of the land subsequent to its acquisition by an agency having the right of eminent domain shall be considered as having been displaced because of such acquisition.

"(b) The provisions of this section shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of the commodity from the farm acquired by the Federal, State, or other agency or by the owner of the farm; (2) any of the commodity produced on such farm has not been accounted for as required by the Secretary; or (3) the allotment next established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of the commodity produced on or marketed from such farm or due to a false acreage report.

"(c) This section shall not be applicable, in the case of cotton, tobacco, and peanuts, to any farm from which the owner was displaced prior to 1950, in the case of wheat and corn, to any farm from which the owner was displaced prior to 1954, and in the case of rice, to any farm from which the owner was displaced prior to 1955. In any case where the cropland acquired for nonfarming purposes from an owner by an agency having the right of eminent domain represents less than 15 percent of the total cropland on the farm, the allotment attributable to that portion of the farm so acquired shall be transferred to that portion of the farm not so acquired.

"(d) Sections 313 (h), 334 (d), 334 (b), 353 (f), and 358 (h) of the Agricultural Adjustment Act of 1938, as amended, are repealed, but any transfer or reassignment of allotment heretofore made under the provisions of these sections shall remain in effect, and any displaced farmowner for whom an allotment has been established under such repealed sections shall not be eligible for additional allotment under subsection (a) of this section because of such displacement."

SEC. 502. Section 405 of the Agricultural Act of 1949 is amended by adding at the end thereof the following: "There is authorized to be included in the terms and conditions of any such nonrecourse loan a provision whereby on and after the maturity of the loan or any extension thereof Commodity Credit Corporation shall have the right to acquire title to the unredeemed collateral without obligation to pay for any market value which such collateral may have in excess of the loan indebtedness."

SEC. 503. Section 201 (b) of the Agricultural Act of 1949, as amended, is amended by changing the semicolon at the end thereof to a colon and adding the following: "*Provided*, That in any crop year in which the Secretary determines that the domestic production of tung oil will be less than the anticipated domestic demand for such oil, the price of tung nuts shall be supported at not less than 65 percent of the parity price therefor."

Extend veterans and armed services milk program

SEC. 504. (a) The first sentence of section 202 (a) of the Agricultural Act of 1949, as amended (7 U. S. C. 1446a), is amended by striking out "1958" and inserting in lieu thereof "1961."

(b) Subsection (b) of section 202 of the Agricultural Act of 1949 (7 U. S. C. 1446a) is amended by striking out "1958" and inserting in lieu thereof "1961", by striking out "of the Army, Navy, or Air Force, and as a part of the ration" and inserting in lieu thereof "(1) of the Army, Navy, Air Force, or Coast Guard, (2)", and by inserting before the period at the end of the first sentence of such subsection the following: ", and (3) of cadets and midshipmen at, and other personnel assigned to, the United States Merchant Marine Academy."

SEC. 505. Commodity Credit Corporation is authorized, on such terms as the Secretary of Agriculture may approve, to donate cotton acquired through its price support operations to educational institutions for use in the training of students in the processing and manufacture of cotton into textiles.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the motion previously entered by me to reconsider the vote by which the Senate sent S. 4071, the so-called farm bill, to conference and appointed conferees, be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I move that the Senate agree to the amendments of the House to the bill.

Before proceeding, I should like to make a very short explanation of the bill with respect to differences between the House and the Senate versions of this bill.

The House amendment in the nature of a substitute to S. 4071 is generally similar to the bill as passed by the Senate. The principal differences are that under the House amendment cotton and rice support levels would be based entirely upon parity prices, rather than on average market prices with dollar and cent minimums; there would be no dollar and cent minimum support for corn or parity minimum support for feed grains; and the corn and feed grain provisions would be effective only if approved by corn producers. These differences represent an effort on the part of the House to preserve the principle of the parity concept rather than an effort to change the support level. In each case where it struck out the dollar and cent minimum, the House inserted a minimum based on the parity price and designed to achieve approximately the same support level.

COTTON

With respect to cotton, the House amendment prescribes a minimum choice—A—support level of 80 percent of parity for 1959. The minimum support would then be reduced 5 percent each year to 75 percent in 1960, 70 percent in 1961, and 65 percent in 1962 and subsequent years. Under both the Senate bill and the House amendment the support level would be based on the so-called escalator clause, which requires that it be determined relative to the supply situation, in 1959 and 1960; but the Senate bill did not contain the 80 percent minimum for 1959. The Senate bill provided that for 1961 and subsequent years cotton would be supported at 90 percent of the 3-year average spot market price, but not less than 30 cents a pound for Middling inch cotton or 60 percent of parity, whichever might be higher.

The House provided for more flexibility by providing a range of 70 to 90 percent of parity for 1961, and 65 to 90 percent for all subsequent years. The House committee selected 65 percent of parity as representing the best available estimate of the parity equivalent in 1962 of the 30-cent minimum in the Senate bill. Both the Senate bill and the House amendment provide for continued use of seven-eighths Middling as the standard grade for 1959 and 1960. Beginning with 1961, the House amendment provides for use of the average grade, while the Senate bill provides for use of Middling inch. However, since the support level under the Senate bill would have been based on Middling inch market prices as well as being the Middling inch support price, it would have resulted in average support prices approximating 90 percent of the average market price.

Both the Senate bill and the House amendment provide for a choice plan in 1959 and 1960; a minimum national allotment of 16 million acres, and provisions assuring farms with 1958 allotments of 10 acres or less that their allotments will not be cut further in future years. However, under the Senate bill the increase in choice B farm allotments in 1959 and 1960 would be a flat 40 percent, while the House amendment provides for an increase to be determined and announced by the Secretary at not to exceed 40 percent.

In addition, the House cotton provisions differ from the Senate provisions in the following respects:

First. They would authorize the Secretary to permit farmers to withdraw from choice B where planned cotton production was prevented by conditions beyond the farmer's control.

Second. They provide for conversion of the national marketing quota for cotton into a national acreage allotment upon the basis of a 4-year average yield, instead of a 3-year yield adjusted for abnormal conditions and trends as provided in the Senate bill. The law now provides for 5 years.

Third. They contain a technical amendment to the small farm provision to simplify acreage history recordkeeping and permit small farms to receive allotments in excess of the minimum when equity and justice so require.

Fourth. They omit the Senate provision permitting Commodity Credit Corporation to purchase and donate certain quantities of cottonseed and soybean oil.

Fifth. The House amendment requires the Secretary to establish separate cotton price support rates for full grades and split grades.

CORN AND FEED GRAINS

With respect to corn, both the Senate bill and House amendment provide for price support at 90 percent of a 3-year average price and discontinuance of acreage allotments. However, under the House amendment the corn and feed grain provisions of the bill would be effective only if approved by a majority of the 1958 commercial area corn producers voting in a referendum. The Senate provisions for minimum support prices for corn of $1.10 per bushel or 60 percent of parity have been omitted from the House amendment, which provides instead for a minimum of 65 percent of parity, or about $1.14 based on present parity. The Department's estimate of 90 percent of the 3-year average market price applicable to 1959 is $1.15 per bushel, so that the House minimum approximates the 1959 support level as determined under the Senate bill.

Both the Senate bill and the House amendment provided mandatory support for feed grains at fair and reasonable levels in relation to corn and other factors, but the Senate provided a minimum of 60 percent of parity, while the House did not. However, by providing for a 65-percent minimum level for corn and basing feed grain support levels largely on corn support levels, the House in effect provided for minimum levels for the feed grains approximating 60 percent of parity.

Mr. YOUNG. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I yield.

Mr. YOUNG. In that respect the Senate bill would provide a higher mandatory support price than the House amendment for secondary feed grains, both barley and rye?

Mr. ELLENDER. I believe the Assistant Secretary of Agriculture, Mr. Marvin McLain told the committee that he did not believe, with a 65 percent of parity support price for corn, that the support price of other feed grains would be less than 60 percent of parity.

Mr. YOUNG. But we have no assurance whatever that the support prices will not go below 60 percent of parity?

Mr. ELLENDER. We have none, other than Mr. McLain's statement. Since the price supports for feed grains other than corn have never been less than 65 percent of parity, I doubt that the Secretary of Agriculture would fix price support at lower than 60 percent of parity.

Mr. YOUNG. Would the Senator agree that it was the opinion of at least a great majority of the members of the Committee on Agriculture and Forestry that the level of price suports on feed grains should not go below 60 percent of parity as provided in the amendment to the Senate bill.

Mr. ELLENDER. That was the unanimous opinion of the committee. I do not know of any member who opposed that provision of the Senate bill. I point out to my good friend from North Dakota, as the Senator will recall, that the Senate bill provided for not less than 60 percent of parity for corn, or $1.10 per bushel, whichever might be higher. The House amendment raised the corn support level provided by the bill to 65 percent of parity, and supports for the other feed grains must be fixed at fair levels relative to corn. Because of the history of support levels, as to secondary feed grains, I am of the opinion that price support for them will not be less than 60 percent of parity.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Will the Senator state whether the extension of the Wool Act is contained in the provisions as passed by the House?

Mr. ELLENDER. It is. I will discuss that matter in detail later in my remarks.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SCHOEPPEL. Was it not generally the opinion of the representatives of the Department of Agriculture, when we discussed this matter with them, that the support price should not be below 60 percent of parity? In fact, some of the representatives had serious doubts whether the support prices would go below 65 percent of parity?

Mr. ELLENDER. The Senator is correct.

Mr. YOUNG. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. YOUNG. Would that be true with respect not only to next year, but to the following years as well? No guaranty was given that the price supports for feed grains would not be lowered.

Mr. ELLENDER. I wish to say to my goods friends from Kansas and North Dakota that the committee discussed the matter at length. I, for one, as chairman of the Senate Committee on Agriculture and Forestry, will gladly, cheerfully study the proposition early next year, in the hope of passing both a feed grain and a wheat bill. I believe that wheat, in particular, requires the attention of the committee. When a wheat bill is considered next year, I am sure we can also consider legislation affecting secondary feed grains, in the hope that we can reach a fair solution of problems as to both.

Mr. YOUNG. I thank the Senator.

Mr. SCHOEPPEL. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. SCHOEPPEL. I appreciate very much that statement by the Senator on the Senate floor. He made the same statement in the executive session of the Committee on Agriculture and Forestry. Many of us realize that this bill is not a perfect bill.

Mr. ELLENDER. Yes.

Mr. SCHOEPPEL. This bill does not satisfy everyone, by any means. However, we have been assured that when we meet next year, we shall have an opportunity to see the situation which develops. With a cooperative committee we can go into these matters at greater length than is possible in the closing days of the present session, when to a certain degree we have been over a barrel.

Mr. ELLENDER. I have no doubt of that.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LANGER. Does the bill provide for an extension of the Wool Act?

Mr. ELLENDER. I shall cover that in my remarks.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. Is my understanding correct that the Senator stated the support price for feed grains would be fair and reasonable? I believe those were the words.

Mr. ELLENDER. Yes.

Mr. CARLSON. Will the Secretary of Agriculture determine what is a fair and reasonable support program for feed grains?

Mr. ELLENDER. He would under this bill. However, such support prices must be related to the feed value of corn, and other factors.

Mr. CARLSON. As I understand——

Mr. ELLENDER. I am convinced that secondary feed grain support prices will never be set at less than 60 percent of parity.

Mr. CARLSON. I appreciate very much the statement of the Senator.

Mr. ELLENDER. If any effort is made to go below that figure, I give assurance to the Senator, as chairman of the Senate Committee on Agriculture and Forestry—I hope to still be chairman next year—that I will look into the problem immediately.

In addition, it is my judgment that the wheat provisions of existing law need attention. We are growing entirely too much wheat.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUNDT. I think we should establish, for the legislative history, that the committee was well aware of the fact that the bill leaves untouched the problems confronting the dairy industry and the wheat farmer. But the fact that they are not included in the bill does not mean that their problems were not seriously discussed by the committee in executive session.

It was recognized that certainly in the case of wheat, early in the next session we must study a problem which is becoming alarmingly more serious, and try to arrive at a solution, in consultation with the wheat growers, with the view of enacting legislation which will move in the direction of solving that problem.

In connection with the dairy industry, if the situation next year is such as to justify a new approach in that field, it was generally conceded around the committee table that that should be done.

Mr. ELLENDER. Yes.

Mr. MUNDT. With regard to my own position, let me say I was against relieving the House of its responsibility to establish a conference committee, because in my opinion the bill as it passed the Senate was considerably better than the bill which passed the House insofar as the corn farmer and the producers of feed grains are concerned. However, the House remained adamant. It refused to appoint conferees. We are now confronted with the choice of accepting this legislation or nothing, in connection with farm matters this year.

There is a serious situation confronting farmers in the South who produce cotton and rice. I think it would be unfortunate to divide up the farm block of this country sectionally in this body, or to divide it up into a series of warring camps representing various commodities. We are confronted with the choice of accepting this legislation or doing nothing about the urgent problem in the South. I shall not resist further the enactment of this legislation. It also contains some matters of value to farmers in other areas than the South.

The extension of the National Wool Act for example affects people in more than 40 States. It is a continuation of an administration act passed in 1933, which has proved to be almost universally acceptable and desirable. That certainly is on the credit side so far as the farmers generally are concerned.

In addition, it finally puts the House on record in approval of the extension of Public Law 480, which was passed by the Senate many months ago. The lost time which has already occurred in securing extension of Public Law 480 has cost the American farmer hundreds of millions of dollars in export opportunities. That is water over the dam. But it seems that unless we accept the legislation before us, we lose the opportunities under Public Law 480, as extended.

So while I regret the fact that the House language did remove from the bill mandatory price supports for small grains, which were included in the Senate bill for the first time, the most significant feature of such supports, which was the 60 percent of parity minimum, I have such assurance, from the attitude expressed by the chairman of the committee and by our committee colleagues in executive session, and from the fact that I have faith in our friends in the South, who, if we come to their rescue now, will come to our rescue next year, when we shall need them, that I shall not engage in any further resistance to this bill which the South so much desires.

Mr. ELLENDER. I thank the Senator.

With further reference to wheat, as the Senator knows, there is, under existing law, a maximum acreage of 55 million acres. The price support remains within the range of 75 to 90 percent of parity, depending upon supply.

In the case of milk and dairy products, price support now fixed at between 75 and 90 percent of parity is not disturbed. Production is not limited.

When we meet in January, if the law governing any of these commodities needs correction, I shall be only too glad to assist in every way I can to rectify the law.

Mr. MUNDT. Those of us who have served with the distinguished chairman of the committee can bear public testimony to the fact that in none of his deliberations or decisions has he ever acted in a sectional manner, or in a manner to favor one commodity against another. He has been in the State of South Dakota holding hearings. He is just dedicated to finding an adequate solution of the problems confronting the wheat farmer and the dairy industry as he is to solving the problems affecting crops produced in his area.

I do not wish to intimate that there is not a serious situation confronting us in the wheat and dairy industries. However, this bill does not worsen that problem—the situation is left in status quo. But the status quo is not good enough for wheat, and that is why we look forward to an improvement next year. I suspect that the chairman's political optimism will be vindicated, and that he will still be chairman of the committee next year.

However, we have the supporting and buttressing testimony of the Senator who would be chairman in the event of a Republican landslide. The Senator from Vermont [Mr. AIKEN] has given us the same assurance, which ought to be pretty conclusive testimony assuring wheat, dairy, corn, and small-grain operators of remedial and constructive legislation next year should the facts at that time indicate such legislation as necessary. I am sure our southern friends whom we now support will in turn support us at that time. On that basis, I shall resist no further the adoption of this House farm bill.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. I assure the Senate that in the event the Senator from Louisiana is not the chairman of the Committee on Agriculture and Forestry next year, we shall proceed to consider the various questions which have been raised on the floor and in the committee.

I also point out that we hope that, through this legislation which we are enacting, and which undoubtedly will have a 2-year trial run, to bring about a better balance of production as between various farm commodities. We hope that not so many people will be inclined to raise wheat if they can put some of the land into cotton and find an export market for it.

The dairy production of the country has been below the production of last year for the past 3 months, and probably will continue to be so. We know that each year our increased population requires the production from 250,000 dairy cows, and that will require more acres. We hope that the Wool Act will result in the conversion of some acres now used for feed grains or wheat to the production of wool and lambs.

This is a trial run. I believe that the bill before us is as good a bill as we can expect to get this year.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BARRETT. At the outset I wish to commend the distinguished chairman of the Committee on Agriculture and Forestry for his splendid leadership in getting this piece of legislation before the Congress for final action. It seems to me that, on the whole, this is about as good a farm bill as we could get in this session.

I believe that a great deal of the credit for this bill belongs to the distinguished chairman of the committee. This legislation will affect the entire country, not merely the South, but the East and the West.

I am particularly pleased that the Wool Act has been extended by this bill. The Wool Act has operated in admirable fashion. It has proved a lifesaver for the wool producers of America.

There may be some argument as to the merits of the provisions of the Senate bill as compared with those of the House version, but, after all, legislation is a matter of compromise. We must be realistic and do the best we can under the circumstances.

The sheep and wool industry ranks third in economic importance in Wyoming and Nevada and fourth in New Mexico. It stands tenth in Idaho, Utah, and Montana, and sixth in Arizona, Colorado, Oregon, South Dakota, and Texas; in California the industry ranks ninth, and in Washington, tenth place. That indicates conclusively, Mr. President, the tremendous importance of this great industry to the economy of the country as a whole and particularly to the Western States. In view of the splendid results achieved by the Wool Act, the Congress has no alternative but to extend the act for another 3 years. The sheep industry of this country is greatly indebted to the chairman of our great Committee on Agriculture and Forestry for his splendid leadership in bringing this farm bill to a final vote. I hope the Senate will concur in the House amendments.

Mr. ELLENDER. I thank the Senator. I wish to give credit to the whole committee, because all of us worked hard on the bill.

I now return to my program-by-program analysis of the House amendments to the Senate bill.

RICE

With respect to rice, both the Senate bill and the House amendment provide for extension permanently of the current national and State minimum acreage allotments. Price support provisions for 1959 and 1960 are the same in both Houses. Beginning in 1961 the Senate provided for support at 90 percent of a 3-year average price, but not less than $4 per hundredweight or 60 percent of parity, while the House provided for 70 to 90 percent of parity in 1961 and 65 to 90 percent of parity in all subsequent years.

WOOL

Both Houses provided for extension of the wool program. The Senate provided for a 4-year extension while the House provided for a 3-year extension. The Senate provided for additional funds through the regular appropriation process, while the House provided for use of 70 percent of the ad valorem duties on wool and wool products in addition to 70 percent of the specific duties. The Senate provided for a maximum support, through payments, of not more than 85 percent of parity if payments were to exceed 70 percent of the specific duties. Under the House amendment total payments would be limited to 70 percent of the specific and ad valorem duties accumulated from January 1, 1953. Use of the ad valorem duties adds about $20 million a year to the funds available for payment. The support rate has been 62 cents a pound in prior years and it is expected that this rate would continue under either version. I do not believe that it should go above that level.

MISCELLANEOUS

The House amendment contains no provision dealing with Public Law 480, 83d Congress, that being left to the conferees on S. 3420. It omits a provision contained in the Senate bill extending the time for review of 1959 wheat allotments. The House amendment also contains an allotment transfer provision substantially identical to S. 4151 as passed by the Senate; a provision relieving the Government of the need to make equity payments to farmers in acquiring unredeemed price support loan collateral; a provision raising the tung nut support price to 65 percent of parity; an extension of the Armed Forces milk program identical in substance to S. 3341 as passed by the Senate; and provision for the donation of cotton to educational institutions for training programs.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point an analysis of the bill, together with a table showing the duties collected on wool and wool manufactures imported into the United States.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE COMMITTEE ON AGRICULTURE AND FORESTRY

The House amendment to S. 4071 differs from the bill as passed by the Senate in the following substantive respects:

COTTON

(1) The House amendment provides that the choice (A) 1959 upland cotton price-support level may not be less than 80 percent of parity (⅞ M would be the standard grade for 1959 and 1960 as in the Senate bill).

The data used in determining the price-support level for the 1958 crop (81 percent) indicate a carryover August 1, 1959, of 7.6 million bales. Assuming production of 13.5 million bales in 1959 and disappearance slightly above that estimated by the Secretary for 1958–59, the supply percentage would be slightly over 130 which would call for price support at 75 percent of the parity price. Under the House amendment, the 1959 support and resale prices are estimated as follows (based on the August 1, 1958, parity price of 38.55 cents per pound):

[Cents per pound]

	M ⅞"	M 1"
1959 choice A at 80 percent of parity	30.84	34.60
1959 choice B at 65 percent of parity	25.06	28.91
1959 resale at 110 percent of lower support level	27.57	31.80

(2) The House amendment provides that the increase in acreage allotments under choice (B) shall be not to exceed 40 percent, leaving the exact percentage to the Secretary.

To the extent that the percentage were reduced below 40 percent, choice (B) would be made unattractive and might result in more farmers electing choice (A) and the purchase of more choice (A) cotton by the Government. By giving the Secretary authority to decrease the attractiveness of choice (B) the House amendment would give the Secretary additional power to regulate the production of cotton.

(3) The House amendment authorizes the Secretary to permit farmers to withdraw from choice (B) where planned production is prevented by conditions beyond the farmer's control.

The House provisions would authorize the Secretary to afford relief in those cases where, for example, a farmer with a regular allotment of 10 acres elected choice (B) before planting time (14.0 acres) but was able to plant only 9 acres in 1959 because of floods or planted 14.0 acres but 5 acres of cotton was destroyed by excessive rain, flood, hail, etc. The Secretary could permit the farmer to change back to choice (A) and be eligible for price support at the higher rate on his 9 acres of cotton.

(4) For 1961 and subsequent years the House amendment provides upland cotton price support at not more than 90 percent of parity and not less than—

(A) 70 percent of parity in the case of the 1961 crop;

(B) 65 percent of parity in the case of all subsequent crops, the average grade being the standard grade.

(The Senate bill provides for support for 1961 and subsequent years at 90 percent of the average market price but not less than the higher of 30 cents or 60 percent of parity, Middling 1-inch being the standard grade.)

(5) The House amendment provides for conversion of the national marketing quota for cotton into a national acreage allotment upon the basis of a 4-year average yield (instead of a 3-year yield adjusted for abnormal conditions and trends as provided in the Senate bill). For the purposes of 1959 acreage allotment determination the following data would be relevant:

Five year average yield: 351 pounds (current law).

Four year average yield: 365 pounds (House provision).

Three year average yield unadjusted: 377 pounds (Senate provision, subject to adjustment).

It appears that the national acreage allotment for 1959 (and perhaps subsequent years) will be at the minimum level of 16 million acres. Whenever the minimum allotment is in effect, the national average yield is not a factor.

(6) The House amendment contains a technical amendment to the small farm provision which will simplify acreage history record keeping for farms receiving minimum allotments and permit such farms to receive allotments in excess of the minimums when equity and justice so require.

(7) The House amendment would make the average grade the standard grade for 1961 and subsequent crops (instead of Middling 1-inch as provided by the Senate bill). At the present time there is a difference of 385 points between M ⅞-inch and M 1-inch, while average of the crop is 281 points below M 1-inch.

(8) The House amendment omits section 111 of the Senate bill (permitting CCC to purchase and donate a quantity of cottonseed or soybean oil equal to the increase in total oil production resulting from the increase in cotton acreage under choice (B) in 1959 and 1960).

(9) The House amendment requires the Secretary to establish separate price support rates for full grades and split grades.

At present CCC establishes price support rates only for the full grades of cotton. Spotted cotton, for example, carries a heavy discount, and if a bale which might be graded as "light" spotted is placed under loan the discount is unduly large. However, the farmer retains control of the cotton under loan and he may sell his right of redemption or equity in the bale at a price which reflects the fact that the cotton is "light" spotted and, therefore, worth more than if it were spotted cotton. Under the choice (A) program for 1959 and 1960, the farmer presumably will have no market for his cotton other than CCC and if there is only one rate for spotted cotton farmers who have "light" spotted cotton would be at a disadvantage.

CORN AND FEED GRAINS

(10) The House amendment would make the corn and feed-grain provisions of the bill effective only if approved by a majority of the corn producers voting in a referendum of 1958 commercial-area producers.

(11) The House amendment substitutes 65 percent of parity as the minimum corn support level (in lieu of the higher of $1.10 per bushel or 60 percent of parity as provided by the Senate bill).

July 1958 parity is $1.76 per bushel.

Present support level: $1.36 (77 percent of parity); 65 percent is $1.14 per bushel; 60 percent is $1.06 per bushel.

(12) The House amendment omits the 60-percent-of-parity minimum support level for feed grains, leaving them to be supported at reasonable levels in relation to corn and other factors.

	Parity price July 1958	Present support, 70 percent	60 percent
Barley	1.35	0.94	0.81
Grain sorghum	2.67	1.87	1.60
Oats	.884	.62	.53
Rye	1.60	1.12	.96

RICE

(13) The House amendment provides price support for rice for 1961 and subsequent crops at not more than 90 percent of parity and not less than—

(A) 70 percent of parity in the case of the 1961 crop, and

(B) 65 percent of parity in the case of all subsequent crops. (The Senate bill provides for support at 90 percent of a 3-year average price but not less than the higher of $4 per hundredweight or 60 percent of parity.)

	Percent of parity
Parity price as of July 1958, $5.98	100
Support level, 1958, $4.48	75
Support level, 1958, $4.18	70
Support level, 1958, $3.89	65

WHEAT

(14) The House amendment omits section 303 of the Senate bill (which would have extended the time (now expired) for wheat producers to have their 1959 allotments reviewed until 15 days after enactment of the bill).

WOOL

(15) The House amendment provides for a 3-year extension of the National Wool Act of 1954 (instead of a 4-year extension).

(16) The House amendment provides for use of 70 percent of the ad valorem duties on wool and wool products (in addition to 70 percent of the specific duties) to provide reimbursement to CCC for payments under the act and in determining the maximum payments which may be made under the act. (The Senate bill authorizes appropriations by Congress of sums additional to 70 percent of the specific duties and limits support through payments to 85 percent of parity when payments exceed 70 percent of the specific duties.)

Seventy percent of the ad valorem duties averaged about $20 million per year from January 1, 1953, to March 31, 1958, so that the House amendment would increase the limitation on total payments and the amount automatically appropriated to reimburse CCC by about $20 million per year. Under the Senate bill, the support level through payments would be held to not more than 85 percent of parity for the foreseeable future, but the Department believes that this would permit it to continue to support wool at 62 cents a pound as it has in the past. Additional data is contained in exhibits A and B attached hereto.

PUBLIC LAW 480

(17) The House amendment omits title V of the Senate bill (extending and amending Public Law 480, 83d Cong.).

MISCELLANEOUS PROVISIONS ADDED BY THE HOUSE AMENDMENT

(18) Section 501 of the House amendment adds a uniform provision for the transfer of acreage allotments where farmland is acquired by an agency having the right of eminent domain. In substance it is identical to S. 4151 as passed by the Senate, except that it is not applicable to lands acquired for the continued production of allotted crops.

(19) Section 502 of the House amendment adds a provision permitting price support loan documents to provide for acquisition of unredeemed collateral without payment to the producer for any remaining equity he might have.

(20) Section 503 of the House amendment provides that the support price for tung nuts shall not be less than 65 percent of parity whenever domestic production of tung oil is less than anticipated domestic demand. Existing law provides for 60 to 90 percent of parity. Domestic consumption consistently exceeds domestic production, so that this would raise the minimum support level to 65 percent of parity.

(21) Section 504 of the House amendment extends the veterans and Armed Forces milk program for 3 years, to December 31, 1961, and extends it to the Coast Guard and to the Merchant Marine Academy. It is identical in substance to S. 3341, as passed by the Senate on March 3, 1958.

(22) Section 505 of the House amendment authorizes the Commodity Credit Corporation to donate cotton acquired through price support operations to educational institutions for use in training students in processing and manufacturing cotton into textiles.

At present some manufacturers furnish some of the textile colleges, free of charge, supplies of synthetic fibers for use in training students in processing and manufacturing methods. This has resulted in some schools doing far more work with the synthetic fibers than with cotton since they are required to purchase the cotton. The House amendment would authorize CCC to furnish cotton to educational institutions for training purposes. The Department of Agriculture estimates that annual donations would not exceed 100 bales.

EXHIBIT A

Duties collected on wool and wool manufactures imported into the United States

[In thousands of dollars]

Period	Total duties collected		70 percent of duties collected	
	Specific duties only	Specific and ad valorem	Specific duties only	Specific and ad valorem
Calendar year:				
1953	50,733	75,799	35,513	53,059
1954	26,262	56,635	25,290	39,644
1955, January–March	11,075	15,658	7,752	10,961
Marketing year:				
1955	44,972	73,572	31,480	51,500
1956	40,226	73,752	28,157	51,626
1957	31,760	65,463	22,232	46,824
Cumulative totals from Jan. 1, 1953, as provided under the National Wool Act of 1954, through Mar. 31, 1958	215,098	361,849	150,524	253,294
Average per year			28,554	48,008

[1] March 1958 estimated.

Source: Compiled from data furnished by the Treasury Department.

EXHIBIT B

Projections of payments under wool payment program and duty collections available for payments under S. 4071 as passed by the House, Aug. 14, 1958

Period	Price of wool	Total payments		Duty collections available for payments [1]	
		Year	Cumulative	Year	Cumulative
	Cents				
Jan. 1, 1953, to Mar. 31, 1955					$102,643,000
1955 marketing year	42.8	$57,615,000	$57,615,000	$51,500,000	155,143,000
1956 marketing year	44.3	51,870,000	109,485,000	51,628,000	206,769,000
1957 marketing year, estimated	43.7	17,100,000	126,585,000	46,524,000	253,293,000
1958 marketing year, projected	[2] 40.0	74,200,000	200,785,000	42,000,000	[3] 295,293,000
Average per year		50,000,000		48,500,000	

[1] 70 percent of all duties on imports of wool and wool manufactures instead of 70 percent of the specific duties only.
[2] Price of April 1958 was 37.7 cents, May 36.3 cents, June 37.7 cents, and July 37.4 cents.
[3] On the basis of these projections, there would be a reserve remaining of around $300,000,000 to cover payments in future years when the duty collections for the year may not be sufficient to cover the required payments.

Mr. ELLENDER. I move that the Senate concur in the amendments of the House.

Mr. HUMPHREY. Mr. President, I have assured the chairman of the committee and the majority leader that it is not my desire to delay a vote on the measure before us. I do not find the bill to be satisfactory. It is even less satisfactory than the bill the Senate passed and against which I voted, out of conviction.

I am pleased to have the assurance that as weaknesses in the law are revealed the Senate will have an opportunity to do something about them. I am very pleased to have that assurance. I have great faith and trust in the chairman of the committee. We have a very good Committee on Agriculture and Forestry. Of course I believe that we shall attempt next year to remedy some of the mistakes we have made this year, and eliminate the weaknesses which will be found to exist in the law.

However, next year we shall be faced with the same situation. The committee is not happy with the bill. I have never known so many Senators to express their unhappiness with any one piece of proposed legislation as I heard in executive session of the Committee on Agriculture and Forestry with reference to this bill. At one time the committee voted, by a majority vote of 9 to 6, I believe, to send the bill to conference, in the hope that some mild or moderate improvements might be made in it. That vote was later reversed because of the unwillingness of the House to have a conference.

That, of course, meant that the producers of cotton and rice, in particular, would find themselves in an almost impossible situation.

The conditions to which I have referred, and which will confront us next year, are the conditions which are prevalent this year. On Saturday we were told several times that if we tried to amend the social security bill, it would be vetoed.

An item veto is, of course, unconstitutional; at least, there is no statutory authority for it. However, a form of item veto is being practiced. It is a kind of veto of a proposal pending in Congress, and this is how it works. We are notified by a Department head or by the Bureau of the Budget or by someone who says he can speak for the President, that if this, that, or the other action is taken, the bill will be vetoed. Therefore, the action of this legislative body is limited very narrowly. We have little or no opportunity to do anything more than what the administration will stand for. We were told over and over again with reference to farm legislation that if we added any provisions relating to the dairy industry, the bill would be vetoed. We were told that if we added any provision relating to wheat or added any higher price supports for feed grains, the bill would be vetoed. Therefore, what we got was the irreducible minimum. We were able to get an extended program for cotton and rice farmers merely because they had to have it.

The price we had to pay for that was to have the administration force upon us certain revisions in the feed grain program, particularly with reference to corn. I am not satisfied with that. I will make a prediction in that connection. However, first of all, I will state that no one else seems to be satisfied. I predict that the surpluses will mount to an astronomical proportion. Prices for the grains will go disastrously low, and in a period of 2 years the price of livestock will be affected disastrously. I further predict that within a period of 1 year the price of pork and swine will be adversely affected. I do not claim to be any kind of prophet. One does not have to be a prophet to know this. I predict, as a result of the action we are about to take, particularly in connection with the feed grain section of the bill, that before the new Congress convenes, a depressing effect will be visited on commodity prices of hogs and cattle, pork and beef.

I want that statement to stand in the RECORD. When we come back in January I should like to have someone call it to my attention. Before the next crop year is out, the feed grain section will have taken its toll. We have been told that we will remove it. I know we will attempt to remove it. I also know that we will be told that if we change it or try to improve it, the bill will be vetoed. Let us make no mistake about this, Mr. President. Let this RECORD be perfectly clear. Assistant Secretary of Agriculture Marvin McLain came before our committee and stated categorically that he was opposed to any type of floor under feed grain prices, including corn. He said if a bill with floors in it were passed, the administration would come back next year and ask for their removal. He is an honorable man. He has forewarned us. I have nothing personal against him. That is his policy. That is the policy which is being pursued. We must look forward to that unhappy situation.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LANGER. Is not the present bill worse than the one the Senate passed a short time ago?

Mr. HUMPHREY. I believe it is, from the point of view of the Midwest farm producer; I think it is less meritorious than the one I thought had anything but merit in it, and which the Senate passed. North Dakota produces very little corn, but it does produce a good deal of barley, rye, and oats. North Dakota is a small corn producing State. Of course, it is a major wheat producing State. Nevertheless, corn producers in the commercial corn area, as designated by the Secretary of Agriculture, will determine what amount of feed grain North Dakota is to have. In other words, the producers of corn, which is the primary feed grain, will determine the price of the secondary feed grains under this proposal. The Senate bill had a better provision in it because, as the Senator from South Dakota [Mr. MUNDT] said awhile ago, at least there was a floor under the prices of feed grains.

I know that the Secretary of Agriculture and the Department of Agriculture have never reduced feed grain prices below 60 percent of parity. I think that is a factual statement. I hope they will not. But I would be less than honest if I did not say that there is a mechanism in the bill to reduce the feed grain prices considerably below 60 percent of parity. As a matter of fact, if the formula is followed on the basis of the average for corn for the past 3 years, which is $1.15 price support, there could be a support level of below 40 cents a bushel for oats. That is a matter of mathematical calculation under the formula.

I believe the record is being made tonight that there is not a member of the Committee on Agriculture and Forestry who expects the Secretary of Agriculture to reduce feed grain prices below 60 percent of parity. If he does, he will undoubtedly hear from the members of the Committee on Agriculture and Forestry.

Mr. Marvin McLain, Assistant Secretary of Agriculture, was again in attendance at the executive meeting of the committee, and I asked him whether the prices of secondary feed grains would be related to the price of corn strictly on the basis of feed equivalent value, which would give a little higher price for feed grains. He said no; that other factors are involved, and that they include such things as the amount of production and the availability of supply.

The only hope is that before the feed grain proposal can really go into effect, another Congress will be in session. I think that is what the chairman was saying. The chairman said it is mandatory that we afford some relief for cotton and rice. There is no doubt about that.

While the feed grain section in the bill, to my mind, is weak and could lead to very serious consequences, another Congress will be convening next January. At the first session of the 86th Congress, one of the first things we will do is to look into this section.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. HUMPHREY. I yield.

Mr. LANGER. Is it the view of the Senator from Minnesota that because cotton and rice will be taken care of, therefore the bill should be passed

Mr. HUMPHREY. I think my view is quite well known. I am not for the bill. But I made my view clear on the bill once before. I realize the predicament of some of our colleagues and the areas which they represent. The bill contains provisions relating to wool. From the standpoint of North Dakota and Minnesota, this is a very important matter. This apparently will be the only chance we will have to vote on an extension of the Wool Act.

But I think we ought to know what we are doing. We should know that we are not passing legislation which will help the dairy farmer. We are not passing legislation which will help the small grain producer. We are not passing legislation which will help the producer of beef cattle. Make no mistake about it, one of the laws of agricultural economics is that cheap feed grain results in cheap cattle and that cheap feed grain results in cheap pork. That is just as much a law as the laws of physics and light.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. ELLENDER. The Senator from Minnesota has been comparing the present bill with the Senate bill.

Mr. HUMPHREY. That is correct.

Mr. ELLENDER. Let us compare it with the present law. Is it not true that under the present law the price support is from zero to 90 percent.

Mr. HUMPHREY. That is correct, and it still is with respect to feed grains in this bill.

Mr. ELLENDER. No; it must be related with corn.

Mr. HUMPHREY. It provides for a fair and reasonable price; but the floor was taken out from under feed grains.

Mr. ELLENDER. In the Senate bill.

Mr. HUMPHREY. No; in the House bill.

Mr. ELLENDER. No; the House took out what was in the Senate bill.

Mr. HUMPHREY. That is correct.

Mr. ELLENDER. But under the present law——

Mr. HUMPHREY. It is from zero to 90 percent.

Mr. ELLENDER. Exactly. The small grain grower is in a better position than he was in the other bill.

Mr. HUMPHREY. However, the zero-to-90-percent price support for feed grains is also related to the price support level for corn in commercial feed grain areas. The price of corn, when this bill goes into effect, will go down to $1.14 a bushel, as compared with about $1.40 now in commercial areas. Next year, the 3-year average will be $1.16. That is 1 cent higher than the basic law will permit. If we relate the feed grain price back to the old grain price, feed grain prices will be bound to be lower.

My views on agricultural legislation are well known. If anyone thinks this bill will reduce production, he is wrong. The bill will increase production. The bill will increase the problems of surpluses. The bill will not stimulate prices; it will only stimulate the accumulation by the Government of vast stocks and stores of agricultural commodities.

I think the time is at hand for Senators of good will—and we are all, I trust, Senators of good will—to try to join hands to find a new formula for agricultural policy. I think we have argued for years, until we have reached the point of almost irreconcilable areas in agricultural economics. This is unfortunate.

The Senator from Georgia [Mr. TALMADGE] opened up this area of discussion sometime ago, when he said we needed to take a brand new look at agricultural policy. I, too, think we should do so. I believe some of the principles incorporated in the Wool Act might well be applied to some of the other commodities. I do not think we can have a general farm program which will include all commodities. I think it is necessary to design a program for each commodity.

When we come back next year, I want to sit down and, in a most objective and helpful manner, try to find the answer. I am tired of the arguments. I think the arguments about agricultural policy have cost the taxpayers billions of dollars. We have never had a more expensive program. I sometimes wonder what has come over us. Imagine spending more than $6 billion a year for agriculture, which has a net income of under $12 billion. Fifty percent of the total net income of agriculture today comes out of the Federal Treasury.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. YOUNG. I do not believe that is a correct statement. The $6 billion includes funds for REA and FHA loans, and funds to provide school lunches and many other similar programs. Loan programs such as REA have a nearly 100 percent repayment record.

Mr. HUMPHREY. That is correct. I am saying that the total budget for agriculture is $6 billion. The budget contains all these other items. Please do not misunderstand me. All I am saying is that the budget for agriculture has grown from $1,900 million to $6,150 million in 1958. The budget has grown by $5,750 million in 6 years, with fewer farmers, fewer farms, fewer acres, lower prices, lower net income, and more surpluses. If any more evidence is needed as to the necessity for reexamining what we are doing and the policies which have been pursued within recent years, I do not know what more evidence we need.

I am prepared to go before the American people and to say that a program such as we have had in recent years, which has resulted in the constant diminution of agricultural income, the constant reduction in agricultural prices, the constant increase in agricultural indebtedness, the constant increase in agricultural surpluses, and the constant increase in cost to the American people in a program which cannot be justified.

I regret to say that the bill before us is simply another one of the bills in furtherance of that kind of unworkable program.

Mr. JOHNSTON of South Carolina. It has also resulted in a constant decrease in the number of farmers.

Mr. HUMPHREY. The Senator is correct.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. What is the provision in the House bill which apparently we are being urged to accept concerning the minimum price for corn?

Mr. HUMPHREY. The minimum price is 65 percent of parity, which under the present parity schedule or scale figures out to $1.14 a bushel. It figures out to 4 cents higher for corn than does the Senate bill. But the Senate bill provided a floor under feed grains at 60 percent. That floor has been removed. From now on, feed grain prices will be related not only to the feed grain equivalent of corn, but to other factors, including the price of corn. I think we ought to know what we are doing. We are going to do it anyhow, but I think we ought to know what we are doing.

Mr. DOUGLAS. Do I understand that members of the administration take the position that this is only a transitional program, so far as they are concerned, and that at the earliest possible opportunity they will try to do what they tried to do on the farm bill a few weeks ago, namely, abolish all legislative price supports for corn?

Mr. HUMPHREY. I do not know whether the administration intends to abolish all price supports for corn, but I think it intends to abolish any floors under price supports. That is the position of the administration as expressed by Mr. Marvin McLain, Assistant Secretary of Agriculture.

Mr. DOUGLAS. That is, any legislative floors.

Mr. HUMPHREY. That is corect; any legislative floors.

Mr. DOUGLAS. So as to give to the Secretary of Agriculture the complete discretion between zero and 90 percent?

Mr. HUMPHREY. That is correct.

Mr. DOUGLAS. Is it not true that the Secretary believes in establishing a purely competitive market price for corn?

Mr. HUMPHREY. I believe that is correct.

Mr. DOUGLAS. Is it not true that the two defects in accepting market price as determinative in the case of most farm products, are, first, that the demand is inelastic—that if there is an increase of 5 percent in the quantity of most farm products then the price per unit will decrease by a rate proportionately 2 or 3 times that of the relative increase in quantity? This would mean a fall in unit price by from 10 to 15 percent. Therefore gross income, or

unit price times quantity, would decrease. The income of the farmers as a whole and also for most individuals would decrease. Farmers as a whole would receive less for producing more.

Mr. HUMPHREY. Yes; and we have seen that demonstrated fairly well in recent years.

Mr. DOUGLAS. Furthermore, is it not true in the second place that in the case of the owner-operated farm, when the farmer's income is decreased, then, instead of producing less, he will work harder and will produce more, simply because he has to meet his fixed costs—in other words, interest, taxes, depreciation, and the cost of maintaining his family?

Mr. HUMPHREY. Certainly that has been what has developed—either that, or the farmer goes to the city and tries to get a job there, and thus becomes a competitor in an already rather full labor market.

Mr. DOUGLAS. So there are at work two forces which make things worse, instead of better: First of all, when the price is lowered—whether this is because of increased output or lowered legal price supports—the farmer—who must do all that he can to maintain his income, in order to be able to pay his fixed costs—works harder, and thus produces more. And as total output is increased, the price on the market falls still more.

In such a situation we are almost confronted with the sad fact that the harder the farmer works and the more he produces, the less his total income.

Mr. HUMPHREY. Yes; the farmer's income has fallen, and has fallen again.

Mr. DOUGLAS. And on the owner-operated farms, as the price on the market falls, the farmer works all the harder, and produces all the more, in an attempt to meet his fixed costs; but the ensuing increased production decreases the price still further, and causes gross and net farm income to fall. This causes the farmer to work all the harder, and thus to produce all the more, so that the cumulative result is a worsening condition. Is not that true?

Mr. HUMPHREY. It certainly is—as demonstrated by the experience in the last 2 years.

Mr. DOUGLAS. So it is obvious, is it not, that the program preached by the Department of Agriculture is ill-conceived and is fundamentally incorrect because it is based on the false assumption that lower prices will bring a large enough increase in demand to produce a higher total income? They assume an elastic demand and a positively sloping supply curve.

Mr. HUMPHREY. I have felt that that was the case. The Department has opposed high prices or a higher price support program; but by removing the controls which accompany the price support program, the result has been only to irritate the problem.

Mr. DOUGLAS. I think the Department has assumed that the demand for farm products has been elastic; namely, that if output is increased, although the unit price will fall, it will not fall in the same proportion that the gross income and the net income will increase.

Mr. HUMPHREY. That is correct. The Department has proceeded on the theory that a reduction in price would result in a reduction of production. But that has not proved to be the case. Instead, the result of a reduction in price has been an actual increase of production.

Mr. DOUGLAS. That is the second point; namely, that the Department has said that a reduction in unit price would not only cause an initial increase in income, but that, in addition, a decrease in the unit price would cause the farmers to produce less. Is not that true?

Mr. HUMPHREY. Yes; but it has not worked out that way.

Mr. DOUGLAS. I think that experience forms the basis of the conclusion—and this is a matter about which I have thought for many years, and I think the conclusion is now conceded by virtually everyone—that, with the exception of citrus fruits, and possibly milk, certainly the demand for most farm products is inelastic; and because of the evidence that I have seen for the years 1929–32 and in more recent years, I am convinced that, except in the case of large-scale commercial farms, the large decrease in unit price, and the resultant decrease of gross and net income will cause the farmers to try to produce more units, in order to be able to obtain sufficient income to meet their fixed costs.

Mr. HUMPHREY. Which is exactly what the farmers have done.

Mr. DOUGLAS. It is for that reason that I have opposed the program of the administration, because I believe it is intellectually incorrect.

Mr. HUMPHREY. I think it is both intellectually incorrect and economically incorrect; and I am sure that is what the Senator from Illinois meant.

Mr. LANGER. Mr. President, will the Senator from Minnesota yield for one more question?

Mr. HUMPHREY. I yield.

Mr. LANGER. I wish to say that I voted for all the Humphrey amendments to the bill.

Mr. HUMPHREY. I appreciate that very much.

Mr. LANGER. I voted for the bill because of the wool provisions the bill contained.

Let me ask what the bill, as now amended by the House, would do?

Mr. HUMPHREY. It removes all of the difference between the commercial corn areas and the noncommercial corn areas.

Mr. LANGER. I thank the Senator from Minnesota for the explanation.

Mr. HUMPHREY. Mr. President, just a final word about Public Law 480. I believe all of us regret the delays which have occurred in connection with the extension of Public Law 480. But the delays have not been the fault of Congress. Year in and year out, I have said that Public Law 480 should be extended for more than 1 year at a time. I have emphasized the necessity of long-range planning in connection with Public Law 480.

Now the administration has a plan which will lock up the extension of Public Law 480 on the basis of 5 years. In fact, the letter to which we have referred shows that the report—which was written by Mr. John Davis, who now is associated with the State Department—sets forth the desirability of a 5-year extension, which is being recommended by high officials.

It is regrettable that Congress has gone along with the proposals for a 1-year extension. This year the Senate voted for a 2-year extension; and I certainly hope that in the conference our conferees will be able to maintain the provision for a 2-year extension.

I believe that the legislation now proposed is not good. I happened to support the Wool Act provisions of the bill. I regret that we found ourselves in a situation which has made it necessary for the Members of the Senate to accept a legislative program which will work to the detriment of the particular areas many Senators represent.

I, as one Senator, wanted to do all I could for the relief of distress in one section of the country. I felt that such relief of distress could have been accomplished by means of Senate Joint Resolution 162, which the President vetoed. Certainly that relief could have been provided by means of such a joint resolution.

But in attempting to provide relief for the cotton producing areas and the rice producing areas of the country, there has been started in motion a breakdown of the agricultural policies for the Midwest, the great breadbasket of the Nation. Unless we can put a stop to this, next year, by means of making provision for new programs which will meet the needs of the producers of those commodities, we shall have to say that the agricultural program has literally been chipped away piece by piece, and that finally its very foundations have been eroded.

That is why I ended my previous discussion of the bill, as passed by the Senate—and, tonight, I shall end my remarks the same way—by saying that at this time we see the last stages of the process of erosion and corrosion of a great agricultural program, which has been chipped away bit by bit by the administration's tactics of divide and conquer; and, as the result of the use of executive power, we have witnessed a breakdown of an important farm policy which thus far has really helped the agricultural segment of the Nation. Now that program has been broken down—but not by my vote.

I consider the pending measure one which will punish the agricultural segment of the country; and, therefore, this measure will not have my vote.

Mr. YARBOROUGH. Mr. President, I believe that all of us agree that the wool provisions of the pending measure are good. The Wool Act expired this year. It has worked well. The State I represent is one in which wool is produced. I wish to commend the committee for providing for the extension of the Wool Act—even though the extension provided for is not the one we sought. In the committee, we sought a 4-year extension. The pending measure would extend the Wool Act only 3 years. But I believe all of us agree that that part of the bill is a good one.

As to the cotton-producing and rice-producing areas, I agree with my distinguished friend, the Senator from Minnesota, that all of us wish to have enacted a bill which will help develop a prosperous agricultural economy in the Nation.

The cotton-producing and rice-producing areas were in a situation in which a failure to extend those provisions for 1 year would mean absolute ruin to the farmers who produce those crops, and, thus, hundreds of thousands of farm families would be forced off the land. The question was not whether they would be able to make money or be prosperous; the question was solely one of whether they would have to leave the land. When they leave the land, the stores in the towns in those areas close, and the cotton mills close, and whole towns, with populations of up to 5,000, die. In addition, sizable parts of the markets for many industries in the North are cut off, because once the farmers leave the land and once the towns in those areas die, the markets which formerly existed in those towns for commodities produced in the North cease to exist.

Those farmers were forced off the farms and into the towns, where they had to walk the streets; most of them could not obtain employment, because they were too old.

So the pending measure does not make for prosperity for the cotton belt and the rice belt, whereas certainly our purpose has continued to be the taking of steps to prevent the destruction of whole areas in the cotton-producing and rice-producing States. In those areas the bill will not be considered a good one.

However, instead of finding fault with the committee—of which I am not a member—I wish to express my gratification for the committee's action to give those in these groups a transitional period; and I thank the committee members for taking steps to give them such a transitional period.

Mr. COOPER. Mr. President, I ask unanimous consent to have a statement prepared by me on this bill, printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I am glad that with Senate passage of this bill (S. 4071) this Congress will have added constructive farm legislation to its other accomplishments. I believe it is generally agreed that this major farm bill will be helpful to hundreds of thousands of farmers, and that it is the best bill that can be enacted at this time. It is badly needed.

The bill deals with the price-support programs for wool, cotton, rice, and corn.

I am particularly interested in the extension of the National Wool Act, which is important to the 10,000 farmers in my State who have flocks of sheep. I was one of the cosponsors of the original bill to extend the National Wool Act, which since its inauguration has reversed the decline in sheep production in Kentucky. The 3-year extension of the incentive program for wool, including the self-help promotion plan which is included in this bill, should insure the continued growth of lamb and wool production, with fair returns for our sheep farmers.

Although Kentucky is not known as a cotton State, several western Kentucky counties produce cotton. The cotton program established under this bill is favored by our cotton growers, and it will be helpful to them. Without legislation, all cotton growers would have to take a severe cut in acreage next year, estimated at 22 percent of their present allotments. Ninety percent of our Kentucky cotton farmers have allotments of 10 acres or less. Under the small-farm provisions of this bill, these farmers will not have their cotton acreage reduced. In addition, for 1959 and 1960, all cotton growers will have a choice of price support at 80 percent of parity, or price support at 65 percent of parity if they choose to increase their cotton acreage by up to 40 percent. For the 1961 crop, price support would be offered at not less than 70 percent of parity, and a floor of 65 percent of parity would be in effect after that.

A new plan for corn is included in the bill before us. Corn allotments in the commercial corn area would be eliminated under this plan. But price supports are guaranteed at 90 percent of the 3-year average market price received by farmers, or 65 percent of parity, whichever is higher. In addition, the House amendment provides that the new plan be subject to a referendum of corn farmers, so that they will choose between the new plan and the present corn programs.

When S. 4071 was first before the Senate last month, I raised questions both about the policy it represented, and about its possible effect on farmers' prices. I pointed out in a speech on the Senate floor that the change in the corn program might lead to proposals in the future that our tobacco program of full 90 percent support prices for tobacco be also changed.

I believe the House amendments to the bill make this farm bill a better one, because it preserves for farmers price supports based on parity, for cotton and rice. The corn plan, which has received widespread support from the Kentucky farm bureau and many others, provides that all farmers will receive a support price equal to 90 percent of the preceding 3-year market average price as a basis for preventing losses due to seasonal declines and bumper crops, or a price-support program based on parity with production controls chosen by the vote of the farmers, themselves. Under the plan first brought before the Senate, corn farmers would have had no choice but to abandon the present price-support and production-control program, based on parity, and take supports based on 90 percent of the 3-year market average.

The House amendment, however, as I have said, gives the farmers a choice. I do not believe it abandons the parity concept, for no one suggests that farmers be given price support based on parity unless they vote for it. In addition, the House has provided minimum support levels for corn at 65 percent of parity in any event. Under the bill now before us, corn farmers, themselves, may judge whether the new or the old plan is in their best interests.

The other question I raised during the Senate debate, in addition to the wisdom of abandoning the parity concept for several of the "basic" crops, was what the effect of the proposed corn plan would be on corn production, the cost to the Government in the event corn production was substantially increased, and, most important, farmers would receive for their corn. These questions concerned me. Before the referendum is held on the new corn plan, I hope farmers will be given accurate estimates of the price of corn in future years under the new plan, of anticipated production, and the effect of that production on surplus supplies of corn.

When the bill was first before the Senate, I voted for the Humphrey corn amendment, as in fact did many members of the Senate Committee on Agriculture, which would have given each corn farmer a choice similar to that offered cotton farmers under the bill—production controls with price support at 85 percent of parity (about $1.50 for 1959), or unlimited production at a lower level of price support. The Humphrey amendment provided production controls for all feed grains, and I felt it could reduce surpluses while insuring fair prices for corn and livestock farmers. But the Humphrey corn amendment was defeated by the Senate.

Now I will vote for the bill as modified, and as I think, improved by the House. I do so because it preserves the parity concept of price supports, in my opinion. And it leaves the question of the new corn plan up to the corn farmers themselves.

I vote for the bill for one additional reason. The long hearings in this Congress, and the debate in both Houses, shows how difficult it is to obtain constructive legislation on several commodities wrapped up in one bill. The program needed by each commodity becomes involved in the difficulties of the others. It is well-known that farm legislation was very nearly not adopted by this Congress for that reason.

I am glad that the farm bill makes no change in the 90-percent support price for burley tobacco, and the existing support prices for dark air-cured and dark fire-cured tobacco. I have spoken several times in the Senate this year against any change in our tobacco program, and I will continue to support our tobacco farmers.

I am glad that the Congress will complete action today on this major farm legislation. I will vote for it, and I hope it will prove helpful to our wool, cotton, and corn growers in Kentucky.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana [Mr. ELLENDER] that the Senate concur in the amendment of the House.

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the Senate just concurred in the House amendment.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

THE PRIVATE DOLLAR

Mr. MARTIN of Iowa. Mr. President, it has long been my contention that the private dollar sent abroad will do more to promote our economy than public funds. I fully realize that foreign aid has a definite place in this picture, but I have repeatedly opposed vast new spending programs such as SUNFED—Special United Nations Fund for Economic Development. I believe the creation of a satisfactory investment climate abroad will do more to help our friends develop their own resources than grants from our Government.

In an editorial on August 10th entitled "The Private Dollar," the Sunday World-Herald, published in Omaha, Nebr., shows what can be accomplished through American free enterprise. This editorial expresses thoughts which I have voiced so often that I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRIVATE DOLLAR

In 6 weeks, at the current rate of spending, the United States will pass out $400 million in foreign aid.

That sum happens to be equivalent to the total assets of the United Fruit Co., which operates a huge enterprise in Latin-America. It cultivates more than a million acres of land, operates 61 ships and 1,400 miles of railroads, digs oil wells, and operates metal mines. It spends as much as $139 million in 1 year in 6 Central and South American countries and provides foreign-exchange benefits of 76 millions. It leaves in these countries $7 for every dollar it takes out in profits.

We cite these figures because United Fruit is often cited as a prime example of United States imperialism. It is pictured, and not only by Communists, as a corporate giant which crushes poor little countries under its heel and drains their substance.

A study by the National Planning Association, from which the above figures were taken, shows how misleading this picture is. United Fruit spreads new housing, schools, hospitals wherever it goes—and its stockholders make only a modest profit, having received no capital gains in 11 years.

"As an enlightened employer in underdeveloped lands," says Barron's Weekly, "it (United Fruit) is running a private program far more comprehensive than the much touted point 4."

The financial magazine concludes that such private investment abroad has accomplished far more than the public dollar which is accompanied only by fuzzy philanthropy.

Now for a quick change of scene.

The Republic Aviation Co. is betting $35 million private that it can do something profitable about research in outer space.

Since the Federal Government is spending billions of dollars on reserach—some 250 millions just for administrative expenses—Republic Aviation's 35 million may sound pretty small. But to Republic stockholders, whose money it is, it is a tremendous risk.

And what does Republic expect to get for its money?

An official explains that after 4 years of study the company hopes to find out how to send a platform into outer space. Not to do it, but just to know how. Republic is gambling that it will learn a lot of things by spending $35 million which Government researchers, with all their billions, won't discover. And it expects to turn that knowledge to practical use and a profit.

Here are just two examples of the private dollar at work in fields which are generally thought to be the sole province of Government.

It seems to us that if the Federal Government would cheer on progressive and risk-taking business instead of penalizing them, we free-enterprise Americans might do a great deal more to move the human race onward and upward.

THE CONFUSING STRAWS

Detroit's automakers are confused, and understandably. They have been looking for straws in the wind to show what the public wants—or, more specifically, is going to want in the future—in the way of cars. There are plenty of straws. The trouble is that they blow in different directions.

For example: While sales of Detroit's long, low, gleaming cars are badly off, sales of foreign cars are booming. The foreign cars are generally small, economical to operate, relatively low-priced, and austere in ornamentation. The only American car selling comparatively well (up 50 percent) is the 100-inch American Rambler, which resembles the foreign cars though it is a little larger than most. Does this mean that Americans are tired of chrome, and pine for the simplicity of the Ford Models T and A?

If so, what about the Oldsmobile? It is the only medium-priced American car selling well, and it is perhaps the chromiest of the lot.

If people want low-priced cars, why are the most expensive models in some lines (the Chevrolet Impala for example) selling better than less expensive models?

SENATOR MURRAY'S ADDRESSES ON PRESIDENT THEODORE ROOSEVELT AND CONSERVATION—ORDER TO PRINT AS SENATE DOCUMENT

Mr. NEUBERGER. Mr. President, I think we are all very much aware that this year we are celebrating the centennial of one of our greatest Presidents and leaders, Theodore Roosevelt. Much has been and is being written of his contributions to the Nation in the many fields of his varied interests, but I feel that not enough attention has been given to his greatest service—the launching of the conservation movement on the vast sea of world history. Earlier this year the senior Senator from Montana spoke of Theodore Roosevelt as the Godfather of Conservation, explaining:

I have called Roosevelt the Godfather of Conservation, because although he did not sire it he raised it, gave it status, and endowed it with spiritual fervor.

Mr. President, no Member of this body has been truer to the principles of conservation established by Theodore Roosevelt than the great senior Senator from Montana [Mr. MURRAY], who now serves with such distinction as the chairman of the Committee on Interior and Insular Affairs. His estimate of the service performed by our 26th President finds an echo a half-century ago in an article written by another great Senator the month Theodore Roosevelt stepped down from the Presidency; in March 1909, Senator Robert M. La Follette, Sr., writing in the Progressive of Roosevelt's initiation of the conservation movement, said:

Nothing can be greater or finer than this. It is so great and so fine that when the historian of the future shall speak of Theodore Roosevelt he is likely to say that he did many notable things, among them that of inaugurating the movement which finally resulted in the square deal, but that his greatest work was inspiring and actually beginning a world movement for staying terrestrial waste and saving for the human race the things upon which, and upon which, alone, a great and peaceful and progressive and happy race, life can be founded.

What statesman in all history has done anything calling for so wide a view and for a purpose more lofty?

Similarly, in his proclamation of October 22, 1957, President Dwight D. Eisenhower called upon the people of our country "to observe the 100th anniversary of Theodore Roosevelt's birth throughout the centennial year beginning October 27, 1957, by appropriate activities and ceremonies, by the study of his life and teachings, and above all, by individual, personal rededication to those responsibilities of American citizenship which he so zestfully fulfilled."

On March 4 of this year the senior Senator from Montana [Mr. MURRAY] summarized on the Senate floor much of the conservation doctrine which Theodore Roosevelt taught, and on May 13 he discussed the first great conference on conservation, the first governors' conference of May 13–15, 1908. Therefore, Mr. President, in line with the request of President Eisenhower in his proclamation I ask unanimous consent to have printed as a Senate document these two presentations by Senator JAMES E. MURRAY, with whatever minor changes, addenda, or corrections the Senator may wish to make to his original text.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolutions of the Senate:

S. 765. An act to increase the authorization for the appropriation of funds to complete the International Peace Garden, N. Dak.;

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes;

S. 2530. An act to designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Mont.;

S. 2592. An act to amend the law relating to the execution of contracts with Indian tribes;

S. 2594. An act to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes;

S. 2922. An act to authorize per capita payments to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes;

S. 3139. An act to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio;

S. 3203. An act relating to minerals on the Wind River Indian Reservation in Wyoming, and for other purposes;

S. 3534. An act to authorize the Secretary of the Army to convey approximately 181 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.;

S. 3564. An act to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers;

S. 3572. An act to authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md., and for other purposes;

S. 3682. An act to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes;

S. 3723. An act to amend Public Law 522, 84th Congress (relating to the conveyance of certain lands to the city of Henderson, Nev.);

S. 3873. An act to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds;

S. 3882. An act to amend the act of July 1, 1948, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers;

S. 3986. An act to authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Miss., and for other purposes;

S. 4004. An act to encourage and authorize details and transfers of Federal employees for service with international organizations;

S. 4167. An act to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes;

S. 4191. An act to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication;

S. 4287. An act to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases;

S. J. Res. 178. Joint resolution authorizing the President of the United States of America to proclaim February 8–14, 1959, as National Children's Dental Health Week; and

S. J. Res. 190. Joint resolution to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business and take up nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask that the Senate begin with the nominations under "New Reports" first.

TAX COURT OF THE UNITED STATES

The legislative clerk read the nomination of William M. Drennen, of West Virginia, to be a judge of the Tax Court of the United States for the remainder of the unexpired term of 12 years from June 2, 1956.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of B. Hayden Crawford, of Oklahoma, to be United States attorney for the northern district of Oklahoma.

Mr. JOHNSON of Texas. Mr. President, I ask that that nomination be passed over temporarily.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

The legislative clerk read the nomination of Paul W. Cress, of Oklahoma, to be United States Attorney for the northern district of Oklahoma.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

B. HAYDEN CRAWFORD

Mr. JOHNSON of Texas. Mr. President, I ask that the Senate return to the consideration of the Crawford nomination.

The legislative clerk read the nomination of B. Hayden Crawford of Oklahoma, to be United States Attorney for the northern district of Oklahoma.

Mr. JOHNSON of Texas. I understand the chairman of the Committee on the Judiciary has a statement he desires to make on this nomination.

Mr. EASTLAND. Mr. President, a hearing was held on this nomination by a Subcommittee of the Committee on the Judiciary, and was particularly concerned with the allegation that Mr. Crawford had used the power of his office to intimidate the editor of a newspaper which had been critical of his actions in connection with the conduct of a grand jury. The subcommittee, in its deliberations, felt that the protest by Mr. R. P. Matthews, the editor involved, was perfectly justified on the basis of the facts known to him. The chronology of events—a telephoned threat following a critical editorial, then a subpena, and finally a requirement that he take an oath of secrecy—was understandably construed as a calculated attempt to intimidate the press. Nor was the subcommittee impressed with Mr. Crawford's explanation at its hearing of the reason for which the subpena was issued, or his derogatory comments toward Mr. Matthews which were unrelated to the issues of the hearing.

However, in view of the generally able job which Mr. Crawford has done as United States Attorney, and the inconclusive character of the testimony as to the incidents which led to Mr. Matthews' protest, the subcommittee did not feel that it had grounds to decline to recommend Mr. Crawford's confirmation. It is the view that this inquiry has served a useful purpose if it results in Mr. Crawford's use of greater care in the future to avoid any action which may be construed as interfering in any way with the free and frank discharge of its duties by the press. Such incidents can only serve to mar the otherwise splendid record which he is making in this office.

The subcommittee found that the fact that Mr. Matthews was required to take an oath of secrecy is properly a separate matter. In view of the fact that a respected and able Federal judge concurred in this requirement, Mr. Crawford can hardly be held accountable for it. The propriety or legality of requiring such an oath, and particularly of requiring it of a newspaperman, is a matter properly the subject of general Congressional action looking toward a clearly defined rule to be applied on a uniform basis by the Federal courts.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The question is, Will the Senate advise and consent to the confirmation of the nomination of B. Hayden Crawford, of Oklahoma, to be United States attorney for the northern district of Oklahoma?

Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

DEPARTMENT OF JUSTICE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate return to the consideration of the nomination of W. Wilson White, of Pennsylvania, to be an Assistant Attorney General.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of W. Wilson White, of Pennsylvania, to be an Assistant Attorney General in the Department of Justice.

Mr. JOHNSON of Texas. Mr. President, if there are no Senators who desire to address themselves to this nomination—Mr. President, I again suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. WATKINS. Mr. President, in his appearance before the Judiciary Committee in support of the nomination of W. Wilson White for Assistant Attorney General, the Senator from Pennsylvania [Mr. CLARK], informed the committee of his personal knowledge of Mr. White's background and his professional ability. That personal knowledge, the Senator from Pennsylvania [Mr. CLARK] indicated, extended back over a period of approximately 50 years. Based on that knowledge the Senator stressed to the committee Mr. White's qualities of objectivity, fairness, justice, and honesty as well as intelligence.

For the benefit of those who have not had the privilege of such close association with W. Wilson White, I should like to bring some facts to the attention of the Senate from which I think conclusions similar to those of the Senator from Pennsylvania might well be drawn. After receiving his bachelor's degree from Harvard University in 1930, Wilson White pursued legal studies at the University of Pennsylvania. He graduated with honors from that institution and received his bachelor of law

degree in 1933. He was editor in chief of the law review and was made a member of the Order of the Coif. Upon graduation he became a partner in the prominent Philadelphia law firm of White, Williams & Scott.

With the exception of 4 years of war service during World War II in which he served in the capacity of a commander in the United States Navy, Mr. White spent 20 years with that firm in the private practice of law.

In 1953 the President appointed Mr. White United States attorney for the eastern district of Pennsylvania. During an eventful 4 years' tenure in that post, Wilson White saw to it that a backlog of 3,000 civil cases was eliminated and that a list of criminal cases which was running 2 years behind was brought to a current status. Nor was his ability limited to such administrative success. Wilson White was an active practicing United States attorney who tried his own cases and argued his own appeals.

Most noteworthy among his cases was that of the United States against Kuzma. In an extended and involved trial nine Communists were convicted of Smith Act violations through the untiring efforts of United States Attorney White.

As the record shows, in March 1957, the President appointed Mr. White Assistant Attorney General in charge of the Office of Legal Counsel. He resigned that post on December 9, 1957, in order to accept a Presidential recess appointment as an Assistant Attorney General in charge of civil rights. Twice before, therefore, this nominee has been before the Senate for confirmation and has received our stamp of approval.

Nothing new has been introduced into the record which would in any way vitiate the findings as to fitness and quality for such positions of public trust as we have approved Mr. White in the past. For 7 months now, however, action on his nomination has been held up because of certain few disagree with the accuracy of legal advice which Mr. White furnished to former Attorney General Brownell. The action for which that legal advice is said to have formed the basis has been challenged in two Federal courts. Neither has indicated that such advice was incorrect.

I, and the majority of the Senate Judiciary Committee, most emphatically support this nomination, and I strongly urge that the Senate take favorable action on it without compounding an injustice by further delay.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the confirmation of the nomination of W. Wilson White, of Pennsylvania, to be an Assistant Attorney General?

Mr. EASTLAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Mr. WATKINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. EASTLAND. The yeas and nays were ordered.

Mr. WATKINS. I did not know that had been announced.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WATKINS. Mr. President, a parliamentary inquiry. Have the yeas and nays been ordered?

The PRESIDING OFFICER. Debate is not in order. The Senator would have to ask that the order for the quorum call be rescinded.

Mr. WATKINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DOUGLAS. Mr. President, reserving the right to object——

Mr. EASTLAND. I merely asked for the yeas and nays.

Mr. JOHNSON of Texas. I hope Senators will permit the order for the quorum call to be rescinded.

Mr. WATKINS. I asked that the order be rescinded. Did any Senator object?

Mr. DOUGLAS. Reserving the right to object, I think we ought to have the yeas and nays on this nomination. I welcome a vote. I would be glad to assist the Senator from Mississippi in having the yeas and nays ordered.

The PRESIDING OFFICER. Debate is not in order. The Senate is in process of a quorum call.

Mr. DOUGLAS. I thought the Chair had announced that yeas and nays had been ordered.

The PRESIDING OFFICER. No. The clerk will call the roll.

Mr. WATKINS. Mr. President, what happened to my request that the order for the quorum call be rescinded?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah? Without objection, the order for the quorum call is rescinded.

Mr. THURMOND. Mr. President, when the President of the United States sent troops into Little Rock, Ark., last September to enforce racial integration at Central High School, he made what was undoubtedly the most grievous error of his career.

His action did violence to the Constitution.

It ran contrary to the intent of Congress, and violated the laws enacted by Congress governing the use of troops by the President.

The President's action stirred up racial animosity throughout the United States.

Finally, this rash act did not achieve its presumed objective, which was to bring about peaceful integration of the school.

The decision to send troops into Little Rock, was, in short, one of the most tragic errors in all American history.

No doubt many factors contributed to this decision of the President. Perhaps we shall never know precisely what went on in his mind during the period when the decision was being formulated. Although the responsibility for this drastic action must ever rest with the President, I feel that the Congress, by its overwhelming approval of the so-called Civil Rights Act of 1957, may have created a climate in which he and his advisers thought action of this nature would meet with approval.

There is every reason to believe that the President was urged on by the then Attorney General, Herbert Brownell, the father of this abominable legislation, who had set himself up as a crusader in the field of racial integration. As Attorney General he was charged with the responsibility of advising the President on such matters. We all remember the press reports on the role he is supposed to have played in the Little Rock episode. I am disappointed, frankly, that no committee of the Congress, either in the Senate or in the other body, has found a suitable opportunity to question Mr. Brownell concerning his part in the Little Rock tragedy.

Mr. Brownell has since left the administration. Nevertheless, this is a case in which it is not well to let bygones be bygones. To the contrary, the Little Rock decision should be documented in as much detail as possible, so that it may better serve as a lesson for the future.

Within the Department of Justice there is a division known as the Office of Legal Counsel, headed by an Assistant Attorney General. Last fall the man in that position was W. Wilson White.

During the hearings held by the Judiciary Committee relative to the confirmation of Mr. White's appointment as Assistant Attorney General in charge of the Civil Rights Division, he was asked to describe the duties of the Office of Legal Counsel. He replied:

> The Assistant Attorney General in that position of the Department of Justice • • • is really the Attorney General's lawyer.

In other words, this is the Assistant Attorney General who is charged with doing research in the field of law in order that the Attorney General may be properly informed.

It was in this office last September, as Mr. White informed the Judiciary Committee, that memoranda were prepared setting forth the courses of action the President might pursue in a situation, such as the one which developed in Little Rock. Indeed, it was in this Office of Legal Counsel that the proclamation of September 23 and the Executive Order of September 24 were drawn up.

I have outlined this chain of command in the Department of Justice, so that we may clearly understand the relationship between the President and Mr. White at the time of the Little Rock tragedy. Mr. White advised the President, to all intents and purposes, but he did not do so directly. His legal counsel was submitted indirectly, through the Attorney General.

I believe, in all fairness, that this relationship between Mr. White and others in the administration should be clearly understood. It is not fair to Mr. White to put the full weight of the Little Rock tragedy on his shoulders.

Nevertheless, we are faced with the inescapable fact that Mr. White's legal memoranda formed the basis for the President's use of Federal troops at Little Rock. We are faced, too, with the fact that these memoranda, as submitted to the Judiciary Committee, fail to show that Mr. White suggested the deputizing of United States marshals as a method

of enforcing court orders more in harmony with the law.

Instead he suggested a course of action wholly in conflict with article IV, section 4, of the Constitution:

> The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

I believe this brief quotation from the Constitution is sufficient to show that there is ample authority for the use of Federal troops to quell domestic violence when—and only when—State authorities request such aid. The principle is one which is basic to the preservation of local self-government.

For Mr. White to be at such variance with this fundamental constitutional principle, is shocking to me. It suggests that one of two alternatives must be true: Either Mr. White is lacking in the understanding of constitutional law that a man in his position should have, or else his bias in favor of racial integration is so strong that he is able to overlook the law.

We need not concern ourselves with deciding which of the alternatives is true. Either one is sufficient to disqualify Mr. White for the post for which he has been nominated.

The confirmation of Mr. White's nomination would add another irritant to the racial situation in the South. Mr. White is known in the South as one of those who badly bungled the affair in Little Rock. I do not understand how the administration can believe that a man of this reputation would be able to inspire confidence and respect with the southern people in his work, as head of the Civil Rights Division of the Department of Justice. It seems to me that the administration, had it been so minded, could have found a competent attorney who was not reputed in the South to be a leading advocate of the use of troops to force racial integration.

Even if I were satisfied with Mr. White's personal qualifications, I would vote against confirmation of his nomination by the Senate.

When the civil rights bill was before the Senate last summer, I opposed it vigorously. I pointed out at that time that the new Civil Rights Division of the Department of Justice, established under the provisions of the act, could serve no useful purpose. It will increase the power of the Federal Government to meddle and interfere with the functions of State and local governments. In the field of race relations, it will stir up resentment, hatred, bitterness, and perhaps violence.

As a matter of principle, I would record my vote in opposition to the confirmation of the nomination of any man as the head of this Division of the Justice Department. As a matter of principle, I believe that the position should be made permanently vacant.

The choice before us is clear. Either we can accept docilely the monstrous crime of Little Rock, and mark it as the beginning of the end of the Republic and constitutional government, or we can let Little Rock serve as a warning, and with all the strength at our command fight to restore a governmental system under which local self-government can be secure.

I cannot forgive those responsible for the error of Little Rock, nor can I condone the governmental philosophy which led to the Little Rock decision and the Civil Rights Act.

For these reasons, I oppose the confirmation of the nomination of W. Wilson White as the Assistant Attorney General in charge of the Civil Rights Division of the Department of Justice.

Mr. EASTLAND. Mr. President, I rise to object to the nomination of Mr. W. Wilson White to be an Assistant Attorney General specifically charged with the duties of the Civil Rights Division of the Department of Justice.

The issue involved in this nomination goes far above and beyond the individual involved as nominee. Mr. White is a symbol of a constitutional interpretation that, to my mind, is repugnant not only to the word and letter of the Constitution and laws thereunder, but to our entire system of republican form of government. In addition to being a symbol, the nominee was also the transmission belt through which the illegality and unconstitutional acts were effected.

I voted against and opposed this nominee in the Senate Judiciary Committee and I wish now to exercise my right to state the reasons therefor. I attended all the hearings and discussions relative to this nomination and have formulated these reasons for my opposition. There are many things he has done which I believe wrong and injudicious and these will be catalogued in this speech. It is not specific acts or thoughts I really oppose—it is bigger than that.

To sum it up, I would say that at a precise time and in a precise area this nominee exhibited bad faith. His conduct has continued from the actions at Little Rock through and including the hearings before the Judiciary Committee. His bad faith was exposed during the Arkansas calumnies when he was the legal adviser to the Attorney General and continued before the committee hearings when he constantly assumed a position of evasiveness. Most people can accept a candid answer or position even though in juxtaposition to one's views but a complete lack of candidness raises a hostility that is difficult to submerge.

The very least that can be said is that Mr. White was part of the group that participated in the fiasco at Little Rock which, in its elemental characteristics, was a facsimile of Budapest. In Budapest armed force and bayonets were used to bend a people to the will of alien ideas, thereby forcing on them a new social structure. All this was done with promises and assurances to the contrary uttered in advance. How Little Rock differs I fail to see, yet this nominee in the hearings would not even admit there existed at Central High School an occupation. He would use such phrases as the Executive was assisting the enforcement of court orders and shrank from the word "occupation."

The nominee now bears the reputation of the "Architect of Little Rock." It is said that he built a house of cards that fell down. Mr. President, I do not believe that he was the architect of anything. Mr. White was not on the planning or draftsman level. He engendered nothing, and he schemed less. He was a pawn in the high game of politics on civil rights. He was the Attorney General's very minor assistant. He knew what the game was, he participated eagerly in the moves and he lent himself and his office to the rules propounded by others. Others were the architects—this nominee simply a willing abettor, aider and assister. This man was playing the high game of politics. The position for which he is nominated is the reward—a reward, I might add, that carries with it still a price, for the game played at Little Rock must go on. Who, it is asked, can play it better than this man tempered by the social and legal obscenities of the last game?

Mr. President, the chicanery at Little Rock gages the caliber of the nominee and the whole story must be known by the country, for we face the identical situation when the students matriculate in September. It is my intention to go through the Little Rock episode, discuss the law involved in that tragedy, and place it all in context with the part played by this nominee.

Let me set the stage. We go back to the days of Plessy versus Ferguson wherein the Supreme Court laid down the famous rule of "separate but equal." The 14th amendment is a prohibition against the kinds of State action set out therein. It provides, for instance, and among other things, that no State shall deprive any person within the State of "the equal protection of the laws." The Plessy case held that there was no denial of equal protection of the laws in a segregated school system if the schools were equal. Entire sections of the country built their school systems upon this principle and it worked. The Negro population of the South was raised in almost one life tenure from poverty and illiteracy to a standard of living ranking amongst the highest in the world and an educational status of great pride. This was done without fanfare, with no social disruption and without the assistance of the Supreme Court. While I am setting the stage, Mr. President, it is necessary to place the 14th amendment in its proper context, legally, constitutionally, and historically.

This amendment was forced upon the country in an inflammatory atmosphere and while the South was in shackles. Its adoption took place under duress and while some States bore the heel of occupation. Its beginning was unsavory. Many lawyers of the day feared such a law drawn in the emotion of the times and its use lately would seem to bear out their apprehension. For the 14th amendment can and is being used by the courts, steeped in Hamiltonian theories of centralized government, to abrogate completely the Bill of Rights, without which we would have had no original ratification. Let us remember that the Bill of Rights reserves to the States

and to the people their basic and inalienable rights. And, let us remember that the 14th amendment is a prohibition on the actions of States and is being used judicially to take away the rights guaranteed to the States, and by indirection the people, by the Bill of Rights.

For a number of years the country bloomed educationally under the Plessy doctrine until the rendition of the Brown case. With one gigantic stroke the Supreme Court demolished our educational system and by the heinous procedure of enforcement orders took the educational processes away from the States and delivered them over to the Federal district courts, the judges of which can roam within the circuit from the Dakotas to Arkansas. It is incredible that a district judge from North Dakota can be the Pontius Pilate to Central High School in Little Rock, Ark. He can open the school, he can close the school, he can hire and fire, and he can crucify the school. The latter is what he did, of course, to such an extent that the school year was lost for all intents and purposes. The school board which originally planned to integrate slowly, has pleaded that the situation has deteriorated so badly that a moratorium is needed to right the wrongs. A perplexed judge amended the original order to give the school 2½ years breathing space, and no one knows what will happen at that time. In the meantime, America has been shocked by the spectacle of armed occupation by bayonet.

In essence, the Brown case held that public or State forces could not be used to operate segregated schools for that was violative of the equal protection clause of the 14th amendment. It empowered the district courts to use enforcement orders from time to time and from place to place in the carrying out of the court's decision. This is the most bizarre constitutional law ever foisted upon an unwilling people. Mr. President, if a person has a constitutional right to attend an integrated school, he has that right instanter and forever, or until the law is changed. But, in the Brown case the court takes this constitutional right and places it in escrow. The right is held in abeyance to be released piecemeal by enforcement orders to certain selected citizens but withheld from others. Citizen A enjoys the right now, citizen B has his in safekeeping, and citizen C might get his some time later or he might never get it. And all this can happen in adjoining counties. As a lawyer, such a system of jurisprudence is incomprehensible to me.

So much for the constitutional background. Let us examine what happened as the prologue to Little Rock. Let us keep Mr. White in position, for he is a pawn in the game of power politics and pawns are to be used and directed and controlled, and I might warn, to this pawn—most expendable. The nominee at the time of Little Rock was an Assistant Attorney General in the Department of Justice under Attorney General Brownell. This was before the creation of the Civil Rights Division of that Department, for at the time civil rights were handled on a section basis. The nominee's job was to be the legal officer to the Attorney General. He was to advise in the law and to that end had many attorneys working under his direction. My information and belief is that actually he was a legal rubberstamp who popped out legal memoranda of the type that his chief wanted to hear and read.

The Senate in 1957, shortly before the Little Rock, was engaged in its historic debate on the Civil Rights Act which created the position to which Mr. White has been nominated. Preceding this debate there were lengthy hearings at which Mr. Brownell was occasionally in attendance. When the force statute was brought to the Attorney General's attention, and he was asked if it was intended to use that existing statute to enforce court orders with troops, he put on one of the most astounding acts ever witnessed before a committee. The stops were pulled out and all the histrionics came into play. First, he denied that the force statute applied, but unfortunately for him it was keyed to the law by specific citation. Next, he became incensed and angry that anyone would mention use of force in integrating schools. Finally, he claimed that the President was being demeaned, and threatened to walk out if it continued. And lastly, he indicated that it was insulting to be interrogated by a mere committee counsel.

During all my service in the Senate, I have never seen a more disdainful witness appear before a Congressional committee than Attorney General Brownell on that occasion. I do not know whether Mr. Brownell at that time was aware of the existence of the force statute or not. I have no way of telling. I do not know whether Mr. White was aware of it or had advised with the Attorney General. But, I am certain that from that instant the entire Department of Justice was aware of the antipathy in the country of the use of force to integrate schools.

During the debates in this Chamber prior to passage of the bill, the Senator from Georgia [Mr. RUSSELL] illustrated most forcefully that the force statute could be used to enforce court orders by troops under the bill and that this was a frightening thing. Those sponsoring the bill, which certainly includes the Department of Justice, agreed to strike the force statute from the books as evidence of their good faith and intentions not to force integration. Mr. White was certainly aware of this as legal officer to the Attorney General. Again, during this period, the Senator from Georgia [Mr. RUSSELL] had a famous meeting with the President who wished to allay fears of bayonets around the school. Mr. White was surely aware of this. It made newspaper headlines. The end result of it all was that in the voting on the passage of the bill the force statute was wiped from the statute books unanimously. Mr. White knew this. And please, Mr. President, let us not forget that during this time the nominee's present job was in the bill.

I wish to call attention to a most unusual episode that occurred during that debate. Out of the blue one of the leaders on the other side of the aisle gave a rather learned and rather scholarly discussion of other existing statutes whereby, although not keyed to court orders, the President could use force. For fear that this Chamber would get a wrong impression of the proper perspective of these new statutes, I perforce had to reply at length and in detail. The senior Senator from North Carolina [Mr. ERVIN], who led the opposition in the hearings, gave able assistance in my reply by his discerning and searching questions. The statutes under debate were the insurrection and rebellion statutes, and Mr. President, they are the very statutes that the President of the United States used to force integration at Central High School in Little Rock, Ark., by the use of bayonets and armed might. And, Mr. President, they are the very statutes that Mr. White recommended to the Attorney General. His testimony before the committee is most clear on that point.

Where is the bad faith that I claim for this nominee? If the foregoing recital is not a showing of bad faith, I do not know what is. The Congress was most emphatically on record that force was not to be used for integration purposes. The Attorney General said we demeaned the President for thinking such. The Congress repealed the only existing statute that could be used. The Congress was on record with its belief that the insurrection and rebellion statutes did not apply. Mr. White was on notice of all of this. Mr. Brownell was well informed to his bitter chagrin. If they were men of good faith, why did they not speak at this time? They knew Congress would amend the law to prevent a Little Rock. Yet, they remained silent and later, by the strangest of constructions and legal legerdemain called into play the insurrection, invasion and rebellion statutes. I intend to discuss these statutes later and show the absurdity of Mr. White's advice but I ask my fair-minded men here and now. Was Little Rock an insurrection, an invasion, or a rebellion? Of course not.

Mr. McCLELLAN. Mr. President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. The Senator from Mississippi is making some very important points. Let me ask him a question: Does the record contain anything to show that if members of the administration wanted to enforce integration in Arkansas, they started with the usual, ordinary procedures in connection with the enforcement of a court order? Does the record contain anything to show that Mr. White recommended that they begin with a minimum; and then move beyond that, if necessary; and then go beyond that, if necessary, to the illegal and, I think, contemptible act of sending troops with bayonets there?

As a matter of fact, there is nothing in this record to show that Mr. White recommended an alternative. He did not recommend any alternative. The whole thing, from its initial step, was

to show—by means of troops with bayonets—the force of the Federal Government. Am I correct?

Mr. EASTLAND. The Senator from Arkansas is correct.

The distinguished Senator from Arkansas has seen the memorandum which the nominee filed with the Department of Justice. The use of that memorandum has been denied the Senate. But the distinguished Senator from Arkansas knows that not once did the nominee cite the statute which sets forth the function of United States marshals, which is to enforce court decrees.

Instead, the whole procedure was handled by means of the use of force, guns, and bayonets, in an attempt to intimidate a free people in a great section of the country. It was entirely politics, and was directed by Attorney General Brownell.

Mr. McCLELLAN. Does the Senator from Mississippi agree with me that the case presents a picture in which the administration was determined to use force and might to make Little Rock an example for all the rest of the country?

Mr. EASTLAND. The Senator from Arkansas is entirely correct.

Mr. McCLELLAN. Unfortunately, Little Rock was decreed to be the first victim.

Mr. EASTLAND. The Senator from Arkansas is entirely correct.

Mr. President, I have talked to personal observers of that crowd. Mr. White, who was not there, calls the citizens of that city a mob. That nasty name is used to cover up his dereliction.

But the fact remains that it was not a mob. It was a peaceful, and I may say, a lawful assemblage. It contained the citizens, their wives, and their children, in everyday clothes, in the broad light of day; and they were completely and totally unarmed. The assemblage at Central High School exhibited no violence, and there were no convictions for even such a misdemeanor as "breach of the peace." I ask, once again, was this assemblage an insurrection, invasion, or rebellion? Of course not. It is asinine to think so.

Let us consider the days immediately preceding the use of troops at Little Rock. The school was due to open as an integrated school, under a court order. At that point occurred the most bizarre happening I have ever observed. Let us not forget that the Little Rock case was a selected case. Arkansas was a border State, and Little Rock was centrally located, between the Dixie part sympathetic to segregation and the hill part of the State which was leaning toward integration. Little Rock was an opening wedge. It was considered safe and a good fulcrum to use for leverage on other Southern States.

The Governor, as sovereign of the State, had before him reports that it would tax the safety of the area to permit integration. His possession of this information was never challenged. The Federal Government said he had no such information. The Governor said he did. I certainly do not know; but later events would indicate that the Governor was correct. When subsequent events bore out the contention of the Governor, the Federal Government changed its position, and claimed that the Governor influenced the people.

The Governor called out the State troops to preserve order. That was his duty; and the need was a matter for his determination, and his alone. The court enjoined the Governor, who announced he would withdraw the troops. The Federal Government charged that the Governor was using troops to prevent integration. The Governor said the purpose was to prevent violence. I do not know who was right. But later events seemed to indicate that the Governor was, for when the school was integrated with Federal troops, they had to stay there for all the rest of the school year.

Mr. McCLELLAN. Mr. President, will the Senator from Mississippi yield again to me?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. I think there are other circumstances which support the argument the Senator from Mississippi is making. Seven or eight schools in Arkansas already had been integrated, without any trouble. The Governor's son was attending an integrated school, at the time. If Arkansas and if the Governor of Arkansas and that State government administration had simply been intent on resisting integration, and simply had been trying to find an excuse to prevent integration, why would those other schools in Arkansas have been integrated with no trouble, at the same time that the situation was developing in Little Rock?

Mr. EASTLAND. Furthermore, those schools had been integrated with the Governor's approval.

Mr. McCLELLAN. Yes; the Governor took no action to oppose integration in those schools.

I do not know what the whole situation was. But if the Governor had simply determined not to permit integration of schools to occur in Arkansas, and if he had determined to use the National Guard to prevent the integration of any school in Arkansas, certainly he did not act in that way in connection with the other Arkansas schools which were integrated at that time; and, in fact, he permitted his own son to attend a school that already was integrated.

Mr. EASTLAND. The Senator from Arkansas is entirely correct. But he realizes that in this case the attempt was made—in violation of law—to intimidate other Southern States.

Mr. President, at that point in the episode, Judge Davies, a judge imported from North Dakota, became afflicted with various judicial aberrations. He seemed to disintegrate, and entered a state of shock, until Mr. Brownell pulled the rug out from under him. The judge asked the FBI, through the district attorney, to investigate the responsibility for the denial of his orders. The FBI did so investigate. At this point, the judge entered the wild blue yonder. He started acting on the basis of evidence not taken in open court, evidence that was untested, and evidence not tempered by an oath and cross-examination. The evidence used was hearsay—in fact, it was not evidenced at all. Next, the judge proceeded to examine and study that evidence in star chamber. Finally, the judge sealed the so-called evidence. To this day, we do not know on what basis the judge acted. The net result was that his hearing lasted 1 day.

At that point occurred the exit of Judge Davies. He did not ask the aid of the President, through the Department of Justice. Instead, the judge returned to his native habitat. He had no opportunity to try his enforcement procedures. They were too mild for the politically minded Mr. Brownell. In came the Federal troops, to enforce the judge's order by bayonets, regardless of whether he wanted them enforced. The case was still before the court; but the Attorney General wanted action.

Mr. President, let me say that in a recent hearing at Little Rock, it was testified that the school board requested that deputy marshals be deputized, but that Judge Davies refused to do so—which shows that this was nothing but a political scheme which emanated from Attorney General Brownell.

At this point, let us think of Mr. White. Never fear; he was busy. His testimony indicates that the Attorney General asked him orally for a legal opinion on the President's powers. Of course, Mr. Brownell had just recently been through it all, and was well aware of what should come next. What was the proper and next step? The next step was so simple that it was elementary. It was to use the orderly processes of the court. Two very good routes were open to the judge. He could issue an injunction, and could cite those who were in contempt. Then, without a jury trial, he could punish. This procedure and method were used in Clinton, Tenn., and worked. In fact, there, John Kasper was convicted by a local jury trial. The next procedure for the judge was to act on his order by calling on the marshal to execute said order. Now let us examine and determine what the marshal had at his disposal. Under existing law the marshals are empowered to execute writs. Under another law the marshals have all the authority of a county sheriff. Every small boy who enjoys westerns knows that sheriffs can deputize.

Now, the marshal could act for the judicial district in which the order was issued. This was the eastern district of Arkansas, which is composed of 40 entire counties. The marshal had the power to summon to his aid every able-bodied man in those 40 counties. Mr. White apparently did not like the instrumentality of the United States marshal. He was one of the camp that wanted to integrate that school by bayonets.

Let us remember that all during this time there was no trouble with the assemblage at the school. There were city, State, and county law-enforcement officials present, well-armed and perfectly capable, with the numbers at their disposal, to handle the situation. The assemblage was not the problem. The problem, in the eyes of the Department of Justice, was to integrate a la Madison

Avenue—with pomp and circumstance for the benefit of the northern press.

This was the time that Mr. White was advising the Attorney General with memorandums. In the hearings he glibly discussed marshals. Oh, yes; he knew all about marshals. He and the Attorney General discussed them at length.

That was his testimony. His sworn testimony was that he discussed deputy marshals with the Attorney General at length. Yet when the committee secured copies of his memorandums there was no mention of marshals or the contempt process. In other words, he was not fair, frank, open, and square with the Judiciary Committee of the Senate.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. Mr. President, if it is the policy of this Government to call out the Armed Forces to use bayonets to preserve law and order in this country, I can tell Senators where a start should be made, and that is to call out the Armed Forces to use bayonets of the Federal Government to drive the hoodlums and the gangsters and the racketeers and the thugs and the murderers——

Mr. EASTLAND. And the thieves.

Mr. McCLELLAN. Out of the labor-management relations movement in this country. I say that without any reservation, Mr. President. The underworld element and the progress it is making are the most dangerous menace in this country. Unless checked, unless stopped, unless we get control of it, it is the greatest menace from within. There may be a greater one from without—I have some doubts about it—but if the Federal Government can proceed as it has in this fashion with respect to integration, it can also proceed to get an injunction against racketeering, against gangsterism, against crime, and then direct that Federal bayonets be used to enforce the order.

Mr. EASTLAND. Has the Senator heard anything about that?

Mr. McCLELLAN. No. The administration does not propose to do that.

Mr. EASTLAND. Mr. White gets around this by remembering that his memorandums were on just what the President could do. When it came to marshals it suddenly became oral and verbal. The truth of the matter is that Mr. Brownell was not interested in the orderly processes of the court or of law, but, rather, he was interested in forced integration. I just wonder how far back this interest went. Did it go back to the days of the hearing, when the old force statute was shown him? Or did it stretch further back to the time the Civil Rights Act was drafted in which the force statute was keyed in by the cleverest of draftsmanship? You know, Mr. President, we never did find out who did that draftsmanship. I am convinced it was not a fluke. It was intentionally conceived, regardless of what Attorney General Brownell said about it.

Where is the bad faith? Need I spell it out any more? But let us examine the statutes that Mr. White recommends for Mr. Brownell whilst ignoring the orderly processes of the court. Mr. White recommends United States Code, title 10, sections 332, 333, and 334. These are cataloged under chapter 15, entitled "Insurrection." They are the same sections that I debated in the Chamber with the able Senator from Illinois [Mr. DIRKSEN]. This legislative history indicates for certain they are insurrection statutes pure and simple.

Section 334 simply provides for a proclamation by the President calling the "insurgents" to disperse within a "limited time." The words "insurgents" and "limited time" are most interesting. The word "insurgents" certainly indicates that the previous statutes are insurrection statutes. And thus Mr. White had to consider the peaceful and lawful assemblage as insurgents. This did not seem to bother him too much. But, under the same test, this Senate body today are insurgents under section 334. Mr. White would have us disperse within a limited time via the Presidential proclamation.

Next, the phrase "limited time." Mr. White, who drafted the proclamation, did two devious things. First he changed the phrase "limited time" to the single word, "forthwith." A "limited time" is certainly some kind of time. "Forthwith" is no time at all. Mr. White did not want the proclamation to work, so he utilized a deception. Second, Mr. White knew that the proclamation would be issued one day and the troops ordered out the next. This was considerably less than 24 hours, including nighttime, when the assemblage was asleep.

Sections 332 and 333 are overlapping insurrection statutes, one keyed to the enforcement of Federal authority and the other keyed to the interference with State and Federal law. Both of these statutes are available only to enforce the "laws" of the United States. They are not available to enforce anything except a law. Mr. White knows this. A law of the United States can only be one of three things: (a) the Constitution; (b) a treaty, or (c) a statute enacted by Congress.

What Mr. White had before him was a court decree based upon a court decision in the Brown case. A court decision is not a law—it never was and never will be. It is simply evidence of what the law is. Courts cannot make laws by decisions or decrees. The courts interpret the law. The lawmaking function is in the legislative branch under article I of the Constitution.

I emphasize again that the only statute which permitted the use of armed might to enforce court decrees was the force statute which this Congress, shortly before Little Rock, rejected with a unanimous vote in the Senate. Mr. White knows this, and knew it, for his job was in that bill and his former boss testified before the Judiciary Committee. I say that this is a definite showing of bad faith.

Mr. President, I could lay before this Chamber a long legal brief on the numerous cases involved on this point. I do not intend to do that. But I am amazed at the showing made by this nominee before the Judiciary Committee on this point. When cross-examined he was most evasive and vague on this point and he made references to the fact that it was covered here, there, and everywhere. The fact remains that at the time he was advising Mr. Brownell about Little Rock it was not covered at all.

Let me illustrate the character of his testimony. It was known that Mr. White wrote legal memorandums to Mr. Brownell before calling the troops. When questioned at the hearings about these statutes being limited in their operation to laws of the United States, Mr. White refers again and again to a case then pending in the court of appeals. He deliberately led the committee to believe that since it was in the court brief, it naturally was in his memorandums. When I looked at the memorandums it was not there. In my opinion, that is duplicity.

The Constitution twice defines the laws of the United States to be acts of Congress. Reference is made to section 2 of article III, and article VI.

In *Swift* v. *Tyson* (16 Peters 1), there is a famous statement by Judge Storey on this very point:

> In the ordinary use of language, it will hardly be contended that the decisions of courts constitute laws. They are, at most, only evidence of what the laws are, and are not of themselves laws.

Mr. President, because of the bad faith of this nominee we had a sad spectacle in Arkansas last year. Some 10,000 troops, fully armed, were called to occupy a schoolyard because of the assemblage, for a very few days, of perhaps 1,000 citizens. To the costs of millions these troops remained the entire school year. It takes a small man to aid and abet such a disgrace. It takes a small man to advise a President to create this spectacle or not, depending on the addition or deletion of two words "by me" to the message that came out of the meeting of the President with Governor Faubus in Rhode Island. We do not want a small man of bad faith in that job. I believe the Senate should reject the nomination.

Mr. RUSSELL. Mr. President, I believe it is generally agreed in this country, without regard to the views of the persons involved on the question of integrated schools, that the incident of the military occupation of Little Rock, Ark., is one of the great tragedies of this era. The American people were treated to the degrading spectacle on the radio, television screens, and front pages of our daily press of helmeted paratroopers with bayonets shoving schoolgirls down the street, and of blood streaming from the face of a citizen who was standing on private property with the consent of the property owner some two blocks from the school who was knocked down because he did not move with celerity when ordered to do so by one of the soldiers who participated in this occupation.

Mr. President, every time I saw one of those pictures I could not help but think to myself, "Can this possibly be America—the United States of America that we all love?"

Mr. President, from what I know about Little Rock I am convinced that the past Attorney General of the United States, the Hon. Herbert Brownell, was the prime architect of that sorry and degrading incident. However, Mr. White, the man whose nomination is pending before us, was also a party. The evidence proves he approved the memorandum which has been discussed by other Senators, with which I shall not deal at length—a memorandum which pointed only to the use of brute force, of overwhelming military force to move into a peaceful community to enforce integration of the races in a public school, supported solely with State funds.

What was the purpose, Mr. President, of this drastic and un-American action? In my opinion, Mr. Brownell was determined to put on such a display of military might that it would intimidate and overawe the people of the Southern States, who firmly believe they have a right to control the operation of their own schools. Based upon 80 years of experience, under which they have arranged their entire tax system and whole educational system with separate schools for the races, approved again and again by the Supreme Court, the southern people believe they have the right to handle their own schools.

The memorandum in effect said, "We will not use the deputy marshals. We will not use the easy course. We will not undertake persuasion. We will send in this vast military array and overawe the people of the South so that they will hereafter quickly accede to any demand which is made upon them to integrate their schools."

Mr. President, the record of Little Rock is now history. We know that whatever else might have happened, Mr. Brownell's plan failed miserably to achieve its purpose. Instead of creating fear, it aroused resentment.

It did prove some things to us. It demonstrated that due to such illegal action there could be caused the loss of 1 year of education to some 2,000 fine, young American youth. It proved that one cannot carry on a school successfully in a climate of tension, with helicopters hovering overhead, with the hobnailed boots of soldiers echoing in the school halls, and with bayonets in a veritable cordon around the schoolhouse.

It proved that the action of using military force set back the racial relations of the southern people, black and white, by 50 years, at the very least. It wiped out in the twinkling of an eye the patient and painstaking effort of men of good will of both races over a long period of time to come to some accommodation which would permit both races to move forward, even though in an area not blessed with as much wealth as some other sections of the country.

Mr. President, it proved beyond peradventure of doubt something I have asserted on the floor of the Senate time and again during the discussion of such matters as this; that is, the social system ingrained in 45 million people cannot be changed at the point of a bayonet. You can never change it with the bayonet—by force.

You may destroy the educational system. You may slow down the works of the people. You may push the people back into poverty. But you cannot, by sheer brute military force, change a social order. That has never been done in all human history, and it will not be done in the South. Force may be substituted for understanding, patience, and tolerance, but it will never prevail.

Mr. President, I always regret to oppose any nomination which is submitted to this body. I think any person who has served as governor of a State, and who has submitted nominations to a State senate, has a feeling that he will lean over backward in an effort to uphold the appointive power in dealing with nominations. But in this case I cannot vote to confirm the nomination of Mr. White. I feel that the appointment is a reward for drawing a memorandum which was colored to the situation, to persuade the President of the United States—who is not a lawyer—to take a step which I do not believe he would have ever taken if he had had all the facts and the alternatives before him.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield. I have just about concluded.

Mr. ERVIN. I should like to ask the Senator if he has had an opportunity to read the opinion which was prepared by Mr. White?

Mr. RUSSELL. I have not. That has not been made available to Senators who are not on the Judiciary Committee, but I have been told by members of the committee in whom I have great confidence, on both sides of the question, that this memorandum did not point out the alternatives which were available—the fact that the marshal's office could deputize a posse comitatis of great size; it did not point out that there was a specific statute prohibiting the use of the Armed Forces of the United States as a posse comitatis.

I am told further that it did not point out that he had available the use of the injunction in contempt procedure against anyone who might have obstructed the process; also that there were available city, county, and State police forces to deal with the situation.

Mr. ERVIN. Mr. President, will the Senator yield for observations by me on the point he is making, with the understanding that he will not lose the floor by so doing?

Mr. RUSSELL. I am glad to yield. I have concluded my remarks.

Mr. ERVIN. There were at least three alternatives for the action which was taken.

The first was this: After the National Guard had been dismissed by Governor Faubus, the police officers of the city of Little Rock came on the scene and, according to my information on the day before the troops were sent into Little Rock they arrested between 40 and 50 persons for alleged acts of violence. The administration could have waited. There could have been a delay until some of those people could have been tried summarily in the local courts without juries, but that delay was not taken.

There was a second step. The ordinary process of enforcing injunctions is the contempt process. That process could have been invoked, and persons alleged to be guilty of obstructing the execution of the court decree could have been brought before the court and tried for contempt in summary fashion, without a jury. In other words, they could have followed the procedure Judge Taylor followed in the Clinton, Tenn., case, but they did not see fit to do so.

There was a third procedure. The Federal statute provides, in express language, that the decrees of the Federal courts are to be carried into execution by the United States marshals. Under the law the United States marshal for the eastern district of Arkansas was the man designated to execute the decrees of Federal courts in his district, and he could have called to his assistance every able-bodied man in the 40 counties constituting the eastern judicial district of Arkansas.

However, that course was not followed.

I read the opinion prepared in the Department of Justice on this point, and from my experience as a lawyer I am of the opinion that that opinion was not prepared on the spur of the moment, but that it was in preparation for a substantial period of time.

It seems to me that there could have been a little more patience and a little more resort to the ordinary principles of law than was the case in this instance.

Apparently the Department of Justice had been preparing for this move for some days, as the memorandum would indicate, and nothing was done on the spur of the moment so far as the Department of Justice was concerned. Suddenly the President was confronted by this memorandum, and he was pressed into acting, as I believe the Senator from Georgia has correctly stated, by the former Attorney General, Herbert Brownell.

Mr. RUSSELL. In my opinion the memorandum, from what I know of it, was prepared specifically to lead the President to conclude that he had no alternative other than to bring about the military occupation of the city of Little Rock and the Central High School. Even though Wilson White was a pliant tool of the Attorney General, anyone guilty of such a gigantic deception of the President of the United States as was perpetrated by this memorandum should not be rewarded in any degree by confirmation of his nomination by the Senate to any office.

I shall vote against this nomination.

Mr. JOHNSTON of South Carolina. Mr. President, I note the presence in the Chamber of the chairman of the Committee on the Judiciary. I should like to ask him one question. I should like to read a letter from the Attorney General, and I should like to have the chairman's interpretation of the letter.

Mr. EASTLAND. Is that a letter from the Attorney General to the chairman of the Judiciary Committee?

Mr. JOHNSTON of South Carolina. Yes.

Mr. EASTLAND. I think that is out of order. I have not released that letter.

There is nothing in it for the newspapers to become excited about.

Mr. JOHNSTON of South Carolina. The only point is just how far the letter goes in giving the chairman or the committee authority to release it.

Mr. EASTLAND. We do not have authority to release the memorandum which Mr. White submitted to the Attorney General.

Mr. JOHNSTON of South Carolina. The only reason he gave——

Mr. EASTLAND. Regardless of his reason, the chairman does not have such authority, and I hope the confidence of the Attorney General will be respected.

Mr. JOHNSTON of South Carolina. That is the reason why I am asking the question. Personally I believe that when he gives the memorandum to the committee, and to all the members of the committee, it would be proper for the Senate, in passing upon this nomination, to have the same information.

Mr. EASTLAND. But there is a principle involved. The memorandum was submitted on condition that it was for the use of the Judiciary Committee in executive session, and I should like to respect that condition.

Mr. JOHNSTON of South Carolina. I am endeavoring to reach the Attorney General on the telephone at this moment, to see whether or not, under the circumstances, and in view of what has happened so far, the chairman could be relieved from the obligation to withhold the information.

Mr. EASTLAND. That is all right; but I want it specifically understood that I did not give my friend from South Carolina that letter.

Mr. JOHNSTON of South Carolina. I know the Senator did not. But the committee had it.

Mr. EASTLAND. The Senator is correct. The committee had the entire file.

Mr. JOHNSTON of South Carolina. And a copy was made of the letter.

Mr. EASTLAND. I desire to respect the confidence reposed in me.

Mr. JOHNSTON of South Carolina. That is one reason I am asking the question at the present time. The Attorney General based the withholding of the memorandum on the ground that a case was pending in the courts.

Mr. EASTLAND. I do not remember what grounds it was based on. All I remember is that the memorandum was for the use of the committee in executive session.

Mr. JOHNSTON of South Carolina. That is true.

Mr. EASTLAND. If it is to be released, I think it should be with the consent of the Attorney General.

Mr. JOHNSTON of South Carolina. I am having him called on the telephone right now.

Mr. EASTLAND. Very well; but I want it understood that I am not a party to this move. I have not given the letter to the Senator. I desire to respect the confidence the Attorney General has placed in the Judiciary Committee.

Mr. JOHNSTON of South Carolina. So do I. The withholding of the memorandum——

Mr. EASTLAND. The distinguished Senator can use his own judgment in the matter.

Mr. JOHNSTON of South Carolina. Mr. President, the use of troops in domestic affairs is, indeed, a very grave matter, the deep concern of every citizen, and may involve fundamental questions of self-government and of civil liberties.

The record shows that when, on September 24, 1957, Federal troops were ordered into Little Rock, Ark., Mr. W. Wilson White, whose nomination is being considered tonight by the Senate, was then the legal adviser to the Attorney General of the United States, and, as such, prepared for President Eisenhower the material which was used in issuing the proclamation at Newport, R. I., on September 23, 1957. The memorandum in question was prepared by Mr. White, and was given by him to the Attorney General; and, in turn, the memorandum was finally passed on to the President of the United States.

I think it would throw a great deal of light on the subject we are considering this evening if it were possible for the memorandum to be made available to all Members of the Senate and to be made public. But a few minutes ago, when I telephoned to the Attorney General, and requested that I be given permission at this time to make that document a part of the RECORD, he objected; and he based his objection on the ground that the case in regard to this matter still is pending in Little Rock, Ark., and certiorari has been entered; and the case will be carried to the Supreme Court.

Personally, I cannot see any objection to the publication of an opinion which was given by an attorney in the Department of Justice to the President of the United States, an opinion setting forth the legal grounds on which the President might act. I see no reason why the memorandum should not be made public to us this evening, in order that Senators may vote more intelligently on the question of confirmation of the nomination of Mr. White.

Confirmation is now being sought of the nomination of Mr. Wilson White to be Assistant Attorney General, to head a new division in the Department of Justice, known as the Civil Rights Division. The division formerly was a section of the Criminal Division of the Department of Justice.

On February 2, 1957, Attorney General Brownell came before the Judiciary Committee, and was questioned about the intention of the administration to use troops to enforce Federal district court decrees in school integration cases under section 1989 of the revised statutes.

Although the Attorney General gave members of the Judiciary Committee a negative answer to that question, it was feared this power might be used; and, therefore, section 1989 of the revised statutes was expressly repealed by Congress in the measure the President signed, the Civil Rights Act of 1957, on September 9, 1957.

If my memory serves me correctly, I believe the senior Senator from Georgia [Mr. RUSSELL] went to the White House and talked to the President along these same lines. Senators may recall that, that day the newspapers printed articles about that matter; and the articles stated that the President said he could not conceive of any instance in which, or any grounds on which, we would ever use troops to enforce—he not only said to enforce a decree of a court, but he also said to enforce any matters concerning integration. But let us see what happened.

In other words, when this matter became a direct issue, Congress with the express approval of the President, on September 9, 1957, clearly stated its intention that the President should have no power in respect to Federal court decrees in civil rights cases.

Nevertheless, on September 23, 1957—note the date—a proclamation by the President which was prepared by Mr. White was used to enforce a Federal court decree—not a Federal statute—a Federal court decree.

It is to be noted that this was done despite the action of Congress repealing a statute specifically dealing with enforcement of court decrees and which, therefore, controls over any general statute—if any is applicable—on executing the laws of the United States.

Therefore, the United States marshal, under present Congressional legislation, is the only one with power to enforce court decrees rendered under article III of the Constitution.

What are laws?

I am deeply indebted to Mr. Alfred J. Schweppe, a former president of the Washington State Bar Association, and a former dean of the University of Washington Law School, for his fine analysis of this crucial question which appeared in the February 1958 issue of the American Bar Association Journal. Excerpts from Mr. Schweppe's article, entitled "Enforcement of Federal Court Decrees," are quoted in order that these may be made a part of the official record.

The Supreme Court has often held that the laws which the President shall faithfully execute are the acts of Congress.

In the last great test of the President's power—if any—to enforce Federal court decrees, which took place under President Truman in the steel seizure cases—title 343, United States Code, sections 579, 585—the Supreme Court said:

The President's power, if any, to issue the order must stem either from an act of Congress or from the Constitution itself. There is no statute that expressly authorizes the President to take possession of property as he did here. Nor is there any act of Congress to which our attention has been directed from which such a power can fairly be implied.

And again:

Nor can the seizure order be sustained because of the several constitutional provisions that grant executive power to the President. In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the lawmaking process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad.

And the Constitution is neither silent nor equivocal about who shall make laws which the President is to execute. The first section of the first article says that "all legislative powers herein granted shall be vested in a Congress of the United States." After granting many powers to the Congress, article I goes on to provide that Congress may "make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

And again:

The founders of this Nation entrusted the lawmaking power to Congress alone in both good and bad times. It would do no good to recall the historical events, the fears of power, and the hopes of freedom that lay behind their advice.

In *Ex Parte Quirin* (137 U. S. 1, 25–27), Chief Justice Stone said:

"Congress and the President, like the courts, possess no power not derived from the Constitution. But one of the objects of the Constitution, as declared by its preamble, is to 'provide for the common defense.' As a means to that end, the Constitution gives to Congress the power to 'provide for the common defense' (art. I, sec. 8, clause 1); 'to provide and maintain a navy' (art I, sec. 8, clauses 12, 13); and to make rules for the government and regulations of the land and naval forces' (art. I, sec. 8, clause 14); Congress is given authority 'to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water' (art I, sec. 8, clause 11); and 'to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations' (art. I, sec. 8, clause 10). And finally, the Constitution authorizes Congress 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof' (art. I, sec. 8, clause 18)."

The Constitution confers on the President the "executive power" (art. II, sec. 1, clause 1), and imposes on him the duty to "take care that the laws be faithfully executed" (art. II, sec. 3). It makes him the Commander in Chief of the Army and Navy (art. II, sec. 2, clause 1), and empowers him to appoint and commission officers of the United States (art. II, sec. 3, clause 1).

The Constitution thus invests the President, as Commander in Chief, with the power to wage war which Congress has declared, and to carry into effect all laws passed by Congress for the conduct of war and for the government and regulation of the Armed Forces, and all laws defining and punishing offenses against the law of nations, including those which pertain to the conduct of war.

Thus, contrary to the common assumption, even the commander in chief function is subject to the control of Congress, the President's powers being "purely military and otherwise under the direction of Congress except in the case of legislation that interferes with the command of the Armed Forces and the conduct of campaigns." *Fleming* v. *Page* (9 How. 603, 615 (1850)); *Ex Parte Milligan* (4 Wall. 2, 139 (1866)), *Steel Seizure Cases* (343 U. S. 579, 644–6 (1952)); Mr. Justice Jackson concurring.

In his dissent in *Myers* v. *U. S.* (272 U. S. 52, 247 (1926)], Mr. Justice Brandeis said:

"The end to which the President's efforts are to be directed is * * * the faithful execution of the laws consistent with the provisions made therefor by Congress."

The point was succinctly put by Mr. Justice Douglas in his concurring opinion in the *Steel Seizure Cases* (343 U. S. 579, 633), in the following words:

"But, as Mr. Justice Black and Mr. Justice Frankfurter point out, the power to execute the laws starts and ends with the laws Congress has enacted."

Thus the lawmaking power is in Congress alone. Only Congress makes laws of the United States. Supreme Court decisions and district court decisions are not laws of the United States in the constitutional and statutory sense. * * * They are merely decisions between parties to a case or controversy which declare what law is binding between those parties. They do not bind any other person anywhere. On the other hand, laws of the United States passed by Congress bind everybody everywhere within the jurisdiction of the United States.

In those quotations, it will be noted, it is pointed out very forcefully that the President of the United States has no right to enforce a court decree for the use of troops unless and until a governor requests them—and that certainly was not done in Arkansas—or if the governor does not, if the legislature of that State makes the request—and the Legislature of Arkansas certainly did not ask for troops. That point is made very clear in the quotations.

The issue, of course, is only one of legal power. The President, like everyone else, is, as Lord Coke said of James I, "under the law." The issue has nothing to do with the merits of segregation, but only with the lawful manner of enforcing Federal court decrees. The President himself has said specifically that troops were dispatched to Little Rock not to enforce or advance any governmental policy respecting integration, desegregation, or segregation, but only to enforce a United States district court decree.

Therefore, it makes no difference what the local governor does. The President's powers to enforce district court decrees are neither enlarged nor diminished by what a State does or does not do.

The statutory sections on which the President relied in his proclamation of September 23, 1957, entitled "Obstructions of Justice in the State of Arkansas," namely sections 332, 333, and 334 of title 10 relating to the Armed Forces, as revised in 1956, cannot by any fair construction be made to give him, under the guise of enforcing the laws of the United States, the power to enforce Federal court decrees in civil-rights cases—a power of which Congress, with his own consent, had stripped him exactly 2 weeks before.

As Mr. Schweppe has so concisely stated it:

There is no conflict between section 1989 of the revised statutes, just repealed, and sections 332 and 333 of title 10 governing the Armed Forces. Section 1989 was a specific statute relating to the execution of judicial process. Sections 332 and 333 relate to enforcement of laws of the United States where judicial proceedings are impracticable. The difference is sharp and clear. There is, as everyone knows, no act of Congress requiring integrated schools. In fact, in addition to establishing and maintaining segregated schools in the District of Columbia for many decades right down to the recent decision of the Supreme Court in the Bolling case, companion to the Brown case, Congress directly recognized segregated schools in the States and the District of Columbia as late as 1946 in the school lunch legislation, by requiring separate but equal distribution of the Federal funds provided for that purpose. Title 42 United States code, section 1760.

And so, however we approach the legal problem, we arrive at what seems to be the inevitable legal conclusion that the President has no power derived from Congress to enforce Federal court decrees rendered under article III of the Federal Constitution.

It is clear that Congress in 1957 intended that the President should have no such power, but that such decrees rendered under the judicial article should be enforced only by the United States marshal with a posse comitatus, if necessary.

The President has squarely predicated his action on an assumed duty to enforce Federal court decrees—on the basis of sections 332 and 333 of title 10, and not on the basis of suppressing "domestic violence." That is the only way he could avoid a clash with article IV, section 4, of the Constitution, which says that the United States shall protect each State "against invasion, and on application of the legislature, or of the Executive—when the legislature cannot be convened—against domestic violence." The Federal Government is not to interfere in a case of domestic violence within a State unless invited by the representatives of the people. The constitutional convention was even fearful of reposing this inviting power in one man alone, but insisted that the State legislature do the inviting, if at all possible. The Founding Fathers were taking no chances with an all-powerful Central Government and did not want that Government to interfere within a State unless expressly invited. The tread of red coats on the streets of Boston was still ringing in their ears. Fresh was the memory when royal governors did the inviting—not members of colonial assemblies.

The Founding Fathers closed the book forever on the exercise of such unrestrained executive power as led to the Revolution. They remembered Cromwell and George III. They knew history. They knew despotism. And they provided against it.

As Mr. Justice Brandeis said, dissenting in *Myers* v. *United States* (272 U. S. 52, 293 (1926)):

"The doctrine of the separation of powers was adopted by the convention of 1787, not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was, not to avoid friction, but by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy."

While under article III they made the President Commander in Chief of the Army and Navy of the United States "and of the militia of the several States when called into actual service of the United States," and imposed on him the duty to "take care that the laws of the United States be faithfully executed," they were careful to provide that Congress should have power "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions," and power "to make rules for the government and regulation of the land and naval forces." These subjects were advisedly delegated to Congress under article I and not to the President under article II. (See the Federalist, No. 24.) Hence Congress alone was empowered to determine how, when, and in what circumstances the President may call forth the militia to execute the laws of the Union within the United States.

That acts of Congress are valid insofar as they authorize the President to call forth "the militia to execute the laws of the

Union" has been long ago decided. But where in the Constitution is there authority to use regular land and naval forces to execute the laws of the Union? Is the use of the militia exclusive?

At the time the Constitution was written there were, under the Confederation both regular Federal troops and State militiamen. The regular army of "Continentals" that served under Washington in the Revolutionary War was almost completely disbanded when peace came. During the Confederation when the Constitution was prepared and adopted, there were in service regular troops to guard Federal property and to take care of Indian uprisings, a total of 595 men when Washington was inaugurated. Militia were then, as they are now, comprised of State soldiers, who have grown up in the State atmosphere: and they were the ones to whom was specifically delegated the power "to execute the laws of the Union" under appropriate acts of Congress.

The views set forth in the Federalist, written to persuade adoption of the Constitution and frequently described by Chief Justice Marshall "as of great authority" are important here. It is said in Number 29, ascribed to Hamilton:

"In order to cast an odium upon the power of calling forth the militia to execute the laws of the Union, it has been remarked that there is nowhere any provision in the proposed Constitution for calling out the posse comitatus, to assist the magistrate in the execution of his duty; whence it has been inferred, that military force was intended to be his only auxiliary • • • it would be • • • absurd to doubt, that a right to pass all laws necessary and proper to execute its declared powers would include that of requiring the assistance of the citizens to the officers who may be intrusted with the execution of those laws • • •. It being therefore evident that the supposition of a want of power to require the aid of the posse comitatus is entirely destitute of color, it will follow, that the conclusion which has been drawn from it, in its application to the authority of the Federal Government over the militia, is as uncandid as it is illogical. What reason could there be to infer that force was intended to be the sole instrument of authority merely because there is a power to make use of it when necessary?

"There is something so far-fetched and so extravagant in the idea of danger to liberty from the militia, that one is at a loss whether to treat it with gravity or with raillery; whether to consider it was a mere trial of skill, like the paradoxes of rhetoricians; as a disingenuous artifice to inatill prejudices at any price; or as the serious offspring of political fantacism. Where, in the name of common sense, are our fears to end if we may not trust our sons, our brothers, our neighbors, our fellow citizens? What shadow of danger can there be from men who are daily mingling with the rest of their countrymen, and who participate with them in the same feelings, sentiments, habits, and interests? What reasonable cause of apprehension can be inferred from a power in the Union to prescribe regulations for the militia, and to command its services when necessary, while the particular States are to have the sole and exclusive appointment of the officers?"

The laws of the Union to be executed by the militia are, of course, the same laws that the President is faithfully to execute under Article II; namely, acts of Congress, as the court has held in many cases, the latest being the famous steel seizure cases.

And it should be emphasized again that the President can only use force to execute the laws of the Union in the manner and to the extent authorized by Congress. He has no power to use force except as authorized by Congress. The Founding Fathers saw to that.

The point that when Congress employs the phrase "A law of the United States" or "Laws of the Union," it intends the phrase to be understood and applied in the customary sense—as synonymous with "Acts of Congress"—is demonstrated dramatically by the affair called in re Neagle.

The case, reported at title 135 United States Code, section 1, turned in part upon a provision of section 753, Revised Statutes, now set forth, as amended, at title 28 United States Code, section 2241. In its original language, the provision was that "the writ of habeas corpus (within the jurisdiction of Federal courts) shall in no case extend to a prisoner • • • unless • • • he is • • • in custody for an act done or omitted in pursuance of a law of the United States."

One question was this: If we assume that there is no act of Congress authorizing a United States marshal to act as bodyguard for a Supreme Court Justice, and if a marshal acting under an Executive order requiring him to protect a certain Justice kills an allegedly unarmed assailant who has sworn vengeance against that Justice, can the marshal be tried for homicide in the State courts?

Actually, the Court held that the marshal was indeed authorized by an act of Congress. Said the Court: "But there is positive law investing the marshals and their deputies with powers which not only justify what Marshal Neagle did in this matter, but which imposed it upon him as a duty, (see) chapter 14 of the Revised Statutes of the United States • • • section 788."

Nevertheless, the Court addressed itself to the hypothetical question—and hence delivered itself of this sweeping dictum:

"It is urged, however, that there exists no statute authorizing any such protection as that which Neagle was instructed to give Judge Field in the present case. • • • In the view we take of the Constitution of the United States, any obligation fairly and properly inferable from that instrument, or any duty of the marshal to be derived from the general scope of his duties under the laws of the United States, is a law within this phrase."

But Congress thereafter overruled this dictum by amending the provision to read: "The writ of Habeas Corpus shall not extend to a prisoner unless. • • • He is in custody for an act done or omitted in pursuance of an act of Congress. Here, then, we have high proof as to what Congress meant and means by the words "a law of the United States" or "laws of the Union."

In addition to giving this dictum, the Court also asked a question:

Since the marshal had acted under an Executive order, the Court said:

"The Constitution, section 3, article 2, declares that the President 'shall take care that the laws be faithfully executed.' • • • Is this duty limited to the enforcement of acts of Congress or of treaties of the United States according to their express terms, or does it include the rights, duties, and obligations growing out of the Constitution itself, our international relations, and all the protection implied by the nature of the Government under the Constitution?"

This question—despite its question-begging form—was answered emphatically by the Supreme Court itself, in the steel seisure cases. *Youngstown Sheet and Tube Company* v. *Sawyer* (343 U. S. 579 (1952)). The President has no inherent powers. And the point that any positive implications of the question asked in the Neagle case were thereby rejected was underscored by the dissenting opinion. See pages 687, 692, 702.

In our present situation we have, in addition, a clear expression of Congressional intent in 1957 that without affecting his powers to execute the laws of the United States, the President should have no power in respect of Federal Court decrees.

If the view is suggested that (1) a district court decree is a law of the United States within the meaning of sections 332 and 333 of title 10, or (2) that a Supreme Court decision is a law of the United States, or (3) that the 14th amendment as construed by the Supreme Court in the Brown case in 1954, and implemented by the district court, is one of the laws of the United States, the answers are adequate and persuasive.

First. Neither Supreme Court decisions nor district court decrees are, in the constitutional and statutory sense, laws of the United States. A Supreme Court ruling is merely binding on the parties to that case, and becomes a precedent to be followed or not, as the court may choose, in the next case involving like issues between other parties.

Article VI, section 2, speaks of the Constitution, and all laws of the United States made in pursuance thereof, and treaties made under the authority of the United States, as the supreme law of the land. Court decisions are not mentioned. Courts merely have the power to declare what legal obligation is applicable in a particular case between the parties to that case, not to make laws of the United States, which is the sole prerogative of Congress. Chief Justice Marshall in *Marbury* v. *Madison* (1 Cranch 137 (1803)).

A court decision merely decides; it decides a dispute between the parties to a case or controversy as to the law or facts, or both, depending on the precise issues between the parties in that case. A written opinion is just an opinion and nothing more. It is, as the dictionary says, "the notion, idea, or view" that the court entertains and expresses as a basis for a judgment or decree. The final judgment or decree, based upon the opinion, ends the dispute between the parties. The ruling does not make law but merely declares or interprets what law is binding in the particular dispute.

As said by the Court of Appeals for the Fifth Circuit (opinion by Cameron, circuit judge), in a recent case (*Indiviglio* v. *United States*, October 31, 1957):

"The decision in Jencks (decided by the United States Supreme Court June 3, 1957), within the limits of the points actually decided, is the law of that case. But it is not the law of this case, nor the law of the land."

The principle is clearly spelled out in the recent book by the late Mr. Justice Jackson:

"But perhaps the most significant and least comprehended limitation upon the judicial power is that this power extends only to cases and controversies. • • • The result of the limitation is that the Court's only power is to decide lawsuits between adversary litigants. • • • Also, as an appellate court, it properly can act only on the state of the facts revealed by the record made in the court below, supplemented sometimes by general information of which it may take judicial notice.

"And when it is all over, judicial decree, however broadly worded, actually binds, in most instances, only the parties to the case. As to others it is merely a weather vane showing which way the judicial wind is blowing—a precedent that the Court in a similar case is likely to follow. Its real weight in subsequent cases, however, will depend on many factors, such as the quality of the prevailing opinion, the strength of any dissent, the acceptance or criticism by the profession, and the experience in application of the rule."

To emphasize this aspect, the decisions of the Supreme Court in the Brown case and Bolling case in 1954 could operate lawfully only as directions to the district courts below in those cases. The Supreme Court has no power to issue directions to district judges generally in cases not before it. In new segregation cases, the district judges

follow the precedent of the Brown case of 1954, instead of the contrary Gong Lum case of 1927 specifically upholding segregated schools in the State of Mississippi under the 14th amendment, presumably because of the likelihood that if they do not, the Supreme Court as now constituted will reverse and order them to proceed accordingly.

Courts often refer to Supreme Court decisions as binding precedents, which only means, however, that if a similar case comes along, then, in the orderly administration of justice, a lower court judge at least follows the higher court decision, leaving it to the higher court to change its earlier ruling, if need be. It is a rare lower court judge, indeed, who undertakes to correct a higher court, no matter how strongly he may disagree.

Whatever their effect, volatile or otherwise, as precedents in future cases between other parties, Supreme Court decisions are not "laws of the United States" in the constitutional or statutory sense. That is, they are not statutes and cannot have the effect of statutes.

It is, of course, well known that President Andrew Jackson, who had been a judge of the Supreme Court of Tennessee, did not think that a Supreme Court decision was a "law of the United States" that he was bound faithfully to execute. When he was advised of the Supreme Court's decision in *Worcester* v. *Georgia* (Peters 515 (1832)), he said, "John Marshall wrote it; let him enforce it."

Cognizance should probably be taken here of the revolutionary ruling in *Erie Railroad Co.* v. *Tompkins* (304 United States 64 (1938)), in which the majority of the Court, without the question's being suggested or argued by counsel, and after refusing the request of the minority that the case be assigned for reargument, overruled the great century-old decision written by Mr. Justice Story in *Swift* v. *Tyson* (16 pet. 1 (1842)), and the dozens of decisions following it. This was done notwithstanding the fact that *Swift* v. *Tyson* had been accepted by Congress in the revised statutes of 1873 as the correct exposition of the judiciary act, a point which Mr. Justice Brandeis and the majority in Tompkins, in their precipitous haste, completely overlooked. The majority of the Court construed the words "laws of the several States" as including State judicial decisions as well as statutes, contrary to Story's view, frequently followed by the Supreme Court and accepted by Congress, that the word "laws" meant only "statutes." The majority in Tompkins purported to rest its holding on a law review article written by Mr. Charles Warren. Mr. Warren's ex parte researches and conclusions were, immediately after Tompkins, flatly challenged. The word "law," in its singular or plural form, appears in the Federal Constitution and its amendments many times, and except in certain instances (small in number) where the word is used in reference to the jurisprudence of the States, and of the law of nations, or where it is merely a term of description—such as "courts of law," "cases in law and equity"—the word is used in the meaning of "statute" or "statutes" enacted by Congress. The Tompkins decision is demonstrably erroneous, has created more problems than it has solved, has retarded the desirable trend toward common-law uniformity, in which the Federal courts were wielding a strong influence, and has rendered diversity of citizenship jurisdiction in the Federal courts a largely useless burden. The interpretation in Tompkins of the word "law" as including State court decisions as well as State statutes is not only wrong but, in the writer's opinion, inexcusable. It represents a case of gross violation of decisional precepts that the majority had often laid down, apparently for others. In any event, the Tompkins decision is inapplicable here, where the context and the Supreme Court's decisions determine indisputably that the laws which the President under the Constitution is faithfully to execute are not court decisions (which are not laws of the United States) nor the Constitution itself unimplemented by legislation, but acts of Congress.

Second. The executive power conferred on the President in article II to execute the laws, as ruled by the Supreme Court in the Steel Seizure cases and in other cases, is not self-executing and requires Congressional legislation in any case, and even more specifically in the case of "calling forth the militia to execute the laws of the Union" and government and regulation of the Armed Forces. According to the Constitution, the President cannot use the militia to execute the laws of the Union except as authorized by Congress. Because Congress was invested with the sole power to determine the use of force to execute the laws of the United States, in the silence of Congress, the President would have no such power. In consideration of the problems of executing domestic civil or criminal laws we are not in any commander-in-chief area, which relates solely to military duties, as previously pointed out. In any event, article II does not confer Presidential power in the face of an unequivocal expression of Congressional intent in 1957, by repeal of section 1989 of the Revised Statutes of 1873, that the President should have no power to employ the land and naval forces of the United States, or of the militia • • • to aid in the execution of judicial process in civil-rights cases.

Pertinent are the words of Mr. Justice Jackson in the *Steel Seizure* cases (343 U. S. 579, 637):

"When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter."

The intent of Congress in 1957 was not left to implication.

In the current discussion of the problem of the Presidential use of troops at Little Rock, reference has been made by some persons including the President, to section 15 of the act of June 18, 1878 (20 Stat. 152; repealed in 1956 as sec. 15 of title 10 and reenacted in the same bill as sec. 1385 of title 18, the Criminal Code), which reads as follows:

"Whoever, except in cases and under circumstances expressly authorized by the Constitution or act of Congress, wilfully uses any part of the Army or Air Force as a posse comitatus or otherwise, to execute the laws, shall be fined not more than $10,000 or imprisoned more than 2 years, or both."

In the closing argument of Mr. Schweppe's article, the writer states:

Clearly • • • the United States marshal has the power and duty to execute Federal court decrees with the assistance, if need be, of a posse comitatus, not including military forces.

If it should be suggested that the President has taken an oath under article II, section 1 that he will "to the best of my ability, preserve, protect, and defend the Constitution of the United States," the answer is that the President's oath, far from being a grant of power, is a restraint of it. Its prototype, the oath of English monarch since William and Mary, was to obtain a commitment that the hard-won rights and liberties of the English people would be preserved, protected, and defended and not trampled under foot. (See annotation, Constitution of the United States, Revised and Annotated, Government Printing Office, 1952, p. 389.) Thus the President's oath was primarily required to prevent him from overthrowing the Constitution and setting up a military dictatorship or monarchy. That is the restraint that concerned the Founding Fathers (The Federalist, No. 26).

Hence, whatever excursion is taken through the Constitution and the applicable statutes, one ends with the conclusion that, as of now, the President has no lawful power to use military force to carry out Federal court decrees under article III of the Constitution.

Mr. President, I have had the honor to serve for 6 years as Governor of my beloved State of South Carolina. I know, therefore, the importance of following basic fundamentals respecting the legislative, executive, and judicial functions as set forth by our Constitution.

I have also examined appointments made by the President, and I have studied them with the knowledge that the President is the one to make the appointments and the Senate the one to advise and consent to them. The Senate has a right to look into the qualifications of every appointment which comes before it.

To me, the use of troops in Little Rock represented a monumental blunder and a circumvention of well-established law and procedure.

Any lawyer who had studied law for 1 year should have known, in advising the President of the United States, enough law to have suggested certain alternatives which the President could have used, instead of having suggested only one way for him to act.

The participants—and Mr. White was one of them—must not be permitted to establish a precedent whereby there may be used against us in the future the well-known phrase carved on a stone above the portal of our Archives Building in Washington: "What is past is prologue."

The first man to head the new Civil Rights Division in the Department of Justice must be an individual of proven ability in the application of the law and in the interpretation of the law's intent—and of Congressional intent—in its practice.

In addition, he should be a man of great compassion. In this particular field we do not need anyone who has already made up his mind, who has already decided what he intends to do with regard to the issue we are facing at this particular time. Let me join with other Senators who have spoken prior to my address, by saying that when the troops were called out at Little Rock more was done to injure the cause of good feelings between the white and colored man, especially in the South, than anything which has ever happened. Nothing could have slapped the white people in the South any harder other than what was done during the reconstruction days. I know whereof I speak, for in South Carolina we still hear some of the old people—when I say "old," I mean they are old, since they have to be to remember those days—talk about what took place in South Carolina in the reconstruction days from 1865 to 1876. Perhaps it will be news to some Senators to know that was the reason one President of the United States was elected. Senators can look up the record. They will find South Carolina voted for a man for President

I do not think the people of South Carolina wanted for President. The people did so in order to get the troops moved out of South Carolina at that time. That being so, we can understand how the people of my State stood up in wrath and indignation when the President called the troops out at Little Rock.

Mr. White, by his own acts—and by his own statements before the Judiciary Committee—fails to measure up to such standards, and to the two great principles which go hand in hand, the principles of law and justice.

Mr. White is guilty of having mixed politics with law and, while papers he filed with the Judiciary Committee were intended to show that he brought to the President's attention all methods of approach to the problem at Little Rock, it is obvious that he promoted the use of troops and prejudiced his advice in this direction.

Mr. White has become a highly controversial figure. In addition to his obvious prejudice in the matter and his willful misinterpretation of the basic principles of the law, Mr. White because of his controversial nature has neutralized any usefulness he may have had to offer the Justice Department in the field of civil rights. For this reason, if for no other, I think the Senate should refuse to confirm his nomination.

As I stated a few moments ago, I wish these other papers could be included in the RECORD, but the Attorney General has requested that it not be done. I shall carry out the wishes of the Attorney General. I think any member of the Senate Committee on the Judiciary will bear me out in the statement of the fact that there is nothing in the papers which does anything but give to the President, from Mr. White, an interpretation of the law to advise the President how to proceed in calling out the troops at Little Rock. If it is wrong to let the people know exactly the phraseology used, I cannot understand it. If the legal principles are correct, the information ought to help in the appeal to the Supreme Court at the present time. I cannot see why the papers should not be included in the RECORD, but I shall not go contrary to the request of the Attorney General of the United States.

I hope the Senate will not confirm the nomination.

Mr. KEFAUVER. Mr. President, infrequently do I oppose a nomination submitted to the Senate by the President, because, generally, I feel that the President is entitled to have serve him in the executive department the persons he selects.

However, as the record now stands, I am not satisfied with Mr. White's qualifications for the post to which he has been nominated. He is an attractive man personally. He undoubtedly has had substantial experience. When he first appeared before the Judiciary Committee, I was well impressed with him and had decided to vote for him. However, I do not believe that Mr. White has been forthright, responsive, or frank with the Judiciary Committee. As the record now stands, I do not believe he has the qualifications which would enable him to do a good job in the position to which he has been nominated.

I was not able to hear all the testimony before the Committee on the Judiciary, but I have read all the record. I should like to say also that I do not agree with some of the things which have been advanced as reasons for opposing the confirmation of Mr. White's nomination. I voted for the bill which set up the division in question in the Department of Justice. I have no desire to impede in any way its proper functions. Looking to its successful operation—certainly to the best operation of the Department—I do not believe that Mr. White is the proper man to carry out the functions of that division.

I wish to be specific. In saying why I am opposed to Mr. White, I should like to refer to the testimony given before the committee. In that testimony, he showed himself to be neither properly qualified nor completely frank.

He said that a memorandum which he had submitted to the Attorney General discussed all the possible actions which might have been taken in the Little Rock situation, including the use of judicial processes, contempt proceedings, and the use of United States marshals. I wish to read testimony on that subject, to show that that is exactly what Mr. White said. He said his memorandum advising the Attorney General discussed all the alternatives of what the President might do in the situation.

Every one concerned made a great many mistakes in connection with the Little Rock affair. I believe that Governor Faubus made some mistakes. I believe the President made a mistake in not using the alternatives. A great many mistakes were made all around. This is what Mr. White had to say about it. This is a part of the colloquy which took place in the Judiciary Committee, on July 22, 1958:

Senator KEFAUVER. Mr. Chairman, while there is an interruption, I know this must have been covered but I haven't been able to attend all the hearings.

May I ask whether there is a written memorandum to Mr. White as to what you were supposed to prepare or research, or was it all oral?

Mr. WHITE. Almost all oral, Senator.

Senator KEFAUVER. You say almost. What was in writing?

Mr. WHITE. Occasionally some particularly legal point the Attorney General would send me an interoffice memo on, but it was his practice to call me into his office.

Senator KEFAUVER. What was the direct question that was asked you, Mr. White? I mean what was the assignment that you were given?

Mr. WHITE. To give the powers of the President, all the powers of the President in a situation in which there was resistance to a court.

Further along in the testimony:

Senator JOHNSTON. Who first approached you and asked you to look into the powers of the President?

Mr. WHITE. The Attorney General. That was my direct function; was to prepare memoranda at his request.

Senator KEFAUVER. Mr. Chairman, a few minutes ago Mr. White said that most of the instructions were oral, but that there were some memoranda from time to time. I wanted to inquire if those had been put into the record.

Senator EASTLAND. No, sir.

Senator KEFAUVER. Or if there is any objection to making them a part of the record. I think they might clarify this.

Mr. WHITE. Senator, under the Attorney General's standing instructions, I would not be permitted to produce his interoffice memoranda to me. I would not be permitted to do that.

Senator KEFAUVER. You mean unless he consented?

Mr. WHITE. That is right.

Senator JOHNSTON. Do you think he would object to giving us that valuable information?

Mr. WHITE. I don't know.

Senator KEFAUVER. Mr. Chairman, I would like to ask the Attorney General if he would furnish us with those. Perhaps he would have no objection to doing so.

Then I think we would know exactly what your mission was, insofar as it was in writing.

Mr. President, that deals with instructions of the Attorney General to Mr. White as to what he was to prepare.

I regret exceedingly that we cannot make a part of the record and discuss publicly what has been received from the Attorney General. I had understood that when the circuit court of appeals case was decided it would be released for publication, but I do not know the reason why it was kept privileged. I see nothing confidential about it. There is no reason why the instructions to Mr. White or his memorandum should be kept from the public or from the Senate. It has been given to the Judiciary Committee, but we are under limitations in discussing it.

In any event, we have no memorandum in writing from the Attorney General to Mr. White as to what he was supposed to do.

In the colloquy I asked Mr. White about the opinion he submitted to the Attorney General. That was when I thought he was not forthright and when I decided that either he did not remember what he said—and he ought to have remembered—or he was not giving us the full information; or if he was giving us the full information, his attitude about it, I thought, was incorrect, and would make it difficult for him to administer properly this important position. Then there occurred this colloquy as to what Mr. White furnished the Attorney General. The record has not been printed, but I have the stenographic copy of the testimony.

Senator KEFAUVER. Mr. Chairman, if I may interrupt, I had understood that Mr. White testified he was given an assignment to write an opinion. That is generally true, I believe, or to write an opinion advising the President on his powers.

Mr. WHITE. Various memorandums to the Attorney General which he in turn used for his own relationship with the President; yes, sir.

Senator KEFAUVER. And you say you did not participate in any of the policy decisions?

Mr. WHITE. No, sir. I was never called upon to.

Senator KEFAUVER. Have the memoranda that you prepared in response to the request of the Attorney General been made a part of the record or is there objection to them being made a part of the record?

Mr. WHITE. They have not been, and there again the Attorney General himself would have to give direct permission. It is not in my province.

Senator KEFAUVER. Mr. Chairman, I would respectfully request that while we are asking the Attorney General for these memoranda of instruction as to what he told Mr. White to do, that we also ask him for the various memoranda on this subject which Mr. White prepared.

That was agreed to, and the memoranda were furnished. Later this colloquy took place:

Senator KEFAUVER. One other thing, Mr. Chairman, if I may ask. In the advice to the Attorney General or in the memorandum to him, were there various and sundry alternative propositions put up, such as the use of marshals or federalizing the State guard, the State militia?

Mr. WHITE. I think an attempt was made to cover every possible alternative, Senator KEFAUVER; yes, sir.

Mr. President, to me that is the most important part of the entire testimony. I asked Mr. White the direct question if he had covered all the various alternatives. I thought there were alternatives. He said:

I think an attempt was made to cover every possible alternative, Senator KEFAUVER; yes, sir.

There were other questions and answers.

Senator KEFAUVER. Then you did discuss the possible use of marshals, or deputizing marshals?

Mr. WHITE. Yes, sir.

Senator KEFAUVER. Then was the option as to which one of these alternatives would be used, was that considered by the Attorney General or were they all sent to the President or do you know?

Mr. WHITE. I do not know how that was handled between the Attorney General and the President.

Senator KEFAUVER. Do you remember what your opinion was as to the deputizing of marshals to act as they acted in the Clinton case under Judge Taylor's decree?

Mr. WHITE. There was no question at all that marshals could be used to aid the court if their aid would be effective.

There are other parts of the colloquy which I should like to have printed in the RECORD. But the memorandums coming from the Attorney General, which cannot be made a part of the RECORD because it is confidential, amazed me because Mr. White, in his opinion, discussed nothing at all except the use of the Armed Forces. There was no discussion about contempt. There was no discussion about deputizing marshals. There was no discussion of any of the alternatives which might have been used. It was all to the effect that the President had the right to use the Armed Forces of the United States.

I said to Mr. White's assistant, who came to my office, that I was surprised to learn that Mr. White had said all these alternatives were discussed, and that a memorandum had been prepared and sent to the Attorney General discussing contempt procedures and the use of marshals, and all the other alternatives; yet the memorandum we had received said nothing about those possibilities. I said I thought there must be other memorandums.

Mr. White's assistant called back. He said he had discussed the matter with Mr. White and the Attorney General, and that there was no other memorandum. That was the situation.

The memorandum shows that Mr. White's thinking was entirely along the line of using troops. In fact, the Department of Justice has still not sought to use the judicial process, to my knowledge. No contempt citations have been issued to this date in connection with the Little Rock affair.

I think Mr. White's nomination under these circumstances is questionable. He was asked, so far as the record shows, what the President could do. He said he listed alternatives, but he did not. His only thinking was about the use of troops.

I think Mr. White's appointment will serve as a further irritant to race relations in the South, relations which have already seriously deteriorated as a result of the handling of the Little Rock situation.

I agree that the President of the United States, when law enforcement breaks down, when a mob is in formation, when the liberty and rights of the people are in jeopardy, cannot stand by and allow mob action to prevail. But whether the President can use the Armed Forces of the United States to force compliance with a court order is a question on which legal authorities have had much discussion.

The other day I read an article in the American Bar Association Journal, written by an eminent lawyer, in which he reached the conclusion that the President did not have the power to use the Armed Forces for the purpose of forcing compliance with a decree of the court. Other eminent lawyers have reached a different opinion. If that were the only question to be decided, an opinion might be reached either way. But the answer depends on whether one considers a decree of the court as a law of the United States.

My own opinion is that when the stage of mob violence is reached, when the freedom and the rights of the people are in jeopardy, and a mob is about to take over, and the local authorities will not do anything about it, or are unable to do anything about it, the precedents establish the right of the President to preserve peace and order under his constitutional and other powers. That is aside from the matter of a court order.

Undoubtedly Governor Faubus made mistakes; but a much better situation would exist in the South today between the races and in the schools, and there would not be the sharp division which is causing so much difficulty in eliminating discriminations against the races, if contempt proceedings had been used; if marshals had been deputized; if all the other alternatives had been used; or even, if the situation was completely out of hand, if military police, rather than armed combat troops had been brought in.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. HENNINGS. What, if anything, has the Department of Justice been doing since enactment of the civil-rights law, last year, to enforce it in the several States? Has the Department done anything at all, that the Senator knows of?

Mr. KEFAUVER. I have no information on that point.

Mr. HENNINGS. Mr. White has been with the Department of Justice, has he not?

Mr. KEFAUVER. Yes.

Mr. HENNINGS. Has he not presumably been working in this field?

Mr. KEFAUVER. I assume so.

Mr. HENNINGS. Does the Senator from Tennessee know whether Mr. White has done anything about the situation?

Mr. KEFAUVER. No.

Mr. HENNINGS. The Attorney General sent Mr. White's nomination to the Senate. I wonder how he happened to select Mr. White instead of one of many others who might have been available?

Mr. KEFAUVER. That is a very pertinent question.

Mr. HENNINGS. We know that Mr. White sent a memorandum in answer to a question asked, I believe, by the Senator from Tennessee, as to whether Mr. White advised the President upon all avenues and courses open to him in the Little Rock case. Mr. White answered that he had. Later, when the memorandum was produced—I presume the Senator may have reached this point in his discussion this evening—it developed that the memorandum presented by Mr. White did not reflect any alternatives; that he suggested one course and only one course; and that was the course availed of in sending the troops to Little Rock. Is that correct?

Mr. KEFAUVER. The Senator from Missouri is correct. I have before me a copy of Mr. White's memorandum. I wish it could be made a part of the RECORD. But apparently it cannot be.

But after he testified that he had advised the Attorney General of all the other alternatives and all other things that could be done, when I learned that he had advised of only one, I was utterly astonished. I felt that in view of the possibility of deputizing marshals and in view of all the other possibilities, if he had not advised the Attorney General of the possibility of using all the other alternatives, but had advised him only with respect to the one method which was used, that did not show good judgment on the part of Mr. White.

Mr. HENNINGS. In view of the relationship he bore to the President, certainly he should have advised that other courses were open to use.

Mr. KEFAUVER. It seems to me that if, as a lawyer, he did not think of the other alternatives, certainly he was not well qualified.

Mr. HENNINGS. If he did not think of them, he should have engaged in research; he should have gone to the law library, and should have read the cases, and then should have advised the Attorney General of the various alternatives open to him.

Mr. KEFAUVER. That is correct.

Mr. HENNINGS. Just as a lawyer should advise a client of the various alternatives open to him.

Mr. KEFAUVER. That is correct.

In deference to Mr. White, I can say that he had about 100 lawyers working in his Division, and he more or less assigned the work to them, and then he forwarded to the Attorney General a collection of the opinions they prepared. So he had many lawyers helping him.

Mr. HENNINGS. I thank the Senator from Tennessee. I might add that, despite my misgivings, I shall vote in favor of the nomination. I can only hope that after his confirmation there will be more effective enforcement of the laws by his Division than there has been up to now.

Mr. KEFAUVER. Mr. President, as I have stated, I do not go along with the idea that, when mob action is about to threaten the peace and security and the rights of the people, and if the local law enforcement officers either cannot or will not act, and cannot get the situation under control, the President has no rights and no powers in such a situation. I do not think the President should, in such a situation, stand idly by and do nothing.

But the use of troops, without first trying all the other alternatives, should—as has clearly been shown by the resulting deterioration of relations—most definitely be a last resort, not the first one.

The responsibility, of course, is the President's.

Nevertheless Mr. White, rightly or wrongly, bears a considerable share of the responsibility in the minds of the public, even though the responsibility is the President's.

A man entering on the important post that Mr. White has been nominated to should enter it with no prejudice against him. Otherwise, his admittedly difficult task will be made even more difficult.

Therefore, Mr. President, in the committee I voted, with much reluctance, against a favorable report by the committee on the question of confirmation of the nomination of Mr. White. I voted in that way because I believed—and I still believe—that these considerations are overriding, in connection with the action of the Senate on the question of the confirmation of a nomination to this critical post at this critical time.

Mr. President, I do not wish to impede the functioning of this Division of the Department; but I believe it would have a far better chance of successful operation if someone else were at its head.

As has been pointed out by the Senator from Missouri, so far as I know, the Division is functioning, but I do not know what it has accomplished. At least I have not heard that anyone in it has done anything very much.

But I do know that race relations and the integration of the schools in the South and a proper understanding between the races will have to be accomplished by persuasion, understanding, study, and the consideration of religious principles.

What worries me about the nomination of Mr. White is this: If some other incident occurs or if some other situation develops, will he use marshals and contempt proceedings and all the other alternatives; or—in view of the presentation he made to the Attorney General in the Little Rock case—will he think only in terms of the use of troops? If that be the case—and I say regretfully that the record indicates that that was his opinion in the Little Rock case—then I believe he would render a distinct disservice, not a benefit, to the betterment of race relations and the cause of eliminating discrimination between the races.

Mr. SPARKMAN. Mr. President, a simple chronology of the Little Rock story shows the unfitness of the nominee to fill the position for which he has been nominated.

At the time of Little Rock, he held the important position as legal adviser to Attorney General Brownell. As such, he advised and briefed the Attorney General and assisted him in drawing up the proclamation preceding the ordering of the troops. We know how great is the damage which has been done to racial relations in the United States by the commitment of this grave error.

We know the bad advice given the President, and we also know of the evasion of the law itself in the preparation of the proclamation and the action for which it called.

There were several recourses open to authorities in connection with Little Rock. For one thing, the State, county, and local law officials were not given a chance to maintain order. After the Governor withdrew the National Guard, not enough time was allowed to elapse to determine whether or not State, county, or local authorities could have maintained order.

Another step which could have been taken, had Messrs. White and Brownell not been too anxious to play politics, would have been the issuance of injunctions and contempt citations by Federal Judge Davies.

And still another course could have been the ordering of United States marshals to execute the orders issued by the judge. The United States marshals would have had the authority to deputize the male population of 40 counties to see that the court orders were carried out.

But Mr. White, even though he was an assistant to the Attorney General of the United States and sworn to defend the laws of the country, was so anxious for the use of raw force that he and the Attorney General chose to ignore the law and to recommend that Federal troops be sent to Little Rock. Their action was a deliberate evasion of law.

Mr. White based his recommendation on the insurrection statutes. Yet he must have known that under the Constitution the President cannot legally use Federal forces as he did in Little Rock except as he is requested to do so by a State legislature or, if the legislature is not in session, by the governor of the State. The legislature was not in session at the time and so did not, of course, make the request; and it is certainly clear that the Governor made no such request.

It is also true that the insurrection statutes are gaged to the existence of insurrection, invasion, or rebellion. It is asinine, Mr. President, to term the gathering of a thousand or so people, largely women and children, as constituting either insurrection, invasion, or rebellion.

The nominee was aware of the weakness of such a claim, and so he used an artifice. He claimed that the action was necessary to uphold the laws of the United States.

What law did he have in mind? What is a law of the United States? What determines a law of this country?

The law, Mr. President, is either that written in the Constitution, that determined by a treaty, or that passed as a Federal statute.

None of these conditions prevailed in the ordering of troops to Little Rock.

A court decree is not a law. A court decision is not a law. The Supreme Court itself has ruled that decisions or decrees are only evidence of what the law is.

One as experienced in the law as the nominee cannot help but know that he recommended a violation of the law when he recommended that troops be sent to Little Rock.

I do not see how anyone can conclude anything except that the nominee did not act in good faith. He and the Attorney General, whom he advised, obviously concluded that the occupation of Little Rock would be a wise political move, and I feel sure that this belief determined the course which was recommended.

This great and harmful mistake, I believe, Mr. President, had something to do with the Attorney General leaving his office soon thereafter. It seems to me that his legal adviser should have done likewise.

Certainly, it would be unwise to promote Mr. White to head the Civil Rights Division of the Department of Justice. His record makes it doubtful that he could act in an impartial manner, but rather demonstrates that he would be prejudiced in his findings and his actions.

For these and other reasons, I shall vote against the confirmation of the nomination of Mr. White.

Mr. President, I voted against the creation of such a division last year. In fact, I voted against the entire so-called civil-rights bill. I felt at the time that there was no need for such a bill or such a division within the Department of Justice. I still feel that way.

However, if we are going to have such a division, let us have officials who are impartial. I do not believe this nominee is impartial. I, therefore, will vote against his confirmation.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Virginia.

Mr. ROBERTSON. I assume that perhaps my distinguished friend from Alabama saw published in the U. S. News & World Report last fall excerpts from a speech I made at Virginia Beach as to the illegality of the use of troops at Little Rock.

Mr. SPARKMAN. I certainly did. I compliment the Senator at this late date for a very clear elucidation.

Mr. ROBERTSON. I appreciate the statement of the Senator. The Senator from Alabama knows how fully the junior Senator from Virginia shares the views he has expressed concerning the illegality of the action and the phony use of the term "law," when it was known such an action could not be substantiated, as well as the lack of intellectual honesty in anyone who advised the President in that respect.

Mr. SPARKMAN. I certainly understand the views of the Senator from Virginia to that effect. I share those views. I think we are on good, solid ground when we hold to those views.

Mr. STENNIS. Mr. President, only a year ago in the Senate Chamber, we were engaged in a very earnest debate on the so-called civil-rights bill, which included several major provisions. I remember that at the outset two special considerations were urged upon the Senate concerning the bill. First, it was claimed the bill was a moderate bill, or represented an approach to moderation. The second claim was that the provision for a special Attorney General was made because the work had become extended, expanded, and enlarged, and there was need for a man with a fine grasp of fundamentals, a broad understanding of the problems of human nature, advanced in the law and trained in the courts, to fill such position.

That provision of law was not attacked and not opposed. There was no motion to strike that provision from the bill, even though other provisions of the bill were subjected to the most severe analysis, and some of them were stricken bodily from the bill by sizable majority votes. However, the Senate placed great—almost unanimous—trust and confidence in the provision dealing with the appointment of a Special Assistant Attorney General under that moderate bill.

Many of us had not reached home before the situation had broken in Little Rock. That is how rapidly events happened. I submit that they happened almost with direct disregard for the law. With all deference to the President of the United States, I believe his action was very hasty. We had scarcely reached home before paratroopers had been sent to Little Rock.

We know what the history has been since. Only today another court decision has set aside the opinion of a lower court which is on the scene and knows the problem much better than any other court knows it. That court had granted a delay of 2 years in integration at the request of the local board of trustees. That decision was declared null and void.

Incidentally, a dissenting opinion was rendered in the latest court decision. It was rendered by the chief judge of that group, a man 90 years of age. He said the board of trustees of Little Rock had acted in good faith in trying to originate and implement a plan. I wish especially to thank that judge for the first kind words the board has received.

In the middle of this problem, and when it is coming up again under the moderate law we passed, setting up this uncontested position, there is sent to the Senate the nomination of a man who was one of the architects of the original hasty plan which precipitated the gravest crisis which has occurred in school or racial affairs in the South or in the Nation for lo, these many, many decades.

With all personal deference to the nominee, he falls far short of being a man with the necessary background, experience, temperament, learning, broad legal ability, and understanding of the fundamental roots of our Government. He falls far short of being the man who can fill that position in a manner in keeping with and in the spirit of the position that was created. It is one of the most important positions in the entire field of government today.

I wish to emphasize the fact that in this Little Rock problem, going to the very heart of the advice this gentleman gave, there was a disregard for one of the great fundamentals of American law, in which all lawyers agree and most people agree. Namely, that before any military force is used, under our form of government, there must be an effort to exhaust all available civilian remedies. That did not occur in this case.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ERVIN. I should like to ask the Senator if it is not rather significant—and past comprehension—that there should be sent into Little Rock or called into active service, to make certain that nine children were admitted to a school, as many soldiers and National Guard men as the number of marines and soldiers sent to Lebanon to stabilize politically the entire Middle East?

Mr. STENNIS. I do not have the figure in mind. The Senator studied the subject, and I am pretty sure he is approximately correct.

Mr. ERVIN. Ten thousand five hundred soldiers and National Guard men, approximately.

Mr. STENNIS. I thank the Senator for bringing out that point.

I shall not detain the Senate. However, we should not overlook the point, that no real effort was made on the part of those in authority even to make a partial trial of the use of civilian force, much less exhaust that remedy before the military forces were sent in, as the Senator from North Carolina says, in great numbers. The people should not stand by and see that provision violated. It should be protested from every corner, regardless of the subject matter that may be involved, whether it be schools, labor unions, labor racketeers, or whatever it may be.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. JOHNSTON of South Carolina. If we do not watch that procedure, is it not true that the military will take charge of the Government?

Mr. STENNIS. It could certainly happen. However, the civilian authority will have already taken charge through the military.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. McCLELLAN. This Government will not take charge in that way. It will not dare do the same thing against organized crime and against hoodlums, racketeers, and gangsters who are today infiltrating the labor movement in this country. No; this Government will not proceed against them in the same fashion. The Government will not proceed in the fashion in which it proceeded, with bayonets, to put nine little Negro children into a white school in a southern State which has made great progress toward integration, in a fashion which is traditional dealing with social questions in America, or social equality, if we wish to put it on that basis. No; the gangsters in this country can run at large and can murder and can commit arson and all sorts of other crimes, and neither the Justice Department nor the executive branch of the Government will ask for injunctions, or ask for troops or send troops to enforce the injunctions, as was the case in the Little Rock situation.

The greatest menace in this country tonight is organized crime and the underworld element, which are using decent labor organizations as a vehicle to capture control of the economy of this country. I do not hear any crying down at the Justice Department about it. I point out that the Little Rock situation was different. That was a show. It was an attempt to intimidate. That was the purpose of it. Little Rock was selected as the victim. The people of Arkansas, thank God, have repudiated that action in language anyone can understand.

Mr. STENNIS. I thank the Senator for his very fine contribution. No one is better prepared or qualified to speak on that subject than he is. Yes; it is a sad fact that one situation should be picked out, in which to use on the advice of a Special Assistant Attorney General, the special military procedure that was used.

The Senator from Arkansas is correct. It was a political opinion that was given. It was a political opinion that was acted on. It is still running its course, as was so clearly shown by the fact that no such effort is made to move into any other situation in the underworld or anywhere else.

Mr. President, I cannot overemphasize the fact that we have brought up for direct review this sad chapter involving the quick use of Federal troops before exhausting civilian authority, before bringing in the United States marshals, before asking for a posse comitatis, before seeking a restraining order, or an injunction. The Governor of Arkansas immediately obeyed the order of the court without going one step further or doing one single thing in disobedience of the Federal court decree.

The troops were sent into Little Rock on the recommendation of this nominee. His nomination to fill this post is sent to the Senate 12 months later.

Restrained and judicious members of the Senate Committee on the Judiciary have spoken of the lack of candor which characterized the testimony of the nominee for this extremely sensitive post. While I was not present at all the hearings on the nomination, I feel that the past history of the nominee's handling of a delicate situation, the manner in

which he conducted himself at the hearings, and his proven attitude toward his new duties indicate overwhelmingly that the nomination should be rejected or withdrawn, and that the nomination of a lawyer of greater stature in the special qualifications required should be proposed.

Mr. McCLELLAN. Mr. President, in the course of the debate this evening on the question of the confirmation of the nomination of Mr. White, I have asked other Senators to yield to me, and they have done so most graciously. At that time I made some comments, so I shall not now take the time of the Senate to make a long address.

I associate myself, generally, at least, with the remarks of the senior Senator from South Carolina [Mr. JOHNSTON], the senior Senator from Mississippi [Mr. EASTLAND], the junior Senator from Mississippi [Mr. STENNIS], the senior Senator from Georgia [Mr. RUSSELL], the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from Alabama [Mr. SPARKMAN], and other Senators who express the view that this nomination should not be confirmed, because of the advice and counsel given by the nominee in the crucial situation when Federal troops were ordered to Little Rock, Ark.

In the course of my remarks when other Senators yielded to me, I stated the situation which exists with respect to law enforcement in this country, and with respect to organized crime and its operations.

There was not one-hundredth the concern on the part of this administration and those who favor the use of Federal troops to enforce integration, against the customs of the years and against the law of the years, until the Supreme Court ill advisedly made a misconstruction of the Constitution of the United States and said it was the law of the land. It never was and never would have been, except that it offered an opportunity to read into the Constitution something about schools and education which was never written into the Constitution by the Founding Fathers and was never intended by the drafters of the 14th amendment. Yet there was a willingness to send Federal troops with bayonets and a willingness to spend the taxpayers' money for the sake of making a show or display concerning nine little Negro children in a State which is already beginning to integrate and has made more progress in that direction than any other State.

I have not found anyone in the administration who is advocating a definite program to deal with underworld characters, and with organized crime, which is making dangerous progress toward infiltrating organized labor.

America could live forever without integration in the schools, but America cannot survive with organized crime gaining domination.

I will tell Senators what is happening. We are straining at a gnat and are swallowing a camel. I will not swallow the camel; neither will I strain at the gnat.

Mr. MARTIN of Pennsylvania. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTIN of Pennsylvania. Mr. President, I regret exceedingly to be in opposition to the fine Senators from the South. I have had the opportunity in my lifetime to become well acquainted with the great people of the Southern States. I have marched over the highways of practically all the Southern States from New Mexico to the Atlantic coast. I have had the opportunity to see those good people in their homes and on their farms. I have been entertained by the fine people of that section in their homes. I have every sympathy with them along the lines which they have discussed tonight. Yet, as I say, I regret exceedingly to be in opposition to them.

One Senator said a moment ago that we should give careful consideration to all the appointments made by the Executive; that the Executive has the right to name men and women to the different positions in his administration; and that it is our duty to confirm those nominations whenever that is possible.

To my mind, the first question we should consider is, Is Wilson White a lawyer of sufficient ability to hold this important position? Of my own knowledge, I know that Wilson White comes from a family of lawyers. He held many important positions before he came to the Federal Government. His nomination is endorsed by the bar associations of Philadelphia and the Commonwealth of Pennsylvania.

Wilson White has already been confirmed by the Senate to be a Deputy Attorney General. But when the new position was created, while I did not think it was necessary for the nomination to be submitted, Mr. White felt that the Senate should have the opportunity to examine into his qualifications. The nomination was reported by the Committee on the Judiciary by a very large majority.

Mr. White is an honest, loyal American. I hope the Senate will promptly confirm his nomination.

Mr. CLARK. Mr. President, I associate myself with the statement made by my colleague, the distinguished senior Senator from Pennsylvania. I have listened with interest to the comments which have been made in opposition to the confirmation of the nomination of my lifelong friend, Wilson White. I honor the sincerity with which my colleagues have expressed their opposition.

Yet I cannot fail to think of the boy who grew up about the same time I did; who went to law school shortly after I did; who has practiced in the same courts and in the same city with me for many years; who I know is a quiet, considerate, friendly gentleman of Quaker ancestry; who is not a zealot or a torch carrier; but a man who takes his responsibilities seriously; who has that priceless inner quality of personal integrity which is worth so much more than brilliance; and who, in my judgment, is doing first class, dedicated work in the service of the Government of the United States of America.

Wilson White could be making three times as much money practicing law in Philadelphia as he is making in the relatively thankless and unpleasant task which he is now performing. Wilson White is not a rich man. He is raising a family. Yet he has devoted the best years of his life, years in which he could have made substantially higher income than one can receive in the service of his country, to serve in Washington on this immensely difficult task.

I say again that I honor the sincerity of my distinguished colleagues who look at the problem through different glasses than I use. But I wish to add my tribute to that paid by my distinguished senior colleague by saying that, in my judgment, Wilson White is eminently qualified for the difficult assignment, which he did not seek, but to which the President of the United States has called him. He has answered that call.

I hope the Senate will vote to confirm his nomination.

Mr. JAVITS. Mr. President, I shall be very brief.

First, let me say that I shall vote in favor of confirmation of the nomination, and I hope the nomination will be confirmed by the Senate.

I have studied the law on this subject as much, I think, as has any other Member of the Senate. I have debated it here, and elsewhere, long and often.

The two things which, it seems to me, commend confirmation of the nomination are as follows:

First, the nominee has courage. I am sure he was not unaware of the depth of the sincerity and feeling on the part of Senators who have spoken tonight with very deep conviction on the subject. I join the two Senators from Pennsylvania [Mr. MARTIN and Mr. CLARK] in paying tribute to the nominee's courage and his sincerity. I am sure Mr. White knew of the possibilities when he took the actions he did take when he was serving in the Office of the Attorney General.

Second, Mr. White's judgment has been proved to be correct. I think the overwhelming legal opinion of the country—including the decision, just today, of the Eighth Circuit Court of Appeals—demonstrates that Mr. White was correct.

It seems to me that in dealing with an area which has suffered from great unrest, Mr. White's recommendation was a very proper one in the interest of the restoration of order. I think Mr. White had no alternative but to tell the President that the action recommended would be legal if the President took it, in view of the long line of decisions on this subject, including the opinion of the Supreme Court of the United States in the case of *Sterling* v. *Constantin* (287 U. S. 378), a decision written in 1932. It was not written by a wild-eyed liberal,

Mr. President; it was written by Chief Justice Hughes, from my own State, one of the most righteous men—in the finest sense of the word—ever to sit on the Supreme Court of the United States.

Mr. President, let me point out that the police power of a State charges it with primary responsibility for the maintenance of peace and order. But the exercise of this power must be in conformance with the Constitution, not opposed to it. It is clear that State police power yields when it conflicts with the Constitution; and, of course, the Federal courts have the power to decide whether the State is upholding the Constitution or is defying it.

Mr. President, the price of peace in Little Rock was to route the very instruments of disorder which would defy the Supreme Court. Mr. White clearly was of that opinion; and that opinion has prevailed, for this very day the Circuit Court of Appeals for the Eighth Circuit, by means of a 6-to-1 decision, has reversed the opinion of the lower court, which would have permitted action to be taken contrary to the preservation of law in society.

Mr. President, rather than reject the nomination, I believe the Senate should vote to confirm the nomination. We should be thankful that there are available for the service of their country men of courage, men who are fully mindful of the rights of others, and who are resolved to do their duty, as was stated by the junior Senator from Pennsylvania [Mr. CLARK]. Men of good breeding—and when I say that, I hope I do not offend anyone; I say it having in mind that it applies to all of us equally, both to those who favor confirmation of the nomination and to those who are opposed to confirmation of the nomination—would find it difficult to do other than vote in favor of confirmation of the nomination of one who is devoted to the preservation of peace and order and to conscientious considerations for the rights of others.

Mr. President, I hope the Senate will confirm the nomination.

Mr. DIRKSEN. Mr. President, many years ago, when the eminent Senator Robert Taft, of Ohio, was serving in the Senate, I recall a visit I made to his office, shortly after I did some research in connection with the power of the Senate to recall a nomination, once it had been confirmed.

At the end of the discussion I had with him on that occasion, I asked him, "Bob, why did you ever vote for confirmation of the nomination of Dean Acheson to be Secretary of State, when your views are diametrically opposed to his?"

He replied, "I go on the theory that the President has the right to have in his official family, within reason, whomever he desires. It is not for me to quarrel because there is a divergence of opinion between me and another. I disagree with Dean Acheson. But so long as there is no attack upon his character, so long as his competence is not questioned, I feel that it is my responsibility to vote in favor of confirmation of the nomination."

Mr. President, I take the same position in regard to the question of confirmation of the nomination of Wilson White.

In order to make sure that the chronological record is presented to the Senate, I wish to discuss it as briefly as I can.

It was on December 9, 1957, that Public Law 315, of the 85th Congress—the law which created the Civil Rights Commission—became the law of the land. In that law, the Congress provided for an additional Attorney General, to be the head of the Civil Rights Division in the Department of Justice.

On December 9 of last year, the President made a recess appointment; and in that connection he sent to the Senate the nomination of Wilson White. So, actually, his nomination has been before the Senate for more than 8 long months.

Four hearings were held on the nomination. The first began on the 4th of February of this year. Eleven members of the Judiciary Committee were present. It was at that time that the distinguished junior Senator from Pennsylvania [Mr. CLARK] appeared, and endorsed the nomination.

The second hearing was on February 25. At that time the distinguished senior Senator from Pennsylvania [Mr. MARTIN] appeared, and spoke in support of the nominee.

The next hearing was on July 18.

The last hearing was on July 22.

Who is the one who was the subject of inquiry by the Judiciary Committee over a period of 8 months?

First of all, let me say he is 52 years of age—in the prime of life. He got his first degree from Harvard University. Subsequently, he received from the University of Pennsylvania the degree of doctor of laws.

He served in the Armed Forces, in the submarine-chaser group in the Pacific Ocean, during World War II.

Following the war, he joined a law firm.

Later, he became United States attorney for the eastern district of Pennsylvania. In that capacity, he served with distinction for a period of 4 years.

Then he was brought to Washington, as an Assistant Attorney General, in the Office of the Legal Counsel.

On the 9th of December, the President submitted his nomination to the Senate; and it has been before the Senate ever since.

I have gone through every line of the hearings which were held, and I have examined the questions which were asked.

One question was, "When will the troops be taken out of Little Rock?"

Mr. President, what would an Assistant Attorney General know about that? He was not the head of the executive branch; he was not the Commander in Chief; he was not the President of the United States.

Another question was, "Will troops be sent back again, when the new school year begins?"

What would he know about that?

Another question was, "What are the powers of the President, under the Constitution?"

Another question was, "What are the powers of the President, under the statutes of the land?"

Another question was, "Why were the United States marshals bypassed?"

I thought Mr. White made very frank answers. He pointed out that there was an emergency, that events were moving swiftly, that the matter had been considered. He referred to the Cleveland incident in 1894.

If he gave any indication of a disposition not to be frank with the committee, I failed to find any indication of it in the record.

Many questions were asked about who did the research work in connection with the preparation of the memorandum, which ostensibly was the basis for the action taken by the President.

He stated that the persons who participated in that work and who had something to do with the perfection of the memorandum, totaled 8, 9, 10, or more—and he named as many of them as he could—in the Department of Justice.

Questions were asked about the use of civil force. I thought Mr. White was very frank in discussing the subject.

Then, of course, he was asked whether, if his nomination were confirmed, he would have any identity with the Civil Rights Commission, whether he would impress himself on the Commission and would seek to direct its viewpoint. He answered very frankly in the negative.

It is interesting to note that no question was asked about the competence of Mr. White; and in all the transcript, I saw no line of inquiry which would reflect upon his competence or his ability as a lawyer. And in all the transcript, I saw nothing which would reflect upon the character or the integrity of the nominee.

So, I return to what the distinguished Senator, Bob Taft, said to me—namely, that so long as character was not in question, so long as competence was not in question, it was not his business to quarrel with the dissident or the divergent views of the appointee, Dean Acheson, to be the Secretary of State, even though he sharply disagreed with the viewpoint that Dean Acheson had expressed. I think that is a sound basis on which to approach the question of confirmation of the nomination which is before the Senate tonight.

For that reason, I think, by an overwhelming vote the Senate Judiciary Committee sent the nomination to the Senate, with its approval.

That, then, is the whole question.

The nominee is a young man, 52 years of age. He has a great record in the service of his country, in the Navy. He has a great record in the law, as a practitioner in the city of Philadelphia. He has a good record of service to his Government, while serving as United States attorney for the eastern district of Pennsylvania. He has a good record in his services as an Assistant Attorney General, in the Legal Counsel's Office.

I think the nominee is eminently qualified by temperament and in every other respect to discharge the duties of the office to which he has been nominated.

He has assured the committee that he intends to perform his duty as he sees it and as he understands it.

I think he will be an excellent addition to the complement of dedicated persons in the Government who serve good and worthy causes.

Mr. President, I sincerely hope the nomination will be confirmed by the Senate by a vote overwhelmingly in the affirmative.

Mr. JOHNSON of Texas. Mr. President, the junior Senator from Georgia [Mr. TALMADGE] is unable to be present this evening. He asked that I request unanimous consent that a statement he has prepared on the pending nomination be printed at this point in the RECORD. I so request.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TALMADGE

I speak in opposition to the confirmation of the nomination of W. Wilson White by the President to be an Assistant Attorney General and Chief of the new Civil Rights Division of the Department of Justice.

It was originally contemplated that this nomination would not come to the Senate on the grounds that Mr. White, already an Assistant Attorney General, would "merely be transferring to another job."

I feel that it was wise that the White House had a change of heart and abandoned this maneuver to deprive the Senate of its constitutional power to approve or reject Presidential appointments.

Be that as it may, I do not question Mr. White's loyalty, patriotism, educational background, professional training, or experience.

So far as I know, he is qualified on all these counts.

But, I do have one serious reservation, the existence of which does not permit me to support or to vote for his confirmation.

I question his professional judgment as applied to a key governmental post of extremely sensitive responsibility.

I do so because of his role as the legal handmaiden and chief behind-the-scenes architect of the invasion of a sovereign State in defiance and circumvention of the laws and Constitution of this Republic.

Just as I would not give a gun to a child of tender years, I cannot vote to hand over such a dangerous instrumentality as the new civil-rights arm of the Justice Department with so many potentialities for evil results, to one who has demonstrated a gross lack of professional judgment and restraint.

This gross lack of professional judgment and restraint was demonstrated to the country by Mr. White through his part in the Arkansas crisis.

He is the lawyer's lawyer who did the spade work and who advised Herbert Brownell, the then Attorney General, who, in turn, advised the President to utilize the full naked force of Federal troops against unarmed civilians of a sovereign State, for which action there was not one scintilla of legal or constitutional authority.

I submit an excerpt from the hearing of February 4, 1958, on Mr. White's nomination in which he admits authorship of the President's proclamation and Executive order in the Little Rock case, and two newspaper articles which appeared in the Washington Evening Star of February 5, 1958, and the Washington Post and Times Herald of February 26, 1958, stating Mr. White's major role in formulating the Federal Government's action in that instance. These insertions are designated exhibit "A."

Yes, it was Mr. White who, as head of the Justice Department's Legal Counsel Division, advised the administration last fall that the President could order troops to Little Rock.

Was there any legal basis or justification for this advice?

Was the Constitution flouted?

Was the advice Mr. White gave Mr. Brownell and the President sound or was it contrived by a fertile and dedicated mind to veil an illegal and unconstitutional scheme to achieve a desired result?

Was this a case where the so-called legal advice was predicated on the totalitarian concept that the end justifies the means?

These questions, which the American people have asked themselves and their consciences since the intemperate and precipitate action by the President and his advisers, were answered in part with clarity, forthrightness, and courage recently.

They were answered by an outstanding American, a noted and respected constitutional lawyer in the ranks of his profession, a successful practitioner—none other than Hon. Edgar Eisenhower, of Tacoma, Wash.

Mr. Eisenhower was in my own State of Georgia attending a meeting of the American Bar Association when he expressed in no uncertain terms his critical opinion of the advice given his brother on Little Rock.

Both the major wire services, Associated Press and United Press, quoted Mr. Eisenhower as declaring the President acted on "poor legal advice" when he sent Federal troops to Little Rock to enforce court-ordered integration.

He was quoted by AP as saying that this action could not be reconciled with previous declarations of the President that certain rights and responsibilities should be returned to the States.

"It is a little hard to understand," AP quoted him as saying. "The authority for enforcing a court decree rests with Federal marshals, not troops.

"I'd never have sent troops in unless the local authorities requested it."

And, in a UP dispatch, the President's brother was quoted as emphasizing "the administration had no right to intervene in a local situation unless the governor of the State concerned asks for such intervention."

Quoting him further:

"I am a firm believer in the Constitution and nobody, not a Congressman, a Senator, or a Supreme Court Justice has the right to violate it.

"If we don't like the Constitution, we should amend it according to the process described within it."

Those are wise and sagacious words.

They uphold the Constitution—the true law of the land.

It is unfortunate that the President followed the intemperate and precipitate advice of Messrs. Brownell and White rather than conferring with trusted and esteemed members of the bench and bar, of which Edgar Eisenhower is one.

We know that Mr. White, in his post as legal counsel, drafted the orders, proclamations, and memorandums issued by the President when he ordered Federal troops into Little Rock, Ark., to enforce district court school integration orders.

On what pretext then, you ask, did Mr. White set in motion Presidential orders which culminated in the armed invasion of a sovereign State by 1,200 of the Army's toughest troops and 10,000 National Guardmen to manhandle a defenseless populace?

By what pretext, you ask, has over $4 million in hard-earned tax money of the American people been spent to conquer 1 high school in 1 community in 1 State of this Nation?

Mr. White says that his advice to the President was based upon an act of Congress which, according to his testimony before the Senate Judiciary Committee, gives the President the power to use troops to prevent obstruction of the laws of the United States.

Of course, any lawyer knows that a decree of a Federal district court is not law and it does not supersede acts of Congress or the Constitution.

As the distinguished Senator and former eminent jurist from North Carolina [Mr. ERVIN] has pointed out so ably:

"If court decisions are laws, when a court makes a decision, it makes a law; when it reverses a decision, it repeals a law; when it modifies a decision, it modifies a law."

I agree with my friend from North Carolina that such a view, as that held by Mr. White, whose confirmation we are considering, nullifies completely the constitutional concept of the Congress as the lawmaking body of this land.

Mr. White's advice in the case of Little Rock was based on what he would like the law to be rather than what the law actually is.

The action taken as a result of this advice has raised some profound questions with grave implications for the future of constitutional government in this country.

Indeed, to one who is willing to analyze the matter objectively and dispassionately—without seeking to exploit it for partisan political gains—there can be no other conclusion but that the President was wholly without constitutional or statutory authority for his action and that he, Mr. Brownell and Mr. White willfully violated specific laws governing the use of Federal and National Guard troops.

The Constitution and the laws of the land speak for themselves eloquently on these points.

In the ensuing days and weeks after the invasion of Little Rock, I prepared a memorandum brief analyzing the constitutional and legal aspects of the action of the President of the United States in federalizing the Arkansas National Guard and in using Federal troops to enforce a Federal district court decree ordering racial integration at Central High School in Little Rock, Ark.

This brief seeks to answer questions about this action which the administration, Mr. Brownell, and Mr. White have, as yet, failed to answer.

So that Americans everywhere, Mr. President, may know the full import to themselves and their children of the arrogant and high-handed usurpation of authority in this unauthorized use of Federal force and the malignant portent it holds for their future, I ask unanimous consent that this memorandum brief marked exhibit "B" be printed in the RECORD at this juncture of my remarks.

Now, the question before this body is whether or not the chief mover in the Little Rock fiasco, W. Wilson White, should be confirmed by this Senate for a post which holds potentialities and authority for other and more widespread abuses unmatched in our Nation's whole catalog of experience.

I remind you that this new Civil Rights Division is entirely unprecedented in its concept. It is authorized to investigate complaints of violations of voting rights of all kinds and to press civil action, including injunctive proceedings, against violators. Such violations include, besides infringement of voting privileges, any deprivation of civil rights by persons "acting under color of law."

The new Division will investigate all complaints of civil-rights violations and take what it seems to be appropriate action. It will confer with individuals and groups who call on the Department to discuss real or fancied violations of their civil rights and will likely become a haven for every dissatisfied and defeated political clique in the land.

It will also, upon the request of the newly formed Commission on Civil Rights, assist

that group in carrying out research and formulating recommendations, thus combining both executive and legislative functions.

In short, this new Civil Rights Division in the Justice Department envisions the long arm of centralized, bureaucratic authority, answerable effectively to no one, reaching out into the everyday lives of your people and mine and regulating their thoughts and actions.

Is not this authority, which, if it can be exercised at all, should be carried on by someone of a temperate nature who would look to time and experience to heal wounds, rather than to one who in time of travail has demonstrated that he looks to the fixed bayonet and hobnail military boot as the exemplification of law and order?

President Eisenhower was quoted in the Washington Post and Times Herald of Thursday, March 27, 1958, that reason, education, and tolerance of divergent viewpoints would do more to solve racial and civil-rights problems than any new laws.

It is impossible to reconcile these views, either with a defense of the use of force against our own people, or with the nomination of Mr. White.

I agree wholeheartedly with the President that now is the time for thoughtfulness and compassion among all men.

Certainly, it is a time when unity is imperative among our people to meet the ever-gaining challenge of world Communist revolution.

If one can judge future conduct by past action, Mr. White's confirmation will lead to upheaval, bickering, discord, and racial strife and a resultant weakening of the fabric of our Nation.

Policies which are promulgated at the outset of this new governmental instrumentality will shape its course for the years to come.

Those who sponsored its creation, I am sure, want, and have every right to expect, it to do good and worthwhile things. Those of us who opposed its creation as vigorously as we knew how as a matter of constitutional principle hope that its potentialities for harm may be minimized in wise and capable hands.

I would not oppose the confirmation of any man lightly.

But in Mr. White's case I am convinced that both friend and foe of the civil-rights legislation will be disappointed at his meat-cleaver approach to governing 173 million Americans and that the results would be disastrous.

Undoubtedly, this gentleman already has an exalted idea of the position he hopes to fill. He looks upon it as a sort of straw-boss to ride herd on the legislatures of the 48 States. A lead editorial in the Nashville (Tenn.) Banner recently, under the heading "Avast There, Legislatures—A Large Order, Mr. White," expressed some of my fears. This editorial read, in part, as follows:

"W. Wilson White—head of the new Civil Rights Division of the Justice Department—says he's going to keep a close watch on legislatures of the several States, because (otherwise?) they might enact some laws at cross-purposes with his concept of his new job.

"That's a pretty big order, downright ambitious for an agency chap not yet quite dry behind his official ears, who hasn't up to now been confirmed by the Senate, and whose agency itself it still without an appropriation.

"Maybe while Mr. White is watching these State legislatures so closely they will also be watching Mr. White. In fact, Congress may very well be watching Mr. White already—and listening as he enunciates so glibly the concept of his duties.

"What does he propose to do about it, in his own capacity, if some of the States enact laws at variance with his opinion?

"Should that happen, and should these actually transgress the Constitution—far from a necessary inference—the invalidation still wouldn't be up to Mr. White. Unpredictable as the Supreme Court is, it yet is true that only it can invalidate, and not Mr. White or anyone else in the Justice Department.

"If Mr. White imagined he was hired to be another Herbert Brownell, Jr., he must have been misreading the signs.

"The Civil Rights Commission created under the Federal Act of 1957 has not gone overboard in such a fashion. None of its members has limbered up the old arm to throw a haymaker at the States, or suggested exceeding their authority.

"Mr. White seems to be getting his official feet all tangled up in the web spun of doubletalk and Federal supremacy, and if he isn't awfully careful may fall flat on his unconfirmed face."

It is the conviction and professional judgment of W. Wilson White that the Federal courts make the laws and that Congress has abdicated its constitutional responsibility in this regard.

It is the conviction and professional judgment of W. Wilson White that it is the duty of the American foot-soldier to effectuate this judge-made law.

It is the conviction and professional judgment of W. Wilson White, the Constitution and laws of this Nation to the contrary notwithstanding, that might makes right.

My own resolve is to stand firmly in defense of the Constitution as it is written and to oppose with all the vigor I possess any and all efforts to change, compromise, or circumvent it—regardless of the sacrosanctity of the sources from which such efforts may emanate.

Under our system of constitutional, republican government, it is the law which rules until it is changed by the prescribed constitutional procedure.

Those whose honest beliefs may favor forced integration in the schools of the South have lost just as much from Mr. White's dangerous and far-reaching dogma of law by force as those of us whose honest beliefs oppose such a course.

That is true because the preservation of liberty through a reasonable and authoritative interpretation of the Constitution and the laws enacted under it transcends all other considerations of personal likes or dislikes or, if you please, the political expediences of the moment.

If the President of the United States, acting on the advice of his former Attorney General, Mr. Brownell, and his chief legal counsel, W. Wilson White, can ignore the Constitution and thereby override the authority, as well as the recently-expressed wishes of Congress and thwart recklessly the processes of the law of the land, then we no longer have a constitutional, republican government—but an absolute executive dictatorship, limited in its abuses by only a handful of men.

If the Chief Executive of this Nation and his Attorneys General can compel compliance with their notion of what the law ought to be behind the naked steel of the bayonets of armed paratroopers descended on a helpless and prostrate populace, then the need for this Congress will have ceased to exist and the Constitution will have been rendered meaningless.

And mind you, those who applaud a distortion of the law in this instance had best reflect upon the cold, hard fact that if an Assistant Attorney General can twist and pervert the law today to accomplish a result of which they approve—he or his successors likewise tomorrow can use the same precedent to accomplish a result of which they wholeheartedly disapprove.

As for me, I cannot, in good conscience, vote to confirm W. Wilson White, when, as a matter of common knowledge it is known that he was the behind-the-scenes manipulator of one of the greatest legal abortions of all time that set in motion a series of events that form a dark and shameful blot on the pages of our history.

Should time record that constitutional government in the United States died at the hands of a few overly ambitious, politically minded opportunists, then I wish those same annals to bear testimony that this humble Senator from the great and sovereign State of Georgia spoke out in these hallowed halls in defense of our ideals, heritage, and institutions and, in unmistakable language, warned of the deadly peril to the future existence of our beloved Republic and our cherished form of government entrusted long to men who flout the Constitution, ignore the law, and rely on force to further their governmental nostrums and ideas.

EXHIBIT A

[From p. 5, vol. 1, hearings held before Committee on the Judiciary, nomination of W. Wilson to be an Assistant Attorney General, February 4, 1958]

Senator ERVIN. I would like to ask Mr. White a few questions.

My statement on Mr. White was provoked by certain newspaper items. For example, the New York Times for November 26, 1957, said this: "Mr. White had been active in the civil-rights field in the legal counsel's office. He worked on Federal court cases at Little Rock, Ark., where Federal troops were brought in to enforce school integration."

And then this newspaper clipping from a newspaper for December 2, 1957—says, "White is reported to have done much for the work backgrounding Eisenhower's action in the integration troubles in Little Rock, Ark., these culminating in the sending of Federal troops to enforce a court order requiring integration of Negroes and whites at the city Central High School."

And then an item from the New York Times for November 22, 1957: "Mr. White in his office of legal counsel actually played a major role in the Federal action on Little Rock. The particular job of the office is to draft statutes and local memoranda, and this unit is believed to have drafted the various proclamations and orders issued by President Eisenhower in the Little Rock matter."

Now, Mr. White, I would like to ask you if those newspaper items are substantially correct.

Mr. WHITE. I think I could best answer that, Senator, by telling you just what my function was as head of the office of legal counsel in connection with Little Rock.

The Assistant Attorney General in that position of the Department of Justice is the direct (sic) to the Attorney General, he is really the Attorney General's lawyer, and with his office conducts research under the direction of the Attorney General. My office, in accordance with those responsibilities, did a substantial amount of the legal research in connection with the Little Rock incident.

It also did draft the President's proclamation and his Executive order. That is one of the longtime functions of the office of legal counsel. The office did not draft any of the military orders; that, of course, is done in the Defense Department.

"[From the Evening Star of February 5, 1958]

"WHITE AND ERVIN SPLIT ON COURT RULING AS LAW

"(By Howard L. Dutkin)

"W. Wilson White, recently named head of the Justice Department's Civil Rights Division, and Senator ERVIN, Democrat of Texas, disagreed yesterday on whether a court decision is a law of the United States.

"Mr. White said it is. Senator ERVIN held that the only laws are those in the Constitution and those enacted by Congress.

"The legal issue, which revolved around the President's right to use troops during the Little Rock school integration disorders, arose during a confirmation hearing on Mr. White's appointment.

"The proceedings before the Senate Judiciary Committee were continued until next week at the request of Senator OLIN D. JOHNSTON, of South Carolina. The Senator said he had been ill and wanted more time to question Mr. White.

"Impressed by frankness

"At the conclusion of yesterday's session, Senator ERVIN told reporters he has not decided whether to vote for confirmation. But he said he was impressed by Mr. White's frankness.

"At one point, Senator ERVIN declared he believed the President was 'wholly without authority' to use the troops. 'I can't understand,' the Senator said, 'why the President ordered 1,200 of the toughest fighting men in the Army and 10,000 guardsmen to handle a bunch of unarmed citizens.' He asked if Mr. White did not agree the move was unfortunate.

"'I think it was most unfortunate when a situation arises which compels action in such a manner' the latter replied.

"Headed legal counsel office

"During the Little Rock crisis, Mr. White was head of the Justice Department's Office of Legal Counsel. As such he and his principal assistant, Joseph M. F. Ryan, Jr., did much of the legal work connected with the decision to use troops.

"Pressed by Senator ERVIN to cite authority giving the President power to send the troops, Mr. White referred the Senator to a Government brief. The brief was filed in Little Rock in connection with a lawsuit which seeks to have the President's action declared unconstitutional.

"In the brief is cited an act of Congress which empowers the President to use troops if he considers such a move necessary to prevent obstruction of laws of the United States.

"Senator ERVIN asserted that a decree of a court calling for school integration is not a law.

"Mr. White replied that the term 'laws of the United States' means, beside Congressional statutes, 'the Constitution and decrees of courts upholding the Constitution.'

"At one point Senator ERVIN declared: 'If court decisions are laws, when a court makes a decision, it makes a law, when it reverses a decision, it repeals a law, when it modifies a decision, it modifies a law.'

"The gist of his remarks were that such a view nullifies the concept of the Congress as the lawmaking body.

"Dirksen cites alternative

"Senator DIRKSEN, Republican of Illinois, observed that if Congress opposes an interpretation placed on a law by the Supreme Court, it has legislative power to achieve its aims.

"Mr. White agreed that a statute confers power on the United States marshal to enforce court orders but that no effort was made in Little Rock to call on the marshal.

"'The difficulty was in the extreme fast movement that occurred,' he said. 'No marshal was sent out to break up that crowd of 1,000 people.'"

"[From Washington Post and Times Herald of February 26, 1958]

"JUSTICE NOMINEE WHITE IS GIVEN GRILLING AGAIN ON LITTLE ROCK

"(By Richard L. Lyons)

"W. Wilson White, nominated to head the Justice Department's new Civil Rights Division, underwent a second grilling before the Senate Judiciary Committee yesterday on use of the Army at Little Rock.

"The committee, headed by Senator JAMES O. EASTLAND (Democrat, of Mississippi), agreed to hold a third hearing to permit questioning by Senator JOHN L. MCCLELLAN (Democrat, of Arkansas), and Senator THOMAS C. HENNINGS, JR. (Democrat, of Missouri). Both had to attend other committee sessions yesterday.

It was White, a Philadelphia lawyer, who as head of the Justice Department's Legal Counsel Division advised the administration last fall that the President could send Federal troops to Little Rock to put down the mob around the Integrated Central High School.

"Peppered with questions

"White was peppered with critical questions yesterday from Southerners and from one Northern Republican, Senator WILLIAM LANGER (Republican, of North Dakota). LANGER didn't see what business the President had sticking his nose in and thought General Eisenhower took very poor advice when he rejected Gov. Orval E. Faubus' assurance that there would be no obstruction of court orders by me.

"White stood firm on his position that the Little Rock action was justified and would be again in a situation 'where resistance to a Federal court order is of such magnitude that the forces of the State are powerless or not being used and the forces of justice break down.'

"Senator SAM J. ERVIN (Democrat, of North Carolina) called the Little Rock operation an occupation. White disagreed.

"'It's a military occupation and you know it,' said EASTLAND. 'The troops were put there to force racial integration of the school.'

"Troops still patrol

"'No,' said White. 'They are there to see that no mob interferes with the processes of justice.'

"White said he didn't know when the last troops would be removed from Little Rock. About 400 federalized National Guard men are still patrolling the school area.

"Said Senator OLIN D. JOHNSTON (Democrat of South Carolina): 'If we let this go by, the President can take over everything in a State.' He wondered if the administration would send troops to enforce integration in every school in South Carolina.

"'If there were no race issue involved, I would take the same position,' said JOHNSTON. 'I'm trying to protect people and States rights'."

EXHIBIT 3

MEMORANDUM BRIEF BY HON. HERMAN E. TALMADGE, UNITED STATES SENATOR FROM THE STATE OF GEORGIA

(Analyzing the constitutional and legal aspects of the action of the President of the United States in federalizing the Arkansas National Guard and in using Federal troops to enforce a Federal District Court decree ordering integration at Central High School in Little Rock, Ark.)

The American people—out of their inherent respect for law and their firm belief in obeying the law whether they agree with it or not—are asking:

What provision of the Constitution contains the authority claimed by the President to use Federal troops to enforce Federal Court orders?

What language in the statutes enacted by Congress and cited by the President in support of his action authorizes the use of Federal troops to enforce Federal court orders?

What provision of the Constitution or statute enacted by Congress empowers the President to assume and, with the use of Federal troops, execute the duties of a United States marshal in the event of his failure or inability to do so?

What provision of the Constitution or statute enacted by Congress defines Federal court decisions and decrees as laws of the land and authorizes their enforcement as such?

What provision of the Constitution or statute enacted by Congress authorizes a Federal intervention in the administration of the public school system of the various States?

What provision of the Constitution or statute enacted by Congress exempts the President from the legal prohibitions imposed by Congress against the use of Federal troops as a posse comitatus or the federalization of a State's national guard without the consent of its governor?

These are searching, but nonetheless fair, questions—questions to which the American people are entitled straightforward, truthful and unbiased answers.

To view the ramifications of the President's action in their proper perspective, one must divorce himself from personal opinion. Whether one believes that segregation or integration is the proper course of human relations is not a germane consideration. Since no right-thinking person condones violence or disorder in any of its forms, that, too, is not a valid factor.

The only question which rightly can concern the seeker of truth is: What is the law of the land and has it been obeyed?

Let us let the Constitution and the laws of the land speak for themselves on these points.

Section 2 of article II of the Constitution declares the President to be "Commander in Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States." Section 3 of the same article directs that the President "shall take care that the laws be faithfully executed."

These are not, however, grants of absolute power to be exercised within the discretion of the Chief Executive. Neither does it follow that the President, by virtue of his position as Commander in Chief, can make arbitrary use of the Armed Forces of the Nation in the discharge of his obligation to see that the laws are faithfully executed.

To be constitutionally implemented, these provisions must be considered separately and interpreted in relation to those other sections of the Constitution setting forth procedures and definitions.

The Presidential military power is considerably circumscribed by section 8 of article I of the Constitution which vests solely in Congress the authority "to declare war * * *; to raise and support armies * * *; to provide and maintain a navy * * *; to make rules for the Government and regulation of the land and naval forces * * *; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions * * *; (and) to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

Both the Presidential and Congressional military power is even further restricted by section 4 of article IV which states:

"The United States shall guarantee to every State in this Union a republican form of government and shall protect each of them against invasion and, on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence."

The Supreme Court itself has held—in the *Steel Seizure Case* (343 U. S. 579, 585)—that the President's power "must stem either from an act of Congress or from the Constitution itself." Therefore, if the President does

have the authority he has claimed, it must rest either in the constitutional provisions just quoted or in implementing enactments of Congress made under their terms.

It is obvious that the President could not have acted under section 4 of article IV. The State of Arkansas was not by any stretch of the imagination threatened with invasion. And no application for assistance in the suppression of domestic violence was made by either the Arkansas Legislature or the Governor of Arkansas acting in its absence.

Thus arises the question of what statutes has Congress—in the exercise of its power "to provide for calling forth the militia to execute the laws of the Union, suppress insurrection and repel invasions"—enacted to implement the authority of the President as Commander in Chief of the Armed Forces and as executor of the laws of the Nation? The President, in his Executive order of last September 24 authorizing the use of Federal Armed Forces in Little Rock, cited sections 332, 333, and 334 of title 10 of the United States Code.

These sections read as follows:

"SEC. 332. Use of militia and Armed Forces to enforce Federal authority: Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the Armed Forces, as he considers necessary to enforce those laws or to suppress the rebellion.

"SEC. 333. Interference with State and Federal law: The President, by using the militia or the Armed Forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combinations, or conspiracy, if it—

"(1) So hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

"(2) Opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

"In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

"SEC. 334. Proclamation to disperse: Whenever the President considers it necessary to use the militia or the Armed Forces under this chapter, he shall, by proclamation, immediately order the insurgents to disperse and retire peaceably to their abodes within a limited time."

You will note that the application of these code sections are specifically limited to the laws of the United States, rights and immunities named in the Constitution and secured by law, and the course of justice under those laws.

Which raises the further question, of what laws did the President have in mind enforcing when he federalized the Arkansas National Guard and ordered units of the Regular Army's 101st Airborne Division to Little Rock?

Neither the President's proclamation nor his Executive order give any clue as to the identity of these laws and the text of the President's address to the Nation in which he sought to explain his action likewise is vague and illusive on this point.

It is significant to note that the President in his speech used the terms "Federal law" and "orders of the Federal court" interchangeably, indicating that he considers them to be synonymous. Also at one point he stated flatly that he had sent troops into Arkansas "solely for the purpose of preventing interference with the orders of the court."

Therefore, it would appear that the key to the validity of his action would lie in the definition of what constitute the laws of the United States—or as they are variously termed, the laws of the Union or the supreme law of the land.

The Constitution is quite explicit on this point.

Section 2 of article VI expressly provides that only "this Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby." By its very language, that section excludes court decisions and Executive orders from the category of the supreme law of the land.

Furthermore, the Constitution makes it crystal clear in its first line that only Congress can make the laws of the United States. It states in section 1 of article 1 that "all legislative powers herein granted shall be vested in a Congress of the United States."

This fundamental facet of our republican form of government is nailed down even tighter in section 8 of article I (previously referred to) in the language:

"The Congress shall have power * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

The first amendment to the Constitution further reaffirms Congress' exclusive lawmaking power in shielding our most precious freedoms with the safeguard that Congress shall make no law respecting their exercise.

No court on any level of jurisdiction in this country has ever held that a decision or decree of a Federal court becomes one of the laws of the United States. To the contrary the Supreme Court has ruled on more than one occasion that the making of laws is the sole prerogative of Congress—those decisions including the Steel Seizure case mentioned earlier as well as the famed *Marbury* v. *Madison*.

One of the basic tenets of American jurisprudence is that court decisions—including those of the Supreme Court of the United States—are never anything more than the law of the case and are binding only upon the parties to the case. As Charles Warren stated it on page 748 of volume II of his history of the Supreme Court:

"However the court may interpret the provisions of the Constitution, it is still the Constitution which is the law and not the decision of the Court."

As a matter of fact, section 2 of article III of the Constitution itself provides that the judicial power of a Federal court may not extend to any case except one arising under "this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority."

Thus did our Founding Fathers repeat their definition of the "supreme law of the land" to make doubly sure that the judiciary would have no excuse to mistake the limits of its authority.

These limitations, particularly as they apply to the executive branch, were recognized by Supreme Court Justices Brandeis and Holmes in their dissents to *Myers* v. *United States* (272 U. S. 52, 247).

Their words bear repeating and remembering.

Wrote Mr. Justice Brandeis:

"The end to which the President's efforts are to be directed is * * * the faithful execution of the laws consistent with the provisions made therefore by Congress."

Wrote Mr. Justice Holmes:

"The duty of the President to see that the laws be executed is a duty that does not go beyond the laws or require him to achieve more than Congress sees fit to leave within his power."

The law and facts will not support the President's contention that Federal court orders and Federal laws are synonymous and that court orders can be enforced in the same manner as laws.

Since court decrees under the Constitution are not "laws of the United States," the President was in error in basing his effort to enforce the integration order of the Federal district court in Little Rock with Federal troops on the provisions of code sections 332, 333, and 334 of title 10. The language of those sections plainly limits their procedures to the enforcement of "laws." Both sections 332 and 333 clearly differentiate between "laws of the United States" and judicial decrees to enforce them.

To be justified at all, the President's action under these sections would have to be based on the novel and strained construction that the term "laws of the United States" as used in title 10 includes the 14th amendment to the Constitution as interpreted by the Supreme Court and implemented by the Federal district court in Little Rock. Such a position would be most difficult to support in the light of the fact that the 14th amendment provides that "Congress shall have power to enforce by appropriate legislation the provisions of this article"—a grant of power which Congress has not seen fit to exercise since 1870 and has never seen fit to exercise with regard to the administration of public schools by the individual States.

Even assuming for the sake of argument that the May 17, 1954, decision of the Supreme Court regarding segregation in public schools has the effect of law—which, under the Constitution, it does not—it is a contortion in semantics to maintain that the decree of the Federal district court in Little Rock implementing it also would have the effect of national law.

It is obvious even to the lay mind that a district court decree could not under any construction be held to be a "law of the United States." At most it could be nothing more than the "law of the district." In actuality, it does not even constitute legal precedent; because, under the rules of practice in the Federal judiciary, one district judge's decision is not considered binding on other district judges who may disagree with it.

The falseness of those premises which would attribute to the Little Rock decree the force of law was aptly summarized by one of the Nation's foremost constitutional lawyers—Hon. Alfred J. Schweppe, of Seattle, Wash.—in an article which he wrote for U. S. News & World Report (November 1, 1957). He concluded:

"But such a view means that the 14th amendment, as construed in 1954 by the Supreme Court, is implemented by a United States district court decree rather than by an act of Congress. This view conflicts, (1) with the concept that 'laws of the United States' as used in the Constitution and as construed by the Supreme Court means 'acts of Congress'; (2) with the history of sections 332 and 333 which by fair construction relates only to the enforcement of acts of Congress and not to a constitutional provision unimplemented by an act of Congress; and (3) with the manifest intent of Congress in the Civil Rights Act of September 9, 1957, in specifically repealing section 1993 of title 42 United States Code (sec. 13 of the

Civil Rights Act of May 31, 1870) which did authorize the use of troops to enforce court decrees pertaining to civil rights."

It is quite true that until the time the President placed his signature of approval on the Civil Rights Act enacted by the 1st session of this 85th Congress, there existed statutory authority for the use of Federal Armed Forces in the enforcement of judicial decrees relating to civil rights. That statute was the only one ever enacted by Congress permitting enforcement of court orders through the military powers of the President.

But, as the record of the United States Senate will show, that body on July 22, 1957, voted unanimously to repeal the law under which the President legally could have done what he did without authority of law in Little Rock, Ark.

Section 1993 of title 42 of the United States Code was repealed by the 1st session of the 85th Congress.

Entitled "Aid of Military and Naval Forces," it provided:

"It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial processes issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title."

The code sections to which reference was made in the provision just quoted constitute all of the civil-rights statutes enacted by Congress prior to the one passed last session.

It, therefore, is inescapable that the 1st session of the 85th Congress intended to take away from the President of the United States any authority to use armed force in the implementation of Federal court orders relating to the civil rights of individuals.

It likewise is inescapable that it was the purpose of the 1st session of the 85th Congress in so acting to prevent the development of just such an incident as that which transpired when the President ordered Federal troops to occupy a public school—an institution which always has been recognized as the sole creature of a sovereign State—to force a new social order upon an unwilling populace.

But irrespective of the intent of Congress as expressed in its repeal of section 1993 the President and his Attorney General, Mr. Brownell, deliberately disregarded the law and blatantly called out Federal troops citing as their authority other provisions of the Federal code relating to the obstruction of justice. These provisions, so cited, were wholly inapplicable to the situation which prevailed in Little Rock.

Even the contention that the President invoked section 333 because the people of Little Rock impeded the course of justice under the laws of the United States cannot be supported by either the law or the facts of the situation.

Here is why:

The United States Code, in sections 1501 to 1507 of title 18, spells out in detail those acts which amount to obstruction or impediment to the administration of justice. These are listed as assault on a process server; resistance to an extradition agent of the United States; influencing or injuring an officer of the court, a juror or a witness in a pending proceeding; theft or alteration of court records; or picketing a court with the intent of influencing a judge, juror, witness or other officer in the discharge of his duty.

No evidence has been submitted to show that any person in Little Rock was engaged in any one of those acts which Congress itself has defined as constituting obstructions to justice.

The argument that the citizens of Little Rock were obstructing the execution of the laws of the United States by interfering with the carrying out of a Federal district court school integration order falls of its own weight.

That is true because a court decision is not a law and cannot be enforced as such.

In that connection, it would be well here to consider how court orders are enforced under the laws of the United States.

Congress, in the exercise of its power under the "necessary and proper" clause of section 8 of article I of the Constitution, has enacted section 547 of title 28 of the United States Code which provides that the United States marshal "shall execute all lawful writs, processes, and orders issued under the authority of the United States and command all necessary assistance to execute his duties."

Annotations to this section 547 cite three opinions of the Attorney General of the United States attesting to the marshal's right to summon a posse comitatus to assist him in carrying out his duties. A posse comitatus is defined as a group of civilian citizens called upon by civil authorities to assist in maintaining peace and order.

Nowhere in the news accounts of events at Little Rock can be found any mention of any effort by the United States marshal to enforce the decree of the Federal district court there either by himself or by deputizing a posse comitatus.

Neither is one able to find any statute which empowers the President of the United States to assume and, with the assistance of Federal troops, execute the duties of a United States marshal when he either is unable or unwilling to do so. Barring such statutory authority, the President must be considered to be acting illegally or usurping powers not properly delegated to him.

In a brief, elaborating on his article in U. S. News & World Report, Mr. Schweppe—who is a former dean of the University of Washington Law School—summarized the issue in these words:

"The issue, of course, is only one of legal power. The President, like everyone else, is 'under the law.' The issue has nothing to do with segregation or desegregation, but only with the lawful manner of enforcing Federal court decrees. The President himself has said, upon the latest advice of his aides, that Federal troops are in Little Rock 'not to enforce or advance any governmental policy respecting integration, desegregation, or segregation' but to enforce a United States district court decree.' This power, in my judgment, he does not possess and should not exercise. The legality of the use of Federal troops particularly in any domestic situation should always receive the sharpest scrutiny by every citizen. It might happen not only in Arkansas.

"To recapitulate, the problem is simple: Who has the power to enforce Federal court decrees rendered under the judiciary article (III) of the Constitution? Congress has the sole power under article I, section 8, to legislate how court decrees under article III shall be enforced. Congress has vested that power exclusively in the United States marshal. The President who has the duty under article II to 'take care that the laws shall be faithfully executed' has no power to enforce Federal court decrees unless Congress should invest him with such power. The only statute that ever gave the President the power to employ the land and naval forces or militia 'to aid the execution of judicial process,' namely, section 1989 of the Revised Statutes of 1873 (sec. 1993 of title 42, U. S. Code, pertaining to civil rights) was expressly repealed in the Civil Rights Act of 1957, which President Eisenhower himself signed on September 9 * * * Congress in 1957, when the matter became a direct issue, clearly intended that the President should have no power in respect of Federal court decrees in civil rights cases. Hence, under present Congressional legislation only the United States marshal has power to enforce court decrees rendered under article III of the Constitution."

Not only does there not exist any constitutional or statutory authority for a President to enforce Federal court orders with troops but also there are at least three statutes specifically prohibiting such a course of action as that taken by the Chief Executive in Arkansas.

The code sections which the President cited in his Executive order, if unrelated to section 331 of title 10 immediately preceding them on the statute books, are unconstitutional on their face. Without being invoked in accordance with section 331, sections 332, 333, and 334 are violative of section 4 of article IV of the Constitution which requires application by the legislature or executive of a State before Federal troops can be sent inside its boundaries to quell domestic violence.

It is code section 331 of title 10 which brings forward into the Federal code the provisions of section 4 of article IV. It does so in these words:

"SEC. 331. Federal aid for State governments: Whenever there is an insurrection in any State against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other States, in the number requested by that State, and use such of the Armed Forces, as he considers necessary to suppress the insurrection."

It should be emphasized again that no such request was made on the part of the legislature, the Governor, or any other responsible authority within the State of Arkansas.

The Supreme Court has been most explicit in its rulings on the point that application for assistance must be made by the authorities of the State concerned in such instances.

In *United States* v. *Cruikshank* (92 U. S. 542, 23 L. Ed. 529), the High Tribunal declared that it could "not be claimed that the United States have the power or are required to do mere police duty in the States." And in the case of *Luther G. Borden* (7 How. 1, 42, 45, 12 L. Ed. 581, 599–601), it held that the power of the President with respect to using Federal troops inside a State "cannot be exercised * * * except upon the application of the legislature or executive of the State."

In the latter case, the Court went on to point out and emphasize that "* * * the State itself must determine what degree of force the crisis demands."

Even in cases where the President is within his authority to call forth the militia to enforce the "laws of the United States," the law expressly provides that orders federalizing National Guard units "shall be issued through the governors of the States."

This is made plain in section 3500 of title 10 of the United States Code, from which I quote:

"SEC. 3500. Army, National Guard in Federal service; call: Whenever * * *

"(1) the United States, or any of the Territories, Commonwealths, or possessions, is invaded or is in danger of invasion by a foreign nation;

"(2) there is a rebellion or danger of a rebellion against the authority of the Government of the United States; or

"(3) the President is unable with the regular forces to execute the laws of the United States;

"the President may call into Federal service members and units of the Army National Guard of any State in such numbers as he considers necessary to repel the invasion, suppress the rebellion, or execute those laws. Orders for these purposes shall be issued through the governors of the States."

None of the three conditions set forth in this section was met in the Little Rock case. There was no danger of invasion. There was no rebellion or danger of rebellion. There is no pretense that the President was unable to execute the laws of the United States "with the regular forces" of the Nation.

And even those factors to the contrary notwithstanding, the orders bringing the National Guard of Arkansas into Federal service were not issued through the Governor of that State as is required by code section 3500 above stated.

The President not only violated the provisions of that statute by his failure or refusal to act through the Governor of the State but he also violated another act of Congress which forbids the use of the Armed Forces as a posse comitatus.

This law is found in the United States Code as section 1385 of title 18 and it reads as follows:

"Sec. 1385. Use of Army and Air Force as posse comitatus: Whoever, except in cases and under circumstances expressly authorized by the Constitution or act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than $10,000 or imprisoned not more than 2 years, or both."

This law dates back to 1878 but it was recodified by the 84th Congress in 1956 when it brought this provision up to date by eliminating surplus language and adding the words "Air Force."

Neither the President nor the former Attorney General who advised him on the course taken in Arkansas can claim ignorance of this statute. The President acknowledged it at his news conference on September 11, 1956, when he stated:

"In a place of general disorder, the Federal Government is not allowed to go into any State unless called upon by the Governor who must show that the Governor is unable with the means at his disposal to preserve order. I believe it is called a Posse Comitatus Act—and I am now going back to my staff school of 1925—of 1882, and that is the thing that keeps the Federal Government from just going around where it pleases to carry out police duties."

And the former Attorney General (Mr. Brownell) acknowledged it under questioning before the Senate Subcommittee on Constitutional Rights on February 16, 1957, in these words:

"I think you will find the general rule is that the Governor must request the President."

Neither of these men who must share the responsibility for the Little Rock debacle can escape the fact that they knowingly violated the Posse Comitatus Act and each, if prosecuted and convicted, would be liable to pay fines up to $10,000 and to serve prison terms of as long as 2 years.

Looking at the moral aspects of this flagrant disregard for the Constitution, the law and the rights of the American people, both the President and his former Attorney General must stand indicted before the citizens whom they serve for a complete repudiation of their previous utterances and solemn promises made in reply to queries from the press and from Senators who anticipated just such an unfortunate event.

It was the President who, at a news conference held July 17, 1957, declared with great earnestness:

"I cannot imagine any set of circumstances that would ever induce me to send Federal troops into a Federal court, and into any area to enforce the orders of a Federal court, because I believe that common sense of America will never require it. Now, there may be that kind of authority resting somewhere, but certainly I am not seeking any additional authority of that kind, and I would never believe that it would be a wise thing to do in this country."

It was the former Attorney General (Mr. Brownell) who in a grandiose display of self-righteous indignation when questioned on this point during his appearance before the Senate Subcommittee on Constitutional Rights maintained:

"I do not know of any responsible public official of any party or any branch of the Government that has made any statement that would even lead to an inference that there is any such thought in the minds of the Congress or the courts or the executive branch of the Government. * * * There is not the slightest suggestion on the part of any responsible public official of bringing in matters of the militia into the civil-rights area."

Here we have in full focus the full picture of what columnist David Lawrence has aptly termed "a tragic example of irresponsible government" and a "cruel and unconstitutional precedent."

Mr. Lawrence, with his usual keen perception and fearless astuteness, correctly analyzed the ramifications of this cynical, obviously political maneuver in his column which appeared in the October 4, 1957, issue of U. S. News & World Report.

"The American people," he wrote, "are being told today that, so long as the objective is good, it doesn't make much difference what methods are used by their Government to attain the objective—that the end justifies the means. This philosophy of might makes right could mean the end of free government in America.

"The illegalities of reconstruction days are with us again. Arbitrary actions, military force, capricious and arbitrary decrees of the judiciary, mob violence, threats to pupils in the schoolroom itself uttered in speeches by uniformed commanders—this is not a government of the people and by the people. It is illegality run riot."

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hennings	McClellan
Allott	Hickenlooper	McNamara
Anderson	Hill	Monroney
Barrett	Hoblitzell	Morse
Beall	Hruska	Morton
Bennett	Humphrey	Mundt
Butler	Ives	Neuberger
Capehart	Jackson	Pastore
Carroll	Javits	Potter
Case, N. J.	Jenner	Proxmire
Case, S. Dak.	Johnson, Tex.	Revercomb
Church	Johnston, S. C.	Robertson
Clark	Jordan	Russell
Cooper	Kefauver	Schoeppel
Cotton	Kennedy	Smith, Maine
Curtis	Kerr	Smith, N. J.
Dirksen	Knowland	Sparkman
Douglas	Kuchel	Stennis
Dworshak	Langer	Symington
Eastland	Lausche	Thurmond
Ellender	Long	Watkins
Ervin	Magnuson	Wiley
Fulbright	Malone	Williams
Goldwater	Mansfield	Yarborough
Gore	Martin, Iowa	Young
Hayden	Martin, Pa.	

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). A quorum is present.

The question is, Will the Senate advise and consent to the nomination of of W. Wilson White to be an Assistant Attorney General?

Mr. RUSSELL, Mr. EASTLAND, and other Senators asked for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the junior Senator from Georgia [Mr. TALMADGE]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Rhode Island [Mr. GREEN], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. GREEN] and the Senator from Montana [Mr. MURRAY] would each vote "yea."

On this vote, the Senator from Nevada [Mr. BIBLE] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Nevada [Mr. BIBLE] would vote "yea," and the Senator from Florida [Mr. HOLLAND] would vote "nay."

The Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from New Mexico [Mr. CHAVEZ] would vote "yea" and the Senator from Virginia [Mr. BYRD] would vote "nay."

The Senator from Wyoming [Mr. O'MAHONEY] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "yea" and the Senator from Florida [Mr. SMATHERS] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Kansas [Mr. CARLSON], the Senator from Maine [Mr. PAYNE], and the Senator from Minnesota [Mr. THYE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Connecticut [Mr. PURTELL] is absent on official business.

The Senator from Ohio [Mr. BRICKER], the Senator from Connecticut [Mr. BUSH], and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Connecticut [Mr. BUSH], the Senator from Maine [Mr. PAYNE], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Minnesota [Mr. THYE] would each vote "yea."

The result was announced—yeas 56, nays 20, as follows:

YEAS—56

Aiken	Case, N. J.	Dworshak
Allott	Case, S. Dak.	Goldwater
Anderson	Church	Hayden
Barrett	Clark	Hennings
Beall	Cooper	Hickenlooper
Bennett	Cotton	Hoblitzell
Butler	Curtis	Hruska
Capehart	Dirksen	Humphrey
Carroll	Douglas	Ives

Jackson	Malone	Potter
Javits	Martin, Iowa	Proxmire
Jenner	Martin, Pa.	Revercomb
Kennedy	McNamara	Schoeppel
Kerr	Monroney	Smith, Maine
Knowland	Morse	Smith, N. J.
Kuchel	Morton	Symington
Langer	Mundt	Watkins
Lausche	Neuberger	Wiley
Magnuson	Pastore	

NAYS—20

Eastland	Johnston, S. C.	Sparkman
Ellender	Jordan	Stennis
Ervin	Kefauver	Thurmond
Fulbright	Long	Williams
Gore	McClellan	Yarborough
Hill	Robertson	Young
Johnson, Tex.	Russell	

NOT VOTING—20

Bible	Flanders	Payne
Bricker	Frear	Purtell
Bridges	Green	Saltonstall
Bush	Holland	Smathers
Byrd	Mansfield	Talmadge
Carlson	Murray	Thye
Chavez	O'Mahoney	

So the nomination was confirmed.

Mr. IVES. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from New York to reconsider.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. The President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

AMENDMENT OF THE UNITED STATES CODE TO PROVIDE ADMISSION OF CERTAIN EVIDENCE

The Senate resumed the consideration of the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

FORMATION OF THE SUBCOMMITTEE ON CANADA OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, representing, as I do, the State of Montana, I am perhaps more conscious than some Senators of the importance of good relations between the United States and Canada. The 2d session of the 85th Congress has appropriately given the subject of United States-Canadian relations more nearly the attention which it deserves. The visit this summer of President Eisenhower to Ottawa has also helped put a proper emphasis on solving the problems which exist between our two countries and continuing the cooperation which is so essential to the well-being of both nations.

The Senate Committee on Foreign Relations on May 16, 1958, held a full-scale hearing on the subject of United States policy with respect to Canada. The committee discussed the subject thoroughly with the Honorable Livingston T. Merchant, United States Ambassador to Canada, and Dr. Corbett, of the center for international studies of Princeton University. The record of that hearing, which has now been published, constitutes a rather full catalog of outstanding problems between the United States and Canada.

The House Committee on Foreign Affairs on May 22, 1958, published a report of two of its members, Representative HAYS of Arkansas and Representative COFFIN of Maine, as a result of their study mission to Canada. They recommended increased activity on the part of Congress regarding Canada, including establishment of a Congressional subcommittee or joint committee on Canada and increased visits to each country by the parliamentarians of the other. The new Prime Minister of Canada, Mr. John Diefenbaker, in a speech on June 8, 1958, also raised the question of parliamentary relationships and gave assurance that the Parliament of Canada would give the fullest consideration to the establishment of a committee of Canadian parliamentarians which could discuss recurring problems with a similar group here. The Senator from Vermont [Mr. AIKEN] in a major speech on June 25 on United States-Canadian relations, endorsed the idea strongly. The subject was again discussed when President Eisenhower made his visit to Canada.

The Senator from Vermont [Mr. AIKEN] has indicated an extraordinary interest in and has had many discussions on United States-Canadian problems in general and on ways and means of getting parliamentarians of the two countries together. One must recognize the constitutional differences in the two countries. In the United States the legislative and executive branches are entirely separate. While the Congress has an important role in the foreign policy field, only the President has dealings with foreign governments. In Canada, on the other hand, the Executive Cabinet is made up of persons who are members of Parliament.

Despite the constitutional complications, everyone is aware of the good which has come from meetings between Members of Congress and members of legislative bodies from other countries. The meetings of the NATO parliamentarians and the Interparliamentary Union have done much to increase understanding among the countries involved.

It seemed clear to the Senator from Vermont [Mr. AIKEN] that it would not be wise to establish any mechanism on the United States side for contact with Canadians without discussing the matter with members of the Canadian Parliament. He concluded that Members of Congress ought to discuss with representatives of the Canadian Parliament what might be feasible and desirable to do toward increasing exchanges of views between legislators of the two countries on problems of common interest. The Senator from Vermont [Mr. AIKEN] therefore introduced Senate Concurrent Resolution 108 on July 21, 1958, which called for the establishment of subcommittees by the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs for the purpose of jointly carrying out the exploratory discussions.

On August 7 the matter was brought up in the Senate Committee on Foreign Relations, and the committee agreed to establish such a subcommittee. Not knowing for sure what the House of Representatives might decide to do, the committee decided to report both a Senate resolution on the subject and a concurrent resolution. The Senate passed Senate Concurrent Resolution 108 and Senate Resolution 359 on August 8.

Pursuant to Senate Resolution 359, the chairman of the Foreign Relations Committee [Mr. GREEN] appointed a subcommittee on Canada consisting of the Senator from Vermont [Mr. AIKEN] as chairman, and the Senator from Oregon [Mr. MORSE], the Senator from Indiana [Mr. CAPEHART], and myself. The new subcommittee met on August 16, 1958, and decided that the subcommittee chairman should go to Ottawa in September to discuss with members of the Canadian Parliament what might be done to bring parliamentarians of the United States and Canada together periodically for discussion of common problems. It is to be hoped that other members of the subcommittee and other members of the full committee may be able to visit Canada during the period of the adjournment. The subcommittee publicly expressed the hope that arrangements might be made for members of the Canadian Parliament who may be appointed to a similar Canadian committee to visit the United States.

It is too early to tell what these developments may ultimately mean to United States-Canadian relations, but they appear to be promising steps in the right direction.

I wish, Mr. President, to commend and congratulate the distinguished senior Senator from Vermont [Mr. AIKEN] on the initiative and foresight he has shown, not only in the field of United States-Canadian relations, but also, in the companion area of Latin America as well. He is, indeed, a statesman as solid as the granite of his State of Vermont.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORTS OF COMMITTEES

The following additional reports of committees were submitted:

By Mr. BEALL, from the Committee on the District of Columbia, without amendment:

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended (Rept. No. 2463).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar (Rept. No. 2473);

H. R. 4073. An act for the relief of Peter James O'Brien (Rept. No. 2464);

H. R. 5584. An act for the relief of Mrs. Maude L. Smith (Rept. No. 2465);

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzgar (Rept. No. 2466);

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley (Rept. No. 2460);

H. R. 8496. An act for the relief of William H. Pearlmutter (Rept. No. 2467);

H. R. 10733. An act for the relief of Magnolia Airport, Inc. (Rept. No. 2468);

H. R. 11239. An act for the relief of James P. Moran (Rept. No. 2461);

H. R. 11817. An act for the relief of Adele M. Parker (Rept. No. 2469);

H. R. 12207. An act for the relief of Mr. and Mrs. Alto Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols (Rept. No. 2462);

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden (Rept. No. 2470); and

S. Res. 379. Resolution to refer a private bill (S. 4303) to the Court of Claims (Rept. No. 2472).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

H. J. Res. 557. Joint resolution to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission (Rept. No. 2471).

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Res. 378. Resolution providing additional funds for the Committee on the Judiciary in connection with the internal security of the United States.

INCREASED DIVERSION OF WATER FROM LAKE MICHIGAN INTO ILLINOIS WATERWAY—AMENDMENTS

Mr. WILEY submitted an amendment, intended to be proposed by him, to the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. McNAMARA submitted an amendment, intended to be proposed by him, to House bill 2, supra, which was ordered to lie on the table and to be printed.

Mr. POTTER submitted an amendment, intended to be proposed by him, to House bill 2, supra, which was ordered to lie on the table and to be printed.

Mr. JAVITS submitted an amendment, intended to be proposed by him, to House bill 2, supra, which was ordered to lie on the table and to be printed.

Mr. LAUSCHE submitted an amendment, intended to be proposed by him, to House bill 2, supra, which was ordered to lie on the table and to be printed.

Mr. CLARK submitted an amendment, intended to be proposed by him, to House bill 2, supra, which was ordered to lie on the table and to be printed.

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to House bill 2, supra, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON CERTAIN NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate today received from the President of the United States the nominations of Maxwell M. Rabb, of Massachusetts; John W. Hanes, Jr., of Virginia; Robert H. Hamlin, of Massachusetts; and George N. Shuster, of Connecticut, to be representatives and Anna L. Rose Hawkes, of Vermont; Justus D. L. Lawrence, of New York; William Albert Noyes, Jr., of New York; and John R. Richards, of Oregon to be alternate representatives of the United States of America to the 10th session of the general conference of the United Nations Educational, Scientific, and Cultural Organization to be held in Paris in November.

Notice is given that the Committee on Foreign Relations, at the expiration of 6 days, in accordance with the committee rule, will give consideration to these nominations.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 18, 1958, he presented to the President of the United States the following enrolled bills:

S. 3051. An act to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes; and

S. 3224. An act to improve opportunities for small business concerns to obtain a fair proportion of Government purchases and contracts to facilitate procurement of property and services by the Government, and for other purposes.

ADJOURNMENT TO 10 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 25 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, August 19, 1958, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 18 (legislative day of August 16), 1958:

The following-named persons to be representatives of the United States of America to the 10th session of the general conference of the United Nations Educational, Scientific, and Cultural Organization:

Maxwell M. Rabb, of Massachusetts.
John W. Hanes, Jr., of Virginia.
Robert H. Hamlin, of Massachusetts.
George N. Shuster, of Connecticut.

The following-named persons to be alternate representatives of the United States of America to the 10th session of the general conference of the United Nations Educational, Scientific, and Cultural Organization:

Anna L. Rose Hawkes, of Vermont.
Justus B. L. Lawrence, of New York.
William Albert Noyes, Jr., of New York.
John R. Richards, of Oregon.

COMPTROLLER OF CUSTOMS

Raymond L. Rhodes, of New Jersey, to be Comptroller of Customs with headquarters at New York, N. Y. (Reappointment.)

UNITED STATES MARSHAL

Russell R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia for a term of 4 years. He is now serving in this office under an appointment which expires December 3, 1958:

CONFIRMATIONS

Executive nominations confirmed by the Senate August 18 (legislative day of August 16) 1958:

DEPARTMENT OF JUSTICE

W. Wilson White, of Pennsylvania, to be an Assistant Attorney General.

TAX COURT OF THE UNITED STATES

William M. Drennen, of West Virginia, to be judge of the Tax Court of the United States for the remainder of the unexpired term of 12 years from June 2, 1956.

UNITED STATES ATTORNEYS

B. Hayden Crawford, of Oklahoma, to be United States attorney for the northern district of Oklahoma for a term of 4 years.

Paul W. Cress, of Oklahoma, to be United States attorney for the western district of Oklahoma for a term of 4 years.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 18, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Joshua 1: 9: *Be strong and of good courage; for the Lord Thy God is with thee whithersoever thou goest.*

O Thou who art our refuge and strength, we humbly acknowledge that always and everywhere we need Thy divine counsel and companionship.

Help us to feel how absolutely dependent we are upon Thee in these perilous days when our pilgrimage is beset by many hardships and difficulties.

Grant that we way be strong and of good courage as we seek to maintain our freedom and extend its frontiers to the uttermost parts of the earth.

Inspire us with the great spiritual affirmation and assurance that Thou art our God forever and ever and will be our guide even unto death.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, August 15, 1958, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 12, 1958:

H. R. 1772. An act for the relief of Sigfried Olsen Shipping Co.;

H. R. 2677. An act for the relief of former S. Sgt. Edward R. Stouffer;

H. R. 2767. An act to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records;

H. R. 3402. An act to provide for a display pasture for the bison herd on the Montana National Bison Range in the State of Montana, and for other purposes;

H. R. 6492. An act for the relief of Maj. Harold J. O'Connell;

H. R. 8015. An act for the relief of the Harmo Tire & Rubber Corp.;

H. R. 10805. An act for the relief of certain persons who sustained damages by reason of fluctuations in the water level of the Lake of the Woods;

H. R. 11378. An act to amend Public Laws 815 and 874, 81st Congress, to make permanent the programs providing financial assistance in the construction and operation of schools in areas affected by Federal activities, insofar as such programs relate to children of persons who reside and work on Federal property, to extend such programs until June 30, 1961, insofar as such programs relate to other children, and to make certain other changes in such laws;

H. R. 12850. An act to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes; and

H. R. 13136. An act to amend the act of March 10, 1934, to provide for more effective integration of a fish and wildlife conservation program with Federal water-resource developments, and for other purposes.

On August 14, 1958:

H. R. 1283. An act for the relief of Charles T. Crowder;

H. R. 1317. An act for the relief of Ralph N. Meeks;

H. R. 2689. An act to provide for the conveyance of all right, title, and interest of the United States in and to certain real property to Stella Vuich;

H. R. 4381. An act to amend the act of July 1, 1948 (62 Stat. 1215) to authorize the furnishing of headstones or markers in memory of members of the Armed Forces dying in the service, whose remains have not been recovered or identified or were buried at sea;

H. R. 4461. An act for the relief of Johnnie P. Saylors;

H. R. 4640. An act to amend the Civil Service Retirement Act with respect to payments from voluntary contributions accounts;

H. R. 4675. An act to provide that certain employees under the jurisdiction of the commissioner of public lands and those under the jurisdiction of the board of harbor commissioners of the Territory of Hawaii shall be subject to the civil service laws of the Territory of Hawaii;

H. R. 4768. An act to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same;

H. R. 5322. An act to extend certain veterans' benefits to or on behalf of dependent husbands and widowers of female veterans;

H. R. 5450. An act to authorize the enlargement of the administrative headquarters site for Isle Royale National Park, Houghton, Mich., and for other purposes;

H. R. 5949. An act to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to Potter County, Tex.;

H. R. 6006. An act to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes;

H. R. 6068. An act to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes;

H. R. 6198. An act to exclude certain lands from the Sequoia National Park, in the State of California, and for other purposes;

H. R. 6274. An act to provide that the Secretary of the Interior shall accept title to Grant's Tomb in New York, N. Y., and maintain it as the General Grant National Memorial;

H. R. 6593. An act for the relief of Mrs. Juanita Burna;

H. R. 6785. An act to amend section 26, title I, chapter 1, of the act entitled "an act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (48 U. S. C. 381);

H. R. 6970. An act for the relief of C. A. Nolan;

H. R. 7203. An act for the relief of Capt. Carl F. Dykeman;

H. R. 7790. An act to provide for the forfeiture of the right-of-way located within the State of California heretofore granted to the Atlantic & Pacific Railroad Co. by the United States;

H. R. 8046. An act for the relief of Joaquin A. Bazan;

H. R. 8211. An act to authorize and direct the Secretary of the Interior to quitclaim to Joseph G. Pettet all right, title, and interest of the United States in and to certain lands in the State of Montana;

H. R. 8231. An act for the relief of certain employees of the Department of the Navy at the United States Naval Gun Factory, Washington, D. C.;

H. R. 8233. An act for the relief of James L. McCabe;

H. R. 8313. An act for the relief of Wayne W. Powers, of Walla Walla, Wash.;

H. R. 8831. An act for the relief of Joseph R. Burger;

H. R. 8833. An act for the relief of S. A. Romine;

H. R. 8842. An act to quitclaim interest of the United States to certain land in Smith County, Miss., and to terminate restrictions against alienation thereon;

H. R. 8859. An act to quiet title and possession with respect to certain real property in the county of Humboldt, State of California;

H. R. 9006. An act for the relief of John C. Houghton, Jr.;

H. R. 9756. An act for the relief of Gerald K. Edwards, Lawrence R. Hitchcock, Thomas J. Davey, and Gerald H. Donnelly;

H. R. 9792. An act to validate the conveyance of certain land in the State of California by the Southern Pacific Co. to James Glono;

H. R. 9884. An act for the relief of Tamas Akos and Lilla Akos;

H. R. 9986. An act for the relief of 1st Lt. Luther A. Stamm;

H. R. 9989. An act to provide for the presentation of a medal to the Sons of Union Veterans of the Civil War;

H. R. 10094. An act for the relief of the Western Union Telegraph Co.;

H. R. 10220. An act for the relief of William E. Nash;

H. R. 10277. An act to reduce from 15 to 13 inches the minimum width of paper in rolls which may be imported into the United States free of duty as standard newsprint paper, and for other purposes;

H. R. 10416. An act for the relief of J. Henry Ennen and others;

H. R. 10461. An act to amend section 315 (m) of the Veterans' Benefits Act of 1957 to provide a special rate of compensation for certain blind veterans;

H. R. 10885. An act for the relief of Tibor Wollner;

H. R. 11008. An act to authorize the Secretary of the Interior to exchange certain land at Vicksburg National Military Park, Miss., and for other purposes;

H. R. 11108. An act for the relief of Mrs. Christina Tules;

H. R. 11203. An act for the relief of the State House, Inc.;

H. R. 11611. An act for the relief of McCune C. Ott;

H. R. 11694. An act to provide for the conveyance of certain real property of the United States situated in Clallam County, Wash., to the Department of Natural Resources, State of Washington;

H. R. 11722. An act to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes;

H. R. 11868. An act to amend the act of August 11, 1955 (69 Stat. 632), relating to the rehabilitation and preservation of historic properties in the New York City area, and for other purposes;

H. R. 12628. An act to amend title VI of the Public Health Service Act to extend for an additional 3-year period the Hospital Survey and Construction Act;

H. R. 13209. An act to provide for adjustments in the lands or interests therein acquired for the Albeni Falls Reservoir project, Idaho, by the reconveyance of certain lands or interests therein to the former owners thereof;

H. J. Res. 551. Joint resolution for the relief of certain aliens;

H. J. Res. 610. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 611. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 618. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 628. Joint resolution to facilitate the admission into the United States of certain aliens.

On August 18, 1958:

H. R. 1565. An act for the relief of Donald R. Pence;

H. R. 1602. An act for the relief of Lillian Cummings;

H. R. 1827. An act for the relief of Annunziata Gambini and Tomazo Gambini;

H. R. 2824. An act to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes;

H. R. 4183. An act to amend an act entitled "An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes" (54 Stat. 14), approved June 17, 1940; to validate bonds which have heretofore been issued by any municipal corporation, any public-utility district or any school district in the Territory of Alaska; and for other purposes;

H. R. 4503. An act to provide that all interests of the United States in a certain tract of land formerly conveyed to it by the Commonwealth of Kentucky shall be quitclaimed and returned to the Commonwealth of Kentucky;

H. R. 6542. An act to authorize the Secretary of Agriculture to convey certain lands in the State of Wyoming to the town of Dayton, Wyo.;

H. R. 8980. An act to authorize an exchange of lands at Hot Springs National Park, Ark., and for other purposes;

H. R. 9919. An act to amend the Tariff Act of 1930 to extend the privilege of substitution for the purpose of obtaining drawback upon reexportation to all classes of merchandise, and for other purposes;

H. R. 10423. An act to grant the status of public lands to certain reef lands and vesting authority in the commissioner of public lands of the Territory of Hawaii in respect of reef lands having the status of public lands;

H. R. 11577. An act to increase from $5 to $10 per month for each $1,000 national service life insurance in force the amount of total disability income benefits which may be purchased by insureds, and for other purposes;

H. R. 11801. An act to amend sections 802 and 803 of the Veterans' Benefits Act of 1957 to increase the burial allowance for deceased veterans from $150 to $250;

H. R. 12063. An act for the relief of Gerald Early;

H. R. 13026. An act to validate the conveyance of certain land in the State of California by the Central Pacific Railway Co. and the Southern Pacific Co. to D'Arrigo Brothers Company of California;

H. R. 13218. An act to enact a certain provision now included in the District of Columbia Appropriation Act, 1958; and

H. J. Res. 609. Joint resolution for the relief of certain aliens.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 1239. An act for the relief of the estate of Mrs. Frank C Gregg;

H. R. 3904. An act for the relief of Nunik Firjanian and Florence Thomasi;

H. R. 6175. An act for the relief of Virginia Heil;

H. R. 6994. An act to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and splittings;

H. R. 8160. An act authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes;

H. R. 8481. An act to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii;

H. R. 8652. An act to rescind the authorization for the Waldo Lake Tunnel and regulating works, Willamette River, Oreg.;

H. R. 8688. An act for the relief of Monroe Woolley;

H. R. 9239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes;

H. R. 9371. An act to provide for the relief of certain members and former members of the Army and the Air Force, and for other purposes;

H. R. 11697. An act to amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the harbor of New York, to extend the application of that act to the harbor of Hampton Roads;

H. R. 12489. An act to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956;

H. R. 12494. An act to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes;

H. R. 12876. An act to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes;

H. R. 13342. An act to provide for a survey of Pariah Line Canal, La.;

H. R. 13518. An act to incorporate the Blinded Veterans Association;

H. R. 13558. An act to incorporate the Military Order of the Purple Heart of the United States of America, of combat wounded veterans who have been awarded the Purple Heart;

H. R. 13688. An act to provide airmail and special delivery postage stamps for Members of the House of Representatives on the basis of regular sessions of Congress, and for other purposes; and

H. J. Res. 585. Joint Resolution authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1494. An act for the relief of the Southwest Research Institute;

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 11668. An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended; and

H. R. 12632. An act authorizing Gus A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13450. An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. ANDERSON, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, and Mr. KNOWLAND to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 1867. An act to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes;

S. 3648. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes;

S. 3915. An act for the relief of Chiyoko Yoshimoto;

S. 4085. An act to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of Old Saint Louis, Mo., and for other purposes;

S. 4191. An act to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication;

S. 4192. An act authorizing the project for modification of the plan for improvement of the Trinity River and tributaries, Texas;

S. 4266. An act to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas;

S. 4287. An act to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases;

S. J. Res. 89. Joint resolution to authorize and request the President to proclaim one week each year as National Junior Achievement Week; and

S. J. Res. 190. Joint resolution to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska.

The message also announced that the Senate agrees to the amendments of the House to bills and a concurrent resolution of the Senate of the following titles:

S. 1542. An act for the relief of Lori Biagi;

S. 2043. An act for the relief of Genoveffa Migliorzi;

S. 2850. An act for the relief of Maria Pontillo;

S. 3676. An act for the relief of Maria Michela Leo Di Gioia; and

S. Con. Res. 82. Concurrent resolution extending greetings to the citizens of Nevada concerning the celebration of the centennial of the discovery of silver in the United States.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 3366) entitled "An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. KEFAUVER, and Mr. DIRKSEN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3420) entitled "An act to extend and amend the Agricultural Trade Development and Assistance Act of 1954", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, and Mr. THYE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1061) entitled "An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4544) entitled "An act for the relief of Louis S. Levenson."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13132) entitled "An act to amend the District of Columbia Teachers' Salary Act of 1955."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607).

entitled "An act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2888) entitled "An act to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans."

The message further announced that the Senate requests the House to return to the Senate the bill (S. 4071) entitled "An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities," asking a conference with the House thereon, and appointing conferees.

THOMSON CONTRACTING CO., INC.—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 438)

The SPEAKER laid before the House the following veto message from the President of the United States:

To The House of Representatives:

I return herewith, without my approval, H. R. 5904, "For the relief of Thomson Contracting Co., Inc."

The bill directs payment to the Thomson Contracting Co. of $48,966.36, a sum computed and recommended by the Judiciary Committees as the amount reasonably due this company for losses incurred in the performance of a contract with the Department of the Navy for certain construction work in the British West Indies.

The contract referred to was a fixed-price agreement, awarded after competitive bidding, and called for payment for the work in the amount of $143,000. The record establishes that the Thomson Contracting Co., in this undertaking, suffered a succession of maritime accidents which occasioned losses and expenditures considerably beyond the price the Government was committed to pay. In each instance, the Department of the Navy accommodatingly extended the time for performance of the contract on the ground that the delay was unavoidable and without the contractor's fault or negligence.

It is unfortunate that this party to a Government contract lost money in fulfilling its part of the bargain. I can find, however, no sound justification for accepting the principle of this bill that the United States Government underwrite losses incurred by those who undertake to carry out contractual obligations with it. Every negotiated or fixed-price contract represents a risk voluntarily assumed, presumably for the purpose of profit. That is the rule traditionally associated with our free-enterprise economy. It seems to me that to depart from it would tend inevitably to bad practices and destruction of the advantages of competitive bidding. The mere fact that losses occurred is not a sufficient cause or support for a measure to restore the contractor at the expense of the Government. Had this contract been with a private party and the situation been as here, the Thomson Contracting Co. would have had no recourse and would have been obliged to accept the loss as part of the risks of the business in which it was engaged. I do not believe it reasonable to expect the Federal Government to do more.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 18, 1958.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and, without objection, the message will be referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

HOUSING BILL OF 1958

Mr. RAINS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4035) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, as amended.

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 173]

Baumhart	Hillings	Powell
Blitch	James	Preston
Boykin	Jenkins	Prouty
Brooks, La.	Jones, Mo.	Radwan
Burdick	Kearney	Robeson, Va.
Colmer	Kilburn	Shuford
Delray	Landrum	Siler
Dies	Latham	Spence
Doyle	LeCompte	Staggers
Engle	McIntire	Teague, Tex.
Friedel	Martin	Vanik
Gordon	Mason	Williams, N. Y.
Hale	Montoya	Winstead
Hébert	Moore	

The SPEAKER. On this rollcall 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING BILL OF 1958

The SPEAKER. The gentleman from Alabama [Mr. RAINS] moves to suspend the rules and pass the bill S. 4035, as amended.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Housing Act of 1958."

TITLE I. FHA INSURANCE PROGRAMS

SEC. 101. (a) Section 2 (g) of the National Housing Act is amended by striking out "and (h) of section 204" and inserting in lieu thereof "(h), (j), and (k) of section 204."

(b) Sections 218 (c), 220 (f) (1), 221 (g) (1), 222 (c), and 809 (c) of such act are amended respectively by striking out "and (j) of section 204" and inserting in lieu thereof "(j), and (k) of section 204."

SEC. 102. (a) (1) Section 203 (b) (2) of the National Housing Act is amended by striking out all that precedes the third semicolon and inserting in lieu thereof the following:

"(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $27,500 in the case of property upon which there is located a dwelling designed principally (whether or not it may be intended to be rented temporarily for school purposes) for a 1- or 2-family residence; or $35,000 in the case of a 3- or 4-family residence."

(2) Section 203 (b) (2) of such act is further amended—

(A) by striking out "85 percent" and inserting in lieu thereof "90 percent";

(B) by striking out "$16,000" each place it appears and inserting in lieu thereof "$18,000"; and

(C) by striking out "70 percent" and inserting in lieu thereof "75 percent."

(b) Section 203 (b) (3) of such act is amended by striking out "30 years" and inserting in lieu thereof "35 years."

(c) Section 203 (b) (8) of such act is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following "*Provided*, That such 85 percent limitation shall not be applicable if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 percent of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the 18th amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness."

(d) Section 203 (c) of such act is amended by striking out all that precedes the first colon and inserting in lieu thereof the following:

"(c) The Commissioner is authorized to fix a premium charge for the insurance of mortgages under this title but in the case of any mortgage such charge shall be not less than an amount equivalent to one-fourth of 1 percent per annum nor more than an amount equivalent to 1 percent per annum of the amount of the principal obligation of the mortgage outstanding at any time, without taking into account delinquent payments or prepayments; except that the Commissioner may, in accordance with regulations prescribed by him, fix and compute the amount of such charge and collect the full amount thereof at the time of closing, including such charge as one of the closing costs, and such charge may be added to the principal obligation of the mortgage notwithstanding any limitation upon the maximum amount of such mortgage prescribed under subsection (b) (2)."

SEC. 103. Section 203 (i) of the National Housing Act is amended (1) by striking out "$8,000", and inserting in lieu thereof "$9,000," and (2) by striking out ", and which is approved for mortgage insurance prior to the beginning of construction" and "the construction of."

SEC. 104. Section 207 of the National Housing Act is amended—

(1) by striking out "90 percent" each place it appears in paragraph (2) of subsection (c) and inserting in lieu thereof "95 percent"; and

(2) by striking out in paragraph (3) of subsection (c)—

(i) "$8,550" in both places where it appears therein and inserting in lieu thereof "$9,500";

(ii) "$8,100" in both places where it appears therein and inserting in lieu thereof "$9,000";

(iii) "$2,700" and inserting in lieu thereof "$3,000";

(iv) "$8,400" and inserting in lieu thereof "$9,400";

(v) "$1,000 per room" and inserting in lieu thereof "$1,250 per room";

(vi) "$1,000 per space" and inserting in lieu thereof "$1,500 per space"; and

(vii) "$300,000" and inserting in lieu thereof "$400,000".

SEC. 105. (a) Section 213 (b) (2) of the National Housing Act is amended to read as follows:

"(2) not to exceed, for such part of the property or project as may be attributable to dwelling use, $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than 4 per family unit), and not to exceed 93 percent of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *Provided*, That if at least 50 percent of the membership of the corporation or number of beneficiaries of the trust consists of veterans, the mortgage may involve a principal obligation not to exceed $2,625 per room (or $9,450 per family unit if the number of rooms in such property or project is less than 4 per family unit) and not to exceed 98 percent of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *Provided further*, That as to projects which consist of elevator-type structures the Commissioner may, in his discretion, increase the dollar amount limitation of $2,500 per room to not to exceed $3,000, the dollar amount limitation of $2,625 per room to not to exceed $3,150, the dollar amount limitation of $9,000 per family unit to not to exceed $9,400, and the dollar amount limitation of $9,450 per family unit to not to exceed $9,900, as the case may be, to compensate for the higher costs incident to the construction of elevator-type structures of sound standards of construction and design: *Provided further*, That the Commissioner may, by regulation, increase any of the foregoing dollar amount limitations by not to exceed $1,250 per room, without regard to the number of rooms being less than 4, or 4 or more, in any geographical area where he finds that cost levels so require: *Provided further*, That in the case of a mortgagor of the character described in paragraph (3) of subsection (a) the mortgage shall involve a principal obligation in an amount not to exceed 85 percent of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *Provided further*, That upon the sale of a property or project by a mortgagor of the character described in paragraph (3) of subsection (a) to a nonprofit cooperative ownership housing corporation or trust within 2 years after the completion of such property or project the mortgage given to finance such sale shall involve a principal obligation in an amount not to exceed the maximum amount computed in accordance with this subsection without regard to the preceding proviso: *And provided further*, That for the purposes of this section the term 'veterans' shall mean persons who have served in the active military or naval service of the United States at any time on or after April 6, 1917, and prior to November 12, 1918, or on or after September 16, 1940, and prior to July 26, 1947, or on or after June 27, 1950, and prior to February 1, 1955."

(b) Section 213 (d) of such act is amended by adding at the end thereof a new sentence as follows: "Property held by a corporation or trust of the character described in paragraph numbered (2) of subsection (a) of this section which is covered by a mortgage insured under this section may include such community facilities, and property held by a mortgagor of the character described in paragraph numbered (3) of subsection (a) of this section which is covered by a mortgage insured under this section may include such commercial and community facilities, as the Commissioner deems adequate to serve the occupants."

(c) Section 213 of such act is further amended by adding at the end thereof a new subsection as follows:

"(i) Nothing in this act shall be construed to prevent the insurance of a mortgage executed by a mortgagor of the character described in paragraph (1) of subsection (a) of this section covering property upon which dwelling units and related facilities have been constructed prior to the filing of the application for mortgage insurance hereunder: *Provided*, That the Commissioner determines that the consumer interest is protected and that the mortgagor will be a consumer cooperative: *Provided further*, That in the case of properties other than new construction, the limitations in this section upon the amount of the mortgage shall be based upon the appraised value of the property for continued use as a cooperative rather than upon the Commissioner's estimate of the replacement cost: *And provided further*, That as to any project on which construction was commenced after the effective date of this subsection, the mortgage on such project shall be eligible for insurance under this section only in those cases where the construction was subject to inspection by the Commissioner and where there was compliance with the provisions of section 212 of this title. As to any project on which construction was commenced prior to the effective date of this subsection, such inspection, and compliance with the provisions of section 212 of this title, shall not be a prerequisite."

SEC. 106. The first sentence of section 214 of the National Housing Act is amended by inserting after "maximum or maxima otherwise applicable" the following: "(including increased mortgage amounts in geographical areas where cost levels so require)."

SEC. 107. Section 218 of the National Housing Act is repealed.

SEC. 108. (a) (1) Clause (i) of subsection (d) (3) (A) of section 220 of the National Housing Act is amended by striking out all that precedes the third semicolon and inserting in lieu thereof the following:

"(i) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $27,500 in the case of property upon which there is located a dwelling designed principally for a 1- or 2-family residence; or $35,000 in the case of a 3- or 4-family residence."

(2) Subsection (d) (3) (A) (i) of section 220 of such act is further amended—

(A) by striking out "85 percent" and inserting in lieu thereof "90 percent";

(B) by striking out "$16,000" each place it appears and inserting in lieu thereof "$18,000"; and

(C) by striking out "70 percent" and inserting in lieu thereof "75 percent."

(3) Subsection (d) (3) (A) (ii) of section 220 of such act is amended by inserting before the semicolon at the end thereof a colon and the following: "*Provided*, That such 90 percent limitation shall not be applicable if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 10 percent of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the 18th amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgaged indebtedness."

(b) Subsection (d) (3) (B) (iii) of section 220 of such Act is amended—

(1) by striking out "$2,250" each place it appears and inserting in lieu thereof "$2,500";

(2) by striking out "$8,100" each place it appears and inserting in lieu thereof "$9,000";

(3) by striking out "$2,700" and inserting in lieu thereof "$3,000";

(4) by striking out "$8,400" and inserting in lieu thereof "$9,400"; and

(5) by striking out "$1,000" and inserting in lieu thereof "$1,250."

SEC. 109. (a) The first paragraph of section 221 (a) of the National Housing Act is amended to read as follows:

"This section is designed to supplement systems of mortgage insurance under other provisions of the National Housing Act in order to assist (1) in relocating families from urban renewal areas, (2) in relocating families to be displaced as the result of governmental action in a community respecting which (A) the Housing and Home Finance Administrator has made the certification to the Commissioner provided for by subsection 101 (c) of the Housing Act of 1949, as amended, or (B) there is being carried out a project covered by a Federal aid contract executed, or prior approval granted, by the Housing and Home Finance Administrator under title I of the Housing Act of 1949, as amended, before the effective date of the Housing Act of 1954, or (C) there is being carried out an urban renewal project assisted under section 111 of the Housing Act of 1949, as amended, and (3) in relocating families residing in the environs of a community described in clause (2) which are to be displaced as the result of governmental action."

(b) The second paragraph of section 221 (a) of such act is amended—

(1) by inserting before the colon preceding the first proviso a comma and the following: "and in those environs of such communities (as provided in clause (3) of the preceding paragraph) which shall have requested such mortgage insurance to be provided";

(2) by striking out "in any such community" in the second proviso and inserting in lieu thereof "in or near any such community";

(3) by striking out "(1)" in the third proviso and inserting in lieu thereof "(2) (A)"; and

(4) by striking out "(1)", "(2)", and "(3)" wherever they appear in the last proviso, and inserting in lieu thereof respectively "(2) (A)", "(2) (B)", and "(2) (C)."

(c) Section 101 (c) of the Housing Act of 1949 is amended by striking out "if the mortgaged property is in a community referred to in clause (2) of section 221 (a) of said act", and inserting in lieu thereof "if the mortgaged property is in an area described in clause (3) of section 221 (a) of said act, or in a community referred to in clause (2) (B) of said section."

(d) Section 101 (e) of the Housing Act of 1949 is further amended by striking out "in a community" in clause (iii) of the last proviso.

SEC. 110. (a) Section 221 (d) (3) of the National Housing Act is amended by striking out "$9,000" and "$10,000" and inserting in lieu thereof "$10,000" and "$12,000", respectively.

(b) Section 221 of such act is further amended—

(1) by striking out "$9,000" and "$10,000" in paragraph (3) of subsection (d) and inserting in lieu thereof "$10,000" and "$12,000", respectively;

(2) by striking out "and" at the end of paragraph (3) of subsection (d) and inserting in lieu thereof "or";

(3) by inserting the following new paragraph (4) in subsection (d) and renumbering the present paragraph (4) of subsection (d) as paragraph (5):

"(4) if executed by a mortgagor which is not a nonprofit organization, and which is approved by the Commissioner—

"(i) not exceed (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) 90 percent of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, and shall include an allowance for builder's and sponsor's profit and risk of 10 percent of all of the foregoing items except the land unless the Commissioner, after certification that such allowance is unreasonable, shall by regulation prescribe a lesser percentage);

"(ii) not exceed 90 percent of the value of the property or project when the proposed repair and rehabilitation is completed if the proceeds of the mortgage are to be used for the repair and rehabilitation of a property or project:

Provided, That such property or project when constructed, or repaired and rehabilitated, shall be for use as rental accommodation for 10 or more families eligible for occupancy as provided in this section: *And provided further*, That the Commissioner may, in his discretion, require the mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return and methods of operation, and for such purpose the Commissioner may make such contracts with and acquire for not to exceed $100 such stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations, with such stock or interest being paid for out of the section 221 Housing Insurance Fund and being required to be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance; and"; and

(4) by striking out "paragraph (3)" in paragraph (2) of subsection (g) and inserting in lieu thereof "paragraph (3) or (4)."

(c) Section 212 (a) of such act is amended by adding at the end thereof the following new sentence: "The provisions of this section shall apply to the insurance of any mortgage under section 221 which covers property on which there is located a dwelling or dwellings designed principally for residential use for 10 or more families."

SEC. 111. Section 222 (b) of the National Housing Act is amended—

(1) by inserting "or 203 (i)" after "203 (b)" in paragraph (1); and

(2) by striking out "$17,100" in paragraph (2) and inserting in lieu thereof the following: "$20,000, except that in the case of a mortgage meeting the requirements of section 203 (i) such principal obligation shall not exceed $9,000."

SEC. 112. Section 227 (a) of the National Housing Act is amended by striking out clause (iv) and inserting in lieu thereof the following: "(iv) under section 221 if the mortgagor meets the requirements of paragraph (3) or paragraph (4) of subsection (d) thereof;".

SEC. 113. (a) Title II of the National Housing Act is amended by adding at the end thereof the following new section:

"MORTGAGE INSURANCE FOR NURSING HOMES

"SEC. 229. (a) The purpose of this section is to assist the provision of urgently needed nursing homes for the care and treatment of convalescents and other persons who are not acutely ill and do not need hospital care but who require skilled nursing care and related medical services.

"(b) For the purposes of this section—

"(1) the term 'nursing home' means a proprietary facility, licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located), for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care or related medical services, in which such nursing care or medical services are prescribed by, or are performed under the general direction of, persons licensed to provide such care or services in accordance with the laws of the State where the facility is located; and

"(2) the terms 'mortgage' and 'mortgagor' shall have the meanings respectively set forth in section 207 (a) of this act.

"(c) The Commissioner is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section, the Commissioner is authorized to insure any mortgage which covers a new or rehabilitated nursing home, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Commissioner. The Commissioner may in his discretion require any such mortgagor to be regulated or restricted as to charges and methods of operation, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Commissioner may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the section 207 housing insurance fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $1 million, and not to exceed 75 percent of the estimated value of the property or project when the proposed improvements are completed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such terms as the Commissioner shall prescribe; and

"(B) bear interest (exclusive of premium charges for insurance) at not to exceed 5 percent per annum of the amount of the principal obligation outstanding at any time.

"(4) The Commissioner shall not insure any mortgage under this section unless he has received, from the State agency designated in accordance with section 612 (a) (1) of the Public Health Service Act for the State in which is located the nursing home covered by the mortgage, a certification that there is a need for such nursing home.

"(e) The Commissioner may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) The provisions of subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section."

(b) Section 212 (a) of such act is amended by adding at the end thereof (after the sentence added by section 110 (c)) the following new sentence: "The provisions of this section shall also apply to the insurance of any mortgage under section 229."

TITLE II—HOUSING FOR ELDERLY PERSONS

SEC. 201. (a) The purpose of this title is to assist private nonprofit corporations to provide housing and related facilities for elderly families and elderly persons.

(b) In order to carry out the purpose of this title, the Administrator may make loans to any corporation (as defined in section 204 (2)) for the provision of rental housing and related facilities for elderly families and elderly persons, except that (1) no such loan shall be made unless the corporation shows that it is unable to secure the necessary funds from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this title, and (2) no such loan shall be made unless the Administrator finds that the construction will be undertaken in an economical manner, and that it will not be of elaborate or extravagant design or materials.

(c) A loan to a corporation under this title may be in an amount not exceeding 90 percent of the total development cost (as defined in section 204 (3)), as determined by the Administrator; shall be secured in such manner and be repaid within such period, not exceeding 50 years, as may be determined by him; and shall bear interest at a rate determined by him which shall be not more than the total of one-eighth of 1 percent per annum added to a rate determined by the Secretary of the Treasury to be equal to the current average yield on outstanding marketable obligations of the United States of comparable maturities as computed at the end of the month preceding the month in which the loan is made and adjusted to the nearest one-eighth of 1 percent.

(d) There is authorized to be appropriated not to exceed $50 million, which shall constitute a revolving fund to be used by the Administrator in carrying out this title. The amount outstanding from such fund at any one time for related facilities (as defined in section 204 (8)) shall not exceed $5 million.

SEC. 202. In the performance of, and with respect to, the functions, powers, and duties vested in him by this title the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402 (except subsection (c) (2) of the Housing Act of 1950.

SEC. 203. (a) Housing constructed with a loan made under this title shall not be used for transient or hotel purposes while such loan is outstanding.

(b) As used in subsection (a), the term "transient or hotel purposes" shall have such meaning as may be prescribed by the Administrator, but rental for any period less than 30 days shall in any event constitute use for such purposes. The provisions of subsections (f) through (j) of section 513 of the National Housing Act (as added by section 132 of the Housing Act of 1954) shall apply in the case of violations of subsection (a) as though the housing described in such subsection were multifamily housing (as defined in section 513 (e) (2) of the National Housing Act) with respect to which a mortgage is insured under such act, except that for purposes of this section the Administrator shall perform

the functions vested in the Commissioner by such section 513.

SEC. 204. As used in this title—

(1) The term "housing" means (A) new structures suitable for dwelling use by elderly families and new structures suitable for such use by one or more elderly persons, and (B) dwelling facilities provided by rehabilitation, alteration, conversion, or improvement of existing structures which are otherwise inadequate for proposed dwelling use by such families and persons.

(2) The term "corporation" means any incorporated private institution or foundation no part of the net earnings of which inures to the benefit of any private shareholder, contributor, or individual, if such institution or foundation is approved by the Administrator as to financial responsibility.

(3) The term "development cost" means costs of construction of housing and of other related facilities, and of the land on which it is located, including necessary site improvement.

(4) The term "elderly families" means families the head of which (or his spouse) is 62 years of age or over; and the term "elderly persons" means persons who are 62 years of age or over. The Administrator shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, the eligibility of families and persons for admission to and occupancy of housing constructed with assistance under this title.

(5) The term "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the Territories and possessions of the United States.

(6) The term "Administrator" means the Housing and Home Finance Administrator.

(7) The term "construction" means erection of new structures, or rehabilitation, alteration, conversion, or improvement of existing structures.

(8) The term "related facilities" means (A) new structures suitable for use as cafeterias or dining halls, community rooms or buildings, or infirmaries or other inpatient or outpatient health facilities, or for other essential service facilities, and (B) structures suitable for the above uses provided by rehabilitation, alteration, conversion, or improvement of existing structures which are otherwise inadequate for such uses.

TITLE III—FEDERAL NATIONAL MORTGAGE ASSOCIATION

SEC. 301. Section 302 (b) of the National Housing Act is amended by striking out "$15,000" and inserting in lieu thereof "$17,500."

SEC. 302. The last sentence of section 304 (a) of the National Housing Act is amended by striking out "advance planning of home construction" and inserting in lieu thereof "home financing."

SEC. 303. (a) Section 305 (a) of the National Housing Act is amended by adding at the end thereof the following new sentence: "Any authorization by the President to the Association to make commitments to purchase and to purchase mortgages insured by the Federal Housing Commissioner on housing in urban renewal areas shall include mortgages insured under section 213 on projects in such areas."

(b) Section 305 (b) of such act is amended—

(1) by striking out "August 7, 1958" and inserting in lieu thereof "August 7, 1959";

(2) by striking out "1½ percent" and inserting in lieu thereof "1 percent"; and

(3) by striking out "one-half" and inserting in lieu thereof "one-fourth."

(c) Section 305 (g) of such act is amended (1) by inserting after "$13,500" the following: "(or $13,500 per dwelling unit in the case of a mortgage insured under section 213)"; and (2) by inserting after "shall not exceed $1 billion outstanding at any one time" the following: ", except that the total amount of purchases and commitments so authorized may be increased at any time or times, by additional amounts aggregating not more than $250 million, upon a determination by the President that such increase is in the public interest in view of the needs and conditions of the building industry and the state of the national economy."

SEC. 304. (a) Title III of the National Housing Act is amended by redesignating sections 306 through 312 as sections 307 through 313, respectively, and by inserting after section 305 the following new section:

"*Loans*

"SEC. 306. (a) In addition to the authority to purchase mortgages in its secondary market operations, the Association is authorized to make loans which are secured by mortgages insured under this act or which are insured or guaranteed under the Servicemen's Readjustment Act of 1944.

"(b) Any loan made under this section shall—

"(1) bear interest at a rate not in excess of the rate payable under the mortgage representing the security for the loan;

"(2) mature not more than 12 months from the date of the loan; and

"(3) not exceed 95 percent of the market value of the mortgage securing the loan as determined by the prices paid for similar types of mortgages purchased by the Association in its secondary market operations.

"(c) The Association shall require each borrower under this section to subscribe to the common stock of the Association in an amount equal to not more than one-half of 1 percent of the loan; and, in addition, the Association may impose reasonable charges or fees for its services with the objective that all costs and expenses of its loan operations under this section should be within its income derived from such operations and that such operations should be fully self-supporting.

"(d) The aggregate amount of all loans outstanding at any one time under this section shall not exceed 15 percent of the Association's total borrowing authority as prescribed in section 304 (b)."

(b) Clause (1) of subsection (a) of the section of such act redesignated section 308 by subsection (a) of this section is amended to read as follows: "(1) its secondary market and loan operations authorized by sections 304 and 306 hereof,".

(c) (1) Section 303 (b) of such act is amended by striking out "307" and inserting in lieu thereof "308."

(2) The section of such act redesignated section 308 by subsection (a) of this section is amended by striking out "306" wherever it appears and inserting in lieu thereof "307."

TITLE IV—URBAN RENEWAL

SEC. 401. The first sentence of section 103 (b) of the Housing Act of 1949 is amended by striking out "$900,000,000, which limit shall be increased by $350,000,000 on the date of the enactment of the Housing Act of 1957" and inserting in lieu thereof "$1,250,000,000, which limit shall be increased by $400,000,000 on July 1, 1958."

SEC. 402. Section 105 (b) of the Housing Act of 1949 is amended by adding the following before the semicolon at the end thereof: ": *And provided further*, That with respect to any improvements of a type which is otherwise authorized to undertake, any Federal agency (as defined in section 3 (b) of the Federal Property and Administrative Services Act of 1949, as amended, and also including the District of Columbia or any agency thereof) is hereby authorized to become obligated in accordance with this subsection (b), except that clause (ii) of this subsection shall apply to such Federal agency only to the extent that it is authorized (and funds have been authorized or appropriated and made available) to make the improvements involved."

SEC. 403. (a) The first sentence of section 106 (f) (2) of the Housing Act of 1949 is amended to read as follows: "As used in this subsection, the term 'relocation payments' means payments by a local public agency to individuals, families, and business concerns for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after August 7, 1956, and for which reimbursement or compensation is not otherwise made) resulting from their displacement from an urban renewal area respecting which a contract for capital grant is executed under this title, including any such expenses and losses which arise from their displacement as a result of a program of voluntary repair and rehabilitation in connection with an urban renewal project included in any such urban renewal area."

(b) Section 106 (f) (2) of such act is further amended by striking out "$100" each place it appears and inserting in lieu thereof "$200", and by striking out "$2,500" and inserting in lieu thereof "$3,500."

SEC. 404. Section 110 (b) of the Housing Act of 1949 is amended by striking out clause (2) and inserting in lieu thereof the following: "(2) shall be sufficiently complete to indicate, to the extent required by the Administrator, the general nature of such redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, the general land uses, and the general nature of building requirements and density standards."

SEC. 405. Section 110 (c) of the Housing Act of 1949 is amended by striking out the second paragraph following the paragraph numbered (6) and inserting in lieu thereof the following:

"Financial assistance shall not be extended under this title with respect to any urban renewal area which is not predominantly residential in character and which, under the urban renewal plan therefor, is not to be redeveloped for predominantly residential uses: *Provided*, That, if the governing body of the local public agency determines that the redevelopment of such an area for predominantly nonresidential uses is necessary for the proper development of the community, the Administrator may extend financial assistance under this title for such a project: *Provided further*, That the aggregate amount of capital grants contracted to be made pursuant to this title with respect to such projects after August 1, 1958, shall not exceed 15 percent of the aggregate amount of grants authorized by this title to be contracted for after August 1, 1958."

SEC. 406. Section 110 (e) of the Housing Act of 1949 is amended by inserting after "charges" wherever it appears therein the following: "and loss of interest on local public funds necessarily heretofore used in connection with project activities."

SEC. 407. Section 110 (g) of the Housing Act of 1949 is amended—

(1) by striking out of the first sentence "is approved" and inserting in lieu thereof "for any project under this title is authorized";

(2) by inserting in the second sentence after "Any" the word "such"; and

(3) by striking out of the second sentence "contract is revised or superseded by such later contract" and inserting in lieu thereof "later contract is authorized."

SEC. 408. (a) The first sentence of section 701 of the Housing Act of 1954 is amended by inserting after "planning agencies" the following: ", or to an agency or instrumentality of government designated by the governor of the State and acceptable to the

Administrator as capable of carrying out the intent of this section."

(b) The first sentence of section 701 of such act is further amended by striking out the language after the parenthetical clause and inserting in lieu thereof the following: "to (1) cities and other municipalities having a population of less than 25,000 according to the latest decennial census, and (2) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 25,000 according to the latest decennial census and having common or related urban planning problems resulting from rapid urbanization."

TITLE V—COLLEGE HOUSING

SEC. 501. Section 401 (d) of the Housing Act of 1950 is amended by striking out "$925,000,000", and "$100,000,000", and "$25,000,000" and inserting in lieu thereof "$1,225,000,000", "$125,000,000", and "$50,000,000", respectively.

SEC. 502. (a) Section 404 (b) of the Housing Act of 1950 is amended by striking out "and (4)" and inserting in lieu thereof "(4)", and by inserting before the period at the end thereof the following: ", and (5) any nonprofit student housing cooperative corporation established for the purpose of providing housing for students or students and faculty of any institution included in clause (1) of this subsection."

(b) Section 401 of such act is amended by adding at the end thereof the following new subsection:

"(g) In the case of any loan made under this section to a nonprofit student housing cooperative corporation referred to in clause (5) of section 404 (b), the Administrator shall require that the note securing such loan be cosigned by the educational institution (referred to in clause (1) of such section) at which such corporation is located; and in the event of the dissolution of such corporation, title to the housing constructed with such loan shall vest in such educational institution."

SEC. 503. (a) Title IV of the Housing Act of 1950 is amended by adding at the end thereof the following new section:

"Loans for classroom buildings and other academic facilities

"SEC. 405. (a) In addition to the other purposes for which financial assistance may be extended under this title, the Administrator may make loans to educational institutions for (1) the construction of new structures suitable for use as classrooms, laboratories, and related fixed facilities and initial utilities necessary or appropriate for the instruction of students, the administration of the institution, or the conduct of varied research activities, and (2) the rehabilitation, alteration, conversion, or improvement of existing structures for the uses described above if such structures are otherwise inadequate for such uses. As used in this section, the term 'educational institution' means any educational institution offering at least a 2-year program acceptable for full credit toward a baccalaureate degree, including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual.

"(b) Any educational institution which, prior to the effective date of this section, has contracted for the construction, rehabilitation, alteration, conversion, or improvement of any structures for the uses described in subsection (a) may, in connection therewith, receive loans authorized by this section, as the Administrator may determine, but no such loan shall be made in connection with the construction, rehabilitation, alteration, conversion, or improvement of any such structure if the work thereon was commenced prior to the effective date of this section, or was completed prior to the filing of any application under this section."

(b) The heading of title IV of such act is amended by striking out "HOUSING" and inserting in lieu thereof "LOANS."

(c) Title IV of such act is further amended by—

(1) striking out "Federal" in the heading of section 401 and inserting in lieu thereof "college housing";

(2) inserting after "loan" in clause (1) of the first proviso to section 401 (a) the following: "(including any loan under section 405 of this title)";

(3) striking out "A loan to an educational institution may be in an amount not exceeding the total development cost of the facility, as determined by the Administrator" in section 401 (c) and inserting in lieu thereof the following: "A loan under this section to an educational institution may be in an amount not exceeding the total development cost of the facility, as determined by the Administrator, and a loan under section 405 of this title to an educational institution may be in an amount not exceeding the cost of construction of the structures involved (including related facilities), and the land on which the structures are located, as determined by the Administrator";

(4) inserting "(1)" immediately before the text of subsection (d) of section 401, by striking out "under this title" in such subsection (d) and inserting in lieu thereof "under subsection (a) of this section," and by adding at the end of such subsection (d) a new paragraph as follows:

"(2) There is authorized to be appropriated not to exceed $125 million, which shall constitute a revolving fund to be used by the Administrator in carrying out section 405.";

(5) inserting before the semicolon in section 402 (c) (2) a colon and the following: "*Provided*, That the Administrator shall extend financial assistance to educational institutions under section 405 only after consultation with such Office of Education"; and

(6) inserting after "For the purposes of this title," in section 404 the following: "except as otherwise provided in section 405.".

TITLE VI—ARMED SERVICES HOUSING

SEC. 601. (a) Section 803 (a) of the National Housing Act is amended by striking out "June 30, 1958" and inserting in lieu thereof "June 30, 1960."

(b) Section 803 of such act is further amended by adding at the end thereof the following new subsection:

"(k) The Commissioner shall not insure any mortgage under this title unless the principal contractor or contractors engaged in the construction of the project involved file a certificate or certificates (as such times, in the course of construction or otherwise, as the Commissioner may prescribe) certifying that the laborers and mechanics employed in the construction of such project have been paid not less 1½ times the regular rate of pay for employment in excess of 8 hours in any 1 day or in excess of 40 hours in any 1 week."

SEC. 602. (a) The first sentence of section 404 (a) of the Housing Amendments of 1955 is amended to read as follows: "Whenever the Secretary of Defense or his designee deems it necessary for the purpose of this title, he may acquire by purchase, donation, condemnation, or other means of transfer, any land or (with the approval of the Federal Housing Commissioner) (1) any housing financed with mortgages insured under title VIII of the National Housing Act as in effect prior to August 11, 1955, or (2) any housing situated adjacent to a military installation which was (A) completed prior to July 1, 1953, (B) certified by the Department of Defense, prior to construction, as being necessary to meet an existing military family housing need and considered as military housing by the Federal Housing Commissioner, and (C) financed with mortgages insured under section 207 of the National Housing Act."

(b) Section 404 (b) of the Housing Amendments of 1955 is amended (1) by striking out "constructed under the mortgage insurance provisions of title VIII of the National Housing Act (as in effect prior to the enactment of the Housing Amendments of 1955)", and inserting in lieu thereof the following: "described in clause (1) or (2) of subsection (a) of this section"; and (2) by inserting before the period at the end thereof the following: "or a military installation which the Secretary or his designee determines to be a permanent part of the military establishment."

(c) Section 407 (f) of the act entitled "An act to authorize certain construction at military installations, and for other purposes", approved August 30, 1957, is amended to read as follows:

"(f) This section shall have no application to any housing described in clause (1) or (2) of section 404 (a) of the Housing Amendments of 1955, as amended."

SEC. 603. (a) Section 404 (c) of the Housing Amendments of 1955 is amended to read as follows:

"(c) (1) Condemnation proceedings instituted pursuant to this section shall be conducted in accordance with the provisions of the act of August 1, 1888 (25 Stat. 357; 40 U. S. C. 257), as amended, or any other applicable Federal statute. Before any such condemnation proceedings are instituted, an effort shall be made to acquire the property involved by negotiation. In any such condemnation proceedings, and in the interests of expedition, the issue of just compensation shall be determined by a commission of three persons to be appointed by the court. One of the persons so appointed shall be selected from a panel of qualified, disinterested persons submitted by the Secretary of Defense, or his designee, and one of the persons so appointed shall be selected from a panel of qualified, disinterested persons submitted by the owner of the property with respect to which the proceedings are instituted. Any commission appointed hereunder shall give full consideration to replacement costs and fair depreciation, and shall have the powers of a master provided in subvision (c) of rule 53 of the Federal Rules of Civil Procedure and proceedings before it shall be governed by the provisions of paragraphs (1) and (2) of subdivision (d) of such rule. Its action and report shall be determined by a majority and its findings and report shall have the effect, and be dealt with by the court in accordance with the practice, prescribed in paragraph (2) of subdivision (e) of such rule. Trial of all issues, other than just compensation, shall be by the court.

"(2) In any condemnation proceedings instituted pursuant to this section, the court shall not order the party in possession to surrender possession in advance of final judgment unless a declaration of taking has been filed, and a deposit of the amount estimated to be just compensation has been made, under the first section of the act of February 26, 1931 (46 Stat. 1421), providing for such declarations. Unless title is in dispute, the court, upon application, shall promptly pay to the owner at least 75 percent of the amount so deposited, but such payment shall be made without prejudice to any party to the proceeding. In the event that condemnation proceedings are instituted in accordance with procedures under such act of February 26, 1931, the court shall order that the amount deposited shall be paid in a lump sum or over a period not exceeding 5 years in accordance with stipulations executed by the parties in the proceedings. In connection with condemnation proceedings which do not utilize the procedures under such act, the Secretary or his designee, after final judgment of the court, may pay or agree to pay in a lump sum or, in accordance with stipulations executed by the parties to the proceedings, over a period not exceeding 5 years the difference between the outstanding principal obligation, plus accrued interest, and the price for the property fixed by the court. Unless such payment is made in a lump sum, the unpaid balance thereof shall bear interest at the rate of 4 percent per annum."

(b) The amendment made by this section shall be applicable to any condemnation proceedings instituted pursuant to section 404 of the Housing Amendments of 1955 in which a final adjudication of just compensation has not been made on the date of enactment of this act.

SEC. 604. Section 404 (e) of the Housing Amendments of 1955 is amended by adding at the end thereof the following new sentence: "The Secretary or his designee may, in the case of any housing acquired or to be acquired under this section, assume or acquire subject to any existing mortgage on such housing."

TITLE VII—HOME MORTGAGE GUARANTY CORPORATION

SEC. 701. This title may be cited as the "Home Mortgage Guaranty Corporation Act."

SEC. 702. The Home Mortgage Guaranty Corporation (hereinafter referred to as the "Corporation") is hereby created and chartered as a corporation for the purposes herein stated.

SEC. 703. The Federal Home Loan Bank Board (hereinafter referred to as the "Board") is authorized and directed to operate the Corporation and to prescribe bylaws, rules, and regulations not inconsistent with this act.

SEC. 704. (a) The Board shall provide for the issuance of nonvoting capital stock of the Corporation, divided into shares of $100 par value each. The Board may, by regulation, require participating members of the Federal Home Loan Bank System to purchase at par value and hold stock of the Corporation as a condition precedent to the right of any such member to obtain guaranties under this title, except that no such regulation may require any such member to purchase such stock having a par value in excess of 1 percent of the original principal balance of loans submitted by such member to the Corporation for issuance of its certificate of guaranty after the date of such regulation.

(b) Within 60 days after the date of the enactment of this act, upon the call of the Board, the Federal home loan banks shall subscribe to stock of the Corporation having a par value approximately $20 million, and shall purchase and pay for the same in proportion to the part value of the outstanding capital stock of each Federal home loan bank at the time of such call.

(c) Whenever in the opinion of the Board the financial condition of the Corporation warrants such action, dividends may be paid on the capital stock of the Corporation, or a part of the outstanding stock of the Corporation may be retired: *Provided*, That any such retirement shall be in order of the seniority of such stock as to date of issuance. The Board shall also provide by regulation for the transfer or assignability of capital stock or for restrictions on the right of any participant to transfer or assign capital stock.

SEC. 705. Upon the date of the enactment of this act, the Corporation shall become a body corporate, and shall be an instrumentality of the United States and as such have power—

(1) to adopt and use a corporate seal;

(2) to have succession until dissolved by act of Congress;

(3) to make contracts, and to guarantee loans, subject to the limitations prescribed in this title;

(4) to sue and be sued, complain and defend, in any court of law or equity, State or Federal;

(5) to purchase or otherwise acquire loans guaranteed by the Corporation or interests therein, to bid in at foreclosure sale or otherwise purchase or acquire real property securing loans so guaranteed or interests therein, and to hold, manage, lease, recondition, or sell or otherwise dispose of any real property or interests therein acquired by the Corporation; and

(6) to appoint and to fix the compensation of such officers, employees, attorneys, and agents as shall be necessary for the performance of its duties under this title, without regard to the provisions of any other law (except a law prohibiting or restricting the holding of dual offices or employment or the receipt of dual compensation or benefits) relating to the employment or compensation of officers or employees of the United States. The Corporation, with the consent of any board, corporation, commission, establishment, executive department, or instrumentality of the Government, including any field services thereof, may avail itself of the use of information, services, and facilities thereof in carrying out the provisions of this title, and may pay reasonable compensation therefor, and all of the foregoing are hereby authorized to provide to the Corporation such information, services, and facilities as it may request. The Corporation shall be entitled to the use of the United States mails for its official business in the same manner as the executive departments of the Government, and shall determine its necessary expenditures under this title, and the manner in which the same shall be incurred, allowed, and paid, without regard to the provisions of any other law.

SEC. 706. For the purposes of this title, the Corporation shall have power to borrow money, and to issue notes, bonds, debentures, or other such obligations, upon such terms and conditions as the Board may determine. Moneys of the Corporation may be deposited in any Federal home-loan bank, or any commercial bank the deposits of which are insured by the Federal Deposit Insurance Corporation, or invested in obligations of, or obligations which are guaranteed as to principal and interest by, the United States. When designated for that purpose by the Secretary of the Treasury, the Corporation shall be a depository of public money, under such regulations as may be prescribed by the Secretary of the Treasury, and may also be employed as fiscal agent of the United States, and it shall perform all such reasonable duties as depository of public money and fiscal agent as may be required of it.

SEC. 707. All notes, bonds, debentures, and other such obligations issued by the Corporation shall be exempt, both as to principal and interest, from all taxation (except estate, inheritance, and gift taxes) now or hereafter imposed by any Territory, dependency, or possession of the United States or the District of Columbia, or by any State, county, municipality, or local taxing authority. Such obligations shall have no exemption or special treatment as such (either as to principal or interest) for purposes of income, estate, or gift taxation now or hereafter imposed by the United States, but shall be exempt (both as to principal and interest) from all other taxation now or hereafter imposed by the United States. The Corporation, including its franchise, activities, capital, reserves, surplus, and income, shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof or the District of Columbia, or by any State, county, municipality, or local taxing authority; except that any real property of the Corporation shall be subject to State, Territorial, district, county, municipal, and local taxation to the same extent according to its value as other real property is taxed.

SEC. 708. No individual, association, partnership, or corporation shall hereafter adopt and use, as the name under which he or it shall thereafter do business, the words "Home Mortgage Guaranty Corporation", or any combination of any of these words which would have the effect of leading the public in general to believing there was any connection, actually not existing, between such individual, association, partnership, or corporation and the Home Mortgage Guaranty Corporation. No individual, association, partnership, or corporation shall advertise or otherwise represent, by any device whatsoever, that his or its mortgages are insured or in any way guaranteed by the Home Mortgage Guaranty Corporation, contrary to regulations of the Board prohibiting, or limiting or restricting, such advertisement or representation. No individual, association, partnership, or corporation shall advertise or represent, by any device whatsoever, that his or its mortgages which are guaranteed by the Home Mortgage Guaranty Corporation are insured or in any way guaranteed by the Government of the United States. Any individual, association, partnership, or corporation violating this section shall be punished by a fine of not exceeding $5,000, or by imprisonment not exceeding 1 year, or both.

SEC. 709. (a) The Board shall issue regulations to carry out the provisions of this title, dealing with, but not limited to, the following:

(1) The eligibility of loans for guaranty, except that no loan shall be eligible for guaranty—

(A) which has a contract rate of interest in excess of 6 percent per annum, or

(B) which has an original principal amount in excess of $25,000, or

(C) Unless it is secured by a first lien on real property located within the regular lending area of the mortgagee and improved by a dwelling (designed for single-family occupancy) which is owned by the mortgagor and occupied by him as his home or intended in good faith for such occupancy;

(2) The maximum ratio of loan to appraised value and the maximum amortized term for loans guaranteed under this title; except that in no case shall any such loan exceed 90 percent of the appraised value of the security thereof, or be amortized on other than a regular monthly basis or over a period in excess of 25 years from the date of the loan;

(3) The obligation of the Corporation with respect to any loan guaranteed under this title; except that—

(A) no guaranty under this title with respect to any loan shall be for more than 90 percent of an amount equal to the smaller of the following: (i) the amount of any loss on the loan, exclusive of foreclosure costs and attorneys' fees, or (ii) 20 percent of the balance owing from time to time on the obligation covered by the certificate of guaranty;

(B) no guaranty under this title shall extend to any loan the principal amount of which has been reduced by payments of the mortgagor to less than 50 percent of the original appraised value of the security therefor; and for purposes of clause (i) of subparagraph (A), the amount of the loss on a loan shall not exceed the amount by which the balance owning on the loan exceeds 50 percent of such original appraised value; and

(C) the amount of the loss on a loan (subject to subparagraph (B)) shall be determined on the basis of a bona fide sale of the security therefor to a person other than the mortgagee or a person acting for the mortgagee, except that at the election of the mortgagee the amount of such loss

shall be determined on the basis of an appraisal made by the Corporation;

(4) The premium to be charged for the guaranty of any loan: *Provided*, That any such premium shall be payable in advance and shall not be less than 1 percent of the original principal amount of the mortgage loan;

(5) The method of payment of any guaranty, either in cash or in debentures of the Corporation;

(6) The methods of, and items to be included in, any settlement required as the result of the guaranty of any loan under this title;

(7) The valuation of property securing loans to be guaranteed hereunder, which regulations and their subsequent supervision by the Board shall establish and maintain (A) such standards of appraisal and inspection procedures as will insure the initiation and observance of appraisal practices designed to protect the home buyer and to safeguard the assets of the Corporation against any excessive margin of risk, and (B) such standards of acceptability as will bar the construction or financing of substandard housing; and

(8) The prohibition of secondary financing incident to any purchase of property financed in part by a guaranteed loan.

(b) The payment or satisfaction of any guaranty or rights arising therefrom, or of any other obligation of the Corporation, shall be limited to the assets of the Corporation and no such guaranty or obligation shall constitute a liability of the United States.

(c) The rights of a holder of a guaranteed mortgage and the establishment of the amount of a final loss on a guaranty (subject to subparagraphs (B) and (C) of subsection (a) (3)) shall be governed by those regulations in effect at the time when the mortgage is reported for guaranty. A guaranty shall be for the benefit of the original holder of the guaranteed mortgage and of any subsequent holder which is a member of a Federal Home Loan Bank or an individual, association, partnership, or corporation approved for the purposes of this sentence by the Corporation, by regulations or otherwise. The validity of a guaranty issued pursuant to the terms of this title shall be incontestable except for fraud or misrepresentation on the part of the holder.

SEC. 710. (a) The Board may at any time, in its sole discretion, and without any requirement of notice or other proceedings, refuse either temporarily or permanently to guarantee loans made or held by any specified lender or holder, or bar either temporarily or permanently any individual, association, partnership, or corporation from acquiring loans guaranteed under this title, or terminate, upon terms and conditions or otherwise, any such refusal or bar.

(b) The Board is further authorized—

(1) to restrict from time to time the percentage of the total loans made in any calendar year, or the total percentage of its loan portfolio, which any institution or mortgagee may have guaranteed as provided in this title;

(2) to provide for the guaranty of loans made by institutions or corporations which are not members of a Federal Home Loan Bank and which are engaged in the home mortgage business, and to prescribe in relation to the participation of such institutions or corporations appropriate regulations concerning their qualification, examination, supervision, and purchase of capital stock: *Provided*, That no such regulation may require any such institution or corporation to purchase such stock having a par value in excess of 1 percent of the original principal balance of loans submitted by it to the Corporation for issuance of its certificate of guaranty; and

(3) to make and impose such other requirements, limits, or conditions not inconsistent with this title as may be reasonably necessary to the proper operation of the Corporation.

SEC. 711. The Corporation is authorized to require any participating mortgagee which has obtained a guaranty under this title to make reports, to supply copies or reports of public examinations and of public and private audits, and to make its books and records available to the Corporation and to permit the Corporation to examine them. It may make such examinations as may reasonably be necessary and the institution examined shall pay the cost of such examination.

SEC. 712. The Board shall issue regulations as to eligibility and loan procedure in such form as will enable participants to process loans to completion without prior submission to or approval of the Corporation. Such regulations shall prescribe the terms and conditions of eligibility for guaranty hereunder and if loans are made by eligible mortgagees in substantial compliance with such conditions the same shall be guaranteed as provided by such regulations upon filing a report with the Corporation, and upon payment of the proper premium and of the amount required for the purchase of capital stock.

SEC. 713. Any Federal savings and loan association, national bank, or other organization chartered or organized pursuant to the laws of the United States is authorized to purchase and hold such part of the capital stock of the Corporation as may enable such organization to obtain loan guaranties under this title, and to make any loan eligible be guaranteed under this title subject only to such limitations or restrictions as may be imposed by law upon the type or percentage of its assets that such organization may invest in real estate loans.

SEC. 714. In addition to the guaranty of mortgages as herein provided, the Corporation is authorized to guarantee any part or all of the foreclosure costs and outlays (including attorneys' fees) on any loan guaranteed under this title for an additional premium on terms and conditions prescribed by it.

SEC. 715. The aggregate obligation of the Corporation with respect to guaranties under this title shall not exceed $1 billion at any one time; and the Corporation shall not issue any guaranty under this title if the issuance thereof could result in an increase in such aggregate obligation to an amount in excess of such sum.

SEC. 716. If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of the title, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 717. Notwithstanding any other provision of law now or hereafter in force, the provisions of this title shall apply to the several States, the District of Columbia, and the Territories, dependencies, and possessions of the United States. The term "State" as used in this title includes the Commonwealth of Puerto Rico.

SEC. 718. The first paragraph of section 24 of the Federal Reserve Act (12 U. S. C., sec. 371) is amended by inserting after "title IX of the National Housing Act" the following: ", or which are guaranteed under the Home Mortgage Guaranty Corporation Act,."

TITLE VIII—AVOIDANCE OF FORECLOSURE

SEC. 801. Section 204 (a) of the National Housing Act is amended by inserting immediately before the last proviso the following: ": *And provided further*, That with respect to any mortgage covering a 1-, 2-, 3-, or 4-family residence insured under this act, if the Commissioner finds, after notice of default, that the default was due to circumstances beyond the control of the mortgagor and it is probable that the mortgage will be restored to good standing within a reasonable period of time, he may, under such regulations and conditions as he may prescribe, extend the time for curing default and enter into an agreement with the mortgagee providing that if the mortgage is subsequently foreclosed, any interest accruing after the date of the agreement which is not paid by the mortgagor may be included in the debentures."

SEC. 802. Title II of the National Housing Act is further amended by adding after section 229 (as added by section 113 of this act) the following new section:

"Acquisition of mortgages to avoid foreclosure

"SEC. 230. Upon receiving notice of the default of any mortgage covering a 1-, 2-, 3-, or 4-family residence heretofore or hereafter insured under this title, the Commissioner, in his discretion and for the purpose of avoiding foreclosure of the mortgage, may acquire the loan and the security therefor upon issuance to the mortgagee of debentures having a total face value equal to the unpaid principal balance of the loan plus any accrued interest and any proper advances theretofore made by the mortgagee under the provisions of the mortgage; and after the acquisition of such mortgage by the Commissioner such mortgagee shall have no further rights, liabilities, or obligations with respect thereto. The provisions of section 204 relating to the issuance of debentures incident to the acquisition of foreclosed properties shall apply with respect to debentures issued under this subsection, and the provisions of section 204 relating to the rights, liabilities, and obligations of a mortgagee shall apply with respect to the Commissioner when he has acquired an insured mortgage under this section, in accordance with and subject to regulations (modifying such provisions to the extent necessary to render their application for such purposes appropriate and effective) which shall be prescribed by the Commissioner."

TITLE IX—VETERANS' HOUSING

SEC. 901. Subsection (d) of section 513 of the Servicemen's Readjustment Act of 1944 (38 U. S. C. 694m) is amended by inserting immediately after the first sentence the following new sentence: "In addition to the sums authorized in this section, the Secretary of the Treasury shall also advance to the Administrator such additional sums not in excess of $100 million as the Administrator may request, and the sums so advanced shall be made available without regard to any limitation contained in this subsection with respect to the amount which may be advanced in any one quarter annual period."

SEC. 902. (a) The last proviso of subsection (b) of section 500 of Servicemen's Readjustment Act of 1944 (38 U. S. C. 694) is amended by striking out "but the rate of interest so prescribed by the Administrator shall not exceed at any time the rate of interest (exclusive of premium charges for insurance and service charges, if any) established by the Federal Housing Commissioner under section 203 (b) (5) of the National Housing Act, less one-half of 1 percent per annum."

(b) Subsection (d) of such section 500 is amended by inserting immediately before the period at the end of the first sentence the following: ", or (3) by any mortgagee designated and approved by any department, agency, or instrumentality of the United States as a certified agent, and which is acceptable to the Administrator."

SEC. 903. Title III of the Servicemen's Readjustment Act of 1944 is amended by inserting immediately after section 503A thereof the following new section:

"Deposit of downpayments in trust accounts

"SEC. 503B. (a) Where the Administrator has made a determination of reasonable value of housing units in a project involving five or more of such units which are proposed to be constructed or are newly constructed and previously unoccupied, and a veteran has made a deposit or downpayment on the purchase price of any such unit for the purpose of purchasing such unit with a loan guaranteed, insured, or made under this title, it shall be unlawful for the seller to fail to deposit such deposit or downpayment in a special trust account before the close of the next business day, in order to safeguard such deposit or downpayment from the claims of creditors of the seller. Where such deposit or downpayment has been deposited in a special trust account, it shall be unlawful for such deposit or downpayment to be disposed of in any manner except (1) being credited to the veteran purchaser at closing settlement, or (2) if the transaction is not consummated, being disposed of in accordance with the terms of the contract between the parties or returned to the veteran. Nothing in this section shall prevent the application of a deposit or downpayment to the cost of land or construction where a veteran purchaser has contracted for the construction of residential property which is to be financed with the assistance of a construction loan to be obtained under the provisions of this title.

"(b) Whoever violates subsection (a) of this section shall be fined not more than $5,000 or imprisoned not more than 5 years, or both."

SEC. 904. (a) Section 504 (c) of the Servicemen's Readjustment Act of 1944 is amended by adding at the end thereof the following new sentence: "The Administrator may also refuse to appraise any dwelling or housing project owned, sponsored, or to be constructed by any person refused the benefits of participation under titles I, II, VI, VII, VIII, or IX of the National Housing Act pursuant to a determination of the Federal Housing Commissioner under section 512 of that act."

(b) Section 514 of such act is amended by adding at the end thereof the following new sentence: "The Administrator may also refuse either temporarily or permanently to guarantee or insure any loans made by a lender or holder refused the benefits of participation under title I, II, VII, VIII, or IX of the National Housing Act pursuant to a determination of the Federal Housing Commissioner under section 512 of that act."

TITLE X—MISCELLANEOUS

SEC. 1001. Title IX of the National Housing Act is amended by adding at the end thereof the following new section:

"SEC. 909. Notwithstanding any other provision of law the Commissioner is authorized, in the disposal of properties acquired by him in insurance operations under the provisions of this title, to give former mortgagor-owners a preference and priority of opportunity to reacquire such properties: *Provided*, That such former mortgagor-owners shall be required, under such procedures as may be established from time to time by the Commissioner, to offer prices and terms reasonably commensurate with the value of such properties and not less favorable than prices and terms offered by other prospective purchasers."

SEC. 1002. Section 702 of the Housing Act of 1954 is amended by adding at the end thereof the following new subsection:

"(f) The administrator is authorized to use during any fiscal year not to exceed $50,000 of the moneys in the revolving fund (established under subsection (e)) to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated requirements for State and local public works: *Provided*, That the administrator, in conducting any such survey, may utilise or act through any Federal department or agency with its consent."

SEC. 1003. (a) The first proviso in section 10 (1) of the United States Housing Act of 1937 is amended by striking out "two" and inserting in lieu thereof "three."

(b) Section 15 of such act is amended by adding at the end thereof the following new paragraph:

"(10) Notwithstanding any other provision of law or any contract or other arrangement made pursuant thereto, any public housing agency which utilizes public services and facilities of a municipality or other local governmental agency making charges therefor separate from real and personal property taxes shall be authorized by the Authority (without any amendment to the contract for annual contributions or deductions from payments in lieu of taxes otherwise payable) to pay to such municipality or other local governmental agency the amount that would be charged private persons or dwellings similarly situated for such facilities and services."

SEC. 1004. (a) Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"Insurance of farm housing loans made by private lenders

"SEC. 514. (a) The Secretary is authorized to insure and make commitments to insure loans made by lenders other than the United States to farmers, associations of farmers, and county governments for the purpose of providing dwelling accommodations and related buildings and structures for migratory farm labor in accordance with terms and conditions substantially identical with those specified in section 502; except that—

"(1) no such loan shall be insured in an amount in excess of 90 percent of the value of the farm involved less any prior liens in the case of a loan to an individual farmer, or 90 percent of the total value of the structures and facilities with respect to which the loan is made in the case of a loan to an association of farmers or a county government;

"(2) no such loan shall be insured if it bears interest at a rate in excess of 6 percent per annum;

"(3) the borrower shall be required to pay such insurance charges as the Secretary deems proper, taking into account the amount of the loan and any prior liens. The initial insurance charge shall be at a rate not to exceed 1 percent on the principal amount of the loan, and additional charges annually thereafter shall be at a rate not to exceed 1 percent of the outstanding principal balance of the loan after each annual installment due date;

"(4) the insurance contracts and agreements with respect to any loan may contain provisions for servicing the loan by the Secretary or by the lender, and for the purchase by the Secretary of the loan if it is not in default, on such terms and conditions as the Secretary may prescribe; and

"(5) the Secretary may take mortgages creating a lien running to the United States for the benefit of the insurance fund referred to in subsection (b) notwithstanding the fact that the note may be held by the lender or his assignee.

"(b) The Secretary shall utilise the insurance fund created by section 11 of the Bankhead-Jones Farm Tenant Act (7 U. S. C., sec. 1005a) and the provisions of section 13 (b) and (c) of such act (7 U. S. C., sec. 1005c (b) and (c)) to discharge obligations under insurance contracts made pursuant to this section, and

"(1) the Secretary may utilise the insurance fund to pay taxes, insurance, prior liens, and other expenses to protect the security for loans which have been insured hereunder and to acquire such security property at foreclosure sale or otherwise;

"(2) the notes and security therefor acquired by the Secretary under insurance contracts made pursuant to this section shall become a part of the insurance fund. Loans insured under this section may be held in the fund and collected in accordance with their terms or may be sold and reinsured. All proceeds from such collections, including the liquidation of security and the proceeds of sales, shall become a part of the insurance fund; and

"(3) one-half of all insurance charges shall become a part of the insurance fund. The other half of such charges shall be deposited in the Treasury of the United States and shall be available for administrative expenses of the Farmers Home Administration, to be transferred annually to and become merged with any appropriation for such expenses.

"(c) Any contract of insurance executed by the Secretary under this section shall be an obligation of the United States and incontestable except for fraud or misrepresentation of which the holder of the contract has actual knowledge.

"(d) The aggregate amount of the principal obligations of the loans insured under this section shall not exceed $25 million in any one fiscal year.

"(e) Amounts made available pursuant to sections 511 and 513 of this act shall be available for administrative expenses incurred under this section."

(b) The first paragraph of section 24 of the Federal Reserve Act (12 U. S. C., sec. 371) is amended by inserting after "the act of August 28, 1937, as amended" the following: ", or title V of the Housing Act of 1949, as amended."

SEC. 1005. The use of projects PA-36011 and PA-36012 (which were conveyed to the Housing Authority of Philadelphia, Pa., under section 406 (c) of the Housing Act of 1956) for the housing of military personnel and civilians employed in defense activities without regard to their income, and the giving of a preference in respect of 700 dwelling units in such projects for such military personnel as the Secretary of Defense or his designee prescribes, for a period of 5 years after the date of the conveyance of such projects, is hereby authorized; and such use and the giving of such preferences shall not deprive such projects of their status as "low-rent housing" as that term is used and defined in the United States Housing Act of 1937 and within the meaning of that term as used in section 606 (b) of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended. The Housing and Home Finance Administrator is authorized and directed to agree to any amendments to the instruments of conveyance which may be required to give effect to the purposes of this section.

SEC. 1006. Section 608 (c) of the Housing Act of 1957 is amended to read as follows:

"(c) The authority of the Housing and Home Finance Agency to make grants under subsection (b) shall expire June 30, 1962. The total amount of such grants shall not exceed $300,000 during each of the fiscal years ending June 30, 1958, and June 30, 1959, and shall not exceed $100,000 during each of the fiscal years ending June 30, 1960, June 30, 1961, and June 30, 1962."

SEC. 1007. (a) Section 605 (b) of the Housing Act of 1956 is amended by striking out "1958" and inserting in lieu thereof "1960."

(b) Section 605 (c) of the Housing Act of 1956 is amended by inserting before the period at the end thereof the following: ", and the sum of $7,500,000 for the purpose of this section for each of the fiscal years ending June 30, 1959, and June 30, 1960."

The SPEAKER. Is a second demanded?

Mr. TALLE. Mr. Speaker, I demand a second.

Mr. RAINS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RAINS. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, before the House now is the omnibus housing bill of 1958. I would have much preferred, as I am sure you would, that we could have debated this bill in orderly fashion, but each of you know and understand the circumstances that exist which make it necessary if we are to have a housing bill to bring it up under suspension of the rules.

This bill is S. 4035, with an amendment. The bill was passed by the Senate by a voice vote. The amendment which I will mention in a moment was considered in the House of Representatives by the House subcommittee, of which I have the honor to be chairman, of the Banking and Currency Committee.

Mr. Speaker, the bill, after long months of hearings, was voted out of the full Committee on Banking and Currency, first out of the special subcommittee, by 6 to 1, as I recall it, and out of the full Committee on Banking and Currency by a vote of 18 to 3.

It is my information that if this bill is voted down today there will be no housing bill, which will be the first time that condition existed since 1948.

It is my further information that if we fail to pass the bill as we now have it, you are going to leave all of the amendments which the House and Senate have worked out that would help meet the need of the people who want housing and help meet the need of the industry that wants to build.

Recognizing the fact that we have become dollar conscious, and I think we should, may I say there is not a dollar, if the past is any criterion of the future, in this bill but what will be paid back to the Government of the United States.

May I say that the housing programs which this Government has had in force since the early thirties has never cost our Government one penny of money. Instead, we have been able to bring about home ownership in this country to a degree hardly believed possible by virtue of FHA and the various housing aids which this Congress has put into effect.

So, when I say "dollar amounts," I hope you will not get in your mind that means a contribution or grants; that it means a contribution or money paid out which will never be returned. But, in order to meet the pressing needs at the moment I am authorized and privileged to offer an amendment to the House bill as follows, and I hope you will pay close attention.

The amendment reduces the dollar amount set out in the Senate bill by more than $1.5 billion; it would reduce the dollar amounts in the House bill by over $1.5 billion. The Senate bill as passed had dollar amounts of $2,475,000,000 authorization. The House bill had $2.4 billion. The administration bill which was introduced by my esteemed friend from Iowa [Mr. TALLE], had $1.5 billion, and that was the bill we had before us along with the Senate bill in the hearings.

Mr. TALLE. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Iowa.

Mr. TALLE. The gentleman from Alabama will agree with me that my bill was for a 6-year program and not 1 year.

Mr. RAINS. The gentleman will agree with me that the Senate bill was for a 6-year program and the House bill, in many instances, was for 5- and 6-year programs, too.

Mr. TALLE. And the program of the gentleman from Alabama is for 1 year?

Mr. RAINS. Only in certain instances.

There is no time, to explain to you the details of this bill. I would simply like to say that this bill today—and I do not ordinarily do this—was supported by—and I want to read them to you—mayors and city officials of America, the home building industry, real estate industry, saving and loan associations, housing and redevelopment officials, the medical profession, the nursing profession, managers of nursing homes, hospital officials, college presidents and college officials, church leaders, leaders of veterans' organizations, farm groups, consumer groups, lumber dealers, cooperative groups, home appliance manufacturers and union organizations.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from California.

Mr. McDONOUGH. I appreciate the proposal the gentleman from Alabama is submitting, and I think the House should fully realise that it is a considerable reduction insofar as monetary obligation is concerned over the bill that the committee reported to the Committee on Rules, which we were unable to obtain a rule for. However, I must say—and I am going to support the proposal of the gentleman from Alabama—I must say, however, in deference to the committee, that in this compromise is a victory for the Republican members of the whole committee and the subcommittee, and the gentleman who is chairman of the committee must admit that on several occasions we cautioned and warned him against reporting to you a bill with the monetary obligations that the original bill contained. Now, this bill has reduced that to $975 million from $2.4 billion, and it does contain all of the sections of the original bill. It is a progressive piece of legislation. It will stimulate the housing industry, and I just wanted to make that point clear, whether the gentleman will admit it or not.

Mr. RAINS. In the light of the statement which the gentleman made, which is true, how anyone on his side or mine can vote against the bill I am unable to understand.

I would like to discuss, if I may, a few of the amendments. In this bill is the bill voted out by the Veterans' Affairs Committee. The gentleman from Texas [Mr. THAOUE], and the gentlewoman from Massachusetts [Mrs. ROGERS], asked that the veterans' affairs bill, which has to do with loans to veterans, be included in this bill in order that we might go to conference with the Senate, which has a similar bill.

I assure the gentlewoman from Massachusetts [Mrs. ROGERS] that I had the permission of the gentleman from Texas [Mr. TEAGUE] before he left here, to reduce that amount from $150 million to $100 million in order to try to get the bill passed. It is changed in no other particular expect that it is reduced from $150 million to $100 million for the veterans of this country. That is the veterans loan bill for the veterans of this country, and the amount is $100 million.

The FHA amendments are liberalized so that the downpayments are not as high as they are in the present law. That is made necessary because the people are unable to make the downpayments which they now face.

Many of the changes that are in this bill are changes that many of the Members of this Congress have written to the committee about and have called us, asking us to put them in.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Speaker, will the gentleman tell us how much money is now provided in this amended bill for the urban renewal program, in which the mayors have been particularly interested?

Mr. RAINS. There is $400 million provided for 1 year. In the original bill there was $500 million for 2 years. In the Senate bill there was $350 million or $300 million for 6 years.

Mr. JUDD. Do I understand that the amended bill provides an increase in that item: $400 million for 1 year as against $500 million for 2 years?

Mr. RAINS. And I shall tell you the reason for that. They have a $700 million backlog unattended. They need a high amount this year in the hope that we can get the backlog taken care of, which is gradually building up.

Mr. FOGARTY. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. With reference to the item of aid for nursing homes, that is something for which they have been fighting for 2 or 3 years. Is it not a fair statement to say that if this bill is not passed there will be no aid for nursing home at all?

Mr. RAINS. I think the gentleman is absolutely correct. It is a section of the bill which is supported generally by everybody. Without the passage of this bill there will be no aid for nursing homes.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Connecticut.

Mr. MORANO. I want to thank the gentleman; I wrote him about liberalizing the provisions of the downpayment. I should like to ask one brief question. Has the formula on urban redevelopment contribution been changed?

Mr. RAINS. No, the formula is still 66⅔ percent and 33⅓ percent.

Mr. Speaker, I would now like to describe the bill in more detail. This bill before us is a general housing bill with a number of important objectives.

One of its prime purposes is to help revive our lagging economy. While there are encouraging signs that the bottom of the recession may have been reached, the number of unemployed still remains at the alarmingly high level of 5½ million. This bill would stimulate investment activity with a consequent lift to production and employment.

A second major objective is to achieve better housing generally, improve present programs designed to combat slums and blight, and provide special assistance to meritorious and important housing programs such as military housing, cooperative housing, other FHA-assisted housing programs, and the veterans' home loan program.

A third major objective of the bill is to further the advancement of scientific and academic knowledge by helping our institutions of higher learning to provide the dormitories, classrooms, and scientific laboratories and related facilities which are vitally needed in our national effort to achieve ascendancy over the Soviet Union in the field of scientific and academic advancement. The warning of the sputniks is unmistakable and I believe strongly as a central tenet of public policy that we should do everything possible to advance our national level of scientific and academic knowledge.

This bill is the result of weeks and weeks of hard work by the Banking Committee and the Housing Subcommittee. We have heard expert testimony from witnesses competent to discuss the many aspects of the complex nature of the Government's role in the housing and home finance field.

Frankly, I am astounded at the anguished opposition which this bill has touched off. In my judgment an impartial analysis of the bill's provisions will prove conclusively that this bill is a carefully fashioned piece of legislation which will greatly improve our various housing programs and at the same time will give added stimulus to help bring us rapidly out of the recession which has been plaguing our economy for more than a year.

I have already explained that the bill now before us, while it retains all of the principle and substance of the committee-approved bill, is a scaled down version moneywise with greatly reduced dollar totals for the various programs. Excluding the $250 million for FNMA's antirecession program which is usable only at the President's discretion, the bill calls for less than $1 billion in authorization, $500 million less than the administration proposed, and nearly $1.5 billion below the Senate bill.

The opponents of this vitally needed legislation also stress the fact that the Treasury will have to raise funds for these programs and that this will have a harmful effect on the budget. Mr. Speaker, I would like to point out that the budget under this administration is now hopelessly out of balance in any event. We are told we can look for a deficit of $12 billion in this fiscal year. Mr. Speaker, I submit we will never achieve a balanced budget until we restore a full production economy. There is also one reason why we are facing an unbalanced budget now—and that is because we are in a serious recession brought about largely, in my judgment, by the administration's hard-money policy.

Incomes have fallen and this will naturally reduce the Federal Government's tax intake. In order to restore a balanced budget, we must increase the tax base—in other words, we must restore a rising national income and a situation in which we will again have full employment. And, Mr. Chairman, that is what this bill will do precisely. It is a powerful antirecession measure.

One important antirecession tool is the $250 million which the bill would add to the special assistance program of the Federal National Mortgage Association. In the emergency housing bill, effective April 1, Congress set up a $1 billion fund to purchase FHA and GI loans with a principal amount of $13,500 or less.

The fruits of this legislation are already being seen I am happy to report. Housing starts are beginning to pick up and are a hopeful factor in the economic outlook.

But, Mr. Speaker, based on existing rates of activity, that billion-dollar fund will be exhausted this fall. By making the $250 million additional fund available to the President, he will have it available to inject into the building program if recessionary influences are still plaguing our economy in the latter part of this year.

The added funds for slum clearance will have a strong economic stimulus and should generate investment activity to help offset the present trend of declining investment activity in other sectors of the economy.

The funds for college housing cannot help but have a helpful economic effect. These funds will inevitably lead to an accelerated building construction program on college campuses.

The liberalization of the section 203 program should help economic recovery considerably. By lowering downpayments, by authorizing a higher loan maximum, and by permitting a longer repayment period, the bill would increase effective demand in the housing market.

The new home-loan guaranty plan to permit conventional loans on a more liberal loan-to-value ratio will lead to more housing production. It will encourage home ownership with smaller downpayments and the increased effective demand in the housing market should translate itself into increased housing production.

The provisions expanding the rental housing program, cooperative housing program, and the program for housing the elderly, all should step up economic construction activity and prove of immeasurable benefit in lifting the economy from its lethargic state and helping us toward our common goal of a full production economy with job opportunities available to all.

Mr. Speaker, I am proud to have had a part in formulating this much-needed legislation. Let me describe its major features.

TITLE I—FHA INSURANCE PROGRAMS

Title I of the bill makes a number of important changes to the FHA sales and rental housing programs. First, it would benefit the homeowner in a number of ways by liberalizing the regular FHA 203 home-buyer program

First. Required minimum downpayments in the middle price ranges would be reduced further.

Second. The maximum eligible mortgage would be increased from $20,000 to $27,500.

Third. The permissive loan maturity would be extended from 30 to 35 years, thus permitting lower monthly carrying charges.

Fourth. The FHA would be authorized to reduce the FHA insurance premium which, if done, would also reduce the monthly carrying charges.

A provision of the bill would greatly facilitate trade-in financing to help home buyers use the equity they have in their present homes. The new procedure would cut out the duplication of closing costs which presently make trade-in financing arrangements very costly to the buyer.

The bill would also improve the special section 203 (i) program designed to encourage low-cost housing outside of built-up areas. This program is especially meritorious because it offers the hope of helping the housing problem of lower-income groups, particularly elderly persons.

The bill also contains improving amendments to encourage more rental housing construction and cooperative housing construction in urban centers. An acute shortage of such housing still exists in many cities and the bill would help correct this problem.

The section 221 relocation housing program—a vital part of the entire urban-renewal and slum-clearance program—would be improved by the bill. If we are ever to make inroads in our fight on slums, we must provide a way to rehouse the hundreds of thousands of families who are inevitably displaced by highway and slum-clearance programs.

The permissive mortgage maximum would be increased to make the section 221 sales housing program more workable in many areas and the bill would also set up a new section 221 rental housing program designed to attract builders into providing this form of housing.

The special program of servicemen's housing under section 222 of the National Housing Act has proved a great boon to the housing problem of active duty servicemen and the bill contains several amendments to improve this worthwhile program.

The bill would set up an entirely new program under FHA to insure mortgages to finance the construction and rehabilitation of proprietary, that is, profit-run, nursing homes. The Banking Committee was especially impressed with the need for providing nursing facilities to

the large segment of our population who are aged, ill, or disabled, who do not require care in a general hospital but do require the facilities of a properly equipped nursing home. In these facilities they can receive the attention their condition calls for on a much less expensive basis, and by so doing can help to reduce the strain on overcrowded hospital facilities.

One of the most difficult problems facing proposed sponsors of proprietary nursing homes is the difficulty of obtaining financing on reasonable terms, a difficulty which the proposed mortgage insurance program should help overcome. The proposed insurance program would be set up on a conservative basis with the maximum insured loan limited to 75 percent of the FHA Commissioner's estimate of value of the property when completed.

To prevent construction of nursing homes in areas where existing nursing facilities are adequate, and to assure proper supervision and minimum health standards, the bill would require in all cases that approval of the proposed nursing home by the appropriate State health agency be mandatory. Another safeguard against abuse is provided by a provision which gives the FHA Commissioner the power to regulate charges and methods of operation and rate of return to the sponsoring corporation.

TITLE II—HOUSING FOR ELDERLY PERSONS

Mr. Speaker, the bill at long last would set up a really worthwhile program for housing our senior citizens. The present program for the elderly under section 207 is largely a snare and a delusion in my judgment. Because of the high financing costs it involves, housing under the present program can only be built for well-to-do elderly persons, who really need no assistance from the Federal Government.

Under the new program proposed in the bill, loans would be provided to nonprofit corporations under a formula which would work out to a 3¼ percent per annum interest rate under present market conditions. The loan term could extend to 50 years, and the required equity investment on the part of the nonprofit sponsor would be limited to 2 percent of project cost.

Mr. Speaker, this program would, for the first time, permit rentals which most elderly tenants could afford. By reducing financing costs to 3¼ percent—they are 5 percent per annum under the present program—the typical housing unit will rent for approximately $15 a month less than the rents which would be required for the same unit if financed under the current section 207 program.

Mr. Speaker, the $50 million authorized to be appropriated for this program would in my judgment be a gigantic step forward in providing housing which most older persons can afford. It is time we stop paying lip service to the pressing needs of these older folks and really do something which will come to grips with their housing problem.

TITLE III—FEDERAL NATIONAL MORTGAGE ASSOCIATION

The bill would make a number of important changes to the mortgage purchase program of the Federal National Mortgage Association.

For one thing, the par purchase requirement which expired August 7, would be extended for 1 additional year. Under this requirement FNMA pays 100 cents on the dollar for special assistance mortgages which finance especially deserving and meritorious housing programs, for example, military housing, cooperative housing, urban renewal housing, disaster housing, and the special antirecession support program.

As a further incentive to the special-assistance program, the bill would also reduce the required commitment and purchase fees required by FNMA for such mortgages.

I have already discussed the need for providing additional standby funds for the $1 billion antirecession support fund for low-cost FHA and GI loan housing. The bill would provide $250 million for this purpose to the President to be used at his discretion if economic conditions call for further credit stimulus later this year. The bill would also make it clear that section 213 cooperative housing mortgages, which give the same economic stimulus as other FHA and GI mortgages, would be eligible under the antirecession support fund.

FNMA would be given two additional functions which should improve the home-financing process. First, the so-called standby commitment under the FNMA regular secondary market operation would be made available to existing homes as well as proposed construction. And second, FNMA would be given the authority to make loans on pledged FHA and GI mortgages, an authority which would bring the FNMA secondary market operation closer to the broader concept of a central mortgage discount bank.

TITLE IV—URBAN RENEWAL

The bill would authorize sufficient funds to maintain the momentum of the slum clearance program, which after a slow start is now beginning to move into high gear. It would authorize $400 million in additional capital grant authorization.

Mr. Speaker, there is no doubt that the slum clearance program now faces a critical capital grant crisis. Currently, there are applications pending with the Urban Renewal Administration for more than $350 million in capital grant authorization, an amount incidentally which is greater than the amount the Administration proposed to make available for all of the current fiscal year. Moreover, the recent rate of new applications indicates that the demand for title I capital grant funds is swelling rapidly. Gross applications in the last fiscal year involved a total of $680 million, and there is every expectation that the rate will continue upward.

Present funds available to the program—exclusive of the Presidential reserve fund of $100 million which has never been used—total only about $50 million, a pitifully small sum in view of the current application backlog and the rising rate of new applications.

The $400 million authorization, in my judgment, is the rock bottom minimum necessary to permit our cities to continue their fight on the terrible slum problems which afflict them.

Mr. Speaker, this vital program must be permitted to proceed with a full head of steam. I concede that the $400 million is a large sum, but the facts show it is an absolute minimum. Mr. Speaker, I would like to point out that $400 million is only about one-eighth of 1 percent of the total annual gross national product. Certainly if we cannot afford this amount to help our Nation to get rid of its slums and all of their attendant social evils, we are in a bad shape indeed.

TITLE V—COLLEGE HOUSING

The bill provides substantial funds for the college housing loan program which has proved signally successful in helping our institutions of higher learning meet the serious housing problem caused by mounting enrollments.

Facts show that existing funds under the college housing loan program are virtually exhausted. In view of the continued rapid growth in our student population, and the new demands being made upon education by reason of developments in science and the international scene, we must permit this essential program to continue. The bill would provide an additional $300 million which we regard as the minimum amount essential for the dormitory program and for the program to house student nurses and interns.

The bill also proposes a new function under the college housing loan program. It would authorize $125 million in appropriations for loans to colleges and universities to build classrooms and scientific laboratories. Mr. Speaker, I am astounded that this new proposed program has touched off so much opposition. Apparently there are some people who did not get the message when the Russian sputniks were first sent into orbit last year. These orbiting satellites made it unmistakable that our ascendancy in the field of scientific advancement was seriously endangered. I for one believe that we should do everything possible to assist our institutions of higher learning to improve the educational process and to raise to the highest possible degree the caliber and learning of our college graduates.

One of the most difficult problems facing these institutions is the need to build and equip the scientific laboratories and classroom facilities which will be needed to serve the greatly accelerated rate of projected student enrollment. We heard convincing testimony that without Federal loan assistance the job just cannot be done. In my judgment, Mr. Speaker, we must have this program in order to help provide the major breakthrough in education which our country desperately needs in meeting the Russian challenge.

TITLE VI—ARMED SERVICES HOUSING

The bill would extend the military housing program for one additional year from its present expiration date of June 30, 1959. We are told that this extension is necessary to permit an orderly rate of construction of the units already planned. The bill also contains amendments to facilitate the Wherry acquisition program.

TITLE VII—THE HOME MORTGAGE GUARANTY CORPORATION

The bill provides a new insurance program to encourage lenders to make conventional loans on a more liberal loan-to-value ratio. A Home Mortgage Guaranty Corporation would be set up under the jurisdiction of the Federal Home Loan Bank Board, which would administer the program.

Our objective in setting up the new program was to make available an additional low downpayment loan to supplement the existing FHA and VA programs. The facts of the mortgage market are that 70 percent of all residential financing is financed through the conventional route, and it was obvious to your committee that the conventional loan sector offers great potential for broadening the housing market and stimulating home construction.

Under present law conventional loans are limited to between 66⅔ and 80 percent of appraised value. Under the proposed plan the loan-to-value ratio would be increased to 90 percent. To offset the additional risk, the program would call for insurance of the top 20 percent of the loan.

To encourage prudent lending activity the plan would involve a co-insurance feature similar to the title I home improvement program under which the lender has to bear 10 percent of any loss.

The initial capital for the new Corporation would be provided for by a $20 million stock subscription from the 11 Federal home loan banks, an amount which is less than 1 percent of the assets of these banks. The insurance Corporation would derive continuing income to cover expenses and reserve from the collection of an insurance premium to be charged on each loan.

Mr. Speaker, for some strange reason this proposed home loan guaranty plan has touched an open nerve in some quarters of the administration. I have been amazed at the violence of the opposition expressed to this plan. And frankly, I think it is a tempest in a teapot.

The objectives of the program are clearly desirable. Through the insurance feature more home buyers would be able to obtain financing on liberal terms.

The bill would clearly help to mitigate the evils of second mortgage financing which our committee documented thoroughly over the past year.

The plan would be helpful in home financing in blighted areas in urban centers because the loans can be tailored to fit the unique requirements of the borrower and the property in those areas.

The plan would be helpful in providing financing in rural areas where FHA and VA loans have not been readily available.

Mr. Speaker, let me emphasize also that the new program is not, as it has been alleged, discriminatory against any lender class. Under the plan any responsible lending institution could participate in the program.

Mr. Speaker, I would also like to emphasize that we have written protective safeguards in the plan for the homeowner. Authority would exist to suspend any lender abusing the program. Further, the Federal Home Loan Bank Board would be directed to issue regulations to assure appraisal and inspection procedures to protect the home buyer. The maximum interest rate would also be controlled.

Under the plan the total liability which can be assumed by the Corporation would be limited to $1 billion, and since the guaranty applies to only 20 percent of the loan, this would permit a total outstanding loan volume of roughly $5 billion.

Mr. Speaker, in my judgment this is a most worthwhile program and should certainly be given a fair trial. Anything we can do to improve the availability and quality of mortgage financing to prospective homeowners is clearly desirable, and I am convinced that the proposed new home loan guaranty program will do just that.

TITLE VIII—AVOIDANCE OF FORECLOSURE

Mr. Speaker, this is another desirable title. In our studies of the FHA program, we discovered that there is presently a deficiency in proper safeguards to assure a deserving homeowner that he will not lose his home because of unemployment.

We were impressed by a marked difference between the FHA and GI loan programs in this regard. The statute and regulations governing the GI loan program are so geared as to encourage the lender to extend forebearance and to provide essential safeguards against foreclosure.

One provision in the bill, by permitting the inclusion of defaulted interest payments in the FHA debentures, would reduce the incentive on the part of the lender to hasty foreclosure.

The antiforeclosure title of the bill would also authorize the Commissioner, as a last resort in order to avoid foreclosure, to acquire the mortgage in return for debentures paid to the mortgagee. This authority would be exercised only in those cases where the lender was either unwilling or unable to cooperate in curing a default. The same authority has existed in the GI loan program since its inception and there have been no abuses we are informed.

I would like to emphasize, Mr. Speaker, that both of these measures designed to avert foreclosure are discretionary with the FHA Commmissioner. Recognizing that each case must be judged upon its merits, we hesitated to impose mandatory requirements upon the Commissioner. But we believe strongly, Mr. Speaker, that the authority bestowed by this title will give the Commissioner the necessary tools to encourage lenders to avoid foreclosure and at the same time to provide a court of last resort under which the Commissioner himself would become a mortgagee in order to help the deserving homeowner back on his feet and to prevent loss of his home.

TITLE IX—VETERANS' HOUSING

The bill contains several improving amendments to the GI loan program which were included in the general housing bill at the request of our esteemed colleague Mr. TEAGUE, chairman of the Committee on Veterans' Affairs. The amendments were included in H. R. 13014, reported by the Veterans' Affairs Committee on July 30.

One important provision would provide an additional $100 million to the VA direct-loan program to help take care of the backlog of veterans on waiting lists for these loans.

Mr. Speaker, I am proud to have been one of the authors of the VA direct-loan program, which has proved such an outstanding success in providing mortgage financing on liberal terms to veterans living outside of urban centers. I would like to say, Mr. Speaker, that I understand that Mr. SISK of California will rise to discuss in detail the amendments of the GI loan program which are included in the bill.

An additional important provision in the bill would continue the low-rent public housing program by extending from 2 to 3 years the period within which each of the specific authorizations—contained in existing law—to enter into new annual contributions contracts must be exercised. These increments involve 2 authorizations of 35,000 units each, or a total of 70,000. I am informed that presently only about 15,000 units of this total have been contracted for.

Mr. Speaker, the low-rent public housing provision is the same as that in the administration-proposed bill. It merely extends existing authorization and provides for no additional units. But there still exists authority for the construction of approximately 55,000 units which will permit the program to continue uninterrupted.

I have long been a champion of the low-rent public housing program for the very simple reason that I know of no other way to meet the housing needs of our unfortunate families of our lowest income levels. Furthermore, I believe that we must have such housing in order to house the thousands and thousands of low-income families who will be displaced by slum clearance and highway building programs.

But, Mr. Speaker, I agree with those who believe that the program has become stereotyped and institutionalized, and that we must give it a complete restudy to see if it can not be given a new look and revitalized in some manner. The provisions of the bill extending the program, but not increasing the number of units, should give us the breathing spell necessary to undertake such a restudy.

The bill would authorize a new program of insurance of loans to build housing for migratory labor. This is a serious problem in many areas, and we hope the new program can furnish at least experimental basis for providing needed housing for these people.

And finally, the bill would provide additional funds to continue the farm-housing research program which was authorized in the Housing Act last year. Too often, in our consideration of housing problems, we overlook the fact that many of our rural areas are just as afflicted with slum housing as our big urban centers. The farm-housing research program is a step forward to help us determine just what kind of programs are necessary to meet the farm-housing

problem, and I am delighted that the bill will provide an additional authorization and extension of time in order to carry out this essential program.

Mr. Speaker, in summarizing, let me repeat that, in my judgment, we have brought to the floor a general housing bill which will greatly advance the national welfare and public interest. It will provide better housing for our people. It will continue our fight on slums. It will give our universities a helping hand in providing the academic plant necessary to lift our educational levels in order to protect our national security. It will provide a multifaceted program to combat the recession and put the unemployed back to work. In short, Mr. Speaker, the bill is vital legislation, and I deeply hope that it will be promptly passed by the House.

Mr. TALLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is, of course, a procedure that should not be employed in dealing with important and complex legislation. I had no copy of the bill until a moment ago when I sat down here at my desk as the proceedings in the House were getting under way. It is difficult for me to determine just what is in the bill. I certainly cannot be sure; and that fact made me wonder, when the gentleman from Alabama [Mr. RAINS] recited the names of several organizations which he stated are for his bill. How could they know what was in the bill when the ranking Republican on the committee, who certainly has worked in this field a good many years, did not even have a copy until consideration of the bill began a moment ago in the House? That is an astounding situation.

Secondly, Mr. Speaker, the gentleman from Alabama said there is no public housing in his bill. But if I got what is supposed to be his bill, and if the gentleman will look on page 126, and at section 1003, he will find that there certainly is provision for extension of public housing.

Mr. RAINS. Mr. Speaker, will the gentleman yield?

Mr. TALLE. I yield.

Mr. RAINS. I said there were absolutely no new units in this bill; and the gentleman will, of course, agree that the President requested what he is now complaining about; is that not right?

Mr. TALLE. What this provision does is to reactivate public housing units that are expiring and that fact makes them new.

Mr. RAINS. That was in the gentleman's bill, with 35,000 additional units. Is not that correct?

Mr. TALLE. That is correct.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Indiana.

Mr. HALLECK. I want to say first of all that under the circumstances and as this bill is drawn I am against it, and I think it should be defeated today.

Apropos of the public housing, I have been here quite a while and I have been in a lot of these fights. I understand this bill has to go to conference because it is being considered under a motion to suspend the rules and pass the Senate bill. You vote this bill through today and you might just as well make up your minds that it will come back from conference with a lot of public housing in it.

Mr. TALLE. I want to make clear why I intend to vote against this bill. I shall do so for two main reasons: First, because I am opposed to the seriously defective provisions in the revised bill which would launch new programs without adequate consideration and would needlessly and heedlessly authorize a billion and a quarter dollars of new expenditures during the short span of a single fiscal year. This is much more than double the amount recommended by the administration.

Such extravagance completely disregards the fact that the national budget must reflect many competing claims upon it, including the overriding claim of defense expenditures. Such extravagance also disregards the fact that we have by no means escaped the dangers of runaway inflation which could wreck our entire economy, including, of course, the housing segment among others.

Secondly, my reason for opposing this revised bill is that I do not wish to take it to conference, where all its provisions and all the provisions of the bill S. 4035 as passed by the Senate would be the subject of hasty negotiations. Such negotiations during the closing hours of the Congress would almost certainly result in either deadlock on the one hand or in last-minute splitting of differences, thereby adding additional objectionable features to the already objectionable revised bill.

For example, the Senate-passed bill has an unneeded authorization for additional public housing units. It also has provisions which are designed to increase the Federal annual contributions for all public housing projects both new and old, thereby giving local public housing agencies an annual windfall of Federal funds. One-third of the added contributions could be used by local public housing officials for the purpose of buying automobiles, for travel to conventions, for propaganda, for anything at all, so long as it was connected with "low-rent" housing. I put "low-rent" in quotation marks because still another provision in the Senate-passed bill would remove any effective Federal or Congressional control over the income limits of families eligible for federally aided public housing. In some localities the program could be converted into a middle-income program, competing with private enterprise.

The Senate bill would also launch an ill-conceived defense housing program in FHA that would undo the improvements brought about by the Capehart program and would in effect revive the unsuccessful FHA title IX defense housing program long since repealed by the Congress.

I do not wish to be misunderstood in my objections, Mr. Speaker. Normally, the differences between the two bodies of the Congress can be and are thrashed out in conference and are successfully compromised. However, time is fast running out and, if we are to enact an acceptable housing bill, it is essential that we start with the best possible bill, a bill that can be enacted into law. That is why I urge the rejection of S. 4035 and the enactment, instead of the bill H. R. 13776, introduced by the gentleman from California [Mr. HIESTAND].

Furthermore, Mr. Speaker, I want to remind the membership of the House of some ugly but important facts about the economic situation of our country today and the relationship of this bill to that situation. In the first session of the 85th Congress, we put on what was called an economy drive. Members will remember that, of course. We cut nearly $5 billion from various appropriation bills which were presented. The taxpayers were delighted. But, alas and I might say alack, their joy was shortlived and premature. In this present session, we have appropriated every dollar of that $5 billion which was cut, and more too. The estimated budget surplus for 1958 turned out to be a deficit of nearly $3 billion. This fiscal year—1959—we face a deficit, which the President himself has said may go to $12 billion. Three or four months ago, even 2 months ago, there was great agitation about the recession and what to do about it. Every kind of patent-medicine device imaginable was proposed and, of course, every proposal involved spending huge amounts of the people's money. You will remember that the President and his economic advisers counseled and admonished us to take thought—to avoid rash and hasty actions. They warned us that before too long we again might be more concerned about the dangers of inflation than those of economic decline. How right they were. Today, just a few weeks later, inflation is the foremost worry in the minds of informed businessmen and economists. Industrial production is going up; wages and prices are going up; deficit spending is going up. How many danger signals do we need? Mr. Speaker, we all learned with disappointment of the failure of our first rocket to reach the moon. Our scientists will try again. But, I say to the House, unless we begin to do our job, the national debt will get there first. Federal Housing Administrator Albert Cole has said this bill is inflationary. He is right. It proposes to spend more than twice as much money as the men in charge of these programs say is needed. This House should vote the bill down.

The SPEAKER. The gentleman from Iowa has consumed 10 minutes.

Mr. RAINS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, as a member of the Subcommittee on Housing and a member of the House Committee on Banking and Currency, I sat through all of the hearings of the subcommittee and of the hearings of the Committee on Banking and Currency, and I was present during the period of time when we wrote this bill. I cannot agree with my colleague, the gentleman from Iowa, the ranking member of the Committee on Banking and Currency, that this bill is inflationary in the manner in which it is submitted to the House at the present. If the proposal of the gentleman from Iowa in the administration bill was before us, which carried an obligation of $1.5 billion I would say that is inflationary. If the bill that the committee originally submitted to the House which carried an obligation of $2.4 billion but did not obtain a rule was before us, I would say that is inflationary.

I would say that the $975 million obligation which this bill obligates the Government is a great reduction from the original obligation of $2.4 billion. I also believe that insofar as this bill is concerned, any argument to the contrary notwithstanding, that it has not been subject to hearings, that we do not know what is in it, that argument does not stand, because this is the same bill that came to the Rules Committee, with every section remaining in the bill, testimony was heard obtained on all sections of this bill now with the obligation of the Government reduced from $2,504,000,000 to $975,000,000. It is more acceptable than it was originally submitted.

As I told the gentleman from Alabama [Mr. RAINS] a moment ago, I contend this is a victory for the Republican members of the Committee on Banking and Currency. I repeat it. I warned the committee on many occasions that the amount provided in the various sections would not be acceptable to the House or to the Rules Committee of the House. What I said was true. The Rules Committee refused to consider this bill because of the amount of money it obligated the Government. Now that it has been reduced to $975 million—I have the figures in front of me—I would say that it is acceptable. There is no question about the fact that we need a housing bill. Yes, we have a lot of new starts, and things look very good as far as number of housing units to be built this year is concerned, but nevertheless this will provide a stimulus for housing in various parts of the country that are not now stimulated to the point of building new houses. This bill will provide employment for thousands of building trades mechanics and will also increase sales in building materials and household appliances and many of the other things that go to make up the building and furnishing of a home.

Mr. Speaker, I consider this compromise proposal a victory for the Republican members of the Housing Subcommittee and of the Banking and Currency Committee. As a member of both committees I stated on numerous occasions that the House would not accept the original housing bill as submitted.

The proposal submitted by Mr. RAINS retains all of the sections in the original housing bill with the amount reduced in each section to a total of $975 million. The original bill contained financial obligations up to $2,400,000,000—the administration proposed contained $1.5 billion.

So the Rains proposal is $1,425,000,000 less than the original bill and $525 million less than the administration bill.

The Rains bill also contains title 7 of the original bill which provides for insuring the top 20 percent of a mortgage loan. This is not in the Senate bill or in the administration bill.

The Senate bill does contain many new public-housing units.

The Rains bill contains no new public housing units.

When this bill goes to conference, the House will have no item to trade against the Senate public housing increase, and I feel confident the House does not want any new public housing units.

I was opposed to several sections of the original bill, especially the building of classrooms.

I supported the new policy of long-term loans for elderly persons for nonprofit low rent housing with 98 percent insurance of the loan because I believe we have an obligation to the increasing population of persons over 62 years old who are living on fixed incomes and who are the first victims of inflation and high cost of living as well as victims of replacement and relocation due to public improvement and urban renewal and rehabilitation.

This is a good housing bill, Mr. Speaker and represents the product of many months of hard work, both by our housing subcommittee and the full Banking Committee. It will improve housing generally for the American people, it will promote homeownership under the FHA program, it contains special programs for especially deserving groups such as housing for the elderly, and it will be an important weapon in our fight against the economic recession.

Mr. Speaker, this is a bipartisan bill. It was voted overwhelmingly from both the housing subcommittee (7 to 1) and full committee (18 to 3).

It will make important liberalizing changes to the FHA program. The bill would reduce required downpayments, would permit a longer loan maturity, and would authorize a reduction in the annual insurance premium. All of these changes will make it easier for our American families to achieve the cherished goal of homeownership.

The bill would strengthen the mortgage support program of the Federal National Mortgage Association in several ways. It would provide additional funds for the special FNMA antirecession support fund, which in my judgment has contributed more than any other factor to the recent encouraging pickup in housing construction. The mortgage purchase programs of FNMA are of vital importance to many areas of our country, particularly to areas like the Far West where capital investment is proceeding at such a tremendous rate.

I am especially happy to have played a part in framing title II of the bill which for the first time would set up a program to build housing for our senior citizens at rents which they can afford. It would encourage nonprofit sponsors to build such housing by requiring only a 2 percent equity investment. Because of the favorable financing terms proposed, the rent on typical housing units for the elderly could be reduced by as much as $15 a month.

Another worthwhile feature of the bill is found in title VII which would set up a new home loan guarantee plan to encourage conventional lending on a more liberal basis. Frankly, Mr. Speaker, I cannot understand why this plan has provoked so much controversy. It is essentially a private enterprise plan. It is a plan which will enable more families to buy homes with modest downpayments. It will encourage housing construction and thereby benefit our overall economy. It is a plan open to all type of lenders so it is not a discriminatory plan as has been falsely claimed. Mr. Speaker, this plan alone would justify passage of this fine housing bill.

Mr. Speaker, I believe that the amendments offered by my good friend and colleague from Alabama have made this bill even more acceptable. Apparently, the basic objection of many to the bill was that the dollar amounts to be authorized were excessive. In my opinion the amendments agreed to by my colleague from Alabama have taken the steam out of this objection. By reducing the various fund authorizations, the amendment has cut the original committee bill's total of $2.4 billion by more than half, so that the total funds authorized in the substitute would be $975 million. Mr. Speaker, I think it is significant that this is more than $500 million below the $1.5 billion proposed by the administration, and nearly $1.5 billion below the total involved in the Senate bill. Also Mr. Speaker I should point out that both the administration and Senate bills would add more than $16 billion in insurance authorization to the FHA program. Our bill contains no increase.

Mr. Speaker, it is imperative that we pass this housing bill today. I am greatly disturbed over another substitute, H. R. 13776, introduced last Friday which I think rightly can be called "the barebones substitute." Mr. Speaker, that barebones substitute rejects virtually all of the work done by the Housing Subcommittee and the Banking Committee. It contains virtually no substance and is largely window dressing. It would not make the vital liberalizing changes to the FHA program. It would not enable the FNMA to continue its essential support role in the home financing field. It would not propose a really effective program for housing for the elderly. It would throw out completely the most deserving new home loan guaranty plan for a more liberal conventional loan. It would not provide any additional funds for the veterans' direct loan program.

In short, Mr. Speaker, this barebones substitute is hopelessly deficient and would leave our important housing programs high and dry. And just as disturbing, Mr. Speaker, is the thought that the barebones bill is so hopelessly deficient that I have it on good authority that it will force the Senate to insist upon a conference before voting for adjournment.

And Mr. Speaker that is a danger we must avoid. If we are forced to go to conference, past experience shows that the Senate will insist that we take amendments to the subsidized public housing program. Mr. Speaker, I oppose strenuously the subsidized, socialized public housing program and I know I am joined in my position by many Members of this body. Unless we pass the Rains bill here today, we will raise the

specter of more public housing. It is as simple as that.

For all of these reasons, Mr. Speaker, I am convinced of the necessity of prompt passage of the Rains bill here today. I will support and vote for it and urge a favorable vote for it.

Mr. TALLE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, to me it is most unfortunate that a bill as important as S. 4035 must come to us under suspension of the rules, where debate is limited and we do not have an opportunity to perfect or amend the legislation. There are some good features about the bill, but in my opinion section VII, if enacted, would help to destroy not only the FHA but the Federal Home Loan Bank system.

If in the wisdom of the Congress a different type of home mortgage insurance from that which is now written by the FHA is needed, then the FHA should be authorized to add the new type of insurance to their program. They have the facilities, the national offices, the trained personnel and the know-how in this field, and it certainly would be unwise to establish a competing set of offices under the supervision of the Federal Home Loan Bank Board to write this new type of home mortgage insurance.

The Congress has established an excellent financial structure for the savings and loan industry through the Federal Home Loan Bank Board, the Federal home loan banks, the chartering of Federal savings and loan associations, and the insurance of accounts through the Federal Savings and Loan Insurance Corporation. To take capital from the Federal home loan banks to establish a new mortgage insurance corporation which would not only apply to savings and loan associations but to banks, mortgage corporations, and individuals doing a home mortgage business would tend to destroy the excellent financial structure now under the control of the Federal Home Loan Bank Board.

No one would think of setting up such a corporation under the Federal Reserve Board, yet the banks are included in this program.

I would like to be able to support some of the good features that are contained in S. 4035, but I certainly cannot do it unless section VII were eliminated, because in my opinion if section VII is retained, the bill then contains more bad features than good.

Section VII is opposed by the National Savings and Loan League, the Housing Administration, and the Federal Home Loan Bank Board.

Mr. TALLE. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the gentleman from Alabama [Mr. RAINS] says that unless we adopt this bill there will not be any housing bill. May I say that you may be sure that if you adopt this bill and it goes downtown in this form there will not be any bill.

There is a way you can get a housing bill here and it can become law. The Speaker, by agreement, can recognize any Member to suspend the rules and pass the Hiestand bill. The Hiestand bill provides for $200 million for carrying on urban housing projects and $200 million for the building of college dormitories. There are other features. So there is a way that this proposal could become law.

We are operating under a motion to suspend the rules and pass the Senate bill. It necessarily goes to conference. I do not think you would have much luck getting through conference.

Let me just say this is a bill that we cannot afford. It is brought up in the wrong fashion. Look at the Senate bill and what is proposed. Before you get through with this Senate program you will have more public housing, not less.

Under this bill you are going to go into the field of public housing for middle-income groups. This will become a program not for people in the low-income bracket because you are starting a program in this bill now before us for those in the middle-income brackets, not only for college dormitories but also for college classrooms. That sort of measure should not even come from the Committee on Banking and Currency. You will have a bill giving assistance in various ways to education. We have one bill dealing with this subject in conference already.

If the Members have any sense of fiscal responsibility they ought to vote this bill down and then insist to the Speaker that he recognize under suspension today, or tomorrow by agreement, and pass the Hiestand bill, and get a good bill.

Mr. TALLE. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, the opponents of this bill are reaching a long way for a gimmick upon which to hang their hats. Apparently the prime objection seems to be the method under which the bill is being brought up, that in some way it is unfair, although we pass a lot of major legislation in this way; and the second objection seems to be the charge that it is public housing. The peculiar thing about that to me is that all the private organizations in my district, the National Home Builders Association, the various loan organizations, the veterans' organizations, and a lot of others who join to oppose public housing are all insisting that we pass this particular bill. So I think it is reaching pretty far to use as a gimmick to defeat this bill the charge that it incorporates public housing.

Mr. Speaker, I rise on behalf of the gentleman from Texas [Mr. TEAGUE] chairman of the Veterans' Affairs Committee, to support the section of the veterans' program in the bill.

Mr. Speaker, the bill under consideration, S. 4035, contains the same provisions as H. R. 13014 which was reported by the Committee on Veterans' Affairs on July 30, 1958. Since S. 4035 was then under consideration by the House Banking and Currency Committee and contained provisions similar to H. R. 13014, that committee was requested to include the full text of H. R. 13014 in S. 4035. The Banking and Currency Committee favorably considered the request and included the provisions relating to veterans under title IX of S. 4035.

This section will accomplish the following:

First. Provides an additional $100 million for direct loans.

Second. Eliminates the tie between the FHA and VA interest rate and provides that the Administrator of Veterans' Affairs shall set the interest rate on veterans' loans, not to exceed 4¾ percent.

Third. Provides that certified agents of any Government agency can make VA loans.

Fourth. Provides that deposits and downpayments made by veterans must be placed in a special trust account by the builder or seller.

Fifth. Provides that the Administrator of Veterans' Affairs may suspend lenders and builders who have been suspended by FHA.

There is an urgent need for the direct loan funds provided by this bill and I hope that the House will favorably consider this bill.

Mr. Speaker, just this morning there was received by the gentleman from Alabama [Mr. RAINS] a letter from the American Legion, reading as follows:

THE AMERICAN LEGION,
Washington, D. C., August 18, 1958.

Hon. ALBERT RAINS,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN RAINS: The American Legion is very much interested in S. 4035—the Housing Act of 1958—which passed the Senate on June 19, 1958, and is now pending before the House.

Title IX of the bill relates to veterans' housing and contains amendments which we believe would be beneficial to veteran home buyers if the legislation were enacted.

In addition, section 901 adds $150 million to the funds available, as the Administrator may request, for direct home loans to veterans in rural and semirural areas. These are locations where the large scale VA home loan guarantee program runs into difficulty because private lenders are reluctant to make loans.

Other provisions in S. 4035 require that veterans downpayments deposited with builders for the purchase of a home be held in escrow or trust accounts for the protection of the depositors.

The bill also contains several other provisions which we feel would benefit veterans in the purchase of homes.

In view of the foregoing we respectfully urge that the House take early and favorable action on S. 4035.

Thanking you for your kind consideration of this request, I am

Sincerely,

MILES D. KENNEDY,
Director.

Mr. SISK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a letter from the American Legion.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALLE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, I have introduced H. R. 13776 because some

people want to vote for a housing bill at this session. S. 4035, contains so many objectionable provisions that the administration has indicated that the bill, as reported, would be definitely unacceptable. That bill is an unwise, extravagant, highly inflationary bill. It was $2.4 billion; it is now down to $1.25 billion. My bill is only $400 million, which is a saving of a full billion dollars. It would be complete folly, Mr. Speaker, to expect such legislation, even as now amended, to be passed and approved by the President.

This House itself has recently refused to take up other legislation reported by the Banking and Currency Committee which would have authorized similar extravagant expenditures of Federal funds for public works. There is mounting opposition in the Congress as well as in the administration to excessive spending under the guise of fighting a rapidly disappearing recession, especially public debt transactions not subject to appropriation.

It does not serve the people of our country needing housing, nor our cities wishing to clear their slums, to press for a bill which must ultimately fail. I believe that anyone sincerely interested in getting housing legislation this year will be realistic and want to seek what is desirable and obtainable. The Urban Renewal Administration could use some authorization to continue assistance to cities for clearing slums and blight. Additional authorization could be extended for the continuation of the college housing loan program, which assists dormitory construction for students and faculty.

My bill would grant the desirable authorizations for these programs, and it contains other desirable provisions. All of these are taken from, or are based upon, provisions in the committee bill which have been approved by the Banking and Currency Committee. My bill contains all the legislation requested by the Housing and Home Finance Agency.

I believe that the bill as submitted is a very bad one and should be overwhelmingly defeated.

Mr. TALLE. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Speaker, this bill should be defeated. I was very much surprised at a statement that was made here on the floor of the House that there has been no loss through public housing or in this housing program.

I want to challenge that statement by saying I made it a point to go into this matter fully with the Housing Administration in charge of housing and I find that up to date if no further commitments were made we would lose in subsidies to public housing alone over $5 billion, and on urban renewal loans and giveaways over $2 billion. There is a loss of $7 billion.

If this bill is passed, it will go to the Senate and come back and the taxpayers will be stuck to the tune of another $2.5 billion, eventually increasing the budget in the same amount.

Mr. Speaker, the housing bill before us still has all of the bad points of the original bill even though some reductions have been made which would lower the overall cost of this legislation.

It reactivates approximately 20,000 public housing units which the Public Housing Administration has been unable to sign up under subsidy contracts, causing these 20,000 units to elapse July 31, 1958.

Mr. Speaker, this bill would bring them back to life when without this socialistic resurrection the Public Housing Administration would still have over 35,000 units as a backlog.

Reactivation of these 20,000 units would cost the Government an additional $25 million annually, as a subsidy on the Federal taxpayers for the next 40 years at a total cost of $1 billion.

The bill has many other serious objections; among the many:

First. For the first time, this bill provides a completely new program for direct Federal lending of money, which the Treasury would have to borrow, for the building of housing allegedly to be built for elderly persons. This expansion program is not necessary by any stretch of the imagination.

Second. This bill for the first time provides for Federal aid to education, which would be brought about by the building of classrooms, laboratories, and so forth. There is a great difference between providing dormitories through the lending of money to the colleges and universities which pay it back with interest. This is a backdoor approach to Federal aid to education because there is no provision to amortize the amount of funds that would go into the building of classrooms and laboratories.

At the present time here is the breakdown of the units that PHA now has available to them:

Four hundred and thirty-three thousand units are ready for immediate occupancy. Twenty-six thousand units are in construction at the present time.

Seventy-six thousand units are under subsidy contract at the present time, but construction has not been started at the present.

Mr. RAINS. Mr. Speaker, I yield a minute and a half to the gentleman from New Jesey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I rise in support of the bill.

I think, too, that it is highly regrettable that the Committee on Rules did not see fit to hold hearings on this important measure. It is far too important to bring up under suspension of the rules. However, with the present impasse, I will not willfully stand by and see needed housing legislation go down the drain. This bill contains a much desired improvement for housing for the elderly and essential funds for urban renewal. Incidentally, urban renewal has obtained wide acceptance by people of all political faiths throughout the Nation. It contains needed funds for college housing, FHA and FNMA extensions. It also contains an excellent new program for low downpayment, conventional loans, which will not cost the Government a cent or involve Federal liability. After full hearings the subcommittee approved the bill with one dissenting vote, and the full commitee approved it 18 to 3. This is the same bill, and I must commend the chairman of our subcommittee, the gentleman from Alabama [Mr. RAINS], because the amounts involved have been reduced, which is certainly in line with the thinking of the Congress in trying to bring spending into line. I believe it is the best bill that can be enacted in this Congress, and I urge that it be supported by the Members of the House.

Mr. TALLE. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a schedule.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I rise to speak in behalf of many on our side of the aisle, and I believe I speak for the vast majority of the American people.

We object, and we object most vigorously, to the scheduling of 35 bills for consideration today under suspension of the rules, which limits debate to only 40 minutes and precludes any Member of Congress to offer any amendments.

We recognize that this, the third Monday in the month, is regular "suspension" day. We also recognize, Mr. Speaker, that it is entirely within your discretion as to what, if any, bills can be called up on "suspension" day.

Most respectfully, Mr. Speaker, but most emphatically, we protest against the use of this extraordinary procedure, calling upon us to consider so many measures on one day. Some of these bills you have scheduled are of major importance and highly controversial and extremely costly to the American people.

But here we are, over 400 Members of Congress elected to speak for the people who sent us here, but allowed only 40 minutes debate on each bill. There will be a little over 5 seconds that can be allotted to each of us. Yet we are supposed to speak for the people we represent.

Not only can each of us, if all of us desire to voice the wishes of our people, have just 5 seconds to do so, we are also precluded by this extraordinary procedure from even offering an amendment. Whatever suggestion we may have that might improve the legislation, we are precluded from making, as no amendments are in order. You are virtually asking us to act on 35 bills without our being able to say anything or propose anything. These measures are of great importance. In dollars alone they involve almost $3 billion as a cost to the people we represent. I will list them as a part of my remarks.

Again, I say, most respectfully, Mr. Speaker, but most emphatically, we protest against this manner of legislating.

Bills scheduled for today follow:

S. 4035, renewal of housing and urban communities.

S. 3974, labor practices of labor organizations and employers.

S. 3502, Federal Airport Act.

H. R. 13067, food stamp plan.

House Concurrent Resolution 373, establish a force for United Nations.

H. R. 12640, convey piers, Philadelphia, Pa.

S. 3335, National Capital Center of the Performing Acts.

S. 3942, Azores, relief, aliens.

H. R. 13757, education, retarded children.

S. 4039, funds for science research.

S. 2119, television facilities in schools and colleges.

H. R. 13676, amend United States Code, espionage and censorship.

S. 3295, increase authorization fisheries loan.

S. 3653, training school, Immigration and Naturalization Service.

H. R. 13343, authorization appropriation, Pan American games.

S. 1864, Patent Office, increase Board of Appeals.

H. R. 13241, vocational education.

H. R. 7166, technical amendments Railroad Retirement Tax Act.

S. 4249, Hawaii, conservation Nene geese.

S. 2719, fish, salmon, and halibut bounties.

S. 3712, appropriations for Rama Road, Nicaragua.

H. R. 13715, Foreign Service annuities.

S. 3680, participation, World Science-Pan Pacific Exposition.

House Joint Resolution 658, participation, California Trade Fair-International Exposition.

S. 4096, compensation, Board of Parole.

H. R. 12115, Bankruptcy Act, monetary limitation.

H. R. 13354, International Criminal Police Organization.

H. R. 11257, annual meeting, National Science Board.

S. 3694, sanitation facilities for Indians.

S. 2114, field sites, National Bureau of Standards.

House Joint Resolution 608, National Allergy Day.

Senate Joint Resolution 178, National Children's Dental Health Week.

S. 1438, bonds of United States marshals.

S. 1985, authorizing plans for National Air Museum.

House Joint Resolution 686, Admiral Rickover Medal.

Mr. TALLE. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, I rise in support of S. 4035, as amended. This general housing bill represents months of hard work both by our Housing Subcommittee and by the Banking and Currency Committee. Like all omnibus bills, there may be an occasional section about which individual Congressmen may have reservations. But on the whole it is a good bill, a bill which will greatly improve housing for the American people, help us continue our fight on slums and at the same time will have a beneficial effect on our economy by stepping up construction and generating more employment.

One title of the bill would make some important liberalizing changes to the regular FHA section 203 sales housing program. Home ownership under the FHA program would be brought within the reach of additional families since the bill would reduce further the required downpayment which a home buyer must make. By increasing the permissible loan term from 30 to 35 years, the bill would also reduce monthly mortgage costs so that more families can qualify for home ownership under the FHA program. The bill would also authorize the FHA Commissioner to reduce the FHA annual insurance premium, if in his judgment he believes present reserves are adequate, which would also reduce the monthly mortgage payment for home buying families. Also, recognizing the cost increases that have taken place in the postwar period, the bill would increase the size of the maximum mortgage which FHA can insure.

I am happy to say that the bill contains important provisions designed to stimulate the production of rental housing which our urban centers desperately need. By authorizing higher cost ceilings, per room and per dwelling unit, the bill should make it easier for builders to undertake rental housing construction.

One difficulty which has been hampering rental housing construction is the problem of attracting sponsors willing to make the very substantial equity investment required under the regular FHA section 207 rental housing program. To meet this problem, the bill would increase the permissive loan-to-value ratio for section 207 multifamily rental housing from the present 90 percent of value to 95 percent of value. Section 207 is the basic rental housing insurance section which has been an integral part of the FHA program since 1934.

The low vacancy ratios in available rental housing in most sections of the country underscore the need to encourage additional rental housing production. I am confident that the improving amendments contained in the bill will help us achieve this objective.

Another section of the bill would make liberalizing changes to the FHA section 213 cooperative housing program, which offers so much promise for the housing problem in urban areas.

Under present law the maximum mortgage is limited to 90 percent of replacement cost, except that for co-ops with 50 percent or more veterans, the loan can be insured for 95 percent of replacement cost. The bill would raise these ratios respectively to 93 percent and 98 percent. By permitting cooperative ownership with smaller equity payments by the members of the cooperative, I believe that the production of cooperative housing will be increased. Personally I would like to see the ratios made even more liberal, for example, permitting 100-percent loans for veteran cooperatives—this would put them on a parity with the no downpayment financing available under the GI loan program.

The bill also increases the mortgage ceilings per room and per dwelling unit to give parity with similar increases proposed by the substitute for the regular rental housing program under section 207.

One of the most difficult housing problems we face is to provide relocation housing for the hundreds and thousands of families displaced by slum clearance operations and by the highway building program. For the very lowest income groups low-rent public housing is available to supply the answer. And I would like to emphasize here, Mr. Speaker, that I am disappointed that the bill does not contain an increased authorization for the low-rent public housing program. However, it does extend the present authorizations which total 70,000 units by an additional year. Since less than 20,000 of this total have been contracted for, this means that the low-rent housing program can still continue to operate.

I have always been a champion of the low-rent public housing program, Mr. Speaker, for two principal reasons. First, it is the only way we can help the lowest income families to obtain decent housing in which to live. And second, it is as plain as day that we cannot ever rid ourselves of the slum problems plaguing our cities unless we have some vehicle to house the low-income families inevitably displaced by the slum clearance and highway programs.

But I do share the view of many of the friends of public housing that in too many ways the program has become overinstitutionalized and overstereotyped, and also is hampered unduly by bureaucratic redtape. I think we should completely restudy the program to see what changes are necessary to revitalize it so that it can play the role it must play in any balanced attempt to solve our overall housing problem. As a member of the Housing Subcommittee, I plan to use every effort to see that such a restudy is undertaken so that we can make recommendations for improving changes in the program next year.

For those displaced families whose incomes are too high to qualify for low-rent public housing, the bill offers assistance by improving amendments to the FHA section 221 relocation housing program. Under this program displaced families can purchase homes with a 40-year mortgage and with a required downpayment of only $200. But based on the information available to us, particularly as a result of studies and hearings by the Housing Subcommittee, we are convinced that the existing mortgage limitations are seriously impeding the effective operation of the section 221 program. Under present law the maximum insurable loan under the section 221 program is $9,000 in normal cost areas, and $10,000 in areas determined to be high cost areas by the FHA Commissioner.

We were reluctant to increase the permissive ceilings under the section 221 program because we recognize that in general displaced families fall in the lower income groups. But we were convinced that higher ceilings must be authorized to make construction possible in many parts of the country. Accordingly, the bill recommends a $1,000 increase, that is, from $9,000 to $10,000 for normal cost areas, and a $2,000 increase, that is, from $10,000 to $12,000 in high-cost areas.

Recognizing that the housing needs of some displaced families might better be served by rental housing, the bill would set up a new section 221 rental housing program designed to encourage builders to produce low-cost rental housing for displaced families. It is my hope that the new rental housing program, taken in conjunction with the section 221 sales housing program, will help to meet the challenge of the tremendous relocation program inevitably to be engendered by the slum-clearance and highway-building programs.

The housing problem of our older citizens, most of whom must depend on social-security benefits or other modest pensions for their livelihood, has long been of deep concern to me. At the beginning of the present Congress I introduced H. R. 3353 which would provide a new program for the housing of elderly persons of low income. I am especially pleased, therefore, that title II of the measure before us today really comes to grips with this serious issue. The financing costs under the existing housing for the elderly program are so high that the rents necessarily are beyond the reach of most elderly people. Title II of this bill would reduce the required equity investment on the part of the sponsoring nonprofit corporation from the 10 percent presently required to 3 percent. It would reduce financing costs from 5 percent to 3¼ percent, a substantial reduction which would permit the typical housing unit to rent for approximately $15 a month below the rent which would be required for the same unit if financed under the current section 207 program.

A rent reduction of this magnitude would be a great step forward in providing housing which most elderly persons can afford.

Mr. Speaker, I think the $50 million which would be authorized to be appropriated for this new program would be among the wisest expenditures ever authorized by the Congress. The percentage of elderly persons in our population is rising rapidly and we should do everything we can to help relieve the housing problems which face so many of these citizens.

The bill would enable the slum clearance program to maintain its momentum. I believe it is a matter of paramount national interest to maintain the vigor and drive of the slum-clearance program in order to made inroads on the terrible problem of slums and run down areas which afflict our urban centers.

Currently the slum-clearance program faces a critical capital grant crisis. Existing money is virtually exhausted and applications pending already amount to a total exceeding $350 million. Gross applications in the last fiscal year involved a total of about $680 million, and there is every expectation that the rate will accelerate.

To correct this deficiency the bill would provide a $400 million increase in capital-grant authorization. I am convinced that this authorization is the rockbottom minimum which the program must have if we are to make progress in getting rid of our slums.

Mr. Speaker, there is one change proposed by the bill in the slum-clearance program which I think is long overdue. Under present law urban renewal projects must be predominantly residential either before or after redevelopment, except that an exception is made up to 10 percent of the capital-grant authorization, for projects in areas which are not predominantly residential, and which are not to be redeveloped for predominantly residential use, provided such areas contain a substantial number of slum dwellings.

I have long maintained that the present 10-percent limitation is too restrictive and I have sponsored legislation to amend requirements to meet the redevelopment needs of our large cities. Most communities have substantial slum areas which contain few, if any, substandard dwelling units. They are obsolete, rundown areas and often are not suitable for redevelopment of housing units. Under the leadership of Mayor Carlin and the mayor's economic development committee, composed of 18 businessmen and labor leaders, my hometown of Newark is waging a vigorous drive to modernize the city. The plans for redevelopment of a 70-acre area west of the Pennsylvania Railroad Station have been stymied by the existing restrictions. Since the tract is predominantly nonresidential in character and cannot appropriately be redeveloped for residential use the city is prevented under existing law from carrying forward this vitally important urban renewal project.

I am pleased that, to permit the redevelopment of areas of this kind, the bill before us would increase the 10-percent limitation to permit 15 percent of total future capital-grant authorization to be used for the redevelopment of commercial and industrial areas and would remove the present restrictive requirement that an area contain a substantial number of slum dwellings.

Another very important provision in the bill would provide substantial additional funds for the college dormitory loan program. In addition it would authorize funds for a new purpose—to make loans to universities and colleges to build scientific laboratories and classroom facilities. I, for one, believe that we must do everything in our power to meet the challenge of advances in Russian technology and science, and I am convinced that our colleges need loan assistance to provide the academic facilities which are essential to provide the major breakthrough in education which our country desperately needs.

Mr. Speaker, time does not permit me to discuss all of the additional sections of the bill. I would like to make special mention, however, of title VIII of the bill which is entitled "Avoidance of Foreclosure." At the beginning of the economic recession last year, it was natural that our committee's attention be directed to the problem of helping deserving homeowners in economic distress.

As we looked into the matter we discovered the disturbing fact that the FHA program is lacking in proper safeguards to assure that a deserving homeowner will not lose his home because of unemployment.

We were impressed by the marked difference between the FHA and GI loan programs in this regard. The statute and regulations governing the GI loan program are so geared as to encourage the lender to extend forebearance and to provide essential safeguards against foreclosure. I introduced H. R. 10478 last February to provide similar protection to the FHA homeowners.

I am accordingly gratified that the bill before us would correct the deficiencies in the FHA program on the one hand by an amendment which would reduce incentive on the part of the lender to hasty foreclosure, and in addition as a last resort, would give discretionary authority to the Commissioner to take over the mortgage wherever the lender is either unable or unwilling to cooperate. It is essential to see that homeowners do not lose their homes because of unemployment caused by present economic recession.

In summary, Mr. Speaker, I think the House can be proud of the general housing bill before us, and I urge it prompt passage.

Mr. REES of Kansas. Mr. Speaker, the move on the part of the majority leadership of the House to assign 35 bills for consideration in 1 day, in my opinion, is a reckless way in which to deal with this legislation. During my several years in Congress I have never seen a performance of this kind.

It has been my understanding, generally speaking, that bills assigned for suspension of rules are those about which there is little or no controversy. I just cannot understand how or why many important bills that required days and weeks of hearings should be considered under a suspension of the House rules, whereby not more than 40 minutes for debate is allowed on any bill. No one can even offer amendments to any of them.

Let us look at the subject matter of a few of these bills: Housing, Labor and Labor Organizations, Federal Airport Act, United Nations, Education, Television, Foreign Service—these are only a few of them. They are all important. Many of these bills affect millions of our people. I am informed the total expenditure of these measures amounts to more than $3½ billion. Some of these bills are highly controversial. After days and weeks of hearings you bring them to the floor of the House without a chance to have them properly debated or even offer amendments. No major legislation should be brought before the House in this manner. As I have suggested, it is unfair to the author of the bills and certainly unfair to the American people.

Why, after all these weeks and in some cases months, should these bills be thrown together and handled in this manner? Not only that, a number of bills recommended for approval by committees are not even assigned by the leadership for consideration under the present program. All at once it seems to be the policy of the leadership to omit

them entirely in what appears to be the grand rush for adjournment.

Why not take just a little more time and give these bills, especially those that are controversial, the fair consideration to which they are entitled instead of jamming them through without proper opportunity for debate or amendments. I repeat, it is unfair to the authors of the bills. It is unfair to the Members of the House. It is unfair to the millions of people who will be affected in one way or another in the event these measures are enacted or not enacted into law. I regret the methods being used in what appears to be the closing days of the session.

Now a word about the so-called Kennedy-Ives bill. It has been held up for several weeks without even being considered by the House Committee on Education and Labor. Not only that, but you have bypassed the Rules Committee. You are asking this House to vote yes or no on a bill with only 40 minutes for consideration and with no chance to offer amendments.

Mr. Speaker, whether Members are for or against this measure, this is not the way to legislate on one of the most important and far-reaching proposals that has come before this Congress. As I have suggested, it deals with legislation affecting thousands of people throughout this country. Why not send it to the committee charged with the responsibility of making recommendations? Then let it come to the floor of the House in regular order with reasonable time during which it may be discussed.

Mr. Speaker, this is not the right way to handle this legislation. I do not believe the American people, whom we represent here today, approve this method of dealing with such important legislation.

If it is deemed necessary to consider this legislation during the present session, then we ought to stay a few days longer and give each of these measures the consideration to which they are entitled. Whether we vote for them or against them is one thing, but certainly if they are going to be considered at all, it should be done in a proper and regular legislative manner.

Mr. LANE. Mr. Speaker, S. 4035 is an omnibus housing bill, with many excellent objectives. It is constructive, in a material sense, but this is not all.

Some refer to it as an antirecession weapon, and this is an important feature of the bill, but in the larger context, it will stimulate the building of functional, healthy, and pleasant living quarters for more Americans that will improve their morale and contribute to our national strength and progress.

It is impossible in my brief comments, to do justice to this comprehensive subject, because the Government's role in the housing and home finance field involves many complex details.

College housing, armed services housing, veterans' housing, hospital construction, and the methods of financing them, are programs of merit in their own right.

The limitations of time and space require me to limit my comments to those programs which I consider of prime necessity; namely, housing for elderly persons, urban renewal, and loans for classrooms and scientific laboratories.

A new program to provide rental housing for elderly persons at rentals which they can afford, and with attention to their special needs, is long overdue. Under the current program, few projects have been actually started, and these are beneficial only to senior citizens in the higher income brackets.

The committee substitute would provide low-cost financing on liberal terms to nonprofit corporations interested in building housing for the elderly, sponsored in part by religious, charitable, and fraternal groups. One hundred million dollars would be authorized for this essential program. Funds to implement housing security for the aged, would be provided by direct appropriation.

Under the proposed program "elderly families" would mean families the head of which, or his spouse, is 62 years of age or over; and the term "elderly persons" would mean persons who are 62 years of age or over. A specific provision in the substitute would require the Administration to prescribe regulations to prevent abuses in determining eligible families. For example, the provision would clearly authorize and direct the Administrator to issue regulations prohibiting such undesirable practices as the use of an elderly person as a "screen" in order to gain occupancy for younger persons whose economic circumstances are adequate to permit them to afford decent housing elsewhere. The new program would also contain an express prohibition against the use of housing provided under the title for transient or hotel purposes.

New Haven, Conn., and a few other cities deserve our commendation for the refreshing and courageous manner in which they are going forward on their slum-clearance and urban renewal programs. Other communities, faced with an identical challenge, have been slow to perceive and take forthright action on the problem. Unless ample funds are provided to insure the expansion of this program, the needs of many communities will be thwarted.

Although slow to get started, this program is now gathering momentum.

It now faces a capital grant crisis.

On July 25, applications were pending with the Urban Renewal Administration for $353.6 million in capital grant authorizations. This sum is greater than the amount which the administration proposed to make available for all of the fiscal year 1959. Of the $1,250 million available to the program, as of July 25, 1958, $1.2 billion had been reserved for, contracted for, or disbursed, in connection with 543 projects in 328 communities across the Nation. This means that, currently, only $50 million remains for new commitments, which is a dangerously low margin in view of the current application backlog and the rush of new applications.

To meet this need, the committee substitute would provide a 2-year $1 billion program with an annual capital grant authorization of $500 million.

This will encourage our communities to proceed with their urban-renewal plans, and at the same time, it will give Congress the opportunity to make appropriate adjustments in the program level for the 1961 fiscal year and beyond, based on the need and the capacity of the communities at the end of the 2-year period.

I share the committee's awareness of the severe financial burden under which most American cities operate. Recognition of their problems proves that they cannot and should not absorb a greater portion of the cost of slum clearance and urban renewal.

The main social objective of this program is to eliminate the slum menace, and all the problems that fester in deteriorating neighborhoods. This program is also stimulating to the local economy. The razing of slums and the vast amount of new construction activity to place new buildings in the cleared areas cannot help but have a beneficial effect in helping to restore a full-employment economy.

Because the basic objective of the slum-clearance program is to eliminate slums and blighted homes, urban-renewal projects must be predominantly residential either before or after redevelopment. An exception to this requirement, up to 10 percent of the capital grant authorization, is permitted for projects in areas which are not predominantly residential, and which are not to be redeveloped for predominantly residential use, provided such areas contain a substantial number of slum dwellings. It is presently required that 20 percent of the net ground area of the project must contain slum housing, or that 20 percent of the total floor space of the buildings in the area be used for dwellings.

This 10 percent limitation is too restrictive.

Most communities have substantially slum areas which contain few if any substandard dwelling units. These are the areas of structurally deteriorated and functionally obsolete factories, stores, and warehouses. They are not suitable for redevelopment for housing use. They drain the economic resources of our cities and preclude the provision of decent living and working environments—no matter how effective and complete are our efforts in providing good housing. The substantial number of slum dwellings requirement has prevented the renewal of such areas.

I congratulate the committee for its wisdom in eliminating this smothering restriction. The committee has increased to 15 percent the amount of total future capital grant authorizations which may be used for this type of project. Under the increase of $1 billion in in title I slum-clearance funds proposed by the committee substitute, this would mean that $150 million could be made available to redevelop blighted areas without regard to residential requirements.

The committee has justified our concern over the threat to national security of the advancing Russian technology and science. The warning of the sputniks is clear, and must never be forgotten. We must do everything possible to enable our institutions of higher learning to improve the educational process and to raise to the highest possible degree the caliber of our college graduates.

What has this got to do with housing—you may wonder?

Without assistance from the Federal Government, the universities and colleges will be unable to build and equip all of the scientific laboratories, and classroom facilities which will be needed to meet and to overcome this challenge to our survival as a free Nation.

This bill will authorize the Administrator to make loans to educational institutions for the construction or rehabilitation of structures suitable for use as classrooms, laboratories, and related fixed facilities—such as libraries—and initial utilities necessary or appropriate for the instruction of students, the administration of the institution, or the conduct of varied research activities.

Two hundred and fifty million dollars of appropriated funds would be authorized for this type of loan. It will help to regain—and maintain—American leadership in science and education.

The Housing Act of 1958 is essential to the security and the progress of our Nation, and its people.

The responsibility it places upon us cannot be deferred or weakened. We cannot afford to mark time—on our way toward the future.

Mr. AYRES. When President Eisenhower signed the 1958 emergency housing bill on April 1 of this year, he said in effect that he approved the bill but had some reservations about its contents which he hoped Congress would act on. Specifically he mentioned that the legislation contained provisions which do not permit "the interest rate on VA guaranteed home mortgages to be fully adjusted to actual market conditions." He called on Congress "promptly to enact legislation providing interest rates for VA guaranteed and direct loans sufficiently flexible to assure private participation."

Now he had reference to a provision in the 1958 emergency bill which requires a one-half of 1 percent differential to be maintained at all times between the interest rate fixed by FHA on its insured mortgage program and the VA guaranteed and direct home loan rate. Am I correct in my understanding that the bill, which is reported out by the House Veterans Affairs Committee and which is incorporated in this housing bill we are now considering, contains the corrective language called for by President Eisenhower and eliminates the artificial and arbitrary one-half of 1 percent differential between FHA and VA rates?

Mr. SISK. Yes; that is entirely correct. Section 902 of the bill eliminates the requirement which you refer to and thereby frees the GI program from being tied completely to the FHA interest rate. Of course, this in no way affects the ceiling fixed by Congress on GI loans, which is now 4¾ percent.

Mr. BOW. Mr. Speaker, the House is asked to set a new spending record this afternoon. If we accept the omnibus housing bill in the 40 minutes allowed for debate, we will be spending the taxpayers' money at the rate of $60 million per minute.

And, for what purpose?

No one has demonstrated that this $2,400,000,000 measure is needed.

If it were needed, we have had months and months during which the House has had ample time to discuss fully the merits of these programs. Its passage or failure will have no effect on the present housing program which is operating at record levels.

I do not believe that adoption of this measure without opportunity for full debate or amendment is proper legislative procedure.

Mr. BARRETT. Mr. Speaker, I rise in support of S. 4035, the general housing bill which is now before the House.

I think that those of us on the Housing Subcommittee and the Banking and Currency Committee can well be proud of our endeavors in framing this worthwhile legislation. While the bill does not contain all that I would like to see in it, it is a generally good bill which will help us combat the economic recession and improve the housing standards of the American people.

Because of the limitation of time, Mr. Speaker, I do not propose to discuss all of the title of the bill, but rather will discuss some of the sections which I think deserve special mention.

I would like to emphasize, Mr. Speaker, that this bill should give a strong stimulus to our economy thereby creating more employment. If we are to believe everything we read in the newspapers, the recession is all over. But the unalterable fact remains that there are still more than 5 million Americans out of work. Taken together with those who are forced to work only part time, we have the grim fact before us that nearly 7 million American families are being hard hit by the current economic slump.

The bill proposes a number of changes in programs which will step up construction activity. For example, by liberalizing FHA programs we should see a larger volume of construction of sales and rental housing. The funds for the new housing for the elderly program, the slum clearance program, and the college housing program also will stimulate additional construction, generate additional purchasing power, and create more jobs.

By reducing the required down payments further under the FHA program, and by lowering monthly housing costs by permitting a longer loan term, the bill will enable more families to qualify for home ownership. Also for those who find rental housing more suitable for their family needs, I am glad that the bill has sections which will encourage production of more rental housing under the FHA section 207 program.

The bill also encourages additional construction of cooperative housing under the FHA section 213 program, which should help solve the housing problems of our cities.

I am pleased that the bill will give us new weapons to continue our fight on the terrible slum problem which afflicts most of our cities.

By authorizing $400 million for slum clearance grants, the bill would provide adequate funds to maintain the momentum of the slum clearance program, which finally is beginning to move into high gear.

I am pleased also that the relocation payments to displaced families and small businesses will be increased to relieve the hardship suffered by families and businesses when they are displaced by governmental activities in urban renewal areas. The bill would increase the maximum relocation payment to an individual or a family from $100 to $200, and for displaced business concerns from $2,500 to $3,500.

The bill would also help solve the housing problems of displaced families by making liberalizing amendments to the FHA section 221 relocation housing program. The maximum permissible mortgage would be increased for section 221 sales housing, recognizing the high construction costs which beset many areas. A new program of rental housing under section 221 would be set up to provide housing for those families for whom rental housing appears more suitable.

Unfortunately, Mr. Speaker, the bill does not come to grips with the very severe housing problem which faces displaced families in the lowest income groups. I had fervently hoped that the bill would greatly increase the size of the authorized low-rent public housing program, but unfortunately it does not. We can, I suppose, take some comfort in the fact that the bill would continue the existing low-rent public housing authorizations. Since I understand this would permit the authorization and construction of an additional approximately 35,000 units, at least we can expect the program to continue in operation until we can have a chance to improve and extend the program during the next Congress. As a member of the Housing Subcommittee, I plan to devote every effort to devising a legislative program which will revitalize the low-rent public housing program. This program offers the only hope for relieving the cruel housing problems which face our low-income families.

I am pleased that the bill would provide additional funds for the college housing loan program. This program has been eminently successful in helping our institutions of higher learning provide the dormitories which college students must have. In addition the bill would start a new program of loans to colleges to build classrooms and scientific laboratories. As the Banking Committee's report so graphically put it, "The warning of the sputniks is unmistakable" and we must do everything we can to help our institutions of higher learning provide the plant and equipment essential to permit our great country to compete with Russian advances in scientific and academic fields.

One of the titles of the bill dearest to my heart, Mr. Speaker, is title VIII. That title is formally called "Avoidance of Foreclosure" but I like to call it "Save Our Homes" section of the bill. When the economic recession began to cause suffering among our people, Mr. Speaker, our committee naturally turned its attention toward the problem of helping

deserving home owners in economic distress. We felt we should leave no stone unturned to avoid foreclosure where the borrower's economic difficulties are caused by events beyond his control, and where there is a reasonable likelihood that his job and his earning power would be returned to him at some date in the reasonable future.

It disturbed us to discover that the FHA program particularly is lacking in proper safeguards to prevent borrowers from losing their homes. Mr. Chairman, I have seen at first hand in my city of Philadelphia, the hardships which people are suffering by being foreclosed out of their homes because they have lost their jobs in the present recession.

In our study we were impressed by a marked difference between the FHA and GI loan program. The GI loan program encourages the lender to extend forbearance and provides essential safeguards against foreclosure.

I am happy that the bill would correct this defect in the FHA program by amendments which would reduce the incentive on the part of the lender to hasty foreclosure, and which as a last resort, would permit the FHA Commissioner to take over the loan in order to help the home owner back on his feet to prevent loss of his home.

Mr. Speaker, this great housing bill is "must" legislation for the welfare of the American people. It will broaden home ownership, the cherished dream of so many American families. It will help us in our fight to rid our Nation of slums and the social evils which slums breed. It will offer a helping hand to our colleges and universities so that the caliber of our education can be improved. It will prevent home owners in economic distress from losing their homes through foreclosure. By stimulating construction, it will help combat the recession and put people back to work. It will improve American housing standards generally. Mr. Speaker, the welfare of the American people demands prompt passage of this bill here today.

Mr. ROBISON of New York. Mr. Speaker, it is my opinion that this housing bill—S. 4035—as here presented even with some of the previously proposed provisions somewhat softened, goes far beyond what is needed in this field, and contains some potentially bad features. I have had, before coming to Congress, over 15 years' experience as a director of a federally-chartered savings and loan association located in what, in recent years, has been a rapidly growing community. This experience has given me more than a little familiarity with both the FHA and the VA lending programs, and and with the great housing benefits from, as well as with the shortcomings of, both such programs.

Also, Mr. Speaker, as a former municipal attorney I have become well acquainted with the need for proper municipal planning, and for taking vigorous but sound steps to rebuild our American cities. It is my belief that the Federal Government has a responsibility here which it has been assuming ever more extensively in recent years so that, while I often question the dollar value of any Federal aid program for States such as New York, any curtailment of the urban renewal program now would have seriously adverse effects.

Turning now first to the mortgage financing portion of this bill I still think, as did the Senate, that the present support funds are sufficient, and that in view of the fact that housing happens now to be one of the healthiest parts of our economy, the need for increased supports might better be reviewed early next year when we will have a few more answers as to the general economic recovery and the trend of inflationary factors that are just now becoming apparent.

More specifically, I seriously question the wisdom of extending the current FHA amortization term from 30 to 35 years, and of scaling-down the schedule of downpayments required as well as scaling-up the maximum mortgage amount available for FHA insurance. These are matters that deserve more extensive consideration under debate than is being allowed today. I also question, despite my personal interest in the savings and loan system, the creation of a new guaranty corporation to invade the conventional mortgage field. Is it wise? Is it necessary? Will it undermine the mortgage operations of the two existing Federal agencies, the FHA and the VA? How can we properly consider and determine these issues in a space of 40 minutes, with no right to offer amendments?

Regarding the urban renewal portion of the bill, I am assured that there are sufficient funds on hand to continue existing projects, including those under way in my District. If more funds are needed we can vote them in January, and even if they are needed is the Federal Government, now running huge inflationary deficits, in a fiscal condition to expand this program, with all its obvious merits, at the present time? Urban renewal is one of the great socioeconomic problems of our time. We should, here in Congress, take a long, hard look, Mr. Speaker, at our previous assumption that Federal moneys for clearing slums, and for building public housing that all too often tends to revert back rapidly to slum conditions, and that Federal moneys alone, will solve these problems. There are basic and complex social factors involved, too, and the entire subject matter deserves more than the passing glance we are allowed to give it under today's procedure. I, therefore, feel I cannot vote in favor of suspension of the rules and passage of S. 4035.

Mr. CUNNINGHAM of Nebraska. Mr. Speaker, I am strongly opposed to the manner in which this billion-dollar housing bill is presented to us. To allow only 40 minutes' discussion with no opportunity for amendments on this billion-dollar expenditure is the most irresponsible action I have ever witnessed.

Where I come from, the people are frugal and hard working. They do not want the Congress to spend any money, let alone a billion dollars, without careful thought and study. My people work hard for their money and do not approve of the reckless, irresponsible manner in which this billion-dollar bill is brought before us.

I was interested to hear in the debate the pleadings for the elderly, the veteran, and the less fortunate. He indicated this legislation would help these people. How wrong he was. Instead it will, if passed, bring tragedy to these people. Why? Because this bill, if passed, will add a billion dollars to the present deficit. This deficit spending can only mean runaway inflation and thereby ruin the very people who are supposed to be helped.

Every dollar this Congress has appropriated during the past several weeks has added to the deficit. This Congress has appropriated money it did not have. This Congress must shoulder the blame for the inflation which is bound to come. So far as I am concerned I want no part of it. My people want no part of it. We are responsible people. We do not believe in reckless spending of money we do not have.

Mr. ASHLEY. Mr. Speaker, I think the issue before us is clearly drawn and for that reason I will limit my remarks.

As a member of the Committee on Banking and Currency and the Subcommittee on Housing, I have been privileged to assist in the consideration of both the housing bill now before us and the community facilities bill which last week failed by a narrow margin to get the necessary two-thirds vote for approval.

Mr. Speaker, these two bills have much in common. Each received the most thorough consideration in hearings before which dozens upon dozens of respected experts appeared to give their testimony. For each measure there was found to be a clear and present need. In each instance the legislation proposed will cost the Federal Government, the people of America, absolutely nothing. Neither bill incorporates anything that can be termed a "giveaway," with the possible exception of the desperately needed funds to carry out the slum-clearance programs for which there is such an overriding need.

Both pieces of legislation rely almost completely upon loan programs or upon programs under which the Federal Government guarantees private transactions which utilize our conventional financial institutions.

Both pieces of legislation have been and are being subjected to the same kind of attack, namely, that enactment will result in a runaway inflation of our national economy.

It occurs to me, Mr. Speaker, that both programs are susceptible to the same defense. My colleagues on the Republican side of the aisle claim that a need has not been shown for the housing bill before us, just as they complained there was no need for community facilities to meet the tremendous growth of our population—especially in our urban centers. Mr. Speaker, this completely flies in the face of the voluminous testimony which was heard by our committee and by the Banking Committee on the Senate side. If there is no need for this legislation, why is it that it has the wholehearted support of the homebuilders, real estate agents, most of our financial institutions, the building trades, suppliers, veterans' groups, nursing home and hospital associations, colleges and

universities, organized labor and countless other groups and organizations?

As far as the threat of inflation is concerned, Mr. Speaker, I suppose it is true that this bill cannot be termed "deflationary." On the other hand, there is a present surplus, not shortage, of building materials and construction labor. Similarly, there has been a sharp reversal and our financial institutions now have ample funds for sound mortgage investments.

These are not the circumstances which add up to runaway inflation.

The real question, Mr. Speaker, is whether or not this body is willing to meet one of the most pressing needs in America today, the need for decent, safe and sanitary housing, particularly for the aged, those who are convalescing and the millions of families in the low and middle income brackets who cannot afford large downpayments or exorbitant carrying charges.

To those who are opposed to this legislation, I ask this question: If now isn't the time to tackle the ever-snowballing problem of decent housing for America, when will be?

Mrs. GRANAHAN. Mr. Speaker, the opposition which the Eisenhower administration has expressed to this housing bill is typical of the let's-not-go-too-fast attitude Mr. Eisenhower and his advisers have adopted on housing legislation ever since 1952.

Our cities have been devoting all of their energies and resources to the tremendous task of rebuilding and eliminating slums—I am speaking now of cities like Philadelphia, Pittsburgh and others which have pushed forward on urban renewal with great vigor. It is a task of such scope, however, that the assistance which this housing bill provides is very urgently needed.

Mayor Richardson Dilworth of Philadelphia has been pressing ahead relentlessly on urban renewal, carrying forward on the remarkable job previously done in this field by our former mayor, Joseph S. Clark, now a United States Senator. The late Senator Francis J. Myers, who, as acting majority leader of the United States Senate, played a leading role in the drafting and passage of the Housing Act of 1949 which authorized the basic urban renewal program, later served with distinction as Chairman of Philadelphia's Housing and Redevelopment Authority and thus helped to carry out on the local level many of the ideas for redeveloping Philadelphia which this historic legislation made possible.

As a result of the efforts of these men and many others, our city has been rejuvenated. But while a great deal has been undertaken for urban renewal, there is still much to be done. We have many more, and very exciting, plans for redeveloping and improving our city through urban renewal and slum-clearance programs, and the enactment of this legislation is necessary to carrying out those great plans.

Nearly all of the Federal money authorized for slum-clearance grants under the urban renewal program has already been used up or committed. Thus the program will have to come to a stop if additional funds are not authorized. The cities of this Nation all need this help if they are to succeed in their plans for renewal and redevelopment.

I was deeply impressed, Mr. Speaker, by the statement in the report submitted by Chairman Spence, of the Committee on Banking and Currency, in connection with the urban renewal features of this bill when he said:

> Your committee is keenly conscious of the severe financial burden already facing most American cities. Their financial problems include declining tax bases, limited tax sources, substantial increases in the cost of providing essential municipal services, and mounting community demands generally as a result of the tremendous growth of our municipalities.

Mr. Speaker, all this is true. It was on the basis of this knowledge on the part of the Committee on Banking and Currency of the needs and problems of our cities that the committee rejected the proposal of the Eisenhower administration to shift more of the cost of urban renewal from Federal to local shoulders. I applaud the committee for recommending continuation of the present two-thirds ratio of Federal to local funds. And I support this bill.

Mr. ALGER. Mr. Speaker, the housing bill is worthy of more deliberate consideration than this hurried 40 minute treatment under suspension of rules and no amendments.

Why is it that each year, after weeks of long weekends and little legislative work, we must consider the housing bill so hurriedly? Is it to railroad it through, without a chance to study, debate, and amend it? Admittedly, appearances suggest this.

The taxpayers, whom we represent, deserve better from us than such hasty and expedient consideration of vital legislation.

It is my hope that this bill is defeated under the suspension of the rule procedure.

Mr. TALLE. Mr. Speaker, I say, finally, let us not forget the great danger of inflation. Let us not forget that this bill proposes an increase in expenditure for a single year in the amount of $1,250,000,000 at a time when we are already accumulating a deficit which the President says may run to $12 billion. Let us not forget that the people who are hurt the most by inflation are the people who cannot afford to be hurt. They are the people with fixed incomes; they are the people who rely on benefits under social security, annuities, retirement funds, or people who have saved for a rainy day in the hope that they might be self-reliant in their declining years.

Mr. RAINS. Mr. Speaker, I yield the remaining time to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Speaker, I rise in support of this legislation. As most of you know, my vote is ordinarily conservative, but I am in favor of this legislation today because even if we lose some money, and I do not think we will, it is high time we did something in this country for the American people here at home and lose it to Americans instead of foreigners.

I look at this bill, and it has something in it for the veterans; it has something in it for the young couple who wants to make a home; it has something in it for the elderly person whom we have not recognized sufficiently so far, as long as I have been here in this Congress. It has something in it for the person who wants to improve his farm home.

Not only that, Mr. Speaker, but it has something in it to give the lending institutions of this Nation a chance to take the people's money deposited with them and lend it back to the people. I speak particularly of the building and loan institutions. The money of those institutions is contributed by the citizenry of this country. It is loaned by those institutions back to the citizenry of this country, and because of Federal regulations in this day and time the percentage of loans is considerably limited.

We have a provision in this legislation—and I congratulate the subcommittee and the committee on it—to increase the percentage of a loan which the building and loan institution may make to the person seeking a loan. This is good legislation. This is not a giveaway. We have given away enough money—and I think I have spoken against it—to peoples abroad who are ungrateful. Why not loan some money to the people of this country, particularly the young people and the old people, the farmers, and the veterans, who are going to pay it back?

With only two exceptions, everybody who contacted me on this legislation was for it. Those two were against it because they were not included. The subcommittee, under the distinguished chairman, Mr. RAINS, gave me a courteous hearing, and later included provisions to include these two.

The veterans are for this bill. They want housing and I am for giving it to them.

The young couples are for this bill, and I am for encouraging their home building. It makes good citizens. It encourages thrift and a sense of responsibility.

The elderly are for this bill. Thank goodness we are recognizing the needs of the elderly.

Those in the armed services are in need of adequate housing for their families. We all know this is one of our major domestic defense problems. This bill will help the patriot serving his country in the armed services. I am for helping the soldier and his dependents.

The lending institutions want this bill. Many building and loan institutions have contacted me. The building and loan institutions do a great job—they want to serve more home owners, and those desiring homes, and this will help them do this.

The subcommittee has done an excellent job on this legislation.

This bill well help the economy of this Nation It is an antirecession measure. It will encourage construction, jobs, building, and all that goes with it—and the money will be paid back.

Those wanting farm home loans welcome this legislation. This bill will help the farmer. We are all thankful that the farmer has modern conveniences such as utilities, iceboxes, deep freezes,

dishwashers, television, and the like. Let us vote for this bill and encourage and help modern farm homes.

This bill has many other fine features. It increases the percentage of a loan an institution can lend. Such will be a big help. It has a good insurance or reinsurance program. It is not perfect, but it will help.

I make no claim of being an expert in home financing, although I have had the privilege of helping many people in connection with home loans, farm loans, and other financial ventures, as a country lawyer in my hometown of Chester. From those experiences I have come to the unmistakable conclusion that the best way, materially, to create good citizenship, is in the building and providing of homes. The home is as necessary to a family in the American way of life, as any other thing we may think of, excepting food, drink, and clothing. The man with a home has responsibilities, recognizes those responsibilities, recognizes the need for a sound Government to protect his home and the sacredness of that home. He becomes a little proud that he is a home owner, and well he might be. Not everyone can own a home.

I think of the wonderful programs for the veterans which have enabled them to get GI loans for homes. I watched them come out of the service, like I did, broke, somewhat confused, and a little uncertain. Then under the GI Bill of Rights, they were able to purchase homes. Immediately their security was somewhat anchored, and their citizenship purposeful.

It is my opinion that this bill will help stimulate home building and home ownership. I have talked to quite a number of savings and loan executives, home builders, and realtors and they all agree that there is a need for this plan. In my State the majority of home mortgages are conventional and, as you know, most of these loans require a substantial downpayment. If this plan is enacted, savings and loans will be able to make higher percentage loans and spread the risk of these loans over the entire country. This is a sound basis for making these higher-percentage loans, and even if the lender doesn't go to the full 90 percent, he can offer the prospective home buyer something better than 60 or 70 percent loan without endangering the savings entrusted to him.

I point out to them that it is harder now than ever to accumulate the little nest egg necessary to make the downpayment. Taxes are heavy, because of our waste in foreign spending, and the foolishness of our foreign policy. The fact that we are throwing our money away and that we have inflation and that we are heavily in debt, that we have no leadership in government, and the men at the White House have been accused of taking bribes, could not deter us from doing this good thing for the potential of the homeowners of America.

The young couples starting out need every help they can get to make a go of it. It is my firm belief that the proportionate number of divorces will decrease as the number of homes for our people increase. When a couple has a home of their own, even though heavily mortgaged, they have a pride in it, and work together to make it comfortable, presentable, and to add to it and improve it, think together of the finances, and work together toward the amortization of their mortgages and indebtedness. It inevitably means harmonious teamwork.

I also point out to those who oppose this legislation, that on other occasions the Government of these United States has stepped in to help the home owner. We have the home loan banks and we have had the Home Owners' Loan Corporation. We have had the Federal Housing Authority. We have had Home Institutions built under the Farm Security Administration. I have mentioned the GI bill of rights above, and we all know that the Veterans' Administration has long recognized this role in helping the veteran to get a home.

Every year we pass a housing bill, most of them much bigger and more expensive than the one now being considered. This year in this bill there is provided under title VII a new plan for insured conventional loans which would require only 10 percent downpayments instead of the usual 20 or 30 percent downpayments.

This program will be a big help to the home owners in the small towns and rural areas, because it is in these areas that FHA and GI loans are very hard to find. The plan won't cost the Government anything and will give private enterprise a chance to stimulate housing. In the long run this plan will help reduce Government spending and enable us to cut back some of these expensive Government programs.

I wish we could take the bill up where it would be open for amendment, but all things considered it is far better to pass this bill than to reject the bill and lose all of its provisions.

I might add for the benefit of my colleagues from the larger cities that the home loan guaranty plan will aid in slum clearance and urban renewal and I hope that the House will vote overwhelmingly in favor of this bill.

I strongly urge passage of this legislation.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I have listened with amazement as this so-called compromise version of S. 4035 has been unfolded before us. I see now that no real effort has been made to delete unwise and extravagant provisions or to adequately reduce the huge and unwarranted expenditure of tax dollars. I am both baffled and disappointed, as everyone should be who sincerely wants a housing bill this year, to learn that the amended version now before the House contains so many features wholly unacceptable to the administration.

It is true that most responsible Members of Congress, the administration, interested trade organizations, mayors of our larger slum-ridden cities, and college presidents confronted with a rising demand for student housing all see a need for some housing legislation this year. But this is to say they want only needed legislation which can become law, not just window dressing which will founder in conference or die on the President's desk.

Undoubtedly the most pressing needs for such legislation are the need for increased authorization to maintain our urban renewal program at its present level of activity, and a similar need for an increased college housing authorization. No other authorizations for next year are either necessary or justifiable in view of the present state of our national debt. Four hundred million dollars, as requested by the administration, for urban renewal and college housing is sufficient, and this body should reject the extravagant bill now before it.

In considering S. 4035 as revised, we must keep in mind that Congress already this season has enacted into law three housing agency bills. The first of such bills, the Emergency Housing Act, which received almost unanimous bipartisan support, was enacted several months ago when recession, rather than inflation, was our primary concern. Such legislation provided $1 billion of FNMA funds for low-cost housing, $500 million additional general authorization for FNMA special assistance, and $50 million for military housing. You will also recall a joint resolution which received substantial bipartisan support, which provided an additional $4 billion for FHA general mortgage insurance authorization. Last Friday, after careful debate, this body passed still another bill for area redevelopment, totalling $280 million.

The revised version of the Senate bill now before the House provides for almost $1 billion additional for various miscellaneous new and expanded programs.

Where, may I ask, is all of this to end? Do we not recall the recent necessity for Congress to vote a $13 billion increase in our national debt ceiling? How much further increase will be necessary next year?

May I propound a few rather simple questions which I think each Congressman should answer to his own satisfaction before voting on the pending bill.

Was the increased dollar amount provided by this bill included in the Treasury Department's computations when they convinced us it was necessary to raise our debt ceiling $13 billion; or was it a factor when other responsible Government officials predicted a $12 billion deficit in our spending this fiscal year?

Do you really want to pass a housing bill this year which can become law, thereby providing for the continuation of such programs as urban renewal and college housing, or would you rather ignore the lesson of the fabled dog and the bone and, trying for more, end up with nothing?

Would you actually prejudice absolutely necessary legislation in these closing hours of Congress simply to satisfy the unsound and extravagant desires of certain special interest groups, all of which are blandly contained in this omnibus bill which is certain to be found unacceptable by the administration?

Regardless of what is acceptable to the administration, do you, during these closing hours, want to launch vast new spending programs involving as they do unknown factors as to any real need for Federal assistance, unknown factors as to actual cost, and most important of all—involving completely unknown factors of ultimate cost to the Federal Government?

I know, as all of you must know, that the gentleman from California, Congressman HIESTAND, introduced a substitute bill, H. R. 13776, last Friday, a bill which caused the Administrator of the Housing and Home Finance Agency to issue the following statement upon learning of its contents:

> I share the feeling of the mayors of our cities who want a housing bill. The prospect of the passage of such legislation has been endangered by the inclusion of unwise and extravagant provisions which could only have a serious inflationary effect on the economy of the country.
>
> I am glad to see that Congressman HIESTAND has now come up with an alternative (H. R. 13776) which I believe will be acceptable to this administration.
>
> It isn't all we would like, but under the circumstances, I believe everyone interested in passing housing legislation this year should be able to agree on this bill.

As Members of this House well know, we are now going through a formal ceremony in voting on this bill. That is all right with me, and I well understand that we have to go through this ritual before we will be permitted to get down to cases.

But let us face the real legislative facts at this moment. You know and I know that the bill we are debating is not going to become law, for either one of two good reasons—first, in my opinion, two-thirds of this House will not vote to suspend the rules and pass this swollen, unnecessary and inflationary legislation; second, even if they did, we have been told in plain English that the President will not accept it. So what we are doing here is making a record.

But I want to emphasize to my colleagues that we do not have to confine ourselves to an exercise in futility. There is a fruitful course of action open to us, when we have disposed of the pending measure. I refer to H. R. 13776.

What do we know about this bill? Number 1, we know that the spokesman for the administration, our former colleague Al Cole, says that the bill is "acceptable," which means it can become law. Number 2, we know that it keeps urban renewal and college housing going at present levels. Those are the things we are really and properly concerned about. What this House should do, and what in my judgment it will do, is vote down the pending bill and then take up and pass H. R. 13776.

Mr. WOLVERTON. Mr. Speaker, the bill now before the House (S. 4035) with a motion to suspend the rules and pass the bill has my support.

I will vote to suspend the rules and pass the bill not because I am in entire accord with all of its details. I support the legislation because I am in favor of its general objectives. The bill, in my opinion, could be greatly improved by amendments and thereby made more beneficial in attaining or fulfilling the objectives it seeks to accomplish. However, the rule of the House that brings the bill before us for consideration on a motion to suspend the rules will not enable any amendment whatsoever to be offered. This is most unfortunate. Furthermore, it will require a two-thirds vote to suspend the rules and pass the bill.

I am fearful that this combination, namely, inability to amend the bill and the necessity to obtain a two-thirds vote, in its favor, instead of a majority vote, could bring about the defeat of this worthwhile legislation. If the bill had been brought before the House on a rule permitting its amendment it could have been improved sufficiently to have gained a majority vote favorable to its passage. The delay in bringing this bill before the House, and then under a motion to suspend the rules, will eliminate, in my opinion, the possibility of gaining favorable action at this session of Congress. This would be most unfortunate.

The subject of better housing has been before the Congress many times over a period of many years. The membership of the House has on many occasions given its approval of housing legislation. As a result much good has been done in making available on favorable terms houses for the low income group as well as of assisting all classes of our citizenship in obtaining houses to their liking.

We should never overlook the fact that home ownership develops a strong and conservative citizenship that adds strength to our Nation.

The enactment of this bill would be helpful in achieving better housing generally, improve present programs designed to eliminate slums and blighted areas, and provide special assistance to meritorious and important housing programs, including cooperative housing, other Federal housing agency assisted housing programs, and the veterans' home loan program.

This bill also has the objective of helping our institutions of higher learning to provide the dormitories, classrooms, and scientific laboratories and related facilities which are vitally needed in our national effort to achieve ascendancy over the Soviet Union in the field of scientific and academic advancement.

The bill commends itself to me as a workable and thoughtfully considered approach to the solving of a housing problem that shall require further action by the Congress. I realize much has already been done to meet and solve the problem of inadequate housing, but the studies that have been made show that more must be done before the problem is completely and satisfactorily solved. It is just that which this bill seeks to do and it is therefore entitled to the support of this House.

Mr. KNOX. Mr. Speaker, I regret I am unable to support S. 4035 under the suspension of the rules.

My basic reasons for objecting to the passage of the bill presented to the Congress under suspension was the renewal of public housing projects which have already expired; which once again brings into focus the great windfalls received by promoters and corporate bodies under the construction of public housing units.

I did favor title 9 of S. 4035, which included the provisions relating to veterans' direct loans in the amount of $100 million, which loans would not exceed 4¾ percent as determined by the Administrator of Veterans' Affairs.

It is my understanding that banking facilities in small communities are rather reluctant to loan money to veterans on mortgages of 30 to 40 years; therefore, I believe that title 9 would have assisted veterans in small communities in obtaining loans directly from the Veterans' Administration.

I respectfully request Mr. Speaker, that H. R. 13014, which contains all of the provisions of title 9 be brought up for consideration prior to the adjournment of the 85th Congress, as I believe there is an urgent need for the direct loan funds as contained in H. R. 13014.

The SPEAKER. The question is on suspending the rules and passing the bill S. 4035, with amendments.

Mr. TALLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 251, nays 134, not voting 44, as follows:

[Roll No. 174]

YEAS—251

Abernethy	Curtin	Holifield
Addonizio	Davis, Tenn.	Holland
Albert	Dawson, Ill.	Holmes
Allen, Calif.	Delaney	Holtzman
Anderson, Mont.	Dent	Horan
Andrews	Denton	Huddleston
Anfuso	Devereux	Hull
Ashley	Diggs	Hyde
Ashmore	Dingell	Ikard
Aspinall	Dollinger	Jarman
Avery	Donohue	Jennings
Ayres	Dooley	Johnson
Bailey	Dorn, N. Y.	Jones, Ala.
Baker	Dorn, S. C.	Judd
Baldwin	Durham	Karsten
Baring	Dwyer	Kean
Barrett	Eberharter	Keating
Bass, Tenn.	Edmondson	Kee
Beckworth	Elliott	Kelly, N. Y.
Belcher	Everett	Keogh
Bennett, Fla.	Evins	Kilday
Bennett, Mich.	Fallon	Kilgore
Blatnik	Farbstein	King
Boggs	Fascell	Kirwan
Boland	Feighan	Kluczynski
Bolling	Flood	Knutson
Bonner	Fogarty	Lane
Boyle	Forand	Lankford
Bray	Ford	Lesinski
Breeding	Forrester	Libonati
Brooks, Tex.	Fountain	Loser
Broomfield	Frazier	McCarthy
Brown, Ga.	Fulton	McCormack
Brown, Mo.	Garmatz	McDonough
Broyhill	Gathings	McFall
Buckley	Glenn	McGovern
Byrd	Granahan	McMillan
Byrne, Pa.	Grant	Macdonald
Canfield	Gray	Machrowicz
Carnahan	Green, Oreg.	Mack, Ill.
Carrigg	Green, Pa.	Mack, Wash.
Celler	Gregory	Madden
Chamberlain	Griffiths	Magnuson
Chelf	Gubser	Mahon
Chenoweth	Hagen	Mailliard
Christopher	Harden	Marshall
Clark	Hardy	Matthews
Coad	Harris	May
Coffin	Haskell	Meader
Cooley	Hays, Ark.	Merrow
Corbett	Hays, Ohio	Metcalf
Cretella	Healey	Miller, Calif.
Cunningham, Iowa	Hemphill	Mills
	Herlong	Mitchell
	Heselton	Moore

Morano	Reuss	Sullivan
Morgan	Rhodes, Pa.	Taylor
Morris	Riehlman	Teller
Morrison	Riley	Tewes
Moss	Roberts	Thomas
Moulder	Robsion, Ky.	Thompson, La.
Multer	Rodino	Thompson, N. J.
Natcher	Rogers, Colo.	Thompson, Tex.
Nimtz	Rogers, Fla.	Thornberry
Nix	Rogers, Mass.	Tollefson
Norblad	Rogers, Tex.	Trimble
O'Brien, Ill.	Rooney	Udall
O'Brien, N. Y.	Roosevelt	Ullman
O'Hara, Ill.	Rutherford	Van Zandt
O'Konski	Santangelo	Walter
O'Neill	St. George	Watts
Osmers	Saund	Westland
Patman	Saylor	Whitener
Patterson	Schwengel	Widnall
Pelly	Scott, Pa.	Wier
Perkins	Seely-Brown	Willis
Pfost	Selden	Withrow
Philbin	Shelley	Wolverton
Pilcher	Sieminski	Wright
Poage	Sikes	Yates
Polk	Sisk	Young
Porter	Smith, Miss.	Zablocki
Price	Spence	Zelenko
Rabaut	Springer	
Rains	Steed	

NAYS—134

Abbitt	Fisher	O'Hara, Minn.
Adair	Flynt	Ostertag
Alexander	Frelinghuysen	Passman
Alger	Gary	Pillion
Allen, Ill.	Gavin	Poff
Andersen, H. Carl	George	Quie
	Griffin	Ray
Arends	Gross	Reece, Tenn.
Auchincloss	Gwinn	Reed
Bass, N. H.	Haley	Rees, Kans.
Bates	Halleck	Rhodes, Ariz.
Beamer	Harrison, Nebr.	Rivers
Becker	Harrison, Va.	Robison, N. Y.
Bentley	Harvey	Sadlak
Berry	Henderson	Schenck
Betts	Hess	Scherer
Bolton	Hiestand	Scott, N. C.
Bosch	Hill	Scrivner
Bow	Hoeven	Scudder
Brown, Ohio	Hoffman	Sheehan
Brownson	Holt	Simpson, Ill.
Budge	Hosmer	Simpson, Pa.
Burleson	Jackson	Smith, Calif.
Bush	Jensen	Smith, Kans.
Byrne, Ill.	Johansen	Smith, Va.
Byrnes, Wis.	Jonas	Stauffer
Cannon	Kearns	Taber
Cederberg	Kitchin	Talle
Chiperfield	Knox	Teague, Calif.
Church	Krueger	Thomson, Wyo.
Clevenger	Lafore	Tuck
Collier	Laird	Utt
Coudert	Latham	Van Pelt
Cramer	Lennon	Vinson
Cunningham, Nebr.	Lipscomb	Vorys
	McCulloch	Vursell
Curtis, Mass.	McGregor	Weaver
Curtis, Mo.	Michel	Wharton
Dague	Miller, Md.	Whitten
Davis, Ga.	Miller, Nebr.	Wigglesworth
Dawson, Utah	Minshall	Williams, Miss.
Dennison	Mumma	Wilson, Calif.
Derounian	Murray	Wilson, Ind.
Dixon	Neal	Younger
Dowdy	Nicholson	
Fenton	Norrell	

NOT VOTING—44

Barden	Hébert	Powell
Baumhart	Hillings	Preston
Bilteh	James	Prouty
Boykin	Jenkins	Radwan
Brooks, La.	Jones, Mo.	Robeson, Va.
Burdick	Kearney	Sheppard
Colmer	Kilburn	Shuford
Dellay	Landrum	Siler
Dies	LeCompte	Staggers
Doyle	McIntire	Teague, Tex.
Engle	McIntosh	Vanik
Fino	Martin	Wainwright
Friedel	Mason	Williams, N. Y.
Gordon	Miller, N. Y.	Winstead
Hale	Montoya	

So, two-thirds not having voted in favor thereof, the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Baumhart and Mr. Burdick for, with Mr. Kearney against.

Mr. Hébert and Mr. Vanik for, with Mr. Jenkins against.

Mr. Doyle and Mr. Engle for, with Mr. Kilburn against.

Mr. Friedel and Mr. Sheppard for, with Mr. Williams of New York against.

Mr. Fino and Mr. Boykin for, with Mr. Miller of New York against.

Mr. Montoya and Mr. Teague of Texas for, with Mr. Robeson of Virginia against.

Mr. Hillings and Mr. Dellay for, with Mr. Mason against.

Mr. Staggers and Mr. Gordon for, with Mr. James against.

Until further notice:

Mr. Preston with Mr. McIntire.

Mr. Landrum with Mr. Wainwright.

Mrs. Bitch with Mr. Hale.

Mr. Winstead with Mr. McIntosh.

Mr. Colmer with Mr. Prouty.

Mr. Brooks of Louisiana with Mr. Radwan.

Mr. Dies with Mr. Siler.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McINTOSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. McINTOSH. Mr. Speaker, during rollcall No. 174 I was called off the floor and did not reach the well until rollcall was completed. Had I been able to be recorded, I would have voted "aye."

CONFERENCE REPORT, PUBLIC WORKS APPROPRIATION BILL, 1959

Mr. CANNON submitted a conference report and statement on the bill (H. R. 12858) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE BILL OF 1958

Mr. McCORMACK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Labor-Management Reporting and Disclosure Act of 1958."

Declaration of findings, purposes, and policy

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' right to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct of the internal affairs of their organizations particularly as they affect labor management relations.

(b) The Congress further finds from recent investigations in the labor and management fields a number of instances of breach of trust, corruption, disregard of rights of individual empolyees and other failures to observe high standards of responsibility and trust, which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations, consultants, and their officers, agents, and representatives.

The Congress, therefore, further finds and declares that the enactment of this act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers, agents, and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

(c) It is declared to be the policy of the United States to advance the objectives and protect the national interests declared in subsection (a), and correct the evils referred to in subsection (b) by (1) requiring labor organizations, employers, labor relations consultants, and their officers, agents, and representatives engaged in industries affecting commerce to file with the Secretary of Labor (hereinafter in this act referred to as the "Secretary") certain reports and information concerning their administrative practices and financial transactions, which shall be public information, (2) regulating the appointment of trustees or receivers to administer the affairs of subordinate labor organizations, (3) providing that labor organizations engaged in industries affecting commerce shall elect their officers periodically either directly by secret written, referendum, or voting-machine ballot, or through delegates chosen by secret written, referendum, or voting-machine ballot, (4) encouraging voluntary action by labor organizations and employers engaged in industries affecting commerce, through the adoption of codes of ethical practices and suitable publication thereof, to eliminate and prevent improper activities in the administration of their affairs, their financial transactions, and their relations with each other, and (5) providing procedures for preventing acts and omissions of labor organizations, employers, labor-relations consultants, and their officers, agents, and representatives, which are detrimental to the rights and interests of individual employees and the public, and imposing criminal penalties for willful violations of provisions of this act.

TITLE I—REPORTING AND DISCLOSURE

SEC. 101. (a) Every labor organization engaged in an industry affecting commerce shall file with the Secretary a copy of its

constitution and bylaws and a report, signed by its president and secretary or other principal officers, containing the following information:

(1) the name of such labor organization and address of its principal place of business;

(2) the names and titles of its principal officers (including its principal financial officer);

(3) the initiation fee or fees which new members are required to pay on becoming members of such labor organization;

(4) the regular dues or fees which members are required to pay in order to remain members in good standing of such labor organization; and

(5) through means of a detailed statement, or by reference to provisions of its constitution and bylaws or other governing documents, procedures followed with respect to (i) qualifications for or restrictions on membership, (ii) election of officers and stewards, (iii) calling of regular and special meetings, (iv) levying of assessments, (v) imposition of fines, (vi) authorization for bargaining demands, (vii) ratification of contract terms, (viii) authorization for strikes, (ix) authorization for disbursement of union funds, (x) audit of union financial transactions, (xi) participation in insurance or other benefit plans, and (xii) expulsion of members and the grounds therefor. Within 30 days after the occurrence of any change in the information required by this section, the labor organization by which the report was filed shall file with the Secretary an amendment to the report setting forth such change.

(b) Every labor organization engaged in an industry affecting commerce shall annually file with the Secretary a financial report signed by its chief financial officer and two other principal officers containing the following information and related data in such detail as may be necessary accurately to disclose its financial condition and operations during the preceding fiscal year.

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) receipts of any kind and the sources thereof;

(3) salary and allowances and other disbursements to each officer and each employee who received more than $7,000 from labor organizations;

(4) direct and indirect loans to any officer, employee, or member aggregating in excess of $500 together with a statement of the security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the security, if any, and arrangements for repayment; and

(6) other disbursements of any kind and the purposes thereof.

(c) Every labor organization required to submit a report under this title shall furnish the information required to be contained in such report to each of its members in such form and manner as the Secretary shall by regulation prescribe.

(d) The Secretary may exempt from the requirements of paragraph (b) of this section for such definite or indefinite periods as he may determine any labor organization or class thereof having fewer than two hundred members and having gross annual receipts of less than $30,000, including all sums paid over as dues or per capita tax to a parent, or affiliated labor organization (excluding payments received by trustees under section 302 (c) (5) or (6) of the Labor-Management Relations Act, 1947, as amended) if he finds that the exemption of such labor organization or class thereof would not interfere with the attainment of the objectives of this act.

SEC. 102. (a) Every officer of a labor organization engaged in an industry affecting commerce and every employee, other than a clerical employee, as defined by the Secretary, who receives wages, salary, expenses or other allowances in excess of $5,000 during the preceding fiscal year from labor organizations, shall file with the Secretary a signed report listing and describing for the preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a regular employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, selling or leasing to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a regular employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) Any payment received directly or indirectly from any employer or any person who acts as a labor relations expert, adviser, or consultant to an employer pursuant to any agreement or arrangement by which the officer or employee is to influence or affect employees in the exercise of rights guaranteed by section 7 of the National Labor Relations Act, as amended, and the Railway Labor Act, as amended.

(b) The provisions of subparagraphs (1), (2), (3), (4), and (5) of subsection (a) shall not apply to securities traded on a national securities exchange or to shares in an investment company registered under the Investment Company Act of 1940, or to securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to any income derived therefrom.

(c) Nothing contained in this section shall be construed to require an officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds an interest, has received income or a loan or has engaged in a transaction described therein.

SEC. 103. (a) Every employer engaged in an industry affecting commerce who expended more than $5,000 in the preceding fiscal year for activities intended to influence or affect employees in the exercise of rights guaranteed by section 7 of the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended, or who is a party to any agreement or arrangement with any person by which such person undertakes—

(A) to influence or affect employees in the exercise of the rights guaranteed by section 7 of the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended, or

(B) to provide an employer involved in a labor dispute with the services of paid informants or investigators or any agency or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by section 7 of the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended,

shall file annually a report with the Secretary signed by its president and treasurer or corresponding principal officers containing the following information:

(1) the name under which such employer is engaged in doing business, the nature of the business, and the address of the employer's principal place of business.

(2) the name of each labor organization with which the employer has a collective bargaining agreement or which has served notice upon such employer that such labor organization represents a majority of the employer's employees and seeks to negotiate a collective bargaining agreement on behalf of such employees;

(3) a detailed statement of any agreement or arrangement to which such employer is a party of a type described in paragraph (A) or (B) of this subsection; and

(4) a financial statement in sufficient detail accurately to disclose for the preceding fiscal year—

(i) any payment made pursuant to any agreement or arrangement of a type referred to in paragraph (A) or (B) of this subsection to which such employer is a party;

(ii) any payment, directly or indirectly, of any money or thing of value, or any promise or agreement therefor, to any labor organization or any officer or employee of any labor organization engaged in any industry affecting commerce; and

(iii) any expenditure made to influence or affect employees in the exercise of rights guaranteed by the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended.

(b) Every person engaged in providing labor relations consultant service to an employer engaged in an industry affecting commerce pursuant to any agreement or arrangement under which such consultant undertakes—

(A) to influence or affect employees in the exercise of their rights guaranteed by section 7 of the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended, or

(B) to provide an employer involved in a labor dispute with the services of paid informants or investigators, or any agency or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by section 7 of the National Labor Relations Act, as amended, by the Railway Labor Act, as amended, or

shall file annually a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing the following information:

(1) the name under which the labor relations consultant is engaged in doing business and the address of its principal place of business;

(2) receipts of any kind from employers on account of labor relations advice or services, designating the sources thereof;

(3) disbursements of any kind, in connection with such services and the purposes thereof; and

(4) a detailed statement of such agreement or arrangement.

Provided, That nothing in this section shall be construed to require a report from a labor relations consultant retained by an employer by reason of his giving advice to such employer or representing such employer in any court or administrative agency or engaging in collective bargaining on behalf of such employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder.

SEC. 104. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 101, 102, and 103 shall be public information, and the Secretary may publish any information and data concerning labor organizations, employers and labor relations consultants which he obtains pursuant to the provisions of this title, use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

(b) The Secretary shall by regulation make provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to the provisions of sections 101, 102, and 103.

(c) The Secretary may by regulations provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Department pursuant to this title, upon payment of a charge based upon the cost of the service: *Provided*, That the Secretary shall make available without payment of a charge, or require any labor organization or employer to furnish, to such State agency as is designated by law or by the governor of the State in which such labor organization or such employer is domiciled, upon request of the governor of such State, copies of any reports and documents filed by such labor organization or by such employer with the Secretary pursuant to sections 101 or 103, or of information and data contained therein. All moneys received in payment of such charges shall be deposited to the credit of the appropriation of the agency of the Department of Labor rendering such service and may be used, in the discretion of the Secretary, and notwithstanding any other provision of law, for the ordinary expenses of such agency.

SEC. 105. Every person shall make, keep, and preserve for such periods and under such conditions as the Secretary shall prescribe, such records and accounts of financial transactions as may be necessary to prepare and verify the financial reports required by sections 101 and 103.

SEC. 106. (a) Reports required to be filed under sections 101, 102, and 103 of this title shall be filed within 90 days after the date of enactment of this title, or within 60 days after the date when any person is first required to file any such report pursuant to such sections, whichever is the later date, and annually thereafter as the Secretary shall prescribe.

(b) The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form, content, and publication of reports to be filed under this act and such other reasonable rules and regulations (including rules prescribing reports concerning building funds, trusts, or enterprises financed by a labor organization) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified forms of report for labor organizations having fewer than 200 members and gross annual receipts of less than $30,000 and small employers for whom he finds that a detailed report would be unduly burdensome: *Provided*, That the Secretary may revoke such provision for simplified forms of any labor organization with respect to which he determines, after such investigation as he deems proper, that the purposes of this section would be served thereby.

(c) The Secretary shall have the power and is directed, when he has probable cause to believe that any person or labor organization has violated any provision of this title, to make an investigation and in connection therewith he may enter such places and inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto. If any person shall fail or refuse to file a report required by this title, the Secretary shall make a full investigation and report to the members of the labor organization concerning the facts required to be shown in the report and concerning the reasons for such failure or refusal to file.

SEC. 107. (a) No labor organization engaged in an industry affecting commerce shall make any loan or loans, directly or indirectly, to any officer or employee of such organization in excess of $1,500.

(b) No employer engaged in an industry, business, or activity affecting commerce shall make any loan or loans to any officer or employee of a labor organization representing or actively seeking to represent his employees.

SEC. 108. (a) Any person who willfully violates or fails to comply with any provisions of this title or the rules or regulations issued thereunder shall be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report, or other information required under the provisions of this title or the rules or regulations issued thereunder shall be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

(c) Any person who willfully destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

(d) Each individual required to sign reports under sections 101 and 103 shall be personally responsible for the filing of such reports or for any statement contained therein.

SEC. 109. (a) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or the use of another any of the moneys, funds, securities, property, or other assets of an organization which is exempt from taxation under section 501 (a) of the Internal Revenue Code of 1954 of which he is an officer or by whom he is employed directly or indirectly shall be fined not more than $10,000, or imprisoned for not more than 5 years, or both.

(b) When any officer of any labor organization misappropriates or misapplies in any way any money or property of the labor organization in violation of any of the provisions of this section and the labor organization or its governing board or officers refuse or fail to sue to recover such money or property or the value of the same after being requested to do so by any member of the labor organization, any member of the labor organization may sue the offending officer in any district court of the United States or in any State court of competent jurisdiction to recover such money or property or the value of the same for the benefit of the labor organization. No such proceeding under this subsection shall be brought except upon leave of the court obtained upon verified application on good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation. Nothing in this subsection shall be construed to impair any remedy, either legal or equitable, available to a member of the labor organization under any other law of the United States or of any State.

SEC. 110. (a) Chapter 101 of title 18, United States Code, is amended by adding a new section as follows:

"§ 2077. (a) False entry and destruction of records of labor organizations

"Whoever, being an officer, employee, agent, or representative of a labor organization engaged in an industry affecting commerce, or an officer, employee, agent, representative, or trustee of a trust in which such a labor organization is interested, makes any false entry in or willfully destroys any book or record, kept or made for such labor organization or trust, with intent to injure, defraud, or mislead such labor union or trust or any beneficiary thereunder, or with intent to obstruct legal process, or to mislead any person authorized by law to examine or inspect such book or record, shall be fined not more than $10,000 or imprisoned for not more than 5 years, or both."

(b) The analysis preceding chapter 101 of title 18, United States Code, is amended by adding at the end thereof the following:

"2077. False entry and destruction of records of labor organizations."

SEC. 111. There shall be in the Department of Labor a Commissioner of Labor Reports, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the highest rate established for grade 18 of the General Schedule of the Classification Act of 1949, as amended, and shall perform such duties as may be prescribed by the Secretary or required by law. The Secretary may authorize the performance by the Commissioner of Labor Reports of any functions of the Secretary under this act or any other law of the United States.

TITLE II—TRUSTEESHIPS

SEC. 201. (a) Every national or international labor organization engaged in an industry affecting commerce which has or assumes trusteeship over any subordinate organization shall file with the Secretary within 30 days after the date of the enactment of this title or the imposition of any such trusteeship and semiannually thereafter a report, signed by its president and secretary or other principal officers, containing the following information: (A) the name and address of the subordinate organization; (B) the date of establishing the trusteeship; (C) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; (D) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of such national or international labor organization.

(b) The provisions of section 104 of title I shall be applicable to reports filed under this title.

(c) Any person who willfully violates or fails to comply with any provision of this section or the rules or regulations issued thereunder shall be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section or the rules and regulations issued thereunder, or willfully conceals or destroys any documents or records upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein.

(f) Every labor organization required to submit a report under this title shall furnish the information required to be contained in such report to each of its members in the subordinate organization involved in such form and manner as the Secretary shall by regulation prescribe.

SEC. 202. Trusteeships shall be established and administered by a national or international labor organization over a subordinate body only in accordance with the constitution of such organization and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

SEC. 203. (a) During a period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in which all the members in good standing of such subordinate body were eligible to participate or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided*, That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its charter or constitution and bylaws upon the bona fida dissolution thereof.

(b) Any person who shall violate the provisions of this section shall be fined not more than $10,000 or imprisoned not more than 1 year or both.

SEC. 204. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of section 202 or 203, the Secretary of Labor shall investigate the complaint and if the Secretary find probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate.

(b) For the purpose of actions under this section district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship. Such organization may be sued as an entity. The service of summons, subpena, or other legal process of any court of the United States upon an officer or agent of a labor organization, in his capacity as such, shall constitute service upon the labor organization.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified by the executive board of the labor organization after a fair hearing shall be presumed valid for a period of 18 months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established in good faith for a purpose allowable under section 302. After the expiration of 18 months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint, retain jurisdiction or enter a decree approving the continuation of the trusteeship for such period as it deems appropriate but not more than 1 additional year.

SEC. 205. The Secretary shall submit to the Congress at the expiration of 3 years from the date of enactment of this act a report upon the operation of this title.

SEC. 206. Nothing contained in this title shall be deemed to authorize any suit in any court of the United States except upon complaint of the Secretary. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided*, That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

TITLE III—ELECTIONS

SEC. 301. (a) Every national or international labor organization engaged in an industry affecting commerce, except a federation of national or international labor organizations, shall elect its constitutional officers, which shall include at least the 3 chief executives, not less often than once every 4 years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot and in accordance with its constitution and bylaws.

(b) Every local labor organization engaged in an industry affecting commerce shall elect its constitutional officers, which shall include at least the 3 chief executives, not less often than once every 3 years by secret ballot among members in good standing and in accordance with its constitution and bylaws.

(c) When the officers of a labor organization or delegates to a convention are to be chosen by secret ballot, the members in good standing shall be given a reasonable opportunity to nominate candidates for the ballot and shall be permitted to vote without coercion or restraint. Not less than 15 days prior to the election there shall be mailed to each member at his last known home address a notice of the time and place of the election, unless the election is held at the regular time specified in the constitution and bylaws of such organization on file with the Secretary of Labor. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to a collective bargaining agreement shall be declared ineligible to vote by reason of alleged delay or default in the payment of dues. The election officials designated in the constitution and bylaws, or the secretary if no other official is designated, shall preserve for 1 year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this act.

(d) When officers are to be chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this act. The officials designated in the constitution and bylaws, or the secretary if no other is designated, shall preserve for 1 year the credentials of the delegates and all minutes and other records of the convention pertaining to the election of officers.

(e) No moneys received by any labor organization by way of dues, assessment, or similar levies, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

(f) All officers elected by the membership of a local union may be removed at any time but only for cause shown and on notice and hearing, and by action of a duly constituted majority of the members in good standing: *Provided*, That the Secretary of Labor shall except any local union from this subsection whenever the Secretary finds the constitution and bylaws of such local union provide means for the removal of officers guilty of misconduct substantially as effective as the requirements of this section.

(g) The Secretary shall promulgate rules and regulations prescribing minimum standards for the carrying out of the provisions of subsection (f).

SEC. 302. (a) A member of a labor organization—

(i) who has exhausted the remedies available under the constitution and bylaws of such organization and of any parent body, or

(ii) who has invoked such available remedies without obtaining a final decision within 4 calendar months after their invocation,

may file a complaint with the Secretary of Labor within 1 calendar month thereafter alleging the violation of any provision of section 301 (including violation of the constitution and bylaws of the labor organization). The challenged election shall be presumed valid pending a final decision thereon (as hereinafter provided) and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide.

(b) The Secretary shall investigate such complaint and if he finds probable cause to believe that a violation of this act has occurred and has not been remedied, he shall, within 30 days of filing of such complaint, or as soon thereafter as possible but in no event after 60 days, bring a civil action against the labor organization as an entity in the district court of the United States in which such labor organization maintains its principal office to set aside the invalid election, if any, and to direct the conduct of an election under the supervision of the Secretary and in accordance with the provisions of this act and such rules and regulations as the Secretary may prescribe.

(c) If upon a preponderance of the evidence after a trial upon the merits the court finds—

(i) that an election has not been held within the time prescribed by section 301, or

(ii) that the violation of section 301 may have affected the outcome of an election

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary, and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected which shall thereupon enter a decree declaring them to be the officers of the labor organization.

(d) An order directing an election shall not be subject to appeal. An order dismissing a complaint or designating the elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action.

(c) If the court declares an election to be void after a trial on the merits, it shall have power to take appropriate steps to preserve and safeguard the assets of the organization pending the selection of officers.

SEC. 303. The duties imposed and the rights and remedies provided by this title shall be exclusive. Nothing contained in this act shall be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended, or the Railway Labor Act, as amended.

SEC. 304. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this act, or 2 years after such date, whichever is sooner.

SEC. 305. (a) No person who has been convicted of any felony shall serve as an officer, director, trustee, member of any executive committee or similar governing body, business agent, manager, or paid organizer of a labor organization engaged in an industry affecting commerce, prior to the restoration of his right to vote in elections held under the laws of the State of his legal residence.

(b) No person, who after notice by the Secretary, shall have failed to file any information required by title I, and whom, after a hearing on a written record, the Secretary determines to be in violation of title I, shall serve as an officer, director, trustee, member of any executive committee or similar governing body, business agent, international representative, manager, or paid organizer of a labor organization engaged in an industry affecting commerce for a period of 5 years after the final determination of the violation.

(c) No person who has been convicted of any violation of title I shall serve as an officer, director, trustee, member of any executive committee or similar governing body, business agent, international representative, manager, paid organizer, or other paid employee at compensation exceeding $4,000 per annum of a labor organization engaged in an industry affecting commerce for a period of 5 years after such conviction. No labor organization or officer thereof shall knowingly and willfully permit any person to assume or hold any such office or paid position in violation of this subsection.

(d) Any person who violates this section shall be fined not more than $10,000, or imprisoned for not more than 1 year, or both.

(e) For the purposes of this section any person who has been convicted of a violation of title I shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the verdict of the jury or the date the final sustaining of such verdict on review of his trial by any appellate court of competent jurisdiction, whichever is the later event.

TITLE IV—CODES OF ETHICAL PRACTICES

SEC. 401. (a) The Congress hereby declares that it is in the national interest that—

(1) national and international labor organizations and nationwide and industry-wide associations of employers engaged in industries affecting commerce voluntarily adopt or subscribe to codes of ethical practices obligating such labor organizations or employers, as the case may be, to adhere to principles and procedures which, with due regard to their traditions and background and their customary forms and procedures, will effectively eliminate and prevent improper and unethical activities in the administration of their affairs, in the use and expenditure of their funds, and in their relations with each other;

(2) codes of ethical practices for the administration of the affairs and the use and expenditure of the funds of a national or international labor organization engaged in an industry affecting commerce contain provisions to safeguard the democratic rights and privileges of members and to eliminate and prevent improper and unethical activities on the part of labor organizations or their subordinate bodies or organizations, or any officer, agent, or representative thereof, and measures and procedures to assure effective implementation and enforcement of such provisions;

(3) codes of ethical practices for the conduct of the business and the use and expenditure of funds of an employer engaged in an industry affecting commerce contain provisions to promote harmonious relationships between such employer and labor organizations which represent or seek to represent such employer's employees and to eliminate and prevent improper and unethical activities by the employer or any officer, agent, or representative thereof in derogation of the rights of employees under section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, and measures and procedures to assure effective implementation and enforcement of said provisions; and

(4) codes of ethical practices contain appropriate provisions for the publishing of the provisions thereof to employers and employees in the industry affected and to the public.

(b) Codes of ethical practices shall not authorize or sanction any conduct on the part of labor organizations or employers or officers, agents, or representatives thereof, which violates any Federal, State, or local law.

SEC. 402. (a) There is hereby established an Advisory Committee on Ethical Practices (hereinafter referred to as the "Committee") to advise the Secretary in the administration of this act.

(b) The Committee shall be composed of 15 members appointed by the Secretary, of whom 5 shall be chosen from a panel nominated by bona fide labor organizations national or international in scope, 5 shall be chosen from a panel nominated by employer associations industrywide or national in scope, and 5 shall represent the public. Three members shall be appointed for a term of 1 year, 3 members for a term of 2 years, 3 members for a term of 3 years, 3 members for a term of 4 years, and 3 members for a term of 5 years, and thereafter appointment shall be for a term of 5 years, except that members appointed to fill vacancies occurring prior to the expiration of the terms of their predecessors shall be appointed only for the remainder of such terms. The terms of office of not more than 1 member representing labor organizations, 1 member representing employer associations, and 1 member representing the public shall terminate in any one year. The Committee shall meet at the request of the Secretary, but in any case not less frequently than four times each year, and whenever at least one-third of the members request a meeting. The members of the Committee shall receive compensation while attending meetings and performing work of the Committee at the rate of $50 a day, and shall receive necessary travel and other expenses incurred in connection with the work of the Committee.

(c) The Secretary shall provide such data and information, clerical assistance, and other services and facilities as may be necessary for the Committee.

SEC. 403. The Secretary shall report to Congress not later than 3 years from the date of enactment of this act on the progress achieved by labor organizations and employers in the elimination, through the voluntary adoption of self-policing codes of ethical practices, of improper activities in the administration of their affairs and the use and expenditure of their funds and shall include in such report such recommendations as he deems appropriate, based upon the experience of labor organizations and employers in adopting and implementing codes of ethical practices, pursuant to this title. The Secretary is authorized to file interim reports on these matters as part of his annual reports to Congress, pursuant to the provisions of section 9 of the act entitled "An act to create a Department of Labor," approved March 4, 1913 (5 U. S. C. 620).

TITLE V—DEFINITIONS AND MISCELLANEOUS

SEC. 501. As used in titles I, II, III, IV, and V of this act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof. For purposes of this subsection, "State" includes any State of the United States, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (ch. 345, 67 Stat. 462).

(b) An activity or industry "affecting commerce" means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act, 1947.

(c) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(d) "Employer" includes any person acting as an agent of an employer, directly, or indirectly, and any person subject to the Railway Labor Act, as amended, but shall not include the United States or any wholly owned Government corporation, or any Federal Reserve bank, or any State or political subdivision thereof, or any corporation or association operating as a hospital, if no part of the net earnings inures to the benefit of any private shareholder or individual, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(e) "Employee" shall include any employee (including employees under the Railway Labor Act) and shall not be limited to the employees of a particular employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, or any individual having the status of an independent contractor, or any individual employed as a supervisor, as defined in the National Labor Relations Act, as amended, or by any other person who is not an employer as herein defined.

(f) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(g) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(h) "Labor organization" means any organization of any kind, any agency or employee representation committee, group, association, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and includes any local, State, regional, national, or international organization composed of representatives of labor organizations.

(i) "Labor organization engaged in an industry affecting commerce" means a labor organization which—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraphs (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraphs (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, joint board, joint council, or other association or aggregation of labor organizations, as heretofore defined, subordinate to a national or international labor organization other than a State or local central body.

(j) "Secret ballot" means any secret written, referendum, or voting machine ballot.

SEC. 502. Nothing contained in titles I, II, III, IV, or V of this act shall be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended, or the Railway Labor Act, as amended.

SEC. 503. For the purposes of any investigation provided for in this act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U. S. C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor or any officers designated by him.

TITLE VI—AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

SEC. 601. Section 2 (11) of the National Labor Relations Act, as amended, is amended to read as follows:

"(11) The term 'supervisor' means any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or to adjust their grievances, or one who does effectively recommend such action, or whose principal function is responsibly to direct other employees, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment."

SEC. 602. (a) Section 14 of the National Labor Relations Act, as amended, is amended by adding a new subsection as follows:

"(c) The National Labor Relations Board shall assert jurisdiction over all labor disputes arising under the National Labor Relations Act, as amended: *Provided*, That the Board is empowered by agreement with any agency of any State or Territory to cede to such agency jurisdiction over any cases in any industry (other than mining, manufacturing, communications, and transportation except where predominantly local in character) even though such cases may involve labor disputes affecting commerce, unless the provision of the State or Territorial statute applicable to the determination of such cases by such agency is inconsistent with the corresponding provision of this act or has received a construction inconsistent therewith."

(b) Amend section 10 (a) of the National Labor Relations Act, as amended, by repealing the proviso thereto.

SEC. 603. (a) Section 8 (b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and adding a new paragraph as follows:

"(7) to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual by taking or obtaining any money or other thing of value from such employer against his will or with his consent."

(b) Section 10 (l) of the National Labor Relations Act, as amended, is hereby amended by inserting after "paragraph (4) (A), (B), or (C)" the words "or paragraph 7."

SEC. 604. (a) After section 8 of the National Labor Relations Act, as amended, insert the following new subsection:

"(e) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry with a labor organization (not established, maintained, or assisted by any action defined in section 8 (a) of this act as an unfair labor practice) because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training apprenticeship, or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided*, That nothing herein shall set aside the final proviso to section 8 (a) (3) of this act: *Provided further*, That any agreement made pursuant to clause (1) of this subsection, not otherwise constituting a bar to a petition filed pursuant to section 9 (c) or 9 (e), shall not become a bar to such petitions solely by reason of this subsection."

(b) Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

SEC. 605. Section 9 (c) (3) of the National Labor Relations Act, as amended, is amended by striking out the second sentence thereof.

SEC. 606. (a) Sections 9 (f) and (g) of the National Labor Relations Act, as amended, are hereby repealed, and subsection (h) thereof is hereby renumbered subsection (f).

(b) Section 8 (a) (3) of the National Labor Relations Act, as amended, is hereby amended by striking out "Sections 9 (f), (g), and (h)" and inserting in lieu thereof "Section 9 (f)."

(c) Section 9 of the National Labor Relations Act, as amended, is hereby amended by adding the following new subsection:

"(g) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by an employer under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by an employer under subsection (b) of section (10), unless there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by such employer, including the partners, if such employer is a partnership and the officers, if such employer is a corporation or association, that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or does not support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 1001 of title 18 of the United States Code shall be applicable in respect to such affidavits."

SEC. 607. Section 302 (a) of the Labor Management Relations Act, 1947, as amended, is amended to read as follows:

"(a) It shall be unlawful for any employer or any person who acts as a labor relations expert, adviser, or consultant to an employer to pay, lend, or deliver, or to agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of the employees of such employer who are employed in an industry affecting commerce, or

"(2) to any labor organization or any officer or employee thereof which represents, seeks to reprerent, or would admit to membership any of the employees of such employer who are employed in an industry affecting commerce, or

"(3) to any employee or group or committee of the employees of such employer employed in an industry affecting commerce for the purpose of directly or indirectly influencing any of the employees in the exercise of the right to organise and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization."

SEC. 608. Section 302 (b) of the Labor Management Relations Act, as amended, is amended to read as follows:

"(b) (1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value as a fee or charge for the unloading, or in connection with

the unloading, of the cargo of such vehicle: *Provided*, That nothing in this paragraph shall be construed to make unlawful the payment of any such fee or charge to a labor organization if such payment is made pursuant to a collective bargaining agreement entered into in good faith between such labor organization and the employer of such operator."

SEC. 609. Section 302 (c) of the Labor Management Relations Act, 1947, as amended, is amended by inserting "(other than the provisions of subsection (b) (2))" immediately after "The provisions of this section"; by striking out the word "or" preceding clause (5); by striking out the period at the end thereof and inserting a semicolon in lieu thereof; and by adding thereto the following: "or (6) with respect to money or other thing of value paid by an employer primarily engaged in the building and construction industry to a trust fund established by such representative for the purpose of pooled vacation benefits or defraying costs of apprenticeship or other training program for employees engaged (or who, upon their employment will be engaged) in the building and construction industry: *Provided*, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

SEC. 610. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

The SPEAKER. Is a second demanded?

Mr. KEARNS. Mr. Speaker, I demand a second.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota [Mr. McGOVERN].

Mr. McGOVERN. Mr. Speaker, the parliamentary action which brings this major labor reform bill to the floor can only be justified by the most pressing public interest.

As a member of the House Committee on Education and Labor I wish that the course of legislative events had permitted full-scale hearings similar to the lengthy investigation conducted by the other body.

That this has not been possible is due in large measure to the heavy volume of major legislation processed by the 85th Congress and by our own committee under the chairmanship of the able and respected gentleman from North Carolina [Mr. BARDEN].

Everyone familiar with the situation knows that by the time this legislation was received in the House, there was no possibility of completing hearings prior to adjournment.

Be that as it may, the course now open to us is clear. We can vote now for a significant labor reform bill that will put the hoodlums out of business, or we can wait for a perfect bill at some day in the dim future.

The chief beneficiaries of any such delay will be the Jimmy Hoffas, who will go right on with their brazen defiance of the public interest.

Like many of you, I have heard from a few of my friends in the chamber of commerce who are disturbed about several sentences in this 48-page bill. They are worried primarily about section 103, which requires an employer spending more than $5,000 a year to influence his employees in their bargaining rights to report such expenditures to the Secretary of Labor.

It is clear that this section relates to only a small fraction of American businessmen.

Furthermore, such expenditures are not ruled out by the bill; they simply are to be reported, just as Members of Congress report their campaign expenditures. The reporting requirements of unions under the bill are vastly more encompassing than the modest employer requirement.

Some have feared that employers would be required to list expenditures for good personnel practices and employee relations. This is simply not true.

Only a willful—and I emphasize, willful—failure to report expenditures over $5,000 to influence workers in their organizing rights draws any penalty.

I would oppose this legislation if I thought it in anyway constituted a threat to honest businessmen or workingmen.

The target of this bill is the shyster and the hoodlum. The issue is perfectly clear.

In referring to the parliamentary action now before us, the New York Times said yesterday:

> If the move should be tried, and fail, the public can know from a rollcall just who gave the body blow to labor-union reform.

I urge passage of the bill.

Mr. Speaker, in view of the splendid record of this Congress, I trust that it will not be necessary for any Member to spend his time this fall explaining why he voted against a bill designed to clean up the crooks that have invested one segment of an otherwise clean labor movement.

I urge passage of the bill.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks in the RECORD just prior to the vote on the pending bill and also may have 5 legislative days in which to extend their remarks in the RECORD on the pending bill.

The SPEAKER pro tempore (Mr. HARRIS). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEARNS. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I take the floor today to tell you honestly and sincerely that I consider the Kennedy-Ives bill "a nothing bill." By "a nothing bill" I mean it does nothing for the workingmen in America, nothing for organized labor, and nothing for management. We have lived with the Taft-Hartley law for 11 years—yes, 11 long years. We all agree it should be amended, but not until we have had full hearings before the House Committee on Education and Labor and every phase of the legislation has been carefully considered.

In my opinion, the greatest issue in America today is the realization of the importance of a sound relationship between management and labor. We all agree that both labor and management must give, but foremost, both must serve the people of the United States first, last, and all the time.

In the absence of adequate hearings, I believe that my labor reform bill, H. R. 13739, is the best answer to agreement between labor and management in America today.

Mr. Speaker, I urge each and every one of you here in the House, my distinguished colleagues on both sides of the aisle, to rise to the occasion and to challenge the Kennedy-Ives bill, which the Speaker of the House kept on his desk for 40 days, thus depriving the Committee on Education and Labor of the House of Representatives of its inherent right and earnest desire to hold hearings and present a comprehensive labor bill to this body for approval.

So, this afternoon, on this very memorable day in the House, I would like to appeal to you in this way: Please, please, let us not here in the House be a partner to this poor, poor piece of legislation—and I want to emphasize this to you gentlemen and the distinguished ladies of our great body—this is legislation which will most of all hurt us here at home and certainly will lessen our prestige abroad.

I thank you for your kind indulgence.

Mr. McCORMACK. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Speaker, I come before you today as probably a deposed chairman of a "slapped-down committee." I shall try to restrain myself as best I can in what I have to say. I do not wish to offend anyone.

Mr. Speaker, the committee of which I am privileged to be chairman has been a hard-working committee this year. We have turned out much beneficial legislation and we have been busy, and no one can say otherwise. I do not like to see the committee put into the plight that it now is in. Maybe I am a little out of line with the leadership, but when it comes to a question of my convictions about things for the good of my country, that takes precedence. I do not wish for this to be a Democrat or Republican situation. I happen to be a Democrat and have been one all my life. I have always believed and I believe today that good democracy is good sense. And, now where are we?

Here is a bill that was passed by the Senate. Then it came to the House. I think it came to the House somewhere about June 18, 1958. It was referred to my committee on July 28, 1958, at that time we were in the midst of trying to get out the education bill, trying to get out the welfare insurance pension bill, with the announcement concurred in by, certainly, the majority leader, that we expected to adjourn and get away from here about the 9th of August.

And I am going to say this; not a single person connected with the leadership of this House requested me to bring the Kennedy-Ives bill out. I think they readily realized the realities of the situation. I have no criticism. To me it was perfectly obvious, and to everyone who was familiar with the situation, that you could not take a piece of legislation that involves as much as this one does, study it, learn something about it, and come out with a sensible conclusion in any period of 4 or 5 or 10 days. It was simply not in the cards, and, so far as that is concerned, all of us knew it.

At the time it came up—and I have no criticism for anyone's slowness—the committee was busy and everybody else was busy, so far as that is concerned. What disturbs me and rocks me is that here we are called upon on the floor of this House to take a bill that is so vital, that is the most dangerous and the most far-reaching piece of legislation in the field of labor and management that has come to this floor since the Taft-Hartley bill, a bill of 48 pages, we are called upon to understand it and to do the wise thing and to keep faith with America, in 40 minutes. I cannot refrain from saying that it is an insult to the House and no compliment to their intelligence to expect them to do this thing.

How are you going to justify passing a bill including prison sentences and $10,000 fines, with the power vested in one man, to deal with industry, to deal with management, to deal with labor, as he sees fit?

The SPEAKER pro tempore. The time of the gentleman from North Carolina [Mr. BARDEN] has expired.

Mr. KEARNS. Mr. Speaker, I yield my distinguished chairman 3 additional minutes.

Mr. BARDEN. Mr. Speaker, I do not know how these things come about. I am not a spokesman for any labor group or management group. I am a spokesman for BARDEN and his constituency and the American people, to the best of my ability, so help me, God.

The next morning after the Kennedy-Ives bill was passed by the Senate—and there are those who have been talking about the feelings of labor; and do not think for one moment that labor does not have good sense, just as good as anybody else—I received a letter from Mr. Andrew J. Biemiller, director, department of legislation, AFL–CIO, which was sent to every member of my committee, enclosing a statement. Here is part of the statement enclosed in that letter:

> The fallacy of writing legislation on the Senate floor has never been more clearly proven than in this instance.
>
> This is a statement of Mr. George Meany, president of AFL–CIO, sent to me and every member of my committee. Here is what he says:
>
> As a result, S. 3974, as adopted last night by the Senate, contains provisions which we are certain will prove unworkable; provisions which we know are unwise; provisions which are clearly unfair and unduly repressive.

And there has not been one word changed in that bill from that day to this. I am not going to be a political pawn for anybody. I am not going to let that fine committee of mine be put in that position. I will take the "lamming" for my committee. They are hard working. They have been cooperative. They deserve better. We have done some fine work, and I would be derelict in my duty and in the confidence they have reposed in me if I stood by and let them be kicked around in any such way.

This committee had an opportunity to report out this bill on a clear-cut vote to discharge the subcommittee and bring it to the full committee for immediate consideration, and it was defeated by the members of the committee by a vote of 22 to 7. They are all adults. They knew what they were doing. Then here in the last 2 or 3 days I was informed that S. 3974 was to come up under this kind of a gag, with no amendments, only 40 minutes discussion, and we have to take it.

Mr. Speaker, it is only 4 months to January, and with the import matters involved in this bill and the damage it may do we had better stay here 60 days and give some study to this rather than pass it in this way. I hope with all my heart that it will not be passed in any such unorthodox manner.

Mr. KEARNS. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

THE SELLOUT AND THE PAYOFF

Mr. HOFFMAN. Mr. Speaker, the shocking violence, extortion, lawlessness currently exposed by the McClellan committee and earlier given the public by other Congressional committees demand worthwhile legislation from the Congress.

Not only the public, merchants, and industrialists, but union members, who should have been protected by their union officers, have been the victims of brutal beatings, the malicious destruction of property, and a denial of their fundamental rights. In truth, the fact is the union man, to a greater degree than a nonunion worker, has been exploited.

To earn a livelihood, he must pay the fees, the dues, and the special assessments arbitrarily imposed by the officers of his union. They have been sold down the river by extortionists and racketeers, as well as by others high in the ranks of syndicated crime.

The Hoffas and the Reuthers, public enemies both, have attained arbitrary, almost unlimited power because the people's representatives have lacked either inclination or the courage to give political offense by legislation which would subject them to the same restraints which are imposed upon all of the rest of us.

That has happened partly because legislators, like others, are sympathetic toward those who must work for their livelihood, who have less than members of some other groups.

But, the real reason for the rise to power of those who have so shamefully misused the privileges given them is due to the fact that politicians seeking votes have sold out to those reputed to have control of the labor vote.

The payoff for that lack of courage was a deal by the union leaders to deliver the votes of their members.

THE PAYOFF

The payoff is today, Monday, when the Kennedy-Ives bill, a political football from the moment of its conception to date, is before the House under suspension.

Practically every intelligent attempt to amend that bill in the Senate was defeated. It came to the House. Ordinarily, it would have been sent to the Committee on Education and Labor for hearings, consideration, and amendments.

Instead, the Speaker of the House, as was his prerogative, for 40 days and 40 nights sat on it. The reason for so doing has never been given to the public, except it was said other legislation was being considered.

The Kennedy-Ives bill is practically worthless. It will not protect union members nor the public. It is a quack remedy; not only worthless, but harmful.

Belatedly, the Speaker sent it to the Labor Committee.

As a member of that committee, I moved that the Kennedy-Ives bill be considered immediately.

Every Democrat present—17—voted against even considering Kennedy-Ives.

Notwithstanding that vote, the Speaker, evidently yielding to Reuther, reversed himself, served notice the bill would come up under suspension today, Monday.

Under that procedure, if adopted, the bill cannot be amended. There will be but 40 minutes discussion; an absurd situation on legislation of such importance.

All hope for fair, reasonable, and helpful legislation at this session of Congress has, because of the considered, deliberate action of the Speaker, vanished.

The House should vote down the motion to suspend the rules and pass the bill and so serve notice that, when this Congress meets again in January, it will insist that legislation to protect the worker, the businessman, and the public be enacted.

A most astonishing and shocking story was that of the Chicago Daily News Service of August 14. That story is this:

> WASHINGTON, August 14.—House Speaker SAM RAYBURN has personally assured Walter Reuther that there will be a "showdown" vote on the labor reform bill.
>
> This comes from completely reliable sources here, who say Reuther called on RAYBURN in his Capitol Hill office last week.
>
> These same sources say the president of the United Auto Workers (UAW) was "deeply disturbed" about the possibility of Congress adjourning without acting on the Senate-approved Kennedy-Ives bill.
>
> They say further that—
>
> Reuther urged the Speaker to force a showdown to frustrate Republican attempts to make political capital out of the issue.
>
> He reported results of his conference back to the AFL–CIO president, George Meany.
>
> The showdown vote probably will come Monday.

• • • • •

On one occasion this week the No. 1 Democrat in the House said, "I know of no plan to force a vote."

This morning, from a reliable source I was informed that both KENNEDY and Reuther met with the Speaker, insisted that the bill be brought out under suspension, and the Speaker, even though there was a protest by many of his personal friends, finally decided to and did—either Thursday or Friday—send the bill to the floor under suspension.

Apparently, it is unethical, a crime for the average businessman, for the National Association of Manufacturers, or any other organization of businessmen to contact their Congressmen and advise against the passage of a bill. But, evidently, it is all right for a Democratic candidate for the presidential nomination and the head of the CIO, which has contributed hundreds of thousands of dollars to the campaign funds of Democratic Congressional candidates, to urge their views upon the Speaker. It seems to make a difference who does the dirty work—if it is dirty work.

Have been asked whether sending the Kennedy-Ives bill to the floor under suspension, where Congress is gagged, is part of the payoff for the hundreds of thousands of dollars contributed by the Reuther outfit to the Democratic Party candidates.

If that is the deal, Democratic candidates are buying a "pig in the poke" for they will find that when once Reuther establishes his power in any Congressional District he will have a candidate of his own. The proof: the recent sellout of the gentleman from Michigan, Congressman JOHN LESINSKI, when the CIO opposed him with a candidate of its own choosing, in the August primary.

If I were bargaining for Reuther's support, I would insist that he first make delivery.

What a mess. The Democratic Senate passes a bill—a bill some labor leader says is no good. It goes to the House. The Speaker sits on it. I make a motion that the House Labor Committee give it consideration and act on it, amend it, make it a good bill. The Democrats on the committee, all of them, refuse to consider it. The Speaker forces it to the floor under suspension. It will take a licking sure. Just who is trying to do what?

Mr. KEARNS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker, today we are not permitted to be legislators. Instead we are called upon to be mere rubberstamps, with the threat of serious political consequences hanging over those who refuse to assume such a role.

On a take-it-or-leave-it basis, the Kennedy-Ives bill has been thrust before us today for a vote, along with 34 other important bills, called up under the suspension-of-the-rules procedure which limits debate to 40 minutes and affords no opportunity for amendment.

If I were not a lawyer with some measure of learning and experience in this field; if I were not a member of the House Labor-Management Subcommittee, charged with responsibility for weighing and carefully evaluating such legislative proposals, perhaps I would be inclined just to support this bill because it has been heralded in the press as a step in the right direction, and a vote against it will be widely misunderstood.

However, I feel I would not be fulfilling my obligation as a member of the Labor-Management Subcommittee if I did not point out some of the serious defects in this legislation and urge that the bill be brought before the House in the regular manner in order that needed amendments can be considered.

While there are many sound and constructive provisions in the Kennedy-Ives bill, which should be adopted if they could be considered separately on their own merits, unfortunately the bill, in its present form, also includes a number of bad and harmful provisions which should not become law. Some of my objections to the bill are set forth below.

I

In light of the 1954 Communist Control Act, the administration has recommended that the Taft-Hartley non-Communist oath provision, which applies to union officers could now be repealed. The Kennedy-Ives bill, as it passed the Senate, not only ignores this recommendation, but it provides instead for extension of the non-Communist affidavit requirement to all employers, including partners and all officers of employer corporations.

This provision was not in the bill as reported from the Senate committee, but it was adopted as an amendment during debate on the Senate floor. Not only is the provision ridiculous and unnecessary, but it will actually cost the debt-burdened taxpayers of this country more than $600,000 a year in needless expense.

The Honorable Boyd Leedom, Chairman of the National Labor Relations Board, testified on this subject before the House Labor-Management Subcommittee on June 19, 1958, as follows:

We would really be dismayed if we were confronted with the burden of going through with employers what we have gone through in the administration of that provision as to union officers.

It would be a great burden to us, and would slow up our processes which are already too slow.

It is bad enough for the Labor Board to have to administer it as to union officers (without) adding the burden of going after employers who, in the first instance, were never the subject of Communist attack, I don't believe, in the way that union officers were.

Mr. KEARNS. We could use this money for enlarging the jurisdiction of the Board (NLRB) much more profitably?

Mr. LEEDOM. Much more profitably • • • we estimate the cost now of administering this provision as to union officers at something over $300,000.

Mr. KEARNS. If we pull management in too, how much more is it going to cost?

Mr. LEEDOM. I don't know. We haven't been able to come up with any kind of a reliable figure, but maybe there are 2 or 3 times as many employers involved, so the cost would be twice as much. That is a very rough estimate.

II

The Kennedy-Ives bill avoids altogether the subject of organizational and minority picketing, an area in which the administration recommends regulation. Instead of providing such needed legislation, section 603 of the Kennedy-Ives purports to regulate, not organizational picketing, but "extortion or racketeer" picketing by declaring that such activity shall be an unfair labor practice.

Of course, extortion is already a crime under existing State laws and carries heavy criminal penalties.

Technicians in the labor law field will understand that while activity declared by the Taft-Hartley Act to be an unfair labor practice may be enjoined, such unfair labor practice activity is not a crime under the act and criminal sanctions are not provided.

Before we adopt an amendment which could have the effect of converting a serious crime into a mere unfair labor practice, I believe we should carefully consider what we are doing.

My colleague, the distinguished gentleman from New York [Mr. TELLER], was also concerned about the legal effect of this provision. As the Members know, Mr. TELLER is a Democrat. He authored the pension and welfare-fund disclosure bill which recently passed the House. He is the distinguished author of a number of textbooks on labor law; and he is a university professor recognized as an eminent authority in the field.

Recently Mr. TELLER questioned another expert in this field, who knows something about the subject—I refer again to the Chairman of the NLRB, Mr. Boyd Leedom. Note carefully the following colloquy:

Mr. TELLER. I wonder if I might embark upon a line of questioning for a moment, having to do with the outlawing of racketeer picketing contained in section 603 (of the Kennedy-Ives bill) • • •

Now what concerns me—and it concerns me deeply—about this provision, under the Garner case is this: By adopting this unfair labor practice provision an employer engaged in business affecting commerce could not go into State court if we were to pass this bill and secure an injunction • • • because of the doctrine of preemption, which the Garner case sets forth. Isn't that true?

Mr. LEEDOM. I think that is right. I think that is a reasonable interpretation.

Mr. TELLER. Then what we do by passing this bill against racketeer picketing, so-called, is to weaken the ability to remedy racketeer picketing, paradoxically. • • •

• • • I do think there is sufficient ground having regard to the State-Federal jurisdiction mess • • • to pause before we adopt a provision against racketeer picketing (an unfair labor charge) in the face of criminal laws in all States which would make such activity criminal. • • •

I think we should pause before we weaken the fabric of protection against racketeer picketing.

The same section 603 of the Kennedy-Ives bill is subject to another serious objection which should concern the leaders and membership of labor organizations. The language of the section makes it an unfair labor practice for any labor organization—

to carry on picketing on or about the premises of any employer for the purpose of or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

While the announced purpose is to regulate only racketeer picketing—which already is a crime—the language used is very broad and indefinite.

During the June 18 hearing held by the Labor-Management Subcommittee, I called the attention of my colleagues to the language:

Mr. GRIFFIN. • • • I just wondered in reading this over (sec. 603, Kennedy-Ives bill), this would seem to prevent picketing to obtain a wage increase, the way the language reads.

Mr. TELLER. I thoroughly agree with you. The language here is absolutely incomprehensible. I do not know what it means.

III

Section 602 of the Kennedy-Ives bill would require the NLRB to assert jurisdiction over all labor disputes affecting commerce.

This provision, like the extension of the non-Communist affidavit requirement, was adopted as an amendment during debate on the floor of the other body. The provision is wholly impractical and unrealistic.

For authority, I turn again to testimony of the NLRB Chairman himself, Mr. Leedom:

Mr. TELLER. At the present time, from the time that a charge is filed to the time an order of the Board results in a case where unfair labor practice is found to have been committed, how long, on the average, does it take? How long are you required to take everything in regard to your budgetary limitations and internal procedures?

Mr. LEEDOM. I don't have the exact figure but it is something over a year. It is 400 and some days.

Mr. TELLER. Now, if we passed this provision (sec. 602) of S. 3974 (the Kennedy-Ives bill), I rather think it would not be outlandish to suppose that it might take you 4 or 5 years in the general case to pass through that kind of a proceeding.

Mr. LEEDOM. My view is that that is pretty much speculation, but I can conceive that the time would go up maybe several times what it now is, if we had to take all of the small cases.

• • • • •

Mr. RHODES. As broad as the definition of the scope of the National Labor Relations Act is, do you think it is possible that the National Labor Relations Board could ever expand its activities to completely encompass the field as it is defined?

Mr. LEEDOM. I think, as a practical matter, it would be very difficult to do that. I would say it would be undesirable for us to undertake to do that, to reach the smallest case coming within our broad commerce clause.

Recently, the NLRB announced new standards under which it will assume approximately 20 percent more jurisdiction, thereby reducing the area of the so-called no man's land. The Chairman and General Counsel of the NLRB have testified that the announced 20-percent extension is the maximum expansion practicable within budget and appropriation limitations presently imposed upon the NLRB by the Congress itself.

Would it make any sense at all for this Congress, as provided in the Kennedy-Ives bill, to direct the NLRB to assert jurisdiction over all labor disputes, and at the same time limit funds so as to make it impossible for that directive to be carried out?

I would favor a provision, similar to that recommended by the administration, which would require the NLRB to extend its jurisdiction into no man's land as far as practicable—recognizing realistically that there are in fact budget and personnel limitations—and then allow State jurisdiction to be asserted in the remainder of the no man's land.

In most cases, a State forum surely is better than no forum at all.

If, through passage of the Kennedy-Ives bill, we foreclose the possibility of State jurisdiction and load down the NLRB to the point where 3 to 4 years are required to process a case, then surely our action would be tantamount, in this fast moving field of labor relations, to providing no forum at all.

IV

One excellent provision of the Kennedy-Ives bill (sec. 608) would prohibit a union from demanding any payment from a truck driver for the privilege of unloading his cargo. This is aimed at certain Teamster Union practices and is needed legislation. Unfortunately, however, most of the effectiveness of this provision seems to have been destroyed by a proviso, added as an amendment, which reads as follows:

Provided, That nothing in this paragraph shall be construed to make unlawful the payment of any fee or charge • • • if such payment is made pursuant to a collective-bargaining agreement • • •

The bill seems to say, in effect, that extortion is illegal—unless the "persuaded" truck owner agrees in writing, in which case it will then be all right.

V

Section 103 (b) of the Kennedy-Ives bill requires labor relations consultants, for example, of the Shefferman variety, to disclose their activities and file certain reports. This is an excellent provision and is fully justified by the McClellan committee hearings.

But section 103 (a) goes far beyond any demonstrated need for regulation and, in broad and indefinite terms, requires employers to file detailed financial reports if they undertake "to influence or affect employees in the exercise of their rights guaranteed by section 7 of the Taft-Hartley Act."

This provision would severely cripple existing free speech rights and would be almost impossible to enforce, as written. Serious criminal penalties are provided for noncompliance.

Which "undertakings" by an employer actually "influence or affect" employees in their decision to join, or not to join, a union? How about the following: (1) giving Christmas hams; (2) providing coffee breaks; (3) publishing company newspapers; (4) providing uniforms for employee baseball team, and so forth.

If there is justification for further limitations on employer free speech, surely such limitations should be spelled out in more precise and meaningful language than is set forth in section 103 (a) of the Kennedy-Ives bill.

VI

In my opinion, the bill contains a number of other defects and questionable provisions which need to be corrected.

It should be kept in mind that no less than 31 different amendments to this bill were "written in" during debate on the Senate floor. Many were amendments of substance which have never received committee study or consideration in either House of Congress.

In view of the many sound and constructive features in the Kennedy-Ives bill, it becomes a close and very difficult question whether the good in the bill so far outweighs the bad as to justify its approval. The question is not easy to answer and reasonable minds will differ.

In that regard, the following testimony by NLRB Chairman Boyd Leedom should be worthy of note:

Mr. TELLER. Summarizing your testimony here this morning, Judge Leedom, we find that so far as the provisions of S. 3974 (Kennedy-Ives bill) that have direct impact upon the jurisdiction of the National Labor Relations Board, its provisions having to do with the no man's land, we agree are bad The requirement of the non-Communist affidavit we agree is unnecessary, undesirable, and a bad requirement; and that, insofar as it deals with so-called racketeer picketing and making it an unfair labor practice, under the Garner case its effect would be to weaken rather than to strengthen, and very paradoxically so, the legal weapons now available against racketeering in picketing.

On balance, it would seem that there are more provisions to S. 3974, insofar as it deals with the National Labor Relations Board jurisdiction, that are bad than good. Would you not say that is so?

Mr. LEEDOM. Yes; that is so.

Mr. Speaker, this is major legislation of far-reaching importance. Our Federal Constitution provides for a bicameral legislative system to insure that such bills will not be hastily enacted without sufficient study and debate.

The House has not adequately considered this important bill and the fault for this state of affairs lies with the majority party in control, and not with the party on my side of the aisle.

Now, in the closing days of the session, under suspension of the rules, this bill is suddenly thrust upon us on a take-it-or-leave-it basis, with no opportunity for amendments and with debate limited to 40 short minutes.

In my humble opinion, Mr. Speaker, this is no way to legislate and I do not intend to be a party to such rubberstamp procedure.

Mr. McCORMACK. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, it seems a little bit obvious today that we are doing what someone once referred to as allowing the fly specks to get us away from the substance of the bill. We all know what has been brought out in the other body. We all know something ought to be done about it. Certainly, you can find imperfections in this bill or in any bill. The question is: Will we go

home without passing a single thing in the way of legislation which will do something about the disclosures brought up in the other body? As far as the Committee on Labor and Education is concerned, it is true that a motion was offered on the last day of our meetings that we consider this bill. By whom was it offered? It was offered by the distinguished gentleman from Michigan who a few days before, in answer to a question from our colleague, the gentleman from Arizona [Mr. UDALL], made the statement that he would not vote for this bill under any circumstances. It is on page 16469 of the RECORD. So you can see how open minded the gentleman is on the merits of this bill. I think we can certainly make up our minds that what they want is an issue. They want to go back and be able to campaign and beat labor over the head, and they do not want to do anything about it, to give labor a reasonable opportunity to clear its own house. That is the issue. You see they are a little unhappy. I do not blame them for being unhappy because they are seeing a political issue being taken out from under them at this particular time. Mr. Speaker, I am afraid that below the skirt of righteous indignation there peeks the ragged edge of political frustration.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KEARNS. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. BOSCH].

Mr. BOSCH. Mr. Speaker, and my colleagues, I was quite impressed by the statement made by the gentleman from California. But, I think, perhaps, he is a little embarrassed by today's proceedings. In this morning's mail I received a letter signed by several of our colleagues urging us to vote to suspend the rules and pass this bill. What amazed me most was that 5 of the signers of that letter were 5 of the 22 Members who voted against the motion to consider this legislation in the committee where it properly should be considered. It seems to me that maybe these gentlemen were a little afraid that if the committee did consider this legislation, it might adopt the essential amendments recommended by the McClellan committee in its March 1958 report to the other body.

The SPEAKER. The time of the gentleman has expired.

Mr. KEARNS. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, the most disturbing thing to me regarding the manner in which this important labor legislation is being considered is the fact that we are actually attempting in the handling of this legislation to give the working people of this country the impression that some evils are being corrected when actually in our hearts we know that that is not the case. I think it is time that this body and the other body reached the point in dealing with labor and management affairs that we stopped using the man who punches the time clock card for a political football. I happen to have the privilege of representing as many clock card workers as any Member of this body, and I, for one, intend to go back to my people and tell them that organized labor was not interested in getting a labor bill passed in this session of Congress. They are only interested in getting a record vote so that it can be used for political purposes.

Mr. McCORMACK. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Speaker, I was amazed when I picked up the Washington Post this morning to read of the Democratic tyranny in the House, in regard to this labor legislation and other legislation. It seems to me that much more in evidence is the hypocrisy of those who pay lipservice to the need of labor reform legislation and on the other hand do everything they can to defeat such legislation.

Certain organizations and lobby groups who have talked loudest and longest about corruption in labor and the need for labor reform legislation, are the very groups who are opposing it at this time. In my opinion they are doing no service to labor, the business community, or the country. It is very astonishing to hear about the 40 days and 40 nights this legislation was kept on the Speaker's desk, as being part of the Democratic tyranny. If there is anything ridiculous it is to place the blame for lack of legislation on the Speaker of this House. Since when does the legislative location of one bill prevent any committee from considering similar legislation or prevent that committee from considering the pros and cons of identical bills? The gentleman from Arizona, [Mr. UDALL], on June 25 introduced an identical bill to the Kennedy-Ives bill.

One of the ranking Republican members on the committee last Thursday made one of his rare appearances before the committee and moved that the subcommittee to which the Kennedy-Ives bill was referred (S. 3974) be discharged from further consideration of that bill and that the full committee take up the bill for discussion that morning.

That same gentleman, according to this morning's Washington Post, denounced the bill as a "quack remedy and a worthless measure."

Just what is his position and just why did he move to consider the bill if he thought it was worthless? It seems to me that he and some of his colleagues on the other side of the aisle don't really want any legislation which represents real progress. They would much prefer an issue in the fall campaign.

No bill can ever be drafted to measure up to the expectations or desires of every Member of this House and it would be a vain search to look for a bill acceptable to all Members of the House and a bill acceptable to both management and labor. This is one of the main reasons probably why no major legislation in the labor field has been passed for 10 years.

The Senate heard a great deal of testimony, over 1,500 pages. The Kennedy-Ives bill was passed by the Senate 88 to 1. Senators representing every point of view on labor legislation indicated in the debate that they thought the bill represented real progress and effectively employed some of the recommendations of the McClellan committee.

The Senator from California [Mr. KNOWLAND] said that:

> In the final analysis the workers will be the ones who will suffer if Congress does not finally act on legislation of this sort at this session.

The Senator from Arkansas [Mr. MCCLELLAN] said that:

> The bill * * * does not cover all areas in which legislation is needed. But an effort to enact everything needed at this session of Congress * * * would result in the enactment of nothing. In its present form, this measure will give important protection to the rights of workers, of management, and the public.

On May 5, the gentlemen from Arizona [Mr. RHODES] said on the floor of the House:

> Mr. Speaker, I was convinced that no one, regardless of party affiliation, could oppose legislation designed to end the many abuses to rank and file union members which had been bared during the long and sensational hearings before the Labor Rackets Subcommittee of the other body. I was shockingly mistaken * * * unless the inactivity of majority Members in both Houses ends at once, the long and expensive hearings before the McClellan committee will have been in vain * * * the time is getting late and nothing is done.

I would say, Mr. Speaker, that the time is getting extremely late in this session and if nothing is done on the Kennedy-Ives bill today, nothing will be done in the 85th Congress.

This bill, S. 3974, is not a punitive measure. It is designed to prevent and discourage conduct on the part of union officials, employers, and labor relations consultants which are of a questionable nature. It is a bill carefully considered by the Senate and designed to correct abuses condemned by all persons of good will.

Let us do something in this session and do it now. Vote for the suspension of the rule and the passage of the Kennedy-Ives bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, it is evident that as complex a subject as this cannot be discussed in the time allotted. It is obvious also that discussion alone will not satisfy the objections of many Members to this bill. In effect, therefore, we are already conducting a post mortem as to why no legislation is being enacted in an area where laws obviously are needed.

I myself, Mr. Speaker, shall vote for the bill. Nonetheless this seems an inexcusable way to enact sound legislation. To have a take-it-or-leave-it choice, with no possibility of modifying or improving the bill before us, is most undesirable. Even if we could agree on who is responsible for the necessity of making such a device, little would be gained.

The committee on which I serve is, of course, partly to blame. Because so many questions needed not only to be raised but to be resolved, we should have given this bill, and others in this field, most careful consideration. This was not done. Even if further study had been given, however, we might not have reached agreement. So, too, if next year we decide to tackle the problem, we must in all candor admit that agreement will not be easily reached. In other words nothing much can be gained by seeking to place the blame for not acting.

As I have said, Mr. Speaker, I shall vote for the bill. Even with its inadequacies it is nonetheless legislation which should have beneficial effects. Its merits would seem to outweigh its deficiencies.

Mr. KEARNS. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Minnesota.

Mr. JUDD. This morning we all received this letter signed by nine Members stating in reference to this bill that the Secretary of Labor, James P. Mitchell, has urged its enactment.

I called the Secretary on the telephone, and asked him, "What is your view on this bill?" He replied, "It is a bad bill." I said, "Some Members are saying you have urged its enactment." He said, "The transcript of my last press conference will show that I said I hoped the House in its hearings would amend it so as to make it a good bill along the lines of the President's recommendations last January." I asked him, "May I quote this statement to the House?" and he said, "You may."

Mr. Speaker, that disposes of the inaccurate statement in the letter.

Mr. RHODES of Arizona. I thank the gentleman for his contribution.

I am glad the gentlewoman from Oregon quoted me, as that is exactly what I meant. Her quotation was accurate. I said we should do something about correcting the evils which had been shown up by the McClellan committee. I said that in May and I say it now. The only trouble is that this bill does not do that. This bill takes two steps forward and three steps backward, as far as correcting any of these evils are concerned. Instead of correcting the evils, it has foisted more evils upon the American people.

Mr. Speaker, I think that it is important for the membership of the House to know precisely what they would be doing if they voted to pass S. 3974, the so-called Kennedy-Ives bill on suspension. Previous speakers have mentioned the fact that bringing such controversial legislation up on suspension with no amendments allowed is a dangerous practice and flouts the orderly procedure by which the House ordinarily legislates. Therefore, I do not intend to touch in my remarks on the procedural matter, although I resent this procedure as deeply as anyone could, but rather upon the faults of the bill we have before us.

If a Member votes for this bill he will be voting to:

First. Deprive every employer in the country of his right to discuss labor matters with his employees.

Second. Probably to keep employees from picketing the employer's plant during a strike for higher wages.

Third. To make every employer sign a non-Communist affidavit before he can appear before the NLRB.

Fourth. To subject a builder who has never dealt with a union to pressure for a contract to hire only union employees.

Fifth. To upset every collective bargaining unit in the country by changing the definition of supervisors.

Any Member who votes for this bill will have failed to even touch these pressing labor problems:

First. The need of tightening the secondary boycott provisions of Taft-Hartley.

Second. Effectively dealing with the no man's land in labor law and leaving certain labor disputes without possibility of sensible solution.

Third. Dealing with the evils of recognition picketing.

There are at least two "sleepers" in this bill. One of them is section 103 (a) which requires employers who spend more than $5,000 a year to influence employees in their right to organize or bargain to report such expenditure on the pain of being fined $10,000 or imprisoned for not more than 1 year, or both. The bill is so loosely drawn that it seems likely that activities such as the publication of house organs, the financing of picnics for employees, and many other related activities could be construed "influencing employees." Also, if any supervisory employee spent any time whatsoever talking to members of a union about their right to organize and bargain, the wages paid that employee for the time he spent in such activities would have to be reported. I think it is obvious that with such a heavy penalty imposed, that any prudent employer would cease communication in any way with employees on their rights to organize and bargain rather than risk subjecting himself to the sledge hammer penalties imposed by this section.

The second "sleeper" occurs in section 603 (a) which purports to add a new paragraph (7) to section 8 (b) of the National Labor Relations Act. This section prohibits "picketing on or about the premises of any employer for the purpose of the personal profit or enrichment of any individual by taking or obtaining any money from such employer."

This section supposedly is aimed at controlling so-called extortionate picketing. There was some evidence of such picketing presented to the McClellan committee. However, the inclusion of this section in this bill would probably have a most explosive effect on labor-management relations. In the first place, it would probably preempt the field of extortionate picketing and make it impossible for State courts to enjoin such activities. In the second place, and here is the real "sleeper," a careful reading of this section shows that it could be construed to outlaw picketing in furtherance of an economic strike. In other words, if the employees of any plant in your District or mine struck for higher wages, I think it highly possible that these employees would find that their right to picket the plant of their employer would be outlawed by this section because they are obviously picketing for the "personal profit or enrichment" of individuals.

There are many reasons why the House should not pass such a loosely drawn piece of legislation in a field as sensitive as labor-management relations. Another reason is the fact that section 601 would change the definition of "supervisor," probably to allow the inclusion in bargaining units of many employees who are now deemed to be supervisors. Throughout the years, bargaining units throughout the country have been carved out by NLRB decisions and the present definition of the word "supervisor" is quite well understood. Changing the definition of this word would cause a rush of cases to be submitted to the NLRB to reopen bargaining units for the inclusion of other employees. These cases are time consuming and the results would be indeterminate. In fact, the only certain result of this section would be to increase the backlog of cases of the NLRB, and to cause further delays in hearing more meritorious actions.

The no-man's land provision of S. 3974 adopts the sledge-hammer approach of telling the NLRB to expand its jurisdiction to the ultimate possible under the law. I submit that this expansion is neither practical nor desirable. A more proper approach is that adopted in the bill introduced by the gentleman from Pennsylvania [Mr. KEARNS], which would allow the NLRB to declare that certain matters are primarily local in character and to cede jurisdiction of such matters to State courts and labor tribunals. Thus the NLRB could proceed to cover labor cases insofar as they are able to do so, but it would not be required to consider cases local in character but time consuming in prosecution. This would allow the parties to have more speedy hearings, and allow the NLRB to clear up its backlog and concentrate on matters which are obviously within the realm of interstate commerce.

In allowing the building trades to have a prehire contract with employers, the Kennedy-Ives bill omits a very important provision which is included in the Kearns bill. This provision makes it necessary, that before a prehire contract can be negotiated or requested, there be a history of collective bargaining between the union and the contractor. I feel that this provision is very important in allowing the employer the right to either use the union facilities for obtaining employees, or not to, as he desires.

Mr. Speaker, many Members are puzzled because this bill passed the other body by a vote of 88 to 1. I was puzzled also until I realized that so much of the bad part of this bill has been concealed in legal verbiage. I promise, Mr. Speaker, that if this bill were to be voted on in the other body today the vote

would be quite different than the one by which this bill was sent to the House of Representatives. It is vital that the House reject this abortion conceived by political expediency and that the next Congress which after all meets only 4 months from now may be free to consider this matter afresh and after sober consideration to pass a law which will protect the workingman, management, the union, and the general public.

Mr. McCORMACK. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT of Pennsylvania. Mr. Speaker, I am aware that this is not a perfect bill, by any means. I am concerned about some features of it. I am moved in my decision by those features of the bill which are affirmative and constructive. I criticized the pension and welfare bill because it did not provide adequate means of enforcement. I am interested in the fact that while this bill is bad legislative practice in the way it has been brought up, it does nevertheless impose penalties and criminal sanctions against racketeering, embezzlement and falsification of records.

I am interested in it because it does provide for the secret ballot in union affairs in certain cases. The union member wants and is entitled to this protection.

I find that a section about which I have received some mail, expressing concern on the part of employers does not in fact prohibit employers from trying to influence employees in the exercise of their bargaining rights. Nor are these reporting sections as onerous as at first represented.

This bill has good features and bad features; some things are favorable and some things are unfavorable. The protection it affords outweighs its drawbacks. It is unfortunate that we must legislate on it in this way, without adequate time for debate or amendment but I support the bill, as the best bill we can get in the interest of employees and employers—and most important of all, in the best interest of the public.

Mr. McCORMACK. Mr. Speaker, I yield 4½ minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, the gentleman from New Jersey [Mr. THOMPSON] has graciously yielded me his time and wishes to be associated with my remarks.

Mr. Speaker, I shall not strike a partisan note here. As many of my colleagues on the committee know, I did the best I could to form a nonpartisan front on this legislation.

I should like to get over one fact to the Members of this House today. If I succeed in this task, within the hour this bill will be on its way to the White House and will be another bright feather in the cap of the 85th Congress.

The fact I refer to is this: This is a workers bill, it is a bill for the rank and file members of labor unions. Why are they dragging in the Taft-Hartley arguments? Why must we bring in the emotions of that old fight here today? Forty of the forty-seven pages of this bill concern new reform legislation. This is a foundation piece of legislation to give the workers the opportunity to fight corruption, to give them the weapons with which to fight racketeering, to give them a chance to combat dishonest and domineering leaders, and to initiate more democratic procedures in their unions. That is the explanation, I say to you, of the 88-to-1 vote in the other body. That explains why the press of this country is for this legislation with one voice.

The fascinating thing is that Jimmy Hoffa, John L. Lewis, and some of the business spokesmen have injected themselves into this picture with, as the gentleman from Pennsylvania [Mr. SCOTT] intimated, picayune objections to picayune sections of this bill. They have damned this bill by strained interpretations of its provisions. I say a plague on both their houses.

Mr. Speaker, we have a simple choice here today. We can reject this legislation, and then run up and down the country this fall with our opponents in full cry about who killed the bill or which political party failed to do its part to secure labor reforms. I say to you that this would be a stupid and fruitless course to take and it will accomplish nothing for the country. Are we going to do something today for the rank and file workers, for the working men of the country, or do we want a political issue? That is the choice before us. We have had some ugly language used in the last few hours. The word "tyranny" was used to describe the leadership of this body. I say to you that our distinguished Speaker and our majority leader have rendered a great service to the country in bringing this bill—so overwhelmingly passed by the other body—to us today for a vote.

Therefore, let us on this side of the aisle rebuke this criticism, and I challenge our colleagues on the other side to continue the bipartisan approach that has been the hallmark of this Congress and help us enact this sorely needed legislation. Let us enact major labor legislation for the first time in 11 years and do something positive and constructive to produce labor reforms.

May I say that the chairman of our committee has done a good job this year and the committee has done a good job. I regret we could not consider this legislation in committee, but I knew, as the chairman said that he knew, that we would not be able to process this bill in a normal way when it came to us in mid-June from the other body. The truth of the matter is to do the job properly we should have made the decision to get into this field last February. We did not. The result is we had no opportunity to follow the normal process.

Let us accept this challenge, and add another distinguished mark to the nonpartisan record of the 85th Congress.

Mr. KEARNS. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I rise in opposition to the pending bill because while there may be a little good in it, there is very, very much that is bad. The bill should be defeated.

In my 24 years in this body if I have ever seen a measure that should not have come before us under suspension of the rules, this is it.

The gentleman who just preceded me stated that there are no amendments to the Taft-Hartley Act in this proposal. Of course, there are amendments to the Taft-Hartley Act.

As a matter of fact, the decision of the leadership here to call this bill up for consideration is to my mind most regrettable. There has been talk of politics, and I am afraid that what is being attempted here today is just a political exercise for partisan advantage and not for sound legislation.

And, I must say, having the great regard for him that I do, I am surprised that our Speaker would go along with such an operation. In my opinion, it is just out of character for him. And, I say that as one who admires him as much as anyone in this House.

There is no justification for such procedure. The maneuver is indefensible and unconscionable and the worst of all legislative practices. The measure came over from the other body 2 months ago. It was written, as has been said, on the floor of the Senate, and its provisions are just about what you would expect from that sort of an operation. For 2 months nothing was done until last Thursday when the motion was made to move to consider the Kennedy-Ives bill. If my friends on the right, the gentleman from Arizona [Mr. UDALL], the gentleman from South Dakota [Mr. MCGOVERN], and the gentleman from California [Mr. ROOSEVELT] were misled because the motion was made by the gentleman from Michigan [Mr. HOFFMAN], that is just their lack of understanding, because the motion was made and they voted against considering the bill. By the same token they voted against the Kearns bill, which is a good bill, and really would get something done. Now, it would look from that vote against Kennedy-Ives—22 to 7—that the members of the committee, most of them, did not want to have much to do with that proposal. And, small wonder. Now, here we are called upon to pass upon it in 40 minutes, with no chance to amend it; no chance to recommit it; take it or leave it. Even the apologists say that it is full of imperfections, ambiguities, and things that are wrong, yet the gentleman who proceeded me would dump that sort of a bill on the desk of the President of the United States. I say to you that the President does not want that sort of action. We know he has made recommendations, and those recommendations ought to be carried out.

Now, I want to point out a few of the things in this bill that are really bad. The Kennedy-Ives bill destroys the guaranty of free speech which was reestablished in the Taft-Hartley Act. It contains no provision to protect the individual worker against the devastating effects of the secondary boycott and organizational picketing. There is nothing in the Kennedy-Ives bill which deals with the present situation in Minneapolis where retailers are being strangled

by pressure against their employees and against the farmers in that area. The Kearns bill would do something about that. The Kennedy-Ives bill takes the so-called no man's land and moves all of that jurisdiction to Washington, where our National Board cannot possibly deal with those local matters. The way such matters should be handled is at the State level.

Not so long ago, may I say to my friends, we voted for H. R. 3 to reinvest certain rights in the States. If you vote for this bill, you will reverse the position you took. This bill redefines the definition of "supervisory employees" and, bless you, if that proposition gets much further along, we are going to find that the president of a corporation will be sitting on one side of the bargaining table, and his vice presidents and everybody else will be on the other side. The supervisory employees ought to be kept where they are.

Now, Mr. Speaker, the country does not want these things to happen. The country wants sound labor legislation that will meet the needs established by the shocking disclosure of racketeering, corruption, and brutality which are still being perpetrated daily against the American people.

If you want to talk about politics, let me say this. It will be about 4 months until we come back here. We have lived with these situations thus far; we can go along another 4 months and hold hearings and get a good bill, one that even the proponents will not have to apologize for. But, I will make a promise, and that is this: if the Congress happens to be a Republican Congress, we will have good legislation that will protect the rights of the individual worker and we will have something that everybody can support.

Mr. Speaker, I have indicated some compelling reasons why this House should reject the Kennedy-Ives bill. It is a bad bill. It is poorly conceived and poorly drawn. It ignores the American worker. It has completely lost sight of the rights of the individual. It is a one-sided bill. It throws our labor-management picture even further out of balance. It fails to deal with the abuses of power which plague the greater working population of our country. It is a backward bill. It weakens the very parts of the Taft-Hartley law which desperately need to be strengthened if the American worker, the union member, and the American small-business man are to retain any of their rights.

Moreover, Kennedy-Ives actually fails to fulfill even the minimum recommendations made last winter in the interim report of the Senate Rackets Committee.

But in spite of all this, in spite of these very compelling points, some of our colleagues would have us think there were only the two alternatives: This bill—or no bill.

In my opinion, Mr. Speaker, these unpalatable alternatives were not the only courses of action before the House. The gentleman from Pennsylvania [Mr. KEARNS] after extensive consultation with his colleague, introduced legislation which would enable all who are sincerely interested in genuine labor reform legislation to vote for a bill at this session which contributes a real solution to the problem with which we are faced.

I also regret, Mr. Speaker, that the Kearns bill was denied consideration in committee by the Democrat majority.

I wish to congratulate the gentleman who, as the ranking minority member on the Subcommittee on Labor Legislation, worked so constructively to correct the woeful shortcomings of Kennedy-Ives. As I have said, the most ardent apologists in this body for the Kennedy-Ives bill have described it as imperfect. Mr. Speaker, this characterization is a masterpiece of understatement. To enact Kennedy-Ives in its present form would be to perpetrate a gigantic hoax upon the American people.

I have already touched quickly and generally upon some of the glaring deficiencies of the Kennedy-Ives bill. Now let me go into detail about some of its more oppresive provisions and a few of its bizarre side effects.

I refer to sections 103 and 607 of the Senate bill which, in effect, would make it a crime for employers to provide even factual information to workers should the most notorious racketeers and hoodlums attempt to organize the employees or to supplant a legitimate union as their bargaining agent.

Under the guise of curbing the activities of middlemen and unethical labor consultants of the Shefferman type engaged in the business of bribing union officers, infiltrating a payroll with labor spies, and setting up dummy committees to voice what was supposedly employee opinion, Kennedy-Ives nullifies one of the major reforms in the Taft-Hartley Act—the guarantee of free speech. This was accomplished by inserting language in section 103 making it a crime for employers and labor relations consultants to fail to register and report labor relations activities that have always been entirely legitimate, and then in section 607, defining as a crime activities by employers that heretofore have not even been unfair labor practices and that in many cases are highly desirable.

Mr. Speaker, those who seek this quick passage of Kennedy-Ives are literally asking that this House make it a criminal offense for employers, if their employees are approached by labor organizers of the Jimmy Hoffa, or Johnny Dio type, to reprint in their house organs even excerpts from the McClellan committee hearings exposing the activities of such individuals.

Moreover, since almost everything an employer does in the labor relations field could be construed to influence or affect employees in exercising their right to select unions or engage in strikes, we would make it a crime for employers to publish house organs, create recreational facilities, sponsor outings, and other benefits which tend to create good will among employees toward an employer, since it could be argued such good will might tend to influence unorganized employees not to join a union or might influence unionised employees to temper their demands on their employer or to refrain from striking. When an employer, in negotiating with his employees' union, grants a wage increase or increased pensions or other benefits, it may well be contended such expenditure is to influence the employees not to strike and thus is subject to the heavy hand of Kennedy-Ives. Dozens of other activities could be cited that allegedly influence or affect employees, and to which no reasonable person could possibly object. Under S. 3974 employers would have to report all of these, or suffer fine or imprisonment or both.

Many of us have received letters from constituents drawing our attention to these provisions of section 103 and section 607. In urging the House to close its eyes and pass Kennedy-Ives, it was suggested on this floor the other day that fears with respect to sections 103 and 607 were greatly exaggerated. According to remarks which I read in the CONGRESSIONAL RECORD with much interest, the legislative history of these sections supposedly makes it clear that they were intended only to expose secret arrangements with shadowy figures who sought to restrain and coerce employees in the exercise of their collective bargaining rights, and to forbid bribes and payoffs to union officials or employees either by management or by middlemen.

As I understand it, the point of these apologists for Kennedy-Ives is that these provisions were simply designed to deter improper activities which were already defined as unfair labor practices or criminal offenses under the Taft-Hartley Act. Unfortunately, the broad language of these sections does not fit any such limited construction. The Senate report explaining S. 3974 does not claim any such limited purpose. Thus, page 9 of the report—Senate Report No. 1684, 85th Congress, 2d session—in referring to section 103 (2) and (b), says:

> Since these sections use the words "influence or affect" employees in the exercise of rights guaranteed by the National Labor Relations Act, they cover some activities which are not unfair labor practices. All sustained expenditures for this purpose fall in a shadowy area, however, and should be exposed to public view in the same manner as the conflict of interest of union officials.

Inasmuch as section 607—the section making it a crime to spend money to influence employee opinion—also uses the words "influence or affect," it is obvious that this section goes far beyond the outlawing of bribes or payoffs. I cannot agree, therefore, that the objections raised against these sections should be lightly dismissed as distortions of legislative intent.

Mr. Speaker, the House will note that in section 506 of the measure introduced by the gentleman from Pennsylvania [Mr. KEARNS] the language is directed only at abuses, and specifically at those abuses by management and labor relations consultants which were exposed in the hearings before the McClellan committee. The Kearns bill does not require disclosure of proper activities, nor does it forbid expression of legitimate opinion or the efforts to promote healthy employee relations.

Mr. Speaker, I will not take the time of the House to continue in full detail this discussion of all the Kennedy-Ives

provisions which are so harmful to rights of the individual American worker. The infringement on free speech is merely one example. And I remind this House that Kennedy-Ives is shot through with other provisions—and with equally dangerous omissions—that will continue to push the American workingman farther under the iron heel of oppression that grinds down upon him now.

But I do want to touch upon just a few of these other Kennedy-Ives shortcomings.

Mr. Speaker, Kennedy-Ives has been wrongfully portrayed to this body as a reform bill which would tend to free the individual worker from the bondage of labor organizations dominated by hoodlums and racketeers. We know that public opinion has been aroused by repeated disclosures that criminals have infiltrated unions, and by threats and economic pressure on small employers, have compelled them to deliver reluctant workers to unscrupulous union bosses whose only interest in the wage earner is the forced collection of his union dues.

I would be the first to agree that this is a condition clamoring for correction. Yet if this is the real intent of Kennedy-Ives may I point out that the bill contains not one word to prevent unions from depriving employees of their freedom of choice by the use of secondary boycotts and recognition picketing. Surely it borders upon hyprocrisy to talk about protecting the workingman from the compulsion to pay tribute to Hoffa, Dio or Beck, and yet at the same time to reject the sound proposals of the Kearns bill—proposals that would protect the job of the rank-and-file worker from the ruinous effects of a secondary boycott or a recognition picket line directed at his employer.

Unlike Kennedy-Ives, the bill proposed by the gentleman from Pennsylvania [Mr. KEARNS] is not blind to these evils. It contains in section 502 language that would prevent a union which had been rejected in a Labor Board election or which might be seeking to avoid an election, from forcing itself upon workers by coercing their employer into dealing with it.

Section 509 of the Kearns bill is designed to correct the harmful effects of a whole series of Labor Board and court decisions, decisions that go directly contrary to the original intent of Congress when we enacted the Taft-Hartley Act. These decisions have made it easy for unscrupulous union bosses to evade the present provisions against secondary boycotts. Obviously if we are sincere in our desire to protect American workers in their free choice in the matter of collective bargaining—and this, of course, was the objective in establishing the secret ballot election of the Labor Board—we could not say we passed legislation worthy of the name of labor reform if we failed to deal with the nullifying effect of secondary boycotts and recognition picketing upon employee freedom of choice.

Another important improvement in the Kearns bill is the treatment of the Labor Board jurisdiction question—the so-called no-man's land problem. Kennedy-Ives did manage to recognize that recent Supreme Court decisions created an area in which some employers and some unions had no recourse before any tribunal—State or Federal.

The Kennedy-Ives answer to this problem was to require an already overburdened Federal board to take jurisdiction over any matter which even remotely affected interstate commerce. Representatives of the Labor Board testified before the House Committee on Education and Labor that these provisions would place an intolerable caseload upon that agency. The Kearns bill in lieu of these unworkable provisions would vest the States with jurisdiction to act on cases the Board says are primarily local in character. Such a provision is entirely in harmony with the philosophy expressed by the House during the past month when it enacted H. R. 3, a bill to limit the preemption doctrine, and restore a measure of responsibility to the States.

There are, of course, other important improvements over Kennedy-Ives in the bill proposed by the gentleman from Pennsylvania [Mr. KEARNS]. I shall enumerate them briefly. Two of these are intended to protect rank and file union members from misconduct by union officers, and to promote democratic processes within the framework of the union. I refer to the provisions of section 109 imposing fiduciary—trustee—standards on union officers, and to the provisions of section 301 which establish a right to recall union officers by referendum initiated by 30 percent of the membership.

Now, while I have emphasized the serious nature of some of these Kennedy-Ives shortcomings, I do want to say this. Here and there throughout the bill we find some worthwhile provisions. These have been retained by Mr. KEARNS, who called special attention to that fact in the explanation of his bill which he placed in the RECORD when he introduced the legislation on August 12. And at this point, Mr. Speaker, I should like to urge every Member of this House to read this detailed explanation of the Kearns bill. I congratulate my friend from Pennsylvania for his efforts in thus making that explanation available to all of us.

In making proper use of those sound provisions where they were found in Kennedy-Ives, the Kearns bill preserves the safeguards with respect to the reporting requirements by unions and union officers, and the limitation of trusteeships—both of which are intended to curb abuses revealed by the McClellan committee hearings. It deletes, however, the wholly meaningless title V of the Kennedy-Ives bill. That title directs the Secretary of Labor to encourage the establishment of ethical codes by labor organizations and employers. Obviously the development of such standards of conduct are a matter of Congressional concern and should not be delegated to private organizations.

Also in the area of Taft-Hartley amendments, it is well worth noting that the Kearns bill rejects the proposed Kennedy-Ives charge in the status of supervisors. This part of existing law would be left exactly as it is. The Kearns bill also allays the so-called union-busting fear which some have expressed with respect to the voting rights of replaced economic strikers. It does this by imposing a sensible time limit on elections in such situations. While closing the boycott loopholes, the Kearns bill permits action against farmed-out work. It also would write into law the agreement reached by the building trades unions and building contractors regarding the certification of construction crafts without elections.

Mr. Speaker, I could go on and on reciting the various points and distinctions in these bills. However, I urge every Member of this House to study the two bills and see for himself. I know every Member must reach this conclusion: The Kennedy-Ives bill is a bad bill. The Kearns bill is a good bill—a fair and balanced bill.

It's as simple as that. But remember, these differences are deadly. They go to the very heart of the rights of every working man and woman—of every citizen—in America.

Let me close by summing the matter up this way:

The Kearns bill was drawn in the general framework of the so-called Kennedy-Ives labor reform bill (S. 3974) which passed the Senate last June 17.

However, there the similarity ends. While the framework of the two bills is roughly the same, the Kearns bill also has meaning, substance, and purpose—attributes tragically absent from that mislabeled reform bill approved by the other body.

The Kearns bill is not an empty shell. It is not a weak political surrender designed to curry favor with labor-union bosses. It is a forthright attempt to correct by law the intolerable abuses of power to which individual American workers—and, indeed, all Americans—have been subjected.

The Kearns bill does not weaken the Taft-Hartley Act. It strengthens that law where time and experience have shown that changes are needed to bridle the absolute power of irresponsible men.

The Kearns bill does not wink at thievery and corruption, or at the dissipation of funds paid into union treasuries by the workingmen of America. It protects these funds and brings to justice those who siphon off union assets for themselves.

The Kearns bill neither clumsily nor deliberately oversteps itself to stamp out anyone's right of free speech. It does, however, with precision and clarity, protect the American worker against crude intrusions on the effective assertion of his own rights—intrusions dramatically exposed in recent hearings.

The Kearns bill does not give corrupt union officers the chance to perpetuate themselves in power. It not only assures honest elections; it gives union members the means by which they can promptly depose those leaders who prove unfaithful to their trust.

In short, the Kearns bill is not a bill drawn to win the political support of any

union boss. It is a bill which would restore to the worker a large measure of his status as a free man—free to manage his own affairs, free to effectively assert himself in the business of his union, free from domination either by union officers or employers. It is a bill which purposely concerns itself with the rights of the individual, while at the same time restoring a proper balance of the interests of unions, employers, and the public.

It is the kind of labor legislation the country wants and needs.

The best guaranty it will become law lies with the election of a Republican Congress in November.

Mr. McCORMACK. Mr. Speaker, I yield myself the balance of the time remaining on this side.

Mr. Speaker, I am amazed at the remarks of the gentleman from Indiana [Mr. HALLECK], in relation to the Speaker. If anyone knows SAM RAYBURN he knows that SAM RAYBURN makes his own decisions. SAM RAYBURN is not dictated to by any man.

Mr. Speaker, as long as they brought in the name of Walter Reuther, let me call attention to the fact that of those prominent labor leaders appearing before the McClellan committee, are Republicans. They have been among the most prominent Republicans for many, many years.

One of the reasons for the suspension of the rule is to meet a situation such as exists today in relation to the pending bill. The bill is properly before the House in accordance with the rules of the House. If that were not so, a point of order would have been made against the consideration of the bill.

Mr. Speaker, for weeks the overwhelming majority of our people and the press have properly insisted that the House be permitted to vote on this bill before this session is over. In his wisdom, for which he is to be commended, Speaker RAYBURN is giving the House this opportunity today.

I have the feeling that any Member voting against suspension will have a hard job selling the majority of his people that he was justified in that vote because the committee did not conduct hearings or because of procedural questions.

Only yesterday the New York Times in an editorial praising Speaker RAYBURN said:

> If the move should be tried and fail the public can know from a roll call just who gave a body blow to labor union reform.

For the people know that this bill is aimed at an extraordinary challenge to the American Government. And the people support extraordinary methods to meet this extraordinary challenge to our Government. For the people know that this bill is aimed at racketeers in the field of labor and management, and at hired gangsters and killers who place themselves above Government, who sneer at Congressional committees and law-enforcement agencies; yes, who sneer and growl at the American people. And those who toil on the farm, just as well as those who work in the cities, know that this measure is a necessary measure, and they support it just as strongly as do those who toil in the cities.

It is aimed at racketeering labor leaders and the gangster element infiltrating an otherwise clean labor movement; for they intend to keep on embezzling union dues, rigging union elections, extorting money from employers, and the other nefarious practices engaged in—gangsters on the payroll, fixed conventions, bribes and payoff, destroyed books, false financial reports, deals with employers which the members of the union know nothing about. They know that they will continue such practices unless the Congress acts.

This bill passed the other body by a vote of 88 to 1. Now is the time for Congress to stop these practices. The House has the opportunity today. Anyone voting against suspension is voting against the bill. Anyone voting against suspension is voting to permit a continuance for an unforeseeable future of these vicious, unmoral, and in many cases, illegal practices and acts.

The Members arguing against this bill today, after this session is over, would be the first to condemn the majority leadership for not bringing the bill up for a vote. They are not deceiving me. I do not think they will deceive the general public.

As other Members have stated, George Meany, president of the AFL–CIO strongly favors the passage of this bill. On August 15, 1958, President Meany sent me the following telegram:

> Need for passage of effective legislation in fight against corruption in labor-management relations is acute. Sincerely trust House will pass Kennedy-Ives bill, S. 3974, under suspension of rules. It is only effective measure now pending in Congress. Trust you will use your good offices to insure such vote.
>
> GEORGE MEANY.

The same day I received the following telegram from Richard J. Gray, president:

> On behalf of the 3 million building and construction tradesmen of the 18 international unions affiliated with the building and construction trades department, AFL–CIO, it is respectfully requested that you vote in favor of Kennedy-Ives labor-management reporting and disclosure bill, when it is called up Monday, August 18, under suspension of rules. The much needed good features of the bill far outweigh its bad points. Action is needed this session. Our membership and the country, as a whole, want the Kennedy-Ives bill enacted into law now. Therefore, I urge you to vote for suspension of rules.
>
> RICHARD J. GRAY,
> *President.*

I know one thing, I am not going home to my constituents and try and tell them "Yes"—to try to kid them—that I voted against this important bill because of some technicality or procedural reason. The people have properly demanded the vote. They are getting one today.

This will be the only opportunity in this session to meet these dastardly practices which the Senate committee have disclosed. The rules should be suspended and the bill passed.

Mr. GRIFFIN. Mr. Speaker, I would be remiss in my obligation as a member of the House Labor-Management Subcommittee if I did not focus attention upon the irresponsible and politically inspired manner in which labor legislation has been mishandled and thrown at the membership here today on a take-it-or-leave-it basis.

I have been a member of the House Labor-Management Subcommittee since it was first organized in the last session as part of the Education and Labor Committee.

Last year, despite the revelations of the McClellan Senate committee, the Democrat-controlled House subcommittee did not even meet to consider legislation, except for 3 or 4 days of brief hearings called at the very end of the session. No legislation whatsoever was reported by the subcommittee last year.

In December 1957, shortly before we convened for this, the 2d session of the 85th Congress, Labor Secretary Mitchell spelled out the administration's moderate, but constructive, labor program in an appearance before the AFL–CIO convention. Early in this session, President Eisenhower then laid the same program before Congress in his labor message and urged early consideration.

On January 30, 1958, after waiting for nearly a month, the Republican members of the Labor-Management Subcommittee wrote a letter to the subcommittee chairman, as follows:

JANUARY 30, 1958.

Hon. CARL D. PERKINS,
Chairman, Subcommittee on Labor-Management Relations, House Committee on Education and Labor.

DEAR MR. CHAIRMAN: We, the minority members of the Labor-Management Subcommittee, believe that the public at large, as well as rank and file union members, want and expect Congress this year to take action to remedy a number of obvious defects in the legislation which now regulates labor-management relations.

We further believe that the President is entitled to have his proposals in this field considered fully and promptly.

Accordingly, we respectfully request that you schedule hearings to begin at an early date on those proposals made by the President which fall within the jurisdiction of our subcommittee. We further recommend that a reasonable time limit be fixed in order that our subcommittee can make a report to the full Education and Labor Committee in ample time to permit action by the Congress during this session.

Respectfully,

CARROLL D. KEARNS.
JOHN J. RHODES.
ROBERT P. GRIFFIN.

When no action of any kind resulted, all the Republican members on the full Education and Labor Committee then joined in a letter on February 26, 1958, to the chairman of the full committee. The letter read as follows:

FEBRUARY 26, 1958.

The Honorable GRAHAM A. BARDEN,
Chairman, Committee on Education and Labor, House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: President Eisenhower on January 23, 1958, transmitted to the Congress his recommendations for legislation in the labor-management field. He stated that action on the part of the Government was needed to protect the basic rights of the individual workers to maintain the integrity of trade unionism. The stated purpose of

his program is to reassure the American public that—

1. The funds which are set aside for the benefit of working men and women in health, welfare, and pension plans are accounted for.

2. The moneys which are contributed by workers to union treasuries are being used solely to advance their welfare.

3. Organizations in which working people associate together voluntarily to improve their status through collective action will be administered in such fashion as to reflect their will.

4. The working people are more fully protected from dealings between representatives of labor and management which have the effect of preventing the full exercise of their rights to organize and bargain collectively.

5. The public is protected against unfair labor and management practices within the collective-bargaining relationship which give rise to the exercise of coercive power by one as against the other tending to impede the peaceful development of that relationship, or which infringe the legitimate rights of innocent third parties.

Accordingly, we the minority members of the House Education and Labor Committee, respectfully request that you schedule hearings to begin at once on the labor-management proposals made by the President. We further request that the hearings be so arranged that there will be ample time for Congress to take final legislative action on the entire program during this session.

Respectfully,

RALPH W. GWINN, CARROLL D. KEARNS, CLARE E. HOFFMAN, ALBERT H. BOSCH, JOE HOLT, JOHN J. RHODES, STUYVESANT WAINWRIGHT, PETER FRELINGHUYSEN, JR., DONALD W. NICHOLSON, WILLIAM H. AYRES, ROBERT P. GRIFFIN, HARRY G. HASKELL, JR., JOHN A. LAFORE, JR.

Finally, the subcommittee chairman, the gentleman from Kentucky [Mr. PERKINS] did call a meeting of the subcommittee for March 5. All seven of the subcommittee members were present for the meeting.

Following a discussion, the gentleman from Arizona [Mr. RHODES] offered a motion that the subcommittee begin consideration and hearings on at least a part of the President's labor reform program.

By a straight party-line vote, 4 Democrats to 3 Republicans, the motion was defeated and the meeting adjourned on a note indicating that the Democrats in control of the subcommittee had no intentions of holding any hearings or reporting any labor reform legislation.

The need for such legislation became more and more apparent as the McClellan committee continued its hearings. But despite persistent prodding by the press and Members of Congress, the Democrats in control of the Education and Labor Committee adamantly refused even to consider legislation.

The Democrat-controlled House committee continued to do absolutely nothing in this vitally important field. Finally, at a regular biweekly meeting of the full committee held May 8, 1958, I offered a motion that the labor-management subcommittee be discharged and that the full committee proceed to consider the President's recommendations for labor reform legislation. The motion was defeated by a straight party-line vote; all 13 Republicans voted for the motion while all 16 of the Democrats who were present, or represented by proxy, voted against it.

Thereafter, at the same meeting, a motion was made directing the labor-management subcommittee—notwithstanding its prior refusal—to begin hearings on legislative proposals in this field. The motion was carried.

The subcommittee chairman continued to drag his feet even after being directed by the full committee to hold hearings.

Finally, on May 28, the subcommittee convened for 1 day to hear Secretary Mitchell. On June 3, the subcommittee listened to Dr. Joseph E. Maddy; and then on June 5, 6, 10, 16, 19, and July 15 and 16 the committee took testimony from the General Counsel of the NLRB; Boyd Leedom, Chairman of the NLRB; Cecil B. DeMille; Joseph Finnegan, Director of the Federal Mediation and conciliation Service; and several Members of Congress.

Thereafter the efforts of the subcommittee again ground to a complete stop. Hundreds of requests to testify were received from interested labor leaders, public officials and employers, and were ignored. The days went on and the end of the session came closer and closer.

In the meantime, the so-called Kennedy-Ives bill had passed the Senate on June 17, 1958. It will be recalled that the chairman of the reluctant Senate Labor Committee had been prodded by Senator KNOWLAND into a commitment that some labor reform legislation would be considered and reported by the Senate committee before the middle of June.

After the Senate-passed Kennedy-Ives bill came to the House on June 18, the Speaker [Mr. RAYBURN] placed the bill on his desk and kept it there for 40 days until July 28, before finally referring it to the Education and Labor Committee.

By that time, rumors began to fly that House Democrats had devised a clever plan to shift political blame for their refusal to deal adequately with the subject of labor reform. On certain Mondays during the legislative session, a Senate-passed bill can be called up on the House floor by the Speaker under a procedure known as suspension of the rules.

Under this extraordinary procedure, customarily reserved for minor, noncontroversial legislation, debate on a bill is limited to only 40 minutes. No amendments can be offered, and the Members are required to vote for or against the measure on a take-it-or-leave-it basis. A two-thirds vote is necessary for passage.

Many important and far-reaching provisions of the Kennedy-Ives bill were actually written in by amendments adopted on the Senate floor. I have counted 31 different amendments which were adopted on the Senate floor, many of which never received study or consideration in any committee of either body.

The Kennedy-Ives bill not only is weak, as measured against the demonstrated need for reforms, but it contains a number of serious defects as well as certain provisions which are onerous, expensive and unnecessary. My remarks outlining objections to certain provisions of the Kennedy-Ives bill will be found at another point in the RECORD.

By calling the bill up under suspension of the rules in the waning days of the session, the Democrats figured they could accomplish two things:

First. They could preclude the adoption of needed amendments, some of which would be unacceptable to certain union leaders in political control; and

Second. If the Republicans voted against the bill in its present form, as expected, then the Democrats would have a readymade campaign issue and could charge that the Republicans killed labor-reform legislation.

The Democrat political strategy on Kennedy-Ives was the chief topic of discussion in the corridors during the week prior to Monday, August 18—the last Monday in the session when bills could be called up under suspension of the rules.

On the Thursday before August 18, the full Education and Labor Committee held its last regular meeting of the session. Once again a Republican-sponsored motion was made that the labor-management subcommittee be discharged, and that the full committee proceed immediately to consider the so-called Kennedy-Ives bill. Consideration in committee would have provided an opportunity to offer needed amendments.

Each and every one of the 16 committee Democrats who were present, or represented by proxy, voted against even considering the Kennedy-Ives bill in committee and the motion was defeated.

Thereafter, the gentleman from Arizona [Mr. RHODES] moved that the committee proceed to consider the so-called Kearns bill (H. R. 13739) which substantially embodies the administration labor-reform recommendations. This motion was defeated by a straight party-line vote.

The next day, the majority leader, Mr. MCCORMACK, announced that on Monday, August 18, there would be 35 bills called up under suspension of the rules, including the Kennedy-Ives bill, a $2 billion housing bill, and many other major pieces of legislation.

On Saturday, August 16, five Democrat members of the full Education and Labor Committee circulated a letter endorsing the Kennedy-Ives bill and urging House Members to support it under suspension of the rules. The five were Representatives METCALF, of Montana; MCGOVERN, of South Dakota; THOMPSON, of New Jersey; UDALL, of Arizona; and ROOSEVELT, of California.

These very same Democrats had voted, only 2 days before, in the full Education and Labor Committee, against even considering the Kennedy-Ives bill.

In their letter they attempted to explain their vote in committee by saying that there was not enough time remaining in the session to permit committee consideration of the bill. In view of that reasoning, it is a little difficult to understand how these same gentlemen could contend that the House (without the benefit of committee study) would be justified in acting on so important a measure, under suspension of the rules, with only 40 minutes of consideration.

It should also be recalled that these same gentlemen, who now say that there was not enough time for committee consideration, voted against a motion offered several months ago, on May 8, 1958, calling upon the full committee to hold hearings and consider labor reform legislation.

The Democrats in control of the Congress may wish to legislate on important matters in this fashion; that is their prerogative. But, as for me, I do not care to join them in their tactics.

Mr. RHODES of Pennsylvania. Mr. Speaker, in remarks to the House last week I urged that we be given the opportunity to vote on the Kennedy-Ives labor reform bill before adjournment. I am pleased that the legislation is now before the House.

S. 3974 was passed by the Senate by an overwhelming vote of 88 to 1. It is the result of extensive hearings and study growing out of the investigations and revelations of the Select Senate Committee on Improper Activities in the Labor-Management Field, the so-called McClellan committee.

This bill contains 12 specific provisions which are directed at the abuses uncovered by the McClellan committee. In my previous remarks I listed these reform measures, which have been largely ignored or minimized by opponents of the Kennedy-Ives bill. These safeguards are needed now to protect the rights of workers, management, and the public against racketeers, embezzlers, thieves, and gangsters in the labor-management field.

Mr. Speaker, I have actively supported the bill to protect welfare and pension plans and I have also supported the Kennedy-Ives bill which is now before the House. Both of these measures are needed. The American public has a right to expect Congress to enact both of these reform bills before we adjourn.

This action on S. 3974 under suspension of the rules is the only way in which the legislation could be considered so late in the session. Strong opposition to this labor reform legislation by extremist elements of both labor and management threatened to bottle it up in committee for the remainder of the session. Had the bill been referred to the Education and Labor Committee when it came over from the Senate, we would have run the serious risk of killing the welfare and pension plan reporting and disclosure bill and House Members would have had no opportunity to consider and vote on this labor reform bill today.

No one contends that S. 3974 is a perfect bill. There are some features in the measure which I feel could be improved upon. But we are now faced with the situation of either accepting this bill and making amendments in the next Congress, or having no legislation at all this year to correct the major abuses in the labor-management field as recommended by the McClellan committee. I shall vote for passage of the Kennedy-Ives bill as an important and necessary first step in dealing with the obvious evils in this area. It is desired by responsible leaders in labor and management and it is needed and wanted by workers and the public.

Mr. HENDERSON. Mr. Speaker, I am opposed to bringing up this bill under the circumstances which prevail here today. Legislation which will protect labor union members from the plundering and marauding of union officials is needed in view of the disclosures which have been brought to view. On this subject there is virtually unanimous agreement among union members, honest union officials, and the general public. It is regrettable that this session of Congress may not see needed legislation enacted. However, when we do act, the resulting bill should be sound and based upon a sincere understanding of what we are doing and why we are doing it.

Outside this Chamber, it may not be understood what is going on here today. I would characterize it as fumbling in the dark. The failure of the Education and Labor Committee to conduct hearings is regrettable. What the bill will or will not do is left to the imagination and interpretations of the 435 Members here. Legislation of this magnitude deserves and demands a more thoughtful approach than a mere 40 minutes of debate.

The study this bill should have been given in committee and in the course of debate might have formed the basis for amendments. The fact is inescapable that the orderly processes for the consideration of legislation have been short circuited and we are being asked to act upon a bill about which we have insufficient information. There are serious objections to this bill. Whether the objections are justified or not can scarcely be decided on this floor when the committee spokesmen only reflect the depth to which the controversy extends. The questions will not and cannot be resolved here satisfactorily until we know more about the bill and the basis for the contending expressions of opinion.

Anticipating the debate here today, the Daily Jeffersonian of Cambridge, Ohio, commented editorially in its August 16 issue that, "A number of experts who have analyzed the labor reform bill passed by the Senate consider it gravely inadequate. It does little or nothing about such abuses as organizational picketing and the use of union dues for political purposes. Certain of its provisions, competent lawyers believe, could be so construed as to muzzle employers involved in controversies with unions seeking to organize their employees."

The editorial concludes, "The merits or demerits of this particular bill to one side, reason and justice demand that ample time should be provided for debate and analysis of all major legislation—and that comprehensive public hearings be held. This bill should not be jammed through the House." With this conclusion, I am in full accord.

Some have suggested that we take this bill with its imperfections, as the best a Democrat controlled Congress could provide. Others suggest that it would be politically expedient to vote for this bill. I cannot vote for a measure which has questionable and possibly harmful features, even though there may be many good provisions. The vote for this bill is a politically expedient vote to some because they know that it will not be passed, but they will be on record for having voted for a bill with a title that says it would provide labor reform. I could do the same, for since it will not become law I would gain a reputation for voting for labor reform without ever having it demonstrated by practice how imperfect, how faulty the measure might be. I cannot join some of my colleagues who will hypocritically vote for this bill. I cannot vote for that kind of political expediency. To my way of thinking the only politically expedient vote is the one which is right, just, sincere, honest, and forthright.

Mr. ROBISON of New York. Mr. Speaker, as a very junior Member of this House, I will not have an opportunity to participate in this debate other than to present this brief explanation of the vote I expect to cast against passage of S. 3974 in this manner. I am as deeply concerned as is the general public over the recent exposures of the extent to which corrupt and criminal elements have infiltrated into the top ranks of organized labor. It is a national scandal and disgrace, sincerely deplored, I know, by fine men like George Meany and the millions of responsible Americans who are members of decent labor unions.

Given the proper legislative devices, I am confident labor would promptly clean its own house. Surely, it is high time Congress acted, but, despite the sense of urgency we all feel, I cannot condone doing something that may not be right, doing something that may have to be undone, just for the sake of doing something. This is not a partisan matter with me. I am acting as I believe one who is honored to bear the title of "Representative in Congress" should act. I cannot live up to the meaning of that title by representing only a part of my constituency. Those constituents of mine who now question and object to some of the provisions of this bill may prove to be completely misinformed or misled but surely, as American citizens, they have an inherent right to be heard in committee hearings. I will not vote to deny them that right.

Mr. SCHERER. Mr. Speaker, 3 months ago—on May 14, to be exact—in a plea for needed labor legislation, I said on the floor of the House that other than the Soviet threat there is no issue confronting the Congress and the people of the United States of greater importance than the upheaval of the labor movement, resulting chiefly from the sordid revelations by the McClellan committee; that the unbelievably corrupt leadership and racketeering by leaders in certain labor unions, the revelations of gangsterism, theft, fraud, abuse of power, corruption of law-enforcement agencies, and the exploitation and betrayal of the man in the shop have shocked the Nation.

Other than the Soviet threat, there is no issue that has been facing this Congress of greater importance than the passage of effective—and note I say "effective"—labor legislation. The time has come to bring a halt to the theft, fraud, extortion, blackmail, and the sordid abuse of power by certain labor bosses, as revealed by the shocking testimony before the McClellan committee.

I will not attempt, Mr. Speaker, to review the long history of power and

monopolistic practices not only against the public interest but also to the detriment and cynical betrayal of the man in the shop.

As the people in this country, including labor's rank and file, began to understand the almost life-and-death power which unions hold not only over the economy but also over their membership, the top union leadership realized that they themselves must do something to put their house in order so that the union movement would not suffer complete loss of public support. They realized that men like Beck, Hoffa, Bridges, and Cross had done irreparable damage to the cause of unionism. The public and the man in the shop were crying for action to put an end to the abuses and to throw off the shackles of the Becks, the Hoffas, the Bridgeses, the Crosses, the gangsters, and common criminals who had forced their way into positions of power.

The AFL–CIO proposed suspension and expulsion of corrupt unions as the answer to the demand for reform. While expulsion was proper, expulsion alone is not enough; it is not the answer.

As an example, quite a few years ago the CIO expelled a number of the Communist-dominated unions after revelations by Congressional committees. Such expulsion did not relieve the expelled unions and their rank-and-file membership from Communist domination and control, as was predicted. The fact is that today the Communist leadership in some of those unions has a greater stranglehold than before the CIO acted.

Neither have the more recent expulsions of the teamsters and bakers eliminated the unscrupulous—the mobsters, embezzlers, racketeers, and men with long criminal records who have forced their way into positions of power where they have preyed upon the shop owner and labor's rank and file.

The expelled Hoffa-Beck Teamsters Union, the largest single union in the United States, is presently joining forces with the Harry Bridges', Communist-dominated, Longshoremen's Union and the corrupt east coast waterfront unions. In fact, a criminal background in the Hoffa and bakers unions and Communist Party membership in the Bridges' outfit appear to have been a prerequisite for a job and advancement in the union hierarchy. The strategic position and power of this unholy Hoffa-Bridges alliance under the present helpless status of the laws of this country is terrifying to contemplate. Our entire shipping and transportation system could be paralyzed in time of war or other internal upheaval upon the whim of two or three utterly corrupt and power-hungry men. Anti-trust legislation alone can break up this dangerous combine and monopoly.

Mr. Speaker, when it became evident to the people of this country that expulsion was not the answer and that only adequate, strong, labor legislation would do the job, some of the AFL–CIO leadership, principally Reuther, joined hands, however, with the bad boys in opposing any really effective measures. All of them, especially Reuther, want no legislation which will materially affect their control of the rank and file and hinder their drive to dominate the economy of the country and the Democratic Party.

Labor has become big business, bigger than General Motors, bigger than United States Steel, and in many instances bigger than Government itself. It is no secret that Walter Reuther is the governor of Michigan and a number of other States and holds a substantial number of seats in the Congress of the United States.

These gentlemen, realizing that some legislation was inevitable, came up with the Kennedy-Ives bill. While the first five titles of this piece of legislation are desirable, they are weak and totally inadequate.

The rank and file of labor have been unable to throw off the shackles of the Becks, the Hoffas, the Bridges', the Cross', and a rogue's gallery of criminals whose records cover everything from highway robbery to murder. To do this job, they need the tools which Congress alone, through effective legislation, can give them. They need a bulldozer, sledge hammer, and crowbar. Instead, in the Kennedy-Ives bill, we hand them a wheelbarrow, tackhammer, and fingernail file. If they attempt to use the tools in the Kennedy-Ives bill to unload corrupt leadership, they are going to get hurt. In all history there is only one David who slew Goliath with a pebble.

The labor bosses are now sending us telegrams to support the Kennedy-Ives bill. They are real happy about it, not only because its first five titles are what they want under the circumstances, but also because in title VI they have a sleeper which effectively weakens rather than strengthens provisions of the Taft-Hartley law. Title VI of the Kennedy-Ives bill gives them some of the changes they have failed to put across since the passage of Taft-Hartley a decade ago. This bill takes half a step forward and three steps backward.

In view of the need, this legislation is a fraud not only upon the public but also upon labor's rank and file. We have here the same pattern that was followed in the pension disclosure bill which this Congress adopted a few weeks ago.

The need in that case was to stop theft, fraud, and embezzlement in the handling of pension funds. The measure that passed the Congress will only make it a little more difficult, take a little longer, and require a little more ingenuity by the parasites to cover up their manipulations of the pension-fund gravy trains.

The very substance of the Kennedy-Ives bill, the manner in which it is being handled here today, the procedures that are being followed, the stench of politics at its worst which surrounds us, would lead one to believe that this might be a steamroller Teamsters' convention rather than a session of the Congress of the United States.

Here we have, as I have said, a piece of legislation second in importance only to the Soviet threat, which for months has been cagily shifted behind pillar and post until almost the last day of this session. It is almost unbelievable that this tremendously important legislation has been brought to this floor without committee recommendations, without hearings, under suspension of the rules on a day when the majority has seen fit to schedule 35 other pieces of legislation, one of them the more than $2 billion housing bill. No one is permitted to offer even one single amendment, with debate on this momentous legislation being limited to a total of 40 minutes.

If the perpetrators of this clever and cynical strategy really wanted or cared whether this legislation passed, they would bring this bill to the floor under normal and regular procedures so that it would take only a majority vote to enact it instead of two-thirds.

Of course, the whole purpose of this maneuvering is to give an opportunity in the coming campaign for some, as they go up and down the country, to hypocritically say to the mass of people who will not understand what has happened here today, "I voted for labor-reform legislation." In turn, unblushingly they will point the finger of condemnation and scorn at those of us who say "No" to this bill and the disgusting chicanery of politics at its worst.

Thus will the interests of the labor bosses and political advantage be served and the public and the rank and file of labor be damned.

Mr. LOSER. Mr. Speaker, I feel constrained to vote against the motion to suspend the rules and pass the so-called Kennedy-Ives labor-reform bill. I am not unmindful of the fact that legislation in this field is badly needed. However, on the eve of adjournment of the Congress, it seems to me to be very inappropriate to pass a bill that is now pending before the proper House committee for consideration by it, without giving this committee an opportunity to hold hearings on the bill and make its recommendation to the House. This is the orderly procedure fixed by the rules of the House for decades, and to suspend the rules on such an important and controversial measure and pass the bill would be, in my opinion, a debasement of the legislative process. Then, too, it seems to me to be a misemployment of this procedure when the legislation has been before the appropriate committee less than 30 days.

There are many bills pending in the House, several of which are of grave importance to large segments of the United States, that are not being scheduled for action, although they have been reported favorably by the appropriate committees of the House after exhaustive hearings. To illustrate, the omnibus judges bill, which seems to me to be noncontroversial, could be passed under suspension of the rules; then there is the TVA self-financing bill. It has been reported to the House favorably after extensive hearings. It seems to be abandoned for the session by the leadership.

The Railroad Retirement Act has been reported favorably after hearings lasting for weeks, yet it is not scheduled for a hearing in the House.

Mr. Speaker, this bill is a complex piece of legislation. It is programed by the leadership on a day when there are dozens of bills on the Consent Calendar; there are 34 other bills to be considered under suspension of the rules; there are conference reports, and other matters of grave concern to the Nation that must be acted upon before sine die adjournment within a matter of 2 or 3 days. Under the rules applicable to this procedure there will be 20 minutes of debate by the proponents, and 20 minutes by the opponents. The bill is 40 pages in length and couldn't be read carefully in 40 minutes, much less intelligently considered. Such hasty action on a major piece of legislation does violence to both sides of the controversy.

And, Mr. Speaker, when the measure, under suspension of the rules, is not read under the 5-minute rule, and no amendment may be offered or debated by the Members generally, the ill-adapted use of the suspension-of-the-rules procedure is magnified.

Mr. Speaker, I have received communications on both sides of the question, and it is my firm conviction that the bill is unsatisfactory to labor as well as management.

In a communication sent the House Members today, several members of the Labor Committee say that "it is to be regretted" that the bill has not been processed by the Committee on Education and Labor, and they say further that the bill "has not won the approval of extremist or perfectionist labor or business groups."

One of my good friends, an outstanding leader in the labor movement in my home city of Nashville, who is advocating passage of the bill under suspension of the rules, stated that the bill "has some features which labor does not like."

It is my opinion that labor would not want a piece of legislation adversely affecting it acted upon by the House without being given an opportunity to be heard before the Labor Committee, and I believe management would take the same position. I further believe that both of the groups in interest would want a full and complete debate in the Committee of the Whole before the House passes on the legislation.

Mr. Speaker, I will support legislation that has as its objective the correction of abuses disclosed by the McClellan Rackets Committee, but I will not vote to suspend the rules on legislation that has such a great impact on employer and employee alike without full debate.

Legislation of such importance should be approved only after full and open hearings by the Labor Committee, with an opportunity given all interested groups to appear and give their views on the matter. And when it comes to the House it should be debated fully and freely, so that all may understand the legislation.

Someone in authority many years ago said, "Suspension of the rules is not a normal legislative procedure. In a sense it is a trifle unfair in that it limits debate and does not permit the right of amendment."

Mr. Speaker, I realize quite well that there are times when suspension of the rules is imperative and vitally necessary to dispatch public business, but I do not believe that this heteroclite procedure should be resorted to on a bill that has such far-reaching connotations to employer and employee alike.

Therefore, Mr. Speaker, I shall be compelled to vote against the motion to suspend the rules in this instance for the reasons stated.

Mr. SANTANGELO. Mr. Speaker, I rise to support S. 3974, the Kennedy-Ives bill.

The news headlines continue to report stories of corruption, violence and arson perpetrated by so-called union leaders. The tale unravelled by the McClellan committee is shocking and disturbing to union members and to all other decent Americans alike. The sordid tale must, however, be exposed, and we in Congress have the responsibility to enact legislation which would make it impossible for the repetition of such base occurrences in the future.

UNIONS MUST NOT BE CONDEMNED FOR ACTION OF FEW

We must not, however, lose our sense of balance as I am afraid some newspapers and slick magazines have in using these stories to condemn the whole labor movement. We must remember that only a small proportion of labor officials are involved in the wrongdoing, albeit, a very significant one. We must also not condemn millions of honest trade unionists for the action of these so-called few leaders. The fact that men like Dave Beck have apparently violated their fiduciary responsibilities towards their members and have indulged in shady manipulation of union funds should by no means throw a shadow even upon the honest hardworking million and a half teamsters, who perform essential services to our economy. Neither should we condemn the hundreds of honest officers in the Teamsters Union and other organizations whose top leadership was found venal.

THE POSITIVE CONTRIBUTIONS OF UNIONS

I also believe that the emphasis of the sordid side of union affairs has completely ignored the great contributions that American unions have made to the working people of this Nation and to society at large. While the newspapers continue to advertise and to play up the abuses of a few union officials, it is on very rare occasions indeed that we find any of the accomplishments of trade unions spread out on the front page. The story of successful collective bargaining negotiations and the contributions of sound union policies are not displayed with any prominence.

I believe we must keep in mind these positive aspects of trade unionism when we embark upon legislation regulating union affairs. We must recognize the contributions of unions to the economy as well as to the workers.

About half of the American population is now covered by some form of a group welfare program, whether that be medical care, life insurance, sickness benefit or supplementary unemployment benefit. About a fifth of the population is now covered by private pension plans which supplement the income of employees upon retirement. This has contributed significantly to the economic security and well-being of vast numbers of people in our country. We owe this beneficial development to the American labor movement which has fought at collective bargaining tables, and when necessary, in the picket lines, to attain these worthwhile benefits. Let us bear in mind that these benefits are not limited only to union members and their families, but have been extended to millions of people outside of the union movement.

The trade unions have also added to the dignity of workers on the job. Through the grievance procedures unions protect the rights and status of working people in the shop and in the factory.

Unions have contributed toward the diminishing of poverty from the United States so that we can see the day when basic economic want is going to disappear from our land. This they have accomplished by securing higher wages for workers and fighting gallantly for the improvement in minimum-wage standards, social-security benefits and other welfare legislation, which have benefited all members in our society and not only those in trade unions.

Without their efforts, I am convinced that the present recession would have been a much deeper one and that right now, instead of looking confidently toward recovery, we would have had many more millions of unemployed. We must be thankful to unions for the higher wages enjoyed by the American people and the various supplementary payments for which unions fought and which have helped to buoy the American economy.

The American trade-union movement has also been in the vanguard of combatting the spread of communism. It has been many years since the American Federation of Labor and the Congress of Industrial Organizations expelled Communist elements that obtained a foothold within American unions. While some Communist sympathizers have positions of trust in unions, our unions have also helped free trade unions throughout the world to fight Communist influences in the countries overseas and south of the border.

THE KENNEDY-IVES BILL (S. 3974)

It is only with the prospective that I have just outlined that we can properly approach the problem of Government regulation of unions. I think that any sound legislation requires that we not do harm to the beneficial aspects of union activity under the guise of regulating wrongdoers and racketeers who have wormed their way into labor organizations.

I believe that the Kennedy-Ives bill, which was passed by the Senate almost 2 months ago, largely accomplishes this aim. It undertakes to regulate internal union affairs without undue meddling in the administration of unions and without weakening their collective bargaining powers.

1. REGULATION OF UNION AFFAIRS

Union Democracy: The bill guarantees union democracy by providing for periodic secret elections. In most cases this is exactly what happens anyway. In the instances where democratic rights of members are being violated, the bill empowers the Department of Labor to investigate violations and to help union

members gain control over their organizations. The bill rejects, however, what I believe essentially to be a harmful approach of Government interference by providing for detailed regulation of internal union affairs illustrated by requiring initiative and referendum procedures. This kind of regulation makes it possible for unscrupulous employers to incite dissension in the ranks of unions and thus force the union members and their leaders to dissipate their energies on internal squabbles instead of allowing unions to concentrate on improving the working conditions and wages of members, which is the business of unions.

Trusteeships: The bill also eliminates the excessive use of trusteeships. This is the practice by which an international president suspends locally elected officials and oppoints a trustee or receiver over the affairs of the local union. The McClellan committee has disclosed instances where such receiverships remained in effect for a decade or even more. Of course, during the years in which the receivership is in effect—the members of the local have no control whatsoever over the affairs of their own union. We know that occasionally receiverships are necessary. An international officer may have to resort to this undesirable practice in order to remove dishonest or incompetent local officials, the same as the Governor in my State, New York, has the power to remove corrupt municipal officials. The Kennedy-Ives bill will not prevent the international officials from removing corrupt local officials, but it would require the international officer to justify such action when it becomes necessary, and the receivership would be limited to 18 months, unless special reasons exist to extend it for another year.

Disclosure of finances: A third area in which the Kennedy-Ives bill provides needed legislation is in requiring unions to disclose their financial operations. This will assure every union member of a full accounting of the way his dues are being spent. Again, most unions do it anyway. But, the few union bosses who failed to do it and used the union treasuries for personal aggrandizement and running side businesses with loans made from union funds will have to stop this personally lucrative practice. The bill prohibits loans to union officers in excess of $1,500.

Penalties: I am happy to find that the bill also provides for stiff penalties, including fines and imprisonment, for union officials who violate the provisions of the act. Contrary to the false impression given by opponents of this legislation, this is no Milquetoast bill. It punishes severely those who abuse their power but does not hinder union officials who carry out their fiduciary and other responsibility honestly and efficiently.

2. EMPLOYER REPORTS

The drafters of the Kennedy-Ives bill have applied the principle of mutuality to labor. It requires reporting on the McClellan Committee has disclosed that the rotten apples are not limited to the ranks of unions, some of them are found also in the ranks of management. The Kennedy-Ives bill, therefore, provides that the same principles of legislation should apply to management as well as to labro. It requires reporting on the part of management of expenses over $5,000 a year, which go to influence or affect employees' rights which are guaranteed under the Taft-Hartley Act. As a lawyer, I wish that the language of the sections dealing with employer reportings was more carefully drawn. Nevertheless, the intent of the legislation is perfectly clear and it was carefully explained in the majority report. The provisions certainly do not justify the hysterical propaganda and misrepresentation that some employers' associations have directed against the management provisions of the Kennedy-Ives bill.

3. AMENDMENTS TO THE TAFT-HARTLEY ACT

In addition to requiring the reports by labor and management, the Kennedy-Ives bill amends certain provisions of the Taft-Hartley Act. Since these provisions do not deal with the major subject of my remarks, namely, the regulation of unions, I will touch upon the amendments only briefly. The need for most of these amendments has been recognized by most fair-minded students of the Taft-Hartley Act. Some of the amendments were suggested by the late Senator Taft. Others have been added by the Administration. These amendments, by and large, also have the support of labor. Now, when the framers of the Taft-Hartley Act, the Administration and labor unions can get together on amendments to the act, I believe that Congress should act upon them without further delay. Unfortunately, 11 years have passed without these needed amendments. Again, the adversaries of the proposed legislation are distorting the facts by stressing that these amendments are favored by labor thus leaving the impression that this is a labor sponsored bill. They conveniently fail to add that President Eisenhower and Secretary Mitchell favor most of the amendments.

CONCLUSION

I do not want to leave the impression that I believe that the Kennedy-Ives bill constitutes perfect legislation. I personally have much sympathy with those who would put greater reliance upon voluntary action by unions and would let union members clean their own house. The AFL–CIO has shown dramatically and effectively that it is working toward this end.

Nevertheless, I am impatient with the few hoodlums and labor bosses who worked into position of authority in unions. And, with millions of other Americans, trade unionists or men and women outside the labor movement, I would like to help union members clean their organizations. The Kennedy-Ives bill will help this without interfering with collective bargaining functions of trade unions. It is sound legislation and we should enact it before the 85th Congress adjourns.

Mr. BROWN of Missouri. Mr. Speaker, it is very apparent why it has been 10 years since Congress has passed any kind of a bill dealing with labor-management problems. Never have I seen such a supercharged, pressurized atmosphere as that surrounding this Kennedy-Ives bill. On all sides, there is hate, fear, and retaliation. In every mail come charges and countercharges inspired by large and powerful pressure groups.

Seldom has so much heat been focused on any subject; and the result is just what you would expect. Members of Congress who might otherwise be able to sit down in fairness and justice and write a good piece of legislation on the subject are confused, bewildered, tugged and pulled at until they are scarcely in their right minds.

Now, let us calm down a bit and shake off this paralyzing pressure and look at this matter soberly and honestly.

Consider the background events that have led to this bill. For almost 2 years now, America has been shocked by the revelations of the McClellan committee.

Day after day, week after week, documented evidence has unfolded a sordid story of racketeering, gangsterism, thuggery, and open contempt for law and order in small but very critical sectors of the American labor movement.

The millions of decent, honest working people who carry union cards have been stunned by the stories of exconvicts and muscle men who have lined their pockets at the expense of the rank and file, stopping at nothing including extortion and murder.

Decent, honest businessmen have been stunned by stories of "sweetheart" contracts between unsavory businessmen and unsavory labor racketeers, of payoffs, collusion, and graft.

Corruption and evil have been the headlines in every newspaper practically every day; and it has turned the stomachs of all who stand for justice and fairness and decency.

Obviously, something had to be done; and the first action taken was by the respectable people in the trade unions. The AFL–CIO Ethical Practices Committee told the Senate leaders that they could handle the situation themselves, that it involved only a few union officials, that they knew how to correct it and would correct it.

But the members of the McClellan Committee, and especially Senator JOHN MCCLELLAN who should know more about this subject than anyone else in the Congress, commended them for their intentions but cautioned them that respectable elements in labor organizations could not do the whole job, that coercive power of law was needed to backstop their voluntary program.

At MCCLELLAN'S direction, the Senate Labor Committee plunged into the task of drafting the legal language necessary to achieve that purpose. In charge of the subcommittee doing the work was Senator JOHN KENNEDY. Also on the committee was Senator IRVING IVES. These two men led the bipartisan attack on rackets and abuses in labor-management affairs.

They were not trying to do a complete overhauling of the Taft-Hartley law. They were not trying to correct the administrative actions of the National Labor Relations Board, or reform the whole collective-bargaining system. They were trying to get immediate legislation to help the ethical trade unions root out corrupt officials and stop extortion, strong arming, and corruption. That was the first and most pressing job at hand.

And, of course, when they got down to writing the detailed language, every special-interest group involved had a million-and-one fears. The pressure was so thick in Washington that you could cut it with a knife.

The underground musclemen wanted no part of any section dealing with cleaning up abuses in unions. The old-fashioned unbridled labor-hating businessmen had a thousand objections to the section dealing with cleaning up abuses on management's side.

But the Senate hammered out a piece of legislation. It pleased none of the extremists, and because it was written by human beings, it was far from perfect. But on the final rollcall vote in the Senate, 88 United States Senators including all those who are now roundly denouncing the measure, voted for it. Only one Senator voted "no." The bill came to the House.

Now, a delicately worked out bill can rapidly disintegrate in the House of Representatives comprised of 435 different individuals from 435 different Districts representing widely divergent interests, if it is not carefully handled. And when the Kennedy-Ives bill came to the House, the supercharged pressure came with it. Organized labor was against the bill. Then management groups started opposing it.

Before the House Committee on Education and Labor could even get a copy of the Kennedy-Ives bill, the lobbyists pounced on the committee members with all kinds of charges, countercharges, and alarums. To hear them describe the bill, you could not conceive of such a terrible, horrible monstrosity ever getting out of committee in the first place, much less ever passing the Senate by an 88–1 vote. But, of course, in this work, you learn to discount emotion and wait for facts.

The House leadership decided to keep the bill on the Speaker's desk until things calmed down a bit, feeling it would give the House committee a chance to act on the other important measures then pending.

There was the union welfare and pension fund disclosure bill, the defense education bill on which the President wanted prompt action, the vocational training bill, and so forth.

And let me digress here to say that the reorganizers of the Congress made one whale of a mistake when they combined education and labor into one committee and ought to be changed. It hurts both education and labor legislation.

So, the Speaker held the bill on his desk; whether it was held too long or not, you make your own decision. I suggest that Speaker RAYBURN knew what he was doing. I guarantee that he was not holding the bill, because of any pressure groups. SAM RAYBURN stands on his own feet. Last month, the Speaker referred the bill to committee.

For the first time, the House committee got a chance to dig into the facts and make a double check on the judgment of the McClellan committee on the Kennedy-Ives bill.

Fairminded committee members interested in seeing the Congress enact some constructive antiracketeering legislation went to work. They got legal interpretations of the language, studied the findings of the Senate committee, held conferences with opponents and proponents of the measure, studied suggested amendments. From them, I have received page after page of detailed information about this highly controversial bill. I know firsthand that several members of that committee know what is in this bill, its attributes and its imperfections.

But fairness and justice are hard to come by in a pressurized atmosphere; many members of the committee and the Congress honestly felt that there was not ample time left in this session to do justice to the antiracketeering labor bill, that a better bill could be passed in calmer days. They felt Congress should wait until next year and do a thorough job.

Then, politics raised its ugly head. Opportunists charged the House leadership with blocking needed reforms in labor-management affairs abuses. Wild charges and accusations were made by some of the very people who were telling us privately that action should wait until next year.

Now why would anybody do anything like that? It is very simple. This is an election year; and some people want to get elected to a public job so badly that they will say anything about anybody to win votes. I, personally, never saw a Government job worth winning in such a manner. But apparently, there are others who feel differently. They want the issue, not the legislation.

At the eleventh hour, some opportunists drafted a substitute bill for propaganda purposes. Appeals were made for its enactment.

On Tuesday, August 12, the issue was joined. The House Committee on Education and Labor met and the first motion was to bring up the Kennedy-Ives bill. Harassed and harangued from all sides by all kinds of threats and bugaboos, the committee could scarcely have been in any frame of mind to discuss the weather, much less a far-reaching piece of legislation. By a 22 to 7 vote, the committee voted not to take up the Kennedy-Ives bill. Then, they voted not to take up the eleventh hour substitute, the Kearns bill, and adjourned.

Any hope for legislation to stop dynamiting, racketeering, strong-arming and people-burning in labor-management affairs in the year 1958 seemed gone, killed by the pressure groups representing both management and labor.

But there was one hope left, a dim one. The House can suspend the rules and pass a bill that has been blocked by committee. The leadership felt that the only way to get the bill out of the pressurized atmosphere and let the House vote "yes" or "no" on it was to resort to this seldom used proccdure.

Today, the bill is before us by that last-resort route. It is not as I wanted it to happen. I much prefer for any piece of legislation to get a thorough airing before it hits this floor. And I like to see amendments offered to bills.

But in this case, this suspension move is not a steamroller. Members have had plenty of opportunity to analyse and confer about every section of this piece of legislation. Reams of memorandums have been written on it. So, in no sense, is this bill being steamrollered over anyone, except those who have not cared enough to bother about digging into the facts.

My regrets about bringing this bill up under suspension without a single amendment is that some of these provisions in this bill can and should be tightened up. The language in two or three sections of this bill is too loose. Just a few simple words of clarification could straighten out some of the far-fetched interpretations that have been placed on some of these clauses, like 103, and 607 and others. There was a plan to include some amendments in this motion to suspend the rules and pass the bill. But, regrettably, the amendments were not included.

So, if the bill becomes law, and the meaning of some of these sections is not clarified by administrative interpretation, Congress has a moral obligation to clarify those clauses, if the pressure groups will calm down enough for it to be done.

Now, what does this bill S. 3974 do? Well, read the major provisions and see if you think that it is the monstrous ogre that some propagandists have pictured it to be.

First. It requires comprehensive detailed disclosure of union financial data—to members, press, public, and law enforcement agencies.

Second. It requires full reports by union officers on any personal conflict-of-interest transactions.

Third. It imposes criminal sanctions for embezzlement of union funds, false reporting, false entries in books, failure to report, or destruction of union books.

Fourth. It establishes right of suits by union members for recovery of funds embezzled or misappropriated by union officers.

Fifth. It prohibits loans by employers or unions to union officers.

Sixth. It requires a secret ballot for all union officers or the conventions delegates who select them.

Seventh. It requires due notice of all union elections and real opportunity to nominate opposing candidates.

Eighth. It requires that union officers be elected by secret ballot every 4 years by international unions, and every 3 years by local unions.

Ninth. It prohibits the use of union funds to support candidacy of any union officer.

Tenth. It prohibits persons convicted of felony serving as union officers.

Eleventh. It grants power to Secretary of Labor to institute court action to set improper elections aside and conduct a new election.

Twelfth. It limits union trusteeships to 18 months.

Thirteenth. It makes mandatory annual reports to Secretary and union members on every trusteeship, the reasons for its establishment, continuance, and operation.

Fourteenth. It prohibits counting votes of delegates of trustee bodies unless delegates elected by secret ballot, and on transfer of funds from trusteed local union to international except normal dues and assessments.

Fifteenth. It grants power to Secretary of Labor to begin a court proceeding to break improper trusteeships.

Sixteenth. It prohibits picketing for extortion or to secure payoff from employer.

Seventeenth. It prohibits solicitation for payment of fictitious fees for unloading cargo from interstate carriers.

Now, what fair-minded person would disagree with these labor reform provisions? In 17 different ways this bill takes a long step forward toward better trade unions, operated by officials who are elected by the working members through genuine democratic processes. No strong-arm boys can take over and run a union for a lifetime. No gangsters can rob the cash register for 20 years. The working folks, your neighbors and mine, will be running their own unions.

I honestly believe that no one has anything to fear from this legislation, except those who have something to hide.

The magazine Business Week summed it up pretty well when they said that the bill establishes "basic policies designed to meet certain definite needs effectively, but not destructively." I agree with that.

I also agree with Inland Steel Co. President Joseph Block who says that the good in the bill far outweighs its imperfections and omissions.

It will not please those who want to break the backs of all trade unions, good or bad. It will not please any crooks in trade unions, who don't want any legislation at all.

This bill has some imperfections. But Members must vote yes or no on this bill in its entirety. We do not get to vote a five-sixths yes or a five-sixths no, though that would probably be the wiser vote. But when I think of how many working people have been taken for a ride by a few strong-arm racketeers, and when I think of the dynamitings there have been in my own home town, and how this vandalism has hurt the reputations of decent honest trade-union leaders, when I think of some unsavory agents of short-sighted business firms bribing their way to sweetheart contracts, I cannot see any fair-minded person could vote no on this bill, whatever its imperfections or regardless of the procedure by which it reached the floor for decision. One racketeer in one trade union or business firm is one too many; and the time to get rid of the racketeers and the musclemen and their ilk is already overdue. Let us pass this bill now and go to work immediately to straighten out the few sections that need clarification.

Mr. LANE. Mr. Speaker, how are we going to protect the rank and file of organized labor from the racketeers who have muscled their way into control of a few unions?

That was the motivation for the Kennedy-Ives bill.

The overwhelming majority of union members wanted to protect their organizations from the infiltration of gangsters who stole union funds and made a mockery of democratic processes. Management sought relief from the "improper activities" of the few racket-ridden unions.

The general public, angered by the revelations of corruption and terriorism, called for legislation to save the respectable labor union movement from the underworld characters who had seized control of a few unions. Nearly everybody agreed that "something should be done."

In this spirit, the hearings on S. 3974 began in the Senate Committee on Labor and Public Welfare. The bill was reported out. It was debated on the floor.

The Kennedy-Ives bill finally passed the Senate by a vote of 88 to 1. That one-sided vote, however, did not clearly reflect the true situation. Neither labor, management, or the general public was satisfied with the bill. It was supported grudgingly, and on the tired belief that it was the only workable compromise under the circumstances. Better to make a little progress than to have none at all.

As this bill now comes before the House, we detect little positive enthusiasm for it. So many have a two-way attitude toward this bill, approving some provisions, but opposing others.

On balance, and because it will help to protect organized labor from the corrupt and sometimes vicious elements that would seize control of a few key unions for their own advantage and to the detriment of the labor movement, I shall vote for this bill.

It is a corrective bill, but not a punitive one. It is designed "To provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes."

No one can quarrel with these general intentions. Most of us believe in a democratic labor movement, honest and prudent in the management of its funds, and one in which the officers are elected by democratic procedures, and are responsive to the freely expressed views of the rank-and-file membership.

We cannot ignore the exposure of corruption and dictatorship in a few unions. We recognize this as a danger that, unless it is curbed, will undermine the respect and the confidence that organized labor has earned, in the opinion of the American people.

At the same time, we must avoid those extreme measures proposed by those who would exploit the facts that were brought to light by the Senate rackets committee, as a pretext for ruining organized labor.

I have misgiving about incidental provisions of this bill but, after weighing its assets and its liabilities, I have come to the conclusion that it is moderate in tone; and that it will help to protect the members of organized labor from the enemies within its own ranks.

This bill will also serve notice to the American people that we are not afraid to tackle this problem.

As this bill comes to us so late in the session, and under suspension of the rules that will permit no amendment of it, we have no choice but to take it or leave it, in its present form.

All in all, I believe that S. 3974 is a reasonable bill, and on that basis, I shall vote for it.

Mr. BOW. Mr. Speaker, in my opinion, it is most unfortunate that this legislation is before us today. The leadership has scheduled 35 important bills for action today, some of which will be of staggering cost to the American taxpayers; others which may well change our traditional concepts of our American way of life.

The bill which we have before us at this time will have a direct effect on labor-management relations. No more important or vital field of legislation exists today. I may say that the entire structure of the free-enterprise system rests upon the relation between management and labor. Abuse on either side weakens the soundness of this mighty bulwark of our Nation's economy.

This 85th Congress has been in session since January 3, 1957. This, Mr. Speaker, is August 18, 1958, with perhaps only a few remaining days before adjournment. We had many working legislative days when the House did not meet, but today we are asked to consider 35 bills, many of which are of such importance and magnitude that they deserve several days of full and complete debate, and in many cases major amendments.

Yet, today, with only 40 minutes of debate—20 minutes to each side—without the right to consider amendments from the floor—we are required to vote for or against this important legislation.

Mr. Speaker, we do not have the benefit of committee hearings or a committee report. The Committee on Education and Labor of the House has voted 22 to 7 not to consider this bill—not even to have hearings that might enlighten that committee and the Members of this House.

This Congress, Mr. Speaker, is controlled by the Democrat Party. It is a Democrat Congress. The scheduling of this bill today is the responsibility of the Democrat leadership of this House. The decision of the Democrat-controlled Education and Labor Committee was the decision of the Democrats on that committee. The chairman is a Democrat, and there are 17 Democrat members and 12 Republicans.

We are told, Mr. Speaker, that labor wants this bill.

I have not received a single endorsement of the bill or a request that it be passed from any responsible labor leader in my Congressional District or, for that matter, from any of the rank and file of labor.

It has been said, and I have not heard nor seen any denial of the fact, that certain national labor leaders have urged the present action upon the Democrat

leadership of this House for the purpose of trying to embarrass the Republican Members.

It is a sad day for this Nation if this be a fact, for such action, if continued, will in time destroy our legislative system of government, and we shall find ourselves on the road to destruction from within.

Such action will be as dangerous to the Republic as any aggression from outside of our borders.

June 17 this bill passed the Senate. For 41 days it was held by the Democrat Speaker of this House. Then, just days before adjournment, it was sent to the Education and Labor Committee.

Why, Mr. Speaker?

I sincerely hope this question will be answered to the American people. I hope the answer will be logical so that our system of government will not be held in ridicule.

This bill has 48 pages.

The debate is limited to 40 minutes. Less than a minute a page. Less time in debate than it would take to read the bill.

I am fearful that 20 minutes' debate cannot convince me that this is a bad bill. I am fearful 20 minutes' debate cannot convince me that it is a good bill. What then, Mr. Speaker, becomes the duty of one who wants to be a responsible legislator?

The answer to the question is much easier to come by than a vote on the merits or demerits of the legislation itself. The answer, it seems to me, is to vote "no."

"No"—a vote of protest against the procedure which has been adopted.

A procedure that weakens our legislative processes.

A procedure which, it seems, is one to deny the elected representatives of the people the right to work their will.

My vote, Mr. Speaker, will be "no." Not against the bill, nor can I say that I could or would vote for the bill in its present form.

The leadership of the House has not given me the proper avenues of approach to inform myself regarding this bill.

Those of us who have followed the McClellan Committee hearings know there is great need for legislation to protect the American workingman from those who would exploit him. We have evidence, also, that on the part of management there are those who had been guilty of improper practices.

Fortunately these abuses, although most reprehensible, are in the minority in the case of labor-management relationship.

Therefore, it is to be hoped that in the next Congress, in the traditional system of sound legislation, we shall legislate with full knowledge of all the facts a bill, the purpose of which shall be well-known to the Congress and to the country.

Only in this manner can we do justice to all.

Mr. HIESTAND. Mr. Speaker, this is no way to legislate. Forty minutes to discuss and consider one of the most important, most vital measures introduced at this session is a pressure method.

We all want labor reform legislation, but this is not only useless legislation but definitely bad.

S. 3974 fails to deal with much needed reforms. First, it offers no relief from secondary boycotts. Second, it does nothing to curb labor monopolies. Third, it does not protect union workers, funds and manpower for political purposes. It does nothing to curb compulsory union membership, nor the abuses of members' rights as revealed by the McClellan committee of the Senate.

Good loyal union members, and there are millions of them, resent the extortion, collusion, bribery, vandalism, violence, threats of physical harm to employees, employers, members and their families, the rigging of elections. These abuses proven by thousands of instances are resented by good union members as reflecting upon their unions and themselves.

Mr. ALGER. Mr. Speaker, after the McClellan committee's revelation of union leader misdoings—of corruption, crookedness, violence, intimidation, and misuse of union members' funds, obviously some corrective legislation was needed. Yet the House did nothing. The Speaker held the Senate bill 40 days without referring it to the House Committee on Labor and Education. Further, many of us do not know why the committee took no action on its own to hold hearings and draft appropriate legislation.

Then in the closing days of Congress here comes this whitewash bill which will do nothing for labor, for management, or for the deserving public. In this bill are labor leaders' activities curtailed by anti-trust, antimonopoly laws? No. In fact, not only are recognized needs overlooked, but management is penalized. Just how brazen can legislators become at the instigation of labor leaders?

Further, the labor leaders are opposing each other since Reuther is for this bill and Mr. Meany against. Looks like Reuther won.

Whatever the demerits or merits, if any, of this legislation, the citizens deserve better attention and study by us before we put our seal of approval on legislation. What is it the leadership is trying to do? What is the leadership-Reuther teamwork planning in bypassing the House Committee on Labor by bringing this bill directly to the floor? Even as such leadership arrangements were necessarily being made, the Labor Committee voted 22–7 not to take up this very bill. Where does this leave the committee Democrats, all of whom voted against the bill? Where does this leave all the House Members who rely on the various committees to hold hearings, study, draft and present their respective legislation to us for our sensible consideration? Why does the leadership circumvent the House rules? These questions need answering.

Meanwhile, I commend our colleagues protesting this bill and I intend to oppose it.

Mr. REUSS. Mr. Speaker, I shall vote for S. 3974, but with some misgivings. I wholeheartedly support its main provisions for a secret ballot in union elections, for the reform of trusteeships, and for complete accounting of union finances.

But our consideration of the bill suffers because of the lack of hearings by the House Committee on Education and Labor, and the absence of a report. Furthermore, the limitation on debate inherent in the consideration of the bill under suspension of the rules does not give the legislative process a full chance to operate.

Finally, the impossibility of amending the bill means that unwise sections of the bill cannot be cut out. For example, I believe that the non-Communist affidavit for employers contained in S. 3974 is just as unwise and as gratuitously insulting as the requirement of the similar affidavit for union officials contained in the Taft-Hartley Act. Two wrongs do not make a right, nor does a second insult atone for the first.

Mr. JUDD. Mr. Speaker, I had hoped and expected that we would be able to enact long overdue legislation during this session of Congress to correct corruption, violence and abuses of power in some labor organizations.

In a questionnaire sent to the voters in my Congressional District, containing a great many unions of all types, the question was asked:

In general, do you believe our present labor laws give union members adequate democratic control over the policies and decisions of their unions?

Over 63 percent of the 11,000 who replied said, "No"; 27 percent said, "Yes"; and less than 10 percent gave no opinion. If labor organizations are to represent the interests and views of their members, then the members must be assured greater control over elections of officers, management of finances, decisions on strikes, and so forth.

Mr. Speaker, when the Kennedy-Ives bill was passed by the Senate after being amended a score or more times on the floor of that body, with a dozen or so other important amendments rejected by narrow margins, the AFL–CIO promptly condemned the bill. It sent us a statement which said in part:

The fallacy of writing legislation on the Senate floor has never been more clearly proven than in this instance.

As a result, S. 3974, as adopted last night by the Senate, contains provisions which we are certain will prove unworkable; provisions which we know are unwise; provisions which are clearly unfair and unduly repressive.

Mr. Speaker, that is the bill, word for word, that is before us today; and we are denied any opportunity to change a single one of the "unfair, unwise, and unworkable" provisions.

At first, much of management approved the bill as a step forward. Later both sides reversed themselves—the AFL–CIO saying that the good outweighed the bad, and management groups saying the bad outweighed the good. Obviously the bill needed careful study to determine the facts.

In such a situation, Mr. Speaker, there was only one sensible thing to do; namely, have the House Committee hold hearings on the Senate-passed bill. Let the good and bad features be pointed

out, analyzed, and suitable amendments adopted; then have the bill as amended by the committee brought to the House for full and free debate and action on any further amendments proposed by Members. This is the regular way the Congress operates. Why should we be denied that opportunity on the most important bill in 10 years in this exceedingly important field of legislation, affecting every citizen of the Republic?

There was plenty of time—2 months. Yet the Senate bill was not referred by the Speaker to the House Committee on Education and Labor for 40 days. There it slumbered 20 more days. When an effort was made in committee to take it up for consideration in the proper way, the motion was voted down overwhelmingly, with the Democrat Members, so we are told, who are today demanding passage of the Senate bill as is, with only 40 minutes' debate and no amendments, voting against the bill in committee.

Mr. Speaker, what kind of performance is this? And what are the reasons why passage of an unstudied bill is all of a sudden so urgently necessary after all the unnecessary delays by the leadership of the party that controls the House and each of its committees by substantial majorities?

It seems to me that the only sensible thing for us to do today is to reject this unprecedented procedure on so important and far-reaching a bill. It can be taken up only 4 months from now when the new Congress will be convening. Or, if its passage is so sorely needed at once, then let the committee take it up now and the Congress stay here 2 or 3 weeks more and do the job right? Let us not play fast and loose with the millions of workers of America—their jobs, their livelihood. It is more important that we not disrupt the industry of America, the source of so much of our strength and well-being, than that we adjourn this week.

Much as I hoped we could help labor tackle responsibly its housecleaning job, I cannot vote for this bill under these circumstances. This is not the way to deal with the problem.

Mr. BROOMFIELD. Mr. Speaker, my decision to vote in favor of the Kennedy-Ives bill was not made without a great deal of thought and soul-searching.

On the one hand, I realize the shortcomings of this bill as it was written. I most strenuously object to the manner in which it was written. I most strenuously object to the manner in which it was brought to the floor of the House of Representatives under procedures which, to say the least, were unusual and irregular.

But on the other hand, I realize the very grave need of union members for protection from some of the labor leaders who are supposed to represent them.

After the extensive investigations by the Senate into this matter, there is no doubt of the infiltration of crooked and criminal elements into some of our Nation's largest and most influential labor organizations. There is little doubt, either, that a lot more evidence will be uncovered if the committee continues its investigations.

A vast number of instances were brought to light by the committee—instances of physical violence, brutality, corruption, and misuse of union funds and power. There were innumerable examples of union leaders using fear, violence, and threats of violence to keep themselves in office. There were instances of union blackmail by officials to force payoffs by employers to prevent strikes.

Certainly, after the round of testimony on mayhem, arson, inciting to riot, and just plain murder involving some union officials, there is no doubt in anyone's mind that legislation is needed to clean up these questionable unions and to throw the criminal element out of office.

Most of us were shocked by the committee's findings. Most of us were disgusted with the tactics of a few of our labor leaders and their disregard for justice, law, order, and even the Government of the United States.

However, I am equally shocked by the bill which was reported out of the Senate committee.

Even the grim testimony by witnesses at the labor racket hearings failed to bring out a bill which would correct the evils so clearly put forth to the committee.

Instead, we were faced with a bill which was weak and childlike in its approach to a problem which affects vast segments of our Nation's economy, the physical safety of many union members and the economic well-being of thousands.

Although the bill is weak, I voted for it. The reason is simple. I was hopeful that passage of this bill would provide a first step toward passage of really effective labor legislation at a later date.

The bill which was defeated yesterday had a number of features which would have been of great help in uncovering wrongdoing by union officials. Union financial data would have been open to scrutiny, and conflict-of-interest reports would have had to be filed by union officials.

Those convicted of felonies would have been barred from holding union office. Secret balloting would be required, and both national and local unions would have to hold secret elections at regular intervals.

With only 40 minutes to debate this measure and with no amendments permitted under suspension of the rules, there most certainly was no chance of acting upon anywhere near a perfect bill. Without the benefit of committee hearings or consideration of this matter, we were not aware of all its implications.

But we would at least have offered some protection to union members from some of their leaders who have proved to be unscrupulous, brutal and corrupt.

It is too bad that this or any other labor bill ever had to be brought to the floor of this Chamber. If unions had cleaned their own houses, if corrupt and criminal elements had been thrown out, the questions here today would have been academic.

Unfortunately, they are cold, hard facts. They must be dealt with. They must be corrected. In my opinion, even a halfway measure was better than none at all. That was the best that could be hoped for during this session of Congress.

Mr. McDONOUGH. Mr. Speaker, I voted "yes" for passage of the Kennedy-Ives bill when it came up for action Monday, August 18, under suspension of the rules of the House, because I believed it was a step in the right direction to control corruption, vice, and dishonesty in labor unions, and because I believe it would provide protection to the rank-and-file, dues-paying member, and also give him some democratic control of his union by secret ballot for the election of his officers, and also guarantee him against the dishonest coverup which many unscrupulous labor leaders have practiced so long to their own benefit at the expense of their helpless dues-paying members who had no control over the millions of dollars collected from them.

The Kennedy-Ives bill was perhaps not all that it should be. However, in my opinion, it was much better than nothing at all, which is what we got by not passing it in the House after the Senate had passed it by a vote of 88 yeas to 1 nay. It failed to pass the House by a vote of 190 yeas to 198 nays. A two-thirds vote was required under suspension of the rules of the House.

In support of my "yes" vote for this bill, I am including the following three editorials. The first editorial is from the Los Angeles Examiner, the second is from the Washington Evening Star, and the third is from the Christian Science Monitor:

[From the Los Angeles Examiner of August 20, 1958]

UNION REFORMS FAIL

Timorous political expediency triumphed over the interest of both the Nation and honest labor leadership when the House of Representatives defeated the union-reform bill.

The measure did not get even a simple majority, failing by 198 noes to 190 yeas. A two-thirds margin in favor was required.

This ignominious action was taken in spite of the McClellan committee's exposé of entrenched union racketeers; in spite of revelations that the rights of members in some unions are flagrantly violated; in spite of the Senate's previous passage of the bill; in spite of the fact that the measure had been heavily watered down by politicians up for reelection; in spite that the bill, with some notable defects, was far better than nothing.

The parties who definitely and obviously did not want any part of the bill were the few crooked and powerful union bosses.

The only issue involved was one to which no American, and certainly no American legislator could properly object: Democratic control of union affairs and actions by the membership through secret and honest elections, and through periodic public union financial statements.

The House's weaseling on the matter does not of course solve anything.

It merely postpones a housecleaning desired by honest working men, and the public besides, both heartily sick of the criminal elements which have too long infested some important segments of organized labor.

[From the Washington Evening Star of August 20, 1958]

SORRY SHOW

If any cause has been served by the House defeat of the Kennedy-Ives labor reform bill, it is not that of the public interest. Similarly, it is not that of the rank and file of union labor—the number one victims of the racketeering and corruption in union administration which the measure was designed, in some degree at least, to curb. It is not that of management that has complained so often of union practices, but belatedly turned its organized weight against this moderate start at compulsory reform. And if there is political advantage to be gained from the sorry record in the House, or in the on-again-off-again position taken by the administration, it is difficult to see how either party can make any clear claim to it.

From the beginning, this legislation was recognized as relatively mild and directed only at some of the outstanding abuses revealed by the McClellan committee inquiry in the Senate. It was not union busting legislation, but it represented a start at imposing restraints upon misuse of union power, by hoodlum leaderships, comparable to restraints which have been imposed in past times against predatory industrial and financial interests. The measure was approved by an 88-to-1 vote in the Senate, where its bipartisan sponsors were strongly supported by Chairman McCLELLAN. In the House, there were no comparably powerful advocates and, quite evidently, strong forces in opposition.

The result, in short, is that Congress has failed to do a job that needed doing. The need will be there, however, until some Congress musters the political courage to do the job. Meanwhile, those who managed this year's defeat may reflect upon Senator IVES' evaluation that their action "is an open invitation to all criminals to make the most of their opportunities in the labor-management field."

[From the Christian Science Monitor of August 20, 1958]

THE AIM IS LABOR REFORM

Already recriminations are flying thick and fast over failure of Congress to enact the Kennedy-Ives labor reform bill. It is almost inconceivable that following all the exposures of the McClellan committee, all the evidence of continuing racketeering and corruption, Congress should have limited its corrective action to a measure setting up safeguards for union welfare funds.

The Kennedy-Ives bill, worked out by members of the McClellan committee, aimed mainly at obtaining more democratic control of unions by secret and regular elections. It passed the Senate 2 months ago by an 88-to-1 vote. It had wide popular and press support. Explaining its defeat in the House of Representatives is not going to be easy for many of those involved.

The simplest explanation is that the favorable view of the general public counted less with Congress than the intense opposition of organized minorities. In the Senate neither strong union advocates, such as Senator McNAMARA, nor strong union opponents, such as Senator GOLDWATER, opposed the bill. But when it got to the House, groups representing both viewpoints brought pressure against it.

James Hoffa's Teamsters opposed it. So did the United Mine Workers and the Steelworkers. But so did the National Association of Manufacturers and the Chamber of Commerce of the United States. The effect of the vigorous campaign carried on by these business organizations through their widespread and influential membership was apparently very great.

As between the 2 political parties, a 77 percent vote of House Republicans against it was finally decisive. This may be used against them in the election. But Democrats in the House must also bear a clear responsibility. Their leadership bottled up the bill and then brought it up at the last minute under a ruling barring amendments. And some Democrats were influenced by union or business opponents of the reform bill.

We believe that both these groups were mistaken in their opposition. Unions which oppose more democratic self-government and the ousting of racketeers are in an untenable position. So are businessmen. In this case many believed the legislation was too lenient toward labor and involved disadvantages for themselves.

The Kennedy-Ives bill was not a complete or final provision for labor reform. But Senator McCLELLAN and other informed and able men who surely are not enemies either of honest business or of upright unions felt it was a reasonable and workable step. We believe they were seeking reform sincerely in the larger, long-range interests of management, labor, and the public.

The effort for reform must go on. We should not be too concerned with recriminations. But it may be useful in preparation for further effort to recognize that those preoccupied chiefly with the relative position of labor or management in relation to the other are unlikely to be satisfied by any feasible reform. Let reasonable objections be threshed out. But the larger interest—the public's interest in reform—must prevail.

Mr. Speaker, the good honest union official has nothing to fear from this kind of legislation, but the average rank and file member of labor unions and the public generally is entitled to the right of the protection of the House of Representatives could have given them by passing this bill which had been previously passed by the Senate.

Mr. WOLVERTON. Mr. Speaker, the so-called Kennedy-Ives labor bill came before the House on a motion to suspend the rules and pass the bill. I regret that this important bill came before the House in this manner. It required a two-thirds vote to accomplish its passage in this manner; whereas, if it had come before the House on a rule, it would then have required only a majority vote. Furthermore, it would have given an opportunity to offer amendments and thereby make some changes by way of improvement that some Members were anxious to do. This would in all probability have gained greater support for the bill. Another important feature that would have resulted if the bill had been considered under a rule would have been a more adequate time to have debated the bill, instead of the meager 40 minutes allowed on the motion to suspend the rules. The close vote on the rollcall was a clear indication that the bill could have been passed if it had been brought before the House on a rule.

It was indeed a strange mingling of conflicting interests that joined together in defeating the bill. There were those who voted against the bill because they considered it too strong, and, on the other hand, there were those who felt it was not strong enough.

The Senate passed the bill by a vote of 88 to 1. This should have been convincing that it would receive favorable action in the House, but the defeat of the bill in the House ended, it would seem, all possibility of any legislation on the subject at this session of Congress. This is most regrettable in view of the conditions existing in some labor unions as revealed by the McClellan committee of the Senate.

The bill did not attempt to deal with all the matters that had been brought out in the Senate hearings that needed correction. It did, however, deal with some very vital questions that affected the welfare of the rank and file members of labor unions. This was particularly true with reference to the attempt that was made by the bill to insure honesty in dealing with union funds, with special emphasis on the management of union pension and welfare funds.

The bill, in my opinion, was most worthy in its objective to protect the individual worker by making sure that he could control his own union and thereby protect pension and welfare funds and keep them intact. Workers had a right to expect that when the need arose to utilize such funds that they would be on hand to accomplish the purpose for which they were intended, and, that all other matters of individual rights would also be protected. It is gratifying to realize that wrongdoing in the handling of these funds or other union matters has not been general, but, the fact that wrongs have been revealed, and funds mishandled or carelessly handled in some instances, is sufficient to justify the enactment of laws that will insure proper care and use of the funds and the rights of the members in all instances.

It is surprising after the revelations brought to public view by the Senate committee that there was not a more general acceptance of the Kennedy-Ives bill, even though it did not go as far as it might in dealing with racketeering and corruption by certain union heads. There is, in my opinion, an obligation upon Congress to make certain that union membership is protected to the end that the members may have all the benefits to which they are entitled.

In his effort to cleanse unions from the ill effects of subversives, racketeers and corruptionists, the head of the AFL–CIO, George Meany, is entitled to all the support than can be given to him, and, he should be highly commended. I am certain that unionism will be made stronger, more influential and of greater benefit as well to the membership by the activity of President Meany and his associates in the task they have undertaken. It is no easy task. It takes courage, perseverance and untiring effort until finally and completely finished.

I trust that the effort to right the wrongs that have been revealed and prevent their recurrence in the future will continue until there has been a satisfactory conclusion.

Mr. OSMERS. Mr. Speaker, the American labor movement today, on the whole, is clean, honest and responsible. As a result of the disclosures of the McClellan committee, there is now a great public outcry to get those relatively few corrupt persons, who have given the labor movement a black eye, out of union

leadership, and to keep them out. To do this we must give union members the legal power to control their own unions through democratic processes.

The Kennedy-Ives bill, which I supported, would have given union members the help they need in cleaning up the comparatively few unions that need it.

Without wide public support no real labor-management bill can ever pass Congress. That, in my opinion, is why now was the time to pass a bill to guarantee union democracy. I deeply resent the procedure—suspension of rules—used to bring the bill up for a vote. This procedure provides no opportunity for amendment or even extended debate. Under the confused circumstances of its defeat, no Member of Congress can be harshly criticized for voting against it. In the final analysis, however, the good features of the bill far outweigh its shortcomings.

This legislation was developed in a bipartisan manner in the Senate under the sponsorship of Senator IVES, Republican, of New York, and Senator KENNEDY, Democrat, of Massachusetts. It passed the Senate on June 17 by an almost unanimous bipartisan vote of 88 to 1.

Some highly regarded spokesmen for both management and labor oppose certain sections. To me, the opposition seems to be based on exaggerated interpretations of but 2 or 3 of its many provisions.

Due to the McClellan committee revelations the public wants action now. Next year or in the years thereafter the usual apathy and labor-management conflicts may doom efforts to correct the abuses that have been revealed. This bill, though not perfect, in my opinion, would have been a big step forward.

In analyzing the Kennedy-Ives bill, I found that it has provisions which affect both labor unions and management. These provisions are for the correction of current abuses and for the protection of the rank-and-file union members.

HOW THE BILL AFFECTS LABOR UNIONS

The bill requires comprehensive, detailed, disclosures of union financial data to union members, the press, the public, and law enforcement agencies; full reports by union officers on any personal conflict-of-interest transactions; secret ballots for all elections of union officers or the convention delegates who select them; due notice of all union elections and a real opportunity to nominate opposing candidates. It also requires officer elections by secret ballot every 4 years for international unions and every 3 years for local unions; and mandatory annual reports to the Secretary of Labor and to members of the union on every trusteeship, stating the reasons for its establishment, continuance, and operation.

The bill prohibits loans by employers or unions to union officers and the use of union funds to support the candidacy of any union officers. It prevents any person convicted of a felony from serving as a union officer; stops the transfer of funds from trusteed local unions to the international except normal dues and assessments; ends picketing for extortion or to secure payoffs from an employer; makes illegal solicitation for payment of fictitious fees for unloading cargo from interstate carriers; and limits union trusteeships to 18 months.

In addition, the bill imposes criminal sanctions for embezzlement of union funds, false reporting, false entries in books, failure to report, or destruction of union books; clearly establishes the right of suits by union members for recovery of funds embezzled or misappropriated by union officers; gives the Secretary of Labor the right to institute court action to set improper elections aside and to conduct new elections; and finally, grants power to the Secretary of Labor to begin a court proceeding to break improper trusteeships.

HOW THE BILL AFFECTS MANAGEMENT

The bill requires every employer who spends more than $5,000 in a fiscal year for activities intended to influence employees in the exercise of their rights to organize and bargain collectively to report annually to the Secretary of Labor.

The bill requires reports from every labor relations consultant who has an agreement with an employer to provide services intended to affect employees in the exercise of their rights to organize and bargain collectively.

It has been erroneously assumed by some employer groups that this section would require employers to report on their efforts to promote good will and sound personnel practices. The requirement has nothing to do with such worthwhile activities. It does not even prohibit employers from trying to influence employees in the exercise of their bargaining rights. It simply requires a report on those efforts designed to influence employees in their bargaining rights that involve expenditures of more than $5,000. Under this section only a very small fraction of American business would have any need to report at all. Only willful failure to report relevant material carries any penalty. The section would in no way interfere with the employer's normal communication of freedom of speech in relation to his employees.

Present law is amended to clarify an ambiguity which now exists. Under the present law, it is illegal for an employer to bribe a representative of his employees. The Kennedy-Ives bill simply provides that such bribes may not be made to an employee representative by anyone acting on behalf of an employer, whether technically an agent or not.

Mr. DENT. Mr. Speaker, my vote against the so-called Kennedy-Ives bill is based upon some logical and, to my mind, sound legislative reasons.

In the first place, this bill has never been subjected to the light of public hearings either in the Senate or in the House of Representatives. The time consumed by the McClellan committee and the time the bill rested upon the Speaker's desk—40 days—deprived my committee of holding hearings or, for that matter, of giving reasonable time to study and consideration of the bill.

This bill sponsored by Senators KENNEDY and IVES has all the earmarks of legislation designed to fool some and foul others. Early in the history of this bill when it passed the Senate, all elements of labor and some industry saw the dangers in its provisions and opposed the enactment of the law as written. After passage by the Senate it rested upon the Speaker's desk for 40 days. This shows, beyond anything else, the type of legislation the Kennedy-Ives bill really is. It is a bill designed to fool many people, including the innocent bystander in the seemingly eternal struggle between capital and labor. It is supposed to correct the so-called labor abuses. As yet no one has spelled out where this can be accomplished in S. 3974.

The day after the Senate passed this bill, every member of the Committee on Education and Labor received word from labor against this legislation. The United Mine Workers have consistently opposed its passage. The United Steel Workers called upon me personally in their fight against it. Many corporations, retail establishments, and business groups have also expressed their opposition.

This kind of legislation has been violently opposed in the past by all the friends of labor. Today I find some of my friends supporting it. Last week the Steel Workers were against it—this week I hear they are for it. One thing stands out. Last week every Democrat in our committee voted against considering the bill because of lack of time for hearings and proper consideration. This week, just 4 days ago, some of the same members are voting for the bill without any consideration.

I have made a study and find the following features contained in this bill.

The expression of interest in the American labor movement on the part of the Senate is essentially a constructive one. Punitive amendments advanced by antilabor forces were for the most part successfully eliminated. Even so, many remain in the bill. The bill will profoundly modify many established practices, as follows:

First. All unions must publicly report their income and expenses. The Secretary of Labor may exempt locals with fewer than 200 members or income under $20,000 a year.

Second. International unions must explain and report why local union officers have been supplanted with trustees. Trusteeships are limited to 18 months unless it can be proven that a longer period is needed.

Third. Secret elections must be held for all union officers, or the delegates who select international officers.

Fourth. Local union officers are limited to 3-year terms. International officers must be chosen at least every 4 years.

Fifth. The National Labor Relations Board must take jurisdiction over all Taft-Hartley law disputes. It may cede its jurisdiction to State agencies agreeing to follow its rulings.

Sixth. Employers, as well as union officials, must swear they are not Communists to use the NLRB.

Seventh. Building trade unions can make agreements with construction employers before workers are hired and the union has established itself as the employees' representative.

In view of the above revelations as they appear in the bill, and the fact that the committee has been given a rather raw legislative deal, I must of necessity vote "no."

I do believe that some legislation can be passed next session to give proper protection where needed, without creating litigation beyond comprehension. The whole committee and the Subcommittee of Labor and Education refused to put the bill before the House for a vote because of the lack of time for hearings and study. Today the bill is before us.

The problem in a sense, has been developed by the Senate committee, however, our committee, by sponsoring and passing the Welfare and Pension Reporting and Disclosure Act dealt with the findings of the committee. All of the major abuses uncovered by the McClellan committee were in the manipulation of these supposedly sacred funds, welfare and pension plans.

The time for working on legislation is when Congress is in full session and not in the twilight hours of the last days. Every reasonable Member, motivated by an inclination to be just in his determinations and deliberations on far-reaching legislation, must admit the impropriety of today's vote on the rule which was a slap at the committee and all of its members.

The statement of Senator IVES in which he calls the United Mine Workers "extremist" and "participants in an unholy alliance" shows the kind of intemperate, irresponsible thinking of the sponsors of this bill. The wholesale condemnation of all persons opposed to the bill by Senators KENNEDY and IVES is a throwback to the Hitlerian philosophy of one right, their right to propose and denial of all others the right to oppose. This kind of thinking I refuse to yield to, this kind of persuasion smacks of the kind of totalitarianism that has disturbed the minds of men and the peace of the world since time immemorial.

To those of us who have worked long and doggedly through the years to alleviate the conditions of labor and to bring to this long-suffering group the benefits of a better way of life, there is something sinister in the actions of men whose main interest seems to be the furtherance of political ambition.

I was born in a coal town with all of the history of a coal town deeply imbedded in my bloodstream, knowing the difference between what is good for labor and what someone tells me is good for labor. I resent the implication that all of us voted to open the doors to labor racketeers. I resent it on two counts. One, that all labor is not engaged in racketeering any more than all bankers are engaged in embezzling funds; two, that this bill would make certain positions important to both labor and industry, untenable and impossible of fulfillment.

The day of the political fakir has been revived by a small but influential group equipped with unlimited funds and staffs of trained Madison Avenue hucksters. They appear as labor's friends but there is a difference between what they say and what they do. No true friend of labor could have sponsored the Kennedy-Ives bill as it finally appeared on the suspension vote calendar.

I wonder how many Members of Congress would have voted to put the same restrictions on themselves as put upon labor representatives. I doubt if many would care to live under the conditions contained in sections 102, subsections 1, 2, 3, and 4, and I quote these sections:

SEC. 102. (a) Every officer of a labor organization engaged in an industry affecting commerce and every employee, other than a clerical employee, as defined by the Secretary, who received wages, salary, expenses, or other allowances in excess of $5,000 during the preceding fiscal year from labor organizations, shall file with the Secretary a signed report listing and describing for the preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a regular employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child directly or indirectly derived from, any business, a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child directly or indirectly derived from, a business, any part of which consists of buying from, selling or leasing to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent.

Mr. Speaker, under these provisions no man could buy or own stocks, bonds, or property under lease, not even a home of which he rents a room. He could own nothing in or with any company represented by his union, if he is an officer of the union.

The question presents itself, whether his stock accumulated by a stock participation plan becomes the subject of public exposure possibly jeopardizing his position as an official. All of this information is available to the Bureau of Internal Revenue. This means another set of policemen on every official of every union. Even an honest mistake can become the tool of unscrupulous and ambitious persons. No one wants dishonesty and yet have you ever seen bureaucracy at work?

Perhaps this is not a bad feature, but can you imagine Congressmen exposing their holdings in railroads, corporations, law firms, and so forth, and then voting for bills in Congress designed to help these industries and professions out of direct contributions through subsidies and other forms of governmental spending?

The ramifications of this action can put a man in jeopardy on every transaction regardless of the original intent of the transaction. There are sufficient laws now to provide for illegal conversion and embezzlement.

Another important facet of this bill that has not been publicized is that every bylaw controlling tenure of office and manner of election would be superseded in all local unions. Such bylaws and regulations would then be written by section 301 and the Secretary of Labor.

Labor is no longer in knee pants. It is a full-grown partner in the American way of life. There are far more conscientious, hard-working, and sincere men in labor than the rascals who get all the publicity and headlines. One has to know the suffering of coal towns, mill sites, and unorganized communities of a generation ago to understand some of the actions labeled "abuses." This is especially true of the older men in labor who carry the scars of many battles with hired thugs whose purpose it was to prevent the organization and emancipation of labor. It will be interesting to watch next year's battles in Congress and make a count of the so-called friends of labor.

Those who fight Government in business certainly cannot sanction Government in every labor local without endangering their own position. A real representative of the people tries to give to both labor and industry their just dues. No man can go wrong who "renders unto Caesar the things that are Caesar's and unto God the things that are God's."

Finley Peter Dunne, in one of his humorous sketches, says, "A union without dues, without bylaws, without regulations without affairs, and especially without members," is the only good union.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 3974?

Mr. MCCORMACK. Mr. Speaker, as long as we are going to have a rollcall on this, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 198, not voting 41, as follows:

[Roll No. 175]

YEAS—190

Addonizio	Baker	Bennett, Mich.
Albert	Baldwin	Blatnik
Allen, Calif.	Baring	Boggs
Anderson, Mont.	Barrett	Boland
Anfuso	Bass, N. H.	Bolling
Ashley	Bass, Tenn.	Boyle
Aspinall	Beckworth	Breeding
	Bennett, Fla.	Brooks, Tex.

Broomfield	Hoeven	Poage
Brown, Mo.	Huddleston	Polk
Buckley	Hull	Porter
Byrne, Pa.	Ikard	Price
Canfield	Jarman	Rabaut
Cannon	Jennings	Rains
Carnahan	Johnson	Reuss
Carrigg	Jones, Ala.	Rhodes, Pa.
Celler	Karsten	Riehlman
Chelf	Kean	Roberts
Christopher	Kelly, N. Y.	Rodino
Clark	Keogh	Rogers, Colo.
Coad	Kilday	Rogers, Fla.
Coffin	King	Rogers, Mass.
Corbett	Kirwan	Rooney
Cretella	Kluczynski	Roosevelt
Cunningham, Iowa	Knutson	Rutherford
Cunningham, Nebr.	Lane	Santangelo
Curtis, Mass.	Lankford	Saund
Dawson, Ill.	Lesinski	Schwengel
Delaney	Libonati	Scott, Pa.
Dellay	McCarthy	Seely-Brown
Denton	McCormack	Selden
Diggs	McDonough	Sheehan
Dingell	McFall	Shelley
Dollinger	McGovern	Sheppard
Donohue	Macdonald	Sieminski
Dorn, N. Y.	Machrowicz	Sikes
Dwyer	Mack, Ill.	Sisk
Eberharter	Madden	Smith, Miss.
Edmondson	Magnuson	Spence
Elliott	Mahon	Springer
Fallon	Maillard	Steed
Farbstein	Matthews	Sullivan
Fascell	Metcalf	Taylor
Feighan	Miller, Calif.	Teller
Fogarty	Mills	Thomas
Forand	Morano	Thompson, N. J.
Frazier	Morris	Thompson, Tex.
Frelinghuysen	Morrison	Thornberry
Fulton	Moss	Tollefson
Garmatz	Moulder	Trimble
Granahan	Multer	Udall
Green, Oreg.	Natcher	Ullman
Green, Pa.	Nix	Walter
Griffiths	O'Brien, Ill.	Watts
Hagen	O'Brien, N. Y.	Wharton
Hays, Ohio	O'Hara, Ill.	Wier
Healey	O'Konski	Withrow
Heselton	O'Neill	Wolverton
Holifield	Osmers	Wright
Holland	Passman	Yates
Holmes	Patman	Young
Holtzman	Patterson	Zablocki
Horan	Pelly	Zelenko
	Pfost	
	Philbin	

NAYS—196

Abbitt	Coudert	Hays, Ark.
Abernethy	Cramer	Hemphill
Adair	Curtin	Henderson
Alexander	Curtis, Mo.	Herlong
Alger	Dague	Hess
Allen, Ill.	Davis, Ga.	Hiestand
Andersen, H. Carl	Davis, Tenn.	Hill
Andrews	Dawson, Utah	Hoeven
Arends	Dennison	Hoffman
Ashmore	Dent	Holt
Auchincloss	Derounian	Hyde
Avery	Devereux	Jackson
Ayres	Dixon	Jensen
Bailey	Dooley	Johansen
Barden	Dorn, S. C.	Jonas
Bates	Dowdy	Judd
Beamer	Durham	Kearns
Becker	Everett	Keating
Belcher	Evins	Kee
Bentley	Fenton	Kilgore
Berry	Fisher	Kitchin
Betts	Flood	Knox
Bolton	Flynt	Krueger
Bonner	Ford	Lafore
Bosch	Forrester	Laird
Bow	Fountain	Latham
Bray	Gary	Lennon
Brown, Ga.	Gathings	Lipscomb
Brown, Ohio	Gavin	Lesse
Broyhill	George	McCulloch
Budge	Glenn	McGregor
Burleson	Grant	McIntosh
Bush	Gregory	McMillan
Byrd	Griffin	Mack, Wash.
Byrne, Ill.	Gross	Marshall
Byrnes, Wis.	Gubser	May
Cederberg	Gwinn	Meader
Chamberlain	Haley	Merrow
Chenoweth	Halleck	Michel
Chiperfield	Harden	Miller, Md.
Church	Hardy	Miller, Nebr.
Clevenger	Harris	Minshall
Collier	Harrison, Nebr.	Mitchell
Cooley	Harrison, Va.	Moore
	Harvey	Morgan
	Haskell	Mumma
	Hays, Ark.	Murray
	Hemphill	Neal
	Henderson	Nicholson
	Herlong	Nimtz
	Hess	Norblad
	Hiestand	Norrell
	Hill	O'Hara, Minn.
	Hoeven	Ostertag
	Hoffman	Perkins
	Holt	Pilcher
	Hyde	Pillion
	Jackson	Poff
	Jensen	Quie
	Johansen	Ray
	Jonas	Reece, Tenn.
	Judd	Reed
	Kearns	Rees, Kans.
	Keating	Rhodes, Ariz.
	Kee	Riley
	Kilgore	Rivers
	Kitchin	Robison, N. Y.
	Knox	
	Krueger	
	Lafore	
	Laird	
	Latham	
	Lennon	
	Lipscomb	
	Lesse	
	McCulloch	
	McGregor	
	McIntosh	
	McMillan	
	Mack, Wash.	
	Marshall	
	May	
	Meader	
	Merrow	
	Michel	
	Miller, Md.	
	Miller, Nebr.	
	Minshall	
	Mitchell	
	Moore	
	Morgan	
	Mumma	
	Robsion, Ky.	Tuck
	Rogers, Tex.	Thomson, Wyo.
	Sadlak	Utt
	St. George	Van Pelt
	Saylor	Van Zandt
	Schenck	Vinson
	Scherer	Vorys
	Scott, N. C.	Vursell
	Scrivner	Weaver
	Scudder	Westland
	Simpson, Ill.	Whitener
	Simpson, Pa.	Whitten
	Smith, Calif.	Widnall
	Smith, Kans.	Wigglesworth
	Smith, Va.	Williams, Miss.
	Staggers	Willis
	Stauffer	Wilson, Calif.
	Taber	Wilson, Ind.
	Talle	Younger
	Teague, Calif.	
	Tewes	

NOT VOTING—41

Baumhart	Hébert	Powell
Blitch	Hillings	Preston
Boykin	James	Prouty
Brooks, La.	Jenkins	Radwan
Burdick	Jones, Mo.	Robeson, Va.
Colmer	Kearney	Shuford
Dies	Kilburn	Siler
Doyle	Landrum	Teague, Tex.
Engle	LeCompte	Thompson, La.
Fino	McIntire	Vanik
Friedel	Martin	Wainwright
Gordon	Mason	Williams, N. Y.
Gray	Miller, N. Y.	Winstead
Hale	Montoya	

So, two-thirds not having voted in favor thereof, the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Vanik and Mr. Doyle for, with Mr. Hébert against.

Mr. Engle and Mr. Friedel for, with Mr. Landrum against.

Mr. Fino and Mr. Montoya for, with Mr. Teague of Texas against.

Mr. Burdick and Mr. Gordon for, with Mr. Baumhart against.

Mr. Wainwright and Mr. Powell for, with Mr. Kilburn against.

Until further notice:

Mr. Winstead with Mr. Hale.

Mr. Colmer with Mr. James.

Mr. Robeson of Virginia with Mr. Jenkins.

Mr. Thompson of Louisiana with Mr. Kearney.

Mr. Preston with Mr. Miller of New York.

Mrs. Blitch with Mr. Mason.

Mr. Brooks of Louisiana with Mr. McIntire.

Mr. Boykin with Mr. LeCompte.

Mr. Dies with Mr. Hillings.

Mr. Gray with Mr. Prouty.

Mr. Shuford with Mr. Siler.

Mr. MERROW changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

STATEMENT OF THE SPEAKER

The SPEAKER. The Chair desires to make a statement. The Chair is going to lay down a request from the Senate for the return of a bill, then recognize Members to send bills to conference.

PROVIDING MORE EFFECTIVE PRICE, PRODUCTION ADJUSTMENT, AND MARKETING PROGRAMS FOR VARIOUS AGRICULTURAL COMMODITIES

The SPEAKER laid before the House the following request from the Senate:

Ordered, That the House of Representatives be requested to return to the Senate the bill (S. 4071) entitled "An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities," asking a conference with the House thereon, and appointing conferees.

Attest:

FELTON M. JOHNSTON,
Secretary.

Mr. H. CARL ANDERSEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. H. CARL ANDERSEN. Mr. Speaker, is this request subject to objection?

The SPEAKER. It is not. It is a privileged matter.

The question is on agreeing to the request of the Senate.

The request was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will notify the Senate of the action of the House.

AMENDING AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954, with House amendment thereto, insist on the House amendment and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, ANFUSO, HILL, and HOEVEN.

SUPPLEMENTAL APPROPRIATION BILL, 1959

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CANNON, THOMAS, KIRWAN, ROONEY, GARY, TABER, JENSEN, VURSELL, and Bow.

PUBLIC WORKS APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the public works appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that it may be in order for the House to consider the independent offices appropriation bill when it is reported.

The SPEAKER. Is that satisfactory to the gentleman from New York?

Mr. TABER. We have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RETIREMENT, CLERICAL ASSISTANTS, AND MAILING PRIVILEGES FOR FORMER PRESIDENTS

Mr. MURRAY submitted a conference report and statement on the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes.

SETTING ASIDE CERTAIN LANDS IN OKLAHOMA FOR THE CHEYENNE AND ARAPAHO INDIANS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6090) to set aside certain lands in Oklahoma for the Cheyenne and Arapaho Indians, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. HALEY, ASPINALL, EDMONDSON, BERRY, and THOMSON of Wyoming.

VIRGIN ISLANDS CORPORATION ACT

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. O'BRIEN of New York, ASPINALL, SISK, MILLER of Nebraska, and SAYLOR.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. BASS of Tennessee. Mr. Speaker, reserving the right to object, I would like to know what the report is.

Mr. SMITH of Virginia. I withdraw the request, Mr. Speaker.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the calendar.

USE OF NATIONAL FOREST PAYMENTS

The Clerk called the bill (H. R. 12704) to amend the provisions of law codified as section 500, title 16, United States Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of law codified as section 500, title 16, United States Code, are amended by inserting the words "and general government" after the words "public schools and public roads."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING MORE FLEXIBILITY IN APPOINTMENT OF CADETS

The Clerk called the bill (H. R. 13226) to amend title 10, United States Code, to provide more flexibility in making additional appointments to bring the number of cadets at the United States Military Academy and the United States Air Force Academy up to full strength.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

QUALITY REGULATION OF IMPORTED AGRICULTURAL COMMODITIES

The Clerk called the bill (H. R. 11056) to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported limes, grapefruit, lemons, mandarins, all types of oranges including temples, tangerines, murcotts, and tangeloes, dried figs, fig paste, sliced dried figs, shelled walnuts, dates with pits, dates with pits removed, and products made entirely of dates.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

BONDS OF UNITED STATES MARSHALS

The Clerk called the bill (S. 1438) to amend section 544 of title 28, United States Code, relating to bonds of United States marshals.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I notice that the bill is to come up under suspension of the rules; therefore, I ask unanimous consent that it be passed over without prejudice.

Mr. CELLER. Mr. Speaker, if the gentleman will withhold his request, it is a very simple bill and could be explained very shortly.

Mr. GROSS. No; I ask that it be passed over without prejudice. It is on the program for suspension.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

LANDS GRANTED TO STATES FOR PUBLIC PURPOSES

The Clerk called the bill (S. 2517) to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2275 of the Revised Statutes, as amended (43 U. S. C. 851), is amended to read as follows:

"SEC. 2275. Where settlements with a view to preemption or homestead have been, or shall hereafter be made, before the survey of the lands in the field, which are found to have been made on sections 16 or 36, those sections shall be subject to the claims of such settlers; and if such sections or either of them have been or shall be granted, reserved, or pledged for the use of schools or colleges in the State or Territory in which they lie, other lands of equal acreage are hereby appropriated and granted, and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory, in lieu of such as may be thus taken by preemption or homestead settlers. Any other lands of equal acreage are also hereby appropriated and granted and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory where sections 16 or 36 are, prior to survey, included within any Indian, military, or other reservation, or are, prior to survey, otherwise disposed of by the United States: *Provided*, That the selection of any lands under this section in lieu of sections granted or reserved to a State or Territory shall be a waiver by the State or Territory of its right to be granted or reserved sections. And other lands of equal acreage are also hereby appropriated and granted, and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory to compensate deficiencies for school purposes, where sections 16 or 36 are fractional in quantity, or where one or both are wanting by reason of the township being fractional, or from any natural cause whatever. And it shall be the duty of the Secretary of the Interior, without awaiting the extension of the public surveys, to ascertain and determine, by protraction or otherwise, the number of townships that will be included within such Indian, military, or other reservations, and thereupon the State or Territory shall be entitled to select indemnity lands to the extent of section for section in lieu of sections therein which have been or shall be

granted, reserved, or pledged; but such selections may not be made within the boundaries of said reservation: *Provided, however*, That nothing herein contained shall prevent any State or Territory from awaiting the extinguishment of any such military, Indian, or other reservation and the restoration of the lands therein embraced to the public domain and then taking the sections 16 and 36 in place therein."

SEC. 2. Section 2276 of the Revised Statutes (43 U. S. C., sec. 852) is amended to read as follows:

"SEC. 2276. (a) The lands appropriated by section 2275 of the Revised Statutes shall be selected from any unappropriated, surveyed public lands within the State or Territory where such losses or deficiencies occur subject to the following restrictions:

"(1) No lands mineral in character may be selected by a State or Territory except to the extent that the selection is being made as indemnity for mineral lands lost to the State or Territory because of appropriation prior to survey;

"(2) No lands on a known geologic structure of a producing oil or gas field may be selected except to the extent that the selection is being made as indemnity for lands on such a structure lost to the State or Territory because of appropriation prior to survey; and

"(3) Lands subject to a mineral lease or permit may be selected, but only if all of the lands subject to that lease or permit are selected and if none of the lands subject to that lease or permit are in a producing or producible status; where lands subject to a mineral lease or permit are selected, the State or Territory shall succeed to the position of the United States thereunder.

"(b) Where the selections are to compensate for deficiencies of school lands in fractional townships, such selections shall be made in accordance with the following principles of adjustment, to wit: For each township, or fractional township, containing a greater quantity of land than three-quarters of an entire township, one section; for a fractional township, containing a greater quantity of land than one-half, and not more than three-quarters of a township, three-quarters of a section; for a fractional township, containing a greater quantity of land than one-quarter, and not more than one-half of a township, one-half section; and for a fractional township containing a greater quantity of land than one entire section, and not more than one-quarter of a township, one-quarter section of land: *Provided*, That the States or Territories which are, or shall be entitled to both the 16th and 36th sections in place, shall have the right to select double the amounts named, to compensate for deficiencies of school land and in fractional townships.

"(c) Notwithstanding the provisions of the act of September 27, 1944 (58 Stat. 748), as amended (43 U. S. C., sec. 282) on the revocation not later than 10 years after the date of approval of this act, of any order of withdawal, in whole or in part, the order or notice taking such action shall provide for a period of not less than 6 months before the date on which it otherwise becomes effective in which the State or Territory in which the lands are situated shall have a preferred right of application for selection under this section, subject to the requirements of existing law, except as against the prior existing valid settlement rights and preference rights conferred by existing law other than the said act of September 27, 1944, or as against equitable claims subject to allowance and confirmation, and except where a revocation of an order of withdrawal is made in order to assist in a Federal land program.

"(d) (1) The term 'unappropriated public lands' as used in this section shall include, without otherwise affecting the meaning thereof, lands withdrawn for coal, phosphate, nitrate, potash, oil, gas, asphaltic minerals, oil shale, sodium, and sulfur, but otherwise subject to appropriation, location, selection, entry, or purchase under the nonmineral laws of the United States; and lands withdrawn by Executive Order No. 5327, of April 15, 1930, if otherwise available for selection.

"(2) The determination, for the purposes of this section of the mineral character of lands lost to a State or Territory shall be made as of the date of application for selection and upon the basis of the best evidence available at that time."

SEC. 3. Section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353), is further amended by the deletion of the first proviso and the substitution of the following in its place: "*Provided*, That where settlement with a view to homestead entry has been made upon any part of the sections reserved before the survey thereof in the field, or where the same may have been sold or otherwise appropriated by or under the authority of any act of Congress or included within any Indian, military, or other reservation or are wanting or fractional in quantity, other lands, nonmineral in character, may be designated and reserved in lieu thereof in the manner provided by sections 2275 and 2276 of the Revised Statutes: *Provided further*, That the Territory may select mineral lands (including lands on the known geologic structure of a producing oil or gas field and lands subject to a mineral lease or permit) to be reserved for it to the same extent as a State may select such lands to be granted to it under subsection (a) of section 2276 of the Revised Statutes (43 U. S. C., sec. 852)."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERRING PROPERTY AND FUNCTIONS OF HHFA

The Clerk called the bill (S. 2594) to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all right, title, and interest, including contractual rights and reversionary interest, held by the Federal Government in and with respect to project ALAS-50080 heretofore administered by the Housing and Home Finance Administrator, are hereby transferred to the Secretary of the Interior. All of the powers, duties, and responsibilities of the Housing and Home Finance Administrator under the purchase and sale contract executed on October 1, 1946, by the United States, represented by the Acting Commissioner of the Federal Public Housing Authority, and by the Hoonah Indian Association, and transferred to the Housing and Home Finance Administrator by Reorganization Plan No. 3 of 1947 (61 Stat. 954), are hereby transferred to the Secretary of the Interior. There is also hereby transferred out of the fund entitled "Office of the Administrator revolving fund (liquidating programs)" established in the Office of the Administrator, Housing and Home Finance Agency, under title II of the Independent Offices Appropriation Act, 1955 (68 Stat. 272, 295), as amended, an amount equal to gross receipts from the project transferred by this section.

SEC. 2. For the purpose of liquidating such project the Secretary of the Interior is authorized, within the limits of funds available under section 3 of this act:

(a) To make any surveys of the land on which the project is located that may be needed to vest titles in the individual purchasers of housing units, or to bring the housing project within the Hoonah townsite.

(b) To finance transfers to the individual purchasers of housing units of any interests in the lands on which the housing units are located that may be vested in others.

(c) To refund to individual Indians any payments made by them for housing accommodations which they did not receive.

(d) To pay to individual Indians the fair value, as determined by the Secretary of the Interior, of any land which they conveyed to the Hoonah Indian Association for the use of the project in return for housing accommodations which they did not receive.

(e) To make any repairs or improvements to individual housing units that may be needed to permit the disposition of such units to individual Indians.

(f) To acquire by purchase or eminent domain any lands or interests in lands that are needed for streets and alleys within the project, and to dedicate such lands for public use; and to acquire by eminent domain any interests in land the acquisition of which is authorized to be financed under subsection (b) of this section, and to convey such interests to the purchaser of the individual housing units involved.

(g) To allocate equally to the individual housing units the $240,000 purchase price which the Hoonah Indian Association agreed to pay to the United States, to credit against the allocated purchase price for each unit all payments on principal heretofore made with respect to such unit, and to cancel any portion of the remainder of the debt on any unit that exceeds the value of the unit (as determined by the Secretary) decreased by the sum of all payments on principal heretofore made with respect to such unit.

(h) To release from the mortgage securing the debt of the Hoonah Indian Association any individual housing unit upon payment of the uncanceled portion of the debt allocated to it.

SEC. 3. All funds transferred to the Secretary of the Interior pursuant to section 1 of this act and all funds hereafter collected from the project transferred by section 1 shall be established in a revolving fund in the Department of the Interior and may be used to carry out the purposes of this act, including administrative expenses.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RED WILLOW DAM AND RESERVOIR IN NEBRASKA

The Clerk called the resolution (H. Con. Res. 301) to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska.

The SPEAKER pro tempore. Is there objection to the present consideration of the concurrent resolution?

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate resolution, Senate Joint Resolution 190, be considered in lieu of the House Concurrent Resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the report of the Secretary of the Interior demonstrating economic justification for construction and operation of the Red Willow Dam and Reservoir is hereby approved.

The concurrent resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House resolution (H. Con. Res. 301) was laid on the table.

RELIEF OF CERTAIN NAVAL EMPLOYEES

The Clerk called the bill (H. R. 12212) for the relief of certain employees of the Department of the Navy.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXECUTION OF CONTRACTS WITH INDIAN TRIBES

The Clerk called the bill (S. 2592) to amend the law relating to the execution of contracts with Indians tribes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2103 of the Revised Statutes (25 U. S. C. 81), is amended (1) by deleting from the paragraph numbered "Second" the words "be executed before a judge of a court of record, and", and (ii) by deleting all of the paragraph numbered "Sixth."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROCKY BOY'S INDIAN RESERVATION, MONT.

The Clerk called the bill (S. 2530) to designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Mont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the land acquired by the United States pursuant to section 5 of the act of June 18, 1934 (48 Stat. 984), title to which was conveyed to the United States of America in trust for the Chippewa, Cree, and other Indians of Montana, and thereafter added to the Rocky Boy's Indian Reservation, Mont., by proclamation signed by the Assistant Secretary of the Interior on November 26, 1947, is hereby designated for the exclusive use of the members of the Chippewa Cree Tribe of the Rocky Boy's Reservation, Mont.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINERALS ON WIND RIVER RESERVATION, WYO.

The Clerk called the bill (S. 3203) relating to minerals on the Wind River Indian Reservation in Wyoming, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, from and after the effective date of this act, all of the right, title, and interest of the United States in all minerals, including oil and gas, the Indian title to which was extinguished by the act of August 15, 1953 (67 Stat. 592; Public Law 284, 83d Congress, 1st session), entitled "An act to provide compensation to the Shoshone and Arapahoe Tribes of Indians for certain lands of the Riverton reclamation project within the ceded portion of the Wind River Indian Reservation, and for other purposes," is hereby declared to be held by the United States in trust for the Shoshone and Arapahoe Tribes and, notwithstanding any other provision of law, said minerals, including oil and gas, subject to the provisions of section 2 of this act, shall be administered and leased in accordance with the provisions of the act of May 11, 1938 (ch. 198, 52 Stat. 347). The gross proceeds received by the United States from such minerals either before or after the date of this act shall be deposited to the credit of the Shoshone and Arapahoe Tribes in accordance with the provisions of the act of May 19, 1947 (61 Stat. 102), as amended, and any of such gross proceeds that have been credited to miscellaneous receipts in the Treasury of the United States in accordance with the provisions of section 5 of the act of August 15, 1953 (67 Stat. 592), shall be transferred on the books of the Treasury to the credit of such tribes.

SEC. 2. Notwithstanding any other provision of law, (1) all mineral leases, including oil and gas leases, covering any of the minerals referred to in section 1 hereof, which have heretofore been issued by the Secretary of the Interior on a noncompetitive basis, shall be subject to renewal at the end of the primary 5-year term thereof for a term that extends to a date that is 5 years from the date of this act and shall not be subject to renewal or further extension except in any case where, at the expiration of said extended term, oil or gas is being produced under the lease in paying quantities, and (2) the Secretary of the Interior shall process in accordance with the Mineral Leasing Act of February 25, 1920 (ch. 85, 41 Stat. 437), as amended, and the regulations issued thereunder, all oil and gas lease offers covering any of the oil and gas referred to in section 1 hereof which were filed on or before December 31, 1957: *Provided*, That any oil and gas lease issued pursuant to such lease offers shall be for a single term of 5 years commencing with the effective date of the lease and shall not be subject to renewal or extension except in any case where at the expiration of said 5-year term, oil or gas is being produced under the lease in paying quantities.

Any oil or gas lease referred to in subparagraph (1) of this section and any oil or gas lease which may hereafter be issued pursuant to the lease offers referred to in subparagraph (2) of this section shall be subject to the provisions of section 1 (1) of the act of July 29, 1954 (ch. 644, 68 Stat. 583), amendatory of the second paragraph of section 17 of the Mineral Leasing Act of February 25, 1920 (ch. 85, 41 Stat. 443), as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SEEDSKADEE RECLAMATION PROJECT, WYOMING

The Clerk called the bill (S. 3448) to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purpose of assisting in the permanent settlement of farm families, protecting project land, facilitating project development, and other beneficial purposes the Secretary of the Interior is hereby authorized to acquire in the name of the United States such lands or interests in lands on the Seedskadee reclamation project, Wyoming, authorized by the act of April 11, 1956 (70 Stat. 105), as he deems appropriate to accomplish the purposes above enumerated. Such lands which cannot practically be acquired by exchange of public lands of equal value outside the irrigable area to be served may be acquired by purchase, at prices satisfactory to the Secretary without reference to increment on account of the construction of the project, or by donation.

SEC. 2. The Secretary is further authorized to administer the public and acquired lands on the Seedskadee reclamation project, to sell, exchange, lease, or otherwise dispose of such lands and any improvements thereon, to establish townsites and to dedicate portions of said lands for public purposes, to the extent, in the manner, and on terms that in his judgment are in keeping with sound project development: *Provided*, That all the lands included in any farm units and made available for settlement, irrespective of whether said farm units are composed of public lands, acquired lands, or both, shall be sold at prices per acre established by the Secretary that in his judgment will, as nearly as practicable, equitably provide for the return in a reasonable period of years of the costs of acquisition and disposition of all settlement lands on the project.

SEC. 3. Beginning at such date or dates and subject to such provisions and limitations as may be fixed or provided by regulations issued by the Secretary under the authority of this act, any public lands and any lands acquired under this act shall be, after disposition thereof by the United States by contract of sale and during the time such contract shall remain in effect, (1) subject to the laws of the State of Wyoming relating to the organization, government, and regulation of conservancy and other similar districts, and (ii) subject to legal assessment or taxation by such district and by said State or political subdivisions thereof, and to liens for such assessments and taxes and to all proceedings for the enforcement thereof, in the same manner and to the same extent as privately owned lands: *Provided, however*, That the United States shall not assume any obligation for amounts so assessed or taxed: *And provided further*, That any proceedings to enforce said assessments or taxes shall be subject to any title then remaining in the United States, to any prior lien reserved to the United States for unpaid installments under land sale contracts made under this act, and to any obligation for any other charges, accrued or unaccrued, for special improvements, construction, or operation and maintenance costs of said project.

SEC. 4. No water shall be furnished from, through, or by means of project works to lands which are held in private ownership by any one owner in excess of the equivalent of 160 acres of class 1 lands unless the owner thereof shall have executed a valid recordable contract with respect to the excess in like manner as is provided in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649). Computing "the equivalent of 160 acres of class 1 lands" under this section, each acre of class 2 land shall be counted as eighty-eight one-hundredths of an acre, each acre of class 3 land shall be counted as seventy-one one-hundredths of an acre, and each acre of class 4 land shall be counted as forty-three one-hundredths of an acre.

SEC. 5. The Secretary is authorized to perform such acts, to make such rules and regulations, and to include in contracts made under the authority of this act such

provisions as he deems proper for carrying out the provisions of this act; and in connection with sales or exchanges under this act, he is authorized, in his discretion, to effect conveyance without regard to the laws governing the patenting of public lands.

SEC. 6. This act shall be deemed a supplement to and part of the act of April 11, 1956 (70 Stat. 105).

With the following committee amendments:

Page 3, line 12, strike out the word "shall" and insert "does."

Page 4, line 3, strike out the word "Computing" and insert "In computing."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LANDS TO CITY OF HENDERSON, NEV.

The Clerk called the bill (S. 3723) to amend Public Law 522, Eighty-fourth Congress (relating to the conveyance of certain lands to the city of Henderson, Nev.).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the city of Henderson, Nev.," approved May 14, 1956 (70 Stat. 186), is amended by adding at the end thereof the following new section:

"SEC. 3. Nothing contained in the preceding provisions of this act shall be construed to preclude the city of Henderson, Nev., from purchasing, in accordance with such preceding provisions, only such portion or portions, by legal subdivision of the public land surveys, of the above-described lands as such city elects, nor shall the purchase by such city of only a portion or portions of such lands be construed to constitute a waiver or relinquishment of any of its rights under this act to purchase, in accordance with such preceding provisions and by legal subdivisions of the public land surveys, the remainder of such lands, or any portion thereof."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LANDS, NAVAHO TRIBE

The Clerk called the bill (S. 3754) to provide for the exchange of lands between the United States and the Navaho Tribe, and for other purposes.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INTERNATIONAL PEACE GARDEN, NORTH DAKOTA

The Clerk called the bill (S. 765) to increase the authorization for the appropriation of funds to complete the International Peace Garden, North Dakota.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to authorize an appropriation to complete the International Peace Garden, North Dakota," approved October 25, 1949 (63 Stat. 888), as amended, is amended by striking out "$200,000" and by inserting in lieu thereof "$400,000."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POINT REYES NATIONAL SEASHORE RECREATIONAL AREA

The Clerk called the resolution (H. Res. 634) calling for the preparation of a report on the proposed Port Reyes National Seashore Recreational Area, Marin County, Calif.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADMINISTRATIVE SITE FOR YOSEMITE PARK, CALIF.

The Clerk called the bill (H. R. 12281) to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

INDEPENDENCE NATIONAL HISTORICAL PARK

The Clerk called the bill (H. R. 12720) to amend the act of June 28, 1948 (62 Stat. 1061), as amended, providing for the establishment of Independence National Historical Park, and for other purposes.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill be stricken from the Consent Calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDING THE INTERCOASTAL SHIPPING ACT

The Clerk called the bill (H. R. 12125) to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 4196) be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the first paragraph of section 2 of the Intercoastal Shipping Act, 1933 (47 Stat. 1425) as amended, (U. S. C., title 46, section 844) is amended to read as follows:

"SEC. 2. That every common carrier by water in intercoastal commerce shall file with the Federal Maritime Board and keep open to public inspection schedules showing all the rates, fares, and charges for or in connection with transportation between intercoastal points on its own route; and, if a through route has been established, all the rates, fares, and charges for or in connection with transportation between intercoastal points on its own route and points on the route of any other carrier by water. The schedules filed, and kept open to public inspection as aforesaid by any such carrier shall plainly show the places between which passengers and/or freight will be carried, and shall contain the classification of freight and of passenger accommodations in force, and shall also state separately each terminal or other charge, privilege, or facility, granted or allowed, and any rules or regulations which in anywise change, affect, or determine any part or the aggregate of such aforesaid rates, fares, or charges, or the value of the service rendered to the passenger consignor, or consignee, and shall include the terms and conditions of any passenger ticket, bill of lading, contract of affreightment, or other document evidencing the transportation agreement. The terms and conditions as filed with the Federal Maritime Board shall be framed under glass and posted in a conspicuous place on board each vessel where they may be seen by passengers and others at all times. Such carriers in establishing and fixing rates, fares, or charges may make equal rates, fares, or charges for similar service between all ports of origin and all ports of destination, and it shall be unlawful for any such carrier, either directly or indirectly, through the medium of any agreement, conference, association, understanding, or otherwise, to prevent or attempt to prevent any such carrier from extending service to any publicly owned terminal located on any improvement project authorized by the Congress at the same rates which it charges at its nearest regular port of call. Such schedules shall be plainly printed, and copies shall be kept posted in a public and conspicuous place at every wharf, dock, and office of such carrier where passengers or freight are received for transportation, in such manner that they shall be readily accessible to the public and can be conveniently inspected. In the event that any such schedule includes the terms and conditions of any passenger ticket, bill of lading, contract of affreightment or other document evidencing the transportation agreement, as herein provided, copies of such terms and conditions shall be made available to any shipper, consignee, or passenger upon request. Such terms and conditions, if filed as permitted by this section and framed under glass and posted in a conspicuous place on board each vessel where they may be seen by passengers and others at all times, may be incorporated by reference in a short form of same actually issued for the transportation, or in a dock receipt or other document issued in connection therewith, by notice printed on the back of each document that all parties to the contract are bound by the terms and conditions as filed with the Federal Maritime Board and posted on board each vessel, and when so incorporated by reference every carrier and any other person having any interest or duty in respect of such transportation shall be deemed to have such notice thereof as if all such terms and conditions had been set forth in the short form document."

Mr. DINGELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 2, line 12, after the word "part" delete "or" and insert "of."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 12125) was laid on the table.

LEASE OF PAPAGO TRIBAL LAND

The Clerk called the bill (S. 4167) to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Papago Indian Tribe, with the approval of the Secretary of the Interior, is authorized to lease to the National Science Foundation, for the construction of an astronomical observatory, approximately 2,400 acres, more or less, of tribal land on the Papago Indian Reservation, and to grant to the National Science Foundation, or to an agency designated by it, permanent rights-of-way across the Papago Indian Reservation for roads and utilities needed in connection with such observatory. The term of the lease shall be for as long as the property is used for scientific purposes and may provide for an initial payment of not to exceed $25,000 in addition to annual rental fees. The lease shall also prescribe the terms and conditions under which the tribe may jointly use that portion of the leased area not specifically needed for the observatory.

SEC. 2. The National Science Foundation is hereby authorized to expend appropriated funds for construction on the leased land described above, on behalf of the Federal Government, an optical astronomical observatory, including telescopes, administration buildings, and other structures deemed necessary and desirable by the Foundation for creation of a scientific facility appropriate for use by the Nation's astronomers.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEY LANDS ON HUNTLEY RECLAMATION PROJECT, MONTANA

The Clerk called the bill (S. 1742) to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands in the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley Project Schools, Yellowstone County, Mont.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the bill (S. 2922) to authorize per capita payments to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this act. Such payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. No money paid to Indians under this act shall be subject to any lien or claim of attorneys, or other persons.

SEC. 3. Payments made under this act shall not be held to be "other income and resources" as that term is used in sections 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a), (7), 602 (a) (7), and 1202 (a) (8)).

SEC. 4. The nineteenth paragraph of section 9 of the act of May 18, 1916 (39 Stat. 123, 138), is amended to read as follows:

"After the payment of all expenses connected with the administration of these lands as herein provided, the net proceeds therefrom shall be covered into the Treasury of the United States to the credit of the Red Lake Indians and draw interest at the rate of 4 percent per annum. Any part of such fund or the interest thereon that is in excess of reserve and operating requirements, as determined by the Secretary of the Interior, may be distributed per capita to the members of the Red Lake band upon request of the tribal council and approved by the Secretary."

SEC. 5. Paragraph 17 of section 9 of the act of May 18, 1916 (39 Stat. 123, 137), as amended by the act of August 3, 1956 (70 Stat. 982), is amended by deleting from clause (a) thereof ", with the consent of the tribal council."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAILING OF OBSCENE MATTER

The Clerk called the bill (H. R. 4383) to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 4287, be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases", approved July 27, 1956 (Public Law 821, 84th Congress; 70 Stat. 700), is hereby amended to read as follows:

"SEC. 2. The provisions of this act shall not apply to mail addressed to publishers of publications which have entry as second-class matter under the act of March 3, 1879, as amended (ch. 180, 20 Stat. 358; 39 U. S. C. 221, and the following), or to mail addressed to the agents of such publishers."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4383) was laid on the table.

CAREER AND CAREER-CONDITIONAL APPOINTMENTS

The Clerk called the bill (H. R. 9407) to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That each employee of the Federal Government or of the municipal government of the District of Columbia who—

(1) on November 10, 1955, was serving in the excepted service in a position listed under schedule A or B of rule VI of the Civil Service rules which was removed from the competitive civil service subsequent to January 23, 1955;

(2) served in a position or positions in the competitive civil service without break in service from January 23, 1955, to the date of the removal of his position as specified in subparagraph (1) of this section;

(3) (A) during the period beginning June 3, 1950, and ending January 23, 1955, passed a qualifying examination for a position in the competitive civil service in which he served during such period, or (B) within 1 year after the effective date of this section meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position which he held at the time his position was removed from the competitive civil service; and

(4) has completed, prior to November 10, 1956, a total of continuous or intermittent satisfactory service aggregating not less than 3 years on the rolls in a position in or under the Federal Government or the municipal government of the District of Columbia;

may, upon approval of his application made to the United States Civil Service Commission within 1 year after the effective date of this section, be reappointed without competitive examination to a position in the competitive civil service for which he is qualified. Such reappointment (except reappointment to a position involving temporary job employment) shall be a career-conditional appointment or a career appointment, as determined under the appropriate United States Civil Service Commission regulations governing career-conditional and career appointments.

SEC. 2. The United States Civil Service Commission is hereby authorized and directed to promulgate such rules and regulations as it determines to be necessary to carry out the provisions of this act.

SEC. 3. Nothing in this act shall affect, or be construed to affect, the application of section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, 82d Cong.), as amended.

SEC. 4. The foregoing sections of this act shall become effective on the 90th day following the date of enactment of this act.

With the following committee amendments:

Page 1, line 3, immediately after the word "That", insert "(a)."

Page 3, immediately following line 3, insert the following new subsection:

"(b) Each employee of the Federal Government or of the municipal government of the District of Columbia who met the requirements of the act entitled 'An act to provide for the granting of career-conditional and career appointments to certain qualified employees', approved August 12, 1955 (Public Law 380, 84th Cong.), but did not file application for the benefits of such act prior to November 10, 1956, because of administrative error by the department, agency, or establishment in which he was employed, may file his application for the benefits of such act within 1 year after the effective date of this section."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPATCH OF MAIL FROM FOST OFFICES

The Clerk called the bill (H. R. 10496) to revise the law relating to the dispatch of mail from post offices, and for other purposes.

There being no objection, the clerk read the bill, as follows:

Be it enacted, etc., That section 3840 of the Revised Statutes (39 U. S. C. 6) is amended by striking out the comma and the words "not exceeding 1 hour" immediately following the word "accordingly."

With the following committee amendment:

Line 4, strike out "the comma and the words 'not exceeding 1 hour' immediately following the word 'accordingly' and insert "'1 hour' and inserting in lieu thereof '3 hours'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF FEDERAL EMPLOYEES FOR SERVICE WITH INTERNATIONAL ORGANIZATIONS

The Clerk called the bill (S. 4004) to encourage and authorize details and transfers of Federal employees for service with international organizations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Federal Employees International Organization Service Act."

DEFINITIONS

SEC. 2. As used in this act—

(1) "International organization" means every public international organization or international-organization preparatory commission in which the United States Government participates.

(2) "Federal agency" means any department or agency in the executive branch of the United States Government including independent establishments and Government owned or controlled corporations, and any employing authority in the legislative branch of the United States Government.

(3) "Employee" means any civilian appointive officer or employee in or under the executive or the legislative branch of the United States Government.

(4) "Congressional employee" means those included in the definition of that term contained in the Civil Service Retirement Act.

(5) "Transfer" means the change of position by an employee from a Federal agency to an international organization.

(6) "Detail" means the assignment or loan of an employee to an international organization without the employee's transfer from the Federal agency by which he is employed.

(7) "Reemployment" means either the reemployment of an employee pursuant to section 4 (a) (5), or the reemployment of a Congressional employee within 90 days from the date of his separation from the international organization, following a term of employment not extending beyond the period specified by the head of the Federal agency at the time of consent to transfer or, in the absence of such a specified period, not extending beyond the first three consecutive years of his entering the employ of the international organization.

DETAILS

SEC. 3. (a) The head of any Federal agency is authorized to detail for a period not exceeding 3 years any employee of his department or agency to an international organization requesting services.

(b) Any employee while so detailed shall be considered for the purpose of preserving his allowances, privileges, rights, seniority, and other benefits, to be an employee of the Federal agency from which detailed and he shall continue to receive compensation, allowances, and benefits from funds available to that agency. The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes.

(c) Details may be made under this section—

(1) without reimbursement to the United States by the international organization; or

(2) with agreement by the international organization to reimburse the United States for compensation, travel expenses, and allowances, or any part thereof, payable during the period of detail in accordance with subsections (a) and (b), and such reimbursement shall be credited to the appropriation, fund, or account utilized for paying such compensation, travel expenses, or allowances.

(d) Nothing in section 1914 of title 18, United States Code, relative to augmenting salaries of Government employees shall prevent an employee detailed under this section from being paid or reimbursed by an international organization for allowances or expenses incurred in the performance of duties required by the detail.

TRANSFERS

SEC. 4. Notwithstanding the provisions of any law, Executive order, or regulation, any employee serving under a Federal appointment not limited to 1 year or less who transfers to an international organization is entitled to the following, if the transfer is made with the consent of the head of his agency, except that the provisions of paragraph (5) relating to reemployment rights, and the provisions of paragraph (6) relating to rates of basic compensation payable upon reemployment shall not apply to Congressional employees:

(1) To retain coverage and all rights and benefits under any system established by law for the retirement of civilian employees of the United States, if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the system's fund or depository, and for such purpose service as an officer or employee of the international organization shall be considered to be creditable service under any such system.

(2) To retain coverage and all rights and benefits under the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C., ch. 24), if all necessary employee deductions and agency contributions in payment for such coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund created by section 5 (c) of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C. 2094 (c)), and for such purpose service as an officer or employee of the international organization shall be considered to be service as an officer or employee of the United States.

(3) To retain coverage and all rights and benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C., ch. 15), and for this purpose his employment with the international organization shall be deemed to be employment by the United States. However, in any case in which the injured employee, or his dependents in case of death, receives from the international organization any payment (including any allowance, gratuity, payment under an insurance policy for which the premium is wholly paid by that organization, or other benefit of any kind), on account of the same injury or death, the amount of such payments shall be credited against any benefits payable under the Federal Employees' Compensation Act as follows: (A) payments on account of injury or disability shall be credited against disability compensation payable to the injured employee; and (B) payments on account of death shall be credited against death compensation payable to dependents of the deceased employee.

(4) To elect to retain to his credit all accumulated and current accrued annual leave to which entitled at the time of transfer to an international organization which would otherwise be liquidated by a lump-sum payment. On the request of an employee at any time prior to reemployment, payment shall be made for all of the leave retained. In any case in which an employee receives a lump-sum payment and reemployment occurs within 6 months following the date of the transfer, such employee shall refund to the Federal agency the amount of the lump-sum payment. This subsection shall under no circumstances operate so as to cause a forfeiture of retained leave following reemployment or to deprive an employee of any lump-sum payment to which he would otherwise be entitled.

(5) To be reemployed within 30 days of his application for reemployment in his former position or a position of like seniority, status, and pay in the agency from which he transferred, if he is separated from the international organization within 3 years after the date on which he entered on duty with the international organization, or within such shorter period as may be specified by the head of the Federal agency at the time of consent to transfer, and he applies for reemployment not later than 90 days after the separation.

(6) Upon reemployment, to the rate of basic compensation to which he would be entitled had he remained in the Federal service. Upon reemployment, the sick leave account of the employee shall be restored by credit or charge to its status at the time he left the Federal service; and the period of separation caused by his employment with the international organization and the period necessary to effect reemployment shall be considered creditable service for all appropriate Federal employment purposes.

(b) During the employee's period of service with the international organization, the agency contribution for retirement and insurance purposes may be made from the appropriations or funds of the Federal agency from which the employee transferred.

(c) All computations under this act prior to reemployment shall be made in the same manner as if the employee had received basic compensation (or basic compensation plus additional compensation in the case of a Congressional employee) at the rate at which it would have been payable had the employee continued in the position in which he was serving at the time of his transfer.

(d) The provisions of this section shall apply only with respect to so much of any period of employment with an international organization as does not exceed 3 years or such shorter period as may be specified by the head of the Federal agency from which the employee is transferred at the time of consent to transfer, except that for retirement and insurance purposes this section shall continue to apply during the period in which a Congressional employee is effecting or could effect a reemployment or an employee other than a Congressional employee is properly exercising or could exercise the reemployment right established by subsection (a) (5). During that reemployment period, the employee shall be considered to be on leave without pay for retirement and insurance purposes.

REGULATIONS

SEC. 5. The President is authorized to prescribe the necessary rules and regulations to carry out the provisions of this act and to protect and assure the retirement, insurance, leave, and reemployment rights and such other similar Federal employment rights as he may find appropriate. These regulations may provide for the exclusion of employees from coverage hereunder on the basis of the nature and type of employment such as, but not limited to, excepted appointments of a confidential or policy-determining character, or conditions pertaining to the employment such as, but not limited to, short-term appointments, seasonal or intermittent employment, and part-time employment.

EFFECTIVE DATE

SEC. 6. This act shall take effect on the date of its enactment except that any present employee of an international organization who entered on duty with the organization by transfer under Executive Order 9721 of May 10, 1946, as amended by Executive Order 10103 of February 1, 1950, or under the International Atomic Energy Agency Participation Act of 1957, not earlier than 3 years prior to the date of enactment, may elect to have coverage hereunder for the remainder of the 3-year term if the head of the Federal agency from which he transferred consents to that coverage.

REPEAL PROVISION

SEC. 7. Section 6 (a) of the International Atomic Energy Agency Participation Act of 1957 (22 U. S. C. 2025 (a)), is repealed except that it shall be considered to remain in effect with respect to any employee subject thereto who is serving as an employee of the International Atomic Energy Agency on the date of enactment of this act and who does not make the election referred to in section 6, and for the purposes of any rights and benefits vested thereunder prior to such date.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT BENEFITS OF CERTAIN RURAL LETTER CARRIERS

The Clerk called the bill (H. R. 11165) to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers who served in the period from October 23, 1943, to March 5, 1946.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 3564, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. HENDERSON. Reserving the right to object, Mr. Speaker, may we have an explanation of this bill?

Mr. MURRAY. Mr. Speaker, this bill accords retirement coverage to a very small number of rural carriers who served under temporary war service appointments in the period October 23, 1943, to March 5, 1946. Executive Order No. 9378, September 23, 1943, authorized conversion of all rural carriers in this category to "war service indefinite" appointments entitling them to retirement coverage. Practically all of these rural carriers were converted. However, a very small group—estimated to be no more than one-half dozen or 10—were not converted due to error on the part of their postmasters in failing to act pursuant to Executive order.

S. 3564 will provide retirement coverage for this small group on the same basis as such coverage has been extended to the remainder of the general class of rural carriers involved.

Mr. HENDERSON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That, for the purposes of the Civil Service Retirement Act, as in effect prior to, on, or after the date of enactment of this act, if retirement deductions were made from the basic salary of a temporary rural carrier in the field service of the Post Office Department at any time within the period from October 23, 1943, to March 5, 1946, both dates inclusive, such person shall be held and considered to have received an indefinite war service appointment as of the first date on which any such deduction was made.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 11165) was laid on the table.

MAINTAINING CERTAIN EXISTING POSTAGE RATES

The Clerk called the bill (H. R. 13555) to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 4191, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 2 (c) of the act of October 30, 1951 (65 Stat. 673; 39 U. S. C. 269a), as amended by the act of May 27, 1958 (72 Stat. 139; Public Law 85-426), is amended by inserting after the words "this section" the following: ", and on each individually addressed copy of a publication of the second class addressed for delivery within the county of publication and not entitled to the free-in-county mailing privilege."

Mr. MURRAY. Mr. Speaker, this legislation will amend the Postal Rate Pay Act—Public Law 84-426—so as to continue the one-eighth cent per piece minimum on publications mailed for delivery within county of publication but not entitled to free-in-county mailing.

The postal rate bill, H. R. 5836, as passed by the House last year, exempted these publications from an increase in their per piece minimum. The Senate-passed bill omitted this exemption. The committee of conference, in arriving at an overall "package" agreement on second- and third-class rates, did not discuss this particular difference in the House and Senate versions. The conference agreement contained the Senate language which had the effect of increasing the one-eighth cent minimum along with all other second-class minimum per piece charges, although such an increase was not provided in the House-passed bill. As shown in the statement of the managers on the part of the House reporting the conference agreement on the postal rate bill, it was the intention of the House conferees to continue the existing one-eighth cent minimum per piece charge on all publications mailed for delivery within the county of publication. However, the language of the bill itself has been interpreted as not permitting continuance of that rate.

S. 4191 will place in effect the policy adopted by this committee and the House upon approval of the postal rate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 13555) was laid on the table.

ACCEPTANCE OF DECORATIONS FROM FOREIGN COUNTRIES

The Clerk called the bill (S. 3195) to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I wonder if someone on the committee could tell me what presents and medals are to be covered by this legislation.

Mr. BYRNES of Wisconsin. The committee report sets forth the names of the individuals. My understanding is that there are various awards, such as the Grand Cross Isabella la Catolica of Spain and the Cross of Commander of the Royal Order of George I, of Greece, and other similar awards.

Mr. GROSS. What is the limitation on the presents, the gifts?

Mr. BYRNES of Wisconsin. These are items the committee sets forth. The awards involve a medal of some kind in each case.

Mr. GROSS. Are there gifts in connection with these awards?

Mr. BYRNES of Wisconsin. I am not a member of the committee.

Mr. MORGAN. There are four watches involved here.

Mr. GROSS. Are they wrist watches, pocket watches, or what?

Mr. MORGAN. They are pocket watches and they have been in the storage room of the Department of State for a good many years.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following-named retired personnel of the Government of the United States are hereby authorized to accept and wear such decorations, orders, medals, emblems, presents, and other things as have been tendered as of the date of approval of this Act by the foreign government or foreign governments immediately following their names, and that the consent of Congress is hereby expressly granted for this purpose as required under clause 8 of section 9, article I, of the Constitution of the United States:

MEMBERS OF CONGRESS

Name	Date of retirement	Donor government	Award	Remarks
Brewster, Ralph Owen	Dec. 31, 1952	Philippines	Military Merit Medal	For service to the Philippines.
Johnson, Edwin C	Jan. 2, 1955	Italy	Star of Italian Solidarity, Second Class	For service to Italy.

WHITE HOUSE

Crim, Howell G	Dec. 31, 1957	Belgium	Regent's Medal First Class	Token of good will.

UNITED NATIONS

Austin, Warren R	Jan. 22, 1953	Cuba	National Order of Merit, Carlos Manuel de Cespedes.	Token of good will.
		Dominican Republic	National Order of Merit, Juan Pablo Duarte	Token of good will.

DEPARTMENT OF AGRICULTURE

Bishopp, Fred C	June 30, 1953	Great Britain	King's Medal for Service in the Cause of Freedom.	For perfecting DDT, an insecticide.
Gray, Roy B	May 31, 1954	France	Order of Officer du Merite Agricole	For advisory service to Dr. Oleg Yadoff in connection with dust insecticides and fungicides.
Kotok, Edward I	May 31, 1951	France	Croix du Chevalier de la Merite Agricole	In recognition for forestry work and for interest in international forestry.
McDonald, Murl	Aug. 31, 1953	Lebanon	Medal of Merit	In recognition for pioneer program in Lebanon of tests and demonstrations in forage crops to increase the supply of food for livestock.
Potter, Charles E	Aug. 31, 1951	Latvia	Order of Three Stars, Officer's Cross	In appreciation for valuable service rendered in fostering friendly relations between Latvia and the United States, particularly in the field of 4-H Club work.
Warren, Gertrude L	Dec. 19, 1952	Latvia	Order of Three Stars	In appreciation for valuable service rendered in fostering friendly relations between Latvia and the United States, particularly in the field of 4-H Club work.
Watts, Lyle F	June 30, 1952	France	Croix du Chevalier de la Merite Agricole	In recognition for forestry work and for interest in international forestry.
Wilson, Dr. Milburn L	June 30, 1953	France	Officer of the Merite Agricole	Honored for his contributions to agriculture.

CANAL ZONE GOVERNMENT

Dowd, Dr. Frederick F	July 31, 1949	Republic of Panama	Order of Vasco Nunez de Balboa	Fostering cordial relations between Panama and the United States.
Lombard, Eugene C	Mar. 31, 1956	Republic of Panama	Order of Vasco Nunez de Balboa	Fostering cordial relations between Panama and the United States.
Paul, Seymour	Mar. 31, 1950	Republic of Panama	Order of Vasco Nunez de Balboa	Fostering cordial relations between Panama and the United States.

CIVIL AERONAUTICS BOARD

Chamberlain, John M	Jan. 2, 1958	Italy	Order of Merit	In recognition of the assistance rendered to Registro Aeronautica Italiano in developing airworthiness regulations.

DEPARTMENT OF COMMERCE

Dunlap, William	Dec. 31, 1952	Dominican Republic	Order of Merit "Juan Pablo Duarte"	In appreciation of services rendered to President Trujillo during his visit to Jacksonville.
Hote, J. F	July 1, 1919	France	Chevalier de l'Ordre du Merite Maritime	Token of good will for services rendered in connection with maritime activities.
Morse, Huntington T	June 30, 1954	France	Legion of Honor, Degree of Officer	Token of good will for services rendered in connection with maritime activities.
		Netherlands	Commander in the Order of Orange Nassau	Token of good will for services rendered in connection with maritime activities.
		Norway	Knights Cross, First Class, of the Royal Order of Saint Olav.	Token of good will for services rendered in connection with maritime activities.
Mulroy, Thomas B	Dec. 31, 1956	France	Chevalier in the French National Order of the Legion of Honor.	Token of good will for services rendered in connection with maritime activities.

GOVERNMENT PRINTING OFFICE

Nikula, August	June 30, 1951	Finland	Order of the White Rose of Finland, Knight	Token of acknowledgment for his endeavors to alleviate the sufferings caused by Communist aggression among the civilian population of Finland.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Name	Date of retirement	Donor government	Award	Remarks
Coffey, Erval R	July 1, 1954	Thailand	The Most Noble Order of the Crown of Thailand.	In recognition of his services as Chief, Public Health Division, United States Mission to Thailand.
Forbes, Mary D	Aug. 1, 1954	Greece	The Golden Cross of the Royal Order of the Phoenix.	In recognition of her services as Director of the Nursing Section, American Mission for Aid to Greece.
Murdock, John R	Aug. 1, 1956	Dominican Republic	The Order of Merit Juan Pablo Duarte in the Grade of Commendador.	In recognition of his services as Assistant Director of the Pan American Sanitary Bureau and the organization of the Division of Malaria of the Health Ministry of the Dominican Republic.
Warner, Estella F	Jan. 1, 1956	Lebanon	The Order of the Cedars les Chevaliers	In recognition of her services rendered to that country as Regional Public Health Representative under the Point IV program in the Middle East.

DEPARTMENT OF INTERIOR

Demaray, Arthur E	Dec. 8, 1951	Sweden	Order of the Knight of Vasa	For services in connection with visit of the Crown Prince and Princess of Sweden to the United States in 1926.

INTERNATIONAL COOPERATION ADMINISTRATION

Schenck, Hubert G	Mar. 1, 1954	China	Decoration of Ching Hsing (Auspicious Star).	Reason for award unknown.

DEPARTMENT OF JUSTICE

Goss, Paul H	Dec. 31, 1954	Mexico	Gold Watch	Reason for award unknown.
Newport, Roy B	Oct. 31, 1956	Mexico	Gold Watch	Reason for award unknown.
Nichols, Louis B	Nov. 20, 1957	Greece	Cross of Taxiarch or Our Order of the Phoenix.	Reason for award unknown.
Starr, George J	Jan. 6, 1947	France	Medal of Honor of the Municipal and Rural Police of the Ministry of the Interior of the Republic of France.	Reason for award unknown.
Watkins, W. Frank	Mar. 31, 1949	Norway	Knight's Cross, First Class, Royal Order of Saint Olav.	Reason for award unknown.
Wells, Richard H	Sept. 30, 1951	Mexico	Gold Watch	Reason for award unknown.

NATIONAL LABOR RELATIONS BOARD

Murdock, Abe	Dec. 16, 1957	Philippines	Military Merit Medal	Reason for award unknown.

SMITHSONIAN INSTITUTION

Zetek, James	May 31, 1958	Republic of Panama	Vasco Nunes de Balboa	For outstanding work in the entomological and general biological fields and for his contribution to international relations.

DEPARTMENT OF STATE

The awards tendered to personnel of the Department of State were given as tokens of good will by the donor governments.

Armour, Norman	Dec. 31, 1945	Haiti	Order of Honor and Merit, Grand Cross
Atherton, Ray	Aug. 31, 1948	China	Order of the Golden Grain
Bell, George L	Aug. 1, 1953	France	Legion of Honor, Officer
Blake, Maxwell	Jan. 31, 1941	Italy	"Ordini della Corona d'Italia," Grand Officer.
Boal, Pierre de L	July 31, 1947	Great Britian	Silver Jubilee Medal
		Serbs, Croats and Slovenes, now Yugoslavia.	Order of St. Sava, Third Class
		Peru	Order of the Sun Commander
		Peru	Gold Medal Commemorative of 1st Centenary of Battle of Ayachucho.
		Italy	Order of the Crown
Bowers, Claude G	Oct. 1, 1953	Chile	Grand Cross Orden al Merito
Brooks, C. C	Oct. 31, 1954	Peru	Peruvian Centennial Independence
Caffery, Jefferson	Feb. 2a, 1955	Cuba	GrandCross of National Order of Merit Carlos Manuel de Cespedes.
		Venezuela	Third Class, Bust of Bolivar
		Colombia	"Order of Boyaca," Grade of Grand Official
Caldwell, John Kenneth	Oct. 31, 1945	Czechoslovakia	Cross of War
Cole, Felix	Oct. 31, 1952	Poland	Order of Polonia Situata
		Latvia	Order of Three Stars, Third Grade
Corcoran, William W	Nov. 30, 1947	France	Medaille de Sauvetage
Culbertson, Paul T	Aug. 31, 1953	Portugal	Order of Christ, Commander
Davis, John K	Feb. 1, 1943	Great Britain	King George Jubilee Medal
Dawson, William	Dec. 31, 1946	Ecuador	Grand Cross of the "Ordea al Merito"
Dearing, Fred Morris	June 30, 1938	Colombia	Grand Cross of the Order of Boyaca
		Portugal	Military Order or Christ
de Barneville, Maurice F	Dec. 2, 1952	France	Legion of Honor
Donnelly, Walter J	Dec. 31, 1952	Cuba	National Order of Merit, Carlos Manuel de Cespedes, Commander.
		Colombia	Order of Boyaca
Frost, Arthur C	Dec. 31, 1947	Chile	Order of "Al Merito"
Frost, Wesley	Dec. 1, 1944	Great Britain	Silver Jubilee Medal
Fullerton, Hugh S	Dec. 31, 1948	Lithuania	Order of Vytautas the Great, Class III
Gould, Herbert S	Mar. 1, 1943	Finland	Commander of the White Rose, Second Class.
Greene, Winthrop S	May 31, 1951	Chile	Order of "Al Merito," Caballero
Grew, Joseph C	Oct. 1, 1945	Belgium	Crown of Belgium, Grand Officer
		Finland	Order of the White Rose
		Peru	Order of the Sun of Peru
Harrison, Randolph, Jr	July 31, 1952	Italy	Order of the Crown of Italy
Henry, Frank Anderson	Mar. 1, 1946	Chile	Order of "Al Merito"
Henry, R. Horton	Apr. 30, 1950	Cuba	National Order of Merit, Carlos Manuel de Cespedes, Officer.

DEPARTMENT OF STATE—Continued

Name	Date of retirement	Donor government	Award	Remarks
Hester, Evett D.	Sept. 30, 1950	France	Order of the Imperial Dragon of Annam, Knight.	
Hornbeck, Stanley K.	May 1, 1947	Siam	Order of the White Elephant, Third Class.	
Hunt, Leigh W.	May 31, 1947	Belgium	Order of the Crown, Chevalier.	
Kelly, Robert F.	Apr. 1, 1945	Latvia	Order of the Three Stars.	
		Latvia	Latvian Jubilee Medal.	
		Poland	Officer's Cross of Order of Polonia Restituta.	
Kemp, Edwin Carl	Jan. 31, 1947	Tunisia	Cross of the Grand Officer of Nichan Iftikhar.	
Kirk, Alexander C.	Sept. 30, 1946	Belgium	Croix d'Officier de l'Ordre de la Courone.	
Kliefoth, Alfred Will.	Oct. 31, 1950	Austria	Austrian Service Order.	
		Latvia	Order of the Three Stars of Latvia.	
Lane, Clayton	Sept. 30, 1947	Poland	Commander's Cross of Order of Poland Restituta.	
		Poland	Officer's Cross of Order of Polonia Restituta.	
McGurk, Joseph F.	Apr. 30, 1947	Bolivia	Order of the Condor of the Andes.	
Maynard, Lester	Dec. 31, 1957	Egypt	Order of the Nile.	
Memminger, Lucien	Sept. 1, 1944	Italy	Silver Medal.	
Merrell, George R.	May 16, 1952	Ecuador	National Order "Al Merito," Commander.	
Messersmith, George S.	Aug. 31, 1947	Austria	Austrian Service Order, Great Cross.	
		Belgium	Olympic Medal.	
		Belgium	Order of the Crown, Commander.	
Miller, David Hunter	Jan. 31, 1944	France	Medal bearing profile of Lafayette issued on 100th Anniversary of Lafayette's death.	
Molesworth, Kathleen	Dec. 31, 1955	Cuba	National Order of Merit, Carlos Manuel de Cespedes (Officer).	
Nester, Alfred T.	May 31, 1955	Tunisia	Order of Nichan Iftikar Commander.	
Norweb, R. Henry	Sept. 30, 1948	Chile	Order "Al Merito," Commander.	
Patton, Kenneth S.	Dec. 31, 1945	Yugoslavia	Order of St. Sava.	
Quarton, Harold B.	Nov. 30, 1949	Estonia	Estonian Liberty Cross.	
Quirin, Harry Arnold	Aug. 31, 1953	France	Certificate of the Legion of Honor.	
Russell, H. Earle	Sept. 30, 1950	Morocco	Order of Ouissam Alaouite, Commander.	
Sangstadt, Jesse	Jan. 29, 1954	Netherlands	Commander in the Order of Orange Nassau.	
		Norway	Knights Cross, First Class, of the Royal Order of Saint Olav.	
Schoenfeld, Rudolf E.	Feb. 26, 1955	Hungary	Cross of Merit Class II.	
Sholes, Walter H.	Feb. 28, 1947	Sweden	Commemorative Medal.	
Simmons, John F.	Jan. 31, 1957	France	Legion of Honor, degree of Commander.	
		Italy	Grand Officer of the Order of "Al Merito della Repubblea de Italia."	
		Japan	Grand Cordon of the Order of Sacred Treasure.	
		Netherlands	Order of Orange-Nassau, grade of Grand Officer.	
		Norway	Grand Cross of the Order of Saint Olav.	
		Portugal	Grand Officer of the Military Order of Christ.	
Sokobin, Samuel	Oct. 31, 1947	China	Chia Ho (Insignia of Fourth Class).	
Southard, Addison E.	June 1, 1943	Ethiopia	Order of the Holy Trinity.	
Tewksbury, Howard H.	Apr. 1, 1952	Cuba	National Order of Merit, Carlos Manuel de Cespedes, Officer.	
Thurston, Walter C.	Aug. 31, 1953	Costa Rica	Commemoration Medallion.	
		Brazil	Order of the Southern Cross, Grade of Commendador.	
Vallance, William Roy	Dec. 31, 1957	Cuba	Order of Lamira.	
		Peru	Order of the Sun.	
Walker, Jay	Oct. 31, 1953	Tunisia	Order of the Nichan Iftikhar, Officer.	
Waller, George Platt	Sept. 30, 1953	Luxembourg	Order of the Oak-Leaved Crown.	
Waterman, Henry S.	Nov. 30, 1946	Cambodia	L'Ordre, Royal de Cambodge, Commander.	
Wheeler, Leslie Allen	July 31, 1951	Ecuador	"Al Merito Agricola," Commander.	
White, John Campbell	Oct. 1, 1945	Czechoslovakia	Order of White Lion, Class IV.	
		Estonia	Estonian Liberty Cross.	
Wiley, John C.	Apr. 30, 1954	Peru	Order of the "Sol."	
Wilson, Edwin C.	Oct. 31, 1949	France	Cross of Commander, Legion of Honor.	
		Ecuador	National Order "Al Merito," Commander.	

TARIFF COMMISSION

Durand, E. Dana	June 16, 1952	Poland	Order of "Polonia Restituta," grade of Commander.	Reason for award unknown.

TREASURY DEPARTMENT

U. S. Coast Guard				
Jacobs, Donald G (Captain) 1105	Aug. 1, 1951	Portugal	Gold Medal of "Courage, Abnegation, and Humanity."	The award was made for Captain Jacobs' services as Commanding Officer of the U. S. C. G. Cutter *Bibb*, during the rescue of the crew of the Portuguese Schooner *Gaspar*, during a gale off the Newfoundland Banks on Sept. 18, 1948.
Lieberson, William (Lieutenant Commander) 2056	Feb. 1, 1957	Greece	Gold Naval Medal, First Class.	For distinguished services rendered to the Merchant Marine and for the Best Organization of the Greek Maritime Services.
McCabe, George E. (Rear Admiral) 1080	Mar. 1, 1954	Korea	Order of Military Merit, Ulchi with Silver.	For service as Chief of the United States Coast Guard Advisory Group which was sent to Korea to organize and train the Korean Coast Guard, which is now the Republic of Korea Navy.
United States Secret Service				
Anbeier, Harry D.	Dec. 14, 1956	Norway	St. Olav Medal.	In recognition of services rendered in a supervisory capacity during assignment to the protection of Her Royal Highness the Crown Princess Martha and the Royal Family during their stay in the United States during World War II.
Barker, William R.	Feb. 28, 1954	Norway	St. Olav Medal.	In recognition of services rendered in a supervisory capacity during assignment to the protection of Her Royal Highness the Crown Princess Martha and the Royal Family during their stay in the United States during World War II.
Callaghan, Thomas J.	Sept. 30, 1945	China	Order of the Cloud and Banner.	In recognition of services rendered during Madame Chiang Kai-shek's visit in the United States during 1943.

TREASURY DEPARTMENT—Continued

Name	Date of retirement	Donor government	Award	Remarks
United States Secret Service—Continued				
Maloney, James J.	Mar. 31, 1951	Norway	St. Olav Medal.	In recognition of services rendered in a supervisory capacity during assignment to the protection of Her Royal Highness the Crown Princess Martha and the Royal Family during their stay in the United States during World War II.
		China	Order of the Cloud and Banner.	In recognition of services rendered during Madame Chiang Kai-shek's visit in the United States during 1943.
Peck, Albert L.	Mar. 31, 1944	Norway	St. Olav Medal.	In recognition of services rendered in a supervisory capacity during assignment to the protection of Her Royal Highness the Crown Princess Martha and the Royal Family during their stay in the United States during World War II.
Rowland, Thomas H.	May 31, 1945	Norway	St. Olav Medal.	In recognition of services rendered in a supervisory capacity during assignment to the protection of Her Royal Highness the Crown Princess Martha and the Royal Family during their stay in the United States during World War II.
Wilson, Frank J.	Dec. 31, 1946	Norway	St. Olav Medal.	In recognition of services rendered in a supervisory capacity during assignment to the protection of Her Royal Highness the Crown Princess Martha and the Royal Family during their stay in the United States during World War II.
		China	Order of the Cloud and Banner.	In recognition of services rendered during Madame Chiang Kai-shek's visit in the United States during 1943.
Bureau of Customs				
Kirwin, Edwin B.	Aug. 1, 1949	France	Palme d'Acadamie.	Reason for award unknown.

UNITED STATES INFORMATION AGENCY

Wright, Irene	Apr. 2, 1954	Cuba	National Order of Merit, Carlos Manuel de Cespedes.	Work in Cuban history.

DEPARTMENT OF THE AIR FORCE

General				
Chidlaw, Benjamin W. 23A	May 31, 1955	France	Croix de Guerre with Palm.	For meritorious service.
Kenney, George C. 2A	Aug. 31, 1951	France	Aviation Badge.	For meritorious service.
Spaatz, Carl A03706	June 30, 1948	Norway	Grand Cross of the Royal Order of St. Olav.	For meritorious service.
Lieutenant General				
Craig, Howard A. 17A	June 30, 1955	Dominican Republic	Merito Aero, Primer Clase (1st Class).	For meritorious service.
		Peru	Peruvian Aviation Cross.	For meritorious service.
Harper, Robert W. 53A	June 30, 1954	France	French Legion of Honor (Degree of Officer).	For meritorious service.
		Greece	Cross of Grand Commanders of the Royal Order of Phoenix.	For meritorious service.
		Greece	Royal Order of George I.	For meritorious service.
		Brazil	Brazilian Aviation Badge (Pilot).	For meritorious service.
Schlatter, David M. 62A	July 31, 1957	Italy	Order of Merit, Italy.	For meritorious service.
		Greece	Greek Grand Cross of the Order of the Phoenix.	For meritorious service.
Timberlake, Patrick W. 83A	Aug. 30, 1957	Greece	Grand Cross of the Royal Order of the Phoenix.	For meritorious service.
Major General				
Bertrandias, Victor E. AO257231	Feb. 28, 1955	France	Legion of Honor Degree of Officer.	For meritorious service.
Bevens, James M. 208A	Jan. 31, 1951	Chile	Honorary Pilot Wings.	For meritorious service.
Born, Charles F. 265A	Oct. 31, 1955	Argentina	Pilot Wings.	For meritorious service.
Boyd, Albert 434A	Oct. 31, 1957	France	Aeronautical Medal.	For meritorious service.
		France	Brevet Militaire de Pilote D'Avion.	For meritorious service.
Butler, William O AO5245	Jan. 31, 1946	Chile	Chilean Aviation Badge.	For meritorious service.
Chauncey, Charles C. 14A	Oct. 31, 1951	Greece	Cross of Grand Commander of Royal Order of George I.	For meritorious service.
Doyle, John P. 274A	June 30, 1955	France	Croix de Guerre with Palm.	For meritorious service.
Gates, Byron E. 168A	May 31, 1955	Greece	Cross of Commander of the Royal Order of George I.	For meritorious service.
		Argentina	Air Force Wings.	For meritorious service.
Grow, Malcolm C. 27A	Nov. 30, 1949	France	Medal of Aviation.	For meritorious service.
Hale, Willis H. 19A	Oct. 31, 1952	Panama	Order of Vasco Nunes de Balboa.	For meritorious service.
Hansell, Haywood S. AO17488	Dec. 31, 1946	Italy	Commander of the Order al Merito della Republica, Italy.	For meritorious service.
Hoar, Earl S. 56A	Feb. 28, 1953	Turkey	Air Force Wings.	For service with American Mission for aid of Turkey.
Lee, Morris J. 556A	Dec. 31, 1955	Netherlands	Order of Orange-Nassau, Grand Officer.	For meritorious service.
McBlain, John F. 208A	Oct. 31, 1955	Greece	Cross of Commanders of the Royal Order of George I.	For meritorious service.
McDaniel, Carl B. 55A	Nov. 30, 1950	France	Aviation Badge.	For meritorious service.
McDonald, George C. 69A	Oct. 31, 1950	Brazil	Order of Aeronautical Merit.	For meritorious service.
		Brazil	Pilot Wings.	For meritorious service.

DEPARTMENT OF THE AIR FORCE—Continued

Name	Date of retirement	Donor government	Award	Remarks
Major General—Con.				
Richardson, William L. 88A	July 31, 1954	Dominican Republic	Decoration of the Air Merit	For meritorious service.
Stowell, James S. 72A	May 31, 1955	Liberia	Star of Africa (Rank of Knight Commander)	For meritorious service.
		Greece	Royal Order of George I	For meritorious service.
		Greece	Cross of Grand Commanders of the Royal Order of Phoenix.	For meritorious service.
Thomas, Charles E., Jr. 182A	Jan. 31, 1955	China	Pao-Ting with Banner	For meritorious service.
		China	Air Force Wings	For meritorious service.
Wade, Leigh A O402535	Nov. 30, 1955	Greece	Royal Order of George I	For meritorious service.
Walsh, Robert L. 42A	Feb. 28, 1953	Mexico	Military Medal for Merit, First Class	For meritorious service.
		Peru	Aviation Cross	For meritorious service.
		Uruguay	Honorary Pilot Wings	For meritorious service.
		Venezuela	Air Force Cross, First Class	For meritorious service.
Webster, Robert M. 21A	Oct. 31, 1954	France	Croix de Guerre with Palm	For meritorious service.
Brigadier General				
Beam, Rosenham 104A	June 30, 1951	Chile	Military Medal, Second Class	For service as Commander Caribbean Air Command.
		Panama	Order of Vasco Nunez de Balboa	For service as Commander Caribbean Air Command.
Caldwell, Charles H. 256A	Feb. 28, 1951	Greece	Cross of Commander of the Royal Order or George I.	For meritorious service.
		Argentina	Order of Liberation of San Martin, Grade of Grand Officer.	For service as Military Attaché to Argentina.
Grover, Orrin L. 329A	Aug. 30, 1957	Iraq	Gold Medal, Iraq	For meritorious service.
Keeney, Douglas A O1141438	Sept. 30, 1955	Peru	Aviation Cross	For meritorious service.
Kiel, Emil C. 154A	July 31, 1953	Colombia	Honorary Pilot Certificate	For meritorious service.
		Ecuador	Abdon Calderon, First Class	For meritorious service.
		Chile	Military Medal, Second Class	For meritorious service.
		Columbia	Order of Boyaca	For meritorious service.
		Peru	Aviation Cross	For meritorious service.
		Paraguay	Honorary Pilot Wings	For meritorious service.
		Greece	Cross of Commander of the Royal Order of George I.	For meritorious service.
Knapp, Robert D. 150A	Sept. 30, 1953	France	Croix de Guerre with Palm	For meritorious service.
Mara, Cornelius J. A O223316	Apr. 30, 1953	Guatemala	Military Merit, 2d Class	For meritorious service.
Moore, Aubrey L. 402A	Mar. 31, 1953	Greece	Cross of Commanders of the Roya Order of George I.	For meritorious service.
Rives, Tom C. A O6526	June 30, 1949	Finland	Cross of Liberty with Sword, Class IV	For meritorious service.
Rose, Franklin A O166159	July 31, 1956	Italy	Order of Al Merito della Republica Italiana	For meritorious service.
Sorensen, Edgar P. A O6354	Aug. 31, 1948	Mexico	Order of Military Merit, 1st Class	For meritorious service.
Woodbury, Murray C. 415A	Jan. 31, 1954	Panama	Order of Vasco Nunez de Balboa (Cohendador).	For meritorious service.
Colonel				
Ames, Richard A. 179?A	Apr. 30, 1957	France	Croix de Guerre with Palm	For meritorious service.
Bally, William 98A	June 30, 1955	France	Medal for Physical Education and Sports	For meritorious service.
Balsley, Herbert K. 76SA	Sept. 30, 1954	Ecuador	Abdon Calderon	For meritorious service.
Balchen, Bernt 23100A	Oct. 31, 1956	Sweden	Royal Order of the Sword, Knight Commander.	For meritorious service.
Bratse, Jacob L. A O179523	July 31, 1954	Italy	Star of Solidarity, Third Class	For meritorious service.
Brownfield, Ralph O. 309A	Mar. 31, 1957	Iceland	Icelandic Order of the Falcon, Commander North Star.	For meritorious service.
Bundy, John H. 464A	Feb. 28, 1954	France	Aviation Badge	For meritorious service.
Covington, William E., Jr. 1235A	May 31, 1957	Syria	Medal of Merit with Palm	For meritorious service.
		France	Croix de Guerre with Palm	For meritorious service.
Evans, Floyd E. A O126614	July 31, 1952	France	Medal of Pilot	Recognition of excellent services performed in connection with French Air Force.
Hall, Melvin A. A O507671	Apr. 27, 1945	France	Legion of Honor degree of Knight Commander.	For meritorious service.
Hankins, Milton T. 254A	Oct. 31, 1955	Belgium	Croix Militaire 1ere Classe	For meritorious service.
Hansen, George W. 401A	Aug. 31, 1951	Thailand	Coronation Medal	For meritorious service.
		Thailand	Honorary Membership in the Royal Thai Air Force.	For services as Air Attaché to Thailand.
		Thailand	Most Noble Order of the Crown of Thailand, Second Class.	For services as Senior Military and Air Attaché to Thailand.
Hodgson, Jack C. 193A	July 31, 1953	Italy	Order of the Crown of Italy	For meritorious service.
Jackson, Nelson P. 630A	Aug. 31, 1954	France	Croix de Guerre with Palm	For meritorious service.
Kotb, Julius A. 207A	May 31, 1951	France	Croix de Guerre with Palm	For outstanding contribution toward liberation of France during World War II.
Lingle, David G. A O11939	Dec. 31, 1947	Finland	Cross of Liberty with Sword, Class IV	For services rendered in the interest of Finland.
Logan, Arthur L. 230?A	Jan. 31, 1957	Korea	Pilot Wings	For meritorious service.
MacReady, John A. A O288580	June 29, 1948	France	Croix de Guerre with Palm	For meritorious service.
Monahan, John W. A O10820	June 30, 1946	France	Croix de Guerre with Palm	For meritorious service.
Ofsthun, Sidney 459A	Aug. 30, 1957	Norway	Air Force Wings	For meritorious service.
Riggs, Basil L. 275A	June 30, 1956	France	Medal of Aviation	For meritorious service.
Seebach, Charles M. 194A	July 31, 1953	France	Medal of Aviation	For meritorious service.
Short, Charlie A O600086	Mar. 31, 1946	France	Legion of Honor (Chevalier)	For meritorious service.

DEPARTMENT OF THE AIR FORCE—Continued

Name	Date of retirement	Donor government	Award	Remarks
Colonel—Continued				
Stinson, David R. A O11206	Oct. 31, 1948	France	Croix de Guerre with Palm	For meritorious service.
Towner, Milton M. 330A	July 31, 1957	France	Croix de Guerre with Palm	For meritorious service.
Travis, William L. 1007A	Mar. 31, 1956	Korea	Pilot Wings	For meritorious service in cooperation with the Republic of Korea Air Force.
Turner, Louie P. 352A	May 20, 1957	France	Croix de Guerre with Palm	For meritorious service.
Wilson, Joseph A. 152A	Nov. 30, 1950	Portugal	Medal of Military Merit	For meritorious service.
Lieutenant Colonel				
Baker, Edwin F. A O476458	May 31, 1957	France	Croix de Guerre with Palm	For meritorious service.
Blanchard, Frederick W. A O1703884	Oct. 31, 1955	Italy	Cross of War Merit	For meritorious service.
Carlos, Lloyd P. 5722A	Oct. 31, 1952	Greece	Royal Order of George I	For meritorious service.
Porter, George W. 2178A	Sept. 30, 1957	Greece	Gold Cross of the Royal Order of George I	For meritorious service.
Roe, William T. A O1289067	Aug. 31, 1955	Peru	Peruvian Aviation Cross, Second Class	For meritorious service.
Valle, Calixto C. 2376A	Jan. 31, 1957	Argentina	Aviation Badge	For meritorious service.
		Bolivia	Honorary Military Pilot wings	For meritorious service.
Major				
Drake, Fred C. A O884153	Jan. 31, 1955	Greece	Golden Cross of the Royal Battalion of Phoenix.	For meritorious service.
		Greece	Medal of Meritorious Service	For meritorious service.
Duwe, George L. A O273655	Aug. 12, 1945	France	Croix de Guerre with Palm	For meritorious service.
Kleiderer, Eugene L. A O789630	Sept. 28, 1949	France	Croix de Guerre with Palm	For meritorious service.
McCoubrey, James A. A O419621	Aug. 31, 1949	France	Croix de Guerre with Palm	For meritorious service.
Zercher, Harold W. A O800407	Jan. 31, 1957	Paraguay	National Order of Merit	For meritorious service.
Captain				
Robison, Keith G. 1677SA	Nov. 25, 1957	Greece	Officers Cross of the Royal Order of the Phoenix.	For meritorious service.
Master Sergeant				
Richardson, William S. A F6658661	Aug. 31, 1956	Greece	Military Cross of Class C	For meritorious service.
Rinn, Raymond A F6272878	Sept. 30, 1956	China	Mao Chi	For meritorious service.

DEPARTMENT OF THE ARMY

Truman, Harry S., Col.	Jan. 31, 1953	Liberia	Centennial Medal	Token of good will.
General				
Belte, Charles L. O6908	Apr. 30, 1955	Brazil	Order of Military Merit, grade of Grand Officer.	Reason for award unknown.
		Mexico	Military Merit, 1st Class	For his outstanding work to the Armed Forces of United States and Mexico.
Clark, Mark W. O5309	Oct. 31, 1953	Japan	Order of the Rising Sun, Grand Cordon	Reason for award unknown.
Dahlquist, John F. O7120	Feb. 28, 1956	Mexico	Military Merit, 1st Class	For his meritorious work in strengthening the relations between the Armies of his country and Mexico.
Devers, Jacob L. O2500	Sept. 30, 1949	Argentina	Order of General San Martin, degree of Gran Oficial	For his service in Europe during the late war and his cooperation with Latin American countries since the war.
Eichelberger, Robert L. O2628	Dec. 31, 1948	Italy	Military order of Italy, degree of Grand Officer.	In recognition of his outstanding merits in the war operations in the Pacific Theater.
Gruenther, Alfred M. O12242	Dec. 31, 1956	Greece	Grand Cross of the Royal Order of George I	Reason for award unknown.
		Portugal	Great Cross of the Military Order of Avis	Reason for award unknown.
Haislip, Wade H. O3374	July 31, 1951	Brazil	Order of Military Merit, degree of Commander.	Cooperated with Brazilian personages in the United States.
		Chile	Medal of Military Merit, 1st Class	For distinguished services rendered to the Chilean Army.
Handy, Thomas T. O1665	Mar. 31, 1954	France	Legion of Honor, grade of Grand Officer	Reason for award unknown.
		Mexico	Military, Merit, First Class	For strengthening the bonds of friendship which exist between the United States and Mexico.
Hodges, Courtney H. O2686	Jan. 31, 1949	Argentina	Order of General San Martin, degree of Gran Oficial	He was first high-ranking United States official to greet Argentine Minister of War on the latter's arrival in New York in April 1948.
Hull, John E. O7377	Apr. 30, 1955	Brazil	Order of Military Merit, degree of Grand Officer.	Reason for award unknown.
		Japan	Order of the Rising Sun, 1st Class	For services rendered to Japan.
		Peru	Military Order of Ayacucho, grade of Commander.	For services rendered to Peru.
Ridgway, Matthew B. O3364	June 30, 1955	Argentina	Sword of San Martin	As a memento of his visit to Argentina in July 1948.
		Argentina	Order of Genera San Martin, degree of Grand Officer.	Reason for award unknown.
		Cuba	Order of Military Merit, 1st Class	Reason for award unknown.
		Mexico	Great Cross of the National Order of the Aztec Eagle.	In recognition of his contribution to the cause of Mexican-American friendship.
		Monaco	Grand Cross of the Order of St. Carlo	Reason for award unknown.
		Morocco	Grand Croix de Feahmam Alouaite	Reason for award unknown.
		Panama	Order of Vasco Nunez de Balboa, degree of Grand Officer.	Reason for award unknown.
		Portugal	Grand Cross of the Military Order of Avis	Reason for award unknown.
Smith, Walter B. O16197	Jan. 31, 1949	Chile	Medal of Military Merit, 1st Class	For distinguished services rendered to Chile.
		Thailand	Order of the White Elephant	Reason for award unknown.

DEPARTMENT OF THE ARMY—Continued

Name	Date of retirement	Donor government	Award	Remarks
General—Continued				
Van Fleet, James A. O3947	Mar. 31, 1953	Iran	Order of Yomayoon grade One	For participation in the burial ceremonies of the late Reza Shah.
Wedemeyer, Albert C. O12484	July 31, 1951	Argentina	Order of General San Martin, degree of Gran Oficial.	As Director of Plans and Operations, GS, USA, he assisted and advised the Argentine Minister of War in matters relating to joint problems between Argentina and the United States.
		Brazil	Order of Military Merit, grade of Commander.	Reason for award unknown.
		Chile	Medal of Military Merit, 1st Class	For distinguished services rendered to Chile.
Lieutenant General				
Aurand, Henry S. O3784	Aug. 31, 1952	Argentina	Order of General San Martin, degree of Gran Oficial.	As Chief, Logistics Division, GS, USA, he aided and advised the Argentine Minister of War and his assistants during their visit in April 1948, in matter pertaining to the Arms Standardization Program during several lengthy discussions.
Bolling, Alexander R. O7548	July 31, 1955	Argentina	Order of General San Martin, degree of Gran Oficial.	As Acting Director of Intelligence, GS, USA, was responsible for the planning and execution of all details pertinent to the visit of the Argentine Minister of War to the United States in April and May 1948.
		Brazil	Order of Military Merit, degree of Commander.	Accompanied the Brazilian Minister of War from Brazil to the United States during the latter's visit in April 1949.
		Chile	Medal of Military Merit, 1st Class	For distinguished services rendered to Chile.
		Portugal	Military Merit, 1st class	Reason for award unknown.
Brooks, Edward H. O6857	Apr. 30, 1953	Ecuador	Abdon Calderon, First Class	In recognition of important services to the Armed Forces of Ecuador.
Bull, Harold R. O3707	July 31, 1952	Chile	Medal of Military Merit, First Class	For distinguished services rendered to Chile.
Burress, Withers A. O4812	Nov. 30, 1954	Chile	Military Medal, Second Degree	Reason for award unknown.
		France	Legion of Honor, degree of Officer	Reason for award unknown.
Crittenberger, Willis D. O3546	Dec. 31, 1952	Argentina	Order of General San Martin, degree of Grand Officer.	As Commander in Chief, Caribbean Defense Command, was in contact with all of Latin America and during his visit to Argentina as guest of Argentine Army, between Nov. 25 and Dec. 8, 1948, was decorated.
		Brazil	Order of Military Merit, degree of Grand Officer.	Reason for award unknown.
		Colombia	Order of Boyaca, degree of Grand Officer	Reason for award unknown.
		Mexico	Military Merit Medal, First Class	Reason for award unknown.
Eddy, Manton S. O4855	Mar. 31, 1953	Chile	Medal of Military Merit, First Class	For distinguished services rendered to Chile.
		France	Legion of Honor, degree of Grand Officer	Reason for award unknown.
Hickey, Doyle O. O10123	July 31, 1953	Japan	Order of the Rising Sun, Second Class	In recognition of services rendered to Japan while General was attached to the Far East Command.
Husbner, Clarence R. O4582	Nov. 30, 1950	France	Legion of Honor, degree of Grand Officer	Reason for award unknown.
		Vatican	Cross of Magistral Knight of the Sovereign Military Order of Malta	Reason for award unknown.
Keyes, Geoffrey O3561	Oct. 31, 1950	France	Legion of Honor, rank of Commander	Reason for award unknown.
		Vatican	Order of Saint Gregory the Great	For outstanding merit in behalf of the Christian religion.
Larkin, Thomas B. O3795	Dec. 31, 1952	Chile	Medal of Military Merit, First Class	For distinguished services rendered to the Chilean Army
Lewis, John T. O7009	Sept. 30, 1954	Brazil	Order of Military Merit, grade of Officer	Reason for award unknown.
McBride, Horace L. O4430	June 30, 1954	Brazil	Order of Military Merit, grade of Commander.	In appreciation of his efforts towards an effective cooperation between Brazilian and American officers, and thus contributing to the achievement of a more perfect understanding among them and a closer friendship between the Armies of the two countries.
		Chile	Military Medal, First Class	For services rendered to Chile while serving as Commander in Chief, Caribbean Command.
		Panama	Order of Vasco Nunes de Balboa, grade of Grand Officer.	For services rendered to Panama while serving as Commander in Chief, Caribbean Command.
Morris, William H. H. O3102	Mar. 31, 1952	Ecuador	Abdon Calderon, First Class	For outstanding services rendered to the Ecuadoran Armed Forces.
		Panama	Order of Vasco Nunes de Balboa, grade of Grand Officer.	In recognition of his merits rendered to the Republic of Panama.
Major General				
Akin, Spencer B. O2916	Mar. 31, 1951	Chile	Medal of Military Merit, Second Class	For distinguished services rendered to Chile.
Armstrong, George E. O16548	July 31, 1955	Chile	Military Medal, Second Class	For distinguished services rendered to Chile.
Barr, David G. O10813	Feb. 29, 1952	China	Special Grand Cordon Pao Ting Medal, First Class.	Reasons for award unknown.
Burns, James H. O2533	Dec. 31, 1944	Finland	Cross of Liberty with Sword, Class I	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939–40.
Evans, Vernon O3818	Jan. 31, 1953	Iran	Merit Decoration, Second Class, First Type.	For his untiring efforts, willingness, attention to duty, cooperation and exceptionally meritorious service in the performance of service to the Iranian Army.
Frederick, Robert T. O17196	Mar. 31, 1952	Greece	Grand Commander of the Order of George the First.	Reason for award unknown.
Gallagher, Philip E. O11260	Feb. 28, 1957	France	Legion of Honor, grade of Officer	For services rendered while serving as Commanding General of USAREUR Communications Zone.
Grow, Robert W. O4021	Jan. 31, 1953	Iran	Homayun, Second Grade	For services performed as Chief of the United States Military Mission with the Iranian Army from November 1946 to September 1948.
Herlburd, Kenner F. O15129	July 31, 1955	Brazil	War Medal	For valuable services rendered to Brazil from June 1941 to May 1946.
Hesser, John L. O3118	Sept. 30, 1950	Mexico	Military Medal, First Class	In virtue of the praiseworthy demonstration of friendship and consideration given to the Armed Forces of the Mexican Government.
Hysong, Clyde L. O3288	July 31, 1949	Finland	Order of the Lion of Finland, Commander, First Class.	Reason for award unknown.
Irvine, Willard W. O3289	Apr. 30, 1953	Venezuela	Welch	Reason for award unknown.
Irving, Frederick A. O4281	Aug. 31, 1954	Brazil	Merito Militar	Reason for award unknown.
		Chile	Military Medal, First Class	Reason for award unknown.
		France	Legion of Honor, degree of Commander	Reason for award unknown.
		Netherlands	Silver Medal of Gratitude	For meritorious contribution to the Netherlands cause during World War II in New Guinea.
Leavey, Edmund H. O4589	June 30, 1949	France	Croix de Guerre with Palm	Reason for award unknown.

DEPARTMENT OF THE ARMY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Major General—Continued				
Lewis, Robert H. O2031	May 31, 1946	Panama	Military Order of Vasco Nunez, degree of Grand Officer.	Reason for award unknown.
Livesay, William G. O4903	June 30, 1950	Chile	Medal of Military Merit, Second Class	For distinguished services rendered to Chile.
MacMorland, Edward E. O4653	July 31, 1952	Finland	Cross of Liberty with Sword, Class III	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939–40.
Maddocks, Ray T. O7291	June 30, 1951	Brazil	Order of Military Merit, degree of Commander.	As Director of Plans and Operations, GS, USA, and in charge of the Joint Brazil-United States Military Commission, he has cooperated with the Brazilian Government and assisted them in general matters of interest to Brazil and the United States.
		Chile	Medal of Military Merit, Second Class	For distinguished services rendered to Chile.
Maris, Ward H. O6718	Nov. 30, 1952	Italy	Order to the Merit of the Italian Republic, degree of Grand Officer.	For services rendered to the Government of the Republic of Italy.
Muller, Walter J. O12224	Nov. 30, 1956	Morocco	Order of Ouissam Alaouite Cherifien, rank of Grand Officer.	In consideration of his merit.
Nold, George J. O8868	July 31, 1955	France	Legion of Honor, grade of Officer	For services rendered while serving as Director, Joint Construction Agency, Paris, France.
Porter, Ray E. O7168	June 30, 1953	Chile	Medal of Military Merit Second Class	For distinguished service rendered to Chile.
		Colombia	Orden de Boyaca, grade of Grand Officer	Reason for award unknown.
		Ecuador	Abdon Calderon, 1st Class	For outstanding services to the Ecuadoran Armed Forces, on having invited many officers and enlisted personnel to take the different courses which are given in the Panama Canal Zone and the Military Schools in the Caribbean.
		Panama	Orden de Vasco Nunez de Balboa, grade of Grand Officer.	Reason for award unknown.
Prentiss, Louis W. O14672	Apr. 30, 1956	Greece	Cross of Commander of the Order of the Phoenix.	For gestures of courtesy and appreciation in recognition of the services performed on the occasion of the visit of the Royal Greek entourage to Washington on Oct. 28, 1953.
Roberts, Frank N. O12734	Nov. 30, 1957	Greece	Grand Cross of King George I, grade of Commander.	For services rendered while serving as Chief of Staff, Allied Forces Southern Europe.
		Italy	Order to the Merit of the Italian Republic, grade of Commander.	For services rendered while serving as Chief of Staff, Allied Forces Southern Europe.
Robinson, Bernard L. O12652	Oct. 31, 1957	Netherlands	Order of Orange-Nassau, grade of Commander.	Reason for award unknown.
Standlee, Earle O16530	Apr. 30, 1957	Korea	Taeguk Distinguished Military Service Medal.	In recognition and appreciation of his outstanding and exceptionally meritorious service rendered to the Republic of Korea while serving as Chief Surgeon of Headquarters Army Forces Far East and Eighth United States Army.
Streit, Paul H. O6254	Mar. 31, 1953	Chile	Military Medal, Second Class	For distinguished services rendered to Chile.
Vaughan, Harry H. O206101	Jan. 31, 1953	Argentina	Order of General San Martin, degree of Gran Oficial.	Reason for award unknown.
		Cuba	Medal of Military Merit	Reason for award unknown.
		Dominican Republic	Juan Pablo Duarte	Reason for award unknown.
		France	Legion of Honor, grade of Commander	Reason for award unknown.
		Guatemala	Merito Militar, First Class	In behalf of his personal merits and as a demonstration of the friendship and close relationship between the military forces of Guatemala and the United States.
		Italy	Star of Italian Solidarity	Reason for award unknown.
		Mexico	Military Merit, First Class	Reason for award unknown.
		Netherlands	Order of Orange-Nassau, with Swords, grade of Officer	Reason for award unknown.
Watson, Leroy H. O3898	Nov. 30, 1953	Japan	Order of the Rising Sun, Third Class	Reason for award unknown.
Weart, Douglas L. O3774	Aug. 31, 1951	Chile	Military Medal, Second Class	Having afforded invaluable facilities and attentions to components of the Army of Chile, by which they have contributed to the mutual understanding and appreciation of both institutions, which is directly beneficial to continental harmony.
Brigadier General				
Armstrong, Clare H. O5318	Mar. 31, 1953	Luxembourg	Commandeur de l'Ordre Grand-Ducal de la Couronne de Chene.	Reason for award unknown.
Beukema, Herman O3790	Aug. 31, 1954	Chile	Military Merit, Second Class	Reason for award unknown.
Bixby, Ernest A. O12273	Nov. 30, 1955	France	Legion of Honor, rank of Officer	Reason for award unknown.
Bixel, Charles P. O16908	July 31, 1957	Korea	Ulchi Distinguished Military Service Medal with Gold Star.	In recognition and appreciation of his outstanding and exceptionally meritorious service while serving as Chief of Staff and Army Member of the United Nations Command Military Armistice Commission and later as Deputy Chief of Staff, Headquarters, United States Army Forces Far East and Eighth United States Army during the period Sept. 1, 1955, to Dec. 18, 1956.
Brown, Wyburn D. O12260	June 30, 1951	Colombia	Order de Boyaca, grade of Commander	General Brown demonstrated special interest in the improvement of the military forces of Colombia.
Cassidy, John F. O12718	Aug. 31, 1954	Vatican	Order of St. Gregory the Great	He deserved well of the good of the Catholic Church and its institution.
Cheadle, Henry B. O3584	Apr. 30, 1951	Hungary	l'Orde de Merite Hongrois	Reason for award unknown.
Cole, John T. O3256	May 31, 1953	China	Chinese Armored Force Combat Badge	For his glorious activity as a combat commander in ground combat against an armed enemy of Allied Nations during the period of 1942–45 in the European theater.
Crowell, Evans R. O7387	Aug. 31, 1954	Paraguay	National Order of Merit, grade of Gran Oficial.	Reason for award unknown.
English, Paul X. O3472	July 31, 1946	Finland	Cross of Liberty with Sword, Class III	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939–40.
Ferrin, Charles S. O4980	Nov. 30, 1952	Mexico	Decoration of Military Merit	For his praiseworthy work of bringing closer together the Armies of Mexico and the United States.
Ford, William W. O12657	Aug. 31, 1954	France	Legion of Honor, grade of Officer	For his services as Commanding General, Advance Section, USAREUR.
Hare, Ray M. O6943	July 31, 1953	France	Legion of Honor, grade of Chevalier	Reason for award unknown.
Hines, Charles O2866	Oct. 31, 1946	Finland	Cross of Liberty with Sword, Class II	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939–40.
Hines, Frank T. O26457	May 31, 1944	Italy	Order of the Crown of Italy	Reason for award unknown.
Holly, Joseph A. O12360	Jan. 31, 1951	Netherlands	Order of Orange Nassau, with Swords, degree of Commander.	Reason for award unknown.

DEPARTMENT OF THE ARMY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Brigadier General—Con.				
Kingman, Allen F. O4769	May 31, 1953	Argentina	Order of General San Martin, degree of Commendador.	As Foreign Liquidation Commissioner, he handled detailed negotiations with the Argentine Government for the sale of arms and equipment to that country.
		Peru	Military Order of Ayacucho, degree of Commander.	Reason for award unknown.
Kreidel, Francis A. O30553	June 30, 1957	Korea	Ulchi Distinguished Military Service Medal with Gold Star (Second Award).	For exceptionally meritorious conduct in the performance of outstanding service to the Republic of Korea as the Provost Marshal General, United States Army Forces, Far East, and Eighth United States Army (Rear) during the period Oct. 21, 1954, to Jan. 15, 1957.
Marston, Merrill W. O7128	July 31, 1953	Greece	Cross of Grand Commander of the Royal Order of George I.	In recognition of the efficient assistance he gave His Majesty.
McCloskey, Manus. O289	Apr. 30, 1938	Italy	Order of the Crown of Italy, degree of Ufficiale.	In recognition of "his services in connection with the relief of his Artillery Brigade by the Artillery of the 8th Italian Division on the Vesele River in September 1918."
Meltzer, Eric S. O12115	Aug. 31, 1954	Italy	Cross for War Merit.	For service rendered with the 86th Division in Italy during World War II.
O'Hare, Joseph J.	Feb. 28, 1953	Cuba	Order of Military Merit, First Class.	Reason for award unknown.
		France	Legion of Honor, degree of Commander.	For services rendered while serving as United States Military Attache.
Peabody, Paul E. O4912	Mar. 31, 1950	Mexico	Military Medal of Merit, First Class.	Reason for award unknown.
Perry, Basil H. O3326	July 31, 1953	Luxembourg	Croix de Guerre 1940-45.	In recognition of his services to the Grand Ducy of Luxembourg during the military operations in September 1944, which resulted in the liberation of Luxembourg from the Nazis and during the defense of Luxembourg in December 1944 in the Battle of the Bulge.
Reinel, Stewart E. O7468	Feb. 28, 1946	France	Legion of Honor, rank of Knight.	For services rendered to the Government of the Republic of France.
Renfrow, Louis H. O3508048	Feb. 1, 1957	France	Legion of Honor.	Reason for award unknown.
		Guatemala	Merito Militar, 3d Class.	For demonstration of friendship and close relationship between the military forces of Guatemala and United States.
		Italy	Italian Solidarity Star.	Reason for award unknown.
		Morocco	Commander de Ouissan Alaoulte Cherifien.	Reason for award unknown.
Roberts, William L. O3587	Sept. 30, 1950	Korea	Medal of National Construction Merit.	For meritorious service as the first chief of the United States Military Advisory Group to the Republic of Korea.
Robinett, Paul M. O16258	Aug. 31, 1946	Tunisia	Grand Cordon of Nichan Iftikhar.	Reason for award unknown.
Shekerjian, Haig. O3269	Sept. 30, 1946	Finland	Cross of Liberty with Sword, Class III.	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939-40.
Sleeman, LeCount H. O9716	July 31, 1954	France	Legion of Honor, grade of Chevalier.	For services rendered while serving as Chief of Staff of the USAREUR at Orleans, France, during the period July 1951 to June 1953.
Stack, Robert I. O7585	July 31, 1953	France	Legion of Honor, grade of Chevalier.	For exceptional war services rendered in the course of the operations of the liberation of France.
		France	Croix de Guerre with Palm.	For exceptional war services rendered in the course of the operations of the liberation of France.
		Morocco	Order of Ouissam Alaoulte Cherifien, grade of commander.	For valor and for services rendered in North Africa in 1943.
		Tunisia	Order of Nichan-Iftikhar, degree ff Commander.	Reason for award unknown.
Sweeny, Kenneth S. O13251	Nov. 30, 1955	Haiti	Grand Cross of the National Order of Haiti.	Reason for award unknown.
Tate, Foster J. O12387	July 31, 1949	France	Legion of Honor, degree of Commander.	Reason for award unknown.
Theobald, James V. O16826	July 31, 1957	Bolivia	Order of the Condor of the Andes, grade of Commander.	Reason for award unknown.
Thorpe, Elliott R. O11147	Nov. 30, 1949	Thailand	Most Noble Order of The Crown of Thailand, degree of Knight Commander.	Reason for award unknown.
Treger, Morris C. O2843	Nov. 19, 1952	France	Legion of Honor, grade of Officer.	Reason for award unknown.
Walsh, Orville E. O12094	May 31, 1954	Morocco	Order of Ouissam Alaoulte Cherifien, grade of Grand Officer.	In consideration of his merits.
Young, Gordon R. O3831	May 31, 1951	Brazil	Medal of Military Merit.	In recognition of his arranging a citizen's reception upon the occasion of the visit to the United States by the President of Brazil on or about May 18, 1949.
		Panama	National Order of Vasco Nunes de Balboa, degree of Grand Officer.	Reason for award unknown.
Young, Mason J. O3788	July 31, 1953	France	Legion of Honor, degree of Officer.	Reason for award unknown.
Colonel				
Adams, Edward F. O15226	Sept. 30, 1954	Venezuela	Order of the Liberator, degree of Officer.	For services rendered while serving as Army Attaché
Andrus, Burton C. O6891	Apr. 30, 1932	Brazil	Order of Military Merit, degree of Officer.	Reason for award unknown.
Baird, Willett J. O14689	July 31, 1956	France	Legion of Honor, Grade of Chevalier.	For the reorganization and equipping of French Force during World War II and also as a token of good will.
Bambara, Felix S. O6797	Sept. 30, 1957	Italy	Star of Italian Solidarity, Third Class.	Reason for award unknown.
Barker, Maurice E. O6779	Aug. 31, 1948	Finland	Cross of Liberty with Sword, Class IV.	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939-40.
Bendaña, Enrique M. O4941	Apr. 30, 1941	Guatemala	La Cruz de Servicios Distinguidos.	Reason for award unknown.
		Venezuela	Orden de Libertador.	Reason for award unknown.
Berry, Logan C. O18725	Sept. 30, 1954	Mexico	Mexican Medal Merito Militar.	Reason for award unknown.
Bidwell, Bruce W. O15582	Sept. 30, 1954	Netherlands	Order of Orange-Nassau with Swords.	For service rendered while serving as United States Army Attaché.
Billing, Albert E. O6894	July 31, 1953	Ecuador	Abdon Calderon, First Class.	Colonel Billing served as Chief, USA Mission to Ecuador, and contributed much in promoting cooperation and mutual understanding between the Armed Forces of the two countries. He also demonstrated sincerity and high esteem toward the Ecuadoran Armed Forces.
Blanchard, Wendell. O15828	July 31, 1954	Belgium	Order of Leopold, degree of Officer, with Palm.	For war service in 1944-45 notably, during the battle of Bastogne, per Royal Decree No. 1941, dated June 22, 1953.
		Belgium	Croix de Guerre with Palm.	For war service in 1944-45 notably, during the battle of Bastogne, per Royal Decree No. 1941, dated June 22, 1953.

DEPARTMENT OF THE ARMY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Colonel—Continued				
Boichot, Donald F. O320119	Apr. 30, 1957	China	Financial Medal, First Grade, Second Class.	Rendered the good merit of assistance for the transportation of gold to the interior during the war against Japan.
Booth, Lucian D. O2228	June 30, 1942	Finland	Cross of Liberty with Sword, Class II.	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939-40.
Buck, Walter A. O15665	June 30, 1953	Sweden	Royal Order of the Sword, Knight Commander, Second Class.	Reason for award unknown.
Burrill, Joseph R. O15690	Sept. 30, 1954	Finland	Order of the White Rose of Finland.	For services rendered while serving as Army Attaché.
Busbey, George W. O15639	Aug. 31, 1954	Paraguay	National Order of Merit, grade of Grand Official.	Has rendered important services to the Nation's Armed Forces, meriting national recognition.
Carter, Maynard H. O15077	July 31, 1953	Iran	Decoration of Merit, Second Class, First Type.	For exceptionally meritorious conduct in the performance of service during the period from Oct. 10, 1950, to May 6, 1952, while serving as Deputy Chief of Mission and Chief of Staff and such rendered services of exceptional value to the Iranian Army.
Clement, Joseph T. O14022	Jan. 4, 1921	Italy	Order of the Crown of Italy.	Reason for award unknown.
		Rumania	Order of the Crown of Rumania, degree of Officer.	Reason for award unknown.
Crawford, David J. O14916	May 31, 1953	Brazil	Order of Military Merit, grade of Officer.	Reason for award unknown.
		Chile	Medal of Military Merit, Second Class.	For distinguished services rendered to Chile.
Davis, Merle H. O9932	July 31, 1953	Finland	Cross of Liberty with Sword, Class IV.	In recognition of services rendered in the interests of Finland during the Russo-Finnish War, 1939-40.
Drury, Frederick W. O12333	July 31, 1953	Iran	Taj Medal, third degree.	For participation in the funeral of the late Reza Shah the Great, as a representative of the American Government.
Enderton, Herbert B. O15149	July 31, 1954	Ecuador	Abdon Calderon, First Class.	Service as Military Attaché of the USA in Ecuador, Colonel Enderton helped increase friendly relations between members of the National and North American Armed Forces.
Farrar, Conway F. O41625	Aug. 31, 1952	Peru	Military Order of Ayacucho, grade of Officer.	Reason for award unknown.
Follansbee, Conrad G. O15973	Jan. 31, 1954	Haiti	Order of National Honor and Merit, grade of Commander.	Reason for award unknown.
Forde, Harold M. O16400	June 30, 1956	France	Legion of Honor, Grade of Chevalier.	For services rendered while serving as Assistant Army Attaché to France.
George, William S. O18304	Sept. 30, 1956	Greece	Cross of the Commander of the Royal Order of Phoenix.	In recognition of services rendered to the Greek Prime Minister.
Gibney, Jesse L. O12216	Aug. 31, 1953	Greece	Greece War Cross, Class III.	As a member of the American Military Mission in Greece has rendered precious and invaluable service to the Greek Army and has contributed greatly to the reorganization and training thereof.
Graling, Francis J. O15826	July 31, 1954	Netherlands	Order of Orange-Nassau with Swords, degree of Commander.	Reason for award unknown.
		Brazil	Order of Military Merit, degree of Officer.	For services relating to the visit of the Brazilian Minister of War.
		Denmark	Order of Dannebrog, degree of Commander.	Reason for award unknown.
Griffiths, David W. O12040	Mar. 31, 1950	Greece	Commander Cross of the Order of the Phoenix.	Reason for award unknown.
Harris, Lee V. O10823	Aug. 31, 1954	Vietnam	National Order of Viet-Nam grade of Commander.	For services rendered while serving as American Military Attaché to the Government of Viet-Nam.
Hayne, Frank B. O6446	Nov. 30, 1947	Finland	Officer's Cross of the White Rose of Finland.	Reason for award unknown.
Hinckle, John T. O15539	Aug. 31, 1954	Iran	Medal of Merit, Type One of Second Grade.	In appreciation of the services and in view of Colonel Hinckle's capability. For services rendered while serving as Army Attaché from Nov. 21, 1950, to Mar. 3, 1953.
Hirschfelder, Chester J. O6124	July 31, 1949	France	Legion of Honor, grade of Chevalier.	As a token of gratitude from the French Government for his splendid service in France during the two World Wars.
Hocker, Woodson F. O16879	July 31, 1957	Brazil	Thaumaturgo de Azevedo Medal.	For good will purposes and in appreciation of services rendered while serving as Army Attaché.
		Brazil	Marechal Caetano de Faria Medal.	For good will purposes and in appreciation of services rendered while serving as Army Attaché.
		Brazil	Marechal Hermes Medal.	For good will purposes and in appreciation of services rendered while serving as Army Attaché.
		Brazil	Order of Military Merit, grade of Officer.	For good will purposes and in appreciation of services rendered while serving as Army Attaché.
		Brazil	Medalha Marechal Souza Aguiar.	For good will purposes and in appreciation of services rendered while serving as Army Attaché.
Huthsteiner, George E. O5592	Sept. 30, 1943	Estonia	Decoration of the Eagle, Third Class.	Reason for award unknown.
		Finland	Officer's Cross of the Order of the White Rose.	Reason for award unknown.
		Latvia	Order of the Three Stars, Second Class.	Reason for award unknown.
Jacoby, Benjamin. O109164	May 14, 1946	China	Cravat of the Order of Cloud and Banner.	Reason for award unknown.
Johnson, Leonard M. O15621	July 31, 1954	Sweden	Royal Order of the Sword, Knight Commander, Second Class.	Reason for award unknown.
Jones, Malcolm D. O16435	June 30, 1956	Portugal	Medal of Military Merit, First Class.	For services rendered to the Government of the Republic of Portugal while serving as Army Attaché.
Jones, Melvin H. O199266	Aug. 31, 1955	Colombia	Order of Merit, General Jose Maria Cordoba, grade of Knight Commander.	In recognition of services rendered in completing a study and making recommendations for the reorganization of the Logistics System of the Colombian Armed Forces.
Kane, Francis B. O14922	Apr. 30, 1953	Portugal	Medal for Military Merit, Second Class.	Colonel Kane revealed himself to be an officer of outstanding merit and his sterling qualities of loyalty, honesty, and dignity rendered him worthy of the high regard in which he was held not only by his comrades of the Portuguese Army but also by society circles in Lisbon where he was esteemed by all as a friend and as a gentleman. Colonel Kane served as Military Attaché to the Embassy of the United States of America in Portugal.
Kaylor, John P. O16009	July 31, 1957	Mexico	Military Merit, First Class.	For his meritorious work in strengthening the relations between the armies of the United States and Mexico.
Kluss, Walter L. O10032	Feb. 28, 1949	Italy	Order "Stella della Solidarietà Italiana".	Reason for award unknown.
Leakey, Frank N. O16578	June 30, 1956	Peru	Military Order of Ayacucho, grade of Officer.	For meritorious service rendered while serving as Army Attaché.
Mabie, Russell L. O14626	Aug. 31, 1954	Panama	Orden de Vasco Nuñez de Balboa, grade of Commander.	In recognition of his merits per citation dated June 18, 1951.
Marsh, James H. O14610	Feb. 28, 1953	Venezuela	Order of Francisco de Miranda, Second Class.	Reason for award unknown.
McCarthy, Charles W. O16957	Nov. 30, 1955	Chile	"Al Merito Bernardo O'Higgins," grade of Commander.	Reason for award unknown.
		Chile	Medal of Military Merit.	Reason for award unknown.

DEPARTMENT OF THE ARMY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Colonel—Continued				
McFarland, John A. O16489	July 31, 1956	Peru	"El Sol del Peru" grade of Commander (The Sun of Peru).	For his merits and services.
McHugh, Harry D. O13258	Sept. 30, 1954	Peru	Military Order of Ayacucho, grade of Officer.	Reason for award unknown.
McMahon, Bernard B. O2060	Mar. 31, 1953	Bolivia	Order of the Condor of the Andes, degree of Commander.	For service in Bolivia with United States Army Mission.
Melton, Eldridge O22867	Mar. 1, 1954	Finland	Order of the White Rose of Finland, grade of Commander.	As a token of good will.
Middleton, John W. O12135	Aug. 31, 1954	Thailand	Order of the Crown of Thailand, Second Class.	Reason for award unknown.
Miles, John W. O69123	Nov. 30, 1955	Nepal	Prasiddha Pravala Gorkha Dakshina Bahu (The Famous Order of the Right Hand of the Ghorkas).	Reason for award unknown.
Miller, Art B., Jr. O257489	Apr. 30, 1950	Peru	Military Order of Ayacucho, grade of Officer.	For meritorious service while serving as Officer-in-Charge of Inter-American Geodetic Survey, Peru Project.
Miller, Harry W. O19931	July 31, 1954	Brazil	Order of Military Merit, degree of Cavalier.	Reason for award unknown.
Mills, William H. O19576	July 31, 1956	Ecuador Ecuador Chile	Abdon Calderon, First Class Al Merito, grade of Commander Military Medal, Second Class.	For services rendered while serving as Army Attaché. For services rendered while serving as Army Attaché. For having rendered valuable facilities and courtesies to components of the Army of Chile, whereby they have contributed to the mutual understanding and esteem of the two institutions, a circumstance which directly promotes continental harmony.
Mitchell, Lawrence C. O5304	Feb. 28, 1953	Syria	Decoration of the Syrian Merit, First Class.	In appreciation of his high services rendered to the Syrian Government.
Miter, Frank F. O16477	June 30, 1956	Portugal	Medal of Military Merit, First Class	Reason for award unknown.
O'Malley, Joseph M. O19060	Aug. 31, 1956	Peru	Order Militar de Ayacucho, degree of Commander.	Reason for award unknown
Oyster, Dallas J. O15456	Aug. 31, 1954	Italy	Cross for War Merit	For service rendered with the 88th Division in Italy during World War II.
Pettit, Frank A. O19392	July 31, 1955	Peru	Military Order of Ayacucho, grade of Officer.	For distinguished services rendered while serving as Director General of the Inter-American Geodetic Survey to Peru.
Pharr, Marion M. O16215	July 31, 1953	Greece	The Commander of the Royal Order of George I.	The Greek decoration was conferred upon Colonel Pharr by His Majesty the King of the Hellenes, in recognition of the efficient assistance he gave his Majesties during his recent visit to Austria.
Pierce, Wilbur R. O15160	May 31, 1954	Venezuela	Order of Francisco de Miranda, Second Class.	Reason for award unknown.
Pohl, Marion G. O17176	June 30, 1955	Italy	Officer of Merit of the Republic	For services rendered while serving as Army Attaché.
Potter, Harold E. O8643	Jan. 31, 1950	Netherlands	Order of Orange-Nassau, with Swords, grade of Commander.	Reason for award unknown.
Prince, Eugene O13264	Feb. 28, 1953	Chile	Medal of Military Merit, Second Class	For distinguished services rendered to Chile.
Reid, Alexander D. O13234	Oct. 31, 1954	Venezuela	Order of Francisco de Miranda	For services as Chief, United States Army Mission to Venezuela.
Riley, Lowell M. O8854	June 30, 1952	France	Legion of Honor, Grade of Officer	Reason for award unknown.
Sattler, William F. O14917	July 31, 1953	Rumania Finland	Commemorative Medal, Carol I Cross of Liberty with Sword, Class IV	Reason for award unknown. In recognition of services rendered in the interest of Finland during the Russo-Finnish War 1939–40.
Sapia-Bosch, Timoteo A. O9946	July 31, 1958	Greece	Distinguished Service Medal	For rendering in the sphere of his competence invaluable services to the Armed Forces of Greece as a member of the American Military Mission in Greece.
Schaffer, William H. O15364	Aug. 31, 1953	Cuba	Distinguished Service Medal	Colonel Schaffer has efficiently cooperated to strengthen the good bonds of friendship existing between the Government of his country and the Cuban Government.
Schroeder, August H. O137514	Nov. 16, 1956	France	Legion of Honor, grade of Chevalier	In 1945–46, Colonel Schroeder took an essential part in the reestablishment of navigation on the Rhine River. He also created between the United States, French, and British authorities excellent relations based on mutual confidence and close cooperation through his magnificent leadership.
Shaw, Lawrence E. O16656	Mar. 31, 1956	Venezuela	Decoration of the Order Francisco de Miranda, Second Class.	For exceptional services while in the performance of official duty as Army Attaché to the American Ambassador to the Government of Venezuela.
Shipp, William E. O4455	Aug. 31, 1954	Spain	Cross of Military Merit with White Distinctive, Third Class.	For services rendered to Spain while serving as United States Army Attaché.
Smith, Douglas O15059	Aug. 31, 1954	Argentina	Order of General San Martin, degree of Comendador.	As a member of the Inter-American Defense Board he cooperated with Argentine authorities in many ways. He was tour director for a group of 12 Argentine high-ranking officers who visited the United States in November 1947.
Smith, Harvey H. O10155	Feb. 29, 1952	Greece	Royal Order of George I, degree of Commander.	Reason for award unknown.
Sottong, George V. O29253	Aug. 31, 1957	Belgium	Military Cross, First Class	Reason for award unknown.
Tait, David S. O801853	July 31, 1954	Japan	Order of the Rising Sun, Third Class	For service rendered to the Government of Japan.
Trimble, Ford O28761	Sept. 30, 1954	Norway	Commander's Cross of the Royal Norwegian Order of Saint Olav.	For services rendered to the Government of Norway while serving with Headquarters Allied Land Forces, Noway.
Waltz, Welcome P. O5429	Oct. 31, 1952	Greece	Knight's Order of Phoenix	As a member of the American Military Mission in Greece has rendered precious and invaluable service to the Greek Army and has contributed greatly to the reorganization and training thereof.
Wedemeyer, William A. O15011	Sept. 31, 1954	Panama	Military Order of Vasco Nunez, degree of Commander.	Reason for award unknown.
Whitcomb, John C. O5221	Oct. 31, 1951	Peru	Military Order of Ayacucho, grade of Officer.	For distinguished services as Chief of the USA Mission to Peru.
Withers, William P. O12742	Aug. 31, 1954	China	Chinese Armored Force Combat Badge	Being admired by the officers and soldiers of Chinese Armored Force for his glorious activity as a combat commander in ground combat against an armed enemy of Allied Nations during the period of 1942–45 in the European Theater.
Lieutenant Colonel				
Albo, Bienvenido M. O16089	Aug. 31, 1955	Philippines Philippines	Bronze Cross Medal Wounded Soldier's Medal	For heroism in rescuing a fellow officer from enemy artillery fire on Apr. 8, 1942, in Bataan. For wounds received as a direct result of enemy action in Manila, Philippines, in August 1942.
Boone, William E. O196356	Aug. 1, 1946	Dominican Republic	Order of Merit of Juan Pablo Duarte	The Government of the Dominican Republic awards this decoration to its meritorious servants, as well as for services rendered to humanity.

DEPARTMENT OF THE ARMY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Lieutenant Colonel—Con.				
Earl, Edwin O. O29067	Apr. 30, 1957	Greece	Distinguished Service Medal	As a member of the American Military Mission in Greece has rendered precious and invaluable service to the Greek Army and has contributed greatly to the reorganization and training thereof.
Hubard, Randolph B. O17711	Jan. 31, 1950	Italy	Cross for War Merit	For service rendered with the 88th Div in Italy during World War II.
Hughes, James R. O21343	Dec. 31, 1957	Brazil	Order of Military Merit, degree of Cavaleiro.	Reason for award unknown.
Reed, Ralph E. O450970	June 30, 1957	Bolivia	Military Engineer and Military Professor	For services rendered to the Government of Bolivia.
Turner, Robert G. O16809	July 31, 1957	Greece	Greek War Cross, Class B	For services rendered as a member of the JUSMAPG Detachment, attached to the I Mountain Division.
Vance, William W. O51633	Oct. 31, 1950	Greece	Gold Cross of the Order of Phoenix	Reason for award unknown.
Warren, Kenneth D. O885755	June 30, 1955	Italy	Cross for War Merit	For service rendered with the 88th Division in Italy during World War II.
Major				
Lobianco, Frank E. O346046	Mar. 31, 1951	Greece	War Cross, Class III	For precious and invaluable service to the Greek Army and has contributed greatly to the reorganization and training.
Yanisch, Otto F. O300523	Apr. 26, 1957	Czechoslovakia	Order of the White Lion, Fifth Class	For service rendered as Chief, Restitution Branch, Land Bavaria, of the Office of the United States Military Government in Germany.
Captain				
Burchett, Harry P. O2012757	Aug. 31, 1957	Haiti	Order of National Honor and Merit, grade of Officer.	For services rendered to the Government of Haiti while serving with the Inter-American Geodetic survey.
Master Sergeant				
Bottomstone, Charles A. RA6846229	Sept. 30, 1953	Greece	Distinguished Service Medal	For rendering competent invaluable services to the Government of Greece.
Currie, John T. RA15109865	Jan. 31, 1952	Greece	Distinguished Service Medal	For rendering competent invaluable services to the Government of Greece.

UNITED STATES MARINE CORPS

General				
Noble, Alfred H. O717	Nov. —, 1956	France	Legion of Honor	For service to the Allied Cause during two World Wars and for his sympathy to France and its people.
Shepherd, Lemuel C., Jr. O890	Dec. —, 1955	Argentina	Order of Naval Merit, Grade of Grand Official.	Token of good will.
		Brazil	Order of Naval Merit, Grade of Grand Official.	Token of good will.
		Spain	Grand Cross of Naval Merit	Token of good will.
Lieutenant General				
Puller, Lewis B. O3158	Nov. —, 1955	China	Special Cravat of the Order of Cloud and Banner.	Token of good will.
Rockey, Keller E. O838	Sept. —, 1950	France	Legion of Honor, Grade of Officer	For service rendered to the Allied Cause in the Pacific during World War II and to the French Forces in the Far East.
Brigadier General				
Bard, Elliott E. O4418	July —, 1957	Korea	Ulchi Distinguished Military Service Medal	For exceptionally meritorious service to Republic of Korea, Aug. 2, 1955, to June 8, 1956.
Deakin, Harold O. O4991	July —, 1957	Greece	Gold Cross of King George the First	For service as Planning Officer, United States Naval Group, American Mission to Greece, April 1947 to June 1949.
Harris, Harold D. O3969	Jan. —, 1950	Morocco	Order of Ouissam Alaouite, Degree of Commander.	For services on staff of United States Naval Forces, Eastern and Mediterranean, at London, England. Served at Paris, France, in connection with conferences thereat November 7–10, 1948. Was at Port Lyautey, French Morocco, November 14–18; temporary duty Naval activities and administrative inspection.
Hays, Lawrence C., Jr. O5624	Sept. —, 1957	Brazil	Order of Naval Merit, Grade of Officer	For services rendered to the Brazilian Marine Corps during his tour of duty as a member of the United States Naval Mission to Brazil.
Peterson, Robert L. O4330	May —, 1948	China	Special Cravat of the Cloud and Banner	For services to the Republic of China in its program for training and building up of Chinese Armed Forces.
Colonel				
McQuillen, Francis J. O4081	Mar. —, 1957	Thailand	Order of the Crown of Thailand, Second Class.	For service as United States Naval Attaché and Naval Attaché for Air to Thailand, May–November 1950.
		Thailand	Coronation Medal	For service as United States Naval Attaché and Naval Attaché for Air to Thailand at the time of the King's Coronation, May 1950.
Raciot, Arthur O798	Jan. —, 1935	Santo Domingo	Order of Merit, Juan Pablo Duarte	For services rendered in the military education and guidance of officers performed as CO of the Cadets of the Dominican Republic at Haina, District of Santo Domingo, while serving on active duty attached to the 2nd Mar Brig in Santo Domingo, October 1933 to October 1934.
Lieutenant Colonel				
Seibert, Charles J., Jr. O5419	Aug. —, 1956	Brazil	Order of Naval Merit, Degree of Officer	For services rendered to the Brazilian Navy during tour of duty as Marine Member, United States Naval Mission to Brazil, June 1950 to September 1953.
Captain				
Duggan, William E. O38230	June —, 1953	Thailand	Order of the White Elephant, Fourth Class	Was instrumental in the recruiting and training of 35 Thailand students who were in the United States. These students infiltrated into Thailand where they helped organize an underground movement which rendered valuable assistance to the Allies.
		Thailand	Santimala (Peace) Medal	Was instrumental in the recruiting and training of 26 Thailand students who were in the United States. These students infiltrated into Thailand where they helped organize an underground movement which rendered valuable assistance to the Allies.

DEPARTMENT OF THE NAVY

Name	Date of retirement	Donor government	Award	Remarks
Fleet Admiral				
Halsey, William F., Jr. 5035	Mar. 1, 1947	Argentina	Grand Cross of the Order of Naval Merit	Occasion of a visit to Buenos Aires.
Admiral				
Badger, Oscar C. 7626	June 1, 1954	Brazil	Order of Naval Merit (Grand Officer)	Token of good will.
Carney, Robert B. 9612	Aug. 1, 1955	Spain	Gran Cruz del Merito Naval con distintivo blanco.	Token of good will.
		Thailand	Most Exalted Order of White Elephant (first class).	Token of good will.
		Cuba	Order of Naval Merit (first class)	Token of good will.
		Colombia	Order of Boyaca (Grand Cross)	In recognition of interest in the Colombian Navy.
		Argentina	Grand Cross of the Order of Naval Merit	Token of good will.
		Italy	Grand Cross of the Order of Merit	As Commander in Chief of the Allied Forces, Southern Europe.
		Greece	Royal Order of George the First	Token of good will.
		Morocco	Order of Ouissam Alaouite Cherifien (Grand Cross).	Occasion of a visit to Port Lyautey.
		Saudi Arabia	Sword	Token of good will.
		Finland	Cross of Liberty with Sword, Class II	Token of good will.
Connolly, Richard L. 8875	Nov. 1, 1953	Netherlands	Order of Orange-Nassau (Grand Cross)	Token of good will.
		Tunisia	Order of Nichan Iftikhar (Grand Officer)	Token of good will.
		Italy	Military Order of Italy (Grand Officer)	Token of good will.
Du Bose, Laurance T. 8283	June 1, 1955	Italy	Order of Merit of the Italian Republic (Grand Officer).	As Commander, Eastern Sea Frontier.
Duncan, Donald B. 10843	Feb. 28, 1957	Cuba	Order of Naval Merit (White Ribbon) first class.	Strengthening the bonds of friendship to the Cuban Navy.
Fahrion, Frank G. 10872	May 1, 1956	Argentina	Order of Naval Merit (Grand Officer)	A tour of South America.
		Brazil	Order of Naval Merit (Grand Officer)	A tour of South America.
Fechteler, William M. 9699	July 1, 1956	Greece	Royal Order of King George the First (Grand Cross).	Token of good will.
		Italy	Order of Merit of the Italian Republic (Grand Cross).	For service as Commander in Chief Allied Forces Southern Europe.
		Morocco	Grand Cross of Ouissam Alaouite	For service in the cause of peace and freedom throughout the world.
		Tunisia	Grand Cross of Nicham Iftikhar	For service in the cause of peace and freedom throughout the world.
		Brazil	Order of Naval Merit (Grand Officer)	Token of good will.
Gardner, Matthias B. 34521	Aug. 1, 1956	Greece	Royal Order of the Phoenix (Grand Cross)	Token of good will.
Glover, Cato D., Jr. 20093	Sept. 1, 1957	France	Legion of Honor (Degree of Officer and Commander).	Assistant Naval Attaché and Naval Attaché for Air.
Hill, Harry W. 7627	May 1, 1952	France	Legion of Honor (Commander)	Token of good will.
		Brazil	Order of Naval Merit (Grand Officer)	Token of good will.
Kirk, Alan G. 7602	Mar. 1, 1946	Luxembourg	Order of Grand Ducal of the Coronna de Chene (Grand Cross) and Croix de Guerre.	In recognition of meritorious military service.
		Belgium	Order of Leopold	Military service during World War II.
Radford, Arthur W. 9643	Aug. 1, 1957	Peru	Peruvian Cross of Naval Merit (Grand Cross) with White Badge.	Token of good will.
		Brazil	Order of Naval Merit (Grand Cross)	Token of good will.
		Ecuador	Order of Abdon Calderon (first class)	Token of good will.
		Italy	Knight of the Grand Cross of the Order of Merit of the Republic of Italy.	Token of good will.
		Colombia	Order of Boyaca (Grand Cross)	Token of good will.
		Morocco	Order of Ouissam Alaouite (Grand Cross)	Token of good will.
		Spain	Grand Cross of Naval Merit with White Insignia.	Token of good will.
		Thailand	Order of the White Elephant (first class)	Token of good will.
		Ethiopia	Order of Menilek (second class) (Grand Cordon).	Occasion of a visit to United States by the Emperor of Ethiopia.
Struble, Arthur D. 9122	July 1, 1956	China	Precious Tripod	For service as Commander, United States Seventh Fleet.
Turner, Richmond K. 6512	July 1, 1947	Japan	Imperial Order of the Sacred Treasure (third class).	Occasion returning ashes of late Ambassador Saito to Japan.
Vice Admiral				
Baker, Wilder D. 8703	Aug. 1, 1952	Brazil	Order of Naval Merit (Commander)	For service as Commandant, Eleventh Naval District.
		Mexico	Military Merit (first class)	Token of good will.
Bartley, Daniel E. 7609	June 30, 1951	Dominican Republic	Order of Merit Juan Pablo Duarte	Occasion visit of three Dominican ships to San Juan, P. R.
		Dominican Republic	Order of Cristobal Colon	Occasion visit of three Dominican ships to San Juan, P. R.
Boone, Joel T. (MC) 8366	Dec. 1, 1950	France	Medal of Honor of the Medical Service in Gold.	For service in improvement of the Medical Services of the Armed Forces.
Dyer, George C. 24727	Feb. 1, 1955	Peru	Peruvian Naval Cross of Merit	For services rendered to the Peruvian Navy.
		France	Legion of Honor (Commander)	Token of good will.
Greer, Marshall R. 24762	July 1, 1953	Chile	Order of Merit (Grand Officer)	For distinguished service to Chile.
Hanson, Edward W. 7634	Feb. 1, 1951	Panama	Vasco Nunez de Balboa	Token of good will.
		Chile	Chilean Military Medal of the Navy (first class).	Official visit to Chile.
Hardison, Osborn B. 9722	Jan. 1, 1954	Peru	Peruvian Cross of Order of Naval Merit (Grand Officer).	For services rendered to the Peruvian Navy.
		Cuba	White Order of Naval Merit (first class)	For outstanding service to the Cuban Navy.
		Chile	Medal of Merit (Grand Officer)	Token of good will.
		Mexico	Special Medal of Merit	For services rendered to the Mexican Navy.
		Brazil	Order of Naval Merit (Grand Officer)	For services rendered as Aide to President Dutra during his visit to the United States.
Hill-akestter, Rocco H. 20485	May 1, 1957	France	Legion of Honor (Officer)	As Naval Attaché at United States Embassy in France.
Inglis, Thomas B. 17064	Jan. 1, 1952	Peru	Peruvian Cross of Naval Merit (Grand Officer).	Cooperation with the Peruvian Navy.
		Denmark	Order of Dannebrog (Knight Commander)	Cooperation with the Danish Navy.
Johnson, Felix L. 8893	Sept. 1, 1952	Brazil	Order of Naval Merit (Commander)	Token of good will.
		France	Legion of Honor (Commander)	In appreciation for services rendered the Allied Cause during World War II.
		Chile	Military Order (First Class)	Promotion of good will.
Lovette, Leland P. 17868	June 30, 1949	Brazil	Order of Naval Merit (Grand Officer)	For services rendered to the Brazilian Navy.
Murphy, Marion E. 5708	May 1, 1957	Cuba	Order of Naval Merit (first class).	Token of good will.

DEPARTMENT OF THE NAVY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Vice Admiral—Continued				
Smith, Allan E. 9085	Feb. 1, 1954	Thailand	Most Noble Order of the Crown of Thailand (second class).	Token of good will.
Stokes, Thomas M. 57766	July 1, 1956	Tunisia	Nichan-Iftikhar (Grand Officer) First Class	Occasion of a visit of the U. S. S. Salem to Tunis.
Thurber, Harry R. 34578	June 30, 1953	China	Order of Yun Hui Grand Cordon, second class (Cloud and Banner).	Token of good will.
Whitehead, Richard F. 13464	June 1, 1955	Brazil	Order of Naval Merit (Grand Officer)	For services rendered to Brazilian Navy.
Wilkins, Charles W. 58917	Dec. 1, 1957	Ecuador	Order of the Abdon Calderon (first class)	As Director of Pan American Affairs.
		Cuba	Order of Naval Merit (first class)	Token of good will.
		Argentina	Order of Naval Merit (Grand Officer)	Token of good will.
		Brazil	Order of Naval Merit (Commander)	For services rendered to Brazil.
		Brazil	Medallion of the Superior School of War (Honorary Degree of course of instruction).	Completion of course of instruction at the Superior School of War.
		Haiti	National Order of Honor and Merit (Grand Officer).	Token of good will.
Rear Admiral				
Adell, Cecil C. 57434	June 30, 1952	Brazil	Order of Naval Merit (Commander)	Token of good will.
Ansel, Walter C. 34566	June 30, 1949	China	Special Cravat Order of Cloud and Banner.	In appreciation of his help to the Chinese Government.
		Brazil	Order of Naval Merit (Commander)	Member, United States Naval Mission to Brazil.
Armstrong, Henry J., Jr. 61068	June 30, 1957	Venezuela	Order of the Liberator (Official)	For service as United States Naval Attaché.
Barbaro, Joseph R. 24638	June 30, 1952	Chile	Medal of Merit (Bernardo O'Higgins) (Commander).	Token of good will.
		Peru	Peruvian Cross of Order of Naval Merit (Commander).	For service during World War II.
Bowman, Reece L. 56762	June 30, 1950	Brazil	Order of Aeronautical Merit	For services as United States Navy member (Air) Joint Brazil.
Brown, Martin V. 63643	Oct. 1, 1954	Brazil	Order of Naval Merit (Commander)	For services rendered to the Brazilian Navy.
Carpenter, Charles L. 60331	June 10, 1956	Spain	Spanish White Naval Cross of Merit (third class).	As Aide to the Spanish Minister of Marine during a visit to the United States.
		Peru	Peruvian Navy Cross (Commander)	Member of the United States Naval Mission to Peru.
Clark, David H. 34535	June 30, 1953	Chile	Military Medal (second class)	For distinguished service to the Chilean Navy.
Comp, Charles O. 57499	June 30, 1952	Chile	Military Medal (second class)	For distinguished service to the Chilean Navy.
Dalton, Carl M. 61162	June 30, 1957	Peru	Peruvian Cross of Naval Merit (Commander).	For services rendered to the Peruvian Navy.
Decker, Benton W. 20450	June 30, 1949	Vatican	Medal of St. Sylvester (Knight Commander).	For service as Commander Fleet Activities in Japan.
Dreller, Louis 34020	July 1, 1951	Philippines	Legion of Honor (Officer)	For service to the Philippines.
Evenson, Marvin P. 60367	June 30, 1956	Brazil	Order of Naval Merit (Captain)	For services rendered to the Brazilian Navy.
		Brazil	Honoris Causa	For services as Chief, Navy Section, United States Military Mission to Brazil.
Ferris, Floyd F. 57032	June 30, 1952	Spain	Cross of Naval Merit (third class)	Token of good will.
		France	Legion of Honor (Officer)	For service during World War II.
		Denmark	Order of Dannebrog	For services rendered to the Danish people.
Fitzgerald, Phillip H. 59667	June 30, 1956	Peru	Peruvian Cross of Naval Merit (Commander).	Training officer and technical advisor for the Latin American Countries.
		Chile	Medalla Militar de la Armada (second class).	Token of good will.
		Colombia	Naval Order Admiral Padilla (Officer)	For service to the Colombian Government.
Fluegel, Fred C. 57786	June 30, 1956	Greece	Royal Order of the Phoenix (Commander)	For service with the Chief of Navy Section Joint United States Military Aid Group to Greece.
Furlong, William R. 5179	Aug. 1, 1946	Finland	Cross of Liberty with Sword, Class I	Token of good will.
Gallagher, John F. 60233	Aug. 1, 1956	Sweden	Order of the Sword (Knight Commander)	Token of good will.
Gordon, Howard W., Jr. 61147	June 30, 1957	Chile	Naval Military Medal (second class)	Chief Staff Officer to Commander Philadelphia Group, Atlantic Reserve Fleet.
Griggs, Gale E. 60195	June 30, 1956	Greece	Royal Order of the Phoenix (Commander)	For duty as Naval Attaché, Athens, Greece.
Harrison, Beverley R., Jr. 58403	June 30, 1953	Argentina	Order of the Liberator San Martin (Knight Commander).	Senior Naval Adviser, Buenos Aires, Argentina.
Haven, Hugh E. 20460	July 1, 1954	France	Legion of Honor (Officer)	Token of good will.
Heckey, Albert R. 61189	June 30, 1957	Peru	Peruvian Cross of Naval Merit	For service as a member of the United States Naval Mission to Peru.
		Philippines	Bronze Anahaw Leaf—Philippine Legion of Honor (Officer).	Token of good will.
Jalbert, Horace H. 8638	Jan. 1, 1951	France	Legion of Honor (Officer)	For service during the two World Wars.
Kaufman, Roland P. 57534	Dec. 1, 1952	Tunisia	Order of Nichan Iftikhar (Commander)	Token of good will.
Ksufman, John H. 71459	Sept. 1, 1955	Peru	Peruvian Cross of Naval Merit (Commander).	For cooperation with Peruvian Navy during training, San Diego, California.
Lee, John E. 63331	Oct. 1, 1957	Peru	Peruvian Cross of Naval Merit (Knight Commander).	Token of good will.
Markey, Gene 81910	Nov. 1, 1953	France	Legion of Honor	Reason for award unknown.
		Italy	Order of the Star of Italian Solidarity	Reason for award unknown.
McDaniel, Eugene F. 81534	June 30, 1957	Korea	Uichi Distinguished Military Service Medal	For service as Naval Liaison Officer, Headquarters, Eighth Army.
McIlhenny, Harry H. 61535	June 30, 1957	Brazil	Order of Naval Merit (Commander)	Senior United States Naval Advisor, Brazilian Naval War College, United States Naval Mission.
Mercer, Preston V. 58915	June 30, 1954	Spain	Naval Merit Cross	United States Naval Attaché, Madrid.
Miller, Daniel B. 60455	June 30, 1957	Chile	Order of Naval Merit (Second Class)	Service to the Chilean Navy.
Morris, Robert M. 58138	June 30, 1953	Finland	Cross of Knight of the White Rose (Second Class).	Assistance during visit of Finnish vessel to New York, 1957.
Neblett, Thomas B. 61195	June 30, 1957	Italy	Order of Merit	United States Naval Attaché, Rome, Italy.
Parker, Charles W. 61474	June 30, 1957	Peru	Peruvian Cross of Naval Merit (Commander).	For cooperation with Peruvian Navy training, San Diego, California.
		Netherlands	Order of Orange-Nassau (Commander)	United States Naval Attaché and Naval Attaché for Air, The Hague.
Rakow, William M. 73110	June 1, 1956	Cuba	Order of Naval Merit (First Class)	United States Naval Attaché and Naval Attaché for Air.
Riggs, Whitaker F., Jr. 57731	Jan. 1, 1950	Mexico	Medal of Special Merit	United States Naval Attaché, Mexico City.

DEPARTMENT OF THE NAVY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Rear Admiral—Continued				
Russlle, Michael P. 61321	June 30, 1957	Spain	Spanish White Naval Cross of Merit (Third Class).	Senior Member, Spanish-United States Navy Ad Hoc Trn Study Committee, 1955.
Sapero, James J. (MC) 70466	Nov. 1, 1955	Egypt	Order of El-Maaraf	Services rendered to Egypt.
Saunders, Willard A. 61250	July 1, 1957	Brazil	Order of Naval Merit (Commander)	Token of good will.
Schuirmann, Roscoe E. 7984	June 30, 1951	Chile	Order of Naval Merit (First Class)	Token of good will.
Sims, Frederick P. 59317	June 30, 1957	Argentina	Order of Naval Merit (Commander)	Token of good will.
Spangrel, Herman A. 9554	June 30, 1949	Chile	Order of Military Merit (First Class)	Token of good will.
Stone, Earl E. 17056	Jan. 1, 1958	France	National Order of Legion of Honour (Officer).	Assistance in training French Navy.
		Peru	Peruvian Cross of Naval Merit (Grand Officer).	Cooperation with Peruvian Navy.
Taylor, Ford N. 69734	June 30, 1956	Morocco	Order of Ouissam Alaouite (Commander)	Token of good will.
Theiss, Paul S. 7980	June 30, 1949	Japan	Imperial Order of the Rising Sun (Fourth Class).	Occasion of the return of ashes of Ambassador Saito to Japan.
Thorington, Alexander C. 59285	June 30, 1955	Belgium	Military Cross (First Class)	Token of good will.
Wirth, Theodore R. 57210	June 30, 1951	Brazil	Naval Merit of Honor (Commendador)	Token of good will.
Wood, Hunter, Jr. 59291	June 30, 1955	Peru	Naval Cross of Merit	For cooperation with Peruvian Navy during training, San Diego.
Young, Edward W. 58830	June 30, 1954	Chile	Military Medal of the Navy (Second Class).	For distinguished service to the Chilean Navy.
Zahm, John C. 61312	June 30, 1957	Brazil	Order of Naval Merit (Commander)	United States Naval Mission to Brazil services to Brazilian War College.
Captain				
Anderson, Edward R. 60114	July 1, 1955	Mexico	Military Merit (Second Class)	Token of good will.
Barbot, Leon J. 61328	June 30, 1957	Japan	Third Order of the Sacred Treasure	Token of good will.
Bibby, Lowe H. 32311	May 1, 1954	Brazil	Order of Military Merit (Officer)	Chief, Military Mission to Brazil tour of duty.
Donaho, Doyle G. 61091	June 30, 1957	Haiti	Honor and Merit (Commander)	Token of good will.
Fairbanks, Douglas E. 108759	Oct. 1, 1954	Italy	Order of San Georgino of Antiochia (Grand Officer).	Charitable work in Italy.
		Italy	War Cross of Military Valor	Services during World War II.
		Belgium	Order of the Crown (Officer)	For international philanthropic and diplomatic activities.
		Great Britain	Order of the British Empire (Civil Division) (Knight Commander).	Promotion of Anglo-American affairs.
		Italy	Order of the Star of Italian Solidarity (Second Class).	Chairman of Care Commission (Civilian capacity) Italian food relief.
		Greece	Order of King George the First	Charitable services to Greece during World War II.
		Great Britain	The Grand Priory in the British Realm of the Venerable Order of St. John of Jerusalem (Officer).	For public service in behalf of charity and the unfortunate.
Fleck, Harold R. 34461	Apr. 1, 1955	Morocco	Order of Ouissam Alaouite (Officer)	For meritorious service.
Gade, John A. 15356	Oct. 1, 1953	Sweden	Royal Order of the Sword (Knight Commander) (Second Class).	Token of good will.
Gardiner, Josef M. 70227	Jan. 1, 1955	France	Legion of Honor (Officer)	Token of good will.
Greenacre, Alvord J. 60183	June 30, 1956	Argentina	Commemorative Medal Antarctic Distinguishing Device.	Services as a member of the Antarctic forces.
		Mexico	Mexican Naval Medal (Merito Especial)	Token of good will.
Hudson, Homer B. 58060	June 30, 1953	Sweden	Royal Order of the Sword (Knight Commander).	Token of good will.
Islev-Petersen, Harold J. 78065	July 1, 1956	Peru	Peruvian Cross of Naval Merit (Commander).	For services to the Peruvian Navy, Engineering adviser.
Jarrell, Henry T. 61436	Jan. 1, 1948	Spain	Cross of Naval Merit (Third Class)	Token of good will.
Kirten, William, Jr. 30644	June 30, 1955	Mexico	Order of Special Merit	Token of good will.
Lee, Charles L. 58739	June 30, 1954	Greece	Royal Order of the Phoenix	Service as a member of mission on aid to Greece.
Linson, Ross G. 72429	Mar. 1, 1956	Brazil	Order of Naval Merit (Knight)	Services to Brazilian Navy.
Mathews, Laurance O., Jr. 63317	Feb. 1, 1957	Finland	Order of the White Rose (Commander)	Token of good will.
McCaffree, Burnham O. 60445	June 30, 1956	Mexico	Order of Military Merit (Second Class)	Token of good will.
Pryce, Roland F. 61239	June 30, 1957	Greece	Royal Order of the Phoenix (Cross of the Commander).	Token of good will.
Simpson, Robert T. 71326	Feb. 1, 1957	Chile	Military Medal (Second Class)	Distinguished service to the Chilean Navy.
Sisson, Thomas U. 26578	June 30, 1954	Morocco	Order of Ouissam Alaouite (Cherifien)	Director of Naval Activities, Port Lyautey, Morocco.
Smith-Hutton, Henri H. 57736	June 30, 1943	France	Legion of Honor (Commander)	United States Naval Attaché, Paris, France.
Steinmetz, Fred R. 58875	June 30, 1956	Brazil	Order of Naval Merit (Commander)	Services rendered Brazilian Navy, Sub-Chief United States Naval Mission to Brazil.
Sutta, Willard J. 57775	June 30, 1952	Chile	Military Medal (Second Class)	Distinguished service to the Chilean Naval Commission.
Thew, Joseph P. 58839	June 30, 1954	Japan	Order of the Sacred Treasure (Third Order of Merit).	Token of good will.
Tibbitts, Frank P. 58971	June 30, 1955	Sweden	Royal Order of the Sword (Knight Commander).	Token of good will.
Zellars, Allen M. 61378	July 1, 1957	Chile	Navy Military Medal	Chief, United States Naval Mission to Chile.
Commander				
Hathaway, Marvin F. 70933	Apr. 1, 1956	Brazil	Order of Naval Merit (Official)	For services rendered to the Brazilian Government.
Pilson, Louis J. 105374	June 1, 1957	Peru	Peruvian Cross of Naval Merit (Officer)	Token of good will.
Reynolds, Harry O. 72971	July 31, 1953	Chile	Naval Military Medal (Third Class)	Liaison officer for vessels being transferred to South American countries.
Ruef, Robert R. 58973	Feb. 28, 1957	Brazil	Order of Naval Merit (Officer)	Token of good will.
Beck, George W., Jr. 057369	Sept. 1, 1957	Brazil	Order of Naval Merit (Officer)	For services rendered to the Brazilian Navy.

DEPARTMENT OF THE NAVY—Continued

Name	Date of retirement	Donor government	Award	Remarks
Commander—Continued				
Bell, William E. 291761	July 1, 1958	Peru	Peruvian Cross of Naval Merit (Commander).	For services rendered to the Peruvian Navy.
Chaney, Clarence M. 355534	Sept. 1, 1954	Korea	Order of Military Merit, Chung Mu with Gold Star.	For service to the Republic of Korea Navy.
Gibson, James B. 166264	Mar. 1, 1956	Venezuela	Medal of Naval Merit	Member of United States Naval Mission, Caracas, Venezuela.
Gratz, Richard A. 183592	Oct. 1, 1946	France	French Medaille de l'Aeronautique	Token of good will.
Jackson, Walter	Jan. 1, 1955	Peru	Peruvian Cross of Naval Merit (Officer)	For cooperation with the Peruvian Navy.
Odletun, Michael G. 202237	Sept. 1, 1957	Peru	Peruvian Cross of Naval Merit (Officer)	For cooperation with the Peruvian Navy.
Lieutenant				
Dubler, Francis J. 198092	June 1, 1956	Chile	Military Medal (Third Class)	Services to Chilean Naval Commission.
Harris, Vernon Ray 309715	July 1, 1956	Colombia	Naval Order (Almirante Padilla) 1823-1947	Assisted in the modernization of the Arc Antioquia and Arc Caldas.
Jones, Evan E. 310202	Mar. 1, 1956	China	Breast Order of Yun Hui	Adviser in designing and building the training school.
Marwell Raymond E. 136831	Mar. 1, 1956	Peru	Peruvian Cross of Naval Merit (Gentleman)	Cooperation with the Peruvian Navy.
Lieutenant Junior Grade				
Connell, Clyde E., Jr. (MC) 272587	Aug. 1, 1954	Egypt	Medal Commemorative of the Fight against Cholera.	Participation in the fight against cholera.

With the following committee amendment:

On page 2, immediately following the name "Johnson, Edwin C.", insert the following under the appropriate headings under "Members of Congress":

Name	Date of retirement	Donor government	Award	Remarks
Richards James P.	Jan. 2, 1957	Spain Greece	Grand Cross Isabella la Catolica Cross of Commander of the Royal Order of George I.	Token of good will. Token of good will.

On page 3, immediately following the name "Schenck, Hubert G." insert the following under the appropriate headings under "International Cooperation Administration":

Name	Date of retirement	Donor government	Award	Remarks
Meyer, Clarence E.	July 1, 1957	Austria	Great Gold Medal of Honor	Reason for award unknown.

On page 4, immediately following the name "Kemp, Edwin Carl", insert the following under the appropriate heading under "Department of State":

Name	Date of retirement	Donor government	Award	Remarks
Kempter, Charles W.	Apr. 30, 1957	Brazil	National Order of the Southern Cross, Degree of Officer.	

On page 18, immediately following the name "Tait, David S. O901853", insert the following under the appropriate headings under "Department of the Army":

Name	Date of retirement	Donor government	Award	Remarks
Thompson, Fulton G., O30965	Oct. 31, 1957	Greece	Knight's Order of Phoenix	Reason for award unknown.

On page 20, immediately following the name "Seibert, Charles J., Jr.", delete the following under the appropriate headings under "United States Marine Corps":

Name	Date of retirement	Donor government	Award	Remarks
CAPTAIN				
Duggan, William E. O38220	June —, 1952	Thailand	Order of the White Elephant, Fourth Class	Was instrumental in the recruiting and training of 25 Thailand students who were in the United States. These students infiltrated into Thailand where they helped organize an underground movement which rendered valuable assistance to the Allies.
		Thailand	Sanitmala (Peace) Medal	Was instrumental in the recruiting and training of 25 Thailand students who were in the United States. These students infiltrated into Thailand where they helped organize an underground movement which rendered valuable assistance to the Allies.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OR EXCHANGE OF CERTAIN LANDS IN PIMA COUNTY, ARIZ.

The Clerk called the bill (H. R. 12242) to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 3682) to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes, an identical bill, in lieu of the House bill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all or any part of the national-forest lands comprised of 349 acres, more or less, and being situated in sections 10 and 15, township 14 south, range 13 east, Gila and Salt River base and meridian, together with the improvements thereon, may be conveyed to the board of regents of the university and State colleges of Arizona, hereinafter called "board," a body corporate of the State of Arizona, for the use of the University of Arizona, by the Secretary of Agriculture, hereinafter called "Secretary," either (a) in exchange for lands to be conveyed to the United States by the board or by the State of Arizona, within any of the national forests in the State of Arizona, having a value at least equal to the lands and improvements to be conveyed to the board: *Provided*, That any lands conveyed to the United States under the provisions of this act shall thereupon become parts of the national forests in which they are situated and shall be subject to all laws, rules, and regulations applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended, or (b) for a sum of money equal to 50 percent of the appraised value thereof, as determined by the Secretary, the conveyance to be made upon the condition that the described property shall be used for research or educational purposes and that if it ceases to be so used the title thereto shall revert to the United States, which shall have the immediate right of reentry thereon, and upon the further condition that the board shall enter into such agreement as may be satisfactory to the Secretary to continue to provide suitable space and other facilities for the work of the Department of Agriculture as may be agreed upon. The lands conveyed by either party under (a) or by the Secretary under (b) may be subject to such other reservations, exceptions, and conditions as the Secretary and the board may approve.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 12242, was laid on the table.

PAN AMERICAN GAMES, CHICAGO, ILL.

The Clerk called the bill (H. R. 13343) to authorize the appropriation of $500,000 to be spent for the purpose of the Pan American games to be held in Chicago, Ill.

The Clerk read the title of the bill.

Mr. GROSS. Mr. Speaker, reserving the right to object. This bill is programed for action under suspension and I ask unanimous consent that it be passed over without prejudice.

Mr. BOW. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOW. Mr. Speaker, I object.

INVESTIGATION ON ADVISABILITY OF NATIONAL PARK IN WHEELER PEAK-LEHMAN CAVES, SNAKE RANGE IN EASTERN NEVADA

The Clerk called the bill (S. 3587) to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing a national park in the Wheeler Peak-Lehman Caves area of the Snake Range in eastern Nevada.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDING SECTION 201, FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (S. 3873) to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 201 of the Federal Property and Administration Services Act of 1949 (63 Stat. 377, as amended; 40 U. S. C. 481) is amended by adding at the end thereof the following new subsection:

"(d) In conformity with policies prescribed by the Administrator under subsection (a), any executive agency may utilize the services, work, materials, and equipment of any other executive agency, with the consent of such other executive agency, for the inspection of personal property incident to the procurement thereof, and notwithstanding section 3678 of the Revised Statutes (31 U. S. C. 628) or any other provision of law such other executive agency may furnish such services, work, materials, and equipment for that purpose without reimbursement or transfer of funds."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VILLAGE OF CAREY, OHIO

The Clerk called the bill (S. 3139) to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of July 2, 1956 (70 Stat. 486, ch. 496), is hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINING CLAIMS ON FEDERAL LANDS

The Clerk called the bill (S. 2039) to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor.

The Clerk read the title of the bill.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

NATCHEZ TRACE PARKWAY, MISS.

The Clerk called the bill (H. R. 12852) to authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Miss., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 3986) to authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Miss., and for other purposes, an identical bill, in lieu of the House bill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to enter into an agreement with the Pearl River Valley Water Supply District which shall provide for the district, upon terms and conditions which the Secretary determines are in the public interest, to relocate those portions of sections 3–O and 3–N of the Natchez Trace Parkway in Madison County, Miss., required in connection with the Pearl River Reservoir.

SEC. 2. To cooperate in the relocation, the Secretary of the Interior is authorized to transfer to the Pearl River Valley Water Supply District the aforesaid portions of the existing Natchez Trace Parkway lands and roadway in exchange for the contemporaneous transfer to the United States of relocated parkway lands and roadway situated and constructed in accordance with the terms and conditions of the agreement authorized by the first section of this act: *Provided*, That such exchange shall be made on the basis of approximately equal values.

SEC. 3. The Secretary of the Interior is authorized to accept and to use until expended without additional authority any funds provided by the district for the purpose of this act pursuant to agreement with the Secretary of the Interior, and any such funds shall be placed in a separate account in the Treasury which shall be available for such purpose.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 12852, was laid on the table.

SISKIYOU NATIONAL FOREST, OREG.

The Clerk called the bill (H. R. 13101) to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the boundaries of the Siskiyou National Forest in the State of Oregon are hereby extended to include sections 31 through 36, township 35 south, range 13 west, Willamette meridian, and to include all lands not presently included within the boundaries thereof in township 35 south, ranges 11 and 12 west and township 34 south, range 11 west, Willamette meridian. Subject to valid and existing claims, all lands of the United States within the area to which such boundaries are extended are hereby made parts of the Siskiyou National Forest and hereafter shall be subject to the laws, rules, and regulations relating thereto: *Provided*,

SEC. 2. Mining locations hereafter made under the mining laws of the United States upon the lands to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act shall confer on the locator the right to occupy and use only so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting, mining, and beneficiation of ores, including the taking of mineral deposits and timber required by or in the mining and ore reducing operations, and no permit shall be required or charge made for such use or occupancy: *Provided*, That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

SEC. 3. All patents issued under the United States mining laws affecting lands to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if the timber is cut and removed in accordance with the rules and regulations for timber cutting on adjoining national forest lands, but not before, shall be subject to all provisions of this act.

SEC. 4. Valid mining claims within the area to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act existing on the date of this act and hereinafter maintained may be perfected under the laws under which they were initiated.

With the following committee amendments:

Page 2, line 2, change the period to a colon and add the following proviso:

"*Provided*, That the Secretaries of the Interior and Agriculture are authorized to exchange administrative jurisdiction of lots 4 and 11, sec. 19, T. 34 S., R. 11 W., Willamette meridian, which are revested Oregon and California Railroad grant lands, and national forest lands in the State of Oregon of approximately equal aggregate value under the provisions of section 2 of the act of June 24, 1954 (68 Stat. 271), and said lots 4 and 11 upon completion of such exchange of jurisdiction, but not before, shall be subject to all provisions of this act."

Page 2, line 3, through page 3, line 20, strike out all of sections 2, 3, and 4.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4053) to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado [Mr. ASPINALL]?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the boundaries of the Siskiyou National Forest in the State of Oregon are hereby extended to include sections 31 through 36, township 35 south, range 13 west, Willamette meridian, and to include all lands not presently included within the boundaries thereof in township 35 south, ranges 11 and 12 west, and township 34 south, range 11 west, Willamette meridian. Subject to valid and existing claims, all lands of the United States within the area to which such boundaries are extended are hereby made parts of the Siskiyou National Forest and hereafter shall be subject to the laws, rules, and regulations relating thereto: *Provided*, That the Secretaries of the Interior and Agriculture are authorized to exchange administrative jurisdiction of lots 4 and 11, section 19, township 34 south, range 11 west, Willamette meridian, which are revested Oregon and California Railroad grant lands, and national forest lands in the State of Oregon of approximately equal aggregate value under the provisions of section 2 of the act of June 24, 1954 (68 Stat. 271), and said lots 4 and 11 upon completion of such exchange of jurisdiction, but not before, shall be subject to all provisions of this act.

SEC. 2. Mining locations hereafter made under the mining laws of the United States upon the lands to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act shall confer on the locator the right to occupy and use only so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting, mining, and beneficiation of ores, including the taking of mineral deposits and timber required by or in the mining and ore reducing operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

SEC. 3. All patents issued under the United States mining laws affecting lands to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if the timber is cut and removed in accordance with the rules and regulations for timber cutting on adjoining national forest land, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the national forest rules and regulations.

SEC. 4. Valid mining claims within the area to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act existing on the date of this act and hereafter maintained may be perfected under the laws under which they were initiated.

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ASPINALL moves to strike out all after the enacting clause of S. 4053 and insert the provisions of the House bill, H. R. 13101, as passed.

The motion was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

On the motion of Mr. ASPINALL (and by unanimous consent), the proceedings whereby the bill, H. R. 13101, was passed were vacated and the bill was laid on the table.

CROW INDIAN RESERVATION, MONT.

The Clerk called the bill (S. 328) to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AUTHORIZING THE CONVEYANCE OF PIERS TO THE CITY OF PHILADELPHIA

The Clerk called the bill (H. R. 12640) to authorize the Secretary of the Army to convey to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, this bill is programed for consideration under suspension of the rules. I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PATENT OFFICE BOARD OF APPEALS AND CERTAIN SALARIES

The Clerk called the bill (S. 1864) to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, this bill is also programed for consideration under suspension of the rules. I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RELIEF OF CERTAIN DISTRESSED ALIENS

The Clerk called the bill (S. 3942) for the relief of certain aliens distressed as the result of natural calamity in the Azores Islands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

Mr. GROSS. Reserving the right to object, Mr. Speaker, this bill is also programed for action under suspension of the rules, and I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PARTICIPATION OF THE UNITED STATES IN THE WORLD SCIENCE-PAN PACIFIC EXPOSITION

The Clerk called the bill (S. 3680) to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOW. Mr. Speaker, I object.

CITY OF MADEIRA BEACH, FLA.

The Clerk called the bill (H. R. 13571) for the relief of the city of Maderia Beach, Fla.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. EVINS. Reserving the right to object, Mr. Speaker, will the gentleman explain the provisions of this bill?

Mr. LANE. Mr. Speaker, this bill authorizes the payment of $12,828.35 to the city of Madeira Beach, Fla., in full settlement of that city's claims against the United States for reimbursement for the cost of construction by the city of concrete structures for erosion control of land adjacent to the beach house of the Veterans' Administration within the city limits. The city constructed these structures, known as groins, in the years 1956 and 1957 to control erosion on 500 feet of property principally on riparian land adjacent to the beach house I have just referred to.

The amount stated in the bill represents the share of the cost which would be assessed against the 500 feet of beach property owned by the United States if it were not for the fact that it is Government owned. The report received from the Comptroller General by the committee notes that it has been established that the Government property has been considerably improved by the construction. That report also disclosed that if the city had not constructed these groins, the United States would have had to construct similar installations, and the cost would have been at least as much if not more.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield to the gentleman from Tennessee.

Mr. EVINS. I understand the Veterans' Administration denied liability and the Comptroller General did not approve this claim.

Mr. LANE. The report indicates that Government property has been improved by the construction. If it had not been constructed the United States would have had to construct a similar installation.

Mr. EVINS. I serve on the Committee on Appropriations that provides funds for the Veterans' Administration. They made no request for such funds.

Mr. LANE. I yield to the gentleman from Florida.

Mr. CRAMER. There was no objection interposed to this bill by the different departments involved. There was language with regard to a tax for the assessment. The Government could have paid it. This served to improve the property to the value of some $50,000, and if it is not paid by the Government it will have to be paid by the veterans.

Mr. EVINS. Mr. Speaker, I withdraw my reservation of objection because of the explanation of the gentleman from Florida [Mr. CRAMER], the author of this bill.

In view of the apparent confusion about this matter, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMPENSATION OF MEMBERS OF BOARD OF PAROLE

The Clerk called the bill (S. 4096) to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

PARTICIPATION OF THE UNITED STATES IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

The Clerk called the bill (H. R. 13354) to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, how much money is involved in connection with this international representation?

Mr. CELLER. There is a limitation of $25,000.

Mr. GROSS. For what? One year?

Mr. CELLER. Annually; each year.

Mr. GROSS. How many people go on these trips?

Mr. CELLER. The Attorney General is qualified to attend this conclave. The expenditures, including membership, dues, fees, and other expenses shall not exceed $25,000 per year.

Mr. GROSS. The Attorney General and who else?

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. WILLIS. Actually this organization is a clearinghouse located in Paris for the exchange of information regarding the crimes of counterfeiting and smuggling. This represents our contribution to that effort, $25,000 a year.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the act of June 10, 1938 (ch. 335, 52 Stat. 640 (22 U. S. C. 263a)), is amended to read as follows: "That the Attorney General is authorized to accept and maintain, on behalf of the United States, membership in the International Criminal Police Organization, and to designate any departments and agencies which may participate in the United States representation with that organization. Each participating department and agency is authorized to pay its pro rata share, as determined by the Attorney General, of the expenses of such membership."

With the following committee amendment:

On page 1, line 12, add the following sentence before the quotation marks: "the total dues to be paid for the membership of the United States may not exceed $25,000 per annum."

The committee amendment was agreed to.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, enactment of H. R. 13354 will enable the Treasury Department and other agencies of our Government to participate as representatives of the United States in the International Criminal Police Organization. That is a body which was organized as long ago as 1923 and was active primarily in Europe until World War II. During the war these activities were disbanded, but in 1946 the Inspector General of the Belgian Ministry of Justice reactivated the Organization and its headquarters were transferred to Paris. At that time the United States participated in the reactivation of what came to be known as Interpol. In 1950 the United States, through the FBI, withdrew its membership because it had apparently received little benefit from the Organization due to the nature of the FBI's investigative jurisdiction.

The Department of the Treasury would gain by participation in the activities of this Organization. The Department of Justice approves of the bill's purpose and intends, upon its enactment, to designate initially the Treasury Department to participate in the work of the Organization. As a matter of fact the Treasury Department has been informally with Interpol since 1951 when it was beset with many problems requiring international police cooperation.

The biggest problem of all is, of course, the widespread international traffic in illicit narcotics. Counterfeiting and distributing American currency abroad, and traffic in gold and diamonds also present serious problems. The most effective way to assure prompt and effective action against these international gangsters is through a recognized international police organization. As members of such an organization, American agents will be entitled to whatever information the organization gathers and will receive such official and unofficial assistance as our European contemporaries can give.

Until now, the fact that the United States has no formal membership in this organization has been a source of embarrassment for us which could seriously jeopardize our relations with the various member agencies.

This administration should be highly commended for the efforts it is expending in an attempt to combat organized crime in America. Linked with the vast network of criminal activities in this country are activities which spread across the globe. Only through the efforts of an international police force in which the United States is an active and contributing member can we ever hope effectively to fight the criminal elements of our society.

Mr. Speaker, I hope this bill will pass the House and I hope the other body will act swiftly upon it. I understand that Interpol will meet in Paris in September and I hope that through the efforts of this Congress the United States will be able to participate in that meeting.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LAND AT FORT CROWDER MILITARY RESERVATION TO CITY OF NEOSHO, MO.

The Clerk called the bill (S. 3534) to authorize the Secretary of the Army to convey approximately 181 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That within 1 year from the date of enactment hereof the Secretary of the Army shall, upon payment of fair value as determined by him, convey to the city of Neosho, Mo., all right, title, and interest of the United States in and to that portion of the Fort Crowder Military Reservation consisting of approximately 181 acres of land in the northwest portion of the reservation bounded on one side by United States Highway No. 71 to a depth of approximately 5,817 feet along the reservation boundary to the right-of-way of the Kansas City Southern Railroad and shown on sheet 2 of Kansas City district engineer drawing No. 18-02-02, dated October 1954, titled "Fort Crowder, Missouri Master Plan Basic Information Maps Reservation Boundary and Land Use Map," on file with the Chief of Engineers, United States Army, and more particularly described as follows:

Starting point northwest corner section 4, township 24, north, range 32 west described as follows: South 89 degrees 17 minutes east 1313.47 feet, south 89 degrees 17 minutes east 1313.47 feet, south 89 degrees 28 minutes 15 seconds east 1320.03 feet, south 89 degrees 28 minutes 15 seconds east 1320.03 feet, and that part of the northwest corner, section 3, south 89 degrees 05 minutes 15 seconds east 550 feet thence south 02 degrees 44 minutes 45 seconds west 1356 feet, thence north 89 degrees 05 minutes 15 seconds west 550 feet, through section four north 89 degrees 28 minutes 15 seconds west 1320.03 feet, north 89 degrees 28 minutes 15 seconds west 1320.03 feet, north 89 degrees 17 minutes west 1313.47 feet, north 89 degrees 17 minutes west 1313.47 feet, thence north 02 degrees 44 minutes 45 seconds east 1356 feet, to the point of beginning, in all containing 180.9 acres more or less, all in Newton County, State of Missouri.

SEC. 2. All mineral rights, including gas and oil in the lands authorized to be conveyed by this act shall be reserved to the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING CHAPTER 13 OF BANKRUPTCY ACT

The Clerk called the bill (H. R. 12115) to amend chapter 13—Wage Earners' Plans—of the Bankruptcy Act.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (8) of section 606 of the Bankruptcy Act (11 U. S. C., 1006 (8)) is amended to read as follows:

"(8) 'wage earner' shall mean an individual whose principal income is derived from wages, salary, or commissions."

SEC. 2. That paragraph (3) of section 659 of such act (11 U. S. C., 1059 (3)) is hereby amended to read as follows:

"(3) an additional fee for the referees' salary fund, to be graduated and charged in the manner outlined in paragraph (2) of subdivision c of section 40 of this act, and to be computed upon the amount of the payments actually made by or for a debtor under the plan; and commissions to the trustee of not more than 5 percent to be computed upon and payable out of the payments actually made by or for a debtor under the plan;".

SEC. 3. The provisions of this act shall apply to all cases in which the petition initiating the proceedings under the Bankruptcy Act is filed subsequent to the date of the enactment of this act.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, the Bankruptcy Act now provides a method by which wage earners may meet the claims of their creditors without resorting to regular bankruptcy proceedings. Under this scheme the debtor, unlike the bankrupt, does not seek to be discharged of all of his obligations but rather he makes an attempt over a period of time to pay his debts in installments.

Under present law, to be eligible for this procedure the debtor must be a person who is working for wages or salary, and who does not make more than $5,000 a year. This amount was fixed in 1950 when it was increased from $3,600 to the present figure.

This has proved to be a very satisfactory method both from the standpoint

of the debtor and the creditor. It enables the honest and conscientious debtor to pay his creditors without incurring the stigma of bankruptcy. In view of these facts there is really no point in restricting the availability of this procedure to those who earn less than $5,000 a year. H. R. 12115 would do away with this monetary limitation and would make this proceeding available to any insolvent debtor regardless of what his total income was.

This is a very sensible bill which this Congress should enact. Wage earners who have operated under this procedure in the past should certainly be commended for choosing it in preference to bankruptcy. I am sure that if this bill is enacted many more wage earners who find themselves in financial difficulty will take advantage of this procedure as a means of restoring themselves to solvency and at the same time fulfilling their obligations.

Mr. NIMTZ. Mr. Speaker, as a member of the subcommittee of the Committee on the Judiciary which considered this legislation, I urge the passage of H. R. 12115.

This bill amends sections 606 (8) and 659 (3) of chapter XII—wage earners' plans—of the Bankruptcy Act—title 11, United States Code, section 1006 (8) and 1059 (3).

Section 606 (8) now limits the use of chapter XIII to wage earners whose total income does not exceed $5,000 a year. The bill would remove this limitation. It is believed that the wage-earner plan should be available equally to all whose principal income is derived from salaries, wages, or commissions.

Under present law, to be eligible for a chapter XIII proceeding, the debtor must be an individual who works for wages, salary, or hire at a rate of compensation which, when added to his other income, does not exceed $5,000 per year. That amount was established in 1950 when the 81st Congress raised this jurisdictional limitation from $3,600—H. R. 9284, 81st Congress, 2d session, 1950.

Chapter XIII provides a highly desirable method for dealing with the financial difficulties of individuals. It creates an equitable and feasible way for the honest and conscientious debtor to pay off his debts rather than having them discharged in bankruptcy. The power of the court to change the amount and maturity of installment payments without affecting the aggregate amount of such payments, makes chapter XIII particularly applicable to the present-day financial problems generated by heavy installment buying.

In view of the purpose of chapter XIII and its commendable results for both debtor and creditor, the Committee on the Judiciary could see no point in restricting its availability to those earning under $5,000 a year. This bill would eliminate that monetary limitation and make chapter XIII available to an insolvent debtor regardless of his total income.

Section 2 of the bill amends section 659 (3) to allow the court to fix the commissions of the trustee in chapter XIII cases at not more than 5 percent of the payments made in behalf of the debtor instead of the fixed 5 percent now authorized. As a result of encouragement the bankruptcy division of the administrative office of the United States courts, there is now a far greater volume of chapter XIII proceedings in some areas than there had been previously. The result is that in those areas the total income to the trustee under a fixed 5-percent commission would be excessive. On the other hand, in some areas chapter XIII proceedings are not widely used and a commission less than 5 percent might well be inadequate. In changing the 5-percent rate to a maximum rather than a fixed amount, this bill provides the flexibility necessary to meet a variety of situations which arise in the administration of the act.

These amendments were recommended by the Committee on Bankruptcy Administration of the Judicial Conference of the United States and were approved by the Conference at its March 1958 meeting, with the recommendation that they be enacted into law.

Mr. Speaker, I urge favorable consideration of this measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL ALLERGY DAY

The Clerk called the resolution (H. J. Res. 608) requesting the President to proclaim the month of August 15, 1958, to September 15, 1958, inclusive, as National Allergy Month.

There being no objection, the Clerk read the resolution, as follows:

Whereas there is presently need for nationwide action for the prevention, treatment, and cure of the allergic diseases; and

Whereas the Allergy Foundation of America is working diligently in the fight against the allergic diseases; and

Whereas public understanding and support is desperately needed in order to provide adequate treatment for allergy sufferers, adequate research in the field of prevention, treatment, and cure of the allergic diseases, and to promote adequate public and professional allergy education: Now, therefore, be it

Resolved, etc., That the President of the United States is authorized and requested to issue a proclamation designating the month beginning August 15, 1958, and ending September 15, 1958, as National Allergy Month, and urging the people throughout the Nation to cooperate in the fight for the prevention, treatment, and cure of allergic illness, and inviting the communities of the United States to observe such month with appropriate ceremonies and activities.

With the following committee amendments:

Page 1, strike out the "Whereas" clauses.

Page 2, strike out all after the enacting clause and insert in lieu thereof the following: "That the President of the United States is authorized and requested to issue a proclamation designating the day of August 25, 1958, as National Allergy Day and urging people throughout the Nation to cooperate in the fight for the prevention, treatment, and cure of allergic illness, and inviting the communities of the United States to observe such day with appropriate ceremonies."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, and was read the third time.

The title of the bill was amended so as to read: "Requesting the President to proclaim August 25, 1958, as National Allergy Day."

A motion to reconsider was laid on the table.

CALIFORNIA INTERNATIONAL TRADE FAIR

The Clerk called the resolution (H. J. Res. 658) authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959.

Mr. BOW. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from California whether there is any money involved in this resolution.

Mr. McDONOUGH. Mr. Speaker, there is no money involved. It is merely a perfunctory service that the President has performed on many other occasions, inviting representatives of the Free World to participate in a trade exposition in California. This has been done on many similar occasions.

Mr. BOW. Is it anticipated that there will be other legislation to come before the House requesting funds from the Federal Government?

Mr. McDONOUGH. I can assure the gentleman that if there is any such request I will not bring it in here.

Mr. BOW. That is not my question. Does the gentleman know of any such proposition?

Mr. McDONOUGH. I do not.

Mr. BOW. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There being no objection the Clerk read the resolution, as follows:

Resolved, etc., That the President of the United States is authorized and requested to invite by proclamation, or in such other manner as he may deem proper, the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles from April 1 to 12 inclusive, for the purpose of exhibiting merchandise and the promotion of tourism, travel, and transportation, and for the purpose of bringing together buyers and sellers for the promotion of foreign trade and commerce.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESTROYING INDIAN BOUNDARY MARKERS AND TRESPASSING ON INDIAN LAND

The Clerk called the bill (H. R. 7240) to amend title 18 of the United States Code to make it unlawful to destroy, deface, or remove certain boundary markers on Indian reservations, and to trespass on Indian reservations to hunt, fish, or trap.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 1855 of title 18 of the United States Code is amended by inserting after "any Government survey," the following: "or willfully destroys, defaces, or removes any sign or warning erected by an Indian tribe to indicate the boundary of the reservation,".

(b) Section 1863 of title 18 of the United States Code is amended by inserting after "Secretary of Agriculture," the following: "or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or any Indian allotment, while title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the tribe or the allottee without the consent of the United States, for the purpose of hunting, trapping, or fishing, or for the removal of game, peltries, or fish,".

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That title 18 United States Code is amended by adding the following new section:

"'SEC. 1164. Destroying boundary and warning signs.

"'Whoever willfully destroys, defaces, or removes any sign erected by an Indian tribe, or a Government agency, (1) to indicate the boundary of an Indian reservation or of any Indian country as defined in section 1151 of this title, or (2) to give notice that hunting, trapping, or fishing is not permitted thereon without lawful authority or permission, shall be fined not more than $250 or imprisoned not more than 6 months, or both.'

"SEC. 2. Amend title 18, United States Code, by adding the following new section:

"'SEC. 1165. Hunting, trapping, or fishing on Indian land.

"'Whoever, without lawful authority or permission, willfully and knowingly goes upon any land that belongs to any Indian or Indian tribe, band, or group and either are held by the United States in trust or are subject to a restriction against alienation imposed by the United States, or upon any lands of the United States that are reserved for Indian use, for the purpose of hunting, trapping, or fishing, or for the removal of game, peltries, or fish, shall be fined not more than $200 or imprisoned not more than 90 days or both, and all game, fish, and peltries in his possession shall be forfeited.'

"SEC. 3. The chapter analysis of chapter 53.—Indians, of title 18, United States Code, is amended by adding the following items:

"'SEC. 1164. Destroying boundary and warning signs.'

"'SEC. 1165. Hunting, trapping, or fishing on Indian land.'

"SEC. 4. Section 2137 of the Revised Statutes (25 U. S. C. 216) is hereby repealed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

There being no objection the Clerk read the resolution, as follows:

Resolved, etc., That the President of the United States is hereby authorized to issue a proclamation setting aside February 8–14, 1959, as National Children's Dental Health Week and to invite all agencies and organizations interested in child welfare to unite during that week in the observance of such exercises as will call to the attention of the people of the United States the fundamental necessity of a continuous program for the protection and development of the dental health of the Nation's children.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF FEDERALLY OWNED PROPERTY OF THE HANSON, COMPANY, AND HOUMA CANALS, LOUISIANA

The Clerk called the bill (H. R. 13500) to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, Louisiana, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, may we be advised as to whether it is the intention that this property will be disposed of at fair value? In other words, whether there will be a consideration in the disposal of the property?

Mr. WILLIS. It does not contemplate payment of any consideration. The idea is to save the Government the expense of maintaining those canals, which according to the report—I am sorry I do not have that before me—runs to considerable money every year. They are worthless to the Government, but are expensive to the Government; so they want to turn it back to local authorities in order to save this money.

Mr. BYRNES of Wisconsin. There will be an agreement for maintenance on the part of the local government to whom it is deeded?

Mr. WILLIS. That is correct.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, whenever the Secretary of the Army, upon recommendation of the Chief of Engineers, determines that any of the federally owned property of Hanson Canal and Lock in Saint Mary Parish, La., and the Company and Houma Canals in Lafourche and Terrebonne Parishes, La., no longer economically serve the purposes for which they were constructed or acquired, the structures and appurtenances including real property acquired in connection therewith may be eliminated as features of existing federal navigation projects.

SEC. 2. The Secretary of the Army is authorized to transfer or convey the property described above to the State of Louisiana or any of its political subdivisions, any local interests, or others, upon such terms and conditions as the Secretary may determine to be in the public interest.

With the following committee amendment:

Page 2, line 7, strike out the period and insert in lieu thereof a colon and the following: "*Provided*, That the foregoing shall not be construed to preclude action under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377) if the Secretary of the Army reports the property to the Administrator of General Services for reassignment or disposal as excess real property."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CHILDREN'S DENTAL HEALTH WEEK

The Clerk called the resolution (S. J. Res. 178) authorizing the President of the United States of America to proclaim February 8–14, 1959, as National Children's Dental Health Week.

THE GEORGE WASHINGTON MEMORIAL PARKWAY (MONTGOMERY COUNTY, MD.)

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3572), to authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. GROSS. Mr. Speaker, reserving the right to object, may we have an explanation of this bill?

Mr. JONES of Alabama. Mr. Speaker, this bill makes in order the authority of the Secretary of the Interior to exchange a parcel of land that is presently occupied by rights-of-way on the highway in Montgomery County, Md. This property will be exchanged for property of equal value.

Mr. GROSS. It is an exchange of land with the Washington Transit Company?

Mr. JONES of Alabama. It is an exchange between the Secretary of the Interior on the one hand and the D. C. Transit System, Inc., and the Potomac Electric Power Co., Inc., on the other.

Mr. GROSS. To the Department of the Interior?

Mr. JONES of Alabama. Right. There will be an exchange of property of approximate equal value with the utilities.

Mr. GROSS. What does the gentleman mean by "approximate equal value"?

Mr. JONES of Alabama. The bill provides that if there is any difference in value, whoever has the advantage will pay compensation to the other side.

Mr. GROSS. The gentleman is saying this does not cost the Government any money; is that right?

Mr. JONES of Alabama. That is right, as nearly as can be presently determined the lands to be exchanged are of approximately equal value and therefore no funds will be required to either party to the exchange.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

The being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of relocating electric trolley lines, electrical transmission lines, and related facilities of the D. C. Transit System, Inc., and the Potomac Electric Power Company, Inc., in order

to eliminate the necessity for crossings between the George Washington Memorial Parkway and the facilities of the aforesaid corporations in Montgomery County, Md., and to preserve more effectively the historic properties of the Chesapeake and Ohio Canal, the Secretary of the Interior is authorized to consummate desirable exchanges as hereinafter prescribed.

In furtherance of these purposes, the Secretary is authorized on behalf of the United States to accept, from the aforesaid corporations or their successors or assigns, title to non-Federal land and interests in land adjacent to and situated in the vicinity of the George Washington Memorial Parkway in Montgomery County, Md., and in exchange therefor to convey to the aforesaid grantors or their successors or assigns land or interests in land of the United States comprising a part of or located in the vicinity of the George Washington Memorial Parkway in Montgomery County, Md.: *Provided*, That Federal lands or interests outside the administrative control of said Secretary may be conveyed only with the approval of the administering agency. The aforesaid exchanges are authorized to be made without additional compensation by either party to the exchange when the properties to be exchanged are of approximately equal value. When, however, the properties are not of approximately equal value, as may be determined by the Secretary, an additional payment of funds shall be required by the Secretary or by the grantors of non-Federal properties, as the case may be, in order to make an equal exchange. The Secretary is authorized to use any funds available for the George Washington Memorial Parkway project for such purposes. The Secretary may consummate land exchanges herein authorized upon such terms, conditions, and procedures as he may find to be necessary or desirable in carrying out the purposes of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CONVEYANCE OF PIERS TO THE CITY OF PHILADELPHIA

Mr. GREEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to return to Calendar No. 609 and for the immediate consideration of the bill (H. R. 12640) to authorize the Secretary of the Army to convey to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this going to cost the Government any money?

Mr. GREEN of Pennsylvania. This will not cost the Government any money. As a matter of fact, we will get the fair market value for the piers, but the city of Philadelphia will have to spend approximately $2½ million to rehabilitate the property.

Mr. GROSS. All interested Government agencies concur in the conveyance of this property?

Mr. GREEN of Pennsylvania. Yes, the agencies concur in this action, and the report from our committee was unanimous. This is a good bill and should be passed.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the Philadelphia Army Base consists of three wood-piling and concrete-slab piers—with brick or sheet steel buildings on two of the piers—and a total of 53.7 acres of land. Construction of the facility was started in 1918 and completed in 1921 at a total cost—reflecting wartime construction prices—of approximately $13,000,000. Over the intervening years it has returned, according to the Army's figure, something over $8,000,000 in rental revenues to the Federal Government—in addition to major savings to the Government from the use of the facility during World War II and the Korean conflict for defense purposes.

The hearings held by the Subcommittee of the Armed Sevices Committee developed conclusively that these piers have fulfilled and will continue to fulfill a vital role in commercial and defense cargo movements through the Port of Philadelphia.

At the present time they are handling approximately 40 percent of the port's general cargo traffic and constitute the largest public marine terminal in the Delaware River. Their continued use for general shipping purposes in peacetime is important to the welfare of industry and commerce in the entire Delaware River area.

The defense cargo potential of the piers was clearly indicated to me by the major mission in military freight movements which they performed during the Second World War and the Korean emergency. Although continued under private operation for the sake of efficiency in these defense efforts, we know that the piers were used almost exclusively for military cargo; and the record shows to me the tremendous record of the port of Philadelphia in military cargo movements which could not have been achieved without them.

It was clearly developed in the hearings on this legislation before us that the economy of the Middle Atlantic States and the military cargo potential of the entire country depend upon fully effective operation of these piers as a marine terminal over the coming years.

Throughout the Army testimony before us it was indicated that, for understandable reasons, the maintenance and repair of these piers has been deferred over the years—resulting in increasingly serious deterioration. According to the Army engineers, the rehabilitation work necessary to place the piers in effective operating condition amounted to $1,250,000 in 1954 and had increased to almost $1,800,000 by 1958. The city of Philadelphia estimates that approximately $2,500,000 will be necessary for rehabilitation and major repairs over the next 5 years to place the piers in necessary operating condition. It is self-evident that this heavy rehabilitation cost is due, in part, to the emergency nature of the original construction. Certain pictures presented to the committee illustrated vividly the present advanced condition of disrepair.

From its testimony, the Army is clearly counting on the availability of these piers for marine terminal use in defense cargo movement should this be necessary in a future emergency. The port representatives from Philadelphia also testified as to the essential position of the piers in the peacetime port economy.

We are terrifically alerted to the needs and the committee is therefore recommending that the bill authorizing sale of the piers to the city of Philadelphia stipulate clearly that they shall be maintained in all respect and continued in long-term use as a fully effective marine terminal. We felt that this feature of the bill is essential to protect the Government's defense interest in this facility as well as the economic future of the Philadelphia port area.

It was also recommended that the conveyance be made at the fair market value of the property as such is determined by the Secretary of the Army, rather than trying to determine at this time the highly technical matter of price. With legislation specifying a fair market value, the Federal Government will be able to negotiate a proper settlement for this facility; and the necessary detailed and physical appraisal can be made after passage of the legislation.

The committee prepared a new bill which incorporates these features—considered by the committee to be essential on the basis of the testimony presented—and which permits such other terms and conditions as the Secretary of the Army determines to be in the public interest. This latter feature will, for instance, permit deferred payments by the city of Philadelphia on the same basis used in settlements for similar facilities such as the neighboring Port Newark Army Base.

The bill as recommended by the committee combines the best features of the bills originally proposed by the Department of the Army and the city of Philadelphia. In the committee's judgment, this bill assures the continuation of an important industry in port services but further insures the proper rehabilitation and future use of these piers; and at the same time it enables the Army to negotiate for a price commensurate with their physical condition and economic value in commercial use and considering their availability, as rehabilitated, for the Government's future defense needs.

Because of the pressing need a veritable crisis for commencing rehabilitation of these piers, and because the Army's present lease to a private operator will expire shortly, I have strongly supported the purposes of H. R. 12640 as proposed. It is necessary to the future and continued prosperity and activity for a segment of the citizens of Philadelphia—to say nothing of a facility that in wartime will play a great part in contributing to the movement of great supply movements for the use of our forces and supporting industries in the war effort.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is directed to convey by quitclaim deed to the city of Philadelphia, Pa., the facilities of the United States in Philadelphia known as the Philadelphia Army Supply Base situated at the foot of Oregon Avenue and including Delaware piers 96, 98, and 100 south, the upland between the bulkhead line of said piers and the reservation fences on the easterly side of Delaware Avenue, and the plot on the westerly side of Delaware Avenue containing approximately 25 acres of land known as the lumber storage and concentration yard together with all improvements located on this property.

SEC. 2. Such conveyance shall take place within 1 year of the date of approval of this act and shall be made upon the condition that the deed executed by the Secretary of the Army include provisions:

(a) Requiring that until December 31, 1985, the facility be used for marine terminal purposes and for other services incidental thereto;

(b) Requiring that the city of Philadelphia invest at least $2,500,000 by December 31, 1965, in the deferred maintenance and improvements necessary for the facility (in addition to normal repair and maintenance) and assure its preservation in condition satisfactory for marine terminal operations until December 31, 1985 (except in the event of major casualties); and

(c) Requiring that the city of Philadelphia lease the facility to the United States in the event of war or other national emergency declared by the Congress on fair and reasonable terms in relation to the city's investment and that, in such event, the city give the United States immediate possession subject only to valid leases or other agreements covering use and occupancy of the facility.

SEC. 3. Based on the present fair market value of the facility in terms of its earnings and operating costs, and taking into account the restriction on its use and the commitment for its extensive rehabilitaton and improvement and preservation in condition for immediate and effective defense utilization as set forth above, such conveyance shall be made for the sum of $500,000, to be paid by the city of Philadelphia to the United States in 10 annual installments of $50,000.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Army is authorized to convey, on or before January 1, 1960, by quitclaim deed to the city of Philadelphia, Pa., all the right, title, and interest of the United States in and to the facilities of the United States in Philadelphia known as the Philadelphia Army Supply Base, consisting of approximately 53.75 acres, situated at the foot of Oregon Avenue, including Delaware piers 96, 98, and 100 south, the upland between the bulkhead line of said piers, and the reservation fences on the easterly side of Delaware Avenue, and the plot on the westerly side of Delaware Avenue known as the lumber storage and concentration yard together with all appurtenances pertaining thereto and all improvements located thereon.

"SEC. 2. The conveyance herein authorized shall be made upon the following conditions:

"(1) That the property shall be used in perpetuity as a marine terminal for cargo and passenger operation, and shall be maintained in all respects for such use by the city of Philadelphia.

"(2) That the city of Philadelphia shall pay the United States the fair market value of the property as such is determined by the Secretary of the Army.

"(3) That the deed of conveyance shall contain such other terms and conditions as the Secretary of the Army determines to be in the public interest."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF PROPERTY CONVEYED TO EL PASO, TEX.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11456) to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Cerk read the bill, as follows:

Be it enacted, etc., That the Secretary of State is authorized to enter into an agreement with the city of El Paso, Tex., and J. E. Morgan & Sons, El Paso, Tex., providing for the exchange of a portion of the real property conveyed to such city by the United States under the deed of August 26, 1936, recorded in volume 615, page 349, of the deed records of El Paso County, Tex., for other real property of equal value (as determined by the Secretary of State), title to which is held by J. E. Morgan & Sons.

SEC. 2. (a) When the agreement referred to in the first section of this act is concluded, the Secretary of State, the city of El Paso, and J. E. Morgan & Sons, shall exchange such deeds and other instruments as may be required by the laws of the State of Texas to—

(1) effect a waiver of the reversionary interest of the United States with respect to the real property to be conveyed to J. E. Morgan & Sons, by the city of El Paso under such agreement;

(2) vest in the United States, with respect to the real property to be conveyed to the city of El Paso by J. E. Morgan & Sons, under such agreement, the same reversionary interest as that retained by the United States with respect to the real property conveyed to the city of El Paso under the deed of August 26, 1936; and

(3) effect the exchange, between the city of El Paso and J. E. Morgan & Sons of the real property covered by such agreement.

(b) No deed or other instrument executed under subsection (a) of this section shall be valid until all deeds and other instruments necessary to carry out the provisions of such subsection (a) have been executed and exchanged.

(c) The Secretary of State is authorized to execute, on behalf of the United States, such deeds and other instruments as may be necessary to carry out the provisions of subsection (a) of this section.

SEC. 3. The exchange of real property authorized by this act shall be without cost to the United States.

With the following committee amendments:

Page 1, line 4, strike out "J. E. Morgan."

Page 1, line 5, strike out "and Sons," and insert in lieu thereof "Hill Lines, Incorporated."

Page 1, line 9, after "of" insert "not less than."

Page 2, line 2, strike out "J. E. Morgan and Sons," and insert "Hill Lines, Incorporated."

Page 2, line 5, strike out "J. E. Morgan and Sons," and insert "Hill Lines, Incorporated."

Page 2, line 5, strike out "J. E. Morgan and Sons" and insert "Hill Lines, Incorporated."

Page 2, line 14, strike out "J. E. Morgan and Sons" and insert "Hill Lines, Incorporated." and strike out "the."

Page 2, line 15, strike out "same" and insert in lieu thereof "a", and following the word "interest" and insert "of like intent and legal effect."

Page 2, line 20, strike out "J. E. Morgan and Sons," and insert "Hill Lines, Incorporated."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HEADSTONES AND MARKERS

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3882) to amend the act of July 1, 1948, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers.

The Clerk read the title to the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman briefly explain the bill?

Mr. VINSON. Mr. Speaker, this bill will permit the Government to buy headstones for members of the National Guard, the ROTC, and reservists who pass away while on active duty. It is estimated that about 60 members will pass away during this year, and it will cost about $700 to buy the headstones. That is all it is for.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of the first section of the Act of July 1, 1948, chapter 791 (24 U. S. C. 279a), is amended to read as follows:

"That the Secretary of the Army is authorized and directed to furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

"(1) Soldiers of the Union and Confederate Armies of the Civil War.

"(2) Members of the Armed Forces of the United States dying in the service and former members whose last service terminated honorably.

"(3) Persons buried in post and national cemeteries.

"(4) Members of a reserve component of the Armed Forces of the United States, and members of the Army National Guard or the Air National Guard, whose death occurred under honorable conditions while they were—

"(A) on active duty for training, or performing full-time service under section 316, 503, 504, or 505 of title 32, United States Code;

"(B) performing authorized travel to or from that duty or service;

"(C) on authorized inactive duty training, including training performed as members of the Army National Guard or the Air National Guard; or

"(D) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were—

"(i) on that duty or service;

"(ii) performing that travel or inactive duty training; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(5) Members of the Reserve Officers Training Corps of the Army, Navy, or Air Force whose death occurred under honorable conditions while they were—

"(A) attending an authorized training camp or on an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF MADEIRA BEACH, FLA.

Mr. LANE. Mr. Speaker, I ask unanimous consent to return to the bill No. 613 on the Consent Calendar, H. R. 13751, for the relief of the city of Madeira Beach, Fla., the objection now having been withdrawn.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. EVINS. Mr. Speaker, in view of the explanation of the author of the bill and the sponsor of it, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of Madeira Beach, Fla., the sum of $12,826.85. Payment of such sum shall be in full settlement of all claims of the city of Madeira Beach against the United States for payment by the United States to such city of the cost of construction by such city in the years 1956 and 1957 of concrete groins for erosion control of 800 feet of property along the Gulf of Mexico principally on riparian land adjacent to the beach house of the Veterans' Administration within the corporate limits of the city of Madeira Beach, Fla.: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 10, UNITED STATES CODE

Mr. LANE submitted a conference report and statement on the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law.

REPEAL SECTION 791 OF TITLE 18 OF THE UNITED STATES CODE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to return to No. 633, the bill on the Consent Calendar, H. R. 13676, to repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. KEATING. Mr. Speaker, reserving the right to object, and I shall not object because I think this is a fine piece of legislation.

Mr. Speaker, H. R. 13676 would repeal a limitation now placed upon the applicability of our espionage laws so as to make it possible for the United States to prosecute acts of espionage committed overseas against the United States.

At present, the espionage laws apply only to actions within the United States or within the admiralty and maritime jurisdiction of the United States and on the high seas. It does not make sense to limit the protection of the United States from espionage in this manner. The Nation's military and civilian personnel as well as its tourists are scattered throughout the world. There is no point in limiting our security from espionage on the basis of whether the offense occurs within or outside our geographical boundaries.

H. R. 13676 is identical to H. R. 13668, a bill which I introduced upon the recommendation of the Department of Justice. It eliminates the present illogical restriction on prosecutions for espionage perpetrated abroad by repealing section 791 of title 18, United States Code. The repeal of this section will mean that our espionage laws will apply anywhere in the world.

There is no question of the authority of Congress to take this action. In the case of *United States* v. *Bowman* (260 U. S. 94) the Supreme Court has held that United States citizens are subject to our criminal laws while they are in foreign countries and for infractions of them are triable in the district where they are found or where they are first brought.

Enactment of this measure is particularly important because of the increasing difficulty of controlling travel abroad. The authority of the Department of State to withhold passports from suspected surbversives and other security risks has been drastically curtailed by recent Supreme Court decisions. This poses an increasing danger of subversion by such persons overseas. Under the law as it now reads, there is nothing we can do to combat their nefarious activities. This makes imperative the enactment of an amendment to the espionage laws which will protect this country from traitorous conduct wherever it is uncovered.

This measure represents a minimum requirement for dealing with the dangers to this country arising from the fact that the Department of State cannot now exercise any effective supervision of such travelers. I urge prompt enactment of this bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 791 of title 18, United States Code, is repealed.

SEC. 2. The analysis of chapter 37 of such title is amended by deleting the following: "791. Scope of chapter."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS S. LEVENSON

Mr. LANE submitted a conference report and statement on the bill (H. R. 4544) for the relief of Loius S. Leverson.

EXTENSION FOR GRANTS UNDER FEDERAL AIRPORT ACT

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3502) to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes, with amendments.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 (a) of the Federal Airport Act, as amended (49 U. S. C. 1104 (a)), is further amended to read as follows:

"(a) For the purpose of carrying out this act with respect to projects in the several States, there is authorized to be obligated by the execution of grant agreements pursuant to section 12 of this act the sum of $40 million for the fiscal year ending June 30, 1956, and the sum of $60 million for each of the fiscal years ending June 30, 1957, June 30, 1958, June 30, 1959, June 30, 1960, June 30, 1961, June 30, 1962, and June 30, 1963. Each such authorized amount shall become available for obligation beginning July 1, of the fiscal year for which it is authorized, and shall continue to be so available until so obligated. Of each of the amounts authorized by this subsection, 45 percent shall be available for projects in the Territory of Alaska, 25 percent for projects in the Territory of Hawaii, 20 percent for projects in Puerto Rico, and 10 percent for projects in the Virgin Islands. Effective on the admission of the State of Alaska into the Union, wherever this act refers to Alaska as a Territory it shall be deemed to refer to the State of Alaska, and the words 'State' and 'States,' as used in this act, shall not be construed as including the State of Alaska."

SEC. 3. Section 13 of the Federal Airport Act, as amended (49 U. S. C. 1112), is further amended by inserting "(a)" at the beginning thereof and by adding a subsection to read as follows:

"(b) Beginning with the fiscal year 1960, the cost of acquisition or construction of that part of a project intended for use as a passenger automobile parking facility, and the cost of construction of those parts of passenger or freight terminal buildings and other airport administrative buildings intended for use as bars, cocktail lounges, night clubs, theaters, private clubs, garages, hotel rooms, commercial offices, or gamerooms or such other use which, in the opinion of the Secretary, is not essential to the welfare and safety of those persons using airports for public aviation purposes, shall not be an allowable project cost under this act."

SEC. 4. Section 2 (a) (8) of the Federal Airport Act, as amended (49 U. S. C. 1101 (a) (8)) is further amended by substituting a comma for the period at the end thereof and adding the following additional clause: "and (C) the periodic seal coating of flexible airport pavements and the filling of joints in rigid airport pavements at airports at which air traffic is not sufficient to meet the criteria of the Secretary of Commerce for the location of an airport traffic control tower operated by the Civil Aeronautics Administration."

SEC. 5. Section 4 of the Federal Airport Act, as amended (49 U. S. C. 1103), is further amended by inserting "(a)" at the beginning thereof and by adding a subsection to read as follows:

"(b) It shall be the duty of the Secretary of Commerce to make public by January 1 of each year the proposed program of airport development intended to be undertaken during the fiscal year next ensuing."

The SPEAKER. Is a second demanded?

Mr. MEADER. Mr. Speaker, I demand a second.

Mr. BOW. Mr. Speaker, I am opposed to the bill, and I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, I yield myself 3 minutes.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MILLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 176]

Bailey	Hale	Montoya
Barden	Harrison, Nebr.	Powell
Baumhart	Hébert	Preston
Blitch	Hill	Prouty
Boykin	Hillings	Radwan
Brooks, La.	James	Robeson, Va.
Buckley	Jenkins	Shelley
Burdick	Jones, Mo.	Shuford
Christopher	Kearney	Siler
Colmer	Kilburn	Spence
Dies	Kluczynski	Steed
Doyle	Landrum	Teague, Tex.
Eberharter	LeCompte	Teller
Engle	McIntire	Vanik
Farbstein	Machrowicz	Wainwright
Fino	Martin	Williams, N. Y.
Friedel	Mason	Winstead
Gordon	Miller, N. Y.	

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

EXTENSION FOR GRANTS UNDER FEDERAL AIRPORT ACT

The SPEAKER. The gentleman from Arkansas [Mr. HARRIS] is recognized for 3 minutes.

Mr. HARRIS. Mr. Speaker, this legislation would extend the Federal airport program through fiscal year 1963 and increase the Federal grants to $100 million: $95 million for the States, $5 million for the Territories and possessions.

The increase would be effective for the present fiscal year.

Mr. Speaker, this is a very important bill. It is important to every municipality in this country. It is important to the airline industry, the commercial airline industry as well as the military. It is important to the people of the United States.

Under existing law, grants are authorized to the States at the rate of $60 million a year and to the Territories and possessions at the rate of $3 million a year. This authority expires at the end of the present fiscal year. Yet, we are a long way from completing the airport program the country needs and must have, not only for jets but for the general expansion of aviation.

Long-term planning is essential in airport construction. Therefore, the committee feels extension of the Federal aid program at this time is essential.

An increase in the authorization is needed to met the needs of expanded air commerce and to handle jet transport traffic.

The bill as passed by the Senate provided an additional $75 million discretionary fund for the present fiscal year. With the proposed increase to $100 million in the annual authorization, that would have made available an additional $112 million for the current fiscal year. The committee struck out the provision for the $75 million discretionary fund.

Even with this additional $75 million eliminated, the bill would increase the amount available for this year by $37 million.

A recent national airport survey made jointly by the National Association of State Aviation Officials, the Airport Operators Council, and the American Association of Airport Executives adequately supports the recommended increases in annual authorizations to $100 million a year.

The 1,255 replies received in the survey—about 44 percent—reported a total of $1,066,945,661 of planned airport development in the next 4 years. About half of this, or $521 million, is either on hand or anticipated from local sources and another $68 million is anticipated from State sources, but it leaves a deficit of $477,285,308.

This $477 million deficit is spread fairly uniformly over the next 4 years with requirements of $102 million to $132 million per year. The report shows additional funds to meet this deficit of over $477 million will be needed as follows:

Fiscal year ending June 30, 1959, $128,657,730.

Fiscal year ending June 30, 1960, $131,792,064.

Fiscal year ending June 30, 1961, $114,915,094.

Fiscal year ending June 30, 1962, $101,920,420.

Additional construction is urgently needed to meet the needs of the jet age.

Furthermore, additional construction is needed to take care of rapidly expanding air traffic of all categories.

In 1946 our domestic airlines carried over 12 million passengers nearly 6 billion miles. Last year, they carried 44 million passengers over 26 billion miles. Aircraft operations, not including local training flights, jumped from 4 million to something over 16 million during the same period.

According to the President's then special assistant, Mr. Edward P. Curtis, in a report made to the President on May 10, 1957:

> We have already passed that point in time where our aviation facilities are capable of safely and efficiently handling all the aircraft seeking to fly.

Mr. Curtis also noted that "while, in 1936, there were 5 million take-offs and landings at the Nation's airports, there are now 65 million, and 150 million are forecast in 1975."

Mr. Curtis went on to predict "a need for a twofold increase in the capacity of our Nation's airports by 1975" and adds that "ground facilities dealing directly with passengers will require even more spectacular increases in capacity."

The committee feels that the capital investment needed for airport facilities is far beyond present capabilities of the communities to provide without continued substantial help from the Federal Government.

The Federal Government has an obligation in this field. An airport is not merely a local facility. It is part of a

vast system—both national and international. The fact that air transportation largely is interstate in character is well recognized.

The committee made technical amendments to the bill to make certain that authority to use unobligated funds for previous fiscal years is retained. That is done by restoring language of the present law relating to grants for the fiscal years 1956, 1957, and 1958.

The committee also included an amendment to maintain Alaska in the status quo and continue to treat Alaska as at present after, as is anticipated, the Territory becomes a State. Detailed reasons for this amendment are set out in the committee report on S. 3502.

If we are going to carry out the program that this Congress has worked toward for the last 3 or 4 years on safety in the air, it is imperative that we provide adequate facilities in order that these planes can operate; otherwise, we have accomplished nothing in our effort during that period of time to provide safety in travel. Therefore, Mr. Speaker, we bring this bill to you, in which so many Members of the Congress have asked about in the last several weeks, because so many people throughout the country are interested in it. We bring it to you unanimously reported by our committee and I urge its approval.

The following shows distribution of funds authorized in the bill:

Federal-aid airport program—annual distribution of $100,000,000 authorization for fiscal years 1959, 1960, 1961, and 1963

State:	Apportionment [1]
Alabama	$1,323,951
Arizona	1,487,611
Arkansas	1,062,318
California	4,328,990
Colorado	1,512,509
Connecticut	538,739
Delware	102,886
District of Columbia	190,430
Florida	1,348,773
Georgia	1,492,163
Idaho	1,100,394
Illinois	2,725,947
Indiana	1,350,169
Iowa	1,267,184
Kansas	1,396,917
Kentucky	1,160,858
Louisiana	1,204,282
Maine	610,799
Maryland	695,421
Massachusetts	1,214,862
Michigan	2,619,774
Minnesota	1,697,627
Mississippi	1,070,418
Missouri	1,736,412
Montana	1,832,393
Nebraska	1,201,770
Nevada	1,309,495
New Hampahire	233,092
New Jersey	1,237,639
New Mexico	1,560,678
New York	4,126,535
North Carolina	1,566,642
North Dakota	959,413
Ohio	2,392,577
Oklahoma	1,332,314
Oregon	1,475,968
Pennsylvania	3,011,706
Rhode Island	301,332
South Carolina	859,211
South Dakota	1,040,464
Tennessee	1,364,140
Texas	4,898,480
Utah	1,139,721
Vermont	199,942

See footnote at end of table.

Federal-aid airport program—annual distribution of $100,000,000 authorization for fiscal years 1959, 1960, 1961, and 1963—Continued

State:	Apportionment [1]
Virginia	$1,271,457
Washington	1,374,445
West Virginia	752,292
Wisconsin	1,573,685
Wyoming	1,195,083
Total State apportionment	71,250,000
Discretionary funds [1]	23,750,000
Total funds for continental United States	95,000,000
Territory:	
Alaska	2,250,000
Hawaii	1,250,000
Puerto Rico	1,000,000
Virgin Islands	500,000
Total Territory	5,000,000
Grand total	100,000,000

[1] Seventy-five percent of authorization is apportioned for projects in each State on an area/population formula; 25 percent is discretionary, and may be allocated without regard to State boundaries.

State breakdown for additional $37 million

State:	Federal funds
Alabama	$487,771
Arizona	548,067
Arkansas	391,380
California	1,594,891
Colorado	557,240
Connecticut	198,483
Delaware	37,906
District of Columbia	70,159
Florida	496,917
Georgia	549,744
Idaho	405,409
Illinois	1,004,296
Indiana	497,431
Iowa	466,857
Kansas	514,654
Kentucky	427,684
Louisiana	443,683
Maine	225,031
Maryland	256,207
Massachusetts	447,580
Michigan	965,180
Minnesota	625,442
Mississippi	394,365
Missouri	639,730
Montana	675,092
Nebraska	442,757
Nevada	482,445
New Hampshire	85,876
New Jersey	455,972
New Mexico	574,987
New York	1,520,302
North Carolina	577,184
North Dakota	353,468
Ohio	891,476
Oklahoma	490,852
Oregon	543,741
Pennsylvania	1,109,576
Rhode Island	74,175
South Carolina	316,583
South Dakota	383,400
Tennessee	465,736
Texas	1,804,703
Utah	419,897
Vermont	73,626
Virginia	468,432
Washington	506,375
West Virginia	277,160
Wisconsin	579,779
Wyoming	440,294
Total	26,280,000
Discretionary funds	8,780,000
Total United States	35,000,000

State breakdown for additional $37 million—Continued

State:	Federal funds
Territory:	
Alaska	$900,000
Hawaii	500,000
Puerto Rico	400,000
Virgin Islands	200,000
Total Territory	2,000,000
Grand total	37,000,000

Mr. BOW. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I do not yield to the gentleman from Arkansas or any Member of this House in my interest in the future of aviation, and it is precisely because of my interest in the future of aviation that I oppose this motion to suspend the rules and pass the bill.

This legislation, as I say, is premature. It is opposed by the administration. It involves not only authorizations but obligations of nearly one-half billion dollars, binding the Congress and bypassing the Committee on Appropriations for the next 5 years. This legislation is so important, and its effect upon the future of aviation so far-reaching, that it should not be considered hastily in this parliamentary shortcut.

Legislation on this subject is premature because existing law does not expire until June 30, 1959, and there is a total of $120 million available to be obligated and spent up to that date for Federal airport assistance. There will be ample opportunity in the first session of the 86th Congress to study what is needed in additional authorizations for airport aid and how it may best be handled.

The Under Secretary of Commerce for Transportation, the Honorable Louis Rothschild, on behalf of the administration opposed the measure and appeared before the House and Senate committees. The Budget Bureau also opposes the bill.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman has made a statement as to the position of the Secretary of Commerce and the Bureau of the Budget. The gentleman is aware of the fact that the Secretary of Commerce opposed this legislation 4 years ago. Is that true?

Mr. MEADER. I quoted the Under Secretary of Commerce.

Mr. HARRIS. Who spoke for the Secretary of Commerce and for the administration. Is the gentleman aware of the fact that the Under Secretary of Commerce also opposed the legislation 4 years ago?

Mr. MEADER. I believe he did.

Mr. HARRIS. But notwithstanding that opposition the President signed the bill when the Congress passed it at that time?

Mr. MEADER. The gentleman is correct, and the Bureau of the Budget is opposing it on the ground that budget processes will be bypassed. I know this bill appeals to all of you because you have airports in your district. When you pass this bill you put this lump sum in the hands of one man. You will have nothing further to say as to how that money is spent and the Appropriations Committee will not have any authority over it.

The premature nature of the bill makes even more significant the fact that the Civil Aeronautics Administration, soon to be succeeded by the Federal Aviation Agency, has at no time made an adequate study of the future national airport pattern and has not yet established criteria for airports looking ahead to the future of ever-increasing use of faster and larger aircraft. Thus, it does not know now what criteria or standards to establish for airport construction in order to insure that the money the Federal and local governments are spending for this purpose will provide the landing areas we need for future air transportation.

Every indication is that money to be authorized and committed by S. 3502 will be spent in the same manner airport aid funds have been allocated in the past—on a hit-and-miss, case-by-case basis—thus fastening more securely upon our economy the unplanned pattern of airports which has grown up like Topsy in the brief 2 decades since the passage of the Civil Aeronautics Act of 1938.

The significance of this folly is not at first apparent. We might be inclined to think that, at the worst, we only will have wasted one-half billion dollars plus the local matching one-half billion dollars on top of expenditures in the past. But it is not easy to tear up airports and relocate them because many other activities, investments, aids to aviation and related businesses attach themselves to airports.

The first highways followed cow paths or Indian trails and were adequate for service in the era in which they were built. But in construction of limited access turnpikes to accommodate the highspeed motor traffic of today, we find we must destroy many of the costly things we built in the past simply because we lacked the foresight, the imagination and the vision to plan ahead.

Both civilian and military aviation are so young and have grown so explosively that we have an opportunity not available to us in the case of highway construction to look ahead with greater clarity and to predict more reliably its character for the future; to conduct the vitally necessary studies to build a system for the future which will not have to be torn down and rebuilt periodically.

Aircraft, air routes, air navigation systems and airports are integral parts of a unified whole to be looked at in its entirety with the relationship of each part to the other fully understood and correlated.

Mr. Speaker, I submit that Government agencies responsible for handling problems in aviation have failed to treat it as an entire system and consistently have taken action in part of the system without calculating its effect on the whole. As a consequence we are faced with bottlenecks and conflicts already impairing the capacity of our air transportation facilities. Even more important, serious limitations of the utilization of airspace are threatened both for military and civilian purposes in the future. This, of course, has occurred at a time when we all recognize the startling rate at which civil and military flying and missile and satellite programs are being developed.

Aircraft and airports must be designed to take into account that one cannot be used without the other. Airports hereafter must be located with respect to civil air routes, their holding and approach patterns and anticipated air traffic to avoid conflicts and mid-air collisions and to contribute to the maximum capacity of airports to handle landings and takeoffs.

AIRPORT STANDARDS

We know today that you should not build an airport by just going out in the country, leveling the land and pouring cement although many airports were built exactly that way.

Many factors should be studied and considered, including, among others:

First. Site location with reference to air traffic, center of population served, proximity to other existing airports or military air bases, obstructions, residence areas, altitude, soil condition and many other factors.

Second. Runway lengths, widths, strength, surface, turnoffs, taxiways, direction with reference to air traffic, and so forth.

Third. Lighting, including approaches.

Fourth. Service and terminal facilities and fire fighting and rescue facilities.

Local governments are primarily responsible for airports. But they cannot know the facts and educated predictions essential to intelligent airport planning. It is precisely for that reason the Congress displayed wisdom in 1946 in vesting that planning responsibility in the Civil Aeronautics Administration. That agency was instructed by the Congress to engage in research and development concerning airports and to plan a national system of airports to serve civil air transportation. The CAA was also given grants-in-aid funds to administer, which would enable it to bring some pressure to bear in carrying out its national airport plan, if it had established one, according to sound standards and criteria, if it had developed them.

But the CAA failed miserably to discharge the task assigned to it with respect to airports. It lacked the imagination, foresight, and intelligent planning which the task called for.

The Subcommittee on Legal and Monetary Affairs of the Government Operations Committee held hearings on the efficiency and performance of Federal agencies in the field of aviation in July of 1956 and again in July of 1958.

The evidence is overwhelming that with respect to airport planning and construction the CAA's record is a pitiful one. Instead of foresight, aggressiveness, and courage in preparing for the age of rapid transportation by air, the CAA has been timid, bound to the mistakes of the past and either unaware of, or indifferent to the needs of the future. It has exhibited a woeful lack of leadership and forward thinking.

The Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations on July 27, 1956, after extensive hearings issued a report entitled "Federal Role in Aviation," and with respect to airports the committee found:

AIRPORTS

Airport planning has been on a "hit and miss" basis. Congress, in the Federal Airport Act of 1946, as amended, directs the Secretary of Commerce, after consulting with other Government agencies, "to prepare and revise annually a national plan for the development of public airports" taking "into account the needs of both air commerce and private flying, the probable technical developments in the science of aeronautics, the probable growth and requirement of civil aeronautics * * *."

The subcommittee recognizes and approves the role of municipalities and local governments as well as the States in the development of airports to serve communities. However, the Federal Government alone is capable of making the studies on a nationwide and international basis to provide direction and planning for a national airport plan to meet the rapid growth of air transportation. On that subject the Harding Committee report said:

"Cities and local communities should be advised of traffic requirements which their airports should be prepared to meet in 1960, 1965, and in 1975 so that airports will not become bottlenecks of an improved aviation facilities system. They should be provided with continuously revised estimates of plane movements in order that ample terminal facilities and handling space can be provided; the operating characteristics and tire footprint pressures of future aircraft, etc., in order that land acquisition, runway lengths, and weight bearing characteristics will be adequate. Plans for nearby military and civil airports should be coordinated in order that runways may be properly located and traffic control procedures properly integrated."

Milton Arnold, vice president in charge of operations and engineering for the Air Transport Association, the trade association for the scheduled airlines, characterized airport planning as the most backward phase of aviation:

"Mr. ARNOLD. * * * they [the CAA] have gone along with the way the wind is blowing, and I don't think they have done any concerted development in airports. I think it is a factual statement that the airports today are further behind in relationship.

"In other words, our feeling, Mr. Chairman, is the airplane is ahead of the air traffic control system and the facilities in the air channel.

"Yet, the air traffic control system is by far ahead of our airports. So, the weakest link in this I think in capacity and operation is the airport."

It was apparent years ago that jet aircraft would be used sometime in the future not alone as a military weapon, but also for commercial air transportation. But the effect of using high-speed aircraft in airport planning is only now receiving the concentrated attention of the Civil Aeronautics Administration.

Thus, the Administrator of Civil Aeronautics testified before the subcommittee that "it wasn't until the last 6 months that we realized how quickly jets were going to be coming into actual operation by the carriers."

The Honorable Edward P. Curtis, the President's Special Assistant on Aviation Facilities Planning, in a report dated May 1957, had this to say:

Airports are an integral part of the system of aviation facilities. However, unlike other elements of the system, airports are designed, built, financed, and operated by local authorities. The increase in overall traffic will require a modernization of airports and an increase in their numbers. This imposes the necessity for coordinated national and local effort to insure that airports do not become a neglected element of the system, and thus be a future bottleneck.

The Federal Government should carry out airport research and experimentation so that local planning for new airports can be done on a sound basis.

Apart from the question of direct financial participation, the Federal Government has and should retain the responsibility for providing airports with any needed technical advice and assistance which will help assure the soundest possible national system of airports. Such technical assistance should include advice to communities regarding anticipated future requirements for airport capacity, as well as recommended standards for airport construction and design. In this capacity, the Federal Government can fulfill the important function of serving as a focal point for the national coordination of airport planning.

AIRPORT SEPARATION

Let us examine one feature of airport planning and construction—airport separation.

First, it should be obvious that the selection of a site for an airport is a basic determination. That is one feature of an airport that no amount of money can cure. It is there, and if it later develops that the location is bad, nothing can be done about it. Thus, it would seem that the CAA, before it started spending Federal money on an airport—and, incidentally, encouraging local communities to spend their money on an airport—would make certain that the location of the proposed airport was right according to standards developed by CAA from its research, from its knowledge of present and its predictions of future characteristics of aircraft, from its familiarity with present and prospective air routes, restricted space, traffic control, holding and approach patterns and the location of other airports.

But what is the record?

In testimony before the Legal and Monetary Affairs Subcommittee of the House Government Operations Committee in July of 1958, the CAA officials doubted it was possible to establish standards and criteria for construction of airports, whether the question was one of establishing a new airport or expanding an existing airport.

For example, Civil Aeronautics Administrator Pyle testified, July 22, 1958, as follows:

The separation of airports using a standard set of distances has been a topic for study and is a part of the Curtis report. This matter has also been studied by the Department of Defense and the Technical Development Center at Indianapolis. After careful consideration of all of the available facts, we have reached the conclusion that airport separation by specified distances, established as a set of standards, is not a valid approach in that such distances cannot be set down to effectively cover all ramifications that become involved when siting airports.

The specifications of airports must vary in order to meet the specific problems encountered at a particular location; that is, airport size and configuration, type and volume of traffic that will be handled and the relationship of the traffic patterns associated with each airport.

The airport size and configuration is dependent upon the type of traffic that will be handled and the maneuvering characteristics and speeds of the aircraft involved. The larger and faster aircraft must be provided traffic patterns of sufficient size wherein operation can be safely conducted.

As the traffic pattern is extended for the larger and faster aircraft, it is necessary that more distance be provided between airports located in a terminal complex. The traffic flow, whether traffic patterns and approach procedures are parallel or converging, dictates distances that must be used when siting more than one airport.

Mr. Pyle stated further under my questioning:

Mr. MEADER. You did have criteria in 1949, Mr. Pyle, did you not, on separation of major airports?

Mr. D. D. Thomas, Director of Office of Air Traffic Control, CAA, answered for the Administrator:

Mr. THOMAS. Mr. Chairman and Mr. MEADER, I do not recall having a specific mileage criteria in 1949. There have been a number of studies that have been made by a number of agencies and there have been some mileage figures proposed.

The Curtis report did contain in it a recommendation that airports be located 16 miles apart when the runways were not in line with each other and, I believe, 40 miles apart when the runways were in line with each other, or on this order.

They also went on and stated that each individual location needed to be studied.

The usual conclusion—and there have been many of these studies, and the one to which we subscribe—is that you have to individually study the arrival routes, the departure routes and the speeds of aircraft that would use the two airports; the directions of the major runways of the two airports, whether or not they are parallel, converging, or not; and then work out a separation based on the individual geography.

Other witnesses who appeared before the committee, including Mr. E. Thomas Burnard, executive director of the Airport Operators Council and Capt. J. D. Smith, chairman, Air Traffic Control Committee of the Airline Pilots Association, not only believed that it is possible to establish standards for airport construction but that the CAA was remiss in not having made adequate study of the problem of airport construction, to have developed sound and reasonable standards for airport design in the light of the immediate and future prospective use of faster and larger aircraft.

For example, in his testimony before the committee, Mr. Burnard testified in response to this question:

Mr. MEADER. Let me ask another question. Your primary concern is airports, and that happens to be the reason I originally got interested in this aviation inquiry, as I think perhaps you know, because I have two airports in my area—the Willow Run Airport, which now serves Detroit, and is a terminal for the commercial airlines, and the Detroit Metropolitan Wayne County Airport, it is now called, which is some 8 miles east of Willow Run.

And I have been concerned about the site selected by the Wayne County Road Engineer after the war, and that substantial sums of local and Federal funds have gone into that Wayne County airport.

I believe you may have been present when the representatives of that airport testified before the House Interstate and Foreign Commerce Committee and indicated in the last 2 years, which is the interval since our previous hearing on aviation, they had spent some $20 million on the airport in total of local, State, and Federal funds, and they estimated that there would be $35 million more required to put that airport in condition.

It seems to me before we go ahead pouring a lot of money into airports, someone should have made a basic determination about the separation of major airports in a terminal complex, and it strikes me that that has not been done.

We have heard some very critical remarks about the advances in airports. Mr. Arnold, for example, of the ATA, testified in our hearings 2 years ago, and we thought it was sufficiently important to quote him on page 7 of our report, and I want to read it to you:

"Milton Arnold, vice president in charge of operations and engineering for the Air Transport Association, a trade association for the scheduled airlines, characterized airport planning as the most backward phase of aviation:

And then we quote Mr. Arnold:

"They have gone along with the way the wind is blowing, and I don't think they have done any concerted development in airports. I think it is a factual statement that the airports today are further behind in relationship. In other words, our feeling, Mr. Chairman, is the airplane is ahead of the air traffic control system, and the facilities in the air channel, yet the air traffic control system is, by far, ahead of our airports. So the weakest link in this, I think, in capacity and operations, is the airport."

Now, the committee went on to say this, and I think I will quote it:

"It was apparent years ago that jet aircraft would be used sometime in the future, not alone as a military weapon, but also for commercial air transportation, but the effect of using high-speed aircraft in airport planning is only now receiving the concentrated attention of the Civil Aeronautics Administration."

You referred to criteria, and this appears on page 379 of our hearings of June and July of 1956. Mr. Howell, then the Director of Airports, quoted from the Airport Design Manual, beginning at the bottom of page 11, dealing with the separation of airports, and this is what he quoted from that 1949 document:

"The minimum distance between airports for contact operations should be equal to the sum of the radii of their traffic patterns. The radii of airport traffic patterns is as follows: Personal and secondary, 1 mile; feeder, 2 miles; trunklines and express, 3 miles; continental and larger, 4 miles. Greater separation probably will be required if instrument operations are to be conducted. A study should be made of the existing or potential instrument traffic patterns for airports in the area and adequate separation between the airports should be provided to avoid conflicts in instrument-approach patterns."

Apparently the Civil Aeronautics Administration in 1949 was able to establish criteria, but so far as I know, they have not published anything since 1949, almost 10 years, and certainly have not published anything with respect to the prospective use of jets commercially with respect to the effect of holding and approach patterns of jets upon the separation of major airports in a terminal complex.

Am I correct that there has been no such publication? Are you aware of any?

Mr. BURNARD. Congressman, we share your concern about the lack of progress that has been made quite evidently by CAA in the field of airport planning, and to my knowledge there is nothing more current in the CAA on this subject than that document to which you referred.

The most current document that I know of is the Curtis report, entitled "Modernizing the National System of Aviation Facilities," in which, on page 61, they deal with the subject of spacing between airports.

Mr. MEADER. I didn't get the reference.

Mr. BURNARD. This is part of the Curtis report. That was in five reports, as you may recall.

Mr. MEADER. Yes.

Mr. BURNARD. This one is entitled "Modernizing the National System of Aviation Facilities." And beginning on page 60 there is a subheading called "Spacing Between Airports." And it goes on to say that among other things—

Mr. MEADER. Why don't you read it? I think it should be in the record. I don't believe it is.

Mr. BURNARD. Do you want the whole thing read?

Mr. MEADER. That comment.

Mr. BURNARD. I will read you enough so that it orients the subject. I am now quoting from page 60:

"The location of multiple airports in a metropolitan area will greatly influence their respective capacities. In fact, if airports are located too close together, they can hinder one another to the extent that two airports will have no more capacity during IFR weather than a single airport.

"Furthermore, it is desirable to develop one airport site to its maximum potential before constructing another airport. The greater the number of airports, the more complicated is the approach system which must be utilized.

"The general operational criteria for airport location can be summarized as follows:

"(a) An airport should be developed to its maximum capacity with parallel runways before a second airport is constructed. A second airport, or any others needed, should be located on either side of the first airport with the instrument runways of both airports parallel.

"(b) The recommended spacing between airports is on the order of 16 miles, although this figure must be finally determined through operational experimentation. Existing airport complexes have lesser spacing between airports and the air traffic control system must be developed to accommodate these existing complexes. However, where new planning is being undertaken, a separation such as 16 miles is desirable with the understanding that each airport is to be developed on a multiple-runway basis.

"(c) Airports along the extended center line of the instrument approach to another airport should be avoided, if possible. If built, they should be located about 40 miles away from the existing airport.

"(d) Airport location must be consistent with the overhead airways traffic pattern and avoid creating unnecessary airspace problems. Traffic flow to and from the airport should be considered and airports located to avoid unnecessary cross traffic through terminal areas."

Those are the most pertinent sections. It goes on for some length.

Mr. MEADER. That is the Curtis report. The Harding report also had a section on airports in which they were very critical of the planning for airports. They didn't emphasize the matter of separation of major airports in a terminal complex, but they did point out that we were very far behind in our airport pattern and in the design of airports.

Mr. BURNARD. That is right, sir.

Mr. MEADER. Did I get from you that aside from this Curtis report and, of course, I must point out that they did not have the responsibility of the CAA, which does have primary responsibility in this field—you agree with that, don't you?

Mr. BURNARD. Yes, sir.

Mr. MEADER. Are you aware of any studies made by the Civil Aeronautics Administration and any findings and conclusions as to standards or criteria that they have developed looking ahead to the time when jets will be used commercially?

Mr. BURNARD. With respect to airport separation?

Mr. MEADER. That is right.

Mr. BURNARD. Or runway separation. None have come to my attention, Congressman.

Mr. MEADER. Have you followed the jet age planning reports they got out from time to time?

Mr. BURNARD. Yes, I have read them.

Mr. MEADER. I have, too, and I have not been able to find any comments with respect to the separation of airports, major airports, in the terminal complex in the light of the use of jet commercial planes. Have you seen anything that had reference to that in any of the jet age planning reports?

Mr. BURNARD. I have seen nothing in those reports on that subject.

Mr. MEADER. Are you familiar with the testimony given by the CAA representatives here the other day?

Mr. BURNARD. I heard part of it, sir, and I have read the prepared statement by Mr. Pyle.

Mr. MEADER. The only thing Mr. Pyle said about airport separation—do you have his statement? I can find it quicker. I have it. He had one comment to make on airport separation which was something more than we got out of Mr. Lowen, his predecessor, 2 years ago, who wouldn't say anything except they were making a study.

Mr. Pyle said under that topic, which is item 6 in his prepared statement, page 18, this sentence, which I think is some progress:

"As the traffic pattern is extended for the larger and faster aircraft, it is necessary that more distance be provided between airports located in a terminal complex."

Two years ago Mr. Lowen promised this committee that the CAA was in the process of making a study which in some 6 months from that time would provide some answers to this matter of separation, and yet last week, when we had the CAA up here, they said they hadn't come up with any answers to that problem other than the general statement that Mr. Pyle has made, and I believe when I asked him particularly when any study was made of airports in the Detroit area on holding and approach patterns of jet airliners, they said, I believe on the 14th of July of this year, they were undertaking a study of the Detroit situation at their laboratories in Indianapolis with their simulator, some simulating system that they have there, and that they were going to have results from that study on the 8th of August.

Are you familiar with that at all?

Mr. BURNARD. I heard the statement made before this committee. I am not familiar with the details of the study, however. That was the first time I had heard the matter mentioned, as a matter of fact.

Mr. WESTLAND. Will the gentleman yield?

Mr. MEADER. Yes.

Mr. WESTLAND. Suppose Detroit wants to build another airport, can they build it where they want to or do they have to come to the CAA and ask permission?

Mr. MEADER. If they want Federal money, they have to come to CAA. If they want to build it with their own money, they can build it anywhere they want to.

Mr. PLAFINGER. Is that true, Mr. Karant?

Mr. MAX KARANT (vice president, Aircraft Owners and Pilots Association). It has to be cleared through the Air Space Panel of the Air Coordinating Committee.

Mr. BURNARD. The air space has to be cleared through the Federal agencies.

There is no certification process to be gone through.

In some States there may be State regulations which might require State aeronautical commission approval before construction of an airport. There is no Federal requirement of a Federal nature.

Under the proposed Federal Aviation Agency legislation, any major modification of runway layout or construction of any airports, whether Federal funds are involved or not, the people involved would have to at least notify the Administrator of their desires and intentions, and he, the new Administrator, would be expected to advise with respect to the ramifications on the air space, if such an airport is built.

Mr. WESTLAND. Generally speaking, you are right. If Detroit wanted to build an airport, it can probably go ahead and do it if they use their own money.

Mr. MEADER. I think that is right. That is the way they started this so-called Detroit Metropolitan Wayne County Airport. They had a little field there without much capacity and they went out and condemned a lot of additional land with the power of eminent domain—the Wayne County Road Commission did—and started to build this airport. They started it with their own money, but it wasn't very long before they were down here asking for Federal money, which they got.

In the 10 years between 1946 and 1956 they got well over half of the total allocated to the State of Michigan for the building of that airport and it still hasn't been used extensively for commercial air operations.

Basically, Mr. Burnard, it seems to me—I would like to have you agree or disagree with me, and I would like to have your statement and reasons for it, but before the Federal Government embarks on this expanded airport construction program, some of these studies about the future of aviation, with jet planes being used extensively by the airlines and perhaps by other civilian aviation, should be made, so that we don't waste the money.

We don't have enough money that we can throw it away. Why don't we have these plans before we embark on the program?

Don't you agree with me?

Mr. BURNARD. I must answer, as I did before, that I partially agree with you. The Airways Modernization Board already has underway and has nearly completed the taxiway test.

I have in front of me a list of the airport projects which they are currently considering. I don't think they have gotten very far along about any, but the taxiway tests.

I notice No. 2 on their list is runways, number, orientation, separation, and configuration. Then they go into things like taxiway configuration, lighting and marking, approach lighting, slant visibility, and runway separation range.

I don't see on this list——

Mr. MEADER. We asked them about separation when General Quesada was up here, and somebody in the back row said they would bring it up at the next meeting, and they might undertake a study of separation.

Mr. BURNARD. There is nothing on their list of projects immediately under consideration, but we have asked them to go into such matters as soon as they can.

The most urgent projects, though, are such things as the high-speed turn-off tests,

and the parallel runways, in order to make immediately useful the expenditure of funds on existing airports.

Mr. MEADER. It seems to me before you start spending any money on an airport it ought to be located properly with respect to traffic patterns, if you will have to increase hazard or decrease capacity, one or the other, and I think they fit together. Then it seems to me that your best thing is not to start spending money on an airport that is not properly located, and I think you should agree with me.

I can understand that maybe you wouldn't want to because you probably have members in your association that have airports that might be adversely affected by such a proposition.

Mr. BURNARD. Congressman Meader, let me just point out that in places like New York, where there are full-time airports that have intense studies, where intense studies have been made by the Port of New York Authority as well as the CAA and the airlines for the best utilization of those airports, taking into account that they physically exist at the moment, and, as you say, the CAA says that they are making such a study with respect to the Detroit area, and I have no idea what the CAA will come up with as a result of that study, but it does seem possible to me, and I know it is true in many metropolitan areas that all of the airports presently existing can be utilized for one purpose or another.

A certain airport may not be useful for long-haul operations, but it can be useful for short-haul operations.

Mr. MEADER. Well, I may say with respect to the study and I gather this—and I am making an inference, I admit—but I gather from a statement by the CAA representatives—I don't think they are making this study for the purposes of determining whether further funds should be spent developing Detroit Metropolitan-Wayne County Airport. I don't think they intend to review that decision which they made some 10 years ago, but they are trying to find out how they can fit the maximum amount of jet traffic into the existing airports. I think that is the purpose of their study.

Mr. PLAFTNOR. You would not disagree, Mr. Burnard, that, with respect to future airports, such studies should be made?

Mr. BURNARD. There is no question about it. And that is what we have asked the Airways Modernization Board to do something about.

Mr. MEADER. And you think it is possible for the CAA to come up with some standards on separation similar to the ones they already came up with in 1949, but brought up to date in line with the present and prospective use of faster aircraft in flying?

Mr. BURNARD. I believe it should be possible to develop some criteria which should be useful in planning locations of airports.

Mr. MEADER. Well, I must say you are in disagreement with the Administrator, because he says you have got to look at each case on its own facts and that they cannot come up with any general standards.

Mr. BURNARD. For the ultimate determination of placing an airport, I would agree. But I think it is possible to develop some basic planning criteria in advance, which, taken into account in a given local situation, might have to be modified somewhat to make the local pattern workable. But in our opinion, there is certainly a need for better planning criteria than exists.

Capt. J. D. Smith of the Airline Pilots Association testified:

Mr. MEADER. Captain Smith, what is your explanation of why poor construction of the Memphis airport runway was permitted? Is it a lack of standards adopted by the CAA, where they let everybody know they will not put Federal money in unless they meet certain standards; or is it perhaps deficiencies in the personnel in the Office of Airports that do not study these things carefully enough, or do not use good judgment in allocating Federal funds? What is your explanation as to why these airport deficiencies are permitted to occur?

Captain SMITH. I can only speculate in answer to your question, and I think it stems primarily back to the fact that there is no criteria out like specifically what may or may not be used. As far as we are concerned, asphalt should just be outlawed.

Mr. MEADER. Do you think it would be possible for the CAA to adopt certain standards for airports?

Captain SMITH. We have been urging this for years. We want to go even further than that to where, from our standpoint, our commercial operation, there should be a minimum criteria governing the equipment and facilities that the airport itself is required to have. They have never set this up, and we have never received any support on the thing. Today there is no requirement on an airport—runway length, runway stress.

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Mr. MEADER. Now, you are going to comment on separation of airports.

Captain SMITH. The airport separation thing, one of the reasons we didn't include it in here, Mr. Meader, is because we were following very closely the FAA bill in the Senate because this particular item was the cause of some amendments when it came out on the floor, concerning the requirement for everyone coordinating their intentions as concerned airport siting and utilization, missile siting and utilization, and matters such as that. They would concern traffic control.

Our position on the airport siting problem is that it certainly has to be coordinated with the agency that is required to effect the traffic control service, and currently this would be the CAA. And as the thinking is going, and we hope will eventually come about, this should be through the FAA. It is certainly quite obvious there is a certain amount of thinking and planning and evaluating that must be done, particularly when establishing a new airport; or even the addition of runways oftentimes will require a considerable amount of work in order to assure that you are gaining what you hope to.

It is difficult sometimes to set up a specific criteria as to distances airports should be from each other. Of course, from our standpoint, the farther apart the better, because this reduces some of the crossover problems, for example, that we are experiencing in New York, which has a very adverse effect on traffic flow. But that gets into the area that you'd like to explore.

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Mr. MEADER. Two years ago, the late Mr. Lowen, the Civil Aeronautics Administrator at the time, told us that a study was being made of the holding and approach patterns for jets. Now, we understand that that study was never carried out, at least as Mr. Lowen gave the committee to understand it was going to be. He expected some results in 6 months. And we were told by the Civil Aeronautics Administration witnesses here recently that, with respect to the Detroit area, a study was now going on which commenced the 14th of July at Indianapolis—a simulation study—which would be completed, I believe, the 8th of August. Now, has your association taken an interest in and informed itself about the prospective holding and approach patterns of commercial jets and the relationship between those patterns and the separation of airports?

Captain SMITH. Oh, yes, sir. They are tied in very closely. In Detroit, for example, we have two pilots working right there with all the local people, the CAA, airport operators, as well as the military people. And you're getting into an area where there is a most serious problem; namely, if the procedures used in holding these jet aircraft do not result in air speed somewhere near what we are using today, this is going to require in many cases numerous revisions to the traffic-flow procedures. The effect of having to revise these holding pattern areas, for example, will in many cases thoroughly disrupt any sense of normal traffic flow. The philosophy right now is to get these jets out of the terminal area and not to hold them there at all, because of this unknown on the speed, and rather hold them 50 to 75 miles out from the terminal area, ladder them down to the lower altitudes out there, and bring them on in with radar. Now, what would happen in the event the radar was not available, we don't have the answer to yet. We have been working on this problem. We had a briefing with CAA up in New York the other day and my impression is that we have no set criteria for handling the jet aircraft today. In many respects the jet aircraft will be no different than the other. But if we have to use high speeds in a terminal area, then we have a very serious problem.

Although CAA officials declined to establish airport criteria, other witnesses, representing the commercial airlines, the airline pilots and the airport operators all were confident that standards can and should be established for airport design, including separation, and were critical of the failure of the CAA to make the necessary study and establish criteria so that all elements of the aviation industry could govern themselves accordingly.

Abstractions and generalities, even though true, lack vivid significance until applied to a concrete situation. Let us test CAA's performance in airport planning and spending Federal airport funds as recorded in the airport history of a specific community—Detroit.

AIRPORTS IN THE DETROIT AREA—WILLOW RUN-WAYNE MAJOR CONTROVERSY

Mr. MEADER. Mr. Speaker, at the close of World War II, when the airlines commenced using four-engine planes, Detroit had no airport to accommodate them. But the airport built to fly off B–24 bombers at the Willow Run plant built by Ford Motor Co.—financed by Defense Plant Corporation—on the western side of Wayne County was adequate.

The airlines, who wanted to give Detroit four-engine air service right away, wanted to use Willow Run. The Federal Government in disposing of surplus property was willing to give Willow Run—which was surplus—to any public governmental body which would agree to maintain and operate Willow Run as a public airport—for $1. It cost $21 million.

The city of Detroit, Wayne County, the Wayne County Road Commission, all turned down the offer. For a while it looked as though Detroit would be deprived of four-engine air service.

However, prompted by its far-sighted officials—the University of Michigan—principally Robert P. Briggs, vice president and secretary, and William S. Housel, professor of engineering—stepped into the breach and accepted the responsibility as a constitutional corporate body of the State of Michigan, to maintain Willow Run as a public airport to serve the metropolitan area of Detroit and southeastern Michigan.

For 12 years now, Willow Run Airport has provided safe and efficient terminal service for Michigan at almost no cost to the Federal Government.

Meanwhile, Leroy Smith, the Wayne County Road Commission engineer, a roadbuilder of the old school (recently retired) and an adroit politician, began another airport 8 miles from Willow Run.

Wayne County Airport was a small airfield at the intersection of Middle Belt Road, the Willow Run Expressway, nearer Detroit than Willow Run. At the time Willow Run became the terminal for Detroit the Wayne County Airport could not accommodate four-engine commercial aircraft.

For some reason not clearly shown of record, Leroy Smith decided a new airport should be built at this location and become the terminal for Detroit. Year by year and little by little he succeeded in:

First. Condemning additional property adjacent to this small airfield.

Second. Closing major highways.

Third. Diverting to this airfield funds sorely needed to provide highways to serve Detroit's expanding industrial and residential complex.

Fourth. Inducing the Detroit City Council, the Wayne County Board of Supervisors, the Wayne County Road Commission, to designate this small airport as the terminal for Detroit, armed as he was with life and death control over location of new highways.

Fifth. Inducing the Michigan Aeronautics Commission first, to designate this small airport as an alternate to Willow Run and as a freight terminal and later, when G. Mennen Williams became Governor and the Wayne County Road Commission paid lobbyist, John McElroy, became vice chairman of the Aeronautics Commission, obtained that body's approval of what was at that time called the Wayne Major Airport as Detroit's air terminal.

This particular airport has gone through several changes in name—Wayne County Airport, Detroit Wayne-Major Airport, and, most recently, Detroit Metropolitan Wayne County Airport.

Three aspects of this airport are important to this discussion:

First. No part of the Wayne County Airport in existence when Willow Run became Detroit's terminal is of use to airline operations now. Thus, since 1946 a completely new airport has been established with CAA approval and assistance at a site only 8 miles distant from an existing, operating, busy airport, Willow Run.

Second. The instrument runway at Wayne-Major is laid out in such a direction that, instead of being parallel with the instrument runway at Willow Run Airport, the projections of their center lines converge some 18 or 19 miles out—a built-in line of collision.

Third. During the 8 years 1947–55, when airport aid was hard to get, Wayne-Major received $4,035,858, or 52 percent of the total $7,761,064 received by the State of Michigan for that period. Willow Run received $150,031, or less than 2 percent.

Wayne County officials testified in 1956 the Wayne County Airport had then cost approximately $17 million. In July 1958 Wayne County Airport officials testified about $20 million more had been allocated in the past 2 years and that it would cost $30 million to $35 million more to complete it.

Meanwhile, many airminded individuals in Detroit, including the Detroit Board of Commerce and the Detroit Aviation Commission, were seeking locations for a terminal for Detroit nearer the center of population—an International Airport near Windsor, Canada, a Northwest Airport, a Northeast Airport. All would have been considerably more distant from Willow Run.

In 1956, Detroit officials were proceeding to acquire a site for the Northeast Airport, engaging in condemnation suits, incurring with extensive publicity the enmity of residents of the area, spending municipal funds, and consulting with CAA with respect to plans.

Yet during the 1956 hearings of the Legal and Monetary Affairs Subcommittee, a CAA traffic-control officer testified: "The Northeast Airport, from a traffic-control standpoint, would give us the worst headache that we could have in the Detroit area."

Despite the controversy regarding airports in the Detroit area being forcefully brought to the attention of the CAA at the subcommittee's hearings in 1956; and despite former CAA Administrator Lowen's testimony that a study of jet holding and approach patterns was being made then, to be completed in 6 months, it was only on July 14, 1958, after announcement of our committee's hearings that a simulation study of holding and approach patterns in the Detroit area was commenced in the CAA laboratories at Indianapolis. The study was to have been completed August 8. The results should be interesting to anyone concerned with airport development in Detroit. But the question is: Why have they taken so long to begin a study having such an important bearing on siting an airport?

The record of CAA in the specific Detroit airport situation—permitting and encouraging the construction of a new airport on top of an existing one—with the projection of its instrument runway converging with that of the existing airport 19 miles out is a specific illustration of the lack of leadership and foresight of CAA generally in airport planning and establishing sound design criteria.

The crying need today is not for another huge sum for CAA to mismanage as in the past. It is for the Congress to insist on better preparatory planning for airports as a part of the new jet airways system. Thus alone can we prevent waste, not only of Federal funds but of the money the States and municipalities contribute as matching funds. More important, by such insistence now, we can prevent freezing past mistakes and poor planning into an airport system which either will straitjacket future aviation or will have to be torn down and built over at inestimable expense and disruption.

CONCLUSION

If we act hastily now, we will find that Congress will have put vast authority in the hands of the Administrator of the new Federal Aviation Agency and, for 5 years, will have taken itself completely out of the field of airport aid or influencing the pattern of airport construction. Decisions in this vast field will be wholly within the arbitrary and unfettered authority of a single man whose name we do not yet know.

Would it not be more prudent for us to wait until the Federal Aviation Agency, only just created, takes form and when we can have an opportunity to see its operations before delegating such vast authority for so long a period of time?

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. HARRIS. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the gentleman from Michigan would lead you to believe that the Airport Operators Council is opposed to this legislation. The Airport Operators Council and the municipalities are not only supporting but strongly urging this bill be passed.

In fact, Mr. Speaker, this legislation to extend the Federal-aid program is supported by the American Municipal Association, the United States Conference of Mayors, the Airport Operators Council, the American Association of Airport Executives, the National Association of County Officials, the National Association of State Aviation Officials, the American Road Builders Association, the Air Line Pilots Association, the Air Transport Association, the Associated General Contractors of America, the Association of Local and Territorial Airlines, the National Aviation Trades Association, the Aircraft Owners and Pilots Association, and others.

Mr. BOW. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, the gentleman from Arkansas sought to place me in the position of saying that the Airport Operators Council opposes the bill. I did not say that. I said the Airport Operators Council complained that the Civil Aeronautics Administration had not exercised leadership and foresight in establishing airport standards and criteria. I have the record by which I can prove it, if the gentleman is not familiar with that fact.

Mr. BOW. Mr. Speaker, I yield 2½ minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. HARRIS. Mr. Speaker, I, too, yield the gentleman 2½ minutes.

Mr. O'HARA of Minnesota. Mr. Speaker, I appreciate that some Members on the floor may be irked because they do not have an airport. I also appreciate that some may feel that this is bypassing the Committee on Appropriations. And, I appreciate that the inference has been left here that the administration is against this bill. So far as I know, only two representatives of the administration, namely, the Secretary

of Commerce and the Bureau of the Budget, indicate their opposition to the bill.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Minnesota. I yield to the gentleman from Arkansas.

Mr. HARRIS. With reference to the Bureau of the Budget, you will find in the report on page 11 a letter addressed to me as chairman of the committee dated July 22, 1958, in which the Bureau of the Budget said that they were merely inviting attention to the comments of the Department of Commerce in opposition to it and that the Bureau of the Budget merely concurred with those views.

It is also my understanding that the Civil Aeronautics Board endorses this legislation and, as shown in the report, General Curtis who was Special Assistant to the President, in his report urged the consideration which is being given to this program by the authorization of the money which is so necessary for the development of the program which was passed in the last week or 10 days; that is the program of the Federal Air Agency, wherein all aircraft, military and civilian, would come under the control of that one Agency.

Mr. Speaker, this airport program is one of long planning, by the communities where the various airports are located, the State program as well as one of coordination with any such Federal program, the same as with the Federal road program. It takes time. The administrator of the program must be charged with the responsibility of allocating the funds, in agreement with those who are associated in that program. What is wrong with that? That is the way it has operated in the past. That is the way our road program has operated in the past. That is the way you have to operate a long-term, long-range program. After all, the local sponsors of these airports and the States have to contribute to the program. It has to be worked out on a long-range basis.

May I say that so far as I am concerned I would welcome a rollcall vote on this bill. I think it is a serious, long-range program for which everybody should assume the responsibility of voting for or against. I think it would be a most serious mistake if an effort were made to defeat this program and merely delay it until next year. I think it is highly important that the program proceed promptly, even this year.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Minnesota. I am happy to yield to my distinguished colleague.

Mr. WOLVERTON. Mr. Speaker, I am well aware of the great amount of time that has been given to this matter, not only by the committee but also by the gentleman who is addressing the House. I cannot help but emphasize to the House the fact that after most careful consideration the committee voted unanimously in favor of this legislation. I know of nothing stronger than the fact that the committee which, for a period of years, has made a study of this subject, reported this legislation unanimously; and the only voices raised against it so far are those who are not on the committee.

Mr. O'HARA of Minnesota. The gentleman is correct, and I thank him for his contribution. It is a fact that this committee has had the responsibility of this program over the years, and after careful consideration reported the bill unanimously.

Mr. HARRIS. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, I know of no bill which is more important to transportation in our country than the bill presently before the House. During this session we have dealt with various phases of transportation. We passed the so-called Smathers bill as amended, we gave tax relief to the railroads in the form of an adjustment on the transportation of freight, and we have dealt with commerce by sea.

The problem of aviation is probably the most pressing of all forms of commerce. All of us are familiar with the tragic accidents which have happened recently, one just over the weekend, caused by inadequate landing facilities, and the collisions which have occurred in midair during the past few months, which have created all types of surveys and desires to prevent these types of disaster.

In my judgment, this is a well-considered program to bring us in an orderly manner into the jet age, to which the distinguished chairman of this committee has already referred.

Certainly this is anything but a giveaway program. In the committee report is a breakdown of what is required by each State and what each State is doing. In my particular State about $16 million is required. The State, the cities, and the subdivisions have made available $4 million, so about $12 million, or three-quarters, is left. On a national basis it is less than 50 percent.

This is a program that seeks to meet this fantastic increase in air transportation. It is stated in the report. I do not know how many of you have read this, but the Civil Aeronautics Administration forecasts that by 1960 air traffic will increase to 66 million passengers and 35 billion passenger miles; by 1965 to 93 million passengers and 49 billion passenger miles; and by 1970 to 118 million passengers and 60 billion passenger miles. So this is a tremendous problem.

I must say in all due deference to the gentleman from Michigan that I got the impression, and I hope it was not so, that his opposition was not so much based on what an Assistant Secretary of Commerce said as on the fact that he had not quite got the exact location he desired for an airport in Michigan. He referred specifically to the Detroit Airport.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. Certainly I will yield. If I have done the gentleman any injustice I will withdraw my statement.

Mr. MEADER. If the gentleman had paid attention to my statement he must have gotten the idea that I am just as much interested in improving air traffic as is the gentleman.

Mr. BOGGS. The gentleman has misunderstood what I said.

Mr. MEADER. What I was complaining about is that the Civil Aeronautics Administration has failed to make the studies necessary to set up a criterion.

Mr. BOGGS. Has the gentleman been in some argument with the Civil Aeronautics Administration about the location of an airport in Michigan?

Mr. MEADER. I have been a member of a committee which investigated the location of an airport there. My interest stems from a controversy with the Civil Aeronautics Administration.

Mr. BOGGS. The gentleman has answered my question. He has been in such a controversy.

Anyone who lives in an urban area understands the problems confronting the cities of the United States. In any city of consequence, people are moving in from the rural areas. Here today we defeated a housing-aid bill which would have given us some aid in urban development and slum clearance. Now we are confronted with these terrific problems in street building, education, sewage disposal, expansion of community facilities, and transportation. Without this bill, without some help in air traffic, the number of accidents is bound to increase. I trust we will pass this bill, and I congratulate the committee on a unanimous report.

Mr. BOW. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, the legislation we have before us today provides for the expenditure of $437 million over the next 4-year period. Section 1 of the bill provides for $415 million in obligations and section 2 for $22 million. I think it is important to point out in the consideration of this bill that we are actually acting upon a 4-year appropriation bill. The Congress itself is surrendering to the executive branch of our Government all rights of review over the obligations of these funds for the next 4-year period.

I direct your attention to page 2 of the bill, section 1, line 1 to 10 where you will see a direct obligation authority is being given to the executive branch of this Government. The Congress during the next 4-year period will have no right of review over any of these funds. During this session of the Congress, we have heard a lot of talk about Congress reasserting itself relative to the appropriation procedure. During this session of Congress there was evidenced a great support for the bill, H. R. 8002, which gave to the Congress, so the advocates of that bill claimed, greater control on a yearly basis over the appropriations and the expenditure budgets. This bill goes in the other direction. It surrenders for a 4-year period all rights that this Congress and the Appropriations Committee has to review this program and to keep real control over our Federal purse strings.

I would like to point out that provisions in this bill are clearly subject to a point of order if it were not being

brought up under this suspension of the rules procedure, as it is today. The language which provides for direct obligation authority is clearly not within the rules of the House, but because we are debating this bill under suspension of the rules, a point of order cannot be made. Under this procedure it is likewise impossible to amend this bill to provide for these airport facilities funds on a yearly appropriation basis. I say to you, if we continue to use this kind of procedure of appropriating funds on a 3- and 4- and 5-year basis, and bypass the appropriations committees of the Congress, giving complete control to the executive branch of our Government rather than keeping the control of the purse strings here in the House of Representatives, certainly, we are in serious trouble. This bill is a move in that direction. I call to your attention again that this bypasses the regular Congressional appropriation procedure. It gives a blank check to an agency of the executive branch of our Government in the amount of $437 million. I believe it is important that we give this bill serious consideration and not suspend the rules of the House whereby we cannot provide for the necessary amendments which the Committee on Rules has insisted on all year.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. I yield.

Mr. HARRIS. The gentleman is aware of the fact that this Congress has authorized the construction of highways for a period of 12 years under this same procedure; is that not true?

Mr. LAIRD. I am aware that the Congress has on several occasions given the executive branch full contract authority and obligation authority, but I had hoped the Congress would evidence some regard for getting the appropriations back under the control of the House of Representatives. Certainly, we are moving in the other direction by the enactment of several of the provisions in this legislation today. I wanted to make that very clear. Every dollar we spend today must be borrowed by the Federal Government. Congress must exercise yearly control over expenditures even if it is an unpleasant task. That is our job. Let us not pass the buck to the executive branch of our Government. We have done that too much lately and we now find we have no more bucks to pass.

Mr. HARRIS. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. AVERY], a member of the committee.

Mr. AVERY. Mr. Speaker, I will not defend the procedure under which we are considering this legislation today. I can see no particular reason why we should not have considered this in the usual legislative method proposed some weeks ago.

Be that as it may, here we are today, in the closing hours of the session, with a very important bill before the House, a bill that will affect every Congressional District in the United States, as well as the Territories. Whether it is in the public interest for the Federal Government to assume financial responsibility in the way of furnishing transportation facilities is a moot question. We decided that a hundred years ago when certain railroads were deeded a substantial portion of the public domain, to furnish transportation facilities to the west coast. It seems to me this is consistent with the policy that was laid down then before the Civil War. The gentleman from Wisconsin [Mr. LAIRD], who along with other members of the Appropriations Committee makes the point that we are abdicating our responsibility as Members of Congress, I want to point out more particularly that the Appropriations Committee is opposed to this bill. I recall also that the gentleman referred to the debate we had on the floor regarding H. R. 8002. If my memory serves me correctly, the Appropriations Committee took the position in that case that we should not reexamine these appropriations annually. It was in the public interest to make a continuing authorization.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the distinguished gentleman from Wisconsin for a clarification of that point.

Mr. LAIRD. I wish to assure the gentleman that he has fully misinterpreted the position of the Appropriations Committee. We felt that H. R. 8002, in its inception did not give any additional authority to the authority Congress already had; that if we wanted real control, which took the will of the Congress, if the Congress wanted to speak on this subject they could do it on each individual bill. We have a bill before us today. Let us see how the Congress speaks.

Mr. AVERY. I would be willing to go along with the gentleman's conclusion to see what position the Congress will take on this particular bill. I am not in agreement with him on the reasoning that the Appropriations Committee took on H. R. 8002. The gentleman from Minnesota [Mr. O'HARA] refreshed the memories of the Members. This is consistent with the program we authorized for the Federal public roads, with the blanket authorization for that program that has been in existence for a number of years. I also recall that certain terminal facilities have been made to the users of the waterways. So there is no reason why we should not continue this program as it has operated for the last 10 years.

I would like to make this further point: If this were a new program that we are authorizing today, I would find myself in the position of the gentleman from Wisconsin [Mr. LAIRD], and other Members opposing this bill. But it is virtually a continuation of an existing program, a proven program. It should be further endorsed by the House today.

The SPEAKER. The time of the gentleman from Kansas [Mr. AVERY] has expired.

Mr. HARRIS. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Speaker, some of the gentlemen who preceded me in this debate have mentioned the fact that this legislation is premature. I cannot see their reasoning, for we have already had a program in effect for 3 years and this is merely an extension of that program, with further provisions for taking care of jet aircraft in this jet age.

It is a strange coincidence that all those who have spoken so far in favor of the program are those who heard the evidence as presented to the committee, and those who have spoken against it are the ones who did not hear the witnesses before the committee.

We have heard some talk about the jet age, and getting ready for it. The jet age is here now. Some of the airlines have already ordered jet planes and, as you know, our military is equipped with jet planes; therefore, the need for more and better airports in order to take care of this type plane.

I am sure we agree that it is certainly the responsibility of the Congress to see that our Nation is ready, and we should envision what the needs of the future might be and try to provide those needs now. We should take a lesson from the second World War in which the phrase, "too little and too late" was frequently heard when we or some of our allies were losing battles.

I firmly believe this bill is for the best interest of America and is needed for security and further progress. I sincerely believe the measure should be passed.

Mr. HARRIS. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama [Mr. ROBERTS], a member of the committee.

Mr. ROBERTS. Mr. Speaker, I know everyone was saddened by the accident at Nantucket last Friday, August 15th, that took the lives of 23 people. Various causes have been assigned for that crash, but I would like to call to the attention of this House the statement made by the Airline Pilots' Association with reference to that crash. The pilots' spokesman emphasized that it was too early to determine all of the factors that might have caused the crash, but he said that Nantucket Airport had no instrument landing system, no high intensity approach lights, and only a minimum of radio navigational aids. The statement was carried in the New York Times of August 17, 1958.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Ohio.

Mr. BOW. Are any of the items to which the gentleman just referred as being absent at Nantucket Airport included in this bill? Or do they not come under the Federal Airways bill in which we have already appropriated the funds and given them the green light to go ahead?

Mr. ROBERTS. I am advised by our staff that acquisition of land for high intensity approach lights would be included in these funds.

Certain it is that we are sitting on the brink of the jet age. When the Under Secretary of Commerce, Mr. Rothschild, was asked to supply the committee with

a list of airports in this country which could handle jet air traffic, it turned out that out of more than 600 major airports, we have but 15 that possibly could now take commercial jet traffic.

Mr. Speaker, I desire to call attention of the House to a very thought provoking editorial on this subject, written by Wayne W. Parrish, which appeared in American Aviation May 19, 1958, and an item which appeared yesterday in the New York Times.

The editorial by Mr. Parrish follows:

EVERYBODY'S IN STEP EXCEPT COMMERCE

Pending in Congress are bills which would extend the Federal Airport Act of 1946 for another 5 years and would provide an additional $500 million of matching funds for airport development.

During the past 12 years under the act, no more than $430 million in Federal funds has gone to airports, although Congress had intended that more should have been spent.

It is a curious twist in Federal airport aid that the very agency which is charged with overseeing aviation in this country has been the very agency dragging its feet on airport aid. This agency is the Department of Commerce. It has trimmed Federal aid requests for some years.

And so it was recently when the Senate Interstate and Foreign Commerce Committee held hearings on the new airport bills. There were many who testified in favor. Only one witness testified in opposition. You guessed it—it was the Under Secretary of Commerce Louis S. Rothschild.

Not since Delos W. Rentzel was Under Secretary has there been the kind of progressive aviation leadership in the Commerce Department which should be forthcoming. Although Commerce has supported the Federal airways program of CAA, almost everything else has been negative, whether it be permanent certification of carriers or capital gains or Federal aid for airports.

Mr. Rothschild testified with something less than accuracy that the construction, maintenance and operation of civil airports has always been a matter of local responsibility. Airports, he said, are community assets. The Federal Government, in his estimation, should look forward to curtailment of its contributions to airport development and improvement. In short, he opposed any extension of the Federal Airport Act.

It seems to us that Mr. Rothschild blithely ignored the one most important reason why the Federal Government should be directly concerned with the development of airports. They are part and parcel of a national transportation system. And since the beginning of the original post roads the Federal Government has been deeply and directly involved in aid to transportation.

When railroad building was in its heyday, the Government gave the rails land gifts amounting to close to 10 percent of all land held in public domain in the United States. The Government spends $37 million a year to keep inland waterways adapted to barges and in the present fiscal year will spend an additional $67 million on waterway improvements. Federal aid to highways has totaled $11.5 billion since 1917 and will total another $37 billion in the next 20 years under the interstate highway program.

Federal aid to airports has been relatively small, although the very substantial expenditures for the Federal airways system for past, present, and future must not be overlooked.

What may be lost sight of is the fact that the matching Federal aid is not going to go to every airport in the country. As A. B. McMullen testified on behalf of the the National Association of State Aviation officials, there are about 7,500 airports in the country now, but of this total 4,640, or 63.5 percent, are privately owned and operated without any expense to any Government agency or taxpayer. There are many community airports, particularly those not being served by scheduled carriers, which will not receive aid.

The vast bulk of the program is designed for those airports which are an integral part of the national transportation network—the interstate network which serves and benefits civil, commercial, and military on a national basis.

Thus these nationally oriented airports are not in the class of local parks or schools, despite Mr. Rothschild's inclination to give them purely local status. John Wiley, of the New York Port Authority, testified that of the 13.5 million passengers using New York airports last year only 38 percent were residents of the New York-New Jersey metropolitan area. R. F. W. "Bob" Schmidt, of Tucson, testified that transient movements at his airport are up 500 percent in 10 years while locally based aircraft are not yet doubled in number.

A NASAO survey indicates a requirement for $1 billion in airport development during the next 4 years. Local funds are available for over half that amount. The pending bills in Congress would authorize the remainder.

Local authorities are investing far more in airports than the Federal Government will ever do. In fiscal 1959, which starts July 1, the Federal Government will spend about $63 million. But in 1957 alone the New York Port Authority invested $63 million, and for 1958, $107 million is budgeted, all for airport improvements.

Most important of all, however, is the needed recognition that Federal aid is not money down the drain. It is not just an expenditure. It is an investment that will pay off in a great many ways. Airports are now big business creating new business. Miami International Airport, for example, provides 20 percent of all employment in Dade County—more than 200,000 persons are supported by the aviation industry there.

It is an unfortunate break for aviation that the Department of Commerce is negative, and not positive, in its entire attitude toward civil aviation.

The dispatch from the New York Times follows:

PILOTS CALL FOR BETTER AIRPORT LIGHTING AS LESSON OF PLANE CRASH IN NANTUCKET

WASHINGTON, August 16.—The crash of a Northeast Airlines Convair at Nantucket last night points up the need for better airport lighting systems, a spokesman for the Airline Pilots Association said today.

Preliminary reports on the Nantucket accident indicated that the pilot had landed short of the runway when fog suddenly thickened in the last crucial seconds before he touched down.

The pilots' spokesman emphasized that it was too early to determine all the factors that might have caused the crash. But he said the Nantucket Airport had no instrument landing system, no high-intensity approach lights and only a minimum of radio navigational aids.

[Jeppesen's Airway Manual, standard airport facilities reference for United States airlines, lists the facilities at Nantucket as a rotating light on the tower, ordinary runway lights that are not always visible in below-ceiling weather, and an omni-range approach system that enables pilots to line up their aircraft with the runway through a ground-to-cockpit radio beam. Jeppesen's Manual listed no "outer marker" and "middle marker" facilities at Nantucket. These flash a light on the cockpit instrument panel to tell pilots how far they are from the end of runways.]

The pilots' safety expert said the ideal airport bad-weather lighting system consisted of high-intensity "center line approach lights" that illuminate the exact center of a runway down its entire length with a fog-piercing gleam. Only Newark, Washington, and Idlewild Airports have center-line approach light systems, he added.

In addition, Newark has narrow page flush lighting that shows pilots the exact widths of runways even in below-ceiling weather at night. Newark, said the pilots' spokesman, is the only airport in the country that has no minimum ceiling requirements because of its ultramodern lighting system.

"An instrument landing system unit at Nantucket probably would not have prevented the Northeast accident," other air safety experts said. Their explanation: Such a system consists of two ground transmitters projecting radio beams toward approaching aircraft. One transmitter sends a beam down the center of the runway; the other hurls its beam upward at an angle to the airport—the glide path. When a blind-flying airliner comes into range of the transmitters, their converging beams appear as crossing needles on a dial in the cockpit. When the needles form a perfectly centered cross, the pilot knows he is approaching on course and on the right glide path.

But the system keeps a plane on the correct approach only up to a certain point—about 200 feet altitude. Below this, the pilot must land visually. The instrument landing system at Nantucket, therefore, would not have enabled the captain to land blind once his visual references were cloaked by fog.

Mr. BOW. Mr. Speaker, I yield myself the remainder of my time.

The SPEAKER pro tempore (Mr. WRIGHT). The gentleman is recognized for 6½ minutes.

Mr. BOW. I watched the parade of Members coming to this well to speak in favor of this legislation. I found among them some of my very best friends. It is always difficult to oppose your good friends, but I find that it is necessary to do so, because I think this is a bad bill. Let us get a few things straightened out before we consider some of the details of the bill.

No. 1: If this bill is defeated it is not the end of an airport program; airports will continue to be built, and can continue to be built with Federal funds.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman is aware, is he not, that the present airport program terminates with this fiscal year?

Mr. BOW. In July of next year.

Mr. HARRIS. That is the end of the current fiscal year.

Mr. BOW. And I have this confidence in the gentleman from Arkansas, Chairman of the great Committee on Interstate and Foreign Commerce, that if this bill does not pass today, his great committee wil come back here in January and immediately pass a bill authorizing these constructions and send it through the proper processes of the House. I have no concern at all that the gentleman's committee will not function. I am sure that will happen.

Mr. HARRIS. The gentleman used my name and complimented me, for which I am very grateful. The gentleman is aware of the fact that if this bill does not pass this year, plans cannot go forward which are necessary in order to prepare for these airport projects. That

is the most important part of this whole program.

Mr. BOW. I do not yield further because I cannot agree with the gentleman.

There are today unallocated and not obligated $45 million to carry on these projects that have not been touched. Thirty-four million dollars of that would be allocated in the form of assistance to the States, $11 million is in a discretionary fund with the Secretary of Commerce; so we have $45 million not obligated, not allocated, to carry on until July of next year at which time the gentleman's committee will have had plenty of time to have come to the House with adequate legislation. The appropriation bills will have been in and reported before that time comes. So if you have any airports in your District, do not be concerned that this work will stop because of failure to pass this legislation.

What has been going on? In the last few years we have spent billions of dollars and we will continue to spend billions of dollars for the establishment of the airways of this country on the question of safety. In the next 5 years the estimate is that there will be about $3 billion additional to be spent on the airways for safety equipment to fly the airways. That will all be Federal funds.

This money is to be matched, but we have given that money for safety, and when you talk about safety, can there be any criticism of this committee or of the Committee on Appropriation or of this Congress that we have ever denied a cent for safety in the air? Our bills this year amount to close to a billion dollars to build that up and all of that has gone through your Appropriation Committee. So I say to you that question of fear that this program is to stop should not be considered, because it will not be stopped.

The only question is whether or not the Members of this House feel that we should review these programs, whether they should be subject to a review by the Congress, or are you willing to turn over to the executive branch of the Government the authority to go ahead and put these airports in where you, as Members of Congress, think they should be or where some agency determines they should be? I think it is better to have the control in the House of Representatives so that each year they can be reviewed in order that you Members of Congress will have an opportunity to stand up and complain that these funds are not being used properly. Here is a direct obligation of your Government to the extent of $437 million that you are asked to abrogate your control over in the next few years.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Washington.

Mr. HORAN. I have had the privilege of serving on the same committee with the gentleman from Ohio [Mr. BOW] and I want to say that under the able leadership of the gentleman from Georgia [Mr. PRESTON], who is not present today, attention has been given these problems and they have a wonderful friend in the gentleman from Georgia who on several occasions has held extra meetings to consider these special problems.

Mr. BOW. The gentleman from Arkansas has read from the Bureau of the Budget. He has read a statement that would leave the House with the feeling that the Bureau of the Budget does not object to this legislation. But, may I read the closing paragraph of that letter:

This office concurs with the views of the Department of Commerce and is opposed to these bills. Their enactment would not be in accord with the program of the President.

The Department of Commerce and the Bureau of the Budget object and they say it is not in accord with the program of the President. This bill should be defeated.

Mr. HORAN. On two occasions publicly the CAA Administrator has told me he is not suffering from lack of funds supplied by the subcommittee on which we both serve.

Mr. BOW. I thank the gentleman.

Mr. HARRIS. Mr. Speaker, I yield such time as he may desire to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Speaker, I rise in support of S. 3502, the Federal Airports Extension Act of 1958. This is legislation designed to meet the growing needs of our air age and to continue expansion of airport facilities.

Air travel is increasing. It does not necessarily compete with surface transportation; rather, it supplements surface travel. With a growing population, and with opportunities available often at distant points, air travel is a necessity for some, a convenience for many. We of the Congress recognize this and we encourage the use of airports for our peoples.

I note that the need for airports during the next 4 years is estimated by persons and organizations in the know, at 1138 projects. This does not include those that need funds for facilities.

We need to make air travel immediately available to all who desire it. Airports are a part of the answer. Adequate stops are another. We cannot ask for stops until we have landing facilities sufficient and adequate.

At my own home we have a wonderful airport. We need facilities. I hope we can realize some from this program.

Last year, in another part of my District, funds were made available for an industrial airport.

We want the world to know, down in my part of the country, that we want industry, and we have the people who will give you the best day's work for your money of any people anywhere in the world. You can get a big dollar's worth of honest, dedicated work for your dollar.

In keeping with our invitation to industry and our promise of honest labor I support this legislation.

Let us build and improve our airports. It is a good investment in progress. I hope the legislation will pass.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, the bill now before this House (S. 3502) to amend the Federal Airport Act seeks to extend the time for making grants under the provisions of such act and is entitled to have the support of this House.

The bill comes before the House with the unanimous support of the committee. The subject has had most careful study. It represents the combined effort not only of the Committee on Interstate and Foreign Commerce but also all of the organizations and representatives of all interested parties, including State aviation officials, mayors of municipalities, large and small, Airline Pilots Association, the Air Transport Association, numerous aviation associations, and others. It truly represents the combined wisdom of all the outstanding aviation experts in this country. It likewise has the support of James R. Durfee, chairman of the Civil Aeronautics Board.

The bill seeks to meet a growing and ever expanding air transport industry. The original act was enacted in 1946 to assist local communities in the development of a national system of public airports adequate to meet the needs of civil aviation. During the years that have intervened airport assistance programs have had ups and downs. As a result a study was made by a committee appointed by the Secretary of Commerce in 1953. It recommended a continuation of the Federal program.

The granting of adequate appropriation has been most unsatisfactory. Because of this the House Committee on Interstate and Foreign Commerce took the matter in hand and in 1955 approved amendments to the act. These amendments were approved by the Congress and the President. During the intervening years to 1958, because of the amendments, more regular and satisfactory appropriations have been provided, at the rate of $63 million for each of the 3 succeeding fiscal years. Authority under this legislation expires this fiscal year. It is because of this fact and the proven inadequacy of the existing limit of appropriations at $63 million per year to meet the demands of the present air transport system, and particularly because of the coming into use of jets that the committee has reported the bill now before us and asks for its approval. The present bill raises the amount of yearly appropriations to $100 million per year for the next 5 years. This will be an appropriated program for expansion of our airport system to be adopted.

The extent to which air commerce is expanding is astonishing. In 1946, our domestic airlines carried over 12 million passengers nearly 6 billion miles. Last year they carried 44 million passengers more than 26 billion miles. Aircraft operations, excluding local training flights, jumped from 4 million to something over 16 million during this same period.

The Civil Aeronautics Administration forecasts that by 1960 this traffic will increase to 66 million passengers and 35 billion passenger-miles; by 1965 to 93 million passengers and 49 billion passenger-miles; by 1970, to 118 million passengers and 60 billion passenger miles.

Air cargo has also shown an impressive increase over the years. Since 1946 this traffic has increased more than fourfold and in 1957 totaled 583 million ton-miles. The CAA forecasts that by 1960 air-cargo traffic will increase to approximately 900 million ton-miles and by 1970 to 1.6 billion ton-miles.

The CAA reports that today the general aviation fleet exceeds 65,000 active aircraft and predicts that by 1960 this general aviation fleet will increase to almost 70,000 active aircraft, by 1965 to 89,000 aircraft and by 1970 to 107,000 aircraft which will fly 18.1 million hours annually. That can only mean increased aircraft movements both in the air and on the ground. Such movements—arrivals and departures—the CAA reports totaled 16 million in 1957 and is expected to increase to 22 million in 1960, 30 million in 1965 and 35 million in 1970.

Figures such as I have given from CAA reports are staggering. It seems fantastic that an industry of this magnitude could have grown from the humble beginning of the Wright brothers at Kitty Hawk, N. C. But there it is and it demands all the consideration that can be given to it.

Thus it can be readily seen and appreciated that proper governmental planning for the needs of air transportation cannot be neglected. The cost is great. It cannot be carried entirely by local communities. It needs the help of the Federal Government. The expansion and improvement of our national airway system is not only necessary for the proper use of our commercial planes but also a necessity—an extreme necessity—as a part of our national-defense system for the use of our military planes, both in times of peace and in war emergency. This bill is a recognition of the need and an effort to meet the need in a manner that will provide adequate airport facilities for the present and meet the needs of the future as they develop.

The bill is entitled to have the support of the Congress. I am certain it will have the approval of the President. It is a good bill and should be enacted into law.

Mr. HARRIS. Mr. Speaker, I yield the remainder of the time to the gentleman from Illinois [Mr. MACK].

Mr. MACK of Illinois. Mr. Speaker, I have listened to all of the debate today and I have been unable to find any basis for opposition to this legislation. If I understand the gentleman from Ohio correctly, his reason for opposing this bill is that he does not want to give the same treatment to the construction of airports that we give to the construction of highways. Apparently, that is his only reason, and I do not think it is a very good one.

Mr. Speaker, if you want to abandon the Federal Airport Construction program, then vote against it today, because that is exactly what you would be doing.

If we want to be unrealistic then we can argue that we will have plenty of time to extend this act next year. It simply is not possible to have a continuous program if we wait until the act expires before we renew it. The Federal airport program is a coperative program and the communities and the States need to plan ahead for airport construction. If they are to utilize Federal assistance they will have to know in advance what assistance will be available to them. Mr. Speaker, it is highly important that we renew this program prior to the adjournment of this Congress so that these communities can move forward with their plans for airport construction.

Mr. Speaker, the airport situation in our Nation's Capital is a good example of what can happen if we do not adequately consider our needs for the future. Several years ago the Committee on Interstate and Foreign Commerce authorized a second Washington airport. The Secretary of Commerce was opposed to the site selected by Congress and was successful in blocking the development of this airport. I believe this original authorization act was passed by Congress in 1953. We have now waited over 5 years for the development of a second airport for Washington. As a result we have an airport which cannot handle all of today's traffic and it is totally incapable of handling any of the jet traffic which is scheduled to go into service this fall. This should vividly bring home to us the need for a sound program for the development of airports throughout the country.

Now, Mr. Speaker, we cannot afford to delay on the extension of this act merely because the Secretary of Commerce is opposed to it. We cannot afford to wait 5 years to carry on our airport construction program. We cannot afford inadequate airport facilities which would serve as a hazard to air transportation. We must do everything in our power to promote safety in the air and on the ground and our experience in recent days tragically proves that we have some areas which are served with inadequate facilities.

Mr. Speaker, the extension of the Federal Airport Act is supported by nearly every aviation organization in the country. It was reported unanimously by the Committee on Interstate and Foreign Commerce. If we consider the success of this program and the demands of private and commercial aviation in the future, we cannot fail to approve this bill.

Mr. Speaker, I hope that the House will look into the future and approve this bill so that we will have adequate airports to serve the greatest system of air transportation in the world.

The SPEAKER. The time of the gentleman from Illinois has expired. All time has expired.

The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. Bow) there were—ayes 152, noes 42.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL AID TO EDUCATION

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 691, Rept. No. 2665), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical needs, and for other purposes, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is, disagreed to and a conference is requested with the Senate upon the disagreeing votes of the two Houses.

HOUSE RESOLUTION 149—85TH CONGRESS

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 679, Rept. No. 2666), which was referred to the House Calendar and ordered to be printed:

Resolved, That House Resolution 149, 85th Congress, as amended, is further amended by striking out the first sentence in paragraph 2 thereof and inserting in lieu thereof the following: "For such purposes the said committee or any subcommittee thereof as authorized by the chairman is hereby authorized to sit and act during the present Congress at such times and places within the United States, its Territories and possessions, within the North American continent, or elsewhere when in connection with any study or investigation of ocean steamship conferences and the dual rate system, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary: *Provided, however*, That in no event shall the chairman designate more than 5 committee members and 2 staff members to proceed outside the United States on any one study or investigation of ocean steamship conferences and the dual rate system.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.; and

S. J. Res. 201. Joint resolution to authorize the Chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 9700. An act to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes; and

H. R. 12216. An act to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the Cordell Hull Dam and Reservoir.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes.

The message further announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. BIBLE, Mr. YARBOROUGH, Mr. BRICKER, and Mr. POTTER to be the conferees on the part of the Senate.

ESTABLISHMENT OF A FOOD-STAMP PLAN

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13067) to provide for the establishment of a food-stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States, as amended.

The Clerk read as follows:

Be it enacted, etc., That in order to promote the general welfare, raise the levels of health and of nourishment for persons whose incomes prevent them from enjoying adequate diets, and dispose in a beneficial manner of food commodities acquired by the Commodity Credit Corporation or the Department of Agriculture in carrying out price support operations or diverted from the normal channels of trade and commerce under section 32 of the act of August 24, 1935, as amended, the Secretary of Agriculture (hereinafter referred to as the "Secretary") is hereby authorized and directed to promulgate and put into operation as quickly as possible for the calendar years 1959 and 1960 a program to distribute to needy persons in the United States through a food stamp system such surplus food commodities.

SEC. 2. In carrying out such program, the Secretary shall—

(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

(2) issue, or cause to be issued, pursuant to section 3, food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

(3) distribute surplus food in commercially packaged form, preferably through normal channels of trade;

(4) establish standards under which, pursuant to section 3, the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in the first section of this act; and

(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this act.

SEC. 3. The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under section 2 (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under section 2 (3).

SEC. 4. Surplus food distributed under this act shall be in addition to, and not in place of, any welfare assistance (financial or otherwise) granted needy persons by a State or any political subdivision thereof.

SEC. 5. In any one calendar year the Secretary is authorized to distribute surplus food under this act to a value of up to $1 billion, based on the cost to the Federal Government of acquiring, storing, and handling such food.

SEC. 6. For the purposes of this act, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

SEC. 7. The Secretary of Agriculture, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within 6 months after the date of enactment of this act, on the feasibility of, the cost of, and the problems involved in, extending the scope of the food stamp plan established by this act to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this act by reason of section 6 of this act.

SEC. 8. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

The SPEAKER. Is a second demanded?

Mr. HILL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOLEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I shall speak only briefly about this very important measure because many other Members desire to speak.

I do want to say that we had before our committee 20 or more bills relating to food stamps. The purpose of this bill now before the house is to authorize and direct the Secretary of Agriculture to institute a food-stamp plan designed to accomplish two main objectives:

First. The improvement of the nutritional standards of needy persons in the United States, our own American citizens, and

Second. The disposal of our abundant agricultural commodities acquired by the Federal Government through its price-support operations.

The idea is not new to Members of the House or to the Nation. In years gone by we have had some experience with a food-stamp program. We now are distributing Government-owned foods under a totally inadequate program. But under this program 4,665,000 needy Americans now are receiving surplus foods. The number of such recipients is the greatest since the great depression.

Surplus food distribution virtually ceased after the start of World War II and operated only moderately until 1954. In February, 1954, there were fewer than 100,000 persons receiving surplus food throughout the Nation. The increase since that time has been at a very rapid pace. From less than 100,000 in 1954 the number has risen to 4,665,000 this year.

Following is a table showing the number of recipients in the various States:

Number of persons in family units participating in commodity distribution, June 1958

State:	Recipients
Alabama	145,746
Arizona	20,765
Arkansas	266,436
California	15,945
Colorado	12,377
Connecticut	1,120
District of Columbia	28,950
Georgia	32,793
Illinois	73,366
Indiana	95,112
Iowa	75,720
Kansas	10,080
Kentucky	239,345
Louisiana	118,386
Maine	47,057
Maryland	24,885
Massachusetts	1,637
Michigan	475,536
Minnesota	39,962
Mississippi	186,713
Missouri	60,186
Montana	7,042
Nebraska	2,020
Nevada	1,173
New Hampshire	8,062
New Jersey	15,490
New Mexico	39,686
New York	265,792
North Carolina	6,549
North Dakota	8,458
Ohio	89,564
Oklahoma	243,011
Pennsylvania	751,693
Puerto Rico	563,503
Rhode Island	11,726
South Carolina	734
South Dakota	28,721
Tennessee	225,723
Texas	112,562
Utah	21,635
Vermont	10,345
Virginia	39,611
Washington	6,606
West Virginia	241,617
Wisconsin	25,391
Wyoming	7,723
Total	4,665,479

Mr. Speaker, the food distributed under this program is on a very limited scale. I am advised that the commodities provided for the individual recipient have a value of only about $1.50 a month. The foods covered by this $1.50 a month include flour, cornmeal, dry milk, butter, cheese and rice.

There is not much to sustain a diet for a person in need, on just $1.50 a month in food.

It is hoped that through the bill now before the House we shall be able to get

more of our abundant food into the mouths of our hungry American citizens.

Mr. Speaker, frankness requires me to say that the Department of Agriculture does not approve a food-stamp program. But, during the 84th Congress we instructed the Secretary to study the feasibility of a food-stamp program and to report his findings and recommendations to the Congress. On January 3, 1957, he filed his last supplemental report which was developed in the Department of Agriculture pursuant to Public Law 540 of the 84th Congress.

I appreciate the fact that it might be difficult to administer a food-stamp program but I call attention to the fact that we do have an enormous surplus of food in the inventories of the Commodity Credit Corporation. In addition, the Secretary has authority under the section 32 program to acquire certain foods which are in surplus supply and to make those foods available to our own needy citizens. It seems to me that if we can afford year after year to give our surplus food to hungry people around the world we can well afford to make this surplus food available to needy people here at home.

It is contemplated that the Secretary will exercise broad discretionary authority in devising and providing and operating the food-stamp program, which by this bill he is authorized to inaugurate. It seems to me that each Member of this House, if you have in your District aged and dependent people who are in need of food, you should welcome this opportunity to vote for this bill and turn the problem over to the Department of Agriculture in the hope that this food may be available to Americans as it is now available to hungry people everywhere on this earth.

I shall yield my time to some of the authors of some bills to the end that you may propound such questions as you desire regarding the program that is here contemplated.

Mr. HILL. Mr. Speaker, I yield myself 5 minutes, and ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, this is a very interesting piece of legislation. It comes to us this afternoon with an entirely new approach to our relief program.

We have had a good relief program. We have one working at this very time. Why this House should take this action this afternoon when our hearings disclose the fact that State after State has been doing an excellent job in providing surplus food for those who are out of employment and need extra surplus food, I do not know. This bill authorizes a program to replace the present method of making surplus commodities available to needy persons. Under the bill the Department would print and issue food stamps to any State or local welfare agency wishing to make surplus food available to needy people. These welfare agencies would certify eligible recipients, and I want you to note this carefully, the recipient would then exchange the stamps for Federal surplus foods preferably, of course, in the retail stores through special distributing centers. That is a complete departure from what you have been doing. It might have been, had the stamp plan had its beginning and origination at the beginning of the depression, and we might have worked it out. It did help, but let us not forget for 46 months we had a food stamp plan and we absolutely abandoned it and abolished it. Here this afternoon we want to resurrect the bones. Frankly, I say to you I can see no reason why this legislation is even on the floor of the House. We have the hearings and you can read this yourself. You will find that practically no one was even given an opportunity to testify against this stamp plan program. The Department testified against it and made a good record. They are 100 percent opposed to adopting a plan like this. It might have been, had we gone into the depression as some of our friends, not in this House, of course, thought we were headed for some time ago and who thought we would need this and that hundreds of people would be walking around in the streets hungry and barefooted and so forth. But, that did not happen. Today while we have some unemployment in some sections, we have plenty of food and we also have no serious unemployment. So I would say this afternoon what we should do is to give this particular stamp plan a whacking defeat and leave alone the system that the Federal Government in cooperation with the States are operating under at the present time in supplying food to those who are in need.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield.

Mr. HALLECK. I just wanted to say that this plan should be defeated for the reason that it would require many new operations on the part of the Government and it would inject us into a completely new field. I believe there are other ways in which we can handle this problem. I sincerely hope that this measure is defeated.

Mr. HILL. I thank the gentleman.

I quote from a news release of the United States Department of Agriculture on H. R. 13067, a food-stamp bill to distribute Federal surplus commodities:

H. R. 13067 authorizes the program to replace the present method of making Federal surplus commodities available to needy persons.

Under this bill, the Department would print and issue food stamps to any State or local welfare agency wishing to make surplus foods available to needy people. These welfare agencies would certify eligible recipients and distribute food stamps to them. The recipients would then exchange the stamps for Federal surplus foods, preferably at retail stores, or special distribution centers could be maintained by the Department of Agriculture.

The principal effect of this bill would be to shift to the Federal Government the entire cost of the physical distribution of surplus foods to needy persons—a cost that is now shared with States and local communities. This bill would not increase the variety or volume of Federal surplus foods available for distribution to needy people nor would it extend program eligibility to any group that is not now eligible under Department regulations.

A total of 44 States, the District of Columbia, and Puerto Rico are now distributing surplus foods to needy people in family units. In June, a total of 5.4 million people were certified to receive the Federal foods and distribution actually was made to 4.7 million people.

This distribution is being accomplished under a plan whereby the Department and the States share program responsibility and costs. The Department finances necessary processing and packaging costs and ships the commodities—on a freight-paid basis—to central receiving points within the various States. States are responsible for developing a method of certifying applicant families and for making arrangements with their counties and communities for the storage and handling of the donated food and for the operation of a distribution center where recipients receive the food. In a few instances, chiefly metropolitan areas, local arrangements have been worked out to distribute surplus foods through retail stores.

We believe the present system has several important advantages and we are opposed to any system that would shift to the Department of Agriculture the full cost and responsibility for direct distribution. By requiring an agency of the State government to assume overall responsibility for the program, we can be assured that the food donation program will be operated in a manner that is consistent with the policies the State follows in the administration of its basic welfare assistance programs. Under the present arrangement, delivery costs within a State can be held to a practical minimum through the use of State, county, or municipal food storage and handling facilities and—in some cases—with the use of volunteer labor. In addition, such a system maintains sufficient flexibility to permit the scope of the program to be adjusted to changes in the need for such a program or in the volume of surplus food available for donation.

Whereas it is difficult to estimate the exact additional cost to the Federal Government should this bill become law, it is reasonable to estimate that the additional cost to the Federal Government could very well be in excess of $50 million.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COOLEY. Mr. Speaker, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN],

A FOOD STAMP PLAN TO OUTLAW HUNGER IN THE UNITED STATES

Mrs. SULLIVAN. Mr. Speaker, as the report of the Committee on Agriculture makes clear, this bill has two main purposes: To help feed the needy in this country who are not able to afford adequate diets, and to dispose in a worthwhile and humane and intelligent manner of a part of the mountains of surplus food acquired under Government price support programs.

For the past 4 years, we have been embarked on a vast charity program all over the world to help feed the hungry of other lands—of 85 other countries—through gifts of food out of our abundance. We have distributed nearly 2 billion pounds of food a year as gifts to the poor abroad under this program, at a cost of $200 million or $300 million a year. I placed those figures, by country, in the RECORD of July 22 at page 14673.

In addition, we sell to many countries quantities of our surplus food, billions of dollars worth, in return for their own currencies, which we then lend or give back to them for their own economic development. This, too, is a vast giveaway to help feed the hungry of other lands.

ALL NEEDY AMERICANS WOULD BE INCLUDED

These are good, humane programs, carried on under Public Law 480. The food stamp bill now before us is an attempt to be similarly concerned about the hungry in our own country—and there are millions of such Americans not now receiving adequate diets because of insufficient income.

Under a food stamp plan, they would regularly receive stamps along with their public assistance checks to enable them to buy butter, flour, cornmeal, cheese, milk or whatever else is in surplus and to make these purchases conveniently in their regular grocery store.

In addition to the 7 million Americans on various forms of public assistance, who would automatically and immediately be eligible for participation in this program, the bill provides for stamps to go also to other persons certified by State or local welfare authorities as being in need although ineligible because of State or local law for public assistance. For instance, those failing to meet residence requirements for relief; or, as in Missouri, those needy who cannot receive public assistance as long as there is an employable person in the family, whether he can find employment in a recessionary period or not.

SEVEN MILLION ON PUBLIC WELFARE

The bill also provides for a special Cabinet committee report within 6 months as to whether people on unemployment compensation, social security, and so on, should also be included for food stamps. But the program starts out with those we know are absolutely in dire need—unable to buy an adequate diet. There are, as I said, 7 million Americans already certified beyond doubt as meeting those qualifications. I sent around to every Member of the House today a breakdown of the welfare grants in each State—the averages for each State in each of the various welfare programs—and it is obvious these people cannot afford nourishing diets on what they receive, particularly in view of the steady, brutal increase in the cost of living. On general assistance, for instance, the average per family is only $61.24 per month, and in many States it is far less.

In the very limited time for debate on this bill under the parliamentary machinery which is being used, I cannot go into detail on the various provisions of the bill, much as I would like to. The bill itself is self-explanatory.

FOOD IS ALREADY PAID FOR

But I think it is urgent to explain what this bill does not do. It does not set up a new Federal expenditure of $1 billion a year, as the title of the bill might imply. Rather, it authorizes the distribution to our own needy of that much food out of the surplus we already have on hand and have paid for with Federal tax funds. It is about the same amount we have been using in the foreign giveaways of surplus food under Public Law 480. But the only additional Federal expense involved in this bill over and above what we do now in distributing surplus would be in printing the stamps and working out the distribution pattern with the food industry. The food is already paid for.

This bill does not strike off the free food lists any of the people now receiving surplus food in some localities. It is up to the States involved as to whether they want to continue the old hit-and-miss system now in effect for some of their needy in some localities of their States or participate in this plan for all of their needy throughout the State. For the life of me, I cannot see why any State would want to continue the present system in preference to the food stamp plan set up under this bill, but I think it is important to point out that they have a choice.

A further thing this bill does not do is limit the Secretary to the disposal for food stamps of just the basic storable commodities. He can use section 32 funds as he sees fit to buy up and distribute perishables, fruits, vegetables, any of the things he is now authorized to buy up under price support.

SURPLUSES WILL CONTINUE FOR MANY YEARS

Passage of this bill will not solve the farm surplus problem overnight, nor will it bring a luxury diet to every needy American. Far from it. But it will outlaw hunger in the United States. It will assure at least a minimum diet for all. And it will help in cutting down our vast and often rotting surpluses, which cost us $1 million a day just to store.

In conclusion, I want to emphasize one point made by the White House itself in the last report to Congress on Public Law 480 operations. Clarence Francis, the Chairman of the President's Interagency Committee on Agricultural Surplus Disposal, noted in a memorandum to the President, which the President included as part of his report on Public Law 480 to the Congress, this statement:

I wish I could say that as a result of operations under this authority (that is, Public Law 480) our surpluses were declining or that they could be expected to reach more manageable proportions in the near term. I am, however, persuaded otherwise. Barring eventualities not to be anticipated, the probability is that our surpluses will continue to be substantially above any normal or desirable carryover for at least the next 6 years, even if Public Law 480 operations continue at the current rate for that period. In the past 4 years of such operations we have tended to look on the problem of our surpluses as a temporary one and thus to make decisions concerning them on a year-to-year basis. If my conclusion is justifiable, we would do well to base our thinking and planning on longer range considerations in the period immediately ahead. Signed—Clarence Francis, Chairman, Interagency Committee on Agricultural Surplus Disposal.

USE OUR ABUNDANCE TO FEED HUNGRY

Mr. Speaker, as long as we have these huge surpluses, as long as we are spending billions to acquire and store this food, as long as this abundance continues to be a headache and embarrassment to the Department of Agriculture, and as long as we have, on the other hand, hungry Americans, how can we justify not having a food stamp plan to distribute some of our abundance, our excess food, to those among us who cannot afford to buy sufficient nourishing food for a minimum diet?

Hunger is just as real in America as are our surpluses. It is ridiculous to have either one while the other also exists; it is absurd to have hunger when we have surplus food, or surplus food when we have hungry people. A food stamp plan will bridge this gap to help solve both problems.

INADEQUACY OF PRESENT DISTRIBUTION

Mr. Speaker, the best answer to charges that the present distribution program is working well, or is working effectively, is to give the facts on distribution of surplus food to the needy under the existing program.

Listed below is a table which I have compiled from the monthly reports of the Department of Health, Education, and Welfare on the number of persons on various forms of public assistance in this country—and thus automatically eligible to be included in any food stamp plan—and also the figures from the Department of Agriculture on the number of such persons now receiving surplus food. This tabulation is as follows:

Number of persons on various forms of public assistance in each State, and number of such persons receiving donations of surplus food under present distribution program

	On old-age assistance	On aid to dependent children	On aid to blind	On aid to disabled	On general assistance	Total on various forms of assistance	Total on public assistance receiving surplus food
Total	2,460,035	2,687,980	107,900	304,872	[12]1,313,020	[12]6,873,737	1,981,644
Alabama	102,233	90,232	1,683	12,630	330	207,128	46,780
Alaska	1,942	4,322	90	456	6,430	13,240	
Arizona	14,675	22,731	802	8,616	46,224	2,135	
Arkansas	55,569	32,206	2,011	6,772	1,222	97,909	90,713
California	266,166	221,366	13,752	2,481	117,781	621,295	4,288
Colorado	52,253	25,801	327	5,440	8,950	92,720	6,620
Connecticut	15,170	20,699	307	2,079	20,519	58,102	600
Delaware	1,544	6,155	265	286	6,697	15,269	
District of Columbia	3,109	13,049	237	2,432	1,164	19,991	17,066
Florida	60,155	58,421	2,307	6,268	[13]15,750	[13]135,101	
Georgia	97,895	58,263	3,485	14,945	6,990	251,804	1,491
Hawaii	1,585	16,702	82	1,119	2,821	36,319	
Idaho	8,689	6,948	177	884	(?)	[3]16,136	
Illinois	82,309	115,771	3,240	14,699	113,510	253,525	64,825
Indiana	30,739	36,935	1,819		91,282	160,205	24,269
Iowa	27,307	29,000	1,457		11,791	79,715	26,172
Kansas	21,895	20,987	624	4,302	[14]6,028	[14]63,829	6,649
Kentucky	57,528	73,149	3,258	7,159	6,791	149,877	89,895

See footnotes at end of table.

Number of persons on various forms of public assistance in each State, and number of such persons receiving donations of surplus food under present distribution program—Con.

	On old-age assistance	On aid to dependent children	On aid to blind	On aid to disabled	On general assistance	Total on various forms of assistance	Total on public assistance receiving surplus food
Louisiana	124,117	98,370	2,454	14,830	11,071	250,742	----------
Maine	12,220	18,094	449	1,313	12,180	44,256	18,475
Maryland	9,499	30,355	458	5,035	4,467	50,004	23,169
Massachusetts	85,026	45,613	2,018	9,486	25,851	168,033	1,774
Michigan	67,002	62,916	1,777	3,286	161,598	316,585	174,600
Minnesota	46,620	29,917	1,122	1,457	27,916	109,432	13,898
Mississippi	80,937	61,740	5,318	6,252	1,281	155,528	141,786
Missouri	123,442	89,705	5,063	14,942	11,220	244,413	----------
Montana	7,981	7,730	300	1,453	6,262	23,825	57
Nebraska	16,498	11,169	987	1,405	4,904	34,941	----------
Nevada	2,388	2,830	146	----------	[2] 3,000	[1] 7,564	790
New Hampshire	5,338	3,676	242	329	5,317	15,092	3,921
New Jersey	16,206	20,656	889	5,040	42,009	96,212	11,534
New Mexico	10,228	25,620	391	1,889	904	39,222	24,223
New York	86,298	246,991	4,214	38,831	129,502	508,836	186,810
North Carolina	30,760	97,109	4,945	15,929	9,962	178,705	----------
North Dakota	7,609	6,350	111	1,032	2,577	17,679	997
Ohio	90,983	80,891	3,603	9,272	160,461	345,180	41,389
Oklahoma	93,316	57,200	1,982	8,136	[1] 19,918	[1] 180,685	101,581
Oregon	17,934	18,448	504	4,210	[1] 17,175	[1] 58,971	----------
Pennsylvania	49,127	180,670	17,476	14,984	60,763	302,020	191,474
Puerto Rico	41,612	173,214	1,834	20,842	1,620	239,222	369,133
Rhode Island	7,237	16,095	132	2,284	10,174	35,922	8,417
South Carolina	34,673	37,054	1,776	7,726	3,055	85,278	----------
South Dakota	9,786	10,405	179	975	2,620	23,945	8,101
Tennessee	57,026	73,046	2,908	5,259	8,741	146,980	41,515
Texas	224,826	108,253	6,004	2,150	[2] 26,500	[1] 367,733	31,135
Utah	8,712	11,280	223	1,916	6,242	28,382	16,448
Vermont	6,157	3,875	136	579	[1] 3,875	[1] 14,722	3,468
Virgin Islands	619	836	22	100	140	1,717	----------
Virginia	15,567	36,756	1,212	5,553	[1] 7,003	[1] 66,111	6,453
Washington	35,267	26,720	767	5,761	37,076	138,611	4,335
West Virginia	21,456	72,322	1,094	7,571	6,468	108,911	73,067
Wisconsin	36,147	29,816	1,039	1,253	36,873	107,130	3,205
Wyoming	3,674	2,577	65	515	1,951	8,782	3,606

[1] Includes estimated number of persons on general assistance based on number of cases reported.
[2] Excludes any estimate of number of persons on general assistance in Idaho.
[3] No estimate.

SECRETARY BENSON'S CRITICISMS ANSWERED

Mr. Speaker, because of the limitation on time for discussion of the bill, I am including as part of my remarks, so the RECORD will be more complete, the testimony which I delivered before the Consumers Study Subcommittee of the House Committee on Agriculture during hearings on this legislation in April. The statement which I delivered at that time was directed to H. R. 949, my original bill on food stamps. The bill now before the House, H. R. 13067, is a slightly revised version of H. R. 949 to incorporate several changes suggested as a result of the hearings and my discussions with the chairman and other members of the Agriculture Committee.

But the testimony which I delivered during the hearings goes into the specific details of the bill, and also answers fully, I believe, the various and, I believe, unfair criticisms of this program made by Secretary Benson. I do not want to take the limited time I have available on this bill today to argue with the Secretary of Agriculture or the comments he has made on a food stamp plan. But he should and must be answered for the RECORD, and that is done in my testimony, as follows:

A FOOD STAMP PROGRAM TO OUTLAW HUNGER IN THE UNITED STATES

(Testimony by Congresswoman LEONOR K. SULLIVAN, Democrat, of Missouri, on H. R. 949, by Mrs. SULLIVAN, and other bills to establish a food stamp program for distribution of surplus agricultural commodities to needy persons, prepared for delivery before the Consumers Study Subcommittee, House Committee on Agriculture, Wednesday morning, April 16, 1958.)

Chairman ANDRESEN and members of the subcommittee, first, I want to express my appreciation to this subcommittee, and also to Chairman COOLEY, of the Committee on Agriculture, for arranging these hearings under circumstances which lead me to be most optimistic about the prospects for action in the near future on a food stamp bill. As you know, I have been urging such a program for more than 4 years. Twice during that period—in both the 83d and 84th Congresses—hearings were conducted on this proposal by the Committee on Agriculture, but unfortunately nothing further happened on it in either Congress. I hope and trust that this time the hearings will be fruitful.

In any event, as a result of the committee's failure to act in previous years, I attempted the direct approach last year of seeking to amend the Agricultural Trade Development and Assistance Act by offering my food stamp bill as an amendment to it from the House floor. The bill we were considering dealt primarily with extending for another year the provisions of Public Law 480 having to do with disposal of surplus commodities abroad, but since Public Law 480 also contains provisions covering domestic donation of surpluses, my amendment was relevant and, I think, advisable.

RECESSION SUFFERING COULD HAVE BEEN REDUCED

If my amendment had been accepted last year and made part of Public Law 480, I sincerely believe a lot fewer Americans would be suffering hunger today. I sincerely believe our agricultural surplus disposal mess would have been corrected. I sincerely believe the machinery which would have been established a year ago under that amendment would by now be operating so effectively that it could have served as a valuable weapon in fighting this current recession.

Although I lost the battle last year to write my food stamp plan into law through the means of an amendment from the House floor to another bill, I feel my purpose was nevertheless accomplished in some measure at least by reason of these facts:

First, many, if not most of the Members who voted against my amendment in the House last year insisted they were not voting against the proposal itself or against the idea of a food stamp plan but rather against having it incorporated in or tacked onto Public Law 480. They urged that the same proposal come before the House in the regular manner—that is, on recommendation of the Committee on Agriculture. I assume, therefore, we can count this time on the support of many of the same House Members who voted against the proposal last year when it was offered as an amendment to Public Law 480. So far, so good.

Secondly, out of the fight which occurred over this idea on the House floor last year, I obtained the promise of Chairman COOLEY that the committee would take up the food stamp proposal separately this year, and that he personally would support it. These hearings, then, and the action which I anticipate will stem from your hearings, represent to me the fulfillment of that promise of last year made during the heat of the House debate on my amendment to the Agricultural Trade Development and Assistance Act. As you can readily understand, I am most grateful now for this followup.

NEED FOR BETTER DISTRIBUTION SYSTEM NOW OBVIOUS

It is my intention today to discuss primarily the means of setting up and operating a food stamp plan rather than the need for a better plan of distribution of our surplus agricultural commodities to our needy throughout the country. The question of need seemed to be the main issue in the previous hearings, in 1954 and 1955. Several members of the Committee on Agriculture expressed sincere doubt in those hearings about the need for a food stamp plan or the advisability of one. The Department of Agriculture witnesses who testified insisted it was completely unnecessary to adopt such a plan—that their program then in effect (and still in effect) met all of the needs of disposing of surplus food in a satisfactory manner to our needy citizens.

That may still be the position of the Department's policymakers. I assume it is. I have in my possession one of their recent official publications on surplus distribution, and it insists the present disposal and distribution program for helping the needy is just jim-dandy, and couldn't be better.

That has been their position all of these years during which I have been urging adoption of the food stamp plan. At least, no one could accuse the present leadership of the Department of Agriculture of being inconsistent; good or bad, any policy stays on and on and on. But I certainly do not have to point that out to a subcommittee of the Committee on Agriculture of the House of Representatives.

Therefore, Mr. Chairman, with your permission and the permission of the subcommittee, I am not going to waste your time or mine in discussing the Department's ostrich-like position on this issue. You will no doubt have witnesses from the Department appearing before you to give that side of it, and I would merely suggest that you ask if they still hold to the sentiment expressed for them by Assistant Secretary McLain in 1956, after we wrote a food stamp plank into the 1956 Democratic platform to aid the needy, when he said, and I quote:

"People like to buy their food. They don't like to have it given to them. It's an insult to offer an able-bodied person a handout."

Mr. Chairman, who can argue intelligently with that kind of viewpoint? Food stamps are intended for hungry people, not chiselers and loafers. I think Assistant Secretary McLain has summed up the Department's position on this whole issue concisely if not necessarily admirably.

PRESENT PROGRAM A FRAUD ON NEEDY

The reason you are holding these hearings is that you all know as well as I do that the present system for distributing surplus food to the needy is a monstrous fraud upon the needy and upon our cities and States participating in the chaotic and, to them, extremely costly program.

In desperation over our great unemployment, we in St. Louis have just recently come in under the existing program. While I was at home over the Easter recess, I made an on-the-spot investigation of how it is supposed to operate. I was heartsick. It is not our city's fault. It is the whole blind concept behind the present disposal and distribution system. It is an organized system for dumping a few surplus items on our States and cities for warehousing and distribution in a manner which inevitably reminds one of Winston Churchill's famous phrase about so many owing so much to so few. In this instance, however, it is a case of so many getting so little for so much effort and expense.

A warehouse depot in the center or outskirts of a large city may be a simple method of distribution from an engineering or logistics standpoint. But consider the case of a needy family sending someone across a major city by bus, or street car, or perhaps by foot, to pick up a heavy, bulky package of flour, corn meal, dry skim milk, some cheese—intended to be enough for a family for perhaps a month—and dragging it home that long way when, under an intelligent system of distribution, these things—and a whole lot more—could easily be made available in the corner grocery in exchange for a stamp or stamps which came regularly in the mail along with say, the public assistance check. The cost of the present, haphazard, ineffectual program, meanwhile, is out of all proportion to its benefits and is burdensome to the point of no return to our states and cities.

WHY LEGISLATION MUST BE ENACTED

Our job is to overcome the stubborn inertia and resistance of Mr. Benson's "team" and force them to use the admitted talents of operating people in the Department to install the kind of program which can work and which can do some real good. I mean good for the needy and good, too, for the farmer—particularly the small farmer who gets no help at all out of the present hit-and-miss program of "dumping" surpluses.

Of course, no legislation is needed to install a food stamp plan. We know that. The same broad, general legislative authority which enabled President Franklin D. Roosevelt 20 years or so ago to establish a very elaborate food stamp program in depression days—a program much more elaborate and complex than the one I am now proposing—that same broad legislative authority, I repeat, is still on the books and still available to Mr. Benson if he wants to use it. He does not want to use it. He refuses to use it.

Then why pass the kind of bill I urge? The answer is that Mr. Benson and his Department leadership take the position that if Congress wants a food stamp plan, it must enact one directing the Department to operate it and they will then put it into effect; but without such a specific legislative directive declaring they should do it, they just won't do it. Therefore it is up to us to build a hot fire under the Department of Agriculture. Our economic situation is much too serious to permit further passing of the buck from Congress to Agriculture and from Agriculture back to Congress. The challenge has been drawn for us to force Mr. Benson to act—in effect he dares us to do so.

So let us then get on with it.

HISTORY OF H. R. 949

The mechanics for such a program are outlined in the various bills now before you. May I briefly give you the history of my own bill—H. R. 949—which is the prototype for most of those now before you for consideration.

Late in 1953 and early in 1954, when we were already in a recession even though the Government reports and statistics on unemployment had not confirmed it yet, I became deeply concerned by the accounts of undernourishment among many school children and others in St. Louis at about the same time the main concern on agricultural matters here in Wasington seemed to be the unmanageable surpluses of food. The more I thought about this contradiction, the more indignant I became.

I was rapidly getting to the position where I wanted to vote against every single farm aid proposal to come before the Congress. Of course I did not do that. My research into the problem showed me that conditions which ruin the farmer, and particularly the small farmer, do not help the consumer a bit, and actually hurt our workers in every industry. Consequently, I have remained on the side of helping agriculture to combat disastrously low farm prices and high farm costs.

But I felt there had to be a solution to this glaring contradiction of hunger amid such plenty, of children going to bed without supper while Government warehouses were bulging to the bursting point with the accumulating surpluses of our farms acquired under the price support and other surplus removal programs.

Several States with large numbers of unemployed coal miners, notably Pennsylvania and West Virginia, had begun to seek some of the surplus food for free distribution in mining areas. There was not too much available in usable form—flour and other items were shipped into the States in bulk and had to be repackaged and it was an expensive and far from satisfactory program.

I knew from many conversations with Congresswoman EDITH NOURSE ROGERS and with the late Congresswoman BUCHANAN and other Members from these areas the problems they were having in distributing even these few items. Obviously, there had to be a better solution, just as there has to be one now when, with only moderate changes, we are still conducting much the same kind of surplus-disposal operation as in early 1954.

FOOD-STAMP PLAN OF THIRTIES HELPED FARMERS AND LOW-INCOME CONSUMERS

Consequently, I thought of the food-stamp idea and drafted my first bill on it which I introduced in February 1954. Of course, the idea itself was not original; as I mentioned earlier, we had a very elaborate food-stamp program in effect in the late thirties when perhaps a third of our people were living under economic conditions which made them eligible for this type of program.

It was a program tremendous in scope. It included all types of food in surplus—fresh fruits, vegetables, eggs, citrus, meat, milk, even—I understand—fresh strawberries during one period when they were in surplus. The food-stamp program in effect prior to World War II helped to supplement the diets of millions of Americans of low income and was a valuable contribution toward our Nation's economic recovery as well, benefiting farmers in every part of the country. After World War II began, however, and everyone who could work even part time could readily find employment, the need for the program became less urgent. And the surpluses themselves, of course, rapidly disappeared under the unprecedented food needs of global war.

New Deal ideas of the thirties which proved so effective under conditions then in effect do not necessarily provide a sure guide as to the policies we should follow today under altogether different circumstances. But the thing which made the New Deal so dramatically successful in so many ways in meeting such terribly serious problems was a spirit of imagination and pioneering in Government policy. New ideas were not discarded merely because they were new. Many of those new ideas, as we know, filled basic needs so effectively that we are all united today in approving them as permanent reforms in our national life. And time after time, we find now that ideas tried even temporarily in those days have new applicability today, but usually with necessary modifications. The food-stamp plan is such an idea.

SIMPLE, NATIONWIDE PROGRAM NEEDED

My bill grew out of a conviction that we do not normally need the kind of elaborate program which was successful in the thirties as we gradually pulled out of the worst depression in history. Instead, I felt a simple program could be worked out covering automatically all of those in every county of every State on any form of public assistance, plus those jobless who had no income but were ineligible for relief because of legal technicalities of one sort or another in many jurisdictions. During normal times, the latter group would be relatively small. In late 1954, however, and at present, it is a very large group and the families in that group are in desperate circumstances. Public assistance is denied them; the private charities are broke from trying to help too many with too little; and this is the tragedy of the industrial areas of our country.

If we had set up a program before this, intended to provide additional nourishing food for those on public assistance and the relatively few other families which would qualify in normal times, that machinery, as I said, would have been available to us now to help meet this overwhelming problem of hunger amidst plenty.

NEED EXISTS EVEN IN PROSPEROUS TIMES

But I want to emphasize a very important aspect of this problem of helping the needy with supplementary food through a food stamp plan. Right now, we have vast unemployment. But in good times as well as bad—in boom as well as recession—we have at least 6 million persons as a minimum who are not getting sufficient quantities of the right kind of food for decent minimum nourishment. In recession, the number soars, but there is this probably irreducible minimum of about 6 million who are on various forms of public assistance, the disabled, the aged indigent, the families which qualify for aid to dependent children, and so on.

And at the same time we have these vast stores of surplus agricultural commodities—expensive to store, expensive even to give away abroad.

I have no intention of attacking the idea of sharing our surplus with less fortunate nations, or of donating vast quantities directly and through CARE and our church organizations to help feed the hungry overseas. Our surpluses can be effective instruments in the search for world peace. A hungry child anywhere in the world is a charge on our conscience when we enjoy so much.

But to look at our surpluses only from the standpoint of helping people abroad—or only from the standpoint of getting the surpluses out of the country for fear they might depress farm prices here—is too shortsighted a view.

Why not make it possible for our own needy, too, to share on an intelligent, efficient, effective, regular basis in these vast surpluses? Certainly we can continue to send much of it abroad—and even continue to pay the ocean freight where that appears desirable. But we can also afford, and must afford, to show at least equal effort and equal concern in getting surplus food to those anywhere in our country who, through no fault of their own, are unable to afford a decent minimum diet. The number of such Americans is tragically high today because of the recession. But even in good times it is high; that fact must be kept in mind.

MECHANICS OF A FOOD STAMP PLAN

The subcommittee can, if it chooses, find a bewildering variety of means and methods for setting up an elaborate program, but it seems to me that the simpler the program the better it will work. It does not have to be complex. It does not have to anticipate every insignificant operating problem and write the answer into law. The Department of Agriculture has experts who, if given the green light, can do an outstanding job of carrying out this idea.

My bill has, I feel, the virtue of simplicity. It is customary, or at least common, for Members in testifying before committees on their own bills to insist they have no pride of authorship and are not wedded to any particular approach in solving a problem through legislation. In this instance, I have to admit to pride of authorship—the bill was drafted only after long study and weighing of alternatives. I am pleased that it has been introduced by quite a number of Members in this and preceding Congresses.

It provides that the Secretary of Agriculture decide each month what foods are in surplus and what quantities of them are available for distribution through his Department as a result of acquisitions under the various price support and purchase programs. He then issues an appropriate stamp for each such item and the stamps go to the provably needy—to all those on any form of public assistance; and to all families certified by State or local welfare agencies as requiring welfare assistance but not eligible for it because of legal technicalities.

This is the framework of a workable plan. The stamps would be redeemable in such places and under such regulations as the Secretary shall determine—but fundamentally the idea is to have them redeemed in the regular stores. It will be noted that my bill does not actually require that; it is up to the Secretary. The reason is this: If, in a particular area, the stores refused to go along with this plan for any reason, the needy would not be foreclosed from this help. I don't want to see a narrow restriction written into law which might in some way boomerang to stymie the program. There is no doubt the stores would be the most logical place for distribution of these surplus items in a manner sufficiently profitable to them to at least cover all of their costs. I assume the Secretary would follow through in that manner. But I wouldn't like to see the program enacted on so narrow a basis that the stores could veto it in a particular area and prevent extra food coming in to the needy.

BROADENING SCOPE OF PROGRAM

H. R. 949, in addition to setting up the basic eligibility standards for food-stamp recipients, calls upon the Secretary of Agriculture, the Secretary of Labor, and the Secretary of Health, Education, and Welfare to consult together and advise Congress in 6 months on the advisability of extending the program's scope to additional groups; for instance, to those on unemployment compensation, old-age and survivors insurance, etc. Some bills which have been introduced as modifications of my bill would include such groups at the very beginning. I had a reason for leaving them out of the initial program, and not because I am not aware that many such persons do need extra help.

But my feeling was this: a corporation president can be fired after a proxy battle and be eligible for unemployment compensation, or go on social security. But he is not necessarily a needy person. To put him down on the list automatically for food stamps would make a farce and a mockery out of the whole program. We would hear about this or that retired tycoon driving to the store in his Cadillac, or pulling up to the wharf in his cabin cruiser, to get his food stamps exchanged for some free food. How that would set tongues wagging. Our program would be discredited at the very start.

We know—there is no doubt about it—that every person on public assistance of any kind is a needy person (or a chiseler inviting prosecution). We know that in all of our cities and in rural areas, too, there are many, many persons not eligible for public assistance but in real and desperate need. Those are the ones who deserve this help the most. Those are the ones to reach immediately in any program of this kind.

But if the Secretaries of the three Cabinet Departments I cited can come forward later with a sensible program for extending this kind of help to additional categories of citizens deemed to need this help, and if reasonable standards can then be worked out to cover them, the program can be quickly expanded to include them, too. As a matter of fact, many families now on social security would already qualify under my bill for immediate inclusion.

WHAT FOODS CAN BE INCLUDED

As a subcommittee of the Committee on Agriculture, you are undoubtedly interested in knowing not only how this program can help the needy but also how it can help the average farmer.

May I say that I am aware of the fact that distributing some cornmeal and wheat flour and dry skim milk and an occasional pound of butter or block of cheese to our needy does not by any means solve the problem of farm depression. The basic price-support commodities which pile up and accumulate under the support programs do not lend themselves too well to the task of rounding out the diets of the poor, because a family can use efficiently and beneficially only a certain amount of wheat flour and cornmeal, and so on, without having a very lopsided diet and thus an unhealthy one. But why must a food-stamp program be restricted only to some of the storable price-support commodities?

The average farmer in a year's time grows a variety of crops which take turns being in surplus. Often, the more he grows of a desirable fruit or vegetable, the less he makes. You members of this subcommittee know that better than I.

The fact is, however, that we have on the statute books now a provision, timidly and only partly used by Mr. Benson, for Government purchase of various perishables (fruit, meat, vegetables, etc.) when surpluses get to the point of seriously depressing farm income. As you know, 30 percent of our customs receipts are supposed to be used for this purpose, under section 32 of the Agricultural Act of 1935. This comes to more than $200 million a year. In addition, the Department can carry over from one year to the next up to $300 million of unused section 32 funds to be used when the Secretary sees fit.

SECTION 32 FUNDS

Mr. Benson has not seen fit to make much use of his section 32 funds. Because he has been carrying over from year to year the full $300 million permitted by law, he forfeits back to the Treasury each year any money he does not use out of current section 32 income. This year he plans to let $65 million of this money go unused for removing surplus perishables. Next year he plans to forfeit $78 million out of the $230 million he expects to receive from customs receipts.

He could, as we know, use more than $500 million of this money in the next 12 months to aid the small farmer by buying up perishables in surplus, to use them in the school-lunch program and to aid the needy. A food-stamp program would perhaps give him more incentive to make wider use of the funds and authority he already has to help the small farmer, since there would be a readymade market for these perishables—our needy families. If we had a national food-stamp plan in operation public attention would so center on the paucity of the items now being distributed that Mr. Benson—even Mr. Benson—might be stimulated by public opinion into providing a more rounded variety of foods for stamp redemption.

I think that would be a much more intelligent manner of helping to meet the farm problem than a multimillion dollar soil-bank plan for curtailing production—particularly when so many Americans are not getting enough to eat.

I am not arguing for purchase of artichokes or strawberries out of season to give away free to the needy. But what's wrong with an occasional Texas grapefruit going to a needy family when the grapefruit harvest is big and the farm price low? Why not some fresh peas or asparagus or corn or tomatoes or apples to help provide a decent diet for an undernourished family if those perishables are just rotting in the fields or selling at disastrously low wholesale prices on the farm? Why not fresh whole milk, rather than just dry skim milk?

CONSUMERS DON'T BENEFIT FROM LOW FARM PRICES

We in this room all know that low prices on the farm don't mean low prices to the consumer. Not usually. Not in recent years, in any event. As farm prices sink, consumer prices continue to soar. It is a tragic situation both for our farmers and for our low-income consumers.

So, let it not be said that this idea for greater use of section 32 funds to help feed the needy as part of a food-stamp plan is intended to raise prices to consumers, or would have that effect. I am sure it would not. But it would help the small farmer and it would also help our needy. And it's about time we did a little more of both things!

Mr. Chairman, I don't want to impose on your time by reading a lot of statistics, but I have developed a set of facts on the number of public-assistance cases in each State as compared with the number now getting dribs and drabs of this surplus food. The figures are startling. I will supply them for the record. They show in many States that while as many as several hundred thousand may be on public assistance, a mere handful, comparatively, gets any of this free food now. It is an eye-opener as to the lack of effectiveness of this present program. And most of the people who are the human beings behind these statistics go to bed hungry at night, and go hungrily through the day almost each day.

A DISGRACE TO OUR COUNTRY

Even the Communists in their complete disdain for human values would, I believe, be too smart to allow that sort of thing to happen if they, instead of we, were the ones blessed with these abundances of food.

Mr. Khrushchev says Russia will soon outstrip us not only in food production but in per capita consumption. We shall see about that. But at least they are trying to increase food production to provide their people with more food and better diets while here in this country, surrounded by the fantastic riches of our harvests, our national leadership can think only of the embarrassment to its political promises of these surpluses; and cannot understand how they can be used effectively and intelligently to outlaw hunger here in the United States. Instead, their goal is merely to curtail production.

The fact is, we do have hunger in this country. It is not a myth; it exists. I have seen it in St. Louis. You have all seen it in your own Districts. It is tragic. And it is absolutely unnecessary amidst such great blessings of abundance of food.

Congress is not to blame. But Congress will merit blame if it does not face up to the problem. The problem is to force a reluctant, unfeeling bureaucracy to move off dead center and get food to the hungry. Mr. Benson must stop apologizing for our abundance and instead be pushed into seeing to it that more of it goes to those who need help, and need it desperately.

GOD'S BLESSINGS DESECRATED

I have said that a hungry child anywhere is a charge on our conscience. Mr. Chairman, a hungry child here in America—hungry as a daily experience—going to bed night after night without feeling he has eaten a good meal—staying home from school because he hasn't the energy to study or learn because he hasn't eaten enough to build energy—such a child represents in our country more than a charge on our conscience. The existence of such a situation in this rich land is a shameful blot on our national honor—on our flag. And, unfortunately, for our ability to sleep at night, there are many, many such children today in our country. I would say that several million American children experience that gnawing feeling of not getting enough of the right foods because their families cannot provide them.

Mr. Chairman, I am perhaps emotional about this problem. I do not apologize for that. Hard common sense should have told us long ago we needed a better program for distributing our surpluses to our needy. But the need still goes unmet. I do not apologize for being emotional about it now.

Farm failures, ruinous surpluses, bulging warehouses, billions of Federal funds going for agricultural mustard plasters, but millions of Americans still hungry. The abundance lavished upon us by a merciful God—abundance of food in a world where too many starve—this abundance is actually cursed by some who cannot see His purpose. Let us use this food as God intended—to feed those who hunger. Let us outlaw hunger—if not in the world, at least in our America.

Mr. HILL. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Speaker, H. R. 13067 authorizes the program to replace the present method of making Federal surplus commodities available to needy persons.

Under this bill, the Department would print and issue food stamps to any State or local welfare agency wishing to make surplus foods available to needy people. These welfare agencies would certify eligible recipients and distribute food stamps to them. The recipients would then exchange the stamps for Federal surplus foods, preferably at retail stores, or special distribution centers could be maintained by the Department of Agriculture.

The principal effect of this bill would be to shift to the Federal Government the entire cost of the physical distribution of surplus foods to needy persons—a cost that is now shared with States and local communities. This bill would not increase the variety or volume of Federal surplus foods available for distribution to needy people nor would it extend program eligibility to any group that is not now eligible under Department regulations.

A total of 44 States, the District of Columbia, Puerto Rico are now distributing surplus foods to needy people in family units. In June, a total of 5.4 million people were certified to receive the Federal foods and distribution actually was made to 4.7 million people.

This distribution is being accomplished under a plan whereby the Department and the States share program responsibility and costs. The Department finances necessary processing and packaging costs and ships the commodities—on a freight-paid basis—to central receiving points within the various States. States are responsible for developing a method of certifying applicant families and for making arrangements with their counties and communities for the storage and handling of the donated food and for the operation of a distribution center where recipients receive the food. In a few instances, chiefly metropolitan areas, local arrangements have been worked out to distribute surplus foods through retail stores.

The present system has several important advantages and I am opposed to any system that would shift to the Department of Agriculture the full cost and responsibility for direct distribution. By requiring an agency of the State government to assume overall responsibility for the program, we can be assured that the food-donation program will be operated in a manner that is consistent with the policies the State follows in the administration of its basic welfare-assistance programs. Under the present arrangement, delivery costs within a State can be held to a practical minimum through the use of State, county, or municipal food storage and handling facilities and—in some cases—with the use of volunteer labor. In addition, such a system maintains sufficient flexibility to permit the scope of the program to be adjusted to changes in the need for such a program or in the volume of surplus food available for donation.

Whereas it is difficult to estimate the exact additional cost to the Federal Government should this bill become law, it is reasonable to estimate that the additional cost to the Federal Government could very well be in excess of $50 million a year in addition to administrative costs.

So the question resolves itself to simply this: Do you want to change a program that is working well, a cooperative program with the States which is doing a good job and under which 4.7 million people received aid last year? Or do you want complete Federal control? I doubt whether the House wants to embark on a new program which will mean $50 million a year additional at the very time when our national debt is approaching $288 billion, and we are running a deficit of $12 billion for the next fiscal year.

Furthermore, you will be placing an additional burden on your local merchants and a lot of extra bookkeeping, in trying to run the program through Federal channels, whereas the present program is working out very well at the State and local level at a minimum of expense to the taxpayers.

This is a bill which should be defeated.

Mr. COOLEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to call attention to the fact that the Federal taxpayer already owns and has already paid for the food that we are talking about going into the food stamp program.

The gentleman from Iowa complains about the possibility of providing $90 million to put food into the mouths of hungry American citizens. I am sure he is aware of the fact that we have given away literally millions of dollars of food to people of foreign countries.

Mr. Speaker, I yield such time as she may desire to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Speaker, I rise to give my wholehearted support to the bill before us. I have long contended that we really do not have surpluses in this country but, rather, underconsumption.

Without question there is an urgent need for a food stamp plan which would funnel extra nourishment to our senior citizens, to our blind, and our disabled, to our dependent children, to our unemployed and our unemployable—to all Americans who are denied enough food for good health and happiness simply because they cannot afford to buy it.

In my State of Idaho, there are approximately 12,000 people on public assistance rolls today. The high cost of food and other necessities has made their allotments pitifully inadequate to meet their simplest wants. Commissioner Bill Child of the State department of public welfare says that without question the department could make good use of greater amounts of surplus food, especially if they were part of the customary diets of Idahoans. He also points out that the release of surplus foods would make some of the relief check available for clothing, medicines, and other necessities.

Mr. Speaker, I don't see how anyone could feel it is not desirable to move surplus foods out of warehouses and onto the scanty dinner tables of the jobless and the needy. It seems extremely short-sighted to allow American children to grow up malnourished and half-ill while surpluses of health-giving foods are piled up and deteriorating in our warehouses, at a great waste to our taxpayers.

I have favored a food-stamp plan from the beginning of my Congressional career, and I have testified twice before the House Agriculture Committee in favor of food-stamp legislation.

The thing I particularly like about the bill before us today is its practicality. It does not set up new distributive machinery which would be unwieldy or expensive. It provides for the distribution of surplus foods through retail outlets at prevailing retail prices. This allows the recipient to secure his food allotment with dignity, and to be afforded the same courtesies which other citizens receive from their merchants. It also gives the retail grocer, and other retail food sellers, extra income, which in turn would mean extra tax dollars for the Federal Government.

In my opinion this is a bold, yet sensible approach to our greatest paradox—an increasing abundance of food brought on by improved farming methods on the one hand, and a substantial number of undernourished and hungry Americans on the other.

The flood of letters I have received every time I have testified in behalf of a food-stamp plan, or have made a public statement in favor of such a plan, have convinced me that this legislation has the overwhelming support of the people of Idaho. I hope it will pass.

Mr. HILL. Mr. Speaker, I yield 2 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Speaker, the objective of this bill is in every way worthy, but this is the wrong way to go about it.

In the first place, this is not a farm measure because the Department of Agriculture testified before our subcommittee as follows:

> A food-stamp plan must involve large expenditures on the part of the Federal Government. In our January 1957 report, we estimated the annual cost of a minimum scope program at $600 million.
>
> A moderate scope of program would be twice that and an adequate program would take $1,800,000,000.

The Department went on to say that this is exclusive of Federal administrative expenses. Assistant Secretary Paarlberg testified further:

> Such an expenditure, considering probable levels of substitution and diversion to nonfood uses, would increase retail food sales by less than 1 percent.

We already have adequate authority to give the basic commodities to the needy, all they need.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Colorado.

Mr. HILL. The great difficulty in connection with the type of program we are considering is that it does not help the surplus food problem one whit because you are thereby going to increase the volume of foods that are not in surplus.

Mr. DIXON. That is correct. It is not a farm problem. Since it is not a farm program it becomes a welfare problem, therefore this measure belongs to the Department of Health, Education, and Welfare and not to the United States Department of Agriculture.

I have mentioned the cost of this program. It is impossible to handle the food-stamp program because the Department says it is impossible to prevent recipients from diverting these food stamps to other purposes than foods.

The overhead would be tremendous, the abuses numerous, and the present arrangement with the States provides adequate food. Let the States administer their own programs, where abuses and extravagance are far less likely. Let the Government continue to provide the States with all the food they want.

Mr. Speaker, we should defeat the motion.

Mr. COOLEY. Mr. Speaker, I yield myself 1 minute just to point out that the estimates given to the House by the gentleman from Utah certainly could not be accurate. I do not doubt for a minute that the Secretary used such figures, but he was talking about providing an adequate diet for all the millions of needy people in America. The only thing that this bill authorizes the Secretary to do is to make available to needy people such commodities as have been acquired by the Commodity Credit Corporation or by the Department in carrying out surplus removals under the section 32 programs.

Certainly it is not contemplated here that we shall provide all the needy people with all the food they need, but this will make available to them such foods as we have on hand.

Mr. HILL. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY. Mr. Speaker, this so-called food stamp plan, in my judgment, should not be enacted. I vigorously oppose it for two prime reasons. One, we have a program under way right now which came about because of the interest on the part of the several Members of the Congress, including the distinguished gentleman from Pennsylvania, [Mr. SAYLOR] to make surplus food available to needy people. Such a program was enacted and is now in being. And, any community that has needy people can set up a program, managed and directed by local people, to see that these foods are distributed where they are needed and justified.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from New York.

Mr. BECKER. I just want to get this straight. We have heard a lot of talk about hungry and needy people. As I understand, the needy people are getting this surplus food today, it being distributed through the States and the various local communities at the present time; is that correct?

Mr. HARVEY. That is correct.

Mr. BECKER. And if requested by the States that more surplus food or combinations of them are needed, I am sure that this Congress will see to it that they get it; is that correct?

Mr. HARVEY. I think that is absolutely right.

Mr. BECKER. So, what we are talking about is not hungry and needy people; we are talking about putting a food-stamp plan into the hands of the Federal Government rather than leaving it to the States where it has worked for several years; is that correct?

Mr. HARVEY. That is correct.

Mr. BECKER. And it is the needy people we want to feed. We could vote $50 million for surplus foods and give it to them rather than print stamps.

Mr. HARVEY. I would like also to say that the funds that are presently used for the distribution of these surplus foods are limited, and certainly they are not in any wise near adequate to provide for the needs that would be generated under this stamp plan. This could and I think would develop into an extremely expensive type program and would not be feasible to administer.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Iowa.

Mr. GROSS. Will not this bill provide for the packaging of foods, for instance, in terms of butter, into 1-pound cartons instead of the way it is presently being handled?

Mr. HOEVEN. Mr. Speaker, if the gentleman will yield, this packaging is done by the States and they are making the distribution available; some of it on a voluntary basis.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan [Mrs. GRIFFITHS].

Mrs. GRIFFITHS. Mr. Speaker, I rise in support of the stamp program. I would like to point out that every single Member of this Congress is in favor of giving these surplus foods that have been paid for uniformly by the taxpayers of this country to the needy people. That law is already in effect. The question here is a question of distribution only. And I would like to point out, too, that the present setup of distribution has not worked very well. For instance, in the State of Alabama there are 207,128 people available to receive this food. Only 46,980 have ever received any. In the State of California there are 621,000 people who could receive these foods. At the present time only 4,388 persons receive the foods.

In many counties throughout the United States no foods are distributed at all because the counties cannot afford the cost of distributing them. The counties do not have the personnel to distribute them. In many counties of the United States and in many cities when a person goes to get this food he must wait 6 hours in line for a very small amount of food. The cost of getting the food is prohibitive to the person who gets it. I repeat, every Member of the Congress is willing that the people of the United States receive the food. The only problem is the problem of distribution. In Wayne County, Mich., the hardest-hit county in the United States, I believe, at the present time, contrary to what the gentleman said, that this county had received $1.50 worth of food, ours received more than $3 worth of food.

Mr. Speaker, I urge the Members to support this stamp program for the men and women who paid taxes to acquire these surpluses.

Mr. HILL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, a year ago when this bill was on the floor, I voted for its passage and I will vote for this bill. Those of us who represent areas that are receiving surplus food have seen that thousands upon thousands of American citizens benefit from the distribution of surplus food. However, the method of distribution varies greatly from county to county and even within the counties themselves.

What this bill does is to provide a better system of distribution of this foodstuff. Instead of compelling persons to go to a warehouse depot or to a union hall or a railroad siding, this food should be distributed through our regular retail grocery stores.

We as a Nation have been the grateful recipient of God's bountiful hand—He has blessed us with an abundance of food. We have wisely sent it to other peoples all over the globe and we have not complained about the cost of transportation or of distribution.

This bill will enable us to do the same thing for the needy people in our own land. This will help to get this food into the stomachs of our Americans, rather than to leave it spoil in storage. This will produce a more varied diet and better balance diet among those citizens who need it most.

Do not be mistaken, this bill will not solve all of the problems of low-income families, but it will solve one of them and will allow us to then concentrate our efforts to solve others.

This bill is not compulsory; what it provides is a means of distribution. If a State wants to use this method of distributing to the needy in their State these surplus foods, this plan is available. I favor the enactment of this legislation as a satisfactory solution to a very perplexing problem, and urge all Members to vote for its adoption.

Mr. HILL. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Speaker, I have requested this time in order to ask a few questions about this bill. I am sure that every Member of this Chamber is just as anxious to distribute food to the hungry as any other Member. I would like to address a question to the chairman of the Committee on Agriculture and that is whether this really does not come down to the matter of whether the cost of distribution is to be borne by the States or by the Federal Government with centralized Federal management. I ask for a very brief answer, as I have 2 or 3 other questions to ask.

Mr. COOLEY. Mr. Speaker, I would like very much if the gentleman would permit me to do so, to turn the question over to the gentlewoman from Missouri [Mrs. SULLIVAN], to answer, which I am sure she can do very quickly.

Mr. CURTIS of Massachusetts. I cannot yield for the moment, because I want to explain the question a little further. It just happens that I got very interested in the matter of the distribution of food. My wife has been a volunteer driver taking needy people to distribution points right here in the city of Washington. I found that certain people in the district which I represent could not get surplus foods. I found that the cost of distribution was too great in some localities for the local authorities to undertake.

Mr. Speaker, if that is the case, why cannot the states appropriate the necessary money to distribute the food? I understand that the Federal Government now makes the food available to the States, and that the real question before us simply is, who shall pay for the distribution. Do we want to have this local distribution handled by the Federal Government instead of by the States when every day we are saying here that we must not build up a great bureaucratic machine in Washington and that the States must be left to handle local matters?

I submit that if the distribution is improper in any county because they do not have the personnel, they had better go to the State government and get an appropriation and let the State handle this.

Mr. COOLEY. The very situation the gentleman complains about prompted our committee to report this bill, that is, that many communities in America are not receiving food because they have not provided for handling food in bulk as it is now being handled.

Mr. CURTIS of Massachusetts. Does not Uncle Sam offer that food to their States and make it available?

Mr. COOLEY. Yes.

Mr. CURTIS of Massachusetts. Why do not the States set it up?

Mr. COOLEY. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. MCGOVERN].

Mr. McGOVERN. Mr. Speaker, I rise in support of this legislation. It has always seemed to me that the greatest physical asset we have in this country is our food abundance. I believe that that abundance if it is constructively used can be our greatest single instrument in our contest with the Soviet Union.

Of course our greatest resource is not physical, it is our spiritual heritage. Most of us come from a heritage that teaches us we can best serve our Creator by giving a piece of bread to a man that is hungry or a cup of cold water to a person that is thirsty. That is the fundamental purpose of this legislation, to enact into law a program that will enable us to put these food surpluses to work taking care of the problem of hungry people all over this country.

I think the present program is admittedly inadequate. This bill represents a long stride in the direction of a more workable and a more effective program.

Mr. COOLEY. Mr Speaker, I yield such time as she may desire to the gentlewoman from Minnesota [Mrs. KNUTSON].

Mrs. KNUTSON. Mr. Speaker, we have an abundance of food in the United States and the unquestioned ability to produce more. At the same time, we have millions of our citizens without adequate income to buy the food and clothing they need just to meet minimum standards.

Being a Member of Congress from a farm area familiar with the concern of farm families over this paradox, I have given much thought to the solution of this compound problem. How to go about getting food to needy United States citizens has received much attention in the Congress. This has resulted in many bills introduced to make possible food-stamp plans of one kind or another. I share the view of those who have preceded me in the introduction of such legislation that we need in effect now a food-stamp plan.

The legislation will help low-income consumers because it provides for additional purchasing power from them to be used for food and fiber products.

The legislation will help farmers because it answers the question farm families are asking about increasing consumption. Housewives on farms have expressed particular interest. They not only want their own families well fed but they see the value of all families having access to an abundance of good food.

The legislation will help the main street merchant because it increases the purchasing power for both food and fiber products of their lowest consuming customers.

Simply stated, the legislation augments the purchasing power of all families and individuals receiving public assistance—Federal, State, or local. These needy families receive public assistance payments too low to assure proper food and clothing.

The legislation specifically provides that stamps would be in addition to their current monthly assistance benefit. Stamps are redeemable at retail stores for food or fiber products made from agricultural commodities designated as surplus by the Department of Agriculture. In turn, the stamps may be redeemed by the retail merchant through designated banking institutions.

This utilization of existing channels of trade would greatly augment the direct distribution of surplus commodities as presently conducted by the Department of Agriculture. Costs to the Department of processing, repackaging, transporting, and handling surplus commodities would be greatly reduced. As to administration of the national food fiber stamp plan, again the procedure is simple.

The Secretary of Health, Education, and Welfare is given responsibility for overall administration and the Secretary of Agriculture is given the responsibility for designating each month the agricultural commodities with respect to which supplies exceed demand to such an extent as to depress the market price below the parity price.

Authority is given the Secretary of Health, Education, and Welfare to provide for the redemption of food-fiber stamps. For this purpose the Secretary shall designate banking institutions at which stamps are redeemable by retail sellers of food and fiber and fiber products. Payment may be made by these banking institutions to holders of stamps either in cash or by credit to a demand deposit.

Banking institutions accepting surplus food-fiber certificates may present to the Secretary of Health, Education, and Welfare or to such other agency as the Secretary may designate, evidence of deposit with them of surplus food-fiber stamps together with appropriate vouchers. This shall be considered as complete documentation for payment. Provision is made in the legislation to advance funds to banks when necessary to provide for redemption of stamps and to pay banking institutions for services rendered.

Eligibility for stamps is left to the persons best able to determine need—welfare assistance officials who are administering present programs of assistance under titles I, IV, X, and XIV, of the Social Security Act and other welfare officials administering programs financed by States and their political subdivisions. For this latter program all that is required is that the Secretary of Health, Education, and Welfare enter into agreements with the State or local

welfare or public assistance agency, under regulations to be prescribed by him.

It will require expenditure of Federal funds. I am convinced that it is constructive use of Federal funds. The cost, for example, will be substantially less than Secretary Benson requested for the soil bank program which approaches the problem of oversupply of agricultural commodities negatively—without first giving attention to increasing consumption of food and fiber. In my humble judgment the utilization of our food and fiber is a better first approach to the problem of oversupply. It should not in any event be excluded as a solution to the twofold problem of underconsumption and oversupply. I believe that production control and consumption expanding programs should be operated together. Otherwise, we may cut our agricultural plant unwisely.

In sizing up the production job ahead of farmers during the next 20 years, economists of the United States Department of Agriculture point out that sizable adjustments may be needed to increase farm output to meet greatly enlarged market demands.

The magnitude and nature of the job has been analyzed by Dr. Glen T. Barton and Dr. Robert O. Rogers, agricultural economists of USDA's Agricultural Research Service, in the publication Farm Output—Past Changes and Projected Needs, USDA AIB No. 162.

They predict that there will be about 210 million persons in the United States to feed and clothe in 1975—a fourth more than the 165 million in mid-1955. Based on that and other assumptions, the United States Department of Agriculture economists see a need for one-third more agricultural products in 1975 than in 1951–53. We must give attention in the relatively short interim before 1975 to increasing consumption—to maintaining our agricultural plant and to progress toward meeting the food needs of a few years ahead.

No human being, in his right mind, would think of depriving another human being of enough air to breathe. Nor are there many among us who would deprive a fellow human being of enough water to quench his thirst, whether he had any money to pay for it or not.

In this potentially happy situation, there is every reason to adopt as a basic national premise that no one within our borders shall lack the food for good nutrition. The legal concept here is that we as a Nation are now in a position to assert a new right in the constitutional bill of rights—the right of each individual to enough of the right foods for adequate nutrition irrespective of whether the individual has the ability or opportunity to earn the purchasing power required to obtain enough of the right foods.

The central point here is that we as a Nation have now progressed to the place where we safely can, and morally should, lay aside the John Smith principle of national life. No longer must our role be "he who does not work shall not eat," as vital and useful as that principle was in an earlier stage of our history. Now we must learn to live with abundance. Our halting efforts in that direction seem to indicate that the process of learning to live with abundance is almost as painful psychologically for a few in the population as the attempt to live with scarcity was physically painful for many in the population.

It is now more than 15 years ago that a few timid experiments were made by the United States Department of Agriculture in the operation of the food stamp plan. This activity had to be dropped owing to scarcities brought on by World War II. But the idea did not die. It has lived on in the food allotment bills introduced in each new session of the Congress by the distinguished former Chairman of the Senate Committee on Agriculture and Forestry. He reintroduced the bill (S. 43) during the last session with cosponsors HUMPHREY and YOUNG.

The essence of the Aiken-Humphrey-Young approach is that any person within the boundaries of this United States can calculate 40 percent of his income, however low it might be, take it down to the post office, or some other designated place and purchase from his Government enough stamps or coupons to enable him to buy an adequate diet for himself and his family at any grocery store.

It is estimated that 6.2 million families and 2.4 million individuals would participate in this plan and that its cost would be about $1.7 billion.

My bill, H. R. 7382, differs only in degree and mechanics from the Aiken-Young-Humphrey bill. The principle is the same. Under H. R. 7382 and other identical bills the following number of persons would receive $10 per month in food-fiber stamps. The number eligible is based on information obtained from the Social Security Administration, Bureau of Public Assistance, for February 1958.

Aged	2,474,557
Dependent children	1,981,959
Families caring for dependent children	690,027
Blind	107,731
Permanently and totally disabled	295,704
Subtotal	5,549,978
Others eligible for food certificates	3,000,000
Grand total	8,549,978

In addition to the numbers indicated above, there are about a million other persons who conceivably could qualify under section 5 of H. R. 7382. This number would be the persons receiving assistance from States or their political subdivisions and persons whom the State welfare or public assistance agency might certify as being eligible for food certificates.

The grand total of persons to receive food certificates is an estimate, of course. The total number eligible would depend largely on the number of persons certified outside of titles I, IV, X, and XIV, of the Social Security Act.

H. R. 7382 clearly does not reach all persons and families who would buy more food and fiber products if they had additional purchasing power. It does not reach all the needy families and individuals in the United States. It does, however, give assistance to the persons and families at the very bottom of the economic ladder. This is the very minimum effort to help the needy in this Nation. Can we afford to do less for the needy of this Nation?

It should be clear for the record that I do not visualize this National Food-Fiber Stamp Plan as being a "pilot" program or being set up in 2 or 3 cities on an "experimental basis." There is full justification for a full scale national program to help the needy persons.

All farm operator families would benefit from the program because every dollar of food and fiber subsidy would increase the market demand for farm produced commodities. In addition, those farm families eligible under the plan would benefit directly as participants in the food stamp program itself.

Farm families overwhelmingly support enactment of the food stamp or similar program. They are convinced of its desirability not only because of the influence it would have on increased farm incomes. Farmers are convinced that food subsidies to low income consumers are morally right on two counts:

First. Farmers believe that to allow farm productivity capacity or produced food to be idle or to go to waste if there are hungry people who need it is morally wrong if this can be prevented in some manner that will not bankrupt farmers in the process.

Second. Farmers believe that everybody in America ought to have enough to eat even though they are unable for some reason to earn enough income to pay for it.

While it is reported that "more women than men voted for the food stamp idea," it is clear that men as well as women are in favor.

The magnitude of the direct benefits of the program to low income consumers will be proportionate to cost in Government expenditures. In addition, the indirect economic benefits of the program are such that, in addition to the undebatable human benefit to the low income consumers involved, Federal tax receipts from increased national income of farmers, food handlers and the general economy will more than pay for the cost of the program.

The upshot of the situation is that: Higher income families can provide by public programs enough food to eliminate malnutrition due to low incomes and come out ahead economically. By helping others, we help ourselves.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I rise in support of H. R. 13067, a bill to direct the Secretary of Agriculture to institute a food stamp plan so as to enable many Americans to supplement their present inadequate diets by distributing to them some of our surplus agricultural products.

As the author of a similar bill, I have given this subject much thought.

The present method of distributing surplus foods is not meeting the need. It depends for its workability upon welfare agencies which are not accustomed to food handling. It requires the establishment of expensive warehousing facilities, the costs of which must come out of already meager funds set aside by State and local governmental units for welfare payments to needy recipients. Our present method of distributing surplus foods therefore requires the State or local welfare agency to establish an entirely new distribution system, duplicating existing commercial food distribution systems.

The food stamp plan avoids these pitfalls and gets the surplus foods to those needing them through normal channels. It avoids expensive duplicate warehousing. Above all it does not place upon the needy the stigma of standing in front of a food distribution depot waiting for a surplus food handout.

Under our present method of handling agricultural surpluses, we spend millions in warehouse charges to store food which, all too often, is permitted to rot or to become rodent infested. We spend additional millions to ship these foods to other nations abroad.

Can we then not adopt a simple, but effective, food stamp plan to get some of these surplus foods into the hands of the needy in this country who really need them? Persons who are receiving welfare payments are eking out a bare existence—they need these surplus foods to supplement their inadequate diets. The vast quantities of surplus agricultural products stored in warehouses do them no good.

I urge the adoption of the rule and the passage of this bill so that this plan may be speedily put in operation and the hungry needy recipients may begin to receive, through normal distribution channels, these surpluses which we should want them to have.

Mr. REUSS. Mr. Speaker, I rise in support of H. R. 13067. The Secretary of Agriculture long ago should have exercised his authority to establish a food-stamp plan for distributing surplus food commodities to needy persons in the United States. Since he has refused to do so, the Congress must direct him to do so.

We know there are nearly 7 million Americans receiving various forms of public assistance. We know that most of them are not getting enough food, or enough of the right kind of food. We know that we have a surplus food disposal problem. Yet today, only a fraction of the 7 million on public assistance are getting any surplus food.

As an example, look at my State of Wisconsin. There are, according to the Department of Health, Education, and Welfare, some 107,000 Wisconsin residents receiving public assistance in various forms. Of that number only 3,200 are receiving surplus food of any kind.

A food-stamp plan will help thousands of men, women, and children in the city of Milwaukee and the State of Wisconsin—and millions in the Nation—to eat better and to live better. It will also help the hard-pressed American farmer, by disposing of additional surpluses.

Surely the United States, which spends millions to give away surplus food to needy nations abroad, can afford the modest cost of a sensible program to distribute our food surpluses to our own needy people.

Mr. COOLEY. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Speaker, we have the food. The question is, What are we going to do with it? First of all, we can let it stay in storage and rot at a cost of about a million dollars a day storage cost. We can ship some of it overseas, as we have been doing to 84 or 85 countries. We have to pay the ocean transportation to get it there. There is some graft in the distribution. We know of that. Are we going to let our own American people have it in the American way?

This bill reads that we will distribute it to needy Americans "through normal channels of trade." Right now it is being distributed through State warehouses by Government employees. Are we going to distribute through the normal channels of trade, the free-enterprise way? The cost of this bill cannot possibly run more than $50 million a year over and above what we are paying anyway. Figure it out. The average American eats some $20 a year of butter, cheese, dried beans, corn meal, wheat flour, and rice, at retail price. These commodities are in surplus in Government warehouses. Twenty dollars a year times 7 million people on public assistance is $140 million. About eight-five or ninety million dollars of it we are paying to keeep the food locked up in warehouses. The extra cost to get this food into the stomachs of hungry Americans would average about $8 or $9 per person per year.

Let us vote for this bill and let needy Americans get some of the food that we are now giving away to Yugoslavs, Pakistanians, Japanese, and other people around the world.

Mr. COOLEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, since our Republican colleagues over there place such great store on the remarks of Secretary Ezra Taft Benson, I want to read to them the remarks of the rather flexible Mr. Benson in connection with this matter before the Senate Committee on Agriculture in 1944, in connection with the hearings on S. 1331. Mr. Benson, speaking on behalf of the National Council of Farmer Coperatives, of which he was executive secretary, said:

> We commend the United States Department of Agriculture on its food-stamp plan which provides an effective mechanism for moving agricultural surpluses into consumption among groups of low purchasing power in a manner that is highly beneficial to the recipient, and we think effectively utilises the normal channels of distribution. We urge national extension of the plan as early as possible.

I say to my colleagues that what we are attempting to do is to have national extension of this plan at the earliest possible moment. If you wish to help us to carry out the wishes of Mr. Ezra Taft Benson and, incidentally, benefit the hungry people of this country, vote with us today.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. COOLEY. May I ask the gentleman what is the date of that quotation of Mr. Benson?

Mr. DINGELL. The date of the quotation is 1944. It was before the Senate Committee on Agriculture in the hearings on S. 1331.

Mr. COOLEY. And that was following the operation of the food-stamp plan in the Department of Agriculture from 1939 through 1943; is that correct?

Mr. DINGELL. That is correct.

Mr. COOLEY. And at that time Mr. Benson was not Secretary of Agriculture, but he was praising the program and asking that it be extended and broadened?

Mr. DINGELL. That is correct. Apparently, what the Secretary of Agriculture says is that he is for charity as long as somebody else pays for it.

Mr. Speaker, I yield back the balance of my time.

Mr. HILL. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Speaker, I tried to point out in my general remarks that the present program, the cooperative program in the States is working very well. This bill means complete Federal domination of the program at an initial cost of $50 million a year. Let me also point out that any State now participating in the family donation program could inaugurate a stamp system of its own, if it deemed that to be desirable. So if the States want that kind of program, let them go ahead and do so, under the present arrangement which provides for participation between the Federal Government and the States. Let us not turn this program over to the Federal Government which will completely dominate the program from Washington right down to the grassroots.

Mr. COOLEY. Mr. Speaker, I yield myself the remaining 2 minutes.

Mr. Speaker, I just want to conclude by saying that both Houses of the Congress authorized and directed the Secretary of Agriculture to study the feasibility of a food stamp program and directed him to make a report to the Congress and he has made such a report. In that report he clearly indicates how it is feasible to put such a program into operation. In the bill now before you, he will have broad authority and discretionary power and he can put into operation the kind of food stamp program he thinks is feasible. This bill does not contemplate going out into the market and buying food in the ordinary fashion. It only contemplates making available to hungry Americans foods that the taxpayers of America now own.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. McCORMACK. We are sending food abroad, are we not, to the poor people throughout the world?

Mr. COOLEY. Yes, we are sending food abroad and nobody ever complains about the distribution costs of food to feed hungry people in other parts of the world. But here we seem to have a lot of complaints about what it is going to cost to do the job at home for our own people.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill, as amended?

Mr. HOEVEN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 196, nays 187, answered "present" 1, not voting 45, as follows:

[Roll No 177]

YEAS—196

Abernethy	Ford	Multer
Addonizio	Fountain	Natcher
Albert	Fulton	Nix
Andersen, H. Carl	Garmatz	Norrell
Anderson, Mont.	Gathings	O'Brien, Ill.
	Granahan	O'Brien, N. Y.
Andrews	Gray	O'Hara, Ill.
Anfuso	Green, Oreg.	O'Konski
Ashley	Green, Pa.	O'Neill
Aspinall	Griffin	Passman
Baring	Griffiths	Patman
Barrett	Hagen	Perkins
Bass, Tenn.	Hardy	Pfost
Beckworth	Harris	Philbin
Bennett, Fla.	Hays, Ark.	Poage
Bennett, Mich.	Hays, Ohio	Polk
Bentley	Healey	Porter
Blatnik	Hemphill	Price
Boggs	Herlong	Rabaut
Boland	Holifield	Rains
Bolling	Holland	Reuss
Boyle	Holtzman	Rhodes, Pa.
Bray	Huddleston	Rivers
Breeding	Hull	Rodino
Brooks, Tex.	Jennings	Rogers, Colo.
Broomfield	Johnson, Wis.	Rogers, Fla.
Brown, Mo.	Jones, Ala.	Rogers, Mass.
Byrd	Judd	Rogers, Tex.
Byrne, Pa.	Karsten	Rooney
Canfield	Kee	Roosevelt
Cannon	Kelly, N. Y.	Santangelo
Carnahan	Keogh	Saund
Celler	Kilday	Saylor
Chamberlain	King	Scott, Pa.
Chelf	Kirwan	Seely-Brown
Christopher	Kluczynski	Selden
Clark	Knox	Shelley
Coad	Knutson	Sheppard
Cooley	Lane	Sieminski
Corbett	Lankford	Sikes
Davis, Tenn.	Lesinski	Sisk
Dawson, Ill.	Libonati	Smith, Miss.
Delaney	McCarthy	Staggers
Dellay	McCormack	Steed
Dent	McPall	Sullivan
Denton	McGovern	Teller
Diggs	McIntosh	Thomas
Dingell	McMillan	Thompson, La.
Dollinger	Macdonald	Thompson, N. J.
Donohue	Machrowicz	Thompson, Tex.
Dorn, N. Y.	Mack, Ill.	Thornberry
Dowdy	Madden	Trimble
Durham	Magnuson	Udall
Dwyer	Mahon	Ullman
Eberharter	Matthews	Van Zandt
Edmondson	May	Walter
Elliott	Merrow	Watts
Evins	Metcalf	Whitten
Fallon	Miller, Calif.	Wier
Farbstein	Mills	Willis
Fascell	Moore	Withrow
Feighan	Morgan	Wolverton
Flood	Morris	Wright
Fogarty	Morrison	Yates
Forand	Moss	Zablocki
	Moulder	Zelenko

NAYS—187

Abbitt	Auchincloss	Becker
Adair	Avery	Belcher
Alexander	Ayres	Berry
Alger	Baker	Betts
Allen, Calif.	Baldwin	Bolton
Allen, Ill.	Bass, N. H.	Bonner
Arends	Bates	Bosch
Ashmore	Beamer	Bow
Brown, Ga.	Haskell	Pilcher
Brown, Ohio	Henderson	Pillion
Brownson	Heselton	Poff
Broyhill	Hess	Quie
Budge	Hiestand	Ray
Burleson	Hill	Reece, Tenn.
Bush	Hoeven	Reed
Byrne, Ill.	Hoffman	Rees, Kans.
Byrnes, Wis.	Holmes	Rhodes, Ariz.
Carrigg	Holt	Riehlman
Cederberg	Horan	Riley
Chenoweth	Hosmer	Roberts
Chiperfield	Hyde	Robison, N. Y.
Church	Ikard	Robsion, Ky.
Clevenger	Jackson	Rutherford
Cofin	Jarman	Sadlak
Collier	Jensen	St. George
Coudert	Johansen	Schenck
Cramer	Jonas	Scherer
Cretella	Kean	Schwengel
Cunningham, Iowa	Kearns	Scott, N. C.
	Keating	Scrivner
Cunningham, Nebr.	Kilgore	Scudder
	Kitchin	Sheehan
Curtin	Krueger	Simpson, Ill.
Curtis, Mass.	Lafore	Simpson, Pa.
Curtis, Mo.	Laird	Smith, Calif.
Dague	Latham	Smith, Kans.
Davis, Ga.	Lennon	Smith, Va.
Dawson, Utah	Lipscomb	Springer
Dennison	Loser	Stauffer
Derounian	McCulloch	Taber
Devereux	McDonough	Talle
Dixon	McGregor	Taylor
Dooley	Mack, Wash.	Teague, Calif.
Dorn, S. C.	Mailliard	Tewes
Everett	Marshall	Thomson, Wyo.
Fenton	Meader	Tollefson
Fisher	Michel	Tuck
Flynt	Miller, Md.	Utt
Forrester	Miller, Nebr.	Van Pelt
Frazier	Minshall	Vinson
Frelinghuysen	Mitchell	Vorys
Gary	Morano	Vursell
Gavin	Mumma	Weaver
George	Murray	Westland
Glenn	Neal	Wharton
Grant	Nicholson	Whitener
Gross	Nimtz	Widnall
Gubser	Norblad	Wigglesworth
Gwinn	O'Hara, Minn.	Williams, Miss.
Haley	Osmers	Wilson, Calif.
Halleck	Ostertag	Wilson, Ind.
Harden	Patterson	Young
Harvey	Pelly	Younger

PRESENT—1

Harrison, Va.

NOT VOTING—45

Bailey	Gregory	Miller, N. Y.
Barden	Hale	Montoya
Baumhart	Harrison, Nebr.	Powell
Blitch	Hébert	Preston
Boykin	Hillings	Prouty
Brooks, La.	James	Radwan
Buckley	Jenkins	Robeson, Va.
Burdick	Jones, Mo.	Shuford
Colmer	Kearney	Siler
Dies	Kilburn	Spence
Doyle	Landrum	Tesgue, Tex.
Engle	LeCompte	Vanik
Fino	McIntire	Wainwright
Friedel	Martin	Williams, N. Y.
Gordon	Mason	Winstead

So, two-thirds not having voted in favor thereof, the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Friedel for, with Mr. Kilburn against.

Mr. Vanik and Mr. Engel for, with Mr. Jenkins against.

Mr. Buckley and Mr. Doyle for, with Mr. Baumhart against.

Mr. Montoya and Mrs. Blitch for, with Mr. Kearney against.

Mr. Bailey and Mr. Gregory for, with Mr. Miller of New York against.

Mr. Gordon and Mr. Spence for, with Mr. Wainwright against.

Mr. Fino and Mr. Powell for, with Mr. Mason against.

Until further notice:

Mr. Boykin with Mr. Hale.

Mr. Landrum with Mr. Prouty.

Mr. Preston with Mr. Hillings.

Mr. Winstead with Mr. McIntire.

Mr. Colmer with Mr. Harrison of Nebraska.

Mr. Dies with Mr. Siler.

Mr. Brooks of Louisiana with Mr. Radwan.

Mr. Teague of Texas with Mr. Burdick.

Mr. Robeson of Virginia with Mr. James.

Mr. Shuford with Mr. Williams of New York.

Mr. THOMAS, Mr. BENTLEY, Mr. SEELY-BROWN, and Mr. MOORE changed their vote from "nay" to "yea."

Mr. HARRISON of Virginia. Mr. Speaker, I have paired with the gentleman from California [Mr. ENGLE]. Were he present, he would vote "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

REAR ADM. HYMAN GEORGE RICKOVER

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S. J. Res. 201) to authorize the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the joint resolution as follows:

Resolved, etc., That in recognition of the achievements of Rear Adm. Hyman George Rickover, United States Navy, in successfully directing the development and construction of the world's first nuclear-powered ships and the first large-scale nuclear power reactor devoted exclusively to production of electricity, the Chairman of the Joint Committee on Atomic Energy, on behalf of the Congress, is authorized to present to Adm. Hyman George Rickover, United States Navy, an appropriate gold medal. For such purpose, the Secretary of the Treasury is authorized and directed to cause to be struck a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary and Chairman of the Joint Committee on Atomic Energy. There is hereby authorized to be appropriated the sum of $2,500 for this purpose.

SEC. 2. The Secretary of the Treasury shall cause duplicates in bronze of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor), and the appropriations used for carrying out the provisions of this section shall be reimbursed out of the proceeds of such sale.

Mr. BROWN of Georgia. Mr. Speaker, this resolution would authorize the chairman of the Joint Committee on Atomic Energy, on behalf of the Congress, to present to Rear Adm. Hyman George Rickover, United States Navy, an appropriate gold medal. This medal is to be conferred on Admiral Rickover for his achievements in successfully directing the development and construction of the world's first nuclear-powered ships and the first large-scale nuclear power reactor devoted exclusively to the production of electricity.

Although the committee did not formally act on the resolution its membership was polled and indicated their approval.

Admiral Rickover graduated from the United States Naval Academy in June of 1922 and has served his country well and in a distinguished manner. He, more than any other individual is responsible for the rapid development of the nuclear ship program. His exceptional talents in the field of mobile power reactors has made it possible for this country to lead all others in the field of nuclear propelled submarines. The results of his work are more dramatically understood in the recent accomplishments of the *Nautilus* and the *Skate*. Admiral Rickover well deserves this recognition by the people of this country, the United States Navy and the Congress.

Mr. TALLE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Iowa.

Mr. TALLE. Mr. Speaker, the minority is eager to urge immediate adoption of this joint resolution. The contribution of Admiral Rickover to applied science is so great that it cannot be fully evaluated at this hour. My personal prediction is that he has won for himself an eminent place among the world's great contributors to progress.

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a statement by Admiral Rickover, and I further ask that following my remarks the gentleman from Connecticut [Mr. PATTERSON], and the gentleman from Pennsylvania [Mr. VAN ZANDT], members of the Joint Committee on Atomic Energy, may be permitted to extend their remarks.

The SPEAKER. Without objection, all Members may be permitted to extend their remarks at this point in the RECORD with regard to Admiral Rickover.

There was no objection.

Mr. HOSMER. Mr. Speaker, I rise to support this joint resolution authorizing the issuance of a special medal to Admiral Rickover because I truly believe that few Americans since the beginning of our history as a Nation more deserve to be singled out for such an honor than Admiral Rickover. He himself is first to declare that he alone did not singlehandedly make the dream of naval nuclear propulsion a reality. Thousands of dedicated souls have participated in the job. But it was Admiral Rickover's genius, inspiration and discipline that welded these thousands together as a true scientific research and development team to get the job done.

It is also Admiral Rickover, today, that keeps this team together, doing the work so basic to the defense of our Nation and the achievement of our vital national objectives. It is also Admiral Rickover's personality that extends inspiration to the officers and men who man our infant nuclear Navy and ascribe to his "close and benevolent supervision" such magnificent accomplishments as the recent transpolar voyages of *Nautilus* and *Skate*.

Because of Admiral Rickover's dogged persistence fast emerging from its infancy and becoming a reality a powerful, new, nuclear-powered United States Navy backboned by 33-knot atomic bomb-carrying 85,000-ton supercarriers, fast striking guided-missile cruisers and destroyers, and specially designed submarines for high-speed attack, hunter-killer, radar-picket, guided-missile and other new missions.

Already more than $2 billion has been spent or programed for research, development and construction of such a Navy. Another one-half billion dollars a year for at least 8 years ahead will be needed to bring it into full being. On the occasion of the consideration of this honor for Admiral Rickover, it seems appropriate to review the history of naval nuclear propulsion and illustrate the complexities which Admiral Rickover and his coworkers had to overcome.

It began in 1948 with a small but ambitious joint Navy-Atomic Energy Commission program aimed at the design and development of naval nuclear propulsion plants in a wide range of power ratings for new naval construction from small submarines to the largest aircraft carriers.

By early 1954, the basic question of feasibility of naval nuclear propulsion was affirmatively answered by successful completion of all critical tests of the *Nautilus* land-based prototype plant. That answer made possible continuous cruising at top speeds, unlimited cruising radii and practically absolute freedom from fuel logistics. It has revitalized the role of seapower in geopolitics.

At the beginning of naval reactor development 10 years ago, even the most imaginative nuclear propulsion enthusiasts hardly foresaw such a future. Nor did even the most practical amongst them envisage the full scope of difficulties ahead. Neither the technical problems nor their solutions were well understood. In fact, many of the problems were not even known.

The task was to devise a safe, reliable plant within naval space and weight limitations. It began with an examination of various possible reactor cycles. Gas-cooled reactors were discarded as involving too much space and too many safety hazards. Other types were in turn rejected for various reasons. Finally left as promising to meet naval requirements were but two: a reactor utilizing liquid sodium as its coolant, or one utilizing pressurized water.

Liquid sodium seemed to offer the best approach because it permitted high steam temperatures and pressures, with consequent greater efficiency. But the physics and chemistry of liquid sodium were little known and insurmountable development problems might be encountered. Although pressurized water involved lowering steam temperatures and pressures, more was known of the characteristics of water. That could mean fewer problems of basic research and faster development of the plant.

Decision was made to pursue both approaches and preliminary design began. So dissimilar are the physics and chemistry of water and sodium that in effect two simultaneous but essentially independent projects were involved. Both were carried to completion; however, early in the game, leakage problems with liquid sodium appeared that indicated pressurized water reactors would become the accepted approach to naval nuclear propulsion.

The men who carried on the work had no experience or rules of thumb to guide them. No power reactor had even been designed before. They had no science of reactor technology to apply to the job. They created it as they went along.

From the beginning they applied a "can of worms" description to their work, for each component and function of a nuclear powerplant, from the reactor vessel through the turbine and all auxiliaries, are wholly interrelated and interdependent.

For example, raising turbine exhaust temperature or back pressure in a conventional plant is felt primarily in fuel economy. Such a reduction in thermal efficiency in a nuclear plant affects each of its complex components. The necessary increase in heat output requires size, capacity, and weight increases in the condensate, feedwater and heat-generating systems and equipment. Size of the reactor, steam generator, coolant system and auxiliaries is increased. Proportionate increases in radiation shielding must follow. These in turn affect the size, design and characteristics of the hull into which the plant is to be placed, or, as a practical matter, thrust back upon the plant designer the necessity of selecting every characteristic of design in relation, not only to each function and component of his plant, but in relation to hull space and weight limitations as well.

Development of the two original naval nuclear reactor plants, and to only a slightly lesser extent plants today, involves creation not only of the total concept, but individually each of its components. It demands tremendous and concurrent basic research into unexplored fields of the new science. Maximum assurance that all parts individually will work and that they will work as a unit when coupled together, and function with a high degree of safety, dictates what might otherwise be wasteful overdesign and overtesting.

Few, if any, "off-the-shelf" items exist which can be incorporated in nuclear plants. Canned pumps are but one entirely new concept brought into being to make nuclear power possible. Prolonged successful effort to develop as complex a component as this often has to be discarded when efforts fail to develop another which is interdependent. Fresh starts must be made on the problems of both.

Reactor design develops needs to know undiscovered properties of common substances under conditions of reactor chemistry and irradiation. Requirements are generated for rare metals and alloys concerning which the full spectrum of chemistry, physics and metallurgy need be researched and industries found or formed to produce them in quantities required. For example, such diverse enterprises as the Carborundum Co., National Distillers Corp., Wah Chang Corp. and National Research Corp. had to be

persuaded to engage in large-scale zirconium production.

Not only has the naval nuclear reactors program faced mountainous technical problems, but it has been burdened from the beginning with a continuing necessity to seek answers to a variety of nontechnical questions affecting its ultimate success.

Wholly new and workable administrative and funding relationships, to be discussed later in detail, had to be evolved and must be continuously perfected between the Navy and the AEC; amongst naval personnel in and outside the reactors program; and between the Government reactors group and industry.

As operations expanded, and continue to do so, new personnel must be brought in; techniques must be developed for their rapid specialized training; and new facilities established for the basic research, design and engineering functions involved in the work. Progress from design to construction of plants involves large scale training of industry personnel. The design and construction of new ships for the new plants bring in a whole new group for specialized instruction; meaning those ships brings in another.

During the process a basic philosophy on security of information had to be evolved, continuously adapted to an ever-increasing body of knowledge, and the mechanics of implementing it among public and private groups engaged in the program kept efficiently in motion. The approach has been to distinguish between specific design and dimensional characteristics which are classified, and technology as such which is unclassified. Communicating the latter has involved the writing of up-to-the-minute technical handbooks by scientific personnel engaged in the work concurrently as they do it. Six such handbooks have been published and another eight are currently in preparation.

Another essential task of those engaged in the program has been to translate difficult scientific concepts into information meaningful to the layman. It is fundamental to obtaining policy decisions from legislative and executive leaders of government underlying financial support of the naval nuclear program. It is also vital to the public, which in a democracy ratifies those decisions at the polls.

The foregoing enumerations barely hint at the multiple technical and nontechnical problems involved in the naval nuclear reactors program from the beginning and which will continue to plague it for years ahead. Yet they are ample testimony to the outstanding devotion and qualities of the officers and civilians who carry it forward. Within 6 years from the start they produced the basic pressurized water nuclear propulsion plant design now standard for all new nuclear naval vessels.

The plant arrangement developed for submarine propulsion varies only in details for the supercarrier with four dual reactor powerplants, and the cruiser *Long Beach* and submarine *Triton*, each with dual reactors. Relaxed space and weight requirements in the larger ships will, however, permit reactor designs utilizing fuels less enriched with costly U–235.

The typical nuclear propulsion plant consists of a reactor core contained in a pressure vessel; a primary coolant system utilizing fast-flowing pressurized water to remove the heat generated by nuclear fission in the core and transfer it via a steam generator to the secondary, or steam system; a steam machinery plant for propulsion and auxiliary electric power generation; and radiation shielding.

The reactor consists of a pressure vessel housing a core of enriched uranium fuel encased in a protective metal, such as zirconium, which passes heat to the coolant; a moderator, in this case the coolant itself, to slow down neutron omissions to efficient fission speeds; and rods of a neutron absorbing metal such as hafnium, together with machinery to insert and withdraw them from the core, to control rate of fission and thus amount of heat produced.

The primary coolant system consists of one or more loops, each having one or more coolant pumps; a steam generator (boiler); a pressurizing vessel; and connecting piping with appropriate valves.

Since the coolant water becomes radioactive in passing through the reactor core, shielding is required around the portion of the plant containing the coolant in order to protect personnel from radiation. A separate reactor shield surrounds the pressure vessel. It affords sufficient protection against radiation from the reactor core to allow access to the reactor compartment when the reactor is shut down. All shielding designs incorporate enough protection to meet civilian radiation exposure tolerances established by the AEC.

The steam produced in the separate secondary circuit by the steam generator is nonradioactive, and the steam propulsion machinery need not be shielded. This machinery and the necessary auxiliaries for electric power are arranged in a conventional way in the engine room. However, arrangements within the reactor compartment must of necessity be strongly influenced by considerations of accessibility in relation to radiation and the continuous necessity of removing heat even after the reactor has been shut down. The latter phenomenon, known as radioactive decay heat results from the constant breakdown of radioactive materials even under normal conditions.

Penetrating to all parts of naval nuclear powerplant design are intensified requirements for ruggedness, reliability, and easy maintainability dictated by safety, the extreme endurance of nuclear plants, and higher average sustained ship speeds.

These various special nuclear plant considerations also complicate the work of designers of hulls into which they will fit. Gone are the days when minor weight allocation errors can be overcome by pumping fuel between tanks. Crew living and working spaces must be allocated with radiation hazard in mind. Stacks are eliminated, but vertical free spaces must be arranged for removal and renewal of reactor cores. Stowage space for consumable supplies and ammunition must be enlarged to take full advantage of the ship's longer range cruising capabilities. Many other specialized considerations are involved. A byproduct of tackling them has been experimentation with novel hull configurations that may substantially increase speed-power ratios of future ships.

Another byproduct of naval nuclear propulsion has been the evolution of a unique, hybrid military-civilian research and development organization that may well set administrative patterns for successful missile research and development and any similar future large-scale Government projects. Without it, there would probably yet be no nuclear powered naval ships in being.

Its antecedents are in the Atomic Energy Act of 1946, assigning responsibility for "research and development in the theory and production of atomic energy, including processes, materials, and devices related to such production" to the Atomic Energy Commission. A Division of Reactor Development was established within the Commission blanketing the entire power reactors field, with a branch for naval nuclear reactors.

The Commission promptly called on the Navy Department for propulsion requirements and manpower assistance in achieving them. This generated within the Bureau of Ships a small cross-sectional group to deal with the new subject. By 1949 the group's activities were recognized as sufficiently individualized and unconventional to warrant special organizational treatment. A period of experimentation resulted in formal establishment in 1955 of Bureau of Ships Code 1500 designated as the Nuclear Propulsion Division and headed by a new assistant to the Chief of the Bureau.

Code 1500, however, did not mean a separate Navy reactors program paralleling the AEC's program, because code 1500 had by this time also developed into the Commission's Naval Reactors Branch, unofficially referred to as the "headquarters organization" by both Navy and AEC. Naval officers ordered to the program report to both AEC and Bureau of Ships. Navy and AEC civilian employees are utilized interchangeably. Admiral Rickover is both Assistant Chief of the Bureau of Ships for Nuclear Propulsion and Chief of the Naval Reactors Branch, Division of Reactor Development, United States Atomic Energy Commission. So complete is the Navy-AEC integration in this two-hat organization that neither AEC nor naval personnel need switch headgear during the course of their work.

Possibly the only persons who can distinguish the military from the civilian characteristics of headquarters organization are the Government accountants who must assess its cost of operations between the AEC and the Navy. Even here the line of demarcation is often blurred; but, in general, nuclear research and development costs, including construction of land prototype powerplant, are paid for by AEC, while the Navy pays for research and development on steam

parts of the plants and construction of nuclear ships. During the current fiscal year (1958) research and development money amounts to around $86 million from the Commission and around $11 million from the Navy. The prototype aircraft carrier propulsion plant has consumed the lion's share of these current funds.

Inherent in the headquarters organization setup is a flexibility and freedom in both administrative and funding action essential to rapid progress in complex scientific operations. This has speeded civilian as well as naval reactor development. No new group had to be organized from scratch to develop the $110 million civilian pressurized water reactor at Shippingport, Pa. Headquarters, long experienced in that type reactor, was assigned the job and went to work without delay. Additionally, the organization's dual nature avoids duplication of effort and facilities, such as purchasing offices, inspection groups, and so on. For example, purchase of nuclear cores on competitive bidding for which the Navy pays is done through AEC purchasing offices.

The organization is unique in a number of other respects and bears substantially the image demanded by its strong-minded chief and founder, Admiral Rickover.

In discussing the qualifications of some 90 officers and civilians assigned to headquarters, Rickover told the Joint Committee on Atomic Energy:

> By qualification I do not mean, necessarily, their technical ability, but their desire to work long hours and to be dedicated to the job as well. We adopted the procedure of getting only young people. If we get in people with more experience it takes too long to have them unlearn the bad things they know. We haven't got time for that. We don't try to get topflight scientists. A lot are topflight scientists by reputation only. We can't afford to have people around who have reputations who don't work hard. We would rather have people who work hard and don't have reputations.

New recruits for headquarters organization come from a number of engineering and scientific schools which recommend their best graduates. After a series of 5 interviews about 1 in 4 is accepted. A similar procedure applies to naval officers. Some 40 engineering duty officer applicants are screened annually and 4 or 5 finally accepted. Several naval reservists selected have stayed on in headquarters as civilian employees on completion of their duty tours.

Once selected for headquarters duty, officers as well as civilians are given at least 6 months' special training at schools and on projects, followed by assignments on the basis of ability, not rank, and irrespective of military or civilian status. "The best qualified man gets the job," Rickover states, "and in my opinion it is the only way you can run any kind of technical organization."

The organization also operates on a principle of retaining major control rather than assigning substantial areas of responsibility to contractors. This in effect draws contractors into an integration with headquarters which expands the naval nuclear propulsion program from the "two hat" Navy-AEC concept to a "three hat" Navy-AEC-contractor concept. Headquarters control extends even as far as employment decisions on contractor personnel. "Anyone responsible for a reactor program," Rickover explains, "must take on the problem of seeing that his contractors hire the right sort of people and train them. Unless he does, he is in for trouble."

The centralized method of headquarters operation eliminates considerable redtape and memorandum writing. It permits quick decisions. But it violates generally accepted sound management criteria by overburdening key personnel with a large volume of both technical and nontechnical minor decisions. Justification of it is claimed not only from the inherently complex design interrelations within the powerplant itself but in another circumstance explained to the Joint Atomic Energy Committee by Comdr. R. V. Laney, United States Navy:

> Each naval reactor project has a specific end in view. It is intended to be installed in a definite ship at some definite time. Because the building time for a ship and that for a reactor and the reactor plan components are different, the ship is partly built when the reactor and reactor equipment are still being designed. Its characteristics, its length, beam, its speed—all are determined, frozen. The task is very sharply defined and there is a very high premium on success. The reactor designer must conceive, develop, design, and produce a reactor which, when delivered to the ship, will fit into the reactor vessel which it has never seen before. That reactor vessel is resting in a ship which is a stranger, and the reactor, the vessel, the pumps, the heat exchangers, and the intricate control equipment must, the first time they operate in unison, operate correctly, so the ship will have the necessary amount of power to produce the speed for which she was designed.

Projects such as Laney describes, together with necessary basic research, are presently carried on under close headquarters organization control at 3 development centers, 2 operated for AEC by contractors and 1 privately managed.

The Commission maintains Bettis plant at Pittsburgh, operated by Westinghouse Electric employing some 1,300 scientists and engineers, and Knolls Atomic Power Laboratory at Schenectady, operated by General Electric and employing another 500. Combustion Engineering, Inc., operates its own center near Windsor, Conn., employing appoximately 200.

The centers, together with headquarters personnel, and close to 1,000 scientists and engineers on contractor payrolls, total nearly 3,000 high-skilled technicians at work on naval nuclear propulsion. Another 250 to 300 BuShips personnel engage in closely interrelated work.

Today bringing a new reactor concept into being takes about half the 6 years needed to produce the original *Nautilus* and *Seawolf* plants. A year is consumed by preliminary analysis and design studies to fix the essential nature of the project; another year is needed for detailed design and analysis, including mockup critical experiment in the physics, chemistry, and metallurgy of the reactor. During the third year engineering, construction, and installation of the core, components and machinery complete the work.

Throughout such a project weekly lists of critical items delayed, in trouble or needing help are submitted by the development center to headquarters for priority attention. Detailed monthly reports on each phase of the project assist overall cordination. All major design and technical decisions in a program are made by agreement among the principals, that is, AEC, the Navy, and the development center. If there is strong dissent from any party, it is talked through until essential agreement is reached. Lesser technical decisions which derive from major ones, extending even to the contractor level, are made in somewhat the same way by being referred back to headquarters, the principal technical source of direction.

This pattern of vertical relationships between the development centers, contractors and headquarters in its capacity as the AEC's Naval Nuclear Reactors Branch, does not, however, pertain to its intra-Navy relationships as Code 1500. These are substantially horisontal, particularly with the Preliminary Design Branch and with the Hull and Machinery Design Branches of the Bureau of Ships, where discussions are informal and close.

In general, Code 1500 is responsible for research, development, engineering and installation of an entire nuclear plant of a new type. Reactors for subsequent plants remain a Code 1500 responsibility, but repeat machinery now comes under cognisance of Bureau of Ships Machinery Branch, the same as machinery for conventional ships. This shift back to conventional from task group administrative procedures as the program progresses from its research and development phase to its production phase is a wise one.

Just as the development of naval nuclear propulsion created demand for special ships to utilize it, so has it created demand for specially selected and trained men to man them. The intricacies involved inevitably drew the Bureau of Ships into this field as a technical advisor to the Bureau of Naval Personnel. Large numbers of submariners have received the training and already some 200 men and 12 officers are being trained in anticipation of commissioning nuclear-powered surface ships.

Nuclear-ship enlisted personnel are selected by forces afloat, but in accordance with strict standards of intelligence, ability, and conduct. So outstanding is this group that about 6 percent are further selected each year as officer candidates—20 times the overall Navy rate. Officers submit to a series of comprehensive interviews by Admiral Rickover and others before final acceptance for training.

Following selection both officers and men undergo 6 months' intensive schooling in physics, mathematics and various nuclear subjects, followed by another 6 months further study and practical operation of prototype plants at the National Nuclear Reactor Test Station, Arco, Idaho.

Officers are more intensely trained than enlisted men. All officers must, and a number of enlisted ratings do, qualify as nuclear plant chief operators before completing the course. Qualifications establish proficiency in all phases of reactor operation, particularly in everything pertaining to safety. It requires at least 1,000 hours practical work on a prototype plant and is said to be several times as difficult as qualifying for submarine command.

In addition to regular training, prospective commanding officers are assigned several months' duty at headquarters organization and in the development centers. Each is placed in contact with the designers and developers of the power plant destined for his command and acquires the same intimate knowledge of its capabilities as the men who created it.

The policy of building a land prototype of each naval nuclear plant type pays dividends, not only during development, but during the careful and meticulous training program as well. Crews go aboard ship fully experienced in operating a plant identical to the one which they must safely control to protect the lives of themselves and their shipmates. These factors, as well as care in design, are responsible for the excellent safety records of presently operating nuclear submarines.

The advent of naval nuclear propulsion has, indeed, brought about as major a change in naval men, material, and methods as it has in concepts of naval strategy and tactics. It has placed on naval policy planners the difficult burden of allocating available naval funds to costly commitments for seapower in being to meet the crises of today and at the same time carrying forward the bold nuclear research, construction, and training programs needed to meet the crises of tomorrow.

But if this Congress appropriates hoped for funds, by 1966 the Nation will have in being 5 or 6 superflattops, half a dozen guided missile cruisers, the beginnings of a destroyer fleet and some 45 submarines, all nuclear powered.

The substantial shift over from steam to naval nuclear power will have been made during a brief 18 years, compared to the 50 years needed for the shift from sail to steam.

It will have been accomplished basically because Admiral Rickover's great vision foresaw its need, his great technical ability resolved its complexities, his tremendous organizational ability fused together the scientists and technicians needed to carry it out, his unparalleled enthusiasm spurred and inspired their devotion to its success, and his dogged persistence swept away the program's detractors.

In so doing, Admiral Rickover has changed not only the history of our own Nation, but perhaps insured the beneficent destiny of the Free World's struggle against tyranny.

Also in so doing, Admiral Rickover possibly has salvaged the youth of our land from the handicap of an educational system that has become inadequate to prepare them to cope with the future. In speaking on this subject on one occasion, Rickover said he found it as absorbing as his work in atomic energy and explained:

Indeed, I find the two so intertwined that I would have had to be most unobservant not to have gotten myself involved with American education. In my constant search for competent people to work in the nuclear-power program I was inevitably driven to the conclusion that something is radically wrong with our educational system.

Some of Admiral Rickover's thoughts on this subject are contained in his June 14 speech delivered at the 86th annual commencement of Stevens Institute of Technology at Hoboken, N. J. For both his ideas, and as an example of Admiral Rickover's comprehensive understanding of matters related to fields other than his own speciality, I have asked that his speech be set forth as follows:

THE MEANING OF YOUR PROFESSION

We are here to celebrate the coming of age of a new generation of engineers and to wish them Godspeed and best of luck in their chosen careers.

With the travail of final examinations behind you and the challenge of your first job still ahead, you now have a moment to reflect, assess your prospects, and set your goals. Stevens has given you an excellent engineering education. What you make of it depends on your individual temperament and ambition and on your object in life. You may decide to use your engineering degree as a springboard for a career in business management, or you may choose to practice engineering as a profession. In the first case, your work will be administrative; in the second, creative. Before deciding for which of these you are best qualified, and which will offer you greatest satisfaction, it seems to me important that you have a clear understanding of what it means to practice a profession, particularly your own profession of engineering.

To practice a profession one must have acquired mastery of an academic discipline as well as a technique for applying this special knowledge to the problems of everyday life. A profession is therefore intellectual in content, practical in application.

The first definition of the term I could find goes back to the time of the Renaissance when Europe's universities became in essence training schools for professional men. The Oxford English Dictionary of 1541 says that a profession is "a vocation in which a professed knowledge of some department of learning or science is used in its application to the affairs of others."

Traditionally, professions have been held in esteem because their esoteric content has been impressive—their usefulness patent to everyone; because of all callings, they required the longest and most costly period of preparation; and because they were usually practiced by persons of above average intelligence, education, and character.

Until well into the 19th century, only members of the three "learned" professions, that is theology, law, and medicine, and of university faculties were called professional men. But as human knowledge expanded, new fields of learning developed which could be turned to practical use through new professions or through subdivisions of old professions. Engineering is one of the newer professions.

Engineering had been a skilled craft since remote antiquity and necessarily remained a craft as long as no other sources of power except human and animal muscle, wind, and water were known. It developed from a craft into a profession when it acquired a body of systematic knowledge, that is, when scientific advances opened up vast new and complex sources of energy in nature for the use and convenience of man. Today we have a body of organized knowledge and procedure which—as you well know—requires a long course of professional study. In consequence engineering now has professional status in most civilized countries.

The term "profession" today has a well-defined and widely accepted meaning. One might therefore expect that no vocation would lay claim to this appellation unless it had in fact become an intellectual pursuit monopolizing some department of higher learning. However, we live in a time of growing equalitarianism in all spheres of life. This has brought about a gradual blurring of the distinction between crafts, trades, and professions. Similarly, the indiscriminate granting of diplomas and academic degrees has tended to obliterate the traditional distinction between vocational training and higher education. Many people engaged in useful but nonintellectual or routine activities now call themselves professionals.

For example, you can attend a university and study the new academic discipline of cosmetology, obtaining in due course a bachelor's degree in techniques of beautifying the ladies—God bless them. This is a thoroughly worthy undertaking and I am all for it. But does it become a profession merely because interested parties have endowed a chair in cosmetology?

Recently I heard of a university which offers courses in television and radio advertising and in gourmet cookery and which has now added to these pseudoacademic subjects a 4-year course in trailer manufacturing, dealership, and trailer park operations. Upon completion of the course, students are awarded the B. S. They may also take postgraduate work in this fascinating field of higher learning and eventually receive a master's degree, in this way presumably becoming members of a brand-new learned profession.

The traditional hallmark of the professional person—his doctorate—may now be obtained by writing theses on subjects such as Optimum Window Area for a Classroom of Twenty-Five Pupils in the Junior High Schools. A doctoral thesis, you remember, is supposed to climax advanced study in an academic discipline by making a contribution through original research in the subject.

These are examples of what some may consider merely a harmless aberration; one which happens because people like to acquire the symbols of status yet hate to do the hard work which the symbols are supposed to represent. But to my mind it is something more serious. Are we not all extremely indignant—and justly so—when a certain foreign power uses good old words like "freedom" or "democracy" and twists them around to mean their opposites, thus fooling some people into thinking they are what they are not?

One may even wonder whether institutions which mix salesmanship with science, flycasting with philosophy, and homemaking with history can properly be called universities—a term which has a more restrictive meaning, as you will discover if you look it up in Webster.

Indiscriminate appropriation of words which traditionally have meant excellence of some sort is stated to be democratic. I myself cannot accept this view. Carried to its logical conclusion, each American baby ought then to be supplied at birth with a combination birth certificate, high school diploma, bachelor of arts, and doctor of philosophy degrees. Actually, we are not consistent in this matter. We do not consider it undemocratic to respect and reward excellence in athletics, in art, or in business. It would, therefore, seem only just to reserve the honored word "profession" for vocations maintaining the traditional standards of the well-established learned professions.

These standards apply both to the content of a profession and its practice. The intellectual content of a profession, the field of knowledge it monopolizes, must of course be mastered before a man may begin to call himself a professional person. But it is not something learned once and for all in a prescribed course of study. Knowledge increases and a man must keep up with it, so he is never done with learning. In fact, he himself is obligated to carry forward the knowledge on which his profession is based and to insure that it is handed down to new members. In a very intimate sense, his own specialty is a professional man's personal concern and responsibility. Its continued advance can be brought about only by the efforts of present members of the profession who themselves are indebted to the contributions of past members. A professional man who cannot make original contributions to his field of knowledge, can at least enhance the prestige or standards of his profession. Above all, he can and must support the institutions which train future colleagues.

If professional standards of competence are demanding, so are the standards concerned with professional behavior—with the practicing of a profession. Traditionally, the professional man follows certain tacit or explicit rules of conduct which vary in detail as between different professions. Basic to all of them, however, are two rules: first, the obligation to reject lay direction in the performance of professional work—that is the duty to maintain professional independence; and second, the obligation to use professional knowledge and techniques solely for the benefit of their clients. A clear understanding of these two rules of professional ethics is particularly important for members of the newer professions.

Since engineering is a newcomer among the learned professions, its ideals and principles are not yet firmly fixed nor are they adequately stressed in engineering education. For this reason I felt that a discussion of the standards of professional practice in general and their application to engineering in particular would be a suitable subject at this graduation ceremony. Moreover what you yourselves conceive your calling to be and the way in which you practice it may exert no small influence on the conduct of future engineers.

As regards the obligation to maintain professional independence, Flexner—himself an outstanding expert on the nature of professions—remarked: "The essence of * * * professions resides in the application of free, resourceful, unhampered intelligence to the comprehension of problems."

Service ceases to be professional if it has in any way been dictated by the client or employer. The role of the professional man in society is to lend his special knowledge, his well-trained intellect, and his dispassionate habit of visualizing problems in terms of fundamental principles to whatever specific task is entrusted to him. Professional independence is not a special privilege but rather an inner necessity for the true professional man, and a safeguard for his employers and the general public. Without it, he negates everything that makes him a professional person and becomes at best a routine technician or hired hand, at worst a hack.

To maintain this freedom, the professional man may have to refuse a lucrative case or relinquish a position with a good salary. In one profession—theology—independence has at times cost the professional his very life. Clergymen of all faiths have shown great courage in resisting the attempts of ruthless governments to dictate to them in matters of religious belief and church administration. These are part of the clergyman's profession—if I may use the term—in which he cannot brook lay control.

Resistance to lay interference is of course easier when a professional man charges fees than when he works for a salary. For this reason, English barristers are professionally prohibited from becoming salaried employees; they must take each case for a separate fee, even if it is tacitly understood that they will accept all the cases of a particular client. British solicitors are under no such constraint, but then it is the barristers who are the top men in the legal profession and it is from their ranks that English judges are chosen.

Of the various professions which are indispensable in a civilized modern society, that of members of university faculties ranks high in importance. Professors and researchers are salaried professionals: in most European and in some American universities, they are paid by the state. The professional independence of these persons has long been recognized as vital to a nation's intellectual growth. I am speaking of course, of the principle of academic freedom which is the term applied to the professional freedom of the scholar and the scientist to pursue knowledge wherever it may lead him—even if it leads to conclusions which are politically unpopular. Even so autocratic a country as Prussia understood that without academic freedom her universities would not be able to perform the scientific functions expected of them. Thus we have the strange phenomenon of an express grant of academic freedom in the Prussian Constitution of 1850—the only such incidence I have encountered. Sometimes authoritarian governments can recognize the inner need of the scholar for this freedom more readily than democracies where egalitarian thinking may consider this to be an unwarranted special privilege.

We have evidence that Russian scholars and scientists are given some academic freedom in strictly limited fields which the Government considers politically neutral. Since the Russian people as a whole enjoy no political, economic or social liberties, even such limited academic freedom apparently suffices to spur the creative abilities of their scientists and engineers. Freedom is a relative thing. The men who push beyond the frontiers of the known are seldom interested in any other freedom than their own driving need. Despite many restrictions, Renaissance scholars, for example, were able to launch a scientific revolution, highly destructive of much that had been implicitly believed for a thousand years and, therefore, bitterly resisted by the authorities. A famous Bolognese philosopher summed up how it was done: "We must speak as the many do, we must think as the few."

Each new profession must fight to gain this freedom for itself. Unless it wins this fight it will not be a real profession. Engineers must be particularly careful not to lose their recently acquired professional status inadvertently. This will usually happen when they accept managerial positions. In such positions the engineer-manager becomes a member of an administrative hierarchy where he must submit to lay superiors. His engineering knowledge then becomes incidental, on a par, let us say, with proficiency in a useful foreign language. He functions as an administrator and is no longer a professional engineer.

Even when he takes a straight engineering position in a corporate or governmental organization he has no guaranty that his professional status will be respected. For the engineer often has more difficulty maintaining his professional independence than, say, a physican employed by the same organization. Yet both are experts in their respective fields—both are professionals. The difference lies in the determination of the medical profession to brook no lay interference. The engineering profession does not resist lay interference with equal ardor. Toward the physician, the layman is suitably humble in matters medical. Not so, as yet, toward the engineer. This is something for you to ponder and to work on, so that eventually your status may become as unquestioned as the doctor's.

Officials in governmental and corporate complexes wield power commensurate with their rank in the organization. They are accustomed to directing the activities of subordinates and they are convinced that their own rank is clear evidence of their superiority over those with less rank. But professional personnel are in a sense outsiders to the organizational hierarchy. Only rarely do their positions accurately reflect their professional abilities. There is in truth no such thing as rank among professionals. Each is master of his fate; he stands alone, and by his performance demonstrates his own worth; no organization can give him his true rating.

Professional persons are a rather troublesome anachronism in organizations, although they are indispensable in a technological society. An executive honored by high position and impressive emolument will naturally find it extremely hard to admit—even if only to himself—that in certain matters he knows less than a young engineer to whom he pays but a fraction of what he himself earns. Such dispassionate assessment of one's own limitations is rare and calls for large-mindedness and imagination; for humility in the face of the vast powers with which modern technology deals; for a great deal more understanding of science than is possessed by most laymen.

Perhaps the present scarcity of outstanding engineers and the keen competition for their services by government, industry, and the universities may firm up the status of your profession.

A frank and perceptive editorial in a recent Du Pont publication, entitled "The Great Talent Search," remarks wryly that in competing for qualified professional men, business is handicapped since the only incentive it has to offer is money, whereas professional and academic life provide many intangible incentives. It is but a short step from recognition by business that there are other than monetary incentives to the realization that it, too, can provide such incentives.

American businessmen are noted for their ingenuity. They could, I am sure, educate their management people to understand that it isn't good business to pay for professional services and then downgrade all one's bright young men to routine technicians. In this connection, it is gratifying to observe the growing practice in industry of engaging engineers to manage engineering projects.

Today, most engineering is done in association with colleagues on joint projects. Supervision of such groups of engineers by a fellow engineer is professionally indispensable. As long as the man who calls the shots is a colleague, teamwork does not infringe on professional status. This sort of working together is practiced in other professions besides engineering. During surgical operations, for example, one man must be boss and the rest carry out his orders. But you can see what I am driving at if you try to visualize a surgical team working under a lay hospital administrator. Eventually, I hope that the absurdity of putting an engineering team under a lay administrator will become equally obvious to those who run our huge corporate and government complexes. It's like setting a blind man to lead the seeing.

Creating conditions which will attract engineers and stimulate their productivity is important. But productivity is not the sole consideration; safety is even more important. There is great need for awareness in management of the nature of the forces which science and engineering are now harnessing for the benefit of mankind. These forces are far too complex and too hazardous to be manipulated by technological amateurs.

Long ago, a Greek physician sighed: "The life so short, the art so long to learn." I commend this sentiment to all who supervise complex scientific and engineering projects without themselves possessing professional competence in these matters. It takes a long time and hard study to become a scientist or an engineer. How then can even the ablest executive expect to know and understand the details of technical work? Native wit, talent for leadership, even experience in running large organizations—none of these valuable qualities are substitutes for "the art so long to learn."

Perhaps as a people we lack respect for the laws of nature and hence for those who know most about these laws. In popular esteem, the manipulator of men outranks the manipulator of abstract laws and facts, and thus we tend to overpay the administrator and underpay the creative professional man. We then compound this error by evaluating the worth of a man's advice by the size of his salary. This lopsided scale of values can stand readjustment. Insistence on professional independence for scientists and engineers may eventually bring this about.

Of course, the professional person's insistence that he cannot accept lay control over the methods he uses to perform his tasks cannot be twisted into an excuse for incompetence or for blunder. To use the example of an operation again: the patient's relatives obviously cannot be permitted to lean over the surgeon's shoulder and direct where and how he is to make his incision. He must be completely independent of lay direction in the performance of the operation. However, he will most certainly be judged by the results of the operation. If too many of his patients die, the public will render judgment on the surgeon and he will soon have much spare time on his hands.

This distinction between dictation of method and judgment of results is not always clearly understood, particularly in callings which are still in process of developing into professions but have not yet achieved this status. At this stage, the prerogatives of professional status may loom larger than they actually are—they may even be visualized as a sort of divine right to escape all public censure for error or failure because of the laymen's alleged inability to judge professional work. This would be a pretty nice setup if it could be put across to the public, but I am afraid people won't buy it.

Because the individual who seeks a professional service lacks the esoteric knowledge possessed by the man whose help he needs, he finds himself in an inferior position in his dealings with professional persons. Society has sought to offset this by requiring a license to practice and using its licensing power to control educational qualifications of professional people. Professional associations have done much to reinforce this protection of the client by setting up codes of ethics. Besides equalizing the client's position vis-a-vis the professional, these measures also protect the professional person against competition by quacks.

The practice here varies from country to country, depending on the degree of social importance ascribed to any given profession by the public. Thus in continental Europe, the title "engineer" is commonly restricted to persons who have proved their competence to the authorities; in Anglo-Saxon countries it is not so restricted. The professional person's standing in the community depends, in final analysis, on the public's insight of his work, that is, on the educational level of the man in the street. When specialized knowledge of professional people is incomprehensible to the average man, he is apt to flounder between frustrated suspicion and excessive awe, leading him either to interfere unduly with professional independence or to accept naively every claim made by anyone who calls himself a professional. The relation between the expert and the public is one of the central problems of our day.

This problem has been aggravated by a spectacular accumulation of specialized knowledge in the last 4 centuries. Since rediscovery of classical thought in the Renaissance, knowledge has been increasing rapidly. In part, this has been a result of the liberation of man's intellect. This has come about through acceptance of Greek intellectual techniques and eventual expansion of these techniques into our modern scientific methods. In part, it has come about simply as a result of the enormous expansion of population, particularly among the people of western civilization who have grown at about double the rate of the world as a whole. Since the people of the West also outdistance all others in scientific productivity, the sum of human knowledge has grown phenomenally. According to available estimates, it now doubles every 15 years. In contrast, the doubling of population even in such fast-growing countries as the United States takes 40 years at today's rate of increase. The outpourings of this intellectual horn of plenty are overwhelming. No longer can anyone take all knowledge as his province.

Unfortunately, the average person is touched only obliquely by most of this new knowledge, as when he benefits from some new commodity or service which has grown out of an addition to scientific knowledge. These new things he usually accepts as just another gift from his fairy godmother. Science, and he gives little thought to the manner in which they have been brought about: the chain of human effort which began in a remote laboratory where the germinal idea originated; the long process of applied research to verify its practicability; the detailed engineering to transform it into something useful; and the final step taken by industry and commerce to make it available to the consumer.

While the practical results of increased knowledge thus merge into our way of life, the knowledge itself seldom becomes part of our general culture. It remains the possession of small groups of experts, each owning that part which pertains to its specialty. This is so not because the experts are selfishly keeping knowledge to themselves but because most people simply have no taste for knowledge and do not want to spare the time for learning about this potent force in their lives. Thus we observe a widening gap between the experts and the public who depend for their well-being on the work of these experts. This disturbing cleavage exists in the humanities no less than in science. Most people are not well informed in such vital matters as the languages and cultures of the various peoples who share this earth with us; the historic, geographic, and economic background of current events; the place of American civilization in the estimation of the world; and the real strength of our country in the shifting sands of power relations.

Speaking of the need to improve the physical fitness of our youth, the director of the President's Council on Youth Fitness, aptly described us as a people addicted to "spectatoritis." We have both physical and mental spectatoritis. We sit in the bleachers and let the game of life unfold before us. We accept the delightful rabbits which science keeps pulling out of its magician's hat without bothering to investigate how it is done. We accept our country's power and strength without worrying too much whether as citizens we are always conducting ourselves as the world expects the people of a great nation to act. We gladly accept all the benefits America has to give us but leave to others the responsibilities that go with them. We measure our own personal worth by the number and quality of material possessions we are able to buy, not by what we make of the God-given capabilities with which we were born.

This passive acceptance of life's benefits and unconcern for the great problems of our day could undermine our freedom subtly and almost imperceptibly. As citizens of a democracy, we are all rulers of this country and rulers cannot afford to be ignorant of everything beyond the narrow confines of their own small personal world. This was well understood by the upper and middle classes of past societies who knew that their rule depended upon comprehension of the world in which they lived. It was the reason why they made certain that their sons were broadly educated. Intelligence is not the special preserve of any particular class. Learning is hard for everyone. If the middle classes of old were able to push most of their sons through tough schools and universities where they received the liberal education which fits men for leadership, this was not because their sons had superior intellectual capacities but because they were strongly motivated, determined to improve their inherent abilities by training mind and body to their utmost. This motivation came from home and school environments which fostered respect for excellence and emphasized the need of competence in whatever position one occupied in the world. Determination can offset average endowments, but without the desire to improve oneself, the highest native capacities count for little.

Today most Americans have more leisure than the middle and upper classes had in the past. Our country is rich enough to provide the same tough education for all our children which once only middle-class parents required of their sons. But neither our leisure nor the obvious need of democratic citizens to know a great deal more about their world today than they needed to know in a simpler past—neither of these urgent reasons for giving every child a tough education has greatly influenced popular ideas about education. We have adopted middle-class standards widely in our manners, our homes, our taste in clothes—in all the externals of life. But we have not as yet adopted traditional middle class standards in regard to education. In fact, Americans were more ambitious to better themselves through improving their minds when we were all poorer; when self-improvement meant going to night school after a long day's hard work. The desire for an education which will really stretch our minds is not yet dead but it is almost smothered by our soft and pleasant life. No longer is our national goal a life of adventure, of risk, of a chance of reach for the stars; instead it is a desire for comfort and security.

A high price must be paid for this comfort and security if the cost is ignorance of the powerful forces which control our destiny. Science is now able to change our environment in ways which have never before been dreamed of. It is disturbing to watch the relentlessly widening gulf which separates the minority who understand and make use of science from the uninformed majority who passively accept whatever comes to them from the hands of the experts. That this gulf has not led to conflict or deep alienation—at least not yet—is due to two phenomena, unique to western civilization: political democracy and professional ethics.

Political democracy vests ultimate power in the average citizen—regardless of his intelligence, education, or sense of responsibility; and professional ethics forbids professional men from taking unwarranted advantage of their own superior knowledge. Both of these safeguards we owe to the Greeks. Both were evolved by the Greeks in response to the then prevailing situation where knowledge was concentrated in small groups of experts and spread thinly over the

mass of the people. We today are faced with somewhat of a similar situation. Let me explain:

At the dawn of western civilization, the general pattern of life in settled communities was one in which a small group, versed in esoteric knowledge, ruled over the rest of the people to whom access to such knowledge was denied. The legends of many peoples reflect the propaganda of the elite that aspiration to knowledge above one's own station is sinful and will call down the wrath of the gods. Practical knowledge of the kind needed by the peasant, the artisan, the shopkeeper—yes; these the masses might learn. But knowledge of law, medicine, theology, astronomy, the ability to read and write and to govern, these were a sort of magic possessed only by the divinely ordained few.

Guarded jealously and handed down only within the group, this knowledge provided its possessors with power, wealth, and comfort. In some parts of the world one can even today find people enslaved to experts who use their special knowledge to enforce subordination to their will—shamans, medicine men, and the like.

The Greeks were the first to put the expert in his place. They tore away his mantle of mystery; they denied that knowledge was a special dispensation reserved by the gods for particular groups of people. They threw open the door to knowledge and made its acquisition the supreme civic and human virtue.

They looked upon the universe and man's relation to it as a proper object of study for all men. They believed that everything could be understood by the right kind of intellectual technique. To know, man first had to observe, then to collect and order his observations; finally, to discover what were the underlying, the basic principles in the mass of information on hand. Hard thinking was necessary, but it brought its reward; for once known, these principles could then automatically be applied to new problems. The result might be described as an intellectual chain reaction. It goes far to explain the amazing accomplishments of the ancient Greeks.

Their approach to learning was secular and intellectual; it was rigorous in its insistence on logical deduction from verifiable facts. All that was needed to transform this intellectual technique into our modern scientific method was ability to experiment and the necessary tools. Experiments merely widen the sphere of human observation; they permit pinpointing inquiry on specific objects and they bolster deduction through verification by controlled tests. Without laboratories and accurate scientific tools, the Greeks yet were able to create sciences out of conglomerations of unrelated bits of knowledge which had been long possessed by many other peoples. Thus they founded a science of mathematics, of astronomy, of medicine, of history. They gave the West a scientific habit of mind.

Having thought their way out of the then universally prevalent custom of confusing knowledge with divinely sanctioned magic, the Greeks were bound to reject any claim by experts that their special knowledge justified a privileged position. In the political field, this meant rejection of the claim that certain persons had a divine right to be rulers. And so the Greeks were the first civilized people to establish popular rule. Their type of democracy was based on the belief that average Athenians, for example, were quite capable of governing themselves. Not only as legislators, but even as government officials. Greek democracy required direct participation in government by all adult males. Each was a member of the assembly and took turns for set periods of time at serving his city as soldier, magistrate, judge, and priest. The smallness of the Greek city-state simplified the art of governing, and the absence of a priestly caste in Greek religion permitted lay performance of religious functions.

But this would not have been feasible without a relatively high level of education. And indeed the Greeks were a literate people. For after all, free access to knowledge was the basis of their way of life which differed so radically from that of the people surrounding them; people who were enslaved by their own ignorance of any except purely practical knowledge. Though a Greek city-state such as Athens did not provide free schooling, the obligation of parents to provide for their sons' education was well understood and accepted. Solon is credited with having hit on a clever device to give sanction to this moral obligation. He released sons from the filial duty to take care of their fathers in old age, if the fathers had not made provision for their sons' education.

Athens in 400 B. C. appears to have had fewer illiterates than many "advanced" nations in 1800 A. D. Moreover, almost anybody could broaden his mind by attending the theatre which in Athens had distinctly educational aims besides that of entertainment. Recreation for the spirit was available in abundance; one could listen to the philosophers as they wandered about with their pupils, discoursing learnedly and wittily on practically every question or problem known to preindustrial man; in this pleasant manner one could absorb ideas about truth and beauty which have inspired men ever since. Athens was permeated by a love of learning which most of us would consider excessive. There were eggheads galore and oddly enough the Athenians respected them. They even put up with a man like Democritus when he uttered the following weird sentiment: "I would rather discover one scientific fact than be King of Persia."

Perhaps the most remarkable aspect of Greek democracy was that it did not lead to a cult of mediocrity. On the contrary, education of the young was designed to bring all their faculties to fruition—the suppleness and beauty of their bodies through athletic games, the perceptivity and sharpness of their minds through dialectics—what we would call public speaking. As Pericles expressed the Athenian ideal, government is in the hands of the people, the law secures equal justice for all and "as for social standing, our practice is that a citizen who has recognized ability in some field gets public preferment—it is a question of his abilities, not of his rank."

It is the fashion today to deprecate the value of classical civilization for modern man; but I myself am constantly struck with the lasting validity of so much of what the Greeks and Romans thought and wrote. These thoughts are at the origin of many of our most treasured traditions. Greek political ideas greatly influenced the Founding Fathers and helped them to devise for us a most marvelous constitutional framework. The Greeks paved the way for modern science, while the Romans still influence the law under which all the people of the West live to this day. It is not too fanciful to consider a modern engineering college such as Stevens a remote descendant of the Greek medical school at Cos or the Roman legal school at Beirut, or even Plato's Academy and Aristotle's Lyceum in Athens. If I had the time, I could make a pretty good case for this distant relationship.

It is true that Greek and Roman civilization was based on slavery and that some of their habits and practices were rather odd. Much is made of this by anticlassicist progressives. And it is also true that outwardly, a modern technological society seems to have little in common with Rome—still less with the tiny preindustrial Greek city-state. Yet human problems have a way of persisting unchanged through the most revolutionary permutations of man's environment. The product of clear, logical thought has permanent value. It is, as Thucydides put it, a possession forever.

Nowhere is this more clearly evident than in the lasting validity of Greek thought about the role of the expert—the professional man—in society. The Greeks evolved the concept that, far from entitling him to a position of power, the possession of specialized professional knowledge actually imposed on the expert a special obligation, namely to use this knowledge solely for the good of others. This concept is foreign to most other civilizations, except when they have deliberately adopted it from the West. It is, of course, basic to the position of the professional man in western civilization.

The Greeks founded the first true profession and the science which belongs to it—medicine. They formulated the professional ethics of this profession in the famed oath of Hippocrates which we have not been able to improve upon. Young doctors embarking on their careers still swear this oath. Its fundamental creed of obligation and responsibility is basic to all subsequent professional codes. All are adaptations on what the Greeks originated.

In this country we have gone far toward cutting ourselves off from the broad stream of western culture. Rome and Athens are not for our children. Ancient history is supposed to bore them. So they are taught the essence of democracy by joining smoke abatement campaigns; they are shown the utility of simple arithmetic by paying a visit to city hall to watch the clerks at work. As for learning the language of the founders of western civilization, heaven forbid. Far more useful is it to teach our youth how to drive an automobile and take its motor apart.

I am going to fly in the face of the opinions of all sorts of self-appointed experts on the needs of modern man by urging that in your spare time you make the acquaintance of the ancient Greeks and Romans—remarkably stimulating people and good company, I assure you. And as a guide to engineering ethics, I should like to commend to you a liberal adaptation of the injunction contained in the oath of Hippocrates that the professional man do nothing that will harm his client. Since engineering is a profession which affects the material basis of everyone's life, there is almost always an unconsulted third party involved in any contract between the engineer and those who employ him—and that is the country, the people as a whole. These, too, are the engineer's clients, albeit involuntarily. Engineering ethics ought, therefore, to safeguard their interests most carefully. Knowing more than the public about the effects his work will have, the engineer ought to consider himself an officer of the court and keep the general interest always in mind.

Since the engineer deals with metals and fuels of which the earth has but a limited supply, it will make a great difference to future generations whether or not he is fully conscious that every ounce of metal or fossile fuel he uses means a diminution of nature's capital stock we bequeathe to our descendants.

Engineers build structures which alter man's supply of pure air and water, of food and soil. A poorly designed factory may poison air and water; a dam or highway may needlessly rob our grandchildren of good farmland which by then may well be in short supply. Almost everything the engineer does has an effect on our materials base. His work is seldom purely an engineering task, though he sometimes acts as if it were.

For example, not long ago a bridge was being built across a body of seawater with valuable oyster beds. A small change of location would have saved the oysters.

When this was pointed out by a marine biologist, the engineer in charge of building the bridge rejected the advice out of hand with the contemptuous remark: "What do you know about building bridges?" An irrelevant and rude reply. More to the point would it have been to ask the engineer: "What do you know about building bridges in this particular locality?" In this instance the livelihood of a number of people not in any way involved with the bridge or with hiring the engineer was adversely affected.

To give you another example I am familiar with: the design and operation of nuclear-power plants. These involve questions of public health and safety which go far beyond those encountered in conventional power-plants. For this reason we use every conceivable talent that can help in the design. And when the design is completed, it is gone over in detail by a committee composed of outstanding specialists in many technical areas. These men who are full-time professionals in their respective fields advise the Atomic Energy Commission on the safety of proposed reactor plants. Since reactor safety is a broad problem requiring knowledge of many subjects the members of this committee are selected not alone for their knowledge of reactors but because of their demonstrated competence in relevant areas such as meteorology, oceanography, nuclear physics, mechanical, electrical and chemical engineering, sanitary engineering, design of pressure vessels, explosives, industrial insurance, and so on.

Consultation with other experts ought to become as common in engineering as it is in medicine. A Venetian medical code of about 1500 A. D. made it mandatory for a physician to consult a colleague before prognosing a serious disease. Yet medical mistakes affect only one person, the patient; engineering mistakes can affect multitudes.

Within your own lifetime a profound transformation has taken place which has gone almost unnoticed by most Americans but which must strike any engineer forcibly. It is that we have ceased being one of the world's richest countries in mineral and fuel resources and a great exporter of raw materials. Indeed, we are now importing many vitally needed materials; we are, in fact, truly self-sufficient only in molybdenum and magnesium of the 32 indispensable minerals.

While our resources base has shrunk, our population has soared. In 1750 there were but 1.6 million Americans. During the next 200 years we multiplied one-hundred-fold. Even with immigration substantially ended, we are now growing at an annual rate of 1.8 percent which, if you know your geometric progressions, would bring us to 5.3 billion by the year 2150—a thirty-five-fold increase in the 200 years after 1950.

As I see it, the most important aspect of the engineer's code of professional ethics ought to be the obligation to do nothing that will unnecessarily aggravate future resources deficiencies. To my mind his greatest task is to do everything he can to preserve opportunities for a good life to coming generations who will not be as rich in land and resources as we are today. This means, in particular: no needless waste of irreplaceable materials; no permanent destruction of good soil or of our shrinking water resources merely for the sake of immediate advantages; it means utmost ingenuity in substituting abundant materials for scarce materials, renewable resources for irreplaceable resources. For example, in our nuclear-propulsion program we are currently working to eliminate the use of a scarce gas, helium, for testing purposes by substituting a more abundant gas. When one is alert to the problem, many ways to save our resources capital will suggest themselves.

Greatly improved education for all and ingenious use of technology will help to offset diminishing land, mineral, and fuel resources. We have only to look at Europe to see what can be done. There a high standard of living is being maintained on a modest resources base.

Switzerland, for example, has only one-fourth as much land per capita as we have, yet she manages to produce a per capita gross national product more than half ours—and only one-third smaller than that of rich and empty Canada. Or, to put it another way, Switzerland has the same population density as India, and she has only rocks, water, and scenery, while India has rich natural resources. Yet the individual Swiss citizen is 17 times as wealthy as the individual Indian. Improved technology brought about by educational investment in people is the secret of Switzerland's productivity and high standard of living. And technology is the engineer's metier. His is potentially the most important profession because the future well-being of all people may well depend on the manner in which he practices it.

In closing, I commend to you that you think of every engineering task assigned to you as one involving many side effects, some possibly damaging to your fellow citizens, perhaps even to future Americans. Once you have attained habitual awareness of the possibility of unforeseen damage in your work you will find ways to avoid this.

As you embark upon your careers, I would wish that you do so in the spirit which animated young Athenians when they entered upon the duties of citizenship. At the end of 2 years of preparation and service these young men, called ephebi, became full-fledged citizens of Athens. The Greeks being rather addicted to oaths—remember Hippocrates—the ceremony concluded with the solemn ephebic oath, each young man promising that he would so conduct himself as to leave his city not less but better than he found it.

A promise to leave your country not less but better than you found it would seem to me a most appropriate beginning for an engineering career. God bless you and good luck.

Mr. PATTERSON. Mr. Speaker, for 25 years Hyman George Rickover served his country as a hard working, conscientious, and efficient naval officer. The son of a Russian Jewish tailor who emigrated to the United States, Hyman Rickover attended public schools in Chicago and was graduated from the United States Naval Academy in 1922.

In the 25-year period from his Annapolis graduation through the end of World War II, Admiral Rickover was known as a serious and studious officer with deep scientific interests, a love of work, and an aversion to pomp, formality, and the polite but empty words spoken over a soup spoon or a cocktail glass.

He demonstrated great intellectual and personal courage, and as wartime head of the electrical section of the Bureau of Ships, the future father of the nuclear navy mobilized in behalf of victory a driving, selfless, and uncompromising devotion to duty seldom equaled and never surpassed.

The complacent aftermath of victory—the calm after the storm—created no sense of ease in Hyman Rickover's mind. Twenty-five years of naval service, of study, and of invaluable experiences had honed and polished his razor-sharp mind and prepared it for accepting the challenge of atomic energy.

Hyman Rickover accepted the challenge. In 1946 he was the senior officer of a 5-man naval group sent to study nuclear power at Oak Ridge, Tenn. From this simple and unimpressive beginning, Admiral Rickover argued, fought, pleaded, prodded, pricked, and antagonized. The whole purpose of his plans and activities was to harness the power of the atom for both military and industrial uses.

The admiral was not an impractical visionary. But he saw, where others failed to see, the basic industrial and naval applications of atomic energy. He had faith in himself, in his ideas, and in the future of his country. This faith sustained him when he found it necessary to fight against complacency, against lack of imagination, against inertia, and against stubborn blindness—both in military and in civilian circles.

Admiral Rickover did not fight alone. He was strongly supported by Members of Congress, sectors of the press, and a tightly drawn circle of superiors, associates, and disciples. Yet Hyman Rickover's personal efforts were one of the major hubs on which the wheel of atomic progress turned.

The choicest fruits of Admiral Rickover's labors have been the atomic-powered submarine, the first of which was launched in 1954, and the world's first large-scale, all civilian, atomic power-plant, which started generating electricity at Shippingport, Pa., in December of last year.

But Admiral Rickover has also been a leader in which might be called the realm of pure ideas. He has been one of the first to seize upon the strategic advantages of operational nuclear submarines and to exploit these advantages in the interests of national security. He also has thought and spoken courageously of the weaknesses in our national system of education, weaknesses that impede the United States from attaining many of the other scientific and technological "firsts" which should go to a strong, free, great, and viable nation.

Whether Admiral Rickover has been adequately rewarded for his services to the United States and to the United States Navy is an open question. So is the question whether the United States and the United States Navy have made and will continue to make full use of this fertile mind.

Yet, one thing above all others should be clear. In an age ever more dominated by science and technology and a need for imagination and bold action, the United States and the United States Navy can well use and can ill afford to lose men who live and work by these two mottos: "I have not yet begun to think." "Damn the redtape, full speed ahead."

Mr. VAN ZANDT. Mr. Speaker, as one of the cosponsors of a resolution authorizing the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy, I am pleased to support Senate Joint Resolution 201 for that purpose.

As a member of the Joint Committee on Atomic Energy and a Naval Reserve officer for many years, I have learned to know Admiral Rickover as one of the most capable engineering officers in the

history of the United States Navy. In recognising his capabilities, I do so with the knowledge of his leadership and effort to develop a nuclear powered task force of Navy ships. He is not only the father of the *Nautilus* and other nuclear-powered submarines, but of nuclear-powered carriers and destroyers now under construction.

Under Admiral Rickover's brilliant leadership, America today leads the world in nuclear-ship propulsion. He has enhanced our military power to the extent that the recent successful and daring operations of the *Nautilus* and *Skate* under the Arctic ice have dwarfed the importance of Russian sputniks.

The medal that will be presented to Admiral Rickover by my chairman, the Honorable CARL DURHAM, of North Carolina, chairman of the Joint Committee on Atomic Energy, will express the appreciation of the American people to a two-fisted administrator and a never-say-die spirit that has characterized the life of Rear Adm. Hyman George Rickover.

Mr. McCORMACK. Mr. Speaker, in recent days there has been press comment concerning the uncertainty of promotion to vice admiral for Rear Adm. Hyman G. Rickover, United States Navy. It seems incredible that there could be any doubt about the promotion of a man who has done so much for his country. What is even more important to the welfare of the Nation, it seems incredible that any action or failure to act would occur which would endanger the continued service of a man who still has so much to give his country.

Admiral Rickover has appeared before the Select Committee on Astronautics and Space Exploration as a witness on two occasions. His answers to questions were to the point. But the select committee could always feel that he spoke from conviction and without fear. This is a most important quality in a man, when there are so many hard truths which are a temptation to ignore. Admiral Rickover in effect becomes part of the conscience of America, and he should not be stilled.

The United States is engaged in a technological race for survival. Many dedicated men have contributed the theoretical and practical knowledge which have advanced us to our present levels of scientific ability and progress. There are a few men whose contribution to our continued survival is well-nigh unique. Admiral Rickover is one of these men. Were it not for his determination and single mindedness of purpose, it is unlikely that this country would have the nuclear submarine. But he did more than that. He not only fought the bureaucrats and the traditionalists in the military services until he won support for the nuclear submarine. He brought a meticulous attention to detail and a flinty determination that no excuse would be tolerated for lack of perfection in production. This was the key to the successful construction of the nuclear submarine. This scientific and technological challenge was so fantastically complex that any lesser standard would not have produced an operational submarine. This design coupled with the Polaris missile may be the pivotal factor in our survival by forestalling attack on this country during the 1960's.

Admiral Rickover's contribution in nuclear propulsion has tremendous peacetime implications for the world, too. The exploit of his *Nautilus* and *Skate* in passing under the North Pole illustrate possibilities for future cheap transport routes across the top of the world.

It was Admiral Rickover's same attention to detail and driving force which have created the only full-scale nuclear powerplant in the world devoted primarily to power production. The Shippingsport, Pa., plant is a monument which will serve our people as a concrete symbol of his ability.

This makes one wonder whether Admiral Rickover may not be the man to manage the long drawn out project Rover, which it is hoped will carry large manned spaceships to the moon and even to other planets in the years ahead. Will project Rover ever become a practical reality unless we have a Rickover to push the actual engineering of the principles our scientists have developed?

There is so much that Admiral Rickover can do, whether in submarines, in powerplants ashore, or in space propulsion that the way must be found to keep him in the active service of his country, to which he, a dedicated American, has given his best.

Mr. MULTER. Mr. Speaker, the passage of this resolution and the presentation of a medal called for thereby is an unsought but very much deserved honor for Rear Adm. Hyman G. Rickover.

The following article written by James Lee, as it appeared in the New York Journal American of August 17, 1958, tells the story much better than I could:

A NONCONFORMIST IN SEA OF REDTAPE

(By James Lee)

WASHINGTON.—A strange storm of controversy swirls around Rear Adm. Hyman G. Rickover, the Navy's dynamic and embattled prophet of the nuclear age.

One of Rickover's boldest prophecies became a startling fact of immense military significance when the atomic submarine *Nautilus*—his brain child—crossed the North Pole under the ice.

Yet Rickover, the "father" of the Nation's nuclear navy, is confronted by a fantastic situation. Instead of being officially acclaimed for his role in a momentous development, he faces the possibility of a forced journey to naval oblivion.

The veiled "get rid of Rickover" move was dramatised last week by the outcry which arose over the admiral's absence from the White House ceremony at which President Eisenhower hailed the gallant skipper of the *Nautilus*, Comdr. W. R. Anderson.

The Navy later apologised, but a naval officer long associated with Rickover exploded: "It was just like leaving the bride's father out of the wedding party."

This correspondent, who interviewed Rickover recently, has learned some of the factors underlying the antipathy toward the admiral in certain areas of Washington officialdom, both naval and civilian.

One of these hidden reasons would be vehemently denied by any official spokesman. Yet it is known to exist. It is the matter of anti-Semitism. Rickover is Jewish. The career Navy has never taken kindly to Jewish officers of flag rank.

Aside from that, Rickover's refusal to be a conformist, a traditionalist, has brought him into sharp conflict with powerful foes.

The admiral has voiced his dim opinion of the hierarchy and has refused to be awed by rank.

"There is in truth no such thing as rank among professionals," he says. "Each is master of his fate; he stands alone, and by his performance demonstrates his own worth; no organization can give him his true rating."

HE TELLS THEM THE TRUTH

Rickover's own explanation, given to this reporter, of his ability to deal successfully with Congressional committees and legislators who have given the "brass" so much trouble is this:

"I get along with politicians because I tell them the truth. They understand the truth."

This statement recalls the bitter complaint of Lt. Gen. James Gavin, the Army's brilliant Chief of Research and Development, who retired earlier this year after protesting that his Pentagon superiors expected him to mislead Congress.

Rickover never has hesitated to step on the toes of those who, he felt, obstructed his drive toward the goal of a nuclear Navy.

His opinion of certain administrators, for example, is far from complimentary.

"Not infrequently, all he (the administrator) does is interfere with the professional staff and reduce real productivity by constantly bothering them with trivia. Nobody can waste as much time as a super-efficient administrator trying to run a group of 'eggheads.'"

Rickover has been accused of being obsessed with the belief that the American system of education is inadequate to the challenge of the space age.

"Nothing we can bestow upon our children in the way of material advantage can compare with the gift of a good education," he says. "We often speak of democratic freedom and of course we treasure it.

"But basic to political freedom is personal independence; and this can exist only where the mind has been unshackled from ignorance."

THERE'LL BE NO SECOND CHANCE

The admiral's answer to the critics who assail his refusal to accept redtape as a necessary restraint upon swift and decisive action is implied in these words:

"In the next all-out war the side which moves fastest will most likely destroy the other's capacity to wage war.

"You know that there can be no second place in a contest with Russia and that there will be no second chance to win if we lose.

"But if we lose, it will be largely by default. It will be because we have acted without vision, because we will have wasted the marvelous ingenuity and fine spirit of the American people in providing us with things which make life more pleasant but which really do not matter much if they are bought at too high a cost."

Hyman Rickover is dedicated to the proposition that America must not lose by default.

In the same paper, in the column headed "Now You're Talking" we find that the opinion is unanimous among the American people that Admiral Rickover is one of our greatest Americans. The question and the answers as they appeared in that column are as follows:

NOW YOU'RE TALKING

Question: Rear Adm. Hyman G. Rickover, "father" of the atomic submarine, faces automatic retirement unless the Board of Navy Admirals promotes him to a three-star vice admiral. Does he deserve this promotion?

This petty squabble over Rickover's promotion is a delayed reaction. He should have been promoted long ago. After his long Navy career and his fine achievements, another star is little enough. I think it was an affront to him when he was not invited to the White House when Commander Anderson was decorated for taking the *Nautilus* under the North Pole.

Mrs. RUTH SLUTZKY,
Housing Administrative Assistant.
BROOKLYN.

By keeping Admiral Rickover in the Navy that service can utilize his abilities for further development in the atomic field. I believe he should get a third star for all the work and sacrifices he made in making the atomic submarine possible.

GEORGE CHRISTENSEN, *Clerk.*
BROOKLYN.

Another star is the only way right now that we can show our appreciation to this man. He made a great contribution to our national defense by conceiving the idea of atomic submarines and then bringing it to a reality. I can think of no reason why he should not be promoted.

HAROLD STEPHENS,
Bank Clerk.
RICHMOND HILL, QUEENS.

A man who can originate the idea of an atomic submarine and carry it through to completion against the obstacles he faced is certainly an important man for the United States Navy to retain in its service. I would hate to see such a man as Rickover lost to the service of our country.

ARTHUR PHILIPS,
Engineer.
STUYVESANT OVAL, MANHATTAN.

Admiral Rickover devoted his entire life to the service of his country. His atomic submarine is a milestone in our defense. The Navy should be big enough to surmount personality clashes and recognize and reward him for his great works. He could have gone into private industry years ago and made a fortune instead of staying on at relatively smaller pay.

JULIA ROLFE,
Health Educator.
WESTBURY COURT, BROOKLYN.

Mr. FULTON. Mr. Speaker, it is a pleasure to endorse heartily the resolution of Congress to award to Admiral Rickover of the United States Navy a medal for achievement as the intuitive and dedicated developer of the engines for nuclear-propelled submarines.

Let us face it—Rickover and the United States are first in this field. There is no second.

Admiral Rickover plus the atomic team at Westinghouse Electric Co. have attained startling accomplishment and success. Let us have more of this type of intelligent cooperation between industry and government.

No one denies Admiral Rickover is persistent, dedicated, and salty. I cannot say we need more saltiness. Heaven already has provided four-fifths of the earth's surface with a permanent fluid saltiness, plus Rickover, and he is no barnacle.

As a cosponsor of a similar resolution to award Admiral Rickover the thanks and appreciation due an outstanding and contributing United States citizen, by the Congress assembled, from the American people, I am glad to discard the holly wreath of victory, which might be his for the asking, but he has not asked.

We Americans know that we must now work hard to develop from the basic advances by which Admiral Rickover and his devoted teams—military, governmental, management, research personnel, and civilian scientists—have made possible, by their devotion and steadfastness, the tremendous strategic *Nautilus* pioneering voyage under the northern polar ice cap.

The Rickover-Westinghouse team of atomic and nuclear propellant scientists must not now be disbanded, but must be used by the United States and put to the task of adapting nuclear propellants to other fields, and especially to the outer space, missile, and advanced research and high velocity fields, now in their beginnings.

Heroes such as Rickover should have no luxury of leisure, but the American people should put their unceasing talents to the forced labor of the common good of all. I therefore recommend that Rickover immediately be placed as the high thrust propellent to get the projects for nuclear power in space and United States missile programs really off the ground in the future.

This asp should promptly be placed on the lap of progress by a grateful Government and an appreciative people.

Mr. YATES. Mr. Speaker, I wholeheartedly support this bill, which is similar to the bill which I filed for the same purpose. Adm. Hyman G. Rickover deserves the gratitude of the Congress and of the country for his unrelenting fight against overwhelming odds to bring nuclear propulsion of naval ships into being. While it is true that many people contributed to the success of the program, it was Rickover who had the vision, the courage, and the sheer dogged determination to fight through opposition and redtape to make the *Nautilus* a reality.

In its issue of September 3, 1951, Life magazine describes Rickover as one who may be destined to go down in naval history as the man who exerted as much influence on naval shipbuilding as Robert Fulton. This is no exaggeration, Mr. Speaker, for just as Robert Fulton revolutionized the commerce of his day by introducing steam as a propulsive power for ships, so Rickover was the one who made possible the successful adaptation of nuclear power to ships.

The recent conquest of the North Pole by the *Nautilus*, which may write a new chapter in the history of modern warfare, was conceived by Rickover. It was made possible only because of the speed, endurance, and maneuverability of the atomic submarine. We have heard much recently about the gap in our defense structure during the next few years as we seek to overcome the lag in missile development. The atomic submarine and the Polaris missile will aid greatly in acting as a deterrent to possible aggressors during that perilous period. The *Nautilus* and the *Skate* have shown that our submarines, possessing the tremendous advantage of nuclear power, can penetrate to any of the far-flung reaches of the world.

And yet, Mr. Speaker, Admiral Rickover was not even invited to the White House for the ceremony marking the triumphant completion by the *Nautilus* of the conquest of the North Pole. The first one who should have been invited was the only one who was not invited of those who had played a part in the atomic energy program. The White House secretary said there was not room for everyone. Perhaps that is true, Mr. Speaker, but why was not the man who was primarily responsible for the exploit remembered?

That is why this bill is so important, Mr. Speaker. It shows that the Congress is very much aware of Admiral Rickover's existence and of his achievements for our Nation. It gives recognition to the national feeling of approval for the work carried out by Rickover. It conveys to Rickover the traditional Navy phrase of commendation: "Well done."

Mr. REUSS. Mr. Speaker, in the harnessing of atomic power for both military and civilian purposes no man has made a greater contribution to the United States effort in these fields than Rear Adm. George Rickover.

Admiral Rickover, father of the nuclear-powered submarine, is largely responsible for the United States having clear world leadership in the field of nuclear-powered ships. And his pioneering in the nuclear-reactor field has resulted in the operation of our first large scale civilian atomic powerplant.

When the *Nautilus* thrilled us all with its spectacular underwater voyage from Pacific to Atlantic beneath the polar ice, surely Admiral Rickover had a right to be the proudest and happiest man in the country. That the White House and the Navy could not find room for him at the ceremonies marking that historic voyage is totally shocking and unbelievable.

Authorizing a medal to be conferred on Admiral Rickover by the Joint Committee on Atomic Energy will in some measure express the thanks due him by the Nation for his untiring service and unequaled accomplishments. I strongly support the resolution to confer this richly deserved recognition on him.

I also hope that Rear Admiral Rickover soon will be Vice Admiral Rickover, receiving his promotion on the grounds upon which all military advancement should be based—on merit, on performance, on leadership. He qualifies brilliantly on all counts.

Mr. PRICE. Mr. Speaker, I am very happy to see this action on the House floor this afternoon. This is a well-deserved tribute to a great man, the father of our atomic-powered submarine fleet. With his energy and his drive and vision, he gave us the U. S. S. *Nautilus*, the first atomic-powered submarine years in advance of any other nation in the world.

Admiral Rickover won the admiration and support of every member of the Joint Committee on Atomic Energy in the early days of his work on the *Nautilus*. He won the support of the committee members because they knew of his honesty and his sincerity of purpose and they relied completely upon his word.

No man has contributed more to naval history because of his efforts in the field of atomic propulsion than has Admiral Rickover.

I hope that the next step in recognition of his great work will be a promotion in rank in order to hold his service for several years to come for our Nation.

Mr. HOLIFIELD. Mr. Speaker, the House of Representatives has today rendered a great service to the American people, and in so doing it has done honor to one of the great men of our day and age. A few days ago some 47 Members of the Senate joined in sponsoring a resolution to confer a medal on Rear Adm. Hyman George Rickover, United States Navy. That resolution, titled Senate Joint Resolution 201, was passed unanimously by the Senate today—within a few hours the House of Representatives by a unanimous vote passed the Senate resolution.

On August 13, I introduced an identical resolution, House Joint Resolution 687 and 7 of my colleagues on the Joint Committee also introduced identical resolutions. I know that they all rejoice with me in the tribute which the House has given today to Admiral Rickover.

A great many people worked and planned to create the atomic-powered submarine, the *Nautilus*. Admiral Rickover would be the first to pay tribute to that fine aggregation of scientists working at the Bettis Laboratory, to the great company of engineers and workmen assembled by the Westinghouse Co., and to the loyal staff which worked so tirelessly under his own immediate direction. But there had to be a central driving force to keep everlastingly at the job, overcoming bureaucratic redtape, scientific and industrial obstacles and the endless job of coordinating the different facets of the problem. Admiral Rickover was that centralized driving force that got the job done. To Admiral Rickover belongs the credit for putting the pieces of the jigsaw atomic submarine together.

Other men may claim the credit in future years when memories of his work becomes blurred in some people's minds. But we, the members of the Joint Committee on Atomic Energy who have known personally of his great contribution will ever keep our memories clear on this point. The action which the Senate and the House of Representatives took today will establish in the permanent record for future historians to note, the true facts.

The importance of the nuclear submarine has not yet been realized by the rank and file of our people: In my opinion, nuclear submarines will revolutionize not only naval warfare, but may well bring to bear upon land and air strategy a subsequent revolution in military tactics.

If we press on with the speed of which this great nation is capable, our rapidly growing fleet of nuclear submarines may well hold the line of deterrence in that lag period between the obsolescence of manned aircraft and the unmanned family of missiles. These nuclear submarines may well furnish the Free World with hidden and flexible missile launching bases, when our fixed airbases overseas become obsolete in the face of missile vulnerability.

Mr. Speaker, I ask unanimous consent to append to my remarks the text of the resolution which I introduced and which is identical to the Senate resolution passed today.

Mr. KEATING. Mr. Speaker, S. J. Res. 201, to confer a gold medal on Rear Adm. Hyman G. Rickover, deserves the overwhelming support of this body. This measure provides a tangible means for every Member of Congress, in behalf of the American people, to express their appreciation and gratitude to this pioneer in nuclear development.

By means of this medal, the American people can in some small way pay their debt to a courageous scientist and military man who has fought his way through masses of red tape and official indifference so that America could forge ahead in the nuclear field.

Admiral Rickover's work, of course, reached its most famous fruition recently with the sub-Polar voyage of the *Nautilus*, his first nuclear creation. He has also led the way in other aspects of this Nation's progress in the field of nuclear power.

The speed with which this measure has whisked through Congress is a fitting tribute to this man and his work. Only twice before, in the cases of Charles A. Lindbergh and Dr. Jonas Salk, has Congress chosen in this way to express its commendation to a citizen for his accomplishments.

Presentation of this medal to Admiral Rickover will at the same time recognize the virtues of achievement and persistence, of courage and diligence, of foresight and dedication to the national welfare. No man is more deserving of this unique kudo from Congress. Its authorization should be approved with a will.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR TOMORROW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader to tell us about the program for tomorrow?

Mr. McCORMACK. The first order of business tomorrow will be the resolution reported today from the Committee on Rules to take from the Speaker's desk the bill H. R. 13247, the scholarship education bill, for the purpose of sending it to conference.

Thereafter there will be conference reports, and then other matters which have been cleared by the leadership and for which the Speaker will recognize Members.

Then the next order of legislative business will be the school lunch program bill, one bill out of the District of Columbia Committee, and then, on the broad scale, the minerals production bill.

There will also be the call of the Private Calendar.

I also desire to announce that there is added to the program for this week House Resolution 679, providing travel authority for the Committee on Merchant Marine and Fisheries; also H. R. 9521, to amend the Federal Food, Drug, and Cosmetics Act, and to define chemical preservatives. I understand in connection with that bill that an amendment has been agreed to, so that if there is no opposition, and all parties seem to have agreed to it, it may be brought up by unanimous consent.

The SPEAKER. The Chair will announce that there will be no more recognitions for suspensions today. We will try to get another day for them.

REAR ADM. EDWARD C. STEPHAN, USN

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Rear Adm. Edward C. Stephan, USN, Chief of the Legislative Liaison for the Navy with the Congress, has been relieved by Rear Adm. John S. McCain. Within a few days, Admiral Stephan will leave for his new assignment as commander, South Atlantic Forces.

Although every Member of Congress who personally knows Admiral Stephan is delighted to know he is to be in command of such an important responsibility, nevertheless, all shall miss him greatly in his work with the Congress. Exceptionally efficiently and quickly Admiral Stephan has been able to give Members of Congress a successful answer to every problem presented to him. Through his wise counsel he has brought the Navy very much closer to Congress. He has been able to successfully have the Congress understand the problems of the Navy and at the same time have the Navy understand the individual problems as well as the legislative problems of the Congress.

I have known Admiral Stephan and his charming wife for many years. They are delightful, charming, gentle people. On many occasions I have had to take up matters with Admiral Stephan requiring a decision of the Navy Department. Always he has provided me with an answer.

Possessing unusual ability, excellent judgment, and a broad comprehension of national and international affairs, Admiral Stephan certainly is supremely qualified to take over the command of the South Atlantic forces. His energy and strength and force as an officer of the United States Navy give to us confidence that America certainly can depend on him.

Mr. Speaker, I feel certain that I speak for the entire membership of the House, and for that matter, of the Congress, when I say that every Member extends to Admiral Stephan his or her best wishes in all of his undertakings and activities in this new and responsible assignment as commander of the

South Atlantic forces. We extend to him our best wishes and hope that if occasion permits he will come up here and pay us a visit whenever he is in Washington.

THE TEACHING PROFESSION

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SPRINGER. Mr. Speaker, for the past few years we have made a real effort in this country to encourage outstanding young men and women to enter teaching. Since October of last year and the advent of the Russian sputnik, there has been some considerable soul-searching on a national scale to determine how this could be more easily accomplished.

For 2 years after graduating from college I was a teacher in the public schools and this gave me some knowledge and insight into teachers' problems. Basically the problems now are the same as those I faced while teaching. Our munificence to the profession is not our most outstanding national characteristic. It is possible to say without argument that teachers are not overly paid.

But more than that, teachers then, as now, were forced into a position of continuing their education well beyond the mere obtaining of a bachelor of arts or bachelor of science degree. In my own State, Illinois, for instance, the law requires that a teacher shall continue "teaching and professional growth" to the satisfaction of the superintendent of education. Most superintendents are strict in their application of this provision and require teachers to prove they have attended classes, or have in some other equally important way shown professional growth.

It doesn't, however, take a law to get teachers to school. Teaching is peculiarly a profession that deals with an ever-changing world. Even the "three R's" constantly change as new ideas and applications develop. To introduce the eager young mind to this changing, growing, amazing world is the prime function of the teacher. And so it is that he or she insists on self-education before attempting to educate others.

Let me hasten to say this self-improvement program is not altogether altruistic. There is a monetary aspect as well. A teacher with a master's degree can command more salary than one with only a bachelor of arts degree. A doctor of philosophy degree is equally more remunerative.

For these reasons then—a desire to teach better, a desire to increase earning capacity, and the requirements of law—teachers are in a position of having to return often to the classroom themselves.

Education itself is expensive. But even harder on the average teacher's budget is the fact that he or she must give up any thoughts of income during 2 or 3 summer months while devoting the time to learning. This is particularly difficult on a man or woman with dependents.

Additionally, teachers have been at a distinct disadvantage when compared with other professions. The money they spent for self-improvement and advancement in their professional standing was not deductible from their gross income for tax purposes. Teaching was the only profession which was discriminated against in this manner.

After years of prodding and insistence by some of us in the Congress on an individual basis, the Commissioner of Internal Revenue finally this spring changed this ruling and permitted teachers for the first time to make these educational expense deductions. This change was of great benefit to the profession.

However, I must note here that this is merely a ruling by the Commission. It will remain in force only as long as this Commissioner or his successors desire. At any time the ruling can be changed.

It seems, therefore, fair and just that the law itself be changed. To accomplish this change I introduced H. R. 13498 to amend the Internal Revenue Code of 1954.

My bill, H. R. 13498, provides that all teachers in properly accredited public and private elementary and high schools, junior colleges, colleges, and universities may deduct expenses incurred for the purpose of acquiring additional teaching or education as school teachers or administrators. These expenses would include books, tuition, and fees, cost of travel, meals, and lodging while away from home.

Our educational system must depend on these men and women who are charged with the responsibility of shaping the minds of the young. It is important that the profession attract and hold the best available talent. I believe that legislation of this type is essential in accomplishing this program.

There is still time to enact the measure, H. R. 13498. I most strongly urge it upon the House as an important step in helping to develop and expand a most vital profession—teaching.

PROBLEMS WHICH CONFRONT OUR GOVERNMENT

The SPEAKER. Under the previous order of the House, the gentleman from Indiana [Mr. MADDEN] is recognized for 30 minutes.

Mr. MADDEN. Mr. Speaker, in a few days the 85th Congress will adjourn. Since it convened numerous international and domestic problems have been heard in committee meetings and debated on the floor of the House of Representatives. Judging from the extraordinary mail received this session from the people in the Calumet District of Indiana, I find the public is more aroused regarding our critical world and economic difficulties than at any time during my service in the House of Representatives.

It is fortunate that the American public is giving so much thought to these problems which confront our Government. The collective opinion of the American people should be the determining factor in guiding our ship of state. It is only when the masses of people lose interest in governmental affairs and fail to exercise their franchise that the foundations of our free Republic are endangered.

I wish to review briefly some of the accomplishments and failures of this session of Congress which is about to pass into history. During the last 2 years, serious economic problems involving unemployment, farm recession, business failures, high cost of living, and the threat of uncontrolled inflation have provided much of the work for the membership.

FOREIGN POLICY

The dark clouds of international communism continue to threaten the peace of the world. The 85th Congress made an excellent record in removing partisan politics from legislation involving our foreign policy. The Members of Congress cannot secure all the information and intelligence connected with our foreign policy from the various embassies throughout the world because of security reasons and lack of access to confidential files. Under our Constitution, the President and the State Department have the responsibility to formulate foreign policy and for that reason the Congress, generally speaking, should support our State Department on critical major policies involving foreign relations.

DOMESTIC ECONOMY

The House of Representatives, during this session of Congress, both in the committees and on the floor of the House, has devoted long hours and days in hearings and debate on legislation to restore employment, prosperity for the farmers, small-business men, and other groups in our economy. During this session, either the House or the Senate has passed the following major bills, to wit: Reciprocal trade extension, mutual security appropriations, established governmental space agency, humane slaughter, defense reorganization, debt-ceiling increase, community facilities, depressed areas, omnibus housing, surplus disposal, Alaskan statehood, Federal scholarships, farm legislation, postal rates and pay increase, social-security increase, labor law revision and welfare funds disclosure involving both labor and management, excise tax reduction, unemployment benefits, Federal highway construction, and public works including rivers and harbors. In addition, appropriations for all the various governmental departments and the District of Columbia, plus thousands of smaller bills on the Consent and Private Calendars.

Some of the above legislation is in conference committees or awaiting consideration by either the Senate or the House. The majority of the Members of Congress adhered to the belief that our annual budget must be kept to a minimum. In voting for economy, we must not jeopardize our national defense and the necessary governmental services to which the American people are entitled.

AGRICULTURE

In the spring of 1953, Secretary of Agriculture Benson inaugurated a new farm policy experiment. This unfortunately has lowered the annual income of the farmer during the last 5 years. Nobody can testify as to the failure and impractical operations of Secretary Benson's farm programs more competently than the average small farmer in America. Last week on the floor of the House, Congressman CANNON, of Missouri, chairman of the Appropriations Committee, made the following statement which was not challenged by any Member on either side of the aisle. I quote his statement from the CONGRESSIONAL RECORD of July 22, page 14644:

> The cumulative loss of income on American farms since he (Benson) took office has totaled almost $18 billion. The remarkable thing is that while the farmers' income has decreased about $18 billion, the cost of running Mr. Benson's Department of Agriculture including crop payments, has increased from $1 billion to more than $5 billion a year. The parity ratio dropped from 100 percent in 1952 to 84 percent in June 1958. There is no wonder that we have 600,000 fewer farmers now than when he took over and put the sliding scale into operation.

I mention the plight of the farmer because in the 1920's the American farmer did not enjoy the so-called prosperity of that period, his income was low and his purchasing power was small. When millions of farmers cannot go into the markets and buy tractors, automobiles, refrigerators, and so forth, it does not take long for the mills and factories in industrial areas to lay off workers in great numbers. The agricultural slump was the main factor in bringing on the devastating depression of 1930–32. This economic principle is repeating during the Eisenhower administration. Secretary Benson and the tight-money policies of former Treasury Secretary George Humphrey are the two primary causes of the industrial slowdown and business depression of the last few years. When the interest rate was raised in February 1953, it cost the taxpayers additional billions in interest on our national debt, Government bonds, State, county, and municipal bonds, plus everything the purchasing public bought on credit. It is estimated that about $7 billion have been siphoned from the purchasing power of the public by reason of this administration's tight-money policy.

LABOR

Last week, I presented the rule on the floor of the House which called up for consideration the bill requiring labor unions and management to submit periodical reports to the Secretary of Labor, setting out full data and records concerning welfare and pension funds. This legislation passed the House and is now being considered by the other body. If enacted into law, it will protect millions of labor-union members from dishonest, negligent, or unscrupulous labor leaders or employers who might be guilty of feasance and malfeasance in the handling of these funds. The McClellan committee uncovered startling evidence of mismanagement and dishonesty on the part of a few administrators of these welfare funds.

The leaders of organized labor are to be commended for the outstanding cooperation they have given Congressional committees in an effort to oust dishonest and racketeering officials from organized labor. The fight made by President George Meany, Walter Reuther, Dave McDonald, and other labor leaders to rid organized labor of dishonest officials and racketeers is commended by the American public. Among the various labor organizations throughout the country, it is estimated that there are approximately 50,000 labor officials, both major and minor, among the 18 million members of various unions. Out of this number, less than a dozen labor leaders have been indicted, convicted, or exposed as racketeers growing out of the recent Congressional hearings. Percentagewise, the integrity and honesty of labor officials compares well with leaders of other segments of our economy. The leaders of organized labor have attained great success in curbing the spread of communism in the labor movement and driving card-carrying Communists and agitators out of labor organizations. Lenin stated years ago that the most fertile field for Communist infiltration and power was in the labor organizations and the schools. American labor has not only defeated Communist infiltration in its own ranks but, after World War II, sent expert consultants and organizers to Europe to help union labor in the war-stricken free nations to oust Communist infiltration and agitators from their ranks. Organized labor in France, Italy, West Germany, and other anti-Soviet countries succeeded in curbing the Soviets from taking over by reason of this help from labor groups in our country.

RIGHT TO WORK (WRECK) LEGISLATION

Antilabor forces are sending out tons of propaganda in certain States pressing for the enactment of additional legislation to weaken unions under the phony and misleading title "Right to Work LAW." If the so-called right-to-work law propaganda is not curbed the effectiveness of labor-management collective bargaining will be destroyed, income of workers will be reduced, purchasing power will be decreased, and the time clock of labor and industrial progress will be turned back a quarter of a century. Unfortunately, Indiana through highly financed lobbyist activity enacted the so-called right-to-work law in the last State legislative session. These destructive forces were aided by a Governor who, during his 1956 campaign, led thousands of labor union members to believe that he was opposed to this restrictive legislation. Many organizations, including businessmen and industrial leaders are now beginning to realize that the right-to-work law was "blitzkrieged" through the Indiana Legislature. No thinking businessman or employer wants to revert to the yellow-dog contracts and the bitter labor-management relations of 30 and 40 years ago. Under democratic procedure, the will of the majority should prevail. In 46,000 industry elections conducted by the National Labor Relations Board, 97 percent of the workers voted for union shop. At no time does union shop restrict the right to work of those willing to share in the cost of securing and maintaining fair wages, working conditions, and mutual benefits.

Many churches of all denominations and business management groups are now denouncing the so-called right-to-work law. Bishop Oxnam in addressing the Baltimore Methodist Conference several weeks ago said, and I quote:

> Greedy and undemocratic powers that once maintained the 12-hour day and by every device, from company housing to depressed wages, sought to resist the introduction of democracy into the economic order are among those who today sponsor these right-to-work laws.

Bishop Oxnam told the Maryland Methodists that certain interests want labor to return to the jungle of industrial struggle instead of marching forward to the bargaining table with its sensible and scientific cooperation. Rev. William J. Smith, S. J., of St. Peters Institute of Industrial Relations, declared, "Right-to-work legislation distorts the dignity of the individual person to such a degree that the end result of its universal application could be nothing short of anarchy." Several prominent leaders of Jewish church groups have publicly denounced the so-called right-to-work movement.

The right-to-work lobby is a highly financed organization backed by the National Association of Manufacturers and the Committee on Constitutional Government. Tons of mail propaganda is flowing out of their offices every day. This is part of a mastermind plan to destroy labor unions and collective bargaining. Five and one-half million men are pounding the streets of America looking for work. What are the so-called right-to-workers doing for them? The answer is nothing. Millions more are trying to support families on 3 and 4 days work each week. Why do not the right-to-workers organization do something so they can enjoy right to work full time. Millions in America want a job—a full-time job—a paying job. In other words, they are pleading for the right to work.

CIVIL RIGHTS

As a member of the House Rules Committee, I was happy to be instrumental in releasing the Civil Rights Act of 1957 from a legislative bottleneck. After it was reported favorably from our committee, it passed the House although in a modified form. Nevertheless, through the untiring efforts of the friends of civil rights legislation in the House and Senate, it was passed and signed by the President. For the first time in 82 years civil rights legislation was enacted into Federal law. The NAACP is to be congratulated for its well-planned fight for the bill and the solid foundation built for additional civil rights legislation in the future sessions of Congress. It is indeed unfortunate that President Eisenhower and his advisors delayed in formulating plans for implementing this legislation and also the Supreme Court decision on integration. Had this been

done, the deplorable mess at Little Rock Ark., could have been avoided.

SOCIAL SECURITY

Social security is now an important cushion in our economy. Purchasing power would be greatly reduced and our unemployment and recession would be more serious had it not been for social security. Almost 12 million Americans will receive 7 percent increase and about 10 percent will go to smaller beneficiaries. This legislation was a step in the right direction. Social-security payments will now be more in line with the rapid rise in the cost of living. The bill contained other expansion features which I will not outline in this statement.

EDUCATION

One of the major failures of the 85th Congress was the defeat of school construction legislation. President Eisenhower in 1952 and again in 1956 campaigned on the need for 345,000 additional schoolrooms. In congested areas the school-building crisis is more serious today than it was 4 years ago. President Eisenhower and his legislative leaders with the aid of a few southern Democrats defeated this much needed bill in the last session by six votes. This session of Congress, the House of Representatives enacted a bill providing financial aid for scholarships and fellowships to qualified students who desired to proceed in future careers in the scientific field. We have discovered, to our regret, that the Soviets started over 25 years ago giving financial aid to students in this category. The bill passed the House and the other body, but unfortunately, the Jenner amendment excluding Indiana was adopted by the Senate. During the last 4 days, I have received hundreds of telegrams from Hoosiers, all, without exception, requesting the reinstatement of Indiana to participate in this legislation. I have already contacted several members of the Education and Labor Committee and hope that Indiana can be reinstated by the House-Senate conference committee.

If our Nation in this atomic age does not keep pace with the Communists in the scientific and technical education field, we will be unfair to future generations and jeopardize our freedom and liberty.

LITTLE CALUMET FLOOD CONTROL

Ten years ago, with the help of the Chicago Congressmen, I succeeded in having a survey of the Indiana-Illinois area by the Department of the Army Corps of Engineers with the hope that periodical floods could be curbed adjacent to the Little Calumet River. In 1950, the Corps of Army Engineers, in a lengthy report, stated that considering the cost and the comparable periodic flood damage involved that a flood-control project was not economically feasible. The late Congressman McVey and I have, during this session of Congress, been requesting that the Army Engineers make a resurvey of this area. The Calumet Sag project now nearing completion plus the great influx of population and thousands of new homes in this area present additional reasons why a Federal flood control project should be feasible at this time. Three weeks ago, Congressman McVey and I filed companion bills asking that $37,000 be provided by Congress in the 1959 budget for this flood control survey. I do hope that the Army Engineers Corps will recommend favorably for a survey and that the next Congress will authorize and appropriate money for the same.

VETERANS

This Congress, against the opposition of special interest groups, recognized the World War I veteran by passing legislation authorizing the issuance of a charter for the fast growing organization of World War I veterans. Other legislation passed benefiting the veteran and his survivors is as follows:

First. World War II veterans and some Korean war veterans will be able to buy total-disability riders on their national service life insurance that pay double the current benefits.

Second. Disabled husbands or widowers of women who served in World War I, World War II, or the Korean war will become eligible for the same benefits that a male veteran's wife or widow now receives.

Third. Veterans who were totally blinded in wartime service will draw benefits of $359 a month, even though they do not require the services of an attendant. Now, blind veterans who are helpless get $359; those who are blind but not helpless get $309.

Fourth. Burial allowance for the funeral of a deceased veteran is increased to $250 from $150.

I hope that in the next session of Congress favorable action will be taken extending additional medical and hospital aid to older veterans.

HIGHWAY CONSTRUCTION DELAY

Two years ago last May the Congress passed the $31 billion Federal highway construction bill. Unfortunately, actual road construction under this mammoth program is still about 90 percent in the blueprint stage. During this period of unemployment, effective leadership in the White House could have eliminated redtape and bureaucratic delays on this highly essential project. Thousands of miles of highways could have been under construction during the last 12 months. The delay on this great program could have been averted by diligent action in the executive department. A mammoth highway construction program would not only employ many on the highways, but tremendously increase the demand for concrete, steel, lumber, and kindred material which would employ hundreds of thousands in the mills and factories of our Nation.

INDIANA POLITICALLY STAGNANT

Indiana's inaction in participating with other States in highway construction, education, health, library, and other national welfare programs cannot be wholly attributed to negligence on the part of the administration in Washington. In my State, Governor Handley has taken pride in his speeches and statements that Indiana can live within itself and does not need the cooperation and contributing financial aid from the Federal Government. Through misleading statements and assumptions, he has dramatized Indiana's economic isolation from the Federal Government to such a degree that a great number of Hoosiers are misled on the true facts of Indiana's economic losses and lack of progress when compared with other States. Let me mention just a few results of Governor Handley's nearsighted views on Federal Government participation in modern progress along with other States.

First. In December of 1957, Indiana ranked 46th among the 48 States in matching Federal funds for the construction of highways under the newly passed $31 billion program. Eighteen months had passed since the bill was enacted. I informed the people of Indiana that plans for proposed highway contracts in the $31 billion Federal program had not, up to that time, arrived from Indianapolis at the Public Works Department in Washington, D. C.

Second. Indiana is one of the two States which does not participate in the rural library program. Wyoming is out because it lacks necessary laws to participate.

Third. Indiana has the worst record of any State in participation in the vocational rehabilitation program in fiscal 1958.

Fourth. Indiana ranked third from bottom in participation in the crippled children's program in fiscal 1957, the last year for which complete statistics are available on the program.

Fifth. Indiana ranked second from the bottom in participation in the child-welfare program in the same year. Idaho was the 48th State.

Sixth. Indiana did not use a penny of the $60,000 in Federal funds available for aid to mentally retarded children. Instead, it took money from Indiana's already meager child-welfare program.

Seventh. Indiana ranked 43d among the 48 States participating in the Federal hospital construction program.

Eighth. Indiana is one of four States which does not participate in the program to aid the totally and permanently disabled.

Ninth. Indiana is one of the States failing to participate in the federally sponsored program to train practical nurses.

Tenth. Indiana ranks fifth from the bottom of all States in aid to dependent children.

These statistics are taken from records in the Department of Health, Education, and Welfare. They can be verified from the hearings of the Subcommittee on Appropriations for Health, Education, and Welfare.

Governor Handley, in rejecting these programs does a disservice to the people of our great Hoosier State. This policy works a hardship on the people because Indiana taxpayers are paying Federal taxes. The citizens of other States benefit by programs which Hoosiers help finance. By failing to participate in the above Federal-State programs, our State relief rolls are increased, our institutions are more crowded, and the local taxpayers eventually pay the additional costs. Handley's failure in this regard might be the reason Indiana has

the second largest percentage of its population on relief than any other State in the Union. Governor Handley speaks of protecting Hoosiers from being brainwashed by Washington bureaucrats. Evidently, he looks upon the Washington administration as some kind of foreign power or enemy to the welfare of the Hoosiers. It is important that the leader of his own party, President Eisenhower, has been advocating and cooperating in programs which Governor Handley so bitterly despises and rejects.

CORRUPTION IN OFFICE

Hoosier taxpayers are in a calloused frame of mind when they read of corruption or scandal whether in the Indiana statehouse or in Washington. The amount of corruption which has been exposed involving administration bureaucrats has bracketed the Eisenhower administration along with the Harding regime of Teapot Dome fame. Since 1953, the notorious Dixon-Yates utility scandal has headed the list of corrupt influence peddling and special privilege to political campaign contributors. The Goldfine hearings have revealed the backdoor fix has reached into the White House, right smack on the desk of the so-called Assistant President, Gov. Sherman Adams. Let us recall Secretary Talbott, former Air Force Secretary, who wrote letters on his official stationery soliciting contracts involving several hundred thousands of dollars for his own private business. When he left the service under pressure, he was presented with a medal of merit and a letter from the President expressing his regrets at his departure. The list of Eisenhower crusaders caught in the pantry with their hands in the cookie jar is a long one. Sherman Adams, Talbott, Wesley Roberts, Wensel, Chotiner, Mack, Ross, Strobel, Cross, and Mansure comprise only a part of the get-rich-quick Eisenhower crusaders.

Of course, we in Indiana are familiar with the graft and get-rich-quick operations that have been exposed in our own statehouse during the last few years. The startling revelations concerning the graft involving our highway rights-of-way and construction is but one reminder to the people of Indiana of the old days when the scandals of Governors McCray and Jackson were uncovered and brought to the attention of Hoosier taxpayers. I firmly believe that not only the people of Indiana but of the Nation have finally awakened to the fact that they were completely misled and oversold on hero worship in the campaigns of 1952 and 1956. The results of the recent elections in California, New Jersey, Pennsylvania, Wisconsin, Texas, and other places reveals that the public is alert in knowledge of governmental affairs and cannot be fooled indefinitely. Time or space does not permit, in this summary of the 85th Congress, to outline in detail all legislation, both international and domestic, which has confronted our Government during the last 2 years.

After adjournment, I will be home and reopen my office on the third floor of the Hammond Post Office Building. I will be available to meet with Lake County folks and discuss these important problems which are so vital to the prosperity and future peace of our Nation.

HON. THOMAS A. JENKINS, HON. JOHN M. VORYS, AND HON. CLIFF CLEVENGER

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. BROWN] is recognized for 60 minutes.

Mr. BROWN. Mr. Speaker, when the final gavels fall on this session of the 85th Congress, these legislative halls will lose, as will Ohio, three of Ohio's most distinguished Members. I have taken this time, late as it is this afternoon, that the Ohio delegation in the House may have the opportunity to join with me in paying tribute to these three outstanding and distinguished legislators. The first, of course, is THOMAS A. JENKINS, of the 10th Ohio District, whose home is in Ironton, Ohio. I have known TOM JENKINS for a lifetime. He has served for 34 years in the House of Representatives.

His first assignment was to the Immigration Committee where he did outstanding work for the protection of the United States of America. Later he was promoted to the Ways and Means Committee of the House, where his career was indeed a distinguished one and where he was the author and the father of a great deal of most important tax and revenue legislation.

He was the dean of the Ohio delegation and chairman of our delegation, of course, here in the House. He was also the Ohio representative on the important Committee on Committees.

TOM JENKINS is leaving this body. He has been ill in recent months. But he will never be forgotten by those with whom he served. He was a man of great character and ability, sterling honesty, a man whose word was good. He was an able legislator, and he is a man whose friendship and memory we will always cherish.

Then there are two other members of the Ohio delegation leaving the Congress at the end of this year, both of whom have served 20 years in this House, both of them with credit to themselves and to the great State of Ohio and to the Districts they represent. I refer to JOHN M. VORYS, of the 12th Ohio District, who has had such a distinguished career in this House as a member of the Committee on Foreign Affairs, and to CLIFF CLEVENGER of the 5th Ohio District, of Bryan, Ohio. He has long been a member of the House Committee on Appropriations.

When CLIFF first came to the Congress on January 13, 1939, he was assigned to the Committee on Agriculture where he represented the agricultural interests of our State and of our Nation with great ability.

Later on, because of that ability, he was transferred to the Committee on Appropriations where, as a result of his work and his knowledge of the fiscal affairs of Government, as well as his courage, he has actually been responsible for saving millions and hundreds of millions of dollars of the American taxpayers' money.

Let me refer a moment, if I may, to JOHN VORYS, whom I have known so intimately and so well for a lifetime. JOHN VORYS served with great distinction in the Ohio Senate as a representative of the Franklin County District. He was first director of aeronautics for the State of Ohio. Prior to that time he had served with great honor as one of the few Navy aviators in World War I. Those of us who have served with these three men are cognizant, as I believe all of us here in the House are, of the great service they have rendered to their country, the hard work they have done, and I am sure that they take with them back to their private lives as they leave this Congress the friendship and the best wishes and Godspeed of all of us.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, I thank the gentleman very much for giving us this opportunity to speak on our colleagues who are leaving us.

I came here just a few months after JOHN VORYS and had a most interesting time with TOM JENKINS, who was my boss. I went to him green, as I was, coming into the Congress at that time, and so appreciated his thoughtfulness, his humanity, and his understanding of the problems I was trying to meet.

I served very closely with JOHN VORYS, sitting next to him as a member of the Committee on Foreign Affairs, where we tried to work out the problems of that committee for some 17 years.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. McGREGOR. Mr. Speaker, I want to join with my colleague in paying respect to three retiring Members of the Ohio delegation.

Mr. Speaker, the retirement of TOM JENKINS from the House of Representatives comes after 34 consecutive years of unfailing service to the people of the 10th Congressional District of Ohio. Dean of the Ohio delegation, TOM JENKINS has shared his long and worthy political life with all of us. From our intimate association with him we can say that our State is justly proud of him and his record.

It is impossible for me to dwell now on all the facets of his life and service. He served well and faithfully on the Ways and Means Committee since 1933 and on the Joint Committee on Atomic Energy from 1953 to 1955. Characteristic of all his actions, however, has been his devotion to his constituents, his determination to give to them his best efforts.

TOM JENKINS remained close to his people, and his 17 reelections to the House of Representatives is glowing tribute of the high esteem in which he was held by those whom he represented. During his long and distinguished career, however, he served not only his own community but our State and Nation as well.

Through the years the home of TOM JENKINS and his devoted wife, Mabel, has been a warm and friendly place for me. I know everyone in Congress joins with me in wishing them many more years of happiness together.

TOM JENKINS' RETIREMENT

Illness has done what changing political tides of national magnitude never succeeded in doing with respect to the Congressional career of THOMAS A. JENKINS, representing the 10th Ohio District on Capitol Hill.

After being elected to 17 consecutive terms, the stanch Republican from Ironton has asked that the members of his party not vote for him in the May 6 primary. The Republican nomination in the 10th District, therefore, will go to 1 of the 2 other candidates seeking the party's nod.

Since TOM JENKINS first went to Washington in 1925, he has seen many public figures flash like rockets across the political skies. Men have gone to Congress, had their heydays and moved on from the scene, while the stocky, little Welshman from southern Ohio, kept everlastingly at his job and built up a reputation that is respected not only by his constituents and the people of the whole Buckeye State, but by official Washington throughout one administration after another.

First elected in the strong Republican national tide of the Coolidge year of 1924, he was repeatedly reelected throughout the New Deal years when Republicans in the House were few and far between. He became a party mentor, rose in rank in the House and served several times as a delegate to the Republican National Conventions and served on their important committees. In the House he is today the second ranking Republican on the vital Ways and Means Committee.

The service he has rendered transcends the boundaries of his District, although he has served it conscientiously and well. He has responded many times to the needs of the State of Ohio as a whole and been a leader in the interests of its welfare. His service to the Nation has been a matter of public note on many occasions.

The Republicans of the 10th District will find his name on the primary ballot next Tuesday. Many of them will find it difficult to pass up the name of an old friend and long time public servant, but he has said his health will not permit him to serve after the expiration of his present term. Voters of both parties will miss his name on the ballot in November and citizens of Ohio everywhere will have to keep reminding themselves for a long time that TOM JENKINS no longer will be in Washington.

We wish for him many years of health and enjoyment in the private life that lies ahead of him. His service will be long remembered and appreciated.

JOHN VORYS

Mr. Speaker, since 1939, my friend and colleague JOHN VORYS has for 10 consecutive terms served the people of Ohio's 12th Congressional District and he has served them with honor and distinction.

Born into an Ohio family rich in the legal and political tradition, JOHN decided at an early age to work for the welfare of his State and his country. Over the years he has compiled an enviable record of service, and he has won the respect not only of those whom he represents, but of the entire Congress as well.

Those of us who have been privileged to work closely with JOHN have always been impressed by his ready grasp of the most complex problems. His intellectual capacity and his intense desire for knowledge have made him an able member of the Foreign Affairs Committee, and his selection as the United States delegate to the United Nations Assembly in 1951 is ample proof of the high esteem in which he is held. In addition, he served with distinction on the President's Commission on Foreign Economic Policy during 1953 and 1954.

Rumor has it that when JOHN retires this year he will begin a teaching career, either at Ohio State University or at one of the fine colleges in our own 17th District. I can think of no finer nor more rewarding experience for him or those young people who will benefit from his vast knowledge and experience.

As one who has worked with JOHN VORYS and has known him and his lovely wife, Lois, for a good many years, I want them to know that they will be sorely missed as are all those who serve their country so well. But I wish you, Lois and JOHN, every happiness in the years that lie ahead.

CLIFF CLEVENGER

Mr. Speaker, my long time friend and colleague, CLIFF CLEVENGER, after 20 years of dedicated service to the State of Ohio and to the Nation, has certainly earned the right to retire to less rigorous duties and obligations. But the House of Representatives will sorely miss his wisdom, his stability, and his conservative ideals.

A lifelong interest and knowledge of the livestock business made him an able member of the Agriculture Committee during his early political career. But in recent years he has served with equal distinction on the Appropriations Committee, where he today serves as the ranking minority member on the Commerce Subcommittee.

No man in the Congress has been more firmly dedicated to conservative principles of government than has CLIFF CLEVENGER, and his has been a greatly needed voice of caution, speaking out time after time against needless Government spending. More such thrifty men, with an eye to the future, are needed in this Government if we are to avoid burdening our children—and our children's children—with an insurmountable Government debt.

It is with the knowledge that he has contributed greatly to the basic traditions of the American way of life that CLIFF leaves Congressional life. May he and his family enjoy all of the many more year of happiness that they so richly deserve.

Mr. McGREGOR. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, during this year we will see the completion of 74 years of dedicated service by three Members of Congress from the State of Ohio. The Honorable CLIFF CLEVENGER, the Honorable TOM JENKINS, and the Honorable JOHN VORYS.

During their terms of service they have gained the respect of their colleagues, their constituents, and the Nation as a whole.

Never in the history of the Congress have we lost 74 years of continuous service from 1 State on a voluntary basis.

Next January, these Members' seats will be filled by someone else but it will be a long time, if ever, that their capabilities will be replaced. Their work in the Congress will never be forgotten. Their assistance to those of us who came here recently has been invaluable.

May they find joy in their retirement and satisfaction on the completion of such outstanding service.

Mr. DENNISON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. DENNISON. Mr. Speaker, I desire to associate myself with the remarks of the gentleman from Ohio [Mr. BROWN] and to express my own personal regrets that the Ohio delegation and the United States will lose the services of such men as TOM JENKINS, CLIFF CLEVENGER, and JOHN VORYS.

The loss that we all will feel upon their retirement at the end of this year will be felt my me every bit as much as by those who have served with them for many years. As the newest member of the Ohio delegation, my service in Congress with them has been shorter than that of my colleagues. I regret this, and I regret that I will be deprived of their counsel and advice derived from years of experience in the exercise of their duties to this Nation.

Particularly I will regret the fact that the wise and practical counsel of JOHN VORYS in international affairs will not be available to the Foreign Affairs Committee, to the Congress, and to those of us who have depended so heavily upon his judgment and his understanding of world problems. His place will indeed be hard to fill, if that is at all possible.

CLIFF CLEVENGER'S ceaseless warnings against unbridled spending, and his determined fight to keep America fiscally sound is one of the less dramatic but perhaps the most important contribution that any Member can make. For this, and for his kindness and thoughtfulness, he will be missed.

It is a matter of great renown that TOM JENKINS' service on the Ways and Means Committee has contributed greatly to realistic approaches to the tax problems of this country. As the leader of our delegation for many years, his courtesy and his friendliness is something that we will always remember.

In conclusion, Mr. Speaker, Ohio's honored tradition of greatness in public life has been enhanced by the distinguished service of its three sons—JOHN VORYS, CLIFF CLEVENGER, and TOM JENKINS—a credit to their Districts, a credit to the State of Ohio, and, above all, to the people of this great country of ours. I join my colleagues in wishing them well; and I trust that whatever occupation they may pursue in the years ahead they will meet with the success and affection which has distinguished them as

Representatives to the Congress of the United States.

Mr. BETTS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. BETTS. Mr. Speaker, I join with my colleagues from Ohio in paying respect to JOHN VORYS, CLIFF CLEVENGER, and TOM JENKINS. Their retirement from Congress is a source of sincere regret. Each in his own way has contributed much to the legislative process. As a ranking member of the Foreign Affairs Committee, Mr. VORYS has gained an outstanding reputation for his diligence and faithful service to the task of maintaining the supremacy of the United States in the Free World. The name of CLIFF CLEVENGER has become synonomous with economy in Government. TOM JENKINS has become recognized as an authority in the field of taxation. Each one is beyond question a faithful public servant, beloved by his colleagues and constituents alike. It is hoped that their successors will find in the service they have rendered an inspiration to follow in their footsteps. We all wish for them good luck and best wishes.

Mr. BETTS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MCCULLOCH] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MCCULLOCH. Mr. Speaker, I, too, am sorry that the Honorable THOMAS A. JENKINS, the Honorable CLIFF CLEVENGER, and the Honorable JOHN M. VORYS, three of the outstanding members of the Ohio delegation in the House of Representatives, are voluntarily retiring from Congress at the end of this session.

If the shortest of comments were made on the legislative accomplishments of our distinguished colleagues, my comments would be far too long, for each has accomplished so much in so many fields.

I believe it no exaggeration to say that citizens by the million will, either knowingly, or unknowingly, miss the voice and the able, constructive, courageous, experienced actions of these men who have served so long and so well.

To each, it must be a source of great satisfaction to have had the stamp of approval freely put on them and their actions by so many people at so many elections in such uncertain and trying times, all in accordance with our free election processes.

I know well the members of the fine family of each of my colleagues. I know that they all look forward to more time together. May there be enough time for each of them to do all the things in retirement that they have wanted to do all these years, but for which there has been no time.

Notwithstanding voluntary official retirement, I am sure that you will return, for the Congress will always be in need of and will always welcome the advice from such as you.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio [Mr. SCHENCK].

Mr. SCHENCK. Mr. Speaker, three of Ohio's most distinguished Members of Congress are retiring at the end of this session. TOM JENKINS, JOHN VORYS, and CLIFF CLEVENGER have each rendered outstanding service to the people of our Nation. Ohio has been well served to have each occupy an important position on different powerful committees.

It has been a great privilege to be associated with these men in our Ohio delegation and we shall all miss their wise counsel. As a new Member here in the Congress some 7 years ago I was grateful for the advice and help extended to me by these busy men. Throughout the years they have always gone out of their way to give me the benefit of their experience and knowledge. Each year a group of young people from our Dayton Junior Council on World Affairs visits the Capitol and one of the highlights of their trip is a foreign affairs briefing by JOHN VORYS. Similarly TOM JENKINS and CLIFF CLEVENGER have never turned down any call for information or help. I know that my Ohio colleagues can all attest to this same spirit of friendliness evidenced by those three men.

My own regret at their leaving is great, but greater still is the loss of their knowledge and experience to all of the people of our Nation represented here in the Congress of the United States.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio [Mr. SCHERER].

Mr. SCHERER. Mr. Speaker, I want to join with my colleagues in the Congress particularly those from Ohio in paying tribute to CLIFF CLEVENGER, JOHN VORYS, and TOM JENKINS on their retirement from the Congress of the United States. Not only the Ohio delegation, but the entire House is losing three of its most esteemed, able, conscientious, and dedicated Members.

My colleague from the Cincinnati area, BILL HESS, on Tuesday of this week on the floor of this House ably reviewed the record and accomplishments of CLIFF CLEVENGER, JOHN VORYS, and TOM JENKINS.

I came to the Congress long after they did. During the 6 years that I have had the privilege and honor of serving with them in this body, I have learned to revere and admire each of them for the contributions they have made during their many years of service to this great country of ours. Of course, they will be missed by all of us, particularly their colleagues in the Ohio delegation.

I join today with all of you in wishing them and their good wives many years of happiness which they so richly deserve.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, I experience pleasure mingled with sadness as I join my colleagues this afternoon as we recall to our minds the careers of our three colleagues from Ohio who are leaving us. I know that as the years pass we will recall from time to time many of the happy moments that we have spent with them here on the floor of the House, socially, and throughout Ohio. The dean of our delegation, TOM JENKINS, was one of the first men that I met as a Republican officeholder in Ohio. He was always held up to those of us in our county as an example of a stanch, straightforward, and trustworthy Member of the Congress. Getting to know him here in the Congress, I was impressed even more with his great ability. He has been of tremendous benefit to the Congress of the United States and of untold benefit and help to his constituency. JOHN VORYS and CLIFF CLEVENGER, too, are loved by all of us in the Congress, especially we from Ohio. They have been of tremendous service, each in his separate field, and we feel so saddened that they are leaving. But, we are glad that they have given such tremendous and helpful service to the Congress, to the Nation, and to their constituencies.

Those three, TOM, CLIFF, and JOHN, were rare gems from the Buckeye State. The people of Ohio have high regard for this delegation, and our departing Members have led in building that reputation, each in his own way. They will leave vacancies that will be difficult to fill. In their absence as in their presence, they will be a source of inspiration to those who remain.

We wish for them happiness, health, the blessings of our Eternal Father. They will receive the undying gratitude and measures overflowing of thanks from those whom they have served.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, my colleague the gentleman from Ohio [Mr. BROWN] has done his usual fine job in covering the field of the retirement of our colleagues from Ohio. May I say that there is very little that any of us can say that will tell the record of these fine men. The record itself speaks for itself. Over the years that they have served here, I am sure that the record of the House of Representatives will show what fine Members they have been and what responsible legislators they have been. They will be greatly missed, but we hope for them, of course, a very happy retirement and long life with their families, to be rewarded for the service that they have given to their country.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. It is unfortunate, Mr. Speaker, that due to the lateness of the hour so many of our Members have returned to their offices to do the necessary tasks there and that they did not realize the purpose for which this hour was set aside. I know that there are many who will want to be included in good wishes for the three distinguished Members from Ohio who are leaving the Congress who feel, as I do, that their service has been outstanding and that

they have exhibited great statesmanship in their long careers. They have served as great Americans in this important deliberative body. We shall miss them, miss their friendship, miss their companionship, miss their great contributions.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I, too, am saddened by the leaving of the gentlemen from Ohio, Mr. JENKINS, Mr. VORYS, and Mr. CLEVENGER. Mr. JENKINS had a few months seniority over me in the House. I remember only his helpfulness and endless patience in explaining matters of taxation coming before the Committee on Ways and Means. He was always very generous with his time. He is a great Republican and a greater American. And, I remember his lovely wife. We were together quite a bit at the Republican convention. We had adjoining seats. Then there is JOHN VORYS. I served on the Committee on Foreign Affairs with him for many years, and I found him extremely able and very helpful there, and with the greatest interest in our foreign affairs. CLIFF CLEVENGER we know as a tower of strength. A great statesman, he was very expert in securing legislation for the Foreign Affairs Committee. He always has been in the forefront in watching the appropriations to try to prevent our country from too much deficit spending. These three fine gentlemen are great statesmen. I appreciate Ohio for having sent them here.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 days to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BAUMHART. Mr. Speaker, as this, the last session of the 85th Congress concludes its activity, three of our esteemed colleagues of the Ohio delegation will terminate their long and distinguished careers of service in the House of Representatives. These gentlemen who are retiring after a combined total of 74 years of service in the House are CLIFF CLEVENGER, of the 5th Ohio District; TOM JENKINS, of the 10th Ohio District; and JOHN VORYS, of the 12th Ohio District.

Mr. JENKINS, the senior Member of the Ohio Congressional delegation, was first elected in 1924, for the 69th Congress, and has served in each succeeding Congress. Since 1933 he has been a member of the Ways and Means Committee, and the vacancy created by his retirement will certainly be difficult to fill.

Both Mr. CLEVENGER and Mr. VORYS were first elected to the House in 1938, for the 76th Congress, and are completing their 20th year of continuous service. Mr. CLEVENGER has served with distinction on the Appropriations Committee, and Mr. VORYS on the important Foreign Affairs Committee. The sterling records of perceptive and dedicated service they have established will stand as a shining example and a worthy goal for those who succeed them.

It has been an honor and distinct pleasure for me to work with these gentlemen over the past few years, and I shall always cherish the friendship and wise counsel they extended to me. Their services to our Nation and the State of Ohio will assuredly be missed in the years ahead. However, I am certain all of their colleagues here in the House join with me in wishing them most sincerely the pleasures of retirement they have so deservedly earned.

Mrs. BOLTON. Mr. Speaker, it is with a profound sense of sorrow that we in the House bid farewell to three leading Members of the Ohio delegation whose combined services in this body total 74 years. Our distinguished colleagues, the Honorable THOMAS JENKINS, JOHN VORYS, and CLIFF CLEVENGER are retiring voluntarily from the House of Representatives. Each of these Members has held vitally important positions in the House and performed his duties with honor and distinction. Our loss in Ohio is the Nation's loss as well.

It is never easy to break chords of companionship and common interests. It is especially hard when months of close association have become years, and years have become decades. We of the Ohio delegation regret deeply that three of our number have decided not to return.

What a strange place it will be to us without TOM JENKINS and CLIFF CLEVENGER and JOHN VORYS, each of them preeminent in his chosen field of Congressional activity.

TOM, since I came in 1940, has been dean of the delegation. I recall with deep feeling his generous giving of his time whenever I, a new Member and a woman at that, sat down beside him to ask explanation of procedures and clarification of matters before us. And as the years have passed I have been very proud to know that he has felt me a credit to the delegation. It pleased him to have me call him "my boss." Oh, we had arguments, but we have remained good friends through the years.

During the first years of my service here CLIFF was on the Committee on Agriculture. Two of my counties were farm counties, and I was grateful beyond words for the effort he made to increase my understanding of the down to earth dirt farmers' hopes and fears, his needs and his loyalties. Then he changed committees and became one of the men on the Committee on Appropriations best known for his frugality and his insistence upon economy. And what a dyed-in-the-wool patriot. I shall never forget his talks to the American Legion essay contest winners who have been given a luncheon in the Speaker's dining room every spring. In the simplest language he painted a picture of what it means to be an American—the basic need for character, for loyalty, for honor—that did us all good.

And JOHN VORYS. It is natural that his loss comes home to me most poignantly, for have we not worked side by side on the Foreign Affairs Committee for 17 years? No one can possibly take his place with me. The sense of his value to this great committee to which he has given more than words can tell, is shared by all committee members, Democrat and Republican alike. A tireless worker who always did his homework, his fabulous memory has been an indescribable asset to the Committee on Foreign Affairs and to the Congress.

Having spent some 8 or more years as the wife of another Ohio Congressman of high integrity and consecrated service, I would like to say to the 3 wives of these 3 fine men: "Thanks for all you have done to make it possible for our country to have the long, exacting, selfless service these husbands of yours have given."

Heaven bless you, my colleagues, now and always.

Mr. MINSHALL. Mr. Speaker, the State of Ohio as well as the House of Representatives will suffer a great loss in the retirement at the end of this Congress of three outstanding Members. The Honorable THOMAS A. JENKINS, JOHN M. VORYS, and CLIFF CLEVENGER have all chosen not to seek reelection to the 86th Congress.

TOM JENKINS, the dean of our delegation, has served in Congress for a total of 34 years; JOHN VORYS and CLIFF CLEVENGER have each served in 10 Congresses, a total of 20 years each. Among them, three-quarters of a century of knowledge, experience, and peerless service to the House will be lost.

It has been a great honor for me during my two terms in Congress to serve with these distinguished Members. Their help and assistance to me have been invaluable. Although I have been associated with them a relatively short period of years, I know that we will not only miss their wise counsel and advise but their always pleasant and affable manner.

No matter who succeeds TOM, JOHN, and CLIFF, it will be a long time before the gap even begins to be filled. They are most highly respected by us all, they have served their Congressional Districts, their States, and their country honorably and well, and each deserves the very best that life has yet to offer in their retirement from Congress.

Mr. MORGAN. Mr. Speaker, when I began my service on the Committee on Foreign Affairs in 1946, my dear friend and colleague, JOHN M. VORYS, had preceded me by 7 years, having joined our committee January 23, 1939. He is voluntarily terminating his service with this distinguished body at the height of a great and outstanding career of devoted public service.

JOHN VORYS has lived a rich and varied life. He graduated from Yale and also from Ohio State University Law School. He taught at the College of Yale in China and then saw service as assistant secretary to the American delegation, Conference on Limitation of Armament; then as State representative and as State senator. In the First World War he was naval aviator No. 73. He later became the first director of aeronautics of Ohio, and before coming to Congress in 1939 he had distinguished himself in the practice of law in the State of Ohio.

As a Member of Congress, JOHN VORYS' record is one of great personal contribution and outstanding accomplishment. He has been a tireless and dedicated member of the Select Committee on Foreign Aid, the Joint Committee on Foreign Economic Cooperation, the Interparliamentary Union, the Empire Parliamentary Association, the Board of Regents of the Smithsonian Institution, the Commonwealth Parliamentary Association, the Commission on Foreign Economic Policy, and the Commission on Governmental Use of International Telecommunications.

As a member of the Committee on Foreign Affairs, he has undertaken many key assignments, including a special study mission to the German concentration camps in 1945; a mission to Europe in 1947, and a mission to the Far East, south Asia, and the Middle East in 1954. He also had the honor of serving as a United States representative at the inauguration of the President of Brazil in 1956.

One of the most important of all these special official assignments was his appointment as a United States Delegate to the Sixth United Nations General Assembly in Paris in the winter of 1952.

Over the years I have come to have a deep affection as well as high esteem and admiration for the sterling qualities displayed by my colleague, JOHN VORYS. He is the outstanding authority on mutual security legislation, and in our committee meetings has evidenced a phenomenal memory as well as a thorough grasp of the complex technical aspects of the mutual securities law and the programs which implement it. We on the Foreign Affairs Committee are going to greatly miss our beloved colleague in the next and succeeding Congresses. Whenever the Mutual Security Act comes up for renewal we will miss the man who, more than any other single individual, has contributed to the enactment of its provisions; whenever the Foreign Service Act is up for reconsideration, we will miss the wise counsel of one of its leading authors; and whenever other key foreign policy legislation is being considered we will wish that we still had the benefit of the mature and experienced judgment of JOHN VORYS to help us in our deliberations.

I have learned much by observing JOHN VORYS at work here in the House of Representatives and in the Committee on Foreign Affairs. It is inspiring to see a colleague give so unstintingly of his time and his energies as JOHN VORYS has in his capacity, not only as a Member from Ohio, but as floor manager for the minority on foreign policy matters, and also as chairman and ranking minority member of major subcommittees of the Foreign Affairs Committee. I deeply regret his decision to retire from public office, but knowing him as I do, I respect his reasons for so doing and hope that in the future we will still have the benefit, from time to time, of his wise advice and counsel and his help when we need it.

Mr. Speaker, I know that I speak for his host of friends in the Congress when I wish him every success in whatever future activities engage his time and his keen and active mind. Whatever activity our dear friend JOHN VORYS engages in we can be sure right now that there will be a strong element in it of the devotion to the public good which has characterized this really great statesman throughout all his career. I extend my very best wishes for the future happiness and well-being of JOHN and his dear wife.

Mr. ZABLOCKI. Mr. Speaker, after 20 years of service JOHN M. VORYS, of Ohio, has decided to retire from this body. No present member of the Committee on Foreign Affairs has made so great a contribution to the course of our foreign policy as JOHN VORYS. His service began in this House in 1939 on the eve of World War II. He participated in drafting all of the measures that came before Congress from that time to the present. I say "participated," because his fertile mind, his persuasiveness, and his knowledge made every one of the bills that emerged from our committee a better bill. At our last meeting a few days ago, several of us suggested that he draw upon his experience and recollections to preserve for historians many of the details in the legislative process of American foreign policy that otherwise will never be known. I hope he directs his energies to this task. It will be a treasure house of history.

My service on the Committee on Foreign Affairs has been made more valuable by virtue of the presence of JOHN VORYS. He has a capacity for analysis that is the envy of many of us. I know of no man in public life who can derive more sense from statistics and figures than JOHN VORYS. Points that might otherwise escape our attention because they were veiled in arithmetical or mathematical terms were reduced to understandable language by Mr. VORYS.

He has expressed an interest in returning to teaching. The university with which he may be associated will be fortunate indeed. He will force the students to think through issues. From his prodding and concern for details better trained students will come.

To his lovely wife and himself, Mrs. Zablocki and I extend our best wishes for a long and happy life.

Mr. AUCHINCLOSS. Mr. Speaker, one of the earliest recollections I have of my service in the Congress is my association with the gentleman from Ohio, TOM JENKINS, when he was chairman of the Republican Food Study Committee and I acted as secretary and treasurer. This committee was organized back in the 79th Congress, and its activities played no small part in the election of the Republican 80th Congress. His example of hard work, of good humored patience and his devotion to duty clearly indicated his gift of leadership and great Americanism. I never heard TOM JENKINS utter a word of personal criticism against anyone though of course he frequently disagreed with the arguments of others.

TOM JENKINS is a real friend and I will miss his kindly advice, his charm, and his keen analytical mind more than I can say. He is one of the oldtimers, and men of his judgment and experience are sorely needed at this time. May he be blessed with joy and happiness in the days to come.

Mr. REED. Mr. Speaker, one of the sad events of this 85th Congress is that it will be the last Congress in which we will have in our midst a great statesman and patriotic American who has served his constituents in the 10th Ohio District and the citizens of our Nation with such great distinction. Our esteemed and beloved colleague, the Honorable THOMAS A. JENKINS, of Ironton, Ohio, has decided not to seek reelection to the Congress. His retirement from public life brings to a close the legislative career that began in the Ohio State Legislature and reached its peak with his truly distinguished service in the United States House of Representatives. TOM JENKINS is of course a Republican and a leader in his party but I believe it proper to state no major legislative decision was ever made or policy determined regardless of which party was in majority control of the Congress without careful consideration of the views of TOM JENKINS.

My beloved colleague came to Congress in 1925 and has rendered continuous service to his Nation in the House of Representatives since that time. On March 14, 1933, TOM JENKINS and I were both appointed to the House Committee on Ways and Means. In the 26 years that my esteemed colleague has served with me on that committee he consistently demonstrated such qualities of greatness as outstanding capacity, total integrity, and patriotic devotion to his country. As a member of the Committee on Ways and Means, Congressman JENKINS made a major contribution to the development of legislation improving the Federal tax structure, making the Nation's social-security program more adequately meet the needs of our people, and providing more adequate tariff protection for our domestic producers. In fiscal matters TOM JENKINS insisted on integrity. In legislative matters involving the social well-being of our citizens TOM JENKINS was guided by humaneness and a genuine interest in the welfare of every American. It made no difference whether a visitor in TOM JENKINS' office was a businessman, a professional man, a teacher, or just a person who had a problem, that individual received effective and considerate help. In addition to his distinguished service as a ranking Republican member of the Committee on Ways and Means, TOM JENKINS also found time in his busy schedule to serve ably on the Joint Committee on Atomic Energy. He was one of the first to recognise the great potential of atomic energy in private enterprise for peaceful purposes and he took the lead in providing legislation that would make possible the peaceful utilization of this great new source of power.

TOM JENKINS' decision to retire will leave to those who remain in the Congress the difficult task of dealing with the great national issues without the counsel and guidance of this able American. I know I express the hope of every Member in this chamber when I state the wish that TOM JENKINS and his beloved wife Mabel may enjoy a long and happy life in retirement.

In closing, Mr. Speaker, I would add to the inadequate tribute I have paid to this

great American an acknowledgement of the loyal service that has been rendered to him and to the citizens of the 10th Ohio District by Mr. JENKINS' extremely capable secretary, Miss Arista Huber, who has been with Mr. JENKINS during his entire tenure in the Congress of the United States.

RETIREMENT FROM THE HOUSE OF HON. CHARLES A. WOLVERTON AND HON. ROBERT WINTHROP KEAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. CANFIELD], is recognized for 30 minutes.

Mr. CANFIELD. Mr. Speaker, two Members of the House delegation from New Jersey with a combined Congressional service of 52 years will retire with the 85th Congress. They are our very distinguished colleagues, CHARLES A. WOLVERTON, from New Jersey's 1st District, and ROBERT WINTHROP KEAN, from New Jersey's 12th District.

When Mr. WOLVERTON, the dean of our State's delegation, returns to Camden at the close of the current session, his service in the House will have embraced 32 years, this being the longest period of time any man from our State has served in our National Congress and it is proper now to record that this very characterful and indefatigable servant of the people has contributed much to the history of our times.

After his graduation from the University of Pennsylvania Law School, Mr. WOLVERTON entered public life in his home county of Camden. In rapid order, he became special assistant attorney general of New Jersey, a member of the New Jersey House of Assembly, speaker of that body, a Federal food administrator, and then his country's prosecutor of the pleas. When elected to the House he was soon assigned to the Committee on Interstate and Foreign Commerce, being chairman of this committee in the 80th and 83d Congresses.

It is difficult to summarize Mr. WOLVERTON's usefulness in the confines of one spoken tribute but it is well to point out several characteristics that have helped him to maintain his seniority.

First, Mr. WOLVERTON is one of the most modest and unassuming gentlemen one can find in Government. He never boasts. He is always kind and considerate. He loves people.

Efficiency is not hurry and bustle. It is not noise and excitement. It is organized, planned action, with each step marked out in advance. Mr. WOLVERTON, employing a calm, quiet, and efficient manner, always proceeds toward a definite goal.

Secondly, Members of the House have a profound respect for Mr. WOLVERTON's legal ability, his knowledge of the Constitution, and the procedures of government. His own code of personal ethics is the highest.

Having in mind Mr. WOLVERTON's dedication to the betterment of his fellow man, his Government, and his party, I quote the words of Abraham Lincoln in a tribute he paid to Henry Clay:

> His eloquence did not consist as many fine specimens of eloquence do, of types and figures, elegant arrangement of words and sentences, but rather of that deeply earnest and impassioned tone and manner which can proceed only from great sincerity and thorough conviction in the speaker of the justice of his cause. He never spoke merely to be heard.

Mr. WOLVERTON last week told a Washington newspaperwoman that his and Mrs. Wolverton's favorite recreation was that of travel.

"We have been to so many places in this world," he said, "now we can go back and spend more time. It is wonderful to meet people everywhere."

I am sure that all my colleagues in the House wish this great legislator and his wife many years of good health and happy travel.

ROBERT WINTHROP KEAN

Completing 20 years of service in the House with the 85th Congress, our colleague, Mr. KEAN, looks forward to furthering his career of service to the people in the United States Senate, which once knew his late father, Hamilton Fish Kean, and his late uncle, John Kean, as members from New Jersey.

Mr. KEAN was graduated from Harvard in 1915 and 2 years later he had a brief career as a citizen-soldier which should strike a deep note in our national consciousness. As a young lieutenant in the famed 2d Division, Mr. KEAN fought at Chateau Thierry, Soissons, and St. Mihiel. His bravery under fire was so extraordinary that he received the Distinguished Service Cross and was characterized by a hard-boiled fellow officer as "one of the fightingest men in the division."

Returning home, Mr. KEAN entered the investment business in New York and later became president of the Livingston National Bank of New Jersey. Mr. KEAN's service in the House has been chiefly as a member of the House Ways and Means Committee during which he has played a key role for many years in liberalizing social security benefits. Because he has become an authority on the subject, his colleagues frequently refer to him as "Mr. Social Security." He has been a leader in the promotion of tax reduction programs and reciprocal trade laws.

In the 83d Congress, it was Mr. KEAN who headed a subcommittee that conducted a nationwide study of the Internal Revenue system and corruption in high office. This study resulted in far-reaching changes in the policies and operations of the Service.

If I were called upon to name the five hardest working Members of the Congress today, I would be obliged to include the name of Mr. KEAN and in this connection, it should be emphasized that BOB KEAN definitely feels he has a call to this type of service for the people and aims to be as proficient as possible.

BOB KEAN is rightfully proud of a distinguished family name and all his colleagues in this body know that any future service will be marked by the same type of characterful dedication we have observed for the last 2 decades.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Florida.

Mr. SIKES. I should like to associate myself with my distinguished colleague from New Jersey in the high tribute he has paid to our beloved colleagues who are leaving Congress. They have served with great distinction in the Congress. We shall miss their valued services in this body.

Mr. OSMERS. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my distinguished friend and colleague from New Jersey.

Mr. OSMERS. Mr. Speaker, in 1939 when I first came to Congress I was the youngest member of my party in the House. I well remember the great help and guidance that was given me by our colleague, Mr. WOLVERTON. His sound judgment and great integrity have left their mark on us all. He has established a record unequaled by any other Representative from our great State of New Jersey. He has represented his District for 32 years in a brilliant manner. During his tenure we have had some of the most difficult hours this Nation has ever seen. He has seen us go through booms, depressions, recessions, and two wars. Throughout all of this turbulence CHARLES A. WOLVERTON has been a tower of quiet strength and a credit to himself and his constituents.

Mr. Speaker, we may all rejoice here this afternoon in the fact that CHARLIE WOLVERTON leaves the House of Representatives in the prime of life and with maximum health and vigor. We wish for him and Mrs. Wolverton the very finest future in whatever direction their path may take them.

Mr. Speaker, I should like to say just a word about another great New Jerseyite who is leaving Congress this year. I refer to ROBERT WINTHROP KEAN. It was 20 years ago this year that I campaigned for my first term in Congress as he campaigned for his first term. We were both elected and in the fateful days before World War II we worked in closest harmony. Our association was interrupted by my service in World War II and was not renewed until my return to the House in 1951.

I have come to know and love his many wonderful and outstanding qualities. I might say, Mr. Speaker, that as he leaves the House of Representatives this year to seek service in the other body, we can only say he has been a great American and a great servant of the people. In his position as a high ranking member of the Committee on Ways and Means, he has probably done as much as any other American to bring us through the last difficult 20 years successfully and solvently. The development of our social-security system is largely his handiwork.

Mr. Speaker, I join with the other Members of the House of Representatives in wishing him great success in all of his future undertakings.

Mr. CANFIELD. Mr. Speaker, I yield to the distinguished gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Speaker, it is a pleasant obligation—and, yet, a sad duty—to pay tribute to two distinguished Members of the New Jersey delegation to the Congress of the United States: the Honorable CHARLES A. WOLVERTON and the Honorable ROBERT WINTHROP KEAN.

In the case of our colleague, the senior Member from New Jersey, the emphasis must be on the sadness. For he is departing the House permanently, to the great loss of everyone here who has known him and of the Nation he has served with such distinction.

In the 32 years he has served in the House, the gentleman from Camden has established a reputation unsurpassed for independence, integrity, and solid legislative accomplishment. He has understood and appreciated the power that belongs to seniority in the Congress and he has always used it wisely and judiciously.

As the ranking minority member of the Committee on Interstate and Foreign Commerce, and as a former chairman of that committee, CHARLES WOLVERTON has left his firm and constructive imprint on some of the most important legislation ever to be enacted into law. Simply to mention a few of the areas of jurisdiction assigned the committee is to appreciate the vast scope of the gentleman's sound influence. The Nation's complex and vital transportation system—including the railroads, motor carriers, airlines and waterways—and the Federal agencies that regulate them have grown and expanded under his watchful eye; international trade, radio, television, and telephone communications, and the regulation of interstate commerce have benefited from his many contributions; and the organization and operation of Federal regulatory commissions have undergone his careful scrutiny, to mention only a small part of his endless responsibilities over the years.

Despite the burdens of great national and international obligations, CHARLES WOLVERTON never neglected the people of New Jersey's First Congressional District. From his early days as assistant city solicitor of Camden, and assistant prosecutor of Camden County, and as member and Speaker of the New Jersey House of Assembly, the people of his district could always count on effective, devoted and conscientious help from Mr. WOLVERTON, regardless of party or station in life.

The strong and unbreakable bonds of mutual affection and loyalty between Representative and his people grew out of this spirit of service and trust. CHARLES WOLVERTON never failed his people and they, in turn, never failed him, as sixteen successive terms in the House of Representatives eloquently demonstrate.

A rare combination of practical politician and statesman is CHARLES WOLVERTON of Camden. But to those, like me and so many of us here, who have been privileged to know him well, he has always been much more—he has been a good man, a friend to be counted upon, a counselor whose advice was always dependable, a thoroughly generous person.

CHARLES WOLVERTON has loved his fellow men in word and deed. For this, he shall never be forgotten, nor his place in this House ever filled.

It is pleasant to record that, while the House will greatly miss the earnest, thoughtful contributions of ROBERT W. KEAN, the gentleman from Livingston, N. J., will remain close at hand, across the Capitol in the Senate of the United States.

To say goodby, then, is in effect to prepare to welcome him back again.

Nevertheless, BOB KEAN will be sorely missed. Twenty years of fruitful service here cannot abruptly be transferred, even to the Senate. His impressive achievements will remain in the House as a memorial to selfless and enlightened devotion to the public interest.

The name of Congressman KEAN will always, I suppose, be identified with the Committee on Ways and Means. It is right that this is so, for no one has shown a mastery of this incredibly complex area of legislation more thorough than his own.

Many of those outside the Congress may think of this committee's work as being of special, if not exclusive, interest to business and industry. To be sure, the American business community has an immense stake in the committee's deliberations, but in this age of huge Federal budgets no one escapes the obligation to pay taxes. Everyone, therefore, is subject to this committee's decisions.

No one recognizes this modern-day fact of life more than ROBERT KEAN. His independence, his balanced judgment, his insistence on fair play are well known to his colleagues. And his interest and concern for all the people, for the welfare and security of those most in need, has earned for him the distinguished title of "Mr. Social Security."

BOB KEAN is a model legislator. He knows the legislative process intimately. He uses it wisely and well in the public interest.

He is a man of moderation, because he understands the dangers and difficulties associated with extremes of right and left. He is a man devoted to reality, who deals in things as they are—not as a dreamer might like them to be. For this reason, he has been able to amass a record of accomplishment of which any man would be proud.

The steady, humane progress of the United States will always be assured when the future is entrusted to men as capable, as trustworthy, as unselfish, as ROBERT W. KEAN.

Mr. CANFIELD. Mr. Speaker, I yield to my friend and colleague from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I, too, feel it a great pleasure to have an opportunity to speak about our two colleagues who are about to leave the House.

CHARLIE WOLVERTON and BOB KEAN have been friends of long standing whose counsel and wise advice have been sought many times by me. I have never found them failing in giving straightforward answers in the best interests of the American people. I noticed particularly in the last few days of BOB KEAN, who, at the present time, is seeking election to the other body, that in many instances his colleagues have said to him with respect to votes pending on the floor of the House: "This is probably the best way to vote, BOB; it will get you more votes." BOB has always answered: "What I want to do is the right thing and call the shots the way they should be called in the best interests of our people." And he has done that all through his service in the Congress. He has fathered many of the bills that have meant so much toward the future of elderly people, and many with respect to social-security legislation.

His family is an ideal American family. He is proud of them, and they live a very close family life. I have always thought regarding BOB with so much that he accomplished, so much by way of rich political heritage, with a father before him who served in the United States Senate with great distinction, that you might find him a different type of person, one who was proud, possibly arrogant, possibly aloof. He is not aloof, he is a shy person actually, sometimes a little bit hard to get to know. But he is a warm and friendly person and very accommodating. Many of us in the House who have had the benefit of his counsel and his friendship through the years will miss him as he goes on after being elected to the other body.

CHARLIE WOLVERTON, also serving on one of the most important committees of the House, and its chairman when the Republican Party is in the ascendancy, has not only served with distinction here in the Congress, but before that in public office in the State of New Jersey. He has left behind him a record of accomplishment, without blemish, of which the people of his county and State are very proud.

We hope that in the years ahead both of these beloved friends, with their families, enjoy great service for many years, not only in the case of Congressman KEAN in the Senate, but also in the case of CHARLIE WOLVERTON in community service, in which they have both participated in the past.

We wish them well. I hope they will return to see us often here in the House.

Mr. CANFIELD. Mr. Speaker, I yield to my colleague from New Jersey, Mr. FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Mr. Speaker, in the inevitable pressure to adjourn we all get so involved with a multiplicity of problems, large and small, that we often neglect or overlook matters of real importance. To say what one feels about friends who will not be serving in Congress next year is one of these matters. For that reason, I am glad to join with my colleagues in saluting the two Members of the New Jersey delegation who for different reasons have decided not to campaign again for the positions which they now hold.

The dean of our delegation, CHARLIE WOLVERTON, holds a special spot in all our hearts. Gifted with a keen political sense and blessed with invaluable experience as a Member of the House for

32 years, Mr. WOLVERTON will be sorely missed. When I came here 6 years ago as the junior member of the delegation, CHARLIE WOLVERTON showed always a ready response to the questions which inevitably needed to be asked. His friendship and kindly advice have been deeply appreciated. As he finds new fields to conquer in the years ahead he will, I know, find full use for his many talents. My good wishes both to him and to Mrs. Wolverton.

BOB KEAN, too, has been a uniquely valuable Member of the New Jersey delegation. His calm good sense and long experience in legislative matters have made him appreciated on both sides of the aisle. When he speaks, whether on matters connected with his vitally important Ways and Means Committee or on other public issues, his opinions are respected. His reputation has been earned over the years, and his contributions have been manifold. He has been an indefatigable worker, patient, intelligent, and characterized with a broad vision which marks him as a statesman. Much as we regret his decision not to pursue his labors in this body, we are confident that he will still continue to serve his Nation's interests in the years ahead. We extend to him, also, and to Mrs. Kean, our best wishes in the years ahead.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from California.

Mr. BALDWIN. I would like to join with Members of the New Jersey delegation in paying tribute here to our departing colleagues from New Jersey.

The State of New Jersey should be proud of these men who have served that State so well and so long here in the House. I have had opportunity to observe both of them as senior colleagues here in the House, and certainly everything I have seen is a tribute to the fine service they have rendered to their State and to the Nation. I wish them luck in all their future activities.

Mr. CANFIELD. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Speaker, it is indeed sad to note that so many of our Members will not return at the close of the 85th Congress because of their decisions either to retire to private life or to seek other public office. It will be hard to replace them in ability as well as experience. The dean of this retiring group is our well-beloved colleague, CHARLES A. WOLVERTON, who represents the First District of New Jersey.

CHARLIE WOLVERTON came to Washington in November 1926 when he was elected to the 70th Congress and he has been successfully elected to every Congress since that time; a period of 32 years. While this length of service in the House of Representatives is not the longest, nevertheless, it is filled with great service to our country and all agree that the senior Congressman from New Jersey has fulfilled his stewardship with conscientious zeal and devotion. Whenever CHARLIE WOLVERTON rose to address the House it was acknowledged that he knew what he was talking about and there were few who could dispute his knowledge of the subject under discussion. He was always well prepared and presented his case clearly and persuasively, free from the taint of demagogery and he never resorted to bitter personalities. He commands the respect of all his colleagues and there is no doubt that his wise counsel and advice will be missed. I, personally, will miss his warm companionship, his keen intellect and persuasive sense of humor, mellowed by his long experience in the Halls of Congress. I am sure he does not think of retirement in terms of being idle for his active and intelligent mind will keep him active and in the service of his fellow man. His so-called retirement will also give him an opportunity to indulge in his favorite pastime of traveling about the world at a leisurely pace, meeting people and inquiring into the kind of government which they live under.

My earnest best wishes go with him and I hope that the days to come will be filled with much sunshine and joy for him and Mrs. Wolverton.

The other member of our New Jersey delegation who is leaving the Congress is ROBERT WINTHROP KEAN, who is a candidate for the vacancy in the Senate caused by the retirement of New Jersey's great senior Senator H. ALEXANDER SMITH. BOB KEAN also will leave a large gap in the New Jersey delegation because of his experience and personality. He is a man with an extraordinary record of service to his country and because of his modesty and retiring nature, few people really appreciate his background.

His record of service began when he was an undergraduate at Harvard University and became a member of the Student Reserve Corps. He went to Plattsburg, saw service on the Mexican border in 1916 and in World War I he was a member of the Second Division of the Army. He fought at Chateau Thierry, Soissons, and St. Mihiel. He was wounded in action and because of the bravery which he showed under fire, he received the citation of the Distinguished Service Cross. The citation he received reads in part as follows:

Lieutenant KEAN on July 18 and 19 actually accompanied three successive waves of the 23d Infantry, the 9th Infantry, and an attack by the French infantry without rest.

After the war when he was discharged in April 1919, he served for 6 months as a civilian in the American Embassy in Paris before he came home to America to enter business. He came to Congress as a Representative of the 12th District of New Jersey, on January 3, 1939.

There is no need for me to speak of his service in the House, first on the Banking and Currency Committee and later on the Ways and Means Committee, and there is no doubt that he enjoys the reputation of a man of wise judgment, devotion to his duty, quiet and unassuming, commanding the respect of everyone. His talents and his experience will add much to the glory of the United States Senate and I am sure that all his colleagues wish him well and are proud to have been associated with such an outstanding American.

Mr. CANFIELD. I thank the gentleman.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I deeply regret that the Honorable Charles WOLVERTON and the Honorable ROBERT KEAN, both of New Jersey, are leaving the House of Representatives. The other day I paid tribute to the Honorable ROBERT KEAN and expressed my very sincere appreciation for his great ability, his helpfulness in the passage of social legislation and his able assistance in connection with the passage of tax legislation. He is indeed a tax expert. He is truly a very able man and a very dedicated man to his work. When he goes to the Senate he will take with him a great fund of legislative information.

I remember one bill in particular that the gentleman from New Jersey [Mr. KEAN], was interested in. He had a great deal of fun in securing its passage in the House without people realizing it was going through. But it was a very humane and a very kind measure. We are not really saying goodby to BOB KEAN because I feel sure he will come back to serve again as a legislator in Washington.

When he goes to the other body, the coordinate body across the hall, I hope he will come back and visit the House. We ill spare him here, but I know he will add stature to the Members of the Senate.

Mr. Speaker, I have known CHARLIE WOLVERTON the longest, of all the New Jersey delegation. I have had the privilege of knowing him all of his time, 32 years, in Congress. I have never known a harder working man, a man who never shirked his duty for one instant, a man who drove himself in his work in connection with very far-reaching and important legislation. I want to speak particularly of his kindliness, because I have known him to go out of his way to help people many times. He never spoke of himself or never praised himself. He always waited for others to do that.

He has always been keenly interested in all legislation that would help the less privileged. His concern and interest in their welfare has been most pronounced. His interest in promoting the welfare of veterans and their dependents has been so outstanding that it has been recognized time and again by the honors veterans and other organizations have conferred upon him and the support they have always given to him when he has been a candidate for reelection.

I would also like to make mention of the fact that Mr. WOLVERTON has made a most enviable record in all the varied matters that have come within the jurisdiction of the great Committee on Interstate and Foreign Commerce on which he has served for so many years. The record he made as chairman of that committee on two different occasions when the committee was under a Republican administration, was outstanding. This was particularly true in important research and other programs to promote the health of our people.

He has truly deserved the high regard in which he has been held by the people of his Congressional District that has resulted in his election to 32 years of continuous service in this House. He is also respected by all who have known of the splendid record he has made in behalf of all our people.

New Jersey is very fortunate, I would say, in having these two men represent that great State. Also the State of New Jersey has been very fortunate in having Mr. CANFIELD as a representative of their people, another tireless and unselfish worker. They are all three men of splendid character.

Mr. CANFIELD. Mr. Speaker, I very sincerely thank the gentlewoman from Massachusetts for her kind remarks.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I desire to say a word in tribute to both CHARLES WOLVERTON and ROBERT KEAN. The gentleman from New Jersey [Mr. WOLVERTON] embodies what seems to me to be the most essential elements for a good legislator. He has great sincerity of purpose, he has a standard of ethics second to none, he has an ability to deal in a friendly and cooperative manner with his colleagues. He has always been willing to hear the other side of any problem on which he may have had views.

He will be greatly missed in this body. It is my hope that he will have many years of happiness in the retirement which he has so richly earned.

The gentleman from New Jersey [Mr. KEAN] has been here a shorter time, something like 20 years, I believe, but he has shown an unusual ability to grasp the more intricate problems which are presented to us. He has rendered outstanding service as a member of the Committee on Ways and Means, and is one to whom many of us have turned for advice on the many important problems which that committee has brought to the floor. Personally, I shall miss him greatly because of the aid which he has given to me on many occasions. It is my hope that he will be successful in his desire to serve in the other body. He will add greatly to the strength and stature of that body in the event of his election, which I anticipate will take place. It is my hope that the voters of the great State of New Jersey will look upon his abilities and his capabilities as they are viewed by his colleagues in the House of Representatives.

I feel sure that that is not alone true on this side of the aisle. Congressman KEAN has rendered devoted and statesmanlike service, and his name will always be remembered along with our other colleague, Congressman WOLVERTON, so long as any of us who have served with them are here.

Mr. CANFIELD. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that all Members may have 5 days to extend their remarks on Mr. KEAN and Mr. WOLVERTON.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, when I first came to this House, CHARLIE WOLVERTON had been here for a dozen years. He already had forged for himself a position of respect and influence among the membership.

With a profound knowledge of questions which came before the Interstate and Foreign Commerce Committee, of which he was even then second ranking Republican member, his views with reference to legislation which came from his committee have always been listened to with real attention by those seeking knowledge as to how they should vote on bills before the House.

Always hard-working, his judgment was deeply respected.

In weighing legislation CHARLIE always has had firmly in his mind and heart the welfare of the average citizen. He understood their problems and kept them uppermost in his mind.

The people of the First Congressional District in New Jersey realized this and whatever majorities might be given to candidates of the opposite party in his district, they returned him year after year to continue to serve them well.

The fact that he now seeks a less strenuous existence, though understandable, will be a great loss to our Nation, to our State, and to his Congressional District. But the impact of his knowledge and work on our Nation's laws will long continue.

Unlike so many of my good friends here—who unfortunately will return to areas far from my future paths and whom I will miss so much—CHARLIE will be returning to his home in Camden County where I hope to be able to maintain our friendship of so many years.

Mr. WOLVERTON. Mr. Speaker, as our colleague, BOB KEAN, leaves membership in this House to be a candidate on the Republican ticket for the office of United States Senator from New Jersey, I extend to him my sincere good wishes and fervent hope that he may attain the high office to which he aspires.

BOB KEAN deserves success in his endeavor. For 20 continuous years he has represented the 12th Congressional District of New Jersey, faithfully and well. The ability he has shown as a member of the Committee on Ways and Means has been outstanding. His background in financial affairs has equipped him in an extraordinary way for the complex questions relating to taxation and social-security legislation. He has been recognized as an expert whose advice was sound and constructive. Furthermore, he has always recognized the importance of our social security to our people, particularly the low-income group. He has continuously and intelligently sought to strengthen the system, improve its benefits and expand its usefulness. His loss to the House will be a gain to the Senate if the people of New Jersey are wise enough to recognize the ability and usefulness of this dedicated man. No one has ever served in the House with greater sincerity and honesty of purpose. His usefulness and rare ability is recognized and appreciated by Members on both sides of the aisle—Republicans and Democrats alike.

In passing, it is pleasing to note that the Kean family, of which our colleague is a distinguished representative, has been outstanding in the public service. From the earliest day in our national history members of this distinguished family have served their fellow man in high public service. It has always been with a marked fidelity to the public interest. In recent years both the father and uncle of our colleague rendered distinguished and valuable service in the Senate of the United States as Senators from the State of New Jersey. And our colleague, if elected to the Senate, and I feel assured that he will be, can be expected to render the same high quality of service that has always characterized members of the Kean family in public service and which has likewise been so plainly observable in the splendid record made by BOB KEAN during his entire service in the House.

I think it is also appropriate that I should mention the distinguished record with which BOB KEAN served our country in World War I. A few years after his graduation from Harvard College, 1915, where in addition to receiving academic honors he also received honors for his athletic achievements, we were in the midst of World War I. Displaying the same spirit of patriotism that has always been noticeable in his every act in public life, he entered the service with the 2d Division, American Expeditionary Forces, as a first lieutenant, 15th Field Artillery. He served with such vigor, courage, and heroism that he was awarded the Silver Star Medal and the Distinguished Service Cross.

There is much that could be said, if time permitted, that would reflect the high regard in which our colleague is held by those who know him. Suffice it to say he is held in the highest esteem as a man of character, honesty of purpose, able, and conscientious. The service he has rendered in this House is a guarantee of the high quality of service he would render in the Senate of the United States and in the performance of every public duty. BOB, a host of friends wish you health, happiness, and success.

Mr. SEELY-BROWN. Mr. Speaker, certainly one of the real privileges which has been mine as a Member of Congress for the past 10 years has been the pleasant association which I have had during that time with my colleague, CHARLES A. WOLVERTON, who is now retiring after 32 years of dedicated and devoted service as Representative from the First Congressional District of New Jersey.

I can well remember the warm and friendly welcome accorded me by the senior Member of the New Jersey delegation when I arrived as a freshman Member. His willingness to sit down and explain to me in detail the many procedures followed in the Congress has always been gratefully appreciated by me. His kindliness and sincere desire to be helpful to his fellow man has, I

believe, been characteristic of his entire life.

Congressman WOLVERTON was elected to the 70th Congress in 1926, and he has been a Member of this body continuously since that time. His District, comprising the counties of Camden, Gloucester, and Salem, had a population in 1950 of 441,978. All of those people have been fortunate in having such an able and conscientious servant to represent them.

CHARLES A. WOLVERTON, Republican, of Camden—Merchantville—N. J., was born at Camden on October 24, 1880, his parents being Charles S. Wolverton and Martha Wolverton. He was educated in the public schools of Camden, graduating from Camden High School; he studied law at the University of Pennsylvania Law School, graduating June 13, 1900 with a bachelor of laws degree. He was admitted to the bar of the State of New Jersey at the November term in 1901. He has one son, Col. Donnell Knox Wolverton, by a previous marriage to Dr. Sara M. Donnell now deceased. He is presently married to Exetta Bishop Wolverton. In 1903 he revised and compiled the ordinances of the city of Camden. From 1904 to 1906, he was assistant city solicitor of Camden; 1906 to 1913, assistant prosecutor of Camden County; 1913 to 1914, special assistant attorney general of New Jersey; 1915 to 1918, member of New Jersey House of Assembly from Camden County; 1918, speaker of the New Jersey House of Assembly; 1917 to 1919, a Federal food administrator; 1920, alternate delegate at large, Republican National Convention at Chicago; and from 1918 to 1923, prosecutor of the pleas of Camden County. During his tenure in the House, he has served with distinction not only as a member but as chairman of the Committee on Interstate and Foreign Commerce, and a member of the Republican Congressional campaign committee. He is a member of the Union League of Philadelphia, Pa., Masonic fraternities—including Commandery, Consistory, Shrine, and Tall Cedars—Elks, and Moose. He was elected to the 70th Congress in November 1926, and has been reelected to all subsequent Congresses. In the election of 1936, he had the unique distinction of having carried his Congressional District on the Republican ticket by a majority of upwards of 10,000 when President Roosevelt at the same election carried the district by approximately 60,000 votes. The same was substantially true in 1940 and 1944.

I join with Congressman WOLVERTON'S colleagues and friends in expressing regret that he will no longer be a Member of this body. The splendid record he has made in behalf of all of our people will be long remembered. I am proud of my association with such an outstanding American, and my very best wishes for the future go to him as he now voluntarily retires from the House of Representatives.

Mr. WITHROW. Mr. Speaker, I understand that my good friend and colleague, the Honorable CHARLES A. WOLVERTON is to retire voluntarily at the end of the 85th Congress. He has served in the Congress for 32 successive years. During a portion of this time, I have had the honor and pleasure of serving with him.

We in the Congress who know him and have served with him will miss his presence a great deal. As for me, I received a great deal of benefit from his advice and counsel.

He has always been devoted to our country and its free institutions and has always manifested deep concern for the happiness and welfare of the people. In serving in this honorable body, he has shown an exceptional ability, a real knowledge of human nature, of generosity, of courage, and above all loyalty to his family and friends.

When I came to Congress in 1931, he was very kind to me and helped me with advice that I needed very badly. The time that I have served in Congress has been made easier for me by reason of my acquaintance with CHARLES WOLVERTON. His friends, and there are many of them, wish him many years of the happiness he so richly deserves. I am pleased that he is enjoying the best of health.

Mr. FULTON. Mr. Speaker, we Members of the House of Representatives of the United States Congress congratulate and honor our good long-time friend, Representative CHARLES WOLVERTON of New Jersey on his dedicated service to the people of our good country.

One of the top leaders of the House, CHARLEY WOLVERTON has, during his years of service, made a distinguished record that has won him the admiration and loyal friendship of both Republicans and Democrats.

We personal friends will miss CHARLEY upon his well-earned retirement, but wish him every success and good things for the future.

As a representative of the Commonwealth of Pennsylvania, I salute our great neighbor sister State of New Jersey on this fine statesman and distinguished public servant that she has elected to represent her people for such a long time in the Halls of the American Congress. We salute our friend, CHARLEY WOLVERTON, today.

Mr. BROWN of Ohio. Mr. Speaker, I deem it a great privilege to be permitted at this time to join with the New Jersey delegation, and other Members of the House, in paying tribute to my long-time friend and colleague, Congressman CHARLES A. WOLVERTON, who is to soon voluntarily retire from this House, after a third of a century of outstanding service to his country as a most able legislator.

For many years I had the pleasure and privilege of serving on the great Committee on Interstate and Foreign Commerce with CHARLIE WOLVERTON, of which he later served as its chairman, with great honor and credit to himself and the Congress. An outstanding lawyer, Mr. WOLVERTON had an unusual knowledge and grasp of the involved and important legislation which came under the jurisdiction of this great committee. No man in Congressional history ever had more consideration for, or gave more help to, those of us who were neophytes on the committee than CHARLIE WOLVERTON. He was not only our teacher and our instructor, but he was our understanding friend as well. We all owe him much.

CHARLES A. WOLVERTON has served his constituency and his country ably and well. It will be difficult to ever fill his place. As he leaves these hallowed Halls he takes with him our affection and respect, coupled with our best wishes for a long and happy life.

Mr. THOMPSON of New Jersey. Mr. Speaker, early in February our distinguished colleague, the Honorable CHARLES WOLVERTON, announced that he is retiring from Congress. The entire membership of the House, and especially the New Jersey delegation, was saddened by Mr. WOLVERTON'S decision.

"CHARLIE," as we know him, has been a Member of the House continuously since November 1926. He is the ranking member of the Committee on Interstate Commerce and has been its chairman. To say simply that CHARLIE WOLVERTON is both respected and loved by all is an understatement. The fact is, however, that my powers of description are so limited that I am unable to properly express the esteem in which CHARLIE is held.

CHARLIE WOLVERTON'S distinguished public career started in 1903 and has included many offices, including that of Speaker of the New Jersey General Assembly in 1918. During the years of Mr. WOLVERTON'S service in the New Jersey Legislature he became a great friend of my late father, who was a legislative correspondent. As a result of that friendship, the name WOLVERTON has been synonymous with all that is good in public service in the Thompson family vocabulary. The name, "CHARLIE WOLVERTON," creates the very same image in the minds of countless thousands of New Jerseyites who have had the honor of knowing our colleague.

Time does not permit even a partial listing of CHARLIE WOLVERTON'S accomplishments as a Member of Congress. It will suffice to say that the entire Nation is indebted to him for his work in the fields of public health and medical research. CHARLIE and our late colleague Percy Priest, of Tennessee, worked together for years in the best interests of the health and welfare of the American people. Their great accomplishments can never be erased from the hearts of a grateful people.

Recently, I visited Camden, N. J., in CHARLIE WOLVERTON'S Congressional District. While there, I heard a suggestion which can best illustrate the feelings of New Jersey Democrats toward CHARLIE. A former opponent of WOLVERTON said this to me:

Every one of CHARLIE'S former opponents should join in giving a dinner in his honor. He murdered all of us at the polls, but never once did he launch a personal attack on an opponent. As a matter of fact, he always went out of his way to pay tribute to us as men. He is a truly fine gentleman.

Mr. Speaker, I share those sentiments. CHARLIE WOLVERTON is a wonderful man, a fine friend and a great public servant. I hope that his old Democratic opponents do honor him, for I shall join them. I wish him many, many years of happy and healthful retirement.

Mr. GLENN. Mr. Speaker, I came to Congress last January to fill an unexpired term. I had to look to my New Jersey delegation for advice and guidance and now that the session is over, I can say that I could not have had a better delegation in this Congress. They have been very kind, considerate, and patient to my questions, requests for advice and assistance. Of course, I called upon the senior members of our delegation more so than others, and my colleagues CHARLES A. WOLVERTON and ROBERT W. KEAN were always willing and ready to help. Mr. WOLVERTON is naturally a fatherly man and his advice was always tempered with anecdotes of the past and many kind words as to what not to do. For instance, I remember that he told me that when he first came to Congress, his predecessor had advised him that his political opponents could never use against him that which he had not said and that he had kept that in mind during his entire career in Congress and found it very helpful as a guide in not having too much to say on the floor and in the RECORD. Experience is a wonderful thing and I hope that Mr. WOLVERTON, who represents the First District, which is immediately adjacent to my Second District, will have many years of activity ahead of him so that I may call on his vast experience in Congress for guidance.

I have known BOB KEAN even before I came to Congress as he had offered his aid and support to me as a candidate and went out of his way to be of assistance in many ways. When I came to Congress he volunteered to act as my sponsor on the occasions when Mr. WOLVERTON was occupied with his very important committee work and he and his very lovely wife were very gracious in the sponsoring of Mrs. Glenn and me in the initial social functions for a new Member. We have become close friends and I greatly admire his characteristically easy approach at any time and any place. Always pleasant, always kind, and yet sure in his position once he had made up his mind. After 20 years in Congress he is certainly trained and experienced for the move which he is shortly to make over to the Senate and I know that our delegation will feel quite secure with BOB KEAN representing us in the Senate.

I am sorry that both these fine gentlemen have to leave the Halls of Congress but I am happy that they are both in good health and that with God's blessing we can expect them to be with us for many, many years.

Mr. CANFIELD. Mr. Speaker, I now yield to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Speaker, I deeply appreciate the kind words, from friendly hearts, that have so generously expressed tributes to my service of 32 years in this House.

On an occasion such as this is there is a mingling of happiness and regret. Happiness in the thought that I have been the recipient of so many kind words and expressions of good will by colleagues with whom I have served in this House, but also a feeling of genuine regret that the time is at hand when there will be a severance of the pleasant associations that have through a long period of years bound us together in true and understanding friendship.

It has been a great privilege to have served in the House of Representatives during the period 1926–1958, nearly a third of a century. These years with the varying and unusual problems that the changing conditions have brought, together with policies for their solution that were new and untried, have made this period of 32 years one of the most eventful in our history as a Nation. Time does not permit an elaboration of this thought at this time. I may find it possible to do so before the gavel finally falls and the announcement is made of the final adjournment of this 85th Congress.

I do wish, however, to say that it has been a great privilege to serve for such a long period of years in this House, not only because of the importance of the matters that have claimed our attention and consideration but also because of the opportunity it has given me to be associated with such a grand body of men and women of character and ability. I wish all the people of this Nation could know, as I do, the sincerity of purpose and high ideals that actuate those who serve as their Representatives. It would create a feeling of respect and a confidence in the future welfare of this Nation. I have found them to be God-fearing men and women dedicated to the cause of good government and with a sincere desire to be helpful to their fellowman, and to make certain the security of this Nation and the principles upon which it has been founded.

And, in conclusion, may I express a word of appreciation to our beloved and distinguished Speaker, SAM RAYBURN, for his many evidences of friendship and helpfulness during my entire membership in this House, and to JOE MARTIN for his ever friendly and understanding attitude that has helped so greatly in making our association a most pleasant one, and to each of the Members on both sides of the aisle, who regardless of differing political affiliations or viewpoints, have ever been kind and considerate, and to the employees of this House, who have always been helpful. In the days that are ahead, whether they be many or few, it will always be a pleasure for me with the golden key of memory to unlock the treasure house of the past and live again the scenes and the events of the past—I wish for each of you, one and all, health, happiness, and success in abundant measure and with God's richest blessing at all times.

WHY DO ARAB REPUBLIC FORCES HAVE BETTER RIFLES THAN OURS?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. SIKES], is recognized for 15 minutes.

Mr. SIKES. Mr. Speaker, there is one aspect of our sending of troops to Lebanon which is escaping attention, but which can have grave effect on military morale and on the effectiveness of our forces in wars big and little. Moreover, it may well cause our military strength to be downgraded in the opinion of the nations we want most to impress with our power.

Apparently, it has escaped general notice, but it is a fact that our Army GI's and Marines in Lebanon are carrying heavier and much older rifles and machineguns than Arab Republic troops in the Mid-East. Even the Israeli Army has reequipped with rifles and ammunition lighter and more modern than those our troops now have.

In their various arms deals with the Soviets, the Egyptians, Syrians and more lately the Yemenites, have acquired the new lightweight infantry weapons family using the new light cartridge, with which the Kremlin has rearmed the Soviet Army. These new Soviet rifles, tommy guns, and machineguns increase the firepower of Red and Arab soldiers, yet reduce the burden they must carry in combat.

The Israelis have introduced the very same kind of lightweight rifle system which our Army has wanted for over 10 years. They have a light semiautomatic rifle for the infantryman, like the M–15 model our Army is procuring in only token quantities this year; and they have a heavy-barreled rifle as a light machinegun, like the new model which our Army desires. These weapons, made in Israel, are of the Belgian FN design which our Army put through exhaustive development and tests for some years. They fire the new lightweight .308 cartridge, developed by United States Army Ordnance and Winchester Arms for NATO troops and our GI's, but not yet in use in our forces.

In contrast, our Army GI's and the Marines carry the M–1 Garand rifle, adopted by the Army in 1936. The heavy machinegun is designated Model 1917, but only because it was adopted that year. Actually it was readied by John Browning in 1901, on patents awarded when Queen Victoria reigned and McKinley was President. Our two versions of Model 1919 light machineguns are modifications of the Model 1917, while the Browning Automatic rifle was adopted in 1918. The cartridge all these weapons fire is the famous old .30 06, standing for calibre .30 1906.

Think of what this means. The youngest Army or Marine recruits are carrying rifles introduced 5 years before they were born. Their machineguns armed their grandfathers when the latter did military service in their late teens and early twenties.

Consider the potential effect on military morale. What is a soldier or marine to think if we send him to the forefront of the fight for peace and Western civilization and claim that we back home cannot afford to give him arms as modern as Colonel Nasser seems able to afford for his Arabs and Egyptian fellaheen? What is he to think when he reads in the press of the critical need to have the very latest weapons—at least so far as missiles and aircraft are concerned—and yet he is supposed to face up to the terrifying ordeal of infantry combat with

weapons obviously obsolete compared to what Communists can furnish.

It is worth recalling that our Army and Marines have established conclusively that a soldier's effectiveness, and often his very life, depend on his mobility and endurance—the speed at which he can dash from cover to cover, the length of time he can walk, run, dig, and fight before dropping from exhaustion. In his acclaimed study called A Soldier's Load, Gen. S. L. A. "Slam" Marshall wrote: "In battle, whatever wears out the muscles reacts on the mind and whatever impairs the mind drains physical strength. Tired men take fright more easily."

In simple terms this means, and our soldiers and Marine know it means, that carrying in combat the unnecessarily heavy burden of our old-type arms and ammunition can cause unnecessary exhaustion, terror, and death. That is why our forces long have wanted the lightweight arms and ammunition advancing technology has made possible. It is why the Reds have seen to it that their troops, and the Arabs, have such lightweight weapons.

We oldtimers may not be aware of it, but we must recall that the young men now carrying these old weapons in our defense have grown up in an era when the whole impact of American advertising and sales is aimed at creating dissatisfaction with the old and to stress the new. Thus, what is the effect on the morale of a boy accustomed to his dad's turning in his 1957 car for the 1958 model when as a soldier he mans a 1917 model machinegun in 1958?

What, too, is the effect when our troops landed in Lebanon so the mideasterners could see with their own eyes that America fails to furnish its men with rifles as modern as the Soviet, Czechs, and Israelis have and can sell? These people of undeveloped areas may not know much about modern weapons such as guided missiles and nuclear warheads, but they do know rifles. Among Arabs in particular the rifle is the mark of a man. If, then, these people can see for themselves that our vaunted modern military power is second rate in the weapons that they know about, doubt must arise about American wonder weapons they find hard to understand and cannot see.

I do not know how much face we may be losing abroad because of failure to supply our fighting men with such simple devices as a modern lightweight rifle and ammunition, but it is not good to have the cops on the beat armed with weapons inferior to those of potential troublemakers they may have to run in. I say "abroad" advisedly because had our Army troops and the Marines had to go to Venezuela to help Mr. NIXON, they would have found the Venezuelan Army armed with the same kind of new Belgian lightweight rifle the Israelis have. And with the Soviets anxious to cause trouble by dumping arms wherever they can and with forces of smaller nations modernizing with rifles sold in the West on the open market—such as the Belgian FN—the situation is bound to get worse as time goes on.

Information transmitted to me from former German arms scientists with an outstanding record for achievement before and during World War II states flatly that breakthroughs are overdue in arms like rifles and machineguns. Such developments, which may already have been achieved in Russia, can be far more important in the sort of police actions we and the U. N. forces are likely to face increasingly, than superweapons useful only for all-out war.

The Army recognizes the need for new weapons for the foot soldier and so do the Marines. Two factors have contributed to slowing our progress in outfitting soldiers and Marines with the new weapons. Service tests have been a little less than conclusive and it has taken a long time for the services to reconcile themselves to a firm choice. Money has been a scarce item for weapon procurement not because of Congressional policies as much as because of administration and Bureau of the Budget policies. The Garand is still a good weapon and a thoroughly tested one. Consequently, the services have continued using it while they stressed the development of superweapons. The situation in Lebanon is a clear indication that the day of the foot soldier and the rifle are not behind us. Since other nations are proceeding rapidly to arm their foot soldiers with weapons that are superior to ours, we cannot afford longer to delay equipping our own troops with better weapons. We have a responsibility to make sure that each soldier and each marine has a rifle better than any enemy, actual or potential. It seems the very least we can do for the young men we ask to be prepared to lay down their lives for our welfare and security.

INCOME PROTECTION FOR MILK PRODUCERS

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there any objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON. Mr. Speaker, I introduce today, for appropriate reference, a proposed Dairy Marketing Act of 1958, H. R. 13800. I do this so that all interested can give it complete study during the fall. It is not my thought in introducing this bill at this time that we can complete the long process of parliamentary consideration of it and pass it at this session. However, I do believe that long hours of productive work done by the Dairy Subcommittee, by the Committee on Agriculture, and by the Rules Committee on proposed income improvement legislation for dairy farmers should not be completely lost.

The bill I am introducing today follows closely the milk title that was incorporated in the omnibus farm bill that was reported to this House by the Committee on Agriculture. I have continued to consult with people interested in dairy legislation and have made further improvements in the draft as the result of suggestions I have received. Probably the bill is not yet in final finished legislative form. I have attempted to draft a bill that will protect dairy farmers' income at a reasonable level, through payments and marketing quotas backed up with compliance deposits. The result is a bill I feel would be of real benefit not only to milk producers but to the general consuming and taxpaying public.

Briefly, the bill established a Dairy Board which in cooperation with the Secretary of Agriculture is empowered and directed to establish a program to protect the returns of milk producers at 90 percent of parity. Surplus production would be eliminated through a system of marketing quotas and bases enforced by means of a direct payment as is now done would be returned in full to all producers who stayed within their quotas. If market price for manufacturing milk and butterfat fell below the support level, as we would not expect it to do with quotas in effective operation, the difference would be made up to the farmer by means of compliance deposits, which in the successful wool and sugar programs, and as is being proposed today in Senate bill 4036 for compensatory payments to fluorspar, lead, zinc, and other products of our mines.

By introducing this bill now and getting it printed, I hope to make copies available to all Members and others who are interested in solving the income problems of milk producers. I hope that they will study the provisions carefully and debate the pros and cons of the proposal. I shall appreciate receiving comments and suggestions for improvements of the bill.

The major provisions of the bill were very thoroughly considered in our Dairy Subcommittee during the spring and early summer. I have redrafted it to incorporate improvements suggested by various groups since committee action was completed. I believe that the bill in its present form is worthy of study and consideration of the Members of this House. I hope that we can begin a detailed study of the bill in the Dairy Subcommittee early in January of 1959, with a view to early enactment. I am including a copy of the proposed bill. I ask unanimous consent to have it printed in the RECORD immediately after my remarks.

Dairy Marketing Act of 1958

A bill to provide for the mandatory price support through March 31, 1962, for milk used in manufactured dairy products and for butterfat; to maintain the productive capacity of our dairy farming industry; to promote the orderly marketing of an adequate national supply of milk and dairy products; to encourage increased domestic consumption of dairy products in the interest of the national health and security; and for other purposes.

Be it enacted, etc.—

SEC. 1. Title

This act may be cited as the "Dairy Marketing Act of 1958."

SEC. 2. Legislative finding

It is recognized that dairy products are strategic commodities essential to the health, welfare and security of the Nation and that the desired domestic production and consumption of such dairy products are

hindered by the depressing effects of low prices to the producers, by wide fluctuations in supply and price to the consumer, and by impaired purchasing power of the consumer.

SEC. 3. Declaration of policy

It is hereby declared to be the policy of the Congress, as a measure of national security and in promotion of the general economic welfare, to provide mandatory price support at not less than 90 percent of the parity equivalent price for milk used in manufactured dairy products and at not less than 90 percent of the parity price for butterfat for the years ending March 31, 1960, March 31, 1961, and March 31, 1962, in order to maintain the productive capacity of the dairy farming industry, and to provide orderly marketing of an adequate national supply of milk and dairy products.

SEC. 4. Support operations

Section 201 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"(d) Notwithstanding any other provision of law, the Secretary shall, through the Commodity Credit Corporation, support the price to producers of milk used in manufactured dairy products and of butterfat at not less than 90 percent of the parity equivalent price of manufacturing milk, and at not less than 90 percent of the parity price of butterfat, respectively, during the marketing years ending March 31, 1960, March 31, 1961, and March 31, 1962: *Provided*, That the Secretary may reduce the level of price support for any such marketing year by 2 percent of the parity equivalent price in the case of manufacturing milk and of the parity price in the case of butterfat for each 1 percent of marketing base by which the Secretary of Agriculture determines that the Federal Dairy Board has established marketing quotas for such marketing year larger than the smallest quota authorized by subparagraph (d) (3) hereof, except that in no event shall the support price be established by the Secretary at less than 75 percent of the parity equivalent price or the parity price.

"Price support as authorized in this subsection shall be accomplished by means of a combination of price-support deficiency payments to producers on sales of milk and butterfat and purchases of the products of manufacturing milk and butterfat. The purchase method shall be used by the Secretary to fulfill Government distribution program requirements and as an adjunct to payments in such a manner as to correlate the market prices of manufactured dairy products in order that prices to producers for milk and butterfat used in the different manufactured dairy products are maintained in a normal relationship to each other. Price support may be accomplished by use of the product purchase method alone if the Board and the Secretary find that price weakness or surpluses, during any marketing year established under this section, will be of such minor magnitude as not to warrant a payment-quota program. Product purchases shall be made by the Secretary as far as practicable in such States or areas, in which prices received by farmers for milk or butterfat used in manufactured dairy products may be most depressed. Irrespective of any other support operations which may be in effect, during the first 6 months of the operation of this program, the Secretary shall make such product purchases as may be necessary to maintain the market level for milk used in manufactured dairy products and for butterfat at not less than 75 percent of the parity equivalent price and the parity price therefor, respectively.

"(1) Not later than March 1 of each calendar year, the Federal Dairy Board (hereinafter referred to as the "Board"), shall make and publish a determination of the national average prices received by farmers for milk used in manufactured dairy products and for butterfat in the absence of any Federal price support operations in the marketing year beginning April 1 that could be expected on the assumption that the number of unemployed will not exceed 3 percent of the civilian labor force. If such expected national average price of either or both is less than 90 percent of the parity equivalent or parity price, respectively, the Board shall establish as a condition of eligibility for price support payments for the marketing year beginning April 1 a requirement that producers comply with such marketing quotas as may be established for each individual dairy farm. At any time during the marketing year the Dairy Board may, in its discretion, suspend marketing quotas for the balance of the marketing year, if it appears to their satisfaction that the national average price received by producers for milk used in manufactured dairy products and for butterfat will average in excess of 90 percent of the parity equivalent price or parity price, respectively, for the balance of the marketing year.

"(2) The national marketing base for milk and butterfat shall be the average annual marketings of milk and milk equivalent in the first 3 of the immediately preceding 4 marketing years and shall be distributed by the Secretary in accordance with regulations approved and published by the Board to States, counties, and individual producers with full regard for the several provisions on this subsection. The Board shall establish a base for each producer desiring to market milk or butterfat. Bases shall be assigned to producers, including partnerships, corporations, or other business entities, and not to herds or farms. The Secretary shall provide by regulations approved by the Board for the transfer of bases in whole or in part, for the assignment of bases to new producers, for the equitable adjustment of bases to avoid hardship, for such other adjustments consistent with the objectives of this act as he deems appropriate, including adjustments for deficit production areas, and for such other matters as may be necessary or appropriate to set up and operate effectively, fairly, and efficiently the program herein authorized: *Provided*, That bases may not be reassigned outside the county of location during a period of 3 months after release by the original holder during which period bases released within the county shall be utilized to fill applications for additional bases within the county. After expiration of the 3-month period any released bases not assigned to producers within the county may be reassigned in other counties of the State of location. For a period of 3 additional months bases may not be reassigned outside the State during which period released bases would be utilized to fulfill applications for additional bases within the State. After expiration of the 6-month period, any released bases not reassigned to producers within the State may be reassigned anywhere in the United States: *Provided further*, That adjustment of bases in an area for any year by reason of deficit production shall be made only upon a determination and finding by the Secretary that the area does not produce sufficient milk to meet the market requirements for fluid milk for consumers in the area and has no reasonably satisfactory alternative source of supply available to it, except that an area which limits or restricts the entry of milk of suitable quality, as determined by the United States Public Health Service, from other areas shall not be eligible for adjustment of bases by reason of deficit production. In establishing such bases the Secretary and the Board shall take into consideration historical production, trends, abnormal production during the historical period, and such other factors as may be appropriate to establish such bases in an equitable and practical manner. Bases established by the Secretary shall continue in effect from year to year, but such bases shall be subject to modification and adjustments from time to time.

"(3) When marketing quotas are required under provisions of (1) above, the marketing quota for each farm shall be established as the volume of sales of milk or milk equivalent resulting from the subtraction from the farm marketing base assigned to the producer under provisions of (2) above, not to exceed 1 percent of such farm marketing base for each 5 percent of the expected weighted national average of prices received by farmers for butterfat and milk used for manufacturing of dairy products by which such expected weighted national average is less than 90 percent of the weighted national average of the parity equivalent price of milk for manufacturing and the parity price of butterfat.

"(4) When marketing quotas are required, compliance deposits of not less than 25 cents nor more than 50 cents per hundredweight of milk, as determined by the Board to be the amount required to encourage compliance with marketing quotas, shall be withheld and collected from each producer who sells milk, butterfat, or dairy products. Every person purchasing milk, butterfat, or dairy products from a producer (except purchases by consumers for other than commercial uses) shall withhold from the purchase price an amount equal to the compliance deposit and shall remit the same to the Commissioner of Internal Revenue. For the purposes of this section, milk, butterfat, or dairy products delivered by a producer to a cooperative association of producers shall be subject to the withholding of the deposit upon such delivery. Returns shall be filed and remittances made monthly by such purchasers in accordance with rules prescribed by the Commissioner. The Commissioner of Internal Revenue shall collect the compliance deposits provided for herein and shall prescribe such rules and regulations as may be necessary to accomplish that purpose. Compliance deposits collected shall be credited to a special account of the Secretary of Agriculture to make refunds to milk producers who comply with marketing quotas as provided herein. The Secretary of Agriculture, annually prior to July 1 following the close of the immediately preceding marketing year, shall issue drafts on such special account to refund to each producer who complies with his marketing quota during the marketing year and to each producer whose sales were less than 10,000 pounds of milk per farm, the entire amount of the compliance deposit withheld from such producer. At any time during the marketing year, the Dairy Board may adjust the amount of the compliance deposit within the above limits to the degree which it considers necessary to assure compliance with marketing quotas. The Dairy Board may, in its discretion, discontinue withholding of compliance deposits for the balance of the marketing year if it appears in their judgment that prices received by farmers for milk to be used in manufactured dairy products and butterfat will average in excess of 90 percent of the parity equivalent price or the parity price thereof, respectively, for the balance of the marketing year.

"(5) The Secretary of Agriculture shall make, from Commodity Credit Corporation funds, price-support deficiency payments to individual producers who sell 10,000 pounds or more milk equivalent per farm on all sales of milk used for manufactured dairy products and of butterfat marketed in any manner in an amount determined by the Secretary to be not less than 90 percent of the parity equivalent price of milk used for manufactured dairy products or of the parity

price for butterfat, respectively, during the year, or such other level of support as may be established under provisions of (1), above, less the average national domestic market price per unit for such commodities during the year, multiplied by an amount equal to the quantity of milk marketed by the producer for use in manufactured dairy products or the quantity of butterfat marketed, as the case may be. In any marketing year in which the Dairy Board has invoked marketing quotas, the Secretary shall pay deficiency payments only to such producers as have complied with their marketing quota. Such payments shall be made to producers prior to July 1 next following the close of the marketing year. The Secretary shall calculate the monthly national average net price received for milk to be used in manufactured dairy products and for butterfat, using the price at the point of first sale out of the producers' hands. A producer who sells milk under the terms of a Federal milk order and who complies with his marketing quota shall be eligible for price support deficiency payments on milk diverted into manufactured dairy products. There is hereby authorized to be appropriated annually to the Secretary of Agriculture the forfeited compliance deposits of producers who did not comply with marketing quotas and such other funds as may be required to reimburse the Commodity Credit Corporation for such of its funds as may be expended under provisions of this paragraph.

"(6) Not later than March 1, 1959, the Secretary shall conduct a nationwide referendum of milk producers who have a marketing base of 10,000 pounds of milk or more per farm, to determine whether those voting approve the provisions of this subsection. If more than one-half of the producers voting in the referendum oppose this subsection, this subsection shall not be placed into effect and the price-support operations of the Secretary under subsection 201 (c) of the Agricultural Act of 1949 with respect to milk and dairy products shall remain in effect. The Secretary shall conduct the referendum, prescribing such rules and regulations as may be necessary. Only milk producers shall be eligible to vote. Any milk producer shall have only one vote and shall vote as an individual, rather than as a business entity. The ballot shall be in the following form:

"UNITED STATES DEPARTMENT OF AGRICULTURE

"OFFICIAL BALLOT

"National referendum of milk producers

"☐ Mark this square if you favor establishment of a dairy income protection program, utilizing deficiency payments, Government purchases, storage and diversion, compliance deposits, and marketing quotas based on 90 percent of the parity price, as provided in the Dairy Marketing Act of 1958.

"☐ Mark this square if you favor continuation of price support utilizing Government purchases, storage and diversion with support at 75 to 90 percent of the parity equivalent price, as provided by section 201 (c) of the Agricultural Act of 1949.

"FEDERAL DAIRY BOARD

"(7) There is created in the Department to make the determinations and perform the functions provided in this subsection, a Federal Dairy Board consisting of 15 members to be elected by milk producers as provided herein. Only persons who are milk producers and who obtain the major portion of their income from farming shall be eligible to serve on the Board. There is authorized to be appropriated such sums as the Board may require for carrying out its functions and duties as provided in this act.

"(A) In order to secure appropriate regional representation on the Board, the United States shall be divided into 15 Federal dairy districts to be designated by the Secretary. In designating such districts, the Secretary shall give consideration to (1) complete geographical representation of the United States and (2) the designation of districts, so that districts will be areas having equal annual sales of milk and butterfat, as nearly as possible without dividing any county into two or more districts.

"(B) Each Federal dairy district shall be assigned one place on the Board. The milk producers in each district shall by ballot elect 1 Board member and 1 alternate Board member for the place on the Board assigned to their district. The Secretary shall prescribe the procedure for nomination of candidates and for their election and shall conduct the balloting for election of Board members and alternate members not later than March 15, 1959.

"(C) Terms of Board members shall expire on March 31, 1962. If a vacancy occurs in any district due to the death, resignation, or inability to serve of the Board member, the elected alternate member shall serve the unexpired portion of the term. Each member of the Board, other than the Secretary or the Secretary's representative, shall receive a per diem of $80 for each day's attendance at meetings of the Board and while traveling to and from said meetings, together with actual, necessary travel subsistence, and other expenses incurred in the discharge of his official duties without regard to other laws with respect to allowances which may be made on account of travel and subsistence expenses of officers and employed personnel of the United States. The Secretary, or an official of the Department designated by him, shall be an ex officio member of the Board. He shall meet and confer with the Board, but shall not be entitled to vote nor to receive compensation hereunder.

"(D) The Board shall meet as soon as practicable following their initial election, and thereafter, annually on the second Monday in December and at other times upon the call of the Chairman. In addition, special meetings of the Board may be called at any time by a majority of the members of the Board in office, or by the Secretary. The Board shall meet at least once in each calendar quarter of each year.

"(E) The Chairman of the Board shall be selected by the Board. He shall hold office for a term of 1 calendar year and until his successor shall have been selected and shall have taken office. Vacancies in the office of the Chairman of the Board shall be filled for the unexpired term by the Board.

"(F) A majority of the members of the Board in office shall constitute a quorum, and action may be taken by a majority vote of those present at any regular or special meeting at which a quorum is present. The findings and determinations of the Board made under the authority of this section shall be final and conclusive. The Board may adopt, alter, and use an official seal which shall be judicially noticed. It may adopt rules and regulations governing the manner in which its business may be conducted and its powers may be exercised.

"(G) The Federal Dairy Board is directed, in addition to its other duties, to cause to be made a comprehensive study of the production and marketing of manufacturing milk and of butterfat, including producers' costs of production, prices received by farmers, areas of production, the relationship between changes in the farm price of butterfat and milk for manufacturing and changes in the volume of a market supply of each commodity, the relationship between changes in national income and changes in the volume of consumption of manufactured dairy products, marketing and processing spreads, relationship between prices received by farmers for milk used for fluid consumption and that used for manufacturing, returns to milk producers on capital investment and labor relative to those of other farmers and of other segments of the national economy, and trends in these factors. The costs of production shall be determined through an audited cost accounting survey of typical dairy farms in each region covering all costs of production on invested capital equal to the average with hired and family labor assigned a cost computed on the basis of wage rates for comparable work in milk manufacturing and processing plants in the area and return on the farm attributable to milk production, annual return on net worth earned by milk handlers and manufacturers during the preceding 5-year period. The Board shall submit to Congress not later than January 3, 1962, a detailed report thereon with recommendations for improvement on the dairy support program covering the probable costs and effects of the proposals recommended and the legislation required to put the changes into effect. The Federal Dairy Board may conduct such hearings and receive such statements and briefs in connection with such study as it deems appropriate.

"(H) The Secretary is directed to make available to the Federal Dairy Board the services of such of the facilities and personnel of the Department of Agriculture as it may require for the appropriate conduct of its duties.

"(8) Parity and Parity-Equivalent Prices: Beginning March 15, 1959, the parity prices of all milk sold wholesale and of butterfat shall be calculated by adding price support deficiency payments to market prices in any year during which such payments are made for purposes of calculating the 10-year average of prices for parity purposes. The parity equivalent price for manufacturing milk shall be calculated as 90 percent of the parity price for all milk sold wholesale.

"(9) Special Children's Milk Program: For each of the three marketing years ending March 31, 1962, not to exceed $100 million of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children in (1) nonprofit schools of high school grade and under; and in (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children.

"Such program and sums expended thereunder shall be in addition to and not in lieu of the other programs provided in this act.

"(10) Special Milk Program of Veterans' Administration and Armed Forces: As a means of increasing the utilization of dairy products (including for purposes of this section, milk) upon the certification by the Administrator of Veterans' Affairs or by the Secretary of the Army, acting for the military departments under the Department of Defense's single service purchase assignment for subsistence, or their duly authorized representatives that the usual quantities of dairy products have been purchased in the normal channels of trade—

"(a) The Commodity Credit Corporation until December 31, 1962, shall make available to the Administrator of Veterans' Affairs at warehouses where dairy products are stored, such dairy products acquired under price-support programs as the Administrator certifies that he requires in order to provide butter and cheese and other dairy products as a part of the ration in hospitals under his jurisdiction. The Administrator shall report monthly to the Committees on Agriculture of the Senate and House of Representatives and the Secretary of Agriculture the amount of dairy products used under this subsection.

"(b) The Commodity Credit Corporation until December 31, 1962, shall make available to the Secretary of the Army, at warehouses where dairy products are stored, such dairy products acquired under price-support programs as the Secretary of the Army or his duly authorized representative certifies can be utilized in order to provide additional butter and cheese and other dairy products as a part of the ration (1) of the Army, Navy, Air Force, or Coast Guard; (2) in hospitals under the jurisdiction of the Department of Defense; and (3) of cadets and midshipmen and any other personnel assigned to the United States Merchant Marine Academy. The Secretary of the Army shall report every 6 months to the Committees on Agriculture of the Senate and the House of Representatives and the Secretary of Agriculture the amount of dairy products used under this subsection.

"(c) Dairy products made available under this section shall be made available without charge, except that the Secretary of the Army or the Administrator of Veterans' Affairs shall pay the Commodity Credit Corporation the costs of packaging incurred in making such products so available.

"(d) The obligation of the Commodity Credit Corporation to make dairy products available pursuant to the above shall be limited to dairy products acquired by the Corporation through price-support operations and not disposed of under provisions (1) and (2) of section 416 of this act, as amended.

"Such programs and sums expended thereunder shall be in addition to and not in lieu of the other programs provided in this act."

UNITED STATES TRADING CORPORATION

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, together with my colleague from Illinois, the Honorable TIMOTHY P. SHEEHAN, I am introducing a bill to establish a United States Trading Corporation in order to meet the challenge of attempted Soviet penetration of world markets. This bill is not designed as a final and complete bill, but is mainly for the purpose of having it referred to the Congress so that the proper Congressional committees and their staffs will get to work on this problem which the United States and the Free World have to face at the present time. If this bill will be but a start toward a program which will enable the capitalist Free World to properly compete with the Soviet economy, our purpose in introducing this bill at the present time will be achieved.

It is estimated that the economy of the Soviet Union, although not comparable to ours in total capacity or total production at the present time, is growing at a rate roughly twice that of ours. Allen Dulles, Director of the Central Intelligence Agency, has described the Kremlin's progress in that respect as "the most serious challenge ever faced by the United States in times of peace"—a challenge making it "most probable that the fateful battles of the cold war will, in the foreseeable future, be fought in the economic and subversive arenas." Certainly, this is but another indication to prove that we should be well on our way toward making battle plans for the economic war.

There was a recent State Department report which labeled the Russian Communistic tactics of economic aid and economic policy as being even more dangerous to the Free World than the threat of war. We all know, in studying Marxism and communism, that it was the feeling of the founders of the philosophy of communism that ultimately capitalism would fail, and this would make it easy for socialism and communism to take over. However, we must not fall into the trap of adopting the Communist policies. We must be in a position to aid and help individual business enterprises and the capitalist system, so there will be no encroachment by government on free business; but, because of the economic war against the Communists, it makes it necessary that private enterprise and government march together in this warfare rather than apart.

In recent months, we are getting a new insight into this trade warfare policy and we can cite the example shown us in the aluminum industry. Until recently, North American exports of aluminum to European countries provided practically all of the imports of this metal to the free European countries. Just a short time ago, Russian Communist sources announced to various European aluminum purchasers that they would supply aluminum for approximately 1.7 cents per pound cheaper than it could be bought from American and Canadian sources. In other words, the Communists were not worrying about costs, knowing they have slave labor and a Socialist economy where material costs are not measured in monetary value, enabling them to sell raw material or finished products at any price they arbitrarily choose. Our American and Canadian firms cannot meet that type of competition. Are we to idly stand by while we lose those markets and our own continent has to suffer from such competition? Some methods must be found to combat this type of competition in aluminum and surely in many other products, and the operating procedures of meeting this problem must immediately be given a great deal of study.

In setting up the United States Trading Corporation, there will be losses entailed. If we are to compete with the Russian Communist bloc, the Government might have to purchase raw materials and finished products from our concerns and sell at a loss in order to vie with their slave economy. We can possibly see a time when the original capital of the Corporation might be used up, at which time the Corporation would again have to come back to Congress to receive further monetary support. At that time, the Congress would be in a position to evaluate the work and accomplishments of the Corporation, and then could decide whether the program was worth continuing or should be changed.

In the long run, the economic facts of life are bound to catch up with the inhuman and unprogressive economic system of communism. However, in the interim, such a system can badly damage, indeed like the parasite plant can destroy, the healthy and sound economic system of a free society. Just as in our own internal economy we have found that unrestrained monopolistic practices can damage the healthy growth of our own economy so must we recognize that these same practices engaged in world trade can badly damage healthy foreign trade.

In other words, Russia through its state trading can pick and choose specific areas for attack, undersell the market for whatever period of time is necessary to destroy competition and then once competition has been destroyed revert, in true monopolistic form, to increased prices to recoup the economic loss suffered in gaining the market and then go on to exploit the market and worse still, enslave small nations dependent upon a narrow economic base.

Strong as our private businesses are, they are not strong enough to cope with this kind of operation. Accordingly, the United States Trading Corporation would be set up to respond when this kind of economic warfare becomes apparent.

In putting meat on the bones of the bill Congressman SHEEHAN and I have proposed, it will be necessary to spell out in definite terms the economic circumstances which will permit the Corporation to function. As I have stated, it would be only in answer to a clear threat by Soviet Russia resorting to state trading and monopolistic practices designed to destroy competition or enslave small nations.

If Soviet Russia does not engage in this kind of activity, the Corporation would not have to act. If Russia does, the Corporation would be there to insure the fact that through temporary underselling, though it lasts for several years, Russia could not take over any market and destroy healthy competition, or enslave the economy of some small and weak nation.

There is no question in our minds that affirmative action and positive planning must take place now. We can compete against the Russian declaration of economic war only by intelligence and cooperation. The bill which we are introducing and which would create the United States Trading Corporation is but a step to get a workable program started.

In conclusion, I want to reiterate that we do not want our Government to take over business. We want a program in which the Government will assist private business, and only take over such functions as would be necessary in order that private enterprise and free government can march down the road of economic warfare together, and ultimately foil the aim of communism to dominate the world.

The bill I am introducing, similar to Congressman SHEEHAN'S, is as follows:

A bill to establish a United States Trading Corporation to meet the challenge of attempted Soviet penetration of world markets, and for other purposes.

Be it enacted, etc., That this act may be cited as the "United States Trading Corporation Act."

SECTION 1. The Congress recognizes that one of the most dangerous weapons currently being employed by the Soviet bloc in its struggle for world domination is the use of international trade to achieve that objective through economic means. If the United States is to continue to be the leader of the

nations of the free world in their effort to resist and retard such domination by the Soviet bloc, it must prepare to utilize international trade as an instrument of our national policy. So that this may be done in the most effective manner with the greatest possible benefit to the United States and its citizens and the other free nations and their citizens, there is hereby established a body corporate to be known as the "United States Trading Corporation" (hereafter in this act referred to as the "Corporation") which shall assist and supplement the efforts of private business in the United States in fostering trade between the United States and the other nations of the world.

SEC. 2. The Corporation shall have its principal office in the District of Columbia and may establish offices in such other places as it may deem appropriate in the conduct of its business.

SEC. 3. The objects and purposes of the Corporation shall be to undertake such measures, and engage in such activities, with respect to the foreign trade of the United States as will effectively meet the threat to the free world of long-range economic penetration of world markets by the Soviet bloc. In connection with and in furtherance of its objects and purposes and the policy of the Congress set forth in section 2, the Corporation is empowered—

(1) to adopt, alter, and use a corporate seal which shall be judicially noticed;

(2) to adopt, amend, and repeal bylaws governing the conduct of its business and the performance of the powers and duties granted to or imposed on it by law;

(3) to sue and be sued in its corporate name in any court of competent jurisdiction;

(4) to determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, subject to laws specifically applicable to Government corporations;

(5) to acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), to hold, maintain, use, and operate the same, to pledge, hypothecate, sell, exchange, or otherwise dispose of the same, whenever any of the foregoing transactions are deemed necessary or appropriate to the conduct of activities authorized by this act or to achieve the objectives set forth in section 2, and on such terms as may be prescribed by the Corporation;

(6) to execute all instruments necessary or appropriate in the exercise of any of its functions;

(7) to use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government;

(8) to assist citizens of the United States or any corporation at least 60 percent of the stock of which is owned by citizens of the United States which is engaged in foreign trade and is determined by the Corporation to be achieving the objectives set forth in section 2 by loan, subsidy, or otherwise;

(9) to appoint such agents, attorneys, and employees as may be necessary for the conduct of the business of the Corporation; and to delegate to them such powers and to prescribe for them such duties as may be deemed appropriate by the Corporation; and

(10) to take such actions as may be necessary to achieve the objectives set forth in section 2, and to carry out the powers and duties granted to or imposed on it.

SEC. 4. The corporation, including its franchise, its capital, reserves, surplus, and income, shall be exempt from all taxation (which shall, for all purposes, be deemed to include sales, use, storage, and purchase taxes) now or hereafter imposed by the United States, or any Territory, Commonwealth, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property (or buildings which are considered by the laws of any State to be personal property for taxation purposes) of the corporation shall be subject to State, Territorial, Commonwealth, county, municipal or local taxation to the same extent according to its value as other real property is taxed.

SEC. 5. (a) There shall be a president of the corporation, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall serve as the chief executive officer of the corporation. There shall be a vice president of the corporation, who shall be appointed by the President of the United States by and with the advice and consent of the Senate, who shall serve as president of the corporation during the absence or disability of or in the event of a vacancy in the office of president of the corporation, and who shall at other times perform such functions as the president of the corporation may from time to time prescribe.

(b) The annual rate of compensation of the president of the corporation shall be $21,000, and the annual rate of compensation of the vice president of the corporation shall be $20,500.

SEC. 6. (a) The corporation shall be managed by a board of directors of the corporation. The board of directors of the corporation shall consist of the president of the corporation who shall serve as chairman, the vice president of the corporation who shall serve as vice chairman, and 15 additional persons appointed by the President of the United States by and with the advice and consent of the Senate. Of the 17 members of the board of directors not more than 9 shall be members of the same political party. Before entering upon his duties, each of the directors shall take an oath faithfully to discharge the duties of his office. Terms of the directors shall be at the pleasure of the President of the United States, and the directors, in addition to their duties as members of the board of directors, shall perform such additional duties and may hold such other offices in the administration of the corporation as the president of the corporation may from time to time prescribe. A majority of the board of directors shall constitute a quorum. The board of directors shall adopt, and may from time to time amend, such bylaws as are necessary for the proper management and functioning of the corporation, and shall, in such bylaws, designate other officers of the corporation and prescribe their duties.

(b) Members of the board of directors (other than the chairman and vice chairman) shall receive compensation at the rate of $20,000 per annum.

SEC. 7. (a) There shall be an advisory committee of the corporation consisting of nine members, appointed by the board of directors of the corporation on the recommendation of the president of the corporation, who shall be broadly representative of production, commerce, agriculture, and labor. The advisory committee shall meet one or more times per year, on the call of the president of the corporation, to advise the board of directors on the program of the corporation.

(b) Members of the advisory committee, while attending meetings of the advisory committee called by the president of the corporation, shall be entitled to receive compensation at a rate to be fixed by the president of the corporation, but not exceeding $50 per diem, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the service of the Federal Government who are employed intermittently.

SEC. 8. (a) The corporation shall have a capital stock of $1 billion subscribed by the United States. Payments under this subsection of the subscription of the United States to the corporation and the repayments thereof shall be treated as public-debt transactions of the United States. Certificates evidencing stock ownership of the United States in the corporation shall be issued by the corporation to the Secretary of the Treasury.

(b) The corporation is authorized to issue from time to time notes, debentures, bonds, or other obligations which shall be purchased by the Secretary of the Treasury; but the aggregate amount of such obligations outstanding at any one time shall not exceed $4 billion. Such obligations shall be redeemable at the option of the corporation before maturity in such manner as may be provided for in such obligations and shall have such maturity as may be determined by the board of directors of the corporation with the approval of the Secretary of the Treasury. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the obligations of the corporation.

(c) For the purpose of purchasing capital stock and obligations of the corporation issued under this section the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act, as amended, are extended to include any purchase of capital stock or obligations of the corporation issued under this section.

SEC. 9. No director, officer, attorney, agent, or employee of the corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

SEC. 10. The president of the corporation in carrying out his functions shall consult from time to time with the Secretary of State, the Secretary of Commerce, and the president of the Export-Import Bank of Washington.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SHEEHAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHEEHAN. Mr. Speaker, in conjunction with my well esteemed colleague from Missouri, the Honorable THOMAS B. CURTIS, I am introducing a bill for the purpose of setting up a United States Trading Corporation to compete with the Communist controlled Soviet economy in the Free World markets.

Thinking people in the United States and throughout the Free World are coming to the realization that our struggle with the Communist world will, in all probability, be decided in the economic area. Dictator Khrushchev's recent statement to an American visitor that "We declare war on you" referred to an economic war which he said would be pursued relentlessly. We in America should be actively preparing for this economic war.

It should not take much logical reasoning or argument to prove the need for immediate thinking, planning and action, in preparing ourselves for this coming economic warfare. Our present policies of foreign military and economic aid certainly have not proven to be the answer. The growth of trade between the Russian Communist bloc and the free countries shows that the Russian Communist bloc is increasing its trade, and thus increasing its economic advantage over the Free World. Unless the Free World can wage a successful economic battle with the Russian Communist bloc, we will be faced with a contracting economy, loss of profits, loss of employment and, eventually, economic and political chaos. We must begin an intelligent, workable economic battle plan now.

As a start in this direction, we are proposing a bill to set up a United States Trading Corporation in order to prepare to utilize international trade as an instrument of national policy. Whenever practicable and feasible, the United States Trading Corporation shall assist and supplement the efforts of private business in the United States in fostering trade between the United States and the other nations of the world or, if not practicable and feasible for private business, then the United States Trading Corporation will engage in business which competes with trade controlled by the Russian Communist bloc. The Corporation will undertake such measures and engage in such activities with respect to foreign trade as will effectively meet the threat to the Free World of long-range economic penetration of world markets by the Russian Communist bloc.

This legislative bill, as drawn, is intended to be only a start toward the problem of economic warfare. The bill itself will need additional legislative improvements which will come about from suggestions from our citizens, from hearings on the legislation, and from ideas which we hope this legislation will bring forth from all parts of the Free World.

It was pointed out just recently, in a pamphlet prepared by the Committee for Economic Development, that the most important factor in attempting to evaluate the implications of the Russian Soviet economic program is not its present or potential magnitude, or even its geographic or commodity or project content, significant though all these aspects are; it is rather the necessity to keep before our eyes the picture of the Soviets ceaselessly driving for ultimate Communist political goals, probing for weak spots in the Free World which can be exploited by a variety of means and in a myriad of costumes and poses.

Economic conquest and economic warfare will be used by the Communist bloc countries to attain their goals in the political warfare field. During the month of May, the 12 Communist nations who attended an economic meeting in Moscow issued a communique which strongly suggests that the Communist nations already have developed a program and a course of action aimed at making economic life as difficult as possible for the United States and the free nations. We, too, must be on our way in planning for the economic warfare which the Russian Communist bloc declared on us.

MAJOR ACTIONS TAKEN AFFECTING SMALL BUSINESS

Mr. EVINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, this Congress has, of course, had to concentrate on the great problems produced by the sputnik crises, the recession and our deteriorating position throughout the world—and, I believe we can all take pride in the actions which the Congress has taken to deal with these important and critical problems. However, we must not overlook that this Congress also has taken some positive steps to meet some of the problems which have been troubling our Nation's economy for several years.

Specifically as a member of the House Small Business Committee, I would like to point out that we can look back to this session with special pride for the action we have taken to help small business and thereby to insure that our system of free enterprise and equal economic opportunity will be continued.

It has been said that everybody talks about small business but nobody does anything about it, Mr. Speaker; I do not believe that anybody can say that any longer.

In this session of Congress the studies and investigations of the problems of small business have been expressed in specific legislation.

One of the most pressing immediate needs of small business was for a revision of the tax laws that would grant to small business some of the advantageous treatment that big business has been enjoying; and also, that would enable small business to reinvest a larger portion of its earnings and profits in expansion.

Our committee recommended earlier this year a five-point tax relief program to achieve these objectives and I was privileged to appear before the Ways and Means Committee on behalf of the majority members of the Small Business Committee urging the enactment of this tax program. As we know, with a tremendous deficit facing us in the coming year, it was not possible to go as far in this direction as I am sure most of us feel we ought to go. But, it is highly gratifying that the Ways and Means Committee recommended and now both Houses of Congress have passed legislation which enacts the recommendations of the Small Business Committee.

Some years ago the Congress created a Small Business Administration to provide both financial and advisory assistance to small business—following the recommendations of the Small Business Committee. It will be recalled that your Small Business Committee earlier in this Congress recommended that this agency be made permanent and that the funds authorized for loans be increased. This too has now been enacted into law.

All the investigations and studies of the Small Business Committee have indicated that the most pressing problem for small business was that of obtaining long-term equity credit. Without a source of capital funds to expand, small business could not continue to grow and its position in our economy would inevitably grow worse and worse. On this subject your House Small Business Committee late last year and early this year held extensive hearings concerning the financing problems of small business. During these hearings, the committee heard from the governors of the Federal Reserve system, all of whom testified as to the pressing need for some new credit system for small business. The committee also heard testimony from the Secretary of the Treasury, from economists, from businessmen and others. This body of testimony was almost unanimous in calling for some better means of providing needy equity capital to small business than presently available.

In view of this testimony, your Small Business Committee presented recommendations for the establishment of a new system of small business banks. After thorough studies of these and other recommendations, the Banking and Currency Commission reported the Small Business Investment Bill of 1958.

I believe that the passage of the Small Business Investment Act represents one of the most far-reaching and significant actions taken by this Congress.

Mr. Speaker, I repeat that this program of assistance for small business which we have enacted in this session is one of the most significant things we have done. In this connection, I would like to call the attention of my colleagues to an article in the financial section of the New York Times this past Sunday, August 17, written by Mr. Richard Rutter and headlined, "Small Business Hits the Jackpot." This article cogently reviews the actions of this Congress in this field and points out their importance and significance. I ask unanimous consent to have them inserted in the RECORD. The articles follow:

SMALL BUSINESS HITS THE JACKPOT—NEW LEGISLATION GOES LONG WAY IN PROVIDING TAX AND FINANCING RELIEF

(By Richard Rutter)

The ways of Congress probably are more predictable than is a slot machine. But there are times, it must be admitted, when there is a certain tantalizing resemblance.

Ask the Nation's 4 million small-business men. For nearly 5 years they—or rather their very articulate spokesmen in and out of Congress—pulled all the levers in an effort to win some measure of financial aid. They got lots of publicity and sympathy, but little else. Then, in the closing days of the 85th Congress: Jackpot.

It consists of three important measures dealing with loans and tax relief. One has

It should not take much logical reasoning or argument to prove the need for immediate thinking, planning and action, in preparing ourselves for this coming economic warfare. Our present policies of foreign military and economic aid certainly have not proven to be the answer. The growth of trade between the Russian Communist bloc and the free countries shows that the Russian Communist bloc is increasing its trade, and thus increasing its economic advantage over the Free World. Unless the Free World can wage a successful economic battle with the Russian Communist bloc, we will be faced with a contracting economy, loss of profits, loss of employment and, eventually, economic and political chaos. We must begin an intelligent, workable economic battle plan now.

As a start in this direction, we are proposing a bill to set up a United States Trading Corporation in order to prepare to utilize international trade as an instrument of national policy. Whenever practicable and feasible, the United States Trading Corporation shall assist and supplement the efforts of private business in the United States in fostering trade between the United States and the other nations of the world or, if not practicable and feasible for private business, then the United States Trading Corporation will engage in business which competes with trade controlled by the Russian Communist bloc. The Corporation will undertake such measures and engage in such activities with respect to foreign trade as will effectively meet the threat to the Free World of long-range economic penetration of world markets by the Russian Communist bloc.

This legislative bill, as drawn, is intended to be only a start toward the problem of economic warfare. The bill itself will need additional legislative improvements which will come about from suggestions from our citizens, from hearings on the legislation, and from ideas which we hope this legislation will bring forth from all parts of the Free World.

It was pointed out just recently, in a pamphlet prepared by the Committee possible for the United States and the free nations. We, too, must be on our way in planning for the economic warfare which the Russian Communist bloc declared on us.

MAJOR ACTIONS TAKEN AFFECTING SMALL BUSINESS

Mr. EVINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, this Congress has, of course, had to concentrate on the great problems produced by the sputnik crises, the recession and our deteriorating position throughout the world—and, I believe we can all take pride in the actions which the Congress has taken to deal with these important and critical problems. However, we must not overlook that this Congress also has taken some positive steps to meet some of the problems which have been troubling our Nation's economy for several years.

Specifically as a member of the House Small Business Committee, I would like to point out that we can look back to this session with special pride for the action we have taken to help small business and thereby to insure that our system of free enterprise and equal economic opportunity will be continued.

It has been said that everybody talks about small business but nobody does anything about it, Mr. Speaker; I do not believe that anybody can say that any longer.

In this session of Congress the studies and investigations of the problems of small business have been expressed in specific legislation.

One of the most pressing immediate needs of small business was for a revision of the tax laws that would grant to small business some of the advantageous treatment that big business has been enjoying; and also, that would enable small business to reinvest a larger

Committee. It will be recalled that your Small Business Committee earlier in this Congress recommended that this agency be made permanent and that the funds authorized for loans be increased. This too has now been enacted into law.

All the investigations and studies of the Small Business Committee have indicated that the most pressing problem for small business was that of obtaining long-term equity credit. Without a source of capital funds to expand, small business could not continue to grow and its position in our economy would inevitably grow worse and worse. On this subject your House Small Business Committee late last year and early this year held extensive hearings concerning the financing problems of small business. During these hearings, the committee heard from the governors of the Federal Reserve system, all of whom testified as to the pressing need for some new credit system for small business. The committee also heard testimony from the Secretary of the Treasury, from economists, from businessmen and others. This body of testimony was almost unanimous in calling for some better means of providing needy equity capital to small business than presently available.

In view of this testimony, your Small Business Committee presented recommendations for the establishment of a new system of small business banks. After thorough studies of these and other recommendations, the Banking and Currency Commission reported the Small Business Investment Bill of 1958.

I believe that the passage of the Small Business Investment Act represents one of the most far-reaching and significant actions taken by this Congress.

Mr. Speaker, I repeat that this program of assistance for small business which we have enacted in this session is one of the most significant things we have done. In this connection, I would like to call the attention of my colleagues to an article in the financial section of the New York Times this past Sunday, August 17, written by Mr.

been signed into law, another is on the President's desk, and the other is expected to be there soon.

SBA NOW PERMANENT

In some ways, the first new piece of legislation may be the most far reaching. The Small Business Administration was set up in 1953 as a temporary agency to assist smaller concerns obtain credit. It has now become a permanent independent Federal agency.

The ceiling on the individual loans it may grant has been raised from $250,000 to $350,000. The interest rate charged has been reduced from 6 to 5½ percent. The little fellow now has a permanent big friend at court, so to speak.

The significance of the second new piece of legislation was dramatized in Atlanta, Ga., last week. The Citizens and Southern National Bank announced that it had authorized the investment of $325,000 in capital in a new corporation to be sponsored by the bank and formed for the express purpose of providing venture capital for small and expanding businesses. This was the quick reaction to the passage of the Small Business Investment Act of 1958.

The $325,000 put up by the Atlanta Bank will be augmented by $115,000 from interested individuals or corporations in that State, plus $60,000 from Citizens and Southern affiliates. The private investment will thus amount to $500,000, and the total initial to some $1 million including loans and investment aid from the Small Business Administration.

TWO HUNDRED AND FIFTY MILLION DOLLARS AUTHORIZED

Under the new law, that agency has been given $250 million in loan authority to furnish long-term equity capital to small business. The funds will not go directly to the individual intrepreneurs but to investment companies such as the one planned in Georgia. These concerns, in turn, will funnel long-term capital to small companies unable to obtain the needed financing elsewhere.

The investment companies must be formed by at least 10 persons, have a minimum capital and surplus of $300,000, half of which they can get from the SBA, and limit loans to not more than 20 percent of a borrower's capital.

The recession notwithstanding, tax relief for the average taxpayer never got to first base in this session of Congress. With a minimum of fanfare, however, small business got several breaks:

Faster tax writeoffs on new equipment in the first year after its purchase.

Extension from 2 to 3 years of the period for which a loss may be carried back and applied against previous income, to gain a retroactive tax refund.

Ten years instead of 15 months in which to pay estate taxes on a business held by a few persons.

An increase from $60,000 to $100,000 on the amount of earnings that may be retained, instead of being distributed, without stiff tax charges.

Why all this attention to the small business?

The Small Business Administration defines a small business as follows: A wholesaler with annual sales of less than $5 million; a retailer or a dealer in services with volume of less than $1 million; a construction company whose annual receipts for the preceding 3 years have been less than $5 million; a manufacturer with 250 or fewer employees. Manufacturers with between 250 and 1,000 employees are classed as small or large depending upon the type of activity.

NINETY-EIGHT PERCENT OF COMPANIES ARE SMALL

On this basis, the overwhelming number of all American enterprises—more than 98 percent—fall into the small-business category. They account for a good 35 percent of all dollar sales. So it's impossible to talk of the American economy without taking full note of small business.

In recent years about 360,000 new enterprises have been started annually. At least 99 percent are small operations. Each year between 325,000 and 340,000 concerns have passed into limbo. And the vast majority of them have been small. The result has been a net increase in the business population of about 50,000 new companies a year.

The unfortunate majority have gone under for various reasons. Chief among them have been poor management, strong competition, lack of experience—and lack of credit. Until very recently there has been an almost complete dearth of knowledge about the importance of this last problem, and some economic observers have insisted that it was no problem at all. They contended that sound operators could obtain all the credit they needed, and that unsound ones had no business being in business.

Last year the research staff of the Federal Reserve System studied the whole matter of credit availability for the little fellow. The first installment of a massive report was delivered to interested Congressional committees this spring. The survey is still continuing, and will not be completed until some time next year at the earliest.

THEY HOE A TOUGH ROW

Some conclusions, however, do seem evident from the Fed's findings so far. Generalizations are risky, but the consensus is that small companies are up against greater financial difficulties than the bigger ones. Their credit standings are lower, they find it much harder to get long-term loans and equity capital. Interest rates are higher, maturities shorter. The pinch is severest for those concerns that are able and willing to grow but are stymied by lack of funds.

Commercial banks are by far the chief source for small-business financing. Insurance companies, mutual funds, investment trusts, and institutional investors largely shy clear of small borrowers. Even the Government has contributed comparatively little. At the end of last year, for instance, the combined loan and commitment total for the SBA and the Veterans' Administration was 4 percent of the $6,900 million in small loans outstanding by member banks of the Federal Reserve System.

That is all the more reason why the measures just enacted by Congress should gladden the heart of the corner butcher, tailor, and antique candlestick seller. The establishment of private investment companies in particular may signal the beginning of a real breakthrough in the field of equity financing.

ANSON PHELPS STOKES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to read an editorial that appeared in the New York Times of yesterday concerning Anson Phelps Stokes, a wonderfully fine clergyman of the Episcopal Church. I knew him and his most gracious lovely wife very well when my husband and I first came to Washington. While attending a dinner at their delightful house, we met their son who is now Bishop Anson Phelps Stokes, Jr., of the Commonwealth of Massachusetts' Trinity Church, Boston, where my grandfather was for years the senior warden. It is a great pleasure to hear his inspiring sermons and I know his father pride's in him. The Reverend Anson Phelps Stokes was much beloved and admired by everybody here in Washington and by everyone in the Episcopal Church and by everyone who knew him in all the churches of the country.

The editorial is as follows:

ANSON PHELPS STOKES

The long career of Anson Phelps Stokes that has just ended is not to be summarized by a listing of the many important posts he held, though the sense of mission is evident in all of them. Soon after his graduation from Yale at the turn of the century he became secretary of the university, a post that he held for 22 years. Early in his career as an educator he had been ordained and was minister of an Episcopal church in New Haven.

The two vocations were to meet in many endeavors. The priest was to be canon of the Washington Cathedral for a decade and a half. The educator was to become president of the Phelps Stokes Foundation for Educational Work Among Negroes, and to hold other educational posts. The minister was to be educator always. At Dr. Stokes' home in New Haven early in the century was held the meeting at which Clifford W. Beers, author of A Mind That Found Itself, organized a committee that was to become the Mental Hygiene Movement of America.

The minister and educator collaborated to produce the monumental Church and State in the United States, 1787–1947, published in 1950. To the life of the American spirit he made one of the great contributions of his times.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARTIN (at the request of Mr. ARENDS) for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 1 hour, on Wednesday next.

Mr. THOMPSON of New Jersey, for 1 hour on Wednesday next.

Mr. BYRD, for 15 minutes tomorrow and to address the House for 15 minutes on the last day of the session.

Mr. PATMAN, for 15 minutes tomorrow and the day after tomorrow for 15 minutes.

Mr. PORTER, for 30 minutes tomorrow.

Mr. REES of Kansas for 15 minutes on tomorrow.

Mrs. ROGERS of Massachusetts for 10 minutes on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. METCALF and to include extraneous matter.

Mrs. KELLY of New York and to include extraneous matter.

Mr. ROGERS of Texas.

Mr. MULTER to revise and extend his remarks on H. J. Res. 686 and to include extraneous matter

Mr. PATMAN to revise and extend his remarks and to include extraneous matter.

Mr. PHILBIN and to include extraneous matter.

Mr. PORTER and to include extraneous matter.

Mr. HOSMER and to include extraneous matter.

Mr. MCDONOUGH and to include extraneous matter.

Mr. DEROUNIAN and to include extraneous matter.

Mr. SADLAK.

Mr. UTT and to include extraneous matter.

Mr. BERRY.

Mr. VAN ZANDT.

(At the request of Mr. BALDWIN, and to include extraneous matter, the following:)

Mr. MCGREGOR in two instances.

Mr. KEARNS.

Mr. DIXON.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1887. An act to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes; to the Committee on Interior and Insular Affairs;

S. 3648. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Navaho Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs;

S. 3915. An act for the relief of Chiyoko Yoshimoto; to the Committee on the Judiciary;

S. 4085. An act to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of Old Saint Louis, Mo., and for other purposes; to the Committee on House Administration;

S. 4192. An act authorizing the project for modification of the plan for improvement of the Trinity River and tributaries, Texas; to the Committee on Public Works; and

S. J. Res. 89. Joint resolution to authorize and request the President to proclaim 1 week each year as National Junior Achievement Week; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1633. An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen;

H. R. 1829. An act for the relief of the estate of Mrs. Frank C. Gregg;

H. R. 5351. An act for the relief of Harlee M. Hansley;

H. R. 5411. An act to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage, to provide that interstate instrumentalities may secure coverage for policemen and firemen in positions under a retirement system of the instrumentality;

H. R. 5865. An act to amend section 80 of the Hawaiian Organic Act, and for other purposes;

H. R. 6788. An act to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original of such orders, and for other purposes;

H. R. 7570. An act to amend section 403 of the Social Security Amendments of 1954 to provide social security coverage for certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7866. An act to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals;

H. R. 8134. An act for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area;

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 8599. An act to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (1) of such act shall not be applicable to payments to employees of a State or a political subdivision thereof for periods of absence from work on account of sickness;

H. R. 8606. An act to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress;

H. R. 8688. An act for the relief of Monroe Woolley;

H. R. 8868. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957;

H. R. 9445. An act to amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws, with respect to leases and other dispositions of land;

H. R. 9673. An act to restore retired pay to those retired officers of the Armed Forces dropped from the rolls after December 31, 1954, and before the date of enactment of this act, and for other purposes;

H. R. 9932. An act to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 10419. An act for the relief of North Counties Hydro-Electric Co.;

H. R. 11125. An act to provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla.;

H. R. 11346. An act to amend title II of the Social Security Act to include Massachusetts and Vermont among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage, and to permit individuals who have decided against such coverage to change their decision within a year after the division of the system;

H. R. 12804. An act to authorize the making, amendment, and modification of contracts to facilitate the national defense;

H. R. 13531. An act to amend the act of June 29, 1938, as amended, to increase the insurance coverage required to be carried by cabs for hire in the District of Columbia for the protection of passengers and others, and for other purposes; and

H. R. 13560. An act to amend the War Orphans' Educational Assistance Act of 1956 to permit the restorative training, or specialized courses of vocational training, for younger persons than those with respect to whom the Administrator may now make such payments, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3051. An act to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes; and

S. 3224. An act to improve opportunities for small business concerns to obtain a fair proportion of Government purchases and contracts, to facilitate procurement of property and services by the Government, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On August 16, 1958:

H. R. 1168. An act to clarify the application of section 507 of the Classification Act of 1949 with respect to the preservation of the rates of basic compensation of certain officers or employees in cases involving downgrading actions;

H. R. 1329. An act for the relief of Massman-Patti-Tanner and Mitchell;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 2062. An act for the relief of John F. Smith;

H. R. 2338. An act for the relief of the Security Feed & Seed Co.;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an additional aid and attendance allowance of $150 per month shall be paid to certain severely service-connected disabled veterans during periods in which they are not hospitalized at Government expense;

H. R. 6773. An act for the relief of Bonifacio Santos;

H. R. 8002. An act to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations;

H. R. 8407. An act for the relief of Mrs. Margaret N. Meister;

H. R. 8905. An act for the relief of Hubert D. Thatcher, Robert R. Redston, Andrew E. Johnson, William L. Barber, Alex Kamkoff, and William S. Denisewich;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservation, Mich.;

H. R. 9180. An act for the relief of Mr. and Mrs. John R. Hadnot;

H. R. 9197. An act for the relief of Mrs. Sumpter Smith;

H. R. 9627. An act to authorize the Secretary of the Interior to convey certain lands in Alaska to the city of Ketchikan, Alaska;

H. R. 9731. An act to amend section 1482 of title 10 of the United States Code to provide for the payment of transportation expenses of certain survivors of deceased servicemen to attend group burials in national cemeteries;

H. R. 9766. An act for the relief of Mr. Marion S. Symms;

H. R. 9740. An act to convey certain land to the Makah Tribe of Indians;

H. R. 9783. An act for the relief of Mrs. Henry Oscar (Olga McCurdy) Ramsey;

H. R. 10173. An act to provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes;

H. R. 10515. An act for the relief of Harley D. Rucker;

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes;

H. R. 11236. An act for the relief of Arthur G. Williams;

H. R. 12204. An act for the relief of Peter A. Beklemishev, Michael Linden, and Serge Oulassuk;

H. R. 12217. An act to amend paragraph (2) of subdivision (c) of section 77 of the Bankruptcy Act, as amended;

H. R. 12364. An act for the relief of Mrs. Viola Barksdale;

H. R. 12624. An act for the relief of Palmer-Bee Co.;

H. R. 12942. An act for the relief of Walter H. Berry;

H. R. 12967. An act to amend the Fair Labor Standards Act of 1938 with respect to the frequency of review of minimum-wage rates established for Puerto Rico and the Virgin Islands;

H. R. 13151. An act for the relief of Everett A. Ross;

H. R. 13170. An act to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy;

H. R. 13404. An act to amend section 404 (c) (1) of the Postal Field Service Compensation Act of 1955 to grant longevity credit for service performed in the Panama Canal Zone postal service; and

H. R. 13455. An act to amend the Atomic Energy Act of 1954, as amended.

On August 18, 1958:

H. R. 376. An act to prohibit trading in onion futures on commodity exchanges;

H. R. 6239. An act to amend sections 1461 and 1462 of title 18 of the United States Code;

H. R. 6382. An act to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended;

H. R. 6448. An act for the relief of Cathryn A. Glessner;

H. R. 6589. An act for the relief of Elizabeth C. Garner and Charles P. Garner;

H. R. 7196. An act for the relief of Col. Russell King Alspach;

H. R. 7733. An act for the relief of the State of New York;

H. R. 7746. An act for the relief of Elmer L. Conrad and others;

H. R. 7779. An act to authorize free transit at the Panama Canal for vessels operated by State nautical schools;

H. R. 8752. An act for the relief of Ella H. Natafalusy;

H. R. 9160. An act for the relief of Genoveva Ricseco Caswell;

H. R. 9851. An act for the relief of Tsuyako Ikeda;

H. R. 9993. An act for the relief of Miss Mary M. Browne;

H. R. 10045. An act to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.;

H. R. 12256. An act for the relief of Alphonse E. Jakubauskas;

H. R. 12776. An act to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways";

H. J. Res. 634. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 652. Joint resolution to facilitate the admission into the United States of certain aliens.

ADJOURNMENT

Mr. SIKES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Tuesday, August 19, 1958, at 12 o'clock noon.

OATH OF OFFICE, MEMBERS AND DELEGATES

AUGUST 18, 1958.

The Oath of Office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (22 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 85th Congress, pursuant to Public Law 412 of the 80th Congress, entitled "An act to amend section 30 of the Revised Statutes of the United States" (U. S. C., title 2, sec. 25), approved February 18, 1948:

ERWIN MITCHELL,
Seventh District, Georgia.
ROLAND V. LIBONATI,
Seventh District, Illinois.
ALBERT H. QUIE,
First District, Minnesota.
MILTON W. GLENN,
Second District, New Jersey.
HOWARD W. ROBISON,
37th District, New York.
ROBERT N. C. NIX,
Fourth District, Pennsylvania.
JOHN A. LAFORE, JR.,
13th District, Pennsylvania.
JOHN H. DENT,
21st District, Pennsylvania.
ROBERT A. EVERETT,
Eighth District, Tennessee.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2239. A letter from the Comptroller of the Currency, tranmitting a copy of the Annual Report of the Comptroller of the Currency for the year 1957, pursuant to the provisions of section 333 of the United States Revised Statutes; to the Committee on Banking and Currency.

2240. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

2241. A letter from the Postmaster General, transmitting the United States Post Office Department cost ascertainment report for the fiscal year 1957, as provided by law; to the Committee on Post Office and Civil Service.

2242. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order granting the application for permanent residence filed by Woo Yung Ploy, pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

2243. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Helium Act of September 1, 1937, as amended"; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MURRAY: Committee of Conference. S. 607. An act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes (Rept. No. 2657). Ordered to be printed.

Mr. LANE: Committee of Conference. H. R. 1061. A bill to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law (Rept. No. 2658). Ordered to be printed.

Mr. FORRESTER: Committee of Conference. H. R. 4544. A bill for the relief of Louis S. Levenson (Rept. No. 2659). Ordered to be printed.

Mr. DAWSON of Illinois: Committee on Government Operations. Thirty-sixth report of the Committee on Government Operations pertaining to rocket launcher procurement (Rept. No. 2660). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Thirty-seventh report of the Committee on Government Operations pertaining to importation of foreign excess property (Rept. No. 2661). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 3142. An act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and

the act of June 24, 1948 (62 Stat. 644), and for other purposes; without amendment (Rept. No. 2662). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 2117. An act directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe; without amendment (Rept. No. 2663). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 3949. An act to add certain public domain lands in Nevada to the Summit Lake Indian Reservation; without amendment (Rept. No. 2664). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 691. Resolution providing for sending to conference the bill, H. R. 13247, to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical needs, and for other purposes; without amendment (Rept. No. 2665). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 679. Resolution to amend House Resolution 149, 85th Congress; without amendment (Rept. No. 2666). Referred to the House Calendar.

Mr. DAWSON of Illinois: Committee on Government Operations. Thirty-eighth report of the Committee on Government Operations pertaining to false and misleading advertising (Rept. No. 2667). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Thirty-ninth report of the Committee on Government Operations pertaining to false and misleading advertising (Rept. No. 2668). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. S. 4088. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution; without amendment (Rept. No. 2669). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee of conference. H. R. 12858. A bill making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 2670). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H. R. 13794. A bill to amend section 302 of the Soldiers and Sailors Civil Relief Act of 1940 with respect to the method of foreclosure of mortgages, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BERRY:

H. R. 13795. A bill to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BOW:

H. R. 13796. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 13797. A bill to prohibit certain acts involving the importation transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. FLOOD:

H. R. 13798. A bill to correct the inequities of the Postal Field Service Compensation Act of 1955; to Committee on Post Office and Civil Service.

By Mr. HARRISON of Nebraska:

H. R. 13799. A bill to amend the Internal Revenue Code of 1954 to provide a method whereby a decedent's executor or administrator may be discharged from personal liability for all income, estate, and gift taxes due from such decedent or his estate; to the Committee on Ways and Means.

By Mr. JOHNSON:

H. R. 13800. A bill to provide for the mandatory price support through March 31, 1962, for milk used in manufactured dairy products and for butterfat; to maintain the productive capacity of our dairy farming industry; to promote the orderly marketing of an adequate national supply of milk and dairy products; to encourage increased domestic consumption of dairy products in the interest of the national health and security; and for other purposes; to the Committee on Agriculture.

By Mr. KEATING:

H. R. 13801. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 13802. A bill to amend section 7 of the act of August 18, 1941, to provide that 75 percent of all moneys derived by the United States from certain recreational activities in connection with lands acquired for flood control and other purposes shall be paid to the State; to validate certain payment; and for other purposes; to the Committee on Public Works.

By Mr. POLK (by request):

H. R. 13803. A bill to amend the Classification Act of 1949 to authorize the establishment of pay differentials for hazardous employment for civilian fire fighters employed at installations of the Department of Defense; to the Committee on Post Office and Civil Service.

H. R. 13804. A bill to amend the Civil Service Retirement Act with respect to the retirement of fire fighters in or under the Department of Defense; to the Committee on Post Office and Civil Service.

By Mr. CURTIS of Missouri:

H. R. 13805. A bill to establish a United States Trading Corporation to meet the challenge of attempted Soviet penetration of world markets, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JENNINGS:

H. R. 13806. A bill to authorize construction of a flood-control reservoir on the North Fork of Pound River, Pound, Va.; to the Committee on Public Works.

By Mr. ROGERS of Florida:

H. R. 13807. A bill to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations aboard certain vessels; to the Committee on Interstate and Foreign Commerce.

By Mr. SHEEHAN:

H. R. 13808. A bill to establish a United States Trading Corporation Act; to the Committee on Foreign Affairs.

By Mr. BOW:

H. Con. Res. 379. Concurrent resolution relative to captive nations days; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H. R. 13809. A bill to provide for the payment of relocation expenses to Milo G. and Patricia Wingard; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H. R. 13810. A bill for the relief of Albert Gordon, Jr.; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 13811. A bill for the relief of Mrs. Faye E. Russell Lopez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

730. By the SPEAKER: Petition of the city clerk, Wyandotte, Mich., requesting and urging favorable action on H. R. 681 before the adjournment of Congress; to the Committee on Banking and Currency.

731. Also, petition of the mayor, Brownsville, Tex., relative to requesting passage of Senate Joint Resolution 135 by the House of Representatives; to the Committee on Interior and Insular Affairs.

732. Also, petition of J. W. Draxler, Iron Mountain, Mich., requesting passage of legislation that will provide all veterans of World War I a pension of $100 per month, and also requesting passage of the bills H. R. 2201 and H. R. 5406; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

The Pampa Harvester Basketball Team

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. ROGERS. Mr. Speaker, the Panhandle of Texas has so many things of which to be proud, it would be difficult to enumerate them. Daily, seasonally and annually, I have ample justification for the pride I share because of the many worthwhile accomplishments of the people in the 18th Congressional District which it is my honor to represent.

I was particularly gratified by the victory in early spring of this year, of the Pampa Harvester basketball team. These boys from my home town captured the Texas State high school basketball championship. This is no mean feat, as you know, because we take our high school athletics seriously in the Lone Star State. Victory was attained in the final playoff at Austin, Tex., on March 8, when the Harvesters defeated the Port Arthur Yellowjackets 48–47, in an exciting and memorable game.

The mentor of this fine organization is Mr. Clifton McNeely and the assistant coach is Mr. Terry Culley. Members of the 1958 class AAAA championship team

are Bill Brown, Ray Stephenson, Larry Cruise, Darryl Ammons, Bobby Gindorf, Mack Layne, Coyle Winborn, Robert Murray, Charles Minor, Don McGuire, Karl Kotto, John Ayers, Craig Winborn, Joe Timms, Billy Wray, Phillip Gist, Hershel Torrell, Kenneth Dulaney, Leslie Stanfield, Jim Scott, Mert Cooper, and Darwin Phillips.

The Kennedy-Ives Bill

EXTENSION OF REMARKS
OF
HON. CARROLL D. KEARNS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. KEARNS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

By a majority vote of 196 to 190 the House today defeated the attempt of the Speaker of the House to ram through the wholly inadequate Kennedy-Ives bill under suspension of the rules.

When action on labor reform legislation was forced on a reluctant Democratic leadership in the Senate, a great hue and cry was raised about "orderly procedure." The Democratic leadership of the Senate, with the full and open support of the hierarchy of labor, insisted that as a matter of orderly legislative procedure proposed labor reform legislation should be considered in committee before being voted upon on the floor of the Senate. The House today affirmed its belief that time for regular procedure and orderly hearings should be allowed in the House as well.

Actually, the Democratic leadership of the House, like its counterpart in the Senate, has been following the line of the bosses of labor—either the mild and ineffective Kennedy-Ives bill or no bill at all. Their preference seems to have been no bill at all.

Aside from all other considerations, the fact is that the Kennedy-Ives bill needed committee attention. In its present form it was nothing more than hastily written floor amendments superimposed upon or, in some instances, substituted for, loosely drawn and hastily contrived committee language.

It is common knowledge that the Kennedy-Ives bill was developed in an atmosphere of high pressure and violent political partisanship. The many inadequacies and the more glaring deficiencies in the bill were pointed out in a minority report and in supplemental views filed by Senate Labor Committee members. Thereafter, in the course of 5 days and 4 nights of acrimonious floor discussion, the bill was amended no less than 28 times. This alone justifies the action of the House today in rejecting the measure and in demanding careful consideration of labor-reform legislation at the committee level of the House.

I point out to the Members of the House of Representatives that the Kennedy-Ives bill would not have fulfilled even the moderate labor reform recommendations of President Eisenhower.

I point out further that the Kennedy-Ives bill would not have carried out the labor-reform recommendations of the Senate Labor Rackets Investigating Committee, commonly known as the McClellan committee. It would not have done the cleanup job that is so necessary.

The Kennedy-Ives bill had no enforcement sanctions on unions which retain officers who file false or misleading financial reports with the Secretary of Labor.

The Kennedy-Ives bill did not provide for democracy in unions. It provided for secret-ballot elections for local and international officers at stated intervals, but it totally ignored the need for secret ballot decisions on other matters of union business.

The Kennedy-Ives bill required that the Federal Government assert its jurisdiction over all labor disputes. Thereby it tried to preempt the whole field and practically put the various State labor relations boards and agencies out of business. It would have compelled an overburdened National Labor Relations Board to take on more cases and thus further backlog a caseload which has not been current for years.

The Kennedy-Ives bill did nothing about organizational or racketeer picketing even when such picketing was contrary to the wishes of the collective bargaining unit concerned.

The Kennedy-Ives bill did not tighten up the inadequate secondary boycott provisions of existing law.

The Kennedy-Ives bill did nothing to ban the expenditure of union funds for partisan political purposes.

The Kennedy-Ives bill would have narrowed the definition of supervisors contained in existing law and thus force foremen into the same union-shop contract as the employees they are supposed to supervise.

Section 607 of the Kennedy-Ives bill could have been so construed as to make it a crime for an employer to give his employees a raise in pay or other benefits when such action coincided with union attempts to organize his employees.

The reporting and disclosure features of the Kennedy-Ives bill were wholly inadequate as a means of getting improper leadership and dominated stewards off the backs of the working men and women of America. The bill required that improper conduct be reported to the Secretary of Labor and then be disclosed to public view. It did not bring the power of Government action against proven improper union leadership.

The Kennedy-Ives bill did not make it mandatory that the union member be allowed to see the financial and other records of his union. All he could have was the information which his union officers reported to the Secretary of Labor and even that might be in such abbreviated form as the Secretary thought adequate.

The McClellan Rackets Investigating Committee—and I have never liked the committee's name because I think it is unfair to good unionism—recommended that there be imposed on union officials the same responsibilities in regard to union funds and property as are now generally imposed on the officials of banks and other institutions which act as repositories and administrators of trust funds.

The Kennedy-Ives bill did not impose fiduciary responsibilities on union officials in regard to the funds and the property of their membership. The Kennedy-Ives bill did not empower union members to go into State and Federal courts to sue for violations of trust by union officials charged with the care, custody, and prudent use of union funds and property.

The Kennedy-Ives bill should have been thoroughly studied in the House Committee on Education and Labor before being voted upon by the House. This important legislation never should have come up under suspension of the rules of the House. It deserved defeat.

A Letter to Hon. John V. Beamer

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. McGREGOR. Mr. Speaker, under unanimous consent I enclose in the CONGRESSIONAL RECORD a letter that I addressed to our colleague, Hon. JOHN V. BEAMER, of the Fifth Indiana District. I know that he has worked for flood control in this District since he has been in Congress. I also know that he appeared before the Appropriations Committee in an effort to secure the needed funds.

It also has been brought to our attention that he has been in personal contact with the Corps of Army Engineers and other Government agencies for approval of the upper Wabash Valley flood-control project.

Other indications of his conscientious representation of the fine people of his District were his efforts to see that both opponents and proponents were given equal opportunity to appear before the Public Works Committee.

Mr. BEAMER is the kind of conscientious person who does this kind of work without seeking publicity. It was for this reason that, after the President signed the rivers and harbors bill on July 3, I sent him the following letter:

DEAR COLLEAGUE: In these closing days of the 85th Congress, I have had an opportunity to review the work of the Public Works Committee.

I know that you are especially pleased that this session has approved the flood-control program for the upper Wabash River Valley. I well remember how diligently and honestly you worked for 8 years for this worthy project that should bring so many benefits to the residents of your District.

I join other members of the committee in complimenting you. We were pleased to co-

operate in such a worthy project that had received approval of all of the Government agencies and also of your own State administration and general assembly.

With best wishes.

Sincerely yours,

J. HARRY MCGREGOR,
Member of Congress.

Management and Employees Are Grateful to 85th Congress for Legislative Relief to Railroad Industry

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. VAN ZANDT. Mr. Speaker, the recent approval by President Eisenhower of legislation providing much-needed relief to the railroad industry has been heralded as one of the worthwhile accomplishments of the 85th Congress.

Those of us who represent a large railroad population have been fully conscious for the past several years of the economic plight of the Nation's railroads which has been steadily growing more acute.

In my Congressional District in Pennsylvania, which from a percentage standpoint has one of the largest railroad populations in the Nation, there are approximately 10,000 railroad employees presently unemployed because of depressed conditions in an industry that has for years been one of the mainstays of our economy.

During the past several months when the national conscience was aroused over the economic difficulties of America's railroads, I received over 6,000 letters from railroad employees and citizens in all walks of life urging that Congressional action be taken to rescue the railroads from their economic plight. These letters were sincere expressions of average American citizens and were devoid of any semblance of the usual pressure campaigns often resorted to in an attempt to influence legislators.

In discharging my obligation to my constitutents, for the past several years the constant furloughing of railroad employees has occupied my attention and has been a source of grave concern.

As a former railroad employee, I know what it means when employees with 20 or more years of service find themselves unemployed for a long period of time. The situation has become progressively worse because hundreds of employees with over 20 and 25 years of service have little prospect in being recalled to their former positions because of the depressed conditions in the railroad industry.

In an effort to help the railroad industry recover economic stability, I have devoted the major portion of my time in trying to be of assistance in reviving a basic industry that is indispensable in war or in peace.

Those of us in Congress who represent districts with a large railroad population agree with the publicized diagnosis of the ills that beset the railroad industry.

Briefly, they may be identified as a reduction in freight traffic because of the decrease in carloadings and the inability to compete with other forms of surface transportation. In addition, the private automobile, the airlines, and other competition for passenger traffic greatly reduced passenger revenue which, coupled with the loss in freight revenue, resulted in a substantial decrease in gross income.

Meanwhile, taxes on railroad terminals and rights-of-way continued to be levied while airlines escape taxes on airports and enjoy a subsidy in the operation of the airways.

Even the United States mail was being hauled at a loss when it was disclosed early this month that the Interstate Commerce Commission ordered that 26 eastern railroads were entitled to an increase of $32 million a year in new revenue and $62 million in back revenue for handling the mails. The New York Central Railroad produced evidence that it lost as much as $14 million a year.

The action by the Interstate Commerce Commission in adjusting rates for hauling the mails, together with the passage by Congress of legislation to repeal the 3-percent tax on the transportation of property and President Eisenhower's approval last week of the bill to provide means of obtaining loans, abandoning unprofitable lines, and increasing rates, represent a step forward in finding an imperative solution to the vexing problems that have overshadowed America's railroads for the past several years.

The railroad bill signed last week by the President should also help the railroads because it permits closing loopholes whereby a large number of truckers have been able to operate as private and not common carriers and by so doing escape being regulated.

The net effect of the action of Congress in extending a helping hand to the railroads has been to bolster the morale and the hope of thousands of good Americans who have made railroading their career and who are on the threshold of seeing their years of service wasted as the recurring periods of unemployment have forced them to seek employment elsewhere at a time when such a possibility becomes increasingly remote.

While railroad management and employees are grateful for the legislative relief granted by the 85th Congress, the problems of the railroad industry are far from being solved. Being quite frank, the action taken by the 85th Congress only scratches the surface.

In addition to Congressional action, management and labor have equal responsibilities in the teamwork that is necessary in making certain that the railroads are a healthy segment of the Nation's economy.

For the benefit of those who may expect that the recent action by Congress will perform miracles for the railroad industry, causing it to recover overnight from its present depressed condition, such a result is not possible. It will take many months before any real benefits are derived. Meanwhile, we all live in hope that the upswing in the Nation's business will continue and that carloadings will increase to the point that many unemployed railroaders may be recalled to work.

Mr. Speaker, having been for years an advocate in seeking legislative relief by Congress as a means of banishing unemployment in the railroad industry, it is encouraging to receive many letters from railroad management and employees commending me for my efforts.

Vice President P. F. Osborn, of the Atlantic Coast Line Railroad Co., wrote me as follows:

We of the industry have felt that we lacked friends in high places and I am glad to see someone of your caliber coming to our defense.

Similar sentiments are expressed in the following letter from President James M. Symes, of the Pennsylvania Railroad Co.:

THE PENNSYLVANIA RAILROAD CO.,
OFFICE OF THE PRESIDENT,
August 11, 1958.

HON. JAMES VAN ZANDT,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN VAN ZANDT: Recalling our conversation when I visited you in Washington a few weeks ago, I wish to express my deep appreciation for your effective assistance in connection with legislation of vital importance to the railroad industry.

This has indeed been an important year for our industry. The repeal of the wartime excise tax on freight transportation as well as the enactment of the Transportation Act of 1958 are most significant steps in the direction of restoring fair and sound conditions in the transportation industry.

To my own expressions of appreciation for your cooperation in this effort should be added the gratitude of our stockholders, our employees, our patrons, and the public generally, whose interest will be substantially served by this recent legislation.

Yours very truly,

J. M. SYMES.

In conclusion, on behalf of the large railroad population in my Congressional District, I wish to express appreciation to the membership of the 85th Congress for the consideration given to the problems of the railroad industry.

The attitude of the average railroad employee is summed up briefly in a conversation I had with a railroad employee from my hometown of Altoona, Pa., who said:

The action by Congress in an effort to relieve the railroads of some of their headaches has given me and many of my fellow workers renewed faith in Congress and in our form of Government.

Hon. Kenneth B. Keating

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. McGREGOR. Mr. Speaker, I want to join with my colleagues in paying

tribute to one of the outstanding Members of this Congress who is retiring from this particular legislative hall and will seek election to the Senate of the United States.

I am referring, of course, to the Honorable KENNETH B. KEATING, who has done such an outstanding job in the House of Representatives. His is a record which richly deserves the active support and the vote of every thinking citizen in the State of New York.

Congressman KEATING, we wish you every possible success in your coming campaign, and in all your future endeavors.

Sammy Davis Helps the Children's Asthma Research Institute

EXTENSION OF REMARKS
OF
HON. GORDON L. McDONOUGH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. McDONOUGH. Mr. Speaker, the Congress of the United States, through the newly created National Institute on Allergy and Infectious Diseases, last year awarded a grant of $100,000 to the Asthma Research Institute. Next month, the first ground will be broken for the new building, the first hospital in the world devoted entirely to research and rehabilitation in the study and care of chronic, intractable asthma among children in a controlled environment. The Children's Asthma Research Institute will stand as a proud symbol of America's scientific progress and long-range practical idealism, with workable plans for helping 2½ million children now suffering from this crippling and often fatal disease. The Institute, to be built at Denver, Colo., on the grounds of the free, nonsectarian Jewish National Home for Asthmatic Children, will bring together our finest minds in science and medicine in a strong, coordinated plan to stamp out asthma and related allergies in the same way that poliomyelitis has been conquered in this country.

There are 5 million sufferers of crippling asthma in this country, half of whom are children. Almost everyone in our country is affected in some way, personally or indirectly, by this disease and related allergies. It has been brought home to us recently and tragically as several of our well-known and loved persons in the entertainment field have been stricken. And it is particularly gratifying to note here that others in the entertainment field have quickly understood the need and unstintingly devoted their time and talents to help fight our scientific battle against disease. I have in mind the particular effort of Mr. Sammy Davis, Jr., who is the chairman of the Frank Sinatra Asthma Research Fund of the Asthma Research Institute. Mr. Davis recently interrupted his film and nightclub commitments on the west coast to fly to New York and appear at Town Hall in a benefit performance for the fund. His only compensation for this tremendous gift of his time and talent was the heartfelt satisfaction that every human being feels when he has done his utmost to help his fellow man.

Mr. Davis performed tirelessly at a 4-hour, 1-man show which raised a record sum of $50,000 for the Asthma Institute. This was not an isolated instance, nor was it a routine benefit job on the part of the performer. Mr. Davis continues in his energetic devotion to this cause with plans for another such show to be held in the autumn of 1959. Previously, Mr. Davis performed in Chicago, another one-man effort entirely on behalf of the Asthma Research Institute. His recent New York Town Hall performance was recorded by a major record company which will publish the program in albums, the entire proceeds going directly to the institute. All America, as well as the entertainment industry, should be deeply proud of Mr. Davis. His help will bring comfort, relief and health to thousands of affected children.

Hundreds and thousands of citizens not in the limelight have also given from their hearts to help build the Children's Asthma Research Institute as one big step in our program for a healthy world.

Well Done, Admiral Stephan

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. HOSMER. Mr. Speaker, Rear Adm. Edward C. Stephan, Chief of Legislative Liaison for the Navy, will be leaving Washington to report to his new assignment as commander, South Atlantic Force, the mission being antisubmarine patrol throughout the entire area.

I think it proper and fitting at this time that the Congress recognize Rear Admiral Stephan for what he has done and for the manner in which he has worked toward the betterment of our national security and the mutual understanding of the Congress and the Navy.

Rear Admiral Stephan assumed his duties as Chief of the Navy Legislative Liaison in July 1956. In these 2 years he has performed an invaluable service to the Navy and to Congress.

A native of Washington, D. C., Rear Admiral Stephan was commissioned an ensign in 1929. A skilled submarine skipper during World War II, he won the Navy Cross with Silver Star and two Gold Stars, and also, the Navy Unit Commendation Ribbon.

Rear Admiral Stephan has done an outstanding job through his very excellent staff. With his spirit of cooperation and his intelligent handling of the many problems presented to him by Members of the Congress, he has set a fine example of diligent excellence.

In addition to being an expert in the wiles of submarine warfare, Admiral Stephan has studied law. Afloat or ashore, he seems to have the background it takes for choosing a wise course on defense or offense.

It is a pleasure to borrow the Navy's highest term of praise and say to him: "Well Done and Godspeed."

Secretary Benson's Record

EXTENSION OF REMARKS
OF
HON. STEVEN B. DEROUNIAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. DEROUNIAN. Mr. Speaker, the following fine statement by Secretary of Agriculture Benson appeared in This Week magazine on August 17, 1958, and speaks for itself:

DON'T LET UNPOPULARITY SCARE YOU
(By Ezra Taft Benson, United States Secretary of Agriculture, as told to Charles D. Rice)

WASHINGTON.—You may remember the classic cartoon in the New Yorker magazine that showed a farmer and his son saying to the farm wife: "We may be a little late tonight, Emily. We're hanging Ezra Taft Benson in effigy." I recall it as one of the few really amusing barbs I have received in my stormy career as Secretary of Agriculture. This job traditionally is controversial, and a sense of humor is essential for the incumbent.

Happily for me, our opponents have been rather quiet in recent months. It's been a welcome change—brought about largely by rising farm income.

But I had hardly sat down at my desk in 1953 when the fireworks started. Complaints flooded in from every quarter. Even Congressmen within my own party urged me to resign. Hot letters from the Farm Belt piled up at an appalling rate. All this, mind you, because of problems of farmers carried over from the past administration—about which I had not had time to get at the real solution.

WHO WANTS TO BE WHIPPED?

People have often asked me how it felt to be a target, so to speak. Was it frightening, could I sleep at night? What about the time in South Dakota when they threw eggs at me? Curiously enough, it has not been as bad as one might guess. Of course, no man in his right mind wants to be publicly flayed, regardless of how strong his convictions may be.

But as I look back on the past few years I must say that my job has been no more unnerving than I expected it would be when the President appointed me.

My program, to state it in the simplest possible terms, is to widen profitable markets and give farmers greater freedom. Reasonable price supports are of value to farmers in orderly marketing.

Some lowering of wartime incentive price supports was inevitable in the program, so I knew I was heading into a storm from the first—my eyes were wide open. The reason I stuck to the course was threefold:

1. I feared that the constant building up of Government surpluses could end only in disaster, and I preferred to be accused of being unsympathetic at the start rather than being called a bungler in the end.

2. More important—I was convinced that Americans can face facts; that if a problem must be solved the hard way, Americans will sooner or later choose the hard way and

success, rather than the soft way and failure. Today I'm surer than ever.

3. Most important of all, I knew that farmers want to be free to produce, to market, to compete and, to whatever extent possible, be free from Government regulation and control.

But there was certainly a lot of abuse in the beginning. Of course, I was possibly better prepared for abuse than the average man because of my faith in prayer and my religious training. That may seem a strange statement until you know that I served 2 years as a young missionary of the Mormon Church in northern England. An important part of my work was preaching in the mining and factory district, and I can testify that a British mineworker fresh from the pub can out heckle anyone else in the world.

In general, I think I can say that constant opposition hasn't bothered me too much, except at one point. That was when I came into office early in 1953. I made my first policy speech in St. Paul, and somehow everything went wrong. Certain parts of the speech were misinterpreted or actually misquoted. Headline flared up to the effect that Benson "would do nothing until disaster struck." Some of the newspapers had fun with an even greater inaccuracy—that I was against price support except in the case of undue disaster. They wanted to know what a due disaster might be.

ALL ALONE IN WASHINGTON

When I returned to Washington after the speech, I admit I was feeling pretty low. Farm prices were going down and Government surpluses were going up because of previous administration programs and policies. I was being attacked almost daily in Congress by political demagogues. Newsmen and other "insiders" were making bets as to just when I'd be forced to resign. And on top of this, I was working literally 15 to 18 hours a day to reorganize the Department and do my regular chores.

But I think the worst of it was having to come home late each night to an empty apartment. My family was still out west, because we didn't want to take the children out of school before June, and also because my wife had the task of selling our house so that we could buy one in Washington.

We are a particularly close-knit family, and I am not being sentimental when I say that my wife and children have been truly a great support. So those days in the apartment were extremely lonesome ones for me.

I phoned my wife frequently, and she did her best to keep my spirits up. You must'nt worry," she'd say. "The President is still behind you, isn't he?" "I hope so," I said. "But after all, even a President reads the newspapers."

I was not joking either. I felt anxious as to just what the President thought about the St. Paul speech. Presently he called me to the White House, and I was greatly relieved when he told me he thought everything I'd said was right. "However," he chuckled, "I'm not sure you should have said it quite so soon."

That meeting raised my spirits enormously, and I think I can say that since then I have not been greatly troubled by political attacks and demands that I resign. I have had some trying moments, of course. I shall certainly remember the day when 21 Republican Congressmen filed into my office to ask, quite sincerely, if I'd put price supports under live hogs. It is not an easy task to face 21 Congressmen and say "No." (And I'm very thankful that the recent livestock price situation has indicated that prices would rally without Government intervention.)

As recently as last January, two Congressmen called on me, also sincerely, to say that there had been a caucus on the Hill, and they had been delegated as a committee of two to ask that I consider resigning. I promised that I would consider it. And I did. And I stayed.

Do not think that I haven't spoken to the President about resigning. But I am happy to say that the President has always stood firmly behind me and my policies. And on one occasion he said something that I shall always treasure, even though I realize it probably was no more than a warm gesture. He told me, "Ezra, if you quit, I quit too."

I think most people feel my sorest trial must have been the time they threw eggs at me in Sioux Falls, S. Dak. Strangely enough, it was not a trial to me at all. The eggs didn't come close to me and were apparently thrown by what one might call pool-hall farmers (persons who spend more time loafing about town than they do on the farm).

ONLY BETH GOT MAD

Postmaster General Arthur Summerfield telephoned me after the egg incident to say that his active interest in politics was a direct result of a similar act when someone threw a tomato at Wendell Willkie. That sort of abuse always rallies fair-minded people to your cause.

So actually, I found myself in debt to the egg throwers, because there had been a definite air of hostility in the audience at the start of things, but the final response, both from personal talks and from mail, was much warmer than I could have hoped for. In fact, the only person who felt bitter about the incident was my youngest daughter, Beth, who complained that it was not fair to throw eggs at her father.

On the whole, I feel that our program has weathered the storm pretty well, and that the storm is abating. But I'll admit that I still get long-distance calls from radicals who consign me to everlasting flames.

But more seriously, I have not been unhappy with my lot as Secretary of Agriculture. In spite of the rough spots, it has been deeply exciting to watch our farm economy struggle through to its present improved situation. We're not out of the woods yet, but we're making progress.

In 1953, everybody was asking whether Ezra Taft Benson could make a realistic farm program work. But the real question was whether the American farmers could accept a realistic program and make it work.

There is increasing evidence that they will. And it is just one more proof that American citizens will always be willing to face up squarely to problems in the end. That is our strength.

Transfer of Federal Land to the Rosebud Sioux Tribe

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. BERRY. Mr. Speaker, I am today introducing a bill at the request of the Rosebud Sioux Tribe, which provides for the transfer of 10,233.45 acres from the Federal Government to the Rosebud Sioux Tribe.

This is property which was purchased by the Federal Government for school purposes on the Rosebud Reservation and has long since served its purpose for school use. During the past years, it has been leased by the tribe to non-Indian ranchers with a portion of the rental going to the tribe. It is my understanding that this land was purchased out of profits from the school herd, and for that reason is actually Indian property, or tribal property.

My purpose in introducing this bill at this late date is that the committee to whom the bill is assigned may have the benefit of an early report in the next session of Congress in order that early action can be taken by the House.

Urban Renewal

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. PORTER. Mr. Speaker, slums and blight have long been a scourge of our cities. Scarcely a community has escaped their ravages. They have spread so far and so fast and their costs have become so great that they have become a problem of national concern.

Congress recognized that slums were a national menace when it enacted the Housing Act of 1949. That act provided for Federal financial assistance for slum clearance and redevelopment, but this program, as originally conceived, was only a partial answer. The President's Advisory Committee on Government Housing Policies and Programs found in 1953 that slums were spreading faster than they could be removed, and called for a program to prevent as well as to eliminate slums and to rehabilitate areas that could still be saved.

Congress responded with the Housing Act of 1954, which opened the way to a new total approach by providing Federal aid for slum prevention through conservation and rehabilitation, while continuing assistance for clearance and redevelopment. This new approach, which combines community, private, and Federal resources in a unified effort, is known as urban renewal.

Urban renewal begins with the community itself. First, the community must survey its total problem and draw up its own blueprint for effective action. This is known as the community's workable program for urban renewal. The workable program is, in brief, a plan of action for and by the community itself. Federal assistance is used to help the community carry out its plan when local and private resources alone are not sufficient to do the job. To qualify for major types of Federal aid, a community must have a workable program approved by the Housing and Home Finance Administrator.

TYPES OF FEDERAL ASSISTANCE

The types of Federal assistance available to communities for urban renewal include:

First. Planning advances to finance survey and planning work necessary before actual operations in the project area can begin.

Second. Temporary loans to provide the community with working capital in acquiring slum areas and preparing them for redevelopment.

Third. Capital grants of up to two-thirds, or under certain conditions three-fourths, of the net cost of projects. The net project cost usually is the difference between the cost of acquiring the land and preparing it for redevelopment, and the return from its resale at fair value to private redevelopers.

Fourth. Relocation payments to families, individuals, and businesses for moving expenses and losses of property resulting from their displacement by urban renewal projects or other governmental action.

Fifth. Demonstration grants to aid communities in studying, developing, testing, and reporting methods of slum prevention and elimination that will be of value to other communities in solving urban renewal problems.

Sixth. Urban planning assistance grants to State planning agencies to provide planning assistance to communities of less than 25,000 population which lack the funds and facilities for performing this work. Such grants may amount to half of the cost of this work. Similar grants are available to official State, metropolitan, and regional planning agencies for planning work in metropolitan areas and in urban regions, and in areas affected by disasters and expansion of Federal installations.

Seventh. An urban renewal service to provide technical advice and assistance to communities in preparing their workable programs and in carrying out other urban renewal activities.

Eighth. To encourage private investment in financing new housing and rehabilitation of existing residential structures in urban renewal areas, section 220 of the National Housing Act provides for special Federal Housing Administration insurance. This type of insurance can be used only in areas with urban renewal plans approved by the local governing body and certified by the Housing and Home Finance Administrator as eligible for this assistance. Similarly, under section 221, FHA is authorized to insure loans on liberal terms for new and rehabilitated private housing anywhere in the community to rehouse families displaced by urban renewal projects or other governmental activities.

Ninth. Low-rent public housing is provided for families of low income displaced by urban renewal projects. The Public Housing Administration, a constituent of the Housing and Home Finance Agency, is authorized, on application of the local housing authority and approval of the local governing body, to make loans and pay annual subsidies for public housing projects, within the maximum number of units authorized by Congress.

PROGRESS MADE

Since the Housing Act of 1954, urban renewal has made substantial progress. At the end of the last fiscal year on June 30, 1958, there were 543 federally assisted projects underway in 328 communities throughout the United States. All of the $1.2 billion in capital grant funds made available to the Urban Renewal Administration through fiscal 1958 had been reserved, contracted for, or disbursed. Net reservations of capital grant funds for projects during the year totaled $300 million, an increase of $62 million over 1957. These reservations included both new projects and increases for projects already under way.

In the Fourth Congressional District of Oregon, an urban renewal planning advance of $65,975 and a capital grant reservation of $642,817 for Springfield have been approved, as have a $44,880 planning advance and a $211,260 capital grant reservation for Florence. Eugene has an application which is still pending.

Five communities and one metropolitan area in the Fourth Congressional District are benefiting from the urban planning assistance program. A grant of $11,500 has been approved for the Eugene-Springfield metropolitan area. Grants for urban planning assistance to other communities in the District have been approved as follows: Albany, $9,000; Coquille, $1,200; Grants Pass, $2,000; Sutherlin, $6,400; Sweet Home, $2,000. Applications for urban planning assistance for Medford and North Bend are pending.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include an editorial by George Castillo entitled "What's Urban Renewal," from the Roseburg (Oreg.) News-Review of July 22, 1958, as follows:

WHAT'S URBAN RENEWAL?

(By George Castillo)

A phrase which will become more and more familiar to Douglas County residents in future years is urban renewal.

At present, only two towns in the county are in a position to show much interest in it, but as the county grows and towns expand in population, it may become a vital phrase.

The two towns most likely to have immediate interest in Douglas County are Roseburg and Reedsport. Roseburg has cast only a passing look, being more interested at the moment in working out a planning program. But Reedsport, squeesed between the Umpqua River and the hills is taking a studied look at a need for making better use of its land.

The subject of urban renewal has become a subject for consideration by cities of the Nation because of a Federal program which apparently puts urban renewal in the realm of practicability.

It is designed to promote a self-help program whereby cities can convert the blighted and deteriorated tax-losing sections into new and revenue-producing industrial, commercial or residential districts. On the face of it, it sounds like good business.

SCOPE IMPOSING

The scope of the Federal program is imposing. It calls for complete elimination of areas in which houses have deteriorated to the point where it is feasible to raze and rebuild rather than to try to improve them.

The program is designed to (1) conserve good housing in cities through the use of codes and ordinances effectively enforced; (2) rehabilitate substandard units by encouraging the owners to remodel in accordance with the building and housing codes of the community; and (3) allow demolition of buildings too old, run down or dilapidated to lend themselves to recovery.

When demolition has been completed in an area, it would be replatted in accordance with good city planning and then sold to individual home owners, contractors and developers for reconstruction.

A program of such sweeping scope, is, of course, too much for a city. The cost of buying all the property, for example, in perhaps an 8-square block area of Roseburg would bankrupt the city. The additional costs of razing houses, carrying on studies and replatting would make it impossible.

Congress in 1954 recognized both the need and difficulties and authorized a broad program of Federal urban planning assistance, it agreed that the Government could help pay for financing surveys and planning work necessary, furnish working capital for acquiring land and structures in a blighted or deteriorated district, site clearing and preparation for redevelopment. It also agreed to furnish capital for preparation of the razed areas for sale to private enterprise.

TWO-THIRDS WOULD BE PAID

The difference between the return received from the sale of the renewed lands and the total cost of carrying out the project would be the project's net cost. The Federal Government will pay two-thirds of this cost and the city must pay the other third through cash, land, public facilities, demolition or other work contributed to the project operation.

Several towns in Oregon have already launched efforts to take part in the program. Portland and Springfield have received approval for survey funds and have launched the surveys. Eugene has applied for funds for a survey, and Florence and Reedsport are currently whipping up enthusiasm for projects.

Besides making sense in getting the best use from potentially valuable urban land, such projects should give cities a new start on orderly planning, which I feel is necessary to properly handle the great population increases expected in the Northwest.

It will cost less now to prepare for that orderly development than to try to patch on a piecemeal basis when developments have already taken place.

The United States Marine Academy at Kings Point, N. Y.

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mrs. KELLY. Mr. Speaker, as a Representative from the State of New York, I am proud of the United States Merchant Marine Academy which is located in our great State.

The United States Merchant Marine Academy, one of the Federal service academies, is situated on 68 acres of land at Kings Point on the north shore of Long Island Sound, approximately 20 miles east of New York City.

Following the passage of the Merchant Marine Act of 1936, the Corps was established on March 15, 1938. The Academy was completed and dedicated on September 30, 1943.

President Franklin Delano Roosevelt in his dedication message to the Academy said:

This Academy serves the merchant marine as West Point serves the Army and Annapolis the Navy.

Although it came into existence just prior to World War II, the war years saw the growth of Academy tradition and the development of its program. Throughout the war cadet-midshipmen served aboard merchant ships in combat zones the world over. Many of the young men who were among the first graduates of the Merchant Marine Academy were also among those who gave their lives in service to their country.

The part that the cadet-midshipmen of the United States merchant marine played in the war against Japan can be seen in the words of the telegram that Gen. Douglas MacArthur sent to the superintendent of the Academy on October 16, 1945. General MacArthur's telegram read as follows:

I have directed that the surrender sword of Vice Admiral Uguki, who commanded the Japanese naval forces of northern Honshu and Hokkaido, be forwarded to the United States Merchant Marine Academy at Kings Point, N. Y., as a memento of the valiant service rendered by the sons of the Academy in our struggle in the Pacific.

The value of merchant marine training, such as the Academy at Kings Point offers, was brought out in the testimony given by Rear Adm. Gordon McLintock, USMS, superintendent of the United States Merchant Marine Academy, in the Senate hearings held on merchant marine training and education, in October 1955. In his statement to the subcommittee of the Committee on Interstate and Foreign Commerce of the United States Senate, Rear Admiral McLintock said:

You will be interested to know that we have had official shipping visitors from England, France, Holland, Denmark, Greece, Spain, Israel, Cuba, Argentina, Brazil, Japan, Korea, and the Philippines, seeking to study our training so that they might adapt it to their own, and continuing their interest by further visits and by correspondence. This greatly enhances our maritime prestige generally and cements understanding.

I think it is true to say that men who follow the seafaring profession, regardless of race, creed, or color, understand the basic principles of fair play and of courage under stress, and demonstrate, as during a rescue, democracy at its best. Such a spirit we build here.

Superintendent McLintock went on to say:

On the matter of making the sea their career our figures compare favorably with the other schools. This has been borne out by the review of maritime training prepared by the Maritime Administration and is further supported by the résumé of the industry survey made by the committee.

I am happy to note that steamship companies report more Kings Point graduates on their rolls than graduates of the State maritime academies. As a matter of interest, our cadet-midshipmen serving aboard ship during the profitable year at sea find that Kings' Point graduates are in great majority.

Others will speak of the importance of the well-trained ship's officer in war and of his key role in any operation. I speak also of his vital importance in peace. * * * There is scarcely a ship at sea under our flag at this moment that does not have on her bridge or in her engineroom officers educated here; keeping those ships and their cargoes of men and merchandise on the right course and delivering the goods through any weather. Just back us up and these men will see us through.

The term "cadet-midshipman" indicates the dual status that a young man holds at the Kings Point Academy. He is a cadet of the United States Merchant Marine Corps and a member of the United States Naval Reserve. A candidate must meet naval requirements, physically and otherwise, as a requisite for appointment.

After completing their plebe or freshman year at the Academy, cadets are assigned to 1 year of sea duty. Under the watchful eye of experienced seamen, the cadet-midshipman has actual shipboard experience in addition to studying texts and lessons. Upon his return from learning the ways of the sea and seamen, he completes his second- and first-class years of collegiate-level work. Upon graduation from the Academy all cadet-midshipmen receive their licenses as either deck or engineer officers. They are also commissioned ensign, USNR and receive the degree of bachelor of science.

Like graduates of West Point, Annapolis, and the Air Force Academy they are ready to serve their country in our Nation's merchant marine—our fourth arm of national defense.

Flood Control Progress

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. PHILBIN. Mr. Speaker, it will be just 3 years ago tomorrow that devastating hurricane Diane struck the Northeast area with its torrential rains, which spread havoc and destruction throughout an area of several hundred miles.

The heavy rains left a trail of broken homes, devastated communities, and the tragic loss of many lives. Southern New England bore the brunt of this great disaster, and many communities in central Massachusetts, in my District, were stricken.

It is heartening to me, Mr. Speaker, to report to the House that central Massachusetts is now entering an era where we have in progress flood prevention works to furnish some considerable degree of protection against future floods.

Three years after the August 1955 floods central Massachusetts has seen the completion of two vital flood-control dams and reservoirs—Barre Falls and Buffumville—the initiation of construction of the Hodges Village dam and reservoir, the continued progress of the East Brimfield dam and reservoir, and the Worcester diversion tunnel, the initiation of the Ware local protection project, the allocation of funds to complete the preconstruction planning of Westville, and a new construction start, despite the budgetary freeze, of the West Hill dam and reservoir. In all, about $10 million will be channeled into flood prevention for central Massachusetts this year.

We are making good progress in effectuating an adequate flood-control program for central Massachusetts, and I wish to reiterate my deep appreciation to the members of the House Appropriations Committee and the Congress for their assistance in bringing about such gratifying results.

True, not all of our flood-prevention problems have been solved and there remains much work to be done before the central Massachusetts area can be provided with some assurance that the rains of another hurricane Diane can be curbed to prevent a repetition of the heavy floods of 1955.

One particularly troublesome area which continues to have my deep attention and study is the Three Rivers section of Palmer. The Barre Falls project, by reducing the flood flow of the Ware River, will benefit Three Rivers, but there is still the need for harnessing the Quaboag River, which spread severe damage throughout its basin in 1955 as its swollen waters raced through the Brookfields, the Warrens, and Palmer to converge with the Ware and Swift Rivers at Three Rivers.

The Three Rivers area will benefit from flood-control appropriations this year because $95,000 is being provided to complete the $204,000 flood study of the Connecticut Basin started after the 1955 floods. Tributaries of the Connecticut River, which include the Chicopee River, have been designated for special survey by the Army engineers.

Last month I requested Brig. Gen. Alden K. Sibley, the New England division engineer, for a status report on Three Rivers. His reply follows:

In reply to your inquiry of July 2, 1958, requesting information regarding a Public Law 685 project on the Chicopee and Quaboag Rivers at Three Rivers (Palmer), Mass., studies are currently in progress.

Our hydraulic studies have thus far established the need for removal of the New England Power Co. dam, the replacement of the Bridge Street Highway Bridge, the modification of the Central Vermont Railroad bridge and the Main Street Highway Bridge, and the deepening and widening of the channel. The cost of the work and its economic justification remains to be determined.

In the event that a project for Three Rivers turns out to be economically justified but exceeds the Federal cost limitation of $400,000 of Public Law 685, it will be included in the Interim Report on the Chicopee River Basin for consideration by the Congress. This report is scheduled for submission this fall.

In addition, I have received previous assurances from the New England division engineer's office that further investigations in the Quaboag River Basin, under the Northeast Flood Study program, will be made with a view to finding one or more dam site locations which will provide sufficient flood reductions to make them feasible of construction.

The authorized, but unconstructed, West Brookfield reservoir, the proposed site for which lies upstream from West Brookfield, has been found economically unfeasible by the Army engineers. After the August 1955 floods, the engineers reviewed this authorized project and determined that the West Brookfield project should not be constructed because the topographic conditions in the proposed reservoir area make it a natural

flood control reservoir in times of flood even without an artificial dam across the valley.

Another area in my District of deep concern to me is the Fitchburg-Leominster area where the Nashua River has been a periodic flood problem. This area also will benefit from flood survey funds made available by this Congress.

General Sibley recently assured me that his office will begin in a few months studies and investigations for the preparation of a comprehensive survey report on flood control for the Merrimack River Basin. The Nashua is part of this basin and I have urged the Army Engineers to give full attention to trying to alleviate possible flood conditions along the Nashua.

The Blackstone River Basin has been given detailed intensive study, still continuing, to determine what further projects may be necessary and I am confident that every feasible measure of additional assistance authorized by Federal law will be ultimately forthcoming.

It has been a great privilege indeed for me to play a humble part in these great undertakings for our people and I am proud and thankful to the many in and out of public life whose unselfish and constructive efforts have made such noteworthy progress possible in the short span of 3 years.

Socialists, Democrats, and Walter Reuther

EXTENSION OF REMARKS
OF
HON. JAMES B. UTT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. UTT. Mr. Speaker, when a ship piles up on a well-known reef, while the captain thought he was sailing a true and proper course, it may be interesting, although far too late, to determine the winds and the tides that carried him to his fateful end.

The American ship of state is sailing straight into reef-infested waters. Even now, the submerged reefs are scratching the barnacles from the bottom of the ship. The next reef may well be fatal to our Republic.

Now is the time to determine the winds and the tides that have taken us so far from our charted course, and to correct our bearings before disaster overtakes us.

I believe that 80 percent of Americans would say that they are opposed to socialism, that they believe that our free-enterprise and profit system has given us the highest standard of living ever known. There is no Socialist or Communist country which we desire to imitate. You cannot have a Socialist government without absolute dictatorship over our lives and our property.

The road to socialism, like the road to hell, is paved with promises of material security from the cradle to the grave. Like Satan, who offered Jesus the whole world in exchange for His soul, we now hear, and too often listen to, the siren voices of socialism promising us the whole world, but they never mention the price, dictatorship.

From whence come these magnetic voices which have distorted the compass of our ship? They began as a whisper in 1905 when the Intercollegiate Socialist Society was organized by Upton Sinclair, Jack London, and other so-called intellectuals. Their objective was to organize student Socialist clubs in every college and university. Of course Harvard University had one of the first societies, and many of its alumni were prominent figures in the first New Deal.

Harold Rugg and John Dewey, fathers of progressive education, were affiliates of the organization. Columbia University drew heavily from among the affiliates of this society to rewrite our textbooks to conform to Socialist ideologies.

Walter Reuther was the founder and first president of the chapter at Wayne University. This is not surprising, as he is a third-generation Socialist. Reuther still embraces socialism as a utopian dream.

In 1921 the Intercollegiate Socialist Society changed its name to the League for Industrial Democracy, just a wolf in sheep's clothing.

In 1933 Reuther and his brother, Victor, went to Russia and became further enamored with Russian socialism. It was from there that the famous letter was written to "Dear Mel and Glad"—Bishop—extolling socialism in Russia and closing with:

> Carry on the fight for a Soviet America.

Victor wrote the letter and signed it "Vic and Wal." Walter disclaims the letter but the Bishops do not.

Walter and his two brothers helped to conduct a meeting at which the Communist National Student League and the Social Student League were merged into the American Student Union. John L. Lewis referred to Reuther as an earnest Marxist.

Socialism has not come by revolution but by encroachment and infiltration into government. Stephen Rauslenbush of the League for Industrial Democracy said:

> One good man * * * inside the Department of Interior or the Treasury, can do more to perfect the technique of control over industry, than a hundred men outside.

He entered the United States Department of the Interior and became head of the Planning Section of the Power Division. Now he is economic consultant to the United Nations. Harry Dexter White entered Treasury. Adolph Berle became Assistant Secretary of State. He said:

> The Government will enter into direct financing of activities now supposed to be private, and a continuance of that direct financing must be inevitably that the Government will ultimately control and own these activities. Over a period of years, the Government will own most of the productive plants of the United States.

Paul Porter, another socialist planner, as Division Head of the War Labor Board, said:

> All natural resources * * * all banks, insurance companies, and public utilities, all basic industries and the manufacture of steel, automobiles, and textiles shall be public property. All owners of stocks, bonds, mortgages, land, buildings, or equipment affected shall be required to surrender them in return for commonwealth bonds.

That, my friends, is the program ahead for us under the dictatorship of the socialist leaders. Who is their leader? Walter Reuther. I say this because he has been identified as founder and first president of the Wayne University Chapter of the Intercollegiate Socialist Society which had changed its name by then to the League for Industrial Democracy, a change in form but not in substance.

Then came the A. D. A.—Americans for Democratic Action—and the P. A. C.—Political Action Committee—of the C. I. O. whose president was Walter Reuther. After the merger of A. F. L. and C. I. O., the Political Action Committee became COPE—Committee on Political Education—headed, guided and directed by Walter Reuther, with all of the financial power of the A. F. L.-C. I. O. at his command. This is the most powerful political combine in America. It elects Senators and Congressmen who will be completely subservient to it.

Upton Sinclair, one of the founders of the Intercollegiate Socialist Society, realized that the Marxist Socialist Party could not win as such, and urged the change in name to the League for Industrial Democracy. He said:

> When I set out to take over the Democratic Party in California, many socialists were displeased.

But—he said—

> when I ran on the Socialist Party ticket with the slogan 'End Poverty in California' I received only 60,000 votes. Later when I ran on the same slogan on the Democratic [illegible] I received 879,000 votes. So I know it is the Democratic Party and not the Socialist Party which will bring this great change to America.

I fully agree.

When asked by an investigating committee of Congress:

> Are you a Communist?

Reuther replied:

> A Socialist yes, a Communist, no.

My answer to that reply is "A chicken is an egg before it is hatched."

I have tried to show you an unbroken chain from the Intercollegiate Socialist Society—1905—to the Committee on Political Education which in its 53 years of existence has created an interlocking directorate within the Federal Government.

Cost of Minerals Stabilization Program

EXTENSION OF REMARKS
OF
HON. HENRY ALDOUS DIXON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. DIXON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the minerals stabilization program as proposed in S. 4036 as reported by the House Interior and Insular Affairs Committee is the last hope we have for keeping in operation what few lead-zinc mines we now have left. It is this bill or no bill.

Considerable speculation has been made as to the cost. I have obtained from reliable sources the information that the maximum cost for the coming year would be $156,957,500, and the total maximum cost for a 5-year period would be $454,787,500.

Copper purchases will be made for only 1 year, and then only if for stockpile purchase at 27½ cents per pound or less. Copper on the London Metal Exchange is now about 28.5 cents per pound delivered New York and United States custom smelter price is 27 cents. If the upward price trend of recent trading should continue, domestic copper price could exceed 27½ cents and there would be no stockpile purchases made under provisions of S. 4036.

The maximum stabilization, bonus, and incentive payments proposed are as follows:

Bill reference	Mineral	Annual maximum quantity	Maximum payment	Total annual maximum payment
Sec. 201	Copper	150,000 tons	27.5 cents P/bb	$82,500,000
Secs. 101 and	Lead	250,000 tons	3.9 cents P/bb	27,300,000
201 [1]	do	2,000 tons	1,125 cents P/bb	2,250,000
Secs. 102 and	Zinc	550,600 tons	3.9 cents P/bb	31,900,000
201 [2]	do	2,000 tons	0.35 cents P/bb	1,950,000
Sec. 104	Fluorspar	180,000 tons	$23 per ton	2,340,000
Do	Tungsten	375,000 units	$18 per unit	6,750,000
Sec. 401	Beryl	1,000 tons	$70 per ton	70,000
Do	Chromite	30,000 tons	$35 per ton	1,750,000
Do	Columbium-tantalum	50,000 pounds	$2.35 P/bb	117,500
Total maximum for 1st year				156,957,500
Less copper, 1 year only equals succeeding years				74,457,500
Maximum annual cost				297,830,000
4 years at this maximum				454,787,500
Total estimated 5-year maximum cost				

[1] Estimated 50 producers eligible for maximum bonus on lead production.
[2] Estimated 90 producers eligible for maximum bonus on zinc production.

Maximum Economic Growth Through Income Tax Rate Reform

EXTENSION OF REMARKS
OF
HON. ANTONI N. SADLAK
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, August 18, 1958

Mr. SADLAK. Mr. Speaker, in the closing days of the 85th Congress, my friend and distinguished colleague on the Ways and Means Committee, the Honorable A. S. HERLONG, Jr., of Florida, and I both would like to re-emphasize our sincere belief that thoroughgoing reform of our Federal income tax rate structure is vital to our national security. We are naturally disappointed that legislative action has not come in 1958, but our conviction that tax-rate reform is a matter of urgent priority, is strengthened by the ever-accumulating evidence that effective solution of this problem brooks no further delay. We are confident that senior as well as new Members who will meet to convene the 86th Congress next January will agree that the time of decision is at hand.

During the 85th Congress, we were proud to have been the sponsors of identical bills, H. R. 6452 and H. R. 9119, designed to reform the income tax rate structure over a minimum period of 5 years. This legislation was originally conceived at a time when budget balance seemed to be in prospect for the immediate years ahead. The bills provided that the President and the Congress would share responsibility for postponing scheduled reductions which otherwise might have caused budget imbalance.

As our co-sponsorship of this legislation indicates, we believe that this issue transcends political parties and personalities. Regardless of developments, we intend to continue to fight for reform of the income tax rate structure and, assuming that our constituencies return us to the 86th Congress next year, we will again introduce identical bills. In expressing this intention, we are aware of the need for review of the provision of our original legislation for a budget-balance test as the only means for determining whether forward-scheduled reductions would take effect.

We believe that there is available a practical, workable test which, when integrated with the budget-balance test, would overcome any objections which of budget deficits. Such a test, which might be raised to enactment in a period we now feel should be included in the rate-reform legislation we would introduce in the 86th Congress, would insure that forward-scheduled reductions would not be put into effect until a reasonable amount of revenue increase, resulting from economic growth, has been applied toward balancing the budget.

Such a provision would, in effect, separate revenue increase between that which might be expected without income tax rate reform, and that which is due to such reform, using only the latter as the basis for putting scheduled reductions of rates into effect. Even in the short run, this procedure would take no revenue away from what otherwise could be expected to be available for application toward budget balance. In the long run, rate reform would so strengthen the economy, and hence the revenue base, as to provide more rather than less revenue to the Government.

In order to get perspective on the new provision, it is necessary to consider it in the light of the situation which has developed since the January 7–February 7 hearings conducted by the Ways and Means Committee. We deeply believe that our original legislation, adjusted for retroactive effectuation as suggested in our February 7 statement, was practical and deserving in the national interest of enactment this year. The overwhelming weight of testimony in the hearings supported our conviction that enactment then would have produced the greatest possible national benefits. Such timely action would have prevented the compounding of forces leading to large and repetitive budget deficits, first, by quick reinvigoration of the economy with resultant increase in the revenue flow, and, second, by avoiding use of increased spending as a means for reversing economic trends.

However, events have overrun the opportunity which was so evident early this year. The Federal government now is faced with a $12 billion deficit in the fiscal year which began July 1. Even with recovery to better business levels, recurring deficits are expected for several years before budget balance is again achieved. This situation has developed in the face of growing recognition that income tax rate reform would insure full recovery in the quickest possible time, and a greater and more sustained rate of growth thereafter. This recognition has been overshadowed by the belief that recovery will come regardless and that rate reform would not produce fully offsetting revenues in the period of budget crisis.

THE CRITICAL QUESTION

Thus, is posed the critical question: to what extent would the rate of economic growth in the future, upon enactment of income tax rate reform, exceed the rate to be expected under present tax rates?

That the art of economic prediction does not admit of precise answer to this question is no excuse for not facing and resolving it on the basis of experience, logic and the national interest.

Experience shows an unsatisfactory and declining rate of growth under present tax rates. For the 10 years ending with 1957, growth as measured by gross national product in constant dollars averaged out at only 3.8 percent annually—or at about the rate for many years preceding the depression of the 1930's. The catch is that while the rate in the first 5 years of the period was 4.6 percent, it dropped to only 2.9 percent in the second 5 years. Moreover, it is evident that the 4.6 percent rate would not have been achieved except for the sharp stimulus provided by the Korean War, and even the 2.9 percent rate must be explained in part by continuation for a time of accelerated amortization and the short-lived lift to business profits and hence expansion in plant and equipment provided by repeal of the Korean War excess profits tax.

Experience in this period also shows seriously inadequate application of human effort and capital to the beginning of new businesses and the expansion of small business. No authority doubts that the culprit here is the dead hand of immoderate tax rates. And, as an over-all point, the evidence is clear that inflation has provided funds for expansion which otherwise would not have been available under existing tax rates.

The logic of the situation leaves no room for optimism on the rate of growth in the years ahead if present income tax rates are continued. It is possible there will be short spurts of fast growth based largely on inflationary impulses, but on a continuing basis, it seems probable that the rate of progress will fall considerably below the 2.9 percent experienced from 1952 to 1957. The assumption in this statement is that in the absence of enactment of thorough-going income tax rate reform, the nation cannot look forward to continuous growth in excess of 2 percent annually unless induced by repetitive, substantial rounds of inflation.

It takes no crystal ball to judge the national interest in the enactment of thorough-going income tax rate reform. While our nation's growth has been slackening off even before the recession, Communist Russia's economy continues to surge ahead at a rate of 7 to 8 percent or more a year. With the Communist aim of world political domination through industrial leadership in plain view, our Nation simply cannot afford to set its sights on growth less than could be achieved under moderate tax rates. The showcase of freedom in this critical hour for Western civilization cannot afford government policies which destroy man's incentives and make impossible the accumulation of the new capital out of current income which is necessary to the full expression of his technological and productive talents and energies.

From the purely domestic standpoint, the national interest is no less evident. With a rapidly expanding population, and the insatiable quest of our people for an ever more abundant life, the continuation of tax blocks to the creation of new and better jobs, products, and services, and to expansion in the provision and use of existing goods and services, is unthinkable.

FUTURE GROWTH RATE

Mr. Speaker, it is not as important to predict the possible rate of growth upon enactment of rate-reform legislation as it is to make optimum growth possible through such reform. However, some measure of the economy's potential for growth is provided by a recent report of the Rockefeller Brothers Fund. On the assumption of wise national policies including moderation in the tax impact on enterprise and savings, this report projected an annual growth rate of 4 to 5 percent. To provide evidence of what the maximum rate would mean in terms of goods and services not otherwise available, we set forth below projections of gross national product, for 10 years from the first half of 1958, showing the increase of product in constant dollars under 2 percent and 5 percent growth assumptions.

Projections of gross national product

[In billions]

	2-percent annual growth from 1st half 1958 (probable maximum without income-tax rate reform)	5-percent annual growth from 1st half 1958 (potential, with income-tax rate reform)
1958	$429.0	$432.2
1959	437.6	453.8
1960	446.3	476.5
1961	455.3	500.3
1962	464.4	525.3
1963	473.6	551.6
1964	483.1	579.2
1965	492.8	608.1
1966	502.6	638.6
1967	512.7	670.5
1968	523.0	704.0

In constant dollars, at the end of 5 years, our Nation would be producing and consuming $78 billion more goods and services annually under 5 percent growth than with only 2 percent growth; at the end of 10 years, the spread would have increased to $181 billion. If these figures seem startling, consider how rapidly Russia's total production will approach ours if punitive tax rates continue to block our progress.

The difference between 2 and 5 percent growth is particularly significant when measured in revenue increase. This increase, in a year of full application, would be roughly one billion dollars in additional Federal revenue for each one percent increase in economic growth; thus 3 percent in increased product will produce roughly $3 billion in increased revenues, or enough to put into effect each forward-scheduled reduction in the excessive rates under our bills.

Before explaining the provisions which we believe would up-date our bills, and permit early enactment in 1959, we wish to express our conviction that there is no more pressing national problem than inauguration of a program of income tax rate reform. It does not take a very long view to realise that such reform stands on a par in national interest with military preparedness. In fact, a strong dynamic economy provides the only foundation for military preparedness, as well as the only means for thwarting the Russian thrust towards world economic and political domination.

Our bills provided for five annual reductions in the excessive income tax rates, both individual and corporate, down to top rates of 42 percent for both at the end of the period. The intermediate progressive rates would be compressed downward consistent with reduction in the top rate, and a minimum cut of 25 percent for all income taxpayers would come from reduction in the first bracket rate from 20 to 15 percent.

A key provision of the original bills was the budget balance postponement test, under which the Executive and the Congress would have coordinate responsibility for postponing scheduled reductions which threatened budget balance in the particular fiscal year.

NEW POSTPONEMENT TEST

As of now, we plan to include in any revised version of our bills a new postponement test, integrated with the original test. The new test, as with the old one, would be simple of application.

In brief, the new test is based on the assumption that, without inauguration of a thorough program of income tax rate reform, it cannot be expected that national growth will average out over the years ahead at more than 2 percent annually. In other words, under this assumption, the revenue increase from annual growth of 2 percent is all that would be available to bring total revenues up to prospective budget levels, in the absence of rate reform.

From this basis, we take the next step which is that, upon enactment of rate reform as provided in our bills, the revenue increase from annual economic growth (as measured by gross national product) in excess of 2 percent should be applied to putting into effect the forward-scheduled reductions which have made such growth possible.

This formula would apply separately, as is the case with the budget balance postponement test, as between the forward-scheduled reductions in the individual and corporate tax rates. The annual revenue effect of one scheduled reduction in the individual rates would be roughly $2 billion, or the amount of increased revenue to be expected from a 2 percent increase in economic growth. The corresponding figures for the corporate reductions are $1 billion and 1 percent.

The test would permit scheduled reductions of the individual tax to go into effect when the economy is growing at a rate in the range of 4 percent or greater, and also a scheduled corporate tax cut when the growth is in the range of 5 percent or greater, as determined by the President in advance of the January 1 effectuation dates.

From one reduction to the next one, growth is accumulated, so that revenue increase from growth in excess of 2 percent annually would be first used for reform of the rates. However, any revenue increase in any year in excess of that required to permit scheduled reductions would be available to close the deficit gap. As a simple example, if the economy should grow 6 percent in 1 year as a result of the reform program, the revenue increase from 3 percent instead of 2 percent of the total would be available to meet expenditures. Thus, even during the years when the rate reform program is being effectuated, the Government would stand to gain instead of lose revenues over what might be reasonably expected under the present rate structure.

A one-year limitation on postponement was included in our original bills, but would be deleted from new legislation in order to avoid any implication of rate reduction which would cause greater deficits.

By integrating the new postponement test with the original budget balance test, one of the important purposes of the legislation would be retained, namely,

to influence control of spending in order to bestow upon our economy the benefits of a moderate system of tax rates at the earliest possible date. In other words, if through control and reduction in the spending level, we should have budget balance in any year before all scheduled rate reductions had been effected, the reductions scheduled that year would be accomplished within the framework of budget balance without regard to the growth postponement test.

The identical bills we plan to introduce at the beginning of the first session of the next Congress will provide first reductions as of January 1, 1959, with the second scheduled reductions as of January 1, 1960.

In conclusion, Mr. Speaker, we hope we have imparted through this statement some of the urgency which we feel in regard to our rate reform legislation. Our Nation is the bastion of freedom on this earth, yet we have a tax rate system under which men actually are not free to use their minds, energies and material resources in the building of a better and stronger nation. The hour is truly late. We could understand why, after failure of enactment of income tax rate reform earlier this year, there has been reluctance to face up to the issue in view of the developing fiscal situation even though we believe that rate reform should have top priority in the interests of internal strength and international security. But, with availability of the growth postponement test, there will be no cause for delay in 1959.

Even though reductions under our bills would be spread out over a number of years, we deeply believe that enactment with one contemporary reduction would revitalize the processes of economic growth. As our citizens enjoyed the benefits of the immediate reduction, and looked forward to achievement of succeeding reductions, there would be a rebirth of incentives to plan ahead and undertake new and venturesome enterprises. In an optimistic environment, and with increasing availability of venture capital, there is no reason why our economy should not soon be growing at 4, 5, or a greater percent yearly; no reason, in fact, why our goal should not be to reach and maintain a growth rate in the range of that in Communist Russia.

We have been heartened and gratified in our sponsorship of income tax rate reform legislation by the many expressions of support from Members of this body and others in Government service, from hundreds of organizations and many thousands of individuals around the country, and from editorial writers and columnists in newspapers and magazines from coast to coast including many magazines of national circulation. We hope that all of these individuals and organizations will rally to the support of revised rate reform legislation in 1959, and that they will be joined by others who for whatever reason have not to the present interested themselves in this vital program for maximizing economic strength by releasing the tax brakes on progress.

Mission 66 Program

EXTENSION OF REMARKS
OF
HON. LEE METCALF
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 18, 1958

Mr. METCALF. Mr. Speaker, last Saturday Secretary of the Interior Seaton spoke at the Montana State Press Association's convention banquet in Glacier National Park. His address follows:

ADDRESS BY SECRETARY OF THE INTERIOR FRED A. SEATON BEFORE THE MONTANA STATE PRESS ASSOCIATION, GLACIER NATIONAL PARK, MONT., AUGUST 16, 1958

You and I know newspapermen share a common occupational conviction: the public business is the public's business.

Five years in Washington have not shaken my belief in that principle, salutary alike to citizen and State. On the contrary, I have become more certain than ever that it holds good in every major field of government activity, including two of which I should like to speak tonight, recreation and reclamation.

Right here in Montana 88 years ago, a free press played a key role in one of the most significant occurrences in the history of mankind's effort to conserve and develop recreational resources, both here and around the world.

I'm sure you remember the story: How, in 1870, a small group of men, mostly from Montana, left Helena on horseback and headed for the Yellowstone National Park region. There, they marveled at its geysers, its Grand Canyon, its lake, its moose, deer, and elk. As the group sat around the campfire one evening enthusiastically and even excitedly discussing the future of this magnificent region, it is said that it was a Helena lawyer, Cornelius Hedges, who proposed it be preserved forever as a national park. His friends quickly took up the idea.

Unlike so many campfire idylls, it was not left to die in the smoldering embers. These men, on returning to Montana, turned to the most effective instrument there was for influencing public opinion: the newspapers. There, in article after article, they publicised the beauty of the Yellowstone region. And then, in the Helena Herald on November 9, 1870, there appeared the first public reference to the park project.

Eventually the idea traveled to Washington, D. C. The Congress supported it. In 1872 President Grant signed the bill, and the world's first national park came into being.

Of this story, every citizen of Montana, and particularly every Montana newspaperman, can be proud, and justly so. In your State, the world's national parks literally had their birth.

That is true because the fact is that the United States National Park System since has been copied around the globe, in Canada, Britain, Japan, Africa, South America.

From Alaska to the Virgin Islands, from Maine to Hawaii, that system, under the jurisdiction of the Department of the Interior, now includes some 24 million acres blessed with magnificent scenic beauty and hallowed by history.

To the national park areas of Montana—to Yellowstone and Glacier, to Custer and Big Hole Battlefields—and to the other areas of the system, more and more Americans and visitors from abroad have come with every passing year.

The reasons are simply these: Our national population continues to grow. Incomes have risen. Living standards have constantly improved. Leisure time has increased. And in most Americans, as in most other people, there is a hunger for the outdoors. Such signs of progress account for the giant leaps in the number of visitors: in 1947, 25½ million; in 1955, just 8 years later, 50 million; in 1956, more than 80 million; and by 1966, on the Park Service's current estimate, 88 million and probably more.

This trend brings problems as well as promise. To the people of the United States 3 years ago it dictated a clear-cut question: Will you invest in the national parks more tax dollars than ever before—enough to put and keep the parks in shape to accommodate this vast number of visitors? Or will you shrink from the initial costs and thus inevitably suffer the consequences in park destruction and deterioration?

The Federal Government's answer has been straightforward and vigorous. Personally endorsed by President Eisenhower, Mission 66, a 10-year program unprecedented in sweep and scope, gave the answer: "Expand and improve."

For the first 3 fiscal years of Mission 66, beginning July 1, 1956, the Congress has appropriated more than it appropriated for the Park Service in the last 12 years of the preceding administrations.

Of course, 9 of those 12 were war years. Moreover, the dollar bill was shrinking to a 50-cent piece. But, even if you want to argue those points to defend the indifference and neglect of yesterday, the contrast between past and present performance is loud and clear. That contrast indicates both the scope of the need and the scope of the remedy. The unvarnished truth is that something had to be done. And we're doing it with gratefully acknowledged bipartisan support.

The results many of you know. To Montana Mission 66 brings a gigantic Federal investment of $75 million, plus $7½ million already invested by private concessionaires, plus additional millions they will invest in the next few years—money which will mean a host of improvements, in accommodations, roads and trails, and interpretive facilities.

This is not money spent but money invested—well invested in the future education and enjoyment and inspiration of American citizens.

Though these are the cardinal goals of mission 66, it will of necessity have economic consequences throughout America.

With 800,000 visitors coming to Glacier by 1966, and more than 2 million coming to Yellowstone, tourism in Montana is bound to boom, bound to bring in far more than its present annual amount of $100 million.

And there's another thing that will help the tourist business here in Montana and Wyoming and Idaho and many other States of the West: the Eisenhower administration's $25 billion, 13-year program for improving this country's interstate highways. Before long, one interstate route will connect Glendive, Billings, Butte, and Missoula with the east and west coasts. Another will extend north from Butte through Great Falls to the Canadian border and south to Pocatello and Salt Lake City. A third route will go from Billings through Wyoming to Denver and Rapid City.

Every mile of these new highways will help make touring in Montana easier and more attractive than ever.

Not all the recreation-seekers who travel them, however, will be on their way to national park areas.

Many will be traveling to national wildlife areas, under the administration of the Fish and Wildlife Service of the Department of the Interior.

More and more Montanans, as well as more and more people all over the United States, are discovering them. Seven and one-half million Americans visited wildlife refuges

and ranges in 1956; in 1957 the total was more than 8½ million.

Among them were the 45,000 who flocked to the Medicine Lake National Wildlife Refuge; and the 112,000 visitors to the Fort Peck game range—fishermen, hunters, photographers, and sheep, elk, and antelope watchers.

These numbers are bound to increase in the years ahead.

Federal facilities, however, cannot and should not be the whole answer to Americans' intensifying demands for recreational opportunities.

State and local park systems must grow and improve. In fact, they will have to if the demands of the future are not to exceed the resources of the future. That's as clear as the water in a mountain stream. Consequently, the National Park Service is increasing its cooperation with States and communities in recreational planning. The Bureau of Land Management is now conducting a sweeping survey to identify all Federal public lands valuable chiefly for park and recreation purposes which, under Congressional authorization, might be leased or sold to the States.

In these times, haphazard development is not enough. We need comprehensive nationwide planning.

And I am confident now that we will have it. Just 6 weeks ago the President signed a bill establishing a National Outdoor Recreational Resources Review Commission. This is one of the most important steps we have ever taken to assure adequate recreational opportunities for today and for tomorrow.

Incidentally, just last Tuesday the President signed into law the amendments to the Coordination Act of 1946, another piece of historic legislation widely hailed by conservationists.

What kind and extent of recreational facilities will the American people need in 1976? In the year 2000? Where should these facilities be located? Such questions the Recreational Resources Review Commission will seek to answer. It's obvious that we shall need the answers if we are to keep our unmatched heritage in the out-of-doors—wilderness areas, beaches, forests, parks—from being civilized off the face of this continent.

And there's another thing equally obvious; if we are to succeed, these answers and other facts about resource development must not be filed away and allowed to collect dust. By newspapers and other mediums they should be carried to every American, because they concern every American, no matter where he lives; and they concern his children and their children. In the field of recreation, we shall have to have constructive public policies for as many years ahead as we can see. We have no choice. Time will not remove the problem; on the contrary, dragging our feet now will only make more difficulties later on.

Exactly the same thing is true in another field which I should like to discuss: water-resource development.

Few Montanans need to be told that reclamation money, like recreation money, is an investment, not an expense.

If you could pile up all the crops ever produced on all Federal reclamation projects in this State, you would have a harvest worth more than a quarter of a billion dollars. And that's only part of the story. The truth of the matter is that for every acre in Montana under Federal irrigation, there are three non-Federal.

In the years ahead more dams must be built, and they will be; more water must be impounded, and it will be; more acres must be put under irrigation, and they will be—here in Montana and throughout America. This conclusion is inescapable. And the greater the measure of non-Federal cooperation, the more local and State and nonpublic organizations which continue to get into harness and help pull the load, the better and faster that job will be done. That's just plain sense.

In reclamation, as in recreation, the Federal Government cannot and should not bear the whole load. In the first place, it is a hod too heavy for any one branch of government. Second, wherever Uncle Sam's dollars go, his control follows. Call me old-fashioned if you like, but I firmly believe local control is best in any field where it can be adequate. It is less costly, more efficient, and much more responsive to local needs.

In many instances, of course, only the Federal Government has the capacity to do the job. We should make no mistake about that. But none of us should make the greater mistake either, of always looking to Washington in the delusion that that's a satisfactory substitute for facing up to responsibilities at home. Besides, the only pockets Uncle Sam has are yours.

In our time water-resource development is literally crossing a new frontier in the United States and around the world.

For centuries men have speculated on the possibility of turning salt water into fresh, of serving human needs from the unlimited and now largely unusable abundance of the oceans and tremendous deposits of brackish water both on the surface and underground.

Slowly but surely the dream is becomng reality. Already converted water is being used to produce electricity at Morro Bay, Calif.; it is being used for human consumption on the island of Aruba in the Caribbean; it supplied the drinking water for the officers and crew of the atomic submarines *Nautilus* and *Skate* on their recent cruises under the polar ice cap.

In saline and brackish water conversion, the world has moved further in the past 10 years than in all preceding human history. In the annals of this movement, 1958 will be recorded as the year when a South African plant began converting nearly 3 million gallons a day of brackish ground water into water which is relatively fresh. It will be remembered as the year when, at Coalinga, Calif., an entire community began to draw its water supply from brackish pools underground for the first time in American history.

With the exception of the two plants processing brackish water, these plants are producing fresh water at a relatively high cost: $2 or more per 1,000 gallons. Why then are these plants in operation? Because the alternative is even more costly or because, in some areas of the world, the stark truth is that there is no alternative if human being are to survive.

Moreover, the plain fact is that in these middle years of the 20th century, Americans themselves have come to know what it is to turn a water faucet and have only a cough of air come out. From coast to coast, in 46 States, there are a thousand communities, containing 15 percent of our people, which in recent years have had some sort of water shortage.

Today the Office of Saline Water of the Department of the Interior, through contracts with non-Federal research organizations, is working to reduce the cost of saline water conversion. On the day when scientists achieve a breakthrough, when the cost gets down to 60 or 50 or 40 cents a thousand gallons, the announcement, I assure you, will make front-page headlines.

It will be good news around the earth. The implications of saline water conversion at low cost are truly global, and they stagger the imagination.

Think of the Middle East alone. In the oil-rich Shiekdom of Kuwait, now much in the news, people this very night are drinking water converted out of some of the saltiest water on earth, that in the Persian Gulf. By conventional reclamation methods, of course, part of the Middle East, now 94 percent desert, could be made productive. But imagine what would happen in that region if to its three principal sources of fresh water—the Tigris, Euphrates, and Jordan Rivers—you could add the resources of the Persian Gulf, the Red Sea, the Arabian Sea, and the Mediterranean. Thinking of saline water conversion, can we not hope with some confidence that one day the Middle East—like large sections of north Africa, North America, and central Australia—will be not a wasteland but a garden, that thousands of acres of the thirsty earth can be made to blossom and bring forth a good and productive life for men, women, and children literally around the globe?

I for one dare to believe we can.

Last Wednesday morning, when the President addressed the United Nations, he emphasized the waste and danger of competition in armaments. He knows, and you and I know, that armed might alone can never build a durable peace. Productivity, however, can contribute to such a peace; in the Middle East all of us can hope and pray that it will so contribute and in our time. Saline water conversion may well provide the key.

It occurs to me there is no better place to voice a hope for constructive concord in the world than in this Watertown-Glacier International Peace Park, dedicated for nearly 3 decades to the friendship of 2 peoples. Your own beautiful State, rich as it is in evidence of the ingenuity and hard work of our people, and of our willingness as a nation to devote our skill and resources and energy to the peaceful pursuit of a good life and freedom for the individual, not only for ourselves but for humankind, should be an inspiration to us all.

To you and to me these American characteristics are familiar. We even sometimes take them for granted when the fact is we fashioned them in the crucible of individual and collective sweat and toil and sacrifice, and we can only keep them the same way. We long since have learned the hard fact that no governmental system has ever been invented which can save and preserve the freedom of a people who won't keep themselves.

All of us can sincerely hope that this image of America will become recognized more and more widely abroad, and that more and more people throughout the world will come to know what many of us have long known; that, under the law of a beneficent Creator, nothing is more central to the good life than the contemplation of beauty and the creation of abundance, not for the few but for the many.

While Secretary Seaton has been vigorous and sincere in pressing the Mission 66 program, I call your attention to the fact that the Bureau of the Budget has not; so it has been up to the Congress to restore cuts and increase budget requests to keep this needed program going.

I also am impressed with the administration's recognition, although belated, of the necessity for continued research on converting saline and brackish into potable water. It has only been 3 years since the Bureau of the Budget issued orders which would have brought this vital program to a screaming halt.

You will recall that this program began in 1952 with a Federal appropriation of $2 million to be spent in 5 years. In 1955, although the program had 2 years to run, the Bureau of the Budget ruled that all reports must be in by 1957. Had that order stood, much of the research, still incomplete, would have been stopped in 1955 and replaced by work on these final reports.

Fortunately, the 84th Congress made the study permanent and increased the authorization.

SENATE

TUESDAY, AUGUST 19, 1958

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, from whom all holy desires and all good counsels do proceed: Rise mercifully with the morning upon our darkened hearts. In this tragic and tangled world we are conscious of our woeful inadequacy to sit in the seats of judgment, to balance the scales of justice, and to respond with equity to the myriad calls of human need.

Enrich our attitudes and actions with that love for our fellows without whose golden gleam all we say, though we speak with the tongues of men and angels, is but as tinkling cymbals.

Mastered by the love that seeketh not its own, may the words of our mouths and the meditations of our hearts be acceptable in Thy sight this day and always, O Lord, our strength and our Redeemer. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 18, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 18, 1958:

S. 1728. An act to provide certain assistance to State and Territorial maritime academies or colleges; and

S. 3205. An act for the relief of Paul S. Watanabe.

On August 19, 1958:

S. 2752. An act to amend section 207 of the Federal Property and Administrative Services Act of 1949 so as to modify and improve the procedure for submission to the Attorney General of certain proposed surplus property disposals for his advice as to whether such disposals would be inconsistent with the antitrust laws.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S. J. Res. 201) to authorize the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service; and

H. R. 10496. An act to revise the law relating to the dispatch of mail from post offices, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Post Office and Civil Service:

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service; and

H. R. 10496. An act to revise the law relating to the dispatch of mail from post offices, and for other purposes.

REAR ADM. HYMAN GEORGE RICKOVER

Mr. MANSFIELD. Mr. President, I wish to take this opportunity to reiterate my high regard for Admiral Rickover, for the great work he has done, for the independence he has shown, for the integrity he has exhibited, and for the many contributions he has made to the welfare, not only of the Navy, but also of the country as a whole, in this nuclear age. He is a man of great talent and ability; and again I express the hope that his merits will be recognized by those who have the supervisory authority, and that he will receive the recognition which is his just due.

It was a pleasure for me to join with the other Members of the Senate in voting unanimously for the award of the medal to Admiral Rickover. I am delighted to see that the House has followed suit. I anticipate that shortly the President will sign the joint resolution, and that the chairman and the other members of the Joint Committee on Atomic Energy will be in the happy position of bestowing the medal he has so richly deserved upon this distinguished American.

ORDER FOR CALL OF THE CALENDAR TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that tomorrow it be in order to have a call of the calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask that the attachés of the minority and the majority who are responsible for the briefing on the calendar call take notice of this request, so we may be ready on as many bills as possible.

The PRESIDENT pro tempore. At what point will the calendar call begin?

Mr. JOHNSON of Texas. Where the call was concluded yesterday—Calendar No. 2484.

Mr. President——

The PRESIDENT pro tempore. The Senator from Texas is recognized.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATIONS, DEPARTMENTS OF HEALTH, EDUCATION, AND WELFARE, LABOR, AND POST OFFICE (S. Doc. No. 117)

A communication from the President of the United States, transmitting proposed supplemental appropriations in the amount of $119,300,000 for the Department of Health, Education, and Welfare, and $70,410,000 for the Department of Labor, for the fiscal year 1959, and $54 million for the Post Office Department for the fiscal years 1957 and 1958 (with accompanying papers); to the Committee on Appropriations, and ordered to be printed.

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations to the Treasury Department for the fiscal year 1959 had been reapportioned on a basis which indicates the necessity for supplemental or deficiency appropriations; to the Committee on Appropriations.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the second quarter of 1958 (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF HELIUM ACT

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend the Helium Act of September 1, 1937, as amended (with an accompanying paper); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Four letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

PROPOSED PUBLIC HEALTH SERVICE COMMISSIONED CORPS PERSONNEL ACT OF 1958

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

RESOLUTION OF UNIONDALE (N. Y.) FEDERATION OF CIVIC AND TAXPAYERS ASSOCIATION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the

Uniondale Federation of Civic and Taxpayers Association, of Uniondale, N. Y., relating to the preservation of the Mitchel Air Force Base for the mutual benefit of military and civilian personnel alike.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

THE UNIONDALE FEDERATION OF CIVIC AND TAXPAYERS ASSOCIATION, UNIONDALE, N. Y.

In view of the controversial issue involving the removal of Mitchel Air Force Base, the Uniondale Federation of Civic and Taxpayers Association has adopted a resolution for the retention of this base and issues these documents to the Honorable Neil McElroy, Secretary of Defense, Hon. Irving Ives, Senator, Hon. Jacob Javits, Senator, Hon. Frank Becker, Congressman, and Steve Derounian, Congressman.

"Whereas the site of Mitchel Field Air Force Base has been a military reservation for over 150 years, and as such should be preserved as an historical landmark, and

"Whereas Mitchel Field is the most strategically located Air Force base on the east coast for our national defense; and

"Whereas Mitchel Field is the only Air Force base large enough to maintain an air lift in the metropolitan area in a time of disaster; and

"Whereas Mitchel Field is a vital communications center of the Air Command: and

"Whereas Mitchel Field has maintained the best safety record of any air field, military, commercial, or otherwise; and

"Whereas Mitchel Field was constructed at a cost of only $72 million the cost of relocating it would be approximately $150 million; and

"Whereas Mitchel Field has in the past, and can do so again, provided a safe haven for planes finding themselves in distress; and

"Whereas Mitchel Field greatly contributes to the economy of its surrounding areas through the employment of civilians and its contributions to the school systems; and

"Whereas Mitchel Field Air Force personnel contribute considerably to the social and material welfare of the surrounding communities: Be it hereby

Resolved, That the Uniondale Federation of Civic and Taxpayers Association make known its desire that Mitchel Air Force Base remain a part of the communities of Uniondale, Hempstead and East Meadow for the mutual benefit of military and civilian personnel alike."

JULIUS H. STAAL,
Chairman of the Committee for the Retention of Mitchel Field Air Force Base.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

H. R. 9407. A bill to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service (Rept. No. 2474).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 11009. An act to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes (Rept. No. 2475).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H. R. 1498. An act for the relief of Lt. Col. Charles A. Holshouser (Rept. No. 2476).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

H. R. 10559. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes (Rept. No. 2477).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes (Rept. No. 2478).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

H. J. Res. 654. Joint resolution requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways (Rept. No. 2480).

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment:

S. 4198. A bill to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes (Rept. No. 2479).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 4308. A bill for the relief of Mary (Marija) Grom; to the Committee on the Judiciary.

By Mr. MARTIN of Pennsylvania:

S. 4309. A bill to facilitate the movement of passenger traffic into and out of or within metropolitan areas by the establishment of a Federal policy encouraging the States and railroad corporations to use certain rights-of-way to provide the roadbeds for both Federal-aid highways and railroads; to the Committee on Public Works.

(See the remarks of Mr. MARTIN of Pennsylvania when he introduced the above bill, which appear under a separate heading.)

CONSTITUTIONAL BILL OF RIGHTS WEEK

Mr. LANGER (for himself, Mr. HUMPHREY, and Mr. MORSE) submitted the following resolution (S. Res. 383); which was referred to the Committee on the Judiciary:

Whereas constitutional government that regards the inalienable rights of man superior to the powers of the state is being challenged in a larger part of the world today; and

Whereas the American Religious Town Hall Meeting, a national interreligious educational nonprofit corporation, with the national headquarters in St. Paul and Minneapolis, Minn., an organization for the preservation for constitutional government that guarantees the civil and religious rights to all its people regardless of race or creed, will have a national constitutional convention over television in the old Congressional Chamber of Independence Hall in Philadelphia during the week of the 171st anniversary of the signing of the Constitution from September 14 to 18, 1958, with representation of 48 States and possibly 49: Now, therefore, be it

Resolved, That we as a Senate now in session request by voice vote that the President of the United States proclaim in connection with this national interfaith convention at Independence Hall during the 171st anniversary of the Constitution, a Constitution and Bill of Rights Week from September 14 to September 21.

INVESTIGATION OF CAUSES OF INCREASED PRICES OF FARM MACHINERY AND EQUIPMENT

Mr. LANGER submitted the following resolution (S. Res. 384); which was referred to the Committee on the Judiciary:

Resolved, That (a) the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed under the Legislative Reorganization Act of 1946, as amended, and in accordance with jurisdiction under the standing rules of the Senate, to make a full and complete study and investigation of the causes of the increased prices of farm machinery, farm equipment, farm trucks, and the necessary replacement parts of the aforementioned.

(b) The committee shall report to the Senate at the earliest practicable date the result of its study and investigation, together with such recommendations as it may deem advisable.

SEC. 2. For the purpose of this resolution, the committee, from the date on which this resolution is agreed to, to January 31, 1959, inclusive, is authorized (1) to make such expenditures as it deems advisable, and (2) to employ on a temporary basis technical, clerical, and other assistants and consultants.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $------ shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF COMPTROLLER GENERAL'S HOLDING RELATING TO USE OF LOAN FUNDS UNDER RURAL ELECTRIFICATION PROGRAM

Mr. LANGER submitted the following resolution (S. Res. 385); which was referred to the Committee on the Judiciary:

Resolved, That (a) the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed under the Legislative Reorganization Act of 1946, as amended, and in accordance with jurisdiction under the standing rules of the Senate, to make a full and complete study and investigation of the Comptroller General's holding in a letter to the Secretary of Agriculture dated July 21, 1958 (B-134138), relating to the use of loan funds under the rural electrification program.

(b) The committee shall report to the Senate at the earliest practicable date the result of its study and investigation, together with such recommendations as it may deem advisable.

SEC. 2. For the purpose of this resolution, the committee, from the date on which this resolution is agreed to, to January 31, 1959, inclusive, is authorized (1) to make such expenditures as it deems advisable, and (2) to employ on a temporary basis technical, clerical, and other assistants and consultants.

SEC. 3. The expenses of the committee under this resolution, which will not exceed $------ shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

USE OF FEDERAL-AID HIGHWAY RIGHTS-OF-WAY TO FACILITATE PASSENGER TRAFFIC BY RAILROADS

Mr. MARTIN of Pennsylvania. Mr. President, I introduce, for appropriate reference, a bill to permit the use of Federal-aid highway rights-of-way to facilitate passenger traffic by railroads.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4309) to facilitate the movement of passenger traffic into and out of or within metropolitan areas by the establishment of a Federal policy encouraging the States and railroad corporations to use certain rights-of-way to provide the roadbeds for both Federal-aid highways and railroads, introduced by Mr. MARTIN of Pennsylvania, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. MARTIN of Pennsylvania. Mr. President, the Congress has passed in this session the Transportation Act of 1958, which is now public law. This law seeks to remedy some of the pressing problems affecting our railroads today.

The investigations of the Surface Transportation Subcommittee of the Senate Interstate and Foreign Commerce Committee, so ably conducted by the junior Senator from Florida [Mr. SMATHERS], have brought to our attention the numerous and continuing problems of the railroads which still need to be brought into focus with today's transportation picture.

I refer particularly to the heavy weight of passenger and commuter service with which most of our railroads are burdened, in and out of large metropolitan areas.

Caught between the regulatory requirements of having to furnish a service which cannot be operated at a profit, and a rate system which is restrictive, the railroads are faced with huge deficits, mounting taxes and maintenance costs, uncompensated by increases in freight rates.

In fact, if railroad freight rates were high enough to support the staggering passenger deficits, the railroads would lose even more freight business to the truck, the barge and the airplane. This is the trap from which the railroads are trying to extricate themselves.

Not only do the railroads suffer from regulatory pressures, but also from flagrant discrimination when it comes to tax treatment.

Under today's programs of Federal support, airports are built by floating tax-exempt bonds. Large urban areas have networks of subsidized transportation—subways, buslines, ferries, bus and truck terminals—all of which the taxpayer, including the railroads, helps to support.

The railroads are not seeking subsidization or Federal support, but they are seeking an even break on tax and regulatory factors which would make the difference between functioning and failure.

I cite one example in line with the thought I am trying to develop. The New York Central operates Grand Central Station largely for the benefit of commuters. On the first 5½ miles of its track out of Grand Central, the taxes are $6,200,000—more than 17 percent of the total franchise and property taxes assessed against the entire 10,700-mile New York Central System.

It is on this question of heavy tax burden for use of rights-of-way that I would seek relief for the railroads, realizing that it is only one of many relief actions which need to be taken.

Under the Federal-Aid Highway Act of 1956, it has been estimated that the clearance of rights-of-way for the Interstate Highway System will cost more than $9 billion. Many of these highways, some already built and some in planning, lead into and around large metropolitan areas. They connect with other Federal-aid primary and secondary routes.

One of the greatest problems and costs in our road planning today is to get into and out of our large cities. Fortunately, in most metropolitan areas, railroads already have rights-of-way leading into and under cities. From the standpoint of civil defense, we should utilize existing points of entry wherever possible, and construct access and egress routes, with the objective of rapid evacuation always in mind.

So far as I have been able to determine, there is nothing in the Federal-Aid Highway Act of 1956 to prevent a State or municipality from granting a permit or easement to use the right-of-way of any Federal-aid highway for the movement of passenger traffic by railroad into and out of metropolitan areas.

In fact, there is one instance where a railroad is running passenger service on a Federal-aid highway right-of-way. It is on the Congress Street Expressway in Chicago.

Another means of tax relief might also be the use of the airspace above railroad rights-of-way for overhead highways. This has already been done on the West Side of New York City, with the highway running over railroad tracks for miles around the city. Another overhead highway is being built in connection with reconstruction of the South Boston Railroad Station, where lack of space has made the use of an elevated highway approach more practical.

The high taxes which railroads pay upon rights-of-way in and around urban areas would be offset to some extent by the use of overhead highways, utilizing wherever feasible and economic the already existing railroad rights-of-way.

These proposals project into the future the thought of passenger transportation expansion and improvement for our railroads—rather than depression and a beggarly existence of trying to balance a deficit service against a regulatory ceiling on rates.

Tax relief, which these proposals would afford, is only one of many approaches to the railroad problem, but I hope it will stimulate thought and remedial action in this direction.

RULES OF INTERPRETATION GOVERNING QUESTIONS OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS—AMENDMENT

Mr. LANGER submitted an amendment, intended to be proposed by him, to the bill (S. 337) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, which was ordered to lie on the table and to be printed.

PRODUCTION AND CONSERVATION OF COAL—WITHDRAWAL OF MOTION FOR RECONSIDERATION

Mr. KERR. Mr. President, I ask unanimous consent that the motion I entered on August 16, 1958, to reconsider the vote by which the bill (S. 4248) to encourage and stimulate the production and conservation of coal in the United States, was passed, be withdrawn.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oklahoma? Without objection, it is so ordered.

ADDITIONAL JUDGE FOR JUVENILE COURT OF DISTRICT OF COLUMBIA—CHANGE OF CONFEREE

Mr. BIBLE. Mr. President, I ask unanimous consent that the junior Senator from New York [Mr. JAVITS] be named as a conferee on the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia, in place of the junior Senator from Kentucky [Mr. MORTON].

I may say that the Senator from New York [Mr. JAVITS] was originally named one of the conferees; but when he was called from the city, the Senator from Kentucky was named in his place. Now that the Senator from New York has returned, I am asking that he be renamed one of the conferees.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada? Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Iowa:

Article by Alvin P. Adams, relating to jet passenger traffic between the United States and Europe, published in the Interavia Review of World Aviation.

NOTICE OF HEARING ON NOMINATION OF HARRY A. BULLIS TO BE CHAIRMAN OF THE INTERNATIONAL DEVELOPMENT ADVISORY BOARD

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate today received from the President of the United States the nomination of Harry A. Bullis, of Minnesota, to be Chairman of the International Development Advisory Board.

Notice is given that the Committee on Foreign Relations, at the expiration of 6 days, in accordance with the committee rule, will give consideration to this nomination.

"THE AMERICAN'S CREED AND WILLIAM TYLER PAGE"

Mr. GOLDWATER. Mr. President, very recently there has been published in Washington a book entitled "The American's Creed and William Tyler Page." The book was written by a very prominent Arizonan, Mrs. Myrtle Cheney Murdock, the wife of John R. Murdock, who served in the other body for 16 years, and had a very distinguished career.

Mrs. Murdock has written many books on Washington and on the legends and history of the Capitol. She is a learned woman, and she writes beautifully of the things that make up America.

I believe her new book is the finest one she has written; and I wish to mention it this morning, in order that more of my colleagues and more of the other American citizens will have an opportunity to obtain a copy of the book and to read it.

As all of us know, the American's Creed was written by William Tyler Page, who for many, many years was a fixture of the Capitol, and was one of the most highly respected men who worked within these walls.

I ask unanimous consent that some eulogies on the American's Creed and some on William Tyler Page, as published in Mrs. Murdock's new book, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the eulogies were ordered to be printed in the RECORD, as follows:

THE AMERICAN'S CREED

Evaluations from the Congressional Record

"Crystallized within this patriotic creed is the very spirit of a free people. It breathes freedom in every word. This great document has entered the sacred archives of our Republic as a worthy companion to the Declaration of Independence and the Federal Constitution." (Hon. DANIEL A. REED, of New York.)

"The American's Creed is our platform; it embodies everything for which America stands. • • • It breathes the spirit of an ever-living and unconquerable America." (Hon. John Rankin, of Mississippi.)

"The American's Creed—the one great document which faithfully epitomizes the living spirit of America since its founding." (Hon. JOSEPH W. MARTIN, of Massachusetts.)

"William Tyler Page was a thorough student of our political literature and of our fundamental constitutional philosophy, as his unique assembling of The American's Creed bears evidence. • • • Future generations will be blessed and America safeguarded to the extent his understanding and appreciation is passed on to all who follow." (Hon. John R. Murdock, of Arizona.)

WILLIAM TYLER PAGE

Eulogies from the Congressional Record

"Author of The American's Creed. It is simply the pattern he set for his own citizenship—he loves his country, supports its Constitution, obeys its laws, respects its flag, and defends it against all enemies." (Hon. A. Sidney Camp, of Georgia.)

"To us of the House William Tyler Page is an institution. To the country he is a great American and an example to all. • • • There are few men in the life of our Nation who have made a more profound and constructive impression upon the Americans of any generation than has William Tyler Page in his great lifetime." (Hon. JOHN MCCORMACK, of Massachusetts.)

"It took a great American to write The American's Creed. • • • I have wondered sometimes if William Tyler Page secretly wished that he might have been a Member of the House. He could have been an outstanding Member, of course, but, somehow today I am glad that I can remember him as something better than a Member—a teacher, a counselor, a mentor of Members." (Hon. FRANCIS CASE, of South Dakota.)

"William Tyler Page can never die in this building, hallowed with the memory of the Nation's illustrious men. He can never die in the annals of this House, whose history and traditions he has so greatly enriched by his long and distinguished service. He can never die in the regard and affection of Americans whose creed he wrote." (Hon. CLARENCE CANNON, of Missouri.)

Mr. GOLDWATER. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, some quotations from the writings of Mrs. Murdock. These quotations illustrate this distinguished woman's deep American roots, her deep feeling, and the reason why we in Arizona are extremely proud of her and of her distinguished husband.

There being no objection, the quotations were ordered to be printed in the RECORD, as follows:

From memory:

"It is of first importance that the study of the Constitution should be an essential part not only of the education of the American youth but of all Americans. The Constitution is not self-perpetuated by any means; if it is to survive it will be because it has the support of the people—not passive, but an active public support."

"The Declaration of Independence is a charter of our liberties in this land of the free, this home of the brave—where to be brave we must be free, where the free must be ever brave."

"As long as men believe in freedom they will achieve it. When freedom dies man lives on his knees. When freedom lives man walks erect."

"In the long run we shall maintain our rights just about in proportion as we exercise our responsibilities."

M. C. M.

REPORT ON POLITICAL CAMPAIGN CONTRIBUTIONS IN 1956 ELECTIONS

Mr. NEUBERGER. Mr. President, one of the truly crucial public issues facing the American people is the urgent need to free candidates for high elective office from the necessity of raising large sums of money from private sources in order to serve in government. This is a subject on which I have spoken many times.

Today, for example, we confront once again the irony of widespread furor over such gifts as deep-freezes and rugs and vicuna-cloth coats, but comparative complacency over campaign funds which may add up to hundreds of thousands of dollars in size. Some even attain million-dollar proportions.

On the floor of the Senate on June 16, 1958, the distinguished junior Senator from Arizona [Mr. GOLDWATER] included in the CONGRESSIONAL RECORD many pages of compilations showing and analyzing the political contributions made by the AFL–CIO Committee on Political Education to campaigns in the United States during the 1956 elections.

I think the Senator from Arizona performed a service in placing this material in the RECORD. However, I believe his service would have been even greater if he had discussed that information in the perspective of all the facts and information we have about the entire system of campaign financing in American elections today. He gave only part of the story.

The Senator from Arizona singled out the political contributions collected by trade unions, which happens to be the phase of this subject in which he has been particularly interested. But not only the political funds and activities of the AFL–CIO Committee on Political Education were significant in the financing of the 1956 elections. Contributions to political campaigns in 1956 were also made by many members of the wealthiest families and groups in the land, representing a cross section of the ownership and management of much of American industry, business, and finance.

If labor's contributions are to be listed in the pages of the CONGRESSIONAL RECORD, then it certainly follows that the principal contributions made by the owners and operators of big business should likewise be included, so that the full story—not merely a segment of it—is told.

The lengthy compilation of AFL–CIO donations listed by the Senator from Arizona totaled $948,397. This is an impressive sum to be spent on elections.

Yet, Mr. President, when the Senate Subcommittee on Privileges and Elections, headed by the distinguished junior Senator from Tennessee [Mr. GORE], studied the 1956 elections, it also prepared a number of other lists and compilations, showing the far larger sums which were collected for candidates from the captains of industry and finance. These sums were almost exclusively contributed to political campaigns on the side opposite that supported by the funds of the Committee on Political Education, and they far exceeded them. To refer to only one figure, for comparison, we find that 12 families in our country gave to Republican candidates for Federal elective offices a total of $1,040,526—more than the political education committee of the entire 15,000,000-member AFL–CIO spent toward the election of the candidates it favored.

Mr. President, the lengthy compilations prepared by the Gore subcommittee, and analyzed in the committee report, are based on one of the most thorough inquiries and reviews of campaign contributions ever undertaken. Although that report has been of great interest to students of the subject, and my office often receives requests for copies, it is not widely available. Therefore, at the end of my remarks, I shall request permission to include in the RECORD the text of the report, along with some of the less voluminous tables from this monumental study—simply, in order that the compilation earlier submitted by the Senator from Arizona may be seen in the perspective of the remainder of the story, as told by the data of the Gore committee report.

These data disclose that, substantial as were the AFL–CIO collections for Democratic political candidates, they are, nevertheless, far eclipsed in magnitude by the donations made by the big business leaders of the Nation to Republican political candidates.

Mr. President, I believe that my distaste for this whole system of private financing of political campaigns is well known to my colleagues, for I have mentioned it many times on the Senate floor. I think the entire system is basically wrong, and it cries out for change.

A man or woman should not enter high office in America obligated either to labor or to big business for financial benefactions in the campaign.

When I ran for the Senate in Oregon, my total campaign effort cost some $103,000, and about $23,000 of this came from funds collected by labor organizations. The campaign of my Republican opponent, the Honorable Guy Cordon, cost some $177,000; and the bulk of his funds came from the owners, managers, and representatives of large corporations and industries. Both situations are inherently contrary to the basic spirit of American democracy, as I view it.

But it is not enough, Mr. President, to be against the contributions of the COPE, as are the junior Senator from Arizona [Mr. GOLDWATER] and some of his associates. They say that labor donations are bad, but they cheerfully accept donations from business and industry.

Nor is it enough to be against the contributions of big business leaders, but to say nothing critical of contributions from labor funds.

We are never going to clean up this political swamp so long as one side insists that its donations are good, but that the others are bad.

We shall solve this entire problem only when we find a substitute source of funds to take the place of all large, private contributions in meeting the increasingly heavy expenses of presenting a candidate or a program to the electorate in a modern political campaign. I am convinced that this alternative source of funds, which will eliminate the present dependence of candidates on campaign exchequers collected from interested private sources, must be the whole American public itself, through its Government.

We shall solve this problem only when we act upon the fair, impartial, and inspired proposal made to Congress half a century ago by a great American. On December 3, 1907, Theodore Roosevelt, 26th President of the United States, recommended to the Congress that political candidates be relieved of all unwise and undesirable dependence upon campaign funds from private sources, by having the Federal Government underwrite election campaign expenditures. President Roosevelt told the Congress:

> There is a very radical measure which would, I believe, work a substantial improvement in our system of conducting a campaign, although I am well aware that it will take some time for people so to familiarize themselves with such a proposal as to be willing to consider its adoption. The need for collecting large campaign funds would vanish if Congress provided an appropriation for the proper and legitimate expenses of each of the great national parties, an appropriation ample enough to meet the necessity for thorough organization and machinery, which requires a large expenditure of money. Then the stipulation should be made that no party receiving campaign funds from the Treasury should accept more than a fixed amount from any individual subscriber or donor; and the necessary publicity for receipts and expenditures could without difficulty be provided.

Mr. President, from time to time I, myself, have sought to submit to the Congress proposals for carrying into effect the principle of President Theodore Roosevelt's suggestion in one or another form. I did so at some length in testimony before the Select Committee on Lobbying and Campaign Expenditures, headed by the senior Senator from Arkansas [Mr. MCCLELLAN], of which the Senator from Arizona was a member. I remember that Senator MCCLELLAN was present at the hearing and that we had a friendly discussion of this whole problem.

Mr. President, I think it is greatly to the credit, both of Mr. George Meany, president of the AFL–CIO, and to the organization which he heads, that he has publicly spoken out in favor of this great proposal for reform first made by Teddy Roosevelt.

In an editorial in the AFL–CIO American Federationist for April 1956, Mr. Meany wrote:

> Might it not, therefore, be a good idea for Congress to provide by law for Government financing of campaigns for Federal office, as proposed in S. 3242, a bill introduced by Senator RICHARD NEUBERGER and cosponsored by Senators MORSE, MURRAY, DOUGLAS, SPARKMAN, MANSFIELD, LANGER, and HUMPHREY?

I might say, Mr. President, that this was a bill in the 84th Congress. I intend to introduce a revised bill for the same principle when Congress returns next January, and I hope that it will again have the support of the leaders of America's labor movement.

I ask unanimous consent to have printed in the RECORD at this point the entire text of Mr. George Meany's editorial in the American Federationist, followed by my letter to Mr. Meany, dated March 29, 1956.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

THE LOBBY PROBE

(By George Meany)

A special Senate committee has been authorized to undertake a full-scale investigation of political contributions by big business. This investigation was touched off by sensational disclosures regarding the lobbying activities of gas and oil interests. President Eisenhower found these activities so reprehensible that he vetoed the bill freeing natural gas producers from Federal price regulation on that very account.

The AFL–CIO heartily supports this Senate investigation. Despite the law forbidding political contributions by corporations, it is common knowledge in Washington that big business interests have financed political campaigns of individual candidates and political organizations through various legal loopholes.

Frequently these contributions have been made in the name of corporation executives and members of their family. It was not until Senator FRANCIS CASE of South Dakota told the Senate he had been offered a $3,500 campaign contribution by a lawyer representing a gas producer, in the expectation that the Senator would vote for the bill desired by the gas lobby, that the scandalous nature of big business influence upon the legislative process was brought forcibly to public attention.

Since the Senate investigation was authorized, it has been stated in the press that the committee would inquire into political contributions by labor organizations as well as big business. One of the committee members, Senator BARRY GOLDWATER, of Arizona, has publicly announced that he will insist that the investigation be broadened to include unions.

Labor welcomes such an investigation. The AFL–CIO, in accordance with the law, files with Congress a complete record of all funds it receives in $1 voluntary political contributions from its members and all expenditures from those funds. There is nothing secret in these activities, which are completely open and aboveboard.

Before the merger both the AFL and CIO maintained separate political committees which collected campaign contributions from members and made expenditures in behalf of candidates from both parties who received labor endorsements. Since the merger the AFL–CIO has established the committee on political education to carry on the same work.

We are proud of the records of these committees. With the help of State organizations, they have endorsed candidates for public office with outstanding records of public service.

Perhaps an attempt will be made to indicate that labor's campaign contributions to candidates, in the aggregate, matched those of business contributors. Such efforts will be doomed to failure, because the fact is that labor has never succeeded in raising by voluntary contributions more than a small fraction of the total amounts expended in any campaign.

It is to the best interests of democracy that the cost of campaigns be financed by as many voters as possible, because this helps to arouse the political consciousness and responsibility of the great masses of the American electorate. It is also obviously in the national interest to prevent a few large campaign contributors from dominating the selection and election of candidates for public office.

Might it not, therefore, be a good idea for Congress to provide by law for Government financing of campaigns for Federal office, as proposed in S. 3242, a bill introduced by Senator RICHARD NEUBERGER and cosponsored by Senators MORSE, MURRAY, DOUGLAS, SPARKMAN, MANSFIELD, LANGER, and HUMPHREY? If Congress refuses to adopt such a law, might it not then consider limiting all campaign contributions to a maximum of $1?

MARCH 29, 1956.

Mr. GEORGE MEANY,
President, AFL–CIO,
Washington, D. C.

DEAR MR. MEANY: I was very pleased to see your kind reference to my bill for Federal assistance in campaign financing in your editorial in the American Federationist for April. As you recognize in your editorial, such a step will, in the long run, prove to be the only effective means of freeing our political parties and their candidates for public office from their present unhealthy reliance on vast private campaign funds.

In spite of efforts which are continually made to shift attention to the relatively modest campaign contributions collected by organized working people, your editorial position shows that labor itself recognizes that average men and women can never compete in this respect, with the wealth of owners and managers of business enterprises, whose candidates for public office are invariably far better financed.

While I believe that President Theodore Roosevelt's proposal, as embodied in my bill, is the ultimate solution to the financing of modern election campaigns, I have introduced two more modest proposals which

could be enacted in connection with clean-elections legislation this year. One of these would make federally paid radio and television broadcast time, worth up to $1 million, available equally to both major parties. The other would permit individual campaign contributions up to $10 a person to be taken as a tax credit (not a deduction from income) against Federal income taxes.

I hope that these two proposals, which are designed to bring more democratic means of financing and more equality to our electoral processes, will also win the support of your great organization.

Again, I appreciate the public-spirited and forward-looking interest which you have taken in the grave problem of election financing.

Sincerely yours,

RICHARD L. NEUBERGER,
United States Senator.

Mr. NEUBERGER. Mr. President I hope that when I again submit my bill to put into effect President Theodore Roosevelt's proposal, for Federal underwriting of some of the major essential costs of Federal election campaigns, I shall have the support not only of the leaders of America's working people, but also of some of the people who have been most critical of labor's contributions to political campaigns. I shall make my bill available for cosponsorship by Senators on both sides of the aisle.

It seems to me that it is incumbent upon those who weep and wail and gnash their teeth over labor's political contributions to follow George Meany's enlightened example. The head of the AFL–CIO has announced that he is willing to accept the solution first originated by Theodore Roosevelt. He is willing to abandon labor's political contributions if the Government will take over campaign financing and, if big business, of course, will follow suit.

I want to point out also, Mr. President, that many people in all walks of life are becoming increasingly concerned about this whole problem of the role of money in our election campaigns. Both my mail and other evidence of public opinion show that this concern exists not only among representatives of organized labor, or among those who decry the political activities of organized labor, but also among teachers, ministers, newspaper editors, and many other people who follow developments in our national affairs. It is illustrated, for example, by the formation of such high-level citizens' organizations as the Committee on Campaign Contributions and Expenditures which is headed by the former Governor of Rhode Island, Mr. William H. Vanderbilt.

I might say that I hope the owners and leaders of big business will follow George Meany's suggestion and that they will join Mr. Meany and support Theodore Roosevelt's proposal, made in 1907, to relieve candidates from being dependent on campaign contributions from organized labor and big business.

It is for the sake of making more widely available to the public some of the data and conclusions collected in the Report of the Senate Subcommittee on Elections and Privileges, that I am asking to have the text of that report and some of its less voluminous charts included in the RECORD today. I ask unanimous consent; therefore, that there may be printed in the CONGRESSIONAL RECORD excerpts from the Report of the Senate Subcommittee on the 1956 General Election Campaigns, followed by a series of the exhibits which are an important part of this report.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I. CONCLUSIONS AND OBSERVATIONS

I. The study conducted by the subcommittee of the 3-month period of the 1956 general elections—September 1 to November 30, 1956—discloses significant aspects of campaign spending in the United States. Total direct expenditures of approximately $33 million are shown to have been spent in the Federal general election campaigns by the Republican and Democratic Parties, by labor groups, and other organizations. The total campaign bill, of course, far surpasses that figure.

2. While it may be conceded that high campaign costs are one of the essential facts of the American way of life, the existence on the statute books of Federal laws, the object of which is to curb spending in political campaigns but which fail miserably to do so, can serve only to demoralize the political climate and breed contempt for existing law. Thus, the provisions of section 609 of the Corrupt Practices Act which impose a limitation of $3 million upon the expenditures of a political committee are unrealistically low and lead to the creation of numerous other political committees for purposes of a campaign subject only to the same limitation. Again, the limitation upon candidates for the House of Representatives and the United States Senate are meaningless when most of the money in these campaigns is spent by campaign committees upon which there is no limitation and which are not required to report any Federal authority. The need for strict but enforcible and realistic limitations on political campaign expenditures is imperative.

3. Even those provisions of existing law which require the filing of reports and accounts are hopelessly inadequate. One of the worst features of campaign practices is the lack of adequate public disclosure. As stated above, this is attributable in part to the fact that the law is studded with loopholes. But even where there are applicable provisions with respect to reporting, the reports that are required to be filed are utterly lacking in standardization, and are virtually unmanageable for this reason and for the additional reason that filing offices are scattered and the facilities for publication completely inadequate. Once filed, these reports languish in relative obscurity. Furthermore, many of these reports, inadequate as they are, are only required after the election has occurred.

4. Examination of the facts developed by the subcommittee discloses, as is revealed by the exhibits included herewith, heavy campaign expenditures by persons affiliated with big business, and large vested interests, and by wealthy individuals, on the one hand, and organized labor, on the other, the contributions of the former being largely to Republican committees and candidates, and of the latter almost entirely to Democratic committees and candidates.

The subcommittee views this with deep concern, feeling that it is an unhealthy state of political affairs that may grow worse instead of better unless remedial action is taken by the Congress. As an example, the contributions in excess of $500 made by the officers and directors of 226 of our largest corporations totaled $1,816,597 to the candidates and committees of the Republican Party and $108,725 to candidates and committees of the Democratic Party. The contributions of $500 or more made by officials of labor organizations totaled $16,500 to the candidates and committees of the Democratic Party and $2,500 to the candidates and committees of the Republican Party. The expenditures of labor's political action committees, totaling $941,271, as has been shown, was spent almost entirely on behalf of candidates of the Democratic Party. On the other hand, 12 selected wealthy families contributed $1,040,526 to Republican candidates and committees and only $107,109 to Democratic candidates and committees.

5. A geographical concentration of political contributions is also disclosed (exhibit 27). It is shown that the total contributions in the amount of $500 and over made by individuals in the State of New York to the Republican Party ($2,382,047) almost equals the total aggregate amount of such contributions ($2,820,655) which the Democrats received in all the States (including New York), Territories and possessions combined. New York, however, is also the principal source of contributions in the sum of $500 and over for both parties. Total Democratic receipts from contributions in these amounts from the State of New York aggregated $1,017,335 or 37 percent of Democratic contributions in this category. Republican contributions in these amounts from all States and possessions aggregated $8,064,907 of which $2,382,047 or 30 percent came from New York.

Of the substantial sums referred to above as having been contributed by residents of New York State, $2,077,000 of that contributed to the Republican Party and $870,000 of that contributed to the Democratic Party, was contributed by persons listing an address on Manhattan Island. Thus, it appears that Republican contributions in amounts of $500 and over from Manhattan Island alone exceeded Democratic contributions in such amounts from all the 48 States excluding Manhattan Island.

The second largest source of contributions was the State of Pennsylvania where individuals contributed in amounts of $500 or more a total aggregate sum of $999,434 to Republicans and $231,981 to Democrats.

In the States of Nebraska, South Dakota, Wisconsin, and Wyoming, no contributions to Democrats in the sum of $500 or over were reported to the subcommittee. In only seven States (Alabama, Idaho, Kentucky, Nevada, Utah, Vermont, and Virginia) Democratic contributions exceeded Republican contributions in amount.

In the State of Delaware, the residence of many of the members of the Du Pont family where according to the 1950 census the total population is only 318,000, Republican contributions in the amount of $500 and over aggregated $232,589. This exceeds the amount of such contributions received by the Democrats from 30 States whose combined population is in excess of 54 million.

6. Comparison of individual contributions as shown in questionnaires filed with the subcommittee with information filed by the individual contributors themselves, emphasizes many of the deficiencies of existing law. Certain individual reports reflected contributions which had either not been reported to the subcommittee by the recipients or had been received by campaign committees, the existence of which were unknown to the subcommittee and which, in any case, did not receive subcommittee questionnaires.

Under existing law, candidates and campaign committees are required to report only the names of individual contributors of sums in excess of $100 and the total amount of the individual's contribution. The subcommittee questionnaire requested those committees to which it was directed to list the names and addresses of all contributors of $500 and over. In this manner, it was ascertained that certain individuals had contributed substantial amounts. However, when these individuals themselves listed their contributions, the sum total thereof invariably exceeded by a substantial margin the sums disclosed in subcommittee records. For example, information available to the subcommittee revealed that Mr. Lansdell K. Christie, of New York, had made total contributions in the sum of $23,000 to eight Democratic committees. His individual report, however, disclosed for the entire calendar year total contributions in the amount of $73,164 including $26,000 to 14 political committees, of which the subcommittee had had no prior knowledge.

On the other hand, Mr. H. L. Hunt, of Dallas, Tex., reported to the subcommittee total contributions in the sum of $7,500, including 1 contribution in the amount of $3,500 to the Republican National Committee but the latter does not appear in the reports of that committee filed with the Clerk of the House of Representatives. In addition, Mr. Hunt listed a contribution in the amount of $3,000 to "Eisenhower Texas Campaign Committee," Dallas, Tex., an organization theretofore unknown to the subcommittee. It is recognized that the possibility of error exists in the listing by individuals of the exact names of committees to which they have contributed, but in any event, the subcommittee had no record of contributions by Mr. Hunt in the sum of $3,500 and $3,000, respectively, except from the contributor himself.

Again the report of the Salute to Eisenhower Committee filed with the Clerk of the House of Representatives disclosed a contribution in the sum of $5,000 from R. A. Cuthbertson, an officer and director of the Cities Service Oil Co. (Pennsylvania), 60 Wall Street, New York City. When requested by the chairman of the subcommittee to list his contributions for the entire calendar year, Mr. Cuthbertson responded by letter dated January 14, 1957: "There must be some error as I made no contribution whatsoever to any campaign in the year 1956." The chairman of the Salute to Eisenhower Committee, when contacted by the subcommittee staff, could not explain the appearance of this contribution in his committee's report except to say that the report had been prepared by his accountants and was believed to be accurate.

Without imputation of wrongdoing on the part of individuals concerned nor with the recipient committees, the fact remains that—

(a) A greater amount of care in the keeping of records by individual contributors and by recipient committees should be required.

(b) The limitation in the amount of $5,000 upon individual contributions is for all practical purposes meaningless because it is applicable only to political committees as defined in the law and there is no prohibition upon the making of multiple contributions in the maximum amount to any number of such committees. Furthermore, the law is not applicable at all to a contribution made to an organization that does not operate in two or more States and is not a branch of a political party. It would thus be possible for one member of a wealthy family to make a single contribution in the amount of $100,000 to the Republican Finance Committee of New York without any apparent violation of the Corrupt Practices Act being committed.

6. Notwithstanding the apparent prohibition contained in section 610 of the Corrupt Practices Act against the making of expenditures by corporations and labor unions, there appears to be a wide area of permissible activity in the light of judicial interpretations of the term "expenditure" contained in that section and the constitutional questions that would arise under a statute that would prohibit all forms of participation by such organizations in the elective process. A decision in a pending case involving a labor union which is now before the United States Supreme Court may illuminate this area. In any case, however, the subcommittee is impressed with the necessity for specialized and intensive study of the activities of both labor unions and corporations in Federal elections. Existing statutory provisions are inadequate. The preparation of amendatory legislation will require careful assimilation of additional factual information and thorough analysis of the constitutional issues involved.

7. For years thoughtful statesmen on the American scene have pleaded for greater participation on the part of the electorate in the making of campaign contributions so that the base may be broadened and opportunities of candidates and parties to present themselves to the electorate equalized. The findings of the subcommittee as set out in this report poignantly demonstrate the need for effective limitations upon the amount of individual contributions and the desirability of providing incentives for mass contributions, or perhaps governmental assumption of the cost and responsibility for the conduct of Federal election campaigns and the curtailment of private subsidization of election campaigns.

8. Interstate campaign contributions in senatorial elections should, in all events, be sharply curbed. The subcommittee is concerned with the extent to which contributions have been made to candidates and committees of one State by citizens and groups from other States. We feel that it is the prerogative of the citizens of a given State to elect Senators and Representatives of their own choosing without undue interference from without. Preservation of this prerogative is in accord with sound precepts of representative government. It is endangered by the ever-increasing cost of elections and the degree to which people and interests of other States seek to interfere with cash. Some indication of the volume of interstate movement of campaign funds can be ascertained from an examination of exhibit 6 and the exhibits listing campaign contributions of $500 and more. This will become even more apparent by an examination of the contributions listed by States in exhibit 27.

9. The subcommittee has been essentially a fact-finding agency during the course of this study and has undertaken to develop and disclose the facts objectively and without partisanship. Field investigations and public hearings were perforce limited. It is noted, however, that there are discrepancies and defects in certain of the reports filed with the subcommittee and that practices have occurred in the recent campaigns which are of questionable legality and desirability. Complete reports of these matters will be available in the files for the attention of the subcommittee in the 85th Congress and of the Department of Justice.

10. The need for remedial legislation in the field of Federal elections is imperative and immediate. It is the hope of the subcommittee that this study will serve to expedite the preparation of such legislation and to arouse an enlightened public opinion behind it. Few, if any, reforms, are more direly needed in our democratic society. The subcommittee is confident that the pendency of this study had a salutary effect upon campaign practices in the 1956 elections, and believes that procedures should be established for equally diligent and even more effective subcommittee action in each biennial election.

II. AUTHORITY, POLICY, AND PROCEDURE

The Senate Subcommittee on Privileges and Elections is a standing subcommittee of the Committee on Rules and Administration, and derives its authority from section 134 (a) of the Legislative Reorganization Act of 1946 (60 Stat. 812, 831), and rule XXV (o) (1) (D) of the Standing Rules of the Senate, which defines the jurisdiction of the Senate Rules Committee so as to include:

Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; presidential succession.

The subcommittee's study of political contributions, expenditures, and practices in the presidential, vice presidential, and senatorial campaigns of 1956 was undertaken pursuant to the above authority and Senate Resolution 176 providing as follows:

"*Resolved*, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

"(1) the election of the President, Vice President, or Members of Congress;

"(2) corrupt practices and contested elections;

"(3) credentials and qualifications;

"(4) Federal elections generally;

"(5) presidential succession.

"SEC. 2. For the purposes of this resolution the committee, from February 1, 1956, to January 31, 1957, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

"SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1957.

"SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee." [1]

The subcommittee adopted rules of procedure with respect to the conduct of its work, including public hearings and field inquiries and investigations. The rules of procedure concretised its policy with respect to the ordering of inquiries and investigations. They required that charges of violations of law or irregularities should be stated with such particularity and detail as would establish prima facie that the subcommittee had jurisdiction and that the complaints had a substantial basis in fact. In applying this rule, no complaints were rejected if they were deficient in the above respects, but in all cases, complaining parties were promptly advised of the subcommittee's procedural requirements and were given an opportunity to amend or supplement their complaints in conformity therewith.

The number of complaints received by the subcommittee was relatively small. It was not found necessary to conduct public hearings with respect to such complaints and field investigations were few. Section IV of this report contains a statement of those complaints with particular reference to those which resulted in action by the subcommittee.

The public hearings held by the subcommittee consumed a total of 5 days. Testimony of 33 witnesses was received in these

[1] S. Res. 176 was amended on July 7, 1956, by S. Res. 306 which provided: "In section 4, strike out "$50,000" and insert in lieu thereof "$150,000."

public hearings and the record thereof has been printed in 2 parts (pt. I, Sept. 10 and 11, 1956; pt. II, Oct. 8, 9, and 10, 1956).

On November 2, 1956, an interim staff report, based upon the above hearings and statistical information obtained for the period September 1–October 21, 1956, was released by the subcommittee.

III. TABULATION AND ANALYSIS OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

As above stated, the subcommittee employed a series of questionnaires for the acquisition of financial data in the course of its study which covered the period September 1 to November 30, 1956. In addition, the subcommittee staff obtained information from the reports of national committees, including committees of labor organizations, filed with the Clerk of the House of Representatives pursuant to section 305 of the Corrupt Practices Act for the period prior to September 1, 1956. (Specimen copies of the above questionnaires and the letters of transmittal are contained in this report as exhibit 30.)

The tabulations and analyses made from the information thus obtained are set forth herein as exhibits 1 to 29. The subjects covered by these exhibits include the following:

1. Receipts and expenditures by political committees

The most significant summary of information is necessarily that of total direct expenditures presented in exhibit 1.

Money that is transferred from one campaign group to another shows up as a receipt and as a disbursement each time it is passed on. (A summary of information on receipts is contained in exhibit 1A.) The significant index, therefore, to campaign spending is the total of direct expenditures rather than the total of receipts. Total direct expenditures for the period prior to September 1 were obtained by analyses of the disbursements shown in the reports filed with the Clerk of the House of Representatives.

The subcommittee questionnaire was so constructed as to require the statement of direct expenditures made by the political committees to whom the questionnaires were addressed, so that it was enabled to obtain net expense figures not confused or duplicated by transfers of funds from one committee to another or to a candidate. Thus, it is disclosed from both sources that the total direct expenditures on behalf of Republican candidates were in the sum of approximately $20,685,387 and those on behalf of Democratic candidates (including labor committees) were approximately $11,919,061.

The exhibits accompanying this report include (exhibit 2) a breakdown of total direct expenditures (or disbursements) by campaign committees for the period September 1 to November 30, 1956. For this period, the following breakdown of direct expenditures is shown:

1. Radio: Democratic, $559,979; Republican, $677,290.

2. Television: Democratic, $2,292,228; Republican, $3,006,412.

3. Newspaper and political advertising: Democratic, $694,923; Republican, $1,373,944.

4. Printing, purchase, and distribution of literature: Democratic, $1,900,076; Republican, $3,187,199.

5. Outdoor billboards: Democratic, $195,807; Republican, $393,906.

6. Other: Democratic, $4,429,179; Republican, $7,334,971.

As noted in the above tabulation, the largest single amount expended was in the category described as "Other." This presumably included such items as travel, maintenance of headquarters, salary, and other overhead items and election-day expenses.

With respect to contributions received, it is essential to note that the receipts summarized in exhibit 1A include funds received by transfers from other organizations as well as individual contributions and other sources. As stated above, these transfers of funds between committees result in the same money being reported more than once. With these limitations, the following total amounts of receipts are shown:

Republican	$32,430,587
Democratic	12,891,141
Labor	2,578,181
Miscellaneous	677,140
Total	48,577,049

Special note has been taken by the subcommittee of certain items of expenditures. Exhibit 24, for example, is in effect a radio-television survey for the period September 1–November 6. In addition, exhibits have been prepared with respect to outdoor political advertising (exhibit 7), newspaper political advertising (exhibit 8), and expenditures for the purchase of campaign novelties and specialties (exhibit 9).

An analysis of total receipts by campaign committees together with their closing balances and unpaid bills, covering the period September 1 to November 30, 1956 (the period covered by the subcommittee's questionnaires) is contained in exhibit 3. This exhibit includes tables showing in detail the information summarized in exhibit 1A.

Thus it is shown in exhibit 3, table (A) that total receipts for this 3-month period were as follows:

Republican:	
Regular	$11,772,485
Finance	9,891,424
Volunteer	3,846,065
Total	25,509,974
Democratic:	
Regular	9,370,157
Volunteer	2,161,077
Total	11,531,234

Total labor receipts for the same period were in the amount of $1,620,956.

Shown in addition (exhibit 3) are the balances of funds on hand on November 30, 1956 (or on the date the committee closed its books) and the amount of bills unpaid on the closing date. Information concerning unpaid bills was not available from some committees, including the Republican and Democratic Congressional campaign committees which are not required to file this information with the Clerk of the House of Representatives. For this reason and because of differences in accounting procedures used by campaign committees, the volume of unpaid bills gives only a general indication of the extent of financial obligations at the end of a campaign.

With the qualifications above stated, exhibit 3 reflects the following with respect to unpaid bills and cash balances:

Unpaid bills—Nov. 30, 1956

	Republican	Democratic	Labor	Miscellaneous	Total
National (all committees)	$128,583	$656,818	$400	$14,019	$839,820
State:					
Political committees	322,852	251,248			574,089
Labor committees			5,293		5,293
Local:					
Political committees	136,004	102,570		434	239,008
Labor committees			22,805		22,805
Senatorial (supporting committees)	68,079	75,239			143,318
Grand total	655,498	1,125,875	28,498	14,453	1,824,324

Cash balances—Nov. 30, 1956

	Republican	Democratic	Labor	Miscellaneous	Total
National (all committees)	$746,903	$136,353	$314,000	$66,468	$1,263,724
State:					
Political committees	1,141,668	471,040		277	1,612,985
Labor committees			114,670		114,670
Local:					
Political committees	1,107,461	377,375		665	1,485,501
Labor committees			49,490		49,490
Senatorial (supporting committees)	24,333	67,745			92,078
Grand total	3,020,365	1,052,513	478,160	67,410	4,618,448

(a) Senatorial candidates and campaign committees: The results of the subcommittee's tabulations of the questionnaires received from senatorial committees, and the reports filed by individual candidates with the Secretary of the Senate as required by the Corrupt Practices Act, are set forth in exhibit 6. In that exhibit it is emphasized that the tabulations made cannot be considered as representing correct total costs, for the two principal reasons:

(1) All supporting committees could not be reached, especially at local levels, and

(2) Senatorial candidates are usually supported by statewide committees which receive and expend funds on behalf of an entire ticket, and allocations of funds to particular candidates or their committees are difficult to make and only infrequently appear in the reports.

Furthermore, the present method of reporting by the candidates to the Secretary of the Senate is unsatisfactory because of the absence of any standardized method of accounting.

Notwithstanding these limitations, however, the data assembled by the subcommittee dramatically underscores the inadequacies of existing law. The reports filed by candidates under the Corrupt Practices Act with the Secretary of the Senate contain contributions and expenditures received and made by them personally; whereas most of the committees supporting senatorial candidates were not required to, and did not, in fact, file such reports. Therefore, the bulk of the money spent in senatorial campaigns escapes disclosure at the Federal level.

For detailed analysis of senatorial contributions and expenditures, including out-of-State contributions, reference should be made to exhibit 6. Set out below is a recapitulation by States of total direct expenditures as disclosed in candidate reports to the Secretary of the Senate and committee reports to the subcommittee:

State:	Total
Alabama	None
Arizona	$22,310
Arkansas	2,095
California	556,163
Colorado	141,895
Connecticut	106,339
Florida	None
Georgia	None
Idaho	91,948
Illinois	243,142
Indiana	175,019
Iowa	38,488
Kansas	30,642
Kentucky	135,406
Louisiana	None
Maryland	168,361
Missouri	38,728
Nevada	59,645
New Hampshire	8,630
New York	408,760
North Carolina	1,601
North Dakota	13,914
Ohio	169,754
Oklahoma	20,421
Oregon	363,679
Pennsylvania	200,101
South Carolina	155
South Dakota	38,175
Utah	8,800
Vermont	6,315
Washington	299,561
West Virginia	40,783
Wisconsin	54,693
Total	3,445,723

(b) National and local labor funds:

(1) National labor funds: In this study, tabulation and analysis has been made of the receipts and expenditures of political action or educational committees of labor organizations on both the national and local levels. Coverage on the national level was available for the entire year inasmuch as these organizations are political committees which are required to file reports with the Clerk of the House of Representatives under the Corrupt Practices Act. In addition to these filed reports, information was supplied by these organizations to the subcommittee for the period September 1 to November 30 in response to questionnaires.

Access to the political committees of labor organizations on the State and local levels was much more difficult, for the reason that the identities of such groups are not ascertainable from filed reports, and there is no directory of them. The questionnaires were therefore sent to the unions themselves (on State and county levels) for forwarding to the appropriate political committees.

Contributions and expenditures of national labor committees have been collected and analyzed in exhibit 5. Their total expenditures were approximately $2,157,000 of which almost 75 percent was disbursed by transfer to other campaign groups. The balance was expended directly for campaign activity. Virtually all national labor campaign funds benefited Democrats.

The amount and distribution of transfers of funds from the national labor groups to State and local areas is indicated by the following breakdown from exhibit 5:

To labor campaign committees	$235,586
To Democratic Party committees	41,818
To Democratic candidates, House of Representatives	333,855
To Democratic candidates or committees, Senate	326,045
To other labor or Democratic committees	272,256

(2) Local labor funds: In the postelection phase of the subcommittee's work, the extent of labor coverage was broadened to encompass political action committees and leagues on the State and local level.

Analyses of the information obtained from these local groups are set forth in exhibit 5A which accounts for total expenditures in the amount of approximately $630,000, more than 50 percent of which was transferred to other campaign groups. The balance went directly for campaign activity. The distribution of transfers of funds to State and local areas is shown to be as follows:

To labor campaign committees	$94,584
To Democratic Party committees	23,765
To Democratic candidates, House of Representatives	136,268
To Democratic candidates or committees, Senate	42,863
To State and local candidates or committees	68,432
To other labor or Democratic committees unless indicated	26,697

A listing by States, of political committees and committees of labor organizations reporting to the subcommittee will be found in exhibit 29. A listing of political and labor committees which have not responded and recapitulation of the responses from all committees are included in the appendix.

2. Radio and television costs

The study of the subcommittee of campaign expenditures in 1956 for radio and television has resulted in the accumulation of the most complete election data for these mediums of communication ever achieved. With the cooperation of the 4 major networks, the approximately 500 TV stations throughout the United States and the 3,500 AM and FM stations, all of whom received subcommittee questionnaires, the subcommittee is able to show that the total 1956 campaign spending from September 1 to November 6, 1956, by all parties and candidates for all political offices for radio and TV aggregated $9,518,000. Of this amount, $5,381,000 was expended on behalf of Republican candidates, and $4,120,000 in support of Democratic candidates, a spending advantage of over $1,200,000, or approximately 20 percent, in favor of the Republicans. These totals are based upon returns from approximately 97 percent of the TV stations and approximately 90 percent of the radio stations operating in the United States during the 1956 campaign and 100 percent cooperation from the radio and television networks.

The radio and television expenditures for the period of the subcommittee study, September 1 through November 6, 1956, are set forth in considerable detail in exhibit 24. In addition to overall totals of radio and television costs, exhibit 24 shows the amounts spent for network radio and television, and the amounts spent in each State and the District of Columbia by the respective parties. In each case there is a further breakdown to show the amounts expended for both spots and regular programs in support of presidential and vice presidential candidates, candidates for United States Senator, candidates for United States Congressman, and candidates for all other offices. In addition, the amount of free time afforded by the radio and television networks and stations is also detailed. Some of the highlights of the radio and television survey are as follows:

Our study shows the following breakdown of the money spent by the two major parties:

Democratic

	Radio	TV	Total
Presidential	$477,000	$1,473,000	$1,950,000
Senatorial	226,000	455,000	681,000
Congressional	143,000	167,000	310,000
All other offices	517,000	632,000	1,149,000
Total	1,323,000	2,727,000	4,120,000

Republican

	Radio	TV	Total
Presidential	$558,000	$2,181,000	$2,739,000
Senatorial	203,000	485,000	688,000
Congressional	216,000	222,000	438,000
All other offices	668,000	777,000	1,445,000
Total	1,645,000	3,736,000	5,381,000

The respective total allocations of the above expenditures for so-called spots (an innovation in the 1956 campaign), and the full-length programs are as follows:

	Radio		TV	
	Spots	Programs	Spots	Programs
Democrats	$945,000	$469,000	$926,000	$1,615,000
Republicans	1,240,000	377,000	1,270,000	2,026,000
Total	2,185,000	777,000	2,206,000	3,641,000

The importance of network television in the presidential campaign is indicated by the fact that the Democrats expended $1,106,000 for this purpose, and the Republicans $1,696,000 out of their respective total television expenditures in the presidential campaign of $1,472,000 and $2,180,000. In the case of network television in the presidential campaign, the vast majority of the money spent by both parties was for regular programs with only $250,000 being spent by the Democrats for network spots and $126,000 by the Republicans. In contrast, the Democrats spent $305,000 and the Republicans $481,000 for nonnetwork television in the presidential campaign, of which $118,000 and $240,000, respectively went for spots. • • • • • • • • • •

The subcommittee's State by State study reveals that California and Pennsylvania were the leading States for radio and television political broadcast expenditures, with a total major party expenditure of $457,000 having been made in each State. In California, the Democrats spent $199,000, the Republicans $258,000; in Pennsylvania, $302,000 was spent by the Democrats and $255,000 by the Republicans.

Interesting comparisons may be drawn between the total figures for TV reported for the entire campaign period, and the data submitted to the subcommittee prior to the election by the TV networks, and the TV stations covering the period September 1 to October 21, 1956. In the subcommittee's interim report of these expenditures, it was shown that as of that date, both major parties had expended a total of $2,426,000 for TV, and that the 2 parties contemplated additional TV expenditures of $2,094,000. The final result of the reports submitted by networks and stations show that the total estimates of $2,094,000 for television between October 2, 1956, and election were exceeded by $1,961,000; that the estimated further television costs of the Democratic Party were exceeded by $988,000, and those of the Republican Party by $1,083,000. This indicates that both major parties increased considerably their anticipated TV expenditures in the late stages of the campaign.

Interesting comparisons may also be drawn between the amounts expended for radio and TV in the presidential, senatorial, and congressional campaigns in 1952 and 1956. The respective figures are shown below, the 1952 figures having been taken from the report of the Subcommittee on Privileges and Elections on Proposed Amendments to Federal Corrupt Practices Act (Subcommittee Print, 83d Cong., 1st sess.).

	1952			1956		
	Radio	TV	Total	Radio	TV	Total
Democrats	$1,269,680	$1,203,916	$2,573,576	$856,674	$2,114,469	$2,971,143
Republicans	1,803,825	1,643,909	3,447,734	1,076,690	2,960,245	4,036,935
Third party and nonpartisan	37,564	3,503	41,067	22,841	25,134	47,975
Total	3,111,049	2,951,328	6,062,377	1,956,205	5,099,848	7,056,053

As the above figures reveal, total radio and television expenditures for the 1956 presidential, senatorial, and Congressional campaigns were not significantly in excess of the 1952 expenditures for the corresponding campaigns. However, as might be expected, there was a marked increase in the 1956 television expenditures over 1952, and a significant decrease in 1956 in radio expenditures compared to 1952.

However, with respect to television, it must be noted that in 1952 there were approximately 126 TV stations in the United States, whereas in 1956 there were approximately 500. Total TV sets in use in 1952 were approximately 20 million, while approximately 40 million sets were in use in 1956. In 1952 there were approximately 15 States which had no stations, and the same conditions prevailed in sizable cities in other States. In 1956 there was at least one station in every State throughout the country. These changes in the makeup of the television industry clearly account for part of the substantial increase in television costs in 1956.

The increase in 1956 television costs would certainly have been higher, however, were it not for the following factors:

(a) The use of spot programs and announcements which involves substantially less expense than regular programs.

(b) The preelection coordination by the networks with the political parties for the purposes of program planning to avoid preemption charges.

(c) A price concession granted to the political parties making it possible for them to purchase half hour programs at half the hourly rate, and a spot 5-minute program at one-twelfth the hourly rate.

Our study also indicates that a total of 760 hours of free time were given for political broadcasts by the individual radio and television stations in the country, while the radio and television networks afforded 66 hours of free time. A breakdown of these figures discloses that individual radio stations gave a total of 575 hours of free time and the radio networks 34 hours of free time; a total of 185 hours of free television time were afforded by individual TV stations and 32 hours by the TV networks.

3. Contributions by individuals in the amount of $500 and over

The subcommittee questionnaire requested the receiving organizations to attach a list containing the names and addresses of contributors in the amount of $500 and over. The subcommittee's analyses of the replies to these questionnaires, exhibits 26–28, disclose that the total amounts of these contributions were $8,064,907 to the Republican Party and $2,820,855 to the Democratic Party.

Exhibit 27 shows the contributions of $500 and over listed according to States as shown by the addresses of the contributors. Shown below are the total contributions of $500 and over from each State to the Republican and Democratic Parties. There is also shown the number of contributions of $500 and over from each State. It should be pointed out that the number of contributions exceeds the number of contributors, since each contribution of $500 and over from an individual is listed separately.

	Republican	Number of contributions	Democrat	Number of contributions
Alabama	$9,750	14	$15,500	14
Arizona	14,300	16	11,876	15
Arkansas	24,020	12	5,000	6
California	698,897	617	143,832	119
Colorado	60,514	60	7,850	14
Connecticut	271,439	209	81,580	85
Delaware	232,589	188	39,650	36
District of Columbia	229,750	208	173,544	168
Florida	93,937	103	38,544	28
Georgia	11,500	13	3,000	4
Idaho	2,000	4	2,500	3
Illinois	425,322	428	146,083	127
Indiana	124,550	150	19,169	26
Iowa	16,735	16	1,000	3
Kansas	18,450	25	15,000	11
Kentucky	11,100	14	30,000	19
Louisiana	84,300	73	9,455	16
Maine	13,000	8	500	1
Maryland	134,125	131	63,997	57
Massachusetts	105,545	92	97,326	106
Michigan	223,907	264	49,448	37
Minnesota	19,750	26	8,000	8
Mississippi	4,500	5	1,000	2
Missouri	125,475	136	60,613	70
Montana	4,250	4	3,046	2
Nebraska	18,749	24		
Nevada	11,300	12	13,000	7
New Hampshire	10,000	13	2,500	3
New Jersey	147,560	174	72,509	75
New Mexico	51,675	28	2,300	3
New York	2,382,047	2,172	1,017,335	865
North Carolina	30,100	35	28,512	15
North Dakota	500	1	500	1
Ohio	374,005	475	59,500	63
Oklahoma	117,000	128	50,404	60
Oregon	116,722	124	10,200	13
Pennsylvania	999,434	957	231,981	274
Rhode Island	47,000	51	35,950	38
South Carolina	4,000	5	4,000	4
South Dakota	10,850	15		
Tennessee	19,844	20	5,000	9
Texas	256,870	172	55,434	53
Utah	500	1	1,500	2
Vermont	2,500	4	10,500	5
Virginia	39,100	38	47,930	37
Washington	30,150	17	13,000	9
West Virginia	137,950	132	43,116	42
Wisconsin	135,575	177		
Wyoming	13,600	16		
Alaska	1,000	1		
Hawaii	2,500	1	3,000	5
Puerto Rico	15,000	16	5,000	4
Virgin Islands	2,736			
Foreign	57,000	30	7,500	7
No address	79,625	94	71,361	93
Total	8,064,907	7,751	2,820,655	2,663

In addition to the information obtained from the political committees, the subcommittee addressed forms to approximately 400 individuals whose contributions in 1956 were shown to be in the amount of $5,000 and over. These persons were requested to list on the forms thus provided the total contributions made by them during the entire year of 1956 to assist the subcommittee in verifying its own records.

As in the case of political committees, the individual contributors were requested to submit to the subcommittee their suggestions for remedial legislation in the field of Federal elections. A specimen of the form provided for the listing of individual contributions and copies of the letter of transmittal are contained in exhibit 30.

An alphabetical list of contributors of $5,000 or more, together with the amounts of their contributions, is set forth in exhibit 12. The total aggregate amount of such contributions, by parties, is as follows:

Republican	$2,894,300
Democratic	860,380
Other	55,000

On the basis of information supplied to the subcommittee, the largest total amount contributed by one person was the sum of $73,164, contributed by Mr. Lansdell K. Christie of New York City. Of this sum, $70,564 was contributed to Democrats and the balance to a miscellaneous committee. The second largest contributor was Mrs. Charles S. (Joan Whitney) Payson who contributed $65,050 to Republicans.

Family contributions: Many of these individual contributors are members of prominent American families of wealth. An exhibit listing 12 selected family groups (exhibit 11) shows that a total of $1,153,735 was contributed by these families during 1956, of which over 90 percent went to Republicans. The totals, by families, are as follows:

Family	Tota.	Republican	Democratic	Miscellaneous
Du Pont	$248,423	$248,423		
Field	33,500	7,500	$23,000	$3,000
Ford	36,899	36,899		
Harriman	38,850	34,350	4,500	
Lehman	39,500	14,000	23,500	2,000
Mellon	100,150	100,150		
Olin	53,550	53,550		
Pew	216,800	216,800		
Reynolds	49,609		49,609	
Rockefeller	152,604	152,604		
Vanderbilt	62,400	54,800	6,500	1,100
Whitney	121,450	121,450		
Total	1,153,735	1,040,526	107,109	6,100

Other exhibits accompanying this report arrange in alphabetical order the names of the individual contributors to both major parties in the sum of $500 and more, according to the committees and candidates of both parties to which and to whom the contributions were made (exhibit 26) and according to States (exhibit 28).

Further analysis and arrangement of the individual contributors according to business and other affiliations, have been made as follows:

(A) 225 of the Largest United States Corporations With Offices and Directors Contributing $500 or More, January 1–November 30, 1956 (Exhibit 25)

The alphabetical list of the 1956 contributors of $500 or more, exhibit 26, was compared by the staff against the names of officials of 225 of the largest United States corporations as listed by Fortune magazine in its July 1956 issue. From the Fortune list, the following selection was then made:

(a) 100 largest industrial firms (measured by 1955 sales).

(b) 25 largest commercial banks (measured by 1955 assets).

(c) 25 largest merchandising firms (measured by 1955 sales).

(d) 25 largest transportation companies (measured by 1955 operating revenues).

(e) 25 largest life-insurance companies (measured by 1955 assets).

(f) 25 largest utilities (measured by 1955 assets).

The results of this comparison show that officials of the largest corporations thus selected contributed $1,816,000 to the Republican Party, and contributed $103,000 to the Democratic Party.

(B) Officials of National and International Unions (Exhibit 13)

It was found that 18 labor officials contributed $500 or more, and that 10 such persons were presidents of national or international unions. The total of these contributions was $19,000, of which $16,500 was contributed to Democratic committees or candidates, and $2,500 to Republican committees or candidates.

(C) Officials of 86 Corporations Participating in the Atomic Energy Program (Exhibit 20)

Persons contributing $500 or more who are officers and directors of firms engaged in the atomic energy program, are listed in exhibit 20. Included are those corporations which have been individually licensed by the Atomic Energy Commission, as well as those corporations which have combined to form joint ventures whereby the group as a separate entity has been licensed. The grand totals are:

Republican	$387,342
Democratic	34,700

(D) Officials of 100 Largest Military Prime Contractors (Exhibit 19)

The names contained in the subcommittee's list of officials and directors of the 100 largest prime defense contractors show the following contributions:

Republican	$1,133,882
Democratic	40,975

(E) Officials of 29 of the Largest Oil Companies in the United States (Exhibit 18)

Comparison by the subcommittee staff of the alphabetical listing of the names of individual contributors in the amount of $500 and more (exhibit 26), against the names of officials of the 35 largest oil companies in the United States, as contained in the Fortune magazine list, show total aggregate contributions in the amount of $344,997 to Republican committees, and/or candidates, and $14,650 to Democratic committees and/or candidates.

(F) Officials of Other Corporate Organizations

Comparisons of the individual lists of contributors of $500 and more against the lists of corporate officials of other important segments of American business and industry, reflect the following:

(1) Officials of the 10 leading radio and television station licensees (exhibit 14)

Total contributions by officers and directors of the principal radio and television broadcasting companies show total contributions as follows:

Republicans	$37,800
Democrats	1,000

Analysis of contributions according to the companies with which these officials are connected reflects the following:

Company	Republican	Democratic	Total
Columbia Broadcasting System, Inc.	$13,600		$13,600
National Broadcasting Co., Inc.	3,500		3,500
American Broadcasting Co., Inc.	500		500
Storer Broadcasting Co., Inc.	9,300		9,300
Westinghouse Broadcasting Co.	3,400	$500	3,900
RKO Teleradio Pictures, Inc.			
Crosley Broadcasting Corp.	4,500	500	5,000
Meredith Publishing Co.	2,500		2,500
Scripps, Howard Radio, Inc.			
Consolidated TV and Radio Broadcasters, Inc.	500		500
Total	37,800	1,000	38,800

(2) Officials of 17 certificated airlines (exhibit 15)

Analysis of the contributions of $500 and over by officers and directors of 17 certificated airlines discloses the following total contributions:

Republicans	$132,150
Democrats	31,609

The totals, according to the companies with which these persons are affiliated, together with the amount of contributions, by companies, is as follows:

Company	Republican	Democratic
American Airlines	$6,000	$300
Braniff Airways, Inc.	1,750	300
Capital Airlines, Inc.	5,500	
Continental Air Lines, Inc.	13,900	
Delta Airlines, Inc.	3,000	24,609
Eastern Airlines	25,550	
Flying Tiger Line, Inc.	4,500	
National Airlines, Inc.	3,000	2,000
Northwest Airlines, Inc.	1,000	
Northeast Airlines, Inc.		500
Pan American Grace Airways, Inc.	500	
Pan-American World Airways	24,500	
Seaboard & Western Airlines, Inc.	3,750	
Slick Airways, Inc.	22,000	3,500
Trans World Airlines	2,000	
United Air Lines	15,300	
Western Air Lines, Inc.		
Grand total	132,150	31,609

(3) Officials of the 37 leading advertising agencies (exhibit 17)

In this group, no officers and directors were found to have contributed to Democrats. Total contributions to the Republicans were in the sum of $51,600. The firm list is as follows:

Company:	Republicans
Batten, Barton, Durstine & Osborn	$5,000
Benton & Bowles	1,500
Blow-Beirn-Toigo (now Blow Co.)	2,000
Brooke, Smith, French & Dorrance	None
Campbell, Ewald Co.	11,350
Campbell-Mithun	None
Cockfield, Brown & Co.	None
Compton Advertising	None
Cunningham & Walsh	None
Dancer-Fitzgerald-Sample	1,000
D'Arcy Advertising Co.	1,500
Donahue & Coe	None
D. P. Brother & Co.	None
Erwin, Wasey & Co.	None
Foote, Cone & Belding	500
Fuller & Smith & Ross	None
Geyer Advertising	500
Grant Advertising	500
Grey Advertising Agency	None
J. Walter Thompson Co.	12,600
Kenyon & Eckhardt	3,000
Kudner Agency	500
Lennon & Newell	2,000
Leo Burnett Co.	500
MacLaren Advertising Co.	None
MacManus, John & Adams	500
Maxon, Inc.	500
McCann-Erickson	1,650
Needham, Louis & Brorby	None
Norman, Craig & Kummel	None
N. W. Ayer & Son	None
Ruthrauff & Ryan	500
Sullivan, Stauffer, Colwell & Bayles	1,000
Tatham-Laird	None
Ted Bates & Co.	None
William Esty Co.	3,000
Young & Rubicam	2,500
Grand total	51,600

(4) Officials of the 47 leading underwriters of investment bonds (exhibit 16)

Officials of the 47 leading underwriters of investment bonds who contributed in amounts of $500 and over, according to committee records, made total contributions of $237,800 to the Republicans, and $2,000 to the Democrats. The firms and the total amounts of the officials contributing are:

Company	Republicans	Democrats
Allyn (A. C.) & Co., Inc.	$7,500	
Allen & Co.	8,000	
Bache & Co.	1,000	
Bear, Stearns & Co.	9,500	
Blyth & Co.	6,750	
Byllesby (H. M.) & Co., Inc.	500	
Central National Corp.	1,000	
Clark, Dodge & Co.	2,000	
Craigmyle, Pinney & Co.	1,000	
Dominick & Dominick	3,250	
Drexel & Co.	5,000	
Du Pont (Francis I.) & Co.	5,000	
Eastman, Dillon & Co., Inc.	5,500	
Equitable Securities Corp.	None	
First Boston Corp.	2,000	
Glore, Forgan & Co.	1,500	
Goldman, Sachs & Co.	5,000	
Goodbody & Co.	None	
Gregory & Sons	None	
Hailey, Stuart & Co.	1,500	
Harriman, Ripley & Co.	None	
Haupt (Ira) & Co.	500	
Hempbill, Noyes & Co.	4,100	
Hentz (H.) & Co.	1,000	
Hornblower & Weeks	3,500	
Hutton (E. F.) & Co.	2,500	
Kidder (A. M.) & Co.	None	
Kidder, Peabody & Co.	3,250	
Kuhn, Loeb & Co.	21,300	
Langley (W. C.) & Co.	500	
Lazard Freres & Co.	6,300	$500
Lehman Bros.	48,250	
Loeb (Carl M.) Rhodes & Co.	4,000	
Marks (Carl) & Co., Inc.	None	
Merrill Lynch, Pierce, Fenner & Beane	20,600	
Morgan, Stanley & Co.	19,300	
Paine, Webber, Jackson & Curtis	1,000	
Reynolds & Co.	10,500	
Rothschild (L. F.) & Co.	500	
Salomon Bros. & Hutzler	500	
Shearson, Hammill & Co.	None	
Smith, Barney & Co.	4,500	
Union Securities Corp.	1,000	
Walston & Co.	None	
Wertheim & Co.	4,500	
White, Weld & Co.	9,000	
Witter (Dean) & Co.	4,300	1,500
Grand total	237,800	2,000

(5) Officials of professional, business, and other selected special groups (exhibit 22)

The special groups selected and the total number of political contributions by officials of these groups to the political parties are as follows:

	Republican	Democrat	Miscellaneous
American Bar Association, house of delegates	$5,000	$2,500	
American Iron and Steel Institute	45,100		
American Medical Association			
American Petroleum Institute	171,750		
Association of American Railroads	3,500		
Business Advisory Council for the Department of Commerce	268,499	4,000	$2,725
Chiefs of diplomatic missions	121,415		
Manufacturing Chemists Association	2,250		
National Association of Electric Companies	2,000		
National Association of Manufacturers	81,475		
National Association of Real Estate Boards	1,000	1,500	
National Coal Association	28,500		
United States Chamber of Commerce	10,700		
Total	741,189	8,000	2,725

C. Activity by Corporate and Business Organizations

Since section 610 of title 18, United States Code, prohibits contributions or expenditures on the part of corporations in connection with Federal elections, the activities of corporations and organizations normally considered allied with corporations came under the scrutiny of the subcommittee. Some of the activities investigated are as follows:

1. Testing of Democratic registrations, Oregon: A complaint from Kenneth E. Rinke, Multnomah County Democratic Committee chairman, dated November 1, 1956, initiated an investigation of Oregon election activities of certain business concerns in Portland, Oreg. It was determined that certain Portland business concerns were solicited by Gordon Orput, a local insurance man, and the Multnomah County Republican Central

Committee, to send out mailings to registered Democratic voters. The concerns used their own envelopes and generally enclosed some of their ordinary advertising material. However, in at least one instance nothing was enclosed in the envelopes mailed. The entire cost of the mailings was paid for by the concerns participating, or officers or members thereof, although the addressing of the envelopes was done by the Multnomah County Republican Central Committee.

The purpose of the mailing was to determine whether or not the Democratic voters were properly registered. All of the envelopes were marked "Return to Sender if Not Delivered." The envelopes which were returned to the concerns were, in most instances, handed over to the Republican central committee for use by their poll watchers as evidence that the voters whose names were addressed on the envelopes were not living at the addresses which had been given. Since the addresses to which the envelopes were sent had been obtained from the list of registered voters kept in the office of the secretary of state, this could mean that the voter was improperly registered or, perhaps, nonexistent. In at least two instances, however, all of the returned envelopes were not given to the Republican central committee because the concerns involved had doubts about permitting their use for political purposes. Representatives of some of the concerns involved also indicated that they did not know at the outset that the mailing was to be solely to Democratic voters.

Some of the concerns which participated in this mailing scheme were individual proprietorships and partnerships to which section 610 of title 18, United States Code, which prohibits contributions to Federal election campaigns by corporations, is not applicable. There were, however, several corporations, including the First National Bank of Portland. The participation of such concerns in this activity may be a violation of section 610 since the results of the mailing were used by the Republican committee to check registrations of Democratic voters and, to that extent, such activity may be considered to constitute an "expenditure" on behalf of the Republican committee.

2. Activities of Pennsylvania Manufacturers Association: As a result of a newspepper story appearing in the Pittsburgh Post-Gazette of October 3, 1956, which indicated that the Pennsylvania Manufacturers Association was making contributions to the Republican Party and the testimony of James McDevitt, codirector of the AFL–CIO Committee on Political Education, at the subcommittee's hearings on October 9, 1956, to the effect that the association is "one of the most active political organizations in the United States" (hearings, p. 321), an inquiry was made into the activities of the association. The only political activity disclosed by the preliminary staff investigation was a campaign designed to encourage persons to register to vote. Therefore, no further investigation of the association was conducted by the subcommittee.

D. Activity by Labor Organizations

Section 610 of title 18, United States Code, was amended by the Taft-Hartley Act so as to include labor unions within its terms and place them upon the same footing as corporations so far as political contributions and expenditures are concerned. In spite of this section, however, there is extensive activity by labor unions in the political field, mostly through political education and political action committees, usually financed by voluntary contributions. A more detailed accounting of the findings of the subcommittee as to the extent of labor participation in the campaign will be found elsewhere in this report, but in one instance an on-the-spot investigation was made.

As a result of a request by Senator CURTIS on November 1, 1956, the subcommittee sent an investigator to Flint, Mich., to determine the facts in reports that the Greater Flint Industrial Union Council and, specifically, local 599 of the United Auto Workers, were engaging in political activities and using union funds therefor, in violation of the Federal election laws. This investigation was somewhat hampered by the facts that the campaign was then at its height, and that an investigation was in progress was known to the press. The union leaders, objecting to the publicity, and feeling that the investigation was being used for campaign purposes, were reluctant to lend their full cooperation. However, information was obtained from which certain conclusions can be reached.

Thus, it appears, the Greater Flint Industrial Union Council requested its locals to furnish to the council the sum of 47½ cents per member for use in the election campaign and to call out from their plants their political action committees and political candidates from October 8 to November 8, 1956. The executive board of local 599, at a meeting held September 7, 1956, voted to concur in the request of the council, and to recommend to the local that anyone called out of the shop be paid $20 per day, but not more than $100 per week. At the regular membership meeting of local 599, held pursuant to the usual notice, on September 9, 1956, it was voted to concur in the request of the council and to adopt the recommendation of the executive board. It was not possible to establish in the course of the investigation whether this request was for a voluntary contribution from the members or whether an assessment was actually made.

The information and material obtained by the investigator was transmitted to the Department of Justice for such action as it should deem indicated. (For further discussion of labor and corporate activity, see pp. 23 to 25, infra.)

E. Purchase and Sale of Campaign Materials

Section 608 (b) of title 18, United States Code, provides as follows: (b) Whoever purchases or buys any goods, commodities, advertising, or articles of any kind or description, the proceeds of which, or any portion thereof, directly or indirectly inures to the benefit of or for any candidate for an elective Federal office including the offices of President of the United States, and presidential and vice presidential electors or any political committee or other political organization engaged in furthering, advancing, or advocating the nomination or election of any national political party, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

This subsection shall not interfere with the usual and known business, trade, or profession of any candidate.

In the light of this provision of the code, the subcommittee was interested in determining the method of distribution and the cost of various campaign paraphernalia. Included in this report is an illustrative list of companies engaged in the sale of political novelties and specialties, together with the gross dollar volume of sales in 1956 (exhibit 9). Most of these items are of little actual monetary value. However, they are usually sold at a unit price far in excess of their cost and have become an important factor in political solicitations. The amount of money expended by political committees and candidates to only 6 companies which sold these items in the 1956 campaigns was approximately $678,000. The amount realized by the sale of such items must have at least equaled that amount.

The above-quoted section of the Federal code would appear by its terms technically to prohibit the purchase and sale of these items by individuals, committees, or candidates. If this be the case, the number of violations is legion and obviously there is need for remedial legislation in this area of political activity. Campaign buttons, stickers, pencils, and other campaign materials, are universally used as methods of publicizing parties, candidates, and issues.

F. Campaign Literature

Some past campaigns have been marred by scurrilous and defamatory literature. In the 1956 campaign, the subcommittee received information of only two instances where such practices were being followed.

One of these instances arose in North Dakota, in the campaign of A. C. Townley, a self-styled Independent Republican candidate for the United States Senate. Most of his financing was handled through the Citizens Committee for Better Understanding of the Communist Threat, of which E. C. Joyce, of Bismarck, N. Dak., was secretary. Most of the speeches and advertisements of the candidate were devoted to attacks upon Quentin Burdick, the Democratic candidate for Senate, and especially to attempts to label Burdick as a Communist.

The other instance arose in Oklahoma. Rev. Billy James Hargis, of the Christian Echoes National Ministry, Inc., of Tulsa, Okla., distributed a mimeographed appeal for funds entitled "Our 1956 Political Crisis," and a printed leaflet entitled "Stevenson and Kefauver." Both of these items were marked by extreme language and attempts to link Stevenson and KEFAUVER to communism.

Investigation of these two matters was not completed at the time of submission of this report.

G. Democratic Senatorial Primary—Idaho

On August 23, 1956, the subcommittee received by telegram a complaint from Hon. Glen Taylor, who was defeated in the Democratic primary in the State of Idaho, in which a request was made for a recount of the primary vote. The complainant was advised of the rules of the subcommittee as above described and was accorded an opportunity to present a written verified statement of complaint with supporting affidavits. Under date of September 5, 1956, Mr. Taylor filed with the subcommittee his written but unverified communication with seven supporting affidavits from other individuals. After preliminary review by the staff of the subcommittee the entire matter was considered by the subcommittee in executive session on September 12, 1956, and a finding was made that the evidence was insufficient to make a prima facie case. Mr. Taylor was so advised by letter dated September 12, 1956.

H. Alleged Solicitation of Campaign Contributions in General Motors Plants, Cleveland, Ohio

An anonymous complaint dated September 4, 1956, received by the subcommittee alleged that general foremen and employees of higher rank in a General Motors Corp. plant located in Cleveland, Ohio, were being compelled to contribute to the Republican Party. Pledge cards were allegedly distributed by the plant manager, who informed the supervisory employees that a minimum contribution of $50 was expected. The complainant stated that his pledge card and contribution had been returned to him because he had contributed only $20.

Interviews with various supervisory personnel at four General Motors plants in Cleveland revealed that some, but not all, of these employees had received pledge cards for the Ohio Republican Finance Committee and the Ohio Republican Senatorial Committee from their superiors at the General Motors plants. In some instances, the employee's name was on the pledge card; in others, the cards were blank. Some of the employees made contributions in varying amounts, while others did not. None of the employees indicated that any pressure was exercised, but one employee stated that he had never contributed before and would not have contributed in 1956 except for the fact that the pledge card was given him by his immediate superior at the plant.

Interviews were also held with officials in charge of the various General Motors plants in Cleveland. These interviews revealed that in at least three of the plants the manager or superintendent received Republican pledge cards from the Cuyahoga County Republican Committee and distributed them to supervisory personnel in their plants through organizational channels. In at least one plant, the pledge cards and contributions were returned to the superintendent for forwarding to the committee.

I. Constitution and Free Enterprise Foundation

As a result of information received by the subcommittee, a preliminary field inquiry investigation was made of the activities of the Constitution and Free Enterprise Foundation, Inc., in connection with the election. The Constitution and Free Enterprise Foundation, Inc., is classified by the United States Treasury as a tax-exempt organization organized and operated exclusively for educational purposes. It maintains offices in New York City and its secretary is Dr. Edward A. Rumley. Contributions made to this organization are deductible by the donors for income-tax purposes.

While the campaign was in progress, this foundation undertook nationwide mass distribution of the book Farmers at the Crossroads by Ezra Taft Benson, Secretary of Agriculture. This book contains a brief biography of Mr. Benson, a discussion of farm problems, including the question of parity and acreage control and strongly supports the administration's farm policy. In the descriptive literature concerning the book, it is referred to as containing a "nonpolitical solution" of our farm problem. The book, itself, contains such nonpolitical chapters as Controls Versus Initiative, Why Price and Acreage Controls Don't Work, Should Efficiency Be Outlawed? and The Paternalistic Road to Disaster.

Contributions were solicited by the Constitution and Free Enterprise Foundation, Inc., by telegram and otherwise from individuals in at least eight States: California, North Dakota, South Dakota, Minnesota, Indiana, Pennsylvania, and Montana. In these solicitations, the persons addressed were advised that their contribution would be tax-deductible.

The activities of this foundation during the election campaign point up the problem that such foundations may be used as a device to avoid controls upon political expenditures and to provide tax benefits for political contributors. The information gathered by the staff is being forwarded to the Internal Revenue Service.

(J) Miscellaneous Complaints

Various complaints were received by the subcommittee during the course of the election campaign which did not result in investigation. In each instance the complainants were advised of the rules of the subcommittee described above, but no supporting evidence was submitted. Some of these complaints were as follows:

1. A complaint by Mr. JOHN D. HOSLITZELL, Jr., chairman of the West Virginia Republican Executive Committee, alleging that people had been discharged as employees of State institutions because they refused to contribute political funds to Democrats.

2. A complaint by the Republican State senate candidates from the city of New York alleging excessive expenditures by Governor Harriman in connection with his attempt to win the Democratic presidential nomination.

3. A complaint by Guy L. Smith, Republican State Executive Committee of Tennessee, alleging that certain State employees had been required to contribute 10 percent of their September pay as a political contribution. (This matter was referred to a special subcommittee consisting of Senators MANSFIELD and CURTIS.)

4. A telegram from Thomas H. Lane, campaign chairman of the Dauphin County, Pa., Democratic campaign, requesting that an investigator be assigned to Harrisburg, Pa., on election day because of certain notorious election fraud districts.

5. A telegram from Walter E. Curry, Republican State chairman of Oklahoma, requesting assignment of investigators as observers on election day because this State is notorious for election-day frauds.

6. A telegram from Mr. Griffith Rees, Democratic county chairman for Lake County, Ind., alleging a shakedown of supervisory personnel for contributions to the Republican Party at the United States Steel plant in Gary, Ind.

V. SUBJECTS DEVELOPED AT PUBLIC HEARINGS

In the course of its study the subcommittee has held 2 sets of public hearings which consumed a total of 5 days. Thirty-three witnesses were questioned, some of them appearing before the subcommittee more than once, regarding various phases of campaign practices and political activities, with a view toward enlightening the subcommittee and the public as to the conduct of the campaigns, and the necessity for remedial legislation. Testimony was received on a variety of subjects including the subject of institutional advertising referred to in section IV of this report. A summary outline and discussion of others of these points, together with some of the tentative conclusions arrived at, follow:

A. Campaign Contributions

In general, the testimony regarding campaign contributions centered around the questions of whether there should be any limitation upon the amount allowed to be contributed by individuals, and if such a limitation were made, how it should be enforced, and whether labor unions and corporations should be allowed to contribute. In this connection, the question of giving adequate publicity to contributions, together with the possible deterrent effect of such publicity, was examined.

The first witness at each of the sessions of public hearings held by the subcommittee was Dr. Alexander Heard, professor of political science at the University of North Carolina, who became a staff consultant on September 17, 1956. At his first appearance before the subcommittee, Dr. Heard estimated the costs of all election campaigning in 1952 to have been in the neighborhood of $140 million.

It was the general consensus of the witnesses that the present definition of "political committee" included in the Federal Corrupt Practices Act of 1925 is inadequate, both as to providing an effective limitation on the amount which can be contributed by an individual, and also as to providing adequate publicity to amounts contributed. The present definition includes: any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates for presidential and vice presidential electors (1) in 2 or more States, or (2), whether or not in more than 1 State, if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization.

As was forcefully brought out by the testimony of John Hay Whitney, chairman of the United Republican Finance Committee of New York, a political committee operating in only a part of a State would not be included in the above definition and yet could exert a powerful influence upon an election in terms of funds raised and disbursed. Mr. Whitney's testimony shows that his committee operates in only 8 counties of New York, and yet it had raised by September 10, 1956, the sum of $688,559.50. The total contributions reported by this committee as of December 31, 1956, were $1,645,369.

It was pointed out that, since this committee did not come within the definition of a "political committee" as used in the Corrupt Practices Act or in the Hatch Act, there was no limitation as to the amount an individual could contribute to such committee. Nor is such a committee required to file with the Clerk of the House of Representatives the statement required of "political committees" by section 305 of the Corrupt Practices Act, so that no publicity would be given to such a contribution unless a report were required by State or local law, or, as in the case of Mr. Whitney's committee, a report was filed voluntarily.

Most of the witnesses favored some limitation upon the amount allowed to be contributed by any one individual. In this connection, Walter P. Reuther, president of the International Union of United Automobile, Aircraft, and Agricultural Implement Workers of America, renewed a recommendation previously made by his organization that there be a $5 limitation per voter; and that contributions should be made only by qualified electors. This limitation would be separate for President, Senator, Congressman, and political party. Thus, under Mr. Reuther's suggestion, in a presidental election year, no individual would be allowed to contribute more than $20, $15 in a Congressional year, and $5 in a nonelection year. This was the most drastic recommendation proposed. The other witnesses favored somewhat higher limits.

Mr. Carleton G. Ketchum, president of Ketchum, Inc., Pittsburgh, Pa., a fund-raising organization, stated that he thought that a reasonable limitation should be made, and added that there was a practical limitation now, due to the gift tax provisions of the Internal Revenue Code. (Mr. Ketchum testified that his organization had raised $600,000 in Pittsburgh for the Republican Party as of October 10, 1956, and hoped to raise an additional $200,000. Commissions received by him were approximately $56,000 as of the same date. (Hearings, pt. 2, pp. 449–452.))

The tax aspects of campaign contributions were testified to by Justin F. Winkle, Assistant Commissioner of Internal Revenue. He stated that, insofar as campaign contributions were concerned, under the Federal gift-tax law, an annual exclusion of $3,000 is given to any unmarried donor in connection with any gift to a separate donee. In addition, each donor is allowed a $30,000 lifetime exemption. In the case of married individuals, a husband and wife, or a husband using his wife's exemption and exclusion, could make annual gifts of $6,000 without gift-tax liability to any number of donees and could make additional gifts during their lifetime in the sum of $60,000 without gift-tax liability. A gift-tax return, however, must be filed in any case where a contribution is made to any one committee exceeding $3,000 in any 1 year. He also pointed out that under the Federal income-tax law, no deduction is allowed by an individual or other organization for political contributions or expenditures, though in certain exceptional cases, a contribution or expenditure which might be classed by some as "political" has been allowed.

Some testimony related to the question as to whether or not a deduction or credit ought to be allowed for a political contribution or expenditure. Paul Butler, chairman of the Democratic National Committee, stated that the Democratic National Committee had supported bills to encourage contributions by taxpayers by allowing them to deduct contributions of up to $100 to political parties or candidates, or, in the alternative, to allow an outright credit for political donations of up to $10.

Mr. Carleton G. Ketchum also testified that in his opinion it would be very well worthwhile to permit the deduction for income-tax purposes of up to $100 of a contribution to a recognized political party, stating that it must be assumed that a contributor makes such a contribution in the interest of good government. He further stated that he believed that such a deduction would greatly increase the number of givers in amounts below $100 and cause a number of those now giving lesser amounts to increase their contributions up to $100. Similar testimony was received from other witnesses.

B. Campaign Spending Limitations

Primarily, the discussion and suggestions in regard to campaign spending limitations centered around two questions: (1) Should there be any limit upon the amount allowed to be expended; and (2) if so, what would be a realistic limit. Section 20 of the Hatch Act (now sec. 609 of title 18, U. S. Code), originally enacted in 1940, provides that "no political committee shall receive contributions aggregating more than $3 million, or make expenditures aggregating more than $3 million, during any calendar year." In this connection, the testimony of Carroll P. Newton, vice president of Batten, Barton, Durstine & Osborne, Inc., advertising firm representing the Republican National Committee, was particularly arresting. He pointed out that since 1940 the cost of advertising in various media has risen drastically and submitted the following supporting statistics:

Item	Average cost in—		Increase (percent)
	1940	1955	
Black and white page advertisement in national magazine	$3,238.65	$6,685.04	Over 100.
Page advertisement in morning newspapers	241.07	729.15	Over 200.
Page advertisement in evening newspapers	444.20	916.13	Over 118.
Broadcast medium (in 1940 the broadcast medium consisted of radio alone; in 1955 the broadcast medium consisted of both radio and television): ½ hour full network facilities of NBC	13,761.00	$81,819.00	Over 500.

It was the consensus of the witnesses interrogated on this point that the present law was unworkable and encouraged the formation of numerous political committees. The fact that any single committee is, under present law, limited to a $3 million expenditure, coupled with the fact that this limit for a nation the size of the United States would allow only a fraction of the advertising and other publicity necessary to reach the voters, gives rise to the creation of an enormous number of committees and organizations engaged in what might seem to be a duplication of effort. Thus we find that there is a Republican National Committee, a United Republican Finance Committee, a Citizens for Eisenhower, a Young Republican National Federation, a Young Republican National Campaign Committee, a National Federation of Republican Women, a Republican Committee on Healing Arts, and various other committees and organizations all established for the same purpose. There is a similar growth, of course, of committees and organizations concerned with electing Democratic candidates to national office.

Each of these committees, under the present law, is entitled to raise and expend up to $3 million. In addition, as pointed out heretofore, there is no effective limitation on the amount of money which can be raised and spent by a State or local committee.

C. Radio and Television—The Free-Time Question

The subcommittee received testimony from officials of the four leading broadcasting systems of the United States and also from Mr. Harold E. Fellows, president of the National Association of Radio & Television Broadcasters. There was substantial agreement on the part of these witnesses that section 315 of the Communications Act places serious handicaps upon political candidates and parties as well as upon the broadcaster or telecaster desiring to perform the public service of bringing to the listening and viewing audience adequate coverage of the election campaign.

The witnesses were practically unanimous that section 315 of the Communications Act ought to be repealed or drastically amended. This section, at present, provides, in part, as follows:

(a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station: *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate.

Although on its face this section would appear to be a fair and equitable statute, its application has created many problems. Under the interpretation which the section has received by the Federal Communications Commission, any qualified candidate is entitled to the benefits of this section. As was pointed out by the testimony of Richard S. Salant, vice president of the Columbia Broadcasting System, Inc., in 1952 there were 18 political parties which presented presidential nominees. In addition to the Republican and Democratic Parties, there were also presidential candidates of the American Party, the American Rally, the Christian Nationalist Party, and numerous other groups.

A broadcaster or telecaster is not allowed under section 315 (a) to make any distinction among the candidates of these parties, regardless of the public interest in these candidates. In consequence, the broadcasters hesitate to allow the use of their facilities by any candidate, other than upon a paying basis, for fear that they will be besieged with requests for equal free time from these minor parties. It was suggested by the witnesses that some realistic criterion should be established whereby free time could not be demanded by parties who did not represent a substantial percentage of the voting public. Among other suggestions, there were advanced the ideas of requiring a party to have polled a certain minimum percentage of the vote in the last election or requiring that a petition bearing a certain minimum number of signatures be filed before equal free time would be allowed.

The question of requiring the radio and television broadcasters to present a certain minimum amount of free time to candidates was also raised during these hearings. Robert R. Nathan, chairman of the executive committee of the Americans for Democratic Action, suggested that the law be revised to require the networks to make a reasonable amount of free time available to candidates of the major parties. He also suggested that provision should be made for free time for minor parties based upon their abilities to show some support among the electorate.

It was pointed out by various witnesses that the air waves belong to the American people and that the radio and television stations have been granted a virtual monopoly of this great natural resource. It was felt by some that the favored position of the networks in regard to this natural resource should give rise to an obligation upon their part to furnish time without charge to candidates and political parties in connection with the elections. The witnesses on behalf of the radio and television industry, however, were opposed to such suggestions. They argued that radio and television were not the only expenses of a political campaign and that a similar argument could be made to require free transportation to be furnished by the railroads, free hotel rooms and offices, free printing and space in newspapers.

The subcommittee's study of radio and television in the 1956 election campaign revealed the amount of free time that individual radio and television stations and the radio and television networks made available to the various political parties. The figures with respect to radio and television free time are summarized infra, pages 8–11, and are set forth in detail in exhibit 24. However, it should be noted that the figures compiled by the subcommittee for the 1956 campaign includes free time given to persons supporting candidates as well as free time made available to the candidates themselves. The requirements of section 315 of the Communications Act apply only to use of broadcasting facilities by the candidates themselves.

The question of censorship by political broadcasters and telecasters was also raised in the hearings. It was pointed out by representatives of the radio and television industry that under the present law a broadcaster is not allowed to censor a speech of a candidate and yet the broadcaster is held responsible by many State laws for any slanderous or libelous statements which might be uttered by the candidate. It was felt by these witnesses that this law was inequitable and, while most of them did not suggest that the stations be allowed to censor the candidates' statements, they did suggest that the law should remove them from liability for statements made in an uncensored broadcast.

D. Labor and Corporate Political Activities

From the testimony received by the subcommittee in public hearings and evidence which has been obtained by the staff during the present study, it appears that the question of corporate and labor activities in the political area and the impact upon such corporate and union activities of section 610 of the Corrupt Practices Act, have been placed more sharply in focus during the present campaign than in previous years.

The above-cited section of the act is applicable by its terms to corporations and labor unions and makes it unlawful for either of them to make " " " a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress or to be voted for, or in connection with any primary election, or political convention or caucus held to select candidates for any of the foregoing offices.

The testimony received from Prof. Alexander Heard, political science expert, Arch N. Booth, executive vice president, United States Chamber of Commerce, Duncan Norton-Taylor, assistant managing editor of Fortune magazine, and other witnesses has sketched out the lines of corporate activity believed to be legal within the meaning of section 610 of the Corrupt Practices Act, and also of activities clearly beyond the pale of legitimate corporate activities.

On the other hand, there are claims that union organizations are not merely expending funds voluntarily contributed by union members in support of candidates and committees, but are also making use of union treasury funds for purposes alleged to be unlawful under the above section of the Corrupt Practices Act.

The representatives of labor cited the following examples of activity in which they, under their constitutional right, are permitted to engage, with the use of general union funds:

(1) Systematically organize drives for registration of voters;

(2) Carry out a systematic program of political education, including organization of schools where political questions are discussed, and the compilation and distribution of voting records; and

(3) Exercise the right of free speech by expressing their views on political questions in print and by means of television and radio and otherwise.

With respect to corporations, the testimony presented to the subcommittee discloses that corporations have been advised in broadly disseminated publications of the United States Chamber of Commerce and legal opinions that they may engage in the following political activities:

(1) Pay salaries and wages of officers and regular employees while engaged in political activities;

(2) Publish opinions and arguments of a political nature, expressed as the views of the corporation, in any house organ or other printed document circulated at the expense of the corporation;

(3) Purchase radio and television time or newspaper space for the presentation of the corporation's political views;

(4) Use any other means of expressing the political views of the corporate management, publicly or privately;

(5) Encourage people to register and vote, and disseminate information and opinions concerning public issues without regard to parties and candidates.

Comparable to the allegations that union treasury funds are improperly diverted directly to candidates or political committees (rather than for the direct expression by the union organizations of their own political philosophies or ideas), is the testimony of Dr. Heard and Mr. Duncan Norton-Taylor with respect to evasions of the law by corporate organizations. It was testified that such organizations:

(1) Make use of the advertising or entertainment funds of trade associations for political contributions;

(2) Place advertisements in political publications through public relations firms or advertising agencies;

(3) Make contributions in kind to political candidates (make available to them without pay the use of offices, airplanes, etc.);

(4) Permit the padding of expense accounts with the understanding that political contributions should be made out of the padded amounts; and

(5) Pay or prepay bonuses with the explicit or tacit understanding that part of such remuneration shall be spent in campaign contributions.

In the near future, a decision is expected in the case of *United States* v. *International Union, United Automobile, etc., Workers*, now pending before the Supreme Court of the United States, on appeal by the Department of Justice from a decision of Judge Picard of the Federal District Court of the Eastern District of Michigan. In that decision, it was held that expenditures made by a labor union from its general treasury for television broadcasts endorsing political candidates were not expenditures prohibited by section 610 of the Corrupt Practices Act.

Should the Supreme Court hold this provision unconstitutional in its application to the labor unions, there may still remain an area of doubt as to its constitutionality with respect to corporations. The viewpoint of labor as expressed by Mr. Reuther is, however, that corporations should have the same right to participate in political activities as labor unions claim for themselves.

The subcommittee received testimony from Warren Olney III, Assistant Attorney General in charge of the Criminal Division of the Department of Justice, with reference to the enforcement of section 610. In a statistical report of complaints received by the Department of Justice concerning alleged violations of this section from 1950 through 1956, Mr. Olney pointed out that during that period there had been received 54 complaints, of which 49 were considered by the Department to be worthy of investigation. From these complaints and investigations, 14 cases were presented to the grand jury; only 2 indictments were obtained; and only 1 case had been brought to trial, which resulted in an acquittal. The other indictment has resulted in the case of *United States* v. *International Union, United Automobile, etc., Workers*, noted above.

There has never been an indictment of a corporation under this section.

ALBERT GORE.
MIKE MANSFIELD.

EXHIBIT 11—1956 CONTRIBUTIONS OF 12 SELECTED FAMILIES

In this exhibit are presented summaries of certain contributions made in 1956 by members of 12 selected families. The information has been obtained from reports on file with the Clerk of the United States House of Representatives, chiefly, from the period prior to September 1, and from questionnaires filed with the subcommittee by political committees and by individuals. Generally, the summaries include only contributions of $500 and over made in connection with campaigns for Federal office. In some instances, contributions of $100 and over and contributions made to other campaigns have been included, information provided by the contributors themselves.

The families and their contributions are as follows:

Family	Total	Republican	Democratic	Miscellaneous
du Pont	$248,423	$248,423		
Field	33,500	7,500	$23,000	$3,000
Ford	36,699	36,699		
Harriman	38,850	34,350	4,500	
Lehman	30,500	14,000	23,500	2,000
Mellon	100,150	100,150		
Olin	53,550	53,550		
Pew	216,800	216,800		
Reynolds	49,609		49,609	
Rockefeller	152,604	152,604		
Vanderbilt	62,400	54,800	6,500	1,100
Whitney	121,450	121,450		
Total	1,153,735	1,010,526	107,109	6,100

This exhibit illustrates that significant political contributions are made by some prominent family groups. It does not include all prominent families, and it is not intended to suggest that all prominent families make large political contributions. Some single individuals, in fact, made larger campaign gifts in 1956 than some of these families, as shown in exhibit 12.

The exhibit does not necessarily include the contributions of all members of the families listed. The subcommittee has simply included the contributions it knows about that were made by persons who, it understands, belong to the families in question. In the case of the du Pont family, the names of over 900 members of the family were checked against the list of contributors.

Du Pont family

	Republican	Democratic	Miscellaneous
Bredin, J. B., Greenville, Del	$2,200		
Bredin, Mrs. J. B., Greenville, Del	3,000		
Brown, Donaldson, Port Deposit, Md	11,000		
Brown, Mrs. Greta B., Port Deposit, Md	8,500		
Buck, C. D., Wilmington, Del	1,000		
Buck, Mrs. C. Douglass, Buena Vista, Del	500		
Carpenter, Mrs. Margaretta du Pont, Wilmington, Del	6,500		
Carpenter, W. K., Wilmington, Del	500		
Carpenter, W. S., Jr., Wilmington, Del	11,800		
Carpenter, Mrs. W. S., Wilmington, Del	500		
Carpenter, R. R. M., Jr., Wilmington, Del	4,000		
Copeland, Lamot D., Wilmington, Del	9,650		
Craven, Mrs. David, Wilmington, Del	1,000		
Dean, J. Simpson, Wilmington, Del	3,285		
Dean, Mrs. J. Simpson, Wilmington, Del	3,285		
Downs, Mrs. Ellason, Wilmington, Del	1,000		
Downs, Mr. and Mrs. Robert N., III, Wilmington, Del	6,100		
du Pont, A. F., Marshalton, Del	2,600		
du Pont, A. Felix, Jr., Wilmington, Del	1,000		
du Pont, Alfred B., New York, N. Y	2,000		
du Pont, Edmond, Wilmington, Del	$2,000		
du Pont, Emile F., Wilmington, Del	1,000		
du Pont, Eugene E., Greenville, Del	3,000		
du Pont, F. V., Washington, D. C	9,000		
du Pont, H. B., Wilmington, Del	4,000		
du Pont, Irénée, Wilmington, Del	26,295		
du Pont, Irénée, Jr., Wilmington, Del	2,500		
du Pont, K. L., Wilmington, Del	1,000		
du Pont, Miss Lydia C., Wilmington, Del	500		
du Pont, Nicholas B., Wilmington, Del	5,000		
du Pont, Mrs. Pierre S., III, Wilmington, Del	2,000		
du Pont, Pierre S., III, Wilmington, Del	7,200		
du Pont, S. Halbeck, Wilmington, Del	3,000		
du Pont, William, Jr., Wilmington, Del	9,000		
du Pont, Aileen M., Wilmington, Del	500		
du Pont, Amy E., Santa Barbara, Calif	1,000		
du Pont, Barbara B., Wilmington, Del	500		
du Pont, Mrs. F. V., Washington, D. C	1,000		
du Pont, Mrs. H. B., Greenville, Del	2,100		
du Pont, H. F., Winterthur, Del	3,000		
du Pont, Jessie Ball, Jacksonville, Fla	600		
du Pont, Mrs. Lammot, Wilmington, Del	2,000		
du Pont, Lammot Jr., Wilmington, Del	2,000		
du Pont, Reynolds, Greenville, Del	7,400		
du Pont, Ruth W., Wilmington, Del	3,000		
Edmonds, G. P., Wilmington, Del	1,000		
Edmonds, N. W., Wilmington, Del	2,000		
Emerson, J. C., Brooksville, Fla	1,500		
Flint, Mrs. Robert B., Greenville, Del	2,000		
Greenewalt, Crawford H., Wilmington, Del	4,200		
Greenewalt, Mrs. Margaretta L., Wilmington, Del	2,000		

Du Pont family—Continued

	Republican	Democratic	Miscellaneous
du Pont, Edmond, Wilmington, Del	$2,000		
du Pont, Emile F., Wilmington, Del	1,000		
du Pont, Eugene E., Greenville, Del	3,000		
du Pont, F. V., Washington, D. C	9,000		
du Pont, H. B., Wilmington, Del	4,000		
du Pont, Irénée, Wilmington, Del	26,295		
du Pont, Irénée, Jr., Wilmington, Del	2,500		
du Pont, K. L., Wilmington, Del	1,000		
du Pont, Miss Lydia C., Wilmington, Del	500		
du Pont, Nicholas B., Wilmington, Del	5,000		
du Pont, Mrs. Pierre S., III, Wilmington, Del	2,000		
du Pont, Pierre S., III, Wilmington, Del	7,200		
du Pont, S. Halbeck, Wilmington, Del	3,000		
du Pont, William, Jr., Wilmington, Del	9,000		
du Pont, Aileen M., Wilmington, Del	500		
du Pont, Amy E., Santa Barbara, Calif	1,000		
du Pont, Barbara B., Wilmington, Del	500		
du Pont, Mrs. F. V., Washington, D. C	1,000		
du Pont, Mrs. H. B., Greenville, Del	2,100		
du Pont, H. F., Winterthur, Del	3,000		
du Pont, Jessie Ball, Jacksonville, Fla	600		
du Pont, Mrs. Lammot, Wilmington, Del	2,000		
du Pont, Lammot Jr., Wilmington, Del	2,000		
du Pont, Reynolds, Greenville, Del	7,400		
du Pont, Ruth W., Wilmington, Del	3,000		
Edmonds, G. P., Wilmington, Del	1,000		
Edmonds, N. W., Wilmington, Del	2,000		
Emerson, J. C., Brooksville, Fla	1,500		
Flint, Mrs. Robert B., Greenville, Del	2,000		
Greenewalt, Crawford H., Wilmington, Del	4,200		
Greenewalt, Mrs. Margaretta L., Wilmington, Del	2,000		

Du Pont family—Continued

	Republican	Democratic	Miscellaneous
Laird, William W., Wilmington, Del	$5,950		
Layton, G. B., Wilmington, Del	500		
Layton, R. M., Wilmington, Del	500		
Layton, Mrs. R. M., Wilmington, Del	500		
Lunger, Mrs. Harry W., Wilmington, Del	6,000		
May, Ernest N., Greenville, Del	600		
Peyton, Bernard, New York, N. Y	2,500		
Riegel, Richard, Montchanin, Del	1,000		
Riegel, Mrs. Richard, Montchanin, Del	3,000		
Reynolds, Mrs. W. G., Wilmington, Del	2,750		
Reynolds, W. G., Wilmington, Del	1,500		
Rose, Donald P., Montchanin, Del	4,700		
Ross, Mrs. Donald P., Montchanin, Del	3,300		
Schutt, Mrs. C. P., Wilmington, Del	1,200		
Sharp, H. R., Jr., Wilmington, Del	500		
Sharp, H. Rodney, Wilmington, Del	6,250		
Sharp, Bayard, Wilmington, Del	500		
Silliman, Henry H., Wilmington, Del	1,962		
Silliman, Mrs. Henry H., Wilmington, Del	2,956		
Wack, John T. DeBlois, Santa Barbara, Calif	5,750		
Wack, Mrs. John T. DeBlois, Santa Barbara, Calif	5,250		
Weymouth, George T., Wilmington, Del	1,000		
Total	248,423		

Field family

	Republican	Democratic	Miscellaneous
Field, Marshall, New York, N. Y		$12,000	$3,000
Field, Mrs. Marshall, New York, N. Y		10,500	
Field, Marshall, Jr., Chicago, Ill	$5,000		
Field, Mrs. Marshall, Jr., Chicago, Ill	500	500	
Field, Stanley, Chicago, Ill	2,000		
Total	7,500	23,000	3,000

Ford family

	Republican	Democratic	Miscellaneous
Ford, Benson, Detroit, Mich	$3,000		
Ford, Mrs. Edsel B., Grosse Pointe Shores, Mich	3,000		
Ford, Mrs. Henry, II, Grosse Pointe Farms, Mich	2,500		
Ford, Charlotte M., Grosse Pointe Farms, Mich	200		
Ford, Henry, II, Grosse Pointe Farms, Mich	16,000		
Ford, Anne, Grosse Pointe Farms, Mich	190		
Ford, Josephine F., Detroit, Mich	3,000		
Ford, William C., Grosse Pointe Farms, Mich	9,000		
Total	36,890		

Harriman family

	Republican	Democratic	Miscellaneous
Harriman, W. A., New York, N. Y		$4,980	
Harriman, Mr. and Mrs. E. Roland, New York, N. Y	$34,330		
Total	34,330	4,800	

Lehman family

	Republican	Democratic	Miscellaneous
Lehman, Herbert H., New York, N. Y		$15,500	$2,000
Lehman, Mrs. Herbert H., Washington, D. C		3,500	
Lehman, Mrs. Arthur, New York, N. Y		3,000	
Lehman, Mrs. Evelyn S., New York, N. Y		1,500	
Lehman, Robert, New York, N. Y	$11,000		
Lehman, Mrs. Robert, New York, N. Y	1,000		
Lehman Bros, New York, N. Y	2,000		
Total	14,000	23,500	2,000

Mellon family

	Republican	Democratic	Miscellaneous
Mellon, Dr. Matthew A., Pittsburgh, Pa	$1,500		
Mellon, Mr. and Mrs. Paul, Upperville, Va	29,500		
Mellon, Mr. and Mrs. Richard K., Pittsburgh, Pa	33,000		
Mellon, Dr. W. L., Jr., St. Mark, Haiti	1,500		
Hitchcock, Mrs. Thomas, New York, N. Y	2,000		
Walton, Mr. and Mrs. John P., Jr., Pittsburgh, Pa	3,150		
Scaife, Mr. and Mrs. Alan M., Pittsburgh, Pa	29,500		
Total	100,150		

Olin family

	Republican	Democratic	Miscellaneous
Olin, John M., East Alton, Ill	$11,950		
Olin, Mrs. John M., New York, N. Y	3,000		
Olin, S. Truman, Jr., Alton, Ill	1,500		
Olin, Mr. and Mrs. Spencer T., Alton, Ill	34,900		
Pruzhaft, Mrs. Mary O., Milwaukee, Wis	2,500		
Total	53,550		

Pew family

	Republican	Democratic	Miscellaneous
Pew, J. Howard, Philadelphia, Pa	$48,125		
Pew, Mrs. J. Howard, Ardmore, Pa	3,000		
Pew Estate, New York, N. Y	2,000		
Pew, Estate of J. N., Philadelphia, Pa	3,000		
Pew, J. N., Jr., Philadelphia, Pa	51,425		
Pew, John G., Bryn Mawr, Pa	500		
Pew, Mary Ethel, Philadelphia, Pa	47,125		
Pew, Walter G., Bryn Mawr, Pa	3,000		
Pew, Mrs. Arthur E., Bryn Mawr, Pa	1,000		
Pew, Arthur E., Jr., Philadelphia, Pa	9,000		
Pew, Walter C., Philadelphia, Pa	1,500		
Myrin, Mrs. Mabel Pew, Philadelphia, Pa	47,125		
Total	216,800		

Reynolds family

	Republican	Democratic	Miscellaneous
Reynolds, David P., Louisville, Ky		$6,000	
Reynolds, J. Louis, Richmond, Va		6,000	
Reynolds, Mrs. Muriel, Palm Beach, Fla		2,000	

Reynolds family—Continued

	Republican	Democratic	Miscellaneous
Reynolds, R. S., Jr., Richmond, Va		$6,000	
Reynolds, Mrs. R. S., Sr., Richmond, Va		5,000	
Reynolds, Richard J., Palm Beach, Fla		21,619	
Reynolds, William G., Louisville, Ky		2,000	
Total		49,609	

Rockefeller family

	Republican	Democratic	Miscellaneous
Rockefeller, Blanchette H., New York, N. Y	$1,250		
Rockefeller, David, New York, N. Y	16,050		
Rockefeller, Jeanette E., Morrilton, Ark	1,000		
Rockefeller, Mrs. John D., Jr., New York, N. Y	6,450		
Rockefeller, John D., Jr., New York, N. Y	6,450		
Rockefeller, John D., III, New York, N. Y	13,000		
Rockefeller, Laurance S., New York, N. Y	23,350		
Rockefeller, Mrs. Laurance S., New York, N. Y	2,200		
Rockefeller, Margaret M., New York, N. Y	1,150		
Rockefeller, Nelson A., New York, N. Y	29,600		
Rockefeller, Mrs. Nelson A., New York, N. Y	6,000		
Rockefeller, Winthrop, Little Rock, Ark	19,304		
Prentice, Mrs. Alta Rockefeller, New York, N. Y	11,500		
Mauze, Mrs. Abby Rockefeller, New York, N. Y	15,000		
Total	152,604		

Vanderbilt family

	Republican	Democratic	Miscellaneous
Vanderbilt, Alfred G., New York, N. Y	$3,800		
Vanderbilt, Harold S., New York, N. Y	47,000		
Vanderbilt, Anne C., Brookline, Mass		$5,000	
Vanderbilt, William H., Englewood, Fla		1,000	$1,100
Vanderbilt, Cornelius, New York, N. Y		500	
Vanderbilt, Mrs. Harold S., New York, N. Y	4,000		
Total	54,800	6,500	1,100

Whitney family

	Republican	Democratic	Miscellaneous
Whitney, John Hay, New York, N. Y	$32,100		
Whitney, Mrs. John Hay, New York, N. Y	15,000		
Whitney, C. V., New York, N. Y	2,500		
Payson, Charles S., New York, N. Y	6,800		
Payson, Mrs. Joan Whitney, New York, N. Y	65,050		
Total	121,450		

EXHIBIT 12—1956 POLITICAL CONTRIBUTORS OF $5,000 OR OVER

This exhibit lists all those individuals, married couples or firms whom the subcommittee has been able to identify from reports available to it as making total political contributions of $5,000 or more during 1956. Of these contributions, $2,894,200 went to Republicans, $860,380 to Democrats, and $55,000 to other political parties or organizations.

The information has been obtained from questionnaires filed by political committees and by individuals with the Clerk of the House of Representatives and with the subcommittee. In some instances, the amounts derived from the questionnaires filed by political committees differed from the amounts shown in the reports filed by individuals. This is due to several conditions. The individual reports included contributions of $100 or more, while the committees reporting to the subcommittee were asked to give the names only of contributors of $500 or more. Some individuals reported their contributions to committees which were not among those requested to file questionnaires with the subcommittee. Moreover, the reports filed by committees may have contained errors, and the subcommittee had difficulty in many cases identifying individuals because of variations in the spelling of names and the lack of complete addresses. For these reasons, the amounts shown in this exhibit may, in some instances, vary from the amounts shown for the same individuals in other exhibits, particularly exhibits 25–28.

In this exhibit, the contributions of firms are listed under the firm name. Where a husband and wife have both made contributions, either jointly or separately, the given names of both, where known, are given. All contributions of a husband and wife have been combined, but that part of the total attributable solely to the wife is indicated in parentheses, e. g. (W———).

	Republican	Democratic	Miscellaneous
Adams, Duque, and Haseltine, suite 1035, Pacific Mutual Bldg., 523 West 6th St., Los Angeles 14, Calif	$5,000		
Alexander, Mrs. Annette S., Alexander Sanitarium, Belmont, Calif	6,500		
Allen, Mrs. Vivian Beaumont, 680 Madison Ave., New York, N. Y	8,000		
Allison, William M., 200 East Lake Shore Dr., Chicago 11, Ill	5,000 (W 500)		
Altschul, Mr. and Mrs. (Helen G.) Frank, 730 5th Ave., New York, N. Y., residence, Overbrook Farm, Riverbank Rd., Stamford, Conn		$9,350	$250
Anderson, Carl B., 3614 North Santa Fe, Oklahoma City, Okla	6,000		
Anderson, K. T., care of Citizens National Bank, Emporia, Kans		7,000	
Anderson, Mr. and Mrs. (Kathryn B) Wendell, 211 Vendome Rd., Grosse Point Farms 36, Mich	12,000 (W 8,000)		
Arnold, Isaac, Mr. and Mrs., 3001 Del Monte, Houston, Tex	5,000		
Astor, Vincent, 132 West 42d St., New York, N. Y	7,500		
Avery, Sewell L., 200 East Lake Shore Dr., Chicago, Ill	6,000		
Ball, George W., Mr. and Mrs. (Ruth), Southern Bldg., Washington, D. C		6,000 (W 2,500)	
Bartlett, David A., 406 National Bank Bldg., Tulsa, Okla	8,600		
Barton, T. H., care of Lion Oil Co., Eldorado, Ark	6,100		
Bechtel, Mr. and Mrs. (Laura Peart) S. D., 155 Sansome St., San Francisco, Calif	15,150 (W 2,500)		
Benton, William, 342 Madison Ave., Suite 702, New York 17, N. Y		23,657	250
Berlin, Mr. and Mrs. Roy, 170 Broadway, New York, N. Y	9,000 (W 3,000)	2,500	
Berry, L. M. and Lorem M., 1155 Ridgeway Rd., Dayton, Ohio, and Florida	5,000		
Bez, Nick, 1220 Exchange Bldg., Seattle, Wash		5,000	
Bingham, Barry, Glenview, Ky		10,000	
Blaustein, M. and Mrs. (Hilda K.) Jacob, American Bldg., Baltimore, Md.; residence, Alto Dale, Pikesville, Md		14,150 (W 5,650)	
Blodgett, John W., Jr., residence, 250 Plymouth Rd. SE., Grand Rapids, Mich	14,855		
Boeschenstein, Harold, Box 601, Toledo, Ohio	11,500		
Bradley, Mr. and Mrs. (Helen W.) Albert, 1775 Broadway, New York, N. Y.; residence, Mayfair Lane, Greenwich, Conn	22,100 (W 9,100)		
Bredin, Mr. and Mrs. (Octavia du Pont) J. B., Greenville, Del	5,200 (W 3,000)		
Breyer, Henry W., Mr. and Mrs., 1600 Locust St., Philadelphia, Pa	6,000 (W 3,000)		
Brinton, William M., 111 Sutter St., San Francisco, Calif	9,600		
Brittingham, Thomas B., Jr., 251 Del Trust Bldg., Wilmington 1, Del	6,543		
Brown, Mr. and Mrs. (Greta B.) Donaldson, Mount Ararat, Port Deposit, Md	19,750 (W 8,750)		
Brown, Mr. and Mrs. (Gladys S.) E. W., Jr., Post Office Box 60, Orange, Tex	35,000 (W 8,500)	1,500	
Browne, Aldis J., 919 North Michigan Ave., Chicago, Ill	6,500 (W 1,000)		
Brownlee, James F., 630 5th Ave., New York, N. Y	5,300		
Bruce, Mrs. A. M., 713 Park Ave., New York 21, N. Y.; residence, 2 East 67th St., New York 21, N. Y	23,200		
Bulova, Arde, Hotel Pierre, 5th Ave. and 61st St., New York, N. Y	6,000	13,000	
Burden, Mr. and Mrs. (Margaret) William A. M., Jr., 820 5th Ave., New York 21, N. Y	10,750 (W 750)		
Burns, Mr. and Mrs. (Gladys Carson) Fritz B., 4950 Wilshire Blvd., Los Angeles, Calif.; residence, 133 South June St., Los Angeles, Calif	9,850		
Busch, Mrs. August A., Grants Farm, St. Louis, Mo		7,850	
Call, Mr. and Mrs. (Margaret Fleming), Asa V., 919 North Alpine Dr., Beverly Hills, Calif.; business, Pacific Mutual Bldg., Los Angeles 55, Calif	5,800 (W 1,500)		
Canady, Ward M., 630 Madison Ave., Toledo, Ohio	5,000		
Carpenter, Mrs. E. F. M. (Margaretta du Pont), Nemours Bldg., Wilmington, Del	6,500		
Carpenter, W. S., Jr., 15th St. and Rising Sun Lane, Wilmington, Del	11,800		
Chalk, O. R., 160 Central Park South, New York, N. Y	$5,000		
Christie, Landsdell K., 70 Pine St., New York 5, N. Y		$70,564	$2,600
Cheatham, Mr. and Mrs. (Celeste W.) Owen R., River House, 435 East 52d St., New York 6, N. Y	6,100		
Clark, Ambrose F., 140 Broadway, New York, N. Y	10,100		
Clay, Gen. and Mrs. (Marjorie McKeown) Lucius D., 1040 5th Ave., New York 28, N. Y	R 5,100 (W 3,000)		
Clayton, Mr. and Mrs. (Susan Vaughn) William L., care of Anderson Clayton Co., Post Office Box 2538, Houston 1, Tex		16,250	500
Coffin, Mr. and Mrs. (Allen) H. Errol, 125 East 40th St., New York, N. Y	2,500 (W 2,000)		
Cooke, Mr. and Mrs. Jay, Philadelphia National Bank Bldg., Philadelphia, Pa	10,700 (W 500)		
Copeland, Lamont D., Du Pont Bldg., Wilmington, Del.; residence, Greenville, Del	9,650		
Cord, E. L., 1545 Wells Ave., Reno, Nev	55,000	8,800	
Crocker, William W., 2270 Redington Rd., Hillsborough, Calif	9,200		
Crown, Henry, 300 West Washington St., Chicago, Ill.; residence, 900 Edgemere Ct., Evanston, Ill	6,500	600	
Cullen, Mr. and Mrs. (Lillie Cross) H. R., 1710 City National Bank Bldg., Houston, Tex.; residence, 1620 River Oaks Blvd., Houston, Tex	8,300		
Dean, J. S., Du Pont Bldg., Wilmington, Del	6,570 (W 3,285)		
Denman, Leroy, Jr., 215 West Commerce St., San Antonio, Tex	6,000		
Dillon, Ambassador and Mrs. (Phyllis E.) C. Douglas, care of American Embassy, Paris, France	36,500		
Dilworth, Paxson, Kalish & Green, 2635 Fidelity-Philadelphia Trust Bldg., Philadelphia 9, Pa		5,000	
Donohue, Daniel J., Jr., 2076 West Adams Blvd., Los Angeles 18, Calif	5,000 (W 2,500)		
Dowling, Mr. Robert W., 885 5th Ave., New York, N. Y		12,500	
Downs, Mr. and Mrs. (Alletta L.) Robert N., III, Old Baltimore Rd., Glendon Farms, Wilmington, Del	6,100		
Ducommun, Charles E., Box 2117, Terminal Annex, Los Angeles 54, Calif.; residence, 237 Strada Corta, Los Angeles 24, Calif	5,675		
du Pont, F. U., 1025 Connecticut Ave., NW., Washington 6, D. C.; residence, Cambridge, Md	9,000		
du Pont, Mr. and Mrs. (Emilie T.) Henry Belin, Greenville, Del	R-6,100 (W-2,100)		
du Pont, Irenee, 9026 Du Pont Bldg., Wilmington, Del	26,295		
du Pont, Nicholas Ridgeley, Snuff Mill Rd., Greenville 7, Del	5,000		
du Pont, Mr. and Mrs. (Jane H.) Pierre S., III, Rockland, Del	8,200 (W 2,000)		
du Pont, Mr. and Mrs. (K. L.) Reynolds, Randales, Greenville, Del	5,400 (W 1,000)		
du Pont, William, Jr., 107 Delaney Trust Bldg., Wilmington, Del	9,000		
Edison, Mr. and Mrs. (Carolyn H.) Charles, Llewellyn Park, West Orange, N. J	500		12,300
Ehrman, Frederick, 480 Park Ave., New York 4, N. Y	7,300		
Eichholz, Mr. and Mrs. (Kathryn B.) Robert B., 1227 33d St., NW., Washington, D. C		5,400 (H 600)	
Evans, T. M., Oliver Rd., Sewickley, Pa	8,000		
Ewing, William, 2 Wall St., New York 5, N. Y	5,000		
Farland, Mr. and Mrs. (Virginia C.) Joseph S., Morgantown, W. Va	9,000 (W 3,000)		
Feldman, H. I., 415 Lexington Ave., New York, N. Y		5,000	
Field, Mr. and Mrs (Ruth) Marshall, (Marshall Field died in 1956), 220 Park Ave., New York, N. Y		20,000 (W 9,000)	3,000
Field, Mr. and Mrs. (Katherine Woodruff) Marshall, Jr., 211 West Wacker Dr., Chicago, Ill.; residence, 2430 Lakeview Ave., Chicago, Ill	5,000 (W 600)	600	
Firestone, Mr. and Mrs. (Polly C.) Leonard K., 2665 Firestone Blvd., Los Angeles, Calif.; residence, 1014 Laurel Lane, Beverly Hills, Calif	11,000 (W 1,000)		
Firestone, Mr. and Mrs. (Anne Joers) Roger S., Pottstown, Pa	11,100 (W 1,000)		
Flanigan, Mr. and Mrs. (Aimee M.) Horace C., Anderson Hill Rd., Purchase, N. Y	7,200 (W 1,000)		

	Republican	Democratic	Miscellaneous
Foley, E. H., 1601 Connecticut Ave. NW., Washington 6, D. C.; residence, 2340 Wyoming Ave NW., Washington 8, D. C.		$6,000	
Folger, J. C., 2801 Woodland Dr., Washington, D. C.	$11,500 (W 5,500)		
Fogelson, Mr. and Mrs. E. E., 2512 Cedar Springs Rd., Dallas, Tex.	5,000 (W 2,500)		
Fohlansbee, Rogers, 1791 Howard St., Chicago 26, Ill.	6,000 (W 3,000)		
Ford, Mr. and Mrs. (Anne M.) Henry, II, 421 Lake Shore Rd., Grosse Pointe Farms 36, Mich.	18,900 (W 2,500)		
Ford, William C., 396 Provencal Rd., Grosse Pointe Farms, Mich.	9,000		
Fraser, Andrew A., Mr. and Mrs., 1 East 44th St., New York, N. Y.	8,000 (W 3,000)		
Freeman, A. B., 1050 South Jeff Davis Parkway, New Orleans, La.	6,000		
Frick, Miss Helen C., 7300 Penn Ave., Pittsburgh 8, Pa.	26,300		
Garwood, Mr. and Mrs. Wilmer St. John, 2213 Windsor Rd., Austin 3, Tex.		7,100	
Gimbel, Mr. and Mrs. (Alva B.) Bernard F., 33d St. and Broadway, New York, N. Y.	5,000 (W 2,250)	5,000	
Gladwin, Miss Winifred Jones, Post Office Box 540, Santa Barbara, Calif.; residence, 1555 Valley Rd., Santa Barbara, Calif.		10,000	
Gluck, Mr. and Mrs. Maxwell H., 930 5th Ave., New York, N. Y.	26,500 (W 2,000)		
Goelet, Mrs. Anne Marie, 346 5th Ave., New York, N. Y.; residence, Ochre Point, Narragansett Ave., Newport, R. I.	5,200		
Goelet, Francis, 346 5th Ave., New York 36, N. Y.	6,000		
Goelet, Robert G., 346 5th Ave., New York, N. Y.	5,000		
Goldwyn, Mr. and Mrs. (Frances Howard) Samuel, 1041 North Formoso Ave., Los Angeles, Calif.; residence, 1200 Laurel Lane, Beverly Hills, Calif.	12,500		
Gorson, Joseph N., Lincoln Liberty Bldg., Philadelphia, Pa.; residence, 429 North Highland Ave., Merion, Pa.		6,850	
Grace, Eugene G., 25 Broadway, New York, N. Y.; residence, 12th and Prospect Ave., Bethlehem, Pa.	7,850		
Grant, William T., Field Point Park, Greenwich, Conn.	5,500		
Green, Edward H., 48 Wall St., New York 5, N. Y.	5,100		
Greenewalt, Mr. and Mrs. (Margaretta L.) Crawford H., 9062 Du Pont Bldg., Wilmington, Del.; residence, Greenville, Wilmington, Del.	6,200 (W 2,000)		
Greenfield, Mr. and Mrs. (Elizabeth M.) Albert M., 9230 Germantown Ave., Philadelphia, Pa.		30,950 (W 9,250)	
Greenway, James C., 17 West 54th St., New York 19, N. Y. (wife at Greenwich, Conn.)	10,000 (W 4,000)		
Griffith, John S., 2436 Huntington Dr., San Marino 9, Calif.	6,500 (W 4,000)		
Grundy, Joseph R., Bristol, Bucks County, Pa.	12,000		
Guest, Mrs. Frederick E., 465 East 57th St., New York, N. Y.	5,000		
Guggenheim, Harry F., 34 East 74th St., New York, N. Y.; residence, Port Washington, Long Island, N. Y.	10,000		
Guiman, Mr. and Mrs. (Edna C.) Monroe C., 480 Park Ave., New York 22, N. Y.	8,200		
Hall, Mr. and Mrs. (Alice Hathaway) Perry F., 2 Wall St., New York, N. Y.; residence, 10 Gracie Sq., New York 28, N. Y.	6,800		
Hamon, Mr. and Mrs. (Nancy B.) Jake L., National Bank Bldg., Dallas, Tex.	13,000		
Hanes, Mr. and Mrs. (Hope Vandell) John W., 980 4th Ave., New York, N. Y.	9,300 (W 2,000)		
Hanna, L. C., Jr., 1300 Leader Bldg., Cleveland, Ohio	13,350		
Harriman, Mr. and Mrs. (Gladys F.) E. Roland, 39 Wall St., New York, N. Y.; residence: Alden, Orange County, N. Y.	34,350		
Harris, Albert W., 115 West Monroe St., Chicago 90, Ill.	5,800		
Harris, Mrs. Elizabeth Fisher, 8600 Seminole Ave., Philadelphia 18, Pa.	9,500		
Haskell, Arnold D., 173 Shorecliff Rd., Corona Del Mar, Calif.	6,000		
Havemeyer, Horace (deceased Oct. 25, 1956), 39 Wall St., New York, N. Y.; residence: Islip, Long Island, N. Y.	5,000		
Havenstrite, Mr. and Mrs. Edith W.) Russell, 201 Camelwood Dr., Los Angeles 24, Calif.	10,000		
Heinz, H. J., II, 1062 Progress St., Pittsburgh, Pa.; residences: Beemont Farm, Pittsburgh, Pa.	12,500		
Heller, Mr. and Mrs. (Elinor) Edward H., 100 Montgomery St., San Francisco, Calif.		18,000 (W 1,000)	
Helmes, Mr. and Mrs. (Catherine B.) Charles U., 10 Gracie Sq., New York, N. Y.; residence: Rosewood Farm, Glen Head, Long Island, N. Y.	7,700 (W 4,002)		
Higgins, Mr. Lawrence, Metropolitan Club, Washington, D. C.	10,000		
Hightower, Mr. Frank J., First National Bank Bldg., Oklahoma City, Okla.	7,000		
Hill, Mr. and Mrs. (Mary McDowell) Arthur M., 2520 17th St. NW., Washington, D. C.; residence: Merryhill Farm, Lewisburg, W. Va.	19,462 (W 2,350)		
Hochschild, Mr. H. K., 61 Broadway, New York, N. Y.; residence: Eagle Nest, Blue Mountain Lake, N. Y.		$26,000	
Holmes, Mr. Jay, 122 East 42d St., New York 17, N. Y.	$6,250		
Hope, Mr. and Mrs. L. Bob, Paramount Studios, Hollywood, Calif.	7,500		
Houghton, Mr. and Mrs. (Laura R.) Amory, The Knoll, Corning, N. Y.	9,000		
Howard, Mr. L. C., 34 State St., New York, N. Y.		10,000	
Hunt, H. L., 700 Mercantile Bldg., Dallas, Tex.	7,500		
Hutchins, Mr. and Mrs. Curtis M., Bangor, Maine	10,000 (W 2,500)		
Ittleson, Mr. Henry, Jr., 1 Park Ave., New York 16, N. Y.; residence: 730 Park Ave., New York 21, N. Y.	10,200		
Ives, Mr. Ernest L., 1316 East Washington St., Bloomington, Ill.		5,240	
Jewett, Mr. and Mrs. (Mary Cooper) George F., West 612 Sumner Ave., Spokane 4, Wash.	17,000 (W 5,300)		
Johnson, Mr. H. F., 1525 Howe St., Racine, Wis.	15,600		
Johnson, Mr. and Mrs. Leonard C., Clifton, N. J.	5,000		
Johnston, Mr. and Mrs. (Ina H.) Eric, 1600 I St. NW., Washington, D. C.; residence: East 615 16th Ave., Spokane, Wash.	5,700		
Jones, Mr. L. H., Morgantown, W. Va.		6,200	
Jones, Mr. Lem T., Sr., 803 West 54th Ter., Kansas City, Mo.	6,500		
Keith, Mrs. Stanley (Helen Sheldi), 1315 North Lake Rd., Lake Forest, Ill.	9,000		
Kerwin, Mr. and Mrs. (Regina Mary) James S., Wrack and Dale Rds., Meadowbrook, Pa.	5,800 (W 200)		
Knapper & Johnson, 300 East 150th St., New York, N. Y.		5,000	
Kohn, Mr. L. A., 231 South La Salle St., Chicago, Ill.		10,600	
Kulukundis, Mr. and Mrs. (Calliope Hadjihas) Manuel, 44 Whitehall St., New York, N. Y.; residence: Hotel Pierre, New York, N. Y.	3,000	3,500	
Laird, Mr. William W., 300 West 9th St., Wilmington, Del.	5,950		
Lamont, Mr. Thomas S., 23 Wall St., New York 5, N. Y.; residence: 101 East 73d St., New York 21, N. Y.	7,250		
Larsen, Mr. Roy E., 3080 Congress St., Fairfield, Conn.	14,583		
Lasker, Mrs. (Mary Woodward) Albert D., Chrysler Bldg., New York 17, N. Y.; residence: 29 Beekman Pl., New York 22, N. Y.	1,000	64,400	
Lazarus, Mr. and Mrs. (Rose) Ralph, 50 West 54th St., New York, N. Y.	1,000	15,475	
Lehman, Mr. and Mrs. Herbert H., 820 Park Ave., New York, N. Y.		14,500 (W 2,520)	$2,000
Lehman, Mr. and Mrs. (Lee H.) Robert, 1 William St., New York 4, N. Y.	12,000 (W 1,000)		
Leidesdorf, Mr. Samuel D., 125 Park Ave., New York 17, N. Y.	3,000	100	
Leone, Mr. and Mrs. (Mary) Eugene, Leone Farms, Central Valley, N. Y.	6,000 (W 3,000)		
Levison, Morris, 4000 Warner Blvd., Burbank, Calif.	5,000		
Levy, Dr. and Mrs. (Adele R.) David M., 993 5th Ave., New York 28, N. Y.		28,000	5,000
Loeb, Mr. Henry A., 42 Wall St., New York, N. Y.; residence, 63 Campfire Rd., Chappaqua, N. Y.	6,100		
Love, Mr. George H., 5920 Braeburn Pl., Pittsburgh 32, Pa.	5,200		
Lowe, Mr. Henry R., 9 Rockefeller Plaza, New York, N. Y.; residence, Limestone Rd., Ridgefield, Conn.	29,375		
Lunger, Mrs. Harry W. (Jane du Pont), Rural Delivery No. 1, Wilmington, Del.	6,200		
Lowe, Mr. and Mrs. (Bulah McAdams) W. P., Republic Bank Bldg., Dallas, Tex.	6,200		
Lyons, Mr. Garrett E., 1820 Shipley Rd., Wilmington, Del.		5,300	
Machris, Mrs. Maurice A. (Paquita L.), 900 Wilshire Blvd., Los Angeles 17, Calif.	10,000		
Macomber, Mrs. Myrtle H., Ritz Hotel, Place Vendome, Paris, France	5,000		
Mars, Mr. and Mrs. (Audrey Meyer) F. E., Marland Farm, The Plains, Va.	5,000		
Marshall, Mr. and Mrs. Douglas, 1710 First City National Bank, Houston, Tex.	5,000		
Martin, Mr. Lester, 514 Broadway, New York, N. Y.		15,750	
Mauze, Mrs. (Abby R.) Jean, 1 Beekman Pl., New York 22, N. Y.	15,000		
Mayer, Mr. Louis B., Metro-Goldwyn, Culver City, Calif.	5,000		
Maxon, Mr. and Mrs. (Adolphia Kauke) Paul M., 1 William St., New York, N. Y.; residence, 1 Gracie Sq., New York 28, N. Y.	5,850 (W 350)		
McCabe, Mr. Thomas B., Front and Market Sts., Chester, Pa.	19,500		
McCone, Mr. and Mrs. (Rosemary) John A., 612 South Flower St., Los Angeles 17, Calif.	7,800		
McConnell, Mr. J. H. Tyler, Greenville, Wilmington, Del.		7,250	
McCormick, Mr. Fowler, 919 North Michigan Ave., Chicago 11, Ill.	13,100		100
McCulloch, Mr. and Mrs. Robert P., 8101 West Century Blvd., Los Angeles, Calif.	5,000		

	Republican	Democratic	Miscellaneous
McKenney, Mr. and Mrs. (Mary Elizabeth) Norris E., 140 Granada Ave., Long Beach 3, Calif.			$4,000 (W 2,000)
McLean, Mr. Edward B.; residences: 435 East 52d St., New York, N. Y.; North County Rd., Palm Beach, Fla.	$5,000		
McNulty, Mr. and Mrs. (Patience M.) P. Jerome, 261 Via Bellaria, Palm Beach, Fla.	5,000		
Mellon, Mr. and Mrs. (Rachel Lambert) Paul, Post Office Box 1345, Pittsburgh 30, Pa.; residence: Rokeby Farm, Upperville, Va.	$29,500		
Mellon, Mr. and Mrs. (Constance Prosser) Richard K., Post Office Box 1345, Pittsburgh 30, Pa.; residence: 525 William Penn Pl., Pittsburgh 30, Pa.	33,000		
Meyer, Mr. and Mrs. (Agnes E.) Eugene, Seven Springs Farm, Mount Kisco, N. Y.	1,000	(W $5,250)	D 5,250
Milbank, Mr. and Mrs. Jeremiah, 16 East 67th St., New York 21, N. Y.	6,900 (W 2,000)		
Miller, Mr. and Mrs. (Flora W.) G. MacCulloch, 16 East 67th St., New York 21, N. Y.	6,000 (W 6,000)		
Millsop, Mr. and Mrs. (Frances W.) Thomas E., Riverview Dr., Worton, Wa.	6,750 (W 2,500)		
Moncrief, Mr. and Mrs. (Elizabeth B.) W. A., 1407 W. T. Waggoner Bldg., Fort Worth, Tex.	7,800	D 1,000	
Montgomery, Mr. and Mrs. (Elisabeth Grant) Robert, 19 East 72d St., New York 21, N. Y.	6,000 (W 3,000)		
Morgan, Mr. and Mrs. (Catherine A.) Henry S., 120 East End Ave., New York 28, N. Y.; residence, Eaton's Neck, Northport, Long Island, N. Y.	5,300		
Mudd, Dr. and Mrs. (Dorothy D.) Seeley G., 1206 Pacific Mutual Bldg., 523 West 6th St., Los Angeles 14, Calif.	10,000		
Mudge, Mrs. E. W., 1000 Morewood Ave., Pittsburgh 13, Pa.	9,000		
Myrin, Mrs. (Mabel Pew) H. A. W., Room 1000, 1608 Walnut St., Philadelphia 3, Pa.	47,125		
Nathan, Mr. Robert R., 3 Thomas Circle, Washington, D. C.			6,000
Newton, Mr. and Mrs. (Lucienne) Maurice, McCouns Lane, Old Brookville, N. Y.	5,700 (W 1,500)		
Nichols, Mr. and Mrs. (Betty W.) Thomas S., 460 Park Ave., New York 22, N. Y.	13,150 (W 500)	5,000	
Nicholson, Mrs. G. J. Guthrie, The Glen, Newport, R. I.	9,800		
Noble, Mr. and Mrs. Edward J., Round Hill Rd., Greenwich, Conn.	18,000 (W 9,000)		
Noland, Mr. and Mrs. Lloyd U., Jr., Newport News, Va.	5,000 (W 2,500)		
Odlum, Mr. Floyd B., Cochran-Odlum Ranch, Indio, Calif.	20,450		
Olin, Mr. and Mrs. (Evelyn B.) John M., Olin Mathieson Chemical Corp., East Alton, Ill; residence, Post Office Box 373, Alton, Ill.	14,950 (W 3,000)		
Olin, Mr. and Mrs. (Ann W.) Spencer T., Post Office Box 222, Alton, Ill.	34,600		
Olmsted, Mr. and Mrs. (Mary Elizabeth) Conway H., 48 East Oak St., Chicago, Ill.		5,000 (W 2,000)	
Paine, Mr. and Mrs. Priscilla Davies) Stephen, Forest Rd., Millis, Mass.	5,000 (W 2,500)		
Paine, Walter C., 10 Post Office Sq., Boston, Mass.		5,000	
Paley, Mr. and Mrs. (Barbara C.) William S., Shelter Rock Rd., Manhasset, Long Island, N. Y.	12,600 (W 3,100)		
Pappas, Mr. Thomas A., 540 E St., Boston, Mass.; residence, 323 Marsh St., Belmont, Mass.	9,000		
Parten, Mr. and Mrs. (Patsy E) J. R., South Coast Life Bldg., Houston, Tex.		11,700	
Patterson, Mr. and Mrs Jefferson, 3108 Woodland Dr. NW., Washington, D. C.	21,000 (W 6,000)		
Pauley, Mr. Edwin W., 717 North Highland Ave., Los Angeles, Calif. (also San Francisco)		9,500	
Payson, Mr. and Mrs. (Joan Whitney) Charles S., 2 East 88th St., New York 28, N. Y.	71,850 (W 65,050)		
Peck, Mr. and Mrs. (Barbara W.) Samuel A., Wheatley Rd., Old Westbury, N. Y.	7,800		
Peres, August (and associates), Audubon Bldg., New Orleans, La.	5,000		
Petrillo, Mr. James J., Chicago, Ill.		5,000	
Pew, Mr. and Mrs. (Julia F.) Arthur E., 1500 Walnut St., Philadelphia 2, Pa.	10,000 (W 1,000)		
Pew, Mr. and Mrs. (Helen T.) J. Howard, Room 1000, 1608 Walnut St., Philadelphia, Pa.	51,125 (W 3,300)		
Pew, Mr. J. N., Jr., Room 1000, 1608 Walnut St., Philadelphia, Pa.	51,425		
Pew, Miss Mary Ethel, Room 1000, 1608 Walnut St., Philadelphia, Pa.	47,125		
Phillips, Mr. Ellis L., 630 5th Ave., New York, N. Y.; residence, 107 Bayview Ave., Plandome Manor, Long Island, N. Y.	7,500		
Phipps, Mr. and Mrs. (Harriett) Howard, 1 Sutton Pl., South, New York, N. Y.; residence, Westbury, N. Y.	5,000 (W 2,500)		
Phipps, Mr. L. C., 3400 Belesro Dr., Denver 9, Colo.	11,000		
Pitcairn, Mr. Harold F., 1616 Walnut St., Philadelphia, Pa.	14,925		
Potter, Mr. and Mrs. (Ione) Lou, 1784 Sycamore St., NW., Washington, D. C.		14,800 (W 5,000)	
Pomerance, Mr. and Mrs. (Josephine W.) Ralph, Cos Cob, Conn.		7,840	100
Post, Mrs. Majorie M., 815 15th St. NW., Washington, D. C. (also New York)	7,000		
Potter, Mr. Justin, 218 Murfreesboro Rd., Nashville, Tenn.	6,000 (W 1,000)	500	
Pratt, Mr. and Mrs. (Jane A.) George D., Jr., Schaghticoke Farm, Bridgewater, Conn.			$20,700 (W 500)
Prentice, Mrs. (Alto Rockefeller) E. Parmalee (E. Parmalee Prentice deceased Dec. 15, 1955), 5 West 53d St., New York, N. Y.	$11,300		
Pryor, Mr. and Mrs. (Mary Taylor) S. F., Greenwich, Conn.	8,000		
Rea, Mr. and Mrs. (Virginia R.) Henry Oliver, 2237 Oliver Bldg., Pittsburgh 22, Pa.; residence, Windward Backbone Rd., Sewickley, Pa.	9,430		
Reed, Mr. and Mrs. Gordon W., Clapboard Ridge Rd., Greenwich, Conn.	8,200 (W 4,100)		
Reed, Mr. Joseph V., Quaker Ridge, Greenwich, Conn.	9,000		
Reed, Mr. and Mrs. (Permelia P.) Joseph V., Quaker Ridge, Greenwich, Conn.	20,000 (W 2,000)		
Reynolds, Mr. David P., 2500 South 3d St., Louisville, Ky.			6,000
Reynolds, Mr. J. Louis, 5511 Cary St., Richmond 26, Va.			6,000
Reynolds, Mr. and Mrs. (Muriel) R. J., Reynolds Bldg., Winston-Salem, N. C.; residence, 1330 North Lake Way, Palm Beach, Fla.			24,000 (W 2,000)
Reynolds, R. S., Jr., 3d and Grayce Sts., Richmond, Va.			6,000
Robb, Mr. Max, 1901 Walnut St., Philadelphia, Pa.			7,500
Roberts, Mr. H. Evan, 100 Loralyn Dr., Arcadia, Calif.	5,000		
Robertson, Mr. and Mrs. (Wilhelmina Cullen) Corbin, J., Houston, Tex.	5,000		
Robinson, Dr. and Mrs. (Patricia W.) Hampton C., Hermann Professional Bldg.; residence, 4012 Inverness, Houston, Tex.	12,800		850
Rockefeller, Mr. and Mrs. (Margaret M.) David, 146 East 65th St., New York 21, N. Y.	17,500 (W 1,450)		
Rockefeller, Jr. Mr. and Mrs. (Martha B.) John D., 740 Park Ave., New York 21, N. Y.	12,900 W 6,450)		
Rockefeller, Mr. and Mrs. (Blanchette H.) John D., III, 30 Rockefeller Plaza, New York, N. Y.; residence: No. 1 Beekman Pl., New York 22, N. Y.	14,250 (W 1,250)		
Rockefeller, Mr. and Mrs. (Mary F.) Laurance S., 834 5th Ave., New York 21, N. Y.	25,550 (W 2,200)		
Rockefeller, Mr. and Mrs. (Mary Clark) Nelson A., 810 5th Ave., New York 21, N. Y.	35,600 (W 6,000)		
Rockefeller, Mr. and Mrs. (Jeanette Edris) Winthrop, 426 Union National Bank Bldg., Little Rock, Ark.; residence, Winrock Farms, Route No. 3, Morrilton, Ark.	20,304 (W 1,000)		
Rooke, Mr. and Mrs. (Alice Withington) Robert L., 929 Mount View Circle, Westfield, N. J.	13,600		
Ross, Mr. and Mrs. (Wilhelmina du Pont) Donald P Montchanin, Del.	8,200 (W 2,500)		
Rubin, Mr. and Mrs. (Vera) 5 West 54th St., New York 19, N. Y.			6,500 (W 3,000)
Russell, Mr. Hubbard, Box 399, Maricopa, Calif.	400		86,280
Saunderson, Mr. and Mrs. Alexander (Los Angeles), Arcadia, Calif.	6,000 (W 3,000)		
Scaife, Mr. and Mrs. Alan M., Post Office Box 1345, Pittsburgh, Pa.; residence: 525 William Penn Pl., Pittsburgh 30, Pa.	29,500		
Schiff, Mrs. Dorothy, 75 West St., New York, N. Y.		4,000	3,000
Schiff, Mr. and Mrs. (Edith B.) John M., 1133 5th Ave., New York, N. Y.; residence, Berry Hill, Oyster Bay, Long Island, N. Y.	18,550 (W 3,000)		
Schuman, Mr. and Mrs. (Lillian) Adolph P., 2701 164th St., San Francisco, Calif.			12,450 (W 2,500)
Segal, Mr. Martin, 501 Florida Theater Bldg., Jacksonville, Fla.			5,000
Semenenko, Mr. Serge, 32 Embankment Rd., Boston 14, Mass.	6,000		
Sharp, Mr. H. Rodney, 922 Du Pont Bldg., Wilmington, Del.; residence, 16th and Brinckle Ave., Wilmington, Del.	6,250		
Simmonds, Mr. H. F., Los Angeles, Calif.			5,000
Simon, Stanley, Bulova Park, Flushing 70, N. Y.	5,000		
Skouras, Spyros P., 444 West 56th St., New York 19, N. Y.; residence, 2 Shore Rd., Rye, N. Y.	7,050		1,100
Slater, Mr. and Mrs. (Marie-Louise Croy) H. Nelson, 185 East 64th St., New York 21, N. Y.	5,500		
Slick, Mr. Earl F., Bennett Bldg., San Antonio, Tex.	12,000		
Sloan, Mr. Alfred P. Jr., 30 Rockefeller Plaza, New York 20, N. Y.	21,000		
Smith, Mr. and Mrs. C. Arnholt, 202 Broadway, San Diego, Calif.	6,000 (W 3,000)		
Smith, Mr. Lloyd H., City National Bank Bldg., Houston, Tex.	4,000		
Smith, Mr. and Mrs. (Grace Olesna) William Wikoff, 123 South Broad St., Philadelphia; residence, Morris Ave. and Old Gulph Rd., Bryn Mawr, Pa.	9,500 (W 1,500)		
Snyder, Mr. and Mrs. (Elfrida A.) John I., 250 Park Ave., New York, N. Y.; residence, 53 Penn Blvd., Scarsdale, N. Y.			40,000
Sole, Mr. George J., 347 East 52d St., New York, N. Y.			5,000
Spalding, Mr. and Mrs. Hobart A., 1408 31st St., NW., Washington, D. C.			6,800
Spencer, Mr. Kenneth A., 610 Dwight Bldg., Kansas City 5, Mo.	10,000		
Stillman, Mr. Chauncey D., 230 Park Ave., New York 17, N. Y.	12,100		

	Republican	Democratic	Miscellaneous
Stockard, Mr. Lester N., 17 Battery Pl., New York, N. Y.; residence, 50 Sutton Pl., S., New York 22, N. Y.	$5,700		
Stone, Dewey D., 53 Arlington St., Brockton, Mass.	13,400		
Storer, Mr. and Mrs. (Martha Jean) Geo. H., Bay Harbor Island, Miami Beach 41, Fla.; residence, 26 Indian Creek Island, Miami Beach 41, Fla.	8,200		
Straus, Mr. and Mrs. (Helen Sachs) Nathan, 415 Madison Ave., New York 17, N. Y.		$24,650	$250
Straus, Mr. and Mrs. (Gladys G.) Roger W., 6 East 93d St., New York 28, N. Y.	5,500 (W 2,000)		
Strelsin, Mr. Alfred A., 565 Madison Ave., New York, N. Y.	10,000		
Strong, Mr. and Mrs. (Alice Trowbridge) L. Corrin, 2712 32d St. NW., Washington, D. C.	9,600		
Stuart, Mr. H. L., 123 South La Salle St., Chicago, Ill.; residence, 999 Lake Shore Dr., Chicago, Ill.	6,500	5,500	
Stuart, Mr. and Mrs. (Harriet McClure) R. Douglas, 528 North Mayflower Rd., Lake Forest, Ill.	16,150 (W 2,000)		
Sullivan, John L., residence, 1350 Union St., Manchester, N. H.; business, 804 King Bldg., Washington, D. C.		6,450	
Sweeney, Mrs. Catherine H., 816 20th St., Rock Island, Ill. Mail: Care of Walter L. Holstedt, Sec., Post Office Box 540, Rock Island, Ill.	12,500		
Tankersley, Mrs. (Ruth McCormick) Garvin, 7500 River Rd., Washington 14, D. C.	100		5,150
Teagle, Mr. Walter C., Byram Shore Rd., Byram, Conn.	6,200		
Thayer, Mr. and Mrs. Robert H., 1511 30th St., NW., Washington, D. C.; and American Embassy, Vienna, Austria	6,000 (W 4,000)		
Thompson, Mr. John Ambrose, 111 East 40th St., New York, N. Y.		5,000	
Tinsley, Mr. and Mrs. (Margaret Patricia McCord) Thomas G., Jr., Valley Rd., Owings Mills, Md.	23,100 (W 9,000)		
Tucker, Mrs. (Marcia Brady) Carll, 733 Park Ave., New York; residence, Mount Kisco, N. Y.	6,000		
Van Allen, Mr. and Mrs. (Candice) James H., Avalon, Newport, R. I.	5,500 (W 3,000)		
Vanderbilt, Mr. and Mrs. (Gertrude) Harold S., 230 Park Ave., room 1627, New York 17, N. Y.	51,000 (W 4,000)		
Vanderbilt, Mr. and Mrs. (Anne Cobby) William H., 99 Warren St., Englewood, Fla.	50	6,050	1,000
Wack, Mr. and Mrs. (Ethel du Pont Borkdale) John T. Dobbin, Yolo Farm, Post Office Box 996, Santa Barbara, Calif.	11,000 (W 5,250)		
Wade, Mr. F. S., 810 South Flower St., Los Angeles, Calif.; residence 132 South Flower Dr., Los Angeles 36, Calif.	9,200		
Walker, Mr. and Mrs. (Claire B.) Jay P., 2711 East 23d St., Tulsa, Okla.; residence 2616 East 31st St., Tulsa, Okla.	14,300		
Warburg, Mr. and Mrs. (Wilma Shannon) Frederick M., 30 Wall St., New York 5, N. Y.; residence 6 Riverview Ter., New York 22, N. Y.	5,200		
Warner, Mr. and Mrs. (Rea E.) H. M., Warner Bros., Studio, Burbank, Calif.	$12,250 (W 5,000)		
Warner, Mr. and Mrs. (Ann) J. L., Warner Bros. Studio, Burbank, Calif.; residence 1801 Angelo Dr., Beverley Hills, Calif.	11,000		
Watson, Mr. Arthur K., 81 Weed St., New Canaan, Conn.	6,000		
Watson, Jr., Mr. and Mrs. (Olve Cawley) Thomas J., Meadowcraft Lane, Greenwich, Conn.	10,000 (W 3,000)		
Weed, Mr. Oliver Eugene, 231 S. LaSalle St., Chicago, Ill.; residence, 92 Indian Tree Dr., Highland Park, Ill.			$8,000
Weir, Mr. Ernest T., 2800 Grant Bldg., Pittsburgh, Pa.	11,000		
Wellington, Mr. and Mrs. (Elizabeth D.) Herbert G., 19 E. 72d St., New York, N. Y.; residence, Locust Valley, Long Island, N. Y.	16,000 (W 3,000)		
Western, Mr. Dallas E., 275 W. St. Charles Rd., Elmhurst, Ill.	7,500		
White, Mr. Charles M., 1707 Republic Bldg., Cleveland, Ohio; residence 19070 S. Park Blvd., Shaker Heights, Cleveland 20, Ohio	11,350		
Whitney, Mr. and Mrs. (Martha B.) George, 23 Wall St., New York, N. Y.	10,050 (W 3,500)		
Whitney, Mr. and Mrs. (Betsy Cushing) John Hay, 630 5th Ave., New York, N. Y.; residence, 270 Valley Rd., Manhasset, Long Island, N. Y.	47,100 (W 15,000)		
Whittington, Mr. and Mrs. Harmon, Houston, Tex.	10,000 (W 2,500)		
Widener, Mr. George D.; residence, Stenton & Wissah, Philadelphia, Pa.; business, 405 Land Title Bldg., Philadelphia, Pa.	24,200		
Williamson, Cubbison & Vaughn, (Blake A. Williamson, James K. Cubbison, and Lee Vaughn), 2520 Nebraska Ave., Kansas City, Kans. (Blake A. Williamson, 2520 Nebraska Ave.) (James K. Cubbison, 3300 Minnesota Ave.) (Lee Vaughn, 1310 Hoel Pkwy.)	5,361		
Wilmer, Mr. and Mrs. (Dorothy M.) Walter F., 250 Park Ave., New York, N. Y.; residence, 19 Griggs Lane, Chappaqua, N. Y.		20,000	
Wilson, Mr. and Mrs. (Jessie C.) Charles E., West Long Lake Rd., Bloomfield Hills, Mich.	8,412		
Wilson, Mr. Orme, 2406 Massachusetts Ave. NW., Washington, D. C.; residence, 11 E. 68th St., New York 21, N. Y.	7,250		
Windfohr, Mr. and Mrs. (Anne Burnett) R. F., 1107 Continental Life Bldg., Fort Worth, Tex.	5,000		
Wirthwein, Mr. and Mrs. Robert, 720 Park Ave., New York, N. Y.	6,500 (W 3,000)		
Woodruff, Mr. and Mrs. Robert, care of Coca Cola Co., Atlanta, Ga.	5,450 (W 3,000)		
Yawkey, Mr. Thomas A.; residence 5th Ave. and 61st St., New York, N. Y.; business: 420 Lexington Ave., New York 17, N. Y.	25,500		
Zellerbach, Mr. J. D., 343 Sansome St., San Francisco 19, Calif.	6,500		$300
Ziegler, Mr. William, Jr., 250 Park Ave., New York 17, N. Y.; residence: 116-118 East 52th St., New York, N. Y.	7,250		
Total	2,894,369	860,380	55,000

EXHIBIT 13—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF LABOR ORGANIZATIONS

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1–November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000.)

In preparing this exhibit, a list of over 2,000 officials of national and international labor unions, State labor councils, State federations of labor, State industrial union councils, and national political action and education committees was compiled from the official directory of the United States Department of Labor (1955), the directory of the American Federation of Labor and Congress of Industrial Organizations (July 30, 1955), and the International Labor Directory and Handbook (1955).

This list of labor officials was checked against the list of contributors of $500 and over. Eighteen labor officials were found to have made contributions, as follows:

	Democrat	Republican
Abel, I. W., secretary-treasurer, United Steelworkers of America, Pittsburgh, Pa.	$500	$2,000
Autterson, Hobert, secretary-treasurer, Indiana State Industrial Council, Terre Haute, Ind.	500	
Bates, Harry C., president, International Union of Bricklayers, Masons, & Plasterers, Washington, D. C.	500	
Byron, Robert, president, International Association of Sheet Metal Workers, Washington, D. C.	1,000	
Calvin, William A., president, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths & Forgers, Kansas City, Mo.	1,000	
Carroll, T. C., president, Brotherhood of Maintenance of Way Employees, Detroit, Mich.	1,000	
Cohen, Harry, president, Maryland-District of Columbia Federation of Labor, Baltimore, Md.	750	
Doherty, William C., president, National Association of Letter Carriers, Washington, D. C.	1,200	
Garno, Harold J., secretary-treasurer, New York State Industrial Council, New York, N. Y.	1,000	
Haggerty, C. J., vice president, International Union of Wood, Wire & Metal Lathers, San Francisco, Calif.	550	
Harrison, George M., president, Brotherhood of Railway & Steamship Clerks, Cincinnati, Ohio	$1,000	
Kramer, Philip, vice president, International Ladies Garment Workers Union, Boston, Mass.	1,000	
Leighty, G. E., president, Order of Railroad Telegraphers, St. Louis, Mo.	1,000	
Lyons, John H., president, International Association of Bridge & Structural Workers, St. Louis, Mo.	1,000	
Matz, Anthony E., president, International Brotherhood of Firemen & Oilers, Philadelphia, Pa.	1,000	
McDonald, David J., president, United Steelworkers of America, Pittsburgh, Pa.	1,000	
Thorpe, John H., secretary-treasurer, Michigan State Federation of Labor, Southfield Township, Mich.	500	$500
Weston, E. M., president, Washington State Federation of Labor, Seattle, Wash.	2,000	
Total	16,500	2,500

EXHIBIT 14—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF THE 10 LEADING RADIO AND TELEVISION STATION LICENSEES

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1–November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000.)

In preparing this exhibit, the officers and directors of 10 radio and television station licensees were checked against the list of contributors. These licensees, according to information on file with the Federal Communications Commission, had the highest combined radio-television revenues in 1955.

In all, 22 officers and directors (of 8 firms) contributed $38,800 in amounts of $500 and over.

Generally, all contributions of a husband and wife have been lumped together, but any part of the total attributable solely to the wife has, where possible, been shown in parentheses, e. g. (W———). (Exhibit 26 shows more complete separate listing of contributions by husband and wife.)

	Party	Amount
Columbia Broadcasting System, Inc.:		
Iglehart, Joseph A. W., 14 Wall St., New York, N. Y.	Republican	$1,000
Paley, William S., 485 Madison Ave., New York, N. Y.	do	12,500
National Broadcasting Co., Inc.:		
Hagerty, Harry C., 1 Madison Ave., New York, N. Y.	do	500
Robinson, William E., 515 Madison Ave., New York, N. Y.	do	3,000
American Broadcasting Co., Inc.:		
Anderson, Earl E., 7 West 66th St., New York, N. Y.	do	500
Storer Broadcasting Co., Inc.:		
McAdam, Charles Y., 80 East 42d St., New York, N. Y.	do	500
Ryan, J. Harold, 128 Huron Rd., Toledo, Ohio	do	500
Storer, George B., 1177 Kane Concourse, Miami Beach, Fla.	do	8,200
Westinghouse Broadcasting Co.:		
Headlee, Charles E., 1419 Carlton House, Pittsburgh, Pa.	do	500
Hinckley, Robert H., 1735 DeSales St. NW., Washington, D. C.	Democrat	500
Main, George, 4 Churchhill Rd., Pittsburgh, Pa.	Republican	1,400
Price, Gwilwyn A., Chib Rd., Carnegie, Pa.	do	1,500
RKO Teleradio Pictures, Inc.:		
None found		
Total Republican		27,800
Total Democratic		1,000
Crosley Broadcasting Corp.:		
Allen, George, Washington, D. C.	Republican	$500
Bruce, James, 260 Madison Ave., New York, N. Y.	Democrat	500
Darling, C. Coburn, 333 Hospital Trust, Providence, R. I.	Republican	1,000
Johnson, Dr. Robert L., Temple University, Philadelphia, Pa.	do	1,000
Kahn, Herman H., 1 William St., New York, N. Y.	do	500
Lincoln, Leroy A., 1 Madison Ave., New York, N. Y.	do	500
O'Hara, Thomas A., 420 Lexington Ave., New York, N. Y.	do	1,000
Meredith Publishing Co.:		
Bohen, Fred, Meredith Publishing Co., Des Moines, Iowa.	do	1,000
Meredith, E. T., Jr., Des Moines, Iowa	do	1,500
Scripps-Howard Radio, Inc.:		
None found		
Consolidated TV & Radio Broadcasts, Inc.:		
Euler, R. S. Ralph), 538 Irwin Dr., Sewickley, Pa.	Republican	500
Total Republican		27,800
Total Democratic		1,000

EXHIBIT 15—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF 17 LEADING CERTIFICATED AIRLINE COMPANIES

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1–November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000.)

Generally, all contributions of a husband and wife have been combined, but any part of the total attributable solely to the wife has, where possible, been shown in parentheses, e. g. (W———). (Exhibit 26 shows more complete separate listing of contributions by husband and wife.)

Sixty officials in this group are shown to have contributed, in the aggregate, $163,750 of which $132,150 went to Republicans and $31,600 to Democrats.

In preparing this exhibit, the officers and directors of 17 leading certificated airline companies were checked against the list of contributors. These 17 companies were selected from a list of 46 certificated United States air carriers (excluding Alaska) furnished by the Civil Aeronautics Board.

On the pages that follow, the names of the airlines are listed alphabetically, as are the names of the officers and directors of such airlines found to have made contributions in amounts of $500 and over.

	Democratic	Republican	Miscellaneous
American Airlines:			
Bone, A. R., Jr., 523 West 6th St., Los Angeles 14, Calif.		$1,000	
Bruce, James, 260 Madison Ave, New York	$500		
Fisher, Charles T., Jr., 5 Lake Court, Grosse Pointe, 25th floor, Fisher Bldg., Detroit 2, Mich.		1,500	
Hogan, William J., 100 Park Ave., New York		500	
Jacob, C. W., 100 Park Ave., New York		500	
Quenny, Edgar M., 1700 South 3d St., St. Louis 4, Mo.		1,000	
Smith, C. R., 100 Park Ave., New York		1,000	
Speers, Charles R., 100 Park Ave., New York		500	
Total	500	6,000	
Braniff Airways, Inc.:			
Butler, George, Houston, Tex.	500		
Flenniken, W. W., Denver Club Bldg., Washington, D. C.		500	
Law, T. N., 2540 East 30th, Tulsa, Okla.		500	
McGreevy, Milton, 912 Baltimore, Kansas City, Mo.		750	
Total	500	1,750	
Capital Airlines, Inc.:			
Coleman, J. D. Stetson, 1137 West Jackson Blvd., Chicago 7, Ill.		3,000	
Hann, George R., Oliver Bldg., Pittsburgh 22, Pa.		2,000	
Stockton, James R., Jacksonville, Fla.		500	
Total		5,500	
Continental Air Lines, Inc.:			
Ehrman, Frederick L., 1 William St., New York, N. Y.		7,300	
Ehrman, Mrs. Frederick L.		2,500	
Hellman, Marco F., 404 Montgomery St., San Francisco, Calif.		3,500	
Ricketson, F. H., Jr., 1527 South Vermont Ave., Los Angeles, Calif.		500	
Total		13,800	
Delta Air Lines, Inc.:			
Freeman, R. W., 295 Walnut St., New Orleans, La.		2,500	
Gerry, Edward H., New York		500	
Delta Air Lines, Inc.—Continued			
Reynolds, R. J., Reynolds Metals Co., Winston-Salem, N. C.	$24,600		
Total	24,600	53,000	
Eastern Air lines:			
Rockefeller, Laurance S., 20 Rockefeller Plaza, New York, N. Y.		25,550	
Total		25,550	
Flying Tiger Line, Inc.:			
Meyer, A. H., 3000 Wyoming, Dearborn, Mich.		500	
Mosher, Samuel B., 811 West 7th St., Los Angeles, Calif.		500	
Zeckendorf, William, 283 Madison Ave., New York		3,500	
Total		4,500	
National Airlines, Inc.:			
Cross, John W., 900 5th Ave., New York 21, N. Y.		3,000	
Hardy, A. G., 6105 Landon Lane, Bethesda, Md.	2,000		
Total	2,000	3,000	
Northeast Airlines, Inc.:			
Fitzgerald, James F., 1600 Turnpike St., Canton, Mass.	500		
Total	500		
Northwest Airlines, Inc.:			
Weatherhead, Albert J., Jr., 300 East 131st St., Cleveland 8, Ohio		500	
Whitney, Wheelock, Jr., Point Vedra Beach, Fla.		500	
Total		1,000	
Pan American Grace Airways, Inc.:			
Leslie, John C., 8 Murray Hill Rd., Scarsdale, N. Y.		500	
Total		500	
Pan American World Airways:			
Fairchild, Sherman M., 30 Rockefeller Plaza, New York 20, N. Y.		3,000	
Lehman Robert, 1 William St., New York, N. Y.		12,000	

	Democratic	Republican	Miscellaneous
Pan American World Airways—Continued			
Leslie, Jonn C., 8 Murray Hill Rd., Scarsdale, N. Y.		$500	
Pryor, S. F., Greenwich, Conn.		8,000	
Taylor, Vernon F., San Antonio, Tex.		1,000	
Total		24,500	
Seaboard & Western Airlines, Inc.:			
Neth, Wallace P., Jericho, N. Y.		1,250	
Norden, Arthur V., Jericho, N. Y.		1,250	
Norden, Raymond A., Jericho, N. Y.		1,250	
Total		3,750	
Slick Airways, Inc.:			
Alison, John, 1116 Glendon, West Los Angeles, Calif.	$1,000		
Graham, John S., 3526 P St. NW., Washington, D. C.	500		
Millbank, Samuel R., 30 Wall St., New York 5, N. Y.		500	
Moorman, Lewis J., Jr., Bennett Bldg., San Antonio, Tex.		3,000	
Rentzel, D. W., Box 3274, Oklahoma City, Okla.	2,000		
Slick, Earl F., Bennett Bldg., San Antonio, Tex.		12,000	
Slick, Tom, 804 Milan Bldg., San Antonio, Tex.		4,000	
Urschel, Charles F., Milan Bldg., San Antonio, Tex.		2,500	
Total	3,500	22,000	
Trans World Airlines:			
Bierwirth, John E., 99 Park Ave., New York, N. Y.		$500	
Eisenhower, Arthur B., Commerce Trust, Kansas City, 41 Mo.		500	
Wright, Lloyd, Los Angeles 14, Calif.		1,000	
Total		2,000	
United Air Lines:			
Brown, H. Templeton, 231 South LaSalle St., Chicago, Ill.		600	
Cowles, Gardner, 488 Madison Ave., New York, N. Y.		3,000	
Dart, Justin W., 8480 Beverly Blvd., Los Angeles, Calif.		3,000	
Johnston, Eric A., 28 West 44th St., New York, N. Y.		5,700	
Nielsen, Aksel, 1711 California St., Denver, Colo.		500	
Patterson, William A., 1049 Locust Rd., Wilmette, Ill.		1,500	
Stouffer, Vernon, 1375 Euclid Ave., Cleveland, Ohio		1,000	
Total		15,300	
Western Air Lines, Inc.:			
None found			
Grand total	$31,609	132,150	

EXHIBIT 16—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF THE 47 LEADING UNDERWRITERS OF INVESTMENT BONDS

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1–November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000.)

In preparing this exhibit, the officials of 47 leading underwriters of investment bonds were checked against the list of contributors. These 47 firms were those whose capital worth exceeded $5 million in a rating appearing in the March 1956 issue of Finance magazine.

These firms are here listed alphabetically, as are their officials who were found to have made contributions of $500 and over.

Generally, all contributions of a husband and wife have been lumped together, but any part of the total attributable solely to the wife has, where possible, been shown in parentheses, e. g. (W———). (Exhibit 26 shows more complete separate listing of contributions by husband and wife.)

These persons are shown in this exhibit to have contributed $239,800, of which $237,800 was contributed to Republicans and the balance to Democrats.

	Republican	Democratic	Miscellaneous
Allyn (A. C.) & Co., Inc., Chicago, Ill.:			
Allyn, A. C., 707 Illinman Ave, Evanston, Ill.	$4,000		
Casey, Douglas, 5555 Sheridan Rd., Chicago, Ill.	2,500		
Kistner, Walter E., 1929 West 101st St., Chicago, Ill.	500		
Riley, John R., 2 Cougar Rd., Joliet, Ill.	500		
Total	7,500		
Allen & Co., New York, N. Y.:			
Allen, Charles, Jr., 30 Broad St., New York, N. Y.	1,000		
Allen, Herbert, 30 Broad St., New York, N. Y.	1,000		
Blair, Frank H., 188 Manhasset Woods, Manhasset, Long Island, N. Y.	4,000		
Stern, Herbert L., 11 8th Ave., New York, N. Y.	2,000		
Total	8,000		
Bache & Co., New York, N. Y.:			
Price, Harold C., Price Tower, Bartlesville, Okla.	1,000		
Bear, Stearns & Co., New York, N. Y.:			
Little, Donald C., 1 Wall St., New York, N. Y.	3,000		
Low, V. Theodore, Bedford Village, N. Y.	1,000		
Mayw, Harold C., 1 Wall St., New York, N. Y.	5,500		
Total	9,500		
Blyth & Co., New York, N. Y.:			
Bisshopp, Eugene, 14 Wall St., New York, N. Y.	500		
Blyth, Charles R., Russ Bldg., San Francisco, Calif.	1,000		
Davies, Paul G., 14 Wall St., New York, N. Y.	500		
Ford, Bernard W., 2100 Russ Bldg., San Francisco, Calif.	500		
Leib, George C., 14 Wall St., New York, N. Y.	2,500		
Lambert, Leo M., 14 Wall St., New York, N. Y.	750		
Blythe & Co., New York, N. Y.—Continued			
Miller, James F., Portland, Oreg.	$500		
Pagen, J. Lawrence, 14 Wall St., New York, N. Y.	500		
Total	6,750		
Bylleshy (H. M.) & Co., Inc., Chicago, Ill.:			
Newlin, E. Mortimer, 1500 Chestnut St., Philadelphia, Pa.	500		
Total	500		
Central National Corp., New York, N. Y.:			
Wallach, Ira D., 100 Park Ave., New York, N. Y.	1,000		
Total	1,000		
Clark, Dodge & Co., New York, N. Y.:			
Choate, Arthur O., 61 Wall St., New York, N. Y.	1,000		
Choate, Arthur O., Jr., 61 Wall St., New York, N. Y.	1,000		
Total	2,000		
Craigmyle, Pinney & Co., New York, N. Y.:			
Craigmyle, Ronald M., 1 Wall St., New York, N. Y.	1,000		
Total	1,000		
Dominick & Dominick, New York, N. Y.:			
Dominick, Bayard, 14 Wall St., New York, N. Y.	550		
Dominick, Gayer G., 14 Wall St., New York, N. Y.	500		
Mattison, Graham D., 14 Wall St., New York, N. Y.	1,500		
Stout, A. Varick, 14 Wall St., New York, N. Y.	800		
Total	3,350		
Drexel & Co., Philadelphia, Pa.:			
Gates, Thomas S., Jr., 15th and Walnut Sts., Philadelphia, Pa.	1,000		

	Republican	Democratic	Miscellaneous
Drexel & Co., Phila., Pa.—Continued			
Hopkinson, Edward, Jr., 15th and Walnut Sts., Philadelphia, Pa.	$1,000		
Lloyd, Morris, 1500 Walnut St., Philadelphia, Pa.	2,000		
Starr, Edward, Jr., 15th and Walnut Sts., Philadelphia, Pa.	1,300		
Total	5,300		
Du Pont (Francis I.) & Co., New York, N. Y.:			
Du Pont, Alfred Rhett, 1 Wall St., New York, N. Y.	2,000		
Du Pont, Edmond, Du Pont Bldg., Wilmington, Del.	2,000		
Moran, Charles, Jr., 1 Wall St., New York, N. Y.	1,000		
Total	5,000		
Eastman, Dillon Co., Inc., New York, N. Y.:			
Dillon, Herbert L., 15 Broad St., New York, N. Y.	1,000		
Gilmour, Lloyd S., 15 Broad St., New York, N. Y.	3,000		
Hutton, Edward F., 61 Broadway, New York, N. Y.	1,000		
Total	5,000		
Equitable Securities Corp., Nashville, Tenn.:			
No contributors			
First Boston Corp., New York, N. Y.:			
Addinsell, Harry M., 100 Broadway, New York, N. Y.	1,000		
Woods, George D., 100 Broadway, New York, N. Y.	1,000		
Total	2,000		
Glore, Forgan & Co., New York, N. Y.:			
Fennelly, John F., 135 South LaSalle St., Chicago, Ill.	1,000		
Forgan, J. Russell, 40 Wall St., New York, N. Y.	500		
Total	1,500		
Goldman, Sachs & Co., New York, N. Y.:			
Blaine, Walter P., 30 Pine St., New York, N. Y.	1,500		
Sachs, Howard J., 30 Pine St., New York, N. Y.	1,000		
Weinberg, Sidney J., 30 Pine St., New York, N. Y.	2,500		
Total	5,000		
Goodbody & Co., New York, N. Y.:			
No contributors			
Gregory & Sons, New York, N. Y.:			
No contributors			
Halsey, Stuart & Co., Chicago, Ill.:			
Buck, Leonard J., 74 Trinity Pl., New York, N. Y.	1,000		
Stuart, Charles B., 35 Wall St., New York, N. Y.	500		
Total	1,500		
Harriman, Ripley & Co., New York, N. Y.:			
No contributors			
Haupt (Ira) & Co., New York, N. Y.:			
Haupt, Ira, 111 Broadway, New York, N. Y.	500		
Total	500		
Hemphill, Noyes & Co., New York, N. Y.:			
Blancke, Leo M., 15 Broad St., New York, N. Y.	600		
Noyes, Jansen, 15 Broad St., New York, N. Y.	3,500		
Total	4,100		
Hentz (H.) & Co., New York, N. Y.:			
Lewine, Jerome, New York, N. Y.	1,000		
Total	1,000		
Hornblower & Weeks, New York, N. Y.:			
Antell, Tristan, 40 Wall St., New York, N. Y.	1,000		
Bergin, Daniel T., 40 Wall St., New York, N. Y.	500		
Elston, Isaac C., Jr., 134 South La Salle St., Chicago, Ill.	500		
Gibbin, Walter M., 40 Wall St., New York, N. Y.	500		
Gimma, Joseph, 40 Wall St., New York, N. Y.	800		
Morris, George L., 40 Wall St., New York, N. Y.	800		
Total	3,500		
Hutton (E. F.) & Co., New York, N. Y.:			
Cutten, Ruloff E., 61 Broadway, New York, N. Y.	$500		
Ferguson, W. C., 8726 Chouteau St., St. Louis, Mo.	1,000		
Kantzler, George R., 61 Broadway, New York, N. Y.	1,000		
Total	2,500		
Kidder (A. M.) & Co., New York, N. Y.:			
No contributors			
Kidder, Peabody & Co., New York, N. Y.:			
Compton, Randolph P., 17 Wall St., New York, N. Y.	750		
Gordon, Albert H., 17 Wall St., New York, N. Y.	500		
Matthews, Orus J., Dodds Lane, Ardmore, Pa.	1,000		
Webster, Edwin S., Jr., 17 Wall St., New York, N. Y.	1,000		
Total	3,250		
Kuhn, Loeb & Co., New York, N. Y.:			
Brown, Robert F., 30 Wall St., New York, N. Y.	500		
Kahn, Gilbert W., 30 Wall St., New York, N. Y.	1,250		
Schiff, John M., 30 Wall St., New York, N. Y.	18,550 (W 3,000)		
Stewart, Percy M., 30 Wall St., New York, N. Y.	500		
Walker, Robert E., 52 William St., New York, N. Y.	500		
Total	21,300		
Langley (W. C.) & Co., New York, N. Y.:			
Langley, William C., 115 Broadway, New York, N. Y.	500		
Total	500		
Lazard Frères & Co., New York, N. Y.:			
Adams, James S., New York, N. Y.		$500	
Herzog, Edwin H., 44 Wall St., New York, N. Y.	500		
Meyer, Andre, 44 Wall St., New York, N. Y.	4,500		
Murname, George, 44 Wall St., New York, N. Y.	1,500		
Total	6,500	500	
Lehman Bros., New York, N. Y.:			
Ehrman, Frederick L., 1 William St., New York, N. Y.	7,300		
Glazier, William S., 127 East 80th St., New York, N. Y.	3,500		
Gutman, Monroe C., 1 William St., New York, N. Y.	3,200		
Hammerslough, William J., 930 Park Ave., New York, N. Y.	1,000		
Herts, John, New York, N. Y.	2,300		
Isles, Philip H., 1 William St., New York, N. Y.	4,000		
Kahn, Herman H., 1 William St., New York, N. Y.	800		
Kennedy, Edwin L., 60 Colonial Way, Shorthills, N. J.	500		
Lehman, Robert H., New York, N. Y.	12,000		
Manheim, Frank J., 135 East 95th St., New York, N. Y.	800		
Manheim, Paul E., 1 William St., New York, N. Y.	2,300		
Mazur, Paul M., 1 Gracie Sq., New York, N. Y.	5,850 (W 350)		
Total	48,350		
Loeb (Carl M.) Rhodes & Co., New York, N. Y.:			
Dixon, W. Palmer, 550 Park Ave., New York, N. Y.	800		
Erpf, Armand G., 42 Wall St., New York, N. Y.	1,000		
Loeb, Carl M., Jr., 137 East 57th St., New York, N. Y.	1,500		
Michel, Clifford W., 42 Wall St., New York, N. Y.	1,000		
Total	4,000		
Marks (Carl) & Co., Inc., New York, N. Y.:			
No contributors			
Merrill Lynch, Pierce, Fenner & Beane, New York, N. Y.:			
Cook, Victor B., 70 Pine St., New York, N. Y.	500		
Findlay, Douglas C., 70 Pine St., New York, N. Y.	800		
Himes, Joseph H., 4524 Garfield St. NW., Washington, D. C.	1,000		
Kistler, William L., Jr., 1744 East 20th St., Tulsa, Okla.	1,000		
Leness, George J., 70 Pine St., New York, N. Y.	800		
Rooke, Robert L., 3 Mountain View, Westfield, N. J.	13,000		
Rubenstein, Millie, 70 Pine St., New York, N. Y.	800		

	Republican	Democratic	Miscellaneous
Merrill Lynch, Pierce & Beane, New York, N. Y.—Continued			
Smith, Norman P., 70 Pine St., New York, N. Y.	$2,000		
Smith, Winthrop H., 70 Pine St., New York, N. Y.	500		
Weldon, Norman, 70 Pine St., New York, N. Y.	500		
Total	20,600		
Morgan, Stanley & Co., New York, N. Y.:			
Ewing, William, Jr., 2 Wall St., New York, N. Y.	500		
Ewing, William, 2 Wall St., New York, N.	5,000		
Hall, Perry E., 2 Wall St., New York, N. Y.	6,500		
Morgan, Henry S., 2 Wall St., New York, N. Y.	5,300		
Payne, Samuel B., 2 Wall St., New York, N. Y.	500		
Stanley, Harold, 2 Wall St., New York, N. Y.	1,000		
Ward, Francis T., 2 Wall St., New York, N. Y.	500		
Total	19,300		
Paine, Webber, Jackson & Curtis, Boston, Mass.:			
Lewis, David J., 25 Broad St., New York, N. Y.	500		
Mason, Lloyd W., 25 Broad St., New York, N. Y.	500		
Total	1,000		
Reynolds & Co., New York, N. Y.:			
Babcock, Charles H., Reynolds Bldg., Winston-Salem, N. C.	1,000		
Baker, John D., 120 Broadway, New York, N. Y.	1,000		
Buchner, Walter G., 122 East 42d St., New York, N. Y.	2,000		
Roberts, Clifford, 120 Broadway, New York, N. Y.	2,000		
Staley, Thomas F., 120 Broadway, New York, N. Y.	1,500		
Willard, Frank A., 120 Broadway, New York, N. Y.	3,000		
Total	10,500		
Rothschild (L. F.) & Co., New York, N. Y.:			
Hochstader, Leonard A., 120 Broadway, New York, N. Y.	500		
Total	500		
Salomon Bros. & Hutzler, New York, N. Y.:			
Smutny, Rudolph, 60 Wall St., New York, N. Y.	$500		
Total	500		
Shearson Hammill & Co., New York, N. Y.:			
No contributors			
Smith, Barney & Co., New York, N. Y.:			
Fish, Edwin A., 14 Wall St., New York, N. Y.	500		
Johnson, J. Ford, 14 Wall St., New York, N. Y.	500		
Johnson, Ralph B., 14 Wall St., New York, N. Y.	500		
Phipps, Ogden, 14 Wall St., New York, N. Y.	3,000		
Total	4,500		
Union Securities Corp., New York, N. Y.:			
Quinn, Cyril J. C., 65 Broadway, New York, N. Y.	1,000		
Total	1,000		
Walston & Co., San Francisco, Calif.:			
No contributors			
Wertheim & Co., New York, N. Y.:			
Bernhard, Richard J., 120 Broadway, New York, N. Y.	500		
Hottinger, Henry, 120 Broadway, New York, N. Y.	2,000		
Steinbach, Milton, 120 Broadway, New York, N. Y.	2,000		
Total	4,500		
White, Weld & Co., New York, N. Y.:			
Kernan, Francis, 40 Wall St., New York, N. Y.	4,000		
White, Alexander M., 3 East 77th St., New York, N. Y.	4,000		
White, Harold T., 40 Wall St., New York, N. Y.	1,000		
Total	9,000		
Witter (Dean) & Co., San Francisco, Calif.:			
Boone, William B., Equitable Bldg., Portland, Oreg.	500		
Dollar, R. Stanley, 311 California St., San Francisco, Calif.	2,500		
Eaton, Rea L., 1466 Carleton Rd., San Marino, Calif.	1,500	$1,000	
Roth, William Matson, California		500	
Total	4,500	1,500	
Grand total	237,800	2,000	

EXHIBIT 17—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF THE 37 LEADING ADVERTISING AGENCIES

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1–November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000.)

Generally, all contributions of a husband and wife have been lumped together, but any part of the total attributable solely to the wife has, where possible, been shown in parentheses, e. g. (W———). (Exhibit 26 shows more complete separate listing of contributions by husband and wife.)

In this group, no contributions to Democrats were found. Contributions to Republicans were in the total amount of $51,600.

In preparing this exhibit, the officials of the 37 leading advertising agencies were checked against the list of contributors. These are the 37 firms that had billings of $30 million and over in 1955 listed in the February 27, 1956, issue of Advertising Age.

The agencies are here listed in alphabetical order, as are the officials of each agency who were found to have made contributions of $500 and over.

	Republican
Batten, Barton, Durstine & Osborn:	
Barton, Bruce, New York	$2,000
Danforth, J. D., New York	1,000
Manchee, Fred B., New York	1,000
Osborn, A. F., New York	1,000
Total	5,000
Benton & Bowles:	
Baker, William R., Jr., New York	1,000
Luak, Robert E., New York	500
Total	1,500
Blow-Beirn-Toigo (now Blow Co.):	
Blow, Milton H., New York	1,500
Welch, Veronica, New York	500
Total	2,000
Brooke, Smith, French & Dorrance:	
No contribution	------
Campbell-Ewald Co.: White, Charles M., Washington	11,350
Campbell-Mithun: No contribution	------
Cockfield, Brown & Co.: No contribution	------
Compton Advertising: No contribution	------
Cunningham & Walsh: No contribution	------
Dancer-Fitzgerald-Sample: Fitzgerald, Clifford L., New York	1,000
D'Arcy Advertising Co.: Orthwein, P. J., St. Louis	$1,500
Donahue & Coe: No contribution	------
D. P. Brother & Co.: No contribution	------
Erwin, Wasey & Co.: No contribution	------
Foote, Cone & Belding: Carney, Robert F., New York	500
Fuller & Smith & Ross: No contribution	------
Geyer Advertising: Geyer, B. B., New York	500
Grant Advertising: No contribution	------
Grey Advertising Agency: No contribution	------
J. Walter Thompson Co.:	
Elton, Wallace W., New York	500
Flower, Henry C., Jr., New York	2,500
Hinks, Kenneth W., New York	1,000
Kohl, Howard, New York	1,000
Lemon, L. O., New York	1,000
Meek, Samuel W., New York	1,000
Resor, Stanley, New York	2,100
Rheinstrom, Charles A., New York	1,000
Ryan, Oneill, Jr., New York	1,500
Strouse, Norman H., New York	1,000
Total	12,600
Kenyon & Eckhardt:	
Brophy Thomas D. A., New York	750
Miller, Don C., Detroit	750
Mills, Dwight, New York	1,500
Total	3,000
Kudner Agency: Ellis, J. H. S., New York	500

	Republican
Lennen & Newell: Toigo, Adolph J., New York	$2,000
Leo Burnett Co.: Burnet, Leo, Chicago, Ill.	500
MacLaren Advertising Co.: No contribution	------
MacManus, John & Adams: Adams, James R. Bloomfield, Bloomfield Hills, Mich.	500
Maxon, Inc.: Maxon, Lou R., Detroit, Mich.	500
McCann-Erickson:	
Foote, Emerson, New York	1,000
Harper, Marion, Jr., New York	650
Total	1,650
Needham, Louis & Brorby: No contribution	------
Norman, Craig & Kummel: No contribution	------
N. W. Ayer & Son: No contribution	------
Ruthrauff & Ryan: Ryan, Frederick B., Jr., New York	500
Sullivan, Stauffer, Colwell & Bayles:	
Colwell, Robert T., New York	500
Sullivan, Raymond F., New York	500
Total	1,000
Tatham-Laird: No contribution	------
Ted Bates & Co.: No contribution	------
William Esty Co.:	
Houlahan, James J., New York	$2,000
Peace, John, New York	1,000
Total	3,000
Young & Rubicam:	
Brockway, Louis N., New York	1,000
Larmon, Sigurd S., New York	1,500
Total	2,500
Grand total	51,600

EXHIBIT 18—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF THE 29 LARGEST OIL COMPANIES

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1 to November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000.)

Generally, all contributions of a husband and wife have been lumped together, but any part of the total attributable solely to the wife has, where possible, been shown in parentheses, e. g. (W———). (Exhibit 26 shows more complete separate listing of contributions by husband and wife.)

Total contributions to Republicans were in the amount of $344,997, and to Democrats in the sum of $14,650.

In preparing this exhibit, the officers and directors of the 29 largest oil companies were checked against the list of contributors. The 29 oil firms are the largest measured by 1955 sales as shown in the list of America's largest industrial corporations published by Fortune magazine in July 1956.

It was found that 24 of the 29 corporations had officials who gave $500 and over to the 1956 campaign. These firms are listed alphabetically below, together with their officials who were found to have contributed.

The five corporations whose officials were not found to have contributed are: Clark Oil & Refining, Ohio Oil, Signal Oil & Gas, South Penn Oil, and Superior Oil.

	Republican	Democratic
Anderson-Prichard Oil:		
Fennelly, J. F., Chicago, Ill.	$1,000	
Rodman, Roland V., Oklahoma City, Okla.	500	
Total	1,500	
Ashland Oil & Refining Co.:		
Breuil, James F., Oklahoma City, Okla.	1,000	
Atlantic Refining:		
Coffey, Robert H., Wayne, Pa.	500	
Ingersoll, C. Jared, Philadelphia, Pa.		$500
Supplee, Henderson, Jr., Philadelphia, Pa.	500	
Total	1,000	500
Cities Service:		
Christian, Erle G., New York, N. Y.	1,000	
Frame, A. P., New York, N. Y.	1,000	
Hill, George H., Jr., New York, N. Y.	1,000	
Jones, W. Alton (Mrs.), New York, N. Y.	3,000	
Mitchell, Charles S., New York, N. Y.	1,000	
O'Brien, Henry L., New York, N. Y.	1,000	
Shaw, George H., New York, N. Y.	1,000	
Total	9,000	
Continental Oil:		
Douglas, Lewis W., New York, N. Y.	2,000	
Page, Arthur W., New York, N. Y.	1,000	
Whitney, Mr. and Mrs. George, New York, N. Y.	9,500	
Total	12,500	
Crown Central Petroleum:		
Stralem, Mr. and Mrs. Donald S., New York, N. Y.	2,000	
Gulf Oil:		
Brown, Mr. and Mrs. Donaldson, Port Deposit, Md.	10,750 (W 8,750)	
Mellon, Mr. and Mrs. Richard K., Pittsburgh, Pa.	33,000	
Proctor, David, Pittsburgh, Pa.	800	
Scaife, Mr. and Mrs. Alan M., Pittsburgh, Pa.	29,250	
Swensrud, Sidney A., Pittsburgh, Pa.	1,000	
Walton, John F., Jr., Pittsburgh, Pa.	2,500	
Whiteford, W. K., Pittsburgh, Pa.	1,000	
Total	87,550	
Phillips Petroleum:		
Adams, K. S., Bartlesville, Okla.	1,000	
Addinsell, H. M., Bartlesville, Okla.	1,000	
Endacott, Paul, Bartlesville, Okla.	500	
Jopling, R. C., Bartlesville, Okla.	1,000	
Keeler, W. W., Bartlesville, Okla.	500	
Learned, Stanley, Bartlesville, Okla.	500	
Musgrave, C. R., Bartlesville, Okla.	500	
Phillips, Philip R., Bartlesville, Okla.	1,000	
Stradley, B. F., Bartlesville, Okla.	1,000	
Thomas, R. W., Bartlesville, Okla.	500	
Total	7,500	
Plymouth Oil:		
Benedum, Paul G., Pittsburgh, Pa.	$1,000	
Hallanan, W. S., Charleston, W. Va.	6,500	
Total	7,500	
Pure Oil:		
Armour, Lester, Chicago, Ill.	750	
Avery, Sewell L., Chicago, Ill.	6,000	
Dixon, Wesley M., Chicago, Ill.	1,500	
Total	8,250	
Richfield Oil Corp.:		
Gosney, M. L., New York, N. Y.	1,000	
Jones, W. Alton (Mrs.), New York, N. Y.	3,000	
Jones, Charles S., Los Angeles, Calif.	2,500	
O'Brien, Henry L., Los Angeles, Calif.	1,000	
Spencer, Percy C., New York, N. Y.	2,000	
Total	9,500	
Shell Oil:		
Dominick, Gayer G., New York, N. Y.	500	
Sinclair Oil:		
Clarkson, R. L., New York, N. Y.	2,000	
Dyer, J. E., New York, N. Y.	500	
Gosney, M. L., New York, N. Y.	1,000	
Spencer, P. C., New York, N. Y.	2,000	
Total	5,500	
Skelly Oil:		
Getty, George F., Tulsa, Okla.	750	
Socony Mobil Oil:		
Jennings, Mr. and Mrs. B. Brewster, New York, N. Y.	3,000	
Standard Oil (California):		
Call, Asa V., Los Angeles, Calif.	5,000 (W 1,500)	
Collier, H. D., San Francisco, Calif.	2,000	
McBean, Atholl, San Francisco, Calif.	500	
Peterson, T. S., San Francisco, Calif.	1,000	
Total	9,000	
Standard Oil (Indiana):		
Blaustein, Mr. and Mrs. Jacob, Chicago, Ill.		$14,150 (W 5,650)
Graham, David, Chicago, Ill.	1,000	
Prior, Frank O., Chicago, Ill.	1,000	
Total	2,000	14,150
Standard Oil (New Jersey):		
Crane, J. E., New York, N. Y.	500	
Holman, Eugene, New York, N. Y.	3,500	
Lamont, Peter T., New York, N. Y.	500	
Proudfit, Arthur T., New York, N. Y.	500	
Rathbone, M. J., New York, N. Y.	1,000	
Smith, Chester F., Elizabeth, N. J.	500	
Seubry, E. E., New York, N. Y.	500	

	Republican	Democratic
Standard Oil (New Jersey)—Continued		
Welch, Leo D., New York, N. Y.	$500	
Total	7,500	
Standard Oil (Ohio):		
Nance, James J., Detroit, Mich.	750	
Patton, Thomas F., Cleveland, Ohio	700	
Total	1,450	
Sun Oil:		
Eckert, Samuel B., Philadelphia, Pa.	1,100	
Pew, Mr. and Mrs. J. Howard, Philadelphia, Pa.	51,125 (W 3,000)	
Pew, John G., Philadelphia, Pa.	500	
Pew, Joseph N., Jr., Philadelphia, Pa.	51,425	
Thayer, Clarence H., Philadelphia, Pa.	500	
Total	104,650	
Sun Ray Mid-Continent Oil:		
Cleveland, J. Luther, New York, N. Y.	500	
France, Jacob, Baltimore, Md.	3,000	
Parriott, Foster B., Tulsa, Okla.	500	
Seelignon, Arthur A., San Antonio, Tex.	500	
Smith, Glenn J., Tulsa, Okla.	1,000	
Walker, Jay P., Tulsa, Okla.	14,300	
Wright, Clarence H., Tulsa, Okla.	3,500	
Total	23,300	
Texas Co.:		
Gray, W. S., New York, N. Y.	$1,000	
Harris, Henry U., New York, N. Y.	4,550	
McCune, Charles L., Pittsburgh, Pa.	2,000	
Mitchell, W. H., Chicago, Ill.	847	
Rodgers, W. S. S., New York, N. Y.	1,000	
Total	9,397	
Tide Water Associated Oil:		
Bayer, L. F., San Francisco, Calif.	750	
Hopkins, Mrs. John Jay, Washington, D. C.	2,000	
Jackson, Mr. and Mrs. H. A., New York, N. Y.	2,500	
Schiff, Mr. and Mrs. John M., New York, N. Y.	18,550 (W 3,000)	
Staples, D. T., San Francisco, Calif.	750	
Thomas, Joseph A., San Francisco, Calif.	2,000	
Wellborn, Olin, III, Los Angeles, Calif.	500	
Williams, Fero, San Francisco, Calif.	500	
Total	27,550	
Union Oil:		
Battson, Leigh, Los Angeles, Calif.	$2,000	
Brandi, Frederic H., New York, N. Y.	500	
Doheny, William H., Los Angeles, Calif.	1,500	
Rubel, A. C., Los Angeles, Calif.	1,000	
Stewart, Mrs. W. L., Jr., Los Angeles, Calif.	1,000	
Taylor, Reese H., Los Angeles, Calif.	500	
Total	6,500	
Grand total	344,997	$14,650

EXHIBIT 19—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF THE 100 LARGEST MILITARY PRIME CONTRACTORS

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1–November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000).

In preparing this exhibit, the officers and directors of the 100 largest military prime contractors were checked against the list of contributors. These firms were named by the Department of Defense as the 100 largest in net value of military prime contract awards for the period, January 1–December 31, 1955 (released by Office of the Assistant Secretary of Defense (Supply and Logistics) dated August 10, 1956).

It was found that officials of 63 such corporations contributed $500 or over during 1956. A total of $1,133,882 was contributed to the Republicans. The Democrats received $40,975, and $12,400 was contributed to miscellaneous political committees.

The corporations are listed alphabetically with the names of contributing officials set forth under each.

Generally, all contributions of a husband and wife have been combined, but any part of the total attributable solely to the wife has, where possible, been shown in parentheses, e. g. (W ———). (Exhibit 26 shows more complete separate listings of contributions by husband and wife).

When a person is an official of more than one corporation, the amount he contributed has been listed after his name under each corporation with which he is connected, but in computing the net grand totals of contributions by party and other groups, an adjustment has been made for such duplicate contributions.

	Republican	Democratic	Miscellaneous
Allis-Chalmers Manufacturing Co.:			
Bohen, Fred, Des Moines, Iowa	$1,000		
Comer, Hugh M., Sylacauga, Ala.	500		
Mahler, Ernst, Chicago, Ill.	1,000		
Stevenson, Robert S., Milwaukee, Wis.	500		
Total	3,000		
American Machine & Foundry Co.:			
Patterson, Morehead, New York, N. Y.	3,000		
Total	3,000		
American Shipbuilding Co.:			
Ackerman, R. B., Cleveland, Ohio	880		
Hoffmeier, A. C., Cleveland, Ohio	500		
Hutchinson, John T., Cleveland, Ohio	500		
Ingwersen, Martin L., Cleveland, Ohio	500		
McDowell, Robert C., Cleveland, Ohio	500		
Sherwin, John, Cleveland, Ohio	1,000		
Thompson, Joseph H., Cleveland, Ohio	500		
Williams, E. B., Cleveland, Ohio	500		
Total	4,880		
American Telephone & Telegraph:			
Page, Arthur W., New York, N. Y.	1,000		
Root, Elihu, Jr., New York, N. Y.	1,000		
Weldon, Samuel A., New York, N. Y.	1,000		
Total	3,000		
Avco Manufacturing Corp.:			
Allen, George E., Washington, D. C.	500		
Bierwirth, John E., New York, N. Y.	500		
Bruce, James, New York, N. Y.		$500	
Darling, C. Coburn, Providence, R. I.	1,000		
Erasmus, Victor, New York, N. Y.	500		
Hall, Joseph B., Cincinnati, Ohio	1,000		
Johnson, Robert L., Philadelphia, Pa.	1,000	1,000	
Kahn, Herman H., New York, N. Y.	500		
Lincoln, Leroy A., New York, N. Y.	500		
Avco Manufacturing Corp.—Continued			
O'Hara, Thomas A., New York, N. Y.	$1,000		
Total	6,500	$1,500	
Bell Aircraft Corp.:			
Bell, Lawrence D., Buffalo, N. Y.	500		
Bierwirth, John E., New York, N. Y.	500		
Total	1,000		
Bendix Aviation Corp.:			
Biggers, John D., Toledo, Ohio	3,000		
Ferguson, Malcolm P., Detroit, Mich.	900		
Francis, Clarence, New York, N. Y.	1,000		
Kanzler, Ernest, Detroit, Mich.	3,000		
Total	7,900		
Bethlehem Steel:			
Grace, Eugene G., Bethlehem, Pa.	7,850		
McMath, Robert E., Bethlehem, Pa.	1,000		
Total	8,850		
Boeing Airplane Co.:			
Reed, William G., Seattle, Wash.	1,000		
Total	1,000		
Burroughs Corp.:			
Cisler, Walker L., Detroit, Mich.	500		
Eppert, Ray R., Detroit, Mich.	500		
Total	1,000		
Chrysler Corp.:			
Brady, James C., Detroit, Mich.	500		
Colbert, L. L., Detroit, Mich.	1,000		
Foy, Byron C., Detroit, Mich.	1,500		
Jones, W. Alton, Detroit, Mich.	3,000		

	Republican	Democratic	Miscellaneous
Chrysler Corp—Continued			
Van Bomel, L. A., Detroit, Mich.	$1,000		
Total	7,000		
Cincinnati Milling Machine Co.:			
Flynt, Henry N., New York, N. Y.	1,000		
Geier, Frederick V., Cincinnati, Ohio	2,500		
Quinn, Cyril J. C., New York, N. Y.	1,000		
Total	4,500		
Cities Service:			
Christian, Eric G., New York, N. Y.	1,000		
Frame, A. P., New York, N. Y.	1,000		
Hill, George H., Jr., New York, N. Y.	1,000		
Jones, W. Alton, New York, N. Y.	3,000		
Mitchell, Charles S., New York, N. Y.	1,000		
O'Brien, Henry L., New York, N. Y.	1,000		
Shaw, George H., New York, N. Y.	1,000		
Total	9,000		
Continental Oil:			
Douglas, Lewis W., New York, N. Y.	2,000		
Page, Arthur W., New York, N. Y.	1,000		
Whitney, George, New York, N. Y.	9,300 (W 3,500)		
Total	12,300		
Curtiss-Wright Corp.:			
Beinecke, Edwin J., New York, N. Y.	3,000		
Cowdin, J. Cheever, New York, N. Y.	2,000		
Coyne, Thomas C., New York, N. Y.	500		
Crandall, L. R., New York, N. Y.	2,000		
Dana, Charles A., New York, N. Y.	1,000		
Hill, George R., New York, N. Y.	500		
Hurley, Roy T., New York, N. Y.	500		
Irwin, S. D., New York, N. Y.	500		
Kurzius, Stanley B., Jr., New York, N. Y.	500		
Lake, William T., New York, N. Y.	500		
Miccio, Joseph V., New York, N. Y.	500		
Smith, Lloyd H., Houston, Tex.	6,000		
Total	18,100		
Douglas Aircraft Co., Inc.:			
Bekins, Milo W., Santa Monica, Calif.	500		
Jones, Charles S., Los Angeles, Calif.	2,500		
Total	3,000		
Du Pont (E. I.) de Nemours & Co.:			
Beadle, Walter J., Wilmington, Del.	500		
Brown, Donaldson, Port Deposit, Md.	19,750 (W 8,750)		
Carpenter, W. S., Jr., Wilmington, Del.	11,800		
Copeland, Lammot D., Wilmington, Del.	9,650		
Dodge, M. Hartley, Madison, N. J.	1,500		
Du Pont, Emile F., Wilmington, Del.	1,000		
Du Pont, Eugene E., Wilmington, Del.	3,000		
Du Pont, H. F., Wilmington, Del.	3,000		
Du Pont, Henry B., Wilmington, Del.	6,100 (W 2,100)		
Du Pont, Irenee, Wilmington, Del.	20,295		
Du Pont, P. S., III, Wilmington, Del.	9,200 (W 2,000)		
Du Pont, William, Jr., Wilmington, Del.	9,000		
Greenewalt, Crawford H., Wilmington, Del.	6,200 (W 2,000)		
Harrington, W. F., Wilmington, Del.	2,000		
Peyton, Bernard, Wilmington, Del.	2,500		
Sharp, Hugh R., Jr., Wilmington, Del.	6,250		
Sloan, Alfred P., Jr., New York, N. Y.	21,000		
Total	138,745		
Eastman Kodak Co.:			
Curtis, Edward P., Rochester, N. Y.	500		
Price, Gwilym A., Carnegie, Pa.	1,500		
Total	2,000		
Firestone Tire & Rubber Co.:			
Firestone, Leonard K., Los Angeles, Calif.	11,000 (W 1,000)		
Firestone, Roger S., Pottstown, Pa.	5,500 (W 1,000)		
Total	16,500		
Ford Motor Co.:			
Breech, Ernest R., Dearborn, Mich.	2,000		
Bugas, John S., Dearborn, Mich.	3,000		
David, Donald K., New York, N. Y.	1,000		
Ford, Benson, Dearborn, Mich.	3,000		
Ford, Henry, II, Dearborn, Mich.	18,500 (W 2,500)		
Ford, William C., Dearborn, Mich.	6,000		
Gossett, William T., Dearborn, Mich.	1,000		
Moore, C. F., Jr., Dearborn, Mich.	500		
Total	35,300		
Fuller (George A.) Co.:			
Beinecke, Edwin J., New York, N. Y.	$3,000		
Crandall, Lou R., New York, N. Y.	2,000		
Hilson, John S., New York, N. Y.	1,000		
Kilpatrick, John Reed, New York, N. Y.	500		
Slater, Ellis D., New York, N. Y.	2,500		
Total	9,000		
Garrett Corp.:			
Garrett, John Clifford, Los Angeles, Calif.	500		
Morgan, W. D., Los Angeles, Calif.	500		
Whitehead, William C., Los Angeles, Calif.	500		
Total	1,500		
General Dynamics Corp.:			
Alvord, Ellsworth C., New York, N. Y.	1,000		
Dean, Gordon, New York, N. Y.		$500	
Himes, Joseph H., New York, N. Y.	500		
Hopkins, John Jay, New York, N. Y.	2,000		
Pace, Frank, Jr., New York, N. Y.		2,000	
Windfohr, Robert F., New York, N. Y.	5,000		
Total	8,500	2,500	
General Electric Co.:			
Boulware, Lemuel R., New York, N. Y.	1,000		
Colt, S. Sloan, Schenectady, N. Y.	1,500		
Cordiner, Ralph J., New York, N. Y.	1,000		
David, Donald K., New York, N. Y.	1,000		
Dickey, Charles D., New York, N. Y.	2,000		
Ford, Henry, II, Detroit, Mich.	18,500 (W 2,500)		
Humphrey, Gilbert W., Schenectady, N. Y.	500		
LaPierre, Cramer W., New York, N. Y.	500		
Lockton, John D., New York, N. Y.	500		
Love, George H., Pittsburgh, Pa.	5,200		
McCabe, Thomas B., Chester, Pa.	19,500		
Morgan, Henry S., New York, N. Y.	5,200		
Reed, Philip D., New York, N. Y.	2,000		
Strinzham, Warde B., Chevy Chase, Md.	1,000		
Weinberg, Sidney J., New York, N. Y.	2,500		
Woodruff, Robert W., Atlanta, Ga.	5,450 (W 2,000)		
Total	68,349		
General Motors Corp.:			
Anderson, Harry W., Detroit, Mich.	800		
Bradley, Albert, Detroit, Mich.	22,100 (W 9,100)		
Brown, Donaldson, Port Deposit, Md.	19,750 (W 8,750)		
Carpenter, W. S., Jr., Wilmington, Del.	11,800		
Chayne, Charles A., Detroit, Mich.	1,000		
Clay, Lucius D., New York, N. Y.	5,100 (W 3,000)		
Copeland, Lammot D., Wilmington, Del.	9,650		
Cronin, J. J., Detroit, Mich.	500		
Curtice, Harlow, Detroit, Mich.	2,000		
Donner, Frederic G., Detroit, Mich.	500		
Douglas, Lewis W., New York, N. Y.	2,000		
Du Pont, Emile F., Wilmington, Del.	1,000		
Du Pont, Henry B., Wilmington, Del.	6,100 (W 2,100)		
Earl, H. J., Detroit, Mich.	500		
Fisher, Edward F., Detroit, Mich.	1,500		
Fisher, Lawrence P., Detroit, Mich.	1,500		
Garrett, Paul, Detroit, Mich.	500		
Goad, Louis C., Detroit, Mich.	1,000		
Goodman, James F., Detroit, Mich.	500		
Gordon, John F., Detroit, Mich.	1,500		
Halstad, Lawrence R., Detroit, Mich.	1,000		
Hogan, Henry M., Detroit, Mich.	500		
Hufstader, William F., Detroit, Mich.	1,000		
Hunt, Ormond E., Bloomfield Hills, Mich.	500		
Johnson, Earle F., Detroit, Mich.	1,000		
Keating, Thomas H., Detroit, Mich.	500		
Kindl, Carl H., Detroit, Mich.	500		
Kyes, Robert M., Detroit, Mich.	1,000		
Mellon, Richard K., Pittsburgh, Pa.	33,000		
Osborn, Cyrus R., Detroit, Mich.	1,000		
Pratt, John L., Fredericksburg, Va.	500		
Riley, Edward, Detroit, Mich.	750		
Russell, George, Detroit, Mich.	1,000		
Skinner, Sherrod E., Detroit, Mich.	1,000		
Sloan, Alfred P., Jr., New York, N. Y.	21,000		
Stanley, Clarence, Detroit, Mich.	1,000		
Whitney, George, New York, N. Y.	9,500 (W 3,500)		
Total	163,250		
General Precision Equipment Corp.:			
Clarkson, Robert L., New York, N. Y.	2,000		
General Tire & Rubber Co.:			
O'Neil, William, Akron, Ohio	3,000		
Goodyear Tire & Rubber Co.:			
DeYoung, R., Akron, Ohio	2,000		
Greene, Edward B., Cleveland, Ohio	1,500		
Leroy, P. E. H., Akron, Ohio	500		
Litchfield, P. W., Akron, Ohio	2,000		
Spencer, Kenneth A., Kansas City, Mo.	10,400		
Spencer, Leland E., Akron, Ohio	550		

	Republican	Democratic	Miscellaneous
Goodyear Tire & Rubber Co.—Continued			
Thomas, E. J., Akron, Ohio	$500		
Wilson, Robert S., Akron, Ohio	1,750		
Total	19,400		
Gulf Oil Corp.:			
Brown, Donaldson, Port Deposit, Md	19,750 (W 8,750)		
Mellon, Richard K., Pittsburgh, Pa	33,000		
Proctor, David, Pittsburgh, Pa	800		
Scaife, Alan M., Pittsburgh, Pa	29,300		
Swensrud, Sidney A., Pittsburgh, Pa	1,000		
Walton, John F., Jr., Pittsburgh, Pa	2,500		
Whiteford, William K., Pittsburgh, Pa	1,000		
Total	87,350		
Hercules Powder Co.:			
McConnell, J. H. T., Wilmington, Del		$7,250	
International Business Machines Corp.:			
Booth, Willis H., New York, N. Y	500		
Buckner, Walter G., New York, N. Y	2,000		
Fairchild, S. M., New York, N. Y	3,000		
Folger, John C., Washington, D. C	11,500 (W 5,500)		
Scribner, Gilbert H., Chicago, Ill	500		
Watson, Thomas J., New York, N. Y	6,000		
Watson, Thomas J., Jr., New York, N. Y	10,000 (W 3,000)		
Total	33,500		
International Harvester:			
McCormick, Fowler, Chicago, Ill	7,300		$100
Ryerson, Edward L., Chicago, Ill	2,000		
Spencer, Kenneth A., Kansas City, Mo	10,600		
Wilson, John P., Chicago, Ill	1,500		
Total	21,400		100
International Telephone & Telegraph Corp.:			
Edison, Charles, New York, N. Y	500		12,300
Hill, Arthur M., Washington, D. C	19,462 (W 2,500)		
McKinney, Robert, Santa Fe, N. Mex		625	
Total	19,962	625	12,300
Lear, Inc.:			
Luckman, Charles, Los Angeles, Calif	2,500		
Lockheed Aircraft Corp.:			
Barker, C. A., Jr., Burbank, Calif	500		
Chappellet, Cyrll, Burbank, Calif	500		
Gross, Courtlandt S., Burbank, Calif	500		
Gross, Robert E., Burbank, Calif		500	
Hibbard, Hall L., Burbank, Calif	500		
Keith, Willard W., Los Angeles, Calif	3,000		
Monesmith, Burt C., Burbank, Calif	500		
Total	5,500	500	
Martin (Glenn L.) Co.:			
Bruce, Howard, Baltimore, Md	1,000		
Sullivan, John L., Washington, D. C		6,450	
Total	1,000	6,450	
McDonnell Aircraft Corp.:			
Johnsen, James Lee, St. Louis, Mo	500		
McDonnell, William A., St. Louis, Mo	500		
Total	1,000		
Merritt-Chapman & Scott:			
Savin, A. L., New York, N. Y	500		
Minneapolis-Honeywell Regulator Co.:			
Brown, Richard P., Philadelphia, Pa	1,900		
Quinn, Cyril J. C., New York, N. Y	1,000		
Total	2,900		
Morrison-Knudson Co., Inc.:			
Bonny, J. B., Boise, Idaho	500		
Morrison, Harry W., Boise, Idaho	500		
Total	1,000		
Northrop Aircraft, Inc.:			
Jerstrom, Earle M., Hawthorne, Calif	2,500		
Olin Mathieson Chemical Co.:			
Casteel, Russel R., East Alton, Ill	500		
Chace, Arnold B., Providence, R. I	800		
Hanes, John W., New York, N. Y	9,200 (W 2,000)		
Nichols, Thomas S., Baltimore, Md	13,150 (W 500)	5,000	
Olin, John M., New York, N. Y	14,950 (W 3,000)		
Olin, Spencer T., Alton, Ill	34,600		
Palmer, Carleton H., New York, N. Y	1,000		
Rockefeller, Laurance S., New York, N. Y	25,550 (W 2,200)		
Stone, Robert G., Boston, Mass	500		
Total	100,250	5,000	

	Republican	Democratic	Miscellaneous
Pan American World Airways:			
Fairchild, S. M., New York, N. Y	$3,000		
Gledhill, Franklin, New York, N. Y	500		
Lehman, Robert, New York, N. Y	12,000 (W 1,000)		
Leslie, John C., New York, N. Y	500		
Pryor, Sam F., Greenwich, Conn	8,000		
Taylor, Vernon F., San Antonio, Tex	1,000		
Total	25,000		
Philco Corp.:			
Balderston, William, Philadelphia, Pa	2,800		
Buckley, James T., Philadelphia, Pa	1,000		
Butler, Harold W., Philadelphia, Pa	500		
Gubb, Larry E., Philadelphia, Pa	500		
Heberling, Russell L., Philadelphia, Pa	500		
Skinner, James M., Philadelphia, Pa	2,000		
Total	7,300		
Phillips Petroleum Co.:			
Adams, K. S., Bartlesville, Okla	1,000		
Addinsell, H. M., Bartlesville, Okla	1,000		
Endacott, Paul, Bartlesville, Okla	500		
Joping, R. C., Bartlesville, Okla	1,000		
Keeler, W. W., Bartlesville, Okla	500		
Learned, Stanley, Bartlesville, Okla	500		
Musgrave, C. R., Bartlesville, Okla	500		
Phillips, Philip R., Bartlesville, Okla	1,000		
Stradley, R. F., Bartlesville, Okla	1,000		
Thomas, R. W., Bartlesville, Okla	500		
Total	7,500		
Piasecki Helicopter Co.:			
Du Pont, A. Felix, Jr., Wilmington, Del	500		
Radio Corporation of America:			
Hagerty, Harry C., New York, N. Y	500		
Robinson, William E., New York, N. Y	3,000		
Total	3,500		
Republic Aviation Corp.:			
Hain, Walter C., Farmingdale, Long Island, N. Y	500		
Clarkson, R. L., New York, N. Y	2,000		
Moore, Edward S., Jr., New York, N. Y	1,500		
Moore, Paul, New York, N. Y	3,500		
Moore, William H., New York, N. Y	500		
Peale, Mundy I., Farmingdale, Long Island, N. Y	500		
Total	8,500		
Richfield Oil Corp.:			
Gosney, M. L., New York, N. Y	1,000		
Jones, W. Alton, New York, N. Y	3,000		
Jones, Charles S., Los Angeles, Calif	2,500		
O'Brien, Henry L., Los Angeles, Calif	1,000		
Spencer, Percy C., New York, N. Y	2,000		
Total	9,500		
Shell Oil Co.:			
Dominick, Gayer G., New York, N. Y	500		
Sinclair Oil Corp.:			
Clarkson, R. L., New York, N. Y	2,000		
Dyer, J. E., New York, N. Y	600		
Gosney, M. L., New York, N. Y	1,000		
Spencer, Percy C., New York, N. Y	2,000		
Total	5,600		
Socony Mobiloil Co., Inc.:			
Jennings, B. Brewster, New York, N. Y	3,000		
Sperry-Rand Corp.:			
Harvey, I. J., Jr., New York, N. Y	2,000		
Rand, James H., New York, N. Y	4,000		
Vickers, Harry F., New York, N. Y	1,000		
Total	7,000		
Standard Oil of California:			
Call, Asa V., San Francisco, Calif	5,000 (W 1,500)		
Collier, H. D., San Francisco, Calif	2,000		
McIlhenny, Athell, San Francisco, Calif	500		
Peterson, T. S., San Francisco, Calif	1,000		
Total	9,000		
Standard Oil of Indiana:			
Blaustein, Jacob, Chicago, Ill		$14,150 (W 5,650)	
Brown, Bruce K., New Orleans, La	600		
Graham, David, Chicago, Ill	1,000		
Prior, Frank O., Chicago, Ill	1,000		
Thalheimer, Alvin, New York, N. Y		3,000	
Total	2,600	17,150	
Standard Oil of New Jersey:			
Crane, Jay E., New York, N. Y	500		
Holman, Eugene, New York, N. Y	3,500		
Lamont, P. T., New York, N. Y	500		
Prunith, A. T., New York, N. Y	500		
Rathbone, M. J., New York, N. Y	1,000		
Smith, Chester F., Elizabeth, N. J	500		

	Republican	Democratic	Miscellaneous
Standard Oil of New Jersey—Continued			
Soubry, E. E., New York, N. Y	$500		
Welch, Leo D., New York, N. Y	500		
Total	7,500		
Sun Oil Co.:			
Eckert, Samuel B., Philadelphia, Pa	1,100		
Pew, J. Howard, Philadelphia, Pa	51,125 (W 3,000)		
Pew, John G., Philadelphia, Pa	500		
Pew, Joseph N., Jr., Philadelphia, Pa	51,425		
Thayer, Clarence H., Philadelphia, Pa	500		
Total	104,650		
Texas Co.:			
Gray, William S., New York, N. Y	1,000		
Harris, Henry U., New York, N. Y	4,550		
McCune, Charles L., Pittsburgh, Pa	2,000		
Mitchell, W. H., Chicago, Ill	847		
Rodgers, W. S. S., New York, N. Y	1,000		
Total	9,397		
Tide Water Associated Oil Co.:			
Bayer, L. F., San Francisco, Calif	750		
Hopkins, John Jay, Washington, D. C	2,000		
Jackson, H. A., New York, N. Y	2,500		
Schiff, John M., New York, N. Y	18,550 (W 3,000)		
Staples, D. T., San Francisco, Calif	750		
Thomas, Joseph A., New York, N. Y	2,000		
Welborn, Olin, III, Los Angeles, Calif	500		
Williams, Fero, San Francisco, Calif	500		
Total	27,550		
Union Oil Co.:			
Battson, Leigh M., Los Angeles, Calif	2,000		
Brandl, Frederic H., New York, N. Y	500		
Doheny, William H., Los Angeles, Calif	1,500		
Rubel, A. C., Los Angeles, Calif	1,000		
Stewart, W. L., Jr., Los Angeles, Calif	1,000		
Taylor, Reese H., Los Angeles, Calif	500		
Total	6,500		
United Aircraft Corp.:			
Horner, H. Mansfield, Hartford, Conn	$1,000		
Robbins, W. Russell, Hartford, Conn	600		
Shepard, Howard C., New York, N. Y	500		
Stoddard, Harry G., Worcester, Mass	1,000		
Total	3,100		
United States Rubber Co.:			
Caskey, John E., New York, N. Y	500		
Edmonds, George P., Wilmington, Del	1,000		
Humphreys, H. E., Jr., New York, N. Y	1,000		
Total	2,500		
Westinghouse Electric Corp.:			
Boshell, Edward O., Pittsburgh, Pa	500		
Burnham, Donald C., Pittsburgh, Pa	2,300		
Denton, Frank R., Pittsburgh, Pa	1,500		
Fort, Tomlinson, Jr., Pittsburgh, Pa	1,000		
Headlee, C. E., Pittsburgh, Pa	500		
Higgins, H. B., Pittsburgh, Pa	2,000		
Hopkinson, Edward, Jr., Philadelphia, Pa	1,000		
Hutcheson, J. A., Pittsburgh, Pa	700		
Jewell, J. H., Pittsburgh, Pa	700		
Lynde, Leslie E., Pittsburgh, Pa	1,000		
Main, George G., Pittsburgh, Pa	1,400		
McCully, L. B., Pittsburgh, Pa	700		
Myers, John F., Pittsburgh, Pa	800		
Page, Arthur W., New York, N. Y	1,000		
Patterson, William A., Chicago, Ill	1,000		
Price, Gwilym A., Carnegie, Pa	1,500		
Robertson, A. W., Pittsburgh, Pa	2,500		
Robinson, William C., Sewickley, Pa	600		
Rowland, William C., Philadelphia, Pa	500		
Schiff, John M., New York, N. Y	18,550 (W 3,000)		
Weaver, C. H., Pittsburgh, Pa	1,000		
Weber, C. S., Silver Spring, Md	1,000		
Total	41,750		
Grand total	1,133,882	$40,975	$12,400

EXHIBIT 20—1956 POLITICAL CONTRIBUTIONS OF $500 AND OVER BY OFFICIALS OF 88 CORPORATIONS PARTICIPATING IN THE ATOMIC ENERGY PROGRAM

The contributions of $500 and over used in compiling this exhibit were drawn from reports filed by organizations and individuals with the Clerk of the United States House of Representatives (generally for the period prior to September 1), with the Secretary of the Senate, and with the subcommittee (generally for the period September 1–November 30). A master list showing all such contributions known to the subcommittee appears in exhibit 26. (A few of the contributions listed there may not have been known at the time the present exhibit was prepared. And in a few cases contributions as low as $100 may be included in the amounts shown for individuals whose total contributions exceeded $5,000.)

In preparing this exhibit, the officers and directors of 88 corporations participating in the atomic energy program were checked against the list of contributors. These corporations appear on the most inclusive list that could be obtained (with the help of the Joint Committee on Atomic Energy of the Congress (licensees engaged in the atomic energy program. Included are individual corporations which have been licensed by the Atomic Energy Commission as well as those corporations which have combined to form joint ventures whereby the group as a separate entity has been licensed.

The corporations are listed in alphabetical order and under each corporation are listed the names of those officers and directors found to have made contributions of $500 and over.

Generally, all contributions of a husband and wife have been lumped together, but any part of the total attributable solely to the wife has, where possible, been shown in parentheses, e. g. (W ———). (Exhibit 26 shows more complete separate listing of contributions by husband and wife.)

Accounted for here are contributions in the total amount of $378,342 to Republicans and $34,700 to Democrats.

	Republican	Democratic
Aerojet General Corp.:		
No contributions		
Alabama Power Co.:		
No contributions		
Allis-Chalmers Manufacturing Co.:		
Bohen, Fred, Des Moines, Iowa	$1,000	
Comer, Hugh M., Sylacauga, Ala	500	
Mahler, Ernst, Chicago, Ill	2,000 (W 500)	
Stevenson, Robert S., Milwaukee, Wis	500	
Total	4,000	
American Gas & Electric Service Corp.: No contribution		
American Machine & Foundry Co.:		
Patterson, Morehead, New York, N. Y	3,000 (W 1,000)	
Atlantic City Electric Co.:		
Seabrook, Belford L., Atlantic City, N. J	800	
Babcock & Wilcox Co.:		
Merica, Paul D., New York, N. Y	1,000	
Pratt, A. G., New York, N. Y	1,000	
Traphagen, J. C., New York, N. Y	1,000	
Total	3,000	
Baltimore Gas & Electric Co.:		
Wareheim, Eli C., Baltimore, Md	800	

	Republican	Democratic
Bechtel Corp.:		
Bechtel, K. K., San Francisco, Calif	$3,800	
Bechtel, Stephen D., San Francisco, Calif	15,150 (W 2,300)	
Bechtel, Stephen D., Jr., San Francisco, Calif	1,500	
Bridges, Robert L., San Francisco, Calif	750	
Colley, George S., Jr., San Francisco, Calif	800	
Hamilton, R. L., San Francisco, Calif	800	
Simpson, John L., San Francisco, Calif	500	
Waste, W. E., San Francisco, Calif	500	
Yates, J. P., San Francisco, Calif	500	
Total	23,600	
Blaw-Knox Co.:		
Hodge, Edwin, Jr., Pittsburgh, Pa	1,800	
Snyder, W. C., Jr., Pittsburgh, Pa	500	
Thorp, Charles M., Jr., Pittsburgh, Pa	3,000	
Walker, Alexander E., Pittsburgh, Pa	500	
Total	5,800	
Boston Edison Co.: No contributions		
Brush Beryllium Co.:		
Sherwin, Francis M., Cleveland, Ohio	2,000	
Sherwin, John, Cleveland, Ohio	1,000	
Wellman, S. K., Cleveland, Ohio	800	
Total	3,800	

	Republican	Democratic
Burroughs Corp.:		
Cisler, Walker L., Detroit, Mich.	$500	
Eppert, Ray R., Detroit, Mich.	500	
Total	1,000	
Cambridge Electric Light Co.: No contributions.		
Catalytic Construction Co.: No contributions.		
Central Hudson Gas & Electric Corp.: No contributions.		
Central Illinois Light Co.: No contributions.		
Central Maine Power Co.: No contributions.		
Central Vermont Public Service Corp.: No contributions.		
Chrysler Corp.:		
Brady, James C., Detroit, Mich.	(W 500)	
Colbert, L. L., Detroit, Mich.	1,000	
Foy, Byron C., Detroit, Mich.	1,500 (W 1,000)	
Jones, W. Alton, Detroit, Mich.	(W 3,000)	
VanBomel, L. A., Detroit, Mich.	1,000	
Total	7,000	
Cincinnati Gas & Electric Co.:		
LeBlond, Harold R., Norwood, Ohio	500	
Sebald, Weber W., Middletown, Ohio	1,000	
Total	1,500	
Cleveland Electric Illuminating Co.:		
Virden, John C., Cleveland, Ohio	500	
Climax Uranium Molybdenum Co.:		
Bunker, Arthur H., New York, N. Y.	500	
Hochschild, Harold K., New York, N. Y.		$25,000
Hochschild, Walter, New York, N. Y.	3,000	
Loeb, Carl M., Jr., New York, N. Y.	1,500	
Total	5,000	25,000
Columbus & Southern Ohio Electric Co.: No contributions.		
Combustion Engineering, Inc.:		
Getz, George F., Jr., Chicago, Ill.	1,000	
Keeley, William C., New York, N. Y.	3,000	
Total	4,000	
Commonwealth Edison Co.:		
Field, Stanley, Chicago, Ill.	2,000	
Connecticut Light & Power Co.: No contributions.		
Connecticut Power Co.: No contributions.		
Consolidated Edison of New York:		
Ecker, Frederick H., New York, N. Y.	1,200	
McLaughlin, George V., New York, N. Y.		500
Munson, Charles S., New York, N. Y.	500	
Sheperd, Howard C., New York, N. Y.	500	
Whitney, George, New York, N. Y.	9,500 (W 3,500)	
Total	11,700	500
Consumers Power Co.: No contributions.		
Delaware Power & Light Co.:		
Nelson, G. M., Salisbury, Md.	2,000	
Detroit Edison Co.:		
Brown, Prentiss M., St. Ignace, Mich.		500
Burr, George L., New York, N. Y.	1,000	
Cisler, Walker L., Detroit, Mich.	500	
Fisher, Charles T., Jr., Detroit, Mich.	1,500	
Scott, Eldred H., Detroit, Mich.	500	
Total	3,500	500
Ferguson, H. K., Co.:		
Bonny, J. B., Cleveland, Ohio	500	
Thompson, W. N., Cleveland, Ohio	500	
Total	1,000	
Foote Mineral Co., Inc.:		
Stein, I. Melville, Philadelphia, Pa.	600	
Fruehauf Trailer Co.:		
Bruce, James, New York, N. Y.		500
Cisler, Walker L., Detroit, Mich.	500	
General Electric Corp.:		
Boulware, Lemuel R., New York, N. Y.	1,000	
Colt, S. Sloan, Schenectady, N. Y.	1,500	
Cordiner, Ralph J., New York, N. Y.	1,500	
David, Donald K., Boston, Mass.	1,000	
Dickey, Charles D., New York, N. Y.	2,000	
Ford, Henry, II, Schenectady, N. Y.	18,000 (W 2,500)	
Humphrey, Gilbert W., Schenectady, N. Y.	1,000	
LaPierre, Cramer W., New York, N. Y.	500	
Lockton, John D., New York, N. Y.	500	
Love, George H., Pittsburgh, Pa.	8,200	
McCabe, Thomas B., Chester, Pa.	10,500	
Morgan, Henry S., New York, N. Y.	5,000	
Reed, Philip D., New York, N. Y.	2,000	
Stringham, Wards B., Philadelphia, Pa.	1,000	
Weinberg, Sidney J., New York, N. Y.	2,500	
Woodruff, Robert W., Atlanta, Ga.	5,450 (W 3,000)	
Total	68,849	

	Republican	Democratic
General Public Utilities Co.:		
Chimlund, Edwin F., New York, N. Y.	$3,000	
Henderson, Donald A., New York, N. Y.	750	
Total	3,750	
General Tire & Rubber Co.:		
O'Neil, William, Cincinnati, Ohio	3,000	
Georgia Power Co.: No contributions.		
Giffels & Vallet, Inc.: No contributions.		
Gulf Power Co.: No contributions.		
Harshaw Chemical Co.:		
Douglas, Lewis W., Cleveland, Ohio	2,000	
Hartford Electric Light Co.:		
Deeds, Charles W., Hartford, Conn.	(W 1,500)	
Holley Carburetor Co.:		
Cisler, Walker L., Van Dyke, Mich.	500	
Holmes & Narver, Inc.: No contributions.		
Illinois Power Co.: No contributions.		
International Minerals & Chemical Corp.:		
Lamont, Thomas S., New York, N. Y.	7,250	
McDougal, Edward D., Jr., Chicago, Ill.		$5,700 (W 3,000)
Taylor, Vernon F., San Antonio, Tex.	1,000	
Wood, Robert E., Chicago, Ill.	2,500	
Total	10,750	5,700
International Nickel Co., Inc.:		
Douglas, Lewis W., Sonoita, Ariz.	2,000	
Montague, Theodore G., Greenwich, Conn.	2,000	
Rockefeller, Laurance S., New York, N. Y.	25,550 (W 2,200)	
Total	29,550	
Iowa-Illinois Gas & Electric Co.: No contributions.		
Jersey Central Power & Light Co.: No contributions.		
Jones, J. A., Construction Co.: No contributions.		
Kaiser, Henry J., Co.:		
Kaiser, Edgar F., Oakland, Calif.	1,000	
Kaiser, Henry J., Sr., Oakland, Calif.		1,000
Ordway, A. B., Oakland, Calif.	500	
Price, T. M., Oakland, Calif.	500	
Reis, J. F., Oakland, Calif.	500	
Wood, C. Bruce, Oakland, Calif.	500	
Total	3,000	1,000
Kansas City Power & Light Co.:		
Bitler, Olen G., Kansas City, Mo.	500	
Spencer Kenneth A., Kansas City, Mo.	10,600	
Total	11,100	
Lindsay Chemical Co.: No contributions.		
Lithium Corporation of America, Inc.: No contributions.		
Lockheed Aircraft Corp.:		
Barker, C. A., Jr., Burbank, Calif.	500	
Chappellet, Cyril, Burbank, Calif.	500	
Dulin, E. S., Los Angeles, Calif.	1,500	
Gross, Courtland S., Burbank, Calif.	1,125	
Gross, Robert E., Burbank, Calif.	625	500
Hibbard, Hall L., Burbank, Calif.	500	
Keith, Willard W., Los Angeles, Calif.	3,000	
Monesmith, Burt C., Burbank, Calif.	500	
Total	8,250	500
Long Island Lighting Co.:		
Doebler, Errol W., Mineola, N. Y.	1,000	
Olmsted, Robert G., Mineola, N. Y.	500	
Total	1,500	
Mallinckrodt Chemical Works: No contributions.		
Mason & Hanger Silas Mason Co.: No contributions.		
Metals & Controls Corp.: No contributions.		
Metropolitan Edison Co.: No contributions.		
Mississippi Power Co.: No contributions.		
New Bedford Gas & Edison Light Co.: No contributions.		
New England Power Co.: No contributions.		
New Jersey Power & Light Co.: No contributions.		
New York State Electric & Gas Co.: No contributions.		
Newport News Shipbuilding & Drydock Co.:		
Randolph, Francis F., New York, N. Y.	3,000	
Niagara Mohawk Power Co.: No contributions.		
Nuclear Development Corporation of America: No contributions.		
Ohio Valley Electric Corp.: No contributions.		
Pacific Gas & Electric Co.:		
Crocker, William W., San Francisco, Calif.	9,200	
Haas, Walter A., San Francisco, Calif.	2,250	
Nichols, Henry D., San Francisco, Calif.	1,000	
Sesnon, Porter, San Francisco, Calif.	750	
Sullivan, Walter H., San Francisco, Calif.	750	
Total	13,950	
Pennsylvania Electric Co.: No contributions.		
Philadelphia, Electric		
Diamand, John A., Philadelphia, Pa.	1,000	
Liversidge, H. P., Philadelphia, Pa.	1,000	
Ramsey, H. N., Philadelphia, Pa.	500	

	Republican	Democratic
Philadelphia, Electric—Continued		
Redding, C. S., Philadelphia, Pa.	$500	
Schutt, Harold S., Wilmington, Del.	1,000	
Sharples, Philip T., Philadelphia, Pa.	2,000 (W 500)	
Total	6,000	
Potomac Electric Power Co.: No contributions.		
Public Service Company of New Hampshire: No contributions.		
Public Service Electric & Gas Co.:		
Hanau, Kenneth J., Newark, N. J.	500	
Rochester Gas & Electric Corp.:		
Haggerty, Harry C., New York, N. Y.	500	
Stone & Webster Engineering Corp.:		
Stone, Whitney, Boston, Mass.	1,000	
Webster, Edwin S., Jr., New York, N. Y.	1,000	
Total	2,000	
Sylvania Electric Products, Inc.: No contributions.		
Toledo Edison Co.:		
Biggers, John D., Toledo, Ohio	3,000	
Union Carbide Nuclear Co.: No contributions.		
Union Electric Company of Missouri:		
Hayes, W. Alfred, St. Louis, Mo.	500	
Queeny, Edgar M., St. Louis, Mo.	1,000	
Shea, Edward L., New York, N. Y.	500	
Total	2,000	
Vanadium Corporation of America:		
Floyd, George C., New York, N. Y.	500	
Keeley, W. C., New York, N. Y.	3,000	
Pryor, Samuel F., New York, N. Y.	8,000	
Total	11,500	
Vitro Corporation of America:		
Brittingham, Thomas E., Jr., New York, N. Y.	6,543	
Payson, Charles S., New York, N. Y.	71,850 (W 65,050)	
Total	78,393	
Western Massachusetts Electric Co:		
Crane, Winthrop M., Jr., Dalton, Mass.	500	

	Republican	Democratic
Westinghouse Corp.:		
Boskell, Edward O., Pittsburgh, Pa.	$500	
Burnham, D. C., Pittsburgh, Pa.	2,300	
Denton, Frank R., Pittsburgh, Pa.	1,300	
Fort, Tomlinson, Jr., Pittsburgh, Pa.	1,000	
Headlee, C. E., Pittsburgh, Pa.	500	
Higgins, H. B., Pittsburgh, Pa.	2,000	
Hopkinson, Edward, Jr., Philadelphia, Pa.	1,000	
Hutcheson, J. A., Pittsburgh, Pa.	700	
Jewell, J. H., Pittsburgh, Pa.	700	
Lynde, Leslie E., Pittsburgh, Pa.	1,000	
Main, George G., Pittsburgh, Pa.	1,400	
McCully, L. B., Pittsburgh, Pa.	700	
Myers, John F., Pittsburgh, Pa.	500	
Pate, Arthur W., New York, N. Y.	1,000	
Patterson, William A., Chicago, Ill.	1,500	
Price, Gwilym A., Pittsburgh, Pa.	1,500	
Robertson, A. W., Pittsburgh, Pa.	2,300	
Robinson, William C., Pittsburgh, Pa.	600	
Rowland, W. C., Philadelphia, Pa.	500	
Schiff, John M., New York, N. Y.	18,550 (W 3,000)	
Weaver, Charles H., Pittsburgh, Pa.	1,000	
Weber, C. S., Washington, D. C.	1,000	
Total	42,250	
Wisconsin Electric Power Co.:		
Couchlin, Charles L., Milwaukee, Wis.	2,500	
Wisconsin Power & Light Co.: No contributions.		
Grand total	387,342	$34,700

	Democratic	Republican
American Petroleum Institute		
Association of American Railroads		
Business advisory council, United States Chamber of Commerce		
Chiefs of diplomatic missions		
Manufacturing Chemists Association		
National Association of Electric Companies		
National Association of Manufacturers		
National Association of Real Estate Boards		
National Coal Association		

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of excutive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. BYRD, from the Committee on Finance:

Philip A. Hoghaug, of North Dakota, to be collector of customs for customs collection district numbered 34, with headquarters at Pembina, N. Dak.; and

Raymond L. Rhodes, of New Jersey, to be comptroller of customs with headquarters at New York, N. Y.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

UNITED STATES CIRCUIT JUDGES

The Chief Clerk read the nomination of Win G. Knoch, of Illinois, to be a United States circuit judge for the 7th circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Gilbert H. Jertberg, of California, to be a United States circuit judge for the 9th circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Omer Poos, of Illinois, to be a United States district judge for the southern district of Illinois.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEY

The Chief Clerk read the nomination of Wilbur G. Leonard, of Kansas, to be United States Attorney for the district of Kansas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

The Chief Clerk read the nomination of Robert L. Kunzig, of Pennsylvania, to be a member of the Foreign Claims Settlement Commission of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. I ask that the President be notified immediately of the nominations today confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CURRENT STATUS OF SPACE EXPLORATION

Mr. JOHNSON of Texas. Mr. President, the distinguished commentator, Hanson W. Baldwin, has an excellent article in the New York Times this morning summarizing the current status of space exploration. As Mr. Baldwin points out, space exploration at the present time is tied closely to the military development of rockets. But as knowledge of the art increases, the potential goes far beyond purely military weapons.

Because this article so well summarizes the situation, I ask unanimous consent it be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 19, 1958]

SPACE FLIGHT ADVANCES—PROGRAM FUNDAMENTALLY DEPENDENT UPON MILITARY'S LAUNCHING VEHICLES

(By Hanson W. Baldwin)

Last week-end's failure of the Nation's first attempted lunar probe merely punctures an American space program that is slowly moving into high gear.

Later this week, probably on Thursday, the Army is scheduled to attempt another satellite launching, Explorer V. In September the Air Force will try another shot at the moon and throughout the fall, winter, and spring additional satellite launchings, lunar probes, high altitude balloon ascensions and rocket soundings are on the program.

The military significance of the lunar probes, satellite launchings and other space experiments is both direct and indirect, immediate and remote.

The United States space program today is fundamentally dependent upon military launching vehicles and any space development project must move hand in hand with developments in military rocketry; the two are interlocking. Moreover increased knowledge of the upper atmosphere and of the void above it is of tremendous and direct importance not only to missile development but to electronics, to radar and communications.

RAY MEASUREMENT SIGNIFICANT

Exploration and measurement of the band of intense X-ray type radiation, discovered by the satellites, is of great significance not only to the science of electronics but also to our space program.

For the best information now available, admittedly quite incomplete, indicates that the radiation becomes more intense the higher the altitude, and that the intensity is so great that a human space traveler would absorb approximately a safe maximum lifetime dosage within about a week.

Instrumentation in the next attempted moon probe will include a Geiger counter and Explorer V will carry new high capacity radiation measuring instruments to gather additional information about this radiation zone.

In addition to the accumulation of this scientific and technical data significant alike to military rocketry and space ventures the space program provides an added experience factor of importance to rocket reliability. With each firing the "bugs" in the complex "birds" become fewer and fewer and reliability greater and greater.

In terms of actual useable space hardware or equipment, the most immediate military goals, still a long way off, are earth satellites with instruments and telemetering devices to provide accurate and precise data for the following purposes: Meterology, communication relay stations, mapping, navigation, reconnaissance.

More remote military applications of space and manned space capsules, winged and wingless; first for a shallow and brief penetration; then for longer flights, ultimately, perhaps for a flight to the moon and return, always provided that the unknown facts of space permit.

The failure of the Nation's first attempt to launch a rocket at speed great enough to escape the earth's gravitational pull is thus merely an episode, not really a setback in the military race for space. The failure was anticipated, though not in the form it occurred.

It is possible that Russia has experienced a similar failure; both nations may expect other failures before the ultimate success. Even then the first successful lunar probe will be more of a psychological triumph than a military one, a spectacular stunt that would, of course, provide evidence of technological competency, but not of actual inbeing military power.

Available evidence seems to suggest that the popular verdict of last fall, when Russia launched the world's first satellite, was exaggerated. Intelligence officers and experts in Washington believe that the military ballistic missile race is in many ways nip-and-tuck, and that there is no good evidence of an overwhelming Soviet lead in the development of long-range ballistic missiles.

MOSCOW BELIEVED BACKWARD

Many experts now think that the brute force technique used by the Russians, the utilization of powerful rocket motors with numerous stage, was dictated by Moscow's backwardness in miniaturization, the reduction of a powerful thermonuclear warhead to small size and weight. The radio transmitting equipment and batteries used in some of the Soviet satellites were far heavier and bulkier, and less efficient, than those used in our own.

There has been, moreover, very little pragmatic evidence of any sizable Soviet lead in either intermediate or intercontinental range ballistic missiles. Soviet missiles differ somewhat from our own in ranges, a fact dictated by Moscow's differing strategic needs. Their intermediate range ballistic missiles are believed to be operationally ready; but probably not in great quantities. Their maximum range is thought to be about 1,200 miles as compared to our 1,500- to 1,600-mile missiles.

Contrary to repeated reports, there is no evidence that any Soviet missile launching sites have been emplaced in the eastern European satellites.

Some experts believe that the Russians may utilize a mobile launching system for their intermediate range missile. Specially designed railroad flatcars could be used as firing platforms, or the missiles could be transported to forward field firing positions quickly when needed.

This system has the advantage of relative secrecy and security as well as mobility; the missiles could be stored deep in Russia until ready for use.

The Soviet intercontinental ballistic missiles so far fired have approximated about 3,500 miles in range as compared to our planned 5,500-mile missiles. About 10 Soviet missiles have been fired at the 3,500-mile range, but there is no indication the missile is as yet operationally ready.

TEN POINT PROGRAM FOR OLDER CITIZENS

Mr. KENNEDY. Mr. President, no social legislation can be adopted without reference to the change which has taken place in the age distribution and life expectancy of our population. We are justly proud of the skill and achievements of American medical scientists. No other country in the world can show such spectacular progress in this area. Even the Russians concede the superiority of the West in medicine. Indeed, they must. Every single major drug developed in the last 40 years was discovered by the West—the antidiabetics, vitamins, sulpha drugs, antibiotics, hormones, antihypertensives, and mental health drugs.

As a result of these discoveries there has been a dramatic increase in life expectancy and a decrease in mortality during the past generation. At the start of World War I we had a life expectancy of 52 years. A child born today can expect to live to the biblical 3 score years and 10. In 1900 there were 3 million people over 65. This constituted approximately 4 percent of the population. By 1920, the number of persons over 65 had grown to almost 4 million which was 4.7 percent of the population. The most recent available figures indicate that today there are approximately 15 million persons in the United States over 65. This is a staggering 8.8 percent of our population—more than 1 out of 12. By 1975 1 out of every 10 persons in this country will be over 65.

This accelerating increase in the proportion of elder citizens in our population warrants special attention. Every civilized society honors, respects, and make provision for its older citizens. Ours should be no exception. Yet little more than a start has been made toward providing for the needs of this segment of our population.

We must adjust our national thinking, our social legislation, and our long-range plans to take into account the challenges presented by the characteristics, the changes and the age structure of our population.

The challenge is twofold. First, we must learn to recognize and use the many skills peculiar to those who have acquired the wisdom of years. Secondly, we must destroy the insecurity and futility which often accompany retirement from active participation in the labor market.

These matters are becoming of increasing importance; they can no longer be neglected because of the clamor for attention by other matters of public concern. Social security legislation, private pension plans, the Hill-Burton Hospital Construction Act, and the recently enacted Federal housing program have all taken tentative steps toward honoring our obligations to our elder citizens.

Together they represent a patchwork attempt to meet particularly urgent needs at particular times. We have not yet undertaken a comprehensive program which takes into consideration all of the basic problems involved in a changing population and which attempts to fit together the demands of society and the talents of our older citizens. This is long overdue. Since the program developed must, to a large extent, deal with labor, health, and educational problems, I have asked the staff of the Subcommittee on Labor of the Labor and Public Welfare Committee to undertake a comprehensive study of the needs of older citizens during the recess. This study will lay the foundation for a full legislative program. I would like to sketch briefly a 10-point bill of rights for our senior citizens. Action in each field is desperately needed.

First. Every person willing and capable of productive employment, regardless of age, should have an opportunity to make maximum use of his skills. It is a sad commentary upon our employment practices that men over 45 and women over 35 find it increasingly difficult to obtain work. By 65 many workers are compelled to retire, despite excellent health and needed talents. The superiority of America is dependent to a great extent upon the use of all the knowledge, experience, and wisdom of its people. When our elder citizens are relegated against their wills, to the economic obscurity of retirement, a great source of talent is lost.

It is a responsibility of Government to encourage the wider use of employees in the older age brackets. We must expand our employment services to emphasize the availability and suitability of older persons for jobs; we must educate employers to the advantages of experienced personnel; we must adopt a policy of Federal employment consistent with these objectives; we must modify our laws to encourage the employment of older persons.

Unless such a program is adopted and carried out, we run the serious risk of losing one of our most valuable national resources.

Second. Vocational training facilities should be expanded to aid older persons to adjust to new job opportunities. Beginning with middle age, many of our physical capacities usually begin to decline. Necessarily, therefore, there are many occupations in which workers must shift to less strenuous labors. For these employees provision should be made to retrain them in other suitable skills.

It is both depressing to the worker and wasteful to society to permit a small change in physical ability to incapacitate a worker completely. The superstition that there is a loss of ability to learn a new occupation with advancing years has long been disproved. Three existing Federal-State programs are involved in providing expanded training facilities: vocational education, the employment service, and vocational rehabilitation. The Federal Government should redouble its use of these presently available programs and facilities to retrain older workers able and willing to enter a new occupation.

Third. More adequate attention should be directed to the housing needs of the aged. The recently passed Housing Act of 1958 establishes a program of mortgage insurance for rental housing for elderly persons. This should enable more homes specifically designed for the aged to be constructed.

Equally important, however, is the integration of these developments into the community. Our older citizens should not be relegated to an out-of-the-way locality in which they can vegetate among themselves. They should continue to be an important part of the community and of community life. It is unfair to them and to their neighbors to separate them into a kind of antiquarian haven.

As we gain more experience under this act, and as the proportion of elderly persons increases, it will be necessary to add further incentives to builders to bring about construction of additional housing units specifically designed to meet the needs of the elderly. It should be feasible to adopt a program of loans to elderly persons who wish to purchase a home; and governmental assistance should be provided to help in the conversion of housing to meet the special requirements of the elderly.

Fourth. A program must be declared to provide adequate medical and dental care for all elderly citizens. Although science and medical skill have rewarded us with an ever increasing life expectancy, our later years inevitably increase our need for medical and dental services. This comes at the same time that there is a drop in income. Some means must be developed to relieve our older citizens from the stress, the worry, and the hardship which results.

Although the number of persons over 65 constitutes less than 9 percent of the population, they account for 40 percent of the chronically ill, 22 percent of the long term hospital beds, and between 80 and 90 percent of the inhabitants of nursing homes. Less than half have any form of health insurance. The health needs facing our older citizens are of staggering proportions. We cannot turn our heads and hope this problem will go away.

The House Committee on Ways and Means has asked the Secretary of Health, Education, and Welfare to conduct a study on hospitalization and nursing home care insurance for social security beneficiaries. The report on the results of this study is due February 1, 1959. This report should provide us with some of the facts we need to embark upon a constructive program of hospital insurance for the elderly.

The number of nursing homes with substandard accommodations in itself presents a serious problem. Only last week the District of Columbia Medical Society released a special report which pointed out that very few of the private nursing homes in the Nation's Capital met minimum standards. Although the committee comments ranged from charges that the situation is deplorable and criminal to characterizations of the nursing homes as holes which should be burned to the ground, it was agreed that there was no immediate solution.

Raising the standards of nursing homes calls for combined State and Federal action. The Federal Government has indicated its concern with the problem in the Housing Act of 1958. In the form in which that act passed the Senate, the FHA Commissioner is authorized to insure mortgages of nursing homes only if those homes meet standards established by the Department of Health, Education, and Welfare. This should help improve the service in these homes.

But, where possible, the chronically ill should be housed in their own homes. This can be done if the existing public health grants for visiting nurse services are expanded. This would serve a double purpose. On the one hand, it would reduce the cost of caring for the patient, and on the other hand, it would supply the patient with a home environment, which is often a prelude to complete and faster recovery.

Fifth. Federal old age, survivors, and disability insurance payments must be increased to reflect the rise in living standards, the cost of living and the higher salaries received during the employment period. Retirement under the Social Security Act has become little more than a mirage for many older workers. A lifetime of work and a lifetime of payments into an insurance fund calls for at least the basic comforts upon retirement. This is not possible today unless the income received from the social-security fund is suplemented from other sources.

The scope and importance of this problem will continue to grow. Today there are approximately 12 million people receiving Federal social security benefits. Four hundred and twelve thousand are in Massachusetts. These benefits average only $67.86 per month. In 1935 $68 might have been enough to provide the basic necessities of life. In 1958 it is grossly inadequate for even a minimum standard of living. At the very least, our older citizens should receive an increase in benefits commensurate with the increase in the cost of living. Since benefit levels were last amended in 1954, the cost of living has increased by 8 percent, and wage benefits generally have increased 12 percent. While the difference may seem small on paper, and indeed costs very little in terms of the total program, it is of vital dollars-and-cents difference to our retired workers and their families.

The impact of cost of living increases is felt perhaps more keenly by our older citizens than any other group. They have no union to protect them; they are unable to raise prices like businessmen; and they are in most instances without investment income. It is our obligation and our responsibility to see that they do not suffer because of fluctuations in the economy beyond their control.

It is time, too, that we considered a permanent social security insurance provision which automatically adjusted benefits with the changes in the cost of living. Temporary, stop-gap bills are both time-consuming and ill-adapted to constructive legislation.

Sixth. The number and proportion of our older citizens who require public assistance payments should be decreased further; and payments to those who do need assistance should be increased. With the improvement and broadening of the social security program, which has taken place in recent years, there has been a decline in the proportion of our older citizens who are receiving public old-age assistance. There are, however, still about 2,500,000 persons over 65 receiving such payments—a disturbing 15 percent of the total number of persons in our population in that age category.

By modifying our social security structure, embarking upon a suitable housing program for our older citizens and providing employment opportunities to the older age groups, we should be able to reduce the number and proportion of our older citizens receiving assistance. At the same time, those who of necessity must apply for such assistance should be granted enough to permit them to live in a dignified and suitable manner. These are perhaps the neediest people in our population, and those who should get our first attention. They should not be abandoned or ignored.

Seventh. Recreational facilities and programs for older persons should be greatly expanded. The Federal Government maintains a large number of parks, recreational areas, museums, libraries, and similar facilities. In every case, consideration should be given by those responsible as to how they can offer increased recreational facilities for our senior citizens. By proper planning, older persons can be encouraged to visit them and to participate in the various activities. The Federal Government should undertake to design both the physical facilities and the recreational activities for greater use by older persons.

Eighth. The Federal Government should expand its research activities in prevention of chronic illness and the diseases associated with aging. Interest in and concern for our older citizens requires more knowledge about the aging process, the causes of degenerative diseases, and the cure for physical and mental illnesses which attack our older citizens. Knowledge in each of these fields is fragmentary. Last year less than $1 million was spent on problems of the control of chronic diseases in our aging population. In the same year we spent $8 million for the control of diseases among farm animals and $8 million more on research on field crops. Congress has again this year increased the funds available to the National Institutes of Health, and it is to be hoped that these institutes can augment the attack upon the diseases which destroy the abilities of our older citizens to continue to give us the benefit of their experience and training.

Ninth. The Federal Government should expand the training of personnel and research projects in geriatrics. In addition to increasing the knowledge and research in the medical aspects of aging, we must learn much more about the impact of aging upon the individual, the family, and society. Some attempts to study this have been made by private foundations and nonprofit institutions. However, it is so important and the future is so vast that it is imperative that Federal resources be applied to this task.

We must also have more trained personnel to help in our hospitals and rehabilitation agencies; we must encourage local communities to undertake projects which demonstrate how our older citizens can be more effective members of society; and we must make every effort to expand our frontiers of knowledge about the physical, mental, and emotional needs of people in their later years.

Tenth. There must be an effective program of assistance to widows and dependents of our older citizens. The median income for widows eligible for social-security benefits, apart from Federal payments, is $30 per year. The total average income of such widows, including their social-security benefits and any other payments received by them is less than $880 per year. Their problems are compounded when they become widowed relatively late in life, for they generally have had little or no recent experience in the labor market.

Because women live longer than men and because wives generally are several years younger than their husbands, the period of widowhood may extend over many years. Therefore, even if she has accumulated some savings or some insurance, this money is soon dissipated.

For widows who are still below age 62, which is when social security survivor benefits become payable, the problem is even more tragic. With no recent working experience, at an age which most employers regard as prohibitive, and without the advice and comfort upon which she has always relied, the plight of these women is indeed desperate.

A comprehensive program for older citizens will, of course, also include the older woman. Some special attention, however, must be directed at their particular economic and social problems. The widow receives only three-fourths of the amount paid her husband upon his retirement. She receives only one-half the total amount that would have been paid to both her husband and herself prior to his death. This is completely unrealistic. A woman living alone cannot expect to maintain a standard of living comparable to a couple with twice her income.

The social problems of the widow can be met if we provide an outlet for her energies and a place for her as a useful member of society.

Mr. President, there is an urgent need for a positive Federal program in each of the areas I have outlined. Today, when the average lifetime is 70, we cannot accept a national policy which condemns our older citizens to frustration, boredom, unhappiness, and tensions induced by unsatisfied economic needs. When almost 10 percent of our population is over 65, it is time we devoted ourselves to the seriousness of their problem of employment, recreation, medical care, and housing. Today, when the very survival of the Free World depends upon our full use of human knowledge and resources, we must take advantage of the huge reservoir of wisdom and experience accumulated by our elder citizens.

COURT DECISIONS IN SCHOOL SEGREGATION CASES

Mr. ROBERTSON. Mr. President, last Saturday the Newport News (Va.) Daily Press published an editorial, commenting on the trend of recent court decisions, which gave a realistic interpretation to the term "deliberate speed" used by the United States Supreme Court in its 1954 decision in the school segregation cases.

The writer of this editorial said: "Nobody wants the public schools closed. It is just possible that the Federal bench is searching for a way to keep then open through a 'letter of the law' compliance with the Supreme Court's attempt to legislate."

I, too, shared the hope that the courts would move in that direction, but yesterday's decision of the Eighth United States Circuit Court of Appeals in the Little Rock case was extremely disappointing because, to all intent and purpose, it nullified the meaning of "deliberate" in the Supreme Court decision.

The logic in this newspaper editorial still is sound, however, and I ask unanimous consent that the text may be included in the RECORD at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Newport News (Va.) Daily Press of Saturday, August 16, 1958]

SCHOOL CLOSING BODY TEMPERING THE COURTS?

Some signs begin to appear that perhaps—just perhaps—the Federal courts themselves may be beginning to take notice of the realities involved in the 4-year-old effort to force admission of Negro pupils into public schools heretofore operated for white pupils only. But—as the Charlottesville case makes clear—there are some catches in it.

The district judges appear to keep a tight hold on the technicalities they can deduce from the 1954 Supreme Court ruling that separately operated schools for white and Negro children are "inherently unequal" and therefore in violation of the 14th—or "equal protection"—amendment. Yet there are cracks appearing in the brick curtain that edict reared.

It is not out of order, we believe, to speculate that the reality having the greatest weight in these judges' minds is the reality that enforced dual enrollment in any Virginia school will mean no public school at all.

The Supreme Court's formal order a year later—in 1955—commanded that the district judges require the abandonment of enforced separation "with all deliberate speed." The first sign to appear was Judge Sterling Hutcheson's refusal to fix a specific date in Prince Edward County. When on appeal all the way to the top he was told that he had to, he finally—just a few days ago—granted a 7-year delay.

Here on the Peninsula, Judge Walter E. Hoffman recognized that the consolidation of Newport News and Warwick brought a new city to birth. Consequently he agreed to hear arguments, at least, on whether this would invalidate his earlier order that Newport News slap the two races immediately into the same schoolhouses. Counsel for the petitioning Negro pupils are preparing an argument that a geographic change does not change facts or obligation.

But while Judge Hoffman previously had held that a pupil-placement law was unconstitutional on its face, he did concede that mixing ought not to be ordered during a session. Thus the time taken up by litigation should keep the Newport News schools separate—and operating—for at least another year.

Up in Charlottesville, when Judge John Paul told the school board to throw the races together at once, an ordinance was adopted requiring certain tests—academic and otherwise—of any pupils who applied for transfer to another schoolhouse. Judge Paul has just refused to interfere.

But Judge Paul made one remark that for sheer arrogance equals if not exceeds that of the Supreme Court itself. He might, he said, step over the school board's heads and assign the pupils himself.

That is no function of any court—not even a State court. And it would fly directly in the face of what Chief Judge John J. Parker of the Fourth Circuit Court said before his death—viz., that it was not intended that the Federal courts attempt to administer the public schools. It is directly at odds with the primary principle issue involved in the whole school-race case: the principle of State sovereignty.

Nobody wants the public schools closed. It is just possible that the Federal bench is searching for a way to keep them open through a letter of the law compliance with the Supreme Court's attempt to legislate.

THE LABOR BILL

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial from the Denver Post of August 13, 1958, on the labor bill, which was defeated in the House yesterday.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOPE FOR LABOR BILL IS FADING

With each passing day, chances fade that Congress will enact the House-stalled labor reform legislation known as the Kennedy-Ives bill. Curiously, it is labor, not management, which is disappointed.

But perhaps not so curiously, at that. The AFL–CIO supplied much of the push which put the Kennedy-Ives bill through the Senate by an overwhelming margin. And it is management which has so militantly opposed labor reform legislation in the House.

Management, however, blames labor for denying the American workingman the added protection which could be his under the Kennedy-Ives bill, through closer union financial accounting and accountability, improved democratic internal processes, etc.

"The weaknesses and deficiencies in the Kennedy-Ives bill as it passed the Senate reveal the extent of labor's political influence on Capitol Hill," reports the current issue of Nation's Business, the United States Chamber of Commerce magazine.

What weaknesses? Well, the chamber doesn't bother with details, but no matter. It's really after those big, bad labor bosses anyway.

"Labor politicians," according to the chamber's peculiar Washington size-up, "already have proved their effectiveness by getting favorable legislation through the Senate when all signs pointed to the need for more corrective measures.

"They put the Kennedy-Ives bill over as a reform measure although it actually would have imposed new and uncalled for restrictions on management and pulled some teeth out of Taft-Hartley."

So there we have it. What the chamber and the business lobby generally, objects to is not so much the proposed labor regulations as it is the very idea that there is anything wrong with management.

But that isn't the way we remember the McClellan committee testimony, and while the Kennedy-Ives bill may fall short of that committee's strongest recommendations, it has met with the approval of its fair and thoughtful chairman, Senator MCCLELLAN, Democrat, of Arkansas.

For much the same reason, management also is opposing a second labor reform measure, the Kennedy-Douglas-Ives bill to require full disclosure of employee welfare and pension funds. This badly needed and long overdue legislation is stuck in conference committee, where management still plots to exempt company-managed funds.

There are things in both bills that unions don't like either, but the AFL–CIO is willing to accept them in hopes some corrective labor legislation may yet be passed this session. The punitive "don't tread on me" stand taken by the management lobby might well wreck those hopes, but it also might well invite an even closer attention to management abuses by the McClellan committee and Congress as a whole in the future.

ADDRESS DELIVERED BY SECRETARY OF STATE AT MEETING OF THE VETERANS OF FOREIGN WARS

Mr. SMITH of New Jersey. Mr. President, last night the distinguished Secretary of State, John Foster Dulles, made a very important speech at a gathering of the Veterans of Foreign Wars, in New York City. The speech is entitled "Foundation of Peace." It has a bearing on present world conditions. I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE JOHN FOSTER DULLES, SECRETARY OF STATE, BEFORE THE VETERANS OF FOREIGN WARS, HOTEL ASTOR, NEW YORK CITY, MONDAY, AUGUST 18, 1958, 8 P. M.

Foundation of peace

I

Permit me first of all to express my deep appreciation for the honor you have conferred upon me. The Bernard Baruch gold medal is the highest award that the Veterans of Foreign Wars bestows. It reflects your judgment that the recipient has contributed to peace. I am gratified that this organization, which so worthily represents the finest traditions of our Nation, should deem me worthy of this award.

II

It is inevitable that, at an occasion such as this, I should speak of peace and of the ways in which our efforts to preserve peace may best be exerted.

There are, in the world, different schools of thought. Some believe that peace is to be found by making concessions which will placate those of aggressive mood. Some would engage in maneuvers of expediency, which in the past have acquired the name of power politics. Then there are those who would seek to secure peace by promoting the reign of law and justice in the world.

I would like to discuss with you these three alternatives.

III

History has clearly demonstrated that peace cannot be assured by a policy of placating aggressors—of peace at any price. The fact is that men will not accept peace at any price. Human beings are so constituted that many would rather fight and die than concede their God-given rights. Our own Declaration of Independence included among these "life, liberty, and the pursuit of happiness," and many indeed died in our War of Revolution to achieve those rights for their fellows and their posterity.

So it has been and always will be. Concessions to despotism lead inevitably to a point of no return: a choice between intolerable denial of liberty and fighting, even in the face of hopelessly adverse odds, to preserve liberty.

You will recall that during the decade of the 1930's, and particularly the latter half of that decade, certain powerful countries, under aggressive and expansionist leadership, sought to extend their domain in the world. By various devices of direct and indirect aggression, they moved against smaller and weaker nations. They gave the impression that whoever tried to halt them would himself become engaged in war.

The League of Nations and its nonaggressive members, desirous of avoiding war, made concession after concession. Finally, when it came to Poland, the nonaggressive powers decided to resist. But by that time the aggressive powers were so overconfident, so reckless, that they would not stop and World War II ensued.

Curiously enough, it was Stalin who analyzed with the greatest penetration the fallacy of this policy and most vigorously denounced it.

Speaking on March 10, 1939, to the Central Committee of the Soviet Communist Party, he pointed out that the aggressor states "in every way infringe upon the interests of the nonaggressive states, primarily England, France, and the United States of America, while the latter draw back and retreat, making concession after concession to the aggressors."

He said that this could not "be attributed to the weakness of the nonaggressive states. * * * Combined, the nonaggressive, democratic states, are unquestionably stronger than the Fascist states, both economically and in the military sense." The explanation was that "the nonaggressive countries have rejected the policy of collective security, the policy of collective resistance to the aggressors." Their policy, Stalin said, might be defined as "Let each country defend itself from the aggressors as it likes and as best it can. That is not our affair." And Stalin concluded that that policy "means conniving at aggression, giving free rein to war, and, consequently, transforming the war into a world war."

Within 6 months that forecast unhappily proved true and World War II began.

Today, roles are altered. The Soviet Union, in March 1939, was fearful of the power of the then aggressors. But now it is itself a great military power. The Soviet Government, in concert with its alter-ego the international Communist movement, seeks to dominate the world. It now denounces the policy of collective security. It now wants each of its prospective victims to be left to stand alone.

But it is as certain now, as it was in 1939, that a policy of falling back, of making concession after concession, will not lead to peace, but to war.

The United States rejects that policy.

We are not alone in this rejection. There is a goodly company, comprising the great majority of the free nations, which also reject the policy of conniving at aggression. Nearly 50 nations of the Free World are bound together in collective security pacts which embody the principle—an attack upon one is an attack upon all.

There are, I know, some who feel that it is reckless for the United States to identify our own peace with the peace and security of others. History teaches that not to do so would be reckless. It would be to invite a series of aggressions which at first might seem tolerable to us, but which would soon become intolerable. War would inevitably result.

IV

Let us then consider the possibility of achieving peace by means of tactics of expediency. We would on this theory seek maximum maneuverability by not committing ourselves to any principles or to any predetermined positions.

This was the policy which the Soviet Government followed in the latter part of 1939 after it became convinced that the nonaggressive countries would not adopt a policy of collective security. Stalin and Hitler made their agreement to divide up Eastern Europe. Mr. Molotov announced in October 1939 that England and France were now to be regarded as aggressors and enemies of the peace. Together the Soviets and the Nazis had attacked Poland, and Mr. Molotov proudly announced that "it needed only one swift blow to Poland, first by the German Army and then by the Red army, and nothing remained of this ugly offspring of the Versailles Treaty." Latvia, Estonia,

Lithuania, first lured into natural assistance treaties with the Soviet Union, were absorbed through the device of enforced plebiscites. Efforts were made to divide up the Eurasian world. These efforts broke down when Hitler and Stalin each insisted on the right to dominate the Persian Gulf area. Then Hitler's forces invaded Russia, and this chapter of power politics came to its end.

This is the way power politics are apt to end.

Expediency and opportunism in policy are possible in an absolute despotism. There, the people have no voice in the formulation of foreign policy. They are the slaves of whatever foreign policy the government may from time to time adopt.

But here the people are the masters and government is the servant.

Thus, apart from any moral considerations, it is quite impractical for the United States to operate on a freewheeling basis in the field of foreign affairs. In a democracy like ours foreign policy must be understood by the people and supported by the people. We have had during these postwar years a foreign policy which has on the whole been successful, and which has had bipartisan support, whenever it was a policy that was understood and approved by our people. But the American people could never understand and put their weight behind a foreign policy which was erratic and, indeed, shifty in character. They cannot be led in devious and unpredictable paths by a government which chooses to operate on the basis of day-to-day expediency rather than of principle.

There is another fact which also needs to be observed. That is the fact that the United States is the strongest of the Free World nations. Its power is indispensable to Free World security. But this power will not help to bind the Free World together unless the policies that govern its use are predictable and dependable. There could not be Free World unity and harmony if the United States reserved to itself the right to shift its position under the dictates of passing considerations of expediency. Other Free World nations must be able to count upon our following a known and acceptable course. Otherwise the Free World will collapse in a state of disunity and we ourselves shall end in a position of precarious isolation.

For America there is no honorable or safe course except to adhere to certain basic principles.

V

Let us therefore turn to consider the third alternative.

I recall that George Washington in his farewell address predicted that our Nation would "at no distant period be a great nation," and he urged that, as such, we should give to mankind the "too novel example of a people always guided by an exalted justice and benevolence." He said, "Religion and morality enjoined this conduct; can it be, that good policy does not equally enjoin it?"

It can now be said with confidence that good policy does indeed enjoin upon us a conduct of adhering steadfastly to principles of justice.

But what are these principles?—it may be asked.

There exists fortunately in the Charter of the United Nations an expression of sound principles designed to save succeeding generations from the scourge of war. These principles might be called the basic law of the world. Upon their observance depend peace and order.

First of all, the charter binds the members to refrain from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

The prohibition against the open and direct use of force has considerable sanction behind it. There is the weight of world opinion. It would clearly condemn the unprovoked use of force by one country to conquer another or to destroy its independence.

An indispensable supplement to world opinion is the deterrent which flows from the collective will of the free nations to resist aggression, and the dedication of great resources to back up their will.

It is more difficult to implement effectively the charter provision which prohibits the "threat" of force.

The Soviet Union, particularly since it has acquired a nuclear and prospective ballistic-missile capacity, has taken to using threats of force in an effort to accomplish its political aims. Within the last 2 years the Government of the Soviet Union, speaking officially at a top policymaking level, has made many nuclear-missile threats. These threats were, for the most part, not designed to prevent any alleged plan of attack against the Soviet Union, but rather to intimidate other nations so that they would not oppose Soviet policies in relation to third countries.

These threats, while they constitute disturbing symptoms, have not visibly promoted Soviet foreign policies; indeed, they may have had a contrary effect. In the main, the threatened countries have treated their blustering as bluff, particularly in view of the capacity and determination of the United States not to allow Soviet military power to dominate the world.

This experience confirms that it is essential that our Nation should both contribute to world opinion against the use of threat of force and also maintain the capacity and the will to retaliate against the Soviet Union should it actually carry out its threats and engage in armed aggression.

VI

The charter also prohibits aggression in the broad sense of this term. The United Nations General Assembly has frequently denounced "indirect aggression." In 1949 it adopted a resolution calling upon all nations to refrain from "fomenting civil strife," and again in 1950 it adopted a resolution in which it denounced the "fomenting of civil strife in the interest of a foreign power" as among "the gravest of all crimes against peace and security in the world."

The Soviet Union has itself considered that such acts should be deemed to constitute indirect aggression. In October 1957, the Soviet Government submitted a proposed resolution to this effect.

Indirect aggression is nothing new. But the art has been greatly perfected in recent years. Through use of inflammatory radio broadcasts; through infiltration of weapons, personnel, and bribe money; through incitement to murder and assassination and through threats of personal violence, it becomes possible for one nation to destroy the genuine independence of another.

It was in order to help to halt such practices that the United States responded to the urgent plea of the freely elected Government of Lebanon and sent United States forces to Lebanon to assist that democratic country to retain its independence.

The United Kingdom acted similarly in relation to Jordan.

These acts in the Near East bring to the forefront this acute problem of indirect aggression. It has become an issue with which the United Nations and its members must deal.

I recall that President Roosevelt in his so-called quarantine address of October 1937, pointed out that indirect aggression and the fomenting of civil strife were characteristic of that period. The League of Nations did little or nothing about it.

The United States is convinced that if indirect aggression, in the form of fomenting civil strife or subverting foreign governments, is now tolerated as an instrument of international policy, events will indeed follow the tragic pattern which led to World War II, and this time with even more disastrous consequences.

We must, of course, recognize that this issue of indirect aggression is a delicate one. On the one hand it is clear, beyond a possibility of a doubt, that nations are free to seek, and to get, help as against a genuine external threat. On the other hand, we must be careful not to encourage or condone armed divisions into Hungary in order to revert the will of a foreign people. We saw that occur when the Soviet Union sent its armed divisions into Hungary in order to repress what the United Nations found to be a spontaneous uprising of the Hungarian people.

We believe that the task of dealing with indirect aggression should so far as possible be assumed by the United Nations itself. That will eliminate the hazard that individual nations might use armed intervention under circumstances that were self-serving rather than serving the principles of the charter. But, in order that the United Nations should act effectively, several things are needed.

First of all it is necessary that public opinion be more alert to the dangers which come from efforts short of actual war to destroy the independence and security of another nation. Too often it is assumed that so long as armies do not march openly across borders the situation is tolerable. The fact is that if indirect aggression were to be admitted as a legitimate means of promoting international policy, small nations would be doomed and the world become one of constant chaos, if not of war.

Also, the United Nations should, we think, itself take steps which will enable it, on a collective basis, to deal with indirect aggression. That is why President Eisenhower proposed that the United Nations should always have available, on call, the elements of a United Nations Peace Force which could quickly respond to the appeal of a nation subjected to civil strife which was being fomented from without.

President Eisenhower also proposed a system which would enable the United Nations to monitor, and if need be condemn, the transmission by radio from one country to another of propaganda which seeks to foment civil strife.

There is still another potential role for the United Nations. In the case of the Truman plan for emergency aid to Greece and Turkey, and now again in the case of emergency aid to Lebanon, the United States has volunteered that it would withdraw its aid whenever the United Nations General Assembly found that such aid was unnecessary.

The United Kingdom has taken a similar position regarding its forces in Jordan.

Thus we subordinate our judgment to the collective judgment of the world community. This represents a further notable effort to implement the principle of peace through law.

VII

In all of these foreign policy matters the United States seeks to develop principles which will insure peace in the interest of all concerned.

It is difficult for many to understand that the United States should really be motivated by considerations other than short-range expediency. It has been customary, for so many centuries, for nations to act merely to promote their own immediate self-interest, to hurt their rivals, that it is not readily accepted that there can be a new era when nations will be guided by principle.

We seek honestly to follow policies that will sustain the basic principles of world law which we believe to be the indispensable foundation for peace. Thus, we acted in 1956 in relation to Suez for precisely the same reasons that led us to act as we did in 1958 in relation to Lebanon, namely, the support, as we saw it, of the principles of the United Nations Charter.

To paraphrase George Washington's words, our conduct may be novel, but sound policy enjoins it.

Unless the nations of the world will accept and abide by certain principles which are written into the charter as world law, then peace is in constant jeopardy.

VIII

Let me close, however, by recalling that peace is never assured merely by negative do-not principles. It is not enough that force shall not be used or threatened, or that there shall be no aggression, direct or indirect. These denials are an essential part of peace. But they are by no means the whole of peace. Peace also has a positive aspect.

Peace must recognize that change is the law of life for nations just as it is for individuals. It is impossible to freeze the status quo and attempts to do so will also breed war. That is why the Charter of the United Nations by its first article says that the settlement of international disputes should be brought about in conformity with principles of justice; and why article 14 provides for the peaceful adjustment of any situation, regardless of origin, which is likely to impair the general welfare of friendly relations among nations.

We ourselves in this country are blessed because we have a society of law and order. That is because our society is a continuously evolving society. Our laws and social order are constantly being changed in order that they may more faithfully reflect justice in relation to new conditions.

So it must be in the world. The society of nations can no more be frozen in a stagnant position than can our own domestic society.

We live in a world where change is more rapid and more inevitable than ever.

Within less than 20 years, 20 new nations have been born, bringing to many hundreds of millions of people new aspirations for a better economic and social life.

In Western Europe there is the increasing unity represented by the Western European Union; by the Coal and Steel Community; by the Common Market; and by Euratom, the agency of six countries to develop atomic energy.

In the Near East there is a valid movement for increased Arab unity.

Everywhere, underdevelopment clamors for development. Change is inherent in the development of atoms for peace—within a generation, atomic power will revolutionize our material lives.

To the north and south two once forbidden areas, virtually continental in scope, open up for man's use—the Arctic and the Antarctic.

And on top of all this comes the prospective use by man of the heretofore prohibited area of outer space.

It would indeed be folly to treat the world as static.

But if change is to be peaceful and not destructive, then human conduct, and national conduct, must be based on principles of law and justice.

If strong nations attempt, by their own means, to make the world over in their image; or if they attempt by their own force to keep the world from changing, then disaster is inevitable.

Our own Nation has long since abandoned the use or threat of force for purposes of aggrandisement; and we accept a world of diversity.

Also we are possessed of a dynamic, inventive spirit. We are not afraid to continue to be pioneers.

May it be given us to use these qualities to promote a peace that will be just and durable, because it will be based on the solid rock of principle.

The PRESIDING OFFICER. Is there further morning business?

Mr. BUTLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LONDON CONFERENCE OF NATO PARLIAMENTARIAN ECONOMIC RAPPORTEURS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 8 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I have just yesterday returned from presiding over a meeting of the Economics Section of the General Affairs Committee of the NATO Parliamentarians' Conference in London. I should like for the RECORD to show that the time of my presence in London was roughly 3 to 4 days, simply enough to accomplish the purpose of the meeting.

The purpose of the meeting was to determine what action NATO countries might take collectively, though not necessarily through the NATO organization, to help the underdeveloped areas and the economically underdeveloped members of the NATO group. I desire to make the following report to my colleagues.

CONCLUSIONS

My conclusions are that it is not considered desirable for the NATO organization as such to engage in economic aid to the underdeveloped areas but that members of NATO can feasibly and effectively engage in such aid in varying groupings by areas or countries. As a practical example, western European industrial countries will show real interest in joining with the United States in supporting the regional economic development plan for the Middle East recently proposed by President Eisenhower at the U. N. General Assembly.

The expression of opinion at the meeting was clearly in favor of actions of the President.

There is extensive western European interest in a program for collective guaranties to private investments in the underdeveloped areas. That is the second of my conclusions.

The third conclusion, Mr. President, is that economically underdeveloped members of NATO are considered to deserve the help of the other NATO countries on a high priority. Accordingly, the dispute over Iceland fisheries should be settled on an economic basis, rather than a legal basis, with the aid of the other NATO countries, and I shall develop that point later in detail.

DISCUSSION

I found the general acceptance of the fact that a new phase in the foreign economic aid effort was indicated which would be multilateral aid by the United States and groupings of the western nations, many of which are members of NATO, rather than by NATO itself. NATO as an organization being closely identified with defense is considered unsuitable for the purpose. I believe this initiative developed at this meeting is most auspicious and that it can be very effectively and fruitfully pursued in the interests of our country and of the Free World. This interest was manifested practically by the willingness to support the President's program for a regional economic development plan for the Mideast recently put before the United Nations General Assembly.

The desire to participate by the western European nations in economic aid is the fruit of their own Marshall plan experience. They believe in this kind of regionally operated self-help and mutual cooperation economic plans with outside financing.

It was the general consensus of opinion that economic aid and technical assistance to underdeveloped areas deserved a budget equality in each country on a level with home consumption, public investment, and government welfare services, notwithstanding the heavy armaments burden of the members of NATO for the defense of the Free World. This determination is most important, for it indicated a willingness to follow the United States example as a matter of policy rather than to defer foreign economic aid and technical assistance until home needs were satisfied. It represented acceptance of the principle that the effective preservation of the Free World through foreign-aid programs was entitled to share in the available resources of each country on the same priority as domestic needs and defense.

The Development Loan Fund of the United States is well adapted to this kind of multilateral joint venture in foreign economic assistance between the United States and Western Europe. I hope we will have that much in mind as we consider the appropriation for mutual security tomorrow.

There was a very important consensus of opinion, also, as to the urgent need for increasing private investment in the underdeveloped areas. The example of the United States private-investment guaranty program under the Mutual Security Act was carefully noted; this guarantees such investments against war, expropriation, and currency inconvertibility. I believe it entirely practical to look for collective action to institute a Western Europe program for guaranties of private investment in the underdeveloped areas. Such private investment was considered to have a flexibility and

character and to be so divorced from political considerations as to be most agreeably acceptable to nations in the underdeveloped areas.

There is a great concern expressed with the economically underdeveloped areas which are members of NATO. These were stated to include Greece, Iceland, parts of Italy, Portugal, and Turkey. It was considered most advisable to put aid by the other NATO countries to these members for their urgent development needs on high priority and also to give close attention to trade relations with them. In this connection, the current dispute over Icelandic fisheries between the Government of Iceland and continental European nations, including the Scandinavian countries and the United Kingdom, came up for consideration. A subcommittee was appointed which recommended that the settlement be made upon an economic basis rather than on a jurisdictional basis.

The dispute involves the authority of the Icelandic Government under international law to bar other countries' fishing fleets from a 12-mile zone off its coast. This right was very sharply contested as a matter of international law by the other nations concerned. The Government of Iceland has announced this restriction to take effect on September 1, and the tension is great and serious acts may result.

The British newspapers discussed actual naval conflicts between the contending trawler fleets, the British fleet to be protected by British gunboats.

On the other hand, 97 percent of Iceland's exports are in fish and fish products and this 12-mile area restriction is considered indispensable to Iceland's economic viability. Accordingly, an economic solution was indicated, and our subcommittee expressed the hope that the NATO Council could bring about this kind of solution. I believe it fair to say specifically that there was hope for the intercession of the distinguished Secretary General of NATO, Paul-Henri Spaak, with the great prestige which he carries in European affairs to help bring this about.

In view of the presence of American forces in Iceland, and its key importance as a base in the Atlantic, I am urging our Secretary of State to lend his good offices toward the same end.

I append the list of the parliamentary delegations which sent representatives to the meeting and the name of each delegate.

I believe that the time allowed to me by the Senate to perform this official mission was well worthwhile in the interests of our country, the NATO alliance, and the Free World. There is a most intense interest among the NATO powers in implementing section 2 of the NATO Treaty with respect to economic cooperation. The words of Secretary General Spaak at the Press Association in London on June 11 last are especially pertinent and I quote them as follows:

> I will tell you frankly why. I wonder whether the Atlantic alliance, as conceived in 1949, really meets the world situation of 1958.
>
> In 1949, the Communist threat was European and military. We have found the right answer to that.
>
> The Russians, who have realized this, but who have not, nonetheless, given up their hope of world domination, have adroitly changed their plans and modified their methods.
>
> In 1958, the Communist threat is essentially Asiatic and African, and is probably more economic and social than military.
>
> One has only to consult an atlas and read the newspapers to realize that NATO is being outflanked. The defensive position of the Western World, that is NATO, is now menaced from the rear and for the moment the countries of the West have not found an answer, either collective or individual, to this bold maneuver—to this new threat.
>
> In my opinion, the only effective answer is a collective one.
>
> The whole Communist world has issued a challenge to the Free World. This challenge can only be taken up by the whole of the Free World. This implies that NATO strategy, as it was conceived 10 years ago, has now become too narrow and inadequate.
>
> The geographical limits of the Atlantic alliance are cracking. Its essentially military character is outdated. Today we must think in wider terms, and I would almost say, in more complicated terms. By that I mean that the alliance must remain military, very certainly, but also we must have political and economic unity. Economic particularly, not only so that all countries of the alliance may make social progress, but also so that the less developed countries who have not yet been indoctrinated against the West can receive from us the substantial help which they need.

In conclusion, through the Pan-European activity of the European Coal and Steel Community, the European Common Market, NATO, Euratom—which we approved yesterday, happily—and the Council of Europe, a true community of interest of the most effective character is being developed in what is called the Western World. The West is now carrying with it a sense of mission and purpose which will increasingly gain the attention of nations in the underdeveloped areas in terms of the West's intentions and helpfulness. I trust that my rapid turn around trip to London may serve to underline these implications for Members of the Senate.

Mr. President, I append to my remarks and ask unanimous consent to have printed in the RECORD at this point a list of the participants representing the parliamentary delegations of the United States, Canada, Germany, Iceland, the Netherlands, Norway, France, Greece, and Italy.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF PARTICIPANTS

United States, Senator JACOB K. JAVITS.
Canada, Mr. Heath Macquarrie.
Germany, Dr. Fritz Burgbacher.
Iceland, Mr. B. Grondal.
Netherlands, Mr. C. L. Patijn.
Norway, Mr. Helge Seip.
France, M. Valery Giscard d'Estaing.
Greece, Mr. Panos Yokas.
Italy, M. Leopoldo Rubinacci.

FEDERAL AID TO EDUCATION

Mr. MURRAY. Mr. President, I am sure there will be widespread disappointment in the country at the failure of the Congress at this session to provide an adequate program of classroom construction and teachers' salaries. Such a program, in my judgment, constitutes the essential foundation for the education and training of scientists and technicians to meet the acknowledged threat to our national security.

As chairman of the Subcommittee on Education of the Committee on Labor and Public Welfare, I wish to announce that this subject will be high on the priority list of our committee for action in the next session of Congress. I desire that all Senators be on notice now so that they may prepare and introduce pertinent legislative proposals at the beginning of the session, if they so desire.

I believe the Senate must and will approve the long-delayed school construction-teacher salary legislation next year. I believe the membership of the 86th Congress in the House of Representatives will take companion action, whether or not the President chooses to ignore the need for additional classroom space for elementary and high schools as he did this year.

The Education Subcommittee this year heard considerable testimony from both advocates and opponents of Federal aid to education. Testimony was taken on S. 3311. Senators MANSFIELD, COOPER, MORSE, MCNAMARA, LANGER, NEUBERGER, MAGNUSON, HENNINGS, and PROXMIRE joined me in sponsoring this bill, which would authorize an expenditure of $25 per pupil for the first year, $50 the second, $75 the third, and $100 the fourth year.

The money would go to the States, which could use the money for classroom construction and/or teacher salaries, as they saw fit. Control of the program would be completely in the hands of the State and local agencies. Federal control would be prohibited. Section 14 specifically provides that:

> In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or programs of instruction of any school or school system.

Another important feature of S. 3311 is section 5, dealing with maintenance of State and local support. It provides that the allotment going to each State shall be reduced proportionately if the State's expenditure for education, from State and local sources, as a percent of income, falls below the national average of education expenditure as percent of income. This would prevent the use of Federal funds as a replacement for State and local funds presently available.

We can all agree that education is chiefly a function of the States and local communities. But I believe we must also agree that the Federal Government has a responsibility to see that every American child gets an adequate education. Our children are not only citizens of the communities and the States in which they live. They are citizens of the United States. To be good citizens they must be sufficiently educated to assume the responsibilities of functioning citizens. The Federal Government must support

the education program necessary to attain this goal. For there is general recognition of the fact that there is a tremendous shortage of both classrooms and teachers. This shortage will continue until there is substantial expenditure which both States and local communities are unwilling or unable to make.

The Office of Education reports a shortage of approximately 140,000 classrooms. The Office of Education also estimates an average cost of $40,000 to build and equip a classroom. In other words, an expenditure of $5.6 billion would be necessary merely to catch up on classroom construction. Additionally the National Education Association reports a shortage of 135,000 teachers. That deficit, you may be sure, will not be made up until the teaching profession offers the sort of wages which will attract many more qualified persons.

The Soviet Union spends twice as much of its national income on education as the United States does. How can this Nation match and surpass the Soviet Union if we deny American boys and girls the good fundamental education which they must have, at the elementary and high school levels, to become scientists and technicians? Last year there were 800,000 schoolchildren—that is almost a million young Americans—going to school only half a day, because the school had to be used by two shifts of students. Many students now entering high school have never gone to a full day of school in their lives.

Mr. President, I contend that schoolchildren are just as deserving of subsidies as are the many special interest groups which come to Congress and receive billions of dollars each year. The chamber of commerce witness before my subcommittee admitted, in answer to my question, that his organization works for subsidies for various big business interests. If a subsidy for a steamship company, for example, is good, why is a subsidy for a schoolroom considered so bad, socialistic and un-American by the same people? One chamber of commerce president in Montana asked me to oppose the national defense education bill even though, a few months previous, he had asked me to liberalize the same bill so that business colleges such as his could benefit from its provisions.

I submit that some of the special interests in this country are doing their members a disservice by grossly distorting the facts. I believe the Senate may be able better to evaluate the telegrams and letters inspired by these organizations if I recount my recent observations of their tactics.

Two of the most vociferous opponents of Federal aid to education are the American Medical Association and the College of Physicians and Surgeons. Let us treat the AMA first.

The position of the AMA is that Federal aid to education is a very dangerous thing, an unnecessary waste of the taxpayer's money and a device to put this Nation on the road to communism, unless the aid goes to medical schools.

If this Federal money buys bricks for needed elementary and high schools, it is bad. If this Federal money buys bricks for needed medical schools, it is good. That is the position of the AMA.

Let me read from the testimony submitted in April of this year to the House Interstate and Foreign Commerce Subcommittee which was considering health research facilities legislation.

The April 10, 1958, memorandum from the American Medical Association to Chairman OREN HARRIS of the Commerce Committee stated the following:

> Generally, the American Medical Association is opposed to Federal aid in those areas where private citizens and local communities are capable of providing for themselves. We believe Federal aid to be a dangerous device because of the degree of control and regulation which must necessarily accompany Federal funds. We believe, however, that there is sufficient need for assistance in the expansion, construction, and remodeling of the physical facilities of medical schools to justify a one time expenditure of Federal funds, on a matching basis, provided, of course, that maximum freedom of the schools from Federal control is assured.
>
> While we object to increased Federal participation when it is based solely on increased enrollment, we do not object to greater than 50 percent Federal participation per se, such as in H. R. 7841, where the Government would contribute up to 66⅔ percent for the construction of new schools. The position of the American Medical Association is only that there should be some matching of Federal funds by the recipient school.

Mr. President, let us restate in plain English the position of the American Medical Association on Federal aid to education.

Federal aid to education is bad, says the AMA when it goes to elementary and secondary schools.

Federal aid to education is good, says the AMA, when it goes to medical schools.

Federal aid to education is even better, says the AMA, if the Federal Government puts up most of the money for those medical schools.

Mr. President, I believe in Federal aid for education, whether it is for a needed medical building or laboratory or a needed one-room schoolhouse. My record on this matter is long and consistent. But I question the ethics of an organization which raises one hand in self-righteous horror at the prospect of Federal aid for everyone else's educational needs while the other palm is extended to obtain help for its particular brand of education.

I know that the vast majority of men who have taken the Hippocratic oath, hold to a code of ethics far above that of the organization which purports to speak for them.

I wish now to discuss the viewpoint of the Association of American Physicians and Surgeons, Inc. One thing must be said for this organization. It is consistent in its opposition to Federal aid for education, whether the bricks go into grammar schools or medical buildings.

The May 6, 1958, letter of its president, Mal Rumph, M. D., to the Honorable JOHN BELL WILLIAMS, which appears in the House Interstate and Commerce Committee hearings heretofore referred to, makes clear the opposition of AAPS to any type of Federal subsidization of medical schools.

I regret to report, however, that the vehemence of the AAPS opposition to Federal aid to education has led it to take actions and inspire other actions which in my opinion reflect unfavorably on the ethics of the organization.

On July 10 at my direction the chief clerk of the Senate Committee on Labor and Public Welfare dispatched the following telegram to the executive secretary of the AAPS:

> Mr. HARRY E. NORTHAM,
> *Executive Secretary, American Association of Physicians and Surgeons, 185 North Wabash Avenue, Chicago, Ill.:*
>
> Senator MURRAY, chairman of the Subcommittee on Education of this committee, will hold a further hearing on his bill S. 3311 (to authorize assistance to States and local communities in remedying the inadequacies in the number of their teachers and teachers' salaries and the shortage in classrooms) at 10 a. m. on Wednesday, July 16, in the Foreign Relations Committee room of the Senate, F-53 in the Capitol. It has been suggested by Mr. John Miles, manager of the education department of the United States Chamber of Commerce, that you, as executive secretary of the American Association of Physicians and Surgeons, would wish to testify at that hearing or, if that is not possible, to file a statement for the record. Would you kindly inform me by return wire whether you will be able to present 15 or 20 minutes' testimony at the scheduled hearing or whether you wish to submit a statement to be printed in the record.
>
> STEWART E. MCCLURE,
> *Chief Clerk, Senate Committee on Labor and Public Welfare.*

On the same date, July 10, Mr. McClure received the following reply from Mr. Northam:

> CHICAGO, ILL., *July 10, 1958.*
>
> STEWART E. MCCLURE,
> *Chief Clerk, Senate Committee on Labor and Public Welfare, Senate Office Building, Washington, D. C.:*
>
> The Association of American Physicians and Surgeons will submit a statement on Federal aid to education to be included in the record, you should receive it Saturday morning. Thank you for the opportunity.
>
> HARRY E. NORTHAM,
> *Executive Secretary, Association of American Physicians and Surgeons.*

Thus the AAPS had a 6-day notice of the hearing and invitation to testify. I know that prospective witnesses desire and deserve as long a time as possible to prepare testimony, but as my colleagues well appreciate, it is sometimes, in fact usually, difficult for us to schedule hearings far in advance, because of possible conflicts. I might say that witnesses who testified in support of this legislation had less notice, and also had to change their plans on a few hours' notice when the hearing had to be postponed.

Nevertheless, 4 days after receiving and acknowledging notice of the hearing, the AAPS sent to at least a portion of its membership an emergency bulletin which one of the recipients kindly sent on to me. This bulletin told of the surprise, quickie hearing coming up. The entire bulletin follows:

> JULY 14, 1958.
>
> BULLETIN No. 13–58
>
> Please wire or write today, not tomorrow. Senator JAMES E. MURRAY, chairman of the

Subcommittee on Education of the Senate Committee on Labor and Public Welfare, has called a surprise quickie hearing on his bill S. 3311 for Wednesday, July 16.

S. 3311 proposes Federal aid to education for inadequacies in number of teachers, their salaries, and the shortage of classrooms.

Dr. Mal Rumph, president of AAPS, has filed a statement of opposition to this legislation—and all similar legislation which would place our schools under Federal control—with the committee.

Please support the association's position by sending telegrams and airmail letters to Senator JAMES E. MURRAY, Senate Office Building, Washington, D. C.

It is not necessary to refer to the AAPS statement. Express your views as an individual citizen.

Please act today, not tomorrow.

Sincerely,

GEORGE J. HESS, M. D.,
Chairman, AAPS Legislative Committee.

Thus, the AAPS completely distorted the request of the subcommittee to hear its spokesman or consider its viewpoint. The recipients of this letter were not told that the organization had been invited to testify 4 days before the emergency bulletin was issued. Certainly there was nothing surprise or quickie about the continuation of the hearings, regarding which the organization had ample notice. And it is obvious, both from the emergency bulletin and the letters and telegrams it inspired, that the recipients were furnished no information at all about the bill under consideration. I quote from a few of the telegrams I received:

COVINGTON, KY.

Bill S. 3311 in my estimation is a socialistic measure, a good way to establish a welfare state. Let these teachers work 12 months out of the year like I do, and let the school children go the year around. Why should there be 3 months out of the year when they don't have to work? Why should they expect to work 9 months and get a year's pay? Most of the teachers that I know actually put in 6 hours a day 5 days a week teaching while the tax-paying public works 40–48 hours a week plus 2–3 weeks vacation a year.

ALVIN C. POWELEIT, M. D.

PORTERVILLE, CALIF.

I would like to express my opposition to any legislation which would place all or part of our education system under control of the Federal Government. I do not feel that the Federal Government is sufficiently in touch with local situations to judge how a local school district should be administered.

WARREN GOUX, M. D.

JACKSON, MISS.

I am opposed to your S. 3311 and all other forms of Federal aid to education. They are unwanted because taxes confiscated by Washington are for you to control education with. They are unnecessary because we get back only one-fourth to one-hundredth of each dollar extracted against our will.

CURTIS W. CAINE, M. D.

GREENVILLE, N. C.

All the States have plenty money and credit.

DR. K. B. PACE.

RICHMOND, IND.

In regard to Bulletin No. 13–58, wish to state we are definitely opposed to Federal aid to education.

LEON T. COX, M. D.

COLUMBUS, OHIO.

Probably one of the strongest arguments against this legislation is that it is absolutely unnecessary. Shortages of classrooms is a myth, and except in isolated circumstances, shortages of teachers is a myth. Are you sure that you know the public's will on this bill?

KENNETH L. BROWN, M. D.

INDIANAPOLIS, IND.

What you propose is purely socialistic legislation. You might as well have Russia come over and run the United States as to carry out the proposal such as you have made.

C. P. CLARK, M. D.

GAITHERSBURG, MD.

Centralization of Government is reverting us to obstruction, tyranny, and eventual collapse; how this may come about is well seen in history and the current turmoil existing in the foreign sovereign powers in both hemispheres. Our Constitution exists only on paper, the political Supreme Court has taken over, States rights are all but abolished, and our legislative Congress activities, in many respects, seemingly are motivated with cunning political expediency in contradistinction to equity in governmental affairs. This is highly significant and exampled in bill S. 3311.

WILLIAM C. MILLER, M. D.

EVANSVILLE, IND.

Education is the responsibility of the local States and communities. Soviet Russia owns and controls its schools. Have you sunk to the level of a Soviet official?

ROBERT J. MILLER, M. D.

Mr. President, I shall let these communications speak for themselves. But a few more observations are in order.

For one thing, I have frequently asked opponents of Federal aid, who say that Federal aid means Federal control, to cite some examples. After all, Federal aid to education started during the time of George Washington. If the Federal Government is controlling the program to which it contributes, one would suppose that by now the opponents could cite some examples. But they cannot. The administration of federally aided education programs remains with State and local agencies, as it properly should.

Federal aid does not mean Federal control, a point which should be obvious to the many physicians who trained at Government expense and practice in hospitals constructed with the aid of Federal funds provided under the Hill-Burton Act.

Also, because the question of public wishes on Federal aid to eduction has been raised by the opponents, it is pertinent to recite the February 9, 1957, report of Dr. George Gallup's American Institute for Public Opinion.

In answer to the question, "Do you favor or oppose Federal aid to help build new public schools?" 76 percent indicated approval, 19 percent opposed the idea, and 5 percent voiced no opinion.

Thus four Americans favored Federal aid for schoolroom construction for everyone who opposed it. Furthermore, reported Dr. Gallup, every major group in the population is in favor of the Federal-aid proposal. Republicans and Democrats, Protestants and Catholics, people from all sections of the country strongly supported it. No group was less than 70 percent for it.

His survey also showed the sentiment in favor of Federal aid to schools was increasing. The percentage of 76 in favor compared with a figure of 67-percent support the year previous.

Mr. President, I have attempted to show the need for Federal aid to elementary and high schools, the public support for the program and, so that Senators may be able better to evaluate their mail, the tactics of some of the opponents. When I speak of the opponents I speak of the organizations which purport to speak for their membership, rather than the individual members themselves. For I know there are many fine physicians in this land who do not countenance the tactics of either the AAPS or the AMA which I have just described.

Mr. President, it is my hope that next year the vital matter of Federal aid to schools and teachers may be discussed constructively and rationally, to the end that we on both sides of the aisle, in cooperation with the other House, work out legislation and appropriations that will help provide this Nation's youngsters with the good education they deserve.

The PRESIDING OFFICER. Is there further morning business?

TRIBUTE TO WORK OF SENATOR NEUBERGER IN CONNECTION WITH PASSAGE OF KLAMATH INDIAN RESERVATION PURCHASE LEGISLATION

Mr. MURRAY. Mr. President, one of the most difficult questions facing my Senate Committee on Interior and Insular Affairs this year has been that involving the complex resources and tribal relationships of the Klamath Indian Reservation in the State of Oregon.

Outstanding work has been done by our colleague, the junior Senator from Oregon [Mr. NEUBERGER], in pushing through to passage S. 3051, to solve this critical problem.

In the issue of the Klamath Falls (Oreg.) Herald and News for August 15, 1958, high praise has been paid to our distinguished colleague by Frank Jenkins, publisher of the Herald and News.

Mr. Jenkins writes in his daily column:

Great credit is due to Senator NEUBERGER. He has worked unceasingly to bring about the enactment of the bill that has just been approved. He made its final enactment his major interest. He forgot politics and devoted his efforts to the welfare of the State and its people.

That is statesmanship.

In this session of Congress, Senator NEUBERGER has joined the greats of Oregon. He has done a splendid job.

I have called to the attention of the Senate Mr. Jenkins' words in tribute to Senator NEUBERGER, because I concur in what Mr. Jenkins has written.

I ask unanimous consent that the editorial column by Frank Jenkins from the Klamath Falls Herald and News, under the heading "In the Day's News," from that newspaper of August 15, 1958, be printed in the RECORD at this particular point.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

IN THE DAY'S NEWS
(By Frank Jenkins)

There is good news today.

The Klamath Indian Reservation purchase bill has passed both Houses of the Congress. It is now at the White House.

President Eisenhower's signature is regarded as certain.

That is splendid news for the Klamath Basin and for all of Oregon. It is splendid news because it insures that this great resource will be administered in such a way that it will be kept producing trees and fiber perpetually. It insures watershed protection.

The future of southern Oregon and far northern California is all bound up in adequate and perpetual supplies of fiber and water. Fiber and water are our great natural resources.

Upon them depends our future.

This is a good time to give some credit for this really important achievement where the credit is due.

Chief credit should go to the management specialists, for they were the first to realize the defects of the original termination act. They were the first to propose form of Government purchase of the reservation lands. Their study of the problem of liquidation convinced them that if this great body of timber was thrown on the market at auction to the highest bidder the inevitable result would be that the Indian owners would fail to receive a fair price for their property.

At the same time, they realized that disposal of the Klamath Reservation timber under the original law would be likely to result in ultimate great damage to this tremendously important asset. So they suggested purchase of the lands by the Federal Government.

Senator NEUBERGER of Oregon agreed with them. So he introduced a bill providing for Federal purchase of the timber, which would be added to the national forests.

Later on, Secretary of the Interior Seaton offered an alternate proposal—that private enterprise be given an opportunity to purchase all or a part of these timberlands at the appraised price. Under the proposal, the Government would buy the lands not purchased by private operators.

This appealed to Senator NEUBERGER as a reasonable solution of the problem, and he withdrew his own bill and introduced the Department of the Interior bill. In considerably amended form, this is the bill that has just been approved by the Congress.

Great credit is due to Senator NEUBERGER. He has worked unceasingly to bring about the enactment of the bill that has just been approved. He has made its final enactment his major interest. He forgot politics and devoted his effort to the welfare of his State and its people.

That is statesmanship.

In this session of Congress, Senator NEUBERGER has joined the greats of Oregon. He has done a splendid job.

He has had effective help from all the members of Oregon's delegation in Congress. He has had help from Congressman CLAIR ENGLE of California. He has had help from a wide range of influential people in Oregon and elsewhere.

As a result, an excellent piece of legislation has been enacted.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3448. An act to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes; and

S. 3502. An act to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 4053. An act to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes; and

S. 4196. An act to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 7240. An act to amend title 18 of the United States Code to make it unlawful to destroy, deface, or remove certain boundary markers on Indian reservations, and to trespass on Indian reservations to hunt, fish, or trap;

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes;

H. R. 12115. An act to amend chapter 13—Wage Earners' Plans—of the Bankruptcy Act;

H. R. 12640. An act to authorize the Secretary of the Army to convey to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city;

H. R. 12704. An act to amend the provisions of law codified as section 500, title 16, United States Code;

H. R. 13354. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes;

H. R. 13571. An act for the relief of the city of Madeira Beach, Fla.;

H. R. 13676. An act to repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship;

H. J. Res. 608. Joint resolution requesting the President to proclaim August 25, 1958, as National Allergy Day; and

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 13518. An act to incorporate the Blinded Veterans Association; and

H. R. 13558. An act to incorporate the Military Order of the Purple Heart of the United States of America, of combat wounded veterans who have been awarded the Purple Heart.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H. R. 7240. An act to amend title 18 of the United States Code to make it unlawful to destroy, deface, or remove certain boundary markers on Indian reservations, and to trespass on Indian reservations to hunt, fish, or trap; to the Committee on Interior and Insular Affairs.

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes; to the Committee on Public Works.

H. R. 12115. An act to amend chapter 13—Wage Earners' Plans—of the Bankruptcy Act;

H. R. 13571. An act for the relief of the city of Madeira Beach, Fla.;

H. R. 13676. An act to repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship; and

H. J. Res. 608. Joint resolution requesting the President to proclaim August 25, 1958, as National Allergy Day; to the Committee on the Judiciary.

H. R. 12640. An act to authorize the Secretary of the Army to convey to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city; to the Committee on Armed Services.

H. R. 12704. An act to amend the provisions of law codified as section 500, title 16, United States Code; to the Committee on Agriculture and Forestry.

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959; to the Committee on Foreign Relations.

ACQUISITION AND DISPOSITION OF CERTAIN LANDS, SEEDSKADEE RECLAMATION PROJECT, WYOMING

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3448) to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm

units on the Seedskadee reclamation project, Wyoming, and for other purposes, which were, on page 3, line 12, strike out "shall" and insert "does," and on page 4, line 3, strike out "Computing" and insert "In computing."

Mr. O'MAHONEY. Mr. President, in its consideration of Senate bill 3448, to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes, the House of Representatives made two minor, technical amendments. One of the amendments would change the word "shall" to the word "does". The other amendment would insert the words "in computing".

These two amendments are satisfactory to my colleague and to me. We are the sponsors of the bill. The amendments are also agreeable to the Committee on Interior and Insular Affairs. My colleague has consulted the leadership on the minority side, and I have consulted the leadership on the majority side; and there is no objection.

Therefore, I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

ADMISSIBILITY OF EVIDENCE—STATEMENTS AND CONFESSIONS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is H. R. 11477.

The Senate resumed the consideration of the bill (H. R. 11477) to amend ch. 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, which will be stated.

The amendment of the Committee on the Judiciary was, on page 1, line 11, after the word "of", to insert "reasonable."

INDIVIDUAL RIGHTS AND INTELLIGENT LAW ENFORCEMENT

Mr. O'MAHONEY. Mr. President, I shall proceed with my statement on the bill as rapidly as possible. I think there is no reason why the measure cannot be disposed of promptly.

The bill reported by the Committee on the Judiciary is not to be interpreted in any respect as an attack upon the Supreme Court. The purpose of the bill is to clarify the decision which was rendered in the now famous Mallory case.

It must be understood that the city of Washington is different from any other city in the land. The city of Washington is the only city in the land which is completely under the Federal law. Other cities, in the States—cities in Massachusetts, New York, Pennsylvania, Illinois, and the rest of the States—are under State constitutions, as well as under the Federal Constitution. In the District of Columbia it is essential, for the protection of organized society, that we have a system which will preserve the ancient and effective enforcement of the criminal law, as well as safeguard individual rights under the Bill of Rights.

Nothing in the bill which the Committee on the Judiciary has reported casts the slightest doubt upon the sovereignty of the Bill of Rights, so to speak, over the District of Columbia and over the police force in the District of Columbia. But it must be remembered that the City of Washington is different from other cities.

Mr. Justice Frankfurter, in rendering his decision in the Mallory case, made it quite clear that I have stated correctly the situation as it exists. In the committee report we have reprinted the Mallory decision. It was rendered June 24, 1957. After a discussion of the facts in the case, the Court stated specifically:

> The case calls for the proper application of rule 5 (a) of the Federal Rules of Criminal Procedure, promulgated in 1946.

Then Mr. Justice Franfurter, in interpreting the meaning of the rule, said in one sentence:

> The requirement of rule 5 (a) is part of the procedure devised by Congress for safeguarding individual rights without hampering effective and intelligent law enforcement.

Nothing could be plainer than that statement.

There are two objectives of rule 5 (a) of the Rules of Criminal Procedure. The first of the objectives is to safeguard individual rights. The bill which the committee has reported does that. It does not impair in the slightest degree the necessity of developing probable cause before a formal arrest can be made and a charge filed against an alleged criminal. So the first objective is the safeguarding of individual rights, to use the words of Mr. Justice Frankfurter.

The second phrase follows immediately:

> without hampering effective and intelligent law enforcement.

That means that organized society, as represented in the District of Columbia, the people who reside here, the citizens who reside here, are entitled to the effective and intelligent enforcement of the criminal law.

We do not need to be instructed by anyone about the prevalence of crimes of violence in the District of Columbia and elsewhere in the United States. Women, young and old, walking on the streets are victims of yoke robberies and yoke assaults and other violence of various kinds. They ought to be able to walk the streets of the District of Columbia without the danger of such attack.

Congress is the governing body of the District of Columbia, and we owe a solemn obligation to the people of the District of Columbia to make the enforcement of the laws against crimes of violence "effective and intelligent," to use the words of Justice Frankfurter. That is why, when I went before the majority policy committee last week to urge that this measure be scheduled for action, I urged upon that committee my feeling that the measure ought to be passed without amendment. I do not want to see this step in the clarification of the interpretation of the Mallory case fouled up, so to speak, by the addition of irrelevant or even relevant amendments, because they will make it difficult for us to secure agreement by the House to the simple Senate amendment which adds the word "reasonable" before the word "delay."

Is there any doubt that such a clarification is needed? I think I can demonstrate such a need to every Member of this body, to every auditor, to every person who reads what I might say, by citing the case of the United States against Trilling. That case was decided in the United States Court of Appeals for the District of Columbia under the title "John E. Trilling against United States of America." Three cases were combined in one decision. Those three cases came to the court of appeals in this manner, briefly speaking:

TRILLING CASE

John E. Trilling was seen by two patrol-car officers outside the door of a business house in a secluded section of the city. This was the property of Johnson & Wimsatt, private businessmen in this city. The officers, I think, had been called there. In any event, they questioned Trilling because his car was right there at the time.

Trilling satisfied them that he had had no part whatsoever in the alleged crime, that he had not participated in the robbery, and so they did not arrest him. But it transpired the next day that his fingerprints were found on the broken glass of one of the windows of the establishment. Then it was discovered that his fingerprints revealed that he had been involved in another crime elsewhere, not in the District of Columbia.

Then the police brought him in; and when he became aware of this evidence, he immediately acknowledged that he was guilty.

After that acknowledgement—which was made speedily—the police confronted him with about 12 to 20 cases of similar burglaries which had been reported to them; I have forgotten exactly how many. They went over them with him. In some cases he said, "Yes, I did." In other cases, he said, "No, I didn't." He was being interrogated by the police.

Three cases were taken to court. They went before 3 separate judges, with 3 separate juries; and he was convicted, before each of the judges, by each of the juries.

As regards the statement he made in connection with the first count of one of the cases, the Johnson & Wimsatt case, as I recall, his attorney, during the trial of the case, urged that the statement was an involuntary confession. Each of the separate judges dismissed the jury, heard the arguments of counsel, then recalled the jury, and submitted the question to the jury for its judgment as to whether the admission was a voluntary one, obtained without any semblance of third-degree methods. The juries so found. There seemed to be no question about the matter at all.

AMAZING DECISION

After the convictions in the three cases, the defendant appealed to the Court of Appeals of the District of Columbia. The ensuing decision, I say frankly to the Senate, is one of the most amazing decisions I have ever read in all my experience as a lawyer and as a legislator. Nine judges of the Court of Appeals of the District of Columbia sat en banc to pass upon the appeal. As one of the judges said—and now I quote from page 2 of the case of Trilling against United States of America, decided on April 17, 1958:

> While appeals were pending, the Supreme Court decided *Mallory* v. *United States* (354 U. S. 449).

The result was that every one of the nine judges read the Mallory case decision, and then arrived at utterly different interpretations of its meaning.

At the moment, I shall not read the names of the judges; there is no need to do so, because the decision is available to all who wish to read it. It is available to the Members of the Senate; it is available to the press. I have no desire to lay particular emphasis upon the lack of unanimity on the part of the justices. I have written down the details, so there will be no mistake.

Two judges affirmed the conviction on count three of case No. 13069. Though they affirmed the conviction, they voted to reverse as regards the remainder of case No. 13069, all of case No. 13165, and all of case No. 13212.

Three judges concurred in an opinion, a very well written one, which affirmed the convictions in all of the cases and on all of the counts. So when the votes of these 3 judges were added to the votes of the 2 judges who voted to affirm the decision on count No. 3 in case No. 13069, there was a vote of 5 to 4 to affirm that conviction.

But four judges joined in an opinion to reverse all the convictions. Three judges voted to affirm.

So the result was that the vote on all the counts, except count No. 3 in case No. 13069, was one of 6 to 3 to reverse.

However, I am sure that a reading of the facts involved would convince almost any person who looked at the facts solely for facts' sake, that the defendant was guilty—as the juries found him to be.

Why, then, was the reversal entered? One of the judges made that point clear. I shall read his opinion, because it is short, and tells the story in the simplest of simple language. I shall not read his name. I now read from his opinion:

> I think the result reached by Judge (blank)—
>
> Who was the judge who wrote the opinion to affirm the conviction on count No. 3 of case No. 13069—
>
> is compelled by the Mallory case, and therefore concur with him, but only because I conclude we are not free to do otherwise. I do this reluctantly because what Judge (blank)—

The justice who wrote the opinion, in which 2 of his colleagues concurred, to affirm all 3 convictions—

> has said makes sense, and ought to be the law. The steady expansion of the meaning of unnecessary delay by the courts since rule 5 (a) has been in effect, suggests to me that this area of the law cannot be developed properly on a case-by-case basis, even though that is sometimes appropriate. Rule 5 (a) should be reexamined by the rulemaking process or by Congress.

RESPONSE TO INVITATION

Now the Congress has answered that invitation, by means of a very simple measure, passed by the House, which provides, in the first section, that the admission of confessions should not be denied solely on the ground of delay in arraignment; and then in subsection (b), provides that it shall be the duty of the interrogating officers, before interrogating a prisoner, to advise him that what he says might be used against him.

Of course, Mr. President, that is a fundamental principle, recognized by all who are at all familiar with the criminal law; it is one of the ways of safeguarding an individual's rights. So this provision is included in the bill; the Senate Judiciary Committee has accepted it.

The only change which the Senate Judiciary Committee has made is by amending the first clause by inserting the word "reasonable" before the word "delay."

Let me say here, Mr. President, that Representative WILLIS, of the House Judiciary Committee, who submitted the report of the House Judiciary Committee, was the author of the provision in clause (b) of the House bill to require notice to a prisoner before interrogation that what he would say would be used against him. I compliment Representative WILLIS for his action.

Mr. LONG. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am happy to yield.

Mr. LONG. As a Louisianian, I was very much pleased to hear the statement by the Senator from Wyoming about Representative WILLIS. I agree that Representative WILLIS is an extremely able attorney, and I know he would do excellent work on the bill.

Mr. O'MAHONEY. He submitted a good report, from which I wish to quote right now, to demonstrate the importance of the rule of reason.

Beginning on page 6, and running over to page 7 of House Report No. 1815, Mr. WILLIS wrote the following:

> A Justice of the Supreme Court, namely, Justice Jackson, once referred to the protections offered by the Constitution and the Bill of Rights by saying:
>
> * * * (they)—
>
> Meaning these protections—
>
> represent the maximum restrictions upon the power of organized society over the individual that are compatible with the maintenance of organized society itself.
>
> I must emphasize that—
>
> (they) represent the maximum restrictions upon the power of organized society over the individual that are compatible with the maintenance of organized society itself.

He then said: "He," meaning Justice Jackson—and the Members of this body know the very high standards of Justice Robert Jackson, of New York, Attorney General before he became a member of the United States Supreme Court. These are Jackson's words:

> I doubt very much if they (these restrictions) require us to hold that the State may not take into custody and question one suspected reasonably of an unwitnessed murder. If it—
>
> That is to say, if the law—
>
> does, the people of this country must discipline themselves to seeing their police stand by helplessly while those suspected of murder prowl about unmolested. Is it a necessary price to pay for the fairness which we know as due process of law? And if not a necessary one, should it be demanded by this Court? I do not know the ultimate answers to these questions; but, for the present, I should not increase the handicap on society.

What the Senate Judiciary Committee is requesting of the Senate is that the Senate shall put the stamp of approval upon the action of the Judiciary Committee not to handicap the society which lives in the District of Columbia. It seems to me we owe them the protection of the word "reasonable" before the word "delay."

RULE OF REASON

This is no new importation into the law of the land—not at all. In the Bill of Rights, in the fourth amendment, the provision was made to protect the citizen against unreasonable searches and seizures. The Bill of Rights did not protect against reasonable searches and seizures. So from the very beginning of our society, we have recognized the importance of the rule of reason in handling matters of this kind.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be very happy to yield.

Mr. BUTLER. Starting on the first page of H. R. 11477, the bill reads as follows:

> (a) Evidence, including statements and confessions, otherwise admissible, shall not be otherwise inadmissible solely because of reasonable delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

There are many cases in which it would be unreasonable, without explanation, to hold a person for perhaps 2 or 3 days without taking him before a committing magistrate. In such cases, if the statement of confession was otherwise admissible and it served the administration of justice, what effect would the word "reasonable" in line 11 have?

Mr. O'MAHONEY. I think that was made clear by Mr. Justice Frankfurter in the case of *McNabb* v. *The United States* (318 U. S., at p. 332).

In our report, the Senator will recall——

Mr. BUTLER. I have it in my hand.

Mr. O'MAHONEY. We quoted, on page 5 of the report, the statement of Mr. Justice Frankfurter in that case. I read it now:

> The mere fact that a confession was made while in the custody of the police does not render it inadmissible.

Mr. BUTLER. Does the Senator believe the Mallory decision has not changed that rule?

Mr. O'MAHONEY. I think that some persons, and some judges who read the Mallory decision, think it has changed the rule; but I do not think so.

Mr. BUTLER. Then let me ask the Senator this question: If the statement is "otherwise admissible"—that is, if there were no third-degree methods employed and there was no other reason than delay to refuse it—why is it necessary to have the word "reasonable" in the bill?

Mr. O'MAHONEY. Because that is a matter of fact. These cases vary in their circumstances. The courts have recognized that. I think the putting of the word "reasonable" in the bill only fortifies the position which the Senator from Maryland takes, and which I also take.

Mr. BUTLER. I should like to ask the Senator a further question. I do not mean to cast aspersions on the courts, but if the word "reasonable" is included in the language of the bill, will not a court which has shown a disposition to be unreasonable in such cases, as for example in the Trilling case, seize upon that word and slap us down again.

Mr. O'MAHONEY. I do not go that far. I point out the exact language of one of the members of the Court of Appeals. He stated specifically that he voted to reverse the decision solely because he felt compelled to do so by the Mallory case.

I submit that, in all intelligence the justices of the Court of Appeals were overpersuaded by some of the statements in the opinion. If the Senator will pardon me just a minute, I wish to read from the Mallory decision. This information is shown on page 31 of the Senate committee report. It is a quotation from Justice Frankfurter:

> The police may not arrest upon mere suspicion, but only on "probable cause."

That is a pretty substantial statement of law.

> The next step in the proceeding is to arraign the arrested person before a judicial officer as quickly as possible so that he may be advised of his rights and so that the issue of probable cause may be promptly determined. The arrested person may, of course, be "booked" by police. But he is not to be taken to police headquarters in order to carry out a process of inquiry that lends itself, even if not so designed, to eliciting damaging statements to support the arrest and ultimately his guilt.

Then it is stated:

> The duty enjoined upon arresting officers to arraign "without unnecessary delay" indicates that the command does not call for mechanical or automatic obedience.

In those few words Mr. Justice Frankfurter expressed an opinion which was totally contrary to the opinion in the Trilling case, which reversed the conviction.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. O'MAHONEY. If the Senator will pardon me just a moment, I will yield a little later.

Mr. BUTLER. But it does inject into the quotient a degree of uncertainty not now there.

Mr. O'MAHONEY. No. I have complete faith in the reasonable character of the great majority of the judges of the United States—even the Justices of the Supreme Court, may I say with a smile in my eye.

Mr. BUTLER. I can return that smile. I do not think any Member of this body has done more to uphold the integrity of the judiciary and the independence of the Supreme Court of the United States than have I, but I stand on the floor of the Senate of the United States and condemn that court for the decision in the Mallory case. I say it is not a sound decision, and it has brought untold worry and misery to a great many people. I feel that there are many citizens in the Capital City of the United States who are today afraid to walk the streets on account of that decision.

Mr. O'MAHONEY. I will say, Mr. President, I think the condition which the Senator describes arises not from the decision, but from the misinterpretations of the decision.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I will yield in a moment, if the Senator will pardon me.

That is the situation. It has been proved by the Trilling case. Let me invite the Senator's attention to the fact that Trilling was indicted in 3 separate cases. The cases were tried before 3 separate trial judges. Each judge had a separate jury. A question arose in count C of case 13069 whether the almost immediate admission of Trilling was voluntary or involuntary. The judge excused the jury to hear the arguments. This is common practice in every State of the land. The judge heard the arguments of counsel and then called the jury back and submitted the matter to the jury. The jury found that the confession was admissible because it was voluntary. Those were three trials in courts in the District of Columbia.

Mr. BUTLER. Mr. President, will the Senator yield?

SOURCE OF MISINTERPRETATION

Mr. O'MAHONEY. By reading the opinion of the Court of Appeals in the Trilling case one will find the source of the misinterpretation.

Mr. BUTLER. But we have nine learned men sitting on the Circuit Court of Appeals for the District of Columbia and they all went in different directions. None of the judges knew what the Supreme Court had decided and Trilling came within an ace of escaping without any criminal sanctions being invoked against him whatever.

Mr. O'MAHONEY. By the pending bill we are putting the searchlight of public opinion and judicial opinion upon the matter. I am not one who very often attempts to predict, but I will venture to say that as a result of this searching inquiry about the Mallory decision, we will never again find such a decision as that rendered by the Court of Appeals in the Trilling case.

Will the Senator now pardon me a minute?

Mr. BUTLER. Yes.

Mr. O'MAHONEY. The Senator from Pennsylvania has been seeking to ask a question, and I am glad to yield to him.

Mr. CLARK. I thank my friend for his courtesy in yielding to me. I asked the Senator to yield so that I might ask him whether he would agree with me that the entire paragraph on page 31 of the Senate committee report, the quotation from the decision in the Mallory case, sets forth the essentials of the proper procedure in the matter before us. I wish to read the paragraph, because my good friend, I think, was interrupted before he had an opportunity to complete the paragraph.

Mr. O'MAHONEY. I was going to read the second paragraph. I should be very happy to have the Senator from Pennsylvania read the last sentence with special emphasis.

Mr. CLARK. I should like to read the entire paragraph, which is short. This is a quotation from the Mallory opinion, and in my judgment states the essence of the Mallory problem and states it correctly:

> The duty enjoined upon arresting officers to arraign "without unnecessary delay" indicates that the command does not call for mechanical or automatic obedience. Circumstances may justify a brief delay between arrest and arraignment, as for instance, where the story volunteered by the accused is susceptible of quick verification through third parties. But the delay must not be of a nature to give opportunity for the extraction of a confession.

I submit that is the heart of the problem. That is a sound statement of the law.

I commend my distinguished colleague from Wyoming for the brilliant presentation he is making in support of his essential amendment to the bill, and for the fine constitutional and legal argument he is giving his colleagues the opportunity to listen to.

M'NABB CASE

Mr. O'MAHONEY. I am very grateful to the Senator for his remarks. This prompts me to invite attention to the McNabb case. We have cited the opinion in the report. It begins on page 7. The decision was rendered on the first of March 1943. The important fact to which I want first to call attention is that the decision was written by Mr. Justice Frankfurter, the same justice who wrote the Mallory decision.

On page 21 I find this language:

> The mere fact that a confession was made while in the custody of the police does not render it inadmissible. Compare *Hopt* v. *Utah* (110 U. S. 574) *Sparf* v. *United States* (156 U. S. 51, 55) *United States ex rel. Bilokumsky* v. *Tod* (263 U. S. 149, 157) *Wan* v. *United States* (266 U. S. 1, 14).

Mr. CLARK. That is the law today, is it not, despite the Mallory decision?

Mr. O'MAHONEY. Absolutely.

The opinion then continues:

> But where in the course of a criminal trial in the Federal courts it appears that evidence has been obtained in such violation of legal rights as this case discloses, it is the duty of the trial court to entertain a motion for the exclusion of such evidence and to hold a hearing, as was done here, to determine whether such motion should be granted or denied. (Cf. *Gouled* v. *United States* (255 U. S. 298, 312–13); *Amos* v. *United States* (255 U. S. 313); *Nardone* v. *United States* (308 U. S. 338, 341–42.)

> The interruption of the trial for this purpose should be no longer than is required for a competent determination of the substantiality of the motion. As was observed in the Nardone case, *supra*, "The civilised conduct of criminal trials cannot be confined within mechanical rules.

That is why I wrote the word "reasonable" in the amendment.

> It necessarily demands the authority of limited direction entrusted to the judge presiding in Federal trials, including a well-established range of judicial discretion, subject to appropriate review on appeal, in ruling upon preliminary questions of fact. Such a system as ours must, within the limits here indicated, rely on the learning, good sense, fairness, and courage of Federal trial judges.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am happy to yield to the Senator from Missouri.

Mr. HENNINGS. On behalf of many members of the legal profession, first I wish to commend the clarity with which my distinguished colleague on the Committee on the Judiciary, the junior Senator from Wyoming, has presented this very vexing and somewhat complex question. I think the question has become complex—and I believe my friend will agree with me—because of misunderstanding on the part of perhaps certain editorialists, some of the laity, and, indeed, many lawyers and some judges. And hence it has found itself in the realm of considerable controversy because of the outrageous and somewhat flagrant facts upon which the Mallory case was bottomed—facts which brought the Mallory case into focus and resulted in Mallory's indictment and trial, and, thereafter, the appeal with the consequent results.

I think it would be very helpful to raise a question which I have been asked a number of times. I do not serve on the subcommittee with my colleague, the Senator from Wyoming. After all, this is his bill, and he deserves a tremendous amount of credit for his labor, thought, and industry. I have had the pleasure and profit of having the opportunity to visit and confer with him and discuss this subject a good many times.

Mr. O'MAHONEY. The Senator is very kind and very generous.

Mr. HENNINGS. Indeed, I am most keenly aware of the problems presented here. They are not as simple as they may seem at first glance, unless one engages entirely in the great art of oversimplification and brushes aside all the possible pitfalls and dangers. I think it would be helpful to many who have asked this question for the Senator to explain, if he cares to do so—if not, I have done a little research on the question, too, which I hope to discuss later when I am recognized in my own right—the question of the difference between the word "unnecessary" as presently appearing in the law and the word "reasonable," which now appears in the amendment to the bill before us today.

Mr. O'MAHONEY. The reason the word "reasonable" is used is that it has a connotation that goes back to the Bill of Rights. It permeates our whole judicial system.

Mr. HENNINGS. The Senator might cite "reasonable search and seizure," for example, in the Bill of Rights.

Mr. O'MAHONEY. That is correct. It goes all the way back, and I think it helps to clarify the situation. One of the difficulties which is so frequently overlooked in the interpretation of judicial decisions arises from a situation which I think every lawyer knows well. It is a common saying among the practicing attorneys in criminal law and in civil law that close cases sometimes make bad law.

Mr. HENNINGS. Yes, that is an old legal maxim. It is almost an adage.

Mr. O'MAHONEY. That is correct. Consider the famous decision in the McNabb case, which arose in connection with the operations of the Alcohol Tax Unit. As I recall the case, the Federal officers were advised that a still was in operation in a certain State, the name of which I shall not venture at the moment, and the authorities rushed out. The moonshiners were still there, but the officers were more concerned about destroying the liquor and pouring it out upon the ground than they were in arresting the moonshiners. So the moonshiners escaped to a little distance. Then arose a very serious conflict, because the moonshiners began to shoot. A law enforcement officer was killed.

Human nature being what it is, the law enforcement officers undertook to get confessions: Because there were implications of coercion and third degree methods in obtaining confessions, the court handed down the decision it did.

Mr. HENNINGS. As the Senator knows, they were questioned extensively for 2 days.

Mr. O'MAHONEY. That is correct.

Mr. HENNINGS. And after their statements were coordinated and presented with continuity and verisimilitude, they were accepted as so-called confessions. As the Senator knows, prosecutors have always tried to avoid the use of the word "confession" because it is, of itself, a conclusion. Any statement made, either oral or written and signed by the defendant, is what we call an admission against interest under the law, and it is a statement to be assessed and taken as either a so-called confession, which may be a conclusion of the jury, or a statement perhaps even exonerating a defendant.

MITCHELL CASE

Mr. O'MAHONEY. I think it would be interesting at this point to make a reference to another decision by Mr. Justice Frankfurter. This is the case of United States against Mitchell. This decision was handed down on April 24, 1944. It followed the McNabb case, and again Mr. Justice Frankfurter wrote the opinion of the Court. This involved a District of Columbia case. It is not necessary for me to read the entire opinion, of course, but I read one paragraph. The Justice was distinguishing between the McNabb doctrine and the doctrine in the Mitchell case which he was about to apply. In the McNabb case he wrote the opinion of the Supreme Court, which turned the defendants free because of violation of their individual rights, which are necessary not for the protection of criminals but for the protection of the innocent against mistaken arrests and mistaken prosecution. He said:

> But the foundations for application of the McNabb doctrine are here totally lacking. Unlike the situation in other countries—see, for instance, sections 25 and 26 of the Indian Evidence Act, 1872—under the prevailing American criminal procedure, as was pointed out in the McNabb case, "The mere fact that a confession was made while in the custody of the police does not render it inadmissible" (318 U. S. 346). Under the circumstances of this case, the trial courts were quite right in admitting, for the juries' judgment, the testimony relating to Mitchell's oral confessions as well as the property recovered as a result of his consent to a search of his home.
>
> As the issues came before us, the facts are not in dispute and are quickly told.

Then the Court proceeds to set forth the facts. The Court then goes on:

> Illegality is illegality, and officers of the law should deem themselves special guardians of the law.
>
> But in any event, the illegality of Mitchell's detention—

I understand he was illegally detained after these confessions—

> But in any event, the illegality of Mitchell's detention does not retroactively change the circumstances under which he made the disclosures. These, we have seen, were not elicited through illegality. Their admission, therefore, would not be used by the Government of the fruits of wrongdoing by its officers. Being relevant, they could be excluded only as a punitive measure against unrelated wrongdoing by the police. Our duty in shaping rules of evidence relates to the propriety of admitting evidence. This power is not to be used as an indirect mode of disciplining misconduct. Judgment reversed.

There we find Mr. Justice Frankfurter explaining the very clear objectives he had in mind in the Mallory case. He wrote three opinions—Mallory, Mitchell, McNabb—and if we search those three opinions, we find a plain and clear statement of the law. The Committee on the Judiciary feels that by its research it has presented to the Senate a measure which can be adopted as reported by the committee. I hope that will be the case. I read from a letter dated August 18, yesterday, to the Senator from Mississippi [Mr. EASTLAND], the chairman of the Committee on the Judiciary. I shall read one paragraph from the letter. It is a discussion of various bills which are on the calendar dealing with recent Supreme Court decisions. The letter was signed by the Attorney General:

> Another measure which has the virtue of attempting to meet only one problem, thereby avoiding the possibilities of varied, unanticipated, and undesirable consequences, is H. R. 11477, a bill "to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes."
>
> It is directed to the law enforcement problem raised by the Supreme Court decision in *Mallory* v. *United States* (354 U. S. 448). Its scope is narrow. It is aimed at one legal problem. Its effect may be anticipated. In the Mallory case, the Court ruled inadmissible a confession made during a delay between arrest and arraignment which the Court considered to be unnecessary. The bill would provide that evidence, including

statements and confessions, otherwise admissible, would not be inadmissible solely because of reasonable delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States. We have no objection to the enactment of this bill.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CLARK. I should like to point out to my colleagues what, I am sure, the Senator from Wyoming already knows, that, while the Attorney General purports to be referring to H. R. 11477, in point of fact he is referring to the bill as amended by the Senate Committee on the Judiciary, which adopted the very wise amendment which my good friend from Wyoming succeeded in having added to the bill.

Mr. O'MAHONEY. Yes. The Attorney General refers to "reasonable delay." It is a one-word amendment. I yield the floor.

Mr. JAVITS. Mr. President, before the Senator yields the floor, will he yield to me?

Mr. O'MAHONEY. I yield.

Mr. JAVITS. I wish to join my colleagues who have spoken of the very material improvement in the bill which was made in the Committee on the Judiciary by the adoption of the amendment offered by the distinguished Senator from Wyoming, based upon his knowledge and training which all of us regard so highly; and also to commend him for the distinguished presentation he has made of the matter this morning.

I shall discuss the bill in detail later. However, I would be less than faithful to my oath if I did not state to the Senator that to me, as a lawyer, the bill would have been inconceivable without the Senator's amendment. I would have had the gravest doubts in terms of human justice and constitutionality if the amendment had not been added to the bill. I am very much pleased that under the distinguished leadership of the Senator from Wyoming, we at least have some arguable legal questions placed before us which do not jeopardize what I consider to be the very foundation of our freedom. I am very greatly pleased to join my colleagues in expressing our appreciation.

Mr. O'MAHONEY. The Senator is very kind.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. COOPER. I, too, am very glad that the Committee on the Judiciary, under the leadership of the distinguished Senator from Wyoming, has amended the House bill to add the word "reasonable." When questions arise which involve legal matters, particularly constitutional matters, every Member of the Senate who has been a lawyer immediately rushes into the fray. It is a good thing. I know there are many views among lawyers in the Senate, as well as among other Members of the Senate. Among them, I have my views, and I am very much interested in this question, for at least two reasons.

The first reason is that I have always been interested in the preservation of the rights of the individual which are guaranteed by the Constitution, particularly by the Bill of Rights.. I agree wholeheartedly with the statement made by Justice Frankfurter in these cases, in which he points out that these constitutional rights are often guaranteed by procedural rights.

Second, my interest is not abstract but also practical. When I was 27 years of age I was elected to an office in Kentucky which, compared to other State and Federal judicial courts, was not one of the highest courts, but a county court. I was elected in 1929, at a time when the 18th amendment and the Volstead Act was in force, and as the Senate knows, the States and the Federal Government had concurrent jurisdiction.

As I have said, I was 27 years of age, not long out of law school, yet I found myself day after day passing upon constitutional questions affecting the rights of individuals. Law enforcement officers worked with zeal to apprehend and convict people charged with moonshining, transporting liquor, and selling liquor. Many people of the community were moved with commendable zeal to see that violators were found and convicted. I found no fault with them. However, I found myself passing on such questions as search and seizure, the detention of individuals without probable cause and the admissibility of confessions. Sometimes I had to decide against law enforcement officers, and sometimes even against private citizens who had searched, seized, arrested, secured confessions, without due process. I had to make decisions which I believed conformed with the spirit of the Bill of Rights, but sometimes were not popular in the community, when people did not know their explicit guarantees of individual rights. Later I was elected to the position of circuit judge.

Mr. O'MAHONEY. They were not popular?

Mr. COOPER. No; I am sure some were not popular, because at times defendants were dismissed even though they may have been guilty because the search and seizure provisions had been violated, and confessions had been wrenched from the defendants.

Mr. O'MAHONEY. They must have rallied to the Senator's cause, since he was elected as a circuit judge.

Mr. HENNINGS. Does the Senator from Wyoming mean that our colleague was elected by those whom he turned loose?

Mr. O'MAHONEY. I hope the Senator from Kentucky will excuse us; we are jesting.

Mr. COOPER. I understand the kindly comments and believe they arise out of friendship. I am pointing out that my interest is not theoretical, because for 10 years I had to deal with such problems, first as a county judge. But later I sat as a judge of the circuit court, which is the highest trial court in my State, and one of original jurisdiction.

So, for these two reasons, first because I am concerned about the preservation of individual rights, and second, because I had the opportunity to pass upon these issues as a judge, I am very much interested in this subject.

I believe there is a tendency in the country today toward conformity. I think it grows out of our assembly line industry, our advertising, our education, which influence the nature of our civilization. It also grows out of the knowledge that communism attempts to subvert and undermine our country, and a tendency, in some quarters, to take steps outside our constitutional system to defeat this effort. All of us are acquainted with these factors. So, I believe there is a great responsibility upon Members of Congress to preserve and protect individual rights, certainly in the courts, and throughout the whole body politic. For the protection of individual rights sets our system apart and worthwhile in the world.

Mr. O'MAHONEY. I think we all agree with the Senator from Kentucky.

Mr. COOPER. I know we all agree; there is no question.

I ask the Senator now about the pending bill: Rule 5 (a) of the Federal Rules of Criminal Procedure, which was promulgated by the Supreme Court and submitted to the Congress provides:

> An officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the arrested person without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States. When a person arrested without a warrant is brought before a commissioner or other officer, a complaint shall be filed forthwith.

I emphasize the phrase "without unnecessary delay."

The Court held in the Mallory case that an unnecessary delay could not be permitted in the arraignment of an accused person. There could be no consent by the court to an unnecessary delay. The Court went on to say that necessary delay is permissible, such as, I assume, the inability to find a commissioner; the distance one would have to go to find a commissioner; and, the Court suggested other reasons, but said the delay must not be to extract a confession.

I do not believe that a law enforcement officer has the discretion to determine that he could hold a person in custody, and deprive him of his liberty, except as prescribed by law.

Mr. O'MAHONEY. For the purpose of securing an enforced confession.

Mr. COOPER. For any purpose not prescribed by law. The Mallory case was limited to a confession. We are presumed, to be free against detention, and that no one shall be deprived of his liberty without probable cause of the commission of a crime. No law enforcement officer, has an absolute right to detain a person and to hold him in detention. We are not talking about a person such as Mallory, who was charged with rape, which is a reprehensible crime; we are talking about the application of the rule to every man and woman in the United States, and before every Federal court.

I believe it is the intention of the Constitution that while a court may detain a person under due process, and deprive him of his liberty, no policeman, no sheriff, or private individual has the right to hold an individual against his will, except as prescribed by law. These reasons, it seems to me, are fundamental and explain why the Court said that the arraignment of an accused person cannot be unnecessarily delayed.

I remember the debate we had last year on the Jencks case. I remember the great service which the Senator from Wyoming performed on that matter. His bill became law, and I supported him. I know that he is a great lawyer, and that he is a lawyer of greater experience than I. He has a deep sense of justice.

Mr. O'MAHONEY. The Senator from Kentucky is most generous.

Mr. COOPER. I believe what I have said, with all my heart. Yet this bill seems to me to be either unnecessary, or tending procedurally to infringe on the constitutional rights of the accused. Now I propound this question to the Senator. The court said in the Mallory case that the only delay which will be permitted is a necessary delay. Does the phrase "reasonable delay" in the Senator's bill add to the scope or extend the comprehension of the meaning "necessary delay"? Does it add to the scope? Does it contemplate that a law-enforcement officer can detain a man whether he has been arrested by warrant, or certainly without a warrant, for a longer time than "necessary delay" comprehends?

Mr. O'MAHONEY. No. The purpose of using the word "reasonable" is that the word "unnecessary" has been the cause of some of the misinterpretations. "Unnecessary" is the word which has led to the mechanical and automatic interpretation which Justice Frankfurter himself condemned in the Mallory decision. As I said in response to the Senator from Missouri, the word "reasonable" goes all the way back to the Bill of Rights. It connotes a procedure which does not in any way, shape, or form, or manner impair individual rights. It does not open the door to coercion and third degree. It does afford the opportunity for what Justice Frankfurter called the efficient and intelligent enforcement of the law.

Mr. COOPER. Interrogations are proper before an accused has been arraigned before a commissioner, if the interrogations are propounded within the due process of law, and certainly interrogations can take place after the defendant has been arraigned. I return to my question: Rule 5 (a) of the Federal Rules of Criminal Procedure provides clearly that an accused must be arraigned before a commissioner without unnecessary delay. That is the rule. My question is whether the Senator's amendment is intended to weaken that rule. Does the amendment mean that the accused may be detained for a little more time?

INTENT OF AMENDMENT

Mr. O'MAHONEY. No; the amendment is not intended to weaken the rule at all. In the leading case, to which I alluded earlier in the argument, one of the trials of the defendant in one of the cases took place before United States District Judge Holtzoff of the District of Columbia. As it happened, Judge Holtzoff was the secretary of the group which drafted rule 5 (a).

In the trial of the case against Trilling, Judge Holtzoff, who was the author—in part, at least—of rule 5 (a), held a hearing to determine whether the confession was properly made.

After having been convinced himself that it was properly made, he called in the jury, and had it submitted to the jury. That is an indication of the general practice of reasonable process in the trial of these cases.

Mr. COOPER. I wish to assure the Senator from Wyoming that I am not trying to be captious.

Mr. O'MAHONEY. I realize that. The Senator from Kentucky is helping to make a legislative record, and he is doing very well.

Mr. COOPER. But my point is that if the amendment "reasonable delay" is not intended to enlarge the concept of "necessary delay," laid down in the Mallory case, and if therefore, they mean the same thing, why is it necessary to adopt your amendment to the Federal Code?

Mr. O'MAHONEY. It is necessary to amend it because the word "delay" stands alone in the bill which came to us; and in the attempt to clarify the meaning of the decision, it seemed to be much wiser to use the old-fashioned word "reasonable," which comes down to us from the Bill of Rights, and from before that, rather than to use the word "necessary," which comes to us only from rule 5 (a), approved in 1946.

Mr. COOPER. I agree wholeheartedly that the Senator's amendment "reasonable delay" is superior to the House amendment "delay." I will support his amendment which adds "reasonable" to the word "delay." I prefer as he does the phrase "reasonable delay" to "delay." But my question is broader than that—it goes to the necessity of the bill before us—and its effect on individual rights.

Mr. O'MAHONEY. I have already answered the other aspect of the question. I have pointed out that the phrase "unnecessary delay" has caused confusion in interpretation which we are trying to clear away.

Mr. BUTLER. And the Senator agrees that it does not mean "immediate."

Mr. O'MAHONEY. Of course it does not mean "immediate"; and Judge Frankfurter says it does not mean "immediate."

Mr. COOPER. But it would, by implication.

Mr. O'MAHONEY. No; I would not consent to that.

Mr. COOPER. Rule 5 (a) says flatly that a defendant must be taken before a commissioner without unnecessary delay.

Mr. O'MAHONEY. Let me say to the Senator from Kentucky that we must bear in mind that what the Senate Committee on the Judiciary was trying to do was to get away from the automatic and mechanical interpretation of rule 5 (a), which Justice Frankfurter himself condemned in the decision in the Mallory case.

Let us bear in mind that when we talk about rule 5 (a), we are talking about a rule of procedure. But when we talk about the McNabb case, the Mallory case, the Mitchell case, and a thousand other cases, we are talking about rules of evidence and facts in particular cases. And the courts have consistently pointed out, in discussing matters of arrest and arraignment, that procedure cannot be made to rise above the facts in the particular cases.

Mr. COOPER. Is the amendment intended to change rule 5 (a) that an accused must be arraigned "without unnecessary delay"?

Mr. O'MAHONEY. There is no attempt here to change or modify the rule of criminal procedure.

Mr. COOPER. Then the amendment is directed toward a rule of evidence; is it?

Mr. O'MAHONEY. That is correct.

Mr. COOPER. My own view, insofar as rule 5 (a) is concerned, is that it is something more than a rule of procedure. Its purpose, as I understand it, is to bring an accused person whose liberty has been taken away from him—whether by a warrant or without a warrant; a person in the hands of a law-enforcement officer, who is not a court, and who has no right to detain indefinitely an individual and deprive him indefinitely of his liberty before a court. I believe rule 5 (a) is bottomed upon the amendments to the Constitution—the Bill of Rights. The sixth amendment provides that an accused must "be informed of the nature and cause of the accusation against him."

Mr. O'MAHONEY. That is provided in subsection (b) of the pending bill.

Mr. COOPER. It is not the same thing. The sixth amendment intends that the accused be informed by a court—not by a police officer.

Mr. O'MAHONEY. Of course.

The Senator from Kentucky has said that rule 5 (a) is something more than procedure. I deny that.

Mr. COOPER. It is bottomed on the Bill of Rights.

Mr. O'MAHONEY. Yes; but I wish to read the interpretation made by Justice Frankfurter in the Mallory case. One cannot get any closer to the heart of this matter than to go to the heart of that decision itself. This is what Mr. Justice Frankfurter said:

> The requirement of rule 5 (a) is part of the procedure devised by Congress for safeguarding individual rights without hampering effective and intelligent law enforcement.

So I contend that it is procedure.

Mr. COOPER. I agree wholeheartedly that it is procedure, but——

Mr. O'MAHONEY. And so does our amendment.

Mr. COOPER. But the opinion goes further. The statement adds "for safeguarding individual rights."

Mr. O'MAHONEY. The Senator should read more of the quotation, including the word "without."

Mr. COOPER. Very well.

Mr. O'MAHONEY. I refer to the words "for safeguarding individual rights without hampering effective and intelligent law enforcement."

Mr. COOPER. All right.

Mr. O'MAHONEY. We are proceeding hand in hand with the interpretation by Mr. Justice Frankfurter.

Mr. COOPER. But there is a question of which is prior and which is supreme—the preservation of individual human rights by due process or some unlimited law-enforcement right. I believe under the Bill of Rights, individual rights and due process must be observed.

The sixth amendment to the Constitution points out the reasons for bringing an accused before a court. It is to inform the accused of the nature and cause of the complaint against him. It is to apprise him of his rights. It is to give him an opportunity to secure bail, if it is possible for him to do so. It is to give him the possibility of being released immediately, if no probable cause can be shown.

Mr. O'MAHONEY. We have stated in the report, particularly, that we are preserving "probable cause." I wish to call the Senator's attention to the words of the late Justice Jackson, who was a very fine member of the Supreme Court.

Mr. COOPER. He was a great judge.

Mr. O'MAHONEY. As I stated earlier, this quotation is to be found on pages 6 and 7 of the excellent report submitted to the House of Representatives by Representative WILLIS, of Louisiana. In speaking about the restrictions afforded by the Bill of Rights, Justice Jackson said:

> They represent the maximum restrictions on the power of organized society over the individual that are compatible with the maintenance of organized society itself.

I say to the Senator from Kentucky that the Congress, as the legislative body for the District of Columbia, has the responsibility of protecting the organized society of the District of Columbia against the welter of crimes of violence that are being committed in the District of Columbia; and we have the support of the language of the Mallory case; and we have this very interesting and, I think, most persuasive explanation by Justice Jackson:

> I doubt very much if they—
>
> Meaning these restrictions—
>
> require us to hold that the State may not take into custody and question one suspected reasonably of an unwitnessed murder. If it—
>
> Meaning the law—
>
> does, the people of this country must discipline themselves to seeing their police stand by helplessly while those suspected of murder prowl about unmolested. Is it a necessary price to pay for the fairness which we know as due process of law? And if not a necessary one, should it be demanded by this Court? I do not know the ultimate answers to these questions; but, for the present, I should not increase the handicap on society.

I desired to call attention to these facts. I would not have indulged in this further discussion but for the question raised. I recognized the great ability of the Senator from Kentucky, and his complete sincerity in trying to analyze these matters. When the Bill of Rights was written, our society was a society almost completely of individuals. Agriculture was the dominant industry in the United States. Not so now. We live in a time when persons are engaged in organized crime. Before the Committee on Government Operations, which is investigating racketeering, and which committee is headed by the great Senator from Arkansas (Mr. MCCLELLAN), we find man after man pleading the fifth amendment. Is it to protect individual rights? No; in these cases the pleas are made to protect the racketeering organizations. We must, as a reasonable and intelligent legislative body, make up our minds to protect organized society against crimes of violence; and we can do it by the rule of reason, and not by a mechanical rule.

Mr. COOPER. I appreciate the Senator's statement. I am not basing my questions on mere technical grounds.

Mr. O'MAHONEY. I know that.

Mr. COOPER. However, I say it would be a great tragedy if the Congress enacted laws which attempted to infringe on the rights of individuals to due process. Of course, Congress really cannot infringe upon such rights guaranteed under the Bill of Rights, because such a law would be stricken down by the Court. And it would be a mistake for the Congress to enact bad or unnecessary laws because we face an unusual situation of crime. And to do so if there is a bad state of law enforcement in the District of Columbia. If there is such a condition, let Congress supply more judges, so they may promptly try cases which arise in the District of Columbia and bring offenders to speedy justice; and we should do the same for the United States. If there is a bad state of law enforcement throughout the United States, and particularly in the District of Columbia, let Congress supply more law enforcement officers, so they may better guard citizens and property.

Those are matters which bear upon law enforcement. The public opinion of a community or a people also bears on law enforcement. But even admitting outbreaks of crime or bad law enforcement, they do not serve as a reason for attempting to limit the individual rights of an individual, be that individual finally proven guilty or innocent.

I shall not burden the Senate with the opinions of the Court, but I should like to read from the case of McNabb against United States. I quote:

> The purpose of this impressively pervasive requirement of criminal procedure is plain—
>
> Referring to rule 5 (a)—
>
> A democratic society—

Mr. O'MAHONEY. I beg the Senator's pardon.

Mr. COOPER. Yes.

Mr. O'MAHONEY. The McNabb decision was handed down on the 1st of March 1943, 3 years before rule 5 (a) was adopted.

Mr. COOPER. It was in 1943?

Mr. O'MAHONEY. Yes.

Mr. COOPER. I turn to page 17 of the report:

> The act of June 18, 1934 * * * authorizing officers of the Federal Bureau of Investigation to make arrests, requires that "the person arrested shall be immediately taken before a committing officer." Compare also the Act of March 1, 1879 * * * which provides that when arrests are made of persons in the act of operating an illicit distillery—
>
> This particular case involved arrest for the operation of an illicit distillery—
>
> the arrested persons shall be taken forthwith before some judicial officer residing in the county where the arrests were made, or if none, in the county nearest to the place of arrest.

Mr. O'MAHONEY. Mr. President, since I have the floor, I wish to ask the Senator from Kentucky, inasmuch as he is holding a copy of the committee report in his hand, to turn to page 2. There he will see set forth the act of June 29, 1940, which was the act which authorized the Supreme Court to make the Rules of Criminal Procedure.

Mr. COOPER. I understand that.

Mr. O'MAHONEY. And I call his attention to the last sentence of the act:

> Such rules shall not take effect until they shall have been reported to Congress by the Attorney General at the beginning of a regular session thereof and until after the close of such session, and thereafter all laws in conflict therewith shall be of no further force and effect.

By that sentence Congress, in 1940, and the Supreme Court in drafting the rules, struck out the words "immediate" and "forthwith" in the two laws to which the Senator has been referring in the McNabb decision. The Supreme Court did not boggle at cutting down the words "forthwith" or "immediate" to "unnecessary." We are not cutting down the word "unnecessary" when we say "reasonable." We are standing firmly behind rule 5 (a).

Mr. COOPER. The rules which were promulgated by the Supreme Court and adopted in 1944, became effective after they had been submitted to the Congress. They were not adopted by the Congress, but were submitted to the Congress; and the Congress took no action contrary to that submission.

So today 5 (a) is the rule.

Mr. OMAHONEY. And we are not changing it.

Mr. COOPER. Yes. At the time of the McNabb decision it was not the rule.

Mr. O'MAHONEY. The Senator is correct.

Mr. COOPER. The Court, in passing upon the McNabb case, took into consideration the acts to which I adverted a few moments ago, which required that an accused be brought forthwith before a judicial officer. Upon that basis the Court made its holding, when it held the accused had not been taken forthwith before an officer. It said the accused had been illegally detained by the arresting Federal officers.

On page 18 of the report there is a quotation from the McNabb decision. This is what the Court said:

> The purpose of this impressively pervasive requirement of criminal procedure is plain. A democratic society, in which respect for the dignity of all men is central, naturally guards against the misuse of the law enforcement process. Zeal in tracking down crime is not in itself an assurance of soberness of judgment. Disinterestedness in law enforcement does not alone prevent disregard of cherished liberties. Experience has therefore counseled that safeguards must be provided against the dangers of the overzealous as well as the despotic. The awful instruments of the criminal law cannot be entrusted to a single functionary. The complicated process of criminal justice is therefore divided into different parts, responsibility for which is separately vested in the various participants upon whom the criminal law relies for its vindication.

Mr. O'MAHONEY. Mr. President, I was going to read the following sentence.

Mr. COOPER. I will read, it and then it will be together.

Mr. O'MAHONEY. Certainly.

Mr. COOPER. It reads:

> Legislation such as this, requiring that the police must with reasonable promptness—

Mr. O'MAHONEY. The Senator will note the word "reasonable."

Mr. COOPER. I do.

> show legal cause for detaining arrested persons—
>
> This was before rule 5 (a) was enacted into law—
>
> show legal cause for detaining arrested persons, constitutes an important safeguard—not only in assuring protection for the innocent but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society.

Mr. O'MAHONEY. If the Senator will be good enough, I ask him to turn to page 21.

Mr. COOPER. I should like to finish the paragraph, if I may.

Mr. O'MAHONEY. Very well.

Mr. COOPER—

> For this procedural requirement checks resort to those reprehensible practices known as the "third degree" which, though universally rejected as indefensible, still find their way into use. It aims to avoid all the evil implications of secret interrogation of persons accused of crime. It reflects not a sentimental but a sturdy view of law enforcement. It outlaws easy but self-defeating ways in which brutality is substituted for brains as an instrument of crime detection. A statute carrying such purposes is expressive of a general legislative policy to which courts should not be heedless when appropriate situations call for its application.

Mr. O'MAHONEY. Mr. President, if the Senator will turn to page 21 and look down the page 6 lines he will find this sentence used by Justice Frankfurter:

> The mere fact that a confession was made while in the custody of the police does not render it inadmissible.

Mr. COOPER. I agree.

Mr. O'MAHONEY. So I say I completely agree with all the language in the McNabb case which the Senator has read. I am against third-degree methods. The judiciary is against third-degree methods. The Congress is against third-degree methods. We wish to protect organized society, and we are seeking to do precisely what Mr. Justice Frankfurter pointed out in the Mallory decision when he made it clear there are two objectives, the rights of the individual and the rights of organized society to intelligent and effective enforcement of the criminal law.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. CARROLL. Mr. President, will the Senator yield so that I can perfect the RECORD at this point? I think it is very important to the argument.

Mr. COOPER. I can finish in a minute.

If the Senator will permit me to continue a minute I will be through.

Mr. O'MAHONEY. I yield further to the Senator from Kentucky.

Mr. COOPER. The last statement the Senator recites the holding of the Court. It is that confession is not inadmissible simply because the man was in the custody of an officer.

Mr. O'MAHONEY. The confessions were made inadmissible by certain judges in the District of Columbia. That is why we have to clarify the matter.

Mr. COOPER. There are two problems involved. One simply deals with the question of admissibility of confessions. The other is a much more important problem, and concerns itself with the question of whether a police officer has the right and the discretion to make a determination as to how long he shall hold a defendant against the defendant's will, and in that time when the defendant is held illegally, extracts a confession. That is the case before us.

Mr. O'MAHONEY. The police officer does not have that right and nothing in the bill would give it to him.

I now yield to the Senator from Colorado.

Mr. CARROLL. Mr. President, I thought at this point in the RECORD, following the colloquy between the distinguished Senator from Wyoming and the Senator from Kentucky, I should emphasize what Justice Frankfurter said in the McNabb case. Justice Frankfurter writing, in the McNabb case, said:

> As was observed in the Nardone case, "the civilized conduct of criminal trials cannot be confined within mechanical rules. It necessarily demands the authority of limited direction entrusted to the judge presiding in Federal trials, including a well-established range of judicial discretion, subject to appropriate review on appeal, in ruling upon preliminary questions of fact.

I say to the able Senator from Wyoming, this statement is the basis of the McNabb rule. It is the basis of Federal Rule No. 5. As I conceive it, it is the basis of the amendment of the distinguished Senator from Wyoming. It is the basis of the rule of reason which would leave the matter to the courts. It would not be a mechanical rule. It would be left to the courts to make a determination upon the facts and circumstances of each case, within the limitations of judicial discretion.

Mr. BUTLER. Mr. President, will the Senator yield for one question?

Mr. O'MAHONEY. I am anxious to yield the floor.

Mr. BUTLER. I should like to ask one question.

Mr. O'MAHONEY. I will yield to the Senator for that purpose.

Mr. BUTLER. Justice Frankfurter in the McNabb case said the mere fact that a confession was given before arraignment would not render it inadmissible.

Mr. O'MAHONEY. The Senator is correct.

Mr. BUTLER. What circumstances in the Mallory case made the confession inadmissible?

Mr. O'MAHONEY. Apparently the confession was extorted. I will say to the Senator from Maryland, if he will remember the facts in the case, the defendant, Mallory, after having been held for several hours in custody and subjected to interrogation, was in fact compelled to take a lie detector test. I was of the opinion that the court might well have said the defendant was compelled to give evidence against himself, when the lie detector test was imposed upon him. Some might say that the defendant consented to it, but his consent was after long interrogation without any notice to him, as he should have been advised, that the statements he made could be used against him. The defendant was not advised that there was an effort to convict him out of his own mouth.

Mr. BUTLER. I think that is very important.

Mr. O'MAHONEY. That is the reason. I think the Supreme Court would have done better to have rendered a decision on those grounds.

Mr. BUTLER. On those grounds?

Mr. O'MAHONEY. Yes.

Mr. BUTLER. The point I wished to make was the Court did not use those grounds at all.

Mr. O'MAHONEY. But we are here clarifying that decision, and we are citing Justice Frankfurter in three cases, to show that he believes that the rule of reason should apply in the courts.

Mr. BUTLER. That is the point I wish to make sure of. A confession after arrest, but before arraignment, in the absence of duress or other circumstances inimical to the interest of the defendant, would still be admissible under the provisions of this bill.

Mr. O'MAHONEY. Yes. Mr. President, I apologize to the Senate for having held the floor for so long; but I think it is obvious that I did so in responding to the inquiries of my colleagues. I yield the floor.

Mr. CARROLL obtained the floor.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. LANGER. I ask unanimous consent that my individual views in this case be printed in the RECORD at this point as a part of my remarks.

There being no objection, the individual views of Mr. LANGER were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR WILLIAM LANGER

I emphatically and unequivocally oppose the enactment of H. R. 11477, as reported by the House of Representatives or as reported out of the Judiciary Committee of the United States Senate.

H. R. 11477, as amended in the Senate Committee on the Judiciary, is a meaningless gesture in dealing with the problems of arrest and arraignment brought to the forefront of public attention since the Supreme

Court decision in the case of *United States v. Mallory* (354 U. S. 449 (1957)). Happily, the amended bill does not achieve what the proponents of the original version of H. R. 11477 hoped to accomplish. By the insertion of the word "reasonable," the Senate Committee on the Judiciary has reported out an entirely different piece of legislation than the one which passed the House of Representatives on July 2. However, despite the fact that the committee has prevented substantial harm from being done to individual liberties by H. R. 11477, it has in no way clarified the law of arrest and arraignment. Individuals would be no safer from arbitrary arrest and detention by Federal law-enforcement officers than before; Federal law-enforcement officers would have no clearer guide to the legitimate scope of their activities than they have now. For these reasons, I oppose the passage of the bill.

The problems which H. R. 11477 fail to solve or ameliorate are not new ones. On the one hand, they involve the responsibilities of Federal law-enforcement officers for effective crime detection. Contrary to the belief of some, the rule in the Mallory case and the provisions of H. R. 11477 do not purport to touch upon the activities of State police in the enforcement of State laws. We are potentially concerned here with the activities of the Federal Bureau of Investigation, the Treasury Department, the National Park Service, and other nationwide Federal agencies. As a practical matter, we are dealing with the problems of the Metropolitan Police of Washington. On the other hand, the problems before us also involve the meaningful protection of individual citizens from unlawful arrest and detention by Federal law-enforcement agents. We are concerned lest the protection contained in the fourth amendment of the Constitution and in the Federal Rules of Criminal Procedure become a dead letter.

These same problems confronted the Congress 15 years ago in the wake of the Supreme Court decision in *McNabb v. United States* (318 U. S. 332 (1943)). In that case, the Supreme Court had occasion to construe a Federal statute (act of March 1, 1879, 20 Stat. 327) governing arrests for moonshining, which required an arrested person to be brought "forthwith" to a committing magistrate. The Supreme Court held that confessions taken before arraignment from an arrested person who was not brought forthwith to a committing magistrate were inadmissible in evidence in Federal courts. In arriving at this decision, the Supreme Court followed a sound and well-established rule of evidentiary exclusion based upon the highest considerations of public policy. The Supreme Court has recognized that, when a court admits into evidence illegally obtained statements or materials, it is sharing with the police in an unlawful enterprise. For this reason the Supreme Court has required the exclusion of evidence seized in violation of the fourth amendment (*United States v. Weeks* (232 U. S. 383 (1913))); evidence obtained as a result of wiretapping (*United States v. Nardone* (308 U. S. 338 (1939))), and confessions extracted by force or duress (*Watts v. Indiana* (338 U. S. 49 (1949))). In the *McNab.*) case, the Court merely applied the same basic rule to evidence taken during periods of illegal detention of a prisoner.

Congress was besieged with protestations that the McNabb rule was unworkable, that it would hamstring law enforcement, and that it would lead to a breakdown of law and order. As a result of this hue and cry, a bill similar in many respects to the original H. R. 11477 was passed by the House of Representatives, although it failed of final enactment (H. R. 9880, 78th Cong., 1st sess.). In the 15 years which have elapsed since the McNabb decision, none of the dreadful features ascribed to the decision has come to pass. The Senate at that time rightly declined to tamper with the McNabb decision; I believe that it should exercise the same deliberative restraint with respect to the direct descendant of the McNabb case, the Mallory decision.

HISTORY OF RULE 5 (A)—ITS APPLICATION AND INTERPRETATION

On March 21, 1946, the Federal Rules of Criminal Procedure, formulated by the Supreme Court and submitted to Congress, became effective in all United States district courts. Rule 5 (a) of these Federal Rules, drawn into construction in the Mallory case, provides much more flexibility with respect to the immediacy of arraignment than did its statutory predecessors. Instead of invoking a requirement of arraignment "immediately" or "forthwith" after arrest, rule 5 (a) allows law enforcement officers the more liberal standard of no "unnecessary delay" between arrest and arraignment. It is with respect to this requirement of no "unnecessary delay" that Federal law enforcement officers, mostly the Metropolitan Police of Washington, profess to have operating difficulties. I believe that these difficulties are, in the final analysis, more imaginary than real. If a prisoner is inebriated or in need of medical attention, or if he requests counsel for his arraignment, no one can seriously maintain that the provisions of rule 5 (a) require an on-the-spot arraignment.

In the Mallory case, supra, Mr. Justice Frankfurter, in delivering the Court's opinion, said of rule 5 (a) as follows:

"The case (Mallory) calls for the proper application of rule 5 (a) of the Federal Rules of Criminal Procedure, promulgated in 1946 (327 U. S. 821). That rule provides:

" '(a) Appearance before the commissioner: An officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the arrested person without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States. When a person arrested without a warrant is brought before a commissioner or other officer, a complaint shall be filed forthwith.'

"This provision has both statutory and judicial antecedents for guidance in applying it. The requirement that arraignment be 'without unnecessary delay' is a compendious restatement, without substantive change, of several prior specific Federal statutory provisions. (E. g., 20 Stat. 327, 341; 48 Stat. 1008; also 28 Stat. 416.) See Dession, The New Federal Rules of Criminal Procedure I, 55 Yale L. J. 694, 707. Nearly all the States have similar enactments.

"In *McNabb v. United States* (318 U. S. 332, 343–344), we spelled out the important reasons of policy behind this body of legislation:

" 'The purpose of this impressively pervasive requirement of criminal procedure is plain. * * * The lawful instruments of the criminal law cannot be entrusted to a single functionary. The complicated process of criminal justice is therefore divided into different parts, responsibility for which is separately vested in the various participants upon whom the criminal law relies for its vindication. Legislation such as this, requiring that the police must with reasonable promptness show legal cause for detaining arrested persons, constitutes an important safeguard—not only in assuring protection for the innocent but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society. For this procedural requirement checks resort to those reprehensible practices known as the 'third degree' which, though universally rejected as indefensible, still find their way into use. It aims to avoid all the evil implications of secret interrogation of persons accused of crime.'

"Since such unwarranted detention led to tempting utilization of intensive interrogation, easily gliding into the evils of 'the third degree,' the Court held that police detention of defendants beyond the time when a committing magistrate was readily accessible constituted 'willful disobedience of law.' In order adequately to enforce the Congressional requirement of prompt arraignment, it was deemed necessary to render inadmissible incriminating statements elicited from defendants during a period of unlawful detention.

"In *Upshaw v. United States* (335 U. S. 410), which came here after the Federal Rules of Criminal Procedure had been in operation, the Court made it clear that rule 5 (a)'s standard of 'without unnecessary delay' implied no relaxation of the McNabb doctrine.

"The requirement of Rule 5 (a) is part of the procedure devised by Congress for safeguarding individual rights without hampering effective and intelligent law enforcement. Provisions related to Rule 5 (a) contemplate a procedure that allows arresting officers little more leeway than the interval between arrest and the ordinary administrative steps required to bring a suspect before the nearest available magistrate. Rule 4 (a) provides: 'If it appears from the complaint that there is probable cause to believe that an offense has been committed and that the defendant has committed it, a warrant for the arrest of the defendant shall issue. * * *' Rule 4 (b) requires that the warrant 'shall command that the defendant be arrested and brought before the nearest available commissioner.' And rule 5 (b) and (c) reveal the function of the requirement of prompt arraignment."

It is interesting to note the following quotation cited above:

"For this procedural requirement checks resort to those reprehensible practices known as the third degree which, though universally rejected as indefensible, still find their way into use."

However, when this writer raised the issue that the Senate versions of the Mallory bill might lead to practices of the third degree, he was challenged by a colleague that the issue of possibility on the practice of third degree was outside of the scope of argument on the Mallory bill and had no bearing whatsoever on the provisions of said Mallory bill. Either my colleague or the Supreme Court misconstrued the application of rule 5 (a).

It should also be noted here the comment on rule 5 (a) by the minority views on H. R. 11477, at page 10 of said report:

"The Court, in interpreting rule 5 (a), was construing a provision of law which applies to all Federal crime. The proposed bill is also one of general application and will apply to all criminal acts which constitute Federal crime. Yet it is aimed at only one type of evidence, namely, confessions. Could not Mallory's attorney, if the case were to be tried under this bill, still seek to obtain Mallory's release—even before trial—on the ground that he was unlawfully arraigned because of the unnecessary delay between his arrest and arraignment? During the trial could not his attorneys argue that other incriminating evidence, such as his clothes which were obtained by police during a search of his house before his arraignment, was inadmissible on the grounds that it was secured during this period of unnecessary delay? Is it not conceivable in other prosecutions that an accused might invoke the provisions of rule 5 (a) against evidence obtained as a result of so-called leads elicited during a period of incessant questioning before arraignment? In fact, were the Supreme Court to consider Mallory under the present bill, there would be grave doubts as to whether the confession would be admissible because of the aggravating circumstances enumerated above, not the least of which—aside from mere delay—was Mallory's subnormal mental capacity.

"The proponents of this legislation state that the Mallory rule hampers effective law enforcement. They urge that it is often difficult to show probable cause unless and until they have secured a confession. The difficulty with this argument is that the fourth amendment to the Constitution prohibits any arrest except upon probable cause. If there is no probable cause at the time of the arrest, the accused should not be arrested to begin with. If, on the other hand, the arrest is lawful under the fourth amendment, there is already probable cause and no confession therefore is necessary in order to hold an accused. It is well settled that police officials and prosecuting officers cannot use the fruits of their wrongdoings to secure convictions. Evidence secured by coercion—be it physical or psychological—unlawful search and seizure, has long been held inadmissible by our Federal courts. The Mallory case is a sound decision because it reaffirms this elementary principle.

"Rule 5 (a), requiring arraignment without unnecessary delay, is a good rule."

Senator WAYNE MORSE, in his statement, supra, said of rule 5 (a):

"Rule 5 (a) of the Federal Rules of Criminal Procedure, requiring arraignment without unnecessary delay after arrest, does not impose an undue burden upon careful policemen. There are any number of legitimate reasons which would justify delay between arrest and arraignment. The accused may be inebriated or in need of medical attention. The committing magistrate may not be immediately available. Rule 5 (a) and the McNabb-Mallory rule forbids an arrest for the purpose of obtaining a confession. It places the burden upon the police of obtaining the probable cause justification for the arrest prior to making the arrest and not afterwards. In this connection it should be noted that even if the bills presently before the subcommittee should become law, the requirement of arraignment without unnecessary delay after arrest would still remain. A clarification of the phrase 'without unnecessary delay' which the police are seeking would not be forthcoming. All that would be changed is the sole effective remedy for violating the requirement. As such, the bills would be a green light to the police to ignore rule 5 (a). The Congress would be placing itself in an untenable position by permitting, if not encouraging, violations of its mandate.

"The exact application of the phrase 'without unnecessary delay' lies at the heart of the law enforcement problem. This phrase allows more latitude between arrest and arraignment than the former Federal statutes which required arraignments 'immediately' or 'forthwith' after an arrest. What constitutes an unnecessary delay in that critical portion of any criminal case between arrest and arraignment depends upon the facts and circumstances of each case. Congress is in no position to lay down flat rules which accommodates the individual necessities of each case. Only the courts, on a case-by-case basis, are able to fashion a body of law with sufficient flexibility to do justice to both the public and the accused in this matter. For that reason, I firmly believe that the working out of any clarification of the McNabb-Mallory rule should be left to the courts who created it.

"The reason that an arraignment is of such critical significance in the processing of any criminal case is that, at an arraignment, conducted by a judicial officer, an accused must be advised of the charge against him, of his right to counsel, and of his right to remain silent. Until this stage of the proceedings, a suspect may well be in ignorance of his rights and of the specific crime of which he is accused. A hardened criminal, habituated to the atmosphere of a police station, is usually capable of protecting his own interests without any warnings. A person seized by the police for the first time may well succumb to the new and frightening situation in which he finds himself and damage himself beyond repair."

On the other hand, let us examine the testimony of one of the leading proponents of H. R. 11477 (Keating-Willis bill) namely, Nicholas Chase, a leading practicing attorney and professor of law at Georgetown University Law Center, Washington, D. C. He states on page 8 of his prepared text as follows:

"I submit that under the provisions of the Keating-Willis bill, our trial judges will have adequate standards, which they will conscientiously apply to control the use of evidence of statements made by suspects during periods of reasonable detention while the police seek to ferret out the person or persons responsible for the criminal conduct involved. These courts will not be particeps to what has been euphemistically spoken of as sordid business. If the accused has been unreasonably delayed, or otherwise put upon, the court or jury can be counted upon to protect him."

First, I will answer that argument by referring to the additional views of Congressman ROLAND V. LIBONATI, who stated:

"Under H. R. 11477, it is incumbent upon the court to instruct the jury that, delay of itself is not to be considered by the jurors to determine whether or not the confession was a result of abuse, influence, or coercion. Such an instruction would deprive the defendant of protection against an unjust conviction."

Secondly, rule 5 (a) now in effect as interpreted by the Supreme Court in the Mallory case states:

"The duty enjoined upon arresting officers to arraign 'without unnecessary delay' indicates that the command does not call for mechanical or automatic obedience.

"Circumstances may justify a brief delay between arrest and arraignment, as for instance where the story volunteered by the accused, is susceptible of quick verification through third parties. But the delay must not be of a nature to give opportunity for the extraction of a confession."

Pray, tell me, if the above quote is unanswerable—which I deem it so—then why the need for a modification or reversal of rule 5 (a). The Supreme Court decisions cited herein and rule 5 (a) recognize a delay may be necessary between arrest and arraignment but the delay cannot be an unnecessary delay, which, as Justice Frankfurter states "the delay must not be of a nature to give opportunity for the extraction of a confession."

It might be well to point out here that the court of appeals has interpreted the phrase "without necessary delay" in 14 cases since the Mallory decision. They have not outlawed all delays nor all questioning or checking of evidence prior to arraignment.

In *Milton Mallory v. U. S.* (March 31, 1958), the court of appeals expressly held that delay in and of itself does not make a confession inadmissible. There was a delay of 14 hours before arraignment. In so holding, the court cited the earlier Mallory case and held that neither it or any other authority required a contrary finding. See minority views on H. R. 11477, wherein it states at page 11:

"We have, then a situation where the courts, through judicial decisions, are accomplishing the very purpose which the instant bill (H. R. 11477) seeks to attain by legislation. There is no need for haste. The fears which law enforcement groups had immediately following the earlier Mallory case have thus far proved unfounded. We feel confident that time will further show that legislation is unneeded."

Senator WAYNE MORSE in his statement echoed the above minority view. He stated on page 9 of his prepared text, as follows:

MALLORY RULE NOT A DETERRENT TO CONVICTIONS

"Despite the fact that the McNabb-Mallory rule has been a matter of public controversy for more than a year, the Department of Justice and the chief legal officer of the United States have not seen fit to endorse any modification of the rule. The omission indicates clearly that the Federal law enforcement officials do not regard the rule as a significant deterrent to obtaining convictions in Federal courts. Over 25,000 criminal prosecutions have been commenced in Federal courts outside the District of Columbia since the rendition of the Mallory decision. The McNabb-Mallory rule has excluded confessions in less than a half dozen of these cases. Clearly the rule has brought no crisis to law enforcement outside the District of Columbia. Yet the bills before the subcommittee are applicable to Federal courts all over the United States.

"Judicial scrutiny of police activities in the District of Columbia should be particularly thorough. When residents of any other large metropolitan communities are aggrieved at the activities of their police departments, they have a legitimate political remedy. They can vote to obtain a city administration to run the police department to their liking. Such a remedy is not available to the voteless residents of the District of Columbia. When Washingtonians have a grievance against their city administration, their only significant remedy is a juridical one. The McNabb-Mallory rule provides such a remedy, limited though it may be, in cases of illegal police activity."

Is there a constitutional problem involved?

Senator JOHN CARROLL raised the important question of constitutional problem in H. R. 11477 of Mr. James Hogan, professor of law, Georgetown University Law Center. It would serve a very useful purpose to quote fully the colloquy between Senator CARROLL and Professor Hogan beginning at page 338, transcript of hearings on H. R. 11477, et al, as follows:

"Senator CARROLL. I want to say, Mr. Chairman, we have evidence here in the Turner case, and all I know is what I hear from the witness, because I am not familiar with the case myself—but I think it was based there where a police officer was asked a question on the stand, 'Why did you arrest him?' and he said 'to take him down and get a confession out of him.' Now, this is the testimony of one of their colleagues from the Washington bar. It is a different bar association—but he so testified.

"Now, if that is true, it appears on its face there was no probable cause—and even in a State court they would throw him out. They would not have to have a Supreme Court ruling on that one.

"But that does not answer the question at all. As I understand Professor Hogan's statement—I may ask about this question of sanction.

"Do you think that the Mallory rule narrows down the McNabb rule?

"Mr. HOGAN. I do not think the Mallory rule and the McNabb rule are to be referred to as narrowing down each other at all. I think they are separate. One is a rule of procedure. You must arraign without unnecessary delay. That is the Mallory rule, the Mallory interpretation of 5 (a). Then implementing that you have the rule of evidence in McNabb—if you do not arraign promptly, any confession obtained after the point when you should have arraigned will be thrown out because it becomes the fruit of illegality.

"Rule 5 (a) says arraign without unnecessary delay. The Supreme Court says 'If we receive a confession into evidence obtained

after the time you should have arraigned him, it is the fruit of illegality, and it cheapens and degrades the process of justice in the Federal courts to receive evidence that is obtained only through the criminality of the Government.' It is important, says the court, that we watch and see whether justice is done. It is also important, says the court, how it is done. And as long as rule 5 (a) remains the law, whether it is a wise or a poor law, you are not going to be able to bring in evidence that is the fruit of illegality. If Congress does not like rule 5 (a) the way it is, they ought to change it. But they should not force the courts, in my opinion, to receive evidence which is obtained in violation of Congressional mandate.

"It is important, as I said before, that a criminal trial disclose the criminality of the defendant. But it is equally important in my opinion that it not disclose the criminality of the United States Government.

"Senator CARROLL. Can you suggest how we could change 5 (a) to meet this issue head-on? Supposing the Congress does not like rule 5 (a). How would they meet it?

"Mr. HOGAN. I am not sure they can do too much about it, Senator, because I believe rule 5 (a) might very well be held to embody an essential constitutional guaranty of liberty; that if you allow the police to hold a person any long period of time—12 hours, 24 hours, 36 hours—you are cutting down the right that he has to go free on bail in noncapital cases.

"Senator CARROLL. This raises a very important question, Mr. Chairman. Now, Professor Hogan, in your opinion is there a constitutional problem involved in this legislation?

"Mr. HOGAN. In my opinion there is a constitutional problem involved in Senator BUTLER's bill, which changes 5 (a), and there is also a constitutional problem involved in the first part of the Willis-Keating bill. And I think it comes up under the problem of separation of powers.

"I do not think Congress has the power to force the Supreme Court to receive into evidence material when it believes that by doing so it corrupts and corrodes the machinery of justice. I think that the rules of evidence are mainly the concern of Congress. But there is a small area of the rules of evidence which pertains so closely to the process of administering criminal justice that I think it is within the inherent power of the court to say 'We are going to exclude evidence; we are not going to allow you to cheapen and degrade the Federal trial process; we are not going to succumb to the delusive appeal of a very vicious principle that the ends justifies the means. We would like to convict Mallory just as much as anyone else would; but, when we do so, we do not want to do it in a trial that discloses the criminality, the disregard of Congressional mandate on the part of the United States Government.'

"The executive branch must respect the mandate of the legislative branch. And when it does not do so, then it is the duty of the judiciary, I think, to say 'We are not going to allow into evidence the fruit of illegality.' This cheapens the whole governmental procedure. It convicts criminals, to be sure, but in the long pull it is detrimental to the morale of society. And that is why I think that you cannot set aside that independent judgment of an independent judiciary to the effect that they do not believe they can admit illegally obtained evidence without contaminating the Federal criminal trial.

"Now, I do not mean making the trial come out with the wrong result. But I mean making it something that does less than inspire respect in the people who are watching it for the majesty of the law. And I think that is important, too. It is important to get Mallory—but it is also important to watch how you get him.

"Senator O'MAHONEY. If I understood you, Professor Hogan, a little while ago, referring to the Upshaw case, you spoke of it as one in which delay alone was the reason for the denial of the confession.

"Mr. HOGAN. Unnecessary delay.

"Senator O'MAHONEY. Unnecessary delay. Well, I want to read to you from the Upshaw decision. I am quoting the Supreme Court now.

" 'In this case we are left in no doubt as to why this petitioner was not brought before a committing magistrate promptly. The arresting officer himself stated that petitioner was not carried before a magistrate on Friday or Saturday morning, after his arrest on Friday at 2 a. m., because the officer thought there was not a sufficient case for the court to hold him, adding that even "if the police court did hold him, we would lose custody of him, and I no longer would be able to question him." Thus the arresting officer in effect conceded that the confessions here were "the fruit of wrongdoing" by the public officer.'

"So it was not delay alone.

"Mr. HOGAN. No, it was unnecessary delay. But even if you have an unnecessary delay, sir, then it makes the confession the fruit of illegality, because you would not have had the confession had you complied with the statute.

"Let me read one sentence of the Upshaw decision which is the holding of the case.

" 'We hold a confession is inadmissible if made during illegal detention due to failure promptly to carry a prisoner before a magistrate, whether or not the confession is the result of torture, physical, or psychological.' The violation of rule 5 (a) makes the confession the fruit of illegality. No Federal court, I think, without cheapening and degrading itself, can receive into evidence the fruit of illegality.

"Senator O'MAHONEY. That goes beyond the McNabb rule.

"Mr. HOGAN. No, I think the McNabb rule does just that—that is what it is designed to do. As long as 5 (a) is the law—

* * * * *

"Senator CARROLL. I have one or two questions, Mr. Chairman. Your point is in an effort to water down a Supreme Court sanction, the Congress itself, in Willis and Keating, has established another sanction.

"Mr. HOGAN. That is right—and of the same kind. That is why I think it is inconsistent.

"Senator CARROLL. In other words, if I may use my own words and not yours, to water down an exclusionary rule, they have thrown us another hop which is not nearly as important.

"Mr. HOGAN. And it also embodies another exclusionary rule, and they say exclusionary rules are bad. And that is why I think that the drafters are inconsistent. And that is why I would suggest that maybe there is something else lurking in the background of part A of that bill, some other reason why the people in the House were so anxious to pass part A, that they are willing to come over here with a bill which is inconsistent on its face. And I think that thing lurking in the background might be that they believe when they pass rule 5 (a) they take a slap at the Supreme Court, and there are people today who are in favor of slaps at the Supreme Court per se. Now, I think that may be in the background of this bill.

"Senator CARROLL. May I ask you one more question. Let us assume that this bill that was in the House passes without amendment in the Senate. What will it do to this question of probable cause, what will be the effect so far as a confession obtained?

"Mr. HOGAN. I think it will have this effect. I will be teaching rule 5 (a) in my course in criminal procedure next December, and if you pass this legislation, I think I will be forced to tell my students, as my professors told me, that without the McNabb rule, rule 5 (a) is not worth the paper that it is printed on. And that exactly, I think, is the rule if this Willis-Keating bill goes through. Rule 5 (a) has not been changed at all, but in another sense it has been completely eviscerated."

THE MORSE BILL

Senator MORSE, in introducing S. 3325, which I heartily endorse, stated on the Senate floor on February 21, 1958, as follows:

"I ask Senators to keep in mind the fact that the Mallory decision was based upon rule 5 of the Federal Rules of Criminal Procedure, but at its base it involves due process of law as a constitutional concept."

PRESERVING DUE PROCESS

"It is about this concept of due process of law that I wish to speak this afternoon as I introduce the bill. The basic constitutional rights guaranteed to accused persons in the Federal Bill of Rights do not mean very much unless they can be invoked at the earliest appropriate time. Due process of law means just that. It is not a mere legalistic phrase confined to the subsequent criminal trial; it properly applies as early as necessary in the proceedings—that is, when a person is detained by law-enforcement officers and is questioned.

"Due process of law attaches to the person the moment the law officer lays his hand on him and subjects him to arrest. Due process of law is not a legal protection that applies sometime subsequent to arrest; it applies immediately. I would have Senators read the Mallory case from the standpoint of that constitutional guarantee. It is at the point of arrest that the individual's basic rights should be made clear to him.

RIGHTS DECLARED BY BILL

"He should be told the charge against him, that he has a right not to make any statement, and that he has a right to have legal counsel present while he is questioned. With such a safeguard, with enforcement features, the problem of improperly obtained confessions would be reduced to a minimum."

According to the amended bill, confessions or admissions will not be excludable from evidence if they are taken during periods of reasonable delay between arrest and arraignment. Taken in the abstract, the terms "reasonable" and "necessary" may not be exactly synonymous. However, neither crime detection nor sensible judicial interpretations are made in the abstract. Reasonable delays between arrest and arraignment—those founded upon some practical motivation aside from extracting a confession from an accused—are already sanctioned by the present law. (See *United States* v. *Milton Mallory* (CCA-DC No. 14023); *United States* v. *Porter* (CCA-DC No. 14305 (1958).) The reworded McNabb-Mallory rule contained in the amended H. R. 11477 approaches the question from the opposite direction from rule 5 (a) and the Mallory case. Instead of saying that a confession is excludable unless taken "without unnecessary delay" between arrest and arraignment, the present bill states that a confession shall not be excluded if taken during a period of "reasonable delay." Semanticists may be able to find a shadow of distinction in the phraseology, jurists convinced of the propriety of the McNabb-Mallory rule will not.

The problems of arrest and arraignment are difficult and delicate enough without being cluttered up with meaningless statutory verbiage. The law in this area of individual liberties has, since the earliest days of the common law, been largely fashioned by the courts on a case-by-case basis. In this manner, a concept of ordered liberty has been developed which is flexible enough to meet the necessities of justice in a wide variety of instances. I believe that we will serve the Nation best by leaving these matters with all of their attendant difficulties to the courts.

OBSERVATIONS AS TO THE NEED OF H. R. 11477

Some of the proponents of H. R. 11477 testified in effect that the Mallory decision protects a criminal who has voluntarily confessed his crime and escapes the penalty of the law as a result of a technicality which prohibits the introduction of his confession as evidence against him.

It is further pointed out in the evidence that the Mallory decision received such widespread public indignation because of the gruesomeness of the crime committed, resulting in a great clamor by individuals and organizations for legislation to alter or repeal rule 5 (a) upon which the Mallory decision was predicated.

I would like to make these observations:

(1) As Abraham Lincoln once said, "It is better to acquit 20 known criminals than to convict 1 innocent person."

The McNabb and Mallory decisions and rule 5 (a) of the Federal Criminal Procedure are predicated on the American way of life and our constitutional guaranties in protecting the innocent, who are the individuals who need the utmost protection of their constitutional rights. The hardened criminals know these rights and exercise them. The inexperienced, the uneducated person, is the one whose need of these protections is the greatest at such times as enunciated in the Mallory decision.

The minority view in House Report No. 1815, hereinbefore referred to, states that while this bill is referred to as a rule of evidence, it is in effect a rule which undermines and erodes the constitutional rights set forth in the fourth, fifth, and sixth amendments.

(2) Some of the witnesses have stated that the opposition to the Mallory rule resulted from the desire on the part of the law enforcement officers and other groups to make it much simpler and easier to obtain convictions by confession. If it is their desire to have Congress change the law to get evidence from the defendant to the prejudice of his rights of fair play, then why not ask Congress to place in motion a constitutional amendment wiping away the constitutional guaranty that an individual cannot be forced to testify against himself. In this way, the State could gain many convictions which up to this point the State was unable to prove because the Constitution guaranteed that a defendant cannot be forced to testify against himself.

I might further point out that if one wanted to get even more ridiculous in this respect, legislatures could amend the laws to force a wife to testify against her husband who is now protected by the statutes throughout most of the country, and by doing so, you could aid in the conviction of many husband-defendants.

I could go on with observations along the same lines to show the many ways in which Congress could amend laws to make it easier for the State to prosecute and convict the individual, but that is not our American way of life. That is not our sense of fair play and that is not consistent with the fundamental guaranties set forth in the Constitution of our United States which made this country the great country that it is today.

On the other hand, the Mallory rule known as rule 5 (a), recognizes a delay may be necessary between the arrest and arraignment, but, as stated by the Supreme Court, it cannot be an unnecessary delay—a delay must not be of a nature to give opportunity for the extraction of a confession.

In conclusion, for the foregoing reasons, I reiterate that no legislation is needed to modify the Mallory decision or rule 5 (a) of the Federal Rules of Criminal Procedure. If any legislation is to be passed by this Congress at this late date, it is the excellent Senate bill 3325, introduced by Senator WAYNE MORSE which would grant to the accused further protections consistent with our constitutional guaranties.

WILLIAM LANGER.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. BUTLER. I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared in connection with the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The rights of the individual accused of criminal activities are protected by the Bill of Rights to our Constitution. The guaranties of our Constitution, however, are not limited to those individuals alone. Society also has rights and interests recognized by the Constitution, among these being a basic purpose of Government—protection from those irresponsible individuals who would ignore the rights of fellow citizens and commit criminal acts. Without effective and intelligent law enforcement, no society can survive, and the rights and even lives of law-abiding citizens canot be protected.

As the Bill of Rights guarantees the individual accused of criminal activities due process, law-enforcement activities must be tailored to fit the constitutional rights of the accused. While it is simple indeed to stress the importance of either the rights of the individual or the rights of society without concern for the other, in the last analysis, those Federal officials with responsibility for making, administering, and interpreting our laws cannot arbitrarily favor either individual or public rights as if one or the other were paramount. On the contrary, proper balance between the rights of the individual and the rights of society must be achieved and maintained. Protection of both is essential. This philosophy was stated by Mr. Justice Cardozo in *Snyder* v. *Massachusetts* (291 U. S. 97, 122), in which he made the following pronouncement:

Justice, though due to the accused, is due to the accuser also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true."

In the opinion of many, the Supreme Court in the Mallory decision disrupted this balance. In the Mallory case, the Court voided a confession because the accused had been held 7½ hours after arrest before an attempt was made for arraignment. The Court held: "We cannot sanction this extended delay, resulting in confession, without subordinating the general rule of prompt arraignment to the discretion of arresting officers in finding exceptional circumstances for its disregard."

The Supreme Court was convinced that there was an extended delay amounting to a breach of rule 5 (A) of the Federal Rules of Criminal Procedure requiring arraignment without "unnecessary delay." Moreover, that in order to punish the police, and thus the public, for violating rule 5 (A), it was necessary to throw out an otherwise voluntary confession of an admitted rapist.

Since this decision, courts in the District of Columbia and in some other Federal jurisdictions have been forced to void clearly voluntary confessions made between arrest and before arraignment. Great uncertainty exists at the present time as to the proper interpretation of rule 5 (A) of the Federal Rules of Criminal Procedure, and law enforcement officials are greatly handicapped not only by the uncertainty, but also by the overzealous limitations placed upon their law enforcement activities by the decision.

To clear away this uncertainty, and to restore balance between the rights of the accused and those of society, we have before us H. R. 11477. As approved by the House, this bill would provide that an otherwise admissible confession would not be subject to exclusion "solely because of delay" in arraignment. Furthermore, as an additional protection for the accused, the bill also provides that before questioning a suspect, police must advise him of his right to remain silent and that any statement he makes may be used against him in court.

I strongly favor enactment of the House-approved version of this bill. Not only would it bring certainty where confusion now exists but would allow for effective law enforcement without violating the rights of those accused of criminal acts.

Contrary to the fears expressed by the Supreme Court in the Mallory decision, it would not sanction "third degree" methods of interrogation. It seems to me that the Supreme Court in the Mallory decision had a very vague conception of what are effective and intelligent techniques used by Federal law-enforcement officers in the detection and apprehension of criminals. Chief Judge Bolitha J. Laws of the United States District Court for the District of Columbia, in the case of *U. S.* v. *Boone*, decided on February 25, 1957, stated the following as to what he believed to be effective and intelligent procedures by the police in the District of Columbia:

"It is a matter of common knowledge that certain procedures customarily have been followed by police in the District of Columbia for many years. These procedures have never been questioned. Upon the arrest of a person, he is conducted to one of the police precincts or to the Detective Bureau, where he is 'booked.' In an arrest book, kept by the police, is entered the name, address, color, and nationality of the party arrested, the charge made against him, the name of the arresting officer, and a list of property taken from the prisoner. Information with respect to bond is also recorded. The suspect is searched and a personal history sheet is filled out. The suspect is then fingerprinted and photographed. If the suspect desires to make a statement he is given the opportunity. If not, he is questioned. In cases where an alibi is given, the police often seek to verify the truth of the alibi. Witnesses are summoned if available. If there were eyewitnesses to the crime and there is a question of identity, a lineup is arranged. In order that individuals of a similar description may be obtained for the lineup, the police sometimes find it necessary to send for prisoners confined at other precincts. If identification is made as a result of the lineup, it is the practice of the police to question the suspect further, particularly when his identification clashes with a statement previously given."

Chief Judge Laws further stated, and I quote:

"These procedures by the police in some cases may be completed within a short time. In other cases, they may take a longer time. When completed and the witnesses to go before the committing magistrate are available, the arrested person should be promptly taken before the committing magistrate. If this is not done and the suspect is held solely in order to build up an insufficient case or to afford opportunity to harass him or subject him to continuous questioning or other pressures, the delay is unreasonable and aggravating."

I fully agree with Chief Judge Laws that the procedure and standard outlined by him

seem to be fair and just, and—especially when the arrested person is warned of his right not to speak, as provided by the bill before the Senate—it safeguards individual rights without crippling law enforcement and the administration of justice.

Furthermore, a confession resulting from third-degree methods, or obtained by any means considered involuntary by the trial judge would be suppressed. Also, where a confession were obtained after an extended period, unjustified and unexplained by police officials, it is obvious that such procedure would violate due process and the confession obtained voided on such grounds. Factors other than delay in arraignment would be present in such cases.

On the other hand, in those instances where no evidence of compulsion or third-degree methods is submitted, proof of mere delay in arraignment not contributing to the educement of the confession would not be sufficient to make the confession inadmissible as evidence.

The amendment that is offered by the Senate Judiciary Committee would insert the word "reasonable" before "delay." This language, if enacted, would destroy the purpose of the bill.

It is clear from the Mallory decision that a delay of 7¼ hours, between the arrest of the defendant and confession of the crime, was declared to be an unreasonable period of detention and the confession was thrown out by the Supreme Court.

Obviously the Court in the Mallory situation would say the delay was not only unnecessary, but unreasonable. It follows that if the Senate adopts this amendment, the effect will be to simply substitute a different means for courts to arrive at the same conclusion.

The committee in its report suggests that the term "reasonable" has a broader meaning than "unnecessary." It is suggested that the trial judge in determining whether the delay was reasonable could consider "• • • the availability of the committing officer and all the circumstances involved in the particular arrest and arraignment." Yet, these same factors should now be considered in determining whether the delay in arraignment was unnecessary, although it is apparent that the Supreme Court in the Mallory case ignored them. Thus, I fear that the Senate Judiciary Committee version of the bill would simply add to the present confusion.

It has been suggested that the committee amendment is necessary to protect the constitutionality of the statute. The argument is that the House-approved bill sanctions delay in arraignment and is susceptible to an unconstitutional interpretation by the Supreme Court as denying due process. To this argument I can only suggest that an accused might very well be denied due process in violation of this or many other rules of procedure. This would not make the rule subject to criticism on constitutional grounds. Furthermore, as far as the House bill is concerned, it is not new law in the strict sense. It is simply a clarification of the Mallory decision in keeping with the previously accepted interpretation of rule 5 (a).

This interpretation by the Supreme Court of rule 5 (a) was obviously not consonant with the intention of Congress in approving the rule. Judge Alexander Holtzoff of the United States District Court for the District of Columbia, who served as Secretary of the Supreme Court's Advisory Committee on the Federal Rules of Criminal Procedure, said in a letter to the Subcommittee on Improvements in the Federal Criminal Code dated January 21, 1958, that the Advisory Committee, after debating this issue at length, did not contemplate that facts similar to the circumstances in the Mallory case would violate rule 5 (a).

It was the Supreme Court in the Mallory case which has advanced a new theory of law, not Congress in this instance. Thus, as the Supreme Court originally sanctioned rule 5 (A), it is only logical to assume that a clarification would meet with its approval. For these reasons, I do not favor the Judiciary Committee amendment to the bill. I am convinced that the United States Senate will not be clarifying the Mallory decision, or in a broader sense fulfilling its legislative obligation, if the Judiciary Committee amendment is adopted. In essence, the Judiciary Committee amendment specifically injects the "rule of reason" into the statute. Yet this fundamental legal criteria is already present. It must be utilized by the trial judge in rendering his decision. The purpose of the statute is to give him specific guidelines. Or as clear a standard as possible. We do not accomplish this result by substituting the rule of reason in statutory form for such a standard.

Mr. CARROLL. Mr. President, I am glad the Senator from Kentucky [Mr. COOPER] is still in the Chamber, because I think he has raised a very important question. Before I try to discuss some of the points he made, however, I hope I may bring Members of the Senate to realize the long hours spent and the weeks of work done by the distinguished Senator from Wyoming in connection with this important piece of legislation. I am a member of the subcommittee, along with the distinguished Senator from Maryland. We know the prodigious amount of work which the Senator from Wyoming has done, and how he happened to come forward with this particular amendment. It was the result of long, hard study.

There are many lawyers in this body. Like almost every lawyer in this body who has been a judge or a district attorney I am reaching back into my experience to determine the reason for this rule of exclusion. The question may be asked: Why do we not use the same procedures today as were used years ago? Why do we not require confessions merely to be voluntary to be admissible?

What is the reason for the growth and development of this rule of exclusion? I think we may arrive at some explanations without castigating the Supreme Court.

The Supreme Court is caught in a period of political, social, and economic conflict. It has become the target of a series of attacks which emanate from many sources. Unfortunately one of the reasons it is the center of attack is because of its decision in the Mallory case.

Let us examine the history of this decision, and of the bill which the House endorsed, to see whether this body of lawyers on the Supreme Court is so bad.

The opinion in the Mallory case was a unanimous decision of the Supreme Court of the United States. I venture to say that that group of lawyers are as good as any lawyers in this body.

They are not only outstanding lawyers, but men of wide practical experience. They were appointed by three Presidents—Roosevelt, Truman, and Eisenhower. They come from all sections of the country and were selected from both political parties.

Chief Justice Warren was an outstanding Republican prosecutor and attorney general in California as well as a governor of great competence.

Justice Felix Frankfurter was a law professor and dean of Harvard Law School. He is considered one of the great legal theorists and had a famous career as a Government adviser.

Justice Hugo Black, of Alabama, was a Member of this body as was Justice Harold H. Burton, a former Republican Senator from Ohio appointed by President Truman.

Justice Tom Clark, of Texas, has been a district attorney, the head of the criminal division of the Department of Justice and Attorney General.

Justice William O. Douglas, of Washington State, has been a practicing lawyer, a law professor, and a high Government official, having presided over the important Securities and Exchange Commission.

Justice William J. Brennan of New Jersey was a practicing lawyer and a justice of the Supreme Court of New Jersey.

Justice Charles E. Whittaker of Missouri has served on all three levels of the Federal judiciary—as a district judge and judge of the Court of Appeals prior to his appointment to the Supreme Court.

Justice John Marshall Harlan a Rhodes scholar and distinguished member of the New York bar as well as general counsel of the New York Crime Commission.

How could these men of brilliant backgrounds unanimously concur in a decision not well grounded in the best traditions of American law. How could these easterners, westerners, southerners, Republicans, Democrats, liberals, conservatives, scholars, former law-enforcement officials—responsible men all—unanimously agree on a decision which would leave society helpless before criminal terror? How could they, on the other hand, agree in a decision to rip the fabric of constitutional rights fundamental to the American heritage? The answer is simple. They did injustice neither to society at large nor to individual rights. The only problem which has arisen, has grown out of differing interpretation of the lower courts as to the effect of the Mallory rule.

Let us get to the issue of this case. It has been bothering every lawyer. It has been bothering every judge, for years. Let us take a look at it.

First, what is the Mallory rule designed to do? Let me say to the Senator from Kentucky that it is designed to do the very thing he wants it to do. The Mallory rule was designed to say to Federal police officers everywhere, "You may not arrest on suspicion. That is one thing you may not do. Under the Constitution, you may arrest only for probable cause. You may not arrest on suspicion. You may not illegally detain a prisoner to extract a confession from him in order to build a case of probable cause." That is what the Supreme Court of the United States has said.

How did this rule arise? It arose in a murder case in Tennessee in 1942, the McNabb case, involving moonshiners who shot a Treasury agent.

Federal officers have the power of arrest only by reason of statute. The officers involved were Treasury agents.

The statute giving the power of arrest to Treasury officers was first enacted in 1879.

That statute provided that defendants must be arraigned "forthwith." The Supreme Court held, under facts presented on the record, that they were not arraigned forthwith in the McNabb case. This was the beginning of the doctrine. The fruits of illegality were not recognized in the Supreme Court of the United States. Thus, for the first time, the Court established a rule of exclusion with respect to confessions obtained as a result of illegal detention. That is the history.

This stunned the legal profession throughout the country. Never before in history had it been confronted with a rule of exclusion with respect to illegally obtained confessions.

Forty-four years ago, in the Weeks case, after over 100 years of tradition and practice previous to that, the Supreme Court of the United States established the basic Federal evidentiary rule of exclusion.

It said to Federal officers in the Weeks case: "You may not illegally search and seize evidence. You may not break into homes to arrest people. You may not break into homes to get evidence."

How was this rule established? The Court established a sanction upon Federal officers. It said, "If you get evidence by illegal search and seizure, that evidence will be suppressed in the Federal courts." That is the rule today, and it arose as the result of a Supreme Court rule, and not because of a statute. The Supreme Court has the inherent power to establish rules of evidence. That is why, in my opinion, a bill now comes over from the House which seeks to modify rule 5 (a) of the Federal Rules of Criminal Procedure. I prefer not to use vulgar words such as this for the RECORD, but, the plain truth is that the bill which comes from the House would "gut" rule 5 (a). I believe the Supreme Court would hold the House bill to be an unconstitutional attempt to limit the Supreme Court in its power of establishment of rules of evidence.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. DOUGLAS. In order to establish the factual basis for the McNabb decision, I want to ask the Senator from Colorado a question about it. Let me make it clear, however, that I do not expressly or by implication charge our courageous and able law-enforcement officials with any general violation of fair procedures because of what is brought to light in some exceptional cases. These police and Federal officials carry a heavy burden of work to protect society from lawless and often dangerous persons. They merit our eternal gratitude. But in some cases they too may err, even from the best motives.

I ask the Senator from Colorado, in the McNabb case, then, is my understanding correct, that when the three east Tennessee mountain boys were arrested, they were sequestered by the arresting agents for 3 days before they were booked before a magistrate?

Mr. CARROLL. The decision shows that 2 brothers were locked in a cell for 14 hours. They were subjected to incessant interrogation for a period of 2 or 3 days. The Court indicates that they were never informed of their rights. There was no prompt arraignment. They were never given the benefit of counsel nor permitted to confer with persons outside the jail.

For the first time, the Supreme Court said that "the Court will not involve itself in illegality by approving confessions taken in violation of constitutional rights."

Mr. DOUGLAS. Mr. President, will the Senator further yield?

Mr. CARROLL. I am happy to yield.

Mr. DOUGLAS. Is it not a fact that there were eight Justices who concurred in the majority opinion, and, that only Justice Reed dissented?

Mr. CARROLL. To which decision does the Senator refer?

Mr. DOUGLAS. In the McNabb case.

Mr. CARROLL. It is my understanding that Justice Rutledge took no part in the decision.

Mr. DOUGLAS. Justices Harlan F. Stone, Jackson, Roberts, Murphy, Douglas, and Black.

Mr. CARROLL. The Senator is correct.

Mr. DOUGLAS. Is it not important to take into consideration also that immediately following the decision in the McNabb case, just as following the Mallory case, a great hue and cry developed and a bill was introduced in the House of Representatives by the late distinguished Representative Sam Hobbs, which aimed to do precisely what the House bill aims to do at this time, namely, to state that no conviction shall be invalidated by rendering evidence inadmissible because there had been a delay in the arraignment?

Mr. CARROLL. I am very pleased that the distinguished Senator from Illinois has brought out that point. That is precisely what I had hoped to develop in the record.

Mr. DOUGLAS. I am sorry I interrupted.

Mr. CARROLL. No; I am very happy that the Senator from Illinois has brought it out. After the McNabb decision a great hue and cry arose to mitigate the effectiveness of that decision. Attorney General Biddle was in office at the time. As the Senator from Illinois has indicated, a bill was introduced to soften—yes, to destroy the effect of the McNabb decision.

Mr. DOUGLAS. If the Senator will permit me, I should like to read the salient paragraph from the Hobbs bill:

> That no failure to observe the requirement of law as to the time within which a person under arrest must be brought before a magistrate, commissioner, or court shall render inadmissible any evidence that is otherwise admissible.

In other words, the Hobbs bill declared in effect that all previous requirements of law were waived, so far as the time within which a person under arrest would be brought before a judge was concerned, and that there were to be no legal limits to such delay. Is that not true?

Mr. CARROLL. That is exactly correct.

Mr. DOUGLAS. That is approximately the meaning of the pending bill as it came from the House to the Senate; is it not?

Mr. CARROLL. There is no doubt about that in my mind.

The Senator from Illinois has made a very important point. He tells of the events which followed the McNabb decision. That is why I previously adverted to the rule established in the Weeks case 44 years ago, in which the Supreme Court excluded evidence which was acquired by illegal search and seizure.

I now wish to say to the Senator from Kentucky that a recent case contains a very important decision and raises an important distinction in connection with the doctrine of search and seizure. This case, the Eugene Smith case, arose in 1958 in the District of Columbia, and was decided in the United States circuit court of appeals in March 1958. It involves a question of illegal searches and seizures. It pinpoints the essence of the rule of exclusion in cases of illegal searches and seizures. Not every search and seizure is improper, as the Court says in this case. The essential element compelling exclusion is illegality. How is illegality measured? It is measured by the rule of reason.

I think the 1 or 2 lines of the case which I have underscored bear out that point. I quote from the decision:

> Only unreasonable searches and seizures are proscribed by the fourth amendment.

As the Court notes, even the fourth amendment to the Constitution contains the word "unreasonable." The court said further:

> There is no exact formula for determining reasonableness. Each case depends upon its own facts and circumstances.

I would be less than honest if I did not say to the Senator from Kentucky that when I came into the hearings before our subcommittee, and the witnesses came before us, I was taking a strict view about the rule of exclusion. But I began to understand that inflexible rules cannot be established, that rigid standards cannot be established. They cannot be established because the facts and circumstances of each case cannot be fitted into a straitjacket. The latitude of reason is required to accommodate the facts and circumstances of differing cases.

This is what the distinguished Senator from Wyoming told us about the important Trilling case. I must discuss that case for a moment because of the wide differences of opinion among the judges applying the Mallory rule. This is a very interesting case. I read all of its many pages. They read better than any paperback mystery thriller.

A detective in Washington, D. C., was doing his tour of duty in the warehouse district between midnight and 2 o'clock

in the morning. He found two men in an automobile on a dead-end street. They had no business being there. He went up to investigate. There was no evidence upon which the policeman could arrest them. He could not arrest them because there was no probable cause. But, as a police officer, he did have a right to investigate. He did investigate. He got the name of one of the men and put it in his notebook, and let them go.

The next morning, the watchman of the warehouse came to work and found a window broken. The broken window pane was on the inside. Some finger prints were found on it. It happened that the fingerprints belonged to one of the men in the automobile, one of the men whom the policeman had interrogated some 24 hours before.

When a policeman had seen that defendant at the scene of the crime, when the police had his fingerprint taken from the inside of the broken window glass, the police had probable cause to arrest him. They had a right to arrest him, and they did arrest him, at 5:30 in the morning.

It is in such circumstances that the Senator's amendment of reasonableness applies. The police arrested the man at 5:30 in the morning. What sensible man, what sensible rule, what sensible judge, what sensible Supreme Court, would say the man had to be arraigned forthwith? It would be sheer nonsense. If that is the holding of the Mallory decision, the Court had better modify it. We are talking about the rule of reason. We are talking about the arrest of a man at 5:30 in the morning when there is probable cause for his arrest. Does any sensible person in the practice of the law, or does any judge, think that the police will not interrogate such a man? Of course the police will interrogate him. First of all, the police had probable cause to arrest him. Second, the arrest was legal. Up to that point there was no illegal detention—none whatsoever.

Where there is a legal detention, there is a right to interrogate.

At 8:30 in the morning, as a result of the facts which were developed in the case, the man made a voluntary confession before his arraignment. Under all the decisions, that evidence ought to have been admissible. The confession was in fact admissible.

Why do I bring this up? Because of the division in the Court. I shall not mention any names, because names are not important. Some judges take the position that a defendant cannot be asked a single question. In my opinion that is nonsense. If the Mallory rule means that, the Court had better change the rule. I do not believe it means that.

Another group of judges want to go backward. They want to turn the clock back to before the McNabb rule. Some of them even want to turn the clock back on the rule of exclusion in cases of illegal searches and seizures, a rule which has been in effect for 44 years. They want to give the police too much leeway.

Then there is a group which wants to apply the rule of reason.

Let us assume the Senator from Kentucky is a judge in the trial of a case involving a confession obtained during illegal detention. He will agree, as all judges will agree, that the real, basic question is: Was there probable cause for the arrest? If there was probable cause the detention was legal.

But I say to the Senator from Kentucky that when the detention is illegal—and this is the rule of the Supreme Court—the confession goes out. I think it is a good rule.

May I now draw a distinction? The Mallory rule has no application to the States at all, unless it can be applied in some way with the 14th amendment. The real difficulty is that the Mallory decision affects the District of Columbia, which is a metropolitan area having a population of some 800,000, which has common law crimes, but which is functioning under strict Federal rules.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. DOUGLAS. May I return to the aftermath of the McNabb decision and the Hobbs bill? Is it not true that following the introduction of the Hobbs bill, a special committee on the Bill of Rights of the American Bar Association made a report on the bill and declared that it would be undesirable?

Mr. CARROLL. That is my understanding.

Mr. DOUGLAS. I read from that report of the bar association:

> We understand the present difficulties of the police and believe that they ought to be lessened by suitable legislation and administrative changes. But whatever the defects of the existing law, there must be some better way for Congress to promote efficient law enforcement than by condoning official lawlessness. Strict observance of some reasonably definite and rather short time limit for the detention of a prisoner after arrest without judicial sanction is vital to personal liberty.

I come now to the main objections of the special committee of the American Bar Association to the Hobbs bill. Will the Senator from Colorado permit me to quote them?

Mr. CARROLL. I shall be very happy to have the Senator from Illinois do so.

Mr. DOUGLAS. I read from page 247 of part I of the House hearings:

> First, it takes away the only existing strong incentive for obedience to the time limits established by Congress without substituting any other effective sanction. The McNabb rule may not be the best sanction, but it is better than no sanction at all. It is all we have now. The bill pulls the teeth from the prompt-production statutes and puts nothing in their place.
>
> Second, the bill offers no adequate solution of the problem of police detention and investigation. It deals with it partially and indirectly. It removes the effective sanction for the rule of speedy production without revising the rule itself. It changes a small portion of the law of police detention without including any provisions to take care of the consequences of this change upon official observance of acts of Congress or upon individual liberties. The bill is like a man carrying a ladder down a crowded street, who swings the short end without looking to see where the long end is going.
>
> Therefore, we request your committee not to recommend the enactment of this bill.

That report was signed by all the members of the committee on the Bill of Rights of the American Bar Association. The committee was headed by Burton W. Musser, a distinguished member of the Utah bar.

In the list of members I find the names of many persons whom I think all of us recognize. For example, there is the name of Mr. Douglas Arant, a member of the Alabama bar.

In the list we also find the following names:

J. A. Gooch, of the Texas bar.

W. E. Morse, of the Mississippi bar.

Monte M. Lemann, a distinguished New Orleans lawyer, of the Louisiana bar.

Lynn U. Stambaugh, of the North Dakota bar. I find that Mr. Stambaugh was national commander of the American Legion in the years 1941 and 1942. Certainly I think he was not in league with the dark forces of disorder.

Mr. CARROLL. I agree with the Senator from Illinois.

Mr. DOUGLAS. I also find in the list the name of Frank B. Ober, of the Maryland bar. In examining his biography, I find that he was chairman of the Maryland Committee on Subversive Activities, in 1948 and 1949, and I believe he was the author of the Ober sedition law, of Maryland, one of the strictest—and, incidentally, I believe one of the vaguest—sedition statutes of the country.

These are some of the men who said the Hobbs bill should not be passed.

In addition, we find in the list the name of Basil O'Connor, the head of the National Foundation on Infantile Paralysis, whose loyalty cannot be questioned.

In the list, we also find the name of George I. Haight, of the Illinois bar, who was one of the most distinguished corporation lawyers in the Midwest, and a leading alumnus of the University of Wisconsin.

So the group was a rather representative one; and it recommended unanimously that the Hobbs bill should not be passed.

Mr. CARROLL. But the Senator from Illinois should understand that the Supreme Court was not then under attack. The Constitution is the same, and the legislation was the same; but the climate has changed.

Mr. DOUGLAS. Is it not true that after that report was made, the present rules of criminal procedure were adopted? They outlaw unnecessary delay. They were adopted after the McNabb case, after the Hobbs bill, and with a full knowledge of the circumstances.

Mr. CARROLL. The Senator from Illinois is correct.

I do not know whether it has been stated for the RECORD how these Federal rules were adopted. They were adopted by a committee called the Advisory Committee on Adoption of Federal Rules of Criminal Procedure. All the members of the Committee were distinguished lawyers; some of them were professors. There were 16 members of the Committee. I ask unanimous consent that the names of the members of the Committee be printed at this point in the RECORD; and I also ask unanimous consent that the names of the members of the committee who were fighting the Hobbs bill be printed in the RECORD.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

ADVISORY COMMITTEE ON ADOPTION OF FEDERAL RULES OF CRIMINAL PROCEDURE

Arthur Vanderbilt, Crane Frider, George Dession, John W. Burns, Hugh D. McClellan, Sheldon Glueck, Murray Seasongood, George J. Burke, John G. Waite, Lester Orfield, G. Arron Wongquest, J. A. Seat, George F. Longsdorf, Herbert Weschler, Gordon Dean, John J. Robinson.

COMMITTEE ON BILL OF RIGHTS OF THE AMERICAN BAR ASSOCIATION

Burton W. Musser, chairman, of the Utah bar.
Douglas Arant, of the Alabama bar.
Zechariah Chafee, Jr., of the Rhode Island bar.
J. A. Gooch, of the Texas bar.
George I. Haight, of the Illinois bar.
H. Austin Hauxhurst, of the Ohio bar.
Monte M. Lemann, of the Louisiana bar.
W. E. Morse, of the Mississippi bar.
Frank B. Ober, of the Maryland bar.
Basil O'Connor, of the New York bar.
Maurice Bower Saul, of the Pennsylvania bar.
John McI. Smith, of the Pennsylvania bar.
Lynn U. Stambaugh, of the North Dakota bar.
Lloyd Wright, of the California bar.

Mr. HENNINGS. I wish to thank the Senator from Colorado, who certainly is to be commended and complimented upon his very lawyer-like and scholarly presentation of this problem. All of us are indebted to him; and let me say that he and I discussed this matter many times; we have worked on it—much to my benefit, I may say——

Mr. CARROLL. I wish to say that the Constitutional Rights Subcommittee, headed by the Senator from Missouri [Mr. HENNINGS], conducted lengthy hearings on this issue.

Mr. HENNINGS. We did.

Mr. CARROLL. And we are indebted to him for his very fine work.

Mr. HENNINGS. As the Senator from Colorado knows, we summoned to the hearings members of the bench and members of the bar.

I think one principle which may be laid down without cavil is that a law-enforcement officer is bound by rules. He knows those rules; if he does not know them, he should be advised of them. The fact that officers of the law, in an excess of zeal, at times overstep and transcend the bounds of the law, as laid down in terms of human rights and human freedom, should not result in the hue and cry which were raised after the Mallory case decision, because of what took place with relation to that defendant, and because the court stood firmly upon the law in that decision.

In the gang days, I spent 6 years of my life in a city of approximately 1,000,000 persons, where I served as a trial prosecutor in the felony division. I have tried many homicide cases, robbery cases—including bank-robbery cases—murder cases, rape cases—literally by the hundreds. My case load was approximately 1,500 a year, in the trial division of which I had charge in that city, commencing in 1929, and ending in 1934, when I was elected to the House of Representatives. I have gone before many juries and have asked them to accept statements, as we called them; we did not call them confessions. In many criminal cases, they are extremely important.

Sometimes in murder cases, for example, no persons are left to tell the tale—and especially so in the case of crimes of passion, as they are called in the Latin American countries. Sometimes they are, in our country, called murder in the first degree or murder in the second degree. Sometimes in such cases a defendant makes a full and free statement without duress or coercion or promise or hope of reward or immunity.

But I think one thing is basic and elementary. As I have said, I did 6 years of very hard work as a prosecutor; and, later, I became the district attorney, by election, after I resigned from the House of Representatives. So I spent 8 years of my life in the criminal courts building in a large city, prosecuting.

I certainly would say that the State needs very few advantages that it does not already have. If the State does not have a case, or if the State—through lack of preparation or through excessive zeal or through violation of the rights of an individual, let me say to my learned friend, the Senator from Colorado, cannot make its case, the State does not deserve to win its case.

I must say that, in my experience, we found no difficulty in winning well over 90 percent of the cases brought before us by indictment and by information, in the very rough and desperate days of the late 1920's and the early 1930's.

So I ask my good friend if it is not true that law-enforcement officers and agencies are bound by the same hard and fast rules as is the average, ordinary citizen.

And be it remembered that the professional criminal—the member of an organized gang—is not the man who comes into a police station or police headquarters and willingly signs one of these splendid little statements that the police proffer. Those who sign them generally make a few mistakes; and the police have them make the necessary corrections—and have them make them in their own handwriting—and have them sign each page. I have handled many hundreds of them.

In dealing with these statements the judge usually excludes the jury, and he determines the matter of admissibility.

But to go back to the question—and I ask the indulgence of the Senator from Colorado—I have gone a little far afield in referring to this background material, and I hope to speak fully at a later time.

Mr. CARROLL. I have been very happy to have the Senator from Missouri do so.

Mr. HENNINGS. Is it not true that many persons misunderstand the proper function of a law-enforcement officer?

A law-enforcement officer has no rights that the law does not give him; and he has no right of any kind or color to dominate free men or women of this country, except upon probable cause, and within such bounds and limitations as the law prescribes for his conduct.

Mr. CARROLL. I think the Senator from Missouri has asked a very good question. Previously he asked whether a law-enforcement officer has any more rights than does a private citizen.

Mr. HENNINGS. Except those given him, I add.

Mr. CARROLL. He has more rights, because the people put the mantle of power upon him and give him the right to arrest. But they also establish certain rules in connection with the right to arrest; and, as the able Senator from Missouri has said, no American can be arrested and have his liberty taken away from him except upon probable cause.

That is why we come back to the Mallory decision. The distinguished Senator from Wyoming has explained our purpose very well this morning. We are not trying to take any rights away from anybody. What we are saying to the courts is that, within limited discretion, they should use their common sense and use the rule of reason. But we add that they cannot violate two rules. First, they cannot permit arrests except on probable cause. Second, if there is illegal detention, they must exclude the confession. Those are inviolable rules. They are not going to be modified. One has been the rule since the ratification of the Constitution. The other has been in existence for 15 years. In my opinion, Congress cannot constitutionally modify them.

Under the O'Mahoney amendment, we do not seek to modify these rules, but we seek to give them purpose, in an intelligent fashion, with respect to the facts and circumstances in each case. What is wrong with that?

I know some persons will contend that we should go back to the old practice. They ask, "Why don't we go back to the practice we used to have in some of the States, that is, let the question of whether the confession is voluntary or involuntary be decided by the court below, without limitation on the court?"

This has not been said before in the present debate. It has always been my contention that the Federal police power emanates from statute. The Bill of Rights was a limitation on the powers of the Federal Government. The FBI could not arrest a single person unless Congress created an act in which it empowered the agency to do so. That is true of the Federal Treasury Department and the Federal Park Police and the other Federal agencies. The question is: Do we want all the police officers, including those of the FBI and the other Federal agencies, to have the right to arrest persons on suspicion?

I say it would be a mistake if we gave that impression. Any of the Federal agencies or the Federal police must have probable cause in order to arrest, and they must arraign without unnecessary delay.

What does "unnecessary delay" mean? It does not mean an automatic procedure, a sort of transmission-belt operation. There will be time to take fingerprints and photographs of the person; to take blood tests from the clothing of the

person, if need be; time to do the things necessary to make a proper investigation. There is no constitutional prohibition against investigating a defendant. Nor in my opinion is there any such prohibition contained in the Mallory rule.

I think we have not quite fully developed the matter of the formation of rule 5 (a) of the Federal Rules of Criminal Procedure. This is what really happened after the McNabb case. The case was decided on the Treasury statute of arrest. Congress said to the FBI, "When you arrest a man, arraign him immediately." It said to the Treasury Department, "When you arrest a man, arraign him forthwith." Congress took into consideration all the statutes, in the light of the McNabb case, and provided the words "without unnecessary delay." This then was the basis for the adoption of rule 5 (a).

There have been arguments in the Federal Rules of Criminal Procedure about the meaning of these words by those interested in the question. I think, however, essentially they will agree the language was not placed in the statute to modify the basis of the McNabb decision in 1943. After the McNabb decision, there was the Upshaw case in 1948. In 1944, before the formation of the rule, the Mitchell case was decided. After those cases came the Mallory case.

As the distinguished Senator from Wyoming has pointed out, there is great confusion on the question. One set of judges do not want anything to do with the Mallory rule. Another set thinks the Mallory rule should be given a strict construction. The Senator from Wyoming and I think the latter strains one's common sense.

Actually, there has always been some criticism by lower courts, by the district courts, and by circuit courts all over the country, of the McNabb decision. There has been some criticism because of the rules of criminal procedure. This is because unanimity of opinion among lawyers cannot be obtained. Anyone who knows lawyers knows they are the most contentious people in all society—except Members of Congress. [Laughter.]

My point is that we have been pulling and hauling on the decision. Unfortunately, as the distinguished Senator from Wyoming has said, we have been trying to formulate a rule in one of the worst types of cases—a rape case, not a case involving the Federal police of the type of the FBI or the Treasury police, but of Metropolitan police. These police happen technically to be Federal police. Unfortunately, an attempt has been made to build a rule on that case. I do not blame the court, because the issue came before it. It did not make the case. The case came to the court. But the court tried to formulate a rule in the worst type of case, one which inflamed the public, a case which has resulted in two newspapers in Washington contending against each other.

The truth of the matter is—and I shall follow through on this point—we have received no pressure from any of the States on this bill; the only pressure has been from Washington, D. C. The bill does not affect State law enforcement at this juncture.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CARROLL. Yes; I shall be glad to yield to the Senator from Kentucky. I have used his name several times, in a very friendly fashion, I may add, because I have been impressed by the questions he has raised.

Mr. COOPER. I may say at the outset that, so far as our beliefs or views on the subject are concerned, we are in substantial accord. I should like to ask the Senator a few questions preceding the final question I want to propound to him. I am sure the Senator agrees that the provisions of rule 5 (a) should be observed with respect to a person who has been arrested, whether on warrant or no warrant.

Mr. CARROLL. Not only observed, but preserved.

Mr. COOPER. And that it is the duty of a law enforcement officer to take the accused before a commissioner or an officer without unnecessary delay?

Mr. CARROLL. That is right.

Mr. COOPER. I think that is based upon sound principles, which we have discussed; that is, the necessity that a defendant be not detained without cause and that he have a chance to be apprised of the charges against him.

Mr. CARROLL. That is the very purpose of arraignment.

Mr. COOPER. The defendant has a right to be dismissed, if there is not probable cause.

Mr. CARROLL. The Senator is correct.

Mr. COOPER. If there is probable cause, the defendant may have the right to bail. I hold these rights take precedence over any other claims. They are claims of the individual under the Constitution and the Bill of Rights to have liberty unless probable cause of the commission of a crime can be shown.

Mr. CARROLL. That is basic. I agree. So does the Supreme Court.

Mr. COOPER. The decision is the decision of a court, not the decision of a sheriff, of a marshal, of an FBI agent, or of a police officer, no matter how zealous or how honorable they may be. I do not cast any doubt upon the qualities of police officers.

Mr. CARROLL. I should like to interrupt the Senator from Kentucky to tell him about a case which occurred not long ago in the District of Columbia. There was some criticism of the court in the case, but the testimony of the police officer in the case was to the following effect. The question was asked, "Why did you detain this man?" and the answer was, "Well, I took him down to the police station to get a confession." The police officer no sooner made that statement than the judge threw the whole case out of court. The court did this because the officer made the arrest to establish probable cause.

The Senator has referred to a basic rule, and all judges are supposed to agree on this rule.

Mr. COOPER. I think we all agree that a police officer has no right to detain an individual either to establish the probable cause for his arrest, or to secure facts upon the basis of which the individual may later be convicted.

Mr. CARROLL. I will not agree with the second part of that statement.

Mr. COOPER. I should say, to illegally secure facts upon the basis of which the individual may later be convicted.

Mr. CARROLL. That is correct.

Mr. COOPER. The Court in the Mallory case, when it discussed the fact that there should be no unnecessary delay in taking an accused before a court, of course said there could be necessary delay. The Court did not go into great detail as to what constituted necessary delay, but I think it is pretty easy to conceive of many things which could meet the standard of necessary delay.

My question is—and it is a question I addressed to the distinguished Senator from Wyoming—the amendment which is offered does not refer to "necessary delay" or "unnecessary delay," but refers to "reasonable delay." Is it the Senator's opinion that "reasonable delay" is the same as "necessary delay"?

Mr. CARROLL. Rule 5 (a) is a rule of procedure. That is the rule which says arraignment must be without unnecessary delay. But the rule of procedure relates to arrests and arraignments.

We did not initiate this matter in the Senate. The House brought this matter up. The House tried to change the rules of evidence. What is sought to be done is to turn the clock back, in my opinion, to turn it back before the McNabb case.

I tried to cover this before, and I shall try to be a little more polished about it now. I said, "They pulled the guts out of Rule 5 (a)," but now I say that what they have done is to "polish it off."

We are trying to save some semblance of the rule, with a rule of reason on the question of whether delay is necessary or unnecessary. We would make this a rule of evidence. We think there is a middle ground which can sustain the viewpoint of those people who want to go way back and of another group of people who want to go too far, way out of the ball park. We think we can bring the viewpoints together and focus them to provide a rule of common sense, to give purpose and direction to rule 5 (a) and the doctrine and thinking behind it.

Mr. COOPER. I know that one could be too narrow in his thinking on this matter, and I do not want to be. I think this is a matter which needs to be discussed, because it is basic.

Under the McNabb decision, I think the Senator will agree the Court said, substantially, that if a defendant has been held in custody for an unnecessary delay before arraignment, the statements and confessions which were elicited during that time of illegal detention are inadmissible.

Mr. CARROLL. The Senator is correct.

Mr. COOPER. That is a rule; that a confession cannot be elicited in the period of time when the defendant is being held unnecessarily.

Mr. CARROLL. Illegally.

Mr. COOPER. Illegally. The confession is not admissible in those circumstances.

Now, let us discuss my question. The Senator is changing the words "necessary" and "unnecessary." Is there, in some way, an extension of the time in which a defendant can be held? If so, there would be a change of the rule in the McNabb case.

Mr. CARROLL. I think what we are trying to do is to provide a rule of reason. This is my own opinion. I hope I am correct. The Senator from Wyoming agrees with me, and he is the author of the amendment. This opinion is based upon all of the hearings and the testimony.

I think, as the Senator has so well pointed out, the words "without unnecessary delay" connote that some delay may be necessary. Therefore, what is "necessary"? Only the delay which is necessary is legal. This is the point we want to make.

Let us suppose that my able friend, the Senator from North Carolina [Mr. ERVIN] is the judge of a court, and evidence comes before him which is similar to the evidence in the Trilling case. In that case there was probable cause. The evidence was available. There was an opportunity to commit a crime. The police had the fingerprint. As the police said, they "had it made." The defendant was waiting for arraignment. The police did not need to talk to the defendant any more; they had him "nailed down." But the defendant talked to a sergeant, who had known the family for 20 years, and he confessed to the sergeant. But the detention in that case was not illegal. Therefore, the confession was admissible.

That is what we are trying to say. The trial court could say, "This is a rule of reason." The mere fact that the defendant made the confession does not make it inadmissible. Confessions are inadmissible only when the detention is illegal. That is the basic proposition.

Mr. COOPER. My question is, Why did the Senator not use the words "necessary delay" rather than "reasonable delay."

Mr. CARROLL. It is not shown in the record, but in committee, when the amendment of the distinguished Senator from Wyoming was considered with the word "reasonable," I had my doubts about the matter, as has the able Senator from Kentucky. As a matter of fact, I said, "I want to study this a little while." The Senator from Tennessee [Mr. KEFAUVER] offered the words "reasonably necessary." The Judiciary Committee voted that down. I then offered an amendment containing simply the word "necessary," the very thing the able Senator from Kentucky is suggesting. I thought if I could relate "necessary" to rule 5 (a) the rule of evidence would be more clear, but the committee voted me down.

I see the Senator's point. Based upon long study since that time the logic of the amendment of the able Senator from Wyoming convinced me that we have to do something about the legal situation, the legal "snarl" the courts have gotten themselves into.

If the courts read the record as to our stand on probable cause, with respect to the support of the Supreme Court on illegal restraints, perhaps we can get some sensible rulings as a result. The Supreme Court now has before it a case which has gone up on appeal from the District of Columbia. It is very difficult to clarify the matter. Why is that so? It is so because almost every case arises on its own facts and circumstances. That is why we want to give the trial court some leeway, so that the judge can use his own judgment under well-established rules, so that justice can be done to the defendant and to the public.

Mr. COOPER. Let me ask one further question, and then I shall desist. The Senator has been very kind.

I turn to subsection (b), which provides as follows:

> (b) No statement, including a confession, made by an arrested person during an interrogation by a law-enforcement officer shall be admissible unless prior to such interrogation the arrested person had been advised that he is not required to make a statement and that any statement made by him may be used against him.

I recognize the purpose of that subsection. It certainly arises from the best motives, and the intention to advise the defendant of his rights. I raise a practical question, not merely for the purpose of raising a question. Assume a situation such as this: Suppose a Federal law enforcement officer in a rough, isolated country—not the District of Columbia, where one can get to a police station quickly—although officers have not always got there quickly——

Mr. CARROLL. Assume a place in western Texas, or Colorado.

Mr. COOPER. Assume a place in Colorado, or a place in the hill section of my State, where Federal law enforcement officers arrest a person charged with a Federal crime. They might be 15 miles from a commissioner, or 30 miles or 50 miles.

Mr. CARROLL. In my State they might be 250 miles from a commissioner.

Mr. COOPER. It might require 4 or 5 hours to convey the defendant before a commissioner, even if the provisions of section 5 (a) were observed strictly, and there was no unnecessary delay.

Assume that during that long trip the accused should make statements voluntarily about the events surrounding the crime, which either directly or indirectly might bear upon his guilt. Or assume that the Federal law enforcement officers said to the defendant, "John Jones, what were you doing there? Were you there for the purpose of making whisky?" That might be the question in a stilling case. Or they might ask him, "Were you there for the purpose of counterfeiting, or some other purpose?"

That is an interrogation. Then the man voluntarily may say, "Yes; I was there. I went there for the purpose of engaging in the manufacture of whisky without payment of the tax."

He would not say that, but he might say, "I went there to operate a still," or "I went there for the purpose of counterfeiting." He has answered the question. There has been no warning by the officers. That is an interrogation, and the man has made a confession, or at least a statement. Would that be admissible?

Mr. CARROLL. Of course.

Mr. COOPER. Will the Senator tell me why?

Mr. CARROLL. First of all, the propriety of the question depends upon the background. A trial judge determines, first, whether or not the officers had probable cause to arrest the defendant. That is basic. They must have probable cause. They cannot arrest people on a fishing expedition; but if they have probable cause and the arrest is legal, the police are not barred from asking questions. That is the basis of the committee amendment. It establishes a rule of reason.

Mr. COOPER. Subsection (b) provides flatly that no confession made by an arrested person during an interrogation by a law enforcement officer shall be admissible unless certain requirements are met.

Mr. CARROLL. The Senator is talking about subsection (b)?

Mr. COOPER. Yes.

Mr. CARROLL. I think subsection (b) was a sop thrown in by the other body to make the first subsection of the bill more palatable.

Mr. COOPER. It might deny the admissibility of voluntary statements, which today are perfectly admissible.

Mr. CARROLL. I think the Senator has raised a point, but he has raised it through the back door.

Mr. COOPER. No; I raise it directly.

Mr. CARROLL. Actually, what the House of Representatives did——

Mr. COOPER. I am talking about the bill we are about to vote upon.

Mr. CARROLL. I understand. The House sought to establish a sanction against the admission of certain confessions. Anyone who believes that these warnings are now given by the police departments does not know much about practical police work. The only time such a warning is given in normal police work is after an oral confession has been obtained. The warning is given just before the confession is reduced to writing.

Mr. COOPER. I will not delay the Senator longer. My question has not been answered. Subsection (b) applies to any statement, as well as to any form of confession. My question is this: If such a statement or response to an interrogation were made under circumstances which were wholly voluntary on the part of the accused, is it contemplated that under subsection (b) that statement would not be admissible?

Mr. CARROLL. I see the Senator's point.

I have said that subparagraph (b) was a sop. Congress would attempt to establish a sanction of its own, and say, "If you do not warn the defendant, you cannot use the confession." If they can warn a man and use the confession, why cannot the Supreme Court establish a rule of procedure, so as to provide a double sanction?

The Senator is asking the question whether, with this provision in the bill,

a confession or statement made voluntarily would be excluded because the accused was not warned. I do not think that is the intent of the language. In my opinion it is not clear.

Mr. COOPER. That is the express language of the provision.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. ERVIN. Let us analyze the meaning of the word "reasonable." Let us assume a hypothetical case. I should like to obtain the Senator's viewpoint on a hypothetical case, with respect to the meaning of the word "reasonable," as used in the Senate committee amendment.

Assume that John Doe is arrested upon a charge of violating a Federal criminal statute. Instead of taking him before a commissioner, the arresting officers place him in jail for 10 days. While he is in jail he is permitted to be visited by his attorney and his family, and no coercion of any kind is practiced upon him, other than such as might be incident to the fact that he is a prisoner.

On the 10th day John Doe says, "I freely and voluntarily confess that I committed the crime for which I have been arrested." That confession would be inadmissible under the Senate committee amendment, would it not, because the delay was certainly unreasonable?

Mr. CARROLL. That is exactly what the amendment is designed to cover. The Senator has stated a hypothetical case. Actually, this is what the Senator said, in effect: John Doe has been arrested. We therefore assume that when the arrest is made under a Federal statute, it is made because there is probable cause.

Mr. ERVIN. I am assuming that there is not sufficient evidence to hold him until he makes a confession.

Mr. CARROLL. The Senator means that there is not enough evidence to hold the man, but he is held illegally for 10 days. Is that what the Senator means?

Mr. ERVIN. Yes; he is held illegally.

Mr. CARROLL. I believe it is clear that, not only under the decisions of the Court, but under the Constitution, that such detention would be a denial of due process, and I think the man would be freed.

Mr. ERVIN. Since the word "reasonable" modifies "delay," instead of "confession," no matter how free or voluntary a confession may be, if the confession is made during the course of an unreasonable delay, it is inadmissible even though it is made in the glare of the noonday sun and in the face of all the inhabitants of the county. Is that correct?

Mr. CARROLL. I do not believe that the Senator from North Carolina really states the rule correctly.

Mr. ERVIN. If that is the effect of the use of the word "reasonable" in modifying the word "delay," instead of "confession," then the word "reasonable" has no place in the bill.

Mr. CARROLL. There are some Senators who agree with the Senator from North Carolina. Some would like to have no legislation passed by Congress in this field. However, we are not confronted with a theory, but with a condition. The House has passed a bill, and the Senate committee has modified it substantially. I would suggest that we get back on the track.

Let us take the case of John Doe. Does any Member of the Senate believe that a Federal agent could go down into a Southern State, under a civil rights statute or under any other statute, and hold a man illegally without probable cause? Under the habeas corpus statute he could be turned loose as soon as anyone could get to him. Does the Senator mean to say that an illegal confession extracted from him could be used against him to build probable cause and to convict him?

That is not what the Court said in the McNabb case. That is not the decision in the Mallory case. That is not what is designed to be done by the O'Mahoney amendment. What we stand for is due process. What we stand for are constitutional rights. The O'Mahoney amendment is a sound amendment.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. DOUGLAS. It has been developed that in the McNabb case the east Tennessee mountain boys were detained for 3 days and were subjected to rigorous examination by Federal agents. Then, and only then, were they brought before a judge or commissioner for arraignment.

The decision of the Court held that this was a violation of their constitutional rights. I can see that the Senator from Colorado is getting ready to discuss the facts in the Mallory case. Prior to his doing so, might it not be well to develop the facts in the so-called Upshaw case, as stated in title 335, United States Code, section 410?

Mr. CARROLL. I would be happy to have the Senator do so.

Mr. DOUGLAS. Based on the record—which may not have been accurate—did not the Court conclude that, according to the evidence which had been produced, Upshaw had been illegally detained for at least 30 hours for the purpose of securing a confession?

Mr. CARROLL. That is my understanding of the case.

Mr. DOUGLAS. I should say 30 hours of examination, without allowing him to have the right of counsel or to be warned as to the consequences of his confession.

That was held by the Court to be a violation of his constitutional rights.

Mr. CARROLL. That is exactly right.

Mr. DOUGLAS. Therefore, at first it was 72 hours in the McNabb case that was declared to be excessive. Now in the Upshaw case, 30 hours was declared by the Court to be excessive. In other words, the Supreme Court was closing in on the problem, successively applying some quantitative test.

Mr. CARROLL. That is not exactly right. It is not only a question of time. The Court considers other factors in addition to time. In the McNabb case, however, the amount of time did shock the conscience of the Court. Later on, in the Upshaw case also the time element was important. I do believe the time element is not the only deciding factor.

Let us assume that a man is arrested in western Colorado. It may take 10 or 11 hours to bring that man in to the committing magistrate traveling by automobile.

Mr. DOUGLAS. Time in relation to circumstance is, however, important.

Mr. CARROLL. That is exactly the point. Forty-five minutes may be too long where there is no probable cause to justify the arrest. Such a case occurred, and the Court threw it out. There must be probable cause to arrest. The judge must determine when that illegal detention begins.

Mr. DOUGLAS. Does the Senator wish to develop the facts in the Mallory case, or does he intend to do that later?

Mr. CARROLL. I would be glad to have the Senator from Illinois develop those facts.

Mr. DOUGLAS. The statement of facts in the Supreme Court decision states that Mallory "was arrested between 2 and 2:30 p. m. and was taken, along with his older nephews, also suspects, to police headquarters. At least four officers questioned him there in the presence of other officers for 30 to 45 minutes, beginning the examination by telling him, according to his testimony, that his brother had said that he was the assailant. Petitioner—

That is, Mallory—

> Petitioner strenuously denied his guilt. He spent the rest of the afternoon at headquarters, in the company of the other two suspects and his brother a good part of the time. About 4 p. m. the three suspects were asked to submit to lie-detector tests, and they agreed. The officer in charge of the polygraph machine was not located for almost 2 hours, during which time the suspects received food and drink. The nephews were then examined first. Questioning of petitioner began just after 8 p. m. Only he and the polygraph operator were present in a small room, the door to which was closed.
>
> Following almost an hour and one-half of steady interrogation, he "first stated that he could have done this crime, or that he might have done it. He finally stated that he was responsible. * * *" Not until 10 p. m., after petitioner had repeated his confession to other officers, did the police attempt to reach a United States commissioner for the purpose of arraignment.

Is not one of the significant circumstances in this case that the arrest took place in the District of Columbia, where a police magistrate is readily accessible? If my information is correct, there were magistrates in the upper floors of the very building in which Mallory was being questioned.

Mr. CARROLL. The Senator is absolutely correct.

Mr. DOUGLAS. There were no difficulties therefore connected either with space or the inaccessibility of magistrates, to require prolonged interrogation.

Mr. CARROLL. That is correct. I might read from a paragraph of that decision. It says:

> The scheme for initiating a Federal prosecution is plainly defined. The police may not arrest upon mere suspicion but only on probable cause. The next step in the proceeding is to arraign the arrested person before a judicial officer as quickly as possible so that he may be advised of his rights and so that the issue of probable cause may be promptly determined.

I understood the Senator from Illinois to read a little while ago that Mallory's brother or nephew had accused Mallory of the crime.

Mr. DOUGLAS. He was alleged to have accused him.

Mr. CARROLL. Prior to his being brought down on suspicion, there was no probable cause. When the charge was leveled against him by his brother or nephew, probable cause arose. From that time on Mallory was in proper legal custody. Then the rule began to function against the police officers

If they began to interrogate unduly, their lawful arrest would ripen into an illegal arrest. After it ripened into an illegal arrest, no confession was admissible against the defendant.

The point I make is that while it is easy to look back in hindsight about the matter, the truth is that Mallory could have been arraigned and apprised of his rights, and the officers could have continued to interrogate him. There is nothing to prevent the police from interrogating after arraignment. But the important thing about an arraignment is that the defendant shall be apprised of his constitutional rights. And when he goes before a commissioner, or a judge, the defendant is advised of his constitutional rights.

An arrested prisoner may be interrogated by the police. He may be examined for fingerprints and bloodstains on his clothing. All during that period of time the police may interrogate him. There is nothing wrong about that. The Court continues:

> But he is not to be taken to police headquarters in order to carry out a process of inquiry that lends itself, even if not so designed, to eliciting damaging statements to support the arrest and ultimately his guilt.

In other words, the arrest cannot be made upon suspicion and the person held for illegal periods of time in order to extract confessions to be used to build up probable cause or to put him in the penitentiary. That cannot be done in America.

Mr. DOUGLAS. The Senator means does he not that it should not be done.

Mr. CARROLL. Under the law and under the Constitution, that cannot be done in America, and the police are not permitted to do it.

What is the practice? The real essence of the whole debate, if we can only show it in the RECORD, begins with the McNabb decision.

The Senator from Missouri spoke of his wonderful experience in the field of criminal jurisprudence and of his knowledge gained thereby. We can go back in tradition to determine what illegal practices have occurred. For more than a hundred years before the Weeks case illegal searches and seizures occurred, until the court set up a rule on illegal search and seizure. For more than a hundred years illegally obtained confessions have been introduced until the courts set up a rule in the McNabb case. Now the rule has been formulated in rule 5 (a) of the Federal Rules of Criminal Procedure. I am sure the Senator from Missouri knows what has happened.

Shall we ask the courts to turn the clock back? This is a foolish procedure.

It has taken 44 years to get two-thirds of the States to adopt such a rule as announced in the Weeks case. In many States illegally acquired evidence is still admissible against a defendant. Some day a contrary rule will be established by statute in those States. But it takes a long time. This is only the evolution of a judicial rule. While to some it appears to be harsh in the District of Columbia today, someday it may be generally accepted over the entire country. But it has to be done moderately and modestly. The bill which passed the House would turn the clock back. It would put us back where we were some 15 years ago. The Senate amendment moves forward.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. DOUGLAS. The Senator from Colorado is a very modest man, but, as I remember, he was the prosecuting attorney in Denver at one time. Is that not true?

Mr. CARROLL. I may say to the Senator from Illinois that monuments are never built to honor prosecutors. That is why I do not talk about it.

Mr. DOUGLAS. But is it not true that the Senator was the prosecuting attorney?

Mr. CARROLL. Yes.

Mr. DOUGLAS. So the Senator is not speaking on the question merely from an academic viewpoint; he knows what happens when, as frequently it happens, men are arrested and held for protracted periods before they are arraigned.

Mr. CARROLL. That is true.

Mr. DOUGLAS. The Senator has prosecuted a good many such persons, too, has he not?

Mr. CARROLL. That is true.

Mr. DOUGLAS. The Senator has obtained many convictions. But now that he has become a Senator, like Sir Edward Coke, he looks at the situation philosophically. He judges it not from the standpoint of whether convictions will be obtained, but whether the ends of justice will be served—as indeed has has always been his purpose.

Mr. CARROLL. I think that is a fair statement, or conclusion. But it is not only my position. The Senator from Missouri said that when he was a district attorney, his office obtained convictions in more than 90 percent of the cases, and I know he has always been guided by the highest principles of justice.

Every United States attorney will say that in the Federal courts, convictions are obtained in much more than 90 percent of the cases.

I can remember that in my 4-year term as district attorney, convictions were obtained in some 90 percent of the cases. I assure the Senator that I was not defeated for reelection; I simply did not run. Four years, I thought, was enough.

So the charge that this bill does something to damage society is not correct. When I first began my study of the bill, I drafted an amendment to exclude the District of Columbia from the application of rule 5 (a). I originally drafted the amendment because the District of Columbia is a metropolitan area having a population of 800,000. While I am deeply concerned about the expansion of Federal police power, I thought we had better afford some protection to the people in connection with what are called common-law crimes, rape, murder, robbery, larceny, burglarly. It is not quite clear to me yet how we can make so strict an application as is provided in the Supreme Court ruling. Some of my own friends on the circuit courts seem to favor a view which would make it difficult for the police to function. That is why the able Senator from Wyoming proposed the idea of establishing a rule of reason.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. O'MAHONEY. I want to be sure that our minds are fixed firmly upon what is contained in the bill before us, and as the committee reported it to the Senate. I shall read a paragraph from the report and then shall ask the Senator a question based upon this paragraph.

I read from the bottom of page 4 of the committee report:

> The committee amendment adding the word "reasonable" before the word "delay" is not to be considered as a finding that such a delay as that in the Mallory case is, in fact, reasonable or unreasonable.

We are not dealing with that question. The report continues:

> Such a finding is a matter to be determined upon the individual facts of the individual case by the trial court within the framework of the constitutional guaranties as contained in the Bill of Rights.

Was it not our purpose in the amendment to make certain that we were entertaining no variation from the individual rights as expressed by the Bill of Rights?

Mr. CARROLL. The Senator from Wyoming is perfectly correct. The report states what we stand for and what we seek to provide by the bill. I believe we have covered the situation.

Mr. CHURCH. Mr. President, will the Senator from Colorado yield to me?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Colorado yield to the Senator from Idaho?

Mr. CARROLL. I yield.

Mr. CHURCH. I have listened with a great deal of interest to the remarks of the distinguished Senator from Colorado relative to the pending bill. For purposes of the record, I should like to address several questions to him, concerning the matter now before the Senate.

In the first place, is it now true that the ordinary police departments engaged in investigating ordinary, common-law

crimes and in attempting to arrest the guilty parties, normally function on the basis of making arrests on the ground of nothing more than suspicion? I speak now of the police departments in the ordinary law-enforcement cases in the cities of the country.

Mr. CARROLL. That is a very interesting question; and it was raised by one of the judges in a recent decision of the circuit court of appeals.

The question is this: What constitutes an arrest? It is true that in the police departments all over the country, there is no real legal authority to use what they call the open-book charge—that is a booking for investigation on suspicion. Very often in a murder case, a rape case, or a robbery case, the police—acting in connection with common-law crimes—have to move quickly; and sometimes they will gather up a group of people. The police do not actually arrest them, in the sense of charging them with the commission of a crime. But the police detain them, for the purpose of interrogation. That is done because there may be among them an eyewitness to the crime; and there is a statute which provides that a witness can be put in jail, if necessary. That may be shocking news to some persons; nevertheless, such statute exists—for instance, there is such a statute in the District of Columbia.

To deal with the question specifically, the answer is, Yes, the police do arrest, on many occasions, without having what we call the fundamental basis of an arrest—namely, evidence upon which to base a criminal complaint. That is true.

Mr. CHURCH. That is my understanding of the ordinary practice of the police departments in the cities throughout the country.

Apropos of that, will the Senator from Colorado be kind enough to describe to the Senate the Mallory case decision? That is to say, is it not true that the decision in the Mallory case does not affect the ordinary practice of the police departments in the cities of the country, generally, but affects only law enforcement by Federal officers in the Federal courts, and therefore would affect the ordinary criminal-law enforcement in the District of Columbia, which is a Federal city, but would not directly affect the enforcement of the criminal law by police departments in the other cities of the country and in the various States?

Mr. CARROLL. Yes.

Let us put the matter in a somewhat different way. Although the McNabb rule and the Mallory rule are really interpretations of a Federal rule of criminal procedure—now codified in rule 5 (a)—basically, those rules would not affect Oklahoma, Idaho, or Colorado, because they pertain to Federal cases.

It is conceivable that at some time—if there were an abuse of due process, in a case that shocked the conscience of the Federal court—the court might invoke constitutional due process, under the 14th amendment. That is possible. It is also possible, in a very extreme case, that a State court might invoke the fifth amendment. In that connection, I do not refer to Federal fifth amendment; instead, I refer to a State equivalent of the fifth amendment. The very able Senator from Idaho has been conferring with me about this matter, and has been most helpful. As we concluded the other day, it may depend upon the relationship between the 5th amendment and the 14th amendment.

But, basically, this matter applies to police in Federal cases. We should keep that point in mind, and should not be stampeded by the situation in the District of Columbia. After all, we have a larger job to do. We must consider whether we wish to expand the power of the Federal police in the Nation.

Personally, I feel that an evolution is recurring. In view of the McNabb case, the Upshaw case, the Mitchell case, and now the Mallory case we can see the development. I think that situation is confusing to the courts. So I hope the courts will establish a rule of reason. If I am wrong, we shall know about that in approximately 6 months, because a case is now before the Supreme Court.

The Senator from Idaho has asked me why we propose that this bill be passed now. In reply, let me say, in all candor, that we do not need it; but since we are going to get a law, we should get a sensible one. That is why I speak so strongly in support of the O'Mahoney amendment.

Mr. CHURCH. Is it not true that the Mallory case decision—which pertains to a rule of Federal procedure, applicable to Federal courts—nevertheless establishes a rule of evidence, in that the result is to exclude, as probative evidence, a confession that is elicited under facts comparable or similar to the ones which existed in the Mallory case?

Mr. CARROLL. There is no question that the House version of the bill changes the law with reference to the rule of evidence. Rule 5 (a) is a Federal rule of criminal procedure. We are now concerned with a rule of evidence.

Let us follow the reasoning on that point. Let us suppose the judge were to rule that the delay which occurred in a case was reasonable. Remember the O'Mahoney amendment uses the words "reasonable delay." If the delay was reasonable, the confession would be admitted. If the delay was unreasonable—in other words if there was an illegal detention or an unreasonable delay—I think the confession would not be admitted. Therefore, this is a rule of sanction and a rule of evidence.

Mr. CHURCH. I appreciate the helpfulness of the very able Senator from Colorado.

I wish to point out the fact that the decision in the Mallory case is, in effect, one which relates to the rules of evidence, in that it determines under what circumstances a confession will not be admissible in a Federal court.

When we address ourselves to the merits of this question and attempt to determine when a confession ought properly to be admitted in a criminal trial, it seems to me two relevant inquiries to be made are these: (1) has the confession been voluntary and (2) has the confession been coerced—that is to say, has it been obtained under duress? If the trial court can determine either that the confession was involuntary or that the confession was obtained under conditions of duress, then the confession ought not properly to be admitted into evidence.

Mr. CARROLL. That has always been the rule.

Mr. CHURCH. That has always been the rule.

Mr. CARROLL. Yes.

Mr. CHURCH. Let me follow that statement up by asking the Senator from Colorado this question: If a man is arrested, charged with a crime, and then retained for an unreasonable length of time before he is arraigned, is not the passage of an unreasonable length of time itself a form of duress?

Mr. CARROLL. Oh, yes. There is no question about that. It is a fact to be considered.

Mr. CHURCH. And if the time within which the prisoner is held is unreasonable, can it very rationally be considered a form of duress?

Mr. CARROLL. I do not think there is any doubt about it.

Mr. CHURCH. Therefore, I am strongly persuaded that the Senator from Wyoming has performed a service in amending the House bill by including in the bill now pending before the Senate the provision that anyone arrested may not be held an unreasonable length of time prior to being arraigned and then have his confession admitted into evidence. I think the amended form the bill now has taken is in accord with long-established principles of criminal law relative to confessions, and at the same time establishes a rule of reason which will not constitute a handicap or impediment to effective law enforcement in the criminal field. Therefore, I myself am pleased to support the bill as reported by the committee, and think the distinguished Senator from Wyoming has made a great contribution to the bill in adding the language which he has added to it in committee.

Mr. CARROLL. I thank the Senator from Idaho for his very fine questions and his excellent observations on this important proposed legislation, which will be of help not only to the Senate, but also to a court which may at some future date look at the record of this debate as an aid to judicial determination.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. CARROLL. I yield to the Senator from Michigan.

Mr. McNAMARA. I actually do not want to ask the Senator from Colorado a question. I would like time to ask the Senator in charge of the bill some questions.

Mr. CARROLL. I shall be happy to yield the floor, or yield time to the Senator from Michigan, whichever he wishes.

Mr. McNAMARA. I expect to take 5 or 6 minutes to ask questions. The Senator from Illinois [Mr. DOUGLAS] has indicated he would like to have the Senator yield to him.

Mr. CARROLL. Let me conclude, then. I understand that the Senator from Illinois would like the floor.

Mr. DOUGLAS. Mr. President, I should like to ask one question, if I may.

Mr. CARROLL. I yield to the Senator from Illinois.

Mr. DOUGLAS. Thus far we have been discussing the bill as it came from committee, which inserted in the bill the word "reasonable" as an amendment to the bill. But the bill as it came from the House does not have the word "reasonable" in it. I have the bill before me. As it came from the House it read:

> Evidence, including statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

If I can read the English language correctly, it means there can be virtually any degree of delay before arraignment, and that during that time the man arrested can be interrogated, without counsel, without having the advice of an attorney, and without being warned that any testimony he gives may be used against him at his trial. Is that not true?

Mr. CARROLL. That is true. Nevertheless, there would be this reservation which was raised many times in the debate in the other body as an interpretation of what the House meant by the language "delay." Obviously, if a man were illegally detained for 30 days, that circumstance, in itself, would be a fact for the court to consider in determining whether the confession was obtained under duress, influence, or coercion.

Mr. DOUGLAS. But a good deal of delay is permitted under the House bill.

Mr. CARROLL. Oh, yes.

Mr. DOUGLAS. Is it not true that on the floor of the House an effort was made to insert in the bill the word "reasonable," and it was rejected by the House?

Mr. CARROLL. I understand that is so, although I did not read it in the RECORD. That is my information.

Mr. DOUGLAS. If the Senate passes the bill with the word "reasonable" in it, the bill will, of course, go to conference. Does the Senator think there is any prospect that the House, having itself rejected insertion of the word "reasonable," will agree to having that word inserted in its own bill by the Senate?

Mr. CARROLL. I hope the conferees on the part of the House will read the RECORD. Having read the persuasive arguments of the distinguished and able Senator from Wyoming, and following his logic, I hope the House will take the Senate's position. If I should happen to be one of the conferees, and the House conferees did not concur in the Senate position, under no circumstances would I yield to the House position.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me so I may answer the question?

Mr. CARROLL. I yield.

Mr. O'MAHONEY. I have a reasonable degree of reason to believe that the amendment of the Senate Committee on the Judiciary, inserting the word "reasonable" before the word "delay," will be accepted by the House conferees.

Mr. DOUGLAS. My good friend from Colorado hopes that the House conferees will accept the Senate amendment. The Senator from Wyoming says he has a reasonable degree of reason to believe that the House conferees will accept the word "reasonable." I submit that these are very insubstantial things upon which to build a bridge.

Hope is beautiful. It is the last consolation of mankind. But it is not substantial.

One of my fears is that under the very persuasive arguments of the Senator from Wyoming and the extremely capable argument of the Senator from Colorado, we may succumb to their siren song and vote for the bill as it is now, and vote for it in good conscience. Then when the bill comes back from the conference committee, we shall find the word "reasonable" is eliminated.

As the Senator from Colorado has said, that would turn the clock back beyond the Mallory case, beyond the Upshaw case, and beyond the McNabb case, back to the period when overzealous Federal officers could in some cases detain men for unlimited periods of time, and "work them over," so long as there were not physical marks visible upon their bodies. I hope the Senator is correct but I see a seamy basis for expectation.

Mr. O'MAHONEY. Mr. President, will the Senator from Colorado yield?

Mr. CARROLL. I yield.

Mr. O'MAHONEY. I hope our distinguished colleague from the State of Illinois will have a little faith, a little hope, and a little charity for the Members of this body who will be the conferees upon the measure. I think the hope, the faith, and the charity which he thus would extend to us would be redeemed.

Mr. DOUGLAS. I know the Senator is paraphrasing from the Bible and appealing to faith, hope, and charity—which in certain translations of the Bible are referred to as faith, hope, and love—and that the greatest of these is charity.

The Senator from Illinois is glad to accord either charity or love to his colleague from Wyoming and his colleague from Colorado, but after 10 years in the Congress of the United States I do not want to imperil the liberties of the American people because of naive hopes. I want to have something which is tangibly nailed down to protect individuals against the exceptional but unfair delays.

I may be reproved by the Senator from Wyoming about lack of faith, but I will say, having been bitten a number of times, I have caution. Caution is necessary, as well as hope.

Mr. CARROLL. I will say to the Senator from Illinois, I do not know how we can build this bridge on a substantial basis. I said I expressed a hope. The Senator from Wyoming says we must have faith. I say to the Senator from Illinois, have charity toward me, for perhaps I may be one of the conferees. The Senator from Illinois knows how tenacious I can be.

Mr. DOUGLAS. The Senator from Colorado is a magnificent fellow, a tough fighter, a sturdy defender of civil liberties, and I certainly do not want to be critical of any other Member of this body. But the conferees may be either 3 or 5 in number. If the Senator should be one of the conferees—and I do not believe such a selection is clearly assured—the Senator might still be in the minority on the Senate side. I make no reflection upon other Members in this case. They may just have a different and favorable opinion about the House version of the bill.

Mr. CARROLL. I will say to the Senator from Illinois, if that should be the case and there should be such a minority, we would weep together.

Mr. DOUGLAS. Weeping is not enough. I have wept a great many times, but that is no consolidation for having the liberties of the American people imperiled.

Mr. CARROLL. Can the Senator from Illinois suggest another path or another course which could be taken? If there is one, we will be happy to take it.

Mr. DOUGLAS. There is a very simple path—namely, not to pass any bill at all.

Mr. CARROLL. Does the Senator from Illinois think that is possible, under the circumstances?

Mr. DOUGLAS. We will not know until the roll is called. [Laughter.]

This colloquy may, perhaps, encourage Senators to vote in a given way on the rollcall, whereas otherwise hope might mislead them.

Mr. CARROLL. I suppose I could respond to that statement. I do not really advocate the proposed legislation. The truth of the matter is that personally, perhaps, I would say it would be better if we went home without passing any legislation in this field. As I asked a little earlier, in view of the vote taken in the other body and in view of the sentiment expressed through the corridors and the halls, does the Senator from Illinois have any hope, faith, or charity that intelligence will prevail on this type of legislation?

Mr. DOUGLAS. If we appeal now to hope, I would say there is as much hope that the Senators will see the truth as there is that the Members of the House will see the truth—in fact, more.

Mr. CARROLL. Mr. President, I think we have covered the subject.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CARROLL. I yield to the Senator from New York.

Mr. JAVITS. I think the issue raised by the Senator from Illinois is a very real one, based upon the merits. I think the basis on which the Senator from Colorado has been endeavoring to portray the meaning of the word "reasonable" is very appropriate.

If we pass the bill with language as passed by the House, it is my firm conviction—and I heard the Senator from Colorado express the conviction—such a law would be stricken down by the Court as being unconstitutional. Congress can do some things only within the limitations of the Constitution. I believe that to say delay shall not represent a reason

for rejecting a confession would be a denial of due process of law, and would, in my opinion, be unconstitutional. The courts in all of the cases—the McNabb case, the Mallory case, and all others—have expressly reserved issues of constitutionality. The courts will, if Congress proceeds in a reasonable way, accept the Congressional implementation of a law in order to make it constitutional, but if the Congress should proceed in defiance of the courts, they will not permit the law to stand.

All of us know that if we should remove the element of delay and permit the police to try to use a confession after holding a man for 3 or 4 days in jail, the courts would not permit it. I have no doubt that the Supreme Court would strike down such a law as unconstitutional.

Therefore, with respect to the bill under consideration, as to which the prevailing sentiment may be to pass it without the word "reasonable" in it—which, in my opinion, would be unconstitutional—I believe we really would save the bill by putting "reasonable" in it.

Therefore, I think it is very essential that we be precise as to what we mean by "reasonable." If I remember the cases correctly, what the Senator is attempting to do is articulate a situation in which, although there perhaps is a delay, there will nevertheless not be a sufficient delay, if the courts follow the statute, to nullify the confession.

Under the existing law, under the most strict construction, if there is any delay except the delay which is necessary because a magistrate is not sitting, or the court is closed, or the fellow is too drunk to be arraigned—if there is any unnecessary delay in time, and the time element is what counts, according to the present definition—then the confession could be thrown out.

I think the use of the word "reasonable" will save the bill to a certain extent. That is my own opinion. It is my opinion that the court's rulings are very clear, and that the word "unnecessary" is broad enough in meaning to permit an effort to check a man's story, to determine a man's identity, or to make a man a part of a "lineup." Those are three standard police procedures in this country, and the court determinations would cover those.

Mr. CARROLL. Mr. President, may we have order in the Chamber? I have great difficulty hearing what the Senator from New York is saying.

The PRESIDING OFFICER. The Senate will be in order.

Mr. CARROLL. The Senator from New York is making a very excellent record on these points. I would appreciate it if the Senator would restate the points on police procedure. It is very important that we develop the facts, to help the courts make a determination.

Mr. JAVITS. Mr. President, it is my view that the Court decision in the Mallory case, in defining what is meant by an unnecessary delay, did not include only the thought of time. I believe it included a delay occasioned by what are the normal and constitutional police procedures, which include checking the story of the accused, if he gives an alibi or something else, which can be done quickly; checking to see that the right man is being held, by checking identity; and perhaps even in some cases including the man in the day's "lineup," for an identity check, in order to determine whether the police have the right person as to whom probable cause exists.

Judge Danaher in the Trilling case said almost exactly that. The judge said, "This does not refer simply to time; that was not all the Supreme Court was talking about. The decision included all of those things which make delay reasonable." That is what the judge said.

Let us assume that strict constructionists will construe the Mallory case to turn solely on the issue of time. The word "reasonable," suggested by the distinguished Senator from Wyoming, would therefore help the proponents in that regard, because it would permit the inclusion of the other police procedures, which are not designed to find probable cause, where none exists, by virtue of a confession—that is, where none exists at the time of arrest.

To that extent there might be given to the decision, in the Congressional view, a connotation which would give the most practical applicability, and perhaps induce the courts to say, "If that is what Congress thinks it means, it is all right with us, and it means that."

I will say to the Senator from Colorado I shall deeply appreciate it if he will reply to my statement. If we are reaching a situation where we have a choice as between a statute without the word "reasonable" and no statute at all, I would infinitely prefer no statute at all. Even if the other body insists that it must be their way, and the majority of the Senate votes with them, I might prefer a bill without the word "reasonble," because I think such a law would be stricken down as unconstitutional.

In short, I think we are doing a favor to the people who think there ought to be some legislation, by discussing the matter and laying the basis for an approach of constitutionality by the use of the word "reasonable." We are trying to save the bill. I do not believe that the effort to save the bill is a material one. I believe the court's decision is fully adequate to cover the situation.

I would deeply appreciate it if I could obtain from the Senator from Colorado, who has been working on this bill, and whose contribution has been very important, his view as to certain specific questions. He has made an excellent record. I should like to have his view as to two specific questions.

First, how does the word "reasonable" differ from the word "unnecessary"?

Second, does the Senator believe that, without the word "reasonable" in it, the bill would be constitutional?

Mr. CARROLL. As to the second question, I do not believe that the bill as passed by the House would be held to be constitutional. I think the Supreme Court would strike it down, first, because the Supreme Court has the inherent power to establish rules of evidence, and also for the other reasons assigned by the Senator from New York, I believe it would be held to be unconstitutional.

I agree with the conclusion that we are really doing a favor to those who want the bill passed. The distinguished and able Senator from Wyoming has given of his time, experience, and great knowledge in the law. He has come forward with an amendment which applies the rule of common sense, the rule of reason. It says to the courts, "Get together. Stop quarreling over this decision. Get down to bedrock. Use your common sense. You have 2 or 3 standards. Instead of trying to be doctrinaire about this approach, that approach, or the other approach, you should examine the decisions."

That, in a sense, answers the Senator's first question.

Mr. JAVITS. Yes.

Mr. CARROLL. Actually, I do not believe any legislation is necessary at all. But the Supreme Court must speak a little more plainly so that judges in the lower courts will understand what it is saying.

I am now borrowing the expression of a brilliant young professor who has written a paper soon to be published in the Georgetown Law Journal, Prof. James Hogan. I wish I could read it into the RECORD. Professor Hogan said, that the difficulty with these decisions, from the McNabb case to the Mitchell case, to the Upshaw case, to the Mallory case, is that they have "bewitched" the defendants. They have "bothered" the prosecutors; and they have "bewildered" the judiciary, because they arise from different facts and circumstances.

As I study the question carefully, I believe I know what the Supreme Court is trying to say. But when I talk with one friend of mine on the circuit court of appeals on one side he gives me one view and when I talk to another, he gives me another view. Then I read the decision of still another fine lawyer and fine jurist and find that he is convinced that he has the right idea. Each judge is convinced that he has the right idea. That holds true also of the Federal district courts.

What we are trying to say is, "Gentlemen, read this record. Listen to Senator O'MAHONEY, a distinguished lawyer, and these other legislators who are trying to interpret the will of this body and establish a rule of common sense so you can get back on the track."

We do not desire to interfere with the rule with respect to probable cause. We do not wish to interfere with the rule regarding illegal detentions. We do not wish to eliminate that rule at all. We do not want to allow the police a long period of interrogation which interferes with the rule regarding unreasonable delay.

We say to the judge below, "Use your common sense. Use the rule of reason. Consider the facts and circumstances of each case."

We must have confidence in the judge below. This is a democracy. The judges in the lower courts are working hard and competently. Without intending any offense to the gentlemen who are

the philosophers in the ivory tower, let me say that perhaps the judge below, who has the opportunity to hear the witnesses and consider the evidence, will reach a better decision; but he is limited by the rules established by the Supreme Court.

That is a long way around the barn to answer the Senator's question, but it is not an easy question to answer.

Mr. O'MAHONEY. Mr. President, I should like to add one word in reply to the Senator from New York.

REASONABLE AND UNNECESSARY

The question I have in mind is a query as to what the difference is between "reasonable" and "unnecessary." The difference is this: The words "reasonable" and "unreasonable" go back to the Bill of Rights. The fourth amendment contains a distinct provision against unreasonable searches and seizures.

The words "necessary" and "unnecessary" go back only to the Rules of Criminal Procedure in 1946. I was fearful that if the word "necessary" were used it would raise a question of interpretation.

What is the measure of necessity? The general practice of law throughout the history of our Government and our States is based upon the power of the trial court to determine what is reasonable and what is unreasonable. I felt that there would be less difficulty in interpretation by using the word "reasonable" rather than the other word.

Mr. CARROLL. Mr. President, I thank the Senator from New York for his fine contribution to the RECORD.

I close by thanking the distinguished Senator from Wyoming for all the time and attention he has given to the bill. Only a few weeks ago one would have received the impression that this was a bill which passed the other body by such an overwhelming vote that it would not need much consideration in the Senate.

To me that is the best reason why legislation should not pass this body until it is considered by a committee, and witnesses have been heard, and we have examined the legislative enactments of the other body. By the same token, it should reexamine enactments of this body.

The concept has developed that in the closing days of Congress, when the other body passes an important piece of proposed legislation, it can be considered by a Senate committee in 5 minutes, without holding hearings. That practice should be stopped; and I hope the leadership will stop it.

For example, I am led to believe that there may be some legislation affecting the ancient writ of habeas corpus. That subject has never been considered by this body or any of its committees. We shall be asked to consider a bill which passed through the Judiciary Committee with 5 minutes consideration. It will be said that the legislation should be enacted because the Judicial Conference wants it. Are we a rubberstamp for the Judicial Conference? Does the Judicial Conference do our legislating for us? Or do we conduct our own hearings? Do we call law professors and lawyers and other experts and ourselves determine the effect and validity of the restrictions sought to be imposed on the ancient writ of habeas corpus? I mention this bill only by way of illustration.

Another bill which I am told will come to this body in the closing days of the Congress is H. R. 3. No hearings have been held on that bill in this body. It has never even been approved by the Judiciary Committee.

We are to be asked to pass in this body still another bill, House bill 654. No hearings were held in this body. It seems to me that we should pay some attention to constitutional procedure, as we have done in connection with the Mallory case. The distinguished Senator from Wyoming has given hours and days and weeks of his time in an effort to reach a proper solution. That is the democratic way to legislate. That is the constitutional way to legislate; and I sincerely hope that the Senate will approve the bill as it comes from the Senate Judiciary Committee, under the leadership of the able Senator from Wyoming.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had concurred in the amendment of the Senate to the bill (H. R. 9700) to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical needs, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARDEN, Mr. BAILEY, Mr. ELLIOTT, Mr. METCALF, Mr. GWINN, Mr. KEARNS, and Mr. HASKELL were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 3904. An act for the relief of Nunik Pirjanian and Florence Thomasei;

H. R. 6175. An act for the relief of Virginia Heil;

H. R. 6804. An act to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and splittings.

H. R. 8160. An act authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes;

H. R. 8481. An act to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii;

H. R. 8552. An act to rescind the authorization for the Waldo Lake tunnel and regulating works, Willamette River, Oreg.;

H. R. 8239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes;

H. R. 9371. An act to provide for the relief of certain members and former members of the Army and the Air Force, and for other purposes;

H. R. 10360. An act to amend title V of the Agricultural Act of 1949, as amended;

H. R. 11030. An act to amend title XV of the Social Security Act to extend the unemployment insurance system to ex-servicemen, and for other purposes;

H. R. 11697. An act to amend the Act of June 29, 1868, relating to the prevention of obstructive and injurious deposits in the harbor of New York, to extend the application of that act to the harbor of Hampton Roads;

H. R. 12499. An act to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956;

H. R. 12494. An act to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes;

H. R. 12876. An act to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes;

H. R. 13342. An act to provide for a survey of Parish Line Canal, La.;

H. R. 13698. An act to provide airmail and special-delivery postage stamps for Members of the House of Representatives on the basis of regular sessions of Congress, and for other purposes; and

H. J. Res. 585. Joint resolution authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California.

ACHIEVEMENTS OF 85TH CONGRESS IN FIELD OF ATOMIC ENERGY

Mr. JOHNSON of Texas. Mr. President, the distinguished correspondent for Scripps Howard, Marshall McNeil, points out today that one of the outstanding achievements of this Congress has been in the field of atomic energy.

To a considerable extent, this is a tribute to the dedication and the devoted work of the Senator from New Mexico [Mr. ANDERSON], and the other members of the Joint Congressional Atomic Energy Committee.

Thanks to their constant work, Congress has kept abreast of developments in the atomic age. The committee has produced legislation which is both sound and imaginative; prudent and bold.

It has also guided the other committees which have some connection with this field.

I ask unanimous consent that Mr. McNeil's very fine article be printed in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington News of August 19, 1958]

THE LIST IS LONG—CONGRESS HAS DONE WELL BY ATOM

(By Marshall McNeil)

This is the big year for the atom.

The Congress that is about to quit has done more than any other to advance the atoms-for-peace program, and to strengthen ourselves and our allies with atomic weapons.

Its work in this field will be climaxed when the House, perhaps this week, passes the European Atomic Energy Community (EURATOM) bills the Senate approved yesterday.

Under these, the best United States atomic brains and those of six friendly European nations will collaborate in peaceful research and development. We will help those countries build six large atomic-power reactors, the start of a system which, eventually could relieve oil-poor Europe from dependence on other fuels, including petroleum from the Middle East.

INFORMATION

Congress has approved exchanges of atomic weapons information with Britain and probably later with other friendly countries as they make substantial progress.

Moreover, it has allowed exchanges of information with all NATO allies on how troops can use, and defend against, atomic bombs.

It has given added impetus to the domestic atomic-power program, which dovetails with Euratom and promises increasing business for private concerns in all parts of this new and growing industrial field.

"It has been a great year for the Atomic Energy Committee," said Senator CLINTON ANDERSON, Democrat, of New Mexico, vice chairman of that group.

"With the sponsorship of our committee and the backing of Congress, we have taken steps to move ahead in all fields.

"Then came the remarkable achievement of the *Nautilus* the atomic-powered submarine.

"If the appeals and warnings of the committee of years ago had been heeded," he said, "we probably would be just as far in our lagging program to achieve atomic-powered flight."

ACHIEVEMENTS

These are some of the outstanding achievements of this session affecting both the peaceful and warlike atom:

The exchange of information legislation under which, among other things, we will cooperate with Britain in improving atomic weapons and sell her the atomic engine for her own nuclear-powered sub. This reinstituted our successful wartime atomic partnership with Britain.

Passage of the big Atomic Energy Commission authorization bill. It provided for a $145 million reactor to make more plutonium for use in small weapons, additional basic research in atomic energy, and construction of a big gas-cooled power reactor by the Government if private industry decides it cannot take on the task.

The principle of EURATOM was underwritten, and implemented in part, with the implied obligation further to help it with scientific assistance and money, plus atomic fuel.

Assent was given to fullscale work on a reactor to power a big Navy destroyer.

INSURANCE

Congress also approved a bill to give some insurance protection to universities which operate experimental atomic reactors. It made some technical changes in the basic act, one of which will permit speedier approval of two-way atomic treaties with friendly nations. And it appropriated enough money to get the newly authorized reactors and research programs underway.

In the works in the atomic committee is a big new study which aims at a 5- to 7-year domestic atomic power development program, which includes 21 different types of reactors, to be tested either experimentally or on a large-scale basis.

Finally, the Senate passed a bill giving Rear Adm. Hyman Rickover, father of the atomic submarine, a Congressional medal. The House followed suit later in the day.

HELPFUL IMPACT OF ANTIRECESSION LEGISLATION

Mr. JOHNSON of Texas. Mr. President, the Washington Star editorially calls attention today to the helpful impact that the antirecession legislation we passed last spring has had upon our economy.

The Star cites the facts and figures which demonstrates the increase in payrolls which can be traced in large degree to the initiative exercised by Congress. The increase is particularly noteworthy in the field of housing legislation.

But undoubtedly the other measures which we passed by bipartisan votes made their contribution, such measures as the bill for the acceleration of public works, the highway program, and others.

Mr. President, I think that Congress has a right to be proud of its record in this respect. There was a problem before the American people and we acted, we acted through our committee chairmen with the support of Members on both sides of the aisle.

It would not do to become complacent over the situation, however. There are still about five million unemployed, despite the increase in income and in payrolls. The situation still calls for vigorous use of the authority which we granted to the administration, and we should not allow ourselves to forget the plight of those who still need jobs.

I ask unanimous consent that the Star editorial be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BETTER LOOKING FIGURES

The helpful impact of antirecession legislation enacted last spring is reflected in the most important degree thus far in two sets of economic statistics just released by the Commerce and Labor Departments. Both apply to the month of July and offer real encouragement that the most recent business slump actually has recorded its low point and that recovery, even though slow and irregular, is underway.

The Commerce Department announcement dealt with personal income, estimated in July at an annual rate of $354.5 billion—a record high rate for any month and continuing the progress noted since last February's low for the year. The favorable figure reflects pay increases voted to civilian employees of the Federal Government, but does not include the retroactive payments made under the same authorization. More significant as a clue to business conditions, however, was the showing that private industry payrolls for July advanced for the second straight month by about $1 billion on an annual rate basis.

From the Labor Department came the figures that private housing starts in July totaled 107,300, the highest for any month since May 1956, and indicating an annual rate of 1,160,000—likewise the highest in more than 2 years. Liberalization of mortgage insurance programs under jurisdiction of the Federal Housing Administration and the Veterans' Administration was credited with much of this improvement, but the Department also noted that mortgage money in general is becoming more available.

In short, the third quarter appears to have gotten off to a good start. How the overall economy will fare for the complete year may depend most of all on how things go in Detroit in the coming few weeks—on the course of the labor-management negotiations in the automobile industry and the indicated demand for the new cars that will be showing up in early fall.

DEVELOPMENT OF LAND AND WATER RESOURCES IN TEXAS

Mr. JOHNSON of Texas. Mr. President, between April 1948 and December 1957 the United States Government contributed $440,100,000 to help finance 236 power projects in 46 foreign countries. A total of $97,838,000 was spent in Europe; $164,300,000 in the Far East; $140,200,000 in the Near East and South Asia; $10,500,000 in Latin America.

I think we can be proud of that record. It demonstrates that we are dealing directly with the acute social and economic problems of our time.

But there are also problems of this nature facing us at home. The question of effectively using and developing land and water resources is particularly acute in my home State of Texas.

The Senate has passed legislation authorizing the establishment of a study commission which would be responsible for the preparation of integrated and cooperative investigations, studies, and surveys of land and water resources in seven Texas water basins. I have for some years supported a far-reaching investigation by the Corps of Engineers and the Bureau of Reclamation to determine the current and long-range water supply problems in Texas. We have worked closely with the State Board of Water Engineers to develop a unified program.

The creation of a study commission is the next logical step in meeting these enormous challenges. Complete utilization of land and water resources is essential in developing a sound and permanent economy. Texas is a quarter of a century behind in dealing with this problem. We must catch up, and without further delay.

But we cannot catch up by making any slapdash attempt. The mere spending of money, the waving of the magic appropriations wand, the building of dams just anywhere, will not get the job done. The decisions we make today must stand the test of time, because these decisions are the key to our economic future.

As of March 15, 1958, more than 500 State and local agencies in Texas had been created to deal with water problems in their respective areas. Most of the agencies are active in accordance with their statutory authority. The creation of a study commission would provide for coordinated surveys and planning. Many flood-control, hydroelectric-power, navigation, irrigation, watershed-protection, water-pollution control, and other water and land resources development projects have been constructed, are under construction, or are being planned.

I emphasize, also, that this study commission is designed to aid and abet present State and local agencies. It does not supplant or infringe on the State Board of Water Engineers or the river authorities concerned. In the work that must be done, it is imperative that the State take the lead. Texas is, and must remain, totally sovereign over its water resources. That is basic in any plan for intensified development. The proposed study commission respects the concept that basic ideas, basic leadership in the field of water, must come from the grassroots, in this case the water authorities. Seven members of the study commission will be residents of the areas under study. The chairman would also be a resident of one of the water basins. There is sufficient Federal representation so that the national interest will be intelligently and effectively represented.

Such a program would not terminate the exhaustive studies that have been made by the Bureau of Reclamation and the Corps of Engineers. These studies are leading to large-scale water-supply projects that are essential to industrial progress.

It is going to require an ocean of water to meet the industrial and municipal needs of Texas in years to come. It will require a world of intelligence to plan for it.

COMMITTEE REPORT ON H. R. 2—DIVERSION OF GREAT LAKES WATER

Mr. CHAVEZ. Mr. President, from the Committee on Public Works I submit reports——

Mr. PROXMIRE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PROXMIRE. I would like to ask the Senator from New Mexico whether one of the reports he is making is on H. R. 2.

Mr. CHAVEZ. One of the reports is on H. R. 2. That is one of the reports.

Mr. PROXMIRE. Under rule VII, part 1, I object.

Mr. DOUGLAS. This is a most unusual and regrettable action by the Senator from Wisconsin. H. R. 2 was passed by the House and has been fully considered and approved by the Committee on Public Works. As the committee's report will make clear, it permits a trial period of 1 year for an additional diversion of 1,000 cubic feet of water per second into the Chicago Waterway system.

We are rapidly approaching the end of the session, and Senators from the lake States are very much opposed to the bill. I am in favor of it. My good friend from Wisconsin apparently does not want to permit the Senate to consider this matter and has made a very technical objection to block its consideration. I should like to ask the Senator on what basis he objects to the report.

Mr. CHAVEZ. Mr. President, I do not wish to impose upon the time of the Senator from Colorado, who is speaking on the Mallory bill. Therefore, I will withdraw my request.

Mr. DOUGLAS. Mr. President, I hope the Senator from New Mexico will——

Mr. CHAVEZ. I will report it.

Mr. DOUGLAS. I should like to point out that, while I like my good friend from Wisconsin very much, in my opinion he has done something which is quite extraordinary, highly technical, and contrary to our common practices and Senate procedures in the rush of the final days of the session. I wish to protest against it. He is trying to prevent the Senate from considering a bill passed by the House of Representatives and approved by a Senate committee. I should like to know on what basis he objects.

Mr. PROXMIRE. I merely wish to say that I am objecting under the rules of the Senate, which give me the right to object. The fact is that reports of committees are supposed to be made during the morning hour. It is clear, therefore, that I am within my right to make the objection. I feel very strongly that H. R. 2 is against the public interest, against the national interest, and overwhelmingly against the interest of my State. The fact is that it is coming before us in the closing days of the session. I have done all I can to appeal to the leadership to schedule the measure for next year, so that there will be some time available for debating the issue. I am justified under the rule in objecting under those circumstances.

Mr. DOUGLAS. Would the Senator from Wisconsin object if the report were filed during the morning hour?

Mr. PROXMIRE. Of course not if the report is in proper order. In that event I would have no right to object during the morning hour.

Mr. CHAVEZ. I see no reason for any objection. I am not asking anyone to vote for the bill or against it. There were plenty of objections even within the committee. I do not know whether it will be considered. However, I believe that after the committee has held extensive hearings on the bill, with opportunity given to the minority members to express their views, that there is nothing irregular about asking the Senate to make the report on the bill. What the Senate does with it is the business of the Senate.

Mr. CASE of South Dakota. I am a little surprised by the objection to the report being made, since the report can be presented during the morning hour, when no objection will lie. I doubt that this is a way to win friends or influence people on behalf of those who may be opposed to the proposed legislation, to take advantage of a technical situation to prevent a report being made, particularly at a time when the Senate is moving toward adjournment. I hope on reconsideration the Senator from Wisconsin will be disposed to withdraw his objection.

Mr. PROXMIRE. In view of the fact that the Senator from South Dakota has mentioned my name, I should like the indulgence of the Senator from Colorado, who holds the floor, to reply to him briefly. The Senator from Illinois has raised a very legitimate and proper point as has the Senator from South Dakota. I am objecting also because the hearings have not been made available. They have not been printed. I secured a copy only recently. They are over 600 pages in length. I am spending my time night and day going over the record. I spent all day Sunday studying the record. I spent until 2 o'clock this morning on my study of the record. I am spending every minute on it I can. I wish to make a proper presentation in detail when the bill comes to the floor of the Senate. The rules of the Senate offer me an opportunity, and I am taking advantage of it.

Mr. MCNAMARA. Mr. President, I merely wish to say for the RECORD that the bill passed by the House does not provide for a 1-year trial period. It provided for a 5-year period.

BUREAUCRACY AT ITS WORST

Mr. BUTLER. Mr. President, on March 10 of this session I introduced Senate bill 3426 which would require that 75 percent of all conversions, alterations, and repairs to naval vessels would be performed in private ship repair yards. The purpose of this bill is to reduce Government competition with private industry in keeping with the recommendations of the Hoover Commission and the announced objectives of the Eisenhower administration. There is no implied intention that the enactment of this bill would undermine or sacrifice the national security or the Nation's defense potential.

In accordance with the standing rules of the Committee on Armed Services, to which S. 3426 was referred, no action could be taken, or consideration scheduled, until the views of the Department of Defense were known. That report was requested on March 14 by my good friend and colleague, Senator RUSSELL, chairman, but not until July 8—almost 4 months later—did the Department of the Navy, acting for the Department of Defense, submit a self-serving document which is notable for its omissions and misleading facts. Obviously, this report was received too late in the session for the Committee on Armed Services to give this matter the exhaustive study which, in my judgment, it deserves.

It is my expectation to reintroduce this bill in the 86th Congress, and so that my colleagues may have some knowledge of the background of my proposal, I request unanimous consent, Mr. President, to have printed in the body of the RECORD at this point my newsletter of August 11, 1958; a letter dated July 8, 1958, from Capt. John S. McCain, Jr., Chief of Legislative Liaison, Department of the Navy; and a detailed analysis of Captain McCain's letter which I have prepared.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A WEEKLY NEWSLETTER BY SENATOR JOHN MARSHALL BUTLER—BUREAUCRACY AT ITS WORST

WASHINGTON, August 11, 1958.—The economy of the State of Maryland is sustained by a variety of industries—among them are shipbuilding and ship repairing. Bethlehem-Sparrows Point Shipyards and Maryland Shipbuilding & Drydock Co. are in line to receive significant shipbuilding and conversion contracts from the Maritime Administration, and the resulting impetus to the economy of the port of Baltimore will have a beneficial effect throughout the State. However, from a long-range standpoint, these facilities and others depend, in part, upon awards from the Navy Department for conversion, alteration, and repairs to naval vessels.

But, contrary to the national policy of fostering free enterprise, the Government has closed its eyes to the burgeoning employment, payroll padding, inefficient operations, faulty accounting and excessive costs in the various naval shipyards. Unquestionably, the national security dictates that the Navy must conserve a nucleus of skilled employees and maintain suitable facilities for expansion in times of emergency. However, total employment in all of the naval shipyards today is nearly twice that of private yards. The Norfolk Navy Yard, for example, is characterized by the Navy as an industrial giant, covering 811 acres and capable of drydocking and rendering complete service to the world's largest ships.

Yet, extensive search of material in the Library of Congress, Government documents, periodicals, and other literature, including the files of the Department of the Navy, has failed to show any evidence that there has ever been rendered a unified and systematic account of naval shipyards with respect to their general activities in maintenance and repair. Congressional reports on appropriations sometimes include brief comments on the needs and problems of the Bureau of Ships, which administers the naval shipyards, but do not illuminate the repair functions of these yards.

In an effort to lift this zealously and jealously guarded veil of secrecy, and thereby reduce to minimal proportions Government competition with private industry in this field, I introduced legislation on March 10 which would carry out recommendations of the Hoover Commission. It should be emphasized that this proposal is not intended to eliminate essential Government ship repair facilities. Four months later, on July 8, the Department of the Navy submitted a self-serving report, too late for the Senate Committee on Armed Services to take any action during the present session of the Congress. This deliberate procrastination typifies one of the devices by which Federal agencies can frustrate, and frequently sabotage, desirable and important legislation.

JOHN MARSHALL BUTLER,
United States Senator.

DEPARTMENT OF THE NAVY,
Washington, D. C., July 8, 1958.

Honorable RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: Your request for comments on S. 3426, a bill "To require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship repair yards, and for other purposes," has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

S. 3426 would provide that 75 percent of appropriations each fiscal year for the conversion, alteration, and repair of naval vessels, other than such work not ordinarily conducted in shipyards, shall be obligated for expenditure with private ship repair yards. Secondly, the bill would establish a temporary commission of laymen to conduct a thorough and comprehensive investigation, study, and report to the President in not more than 1 year, of the effect upon the private shipbuilding industry of the construction and repair of naval vessels in Government shipyards.

S. 3426 is similar to H. R. 32 and H. R. 3767 of the 1st session, 85th Congress.

The Navy has responded to the need of private yards for additional work by making large-scale assignments of overhaul and repair work, as well as new construction and conversion, to the industry. By its bold and vigorous policy, the Navy has been largely instrumental in preserving the valuable mobilization potential of this industry. In recent years, private yards throughout the country have received a larger dollar volume of naval repair work, as well as construction and conversion, than ever before in peacetime. During fiscal years 1954 through 1957, private yards received a yearly average of over $100 million of Navy repair work. Also, as of January 1, 1958, about 59 percent of the $3,700,000,000 naval ship construction and conversion program was being accomplished in private yards.

The chief mission of the naval shipyards is the overhaul and repair of combatant ships. The American tradition of victory at sea is due, in large measure, to the superb material readiness of the fleet in wartime and peacetime, and this in turn, would not have been possible without the unique support provided by naval shipyards, many of which were established early in the 19th century. S. 3426 would dissipate the capabilities of this naval shipyard complex which is strategically dispersed throughout our coastal areas to provide comprehensive logistics support.

The naval shipyards, because of their organization and operation under direct Navy control, are immediately responsible to fleet requirements. In wartime, especially, this is of paramount importance. Such yards are not subject to strikes and jurisdictional disputes, over which the Navy has little control and which result in loss of timely deliveries. They maintain specialized skills and a diverse inventory of Navy equipment for large combatant ships, particularly ordnance and electronics, which many private yards find it uneconomical to maintain on account of workload fluctuations caused by the uncertainties of competition. In wartime, naval shipyards are engaged chiefly in repairing battle-damaged ships, while private yards specialize in the mass production of new ships. In peacetime, therefore, the major part of new construction is generally awarded to private yards and the major part of Navy repair work is undertaken in naval shipyards, in order to prepare both types of yards for their wartime missions.

The distribution of construction, conversion and repair work between naval shipyards and private yards must be governed by a very flexible policy, subject to revision to meet changing operational and logistics requirements. Subject bill would destroy this flexibility. It would promote the economic well-being of the private ship repair industry but at considerable sacrifice of national security. The 75 percent requirement would cause the closing of several naval shipyards and drastic curtailment in the operations of others, thus seriously impairing the Navy's ability to provide logistics support to the operating forces and to maintain them in an optimum condition of readiness. These responsibilities require that the Navy retain effective authority to control the overhaul and repair, as well as the operation, of its fighting ships. Such authority is well established by tradition and by existing law.

The subject bill would establish a National Commission on Shipbuilding to be composed of members having no connection with the United States Navy or with the private shipbuilding and repair industry. A Commission so constituted could not be expected to formulate any recommendations within the short space of 1 year which would be of any practicable benefit. Further, the bill in the establishment of an arbitrary 75:25 ratio appears to indicate a prejudging of the matter prior to any report and finding by the Commission.

In view of the foregoing, the Department of the Navy, on behalf of the Department of Defense, opposes the enactment of S. 3426.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Department of the Navy has been advised by the Bureau of the Budget that there is no objection to the submission of this report on S. 3426 to the Congress.

For the Secretary of the Navy.

Sincerely yours,

JOHN S. MCCAIN, JR.,
Captain, USN, Chief of Legislative Liaison.

MEMORANDUM PREPARED BY SENATOR JOHN MARSHALL BUTLER IN REGARD TO SENATE BILL 3426

The letter from Capt. McCain pertaining to S. 3426, reflects the general philosophy of most, but not all, naval officers and civilian executives, that is, that naval repairs, in peacetime, should be primarily accomplished by the naval shipyards to prepare them for their wartime missions. This objective, of course, requires the maintenance of a high level of employment in all the naval shipyards. The Navy usually attempts to justify that philosophy by statements to the effect that private ship repair yards do not have competent personnel having the specialized skills in ordnance, electronics, and other specialized installations on combat vessels. This contention, which is of long standing, ignores the fact that many of the combat ships to be repaired were originally constructed in private shipyards, which now are adjudged incompetent to repair their own creations.

Unfortunately, letters of the character of this letter, which comment on proposed legislation, are not always factual, perhaps by inadvertence on the part of both the preparer and the signer.

The shipbuilding industry, as such, has not complained about the assignment of new construction by the Navy to private shipyards. On the contrary, it has repeatedly expressed its appreciation to the Navy for the allocation of substantial new construction work, both auxiliary and combat ships, to private shipyards.

It is quite true that the ship repairing portion of the industry, which consists both of shipbuilding yards having repair facilities and ship repair yards devoted exclusively to that type of work, has received substantial naval repair work, particularly on auxiliaries, but to a limited extent on combat vessels, together with some conversions. The industry is duly appreciative of the work it has received. However, it feels that it could receive substantially more work of this type without the dire results to the naval shipyards predicted in Captain McCain's letter.

Present employment ceilings in the several naval shipyards are maintained at an unduly high level. Thus it is inevitable that work will be assigned to those same naval shipyards in sufficient volume to provide work for those employed there so as to justify their employment. This procedure creates the old problem of the chicken and the egg, although in this case the employment seems to come first and then the workload, but it could be that the potential workload envisioned or planned determines the employment ceiling. In any event, the result is the same, too much employment in naval shipyards and too little in private ship repair yards.

This opinion is reinforced by statistics on relative employment in the naval shipyards and private ship repair yards, prewar and postwar. The prewar pattern disappeared with the war and was never established after the war. The private ship repair yards were forced by economic conditions after the war to cut back heavily in employment. The same pressure did not apply to the naval shipyards which did not cut back nearly to the extent that the private yards were forced to cut back. Thus, on a purely relative basis, the postwar employment in the naval shipyards is proportionately much higher than that in the private shipyards. And the prewar ratio has accordingly been relegated by the Navy to a thing of the past.

Captain McCain states that, as of January 1, 1958, about 59 percent of the $3,700,000,000 naval ship construction and conversion program was being accomplished in private yards. The Shipbuilders Council of America is unable to check this figure. Published reports, obtained from member yards in the council as of January 1, 1958, show less than half that dollar volume of naval construction underway in such private yards, even allowing generously for small craft construction which would not be included. The amount of naval new construction in private yards is unquestionably substantial.

Captain McCain also states that, during the fiscal years 1954 through 1957, private yards receive a yearly average of $100 million of Navy repair work. That figure would have more significance if it were also stated as a percentage of total naval repair work. Actually it does not agree with the records of the Shipbuilders Council which show a yearly average of naval repair work for 1954 through 1957 of slightly under $56 million. For the year 1957 the records of the council show slightly under $37 million, based on returns obtained directly from 54 yards. Some smaller yards might account for some additional naval repair work, but it would not be in any substantial amount.

Incidentally the dollar volume of naval repair work in private yards in 1957 is less than 60 percent of the similar volume for 1956 and by far the lowest of any year since the advent of the Korean war in 1951, which had the effect of greatly increasing the naval repair load in private yards for the duration of that war. However, it must be realized that a specific dollar volume of naval repair work in 1957 could purchase not more than one-half of the volume of repairs that could have been purchased with the same dollar volume 10 years earlier, on account of increased costs plus inflation, which decrease purchasing power. For that reason, a direct comparison of dollar volumes in different years is misleading and it must be realized that the actual dollar volume in 1957 is relatively a greatly inflated one.

It is noted that the chief mission of the naval shipyards is the overhaul and repair of combatant ships, and that the superb material readiness of the fleet, in wartime and peacetime, would not have been possible without the unique support provided by naval shipyards. Without attempting to detract in any way from the very proper function of the naval shipyards, which has been well performed, it might be mentioned that the private ship repair yards had no small part in that same operation and even now are considered by the Navy to be a vital element in their mobilization potential.

Captain McCain states that S. 3426 would dissipate the capabilities of this naval shipyard complex, which is strategically dispersed through our coastal areas to provide comprehensive logistics support. This conclusion of Captain McCain's does not necessarily follow. First, it might be pointed out that the private ship repair yards likewise are strategically dispersed throughout our coastal areas and also are competent to provide comprehensive logistics support. Second, an increased allocation of naval repair work to private ship repair yards and the decreased employment in the naval ship repair yards which that would entail (compensated for, of course, by increased employment in the private ship repair yards) would not dissipate the capabilities of the naval shipyard complex. It might even enhance them by permitting better organization of specialized skills and the elimination of much employment of lower caliber.

Whether 75 percent of naval repair work to private ship repair yards is a proper allocation or not I do not know, as I do not know what the present allocation is on a percentage basis. But some increase in allocation certainly could be effected without the closing of several naval shipyards and drastic curtailment in the operations of others.

For example, take a hypothetical naval shipyard with a present employment ceiling of 10,000 men. That yard could be maintained in a well-organized condition with a ceiling of 7,500 men or even 5,000 men or less without dissipating the capabilities of that same naval shipyard, and it would be entirely capable of rapid expansion, as and if required, in the event of national emergency or war. The special skills still would be available, as well as the diverse inventory for large combatant ships.

The private ship repair yards successfully contend with the problem of expansion as and when required constantly. Why cannot the naval shipyards? It certainly would tend toward more efficient and more economic operation in the naval shipyards.

Captain McCain's philosophy that in wartime, naval shipyards are engaged chiefly in repairing battle-damaged ships is indeed interesting. I take no exception to that statement, but I do take exception to its corollary "while private yards specialize in the mass production of new ships." It ignores completely the distinction between private shipbuilding yards and private ship repair yards. Ship repair yards continue to be ship repair yards in wartime, and they also repair battle-damaged ships. At least they did in World War II, and before that in World War I. Private shipbuilding yards by the same token continue to be shipbuilding yards in wartime, building as many ships as possible, not on a mass production basis, as there is no such thing in respect to seagoing ships, but rather on a multiple ship basis. In addition, many so-called emergency yards are created which build large numbers of duplicate ships, also on a multiple ship basis. Mass production, as that term is used in industry in this country applies to a very large number of identical products for sale to the general public, produced in a manufacturing plant on a production line set up. That process is not and cannot be applied to seagoing ships. At least it never has been as yet successfully so applied.

It is just as necessary, from the naval and mobilization point of view, to prepare privately owned ship repair yards for their wartime mission as it is to prepare the naval shipyards for that same mission. It is obvious that, if the privately owned ship repair yards are to accomplish that wartime mission successfully, they must receive work in peacetime of such a character as to enable them to perform properly their wartime mission. The allocation of a greater volume of repair work, particularly on combat vessels, will not necessarily destroy the flexibility which Captain McCain says is necessary, and it certainly will not promote the economic well being of the private ship repair industry at the expense of the national security. On the contrary, if applied with discretion, it will promote both the private ship repair industry and the naval shipyards, and thus the national security.

Whether or not 75 percent or some other percentage of naval repair work be allocated to private ship repair yards, the Navy could, if it would, allocate a substantially higher percentage of naval repair work to private ship repair yards than it now does, whatever that percentage, presently unknown, may turn out to be, without causing the closing of several naval shipyards and drastic curtailment in the operations of others.

To predict such closing and curtailment of operations and the consequent impairment of the Navy's ability to provide logistics support to the operating forces and to maintain them in an optimum condition of readiness, as a result of allocating some greater amount of naval repair work to private ship repair yards is to ignore the facts and realities of the situation.

Actually it will take a positive policy on the part of the Navy to allocate more naval repair work to private ship-repair yards, rather than the present negative policy that it can't be done for fear of dire results, as well as fear of the alleged incompetency of the private ship repair yards. Actually also, the present employment ceilings and workloads in the naval shipyards are as much the result of pressures, political and otherwise, as they are the result of concern for the national security. Any time any reduction in naval shipyard personnel ceilings is attempted, that political pressure makes itself immediately and forcibly felt. Furthermore history shows that Government establishments tend to expand rather than contract, for such is human nature.

Captain McCain comments to the effect that any National Commission such as contemplated by the bill could not be expected to formulate recommendations within the short space of 1 year that would be of any practical benefit. If that is the case, it would be simple to extend the period to 2 years. As to prejudging of the matter prior to any report and finding by the Commission, in the establishment of an arbitrary 75:25 ratio, let the Navy advise what the present percentage is, let the bill be amended to provide a reasonable interim increase and then let the Commission determine whether a permanent increase greater in amount than the interim increase is reasonable and in the national interest, both economicallywise and securitywise.

Some reference is made by Captain McCain to the present policy as having been established by tradition.

It is tradition which must be overcome and a policy must be determined, not on tradition, but on the realities of the mobilization base. The Navy's policy on the mobilization base is not consistent with the Navy's policy on the operation of naval shipyards at the expense of the private ship repair industry. Likewise the Navy's policy on the high-level operation of naval shipyards is not consistent with the findings and recommendations of the Hoover Commission in respect to competition with private industry.

On a collateral point, involving repairs to 43 naval vessels to be transferred from the reserve fleet to friendly nations, President Eisenhower, in a letter of July 14, assured me that he subscribes to the sound proposition that Government must not compete unfairly with private industry. He states that in recent years the relative growth of private shipbuilding yards has been greater than that of the Navy shipbuilding yards which is a direct result of application by the administration of the principle in question.

Here again, in the information which has been furnished to the President, is the confusion that is evident in Captain McCain's letter—a failure to differentiate between shipbuilding yards and ship repair yards. It is the latter which would be involved with respect to the 43 naval vessels in question.

Furthermore, why should there be any growth of Navy shipbuilding yards? That is exactly what the private ship repair industry takes exception to; in fact the industry's efforts made over the years have been directed to curtailment of the present size of the naval shipyards, at least in respect to the employment of personnel and the volume of repair work allocated to such yards.

The President also says he must agree with the Navy that their yards are technically better qualified and more experienced in conversion and repair of combatant ships. The President cannot know this of his own knowledge. He perforce has accepted the Navy's statement to that effect. Private industry does not concede that the naval shipyards are technically better qualified in conversion and repair of combatant ships. The technical qualifications of many of the private yards are of a very high order. If they were not, it must be obvious that the Navy would not allocate to such yards a substantial part of its construction program for new combatant ships. If the naval shipyards are more experienced in conversion and repair of combatant ships, as his letter states, it must be due to the fact that the Navy more or less monopolizes that type of work for its naval shipyards, which it has the power to do. How then can the private ship repair yards be expected to become experienced in the absence of the type of work which they will be called upon to perform in the event of war? What then becomes of the mobilization base upon which the Navy says it will have to rely under war conditions?

VICTOR PERLO'S ATTACK ON "PEOPLE'S CAPITALISM."

Mr. BUTLER. Mr. President, the daily conduct of the American people has become grist for the propaganda mills of unfriendly nations. Our slightest transgressions, imprudent actions, irresolute policies, and partisan squabbles have been employed, with considerable impact, to portray the United States in an unfavorable light. Any uncommon or eccentric behavior pattern is depicted as typically American.

Former President Herbert Hoover in his address at the Brussels Fair on July 4 endeavored to correct some of the more glaring misconceptions concerning the American economy which have been fostered so assiduously by the Communists. He said:

> We are often depicted as living under the control of wicked men who exploit our economic life through gigantic trusts and huge corporations. They are supposed to grind the faces of the poor and to exploit other nations. All this ignores the fact that our laws for nearly 70 years have prohibited the existence of trusts and cartels. In few other nations have the fundamentals of fair and open competition been so zealously maintained.
>
> This competition has spurred our industries to adopt every laborsaving device. And to create them, there are more than 5,000 industrial research laboratories that pour out new ideas which become open to all the world.
>
> Insofar as large corporations are concerned, they are the property of millions of our people. The largest of them has more than 1,500,000 individual stockholders, not one of whom owns more than one-thirtieth of 1 percent of the corporation.

Contrary to Communist propaganda, almost everyone, either directly or indirectly, through financial institutions, has an investment in the tools of production in America. Stockholders outnumber employees in many of our leading corporations. What is perhaps of more importance, in our classless society a stockholder and an employee are often one and the same individual. There can be no basic conflict in America between the long term interests of consumers, workers, and the owners of America's free enterprise economy.

The diffusion in stock ownership, as well as the growth in employee participation, has paced our industrial growth.

In July 1957, a survey published by Fortune magazine disclosed that in connection with the 500 largest United States industrial corporations, there were 11,120,904 common-stock holders and 8,793,347 employees.

At the end of 1957, for example, there were 717,746 shareholders in the General Motors Corp., the Nation's largest corporation. This figure includes 130,900 joint tenancy accounts, representing 2 or more persons, and 51,820 institutions and miscellaneous groups. In addition, more than 92,000 General Motors salaried employees are acquiring GM stock through a savings-stock purchase program.

Recent developments in the Middle East make it particularly important that we always present a true picture of the operation of our economy. The American Economic Association is one of America's great professional societies. It publishes the American Economic Review quarterly. Necessarily, only a few of the many important economic studies by America's scholars can be included in any one year.

In discussing editorial policies, the board of editors state in the June 1958 issue:

> The board would hesitate to change its policy of selecting leading articles from those submitted to one of commissioning articles in order to obtain more nontechnical papers or papers of broader interest • • • it believes that the primary emphasis in the four regular issues of the Review should continue to be on the stimulation of fundamental research and the reporting of its results • • • competition for the opportunity of publication in the Review is more likely to result in high quality papers than when articles are commissioned.

In view of the generally accepted facts on the widespread ownership of common stock in America's leading corporations, I was surprised to find that one of the articles selected by the editors of the American Economic Review for the June 1958 issue is entitled "People's Capitalism and Stock Ownership," by Victor Perlo.

This article attempts to undermine the exhibit prepared by the United States Information Agency which has been shown at trade fairs throughout the world to portray our people's capitalism. It states, in effect, that there is no basis for this exhibit.

It is not my purpose to dignify Mr. Perlo's article with a detailed analysis. However, inasmuch as the American Economic Association states that "competition for the opportunity of publication in the Review is more likely to result in high-quality papers than when articles are commissioned," it is important to show that this article can hardly qualify as scholarly research.

For example, in discussing the ownership of stock by employees, Mr. Perlo resorts to a study by Mr. Kimmel prepared in 1952. This data is 6 years old. Mr. Kimmel estimated that only 780,000 employees owned stock in the companies for which they worked.

The absurdity of this figure is revealed by the fact that in the case of the American Telephone & Telegraph Co. more than 250,000 employees own stock in that company. The General Motors 50th anniversary report shows that 92,000 General Motors employees are acquiring stock through the savings-stock purchase program. Furthermore, the Du Pont Co. shows that 60,000 employees are becoming stockholders in that company through participation in its thrift plan. Stockholder-employees in these three companies total more than 400,000. If Mr. Perlo's figures were correct, investor-employees in these 3 companies would account for more than half of all employees owning stock in the companies for which they work in the entire United States. This is, of course, nonsense.

Readily available data may be found in the annual reports of American corporations to show the wide diffusion of stockholders. However, Mr. Perlo attempts to use TNEC studies now more than 20 years old to give the impression that American industry is controlled by only a few families.

In a further attempt to undermine American capitalism, Mr. Perlo attributes to the Standard Oil Co. of New Jersey the following statement:

> Yes, the people own the tools of production. • • • By his own definition, Karl Marx's prophecy has been realized. • • • How odd to find it is here, in the capitalism he reviled, that the promise of the tools has been fulfilled.

The footnote indicates that this quotation may be found in a pamphlet published by the Esso Corp. entitled "The Story of Creative Capital." It so happens that the Story of Creative Capital was not published by the Esso Corp. but by the Du Pont Co. This is an indication of the quality of Mr. Perlo's research.

In addition, Mr. Perlo omitted from the quotation the most important part of the statement. The actual statement read:

> Yes, the people own the tools of production. By his own definition, Karl Marx's prophecy has been realized. How odd a quirk of fate that in Russia, where he is revered, his dream should have been shredded on the jagged shards of "state" bureaucracy. How odd to find that it is here, in the capitalism he reviled, that the promise of the tools has been fulfilled.

In view of Mr. Perlo's admiration for Soviet Russia, it is not odd that he should have doctored the quotation before using it. Perhaps this also accounts for the fact that he made it difficult for anyone to check his alleged scholarly works by using an incorrect reference.

The article is an undisguised attack on American capitalism. Mr. Perlo attempts to prove that the average citizen does not benefit from American free enterprise. He states:

> One can search far and not find a real representative of small stockholders among the directors of large corporations, whether a representative is defined as one having an occupation similar to that of the typical small stockholder (small-business man, salaried employee, wage earner), or being an official of an organization of any of these groups.

The fact of the matter is that in America we have a classless society, and most of the officers and directors of America's leading corporations have risen from the ranks; very few of them had personal wealth in their early years.

Obviously, it would be a disservice to the millions of stockholders who have invested their savings in American business to select directors merely because they happen to be small-business men, salaried employees, or wage earners. Directors should be selected solely on the basis of their ability to contribute to the profitable management and direction of a business enterprise.

Mr. President, since students in schools and colleges throughout the world read the American Economic Review, they should know something about Mr. Perlo's background. This will enable them to better appraise his thesis.

Mr. Perlo has written a number of books which have been published by International Publishers, which, as every Senator knows, is the publishing house of the Communist Party in the United States.

He has frequently resorted to the fifth amendment in his appearances before Congressional committees. He was a witness before the Internal Security Subcommittee of the Senate Committee on the Judiciary during the 83d Congress. His views on socialism and capitalism were enlightening.

Mr. President, I ask unanimous consent that excerpts from Mr. Perlo's testimony before our subcommittee may be printed at this point in the RECORD for the benefit of those who will read his article in the American Economic Review.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> [From hearing before the Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate, 83d Cong., 1st sess., on interlocking subversion in Government Departments, May 12, 1953, pt. 7]
>
> INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS
>
> Mr. MORRIS. Where do you practice your business?
>
> Mr. PERLO. Being an economic consultant?
>
> Mr. MORRIS. Yes.
>
> Mr. PERLO. New York.
>
> Mr. MORRIS. Would you describe generally the nature of your duties at the present time?
>
> Mr. PERLO. I do economic work for various clients.
>
> Mr. MORRIS. Who are some of those clients, Mr. Perlo?

Mr. PERLO. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. MORRIS. You mean if you were to answer that question as to who are your clients, that would incriminate you; not them, you?

Mr. PERLO. I decline to get into a discussion of the reasons for my answer for the same reason.

Mr. MORRIS. And you won't tell this committee anything for its records about the job that you are now carrying on?

Mr. PERLO. That's right, except I'll say that the work I do I consider good work and honest work and on behalf of the American people.

Mr. MORRIS. On behalf of the American people?

Mr. PERLO. Yes.

Mr. MORRIS. Are you presently a member of a Communist espionage ring?

Mr. PERLO. No.

Mr. MORRIS. Are you presently a member of the Communist Party?

Mr. PERLO. I decline to answer that question on the grounds that it might tend to incriminate me and also on the ground that it interferes with my freedom of association.

Mr. MORRIS. Mr. Chairman, will you rule on his invocation of privilege?

The CHAIRMAN. This committee will recognize your right to refuse to answer under the fifth amendment, that it may tend to incriminate you, but we do not believe that your right of association is grounds for refusing to answer.

Mr. MORRIS. Mr. Chairman, in this memorandum of November 1945 which has been referred to several times before, one paragraph reads—and this, Mr. Perlo, is a memorandum which has been described by now Vice President NIXON as a secret memorandum, dated November 25, 1945, dealing with Soviet espionage in the United States prepared by an intelligence agency of this Government, was circulated among several key Government departments and was made available to the President. Mr. NIXON described it as such on January 26, 1950. The pertinent paragraph here, Mr. Chairman, reads:

"The head of the next most important group of Soviet espionage agents with whom Bentley had maintained liaison was Victor Perlo of the War Production Board. Members of this group were introduced to Bentley early in 1944 at the apartment of John Abt, general counsel for the Amalgamated Clothing Workers of America, CIO, in New York City. The individuals in this group include Charles Kramer, an investigator for Senator Kilgore's committee in the United States Senate; Henry Magdoff of the War Production Board; Edward Fitzgerald, formerly of the Treasury Department and then with the War Production Board; Donald Wheeler of the Office of Strategic Services; Mary Price, formerly employed by Walter Lippman in Washington, D. C., and now working for the United Office and Professional Workers of America, CIO, in New York City; Maj. Duncan Lee of William Donovan's law firm in New York City who is also in the Office of Strategic Services."

I would like to ask about those individuals, Mr. Chairman.

The CHAIRMAN. Proceed.

Mr. MORRIS. Were you, in fact, the head of an espionage ring during the war?

Mr. PERLO. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. MORRIS. Did you know Elisabeth Bentley?

Mr. PERLO. I decline to answer that for the same reason.

Mr. MORRIS. Did you meet with John Abt, Elisabeth Bentley, Charles Kramer, and other individuals in the apartment of John Abt, Central Park West, New York City, during the war, 1944?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Did you know John Abt?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Did you know Charles Kramer?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Did you know Henry Magdoff?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Mr. Chairman, the same reason—

The CHAIRMAN. Let the record show each time the fifth amendment privilege, may tend to incriminate him.

Mr. MORRIS. Do you know Edward Fitzgerald?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Did you know Donald Wheeler?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Did you know Mary Price?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Did you know Major Duncan Lee?

Mr. PERLO. Refuse to answer for the same reason.

Mr. MORRIS. Mr. Chairman, we have had testimony, in addition, before this committee from one Nathaniel Weyl that the witness here today was a member of the Harold Ware cell of the Communist Party meeting in Washington in 1933 and subsequent years.

Mr. Perlo, were you a member of the Harold Ware cell of the Communist Party in 1933 and following years?

Mr. PERLO. I refuse to answer that question for the same reason.

The CHAIRMAN. That it might tend to incriminate you?

Mr. PERLO. Yes.

Mr. MORRIS. Did you meet in meetings of the Harold Ware cell of the Communist Party with Alger Hiss?

Mr. PERLO. The same reason.

Mr. MORRIS. Did you meet in secret meetings of the Communist Party with Donald Hiss?

Mr. PERLO. Same reason.

Mr. MORRIS. Did you meet in secret meetings of the Communist Party with Lee Pressman?

Mr. PERLO. Same reason, decline to answer.

Mr. MORRIS. Do you know Nathaniel Weyl?

Mr. PERLO. Decline to answer on the grounds it might tend to incriminate me.

Senator WELKER. Did you know Harold Ware?

Mr. PERLO. Decline to answer on the grounds it might tend to incriminate me.

Mr. MORRIS. Mr. Chairman, we have also had testimony from Whittaker Chambers to the effect that Mr. Perlo was a member of the Harold Ware cell and was an active Communist agent subsequent to that.

Did you know Whittaker Chambers?

Mr. PERLO. Refuse to answer that question for the same reason, that it might tend to incriminate me.

Mr. MORRIS. And you won't tell us whether you are presently a member of the Communist organization?

Mr. PERLO. That's right.

Mr. MORRIS. Where were you born, Mr. Perlo?

Mr. PERLO. Queens County, N. Y.

Mr. MORRIS. Did you go to Columbia University?

Mr. PERLO. Yes, sir.

Mr. MORRIS. Did you get your bachelor's degree in 1931?

Mr. PERLO. Yes, sir.

Mr. MORRIS. And your graduate degree in 1932?

Mr. PERLO. I guess it must have been 1932. I wasn't sure whether it was 1932 or 1933.

Mr. MORRIS. What degrees do you have?

Mr. PERLO. Bachelor's degree and master's degree.

Mr. MORRIS. Were you a member of the Young Communist League when you were at Columbia?

Mr. PERLO. I refuse to answer that question on the grounds that it might tend to incriminate me and also on the grounds that it interferes with my freedom of association.

The CHAIRMAN. Let the record show that we do not recognize the right to refuse to answer on the grounds of association. His refusal to answer on the fifth amendment privilege, that it might tend to incriminate him, is recognized by this committee.

Mr. MORRIS. Mr. Perlo, when did you first come to Washington to work for the United States Government?

Mr. PERLO. 1933.

Mr. MORRIS. What were the circumstances of your coming to Washington to work for the Government?

Mr. PERLO. The circumstances of my coming to work for the Government in Washington were that the country was in the bottom of the worst depression in our history and 16 million people were walking the streets, and the new administration that was coming in was asking people to come down here and try to work out ways of helping improve the situation and helping alleviate the misery of the people.

Mr. MORRIS. And you undertook to come down to solve some of those problems?

Mr. PERLO. To help in a very modest way to solve some of those problems.

Mr. MORRIS. How did you get your first job in Washington?

Mr. PERLO. I was recommended by one of my professors at the university to some of the officials of the NRA with whom he worked and who asked him to recommend people.

Mr. MORRIS. Is that Professor Hoteling? Is he the one who recommended you?

Mr. PERLO. That's right.

Mr. MORRIS. What was your first job?

Mr. PERLO. Well, to tell you the honest truth, I can't remember all of the details of the job, but the kind of thing I did was attempt to work out measures that would help in the direction of increasing wages and reducing working hours, increasing consumer purchasing power and hence increasing employment and prosperity in our country.

Mr. MORRIS. What agency was this with?

Mr. PERLO. In the NRA.

Mr. MORRIS. What was your first salary?

Mr. PERLO. I think it was $2,300.

Mr. MORRIS. Now, were you a member of the Communist Party at that time?

Mr. PERLO. I refuse to answer that question for the same reasons.

Mr. MORRIS. How long did you stay in the NRA?

Mr. PERLO. Until 1935, at which time the agency folded up because it was declared unconstitutional by the Supreme Court.

Mr. MORRIS. What did you do after that?

Mr. PERLO. I went to another agency——

Mr. MORRIS. What was the other agency?

Mr. PERLO. The Home Owners Loan Corp.

Mr. MORRIS. How did you get a job in the Home Owners Loan Corp.?

Mr. PERLO. I don't remember the exact circumstances any more.

Mr. MORRIS. You don't remember how you got your job in HOLC?

Mr. PERLO. No; I don't remember whether I was called, asked to come by one of the officials there, or whether I asked for the job. This was over 20 years ago.

Mr. MORRIS. Wasn't that a hard thing, to get a job in those days?

Mr. PERLO. Not in Washington in those days for a competent statistician and economist, no. As a matter of fact, there were plenty of times when you had to choose between various jobs because there was quite a demand during much of that period.

Mr. MORRIS. Where did you live during this period, Mr. Perlo?

Mr. PERLO. Where did I live?

Mr. MORRIS. Yes, in Washington. Did you ever live in St. Matthews Court?

Mr. PERLO. Might be. I don't remember any more.

Mr. MORRIS. Henry Collins used to live there. Did you ever live with Henry Collins at St. Matthews Court?

Mr. PERLO. I refuse to answer that question on the ground that it might tend to incriminate me.

The CHAIRMAN. You mean, Mr. Perlo, if you would give us an honest answer to that question, it might tend to incriminate you, where you lived? We recognize your rights under the fifth amendment, but we do not think you ought to abuse those rights before this committee.

Mr. PERLO. Well, Mr. Jenner, my residences are a matter of public record, I believe. I believe they are all on file one place or another. Nevertheless, I sincerely believe that the way this question is put in its connection, I must refuse to answer it on the grounds it might tend to incriminate me.

Mr. MORRIS. You worked with Henry Collins, have you not? That's Henry Collins, Jr.

Mr. PERLO. Will you please explain your question?

The CHAIRMAN. You have worked with Henry Collins, Jr.?

Mr. MORRIS. In various Government agencies.

Mr. PERLO. It might be. I don't recall at the moment.

Mr. MORRIS. Where else did you live in Washington, Mr. Perlo? Did you have many residences in Washington at this period?

Mr. PERLO. I had several residences.

Mr. MORRIS. With whom else did you live in Washington during this period?

Mr. PERLO. With whom else?

Mr. MORRIS. Yes. You shared an apartment with 4 or 5 attorneys down here, did you not, or shared a house with them?

Mr. PERLO. I guess that's so, yes.

Mr. MORRIS. You lived there for a period of at least a year, too, did you not?

Mr. PERLO. No, much shorter period.

Mr. MORRIS. Who were those people, Mr. Perlo? Can you recall?

Mr. PERLO. No; I don't recall.

Senator WELKER. You mean you shared a house with five attorneys and you cannot recall the name of one of them?

Mr. PERLO. Yes; I remember one of them. One of them is Aaron Morouchek.

Mr. MORRIS. He died, did he not? Isn't he dead now?

Mr. PERLO. I don't know. Is he dead?

Mr. MORRIS. Where was this house located?

Mr. PERLO. Somewhere near Dupont Circle.

Senator WELKER. Do you remember the names of any of the others?

Mr. PERLO. I just can't think of any more. If you want me to search my recollection on it further, you can come back to the question later. I'll think about it. I just can't think of that.

Senator WELKER. All right, supposing we do that, Mr. Perlo.

Mr. PERLO. All right.

Mr. MORRIS. What were your duties at the HOLC? Is it your best recollection now that you cannot recollect how you got your job with the HOLC?

Mr. PERLO. Look, if you mean did I fill out an application and get the job, certainly, that's what I did.

Mr. MORRIS. Tell me this: Did anyone in the Communist Party help you get that job?

Mr. PERLO. All my jobs in the Government I obtained on my own initiative and through my normal governmental contacts. Any of the people that I had contact with in connection with getting jobs, I didn't ask them what their politics was.

Mr. MORRIS. How long did you stay with the HOLC?

Mr. PERLO. I stayed with the HOLC for 2 years.

The CHAIRMAN. What type of work did you do there?

Mr. PERLO. Well, my work there was in connection with activities of the HOLC in trying to save the homes of hundreds of thousands of small-home owners who had gotten loaded up with excessive mortgage debt during the 1920's and I worked in the direction of helping to save more of these homes and in combating against the pressures of certain big financial institutions that were attempting to crack down on the loans that HOLC had taken over and convert the United States Government into a big foreclosure agency.

Senator WELKER. Just one question more, Mr. Chairman. You stated a moment ago to Counsel Morris that you didn't ask any person who may have helped you get a job as to his political affiliation. Did you know the political affiliation of anyone who helped you get a job?

Mr. PERLO. Not that I can think of at the moment.

Senator WELKER. Did any Communists recommend you or help you get a job in this agency?

Mr. PERLO. Well, I don't—for one thing, one never knows—look, so far as I specifically know, the answer is "No."

Senator WELKER. Very well.

Mr. MORRIS. Did Lee Pressman ever aid you in transferring from one job to another?

Mr. PERLO. Not that I know of.

Mr. MORRIS. You worked with Harold Posner, did you not, in the NRA?

Mr. PERLO. I think that a man of that name was working there at that time.

Mr. MORRIS. Do you know Harold Posner?

Mr. PERLO. I know him, yes.

Mr. MORRIS. Will you tell us when you first met Harold Posner, P-o-s-n-e-r?

Mr. PERLO. I don't remember.

Mr. MORRIS. When did you last see Harold Posner?

Mr. PERLO. I don't remember.

Mr. MORRIS. What was your next assignment after your HOLC assignment, Mr. Perlo?

Mr. PERLO. Well, it wasn't in the nature of an assignment. I was invited by one of my former bosses at the HOLC——

Mr. MORRIS. Who was he now?

Mr. PERLO. Spurgeon Bell. He had gone to the Brookings Institution to write a book dealing with labor economics. He had been asked by the Brookings Institution to write a book on labor economics and he required an assistant to help with various of the statistical work and with some of the writing of the material, and he asked me to come there to do that, which, of course, was a great opportunity for me to do creative research on a higher level than I had been able to do formerly.

Mr. MORRIS. During the period you worked for the Brookings Institute, were you a member of the Communist Party?

Mr. PERLO. I decline to answer that question for the reasons I mentioned before.

Mr. MORRIS. How long did you stay at the Brookings Institution?

Mr. PERLO. For 2 years, until the book was done.

Mr. MORRIS. Whom did you work with there at the Brookings Institute in connection with that project?

Mr. PERLO. What individuals?

Mr. MORRIS. Yes, what individuals. You did not work alone, did you?

Mr. PERLO. Well, I worked for Spurgeon Bell.

Mr. MORRIS. Just the two of you?

Mr. PERLO. What?

Mr. MORRIS. Just the two of you working on this project?

Mr. PERLO. Most of the time, but there were a couple of other assistants from time to time.

Mr. MORRIS. Who were they?

Mr. PERLO. The other assistants that I can remember are John McClellan and Edward Posniak.

Mr. MORRIS. When did you last see Mr. Posniak?

Mr. PERLO. Don't remember.

Mr. MORRIS. When did you first see Mr. Posniak?

Mr. PERLO. Don't remember.

Mr. MORRIS. You have seen him, have you not

Mr. PERLO. He worked on the same project I did; yes.

Mr. MORRIS. Will you tell us something about your association with Mr. Edward Posniak? Do you know where he works now, for instance?

Mr. PERLO. I don't know where he works now; no. I read about him in the papers recently that he was under fire by one of these committees, but I don't know where he works now.

Mr. MORRIS. Have you seen him within the last year?

Mr. PERLO. No.

Mr. MORRIS. Did you see him last year?

Mr. PERLO. What?

Mr. MORRIS. Did you see him during the last 2 years?

Mr. PERLO. I don't think so. If you go back far enough—I really don't remember when I last saw the man. It's on honest answer, and I do remember that I didn't see him the last year or two. If I did, I wouldn't say definitely that that was the end of the period.

Mr. MORRIS. Mr. Chairman, I submit that the witness is not being responsive to that question. As a matter of fact, we are asking for a list of associations with a man who was assistant research clerk with him back in the 1930's and I submit the witness is not giving a responsive answer to that question.

The CHAIRMAN. Mr. Perlo, can you not give the committee a more definite answer in regard to a man that you worked with and with whom you were closely associated?

Mr. PERLO. I think, Mr. Senator and Mr. Counsel, that you are making unreasonable demands. In the course of my work with the Government, I worked with hundreds and hundreds of people and you are saying to me: When did you last see one of those hundreds of people?

Mr. MORRIS. We are not asking you specifically. We are asking you generally, under what circumstances you saw him. He is a man you know well.

Mr. PERLO. I don't know him very well; no. It may be that I last saw him—my best guess as to when I last saw him was somewhere between 8 and 12 years ago.

Mr. MORRIS. And what were the circumstances at that time?

Mr. PERLO. What?

Mr. MORRIS. What were the circumstances under which you saw him?

Mr. PERLO. I don't know. I might have had lunch with him. I might have seen him at a Government office, something of that character.

Mr. MORRIS. In other words, you have had lunch with him on several occasions, but you can't recall whether or not that was the occasion that you last saw him?

The CHAIRMAN. Did he ever come to your home, Mr. Perlo?

Mr. PERLO. I don't remember.

The CHAIRMAN. Did you ever go to his home?

Mr. PERLO. I don't remember, but I did have lunch with him; I remember that.

The CHAIRMAN. Go ahead.

Mr. MORRIS. What did you do after you left Brookings Institution, Mr. Perlo?

Mr. PERLO. I went to the Commerce Department.

Mr. MORRIS. What was your assignment in the Department of Commerce?

Mr. PERLO. Well, my assignment at the Department of Commerce was to work on methods for overcoming the 1938-39 depression, to figure out ways of helping to accomplish full employment in this country through more public works and other things in the interests of the people, and to expand foreign trade.

Mr. MORRIS. That has been your motivation all throughout this, according to your testimony today, wanting to improve the economic lot of the United States people and the United States Government?

Mr. PERLO. Absolutely, certainly, but it so happens I am telling you what my assignments were in different agencies and that happened to be the general character of my assignment in the Commerce Department, which I am presenting simply as I can in summary fashion.

Mr. MORRIS. You worked on the Secretary's staff, did you not, at that time?

Mr. PERLO. Well, it was on the Secretary's staff until Senator Taft and some of his associates did a hatchet job on that setup in the Senate on the appropriations and thereafter we were transferred to the Bureau of Foreign and Domestic Commerce.

Mr. MORRIS. When were you on the Secretary's staff? The Secretary at that time was Harry Hopkins, was he not?

Mr. PERLO. I believe he was the Secretary for at least part of the time. Whether he was Secretary all the time I don't remember for sure.

Mr. MORRIS. And it was your job to accumulate the facts and present facts that would be the foundation for basic economic decisions to be made by the Secretary of Commerce? Is that a fair description?

Mr. PERLO. That's right.

Mr. MORRIS. Were you a member of the Communist Party when you held that assignment?

Mr. PERLO. I refuse to answer that question for the same reasons I mentioned earlier.

The CHAIRMAN. You mean an honest answer to that would incriminate you? Were you adviser to the Secretary of Commerce?

Mr. MORRIS. Was he a member of the Communist Party when he held the job?

Senator WELKER. The chairman is correct. Were you an adviser?

The CHAIRMAN. He was on the Secretary of Commerce's staff. You mean to say that would incriminate you?

Mr. PERLO. That wasn't the question as I understood it. Do you want to repeat the question, please?

Mr. MORRIS. Will you repeat the question, Mr. Reporter?

(The record was read by the reporter as follows:

"Were you a member of the Communist Party when you held that assignment?")

Mr. PERLO. And I refuse to answer that question for the reasons I mentioned earlier.

The CHAIRMAN. The fifth amendment, it might tend to incriminate you?

Mr. PERLO. Fifth amendment.

Mr. MORRIS. Willard Thorp was responsible for your hiring; was he not? You know Willard Thorp; do you not?

Mr. PERLO. Yes; I know Willard Thorp.

Mr. MORRIS. Was he instrumental in bringing you into that assignment?

Mr. PERLO. Might have been; not that I particularly know or recollect.

Mr. MORRIS. Do you know a man named Veet Bassie, B-a-s-s-i-e?

Mr. PERLO. Well, he was my boss at one time.

Mr. MORRIS. Do you know a man named Salant, S-a-l-a-n-t?

Mr. PERLO. He was one of my coworkers in the Commerce Department.

Mr. MORRIS. Will you give us a description of your duties in the Department of Commerce at that time?

Mr. PERLO. I'll try to give you an example of the kind of assignments we had. We examined the various things that go to make up the economy, various parts of economic life and different branches of production and finance, and we saw which parts were particularly in bad shape resulting in widespread unemployment that existed at that time, and we tried to work out a scale and kind of public works and other projects, other measures, that would either directly lead to increased employment in these weak industries or indirectly lead to increased employment through increasing the purchasing power of the people.

Mr. MORRIS. You left the Department of Commerce in what year, Mr. Perlo?

Mr. PERLO. Well, toward the end of 1940 my part of the Department of Commerce was transferred bodily to the Defense Agency, Emergency Defense Agency, on account of the fact that the situation had changed from one of depression to one of war in Europe and the danger of our involvement in that war.

Mr. MORRIS. In other words, work which had been primarily research and devoted to the solving of the economic problems of the country was now going to be turned to the problems of war?

Mr. PERLO. To the economic problems of war mobilization in preparation for the defense of the country, that's right.

Mr. MORRIS. And on November 1, 1940, you became the principal economic analyst for the Council of National Defense Advisory Committee?

Mr. PERLO. Well, I assume that the date on the paper you are reading is accurate and so on, but the connotation of it is slightly inaccurate, and I don't believe in boasting——

Mr. MORRIS. I am reading your positions in the Federal service.

Mr. PERLO. But I don't like to boast of how important I was and when it says principal economic something or other it does not mean that I was the principal economic this and that because there were a lot of titles like that and above principal economists there were head economists and so on.

Mr. MORRIS. You tell us exactly what you did at that time. That is what we would like to know in this hearing today, Mr. Perlo.

Mr. PERLO. All right. What I did during that period, the period prior to Pearl Harbor, my work was mainly along two lines: Along the lines of helping to prevent inflation, and to protect the living standards of the people under wartime conditions against war profiteering, and also helping to make easier and more thorough the mobilization for war that was necessary for the defense of the country.

The CHAIRMAN. Mr. Perlo, as I remember it, in 1940, when you went with that agency, there was no evidence of any inflation, was there? Were there not 10 million people unemployed?

Mr. PERLO. Well, I am describing the period between when I went with this agency——

The CHAIRMAN. I thought you went with this agency in November 1940.

Mr. PERLO. Yes, but I said up to Pearl Harbor. For example, early in 1941, there was a big issue on the question of wages and prices in the steel industry. I believe there was a wage increase in the steel industry and there was considerable dispute over the question as to whether the steel prices had to be increased, and one of my assignments was to prepare material on what the economic facts were concerning the ability of the steel companies to absorb the wage increase without a price increase, and the facts showed that the steel companies were making plenty of profits and could easily absorb the wage increase, and I assure you that of course my research was just one of many things that

contributed to such decisions, but to the extent that it helped in keeping stable the price of steel during the war I am very proud of it.

Mr. MORRIS. How did you become associated with the Council of National Defense Advisory Committee?

Mr. PERLO. I told you, because my whole branch of the Commerce Department was bodily transferred in that work.

Mr. MORRIS. In December 1942, 2 years later, you were converted to a war service appointment, were you not?

Mr. PERLO. I don't know.

Mr. MORRIS. Does that——

Mr. PERLO. If the record says so, it must be so. I don't remember.

Mr. MORRIS. And then you were head economist in the Office of Price Administration in the Research Division?

Mr. PERLO. Well, I think that maybe the date is a little bit wrong because I think that this agency was called the OPA long before November 1942. I think it was sometime around Pearl Harbor or even before that it was called the OPA.

Mr. MORRIS. But that was an automatic transfer. You mean you went with the——

Mr. PERLO. That's right.

Mr. MORRIS. The whole function was transferred?

Mr. PERLO. That's right. In all this period, Commerce Department, National Defense, OPA—it was all one job that was just bodily transferred from here to there.

Mr. MORRIS. All during this period that you just described, were you a member of a Communist ring in Washington?

Mr. PERLO. I refuse to answer that question on the grounds of the fifth amendment.

Mr. MORRIS. On February 17, 1943, did you become the head financial economist, salary of $6,500 a year, with the War Production Board in the office of Production Vice Chairman in Washington, D. C.?

Mr. PERLO. If that's the way the record says it. I thought it was called the Office of Progress Reports, but it might have been called the other thing. And again I just want to qualify it, to point out that when you say head financial economist or something like that that this is a title and it doesn't mean I was the head economist of the War Production Board.

Mr. MORRIS. That is why we have you here, Mr. Perlo, in order for you to describe exactly what you did do.

Mr. PERLO. All right.

Mr. MORRIS. Mr. Chairman, I would like to point out here that all during this period Mr. Perlo's salary is increasing. When he entered the Government with the NRA, his salary, according to this, was $2,300. He got a promotion to $2,600, 3 months after he went there. With HOLC, he was getting $2,800, associate economic analyst, after promotion $2,800, after another promotion, $3,100. When he was an expert with the Department of Commerce he was getting $4,000 and it is now 1939. When he was a senior agent in the Commerce Department, Foreign and Domestic Commerce Branch, he was drawing $4,600. Then as principal economic analyst for the council of National Defense Advisory Committee he was drawing $5,600; head economist for the Office of Price Administration, $6,500; and in this last assignment that we have been talking about his salary is $6,500.

Mr. PERLO. I just want to ask, Mr. Morris, is there anything wrong in my having achieved these increases in salary as a result of my advance in work?

Mr. MORRIS. No. That is exactly what we are trying to find out here.

Senator WELKER. I have a couple of questions.

The CHAIRMAN. Senator Welker.

Senator WELKER. We have been talking about your last assignment on the 17th day of February 1943. I wonder if you would be kind enough to give me a sample of your signature please on this blank piece of paper.

(Witness writes signature.)

Senator WELKER. Now, will you do that twice more?

(Witness writes signature.)

Senator WELKER. Thank you. I ask, Mr. Chairman, that this be marked "Exhibit A" and made a part of the record.

The CHAIRMAN. It may be marked "Exhibit A" and made a part of our record.

(The signature referred to was marked "Exhibit A" and is filed in the committee files.)

Senator WELKER. Mr. Perlo, on the 17th day of February 1943, were you a member of the Communist Party?

Mr. PERLO. I refuse to answer that question for the same reasons as earlier.

Senator WELKER. I will ask you, Mr. Perlo, if you did not on the 17th day of February 1943, take an oath and subscribe to an oath before Marie L. Seebold, notary public of the District of Columbia, in which you do solemnly swear that: "I, Victor Perlo, do solemnly swear that I have read and understand the foregoing"—which is section 9 A of Public Law 252 and I will show you this exhibit in just a moment—"that I have read and understand the foregoing; that I do not advocate the overthrow of the Government of the United States by force or violence; that I am not a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence; and that during such time as I am an employee of the Federal Government, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence.

"VICTOR PERLO.

"Subscribed and sworn to before me this 17th day of February, A. D., 1943, at Washington, D. C.

"MARIE L. SEEBOLD,
"Notary Public, District of Columbia.
"My commission expires January 19, 1947."

Directing your attention to that personnel affidavit, I will ask you whether or not you did take that oath before that notary public?

Mr. PERLO. It's quite probable that I did, and I don't see any reason why I shouldn't.

Senator WELKER. Did you tell the truth when you swore to that affidavit?

Mr. PERLO. Of course I did.

Senator WELKER. Did you then advocate the overthrow of the Government of the United States by force or violence?

Mr. PERLO. Of course not.

Senator WELKER. Were you a member of the Communist Party when you took that oath?

Mr. PERLO. I refuse to answer that question on the grounds that it might tend to incriminate me.

Senator WELKER. And this is your signature on the personnel affidavit?

Mr. PERLO. I suppose so. I dare say it is. It looks like it is.

Senator WELKER. There is not any question in you mind about that, Mr. Perlo, is there?

Mr. PERLO. No, not any serious question about it.

Mr. MORRIS. At that time had you transmitted confidential Government information to a person you knew to be a member of an espionage ring?

Mr. PERLO. Well, I refuse to answer that question on the grounds it might tend to incriminate me.

Senator WELKER. Yet at the same time you took this oath that you did not advocate the overthrow of the Government of the United States by force or violence, and you refuse to answer whether or not you submitted any secret documents of the Government of the United States to an espionage ring operating in Washington, D. C., at that time?

Mr. PERLO. Yes; I refuse to answer that question on grounds that it might tend to incriminate me.

Senator WELKER. I will ask, Mr. Chairman, that the personnel affidavit be marked "Exhibit No. B" and by reference made a part of the record.

The CHAIRMAN. It may.

(The document referred to was marked "Exhibit No. B" and is filed in the committee files.)

Mr. MORRIS. Mr. Perlo, in connection with your job with the OPA, was it your function to prepare data for top executives and prepare material connected with the interdepartmental work of the Office of Price Administration?

Mr. PERLO. I daresay it was. For example, it was one of my jobs to prepare the material, prepare the charts, that were presented to a committee of the Senate in the Senate Office Building the day after Pearl Harbor to demonstrate the need for complete authority to control prices and ration products on account of the country was at war, and I might say that a number of Senators there seemed to require an awful lot of convincing because some of them reflected a business-as-usual attitude.

Mr. MORRIS. Will you give a description of your assignment as head financial economist in the War Production Board?

Mr. PERLO. Yes.

My essential assignment there was—during the early part of my stay at the War Production Board my assignment was to assist in increasing war production, increasing the efficiency of war production, to expose and report those interests who were hampering the increase in war production for reasons of their profits, and I want to read to you a letter to me from Mr. Hyland G. Batcheller who was then Operations Vice Chairman of the War Production Board, dated November 23, 1944, in which he said,

"DEAR MR. PERLO: I indeed appreciate the very excellent work you did on the report on critical programs. The job could not have been done without your help.

"Many thanks."

Mr. MORRIS. You recognize, of course, that nobody on this committee is challenging your efficiency at any time. That is not the issue.

Mr. PERLO. Well, toward the latter part of the war my work was to help prepare for a smooth transition from war production to civilian economy with a minimum of losses to employment and jobs in the transition, and I participated in various projects that were specifically directed to these ends.

Senator WELKER. Who was the man who wrote you this last letter?

Mr. PERLO. What?

Senator WELKER. The letter you just read into the record. What was his name?

Mr. PERLO. Hyland G. Batcheller.

Senator WELKER. Did Mr. Batcheller ever inquire of you as to whether or not you were a member of the Communist Party?

Mr. PERLO. Oh, I doubt it.

Senator WELKER. Do you suppose if you had answered that you were a member of the Communist Party he would have written that letter?

Mr. PERLO. I don't know. This is a completely hypothetical question.

Senator WELKER. Completely hypothetical, but very material.

Mr. PERLO. May I say that the atmosphere then was not the way it is now when "are you or were you ever" has become the $64 question of the day, which is falsely interpreted as a touchstone of everything else, the merits and demerits of every individual and what he does.

Senator WELKER. Very well. Since from that statement I take it it was not so bad to be a Communist, did you ever tell anyone

you were a member of the Communist Party back in those days?

Mr. PERLO. I think, Senator Welker, that is a loaded question, frankly.

Senator WELKER. Is it?

Mr. PERLO. Yes.

Senator WELKER. You told us that now it is very unpopular to be a Communist and it was not so bad back in those days. I want you to tell this committee, did you at any time in those days ever tell anyone that you were a member of the Communist Party?

Mr. PERLO. What I am saying is that I think what you are asking me, that question now, is a loaded question.

Senator WELKER. Will you answer that question now?

It may be loaded; you answer it.

Mr. PERLO. All right. I refuse to answer on grounds that it might tend to incriminate me.

Mr. MORRIS. Is one interpretation of your summary there that you were unmolested in transferring confidential data to members of an espionage ring?

Mr. PERLO. Say that again?

Mr. MORRIS. Is it a fair summary of your statement to say that during this period of time you were unmolested in transferring classified Government information to people you knew to be members of the Soviet spy ring?

Mr. PERLO. No. I want to make absolutely clear that I don't regard my use of the fifth amendment as a basis for any imputation of guilt. The fifth amendment is a protection of the innocent against star chamber proceedings and witch hunts being conducted by this and other committees today, and it isn't generally my opinion; it is the opinion of the leading Boston clergymen and professors who published an advertisement to that effect in the Boston papers the other day.

Mr. MORRIS. Mr. Perlo, you understand that we have in our record evidence, sworn testimony, that you were a member, a leader, of an espionage ring that was carrying on a substantial operation of transferring Government secrets to Soviet agents during the war, and we called you down to give you an opportunity to put a denial into the record and thus far you have refused to put a denial into the record about this very significant and very important evidence.

The CHAIRMAN. I would like the record to show also that this committee is not so much interested in witch hunts as it is in rat hunts.

Senator SMITH. Would you object now to answering the question as to whether or not you were a member of that ring that was transferring Government secrets for the benefit of the espionage of the Russians or the Communists?

Mr. PERLO. Well, I already refused to answer that question on the grounds that it might tend to incriminate me.

Senator SMITH. Then if you are innocent it could not possibly incriminate you, could it? If you answered, no, you had not done that, that would be such a denial that it could not possibly incriminate you; is that not true?

Mr. PERLO. I am not going to go into a discussion as to my specific reason why I claim the privilege on any particular question.

Senator SMITH. You were asked if you had done these things. Of course if you had said, "Yes, I did," that would incriminate you, besides tend to incriminate you, but if you said, "No, that is untrue. I didn't do it," that would not incriminate you, would it?

Mr. PERLO. I don't want to get into a discussion as to what would or what would not incriminate me.

Senator SMITH. A statement of denial by you that you had done these things certainly would not incriminate you, would it?

Mr. PERLO. I don't concede that that is so.

Senator SMITH. If a man is charged with something and he denies it and his denial is the truth, it certainly cannot incriminate him, can it?

Mr. PERLOS I don't want to get into a discussion.

Senator SMITH. I can understand why you would rather not do it, but you are sworn here to tell the truth. Why don't you tell it?

Mr. PERLO. I decline to answer that question for the same reason.

Senator SMITH. And yet you know that the truth would not incriminate you, if you told the truth that would not incriminate you. If you had not done these things and told the truth, it would not incriminate you?

Mr. PERLO. I decline to answer that question for the same reason.

Senator SMITH. When Mr. MORRIS asked you just now about whether or not you had transferred secret information to an espionage ring, I believe you said you refused to answer that upon the grounds of the fifth amendment and, that it might tend to incriminate you.

Mr. PERLO. Yes.

Senator SMITH. If you had answered that yes, it would not only tend to incriminate you; it would incriminate you, would it not?

Mr. PERLO. I daresay.

Senator SMITH. Do you know that there is a law against that, do you not?

Mr. PERLO. Yes.

Senator SMITH. If you had said that, that would incriminate you right off, would it not?

Mr. PERLO. What?

Senator SMITH. It would go beyond "it might tend" to incriminate you?

Mr. PERLO. I suppose so.

Senator SMITH. So you still refuse to say whether or not you were a party to or did you transfer governmental papers, documents, and secrets, to an espionage ring?

Mr. PERLO. Yes.

Senator SMITH. You refuse to answer that?

Mr. PERLO. Yes.

Mr. MORRIS. Mr. Chairman, I have here a description of this particular witness' assignments with the War Production Board and his salaries. May I just read them into the record and ask him if these are the facts?

The CHAIRMAN. You may proceed.

Mr. MORRIS. After you were head financial economist with the War Production Board, did you become head production progress analyst at $6,500 per annum on May 3, 1943? Does that sound right?

Mr. PERLO. That is possible.

Mr. MORRIS. And then on October 18, 1944, through an intradivision transfer did you become an economist in special studies, still at the rate of $6,500, with the War Production Board in the Bureau of Planning and Statistics Office of the Director? What was your work in the Planning and Statistics Office of the Director?

Mr. PERLO. Well, then, toward the end of the war it became more the preparation for reconversion to civilian production. For example, on assignment I prepared a report that was published as part of a larger work with credit to me for my participation in it, by the Civil Aeronautics Administration showing how the airplane companies could obtain very profitable civilian business by concentrating their energies on the development of cheap and small civil airplanes for personal use instead of concentrating on production of bombers and not go broke for the loss of the bomber orders.

Mr. MORRIS. Who was the director at this time?

Mr. PERLO. Director of what?

Mr. MORRIS. It is the Bureau of Planning and Statistics, Office of the Director, in the War Production Board?

Mr. PERLO. I am not sure. Do you have it on record there?

Mr. MORRIS. You worked there, did you not?

Mr. PERLO. Yes; but I am not sure. There were a couple of directors that I worked for, 2 or 3.

Mr. MORRIS. Who were the directors you worked for?

Mr. PERLO. All right. At the War Production Board as a whole?

Mr. MORRIS. That is right.

Mr. PERLO. I worked for Mr. M. Joseph Mehan, and I think I worked for Thomas Blaisdell, and I think toward the tail end there, there was still another boss, but I am not sure that I remember his name.

Mr. MORRIS. Was your next assignment, then, economist with the Research Coordinating Staff of the War Production Board, Bureau of Program and Statistics, Washington, D. C., at the rate of $6,750?

Mr. PERLO. Must be.

Mr. MORRIS. Thereafter, were you an economist at the rate of $7,437 for the same agency?

Mr. PERLO. Must be.

Mr. MORRIS. And then, subsequent to that, did you transfer over to the Treasury Department?

Mr. PERLO. I transferred over to the Treasury Department; yes.

Mr. MORRIS. Mr. Mandel, do we have any job description in our records that we can put in the record at this time?

Mr. MANDEL. I have here a photostat of an application blank signed by Victor Perlo on January 20, 1943, describing his work in the OPA. This application says as follows:

"Direct work of staff engaged in preparing and analyzing basic data for research division and top executives of OPA. Write policy memorandums for economic adviser; also Mr. Gilbert. Attend interdepartmental committees, including WPB and Planning Committee as an OPA representative."

Reading from the same application in regard to Mr. Perlo's work in the Commerce Department:

"Study and prepare reports on basic economic problems with special emphasis on relationships among major economic factors such as Government spending, taxation, private investment, consumer expenditures, and national income. Also develop techniques for forecasting trends in economic activities."

This is from a United States Civil Service classification sheet for Victor Perlo, Division of Monetary Research:

"Under general supervision to formulate and execute policies, programs, and plans relating to fiscal monetary and economic problems:

"SPECIFIC

"1. To serve as Treasury Department representative on the key interdepartmental committees of the Government dealing with international economic problems:

"(a) to serve as alternate to the Director of Monetary Research on the Executive Committee on Economic Foreign Policy."

Mr. MORRIS. Your next job then was for the Treasury Department; was it not?

Mr. PERLO. Yes.

Mr. MORRIS. International Monetary Fund?

Mr. PERLO. No.

Mr. MORRIS. What was your assignment in the Treasury?

Mr. PERLO. My assignment in the Treasury was primarily to work with the Trade Agreements Committee which was an interdepartmental body charged with the work of attempting to reduce trade barriers under the reciprocal trade program.

Mr. MORRIS. Did you have title of economic analyst at the rate of $7,437.50 per annum, Treasury Department, Division of Monetary Research, in Washington?

Mr. PERLO. Probably so.

Mr. MORRIS. Are you describing the function of that particular assignment in answering that question?

Mr. PERLO. I am describing the main function of that particular assignment. There were various others. I don't remember all the details.

Mr. MORRIS. Did you know Frank Coe at this period of time?

Mr. PERLO. He was my boss part of the time I was at the Treasury Department.

Mr. MORRIS. Did you ever meet at a Communist meeting with Frank Coe?

Mr. PERLO. I decline to answer that question on grounds that it might tend to incriminate me.

Mr. MORRIS. Was Harry Dexter White your superior at this time?

Mr. PERLO. I am not certain of that because I know that he was, I believe, Assistant Secretary of the Treasury shortly before I came there and left either just before I came there or shortly after I came there.

Mr. MORRIS. How about Harold Glasser. What was he doing?

Mr. PERLO. Harold Glasser?

Mr. MORRIS. Harold Glasser.

Mr. PERLO. He was also my superior during a period at the Treasury Department.

Mr. MORRIS. Mr. Mandel, do we have papers in our file showing that Mr. Coe and Mr. White did in fact give rating and aid in the promotion of Mr. Perlo?

Mr. MANDEL. I have here United States Treasury Department personnel recommendation in the name of Victor Perlo which is signed by F. Coe, Bureau of Division head, rating Mr. Perlo and stating, "Character investigation is in progress. Appointment recommended subject to favorable report thereon."

Mr. MORRIS. Several of those records show that Frank Coe gave him an excellent rating, do they not?

Mr. MANDEL. I have here a Treasury Department, Division of Monetary Research, office memo, to Mrs. Hall, which says:

"Mr. Coe has sent the attached note to Mr. White. He asked me to tell you to keep him on ice. Nothing doing now."

This refers to Victor Perlo.

Mr. MORRIS. How about Harold Glasser, Mr. Mandel? Did he give him any excellent ratings?

Mr. MANDEL. I have here an efficiency rating, Board of Efficiency Rating for Victor Perlo, dated as of March 31, 1947, for a period of April 1, 1946, to March 31, 1947. It is signed by Harold Glasser and the rating is excellent.

Mr. MORRIS. Mr. Glasser and Mr. Coe have both appeared before our committee, Mr. Chairman, and both of them refused to say whether or not they are presently members of the Communist ring, on the grounds their answers might incriminate them.

Senator WELKER. Is it not a fact that they also refused to answer whether or not they knew Victor Perlo on the grounds that their answer might tend to incriminate them?

Mr. MORRIS. I believe so, but I would like to check the record to be certain.

Senator SMITH. I might ask this witness whether Mr. Coe is a Communist or not?

Mr. PERLO. I refuse to answer that question on the grounds it might tend to incriminate me.

Senator SMITH. Harold Glasser?

Mr. PERLO. Same reason.

Mr. MORRIS. When did you last see Harold Glasser?

Mr. PERLO. I refuse to answer for the same reason.

Mr. MORRIS. When did you last see Frank Coe?

Mr. PERLO. I refuse to answer for the same reason.

Senator SMITH. Did you see Mr. Glasser about the time he was being examined by this committee recently? Did you know Mr. Glasser was before this committee

Mr. PERLO. No; I didn't know that.

Senator SMITH. You did not know that?

Mr. PERLO. No.

Senator SMITH. Did you see him about a month ago or 2 months ago?

Mr. PERLO. No.

Senator SMITH. Have you not seen him in 2 months then?

Mr. PERLO. That is right.

Mr. MORRIS. Was your last salary with the Government as economic analyst with the Treasury Department at the rate of $8,778 per annum?

Mr. PERLO. Must be if it's in there.

Mr. MORRIS. This is March 28, 1947. Does that square with your recollection?

Mr. PERLO. It's about right.

I assume I wasn't put on that salary at that date because that is about when I left the Treasury.

Mr. MORRIS. That is the salary you had when you resigned?

Mr. PERLO. Yes.

Mr. MORRIS. Do we have a job description of Mr. Perlo's work at the Division of Monetary Research in the Treasury?

Mr. MANDEL. Yes. I was reading from it previously. To continue:

"(a) To serve as alternate to the Director of Monetary Research on the Executive Committee on Economic Foreign Policy. This is the supervisory committee overseeing all interdepartmental work on foreign economic problems. Its representatives include the deputy to the Assistant Secretary of State for Economic Affairs and the Vice Chairman of the United States Tariff Commission.

"To serve as the official Treasury representative on two of the most important subcommittees of the Executive Committee on Economic Foreign Policy. These two subcommittees are (1) on private monopolies and cartels, the membership of which includes an Assistant Attorney General of the Justice Department and the Chief of the Division of Research and Statistics of the Property Custodian, and (2) on trade barriers, the membership of which includes the Chief of the Bureau of Foreign and Domestic Commerce, Commerce Department, and the Commissioner of Labor Statistics, Labor Department. This responsibility will involve familiarity with practically all areas of Treasury policy in the international financial field and its relation to foreign-trade policies of this Government;

"(b) To be responsible for the Treasury Department's conformance with the policies evolved by the Executive Committee on Economic Foreign Policy. In this connection to assume complete responsibility for insuring within the Department policy discussions and decisions necessary for adequate Treasury participation in the work of the Committee; also to be responsible for insuring that the actions decided upon are carried out.

"2. To serve as an adviser and be responsible for recommending actions required in the following fields:

"(a) Aspects of domestic economy in relation to international financial affairs such as the supply of money and its speed of circulation, bank deposits, and lending activity, the volume of private savings and their absorption through domestic investments, production and employment trends in industries with important potential export markets.

"(b) The effects on domestic economy of current international financial developments and the prospective effects of international financial proposals; such as—

"Effects of proposed United States loans to foreign countries on domestic financial stability and economic activity, including the general effects on circulation, prices, and employment; and the specific effects of private banking participation on the volume of outstanding private bank loans, and deposits, the specific effects on individual industries of exports likely to develop from the proposed loans.

"Immediate and long-term effects on the domestic economy of specific changes in exchange rates with individual countries, including the volume of trade with the country concerned, and the volume of trade with other countries which trade both with the United States and with the country concerned.

"Effects of proposed international financial policy agreements on the domestic economy, such as the effects on United States foreign trade and employment of agreements providing for changes in foreign currency controls.

"Effects on the domestic economy of United States private investments abroad, including the effects on the total savings and investment of the economy, the effects of dividend, interest, and capital repayments, the effects of exports and imports resulting from the investments and the returns therefrom on specific domestic industries."

Mr. MORRIS. Mr. Perlo, that was your own description; was it not?

Mr. PERLO. Certainly a whopper of a job description, isn't it?

Mr. MORRIS. Is it your own?

Mr. PERLO. You mean, did I write it?

Mr. MORRIS. Yes.

Mr. PERLO. I don't know.

Mr. MORRIS. Is there anything to indicate that that is Mr. Perlo's own job description in there?

Mr. MANDEL. His signature is not on this document.

Mr. MORRIS. It purports to be his own document; does it not?

Mr. MANDEL. It purports to be his classification sheet.

Mr. MORRIS. Some of these job descriptions are even signed by Mr. Perlo; is that right?

Mr. MANDEL. Yes.

Mr. MORRIS. That particular one is not signed?

Mr. MANDEL. No, sir.

Mr. MORRIS. I wonder if you would offer that to Mr. Perlo to see if that would refresh his recollection or whether he literally submitted that as his own description?

Mr. PERLO. It wouldn't do any good and looking at it wouldn't make me remember.

Mr. MANDEL. This is signed by Mary B. Hall, signature of reviewing officer, F. Coe.

Mr. MORRIS. You worked for the Resources Protection Board, did you not, in conjunction with your work for the War Production Board?

Mr. PERLO. Not that I remember.

Mr. MORRIS. In connection with all this work you described here in Treasury, did you ever transmit any classified material obtained from that job to people who have been named as members of the Soviet espionage ring that we have been talking about today?

Mr. PERLO. Well, I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. MORRIS. Mr. Perlo, after you left your job in Treasury in March 1947, did you then try to take up work with the Intergovernmental Committee on Refugees?

Mr. PERLO. Yes.

Mr. MORRIS. Will you tell us the circumstances? You did begin to tell us in executive session. Will you tell us the circumstances surrounding your application and your actual transfer to a job with the Intergovernment Committee on Refugees?

Mr. PERLO. Well, the basic circumstances were that with the change in the policy of the Government to a policy of reaction and war preparation, and the Truman doctrine and loyalty problems, they were anxious to get rid of all of the people who served in the New Deal period, such as myself, and I was just as happy to get away from the job where I felt I could no longer make a contribution in the new environment, and consequently, because of both of these reasons, I was looking around for something else to do and in

the course of this looking around, but quite independent of it, I was offered the job of being the treasurer of this Intergovernmental Committee on Refugees which was then located in London and which later became the International Refugee Organization.

Mr. MORRIS. Who offered you the job?

Mr. PERLO. Who offered me the job?

Mr. MORRIS. Yes.

Mr. PERLO. Well, it was discussed with me by officials of the State Department.

Mr. MORRIS. Will you tell us who?

Mr. PERLO. Well, there was one——

Mr. MORRIS. This was an important job. You described it as an important job in executive session.

Mr. PERLO. Yes, it was an important job. I am not belittling it. There was one official who had relations to this particular kind of work and who had conducted negotiations with the Englishman who was the chairman of the board, technical level. I don't remember his name.

Mr. MORRIS. You mean you don't remember the man's name in the State Department?

Mr. PERLO. I don't remember that man's name. I believe he was a professor of some sort.

The other man was General Hilldring who was Assistant Secretary of State, who interviewed me in connection with this job and I believe conducted the final official negotiations.

Mr. MORRIS. General Hilldring was opposed to you in this job; was he not?

Mr. PERLO. No. I don't see how this could have been the case because as I recall I spoke to him before my name was transmitted to the Chairman of the Intergovernmental Committee, the point being that later—I just want to explain that this had nothing to do with being a State Department job. I was not interested in a State Department job, but it was a question of protocol, with being an intergovernmental agency and Chairman of the Intergovernmental agency was interested in recommendations from officials of the United States Government.

Mr. MORRIS. Did you speak with Mr. Glasser about this job?

Mr. PERLO. I doubt it.

Mr. MORRIS. You doubt it?

Mr. PERLO. Yes, I doubt it. I don't know whether he was with the Treasury any more at that time. I don't remember.

Mr. MORRIS. Well, there was a question of your loyalty which had arisen at that time, was there not, Mr. Perlo?

Mr. PERLO. Yes.

Mr. MORRIS. Mr. Chairman, I would like to point out that this memorandum that we have been discussing throughout is dated November 1945, and subsequent to that time Mr. Perlo commenced his employment with the Treasury Department, subsequent to the date of that.

Now this job is 2 years later. It takes place at a time 2 years after the memorandum, this other job we are talking about with the International Committee on Refugees, and it is in that background that I asked that last question?

Mr. PERLO. Will you ask me that question again?

Mr. MORRIS. Did someone challenge your loyalty at this time?

Mr. PERLO. Well, I had been told at the Treasury Department that my loyalty check which had been under way for a long period had been negative.

Mr. MORRIS. In other words the check showed that there was nothing disloyal about your record?

Mr. PERLO. No, no, no. I have been told that the loyalty check was unfavorable.

Senator WELKER. Just a moment ago, Mr. Perlo, you stated that due to the loyalty problems and other matters, you felt that you could not make any contribution to the Government of the United States and in fact you were glad to leave Government service; is that correct?

Mr. PERLO. That is absolutely correct.

Senator WELKER. Because they questioned your loyalty you decided that you would be happier some place else?

Mr. PERLO. No; that is not the reason. For example my work in the Trade Agreements Committee, which I considered very good work, was in the direction of removing trade barriers and encouraging peaceful foreign trade. However, the policy of the Government had shifted to the Truman Doctrine and the trade and armaments which made it impossible to do any effective work in the Government for the promotion of peaceful foreign trade and I felt that my continued service in the Government, quite apart from the fact that it was obvious that the Government wanted to get rid of me, that my continued service in the Government would not be a public service any longer.

Senator WELKER. Were you loyal to the Government of the United States all the time you were employed by them.

Mr. PERLO. Yes.

Senator WELKER. You wrote a book in 1951 or caused to be published a book.

You are the author of it, called American Imperialism; is that correct?

Mr. PERLO. Yes; I wrote it and I am very proud of that book.

Senator WELKER. I do not doubt that a bit.

Directing your attention to page 149, and there are many other little paragraphs I would like to read, but we will not have time, you did say this in your book:

"A flood of popular hatred of United States imperialist domination is riding in the Marshall plan countries, threatening to drown the well-laid plans for completing the establishment of control over Europe, to wreck the plot to use Europe as a base for world war III."

Is that correct? Did you write that?

Mr. PERLO. Absolutely.

Senator WELKER. You used some information you acquired from the Government of the United States from your employment in your research?

Mr. PERLO. No, sir.

Senator WELKER. You did not?

Mr. PERLO. No, sir; I used published Government documents. I did not use any confidential information in this book.

Senator WELKER. You caused some of the documents to be published; did you not?

Mr. PERLO. Some of the documents that I used as a source?

Senator WELKER. The Government documents that you used.

Mr. PERLO. Oh, I question that very much. I question whether—I won't say absolutely, because that would require a special survey, but I doubt very much whether there is a single statistic or reference from Government sources used in this book that I had anything personally to do with in the preparation of it.

Senator WELKER. Well, you used Lenin a number of times too for the basis of some of your factual information there.

Mr. PERLO. No; I quoted from Lenin as well as other writers on the subject of imperialism, such as the Englishman, the English economist Tobson, and the American professor Parker T. Moon.

Senator WELKER. You are familiar with the publication on the west coast called the People's World, are you not?

Mr. PERLO. I know of the People's World, and I have seen copies of the People's World.

Senator WELKER. You know it to be a Communist publication on the west coast?

Mr. PERLO. I know it to be a left wing publication on the west coast.

Senator WELKER. Did you see their review that they made of your book, American Imperialism?

Mr. PERLO. No.

Senator WELKER. I will read it to you:

"PERLO REDRESS LENIN ON IMPERIALISM UP TO DATE

"NEW YORK.—A particularly timely volume dealing with the underlying forces at work in the present world crisis is American Imperialism, by Victor Perlo, which International Publishers will publish in February.

"Based on Lenin's analysis of the nature of imperialism made nearly 35 years ago in Imperialism, the Highest Stage of Capitalism, Perlo presents a wealth of current documentation to show precisely how United States imperialism is driving toward world domination today. Drawing heavily upon official Government documents, United Nations statistics, annual reports of large corporations, and business publications, the book reveals the methods by which American monopolies have come to dominate the economic and political life of the vast areas of the world, including Western Europe, as well as the colonial and semicolonial countries.

"How do United States monopolies work with the Government to gain advantages over their British, French, Dutch, and other rivals? Just what means do they use to extract superprofits from colonial and semicolonial countries? How do these same monopolies go about extracting superprofits from the Negro people at home? What effect does monopoly control of the United States economic life have upon the living standards of American workers? These questions are answered specifically and in detail."

Did you ever read that review?

Mr. PERLO. No; I never read that review.

Senator WELKER. It was dated January 2, 1951, page 9, of the People's World, if you care to read it.

Mr. MORRIS. Mr. Mandel, do we have an official citation on the People's World?

Mr. MANDEL. The California Committee on Un-American Activities in its report of 1948 called the Daily People's World "West Coast mouthpiece of the Communist Party."

Mr. MORRIS. Mr. Perlo, did you finally accept this position with the Intergovernmental Committee on Refugees?

Mr. PERLO. Yes; I accepted the position.

Mr. MORRIS. Did you work there?

Mr. PERLO. No.

Mr. MORRIS. What happened?

Mr. PERLO. The State Department wouldn't give me a passport to go to the job.

Mr. MORRIS. And that is the reason you did not take up your appointment?

Mr. PERLO. Yes.

Mr. MORRIS. Did you protest that?

Mr. PERLO. Yes.

Senator WELKER. Do you know why they turned your passport down?

Mr. PERLO. General Hilldring said he spent 3 days trying to find out, and nobody would tell him.

Senator WELKER. I am asking you: Do you know why they turned it down?

Mr. PERLO. No; I don't know.

Senator WELKER. Were you asked whether or not you were a member of the Communist Party in your passport application?

Mr. PERLO. I don't remember what I was asked in the passport application.

Senator WELKER. Had you been asked whether or not you were a member of the Communist Party, what would your answer have been?

Mr. PERLO. I refuse to answer that question on the ground that it might tend to incriminate me.

Senator WELKER. Mr. Perlo, a moment ago you referred to this committee as a group of witch hunters, and I am not going to sit here any more and listen to that kind of dialog from you or anyone else who refuses to answer a simple question: Have you ever been or are you now a member of the Communist

Party? When American boys and the American people are fighting and dying and spending their resources in fighting communism. I think that was very unfair of you to classify any committee as a group of witch hunters.

You have been permitted to come here with your attorney, which is a privilege. You have no right to do that and I think you will admit that you have been treated pretty fair. We have asked you questions. We do not get any enjoyment out of spending hour after hour working down here on this committee. It is a job we have to do and I will say this to you and all like you that as long as American boys are fighting communism, I do not think this committee is engaging in witch hunt, to ask a man whether or not he is a member of the Communist Party.

I want you to know that and you can tell it to any of your contemporaries wherever they may be.

The CHAIRMAN. Particularly might I state a man who came into Government——

Mr. PERLO. May I make a comment?

The CHAIRMAN. Just a moment. You came into Government service years ago at a salary of $2,300. You moved from NRA to the HOLC, to the Commerce Department, to the War Production Board, and to the Treasury Department, always going higher, even advising the Secretary of Commerce, holding key positions, where he could make policy to affect the future of this country, and yet when we ask you a simple question—at that time you were receiving your compensation from the taxpayers of this country—as to whether or not you were a member of the Communist Party, you hide behind the fifth amendment. As Senator Willis Smith pointed out to you, if you would answer the simple question, "No, I was not," you could not incriminate yourself, so I do not think you are fair in coming before this committee calling us witch hunters.

I again refer to the fact that we are looking for people like you who are in here, identified by witnesses as a member of an espionage ring before this committee. We do not call those witches. We call them rats.

Senator WELKER. Let me make this further observation to you, sir. If you think it is unfair for this committee to ask you whether or not you are a Communist or ever have been a Communist, there is not a member of this committee that would not be glad to reverse our positions and have you, Mr. Perlo, ask us representatives of the sovereign States of this Union whether or not we are now or ever have been members of the Communist Party. You will not see any of the Senators hiding behind the fifth amendment. We will gladly and promptly answer you under oath. We are not now nor have we ever been members of the Communist Party. Call that witch hunting if you want. I call it a left-handed smear by you and all like you.

Mr. PERLO. It seems to me that you gentlemen are making your smears in speeches right now.

Senator WELKER. All right, you open up. Go ahead and make yours.

Senator SMITH. Mr. Chairman, may I?

The CHAIRMAN. Senator Smith.

Senator SMITH. Do you want now to retrace your steps and say whether or not you are or ever have been a Communist?

Mr. PERLO. No, sir.

Senator SMITH. You do not want to retrace your steps?

Mr. PERLO. No, sir.

Senator SMITH. Did you ever go to the west coast?

Mr. PERLO. Of America?

Senator SMITH. Yes.

Mr. PERLO. Yes.

Senator SMITH. And while you were over there, did you have any conference with Mr. Al Richmond, the publisher or editor of this People's World, this Communist publication out there?

Mr. PERLO. Don't believe I met him.

Senator SMITH. You are sure you never had any conference with him?

Mr. PERLO. No; I'm not sure.

Senator SMITH. You are not sure? You knew he was a Communist?

Mr. PERLO. I don't know if I did or not. I knew he was a Communist when I read about his being indicted under the Smith Act. I don't know if that happened before I went out to the west coast or not.

Senator SMITH. And you do not know now whether or not at the time you went to the west coast you knew or did not know he was a Communist?

Mr. PERLO. That's right.

Senator SMITH. However, you do know it now?

Mr. PERLO. Yes.

Senator SMITH. Have any of your writings ever been published in this paper or reviewed other than the review read to you a few minutes ago?

Mr. PERLO. I don't have the least idea.

Senator SMITH. Did you read the People's World?

Mr. PERLO. Not regularly.

Senator SMITH. You read it irregularly then?

Mr. PERLO. When I was on the west coast, I saw a few issues of it. That's about the extent of it.

Senator SMITH. And you went to the publication's office while you were there, did you not?

Mr. PERLO. Don't believe I did.

Senator SMITH. Where did you meet Mr. Richmond?

Mr. PERLO. I didn't say I met him. I said I thought I hadn't met him.

Senator SMITH. Did you meet any of his associates in that publication?

Mr. PERLO. I don't know.

Senator SMITH. You do not recall, or you do not know.

Mr. PERLO. I don't know.

Senator SMITH. Or do you deny that you met any of them?

Mr. PERLO. No; I don't deny it. I met a lot of people on the west coast.

Senator SMITH. I understood you did. Did you confer or have any conferences with any Communists while you were on the west coast?

Mr. PERLO. First, I didn't have conferences with people.

Senator SMITH. Well, meetings, whatever you call them. Did you have any meetings or conferences with any Communists on the west coast?

Mr. PERLO. Well, I met people on the west coast.

Senator SMITH. I did not ask you whether you met people. You were bound to meet people. I asked you whether or not you met or had any contact with any Communists while you were on the west coast.

Mr. PERLO. I met people, and I don't know which if any of them were Communists.

Senator SMITH. You do not know whether you met Communists or not, then?

Mr. PERLO. That's right.

Senator SMITH. And you are not willing to say you did not have conferences or meetings with Communists while you were out there, are you? You are not willing to deny it?

Mr. PERLO. Of course not, because if I met with people and didn't know they were Communists——

Senator SMITH. Did you meet with anybody that you knew or had reason to believe they were Communists? Put it that way.

Mr. PERLO. I think you are just repeating the question.

Senator SMITH. No. I am asking you, Did you have any meetings or conferences or whatever you may call them with anyone who was a Communist or that you had reason to believe was a Communist at that time?

Mr. PERLO. Look, in the first place, I didn't have meetings. I gave lectures and people came to my lectures.

Senator SMITH. Did you talk to anyone afterward?

Mr. PERLO. I talked with people.

Senator SMITH. Did you have some conferences with people that came to your lectures afterward?

Mr. PERLO. I didn't have any conferences.

Senator SMITH. You just do not want to call them conferences?

Mr. PERLO. I know what a conference is, and I didn't have any conference.

Senator SMITH. What do you call a conference, then? Let us see if you have the right idea.

Mr. PERLO. My idea of a conference is a business meeting to discuss certain matters of business.

Senator SMITH. A formal meeting, you mean? Is that what you mean?

Mr. PERLO. No; I'm not speaking on formality.

Senator SMITH. Did you have any informal discussions with anybody on the west coast who were either Communist or had reason to believe were Communists?

Mr. PERLO. Look, I talked with many people on the west coast socially and informally, and I don't know about whether or not they are Communists.

Senator SMITH. I am not asking you about all those people you were talking to. I am asking you whether or not you talked to any Communists while you were out there.

Mr. PERLO. I don't know about any of them, whether or not they were Communists.

The CHAIRMAN. Do you know any Communists at all? Are you acquainted with any Communists?

Mr. PERLO. Yes.

Senator SMITH. Did you discuss communism at all while you were on the west coast?

Mr. PERLO. No; I discussed American imperialism on the west coast.

Senator SMITH. You never did even discuss anything about communism on the west coast in the hope it might correct this imperialism that you have been talking about so much?

Mr. PERLO. No. What I discussed was the need for peace and the need for a program of schools instead of airplanes, such as President Eisenhower was talking about a week ago, except that I mean it and I'm for the end of the war in Korea so that we'll have it, and that's the talk I was making on the west coast.

Senator SMITH. You were advocating the stopping of manufacturing of airplanes and munitions and advocating the manufacturing of things that might be used in peaceful pursuits?

Mr. PERLO. Yes.

Senator SMITH. And, at the time you were advocating that, you knew that the fewer airplanes or munitions we manufacture the better opportunity that would give Russia to excel us in the event of war? You realize that, do you not?

Mr. PERLO. No; I don't agree with that interpretation whatsoever.

Senator SMITH. Then you think the fewer airplanes we have and the fewer munitions we have the better off we will be if we have to have a war? Is that your theory?

Mr. PERLO. No. I think that the only danger of war arises from the enormous production of armaments in this country at the present time.

Senator SMITH. Have you ever been to Russia, Mr. Perlo?

Mr. PERLO. No, sir.

Senator SMITH. Do you have any kinspeople living in Russia now?

Mr. PERLO. No, sir; not that I know of.

Senator SMITH. You have not heard from any of them in Russia?

Mr. PERLO. I do not know whether I have any relatives in Russia or not. Period.

Senator SMITH. Did any of your kinspeople come from Russia?

Mr. PERLO. Well, my mother and father came as very young children from Czarist Russia, but the places where they came from—I'm not sure whether they are part of the Soviet Union at the present time or neighboring countries.

Senator SMITH. Do you have acquaintances in Russia now?

Mr. PERLO. Do I have any acquaintances?

Senator SMITH. Acquaintances in Russia.

Mr. MORRIS. Do you know Noel Field?

Mr. PERLO. No; I didn't know Noel Field.

Senator SMITH. You do not want to answer my question as to whether or not you had——

Mr. PERLO. I'm thinking about it, thinking about whether or not I have any acquaintances in Russia.

The CHAIRMAN. Let the record show that the witness is conferring with his counsel before replying to the question after some long hesitation.

Mr. PERLO (after conferring with counsel). Not to the best of my knowledge.

Senator SMITH. Mr. Perlo, at the bottom of page 219 of your book you discuss Mr. William Z. Foster and his, as you say, latest book, Outline Political History of the Americas.

Do you know Mr. Foster?

Mr. PERLO. I refuse to answer that on the ground it might tend to incriminate me.

Senator SMITH. Is he not the chairman or the head of the Communist Party, or was he not, at one time?

Mr. PERLO. Yes; I believe so.

Senator SMITH. He is now, is he not?

Mr PERLO.. I think so. I'm not sure.

Senator SMITH. You read his book, Outline Political History of the Americas, did you not?

Mr. PERLO. Yes.

Senator SMITH. And this is where you were discussing it, on the bottom of page 219 of your book. At the top of page 220 you say, and I quote from your book:

"The very forces which guarantee this result"—that is to say, sound the death knell for the capitalist system everywhere—that is what you said, did you not, on the bottom of page 219? You used those words about sounding the death knell of capitalism?

Mr. PERLO. I quoted from Foster's book in which Foster said that:

"A new world war would deluge humanity in a welter of horrible and needless slaughter, would surely sound the death knell for the capitalist system everywhere."

Senator SMITH. Then I direct your attention to the top of the next page where you say:

"The very forces which guarantee this result strive by all means to avert that war. The U. S. S. R."—that means Soviet Russia, does it not? That is what you meant when you wrote that?

Mr. PERLO. Yes.

Senator SMITH (reading):

"The U. S. S. R., the Peoples Democracies, and China lead this world struggle for peace."

Mr. PERLO. It seems to me that you are cutting short your quotation prematurely and hence you are not getting the full context. To continue:

"The scope of the peace movement was indicated by the 500,000 signatures to the Stockholm petition to outlaw the atomic bomb."

Senator SMITH. I was hoping you would come to that. You know that it has been established the Stockholm petition was circulated by Communists, do you not?

Mr. PERLO. Let me finish. I don't know anything of the sort.

Senator SMITH. Do you not know that the Stockholm peace petition has been demonstrated as Communist-circulated? I do not mean the people who signed it were all Communists, but a lot of them were taken in. However, do you not know that it has been demonstrated that that was inspired by the Communist regime and the advocates of communism?

Mr. PERLO. I know the Stockholm petition was issued by the World Peace Congress meeting in Stockholm, which was a meeting attended by Communists, anti-Communists, by lovers of peace from all countries and of all political points of view. Let me continue with this though.

Senator SMITH. Do you deny that the Stockholm peace petition was inspired by the Communist groups that were trying to get that petition circulated to get the people to sign it and it was Communist originated and Communist inspired?

Mr. PERLO. I say that the Stockholm peace petition was representative of all of those trends in the world, Communist and non-Communists which were interested in preserving peace and preventing atomic slaughter.

Senator SMITH. And that is precisely what the Communists contended, too, that it was for all these purposes.

Mr. PERLO. Are you in favor of war and atomic slaughter?

Senator SMITH. No; I am not. Maybe you are.

Mr. PERLO. No; I am not.

Senator SMITH. The Communists tried to use that organization for their own ends to lull into a sense of security the people in America. Do you not know that that is true?

Mr. PERLO. I don't follow your argument. It doesn't make any sense to me. Here is a petition that calls for peace and the outlawing of the atomic bomb and you say you are for peace and against the use of the atomic bomb and you say that the petition that calls for this is a plot.

Senator SMITH. No; I think you misunderstood the basis of my question. I said that that was used, but the Communists inspired it for the purpose of lulling us, that is to say, America, into a false sense of security with the hope that that would hold up the manufacture of armaments with which to defend ourselves. That is what I meant, and I think you knew what I meant all the time.

Mr. PERLO. I see. In other words, you are asking me: Don't I think that somebody is planning to attack the United States——

Senator SMITH. I was not asking you that.

Mr. PERLO. What are you asking me?

Senator SMITH. I just want to see how much, if anything, you had to do toward the circulation of the Stockholm peace petition for the purpose of lulling America into a false sense of security, which in turn would tend or hope to tend America away from the manufacture of armaments.

Mr. PERLO. What are you asking me?

Senator SMITH. You had nothing to do with the Stockholm peace petition at any time?

Mr. PERLO. Yes; I collected 67 signatures on the Stockholm peace petition.

Senator WELKER. Mr. Chairman, I would like to call to Senator Smith's attention that the witness testified a moment ago if we would quit manufacturing airplanes that would bring peace too.

Senator SMITH. Precisely.

Senator WELKER. I would like the witness to tell that to some veterans of ours over in Korea today. I want to clear this matter up with you.

Mr. PERLO. Where——

Senator WELKER. Just a moment. I want to ask you a question. At the very outset of this testimony in response to a question by committee counsel, Morris, you stated that you had done good work and honest work on behalf of the American people.

As we got into this testimony, you were asked whether or not you had ever been a Communist or were now a Communist. You came back with a shot at this committee that we were witch hunters. Once again, in fairness to you, I want to ask you whether or not you want to reverse the procedures here and want to ask the committee, who are duly elected representatives of sovereign States, as to whether or not any one of us has ever been or is now a member of the Communist Party. If you would like to do that, I would like to take note and answer you right now and not hide behind the fifth amendment.

Mr. PERLO. I'd rather ask you different questions. I am not interested in that.

Senator WELKER. Of course, you are not.

Mr. PERLO. I'm interested, for example, in whether or not you are in favor of ending the war in Korea or reducing the taxes on the people.

Senator WELKER. Who would not be in favor of ending the war in Korea and reducing the taxes on the people as long as we could get an honorable peace, but you and all like you are never going to convince this committee that we are going to be subservient to Communist Russia and take a licking over there while we have lost so many men and injured so many.

The CHAIRMAN. Mr. Perlo, I think this record clearly demonstrates your attitude toward this country and your motives for working in the Government. I particularly apply that to the fact when you refuse to answer simple questions as to whether or not you were a Communist when you were working with all these various divisions of our Government. Senator SMITH brought out a book that you have written and mentioned passages from that book. I would like to ask you this question: What have you done to reduce the war production in U. S. S. R.? You have talked about reducing the war production in this country. What have you advocated toward reducing war production in Russia?

Mr. PERLO. What have I advocated toward reducing war production in Russia?

The CHAIRMAN. Yes.

Mr. PERLO. If you let me answer that question——

The CHAIRMAN. I will let you answer.

Mr. PERLO. The last couple of questions when I got in the middle of them somebody threw another question at me. In the first place, I have no influence on Russian affairs. I live in the United States and my responsibilities are here.

Secondly, I have made studies based on United Nations reports of the comparative armament levels and proportion of armament expenditures in the United States and of the Soviet Union and I can assure you gentlemen that the rate of armament expenditures in our country is approximately three times as big, if not bigger, than that in the Soviet Union.

Senator WELKER. How did you get that information?

Mr. PERLO. From United Nations publications.

Senator WELKER. That was supplied to them by Russia, was it not?

Mr. PERLO. What?

Senator WELKER. The information the United Nations received came from Russia and the satellites?

Mr. PERLO. The information that the United Nations received comes from its various member governments, including the Russian Government and the United States Government.

Senator SMITH. Right there——

Mr. PERLO. I haven't finished my answer.

Senator SMITH. I want to ask you right there——

Mr. PERLO. Why won't you let me finish one question at a time?

Senator SMITH. When you say 3 times as much, do you not know that the average workingman in America has 3 times as much income and 3 times as much liberty and 3 times as much everything else as the Russian worker does?

Mr. PERLO. We could argue about your version of the facts, but that has nothing to do with the question of costing three times as much because it's an elementary matter of economics that the question of costs are determined not only by the rate of wages, but also by the productivity of labor, and as one can see from many American Government publications, and not United Nations publications, the productivity of labor in general is lower in the Soviet Union than it is in the United States, but let me continue with my answer, that not only are armaments production much bigger here, and I might say that our armaments budget is as large as estimates I have seen coming, I have seen in our press in this country, the New York Times and so forth, estimates of the entire national income of the Soviet Union, and not only that, I think you gentlemen know just as well as I do that we happen to be the country that has bases all around the Soviet Union and not vice versa; and, finally, I want to say that I do not advocate only that we reduce our armaments, I advocate that we reduce our armaments and the Soviet Union reduce their armaments at the same time.

Senator SMITH. You think that the Russian system of economy is better than the American system of economy then?

Mr. PERLO. What?

Senator SMITH. Do you think that the Russian system of economy is better than the American system of economy?

Mr. PERLO. Well, the Russian system of economy——

Senator SMITH. I asked you a simple question. Which do you think is preferable, the Russian system of economy, or the American system of economy?

Mr. PERLO. In the long run, socialism is bound to work better than capitalism.

Senator SMITH. You favor then the Russian system over the American system?

Mr. PERLO. No.

Senator SMITH. You do not?

Mr. PERLO. No.

Senator SMITH. What do you mean by that?

Mr. PERLO. Socialism is not the Russian system of economy. Socialism—that's an important distinction.

Senator SMITH. What does U. S. S. R. mean? Does that not mean Soviet Socialist Republic?

Mr. PERLO. Let me answer one question at a time.[1]

Senator SMITH. What does U. S. S. R. mean? What do those letters stand for? Do you know what they stand for?

Mr. PERLO. Sure.

Mr. SMITH. What do they stand for?

Mr. PERLO. Union of Soviet Socialist Republics.

Senator SMITH. And you think that is a system of economy superior to the American system of economy?

Mr. PERLO. I will not accept the implication that when I say I think socialism is superior to capitalism in the long run that I am favoring some Russian system of economy.

Senator SMITH. You do in this book, do you not?

Mr. PERLO. That would be nonsense.

[1] See letter from Mr. Perlo dated July 8, 1953, on p. 451.

Senator SMITH. Do you not in this book?

Mr. PERLO. No, I don't talk about Russia. That book is about America.

Senator SMITH. Who published this book of yours? International Publishers; is that correct?

Mr. PERLO. Yes.

Senator SMITH. Do you know any of the people that are in that organization?

Mr. PERLO. I refuse to answer that on the ground it might incriminate me.

The CHAIRMAN. According to the records, Mr. Mandel, do we not have a citation on the International Publishers? I would like the record to show that.

Mr. MANDEL. International Publishers is cited by Attorney General Francis Biddle as "the Communist Party's publishing house."

The CHAIRMAN. That is right.

Senator SMITH. Do you know that, Mr. Perlo?

Mr. PERLO. I just wanted to come back. You wouldn't let me finish my answer to the previous question you asked before on socialism.

Senator SMITH. I am asking you about this. You have answered about socialism.

Mr. PERLO. I partly answered about that.

Senator SMITH. You can come back to that and make a speech on it if you want to, but do you know that the International Publishers Co. is a Communist organization?

Mr. PERLO. I don't know.

Senator SMITH. You heard that citation read by Mr. Mandel.

Mr. PERLO. What was the citation?

Senator SMITH. You heard the citation read, did you not?

Mr. PERLO. You better read it again.

Mr. MANDEL. International Publishers has been cited by Attorney General Francis Biddle as the Communist Party publishing house.

Senator SMITH. Do you know that?

Mr. PERLO. If you say so, it must be so.

Senator SMITH. Do you know any of the individuals in it?

Mr. PERLO. I refuse to answer on the ground it might incriminate me.

Senator SMITH. Do you know any of the individuals?

Mr. PERLO. At the publishing house?

Senator SMITH. Yes.

Mr. PERLO. I refuse to answer on the ground it might incriminate me.

Senator SMITH. Do you mean to say that you allow your book to be published by an organization that you are ashamed of?

Mr. PERLO. I don't say anything of the sort. I refuse to answer that particular question on the grounds it might tend to incriminate me.

Senator SMITH. That is to say because you know they are Communists? It is a Communist organization?

Mr. PERLO. It isn't anything except I refuse to answer that question on the grounds it might tend to incriminate me.

Senator SMITH. You write a book that you want Americans to read, I presume, and then you have it published by an organization that you are ashamed to say whether or not they are Communists.

Mr. PERLO. I am not ashamed to say anything about it.

Senator SMITH. If this book had been published by one of the other well-known publishing houses in America, you would not have been ashamed of that. Suppose it would have been published by Scribner; you would not have been ashamed of that?

Mr. PERLO. I said I'm not ashamed that it was published by International Publishers. I think it's a good publishing house.

Senator SMITH. You commend it, then?

Mr. PERLO. Yes, sir.

Senator SMITH. One of the reasons you commend it is because they do have the same connections you have, that is to say, with the Communist Party?

Mr. PERLO. I commend the International Publishers because they are a good publishing house and they deal honestly with authors.

Senator SMITH. And you know a good deal about them; else you would not make that statement, would you?

Mr. PERLO. They published this book.

Senator SMITH. How many books of yours have they published?

Mr. PERLO. This is my only book.

Senator SMITH. How many of your books have they published?

Mr. PERLO. This is the only book I ever wrote.

Senator SMITH. I thought maybe you wrote some other books. You investigated them before you had them publish this book?

Mr. PERLO. What do you mean "investigation"?

Senator SMITH. Investigated the publishing house.

Mr. PERLO. I know we have come to the time when everybody is investigating everybody else, but I have never gone in for the investigation business.

Senator SMITH. Why did you pick out the International Publishers Co. to publish your book? Why did you do that?

Mr. MORRIS. Mr. Perlo, you know the head, Alexander Trachtenberg, is a Communist; do you not?

Mr. PERLO. Yes.

Senator SMITH. Why did you have them publish the book?

Mr. PERLO. Let me ask you a question, Senator.

Senator SMITH. I will be glad to answer any of your questions——

Mr. PERLO. Do you think that Scribner's would have published this book?

Senator SMITH. I do not know whether they would have or not.

Mr. PERLO. That's your answer, really.

Senator SMITH. I have no doubt but that they would not publish it.

Senator WELKER. Did you find out whether Scribner's would publish this book? Did you submit it to them?

Mr. PERLO. I didn't submit it to Scribner, but I discussed the project with a couple of publishing houses in America.

Senator SMITH. Who?

Mr. PERLO. I don't remember which ones.

Senator SMITH. And that book just came out the year before last?

Mr. PERLO. 1951, yes.

Senator SMITH. Do you remember with whom you discussed it?

Mr. PERLO. No.

Senator SMITH. You finally decided that you had better have a Communist organization publish that book, or was it because the other companies turned it down?

Mr. PERLO. Look——

Senator SMITH. I am looking all right. I want to hear what you say.

Mr. PERLO. I wrote the book and they decided to publish it.

Senator SMITH. How do you mean that?

Mr. PERLO. International Publishers.

Senator SMITH. What were the two you referred to before?

Mr. PERLO. I don't remember whom I talked to about it. I talked to a couple of them.

Senator SMITH. You mean to sit there and tell us that as to a book published within the last 2 years and that you negotiated with two other publishers before this Communist organization published it and yet you cannot remember whom it was you talked with?

Mr. PERLO. That's right.

Senator SMITH. And that is the only book you have ever written?

Mr. PERLO. Yes. I didn't show the manuscript to anybody. I didn't show the manuscript to any other house, but I talked to—I was introduced to a couple of people in

the publishing field, not the top in their companies——

Senator SMITH. You do not know who they were?

Mr. PERLO. I don't remember.

Senator SMITH. Where were they when you were introduced to them?

Mr. PERLO. Well, I don't know; in offices.

Senator SMITH. Were you in Communist headquarters?

Mr. PERLO. No.

Senator SMITH. Have you ever been in Communist headquarters?

Mr. PERLO. I refuse to answer that on the grounds it might incriminate me.

Senator SMITH. I thought you would. How many other people do you know besides the president of this International Publishers connected with that outfit?

Senator WELKER. A moment ago you refused to answer on the ground it might tend to incriminate you, but Mr. Morris refreshed the witness' memory so he came through on Mr. Trachtenberg. Maybe he will help us a little more.

Mr. MORRIS. Do you know James Allen?

Mr. PERLO. I refuse to answer on the grounds it might tend to incriminate me.

Senator SMITH. Do you know who James Allen is?

Mr. PERLO. He's the author of books.

Senator SMITH. He is a Communist, is he not?

Mr. PERLO. I don't know.

Mr. MORRIS. You know very well that he is, Mr. Perlo.

Mr. PERLO. No, sir.

Mr. MORRIS. Mr. Perlo, in connection with your statement here on page 220, "The U. S. S. R., the Peoples Democracies, and China lead this world struggle for peace," I would like our record to show exactly what countries you mean are leading the struggle for peace. Certainly, the U. S. S. R. is the Soviet Republic. Now, which of the Peoples Democracies?

Mr. PERLO. I want to make clear that this paragraph is referring to all of the forces in the world that are fighting for peace, including not only the Soviet Union, the Peoples Democracy in China, but the peace movement in Western Europe, and in the United States, in Germany, Japan, and in the colonial countries.

Mr. MORRIS. The peace movement is the Communist movement, is it not?

Mr. PERLO. It is not.

Mr. MORRIS. Is the Communist movement in the United States and in Western Germany and in the other countries you have enumerated a force for peace?

Mr. PERLO. I believe it is.

Mr. MORRIS. You say that "the U. S. S. R., the Peoples Democracies, and China lead this world struggle for peace."

Mr. PERLO. Yes.

Mr. MORRIS. Which of the countries in your struggle for peace do you refer to on page 220?

Mr. PERLO. The Peoples Democracies.

Mr. MORRIS. Which of the Peoples Democracies?

Mr. PERLO. The Peoples Democracies of Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, and Albania.

Mr. MORRIS. How about North Korea?

Mr. PERLO. I don't know whether that's classified as a Peoples Democracy or not.

Mr. MORRIS. Do you consider the North Korean Government a people's government in the sense that you use it here?

Mr. PERLO. Yes; I do.

The CHAIRMAN. Do you think China is fighting for peace?

Mr. PERLO. Yes; I think so.

The CHAIRMAN. You do not happen to have any sons over in Korea, do you?

Mr. PERLO. No, but if I had sons over in Korea——

The CHAIRMAN. I doubt if you would still think China as fighting for peace if you had a son in Korea.

Mr. PERLO. Yes. All my resentment would be against those who sent my son over to Korea to die in a senseless war 7,000 miles away from here which is directed against China.

Mr. MORRIS. Then in the rest of the sentence you say "and China," and by China I suppose you mean the Peoples Republic of China headed by Mao Tse-tung?

Mr. PERLO. Yes.

The CHAIRMAN. Do you know who invaded South Korea?

Mr. PERLO. Do I know who invaded South Korea?

The CHAIRMAN. Yes; do you know?

Mr. PERLO. Well, I don't know that anybody invaded South Korea. I have seen very powerful evidence indicating the possibility that the shoe was on the other foot.

Senator WELKER. Where did you see that? I want to know, where did you see that powerful evidence?

Mr. PERLO. Where did I see it?

Senator WELKER. Yes.

Mr. PERLO. I saw it in various publications.

Senator WELKER. The Daily Worker?

Mr. PERLO. I may have seen some in the Daily Worker.

Senator WELKER. You did see it then; did you not?

Mr. PERLO. I may have seen it in other newspapers as well.

The CHAIRMAN. Peoples World?

Mr. PERLO. No.

Senator WELKER. Tell us any more.

Mr. PERLO. You want to know some more places where I saw evidence of this?

Senator WELKER. Yes.

Mr. PERLO. I will refer you to one of the best collections on the subject, which is Mr. I. F. Stone's book on the Secret History of the Korean War, but I want to point out that that by no means is the main question, because, regardless of what happened, the Korean war began as a civil war among Koreans, and I hold firmly to the position that regardless of who started it, the United States had no business going in there, and I think you are well aware of the fact that on more than one occasion Senators speaking on the floor of the Senate have pointed out to this effect and have pointed out that the President sent troops to Korea without declaring war, without consulting Congress, and I raise the question whether you think that by the same logic we should send troops and airplanes to fight in Indochina because the Indochinese have attacked the French in Indochina.

Senator WELKER. You believe in the concepts and principles of the United Nations; do you not?

Mr. PERLO. I certainly do.

Senator WELKER. Did we not owe a duty to the United Nations to go to the help of our fellow member over there when he was invaded by force?

Mr. PERLO. The Charter of the United Nations provides against the intervention of the United Nations in the internal affairs of other countries——

Senator WELKER. Now about aggression?

Mr. PERLO. I think it is misuse of the charter.

Senator WELKER. How about aggression?

Mr. PERLO. Aggression within the Charter of the United Nations is an attack by one country on another country.

Senator WELKER. Do you not believe that was aggression and attack on one country by another country?

Mr. PERLO. No; it was a civil war within another country, Korea.

Senator WELKER. Do you want to tell us now: Are you or have you ever been a member of the Communist Party?

Mr. PERLO. I refuse to answer for the same reasons.

Mr. BUTLER. Mr. President, in view of Mr. Perlo's statements before the Internal Security Subcommittee, it is not surprising that he would seek to discredit "people's capitalism" throughout the world in a period of great tension. I am not surprised at his writings; they are quite in character. However, I am amazed that the American Economic Review could be used to promote such views. Because of the stated desires of the editors to contribute outstanding articles on economic issues, I am at a loss to understand how Mr. Perlo's manuscript was selected for publication.

EXPANSION AND IMPROVEMENT OF EDUCATIONAL PROGRAMS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical needs; and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HILL. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. MCNAMARA, Mr. YARBOROUGH, Mr. SMITH of New Jersey, and Mr. ALLOTT conferees on the part of the Senate.

ADMISSIBILITY OF EVIDENCE—STATEMENTS AND CONFESSIONS

The Senate resumed the consideration of the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Mr. HENNINGS. I shall undertake to be reasonably brief and comprehensive in my remarks on the pending bill. A splendid record has been laid down through the efforts of the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Colorado [Mr. CARROLL], the Senator from Illinois [Mr. DOUGLAS], and other Senators, all of whom have contributed to the development of this record.

We have come a long way from the days of the thumbscrew and the rack. In man's progress toward enlightenment and a better society, there has constantly been, since Judge Jeffreys and the bloody assizes in England, and even before that time, a movement which has been as inexorable as it has been inspiring in terms of man's humanity to man: that is the protection of the God-given, inalienable right of the individual man and woman in our society.

As I have said before, both the Senator from Colorado and I have had some experience in the criminal courts. I spent 6 years as a prosecutor, trying cases before juries. Then for a period of 2 years, before I joined the Navy in World War II and after I came out of that war,

I was the district attorney of a city of some 2 million metropolitan population.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HENNINGS. The Senator said something that I wanted to clarify for the benefit of our friend from Colorado. The Senator from Colorado is a splendid lawyer. Coupled with his ability is a kind and good, a big and generous heart, and a soul full of humanity. I wish to refer to what was said in response to a question of the Senator from Illinois, that perhaps the Senator from Colorado had wanted to get convictions all the time because he was in a prosecuting capacity. I do not believe it. I believe he was the sort of prosecutor some of the rest of us wanted to be and the kind we hope we were, who believes that he represents the defendant as well as the State.

I would call him a good prosecutor. The Senator from Colorado said no monuments are built to prosecutors. The people of Colorado thought enough about the Senator from Colorado to send him to the Senate. Perhaps that action is the semblance of a monument to his conduct when he was in office and had enormous power and great responsibility, with every opportunity to abuse that power, sometimes under the aegis of the law. Therefore I do not believe that the Senator was the sort of prosecutor who believes that the ultimate test of success of a prosecutor is the number of convictions he obtains. I never thought that was the test. I doubt that the Senator from Colorado ever thought so.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield.

Mr. CARROLL. When I made the comment that monuments are not built to prosecutors, I was referring to the old saying that normally people do not care much for policemen or lawyers or prosecutors. Generally speaking, that is true. The Senator from Missouri said that sending me to the Senate was in the nature of building a monument to me. The task of getting to the Senate is monumental. [Laughter.] However, that does not mean that all of us have statues dedicated to our service in this body. Of course, I appreciate the comments of the Senator from Missouri.

Mr. HENNINGS. All monuments are not in the form of statues.

Mr. CARROLL. Exactly. They are in the heart and mind of a man like the Senator from Missouri, who has hope, faith, and charity, as was stated by the Senator from Illinois. I thank the Senator for correcting the RECORD and for directing the attention of the Senator from Illinois to that statement, so that he may be able to correct the RECORD.

Mr. HENNINGS. The Senator from Illinois did not mean to say it in that context. I was fearful that the RECORD might be read to mean the contrary. The Senator from Colorado is not the sort of man who, when invested with authority, would abuse that authority. Nor would he hound people into penitentiaries with manufactured evidence or perjured testimony. Neither would he countenance police brutality, or extract a confession for the sake of building up a record. I wanted to make that perfectly clear.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. DOUGLAS. I am very happy that the Senator from Missouri has paid a deserved tribute to the character of the Senator from Colorado. He is completely correct, of course, in saying that the test of a good prosecutor is not necessarily the number of convictions he obtains.

I remember a case involving Homer Cummings, when he was district attorney in a Connecticut city. Mr. Cummings had obtained an indictment against a man who was about to be convicted. He became convinced however of the man's innocence, and thereupon turned about and had the man acquitted. I always thought that was a noble thing to do.

I know that the Senator from Missouri was one of the best prosecutors in the country. I also know that he, too, placed humanity above conviction.

Mr. HENNINGS. I hope the Senator means criminal conviction, not the other kind.

Mr. DOUGLAS. Yes; criminal conviction. It is not true, however, that the Senator from Missouri obtained convictions in every one of his cases?

Mr. HENNINGS. No, I would not say that.

Mr. DOUGLAS. How many cases did the Senator lose?

Mr. HENNINGS. I did not keep track of them. I tried thousands of cases involving murder, bank robberies, rape, and so forth.

Mr. DOUGLAS. I am sure the Senator did not lose many cases.

Mr. HENNINGS. The Senator is very generous. In prosecuting cases I lost cases that I deserved to lose. The jury brought in verdicts of not guilty in cases in which the juries felt the defendant had not been proven guilty.

Mr. DOUGLAS. Does not the Senator know the ropes in criminal prosecutions, and does he not also know the general practices—and the occasional lapses—of the police?

Mr. HENNINGS. I made something of a study of the subject, because I spent 8 years of my life in the criminal courts buildings of a large city. In that time I had to deal with hundreds of policemen, and, I might add, that most of them were able and conscientious public servants. This was during the gang and prohibition days, from 1929 to 1934, when I was elected to the House of Representatives and left that place. Later I was elected district attorney.

I have always taken an interest in the general field we are discussing, certainly in the matter of prosecution, although I have acted as defense attorney in only a relatively few cases.

Mr. DOUGLAS. The Senator from Missouri does not need my help to be qualified as an expert on this subject. What I was attempting to do in my clumsy way——

Mr. HENNINGS. The Senator has been conducting his examination in a very penetrating manner.

Mr. DOUGLAS. What I was attempting to do is show that the Senator from Missouri speaks from his intimate and protracted acquaintance of the problems of criminal law and the issues involved in connection with the arraignment and obtaining of confessions from defendants.

Mr. HENNINGS. I thank the Senator for developing that thesis. I have learned from some experience. That is true of any prosecutor who prepares his cases and who has an effective law enforcement agency such as a police department or, if it be in rural areas, a sheriff and his staff, or, in the Federal domain, the marshals in the old days, and now the FBI.

I do not believe that a competent prosecutor needs any more help than the law affords to convict those who should be convicted of offenses and transgressions against the law.

Congested dockets have always been a problem. However, this is due in large measure to the fact that according to our Constitution, each defendant is entitled to a trial by a jury of his peers. This can be a slow process. However, I have never been one to believe that the rule should be so changed and so weighted as to give the prosecuting authorities any more than they have to work with.

When a prosecutor rises and has the majesty of the government behind him, and after the marshal has intoned at the opening of the court, "God save the United States and this honorable court," and after he reads the indictment, "The grand jurors, assembled, do say upon their oath that the defendant fired a leaden bullet," and after he concludes the reading by saying, "and did steal and murder," there it is: an indictment voted by a grand jury; and there sits the defendant.

True enough, the prosecutor cannot interrogate him if he does not choose to take the stand. True enough, the prosecutor is bound by certain rules of evidence relating to what may be done as respects the defendant in the court. But I say the same rules apply to a police department that apply to a man schooled and learned in the law and of sufficient capacity to occupy a post of public responsibility which deals with the freedom and, indeed, the lives of those whom he must prosecute under his oath of office.

That is why I say that if a prosecuting attorney or a district attorney in a courtroom refers to the fact that a defendant has not taken the stand, he knows when he does so he has committed outright reversible error. So a Federal police officer knows that if he detains a defendant beyond what is called a necessary delay, and a confession is obtained or if a confession is obtained by coercion, promises of immunity or reward, or threats, the confession is not admissible. If he does not know it, the fault lies not in the Supreme Court of the United States or in the Mallory decision: it lies not in the appellate court nor, indeed, in the trial court. It lies in the enforcement agencies of the Federal Government.

Every prosecutor of cases knows that under his oath of office he is limited, bound, and restricted within the narrow confines of a proper presentation of the evidence. He knows that he may not ask certain questions. For example, he may not ask about previous arrests unless character is made an issue. He may not ask a defendant any question whatsoever unless the defendant elects to take the stand. In many jurisdictions, even if a defendant has taken the stand, the prosecuting attorney may inquire only as to those matters which have been touched upon in direct examination.

The prosecutor may not refer to any juvenile convictions. If a person is being tried for a very serious offense, and if he has had convictions as a juvenile and has served a term in a reformatory, every prosecutor knows that he cannot ask the defendant whether he has served a term in a reformatory or other place of confinement when the defendant was a juvenile.

Those are all things which the members of our profession know, and, certainly, when we were active in the profession, we knew them full well.

As the distinguished Senator from Kentucky, who has made a very substantial contribution to the debate today, has indicated, there may not be any need for the proposed legislation. But I say that the House bill, which I think is most unfortunate in its terms and provisions, would serve only to further confuse the Federal judiciary, especially in the District of Columbia, and that the proposed insertion by the Senate of the word "reasonable," which is the only change, is necessary. I believe it will be interpreted by the court to mean exactly what it says.

I have had a little research done as to whether "reasonable" is a question of fact or of law.. I have concluded that what is "reasonable" is a mixed question of fact and law, Mr. President.

I had intended to cover much of the ground which has already been covered this afternoon, so I shall not now unnecessarily detain the Senate. I am advised by Dr. Small, of the Legislative Reference Service of the Library of Congress, that there are no definitive precedents as to treating the word "reasonable" as a question of fact or as a question of law.

In negligence actions, reasonable care is a question of fact for the jury to determine, within certain limits. With reference to unreasonable searches and seizures, the question, obviously, as to what is reasonable becomes a legal one and must be considered and passed upon by the court—by the judge.

The question of compliance with no unnecessary delay, which, as we know, is the present provision in section 5 (a) of the Federal Rules of Criminal Procedure, has always been a question of law, to be passed upon by the judge. As a practical matter, rarely is there any factual dispute, under the Mallory rule provisions, as there can be with reference to the issues of coercion and duress, which bear upon the credibility of a confession.

The judgments made thus far under the Mallory rule involve questions of the legal significance of undisputed facts—hence, questions of law; and these were posed within the authority and purview of the judge of the court.

I have learned to my surprise that in the State of Maryland sometimes the jury passes upon questions of law as well as of fact. So far as I know, Maryland is the only State in the Union where that practice obtains. I heard that, much to my surprise, from no less a person than the Solicitor General of the United States.

Be that as it may, such treatment of reasonable delay is consistent with the term "unreasonable searches and seizures," questions which are always determined by a judge of a court. It would be poor policy, indeed, therefore, to submit the question of reasonable delay to a jury, just as it would be poor policy to submit the question of unreasonable searches and seizures to a jury.

By submitting the question of reasonable delay to a jury, the court would in all probability be assigning to a relatively untrained body of citizens a task which would only tend to confuse them in determining the question of innocence or guilt.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. COOPER. Will the Senator assume a case where a court is asked to pass upon the question perhaps in connection with the admissibility of a confession as to whether there had been unnecessary delay or, conversely, a necessary delay in the time before an accused person was presented to a court for arraignment.

The Senator from Missouri, from his legal knowledge and experience, will, I am sure, agree with me that the court in making a decision, would consider in the light of all the circumstances, whether there had been a reasonable delay or an unreasonable delay.

Mr. HENNINGS. The Senator is entirely correct.

Mr. COOPER. The standard of reasonableness must be applied on such questions, as the facts will differ in every case. Does not the Senator agree with me that the standard is really one of reasonableness under all the circumstances?

Mr. HENNINGS. Precisely; there is no question about it.

Mr. COOPER. Then, that being the fact, I cannot see that the amendment which adds the word "reasonable" adds anything to the law, or to the standards which the court would use in making its determination.

Let us suppose this bill is not passed, and is not enacted into law. In that event, if a defendant were held in detention by a police officer for an unreasonable length of time, and if there were an unnecessary delay before arraignment, and if during that time the accused made some kind of confession, one question the court would have to pass upon, in connection with the question of the admissibility of the confession, would be whether the delay was reasonable, in view of all the circumstances.

So it seems to me that this bill does not add anything. It seems to me that the fault of the bill is—if I may say so; or, at least, the doubt the bill raises in my mind is this: Today, rule 5 (a), which is bottomed upon the Bill of Rights, makes it clear that it is the duty of a police officer, without unnecessary delay, to take the defendant before a court, and that, correspondingly, there is a prohibition against an officer's violating this injunction in order to secure a confession during the period of unnecessary delay. That seems to me to be the holding of the McNabb and Mallory cases, and that it is based on the due process guaranteed by the fourth, fifth, and sixth amendments.

To attempt to change the rule based upon sound and just considerations could only muddy or cast doubt upon these basic principles. It could give the impression that an officer can detain a person longer than I believe a police officer has a right to detain a person under rule 5 (a) of the Bill of Rights. Because I believe in preserving clearly the rights of individuals—their constitutional rights—I will vote for the committee amendment but against the bill.

Mr. HENNINGS. Then may I, in turn, ask the Senator from Kentucky a question? I take it that the Senator from Kentucky draws no substantial distinction—indeed, perhaps he draws no distinction whatever—between the word "reasonable" and the word "necessary."

Mr. COOPER. I do not draw any; that is true—unless it is to extend the power of a law-enforcement officer to detain an accused. I think the bill simply states existing law.

Mr. HENNINGS. I may say to the Senator from Kentucky that a long time ago, not long after this decision was first handed down, I was asked to prepare an article for the Missouri Law Review. With the indulgence of the Senator from Kentucky, I should like to read part of what I wrote in the article about the Mallory case decision. I wrote it before this bill was ever thought of.

The title of the article is "Detention and Confessions: The Mallory Case." It was published in the University of Missouri Law Review in January 1958.

I read now from the article:

Mallory v. United States,[1] decided by the Supreme Court last year, brought once again into open debate and controversy the so-called McNabb rule. This rule originated in *McNabb v. United States*,[2] decided by the Court in 1943.

In 1940, when the McNabbs were arrested there were two primary statutes requiring Federal officers when making an arrest to take the person before a committing officer. One statute required that the person be taken before the nearest United States commissioner or nearest judicial officer having jurisdiction for a hearing, commitment, or taking bail for trial.[3] The other statute applied only to officers of the Federal Bureau of Investigation. It directed them to take

[1] 354 U. S. 499 (1957).
[2] 318 U. S. 332 (1943).
[3] Act of Aug. 18, 1894, c. 301, 28 Stat. 416, act of May 28, 1896, c. 252, sec. 19, 29 Stat. 184, act of Mar. 2, 1901, c. 814, 31 Stat. 956.

the person arrested before a committing officer immediately.[4] Referring to these two statutes, in the McNabb case, the Court said:

"Legislation such as this, requiring that the police must with reasonable promptness show legal cause for detaining arrested persons, constitutes an important safeguard—not only in assuring protection for the innocent but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society." [5]

The McNabbs—

As was said this morning—

were arrested and questioned extensively for 2 days before the Federal officers obtained from them satisfactory coordinated confessions. It was not until after these confessions were obtained that the McNabbs were taken before a committing officer. The Court held that these confessions were not admissible, using this language:

"Plainly, a conviction resting on evidence secured through such a flagrant disregard of the procedure which Congress has commanded cannot be allowed to stand without making the courts themselves accomplices in willful disobedience of law. Congress has not explicitly forbidden the use of evidence so procured. But to permit such evidence to be made the basis of a conviction in the Federal courts would stultify the policy which Congress has enacted into law." [6]

The new rule of evidence was now in effect—a confession obtained before commitment is inadmissible if the arrested person was not taken before a committing officer promptly after his arrest. The confession is inadmissible whether voluntary or involuntary. Where there has been an undue delay, it is no longer necessary to determine this constitutional issue.

Mr. President, I do not have to tell the Senate, which is composed of experienced and seasoned Members, that to hold one who has been arrested in a place of confinement for an extended period of time, and to subject him to what some of us who know sometimes happens in police cells of detention, is likely to result in the unseating of such a person's reason.

I think one important point in this connection is that this could happen to a frail little woman, just as well as it could happen to a full-bodied man. In my experience in dealing with organized gangsters and criminals, and in prosecuting them before juries, they do not walk in, docilely, and say, "Captain, I realize that I have done a terrible thing in knocking over—" as they would say—"this bank. I want to make a full confession. Please have all of it typed; and before it is typed, be sure to put in—because this point was raised the last time I was convicted—that I make this statement of my own free will, without having any violence or coercion used on me, and without any promise or hope of reward. Be sure to get that in, Captain, because I want this confession to stand up; and if you don't put that in, there may be some question about it."

Mr. President, do you think the average person who is brought before a police department would make such a statement? Instead, he is told—and the one who tells it to him speaks very rapidly and very hurriedly, so that the words almost run together: "Do you want to make a statement? If so, do you agree that you make it freely, and of your own free will and volition, without any threat of force, intimidation or coercion, and with the understanding that any statement you make may be used against you at your trial?"

If the person says, "Yes," and does make the statement, then, after the statement is reduced to writing, he is told, "All right; read this statement. Look here—you made a mistake in spelling that word. Correct that mistake right away, and correct it in your own handwriting."

After he makes the correction, he is told, "All right; sign each one of these pages, and sign your name at the end."

After he does that, the officers say to him, "O. K.; come on downstairs and be photographed."

Then he is taken downstairs, and is photographed in the nude. Of course, the pictures are all used very effectively by the prosecution to show the defendant was not beaten by the old rubber-hose technique. Of course, it is said that this method is antediluvian and old fashioned. It is also said that there are experts here and there around the country who still know how to beat a prisoner without leaving marks on him. But to move on—there is another technique far more effective than physical coercion in terms of getting an actual confession or an admission against interest, as it is recognized in the law. That is the psychological impact brought to bear upon any person held in custody.

As has been carefully developed this morning, and I think well discussed, there is a difference in the effect of being locked up for perhaps a half hour in a police cell, without funds or counsel, on an inexperienced person, and on a criminal who never signs anything, and who says "I ain't saying nuthin', Mister. I want my mouthpiece. I ain't saying nuthin', copper." That is the way criminals operate. The persons who need the protection of this provision are, by and large, the novices, the weak, and the oppressed, who may feel the heavy hand of the law upon their shoulder and are asked to "come along with me downtown" or to the nearest precinct station.

As chairman of the Subcommittee on Penitentiaries, I have been in many police detention places. I know what they look like. They are not like the Mayflower Hotel, by any means. In some places they have boards for prisoners to sleep on. The fare is, I would say, scanty, and not a triumph of the culinary art, in any respect. Such persons may be placed next to howling, screaming maniacs, persons in an intoxicated condition, vagrants, and all sorts of derelicts. Then the prisoner is taken upstairs to see the chief or the head of detectives or the arresting officer, and he is told, "Well, Jones your buddy made a statement. He has kicked in. What have you got to say?"

"Well, I don't have anything to say. I don't know anything about this. Could I see a lawyer? Could I see my mother? Could I see my wife?"

"No, you can't see anybody. Take him down till he gets some sense, and then bring him up again. When he wants to talk, we'll talk to him."

So the police bring them up and they bring them down. Some persons are made up of tough fiber and can take that sort of treatment and say nothing. Generally, and most frequently, such persons are those who have been schooled in the penitentiaries of the country. They are the unhappy, the unfortunate, the miserable souls who have spent large portions of their lives in police headquarters, jails, penitentiaries, and courts awaiting trial.

So in the consideration of legislation of this character, I view it as legislation designed to protect not those persons but the weak and those who need help. I never thought some of the gangsters and murderers I sent to the penitentiary needed very much help. They retain the best lawyers. They are able to pay for them. That is their business. They know their rights. They do not make statements. This legislation will not help them one bit for they do not say anything, unless one of them turns on his confederates and decides to "sing," as they say, and turn State's evidence. Then the prosecutor gets evidence. Even then he has a hard time getting a jury to believe the testimony, if it is uncorroborated.

I should like to read again from the article which I submitted, and which was published in the Missouri Law Review before this amendment was suggested:

The McNabb rule is of particular interest to me because I have spent 6 years as assistant circuit attorney and 2 years as circuit attorney in St. Louis. The many complex problems and difficulties of law enforcement are only too well known to me.

That the McNabb rule has caused a certain amount of confusion is shown by the fact that it has been the issue involved in four cases before the Supreme Court in the 14 years of its existence. In 2 of these cases the conviction of the defendant below was reversed by the Supreme Court and in the other 2 the Supreme Court hold that the lower appeal court erroneously applied the rule in reversing the trial court's conviction.

The first of these cases, *United States* v. *Mitchell*,[7] came before the court in 1944. In this case the defendant was arrested and taken to the police station where he confessed within a few minutes. He was then held by the officers without being taken before a committing magistrate for 8 days in an attempt to clear up other similar crimes.

Mr. President, this type of procedure does, unfortunately, still occur in police procedures.

Furthermore, the modern police officer, if he is a good police officer, is also a good psychologist. That weapon is sometimes more effective than are the physical methods we know were used not very long ago in this country, and which still, unhappily, take place in some sections of the country. I make no distinction whatsoever between any geographic sections. At times, it happens everywhere. It happens wherever there is a tyrant armed with a gun and a badge, a man who concludes he is above the law, above the power and authority vested in him by the people as a law enforcement officer, a man who cannot stand authority and who cannot stand power. They are the persons who are dangerous when it comes to the question of obtaining admissions against interest or confessions. If such persons could, they would take you, Mr. President, they would take me, they would take our wives or our daughters, if they needed someone to use to clean up a case, and make things rough and unpleasant until they got a statement.

Most of my experience has been on the prosecuting side, and I do not reflect upon the police department of my own city when I make that statement. I think conditions there are exceedingly good. I do not reflect upon any State or upon any city. In general, police officers are careful to protect the rights of the citizens of their community. Yet, they are charged with the maintenance of law and order, and this is a very difficult job.

I know that bad police practices have not been completely eliminated in this country. Some of the old timers want to adopt new ideas. Many of the old timers were fine police officers, who never did this sort of thing. They have a great record for ability and character. That is why the question of confessions is a very sensitive one. And I think it is so exceedingly important, as the Senator from Colorado has said, as to require, and, indeed, demand, close examination, because it affects the freedom and lives of the people.

This business, if not properly administered, could result in people being unjustly hanged or electrocuted—being put to death under the law—or people being sent to penal institutions for long periods of years. That is why the matter is important. This is not done to please the judges. It is not done to please the prosecutors. It is not done to please the defendants. The primary and ultimate objective of the Mallory decision is justice as we understand it in an enlightened society—justice under law, civilization, progress, and humanity.

In the Mitchell case the court of appeals reversed the trial court's conviction, even though the defendant had been held only for a few minutes before he confessed. The court of appeals applied the McNabb rule excluding the confession because the accused had been illegally detained after the confession was obtained. The Supreme Court reversed the court of appeals and affirmed the trial court's ruling, holding that the confession was admissible. In holding the confession in the Mitchell case admissible, the Court said there was no disclosure induced by illegal detention and no evidence was obtained in violaton of any legal rights, but instead there was the consent to a search of his home, the prompt acknowledgment by an accused of his guilt, and the subsequent ruling apparently of such spontaneous cooperation and confession of guilt. The Court held the confession admissible because it was made prior to the time the detention became illegal, as it later did.

The Federal Rules of Criminal Procedure became effective in 1946, as we know. As we also know, rule 5 (a) of the Federal rules provides that Federal officers must take arrested persons before a committing magistrate "without unnecessary delay." This provision has been the basis for the application of the McNabb rule in subsequent cases.

In 1948, in Upshaw against the United States, which was decided by the Supreme Court, the petitioner was arrested on suspicion without a warrant and confessed to grand larceny 30 hours later. He was not taken before a committing magistrate until after the confession. The court reversed the conviction. The court distinguished the Mitchell case, in which the confession was not the result of illegal detention, and found that in this case the petitioner was detained for 30 hours for the specific purpose of obtaining the confession, as the police lacked sufficient evidence to hold the petitioner at the time he was arrested.

We get down again to that very difficult problem of probable cause at the time of the arrest. In that case Mr. Justice Reed wrote a very complete dissenting opinion in which he maintained that the majority opinion was an extension of the McNabb rule. In his view, the McNabb rule required more than illegal detention; it required a certain amount of psychological coercion which was found in the persistent questioning of the McNabbs and in the refusal of the Government and their agents to accept the original confessions, requiring further questioning until all the confessions were consistent.

We know that is a common police practice also. If one is not satisfied with the first statement he takes another, and keeps on taking statements until the final statement ties in with the other statements he may have or hopes to get.

Under the Upshaw case any confession, Mr. President, obtained during the period after the delay becomes unnecessary, is inadmissible, even if the person is left alone in his cell and makes the confession completely of his own accord. The mere fact that the person sits in a police cell in a police station for a time which is unnecessary is sufficient to exclude the confession, even if the person makes the confession without having a question asked of him, provided that the detention is solely for the purpose of obtaining the confession. Once the detention becomes unnecessary it is illegal and any confession obtained thereafter cannot be admitted.

The next case before the Supreme Court in which the McNabb rule was in issue was the United States against Carignan. The defendant was arrested and promptly committed on a charge of assault with intent to rape. Because of the similarity between this crime and an earlier one which resulted in the murder of the victim, the police questioned the defendant about the earlier crime while he was being legally detained on the other charge. After 2 days of routine questioning the defendant confessed to the murder, and he was then charged with the crime and convicted.

The trial court admitted the confession, but the court of appeals reversed the conviction on the basis of the rule in the McNabb case. The court of appeals held that a confession obtained after days of questioning, while the defendant was being legally held for a completely different crime, was inadmissible because there was an unnecessary delay in commitment for the crime to which the party confessed.

The Supreme Court affirmed the court of appeals' reversal on other grounds, but held that the court of appeals had erroneously applied the McNabb rule. The Supreme Court held that the police could question a person held lawfully, and that a confession so obtained, if voluntary, is admissible even if the confessed crime is not the crime for which the person has been charged.

The McNabb rule applies only in the case where the confession has been obtained after there has been unnecessary delay in taking the accused before a committing officer.

Mr. President, this was the status of the McNabb rule when the celebrated Mallory case came before the Supreme Court last year.

On April 7, 1954, a woman in the District of Columbia went to the basement of the apartment house in which she lived to do her laundry. She ran into difficulty detaching a hose, so she went to the janitor's basement apartment to obtain help. Mallory, who was the half-brother of the janitor and who lived with him, was alone in the apartment, and he detached the hose for her and returned to the apartment. Very shortly thereafter the woman was attacked by a man wearing a mask, a man who had the general features of Mallory, and the janitor's two sons, who also lived with the janitor. The woman had heard no one descend the wooden steps into the basement, which was the only entrance.

Mallory and the janitor's two sons were arrested about 2 p. m. the next day and taken to the police station, where they were all questioned about 30 minutes. At 4 p. m. they were asked to take a lie-detector test, to which they agreed.

Now, let me briefly digress for the benefit of those Senators who are not members of the legal profession and who are not familiar with the rule that the so-called Keeler polygraph, or lie-detector machine, findings or results are not admissible in evidence. They have no legal basis whatsoever. The polygraph, which measures respiration, pulse, blood pressure, and other physical factors, is effectively used by police officers in order to obtain "confessions." The police can say, "You just failed the lie-detector test. Why don't you tell us the truth."

The poor fellow thinks the lie detector means something as an instrument for discovering with unerring accuracy the truth or falsity of what he may or may not be saying. It was invented by a man named Keeler, at the crime laboratory of Northwestern University. However, the results of a lie detector test, whether a defendant passes it or not, are not admissible in any court in the land, so far as I know.

So Mallory was to be given the good old lie detector test, as has been done for years. While he was waiting for the operator to be found, the three were fed, and the two sons were given the test first.

[4] Act of June 18, 1934, c. 595, 48 Stat. 1008.
[5] 318 U. S. at 343.
[6] Id. at 345.
[7] 322 U. S. 65 (1944).

Mallory was given the lie detector test from 8 o'clock until 9:30.

Senators know how the test is conducted. A number of irrelevant questions are asked, such as, "How old are you? Where do you live? Where did you live 10 years ago? Where were you on the night of the crime?" The questions are woven into a mosaic, so that certain of the questions relate to the crime. Other questions relate to the facts in the defendant's past life, or other subjects.

Mallory admitted the crime during the test. Immediately after the test Mallory repeated his confession, and at 10 p. m., some 8 hours after he was arrested, the police attempted to find a commissioner to commit Mallory. The police were unsuccessful in finding a commissioner at that hour. So Mallory repeated his confession to several other officers, and at 10:30 he dictated it to a typist.

That is the old standard procedure, to get them to sit down and dictate a "confession." They are generally helped out to a considerable extent by the officers, who prompt them and put in a few words here and there. Then the "confession" is written up, and it is presented to the defendant and he signs each page, usually making the corrections to which I referred a little while ago, to prove that he really knew what he was doing.

Mallory was brought before a commissioner the morning after, and thereafter committed. I think it is very important to remember that Mallory was held by the police most of the previous afternoon in the vicinity of a number of committing magistrates. Mallory's confession was admitted by the trial court, and he was convicted.

The Supreme Court reversed the conviction. The Court held that the police may not arrest upon mere suspicion, but only on probable cause. That subject has been discussed most capably earlier today, and I think it is well understood.

The question of probable cause relates to an arresting officer having sufficient reason to believe that the defendant may have committed a crime. It is not the old dragnet operation of picking everyone in sight who has ever been arrested or convicted and bringing him in, whether there is any evidence or not, or bringing you or me in if we happen to be on the street at that time, or in a given dwelling house, or happen to be convenient to the arresting officers.

"The short and simple annals of the poor" are ofttimes very sad to contemplate, when we realize that boys who live in poor neighborhoods in the slum areas of this country are often picked up merely because they happen to live there.

The expression is that they are "picked up on suspicion."

Later when a prosecutor goes through his pink cards while he is prosecuting a case, he will find that the defendant has been arrested perhaps 50 times and held for investigation—never charged, and never convicted, but merely arrested.

What does that mean? It means that the police come in and, at one fell swoop, pick up anyone and everyone who happens to be within the range of their operations, or who may, by some token—be it substantial or be it vague and ephemeral—falls within the realm of their attention. It is very easy to pick people up, arrest them, and throw them into jail. The police do not say politely, "My dear young man, you are under arrest. Anything you say may be used against you." I do not know many police who operate that way. There may be some such Chesterfieldian gentleman.

I have great respect for policemen. I know they are greatly abused. I worked with them for 8 long years. They are fine citizens, who take their lives into their hands every time they walk out on an assignment or a beat. However, I do say that when they are picking up you or me or others for possible charging, arrest, or indictment, we are not told all these nice things. We are told to "come along," and we come. If we do not come, we may then be told that we are under arrest, and that we are resisting arrest.

So, in practical operation, these methods are not quite as we may picture them when we sit here and read bills, certain provisions of laws, resolutions, and reports.

Things happen as they do because police officers are people—people with a very vital and difficult job. They are good, bad, and indifferent. The same is true of people who are arrested. And some of these are guilty and some are innocent.

Mr. President, I shall not take much more of the time of the Senate. Much has been said on this subject already, and it has been well developed by capable, learned colleagues of mine on the Committee on the Judiciary, and by others. Back to the Mallory case.

The Supreme Court held that the police may not arrest on mere suspicion, but only on probable cause. The arrested person is not to be taken to police headquarters in order to carry out a process of inquiry. Often the inquiry, even though it may not be so designed, may lead to eliciting damaging statements to support the arrest, and ultimately to support a finding of guilt on the part of the one so arrested.

The Court held that police detention of prisoners beyond the time when a committing magistrate is readily accessible constitutes willful disobedience of law.

The Supreme Court says that when police officers, officers of the law, behave as they did in the Mallory case, they are guilty of willful disobedience of law. Who is to say that there is a law apart for police officers, that they are above the law, that they are not to be held to the same standards and tests that apply to other citizens. Indeed, they derive their right to enforce the law from the source of all law and all justice in this great country of ours, the sovereign people themselves. That is from whence the power springs. That is from where we all hope and believe it will continue to flow, so long as we have our system of administration of the law and justice under a government of law and not a government of men.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very glad to yield to my distinguished friend the junior Senator from New Jersey.

Mr. CASE of New Jersey. First let me express my thanks, as a Member of this body, for the fine exposition of the entire subject which the Senator has given, with a background of a wealth of experience and great knowledge and understanding.

Mr. HENNINGS. The Senator is very kind. I appreciate his remarks.

Mr. CASE of New Jersey. Does the Senator believe that any of the four cases he has so fully and ably discussed would have been decided differently by the Supreme Court of the United States if the bill as reported by the Committee on the Judiciary had been law at the time, leaving aside the question——

Mr. HENNINGS. No; I do not. I believe that the ruling in the Mallory case was perfectly sound. I believe the Court said what it meant to say. I believe it said it well. I believe that, unhappily, there has been a common misconception of what the Court said, because of the gravity of the nature of the offense, because of the circumstances of the crime, because of the brutality, and because of the fact that Mallory himself was freed.

However, as I said earlier today, when a prosecuting attorney or a district attorney before a jury, in his argument, says "Gentlemen, the defendant, who knows more about what happened in this case than anybody in this courtroom, has not taken the stand to tell you what he knows," that district attorney or prosecuting attorney should be disbarred, and certainly dispossessed of his office, because he knows, when he makes such a statement, that the case will be reversed out of hand. He knows that such statement is improper.

Police officers, by the same token, should know that certain practices are improper, unlawful, illegal, and, as the Supreme Court has said, beyond the law.

Mr. CASE of New Jersey. I thank the Senator from Missouri.

Mr. HENNINGS. I thank the Senator for his inquiry.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to the distinguished Senator from North Dakota, a member of the Committee on the Judiciary.

Mr. LANGER. I should like to make one comment. I have listened to every word of the distinguished Senator's speech. It is the best argument that could possibly be made against the bill now pending before the Senate. I have never heard a better argument in any courtroom than I have heard here. I should like to ask the distinguished Senator one question.

Mr. HENNINGS. I shall be glad to try to answer his question.

Mr. LANGER. Does the Senator, a former distinguished prosecuting attorney, know of any case in which a judge, who on one side had the defendant, and, on the other side, two or three policemen, not take the word of the policemen?

Mr. HENNINGS. I will say to my learned friend that in my experience of 8 years in the criminal courts, right up against the gun, so to speak—not dealing with misdemeanors or traffic violations, but with felonies and nothing else—I cannot recall any case in which the court refused to admit a statement in the nature of an admission against interest or a confession when it was properly supported by police officers and when it had been accepted by the State, after some cross-inquiry. I must say, by the same token, that almost invariably the defendant said it was obtained through coercion and threats.

I cannot recall a case, in my experience, in which the court failed to admit a confession, even though the defendant did say that there had been coercion, even though he did say that he had been held beyond the proper time, and even though many factors and circumstances indicated strong pressures.

I must say that in the 1920's and early 1930's we were dealing with gangsters. The times demanded the practices which were followed. It was rough business. Desperate and determined men fought for their lives and their liberties. They had very fine lawyers who availed themselves of all the resources at their command.

Of course we know that the State does not know what witnesses will be coming through the door. The State must examine each witness and cross-examine him as the State sees him. The State takes no depositions. The defense may take depositions from all the State witnesses. The defendant may see everything except the grand jury transcript. The defendant may see the police reports, and he may take depositions from any witnesses whose names are endorsed on an indictment or an information.

Mr. LANGER. May I ask my distinguished friend one more question?

Mr. HENNINGS. I shall be very glad to try to answer it.

Mr. LANGER. I am not talking about the thirties, and I am not talking about gangsters. I am talking about the average man and woman we deal with in the ordinary course of life. If the amendment of the distinguished Senator from Wyoming is adopted, and the judge is called upon to decide the question of reasonableness, whom is the judge going to believe? Will he believe the man or the woman of ordinary means, or will he believe two or three police officers, who a few minutes ago were eulogized by the distinguished Senator from Missouri, and quite rightly so? The average judge will believe the policemen. If he does, what is the use of having the amendment of the Senator from Wyoming?

Mr. HENNINGS. I should like to say to my distinguished friend from North Dakota that his observation is characteristic of his humane attitude and feeling for his fellow man. As I said at the outset, the purpose of the proposed legislation, and the gravamen of it, is the protection of the weak. We are concerned with the protection of everyone, but principally of those people who cannot afford legal talent, who do not have the money or the experience, who have not a host of friends or resources.

If a Member of the Senate were arrested tonight, he would be surrounded with friends. Nobody would push him around, because he is a Member of the Senate. He would not be put in a cell somewhere down at the end of a long corridor and held incommunicado. They would not do that to a Member of the Senate. That is not right. If they do it to anyone, they should do it to us also. That is not how it works. We are talking about the average person, who is not surrounded by friends.

Mr. LANGER. It works just the opposite.

Mr. HENNINGS. They would say, "You are prominent. You had better get a lawyer and get a bondsman." The police do not take the president of the First National Bank to the captain and say, "Now, come clean, buddy, or we'll take you down and cool you off a little longer until you remember some of the details." They do not say that to him. They say to him, "Mr. Jones, apparently you made a very serious mistake. Perhaps you need a lawyer. Here is the telephone. You should get a bondsman, because you are being charged with manslaughter."

That is not what they usually or normally say to the little fellow. That is not to say that there are not great hearted and human police officers.

I do not say anything in derogation of police officers. I speak somewhat in derogation of the system which we, from time to time, have all observed for many years. We know such things happen. Sometimes they happen, and sometimes they do not happen. I appreciate the Senator's remarks and his observation.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to my learned friend, the Senator from Tennessee, a member of the Committee on the Judiciary.

Mr. KEFAUVER. I wish to join in expressing appreciation to the Senator from Missouri for his discussion of the rights of people and the background of the decisions and the proposed legislation we are considering. Likewise I believe the statements by the distinguished Senator from Wyoming, the chairman of the subcommittee, the Senator from Colorado [Mr. CARROLL], and other Senators, have been very helpful and illuminating.

Sometimes when a bad occurrence takes place, the minds of the public are inflamed and aroused over a particular situation. At such times too many people are likely to wonder about the background of our heritage of civil liberties and the protections in the Constitution and decisions of the Supreme Court.

So I think it is well to take the time to develop and restate, as the Senator has done—and as he has done so very eloquently—some of the basic rights which mean so much to us as American citizens. I agree that decision in the McNabb case, which arose in my State of Tennessee, while it was misunderstood by some persons at the time, was a correct decision.

Does the Senator think the bill will be simply a restatement of the present law, or does he think it will add anything to or take anything away from the present decision or decisions of the Supreme Court?

Mr. HENNINGS. My answer to the Senator from Tennessee, who is a member of the Committee on the Judiciary and has heard the discussion on the subject, is that I doubt that it will make any great difference, except that it may serve to clarify the intent of Congress. If "unnecessary delay" is harder for judges to understand than "reasonable," I should say let us use "reasonable."

I myself am not possessed of such a keen intellect as to understand all of the nuances, the fine-drawn distinctions, between "unnecessary delay" and "reasonable delay."

Mr. KEFAUVER. I had planned to offer an amendment to insert the words "reasonably necessary" instead of "reasonable"; but I understand the Senator from Wyoming has said that "reasonable" embraces "necessary," and that they both mean about the same thing. Does the Senator from Missouri think the words "reasonably necessary" would afford a little more protection?

Mr. HENNINGS. What are the preceding words? "Shall not be inadmissible solely because of reasonable delay"?

Mr. KEFAUVER. With my amendment, the language would read:

Shall not be inadmissible solely because of a reasonably necessary delay in taking an arrested person before a commission.

Mr. HENNINGS. It seems to me that that might be redundant. It is tautological, in that "necessary" is an absolute, is it not?

I should contend that "reasonable" is something which is more flexible. Again, we get into the field of semantics. I think we are all trying to do the same thing.

Mr. KEFAUVER. Is it the Senator's fear that if the bill shall be passed with the words "reasonably necessary," or whatever term might be agreed upon which would mean about the same thing, and which would not change anything in particular, or would not do any harm or good, the difficulty might be that in conference the House might not agree to the Senate version?

Mr. HENNINGS. That, of course, is potentially our great stumbling block as the Senator well knows. We might run into trouble in conference. Does the Senator mean that if we include two words, the House might agree to take one or the other, and that the Senate would have a little better bargaining power?

Mr. KEFAUVER. That was one consideration I had in drafting an amendment.

Mr. HENNINGS. I am speaking from the practical standpoint. What the Senator says may be accurate. I should like to have the Senator in charge of the bill, the Senator from Wyoming, give the Senator's question his consideration.

Mr. KEFAUVER. I have discussed my proposed amendment with the Senator from Wyoming.

Mr. HENNINGS. Provided I do not lose the floor, I shall be happy to yield to the Senator from Wyoming. I have about finished my remarks.

Mr. KEFAUVER. I call the attention of the Senator from Wyoming to my amendment, which I have discussed with him. I have suggested to him that the words "reasonably necessary delay" might be a little more restrictive and might afford some grounds for a possible compromise in conference.

The Senator from Wyoming, as I remember, said he thought "reasonable" meant the same as "reasonably necessary," and that the addition of "necessary" would not be important. Is that still the feeling of the Senator from Wyoming?

Mr. O'MAHONEY. Mr. President, will the Senator from Missouri yield to me, so that I may answer the Senator from Tennessee?

Mr. HENNINGS. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. The discussion today, including the reading of the various decisions, shows quite conclusively, I think, that when lawyers get together, it is difficult to bring to a conclusion a debate over the technicalities of the law. When I say "lawyers," I mean even the lawyers on the courts.

Mr. HENNINGS. May I interrupt the Senator? Surely he does not mean the lawyers who are Members of the Senate Committee on the Judiciary, does he?

Mr. O'MAHONEY. Yes; I include the lawyers in the Senate, too. I refer to lawyers wherever they are. In fact, I believe lawyers like to talk more, even, than professors like to talk—and that is a pretty high record.

Mr. HENNINGS. I am not certain that our friend from Illinois [Mr. DOUGLAS] would agree.

Mr. O'MAHONEY. Oh, no; I once taught law myself. I never attained the professional degree of being entitled to be called a professor.

But, as I was saying to the Senators, these discussions, weighing and distinguishing, distinguishing and weighing, the meaning of words, seem to me to make it very desirable that we should be as simple as possible in the framing of language. One word is better than two words. Brevity is better, almost—I was going to say better, almost, than longevity; but I will not go that far. Brevity is the soul of wit. It is the very heart of getting action.

We are nearing the close of a session. We want the House of Representatives to agree to this amendment which saves the bill, which preserves the basic individual rights, which preserves the intelligent and effective enforcement of the law, which preserves also the right of the individual citizens who compose a community to be protected against felonious crimes of violence. Let us not forget that that is an individual right which is as important as any other right.

The word "reasonable" comes down to us from the very earliest history of the law. It comes to us under our Constitution, from article 4 of the Bill of Rights, as I have said several times during the debate today. There a prohibition of the Bill of Rights goes only to unreasonable searches and seizures, but making possible, therefore, reasonable searches and seizures.

The word "necessary" was not in the domain of legal discussion until rule 5 (a) of the Federal Rules of Criminal Procedure was adopted, which was in 1946. Therefore, in order to avoid an unnecessary argument about tweedledum and tweedledee, I urged in committee that we concentrate on one word, and I said that "reasonable" was a better word than "necessary." The committee agreed. That is the way in which the bill came to the Senate.

I hope the Senator from Tennessee will be content with that decision, because if we are to exercise our responsibility to legislate for the District of Columbia, we must bear in mind that Washington is the only great city in the United States which is wholly within the Federal jurisdiction. I think I have explained to the Senator why the committee adopted the word "reasonable" rather than "necessary."

Mr. KEFAUVER. I understand. I heard the previous explanation of the Senator on the floor and also in committee, to the effect that he thought "reasonable" embraced "necessary."

Mr. O'MAHONEY. Surely.

Mr. KEFAUVER. But many of us fear that if we add only one word and then go to conference with the House of Representatives, no room will be left for any concession.

But if the Senator has surveyed the matter, and believes that the House will go along with this version, that is different.

Mr. O'MAHONEY. I do have that feeling.

Mr. KEFAUVER. I thank the Senator from Wyoming.

Mr. HENNINGS. Mr. President, I shall soon complete my remarks.

The debate today has been rather complete; and many things which I intended to say have been said very well indeed by Senators whose remarks have preceded mine, in connection with debate on various of the points at issue.

I continue to read from my article in the Missouri Law Review:

> The Court held that police detention of persons beyond the time when a committing magistrate is readily accessible constitutes "willful disobedience of law" as found in rule 5 (a) of the Federal Rules of Criminal Procedure.

That means that the police have, according to the Supreme Court of the United States, willfully disobeyed the law. I do not think any Senator would countenance willful disobedience of the law even by the police.

I read further from the article:

> The Court said: "Circumstances may justify a brief delay between arrest and arraignment, as for instance, where the story volunteered by the accused is susceptible of quick verification through third parties. But the delay must not be of a nature to give opportunity for the extraction of a confession." [8] The Court found that it could not sanction the extended delay in this case, resulting in confession, "without subordinating the general rule of prompt arraignment to the discretion of arresting officers in finding exceptional circumstances for its disregard. * * * It is not the function of the police to arrest, as it were, at large and to use an interrogating process at police headquarters in order to determine whom they should charge before a committing magistrate on probable cause." [9]

Another point which I believe might well be discussed, if it has not already been, is that the arraignment which the Supreme Court speaks of in the Mallory case is not the formal pleading of "guilty" or "not guilty" which is historically referred to as the arraignment. This formal pleading by the accused comes later in the procedure after the indictment or information has been filed in the district court and is made before a district judge.

The arraignment referred to in the Mallory case is of another kind and character altogether:

> It is the hearing before a committing officer where the complaint is read to the accused. At this hearing he is informed of his right to counsel and his right to remain silent. The date for a preliminary hearing is also set at this time if the accused does not waive such a hearing.

Of course, an accused may waive his preliminary hearing if he so desires. In that case he is bound over to the trial court, without disposition at that time.

I read further from the article, which I wrote last January:

> The policy behind the statutes requiring promptness in taking an arrested person before a committing officer or, as now required, "without unnecessary delay," has been spelled out by the Court in every case in which the McNabb rule has been applied. For example, in the McNabb case the Court stated:
>
> "This procedural requirement checks resort to those reprehensible practices known as the third degree which, though universally rejected as indefensible, still find their way into use. It aims to avoid all the evil implications of secret interrogation of persons accused of crime." [10]
>
> The McNabb rule with its strict application in the Mallory case is the basis of an open vocal controversy. Police and law enforcement officers of our Nation have a very difficult job.
>
> They shoulder a great responsibility. They have the obligation of maintaining peace and order. They must apprehend those who violate the law and secure evidence for their conviction. It is only natural that they would oppose new procedural rules or extensions of old procedural rules which set limits on their field of operation.

Of course, lawyers do not like to have limits set upon thier field of operations, nor do doctors, nor do Members of Congress; nor do most of those who practice in a given field—professional or otherwise—like to be limited, or like to have their activities restricted or inhibited. I think that is true in almost all fields of human endeavor.

I read further from the article:

> And the courts must seriously consider any innovation which will make the enforcement of our criminal laws more difficult. However, it must be remembered that the primary responsibility of our police and law enforcement agencies is not to obtain convictions, but to see that justice is obtained.

[8] 354 U. S. at 455.

[9] Ibid.

[10] 318 U. S. at 344.

> We consider ourselves a civilized nation and therefore we aspire to conduct ourselves in a civilized manner. The Supreme Court has never contended that the McNabb rule was required by the Constitution. It has said that we must have procedural safeguards which not only protect the innocent but which secure convictions of the guilty by methods that commend themselves to a progressive and self-confident society.
>
> We have a society that is not afraid of liberty, that is not afraid of freedom, and is not afraid to be just to all men, whatever their condition or station in life.

I read further from the article:

> That arraignment without unnecessary delay is a necessary procedure in a civilized society can easily be seen by a survey of several cases which have come before the Supreme Court. These cases point out how easily unnecessary delay can slip into psychological coercion, thereby rendering a confession involuntary.
>
> In *Haley* v. *Ohio* the defendant, a young boy, was arrested about midnight and questioned at the police station until morning when he confessed. He was then held incommunicado for 2 more days before he was formally charged. The Supreme Court found psychological coercion. In *Mellnski* v. *New York* the defendant was held incommunicado for 4 days before arraignment, the first day of which he was kept naked or only half clothed. In *Ward* v. *Texas*, the defendant and several other persons were picked up on suspicion without warrants and were held for several days. During this time the defendant was taken from county to county until he confessed. There are many other such cases.

Many of which I have referred to in my previous remarks of this afternoon.

I continue to read:

> In all of them the defendant was picked up by the police and held without formal commitment for some time. During this unnecessary delay in taking the person before a committing official the police, intentionally or otherwise, applied pressures which resulted in an involuntary confession. The seeds of coercion sprout readily in the earth of illegal detention.
>
> Against this background the decision of the Supreme Court in the Mallory case is easily understood. In view of the policy established by Congress by rule 5 (a) and in view of our civilized society, the Supreme Court had to hold that Mallory's confession was inadmissible.

It could not have held otherwise.

In concluding my remarks, I wish to pay tribute to my good friend, a most able, scholarly, and distinguished lawyer, the Senator from the State of Wyoming, and I wish to tell him now I hope nothing I have said in a general review of the cases, and of the practical effects of police detention and what happens after the so-called arrest or during the period of detention, in anywise is to be taken as an indication that I do not think his amendment, to insert the word "reasonable" in the House version, is a very important one, indeed. I urge Members of the Senate to support it.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HENNINGS. I am happy to yield to my friend.

Mr. O'MAHONEY. I wish to thank the Senator most sincerely for the contribution which he has made. Out of the vast experience which he has had as a prosecuting attorney, he has discussed the problems of arrest and arraignment as probably few others could discuss them.

I think he has laid before the Senate, and also before the House—and he was formerly a Member of the House—the basic facts relating to the protection of individual rights of citizens, taken alone, standing by themselves, and the protection of the rights of a community and the members of that community who sometimes are laid open to the attacks of felonious criminals, who must be arrested and convicted.

I think the Senator will agree with me that the Judiciary Committee has brought to the floor of the Senate a bill which will do precisely what Justice Frankfurter said was necessary in his decision in the Mallory case—namely, to protect basic individual rights without hampering intelligent and effective law enforcement. That is all the Senate committee is trying to do. The committee has made no changes that will either punish or deny individuals their rights under the Bill of Rights, nor has the committee done anything which will make it more difficult to protect the rights of a social community against destructive crime.

Mr. HENNINGS. I am honored indeed to be associated with one of the best lawyers of my acquaintance, the distinguished junior Senator from Wyoming.

Mr. O'MAHONEY. The Senator is overgenerous.

Mr. HENNINGS. I mean what I have said, and the Senator from Wyoming knows it. Not only that, but as a member of the Subcommittee on Constitutional Rights, he has ever shown a jealous solicitude for the rights which the Constitution, and which indeed the Lord on high, has given to the individual man or woman upon the face of this earth.

Mr. O'MAHONEY. I thank the Senator.

Mr. HENNINGS. The Senator from Wyoming believes in the importance of people. He believes in government under law. He frowns upon, and indeed despises, tyranny, whether it be official tyranny, or tyranny of a foreign sovereignty. This includes also tyranny by persons within our own borders who are clothed and vested with certain temporal authority and who have the "insolence of office," as I believe Shakespeare wrote in Hamlet's soliloquy.

So again I wish to pay the highest tribute to my friend from Wyoming, and to say to him I believe he has done the Senate and the country a great service in undertaking to unravel this vexatious skein, which has been before us not of our own asking, but as a result of our duties as members of a committee of this body. Again I wish to thank him.

Mr. O'MAHONEY. I thank the Senator from Missouri.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. HENNINGS. I shall be glad to yield the floor. I have concluded my remarks. I shall be glad to yield to the Senator from Michigan if he wishes to ask me a question.

Mr. McNAMARA. I would like to ask the Senator in charge of the bill a few questions.

Mr. HENNINGS. Very well. I have yielded the floor.

Mr. McNAMARA. I understood the Senator was going to give me an opportunity to ask a few brief questions of the Senator in charge of the bill before he yielded the floor.

Mr. HENNINGS. I misunderstood. I now understand the Senator wants to interrogate the Senator in charge of the bill through my yielding to him.

Mr. McNAMARA. Yes.

Mr. HENNINGS. For that reason, I should like to retract my yielding the floor, so that I may yield to the Senator from Michigan.

The PRESIDING OFFICER. The Senator has yielded for that purpose.

Mr. McNAMARA. I thank the Senator. First I wish to say to him that I have listened to all his remarks with great interest. I recognize his ability in this field. I sit at his feet as he discusses, in an intelligent manner, the vexing problem we have before us.

Mr. HENNINGS. I thank the Senator for his compliments.

Mr. McNAMARA. The same statement applies to the other legal lights in the Senate, such as the Senator from Wyoming, for whom I have great respect and admiration.

Mr. O'MAHONEY. I thank the Senator from Michigan.

Mr. McNAMARA. I shall try to be as brief as I can.

First, I shall read from the last paragraph on page 31 of the Senate report on the bill, which is a quotation from the Mallory case:

> The circumstances of this case preclude a holding that arraignment was without unnecessary delay.

I now read the last paragraph of the conclusion by the Supreme Court, which appears on page 32 of the report:

> We cannot sanction this extended delay, resulting in confession, without subordinating the general rule of prompt arraignment to the discretion of arresting officers in finding exceptional circumstances for its disregard. In every case where the police resort to interrogation of an arrested person and secure a confession, they may well claim, and quite sincerely, that they were merely trying to check on the information given by him. Against such a claim and the evil potentialities of the practice for which it is urged stands rule 5 (a) as a barrier. Nor is there an escape from the constraint laid upon the police by that rule in that two other suspects were involved for the same crime. Presumably, whomever the police arrest, they must arrest on probable cause. It is not the function of the police to arrest, as it were, at large and to use an interrogating process at police headquarters in order to determine whom they should charge before a committing magistrate on probable cause.

I raise a question, not as an attorney, like the men who are trained and practiced in the law, to whom we have been listening all day long, but as a layman. I should like to ask the Senators who are in charge of the bill and who are members of the committee, what is wrong with the conclusion which has been stated? Why do we need to change a word of it? That is my question.

Mr. O'MAHONEY. There would be no change whatever made in that conclusion by anything in the bill which

the Judiciary Committee has reported to the Senate.

Mr. McNAMARA. Is the Senator saying, in effect, we need no legislation?

Mr. O'MAHONEY. Indeed, I am not.

Mr. McNAMARA. What evidence is there that we need legislation, in view of the conclusion?

Mr. O'MAHONEY. If the Senator had been on the floor——

Mr. McNAMARA. I have been on the floor practically all day.

Mr. O'MAHONEY. I am sure the Senator did not hear the opening discussion about the Trilling case, with respect to the nine members of the Court of Appeals of the District of Columbia.

Mr. McNAMARA. Is that cited in the conclusion?

Mr. O'MAHONEY. Yes.

Mr. McNAMARA. I do not think it is cited in the conclusion.

Mr. O'MAHONEY. That is a later case.

Mr. McNAMARA. Why should we go so far afield?

Mr. O'MAHONEY. That is not going far afield. There was an appeal taken from 3 convictions before 3 judges and 3 juries by a defendant who had confessed. One of the judges said he was compelled against his will, most reluctantly, to vote to reverse the convictions because of his understanding of the Mallory decision.

Mr. McNAMARA. Will the Senator yield at that point, Mr. President?

Mr. O'MAHONEY. I will yield in just a minute. I am answering one question at a time.

Mr. McNAMARA. Very well.

Mr. O'MAHONEY. Therefore, the Committee on the Judiciary has reported to the Senate a bill to clarify the meaning of the decision.

Mr. McNAMARA. Mr. President, will the Senator yield at that point?

Mr. O'MAHONEY. I yield. I am trying to answer the Senator's questions.

Mr. McNAMARA. There have been many cases in the Federal courts in the city of Detroit since the Mallory decision. The judges of Detroit are very scholarly and learned men, as is the judge cited by the Senator, who said that in his opinion those circumstances prevailed. There is nothing in the conclusion of the Supreme Court to warrant that kind of decision. If it were so, the Federal judges in the rest of the country would have to follow the decision. I think it was an erroneous decision on the part of the judge.

Who am I to criticize a judge? I should not do so. I am not trained in the legal field. I should not criticize the judge, but in the light of what is going on in the rest of the country there seems to be no need for change in the conclusions of the Supreme Court.

I will vote against any change of any one word, two words, or any other words.

I thank the Senator.

SEVERAL SENATORS. Vote! Vote!

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 540. An act for the relief of the Board of National Mission of the Presbyterian Church in the United States of America;

S. 552. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.;

S. 571. An act for the relief of George P. E. Caesar, Jr.;

S. 2001. An act for the relief of AlaLu Duncan Dilliard;

S. 2057. An act for the relief of Diana Elaine Greig;

S. 2216. An act for the relief of John C. Walsh;

S. 2955. An act for the relief of Kazuko Young;

S. 3004. An act for the relief of Joanna Strutynska;

S. 3219. An act for the relief of Mrs. Margaret Graham Bonnalie;

S. 3221. An act for the relief of Erika Margaretha Zintl Pearce;

S. 3300. An act for the relief of Jean Andre Paris;

S. 3308. An act for the relief of Itzhak Aronovici;

S. 3357. An act for the relief of Arturo Ernesto Audrain y Campos;

S. 3445. An act for the relief of Teruko K. Jackson;

S. 3509. An act for the relief of Wong Wing Boa;

S. 3547. An act for the relief of Andrejs Pablo Mierkains;

S. 3607. An act for the relief of Harvey L. Forden;

S. 3640. An act for the relief of Daniel (Nathaniel) Rosenzweig;

S. 3739. An act for the relief of Hermine Emon Papazian;

S. 3743. An act for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano);

S. 3768. An act for the relief of Hing Man Chau;

S. 3789. An act for the relief of Donald J. Marion;

S. 3801. An act for the relief of Klara Leitner and her daughter, Sylvia Leitner;

S. 3826. An act for the relief of Concettina Iannacchino;

S. 3921. An act for the relief of Peter Tillner;

S. 4020. An act for the relief of Kunio Inouye (Sparkman); and

S. 4081. An act for the relief of Marianne (Sachiko) Fuller.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2888) to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4544) for the relief of Louis S. Levenson.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9147) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13132) to amend the District of Columbia Teachers' Salary Act of 1955.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 4544) for the relief of Louis S. Levenson, and it was signed by the President pro tempore.

SENATOR MARTIN OF PENNSYLVANIA

Mr. BYRD. Mr. President, it has been my great privilege and pleasure to be closely associated with Senator EDWARD MARTIN during his service in the United States Senate.

He has been the ranking member of the Senate Finance Committee since January 1957, and a member of the committee since he came to the Senate in January 1947.

I have had an opportunity to observe his great devotion to the responsibilities of his position, both on the Senate Finance Committee and as a Member of the Senate.

His decision to retire from the Senate is a great loss to the country. I shall feel keenly his absence from the Finance Committee, where he has rendered such valuable service for the principles of sound government.

He has never lost an opportunity to vote and to speak in behalf of those things that would preserve the fundamental institutions of our Government, a sound fiscal system and moderate taxes made possible by economical administration of our Nation's business affairs.

Few men have such a long and honorable record of public service. As a general in the military service, he served with great distinction in the Spanish-American War, World War I, and World War II.

As Governor of Pennsylvania, he left behind him a record that has rarely been equaled, and, as United States Senator, his record is one of which any could be justly proud.

I have a great personal affection for him, and no one will miss him more than I. As he voluntarily retires from public life, I wish for him only happiness and contentment.

Certainly he can carry with him a feeling of great satisfaction in the many fine contributions he has made to his State and country.

ACCEPTANCE OF DECORATIONS BY CERTAIN RETIRED PERSONNEL

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3195) to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries, which were, on page 2, after the line beginning "Johnson, Edwin C." insert:

Richards, James P., January 2, 1957, Spain, Grand Cross Isabella la Catolica. Token of good will. Greece, Cross of Commander of the Royal Order of George I. Token of good will.

On page 3, after the line beginning "Schenck, Hubert G." insert:

Meyer, Clarence E., July 1, 1957, Austria, Great Gold Medal of Honor. Reason for award unknown.

On page 4, after the line beginning "Kemp, Edwin Carl" insert:

Kempter, Charles W., April 30, 1957, Brazil, National Order of the Southern Cross, Degree of Officer.

On page 18, after the line beginning "O901853" insert:

Thompson, Fulton G., 050965, October 31, 1957, Greece, Knight's Order of Phoenix. Reason for award unknown.

Mr. WILEY. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. [Mr. DOUGLAS in the chair]. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

STUDY COMMISSION ON CERTAIN RIVER BASINS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4021) to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins, and intervening areas, which were, on page 2, line 3, strike out "Alabama-Coosa" and insert "Perdido-Escambia"; on page 4, line 17, strike out "Alabama-Coosa" and insert "Perdido-Escambia"; on page 4, line 24, strike out "Alabama-Coosa" and insert "Perdido-Escambia"; on page 10, lines 6 and 7, strike out "Alabama-Coosa" and insert "Perdido-Escambia"; on page 12, line 7, strike out "Alabama-Coosa" and insert "Perdido-Escambia", and to amend the title so as to read "An act to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas."

Mr. RUSSELL. Mr. President, I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

DISPOSAL OF CERTAIN PROPERTY IN BOULDER CITY AREA—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9147) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, pp. 18556–18557, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ADMISSIBILITY OF EVIDENCE—STATEMENTS AND CONFESSIONS

The Senate resumed the consideration of the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Mr. ERVIN. Mr. President, I want to make a confession, and I hope there will be no effort to exclude it under the Mallory case, under the bill, or under the proposed amendment to the bill.

I want to confess I am guilty of the soft impeachment preferred against lawyers by the able and distinguished senior Senator from Wyoming. Lawyers like to talk, and I am one lawyer who wants to talk. In view of the fact that I have been sitting here for 6 hours, without lunch, for the purpose of proving the truth of my confession, I respectfully hope that any Senators who may wish to ask me any questions will postpone their questions until I have finished a complete statement of my views on this subject.

Most Americans are privileged to enjoy the great blessing which the prophet Micah depicted when he said, "They shall sit every man under his vine and under his fig tree; and none shall make them afraid."

Mr. President, why do most Americans enjoy the right to dwell under their own vine and under their own fig tree with none to molest them or make them afraid? Americans enjoy that right because of the officers of the law, who, on occasion at the risk of their own lives, protect their property against theft, prevent the invasion of their homes by burglars, and protect their lives against potential murderers. These officers of the law do this, I say, often at the hazard of their own lives. Many of the police officers each year make the supreme sacrifice in order that Americans may continue to dwell under their own vine and under their own fig tree with none to molest them or make them afraid. And this they usually do for inadequate salaries.

Despite this fact, Mr. President, I have sat on the floor of the Senate for several hours and listened. If my mind could accept what my ears have heard. I would come to the conclusion that the most undesirable people in the United States today are the officers of the law who, at the risk of their own lives, protect our property and our lives against those who would steal and rob and murder. We are told that society does not need any further protection against criminals, but that criminals need protection against the officers of the law. We are also told that not only do the officers of the law suborn the commission of perjury by extorting false confessions, but that the judges in our trial courts, who are charged with the duty under the law of passing upon the admissibility of those confessions, are mentally incapable in many instances of distinguishing between that which is true and that which is false, and that as a consequence untold numbers of innocent citizens are serving long terms in our penitentiaries.

My experience cannot accept what my ears have heard on that subject. I have come in contact with officers of the law as a trial lawyer for 15 years, as a judge for 15 years, and as a member of the McClellan committee for the past year and a half, which committee has been investigating crime in labor and management relations.

My experience inspires in me an abiding confidence in the officers of the law who are protecting society against criminals.

I think we lose our perspective when we argue that we ought to be more concerned with the protection of criminals than we are with the protection of society.

Frankly, I believe that in recent years enough has been done for those who murder, rape, and rob; and that it is about time for Congress to do something for those who do not wish to be murdered, or raped, or robbed.

It is a popular notion nowadays that when anyone suggests any change in procedure or law, he should be accused of criticizing the Supreme Court. I believe that the Supreme Court made a mistake in both the McNabb and the Mallory case. Indeed sometimes I am inclined to think that the precedent to which some members of the Supreme Court are most faithful is the precedent set by Josh Billings' mule, which "didn't kick according to no rule."

I think that is the trouble with the Mallory case. The Court overlooked one law and incorrectly applied another. I have been a judge myself, and confess that no one ever accused me of being perfect. Judges are like legislators. They make mistakes. Judges with the least experience in trial courts are most likely to make mistakes when they come to deal with rules of evidence.

It is no reflection on the character of the members of the Supreme Court to say that when the Court handed down its decision in the McNabb case, the Court consisted of 9 men, that only 2 of them had ever had any judicial experience worthy of the name before they began their service on the Supreme Court, and

that not one of them had ever had any experience as a judge in a court of general jurisdiction where the admissibility of confessions is ruled upon.

Mr. President, I speak in opposition to the amendment offered by the senior Senator from Wyoming in the committee, and adopted by a majority of the committee. I have nothing but praise for the motives which prompt the great labor of the Senator from Wyoming in connection with this bill. I oppose the amendment, however, because I believe it would fail to cure the defects in the rules of evidence which have resulted from the McNabb and Mallory cases.

Although some Members seem to have overlooked the fact, the main object of criminal laws is the protection of society. Society is served only when we have a system for the administration of justice under which the guilty can be convicted and the innocent can be acquitted.

I thank God that my experience has engendered in my mind the abiding conviction that that object of society is accomplished in the overwhelming majority of all cases tried in all courts of all the States, and the majority of cases tried in all the courts of the United States.

I am foolish enough to believe in clinging to the tried and true landmarks of the past. I do not believe that all the wisdom that exists on earth arrived here in the past 10 or 15 years. I would rather trust rules of evidence fashioned from the experience of generations of men who sat in the trial courts, actively participated in the trial of cases, and observed the conduct and demeanor of witnesses upon the witness stand.

Before the McNabb decision was handed down there was a rule of evidence which was enforced not only in the Federal courts, but in virtually every court of all 48 States of the Union. That rule of evidence is still enforced in virtually every one of the 48 States of which I have any knowledge.

That rule of evidence was very simple. It was as clear as the noonday sun. If 9 judges had occasion to pass on the admissibility of evidence under that rule, the 9 judges would arrive at the same conclusion, and not 9 different conclusions, as in the Trilling case.

That rule of evidence was very simple. It was a rule of substance. It was simply this: A confession which is voluntary is admissible against the person who makes it, and a confession which is involuntary is inadmissible against the person who makes it.

What stronger proof is there of the guilt of a man than his voluntary confession that he is the person who committed the crime? This rule of evidence was applied with skill, judgment, and discretion; and it resulted in the admission of voluntary confessions and the exclusion of involuntary confessions. It was administered by the trial judge. Under this rule, whenever an objection was made to the admission of a confession on the ground that it was extorted by fear, or wrung by the flattery of hope, the trial judge excused the jury and heard the witnesses on both sides give evidence bearing upon the circumstances under which the confession was made. He permitted the defendant to give his testimony in the absence of the jury, without waiving his right not to testify on the merits, but to testify as to the circumstances under which the alleged confession was made, while being protected with respect to disclosures on the merits of the case.

That was a good rule. The result was that it was said that when a man voluntarily confessed his guilt, that was the highest order of proof, but that when a man had had a confession wrung from him by hope of some benefit or by threat of some calamity, it was involuntary and inadmissible. That was a good rule. It was a rule which existed in the Federal courts. It was a rule which existed in the courts of the 48 States of the Nation. It was a rule which had been recognized and enforced thousands upon thousands of times, and it was laid down in hundreds upon hundreds of decisions. It was understood by all the judges who presided over trials in trial courts. It came out of the experience of men who had had actual contact with the actual administration of justice down on the local level, where persons are tried for crime in the trial courts. It was a good rule.

It was recognized in the Federal courts and enforced, in spite of the fact that one of the statutes which was used as a vehicle to alter the rule in the McNabb case had been upon the statute books of this Nation for several generations, and had been held not to exclude any confession voluntarily made, even though there was delay between the arrest and the arraignment.

When the McNabb decision was handed down, it was inconsistent with scores upon scores of previous decisions of Federal courts, holding that voluntary confessions were admissible and that involuntary confessions were inadmissible, and that the question of whether a confession was one or the other was to be determined by the trial judge in the light of all surrounding circumstances, including any circumstance of delay.

It was also recognized that it was for the trial judge to make the determination as to the admissibility of a confession in the first instance, and that his ruling on that question would be sustained on appeal if it was supported by substantial testimony.

In the McNabb case, the Court took the statutes governing the duties of arresting officers and added something to the statutes which Congress had never placed there. The Court said that where a man was not taken by the arresting officer before the nearest United States Commissioner in conformity to the statute, any confession he made would be excluded even though it was free and voluntary in every sense of the term. That was nothing more nor less than judicial legislation. One of those statutes had been in force virtually since the office of United States Marshal was created. The statute directed the marshal to take the person arrested to the nearest commissioner, and had so provided for many years before the McNabb case. And it had been uniformly held by the Federal courts that despite the statute that the only question, when a confession was made, was whether it was voluntary or involuntary.

The McNabb case repudiated the rule of evidence which had existed since the establishment of the Nation.

Then, after that, the Federal rules of criminal procedure became effective. These rules were adopted with the consent of Congress. This was necessary because the power to prescribe rules of procedure and rules of evidence for the Federal district courts is a legislative power, not a judicial power. So these rules were adopted with the consent of Congress. I say that the rules themselves show that it was the will of Congress to repudiate the McNabb case and to go back to the law as it existed before the McNabb case. Congress approved rule 5. (a), which is a rule of procedure. I have been in agreement with all who have spoken on the floor when they said rule 5 (a) is a rule of procedure and not a rule of evidence. However, the Federal rules of criminal procedure do contain a rule of evidence, which tells exactly what kind of rules of evidence the Federal district courts are to follow when they try criminal cases and when they pass upon the admissibility of alleged confessions. It is rule 26. The pertinent part of rule 26 is as follows:

> The admissibility of evidence and the competency and privileges of witnesses shall be governed, except when an act of Congress or these rules otherwise provide, by the principles of the common law as they may be interpreted by the courts of the United States in light of reason and experience.

In other words, rule 26, which became effective between the decision in the McNabb case and the decision in the Mallory case, provided in express terms that, unless Congress—not the court, not some judge—unless Congress had adopted a statute or a rule to the contrary, the question of the admissibility of evidence was to be determined by the principles of the common law. The common law rule is the rule which prevailed before the McNabb case. It provides these things: First, that a confession is admissible if it is voluntary. Second, that a confession is inadmissible if it is involuntary. Third, that the determination of whether a confession is voluntary or involuntary is to be made by the trial judge. Fouth, that the trial judge is to make this determination from all the surrounding circumstances, including any circumstance showing delay. Fifth, that the ruling of the trial judge on this question is to be binding on appeal, if it is supported by substantial evidence.

What is the wisdom of the rule? The evidence of the wisdom of the rule is that it grew out of the experience of the English-speaking race in the administration of justice. It was found by those who were charged with the administration of justice to be most conducive to admitting truth and excluding doubtful testimony.

Furthermore—and this is one thing which those who sit in ivory towers are prone to overlook—the rule recognises the truth that no one can tell whether a man is a truthful man by reading his cold, printed testimony. The only reliable guide as to whether a person tells the truth or testifies falsely is observing him in the giving of his testimony. The wisdom of this rule was that it left this matter to the determination of the trial judge who saw the witnesses, heard their testimony, and observed their conduct and demeanor when testifying. That is a very important matter, because the experience of everyone who has any experience in this field teaches him that when we take the testimony of George Washington and the testimony of Ananias, and put them down on a cold record, it is impossible to tell which is the testimony of George Washington and which is the testimony of Ananias.

What did the court do in the Mallory case?

The testimony of the coroner—who I assume was a physician of the District of Columbia—was to the effect that at the time of his confession the accused showed no sign whatever of any physical or psychological coercion. The trial judge found that his confession was voluntary. The case goes up on appeal, and the Supreme Court takes the same action it did in the McNabb case with respect to the statute. It ignored rule 26. It took rule 5 (a), which is supposed to govern the conduct of police officers, and to do that and nothing more in respect to the arrest and arraignment of persons charged with crime, and made a judicial amendment to it. They amended it by holding that any confession made by a person during a period of unnecessary delay between the arrest and arraignment will be excluded no matter how freely it was given, and no matter how truthful it was. In other words, the Court converted a mere rule of procedure relating to arrests and arraignment into a rule of evidence.

That was outside the province of the Supreme Court. When the Court undertakes to make rules of evidence for Federal district courts, it ignores the basic principle that the power to prescribe such rules of evidence is a legislative power vested in Congress. Congress ought to step in and assert its authority.

What has been the result of the Mallory decision? The Court abolished a rule of evidence which the English-speaking race, in the practical administration of justice, has found to be a sound rule. The Court threw it on the scrap heap. What do we have in its place? We have a rule of evidence based upon a holding that the detention of a man between arrest and arraignment for as much as 7½ hours constitutes unnecessary delay, and that any confession he makes during detention is inadmissible no matter how freely and voluntarily he acts in making it.

We do not know whether unnecessary delay is 6 hours, 2¼ hours, 1 hour, or some other length of time. But we know that 7½ hours, under the Mallory decision, is an unnecessary delay.

We had a rule of substance, a rule of reason, a rule of experience; but it has been thrown on the scrap heap, and a rule of thumb has been adopted in its place. No one can tell what the rule of thumb means.

What someone said of Chancellors in Equity seems pertinent. The chancellors were supposed to administer justice according to the length of their feet. But the trouble was that the chancellors had feet of different lengths.

Instead of a rule of certainty, a rule which has been sustained in hundreds and hundreds of decisions, we now have a rule of thumb, which is so confusing, as the able Senator from Wyoming [Mr. O'MAHONEY] has so well pointed out, that it caused 9 judges in the Trilling case to reach 9 different conclusions.

That is bad enough. But there is one thing which is worse. It is the inevitable result of any rule, either a rule using the words "reasonable delay" or the rule in the Mallory case, or any other rule which substitutes artificiality such as mere time for the free will of the accused as a basis to exclude testimony. It is a rule under which those who murder, those who rape, those who rob, and those who counterfeit, and who voluntarily confess their guilt, are permitted to go unwhipped of justice, and are turned loose upon society to repeat their crimes.

After the Mallory decision had been rendered, the man who had confessed his guilt, under circumstances in which the coroner said he showed no signs of physical or psychological coercion, and under circumstances which the trial judge, who I am sure was a conscientious individual, felt were voluntary, was permitted to go unwhipped of justice, after confessing voluntarily his guilt to one of the most serious crimes known to the catalog of crimes. Just a few days after that, I picked up a newspaper and read that the same man was being sought on a charge of burglary.

When artificial rules are used, instead of rules of substance, persons who voluntarily confess their guilt of such crimes as murder, rape, and armed robbery, go scot free unwhipped of justice. They are turned loose on society to repeat their crimes. And society is not getting from Congress the justice to which it is entitled by way of protection against such crimes.

I must object to the word "reasonable" and also to the word "unnecessary." As I understand the position of the Senator from Wyoming, who advocates the insertion of the word "reasonable" before the word "delay," it is that, after all, this is a matter for the determination of the trial judge, in the light of all the circumstances, including the circumstance of delay. I wish I could find repose in that contention. I know that it has always been a rule of law in this country, both in Federal jurisdictions and in State jurisdictions, that the question of the admissibility of evidence must be determined, in the first instance, by the trial judge. But that rule was not permitted to apply in the Mallory case, where the trial judge applied the orthodox law and found the confession to be voluntary, and admitted it as a voluntary confession. When the case reached the Supreme Court on appeals, the Supreme Court excluded the confession on the ground that there had been an unnecessary delay between the arrest and the arraignment.

In so doing, the Supreme Court ignored the rule of law that the admissibility of evidence is to be determined by the trial judge in the first instance. Even if the rule created in the McNabb case had been correct, it should have been the function of the trial judge under the law to make the determination of whether the delay was unnecessary. So the Supreme Court should have reversed the conviction and sent it back to the trial judge, and let the trial judge, who had an opportunity to observe all the witnesses, make the determination whether there had been a necessary or an unnecessary delay.

The objection to "reasonable" is that it can be used as a vehicle by the court to do exactly as it did in the Mallory case and the McNabb case. The appellate court can arrogate to itself the authority to say whether a delay is reasonable or unreasonable in each particular case, notwithstanding the fact that that matter ought to be determined by the trial judge in the light of all the circumstances surrounding the confession.

So I say that we should pass the bill as it came from the House. I agree with the Senator from Wyoming that if we foul up the bill with amendments in the Senate, the bill will be defeated; and the result of the defeat of the bill will be that those who make voluntary confessions of their guilt, when there is an unnecessary delay in the eyes of the trial court or any reviewing court, will go unwhipped of justice until Congress acts to protect society against those who voluntarily confess their guilt.

The bill was passed by the House of Representatives by a substantial majority. The bill was supported in the House, and was drafted in large measure, by two able lawyers, Representative KENNETH B. KEATING, of New York, and Representative EDWIN E. WILLIS, of Louisiana. They have advised me that they think the inclusion of "reasonable" in the bill will virtually destroy the value of the bill. That is my own opinion.

It seems to me that what we should do is to reject the Senate committee amendment and pass the bill in its original form, as it came from the House. Then it will be the law of the land just as soon as the President signs it; and under section (a) of the bill we will have restored to full operation the rule which Congress contemplated the Federal courts would follow when Congress approved rule 26 of the Federal Rules of Criminal Procedure and said that these matters were to be determined by the principles of common law.

During recent years, the rights of criminals have been magnified out of all proper proportion, while the right of society to protection has been ignored. Much has been done for those who murder, rape, and rob. It is time for Congress to do something for those who do not wish to be murdered, raped, or robbed. Let us reject the committee amendment and pass the bill as it came from the House.

Mr. CHURCH. Mr. President, I should like to ask several questions of

the distinguished Senator from North Carolina [Mr. ERVIN] in connection with the address he made a few minutes ago.

First of all, I should like to say that the distinguished Senator from North Carolina has made a very able presentation of the law; and his address reflects his great experience as a lawyer and as a trial judge. I have been very much impressed by what he has had to say; and in certain particulars, I wish to associate myself with his remarks.

Mr. ERVIN. I thank the Senator from Idaho for his very gracious compliment.

Mr. CHURCH. I think the distinguished Senator from North Carolina is quite correct in pointing out that the rules of evidence are made, not hastily, not by a single tribunal, but are made, in the tradition of the common law, over a long period of time, and that they reflect the wisdom of a great many men who have addressed themselves to the question of how to best establish fair and equitable procedures.

I agree with the Senator from North Carolina that simply because the Supreme Court of the United States has made a decision, it does not necessarily follow that the decision is a proper or a wise one, or that the members of the Supreme Court are infallible in the making of decisions. I also agree that if the decision is an erroneous one, the Congress should assert its prerogative to make, in connection with the decisions, whatever corrections the Congress, in its wisdom, believes will best serve the ends of justice.

Furthermore, I should like to say that the definition given this afternoon, here on the floor of the Senate, of the common law rule with respect to the admissibility of confessions is not only an accurate and a complete definition, but it continues to serve the municipal courts and the State courts in almost all parts of the country.

Let me ask the Senator from North Carolina whether I am correct as to that?

Mr. ERVIN. The Senator from Idaho is eminently correct; and I wish to endorse the soundness of his view with respect to the right of Congress to act in this field, notwithstanding the fact that the Court has made a pronouncement—as in the McNabb case and as in the Mallory case—based on the statutes, rather than on the Constitution.

Mr. CHURCH. I should like to state that the common law rule with respect to the admissibility of confessions, as it has been detailed to the Senate this afternoon by the distinguished Senator from North Carolina, is, in my judgment, a sound one, because it rests with the trial judge, and because it makes the test of admissibility the question of whether the confession is a voluntary one. That rule has worked for many, many generations; and it continues to work in the great majority of the courts of the Nation. So I am sorry that the Supreme Court found it necessary to depart from that rule in Federal cases.

However, although I am grieved to disagree with the Court's ruling, having addressed myself at some length to the area, of our agreement, as I have with the distinguished Senator from North Carolina, I feel it incumbent upon me to point out to him that, in view of the fact that in the McNabb case the Supreme Court rendered a decision in which it departed from the common law rule, and in view of the further fact that by its decision in the Mallory case, the Court further limited the admissibility of confessions, we no longer have, in the Federal courts, a situation where the old common law rule is applicable.

Therefore, it seems to me that it has necessarily fallen to the Congress to enact, in statutory form, the rule of evidence applicable in the Federal courts, in view of, or in the wake of, these decisions by the Supreme Court.

Mr. ERVIN. I can agree up to this point with the Senator from Idaho, because I think that is why we are here dealing with this matter. Since the Court would not observe rule 26, and since the Court, in effect, amended rule 5 (a), I believe Congress must step in, and must provide a rule which will protect society, as well as safeguard the rights of the innocent.

Mr. CHURCH. Up to this point, the Senator from North Carolina and I are still in agreement. Perhaps it is now that we may part company.

It seems to me that the pending bill should, then, be considered as an effort on the part of the Congress to adopt a rule of evidence which seems to the Congress to be more sound than the rule of evidence laid down by the Supreme Court in its decision in the Mallory case.

I hasten to add that I believe the decision in the Mallory case—however sound may have been the sentiment within the Court that gave rise to that decision—may well constitute an undue burden upon efficient law enforcement and an impediment which ought not exist.

Mr. ERVIN. The Senator from Idaho is correct as to that, because experience has shown that in many cases persons whose connection with a crime could not be sufficiently established without a confession had to be released, notwithstanding the fact that their confession was voluntary; but the confession was excluded because of the idea of unnecessary delay.

Mr. CHURCH. I have very grave doubts as to the propriety of this decision; and I fear that it might give rise to an unwanted impediment which might make it difficult for the law-enforcement officers to obtain justice in the criminal courts.

For these reasons, I believe it is altogether proper for the Congress to undertake to substitute for the Court's decision in the Mallory case a rule of evidence of its own drafting.

Mr. ERVIN. Yes.

Mr. CHURCH. What concerns me is the rule of evidence which was drafted and passed by the House of Representatives, and sent to the Senate for its approval. I should like to explain the reason why I take that position.

As the bill was passed by the House of Representatives—and the House version of the bill establishes this new rule of evidence to be applicable in the Federal courts—the rule reads as follows:

(a) Evidence, including statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

I do not believe that rule of evidence, which the House would have the Senate accept—about which the Senator from North Carolina has spoken, this afternoon, with such evident learning—is a good one. I am afraid it is not a good rule of evidence for this reason: The rule states arbitrarily that delay alone shall not render a confession, otherwise admissible, inadmissible in a Federal court.

It seems to me that if the Congress adopts such a rule of evidence, the Congress will be in danger of giving to the law-enforcement agencies of the Federal Government an inducement to engage in the practice of delay, inasmuch as it is quite clear that, under the rule, delay in itself will not render a confession inadmissible.

Mr. ERVIN. Well, Mr. President——

Mr. CHURCH. Mr. President, I should like to finish stating my point, if I may.

Mr. ERVIN. Very well.

Mr. CHURCH. I am afraid that this is a poor rule of evidence, because it affords an inducement in the wrong direction; and I believe that if we establish the rule in the Federal-court procedures, we may very well find that the Federal law-enforcement officers—knowing they are protected by this rule—may tend, not because of a sinister motivation, but simply out of the natural desire to procure convictions, to engage in delay; and therefore we may run the risk of having innocent persons—who sometimes are arrested, even though they are not guilty of the crime with which they are charged—imprisoned for 2, 4, or 6 days before they are released, which would be a practice abhorrent, I believe, to the traditions of our judicial procedures.

Mr. ERVIN. I agree with the Senator from Idaho. That practice is abhorrent to me. But the Mallory decision and the McNabb decision are based on the theory that the supposed sins of the police officers ought to be visited on society, instead of on the police officers themselves.

If Congress is concerned, and if Congress thinks that Federal agents who possess the power to make arrests are abusing the power, by holding persons for an unnecessary length of time between the time of arrest and the time of arraignment, Congress should pass a law to make those acts by police officers criminal offenses, and thus should visit the sins of the guilty parties upon the guilty parties themselves—in this case, upon the policemen—instead of visiting them upon society. I think, however, that abuses of power by officers of the law are comparatively rare.

Mr. CHURCH. I understand the position the Senator from North Carolina has taken, and I honor him for it.

But, Mr. President, as between the Senate committee version of the bill and the House version of the bill, I think the Senate committee version is preferable, in that it inserts the word "reasonable." In inserting the word "reasonable" it seems to me it would take away the inducement that otherwise might be present to practice any delay out of an overzealous desire to procure convictions. On the other hand, the language still protects the right of the individual against undue duress by the police, by providing that an unreasonable delay may be the basis for rendering a confession inadmissible. Therefore, as between the two rules, in my judgment the rule of the committee is the preferable rule to lay down as the rule of procedure in our criminal courts.

Mr. ERVIN. I am frank to state the reason we differ on what is the proper procedure is that one consideration weighs a little heavier with one of us and another consideration weighs a little heavier with the other. In other words, different considerations must be balanced. I agree with the Senator, it is unfortunate there ever is unreasonable delay on the part of police officers, but the trouble with the use of the word "reasonable" is this, and I propound a suppositious case. John Doe is arrested by an FBI agent, or an Alcohol Tax Unit agent, or a narcotics agent, for an alleged violation of a Federal criminal statute. The officer violates rule 5 (a). He does not take John Doe to the commission for what is called a preliminary hearing. Instead of doing that, he puts him in jail. He leaves John Doe in jail for 2 or 3 or 4 or 5 days. Certainly, that is an unreasonable delay.

But suppose John Doe, while he is in jail, has no coercion practiced on him other than that which might be incident to the imprisonment alone. Let us suppose he is freely permitted to be visited by his family and by his lawyer. During the process of this unreasonable detention, he makes a free and voluntary confession of his guilt. He summons the judge, the prosecuting attorney, and his own lawyer, and says, "I am guilty. My conscience prompts me to make this free and voluntary confession, so I can make such amends to society as are proper."

Under the amendment of the committee, which inserts the word "reasonable" in the bill, since the confession was made during a period of unreasonable delay, John Doe goes unwhipped of justice. He can object to the admission of the confession. Under that authority, another voluntarily self-confessed criminal is turned loose on society.

So my construction of the language is that subsection (a), as it passed the House, and in the absence of the committee amendment, merely restores the common-law rule which is recognized by the Congress itself in rule 26, subject to the qualification of subsection (b) that the prisoner must be given a warning.

Mr. CHURCH. I thank the distinguished Senator from North Carolina for permitting me to interrogate him with respect to the excellent address which he has made on the floor of the Senate this afternoon, and to use this opportunity as a vehicle for explaining my own opinions with respect to the bill now pending before the Senate. I wish to add only that unreasonable delay is a form of duress which is one of the grounds for rendering a confession inadmissible. I am afraid the bill in the form in which the Senator from North Carolina advocates it may be an opportunity given by Congress to law-enforcement agents to utilize delay as a means of procuring confessions from innocent people who are arrested.

In this colloquy the Senator from North Carolina has demonstrated again that not only is he ever the lawyer, but he is ever the gentleman.

Mr. ERVIN. I thank the distinguished Senator from Idaho, and commend him for his clear understanding of the problem involved. I think the Senator from Idaho and I are in agreement, except he puts more weight in one place, whereas I put more weight in another place. That is the only reason for any difference between us.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the distinguished Senator from Louisiana.

Mr. LONG. With regard to the question of reasonableness, can the Senator tell me in just what direction that word is intended to be applied? Is reasonableness directed toward the effect of the delay upon the prisoner, or does it refer to the reason why the delay occurred from the enforcement point of view?

It occurs to me that in the enforcement of a narcotic violation, where agents were trying to catch a ring of dope peddlers, the minute the agents picked up one violator, all the rest would run and take cover. One of the violators would be arraigned to determine whether he was going to plead innocent or guilty. From that moment on, the word would go out among all the others in the ring that the heat was on and one of their members had been caught. For the protection of society it might be well to hold the apprehended person for a few days before he was arraigned, while the officers were still trying to apprehend the others.

Mr. ERVIN. For example, the man might be in a bad state of addiction. It might be well, from the medical standpoint, to hold him a few days. Yet under the Mallory decision, which was nothing but an illogical rule of thumb, the Court held that a 7½-hour delay, regardless of the circumstances, was an unreasonable delay, and the confession had to be excluded, although it was voluntary.

Mr. LONG. It is also possible, is it not, in enforcing our laws against subversive elements, that one person might be apprehended and held for a few days until the law enforcement agents could apprehend the other conspirators against this Nation? Anything the conspirator might have said, even though he might have wanted to confess his guilt and confess what the group was up to, would be inadmissible because he had been held more than 8 hours, or perhaps longer, while the law enforcement officers were apprehending the others who were associated with him in the conspiracy.

Mr. ERVIN. That is true. Many things have been conjured up in this argument. I cannot accept the proposition that a constitutional question is involved, because the fifth amendment has been in the Constitution since 1792, I think. There have been many Federal decisions recognizing the common law rule that voluntary confessions are admissible. Those decisions have been upheld notwithstanding the fifth amendment. So the fifth amendment plays no part in this question.

Mr. LONG. With respect to the proposed change in the law and the reference to delay, I assume that if a person had been held 5 or 6 days, during which time he confessed, the fact that he was held that long in and of itself would not necessarily mean that the delay caused the confession, and that therefore it would be inadmissible. The confession would be inadmissible only if it could be shown that the delay had anything to do with the obtaining of the confession.

Mr. ERVIN. That would be true under the House bill, but under the Mallory decision an unnecessary delay between arrest and arraignment would result in a confession being excluded, even though the prisoner summoned everybody in the community and said, "I freely and voluntarily confess I am guilty of this crime."

Mr. LONG. If I correctly understand the position of the Senator, the Senator feels that the word "reasonable" would retain the Mallory decision?

Mr. ERVIN. It would retain it. It would provide two standards of conduct. As I construe the matter, there would be restored the common law rule and an additional rule would be established. There would be two questions involved. The first question would be, "Was the confession voluntary?" Under the House rule, if one answered the first question in the affirmative the confession would be admissible, provided there was a compliance with subsection (b) about warning.

Secondly, if one answered the first question, "Was the confession voluntary?" in the affirmative, under the amendment with the use of the word "reasonable," one would have to ask a second question, "If the confession was voluntary, did it occur during the course of an unreasonable delay?" If it did, the confession would have to be excluded no matter how freely and voluntarily given.

There would be the building up of another rule of exclusion, which is not based, it seems to me, on the main idea of evidence. The idea of evidence is to elicit truth and to adopt methods which are most apt to elicit truth. That is what the common law provided. Rule 26, which said the common law rules of evidence should apply to the Federal courts in the absence of statutes to the contrary, was based upon the idea that if a confession were voluntary it was calculated to elicit the truth and if it were involuntary it was calculated to elicit falsehood, or at least there was

danger of such occurring. Therefore, the rule was built up.

The present proposal would make the admissibility of evidence depend not on the condition of the mind of the man or the voluntariness or involuntariness of the confession, but upon the reasonableness or unreasonableness of the delay, regardless of whether the delay had anything to do with the confession.

Therefore, I oppose the amendment, because I think it is not proper to go in that direction. The sound thing to do is to go back to the basic rule. We should permit the confession if it is voluntary. We should let the judge determine whether the confession is voluntary, in the light of all the circumstances under which it is made, including the circumstances of the effect of the delay on the individual.

Mr. LONG. What the Senator is saying, in effect, is that a voluntary confession can be a voluntary confession even though there perhaps was an unreasonable delay.

Mr. ERVIN. There is no doubt about it. The courts have held that many times.

Mr. LONG. Of course, that can be completely proved. Is it not conceivable that a man could be put in jail, that he could have the services of a regularly retained attorney, that the attorney could know the man was in jail, that the man could know the attorney knew he was in jail, and nevertheless by choice the lawyer could fail to get a writ of habeas corpus or fail to do anything to get the prisoner out of jail or have him arraigned, and yet, because of a delay exceeding 8 hours, it is conceivable that the delay might result in the turning loose of a rapist, a murderer, or a dope peddler, who should have been convicted.

Mr. ERVIN. That is true, notwithstanding the fact that the delay might have no influence whatever on the mind of the man, and no connection whatever with the confession.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ERVIN. I first wish to make a correction in my remarks. I am informed by my good friend, the present Presiding Officer, the Senator from New Jersey [Mr. CASE] that the Bill of Rights became a part of the Constitution, upon being ratified by the last necessary State, December 15, 1791. If a man can come within 1 year of the truth in dealing with the time between 1791 and 1958, I think he is doing fairly well.

The PRESIDING OFFICER. The Chair thinks so, too.

Does the Senator from North Carolina yield to the Senator from Ohio?

Mr. ERVIN. I yield.

Mr. LAUSCHE. To make certain that the Senator from North Carolina will not be bestowing encomiums upon himself, I should like to subscribe to the thought just expressed by the Senator, that his recollection is excellent.

I should like to explore a thought on this subject. In various States in the Nation there have been decisions holding that evidence obtained in violation of the search and seizure requirements of the Constitution is admissible evidence, and that the aggrieved person, while he cannot complain about the admissibility of the evidence, has vested in him an action in law for damages because of the trespass committed in the unlawful search and seizure.

My query is, Is there any analogy between the reasoning supporting that declaration of law and the reasoning which the Senator from North Carolina advances in support of his theory that the bill passed by the House ought to be passed by the Senate?

Mr. ERVIN. I do not think the bill deals with the question of unlawful searches and seizures. I think the two rules are independent of each other. The rule as to admissibility of voluntary confessions, of course, is a common-law rule which grew up with experience of the English-speaking race in the actual administration of justice. Of course, the provision of the Constitution against unreasonable searches and seizures owes its validity to the constitutional provision itself.

Mr. LAUSCHE. The Senator from North Carolina says that though a confession may be obtained in a period of unreasonable delay, it ought to be admissible in evidence and that the misconduct of the policeman in failing to bring the accused before a commissioner within a reasonable time ought to be held against the policeman and not against society.

Mr. ERVIN. That is correct.

Mr. LAUSCHE. Does that not imply that the accused would have to suffer the damaging impact of the admission of the confession and then be relegated to an action for damages against the policeman because the policeman inordinately delayed in bringing the accused before a commissioner?

Mr. ERVIN. Of course, that would be the man's position. It would be better for the man to be put in that position than for society to have a man who has voluntarily confessed his guilt turned loose upon society in order to chastise the policeman. In other words, instead of chastising the policeman, the Mallory rule and the word "reasonable" would chastise society. I think that is whipping the wrong person. I think that is letting the culprit go and chastising an innocent society.

Mr. LAUSCHE. Is there not a possibility that frequently the purpose of the delay is to harass the accused to the extent that there shall be exacted from him a confession?

Mr. ERVIN. I think the reasoning back of the Mallory case, if the Senator will pardon me, and the reasoning back of the McNabb case, is that if one allows an unreasonable delay a policeman might be tempted to extort an involuntary confession. That reasoning, it seems to me, has about as much validity as the old reasoning that if a man were a party to an action he would be tempted to commit perjury, and in order to forestall the temptation to commit perjury one would not permit him to testify in his own behalf, even though his life might be at stake.

Mr. LAUSCHE. In my thinking, there are two hypotheses which might happen at a time when an unreasonable delay is exercised by a police officer. There may be a purpose to make the accused fatigued, to render him more likely to make a confession. The second might be inadvertence.

Mr. ERVIN. Yes. If the Senator will pardon me, in the first case stated by him the confession is not voluntary. The confession in that case would be involuntary and would be excluded under the House bill and under the common law rule, as I construe it.

The amendment would exclude a confession, no matter how voluntary it was, if there were an unreasonable delay between arrest and arraignment.

In other words, it adopts an artificial standard, and makes another rule of exclusion. I think we ought not to build up additional rules to exclude truth in the courts. I have confidence in the ability of judges to determine whether a confession or statement is voluntary or involuntary under all the circumstances, including the circumstance of delay. I do not believe in giving the circumstance of delay any weight greater than that which the trial judge thinks is justified.

Mr. LAUSCHE. Mr. President, will the Senator further yield?

Mr. ERVIN. I yield.

Mr. LAUSCHE. There are two hypotheses. The first is inadvertent delay and the second intentional delay, intended to fatigue the accused and thus make him more likely to confess. In the face of two such possibilities, it seems to me that we should resolve the doubt in conformity with the letter and purpose of our Constitution. We should throw every safeguard around the accused, anticipating that occasionally a guilty man may go free, but guaranteeing to the maximum extent that no innocent man shall ever be convicted.

Mr. ERVIN. I do not think the Constitution is involved. It is purely a matter of statute.

The rule which the first subsection, unamended, would bring into play is a rule which prevails in the State of Ohio, I presume. It prevails in North Carolina, and, so far as I know, it prevails in all the other 46 States. I would rather have a rule drawn in that way, to apply in all the States and in all the Federal courts. We had such a rule until the Supreme Court, in the Mallory and McNabb cases, in effect exercised legislative power by creating a new rule of exclusion.

Mr. LAUSCHE. I believe there is need for rectifying the impact of the Mallory decision. The common law rule definitely is that when a person is arrested, he must be brought before a commissioner or magistrate within a reasonable time. The construction placed upon the language in rule 26 seems to me to have been extraordinarily narrow, but I believe that by going to the extent the House has gone, we are likely to create a situation in which an innocent man might be convicted.

Mr. ERVIN. I will say to the Senator that there is always danger of innocent persons being convicted. The only way

to prevent it with certainty would be to provide that there should be no prosecutions of anyone for crime. That would prevent any innocent person from ever being convicted. I do not think the Senator from Ohio or myself would like to abolish criminal prosecutions.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. LONG. As I understand, the rule has been that if a confession or admission is a voluntary admission or confession it is admissible. If we have situations in which a person is guilty of murder, rape, dope peddling, or what not, and he voluntarily confesses, that confession should be admissible, because it was a voluntary confession. That is the burden of the Senator's argument, is it not?

Mr. ERVIN. That is correct.

Mr. LONG. What the Senator is objecting to is someone saying that such a confession was not voluntary because there was substantial delay, when it cannot be shown that the delay had anything to do with the confession.

Mr. ERVIN. The Senator is correct.

Mr. LONG. The Senator is saying that if it can be shown that, had it not been for the long delay, the person would never have voluntarily confessed or admitted anything, then, of course, it should be excluded. The Senator is upholding that position, but he is merely saying that there should not be a rule that because there was an unreasonable delay, the delay resulted in an involuntary confession, when there is nothing to show that such would have been the case, and no evidence or testimony to support that theory.

Mr. ERVIN. The Senator is exactly correct. That is borne out by the language of the House bill:

> Evidence, including statements and confessions, otherwise admissible—
>
> They would not be otherwise admissible unless they were voluntary—
>
> shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

So the effect of the amendment which would insert the word "reasonable" is that, even though the confession is absolutely free and voluntary, and even though the delay had no effect whatever upon the making of the confession, the mere fact that there was unreasonable delay in taking a man before a commissioner will bar the admission of his voluntary confession of guilt.

Mr. LONG. So, in effect, it is saying, "Here is a man who committed murder. There is no doubt about it. He confessed; and his confession, when it is corroborated, proves that he committed the murder. But he must be turned loose and go scot-free, because society made the mistake of holding him for more than 8 hours."

Mr. ERVIN. Because the policeman did not obey the statute, a self-confessed murderer, rapist, or armed robber, is turned loose on society. In other words, the supposed sins of the policeman are visited upon innocent society.

Mr. LONG. It makes about as much sense as saying that because the policeman worked overtime to apprehend a criminal, the criminal should therefore be turned loose and be permitted to resume his criminal activities.

Mr. ERVIN. The policeman who worked overtime might possibly have picked up the wrong man.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. CLARK. My good and delightful friend from Louisiana is entitled to his own view, and his own little laugh; and I am sure that by not pursuing his argument further I shall not create the impression that I agree with him, because I do not.

I think I understood the Senator to say, in answer to a question from the Senator from Ohio, that under this provision a confession, no matter how voluntary, would be excluded if there were unreasonable delay in arraignment.

Mr. ERVIN. Yes; not under the bill, but under the amendment proposed by the committee.

Mr. CLARK. Under the bill as reported from the Senate committee.

Mr. ERVIN. I should say under the bill as the committee recommends that it be passed because the amendment has not yet been adopted.

Mr. CLARK. Under the bill as it comes before us.

Mr. ERVIN. With the recommendation of a majority of the committee. Some of us dissented.

Mr. CLARK. Does my friend believe that there is no connection between the length of time a suspect is kept "pickled" and whether or not he has made a voluntary confession?

Mr. ERVIN. In some cases, yes, and in some cases, no. In some cases the delay might cause an involuntary confession, but in other cases the delay might cause a voluntary confession. A man might sit down with his conscience and think about the misdeed he has committed against society, and he might want to make amends for it. The delay is just as likely to produce a voluntary confession, in my judgment, as it is to produce an involuntary confession. For that reason I think the law should be left as it was, because that would leave the determination of the effect which delay has on a man's mind to the judge who sees the witnesses and has an opportunity to hear the man's story.

Mr. CLARK. Does the Senator believe that prisoners should be promptly arraigned after they are arrested?

Mr. ERVIN. Yes; I believe that prisoners should be promptly arraigned after they are arrested.

Mr. CLARK. Does my friend think it is admissible——

Mr. ERVIN. Also my experience has been that frequently police officers ask questions of people whom they arrest, and that far more innocent people are turned loose as a result of their statements to police officers than are ever implicated by involuntary confessions.

Mr. CLARK. Does my friend think——

Mr. ERVIN. I believe that if the bill is changed from the language of the bill as it came over from the House, it will be a great detriment to innocent people. Officers will be afraid to ask questions. Frequently they turn people loose because they ask questions, and they receive replies from them as to their whereabouts, and so forth. They check on their stories, and find that they could not possibly have been guilty.

It is going to do more injury to innocent people than it will protect innocent people.

Mr. CLARK. Nevertheless, my friend from North Carolina believes in prompt arraignment.

Mr. ERVIN. Yes.

Mr. CLARK. Does my friend think it is appropriate and permissible for the police to proceed to delay an arraignment for the purpose of attempting to obtain a confession, whether voluntary or involuntary?

Mr. ERVIN. It is bad to deny a man any of his legal remedies, in order to obtain an involuntary confession.

Mr. CLARK. The Senator does think, then, that it is not proper to delay arraignment for the purpose of attempting to get a confession from a man?

Mr. ERVIN. Yes.

Mr. CLARK. Then I cannot see how the Senator can oppose the committee amendment to the bill.

Mr. ERVIN. I do not believe in visiting the sins of the guilty on the innocent. If a man, notwithstanding the fact that the policeman holds him unnecessarily long, makes a free and voluntary confession, that confession ought to be admitted in evidence.

Mr. CLARK. Does the Senator think it is appropriate procedure to encourage the police to hold a man after his arrest and before arraignment, in the hope that the police will be able to get a confession out of him, whether voluntary or involuntary, even when they are under a duty to arraign him promptly?

Mr. ERVIN. If the Senator from Pennsylvania is worried about the conduct of police officers, the Senator from Pennsylvania should introduce an amendment which would undertake to amepd rule 5 (a) so as to make the offending police officer suffer for his sins. He should do that, instead of adopting as an alternative procedure the theory that a man who makes a confession, no matter how free and voluntarily it may have been made, in which the man confessed to murder or rape or robbery or other serious crime, ought to go unwhipped of justice and turned loose upon society because of a violation of law by a policeman, whose action had no connection with that confession.

Mr. CLARK. During these perilous days the junior Senator from Pennsylvania is worried about a great many things, and I assume that the distinguished Senator from North Carolina is, too. At the moment, the junior Senator from Pennsylvania is not particularly concerned about the police or worried about them. He is deeply concerned with the proper administration of criminal justice under the Constitution and laws of the United States of America. I am sure my friend from North Carolina is, too. I regret that we must have this difference of opinion as to whether

two wrongs make a right. I suspect that my friend is in the unenviable position of advocating the doctrine that the end justifies the means.

Mr. ERVIN. I am standing by the Constitution and the laws of the United States. The rule I advocate was in effect from December 15, 1791, until the McNabb case was handed down in 1943. The law and the Constitution during all that period of time was just exactly as I advocate. It would be the law now except for the fact that the Supreme Court changed all of the previous constructions it had placed on the arrest statute and threw out the window scores of previous sound Federal decisions. I am advocating the kind of law that Congress has said should prevail when, after the McNabb case, it sanctioned and gave approval to the criminal rules of procedure and when it stated in rule 26 that, in the absence of an act of Congress to the contrary, the rule at common law shall prevail. I stand on the position that Congress should be allowed to exercise its legislative power, instead of having that power exercised by the Court.

Mr. CLARK. The Senator has been courteous in yielding to me several times. This is the last time that I shall ask him to yield.

Mr. ERVIN. I am glad to yield to the Senator from Pennsylvania. I regret that on this occasion, despite his brilliant mind he does not entertain the same sound opinion that I do.

Mr. CLARK. It has been my disappointment in that regard that we have a difference of opinion, although perhaps not for the same reason that the Senator has stated. I wonder whether my good friend has looked at the report before us, particularly at page 44. I should like to read a paragraph from the minority views at page 44. I read the second full paragraph on page 44. That paragraph states my view. I should like to ask the Senator whether it does not state his view. If not, why not? I read:

> The problems of arrest and arraignment are difficult and delicate enough without being cluttered up with meaningless statutory verbiage. The law in this area of individual liberties has, since the earliest days of the common law, been largely fashioned by the courts on a case-by-case basis. In this manner, a concept of ordered liberty has been developed which is flexible enough to meet the necessities of justice in a wide variety of instances. I believe that we will serve the Nation best by leaving these matters with all of their attendant difficulties to the courts.

I believe that very deeply. That is why I cannot in good conscience support the bill. I believe that the bill with the committee amendment in it is an infinitely better bill than it was before. I hope the committee amendment will be sustained. If we are to pass a bill in this field, it should be this bill. I should like to ask my friend from North Carolina whether he does not feel that in the long run we would not be better off to go back to the time-honored procedure and not clutter criminal procedure with a great many statutes, but, instead, let the courts work them out on the common law basis, as they have done for so long.

Mr. ERVIN. My answer is that for a period of, perhaps, as much as 400 years the courts, by the case-by-case method, evolved the rule which I defend. The rule is that a voluntary confession should be admitted and an involuntary confession should be excluded. That is a wise rule. It took many generations to evolve it out of the experience of our race in the administration of justice. That would be the law today except that the Court, after having sanctioned scores of Federal decisions conforming to it, suddenly decided in the McNabb case that it would put a different interpretation on an act relating to the duties of the marshal than had been put on it in the past. And then the Court in the Mallory case ignored rule 26, which says that the common law of evidence shall prevail unless Congress passes an act which provides otherwise.

I am jealous of the power of Congress. I believe that the prescribing of new rules of evidence is a legislative function and ought to be exercised by Congress, rather than by the courts.

Mr. CLARK. I take it that the Senator disagrees with the statement of the minority views which I have read.

Mr. ERVIN. No; I do not, because this rule was developed by the case-by-case method. The McNabb case throws away the rule developed by the case-by-case method.

Mr. CLARK. The McNabb case was itself a case which was developing the rule by the case-by-case method.

Mr. ERVIN. The rule had already been developed. The rule was well understood and established. It had been recognized from 1791 to 1943.

Mr. CLARK. Surely the Senator agrees that the common law is a growing institution, that it is not something that lies dormant. What was true in 1790, when we did not have to deal with a situation relating to crimes in big cities, is not necessarily true today.

Mr. ERVIN. The rule was amended by Court decision. It was not done by act of Congress. Congress never put it there.

Mr. CLARK. If the minority views are sound, I hope the Senator will help me defeat the bill in its entirety.

Mr. ERVIN. My difference is that the legislative power is vested in Congress. I say the power to prescribe rules of evidence and rules of procedure for the Federal district court belongs to Congress. I am jealous of the powers of Congress. I do not want it to abdicate its power. I do not believe that the court should usurp that power.

Mr. CLARK. Does the Senator go so far as to say that the rules of criminal procedure should not be changed except by Congress?

Mr. ERVIN. I recognize that the rules of criminal procedure would not be applied if Congress had not approved them.

Mr. CLARK. It is not because Congress had approved them or Congress had not approved them, but because Congress gave that authority to the courts.

Mr. ERVIN. In the first instance; yes. Does the Senator question the soundness of my view that prescribing rules of procedure is a legislative function?

Mr. CLARK. I think it is fundamentally a legislative function; but I think Congress was wise when it, in effect delegated that function to the courts, which have everyday experience with it.

Mr. ERVIN. I disagree with the interpretation of this passage by the Senator. My objection is that when Congress approved rule 26, it said that the common law shall prevail. But the court does not pay any attention to rule 26. I think rule 26 should be followed by the courts.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9822) to provide for holding a White House Conference on Aging to be called by the President of the United States before September 30, 1960, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9500) to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957.

ADMISSIBILITY OF EVIDENCE—STATEMENTS AND CONFESSIONS

The Senate resumed the consideration of the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Mr. JAVITS obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator yield, without losing the floor, so that I may suggest the absence of a quorum, and then ask for the yeas and nays on the bill?

Mr. JAVITS. Mr. President, I ask unanimous consent that, without losing the floor, I may yield to the Senator from Wyoming for the purpose he has stated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. O'MAHONEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, on the question of agreeing to the committee amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested on the question of agreeing to the committee amendment.

Is there a sufficient second?

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I think it very important that we understand the frame of reference in which we speak today. This is the first of the bills which are seeking to express dissatisfaction with the decisions of the United States Supreme Court.

Mr. O'MAHONEY. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. O'MAHONEY. I wish to disagree with the opening statement the Senator from New York has made.

Mr. JAVITS. Very well.

Mr. O'MAHONEY. The pending bill does not in any respect whatsoever undertake to express disagreement with a decision of the Supreme Court. That is a mistaken assumption.

The only purpose of the bill is to clarify that decision, so it will not be misinterpreted.

Mr. JAVITS. Mr. President, I believe I understood very clearly the Senator from Wyoming; and I believe the RECORD will show that the word I used was not "disagreement" but "dissatisfaction."

I believe it is fair to say, in view of the statement made just now by the Senator from Wyoming, that the pending bill is the first of the bills which seek to express dissatisfaction with the decisions of the United States Supreme Court.

Mr. O'MAHONEY. Mr. President, will the Senator from New York yield further to me?

Mr. JAVITS. Certainly.

Mr. O'MAHONEY. The entire purpose of my opening statement at the beginning of today's session was to show, by the RECORD, that the decisions made by judges outside the Supreme Court were what made the misinterpretations of the language used by the Supreme Court.

I have endeavored to quote from the decision in the Mallory case, to support the position the Judiciary Committee has taken.

Mr. JAVITS. The decision in the Mallory case has been cited far and wide as one of the decisions which has brought about a feeling of unhappiness—I called it dissatisfaction, and I used that word advisedly—with the decisions of the United States Supreme Court. It is said that if it were not for the decision in the Mallory case, the judges of the Circuit Court of Appeals of the District Columbia would have had nothing to misinterpret; and it is said that if it were not for the decision of the Supreme Court in the Mallory case, the Congress would have no reason to deal with this subject, and would not now be considering the pending bill. That statement goes for the other bills—which bear other numbers—which deal with other decisions of the United States Supreme Court.

For some reason or other, in respect to each of these matters, it is deemed desirable to have legislation enacted, rather than to allow the matter to be worked out through the judicial process.

That is what is happening in the present instance. Indeed, it is essential that we understand this frame of reference, because I do not believe we either live in a vacuum or legislate in a vacuum.

Frankly, so far as I, myself, am concerned, when I consider the Senate committee version of the bill, as I interpret it, and as it has been interpreted by the record which other Senators have made today, I believe I would shrug my shoulders and would say, "Well, this is not too critical, one way or another, in terms of the law as it will be worked out in the courts, because the courts will have to pass on this language, just as they have passed on previous language."

Were I not convinced, Mr. President—and I say this with the greatest respect for my colleague, the distinguished Senator from Wyoming [Mr. O'MAHONEY], and I know that this is not in his mind, any more than it is in the mind of the people of the country—that this is but the first bill dealing with dissatisfaction with the decisions of the Supreme Court, and if I did not realize that the record made in connection with this measure will be a great indication to the country, as well as to our colleagues, of how we think about the entire problem raised by various decisions of the United States Supreme Court, I would not make this presentation today.

Hence, I think the debate in connection with the pending measure is far more important than is the text of the measure itself, because the debate on the bill goes to this very fundamental and very important point.

To illustrate that that is so, I call attention to the language of the bill as it was passed by the House of Representatives.

My distinguished colleague, the Senator from North Carolina, [Mr. ERVIN], who is a most distinguished lawyer and judge, himself realizes that when we deal with proposed legislation, we must deal with it in terms of the text used, and we must analyze very carefully the text of the bill.

So I should like to contribute to the RECORD and to the debate my analysis.

As the bill was passed by the other body, it provides, in part:

> (a) Evidence, including statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

In my opinion, that means, in practical effect, that delay, as an element to invalidate a confession—that is to say, delay in arraignment—is, by law, if the law is constitutional, ruled out of consideration by the courts; in short, that the courts in New York or the courts in some other State which has a rule depending on the criterion of whether the confession is voluntary—I refer to the rule which was debated in the Chamber earlier today—would, if this measure were the law in that State, not be able to consider, in connection with the question of whether a confession was voluntary, any delay, in arraignment.

I believe it is very clear that a delay in arraignment can, of itself, make a confession, even though voluntary, inadmissible, even in the absence of any other objectionable circumstance. In other words, suppose there were a delay of 6 months. Obviously, a confession obtained during that period would be invalid and inadmissible, regardless of any other circumstance.

The bill purports to show that a delay in arraignment cannot be used to exclude a confession which otherwise would be admissible.

For that reason, it was my deep conviction, that the bill, as passed by the other body, was unconstitutional, because it denies due process of law; and I believe that my interpretation is a correct one. I submit that my interpretation is a correct one because it is borne out by the language used in the bill as passed by the House of Representatives; for subsection (b) of the bill, as passed by the House, purports to have the arresting officer give the same kind of instruction that is given by the magistrate, inasmuch as the House version of the bill provides that:

> (b) No statement, including a confession, made by an arrested person during an interrogation by a law-enforcement officer shall be admissible unless prior to such interrogation the arrested person had been advised that he is not required to make a statement and that any statement made by him may be used against him.

In short, the bill constitutes an attempt to legislate the extremely novel proposition that the arresting officer shall be the arraigning magistrate.

Therefore, in practical effect, even a good confession could be made bad, if the arresting officer could not prove that he gave to the defendant the notice, and gave it to him in such a way that the defendant could understand it. Thus, a hodge-podge would be made of the entire business of confessions.

I think this is a typical illustration of what comes from an effort to monkey with the processes of the courts, which, over the years, have served us very well.

In order to bear out the validity and accuracy of that point, I wish to refer to a statement set forth in the minority views submitted by our colleague and friend, the Senator from North Dakota [Mr. LANGER], as his views appear on page 34 of the Senate report. At that point he makes a very interesting statement which deals with what happened after the McNabb case was decided:

> Congress was besieged with protestations that the McNabb rule was unworkable, that it would hamstring law enforcement, and that it would lead to a breakdown of law and order.

That was 15 years ago.

> As a result of this hue and cry, a bill similar in many respects to the original H. R. 11477—

> The bill which came to the Senate from the House—

was passed by the House of Representatives, although it failed of final enactment—

In this very body.

> In the 15 years which have elapsed since the McNabb decision, none of the dreadful

features ascribed to the decision has come to pass. The Senate at that time rightly declined to tamper with the McNabb decision; I believe that it should exercise the same deliberative restraint with respect to the direct descendant of the McNabb case, the Mallory decision.

When one listens to the arguments made in the Senate, he would think that if the rule of evidence which we are talking about, or the rule of procedure about arraignment, were changed in the way the advocates of the House want it to be changed, there would be no more murders, there would be no more rapes, there would be no more robberies, and that everything would be cured. Why? Because a confession would or would not be admissible? Do Senators seriously think that way?

Does a member of any legislative chamber in this country not always keep in mind, and very freshly in mind, the image of the American lawyer and legislator standing between the individual and the organized power of society, as being the very flower of our civilization? That is what this debate is all about. That is the reason why I and other colleagues are putting ourselves out, at a tremendous expenditure of effort, to protect an individual who cannot protect himself and who can be protected only by the rules of the game.

Let us see if that is true. What kind of people are we talking about?

The Senator from Missouri [Mr. HENNINGS], who spoke this morning very eloquently, and who has carried the battle time and time again in this Chamber for constitutional rights, pointed out we were dealing with people who were literally the least able to protect themselves. For example, this is what the Supreme Court said in the Mallory case, and I refer now to the citation of the Mallory case decision, which is contained in the Senate report on the bill, at the foot of page 31:

When this inquiry of a 10-year-old lad of limited intelligence produced no confession—

Let me read that again, Mr. President—

When this inquiry of a 19-year-old lad of limited intelligence produced no confession, the police asked him to submit to a lie-detector test.

That is the character of the defendant involved in the Mallory case. Although I do not have the exact language of the McNabb case before me at this particular moment, it appeared that the defendants therein concerned were persons who had not gone beyond the 3d or 4th grade in school, and who had not been more than 15 or 20 miles away from the place where they were born. They were not the type of hardened criminals who can protect themselves. We know the hardened character, the rapist, the murderer, the one who commits crimes in such a way as to be a constant scourge on society, is not going to say anything. He is very well equipped to keep his mouth shut, because he has been well advised on that subject, and has been through such procedures. So we are dealing with people whom the law is designed to protect, and actually does protect.

What happens in this situation? Why should the police have any right to hold a person without arraigning him promptly? This point has not been argued. Why should the police hold a prisoner for hours or for days without arraigning him? For what reason except to find a case they did not have when they locked him up? Yet the very essence of our law, the thing that distinguishes us from the rule of the French kings who were overthrown in the latter part of the 18th century, is that before a policeman may take a person into custody, he must have probable cause. If he does not have probable cause, he may not take him into custody.

I am sure Members have watched the English moving pictures. I think we are all acquainted with those very entertaining moving pictures in which a police inspector from Scotland Yard has a very charming conversation with a suspect, questions the suspect, sometimes gets a confession. A dramatic situation is contrived where the suspect is trapped, and he has to admit he did it. But in every one of the movies, the arrest has not taken place before the interrogation; it takes place after. In short, the very citadel of the English common law is the understanding that when a person is arrested, there must be a basis for his arrest.

In the same moving pictures—and this is not just drama, but has some basis—we remember the scene of the police inspector inviting the suspect to come to headquarters. The suspect is not arrested. He is not arrested until there is probable cause. Hence, the whole process of criminal law would be distorted if a suspect were taken into custody, and then a case were made against him.

A little scandal on the subject developed right here in the District of Columbia, which I want to call to the attention of residents of the District of Columbia, many of whom have felt very strongly about the Mallory case. What I am about to read is set forth in a rather extensive footnote in the Trilling case in which it appears that in one particular effort to find the person who had committed an assault, the metropolitan police of this city rounded up 90 suspects in a precinctwide dragnet operation—and I am quoting from a footnote in the Trilling case—

They were seeking 3 stocky young Negroes who had robbed a restaurant and 1 of whom had punched a waitress. The juveniles who were arrested were released to their parents. Sixty-seven of the arrested persons were held overnight at headquarters, all being released the next day when it appeared there was no case against them. Another man, not one of the 90 arrested, was later charged with the crime. Police Chief Robert V. Murray agreed that the roundup had been carried a bit too far, but said that he had issued no written orders to prevent similar roundups, "because every crime must be investigated on its own merits."

I agree that every crime must be investigated on its own merits. Of course, this kind of situation is understandable, but it is nothing to brag about. I do not think there must be the assumption that there has to be an encouragement of holding people before arraignment. The idea that a police officer must be given the power, which the House bill seeks to do, of a committing magistrate is stretching the imagination of the people.

There are many persons of respectability who have had pretty rough experiences with police officers when they were mistaken for persons the police thought they were looking for. They are the best witnesses for the safeguards which we write into this bill.

Mr. President, what happens? A good many of us are active practicing lawyers and former judges. Let us observe exactly what happens in these situations.

As I see the picture, the chronology is about as follows: The fourth amendment to the United States Constitution provides that no warrant for arrest shall be issued except upon "probable cause." The arraignment process, Mr. President, is to determine judicially whether there is probable cause. Therefore, why should the arraignment not be prompt?

Secondly, there is no question that failure to arraign a man without unnecessary delay subjects the public officer to civil suit and possible criminal penalty. That is true. That is true in my State, and it is true in many other States. But the "rub" is that the State pays the damages. Therefore, there is no real restraint upon the police officer unless one adopts some such a rule as is contained in the McNabb and Mallory cases.

I therefore believe, Mr. President, that the Federal rule is an intelligent rule. It is a forward looking rule. It is a modern rule. Many of the States are behind the Federal Government for example, in respect to admitting evidence as to wiretapping, notwithstanding the fact that wiretapping is illegal. The Federal Government does not do that. That is more honor and respect to the Federal Government. The Federal Government should be so much more of a model of decency and justice.

Therefore, I do not believe depressing the standards by the example of what the various State governments might do is directly germane to the fundamental argument of the practical protection to which an accused is entitled.

Mr. President, rule 5 (a) of the Rules of Criminal Procedure, which we are discussing, provides that a person arrested shall be taken without unnecessary delay before an officer for purposes of arraignment. What happens at the arraignment? At the arraignment the commissioner informs the defendant, first, of the complaint against him; second, of his right to retain counsel; third, of his right to a preliminary examination to determine whether there is probable cause to hold him; fourth, that he is not required to make a statement and that any statement made by him may be used against him.

From there on, Mr. President, if the preliminary examination is not waived, the commissioner will hear the evidence, at which time the defendant may cross-examine witnesses and introduce evidence on his own behalf.

Finally, only if the commissioner then finds there is probable cause to believe that the offense has been committed, and that the defendant has committed it, can the defendant be held to answer in the district court. Otherwise the defendant is discharged.

That seems to be a very complete and very honorable pattern of justice. The question is not, Why should this procedure be followed? That is the question the proponents of the bill have been asking all day. Why should this procedure not be followed? What is wrong with it? Why should a procedure designed to protect the rights of the innocent and, indeed, protect the rights of the guilty, in the sense that they are entitled to justice and due process of law, not be followed?

It is said, and I have heard it argued, that the Mallory case lays down a straitjacket. The Mallory case, it is claimed, says that the man was held for 7 or 7½ hours, and that is too long. I do not think even the proponents of the House bill would seriously argue that the Mallory case laid down a 7½ hour rule. That is not the case.

Mr. President, we do not have to guess about the matter. The facts prove the case. Following the decision of the Mallory case, we had a decision again in the matter of Mallory, though not the same man, the case of Milton Mallory against the United States, decided in the Circuit Court of Appeals for the District of Columbia, March 31, 1958. In that case the man was held not 7 hours but 14 hours.

The circuit court of appeals affirmed the conviction on the grounds that the confession was proper, because the court said that there was not an unnecessary delay. Why was that, Mr. President? I read from page 4 of the opinion, which is the majority opinion:

The only way we see to find unnecessary delay in this case would be to hold (1) that the half-drunken man should have been forthwith arraigned, even though he could not have pleaded intelligently, or (2) that the child's story should not have been checked, or (3) that Mallory must have been arraigned at midnight. Even then, such a holding would have to be made in the face of the facts (a) that no prolonged questioning took place at any time, and (b) that Mallory was warned before he signed a statement. We think neither the decision of the Supreme Court in the Andrew Mallory case, supra, nor any authority requires or justifies a finding of error in this matter. The motion to remand is denied, and the order to show cause dissolved.

The Supreme Court, Mr. President, refused to grant certiorari.

Now we come to the much discussed Trilling case, which has been discussed at great length earlier in the day. The Court, by various divisions of judges sitting en banc, affirmed one of the convictions and reversed the others. We are helped tremendously in the understanding of this case by the judges by the opinion of Judge Danaher. Judge Danaher says, at page 11 of the book of opinions on this subject:

I do not understand that the Supreme Court has said the mere passage of time is the touchstone as to incompetence of a prisoner's admissions while in custody. Questions are not forbidden but an arrest and conviction are not to depend upon the answers during a period of what may become illegal detention. Thus the rule requires arraignment without unnecessary delay but reasonableness, dependent upon circumstances, is still a factor.

I should like to read those words again because they contain the very word we are discussing—

but reasonableness, dependent upon circumstances, is still a factor.

Mr. President, it seems to me that is a perfectly sound and proper explanation of the correct situation which we face in respect to the bill and which we face in view of the Mallory case decision. The totality of my view on that is basically as follows:

If the word "reasonable" means the same—and I cannot see how it is properly subject to any other construction—as the word "necessary" in respect of delay, then really we do not need the bill.

On the other hand, if the word "reasonable" adds or subtracts something so far as this matter is concerned, then we do need the bill.

Mr. President, in my opinion the word "reasonable" does not change the factual situation which the court will have to construe, nonetheless. I think in that regard there is no difference as between the use of the two terms.

The only possibility—and I think it is such a remote possibility as not to deserve to be evaluated at all in respect to a bill—which I can see with respect to the word "reasonable" having any additional or different meaning in these matters I have discussed with the Senator from Colorado, with respect to a situation when delay was not the question—that is, when the time element was not the question—but when the question was the action of the police in seeking to check an alibi, or to make sure about an identification of a particular person who was arrested, or to have that person in the lineup for the purpose of identification. The question of the need of the person to be in possession of his faculties when he is arraigned has already been settled by the Milton Mallory case. Obviously, that case made clear if the person is not competent to judge whether he should plead guilty or not guilty or to hear what is being told by the magistrate, a delay in the arraignment will not be a violation of the rule.

Mr. President, it seems to me, in view of that very narrow ground which inheres in the bill which is before the Senate, that the bill is not worth passing. I would not feel justified in voting for the bill, in view of the fact that it is the first bill which expresses dissatisfaction with the Supreme Court. I believe this is the essence of the struggle. Unless there were fundamental and real substance to the bill and a real need, I would feel if I voted for it that I was only lending myself to the fight against the Supreme Court and the raiding of its jurisdiction, as to which this is the first bill.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CARROLL. I think this is why the able Senator from Wyoming asked the Senator from New York to yield at the very outset of this discussion. I think the Senator from Wyoming wanted to make it crystal clear that in offering the amendment in committee, which amendment the committee approved, it was not his intention to express a dissatisfaction with the Supreme Court or with its ruling, but rather he sought to clarify, as the able Senator from New York has just done, the situation with respect to Judge Danaher's decision in the Trilling case.

I appeal to the able Senator from New York not to place in a wrong light the members of the Senate Judiciary Committee who have sought this bridge, who have sought a clarifying word, one which might really bridge the gap. In the Trilling case there were three sets of judges. Personally, I agree with the Senator from New York. When I read the Danaher decision, it occurred to me that it made common sense to me, because it is based upon a reasonable interpretation. We know that from the other decisions in the Trilling case, by able men, able lawyers, and able jurists. They took a different viewpoint.

Returning to the question of dissatisfaction, speaking for myself, I should not like to have the record show—and I know the viewpoint of the Senator from Wyoming and the able Senator from Missouri [Mr. HENNINGS], as well as that of other members of the committee—that they have any desire to express dissatisfaction of the Supreme Court. But, as I said earlier today in the debate, we know what has happened in the other body. The other body voted to "gut" Federal Rule of Procedure 5 (a), which, I agree with the Senator, would be unconstitutional, but that determination would be 2 or 3 years hence. In the meantime there would be confusion in this field.

We are not confronted with a theory. If it were a theory, I would join the Senator from New York immediately; but this is a condition. If we do not meet it, there is no doubt in my mind that there will be a movement in this body to change the Mallory decision.

I do not say that it is not based upon some dissatisfaction and a desire to strike at the Supreme Court, but there are some of us who do not share that dissatisfaction. Therefore we are seeking also not only a rule of reason to apply to all these cases, but also a rule of reason at this time, when there is great unrest all over the country. There is unrest about some of the Supreme Court decisions. I am not saying that it is justified. I am a very practical man. I am a realist. I know that such dissatisfaction exists.

If I may take a minute or two to say why I think there is such unrest, the President of the United States and the Vice President are elective officers. Every Member of this body is an elective officer, and every Member of the

House of Representatives must be elected every 2 years. Political storms and winds are sweeping over the country. Being not inexperienced in the field of politics, we know that when the storms are running high, even Senators—although I doubt whether there are any such in the Chamber at this moment—put their fingers into the wind, and they are swept by political storms.

This is the very point in constitutional history when the Supreme Court must not yield. The Supreme Court is a separate department of the Government. It must not yield to the hue and cry of today, or the next campaign. It looks to the past, looks to the present, and builds for the future.

That is the sort of Supreme Court we want. We are trying to protect that Supreme Court if we can, in this unanimous decision which lays down a rule based upon the traditions of the past and our hopes for the future.

So I think it would be wrong to give the connotation that in any way this amendment is expressing dissatisfaction about the decision of the Supreme Court.

Mr. JAVITS. Mr. President, of course I respect the statement of my colleague from Colorado. I do not believe that he is of the view which he has described. However, I feel that it is fair to say that these political and other winds are blowing, and that there is dissatisfaction with the Supreme Court. I am sure that some, at least, regard this measure as an opening bill on the subject. That was my only comment.

Also, I will say to the Senator from Colorado, and as I said in my opening remarks, that, taking the bill as it stands, I would not feel strongly about it were it not for that frame of reference.

I point out respectfully that, much as I hasten to affirm my conviction as to the sincerity of the Senator from Colorado and that of others who feel as he does, editorial opinion throughout the country on the question of the Supreme Court struggle has inherent in it the Mallory case as one of the elements of that struggle. Every editorial shows it, including those published this morning.

I do not wish it to be taken for 1 second as indicating that I do not believe the Congress has any right to make changes in law if it believes that Supreme Court decisions require that changes be made. I think Congress has every such right. I would be the first and most ardent to affirm it. What is our province is our province; but whether or not we should make a law depends upon what we consider to be the public basis for the necessity for making such a law.

One of the ingredients is a general climate of dissatisfaction with Supreme Court decisions, this one and others. That is why I made that argument. I do not intend to defend every decision of the Supreme Court, or to vote against every bill which seeks to deal with Supreme Court decisions. I have not done so in the past, and I will not do so in the future. Nevertheless, I believe that the present climate is a very important factor in the consideration of such legislation.

Mr. President, I should like to finish the discussion of the question of the use of the words "reasonable" and "necessary" as being, in my opinion, of the same effect, by reference to a very interesting decision by Judge Charles E. Clark, of the Second Circuit Court of Appeals, in 1951, in the case of *United States v. Leviton*, (193 Fed. (2d) 848).

This is what Judge Clark says on that very point. It is most interesting that these words should be so pertinent. They were quoted also in the Trilling case.

> We have found no definition of "unnecessary" in the cases helpful enough to close the matter for us here. In truth, we think that the traditional use of such words as "undue," "unreasonable," "convenient," "prompt," etc., is striking proof that each case involving the McNabb rule must needs be decided without resort to a semanticism that obscures the facts out of which it arises.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. What is the source of the quotation which the Senator has just read?

Mr. JAVITS. It is from the case of United States against Leviton, a decision by the Second Circuit Court of Appeals in 1951.

Mr. MORSE. Will the Senator read the quotation once more?

Mr. JAVITS. I was reading a quotation from a case, United States against Leviton, because it bears particularly on the use of these words. I should like to read it again for the information of the Senator from Orgeon:

> We have found no definition of "unnecessary" in the cases helpful enough for us to close the matter for us here. In truth, we think that the traditional use of such words as "undue," "unreasonable," "convenient," "prompt," etc., is striking proof that each case involving the McNabb rule must needs be decided without resort to a semanticism that obscures the facts out of which it arises.

As I interpret that quotation, I might say to the Senator from Oregon, who inquired, it means that the McNabb rule is based upon the factual finding by the court. Whether the word is "reasonable" or "unnecessary," the court must make pretty much the same factual finding.

Mr. MORSE. Does the Senator believe that the Mallory decision means that if in a given case the delay between arrest and arraignment was 9 hours, the Supreme Court would automatically find that the rights of a defendant had been infringed upon and reverse the conviction, if all the other facts were the same?

Mr. JAVITS. Not at all. I do not believe there is any time element in it, except an unnecessary delay, depending upon the facts.

Mr. MORSE. Therefore, a shorter delay would produce the same answer, if in a given case the delay was 3 hours, instead of 7? In that case the court might find that the conviction might stand, or it might find that the conviction should be reversed.

Mr. JAVITS. Exactly.

Mr. MORSE. Does the Senator believe that the word "reasonable" would change at all the problem facing the court?

Mr. JAVITS. I do not make, I may say to the able Senator from Oregon, what might be considered a metaphysical distinction. With respect to all the other questions I have answered, I have been engaged in advocacy. I wish to convince friends. As to whether it will do more, I am speaking for myself, and I shall vote that way. I do not feel so strongly on it that I would feel my colleagues would be going down the drain on the proposal if they differed from me. That is my point.

Mr. MORSE. Knowing the Senator from New York as I know him, I am convinced that he would not want to engage in a gesture, either.

Mr. JAVITS. No; that is true.

Mr. MORSE. I am sure the Senator from New York would not wish to participate in an action on the floor of the Senate which would cause many people to think that we had done something by putting in this amendment which would change the Supreme Court's decision in the Mallory case. I am waiting to hear some argument in the debate which will convince me that if the law read exactly as it is now proposed to have it read, the United States Supreme Court decision would be one whit different.

Mr. JAVITS. I agree with the Senator——

Mr. MORSE. What does the adding of the word have to do with the Mallory decision? All that the Supreme Court, in effect, said in the Mallory case—not in so many words, but in effect—was that on the basis of the factual bottom of this case the defendant did not get due process. The senior Senator from Oregon is not going to let a semantic storm on the floor of the Senate cause him to vote to attempt indirectly to strike due process out of the Constitution.

Mr. JAVITS. May I say to the Senator from Oregon that there I do have a sense of advocacy in that I really do have a grave concern that if the bill is sent to conference—and that is what will happen if we vote for it—something will happen in conference which may seriously affect us, because there is that fundamental difference between the two Houses.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. If I may just finish, I should like to say that there I would feel a very strong conscience about allowing a bill to pass, to wit, the House bill, which I am convinced is not only morally wrong but also unconstitutional.

Mr. MORSE. If the bill goes to conference, the Senator can be assured that the O'Mahoney amendment will come out of the bill, no matter how hard the conferees fight, because that amendment will either come out or there will be no bill.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CARROLL. I do not intend to get into a controversy with my able friend from Oregon. I have great respect for his ability as a lawyer, and great respect for his integrity and courage in a matter of this kind. However, I wish to say to the Senator from Oregon that the Supreme Court in the Mallory case did not, to use the Senator's expression, find that the case was bottomed on the denial of due process. As a matter of fact, the Court found it was bottomed on a violation of the Federal Rule of Procedure 5 (a).

Mr. MORSE. Yes.

Mr. CARROLL. I also take the position that the Supreme Court, over a period of years, has been slowly evolving—and I agree with the Senator from New York in this—a modern concept of what ought to be the law and what should have been the law a long time ago with reference to one basic question; namely, the question of illegal restraint, which deals with probable cause.

As to the second proposition, I say to the Senator from Oregon, if the Senate adopted the amendment which has been offered by the committee, and if the junior Senator from Colorado were one of the conferees—and he has been led to believe that he might be—and if the Senator from Wyoming were one of the conferees—as I believe he will be—and speaking only for the junior Senator from Colorado, but believing what the situation with reference to the Senator from Wyoming will be, I will say that there can be no modification of the amendment, unless we are willing to take an unconstitutional position.

As the able Senator from New York has said, we cannot give positive assurance, but I can say to Senators that they know how deeply I feel about this issue, and there can be no modification.

As a matter of fact, I have been driven to this position, because I think it is the only reasonable position that I can take. Beyond this we cannot go. I would join the Senator from Oregon in fighting against the bill. I certainly agree with the Senator from Oregon and the Senator from New York in their comments that this is not necessary, except for one thing. The Senator from Oregon has said that he sees no reason for it. There is a reason. There is no doubt in my mind that there is confusion in the circuit court of appeals, at least in the circuit court of appeals here in Washington, and there is also confusion in other areas of the country as a result of the Mallory decision.

Frankly, the more I read the Mallory decision and the facts upon which it is bottomed, I can see why the Supreme Court unanimously set that case aside and reversed the action of the lower court. There is no doubt about that in my mind.

But some judges, as I read the decision, have not yet seen the light. Perhaps after they have read this record, they might find out. I do not say they will, but they might find out that they have gone too far off the deep end in their decisions. That is my hope.

But returning to the question of the conference, if we can retain the Senate committee amendment, it is my sincere belief that we will save any expressed dissatisfaction with the Supreme Court, but we will actually save the decision, which some day in American history will be a landmark for a great modern development of a concept which has been long neglected.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MORSE. I think my colleagues in the Senate know that the Senator from Colorado has a great record as an able prosecutor. He is a brilliant lawyer. I understand his point of view concerning the amendment. I simply disagree with the conclusion he has reached. It is quite true that the Supreme Court in the Mallory case really based its decision on rule 5 (a) of the Federal Rules of Criminal Procedure. But we must consider what that rule seeks to protect. I respectfully submit that that rule has been adopted to implement due process. That is why I say the Mallory case affects the whole matter of due process.

As to the conference, I have no doubt of the position which the Senator from Wyoming and the Senator from Colorado will take. I assume there will be more than two conferees.

Mr. CARROLL. There will be three conferees. Two will control.

Mr. MORSE. There will be more than two conferees. The Senator is suggesting that at best we can expect an impasse with the House, because I do not think there will be any yielding on the House side with respect to this matter.

That is why I think the whole matter ought to be recommitted to committee, and that we take it up next January. In a rather lengthy speech which I intend to give in the wee hours of tomorrow morning, I will make that suggestion.

Mr. JAVITS. Mr. President, I shall conclude very shortly, but first I shall adduce for the Senate some of the organic evidence in the McNabb case, which deals with the question of constitutionality. I think the McNabb case contains a statement which makes it very clear that the House bill will be considered unconstitutional by the Supreme Court. This is a statement which appears on page 18 of the committee report, which incidentally sets forth the McNabb opinion in full. Justice Frankfurter said:

> The complicated process of criminal justice is, therefore, divided into different parts, responsibility for which is separately vested in the various participants upon whom the criminal law relies for its vindication. Legislation such as this, requiring that the police must, with reasonable promptness, show legal cause for detaining arrested persons, constitutes an important safeguard, not only in assuring protection for the innocent, but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society. For this procedural requirement checks resort to those reprehensible practices known as the third degree which, though universally rejected as indefensible, still find their way into use. It aims to avoid all the evil implications of secret interrogation of persons accused of crime. It outlaws easy but self-defeating ways in which brutality is substituted for brains as an instrument of crime detection. A statute carrying such purposes is expressive of a general legislative policy to which courts should not be heedless when appropriate situations call for its application.

It seems to me that we should couple this very clear understanding of the policy of what constitutes due process with the following statements which appear in the McNabb case. The Court said, at page 332 of the opinion, which is reprinted on page 14 of the report:

> It is true, as the petitioners assert, that a conviction in the Federal courts, the foundation of which is evidence obtained in disregard of liberties deemed fundamental by the Constitution, cannot stand.

The Court then cites the cases in which it so acted. The opinion continues:

> And this Court has, on constitutional grounds, set aside convictions, both in the Federal and State courts, which were based upon confessions "secured by protracted and repeated questioning of ignorant and untutored persons, in whose minds the power of officers was greatly magnified," *Lisenba v. California*, 314 U. S. 219, 239–40, or "who have been unlawfully held incommunicado without advice of friends or counsel," *Ward v. Texas*.

And so forth.

Then the Court said of the McNabb case:

> In the view we take of the case, however, it becomes unnecessary to reach the constitutional issue pressed upon us.

The Court then proceeds with the following argument, which indicates to me that the Court would hold the House bill unconstitutional. I read from page 16 of the report:

> Quite apart from the Constitution, therefore, we are constrained to hold that evidence elicited from the petitioners in the circumstances disclosed here must be excluded. For in their treatment of the petitioners the arresting officers assumed functions which Congress has explicitly denied them. They subjected the accused to the pressures of a procedure which is wholly incompatible with the vital but very restricted duties of the investigating and arresting officers of the Government and which tends to undermine the integrity of the criminal proceeding.

I shall sum up my views, and then I shall yield the floor.

It seems to me, first, that this is a discussion which is being held within the context of the dissatisfaction expressed in many quarters with the decisions of the Supreme Court. I respect completely the views of the Senator from Colorado. I do not feel that these whims have affected his judgment upon the subject, and I understand completely the motives which induce him to support the bill as an effort to arrive at some legislation, in view of the likelihood of the enactment of the bill before us.

But I cannot help feeling that we who feel that dissatisfaction with the decisions of the Supreme Court is the improper basis and the improper atmosphere for legislation upon subjects of this character have any right to mute ourselves in making that argument before the Senate and before the country, because I do believe that in other circumstances, with another frame of reference, we would be very unlikely to consider this bill and the other bills which will follow in a train.

Second, it is my conviction that the use of "reasonable" represents no difference in legal interpretation from the

use of "unnecessary delay," which are the words now in rule 5 (a) of the Federal Rules of Criminal Procedure. The word "reasonable" will, in turn, have to be construed by the lower courts, and then passed upon by the Supreme Court of the United States, in exactly the same way as the words "unnecessary delay." Therefore, I do not see that any change is being effected.

Third, I believe that we will, if we pass the House bill without the inclusion of the word "reasonable," be passing a statute which the Supreme Court will strike down as being unconstitutional, because it rules out the issue of delay in arraignment as a factor in making a confession involuntary, and therefore will be considered by the Supreme Court as unconstitutional.

Fourth, I respectfully submit that in rule 5 (a) the Court has laid down a rule approved by Congress, for that rule was approved by Congress as well, in which it implemented the definition of due process in respect of arraignment, and that that is a reasonable implementation, an implementation in line with modern thinking and with practical experience. It represents a fair balance between the protection of the individual and the protection of society, and that, therefore, we should sustain it rather than reject it.

Finally, I point out that standards of orderly society have always been productive of honorable law enforcement, and that the society which was enforcing laws which were not loaded either way, either against the individual defendant or against society, could enforce them with a clear moral conscience and could rally the most support in the committee for their enforcement.

That is the best sanction, in terms of reducing any rash of crimes of violence which might develop, and that there is no sanction in an effort to deny due process or in an effort to abandon the time-honored practices of a civilized society. Rather, we shall find that repression and violence will breed more crime, rather than less crime.

Mr. CARROLL. Mr. President, will the Senator from New York yield to me?

The PRESIDING OFFICER [Mr. DOUGLAS in the chair]. Does the Senator from New York yield to the Senator from Colorado?

Mr. JAVITS. I yield.

Mr. CARROLL. In my opinion, Mr. President, the able junior Senator from New York [Mr. JAVITS] has made a very great contribution to the debate, not only for the benefit of his colleagues in the Senate, but also for the benefit of the record itself. When the record is reviewed—as I am confident it will be, some day—by the members of the Supreme Court and by the members of other courts which seek to determine the meaning of the word "reasonable," his contribution will be apparent. In the event the committee amendment is agreed to and is enacted into law, with the result that the Senate committee version of the bill displaces the bill as passed by the other body, I believe it will be found that the Senator from New York has made a very substantial and valuable contribution. As I have understood his remarks, he is seeking to apply the rule of reason and, as I understood his previous remarks, he has generally proved the danger of the concept of unnecessary delay, as expressed by one of the judges in the Trilling case.

It seems to me that the sole purpose of the proposed legislation is to make some contribution to giving direction and purpose to rule 5 (a). We can accomplish this purpose by means of setting forth our understanding of the meaning of the rule of reason and our understanding of the definition of unnecessary delay and of reasonable delay. I believe that in that way we can establish a rule of common sense which trial judges will use. We will not try to thwart the purposes of rule 5 (a). On the contrary, our effort is to give it some life and vitality. I believe that was the original purpose of the Supreme Court, 15 years ago.

For 15 years the Supreme Court has been warning about the dangerous effects of the abandonment of the constitutional concept of legal detention. The matter suddenly arose in 1943.

I know the Senator from New York has been on his feet for a long time. Before he takes his seat, I should like to add to the comment he has made, that over a period of more than 100 years there was developed a traditional concept that any evidence, that even though illegally obtained, could be used in evidence in either the Federal courts or in the State courts. That concept continued until in the Weeks case, 44 years ago, the Supreme Court established a rule relating to illegal searches and seizures.

That rule has been in operation for 44 years. Yet today forces are at work attempting to modify that rule. It is thought by some that the rule is too strict, in view of present-day methods of police enforcement. It is thought by some that the rule should be modified, so that evidence obtain by searches illegally made can be admitted against defendants.

That is why I believe we should support the amendment of the Senate committee. It is consistent with the best modern law enforcement methods and with the highest aspirations of American jurisprudence.

I believe we are making a record which will be of help to courts in the future. I desire to express my sincere appreciation to my distinguished colleague, the junior Senator from New York [Mr. JAVITS] for the excellent and extremely helpful statement he has made.

Mr. JAVITS. Mr. President, I am very grateful to my colleague for his very kind remarks about my statement. Although he and I do not agree as regards the vote to be taken on the bill itself, I know that his views in regard to law and justice are entirely like my own.

Today, he has made an eloquent statement in setting forth his own position, which is quite fair and just.

I can only express the hope that in connection with other measures, we may have a similar opportunity to engage in the sort of debate which has occurred today, which I consider to be most helpful to me and most helpful and enlightening to the country.

Mr. CARROLL. Mr. President, if the only alternatives we had were to pass the bill as passed by the House of Representatives—a version of the bill which the Senator from New York has said is unconstitutional—or to agree to the amendment proposed by the Senate committee, as regards the insertion of the word "reasonable," does not the Senator from New York think that under those circumstances it would be advisable for the Senate to agree to the committee amendment?

Mr. JAVITS. Mr. President, that is an entirely hypothetical situation, because I believe that no legislation is better than legislation under the alternatives which face us.

But I say in all candor and frankness, as I have stated many times before, that I intend to vote in support of the committee amendment, because I believe it makes the bill, which otherwise has no content at all in respect to constitutionality, constitutional, and that therefore it is my duty to support the committee amendment.

Mr. CARROLL. I thank the Senator from New York.

Mr. PROXMIRE. Mr. President, I was very highly privileged to be in the Chamber today to hear the number of outstanding speeches which have been made, particularly because of the backgrounds of the Senators who addressed the Senate.

The Senate has heard a very great speech delivered by the distinguished junior Senator from New York [Mr. JAVITS]. I believe it remarkable and significant that a Senator who has been the Attorney General of the biggest State of the Union, a State which has enormously important and serious problems in connection with the execution of the law and the enforcement of the law, would take the position the Senator from New York has taken, namely, a position strongly in support of the freedom and protection of persons detained by law enforcement officers.

Let me say that I also appreciated the privilege and the opportunity I had to hear virtually the entire speech which was delivered by the junior Senator from Colorado [Mr. CARROLL]. He, too, has had the responsibility of enforcing the laws as a prosecuting attorney. It seems to me most significant that a Senator with such a background would insist on adoption of the Senate committee amendment to the version of the bill passed by the House of Representatives.

I was also very glad to have the privilege of hearing the speech delivered by the distinguished senior Senator from Missouri [Mr. HENNINGS]. I desire to secure a copy of the great speech, and to preserve it and treasure it for a long time.

PROMPT ARRAIGNMENTS A BASIC SAFEGUARD

Mr. President, when we discuss the great safeguards built into our criminal law, it is important not to be distracted

by our abhorrence of a particular crime or a particular criminal. There is an understandable tendency to want to punish a man severely for assaults on our society. But history—the great history of Anglo-American law—shows that it is in the interest of every citizen to invoke that punishment by fair and decent methods. The opposite school of thought is the totalitarian doctrine that the means justify the end. That was the Nazi view; that is the Communist view, today. They believe that if a man is suspected of a crime against the state, the thing to do is use the third degree—torture him—until he confesses. That is the quick, easy way to a conviction. But our history has proven that methods such as those brutalize the prosecutor as well as the suspect. When the government uses brutal methods against the criminal, no one is safe. And that lesson of history is written into our Constitution.

With that general truth in mind, Mr. President, I want to point out the importance of arraignment as a step in our criminal procedure. I believe arraignment is crucial to the fairness of the system.

When a man is arrested by Federal agents or by the police in the District of Columbia, he remains in the exclusive custody of those police or agents until he is brought before a magistrate for arraignment. They have no obligation to let his family or his lawyer know where he is. In those circumstances—surrounded by the police, without friends or family, cut off from the outside world—anyone would be beset by fears, susceptible to pressures and promises.

It is because of the dangers inherent in letting the police have complete custody of a suspect that Congress has said over and over again that the suspect must be promptly arraigned. When he is brought before a magistrate, in effect he emerges into the view of the outside world. A formal written record is made of his arrest and the cause of the arrest. He is informed of his rights. He has an opportunity to see a lawyer. And, most important, he gets his first chance to challenge the arrest.

Under our Constitution, the Federal Government may not arrest anyone on mere suspicion. There must be, in the language of the fourth amendment, "probable cause" for believing he has committed a crime. But the arrested man has no chance to challenge the existence of that "probable cause" until he gets before a magistrate. In a totalitarian state, a man may be arrested on suspicion and may be held indefinitely. In a free country, and under our Constitution, he must have an early chance to challenge that arrest, to argue, that there is no legal basis for it.

Congress, as I have said, has passed law after law requiring the prompt arraignment of arrested persons. Those statutes are reflected now in rule 5 (a) of the Rules of Criminal Procedure. It provides that any Federal officer who makes an arrest—

> Shall take the arrested person without unnecessary delay before the nearest available Commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States.

Mr. President, the proposed legislation we are debating tonight stems from the contention that recent court decisions have made the police act too hastily in arraigning suspects. But, interestingly enough, the proposed legislation does not make any attempt to change the law requiring prompt arraignment. It does not say, "The police may hold suspects for a week—or 3 days or 2 days or 12 hours—before bringing them before a magistrate." Mr. President, I believe the reason no such bill is before us is that all of us, of both parties, agree on the necessity of prompt arraignment. No one would stand up in this Chamber and propose that police in the United States be allowed to keep a suspect hidden away indefinitely without arraigning him and showing probable cause for his detention.

Instead of changing the prompt arraignment requirement, the legislation as it passed the House of Representatives simply removed the legal method of enforcing that requirement. The bill said, in effect: "The police are still required by law to present their prisoners for arraignment without unnecessary delay. But if they do not, no one can do anything about it."

That is the practical effect of the House bill, Mr. President, because of the difficulties that we all know are involved in assuring proper police methods. How can society enforce the rule of prompt arraignment? Suppose the police violate that law. How can it be enforced? It is an undesirable and impractical idea to prosecute police who deliberately violate the prompt arraignment rule. The arrested man could, conceivably, sue the policeman for violating his rights, but that is an unworkable concept, too. I think any thoughtful person will agree, on reflection, that the one practical method of assuring police compliance with the arraignment law is to make it plain to them that they must obey or else stand in danger of losing convictions.

That is what we are really talking about today, Mr. President—enforcing the suspect's right to prompt arraignment. The House bill did not purport to take the right away. It just removed the enforcement possibility, making it a hollow right.

I believe it is important also to realize that we are not revising some decision handed down by the Supreme Court this year or last year. We are dealing with a rule of law that was laid down in 1943, in the case of *McNabb* v. *United States* (318, U. S. 332), and has been a rightly respected rule since then. The McNabb case dealt with a group of Tennessee bootleggers who were convicted of second-degree murder in the shooting of a Federal alcohol tax officer. They were held for 2 days and subjected to continuous questioning before they confessed. Then, and only then, they were arraigned and told their rights.

The opinion of the Court was delivered by Mr. Justice Frankfurter. Incidentally, for a tribute to the wisdom and judicial demeanor of Mr. Justice Frankfurter, I refer those interested to a tribute delivered on the floor of the Senate last January by the senior Senator from Ohio [Mr. BRICKER].

In the McNabb case Mr. Justice Frankfurter reviewed the various statutes requiring FBI agents and other Federal officers to arraign suspects promptly, and he noted that similar legislation, requiring that arrested persons be promptly taken before a committing authority, appears on the statute books of nearly all the States. Then he said:

> The purpose of this impressively pervasive requirement of criminal procedure is plain. A democratic society, in which respect for the dignity of all men is central, naturally guards against the misuse of the law-enforcement process. Zeal in tracking down crime is not in itself an assurance of soberness of judgment. Disinterestedness in law enforcement does not alone prevent disregard of cherished liberties. Experience has therefore counseled that safeguards must be provided against the dangers of the overzealous as well as the despotic. The lawful instruments of the criminal law cannot be entrusted to a single functionary. The complicated process of criminal justice is therefore divided into different parts, responsibility for which is separately vested in the various participants upon whom the criminal law relies for its vindication: Legislation such as this, requiring that the police must with reasonable promptness show legal cause for detaining arrested persons, constitutes an important safeguard—not only in assuring protection for the innocent but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society. For this procedural requirement checks resort to those reprehensible practices known as the third degree which, though universally rejected as indefensible, still find their way into use. It aims to avoid all the evil implications of secret interrogation of persons accused of crime. It reflects not a sentimental but a sturdy view of law enforcement. It outlaws easy but self-defeating ways in which brutality is substituted for brains as an instrument of crime detection. A statute carrying such purposes is expressive of a general legislative policy to which courts should not be heedless when appropriate situations call for its application.
>
> The circumstances in which the statements admitted in evidence against the petitioners were secured reveal a plain disregard of the duty enjoined by Congress upon Federal-law officers. Freeman and Raymond McNabb were arrested in the middle of the night at their home. Instead of being brought before a United States commissioner or a judicial officer, as the law requires, in order to determine the sufficiency of the justification for their detention, they were put in a barren cell and kept there for 14 hours. For 2 days they were subjected to unremitting questioning by numerous officers. Benjamin's confession was secured by detaining him unlawfully and questioning him continuously for 5 or 6 hours. The McNabbs had to submit to all this without the aid of friends or the benefit of counsel. The record leaves no room for doubt that the questioning of the petitioners took place while they were in the custody of the arresting officers and before any order of commitment was made. Plainly, a conviction resting on evidence secured through such a flagrant disregard of the procedure which Congress has commanded cannot be allowed to stand without making the courts themselves accomplices in willful disobedience of law. Congress has not explicitly forbidden the use of evidence so procured. But to permit such evidence to be made the basis of a conviction in the Federal courts would stultify the policy which Congress has enacted into law.

The opinion concluded:

In holding that the petitioners' admission were improperly received in evidence against them, and that having been based on this evidence their convictions cannot stand, we confine ourselves to our limited function as the court of ultimate review of the standards formulated and applied by Federal courts in the trial of criminal cases. We are not concerned with law enforcement practices except insofar as courts themselves become instruments of law enforcement. We hold only that a decent regard for the duty of courts as agencies of justice and custodians of liberty forbids that men should be convicted upon evidence secured under the circumstances revealed here. In so doing, we respect the policy which underlies Congressional legislation. The history of liberty has largely been the history of observance of procedural safeguards. And the effective administration of criminal justice hardly requires disregard of fair procedures imposed by law.

That is the rule—reaffirmed by a unanimous Supreme Court last year in the Mallory case—that this legislation would affect. The bill as it passed the House would have wiped out the McNabb rule. It would have let the police hold a man indefinitely, subject only to the due process clause in violation of law, and still use any confession they managed to extract from him. Some of the sponsors of the House bill have denied that this was their intent. When they were asked what would happen under their bill if a man were held for a week without arraignment, or a month, they said the courts should certainly reject any confession obtained during so unreasonable a delay. But their bill did not read that way. It opened the way for the police to hold a man indefinitely without fear of losing evidence.

Mr. President, I am sure everyone on this floor can agree that indefinite police detention is abhorrent to our free system of government. It is for that reason that the greatest praise must be given to the Senator from Wyoming for the improvement he has brought about in this legislation. By the insertion of the word "reasonable" in the bill, the Senator has made clear that Congress will not condone extended police detention, with all the opportunities that affords for the third degree and other unfair methods. The bill as reported by the Judiciary Committee, preserves the important principle that the police must not be allowed to benefit from unreasonable and illegal detention of suspects without bringing them before a magistrate for arraignment. But even with the word "reasonable". The bill is not good enough. There should be no unnecessary delays in arraignment.

It is my belief, Mr. President, that we would be wiser to deal with this whole problem some other way than by legislation at this time. Just a few weeks ago the Senate approved legislation permitting the Judicial Conference of the United States to restudy the Rules of Criminal Procedure and recommend changes to the Supreme Court. The President has signed that bill into law. Under its provisions the Judicial Conference will set up committees of judges and prosecutors and lawyers in private practice to study the operation of the criminal rules.

Would it not be preferable, Mr. President, to let such a committee of men interested in the problem, representing all points of view, study the whole arraignment situation and suggest any necessary changes in the rules? It is clear that opinion is divided on this problem, among laymen as well as lawyers and judges. We should not act upon it in haste. We should defer to more considered study by those intimately concerned with the criminal law. And we must always remember those words of Mr. Justice Frankfurter:

The history of liberty has largely been the history of observance of procedural safeguards. And the effective administration of criminal justice hardly requires disregard of fair procedures imposed by law.

Mr. President, once again I should like to reiterate a fact emphasized by the distinguished junior Senator from Colorado, who pointed out that this was a decision of a unanimous Court. Every member of the Court, both the Truman appointees and the Eisenhower appointees, agreed on the Mallory decision.

Mr. President, I oppose the bill. I certainly strongly support the committee amendment. Frankly, whether the committee amendment is in the bill or not I shall vote against the bill.

Mr. President, I yield the floor.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I move that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so orderd.

AMENDMENT OF FEDERAL AIRPORT ACT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3502) to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes, which were, on page 1, strike out all after line 9, over through and including "1963" in line 2 on page 2, and insert "$40,000,000 for the fiscal year ending June 30, 1956, and the sum of $60,000,000 for each of the fiscal years ending June 30, 1957, and June 30, 1958, and the sum of $95,000,000 for each of the fiscal years ending June 30, 1959, June 30, 1960, June 30, 1961, June 30, 1962, and June 30, 1963"; on page 2, line 9, strike out "for" and insert "For"; on page 2, strike out lines 14 and 15 down through and including "1963" in line 16, and insert "of $2,500,000 for the fiscal year ending June 30, 1956, and the sum of $3,000,000 for each of the fiscal years ending June 30, 1957, and June 30, 1958, and the sum of $5,000,000 for each of the fiscal years ending June 30, 1959, June 30, 1960, June 30, 1961, June 30, 1962, and June 30, 1963"; on page 2, line 24, after "Islands." insert "Effective on the admission of the State of Alaska into the Union, wherever this act refers to Alaska as a Territory it shall be deemed to refer to the State of Alaska, and the words 'State' and 'States', as used in this act, shall not be construed as including the State of Alaska."; on page 2, strike out line 25 over through and including line 15, on page 3; on page 3, line 16, strike out "SEC. 5." and insert "SEC. 3."; on page 4, line 6, strike out "SEC. 6" and insert "SEC 4."; on page 4, line 12, after "Secretary" insert "of Commerce"; on page 4, line 15, strike out "SEC. 7." and insert "SEC. 5.", and on page 4, line 19, after "Secretary" insert "of Commerce."

Mr. MAGNUSON. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks an explanation of the House amendments to the bill, and I move that the Senate concur in the House amendments.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HOUSE COMMITTEE AMENDMENTS TO FEDERAL AIRPORT AID BILL (S. 3502)

Substantive amendment: Sections 3 and 4 of the Senate bill were stricken by the House Committee. These sections provide for the obligation of an amount of $75 million during fiscal 1959 as a special emergency fund. The purpose of this fund was to catch up on the backlog of approved airport projects without regard to ordinary State-by-State allocation requirements. However, the bill as amended would still provide for an increase in ordinary obligation authority from the present $63 million to $100 million for fiscal 1959.

Technical Amendments: (1) Sections 1 and 2 have been redrafted to clarify that authority to use unobligated funds for fiscal years 1956, 1957, and 1958 is retained.

(2) An additional sentence was inserted at the end of section 2 in order to assure that money for Alaskan airports would still be obtained from the $5 million "Territorial" fund after Alaska becomes a State.

(3) The phrase "Secretary of Commerce" is substituted for the word "Secretary" in sections 4 and 5 (sections 6 and 7 of the Senate-passed bill) to conform to the language of existing law.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington [Mr. MAGNUSON].

The motion was agreed to.

AMENDMENT OF INTERCOASTAL SHIPPING ACT, 1933, RELATING TO INCORPORATION OF CONTRACT TERMS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4196) to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents, which was, on page 2, line 12, strike out "or" where it appears the first time and insert "of."

Mr. MAGNUSON. Mr. President, this bill is in exactly the same form in which it left the Senate. However, it contained a minor clerical error, which the House has corrected. I move that the Senate concur in the House amendment.

The motion was agreed to.

EXTENSION OF BOUNDARIES OF SISKIYOU NATIONAL FOREST, OREG.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4053) to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the boundaries of the Siskiyou National Forest in the State of Oregon are hereby extended to include sections 31 through 36, township 35 south, range 13 west, Willamette meridian, and to include all lands not presently included within the boundaries thereof in township 35 south, ranges 11 and 12 west and township 34 south, range 11 west, Willamette meridian. Subject to valid and existing claims, all lands of the United States within the area to which such boundaries are extended are hereby made parts of the Siskiyou National Forest and hereafter shall be subject to the laws, rules and regulations relating thereto: *Provided*, That the Secretaries of the Interior and Agriculture are authorized to exchange administrative jurisdiction of lots 4 and 11, section 19, T. 34 S., R. 11 W., Willamette meridian, which are revested Oregon and California Railroad grant lands, and national forest lands in the State of Oregon of approximately equal aggregate value under the provisions of section 2 of the act of June 24, 1954 (68 Stat. 271), and said lots 4 and 11 upon completion of such exchange of jurisdiction, but not before, shall be subject to all provisions of this act.

Mr. NEUBERGER. Mr. President, I should like to explain to the acting majority leader and the acting minority leader that this matter has been cleared with the two policy committees.

Senate bill 4053 comes back from the House of Representatives with an amendment. The bill deals with protection of the scenic resources along the beautiful Lower Rogue River in Oregon, and the extension of the boundaries of the Siskiyou National Forest in the State of Oregon.

Earlier the Senate passed this bill and, after it left the Senate, we became aware that the Department of the Interior believed three of the sections of the bill could be more advantageously handled by the Bureau of Land Management initiating a withdrawal. The House passed the bill striking sections 2, 3, and 4.

With the understanding that the Bureau of Land Management will make a withdrawal protecting the recreational value of the lands along this great and scenic Rogue River from mining, I ask unanimous consent that this bill be adopted.

I would also like to mention that as the bill passed the House, it fully achieves the goals which my able colleague in the House, Congressman CHARLES O. PORTER, started out to obtain. The lower reaches of the Rogue River are noted for their charming and rugged scenery. Through the initiative that Congressman CHARLES O. PORTER has displayed, and because of his wisdom and foresight, we will have an opportunity, through this bill, to assure perpetuation of this grandeur. I would also add in closing that we have had good cooperation from the Department of Agriculture, the Department of the Interior and the Bureau of the Budget in obtaining speedy action on this necessary piece of legislation.

Mr. President, I move that the Senate concur in the House amendment to S. 4053.

The motion was agreed to.

THE WESTERN HEMISPHERE—SELF-SUFFICIENT—CAN BE DEFENDED—ONE-THIRD LAND AREA, 350 MILLION PEOPLE

Mr. MALONE. Mr. President, I have received a very interesting letter from a constituent of mine in Reno, Nev., proving that many people do read the CONGRESSIONAL RECORD, and keep abreast of the debates on the floor of the Senate.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the letter to which I refer.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RENO, NEV., *July 9, 1958.*

Senator GEORGE W. MALONE.

DEAR SENATOR: Thanks for your nice letter of May 6, it was appreciated and since my family and I approve heartily of the stands you have taken on national and international issues, it seems that our humble efforts must be confined to keeping your name and objectives before the voters.

My letter to the Saturday Evening Post was published in part under Letters to the Editor in the current issue of July 12 and was severely deleted. However, they did get in one paragraph which I wanted published. No doubt, the rest of the letter was much too hot for them to handle.

However, good luck to you in your coming campaign and if we can be of any assistance in the ensuing battle, just say the word.

Very truly yours,

WM. J. DOWER.

Mr. MALONE. Mr. President, the letter makes reference to a letter which my constituent, Mr. William J. Dower, wrote to the Saturday Evening Post. Excerpts from the letter were published in the Saturday Evening Post under the heading "Letters to the Editor," on July 12, 1958. Apparently the editor used only a very brief excerpt from the letter from Mr. Dower.

I ask unanimous consent that the excerpt from the letter which appeared in the Saturday Evening Post be printed in the RECORD at this point as a part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DEAR SIRS: Now the Republicans are gathering some men with intestinal fortitude, like Senator GOLDWATER of Arizona and our own Senator GEORGE W. MALONE of Nevada. If the trend toward men of that caliber continues, my family and I might even be tempted back to the Republican fold.

WM. J. DOWER.

Mr. MALONE. I ask unanimous consent to have the letter which Mr. Dower wrote to the Saturday Evening Post printed in the RECORD in its entirety at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Editor, the Saturday Evening Post:

DEAR SIR: Our congratulations to you upon the publication of your recent article on Senator BARRY GOLDWATER of Arizona. The catholicity of your articles is probably the major reason for the continued popularity of the Saturday Evening Post, generation after generation.

Is it asking too much to request that you prepare a feature, in the near future, upon the career and accomplishments of our own Senator GEORGE W. MALONE, of Nevada? Men with such courage and foresight deserve national recognition.

Many years ago I was a minor official in the Republican organization of Philadelphia, Pa., until the effluvia of that organization became too much for my delicate stomach, so my family and I became Democrats and later migrated to Nevada. A predominant number of my Philadelphia townsmen must have felt as I did, because the city and State went decidedly Democratic after 75 years or so of Republican rule.

(Now, the Republicans are gathering some men with intestinal fortitude, like Senator GOLDWATER and our own Senator GEORGE W. MALONE of Nevada. If the trend toward men of that caliber continues, my family and I might even be tempted back to the Republican fold.)

Narrow partisan adherence is not the normal American approach to political questions and the individual stand on vital issues is becoming more and more the deciding factor in elections.

Senator MALONE exhibits a rare brand of courage, in espousing such controversial issues as the elimination of give-away programs and the return of tariff controls to the legislative bodies. Time is working on his side and eventually we will hail his prophetic vision.

So many pressure groups seem to have adopted the policy of America last and everybody else first that it is refreshing to find Senator MALONE advocating America first.

Thanks again for your excellent articles.

Very truly yours,

WM. J. DOWER.

SOUTH AMERICA DISCOVERED

Mr. MALONE. Mr. President, it appears that Vice President NIXON and Dr. Milton Eisenhower recently discovered South America. An editorial on this subject was published in the Detroit Times of Wednesday, August 6, 1958. The editorial is entitled "NIXON, Now Dulles." I ask unanimous consent that the editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NIXON, NOW DULLES

First, Vice President Nixon, then Dr. Milton Eisenhower, and now Secretary of State John Foster Dulles visit and court the good will of Latin America.

It is a strong effort to achieve a hemispherical solidarity which should have been the first item on the American foreign policy.

As Senator GEORGE MALONE has proved by the investigations of his committee, if there were hemispherical unity we could be self-sufficient for raw materials.

During World War II, this country was primarily absorbed in the affairs of Europe. Europe first became the watchword of the Roosevelt administration and was not departed from although we were at war with Japan.

The absorption with European affairs has continued to this day. As a matter of fact, it has been Russian policy to keep us looking

in that one direction, so we would not have time or energy for anything else.

While we were looking, for instance, at the Berlin airlift, Soviet Russia completed the conquest of China for communism.

It is true that even as far back as the Roosevelt administration, a so-called good neighbor policy was developed.

It was invented by Dr. Stanley High, now of the Reader's Digest, and was implemented by Nelson Rockefeller.

The good neighbor policy was designed to warm the hearts of the Latin Americans toward us, but when they saw billions of dollars being poured into Europe and Asia, to former enemies as well as current and former friends, to neutrals as well as allies, to Tito as well as to Adenauer, the Latin Americans reached the conclusion that as long as we were giving it away, we ought to give them some, too.

The Communists in Latin America were not inactive. They especially worked among the intellectuals in the universities, in the press, among the leadership material.

Meanwhile, the end of war and a lessened preparation for war affected economic conditions in Latin America adversely, particularly in the coffee countries, such as Brazil and Colombia.

The United States was blamed for Brazil's enormous surplus of coffee, on the grounds that Americans did not drink enough coffee. Also, we were not using enough copper which adversely affected some Latin American areas.

Soviet Russia entered into that picture under the direction of Mikoyan, who was on hand to buy surplus products, to aid countries with money, experts and all the paraphernalia of capitalistic economic imperialism.

At the present moment, Soviet Russia is flirting with the idea of making a convertible currency out of the ruble, which could mean that a minted Russian gold coin might be put on the market, thus upsetting all financial and commodity markets in the world.

All this concerns the United States vitally.

The tour of Vice President Nixon was designed to achieve good will; the tour of Dr. Milton Eisenhower was a fact-finding expedition, Dr. Eisenhower having already established relationships in those countries. The tour of Secretary Dulles is aimed at deals and results.

Whatever progress is made, it will cost us money—but money better spent than in Yugoslavia or India.

ACCESSIBILITY OF STRATEGIC MATERIALS

Mr. MALONE. With further reference to the editorial, it mentions reports on the Western Hemisphere which were made by the Committee on Interior and Insular Affairs under my direction, as ranking minority member of that committee.

The reports, dealing with the accessibility of strategic and critical materials, were published by the Senate, the first one as Senate Report 1627, in the 83d Congress, which is available, of course, to Members of Congress and to any citizens who care to inquire for it.

The second is Senate Document 83, 84th Congress, a report containing a breakdown of the economic structure of each of the 42 nations and entities of the Southern Hemisphere, showing how they manipulate the price of their money in terms of the dollar for trade advantages.

INVITE ATTENTION TO REPORTS

I respectfully invite the attention of the Vice President and Dr. Milton Eisenhower to those two reports. We said in both those reports that the Western Hemisphere could be made self-sufficient, so far as concerns all the strategic and critical materials necessary for war or peace, and that the Western Hemisphere could be defended from North America.

COOPERATION—NATIONS OF HEMISPHERE

The reports recommended that the nations of the Western Hemisphere cooperate. We did not recommend that billions of dollars be given to any nation in the Western Hemisphere by any other nation in the Western Hemisphere. We recommended cooperation.

I think it will not be very long before the administration and Congress begin once more to take notice of the Western Hemisphere and its self-sufficiency.

It will be noticed from maps and descriptions of the Western Hemisphere that it contains one-third of the land area of the world, and about 350 million people, with plenty of room for 1 billion people without crowding anyone.

RECOMMEND SENATE 1627, 83D CONGRESS, AND SENATE DOCUMENT 83, 84TH CONGRESS

I respectfully recommend these two reports for close study by Members of Congress and any of the administration personnel who may later visit any of the other nations of the Western Hemisphere, in North, Central, or South America.

HOW INDIANS CAN BECOME FULL CITIZENS—A PROUD PEOPLE—STILL PRISONERS OF WAR—A DISGRACE TO A FREE AMERICAN PEOPLE

Mr. President, many years ago we put the Indians on reservations because we were afraid of them, and then promptly forgot them. That treatment of a proud people has been the crime of the ages for 134 years.

Mr. President, I have introduced a bill heretofore in the Senate which would make Indians people with full constitutional rights and privileges.

As the result of the introduction of that bill which was referred to the Committee on Interior and Insular Affairs, we have changed our attitude toward the Indians.

We have freed a few of the tribes, and there is a sympathetic attitude toward freeing the remainder and giving them their lands and reservation and income and best of all their constitutional rights.

If we owe them anything further, we should hold proper hearings to determine the amount, pay it and let them become people, with all the rights of American citizens under the law and under the Constitution.

THE CAPTIVE INDIANS

At the moment, an Indian who has one sixty-fourth Indian blood is practically held captive if he owns anything on a reservation, since if he leaves the reservation, often he loses whatever rights he may have. We had a Vice President at one time by the name of Curtis. We thought he was good enough so that, in the event anything happened to the President, he could be President. When he died, the Indian Bureau settled his estate.

Mr. President, at this time I am again introducing a bill to remove the restrictions on the citizenship of our American Indians, and bring them into equality with other American citizens. I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred, and the bill will be printed in the RECORD.

The bill (S. 4311) to abolish the functions of the Bureau of Indian Affairs of the Department of the Interior, to remove the guardianship over Indians and trusteeship over Indian lands, and to repeal the act of June 18, 1934 (48 Stat. 984), as amended, introduced by Mr. MALONE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs; and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That within 3 years from the date of the enactment of this act the Secretary of the Interior shall have caused the complete emancipation of the Indians by the removal of guardianship over such Indians, and trusteeship over property both real and personal belonging to individual Indians and recognized tribes, and shall have liquidated all tribal organizations including disposal of their assets. All lands and buildings and appurtenances on any such land whose ownership or inherited rights cannot be determined shall be conveyed to the State in which located.

SEC. 2. (a) On or before June 30, 1961, the moneys to the credit of each Indian on deposit in the Treasury of the United States designated under the title "Individual Indian Moneys" shall be paid to such Indian: *Provided*, That funds belonging to a minor or incompetent person shall be paid to a guardian duly appointed by the court of the State in which such minor or incompetent person is domiciled. No payment shall be made under this subsection until all indebtedness of the individual entitled to such payment to the United States or to any corporation or credit association organized under the act of June 18, 1934 (48 Stat. 984), or to any other tribal organization, shall have been satisfied.

(b) Upon the disposition of the tribal assets of each recognized tribe, the pro rata share of the proceeds of such disposition and any other tribal funds of such tribe shall be paid to each member appearing on the rolls of such tribe as of the date of such payment, except that the shares of members thereof who are minors or incompetent persons shall be disposed of in accordance with the proviso in subsection (a). No payment shall be made under this subsection until all indebtedness of the tribe or member thereof entitled to such payment to the United States or to any corporation or credit association organized under the act of June 18, 1934 (48 Stat. 984), or to any other tribal organization shall have been satisfied.

(c) No payment shall be made under this section until the Comptroller General shall have made a comprehensive audit of the assets and liabilities of each tribe, band, or tribal organization and shall have certified the amounts due each individual Indian from such assets and from funds deposited in the Treasury as "Individual Indian Moneys."

(d) The act entitled "An act to authorize the payment of interest on certain funds held in trust by the United States for Indian tribes", approved February 12, 1929, as amended (46 Stat. 584), is repealed.

SEC. 3. The act of June 18, 1934 (48 Stat. 984), and the act of June 15, 1935 (49 Stat. 378), supplementary thereto; and the acts of May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), are hereby repealed. The unexpended balance in the revolving fund established pursuant to section 10 of said act of June 18, 1934, shall be covered into the general fund of the Treasury. The unexpended balances on the date of enactment of this act of funds advanced to corporations created pursuant to the said act of June 18, 1934, from such revolving loan fund, together with interest due thereon, shall be collected by the Secretary of the Interior at the earliest practicable date and shall be deposited in the Treasury as miscellaneous receipts. The Secretary of the Interior, on behalf of the United States, shall acquire the assets and assume the liabilities of such corporations, and shall proceed to liquidate them at the earliest practicable date.

SEC. 4. (a) Upon the appropriation by the Congress of an amount equal to the fair market value, as determined by the board of liquidation established under section 6, of any tribal lands of any tribe of Indians and the placing of such amount to the credit of such tribe for distribution to its members in accordance with section 2, the United States shall take title to such lands. Lands acquired by the United States under this section shall be held, administered, or disposed of in the same manner as other public lands.

(b) All school and agency buildings and property now under the jurisdiction of the Bureau of Indian Affairs shall, at the request of the State in which located, be conveyed to such State for public use and such property as is not conveyed to a State shall be offered for sale to the highest bidder, the proceeds therefrom to be deposited in the Treasury as miscellaneous receipts.

SEC. 5. (a) Effective July 1, 1961, all Indian irrigation projects now administered by the Bureau of Indian Affairs shall be transferred to, and shall be administered by, the Bureau of Reclamation in accordance with the provisions of the reclamation laws.

(b) All records and property (including office equipment, contracts, agreements, and leases) and all personnel used primarily in the administration of such projects, are hereby transferred to the Bureau of Reclamation for use under the provisions of subsection (a): *Provided*, That any of the personnel of the Bureau of Indian Affairs transferred by this section found by the Commissioner of Reclamation to be in excess of the personnel necessary for the efficient administration of the functions so transferred shall be retransferred under existing law to other vacant positions if any in the Government service.

(c) The unexpended balances of appropriations, allocations, or other funds (including repayments), heretofore or hereafter made available for carrying out such projects, shall be transferred to the Bureau of Reclamation and shall be available for such purposes, subject to any conditions and limitations (including obligations chargeable to such appropriations, allocations, or other funds) that existed prior to such transfer.

SEC. 6. There is hereby established a Board of Liquidation consisting of the Attorney General, the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Administrator of General Services. It shall be the duty of the Board to cause an appraisal to be made of all tribal lands and otherwise to advise and assist the Secretary of the Interior in liquidating the assets of Indian tribal organizations under this act. Such personnel as may be required by the Board shall be detailed from the offices of each of the above members, the salaries and expenses thereof to be paid from funds to be appropriated therefor. Members of the Board shall serve without additional compensation.

SEC. 7. (a) All restrictions on the alienation and encumbrance of lands, interests in lands, or other property of individual Indians are hereby removed, and the Secretary of the Interior is authorized and directed to issue unrestricted patents in fee to the holders of such lands or interests therein.

(b) In any case in which an allottee of lands on any Indian reservation has died, or hereafter dies prior to the issuance of a patent in fee as provided in subsection (a), without having made a will disposing of such allotment, and such allotment has not been partitioned, or the proceeds from the sale thereof distributed, among the heirs of such allottee, the Secretary of the Interior, within 1 year after the date of enactment of this act, shall cause such allotment to be partitioned among the heirs, or if such partition is not practicable because of the number of heirs or the nature of the property, shall cause such allotment to be sold and the proceeds distributed among the heirs in accordance with the laws of the State in which such lands are located. Priority in the purchase of any lands sold under this subsection shall be given, first, to the heirs of the deceased allottee; and, second, to other members of the tribe of which the deceased allottee was a member.

SEC. 8. All laws of the United States providing for the punishment of offenses committed by or against Indians, which would not be punishable by the United States if committed by or against persons other than Indians, or providing for the punishment of offenses committed on Indian reservations, which would not be punishable by the United States if committed elsewhere than on an Indian reservation, are hereby repealed.

SEC. 9. Such records of the Bureau of Indian Affairs as may be determined to be of current or future value shall be placed in the custody of the Archivist of the United States and shall be made available for public inspection upon reasonable request therefor.

SEC. 10. The Secretary of the Interior shall complete and transmit to the Congress not later than July 1, 1959, a list showing all provisions of treaties entered into with Indian tribes, which in the opinion of the Secretary are still in effect.

SEC. 11. The Secretary of the Interior shall transmit to the Congress on or before January 15 of each year a report of the progress made in carrying out the provisions of this act.

SEC. 12. (a) Upon application by or on behalf of any needy person who (1) is of 50 percent or more Indian blood, (2) is a member of a recognized Indian tribe, (3) has attained age 50, and (4) is without substantial income or property, the Secretary of the Interior shall pay to such person the sum of $50 per month so long as the need therefor continues.

(b) There are hereby authorized to be appropriated such sums as may be necessary to make the payments authorized by this section.

(c) The Secretary of the Interior is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this section.

Mr. MALONE. Mr. President, almost singlehandedly I have fought this battle since 1949. During the time since I first introduced this bill on October 17, 1949, much has happened which has borne out the value of the original contention that Indians ought to have the same rights as other citizens and that the activities of the Bureau of Indian Affairs, together with Congressional neglect, have kept them from obtaining these rights long after they were fully qualified to exercise them.

A TYPICAL BUREAU

Mr. President, it will be found on investigation that there are almost as many employees of the Indian Bureau as there are full-blooded Indians, not including the Navahos in Arizona. It is a typical bureau, created by the Government.

When we create a bureau for a special purpose and forget it for a few years, and then come back, we do not recognize our handiwork. It has grown out of all proportion to the job assigned to it.

PRISONERS OF WAR

Soon after the creation of the Indian Bureau, in about 1824, the Indians were put on reservations because we were afraid of them, and then we promptly forgot about them. Then the Indian Bureau began to grow. More attention was paid to the creation of a very tightly knit Bureau, so that the Indians could not move without the consent of someone in Washington, with agents all over the United States, than was paid to the Indians assigned to the Bureau.

FULL CITIZENSHIP—NOT A PIECEMEAL JOB

Congress has made attempts to accomplish the objectives which I set forth but always on a piecemeal basis. But, while the worthy motivation for this legislation has at least been partially helpful in reaching the goal of complete freedom for the American Indian, I shall not rest content until the total job is done.

I refer first to House Concurrent Resolution 108 in which the members of the Senate and House unanimously endorsed (1953) the principle of full citizenship for the Indians. As a result of this resolution Congress enacted laws releasing from Federal control the Alabama and Coushatta Indians of Texas, the Klamath, Modoc and Yahooskin Band of Snakes of Oregon, the tribes of western Oregon or Grand Ronde and Siletz, the Menominee Tribe of Wisconsin, and certain tribes of Utah (Shivwits, Kanosh, Koosharem and Indian Peaks bands of Paiutes and the mixed-blood Utes of Uintah and Ouray). However, in spite of the apparent progress represented by this legislation there remain a number of tribes mentioned in House Concurrent Resolution 108 which have not been granted full citizenship—Potawatomi and allied tribes of Nebraska and Kansas Indians of California, Seminole of Florida, Chippewa of Turtle Mountain, N. Dak., and the Flathead tribe of Montana.

And while we are on the topic I might call attention to the pitiful inadequacy of Congressional action in response to the testimony of William Zimmerman, acting commissioner and speaking for the Indian Bureau, in 1947 that the tribes could be divided into groups ready at that time for immediate freedom, those ready within 10 years and those ready at an indefinite time.

Of the 10 tribes mentioned in group I, ready for immediate freedom in 1947, only two, Klamath and Menominee, have been acted on by Congress. Of the 19

groups mentioned in group II, only one, the Quapaw jurisdiction, has been acted on in part—Wyandotte, Peoria, and Ottawa. It would be supposed that by 1958 the groups scheduled for full freedom in 1947 within 10 years would all have been acted upon.

I mention these tedious details only to remind you of the endless prospect of piecemeal legislation that is involved in the present method of setting Indians free in bands and small groups, some of them hardly more than a few families at most. Congress has already balked on the endless procession of private bills involved in fee patent legislation. How much more so will it find irksome the endless horizons involved in separate laws for every tiny fragment of an Indian tribe. This is definitely not the way to achieve anything notable in the cause of full Indian citizenship, unless one sets one's sights in terms of the centuries to come. Moreover, troubles of every sort have beset our action on a piecemeal basis in those isolated cases hitherto acted on by Congress. In the case of the Klamath, for example, where every prospect would indicate the desirability of immediate Indian freedom and where Congress has taken action toward this end, the objective has not yet been attained. Only by action across the board, as envisaged in my bill, will the problem be adequately dealt with.

STATE SERVICE APPLICABLE

I refer now to a second piece of legislation which, with worthy motivation, has only partially succeeded in freeing the Indian. This was the act of August 5, 1954—sixty-eighth United States Statutes at Large, page 674—by which the Indian health services were transferred on July 1, 1955, from the Bureau of Indian Affairs to the newly created Department of Health, Education, and Public Welfare. This was definitely a step in the direction of treating Indians like other American citizens, a policy which I have been advocating for years. In spite of the opposition to this transfer, it has now developed that Indians are receiving the more adequate health care they need, as American citizens rather than as Indians.

This again illustrates the value of the principle of treating Indians as American citizens rather than through a special Government agency designed to keep them separate and apart as Indians on reservations. The same principle is applicable to all the other service programs now conducted by the Indian Bureau. Services rendered to Indians as Indians must cease. Rather we should provide services for Indians along with those provided for any other citizen.

Public Law 280 of the 83rd Congress operated to confer, as of the enactment date—August 15, 1953—civil and criminal jurisdiction on all Indian reservations in California, Minnesota—except Red Lake—Nebraska, all of Oregon—except Warm Springs—and Wisconsin—except Menominee, which later petitioned to be admitted also. This law also gave consent to other States—Arizona, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, and Washington—to amend their present State constitutions so as to permit State jurisdiction over civil and criminal matters on Indian reservations. It also permitted other States to acquire jurisdiction over these matters, at such time and in such manner as they might elect, by affirmative legislative action. Here again the move was in the direction of Indian rights as citizens. But it did not solve the problem of the denial of Indian constitutional rights as citizens.

Still other legislation was enacted in the 83rd Congress, Public Laws 277 and 281, which repealed discriminations in the Federal statutes regarding the use or possession by, or sale and possession of, intoxicants and firearms to Indians. All of this helps, but it does not remove the basic restrictions on Indian constitutional rights relating to property and person.

GOVERNMENT OFFICIALS AND PRIVATE ORGANIZATIONS WORK TO REFUSE INDIANS THEIR FREEDOM

In the field of Indian affairs, the Bureau of Indian Affairs has been organized to assist in the acculturation of our Indian population, and private organizations and individuals interested in the problems of our Indians. In times past I have charged both sides with planning to continue our Indians as wards and retain them on reservations as museum pieces. This seems inconsistent due to the difference of opinion between the two groups themselves. Actually, if you dissect this, the differences of opinion and policy are easily explained. While the Bureau of Indian Affairs officials must give lip service to the established policy, it is against human nature for an individual deliberately and carefully to work himself out of a job. There are more than 10,000 employees in this one Bureau, and should all the Indians be set free, their careers would be destroyed. Therefore, what termination talk we do hear is closely allied with the officials' age and remaining years for retirement.

PROBLEMS CREATED

If Bureau activities were decentralized throughout the various Government bureaus doing that type of work, this would cease to be a problem. The private organizations and individuals are in somewhat the same position. If there were no Indian problem, there would be no need for the organizations or the many sad articles in current magazines and periodicals. If officers of private organizations or individuals active in the field were to solve the problem, they, too, would destroy their career.

Individuals do not join organizations until such time as they see a need for such action. Therefore, the organizations must constantly have problems on hand. Thus, we find that the organizations, while having the same goals as the Bureau, cannot afford to agree with Bureau policy. If they did, Indian tribes and individuals would see no need to join or act in conjunction with them.

Another interesting facet is that individuals writing articles on the Indian situation can in almost every instance be placed in one category. In the great majority of cases, the authors repeat the policy of the most active organizations, even to coined words. For such an extensive subject as this, there do not seem to be any shades of opinion outside of Government circles. It begins to assume proportions of an obvious dissemination of materials and information from one source, and presenting one point of view. Unfortunately, many times an attempt is made to place it on a plane of "are you for or against Indians?" similar to the old question "When did you stop beating your wife?"

MUCH UNRELIABLE PUBLIC INFORMATION

In the field of disseminating information on the American Indian, there is a wide difference in the operation of the Bureau of Indian Affairs and that of private organizations. The Bureau of Indian Affairs supplies some historical materials, but is sadly lacking in current statistical data, and accurate information concerning the current status of most tribes. If Congress itself cannot obtain from the Bureau accurate statistics concerning Indian land, population, income, and the like, how, then, can an average citizen? On the other hand, the private organizations flood individuals and church groups with all kinds of material representing the American Indian as a subject of pity, a victim of starvation, and an uneducated, ignorant individual who should receive all our sympathy. This is an insult to the thousands of American Indian businessmen, ranchers, doctors of philosophy, servicemen, mechanics, government workers, and trained craftsmen who compose a majority of the Indian population.

NO AVERAGE INDIAN OR AMERICAN CITIZEN

Admittedly, it is difficult to define the average Indian, because per capita assets range from $18 to more than $300,000, while reservations range in area from 1 acre to over 15 million acres, and annual incomes range from a few hundred dollars to well above $5,000. However, neither the private organizations nor the Bureau officials come forth with termination plans for the wealthy and acculturated Indian groups, to set them free of all restrictions that are now holding them back. Indeed, it is a rare occasion when mention is made of such groups. The situation has become so confused to the general population, and they have been so thoroughly propagandized, that constituents write to their Congressmen asking where they can send food packages to Indians.

Recently many statements have been made declaring the American Indian to be the poorest, unhealthiest, and most uneducated racial minority group in the United States. Such a statement is indeed terrible on its face, but never is there any substantiating data offered. The belief has now become so widespread that no one asks for documentation. Therefore, the private organizations continue to make such unsupported statements and to disseminate their inaccurate materials throughout the United States; and civic and religious groups become a propaganda tool in the hands of such experts. The Bureau of Indian Affairs provides silent service to the organizations by holding back the diffusion of adequate materials and information to combat the perpetuation of the myth that the Indian's worst enemy is the United States Government.

CONSTANTLY IRRITATED

In this day and age the American Indian is kept constantly "riled up" about some new "problem" every day, and is told that some strange, unnamed, unknown creatures are gathered in the darkness waiting to grab his land and property. This does not help the Indian. Negative actions never will. Instead of propounding a solid program of termination over a period of years, the organizations keep the Indians entangled in minor problems, while their full rights are being withheld. It is time the general population and our Indians realize that "brain washing" is being used to give them a distorted, false picture which is intended to keep them separated from their just rights and from mixing with the rest of the population on a nonsegregated basis.

THE ELASTICITY OF INDIAN BUREAU DEFINITIONS OF INDIAN

The Bureau of Indian Affairs has for many years been gaining more and more control over more and more people of Indian descent by sublimely ignoring court decisions made by the highest courts in the land. During the 49th Congress, the Dawes, or General Allotment Act—24th Statutes at large, page 388—was passed. Under the Dawes Act an allotment of land from the public domain could be made to any Indian living away from his tribe. In attempting to enforce section 4 of this act, individual Indians found that the courts were making the definition of an Indian the most important consideration in deciding their cases. Section 4 reads:

Sec. 4. That where any Indian not residing upon a reservation, or for whose tribe no reservation has been provided by treaty, act of Congress, or Executive order, shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land office for the district in which the lands are located, to have the same allotted to him or her, and to his or her children, in quantities and manner as provided in this act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands, the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions as herein provided.

The most important case concerning the Dawes Act coming before the courts was *Keith* v. *U. S. et al.* (Aug. 24, 1899, 8 Okla. 446. 58 P. 507). An application for allotment was made on behalf of a child having a white father and an Indian mother. The application was refused by the Government, on the ground that the individual was not an Indian. A lower court heard the case, and decided the child was not an Indian pursuant to the Dawes Act; this decision was upheld by the Oklahoma Supreme Court. Since then, several cases have been heard on the subject; but the decision in the Keith case has never been overruled.

In Ex Parte Reynolds (1879 Fed. Cas. No. 11719), an action was brought under a criminal statute containing no definition of "Choctaw Indian." Again the court held that the common-law rule and the rule of the law of nations, partus sequitur patrem—namely, that the offspring follow the condition of the father—applied to this particular case.

Two other cases applying the same general rule are *Halbert* v. *United States* ((1931), 283 U. S. 753), in which the Supreme Court stated the general rule as follows:

The children of a marriage between an Indian woman and a white man usually take the status of the father; but if the wife retains her tribal membership and the children are born in the tribal environment and there reared by her, with the husband failing to discharge his duties to them, they take the status of the mother.

And *Smith* v. *Bonifer* (C. C. D. Oreg. (1907), 154 Fed. 883), affirmed 166 Fed. 846, as follows:

The rule sustained by the weight of authority is that the status of half-breed Indians, the offspring of an Indian woman married to white person, follows the condition of the father. To this there is an exception which obtains where the mother remains with her tribe, retaining the nurture of the children, when abandoned by the husband and father.

Despite such specific rulings, the Bureau of Indian Affairs, in its drive to gather more and more people under its jurisdiction, has used its own interpretations. An eminent authority describes the Bureau policy as follows:

The Department (of Interior) holds that the quantum of Indian blood possessed by an applicant should not determine his right to an allotment, but that when the applicant is recognized by the laws and usages of an Indian tribe as a member thereof, or is entitled to be so recognized, he has a right to settle upon public land and have the same allotted to him (35 Land Dec. 549). Under this ruling, the children of a white man and an Indian woman are entitled to allotments (*Re Breuninger* (42 Land Dec. 489; 44 Land Dec. 520)). And there is no doubt that if a white man becomes a recognized member of an Indian tribe or is entitled to be so recognized, he would therefore be entitled to an Indian allotment (Thomas J. Tydings: Rights of Indians on Public Lands, 1917, 23 Case and Comment, p. 743).

A study I had made of the Department's interpretation concludes:

We have failed, however, to find any Court decision reaching such extreme conclusions.

These interpretations by the Interior Department not only stretch the general definition of "Indian," as stated by the courts, but declare that a person without any Indian blood is entitled to be considered an Indian. Thus, we see how an agency of the Federal Government can become a malignant growth forever eating away at more and more of our population.

Can we afford to allow such a complete and wanton disregard of our laws by officials?

Can we allow such officials, who are supposed to be Government servants, not only to segregate our Indians and select the laws applicable to them, but also to set themselves up as another specialized group, subject to no law of the land, but making their own law in the form of interpretation and regulation?

The average Indian objects to such actions when taken against him personally, but he does not have a large staff of lawyers at his beck and call, as does the Bureau of Indian Affairs. Rather than hack away over the years at the tentacles of the Bureau's "little dictators," the enactment of my bill will by one action, reduce them to their proper stature, and the Indian will again be free.

RESTRICTIONS NOW IMPOSED ON WARD INDIANS

Perhaps the main reason why the Indian is in the fix he is today is that the remainder of our citizens do not know about it. If the rest of the general population knew that Indians were subjected to restrictions which violated their rights as citizens, all our citizens would be in favor of abolishing the Indian Bureau at once, without further delay.

Restrictions on Indians differ from reservation to reservation, and depend upon the tribal constitution, Bureau of Indian Affairs regulations, and other factors. The restrictions referred to, therefore, do not apply on all reservations. However, every reservation imposes some restrictions—some much more restrictive than others—on the individual Indian.

Let us consider an Indian, John Doe, living on Reservation X. He is subject to powers of restriction which affect no other citizen. He has no right to legal counsel in cases before the tribal court. In fact, no lawyer is admitted to practice before such a court. The judges of tribal courts are untrained men with no knowledge of law, as we understand it in the modern world.

The affairs of Indians on Reservation X are run by the Government. Permission to do things which other citizens do freely must be secured from the tribal council. Much of the land is held in a communal system as tribal land, from which assignments for use are made to privileged members of the tribe.

If the Indian John Doe wants to lease his land to others he must do so through the Superintendent. If he wants to sell or exchange his land, he must obtain the consent of the Superintendent. He cannot obtain his share of an estate by direct inheritance, because all heirship land is wrapped up in legal technicalities. He may not be able to leave his property to his children, because it reverts to the tribe.

The Indian, John Doe, is under Federal supervision for any of the ten major crimes which may be committed on the reservation. A tribal code of law and order often regulates the punishment and treatment of other offenses. This tribal code of law and order is modeled on a pattern prescribed under title 25 of the Code of Federal Regulation, subchapter B, entitled "Law and Order."

The Indian, John Doe, finds himself and family listed on a tribal census roll. This means that until his name is removed, he is subjected to all the special restrictions which the tribal council may choose to impose on him. He is not a free agent, and he finds more and more of his time and his money being absorbed by the tribe.

If he visits another tribe, he is subject to restrictions imposed on Indians in that jurisdiction. One of the principal restrictions imposed on him are the many forms of redtape draped about him in huge festoons, which hamper him from doing anything without special permission. In a word, he cannot extricate himself from the multitude of laws and regulations which enshroud both his person and his property. He is the prisoner of circumstances beyond his control.

The denial to Indians of rights which should appertain to all citizens of the United States is a serious matter. We certainly cannot get along indefinitely with part of our American citizens free and others not free. That would be a case of a house divided against itself. It is in the interests of both justice and necessity that Indians have the same rights that other citizens do. I submit that the absence of these rights for some citizens will, in the long run, be extremely detrimental to all citizens.

TREATED AS INFERIOR

The average citizen, as contrasted with the Indian on a reservation, has the rights of trial by jury, full right to legal counsel in court, the right to sell his land or lease it at his own will. He is a participant in local civic or minor civil divisions, such as a township. He may bequeath property to his heirs, may inherit property without having it tied up by governmental redtape as to agreement between the heirs, and in general he enjoys all of the rights of American citizens guaranteed him by the Bill of Rights and the Federal Constitution. He is, therefore, a full citizen because he is in full possession of the rights guaranteed him as a citizen. By contrast, Indian John Doe on reservation X is a second class citizen because he is denied the rights which are guranteed him in the Federal Constitution and the Bill of Rights.

In fact, the Indian John Doe of today on reservation X is treated almost exactly as the painted savage with headdress and feathers was treated over a hundred years ago. He is treated as a person under guardianship, unable to behave as a civilized human being, and not granted the full rights of citizenship. The rights are in the Federal Constitution and Bill of Rights, but he is denied their exercise through the existence of the Bureau of Indian Affairs, an organization whose only function was to carry out the provisions of treaties negotiated with aboriginal Indian tribes still living in a primitive state of existence. If the Indian Bureau were removed from the scene, there would be no obstacle to the full exercise by Indian John Doe of his rights as a citizen of the United States. The Indian Bureau can be removed from the scene only by a process of curtailment of its activities through cutting down on its appropriations until it ceases to function.

The Indian John Doe, never having exercised the rights of full citizenship is not aware that they exist, and does not complain or protest at their violation. It is, therefore, suggested that the American Bar Association would be eminently qualified to look into this situation on a factual and legal basis to determine if the Indians on reservations are receiving all the benefits of the Bill of Rights exactly as other citizens do. Such a study should not be based on the presumption that these people are Indians, and therefore different. Much rather it should be approached from the factual point that they are citizens of the United States, and should therefore have the same benefits of the Bill of Rights exactly like the rest of the citizens.

CONTRAST OF TREATMENT

The great contrast between being an Indian and being a full citizen might be graphically portrayed by means of two sides of a ledger. On one side let us put illustrative facts about the status of many ward Indians. On the other let us put all the corresponding facts about being a full citizen:

A. A WARD INDIAN

I. Is subject to a hierarchy of special Federal officials as follows:

(a) The Great White Father, i. e., the President of the United States.

(b) The Secretary of the Interior.

(c) The Commissioner of Indian Affairs.

(d) The area director.

(e) The Superintendent of the local Indian Agency.

(f) The tribal council officials or governing body of the tribe.

II. Pays no taxes on land and hence cannot support schools or other local civic facilities.

III. Holds land communally as member of a tribe and/or in trust allotment under the local agency superintendent and cannot sell his land without approval.

IV. Is subject to the civil and criminal jurisdiction of the Indian Bureau either directly, as in the Court of Indian Offenses, or indirectly through the tribal court, code of law and order, and tribal police.

V. Has his money tied up in tribal trust funds deposited in the United States Treasury and must pay interest to the Indian Bureau to borrow his own money.

VI. Is subject to various discriminatory laws enacted by Congress relating solely to Indians.

VII. Is dependent upon the Indian Bureau for services such as education (directly or through State contract), roads, reclamation, irrigation, forest and range management, land management, inheritance of property and devise, etc.

B. A FULL CITIZEN

I. Is a citizen of the United States, of the individual State; and is a resident of county, minor civil division, or a municipality.

II. Pays taxes on land and supports public schools and other local facilities as needed.

III. Holds lands individually and is perfectly free to buy and sell land as he sees fit.

IV. Is subject to the civil and criminal jurisdiction of the State, county, etc., and the Federal Government. Not completely subjected to any one bureau.

V. Is free to deposit and use his money freely and does not pay interest to borrow his own money.

VI. Is not subject to discriminatory laws applying to members of one class of citizens.

VII. Is not subject to a single Federal agency like the Indian Bureau for facilities which can be supplied by State, county, or local private agencies.

RESTRICTIONS REMOVED

The restrictions imposed on ward Indians can be removed in a very simple manner. Under section 8 of the bill I am introducing, the people concerned cease to be Indians in the eyes of the Federal Government and assume their rightful position as citizens of the United States. The assumption of civil and criminal jurisdiction over the former Indians by the several States will require no special legislation or modification of State constitutions. For the Indians referred to in these laws will be nonexistent, and in their place will be good American citizens exercising the rights of full American citizenship and unrestricted by a Federal bureau telling them what to do.

THE INDIAN BUREAU CANNOT WORK ITSELF OUT OF A JOB

The Indian Bureau dates its origin back over a hundred years. It was originally created as a device for regulating trade with the Indians and for supervision over the relations between the white people and the Indians at a time when the latter was still in a very primitive and barbarous condition. Its creation dates back to a time when Indians were not citizens of this country, had no part in its public life, and were considered as outside of the pale of civilized man.

The function of the Indian Bureau was to carry out the provisions of Indian treaties and to make accessible to the Indians the advantages of civilization. The assumption was made that once the Indians were given these advantages, they would adopt the ways of living characteristic of civilized man and would thereby qualify for all the rights and duties of other natives of this country.

ONE HUNDRED YEARS OF MISMANAGEMENT

But where are we today, well over a hundred years after the Indian Bureau was organized and set up to civilize the Indian? Should not we by this time have accomplished the task of imparting the ways of civilization to the Indian? Has not the Indian been given the advantages which appertain to the higher plane of living for many years now? I am sorry to say that we are still operating on the same old basis as that on which we operated over a hundred years ago. We have fallen into a rut in our thinking about Indians, and still see the red man with paint and feathers, dancing the war dance around the council fire, and as requiring the same supervision and guardianship as he required when the frontier was in full swing.

There has grown up a huge vested interest dedicated to the proposition that the Indian Bureau must continue to supervise the Indians for a long, long time in order that they may be given the advantages of civilization. This vested interest is wedded to the most contradictory of ideas—the notion; namely, that the Indian, although a citizen with voting rights and the right to hold office, should remain a ward of the Government and must have his property controlled for him and his person controlled through special regulations issued by the Indian Bureau. Since when is a citizen of a particular race a ward of the Government, unable to handle his own affairs? Is this form of discrimination not contrary to the rights of citizenship as we have always envisaged them?

Now, it is obvious that the Indian Bureau cannot of itself abolish its own existence. No; this must be done by Congress which has the power over these matters. Why, then, should Congress put off any longer the task which is plainly before it? This task is to abolish the wardship status of Indians by abolishing the agency which implements the wardship relation.

In a family where the parents make things too easy for the children, the latter never feel the need to get out and make their own living. Where children are brought up with a guardian who will take care of them all of their lives, they have no need to learn the value of a dollar by earning one. No; they are sheltered so long that they become unfit to live an independent life of their own. The guardianship function, originally necessary in order to insure the survival of the Indian becomes a hindrance to his full maturation and the proper attainment of the adult status.

What should have happened is that the Indian Bureau would gradually remove the supervisory functions from the lives of the American Indian people as they gradually assumed more and more of the civilized ways of living. But what should have happened and what did happen are two quite different things. Permit me the time to enumerate just a few of the things that happened which pointed away from the full citizenship of the Indians.

THE WHEELER HOWARD ACT

In 1934 a small group of willful men were able to secure passage of the so-called Wheeler-Howard Act—48th Statutes at Large, page 984—which is also called the Indian Reorganization Act. This act permitted the organization of Indian tribes as corporate bodies, with provision for subsidy by loans from the Federal Government to set them up in business. Now, this type of development was unprecedented in American history. What if we had set up similar governmental provisions to organize the Germans in the United States, the Irish, the Italians, and other ethnic groups? Senators can see that this would be contrary to every principle on which our Government was founded. We do not as a rule set people up in business by law because they happen to belong to a particular racial group.

Let me at this juncture remind Senators of another thing. Setting people up in business costs money, and since the Wheeler-Howard Act was passed we have seen an increase in costs of Indian Affairs which staggers the imagination—$32 million per year in 1934 to approximately $160 million for 1958. What are we doing with all this money if the Indians are not making any progress toward freedom-from-hardship status?

Today the Indian Bureau is administering the property of Indians who are to all intents and purposes as civilized as anyone in the United States. In some instances the Indians actually hold property on their own while also holding property in trust under the Indian Bureau supervision. How ridiculous can the situation get? Yet, we still struggle along with a heavy burden imposed on the taxpayer to support a bureau in the Government solely designated with the function of administering the Indian's affairs.

I feel no need to spell out the details of how the Government can get rid of this tremendous bureaucracy dedicated to the civilization of the Indians. But I say this, the proper course of procedure in Indian Affairs would have been to decrease the appropriations year by year, not increase them. If a 10 percent cut over the existing budget for say 1958 were imposed year by year it would not be long before the means of administering the Indian's affairs for him would vanish from our midst. After all, this thing has been going on so long that only a drastic cut in appropriations can accomplish anything toward removing the Government guardianship. Before the Wheeler-Howard Act Indian appropriations were on the decrease. After the passage of that act appropriations began to rise steadily and with the exception of World War II years have risen at an increasing rate ever since.

The fact that the Indians are still not able to handle their own affairs after 100 years places the blame on the agency administering them. Other people in this country handle their own affairs very ably without the interference or supervision of any Government agency based on their being racially different from the majority. We can only point to the Indian Bureau and say that here is the reason why Indians cannot handle their own affairs today.

My bill provides for the repeal of the Act of June 16, 1934—48th Statutes at Large, page 984—as amended, the so-called Wheeler-Howard Act or Indian Reorganization Act. The reason for repealing this act is that it made possible the present corruption which exists among tribal officials. The Indians have always had the right to organize themselves as tribes and nobody has ever taken this right away from them. What the Wheeler-Howard Act did was to lend Indian Bureau sanction to the organization of tribal councils which acted as puppets to carry out Indian Bureau purposes. Through organizing the Indians into officially recognized tribes, the Indian Bureau was able to avoid some of the onus of responsibility for tribal rolls, tribal courts and other disagreeable duties. Where chicanery was discovered it could be laid at the doors of corrupt tribal councils.

COMMUTATION OF TREATIES WILL ASSIST IN BRINGING ABOUT INDIAN FREEDOM

At the time Indian treaties were signed the Federal Government was contracting with a people who were neither assimilated nor acculturated to the non-Indian way of life. The terms of the treaties were tailored to fit an unusual situation, and people of a different world than ours. Today, we are not dealing with "Indians" in the same meaning of the word, but rather fellow citizens having the voting privileges, representation in Congress and many of the same responsibilities as other citizens, although not all the rights of other citizens. It has become increasingly difficult to work with these people under the terms of treaties representing them as something different from the rest of the population. We cannot continue to treat them as a segregated group without full rights and benefits, but must recognize the fact that thousands of our Indians are working the 40-hour week, driving cars, purchasing on budgets, and facing the same problems as the rest of our population. The peculiar wardship status of the American Indian with its distasteful and undemocratic paternalistic trappings is an outgrowth of the Indian treaties. The imposition of restrictions of inoperable, outdated, and impossible-to-fulfill agreements with the "savage" Indian of bygone days on our modern-day person of Indian descent has produced a farce. We should face the facts and commutate all Indian Treaties. This would be a step in the direction of destroying archaic regulation acting as anchors around the neck of this patriotic and important minority group. Let us put an end to the shame of discriminatory legislation setting aside a group from their fellow citizens because they belong to the Indian race.

LIST OF TREATIES

I have included in my bill the necessary language to produce a list of those treaties which will take Federal action for commutation. My reasons for this are first, many treaty provisions are now inoperable and impossible to fulfill; second, the treaties themselves serve as official segregation of a racial group from the rights granted their fellow-citizens; third, all presumed violations of treaty provisions by the Federal Government are now being settled before the Indian Claims Commission; and, fourth, this action will be the first step in doing away with the tangled rules, regulations, laws and treaties applying to this small segment of our population which are becoming more complicated by the day.

OUTMODED REGULATIONS

Each year more and more treaty provisions become inoperable and impossible to fulfill: Such provisions as $40 a month for a blacksmith to repair the hunter's guns, when the young men of the tribe are serving in the Army, Navy, Marine Corps, and Air Force of our country. Or the Choctaw Treaty which calls for $20 per year for each member of a light horseman corps to compel individuals to pay their debts, and remove undesirables from the Choctaw Nation, unless they had a permit from the agent. Needless to say, light horsemen cannot be hired for $20 a year, nor does an individual need a permit because the Choctaw Nation does not exist as a geographical area and I assume there is no need for horsemen to force individuals to pay their bills.

Another ridiculous provision of a treaty still being carried out is the distribution of cloth to an Indian tribe. Originally, each member drew a few yards as his share, while at the present time the individual share is nothing more than a ribbon worth about 50 cents. Other treaties still in effect call

for an annual payment of a few cents per capita. It costs the Federal Government much more to do the necessary paper work, keeping current addresses, birth records and so forth, than the disbursement in such cases.

The Federal Government today provides far more services to our Indian population than the terms called for by any treaty. If this country had strictly adhered to the terms of each treaty, the American Indian would be an object of pity. The extensive free medical care given our Indian population is not a treaty obligation, but a gratuitous service provided by the Federal Government because the Indian needed such care. Other programs such as industrial development, relocation, revolving loan funds, cattle repayment programs, and so forth, are not treaty obligations of the Government, and were freely provided.

SECOND-CLASS CITIZENS

Treaties today stand as monuments to official segregation and legislation by race. No other racial group in the United States has similar restrictions imposed upon them by their ancestors and the Federal Government. So long as treaties exist, the Indian will find himself separated from his fellow citizens by an insurmountable barrier. Despite the fact that American Indians would like to assume their proper place in this society, we are, by special laws and treaties, imposing a "second-class" citizenship upon him against his wishes. An indication of how ridiculous continuation of treaties may be appears in the following quotes. An article in the Wall Street Journal of August 28, 1956 described an Indian chief as:

Sitting on the sun porch of a brown and white home in a pine grove, * * * the tribe's bronzed crew-cut chief who drives a '56 Cadillac instead of riding a war pony and wears a red and yellow Hawaiian sport shirt resplendent with dancing hula girls.

The New York Times, in an article on July 18, 1954, described a meeting of Indian chiefs in this way:

Chiefs of the Onondagas, Mohawks, Oneidas, Cayugas, Tuscaroras, and Senecas, some wearing headdresses and full Indian attire, others in business suits motored here in new automobiles and settled down to a long parley.

Are these the uncivilized, nomadic, warlike peoples we signed treaties with? Of course not, no more than we are the wandering scouts, trappers, and adventurers our ancestors were. These people do not want to be treated as children.

CONGRESS PROVIDED DAY IN COURT

The Congress, attempting to provide all Indian bands, tribes, and groups their day in court, organized the Indian Claims Commission for this purpose. Our Indians have therefore had 5 years time in which they could file any and all claims having to do with treaty violations. This action, in itself, acts to commutate all treaties. The conscience of our people can rest at ease, we are not violating our honor, we have paid for whatever the Indian gave us, and in any case where there is dissatisfaction, the Indian has been given recourse to the courts.

Will we, 100 years from now, in a rocket age still be attempting to interpret these treaties? Can we be traveling to the moon—the Indian too—and still be fumbling around and telling our people of Indian descent that they cannot yet care for themselves? If they are not prepared to step into society today after over 100 years of wardship, another hundred years will not do it. Will they still be considered as people on war ponies, hunting buffalo? I say let them be freed from their treaty fetters, that they can take their rightful place in our society.

The mere existence of treaties implies that those modern day Indians with whom we associate are not real citizens, but in a class unto themselves. This is the only instance in which a racial minority group is officially segregated in the laws of our Federal Government, and kept from assuming the full responsibilities and benefits of citizenship. Discrimination begins with the feeling that certain groups are "inferior" or "different." Existing treaties with their distinct terminology continue to segregate this important element of our population as being foreign and somewhat less than civilized. They also serve as a fulcrum to separate Indians out as objects of discrimination.

Commutation of treaties will be the first productive step taken to help the Indians through the impenetrable morass of regulations, interpretations, laws, and treaties that have been their cross to bear for generations.

DUE RIGHTS UNDER CONSTITUTION

The only way that we can effectively begin to give the Indian his due rights under the Constitution, is to commutate all treaties. Today, the only persons deriving any benefit from them, are the few individuals and organizations that specialize in the creation of Indian problems. It is sources such as these, that presume to speak for the Indian—as though he cannot speak for himself—that use treaties to tie Indians to the past. Although they scream treaty whenever nothing else is attracting attention, there is never a word about the millions of dollars gratuitously expended upon maintenance of a Bureau to regulate our Indian population.

I say, unfetter them, set them free, let them partake of the blessed freedoms guaranteed by our Constitution. Do not keep them entangled in words, regulations, paper, and redtape. Let them fill the great gap in our Nation's population left for those who have not to this day attained the freedoms guaranteed to us all. As Dr. Lindquist said—Indian Treaty Making, page 438:

To hold them in the grip of a treaty made generations ago is indeed a dead hand laid upon their future.

CLOSING DOWN THE INDIAN BUREAU WITHIN 5 YEARS IS THE MOST CONSTRUCTIVE STEP WE CAN TAKE

As I have tried to point out, the implementation of House Concurrent Resolution 108 has been sadly deficient. Only a few Indian groups have actually been affected by any legislation and these are mostly small and unimportant. Action on the tribes listed by the Acting Commissioner of Indian Affairs, William Zimmerman, in 1947, as ready for immediate freedom from Federal supervision within 10 years, has been disappointing and almost negligible.

Lip service has been rendered to the principle of Indian freedom by the Indian Bureau. For instance, in 1956, during the 84th Congress, the Bureau recommended that the Wyandotte, Peoria, and Ottawa Tribes of Quapaw jurisdiction in Oklahoma be removed from its supervision and this was done by Congress. These three tiny tribes represent only a few of the many which had been mentioned as ready for their freedom in 1947 by the Indian Bureau itself. This illustrates what I have said many times previously, that you cannot ask an agency to abolish itself.

The responsibility for achieving the intent of House Concurrent Resolution 108 again devolves upon Congress. Reports have been asked for some tribes, hearings have been held on some, no action has been taken on others. Clearly the way to get nothing done at all is to let the present situation dwindle down into a futile quest for action on a piecemeal basis for each individual Indian tribe and band. The Indian Bureau has almost completely sidestepped the issue posed by House Concurrent Resolution 108 apparently hoping that Congress might forget about it. However, the bill I am introducing today will not allow any further continuance of this type of foot dragging. It is now time that we act decisively and comprehensively on the problem of the denial of constitutional rights to our Indian fellow citizens which I have here presented.

SECURITY BENEFIT

In my way of thinking the needy Indians over 50 years of half blood and more should be qualified for at least a minimum social-security benefit of $50 per month. The sole requirement for receiving this benefit would be membership in some recognized tribe. In this way the small residuum of services performed by the Indian Bureau may, in the future be handled by the Federal and the State authorities concerned with retirement and unemployment benefits for all citizens.

A PROUD PEOPLE

The greatest harm that was ever done to a proud people was to put the Indians on a reservation 125 years ago and promptly forget about them. The reservation Indians are still prisoners of war.

POLITICAL ACTIVITIES BY LABOR LEADERS

Mr. CURTIS. Mr. President, on August 1, as shown on page 15838 of the RECORD for that date, I spoke on the part which labor bosses are playing in politics, and I spoke in particular of James L. McDevitt, national director of the AFL–CIO committee on political education.

Mr. McDevitt wrote me a letter complaining of my remarks.

As a matter of fairness to Mr. McDevitt, I ask unanimous consent to have printed in the RECORD at this point Mr. McDevitt's letter to me, together with my reply.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *August 13, 1958.*

Hon. CARL T. CURTIS,
United States Senate,
Washington, D. C.

DEAR SENATOR: I have just read the CONGRESSIONAL RECORD, Senate, of August 1, in which you insert a statement referring to my appearance before the McClellan committee with respect to a publication entitled "The Pennsylvania Federationist," a yearly publication that had been in existence in Pennsylvania for over 40 years. In your statement there are some very serious charges that are not supported by any evidence of factual material.

No. 1. Our committee on political education has never in one single campaign over its history had available the tremendous sums of political money you speak about. This can be checked by the reports we file with the Clerk of the House of Representatives with which you are thoroughly familiar.

No. 2. You make reference to my appearance on May 6, before the committee, and I quote, "He, too, played the part of a completely innocent man who had been wronged by his associates." Let me assure you Senator, there has never been in the history of my career, any action either as a member or an officer of our movement of which I have ever been ashamed. My membership dates back to the year 1916, and I have been an officer in one capacity or another since 1923. When you infer the things you have in this article, it seems to me that you are stooping pretty low to obtain political propaganda. However strong your desire may be for that kind of material, I would think that your conscience would suggest that you might do serious harm to another's reputation without justification.

No. 3. You state that I hired a Mr. Lapensohn in the year of 1946 to solicit advertisements for the Pennsylvania Federationist. Again you are incorrect. Mr. Lapensohn was engaged by the executive council of the Pennsylvania Federation of Labor under contract.

No. 4. You say that Mr. Lapensohn continued until 1953, and "during this time, it turned out, he and his associates were shaking down employers to the tune of thousands of dollars—promising them labor peace if they advertised" in the book in question. During the time I was present at the hearing, I do not recall any one of the four employers that appeared, with the exception of one, making any reference to "shake downs." The one exception was a gravel contractor in New Jersey who said that he paid one of Mr. Lapensohn's agents a cash fee to have his plant remain on a nonunion basis. But I can assure you that I have no evidence of any "shake down" practices carried out in Pennsylvania by Mr. Lapensohn from 1946 until November 1951 when I left the Pennsylvania Federation on a leave of absence.

No. 5. You make reference to an incident in 1947 in which it was alleged that Mr. Lapensohn had 3 associates that were indicted for a violation of law but, and I quote your words, "Lapensohn's contract was renewed year after year until 1953." Senator, once again you have not given the facts. The two men in question were convicted of having violated the Hobbs Act, but Mr. Lapensohn was not included in that charge as the records of your committee indicate. You will recall that I mentioned at the time, that while my memory was not clear at the moment the question was asked, I did believe that our attorney had advised us, when I asked what action should be taken in the matter, that Mr. Lapensohn was not involved in the violation, therefore I was without proper grounds to cancel his contract.

No. 6. You make reference to hundreds of letters bearing my signature being sent out without any knowledge. I do not know whether or not there were more letters than were presented to me at the committee session as those dispatched by Mr. Lapensohn. You will recall that there were only two such letters presented to me for identification.

Now with respect to your final political statement when you say, and I quote, "I submit that a man who admittedly is not qualified to recognize a swindle when it is being perpetrated by one of his own lieutenants * * * *" Again I repeat, there is no evidence that a swindle occurred during the time that I was president of the Pennsylvania Federation of Labor. Further, there is no evidence that Mr. Lapensohn ever had a lieutenancy relationship to the writer, but rather that of a contractor.

Once again, Senator, I note you take advantage of the CONGRESSIONAL RECORD with another political statement that has no basis of fact. You continued to say that I am "* * * not qualified to pick and choose the Senators and Representatives for whom organized labor will be expected to vote." You know that statement bears no evidence of truth. We have never attempted to pick Senatorial or Congressional candidates for our members. It seems to me this is quite clear to everyone in the political field. The only authorized endorsements that may be made in behalf of or in opposition to a candidate for those offices, are by the respective city and State organizations after they have called a special conference or convention of all unions involved.

In view of these facts, Senator, I sincerely believe a statement of retraction by you would be in order.

Very truly yours,

JAMES L. MCDEVITT,
National Director,
Committee on Political Education,
AFL–CIO.

UNITED STATES SENATE,
COMMITTEE ON RULES AND ADMINISTRATION,
August 18, 1958.

Mr. JAMES L. MCDEVITT,
National Director, AFL–CIO Committee on Political Education, Washington, D. C.

DEAR MR. MCDEVITT: I am in receipt of your letter of August 13, 1958. After having carefully reread my statement of August 1, 1958, as it appeared on page 15838 of the CONGRESSIONAL RECORD, I am at a loss to understand why you believe a statement of retraction by me is in order.

In the first place, you take exception to my charge that the labor bosses are going to spend over $3 million in the coming elections. You say: "Our committee on political education has never in one single campaign over its history had available the tremendous sums of political money you speak about. This can be checked by the reports we file with the Clerk of the House of Representatives * * *."

Nowhere in my statement did I say that the AFL–CIO committee on political education would be the sole disburser of this amount of money. If you will reread my statement you will note that I said the "labor bosses," not COPE.

Rest assured that I am thoroughly familiar with the reports filed with the Clerk of the House of Representatives as required by the Corrupt Practices Act. However, I am not naive enough to suppose that these figures represent an accurate picture of the entire amounts spent for political purposes by the labor bosses. Actually, they are only the visible part of the iceberg.

When it is taken into consideration that labor unions and their political auxiliaries are required to report only those funds directly contributed to political candidates or their duly authorized committees, but not the many other funds spent for political purposes, I must conclude that I was extremely conservative in my estimate.

The other funds of which I speak include the money spent for special editions of labor newspapers which are nothing less than political posters for candidates the labor bosses have endorsed; money spent for special organizers at $20 per day for 30 days prior to national elections; money spent for special radio and television programs plugging for labor-endorsed candidates (which the UAW freely admitted was being done in Michigan); etc., etc., etc.

Since the labor bosses are required to report only a small portion ($1,078,852 in the 1956 campaign) of the funds which they spend for political purposes, it would seem that the burden of the proof rests with you to show that this amount will not be spent in the forthcoming campaign.

With respect to your second complaint, I must say that my criticism of you is mild indeed compared to the intemperate language you use in assailing me. Permit me to say that I have never "stooped low" to obtain political propaganda, as you infer. I have only presented facts and interpreted circumstantial evidence on its relative merits. If, in doing this, I have offended the sensibilities of another, then the blame must be placed on the incriminating facts and evidence.

Concerning your third complaint, you accuse me of being incorrect in saying that you hired Mr. Lapensohn in 1946.

In the statement which you, yourself, prepared and caused to be inserted in the transcript of the hearings, you said: "He [Lapensohn] was retained by me on behalf of the federation after an inquiry by me into his character, reputation, and ability. Reports I received concerning Mr. Lapensohn were good. During the period from 1946 to 1953 I had no reason to suspect that Mr. Lapensohn might be conducting himself in an improper manner, with respect to the obtaining of advertisements for the yearbook." (This is contained on pages 10836 and 10837 of part 28 of the hearings.)

Now, the dictionary definition of the word "retain" is, among other things, "to employ, as with a lawyer, by paying a retainer; or to hire." Therefore, if you meant to convey a different relationship existent between you and Mr. Lapensohn, surely I cannot be blamed for your poor choice of words.

In the fourth complaint you made about my statement, you are upset because I accused Lapensohn of "shaking down" employers. You infer that there is little evidence to support this claim. Again I refer you to part 28 of the hearings—page 10873.

Senator CHURCH, who was not quite sure what the facts were concerning Mr. Lapensohn and the Pennsylvania Federationist, asked for clarification. Mr. Kennedy, the chief counsel, proceeded to brief him. But, before doing so, he addressed this specific remark to you, Mr. McDevitt: "If you know any further facts, Mr. McDevitt, you correct me." Then he proceeded to explain the matter in the following words: "Senator, Mr. Lapensohn was operating the Pennsylvania Federationist. One of the things that he did was to hire Mr. Goldberg and Mr. 'Turk' Daniels as solicitors for him. They would go around to some of the producers and then tell them that if they took an ad or made these payments they would no longer have trouble with local 929 of the Teamsters Union, which was the union that had control over the produce dealers. Beyond that, a group of the produce dealers had gotten together and wanted to erect a

new building. • • • He went to them and said that in order to build the building and have it effective, they would have to have good labor relations, and if they each got together and paid him $250, which would be a total of around $36,000, if each of them paid the $250, they would not have difficulties with local 929."

Now, Mr. McDevitt, that is Mr. Kennedy's explanation to Senator CHURCH concerning Mr. Lapensohn's activities. Any reasonable man must conclude that it is a most vivid account of a shakedown. When he made it he specifically asked you to correct him if you so desired. You said absolutely nothing. Therefore, it comes with poor grace for you at this late date to deplore my use of the term "shakedown" in describing Mr. Lapensohn's activities while in the employment of the federation over which you presided.

In your fifth complaint you accused me of not giving the facts when I said that Mr. Lapensohn's contract was renewed year after year until 1953. You, yourself, stated in your prepared statement that "In 1946, Mr. Lapensohn was engaged by the Pennsylvania State Federation to secure advertisements for its yearbook, and he continued this undertaking until the year 1953." Are you suggesting that your own testimony is unreliable and that a Senator who repeats the information therein contained is guilty of prevarication?

You go on in the fifth complaint to mention that Lapensohn was not convicted of having violated the law as were his two associates. This is exactly what I said in my statement. However, I told the whole story and pointed out that he escaped indictment not because it was proved that he was innocent, but by fleeing the jurisdiction as Congressional records will show.

In complaint No. 6, you are disturbed because I stated that hundreds of letters had been sent out and that you testified that they were sent out without your knowledge. And you inferred that there were only 2 or 3 of these letters. On pages 10871 and 10872 of the hearings, Mr. Kennedy said: "Hundreds and hundreds of these letters went out. • • •" and asked you if you had any knowledge of it. You replied: "I did not have knowledge of it, Mr. Kennedy; no." In view of these facts, Mr. McDevitt, I fail to understand your concern.

Then you claim that there was no evidence that a swindle occurred during the time that you were president of the Pennsylvania Federation of Labor. Going back to the dictionary, the definition of a swindle is "To obtain money or property from one by fraud or deceit; to cheat or defraud." The activities of Mr. Lapensohn during the time you were president of the federation as outlined by Mr. Kennedy and unchallenged by you before the McClellan committee, fit that description, Mr. McDevitt. And that is a fact which cannot be wished away with pious protests such as those contained in your letter to me.

Finally, you accuse me of lying when I charge that because of your poor showing before the McClellan committee you are not qualified to pick and choose Senators and Representatives for whom organized labor will be expected to vote. You intimate that the candidates chosen for endorsement by National COPE are chosen democratically by the local units and only then do you give them the endorsement of National COPE.

I am wondering if this is the policy you were enunciating when (as reported in Human Events, a national publication, the last week in July) you said, at a regional meeting of local union officials in New England at Hartford, Conn., July 19, 1956, the following: "We are driving to see that every so-called labor leader speaks for what is best for the movement and not what is best for him. We are going to get the labor leaders who differ publicly with the position on candidates and issues already established by the labor movement. Such differings (hurt) the cause. These so-called labor leaders that differ with the movement will be uncovered. We plan to, and we will, publicly and among the rank-and-file, brand them as traitors. That's what they are—traitors—and that's what they will be called—traitors. We are warning you now, and we are warning all in the future: Do not differ with the movement with respect to issues or candidates. We will not stand for it."

It would seem, in view of all the foregoing, that what is in order, Mr. McDevitt, is not a retraction by me, but an immediate apology from you.

Sincerely,

CARL T. CURTIS,
United States Senator.

CIVIL DEFENSE NEEDS

Mr. CURTIS. Mr. President, it is my purpose to briefly discuss the civil defense needs and program in the hope that my remarks will be of some help when the Congress reconvenes.

There are those who feel that any talk of what should be done in time of war is unwise from a propaganda standpoint. That line of thinking is most dangerous. Somebody must give attention to these matters. The Congress has a primary responsibility in it.

It need not be argued that the next all-out war will be total war with millions of casualties, destruction of facilities and the like, which will instantly bring about a condition of great chaos. Up to now we have placed the responsibility for handling such an emergency upon our civil defense agency, which is now called the Office of Defense and Civilian Mobilization.

I have a great respect for the people who make up our civil defense program. Those that I know are devoted, patriotic people. The point I wish to make is that this job, if it ever becomes necessary to perform it, is one so great that it will require additional help. We will need many disciplined units that will know what to do and have the ability to perform it.

My suggestion is that we utilize our reservists in civil defense. Millions of men and women who are no longer in the active service possess the training, the skills, and the know-how, and the understanding to render a great service at a time of all-out war. These reservists, whether they be Air Force, Army, Navy or Marine, should be unified and assigned the major responsibility for civil defense.

Mr. President, there are many arguments in favor of such a move. The reservists want something to do. Many of them receive some pay or expect some retirement benefits. In other words, the cost of maintaining the Reserves is already here. Many reservists, who are well trained, feel that they are wasting their time and the Government's money attending some class now being given in the Reserve program. Let us reverse the situation and permit that reservist to earn his credits by teaching a class. He might be an individual who could instruct the civil defense forces, including other reservists, in the problems of water supply, food supply, public health or police methods, or the other problems that will arise. In our Reserves we have a reservoir of individuals trained in the various things needed by such a program. We will find experts and specialists in transportation, communications, engineering, food supply, first aid and medicine, electrical and gas system, and similar skills. It should also be borne in mind that many of these reservists have lived under discipline and they know how to discipline others. Many of them have experienced actual warfare conditions.

Mr. President, one of Nebraska's outstanding physicians and surgeons, Dr. Donald W. Kingsley, of Hastings, Nebr., a reservist, has spent a great deal of time and thought on this very problem. He has discussed it with his colleagues. He has presented his ideas to the reservists and military authorities. He has taken it up with the American Medical Association. Mr. President, I would like to incorporate in my remarks at this point a memorandum prepared by Dr. Kingsley on this very subject.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Since the last world war and the development of the atomic bomb, there has been expounded from our various military, political, and civil leaders many concepts of the next war. Boiling these various concepts down, the following conclusions are reasonable and conform to expressed opinions of nationally recognized representatives of Army, Navy, Air Force, biological and chemical, public health, and civil components:

(1) The war as such will be total war, no discrimination being made between civilians, armed force personnel, age, or sex.

(2) The war will be won or lost in the first few days and the blow delivered by both the attacker and the attacked will be aimed at destroying the capacity of the enemy to make war. It is agreed that the main targets will be our greatest population centers and our Strategic Air Force bases and our basic industry.

(3) It is felt that the attacker will utilize all weapons which will make the first blow a final one so that the attacked nation will be in such a condition that further resistance by him in days, months, or years will be improbable.

(4) The weapons, as of now, are adequate to achieve this result and consist of atomic bombs, toxic agents, and biological agents.

(5) Recent studies have estimated that damage in the United States, from such an attack, may be 50 million casualties. This figure would be increased or decreased if additional targets were or were not added to the attacker's plan.

(6) It is felt that with a blow of this nature very few of our offensive units would be left or be capable of effective aggressive warfare after the first 2 or 3 days and that what remained of the Armed Forces would probably best be utilized in bringing some order out of the chaos left from the attack.

(7) The responsibility for national survival, following the attack, has apparently been placed upon the civil defense authority. The necessity for civil defense is no longer questioned, but the means to carry it out and the manner in which it is being carried out is totally inadequate to the anticipated demand. In some few areas of the United States, communities are fairly well organized, but in the great majority of communities, no effective organization is present. Fundamentally, this has been because: (a) civil defense does not have the authority to create and maintain disciplined units capable of tasks which will be demanded of them; (b) it has neither the manpower or the money necessary to create such an organization.

(8) The reserved Armed Forces comprise many millions of individuals. There were more than 12 million individuals in World War II and since that time additional millions, which have a military obligation, have been added to this figure. As of today, our Reserves are made up of units of the various services which attend periodic meetings, where they are given instructions, most of which are of an obsolete nature as far as warfare is concerned, and much of it is lectures, discussions and various displays, which add little to the effectiveness of the defense of our country. Most of the men attending Reserve meetings faithfully, either receive some pay or will receive pay after retirement. I have talked to very few individuals in the Reserves over a period of many years, who felt that their time was well spent and with many who felt their time was a total loss. The men and women, who are in this vast Reserve group, include individuals who are specialists in transportation, communication, food supply, public health and personal services and all other talents which may be needed in an effective civil defense organization.

(9) It is my suggestion that the various talents inherent in our Reserve structure be utilized as a civil-defense organization. If such is done, it will provide the country with a disciplined skeletal organization which can react immediately on call in time of emergency. Until such time of emergency occurs, it can effectively use its talent in bringing to the people of this country the various knowledges which they must have if we are to survive as a nation after a major atomic blow. To bring this about will necessitate a combining of civil defense and military functions in such a manner that civilian law will exist until martial law is needed. This transition should be liquid enough so that immediate response on demand would result. I recognize that this means that negotiations of a delicate nature by higher authorities would be necessary before this could be accomplished, but no adequate organization can be perfected unless definite authority for the needed discipline can be obtained. It is suggested that the various Armed Forces pool their Reserves except for personnel which might be needed during initial combat effort, have mutual meetings instead of the 3 or 4 separate Reserve meetings and that definite duties be assigned to various talented Reserve individuals for the purpose of educating the public. For instance, instead of giving one credit point for attending a Reserve meeting, an individual could be given one credit point for a lecture on transportation, or on police methods, or on first aid, or on sanitation, and so forth to various civil groups. Under such a system it should not be longer than a few years until our own people, including our children, would be well versed on individual survival methods necessitated by a major catastrophe.

(10) One further argument, which should be a powerful one, is that this entire program could be carried out without the additional expenditure of funds, as the organization to do it is already in being. Surely at a time when the financial burden is so great, every effort should be utilized by our Government to eliminate expense.

Mr. CURTIS. Mr. President, some weeks ago I discussed this matter with the very distinguished Senator from South Carolina [Mr. THURMOND], and also with Col. John Carlton, director of the Reserve Officers Association; and Major Manchester, the editor of their magazine. There was also present Col. Joseph L. Chabot, Assistant Secretary of Manpower in charge of Reserve affairs in the Pentagon.

Since that time, several individuals have expressed themselves in favor of this idea. I am happy to report that the Reserve officers of the United States, at their 32d annual convention at Atlantic City, N. J., on June 27, 1958, passed a resolution recommending that this matter be studied and considered. Mr. President, I ask unanimous consent that this resolution appear at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

UTILIZATION OF THE SKILLS AND EXPERIENCES OF RESERVISTS IN THE FIELD OF CIVIL DEFENSE

Whereas the newly created Office of Defense and Civilian Mobilization with its greatly enlarged area of responsibilities will welcome the skills and experience of both active and retired officers of the Reserve components to successfully assist in furthering its most important program, and

Whereas a period of emergency would present a problem of immediate and pressing military responsibility: Now, therefore, be it

Resolved, by the Reserve Officers Association of the United States, at its 32d annual convention in session assembled at Atlantic City, N. J., this 27th day of June 1958, That we urge that a joint study be made by this Association and the National Guard Association in cooperation with the Department of Defense and the Office of Defense and Civilian Mobilization, and such other agencies as may appropriately join in this study, of ways and means to employ, under such conditions as may be found feasible, the skills and experience of both standby and Active and Retired Reserve officers of the reserve components in formulating a practical plan for civil defense.

Mr. CURTIS. Mr. President, it is my sincere hope that the appropriate committees of the Senate and the House, and the appropriate individuals in the executive branch, will give this matter consideration to the end that we will be able to utilize the great potential of our Reserve forces in our problems of civil defense.

I wish to read a letter from Frank W. Barton, secretary of the council of defense of the American Medical Association:

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., August 18, 1958.

The Honorable CARL T. CURTIS,
United States Senate,
Washington, D. C.

DEAR SENATOR CURTIS: At the suggestion of Dr. Cyrus Maxwell, of the Washington office of the American Medical Association, I am writing to acquaint you with some of the activities of the association with respect to civil defense.

The concept of what today is the council on national defense of the American Medical Association had its inception in December 1945. At that time, the AMA house of delegates appointed a committee to study the experience of medical officers during World War II and formulate policies for recommendation, expressing the views of the medical profession in planning for the overall needs and proper utilization of medical resources and skills of the Nation in any national emergency.

The council on national defense is one of nine standing committees of the board of trustees. The council's authority and responsibility, in the broadest terms, pertain to (1) military medical affairs, and (2) civil defense matters.

The medical profession naturally views civil defense from the standpoint of the medical and health care of the civilian population under disaster conditions. The American Medical Association has expressed the conviction that it should concentrate its efforts on the medical and health aspects of civil defense. The council's committee on civil defense has been primarily concerned with problems in this category, such as emergency medical and health service; the organization and training of professional personnel for the management and care of mass casualties; and the provision of adequate medical supplies, equipment, and facilities.

The council's activities in the field of medical disaster preparedness include assistance to State and Federal civil defense authorities, as well as the Department of Defense, the Army, Navy, Air Force, and the United States Public Health Service, with medical and health problems and acts as a liaison with allied health agencies regarding personnel, facilities, and materials needed in time of war or national emergency. In sponsoring an educational program on the medical aspects of civil defense, the council helps physicians to prepare themselves for the management and care of mass casualties which would result from an atomic, biological, or chemical attack. The council collects, prepares, and distributes general and technical information in this field for both civilian and military use. The council maintains close and constant liaison with the Office of Civil and Defense Mobilization (formerly Federal Civil Defense Administration) and often works with established relief agencies such as the American National Red Cross and industrial groups in planning disaster-relief programs. Governmental agencies, medical and hospital societies, allied medical and health organizations, and local disaster-relief groups contact the council for information, advice, and assistance. The council carries on a continuing educational program to alert the profession at large to change in international situations with the accompanying medical implications. The council has felt strongly that it is incumbent upon the medical profession to exert forceful and dynamic leadership in the civil-defense program at National, State, and local levels.

At the national level statements have been presented on several occasions, on behalf of the association, before Senate and House committees concerning the need for an adequate national civil defense program. Appropriations Committees of the Congress have been requested to approve funds for the stockpiling of drugs, medical supplies, and equipment. The association believes that a strong civil defense requires positive action by the Federal Government with emphasis on increased Federal leadership and direction. It believes that civil defense is an integral part of national defense and that the Federal Government has a direct responsibility.

At the urging of the council, civil defense or emergency medical service committees have been established in all 48 of the State medical associations and Hawaii. In addition to educating individual physicians in their responsibilities, the Council assists State groups in medical civil defense planning and programing. These committees with their plans have been effective in coping with the numerous natural disasters which have occurred throughout our country in recent years. For instance, hurricane Audrey in Louisiana and the hurricane in Vicksburg are two examples.

A few of the other more important accomplishments of the council and its committee are briefly reported as follows:

1. There has been under consideration the need for a change in the concept of the role of military reserve units in the event this country is subjected to nuclear attack. The council recommended that the military departments be requested to assist and actively participate in medical civil defense matters

by including appropriate projects in their training programs, reserve affairs, and educational projects. Such activities are now being incorporated in the military programs and the role of the Armed Forces in civil defense operations is receiving attention and study.

2. Representatives of the Council served on a joint committee of national and health organizations which recommended a critical analysis and field test of the FCDA 200-bed emergency civil defense hospital unit. In 1956, two separate field tests were conducted by the Army medical service personnel at Fort Meade, Md., and Fort Sam Houston, Tex., with observers from 17 national medical and health groups acting as analysis teams. Following these tests, a number of recommendations were made by the joint committee concerning medical supplies and other items to be included in the units and instructional material on how the hospital units should be set up, staffed, and operated.

3. Following a request from the Federal Civil Defense Administration, the AMA board of trustees, on Febraury 9, 1957, authorized the Council to proceed with a research and study program to establish criteria for the provision of medical care of the surviving population, casualty and noncasualty, in the event of enemy attack on this Nation. The development of a plan for the care of the surviving population and the problem of public health and environmental sanitation that will be present in the event of enemy attack on this Nation is a tremendous project involving many varied and complex problems. A special commission was established to conduct the study project. The commission expects to complete the project in November 1958, in accordance with the terms and conditions as outlined in the basic contract.

4. Since 1953, the Council has sponsored a yearly national medical civil defense conference. These conferences, attended chiefly by physicians from every State, are devoted to medical civil defense topics which are discussed by outstanding experts.

The Council also sponsors a county medical society civil defense conference each year. These conferences are designed to help local medical and health personnel plan their work in civil defense and disaster situations.

5. The Council has published, since 1951, a Civil Defense Review which is distributed bimonthly to more than 1,750 persons and groups. Two booklets entitled "Medical Aspects of Civil Defense" and "Medical Planning for Civil Defense" have been published by the Council, as well as a bibliography of the medical aspects of civil defense. The Council publishes and distributes the proceedings of its annual conferences and, from time to time, furnishes articles, reports, and editorials for the Journal of the AMA and other health publications.

The Council is encouraged by the increased interest and activities to medical civil defense preparedness, in spite of the fact that much more remains to be done. That progress is being made in the various cooperative programs and plans of the Federal agencies and professional associations is gratifying. In the past 2 years, the Congress has given serious attention to strengthening the civil defense program through hearings and legislation to provide greater authority, responsibility, and participation in civil defense at the Federal level.

On behalf of the Council, I want to express our sincere appreciation for the time and serious effort you and your colleagues are devoting to this national problem. Your interest in the work of the American Medical Association in medical civil defense activities is most welcome.

Most sincerely,

FRANK W. BERRY,
Secretary, Council on National Defense.

ADMISSIBILITY OF EVIDENCE—STATEMENTS AND CONFESSIONS

The Senate resumed the consideration of the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Mr. DIRKSEN. Mr. President, the Senate has been debating the so-called Mallory matter for the 9½ hours. So far as I know, only one speech and a few very brief written matters have intervened during the discussion of the Mallory matter. Therefore, actually the Senate has devoted a great deal of time to a discussion of the issue in the Mallory case and the proposed legislation before us.

I believe that for the purpose of the RECORD I ought to make it clear that we are dealing with a House bill, not a Senate bill. The bill passed the House on July 2, 1958. I thought at least it might be advisable for the average reader of the CONGRESSIONAL RECORD to know that the essential facts in the case might be brought together in one place.

Frankly, after some 9½ hours or 10 hours of discussion it must seriously tax the patience of the people who read the CONGRESSIONAL RECORD to determine just what the Mallory matter is all about.

Therefore I start with the fact that the bill before us stems from the Mallory case, arising in the Nation's Capital. The House bill passed on July 2, 1958. It came to the Senate in the form of a House bill. It comes to the Senate from its committee with an amendment consisting of only one word. That word is the word "reasonable." It has been included by the Senate Committee on the Judiciary on page 1 in line 11. To summarize some of the discussion which has taken place today, the basic purposes of the Constitution of the United States are to safeguard the rights of the people and to safeguard the rights of individuals. Those purposes are recited in the Bill of Rights and elsewhere in that document. The Founding Fathers having done so, and having fashioned in words the rights which inure to citizens of this country, it becomes necessary to give those rights practical application when they are placed in jeopardy.

In 1940 Congress passed an act under which we empowered the Supreme Court to prescribe rules for the application of those rights. The Supreme Court issued its order on the 3d of February 1941. In that order there is contained the so-called rule 5, dealing with restrictions upon arresting officers. The appropriate language there is:

> A person who has been arrested shall be taken before the nearest available commissioner—

And this is the important language and the nub of the controversy before us—

> without unnecessary delay.

Actually that has been the procedure since 1940. While it had been challenged on some occasions, it was not challenged seriously until the Mallory case. That case arose in 1954, and came to trial in 1955.

Since that time the appellate court in the Nation's Capital had decided the Trilling case, which I believe has added somewhat to the confusion. However, those who read the RECORD ought to know what the facts in the Mallory case were.

On the 7th of April, 1954, at the hour of approximately 6 p. m., here in the Nation's Capital, the crime of rape was committed. On the following day, the 8th of April, at approximately 2 or 2:30 in the afternoon, the authorities apprehended 4 suspects. One was Mallory, and two of the others were Mallory's nephews. They were questioned by four officers for some time. After the questioning, they were asked to take the so-called polygraph or lie-detector test. It took 2 hours to find the operator of the polygraph. So it is necessary to add 2 hours to the time that the suspects were questioned before being arraigned before the Federal Commissioner. Then there was another hour and a half of questioning. Finally there came the confession, and that confession was repeated to the officers.

At 10 o'clock at night the officers were still seeking a commissioner. That was 7½ hours after Mallory had been apprehended. In the meantime, no commissioner appearing, they gave Mallory a physical examination. Finally, he was confronted by the victim of the alleged crime and members of the sex squad. Then there was further questioning by three officers for a period of time. It was roughly 11:30 o'clock at night on April 8, 1955, when Mallory finally dictated his confession. Therefore, according to the clock, actually a period of about 9 hours elapsed from the time of his apprehension until he was taken before a commissioner.

The trial was deferred for a period of a year. There were the usual confusions and complexities which attend such a trial. At long last, Mallory was tried. The confession which he had dictated was introduced in evidence. He was found guilty, and the death sentence was imposed.

The case finally went to the Supreme Court of the United States. The finding of the Court becomes the basis of what is proposed to be done by Congress.

I should point out, of course, that the Mallory case was not disposed of by the Supreme Court. It was remanded for further action. That is where we get into real difficulty, because obviously the victim in the case did not want to go through the agonizing experience of another trial. I suppose that was rather persuasive upon the Federal authorities in reaching a decision not to press for another trial in the case.

The salient facts found by the Supreme Court in the case were substantially these. First, there were committing magistrates available, even though it was difficult for the authorities to find one, before whom they could have brought Mallory and arraigned him for the preliminary examination, if necessary. That was one of the essential findings. Second, evidently Mallory was not informed of his right to counsel and his right to a preliminary examination, as

set out in the rules of procedure, or to keep silent, if he were so disposed. Third, he was not informed that the testimony could be used against him if he did make a statement.

In addition, I believe it was found that he was not arraigned until after he made the confession in the case. The problem which was presented to the Supreme Court can be rationalized by the clock if one wishes to do so, ignoring all the circumstances. The question was whether there was unnecessary delay in finally bringing him before a commissioner for arraignment and examination. Rule 5, which is designed for the protection of people who are apprehended and charged, deals with proceedings before a Federal commissioner. It provides:

> An officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the arrested person, without unnecessary delay, before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States.

There is the language: "without unnecessary delay."

The question was whether or not there was unnecessary delay in bringing Mallory to arraignment; and if so, whether it amounted to prejudicial error which justified the Supreme Court in remanding the case for further proceedings.

In the pending bill we intend to deal with it. We hope to deal with it. The House dealt with it first. I read only the first part of paragraph (a) of the House bill. Mind you, now, we are dealing with procedure, and the admissibility of evidence, statements, and confessions. The House bill reads:

> Evidence, including statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

So the House of Representatives, in approving the bill on July 2, 1958, has only said that statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner.

The Senate Committee on the Judiciary considered the question, and a number of suggestions were made. One member of the committee thought perhaps we ought to write into the bill the phrase "unnecessary delay." Another member of the committee thought we should write into the bill "reasonable and necessary delay."

But, at long last, knowing, of course, of the intense interest in the bill, the committee, by a rather substantial vote, agreed that if the bill were to be reported to the Senate there must be some modification of the House bill. As a result, the committee agreed upon the inclusion of one word, and that is the whole Senate amendment—the word "reasonable."

So as the Senate version of the bill reads today—paraphrasing—statements, confessions, and evidence otherwise admissible, will not be inadmissible in court solely because of a reasonable delay in taking an arrested person before a commissioner. That, then, is the nub of the whole controversy. It is up to the Senate to compare the two versions.

The present rule uses the words "without unnecesary delay." Some court finally has to interpret, from the facts and circumstances, what "unnecessary delay" means. We propose to say "reasonable delay."

What is "reasonable delay"? All we have to do is to look in Webster's dictionary to find all the synonyms. It could be moderate delay. It could be a just delay. It could be a fair delay. It could be an equitable delay. But certainly words in rules of procedure and words in statutes have absolutely no meaning except as they are finally interpreted by attorneys and interpreted by courts.

So the House version does not contain the word "reasonable." The Senate version does contain the word "reasonable."

When we vote, very soon, the question will be on agreeing to the committee amendment. A vote of "nay" would excise the word "reasonable." That is the nub of the question which is at present before us.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. THYE. What does the law now specify as to the length of time which may elapse between the arrest and the actual filing of charges against a person?

Mr. DIRKSEN. The language I just read is a part of rule 5 of the Federal Rules of Criminal Procedure. It is entitled "Proceedings Before the Commissioner." It reads:

> (a) Appearance before the Commissioner. An officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the arrested person without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States.

What is "unnecessary delay"? It is an unrequired delay. It is a needless delay. It is a nonessential delay. But those are simply words, and the human mind must finally make an interpretation.

Mr. THYE. Does this rule apply only within the District of Columbia, or does it include any other court of the United States?

Mr. DIRKSEN. We are dealing now with the general code, even though this is a case which arose in the District of Columbia.

Mr. THYE. Would it apply to similar situations in San Francisco, Portland, or any other city?

Mr. DIRKSEN. Yes. There is confusion as a result of the so-called Trilling case. Frankly, unless one follows it very closely, it is difficult to understand. The decision was handed down by the United States Court of Appeals for the District of Columbia circuit as recently as April 17, 1958. I think anyone not familiar with the case would be terribly confused about it, even as I am confused about it. In the opinion we read:

> Circuit Judges Danaher—

> Who once was a Member of this body—

and Burger vote to affirm the conviction on count 3 in No. 13069 and to reverse the other convictions. Judge Danaher files an opinion in which Judge Burger joins. Judge Burger files a separate concurring opinion. Circuit Judges Prettyman, Wilbur K. Miller, and Bastian concur in part I of Judge Danaher's opinion.

Chief Judge Edgerton and Circuit Judges Bazelon, Fahy, and Washington vote to reverse all the convictions. Judge Bazelon files an opinion in which Judge Edgerton joins. Judges Fahy and Washington file a statement.

Circuit Judges Prettyman, Wilbur K. Miller, and Bastian vote to affirm all the convictions. Judge Prettyman files an opinion in which Judges Miller and Bastian join.

There was a joinder of three appeals before nine judges. It offers a great deal of difficulty. We are now trying to resolve the confusion.

My only point in adding to this record, because of the very brilliant discussions on the floor of the Senate this afternoon, is to summarize the essential facts in one place and to point up, in very simple terms, what I consider the issue to be. This case has been discussed on the front pages and in the editorial columns of newspapers for a long time.

Some persons, including students in high schools and colleges, will read these very learned, scholarly dissertations on the Senate floor, and they may ask, "What are the facts in the Mallory case?" I wanted to be certain that there were enough facts in the case so that the time factor would come to their attention as a predicate for the finding by the Supreme Court of the United States.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. THYE. The Senator is endeavoring to be so specific that even attorneys will not disagree, is he not?

Mr. DIRKSEN. My friend from Minnesota is by all odds the greatest optimist I ever saw.

Mr. THYE. As a layman, and not a lawyer, I have listened to the arguments on this question by the distinguished lawyers who serve in this body. So help me, I do not know how we are going to write anything on which lawyers will not disagree.

Judge Warren E. Burger, who is one of the judges to whom the Senator referred, is one of the most able lawyers whose acquaintance it has been my privilege to make. Certainly Judge Danaher, who served in this body, likewise is an able, scholarly lawyer. I have listened to Senators on both sides of the aisle who are lawyers. As one who is not qualified in the judicial field, but who has tried to apply common sense from one step to the next in the debate, it seems to me that we must be very specific if we are to keep lawyers from disagreeing at some future time on such a question as is involved in the Mallory case, because it was, without question, the circumstances involved in that case which made

it impossible for the authorities to file a specific charge against the man within a specified period of time.

Mr. DIRKSEN. I must say to the Senator from Minnesota that I am afraid to venture into that field, because I promised I would discuss only a few essentials of the case, and then I hoped we might proceed to a vote.

Being a lawyer, I am not insensible of the fact that lawyers can get into a legal rut, so to speak, and there is difficulty in getting them out. I do not wish to invite a long discussion such as we had this afternoon.

I often think of a very distinguished member of the bar in my State who passed away. The legal fraternity attended the last rites in a body. One of them was late, however; and when he came into the church, shortly after the minister had begun his eulogium, he sat down in a vacant seat, nudged his fellow member of the bar, and said, "Where are we in the sermon?" His friend replied, "The minister has just opened up for the defense." [Laughter.]

So, when one goes too far afield, he gets into difficulty. I had no such purpose when I added these few brief comments to the discussion of today. I merely wished to be sure that the facts in the Mallory case were before any reader of the RECORD. I am sure, then, that the discussions may be just a little more intelligible.

So, Mr. President, at this time I shall yield the floor, because I think that in connection with its consideration of this measure today, the Senate has been up the hill and down again.

I recognize full well the divergence of opinion in regard to the proposed inclusion of the word "reasonable" in the House version of the bill. But that is an issue for this very distinguished body to resolve.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. THURMOND in the chair). The Senator from Wyoming will state it.

Mr. O'MAHONEY. Mr. President, is not the pending question on agreeing to the committee amendment, which provides for the insertion, on page 1 of the bill, in line 11, before the word "delay", of the word "reasonable"; and is it not a fact that on that question, the yeas and nays have been ordered?

The PRESIDING OFFICER. The Senator from Wyoming is correct.

Mr. O'MAHONEY. Mr. President, I understand that the Senator from North Carolina [Mr. ERVIN] desires to make a few brief remarks in support of his contention that the committee amendment should be rejected. I know he will make a good explanation of his point of view, although I hope it will fall upon deaf ears.

If the Senator from North Carolina desires to take advantage of the present opportunity to speak, I yield the floor.

Mr. ERVIN. Mr. President, I should like to have an opportunity to speak; but I prefer to speak after a quorum call is had, so that more ears will be present, to hear what I have to say. I should like to speak for approximately 2 minutes; and then I believe it would be fair to permit the distinguished Senator from Wyoming [Mr. O'MAHONEY] to speak for approximately the same length of time.

Mr. O'MAHONEY. Then, Mr. President, I suggest the absence of a quorum.

Mr. DIRKSEN. Mr. President, will the Senator withhold that suggestion for a moment?

Mr. O'MAHONEY. Yes.

Mr. DIRKSEN. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. I understand that the first vote to be taken will be on the question of agreeing to the Senate committee amendment, which proposes that the word "reasonable" be inserted on page 1, in line 11, before the word "delay", in the bill as passed by the House. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. O'MAHONEY. Mr. President, at this time I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. KNOWLAND. Mr. President, at the request of one Member of the Senate, I must object to the request, and must ask for a live quorum.

The PRESIDING OFFICER. Objection is heard; and the clerk will resume the call of the roll.

The Chief Clerk resumed the call of the roll.

Mr. O'MAHONEY. Mr. President, I now understand that it will be agreeable to have the further call of the roll dispensed with. Therefore, I now ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ERVIN. Mr. President——

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I promise the Senate that I shall not long detain it.

I feel very keenly that the committee amendment—which proposes the insertion of the word "reasonable" before the word "delay," on page 1, in line 11, of the House version of the bill—would, if agreed to, produce a very unreasonable consequence.

The bill arises from the decisions of the Supreme Court in the Mallory case and the McNabb case. In those decisions the Supreme Court repudiated a rule of law which had been in force in the Federal courts since the very foundation of the Government—namely—that when a person voluntarily confesses his guilt, his confession is admissible in evidence.

By its decisions in the Mallory case and the McNabb case, the Supreme Court repudiated that rule, and stated that, no matter how voluntary a confession may be, if it is made during a period of unnecessary delay between the time of the arrest and the time of the arraignment, the confession will be excluded from evidence.

Mr. President, in opposing adoption of the committee amendment, I merely wish to have a return made to a substantial rule of law—namely, that voluntary confessions are admissible in evidence, and that involuntary confessions are inadmissible in evidence. That is the rule of law in the 48 States of the Union; and it was the rule of law in the Federal courts, from the time of the foundation of the Nation down to the decision of the Supreme Court in the McNabb case, in 1943.

Mr. CASE of South Dakota. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I do not know whether, under the agreement, I have authority to yield.

Mr. CASE of South Dakota. My question will be very brief.

Mr. ERVIN. Very well; I yield.

Mr. CASE of South Dakota. Will the Senator from North Carolina concede that if the arraignment were long delayed, a confession obtained during that period might not be voluntary?

Mr. ERVIN. I concede that; but I say that we should return to the old law—namely, that the question of whether the confession is voluntary or is involuntary is to be determined by the trial judge in the light of all the surrounding circumstances, including the circumstance of any delay.

I repeat that the bill as passed by the House of Representatives was sponsored in the House of Representatives by two of the finest Members of the House; namely, Representative KEATING, of New York, and Representative WILLIS, of Louisiana; and both of them share my opinion that the proposed inclusion of the word "reasonable" before the word "delay", on page 1, in line 11, of the bill as passed by the House—in other words, I refer to the amendment proposed by the Senate committee—would destroy the value of the bill, and would result in what now is happening under the Mallory case decision—namely, permitting persons who confess that they are guilty of murder, rape, robbery, or other crimes to go unwhipped by justice.

So, Mr. President, I ask the Senate to reject the committee amendment.

Mr. O'MAHONEY. Mr. President, in response to the Senator from North Carolina, for whom I have the greatest admiration, and who served as a judge of North Carolina for many years before he came to the Senate, let me say that what is overlooked is that the McNabb case was decided by the Supreme Court in 1943. Rule 5 (a) of the Rules of Criminal Procedure was adopted in 1946. So, it was in 1946 that the Supreme Court, with the authority of Congress, drafted the rule requiring arraignment to follow arrest without unnecessary delay, 3 years after the McNabb case.

If the Senate were to pass the bill without the word "reasonable" in it, it would pass an unconstitutional bill, because it would be interpreted as authorizing prolonged delay for the purpose of extorting confessions. We must avoid that danger if we are to protect both individual rights and the right of the public to effective and intelligent law enforcement.

I want to make it clear that the Mallory decision does not fix any particular time within which arraignments must take place. There is no Federal law which fixes such time. There are cases on which the Supreme Court passed in which the delay between arrest and arraignment was only a few hours, but in which the arresting officers testified that in such cases they took the prisoners to the jail for the purpose of extracting confessions. An involuntary confession is a violation of the Bill of Rights, because the Bill of Rights states that no man may be compelled to testify against himself. So, the Committee on the Judiciary, by a very large vote, adopted the amendment relating to reasonable delay because it wished to apply the rule of reason, which comes down to us from the ancient law, and which comes down to this jurisdiction from the Bill of Rights. The fourth amendment provides that an individual shall not be subjected to unreasonable searches and seizures.

The use of the word "reasonable" is the application of the same rule, because every case which comes to court stands on its own facts.

I hope the Senate will support the committee amendment. The committee amendment makes the bill an effective protection of individual rights and of society against crime. I hope the committee amendment will be adopted.

SEVERAL SENATORS. Vote! Vote!

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Am I correct in understanding that a "yea" vote means a vote in support of the committee to leave the word "reasonable" in the bill?

The PRESIDING OFFICER. That is correct. A "yea" vote is a vote in support of the committee amendment. A "nay" vote is a vote against the committee amendment.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. I do not intend to speak at any length at this time on the bill. I shall discuss the Mallory case and the Mallory legislation after the Senate takes action on the amendment. I shall vote against the amendment because I do not think any amendment is needed. The Senator from Wyoming, who is one of the most able lawyers I know, has just given a very clear exposition as to what transpired after the McNabb case. After all, let us not forget, as the Senator from Wyoming pointed out, that it was the Congress of the United States which authorized the Supreme Court to exercise its rulemaking powers in connection with formulating rules of procedure, which gave rise, really, to the rule which was applied in the Mallory case.

So we are dealing, after all, with rule 5. I do not think anything could be accomplished by further prolonged discussion as to the reasons for rule 5. But as I said earlier this afternoon, and now repeat, in my judgment rule 5 implements due process in relation to specific cases such as the Mallory case. When one finishes his analysis of the Mallory case, I do not think he can escape the conclusion that, in effect, the Court, by applying rule 5, applied the due process clause of the Constitution to a specific body of operative facts in a given case.

Mr. President, when I think it is not necessary in any way to interfere with the judicial process in order to do justice to the American people, I do not propose, as a legislator, to touch it, because our judicial system is pretty precious to the preservation of our liberties. I happen to believe that the Congress is not in as good a position to exercise judgment in relation to a matter which deals with the judicial process as is our court. It happens to be my opinion that the amendment offered by the committee really adds nothing to the Mallory case. In my judgment, the Supreme Court will still have the duty in a given case to decide whether or not, on the basis of the facts of that case, a defendant was accorded due process. I do not care how one couches the question; I think that is at the bottom of this whole issue.

I do not propose tonight to vote for any language which could conceivably be interpreted as an attempt to narrow due process. I shall always do what I can, so long as I am in the Senate, to protect the prerogatives of the Court in this field. In my judgment, the Court, even if the Senate adopted the amendment, would have the same issue before it in a given case which it had in the Mallory case. Therefore it seems to me, as I interpret the effect of the amendment, that we are only making a gesture; and I shall vote against any language which I believe would in fact, be surplusage, so far as its legal effects are concerned, because any delay which is found by the Court, in fact, to infringe upon due process is a delay which calls upon the Court to reverse a conviction.

So I shall vote against the amendment on that basis, and then, for reasons I shall give at some length later, I shall vote against the bill.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, which is to insert the word "reasonable" before the word "delay" on page 1, line 11 of the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Rhode Island [Mr. GREEN], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. FREAR], and the Senator from Montana [Mr. MURRAY] would each vote "nay."

On this vote the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Georgia [Mr. TALMADGE]. If present and voting the Senator from New Mexico [Mr. CHAVEZ] would vote "yea" and the Senator from Georgia [Mr. TALMADGE] would vote "nay."

The Senator from Rhode Island [Mr. GREEN] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting the Senator from Rhode Island [Mr. GREEN] would vote "yea" and the Senator from Florida [Mr. HOLLAND] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from New Hampshire [Mr. COTTON] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. IVES], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

If present and voting, the Senator from Ohio [Mr. BRICKER] would vote "nay."

On this vote, the Senator from Maine [Mr. PAYNE] is paired with the Senator from New Hampshire [Mr. COTTON]. If present and voting, the Senator from Maine would vote "yea," and the Senator from New Hampshire would vote "nay."

The result was announced—yeas 41, nays 39, as follows:

YEAS—41

Aiken	Hoblitzell	Neuberger
Anderson	Humphrey	O'Mahoney
Barrett	Jackson	Pastore
Bible	Javits	Potter
Carroll	Johnson, Tex.	Proxmire
Case, N. J.	Kefauver	Purtell
Case, S. Dak.	Kennedy	Revercomb
Church	Kuchel	Seltonstall
Clark	Lausche	Smith, Maine
Cooper	Magnuson	Smith, N. J.
Dirksen	Malone	Symington
Douglas	McNamara	Wiley
Hayden	Monroney	Yarborough
Hennings	Morton	

NAYS—39

Allott	Hickenlooper	McClellan
Beall	Hill	Morse
Bennett	Hruska	Mundt
Bush	Jenner	Robertson
Butler	Johnston, S. C.	Russell
Byrd	Jordan	Schoeppel
Capehart	Kerr	Sparkman
Curtis	Knowland	Stennis
Dworshak	Langer	Thurmond
Eastland	Long	Thye
Ervin	Mansfield	Watkins
Fulbright	Martin, Iowa	Williams
Goldwater	Martin, Pa.	Young

NOT VOTING—16

Bricker	Flanders	Murray
Bridges	Frear	Payne
Carlson	Gore	Smathers
Chavez	Green	Talmadge
Cotton	Holland	
Ellender	Ives	

So the committee amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ERVIN. Mr. President, I do not wish to detain the Senate much longer. The Senate has been discussing the subject for a long time. However, I send forward a simple amendment and I shall ask for a yea-and-nay vote on it. I shall not speak for more than 3 minutes on the amendment. I regret to say that my handwriting is not the best in the world. I shall read the amendment. I offer it in behalf of myself and the able and distinguished Senator from Maryland [Mr. BUTLER]. My amendment reads:

After the period at the end of line 2, on page 2, it is proposed to add the following:

The trial judge shall determine from the surrounding circumstances whether the delay is reasonable, and his determination shall be binding upon appellate courts if it is supported by substantial evidence.

Mr. President, the amendment is very simple. It provides, in effect, that in determining the question whether the delay is reasonable or unreasonable within the purview of the first subsection, as amended, the trial judge shall determine that question from all the circumstances, including the circumstance, of course, of delay, along with the other circumstances. The trial judge sees the witnesses on the stand. He can observe their conduct and demeanor. He can tell whether a witness is an Ananias or a George Washington. It puts the responsibility where the law has put it. I ask the Senate to adopt the amendment.

Mr. O'MAHONEY. Mr. President, I hope the amendment will be defeated. The committee in its report stated that the bill goes as far as we can go in this matter. On page 4 there appears the following paragraph:

The committee amendment adding the word "reasonable" before the word "delay" is not to be considered as a finding that such a delay as that in the Mallory case is in fact reasonable or unreasonable. Such a finding is a matter to be determined on the individual facts of the individual case by the trial court within the framework of the constitutional guaranties as contained in the Bill of Rights.

By that statement the committee has fully protected the rights of the individuals accused and the rights of the complainant. There is no need for an amendment which might open up, and could easily open up, the whole ramifications of an attempt to take away the right to appeal from the trial court to the appellate courts. I hope the amendment will be defeated.

Mr. ERVIN. Mr. President, the Senator from Pennsylvania [Mr. CLARK] wishes to make a speech on the amendment, but first I should like to ask for the yeas and nays on the amendment.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Is the request sufficiently seconded?

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I shall not detain the Senate. We have had a pretty long day, and it is time to quit. I hope the Senate will defeat the amendment in spite of my great respect for the distinguished Senator from North Carolina. This is no way to legislate in the Senate, at 20 minutes to 10 o'clock at night, after a long day of debate. We should not call up an amendment which has not been printed, and which has never been presented to the committee, on which no one has been able to testify, and on which no indication of the position of the committee has been given.

It is an amendment which, in addition to these shortcomings, attempts, in what I regret to state appears to be quite inartistic language, despite my great respect for the Senator from North Carolina as a draftsman, to remove from the appellate courts of the Federal judicial system—and that means the courts of appeal and the Supreme Court—an adequate review of the finding as to whether delay in arraignment of a person has been reasonable or unreasonable.

It is true that there is a catch clause at the end of the amendment which provides that if there is no substantial evidence to support the finding of the trial judge, the appellate courts may review the judge's decision in that respect.

I think we would make a great mistake here, late at night, if we were to adopt the amendment, without adequate consideration of it, without the amendment even having been printed and made available to Senators, and in that way alter the basic Federal law which controls Federal criminal procedure.

Mr. LAUSCHE. Mr. President, it would be a serious error in our approach to this problem to change the historic law in our country. It has always been the concept of justice in the United States that the ultimate decision shall not be made by a single man presiding at a trial. Our concept of justice is, in the main, that there shall be three tribunals which shall pass upon questions of law: The trial judge, the intermediate court, and the highest Court in the land.

It would be a serious mistake tonight to say anew that one man's word shall be final. I am not one who is willing to attribute infallibility even to a judge. Judges are human. They are subject to error. I believe that the historic precedent of the right of appeal should be continued. To abolish it would be to make a serious mistake.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Carolina [Mr. ERVIN]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Rhode Island [Mr. GREEN], the Senator Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE], are absent on official business.

I further announce that if present and voting, the Senator from Rhode Island [Mr. GREEN] would vote "nay."

On this vote the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting the Senator from New Mexico [Mr. CHAVEZ] would vote "nay" and the Senator from Florida [Mr. HOLLAND] would vote "yea."

The Senator from Delaware [Mr. FREAR] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting the Senator from Delaware [Mr. FREAR] would vote "nay" and the Senator from Louisiana [Mr. ELLENDER] would vote "yea."

On this vote the Senator from Montana [Mr. MURRAY] has a pair with the Senator from Georgia [Mr. TALMADGE]. If present and voting the Senator from Montana [Mr. MURRAY] would vote "nay" and the Senator from Georgia [Mr. TALMADGE] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from New Hampshire [Mr. COTTON] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. IVES], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

If present and voting the Senator from Maine [Mr. PAYNE] would vote "nay."

On this vote, the Senator from Ohio [Mr. BRICKER] is paired with the Senator from New Hampshire [Mr. COTTON]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from New Hampshire would vote "nay."

The result was announced—yeas 18, nays 62, as follows:

YEAS—18

Butler	Jenner	Russell
Byrd	Johnston, S. C.	Schoeppel
Eastland	Jordan	Sparkman
Ervin	Long	Stennis
Fulbright	Mundt	Thurmond
Hill	Robertson	Young

NAYS—62

Aiken	Hennings	McNamara
Allott	Hickenlooper	Monroney
Anderson	Hoblitzell	Morse
Barrett	Hruska	Morton
Beall	Humphrey	Neuberger
Bennett	Jackson	O'Mahoney
Bible	Javits	Pastore
Bush	Johnson, Tex.	Potter
Capehart	Kefauver	Proxmire
Carroll	Kennedy	Purtell
Case, N. J.	Kerr	Revercomb
Case, S. Dak.	Knowland	Saltonstall
Church	Kuchel	Smith, Maine
Clark	Langer	Smith, N. J.
Cooper	Lausche	Symington
Curtis	Magnuson	Thye
Dirksen	Malone	Watkins
Douglas	Manafield	Wiley
Dworshak	Martin, Iowa	Williams
Goldwater	Martin, Pa.	Yarborough
Hayden	McClellan	

NOT VOTING—16

Bricker	Flanders	Murray
Bridges	Frear	Payne
Carlson	Gore	Smathers
Chavez	Green	Talmadge
Cotton	Holland	
Ellender	Ives	

So Mr. ERVIN's amendment was rejected.

Mr. CLARK. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CARROLL. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to lay on the table the motion to reconsider. (Putting the question.) The motion to lay on the table is agreed to.

Mr. GOLDWATER. Mr. President, a division.

The PRESIDING OFFICER. The Chair has already announced the result.

Mr. LONG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. LONG. Is it not customary for the Presiding Officer to invite Senators who are opposed to the motion to state their objection, or at least to vote "No"?

The PRESIDING OFFICER. The Chair thinks that was done.

Mr. ERVIN. Mr. President——

The Chair recognizes the Senator from North Carolina.

Mr. ERVIN. Mr. President, all of us were trying to dispose of the last amendment without lengthy debate. Therefore, I am afraid that some of the remarks made might be incorrectly construed to indicate that I was trying to do something which had no place in rhyme or reason.

I simply want to say that my amendment, so far as appellate review was concerned, was much milder than the Federal law on the subject which existed from the foundation of our Nation down to 1943, when it was set aside by the McNabb case.

I shall read into the RECORD an analysis of the rule as it was clearly stated in the case of LaMoore against United States reported in 180 Federal (2d) 49.

In determining whether a confession or a self-incrimination statement is voluntary or involuntary, trial court is necessarily vested with a very large discretion, which will not be disturbed on appeal unless a clear abuse thereof is shown. *La Moore* v. *United States* [C. A. Alaska 1950, 180 F. 2d 49].

So my amendment, so far as appellate review is concerned, was much milder than the law which prevailed before the McNabb case, and was in entire harmony with the law as it now prevails in every one of the 48 States of which I have any knowledge.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, beginning at line 3, it is proposed to strike out down through line 8, and insert in lieu thereof the following subsection:

(b) Chapter 203 of title 18, United States Code, is amended by adding the following new section:

"3061. Caution to accused persons

"(A) No officer or employee of the United States or of the District of Columbia shall interrogate, or request any statement, from any person accused or suspected of an offense, without first informing him of the nature of the offense of which he is accused or suspected, that he does not have to make any statement, that he has the right to consult with privately retained legal counsel, and that any statement made by him may be used in evidence in a criminal prosecution.

"(B) No statement taken in violation of subsection (A) hereof shall be admissible in any court of the United States or of the District of Columbia."

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the passage of the bill, so that all Senators may be on notice.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I assure the Senate that I shall endeavor to cover this very important amendment as briefly as I can; but I urge the Senate to give very serious consideration to the amendment, because it represents a great amount of work, not only on my part, but also on the part of lawyers of standing in this country, who believe that the approach of the amendment will strengthen law enforcement on the part of any law enforcement agency which really wishes to follow the American concepts of due process.

There is nothing in my amendment which is not historic, common law procedure at the birthplace of American justice, namely, Great Britain. I have written into the amendment a procedure which has been tested by the centuries for the protection of individual rights and liberties.

I recognize that at 10 o'clock at night on a day in the last week of the session of Congress prior to adjournment, one would have to be a greater optimist than I am—and I am quite an optimist—to expect this amendment to receive the careful deliberation and study which, in my judgment, the United States Senate ought to give to it.

I have refrained from debating at length all day long, in the interest of expediting the steps in the procedure for handling this issue. That was the desire of the Senator from Illinois [Mr. DOUGLAS], who really is my floor leader on this bill. Also, I have done so in order to accommodate the majority leader. But we are dealing with a subject with which I have lived for years, so far as my own professional work is concerned.

I believe that if any legislation whatever is to be enacted with any relationship at all to the Mallory case decision, it should be proposed legislation such as that set forth in my amendment, because in that event I believe we would clear up much misunderstanding which exists in the country in regard to police practices, and we would assure the people that there will be a practice of carrying out the meaning of due process.

Mr. President, let me refer for a moment to the decision of the Supreme Court in the Mallory case. The Court said:

We cannot sanction this extended delay, resulting in confession, without subordinating the general rule of prompt arraignment to the discretion of arresting officers in finding exceptional circumstances for its disregard. In every case where the police resort to interrogation of an arrested person and secure a confession, they may well claim, and quite sincerely, that they were merely trying to check on the information given by him. Against such a claim and the evil potentialities of the practice for which it is urged stands rule 5 (a) as a barrier. Nor is there an escape from the constraint laid upon the police by that rule in that two other suspects were involved for the same crime. Presumably, whomever the police arrest they must arrest on "probable cause." It is not the function of the police to arrest, as it were, at large and to use an interrogating process at police headquarters in order to determine whom they should charge before a committing magistrate on "probable cause."

I should like to repeat the last sentence of that historic Supreme Court decision; and I plead with my colleagues to ponder its meaning, because inherent in it is a great protection for every person in this land. The Court said:

It is not the function of the police to arrest, as it were, at large and to use an interrogating process at police headquarters in order to determine whom they should charge before a committing magistrate on "probable cause."

Mr. President, on February 1 of this year, when I introduced, in the form of Senate bill 3325, the amendment, which now is before the Senate—and, Mr. President, I shall not now review that speech; but later I shall ask unanimous consent to have it printed in the RECORD at the conclusion of the remarks I make tonight; I shall make that request in the interest of saving time—I tried to review for the Senate the history of the development of this great principle of procedural law, as it occurred in England, and I tried to show how it was developed in order to prevent tyrannical police.

Some may ask, "Do you think the police in this country are tyrannical?" I do not, Mr. President. I have a very high regard for the police. But I also know that many ugly chapters, by way of police abuses, have been written in the history of the administration of criminal justice in this country. From the very beginning of this Government, an effort was made to protect the people from police abuses. That was done because the Founding Fathers had learned what star chamber proceedings can do and what a lack of safeguards and procedural protections from an arbitrary police system can do to the liberty of the individual.

In my judgment, we do not strengthen the police system by supporting the kind of procedure which apparently is sought by the proponents of the bill, who, in effect, seek to modify the Mallory case decision in such a way that there would not be the protection which the Supreme Court laid down in that decision.

Mr. President, we must be on guard against police abuses.

For a long time in the past, our country has found it necessary to have investigations made of the administration of criminal justice. Such investigations have been called crime surveys, crime studies, or crime reports. The people have come to realize that if the police are not kept under reasonable check, they will adopt shortcuts which will violate precious rights of free men and women.

So I state that in my opinion the decision in the Mallory case is a great one for which every American should be thankful.

The decision in the Mallory case in no way violates, in my belief, the safety of the American people; but, to the contrary, the restatement of a basic principle, by procedural guaranty, as set forth in the Mallory case decision, should be hailed by the Congress, rather than attacked, as has been done for weeks and months.

At the outset of this speech, I should make clear that I consider legislation to modify or reverse the Supreme Court's decision in the case of Mallory against the United States to be unwise, undesirable, and unnecessary. I believe there are two principal motivations behind the drive for enactment of legislation to deal with the decision in the Mallory case. I could be wrong; but I believe that one principal driving force is to be found in the disaffection of some for recent Supreme Court decisions. The other driving forces comes from the wish of some enforcement officers to be able much more easily and simply to obtain convictions by means of confessions.

Of course, the operation of a police department would be much easier if a dragnet were stretched and were used to drag in a number of persons, and if various devices were then used in an effort to develop probable cause. But that is what the Supreme Court struck at in its decision in the Mallory case.

This afternoon, one of my colleagues—it was the distinguished Senator from New York [Mr. JAVITS], a former Attorney General of the State of New York, and a keen student of the administration of criminal justice—stated that, not so long ago, in the District of Columbia a dragnet was stretched, after an assault had been committed on a woman. As one of the District court judges told me, the only thing the police had to go on was a statement that the assailant was supposed to be a short, stocky Negro.

Approximately 90 short, stocky Negroes were arrested, and were held in jail. Some of them were held in jail many hours. But the police did not find probable cause against a single one who was caught in the dragnet. Nevertheless, person after person was held for hours, without arraignment. Mr. President, that was a clear case of abuse by the police, and it should not be countenanced in the Capital of the Nation.

But there is no denying the fact that in recent months such an abuse was practiced by the police force of the District of Columbia. Under the decision in the Mallory case, such third-degree methods cannot be exercised. So the American people should watch out for their precious liberties, if they countenance such police abuses.

I do not know what is the cause of all the excitement in connection with the Mallory case decision. Mr. President, what is wrong with the Mallory case decision? What is wrong with the principle that it is not the function of the police to arrest, as it were, at large, and to use at police headquarters an interrogating process, in order to try to determine whom the police should charge before a committing magistrate, on probable cause? What is wrong with that principle of procedure?

Of course, in view of our station in life—when we move in the circles in which we move, like so many millions who never have been in a night court, and do not have the slightest conception of police processes in this country—it is easy for us to say, "We must let the police have what they want."

I favor giving the police the procedures they need to carry out the law within the spirit and intent of Anglo-Saxon justice. But I say most respectfully that many of the arguments I have heard in regard to the decision in the Mallory case cannot be reconciled with the protections of Anglo-Saxon justice.

If we begin to whittle away to a slight degree at these great procedural rights, before we know it we shall have whittled away not just a little of the protections, but so many of them that we shall have destroyed some of our basic procedural safeguards.

In the early days of the Republic, the people fought against the procedural abuses by the British Crown. I do not propose in my time to be a party to receding from the great safeguards which the constitutional fathers won for us.

In my judgment, that is all the Supreme Court underwrote in the Mallory case. If Congress is to insist upon taking some legislative action on the Mallory decision; if it is true that this wave has so gripped the Congress of the United States that Members feel they cannot go home without saying they enacted some legislation affecting the United States Supreme Court, then let us strengthen the procedures which protect due process in this country, rather than weaken them. Let us strengthen the Mallory decision, rather than weaken it.

Mr. President, I assure the Senate that I am strongly in support of the Federal Criminal Code. Therefore, I hope Senators will give serious consideration to the amendment I have sent to the desk.

I know when a speech is made such as I am making in the Senate tonight, there is always the temptation on the part of those who want to misrepresent to say, "Yes, the senior Senator from Oregon stood on the floor of the Senate and tried to defend the conduct of a rapist." Mr. President, I am talking about procedural guaranties. When a fair procedure is provided, do not forget, Mr. President, it does not make one whit of difference before the Mistress of Justice whether the person is innocent or guilty. Basic in Anglo-Saxon law is the premise that fair procedure shall be applied to the guilty as well as to the innocent.

That is why we sometimes talk pretty platitudinously about the uniform application of justice. Sometimes I wonder if we really mean it. I sometimes wonder if we really mean it when we get into the kind of debate which has developed in the Congress of the United States over the Mallory case.

In this improvement for the Federal Criminal Code, I do not seek to make it easier for the Federal police and prosecutors to obtain convictions by confession; I seek to improve their practices of law enforcement in keeping with the spirit of the national Bill of Rights, which, in the final analysis, must always govern their actions.

Mr. President, since I have been alluding to the bill which I introduced last February, I now ask unanimous consent that the speech I made in support of the bill be inserted in the RECORD at the close of my remarks, so that I shall not have to review further the discussion of procedure I presented to the Senate on that day. I ask that it be included at the conclusion of my remarks. It will be found in the CONGRESSIONAL RECORD for Friday, February 21, 1958, starting at page 2551.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I turn now to H. R. 11477 and other bills of a similar tenor which have been introduced to repeal the McNabb-Mallory rule, and which are, in my opinion, highly dangerous and wholly unnecessary pieces of legislation. They are dangerous bills because they eat away at meaningful safeguards erected to protect all members of the public. They are dangerous because they are, in effect, a green light to Federal law enforcement officers to break the law of arrest and arraignment. They are unnecessary bills because no real need has been demonstrated that Federal law enforcement officers cannot operate effectively within the limitations of the present law. Outside the District of Columbia, the impact of the McNabb-Mallory rule is barely noticed.

These bills would reverse a rule of evidence which has been followed by our Federal courts for 15 years. In the celebrated case of *McNabb* v. *United States* (318 U. S. 332 (1943)), the Supreme Court enunciated a salutary doctrine that confessions obtained from prisoners during periods of illegal detention were inadmissible in evidence. In applying the exclusionary rule of evidence to confessions taken during periods of illegal detention, the Supreme Court was following sound and well-established precedent which excludes from use in Federal courts other types of evidence which are unlawfully obtained. It was against this background of case law that the present Federal Rules of Criminal Procedure were drafted, and drafted with Congressional sanction. Do not forget, it was the Congress of the United States that authorized the Supreme Court to exercise the rulemaking power, and rightly so; and, as the Senator from Illinois [Mr. DOUGLAS] has just whispered to me, it did so after the McNabb decision—after the "terrible" McNabb decision about which we have heard so much in this historic debate.

The Congress itself authorized the Supreme Court to draft rules of procedure, and out of that authorization came rule 5 (a), which is basic to the Mallory decision; and, as I stated earlier this afternoon, if one looks behind the veil, he will see the body of due process in this rule.

One cannot read the Mallory decision, the McNabb decision, and all the other great cases of the Supreme Court dealing with procedural safeguards without recognizing that they are based on due process. These are the procedural instrumentalities for effectuating due process guarantees in this country. So when one says to me, "The words 'due process' are not found in the Mallory case," I simply say, "Look behind the framework or the veil of the Mallory case."

As I stated, it was after the McNabb case that these procedural rules were drafted. The case of *United States* v. *Mallory* (354 U. S. 449 (1957)), merely applied to the present rules the same interpretation which the McNabb case gave to their statutuory precedessors. Were courts required to admit illegally obtained evidence, the courts would then become partners with the police in violation of the law. I note that after the McNabb decision was handed down, a hue and cry arose from Federal law enforcement officers, particularly in the District of Columbia, similar to the one which we are hearing now. We were told then, as we are being told now, that the Supreme Court was coddling criminals, that effective law enforcement was being hamstrung, that the police were being handcuffed. Dire predictions were made that there would be a breakdown of law and order. In the 15 years which have elapsed since the McNabb decision, these predictions have not been borne out. Law enforcement, either in the District of Columbia or elsewhere, has not broken down, nor has it been materially hampered. However, the rights of citizens in our Federal courts are still secure.

The charge has been widely circulated that confessions should not be thrown out because of mere technicalities. I do not consider the right to be free from arbitrary arrest and detention a mere technicality. The requirement of probable cause for an arrest—some concrete evidentiary link between the crime committed and the person arrested—is embedded in the common law and into the fourth amendment of the United States Constitution, as well as in the Federal Rules of Criminal Procedure.

I do not know how this issue can be dramatized so that the American people will see it before it is too late; but sooner or later tonight—and I am going to make it as soon as I can—you, Mr. President, will walk out of this building. Let us assume you walk down Constitution Avenue. Living in a free society, confident that you are protected from an arbitrary policeman's coming up to you and placing his hand on your shoulder and taking you into custody without probable cause. That is a precious protection. You and I enjoy it, Mr. President. But the sad fact is that there are too many cases in which many of our fellow citizens do not always enjoy such protection. The sad fact is that if one comes from the so-called lower stratum, he may have been out of work. He may have developed some bad habits of drinking. He may have associated with some bad people. The police are aware of his background. A crime is committed. There is not the slightest bit of evidence that he is associated with it. But the sad fact is that too many police departments in this country still—and it has happened recently in the District of Columbia—will reach over, put a hand on his shoulder, drag him into a police station, and hold him for hours, without probable cause.

It is no probable cause, Mr. President, when one is an habitual drunkard. It is no probable cause when one is a dope addict. What pity we should have for such wrecks of human beings. The ideal of the Anglo-Saxon justice is that they, too, shall be protected procedurally from capricious, arbitrary discretion of a police department which is looking for shortcuts to probable cause.

While I have digressed on this point, Mr. President, I shall add to it a related phenomenon. It is also true that when we deal with human wrecks, emotionally unbalanced people, people such as the defendant in the Mallory case, as depicted in the evidence we find that, they often are on the psychological borderline between stability and instability, mentally and psychologically. Those who know psychiatry and psychology know that the power of suggestion, stirred up by fear, strangely twists their minds. The sad fact is that time and time again confessions are obtained from absolutely innocent people, from unstable people, by unwarranted detentions in police stations.

That is why we have this safeguard that one must be taken forthwith before a magistrate, without unnecessary delay.

We have not changed the law one iota, Mr. President, by the amendment adopted tonight by a vote of 41 to 39. I am willing to risk whatever reputation I may have as a lawyer on the prediction that the Supreme Court, in the first case which comes before it—if the amendment becomes the law and we can get a decision on the point—will rule the amendment added nothing to the bill, so far as a legal fact is concerned, because the nine men who sit in that majestic temple of justice not so far away from where I am speaking, under the Constitution, have the duty of protecting us with regard to due process.

We cannot limit due process by legislation. We cannot change due process. Those who wish to change due process should present an amendment to the Constitution, to see how many votes they will get in this country.

That is why I voted against the amendment, Mr. President. I think we went through an empty gesture. I think we passed nothing, so far as legal effect is concerned, with respect to the constitutional duty of the court to see to it that until the Constitution is amended every American citizen is guaranteed procedural due process. That is basic.

It is difficult, at 10:27 at night, to obtain consideration of the important procedural safeguard for which I am pleading, but I do not intend to let the Senate proceed to a vote until I have made the record for future reference with respect to this point.

Going back to my manuscript, I say: If this clear prerequisite to arrest were followed in all instances by law-enforcement officers, their problem under the McNabb-Mallory rule would be ended. They would have sufficient evidence on hand for an arraignment. When a newspaper reports that in the past 6 months 16 confessed criminals in the District of Columbia were not prosecuted because of the requirements of this rule, what it is really saying is that the Washington police have violated the law 16 times in obtaining confessions. That is nothing to be proud about and it is nothing for the Congress to underwrite. It is something we ought to seek to change.

If any public agency should be subject to criticism for such occurrences, it should not be the agency which commands observance of constitutional guarantees, but rather the agency which flaunts them; in these instances, the police department.

Rule 5 (a) of the Federal Rules of Criminal Procedure, requiring arraignment without unnecessary delay after arrest, does not impose an undue burden upon careful policemen. There are any number of legitimate reasons which would justify delay between arrest and arraignment. The accused may be inebriated or in need of medical attention. The committing magistrate may not be immediately available. Rule 5 (a) and the McNabb-Mallory rule forbid an arrest for the purpose of obtaining a confession. It places the burden upon the police of obtaining the probable cause justification for the arrest prior to making the arrest and not afterwards.

I want to stress that over, and over, and over again, Mr. President, because it goes to the heart of the controversy. What the Supreme Court has said is, "You cannot arrest until you have probable cause. You must not arrest in order to find probable cause."

In this connection it should be noted that even if the bills presently before the Congress should become law, the requirement of arraignment without unnecessary delay after arrest would still remain. A clarification of the phrase "without unnecessary delay" which the police are seeking would not be forthcoming. All that would be changed is the sole effective remedy for violating the requirement. As such, the bills would be a green light to the police to ignore rule 5 (a). The Congress would be placing itself in an untenable position by permitting, if not encouraging, violations of its mandate.

The exact application of the phrase "without unnecessary delay" lies at the heart of the law-enforcement problem. This phrase allows more latitude between arrest and arraignment than the former Federal statutes which required arraignments immediately or forthwith after an arrest. What constitutes an unnecessary delay in that critical portion of any criminal case between arrest and arraignment depends upon the facts and circumstances of each case. Congress is in no position to lay down fiat rules which accommodate the individual necessities of each case. Only the courts, on a case-by-case basis, are able to fashion a body of law with sufficient flexibility to do justice to both the public and the accused in this matter. For that reason, I firmly believe that the working out of any clarification of the McNabb-Mallory rule should be left to the courts who created it.

The reason that an arrangment is of such critical significance in the processing of any criminal case is that, at an arraignment, conducted by a judicial officer, an accused must be advised of the charge against him, of his right to counsel, and of his right to remain silent.

Why should the defendant not have the same right in a police station? Why should we require the right at an arraignment but not in the police station? All my amendment would do, in effect, would be to require the same right at the police station. That is the British practice. It is the practice in some jurisdictions in this country. I would make it the clear Federal practice, Mr. President. What is wrong with it? What is wrong with protecting the accused, who presumably has been arrested for probable cause, by the same protection at the police station which he has before a committee magistrate? He is in the police station alone. He does not have a friend with him. He is frightened. He may have a very bad conscience, because of many other things he has done. But, speaking hypothetically, let us assume he did not commit the offense for which he was arrested.

We have that precious liberty, supposedly, in this country, which protects the innocent from being sent to jail. Why not give the accused the benefit of the safeguards set out in my amendment? Let no one tell me that we cannot administer criminal justice fully with those protections. Do not tell me that we can justify drawing lines of demarcation in American society between and among classes of citizens. Do not tell me it is all right to follow one set of procedures for those in one group, but to ignore them and to use time-consuming third degree methods, which stir up all the fears in unstable persons, in the case of persons who are less fortunately situated than Senators. All I say, Mr. President, is that the same safeguards ought to exist in the police station as exist before the committing magistrate.

I shall repeat a previous sentence:

The reason that an arraignment is of such critical significance in the processing of any criminal case is that, at an arraignment, conducted by a judicial officer, an accused must be advised of the charge against him, of his right to counsel, and of his right to remain silent.

Until this stage of the proceedings, a suspect may well be in ignorance of his rights and of the specific crime of which he is accused. A hardened criminal, habituated to the atmosphere of a police station, is usually capable of protecting his own interests without any warnings. A person seized by the police for the first time may well succumb to the new and frightening situation in which he finds himself and damage himself beyond repair.

THE INADEQUATE WARNING PROVISION OF H. R. 11477

Having taken away the substantial protection of such an accused, afforded by the exclusionary rule of the Mallory case, H. R. 11477 would provide a substitute in the form of a warning requirement by police officers prior to making an interrogation. The protection afforded by this warning provision is unsubstantial and illusory. In many instances, it can be rendered meaningless. For example under H. R. 11477 an accused could be informed of his right to remain silent, and of the possible use of any statement as evidence at the time he is being arrested.

However, his interrogation might take place later on, or in relays, by different officers, of different rank. It might occur in a number of different places over an extended period of time. As a result, an ignorant or uninformed accused could easily be led to believe that the right of silence applies only at the outset of an interrogation with reference only to the arresting officer. Or the warning could be given in such a cursory manner as to be easily forgotten during the course of the interrogation.

Let me digress for a moment to point out that we are dealing not only with the class of people I have described, those who have developed very unfortunate habits and who are human wrecks, but that we are also dealing with the mentally retarded, with persons who do not have our I. Q., with persons who are not only ignorant, but who do not have the mental grasp of a situation. They are human beings. We do not say, under Anglo-Saxon justice, that fair procedure is only for the bright, and that we can use arbitrary and capricious methods against the ignorant. No, we say—and we boast about it in theory and ideal, and I am pleading here tonight that we stand for it in practice also—that there shall be a uniform application of justice.

Mr. President, I want the person of low mentality to have the procedural guaranty my amendment gives to him at the police station. In fact, as I pointed out to the committee, I would even go so far, in this modern society, as to require that a telephone be placed at his disposal. I do not believe he should ever be there alone. I do not believe that he should be denied access to friends and family and lawyer. I do not believe that to enforce justice in this country we must stack the cards against the accused at the time of the arrest. Neither do I believe we should support a procedure which tends to make a police department lazy. A hardworking and efficient police department can find the probable cause without such abuse of procedures as the United States Supreme Court held against in the Mallory case.

My amendment, S. 3325, contains a warning provision modeled after the equitable and workable warning contained in article 31 of the Uniform Code of Military Justice. Like article 31, S. 3325 imposes an affirmative obligation to warn upon each and every interrogating officer at every stage of the questioning. Only in such a manner can the warning be of any substantial benefit.

I wish some of my colleagues in the Senate who served with me on the Committee on Armed Services a few years ago, when we had before us the Code of Military Justice, would recall for the Senate the position some of them took with me at that time, as the record of the Committee on Armed Services will show, when we stood for this protection in court-martial cases in military arrests. Are we to have one law for the armed services and another law for civilians?

Mr. President, the guaranties in my amendment exist in American military justice. What is wrong with having my amendment exist in Federal procedures in regard to Federal law enforcement officers?

The senior Senator from Oregon is not talking tonight about a professor's theory. The senior Senator from Oregon is talking tonight about a procedural guaranty which has proven its value throughout the centuries of Anglo-Saxon law, and a procedure which exists today in American military justice. I merely want the people who get arrested during the night, while we slumber, and are hauled into a police station in the District of Columbia to have the right to get in touch with friends and family and lawyer before being subjected to long cross-examination for many hours by the police.

The warning provision of H. R. 11477 is illusory in that it applies only to arrested persons. A person who is questioned on a street corner or in another public place need not be warned. A person who voluntarily comes to police headquarters without being arrested need not be warned. This loophole in the warning provision is wide enough to make it practically useless.

S. 3325 provides that accused must be advised of his right to remain silent and of the possible use in evidence of any statement which is made. However, it goes beyond the provision of H. R. 11477 to require that an accused be likewise told of his right to counsel and of the charge which is being made against him. Requiring the police to provide this additional information is no real burden upon them. It can be conveyed at the same time the other portions of the warning are given. Only when an accused is in possession of such information is he as fully apprised of the situation in which he finds himself as he is following an arraignment.

POSTARRAIGNMENT CONFESSIONS

The McNabb-Mallory rule does not prohibit postarraignment confessions from being admitted into evidence. Following an arraignment, an accused is just as available for questioning as he is at any prior time. He may be admitted to bail. Frequently, he is in pretrial confinement. In any event, the police may still interrogate him. However, having been warned of his rights and having had an opportunity to consult with counsel, the likelihood of obtaining a damaging admission is greatly reduced. It is clear that it is not merely the opportunity for questioning that the police seek; it is the opportunity for the questioning of an uninformed accused which they desire. If constitutional guaranties are to have any practical significance, this latter occasion should be eliminated.

THE INCONSISTENCY OF H. R. 11477

In this connection, it should be noted that the theory behind section (a) of H. R. 11477, repealing the McNabb-Mallory rule, and the theory behind section (b) of the bill, requiring the limited warning by police officers, are entirely inconsistent. The backers of H. R. 11477 are saying on the one hand that the rule of evidentiary exclusion is bad and should not apply to confessions obtained during periods of illegal detention. On the other hand, they are saying that the rule of evidentiary exclusion is sound and should be applied where warning provisions are not observed. The basis of the rule of exclusion is that the courts should not participate in illegal police activities by admitting tainted evidence. I see no reason why courts should be permitted to admit one type of tainted evidence but forbidden to admit another type.

MALLORY RULE NOT A DETERRENT TO CONVICTIONS

Despite the fact that the McNabb-Mallory rule has been a matter of public controversy for more than a year, the Department of Justice and the chief legal officer of the United States have not seen fit to endorse any clear and unequivocal modification of the rule. This omission indicates that the Federal law enforcement officials do not regard the rule as a significant deterrent to obtaining convictions in Federal courts. Over 25,000 criminal prosecutions have been commenced in Federal courts outside the District of Columbia since the rendition of the Mallory decision.

Twenty-five thousand prosecutions. Has American criminal justice broken down? Have the police been handicapped in these cases? Has injustice been done? The answer is "No." That is why I am at such a loss to understand this drive in the closing days of the session to pass something against the Supreme Court.

The McNabb-Mallory rule has excluded confessions in less than a half dozen of these cases. Clearly the rule has brought no crisis to law enforcement outside the District of Columbia. Yet the bills before the subcommittee are applicable to Federal courts all over the United States.

Judicial scrutiny of police activities in the District of Columbia should be particularly thorough. When residents of any other large metropolitan communities are aggrieved at the activities of their police departments, they have a legitimate political remedy. They can vote to obtain a city administration to run the police department to their liking. Such a remedy is not available to the voteless residents of the District of Columbia. When Washingtonians have a grievance against their city administration, their only significant remedy is a judicial one. The McNabb-Mallory rule provides such a remedy, limited though it may be, in cases of illegal police activity.

In conclusion, I should like to state that this subcommittee has before it not merely a series of bills but a series of problems, all intimately bound up with each other.

These problems deal not only with the limited area of rules of evidence, but also relate to broader problems of the constitutional freedom from arbitrary arrest and detention. I believe that the Supreme Court has struck the proper balance between the rights of the public and the rights of the accused in these critical areas of personal liberty. I oppose any legislation which will upset that balance.

I plead with conservatives and liberals tonight in the Senate: Do not make the mistake which I fear is about to be made. Do not proceed to impose a Congressional sanction, I respectfully say, without consideration of how it will operate, because I am satisfied that the overwhelming majority of the Members of the Senate have not had the time to study the record of the hearings or to listen to the testimony of some of the witnesses before two subcommittees of the Senate, who pleaded that no such legislation be passed.

If I had made a longer speech—and at one time in the parliamentary consideration in connection with this matter it was planned that I would make a longer speech—I would have read at length the testimony of great legal scholars, including the testimony of Professor Hogan, of a great law school of this District, who gave one of the keenest analyses of the constitutional problems which are involved in this great issue.

My confidence in my colleagues in the Senate is such that I am satisfied that if they had the time to become students of this problem before they voted, they would support the senior Senator from Oregon. I am sure of one thing: I have on my side in this argument a background of precedents, a background of authority, and a background of great decisions in American and British law which call out to the Senate of the United States: "Don't, don't, don't pass a bill which raises any question as to guaranteeing the procedural protection which the Supreme Court of the United States in the great Mallory case underwrote again—not for the first time in our history, but again—and called to the attention of the American people the precious right of procedural protection against arbitrary arrest and police abuse."

Senators have heard me say it before, but it certainly must be repeated tonight: We have no substantive rights beyond our procedural rights in American justice. We are dealing tonight with a question of procedural protection.

I submit my amendment. It provides, in effect, Mr. President, that you and I and 170 million persons like us, if we ever find ourselves in a position in which the arresting arm of the Federal Government rests on our shoulder and takes us to the police station, we will have the right to be advised as to the reasons for our arrest; the right to be advised that we do not have to make a statement; the right to be warned that anything we say will be used against us; the right to the benefit of counsel; yes, the right to call up friend and family and say, "I am in a jam. I am in trouble. I am at the police station. Come down."

What is wrong with that? Do we want to sacrifice that right? Do we want to underwrite the sacrifice of it? That is the issue. I leave the Senate with the issue, and submit my amendment.

EXHIBIT 1

CONSTITUTIONAL RIGHTS OF ACCUSED PERSONS

Mr. MORSE. Mr. President, I have three matters I should like to discuss briefly today. The first is in relation to a bill I shall shortly send to the desk for introduction out of order, and for appropriate reference. It deals with the subject matter of constitutional rights of accused persons, a subject I have discussed before.

Mr. President, I wish to pay my respects to the United States Supreme Court, and thank God for it, because in these days, when hysteria so frequently stalks our country, it has become too common a practice to engage in attacks upon the United States Supreme Court and individual Justices because they live up to the sanctity of their robes and carry out their constitutional duty of rendering decisions in accordance with the Constitution as they interpret that Constitution on the basis of their legal research.

I would point out to the American people, Mr. President, that there is a growing tendency within the Congress of the United States to set up Congress as a super Supreme Court—to attempt to overrule decisions of the United States Supreme Court by the indirection of legislation rather than by constitutional amendment—which bodes ill for the future of this constitutional system of ours unless the tendency is stopped. The place to stop it is in the Congress.

As one studies the constitutional history of this country, one will find there have been similar patterns in the past. My reading and research cause me to believe that probably at no other time—unless it was in the period of the War Between the States, and the period of Reconstruction that followed—has there been such a sustained insidious attack upon the judicial system of this country.

I would have every free man and woman in this country recognize that in the last analysis their enjoyment of freedom is dependent upon an independent judiciary.

There have been some great landmark decisions of the United States Supreme Court in recent years, comparable to that great decision of Marbury against Madison, which established the authority of the Supreme Court to exercise the sublime duty of declaring the constitutionality of statutes, thereby protecting the rights of free Americans under the Constitution.

I am one Senator, Mr. President, who wants the RECORD to show that I intend to be no party to what I consider to be the none-too-subtle drive which is on in America, and which finds itself manifested too frequently in the Halls of Congress to undermine the great citadel of constitutional freedom in this country which is in that great pillared building just across the park from where I now speak.

That does not mean, Mr. President, that as a lawyer I necessarily find myself in agreement with every decision of the Supreme Court. But it is the Court of last resort, and when it speaks on a great constitutional question it is my judgment that it should be followed, unless the people under the processes contained within the Constitution itself decide to modify a constitutional right by constitutional amendment.

This afternoon we listened to a very able reading of Washington's Farewell Address, a reading by the distinguished Senator from Idaho [Mr. CHURCH]. We could well reflect, Mr. President, upon the comments made in that Farewell Address by the first President of the United States relative to the procedures which ought to be followed if one seeks to change the Constitution of the United States. It should be done by the amendment process.

It behooves the Members of Congress to give great thought to what I consider to be

this insidious movement abroad in the land to undermine the Constitution. I not only thank God for the Court and the judicial process which the Court symbolizes, administers, and carries out in the interest of the freedom of the American people, but I also thank God, Mr. President, for the brilliance of mind and the dedication to human freedom of the individual members of the Court.

I have just finished reading a book recently off the press, written by Justice Douglas, entitled "The Rights of the People." I would, Mr. President, that every American would read the book. Surely there are parts in the book as to which each one of us might have a reservation of point of view, or an outright disagreement. But the book, in my opinion, is a monumental work by way of a restatement of the precious individual rights of Americans. There is a great need, in my opinion, for long reflection upon those rights so brilliantly set forth and discussed by Justice Douglas in this most notable book.

I have made these comments by way of introduction to a brief discussion of the bill which I shall introduce this afternoon, because these days one cannot pick up the daily press, at least in Washington, without reading about the Mallory case.

WASHINGTON POST EDITORIAL ON MALLORY CASE

I have been known to criticize the local press from time to time in my speeches in the Senate, but I have always tried to be fair when I feel the press has done a great educational job on some issue. In the hope that I will not cause a heart attack down in the editorial rooms of the Washington Post and Times Herald with this compliment, I want to compliment the editorial staff of the Washington Post and Times Herald for what I think has been a very objective presentation of the issues in the Mallory case.

I think it is too bad, however, that so much misunderstanding seems to have developed among some of my colleagues in the Congress with regard to the Mallory case. I suspect that the misunderstanding would have been less if more of my colleagues had read the case, because the Mallory case involves a very precious right of anyone who is arrested.

ARREST AND PRIVATE RIGHTS

There is always a temptation—and there seems to be a growing attitude on the part of many people—to believe that arrest destroys the presumption of innocence, or that arrest now in some way, somehow, so far as the public forum is concerned—although that is not true of the courtroom forum—places the burden on the arrested party to establish his innocence.

Of course, the warnings I am uttering here today relate to simply a repetition of other cycles in our history when waves of public opinion have seemed to give support to demagoguery, and have seemed to indicate a willingness on the part of a stampeding public to grind under foot individual rights; but, Mr. President, fortunately for personal liberty in this country, there have always been those who have refused to go with the mob, who have stood out and raised at least a few warning flags, a few danger signals, and who have uttered a few protestations against threats of individual liberty.

I ask Senators to keep in mind the fact that the Mallory decision was based upon rule 5 of the Federal Rules of Criminal Procedure, but at its base it involves due process of law as a constitutional concept.

PRESERVING DUE PROCESS

It is about this concept of due process of law that I wish to speak this afternoon as I introduce the bill. The basic constitutional rights guaranteed to accused persons in the Federal Bill of Rights do not mean very much unless they can be invoked at the earliest appropriate time. Due process of law means just that. It is not a mere legalistic phrase confined to the subsequent criminal trial; it properly applies as early as necessary in the proceedings—that is, when a person is detained by law-enforcement officers and is questioned.

Due process of law attaches to the person the moment the law officer lays his hand on him and subjects him to arrest. Due process of law is not a legal protection that applies sometime subsequent to arrest; it applies immediately. I would have Senators read the Mallory case from the standpoint of that constitutional guaranty. It is at the point of arrest that the individual's basic rights should be made clear to him.

RIGHTS DECLARED BY BILL

He should be told the charge against him, that he has a right not to make any statement, and that he has a right to have legal counsel present while he is questioned. With such a safeguard, with enforcement features, the problem of improperly obtained confessions would be reduced to a minimum.

We all believe that British constables always warn persons whom they suspect of the commission of crime that "You are cautioned that anything you say may be used against you." The Uniform Code of Military Justice provides for a similar admonition. Unfortunately, the practice is not now followed as a matter of established procedure by our police and other law officers.

Therefore I am today introducing a bill, for appropriate reference, to establish this practice by statutory law for all Federal enforcement officers. I am introducing the bill so that it may be considered along with those relating to the Mallory case. Its enactment would go a long way toward solving the situation in cases like Mallory, of detention for an improper length of time. Therefore the bill can be regarded as a substitute for the Mallory bills, or at least a necessary amendment.

Mr. President, I ask unanimous consent that the bill be appropriately referred, and that it may be printed in full at this point in the RECORD.

The PRESIDING OFFICER (Mr. MUNDT in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3325) to amend chapters 203 and 223 of title 18, United States Code, to insure greater protection for the constitutional rights of accused persons, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

"Be it enacted, etc., That (a) chapter 203 of title 18, United States Code, is amended by inserting immediately following section 3060 of such chapter a new section to be designated as section 3061 and to read as follows:

"'SEC. 3061. Caution to accused persons

"'No officer or employee of the United States Government or of the municipal government of the District of Columbia shall interrogate, or request any statement including a confession from, a person accused or suspected of an offense, without first informing him—

"'(a) of the nature of the offense;

"'(b) that he does not have to make any statement regarding the offense of which he is accused or suspected;

"'(c) that he has the right to have legal counsel present at all times while he is being questioned or is making any statement; and

"'(d) that any statement made by him may be used as evidence against him in a criminal prosecution.'

"(b) The analysis of chapter 203 of title 18, United States Code, is amended by adding at the end thereof a new item as follows:

"'SEC. 3061. Caution to accused persons.'

"SEC. 2. (a) Chapter 223 of title 18, United States Code, is amended by inserting immediately following section 3500 of such chapter a new section to be designated as section 3501 and to read as follows:

"'SEC. 3501. Admissibility of statements

"'No statement, including a confession of guilt, shall be admissible in evidence in a criminal prosecution in any district court of the United States or in the municipal court for the District of Columbia until there is established proof that the provisions of section 3061 of this title have been complied with.'

"(b) The analysis of chapter 223 of title 18, United States Code, is amended by adding at the end thereof a new item as follows:

"'SEC. 3501. Admissibility of statements.'"

Mr. LANGER. Mr. President, I wish to commend the distinguished senior Senator from Oregon for introducing the bill. As the former chairman of the Committee on the Judiciary, I have been aghast at some newspaper comments and pamphlets which have been issued in attacking the Supreme Court of the United States. Personally, I have every confidence in that Court. I wish the Senate to know that I have as much confidence in the distinguished senior Senator from Oregon.

When I was chairman of the Committee on the Judiciary, and we discovered that military prisoners were receiving much longer sentences for crimes they had committed than persons who had committed similar crimes and who had been sentenced in the criminal courts of the country, it was the distinguished senior Senator from Oregon who came before the committee and acquainted us with the results of an investigation he had made. The result was that the sentences of those convicted in military courts were substantially reduced. As a consequence, all over America the word went forth that people would be treated with uniform justice.

Although some of the sentences were not reduced as much as the Senator from North Dakota would have desired, nevertheless, I wish to pay tribute to the distinguished service of the Senator from Oregon; he did so much to bring the matter to the attention of the people of the United States.

Not only that, Mr. President, but in supporting the bill introduced by the distinguished Senator from Oregon, I wish to say that I know of several cases—and I refer particularly to some in New York—in which people were arrested who could not even hire a lawyer because lawyers were afraid of being contaminated if they took those cases, particularly because of what the newspapers might say about them.

I believe, with the distinguished Senator from Oregon, that when a man is arrested he should have a right to counsel. By counsel I mean a man who is versed in the law, not, as in one case, when a person arrested for a particularly heinous crime went to nearly 30 lawyers, only to have each one of them refuse to take the case. The result was that he had finally to hire two lawyers whose only practice had been in real estate, and who had never tried a criminal case in their lives.

I believe the distinguished Senator from Oregon will agree with me that due process of law means that when a man is arrested, he is not only entitled to counsel, but that he is entitled to counsel well versed in the law, so that he may have adequate protection under the Constitution of the United States.

Mr. MORSE. I thank the Senator from North Dakota for his very generous comments about the senior Senator from Oregon. I should like to say for the RECORD that the Senator is a very precious treasure of mine, because he is a biased friend. I do not know of anything more precious than a biased friend. I want him to know, however, that I have considered it a great honor to serve with him in the Senate, as we have fought shoulder to shoulder many times in support of what I considered to be sound liberal causes promoting the general welfare of the people of this country.

I remember very well his distinguished service as chairman of the Committee on the Judiciary of the Senate. It is a great chapter in the history of the Committee on the Judiciary. The remarkable things that were done under Senator LANGER's chairmanship sought to strengthen the great principles of individual freedom and rights, all encompassed in what we are referring to here this afternoon as the procedure on which due process of law rests in the Constitution of the United States.

His comments cause me to say that long before I entered politics I had done a considerable amount of professional work in the field of crime investigation in this country. I directed, for the Department of Justice, a 2-year study in the field of criminal law administration, which resulted in a 5-volume work. In the course of that study, we ran into a great many examples of third-degree methods practiced by the police.

POLICE METHODS

It is always a ticklish thing when one talks about abuses that develop in police methods in this country, because there are always those who seek to give the impression that a person is not in favor of strict enforcement if he undertakes to criticize the police.

Mr. President, it is because I am in favor of strict law enforcement, and it is because I believe that justice should prevail, that throughout my professional career I have raised my voice and pointed my pen many times against police practices that jeopardize individual liberty.

THE EFFECT OF FEAR

Third-degree methods can take many forms. Even now occasionally there may be an outbreak in a police department of so-called physical third-degree methods. Whether the methods take the form of the rubber hose or the fist or the boot, or the form of the penetrating light shone for long hours into the face of the accused, or whether they take more subtle forms, the very essence of the third-degree method is to prey on the instinctive reaction of a human being when it takes the form of fear, because a frightened man or woman is not in a very good position to exercise his or her powers of rationality.

The frightened man or woman victimizes himself or herself time and time again. The frightened man or woman very frequently, as the cases by the scores in American jurisprudence point out, admit wrongdoing when, in fact, they are innocent. Frequently, out of fear, unexplainable in many of these instances by the psychologist, they implicate others who, in fact, are innocent.

One of the reasons for the development of these concepts of due process of law; one of the reasons why we sought to modify the star-chamber proceedings of the British Crown; one of the reasons why, in the birth of this Republic, there was given to the individual the protection for which I am pleading again this afternoon, was that it had always been recognized that an individual harassed by fear was an individual whose testimony at that time was likely to be most unreliable.

With all the individual differences that exist among people, the time element itself can become a third-degree technique. The holding of the individual in the police station without access to counsel or family or friends; all of the physical surrounding of the setting; the inflection of voices; the facial expressions of police and prosecutor—all of these have terrifying effects on some individuals. The very environment becomes steeped in a third-degree atmosphere, without a fist being applied, a boot kicked, or a rubber hose administered.

In essence, that is the heart and soul of the Mallory case. In essence, the Supreme Court, thank God, has said: "You cannot take an accused and hold him for an unreasonable period of time without violating his rights of freedom." Yet there are those who apparently think it will help in the enforcement of the criminal law to give the police an unchecked power in respect to the time element. Forgetting the individual for the moment, let me point out that when such a practice as that develops, and it becomes well known that such advantages are being taken of persons accused of crime, sooner or later 12 men or women true, sitting in a jury box, will begin to manifest their reactions to that sort of enforcement technique.

EFFECT ON JURIES

This leads me to comment on another problem which I have observed in the crime investigations I have conducted. Unless we protect the precious right of freedom in the administration of criminal justice, juries will take the law into their own hands. I do not condone that or sanction it, but that is what will happen. They will refuse to convict, not because they have a question as to the guilt of the individual, but because the law-enforcement officers have violated what the juries consider to be fair play, in that there has been a violation of precious individual rights.

So I say to those who are so anxious to reverse the Mallory case: "You will make a great mistake. If you do not maintain checks upon police departments consonant with due process of law, you will only increase the problems of law enforcement, and not decrease them, because these precious rights have been found to be true and sound throughout the history of our Republic." One has only to read the Douglas book to know whereof I speak.

All my bill says, in effect, is: "Interrogate or arrest him; but you are required, when you detain him, to notify him of his rights. You are required to notify him that he is entitled to the benefit of counsel. You are required to notify him that anything he says can be used against him, and he is not under any obligation to say anything."

The last point is quite important. Let me say by way of a generality, subject to all the limitations of a generality, that confessions forced out of an arrested person are usually the technique of a lazy police department and a slovenly district attorney. Under our system of criminal justice, we have a right to have a police department so efficient and a district attorney so able that it is not necessary to browbeat a confession out of an accused.

I am familiar with the point of view on the other side of the question, namely, that to catch crooks it is sometimes necessary to use techniques which are not particularly acceptable in the drawing room or around the tea table. But I repudiate that concept. In my judgment, we can never afford, in the United States, on the ground of enforcement expediency, to endanger and risk the individual rights of a citizen so sorely won in the history of our Republic.

All I seek to do in my bill is to guarantee to free men and women in the United States that they will be given the basic protections which I think are essential if due process is to be carried out in the administration of criminal justice.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE].

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, I hope the amendment will not be agreed to. It is too late in the session. It is too late in the day. It is too late for those who hope to have the bill passed. This amendment will operate against an agreement in conference.

I do not want to see the bill fail because I think Congress owes an obligation to the people of the United States to pass clarifying legislation.

I am chairman of the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary. We shall be back at work in the next session. I shall be very happy to give full hearings to the Senator from Oregon on his proposal. But this is not the time to adopt it. I hope the amendment will be rejected.

Mr. NEUBERGER. Mr. President, I have not spoken today on the bill. I intend to speak for only 1 minute tonight. I should like to state why I support the amendment of my colleague, the senior Senator from Oregon.

Some years ago my wife and I were in a very remote outpost in the Canadian sub-Arctic. We were eating whitefish in a small cafe near Lake Athabaska. While we were eating, we noticed, at a table nearby, a very unkempt, rather suspicious-looking individual.

After about 10 or 15 minutes, a constable of the famous Royal Canadian Mounted Police came into the little eating establishment. He walked over to the individual and put his hand on the man's shoulder. I can remember the incident as though it were yesterday.

The man looked up at the constable, somewhat in fear.

The mounted policeman asked, "Are you so and so?"

The man nodded in assent. Then the mounted policeman spoke these words. I remember them very clearly, and I think I still recall the constable's name. He said:

I am Constable Metkovich, of Her Majesty's Royal Canadian Mounted Police. I arrest you in the name of the Crown. I warn you that anything you say may be taken down in writing and used against you in court.

I have always remembered that because I have never heard such words spoken in the United States, although I have seen quite a number of persons arrested.

Only recently, I examined the statistics on crimes committed in Canada and crimes committed in the United States. The United States has an infinitely higher crime rate than does Canada; and the crime rate in our country unfortunately is rising every year.

That Royal Canadian Mounted policeman spoke those words from the Canadian Criminal Code. Later, I asked him about it; and he said he had never arrested anyone without speaking those words. He also said that he had rarely arrested an Indian or an Eskimo without speaking those words; and that if he arrested an Indian or an Eskimo who did not speak English, he had tried to have an interpreter speak those words to them, before he, the Royal Canadian Mounted policeman, would arrest them.

Mr. President, for some of those reasons, I support the amendment submitted by my colleague [Mr. MORSE].

Mr. MORSE. I appreciate very much those words of my colleague.

Mr. President, I close by saying that it is never too late to protect the procedural rights of the American people; and that is the purpose of my amendment, which, in the form of Senate bill 3325, has been before the Senate committee since February 21 of this year.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The question is on agreeing to the amendment submitted by the Senator from Oregon [Mr. MORSE].

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that if present and voting, the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], and the Senator from Georgia [Mr. TALMADGE] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from New Hampshire [Mr. COTTON] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. IVES], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from New Jersey [Mr. SMITH] is detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] would each vote "nay."

The result was announced—yeas 13, nays 64, as follows:

YEAS—13

Case, N. J.	Langer	Pastore
Cooper	Magnuson	Proxmire
Douglas	McNamara	Revercomb
Kefauver	Morse	
Kennedy	Neuberger	

NAYS—64

Aiken	Hennings	Monroney
Allott	Hickenlooper	Morton
Anderson	Hill	Mundt
Barrett	Hoblitzell	O'Mahoney
Beall	Hruska	Potter
Bennett	Humphrey	Purtell
Bible	Jackson	Russell
Bush	Javits	Saltonstall
Butler	Jenner	Schoeppel
Capehart	Johnson, Tex.	Smith, Maine
Carroll	Johnston, S. C.	Sparkman
Case, S. Dak.	Jordan	Stennis
Church	Kerr	Symington
Clark	Knowland	Thurmond
Curtis	Kuchel	Thye
Dirksen	Lausche	Watkins
Dworshak	Long	Wiley
Eastland	Malone	Williams
Ellender	Mansfield	Yarborough
Ervin	Martin, Iowa	Young
Fulbright	Martin, Pa.	
Goldwater	McClellan	

NOT VOTING—19

Bricker	Frear	Payne
Bridges	Gore	Robertson
Byrd	Green	Smathers
Carlson	Hayden	Smith, N. J.
Chavez	Holland	Talmadge
Cotton	Ives	
Flanders	Murray	

So Mr. MORSE's amendment was rejected.

Mr. O'MAHONEY. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Wyoming to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS], the Senator from Montana [Mr. MURRAY], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that if present, and voting, the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS], the Senator from Montana [Mr. MURRAY], and the Senator from Georgia [Mr. TALMADGE] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from New Hampshire [Mr. COTTON] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. IVES], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from New Jersey [Mr. SMITH] is detained on official business.

If present, and voting, the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

On this vote, the Senator from New Hampshire [Mr. COTTON] is paired with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from New Hampshire would vote "yea," and the Senator from New Jersey would vote "nay."

The result was announced—yeas 65, nays 12, as follows:

YEAS—65

Aiken	Hickenlooper	Morton
Allott	Hill	Mundt
Anderson	Hoblitzell	O'Mahoney
Barrett	Hruska	Pastore
Beall	Jackson	Potter
Bennett	Jenner	Purtell
Bible	Johnson, Tex.	Revercomb
Bush	Johnston S. C.	Russell
Capehart	Jordan	Saltonstall
Carroll	Kefauver	Schoeppel
Case, N. J.	Kennedy	Smith, Maine
Case, S. Dak.	Kerr	Sparkman
Church	Knowland	Stennis
Curtis	Kuchel	Symington
Dirksen	Lausche	Thurmond
Dworshak	Long	Thye
Eastland	Malone	Watkins
Ellender	Mansfield	Wiley
Ervin	Martin, Iowa	Williams
Fulbright	Martin, Pa.	Yarborough
Goldwater	McClellan	Young
Hennings	Monroney	

NAYS—12

Butler	Humphrey	McNamara
Clark	Javits	Morse
Cooper	Langer	Neuberger
Douglas	Magnuson	Proxmire

NOT VOTING—19

Bricker	Frear	Payne
Bridges	Gore	Robertson
Byrd	Green	Smathers
Carlson	Hayden	Smith, N. J.
Chavez	Holland	Talmadge
Cotton	Ives	
Flanders	Murray	

So the bill (H. R. 11477) was passed.

Mr. O'MAHONEY. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion made by the Senator from Wyoming to reconsider the vote.

The motion to lay on the table was agreed to.

Mr. O'MAHONEY. Mr. President, I move that the Senate insist upon its amendment and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. EASTLAND, Mr. CARROLL, Mr. WILEY, and Mr. DIRKSEN conferees on the part of the Senate.

PROVISION OF NOTICE OF APPEAL FOR INTERLOCUTORY RELIEF AGAINST ORDERS OF CERTAIN ADMINISTRATIVE AGENCIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2500, H. R. 6789, and after the clerk states the bill by title, I should like to make a brief announcement.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 6789) to provide for reasonable notice of applications to United States courts of appeals for interlocutory relief against the orders of certain administrative agencies.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Indiana [Mr. JENNER].

Mr. JENNER. Mr. President, I offer an amendment to the pending bill.

The PRESIDING OFFICER. The amendment of the Senator from Indiana will be stated.

The CHIEF CLERK. It is proposed, at the end of the bill, to add a new section, as follows:

That (a) chapter 21 of title 28 of the United States Code is amended by adding at the end thereof the following new section:

"§ 1258. Limitation on appellate jurisdiction of the Supreme Court.

"Notwithstanding the provisions of sections 1253, 1254, and 1257 of this chapter, the Supreme Court shall have no jurisdiction to review, either by appeal, writ of certiorari, or otherwise, any case where there is drawn into question the validity of any law, rule, or regulation of any State, or of any board of bar examiners, or similar body, or of any action or proceeding taken pursuant to any such law, rule, or regulation pertaining to the admission of persons to the practice of law within such State."

(b) The analysis of such chapter is amended by adding at the end thereof the following new item:

"1258. Limitation on the appellate jurisdiction of the Supreme Court."

SEC. 2. Section 102 of the Revised Statutes, approved June 22, 1938 (52 Stat. 942; 2 U. S. C. 192), is amended by changing the period at the end thereof to a colon and adding the following provision: "*Provided*, That for the purposes of this section any question shall be deemed pertinent unless timely objection is made thereto on the ground that such question lacks pertinency, or when such objection is made, if such question is ruled pertinent by the body conducting the hearing; and on any question of pertinency, the ruling of the presiding officer shall stand as the ruling of the body unless reversed by the body on appeal."

SEC. 3. (a) That chapter 115 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 2392. Enforcement of State statutes

"Except to the extent specifically provided by any statute hereafter enacted by the Congress, the enactment of (a) any provision of law contained in this chapter or in chapter 37, 67, or 105 of this title, (b) the Subversive Activities Control Act of 1950, (c) the Communist Control Act of 1954, or (d) any other Act of the Congress heretofore or hereafter enacted which prescribes any criminal penalty for any act of subversion or sedition against the Government of the United States or any State of the United States, shall not prevent the enforcement in the courts of any State of any statute of such State prescribing any criminal penalty for any act, attempt, or conspiracy to commit sedition against such State or the United States, or to overthrow the Government of such State or the Government of the United States.

"As used in this section, the term 'State' includes any State of the United States, the Territory of Hawaii, and the Commonwealth of Puerto Rico."

(b) The analysis of chapter 115 of title 18, United States Code, is amended by inserting at the end thereof the following new item:

"2392. Enforcement of State statutes."

SEC. 4. (a) The Congress finds that the distinction made by the Supreme Court of the United States in Yates against United States, Schneiderman against United States, and so forth, between advocacy of the forcible overthrow of the Government as an incitement to action and advocacy of such overthrow as mere abstract doctrine is, as Mr. Justice Harlan characterized it, "subtle and difficult to grasp"; that the construction put upon section 2385 of title 18 of the United States Code by the Supreme Court is one never intended by the Congress; that such construction is impractical of application, and infuses into this criminal statute a degree of uncertainty and unclarity which is highly undesirable; and that legislative action to clarify and make certain the intent of this criminal statute is therefore required.

(b) The first paragraph of section 2385 of title 18 of the United States Code is amended so as to read:

"Without regard to the immediate probable effect of such action, whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States or the government of any State, Territory, District or possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or".

(c) Section 2385 of title 18 of the United States Code is amended by inserting therein, immediately after the first paragraph thereof, the following new paragraph:

"Whoever, with intent to cause the overthrow or destruction of any such government, in any way or by any means advocates, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying any such government by force or violence; or".

(d) Section 2385 of title 18 of the United States Code is amended by adding at the end thereof the following new paragraph:

"As used in this section, the term 'organize' with respect to any society, group, or assembly of persons, includes encouraging recruitment or the recruiting of new or additional members, and the forming, regrouping, or expansion of new or existing units, clubs, classes, or sections of such society, group, or assembly of persons."

Amend the title so as to read: "A bill to limit the appellate jurisdiction of the Supreme Court in certain cases, and for other purposes."

Mr. JOHNSON of Texas. Mr. President, I have discussed the amendment with the proponents thereof, the authors, the Senator from Indiana [Mr. JENNER], the Senator from Maryland [Mr. BUTLER], and other Senators interested in the amendment. I am informed the proponents expect to take an hour or two in proposing the amendment tomorrow, and I hope the opponents will not consume more than that, after which we expect to take up the motion by the Senator from Missouri [Mr. HENNINGS] to table. I should like all Members to be on notice, that the Senate will convene at 11 o'clock in the morning and we will have a morning hour. We anticipate a vote on the Jenner-Butler bill proposal tomorrow some 2 or 3 hours after debate commences. I ask unanimous consent that it be in order to ask for the yeas and nays on the motion to table the amendment, notwithstanding the fact that the motion has not yet been made.

The PRESIDING OFFICER. Without objection, so ordered. Are there sufficient seconds?

The yeas and nays were ordered.

Mr. JENNER. As I understand, the yeas and nays are ordered on the bill or any motion, too.

Mr. JOHNSON of Texas. Mr. President, I would like it understood that is on the motion to table also, as I announced.

The PRESIDING OFFICER. Is there a sufficient number?

The yeas and nays were ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I wish to inform the Senate there will be no further business transacted tonight, so each Member of the Senate will be protected, although we expect a couple of speeches.

Mr. President, we have planned to have a call of the calendar following the morning hour. We expect to take a few minutes, but I want the calendar committees to be on notice that following the morning hour there will be a call of new bills on the calendar.

PROVISION OF NOTICE OF APPEAL FOR INTERLOCUTORY RELIEF AGAINST ORDERS OF CERTAIN ADMINISTRATIVE AGENCIES

The Senate resumed the consideration of the bill (H. R. 6789) to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies.

Mr. JENNER. Mr. President, I recently cut a radio tape giving a brief story of the whys and wherefores of Senate bill 2646, limiting the appellate jurisdiction of the Supreme Court. I am going to ask that the entire tape be printed in the body of the RECORD as a part of my remarks.

I have set it out in the form of question and answer, which I think will make quite plain to the Members of the Senate the whys and wherefores of Senate bill 2646.

For example, the question is asked:

Senator JENNER, to start the ball rolling, will you tell us the story of how Senate bill 2646 came into existence? Wasn't it characterized by the Washington Post as a "sneak attack" on the United States Supreme Court?

My answer was:

Yes, the Washington Post called it a sneak attack. Here is what happened. I sneaked into the Senate Chamber last August and made a sneaky 2-hour speech to introduce S. 2646. Mimeographed copies of this speech were sneaked up to the press gallery and sneakily passed out to the correspondents who were sneaking around up there.

Someone sneaked over to the Government Printing Office and had the speech reproduced in the sneaky CONGRESSIONAL RECORD. The sneaks who operated the sneaky nationwide radio program, Meet the Press, invited me to appear on that program and I sneaked over to their studio one night and talked about the bill. I also sneaked out to South Bend, Ind., to appear on the Manion forum, another nationwide program, and talked about the bill there.

The next question was:

In other words, there was no sneak attack at all. What was done to let the people participate in consideration of this bill?

My answer was:

Chairman EASTLAND, of the Judiciary Committee, issued notices to the press that public hearings would be held. These notices and invitations to testify were sent all over the United States. As a result, witnesses from all over the United States came to Washington to testify at the hearings, which went on for 10 days. A great many other persons wrote letters to the committee.

Mr. President, I ask unanimous consent that the remainder of the radio tape transcription be printed in the RECORD as a part of my remarks.

There being no objection, the balance of the manuscript was ordered to be printed in the RECORD, as follows:

Question. Did you get a "yes" vote or a "no" vote from the people?

Answer. We got an overwhelming "yes" vote. Even before the bill was amended to meet certain criticism, mail was running 15 to 1 in favor of it.

Question. Wasn't the bill also discussed at great length in editorials, newspaper and magazine articles, and radio and TV programs?

Answer. It certainly was. A Justice of the Supreme Court even went so far as to appear on one of these programs, which tried to marshal public opinion against the bill.

Question. Do you believe this attempt to turn public opinion against the bill has succeeded?

Answer. No. Senator EASTLAND made a comprehensive address in support of S. 2646 on July 10. His mail is running at the rate of 30 to 1 in favor of it.

Question. Senator, you spoke of the original bill. Does that mean that the present version of S. 2646 is a different document from the one you introduced a year ago?

Answer. Yes. As I just pointed out, the first draft has been almost completely rewritten, in order to satisfy the original critics.

Question. Have they been satisfied?

Answer. They don't seem to have been. They are still using the same arguments against the bill that they used in 1957.

Question. Well, let's go back to 1957, then. Why did you introduce S. 2646?

Answer. I introduced it because the majority decisions of the United States Supreme Court had just about demolished the defenses which the people themselves had set up in the Territories, the States, and in Washington to protect themselves against Communist subversion. It was up to Congress either to act or to acquiesce.

Question. In your judgment, was there any change in the Court's attitude during the 1958 term?

Answer. I will let the President of the United States answer that question. On Monday, July 7, the President sent a special message to Congress asking us to pass legislation immediately, to undo the latest havoc wrought by the Court. Only 2 weeks earlier, the Court had handed down decisions which limited the traditional authority of the Secretary of State to issue passports. As a result of these decisions, Communist conspirators are being dispatched abroad on treasonous errands. The President said, "I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger."

Question. How does the Communist Party feel about the Court's decisions?

Answer. Communists in the United States and also in Russia have publicly rejoiced. They said the Court delivered a "triple-barreled attack" on the American security program. They said: "Victory is indeed sweet." They said the Court had given the party "new opportunities" and "new grounds to fight from."

Question. Which Communist said that the majority of the United States Supreme Court had given his party "new opportunities"?

Answer. That was said by Eugene Dennis, general secretary of the party, in a report to his national executive committee on June 21, 1957.

Question. Is that the same Eugene Dennis who went to jail after being convicted of seeking to overthrow the Government of the United States by force and violence?

Answer. Yes, that is the same Eugene Dennis.

Question. Now tell us the philosophy behind your original bill.

Answer. The Constitution of the United States says that the Supreme Court of the United States shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Under my original bill, Congress would have deprived the Court of appellate jurisdiction in five categories of cases.

Question. Why did you select those categories?

Answer. In the Konigsberg and Schware decisions, the Court had opened the way for secret Communists to become lawyers. In the Slochower decision, it had opened the way for secret Communists to obtain positions on school and college faculties. In the Watkins decision, it crippled the functions of Congressional committees, which have the responsibility to investigate Communists. In Cole against Young it opened the way for secret Communists to get on Federal payrolls, so long as they did not occupy so-called sensitive positions. In the Nelson decision, it wiped out State laws against subversion. My original bill touched those 5 areas.

Question. What happened to your original bill?

Answer. It was amended, after an extended series of hearings and full consideration by the entire Judiciary Committee of the Senate.

Question. Who proposed these amendments?

Answer. They were proposed by Senator BUTLER, of Maryland. I want to emphasize that I am entirely in agreement with them.

Question. Will you explain them to us?

Answer. Well to begin with, they eliminate the provision to remove the Court's appellate jurisdiction, in 4 of the 5 original categories. Under the amended bill, Congress only restricts the Court's appellate jurisdiction in matters involving admission to practice of law in the States.

Question. As a matter of fact, didn't the Court itself once declare it had no appellate jurisdiction in that area?

Answer. Yes. In Selling against Radford, decided in 1917, Chief Justice White said that the appellate power in cases like this was "a power which we do not possess."

Question. But the present Supreme Court thinks it does possess this power, does it not?

Answer. The Court has usurped the power, and used it to force admission of secret Communists to the practice of law in State courts.

Question. Now tell us about the rest of the amended bill.

Answer. Section 2 would permit a Congressional committee to determine the pertinency of any question it put to a witness. This section is necessary, because in the Watkins decision, the Court said that a witness had to have assurance the question was pertinent, before he could be required to answer it. Section 2 will not let a committee operate outside its jurisdiction, but it will let a committee control its own investigation so long as it stays within its jurisdiction.

Question. How about section 3?

Answer. That would restore the enforceability of anti-subversive laws in 42 States, Alaska and Hawaii, which were put out of business by the Nelson decision.

Question. How about section 4?

Answer. That would put the Smith Act back into business. As you know, the Smith Act, passed in 1940, is the law which was used to jail Communist leaders who advocated the overthrow of our Government by force and violence. The Court's decision in the Yates case opened the jail doors for them, and made a "shambles out of the Smith Act," to use the words of Federal Circuit Judge Richard H. Chambers of California. Section 4 clarifies the language in an effort to prevent the Court from making a shambles of the act in future prosecutions.

Question. Senator JENNER, isn't it true to say that the opposition to S. 2646 is based on the charge that the Court decisions you object to have been restoring civil liberties, that had been damaged by all this anti-Communist activity of recent years?

Answer. That is what they say, yes.

Question. Do you agree with that?

Answer. I will answer that question by telling what happened one Red Monday a few weeks ago. That was the day an American farmer named Henry Kissinger asked the Supreme Court to defend his civil rights to farm his own land with his own sweat and sell the products of the land in his own way. He had been deprived of that right by Federal law and penalized when he tried to exercise it. He asked the Supreme Court for a chance to be heard. The Court would not hear him. On the same day it turned him down, the Court also refused to hear the cases of 49 other Americans. But also on that day, it set aside the conviction of one Harry Sacher, whom I described on the floor of the Senate as "chief of that group of Communist hecklers-at-the-bar who spent so many months trying to break the spirit of Judge Medina and thus create a mistrial in the Smith Act prosecution of 11 top Communist leaders."

Question. The point you are making there, then, is that the Court majority is more solicitous for the civil rights of Communists than it is for the civil rights of ordinary Americans, is that correct?

Answer. That is exactly my point. And I would carry it much further. Those who attempted to discredit my bill as a "sneak attack," those who have demanded further hearings on the bill, those who have used every device of publicity to oppose it, also have been represented as champions of civil liberties. But they, too, seem more solicitous of the civil rights of Communists than they are of the civil rights of ordinary Americans.

Question. What do you mean by that?

Answer. I mean the American people have the right to get this bill out on the Senate floor. The people have overwhelmingly approved the bill. It has received full, open consideration in the Senate Judiciary Committee. The Judiciary Committee voted 10 to 5 in favor of it. But it has been held off the floor.

Question. Do you think your bill will pass if it comes to a vote?

Answer. I feel sure of it. This bill does not do everything possible to restore our defenses against communism; but it does some important things, and they are things we can do now. I think the Senate will approve the bill by a substantial majority if they get a chance to vote on it.

ORDER FOR SENATE TO CONVENE AT 11 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, it convene at 11 a. m.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MINORITY LEADER OF THE SENATE

Mr. WILEY. Mr. President, in today's Washington Evening Star there appeared an editorial under the heading "The Minority Leader," which concerns our colleague, the senior Senator from California [Mr. KNOWLAND].

So that all Members of the Senate may read it, I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of August 19, 1958]

THE MINORITY LEADER

When the 85th Congress adjourns it is assured now that its legislative record will be considered a good and constructive one. The credit may be widely distributed, in both branches and on both sides of the party aisle. But because he is retiring, at least temporarily, from the Washington scene, it is appropriate that a special tribute be paid the Senate minority leader, California's WILLIAM F. KNOWLAND.

Mr. KNOWLAND was a major in the United States Army in France when he was appointed, in 1945, to replace the late Senator Hiram Johnson. In 1946, the California voters endorsed this appointment and in 1952 they returned Mr. KNOWLAND to the Senate by the largest vote ever cast for any candidate in that State. He is running now for Governor, but the shifting complexion of California politics has made him the underdog in a race against Democratic Attorney General Pat Brown. With time for campaigning growing short, it is typical of Mr. KNOWLAND's sense of conscience and duty that he has placed his responsibilities as minority leader ahead of his personal political fortunes to remain here until adjournment.

Mr. KNOWLAND's Senate career has not been free of strife, in and out of his party. Once a youthful rival of the late Senator Taft for Republican leadership, he was chosen by Mr. Taft personally as the latter's successor. "Nobody can push him around," Mr. Taft said in explaining the choice. It is true that nobody has pushed Mr. KNOWLAND around. At times he has differed with his own party's administration, and often with the opposition. But it was significant and not surprising that spokesmen of both parties rose in the Senate last June, on Mr. KNOWLAND's 50th birthday, to speak in warmest terms of "his integrity, his convictions, and his courage." Mr. KNOWLAND has demonstrated them all in what he considered the best interests of his country—above party or person. He will leave the Senate with the unqualified respect of those who have served with him, and of those who have observed his service.

FEDERAL AID TO EDUCATION

Mr. JENNER. Mr. President, I am proud to read to the Senate of the United States the following letter from Wilbur Young, State superintendent of public instruction for the State of Indiana.

Superintendent Young says:

HON. WILLIAM E. JENNER.

DEAR BILL: The enclosed clippings, from Indianapolis newspapers which are separately owned, correctly mirror the feeling of the people of Indiana regarding the pending education bill. The Times article ran last night. The Star article is today, just a few hours later.

Although the scholarship provision is a subterfuge and a joke, the worst feature of the pending legislation is that it opens the door very wide to permit Federal bureaucrats to enter every classroom in the United States.

When Washington can dictate classroom equipment management, teacher training, curriculum content, then the United States Commissioner of Education gets as much power over America's schoolchildren as Khrushchev has in Red Russia.

I am sure you will do everything you can to defeat this legislation. Should it become a law, I hope the record shows 2 Republican Senators and 9 Republican Representatives voting against the "Trojan horse," nefarious Federal aid to education bill.

Sincerely yours,

WILBUR YOUNG,
State Superintendent of Public Instruction.

I ask unanimous consent to have printed at this point in the debate the editorials from the Indianapolis Star and the Indianapolis Times.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Indianapolis Star of August 16, 1958]

INDIANA STANDS ALONE

Three cheers for Indiana's Senator BILL JENNER.

Before the Senate passed its aid-to-education bill, he got into it an amendment which exempts Indiana from the bill's nefarious benefits.

We are grateful to the other Members of the Senate for accepting the Jenner amendment. We hope the Senate-House conference committee does not get cold feet and take the amendment out.

The exclusion of Indiana from the functions of this bill is for the good of Indiana. It could be for the ultimate good of the Nation. It sets the example that States do not have to tag meekly along while the Federal bureaucratic monster takes over all the functions of Government. It provides an interesting example by means of which to check the actual effects of a major Federal-aid program.

When the chips were down, the Senate followed the lead of the House by virtually abandoning the pretense that this is a scholarship program. The Senate didn't quite give up the pretense completely, as the House did. The Senate retained a huge number of college scholarships, but cut them down to $250 a year. This is ridiculous. For any bright student who is really prevented by lack of money from going to college, $250 a year is only a drop in the bucket. As an ameliorating feature, the Senate like the House also retained a large loan program for college students. The operation of this program will depend on the willingness of college and university officials to participate in the creation of substantial debts to be carried by students after graduation.

As with the scholarship program, the need for a Government loan program is shown to be largely non-existent, at least in Indiana. Besides the loan programs already available at almost all colleges and universities, there now are available to Hoosiers at least two major loan programs, operated by private lending institutions, by which payment for the costs of college education can be spread over 6 to 8 years.

For the rest, the Senate bill like the House bill essentially provides an entry for the Federal Government into the support and direction of the public school education. This will be accomplished through grants for purchase of equipment for federally specified uses, grants for institutes and fellowships for teacher training, and grants for federally supervised programs of student counseling and guidance.

Indiana is well out of such a program. We hope the Republicans of the Indiana delegation in the House will see to it that Indiana stays out.

[From the Indianapolis Times of August 16, 1958]

NICE GOING, BILL

When the huge Federal aid to science education bill came up before the United States Senate this week, Senator WILLIAM E. JENNER of Indiana made a gesture that probably will be recalled in Capitol Hill cloakrooms for many a day.

He said, in effect, "deal us out." That from a Senator representing a State which, like all the other States, could expect to receive sundry millions (of its own money) in so-called benefits of this new Federal spending, probably left some of Senator JENNER's colleagues reeling. Here at home, it is regarded merely as being consistent. Since both Senator JENNER and Governor Harold Handley, his political friend and protege, have on occasions been accused of inconsistency with respect to Federal aid it would seem that this gesture of the Senator's is highly timely.

The bill, as it passed the Senate and will go to joint conference of House-Senate, would spend $1.3 billion on all sorts of things from schoolroom construction to some 23,000 Federal scholarships worth $250 a year for bright students, and loans up to $750 depending on "need." Indiana, however, doesn't need such help—and that's what BILL JENNER told the Senate when he proposed a special amendment to cut Indiana out of the program.

"We don't want Federal help," Senator JENNER said. "We don't need Federal help, and you can't afford to give Federal help."

He cited the recent chamber of commerce survey which located only 53 Indiana students as possibly needing college scholarship aid.

Other States can't afford it, we can't afford it, and we don't think future generations would thank us for the tax debt thus piled up to saddle American education with Federal do-gooder theories.

Mr. JENNER. Mr. President, the State of Indiana does not want the Federal Government to give hand-outs to its students, to set the standards of "ability" by mechanical nation-wide tests, to subsidize its private schools and colleges, to pay part of the expense of the proper school expenditures of Indiana, to set standards for school administration and, to have the right to enter every school building in the State to enforce its standards.

If the Federal Government favors progressive education, and the people of Indiana are trying to harden and strengthen their educational system, who is going to win, if we are on the Federal dole?

The people of Indiana do not like the idea of paying for this new give-away without getting any return.

Of course not. But we cannot bastardize our schools to get back part of our tax payments.

If we have to pay, we will do so rather than to violate our responsibility to the young people of our State and the scholarly standards of American intellectual life.

But I do not believe it is necessary for the States to pay for grants programs of which they disapprove.

I am introducing at this point a bill to provide that wherever a State elects not to take part in a program of payments to its citizens, its share will be returned by the Federal Treasury to the State, to be spent as the State legislature directs. I ask that the bill be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4315) to authorize the legislatures of the several States to determine whether such States shall participate in programs providing for Federal grants to such States or their inhabitants, introduced by Mr. JENNER, was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. JENNER. Mr. President, the people of Indiana think it is time somebody stood up in Congress and said Americans are tired of both handouts and taxes.

We believe the people of other States are ready and willing to throw off the Federal yoke.

We call upon all other States which do not want Federal domination to refuse to take the handouts from Washington.

In that way the position of the Federal Treasury can be improved at least slightly.

The State of Indiana led the way in resisting attempts by the social security administrators to keep secret the State's expenditures for public relief.

Our State legislature passed a bill to make relief rolls public documents which could be inspected by any responsible persons.

Then the Federal Government told our State welfare officials they must disobey their State law, or have $20 million deducted from the refunds out of their own taxes.

Congress passed the amendment I introduced, forbidding the Social Security Administration to withhold funds from State welfare officials who opened their relief rolls in accordance with State legislative mandates.

Now nearly every State in the Union has followed the lead of Indiana, and made available to responsible people the records of relief spending.

Imagine how tight this net of Federal controls is woven when we had to get an amendment through Congress permitting State officials to obey their own State laws without having their money withheld by Federal welfare officials as a punishment for their misbehavior.

Does anybody seriously think the Federal education officials will not increase their power and their arrogance, as their budgets grow?

Indiana was likewise the first industrial State to pass a law permitting the workers of the State to get jobs without the permission of union officials and ending the compulsory payment of dues to union treasuries.

Indiana is used to leading.

Indiana is ready to take the lead in preventing the Federal octopus from twisting its tentacles about the schools of our State.

If other States follow our example, we shall be proud and happy; if they do not wish to safeguard their schools, then Indiana will stand alone.

I hope word can be gotten out to the people of this country how sickening is the misinformation about this bill.

The Senator from South Carolina asked the Senator from Michigan:

Is it not true that this bill, although it purports to be a bill for the purpose of promoting the national defense, is, in actuality, a Federal aid to education bill?

The Senator from Michigan replied:

I believe the bill provides general Federal aid to education.

We have witnessed many attempts to wrap the flag about tired spending bills which did not have a thing to recommend them. But this is the worst bit of "patrioteering" I think I have ever seen.

Let us remind ourselves of Samuel Johnson's statement that patriotism is the last refuge of a scoundrel.

If the education bill cannot stand inspection, let us not hide its weaknesses and its hidden tyrannies in the folds of the Star-Spangled Banner.

The Senator from South Carolina [Mr. THURMOND] also asked the Senator from Michigan:

Under the bill a student could pursue studies in social welfare, automobile driving, flower arrangement, horse breeding, or tap dancing, is that not correct?

The Senator from Michigan said:

That is not correct.

But I can find nothing in the bill which bars use of the funds for any such educational purpose, and the Senator from Michigan refuses to specify where in the bill such limitations could be found.

All the talk about mathematics and science is the commercial to get the public to buy the product.

There is another hidden twist in this bill which should be brought out into the light.

One of the most curious provisions in the bill is title VIII, which is supposed to help train our people in foreign languages.

Section 801 (A) says that funds for language development may provide for instruction in such fields as history, political science, linguistics, economics, sociology, geography, anthropology.

But that is not all. The Commissioner shall give priority to contracts for the Middle East, Africa, or Asia—including the Soviet Union.

This is a beautiful plan for deluging our schools with courses on Soviet institutions and filling up the remaining time with information about the uncommitted areas of Asia and Africa which are the darlings of our State Department.

Thus even the sections of the bill which seem at first sight to be most closely connected with defense turn out, on inspection, to be more educational "boondoggling."

The people of Indiana believe our students should get much less propagandizing about the might and achievements of the Soviet Union and a great deal more solid instruction in American history, American government, and the American economic system.

Section 801 (B) provides that the Commissioner may also give stipends to individuals for such advance training, providing the students will be available for teaching, or for such other service of a public nature as may be permitted in the regulations of the Commissioner.

Here is Federal regulation of the recipients of these subsidies.

Section 802 permits the Commissioner to develop specialized material for use in such language culture centers.

This puts the Federal Government in the textbook business.

I will spare Senators a statement of what I think about title IX for putting the Federal Government into the middle of educational television, radio, and motion pictures.

I merely invite attention to the fact that the Commissioner has authority to make grants to public or nonprofit private agencies, and also contracts with private agencies which may be profitmaking.

Is that the pipeline to the Hollywood moving picture producers? We know that the Federal Government used subsidies and other indirect powers to guide the moving picture industry and other mass mediums, during the days of the OWI. This is a bigger and better OWI.

I will mention that section 931 says the Commissioner may provide advice,

counsel, and so forth to increase the quality or depth or broaden the scope of our educational programs.

That is a very nice name for more Government propaganda on how much better the Federal Government does things than the States do.

I have already mentioned the pernicious implications of the sections for testing and guidance.

I will not repeat the overwhelming arguments against any new Federal spending in the dangerous state of the national finances today.

But I wish to point out, in closing, how powerful is the lobby of the organized educationists which is determined to have Federal aid and Federal regulation of our schools systems, with the sky the limit on what we spend.

These organized lobbies of educationists are already at work sending out their telegrams demanding repeal of my amendment.

These lobbies stand completely discredited as the sponsors of the statistics on shortage of classrooms, shortage of State funds, and other propaganda which were the mainstay of the federalizers until the sputniks went up, and they saw their chance to wrap their idol in the American flag.

Indiana is not influenced by these lobbies. Our school officials, our teachers, our parents, our taxpayers and our press all know well how completely they are committed to federalization and big spending, no matter how much red ink it takes.

I repeat, Mr. President, the people of Indiana want our State protected against federalization of our schools under the guise of national defense.

We hope the people of other States will join. If not, Indiana is proud to stand alone.

THE INTERPARLIAMENTARY UNION CONFERENCE AT RIO DE JANEIRO

Mr. CASE of South Dakota. Mr. President, the Senate was represented at the recent conference of the Interparliamentary Union, which was held at Rio de Janeiro, Brazil, from July 24 to August 1, inclusive. The delegates were named by the Vice President of the United States, pursuant to a provision in the appropriation bill dealing with the State Department, which we passed last year. It was my privilege to be one of the delegates so named and to participate in the conference. The members of the delegation and other Members of the Senate have said they felt there should be a report made to the Senate of the proceedings at the conference, and our participation in it. Owing to the fact that the return from Rio de Janeiro came during these last few weeks of the session, with the heavy schedule we have had for the consideration of proposed legislation each day, it has seemed impracticable heretofore to present that report.

I may say to the attachés and employees of the Senate that I shall make this report as brief as I can. I shall try to make it comprehensive as possible, so that the report may be in the RECORD for Senators and others who may be interested to read it.

I may say to the few Senators who are on the floor at this late hour that I do not anticipate saying anything which requires their presence on the floor. I shall not make any controversial statements. I shall be happy to yield for questioning if Senators care to ask any questions. However, I am not flattering myself that at this late hour, shortly before 12 midnight, I shall evoke much comment.

Yet, Mr. President, because the Interparliamentary Union is an organization of many years standing, and because the conference at Rio de Janeiro came at the time it did, because it developed unusual interest on the part of the delegates there, and because, in my opinion, it deserves further consideration in the Senate as we come to the time of the meeting, which will be held in Warsaw, Poland, some attention should be given to what transpired this year, and some record should be made of it, with the thought that the leadership of the Senate on both sides of the aisle will probably wish, in my opinion, to give special consideration to early consideration and preparation for our participation in that coming conference.

The conference this year came only a few days after the landing of our troops in Lebanon in connection with the Middle East crisis. Behind all the debate and behind the meetings of committees there was the feeling on the part of the delegates that the position taken by the various parliamentary representatives was a reflection of the position of the governments of the respective countries represented. There was the feeling that as we move toward the meeting in Warsaw, Poland, next year, the first interparliamentary meeting which will be held behind the Iron Curtain since World War II, unusual significance will be attached to it.

The Interparliamentary Union is not as well known, perhaps, as its long history deserves. It was started in 1882, as the result of the feeling among members of parliamentary bodies on the Continent of Europe that international understanding could be improved by the holding of meetings from time to time of delegates from their parliamentary bodies. They have not been held every year, as is evidenced by the fact that the conference at Rio de Janeiro was the 47th conference, although the history of the Interparliamentary Union runs back to 1882. In its long history, the Interparliamentary Union has made recommendations on many subjects which have marked an advance in international understanding and in international relationships. It takes pride in the fact that its recommendation led to the establishment of the International Court of Justice at The Hague. That was one of the landmarks in its development. Further, it is proud that it recommended the formation of some organizations, such as the League of Nations, and, later, the organization which came to be known as the United Nations Organization.

This is a unique international gathering, in which the representatives are not representatives of the executive or the administrative branches of the Government, but representatives of parliamentary bodies. Every delegate there had a constituency. Every delegate there was elected or selected in some manner to represent a constituency. So the statements that were made, and the points of view that were expressed, were largely of elected officials, and, in every case, the expressions of persons who had constituencies at home.

The United States delegation was composed of the following persons from the House of Representatives: HENRY TALLE, of Iowa; HALE BOGGS, of Louisiana; KENNETH KEATING, of New York; W. ROBERT POAGE, of Texas; CATHERINE ST. GEORGE, of New York; ANTONI N. SADLAK, of Connecticut; and MICHAEL A. FEIGHAN, of Ohio. The representation from the Senate consisted of the following Senators, who had been named by the Vice President on the nominations of the majority and minority: ALLEN FREAR, of Delaware; MIKE MONRONEY, of Oklahoma; FRANCIS CASE, of South Dakota; JOHN HOBLITZELL, of West Virginia; and Judge Homer Ferguson, of Michigan, who was a former president of one conference of the Interparliamentary Union, and therefore an honorary member.

The wives of the United States delegates and officers who were present were Mrs. Feighan, Mrs. Boggs, Mrs. Sadlak, Mrs. Poage, Mrs. Monroney, Mrs. Case, Mrs. Hoblitzell, Mrs. Dunham, and Mrs. Galloway.

I mention the ladies because it is one of the traditions of the Interparliamentary Union that the wives of the delegates should be present so far as possible. There were several women delegates, including Mrs. ST. GEORGE of our own delegation, and there were other women delegates from other parliamentary bodies. The women had their own functions, which lent much to the character of the conference and to the exchange of ideas between the delegates, and I believe made a real contribution to the understanding that such gatherings achieve.

In that connection, the United States delegation followed the tradition of holding a reception one evening during the conference, to which the delegates from other countries were invited, those in this hemisphere, and those of the countries with which we have been associated in ideals.

In addition, we invited the entire membership of the Polish delegation, since Poland will be the host country next year, and also the heads of the delegations of the other countries.

In addition to the Members of Congress and their wives, we invited some officials who were most helpful and useful to the delegation.

There was Dr. Franklin Dunham, who holds an important position in the Department of Health, Education, and Welfare, and who has been Secretary General for the Interparliamentary Union group for several years.

Also, Dr. George B. Galloway was present as secretary of the delegation. Dr. Galloway, as Senators know, is a valued member of the staff of the Library of Congress, and is an expert in legislation and in the history of parliamentary bodies. He had much to do with the formulation of the Legislative Reorganization Act. He was a valuable counselor, as was Dr. Dunham, by reason of his experience and his long acquaintance with the operation of the Interparliamentary Union.

In addition, we had the clerical and secretarial assistance of Miss Christine Gallagher and Miss Jane Case, who handled the details of arranging for the meeting, prepared the invitations, wrote the speeches, and did other secretarial work.

Mr. Carl Marcy, chief of staff of the Senate Committee on Foreign Relations, and Mr. Zim, of the United States Information Service, were also with us and were most helpful because of their knowledge of the international treaties and international agreements of one sort or another.

From now on I shall seek to cover the proceedings by insertions. While there will be several of them, and they may be at some length, I should have no objection if the manager of the CONGRESSIONAL RECORD wishes to take my entire remarks and note that they were made at this time, and make the entire insertion of my remarks, together with the other insertions, in the CONGRESSIONAL RECORD for the following day.

Mr. President, I ask unanimous consent that that may be done, because it may facilitate the work of the Government Printing Office and the delivery of the RECORD.

Mr. BIBLE. Mr. President, I am certain there would be no objection to that type of procedure. I certainly have no objection to that type of request.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that it may be noted in the proceedings for today that I have made this report at this time, but that the text of my report and the insertions which may go into it may appear in the CONGRESSIONAL RECORD for the following day, as a means of conserving time for the Government Printing Office tonight, and perhaps some clerical work on the part of some of the members of the staff.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CASE of South Dakota. Mr. President, at this point I ask unanimous consent to have printed in the RECORD the names of the countries which were represented, together with the individuals from those countries who served as vice presidents.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

UNION INTERPARLEMENTAIRE—VICE PRESIDENTS OF THE 47TH CONFERENCE, RIO DE JANEIRO, 1958

Allemagne (République fédérale d'), Dr. Gerstenmaier.
Amérique (Etats-Unis d'), M. Talle.
Argentine, M. Weidmann.
Australie, M. Hamilton.
Autriche, M. Stürgkh.
Birmanie, U. Yu Saing.
Brésil, M. Juracy Magalhães.
Bulgarie, M. Kosovsky.
Ceylan, M. Wijesinghe.
Chili, M. Gallegullos.
Danemark, M. Andersen.
Espagne, M. Fraga Iribarne.
France, M. Finjoz.
Ghana, M. J. E. Appiah.
Grande-Bretagne, Sir Col. Stoddart-Scott.
Haïti, M. Belizaire.
Hongrie, M. Rónai.
Indonésie, Mme. Supeni.
Iran, M. Matine-Daftary.
Irlande, M. Liam Cosgrave.
Israël, M. Hacohen.
Italie M. Macrelli.
Japon. M. Nanjo.
Laos, M. Tiao Souvennarath.
Liberia, M. Tolbert.
Luxembourg, M. Grégoire.
Norvège, M. Finn Moe.
Pakistan, M. Abdul Wahab Khan.
Panama, M. Aleman.
Paraguay, M. Cameron.
Pays-Bas (Netherlands), M. van der Goes van Naters.
Pérou, M. Arca-Parró.
Philippines, M. Primicias.
Pologne, M. Wende.
Roumanie, M. Vasilichi.
Soudan, M. Zarroug.
Suède, M. Sandler.
Suisse, M. Boerlin.
Tchécoslovaquie, M. Krofta.
Thaïlande, M. Prasit Chullakes.
Tunisie, M. Perjari Ben Hadj Amar.
Turquie, M. Erkan.
U. R. S. S., M. Volkov
Viet-Nam, M. Pham-van-Nhu.
Yougoslavie, M. Bebler.

Mr. CASE of South Dakota. Mr. President, the names of the countries appear in French. French was 1 of the 2 official languages of the Conference. The Conference operated under the procedure, which is followed in the United Nations, of having all speeches simultaneously translated by the use of headsets, so that one could listen to the proceedings in either English or French. The Russian delegates could also listen in Russian. I think there was also a translation in Spanish and Portuguese. But the official languages of the Conference were English and French.

I shall read the names of the countries in English, so that the translation may appear.

Germany, United States of America, Argentina, Australia, Austria, Burma, Brazil, Bulgaria, Ceylon, Chili, Denmark, Spain, France, Ghana, Great Britain, Haiti, Hungary, Indonesia, Iran, Ireland, Israel, Italy, Japan, Laos, Liberia, Luxembourg, Norway, Pakistan, Panama, Paraguay, the Netherlands, Peru, the Philippines, Poland, Rumania, Sudan, Sweden, Switzerland, Czechoslovakia, Thailand, Tunisia, Turkey, Russia, Vietnam, and Yugoslavia.

I ask unanimous consent to have printed at this point the timetable of the Conference, showing the proceedings by topics which were discussed. They ranged from the general debate to the special sessions on the strengthening of peace, the reduction of armaments, cultural exchanges, and debates of that nature.

There being no objection, the timetable was ordered to be printed in the RECORD, as follows:

INTERPARLIAMENTARY UNION—47TH CONFERENCE

TIMETABLE OF THE CONFERENCE

Thursday, July 24, 1958

10 a. m. Inaugural ceremony.
11 a. m. Opening of the Conference.
11:30 a. m. General debate.
2:30 p. m. General debate (continuation).

Friday, July 25

10 a. m. General debate (continuation).
2:30 p. m. General debate (conclusion).

Saturday, July 26

10 a. m. The principles governing the investment of foreign capital in countries in process of economic development.
2:30 p. m. The principles governing the investment of foreign capital in countries in process of economic development (continuation and conclusion).

Sunday, July 27

Free.

Monday, July 28

10 a. m. The strengthening of peace—Senator MONRONEY.
2:30 p. m. The strengthening of peace (continuation and conclusion).

Tuesday, July 29

10 a. m. Political and Organization Committee.
Reduction of Armaments Committee—Senator CASE.
Economic and Financial Committee—Senator HOBLITZELL.
2:30 p. m. Cultural exchanges between countries and freedom of information.

Wednesday, July 30

10 a. m. Cultural exchanges between countries and freedom of information (continuation and conclusion).
2:30 p. m. The development of representative assemblies in non-self-governing territories.

Thursday, July 31

10 a. m. Social and Humanitarian Committee and Committee on Non-Self-Governing Territories (joint sitting).
Juridical Committee and Committee on Intellectual Relations (joint sitting).
2:30 p. m. Plenary meeting. The Work and Achievements of the Organization of American States. Speech by Mr. Jose Mora, Secretary General.
3:15 p. m. Available for meetings of regional groups.
5 p. m. Interparliamentary Council.

Friday, August 1

10 a. m. Reports of the study committees and votes on the draft resolutions concerning:
(a) The principles governing investment of foreign capital in countries in process of economic development.
(b) The strenthening of peace.
(c) Cultural exchange between countries and freedom of information.
(d) The development of representative assemblies in non-self-governing territories.
12 noon. Election of a member of the Executive Committee.
3 p. m. Communication relating to the composition of the Interparliamentary Council for the period from the 47th to the 48th Conference.
Closure of the conference.

AGENDA OF THE CONFERENCE

1. Election of the President and Vice Presidents of the Conference.
2. General debate.
3. The principles governing the investment of foreign private or governmental capital in countries in process of economic development. Reports to be presented, in the name of the Committee on Economic and Financial Questions, by Mr. Saturnino Braga (Brazil) and Dr. Fritz Hellwig (Federal Republic of Germany).
4. The strengthening of peace:
(a) The problem of atomic weapons and nuclear tests.
(b) The possibility of establishing an international police force.
Reports to be presented, in the name of the Committee on Reduction of Armaments, by Col. Tufton Beamish (Great Britain) and Mr. Jacques de Maupeou (France).
5. Cultural exchanges between countries and freedom of information.
(a) Cultural agreements and their role in improving relations between peoples.
(b) National and international aspects of freedom of the press and information.
Reports to be presented, in the names of the Committee on Intellectual Relations and Juridical Questions, by Mr. Pierre Nothomb (Belgium) and Mr. Pierre Gregoir (Luxembourg).
6. The development of representative assemblies in non-self-governing territories.
Report to be presented, in the name of the Committee on Non-Self-Governing Territories and Ethnical Questions, by Mrs. Supeni (Indonesia).
7. Election of a member of the Executive Committee.

Mr. Abdul Wahab Khan (Pakistan) was designated by the Interparliamentary Council, in the course of its 81st session held in London in September 1957, to occupy, until the next Conference, the seat on the Executive Committee left vacant following the election of Professor Codacci-Pisanelli as President of the Council. In accordance with article 17, paragraph 9, of the statutes, the 47th Conference will be required to elect a member to occupy Professor Codacci-Pisanelli's seat for 1 year; i. e., until the term expires in 1959.

8. Composition of the Interparliamentary Council for the period from the 47th to the 48th Conference.

Under article 13 of the statutes, it is incumbent upon each national group to designate, at least 1 month before the oepning of the session, 2 of its members to sit on the Council, and to make known their names to the Interparliamentary Bureau, which will communicate them to the Conference.

DECISIONS TAKEN BY THE INTER-PARLIAMENTARY COUNCIL AT NICE, ON APRIL 24, 1949, AT ROME, ON APRIL 17, 1955, AND AT GENEVA, ON MARCH 30, 1958, WITH REGARD TO INTERPARLIAMENTARY CONFERENCES

I. Debates

A. The general debate on the report of the secretary general shall remain unchanged. If necessary, a conference may hold 1 or 2 night sittings for the general debate. After the discussions, the secretary general shall reply to the remarks which have been made concerning the activity of the Interparliamentary Union.

B. Not more than 2 representatives of each delegation may speak in the general debate, and only after 1 member from each delegation desiring to speak has been heard. In view of the increase in the number of national groups and the multiplicity of questions which figure in the agenda, the Interparliamentary Council decided to allow each national group during the general debate a maximum speaking time of 15 minutes if there are 2 speakers from the same group. If there is 1 speaker, he will be allowed 10 minutes only.

C. As regards other items in the agenda, the number of speakers is similarly limited to two per group. Each delegation has a maximum speaking time of 15 minutes if there are 2 speakers from the same group. If there is 1 speaker, he will be allowed 10 minutes only.

II. Languages used

A. Speeches in French or English shall normally be translated into the other language by the official interpreters engaged for the conference.

B. As an exceptional measure, a delegate may make use of a language other than French or English at interparliamentary meetings, provided that he arranges for the services of an interpreter capable of summarizing his remarks in French or English.

Mr. CASE of South Dakota. Mr. President, during the general debate in the first few days of the conference, an outstanding address was given by the Right Honorable Herbert Morrison, of Great Britain. Because his address set forth the position of Great Britain, I have headed it "The British Position." It was a statement of more than usual significance. I ask unanimous consent that it may be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE BRITISH POSITION

(General debate by the Right Honorable Herbert Morrison of Great Britain)

Mr President, ladies and gentlemen, the British delegation, with other delegations, would wish to thank our colleagues of Brazil for the organization of the conference and for the splendid hospitality which they have extended to us. We watched on television the football match between Brazil and Sweden, it was a great match and I must congratulate Brazil on being able to play football and the Swedes for the very fine fight which they put up. The Brazilians never lost sight of the ball, they were always on top of it and that is probably a good lesson for parliamentarians.

The General Secretary's report is a very admirable one. Obviously he has sought to be fair and impartial. He is to be congratulated upon it, but it is a sad report telling of troubles which have emerged in various parts of the world, attempts to reach compromises and not always succeeding. It is a regrettable story of what I think are often needless troubles in the world.

When the second great war ended it appeared to me then and it appears to me still to be an easy matter for the peace of the world to be taken care of if every country which joined the United Nations and accepted its charter acted up to the principles embodied in the charter. Moreover, I think that as the United States, the United Kingdom, the Soviet Union, and France had been allies in the war, these great powers if they cooperated genuinely in the United Nations could take care of the peace of the world, and therefore these disturbances, these defiances are really quite unnecessary. Nothing can be more simple for the peace of the world to be protected than if there were genuine cooperation between these powers as well as the other countries within the United Nations. They could take care of the peace of the world, but what is happening now is what happened in the League of Nations. You can make a United Nations' organization, you can keep it going and let it have its meetings, but if one great power will not play the game by the United Nations then the United Nations cannot do its work properly.

In the case of the League of Nations before the war there was a great power, Nazi Germany, which would not cooperate and she was supported by the then Governments in Italy and Japan. Nazi Germany made it impossible for the League of Nations to work properly and unfortunately the democracies were not sufficiently cooperating with each other to act collectively for protecting the peace of the world.

Now, unfortunately, I am bound to say that a nation which is impeding the effectiveness of the United Nations is a very great nation with which all of us wish to live in peace, namely, the Soviet Union. I remember how earnestly Ernest Bevin tried to cooperate with the Soviet Union and after 2 years he came to the conclusion that their cooperation was not forthcoming. If only the Soviet Union could definitely cooperate with the democratic countries of the world, if only she would give up ideas about spreading communism throughout the world (which is bound to make other people apprehensive), if only there were genuine cooperation on the part of the great Soviet Union, then peace could be secure and the word of the United Nations operative. But if there is one great power which is out of step, which will not cooperate, then the United Nations cannot properly work.

Let me assure the representatives of the Soviet Union and other Communist countries that there is no political party in Britain which would make an aggressive attack upon the Soviet Union or the other Communist countries. [Applause.] Indeed, if any British Government tried to make an aggression against the Soviet Union that Government would not survive. I assure the Soviet delegates therefore from the bottom of my heart that they can assure the people of their great country that there is no possibility of an aggression by Britain against the Soviet Union.

I believe the same can be said about the United States. It is true that their language is sometimes a bit rougher than ours but, after all, Mr. Khrushchev can use rough language too. Sometimes he is very nice and sometimes he is not very nice. You must allow for the fact that the English of the United States is sometimes a bit different from the English of Britain. They speak English but it is somewhat different.

I do not believe an American Government could survive if it went in for aggression against the Soviet Union. If anything they were slow to participate in the Second World War, which I think they should have been in at the beginning on the ground that it was a war about the American way of life, but they did not come in until they were attacked, and in the First World War they did not come in early at all, so that the tradition of the United States is to keep out of wars. There is mischiefmaking going on to the contrary and it is a pity.

With regard to the Middle East the British Labor Party took the view that the sending of American and British troops to the Middle East was wrong. They took the view that the matter should have been dealt with by the United Nations, as they took that view on the Suez difficulty earlier.

Indeed, they argue that it is difficult for us to say that Russia was wrong in relation to Hungary, which we think she was, but the Russian defense is that they were invited to intervene by the Hungarian Government and our defense of going to Jordan and the Americans going to Lebanon is that we were invited to go by the two Governments and so it is a little difficult to argue, says the British Labor Party, that the defense of the Russians was wrong in the case of Hungary and right in the case of ourselves.

On the other hand, the Russians cannot argue that it was right to do what they did in Hungary in accepting the alleged invitation of the Hungarian Government and that it is wrong for the British and Americans modestly to accept the invitation of Lebanon and Jordan. So the British Labor Party was critical of the Government although the

later debate in our Parliament indicated that the two parties are agreed in accepting the idea of a summit meeting tied up with the Security Council which we hope will work out and do good.

Do not let it be ignored that the old British imperialism is dead; we are struggling to train the people of the colonial dependencies, as they were, for self-government, and some for independence, whilst others are treating their colonies in a very different way—and I am talking about European colonies.

The old British imperialism is dead, but a new imperialism is evolving which sometimes gets its way by war but usually by political scheming, sometimes by assassinations. When a country wants to spread its power over a whole region without the consent of the other countries, it seems to me imperialism, even if it is imperialism of a new sort, and therefore I think that the policy which President Nasser of Egypt has followed is one which is calculated to disturb the peace in the Middle East and is not a good neighbor policy. The threats to destroy Israel, which is a progressive country in the Middle East are quite unnecessary. Israel wishes to live at peace with its neighbors and to make the peace which has been so long delayed.

The Middle East could be rich, it could be much more prosperous and I would appeal to them to adopt the suggestion I made when I was at the Foreign Office, namely, that there should be cooperation between all the countries of the Middle East with, if they wish it, cooperation with the Western countries by the setting up of a social and economic board, which would undertake to use the oil revenues for the economic and cultural development of the middle eastern countries. They could be much more prosperous. It is this method of advancing economic and social welfare, transport and other matters in underdeveloped countries such as this, which is far the best way to develop the peace and contentment of the peoples of these countries.

I wish to make a personal appeal to the delegates here—we are very pleased to see them—from the Soviet Union and countries associated with them; they are here as parliamentarians, they are taking part, quite properly, in our debates. I beg of them to go back to the Soviet Parliament and to speak up and to say that their impression of this conference is that nobody here intends or desires to make any aggression against the Soviet Union, that we all feel that these enormous sums of money which are being spent on armaments and, indeed part of the large sums of money which are being spent on science and upon heavy industry are, in their way preparations to develop a war machine, could be saved.

Most of it could be saved and could be used for the improvement of the standard of life of the masses of the people in our countries including the peoples of the Soviet Union whose standard of life is improving although there is still much room for improvement.

So I say to our Russian colleagues and the others associated with them to go back to your Parliaments, where they ought to parley, to talk, to argue. It is not healthy for Parliamentary life that Parliament should be run by the government coming along with a policy or a decree, and Parliament forthwith holding up its hands and agreeing. Criticism of government is healthy, no government should be free of criticism (agreed and applause). When I was in the British Labor Government we had a lot of criticism, including some from my conservative colleagues here today, but we survived it, it did us good.

I would not wish to belong to a government which nobody criticises, so, my Soviet friends, go back to your country, stand up and preach this gospel of cooperation and peace and assure them from the Interparliamentary Union that Soviet Union is safe from aggression. There is nothing we want more than genuine cooperation on their part for the peace and progress of the world.

Mr. CASE of South Dakota. The other position which was set forth in the general debate, and which had a great deal of interest because of the so-called cold war and the clash of opinion in the world today, was set forth by Mr. Paletskis, of the Russian delegation. I have headed his address "The Russian Position as Given in the General Debate." I ask unanimous consent that it may be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE RUSSIAN POSITION AS GIVEN IN GENERAL DEBATE

(Speech by Mr. Paletskis (U. R. S. S.), July 25, 1958)

Mr. Chairman, ladies, and gentlemen, we have gathered here with a view to help in promoting peace the world over. It is exactly this that the lofty aim of the Interparliamentary Union consists in. Peoples expect from us deeds and not words. However, some of the parliamentarians here, our British colleague among them, were just indulging in pathetic phraseology.

Mr. Morrison gave us assurance of the good feelings entertained by the English people toward the peoples of the U. S. S. R. We have not the slightest doubt about this. Unfortunately, bitter historical facts show that between the kind feelings of the English people and certain actions of the British Government there exists a great disparity.

I shall recall that from the first days of the inception of our State it was the English Government that took the initiative in waging an armed struggle against the Soviet Union. The English delegate reminded us of our common struggle against Hitler Germany. Nobody can deny the great contribution made by the English people in that struggle. But even in the days of war, actions of the English Government did not accord with the genuine sentiments of the English people.

No sooner had the guns stopped firing, as Mr. Churchill, according to his own words, gave orders to collect weapons for a war against the Soviet Union. We could remind about some other facts when unworthy deeds were being made under the coverage of parliamentary criticism. It is generally known that fully justified criticism was voiced in the House of Commons against the policy of the Government in the Middle East. But this did not prevent the ruling circles from starting the Suez adventure in 1956, or from joining the American intervention in the Near and Middle East in 1958.

We have different views with some of our western colleagues in respect of criticism and its influence on governments. As to the Soviet Government, it is guided in its activities solely by the interests of the people and exercises its will. That is why the Soviet Government unilaterally suspended nuclear-weapons tests. Such was its reaction to the demands of the people. Why the Parliaments of the United States and Great Britain did not press upon their Governments the discontinuation of such tests?

Now, which criticism is more effective?

Just a few words about the so-called Communist imperialism. To talk about it means intentionally to distort the truth. And the truth is that there are two systems in the present world. Ideas of communism are not subject to export. They master the minds of people and triumph, no matter whether some people may like it or not. On the other hand, the American and English imperialism are trying to save the rotten-through colonial system by resorting to force.

Gentlemen, American and English parliamentarians, we request you to inform your colleagues in your countries that the Soviet Union does not threaten anybody. It wants to export not communism but goods, because it stands for a peaceful competition of the two systems. Our Government and Parliament have repeatedly proposed to make a decisive step from the present lack of confidence and suspicions to mutual understanding and cooperation. Let our colleagues from Western countries hear our appeal. The cause of peace will only profit by this.

Some people wonder at our insistence and the sharp language we use when we present our stand on this point. But when peace is at stake, when the very destiny of humanity is threatened, can one stay a passive looker-on of those dreadful developments?

The American and British troops in the Arab countries are not mythical "flying saucers," they are not whales mistaken for submarines, they are not meteorites on the screens of radar installations because of which American generals are sending squadrons of H-bomb carriers toward the frontiers of our country.

We have never suffered from nervous collapses but we have had plenty of bitter experience so as not to be concerned with the fate of mankind. Where would be the composure of our colleagues from the United States, had the events been reversed and it were not the United States troops which landed on the coast of the Mediterranean, but the troops of some European or Asian country that staged a landing on the coast of the American Continent?

One cannot remain indifferent to what is happening in the NATO-controlled zone, where former generals of Hitler are being given atomic weapons, that is, just the kind of weapons Hitler himself dreamed of. It is easy to imagine what would have remained of Europe and what course the history would have taken if the cannibal Hitler had had means of mass destruction in his hands.

It is our profound belief that there are no aims that can justify the use of nuclear weapons. Neither political nor economic or ideological interests of the Soviet Union, and this is true about other countries of the Socialist camp, make the armaments race and the possession of nuclear weapons imperative for the interests of our country. Those who need A- and H-bombs, those who fear disarmament and the prohibition of nuclear weapons are revealing their own political, economic, and ideological bankruptcy and are striving to world supremacy based on force and arbitrariness.

If we seek the views of all the nations and conduct a worldwide referendum on the suppression of nuclear weapons there is not even the slightest doubt that the absolute majority of mankind will vote for their complete suppression as well as for the elimination of A-bomb stockpiles. Humanity, to be sure, would like to see the whole of the globe an atom-free zone.

Humanity wants to see power politics substituted by "sense politics" and "well-being politics" so that instead of balancing on the "brink of war" international relations are built up on the solid rock of peaceful coexistence, so that instead of the policy of "cold war" we pursue a policy of genuine friendship among all the nations, a policy of peace throughout the world.

When atom-threats are bandied about, when destruction is called for all honest people feel indignant, but when an American youth Van Kliburn conquers Moscow and Leningrad, and the Moyseev dance ensemble takes Washington and New York by storm, when the football players of Brazil get the world crown for their excellent display in the football fields, everybody is rejoicing and happy.

One of the reasons that causes international tension is vicious misinformation, freedom for lies and slanders, disseminated with a view to fanning war hysteria. These are the elements of the myth of what they call in the West the Iron Curtain.

It is most unfortunate that some speakers thought fit to use the platform of this conference for setting forth on the myth of the so-called Communist menace, slandering the policy of the Soviet Union. The bogus of the Communist menace has been always used to smokescreen the true aims of imperialism and reaction. I would like to remind some of these gentlemen that it was due to the strength of the Soviet Union and the victory of the Soviet Army and its allies that their own countries were freed from Nazi enslavement, and it was due to these factors that their own independence and freedom were saved.

The 47th Interparliamentary Conference which has been convened at such a strenuous moment must take a firm stand against any form of warmongering, must go on record as a champion of peace.

We, representatives of the peoples of the Soviet Union, are happy to have this opportunity to pay a call to Brazil, a country which is so beautiful and rich in natural resources, the peoples of which are so industrious and endowed with so many talents. There is no doubt that the United States of Brazil, one of the greatest countries of the globe, must play an important role in world politics.

The speech of His Excellency the President of the Brazilian Republic Mr. Kubitschek de Oliveira permits us to rest assured that the ever-growing influence of Brazil would be aimed at strengthening peace, for the good and prosperity of humanity.

Thank you, Mr. Chairman.

Mr. CASE of South Dakota. By way of emphasis, I may say that Mr. Morrison concluded his significant statement with these words:

I would not wish to belong to a government which nobody criticizes, so, my Soviet friends, go back to your country, stand up and preach the gospel of cooperation and peace, and assure them, from the Interparliamentary Union, that the Soviet Union is safe from aggression. There is nothing we want more than genuine cooperation on their part for the peace and progress of the world.

More or less in response to that statement, I suppose, Mr. Paletskis, the spokesman for the Russian delegation, responded:

Gentlemen, American and English parliamentarians, we request you to inform your colleagues and your countries that the Soviet Union does not threaten anybody.

I cite those two points of view in juxtaposition, because throughout the conference there had been evidence of the cold war, yet apparently there was on the part of the representatives from the several parliamentary bodies a desire somehow to bridge the gap and to find some basis for arriving at agreements and understandings.

I mentioned earlier that a number of the delegates were women. One of the outstanding addresses of the conference was given by a delegate from Turkey, Miss Nuriye Pinar.

I shall ask unanimous consent to have her remarks printed in the RECORD, but first I wish to read two paragraphs from her very well presented address.

All nations want peace; all the governments also pretend that they want peace. But the passion or the whim of a man in power may easily cause the world to flare up. We have had plenty of examples of this.

I am addressing myself, therefore, to women, to my colleagues who represent their peoples in parliament; and especially to women who share with men political power. I appeal to these women to prevent men from following their passions, from sending our children to the hell of war, from hurting humanity, and from letting mankind degenerate.

Mr. President, I ask unanimous consent that Miss Pinar's address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A WOMAN'S POINT OF VIEW

(Speech of Deputy Miss Nuriye PINAR, of the Turkish delegation, delivered on July 28, 1958)

Mr. Chairman, ladies, and gentleman, we are very happy to participate in this 47th Conference of the Interparliamentary Union in Rio de Janeiro, one of the most beautiful cities in the world.

At the same time we regret to be unable to devote ourselves more fully to the enjoyment of the beauties of nature and of the amiability of the Brazilian people. For under the present conditions we are divided into two parts: our hearts are far away in our country, whereas with our heads we are here. Yes, Mr. Chairman, my country Turkey is surrounded by dark clouds through which it is difficult to see; yet it is and will always remain basking in sunshine. Thank God, Turkey will never be swallowed by darkness, she will always do her best that that does not happen.

This 47th conference will be of historic importance in two senses: it coincides with the conflict in the Middle East, and, secondly, being held in Rio, it gives the whole of Latin America an international importance and responsibility.

We Turks are certain that Latin America will be of great help for safeguarding peace.

All nations want peace; all the governments also pretend that they want peace. But the passion or the whim of a man in power may easily cause the world to flare up. We have had plenty of examples of this.

I am addressing myself therefore to women; to my colleagues who represent their peoples in parliament, and especially to women who share with men political power. I appeal to these women to prevent men from following their passions, from sending our children to the hell of war, from hurting humanity and from letting mankind degenerate.

Let them leave man alone, for he is a poor creature; leave him to his own troubles and difficulties, to fight for life.

Let us remind them that man who uses force will never be loved and will always be betrayed.

Tell the men that they must never forget the past and that history repeats itself.

Since its constitution 35 years ago, democratic Turkey has given many proofs of its pacific policy. After the war of independence, Ataturk, to the astonishment of the world, signed a treaty of friendship with Greece in order to bring about the Balkan Pact. During the Second World War Turkey has done its best to stop the conflagration from spreading. Now the government devotes all its efforts toward raising the welfare of the people; it has always acted in the same way when international welfare was at stake. In 1950, Turkey did not hesitate for a moment and sent its children to Korea to assure international peace and to come to the aid of the suffering brave Koreans.

How can we make peace secure? In my opinion total peace will never prevail on this earth, just as complete peace can never reign in a family. We women want to make certain that incidents of disagreement among nations do not surpass the limits of family quarrels, because we want to consider the world as one big family, with good boys and bad boys.

From a realistic point of view, absolute disarmament is impossible. But even so, no government has the right to inflict total and mass destruction on humanity. I want to speak of nuclear arms which are being manufactured at a blind pace.

It is absolutely necessary for all States to come to an agreement concerning the control of nuclear arms, for an atomic war means the total destruction or decay of mankind. Yes, my dear colleagues, atomic energy provides for mass killing, but because of its irradiations it also has most harmful effects on nature. Thus in this age which in the geological jargon I will call the atomic age, when human intelligence has reached its acme, we want to bring about the degeneration and decay of mankind.

Believe me that this development has been taking place in history at a very slow pace.

We may kill, but we have no right to let men degenerate and lead an even more miserable existence than now.

Each nation has its difficulties. No nation is completely satisfied with its government. Why then allow so much money to be spent on a purely destructive aim?

No, women want a gayer, a happier world, without fear for the present and without worries for the future.

Women want to leave their children behind them in a loyal and prosperous world, and they hope that the progress achieved in the technical field will be achieved also in the moral sphere.

Mr. CASE of South Dakota. Mr. President, as the central theme of the conference, the representatives of the parliamentary bodies sought a way to peace and understanding so as to avoid war. Each member of the delegation was assigned to a committee.

I can only speak with reference to the action of the committee to which I was assigned; but because it was one of the committees which had this central theme in mind, I shall take a few minutes to review its deliberations.

I was assigned to the Committee on the Strengthening of Peace. The resolution which was considered by our committee had been developed at a preconference session held at Geneva last spring, at which the United States was represented by the distinguished Senator from Oklahoma [Mr. MONRONEY]. Draft resolutions were presented for each of the major topics on which the conference deliberated.

The Committee on the Strengthening of Peace had 2 major fields for its resolution. One was the problem of disarmament; the other was the creation of an international police force.

Mr. President, I shall ask unanimous consent to have printed at this point in the RECORD draft resolutions on the subjects of the reduction of armaments, particularly the problem of atomic weapons and nuclear tests, and the establishment of an international police force.

In that connection, I shall dwell a little upon the draft resolution and the amendments proposed, because they bear so much on the questions which are at

issue in the United Nations and on the public opinion in the world at this time.

The Russian delegation and its supporters sought consistently to have some resolutions adopted by the Conference which would imply some criticism of the action of the United States in sending troops to Lebanon, and of the British in sending troops to Jordan. The Russians also sought the adoption of amendments to the draft resolutions which would, on the one hand, commend the Soviet Union for its announcement that it had suspended nuclear tests, and, by the same token, an amendment which would condemn the continuation of tests by any other country, regardless of whether those tests had been concluded this year or not.

Their amendments on this subject were generally defeated in the committee by a vote of 7 or 9 yeas to 12 or 14 nays, with some abstentions. I may say that the voting strength of the Conference as a whole was approximately 550 votes. It varied somewhat if there were a few absences. The voting of the several delegations bore a relationship to the membership of the parliamentary bodies at home. For example, each country began with 8 votes, but those were added to by additional votes for the size of the parliamentary bodies.

The vote of the United States delegation was 21, and the Russians had a vote of 22—both of which reflected the size of the respective parliamentary bodies.

But approximately 25 to 30 countries were represented at all times in the committee dealing with the strengthening of peace; and the votes cast on all the amendments ranged from approximately 21 to 29.

I think possibly the best way for me to present the report is to request unanimous consent that the votes on the amendments to the draft resolution be printed at this point in the RECORD, together with my personal notations on the vote on each amendment. In printing the votes it will not be necessary to repeat the heading in each case; it will suffice to indicate that four amendments were offered to the first portion of the draft resolution. If the text of each one—namely, the one submitted by the Indonesian delegation; the one submitted by Mr. Kriegel-Valrimont, of France; the one submitted by the Czechoslovak delegation; and the one submitted by Mr. Jacques de Maupeou, of France—is inserted at this point in the RECORD, following the printing of the draft resolution, together with my notations on each of the amendments, I believe such a printing of them in the RECORD will be valuable for reference purposes. I so request, Mr. President.

There being no objection, the draft resolution and amendments were ordered to be printed in the RECORD, as follows:

THE STRENGTHENING OF PEACE

(A) THE PROBLEM OF ATOMIC WEAPONS AND NUCLEAR TESTS

(Draft resolution presented, in the name of the Committee on Reduction of Armaments, by Col. Tufton Beamish, Member of Parliament (Great Britain))

The 47th Interparliamentary Conference—

Conscious of the overwhelming desire of all peoples for an honorable and lasting settlement of the grave differences that intensify distrust, anxiety and tension between nations,

Believing that the continuing accumulation of armaments of all types, nuclear and conventional, represents a serious threat to security and peace, and

Noting the profound concern of the peoples of the world about the continuing nuclear weapons tests,

Believing also that nuclear energy should be developed exclusively for peaceful purposes,

Taking into consideration the urgent necessity of eliminating all harmful consequences of nuclear tests for human life and health,

Stressing the great responsibility for the people's future which rests with the parliaments of various states and with the Interparliamentary Union,

Recalling the resolution adopted unanimously by the 45th Interparliamentary Conference at Bangkok in 1956,

Reaffirming in particular the belief that, pending the conclusion of a comprehensive disarmament agreement, including measures of conventional and nuclear disarmament and the reduction of armed forces under effective international inspection and control, attention should be given to the possibility of agreeing on the first installment of internationally controlled disarmament which could be put into effect with the least possible delay,

Deeply regretting that no resolution containing proposals which were in harmony with that belief, submitted to the 12th regular session of the General Assembly of the United Nations, commanded unanimous support,

Taking into account also that the cessation of nuclear tests might slow the arms race and would further a solution of the entire problem of disarmament,

Appeals urgently to parliaments of all states members of the IPU to recommend to governments in the strongest possible terms that speedy action be taken to secure the resumption of disarmament negotiations, preferable within the framework of the United Nations, and that one of the most urgent aims of such negotiations should be to secure without delay the cessation, under proper international control, of nuclear weapons tests,

"1. the cessation of nuclear tests without delay;

"2. (a) the total prohibition and manufacture of nuclear weapons and weapons of mass destruction of every type; (b) the conversion of existing stocks of nuclear weapons for peaceful purposes;

"3. the use of atomic energy for peaceful purposes only;

"4. the establishment of effective international control to guarantee the effective observance of these agreements as well as the agreement relating to conventional armaments."

Aye 9, nay 14, abstentions 3.

THE STRENGTHENING OF PEACE

(A) THE PROBLEM OF ATOMIC WEAPONS AND NUCLEAR TESTS

(Amendment submitted by Mr. Maurice Kriegel-Valrimont (France))

1. Modify the title to read: "The Problem of Atomic Weapons, Nuclear Tests and the Guarantee of the Peace Now Threatened."

2. Add to the text the following paragraphs:

"Considering the extreme gravity of the international situation,

"Believing that peace can only be safeguarded on the basis of the recognition of the right of self-determination for the Arab peoples as for all other peoples,

"Demands that immediate and efficacious measures be taken to guarantee peace in the Near and Middle East."

Aye 7, nay 20, abstentions 1.

THE STRENGTHENING OF PEACE

(A) THE PROBLEM OF ATOMIC WEAPONS AND NUCLEAR TESTS

(Amendment presented by the Czechoslovak delegation)

Add, after the words, "Taking into account also that the cessation of nuclear tests might slow the arms race and would further a solution of the entire problem of disarmament," a new paragraph as follows:

"Noting the significance of the decision taken by the Supreme Soviet of the U. S. S. R. for the unilateral suspension of all kinds of atomic and hydrogen weapons tests in the Soviet Union as a step of historical importance for the consolidation of international peace and security."

Aye 7, nay 21, abstentions 1.

THE STRENGTHENING OF PEACE

(B) THE POSSIBILITY OF ESTABLISHING AN INTERNATIONAL POLICE FORCE

(Draft resolution presented, in the name of the Committee on Reduction of Armaments by Mr. Jacques de Maupeou, Senator (France))

The 47th Interparliamentary Conference—

Believing that the institution of a permanent international police force charged with the tasking of insuring collective security is highly desirable,

Is of the opinion that the establishment of such a force should be effected under the aegis of the United Nations;

And urgently appeals to all parliaments represented within the union to recommend that their respective governments take all possible steps to establish an international police force on a permanent basis.

Aye 12, nay 8, abstentions 7.

THE STRENGTHENING OF PEACE

(A) THE PROBLEM OF ATOMIC WEAPONS AND NUCLEAR TESTS

(Amendment submitted by the Indonesian delegation)

The last paragraph to be amended as follows:

"Appeals urgently to Parliaments of all States members of the IPU to recommend to Governments, in the strongest possible terms, that speedy action be taken to secure the resumption of disarmament negotiations, and that such negotiations should be to secure—

"1. the cessation of nuclear tests without delay;

"2. (a) the total prohibition and manufacture of nuclear weapons and weapons of mass destruction of every type; (b) the conversion of existing stocks of nuclear weapons for peaceful purposes;

"3. the use of atomic energy for peaceful purposes only;

"4. the establishment of effective international control to guarantee the effective observance of these agreements as well as the agreement relating to conventional armaments."

Aye 9, nay 14, abstentions 3.

THE STRENGTHENING OF PEACE

(A) THE PROBLEM OF ATOMIC WEAPONS AND NUCLEAR TESTS

(Amendment submitted by Mr. Maurice Kriegel-Valrimont (France))

1. Modify the title to read: "The Problem of Atomic Weapons, Nuclear Tests and the Guarantee of the Peace Now Threatened."

2. Add to the text the following paragraphs:

"Considering the extreme gravity of the international situation,

"Believing that peace can only be safeguarded on the basis of the recognition of the right of self-determination for the Arab peoples as for all other peoples,

"Demands that immediate and efficacious measures be taken to guarantee peace in the Near and Middle East."

Aye 7, nay 20, abstentions 1.

THE STRENGTHENING OF PEACE

(A) THE PROBLEM OF ATOMIC WEAPONS AND NUCLEAR TESTS

(Amendment presented by the Czechoslovak delegation)

Add, after the words, "Taking into account also that the cessation of nuclear tests might slow the arms race and would further a solution of the entire problem of disarmament," a new paragraph as follows:

"Noting the significance of the decision taken by the Supreme Soviet of the U. S. S. R. for the unilateral suspension of all kinds of atomic and hydrogen weapons tests in the Soviet Union as a step of historical importance for the consolidation of international peace and security."

Aye 7, nay 21, abstentions 1.

THE STRENGTHENING OF PEACE

(B) THE POSSIBILITY OF ESTABLISHING AN INTERNATIONAL POLICE FORCE

(Amendment submitted by Mr. Jacques de Maupeou (France))

Delete the word "and" at the beginning of paragraph 3 and add a fourth paragraph as follows:

"And invites the Inter-Parliamentary Council to set up, within the Union, a subcommittee or study group with the task of preparing a plan which might eventually lead to the creation of such a force."

Aye 9, nay 10, abstentions 2.

Mr. CASE of South Dakota. Mr. President, in the committee, when the final vote came on the first section of the draft resolution—that dealing with atomic weapons and nuclear tests—it received a unanimous vote. That resolution concluded with an appeal to the parliaments of all states who are members of the Interparliamentary Union to recommend to their governments, in the strongest possible terms, that speedy action be taken to secure the resumption of disarmament negotiations, preferably within the framework of the United Nations, and that one of the most urgent aims of such negotiations should be to secure without delay the cessation, under proper international control, of nuclear-weapons tests.

That vote was very important. The representatives of the Iron Curtain countries tried to add to the resolution in one way or another. But after noting that the United Nations had suspended the work of its disarmament committee, the resolution of the Interparliamentary Union recommends that the disarmament negotiations be resumed, and the resolution calls for the nations to cease, under proper international control, nuclear-weapons tests. On that, the vote was a significant one; and personally I was glad to see it receive a unanimous vote.

However, following that vote, the leaders of the Russian delegation and its representative on this particular committee stated that there would not be a unanimous vote on the second part of the resolution—that dealing with the establishment of an International Police Force.

The draft resolution proposed that all Parliaments represented within the Union recommend that their respective governments take all possible steps to establish an International Police Force on a permanent basis, under the aegis of the United Nations. Within the committee, the portion of the resolution dealing with the maintenance of peace or the strengthening of peace received 12 yea votes, 8 nay votes, with 7 abstentions. In other words, the abstentions, plus the negative votes, totaled 15, whereas the yea votes totaled 12.

However, when the resolution was presented to the Conference, at the time when the committee reported, the draft resolution received 371 yeas, 104 nays, with 50 abstentions. In other words, the Conference as a whole voted in favor—by a ratio of more than 3 to 1—of the draft resolution relating to the establishment of an International Police Force.

I think that vote was a significant one, because now, as we know, the United Nations is about to consider the proposal of the President of the United States that an International Police Force be created to deal with the problems in the Middle East.

The fact that the parliamentary bodies' representatives voted, by a ratio of more than 3 to 1, in favor of that, I believe is auspicious, and perhaps should be of benefit to the delegates to the United Nations who are representing the executive branches of their governments, in showing that the parliamentary representatives voted in favor of that resolution.

In addition to serving on committees, members of the delegations were invited to participate in the making of speeches at the conference sessions, which might be compared roughly with the sessions of the Senate; and the committee sessions, of course, corresponded to the meetings of Senate committees.

In the assignment of duties pertaining to the Conference sessions, it was my privilege to participate by making an address entitled "The Right of the People To Know the Truth." That address was made at the session held on the subject of "Cultural Exchanges Between Countries and Freedom of Information."

Representative Boggs, of Louisiana, also spoke during that session; his remarks were on the subject of Freedom of Information, as were mine.

In view of the fact that the cultural exchanges between countries and freedom of information have such a basic function to play in developing international understanding, I ask unanimous consent that the summary record No. 9 for the ninth sitting of the Conference on Tuesday afternoon, July 29, 1958, be printed at this point in the RECORD, together with the résumé of the speeches delivered at that session.

There being no objection, the summary record was ordered to be printed in the RECORD, as follows:

FORTY-SEVENTH INTERPARLIAMENTARY CONFERENCE, JULY 24 TO AUGUST 1, 1958—SUMMARY RECORD NO. 9, TUESDAY, JULY 29, 1958, AFTERNOON, NINTH SITTING

The sitting was opened at 3 p. m. in the Chamber of Deputies with Mr. Pham-van-Nhu (Vietnam), vice president, in the chair.

CULTURAL EXCHANGE BETWEEN COUNTRIES AND FREEDOM OF INFORMATION

Documents: Reports in the names of the Committees on Intellectual Relations and Juridical questions, presented by Mme. Lébédéva, Deputy (U. S. S. R.), and Mr. Grégoire, Deputy (Luxembourg). Draft resolutions presented in the name of the Committee on Intellectual Relations by Mr. Nothomb, Senator (Belgium), and in the names of the Committees on Intellectual, Relations, and Juridical Questions by Mr. Grégoire, Deputy (Luxembourg).

The conference was addressed by M. de Laurentie, of UNESCO, on behalf of Dr. Luther H. Evans, Director General of UNESCO.

M. de Laurentie expressed Dr. Evans' regret at his inability to attend the conference.

He said that the member states which founded UNESCO declared their common agreement upon developing and increasing means of cultural exchange between peoples. It appeared to UNESCO that those who had been elected by their peoples were specially qualified to assist in the implementation of that program. He expressed UNESCO's support for the draft resolutions, which he felt would strengthen the considerable action which had already been undertaken by Parliaments in increasing means of international exchanges. UNESCO's support was warm, and once the resolutions were adopted, UNESCO would be glad to support any efforts which might be made to carry them out.

The debates of the Interparliamentary Union and the debates of the United Nations formed for the time being the basis for an international agreement regarding the political aspects of freedom of exchange of information, which was a difficult thing to achieve owing to the differences of view which existed in the world. While the present valuable and interesting exchanges of view continued, many millions of people throughout the world were deprived of the right to obtain information simply because physical means of disseminating information were lacking. It was discouraging to realise that in the present century, when methods of communication had progressed so astonishingly, about 100 countries did not possess an adequate network of press, wireless and cinema, covering a mass of many millions of people. The situation was such that only international initiative could achieve a solution. All the agencies of the United Nations, UNESCO in particular, were extremely keen to support the organisation of exchange of information, but in the last analysis success must depend upon the action of governments themselves. It behooved governments to make available the necessary sums so that an adequate program could be arranged to provide information for the vast masses of the world who were at present without it. It was unnecessary to stress what the effect of that would be upon the economic and social progress of the countries so aided. The draft resolutions showed that the Interparliamentary Union shared the anxieties and hopes of UNESCO in that respect. Freedom of information was not an abstract subject. It was a right which must be conferred upon all human beings, together with all material means which were necessary to the achievement of that objective.

He gave details of the work at present being carried out by UNESCO in connection with the provision of multilateral and bilateral agreements for cultural exchange and for the exchange of official and unofficial publications and the provision of information and documentation for national institutions as well as conferences of nongovernmental and intergovernmental organisations. He referred to UNESCO's part in organizing in 1955 a meeting of directors of national cultural services, a meeting which would be repeated this year. UNESCO was also concerned with student exchanges. By giving publicity to many problems, UNESCO encouraged the initiative of states in making exchange agreements. UNESCO supported many bilateral programs in the field of science, and it did a great deal of technical assistance. All of this led to happier relations between peoples and to further cultural exchange developments.

The movement had started but it must be supported and speeded up, for it was only by intensifying the present effort that it would be possible to achieve the great objectives which were sought. From that point of view, UNESCO gave its full support to the draft resolutions. He wished the Interparliamentary Union success in its work.

Mrs. Lébédéva (U. S. S. R.) (Rapporteur) said that two reports had been presented on cultural agreements, one by Mr. Iribarne (Spain) and one by herself. She referred to the development of international cultural relations since the war. There had been cultural agreements between states with different social and political systems, for example that of January 27, 1958, between the U. S. S. R. and the United States of America. Mr. Khrushchev, in his message to President Eisenhower, had stated that this agreement was a practical step toward the rapprochement of the two countries.

In recent years cultural exchanges had encompassed the whole world, and this was of particular importance for the countries of Asia and Africa. Various forms of cultural links played an immense role in the creation of mutual understanding between the peoples of different countries, for nothing could give a more profound and clearer insight into the spiritual life of a country than a knowledge of its culture. The basic factor which provided for the strengthening of cultural exchanges was respect for national sovereignty and observation of the principle of noninterference in the affairs of other countries.

The militarisation of science as a result of the armaments race diverted its best forces to the creation of more powerful means of destruction. Hundreds of thousands of talented workers were engaged in working out more effective means of killing people. Ever louder sounded the appeals of scientists in all countries who wanted an agreement amongst States on a complete transfer of research work to peaceful purposes. Discussions on cultural cooperation might play an important role in the consolidation of the

ideas of peaceful coexistence and in lessening international tension.

Social progress, the surging development of science, technology, and culture and the unprecedented opening up of peoples' social consciousness had multiplied international contacts in many ways. Hence the necessity to regulate these contacts and place them on a solid juridical basis. In 1955, 450,000 foreigners had visited the United States of America and in 1957, 550,000 foreigners had visited the Union of Soviet Socialist Republics. Unfortunately, in some countries passports were still being denied to such people as actors, singers, and various sportsmen.

Mr. Grégoire (Luxembourg) (Rapporteur) said that whenever he visited a foreign country he read its newspapers to assess the degree of freedom which existed and he found that the quality of the information given was in direct proportion to the measure of freedom accorded to journalists and public opinion. It was said that freedom of thought and speech was a right which was universally recognized, but it must be borne in mind that this right had two facets, the active and the passive. One facet related to the freedom to give information and the other related to the person who was to be informed. Such a person should have at his disposal all the facts necessary to form his own opinion.

Sometimes one had the impression, in discussing these questions, that it was necessary to define the true meaning of the terms used. For instance, there were several opinions on the meaning of the right to free access to sources of information. To some people freedom was an open space within which it was possible for them to do and say what they liked, while for others it was a closed cage in which they could do only what they were told. When discussing freedom of information they had to remember that objectivity of information was also necessary.

There were natural restrictions upon the freedom of information, but he did not think anyone was entitled to go beyond those natural restrictions and to introduce intellectual restrictions. He pointed out that it was possible in a newspaper to state a fact which of itself was true but yet to give an incorrect picture by not presenting it in its context. The reader must be presented with all the facts necessary for him to make up his own mind. Some omissions were involuntary, but others were deliberate, and these he strongly condemned.

Side by side with traditional means of information there were such modern means as wireless and television. Freedom to inform presupposed freedom to dispose of the means of information. There was an opinion that broadcasting and television were distinct from other techniques of information, but he did not accept this point of view.

He asked the Argentine group not to press their amendment, which contained nothing which was not already in the draft resolution, and he opposed the Soviet group amendment which, he said, went beyond the meaning of the draft resolution.

Mr. Iribarne (Spain) said that cultural relations had achieved such an importance in the world that it was necessary to establish an outline plan so that the objective might be secured in the interests of peace and better understanding between people. It was for this purpose that UNESCO was created as an indispensable collaborator with the United Nations. Cultural relations could be achieved only through legislation in the countries concerned. The countries which were asked to ratify cultural agreements must be generous and not reject them for futile reasons, as unfortunately happened sometimes. Firm criteria must be established to permit the development of cultural relations. He supported Mrs. Lébédéva and urged the assembly to approve the resolutions.

Mrs. Ablazova (U. S. S. R.) said that the fact that cultural contacts existed was an indication of the feasibility of peaceful coexistence between nations. She gave details of contacts between Soviet and foreign scientists, teachers, actors, writers, and artists in the recent past, stating that they contributed to world peace.

The draft resolution was evidence of the desire of the Interparliamentary Union to encourage international cultural ties, and there was no doubt that activities by parliamentarians in accordance with the principles of the resolution would promote peace and international cooperation.

Mothers all over the world desired peace on earth so that their children could be happy. They wanted their children to be intelligent, energetic, sociable, and diligent and to love good books, songs, and music. Above all, they wanted their children to grow up in an atmosphere of peace and friendship and to love man so that they were imbued with humane sentiments from early childhood. As a mother and a teacher, she was a champion of peace.

Mr. Weidmann (Argentina), referring to the Argentine amendment (Lib. presse/Am. 2), spoke of the first measures taken in the Argentine to establish freedom of communication. A famous writer had stated that freedom of expression and freedom of association were the fundamentals of a democratic government. Without free elections, people could not choose their policies, and without freedom of speech, no right could exist, and that was the basis of democracy. The freedom of expression, exercised through all the techniques now placed at the disposal of man, such as the press, books, wireless, television, the theater and public meetings, was absolutely essential to the very nature of a democratic state. Without it, a democratic state could not exist, for there must be opportunity for people to criticize and to control the activities of those who governed them. Indeed, those who governed could not carry out their duties if public opinion could not be expressed.

Mr. Dang-hieu-Khan (Vietnam) said that the peoples of democracies claimed the right to be informed, and the right to be objectively informed. The right to be informed meant that the people must have at their disposal all the means required for providing them with the necessary information, such as wireless, television, press agencies, reading rooms and facilities for the import and export of printed matter. It was only by such means that people could form opinions on international and national situations and that democracy could become a reality.

The right to information created for people a source of enrichment and it operated against systematic obscurantism. It was only under those conditions that the press would become an instrument of peace, and cultural arrangements and freedom of the press would contribute to the maintenance of world peace by increasing mutual understanding between the nations.

Mr. Mackinnon (Australia) said that the draft resolutions should be acceptable to all who aimed at achieving international good will and cooperation through a better understanding of social, political and economic problems. The resolution concerning cultural agreements was of great importance but its practical value depended on the application of the spirit of the second resolution.

It was in the freedom of information that the conflicting political systems of the world had encountered insurmountable difficulties, although in the Western countries there had been a willingness to give publicity to the letters and statements of Marshal Bulganin and Mr. Khrushchev during recent periods of crisis, and it was to be hoped that that attitude was reciprocated in the Soviet Republics and other countries within the Communist orbit.

The old saying "truth will out" had been sadly disproved in recent years in relation to the circulation of information of a political or economic nature, and the methods existing for controlling thought and the use of state educational systems to condition the minds of the young placed serious barriers in the path of truth.

Mr. Kelly (Brazil) said that it was remarkable that it was still necessary to defend at international conferences the most elementary of public rights—the freedom of information—because this freedom had preceded all the political regimes of our time and it corresponded to the sentiments of the common man. A great English actor had described it as the ability of everyone to say what he thought on any subject, even when he was thinking nothing, and a great Brazilian writer, the second Nabuco, had referred to the pleasure of agreeing that we disagreed.

The Brazilian delegation supported the principle based on Article 19 of the Declaration of Human Rights—that of seeking, receiving, and spreading information and ideas by every means and regardless of frontiers. In view of the limitation on the number of available channels and of the existence of international agreements, broadcasting was considered to be a public service, but this was a privilege of the State and not of the Government, of the whole national community and not only the party in power. The conference had discussed many important subjects, but what would become of their intentions and assertions if the word which expressed them could not reach the vast areas to which they were addressed?

Lady Davidson (Great Britain) said that the United Kingdom delegation believed profoundly in the value of freedom of the press and of the radio and in free speech, but with these freedoms must come self-discipline. A great British journalist had said that comment was free but facts were sacred. The aim of those responsible for spreading news should be the truth and nothing but the truth. Denying access to news must be condemned. The value of the B. B. C. News Service during the war had been its factual presentation of the news, good and bad, free from exaggeration and distortion.

All welcomed the visits to their countries of those taking part in sport, for example, but no one could be content until travel in all countries was unrestricted so that people could get to know each other by personal contact. No democracy could work unless it were based on the right of each individual to express his views freely and without fear, and the duty of each individual to treat with tolerance the views held by others. Only by a free exchange of information and a willingness to learn from each other could distrust and hatred be replaced by trust and understanding.

Mr. Chahkar (Iran) said that freedom of the press and of information was an integral part of the Iran constitution. The establishment of a democratic constitution in Iran owed much to the press who had conducted a vigorous campaign in favor of constitutional government. The principles laid down in Article 19 of the Declaration of Human Rights, had been stated more than 50 years earlier, in almost the same words, in the constitutional law of Iran. The principle meant that no one need fear to express his opinions and that information could be spread freely.

In view of its services in defense of the democratic regime, the press in Iran had earned the gratitude of the people, and all classes of society defended the newspapers. The extraordinary development of newspapers and periodicals and other means of information during the last 10 years was striking proof of what he had said.

The obstacles between free cultural exchanges between individuals must be removed. He criticised biased news and propaganda, the purpose of which was to direct

public opinion along given lines, because this hindered understanding between nations.

Mr. Castaneda (Philippines) said that the people of the Philippines believed sincerely that a reciprocal appreciation of the cultures and traditions of the different peoples of the world would bring closer understanding and serve as a basis for lasting peace and enduring friendship. It was important for people to learn to understand the lives of others.

The Philippines, realizing the importance of developing cultural relations with other countries, had been sending cultural attachés to her embassies and legations and had been sending groups of students abroad under the UNESCO plan and young workers under the ICA plan.

He regretted that the union had not yet taken a decision on the vital question of freedom of the press and information. In his country such a freedom was considered one of the citizen's sacred rights and the constitution expressly guaranteed the freedom of expression. If the minority in a country could not openly criticize the ideology of the majority, there was no democracy. The true test of democracy was the right of the minority openly and freely to criticize the party in power.

Mr. Berák (Czechoslovakia) said that it was necessary in the very interests of humanity itself to develop international cooperation without any distinction based on differences of economic or other systems. It did not matter whether countries belonged or did not belong to the same international organizations. If real relations were established between countries, people began to realize the problems and cultural riches of each other.

The national and international aspects of the freedom of the press and freedom of information were of great importance. His delegation felt that the purpose of the Interparliamentary Union was surely to adopt the kind of recommendations and measures which in the field of information could contribute to the easing of international tension and the strengthening of mutual confidence. He felt that countries which sincerely desired peace would refrain from waging propaganda of hate, because that was not an expression of freedom of information but an abuse of it.

Mr. Boggs (U. S. A.) said that cultural exchanges were the most fruitful and most effective form of education, and perhaps the most indispensable in the atomic age. He referred to the program of Fulbright scholarships in the United States, which had provided for 33,000 scholars from 39 nations in 10 years, probably the largest educational exchange in the history of civilization.

They were told that the Soviet Union put its greatest thrust behind the education of its youth. His conviction was that an educated people, no matter how indoctrinated, would demand freedom. Police states were doomed in an educated society. If exchange programs did anything at all, they would throw into contrast and open examination the philosophies of the two systems. What was sought was not coexistence in an atmosphere of fear of atomic hostility but understanding in an atmosphere of mutual trust. Freedom of the press could not be divorced from free government. Unless there could be untrammeled public expression of private views, the heartbeat went out of government by the people.

Mr. Kostourkov (Bulgaria) said that his delegation recognised the tremendous role played by the press in the formation of public opinion in respect of both foreign policy and domestic policy. It was easy to understand why differences of opinion occurred in such an organisation as the Interparliamentary Union, which was composed of countries with difference structures and different basic concepts. It was essential that the national groups should contribute to the best of their ability to the achievement of the common aims of the union, and everything possible must be done to prevent information being distorted. Propaganda in favor of war did not improve international cooperation or strengthen peace. It was necessary to forbid, by international conventions, if necessary, information being given in bad faith by the press as well as any abuse of the freedom of the press. Cultural agreements between countries with different political systems would make all rejoice.

Mr Loureiro Jr. (Brazil) said that it could not be forgotten that each freedom carried with it a corresponding criterion of responsibility. It must be emphasized that the role of the press was eminently of a public character and, therefore, it carried with it a responsibility in a social sense. There ought to be some reference on behalf of the union to that aspect of the responsibility of the press. The press must have its actions clearly laid down with regard to the dignity and freedom of expression of the human individual. There was also the matter of the responsibility of the press to the existing public authority, which could not be allowed to be at the mercy of pernicious actions on the part of the press. Everywhere society suffered from such pernicious action and the conference should not fail to stress its rejection of offenses of that type against the moral order. Also, the conference should make it clear that it could not conceive of a representational regime where the state monopolised the means of information. He gave notice that he would express his views in a draft resolution to be submitted to the next conference.

Mr. Nowakowski (Poland) said that there was no doubt that coexistence and collaboration in the cause of peace between countries of different economic and social structures and regimes required, among other things, intellectual collaboration which must be on a broad base, honest and reciprocal in regard to information. That was required if there was to be throughout the whole world lasting peace, mutual confidence and collaboration and friendship among nations. Exchanges of information and the development of relations of an intellectual character between East and West were important from the political point of view as well as the cultural point of view. Poland was glad to have her scientists, students, artists, and workers of all kinds go to foreign countries to strike up bonds of friendship and to enrich Poland's science and experience. She would also be very glad to have her country visited more and more by similar persons from other countries.

Mr. Case (U. S. A.) said that all other freedoms depended on the freedom of information. The right to know the truth was a right of the people and should not be a monopoly of any government. One-man governments which dare not trust the people with the truth took from the citizen the facts which he had a right to know.

In the United States they believed that the State belonged to the people and that the people were entitled to have news without censorship. When Mr. Khrushchev wrote his letter to President Eisenhower about the Middle East, the American newspapers were free to print every word of it. They were not told by the Government what to say. Justice and freedom could be drugged and put to sleep by the sugar-coating of selfish political opinion in the name of news by governments who denied to their people a free exchange of information with other peoples of the world. There was no colonialism so enslaving as that which imprisoned the minds of men and made them the mental chattels of the State. The right of the people to know the truth must be recognized if governments were to be of the people, by the people, for the people.

Mr. Ronai (Hungary) said that regular cultural relations based on cultural agreements were an important part of international relations and that cultural agreements provided an effective way of achieving peaceful international cooperation. The conference was discussing cultural relations on a continent where the peoples had had a wonderful civilization destroyed by colonialism. Having achieved independence from colonialism, the countries of Latin America were making better progress, but they had many problems to face, such as illiteracy and contagious diseases.

The Hungarian National Group believed it their duty to extend the system of bilateral cultural agreements and to encourage mutual understanding of each other's civilization. These aims would remain pious wishes, however, unless peace and peaceful coexistence were assure. Consequently, he regretted the armed intervention of the United States and Britain in the internal affairs of the Arab countries, which seriously jeopardised peace in the Middle East and prevented the development of cultural relations.

The meeting rose at 6:25 p. m.

Mr. CASE of South Dakota. Mr. President, inasmuch as I spoke on the subject of the right of the people to know the truth, and since I stated that I believe that freedom of information is the freedom on which all other freedoms depend, I now wish to read into the RECORD the address I delivered on that occasion. It reads as follows:

THE RIGHT OF THE PEOPLE TO KNOW THE TRUTH

Mr. President, ladies and gentlemen of the conference, if the desires of mankind are what we have here heard expressed, the people of the world do not want an atomic war—they do not want any war.

The men and the women who have spoken here have spoken as one on that point. They have differed only on the ways in which we can make the desire for peace come true with liberty and justice for all.

Of all groups of men and women who might be brought together, this conference of members of parliamentary bodies should be the most accurate in reflecting what is in the hearts and minds of men and women everywhere because each of us comes as the representative of a constituency. Most of us are elected by the votes of that constituency, but whether elected or appointed, each of us is here to speak for the people we were chosen to represent.

To this conference, then, of parliamentary delegates, I speak on freedom of information with the conviction that on this freedom all other freedoms depend.

To this conference, I would say that the right to know the truth is a right of the people and is not a proper monopoly for any government.

Our agenda item No. 5 divides the topic into two parts: Exchanges of Culture and Exchanges of News as Information. I address my remarks to the latter—the exchange of news at home and abroad.

In passing, however, I testify to the good that is accomplished by the exchange of cultures.

It was good for the people of my country to learn of the appreciation accorded in Russia to a great pianist from the State of Texas, Mr. Cliburn. It has been good for the people of my country to learn of good sportsmanship and courtesy when athletes from my country compete with athletes of other lands, regardless of political ideologies. And I trust the ladies at home will forgive me if, in Rio de Janeiro and this atmosphere of Latin-America beauty, I confess there may be dividends for international

appreciation from the victory by lovely Miss Colombia, in the competition for the title of "Miss Universe" held in the United States of North America only a few days ago.

Such exchanges of culture and skill, of talent and beauty do increase understanding among the people of the world.

The free exchange of other news and information, however, sometimes runs into trouble. This happens most often when the news relates to political programs and ambitions.

Those governments which see the state as the goal of every endeavor are inclined to seize control of information as a tool for the attainment of their ends regardless of the imprisonment which that decrees for honest, clear-minded judgment. Those one-man governments who dare not trust the people with the truth deprive the people of the facts to which every citizen has a right. This practice defeats the hopes in the hearts of mankind for freedom and understanding.

My country's independence began with a declaration that governments are formed to bring life and liberty and to permit people to pursue happiness. We hold that the state belongs to the people, that people are not the chattels of the state.

Consequently, we believe that the people are entitled to have uncensored news. When Premier Khrushchev wrote his letter to President Eisenhower about the situation in the Middle East, a few days ago, the newspapers of my country were free to print every word of the Khrushchev letter. The radio and the television carried whatever portions of the letter they desired to use and their time permitted. The people of my country reached their judgments on the basis of the statement itself, and in the light of past events in Warsaw, Leipzig and Budapest, as they had been freely reported insofar as the facts from those places were permitted to get to the world.

Someone once said that religion was an opiate for the people which I do not accept. True religion brings hope and purpose to human life. But there is something which does drug justice and put freedom to sleep. That is the sugar-coating of selfish political opinion in the name of news by governments which denies to their people the free exchange of information with other peoples of the world.

There is no colonialism so enslaving as that which imprisons the minds of men and makes them the mental chattels of the state.

As Mr. Philip Klutznick, United States representative to the General Assembly of the United Nations, said as lately as December 6, 1957:

"The freest and fullest flow of information is basic to a democratic system of government * * * In time of peace it is never safe to trust any men or institution of men with the power to decide for others what is good and what is bad information * * * There may be times when the majority will be mistaken * * * but * * * the truth eventually becomes apparent and right judgments will be made."

Mr. President, ladies and gentlemen of the conference, on the 14th of December 1946, the General Assembly of the United Nations resolved that—

"Freedom of information is a fundamental right, and the touchstone of all the freedoms to which the United Nations is consecrated."

Therefore, I would wish that this conference of the Interparliamentary Union might urge that knowledge of the truth and the free exchange of information be recognized as a right of the people and not as a property of any government.

Those who themselves are the mouthpieces for the people in representative government should be the first to proclaim the importance of the freedom of information. Unless the door is open for the free flow of news, we can never be sure of what is truth. The people must have their right to know recognized if governments are to be of the people, by the people and for the people.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, following the printing of the address which I delivered at the Conference, which I have just now concluded reading to the Senate, the draft resolution, as adopted by the Conference, on the subject of "Cultural Agreements and Their Role in Improving Relations Between Peoples" and "National and International Aspects of Freedom of the Press and Information."

There being no objection, the draft resolution was ordered to be printed in the RECORD, as follows:

47TH INTERPARLIAMENTARY CONFERENCE, RIO DE JANEIRO, JULY 24 TO AUGUST 1, 1958—AGENDA ITEM NO. 5—CULTURAL EXCHANGES BETWEEN COUNTRIES AND FREEDOM OF INFORMATION

(A) CULTURAL AGREEMENTS AND THEIR ROLE IN IMPROVING RELATIONS BETWEEN PEOPLES

(Draft resolution presented, in the name of the Committee on Intellectual Relations, by Mr. Pierre Nothomb, Senator (Belgium))

The 47th Interparliamentary Conference—

Recognizing the importance and growing volume of international cultural relations, as well as the interest which is shown in their development, and with the object of reaching a better understanding between different countries so as to facilitate the establishment of favorable conditions for peace and for durable friendship between them,

Stressing the need for eliminating all obstacles which hamper the freedom of cultural exchanges,

Considering that men living in all countries of the world, by reciprocal appreciation of their cultural achievements and by assimilating the best and most progressive of them in the various national cultures, can learn to understand more completely and deeply the life of other peoples, to respect their originality and national traditions, and to enrich each other spiritually,

Upholding the resolutions adopted by the General Assembly of the United Nations on February 21 and November 28, 1957, stating that wider international cooperation in cultural and scientific matters must be encouraged by agreements and other means, and that no effort should be spared to achieve those noble objectives,

Taking note of the resolution adopted by the 44th Interparliamentary Conference on the conditions for a true peaceful coexistence between the nations and the resolution adopted at the Ninth General Conference of UNESCO,

Appeals to all Interparliamentary groups to work for the realization of the UNESCO project on mutual appreciation of cultural values of countries of the East and West,

Invites all Interparliamentary groups to contribute to the furtherance of regular intellectual exchanges between States as a means toward the conclusion of bilateral, regional, and multilateral agreements on cultural and scientific relations, and also on other forms of cultural exchanges, such as visits and sojourns of students, pupils and young workers;

Recommends the creation of administrative bodies and special parliamentary groups for the promotion of a reciprocal policy of cultural relations in those countries where such organs do not already exist;

Hopes that the member groups of the Interparliamentary Union will use their influence on their respective governments in the sense of the present resolution.

(B) NATIONAL AND INTERNATIONAL ASPECTS OF FREEDOM OF THE PRESS AND INFORMATION

(Draft resolution presented, in the names of the Committees on Intellectual Relations and Juridical Questions, by Mr. Pierre Grégoire, Deputy (Luxembourg))

The 47th Interparliamentary Conference,

desiring to safeguard the right to freedom of expression and opinion as defined in article 19 of the Universal Declaration of Human Rights,

Recalling the previous resolutions adopted on the subject by the Interparliamentary Union the United Nations General Assembly, particularly on November 3, 1947, and the Ninth General Conference of UNESCO,

Declaring that this liberty implies the right, either active or passive, to information through radio, film, television, as well as by books, gramophone records and the press itself,

Considering that it is of importance to guarantee more effectively the free exchange of objective and nondistorted news, the protection of sources of information, the liberty of movement of foreign correspondents and the physical, social, and spiritual security of personnel in the information services,

Believing that it is necessary to guard against the maltreatment of news by a more equitable distribution of those means which guarantee the full right to information, impartially disseminated, by the development of professional techniques and by national and regional information bodies, which act as important auxiliaries in promoting economic and social progress in those countries which are lacking in this respect, as well as by the creation of councils, both national and international, for purposes of control and arbitration, and designed to bring about respect for different shades of opinion and to eliminate all abuses and rectify errors,

Stressing the necessity for encouraging the development of intellectual exchanges, the formation of specialized personnel, the creation of educational centers and the consolidation of scientific, cultural, technical, and sporting links,

Affirming the desire to continue its efforts toward the removal of obstacles hampering the free flow and integrity of information,

Condemning the use of false news which would by its very nature encourage hatred and provoke war, or would lead to the use of nuclear energy for other than peaceful purposes,

Apepals to its member groups to have adopted in their respective Parliaments the necessary measures for a free exchange of news, of information, and publications between research institutes, libraries, and cultural associations, as well as the free circulation of educational material and travel of persons journeying for journalistic or scholarly ends,

Invites the representatives of the different countries to approach the competent authorities with a view to putting an end to all restrictions on the exchange of ideas, particularly by aiding in the intensification of action already taken by United Nations organs and specialized agencies in the technical field, and to achieve durable cooperation between the Governments and the professions in question,

Requests that everything possible be done, either by adherence to international agreements or modification of national laws, to facilitate, in conditions of loyal reciprocity, exchanges of information likely to serve the cause of international peace and promote better understanding among nations as well as among individuals;

Resolves to appeal to the members of the Union to adopt, in their respective Parliaments, the necessary measures to make means of communication accessible to all branches of opinion in such a way that information does not become a privilege or a way of controlling public opinion.

Mr. CASE of South Dakota. Mr. President, there was one rather interesting development in connection with the voting upon a resolution relating to the development of representative assemblies in non-self-governing territories. The draft resolution was carried by a vote of 461 yeas to 31 nays, with 62 abstentions.

I think the draft resolution should be inserted in the RECORD at this point, and I ask unanimous consent that it may be printed.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

47TH INTER-PARLIAMENTARY CONFERENCE, RIO DE JANEIRO, JULY 24-AUGUST 1, 1958, AGENDA ITEM NO. 6—THE DEVELOPMENT OF REPRESENTATIVE ASSEMBLIES IN NON-SELF-GOVERNING TERRITORIES

(Draft resolution presented, in the name of the Committee on Non-Self-Governing Territories and Ethnical Questions, by Mrs. Supeni, Deputy (Indonesia))

The 47th Inter-Parliamentary Conference,

Believing that the progressive development of representative democratic institutions in non-self-governing territories is of the highest importance for the emancipation of the peoples of those territories,

Underlining the importance of the obligations laid down in Chapter XI of the Charter of the United Nations in which states administering such territories are required to "develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions",

Convinced that the aim of extending universal suffrage to all non-self-governing territories is directly in line with the ideals and aims of the Inter-Parliamentary Union,

Appeals to the national parliamentary groups of the states responsible for the government of such territories to promote and encourage within their respective parliaments legislation which would have as its object the building-up of truly democratic assemblies in non-self-governing territories;

And proposes:

(1) Rejection of all forms of colonial rule and subjection exercised by force upon the independence and freedom of another country;

(2) Solidarity with all colonised countries which have already obtained their freedom, as well as with all who still fight for their autonomy;

(3) Establishment of an international procedure which would guarantee to peoples desiring to become free of foreign tutelage that the substitution of foreign authorities by self-government would not be detrimental to human rights and the institutional forms of coexistence;

(4) Necessity for those governments, and particularly their parliaments, to be formed as the result of free elections—the only way in which legitimate power can be conferred and the people represented.

Mr. CASE of South Dakota. In conclusion, Mr. President, I may say I wrote, as of the customary day, a report to the people of South Dakota, in a letter written from Rio de Janiero, on July 30, headed "Interparliamentary Conference at Rio." I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SENATOR FRANCIS CASE REPORTS—INTERPARLIAMENTARY CONFERENCE AT RIO

RIO DE JANEIRO, BRAZIL, July 30.—Fifty-three countries of the world are members of the Interparliamentary Union meeting here for the 47th conference. Old hands at the meetings say that only at the meeting in 1939 prior to Hitler's march that started World War II has there been equal interest in the proceedings.

The primary reason, of course, is the tension over the situation in the Middle East where United States marines and paratroops landed in Lebanon even as many of these delegates were leaving their homes for this conference. But in the background is the growing realization that airplanes and rockets and sputniks have thrown us into one world.

The IPU differs from the United Nations in that this is a more informal body which was started by members of European assemblies who thought understanding would be promoted by their exchanging views. Among recommendations through the years were the World Court of Justice at The Hague, the League of Nations and even the organization which took the name of United Nations.

The IPU is not another U. N.—it is not a body which nations join by treaty. Its delegates are not named by the president, king, or other heads of states—but by the parliamentary bodies. In the main, they are people who have been elected to legislative bodies in their own countries.

Thus, in the main, they speak for constituencies. That is a point I mentioned in my conference address on Freedom of Information. We spoke from the background of legislators, not as spokesmen for an official government position.

It was impossible, however, under present world tensions, to avoid the tendency to regard speakers as exponents of home policies.

Russia's delegation included such persons as the head of their supreme court and the editor of Izvestia and a very able woman, Mme. Lepeveda.

Britain's delegation was headed by Herbert Morrison, one-time leader of her Labor government and Minister of Home Defense in Churchill's war government.

Austria's Dr. Ernest Korff was a very able committee chairman for the Committee on Armaments on which I served.

Indonesia had a woman delegate who spoke excellent English and with great persuasive ability. Several Latin American countries were represented by skillful and eloquent legislators.

Two goals marked the speeches of Russian delegates—proposals (1) to get a resolution that would condemn aggression in the Middle East by which they meant the presence of United States troops in Lebanon, and (2) to get a recommendation for immediate stopping of testing of nuclear weapons regardless of adequate inspection safeguards.

Speakers from all countries made clear that their people did not want an atomic war. A Japanese delegate pointed out that only the people of his country know the actual effects of an atomic blast. All the delegates from little nations spoke in fear—and wistful hope.

Preliminary drafts of resolutions on all agenda topics had been prepared by interim committees meeting at Geneva some months ago. For the most part, those drafts, carefully worked out, were adopted.

I had come to the conference with a speech on the operations of Public Law 480—the program of selling farm surpluses for foreign currencies and using much of the proceeds for aid loans in the underdeveloped countries. It appeared, however, that topic could be well assigned to Senator FREAR, a member of the Committee on Agriculture, and I was assigned to speak on Freedom of Information and to serve as United States member for the Committee on Disarmament and International Police Force.

So, I wrote a new speech on the free flow of uncensored news as an important need for world understanding, which as a former editor I was very glad to do.

I advanced the proposition that if people are to be free, they must have a right to know what is the truth and that no government has a property right in news as a monopoly. I pointed out that when Khrushchev wrote to President Eisenhower recently, newspapers in the United States were free to print the entire text of his speech if they wanted to do so.

The session of the committee on disarmament was possibly the most interesting of the conference for me. A great deal of clever forensic and parliamentary ability was shown by various delegates. Each speech was interpreted into French and English. Speakers were brief and to the point.

In this committee, one amendment asking immediate cessation of nuclear tests and conversion of existing stocks to peaceful purposes was voted down, getting 9 yeas, 14 nays, and 3 abstentions. A resolution to commend Soviet Russia for "unilateral suspension" after she had completed her latest tests was beaten by 21 nays to 7 yeas and 1 abstention.

An amendment to have the IPU set up a committee to prepare a plan for an International Police Force was beaten by 10 yeas to 9 nays and 2 abstentions, but the idea of a police force was endorsed with 12 yeas, 8 nays, and 7 abstentions.

The overall resolution to urge parliaments at home and the United Nations to resume disarmanent negotiations was endorsed unanimously.

This country of Brazil could easily be the subject of a report in itself. Today, with over 60 million people, more than half the total population of South America, Brazil expects to have 100 million by the year 2000.

In area, it is larger than continental United States and is the fourth-largest country of the world in total size. In resources, it is fabulously rich. Iron, copper, gold, diamonds, fine fruits, immense forests, and gigantic rivers for power are some of the principal ones.

And, as a cattle raiser, it was interesting to me to learn that the cattle population here is estimated at about 63 million, or one per person. In the United States we have approximately 95 million for 170 million people.

But Brazil has her problems. Her money is a sharp example of what inflation does. At the outset of World War II the rate of exchange was roughly 20 cruzeros to a dollar. Today, it is 131.

In an effort to keep its money from flowing out of the country, Brazil has high import duties—$5,000 on a Chevrolet car which will sell here with that duty for about $14,000.

It is hard for the country to keep wages and prices in line under these conditions. But the Brazilians are ambitious and determined. They are looking forward to the visit by Secretary of State Dulles. They want him to see the new capital they are building at Brasilia—at headwaters of an Amazon tributary, 600 miles west of Rio—where they decided to have a capital city nearer the heart of their country.

When they started 14 months ago, Brasilia was a native village of 500 persons. Today, it has 30,000 people with a 10,000 foot runway and modern buildings.

Brazil is a nation on the move. It will be well if the United States of America and the United States of Brazil can remain strong and good friends in the half century ahead.

Senator FRANCIS CASE.

Mr. CASE of South Dakota. Mr. President, concluding my remarks, may I say to the distinguished occupant of the Chair [Mr. CHURCH] and to the other Senators who have had the patience to listen to me at this late hour tonight,

I believe representation in the Interparliamentary Union is worth while. Certainly, if we believe in representative government, it is worth while for those who are selected and who represent constituencies to get together and exchange points of view, and give to other countries where parliamentary government is trying to increase the freedom of the people of the world the methods and ideas by which we seek in our country to advance the cause of freedom. We can gain from the experience and exchanges of viewpoints and procedures which take place in the parliamentary bodies of other countries.

Some countries may differ in the selection of their representatives, delegates, or senators. Some of the countries do not have the political maturity our country has. But to the extent that such countries have parliamentary bodies in which the people can be represented and have a voice in government, to that extent will free government really come to exist in all countries where there is government of the people, for the people, and by the people.

So I hope, as we approach the time when the 48th Conference of the Interparliamentary Union will be held at Warsaw, Poland, next year, Members of our Congress may take appropriate steps to insure an interested and alert delegation, and one which will make a contribution to the deliberations of parliamentary bodies which will take place behind what is called the Iron Curtain.

I hope that conference, as this recent one has, will make a contribution to the development of freedom in the world.

STATEMENT

Mr. JAVITS. Mr. President, I wish to make another statement. I am delighted that the Senator from North Carolina is here. Yesterday the Senator from North Carolina sought unanimous consent to have a division after the question had been decided by a ruling of the Chair. I thereupon objected. I express to the Senator from North Carolina my regret. I had never done that before; I hope never to do so again.

I then went to the Senator from North Carolina. I think the RECORD should show that I asked him whether he felt very strongly about it. He said no; that the matter was finished, and that he did not feel too strongly about it. I said if he did, and if he would make his unanimous consent request again, I would not object.

I desire the RECORD to show the mutuality of courtesy on both sides.

Mr. ERVIN. Mr. President, I corroborate the statement of the able and distinguished junior Senator from New York. As he said, he very graciously came to me and offered to withdraw his objection. I told him I appreciated it very much, but that I did not consider the matter of such importance that he should do so.

Mr. JAVITS. I thank the Senator from North Carolina. I am very glad to have the RECORD show this mutual exchange of our respect for each other.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ADDITIONAL REPORT OF A COMMITTEE

The following additional report of a committee was submitted:

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, with an amendment:

H. R. 12728. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable (Rept. No. 2481).

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HRUSKA:

S. 4310. A bill for the relief of Dr. Taro Mori; to the Committee on the Judiciary.

By Mr. MALONE:

S. 4311. A bill to abolish the functions of the Bureau of Indian Affairs of the Department of the Interior, to remove the guardianship over Indians and trusteeship over Indian lands, and to repeal the act of June 18, 1934 (48 Stat. 984), as amended; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MALONE when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL (for himself, Mr. SMITH of New Jersey, Mr. MURRAY, Mr. MCNAMARA, Mr. PURTELL, Mr. HUMPHREY, Mr. THYE, and Mr. YARBOROUGH):

S. 4312. A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes; to the Committee on Labor and Public Welfare.

By Mrs. SMITH of Maine:

S. 4313. A bill to authorize certain improvement of the Southwest Harbor, Maine; to the Committee on Public Works.

By Mr. KENNEDY:

S. 4314. A bill for the relief of Dr. Nicholas Darsenta; to the Committee on the Judiciary.

By Mr. JENNER:

S. 4315. A bill to authorize the legislatures of the several States to determine whether such States shall participate in programs providing for Federal grants to such States or their inhabitants; to the Committee on Government Operations.

(See the remarks of Mr. JENNER when he introduced the above bill, which appear under a separate heading.)

MUTUAL SECURITY APPROPRIATION BILL, 1959—AMENDMENT

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table, and to be printed.

ADJOURNMENT TO 11 O'CLOCK A. M. TODAY

Mr. CASE of South Dakota. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 11 o'clock a. m. today.

The motion was agreed to; and (at 12 o'clock and 15 minutes a. m.) on Wednesday, August 20, 1958, the Senate adjourned, the adjournment being, under the order previously entered, until 11 o'clock a. m., the same day.

NOMINATIONS

Executive nominations received by the Senate August 19, 1958:

INTERNATIONAL DEVELOPMENT ADVISORY BOARD

Harry A. Bullis, of Minnesota, to be Chairman of the International Development Advisory Board.

COLLECTOR OF CUSTOMS

Arthur Rogers, of Tennessee, to be collector of customs for customs collection district No. 43, with headquarters at Memphis, Tenn. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate August 19, 1958:

UNITED STATES CIRCUIT JUDGES

Win G. Knoch, of Illinois, to be United States circuit judge for the seventh circuit.

Gilbert H. Jertberg, of California, to be United States circuit judge for the ninth circuit.

UNITED STATES DISTRICT JUDGE

Omer Poos, of Illinois, to be United States district judge for the southern district of Illinois.

UNITED STATES ATTORNEY

Wilbur G. Leonard, of Kansas, to be United States attorney for the district of Kansas, term of 4 years.

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

Robert L. Kunzig, of Pennsylvania, to be a member of the Foreign Claims Settlement Commission of the United States.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 19, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Deuteronomy 5: 33: *Ye shall walk in all the ways which the Lord your God hath commanded you, that ye may live and that it may be well with you.*

Most merciful and gracious God, Thou art daily bidding us to walk in the ways of Thy commandments, to love Thee and love our fellow men.

Grant that the legislative programs, which the Congress is seeking to enact, may redound to Thy glory and bring a larger measure of prosperity and happiness to our country and all mankind.

We beseech Thee that every law on our statute books may be an expression of Thy wise and holy will and of our longing to build a better world.

May we stand in the noble succession of all who, in every generation, have labored for the coming of the day of brotherhood and good will.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on August 19, 1958, the President approved and signed bills of the House of the following titles:

H. R. 11933. An act to provide for the conveyance of interests of the United States in and to uranium, thorium, and other materials in certain tracts of land situated in Jackson County, Miss.;

H. R. 12938. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in Leon County, Fla.;

H. R. 13268. An act authorizing Commodity Credit Corporation to purchase flour and cornmeal and donating same for certain domestic and foreign purposes; and

H. R. 13482. An act to amend the Atomic Energy Act of 1954, as amended.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 10360. An act to amend title V of the Agricultural Act of 1949, as amended; and

H. R. 11630. An act to amend title XV of the Social Security Act to extend the unemployment insurance system to ex-servicemen, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.;

H. R. 469. An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes;

H. R. 912. An act to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine;

H. R. 4642. An act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure;

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 7860. An act to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range";

H. R. 8043. An act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code;

H. R. 9822. An act to provide for holding a White House Conference on Aging to be called by the President of the United States before September 30, 1960, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes;

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes;

H. R. 12126. An act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes;

H. R. 12683. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12683. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12670. An act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, South Dakota, whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12808. An act to amend the Federal-Aid Highway Act of 1956 to extend for an additional 2 years the estimate of cost of completing the Interstate System;

H. R. 12883. An act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems; and

H. J. Res. 648. Joint resolution providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13549. An act to increase benefits under the Federal Old-Age, Survivors, and Disability Insurance System, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. LONG, Mr. MARTIN of Pennsylvania, Mr. WILLIAMS, and Mr. FLANDERS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 12226) entitled "An act to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDERSON, and Mr. KUCHEL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 448. An act for the relief of Maria Lorenz;

S. 449. An act for the relief of Johann Kalatschan;

S. 453. An act for the relief of Peter Mensen;

S. 951. An act for the relief of Stasys Sereika;

S. 1295. An act for the relief of David Forbes;

S. 1913. An act to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes;

S. 1944. An act for the relief of Ethel Auth;

S. 1945. An act for the relief of Jakob Liblang, Jr.

S. 2186. An act for the relief of Martin Albert;

S. 2469. An act for the relief of Dr. Brant Bonner;

S. 3009. An act to amend the Immigration and Nationality Act to accord Korean War veterans equal naturalization privileges;

S. 3268. An act to amend the National Science Foundation Act of 1950, as amended, and for other purposes;

S. 3338. An act for the relief of Erminio Neglia;

S. 3503. An act for the relief of Marie Inette Konomos;

S. 3523. An act for the relief of Benedict Eremenko (Ben Zuke) and Victor Tatarnikov (Victor Kalin);

S. 3565. An act for the relief of Ellen B. Mueller;

S. 3571. An act to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States;

S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State;

S. 4032. An act for the relief of Mercede Svaldi;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization;

S. 4179. An act to authorize the Tahchevah Creek project, Palm Springs, Calif.;

S. 4213. An act to afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of disability incurred in or aggravated by active service subsequent to January 31, 1955;

S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute;

S. 4248. An act to encourage and stimulate the production of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes;

S. 4273. An act to provide for cooperation with the European Atomic Energy Community;

S. Con. Res. 37. Concurrent resolution favoring Congressional recognition of the Baseball Hall of Fame, located at Cooperstown, N. Y.;

S. Con. Res. 111. Concurrent resolution to print the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations as a Senate document, with additional copies; and

S. Con. Res. 116. Concurrent resolution to approve agreement between the Government of the United States and the European Atomic Energy Community (Euratom) concerning cooperation to advance the peaceful application of atomic energy.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 4071. An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities.

The message further announced that the Senator from New York, Mr. JAVITS, had been appointed a conferee on the bill (H. R. 7785) entitled "An act to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia" in place of the Senator from Kentucky, Mr. MORTON, excused.

SOCIAL SECURITY AMENDMENTS OF 1958

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 13549) to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust fund of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The clerk read the title of the bill.

The clerk read the Senate amendments, as follows:

Page 3, strike out all after line 2 over to and including table on page 4 and insert:

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

I		II		III		IV	V	I		II		III		IV	V
"(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1954 Act)		(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)	"(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1954 Act)		(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	"If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—	At least—	But not more than—	At least—	But not more than—			"At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
	$10.00		$30.00		$54	$33	$53.00			$75.30	$76.10	$184	$188	$81	$150.40
"$10.01	10.48	$30.10	31.00	$55	56	34	54.00	$36.81	$36.40	76.20	77.10	189	193	82	154.40
10.49	11.00	31.10	32.00	57	58	35	55.00	37.09	37.60	77.20	78.00	194	197	83	157.70
11.01	11.48	32.10	33.00	59	60	36	56.00	37.61	38.20	78.10	78.90	198	202	84	161.60
11.49	12.00	33.10	34.00	61	61	37	57.00	38.21	39.12	79.00	79.90	203	207	85	165.60
12.01	12.48	34.10	35.00	62	63	38	58.00	39.13	39.68	80.00	80.80	208	211	86	168.80
12.49	13.00	35.10	36.00	64	65	39	59.00	39.69	40.33	80.90	81.70	212	216	87	172.80
13.01	13.48	36.10	37.00	66	67	40	60.00	40.34	41.12	81.80	82.70	217	221	88	176.80
13.49	14.00	37.10	38.00	68	69	41	61.50	41.13	41.76	82.80	83.60	222	225	89	180.00
14.01	14.48	38.10	39.00	70	70	42	63.00	41.77	42.44	83.70	84.50	226	230	90	184.00
14.49	15.00	39.10	40.00	71	72	43	64.50	42.45	43.20	84.60	85.50	231	235	91	188.00
15.01	15.49	40.10	41.00	73	74	44	66.00	43.21	43.76	85.60	86.40	236	239	92	191.20
15.51	16.20	41.10	42.00	75	76	45	67.50	43.77	44.44	86.50	87.30	240	244	93	195.20
16.21	16.84	42.10	43.00	77	78	46	69.00	44.45	44.88	87.40	88.30	245	249	94	199.20
16.85	17.60	43.10	44.00	79	80	47	70.50	44.89	45.60	88.40	89.20	250	253	95	202.40
17.61	18.40	44.10	45.00	81	81	48	72.00			89.30	90.10	254	258	96	206.40
18.41	19.24	45.10	46.00	82	83	49	73.50			90.20	91.10	259	263	97	210.40
19.25	20.00	46.10	47.00	84	85	50	75.00			91.20	92.00	264	267	98	213.60
20.01	20.64	47.10	48.00	86	87	51	76.50			92.10	92.90	268	272	99	217.60
20.65	21.28	48.10	49.00	88	89	52	78.00			93.00	93.90	273	277	100	221.60
21.29	21.88	49.10	50.00	90	90	53	79.50			94.00	94.80	278	281	101	224.80
21.89	22.28	50.10	50.90	91	92	54	81.00			94.90	95.80	282	286	102	228.80
22.29	22.68	51.00	51.80	93	94	55	82.50			95.90	96.70	287	291	103	232.80
22.69	23.08	51.90	52.80	95	96	56	84.00			96.80	97.60	292	295	104	236.00
23.09	23.44	52.90	53.70	97	97	57	85.50			97.70	98.60	296	300	105	240.00
23.45	23.76	53.80	54.60	98	99	58	87.00			98.70	99.50	301	305	106	244.00
23.77	24.20	54.70	55.60	100	101	59	88.50			99.60	100.40	306	309	107	247.20
24.21	24.60	55.70	56.50	102	102	60	90.00			100.50	101.40	310	314	108	251.20
24.61	25.00	56.60	57.40	103	104	61	91.50			101.50	102.30	315	319	109	254.00
25.01	25.48	57.50	58.40	105	106	62	93.00			102.40	103.20	320	323	110	254.00
25.49	25.92	58.50	59.20	107	107	63	94.50			103.30	104.20	324	328	111	254.00
25.93	26.40	59.40	60.20	108	109	64	96.00			104.30	105.10	329	333	112	254.00
26.41	26.84	60.30	61.20	110	113	65	97.50			105.20	106.00	334	337	113	254.00
26.85	27.44	61.30	62.10	114	118	66	99.00			106.10	107.00	338	342	114	254.00
27.47	28.00	62.20	63.00	119	122	67	100.50			107.10	107.90	343	347	115	254.00
28.01	28.68	63.10	64.00	123	127	68	102.00			108.00	108.50	348	351	116	254.00
28.69	29.36	64.10	64.90	128	132	69	105.60					352	356	117	254.00
29.37	29.88	65.00	65.80	133	136	70	108.80					357	361	118	254.00
29.89	30.36	65.90	66.80	137	141	71	112.80					362	365	119	254.00
30.37	30.92	66.90	67.70	142	145	72	116.80					366	370	120	254.00
30.93	31.36	67.80	68.60	147	150	73	120.00					371	375	121	254.00
31.37	32.00	68.70	69.60	151	155	74	124.00					376	379	122	254.00
32.01	32.60	69.70	70.50	156	160	75	128.00					380	384	123	254.00
32.61	33.20	70.60	71.40	161	164	76	131.20					385	389	124	254.00
33.21	33.88	71.50	72.40	165	169	77	135.20					390	393	125	254.00
33.89	34.50	72.50	73.30	170	174	78	139.20					394	398	126	254.00
34.51	35.00	73.40	74.20	175	178	79	142.40					399	400	127	254.00"
35.01	35.80	74.30	75.20	179	183	80	146.40								

Page 4, line 2, after "(b)" insert: (1).

Page 5, line 8, strike out all after "after" down to and including "enacted," in line 10 and insert "December 1958".

Page 5, line 11, strike out "second."

Page 5, line 15, strike out "second."

Page 5, line 19, strike out "second."

Page 5, line 22, strike out "(4)." and insert "(4); or."

Page 5, after line 22, insert:

"(E) who files an application for a recomputation under subparagraph (B) of section 102 (f) (2) of the Social Security Amendments of 1954 after such month and is (or would, but for the fact that such recomputation would not result in a higher primary insurance amount for such individual, be) entitled to have his primary insurance amount recomputed under such subparagraph."

Page 6, line 13, strike out "who—".

Page 6, line 14, after "(A)" insert "who."

Page 6, line 15, strike out all after "223" down to and including line 17, and insert "or died prior to January 1959, and."

Page 6, line 18, strike out "died prior to such third month" and insert "to whom the provisions of paragraph (5) of subsection (b) are not applicable."

Page 9, line 17, after "(1)" insert "and section 223 (b)."

Page 9, lines 19 and 20, strike out "the second month following the month in which the Social Security Amendments of 1958 were enacted" and insert "December 1958."

Page 10, line 15, after "(1)" insert "and section 223 (b)."

Page 10, line 19, strike out all after "to" down to and including "enacted" in line 21 and insert "January 1959."

Page 10, line 21, strike out "uninterruptedly."

Page 11, line 11, strike out "smallest" and insert "smaller."

Page 11, lines 24 and 25, strike out "the second month following the month in which this act is enacted" and insert "December 1958."

Page 12, line 2, strike out "second."

Page 12, lines 7 and 8, strike out "the second month after the month in which this act is enacted" and insert "December 1958."

Page 12, lines 9 and 10, strike out "the third month after the month in which this act is enacted" and insert "January 1959."

Page 12, strike out all after line 19 over to and including line 9 on page 13 and insert:

"(1) In the case of any individual to whom the provisions of subsection (b) (5) of section 215 of the Social Security Act, as amended by this act, are applicable and on the basis of whose wages and self-employment income benefits are payable for months prior to January 1959, his primary insurance amount for purposes of benefits for such prior months shall, if based on an application for such benefits or for a recomputation of such amount, as the case may be, filed after December 1958, be determined under such section 215, as in effect prior to the enactment of this act, and, if such individual's primary insurance amount as so determined is larger than the primary insurance amount determined for him under section 215 as amended by this act, such larger primary insurance amount (increased to the next higher dollar if it is not a multiple of a dollar), shall for months after December 1958 be his primary insurance amount for purposes of such section 215 (and of the other provisions) of the Social Security Act as amended by this act in lieu of the amount determined without regard to this subsection."

Page 17, line 13, strike out "without interruption."

Page 18, line 24, strike out "coverage." " and insert "coverage; except that the provisions of subparagraph (A) of this paragraph shall not apply in the case of any individual with respect to whom a period of disability would, but for such subparagraph, begin prior to 1951."

Page 19, line 21, strike out all after "husband" down to and including line 23 and insert "is not entitled to disability insurance benefits and is not entitled to old-age insurance benefits."

Page 21, line 3, strike out all after "wife" down to and including "benefits" in line 5 and insert "is not entitled to disability insurance benefits and is not entitled to old-age insurance benefits."

Page 22, line 22, strike out all after "the" where it appears the second time over to and including "entitled" in line 1 on page 23 where it appears the first time and insert "first month for which such individual is not entitled to such benefits unless such individual is, for such later month."

Page 26, line 12, strike out all after "under" down to including "insurance" in line 21 and insert "section 203 (b) (1) or (2), under section 203 (c), or under section 222 (b)."

(4) Such paragraph is further amended by striking out "(A), (B), and (C)" in the material following subparagraph (C) and inserting in lieu thereof "(A), (B), (C), and (D)", by redesignating subparagraph (C) as subparagraph (D), by inserting "and" at the end of subparagraph (B) and by adding after such subparagraph (B) the following new subparagraph:

"(C) the number equal to the number of months for which such."

Page 27, line 6, after "ing" insert "a comma and."

Page 27, line 7, strike out "benefits" and insert "benefits,".

Page 27, lines 23 and 24, strike out "inserting 'or disability' immediately after 'old-age'" and insert "striking out 'or' immediately preceding '(3)' and by inserting 'or (4) in the case of any individual entitled to disability insurance benefits, the quarter in which he most recently became entitled to disability insurance benefits,' immediately after 'section.'"

Page 28, line 11, strike out "benefit" and insert "benefit,".

Page 28, line 13, strike out "benefits" and insert "benefits,".

Page 28, line 14, strike out "entitled" and insert "entitled,".

Page 29, line 12, strike out "202" and insert "202,".

Page 30, line 10, strike out "subsection (k)" and insert "subsections (k) and (m)."

Page 30, line 15, strike out "subsection (k)" and insert "subsections (k) and (m)."

Page 37, line 13, after "died" insert "or the date of enactment of this act."

Page 38, line 3, after "303." insert "(a)."

Page 38, strike out line 11 and insert "is not, and upon filing application therefor in the month in which he died would not be, entitled to benefits for such month on the basis of his wages and self-employment income."

Page 38, after line 22, insert:

"(b) The paragraph (3) added to such section 202 (g) by H. R. 5411, 85th Congress, is hereby repealed effective with respect to benefits payable for any month following the month in which this act is enacted."

Page 43, line 5, strike out "death" and insert "death,".

Page 45, line 7, strike out "death" and insert "death,".

Page 46, line 15, strike out "entitled" and insert "entitled,".

Page 47, line 15, strike out "entitled" and insert "entitled,".

Page 47, line 17, before "mother's" insert "such."

Page 48, line 16, strike out all after "under" down to and including "payable" in line 19 and insert "subsection (d) or (g) of section 202 of the Social Security Act for months in any taxable year, of the individual to whom the person entitled to such benefits is married."

Page 50, line 12, strike out "for all such months of such year."

Page 53, strike out all after line 19 over to and including line 20 on page 54.

Page 54, line 23, strike out "312" and insert "311."

Page 55, line 11, strike out "313" and insert "312."

Page 56, line 17, strike out "314" and insert "313."

Page 58, line 4, strike out "315" and insert "314."

Page 58, lines 6 and 7, strike out "and section 215 (d)."

Page 59, line 11, after "202" insert "(f) or."

Page 59, line 12, strike out "by a parent."

Page 62, line 7, strike out "316" and insert "315."

Page 63, line 8, after "Tennessee," insert "Vermont."

Page 63, line 11, strike out "subparagraph" and insert "subparagraph,".

Page 64, line 9, strike out "(8))" and insert "(8)),".

Page 66, line 12, after "(6)" insert "or the corresponding provision of prior law."

Page 66, line 19, after "(6)" insert "or the corresponding provision of prior law."

Page 69, after line 9, insert:

"TEACHERS IN THE STATE OF MAINE

"SEC. 316. For the purposes of any modification which might be made after the date of enactment of this act and prior to July 1, 1960, by the State of Maine of its existing agreement made under section 218 of the Social Security Act, any retirement system of such State which covers positions of teachers and positions of other employees shall, if such State so desires, be deemed (notwithstanding the provisions of subsection (d) of such section) to consist of a separate retirement system with respect to the positions of such teachers and a separate retirement system with respect to the positions of such other employees; and for the purposes of this sentence, the term 'teacher' shall mean any teacher, principal, supervisor, school nurse, school dietitian, school secretary or superintendent employed in any public school, including teachers in unorganized territory."

Page 69, strike out all after line 9 over to and including line 3 on page 70.

Page 75, line 10, after "exceed" insert "$4,800, the employee shall not be entitled (subject to the."

Page 85, line 24, after "act" insert "and requests filed under subparagraph (F) of such section after such date."

Page 87, lines 8 and 9, strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection."

Page 87, line 20, strike out "$66" and insert "$65."

Page 88, line 4, strike out "$36" and insert "$35."

Page 89, line 4, strike out "five-sixths" and insert "fourteen-seventeenths."

Page 89, line 6, strike out "$18" and insert "$17."

Page 89, line 9, strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection."

Page 89, line 19, strike out "but."

Page 89, line 21, strike out "$33" and insert "$30."

Page 91, lines 11 and 12, strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection."

Page 91, line 21, strike out "but."

Page 91, line 23, strike out "$66" and insert "$65."

Page 92, line 7, strike out "$36" and insert "$35."

Page 93, lines 12 and 13, strike out "clause and clause (B) and for purposes of clause (2)" and insert "subsection."

Page 93, line 22, strike out "but."

Page 93, line 24, strike out "$66" and insert "$65."

Page 94, line 10, strike out "$36" and insert "$35."

Page 95, line 10, strike out "70" and insert "75."

Page 96, line 20, after "Rico," insert "the."

Page 97, strike out lines 13 to 18, inclusive.

Page 97, line 20, strike out "511" and insert "510."

Page 97, after line 24, insert

"PAYMENTS TO LEGAL REPRESENTATIVES

"SEC. 511. (a) Title XI of the Social Security Act is amended by adding after section 1110 following new section:

"'PUBLIC ASSISTANCE PAYMENTS TO LEGAL REPRESENTATIVES

"'SEC. 1111. For purposes of titles I, IV, X, and XIV, payments on behalf of an individual, made to another person who has been judicially appointed, under the law of the State in which such individual resides, as legal representative of such individual for the purpose of receiving and managing such payments (whether or not he is such individual's legal representative for other purposes), shall be regarded as money payments to such individual.'

"(b) The amendment made by subsection (a) shall be applicable in the case of payments to legal representatives by any State made after June 30, 1956; and to such payments by any State made after December 31, 1955, and prior to July 1, 1956, if certifications for payment to such State have been made by the Secretary of Health, Education, and Welfare with respect thereto, or such State has presented to the Secretary a claim (and such other data as the Secretary may require) with respect thereto, prior to July 1, 1956."

Page 100, line 20, strike out "section 522" and insert "this part."

Page 100, lines 22 and 23, strike out "such section 522" and insert "this part."

Page 104, line 21, after "the" insert "Federal Security."

Page 105, line 20, after "the" insert "Federal Security."

Page 107, strike out lines 9 to 24, inclusive.

Page 108, line 2, strike out "703" and insert "702."

Page 108, line 9, strike out "704" and insert "703."

Page 108, after line 11, insert:

"ADVISORY COUNCIL ON PUBLIC ASSISTANCE

"SEC. 704. (a) There is hereby established an Advisory Council on Public Assistance for the purpose of reviewing the status of the public assistance program in relation to the old-age, survivors, and disability insurance program, the fiscal capacities of the States and the Federal Government, and any other factors bearing on the amount and proportion of the Federal and States shares in the public assistance program.

"(b) The Council shall be appointed by the Secretary before January 1960 without regard to the civil-service laws and shall consist of the Commissioner of Social Security, as Chairman, and of 12 other persons who shall, to the extent possible, represent employers and employees in equal numbers, persons concerned with the administration or financing of the State and Federal programs, other persons with special knowledge, experience, or qualifications with respect to the program, and the public.

"(c) (1) The Council is authorized to engage such technical assistance, as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such other pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(2) Members of the Council, while serving on business of the Council (inclusive of travel time), shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per day; and shall be entitled to receive actual and necessary traveling expenses and per diem in lieu of subsistence while so serving away from their places of residence.

"(d) The Council shall make a report of its findings and recommendations (including recommendations for changes in the provisions of sections 3, 403, 1003, and 1403 of the Social Security Act) to the Secretary and the Congress, such report to be submitted not later than January 1, 1960, after which date such Council shall cease to exist."

Page 108, after line 11, insert:

"ADVISORY COUNCIL ON CHILD WELFARE SERVICES

"SEC. 705. (a) There is hereby established an Advisory Council on Child Welfare Services for the purpose of making recommendations and advising the Secretary of Health, Education, and Welfare in connection with the effectuation of the provisions of part 3 of title V of the Social Security Act, as amended by the Social Security Amendments of 1958.

"(b) The Council shall be appointed by the Secretary before January 1959, without regard to the civil-service laws, and shall consist of 12 persons representative of public, voluntary, civic, religious, and professional welfare organizations and groups, or other persons with special knowledge, experience, or qualifications with respect to child-welfare services, and the public.

"(c) (1) The Secretary shall make available to the Council such secretarial, clerical, and other assistance and such other pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(2) Members of the Council, while serving on business of the Council (inclusive of travel time), shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per day; and shall be entitled to receive actual and necessary traveling expenses and per diem in lieu of subsistence while so serving away from their places of residence.

"(d) The Council shall make a report of its findings and recommendations (including recommendations for changes in the provisions of part 3 of title V of the Social Security Act) to the Secretary and to the Congress on or before January 1, 1960, after which date such Council shall cease to exist."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED], and I, and other Members who desire to do so, may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, the substantive amendments made by the Senate to H. R. 13549, the Social Security Amendments of 1958, are relatively few in number. I have certain general observations to make relative to the actions of the Senate and some of the considerations which I understand were involved in connection with the amendments, but before doing so I will summarize and explain briefly precisely what the substantive amendments were in order that Members of the House may be aware of the action which has been taken.

First, I will outline the amendments which were made by the other body to the old-age, survivors, and disability insurance provisions of the bill. There were only three substantive amendments to this part of the bill.

First, and most important, under the House-passed bill the benefit increases of 7 percent—with a minimum of $3—would have been effective for months following the second month following the month of enactment. Under the Senate version, the benefit increases will be effective for January 1959, and the first checks in the increased amounts will go out early in February.

Second, under the House-passed bill provision is made for payment of benefits to a child, if at the time of the worker's death the child was a member of the worker's household, if the child was not being supported by any other person, and if the worker's spouse adopts the child within 2 years after the worker's death. Under the House version there could be a case where the worker had died several years ago and where all of these conditions were met except that the widow has not completed adoption of the child, in which event since the 2 years condition had not been met the child could not receive any benefits. Under the Senate amendment there will be afforded a period of 2 years from the date of enactment of the bill for the qualification of such child. That is, there will be a further opportunity of 2 years from date of enactment for adoption proceedings to be completed. It is my understanding that only a relatively few cases would be affected by this.

Third, the Senate added an amendment the purpose of which is to facilitate the extension of social security coverage to employees of certain municipalities in the State of Maine until July 1, 1960. It is my understanding that only a few hundred teachers in the State of Maine are involved in this amendment.

While the foregoing are the only real substantive amendments to the old-age, survivors, and disability insurance provisions of the bill, I should mention that technical amendments were made so as to coordinate this measure with legislative action taken by the Congress several days ago with respect to several minor social security amendments. Inasmuch as no substantive changes are involved, I will not burden this discussion by going into details relative to these technical and conforming amendments. Next, I will explain an amendment which was made to those provisions of the House bill relating to child welfare services.

A Senate amendment provides for the establishment of an Advisory Council on Child Welfare Services to be appointed by the Secretary of Health, Education, and Welfare before January 1959, for the purpose of making recommendations and advising the Secretary in connection with the effectuation of that provision of the bill which extends child welfare services to urban areas as well as rural areas. Senator PURTELL, the sponsor of the amendment, explained on the floor that the purpose of this council is to assure that there will be an effective coordination between public agencies and existing voluntary organizations and associations performing services in urban areas. He stated that "Duplication of effort could well result in waste of both money and time to the detriment of all agencies. In order to avert any such situation arising, and to utilize to the fullest extent the existing voluntary agencies and the public agencies now existing or that might well be created or expanded by this program, I suggest that we provide the machinery to help direct and assess the progress of the program initiated by the change in the law." The council is to be composed of 12 members representing public, voluntary, civic, religious, and professional welfare organizations and the public.

Finally, the Senate amended the public-assistance provisions of the bill in several respects.

As may be recalled, under the new formula for assistance expenditures for the aged, blind, and disabled, contained in the House-passed bill, the Federal share would be four-fifths of the first $30 of the average monthly assistance expenditure as under present law, and the Federal participation in the assistance expenditures made above these maximums, within the ceiling of $66, would be 50 percent for States whose per capita income was equal to or above the average per capita income for the United States and would range upward to 70 percent for States whose per capita income is below the national average.

First, a Senate amendment reduces the range on the variable matching provision from 50–70 percent to 50–65 percent. In other words, the 70 percent was changed to 65 percent. Second, a Senate amendment reduced the maximum matchable payment for the aged, blind, and disabled, the so-called Federal "ceiling," from $66 to $65, and the maximum for aid to dependent children recipients from $33 to $30. Third, a Senate amendment reduced the Federal share of aid to dependent children payments from five-sixths of the first $18 to fourteen-seventeenths of the first $17. It is understood that these three changes would affect savings so as to reduce the estimated cost of the public-assistance formulas from $288 million in the House version of the bill to $197 million in the Senate version.

There are three other Senate amendments to the public-assistance provisions of the bill which should be explained.

A provision was included to authorize the establishment of an Advisory Council on Public Assistance, consisting of the Commissioner of Social Security and 12 other members to be appointed by the Secretary of Health, Education, and Welfare to review the status of the public-assistance program in relation to old-age, survivors, and disability insurance program, the fiscal capacities of the States and the Federal Government, and any other factors bearing on the amount and proportion of the Federal and States' shares in the program. The Council is directed to report its findings and recommendations not later than January 1, 1960, to the Secretary and the Congress.

Second, an amendment was adopted to facilitate payment of public-assistance funds in instances where the recipient is legally incompetent or where, for one reason or another, he is unable to handle his own affairs. This amendment provides that for purposes of title I, IV, X, and XV payments on behalf of an individual, made to another person who has been judicially appointed under the law of the State in which such individual resides, as legal representative of such individual for the purpose of receiving and managing such payments—whether or not he is such individual's legal representative for other purposes shall be regarded as money payments to such individual. It is our understanding that this will give effect to the laws in certain specific States, particularly Texas and Louisiana, which provide for the appointment of a legal representative to receive public-assistance payments in behalf of an incompetent person, even though those State laws do not make this person a general guardian for all other purposes.

Third, a Senate amendment removes from the bill the provision which the House bill contained which would have repealed certain provisions of existing law relating to public assistance to Navaho and Hopi Indians residing on reservations or on allotted trust lands.

The foregoing are the substantive amendments which were made by the other body. The balance of the amendments consist of numerous technical, clerical, and conforming amendments which I need not explain here.

The public assistance provisions in the bill are the result of very careful consideration and study. The new formula is a sound and important improvement in the law. We had the benefit of the best technical advice of the experts from the Department of Health, Education, and Welfare in developing the new formula and also the best technical advice of the State welfare directors.

Secretary Fleming has indicated that there are three elements in the new formula which greatly improve the program—namely, first, changing the individual matching maximum to an average; second, combining the individual money maximum and the medical care maximum into one figure; and third, relating the Federal grants to the fiscal ability of the States by the use of per capita income.

Secretary Fleming indicated that if the Congress were going to make any changes in the public assistance formula, the one included is the soundest that could be devised.

On several occasions President Eisenhower has recommended that Federal grants be based upon the fiscal ability of the States. He made such a recommendation with respect to vocational rehabilitation and with respect to education. The Commission on Intergovernmental Relations, which he appointed also has so recommended. Recognizing, however, that there may be some modifications that might be necessary in the proposed public assistance formula, the provision was added, as I have indicated, establishing an advisory council on public assistance for the purpose of reviewing the status of the programs in relation to the insurance program, the fiscal capacities of the States and the Federal Government, and any other factors bearing on the amount and proportion of the Federal and State shares in the public assistance programs.

As chairman of the Committee on Ways and Means, I can say that the committee will give careful consideration to any recommendations made by this council and we will give very careful study to how the new amendments work out both with respect to their effect in the various States and with respect to the Federal legislation.

Mr. Speaker, this is sound and meritorious legislation which will be of great benefit to millions of American citizens.

Mr. REED. Mr. Speaker, I have concurred in the action to have the House agree with the Senate amendments to H. R. 13549, the Social Security Amendments of 1958. While these amendments are 96 in number, they are for the most part of a technical, clarifying, or conforming character.

The principal substantive changes made by the Senate may be summarized as follows:

First. The effective date for the increase in OASI benefit payments would be made applicable with respect to the month of January 1959 instead of the second month following the month of enactment;

Second. OASI coverage for certain State and local employees in the State of Maine would be facilitated;

Third. There would be established an Advisory Council on Child Welfare;

Fourth. The status of a legal representative with respect to a mentally incompetent public-assistance recipient would be clarified;

Fifth. The existing law provisions affecting the Navaho and Hopi Indian Tribes would be restored;

Sixth. There would be established an Advisory Council on Public Assistance; and

Seventh. The public-assistance benefit formulas would be revised so as to reduce the estimated cost to the Federal Treasury.

It is in the interest of expediting the legislative consideration of this bill and insuring its passage by the Congress prior to adjournment that the chairman and I have urged the adoption of this procedure of accepting the Senate amendments. In view of the fact old-age and survivors insurance benefits have not been liberalized since 1954, it is appropriate that the Congress should act at this time to provide the modest increases contemplated by this legislation. On the subject of public assistance liberalization I am confident that I express the hope of every Member of Congress that the States will act to reflect the additional Federal funds available under this legislation in increased benefits to the genuinely needy of our Nation.

Mr. BOSCH. Mr. Speaker, it should be understood that, while the conference report on the Welfare and Pension Plans Disclosure Act is brought before the House without objection, there is still considerable feeling that this legislation covers certain plans upon which no evidence has been taken as to possibility of abuses with respect to such plans and they should be exempt. It is respectfully suggested that the Committee on Education and Labor should make it their business to conduct hearings with respect to these plans in order to do equity.

Mr. PHILBIN. Mr. Speaker, this bill has great merit. It is urgently required to adjust social security benefits more approximately in line with increases in wages and prices. It is necessary to buttress the actuarial soundness of the program.

Twelve million people now receive monthly checks from the Social Security System as a foundation of their economic security. Numbered among these are aged and disabled persons, widows and orphans, whose social-security benefits are the major source of their support. Current inflation and rising prices have greatly diminished the purchasing power of these benefits.

Seventy-five million people are currently contributing to the social security program toward benefits which they and their families will need and expect to have when they reach advanced years, or are disabled, or when the breadwinner of the family may expire. The rights of these people to benefits must and should be protected at all times and the Congress cannot be dilatory about increasing the benefits to

meet augmented costs of living and adjusting the rates to make sure that the overall fund is actuarially solvent and sound.

The proposed increases, while desirable and helpful, are certainly not adequate in most instances. For many, the benefits are and will be clearly inadequate and that is a problem that Congress must approach before long. Instead of increasing the benefits to the point where they might be adequate in a large number of cases, this bill will use the additional contributions provided by the measure to strengthen the financing of the system more than to improve benefit protection.

The present state of the fund must give Congress deep concern. The testimony shows that at the present time the actuarial balance of the program fund is not what it should be, as measured by standards of prudence and sound investment. The drains on the fund have been truly monumental and the income has not kept pace with the heavy draft upon the fund. Recent estimates show actuarial deficits and imbalance, and actuaries are agreed, that deficits of this size cannot be permitted to continue.

The disability insurance part of the program shows an actuarial surplus because this program was set up probably on a more conservative basis and the contributions up to this point have been fully adequate to meet outgo. Nevertheless, the committee found that there was room for improvement in the protection afforded.

It was the considered view of the committee that the financial basis of the old-age, survivors', and disability insurance program needs to be strengthened so as to make certain that it is sound, that old-age, survivors', and disability insurance benefit amounts need to be increased, that the maximum limits on the annual amount of earnings that can be credited toward benefits and taxed for old-age survivors' and disability insurance purposes need to be increased and, finally, that the disability insurance program should be improved by the provision of benefits for dependents of disabled workers and by the elimination of the provision offsetting other disability benefits, and in other ways.

I think the American people will be in hearty agreement with these objectives. Of great concern to many of us are the questions constantly raised regarding the soundness of the fund and the steady increase of the rates. Of course, it must be recognized that unless the rates are increased whenever the benefits are increased, that the fund is bound to become actuarily unsound. The original long-time plans for the fund were considered to be sound, but they have unquestionably been thrown out of balance by recent changes in the benefits and rates, and if the growing demand for higher benefits is any criterion, this imbalance may present a real problem in the future.

It must be the purpose of the Congress at all times to make sure that this fund into which so many hard-working Americans have paid a substantial portion of their earnings, and upon which they must depend for benefits, is kept on a firm, solid financial basis. At the same time it must be understood by the beneficiaries who are seeking larger benefits that such can be assured in the long run only by increasing the contributions or by making up any resulting deficit out of general revenue.

One of the most advantageous provisions of the bill is that which increases from $4,200 to $4,800 the maximum of the annual amount of earnings on which workers pay social-security taxes and which count in the computation of their benefits, since it reflects a conservative adjustment to the rise in wages which has taken place. Another very salutary provision is that which extends disability protection to provide monthly benefits for insured workers who are no longer able to work because of extended total disability.

The committee is of the opinion that all of the recommended improvements in the disability provision of the program can be adequately financed from the contributions already earmarked for the Federal disability insurance trust fund. The committee has recommended that monthly benefits for the dependents of disability insurance beneficiaries equaling those now provided for the dependents of retired workers be adopted, and that the so-called offsetting provisions of the present law be eliminated.

The bill is very extensive and contains many very desirable changes and improvements in the social-security system which I will not analyze at length in these remarks. Several very important problems will receive further careful study, including hospitalization insurance for old-age survivors and dependent beneficiaries, coverage of tips, the impact of the retirement test, all of which seem to hold promise of additional helpful revisions. The social-security program is a broad one and ranges over a field that covers many pressing and difficult social problems that have to do with the welfare of a large body of American citizens.

It is appropriate that Congress should from time to time give this program careful attention with a view to bringing it up to date and making it what it was intended to be, an instrument for distributing justice, for easing the lot of millions of worthy people who have retired after long, arduous labors in various important economic fields, and providing social benefits across a wide span of American life for individuals and families who, because of mishap and misfortune, particularly health or adversity, do not have the means to solve their personal problems without guidance and help.

I commend the committee for its splendid work on this vital measure and, while I realize there are still imperfections and shortcomings in the social-security program, it is gratifying for me to know that Congress is steadily improving and strengthening these laws in order to promote more efficient administration and more humanely just results for the American people. I strongly support this measure and urge its adoption by unanimous vote of the Congress.

NATIONAL DEFENSE EDUCATION BILL OF 1958

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 691 and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical needs, and for other purposes, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is, disagreed to and a conference is requested with the Senate upon the disagreeing votes of the two Houses.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I desire to make a brief statement since the resolution now before the House is the direct result of my objection, on last Thursday, to the unanimous consent request to send H. R. 13247—the National Defense Education Act of 1958—to conference.

I assure my colleagues that I interposed this objection for no trivial, frivolous, or arbitrary reasons.

My reason for raising the objection was the precise and identical reason that this right of objection is specified in the rules and parliamentary procedures of this House—because our constitutional form of government, in the legislative branch as in the overall system, deliberately provides for checks and balances and deliberately affords the means whereby the minority may invoke, for a brief moment, at least, a sober second thought on the part of the majority.

A government, like an automobile, which has brakes but no accelerator, would be pretty futile. But a government, also like an automobile, which has an accelerator and no brakes would be dangerous and potentially self-destructive. There are some of us in this House—at least 140 Members, judging from the vote for recommital of this bill on August 8—who feel that with respect to this issue, at least, there has been entirely too heavy a foot on the accelerator.

At the risk of boresomeness and presumptuousness, I remind my colleagues of the warning I offered during the debate on August 8:

To those of my colleagues who think that by passing this bill they are settling a troublesome issue here today, something that is going to stay settled, I offer this prediction. You are merely starting something, not ending it. You are starting new, incessant, and increasing demands—whetted by the taste of this initial victory—demands for more and more, in terms of new areas and types of Federal activity in this field, in terms of ever larger appropriations, in terms of further assumptions by the Congress and the Federal bureaucracy of critical evaluations and decisions as to the content and methods of education, and in terms of direct Federal control of education.

We already have substantial confirmation of that prediction, delivered in a matter of only 5 days, in the action of the other body on this very legislation.

The Senate version of the bill involves substantially broader provisions. It restores the direct scholarship grants stricken from the original bill by the House. The price tag is raised $390 million. An amendment was offered in the other body which would have added $2 billion for school construction. True it was defeated, although it received substantial support. It is a fair question as to how long there can be effective resistance to this and other proposed expansions of Federal aid to education once we set our foot in that path.

I plead for earnest reconsideration before a final, fateful step is taken—a step which commits Congress and the Federal Government to a massive transfer to Washington of the responsibility for financing public education, including elementary and secondary education; a step which also, inevitably, must transfer to Washington critical value judgments with respect to education and hence must transfer to Washington increasing control of education.

Mr. Speaker, I oppose this resolution. I do so with the full understanding that defeat of this resolution would be a reversal of action previously taken by this House.

I do not concede that such reversal is impossible of achievement—either through defeat of this resolution or through rejection of the final conference report.

I ask my colleagues one final question:

Do you—do we—have even yet, any real comprehension of what is involved, of what is being started, if we enact this legislation?

Do we have any real comprehension of what is involved in pressures for more and more forever after; in terms of increasing federalization of all education; in terms of withering local control and vanishing volunteer support of education; in terms of weakened restraints on educational extravagance, and ultimately even in terms of open challenge to the right to maintain private and parochial education?

I do not presume to answer these questions for my colleagues.

But I did not want this final decision taken without a clear and unequivocal showing in the RECORD for some future reading—a clear and unequivocal showing that someone had raised the questions.

CALL OF THE HOUSE

Mr. ALLEN of Illinois. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 178]

Bailey	Belcher	Bosch
Baumhart	Blatnik	Boykin
Beamer	Blitch	Brooks, La.
Brownson	Harrison, Nebr.	Norrell
Buckley	Hébert	Osmers
Burdick	Hillings	Pillion
Byrne, Ill.	James	Powell
Celler	Jenkins	Preston
Christopher	Jones, Mo.	Prouty
Clevenger	Kearney	Radwan
Coffin	Kilburn	Shelley
Colmer	Latham	Shuford
Cooley	LeCompte	Sieminski
Coudert	McCormack	Sisk
Dies	McIntire	Spence
Doyle	Mason	Teague, Tex.
Eberharter	Michel	Vanik
Engle	Miller, Calif.	Vorys
Friedel	Miller, N. Y.	Williams, N. Y.
Gordon	Minshall	Winstead
Gray	Montoya	Young
Hale	Murray	

The SPEAKER. On this rollcall 366 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight to file a conference report on the supplemental appropriation bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NATIONAL DEFENSE EDUCATION BILL OF 1958

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. GWINN].

Mr. GWINN. Mr. Speaker, I am going to do something rather unusual; rise and speak against this conference on the education bill. We have already notice from the other body that it proposes in almost every title of this education bill, especially under scholarships and under loans, enormous funds beyond what the House passed. You may remember, of course, that we cut out the scholarship fund entirely. The other body has put it back and added $50 million for 4 years. That is $50 million over and above the original House bill which we eliminated entirely from the bill by a substantial vote under the Judd amendment.

In title II the other body provided that more loans may be given, and then they have an elaborate system of forgiveness. The other body has a provision that if the students cannot pay back these loans, they may be forgiven by the Commissioner of Education. It looks as if that might run as high as $80 million or $100 million a year of forgiveness, for 4 years. How we can ever agree with the other body on their new proposals is difficult to see. It would be better to deny the conference and wait for 4 months, as we argued yesterday on many items and start in again to understand this education bill in January 1959.

It is obvious that the Members understand very little about the testing program provided for in this bill at a cost of something like $80 million over a 4-year period. Testing itself is a questionable art. The possible damage to children is of concern to the parents and many educators.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Before the gentleman proceeds to discuss the tests, I wonder if the gentleman will state that the effect of a "No" vote on the pending resolution would be to keep the bill from the conference, would be to kill the bill.

Mr. GWINN. If the vote is "No" on this conference, then, of course, there would be no bill this year, and it would wait over until next year.

Mr. JOHANSEN. I thank the gentleman.

Mr. GWINN. On one item alone I think it has become perfectly clear in the last few days that we ought to delay action on this bill. That is the item of $80 million for testing. Let me show you what happens when the Federal Government gets into testing the psychology, the aptitude, the qualifications of our children according to some educators' idea of their qualifications. Here in the CONGRESSIONAL RECORD for August 13, in a speech by Senator GOLDWATER, is included the questions in a typical test published by the Science Research Testing Board. A copy of the test was secured from the United States Office of Education by Senator GOLDWATER. These questions are so personal that the teachers are telling the children who take the tests that they ought not to discuss these tests with their parents.

Let me give you a few of the questions that are being asked our childen. The questions and the answers are filed in a personal file under the name of the pupil taking the test with all the comments of the testers, advisers, and so forth. The envelope in later years may come up to plague the child or the grown man or woman. They constitute a part of his or her permanent record. Often they are most uncomplimentary.

The child is supposed to answer "Yes" or "No" in the column opposite such questions as these.

I don't like people.
People don't like me very much.
I am afraid of people.
The kids pick on me.
Nobody likes me.
I wish people would let me alone.
People hurt my feelings.
I don't like reading, writing, or history.
I can't read very well.
I can't write very well.
I can't spell very well.
I can't do arithmetic very well.
I am afraid of tests.

So are we.

I don't like teachers.
Teachers don't like me.
I'd like to be a boy.
I'd like to be a girl.
I'm afraid of the doctor.
I'm afraid of the dentist.
I'm afraid of the dark.
I wish we had more money.
I wish we had a nice house.
I don't like my home.
I wish I didn't have a brother.
I wish I didn't have a sister.

And so on. Here are some others:

I have thought of suicide.
I don't feel I belong in the family.
I wish my father had a higher level of job.

I'm sometimes ashamed of my family.

I wonder if I am normal in my sex development.

How far should high-school students go in love relations?

I'm losing faith in religion.

Is it wrong to deny the existence of God?

If we should read that the Russians were specializing in and making these questions a part of the routine in their educational program, we would say it was positive and conclusive evidence of the degradation of a pagan society. I wonder if the Russians may be this very morning reading about our deliberations on our educational system here. We have had no sufficient deliberations on this testing. We do not know what is involved except that the Federal Government is getting behind it in a big way with millions of dollars to make more of it in our school systems instead of less.

Let us go to sleep on this one and wake up in 4 months and take another look at this whole educational program, and deny this conference.

Mr. Speaker, I would like to point out some examples of how the local industrial and educational communities go to work voluntarily to meet educational needs. If the Government would only stay out of our communities and let them function and let them keep the responsibility for their education and for their children it would be much better. How much more sensible it is to read of the examples of self-government and responsible management of a free people on their own communities referred to by Robert L. Clark below, instead of the Federal Government's solutions proposed for and on behalf of the people by such legislation as this before us. Mr. Clark is executive director of the President's Committee on Scientists and Engineers. He has made a survey of the local efforts to improve our educational system. It is an interesting story. Mr. Clark says:

The committee has come to believe that the solutions for the most pressing problems of shortage are to be found at the local level. Any evidence, therefore, of serious industry—education collaboration such as is evidenced here is most encouraging to us.

We have recognized, of course, that there are many facets of the total problem, not all of which involve the elementary and secondary schools. For instance, with the current shortage situation as acute as it is, there is need for the full conservation of the existing scientific manpower resources. We have programs in operation that will help, we hope, to make this fuller use of available manpower. We are concerned, too, with the impending load which is about to hit the colleges and universities with the increasing college-age population that some of you, as secondary school educators, have brought up to their doors.

Basically, however, the success of the Nation's activities lies in the continuation and expansion of the kinds of programs you have undertaken in Southern California—community programs broadly conceived and effectively executed.

There is no substitute for local action in the United States, particularly in matters concerned with education and the school systems. But the integration of many local efforts across the country will achieve a national impact on the national problem.

The objective of the President's Committee is to develop a pattern for national effort without sacrificing the incentives and benefits of creative local action.

The citizens of America are aroused as never before to the urgency of this problem. In community after community across the Nation, industrial, professional, civic and labor groups are attempting to do something about it. But in the anxiety to solve the problem, I urgently implore community leaders not to smother our schools under a burdensome and confusing barrage of uncoordinated good intentions.

Every community has a diversity of resources for local action. They can be most effective when they are welded into a close-knit group, moving together, toward a common community objective, for our present national shortage of scientists and engineers can ultimately be solved only in the local classroom. In this situation, the resources for action include the school systems, industry and labor, the chamber of commerce and other industrial and business associations, local chapters of the professional societies, civic and educational organizations.

Many effective local programs predate the existence of the President's Committee. And one of the Committee's chief functions is to serve as clearinghouse for assembling and documenting local experiences, finding new ideas and uncovering new experiments, and making all these available to newly developing local programs. It is hoped that this will accelerate action to meet the problems which are growing ever more acute. You educators know about the growing number of students and the shortage of teachers. You in industry know of the continually growing demand for technically trained manpower.

Grassroots community action doesn't simply ignite by spontaneous combustion. It must grow out of a need which stirs somebody to action. Sometimes it results from the initiative and enthusiasm of an individual. Sometimes it is initiated by a public-spirited business concern. In other cases local programs are generated by the schools, the service clubs, or the professional societies.

However it happens, it demonstrates a recognition of community responsibility. And a recognition that in the long term, the critical needs of the Nation will be met at the local level—by action in the cities and towns of America.

I would like to talk to you briefly about how regional and community groups across the Nation are accepting their responsibility in this field. The Indianapolis Chamber of Commerce has, I believe, best summed up this responsibility of the local community in a message sent to its members:

"Obviously, we can't, here in Indianapolis, solve the whole problem. But we can solve it in our own area—and thereby contribute to a national solution."

Some of the more successful of these experiments will be detailed for you during this conference. I would like, therefore, to illustrate for you the variety of effort and then indicate what—from our experience—seem to be important elements for their success.

The Indianapolis program to which I alluded a moment ago, is an outstanding example of the way industry can take the lead in generating community action. Indianapolis is an industrial community of some 1,100 business establishments supporting a population of nearly 700,000 people. The shortage of scientists, engineers, and technicians was felt early in Indianapolis. And Mr. E. B. Newhill, general manager of the Allison Division of General Motors, saw the pinch reflected on his own production lines.

On May 4, 1956, Mr. Newhill called on school administrators and science and mathematics teachers of the Indianapolis area to meet with representatives of the city's leading industries. Out of that meeting was born an "Industry-Schools Committee on Science and Mathematics Education."

The committee posed a number of searching questions about the area's schools. The Allison firm employed a group of Indianapolis science and mathematics teachers during the following summer to work out some of the answers. At the same time, the Indianapolis newspapers were stimulating public interest in the problem. By the time schools opened in the fall, representatives of every segment of Indianapolis life were enthusiastically taking part in a community-wide project which soon produced these concrete actions:

The Indianapolis school commissioners appropriated an additional $56,000 for portable laboratory demonstration tables and other equipment for the junior high schools. An extensive program of inservice education was established for junior high school science teachers.

A program of visits to local industrial plants and laboratories was set up for science students and teachers.

The chamber of commerce raised $10,000, making it possible for local science teachers to attend national and regional conferences, and to take refresher courses at Purdue University. The chamber also financed participation by outstanding Indianapolis students in the national science talent search.

The chamber of commerce arranged summer employment in local industries for science and mathematics teachers.

A series of seminars in the sciences was held during the school year to hear outstanding speakers provided by Purdue University. Attendance was limited to science and mathematics teachers, industrial personnel, and selected students.

Experimental television programs were launched for junior high school science students, followed up and evaluated by written examinations.

These are short-term programs. Perhaps most important from the long-range viewpoint, is that the citizens of Indianapolis, who had long suspected they were short-changing their school system found that, when subjected to critical study, science and mathematics education was seriously deficient. The entire system is now being modified to meet the special needs of today's increasingly technological world.

The program of the International Paper Co.—an outstanding example of industry action—reaches into nine States, but it remains a program of community action. The International Paper Co. foundation is aiding the local school systems of 13 communities in five southeastern and four northern States. Chief objective is to awaken communitywide interest in public-school improvement through a flexible approach that differs according to the needs of each community and is guided by a policy of noninterference with school authorities.

The foundation first gathered the facts with the help of experts from Columbia University and Alabama Polytechnic Institute. Each community program was then developed after consulting with local school authorities on local needs.

Last summer, the foundation financed two 6-week workshops in math and science instruction for 64 teachers from 44 schools. In a followup survey, the foundation found that the workshops had paid off in these ways:

Science fairs were held in schools for the first time.

Local school systems provided more equipment and teaching materials.

Class teaching practices were improved.

Local summer workshops were set up for teachers.

Teachers in fields other than science and mathematics have requested similar workshops.

This year the summer workshop plan, which is only part of International Paper's overall program, is being expanded to include 75 teachers and administrators from 15 school systems in six southeastern States. International Paper last year spent more than $100,000—a figure which will probably be doubled this year.

I think it pertinent to quote John Hinman, chairman of the board of International Paper, who earlier this year told the National Citizen's Council for the Public Schools:

"Ours is far from being a proven program. But I think we have established that it is quite possible and practical for industrial citizens to stand beside individual citizens in support of their public school systems. • • • We think that the broad pattern that is being worked out in our communities may suggest patterns and avenues that other companies may develop."

In Kansas City, Mo., a single individual was the "spark plug" of the local program: Dr. Max Thornton, technical director of the Midwest Research Institute. After a somewhat discouraging experience as manager of the city's science fair last year, Dr. Thornton resolved that something had to be done to improve science and math teaching. He organized Science Pioneers, Inc., supported by local corporate subscription.

Today, the students of 350 elementary and 35 high schools in the Kansas City area are benefiting from the guidance of Science Pioneers, which operates on an annual budget of $18,000, a third earmarked for science fairs. A former Kansas City teacher, Leo J. Roedl, is executive director. He maintains a speakers' bureau and renders counseling service to teachers and students, assisted by a large corps of volunteers.

In Washington, D. C., where 20,000 scientists and engineers are centered in Government and private research, the profesisonal societies took the lead in stimulating community action. In 1949 the Washington Academy of Sciences, representing 20 local scientific bodies, formed a "Committee for the Encouragement of Science Talent." The committee was at first chiefly concerned with science fairs and the science talent search. The Council of Engineering and Architectural Societies, representing another 20 professional organizations, developed a similar interest in 1953. Two years ago they combined forces to establish a "Joint Board for Science Education" which is now working with 125 public, private and parochial secondary and elementary schools in the Washington area.

Financed by local industry, the joint board's activities include a speakers' bureau, free use of films on engineering as a career, cash awards to outstanding science teachers, and a school contacts committee, with a scientist serving as liaison officer with each secondary school in the area. Of particular interest is a series of career guidance conferences for high school students conducted last year. Outstanding leaders in each field of sciences and engineering served as speakers and advisers. The joint board has also arranged on three occasions for as many as 750 scientists and engineers to substitute in the classroom for teachers while the teachers atended national and regional professional meetings.

Another enterprising community in which professional groups are helping school authorities in Shreveport, La. In this Deep South city, a program with 55 secondary and 102 elementary schools has been underway for nearly a year. Claude N. Valerius, a consulting petroleum geologist, persuaded representatives of 24 scientific and professional organizations to join with educational authorities and the Academy of Science in forming the Science Education Council. An interesting feature of this plan is the employment of a part-time administrative staff. Another is the inclusion of medical organizations as very active participants.

In addition to providing career guidance for students and promoting science fairs and clubs, the council finds summer employment for qualified students and maintains a lending library of teacher aids for classroom use. This summer the council is presenting a series of 13 educational programs over a Shreveport television station. Panels of scientists to discuss scientific education are being organized now for PTA meetings next year.

In North Carolina, educators themselves took the lead in improving the State's science and mathematics teaching, which they were the first to recognize as inadequate. A statewide conference at Duke University last year resulted in the appointment by Gov. Luther Hodges of a permanent "Committee on Science and Mathematics Educations," which is cooperating with the President's committee in a "pilot project" expected to produce a pattern adaptable to the needs of other States across the country.

The program is now principally supported by funds originating in the State, with professional societies and North Carolina industry actively cooperating. One novel feature is a system of "science circuit-riders"—traveling teachers who spend several days in each school to work with the local teachers in motivating students with the highest potential and with clear scientific aptitude to consider careers in science and engineering.

I have cited these community programs as typical of differing approaches which are operating successfully in various parts of the country. The list is by no means all-inclusive. For example, as I mentioned earlier, I have refrained from touching upon the programs being carried on by industry in the State of Oklahoma through the Frontiers of Science Foundation, and by the Mid-Hudson Advisory Council in New York. Nor have I talked of the activities of the Hughes Aircraft Co., in the Los Angeles area. These programs are being discussed by other speakers. However, I would like to mention briefly a few other areas in which significant progress is being made.

In Pennsylvania, Dr. H. A. Neidig, chairman of the chemistry department at Lebanon Valley College, initiated a program to improve chemistry teaching. His program now reaches the students of 42 high schools in three neighboring counties. The college campus serves as a center for experiments by high school science clubs and discussion groups for chemistry teachers. The program, jointly sponsored with the American Institute of Chemical Engineers, is especially effective in this predominantly rural area.

Teaching in all public high schools in the area surrounding Buffalo, N. Y., is benefiting from the activities of the Niagara Frontier, which is sponsored and financed by 40 local industries with the cooperation of the American Chemical Society. It features an in-service training program for teachers, for which they receive two units of post-graduate credit from the State Education Department. The program, launched in 1954, also provides special out-of-school training for students with the highest science potential.

In Massachusetts, the firm of Arthur D. Little, Inc., organized the "Lexington Plan" in 1956, under which an industrial concern and a high school jointly hire recent graduates in a technical field. These graduates alternate between teaching and professional work for 3 years. As a result, young people who might otherwise not enter teaching are enabled to enter the profession by increasing their income during early teaching years. The Raytheon Company and Sylvania operate modified forms of this plan.

Providing summer employment for teachers to supplement their income and experience has become a major project—industry cooperating with educational authorities—in virtually every major community in the country and in a great many smaller towns as well. In some cities summer employment is also being provided the ablest high school students. In each case an attempt is made to assure that the nature of employment contributes to the education or professional development of the teacher or student.

Proof that the program is working is found in the increasing number of such cooperative plans. For example, a recent survey of nearly 100 major companies by the National Science Teachers Association shows that 94 percent employ teachers during the summer on a regular or part-time basis. The total number of such programs has increased five times in the past 7 years. Summing up the usefulness of the program to industry, J. C. Sander of Boeing Aircraft says simply and succintly: "The teachers pay their way."

In the Toledo, Ohio, area, the Chamber of Commerce holds annual exchange days, when teachers visit nearby plants and firms and, in turn, play host to industrial and business people visiting schools. Both groups acquire a closer understanding of the other's problems.

Business and industry in Georgia pay the expenses and fees of 25 nationally-known consultants to the Atlanta Area Teacher Education Service, which strives to improve teaching methods. They give an "Oscar" to an outstanding teacher.

The excellent and varied programs of the Albuquerque, N. Mex., school system—particularly in science and mathematics education—sparkplugged by that imaginative and devoted teacher, Dr. E. R. Harrington—and attributable in part to heavy support from local industry.

The aircraft division of Goodyear Tire and Rubber Company gives summer assignments to most of the science and mathematics teachers in the school system of Litchfield, near Phoenix, Ariz. Each year, Goodyear sends half the teachers to the University of Arizona for refresher courses, employing the other half directly in technical work. The following year, the groups reverse roles.

Boeing Aircraft in Seattle, Wash., maintains close liaison with the school system and with the Universities of Seattle and Washington, hiring engineering and scientific faculty for summer work.

Each of these programs has its individual characteristics. Each was developed to meet a local need, using the resources at hand. Each brings together and uses, in its own way, the community forces for action.

The President's committee is not seeking any kind of uniformity in its encouragement of local action. There are great advantages in the variety of programs that are being tested over the United States. The committee recognizes that it is embarked on a new venture in national-local cooperation. The committee is unique and experimental in its assignment from the President to stimulate action by others, rather than to carry our programs of its own. Consequently the committee is intensely interested in all types of community programs. The committee hopes to serve as a clearinghouse for information on the scientific manpower shortage, a focal point for the exchange of tested ideas and experiments.

More important than all this, however, is the fact that in the President's committee for the first time these forces in America which are in a position to take effective action are working together in a concerted attack on the problem of developing an adequate supply of high quality scientific and engineering personnel.

I have described this morning some unilateral and some multilateral approaches to the local problem. They are all first-rate endeavors. Now we are looking ahead to the next steps and to the joining of forces. What should we keep in mind?

The President's committee has come to some conclusions, based on our experiences and on the observation of local programs over the country. Here are at least the basic elements we have come to believe are essential to a successful local program:

1. Broad representation of all forces for community action: Bring together not only the schools, industry and the professional societies, who have an obvious direct concern, but the labor unions, civic groups, neighboring colleges and universities, State education agencies, and the newspapers and radio-television stations. All these are valuable resources for community action.

2. A single approach to the schools: Classroom teachers and school authorities are besieged with many demands upon their time. Get the support of the very people you are trying to help by making one contact with the schools through your community group. Have a year-round liaison representative assigned to each school in the district. Find out how your school system goes about developing its programs. Your efforts can easily break down if there are multiple approaches to the schools from different groups.

3. A close-knit organization with good communications: Plan your organization with clear-cut assignments to its constituent members. Set up good communications through a periodic newsletter or bulletin which keeps the members informed, provides a continuing report on activities, and records progress toward program goals.

4. Individuals who are willing to work and carry through to final objectives: A key element in any community organization is a "sparkplug" who is willing to work himself and—very important—has the organizing ability and enthusiasm to get others to work as well.

5. An office with a fixed mailing address and telephone as the coordinating mechanism: An office provides the focal point for action. It should provide central services such as a speakers bureau, publication of the newsletter, a repository for films, publications, exhibits and equipment on loan.

6. Maintain an open door for other individuals or organizations interested in your objectives: After getting the program underway, you may find interested individuals or organizations who have not previously participated. They may want to join you on a permanent basis or they may have special skills for carrying through a special project. The local medical society or the newspapers and radio-television stations are examples.

7. And finally—look ahead to the time when your local efforts may be the basis for moving to a State organization, when other communities will join with you in a statewide effort: An organization plan, program goals and methods, and other records will be of great help in guiding the organization of a State or other community programs.

The cooperative organization I have suggested to you will, in general, follow the lines and the activities of our own Presidential Committee. We are an organization of some 20 autonomous national organizations operating in different areas but with a common concern, and sharing a common responsibility. As the President's Committee provides leadership in meeting on a national basis the problems of scientific and technological manpower, so your local organization will provide leadership in the community.

The message of the Indianapolis Chamber of Commerce to its members sums up, I believe, the contribution of all community programs. It is worth quoting to you again:

"Obviously, we cannot, here in Indianapolis, solve the whole problem, but we can solve it in our own area—and thereby contribute to a national solution."

Then, Mr. Speaker, I would like to refer to what is going on in a typical example in my own neighborhood to improve science and to find science teachers:

An unusually well-integrated program, with a number of community groups providing service on a broad front to local school systems in four New York counties. All efforts are of a volunteer nature. The budget is small.

1. Origin:

(a) In 1954 the Texaco Research Club, of Beacon, N. Y., sponsored a program of talks and demonstrations to assist science teachers in four schools in the area.

(b) At the same time the mid-Hudson section of A. S. M. E. arranged talks on engineering and panel discussions on engineering careers.

(c) Mid-Hudson section of A. C. S. had its manpower committee meet with 10 local chemistry teachers. In September 1955 met again with all the chemistry teachers in the area and arranged to have a liaison scientist work with each teacher.

(d) In October 1955 the three groups met, decided to pool resources and make only one approach to the schools.

(e) Monthly committee meetings were held during the winter of 1955.

(f) In spring of 1956 the mid-Hudson Council was formally organized, with seven, and later nine affiliated groups.

2. Basis of program: A felt need for integrated community effort. A. C. S. called a meeting of ten high-school teachers of the area, who made suggestions concerning their needs. Other needs have arisen as the program progressed.

3. Objectives:

(a) "To make conveniently available to teachers the science resources of the surrounding area.

(b) "To provide a single contact with the schools, thus avoiding multiple visits by a variety of different organizations."

4. Geographic area: A group of communities including Poughkeepsie, Kingston, Beacon, Port Jervis, and other nearby towns in four counties of southeastern New York State.

5. Schools: About 40 secondary schools and some elementary schools.

6. Organization:

(a) Council is made up of representatives from nine citizen's groups including five engineering societies, one chemistry society, two business groups, one professional science club.

(b) Incorporated under the laws of the State of New York.

(c) Executive committee of eleven members with at least one from each group.

(d) General meetings several times yearly; executive committee meets monthly.

(e) Current officers are:

Chairman: Dr. Donald S. Allen, chairman of division of natural science, State University Teachers College, New Paltz, N. Y.

Secretary treasurer: Dr. Harry C. Becker, Texaco Research Center, Beacon, N. Y.

Publicity director: James O'Neill, Daystrom, Poughkeepsie, N. Y.

7. Activities: The executive committee assigns and supervises the following tasks:

(a) Maintain with each school a liaison representative who knows the school staff; coordinated by liaison training program, with 50 liaison scientists headed by Mr. Ambrose Kennedy.

(b) Publish a monthly newsletter to keep liaison scientists and schools informed of activities and of the services available. Prepared by Dr. George B. Hatch of the Texas Co., Beacon, N. Y.

(c) Provide panel speakers for career conferences and meetings.

The service is coordinated by Francis Stern-Montagny, IBM, Poughkeepsie, N. Y.

(d) Provide individual counseling for students.

(e) Provide information and guidance on available scholarships and loans. Directed by Harry Allred, Texas Co., Beacon, N. Y.

(f) Organize tours to laboratories and plants, with counseling provided by the trip guides.

(g) Provide assistance to students on Science Fair projects when requested.

(h) Furnish assistance to science clubs.

(i) Provide summer employment service for teachers and students. About ten teachers employed in summer of 1956.

(j) Furnish information to science and math teachers about the opportunities in summer institutes and full-time fellowships. Many teachers awarded grants.

(k) Arrange for substitutes for teachers who wish to attend conventions and meetings.

(l) Provide speakers for school assemblies.

(m) Provide films, technical journals and other aids to the schools.

(n) Provide laboratory equipment from local industries on a gift or loan basis to the schools. Donald Raunick, IBM, Poughkeepsie, N. Y., in charge.

(o) Prepare and circulate a calendar of scientific events, under direction of Mr. Victor Salvatore, IBM, Poughkeepsie, N. Y.

(p) Arrange for speakers at PTA meetings and service clubs.

(q) Maintain a speakers' bureau for classroom instruction, with nearly 50 lecture-demonstration subjects available, under direction of Dr. George B. Hatch.

(r) Maintain roster of volunteer scientists. Under direction of Richard Counihan, IBM, Poughkeepsie, N. Y.

8. Effectiveness: Reports and discussions at meetings. Questionnaire sent out in June 1957. Results not yet available.

9. Future plans:

(a) To publish annual report in fall of 1957.

(b) To reorganize into smaller geographic units to save travel time.

(c) Will change procedure for selection of executive committee. Each member group to appoint two representatives to an advisory council board, which will select eleven member executive committee.

(d) Plan to expand aid to teachers in the elementary schools.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, I should like to say to the gentleman from New York [Mr. GWINN], whose reputation is well established throughout the country and throughout the world as being opposed to this legislation and legislation of any kindred type, that we may have slept too long already before consideration of this legislation.

The Senate did add a scholarship provision, or rather its bill had a scholarship provision in it. They cut the scholarships to $250 each, whereas our amended bill had originally, until it was stricken out, 10,000 scholarships to be awarded on the basis of need up to $1,000 each. When the Senate put 20,000 scholarships of $250 each in, they added to the House bill $5 million instead of $50 million, as the gentleman said, unless I have misunderstood him. And that would add $10 million the second year, the third year it would add $15 million, and the fourth year it would add $20 million. The addition would not be $200 million, as I understand it, but instead much, much less than what the gentleman from New York has said. In other words,

somewhere around $50 million or $60 million.

Mr. Speaker, I would like to say to the House we cannot perfect this legislation unless we get it to conference. That is all that the rule before us today does. It provides an avenue to get to conference. We will appoint conferees to sit down with the Senate conferees and try to resolve the differences between the two bills. I do not know where the gentleman got the questions that he read to you, which may have been questions on some of these tests that he says he found somewhere. I do not know about that. It is true that this bill does have a provision whereby there would be granted to the States on a 50–50 matching basis moneys to be used to improve our counseling and guidance system and our identification of bright children, and for that matter the identification of the skills, abilities, and intelligence of any school child whatever they might be. I would like to say, Mr. Speaker, every Member of this House knows that this type of test has been used by the United States Army, Navy, and the Air Force since World War I. I believe World War I was the first war in which we used this kind of test. Then in 1941, when the Second World War broke out, we got into this testing business on a big scale. I would like to say as a member of the Army in World War II, I was not altogether satisfied with the manner in which the Army handled its testing program. But, I do think the testing in connection with all the other items of information available will help us to guide the Nation, the States, and the schools themselves in guiding the bright children into a desire to go to college and improve themselves so they can help to bring about a bigger, a finer, and a greater America. I think substantially this bill is a good bill.

I want to say to you, Mr. Speaker, if the bill goes to conference, and I am satisfied that it will, it shall be my purpose, certainly, as one of the conferees, and I am sure I speak for all the others, to bring back the best bill that we possibly can.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, this bill is a vital part of the President's program. The only way we can secure a satisfactory bill is to send it to conference where, I hope, the conferees will work out a measure that can become a law. I repeat, by all means, this bill should be sent to conference in order that we can have a bill that I believe the President can sign and which the majority of the people want.

Mr. ELLIOTT. I thank the gentleman very much.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the able gentleman from Utah who has had long experience in the field of education.

Mr. DIXON. Mr. Speaker, so many of our young people are completely misplaced and frustrated because their parents force them and they themselves get into programs where they do not belong and for which they have no aptitude. As a result, about half of all our youth have to drop out of school by the end of the second year, at the end of the sophomore year, because of this lack of guidance. These tests which I am so surprised to hear being attacked in this way will be helpful in discovering a young person's manual skills and dexterities, and his vocational interests and aptitudes.

Mr. ELLIOTT. I thank the gentleman.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may require to the gentleman from Tennessee [Mr. BAKER].

Mr. BAKER. Mr. Speaker, I support this legislation and urge that it be sent to conference.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Bertha Sheppard Adkins of Salisbury, Md., was sworn in today as Under Secretary of Health, Education, and Welfare. She was appointed by President Eisenhower July 21, 1958, to succeed John Alanson Perkins, resigned.

Secretary Arthur S. Flemming administered the oath of office in a ceremony at the Department of Health, Education, and Welfare.

Prior to accepting her new appointment, Miss Adkins resigned as assistant chairman of the Republican National Committee.

Miss Adkins has gained broad experience in working with women leaders in national and local organizations.

For 8 years Miss Adkins was dean of women at Western Maryland College and for 4 years dean of residence at Bradford Junior College in Massachusetts.

An alumna of Salisbury, Md., high school and Baldwin School in Bryn Mawr, Pa., Miss Adkins holds a bachelor of arts degree from Wellesley College and a master of arts degree from Columbia University.

In June 1953, Miss Adkins was awarded an honorary doctor of laws degree from Western Maryland College. In 1955, she was elected a trustee of American University in Washington, D. C.

Miss Adkins is a life member of Pi Lambda Theta, an honorary society for women in education. She belongs to the Maryland Federation of Women's Clubs and the American Association of University Women, and has served as a State board member of both organizations. She is also a member of the National Federation of Business and Professional Women.

Recently, President Eisenhower appointed Miss Adkins to the Lincoln Sesquicentennial Commission and the members elected her chairman of its executive committee.

A daughter of Frederic Paul and Edna May—Sheppard—Adkins, Miss Adkins was born in Salisbury, Md., August 24, 1906. She is a Methodist and belongs to the following clubs: Hamilton Street, Baltimore; Harbor, Easton Md.; and Sulgrave, Washington, D. C. Her residence is 321 Park Avenue, Salisbury, Md.

Bertha Adkins will be an indefatigable resourceful worker and a fine executive. I wish her Godspeed in her difficult position.

Mr. Speaker, I hope sincerely this educational bill will go to conference. I have just come from the swearing in ceremony of Miss Bertha Adkins as Under Secretary of Health, Education, and Welfare. She will bring very fine knowledge and great experience to that great Government Department and will be very helpful, I know, to all Members of Congress. She was the dean of a fine college in Maryland, has held many positions of trust and influence. She was head of the National Republican Women's Committee for years and was assistant chairman of the Republican National Committee. She was much beloved in that position and deserves much credit for her work for President Eisenhower.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to proceed in part out of order.

The SPEAKER. Is there objection?

There was no objection.

Mr. GWINN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield if it is not taken out of my time. That 5 minutes is very short, you know.

Mr. GWINN. Referring to the question that the gentleman from Alabama [Mr. ELLIOTT] referred to, they were put in the RECORD in the proceedings of the Senate on August 13, page 17322, and they came from the Department of Health, Education, and Welfare. They were published by the Science and Research Department. Senator GOLDWATER placed it in the RECORD.

My statement of the $50 million a year additional scholarship was in error. It is $50 million all told and not $50 million per year.

I thank you very much.

Mr. HOFFMAN. If those who raised cattle for market followed the same general policy that we followed here in Congress, they would never wean a calf until it was bigger than its mother. What little I know I learned out of books written by people who thought self-reliance was a good thing. Our forefathers were willing to work. They were independent. They did not want somebody doing something for them all the time, and especially they did not wish King George telling them how to live. They were thrifty and they got along pretty well and the country was all right until we came along. When we did we began to wet nurse everyone.

Now, of course, education is a wonderful and fine thing, but how long are we going down the road where part of us live on the rest of us? That is what we are doing day after day. We have created a situation where we will not do a single thing for ourselves if we can get somebody else to do it for us.

One of the boys asked me to have lunch with him. I said, "What are you going to have?" I wanted to know before we went. When we make an appropriation for some other country we are never sure they will take it as offered. That is the attitude. It is all wrong. If we would rely on ourselves and let other people do the same we might all be more content and happy.

Now, getting back to the permission to speak out of order. A gentleman yesterday on the ticker commented that only Jimmie Hoffa can continue to rejoice in his good luck. The gentleman was referring to the defeat of the Kennedy-Ives bill. So Jimmie Hoffa rejoices. But the thing he rejoices about is because some folks are so dumb they do not understand that he admits he is a crook. Others do not seem to have the ability to jail him. Why does not the Government hire some competent attorneys, some competent investigators first, and then some competent attorneys, and send Jimmie to jail? They did not in Michigan, but up there the people had an excuse. Jimmie contributed toward the election of some judges. That might make a difference.

Here is something else that was on the ticker:

Honest union members and the general public can regard it as a tragedy that politics has prevented the recommendations of the McClellan committee from being carried out this year.

Who stalled the McClellan recommendations? Not Senator GOLDWATER. Not Senator KNOWLAND. Gentlemen who think they are politically smart did it. That labor vote—the approval of a Reuther loomed big.

The Senate sent us a good bill? A bill that would protect the union man? The average individual? The man who creates a job? Meets a payroll?

That is all arrant nonsense. Anyone who cares to take a look at the bill knows it. Of course there is politics in it. Over there the vote was 88 to 1, and they voted that way because they did not know what was in the bill themselves. Every single amendment that was offered that would hurt a union man, crook who bosses the union men, was voted down. They sent it over here and thought we were so gullible we would not know what was in it.

Sure, Federal aid to education. The head fellow Meany said the bill was all right. Reuther said it was all right. Do you want to vote for anything Reuther wants? You know what he is after. Dictatorship. He uses force to get his way. He is a goon-squad leader.

Listen to this. The gentleman commented:

Constructive labor-reform legislation will definitely be brought forward again next year.

If that be true it will have to come from someone other than candidates for a presidential nomination. Now, you send over a political document like K–I over here, and I doubt very much if it will get by the House. That bill was as bad for the employers as the Wagner Act.

You could almost hold in one hand the real bad men that have been exposed in the unions by the McClellan Committee, but if there is anyone that needs help it is the member of the union, and the reason is that he has not anything to say about the amount of assessments and dues which are levied; he just pays and he has not anything to say about it at all. I leave it to you to figure that out.

Here is one more item:

In the meantime those who defeated this bill will bear a heavy responsibility for the labor racketeering that will continue unchecked.

Do you get that? Those Congressmen who voted against this bill 198 are responsible for the labor racketeering that will continue. What rotten nonsense. If those who wrote the bill had given us a worthwhile piece of proposed legislation not 50 would have voted against it. If that committee over there would pay as much attention to Walter Reuther who is just as big a crook as Jimmy Hoffa, and if the Department of Justice would follow through and folks would quit coddling the labor bosses, we might need more jails. That may seem in contradiction of what I said earlier, that the real crooks were few in number, but unfortunately these big bosses and big crooks have little crooks working for and with them.

I cannot understand it to save my life. We all know about Hoffa; apparently he is as smart as any of them. He has been at it for years. I cannot understand how he gets away with what he does except that the Government will not pay the price to hire enough competent attorneys.

It would be unfair, it would be unjust to charge the committee with covering up for Walter Reuther—and please remember, I do not make any such charge; all I say is that being in the same political bed with him that they did not pull back the blankets when they got up in the morning and let us take a real look at Reuther. That seems to be the situation. Sure, Reuther puts up the campaign money for some Democratic and Republican candidates, but that is no reason why the Congress should not write sound, effective legislation protecting all.

When a gentleman from the other body undertakes to tell us that 198 Members of the House are backing up racketeering there is something wrong with his head and we certainly do need Federal aid to educate some over on that side. But, Mr. Speaker, permit me to call attention to another situation.

TIME TO TAKE A LOOK, EVEN THOUGH WE WILL NOT LISTEN OR STOP

Certainly, the unfortunate who, through no fault of their own, have trouble in making both ends meet, should and will be treated sympathetically. None will be permitted to continue in dire need.

Nevertheless, the results which must follow the enactment of Federal legislation and the appropriation of the taxpayers' dollars must also be considered.

The situation seems to simmer down to the proposition of how long and to what extent should some of us live on the rest of us.

A thought-provoking article is that in the Saturday Evening Post of August 23, which reads as follows:

FULL EMPLOYMENT BY LAW WOULD END ECONOMIC FREEDOM

A number of liberals, including some labor leaders, are critical of what they term the administration's failure to carry out a solemn obligation of the Government. According to their story, the United States in 1946 promised by law to maintain full employment of its citizens at all times.

This is a distortion of the record. The bill they refer to was originally framed in 1945 to head off a calamitous depression which never materialized.

The reasoning of economic experts, as the war drew to a close, was highly plausible. There were more than 12 million Americans in the armed services. Nine or ten million would be thrown back on the labor market within a year, and it was supposed that this would mean a return to mass unemployment.

The Wagner-Murray bill for full employment, introduced in 1945, gave extraordinary powers and responsibilities to the Federal Government. Philip Murray, then head of the CIO, reflected the left-wing opinion behind the proposal when he said that the Government should take over and operate idle factories. The original text of the bill declared that it was the Government's duty to furnish employment to all who sought work, on the farm or in mines, mills, and manufacturing. Putting it into practice would have required close controls and the nationalization of key industries.

When the bill passed in February 1946, it was called the Employment Act. Congress had removed its radical clauses, in spite of President Truman's strong support for the first version. What the law now says, and all it says, is that the President shall have a Council of Economic Advisers to aid him by continuous study in the preparation of an economic report to Congress at the beginning of each regular session. In addition, the law establishes the Congressional Joint Economic Committee, made up of seven members from each House, who are to make their own investigations and offer informed judgments on the President's economic proposals.

These are useful provisions, but they are very far from anything like a full employment act. What had happened between the spring of 1945 and the spring of 1946 to tone down even Mr. Truman's enthusiasm for a planned economy? Nothing, except that the dire predictions of mass unemployment failed to come true. Faced by the shortages created by the war—in housing, cars, raw materials and consumer goods—the Nation rolled up its sleeves and went to work.

It is sometimes tedious to recall facts, rather than nourish fancies, but too much is at stake in the preservation of the American system to encourage any delusion that the Government can guarantee full employment without paralyzing controls that would put an end to American economic freedom.

The basic difficulty in working out an equitable and painless solution to taking care of the unemployment problem is due to the fact that the fabulous Uncle Sam doesn't have any money of his own. Taxing all of us, or, when the situation boils down, some of us, to support the rest of us runs head on into the sad fact that many of us are quite willing to rest on our oars while others do the work which must be done if we are to live in comparative comfort. It would be very helpful indeed if Congress could enact legislation which would plant in

each of us an irresistible desire to go along on his own so far as is possible.

Often think how enjoyable it might be if I could just sit in the rockingchair on the porch and watch the world go by. Then, when I try it, the spirit of my ancestors gets me up on my feet. If I can't find anything else to do, will dig a few worms and go fishing—and believe me, brother, that's not all fun either. Because sometimes it rains and the fish won't bite.

There's a moral in this somewhere, if you can find it.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Speaker, I am opposed to this legislation. For anybody who agrees with me, the vote on the resolution is "No"—it should be defeated. The bill will help only a limited number of pupils. It is very discriminatory. You do not know whether it is a loan; you do not know whether it is a grant; you do not know whether it is a scholarship program. It has not been thought out carefully. It will cost perhaps a couple billion dollars—two thousand million dollars.

Also I am opposed to the Federal Government in any way intervening in the educational system of this great country of ours.

If you want trouble in our Federal education system, adopt the legislation to send the bill to conference. This is the opening wedge. That is all it is. You have not been hearing from the folks back home because they know little about this proposed scholarship and loan program. The pressure groups are behind this legislation in order to get their foot in the door of our educational system. Once they get their foot in the door this program which is estimated to cost a billion and a half dollars, will next year be up, I predict, to $3 billion, and then up each succeeding year. They will build up a bureaucracy within the Federal Government to perpetuate this entry into our educational system, they will be telling the local authorities what to do, when to do it, and how to do it. You will have problems that you do not anticipate by this gesture to help a limited number of pupils receive scholarships and it is a limited number.

For example, let us suppose John Smith, in block 1, gets a grant; Joe Brown, in block 2, gets a grant; but the boy in the third block, all of them in the same class, gets nothing. The parents are going to come to us and say, "Why do John Smith and Joe Brown get scholarships, grants, or loans, but my boy cannot get anything?"

You are going to help 20,000 or 30,000 students, maybe, and you will have about 2 million applicants. What happens to the others? If it is going to cost a couple of billion dollars to help 20,000 or 30,000 students, what would it cost to take care of a couple of million who are just as much entitled to a scholarship, loan, or grant as any other student? It will run into an exorbitant sum of money.

So you had better think carefully. This resolution should be defeated. The committee at least should have brought out a bill that was well thought out, not a hodge-podge of ideas but something constructive, so Congress could vote intelligently on it.

Mr. SMITH of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Speaker, I believe the time has come for this Congress to take some cognisance of the deficiencies in our educational system and try to help in whatever way we think is right.

This bill, which is not perfect, should be acted on now. The recent events have shown us that we have not exerted the influence we should to keep our educational system abreast of other lines of endeavor in this space age. Some of the best young brains and minds in America are being wasted because of lack of interest of the general public, and oftentimes because of the lack of funds on the part of the student and his family.

The time is now—not the next Congress. That might be too late. Accordingly, I believe the resolution should be adopted forthwith to permit the conferees to meet and iron out the differences between the House and Senate measures.

Mr. SMITH of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, of course, I am for this resolution. I wish to call to the attention of the House the fact that since Saturday morning telegrams, in numbers the like of which I have never received in the 16 years I have been in Congress, came into my office from all parts of Indiana, in favor of this scholarship legislation. There are about 250 telegrams and letters in my office denouncing the Jenner amendment excluding Indiana that was attached to this bill in the other body.

I have never observed an uprising of indignation like has taking place in the Hoosier State because Indiana was more or less declared out of the Union as far as this legislation is concerned. These telegrams came from groups of schoolteachers, from principals, from superintendents, from noonday clubs, from individuals extending all the way from the Ohio River to Lake Michigan; small towns and large towns; Indianapolis, Fort Wayne, Logansport, Gary, South Bend; all over the State. Indiana is indeed aroused owing to the fact that the other body saw fit to exclude that great Hoosier State from this necessary legislation.

Mr. Speaker, yesterday I spent most of the day answering telephone calls from newspapers, television and radio stations throughout Indiana asking what is going to happen to Indiana's participation in this legislation. I sent a page boy over to the office just a minute ago to get some of these telegrams and bring them over here to show the membership a testimonial of protest against the Jenner amendment coming from the grassroots of Indiana. I would like to have shown the Members of the House the bulk of telegrams I received and the letters that started coming to me since last Friday morning. Out of two-hundred-and-sixty-odd which came in before I left the office, the only message that came in endorsing Indiana's exclusion was a letter signed by some person down in southern Indiana. I would like to print all these messages in the RECORD but, Mr. Speaker, I ask unanimous consent to print a sample of about one-tenth of these protests against excluding Indiana from this legislation.

Mr. Speaker, I do hope that this resolution is passed.

MOROCCO, IND., *August 16, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:

In regard to science scholarship and equipment bill, Newton County Classroom Teachers Association urges that Indiana be restored on basis of other States.

LAWRENCE BANNON,
President, Newton County Classroom Teachers Association.

TERRE HAUTE, IND., *August 16, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:

The West Vigo School Improvement Council regrets Senator JENNER's action removing Indiana from participation in science scholarship and equipment bill. We represent several thousand citizens who urge you to work to reinstate Indiana and seek passage for the bill. We would greatly appreciate your cooperation in this matter.

Sincerely,
MRS. ROBERT HILL,
Council President.

PORTLAND, IND., *August 16, 1958.*
Representative RAY MADDEN of Indiana,
House Office Building,
Washington, D. C.:

We urge Indiana be restored on scholarship and equipment bill.

PORTLAND TEACHERS ASSOCIATION.

ROACHDALE, IND., *August 16, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:

Montgomery County Classroom Teachers of Indiana request your utmost cooperation in restoring Indiana on basis of other States in the science scholarship and equipment bill.

ROBERT L. GOODING,
President.

FRANKLIN, IND., *August 16, 1958.*
Representative RAY MADDEN,
Washington, D. C.:

Franklin classroom teachers urgently request that Indiana be restored on basis of other States to science scholarship and equipment bill.

GLADYS PASEL,
President.

CAMPBELLSBURG, IND., *August 16, 1958.*
Hon. RAY J. MADDEN,
House of Representatives,
Washington, D. C.:

Senator JENNER's action childish. We want Federal aid for schools.

H. E. ROBERSON,
Superintendent, Campbellsburg Schools.

BOONVILLE, IND., *August 16, 1958.*
Hon. RAY J. MADDEN,
Capitol Building,
Washington, D. C.:

Please restore Indiana in science scholarship bill equip with other States. Disregard JENNER.

CHARLES J. POSEY,
Warrick County School Superintendent.

LOGANSPORT, IND., *August 16, 1958.*
Representative RAY MADDEN,
Washington, D.C.:
Eliminate JENNER's ridiculous amendment to education scholarship and equipment bill.
CHAS. SHARP,
Superintendent of Schools.

MONON, IND., *August 16, 1958.*
Representative RAY MADDEN,
House Office Building,
Washington, D. C.:
Please return Indiana same basis your State education bill.
BAIRD P. COX,
President, Jasper County Teachers.

LEBANON, IND., *August 15, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:
Urge that Indiana be restored on basis of other States in science scholarship and equipment bill.
AL CRAWFORD,
President, Lebanon Classroom Teachers Association.

BOONVILLE, IND., *August 15, 1958.*
Representative RAY MADDEN,
Capitol Building, Washington, D. C.:
We urge you support necessary legislation to strike out Jenner amendment to science scholarship and equipment bill.
MRS. MILDRED MARTIN,
President, Ohio Township Classroom Teachers.

NEW CASTLE, IND., *August 15, 1958.*
Representative RAY MADDEN,
House of Representatives, Capitol Building, Washington, D. C.:
Please restore Indiana on basis of other States in the science scholarship and equipment bill.
T. D. EDINGTON,
Superintendent of Schools.

ANGOLA, IND., *August 15, 1958.*
RAY MADDEN,
House of Representatives,
Office Building, Washington, D. C.:
Request Indiana not be excluded from school bill benefits.
CLAYTON ELLIOTT,
County Superintendent, Steuben County.

JEFFERSONVILLE CITY SCHOOLS,
Jeffersonville, Ind., August 15, 1958.
Representative RAY MADDEN,
House of Representatives,
Office Building, Washington, D. C.
DEAR REPRESENTATIVE MADDEN: I would like to solicit your consideration of restoring Indiana to eligibility for participation in the science scholarship and equipment bill.
We in the grassroots know that the need exists and I assure you that the school officials do not concur with Senator JENNER's statement that Indiana will take care of the need.
Our Senator's attitude has certainly aroused a great deal of feeling in this area.
Respectfully,
H. F. SCHULTE,
Superintendent.

RICHMOND, IND., *August 15, 1958.*
REPRESENTATIVE RAY MADDEN,
House of Representatives, Capitol Hill, United States Congress, Washington, D. C.
Strongly urge your support in restoring Indiana in participation of the science scholarship and equipment bill.
PAUL C. GARRISON,
Superintendent, School.

LINTON, IND., *August 15, 1958.*
Hon. RAY MADDEN,
Representative, House of Representatives, Washington, D. C.
DEAR MR. MADDEN: We strongly urge that Indiana be restored to the benefits of other States in the science scholarship and equipment bill.
J. EARL BALES,
Superintendent, Linton-Stockton School Corp.

BLUFFTON, IND., *August 15, 1958.*
Representative RAY MADDEN,
Conference Committee,
Capitol Hill, Washington, D. C.
DEAR SIR: Our public schools of Indiana want to be restored to the benefits of the science scholarship and equipment bill contrary to the expression of Senator JENNER. Please.
EDWIN E. PRIBLE,
Superintendent, Bluffton Public Schools.

NAPPANEE, IND., *August 15, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:
Nappanee classroom teachers urge restoration of Indiana on basis of other States for science scholarship and equipment bill passed by Congress.
PAUL J. HARTLE,
President, Nappanee Classroom Teachers.

GREENFIELD, IND., *August 15, 1958.*
RAY MADDEN,
House of Representatives,
Washington, D. C.:
Jenner amendment to science scholarship and equipment bill must be defeated. Schools hard pressed for money. Assistance needed.
CHARLES S. WISEHART,
Superintendent, Greenfield School.

CLAYPOOL, IND., *August 15, 1958.*
Representative RAY MADDEN,
Washington, D. C.:
Urgently request Indiana be restored to scholarship and equipment bill on basis of other States.
MRS. MARY REECE,
President, Warsaw Classroom Teachers Association.

DECATUR, IND., *August 15, 1958.*
Congressman RAY MADDEN,
House Office Building,
Washington, D. C.:
Urge that you do everything in your power to get Indiana restored on science scholarship and equipment bill.
M. GRADILL,
GUY BROWN,
Superintendents, Adams County and Decatur Schools.

MOUNT VERNON, IND., *August 15, 1958.*
Representative RAY MADDEN,
Capitol Building,
Washington, D. C.:
We will appreciate efforts to have Indiana included in science scholarship bill.
MOUNT VERNON CLASSROOM TEACHERS ASSOCIATION.

NEW ALBANY, IND., *August 15, 1958.*
Congressman RAY MADDEN,
House of Representatives,
Washington, D. C.:
Are we taking the first step toward recession? Senator JENNER in proposing his amendment to science scholarship and equipment bill but think he has. Let's be realistic. We can ill afford to pay cost for other States and stand on principle to the exclusion of our own needs. His figures are misleading. If not too late let us get in line.
GLEN BARKES,
Superintendent of Schools.

SALEM, IND., *August 15, 1958.*
Hon. Representative RAY MADDEN,
Washington, D. C.:
Please see that Indiana is included in education bill.
CHARLES W. FRANKLIN,
Superintendent, Salem Washington Township Schools.

ROCHESTER, IND., *August 15, 1958.*
Congressman RAY MADDEN,
Capitol Building,
Representative Office,
Washington, D. C.
SIR: Rochester teachers urge restoration of Indiana to aid-to-education bill.
WILLIAM SCHROER.

GOSHEN, IND., *August 15, 1958.*
Hon. RAY MADDEN,
House Office Building,
Washington, D. C.:
Believe Indiana should be restored to share in S. 4237.
CLAUDE C. GIBSON,
President, Elkhart County Classroom Teachers Association.

WARSAW, IND., *August 15, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:
Respectfully urge Indiana be given similar consideration to other States in education bill.
CARL BURT,
Superintendent, Warsaw City Schools.

TERRE HAUTE, IND.
Representative RAY MADDEN,
United States House of Representatives,
Washington, D. C.:
We regard it highly unfair that Indiana children by denied equal educational benefits.
WAYNE COLTHARP,
President, Vigo County Classroom Teachers Association, Seelyville, Ind.

RUSHVILLE, IND., *August 15, 1958.*
Representative RAY MADDEN,
House Office Building,
Washington, D. C.:
Urge defeat of Jenner amendment to school aid bill.
C. M. DEMUNBRUN,
Superintendent, Rush County Schools.

ELWOOD, IND., *August 15, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:
Please restore Indiana on the basis of other States to science scholarship and equipment bill. We regret the action taken by our Senator.
KEITH SCOTT,
Superintendent, Elwood Public Schools.

RUSHVILLE, IND., *August 15, 1958.*
Representative RAY MADDEN,
Capitol Building,
Washington, D. C.:
Strongly urge Indiana be restored on basis of other States to science scholarship, equipment bill. Jenner amendment must be discarded.
BERNARD K. MCKENZIE,
Superintendent of Schools.

PERU, IND., *August 15, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:
Contrary to views of Senator JENNER, Peru City teachers urgently request that Indiana be restored on scholarship bill on basis of other States.
DONALDA TILLETT,
President, Peru Teachers Association.

FORT WAYNE, IND., *August 15, 1958.*
The Honorable RAY MADDEN,
House Office Building,
Washington, D. C.:
Please put Indiana on the basis of other States in the science scholarship and equipment bill. We oppose JENNER's amendment.
GRACE PENNINGTON,
President, Ft. Wayne Teachers Association.

WAWA RUBA, IND., *August 15, 1958.*
Congressman RAY MADDEN,
House of Representatives,
Washington, D. C.:
Please restore Indiana on same basis as other States in Elliott science and equipment bill.
GLADE E. ROHRER,
Chairman Legislative Commission, Indiana State Teachers Association.

INDIANAPOLIS, IND., *August 15, 1958.*
Representative RAY J. MADDEN,
House Office Building,
Washington D. C.:
Exclude Jenner amendment Elliott bill, Indiana needs better schools.
ILA HORN.

GARRETT, IND., *August 15, 1958.*
Hon. RAY MADDEN,
House of Representatives,
Washington, D. C.:
Garrett Classroom Teachers Association requests that Indiana be restored on basis of other States in Senate bill S. 4237.
ALICE HALL,
Legislative Chairman.

RICHMOND, IND., *August 15, 1958.*
Hon. RAY MADDEN,
House of Representatives,
Washington, D. C.:
Please restore Indiana to National Defense Act on basis of other States.
RICHARD HORN, *President,*
Richmond Classroom Teachers Association.

JEFFERSONVILLE, IND., *August 15, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:
I urge that you give serious consideration to restoring Indiana on the same basis as other States in the science scholarship and equipment bill passed by Congress last week.
VANCE B. COLLINS,
Superintendent of Schools,
Clarksville, Ind.

BOONVILLE, IND., *August 16, 1958.*
Representative RAY MADDEN,
United States Congress,
Washington, D. C.:
DEAR MR. MADDEN: We in Indiana are shocked and disgusted by Senator JENNER's action in removing our State from the benefits of the new science scholarship and equipment bill. I speak for our local group of 65 teachers when I urge you to do everything in your power to rectify this terrible injustice to Indiana's children.
Yours truly,
RUTH B. WILSON,
President, Boonville-Boon Township Classroom Teachers.

INDIANAPOLIS, IND., *August 19, 1958.*
Hon. RAY J. MADDEN,
House Rules Committee,
Washington, D. C.:
We deplore the delay in the enactment of the scholarship-science aid bill, please use your influence in securing action before adjournment.
MRS. DON HERRIN,
First Vice President, Indiana Congress of Parents and Teachers.
MRS. GRAYDON HENMAN,
Chairman of Legislation.

ANDERSON, IND., *August 18, 1958.*
Representative RAY MADDEN,
House of Representatives,
Washington, D. C.:
We hope you will help restore Indiana to the science scholarship and equipment bill.
ANDERSON FEDERATION OF TEACHERS,
JOHN GARRIGUS, *President.*

VEEDERSBURG, IND., *August 15, 1958.*
Representative RAY MADDEN,
House Office Building,
Washington, D. C.:
Request Indiana be restored to receive science scholarship aid.
P. H. SPENCER,
Superintendent,
Veedersburg Van Buren School Corp.

INDIANAPOLIS, IND., *August 15, 1958.*
Representative RAY MADDEN,
House Office Building,
Washington, D. C.:
Since Indiana money will be used to support Federal scholarship program see that Indiana is included.
OTTO JANERT,
Janert Packing Co., Inc.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. JOHANSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 259, nays 110, not voting 60, as follows:

[Roll No. 179]

YEAS—259

Addonizio	Canfield	Eberharter	Holmes	May	Rutherford		
Albert	Cannon	Edmondson	Holt	Meader	Santangelo		
Allen, Calif.	Carnahan	Elliott	Holtzman	Merrow	Saund		
Andersen, H. Carl	Carrigg	Everett	Horan	Metcalf	Schenck		
	Cederberg	Evins	Hosmer	Mills	Schwengel		
Anderson, Mont.	Celler	Faberstein	Huddleston	Mitchell	Scott, Pa.		
	Chamberlain	Fascell	Hull	Moore	Seely-Brown		
Andrews	Chelf	Fenton	Hyde	Morano	Selden		
Anfuso	Chenoweth	Fino	Ikard	Morgan	Sheehan		
Ashley	Chiperfield	Flood	Jarman	Morris	Shelley		
Aspinall	Christopher	Fogarty	Jennings	Moss	Sheppard		
Avery	Clark	Forand	Johnson	Moulder	Sikes		
Ayres	Coad	Ford	Jonas	Multer	Siler		
Baker	Cooley	Fountain	Jones, Ala.	Natcher	Sisk		
Baldwin	Corbett	Frazier	Judd	Nix	Smith, Miss.		
Baring	Cretella	Frelinghuysen	Karsten	Norblad	Smith, Va.		
Barrett	Cunningham, Iowa	Fulton	Kean	Norrell	Staggers		
Bass, N. H.		Garmatz	Kearns	O'Brien, Ill.	Steed		
Bass, Tenn.	Curtin	George	Keating	O'Brien, N. Y.	Sullivan		
Becker	Curtis, Mass.	Glenn	Kee	O'Hara, Ill.	Talle		
Beckworth	Curtis, Mo.	Granahan	Kelly, N. Y.	O'Konski	Taylor		
Bennett, Fla.	Davis, Tenn.	Grant	Keogh	O'Neill	Teller		
Bennett, Mich.	Dawson, Ill.	Gray	Kilday	Osmers	Tewes		
Bentley	Dawson, Utah	Green, Oreg.	Kilgore	Ostertag	Thomas		
Blatnik	Delaney	Green, Pa.	King	Patman	Thompson, N. J.		
Boland	Delray	Gregory	Kirwan	Patterson	Thompson, Tex.		
Bolling	Dent	Griffin	Klucsynski	Perkins	Thornberry		
Bonner	Denton	Griffiths	Knox	Pfost	Tollefson		
Bosch	Derounian	Gubser	Knutson	Philbin	Trimble		
Boyle	Diggs	Hagen	Lafore	Poage	Udall		
Breeding	Dingell	Harris	Lane	Polk	Ullman		
Brooks, Tex.	Dixon	Haskell	Lankford	Porter	Van Zandt		
Broomfield	Dollinger	Hays, Ark.	Latham	Price	Vinson		
Brown, Ga.	Donohue	Hays, Ohio	Lennon	Quie	Walter		
Brown, Mo.	Dooley	Healey	Lesinski	Rabaut	Watts		
Broyhill	Dorn, N. Y.	Heselton	Libonati	Rains	Westland		
Byrd	Durham	Holifield	Loser	Rees, Kans.	Whalley		
Byrne, Pa.	Dwyer	Holland	McDonough	Reuss	Widnall		
			McFall	Rhodes, Ariz.	Wier		
			McGovern	Rhodes, Pa.	Wigglesworth		
			McIntosh	Riehlman	Wilson, Calif.		
			Machrowicz	Roberts	Withrow		
			Mack, Ill.	Robeson, Ky.	Wolverton		
			Mack, Wash.	Rodino	Wright		
			Madden	Rogers, Colo.	Yates		
			Magnuson	Rogers, Fla.	Younger		
			Mahon	Rogers, Mass.	Zablocki		
			Mailliard	Rogers, Tex.	Zelenko		
			Martin	Rooney			
			Matthews	Roosevelt			

NAYS—110

Abbitt	Gary	O'Hara, Minn.	
Abernethy	Gathings	Pelly	
Adair	Gavin	Pilcher	
Alexander	Gross	Pillion	
Alger	Gwinn	Poff	
Allen, Ill.	Haley	Ray	
Arends	Harden	Reece, Tenn.	
Ashmore	Hardy	Reed	
Auchincloss	Harrison, Va.	Riley	
Bates	Harvey	Rivers	
Berry	Hemphill	Robeson, Va.	
Betts	Henderson	Robison, N. Y.	
Bolton	Herlong	Sadlak	
Bow	Hess	St. George	
Bray	Hiestand	Saylor	
Brown, Ohio	Hill	Scherer	
Budge	Hoeven	Scott, N. C.	
Burleson	Hoffman	Scrivner	
Bush	Jackson	Scudder	
Byrne, Ill.	Jensen	Simpson, Ill.	
Byrnes, Wis.	Johansen	Simpson, Pa.	
Church	Kitchin	Smith, Calif.	
Collier	Kruger	Smith, Kans.	
Cramer	Laird	Springer	
Cunningham, Nebr.	Landrum	Stauffer	
	Lipscomb	Taber	
Dague	McGregor	Teague, Calif.	
Davis, Ga.	McMillan	Thomson, Wyo.	
Dennison	Marshall	Tuck	
Devereux	Michel	Utt	
Dorn, S. C.	Miller, Md.	Van Pelt	
Dowdy	Miller, Nebr.	Vorys	
Fallon	Mumma	Weaver	
Feighan	Murray	Whitener	
Fisher	Neal	Whitten	
Flynt	Nicholson	Williams, Miss.	
Forrester	Nimtz	Wilson, Ind.	

NOT VOTING—60

Bailey	Colmer	Jones, Mo.	
Barden	Coudert	Kearney	
Baumhart	Dies	Kilburn	
Beamer	Doyle	LeCompte	
Belcher	Engle	McCarthy	
Blitch	Friedel	McCormack	
Boggs	Gordon	McCulloch	
Boykin	Hale	McIntire	
Brooks, La.	Halleck	Macdonald	
Brownson	Harrison, Nebr.	Mason	
Buckley	Hébert	Miller, Calif.	
Burdick	Hillings	Miller, N. Y.	
Clevenger	James	Minshall	
Collin	Jenkins	Montoya	

Morrison	Shuford	Vursell
Passman	Sieminski	Wainwright
Powell	Spence	Williams, N. Y.
Preston	Teague, Tex.	Willis
Prouty	Thompson, La.	Winstead
Radwan	Vanik	Young

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Beamer against.
Mr. Hillings for, with Mr. Mason against.
Mr. Baumhart for, with Mr. Minshall against.
Mr. James for, with Mr. Jenkins against.
Mr. Vanik for, with Mr. Williams of New York against.
Mr. Wainwright for, with Mr. Coudert against.
Mr. Coffin for, with Mr. Clevenger against.
Mr. Boggs for, with Mr. Kilburn against.
Mr. Hébert for, with Mr. Radwan against.
Mr. Morrison for, with Mr. Burdick against.
Mr. Thompson of Louisiana for, with Mr. Kearney against.
Mr. Willis for, with Mr. Colmer against.
Mr. Friedel for, with Mr. Winstead against.
Mr. McCarthy for, with Mr. McCulloch against.

Until further notice:

Mr. Bailey with Mr. Belcher.
Mrs. Blitch with Mr. Vursell.
Mr. Miller of California, with Mr. Prouty.
Mr. Engle with Mr. LeCompte.
Mr. Doyle with Mr. McIntire.
Mr. Preston with Mr. Miller of New York.
Mr. Montoya with Mr. Hale.
Mr. Young with Mr. Halleck.
Mr. Teague of Texas with Mr. Harrison of Nebraska.
Mr. Boykin with Mr. Brownson.

Mr. SCUDDER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Chair appoints the following conferees: Messrs. BARDEN, BAILEY, ELLIOTT, METCALF, GWINN, KEARNS, and HASKELL.

WELFARE AND PENSION PLANS DISCLOSURE ACT

Mr. BARDEN. Mr. Speaker, I call up the conference report on the bill (S. 2888) to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2656)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2888) to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the Welfare and Pension Plans Disclosure Act."

"TABLE OF CONTENTS

"Welfare and Pension Plans Disclosure Act

"Sec. 2. Findings and policy.
"Sec. 3. Definitions.
"Sec. 4. Coverage.
"Sec. 5. Duty of disclosure and reporting.
"Sec. 6. Description of the plan.
"Sec. 7. Annual reports.
"Sec. 8. Publication.
"Sec. 9. Enforcement.
"Sec. 10. Effect of other laws.
"Sec. 11. Separability of provisions.
"Sec. 12. Effective date.

"FINDINGS AND POLICY

"SEC 2. (a) The Congress finds that the growth in size, scope, and numbers of employee welfare and pension benefit plans in recent years has been rapid and substantial; that the continued well-being and security of millions of employees and their dependents are directly affected by these plans; that they are affected with a national public interest; that they have become an important factor affecting the stability of employment and the successful development of industrial relations; that they have become an important factor in commerce because of the interstate character of their activities, and of the activities of their participants, and the employers, employees organizations, and other entities by which they are established or maintained; that owing to the lack of employee information concerning their operation, it is desirable in the interests of employees and their beneficiaries, and to provide for the general welfare and the free flow of commerce, that disclosure be made with respect to the operation and administration of such plans.

"(b) It is hereby declared to be the policy of this Act to protect interstate commerce and the interests of participants in employee welfare and pension benefit plans and their beneficiaries, by requiring the disclosure and reporting to participants and beneficiaries of financial and other information with respect thereto.

"DEFINITIONS

"SEC. 3. (a) When used in this Act—

"(1) The term 'employee welfare benefit plan' means any plan, fund, or program which is communicated to or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, or hospital care or benefits, or benefits in the event of sickness, accident, disability, death, or unemployment.

"(2) The term 'employee pension benefit plan' means any plan, fund, or program which is communicated or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, by the purchase of insurance or annuity contracts or otherwise, retirement benefits, and includes any profit-sharing plan which provides benefits at or after retirement.

"(3) The term 'employee organization' means any labor union or any organization of any kind, or any agency or employee representation committee, association, group, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning an employee welfare or pension benefit plan, or other matters incidental to employment relationships; or any employees' beneficiary association organized for the purpose, in whole or in part, of establishing such a plan.

"(4) The term 'employer' means any person acting directly as an employer or indirectly in the interest of an employer in relation to an employee welfare or pension benefit plan, and includes a group or association of employers acting for an employer in such capacity.

"(5) The term 'employee' means any individual employed by an employer.

"(6) The term 'participant' means any employee or former employee of an employer or any member of an employee organization who is or may become eligible to receive a benefit of any type from an employee welfare or pension benefit plan, or whose beneficiaries may be eligible to receive any such benefit.

"(7) The term 'beneficiary' means a person designated by a participant or by the terms of an employee welfare or pension benefit plan who is or may become entitled to a benefit thereunder.

"(8) The term 'person' means an individual, partnership, corporation, mutual company, joint-stock company, trust, unincorporated organization, association, or employee organization.

"(9) The term 'State' means any State of the United States, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, and the Canal Zone.

"(10) The term 'commerce' means trade, commerce, transportation, or communication among the several States, or between any foreign country and any State, or between any State and any place outside thereof.

"(11) The term 'affecting commerce' means in commerce, or burdening or obstructing commerce or the free flow of commerce.

"COVERAGE

"SEC. 4. (a) Except as provided in subsection (b), this Act shall apply to any employee welfare or pension benefit plan if it is established or maintained by any employer or employers engaged in commerce or in any industry or activity affecting commerce or by any employee organization or organizations representing employees engaged in commerce or in any industry or activity affecting commerce or by both.

"(b) This Act shall not apply to an employee welfare or pension benefit plan if—

"(1) such plan is administered by the Federal Government or by the government of a State, by a political subdivision of a State, or by an agency or instrumentality of any of the foregoing;

"(2) such plan was established and is maintained solely for the purpose of complying with applicable workmen's compensation laws or unemployment compensation disability insurance laws;

"(3) such plan is exempt from taxation under section 501 (a) of the Internal Revenue Code of 1954 and is administered as a corollary to membership in a fraternal benefit society described in section 501 (c) (8) of such Code or by organizations described in sections 501 (c) (3) and 501 (c) (4) of such Code; or

"(4) such plan covers not more than 25 employees.

"DUTY OF DISCLOSURE AND REPORTING

"SEC. 5. (a) The administrator of an employee welfare benefit plan or an employee pension benefit plan shall publish in accordance with section 8 to each participant or beneficiary covered thereunder (1) a description of the plan and (2) an annual financial report. Such description and such report shall contain information required by sections 6 and 7 of this Act and shall be published in accordance with the provisions of this Act.

"(b) The term 'administrator' whenever used in this Act refers to—

"(1) the person or persons designated by the terms of the plan or the collective bargaining agreement with responsibility for the ultimate control, disposition, or management of the money received or contributed; or

"(2) in the absence of such designation, the person or persons actually responsible for the control, disposition, or management of the money received or contributed, irrespective of whether such control, disposition, or management is exercised directly or through an agent or trustee designated by such person or persons.

"DESCRIPTION OF THE PLAN

"SEC. 6. (a) Except as provided in section 4, the description of any employee welfare or pension benefit plan shall be published as required herein within ninety days of the effective date of this Act or within ninety days after the establishment of such plan, whichever is later.

"(b) The description of the plan shall be published, signed, and sworn to by the person or persons defined as the 'administrator' in section 5, and shall include their names and addresses, their official positions with respect to the plan, and their relationship, if any, to the employer or to any employee organizations, and any other offices, positions, or employment held by them; the name, address, and description of the plan and the type of administration; the schedule of benefits; the names, titles, and addresses of any trustee or trustees (if such persons are different from those persons defined as the 'administrator'); whether the plan is mentioned in a collective bargaining agreement; copies of the plan or of the bargaining agreement, trust agreement, contract, or other instrument, if any, under which the plan was established and is operated; the source of the financing of the plan and the identity of any organization through which benefits are provided; whether the records of the plan are kept on a calendar year basis, or on a policy or other fiscal year basis, and if on the latter basis, the date of the end of such policy or fiscal year; the procedures to be followed in presenting claims for benefits under the plan and the remedies available under the plan for the redress of claims which are denied in whole or in part. Amendments to the plan reflecting changes in the data and information included in the original plan, other than data and information also required to be included in annual reports under section 7, shall be included in the description on and after the effective date of such amendments.

"ANNUAL REPORTS

"SEC. 7. (a) The administrator of any employee welfare or pension benefit plan, a description of which is required to be published under section 6, shall also publish an annual report with respect to such plan. Such report shall be published as required under section 8, within one hundred and twenty days after the end of the calendar year (or, if the records of the plan are kept on a policy or other fiscal year basis, within one hundred and twenty days after the end of such policy or fiscal year).

"(b) A report under this section shall be signed by the administrator and such report shall include the following:

"The amount contributed by the employer or employers; the amount contributed by the employees; the amount of benefits paid or otherwise furnished; the number of employees covered; a summary statement of assets, liabilities, receipts and disbursements of the plan; a detailed statement of the salaries and fees and commissions charged to the plan, to whom paid, in what amount, and for what purposes. The information required by this section shall be sworn to by the administrator, or certified to by an independent certified or licensed public accountant, based upon a comprehensive audit conducted in accordance with accepted standards of auditing, but nothing herein shall be construed to require such an audit of the books or records of any bank, insurance company, or other institution providing an insurance, investment, or related function for the plan, if such books or records are subject to examination by any agency of the Federal Government or the government of any State.

"(c) If the plan is unfunded, the report shall include only the total benefits paid and the average number of employees eligible for participation, during the past five years, broken down by years; and a statement, if applicable, that the only assets from which claims against the plan may be paid are the general assets of the employer.

"(d) If some or all of the benefits under the plan are provided by an insurance carrier or service or other organization such report shall include with respect to such plan (in addition to the information required by subsection (b)) the following:

"(1) The premium rate or subscription charge and the total premium or subscription charges paid to each such carrier or organization and the approximate number of persons covered by each class of such benefits.

"(2) The total amount of premiums received, the approximate number of persons covered by each class of benefits, and the total claims paid by such carrier or other organization; dividends or retroactive rate adjustments, commissions, and administrative service or other fees or other specific acquisition costs, paid by such carrier or other organization; any amounts held to provide benefits after retirement; the remainder of such premiums; and the names and addresses of the brokers, agents, or other persons to whom commissions or fees were paid, the amount paid to each, and for what purpose: *Provided*, That if any such carrier or other organization does not maintain separate experience records covering the specific groups it serves, the report shall include in lieu of the information required by the foregoing provisions of this paragraph (A) a statement as to the basis of its premium rate or subscription charge, the total amount of premiums or subscription charges received from the plan, and a copy of the financial report of the carrier or other organization and (B), if such carrier or organization incurs specific costs in connection with the acquisition or retention of any particular plan or plans, a detailed statement of such costs.

"(e) Details relative to the manner in which any funds held by an employee welfare benefit plan are held or invested shall be reported as provided under paragraphs (B), (C), and (D) of subsection (f) (1).

"(f) Reports on employee pension benefit plans shall include, in addition to the applicable information required by the foregoing provisions of this section, the following:

"(1) If the plan is funded through the medium of a trust, the report shall include—

"(A) the type and basis of funding, actuarial assumptions used, the amount of current and past service liabilities, and the number of employees, both retired and nonretired covered by the plan;

"(B) a summary statement showing the assets of the fund broken down by types, such as cash investments in governmental obligations, investments in nongovernmental bonds, and investments in corporate stocks. Such assets shall be valued on the basis regularly used in valuing investments held in the fund and reported to the United States Treasury Department, or shall be valued at their aggregate cost or present value, whichever is lower, if such a statement is not so required to be filed with the United States Treasury Department;

"(C) a detailed list, including information as to cost, present value, and percentage of total fund, of all investments in securities or properties of the employer or employee organization, or any other party in interest by reason of being an officer, trustee, or employee of such fund, but the identity of all securities and the detail of brokerage fees and commissions incidental to the purchase or sale of such securities need not be revealed if such securities are listed and traded on an exchange subject to regulation by the Securities and Exchange Commission or securities in an investment company registered under the Investment Company Act of 1940, or securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, and the statement of assets contains a statement of the total investments in common stock, preferred stock, bonds and debentures, respectively, listed at their aggregate cost or present value, whichever is lower.

"(D) a detailed list of all loans made to the employer, employee organization, or other party in interest by reason of being an officer, trustee, or employee of such fund, including the terms and conditions of the loan and the name and address of the borrower: *Provided*, That if the plan is funded through the medium of a trust invested, in whole or in part, in one or more insurance or annuity contracts with an insurance carrier, the report shall include, as to the portion of the funds so invested, only the information required by paragraph (2) below.

"(2) If the plan is funded through the medium of a contract with an insurance carrier, the report shall include—

"(A) the type and basis of funding, actuarial assumptions used in determining the payments under the contract, and the number of employees, both retired and nonretired, covered by the contract; and

"(B) except for benefits completely guaranteed by the carrier, the amount of current and past service liabilities based on those assumptions, and the amount of all reserves accumulated under the plan.

"(3) If the plan is unfunded, the report shall include the total benefits paid to retired employees for the past five years, broken down by year.

"PUBLICATION

"SEC. 8. (a) Publication of the description of the plan and the latest annual report required under this Act shall be made to the participants and to the beneficiaries covered by the particular plan as follows:

"(1) The administrator shall make copies of such description of the plan (including all amendments or modifications thereto upon their effective date) and of the latest annual report available for examination by any participant or beneficiary in the principal office of the plan.

"(2) The administrator shall deliver upon written request to such participant or beneficiary a copy of the description of the plan (including all amendments or modifications thereto upon their effective date) and a summary of the latest annual report, by mailing such documents to the last known address of the participant or beneficiary making such request.

"(b) The administrator of any plan subject to the provisions of this Act shall file with the Secretary of Labor two copies of the description of the plan and each annual report thereon. The Secretary of Labor shall make available for examination in the public document room of the Department of Labor copies of descriptions of plans and annual reports filed under this subsection.

"(c) The Secretary of Labor shall prepare forms for the descriptions of plans and the

annual reports required by the provisions of this Act, and shall make such forms available to the administrators of such plans on request.

"ENFORCEMENT

"SEC. 9. (a) Any person who willfully violates any provision of section 5 or 8 of this Act shall be fined not more than $1,000, or imprisoned not more than six months.

"(b) Any administrator of a plan who fails or refuses, upon the written request of a participant or beneficiary covered by such plan, to make publication to him within thirty days of such request, in accordance with the provisions of section 8, of a description of the plan or an annual report containing the information required by sections 6 and 7, may in the court's discretion become liable to any such participant or beneficiary making such request in the amount of $50 a day from the date of such failure or refusal.

"(c) Action to recover such liability may be maintained in any court of competent jurisdiction by any participant or beneficiary. The court in such action may in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

"(d) The district courts of the United States and the United States courts of the Territories and possessions shall have jurisdiction, for cause shown, and subject to the provisions of Rule 65 (relating to notice to adverse party) of the rules of civil procedure for the United States district courts, as amended (U. S. C. 1952 edition, Title 28, section 2072), to restrain violations of section 8.

"(e) The provisions of section 1001 of title 18 of the United States Code shall be applicable to any description of a plan or any annual report which is sworn to under this Act.

"EFFECT OF OTHER LAWS

"SEC. 10. (a) In the case of an employee welfare or pension benefit plan providing benefits to employees employed in two or more States, no person shall be required by reason of any law of any such State to file with any State agency (other than an agency of the State in which such plan has its principal office) any information included within a description of the plan or an annual report published and filed pursuant to the provisions of this Act if copies of such description of the plan and of such annual report are filed with the State agency, and if copies of such portion of the description of the plan and annual report, as may be required by the State agency, are distributed to participants and beneficiaries in accordance with the requirements of such State law with respect to scope of distribution. Nothing contained in this subsection shall be construed to prevent any State from obtaining such additional information relating to any such plan as it may desire, or from otherwise regulating such plan.

"(b) The provisions of this Act, except subsection (a) of this section, and any action taken thereunder, shall not be held to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of the United States or of any State affecting the operation or administration of employee welfare or pension benefit plans, or in any manner to authorize the operation or administration of any such plan contrary to any such law.

"SEPARABILITY OF PROVISIONS

"SEC. 11. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.

"EFFECTIVE DATE

"SEC. 12. The provisions of this Act shall become effective January 1, 1959."

And the House agrees to the same.

GRAHAM A. BARDEN,
LUDWIG TELLER,
LEE METCALF,
RALPH GWINN,
ALBERT H. BOSCH,
Managers on the Part of the House.

JOHN F. KENNEDY,
PAT MCNAMARA,
WAYNE MORSE,
IRVING M. IVES,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2888) to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment.

Except for minor clarifying changes, the substitute agreed upon in conference is the same as the House amendment, with the following exceptions:

Section 8 (a) of the Senate bill provided that any employee welfare or pension benefit plan which, together with any related plan or plans, covers fewer than one hundred employees would be exempt from the bill's reporting requirements until the expiration of two years following the enactment of the bill and the Secretary of Labor was authorized to exempt such plans from the reporting and disclosure requirements of the bill for such indefinite or other periods as he might determine.

The House amendment made no provision for such exemptions.

The conferees agreed that any employee welfare or pension benefit plan which does not cover more than twenty-five employees should be exempt from the provisions of the bill as agreed to in conference.

The House amendment, in section 6 (b), provided that the description of plans required to be published must include a statement of the approximate number of persons covered or expected to be covered by the plan. The conference substitute would not require this item of information in such descriptions.

Section 7 (b) (1) of the House amendment required the inclusion in annual reports to which the act would apply of certain information which would also be required by section 6 to be included in the description of the plan, and kept current. The substitute agreed upon in conference deletes this requirement.

Section 7 (b) of the House amendment included a provision relieving plans from the duty to disclose the identity of securities bought or sold, and the detail of brokerage fees and commissions incidental thereto, if the securities are listed and traded on an exchange subject to regulation by the Securities and Exchange Commission, or are covered by certain other specified acts. This provision has been moved to section 7 (f) (1) (C) which relates specifically to pension benefit plans and is a more appropriate place for its inclusion.

The conferees agreed to amend section 7 (f) (1) of the House amendment to provide that if the plan is funded through the medium of a trust invested, in whole or in part, in one or more insurance or annuity contracts with an insurance carrier, the report shall include, as to the portion of the funds so invested, the information required by paragraph 7 (f) (2) relating to plans funded through the medium of a contract with an insurance carrier, rather than the information required by section 7 (f) (1).

Section 7 (f) (2) of the conference substitute shifts from subparagraph (A) to a more appropriate position in subparagraph (B) the requirement that the annual report include the amount of current and past service liabilities based on assumptions used in determining payments under the contract with the insurance carrier.

The conference substitute drops from paragraph (3) of section 7 (f), as duplicative or unneeded, the requirement that unfunded plans report the number of employees, both retired or nonretired, covered by the plan, and the average age of retired employees, for any one year during the preceding five years.

The conferees in considering the requirement in the House amendment that all annual reports include the actuarial assumptions relating to the particular pension plan agreed that since actuarial assumptions of pensions plans are generally highly technical and exceedingly broad, for the purpose of this act it should surely be sufficient to make available the most recent applicable actuarial report by the consulting actuary of the plan.

The conference substitute would add to section 8 of the House amendment requirements that (1) the latest annual report, as well as the description of the plan, be made available for inspection by participants and beneficiaries, (2) the administrator must provide a copy of the description or annual report only where the request is in writing, and (3) that the participants and beneficiaries may obtain a summary of annual reports, rather than the entire report.

The Senate bill authorized the Secretary of Labor to prescribe the form in which descriptions of plans and annual reports should be made by the administrator of a pension or welfare benefit plan. The House amendment included no such provision and the form of plan descriptions and annual reports was left to the discretion of each plan administrator required to report.

The conferees agreed to a provision which directs the Secretary to prepare standard forms which can be used in describing a plan or making an annual report as required by the act at the option of a plan administrator. There is no requirement contained in the provision approved by the conferees which requires the use of forms drawn up by the Secretary. This provision is designed to facilitate and assist plan administrators in complying with the act and, if the forms are generally used, will permit the compilation of information about pension and welfare plans with greater ease.

The conferees agreed to an amendment to section 10 of the House amendment relating to the effect of other laws affecting the operation or administration of employee welfare or pension benefit plans. The amendment agreed to provides that in the case of an employee welfare or pension benefit plan providing benefits to employees employed in two or more States, no person shall be required by reason of any law of any such State to file with any State agency (other than an agency of the State in which such plan has its principal office) any information included within a description of the plan or an annual report published and filed pursuant to the provisions of this act if copies of such description of the plan are filed with the State agency, are distributed to participants and beneficiaries in accordance with the requirements of such State law with respect to scope of distribution. It also provides that nothing contained in this subsection shall be construed to prevent any State from obtaining such additional information relating to any such plan as it may desire, or from otherwise regulating such plan.

The Senate bill contained criminal penalties for the making of false statements in a registration, report, or other document required to be filed thereunder. The House amendment contained no specific provisions on this subject, it being assumed that general provisions of law already on the books adequately provide for such cases. The conferees agreed to insert language which would clear their intention that existing provisions, i. e., section 1001 of title 18 of the United States Code, should be considered applicable in the case of descriptions of plans and annual reports filed with the Secretary under the bill, but only where such documents are sworn to by the administrators of the plans. It was felt that the application of these provisions would be unnecessary in the case of matter certified to by independent certified or licensed public accountants.

The House bill contained no effective date provision. Section 12 of the conference substitute provides that the act will become effective January 1, 1959.

GRAHAM A. BARDEN,
LUDWIG TELLER,
LEE METCALF,
RALPH W. GWINN,
ALBERT H. BOSCH,
Managers on the Part of the House.

Mr. METCALF. Mr. Speaker, I ask unanimous consent that the conferees may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, this conference report adopts the philosophy of the House bill. That philosophy was based upon a constant thread through all the hearings that if the employees, the beneficiaries of the pension and welfare funds, were kept informed about what was being done with the funds, they could enforce State laws and change officers and trustees of the fund.

In addition to the demand for disclosure there was an insistence on the part of the employee-beneficiaries that all types of funds be covered by the legislation and that some penalties be put into effect for filing false reports or for failure or refusal to report. These are provisions of the bill approved by the conference committee.

Here is an attempt at self-policing of pension and welfare funds by the employers and the employees without establishing a centralized investigative agency and complex reporting, accounting, and registration procedures in addition to the disclosure. Many Members feel that this is an inadequate bill because of lack of power in the Secretary of Labor to investigate and enforce the law. Under the present bill the Secretary is merely a custodial officer. If this self-policing type of legislation does not prevent abuse of these trust funds, then it will be necessary to adopt more punitive legislation. It is up to the administrators of the funds to make available, voluntarily, the information required and to the beneficiaries of the fund to keep alert for the enforcement of their rights. If this method fails it will be necessary to adopt the more punitive methods that some witnesses felt were necessary and many Members demanded. I hope that this bill will have the cooperation of employers and employees alike and the more forceful methods can be avoided.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LOUIS S. LEVENSON

Mr. LANE. Mr. Speaker, I call up the conference report on the bill (H. R. 4544) for the relief of Louis S. Levenson.

The Clerk read the title of the bill.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2659)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4544) for the relief of Louis S. Levenson, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

E. L. FORRESTER,
HAROLD D. DONOHUE,
Managers on the Part of the House.

JOHN A. CARROLL,
SAM J. ERVIN, JR.,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4544) for the relief of Louis E. Levenson, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

As the bill passed the House it provided for relieving Louis E. Levenson of the payment of $1,500 as a security bond for Benjamin Freedman, which was declared forfeited. The Senate amendment is to provide for relieving him of only $750. Therefore, the Senate conferees concurred in the House action.

E. L. FORRESTER,
HAROLD D. DONOHUE,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING TITLE 10, UNITED STATES CODE

Mr. LANE. Mr. Speaker, I call up the conference report on the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2658)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(1) Page 2, strike out lines 1 to 21, inclusive, and insert:

"'§ 2736. Property loss; personal injury or death; incident to use or operation of property of the United States and not cognizable under other law

"'(a) Under such regulations as the Secretary of a military department may prescribe, he or his designee, may settle, and pay in an amount not more than $1,000, a claim against the United States, not cognizable under any other provision of law, for—

"'(1) damage to, or loss of, property; or

"'(2) personal injury or death;

caused by a civilian officer or employee of the office of the Secretary of Defense, a civilian officer or employee of a military department, or a member of the Army, Navy, Air Force, or Marine Corps, as the case may be, incident to the use and operation of Government vehicles, or incident to the use of other property of the United States on a Government installation. Regulations prescribed by the Secretary of a military department under the authority of this section shall not become effective until the expiration of 60 days after they have been filed with the Committees on the Judiciary of the House and Senate of the United States; and the Congress may, within such time, amend or disapprove any such regulation by a concurrent resolution embodying the amendment or statement of disapproval.

"'(b) A claim may not be allowed under subsection (a) if the damage to, or loss of property, or the personal injury or death, was caused wholly or partly by a negligent or wrongful act of the claimant, his agent, or his employee.'"

JOSEPH C. O'MAHONEY,

And the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(2) Page 3, line 5, strike out ["; and] and insert:

"'(e) A claim may not be paid under subsection (a) unless the amount tendered is accepted by the claimant in full satisfaction.

"'(f) Any payment made under this section shall be reduced by any amount received by the claimant in the form of insurance payments or compensation based on the same damage, loss, personal injury, or death. A payment made under authority of

this section is not subject to any claim for reimbursement by any insurance company or compensation insurance fund; and such a payment does not absolve any insurer, in whole or in part, of any obligation under any contract of insurance."; and"

And the Senate agree to the same.

Amendment numbered 3: That the Senate recede from its amendment numbered 3.

THOMAS J. LANE,
E. E. WILLIS,
RICHARD H. POFF,
Managers on the Part of the House.

SAMUEL J. ERVIN, JR.,
ARTHUR V. WATKINS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The Senate amended the bill in five principal respects. First, the authority provided for in the bill to settle claims was limited to damage, personal injury, or death incident to the use of a Government vehicle, or to the use of other Government property on a Government installation. The Senate amended the bill to provide that regulations promulgated in connection with the authority provided for in the bill would have to be subject to the examination of the Committees on the Judiciary of the House and Senate with the additional provision that the Congress would have the option of amending or disapproving the regulations. The Senate amendments provided that payments under the authority provided for in the bill would be in full satisfaction of any claims against the United States and, further, that no such claim would be allowed where the claimant or his agent was guilty of contributory negligence. Finally, the Senate amendments barred the assertion of any rights of subrogation as to the amount paid by the United States under the authority of the new section.

In conference it was agreed that the House would agree to amendments Nos. 1 and 2 of the Senate with an amendment in each instance. In each case the amendments were drafted to conform to the form of codified title 10 of which the new section 2736, provided for in the bill, would be a part. The amendment concerning the promulgation of regulations under the new section has been clarified by providing that the action by the Congress in disapproving or in amending the regulations may be by means of a concurrent resolution. The amendment concerning payment and subrogation has been clarified by providing that any payment made under the authority of the new section shall be reduced by any amount received by a claimant in the form of insurance payments or compensation.

The Senate receded from its amendment No. 3 since the language agreed upon in connection with Senate amendments Nos. 1 and 2 made amendment No. 3 unnecessary.

THOMAS J. LANE,
E. E. WILLIS,
RICHARD H. POFF,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

BOULDER CITY ACT OF 1958

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H. R. 9147) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2655)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9147) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with the following amendments:

(1) The paragraph lettered "(ii)" in section 2 of the Senate amendment is relettered "(j)" and paragraphs "(j)", "(k)", "(l)", "(m)", and "(n)" are relettered respectively "(k)", "(l)", "(m)", "(n)", and "(o)."

(2) Section 3 (d) of the Senate amendment is stricken and the following language inserted in lieu thereof:

"SEC. 3. (d) The appraised value of all property to be sold under subsections (b) (1) and (b) (2) of this section and of all lots leased or to be leased by the United States for the purpose of maintaining, locating, or erecting permanent structures thereon, shall be determined by an appraiser or appraisers to be designated by the Administrator of Housing and Home Finance Agency at the request of the Secretary. Said appraisals shall be made promptly after the date of this Act, or immediately prior to the granting of any lease of lands not previously appraised, as the case may be. The representatives of the Boulder City community, as determined by the Secretary, shall be granted an opportunity to offer advice in connection with such appraisals."

(3) Section 8 of the Senate amendment is further amended by changing the period to a colon and adding the following proviso: "*Provided further*, That the electrical energy delivered hereunder to the municipality in any one year shall not exceed eighty million kilowatt-hours, less such energy as is required by the United States for pumping water delivered to the municipality pursuant to section 9 of this Act, and that this amount shall be reduced in any year in which there is a deficiency in electrical energy available from the Boulder Canyon project in the same proportion as firm energy delivered to allottees is reduced in such year below firm energy as defined in said general regulations."

(4) The first sentence of section 10 of the Senate amendment is further amended by inserting the word "leases," following the word "sales,".

(5) The first paragraph of section 10 of the Senate amendment is further amended by adding at the end thereof the following new sentence: "Nothing contained herein shall prejudice the cancellation of leases for breach of similar conditions or covenants contained therein or the enforcement by other appropriate means of such conditions or covenants."

(6) The proviso appearing in section 12 of the Senate amendment is further amended by changing the year "1957," to "1958,".

And the Senate agree to the same.

CLAIR ENGLE,
WAYNE N. ASPINALL,
WALTER S. BARING,
JOHN J. RHODES,
CRAIG HOSMER,
Managers on the Part of the House.

JAMES E. MURRAY,
CLINTON P. ANDERSON,
ALAN BIBLE,
GEORGE W. MALONE,
THOMAS H. KUCHEL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9147) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The final language and action agreed upon by the conference committee does not materially change the legislation as approved by the House. Four of the several differences between the Senate- and House-approved language required some discussion and consideration. The other differences involved only clarifying or perfecting language. The four points of difference requiring consideration and the action of the conference committee thereon are discussed in the following paragraphs.

The House-passed bill provided that the selling price for housing and other Federal property would be the appraised value as determined by the Administrator of the Housing and Home Finance Agency. The Senate added an alternative procedure for determining such selling price, which involves multiplying the appraised value of any particular piece of property by a factor determined by dividing the investment cost of all the property to be sold plus the maintenance less the rentals received from such property by the appraised value of all such property. The selling price under the Senate language would be the lower of the amounts determined under the two procedures.

The conference committee accepted the original House language on this point on the basis that (1) the alternative procedure would be inconsistent with established policy and with previous legislation for similar purposes; (2) it would be difficult to administer; (3) it would result in inequities among the purchasers; and (4) it would result in less revenue to the Federal Government.

On the second point, the Senate deleted the provision in the House-passed bill which limited the delivery of Hoover Dam electric energy to the municipality to an amount based upon the capacity available to the municipality at an annual load factor of 50 percent. Both the House-passed bill and the Senate amendment provided for delivery of a maximum of 19,500 kilowatts of power capacity to the municipality but the Senate deleted the kilowatt-hour limitation inherent in the load-factor limitation placed in the House bill.

The conference committee adopted language which substitutes for the load-factor limitation in the House bill a definite number of kilowatt-hours of electric energy. The amount agreed upon as a limitation on annual deliveries to the municipality is 80,000,000 kilowatt-hours, less such energy as is required by the Federal Government for pumping water delivered to the municipality. The language adopted gives Boulder City definite information as to the energy that will be available to it. It allows the municipality a substantial increase over its present uses to take care of reasonable future needs and provides fair and equitable treatment to the Hoover power allottees. It will be noted that the Boulder City allotment will be subject to reduction in time of shortage in the same proportion as the Hoover Dam power allottees are reduced.

On the third point, the legislation provides that the Federal Government shall continue to pump and supply water to the storage tanks of the municipality to meet its needs for domestic, industrial, and municipal purposes. The House limited the Federal costs of supplying such water to not more than $100,000 annually. The Senate changed this amount to $150,000. The conference committee agreed to accept the Senate figure on the basis that it constituted a maximum and that the actual cost of such pumping would probably not be that high and that none of this amount could be used to defray the cost of filtration, treatment, and distribution within the city, and on the basis that a large portion of this amount will, in any event, be reimbursable.

With respect to the last point, the Senate changed the House language relating to use restrictions to be placed in all sales, leases, transfers, and grants of Federal property. Such restrictions would prohibit use of the property for the manufacture, sale, or distribution of intoxicating liquors or narcotics or habit-forming drugs, or for gambling, prostitution, or lewd or immoral conduct. It appeared that the intent of the language of both bodies was the same. The conference committee adopted the Senate language modified to incorporate one sentence from the House language for clarification, and to restore explicit mention of leases among the instruments to which the restrictions are applicable.

CLAIR ENGLE,
WAYNE N. ASPINALL,
WALTER S. BARING,
JOHN J. RHODES,
CRAIG HOSMER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. GWINN. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks in the RECORD on the education bill considered a few moments ago.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LUCIAN ROACH—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 439)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 12261, "For the relief of Lucian Roach, doing business as the Riverside Lumber Co."

The bill would direct the Secretary of the Treasury to pay to Lucian Roach, doing business as the Riverside Lumber Co., Savannah, Tenn., the sum of $465.81 in full settlement of all claims of Lucian Roach against the United States for refund of taxes erroneously paid by him under the Federal Unemployment Tax Act for the years 1942 and 1943.

The records of the Treasury Department disclose that the amount here involved represents a portion of the taxes paid by Mr. Roach under the Federal Unemployment Tax Act for the years 1942 and 1943, refund of which is barred by the statute of limitations.

The taxpayer did not make any contributions to the State unemployment fund for the years 1942 and 1943 until 1948, and consequently, did not claim any credit for contributions on his returns for 1942 and 1943. If, within 4 years after payment of the Federal taxes, the taxpayer had made such contributions and had filed a claim for refund, he would have been entitled to a credit against his Federal taxes. The taxpayer, however, did not file a claim for refund within 4 years after the payment of his 1942 and the first half of his 1943 Federal taxes.

The record of this case does not warrant special legislative relief from the statute of limitations. The taxpayer had 4 years in which to file a claim for refund after the amounts here involved had been paid, and the record discloses no extenuating circumstances justifying his failure to file a claim for refund within that period.

Moreover, the amount that this bill would pay to Mr. Roach is greater than the refund to which he would have been entitled had he filed a timely claim for refund.

The granting of special relief in this case, where a refund was not claimed in the time and manner required by law, would constitute a discrimination against other taxpayers similarly situated and would create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 19, 1958.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and without objection the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

CONSOLIDATING INTO ONE ACT ALL OF THE LAWS ADMINISTERED BY THE VETERANS' ADMINISTRATION

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9700) to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes, with a Senate amendment thereto, and consider the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not object, because this will be a very valuable document. I think the House Members would like to know what the Senate amendment is.

Mr. DORN of South Carolina. The Senate version, while a substitute, reflects the provisions of the bill as passed by the House. A very minor amendment of the other body deleted the provision having to do with putting certain Reserve members of the Air Force under the education benefit provisions of the act. This feature involved individuals ordered to duty with the District of Columbia Air National Guard. It is a very minor amendment, I may say to the gentlewoman from Massachusetts as the Senate agreed to the bill.

Mr. Speaker, the amendments which I am seeking to add to the bill are those which are necessary because of the enactment of several laws since H. R. 9700 was reported by the Committee on Finance of the other body. These laws are Public Law 85-638, extending the time for Korean veterans to file for mustering-out payments to July 16, 1959; Public Law 85-652, increasing the compensation for certain service-connected blind veterans from $309 to $359 monthly; Public Law 85-655, placing the dependents of female veterans on a parity with dependents of male veterans; Public Law 85-674, increasing the burial benefit from $150 to $250; Public Law 85-678, increasing the amount of total disability income which a veteran may have on his national service life insurance policy upon payment of an additional premium, from $5 to $10 a month per $1,000 of insurance.

The amendments also reflect the provisions of the following two bills which are pending at the White House and which are expected to be approved by the President: S. 166, authorizing World War II veterans and Korean veterans to initiate a course of training after they have had an "improper" discharge corrected to one under other than dishonorable conditions; H. R. 13559, which authorizes the Veterans' Administration to give specialized training to retarded war orphans.

Another bill, H. R. 3630, increases the amount of compensation which a service-connected veteran may receive when he is in need of aid and attendant and while he is not hospitalized at Government expense. Generally speaking, such

a veteran would today receive either $401 or $450—depending on his condition. If this bill should be signed by the President he would receive $150 additional monthly while he was not hospitalized at Government expense. The bill is so worded as to automatically amend the provisions of H. R. 9700 when the President approves it.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN of South Carolina. Mr. Speaker, I move that the House concur in the amendment of the Senate with amendments.

The Clerk read as follows:

Mr. DORN of South Carolina, moves that the House concur in the amendment of the Senate to the bill (H. R. 9700) to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes, with the following amendments:

On page 2 of the Senate engrossed amendment, in the matter following the center heading "Chapter 1—General", strike out "Dependent parents" and insert in lieu thereof the following: "Dependent parents and dependent husbands."

On page 7 of the Senate engrossed amendment—

(1) Strike out "§ 102. Dependent parents" and insert in lieu there of "§ 102. Dependent parents and dependent husbands";

(2) Immediately after "(a)" in section 102 (a), insert "(1)".

(3) In section 102 (b)—

(A) strike out "(b)" and insert "(2)";

(B) after "denied" strike out "(1)" and insert "(A)";

(C) after "remarriage, or" strike out "(2)" and insert "(B)"; and

(4) In section 102 (c), strike out "(c)" and insert "(3)"; and strike out "section" and insert in lieu thereof "subsection."

(5) Add at the end of section 102 the following new subsection:

"(b) For the purposes of this title (except chapters 19 and 33), (1) the term 'wife' includes the husband of any female veteran if such husband is incapable of self-maintenance and is permanently incapable of self-support due to mental or physical disability; and (2) the term 'widow' includes the widower of any female veteran if such widower is incapable of self-maintenance and was permanently incapable of self-support due to physical or mental disability at the time of the veteran's death."

On page 23 of the Senate engrossed amendment, in subsection (m) of section 314, immediately before "or has suffered blindness in both eyes" insert the following: "or has suffered blindness in both eyes having only light perception."

On page 40 of the Senate engrossed amendment, in paragraph (3) of section 501, strike out "Veteran" and insert "veteran."

On page 54 of the Senate engrossed amendment, in subsection (a) of section 624, strike out ", except that he may furnish necessary hospital care and medical services for service-connected disabilities incurred during a period of war to veterans who are citizens of the United States temporarily sojourning or residing abroad."

On page 55 of the Senate engrossed amendment, in section 631, (1) strike out "(a)"; and (2) strike out "If agreement is reached to modify the plan of assistance as provided for in paragraph (1) of section 632, the total of grants for 1958 up to July 1 may be as much as $1,000,000."

On page 56 of the Senate engrossed amendment, in paragraph (1) of section 632, strike out "must be entered into before July 1, 1958,".

On page 62 of the Senate engrossed amendment, in section 712, strike out "consecutive" and insert in lieu thereof "consecutive."

On page 63 of the Senate engrossed amendment, in section 715, (1) strike out "or 621"; (2) strike out "$5" and insert in lieu thereof "$10"; and (3) strike out "Policies" and insert in lieu thereof the following: "The total disability provision authorized under this section shall not be added to a policy containing the total disability coverage heretofore issued under section 602 (v) of the National Service Life Insurance Act of 1940, except upon surrender of such total disability coverage, proof of good health satisfactory to the administrator, and payment of such extra premium as the administrator shall determine is required in such cases. Participating policies."

On page 68 of the Senate engrossed amendment, in subsection (b) of section 721, strike out "heretofore to hereafter" and insert in lieu thereof the following: "heretofore or hereafter."

On page 71 of the Senate engrossed amendment, (1) in paragraph (2) of subsection (b) of section 722, strike out "paragraph (1)" and insert in lieu thereof "subsection (b) (1) of this section"; and (2) in paragraph (3) of subsection (b) of section 722, strike out "subsection (b)" and insert in lieu thereof "this subsection."

On page 72 of the Senate engrossed amendment, in subsection (a) of section 723, strike out all that follows "(4) such insurance" and insert in lieu thereof the following: "and any total disability provision added thereto shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited to a revolving fund in the Treasury of the United States and the payments on such term insurance and any total disability provision added thereto shall be made directly from such fund. Appropriations to such fund are hereby authorized."

On page 88 of the Senate engrossed amendment, in subsection (a) of section 902, strike out "$150" and insert in lieu thereof "250."

On page 88 of the Senate engrossed amendment, in subsection (a) of section 903, strike out "$150" and insert in lieu thereof "$250".

On page 92 of the Senate engrossed amendment, in section 1506, strike out "and prosthesis," and insert in lieu thereof "and prosthesis".

On page 93 of the Senate engrossed amendment, in section 1506, strike out "or prosthesis," and insert in lieu thereof "or prosthesis".

On page 93 of the Senate engrossed amendment, in section 1507, strike out "interest," and insert in lieu thereof "interest and".

On page 97 of the Senate engrossed amendment, in subsection (a) of section 1612, immediately at the end thereof insert the following: "Notwithstanding the preceding sentence, any otherwise eligible veteran whom the Administrator determines to have been prevented from initiating a program of education or training under this chapter within the period prescribed by this subsection because he had not met the nature of discharge requirements of section 1601 (a) (2) (B) of this title before a change, correction, or modification of a discharge or dismissal made pursuant to section 1553 of title 10, the correction of the military records of the proper service department under section 1552 of title 10, or other corrective action by competent authority, shall be permitted to initiate a program of education or training under this chapter within 3 years after whichever is later, September 1, 1958, or the date his discharge or dismissal was so changed, corrected, or modified."

On page 98 of the Senate engrossed amendment, in section 1613, strike out all that follows "earlier" and insert in lieu thereof the following: ", except that any veteran who is eligible to initiate a program of education or training by reason of the second sentence of section 1612 (a) of this title shall be permitted to pursue, subject to the other provisions of this chapter, such program for a period of not more than 5 years after the date of initiation thereof; but in no event shall education or training be afforded under this chapter after January 31, 1965."

On page 119 of the Senate engrossed amendment, in the table of contents below section 1669, immediately below "1736. Discontinuance of allowances." insert the following:

"1737. Specialized vocational training courses."

On page 122 of the Senate engrossed amendment, in subsection (a) of section 1712, (1) strike out "(3) (A)" and insert in lieu thereof "(4) (A)"; and (2) strike out "(2) if he had not reached his 23d birthday on June" and insert in lieu thereof the following:

"(2) if he has a mental or physical handicap, and the Administrator determines that his best interests will be served by pursuing a program of special restorative training or a specialized course of vocational training approved under section 1737 of this title, such period may begin before his 18th birthday, but not before his 14th birthday;

"(3) if he had not reached his 23d birthday in June."

On page 129 of the Senate engrossed amendment, in section 1735, strike out all of subsection (a) and insert in lieu thereof the following:

"(a) An eligible person shall receive the benefits of this subchapter while enrolled in a course of education offered by an educational institution only if such course (1) is approved in accordance with the provisions of this section, or (2) is approved for the enrollment of the particular individual under the provisions of section 1737 of this title."

On page 129 of the Senate engrossed amendment, immediately after section 1736, insert the following:

"§ 1737. Specialized vocational training courses

"Notwithstanding the provisions of subsection (b) and (c) of section 1735 of this title, the Administrator may approve a specialized course of vocational training leading to a predetermined vocational objective for the enrollment of an eligible person under this subchapter if he finds that such course, either alone or when combined with other courses, constitutes a program of education which is suitable for that person and is required because of a mental or physical handicap."

On page 161 of the Senate engrossed amendment, in the table of contents immediately above section 2101, strike out "2104. Administration of chapter." and insert in lieu thereof the following:

"2104. Time limitations.

"2105. Administration of chapter."

On page 163 of the Senate engrossed amendment, strike out "§ 2104. Administration of chapter" and insert in lieu thereof the following:

"§ 2104. Time limitations

"Any member of the Armed Forces entitled to mustering-out payment who was discharged or relieved from active service under honorable conditions before July 16, 1952, shall, if application therefor is made before July 17, 1959, be paid such mustering-out payment by the Secretary concerned beginning within 1 month after application has been received and approved. No member of the Armed Forces shall receive mustering-out payment under this chapter more than once, and such payment shall accrue and the amount thereof shall be computed as of the time of discharge for the purpose of effecting a permanent separation from the service or of ultimate relief from active service or, at the option of such member, for the purpose of enlistment, reenlistment, or appointment in a Regular component of the Armed Forces.

"§ 2105. Administration of chapter"

On page 174 of the Senate engrossed amendment, in subsection (a) of section 3109, strike out "76th Congress,".

On page 217 of the Senate engrossed amendment, add at the end of section 5 the following new subsection:

"(c) Amendments effective after August 18, 1958, made to any provision of law replaced by title 38, United States Code, shall, notwithstanding the repeal of such provision by section 14 of this act, supersede the corresponding provisions of title 38, United States Code, to the extent that such amendments are inconsistent therewith."

On page 219 of the Senate engrossed amendment, in subsection (a) of section 12, (1) strike out "veteran who" and insert "veteran (1) who"; and (2) immediately before the period at the end of such subsection insert the following: ", or (2) whose discharge or dismissal is changed, corrected, or modified before February 1, 1965, pursuant to section 1552 or 1553 of title 10, United States Code, or by other corrective action by competent authority."

On pages 220, 221, and 222 of the Senate engrossed amendment, in subsections (c), (d), (e), (f), (g), (h), (i) (1), (i) (2), (j), (k), (m), (n), (o), (p), (r), (s) (1), (t), and (u) of section 13, strike out "title 38" each place it appears and insert in lieu thereof the following: "title 38, United States Code."

On page 220 of the Senate engrossed amendment, in subsection (i) of section 13, immediately below paragraph (2), insert the following:

"(3) (A) Subsection (g) of section 1511 of such act is amended by striking out 'title V of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 1011 et seq.)' and inserting in lieu thereof the following: 'chapter 43 of title 38, United States Code.'

"(B) Subsection (h) of such section 1511 is amended by striking out '232 of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 942), a subsistence allowance under part VII or part VIII of Veterans Regulation No. 1 (a), as amended, or an educational-assistance allowance under the War Orphans' Educational Assistance Act of 1956 (38 U. S. C. 1031 et seq.)' and inserting in lieu thereof '1632 of title 38, United States Code, a subsistence allowance under chapter 31 of such title 38 or under part VIII of Veterans Regulation No. 1 (a), or an educational-assistance allowance under chapter 35 of such title 38."

"(C) Subsection (i) of such section 1511 is amended by striking out 'title IV of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 991 et seq.)' and inserting in lieu thereof 'subchapter I of chapter 41 of title 38, United States Code.'"

On page 221 of the Senate engrossed amendment, in subsection (o) of section 13, (1) insert "(1)" immediately after "(o)"; and (2) insert immediately below such subsection the following new paragraphs:

"(2) Paragraph (23) of such section 202 is amended by striking out 'Classification Act of 1923, as amended, pursuant to Public Law 636, 79th Congress, approved August 7, 1946, as amended' and inserting in lieu thereof 'Classification Act of 1949, pursuant to section 4202 of title 38, United States Code.'

"(3) Paragraph (25) of such section 202 is amended by striking out 'section 14 (b) of Public Law 393, 79th Congress, approved January 3, 1946, as amended by Public Law 722, 80th Congress, approved June 19, 1948' and inserting in lieu thereof 'section 4114 (b) of title 38, United States Code.'"

On page 222 of the Senate engrossed amendment, in subsection (v) of section 13, strike out paragraph (1) and insert in lieu thereof the following:

"(1) By amending section 1441 by striking out '1115' and inserting in lieu thereof '415 (g).'"

On page 224 of the Senate engrossed amendment, in subsection (x) of section 13, strike out "(x)" and insert in lieu thereof "(w)."

On page 233 of the Senate engrossed amendment, in section 14, immediately below paragraph (119), insert the following new paragraphs:

"(120) Section 2 of the act of August 14, 1958 (Public Law 85–652).

"(121) Section 2 of the act of August 18, 1958 (Public Law 85–674), except that such repeal shall not permit payment of the $250 burial allowance under sections 902 or 903 of title 38, United States Code, with respect to deaths occurring before August 19, 1958, as to which the amount authorized by the laws in effect on the date of death shall apply."

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent that the reading of the Senate amendment be dispensed with, and that the printing of the Senate amendment in the CONGRESSIONAL RECORD and Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1955

Mr. MITCHELL. Mr. Speaker, I call up the conference report on the bill (H. R. 13132) to amend the District of Columbia Teachers' Salary Act of 1955 and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2586)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13132) to amend the District of Columbia Teachers' Salary Act of 1955, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

ERWIN MITCHELL,
T. G. ABERNETHY,
A. L. MILLER,
DEWITT S. HYDE,
Managers on the Part of the House.

J. ALLEN FREAR, JR.,
J. GLENN BEALL,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13132) to amend the District of Columbia Teachers' Salary Act of 1955, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill provided generally for salary increases for the District of Columbia schoolteachers, school officers, and other employees of the Board of Education of the District of Columbia in amounts averaging 14.1 percent. The Senate amendment struck out all after the enacting clause and inserted a substitute text which provided increases for the same group in amounts averaging 17.8 percent.

The Senate recedes from its amendment.

ERWIN MITCHELL,
T. G. ABERNETHY,
A. L. MILLER,
DEWITT S. HYDE,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Con. Res. 380) authorizing the Clerk of the House to make changes in the enrollment of H. R. 13132.

The Clerk read the resolution as follows:

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives in the enrollment of the bill (H. R. 13132) to amend the District of Columbia Teachers' Salary Act of 1955 is authorized and directed—

(1) in the amendment to section 4 of the act of August 5, 1955 (House engrossed bill, p. 6, line 18) to strike out "salary Class" and insert in lieu thereof "salary class";

(2) in the amendment to section 4 of the act of August 5, 1955 (House engrossed bill, p. 6, line 21) to strike out "possess" and insert "possesses";

(3) in the amendment to section 13 of the act of August 5, 1955 (House engrossed bill, p. 14) in the table, in per diem step 2 for principal, senior high school, strike out "25.57" and insert in lieu thereof "27.57";

(4) in the amendment to section 15 of the act of August 5, 1955 (House engrossed bill, p. 16, line 4) strike out "inserting at the end of the first sentence 'ex-" and insert in lieu thereof "inserting immediately before the period at the end of the first sentence ', ex-".

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN. Mr. Speaker, reserving the right to object, will the gentleman please explain what this resolution does?

Mr. MITCHELL. The resolution merely provides for correcting clerical errors in the bill itself.

Mr. MARTIN. It does not change the bill at all?

Mr. MITCHELL. It does not.

Mr. MARTIN. Or the substance?

Mr. MITCHELL. It does not. This bill initially passed the House and the Senate receded in all respects to the House bill.

Mr. MARTIN. I understand, but I was wondering how your proposal would change it.

Mr. MITCHELL. It does not change it in any respect.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the calendar.

THOMAS A. HOWE

The Clerk called the bill (H. R. 6489) for the relief of Thomas A. Howe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in computing the primary insurance amount of Thomas A. Howe, of Atlanta, Tex. (social security account No. 456-05-6847), for purposes of title II of the Social Security Act (and in determining the amount of his liability for taxes under subchapter E of chapter 1 of the Internal Revenue Code of 1939 and chapter 21 of the Internal Revenue Code of 1954), the said Thomas A. Howe shall be deemed to have had self-employment income of $3,600 for the year 1954 and $4,200 for the year 1955.

With the following committee amendment:

Page 1, line 9, insert following the comma "and under chapter 2 of the Internal Revenue Code of 1954,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ESTATE OF SINCLAIR G. STANLEY

The Clerk called the bill (S. 122) for the relief of the estate of Sinclair G. Stanley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of the late Sinclair G. Stanley, of Cook County, Ill., the sum of $33,333, plus interest at the rate of 6 percent per annum from November 1, 1946. The payment of such sum shall be in full satisfaction of all claims of the estate of the said Sinclair G. Stanley for just compensation for the yacht *Seventeen*, such yacht having been sold to the Navy in May 1941 for $1 by the said Sinclair G. Stanley, who was mentally incompetent at the time of such sale: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or recieved by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out the following language "plus interest at the rate of 6 percent per annum from November 1, 1946."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

BOARD OF NATIONAL MISSION OF PRESBYTERIAN CHURCH

The Clerk called the bill (S. 540) for the relief of the Board of National Mission of the Presbyterian Church in the United States of America.

There being no objection, the Clerk read the bill as follows:

Be it enacted etc., That the Board of National Mission of the Presbyterian Church in the United States of America is hereby relieved of all liability for payment to the United States of the sum of $2,337, which represents twenty-two forty-sevenths of the amount of the claim of the United States against the said board, under contract numbered I-130-IND-270 entered into between the said board and the Department of the Interior on September 29, 1933, for reimbursement of certain costs incurred by the United States in the construction and rehabilitation of certain irrigation facilities located at Ganado Mission, Ganado, Arizona.

The 22 acres with respect to which construction charges are canceled by this Act shall not be eligible to receive irrigation water from the Ganado irrigation project unless the owner thereof contracts with the Secretary of the Interior to pay the construction charges allocated to such acres in installments as authorized by law. The Secretary of the Interior is authorized to agree to an amendment to said contract numbered I-130-IND-270 that spreads the uncanceled portion of the construction charges over the remaining contract period.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUF DER HEIDE-ARAGONA, INC.

The Clerk called the bill (S. 552) to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J., as to the liability of the United States, if any, either legal or equitable, for losses alleged to have been sustained by the said Auf der Heide-Aragona, Inc., of West New York, N. J., as the result of the performance of a contract No. VAc-1185, dated July 25, 1941, entered into with the Veterans' Administration.

SEC. 2. Notwithstanding any statute of limitations or lapse of time, suit upon such claim may be instituted by the claimant within 1 year after the date of enactment of this act. Proceedings for the determination of such claim and review thereof, and payment of any judgment thereon, shall be had as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code.

SEC. 3. Nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE P. E. CAESAR, JR.

The Clerk called the bill (S. 571) for the relief of George P. E. Caesar, Jr.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time, claims, exclusive of interest, may be made for credit or refund of overpayments of income taxes for the taxable years 1951 and 1952 based on exemption from taxation of certain earned income received for personal services rendered outside of the United States by George P. E. Caesar, Jr., of Aldie, Va., on behalf of himself, and Claudia U. Caesar (deceased) may be filed at any time within 1 years after the date of the enactment of this act: *Provided*, That the provisions of sections 322 (b), 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which a claim for credit or refund is filed under the authority of this act within such 1-year period.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALALU DUNCAN DILLARD

The Clerk called the bill (S. 2001) for the relief of AlaLu Duncan Dillard.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act (5 U. S. C. 765-770), are hereby waived in favor of AlaLu Duncan Dillard as widow of Andrew B. Dillard, and her claim for compensation for the death of said Andrew B. Dillard, on February 13, 1938, which is alleged to have resulted from a personal injury suffered by him on February 10, 1938, while in the performance of his duties as a rural mail carrier at Matthews, Ala., is authorized to be considered and acted upon under the remaining provisions of such act, if filed with the Bureau of Employees' Compensation within 6 months from the date of the enactment of this act: *Provided*, That no benefits except medical expenses shall accrue for any period prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN C. WALSH

The Clerk called the bill (S. 2216) for the relief of John C. Walsh.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Walsh, of New York, N. Y., the sum of $5,800. The payment of such sum shall be in full settlement of all claims of the said John C. Walsh against the United States on account of professional services rendered by him as a special assistant to the Attorney General of the United States for the period beginning February 3, 1953, and ending June 30, 1953, both dates inclusive, his claim therefor (claim numbered 21568787) having been disallowed by the General Accounting Office as exceeding a salary limitation which was established for such position, but of which he was not informed: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE E. KETCHUM

The Clerk called the bill (S. 3321) for the relief of George E. Ketchum.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to George E. Ketchum of Cheyenne, Wyo., in full settlement of all claims of the said George E. Ketchum against the United States for injuries incurred by said George E. Ketchum on August 15, 1957, at Warren Air Base, Cheyenne, Wyo., when he was thrown from a painter's scaffold and permanently injured due to the action of a member of the Armed Forces: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 1: Following "*Provided*," insert, "That payment made under this act shall not be subject to any right of subrogation or claim for reimbursement in whole or in part under any contract of insurance, and no payment made hereunder shall absolve any insurer of any obligation under any such contract: *And provided further*."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DONALD J. MARION

The Clerk called the bill (S. 3789) for the relief of Donald J. Marion.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That Donald J. Marion of West Newbury, Mass., is hereby relieved of all liability for payment to the United States of the sum of $571.20, representing overpayments of per diem which he received as an employee of the Department of the Navy while he was assigned to duty at the Golcuk Navy Yard, Izmet, Turkey, such overpayments having been made as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Donald J. Marion, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES A. SHEARER

The Clerk called the bill (H. R. 11718) for the relief of James A. Shearer.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James A. Shearer, of Brookport, Ill., the sum of $1,486.71. The payment of this sum shall be in full satisfaction of all his claims against the United States for an equal amount which was withheld from his retirement annuity because the compensation he received for his services as an employee of the Lighthouse Service from July 1, 1945, to January 6, 1951, had been paid in violation of section 6 of the act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes", approved May 10, 1916 (5 U. S. C. 58), as amended: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 10, strike out "Lighthouse Service", and insert "Coast Guard."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CLARE M. ASH

The Clerk called the bill (H. R. 8619) for the relief of Mrs. Clare M. Ash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of section 202 (e) of the Social Security Act, Mrs. Clare M. Ash, of Sturtevant, Wis., shall be held and considered to be the widow (as defined in section 216 (c) of such act) of Frank S. Ash (Social Security account No. 074-10-8532).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARK NATIONAL BANK

The Clerk called the bill (H. R. 9256) for the relief of the Park National Bank.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Park National Bank, Knoxville, Tenn., the sum of $194. The payment of such sum shall be in full settlement of all claims of such bank against the United States arising out of the refusal of the Secretary of the Treasury to make payment in the original amount of $194 on a United States Treasury check drawn in favor of Joseph Orton [redacted], private, United States Army, dated [redacted] ber 30, 1955, which, before being cashed by such bank was fraudulently raised by the amount of $494: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIANA ELAINE GREIG

The Clerk called the bill (S. 2057) for the relief of Diana Elaine Greig.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Naturalization Act, the minor child, Diana Elaine Greig, shall be held and considered to be the natural-born alien child of J. Steadman and Veta L. Greig, citizens of the United States: *Provided*, That no natural parent of Diana Elaine Greig, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KAZUKO YOUNG

The Clerk called the bill (S. 2955) for the relief of Kazuko Young.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (23) of section 212 (a) of the Immigration and Nationality Act, Kazuko Young may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOANNA STRUTYNSKA

The Clerk called the bill (S. 3004) for the relief of Joanna Strutynska.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Joanna Strutynska shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That no natural parent of Joanna Strutynska, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARGARET GRAHAM BONNALIE

The Clerk called the bill (S. 3219) for the relief of Mrs. Margaret Graham Bonnalie.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, section 352 (a) (1) shall be held not to have been or to be applicable in the case of Mrs. Margaret Graham Bonnalie: *Provided*, That she returns to the United States for permanent residence within 2 years following the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERIKA MARGARETHA ZINTL PEARCE

The Clerk called the bill (S. 3221) for the relief of Erika Margaretha Zintl Pearce.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Erika Margaretha Zintl Pearce shall be held and considered to be within the purview of section 354 (5) of that act.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CARL EBERT AND WIFE, GERTRUDE EBERT

The Clerk called the bill (S. 3276) for the relief of Carl Ebert and his wife, Gertrude Ebert.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Carl Ebert and his wife, Gertrude Ebert, naturalized citizens of the United States, shall be permitted to reside in Germany until 2 years following the date of the enactment of this act without losing their United States citizenship under section 352 (a) of such act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That section 352 (a) of the Immigration and Nationality Act shall be held to have been and to be inapplicable to Carl Ebert and his wife, Gertrude Ebert: *Provided*, That they return to the United States to reside within 3 years following the date of the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEAN ANDRE PARIS

The Clerk called the bill (S. 3300) for the relief of Jean Andre Paris.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have issued in the case of Jean Andre Paris. From and after the date of the enactment of this act, the said Jean Andre Paris shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued: *Provided*, That nothing in this act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ITZHAK ARONOVICI

The Clerk called the bill (S. 3308) for the relief of Itzhak Aronovici.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Itzhak Aronovici shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTURO ERNESTO AUDRAIN Y CAMPOS

The Clerk called the bill (S. 3357) for the relief of Arturo Ernesto Audrain y Campos.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (1) of section 212 (a) of the Immigration and Nationality Act, Arturo Ernesto Audrain y Campos may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act. A suitable and proper bond or undertaking, approved by the Attorney General, shall be given on behalf of the said Arturo Ernesto Audrain y Campos in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (1) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERUKO K. JACKSON

The Clerk called the bill (S. 3445) for the relief of Teruko K. Jackson.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (5) of section 212 (a) of the Immigration and Nationality Act, Teruko K. Jackson may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WONG WING BOA

The Clerk called the bill (S. 3509) for the relief of Wong Wing Boa.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Wong Wing Boa, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank S. Wong, citizens of the United States: *Provided*, That no natural parent of Wong Wing Boa, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANDREJS PABLO MIERKALNS

The Clerk called the bill (S. 3547) for the relief of Andrejs Pablo Mierkalns.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, nothwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Andrejs Pablo Mierkalns may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provision of such act and upon compliance with such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, shall be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

Sec. 2. That for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Andrejs Pablo Mierkalns shall be held and considered to be the minor alien child of Mr. John Mierkalns, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARVEY L. FORDEN

The Clerk called the bill (S. 3607) for the relief of Harvey L. Forden.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Harvey L. Forden shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1926.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANIEL (NATHANIEL) ROSENZWEIG

The Clerk called the bill (S. 3640) for the relief of Daniel (Nathaniel) Rosenzweig.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the provision of sections 212 (a) (1) and 212 (a) (4) of the Immigration and Nationality Act, Daniel (Nathaniel) Rosenzweig may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissable under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERMINE ELMON PAPAZIAN

The Clerk called the bill (S. 3739) for the relief of Hermine Elmon Papazian.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hermine Elmon Papazian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CYNTHIA ELIZABETH JEFFERSON (MIMI KUROSAKA) AND SYLVIA ELISE JEFFERSON (JUNKO TANO)

The Clerk called the bill (S. 3743) for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano).

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano), shall be held and considered to be the natural-born alien children of Sfc. Sylvia R. Jefferson, a citizen of the United States: *Provided*, That no natural parent of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano), by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HING MAN CHAU

The Clerk called the bill (S. 3768) for the relief of Hing Man Chau.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of section 203 (a) (3) and 205 of the Immigration and Nationality Act, Hing Man Chau shall be held and considered to be the minor child of King Yat Chau, an alien lawfully admitted to the United States for permanent residence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KLARA LEITNER AND HER DAUGHTER, SYLVIA LEITNER

The Clerk called the bill (S. 3801) for the relief of Klara Leitner and her daughter, Sylvia Leitner.

There being no objecton, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Klara Leitner, the fiance of Bernard L. Wagner, a citizen of the United States, and her daughter, Sylvia Leitner, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Klara Leitner is coming to the United States with a bona fide intention of being married to the said Bernard L. Wagner and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Klara Leitner and her daughter, Sylvia Leitner, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Klara Leitner and her daughter, Sylvia Leitner, the Attorney General is authorised and directed to record the lawful admission for permanent residence of the said Klara Leitner and her daughter, Sylvia Leitner, as of the date of the payment by them of the required visa fees.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VICENTA GARCIA Y PUENTE

The Clerk called the bill (S. 3818) for the relief of Vicenta Garcia y Puente.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Vicenta Garcia y Puente shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorised and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Vicenta Garcia y Puente. From and after the date of the enactment of this act, the said Vicenta Garcia y Puente shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrant and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONCETTINA IANNACCHINO

The clerk called the bill (S. 3826) for the relief of Concettina Iannacchino.

There being no objection, the clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Concettina Iannacchino, shall be held and considered to be the natural-born alien child of Luigi and Maddalena Iannacchino, citizens of the United States: *Provided*, That no natural parent of Concettina Iannacchino, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PETER TILLNER

The Clerk called the bill (S. 3921) for the relief of Peter Tillner.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Peter Tillner shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That no natural parent of Peter Tillner, by virtue of such relationship, shall be accorded any

right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KUNIO INOUYE (SPARKMAN)

The Clerk called the bill (S. 4020) for the relief of Kunio Inouye (Sparkman).

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Kunio Inouye (Sparkman), shall be held and considered to be the natural-born alien child of Lois Sparkman, a citizen of the United States: *Provided*, That no natural parent of Kunio Inouye (Sparkman), by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIANNE (SACHIKO) FULLER

The Clerk called the bill (S. 4081) for the relief of Marianne (Sachiko) Fuller.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Marianne (Sachiko) Fuller, shall be held and considered to be the natural-born alien child of Jean M. Fuller, a citizen of the United States: *Provided*, That no natural parent of Marianne (Sachiko) Fuller, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAMUEL ABRAHAM, ET AL

The Clerk called the bill (H. R. 12106) for the relief of Samuel Abraham, John A. Carroll, Forrest E. Robinson, Thomas J. Sawyers, Jack Silmon, and David N. Wilson.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That Samuel Abraham, John A. Carroll, Forrest E. Robinson, Thomas J. Sawyers, Jack Silmon, and David N. Wilson are respectively relieved of all liability to the United States in the amounts of $1,042.94, $996.48, $1,057.87, $1,005.05, $1,030.29, and $1,016.88. Such sums represent the amounts by which they received pay in excess of that authorized by law during the period from June 24, 1956, to August 31, 1957, while they were employed as civilian fire fighters at the Hampton Roads Army Terminal, Norfolk, Va. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amounts for which liability is relieved by this act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each person named in the first section, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the claim of the United States for refund of the amount specified in the first section: *Provided*, That no part of the amount appropriated in this act for the payment of any one claim in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 6 and 7, strike "$1,042.94, $996.48, $1,057.87, $1,005.05, $1,030.29, and $1,016.88." and insert "$1,181.81, $1,135.47, $1,197.13, $1,144.13, $1,169.55, and $1,156.11."

Page 1, line 9, strike "June 24, 1956" and insert "February 20, 1955."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA LEGISLATION

The SPEAKER. The gentleman from South Carolina [Mr. MCMILLAN] is recognized.

AMENDING THE DISTRICT OF COLUMBIA PUBLIC SCHOOL FOOD SERVICES ACT

Mr. MCMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1764) to amend the District of Columbia Public School Food Services Act, and ask unanimous consent that the same be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That section 6 of the District of Columbia Public School Food Services Act (68 Stat. 369; sec. 31-1408, D. C. Code, 1951 edition) is amended by adding before the period the following: "and for reimbursement of the District of Columbia Public School Food Services Fund for lunches served in accordance with section 9 of the National School Lunch Act (60 Stat. 233; title 42, sec. 1758, U. S. C., 1952 edition), to children without cost to such children or at reduced cost. The rate of such reimbursement for such lunches served by the public schools in the District of Columbia shall be the student price of 'Type A Lunch' in effect at the time such lunches are served. As used in this section the term 'Type A Lunch' means a Type A Lunch as defined in regulations promulgated by the Secretary of Agriculture pursuant to authority in the National School Lunch Act. Appropriations authorized by this section shall be available for reimbursement of the Food Service Fund in the amount of any agency contributions paid out of such fund pursuant to the provisions of section 4 (a) of the Civil Service Retirement Act."

With the following committee amendment:

Page 1, line 11, insert: "*Provided*, That such reimbursement shall be made only in cases where such lunches are served to children of families who are recipients of public assistance granted by the government of the District of Columbia.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

The SPEAKER. Pursuant to the provisions of House Resolution 656, 85th Congress, the Chair appoints as members of the Special Committee To Investigate Campaign Expenditures the following Members of the House: Mr. DAVIS, of Tennessee, chairman; Mr. JONES, of Alabama; Mr. O'NEILL, of Massachusetts; Mr. KEATING, of New York; Mr. DENNISON, of Ohio.

WHITE HOUSE CONFERENCE ON AGING

Mr. WIER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9822) to provide for holding a White House Conference on Aging to be called by the President of the United States before September 30, 1960, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 6, line 17, after "States" insert "in January 1961."

Page 7, lines 21 and 22, strike out "but not more than $50,000" and insert "but not less than $8,000 nor more than $15,000."

Amend the title so as to read: "An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DOMESTIC MINERALS BILL OF 1958

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 689 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois, and now yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, what we are here concerned about at this time is whether or not the legislation referred to in the resolution now before us is of sufficient importance to the Members of the House—and, yes, to the citizens of the Nation, too—to be considered for a few hours during the closing days of this session. We, of your Committee on Interior and Insular Affairs, after several sessions spent in studying the problem, believe that it is of such importance and accordingly recommend it to you. We request your favorable action on the resolution now before us.

I am glad that I can advise you that your Committee on Interior and Insular Affairs is not in any way responsible for the bringing of this important bill to you at this late hour of the session. We would have brought it to you weeks—yes, even months—ago if it had been in our power to do so. Almost 4 years ago, we requested the administration to send to Congress an intelligently thought-out, long range program for our domestic mining industry. They promised to do so. As to the most important part of this legislation we received their recommendation in an Executive communication dated May 22, 1958. The other body began consideration of the proposed legislation immediately upon receipt of the Executive communication. We received the legislation in the form of S. 4036 from the other body on July 14, 1958. However, we began our consideration of the administration-recommended program on July 3. We reported the bill by a vote of 17 ayes and 4 nays to the House on July 30 and requested a hearing before the Committee on Rules on July 31. The record of our hearings has been at the Public Printer's since July 29, 1958. The Committee on Rules heard our request on August 15 and reported out the rule now before us on the same date. I feel sure that you will agree with me that we have worked as quickly as humanly possible to get the legislation before you.

We have always been a metal economy Nation—more so than any other nation of the the world's history. Today our country's welfare depends largely on the intelligent and wise use of minerals and metals—more so than at any time during our national existence. It has just been during the last decade and a half that we have become dependent on importation of foreign produced metals of lead and zinc. We have long been dependent on the importation of foreign produced chromium and columbium and tantalum. We are dependent on foreign produced ores in these categories even though there are vast deposits of each in our Nation awaiting development and mining. Today our domestic mining industry, that is, what there is left of it, is sick and just about ready to collapse in toto. It has been said by those who should know that the legislation which the adoption of this rule would place before us provides in fact for a "survival program" for practically all of the metals named in the bill. The potentialities of our domestic producing abilities in these metals are practically unlimited. Yet our mines are either closed down or are soon to close unless we give them some help. I am sure that each of us must admit that we cannot compete on equal grounds with foreign produced ore mined by cheap labor. It doesn't lessen the disastrous results of these inequities even though many of such foreign operations are financed by our own capital. We have tried to get the President to use the "peril" and "escape" clause procedure provided in the reciprocal trade agreements. This he has consistently and continually refused to do and the domestic industry has slipped further and further into destruction, decay, and decadence.

We are not presently self-sufficient in this important basic of our economy. We perhaps don't desire to become altogether self-sufficient. Nevertheless, it would be a pleasing and self-satisfying feeling if we but knew that we could become effectively self-sufficient quickly and without the unnecessary expenditure of large sums of wealth if we had to act in a limited time.

Your committee handling this bill wishes to have the opportunity of advising you at some length as to just what has happened to our lead, zinc, copper, tungsten, fluorspar, chromium, tantalum and beryllium mining activities. The two hours provided by the rule now under debate is all too limited but it will give us an opportunity to at least give a hurried account.

S. 4036 is not proposed for the purpose of lessening unemployment, although without doubt it would be helpful in such situation.

S. 4036 is not to increase or enlarge presently built-up stockpiles, and the production which would result from the program provided, would have little or no effect on present stockpiles. If the production envisaged in this legislation is lost then we shall be compelled to invest additional billions at some future time in order to protect ourselves.

S. 4036 is not proposed for the purpose of opening new mines or any material number of old ones. Rather it will make possible a limited operation of those mines that have been able to stay open in spite of present difficulties.

S. 4036 is not intended to provide large benefits to big operators. In fact, such possible benefits are limited with added incentive benefits going to the small producers of lead and zinc.

S. 4036 is not proposed to hamper or endanger the reciprocal trade program in its wise operation. However, S. 4036 does propose to give the domestic mining industry its fair share of the trade and at the same time afford the necessary protection to our security program.

In fact, what is proposed, as I have stated hereinbefore, is a domestic metal producing industry survival program. It is important enough in its implications and what it is intended to do for each and every Member and his constituents to merit our spending at least a couple of hours of our time in earnest consideration of the various provisions of the legislation.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, the bill before us today is a plan of the administration for a long-range minerals program. It is in the form of incentive payments to keep the mines open and operating. I do not think the bill is especially liked by industry, by many Members of this Congress, or even the administration, but it is a last resort on something we have to do unless we expect a vital segment of our America's sinew of strength to be destroyed. That is a mineral program.

As many of you will recall, we actually lost our mineral pants in the Korean war, in World War II, and in World War I. You remember the drives that went on to collect scraps of metal from the kids and everybody else because we were dependent on this scrap due to the fact we could not get the minerals in this country.

The mining industry tried to get relief—and I refer to the mineral industry—through tariff protection. They went before the Tariff Commission and were granted relief, but that was turned down at the highest level. Therefore the administration brings in this minerals long-range program. It is not for today but for tomorrow, it is to assure the country that we will have minerals for our use when needed, and the time is coming when they will be needed.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Massachusetts.

Mr. MARTIN. I do not pretend to be an expert on mines or minerals, but I do know that the mining industry is in serious trouble.

This plan is part of the administration's long-range minerals program. The United States Department of the

Interior maintains that the minerals included in this bill are vital to the United States—both for long-term economic growth and national defense. The plan's objective is to bridge the gap between today's surpluses and tomorrow's requirements.

I urge the adoption of the rule presently before us and the passage of the bill.

Mr. MILLER of Nebraska. I thank you very much.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. I want to join my good friend from Nebraska and our distinguished minority leader in supporting this bill. When my grandfather came over from England years ago he went to Galena, Ill., and became engaged in mining. "Galena," as you all know, means lead. The first real lead and zinc mining took place in Galena, Ill. Then the industry moved to Joplin, and Galena, Mo., and then over to Galena, Kans. I know that the mining industry is in a very serious financial condition, and due to the fact that we need this stockpiling for national defense, I wish to join my friend on this measure. It has my full support.

Mr. MILLER of Nebraska. I thank you very much.

The idea is to bridge the gap between today's surpluses and tomorrow's requirements. The incentive payments go into lead, zinc, copper, tungsten, and fluorspar. Now, what is the tungsten picture? Where do we get tungsten from, so necessary in our war machines? From Korea, Red China, and Bolivia, all but 5 percent. Now, why should we not try to stockpile and keep on hand a reserve of tungsten in case of an emergency? During World War II we tried to bring in minerals from South America. More than two-thirds of our ships in the closing days of the war were sunk by German submarines. They were bringing in needed ore to provide the war machines and for industry these metals. So, I say to you, while some persons might not like this bill, it is an incentive payment plan. Some will tell you that we have large stockpiles on hand, and in some materials I think we do have, but tomorrow, with increased use of metals and the know-how of using metals that are not now in the process of being used, these metals might then be in short supply. At one time we thought we did not have uranium in this country. Twelve years ago I sat on committees trying to decide what to do about uranium. The Congress very wisely set up a long-range program with a price incentive. You will recall that we were getting our uranium from the Belgian Congo. We did not have any in our own country. Now, what has happened in the meantime? We have a great deal of uranium on hand now discovered in our own country, and that can be done again. I will tell you this, my colleagues. Leaving these lead and zinc mines closed once, they are closed for a long, long time. Many of these mines cannot open now. Many are closed now. More will close unless we have some kind of an incentive payment plan for these mines. Some will say that this is the Brannan plan for copper, lead, and zinc or the mining industry. It is no more the Brannan plan than the anthracite coal people of Pennsylvania have when they get a check every so often for anthracite coal production, an incentive payment. One of the gentlemen who spoke in opposition to this bill ought to remember that the anthracite people do get help, and they get it from the Department of the Interior. They get incentive payments.

So, I urge my colleagues to vote for this rule. Let us have an opportunity to discuss the merits of the bill, and I think the committee can then convince the majority that this is necessary legislation if we are to keep a strong, vital, economical mining industry.

Mr. SCUDDER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from California.

Mr. SCUDDER. Do I understand that that chrome has been put in this bill?

Mr. MILLER of Nebraska. Yes; in title 4 of the bill.

Mr. Speaker, the mining industry is in serious condition. Many mines have closed. More mines will close unless some relief is given.

No one likes certain parts of this bill—but it is asked for by the administration as a remedy for a sick industry.

We who are old enough remember the scrap drives of War I and War II. We were short of minerals—starving because of a shortsighted policy of dependence on other countries for the minerals we need.

I have no mines in my District, no personal interests in any mines; but I recognize that one segment of a strong industry is to have enough minerals to meet our peacetime needs and a reserve for any emergency that may occur.

The mining industry needs a transfusion or it will die. I suggest this is a remedy that can keep industry alive.

I insert here a complete analysis of the bill:

SUMMARY INFORMATION ON S. 4036

(Source: Department of the Interior)

LEAD AND ZINC

Production

Production of lead from domestic mines is currently running at approximately 275,000 tons per year at annual rates. Production during 1956 totaled 353,000 tons and in 1957 totaled 333,000 tons. Just prior to the break in the market, which occurred in May 1957, domestic production was at an annual rate of 355,000 tons. The present rate of production is approximately 25 percent below the rate achieved in early 1957.

Zinc production is currently at the rate of 440,000 to 450,000 tons a year. This compares with production in 1955 of 515,000; in 1956, 542,000. Production in the first quarter of 1957 prior to the market break was at the annual rate of 600,000 tons.

Mines involved

During 1956, 696 mines produced lead and zinc; 73.4 percent of total lead and zinc production was from 37 mines. An additional 46 mines produced 15 percent of the remainder; more than 600 mines produce the remaining 10 percent.

According to published accounts, 26 of the larger mines or mine groups in the United States have closed down entirely since the beginning of 1957 and 11 other major producers have substantially curtailed their output.

We estimate that between 200 and 300 of the very small mines have closed in the past year or year and one-half.

Employment

Total employment of lead and zinc mines averaged 16,600 in 1955, and 17,400 in 1956. In April 1957, total employment stood at 18,200. In June 1958, total employment stood at 13,100.

Capacity

Estimated capacity for production from United States mines for zinc is 650,000 tons per year; for lead 400,000 tons per year.

Consumption

The principal uses of lead are for storage batteries, tetraethyl-lead, cable covering, paint pigments, building construction, ammunition, and various alloys, chiefly solder, bearing metals and type metal.

The primary applications of zinc are in galvanizing and diecasting. Smaller quantities are used in zinc base alloys, in rolled zinc, and the ore is consumed directly in zinc oxide. Other uses include consumption in the manufacture of wet batteries, and in the production of light metal alloys.

Consumption of lead and zinc are at extremely low levels, 20 to 30 percent below what might be considered normal.

Prospects

If the stabilization plan is not enacted, we can expect further serious curtailments in the lead and zinc production.

At the present time, excess stocks of lead and zinc are being accumulated in the United States at the rate of 15,000 to 20,000 tons per month. In order to halt further stock acquisitions and to effect the liquidation of excess stocks already in the hands of producers, further reductions in the price for lead and zinc with attendant cuts in output would be necessary.

An accurate estimate as to the extent of the curtailment cannot be given at this time because of complexity of the factors involved. Lead production could fall to 200,000 tons per year and zinc to 400,000 tons per year if the present market weakness should continue.

There is reason to believe that a substantial portion of current production is being maintained in the hope that the stabilization plan will be put into effect in time to avoid further layoffs and curtailments.

COPPER

Production

Copper is presently being produced in the United States at an annual rate of 950,000 short tons. In 1955, production was 999,000 tons; in 1956, 1,106,000 and 1957, 1,077,000 tons. Approximately 450 mines produce copper in the United States. An unknown, but substantial number of mines has been forced out of production by the recent depressed market for copper. Most of the larger mines have curtailed production.

Employment

Employment in copper mining in June 1958, totaled 29,000. This compares with an average of 33,300 in 1956, and approximately 33,400 in 1957.

Capacity

Domestic mines have the capacity to produce approximately 1,250,000 tons of copper annually.

Consumption

Copper is widely used because of its superlative electrical conductivity, high heat conductivity, and good corrosion resistance and because it is strong, yet malleable and ductile and can be alloyed readily with many other metals to impart desirable characteristics. Nearly half of it is consumed in virtually pure metallic form primarily by the electrical industry in the manufacture of generators, motors, electric locomotives and switchboard, telephone and telegraph equipment, light and power lines, and other items. Most of the remainder is employed by the alloys industry in manufacturing brass, bronze, and other copper alloys that are used ultimately in building construction, automobile manufacture, ammunition, shipbuilding and a wide variety of other applications.

Consumption of copper is currently 15 to 20 percent down from what might be considered normal levels.

Prospects

If the plan were not approved, further cutbacks in production and employment would be required in order to reestablish a balance between the supply of and requirement for copper.

The exact dimension of the required curtailment cannot be ascertained at this time, but in view of the existence of surplus stocks of approximately 150,000 tons, it is reasonable to suppose that in the absence of implementation of the plan, a further curtailment of 50,000 to 100,000 short tons a year would be required.

ACID-GRADE FLUORSPAR

Production

Production of acid-grade fluorspar in the United States currently approximates 190,000 tons per year. This compares with production in 1955 and 1956 of 157,000 short tons, and 1957 production of 192,000 short tons. Seven firms are engaged in acid-grade-fluorspar production, and some fifty mines are involved. There have been no recent curtailments or shutdowns in this industry.

Employment

Employment in acid-grade fluorspar mines and mills total approximately 1,000.

Capacity

Capacity of domestic acid-grade fluorspar is approximately 200,000 tons per year.

Consumption

Consumption of acid-grade fluorspar has declined in keeping with the lower rate of activity in the aluminum industry and the general economy.

The high level of operation of acid-grade fluorspar producing facilities has been maintained through a Government purchase program conducted under the authority of Public Law 733, 84th Congress.

The primary application for acid-grade fluorspar is in the production of hydrofluoric acid used primarily by the aluminum industry where it is used to manufacture synthetic sodium aluminum fluoride and aluminum chloride. It is the major source of fluorine for the chemical industry.

Prospects

In the absence of approval of the stabilization plan or an alternative, the recent trend toward increasing production in this industry would be reversed, expansion plans would be recessed, and some unemployment would result.

TUNGSTEN

Production

The domestic tungsten producing industry has almost completely shut down. Only one mine is still producing tungsten and its output is a byproduct of its other operations.

Mines involved

One mine is operated today. Two years ago, more than 200 mines were in operation.

Employment

At its peak 2 years ago, employment in tungsten mining totaled between 3,500 and 4,000. Present employment is negligible.

Capacity

In 1955, the domestic industry produced 15 million pounds of tungsten.

Consumption

Tungsten is used in alloy steels for high temperature applications in tungsten carbide for cutting tools and armor-piercing shells, and as pure metal in lighting and electronics. No satisfactory substitute has been developed for tungsten in carbides or in its pure metal applications.

Prospects

In the absence of favorable action on the stabilization plan, the tungsten industry in the United States will virtually disappear.

BERYL

Production

Production of beryl in the United States has been steady over the past several years at between 500 and 600 tons of 10-percent BeO concentrates annually.

Mines involved

There are about 200 producers scattered throughout a dozen States involved in production of beryl. Production is largely hand sorting and closely related to production of other strategic materials.

Employment

We estimate that approximately 30 people are engaged full or part time in mining beryl.

Capacity

Capacity for beryl production is difficult to measure. Past performance indicates that under present conditions, the United States can maintain production at between 500 and 600 tons of beryl concentrates per year. New technological developments should appreciably increase United States productive capacity for this commodity in the near future.

Consumption

Over 90 percent of beryllium consumed is used in alloys, mainly with copper. Beryllium-copper alloy is utilized widely because of its hardness, great tensile strength, high electric and thermo conductivity, low creep tendency, nonmagnetic and nonsparking properties and resistance to fatigue, corrosion and wear. Pure beryllium metal is used principally in manufacturing nuclear energy and X-ray equipment; and beryllium oxide is used principally in nuclear energy equipment and in the production of high temperature refractories.

Prospects

In the absence of the favorable action on the stabilization plan, the future of beryl production in the United States would become extremely uncertain. The current Defense Production Act program may terminate in a matter of months.

The domestic industry is not yet at the stage where it can compete in world markets successfully.

The stabilization program will provide sufficient time to complete development of new processes now well advanced, which should place beryl production in the United States on a fully competitive basis within the next few years.

CHROMITE

Production

Production of chromite in the United States has varied between 150,000 and 300,000 tons in the last 3 years. The Defense Production Act program for this commodity, which formerly supported production totaling about 35,000 tons per year in the Pacific Northwest terminated on May 19. The remaining production is under a Government contract, which will run out in the near future.

Since the termination in May of the chromite purchase program, it is probable that most of the mines in the Pacific Northwest have ceased production.

Approximately 525 mines have been involved in production of chromite. Most of these are probably closed at the present time.

Employment

Employment of the chromite industry at its peak was 750 men. More than one-half of those are now out of work, with the closing of the Pacific coast mines.

Capacity

Domestic capacity, based on recent history, is 200,000 tons per year.

Consumption

Chromite is used metallurgically in making ferrochromium alloys and metal, which in turn are used to manufacture stainless steel, tool steels, high-temperature alloys, and various other alloys. Refractories manufacturers make chromite brick and cements, principally for lining steel furnaces. Chromium chemicals are used chiefly in pigments, metal treating, and tanning.

Prospects

If the stabilization plan is not enacted and no other special program is developed, chromite mining will virtually disappear in the United States.

COLUMBIUM TANTALUM

Production

Production of columbium tantalum has increased from negligible proportions in 1951 to approximately 700 short tons of 50 percent concentrates in 1957.

Mines involved

The mining industry consists of one large placer operation in Idaho, which supplies 99 percent of the domestic production under Government contract. Small remaining production is supplied as a by-product from about one dozen pegmatite mines.

Employment

Perhaps 500 engaged in producing and processing pegmatites in the United States.

Capacity

The 1957 production of 700 tons of 50 percent concentrates provides the best indication as to United States capacity.

Consumption

Columbium and tantalum have been used mostly as alloys in the manufacture of stabilized stainless steels. However, columbium-bearing high-temperature alloys, unsurpassed for certain applications in jet engines and gas turbines, may now require more columbium than the stainless steels. Columbium and tantalum have numerous applications in the electronics field.

Prospects

The bulk of the domestic production is from a single location at a price several times the market price. If the tremendous consumption potential of this material is realized, it will become increasingly necessary to have a nucleus of a competitive-producing industry in the United States.

In the absence of a special program, there will be no incentive for developing this industry. The stabilization plan can, however, at very small cost to the Government, maintain interest among United States producers in this commodity, and thereby spur development of economic processes for its treatment and accelerate exploration for its reserves.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. PATTERSON].

Mr. PATTERSON. Mr. Speaker, I rise in support of this legislation. Coming from a district where metal is used in fabrication, certainly I know the necessity for this type of legislation. Furthermore, I know the plight of the miners and the importance of mining.

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. PATTERSON. As you gentlemen know, the Naugatuck Valley, located in my District, is the brass and copper fabricating center of the country, and the economic life of our industrial community depends on the mine productive capacity that supplies the metals required for our brass mills and other manufacturing establishments. This stabilization measure is designed to maintain an adequate domestic supply of the raw materials we need in my Congressional District in Connecticut.

If this measure is enacted it will also alleviate the plight of the unemployed in the mining industry. Many of the mines and mills are located in communities where they are the sole source of livelihood of the whole local population, and therefore, the current adverse economic effects go far beyond the miners and millworkers, themselves. There is acute suffering in mining and milltowns today. Furthermore, it is essential to the maintenance of the defense mobilization base that these highly skilled workers be kept intact in their local communities in order to have readily available a reservoir of manpower in the event of a national emergency or war.

I wish to emphasize the national defense aspects of stabilizing the production of copper, lead, zinc, and other metals and minerals. I wish also to stress the vital importance of maintaining a strong fundamental position in our natural resources foundation built on a firm bedrock of national self-sufficiency.

In our previous World Wars we had the great good fortune of having allies who were capable of holding the enemy in check for a period of about 2 years, during which time we mobilized our economic forces and developed our military power which contributed greatly to final victory. Finally we provided sufficient help to defeat the enemy and provide ourselves with the conditions requisite for prescribing terms of world peace.

With the advent of the rocket-atomic warfare, it now seems clear that we cannot count on any preliminary period in a future war in which we will be free from attack. And we certainly cannot be sure that such a war will be fought wholly on foreign soil. Those fortunate conditions of the past may not recur. Under present conditions a direct attack on our country would be feasible and likely to occur.

Under these circumstances there probably will be no opportunity of our taking a long period to develop the necessary strength and accumulate the resources and build up the productive capacity required to bring our military power into harmony with the new technological advances of the air-atomic age. We must be prepared on the economic front to meet the challenge of "lightning war" that can sweep across the skies overnight—or rather a matter of hours. I believe that the pending mineral and metals stabilization program is a step in the right direction and I commend Chairman ROGERS and the members of the House Interior and Insular Affairs Committee for their diligence in the formulation of this great forward-thinking program.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I wonder how far we are going to go with this sort of thing. It is perfectly apparent that we have messed up our situation quite considerably and that if we keep on going the same way we are going to have to have a subsidy for the manufacturers of textiles, the manufacturers of carpets, the manufacturers of rope, and the processors of almost all the metals that exist.

At the present time they have in stockpile anywhere from 3 to 8 times the annual requirement of most of these things. We have 1½ times the annual requirement for copper in the stockpile. Why we need any more I do not know. I do know that it sets a precedent and a precedent that it is going to be absolutely impossible for us to escape.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman.

Mr. EDMONDSON. I ask the gentleman from New York what the basis is for his statement that we have more than 1½ times the annual requirement for copper.

Mr. TABER. Does the gentleman have the idea that we have not? That is the story that has come to me through research activities, and I do not think that there is any question but that we have.

Mr. EDMONDSON. I think the gentleman is confusing annual requirements with minimum stockpile objectives which are two different things, as I understand from the Office of Defense Mobilization.

Mr. TABER. That might be, I do not know. But I am advised, and I think it is absolutely correct, that the copper stockpile is 1½ times the basic defense requirement. Why we should go further than that I do not know. My understanding is that that basic defense requirement is the amount that has to be had to carry us through for 1 year of extreme, intensive military activity.

Frankly, there is no more obligation on our part to maintain a subsidy for these particular mines than there is for any of the other things that this country has to have and has to produce. I hope that this House will come to realize what we are up against. We are headed for a deficit of something in the neighborhood of ten or twelve billion dollars in this fiscal year, and it is not going to get any better, especially if we keep on passing such legislation as this, and especially if we pass such bills as the bill that was sent over to conference with the Senate, this morning.

It seems to me that it is about time that we woke up and began to realize our responsibilities to maintain the credit of the United States of America. We are not maintaining it by any such operation as this, and it is going to get worse day by day if we continue with more of this type of legislation.

Frankly, for my own part, I cannot go along with it, and I do not propose to. I hope that there will be a sense of responsibility among the people here in this House, and that they will meet that responsibility today. I can see no reason at all for us to embark upon this kind of a proceeding with conditions in this country as they are. What we ought to do is tighten up our belts and get in a position where we can withstand the assaults that we know the Soviets are getting ready to put on us.

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Speaker, the bill before us today represents our last chance to save the lead-zinc industry in this country. That may sound like a dramatic statement, but it is true. Most of the Nation's 600 lead-zinc mines are now operating in the red. They are being kept open on a day-to-day basis awaiting word of what happens in this Chamber.

Let me remind you that this is not just an Idaho bill or a western bill. I have heard some of my colleagues say that the bill does not affect them because they live in the East or the South or parts of the Midwest. What does this bill mean specifically to our productive capacity?

Over a billion dollars in minerals value is tied up in the motor industry of this country: in Ohio $113 million, Michigan $971 million, Indiana $96 million, and New York $62 million.

The value of tungsten tied up in electrical appliances totals $88 million, divided between the three States of Connecticut, Illinois, and Ohio on an almost equal basis.

The mineral values tied up in agricultural machinery total $89 million, and that is divided among these States: Illinois, $42 million; Indiana, $10 million; New York, $6 million, and Ohio, $5 million.

I reiterate that this is not just a western bill but one that affects the economy of every State in this country of ours.

I hope you will give us a rule on this bill so we can tell you more under general debate about what its passage means to the economy and security of our country.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, this is a bill which is an absolute imperative if our domestic mining industry is to survive in today's reciprocal trade foreign aid economy.

I think in a very few minutes this House is going to hear some dramatic presentations on several subjects by one of the most eloquent Irishmen I know, my good friend from Ohio [Mr. KIRWAN]. I should like to take this opportunity for just a minute to anticipate several of his arguments and ask that the Members of the House evaluate carefully what my eloquent and persuasive friend may say in the light of these considerations.

In the first place, we heard the other day before the Rules Committee some astounding facts with regard to stockpiles. I should like the Members to remember as they listen to the gentleman from Ohio that this is not a stockpile bill. This bill contains only one item pertaining to stockpiles, and that is 150,000 tons of copper. No other aspects of this bill pertain to the stockpile.

I should like you also to remember that stockpile objectives do not represent total requirements for the year but rather requirements of the American economy in a wartime situation over and above domestic production plus assured foreign sources right here in this hemisphere; in other words, these stockpile figures to which my good friend from New York referred a minute or two ago do not represent total requirements for the year but rather a third layer on top of what we are assured will be produced within our own country plus what we can get from Canada, Mexico, and adjoining countries.

If we shut down our own domestic mining economy and our own domestic production, our stockpile requirements will have to go up. Frankly, we are going to have a great deal more money going into the stockpile than we now have. Furthermore, I ask you to remember this with regard to the costs involved here. You are going to hear my friend, the gentleman from Ohio, recite to you some very impressive figures regarding the costs of this bill. The total cost of this bill is $458 million for 5 years of operation. Remember this—in 1 year during the Korean war, in 1 year only, this Government spent over $2 billion meeting our essential metals stockpile requirements because we did not have a vigorous, effective and productive mining economy in this country. So when you think of the cost, do not think of $458 million just for 5 years, but think what it might cost us in 1 year if we do not maintain a healthy, productive mining industry. We spent $2 billion in 1 year during the Korean war. That is what is costs not to have an effective and productive mining industry, which is what we are seeking. You are also going to hear some impressive and frightening statements about big beneficiaries and big companies. Look carefully at these facts and these representations because the mere fact that there are some big companies involved does not for 1 minute gainsay the fact that there are hundreds of small producers and thousands of miners who will also benefit. We do not cut off our subsidy program for agriculture just because there are a few big farmers who benefit out of proportion to other farmers. We do not cut off our subsidy program for the airlines just because there are a few big airlines that will benefit more than others. We recognize the need for the basic program. As the gentleman from Colorado said, there may be programs and there may be other approaches that may be sounder and more basic, but we have reached the point in the road where there is no other route available to this industry except the enactment of the bill which we now have before us. Give us a chance by adopting the rule on this bill to answer the objections. Give us a chance to give you the case in favor of this bill with 2 hours of general debate. If, at the end of that time we have not satisfied the House, then certainly the House will work its will.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. SIMPSON of Pennsylvania. Does not the gentleman agree that the executive branch of the Government has the authority today to do all that is required to provide protection that the lead and zinc miners need?

Mr. EDMONDSON. I would not argue with the gentleman for 1 minute on that, but I would say to the gentleman that the executive branch of the Government has told us they would prefer to do it this way, and I am willing to go along with the executive on that. If there is no chance of getting the other remedy, I say let us take what we must have at this time to keep these miners in business. The gentlewoman from Idaho said that there are 600 producing mines in this country. I have nearly 30 companies in my own area that have shut down completely. In the Tri-State area, we do not have a single mine producing any lead and zinc today because of this distress situation. This is an emergency that demands action by this House.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may require to the gentleman from Wisconsin [Mr. WITHROW].

Mr. WITHROW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter from the Secretary of the Interior.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WITHROW. I rise in support of the rule which provides for the consideration of S. 4036. Any true understanding of the present problems of the Wisconsin mine operator and mine laborer would be impossible without a brief review of his experience during times of emergency in the past. It must be remembered at the outset that regardless of what arguments may be advanced as to how the needs of our Nation can be met in time of future emergency, that heretofore the Government has repeatedly found it necessary to call upon every mine in the country to supply the needs of the national economy in time of war and in time of preparation for war.

During World War I the miners of my District were called upon to go "all out" to open up every mine that could become a producer and to undertake an extensive program of exploration in an effort to locate additional reserves. In Wisconsin zinc and lead are ordinarily found together so what I am saying at this point is applicable equally to the production of each metal.

The Government during World War I offered financial assistance to the mine operator to enable him to step up production. The result was a tremendous increase in the volume of lead and zinc concentrates shipped out of our district and thus made available for our war effort.

During World War II the so-called premium price plan was inaugurated. Ceilings were placed on zinc and lead markets. Every mine was dealt with on a tailormade basis. Production costs, grades of ore, and volume were the factors which determined the premium payment to which each mining venture was entitled. Many new mines were opened up in those days in Wisconsin, Illinois, and Iowa and many mines long closed were reactivated. Hundreds of men who had some mining experience left the farm and factory to assist in meeting the mining needs of the country and to respond to the urgent appeal of their Government. When that emergency had apparently ended the premium price plan was cut off abruptly and no provision was made for maintaining a healthy market for zinc and lead. The result was the closing of many mines. Fervent pleas were advanced in an effort to prevent these closings by appropriate legislation. The industry called attention at that time to the necessity for a stable market for these two metals but no law was enacted.

And now to come to more recent history—

With the passage of the Defense Production Act of 1950, word once more went out from Washington that the needs of the Nation required once again an all-out effort, not only to produce as much zinc and lead as possible currently but to locate additional reserve. The floor contract and procurement contract program was initiated, RCF loans were made available to those who could not obtain private financing and exploration loans were offered those willing to match Government funds in a search for badly needed deposits of lead and zinc. A tremendous force of personnel was set up in Washington. I know that a number of major producers came into Wisconsin at that time. Government officials stated that zinc and lead were both very critical and would be for an indefinite time to come.

Relying upon these assertions and the offered Government assistance, there was a great surge of activity in Wisconsin and nearby in northern Illinois, and then, once more, all of a sudden, the program was cut off with no provision whatever being made for stabilization of the market. After many months of negotiations and supplying of technical data requested many operators—some large and some small—were told that the commitments made could not be met, that the emergency which had been presented as a long range one was over, that the stockpile needs of the Government had been met and that there was so much zinc and lead being shipped into

the country from abroad that the Government had seen fit to cancel out the support program completely—except for exploration loans. That program has been coasting along in low gear for many months since. There is today practically no incentive to operators to carry on independently a program of exploration. The operators furthermore cannot afford to match Government funds.

We have in our District been very successful in locating additional reserves of zinc-lead ores. In the brief period from 1946 to 1952, in my State alone, approximately 8 million tons of zinc-lead ores were discovered through prospect drilling and other exploratory operations. There is every reason to believe that a continuation of an active exploration program would be equally fruitful. The needs of the Nation require a consistent and continuing exploratory program.

We in Wisconsin feel that we are clearly at the crossroads. It must be decided whether we want this country to keep our lead-zinc mines operating, supplying the great bulk of our domestic needs in normal times, and available in case of emergency for stepped-up production, or whether we want to concern ourselves more with the economy of the foreign countries in which these metals are produced and let the chips fall where they may so far as our own miners and mine operators are concerned. If we are to pump billions of dollars abroad, as we have done, to enable foreign operators to open up and maintain their mines, with lower wages and operating costs, it would seem that we should be at least equally concerned with the needs of our miners at home. There are still in Wisconsin a great many people who hold tenaciously to the old-fashioned view that we in these United States have a first obligation and a first duty to our own American citizens. And so we feel, and I believe rightly so, that it is high time for the Congress to concern itself with the plight and the needs of our own miners when viewing the needs of the world.

Further, we must remember that if our borders are closed or if enemy submarines appear upon our coastal waters, the foreign shipments may not be available. Our requirements in case of war would increase very rapidly and if most of the zinc and lead mines of the Nation are then closed and the miners absorbed in other industries, it will be well-nigh impossible to step up our production in any time less than a period of many, many critical months.

The mining of zinc and lead in our section ordinarily involves the sinking of a shaft at great expense and the constant pumping of water—24 hours a day—in order to maintain the underground tunnels sufficiently dry to permit the extraction of ore. When the pumps are turned off, these mines fill up completely with water in a very short time and cannot be reactivated except at tremendous expense. In some cases the cost of reactivation is absolutely prohibitive. The general assumption of people not familiar with mining is that metal production can be started or stopped more or less as a faucet is turned on or off—that it is possible during unfavorable periods from a market standpoint to shut down and save the metal for more profitable periods. To visit a mine in operation, seeing the openings supported by massive rock pillars or timbers, the water being pumped, the fan installations to keep proper ventilation, the supervisory organization, the manpower and the specialized equipment needed to sustain active operations would correct this erroneous impression. Even brief closure means high cost to maintain equipment, replace falling timber, and keep the mine pumped out. Long closure makes these activities prohibitive and the mine is abandoned. Then it floods and caves. Supervisory and mining crews are disbanded. Thereafter resumption of mining is costly and oftentimes entirely out of the question.

And so from an operating standpoint—the mining of lead and zinc in Wisconsin, and in the other States where it is found, must be maintained on a current and constant basis or not maintained at all.

I now come to the bill under consideration today which is in line with the suggestion of the Secretary of the Interior.

The committee notes that the domestic price of lead has dropped from an alltime high of 21.50 cents per pound in late 1948 and an average of 18.04 cents for that year to a current low of 11 cents a pound. Zinc has dropped from a high of 19.50 cents a pound in June 1952 to a current low of 10 cents per pound. The distress to the domestic lead and zinc-mining industries which has been brought about by a prolonged period of depressed prices has been further compounded by rising costs of labor, supplies, transportation, and equipment.

S. 4036, now under consideration, provides for a stabilization price of 15½ cents per pound for lead and 13½ cents per pound for zinc. These stabilization prices are modest but will give a stimulant to a very sick industry if the program is carried on for 5 years as provided in S. 4036.

We should bear in mind that the industry has used every means at its disposal. Has gone to the Tariff Commission and received recommendations for increased tariff rates, which has been denied by the Chief Executive. In lieu of granting tariff relief the Chief Executive, through the Secretary of the Interior, has proposed S. 4036. This measure has the support of the administration. The following is a letter from Secretary Seaton to me relative to S. 4036, dated August 15, 1958:

DEAR MR. WITHROW: Because we are hopeful that S. 4036, a bill to stabilize production of copper, lead, zinc, acid-grade fluorspar and tungsten and to promote mining and development research for beryl, chromite and columbium-tantalum from domestic mines, will be considered by the House in the near future, I am sending to you with this letter a brief summary of this legislation together with a statement of our reasons for proposing it to the Congress. This measure has the full endorsement of the administration.

This Department has the basic duty to help maintain a healthy domestic mining industry. We believe the Domestic Minerals Stabilization plan, if enacted, will permit the orderly readjustment of domestic production to normal commercial markets, with a minimum of interference to our friends and allies abroad.

I am hopeful that we can count on your support for this measure. Without this legislation, domestic industries producing these commodities would face an uncertain future, to say the least. The capacity of these industries will be needed for our foreseeable future requirements in peacetime and in a national emergency, should one arise. To replace this capacity in the future would require many times the expenditures necessary to maintain it today.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Speaker, I oppose this legislation because here once again we are opening the door to a subsidy program that could extend to many areas. There is no reason why if this bill is passed today that we will not be asked to do so again and again. We could even go so far as to extend this to our timber resources, fisheries, and other resources. As was pointed out, the answer to this lies with the Tariff Commission. We have reached the point where it is a sad state of affairs when we should try to legislate in this field on such a broad scale as this when the answer to this lies with the executive branch of the Government and with the Tariff Commission. This kind of legislation will set a precedent under which there will certainly be abuses as there have been under all other subsidy programs over the years. Mr. Speaker, I think the rule should be defeated.

Mr. Speaker, I yield back the balance of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, for 70 years the New Jersey Zinc Co. operated mines in my District. Today approximately 500 men are out of work, as the mines are completely shut down, and for the first time in 70 years the company has deferred dividends.

It is impossible for them to compete in today's market. I think it is a tragedy that American mines should be forced to pay a penalty for having invested their money or substance in the United States to provide work for American workmen. The ones who are in a preferred position today are those American companies who made their investments overseas, with cheap labor, and who are today importing the product of those mines to the United States.

I urge the enactment of this legislation as the only means possible to provide relief so urgently needed.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. PILLION].

Mr. PILLION. Mr. Speaker, this bill would authorize the spending of $650 million. This spending is indefensible. It would be most difficult to conceive a bill with less merit or one that would create more economic waste and confusion. Less than 6 hours of hearings were allowed on this bill by the Interior Committee. The hearings were completely inadequate. This is a huge spending problem. We ought to keep in mind that this program is completely unnecessary for our defense. We now have a stockpile of strategic materials with an inventory cost of more than $6 billion. This supply is sufficient for all of our anticipated needs at a wartime rate of consumption for a period of from 5 to 7 years, without any imports whatsoever.

The first program under this bill is designated as a stabilization payment program. This program would first establish an arbitrary and fictitious price level for lead, zinc, fluorspar, and tungsten. The mining corporations would sell these materials in the open market at whatever price it could obtain. Then the Federal Government would pay to the mining corporation the difference between the established price set out in this bill and the sale price.

Mr. Speaker, this program is purely and simply the Brannan plan. It guarantees to the mining corporations a fixed price. The price is fixed high enough to give to the most uneconomic, the most efficient mining operator, a profit guaranteed by the American taxpayer. It is impossible to tell whether the purpose of this program is to relieve unemployment or to create greater profits for a limited number of mining corporations.

There have been no figures produced to show the unemployment in this small segment of our economy. There have been no estimates of how much employment this program would produce.

Certainly the fluorspar industry has no need for this subsidy program. Prices are not depressed. This program would benefit only two of the large fluorspar mines that are now highly prosperous.

The second part of this program would give the mining corporations tonnage payments in addition to the price-stabilization payments.

There is no evidence whatever before our committee that these payments are to relieve unemployment. There is no evidence that these payments to these corporations would serve any economic benefit whatever to this country.

I am sure the gentlemen who are voting for these expenditures have a program for increased taxes in mind to save us from a runaway inflation that is now about to reach this country. I am sure that the gentlemen who vote for this program, Mr. Speaker, are prepared to vote the necessary taxes to bring about a balanced budget and save ourselves from a serious and impending runaway inflation.

Mr. SMITH of Virginia. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. KIRWAN].

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. (After counting) 179 Members are present, not a quorum.

Mr. SMITH of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 180]

Ashley	Farbstein	Miller, N.Y.
Bailey	Friedel	Minshall
Baumhart	Gordon	Mitchell
Beamer	Hale	Montoya
Belcher	Harrison, Nebr.	Morrison
Blitch	Hébert	Powell
Boykin	Hillings	Preston
Brooks, La.	James	Prouty
Brownson	Jenkins	Radwan
Buckley	Jones, Mo.	Shuford
Budge	Kearney	Sieminski
Burdick	Kilburn	Smith, Miss.
Christopher	LeCompte	Spence
Clevenger	McCormack	Steed
Coffin	McCulloch	Teague, Tex.
Colmer	McIntire	Teller
Coudert	Macdonald	Thompson, La.
Dawson, Ill.	Machrowicz	Vanik
Dies	Magnuson	Wainwright
Doyle	Mason	Williams, N. Y.
Eberharter	Miller, Calif.	Winstead
Engle		

The SPEAKER. On this rollcall 365 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DOMESTIC MINERALS BILL OF 1958

The SPEAKER. The gentleman from Ohio [Mr. KIRWAN] is recognized for 10 minutes.

Mr. KIRWAN. Mr. Speaker, I do not come down here in the well often, only when I think I know a little about a bill. I happen to have been for the past 15 years on the appropriations subcommittee which is in charge of minerals. My first 3 years of work were in a coal mine, so you know I am sympathetic with miners. If there is anything I could do on this floor to help them, I would be one of the happiest men in the world.

A moment ago the gentleman from Nebraska [Mr. MILLER] stressed defense in connection with this bill.

The first point that should be fully understood in debating the merits of this mineral subsidy is that there is no defense consideration involved. Government stockpile inventories exceed the basic stockpile objective of each of the minerals, and inventories of lead, zinc, acid-grade fluorspar, and tungsten are far in excess of even the maximum objective.

They have two figures for the stockpile objectives, a basic amount and a maximum figure. Basic is what we really need assuming sources across the seas are cut off. I understand that some call the maximum objective a bargain basement figure; in other words, the maximum the Government can purchase from producers and still give the quantities a defense label. Let us see where inventories now stand in comparison with this maximum bargain basement figure:

On fluorspar we have in supply about 3 times the maximum requirement; we have in stockpile over 4 times the maximum requirement of lead; and zinc is even worse than tungsten for we have in inventory over 8½ times the maximum objective. Tungsten in supply is over 4 times the maximum. The copper stockpile is 1½ times the basic defense requirement.

COST OF GOVERNMENT ASSISTANCE TO DATE

Now let us see what we have spent just on these 5 minerals to date. Since 1951, we have purchased over $2.1 billion worth for stockpile, at least $1.2 billion of which is surplus to even our maximum requirements. Just think, over $1 billion of these purchases were unnecessary—were in excess of our present maximum defense needs. And we must spend millions each year just to maintain these surplus materials.

For example, for lead and zinc we have paid domestic producers over $380 million. All of this was for material which is now surplus to even our maximum stockpile objectives. We have spent about $220 million for domestic tungsten and all of it was in excess of the maximum need. This tungsten surplus, alone, is enough to last our country about 19 years. Incidentally, it has cost us over $675 million for the tungsten stockpile and it now has a market value of only $126 million. We have paid domestic producers over $250 million for copper.

In addition, these mining corporations have profited to the tune of additional millions of Federal dollars through rapid tax amortization and exploration assistance. For the latter program, there is an estimate of $6 million pending to extend this assistance for another year.

You are hearing from the bleeding hearts and how they are going to help the unemployed. Let us take a look at this problem of the unemployed. In June 1955, there were 29,700 workers employed in copper mining. In June, 1958, there were 28,300. So there is just 1,400 difference between now and 1955. They say they want to help the mining industry. Let us look at the employment figures in the lead and zinc mining industry. In June 1955, the lead and zinc mining industry had 17,000 employed. In June 1958, they had 13,400. In other words, they dropped 3,600.

Now when you come to anthracite coal. It is not included in the bill. The anthracite coal mining industry in June 1955, had 30,600 people working. In June 1958, there were 19,500.

Mr. GAVIN. Mr. Speaker, if the gentleman would yield, might I suggest to him that since these figures are so significant that he read them more slowly?

Mr. KIRWAN. I am sorry I must hurry. My time is limited.

In June of 1958, the anthracite coal mining industry employed 19,500 people. In other words, the anthracite coal mining industry is off 11,000. Yet, the 3 particular industries that we are going to help here today are only off about 5,000. Soft coal is off 30,000. That makes a difference of 44,000 people in the coal mining industry alone today compared with 1955 and you are not doing a thing for them in the State of Pennsylvania and across this great country of ours.

The unemployment situation in the bituminous and anthracite areas in Pennsylvania is classified by the Labor Department as both "substantial" and "chronic," while Butte and Great Falls, Mont., are only considered "substantial."

So why would not we be more justified to help out the coal miners?

Kennecott Copper, one of the biggest industries in America, last week put its employees of the Utah division back on a 5-day week. Imagine putting themselves back on a 5-day week when steel, for example, has not yet hit 60 percent. There are about 5 million total unemployed in the United States and less than 90,000 of them are in the mining industry all told. Yet we want to do something for 5 of these minerals where there are less than 10,000 unemployed. Oh, what a wonderful body this is. To think that we are coming in here in order to take care of that kind of situation.

COPPER

Now let us take up copper. The bill provides for the purchase of 150,000 tons during the coming year at a cost of $82.5 million.

The justification given for this subsidy is that copper inventories are overhanging the market.

Just what producers are asking for help here? Ninety-five percent of the United States copper reserves are held by only six large companies including Anaconda Copper, Kennecott Copper, and Phelps Dodge. The Bureau of Mines bulletin states that "much public attention is given to the importance of small mines, but it is a plain fact that the bulk of copper comes from a few big operations." There is no provision in the bill to limit copper purchases to the small producers. We know from our tungsten experience that 86 percent of the money went to only 11 big producers. And this $82.5 million for copper we don't need, will go chiefly to a few large corporations. Incidentally two of these companies had a net income in 1956 of over $213 million and $86 million, respectively.

FOREIGN IMPORTS

Now let us see why these large producers need this assistance to remove "inventories that are overhanging the market." The chairman of the Senate committee sponsoring this legislation stated: "Already too many domestic copper, lead, and zinc mines have closed down and ceased operation as the result of the cheaply produced foreign minerals and metals imports."

And that is correct. We imported 594,000 short tons of copper last year. But where did we get it? Forty-nine percent of our total copper imports come from Chile. And the Bureau of Mines Bulletin states that "virtually all (our imports from Chile) was from properties controlled by Anaconda Copper Mining Co. and the Kennecott Copper Corp., United States companies." In Chile, the Anaconda Co. has a majority interest in: the Andes Copper Mining Co., the Santiago Mining Co., and the Chile Copper Co.

Last year 48,000 tons of our copper imports came from Mexico. Anaconda Copper has a majority interest in a large copper mine there. Phelps Dodge Corp. has two subsidiaries in Mexico. The American Smelting & Refining Co. also has mines in Mexico. American producers also have large mines in Peru, Africa, Australia, and Canada.

It is interesting that Secretary Seaton said in support of this purchase plan that:

Acquisitions at this time will not only benefit the domestic industry, but will also strengthen world market prices and thus benefit foreign producers as well.

Many of these foreign producers just happen to be American corporations.

And here is an interesting fact from Moody's Industrial Manual concerning this situation. In 1956, one of these American corporations paid foreign income taxes totaling $75.5 million. And how much do you suppose they paid into the United States Treasury in income taxes? $26.3 million. No, I have not reversed the figures. They paid three times as much to foreign governments as they did to our own. Yet they want the American taxpayer to put out $82.5 million to buy surplus domestic production because the market has been flooded by cheap foreign imports. From where? Chiefly from foreign properties of these same corporations. And what are they doing to help this situation? Moody's says, for example, that one of these corporations plans to spend $350 million on expansion of production between 1956 and 1961 and that 33 percent of this would be expended in Chile and Mexico.

They call this copper program a "1-year, 1-shot affair." Believe me, we know from the history of tungsten and lead and zinc that if we approve this they will be back again. So will every other mineral. Why not? If we are justified in buying copper we do not need, every mineral, including coal, has a right to come in here for funds. And why do we not buy up the steel, coal, automobiles and everything else that is overhanging the market?

LEAD AND ZINC SUBSIDY

Lead and zinc are no different. We have spent, since 1951, over $800 million stockpiling just these 2 minerals. Domestic producers have received over $380 million of these funds. We have a surplus in stockpile that cost us over $670 million. But they are asking the taxpayer to reach into his pocket still another time. One sponsor of this legislation has said that the only time the lead and zinc industry has not been in an acute depression during the past 10 years was during the Korean war. And of course, that was when the Government was spending millions on the stockpile. He has also said the industry was being "damaged by ruinous imports of foreign ores." Again, who do we find among these "ruinous" foreign producers?

We imported 522,000 tons of lead and 795,000 tons of zinc in 1957. This is considerably more than the quantity of American production we are being asked to subsidize. These imports came from Mexico, Peru, Australia, and Africa—all countries in which American mining and smelting firms are dominant factors, according to the Bureau of Mines. Six companies produce two-thirds of our total domestic mine output of lead and most of these same companies have substantial lead-mining interests in these foreign countries. Zinc is the same story.

Again, I say, how can we justify a subsidy to these companies to protect them from their "foreign selves"?

What a bill this is for us to be considering here.

COST OF PROGRAM

They ask you to look at how the prices have dropped. I ask you to take a look at how they have gone up. Two weeks ago, when they passed this over in the other body, the bill had a cost of $350 million. When they carried it across the Capitol here the weight of that bill jumped up to $650 million—just from the Senate over here it went up $300 million. And after I testified last Friday before the Committee on Rules, it dropped back to about $450 million. It has been made very clear during the course of the Senate hearings that it is expected that the prices in this bill will have to be amended in future years to conform to actual market conditions. One Senator on the Senate Committee pointed out that he did not think the plan would work because there was no provision for price adjustment. But he was assured that the act could and would be amended. Already the bill provides for stabilization payments based on prices higher than those recommended by the administration. For example, to show the trend, for zinc, the administration plan limited subsidy payments to 2.5 cents per pound. The Senate raised this to 2.9 cents. So the price has already gone up 16 percent. The lead payment has also gone up from the original proposal of 3.37 cents to 3.9 cents per pound. And representatives of the mining industry have testified that the prices in the bill are too low. Some tungsten producers, for example, state they cannot operate under a $36 price. I understand aluminum and metallurgical fluorspar, among others, are standing by hoping to be next to jump aboard this subsidy bandwagon. If we pass this bill, I predict the cost over the 5-year period will at least be in excess of $650 million.

TUNGSTEN SUBSIDY

It is interesting that the tungsten interests will not settle for a stabilization price of $36 a unit after charging the taxpayer from $55 to $63 a unit for hundreds of thousands of units at a total cost of $220 million.

Everyone would like to help the tungsten industry if there was a satisfactory solution to its problem. But this plan would merely be another handout, chiefly to a few large producers, many of which, like Union Carbide and General Electric, purchase tungsten from abroad for use in their industries and ask the Government to pay them a subsidy on the tungsten produced by domestic mines in which they have interest.

We have already paid out of the United States Treasury $220 million to keep these mines going just since 1951. Incidentally, 21 percent of our tungsten stockpile is of nonstockpile grade. The domestic tungsten purchase program was extended for 2 more years in 1953 just to help these producers. During this period alone we bought over $187 million worth of tungsten and all of it was surplus to the stockpile requirement. We paid $63 a unit when the market price was $43. When that program ran out of money they still couldn't take care of themselves. So they came in for another Federal appropriation under Public Law 733. We appropriated over $16 million and they gobbled it up in 3 months; $1,700,000 of this went to Union Carbide; $1,375,000 went to the North Carolina corporation in which General Electric has an interest; only 18 producers got 92 percent of this money. But this did not help.

Now they claim the domestic tungsten mines have all closed down. They cannot compete in normal times with foreign imports. And remember, at least one of our large domestic producers owns foreign tungsten mines. And this producer received over $2 million out of that last $16 million we appropriated. So why should we start these mines up again and go on and on with this hopeless process. This will be just another 5-year drain on the American taxpayer, after which they will just have to come back for another extension. How can we go home and face the taxpayers of this Nation if we vote for a hopeless program of this sort with all the essential demands that must be met.

FLUORSPAR SUBSIDY

The fluorspar producers are also back again. We thought we had taken care of their problem. We were assured that if we would only finance purchases for the 30 months under Public Law 733, industry could ride out the period of temporary surpluses and provide time for consumption to catch up with supply and to orient its operations to normal commercial markets. So we made an exception and appropriated over $10 million for more Government purchases which we did not need. In fact, we just appropriated $2,318,000 of this in the 1959 appropriation bill. But now we are told they still cannot make it on their own. We must provide a subsidy payment of $13 per ton. The administration recommended only $8 a ton. The stabilization price in the bill is $53 a ton and the administration recommended only $48 a ton.

Fluorspar is no different than the tungsten situation. We have spent over $46 million buying acid-grade fluorspar. The stockpile is overflowing, 3 times more than the maximum objective. It is claimed fluorspar is needed for missiles. And we have a triple-threat stockpile on hand. If anyone wants to place a defense justification on a fluorspar program, or any other mineral, this is not the place. There is adequate authority under the Office of Defense and Civilian Mobilization to do whatever is necessary.

BERYL, CHROMITE, COLUMBIUM-TANTALUM PRODUCTION BONUSES

Now we have not yet covered all the minerals subsidized in this bill. The House committee has added provision for production bonuses to beryl, chromite, and columbium-tantalum. It should be noted that we have been appropriating funds to buy the latter under Public Law 733. Again Government purchases of these three minerals are drawing to a close because our stockpile needs have been met. These companies now want to substitute subsidies in the form of bonuses. Typical of this legislation, the record shows the Interior Department was asked by the committees to look over the administration's original proposal and promptly upped the quantity of material we would subsidize or the amount of the bonus payment on each of these minerals. The estimated cost of this bonus program is over $2 million for the first year, and I assume, it will be considerably more than that in the future.

I do not care how you vote, but let me give you this warning, and I mean this very sincerely.

There are 5 million people unemployed in America, and less than 10 thousand that you want to help. When you cast your vote on this bill, you had better be prepared to tell our bosses when we face them this fall, the people, what we did with this bill and who we did it for. That is why I am trying to tell you the facts here today. We had better get a little light and see what is going on.

You remember 2 years ago they came in on the last day of the session with a bill, Public Law 733. I remember going over with the conferees, and they said, "Oh, MIKE, I wish you would agree to this and get it over with." Here we are again, 3 days before the Congress ends. If they could only put people back to work as easily as they can come in here just before the close of Congress, you would not have this depression.

If the next war comes, they say it will start at sunset and it will be finished by daybreak. Here we are with a surplus in stockpile worth $1–$2 billion. The trouble is when we spent the second billion we should have put the miners under the Townsend plan, bought a nice little home for them and given them $200 a month, and we would have saved millions.

So it is time we began to think about the taxpayer. Here we are with a debt $39 billion more than all the rest of the world put together. I repeat, there is nothing in the bill for the steel industry, a basic commodity. Over half of the ships are tied up on the Great Lakes. Up in Minnesota the ore miners are idle by the thousands. If we had given them this subsidy the ships would have been going and the people would have been working. They could have carried that ore down a year in advance. But what justification is there for spending $650 million to put less than 10,000 back to work. Whether it is on the rule or on passage of the bill, defeat it and send it back to the Senate.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 4 minutes to the gentleman from Utah [Mr. DAWSON].

Mr. DAWSON of Utah. Mr. Speaker, it is a very difficult task to follow my genial friend from Ohio. I am sure he has deep concern for the reelection of us Republicans. I appreciate it. However, I think we should remind the Members of this body that we have an entirely different set of figures than those which the gentleman has just presented. In the United States we had 25,000 lead-zinc miners who worked in 1952. Today we have 9,000. In other words, we are down 16,000.

Mr. KIRWAN. Who brings that stuff in here?

Mr. DAWSON of Utah. The gentleman quoted some unemployment figures which are entirely misleading.

Mr. KIRWAN. No.

Mr. DAWSON of Utah. I refuse to yield further, Mr. Speaker. All I am asking this body to do is to give us a chance to present the figures before this group in general debate. You realize that in 4 minutes I cannot come up with the figures to refute what the gentleman has said.

I simply want to remind you of this fact, that you have at stake here the mining industry of this country. The mining industry and its employees are the backbone of the defense of the Nation. I have here a statement from which I wish to read:

The history of society shows that mineral deposits have always been, and are, an important source of the wealth, strength, and power of nations. • • • The United States of America owes its high standard of industrialization to the intense exploitation of its abundant and varied mineral deposits.

That was not written in this country. That is a report entitled "Mineral Wealth of the U. S. S. R.," written by some Russians. They recognize what it takes to make an economy grow, and I am here to tell you that if you do not give us a rule and a vote for this bill freely and openly you are endangering the defense of this country.

I could spend some time discussing the efforts we have made trying to get some relief. The lead and zinc industry has sought relief from the Tariff Commission. We received favorable recommendation for relief. We have appeared before the Ways and Means Committee. They turned us back to the Tariff Commission. We have done everything the law requires under the Reciprocal Trade Agreements Act.

Everyone recognizes this is a dying industry. I want to remind you that the stockpile objectives that have been referred to are based on a going domestic economy. If this domestic mining industry goes down then your stockpile objectives go up. It was based on a 3-year period, taking into consideration a healthy domestic mining industry. If you kill the industry by voting this rule down you are going to raise immediately the stockpile objectives and you are going to find yourselves dependent on foreign sources of supplies of your metals; and, believe me, when boats bringing these ores from the Belgian Congo, boats loaded with metal we need, and as a result of submarine warfare they never reach our shores, you will find yourselves gathering up the scraps trying desperately to reestablish the domestic industry.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. EDMONDSON. Would the gentleman agree with me that never in all the history of mankind where a nation has become solely dependent on foreign sources for its minerals, has it survived?

Mr. DAWSON of Utah. The gentleman is perfectly correct. The Russians recognize that fact, and that is the reason they have recognized the importance of developing and exploiting their minerals. If we in this country fail, we are building for ourselves the worst kind of trap.

Mr. SMITH of Virginia. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. ROGERS].

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks at this point in the RECORD on this resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. UTT. Mr. Speaker, the tristate lead and zinc area which is located in Kansas, Oklahoma, and Missouri, is now and has been for about a year and a half in a distressed condition.

There is a total of 147 active mines in this district, all of which are now completely closed down due to the low price of zinc and lead. This low price has been caused entirely by the large imports, practically duty free, from several foreign countries.

Of course, with these mines closed down, all of our miners are out of work and even those employees who are engaged in working in smelters and other related industry, are now without employment.

The income that accrues to our National Government in the form of taxes from mineowners and mill operators has completely disappeared under such a disastrous program.

The controlling of underground water in these mines in periods of shutdown reaches disastrous proportion. If these mines are to be retained for the future use of the American people, millions of dollars must be spent in pumping to keep them dry.

I have a report which shows that 10 of the active mines are now being allowed to fill with water, and that 10 of the more prosperous companies are continuing pumping operations in their mines at a cost of one-half million dollars a year in hopes that lead and zinc prices will finally reach the point where they can operate at a small profit.

The question we are resolving here today is whether or not this Congress wants to accept the responsibility for allowing underground water to take over this entire mining area. If we do not want to accept that responsibility, then the provisions in S. 4036 will allow these mines and miners to operate for the benefit of the American people.

During World War I, 50 percent of the lead and zinc used in this country was supplied by this field. During World War II, 12 percent of our total needs were met from this area. Of course, our needs were greater in World War II than in World War I and during World War I they were mining a higher grade of concentrated ore.

A prolonged distressed period in the mining industry in the tristate area, such as we have now, will cause all future benefits of this mining field to be lost to the entire American people, because it is an established fact that the underground water problem is such that once the mines are allowed to fill up, caveins, loss of mining machinery, and other costs of production will make it prohibitive to ever reopen these mines.

If you do not want to accept the responsibility of forcing the American people to become wholly dependent upon foreign imports of these ores, then you should vote for S. 4036.

Mr. HORAN. Mr. Speaker, this is as good a bill as our mining industry can get in order to keep our domestic underground mines in operation. In some ways it is merely a standby bill. Actually it is not a subsidy bill—nor a relief bill. It will merely keep our mines from being closed and filling up with water.

I would like to point up some of the purely local considerations in connection with the mining with which this bill concerns itself.

LOCAL CONSIDERATIONS IN CONNECTION WITH MINERALS STABILIZATION PLAN

Although the industries producing the five commodities included in the stabilization plan are not large employers of labor (total mining, milling, smelting, and refining employment is under 100,000), the employment is of substantial importance in a number of local communities throughout the United States. Mining is highly significant in that is is concentrated in only a few areas. For example, fully 63 percent of the total employment in lead and zinc mining is concentrated in 10 counties, primarily in the Western States. Employment in this industry constitutes up to 47 percent of the total labor force in these counties. Obviously, any substantial dislocation with respect to employment opportunities in these mining-oriented areas can be crippling to the entire community. This is particularly true when account is taken of the fact that a large portion of the remaining labor force not directly engaged in mining is dependent upon the miners in the community for its livelihood.

Similarly, in smelting and refining of mineral commodities there has developed a pattern of large-scale community dependence upon the smelter as the main source of local employment. In small communities throughout the United States, running from New Jersey through Pennsylvania, across into Illinois and Missouri, Nebraska, Colorado, and on up to Idaho and Washington, this pattern of community dependence upon local mining and mining-related activities can be found.

It should be emphasized that the employment aspects, while an important consideration in development and administration support of the plan, are by no means the major factor that was considered in the plan. Of far greater importance was the desire of the administration and of many of the Members of Congress who support this measure to do whatever was necessary to prevent the wholesale liquidation of large blocks of capacity of the affected minerals industries. The recent record of these industries is clear. Lead and zinc and copper are today operating at something like 70 percent of their rated capacity. Many of the firms which have had to shut down or take serious curtailments in their production are small and simply do not have the financial resources required to fight a long price battle. Daily they are coming closer to the point where they must liquidate their few remaining assets and close their doors perhaps forever. We have heard many times the story of the mines which have been forced to shut down subsequently becoming watered and which are now lost forever. Much the same sort of thing is happening to other treatment facilities. Mills are being cannibalized. The equipment of smelters and refineries is being sold off.

The following compilation contains details as to local employment of the industries included in the stabilization plan:

Mining and milling employment

COPPER

County and State	Copper employees as percent of labor force, 1956	Copper production as percent of total United States, 1956
Salt Lake City, Utah	5.7	23
Greenlee, Ariz	68.7	12
Pinal, Ariz	14.6	11
Silverbow, Mont	30.5	9
Pima, Ariz	3.1	8
Gila, Ariz	23.7	8
Cochise, Ariz	12.8	7
Grant, N. Mex	46.7	6
White Pine, Nev	16.0	5
Ontonagon, Mich	41.3	3
Total		91

LEAD AND ZINC

County and State	Lead and zinc employees as percent of labor force, 1956	Lead and zinc production as percent of total United States, 1956
Shoshone, Idaho	24.0	12
St. Francois, Mo	16.1	11
Silverbow, Mont	30.5	9
St. Lawrence, N. Y	1.6	7
Salt Lake, Utah	5.7	6
Grant, N. Mex	46.7	4
Cherokee, Kans	8.9	4
Ottawa, Okla	7.2	4
Eagle, Colo	27.6	3
Wythe, Va	7.1	2
Total		63

FLUORSPAR, ACID-GRADE

County and State:	*Acid-grade fluorspar employees as percent of labor force, 1954*
Hardin, Ill	15.0
Jackson, Colo	15.0
Boulder, Colo	.6
Nye, Nev	6.0
Crittendon, Ky	1.0

NOTE.—Above counties supplied 100 percent of production.

TUNGSTEN

County and State	Tungsten employees as percent of labor force, 1954	Tungsten production as percent of total United States, 1956
Vance, N. C	4.8	17
Inyo, Calif	14.3	15
Humboldt, Nev	25.9	13
Beaverhead, Mont	2.6	8
Mono, Calif	34.2	8
Pershing, Nev	22.3	7
Lincoln, Nev	18.7	6
Mineral, Nev	9.5	5
Lake, Colo	6.3	5
Lemhi, Idaho	2.0	3
Total		87

Mr. HENDERSON. Mr. Speaker, this bill is the payoff in the deal that was made by the advocates of our questionable trade policies in order to win support from the mining States for the Reciprocal Trade Act. The promise of subsidies was made in exchange for a handful of votes, and the taxpayers of Ohio and elsewhere are to be asked to foot the bill for a $650 million bribe. I do not like the savor of any part of it. There has been trouble stemming from import competition in the mining industry—particularly with respect to lead and zinc—for many years. What is proposed here is direct Government subsidy rather than facing of the inadequacies of our trade policy and reevaluating the cause of the trouble rather than a piecemeal treatment of the symptoms. This bill reminds me of the old adage that "the wheel that squeaks the loudest gets the grease." In this case, the wheel is the western mining industry and the grease is valued at $650 million.

I am aware of the difficulties in the mining industry today and for some years past and I am very sympathetic with them—far more so, I suspect, than many of the supporters of this bill here today. These troubles with import competition are not unlike those I know so well in southeastern Ohio, where industries, coal and oil producers, have felt the blows of import competition stimulated and encouraged by our trade policies.

A bill of this kind is an opening wedge of many sorts. It will make certain minerals industries the dependents of the Department of the Interior. Other segments of the mineral industries, the coal producers of America, for instance, the oil producers of Ohio, for instance, can make claims which are equally valid. If this precedent prevailed we would take a long step toward nationalization of natural resources.

There is a bad odor about this legislation. If one segment of American enterprise is to be supported by the taxpayers because a paper-back Congress passed a tariff act that will harm them, then the thousand-and-one other segments of our economy which face destruction are entitled to the same treatment. The pottery, glass, tile, chemical, aluminum, stainless steel flatware people are entitled to this same treatment, because Congress has threatened them with economic disaster as surely and as certainly as the mines covered in this bill. I am opposed to this measure because of what it does and what it does not do.

It is only fair to warn the Congress that if this legislation is approved the 86th Congress will be topheavy with legislation of a similar sort, and the precedent we may set here will demand that we follow the same course. Perhaps there will be a sort of sadistic justice in all of this. We have embarked upon a tragic trade policy at the insistence of groups of industries which can prosper in such an atmosphere. The further we travel along that policy, the longer will be the list of the industrial taxpayers who will cease to be taxpayers, and who, like those for whom this bill is designed, will actually become beneficiaries of the Government. Those who brought about this unhappy situation will find themselves paying an increasing share of the taxes to support the industries which they have destroyed. What then has been gained?

Mr. MACK of Washington. Mr. Speaker, I am opposed to this bill which would grant $650,000,000 in subsidies to be paid by the taxpayers of America to the lead, zinc, tungsten, copper, fluorspar and other mining industries.

It is claimed that these mining industries have been injured by too much imports of ores from low-wage foreign nations. If this is true then these mining industries are suffering from nothing that a little old fashioned tariff reform will not cure.

Under actions taken earlier this year by this Congress imports of foreign ore that would undersell the output of American mines were encouraged. This bill which is before us today proposes that to offset the low price of foreign ores we should subsidize American mining companies to place them in a position to compete with low-wage foreign imported ore.

If Congress pays mining subsidies to companies injured by foreign imports, it ought to extend subsidies to all industries including the plywood, fishing, and lumber industries. It should not confine the subsidies to one special industry. The cost of such a program would be astronomical.

This bill is the best proof I have seen that reasonable quota limits should be imposed on foreign imports from low-wage foreign countries.

If this bill is beaten perhaps more united support will be obtained in the next Congress to place quota limits or tariff rates that will slow down the importation of too much low-wage foreign goods that are taking away the jobs of American workers, not in mining alone but in many other industries.

Mr. SCUDDER. Mr. Speaker, I rise in favor of House Resolution 689 which will permit a 2-hour debate on S. 4036.

The mining industry in our country has been placed in a very serious condition because of the excessive imports. There is only one way in which the mines of our country can be kept operating and that is to restrict imports of the minerals we produce or to, in some way, finance in part the mining of mineral ores for future use.

During World War II, the ore ships that were delivering ore to the United States suffered great casualties and an urgent appeal was made to open up and develop American mines. This was done. But with the cheaper labor market in other countries, it was most difficult to continue the operation of American mines. This caused a surplus of minerals in stockpiles in the United States.

I am very much aware of the world condition and the necessity of continuing our trade with countries supplying us with various minerals. But we either have to restrict the imports or again, I repeat, we must do something to bolster the mining economy. Once a mine is shut down, it takes months, and sometimes years, to put it back into production. We cannot afford not to have a healthy mining condition because should another world conflict be thrust upon us, we know the potentialities of those who well might be our enemies and with unlimited submarines could put our mineral shipments out of commission in a very short period of time.

I feel that it is imperative that we keep our mines effectively operating and I am particularly interested in section 401 of title IV which provides that chromite shall be supported in this program. I believe a well-rounded program of this sort will put many men to work and continue effectively the mining industry in this country.

I trust that the rule is favorably acted upon.

Mr. CHENOWETH. Mr. Chairman, I rise in support of the rule, and I hope that it will be adopted. I am for this bill and I feel the House will pass this measure if all of the facts are presented.

This bill, which will stabilize the production of certain metals, is of great importance to our domestic mining industry. Personally, I would have preferred to raise the import duties on these metals, and thereby give our domestic producers a price which would enable them to operate. However, the decision has been made that import duties are out, and this bill is the only solution that will be offered at this session of Congress.

Everyone recognizes the necessity of maintaining a healthy domestic mining industry. It is obvious that our domestic mines cannot operate in competition with the cheap labor to be found in foreign countries. I know that the industry would also prefer to have the quota system, but they have no alternative to accepting this legislation.

In time of war we must rely to a great extent on our domestic mines to produce the strategic metals so desperately needed for our war effort. These mines cannot operate only in time of war. When a mine is closed it is usually closed forever. If we are to have a domestic mining industry we must find a way to keep these mines in operation, and this bill today offers the only hope in sight at this time.

Mr. Chairman, I hope the rule will be adopted, and the bill passed.

Mr. ROGERS of Texas. Mr. Speaker, I want to say that when I first read this

bill and when it first came to my attention I was opposed to it for the same reasons that were voiced by my friend the gentleman from New York [Mr. PILLION] and my friend the gentleman from Ohio [Mr. KIRWAN]. But I then read the bill and I studied the problem, and I changed my mind. I think that in the general debate on this bill many people who are Members of this Congress interested in doing something for this country will change their minds that this is a straight-out subsidy bill designed to hand somebody something on a silver platter, and that it has a sound basis under our American scheme of things and that they will vote for it.

In the first place, this is not a stockpile bill.

A great mistake has been made about that. We have heard much from the standpoint of a defense stockpile. Defense is one thing and general sound economy of the country is another thing. Both are essential.

Mr. Speaker, much has been said about how many pounds and how many tons of this and that material we have in the stockpiles. I do not want to argue with those figures because I understand that all the stockpile figures are classified. I have had access to some of them but I am not going to tell you that we have so many tons and so many pounds of any particular strategic material for the simple reason that situations can change from day to day because the yardstocks insofar as requirements are concerned change. But bear in mind only one thing, this bill is not a stockpile bill. It has to do with the shoring up of one segment of our economy that is sagging. One of the things that carried me over to the side of this bill more than anything else was the fact that it became so obvious when you studied the problem that this is, if we pass the bill, and I hope we will, one of the prices that has to be paid if we are going to continue to support a reciprocal-trade program and a foreign-aid program. Every Member who participated in the campaigns to adopt these foreign-aid programs and the reciprocal-trade program certainly ought to support this rule and the bill, and even those people who voted against those programs, I am sure voted against them for the reason I did, and that is because I felt they were not contributing to the business interests of this country and were not supporting the small-business interests of this country. They ought to support this bill, however, because it is your chance to do something for American business. It is the only time that the small domestic industry has had its day in court in this session of the Congress.

In my opinion, the Rules Committee did a grand thing when it let us bring this bill to the floor of the House for you to pass on the resolution, allowing us to go into general debate to explain the bill to you. When we do that I think you will be sold on the bill and every one of you will vote for it. I for one believe that something must be done if we are to retain basic industries. We must not permit ourselves to become dependent on foreign supplies.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from California [Mr. KING].

Mr. KING. Mr. Speaker, there has been a rash of unsubstantiated statements—in fact, plain speculation—in respect to copper in the national stockpile.

To set the record straight, once and for all, I shall now read a letter received by me this morning from Chairman JAMES E. MURRAY, of the Senate Interior and Insular Affairs Committee. The letter reads:

> This is to inform you that the committee has today been officially advised by the Director of the Office of Defense and Civilian Mobilization that the stockpile position in respect to copper is that only three-fourths, or 75 percent, of the maximum objective has been procured.
>
> Your attention is called to the fact that the maximum objective mentioned above contemplates that any possible conflict will last only 3 years, rather than the earlier concept of a 5-year war. In other words, throughout the years that the Government has been stockpiling minerals only three-fourths of our maximum copper needs for a war of 3 years' duration has been acquired for the stockpile.

These, Mr. Speaker, are the facts. There is room in the stockpile for additional copper. There is need for additional copper in the stockpile.

Mr. SMITH of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Speaker, this resolution should be voted down. I shall vote No as it will be a vote to save the American taxpayers approximately a half billion dollars. If Congress had adjourned last week we would have saved the taxpayers approximately $3 billion dollars. The only one that cannot be heard in these debates such as this one about subsidization of minerals is the American taxpayer who foots the bill. He is not here to pass on whether or not he approves this legislation, but we are his representatives and we can save a half billion dollars against a deficit which is looming up of $12 billion if you defeat this rule.

As was pointed out, this is not a stockpiling matter. This is a program for incentive payments designed to maintain certain production.

Mr. Speaker, I shall vote against this resolution.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Arizona [Mr. RHODES].

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Virginia.

Mr. POFF. Am I correct in my understanding that this bill does not incorporate manganese?

Mr. RHODES of Arizona. That is correct.

Mr. POFF. I thank the gentleman.

Mr. RHODES of Arizona. Mr. Speaker, I would like to put this bill back into proper perspective. This is not a relief bill; this is not an unemployment bill; this is a bill to save a very basic industry which is necessary in the defense of our country. We have heard this bill called the Brannan plan. Let me explain to you the difference between this bill and the Brannan plan. The Brannan plan was designed primarily to help farmers to keep land in production. There was no defense concept involved; in fact, if you were going to look at defense alone, you would have let the land lie fallow, because its fertility increases when it lies fallow, and then when it is needed it grows more crops. As far as a mine is concerned, however, if you shut a mine down, that mine is dead for all practical purposes. You can resurrect it, but it takes a lot of money, it takes a lot of time which can ill be afforded in times of national need to resurrect it. Mines flood; the timbers rot; the machinery goes to rust, and you just do not have a mine any more until you put out the sinew, the money, and the time needed to put it back into production. This, then, is an asset which must be kept in being if this country is to be prepared for any future defense necessity.

The gentleman from Ohio mentions stockpiling. Do you know what stockpiling is? It is somebody's idea as to what this country might need in the event of a national emergency. Stockpiling is nothing better than an educated guess, I submit to you, the Members of this House, that the only possible way to make it certain we have the metals for real defense is to have a domestic industry which is in being, in production, and ready to produce.

This bill does not expand the industry. All it does is to make it possible for the producers of metals which are included in this bill to proceed to keep their mines in operation on a very minimum basis. This is not a basis upon which a lot of money is going to be made. This is a basis upon which there is sufficient incentive for people to continue to operate so that this particular industry, which is so vital for defense, will be available in the event the country needs it.

Now, as far as the level of a stockpile is concerned, I noticed one very important difference in terms in the speech made by my friend, the gentleman from Ohio [Mr. KIRWAN]. In talking about the stockpile for various metals he mentioned the words "maximum requirements." Then when he talked about the stockpile for copper, he mentioned the term "basic defense requirements." And, I think you will notice that he also said that we had 1½ times as much copper as was needed for basic defense requirements. Now, as the gentleman who preceded me mentioned, the actual level of these stockpiles is classified, but I would bet you, any one of you, that the level in the copper stockpile does not exceed the maximum requirement. As I understand it, the maximum requirement is an amount which is deemed necessary to support in war, not only the war effort but also the necessary civilian requirements, while the term "basic defense requirement" is that amount which will support only the war effort. I emphasize that each is only an educated guess.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. On that point, I think it is well to establish the fact that we used more copper in 1 year in World War II than we have at this time as our maximum stockpile objective for copper.

Mr. RHODES of Arizona. I thank the gentleman for his contribution. I am sure that is absolutely correct.

Now, how did this industry get in this particular situation? We got in this situation because during World War II and the Korean war people were being begged to go out and find ore deposits and construct the mines to produce needed metals. People were being begged to go prospecting to find copper, to find lead and zinc and all of the other metallic sinews of war. But, Mr. Speaker, we were not going to get enough metals and minerals by our begging, and so we also made long-term contracts, for production in other countries. It is necessary for us to continue to buy the production from the countries with which we contracted. So we find that this industry which was asked to expand is now being hurt by having to contract because of the production in other countries and also because of a slackening of the need in this country for some of the metals which we have covered in this bill.

Mr. Speaker, I hope that this rule will be adopted so that we can continue to tell this story in the Committee of the Whole.

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, in the Southern Appalachian region, of which Virginia is a part, lies perhaps the largest undeveloped low-grade manganese deposit in the United States. The deposit is undeveloped only because the Government over the years has consciously and deliberately discriminated against this region. West of the Mississippi River there are 3 Government low-grade manganese purchase depots and stockpiles; East of the Mississippi River there is none. In 1956, Congress passed legislation which included authorization for the establishment of such a depot for our region. Because the bill was unsatisfactory in other particulars, the President vetoed it.

The bill now under debate, S. 4036, completely ignores manganese. The Department of the Interior says that manganese was omitted because manganese has its own program. I call attention to the fact that this program is scheduled to expire on January 1, 1961 or as soon as 28 million units have been acquired. Currently, the Government is buying domestic manganese at the rate of approximately 500,000 units a month. At that rate, the 28 million unit authorization will have been subscribed by the end of calendar year 1959. Accordingly, the need for manganese legislation is just as urgent as the need for legislation concerning copper, lead, and zinc. Indeed, insofar as low-grade manganese owners are concerned, the need is infinitely more urgent.

Because of cheap foreign labor, cheap water transportation and low tariff rates, the United States has filled most of its manganese stockpiles from foreign sources, either through direct purchase or barter of agricultural commodities. In fact, about 90 percent of the manganese in our stockpiles came from foreign producers. While this policy may have resulted in some temporary economy, its long-range effect has been to jeopardize the defensive posture of the United States. Foreign purchases have closed down many domestic mines and have almost completely curtailed domestic exploration. It takes several months to activate a known deposit of manganese and sometimes several years to locate new deposits for future activation. In the event of war, with coast lines blockaded, sea lanes closed and naval tonnage pressed into military transportation, these foreign sources would no longer be available. At that point, it would be too late to embark upon a program to encourage domestic exploration and production.

Such a program must be started in peacetime and maintained in peacetime so long as international tension creates a war-threat climate. The only possible incentive for domestic exploration and production is a ready market and a guaranty that the ready market will continue to exist for a period sufficient to protect the necessary capital outlay of private enterprise.

It has been estimated that domestic producers today supply 15 percent of America's annual consumptive needs. It is believed that with a proper incentive program and the new ore bodies which would be found and developed thereby, domestic producers could supply up to 50 percent of our needs. Even in such case, we would still be dependent upon foreign sources unless our stockpiles during peacetime are made sufficiently large to carry us through a protracted emergency. If we are to err, let it be on the side of abundance instead of scarcity. A war cannot be waged without steel; steel cannot be made without manganese.

While we in Virginia, being the second largest high-grade manganese producers in the continental United States, are vitally concerned about the high-grade program, we are no less concerned about the low-grade program. Unlike the high-grade producer, the low-grade producer must pay the freight from point of production to one of the western depots. These freight costs render low-grade production in the East economically impractical. Accordingly, the low-grade ores which result as a byproduct of the high-grade mining process and the low-grade wad deposits which lie in such abundance in the southern Appalachian Region and which would do so much to relieve America of her dependence on foreign ores, cannot be exploited.

Because of the establishment of the low-grade purchase depots at Wenden, Deming, and Butte-Philipsburg, low-grade producers in the West have been able to market their products without extensive freight costs. Low-grade producers in the East have simply had no market.

Because of this further discrimination against low-grade manganese producers in the East, as well as for other reasons, I shall vote against S. 4036.

Mr. Speaker, under leave to extend my remarks, I quote herewith the amendment which I had planned to offer but which I have been advised by the Parliamentarian is not germane and cannot be considered in this debate:

> The Secretary is hereby authorized to establish for the southern Appalachian Region a purchase program, purchase depot, and stockpile for low-grade manganese ores and to fix specifications, assign a quota and issue regulations similar to the specifications, quotas and regulations promulgated under authority of the Strategic and Critical Materials Stockpiling Act (53 Stat. 811), as amended, and the Defense Production Act of 1950 (64 Stat. 798), as amended, for the low-grade manganese purchase program at Wenden, Ariz.; Deming, N. Mex.; and Butte-Philipsburg, Mont.

Mr. SMITH of Virginia. Mr. Speaker, I yield 2½ minutes to the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Speaker, because of the limited time I have I shall confine my remarks to title III, which provides for the purchase of 150,000 tons of copper at not more than 27½ cents. Yesterday I had inserted in the RECORD, and it would have been printed in the RECORD if the Government Printing Office had printed an Appendix, telegrams from the Butte Miners Union telling me that over 3,500 formerly employed members of that union were no longer employed; that from 1956 to 1958, 73 percent of their membership had become unemployed in the Butte mines. That is what has happened in one mining camp.

I also inserted in the RECORD yesterday and you would have had the opportunity to read it had an Appendix been printed, letters, telegrams, and statements from small, independent mining operators employing less than 500 miners, in the State of Montana. They said to me that if this bill, S. 4036, is not passed, we will be able to count the basic mineral producers in Montana on the fingers of one hand. One of the few mining corporations left operating in Montana would be the Anaconda Co.

Yesterday I also inserted in the RECORD a statement from the Board of County Commissioners of Silver Bow County, where all the copper mining in Montana is located. The board of county commissioners said that in the last 7 months their welfare payments have gone up 10 to 12 times because the miners have been running out of unemployment compensation.

Mr. Speaker, that is not the important part of this bill. The important part of this bill is the survival of the copper-mining industry in America, the survival in Butte, in Arizona, in Utah, and in other localities in the United States of mining activities. We do not produce enough copper either for our military needs or for our domestic needs to maintain a high standard of living.

In the scant time I have, I want to touch on the national problem. Copper

is the most nearly indispensable strategic metal. Copper mining consumes a half billion dollars worth of goods every year—cement, steel, lumber, explosives, automotive equipment, power shovels. Copper is also an essential domestic peacetime metal; 40 to 70 pounds of copper go into every automobile; it is needed for our missile program and space development; for our expanding electrical networks and telephone systems.

For many years, the United States was a copper-exporting nation, is still the largest single producer of copper. We no longer produce enough copper to supply the domestic demand. We produce about 42 percent of the free world's production and consume about 51 percent of that production.

The passage of this bill will stabilize our domestic production at about 1 million tons of copper per year. We can anticipate a peacetime need of an additional half million tons annually over the next few years.

This means that a strong and efficient and productive domestic copper-mining industry is essential to national security and to the maintenance of a high standard of living. At the same time, a constant supply of foreign copper is necessary to meet the ever-increasing demands.

The gentleman from Ohio [Mr. KRWAN] said that there was imported into the United States from Chile 236,000 tons of copper every year. Most of that comes into the United States and is refined at Perth Amboy, at Baltimore, and other refineries along the eastern seaboard, and then transshipped to the European markets. Are you not glad that these copper-mining companies are operating so that we have those refineries on the east coast of the United States, so that people are being employed in your industries? Only 15 percent of that Chilean copper is kept in the United States.

This is easily demonstrated by an examination of the type of copper that is imported. From Chile in 1956 came 175,891 tons of blister copper. That is the unrefined copper that must go through an additional purifying process to become electrolytic copper for use in commerce. This blister copper was brought into the American Smelting and Refining Co.'s plants at Perth Amboy, N. J., and Baltimore, Md., and into the International Smelting and Refining Co.'s smelter at Perth Amboy, and refined. The refined copper is then exported to European markets.

The 41,000 tons of refined Chilean copper imported in 1956 was largely used in the United States. The remaining 18,000 was ore and matte, and that, too, was refined and shipped to the European market.

On the other hand, of the 120,000 tons imported into the United States from Canada, 94,000 tons was refined copper, mainly from companies owned outside the United States and this refined copper was consumed in this country.

I urge that the rule be adopted, and we be permitted to debate this bill.

The SPEAKER. The time of the gentleman from Montana [Mr. METCALF] has expired. All time has expired.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 198, nays 165, answered "present" 1, not voting 65, as follows:

[Roll No. 181]

YEAS—198

Addonizio	George	Nix
Albert	Glenn	O'Brien, Ill.
Alexander	Granahan	O'Hara, Ill.
Allen, Calif.	Gray	O'Konski
Allen, Ill.	Green, Pa.	Patman
Anderson, Mont.	Gregory	Patterson
Aspinall	Griffin	Perkins
Avery	Griffiths	Pfost
Ayres	Gubser	Poage
Baker	Hagen	Porter
Baldwin	Halleck	Price
Baring	Harris	Rains
Barrett	Healey	Reece, Tenn.
Bass, Tenn.	Hemphill	Rees, Kans.
Beckworth	Hill	Reuss
Bennett, Mich.	Holifield	Rhodes, Ariz.
Berry	Holland	Rhodes, Pa.
Boggs	Holmes	Riehlman
Bolling	Holtzman	Roberts
Bolton	Horan	Robison, N. Y.
Bonner	Huddleston	Rodino
Bray	Hull	Rogers, Colo.
Breeding	Hyde	Rogers, Mass.
Brooks, Tex.	Ikard	Rogers, Tex.
Broomfield	Jarman	Roosevelt
Brown, Mo.	Jennings	Rutherford
Broyhill	Jensen	Santangelo
Byrne, Pa.	Jonas	Saund
Byrnes, Wis.	Jones, Ala.	Scott, Pa.
Canfield	Judd	Scrivner
Carnahan	Karsten	Scudder
Cederberg	Kearns	Sheppard
Celler	Keogh	Sisk
Chelf	King	Smith, Kans.
Chenoweth	Knox	Smith, Miss.
Christopher	Kruger	Staggers
Clark	Lafore	Steed
Coad	Landrum	Sullivan
Cooley	Lennon	Teller
Corbett	Lesinski	Tewes
Cunningham, Nebr.	Libonati	Thompson, N. J.
Curtin	Loser	Thompson, Tex.
Curtis, Mo.	McCarthy	Thomson, Wyo.
Dawson, Utah	McDonough	Thornberry
Dellay	McFall	Tollefson
Dent	McGovern	Tuck
Diggs	McIntosh	Udall
Dingell	Machrowicz	Ullman
Dixon	Mack, Ill.	Van Pelt
Dollinger	Madden	Vorys
Dooley	Mailliard	Vursell
Durham	Marshall	Walter
Dwyer	May	Watts
Edmondson	Meader	Weaver
Elliott	Merrow	Westland
Everett	Metcalf	Wildnall
Evins	Miller, Nebr.	Wigglesworth
Faberstein	Mills	Willis
Fino	Mitchell	Wilson, Calif.
Flood	Morano	Wilson, Ind.
Fountain	Morgan	Withrow
Frazier	Morris	Wolverton
Fulton	Morrison	Wright
Garmatz	Moss	Younger
Gathings	Moulder	Zablocki
	Multer	Zelenko
	Nimtz	

NAYS—165

Abbitt	Bennett, Fla.	Byrne, Ill.
Abernethy	Bentley	Cannon
Adair	Betts	Carrigg
Alger	Blatnik	Chamberlain
Andersen, H. Carl	Boland	Chiperfield
Andrews	Bosch	Church
Ashley	Bow	Collier
Ashmore	Boyle	Cramer
Auchincloss	Brown, Ga.	Cretella
Bass, N. H.	Brown, Ohio	Cunningham, Iowa
Bates	Burleson	Curtis, Mass.
Becker	Bush	Dague
	Byrd	
Davis, Ga.	Johansen	Quie
Davis, Tenn.	Johnson	Rabaut
Delaney	Kean	Ray
Dennison	Keating	Reed
Denton	Kee	Riley
Devereux	Kelly, N. Y.	Rivers
Donohue	Kilday	Robeson, Va.
Dorn, N. Y.	Kilgore	Robsion, Ky.
Dorn, S. C.	Kirwan	Rogers, Fla.
Dowdy	Kitchin	Rooney
Eberharter	Klucsynski	Sadlak
Fallon	Knutson	St. George
Fascell	Laird	Saylor
Feighan	Lane	Schenck
Fenton	Lankford	Scherer
Fisher	Latham	Schwengel
Flynt	Lipscomb	Scott, N. C.
Fogarty	McGregor	Seely-Brown
Forand	McMillan	Selden
Ford	Mack, Wash.	Sheehan
Forrester	Mahon	Sikes
Frelinghuysen	Matthews	Siler
Gary	Michel	Simpson, Ill.
Gavin	Miller, Md.	Simpson, Pa.
Grant	Moore	Smith, Calif.
Green, Oreg.	Mumma	Smith, Va.
Gross	Murray	Springer
Haley	Natcher	Stauffer
Harden	Neal	Taber
Hardy	Nicholson	Talle
Harrison, Va.	Norblad	Taylor
Harvey	Norrell	Teague, Calif.
Haskell	O'Brien, N. Y.	Thomas
Hays, Ohio	O'Neill	Utt
Henderson	O'Hara, Minn.	Van Zandt
Herlong	Ostertag	Vinson
Heselton	Passman	Wharton
Hess	Pelly	Whitener,
Hiestand	Philbin	Whitten
Hoeven	Pilcher	Wier
Holt	Pillion	Williams, Miss.
Hosmer	Poff	Yates
Jackson	Polk	

"PRESENT"—1

Magnuson

NOT VOTING—65

Anfuso	Engle	Miller, Calif.
Arends	Friedel	Miller, N. Y.
Bailey	Gordon	Minshall
Barden	Gwinn	Montoya
Baumhart	Hale	Osmers
Beamer	Harrison, Nebr.	Powell
Belcher	Hays, Ark.	Preston
Blitch	Hébert	Prouty
Boykin	Hillings	Radwan
Brooks, La.	Hoffman	Shelley
Brownson	James	Shuford
Buckley	Jenkins	Sieminski
Budge	Jones, Mo.	Spence
Burdick	Kearney	Teague, Tex.
Clevenger	Kilburn	Thompson, La.
Coffin	LeCompte	Trimble
Colmer	McCormack	Vanik
Coudert	McCulloch	Wainwright
Dawson, Ill.	McIntire	Williams, N. Y.
Derounian	Macdonald	Winstead
Dies	Martin	Young
Doyle	Mason	

The resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Martin for, with Mr. Magnuson against.
Mr. Hébert for, with Mr. Colmer against.
Mr. Thompson of Louisiana for, with Mr. Winstead against.
Mr. Buckley for, with Mr. Friedel against.
Mr. Kilburn for, with Mr. Minshall against.
Mr. Hillings for, with Mr. James against.
Mr. Burdick for, with Mr. Coudert against.
Mr. Engle for, with Mr. Jenkins against.
Mr. Doyle for, with Mr. Mason against.
Mr. Miller of California for, with Mr. Derounian against.
Mr. Coffin for, with Mr. Boykin against.
Mr. Shelley for, with Mr. Miller of New York against.
Mr. Dawson of Illinois for, with Mr. Clevenger against.
Mr. Gordon for, with Mr. Gwinn against.
Mr. Anfuso for, with Mr. Kearney against.
Mr. Montoya for, with Mr. Baumhart against.
Mr. Sieminski for, with Mr. Vanik against.
Mr. Hays of Arkansas for, with Mr. Bailey against.

Mr. Trimble for, with Mr. Williams of New York against.

Until further notice:

Mr. Macdonald with Mr. Arends.
Mr. Preston with Mr. Wainwright.
Mr. Young with Mr. Hoffman.
Mr. Teague of Texas with Mr. Hale.
Mr. Spence with Mr. McCulloch.
Mr. Shuford with Mr. Budge.
Mr. Barden with Mr. Harrison of Nebraska.
Mrs. Blitch with Mr. Beamer.
Mr. Dies with Mr. Osmers.
Mr. Brooks of Louisiana with Mr. Brownson.
Mr. Jones of Missouri with Mr. Prouty.

Mr. MAGNUSON. Mr. Speaker, on this vote I voted "nay." I have a live pair with the gentleman from Massachusetts [Mr. MARTIN]. I therefore withdraw my vote and vote "present."

Mr. ZELENKO changed his vote from "nay" to "yea."

Messrs. ABBITT and WIER changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 4036 with Mr. EVINS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill we are now considering.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Chairman, I yield 7 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, the legislation we have before us today is as vital to the future welfare of our country, as any we have considered this session of Congress.

We live in a metals economy. We use more metal than any other nation in the world. Our consumption of metal per capita is greater than that of other countries. It is largely through the use of metals that we maintain our high standard of living here in the United States.

Our experience has been that when we rely entirely on outside sources for our raw materials over a period of years our consumers pay "what the traffic will bear" or a much higher price for the metal requirements than when we have an ample source of supply within our borders.

We have extended substantial aid to those who do their mining outside our country. Mr. Chairman, we have distributed American dollars liberally in building up low cost competition for our domestic producers who employ American miners at American wage scales and buy American products protected in many instances (like steel and automobiles) by high tariffs or stabilized by subsidies. Yet we deny to our own domestic industry reasonable protection on incentives necessary to enable it to compete on equal terms with "cheap labor" products from mines abroad.

Domestic miners are not opposed to needed imports. Substantial imports of lead and zinc are needed to supplement our own production to meet our national requirements but not to the exclusion of our domestic industry.

Our lead production has fallen in the United States from an annual rate of 353,000 tons in 1956 to approximately 275,000 tons. Much of this metal is being produced at a loss under present conditions. Zinc production has likewise fallen from 600,000 tons for the first four months of 1957 to an annual rate of 450,000 tons. A large amount of this metal was also produced at a loss. Importers have without restraint flooded our markets with metals from low cost areas abroad. They have increased shipments into this country of unmanufactured lead from an average of 49,000 tons per year in 1937–39 to 317,000 tons in 1946–51 and to 517,000 tons per year during 1952–57. They have similarly dumped increasing amounts of unmanufactured zinc on our markets from 43,000 tons during 1937–39, to 340,000 tons during 1946–51, to 724,000 tons in 1952–57. Figures on competitive imports are equally impressive.

Such actions have driven the price of metals far below the cost of domestic production. The prices of lead dropping from 21½ cents per pound in late 1948 to 11 cents today and zinc from 19½ cents per pound in 1952 to less than 10 cents on today's market. We can ill afford to slough aside this situation or treat it lightly.

It has brought about seriously distressed conditions in practically all of the mining districts of the Nation.

To give but a few examples. All operations in the Wisconsin area have ceased but one, the tri-State district of Missouri, Kansas, and Oklahoma is in pitiful shape, the famous mining camps of Leadville, Silverton Crested Butte, Rico, Aspen, and others in my District in Colorado have closed down. Mines in Park City, Utah, Pioche, Nev., districts in New Mexico, Tennessee, New Jersey, Idaho, Washington, and elsewhere have been drastically affected. Some are still operating awaiting the action of this Congress before actually abandoning all hope of survival.

Our copper camps are similarly affected. For example in Butte, Mont., employment is down 63 percent among the miners and 75 percent among the craftsmen. Only one tungsten mine is left and the fluorspar producers are in the main experiencing similar difficulties. Increased production of the other minerals included in this legislation is advocated by the Department of the Interior in the national interest.

Some of my colleagues may not be as familiar with domestic mining practices and the nature of the mining business as are the members of our committee and perhaps other committees of the Congress which have made field investigations and conducted on the spot studies at conferences of the industries affected such as that of the National Mining Conference recently held in Denver, Colo. In fairness it should be called to your attention that mining is not like any other business. It takes years of effort to explore for and develop a mine. Many failures are experienced in the process. Mines must be timbered and kept safe against rock failure. In many cases pumps must be maintained in order to keep the workings dry. Our metal mines are in the main not shallow operations like those conducted in flat coal seams which are usually easily accessible. Many of our minerals are found at depth. Heavy machinery must be maintained. Hoists must be kept in order. Mining operations must be continuous and cannot be discontinued today and reopened tomorrow. As a general rule metal mines are found in isolated areas where no other activity not even farming can be carried on. No other industries can be conducted except those dependent upon the mines for their support. The whole economy of the areas is based on the products of the mines. So when management is confronted with ordering a shutdown it is not an easy decision to make for it often means destruction not only of the mine, but the causing of an economic loss which may never be recovered even at great expense. It often results in a destruction of a natural resource, and a violation of the law of conservation. Mr. Chairman it often means the destruction of an entire community. It is understandable why many mines have been continued in operation at a loss pending the outcome of this legislation.

Mr. Chairman the enactment of this legislation sets no precedent for other types of business to follow because of these and other fundamental differences between metal mining and other business generally. You cannot move a mine. When you shut down a mine you not only close down a factory but you also commit an economic waste which may never be recovered. Our national well being as well as our defense cannot be secure by allowing this destruction of our mines to continue.

The domestic mining industry has been to the Tariff Commission three times. The Commission has found in its favor three times but the relief it should have from cheap foreign imports has not been extended. It has no other alternative during this session of Congress but to seek the aid which this legislation provides. Frankly, I do not like it any more than some of my colleagues. I doubt whether it will encourage and stimulate mining activity in the United States the way I would like to see it done. I had hoped the administration would come forward with a realistic, long-range mineral or mining

program but instead we have only the Seaton plan on which to act.

In my opinion it is merely bread and water legislation. It may keep the patient alive but it would not add strength to his well-being. It will simply sustain his weary bones until we have a chance to explore and develop a realistic long range mineral policy.

The immediate question before us is do we want a domestic mining industry? If the answer is "yes," then we have no alternative but to pass this bill this session.

If we want to save the jobs of thousands of American miners whose skills are highly essential to successful mining and the defense of this country then we must act now to keep them from losing their jobs and making America dangerously dependent for its metals on foreign sources.

In comparison with the help we have extended abroad the amount of money involved in facilitating this program is small. In fact the plan is designed not only to stabilize part of our domestic mining industry but to do it in a way so as not to offend our friends and neighbors. This legislation can have no continuing ill effect upon a well planned and constructive economic relationship with our sister nations. Incidentally, it is a measure to put men back to work and continue employment in the metal mines of America.

I plead with my colleagues not to accept the proposals of those who assert that other relief may be more desirable. Other relief is not available. Those who advocate it know that is so but use the arguments of rich importers of metals who frankly do not want American mines to operate.

This administration has made it painfully clear that under present international conditions no other solution will meet executive approval.

For the sake of national defense, for the maintenance of our economy, for our future protection from the dangers involved from placing total dependence upon outside sources for our minerals, and for the healthy affect it will have on one of the most important segments of our economy, I plead with my colleagues to give this legislation your support now before further destruction of our domestic mining industry takes place and we find ourselves with "too little, too late."

Mr. HAYS of Ohio. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. (After counting.) One hundred and one Members are present, a quorum.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I hope you paid serious attention to our good colleague, the gentleman from Colorado [Mr. ASPINALL] who just preceded me. He made this statement:

> Such actions have driven the price of metals far below the cost of domestic production • • •.
>
> It has brought about seriously distressed conditions in practically all the mining districts of the Nation.

That, Mr. Chairman, is true. The policy that has been followed has brought about drastic situations in the entire mining industry and in every community in which there is mining in this country.

But does our committee bring to the floor of this House a bill that will solve the ills of the industry? Absolutely not.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I will not yield.

Of all of the products that are mined in America they have picked out copper, lead, zinc, acid-grade fluorspar, tungsten, beryl, chromite, and columbium-tantalum, and they would ask you under the guise of this bill to underwrite and support those few minerals, leaving all of the other parts of the American mining industry to go down the drain.

Each year, each and every Member of the House and Senate receives from the United States Bureau of Mines a report on the domestic mining industry. If you would take time to study this report, you would find these startling facts: There are produced in this country the following minerals that are also in the same horrible plight that has been pointed out by our colleague from Colorado:

Abrasive materials, including natural silica, special silica stone products, natural alumina abrasives, artificial abrasives, aluminum, antimony, arsenic, asbestos, barite, bauxite, beryllium, bismuth, boron, cadmium, cement.

Clays, including kaolin or china clay, ball clay, fire clay, including stoneware clay, bentonite, fuller's earth, and any and all other miscellaneous clays including shale and slip clay.

Cobalt, feldspar, nepheline syenite, and aplite.

Ferroalloys, fluorspar—metallurgical grade—and cryolite.

Gem stones, including all cutting material used by lapidaries.

Gold, gypsum, iodine, iron ore, lime, lithium, magnesium, magnesium compounds, manganese, mercury, mica, molybdenum, iron oxide pigments, nickel, nitrogen compounds, perlite, phosphate rock, platinum and platinum-group metals, potash, pumice and pumicite, quartz crystals—electronic grade.

Salt, sand and gravel, silver, slag—iron-blast furnace—slate, sodium and sodium compounds, stone, strontium, sulfur and pyrites, talc, soapstone, and pyrophyllite.

Tin, titanium, uranium, radium, thorium, vanadium, vermiculite, zirconium, and hafnium.

Also including such minor minerals as cesium, rubidium, gallium, germanium, indium, monazite, bastnaesite, euxenite, samarskite, fergusonite, selenium, tellurium, thallium, mineral wool, wollastonite.

Coal: anthracite, bituminous, lignite, and peat; carbon black, natural gas, crude petroleum and petroleum products.

If this committee is going to ask you to help the American mining industry and to undergird it, let us relieve the distressed conditions in all the mining districts of the Nation. Let us not pick out a few minerals. Let us be able to go back home and say that we undergirded the entire industry.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. Not at this point.

What is involved in this bill, is the selection of a few of the minerals mined in this country. It is true that they are in a sorry plight, but they are not the only minerals that are affected. All of these other minerals that are mined in areas represented by the Members here in Congress are in a sorry plight. Can you go home and say that you took care of the people in the lead and zinc mines; can you go home and say that you took care of the folks that happen to be in the flourspar and tungsten mining areas, but you did not take care of the miners in your own district? How are you going to explain that to the people in your own home towns?

They say that we have had complete hearings. The gentleman from Colorado [Mr. ASPINALL] very accurately told when we got the bill and what hearings were held. Then another item you may have to explain to your people at home, is the strange fact that this legislation came to the committee just after the reciprocal trade bill was passed and many of the principal supporters of this legislation voted for reciprocal trade.

Some hearings were held—they were of a very limited nature, and they only attempted to cover those minerals that were in the original bill. There has never been an attempt to hold hearings on the ills of the entire minerals industry and to present legislation designed to cure those ills.

This bill is not to relieve the distressed conditions in the entire mining industry—no—just the chosen few. Let us realize that if we are going to undergird an industry and if it is to be the policy of the American people that we are to subsidize an industry against foreign invasion, then there is a duty upon the Members of the Congress to see to it that every American citizen in both management and labor in that industry is given the same kind of treatment, and that every segment of the industry should be protected, and not just a few.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. ROGERS of Texas. Do I understand that because the gentleman thinks some of the other metals which he listed are in a distress situation, he is going to deny the salvation of the metals named in this bill even though he admits that their situation is in a very sorry state?

Mr. SAYLOR. I am not going to deny it. I am asking the Members of this House to include all of them, and at the proper times I am going to offer an amendment to accomplish that.

Mr. ROGERS of Texas. But if the House does not include all of them; is it the gentleman's intention to vote against those included in this bill?

Mr. SAYLOR. Then I am going to vote against those that are in the bill, unless the entire minerals industry and those employed in both management and labor are protected.

Mr. ROGERS of Texas. Is it not a fact with reference to the matter of this bill coming before the House at this late date that it was his administration that sent this bill up here and that it came before our committee at a late date and was recommended by the Department of the Interior by the Honorable Fred Seaton?

Mr. SAYLOR. That is correct. The administration sent it up here as an administration measure. I am a member of that party but I oppose the bill. I am not bound by anything that the administration sends up here when it does not do the kind of job I think the Members of Congress should be doing for the benefit of the country.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. HAYS of Ohio. Is it not pretty common knowledge around town that it was said this bill would come up if they could get enough votes from the right places for the reciprocal trade bill?

Mr. SAYLOR. I could not prove that, but it is a strange thing that the day before a number of people were going to vote against the reciprocal trade bill they suddenly changed their vote. I do not know that that was the actual reason for it, but this bill was sent up from the Department of the Interior immediately following the passage by the House of the reciprocal trade bill.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield further?

Mr. SAYLOR. Unless you yield me some time, I cannot yield.

Mr. ROGERS of Texas. I will be glad to yield a minute to the gentleman if I have used too much of his time. Is it not a fact speaking of reciprocal trade and foreign aid that that is one reason that these businesses are in the shape that they are in today because we have overdone this foreign aid and reciprocal trade deal and it is time for us to live up to our responsibility for our own business people.

Mr. SAYLOR. Yes, that is true, but look at what the Congress has done with the policy that it has followed on reciprocal trade. It has allowed the executive branch of the Government to take over what our Founding Fathers gave to us and placed as a responsibility on the Members of Congress. When each and every Member of this House stood up in this Chamber and raised his hand and swore to uphold the Constitution of the United States, a part of what you swore to uphold was that you would regulate commerce with foreign nations. You have surrendered that power to the executive branch of our Government, and they have so abused that privilege that industries in distress in this country cannot get relief from either the Tariff Commission or the Executive.

Then in an effort to appease the conscience of the Executive, they send up a bill like this to take care of a very small segment of a very sick industry.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. BROWN].

Mr. HAYS of Ohio. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. (After counting.) Eighty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 162]

Anfuso	Diggs	Metcalf
Arends	Doyle	Miller, Calif.
Bailey	Engle	Miller, N. Y.
Barden	Friedel	Minshall
Barrett	George	Montoya
Baumhart	Gordon	Moore
Beamer	Green, Oreg.	Powell
Belcher	Hale	Preston
Bentley	Harrison, Nebr.	Prouty
Blitch	Hébert	Sheehan
Boiling	Hillings	Shuford
Bosch	Hoffman	Sieminski
Boykin	James	Smith, Miss.
Brooks, La.	Jenkins	Smith, Va.
Brownson	Jones, Mo.	Spence
Buckley	Kean	Steed
Budge	Kearney	Teague, Tex.
Burdick	Kilburn	Trimble
Celler	Latham	Vanik
Clevenger	LeCompte	Vinson
Coffin	McCormack	Wainwright
Colmer	McCulloch	Williams, N. Y.
Cooley	McIntire	Winstead
Coudert	Macdonald	Young
Davis, Tenn.	Machrowicz	
Dies	Mason	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036), and finding itself without a quorum, he had directed the roll to be called, when 336 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. ENGLE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ENGLE. Mr. Chairman, the enactment of S. 4036 will preserve the productive capacity of important segments of the Nation's basic raw materials industries.

The growth, strength, and power of the United States and the high standard of living which we enjoy have been made possible by an abundant supply of basic raw materials from our mines, our forests, and our farms. Our future prosperity and the maintenance of our high standard of living will require even greater quantities of such materials than in the past.

Shortages of mineral raw materials cause serious production bottlenecks, retard industrial activity, result in shortages of consumer goods, and generate dangerous inflationary pressures. Such shortages may disrupt and damage the national economy at an incalculable cost to the taxpayer and the Nation.

Production from domestic mines is our only certain supply of mineral raw materials during the periods of high demand. Moreover, our domestic supply of minerals and metals may be subjected to price controls and export restrictions when necessary to protect the national interest, as has been the case on several occasions in the past. On the other hand, the availability of mineral raw materials from foreign sources of supply during periods of high demand depends in large measure upon the price that consumers are able to pay. In some cases the production from such sources may be captured or diverted for use by those nations which control or hold the allegiance of the producing countries.

Mr. Chairman, we should not permit the further destruction and loss of the productive capacity of the mines of the United States. The mineral raw materials which these mines are capable of producing will be needed in the near future to assure the stability and growth of our national economy. Mines which are abandoned or are closed for a period of time may deteriorate beyond repair or be utterly useless and incapable of production when needed. Those with many miles of workings which are permitted to flood and cave would require several years to dewater and rehabilitate if salvage should ever be feasible. More than likely their remaining ore bodies would be lost to posterity.

Mr. Chairman, S. 4036 is an administration measure. It is not a cure-all and in some respects it is inadequate. However, the enactment of this legislation will enabel many of our domestic mines to survive until our economy is in high gear once again. S. 4036 will preserve productive capacity needed for tomorrow. Measured by the ultimate benefits to the Nation, its net cost will be very small.

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, when I first came to this House of Representatives 2 years ago the Speaker told me that no one could face a fairer jury than the House of Representatives. I believe that. I think this House will be fair with this bill, if we can brush away some of the extraneous matter that is clouding the issue a little bit and get right to the point.

I ask you this question, and I ask you to think before you answer. Do you think it is wise for us as American consumers to maneuver ourselves into a position where we are totally and utterly dependent upon foreign sources for any commodity? Western Europe is totally dependent upon foreign sources for oil. She cannot help it. How many people in Europe went cold that winter when the Middle East supply was cut off? We in this country cannot help ourselves on coffee. We are almost completely dependent upon foreign sources for coffee. How many investigations and studies have been made by this Congress about price manipulations in coffee?

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Missouri. I am glad to yield to the gentleman.

Mr. BOGGS. The mere introduction of this legislation, I might say to the gentleman, has had a very stabilizing influence on the mineral market all over the world; not only in the United States, but in Chile, in Peru, in Canada, and in other nations which have historically been our friends.

In my judgment, if we fail to enact this legislation the opposite effect would occur; namely, you would have almost chaos in the mineral markets all over the world.

Further, it seems to me this is the only fair approach to this problem whereby we can be of assistance to our domestic producers and at the same time not offend the many friends we have that are involved in these same businesses.

I think the gentleman is making a very significant statement.

Mr. BROWN of Missouri. Let us get this straight: I do not care how friendly foreign sources are right now or how friendly they intend to be in the future, but it is not wise for any people to get themselves in a position of total dependence on foreign sources if it can be avoided. Foreign sources are subject to seizure, to political control, and to market manipulation. Yet, the United States of America is maneuvering itself into that position on lead and zinc needlessly. In the interest of common sense and insurance for the future against price gouging and market manipulation, we Americans are just plain silly—I mean it, silly—if we do not keep our own mines operating at some sort of level, even if it is just enough to keep them from filling up with water, so that when the real pressure is on and any foreign government starts any funny business we can say, "Don't you do it. We're not at your mercy. We are going to start our own mines full tilt and we can take care of almost 70 percent of our own needs."

If we ever get in a box where our mines are filled with water and no new ore discoveries have been made to replace depleted supplies, and foreign sources pull the string, we will look back and say, "How foolish can men be?" But then, of course, it will be too late, and the cost of rebuilding our production will be terrific.

The bill before us today is an insurance program; that is all it is. That is all it is meant to be. It is not going to make anybody rich in the mining industry. It is just an insurance program to keep them operating at a low minimum level, let us say.

And title II of this bill is a sound insurance program. It makes it possible for mines to stay operational, even if they produce only 500 tons a quarter, just enough to keep them on a sort of standby basis. Now, the theory is this: 100 mines producing 500 tons of ore a quarter, just enough to protect them from complete disintegration, is insurance, better insurance than having 10 mines producing 500 tons a quarter, for when foreign sources pull the string we will need those extra 90 mines and need them badly.

That is why title II is in this bill. It makes it possible for a mine to operate at a minimum level with a supplemental allowance not to exceed 1½ cents per pound on any one miner's production up to 500 tons quarterly. It is just common sense that it is in the national interest to keep as many of our mines producing 500 tons a quarter as we can. That is why this well-conceived bill, this well-thought-out plan to keep our mines operating at a minimum level, contains title II.

This is not a bill for the mining interests. If you want to play into the hands of shortsighted mining interests who own all this foreign production, just do not pass any bill. They can make more money out of foreign production coming into this country at market-glut prices than they can off lead and zinc produced in this country at the prices prescribed in this bill. This bill is a bill to protect you and me against this Nation's ever becoming totally, 100 percent dependent upon foreign sources for our production and subject to their mercy. I dread that day. Already we are getting 70 percent of our lead and zinc from foreign sources. And American mines are closing down, filling up with water. In our own self-interest, for protection tomorrow, we must vote for this bill and keep at least a standby domestic mining industry in America.

Mr. BARING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. BARING. Mr. Chairman, there has been much misleading information presented to the Congress in regard to our domestic mining industry. I am for this bill, and am supporting it because it is a bill for survival rather than subsidy of the industry.

We were caught short in this country before each one of the last three major conflicts that this country entered into. Many promises were made to our domestic miners by Congress, but Congress did not keep its word. I refer in particular last year when Congress would not appropriate the money to keep the tungsten mines open, although they had authorized the program, and many people lost their shirts by opening up these mines and then could not sell the tungsten procured on the Goverment's promise. This was one of the rawest deals ever pulled on the American people.

Mines fill with water if not in use, and timbers rot. It takes several years to develop a mine, and in the interest of our national defense we must have a healthy domestic mining industry, for if our sea lanes are ever closed, America will look to our own mines to supply the strategic minerals.

The program of reciprocal trades has completely put our domestic mining industry out in the cold. This was brought out a few weeks ago in the debate for the extension of reciprocal trades, which program I bitterly opposed and fought against. However, our illustrious majority leader, JOHN MCCORMACK, and others promised us at that time that we could not afford to hurt our friends in Peru, Mexico, Canada and the Middle East, and that if the reciprocal trades were extended, then he in particular would go for compensatory measures to help out the domestic industries which had been hurt by this program.

Now we come before you today for the stabilization bill for our mines in America. Members of Congress, I ask of you to support this bill and let us change the tune from one of "Let us not hurt our foreign neighbors," to one of Americanism and say now, "Let us help our friends here in America, who have stood by in critical times and produced minerals when they were called upon."

I, for one, am getting pretty much worn out shouting and not getting any action from this Government. All I hear is, "Let us take care of the rest of the world and make friends." Today, let us think of the American taxpayer who has been pushed to the limit to pay some $75 billions now put into foriegn countries. Personally, I do not think that we have the constitutional right to spend the American tax dollars around the world, as Congress has done.

I want to state here that I have opposed the foreign aid most bitterly, for I deem it has been a miserable farce, and 10 years have proved that we have not bought friendship.

The mines of America are absolutely closed. In my State, some 1,500 tungsten miners had to quit after last year's catastrophe, and when lead and zinc prices dropped, all of these mines closed. The only mining in Nevada today is some copper, but I have today received telegrams from these areas stating that some 2,300 men were employed a year ago, but only 1,200 are working today. All told, approximately 5,000 miners were put out of work in Nevada. These miners, when the work stops, leave for parts unknown, so it is hard to get a true figure, but I do believe that 5,000 hits it very closely.

For 10 years, we tried to get action out of the Tariff Commission to impose a tariff and protect our industry from cheap metals mined with slave labor from floating into this country duty free, and just as we had about proven our case to the Tariff Commission, half of them were in favor of tariffs and quotas, half of the Commission was in favor of tariffs and no quotas, then along came the Secretary of the Interior, Fred Seaton, and promised us a stabilization bill which we are studying today. I believe that this measure was put to us in order to gain votes for the reciprocal trades extension, but at any rate, it killed whatever ground we had gained with the Tariff Commission, and here in the closing days of the 85th Congress let me state that this is the last chance America will have to keep our domestic minerals program going to help out those mining friends of ours who have given all to their country in strategic minerals in times past when they were needed, and it is our last chance to build up a program which we need for national defense if world conditions are as bad as the President puts it to the Congress.

We have raised the debt ceiling twice in this Congress, some $10 billion. Approximately 8 of this 10 was, of course,

given overseas immediately for our foreign aid spending.

Today this bill calls for an appropriation of some $460 million, a paltry amount when you consider seventy-five billions already given away overseas, but which would do so much toward rejuvenating a most important segment of our economy. If this administration continues our present world program of internationalism, there will be many other domestic industries in the same shape that mining is today. I doubt if this country can carry the load much longer.

However, in the meantime, we cannot afford to let our domestic mining end, the mines fill with water, and that is what I am bringing to your attention today. This bill is one of survival rather than subsidization.

The outside world is laughing at our tactics—paying the farmer for keeping his land idle; swapping our surplus farm products for metals produced by the slave labor of other nations, and making it impossible for the United States to mine metals in competition with these cheap imports.

This bill will help to remedy some of the things needed if our country is to remain free and prosperous, or, to say the least, free. I, for one, think that the prices given in this bill are way too low, for I know lead and zinc miners in our State who have not been able to produce since 1951. Lead and zinc should be approximately 18 cents and 17 cents respectively per pound. The price of tungsten is set at $36, yet we have nearly $100 million in foreign contracts, mostly with Korea, in which the Government is paying up to $59 a short ton.

This country has never had enough copper, and I implore you gentlemen to pass this bill today so that the copper stockpile can be increased. I have it on reliable authority that the copper stockpile is further below the target than any of the other major metals. There is ample room in the stockpile for this 150,000 tons, and they still will not have hit the target. As a matter of fact, it is even below the minimum stockpile amount. In view of the devastating effects of reciprocal trade upon this industry, it seems like we must pass this bill today, for we have a great need for a stabilized price support, or else the mines cannot reopen.

I have written to the White House many times in regard to domestic production of deadburned magnesite, tungsten, lead and zinc, but about the only answer I have received was to the effect that business conditions will be better by this fall, and that will naturally help the mining industry.

Members of Congress, this most inadequate answer, call it answer if you wish, has turned the American people against their Government, for in my State conditions are so bad in the mining communities that they are wondering what is next for survival. How in the world the Government expects these people to pay taxes is more than I can understand.

During the course of study of this bill in the Interior Committee, Secretary Seaton said, and I quote:

In the relatively short space of half a century, the demands for minerals and mineral products have grown so rapidly that the problems of maintaining an adequate supply of mineral raw materials have become increasingly critical and complex. Minerals and mineral fuels have become more vital elements than ever before in the security and economic welfare of the Nation. I wish to emphasize this point because, in the opinion of the Department of the Interior, the long-range problems of the Nation with reference to minerals are likely to be the problems of shortages and rising prices despite current surpluses, weak markets, and distress in some areas. In the long run, the growth of our economy will demand a greater and greater supply of minerals and will require our Nation and the other nations of the Free World to explore, develop, and make wise use of the mineral resources available to all of us.

Not only has the present metal-market situation adversely affected exploration and development work, but it seriously threatens a substantial part of our mining productive capacity.

During the past 12 months, there have been sharp declines in the prices of several metals. Prices of copper, lead, and zinc, and some other metals, have declined to points at which mineral production is hampered by vexing economic problems. Many high-cost producers have curtailed production or shut down. Even some of the lower cost operators have cut back production. With this in mind, the administration has sought to develop measures to preserve the mine productive capacity that will be needed by our economy when business is again in high gear. These proposals have taken the form of a stabilization program for copper, lead, zinc, acid-grade fluorspar, and tungsten.

The measure referred to by the Secretary, H. R. 13069, introduced by Representative WAYNE ASPINALL, is practically identical to S. 4036 as it passed the Senate.

I want to point out that since the administration has recognized what they have done to us by their world program, and has presented this bill to us today, and if the administration is opposed to increased tariffs, or the establishment of quotas, then we should support this bill as the last hope of the American mining industry. I do not think the President will veto this bill, for Secretary Seaton was very much in earnest, and if the bill is not passed, we will wind up with nothing, which is exactly what the mining people have today—nothing.

There are many of you who come from mining communities, and know that I speak the truth. There are many Members here from farming communities who have asked us for their support. There are many city Representatives, who have received our support for rivers and harbors and other pieces of legislation directly affecting them. This is your chance to pay back to the mining people for the benefits you have received.

I do not want you to misunderstand my last remark. I have emphasized it before, and I do so in closing, this bill will merely be a bill of survival to protect our national defense in case of emergency. It is not a bill where anyone will get rich. It is our last resort to keep a group of true Americans going, who have in times past shown their Americanism, but who have suffered by our present program of world internationalism. I hope this bill passes today by a large majority to show these mining friends of ours that America has not forgotten them.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. DAWSON].

Mr. DAWSON of Utah. Mr. Chairman, I want to take this occasion to commend the gentleman from Missouri who has just spoken. I think he has touched on a very vital matter that should be considered by the committee. It would be impossible for us to come here today and make a case for the domestic mining industry on the basis that we are in economic distress and, therefore, we need a subsidy. I realize there are likely to be amendments offered to this bill to include textiles and to include tuna fish and plywood and what have you. But, the case that we have for the mining industry is one that is of concern to every district in the United States for, as the gentleman from Missouri has stated, this is a defense measure. The metals of this country are the backbone of the defense of the country, and once you close these mines up and let them become flooded, they are gone and you are not going to turn them on and off like you do a faucet. So we are pleading with you to help yourselves.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. LAIRD. Does not the gentleman think the tariff approach to this problem is a much more liberal approach than the subsidy approach?

Mr. DAWSON of Utah. I will say very frankly to the gentleman I think it is. Inasmuch as the gentleman has brought that subject up, I would like to tell you what we have done to get tariff relief. Let me speak primarily of the lead and zinc industry. In 1953 when Great Britain dumped lead onto the market, lead which had been purchased from foreign mines or at least much of it with our own financial help, we went to the Tariff Commission asking for relief. We had a unanimous finding by the Tariff Commission recommending relief. We went to the President and to the departments; and, instead of giving us the tariff relief, they came up with a barter program and with a stockpile program. They said we are offering this to you because we do not want to offend our friends abroad. So, instead of giving us the tariff relief, they came up with a barter program which permitted farm surpluses under Public Law 480 to be sold abroad and traded for metals to be brought into this country and added to our stockpile. That, in effect, was supposed to relieve the world market, but it had an adverse effect because it stimulated production abroad and put foreign mines into operation. As a result, we were again faced with a tremendous overload on the market. Then the barter program ran out. The stockpile program ran out and we are here again today. We went on the recommendation of the department again to the Committee on Ways and Means. The administration recommended a special import tax. So we went to the Committee on Ways and Means, as we were directed, and asked for the import tax or tariff if you choose to call it that. The Committee

on Ways and Means turned us down and said, "You go back to the Tariff Commission." So we went back to the Tariff Commission and we got another favorable recommendation. Then the administration came up with this program. This is the administration's program, and the gentleman from Louisiana, I know, is familiar with the devious and tortuous route we have followed. I am happy to yield to him at this point.

Mr. BOGGS. I would like to say to the gentleman, I am one of the people who oppose the tariff approach to this problem. I opposed it then and I am opposed to it now, and I will oppose it in the future. The idea that that is a proper approach, in my judgment, is completely fallacious. Let me give you an example.

Mr. DAWSON of Utah. I trust the gentleman will not take too much of my meager time.

Mr. BOGGS. This is an important consideration, and I think it might conceivably help your bill. I do not want to take any of the gentleman's time, but I am trying to help you with your bill. I have none of these industries in my district, not a bit.

Mr. DAWSON of Utah. I yield to the gentleman.

Mr. BOGGS. Let us take sugar. I see Dr. DIXON standing there. If we had depended entirely upon a tariff for sugar, rather than on the program that we have worked out, we would be paying much more for sugar in our country and our domestic people would not have any more protection. I think this is a wise approach and a sensible approach and the approach that people who really want to preserve this industry can support; because if you had this tariff, believe me, you would have a fight on it every day and every week and every month in the year.

Mr. DAWSON of Utah. I have only a limited amount of time. I hope the gentlemen who are asking me to yield will get some time on their own.

I thank the gentleman from Louisiana. This is the only solution we have left. Personally I favored a tariff and quotas. We have gone as far as we can to get them, so we are back here now with the only thing we can get.

The CHAIRMAN. The time of the gentleman from Utah [Mr. DAWSON] has expired.

Mr. MILLER of Nebraska. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DAWSON. I yield.

Mr. BYRNES of Wisconsin. I must take issue with the gentleman from Louisiana [Mr. BOGGS], because a year ago, on August 24, 1957, he and the chairman of the Ways and Means Committee at that time, and 14 other Democrats said that the President should take action under the escape clause provision; that it should not be by legislation.

Mr. DIXON. Will the gentleman tell us how long this industry has been pleading for help?

Mr. DAWSON of Utah. This industry has been pleading for help since 1952 when the market dropped out. We have been going ring around the rosy, and the baby is back on your doorstep. We are going to have to do something now before it is too late.

While $458 million seems like a lot of money, I would call my colleagues attention to a few salient facts. I just noticed on the news teletype that the price of copper stocks have increased as a result of the vote on this rule. I think I can assure you that if this bill fails, you will find the price of copper and stocks going down. If the bill is passed, I am of the opinion you will not have to buy a single pound of copper, because the price will stay up to 27½ with the mere assurance that stockpiling will commence if the price drops below this amount. This means that $82 million is going to be saved and can be cut off from the cost of this bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. GROSS. I wonder what the gentleman from Louisiana [Mr. BOGGS], would say if we blacked out all sugar quotas.

Mr. DAWSON of Utah. I think the gentleman from Louisiana can defend himself on that. I hope he will get some time to do it.

This bill should be broken down into three categories. First you have tungsten, beryl, chromite columbium-tantalum and fluorspar in one group, and this is just a continuation of existing programs. The President vetoed one program the other day, because he said it should have been included in this bill. So it is included, and you are only extending existing programs in that category.

The second category is copper. I say if this bill passes you will not need to buy a pound of copper, because the price will stay up and you will not need to buy it.

The third category is lead and zinc. The domestic lead and zinc industry has been pushed from pillar to post. Everybody agrees it is a sick industry, and if you do not give us relief in this bill, nothing will be left but the post mortem.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. HORAN. Mr. Chairman, I am very much in favor of this bill. I think that, under the circumstances it is the best we can do. To me it is not a subsidy bill, it certainly is not a relief bill. To me it is more a standby bill to keep our own domestic mines in operation so that they will be there when we need them.

I would like to point up some of the basic facts regarding these metals.

LEAD AND ZINC

Production of lead from domestic mines is currently running at approximately 275,000 tons per year at annual rates. Production during 1956 totaled 353,000 tons and in 1957 totaled 333,000 tons. Just prior to the break in the market, which occurred in May 1957, domestic production was at an annual rate of 355,000 tons. The present rate of production is approximately 25 percent below the rate achieved in early 1957.

Zinc production is currently at the rate of 440,000 to 450,000 tons a year. This compares with production in 1955 of 515,000; in 1956, 542,000. Production in the first quarter of 1957 prior to the market break was at the annual rate of 600,000 tons.

During 1956, 696 mines produced lead and zinc; 73.4 percent of total lead and zinc production was from 37 mines. An additional 46 mines produced 15 percent of the remainder; more than 600 mines produce the remaining 10 percent.

According to published accounts, 26 of the larger mines or mine groups in the United States have closed down entirely since the beginning of 1957 and 11 other major producers have substantially curtailed their output.

We estimate that between 200 and 300 of the very small mines have closed in the past year or year and one-half.

Total employment of lead and zinc mines averaged 16,600 in 1955, and 17,400 in 1956. In April 1957, total employment stood at 18,200. In June 1958, total employment stood at 13,100.

Estimated capacity for production from United States mines for zinc is 650,000 tons per year; for lead 400,000 tons per year.

CONSUMPTION

The principal uses of lead are for storage batteries, tetraethyl lead, cable covering, paint pigments, building construction, ammunition, and various alloys, chiefly solder, bearing metals and type metal.

The primary applications of zinc are in galvanizing and diecasting. Smaller quantities are used in zinc base alloys, in rolled zinc, and the ore is consumed directly in zinc oxide. Other uses include consumption in the manufacture of wet batteries, and in the production of light metal alloys.

Consumption of lead and zinc are at extremely low levels, 20 to 30 percent below what might be considered normal.

If the stabilization plan is not enacted, we can expect further serious curtailments in the lead and zinc production.

At the present time, excess stocks of lead and zinc are being accumulated in the United States at the rate of 15,000 to 20,000 tons per month. In order to halt further stock acquisitions and to effect the liquidation of excess stocks already in the hands of producers, further reductions in the price for lead and zinc with attendant cuts in output would be necessary.

An accurate estimate as to the extent of the curtailment cannot be given at this time because of complexity of the factors involved. Lead production could fall to 200,000 tons per year and zinc to 400,000 tons per year if the present market weakness should continue.

There is reason to believe that a substantial portion of current production is being maintained in the hope that the stabilization plan will be put into effect in time to avoid further layoffs and curtailments.

COPPER

Copper is presently being produced in the United States at an annual rate of 950,000 short tons. In 1955, production

was 999,000 tons; in 1956, 1,106,000; and 1957, 1,077,000 tons. Approximately 450 mines produce copper in the United States. An unknown, but substantial number of mines has been forced out of production by the recent depressed market for copper. Most of the larger mines have curtailed production.

Employment in copper mining in June 1958 totaled 29,000. This compares with an average of 33,300 in 1956, and approximately 33,400 in 1957.

Domestic mines have the capacity to produce approximately 1,250,000 tons of copper annually.

Copper is widely used because of its superlative electrical conductivity, high heat conductivity, and good corrosion resistance and because it is strong, yet malleable and ductile and can be alloyed readily with many other metals to impart desirable characteristics. Nearly half of it is consumed in virtually pure metallic form primarily by the electrical industry in the manufacture of generators, motors, electric locomotives and switchboard, telephone, and telegraph equipment, light and powerlines, and other items. Most of the remainder is employed by the alloys industry in manufacturing brass, bronze, and other copper alloys that are used ultimately in building construction, automobile manufacture, ammunition, shipbuilding, and a wide variety of other applications.

Consumption of copper is currently 15 percent to 20 percent down from what might be considered normal levels.

If the plan were not approved, further cutbacks in production and employment would be required in order to reestablish a balance between the supply of and requirement for copper.

The exact dimension of the required curtailment cannot be ascertained at this time, but in view of the existence of surplus stocks of approximately 150,000 tons, it is reasonable to suppose that in the absence of implementation of the plan, a further curtailment of 50,000 to 100,000 short tons a year would be required.

ACID-GRADE FLUORSPAR

Production of acid-grade fluorspar in the United States currently approximates 190,000 tons per year. This compares with production in 1955 and 1956 of 157,000 short tons, and 1957 production, and some 50 miles are involved. engaged in acid-grade fluorspar production, and some 50 miles are involved. There have been no recent curtailments or shutdowns in this industry.

Employment in acid-grade fluorspar mines and mills totals approximately 1,000.

Capacity of domestic acid-grade fluorspar is approximately 200,000 tons per year.

CONSUMPTION

Consumption of acid-grade fluorspar has declined in keeping with the lower rate of activity in the aluminum industry and the general economy.

The high level of operation of acid-grade fluorspar producing facilities has been maintained through a Government purchase program conducted under the authority of Public Law 733, 84th Congress.

The primary application for acid-grade fluorspar is in the production of hydrochloric acid used primarily by the aluminum industry where it is used to manufacture synthetic sodium aluminum fluoride and aluminum chloride. It is the major source of fluorine for the chemical industry.

In the absence of approval of the stabilization plan or an alternative, the recent trend toward increasing production in this industry would be reversed, expansion plans would be recessed, and some unemployment would result.

TUNGSTEN

The domestic tungsten producing industry has almost completely shut down. Only one mine is still producing tungsten and its output is a byproduct of its other operations.

One mine is operated today. Two years ago, more than 200 mines were in operation.

At its peak 2 years ago, employment in tungsten mining totaled between 3,500 and 4,000. Present employment is negligible.

In 1955, the domestic industry produced 15 million pounds of tungsten.

CONSUMPTION

Tungsten is used in alloy steels for high temperature applications in tungsten carbide for cutting tools and armor piercing shells, and as pure metal in lighting and electronics. No satisfactory substitute has been developed for tungsten in carbides or in its pure metal applications.

In the absence of favorable action on the stabilization plan, the tungsten industry in the United States will virtually disappear.

BERYL

Production of beryl in the United States has been steady over the past several years at between 500 and 600 tons of 10 percent BeO concentrates annually.

There are about 200 producers scattered throughout a dozen States involved in production of beryl. Production is largely hand sorting and closely related to production of other strategic materials.

We estimate that approximately 30 people are engaged full or part time in mining beryl.

Capacity for beryl production is difficult to measure. Past performance indicates that under present conditions, the United States can maintain production at between 500 and 600 tons of beryl concentrates per year. New technological developments should appreciably increase United States productive capacity for this commodity in the near future.

CONSUMPTION

Over 90 percent of beryllium consumed is used in alloys, mainly with copper. Beryllium-copper alloy is utilized widely because of its hardness, great tensile strength, high electric and thermo conductivity, low creep tendency, nonmagnetic and nonsparking properties, and resistance to fatigue, corrosion, and wear. Pure beryllium metal is used principally in manufacturing nuclear energy and X-ray equipment; and beryllium oxide is used principally in nuclear energy equipment and in the production of high temperature refractories.

In the absence of the favorable action on the stabilization plan, the future of beryl production in the United States would become extremely uncertain. The current Defense Production Act program may terminate in a matter of months.

The domestic industry is not yet at the stage where it can compete in world markets successfully.

The stabilization program will provide sufficient time to complete development of new processes now well advanced, which should place beryl production in the United States on a fully competitive basis within the next few years.

CHROMITE

Production of chromite in the United States has varied between 150,000 and 200,000 tons in the last 3 years. The Defense Production Act program for this commodity, which formerly supported production totaling about 35,000 tons per year in the Pacific Northwest terminated on May 19. The remaining production is under a Government contract, which will run out in the near future.

Since the termination in May of the chromite purchase program, it is probable that most of the mines in the Pacific Northwest have ceased production.

Approximately 125 to 150 mines have been involved in production of chromite. Most of these are probably closed at the present time.

Employment of the chromite industry at its peak was 750 men. More than one-half of those are now out of work, with the closing of the Pacific coast mines.

Domestic capacity, based on recent history, is 200,00 tons per year.

CONSUMPTION

Chromite is used metallurgically in making ferrochromium alloys and metal, which in turn are used to manufacture stainless steel, tool steels, high-temperature alloys, and various other alloys. Refractories manufacturers make chromite brick and cements, principally for lining steel furnaces. Chromium chemicals are used chiefly in pigments, metal treating, and tanning.

If the stabilization plan is not enacted and no other special program is developed, chromite mining will virtually disappear in the United States.

COLUMBIUM TANTALUM

Production of columbium tantalum has increased from negligible proportions in 1951 to approximately 700 short tons of 50 percent concentrates in 1957.

The mining industry consists of 1 large placer operation in Idaho, which supplies 99 percent of the domestic production under Government contract. Small remaining production is supplied as a byproduct from about one dozen pegamitite mines.

Perhaps 500 engaged in producing and processing pegamitites in the United States.

Nineteen hundred and fifty-seven production of 700 tons of 50 percent concentrates provides the best indication as to United States capacity.

CONSUMPTION

Columbium and tantalum have been used mostly as alloys in the manufacture of stabilized stainless steels. However, columium-bearing high-temperature alloys, unsurpassed for certain applications in jet engines and gas turbines, may now require more columbium than the stainless steels. Columbium and tantalum have numerous applications in the electronic field.

The bulk of the domestic production is from a single location at a price several times the market price. If the tremendous consumption potential of this material is realized, it will become increasingly necessary to have a nucleus of a competitive-producing industry in the United States.

In the absence of a special program, there will be no incentive for developing this industry. The stabilization plan can, however, at very small cost to the Government, maintain interest among United States producers in this commodity, and thereby spur development of economic processes for its treatment and accelerate exploration for its reserves.

Mr. ROGERS of Texas. Mr. Chairman, several questions have been asked on this side as to what the plan is for the Committee to rise. I hope we can finish the debate tonight. We will get out by 6 o'clock, or a little after. The first section will be read, and the reading of the bill will continue tomorrow.

Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, the most important thing today, it seems to me, is to get a sense of proportion. We have seen figures juggled and tossed about. The figure of $650 million taken by itself is a large figure. It has been said that this amount of money is being rushed through in the last days of this Congress and is going to be misspent.

Do not forget, this is a 5-year program. We are spending this year; all told, on the Soil Bank and farm price-support programs something in the neighborhood of $4 billion. This bill provides about $100 million annually to support the strategic-metals industry. In other words, we are saying to the House: "For every $40 we spend to keep a healthy farm economy, let us spend $1 to keep strategic-metals industry healthy."

My good friend, the gentleman from Ohio [Mr. KIRWAN] made the statement to you here that three copper companies were going to get a big boon out of this legislation. I have some of these companies in my Congressional District. I want to make a statement in all sincerity to the gentleman: The original proposal of the Secretary of the Interior provided for a stabilization payment subsidy-type program. The copper industry rejected that proposal, and the stockpile purchasing program was substituted. Under this program the Government will purchase 150,000 tons of copper.

The copper market at the present time is at its lowest point since the Korean war. It has dropped from 46 cents to the neighborhood of 26 cents. So if the Government buys copper at the going market rate, as provided under this bill, they get a product in return and make a good investment in the bargain. The truth of the matter is that the Government will show a profit on the stockpile program once the price of copper begins to climb again.

Now, it should be plain that no copper company will realize a profit out of this bill at the taxpayer's expense. That is the reason I say let us keep the facts in focus, let us get a little proportion into our discussion here today. The copper program under title III is a one-shot program which extends 10 months. It is a purchase program, it is an investment program. That is all it is. It is not going to make anyone rich.

The copper industry has been a very self-reliant industry. It has been entitled under the laws of the country to have the benefit of an import tax on foreign copper but in recent years copper spokesmen have come to the Congress and asked that this tax be suspended. What this industry is now asking is that the Secretary should buy additional copper to make our stockpile adequate.

So these are the facts as far as the copper part of the program is concerned, and no copper company, big or little, will be unduly enriched. There are plenty of little copper companies and the little ones are in deep trouble today, but none of them will get any bonanza out of this program.

I say again, that for each $40 we spend to keep a healthy farm economy, let us spend at least $1 to keep our metals industry on a sound basis.

Mr. METCALF. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Montana.

Mr. METCALF. The gentleman from Arizona comes from a State that produces half the supply of copper in this country. The next highest copper producing State is Utah, and the third is my own State of Montana. The production in my State comes from deep mines. From the deep mines of Montana to produce a hundred thousand tons we employ as many men as are employed in the industry in Arizona.

My point is that if Anaconda Copper Co. has mines in Montana they are very high-cost producers. They also have mines in Chile, yet the company tries to keep domestic production going. If they want to they could turn to their Chilean supplies and import copper from Chile. Instead they have asked us to pass this bill in order to keep the high-cost producers going in Montana.

Mr. UDALL. The gentleman's point is well taken.

Mr. BENNETT of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENNETT of Michigan. Mr. Chairman, one of the most important points in favor of this legislation which has had very little emphasis during the course of this debate is the fact that an operating mine is in itself a stockpile of strategic minerals for national defense.

I can recall vividly what happened in the copper-mining areas of my Congressional District of northern Michigan during the first years of World War II. Shipments of copper from South America were being destroyed on the high seas by German submarines. A cruel fact was forcibly brought home to us. We knew then that copper for our war machine had to be obtained from domestic mines. People from the Defense Production Department came to northern Michigan frantically appealing to our producers for more copper. They were willing to pay any sum for the reopening of abandoned mines—mines that had been closed during an era of depressed prices due to cheap labor competition from abroad. They were not aware of the fact that you cannot turn deep copper mining off and on like a water spigot. It takes considerable time to unwater an abandoned mine; and, when time is of the essence, delays in production can be tragic.

No one in his right mind wants to have repeated the situation which occurred during World War II. And yet, if a large segment of our domestic mining industry is forced to abandon its operations, we are in grave danger of having history repeat itself. The enactment of this legislation will help assure a continued healthy domestic copper-mining industry.

Mr. Chairman, both this administration and the preceding one have recognized the importance to our national defense of a thriving copper industry. Hundreds of millions of dollars have been loaned by our Government to private corporations during the past 10 years to develop and bring into production vast reserves of copper ore. One of the largest of these developments is in my home county in Michigan. Such loans would not be made by the Government if we did not recognize the importance of assuring ourselves of a constant and adequate supply of this strategic resource. These areas of production must be maintained for our own national self-interest and protection.

Mr. ALBERT. Mr. Chairman, it seems to me that in support of the pending legislation, S. 4036, I cannot do better than to quote the words of Secretary of the Interior Seaton from his testimony before the House Interior and Insular Affairs Committee. The Secretary remarked in part:

> In the relatively short space of half a century, the demands for minerals and mineral products have grown so rapidly that the problems of maintaining an adequate supply of mineral raw materials have become increasingly critical and complex. Minerals and mineral fuels have become more vital elements than ever before in the security and economic welfare of the Nation.
>
> Not only has the present metal-market situation adversely affected exploration and development work, but it seriously threatens a substantial part of our mining productive capacity.
>
> Many high-cost producers have curtailed production or shut down. Even some of the lower cost operators have cut back production. With this in mind, the administration has sought to develop measures to preserve the mine productive capacity that will be needed by our economy when business is again in high gear. These proposals have taken the form of a stabilization program for copper, lead, zinc, acid-grade fluorspar, and tungsten.

Mr. Chairman, the passage of this bill is essential to preserve a healthy mining industry in this country. It will cure a large part of the severe unemployment now rampant in the mining States and will preserve our mobilization base. We not only need to look to the future economic requirements of a rapidly expanding economy but, as Secretary Seaton has said, this stabilization plan will furnish us with an "economic bridge" to "insure a strategically sound domestic minerals production balance for this Nation without increasing the difficulties of our friends abroad."

If S. 4036 does not pass at this session of the Congress, the mining industry will be in a more and more serious situation. Ours is basically a metals economy and without metals we cannot live. To be secure within our borders we must mine, produce, and discover increasing quantities of these vital materials within our own borders, and the Seaton stabilization plan is essential for this purpose.

Mr. Chairman, I trust the Members of the House will realize the necessity and urgency of passing S. 4036 with all dispatch.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. PILLION].

Mr. PILLION. Mr. Chairman, as I stated earlier today, this bill would authorize a subsidy—giveaway program with a price tag of $650 million attached to it to be paid by the ordinary American taxpayer.

The proponents of this bill, I am sure, have a laudable and a sincere purpose, but after listening to this debate I still do not know what this bill will do or what it is intended to do. I understand it is not intended to relieve unemployment, I understand from the debate it is not intended to add to our defense strategic and critical material stockpile program. I understand from one of the distinguished previous speakers that this bill is intended as an insurance program. But what it is intended to insure I cannot for the world imagine. The only conclusion I can come to is it is intended to insure increasing and more profits for a few highly prosperous mining corporations in this country.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. ROGERS of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate insists upon its amendment to the bill (H. R. 13247) entitled "An act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. MCNAMARA, Mr. YARBOROUGH, Mr. SMITH of New Jersey, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3448. An act to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes.

CONSTRUCTION BY THE DEPARTMENT OF INTERIOR OF DEMONSTRATION PLANTS

Mr. ASPINALL submitted a conference report and statement on Senate Joint Resolution 135, to provide for the construction by the Department of the Interior of demonstration plants.

SALE AND EXCHANGE OF PUBLIC LANDS OF THE TERRITORY OF HAWAII

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9500) to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, strike out "auction" and insert "*auction,*".

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

REAR ADM. EDWARD C. STEPHAN LEAVING CAPITOL HILL

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, as this Congress is about to adjourn and the Members go their respective ways, we are losing the splendid services of a man who has devoted all his efforts during the last 2 years to making our jobs more pleasant and more rewarding. He is Rear Adm. Edward C. Stephan, who has done an exemplary job of handling legislative liaison matters for the Department of the Navy. In just a few days, he is leaving us to assume duties as commander of the newly established South Atlantic Naval Force.

Ever since his graduation from the United States Naval Academy in 1929, Admiral Stephan has always had his country first in mind and in heart. He has an outstanding combat record as commander of several submarines whose names will long be on the tongues of Navy men and Navy historians. These included the U. S. S. *Sea Wolf*, the U. S. S. *Devilfish* and the U. S. S. *Grayback*, on which he won the Navy Cross, Silver Star and Gold Stars.

Admiral Stephan served in the Office of Chief of Naval Operations; the Office of the Judge Advocate General; Staff Commander, Submarine Force, United States Pacific Fleet; Commander, Transport Division 21, Office of the Comptroller of the Navy, and was appointed in July 1956 as Chief of Legislative Liaison.

His conscientious efforts in our behalf and the understanding with which he has performed his duties, shall certainly be missed on Capitol Hill. We wish him continuing success in the future as he takes over his new assignment, and want to again express our deep appreciation for the great service he has performed for us.

THE DEMOCRAT RECORD: H-BOMBS, MISSILES, AND UNPREPAREDNESS

Mr. SHEEHAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHEEHAN. Mr. Speaker, the prelude to the decline and defeat of great nations has always been complacency on the part of their political leaders. Invariably, a deceptive twilight calm precedes the onslaught of the aggressor, usually spearheaded by some surprise weapon or strategy aimed at crumbling the sleeping opponent's outmoded defenses.

Attila's infiltrating hordes, for example, swept away the Roman armies. And this, just after the citizens of Rome had lulled themselves into false confidence in their outdated legions. The Second Reich devastated French forces with the rapid fire of the needle gun in 1870. Frenchmen put their faith in superiority of numbers. Hitler's panzer divisions knifed through French defenses in 1940. On the eve of the blitzkrieg, Parisians reveled in the Maginot line. It is with serious alarm that we must admit this cycle of events nearly occurred in our own land only less than a decade ago—because the political leadership in our country missed the concept that the modern military machine is predicated on nuclear weapons and guided missiles.

While many Americans debauched themselves in the heavy wine of Democratic leadership from 1945 to 1952, the Soviet Union searched feverishly for means to dominate the world. We were approaching steadily a dreadful day of reckoning—a day too late for even a second Moses to lead us out.

The parallel of our course with that of Rome and France is so pronounced that, in retrospect, it makes us shudder. The Democrat Truman administration prepared a prelude to disaster.

But the folly of the Democrat era exceeded that of the Romans and the French. Rome and France might have been blind to innovations in warfare, but at least they maintained the older, though outmoded, defenses of their country.

The Democrats, on the other hand, began in 1945 to dismantle the finest conventional armies and the largest air and sea armadas in the entire history of the world. Naturally, the conventional military might of the Soviet Union soon eclipsed that of our country.

Submarines no longer were a novel means of warfare. In World War I this weapon had reduced food supply of the British Isles to a precarious 6 weeks. During World War II Hitler nearly won the Battle of the Atlantic with only 57 submarines.

Despite these clear warnings, the Democrat Truman administration merely watched Soviet Russia swell her undersea power to many times the number of submarines which the Kaiser and Hitler possessed. In aircraft production, Russia bounded ahead of the United States. In 1949, the Soviets had produced over 10,000 jets, as compared to 4,600 of the United States.

Today one might wonder how this country could maintain its freedom and hegemony under such conditions. The disposal of conventional defenses leads but to the assumption that the Democrats placed their entire faith in the atomic bomb. Indeed, the atomic bomb was a tremendous deterrent to Soviet aggression in those days of cold war and of American atomic monopoly.

Winston Churchill said in 1948:

If it were not for the stocks of atomic bombs now in the trusteeship of the United States there would be no means of stopping the subjugation of Western Europe. • • • If the United States were to consent • • • to destroy the stocks of atomic bombs • • • they would be guilty of murdering human freedom.

Plainly, nuclear power—in all of its gruesome and devastating aspects—shielded the Free World against slavery. But this shield would crumble if and when the Soviet Union could end the atomic monopoly of the United States—that is, unless the United States could first produce an even more compelling deterrent than the A-bomb. Undoubtedly, it will amaze future historians that this dramatic and gripping reality was not comprehended by President Truman.

In crude attempts to hide the past, some daring Democrats today raise their voices in criticism of General Eisenhower. They were upset when he did not panic before the Russian sputnik. They have ignored his repeated and vigorous efforts to expedite our research and development program, which measures were never undertaken in the Democrat Truman era.

Why did these same Democrats not protest then? Certainly, there was not displayed a sense of urgency.

In addition, the Atomic Energy Commission was placed in the hands of those who were against the military uses of atomic energy. After dismantling conventional means of defense, they then set up conditions under which it was impossible to develop nonconventional means of retaliation.

Let us look at the dramatis personae into whose hands Democrat President Truman placed the security of our Nation at this almost-fatal hour.

The cast was dominated by Dr. Robert Oppenheimer.

Let me say that I do not intend to deal here with Dr. Oppenheimer's security rating, for it would be irrelevant. What is relevant, however, is Dr. Oppenheimer's admitted and candid view on the uses of atomic weapons. Dr. Oppenheimer was quoted widely at the end of World War II as saying that Los Alamos should be given back to the Indians. And yet he was allowed to play the predominant part in framing the Acheson-Lilienthal plan for international control of atomic energy. Here he crystallized his thinking in regard to atomic energy. The Soviet Union would have veto power in regard to atomic matters. Atomic facilities would be built within the Soviet Union.

What is more, Oppenheimer urged Secretary Stimson, in the fall of 1945, to discontinue attempts to develop a super, or H-bomb. He declared, in reference to successful use of nuclear fission, that "it is conceivable that development of this kind might be carried terrestially, but I am sure I do not know how."

Dr. Edward Teller did know how. He rushed to Washington to testify in opposition to the opinion of the distinguished scientist-colleague, Dr. Oppenheimer. The Soviet menace, he stated, was a clear and present threat to the heart of American freedom. But Teller's was a small voice, drowned out by the bombastic complacency of the Truman administration.

I would like to repeat a point I made earlier: I am not immediately concerned with the loyalty of Dr. Oppenheimer. I am concerned, however, with an evaluation of the leadership of an administration in a dark hour of our history. By definition, a large part of the job of any executive is in the proper and applicable selection of subordinates to whom responsibility will be delegated. In times of hot and cold war, the most important quality of the Chief Executive is explicitly this ability to select properly.

Let me illustrate with a historical example:

Many historians agree that the decisive factor in England's defeat in the Revolutionary War was just this. The British Cabinet, it may be recalled, had selected Lord Howe to command British forces in America. Howe was a brilliant military officer, but he was not in favor of Britain fighting the Colonies. Consequently, he passed up military opportunity after military opportunity. Fortunately for us, British political leadership had fatally blundered.

Unfortunately for us, American leadership blundered when it made Dr. Oppenheimer Chairman of the AEC's General Advisory Committee. His heart was no more in the cold war than was Howe's heart in the American Revolutionary War. Oppenheimer's scientific judgment was swayed by his belief that Russia was not an overshadowing menace. And he genuinely believed that the scientists had known sin when they developed the A-bomb. From 1945 to 1949, the Democrat Truman-Lilienthal-Oppenheimer trio succeeded in blocking all of Dr. Teller's efforts to develop an even more effective deterrent than the A-bomb. It took a group of aggressive people and two startling events to shake the lethargy from the Democrat administration.

Foremost among these people was Commissioner Lewis Strauss, who did not waver in his opposition to AEC Chairman Lilienthal. Supporting Dr. Teller were Drs. William Lawrence and Luis Alvarez. They had the brilliant scientific insight to see the feasibility of nuclear fission as applied to our national defense. Both had the courage to champion a cause they believed to be right, despite the opposition and antagonism of the powers over them.

The first event which shook Mr. Truman was the routine flight of a B-29 which will live in history, for, on the photographic plates carried aboard the plane that August day of 1949, were evidences of a Soviet A-bomb explosion. Had not this experiment in measuring cosmic rays coincided with the Soviet detonation of an A-bomb, we would have remained ignorant of their threatening progress.

Mr. Truman's advisors previously had convinced him it would be from 5 to 10 years before Russia would accomplish such a feat. Even after this startling event, Mr. Truman's sense of urgency was lacking. Secretary of Defense Johnson had just accomplished the dubious feat of cutting the defense budget back to $13 billion. Mr. Truman seemed unwilling to face the conclusion that an about-face had to be made decisively, immediately, and abruptly.

Admiral Strauss protested that once the Soviet Union had sufficient A-bombs Communist aggression would become rampant. A new and a more powerful deterrent—an H-bomb—must be developed by the United States. This was the only way we could regain the initiative and ward off world war III. But Lilienthal opposed Strauss' suggestions. Friendly ears were not to be found within the administration and Strauss finally turned to Senators McMahon and Hickenlooper.

By this time, however, many Democrats in Congress were irate with the do-nothing Truman leadership.

It took a second event to dramatize to Mr. Truman the perilous straits in which our country was caught. Dr. Klaus Fuchs, formerly of the Los Alamos

Atomic Laboratory, confessed he had leaked atomic secrets to Russia from 1942 to 1949. This revelation raised an ominous question: Would the Soviet Union beat the United States to the development of the H-bomb? Hinged upon the answer was the destiny of the Free World.

The Democrats were jolted again. In June 1950, the Communists struck in Korea. It was as Admiral Strauss had warned: Soviet development of the A-bomb was the vanguard to worldwide Communist aggression.

In the remaining days of the Truman administration, Dr. Teller was at long last allowed to work toward development of the H-bomb. Amazingly, however, his path was still made most difficult by personal hostilities in high places and at Los Alamos. Dr. Teller will surely stand in the history of this country as one of the courageous and brilliant heroes of our time. He valiantly strove to compensate for the 5 years of blunders, complacency and oversights of a slumbering Democrat administration.

The Democrat record on guided missiles was equally amazing.

After World War II, 86 German scientists, including Wernher von Braun, were brought to Wright Field at Dayton, Ohio. Under the direction of Chief of Staff Eisenhower, they were employed by our Government. With diligence and devotion to his new-found country, Von Braun revealed that, toward the end of the war, the Germans were developing a 100-ton rocket with a 6-ton warhead. The target for this intercontinental rocket would have been American. Although this creative German talent was available to the United States in an era when cooperation with Russia had obviously failed, the Democrat Truman administration displayed complete disdain. When Russia fired her first sputnik, Von Braun quickly assigned responsibility for the lag in our research program:

The main reason is that the United States had no ballistic missile program worth mentioning between 1945 and 1951, he declared. These 6 years, during which the Russians obviously laid the groundwork for their large rocket program, are irretrievably lost—thus our present dilemma is not due to the fact that we are not working hard enough now, but that we did not work hard enough during the first 6 to 10 years after the war.

But let us, for the moment, return to 1946. The Army had started to rebuild the German V–2 for use as a first-stage booster rocket with the already developed WAC Corporal as the second-stage rocket. Meanwhile, the Air Force had begun a program, termed MX–774, to develop ICBM's. But these good beginnings were short-lived. Indeed, the industry and imagination of these pioneers in the Army and the Air Force were totally negated.

The Democrat President acted decisively, but in the wrong direction. In fiscal year 1957 he impounded $75 million a Republican Congress had appropriated for research and development funds.

"It was the straw that broke the camel's back" complained Gen. Curtis LeMay. LeMay further pointed out that the missile development program had been designed to guarantee "missiles superior in all respects to those of other nations."

Of the impounded funds, $17 million were specifically slashed from missile development. Gen. L. C. Craigie, Director of Air Research and Development, sternly warned that this action eliminated work on all but long-range supersonic guided missiles.

The Democrat President ignored General Craigie just as he ignored Chief of Staff Eisenhower's warnings:

In the field of guided missiles—

Said General Eisenhower—

we must keep abreast of the rest of the world. Neglect to do so could bring our country to ruin and defeat in an appallingly few hours.

But to his opponents, President Harry Truman could reply that he had not yet begun to cut. More recklessness was in store for fiscal year 1950. Then, he impounded some $735 million of Air Force funds. ICBM and IRBM development was again at a standstill. Amazingly enough, the only research of this type that year was conducted with corporate funds of Convair. General Collins stated his complaint in mild language:

Lack of funds is holding up the development of new weapons.

I might add, parenthetically, that not many months later a Soviet newspaper, Krasnii Flot, reported that Russia was making vast strides in completing a moon rocket.

In the first part of my remarks, I discussed the Democrats' lag in the development of thermonuclear weapons. In the second part, I have been discussing the Democrat lag in the development of guided missiles and rockets.

It now becomes evident that these two lags overlapped and compounded the delay in producing guided missiles equipped with nuclear warheads. The reason is due to the fact that the weight of the warhead is critical in the development of guided missiles. AEC undertook a program to reduce the size and weight of atomic warheads. But the left hand of the Democrat administration was not coordinated with the right. Harry Truman forgot to tell the left hand that the right hand had pocketed all the long-range missile funds. AEC managed to produce the improved warheads, only to find that no missiles were being developed to carry them. There can be little wonder that missile engineers were confounded. Confusion plied upon confusion. Presidential policies had gummed up scientific research.

In 1951, the MX–774 project was resumed and redesignated Atlas. But the program was allotted a long-term, low-priority, theoretical objective. This was to determine whether a 5,000-mile ballistic missile was technically feasible.

It is not surprising that Admiral Radford commented:

In the period 1945 to 1950, Defense Department appropriations were pared way down. We lost a lot of time that we could never make up moneywise on research.

Our lethargy in the missile field during the Democrat era is in disheartening contrast to the energy and progress in that area by the Soviets. In 1945, Russia "took over" several hundred German rocket experts and dozens of German rocket factories. Unlike Harry Truman, Stalin was vitally interested in using scientific talent and facilities. Russian production began on hundreds of German V–2 rocket missiles. This enabled Russia to increase vastly its knowledge of upper atmospheric conditions, and to prepare the way for a satellite program. What is more, it gave the Soviet vast experience in mass missile production.

In 1947, the rocket theories of the German scientist, Sanger, created great excitement in the Kremlin. Stalin wasted no time. He ordered an aerodynamics expert, Col. Gugori Tokaev, to his office so that a high priority program could be instituted without delay. Tokaev later defected and thus made it possible for us to know the course of that conference. The Kremlin leaders, he said, were in almost "an hysterical clamor" for greater details about Sanger's ideas on a super rocket. Stalin ordered Tokaev to try immediately to solicit the aid of Sanger who reportedly was working in France. Before Tokaev had even left Stalin's presence, Russia's supreme ruler had created a commission to examine all work related to rockets which the Germans had accomplished.

In his book, Stalin Means War, published in 1951, Tokaev said he soon realized that Stalin desired "nothing so much" as an intercontinental rocket. This, said Stalin, "would make it easier for him to talk to the gentleman shopkeeper, Truman."

Let us return to gentleman shopkeeper, Harry Truman. His apathy compared to Stalin's energy is not a pleasing contrast.

Few, if any, have claimed that Harry Truman had outstanding ability in directing the strategical efforts of our Nation. It was, indeed, unfortunate that a man whose training had been in the field of machine politics was placed in command of our armed services at a critical juncture of our history. Whatever insights he may have developed because of simple common sense, apparently quickly deteriorated into oversights. This is an example of the influence of political needs upon his thinking. Yet, even through a politician's eyes, it is surprising that he could not grasp the problem which Stalin had so readily analyzed. America's deterrent in the cold war, as Churchill had publicly proclaimed, lay in the superior development of atomic bombs. But these bombs could only be delivered by strategic bombers. This was the problem which Truman missed and Stalin grasped. The twilight of the manned bomber was in sight. Air defenses were becoming too strong. Yet these facts were no secret which Harry Truman had to glean from technical and classified reports.

Dr. Vannevar Bush had published them for the whole country to read in his popular book, Modern Arms and Free Men.

Plainly, the future deterrent power of the United States had to operate through a new means of delivery if it were to

remain effective. Obviously, the delivery means would be the missile. Democrats everywhere should fear how future historians will deal with Harry Truman's shortsightedness and penury in this vital area of ballistic missile development.

Historians have dealt severely with the leaders responsible for the decline and fall of ancient Rome, and for the defeat of France in 1871, and in 1940. The grave parallel undeniably is here. Like the doomed Roman and French leaders, the Democrat leadership slept while the aggressor made ready. Fortunately, while history was poised to repeat itself, the leadership in the White House changed.

In July 1953, the Secretary of Defense reviewed the entire guided missile program in order to clarify its aims and to eliminate duplication.

In fiscal year 1954, Mr. Eisenhower spent well over twice as much on IRBM's and ICBM's as Harry Truman had done during his entire time in the White House. By 1955, the Eisenhower administration had established an urgent priority for ICBM development. Hence, the downward trend of the Truman administration had been completely reversed.

To give the American people further positive proof that we had no program worth mentioning until after the Republicans and President Eisenhower took over, let us look at the following figures:

Money spent on intercontinental and intermediate ballistic missiles between 1946 and 1958[1]

[In millions]

1946	(*)
1947	(*)
1948	(*)
1949	(*)
1950	(*)
1951	(*)
1952	(*)
1953	$3
1954	14
1955	161
1956	515
1957	1,365
1958	1,400
Total	3,458

[1] Figures from the Department of Defense.

NOTE.—For the years 1946 through 1952 the asterisks represent expenditures of less than $1 million per year or, to give a maximum benefit of doubt, we will estimate a maximum total for long-range intercontinental ballistic missiles of $7 million.

For the years 1953 to 1958, during Republican control of the executive department, a total of $3,451 millon was spent. In other words, the Democrats spent only two-tenths of 1 percent on our long-range missile program, while 99.8 percent of total expenditures was spent under the Republican administration.

But President Eisenhower's views about the urgency of the missile program were not shared by most of the majority of the Members of this body. Perhaps they were still under the spell of Mr. Truman's complacency over our national defense, our war arsenal. This opposition to the missile program climaxed in May 1957. The Democrat-controlled Appropriations Committee brought to the floor a proposal to slash $2.5 billion from the Defense budget.

Meanwhile, in a radio and TV appearance, the President warned that there had been no relaxation in international tension. If the budget for Defense were materially cut, he said:

I believe the country would be taking a needless gamble. For myself, I have seen unwise military cuts before * * * I am determined to do all I can to see that we do not follow that foolhardy road again.

Commented Democrat Representative GEORGE H. MAHON, chairman of the House Subcommittee on Defense Department Appropriations:

We even cut missiles a bit, but nobody is going to suffer greatly because we nicked this program about $75 million.

That autumn the Soviet sputnik streaked across the sky. It was a solemn symbol of the foolhardy road which the Democrats had traveled since 1945. In their H-bomb folly, the Democrats would have forfeited our chances for a powerful deterrent to preserve freedom.

In their missile blindness, the Democrats would have denied us the opportunity to develop the most compelling weapon in history—the ICBM—and most important from a national defense point of view because we have had a remarkable success with an intercontinental missile designed to hurl a hydrogen warhead over 5,000 miles.

The grave lesson of history is clear. The American voter holds our destiny and survival when he casts a choice for President and for Representatives in Congress.

On the one hand, he can choose the path of the decline of Rome, the defeat of France, the H-bomb folly of Mr. Truman and the missile oversight of the Democrat Congress.

On the other, he can rest the security of future Americans within the demonstrated foresight, alertness, and initiative of a mature Republican administration and of politically responsible Republican Congresses.

SUSPENSION OF RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on tomorrow and Thursday of this week it may be in order for the Speaker to recognize Members to suspend the rules.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. I object, Mr. Speaker.

Mr. ALBERT. Will the gentleman withhold his objection? This will relate only to bills, I will advise the gentleman, that have been cleared by the Speaker and with the minority leadership.

Mr. GROSS. I object, Mr. Speaker.

WHAT COMMUNION HATH LIGHT WITH DARKNESS?

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 15 minutes.

Mr. BYRD. Mr. Speaker, I do not expect to serve in the House of Representatives again. I take the floor today, therefore, once more to remind my colleagues and the American people that Soviet Premier Nikita Khrushchev and his Communist Party followers can never be trusted.

The repeated calls by Khrushchev for a summit meeting may have raised false hopes in the hearts of some who thought such a meeting would ease East-West tensions. Whether or not a summit meeting ever materializes, it is impossible to say at this time. Only a few days ago Mr. Khrushchev agreed to a summit meeting within the framework of the Security Council of the United Nations. Now he has reversed his field and is running off in the opposite direction, all of which merely fortifies the convictions I have expressed all along that he and other Communist leaders are unpredictable and undependable and that any purposes which Khrushchev has in mind in beating the drums for such a top-level meeting are other than sincere. One needs only to review the record to reach this conclusion.

At Teheran and Yalta certain agreements were made, many of which were subsequently broken by the Soviet Union, and some of which we lived to regret. At Potsdam there was another summit parley. Again some of the agreements made were broken by the Russians and others were regretted by the United States.

Most fresh in our minds, of course, is the summit conference of the Big Four in Geneva in July 1955. This high-level parley in the diplomatic Alps engendered great expectations among the peoples of the Free World.

The single most specific agreement made at Geneva was on the German question. The four powers declared it was their purpose to settle "the German question and the reunification of Germany by means of free elections" which "shall be carried out in conformity with the national interests of the German people and the interests of European security."

The Soviet Union has failed to keep this solemn pledge, and on November 16, 1955, the Foreign Ministers of France, the United Kingdom, and the United States said that negotiations on the German question had reached a deadlock because the Soviet Foreign Minister insisted on a German policy "which would have involved the continued division of Germany as well as the eventual dissolution of the western security system." In a letter dated February 28, 1958, Soviet Foreign Minister Gromyko tore up the final scrap of the Geneva agreement when he said the German question "is a question of relations between the two existing German states."

Mr. Speaker, I was opposed to our participation in the 1955 Geneva Summit Conference. The Scriptures admonish us in this fashion:

Be ye not unequally yoked together with unbelievers, for what fellowship hath righteousness with unrighteouaness and what communion hath light with darkness?

Yet, this is exactly what we were permitting ourselves to become a party to. The Soviet leaders are atheists, and I was taught a long time ago, when I stood at my mother's knee, that you can't do business with the devil.

To those who may suffer the illusion that the real nature of international communism can be changed by any new show of amiability and affability put on by a Russian delegation at a summit conference, one might only point to the announcement, which came on the heels of the 1955 Geneva adjournment, that the Soviets were increasing their military forces in East Germany. Then, too, the Israeli plane disaster, in which more than 50 persons were shot down by Bulgarian Communists, only conformed to the Russian pattern of committing overt, violent acts in order to demean the United States before the eyes of the world. "So sorry," said the Bulgarian Communists, and they felt that they had atoned for their trigger-happy brutality. One must not forget, too, that it was virtually on the eve of the Geneva conference that the Russians shot down one of our American planes over international waters, inflicting severe burns upon a number of American boys, scars which some of the victims will carry to their graves.

I merely repeat these incidents at this juncture to point up the sorry standards of measurement we are using in our official dealings with the Russians and to stress the fact that while we must continue to seek peaceful solutions to world problems we must also base our reckonings and policies on realism.

Mr. Speaker, the American people, without regard to political party, would literally have thrown their hats in the air with joy, if the Geneva summit conference in 1955 had produced any real, sound basis for peace in our day. But all of the smiling and hail-fellow-well-met show at the summit failed miserably to alter the totalitarian Soviet structure. The satellite peoples are just as captive after Geneva as they were before the 1955 summit conference. There is no sign of Soviet lifting of the ban against freedom of worship. The loved ones of the thousands upon thousands of politically imprisoned foreign nationals have less hope now for the release of their relatives than they had before the 1955 summit conference. No edict was issued by the Kremlin for its subversive agents everywhere to cease and desist in their foul efforts to undermine national governments throughout the Free World.

What really emanated from the Geneva meetings, Mr. Speaker, was a vast flood of propaganda, all aimed at showing that the prospects of peace were soaring because Bulganin and his company exhibited party manners, that good fellowship was generated with the aid of cocktails and caviar, that a new climate had been produced, and that from there on everything was going to be just ducky.

Once we had gotten out from under the terrific barrage of propaganda bilge, we discovered that the all-vital, all-important problem of German unification still was unsolved, and it is unsolved today.

Mr. Speaker, the leaders of the Communist movement have as their objective today, as they have always had, the complete mastery of the world. Their statements have repeatedly warned us of their intentions and we should not be in doubt.

Lenin outlined the modus operandi for this objective of world domination. He said:

First we will take eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit.

I venture to quote once more for the record what Lenin said more than 40 years ago:

As long as capitalism and socialism exist we cannot live in peace; in the end, one or the other will triumph—a funeral dirge will be sung over the Soviet Republic or world capitalism.

Mr. Speaker, about 25 years ago Dimitri Manuilsky said, in a lecture delivered at the Lenin School of Political Warfare in Moscow, these words:

War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

There is no convincing evidence to indicate that the present rulers in Moscow have given up either the Leninist goal of world domination of Stalinist tactics for reaching that goal. On November 18, 1956, after Hungary was again safely under the Kremlin's heel, Khrushchev said to Western diplomats at a Moscow reception:

Whether you like it or not, history is on our side. We will bury you yet.

In conclusion, let me say, Mr. Speaker, that I would like to see a just and lasting peace, a peace which would permit every country and every individual to follow a course toward an ultimate destiny in accordance with the principles of law and order. The Scriptures warn us, however, in this manner:

And ye shall hear of wars and rumors of wars: see that ye not be troubled: for all these things must come to pass. * * * For nation shall rise against nation, and kingdom against kingdom. * * * All these are the beginning of sorrows.

I do not claim to be a student of the Bible but I do respect it as the divinely inspired word of God. Hence, I believe that there will continue to be wars and rumors of wars until the Prince of Peace comes back to receive His own. I do not believe that everlasting peace can be secured through man's efforts alone. I can only hope that America may be made so strong that its strength may be utilized as a deterrent to the forces which might be loosed by the leaders in the Kremlin, forces which would, if the Communists could have their way, destroy not only liberty and freedom but also all religions which subscribe to a higher power than that of the State. I can only hope, Mr. Speaker, that the strength of America may be such that it will deter Soviet aggression until that day when an enlightened Russian people will rise up to throw off the chains of totalitarian and tyrannical government which, today, keeps them in bondage.

Not all depends on military strength, however, Mr. Speaker. We must be militarily strong, of course, but the spiritual faith of our fathers is also needed to guide us along our perilous course through the days and years ahead. America was built by men and women of faith. The Founders of this Nation came from many lands and they were of many religious denominations but, as one, they all believed in a higher power. The outstanding leaders in American history exemplified this strong spiritual awareness in their public utterances and in their private lives. They believed the Scriptures which say:

Except the Lord build the house, they labor in vain that build it.

I say, therefore, Mr. Speaker, that if we are spiritually strong we can enjoy the quiet assurance, satisfaction, and comfort contained in the promise of that Scriptural passage which says:

If God be for us, who can be against us?

With faith in our great land, with vision that will keep it militarily strong, and relying for guidance upon a merciful and wise Creator who is not unaware of the fall of the sparrow and who governs the destinies of nations, we in our day may then be assured that we will leave for posterity a republic whose history, like the path of the just, "is as the shining light that shineth more and more unto the perfect day."

SOCIAL SCIENCES IGNORED IN NATIONAL SCIENCE FOUNDATION BOARD NOMINATIONS

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 30 minutes.

Mr. PORTER. Mr. Speaker, President Eisenhower, by his recent nominations to the Board of the National Science Foundation, has weakened the national position of the social sciences at a time when this area has been referred to as the knowledge we need most. It was very disappointing to note that among the 9 persons recently named to the 24-man governing board there was not a single economist, sociologist, psychologist or other social scientist. Since Dr. Charles Dollard, a social psychologist, is among those retiring from the Board this year there will be only one social scientist left, Dr. Frederick A. Middlebush.

I do not disparage any of the individuals reappointed to the Board or those who are new members. They have achieved recognition in their respective fields. However, it is regrettable that the President did not select at least one person from the list of distinguished social scientists submitted to him. Among these were: Dr. Donald Young, head of the Russell Sage Foundation; Dr. John Gardner, head of the Carnegie Corporation; Dr. Dael Wolfle, executive officer of the American Association for

the Advancement of Science; Dr. Clark Kerr, president-designate of the University of California; Dr. Frank Stanton, president of the Columbia Broadcasting System; Dr. Clyde Kluckhohn of Harvard University; and Dr. Logan Wilson, president of the University of Texas.

If the Board membership reflected the fact that social scientists make up about one-fifth of all college graduates professionally employed in all fields of science, there would be five such persons on the Board. While I am not necessarily arguing for a rigid proportionality of this type, I cannot escape the conclusion that the President's action will be a blow to the small but promising social science research program of the National Science Foundation.

The reason that I place such importance on the composition of the Board is that it inevitably influences the subject matter fields supported by the Foundation in its research grants. It is quite understandable that when there are many worthy research projects competing for a limited budget, the Board members can speak with more conviction and enthusiasm on fields in which they have personal knowledge. Because of the permissive but not mandatory provision for social-science research in the original legislation, the very existence of a social-science program from year to year is dependent on initiation of action by the Board.

Let us then turn to the pattern of expenditures for research grants in the social sciences as compared to all the sciences. Between fiscal year 1950 and the end of fiscal year 1954, a total of $6,640,132 in research grants was awarded wholly in the physical and biological sciences.

During fiscal year 1955 the first grants were made in anthropological and related sciences to the extent of $51,700 out of a total of $7,857,395 or less than 1 percent of the funds for research grants for all the sciences combined. The funds allocated for social-science research crept up gradually until in fiscal year 1957 nearly 2 percent of the grant funds was for social-science research.

In fiscal year 1958, of a total of $16,262,692, it was estimated that $600,000—3.7 percent—would be spent on the social sciences. However, this year's budget estimate of $40 million for research support—almost 250 percent of last year's estimate—provided for an increase in the social-science allocation of only $250,000 or less than 50 percent. This means that the social-sciences portion has dropped back to about 2 percent again.

Because of this decline in the relative share of the funds for social science research, I introduced an amendment to the National Science Foundation appropriation bill which would have doubled the allocation for social sciences within the overall $40 million requested for research support. The effect of this amendment would have been to make the increases in the social sciences proportional to the planned increases in the biological and physical sciences or about a threefold increase. The chief argument advanced against this amendment was that the foundation had not asked for this allocation. I submit that this is not surprising in view of the underrepresentation of the social sciences on the policymaking board of the organization.

WHAT IS MEANT BY THE SOCIAL SCIENCES?

Perhaps I should digress for a moment to define what is generally meant by the social sciences. Briefly, they are concerned with the behavior of man as distinct from the behavior of his body—life science—and his environment—physical science. Of the many fields in the social sciences and in the areas of convergence of the social and natural sciences, the Natural Science Foundation program currently includes the following: Physical anthropology, functional archaeology, cultural anthropology, social psychology, sociology, psycholinguistics, demography, human ecology, economics and human geography as well as the history and philosophy of science.

I feel so strongly about the need for more representation and a greater share of funds for research in these fields of learning because of the great gaps in our understanding of human behavior. The need for new knowledge in any field of science is justification enough for its encouragement and I am happy to see that we Americans, always noted for our practical and applied nature, are finally coming around to this view with respect to the natural sciences.

THE NEED IS HERE

In the social sciences the need for basic research is equally justified. But in the social sciences the need for this basic knowledge on behavior of individuals and groups is also reinforced by every day's headlines. What conditions give rise to mob violence? What are the cultural bases of the current Moslem uprisings in the Near East? What are the roots of teen-age gang warfare? The fact that these and hundreds of other social problems exist is not an indictment of the social scientist but rather an indication of particularly fruitful areas for serious research.

Much of the opposition to research in the social sciences has stemmed from "confusion between research on human problems and the practical control of human affairs" as Dr. Dael Wolfle of the American Association for the Advancement of Science describes it. Some people seem to fear that if social scientists learn more about what makes people act the way they do, they will use this knowledge for nefarious ends.

Evil manipulation of people is possible of course—witness Communist brainwashing and Hitler's internal propaganda against minorities. However, such manipulation is not fostered by research in human behavior. On the contrary, as general understanding of man's behavior grows, the possibilities for such control are lessened. An enlightened citizenry is not easily enslaved. Therefore, we cannot regard society as a sacred cow which cannot bear analytical investigation. As Pendleton Herring, president of the Social Science Research Council, describes our modern American dilemma and the role of the social sciences:

> In simpler, tradition-bound cultures, such conscious awareness [of the individual's relation to the group and of groups to one another] does not have to be articulated in theories or expressed in administrative arrangements. It can be expressed in the mores and carried out in familiar routines. But in our highly mobile, technological society we cannot rely upon custom and we abhor totalitarianism. The only alternative is greater knowledge of human behavior and social relations, if we are to lead our individual lives with some degree of freedom and at the same time manage our public affairs effectively. The social sciences represent our efforts to deal rationally and systematically with such matters even while we recognize that human affairs may transcend the limits of scientific analysis—even though, in matching our social science potentials against the magnitude and complexity of the human problems that surround us, we realize our kinship to builders of a fire with wet wood on a stormy mountainside.

The challenge of our times is a serious one and this is why I consider the social sciences must have funds and support from the National Science Foundation.

ACHIEVEMENTS THROUGH NSF GRANTS

Although the social science program of the NSF is still in its early stages I should like to mention a few of the achievements which have been made possible by NSF grants.

Under one grant to the National Bureau of Economic Research, Drs. Geoffrey Moore and Julius Shishkin have been working on the application of electronic computers to the analysis of economic statistics. The new methods developed provide more information on economic indicators in a much shorter time and thus enabled Dr. Saulnier, of the Council of Economic Advisers, to predict the current recession very early in the game. Fortune magazine recently commented on these new developments as follows:

> The chief economic statistician of the Census Bureau, Julius Shishkin, has developed several novel and highly promising techniques for using electronic computers in the rapid analysis of the business cycle. • • • One of his problems was to establish the physiology of the recession in the making and compare it, in the behavior of strategic indicators from month to month, with the situations that prevailed at a corresponding stage during the 1929, 1937, 1948, and 1953 recessions. Shishkin's analysis of the October situation was hurried to Saulnier during the first week of November, and it caused quite a commotion.
>
> The data confirmed Saulnier's own pessimism. Shishkin's machines, making a much broader sampling of economic activities than anyone had yet been able to make so quickly, fixed the diffusion index under the lowest point that was reached in the 1953–54 situation. The recession, in short, was genuine.

The fact that the administration did not respond with sufficient vigor to counteract the recession at this point illustrates the point that the social scientist does not control policy but merely provides the information necessary for sensible decision making by those in positions of responsibility.

Another important scientific venture sponsored by the National Science Foundation was the excavation of the Shanidar Cave in northern Iraq. Two well-preserved human skeletons, 1 about 60,000 years old, and an early neolithic village site have provided valuable information about the mysterious beginnings of civilization.

Other projects are just getting under way. One such is a study of the causal factors in American invention. Dr. Schmookler, of the University of Minnesota will develop indices of inventive activity based on patents in a number of American industries from 1836 to the present. He will use these indices to test hypotheses concerning the causes of change and the level and use of technical knowledge in industry.

Of particular interest is another project now underway at the Massachusetts Institute of Technology—a comprehensive study of the impressions of Soviet science held by returning American scientists. One hundred structured interviews will be held with scientists representing various fields. This is necessary and desirable because their special knowledge and observations can undoubtedly qualify the gross picture of Soviet science which has been conveyed by the mass media. The expert opinions have been lost in the newspapers because of no attempt at organization or systematical presentation and no conscious attempt to exploit fully their special knowledge. It is hoped that this project will be of value both in assessing the Russian scientific achievements and potential in specific fields and in picturing the social and political environment in the Soviet Union which makes scientific advance possible.

We look forward to the findings of these and other special scientists who have been fortunate enough to receive the scarce NSF grants. The slim budget has resulted in the rejection of many worthwhile projects. In fact, during fiscal year 1958 there have been requests for social science research grants totaling $3 million while there was only $600,000 available.

UNEXPLORED AREAS

I should like to suggest a few of the areas in which basic knowledge and understanding are badly needed—areas which can be adequately explored only if there is a sympathetic board and a more equitable allocation of funds.

Some of the gaps are the behavior of people in crowds, national psychology, consumer behavior, the economic impact of scientific research and development, and the phenomenon of creativity. There are many others but I will discuss each of these very briefly:

First. The behavior of people in crowds. Some excellent work has been done on this but there is still very little literature of a scientific nature on the subject. The usefulness of this type of knowledge is obvious. Hopefully, situations like the riots in South America which embarrassed this country during the Vice President's recent visit could be anticipated or avoided.

Second. Understanding of national psychology. Field work and basic research of the kind done by the Rand Corp. in its study of Russian national character needs to be done for many other countries, especially those hitherto underdeveloped areas which are clamoring for admission to the 20th century. We can never have a truly rational foreign policy until we study the social structure and the unwritten rules of society of the countries with which we deal. The applications of such knowledge and the need for people trained in the social science discipline were pointed out by Senator HUMPHREY a year ago:

> My recent experience in the Middle East has impressed upon me more than ever the urgency of getting on in the social sciences. There is immediate and crying need for trained and knowledgeable personnel to deal intelligently and rationally with a variety of social science problems. For example, the question of equitable distribution of agricultural surpluses, the need for better understanding of the obstacles and impediments to reasonable and interpersonal and intergovernmental relations in the area, and insight into the mentalities and personalities of the individuals and masses with whom we have to deal. The effectiveness of our various assistance programs depends in large measure upon having reliable information about and understanding of the hopes, aspirations, motivations, and expectations of the peoples involved. In so many different ways there was impressed upon me the tremendous benefits which would accrue to us as a Nation from having available a well-trained corps of social science technicians and experts.

Third. Consumer behavior. We need to know much more about why, when, and what people buy under various conditions if we are to guard against the extremes in the business cycle. We should support through the National Science Foundation more of the type of work being done by the University of Michigan Survey Research Center and sponsored by the Federal Reserve Board. Some people may contend that consumer behavior is being researched to death by the Madison Avenue crowd. However, their surveys are usually confined to one product and they are done with the view to selling more soap or cigarettes rather than as a foundation for a sound economic policy.

Fourth. The economic impact of scientific research and development. The rapidly expanding research industry has added a new dimension to the American economy, according to Prof. Sumner H. Slichter, of Harvard. Speaking of the tremendous expansion of technological research during the last 30 years, Professor Slichter said:

> It is obvious that technological research increases the capacity of the economy to raise productivity. • • • Less obvious and indeed generally overlooked is the fact that research gives the economy the capacity to bring about planned increases in the demand for goods—both by creating new demands for consumption goods and by creating new investment opportunities. • • • It affects the demands for consumer goods by developing new kinds and varieties • • • that people desire to incorporate into their standard of consumption. It affects the demand for capital goods in two ways—partly by developing new consumer goods that require new plants and equipment for their manufacture, and partly by the development of new processes and new equipment that represents investment opportunities • • • from now on, economists in constructing a theory of investment must put the industry of discovery at the top of the list of investment determinants.

He goes on to suggest that the research industry is a potential stabilizing force in the economy. Here, then is an area for some really significant economic research.

Fifth. The phenomenon of creativity. In the current frenzy of comparisons of United States and Russian intellectual achievements and capabilities we would do well to study the whole question of creativity. What are the conditions most likely to stimulate and promote that elusive quality? Is the trend toward team research an unhealthy one as William Whyte declares in the Organization Man? What is the optimum environment for the scientist in Government? How can we identify and select young people who will be good scientists? These are not the kind of questions which can be answered by crystal ball gazing or by so-called commonsense. They require hardheaded empirical research and this takes well trained people and money.

CONSEQUENCES MAY BE GRAVE

If we do not sponsor a substantial program of social-science research to get some factual data in these areas the consequences may be grave. We stand the chance of drying up the sources of scientific discovery through failure to provide a favorable environment for creative ability and through inability to recognize talent and potential in our youth. We run the risk of wasting millions of dollars through intentioned but bumbling administration of foreign aid. As the Assistant to the President for Science and Technology, Dr. James R. Killian, Jr., said at a recent National Science Foundation symposium:

> To other nations • • • those now taking seven league strides from feudal agrarianism into the atomic age • • • belief in our free institutions is not so obvious or unquestioned. How successful we are in gaining their free commitment to our values will depend not only on how well we follow our own best traditions in leading by example, but also on how imaginatively we apply our technological assistance to their own environmental resources and their own social skills.

Here at home we face increasing problems like juvenile delinquency. We are forced to treat the effects and the symptoms because we do not know enough yet about the causes.

We cannot expect the social scientist to solve these national and international problems for us. That is the job of the people of the United States acting through all levels of government and in private groupings of every type. But we can ask the specialist to use his skills and tools and give us the basic information which is a prerequisite to rational policies and action on the part of individuals and government.

In order to give the necessary national stature and financial support to worthwhile research I believe the social sciences must have greater representation on the policymaking board of the National Science Foundation. It is with the deepest regret that I must say today that I believe the President, in not naming an eminent social scientist to the board, has set back the promising social-science program of the Foundation. It is a setback which bodes serious repercussions for man's pressing need to use the human mind and its products to

meet head-on the human behavioral problems brought on by the atomic bomb.

I urge the President to cure this deficiency when the time comes to make new nominations to the National Science Foundation board in 1960.

WE NEED LEGISLATION FOR ADDITIONAL FEDERAL JUDGES NOW

The SPEAKER. Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 10 minutes.

Mr. REES of Kansas. Mr. Speaker, I have asked permission to address the House in order to call attention of Members to the need of pending legislation providing for additional Federal judges and in particular the need of an additional judge for the State of Kansas.

The Judiciary Committee of the House approved the judgeship bill, H. R. 13672, several days ago. A committee request was made for a rule on the bill. I also addressed a request to the chairman of the Rules Committee and to other members of the committee asking that I be heard on this proposed legislation. It seems to me the least the Rules Committee can do is to permit this measure to come to the floor of the House, subject to amendment and debate.

The thing that concerns me is I have been advised that political influences in my own State are opposing a judgeship for the State of Kansas. I am informed that legislation providing for a judge for Kansas was the only item upon which there was controversy in the great Judiciary Committee, and the objection there was raised because of political influences.

According to the committee report, all of the districts recommended for a judgeship are approved by the Judicial Conference. As I have just stated, Kansas seems to be the one about which there was a question when considered by the committee, even though it is really at the top of the list of those recommended by the Judicial Conference. Kansas was recommended for an additional judgeship in 1954. The Conference has reaffirmed this recommendation at subsequent meetings. That recommendation is now before Congress. I still have hope that the leadership of the House might be willing to grant a rule on the bill before adjournment. If the leadership is not willing to grant a rule, then let it come to the floor under suspension and give the House a chance to vote either up or down on this proposed legislation. If any Member is opposed to this legislation, let him speak up and tell why it should not be supported. That is the proper way to handle it.

Now, let me give you some facts concerning our own State of Kansas.

Since 1951, civil cases filed in the district courts of Kansas have almost tripled in number. Last year more than 800 civil cases were filed in the district courts of Kansas as compared with 573 10 years ago. In 1956, the median time interval from the date of filing to the disposition of civil cases was approximately 14 months. It is more now.

We are having difficulty trying cases in our State even with a great deal of assistance from visiting judges. As a matter of fact, the average time of trial would be much greater except for the assistance of visiting judges. During 1956, six different judges were called into our State to relieve the overcrowded judicial docket. Of course, it was partly caused by reason of illness of one of our judges who has since passed away.

The civil-case load of 400 cases per judge for Kansas in 1956 is the fourth largest of 86 districts throughout the Nation. The national average is 225 cases. It should also be observed that the load of criminal cases is higher than the average throughout the country.

It is observed that other States with populations similar to Kansas have 3 or 4 judges while our State has 2. Washington, with a population slightly higher than Kansas, has four judges. Oklahoma, with a population a little less, has five judges. Oregon, Arkansas, West Virginia, with less populations than our State, have had three judges for a long time. I should add that the Honorable Delmas C. Hill, present district judge, is highly overworked in his attempt to dispose of cases presently on the docket. The second judge, A. J. Mellott, who recently passed away, has a distinguished record and was overworked in his attempt to carry out the work of his office.

It should be observed that diversity of citizenship cases and habeas corpus proceedings commenced by petitioners in the Leavenworth Penitentiary are factors in the business of our courts. During the fiscal year 1956, 152 such cases were commenced in Kansas. The average, I am informed, is about 90 cases. Seventy-two personal injury cases were tried in 1956. The average is 33. Kansas has also had its share of condemnation proceedings involving flood-control projects and other Federal projects.

The American Bar Association is actively in support of this legislation. President Charles S. Rhyne informed bar officials throughout the Nation in a letter dated June 25 that "it is now apparent that lawyers must assume the responsibility of leadership in an all-out effort to arouse Members of Congress to the absolute necessity of enactment of this legislation."

President Rhyne appealed not only to lawyers but to businessmen and to laymen's groups to help fight court congestion.

He further stated—

Failure of Congress to enact an omnibus judgeship bill will only further contribute to the mounting backlog of cases which is now at the point where over one-third of all civil cases in the Federal courts take from 1 to 4 years to reach trial.

It is extremely important that Kansas have an additional district judge. This is not the time to play politics with people in the State of Kansas, or any other State, who are entitled to be heard before our courts. The question is whether we are going to permit political influence to prevent this important legislation from coming to the floor of the House and thereby delay and prevent people from having their day in court. I want no part of such business, hence the reason I am making a plea to you in support of this legislation. If any reason can be proposed why this legislation should not be considered, let it be known. It will take less than 2 hours to dispose of it. My plea, of course, goes to the leadership of the House. I think the Members of this great representative body should be familiar with some of the facts.

I repeat, withholding this bill from consideration of the House after having had the approval of the Judiciary Committee, is not right and in my opinion, it is not fair.

THREE-DAY RECESSES

The SPEAKER. Under previous order of the House, the gentlewoman from Masschusetts [Mr. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I give to you a suggestion for what it is worth. I am wondering what the Speaker and the minority leader and the membership would have to say about recesses instead of adjournment say at the end of this week for 3 days at a time because it seems to me that we have a great deal of difficulty in passing legislation at the present time not only in this body but in the body across the Capitol. I remember some years ago I especially objected to our adjourning during a time when we were likely to get into World War II at any moment. Many Members felt that it worked fairly well. The public today would like to have us ready at any time to legislate in any war or near war emergency.

Many Members have difficult campaigns. The country is very much upset. I think they feel that we should be here upon call at any time or that we should be where we could get back here quickly. I think it would be a great relief to the Members who have campaigns and also to our constituents if it could be arranged so that we could be at home more in order to discuss both our foreign and domestic affairs with them without neglecting our duty here.

PANAMA RAILROAD—LATEST DEVELOPMENTS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. FLOOD. Mr. Speaker, on January 3, 1957, after many months of effort and a comprehensive independent inquiry under direction of the Committee on Merchant Marine and Fisheries pursuant to House Resolution 118, 84th Congress, the decision was made that the Panama Railroad should be retained because it is the most economical form of mass transportation on land across the Isthmus of Panama. The report of that investigation is given in House Report 2974, 84th Congress.

Ensuing operating improvements and economies have increased the efficiency of that railroad, fully justifying the action of the Congress in preventing its then contemplated abandonment.

In previous addresses to the House, I have stressed the fact that while the Congress was taking steps to avert liquidation of that vital rail link, the treaty power in the 1955 Treaty with Panama was giving away to that country the Panama City and Colon terminal yards and passenger stations, and all without any consideration.

Now it appears from a news dispatch from Balboa, Canal Zone, published in the New York Times of August 17, 1958, that certain local interests in Panama do not like the Canal Zone at the Pacific end of the line and have started further agitations regarding this subject.

As the Congress will wish to be informed on these latest developments, I quote the text of the indicated news story:

[From the New York Times of August 17, 1958]

PANAMA SEEKING TO HIDE RAILROAD—STRIVES TO RELIEVE PRIVATE BUS AND TRUCKLINES FROM UNITED STATES COMPETITION

BALBOA, C. Z., August 13.—The Government of Panama wants one of the shortest and most storied lines in American railroading history to go away and hide itself.

The line is the 50-mile Panama Railroad, now a division of the Panama Canal enterprise. Inspiration for its construction was the California gold rush. Even today it exudes much of the bearded simplicity of that historic era; no club cars, no streamliners. The rail trip across the Isthmus of Panama remains an exercise in rugged rattling.

Under the terms of a 1955 United States-Panama treaty, the United States agreed to remove the Atlantic side and Pacific side terminals of the railroad from the Panamanian cities of Colon and Panama respectively.

After the necessary Congressional steps were taken to ratify the agreement, the Panama Canal Company published plans for new terminal facilities to replace those about to be yielded in the heart of Panama City.

These include a passenger station right at the Canal Zone border, no more than 300 yards from the present station, and a freight house also right on the border, even handier for consignees than the present railroad freight house in an inconveniently congested area of Panama City.

WORK FOR PRIVATE LINES

Well knowing that Panama's basic purpose in requesting the removal of the railroad facilities from the Republic was to relieve Panama's private bus and truclines of United States Government competition, one assemblyman (congressman) contemplated the relocation plans in some awe.

"The new station is even closer to the National Assembly (building) than the old one," he declared.

Alerted by the bus and truck outfits, the Panama Government tacitly acknowledged that if the Panama Canal Company implemented its new plans for the railroad, the Republic's bus and truclines would be in no better competitive position than previously, and that in this issue at least the work of the statesmen who masterminded Panamanian strategy in the negotiations leading to the 1955 treaty would go for nothing.

Panama therefore formally, through the United States Embassy in Panama City, expressed to the United States its concern at the published proposals. As a result, the United States Ambassador to Panama, Julian F. Harrington, and Canal Zone Gov. William E. Potter met last week with high officials of the administration of President Ernesto de la Guardia, Jr., in the office of Foreign Minister Miguel J. Moreno, Jr.

PANAMA RAILROAD: INDISPENSABLE FACILITY FOR PANAMA AND CANAL ZONE

Mr. FLOOD. Mr. Speaker, apropos my previous remarks concerning the necessity for retaining the Panama Railroad in efficient operation, I am pleased to note in the August 1, 1958, issue of the Star and Herald, Panamá, Republic of Panama, an editorial commending the action of the Congress in 1957 in preventing the liquidation of this important adjunct to the Panama Canal.

The Star and Herald, during the drive of the directorate of the Panama Canal Company in 1954–55 to abandon this property, was strenuous in opposition to that ill-considered course and was an important factor in preventing an unfortunate decision. For this, its editors are to be commended. The indicated editorial follows:

[From the Panama City (Republic of Panama) Star and Herald of August 1, 1958]

STRINGING ALONG WITH THE PANAMA RAILROAD

We who live either in Panama or the Canal Zone can thank our lucky stars that common sense prevails both here and in the United States in the decision not to scrap the Panama Railroad.

Reserving our opinion of those alined in favor of scrapping the transisthmian rail line, we herewith point out just a few reasons wherefore the ancient line is a necessity not alone for both jurisdictions but even more so for the Panama Canal itself.

Truly, one is forced to ask why should the question ever have been broached at all?

Thanks to Franklin D. Roosevelt and Panama's then President, Augusto S. Boyd, we have the transisthmian road, popularly known as the Boyd-Roosevelt Highway. It is a good road, and the distance from Panamá to Colon can be covered in little more than an hour if the Guardia Nacional motorcycle cops are not too avid in their watchfulness of drivers exceeding the speed limit.

Grateful as we may be for the Boyd-Roosevelt Highway, we have to consider another angle which concerns not only the Canal Zone but also the defense of the so-strategic Panama Canal itself. None can deny the need of the canal nor its tremendous aid to the defense of our Americas and its utility to our western allies, to say nothing of its short-cut facilities for world commerce.

But right here we must point out that there is no motor highway between the two terminals of the Panama Canal in the Canal Zone. True, the communications via telephone and teletype are most modern and these facilities permit immediate contact between one Panama center and another. But operations for rescue or relief must be made largely by boat through the canal or by plane. There simply are no roads paralleling the canal between Gatun, on the Atlantic side of the isthmus, and Gamboa on the Pacific side. And Gatun Lake is a very big lake.

Panama has its Transisthmian Highway and the United States has its canal, but, as the saying goes, "Never the twain shall meet."

The Canal Zone has its canal, a route for oceangoing ships to make a crosscut through the Americas between the world's two greatest oceans, but it has no road paralleling that route. In the event of serious slides in the Gaillard Cut, which marks the lowest point in the Great Divide, or lowest factor in the mountain chain between the Americas, where do we go from there in rectifying the damage? It would appear that an auxiliary road for trucking would be a real must somewhere along the line. And, naturally, that road must follow the canal itself.

True, the Boyd-Roosevelt Highway connects this capital with Colon but it at no point enters the Canal Zone except for a brief mile or less in passing Coco Solo. There is a road on the Pacific side as far as Gamboa and another fine road on the Atlantic side as far as Gatun and the Gatun Dam, where the surplus lake water spills into the lower Chagres and rushes out to the Atlantic.

Take away the Panama Railroad, and the two Panama Canal terminals are isolated except by the canal.

In other words, the Panama Railroad appears to be a major means of defense on this Isthmus for both the Republic and the Canal Zone. And whatever stands for defense in these dangerous times, especially at this so strategic point in the Western Hemisphere, must not only be maintained but strengthened.

We never have gone along with any plan for scrapping the Panama Railroad, which has been carrying us and our parents and children across the Great Divide for over a century. Given the contours of this Isthmus and the strategic necessity of keeping all possible routes of communication open if only for defense, we say and will vehemently maintain that the good old Panama Railroad must stand as it is, even at a loss of revenue.

The United States is spending billions for defense, and a bit of red on the Panama Railroad ledger may well stand for defense against a possible attack by enemy infiltration. Many United States railroads are operating in the red, we read, but they continue to operate. Not all nomads prefer traveling by automobile. It is too dusty, too tiresome, and often becomes expensive when hotel costs are heavy.

The Panama Railroad is one of the most potent arms for defense both for the Panama Canal and this Republic itself. Incidentally, it is a great tourist attraction and the majority of our tourists make at least one transisthmian crossing over the rails. They claim they see more of the canal itself that way.

Without the good old railroad's aid the canal job would have been much slower and infinitely more costly.

PANAMA: UNIVERSITY STUDENTS CONDEMNED BY RECTOR

Mr. FLOOD. Mr. Speaker, in a number of addresses to the House this session dealing with the ownership and control of the Panama Canal and Canal Zone, I had occasion to describe some unwarranted actions of Panama University students that culminated in fatal disorders in the cities of Panama and Colon, and even a flag-raising invasion of the Canal Zone.

In these incidents, Panamanian students and their backers, including Communists, not satisfied with agitations affecting domestic affairs of their country, undertook to dictate policies affecting relations between Panama and the United States. My addresses on March 26, April 2, June 9, 17, and 24, July 15, 18, 23, and 30, dealt extensively with the legal and historical background of our isthmian policies with comprehensive documentation. They also quote news stories written at the scenes of the disorders which

astonished not only the people of the United States but, as well, all nations that follow the principles of constitutional liberty.

Thus, it will be of the greatest interest to the Congress to know that the irresponsible actions of students and others utilizing the campus of the University of Panama is not condoned by the rector of that educational institution, Dr. Jaime de la Guardia, but were publicly condemned by him in a news story in the August 1, 1958, edition of the Star and Herald, Panama, Republic of Panama.

The indicated news story follows:

[From the Panama City Star and Herald of August 1, 1958]

REPUBLIC OF PANAMA UNIVERSITY RECTOR CONDEMNS LACK OF RESPECT BY STUDENTS

Dr. Jaime de la Guardia, rector of the national university, yesterday condemned lack of respect by students to the authority of their teachers and called for measures to check the spread of that situation.

The rector spoke with specific reference to student incidents in connection with the recent visit to Panama by Dr. Milton Eisenhower, brother of the President of the United States. The university students union turned down an invitation to meet with Dr. Eisenhower in the United States Embassy residence and instead demanded that he come to the university campus.

Dr. de la Guardia said the students offered the campus as the site for the meeting without the knowledge or consent of the university officials.

"This," he said in a formal report to the university's general council, "undermines the autonomy and the prestige of the University of Panama."

The reference to the Eisenhower visit was part of a report by Dr. de la Guardia to the university council on recent events in Panama in which the university figured prominently.

The council is composed of 122 members—110 members of the faculty and 12 students. Last night's meeting was attended by 97 members, of whom 88 were professors and 9 were students. At the conclusion of his report, Dr. de la Guardia was tendered a vote of confidence.

A resolution approved by the university council provided for: (1) Support of Dr. de la Guardia's actions in connection with the Government-student crisis last May; (2) called for enforcement of the agreement between Government and student representatives which put an end to the May crisis; and (3) condemned strongly the undue use of the name of the university, utilization of the university campus by nonuniversity elements, the usurpation by anyone of authority and functions which are within the province of officials of the institution and called for severe punishment of any persons who in the future incur in such use, utilization or usurpation.

Dr. de la Guardia's report on the May violence recalled that the university campus served as asylum for students and nonstudents involved in the conflict with the administration of President Ernesto de la Guardia, Jr.

"Students built various barricades within the university," his report said. "They utilized tables, chairs, sand bags, and anything which seemed useful for defense purposes. They set up check points for automobiles and enforced one-way traffic. Students organized and installed themselves in various buildings of the university. Some of them were armed. The administration building was partially occupied. The high command—which was the self-styling of the leadership group formed by secondary school students, university students, and labor representatives—had its headquarters in the library section. The telephone exchange was in the hands of the student groups, with the exception of a direct line to the rector's office.

"There were shots from the university to the outside and from the surrounding areas into the university. Several of our buildings and one car show bullet marks."

The rector reported that in view of the seriousness of the situation he and a group of university professors offered their good offices to work out a solution. This was achieved through a written agreement providing for (1) long-term development of improvements in school conditions, and (2) introduction of legislation in the national assembly, which meets this October, restricting the activities of the National Guard. "This legal instrument," Dr. de la Guardia said, "will answer to the desire of the citizenry for maintaining the public force subordinated to civil power."

The rector strongly scored the practices of student organizations of ordering a halt in classes. These frequent strikes, he said, are "irresponsibly supported by the majority of students because of the mere fact that they provide an unexpected holiday." Suspension of classes, he pointed out, requires the approval of the university's administrative board.

Students, by themselves, Dr. de la Guardia said, have no authority to offer the university campus for any activity. He then referred to the student incidents in connection with Dr. Eisenhower's visit. He related:

"Some leaders of the University Students Union, preparing undoubtedly to receive a visit which they illogically expected from Dr. Milton Eisenhower, ordered on a holiday (July 14 which was Bastille Day) the opening of the administration building, ordered the immediate withdrawal of administrative personnel, entered the rector's office, and received foreign newspapermen to whom they made statements in connection with the visit of the illustrious North American educator. All this, without the least knowledge of the rector or any of his immediate assistants.

"This state of affairs," he concluded, "demands our most serious consideration, because it undermines the autonomy and the prestige of the University of Panama. • • • It is necessary that we, as educators, point out the risks and that we take the therapeutical measures which good judgment indicates."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PELLY, for 30 minutes, on tomorrow.

Mrs. ROGERS of Massachusetts, for 5 minutes, each day for the balance of the week.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BEAMER.

Mr. MADDEN to revise and extend the remarks he made on the rule sending the education bill to conference and to include several telegrams.

Mr. CHIPERFIELD and to include extraneous matter.

(At the request of Mr. BALDWIN, and to include extraneous matter, the following:)

Mr. SCHWENGEL.

Mr. MILLER, of Nebraska, the remarks he made today and to include charts.

Mr. FORD.

(At the request of Mr. ASPINALL, the following Members, and to include extraneous matter:)

Mr. RUTHERFORD.

Mr. SANTANGELO.

Mr. EBERHARTER.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 448. An act for the relief of Maria Lorenz; to the Committee on the Judiciary.

S. 449. An act for the relief of Johann Kalatschan; to the Committee on the Judiciary.

S. 453. An act for the relief of Peter Mensner; to the Committee on the Judiciary.

S. 951. An act for the relief of Stasys Sereika; to the Committee on the Judiciary.

S. 1885. An act for the relief of David Forbes; to the Committee on the Judiciary.

S. 1913. An act to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes; to the Committee on the District of Columbia.

S. 1944. An act for the relief of Ethel Auth; to the Committee on the Judiciary.

S. 1945. An act for the relief of Jakob Libiang, Jr.; to the Committee on the Judiciary.

S. 2186. An act for the relief of Martin Albert; to the Committee on the Judiciary.

S. 2469. An act for the relief of Dr. Brant Bonner; to the Committee on the Judiciary.

S. 3000. An act to amend the Immigration and Nationality Act to accord Korean war veterans equal naturalization privileges; to the Committee on the Judiciary.

S. 3338. An act for the relief of Erminio Neglia; to the Committee on the Judiciary.

S. 3503. An act for the relief of Marie Inette Konomos; to the Committee on the Judiciary.

S. 3523. An act for the relief of Benedict Eremenko (Ben Zuke) and Victor Tatarnikov (Victor Kalin); to the Committee on the Judiciary.

S. 3565. An act for the relief of Ellen B. Mueller; to the Committee on the Judiciary.

S. 3571. An act to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States; to the Committee on Interstate and Foreign Commerce.

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.; to the Committee on Public Works.

S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State; to the Committee on Foreign Affairs.

S. 4032. An act for the relief of Mercede Svaldi; to the Committee on the Judiciary.

S. 4179. An act to authorize the Tahchevah Creek project, Palm Springs, California; to the Committee on Public Works.

S. 4213. An act to afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of disability incurred in or aggravated by active service subsequent to January 31, 1955; to the Committee on Veterans Affairs.

S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute; to the Committee on Foreign Affairs.

S. Con. Res. 37. Concurrent resolution favoring Congressional recognition of the Baseball Hall of Fame, located at Cooperstown, N. Y.; to the Committee on House Administration.

S. Con. Res. 111. Concurrent resolution to print the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations as a Senate document, with additional copies to the Committee on House Administration.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3904. An act for the relief of Nunik Pirjanian and Florence Thomasi;

H. R. 4544. An act for the relief of Louis S. Levenson;

H. R. 6175. An act for the relief of Virginia Heil;

H. R. 6894. An act to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and splittings;

H. R. 8160. An act authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes;

H. R. 8481. An act to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii;

H. R. 8652. An act to rescind the authorization for the Waldo Lake Tunnel and regulating works, Willamette River, Oreg.;

H. R. 9239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes;

H. R. 9371. An act to provide for the relief of certain members and former members of the Army and the Air Force, and for other purposes;

H. R. 10360. An act to amend title V of the Agricultural Act of 1949, as amended;

H. R. 11030. An act to amend title XV of the Social Security Act to extend the unemployment insurance system to ex-servicemen, and for other purposes;

H. R. 11697. An act to amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the harbor of New York, to extend the application of that act to the harbor of Hampton Roads;

H. R. 12489. An act to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956;

H. R. 12494. An act to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes;

H. R. 12876. An act to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes;

H. R. 13342. An act to provide for a survey of Parish Line Canal, La.;

H. R. 13518. An act to incorporate the Blinded Veterans Association;

H. R. 13558. An act to incorporate the Military Order of the Purple Heart of the United States of America, of combat-wounded veterans who have been awarded the Purple Heart;

H. R. 13686. An act to provide airmail and special-delivery postage stamps for Members of the House of Representatives on the basis of regular sessions of Congress, and for other purposes; and

H. J. Res. 585. Joint resolution authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1633. An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen;

H. R. 1829. An act for the relief of the estate of Mrs. Frank C. Gregg;

H. R. 5351. An act for the relief of Harlee M. Hansley;

H. R. 5411. An act to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage, to provide that interstate instrumentalities may secure coverage for policemen and firemen in positions under a retirement system of the instrumentality;

H. R. 5865. An act to amend section 80 of the Hawaiian Organic Act, and for other purposes;

H. R. 6788. An act to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original papers and to make uniform the law relating to the record on review or enforcement of such orders, and for other purposes;

H. R. 7570. An act to amend section 403 of the social-security amendments of 1954 to provide social-security coverage for certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7866. An act to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals;

H. R. 8134. An act for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area;

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 8599. An act to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (1) of such act shall not be applicable to payments to employees of a State or a political subdivision thereof for periods of absence from work on account of sickness;

H. R. 8606. An act to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress;

H. R. 8688. An act for the relief of Monroe Woolley;

H. R. 8868. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957;

H. R. 9445. An act to amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws, with respect to leases and other dispositions of land;

H. R. 9673. An act to restore retired pay to those retired officers of the Armed Forces dropped from the rolls after December 31, 1954, and before the date of enactment of this act, and for other purposes;

H. R. 9932. An act to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 10419. An act for the relief of North Counties Hydroelectric Co.;

H. R. 11125. An act to provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla.;

H. R. 11346. An act to amend title II of the Social Security Act to include Massachusetts and Vermont among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage, and to permit individuals who have decided against such coverage to change their decision within a year after the division of the system;

H. R. 12894. An act to authorize the making, amendment, and modification of contracts to facilitate the national defense; and

H. R. 13531. An act to amend the act of June 29, 1938, as amended, to increase the insurance coverage required to be carried by cabs for hire in the District of Columbia for the protection of passengers and others, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.), the House adjourned until tomorrow, Wednesday, August 20, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2244. A communication from the President of the United States, transmitting proposed supplemental appropriations in the amount of $119,300,000 for the Department of Health, Education, and Welfare, and $70,410,000 for the Department of Labor, for the fiscal year 1959; and $54 million for the Post Office Department for the fiscal years 1957 and 1958; to the Committee on Appropriations and ordered to be printed (H. Doc. 440).

2245. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report that certain appropriations to the Treasury Department for the fiscal year 1959 have been reapportioned on a basis which indicates the necessity for supplemental or deficiency appropriations, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

2246. A letter from the Secretary of Commerce, transmitting the 44th Quarterly Report on Export Control, pursuant to the Export Control Act of 1949; to the Committee on Banking and Currency.

2247. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order suspending deportation for the case of Maria Grazia Bagiardi, A-8380198, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

2248. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

2249. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

2250. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. Senate Joint Resolution 135. Joint resolution providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses (Rept. No. 2674). Ordered to be printed.

Mr. MORGAN: Committee on Foreign Affairs. S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State; without amendment (Rept. No. 2675). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee of conference. H. R. 13450. A bill making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 2677). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 3021. An act for the relief of Stanislawa Wojczul; without amendment (Rept. No. 2671). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3028. An act for the relief of Laszlo Cseri; with amendment (Rept. No. 2672). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3915. An act for the relief of Chiyoko Yoshimoto; without amendment (Rept. No. 2673). Referred to the Committee of the Whole House.

Mr. MORGAN: Committee on Foreign Affairs. S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute; without amendment (Rept. No. 2676). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. NEAL:

H. R. 13812. A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBSION of Kentucky:

H. R. 13813. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi:

H. R. 13814. A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAY:

H. J. Res. 703. Joint resolution designating September 25 of each year as Voter's Day; to the Committee on the Judiciary.

By Mr. FLOOD:

H. Res. 692. Resolution expressing the sense of the House of Representatives that military forces of the Union of Soviet Socialist Republics should be withdrawn from Poland and Hungary; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 13815. A bill for the relief of Elseva Kaufman; to the Committee on the Judiciary.

By Mr. BALDWIN:

H. R. 13816. A bill for the relief of Maria German Zurita; to the Committee on the Judiciary.

By Mr. DORN of New York:

H. R. 13817. A bill for the relief of Monti Marine Corp.; to the Committee on the Judiciary.

By Mr. HAGEN:

H. R. 13818. A bill for the relief of Manuel da Cunha; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 13819. A bill for the relief of Eduardo Rafael Vital; to the Committee on the Judiciary.

By Mr. SHELLEY:

H. R. 13820. A bill for the relief of Eduardo Rafael Vital; to the Committee on the Judiciary.

By Mr. SCOTT of Pennsylvania:

H. R. 13821. A bill for the relief of Aram Fayda and his wife, Elena Fayda; to the Committee on the Judiciary.

By Mr. WILSON of California:

H. R. 13822. A bill for the relief of Joseph Rashid Jibran; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Social Security Amendments of 1958

EXTENSION OF REMARKS
OF
HON. HERMAN P. EBERHARTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 19, 1958

Mr. EBERHARTER. Mr. Speaker, as we come to the close of the session we are taking action on helping the aged and other needy persons in the pending social security bill. But for the past week there has been threat after threat that if the bill were not changed, the administration might veto the whole bill. Secretary Flemming testified before the Senate Finance Committee that the insurance provisions in the bill were sound. He pointed out that the principles underlying the new formula for public assistance were also sound. But he objected to giving the aged, dependent children, the blind and the disabled additional Federal money, and urged that the Federal share for public assistance be reduced. He said that if it were not reduced, he would recommend that the President veto the bill.

Secretary Flemming had been in office for 6 days when he made this statement. In my opinion, it is hardly possible that he could have understood all of the ramifications involved in this legislation which the Committee on Ways and Means had worked on for many weeks. Undoubtedly his testimony before the committee must have been determined for him over in the Budget Bureau or the White House staff. It certainly does not represent the humanitarian concern that those of us here in this House have for the aged when we passed the bill by the overwhelming vote of 372 to 2. Since the other body passed the bill by the vote of 79 to 0, I just cannot see how the President of the United States or any of his advisers can take the position that this bill ought to be vetoed.

I hope that Members of the House will make their views known to the White House and to other influential members of the administration that to veto this bill would be a terrible blow to millions of aged people, the blind, the disabled, and dependent children who are living on a bare minimum of existence. The average old-age assistance payment in the United States is about $61 per month. The measure before us today would increase this about $4.73. To argue that an increase of $4.73 per month for an aged person is too much just seems to me to be the height of foolishness. I do not see how any reasonable person can maintain such a position.

During this session of Congress we have passed bills to help the railroads, to help the insurance companies, and to help many other groups that have been affected by adverse economic conditions. If we go home now and do not do anything for the neediest groups in the Nation, we would be subject to criticism, and rightfully so. By passing the measure before us today, we are striking a blow for helping those who need help.

I do not think that the President of the United States should veto this bill, and I urge other Members of the House to take the same position so that the President will know that if he does so there will be strong pressure to override his veto.

Navy Food Service

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 19, 1958

Mr. FORD. Mr. Speaker, the Navy has just cited a civilian group, the Executive Stewards' and Caterers' Association, who are now holding their annual convention at Grand Rapids, Mich., for its assistance to the United States Navy in bringing recognition and important new incentives to the Navy's food service personnel.

At a time when great attention is being focused on nuclear submarines, space-age developments, and the need for an adequate national defense, we are prone to forget the man behind the pushbutton and the legions of men and women who make the pushbuttons possible. When we do consider those who man the ramparts in peace and during these days of limited wars, we too often consider their morale only in relation to matters of pay or promotion. But another very direct and abiding concern of every military person is his food.

Young America eats well at home today and when he takes to the sea he does not go there or stay there for the salt horse and cracker hash of the Old Navy. The Navy of today places great stress on the importance of good food and has commended the Executive Stewards' and Caterers' Association for its work in sponsoring the first all-Navy competition for outstanding food service.

In a citation in connection with the ceremonies of the 1958 Ney Memorial awards for outstanding food service sponsored by the Executive Stewards' and Caterers' Association, Secretary of the Navy Gates has stated:

Although our Navy is advancing into the age of missiles and nuclear power, the men and women who man its ships, planes, and shore stations are the key element in its power. With the exception of leadership, probably no one thing is more important to the health and morale of these men and women than food and food service.

I want to express to the Executive Stewards' and Caterers' Association warm thanks from all of us in the Navy for what you have done; first, in giving these awards to our outstanding commands and the personnel responsible; and, second, in obtaining recognition of this important factor in the health and morale of our people.

Being honored by this association of food service executives at Grand Rapids, Mich., this week were the U. S. S. *Franklin D. Roosevelt* which had the outstanding general mess afloat, and the Naval Station, Guantanamo Bay, Cuba, which had the most outstanding general mess ashore.

By taking such profound interest in Navy food service, the Executive Stewards' and Caterers' Association has rendered unusual public service to the United States Navy.

Extension of the East Front of the Capitol

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 19, 1958

Mr. SCHWENGEL. Mr. Speaker, a few days ago I took the floor to discuss the east front problem. At that time I promised that I would file for the RECORD a statement setting out the charges that are false or without foundation. I have now completed a preliminary research on this subject and herewith file a statement of some of the more serious charges with answers, explanations and documentations of my answers:

SOME OF THE MOST IMPORTANT REFUTATIONS OF FALSE CHARGES MADE BY OPPONENTS OF EXTENSION OF CAPITOL PROJECT

Charge: The initial authorization was sneaked through the Congress in 1955 without benefit of public hearings.

Answer: Legislation authorizing the extension of the Capitol was never sneaked through the Congress.

The House of Representatives, in 1908, considered and passed legislation authorizing the extension of the east central front of the Capitol and provided an initial appropriation to start such work. The item at that time was not, however, approved by the Senate.

The United States Senate has twice considered and passed bills authorizing the extension of the east central front of the Capitol, in addition to the legislative action taken in 1955. One of those bills was passed in 1935 and the other in 1937, following hearings conducted by the Senate Committee on Public Buildings and Grounds at that time. The committee, in 1937, not only had the benefit of the hearings which it had held in 1935 and the 3 days' hearings which it held in 1937, but also of 9 days' hearings held on such proposed legislation by the House Committee on Public Buildings and Grounds in 1935. Proponents and opponents of the legislation were given full and free opportunity to testify on these occasions and their testimony is a matter of record in the printed hearings of those committees for such years.

Although neither the 1935 nor the 1937 bill was reported out by the House committee, the action taken by the Senate is significant.

In 1935, the Senate authorization bill was reported out unanimously by the Senate Committee on Public Buildings and Grounds and was considered and passed on the Consent Calendar, when the objection of a single Senator would, in that case, have prevented its consideration and passage.

In 1937, after being favorably reported by the Senate Committee on Public Buildings and Grounds, the Senate authorization bill was considered under regular order of the Senate and was passed immediately following a quorm call to which 82 Senators responded.

The present authorization for the extension project is contained in the Legislative Appropriations Act, 1956, as amended by Public Law 406, 84th Congress—the amendment being in the nature of correction of technical defects. This authorization together with an initial appropriation, was included in the Legislative Appropriation Act, 1956, by the House Committee on Appropriations, following consideration of the item by that committee, and was retained in the bill upon recommendation of the Senate Committee on Appropriations, following consideration of the item by that committee.

Before action was taken on this item by the House and Senate committees, these committees were furnished copies of the 1935 and 1937 printed Senate and House hearings on the extension of the Capitol and a résumé of previous action taken by the Senate and House committees and by the Senate itself.

The 1935 and 1937 printed hearings covered a complete exposition of all possible arguments, pro and con, relating to the extension. The validity of those arguments, whether they be pro or be con, does not change with the years.

In 1956, $12 million was appropriated by the Congress to supplement the initial $5 million appropriated the previous year at the same time the project was authorized. The request for the second appropriation of $12 million was processed through the President's budget and was considered in the usual manner by both the Senate and House.

Does it make sense to say that the original authorization act was "sneaked through" Congress in 1955, when a year later the Congress considered and agreed to appropriate $12 million to implement the authorization act and to supplement the initial appropriation? The 1955 and 1956 hearings, bills, and reports are all public information.

These facts and this history here presented certainly should render untenable any charge that the extension of the Capitol is a matter that has not received due consideration on the part of both the Senate and the House.

Charge: That the great majority of informed architectural opinion is opposed to the project.

Answer: This charge is not true, in fact just the opposite is apparently much more true. Actually the majority of the great classical architects of our day and those of the past century have endorsed the extension.

Thomas U. Walter, the architect who designed the dome and wings and who was one of the founders and second president of the AIA, was the original advocate of the extension of the east front. Extension of the east front has also been advocated by most of the architects who have done monumental work in Washington—Delano, Eggers, Carrere & Hastings; Bacon; Cass Gilbert; McKim, Mead & White, Platt; Coolidge; Pope; York & Sawyer; Zantzinger; Wyeth; Sullivan; and Cunningham. Totten, Hirois, Howells, Swartwout & Magonigle have also expressed their approval. A number of these architects appeared at the hearings in 1935 and 1937 in support of the extension.

The works of these men include such monumental achievements as renovation of the White House, Post Office Building in Federal Triangle, Lincoln Memorial Bridge, the Senate and House Office Buildings, the Archives Building, National Gallery of Art, Jefferson Memorial, Lincoln Memorial, Constitution Hall, Red Cross Building, Department of Justice Building, Freer Art Gallery, Supreme Court Building, Philadelphia Museum of Art, Panhellenic Tower, Liberty Memorial in Kansas City, McKinley National Memorial in Ohio, Philadelphia Mint, Maine Memorial, Missouri State Capitol, Museum of Fine Arts of Yale University, additions to the British Museum; also, the recent remodeling of the Senate and House Chambers.

The National Commission of Fine Arts approved of the extension in 1919 and 1935, and its Chairman, Charles Moore, in the

1935 hearing, lent to it the weight of his 36 years of experience in the Washington plan.

On June 12, 1956, at a hearing before the Senate Committee on Appropriations, on a request for a second appropriation of $12 million, Mr. Edmund Purves, executive director of the American Institute of Architects, appeared to state that the official position of the American Institute of Architects was that of opposition to the proposed extension, but, under questioning, he disclosed that this position was in conflict with the position of the institute's own committee on the National Capital and in conflict with his own personal sentiments.

The extension was approved in 1956 by the AIA's Committee on the National Capital and recently by the AIA's Washington Chapter. Even at the recent Cleveland AIA convention where a majority of the delegates voted to continue the official opposition of the AIA, the associate architects concluded that the vote was not actually on the point of whether or not the Capitol project had merit but rather on maintaining the previous position of the institute—a position taken prior to preparation and release of the plans.

It should be remembered that the architectural consultants and associates for this project are all members of the American Institute of Architects and four are fellows of that organization. All have approved the project.

Charge: That the associate and advisory architects are capable but have been hamstrung by the provisions of the enabling legislation.

Answer: The most effective means of refuting this charge is to quote from testimony before the Senate Committee on Public Works in February 1958 by a representative of the associate architects and a representative of the advisory architects:

Statement of John F. Harbeson, FAIA, representing advisory architects: "When we started on our work we were told by him, as the Architect of the Capitol, that our inquiry was not to be limited in any way, that we could make investigation of all methods of meeting the requirements of Congress, which we did. We do not feel we have been hampered by the wording of the act."

Statement of Alfred Easton Poor, FAIA, coordinator of associate architects: "Since our employment in 1956 we have made many studies of the possible schemes for the enlargement of the Capitol and for the preservation of this historical building for the future. It is our considered opinion that we have not at all been handicapped by the wording of the act under which we are working and have explored extensions to both the east and the west. Had we felt that we were so hampered we would have reported the fact to Mr. Stewart."

Charge: The project has not received adequate study.

Answer: The project has been under intensive study for a period of over 2 years by a group of no less than 15 professional architects and engineers. During this time, every detail of the project was thoroughly studied and various schemes were considered. The scheme for extending the east front submitted by the Architect of the Capitol to the Commission, embodied the combined judgment and effort of this group of professionals. The architects and engineers, the Architect of the Capitol, and the Commission feel that the project has been adequately studied.

Charge: Space for the Congress should be provided elsewhere.

Answer: There is an urgent need for space in the Capitol near the legislative chambers for functions which must be carried on within the building. This need cannot be satisfied by providing space out of the Capitol. Need for space for work which can be satisfactorily performed outside the Capitol is being fulfilled by construction of the additional Senate and House Office Buildings. These facts are well known to Members of the Senate and House and to their staff members who must work under the very poor conditions now prevalent in the Capitol.

It is inconceivable that the Congress should be expected to operate ad infinitum in a Capitol last expanded for its use almost 100 years ago.

Charge: Space should be provided on the west front, not the east.

Answer: The plan to extend both fronts has been carefully studied by the architects. Their conclusion is that space needs must be met by eventual extension of the west front as well as the east front, but they concluded that the east front extension is essential and is the enlargement which should be carried out first. There are basic technical and practical reasons for this conclusion which the Commission has approved.

Charge: That the cost of the extension would be $200 per square foot.

Answer: This figure was apparently arrived at by applying the total cost of $10.1 million solely to the 45,000 square feet of office, committee and restaurant space to be gained. Why should anyone insist on charging all improvements under the plan to space gained for these purposes? (The gross area of construction is more than 100,000 square feet). Part of the total cost must be charged to (1) reconstructing the deteriorating central portico; (2) bracing, supporting, and repairing in place the present east wall so as to make its reconstruction unnecessary; and (3) providing certain urgently needed improvements within the present structure. All three items are included in the $10.1 million cost and none have any direct bearing on additional space. It should be pointed out that the intricate architectural design of the east facade makes its reproduction more costly than a public school building or a modern office building.

Charge: The architectural defect caused by the dome overhanging the east front wall no longer exists.

Answer: Time alone does not correct such a defect. It is there, can be seen and will continue to exist until the east front is extended. Architect Walter, designer of the present dome and the Senate and House wings, recognized the construction of the present dome created an overbearing mass above the modest portico and left various schemes for correction of this condition.

Charge: That the historical character of the east front will be destroyed.

Answer: This charge is difficult to understand in view of the detailed drawings and plans which have been prepared by the professional staff. In fact, the testimony of experts is that the view will be so nearly identical to that which exists today that few persons will be aware of any change.

Charge: That the historic east wall is to be torn down and replaced.

Answer: There is no intention to tear down the present east wall. It is to be preserved as an interior wall and, where possible, certain significant features will be exposed to view for the edification of the public. The wall will be properly braced and strengthened by the new construction and, thus protected, should last indefinitely.

Charge: That the court formed between the House and Senate wings will be wiped out.

Answer: This simply is not true. The steps of the extended portico will remain some 40 feet behind those of the two wings, preserving the indentation—although in lesser degree—which our visitors see today. The publication of misleading and distorted photographs and sketches has contributed to this false impression, although the Architect of the Capitol has made available photographs and renderings showing the correct extension of 32½ feet.

Charge: That the pieces of stone which have fallen from the east wall are "entirely fictitious."

Answer: One has but to look at the holes in the wall and the missing architectural details to refute this charge made by one of the protesting architects at the hearing before the Senate Public Works Committee.

Charge: Sufficient funds are available in the Capitol Building maintenance appropriation for proper repair of the stonework.

Answer: This statement is not factual. Using 1958 as an example, $23,000 was appropriated under the heading "General Annual Repairs" for recurring items. Of this amount, only a few thousand dollars are allotted for stonework and related work. The Congress was not requested to provide additional amounts because the cost of such major repair work on a year-to-year basis (even if possible to accomplish) would be staggering; structural analysis indicates the results would not be satisfactory; the original stonework would be lost; and no space would be gained for the Congress.

Charge: The present Architect of the Capitol has done nothing to correct the deteriorated condition of the east front during the 4 years he has been in office.

Answer: Mr. J. George Stewart assumed office as Architect of the Capitol October 1, 1954. In April 1955, upon direction, he submitted to the Bureau of the Budget suggested language authorizing the extension project and a budget estimate for $5 million. In June 1955, he appeared before the House Committee on Appropriations to justify and recommend the project and during the same month he appeared before the Senate Committee on Appropriations to justify and recommend the project. Legislation authorizing the project and appropriating $5 million was approved by the President August 5, 1955, as Public Law 242, 84th Congress.

With this legislation in force within a year after he took office, certainly the Architect of the Capitol would not be expected to then go to the Congress and ask for funds to commence a major repair and replacement program—work which would not be needed should the east front project proceed as already authorized.

Charge: Opponents have implied that all Presidential inaugurations during the greater part of our history have been held at the east front of the Capitol.

Answer: The following Presidents were not inaugurated at the east front of the Capitol: George Washington, 1789; George Washington, second term, 1793; John Adams, 1797; Thomas Jefferson, 1801; Thomas Jefferson, second term, 1805; James Madison, 1809; James Madison, second term, 1813; James Monroe, 1817; James Monroe, second term, 1821; John Quincy Adams, 1825; John Tyler, 1841; Millard Fillmore, 1850; Andrew Johnson, 1865; Chester A. Arthur, 1881; Theodore Roosevelt, 1901; William H. Taft, 1909; Calvin Coolidge, 1923; Franklin D. Roosevelt, 1945.

Rear Adm. Edward C. Stephan, United States Navy

EXTENSION OF REMARKS
OF
HON. J. T. RUTHERFORD
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 19, 1958

Mr. RUTHERFORD. Mr. Speaker, many Members of the Congress have grown to know and respect Rear Adm. Edward C. Stephan, United States Navy, who has served us here in Washington as Chief of Legislative Liaison for the Navy.

Admiral Stephan, having successfully completed his assignment here, will soon assume duties as commander of the newly established South Atlantic Naval Force. While we regret losing Admiral Stephan from Capitol Hill, I know Members of the House will want to join me in wishing him well in his new assignment.

Admiral Stephan has not had an easy job as Chief of Legislative Liaison for the Navy. He has been required to hand to us decisions that are sometimes adverse to the actions we had asked in behalf of the people we represent. Yet, we always knew that our constituents would receive from Admiral Stephan every possible consideration and that the ultimate decision rendered in each case would take in not only the good of the Navy but the human aspects of any problem involved.

The admiral has been a source of valuable information to the Members of Congress as they attempted to keep pace with the rapid scientific and military changes involved in the Department of the Navy. He has been courteous, efficient, and a credit to the uniform he wears and to the Nation.

A look at the record reveals that Admiral Stephan takes with him to his new duty assignment an excellent background. A graduate of Annapolis—class of 1929—Admiral Stephan had an excellent record during World War II and was awarded the Navy Cross, the Silver Star—Army—and Gold Stars in lieu of the second and third silver Star Medal from the Navy. In peace and in war, Adm. Edward C. Stephan has been the type of man of which the Navy may be proud.

I wish him Godspeed in his new assignment, and I commend him on his devotion to duty in the past.

Rt. Rev. Msgr. Andrew A. Dzijacky

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 19, 1958

Mr. SANTANGELO. Mr. Speaker, the people in my community sustained a great loss on August 10, 1958. The members of the Roman Catholic Slovak Church of St. Elizabeth of Hungary, located at 213–215 East 83d Street, New York City, learned the sad news of the passing of the Rt. Rev. Msgr. Andrew A. Dzijacky, their pastor.

I take this opportunity to pay commemorative tribute to this holy and good man who gave so much comfort to the parishioners of his parish. Monsignor Dzijacky had a fruitful career. He was born on August 21, 1891, and attended St. Bonaventure College and St. Joseph's Seminary, Yonkers. He was ordained to the priesthood on September 8, 1917. He was first assigned to Holy Trinity Church in Yonkers on September 22, 1917. Later stationed at St. John Nepomucene, he was transferred again when he was appointed administrator of Holy Cross Church in Tarrytown in October 1921.

On September 24, 1925, he was named pastor of St. Elizabeth of Hungary on East 83d Street, where he remained until his death. On March 20, 1956, he was named a domestic prelate. St. Elizabeth's parish is the oldest Catholic Slovak parish in the Empire State.

His Eminence Francis J. Cardinal Spellman presided at a solemn mass of requiem on August 14. Two auxiliary bishops of New York archdiocese, Most Rev. Stephen Donohue and Most Rev. Philip Furlong, as well as 12 monsignori and 32 priests, 25 Sisters, and large delegations of the fraternal Slovak organizations, namely the First Catholic Slovak Union of the United States of America and Canada were present. East 83d Street between Second and Third Avenues was filled with his parishioners and friends, who could not get into the crowded church.

One eulogy, in his native tongue, was delivered by the Reverend Andrew A. Novajovsky, pastor of the Most Holy Trinity Church, Yonkers, and the eulogy in English was delivered by the Very Reverend Philip P. Furlong, auxiliary bishop of New York.

We mourn our loss.

Mr. President, What Is the Hardest Part of Your Job?

EXTENSION OF REMARKS
OF
HON. ROBERT B. CHIPERFIELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 19, 1958

Mr. CHIPERFIELD. Mr. Speaker, recently Glen Bayless, Jr., an 11-year-old boy, was permitted to make a special tour of the White House. During the tour this young boy asked the President, "What is the hardest part of your job?" The President opened his heart and in a copyright article which appeared in the August 17 issue of Parade he revealed his innermost thoughts about the burdens that rest upon him. The statement gives us a glimpse of Eisenhower, the man, and I feel the article should be brought to the attention of every Member of Congress:

WHAT IS THE HARDEST PART OF YOUR JOB?

When you sit in this chair you are faced not only with the problems of the United States, but with those of the entire world. Every position you take and every decision you make is like throwing a pebble into a pool. Thus, the ripples spread out touching the lives of millions of people here and abroad.

In studying all the problems that come to this desk you have to ask yourself always two questions: What will be the short-range effect of a decision? What will be the long-range effect?

When I first sat down behind this desk I used to think that weighing the problems was the most difficult part of my day. But over the years my opinion has changed somewhat. Many problems come across this desk—economic problems, foreign policy problems, military problems, even space-flight problems. Possibly today there are more problems than ever. On the surface it would appear that working on these problems and trying to resolve them is the hardest part of the job. But the fact is that this is only the beginning.

As President I am first of all responsible for the welfare of the American people, not only for today, but for tomorrow, too.

What I do today cannot fail to influence the work of the man who follows me. Knowing that, I have come to the realization that making a decision is only the beginning. The true test is that it must be the very best decision of which I am capable and the test for that must be one's own conscience.

If I had to answer your question in two words, I would say the hardest part of the job is satisfying yourself. And by that I mean satisfying yourself that you have done your level best for the American people for today and tomorrow.

Consideration of Legislation Under Suspension of the Rules

EXTENSION OF REMARKS
OF
HON. JOHN V. BEAMER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 19, 1958

Mr. BEAMER. Mr. Speaker, previous commitments made in my district make it imperative that I return to Indiana after today's legislative business has been completed. For these reasons, I wish to extend my remarks in the CONGRESSIONAL RECORD.

First, the move on the part of the majority leadership in attempting to consider 35 bills under suspension of rules was most unfortunate. Several of the measures were worthy in principle but the bills were both poorly drafted and wholly inadequate. Under suspension of rules, the House Members have no opportunity to either debate in detail or to offer perfecting amendments.

I sincerely believe that people desire some legislation that would correct the abuses of certain labor unions as exposed by the Senate Labor Rackets Committee. However, S. 3974, the Kennedy-Ives bill, fell far short of correcting any of these evils. In fact, the House Committee on Labor and Education voted 22 to 7 against reporting the measure. I joined the many Members who had hoped that an acceptable bill could have been prepared and discussed with an open rule. This would have been fair to labor, management, and to the Members of the House of Representatives.

In the second place, there were many bills which had been considered in committees that had not been listed for votes in the House. The railroad retirement bill had been reported out of the House Interstate and Foreign Commerce Committee and some action should have been taken on it. In fact, in the committee I had supported a compromise measure that was reported to be at least

reasonably acceptable. I had wanted to vote in support of some such measure because the railroad retirement fund had been placed in an actuarial hazard by action of the previous Congress.

Also, I join others in deploring the fact that so many millions and billions of the taxpayers' dollars were threatened by many of the bills on this list of 35 suspensions.

Finally, if these bills had not consumed the time of the House, then conference reports of bills which had passed both the House and the Senate could have been accepted. For 8 years I have worked for a flood-control program for the upper Wabash River Valley. I have voted each time for the authorization bill and this year the Congress sent and acceptable bill to the President which he signed into Public Law 85-500. I also voted for the appropriation bill for the rivers and harbors program. The conference committee report could have been presented and, of course, if a recorded vote would have been taken, I would vote yes again. I have asked the pair clerk to pair me in favor of this bill if a vote is taken. For that matter, my voting record has been established by past votes if any conference reports require further rollcalls.

Upon my return to the District I shall be called upon for reports on the work of the 85th Congress to many groups. It is going to be very difficult to find many actions deserving of praise. It is apparent that it was one of the "spend-ingest" Congresses in our history with the Congress appropriating far in excess of the request of the President. Perhaps this Congress will be best known and longest remembered by the necessary legislation that it failed to enact and by the partisan politics that seemed to flavor so many of the legislative proposals.

The Progress of American Agriculture Under the Eisenhower Administration

EXTENSION OF REMARKS
OF
HON. THOS. E. MARTIN
OF IOWA
IN THE SENATE OF THE UNITED STATES
Tuesday, August 19, 1958

Mr. MARTIN of Iowa. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the statement I have prepared entitled "The Progress of American Agriculture Under the Eisenhower Administration."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

We can all be proud of the progress made by agriculture over the past 5 years, and particularly proud of the progress made in the past year or so when things were not going quite as well with other segments of our economy.

It is significant that an upward spiral in our farm economy began after policies advocated by President Eisenhower and Secretary of Agriculture Ezra Taft Benson began to take effect. The striking effects of more flexibility in the farm programs can be readily seen.

The first 6 months of 1958 were marred by recession in many lines of business and industry, yet agriculture continued to climb out of the decline which accompanied the transition from war to peace in the early part of this decade.

During this period, prices received by farmers averaged 8 percent higher than they did in the same period of 1957. In the same period of 1958, realized net income averaged 22 percent above the first half of 1957.

Total net income per farm in the first half of this year was running greater than in 1953, when the Korean emergency with its great demands for food and fiber was still upon us. This year net income per farm is running at the rate of $2,700 while in 1953 it was $2,662.

Gross farm income in the first half of 1958 broke all past records. Farmers sold $13.8 billion worth of crops, livestock, and livestock products. This was 11 percent more dollars than they received in the same months of 1957 and nearly 5 percent above the previous record set in the first half of 1952.

Here is further evidence of a definite strengthening of our farm economy:

1. Although the cost-price squeeze still exists as a basic problem, spiraling inflation has been almost halted. During the period from 1940 to 1952, the index of prices paid by farmers, including interest, taxes and wage rates, increased more than 100 percent. From January 1953 to June 1958, this index rose only 7 percent.

2. Farm assets are at an all-time high—$188 billion as of January 1, 1958.

3. Farmers have less than $11 in debts for each $100 of assets. In 1940, the ratio was $19 for each $100.

4. Owner equities rose 7 percent during 1957 to a peak of $168.4 billion.

5. Farm ownership is also at a record high. Two out of every three farms are free of mortgage debt.

6. The family farm continues to dominate agriculture. Ninety-six percent of our farms and ranches are family operations, about the same percentage as 30 years ago.

7. Farm exports in fiscal 1957 set a new record of $4.7 billion—68 percent higher than in fiscal 1953 and remained high in fiscal 1958. They are moving at the rate of $4.1 billion this year.

8. The surplus production of American farms is being made available for hungry people at home and abroad.

9. The inventory value of livestock on farms for January 1, 1958, was $14.2 billion—higher by $3 billion than a year ago.

10. The level of living on farms is the highest in history, based on the percentage of farms with electricity, telephones, automobiles, and the purchasing power of the average value of farm products sold or traded.

A summary of accomplishments achieved by the various agencies of the Department of Agriculture in recent years under the guidance of Secretary Benson is most interesting. Here are a few of the highlights:

COMMODITY STABILIZATION SERVICE

During the past 5 years, commodities which cost the Commodity Credit Corporation $14 billion have been moved out of inventory and into useful consumption under the Department of Agriculture's surplus disposal programs. Wheat, cotton, corn, and dairy products accounted for more than $10 billion of the total. A very high rate was continued during the 1957–58 fiscal year, with the disposal of inventory commodities which cost more than $3¼ billion.

Commodity Credit Corporation investment in price-support inventories and loan stocks has been reduced by $1¾ billion during the past 2 years. From a peak of $8,930,000,000 in the spring of 1956, the investment had dropped to $7,160,000,000 by May this year.

The largest storage job in history has been directed by the Department of Agriculture in recent years, to help find cover for the record grain supplies which have resulted from heavy annual production added to huge carryovers.

With help from the Department in determining areas of greatest storage need, and special assistance during part of this period in the form of a use guaranty, the commercial storage industry increased its capacity by more than 600 million bushels from 1954 until late in 1957. Commercial increases have continued this year at an even faster rate.

Farmers have also added materially to their on-farm storage space. During recent years, about 350 million bushels of new capacity has been added under the Department's special farm facility loan program.

The Commodity Credit Corporation has added emergency space of its own, when needed to take up the slack where commercial and farm space was not adequate in grain areas. CCC now owns special bins with a capacity of about 990 million bushels. In addition, grain is stored in idle merchant ships at coastal anchorages. Government-owned stocks have also been moved out of congested areas whenever possible, to relieve the storage situation.

As a result of this coordinated effort, record grain supplies have been handled effectively, without any serious breakdown in storage operations.

THE SOIL BANK

Under the Soil Bank program in 1958 alone, 27 million acres of farmland were taken out of crop production which would have added to our overall surpluses. In addition, farmers taking part in the programs are making unprecedented strides in the conservation of our soil, water, forest, and wildlife resources. Over a million acres are being planted to forest trees. About 6 million acres in the Great Plains region are being protected by grass cover—helping to prevent duststorms and stabilising agriculture in that area. Nearly 1,200,000 farmers are voluntarily taking part in the Soil Bank this year. They will receive payments of about $870 million to help carry out the objectives of the programs.

EXPORTS

Basic grain-export operations have been returned to normal trade channels in recent years. Before the program changes—made for wheat in the fall of 1956 and for other grains this year—most exports came from Commodity Credit Corporation stocks. Now, under the new payment-in-kind programs, exports come from commercial stocks—with only the export subsidy drawn from CCC inventories.

The revised programs have increased commercial participation in all phases of grain export operations. They have also increased the market demand for commercial stocks, at the same time lessening the required Government takeover of grain under price support programs.

A similar type of payment-in-kind export program for cotton has recently been put into effect, and one for rice is under consideration.

WOOL PROGRAM

A dangerous decline in national sheep and wool production has been reversed under the wool program which has been in operation during the past 3 years. Sheep numbers and wool production are now increasing. This will make the United States less dependent on foreign wool supplies. Production incentive payments made to wool producers during the past year amounted to nearly $82 million. These payments are more than offset by tariff revenues from imported wool. All wool owned by the Government has been sold so there is no longer this surplus hanging over the market.

PRICE SUPPORT LOANS

The Department of Agriculture extended more than $2,600,000,000 in direct price supports on 1957 crops, to help farmers stabilize their marketing. Most of this support help was in the form of loans to farmers, against the security of their stored commodities. Direct purchases were used in carrying out price supports for dairy products.

EMERGENCY FEED PROGRAM

Since 1954, farmers who have been hit by drought, flood, or other weather calamities have been given emergency financial assistance in obtaining feed supplies to help save their basic livestock herds. During this period, farmers have received about 145 million hundredweight of feeds under the emergency program, with the Government paying $146 million of the total cost.

SOIL CONSERVATION SERVICE

The Soil Conservation Service greatly expanded assistance to small watershed projects and activated the Great Plains conservation program during the past year, while continuing to increase assistance to soil conservation districts.

As of August 1, 1958, 123 local watershed projects were receiving Federal assistance in the installation of works of improvement, as compared with 42 a year ago. In addition, SCS was assisting 243 local organizations in preparing project plans under the Watershed Protection and Flood Prevention Act (Public Law 566).

The Great Plains conservation program (Public Law 1021) was launched August 21, 1957. In less than a year 643 farmers and ranchers had signed contracts covering more than 1½ million acres for which they had prepared complete conservation and operating plans. The Secretary of Agriculture has designated 288 counties as eligible to participate in the program.

The SCS provided technical assistance to 2,768 soil conservation districts in 1957, or 43 more than in 1956. Conservation technicians gave service to more than a million district cooperators and helped them prepare 91,957 new basic conservation plans. SCS made soil and range surveys on more than 50 million acres, an increase of 5 million acres over 1956.

Soil conservation districts now include 93 percent of the Nation's farms and ranches and 88 percent of the farmland. On December 31, 1957, they had 1,757,173 cooperators operating 527 million acres, or about a third of the Nation's farmland.

FARMERS' HOME ADMINISTRATION

The main objective of the Farmers' Home Administration continues to be to help farm families strengthen their positions on family-type farms. The agency serves the farmers eligible for its credit service by making loans suited to their individual needs and supplying farm and home management assistance with each loan to the extent needed.

Loans are available to help eligible farm families operate more efficiently; help them become owners of family-type farms by buying land, improving land and buildings, and refinancing debts; help them individually or through their associations to carry out measures for soil and water conservation, and to develop water systems for irrigation and farmstead use; and to help owners of farms build or repair farmhouses and other essential farm buildings for themselves or their tenants. The agency also extends emergency credit to farmers in areas hard hit by floods, drought, or other natural calamities or when economic conditions bring about a need for emergency credit.

The administration has sponsored measures which have expanded the regular loan services of the Farmers' Home Administration in the past 4 years.

The maximum amount that a family-type farmer may now be indebted has been increased, under certain conditions, from $10,000, to $20,000. Real-estate loans may now be made primarily for refinancing debts. As an implementation of the rural-development program, eligible farmers who have part-time employment off the farm may now obtain operating and farm development loans.

Permanent authority has been established for farmhousing loans and this phase of the lending program was substantially broadened in March 1958. Soil and water conservation loans, formerly made only in 17 Western States, are available throughout the Nation. The agency has a special credit program to help farmers and ranchers in the Great Plains area make proper use of their land.

In addition to direct loans from appropriated funds, loans to buy or improve farms or for soil and water conservation practices may be made from funds advanced by private lenders and insured by the Farmers' Home Administration.

The agency has experienced a general increase in the total loans made and insured in the past few years. For example, the total for fiscal 1953 was $229 million compared with $330,162,000 for the year just ended. The average fiscal year total for the past 5 years has been $315,651,000.

FOREIGN AGRICULTURAL SERVICE

Under this administration, record levels of agricultural exports have been attained. These high-level exports have brought additional income to farmers and to the business community that services agriculture. They have helped to reduce the agricultural surplus. They have supported the United States foreign policy by helping to feed and clothe millions of friendly foreign people.

Today's favorable export situation is in marked contrast to the slump of 1952–53. Immediately after the Korean conflict, United States agricultural exports had fallen to a postwar low value of $2.8 billion. Vigorous action was taken by the administration to rebuild them. This action was highly successful. Agricultural exports increased steadily to an alltime high value of $4.7 billion in fiscal year 1957, and are continuing high today. In the 1958 fiscal year that ended June 30, United States agricultural exports totaled $4.1 billion, a value second highest in history. At the current export rate, foreign markets are absorbing the output of about one-sixth of United States cropland.

The administration went about rebuilding exports through several approaches. One was to strengthen the facilities of the Department of Agriculture that are concerned with foreign marketing. Another was to initiate a new program of aggressive foreign market promotion, in which private agricultural trade groups are close cooperators. Another was to participate actively in the trade agreements program, which helps assure access of United States farm products to foreign markets. Still another was to carry out new policies and programs to make United States farm products more competitive in world markets and to help overcome the frequent problem of dollar shortages among countries wishing to buy United States farm products.

The Foreign Agricultural Service was re-established in the Department in 1953, specifically to give leadership to the aggressive foreign marketing of United States farm products. It replaced the former Office of Foreign Agricultural Relations which existed primarily as a world agricultural study and research group.

In 1954 the agricultural attachés were transferred back to the Department from the Department of State, and today they directly represent American agriculture at 51 foreign posts.

At the same time, the Department greatly expanded the work of its foreign marketing specialists who, in cooperation with United States trade groups, constantly explore competition, marketing problems, and sales opportunities abroad.

To help meet increasing foreign competition and to help make foreign consumers more aware of United States farm products, the Department—in cooperation with United States farm and trade groups—initiated a broad program of foreign market development. Millions of foreign consumers now are seeing United States farm products attractively displayed at international trade fairs. Other types of promotions also are used to reach potential buyers. Some 238 promotional projects in 34 countries are building foreign markets for wheat, cotton, dairy products, tobacco, and other leading United States farm products, and 46 United States farm and trade groups are cooperating.

The administration is working constantly to gain better entry for United States farm products in foreign countries. This work is one of the important activities of the agricultural attachés and FAS staff specialists. Its importance is indicated by the fact that about three-fourths of United States farm exports go to countries that have eased their import restrictions under the trade agreements program.

Price support programs were found to be pricing some United States farm products out of the world market. Accordingly, the administration took realistic action to lower, where necessary, the export sale prices of commodities held by the Commodity Credit Corporation and thereby make them competitive with those of other exporting countries. This policy has had a healthful effect on exports of several commodities, including cotton, wheat, and feed grains.

Also, the administration aided in formulating and is administering special export programs that are adding greatly to the volume of farm products moving abroad. Principal of these programs is Public Law 480, which provides for selling United States farm surpluses for foreign currencies, bartering them for strategic materials, and donating them to needy foreign people. An estimated 31 percent of United States agricultural exports moved under special programs in fiscal year 1958.

Effective though the special export programs are as temporary devices, the administration's long-term objective is to help commercial agricultural trade achieve maximum export sales of United States farm products, with payment in dollars. Commercial export sales for dollars totaled $2.8 billion in fiscal year 1957, which was second highest in history, and this figure was slightly exceeded in the 1958 fiscal year that recently ended.

AGRICULTURAL MARKETING SERVICE

Agricultural marketing programs of the United States Department of Agriculture during the last 5 years have been aimed at expanding markets for farm products, increasing efficiency in the marketing process, improving quality of products for market, and making best possible use of surplus commodities obtained under the Department's price-support and surplus-removal programs.

More than 7 billion pounds of surplus foods have been donated to school-lunch programs, charitable institutions, and needy persons at home and abroad since 1953 under food-distribution programs of the Agricultural Marketing Service. These foods have been supplied to more than 75 million people in this country and around the world.

Under the national school-lunch program, approximately 11½ million children ate 2 billion nutritious lunches in 60,000 schools

during the 1957-58 school year. In addition to Federal assistance in the form of surplus foods and appropriated funds, these schools purchased locally foods valued at more than $475 million, a considerable market for farm products.

The special milk program, inaugurated in 1954, has resulted in a tremendous increase in milk consumption in the Nation's schools. It was expanded to include summer camps, nursery schools, and settlement houses, and has been extended for 3 more years. In the 1958 fiscal year, nearly 3 billion half pints of milk were served to children in 75,000 schools and institutions under the program.

Marketing research conducted by the Agricultural Marketing Service in the last 5 years has resulted in savings of millions of dollars in marketing costs for the producer, processor, and the general public and has helped to bring products of higher quality to the consumer.

New wholesale produce markets planned with AMS assistance are saving more than half a million dollars a year each in several cities. A new wholesale food distribution center now under construction in Philadelphia is designed to reduce food-handling costs by $6 million a year.

Crop and livestock reports of the Department keep the public informed on changes in acreage, yield, production of crops, and livestock, stocks of commodities on farms and off farms including cold storage, agricultural wages and employment, and prices received and paid by farmers. A vigorous program of research was launched in 1953 to test and develop improved sampling techniques for obtaining information for these reports.

Several new reports have been added and old reports expanded in the last 5 years to reflect major changes in the commodity picture.

Federal inspection and grading of farm products increased considerably since 1953. Poultry inspection was more than doubled; shell-egg grading rose from 10 percent to 21 percent of eggs sold off farms; inspection and grading of dairy products increased from 1,586 million pounds to 3,441 million pounds; and Federal grading of carcass meats increased from 21.6 percent (in 1950, prior to compulsory grading under OPS) to 46 percent in 1958. Inspection of fruits and vegetables increased by 11 percent from 1953 to 1957 with a 35-percent jump in inspection of raw products for processing.

Cotton classing for farmers under the Smith-Doxey Act increased from 63 percent of total United States ginnings in the 1952-53 season to 87 percent in the 1957-58 season. Cotton classing on a fee basis under the United States Cotton Standards Act increased from less than half a million samples in 1953 fiscal year to 9.8 million samples in fiscal 1958. As a service to growers, all tobacco sold at auction is federally inspected and graded prior to sale. Since 1953, this service has been extended to nine new tobacco auction markets.

New Federal standards have been developed for many farm products in the last 5 years to bring to more than 360 the number of products on which quality standards are now available. The first major revision of United States standards for wheat in 20 years was made in 1957. As a result, the number of complaints from foreign receivers on the quality of United States wheat decreased materially.

Reporting of market news has been expanded with the addition of a number of new reporting points since 1953. Under the Poultry Products Inspection Act passed in 1957, compulsory Federal inspection of poultry and poultry products was started in May 1958.

Administration of the Packers and Stockyards Act has been strengthened and supervision of trade practices in both the livestock marketing and meatpacking fields has been expanded since 1953. An additional 300 livestock markets have been posted under the act, bringing to a total of more than 600 the number now supervised. Packer buyers were first required to register under the act in September 1954; more than 2,600 such buyers are now registered.

The Federal milk marketing order program has been developed rapidly in terms of number of orders, volume of milk priced under them, and interrelationship of fluid milk markets. The orders have helped to stabilize marketing conditions in the regulated areas. From the 49 milk marketing orders in effect January 1, 1953, the number has increased to 68 in August 1958. Deliveries of milk priced under Federal orders during the 1958 fiscal year totaled 35 billion pounds, a 50-percent increase over 1952 volume.

AGRICULTURAL RESEARCH SERVICE

Important developments in research and regulatory activities that have made agricultural headlines in recent years cover many fields. Outstanding examples since 1952 include:

1. Establishment of pioneering research laboratories in numerous categories directed toward the discovery of basic natural laws and new facts and principles. At this time 12 such laboratories have been established and more are under consideration.

2. New research facilities to insure future progress for agriculture have been established. Among these is the Plum Island Animal Disease Laboratory for research on foot-and-mouth disease and other foreign diseases of animals. Equally important is the new animal disease laboratory at Ames, Iowa, presently in the planning and design stage.

3. Successful completion of the program to stamp out foot-and-mouth disease in Mexico. This relieves our own livestock producers from the dangers of having a source of possible infection so close at hand.

4. Eradication of an invasion of Mediterranean fruit fly in Florida.

5. An expanded program looking toward eventual eradication of brucellosis. States with modified certified brucellosis-free status increased from 3 in 1954 to 13 States and Puerto Rico in 1958.

6. Developed and perfected monogerm varieties of sugar beets. This advance effectively removes the final obstacle to the mechanization of this crop.

7. Emphasis has been placed on expanded research to find industrial uses for our abundant agricultural products.

8. Appropriations for agricultural research have been increased by 95 percent since 1953. This increase amounts to almost $59 million compared with less than $2 million in the preceding 4 years.

COOPERATIVE EXTENSION SERVICE

The work of this Service is beamed toward the whole family with special emphasis on training young people through 4-H Club programs.

Surplus lard and consumer discrimination against fat meat present a serious problem in the swine industry. Extension educational effort has been directed toward training producers to recognize and select meat-type hogs which produce leaner pork, more prolific, and more efficient converters of feed. As a result, in some areas the percent of meat-type hogs has risen from 15-18 to 30-35 percent.

Since 1953, the Extension has been called upon to work increasingly with firms engaged in processing, packaging, and preparing foods. Consumers are demanding what Secretary Benson has termed "built-in maid service," and attention is being given to this fact. Marketing educational work has been greatly expanded and is now being carried on in 47 States and 5 Territories. Federal support of these programs has tripled during the past 5 years.

Approximately 64,000 families were assisted in 1957 in developing combined farm and home plans. In 1956, 160,000 persons participated in Land Appreciation Schools.

Since 1953, about 40 percent more families have been helped in making improvements in buying food, clothing, and equipment.

RURAL ELECTRIFICATION ADMINISTRATION

REA is helping farmers and other rural people to use modern electric and telephone services for more profitable operations. Since 1953, the Rural Electrification Administration has stepped up its activities to help 988 rural electric and 596 rural telephone systems meet a continuously growing demand for their services.

Loans to rural electric systems last fiscal year reached $241 million. About two-thirds of these funds will be used to help borrowers keep up with growth in use of electricity among rural people. Telephone loans are being made at the high level of about $90 million a year. More than 29 percent of all electric loans ($3.8 billion) and 78 percent of all telephone loans ($476 million) have been made since January 1, 1953.

REA has given particular attention to its borrowers' need for an expanding supply of power at lower cost. It has pressed the search for more economical means of power production and assisted borrowers in obtaining substantial savings in initial investment and operating costs through interconnection, joint operations, and more efficient generating units. In fiscal year 1958, loans were made to provide additional generating capacity in the amount of 170,000 kilowatts. Generation and transmission loans have accounted for about 29 percent of the total loaned for rural electrification since January 1, 1953, compared with only 19 percent before that date. These have included first loans to 4 new G & T federations and two 2 established borrowers for conventional generating facilities to be used at proposed atomic-energy plants. One of these atomic plants (Elk River, Minn.) is under construction.

Rural electric systems financed by REA serve 4.5 million consumers. About 600,000 of these received service during the past five years. This rate of growth—about 100,000 a year—is expected to continue.

The cost of power to rural residential consumers has dropped about ½ cent per kwh since 1952. The cost now is 2.77 cents per kwh, lowest in REA history. The wholesale cost to REA distribution borrowers is also at a record low and 8 percent lower than in 1952. The wholesale average is 7.4 mills per kwh.

REA activities since 1953 have brought strength and direction to the rural telephone program. This, plus an improvement in supplies of materials and equipment after settlement of the Korean conflict, has speeded the job of giving better telephone service to rural communities. In early 1953 some 40 REA borrowers had cutover 85 dial central offices, to bring new or improved service to 7,500 subscribers. As of June 30, 1958, 440 borrowers had cutover 1,642 new dial exchanges. Loans approved since January 1, 1953 will benefit more than 728,000 farm families and other rural subscribers. Total telephone loans made to date will benefit about 1,000,000 rural subscribers.

Given encouragement toward independence and self-reliance, REA borrowers have made substantial financial growth since 1953. Net worth of electrification borrowers has nearly tripled, increasing from $161 million in December 1952 to $457 million in December 1957. During the period January 1, 1953—June 30, 1958, the number of electrification borrowers behind in their loan payments dropped from 45 to 4. Payments

on debt in advance of due date have risen from $32.5 million to about $129 million. In the much newer telephone program advance payments amount to about $710,000 and all except 15 borrowers are current or ahead on debt payments.

REA has streamlined procedures to speed processing of loans, give improved service to borrowers, and reduce administrative costs. With about 10 percent fewer employees, REA is now carrying out much bigger electric and telephone programs than in 1952. Working with industry, REA carries on constant research to hold down construction costs and improve performance and service.

To help borrowers keep ahead of new power demands and growing competition, REA has developed new techniques and approaches to long-range planning for rural electric systems. Borrowers will be able to schedule construction for several years ahead and to expand at minimum cost. First loans based on these principles have been made. New telephone construction is also planned to meet needs over an extended period.

FOREST SERVICE

Progress by this agency over the past several years has added greatly to financial as well as the recreational wealth of the Nation.

The year 1957, for example, brought two new milestones in forest conservation. For the first time, a record one billion trees were planted in the United States.

The area reforested by all agencies for timber growing, watershed protection, and other forest purposes, plus that planted for wind barriers, was more than one million acres—double the acreage planted in 1950.

Eighty-six percent of the tree planting was on non-Federal lands, most of it on private lands under cooperative programs conducted by the United States Department of Agriculture and the States to encourage and facilitate the planting of trees. The remaining 14 percent of the 1957 tree planting was on Federal lands, mostly on National Forest lands administered by the United States Department of Agriculture.

The Department cooperates with 43 States, Hawaii, and Puerto Rico in the production and distribution of trees to farmers and other landowners for planting woodlands and shelterbelts. The 712 million trees produced in this program in 1957 was five times the number produced in 1950.

Another milestone of which FS is proud: The number of forest fires last year was reduced to an all-time low. Breaking below the 100,000 mark for the first time, forest fires in the United States were held to 83,400 in 1957, a big drop from the 143,000 in 1956, and more than 200,000 10 years ago. The area burned was almost halved, dropping from 6,605,900 in 1956 to 3,409,000 acres in 1957. Ten years ago forest fires burned 23,225,932 acres.

FARMER COOPERATIVE SERVICE

A major accomplishment has been the study of cooperative financing which provides for the first time comprehensive information on methods used in cooperative financing.

Two major revisions of basic publications have been made since 1953. Demands for for publication on cooperatives have nearly tripled in recent years.

RURAL DEVELOPMENT PROGRAM

The rural development program, now going forward on a demonstration basis in 63 pilot counties and 8 areas (2 or more counties each) in 30 States, enlists private and public cooperation to raise levels of living in areas with many underemployed rural people.

Rural development committees have been organized in each of these States. State and local leaders are working toward a better balance between agriculture, industry and other sources of income in the pilot counties. Six Federal departments are supporting the work of State agencies, private citizens and organizations. The program involves research, education, and community action.

In fiscal 1958, the rural development program was expanded to six additional States and Puerto Rico. The impact and effect of the program were also greatly extended through important national, regional, and State meetings; increased participation on the part of Government agencies and private organizations; and growing public interest in the problems of underemployed rural people.

The Department of Agriculture during the year continued to contribute special funds to the rural development program through allocations to the States by the Federal Extension Service, and additional expenditures for conservation work in demonstration counties and for research in cooperation with State experiment stations.

A major national conference was held at Memphis, Tenn., in June, bringing together prominent representatives of 100 nongovernment organizations, 32 land-grant colleges, and all Government agencies concerned. The meeting was highlighted by an intensive 2-day discussion of economic and social problems in underdeveloped rural areas, and methods of strengthening rural development programs. Its educational importance cannot be exaggerated.

SENATE

WEDNESDAY, AUGUST 20, 1958

The Senate met at 11 o'clock a. m.

Dr. Caradine R. Hooton, general secretary of the General Board of Temperance of the Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, who in every time of human trouble points out the way to holy triumph, give us this day, we humbly pray, the grace to exalt Thy sovereignty above every interest we serve; and grant us the presence and power of the Prince of Peace, through whom all men of good will may be brought into creative reconciliation.

Reckon not against Thy people their many sins. Enlighten our understandings with knowledge and love of right, and so govern our lives by the spirit of Thy laws that we may overcome the pressures and temptations to put personal interests above public welfare.

Be gracious unto these chosen leaders, our Lord, and bless them with insight and courage, that they, being devoted to Thy purposes, may ever be defended by Thy power; through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 19, 1958, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 122. An act for the relief of the estate of Sinclair G. Stanley;

S. 1764. An act to amend the District of Columbia Public School Food Services Act;

S. 2276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert;

S. 3321. An act for the relief of George E. Ketchum; and

S. 3818. An act for the relief of Vicenta Garcia y Puente.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6489. An act for the relief of Thomas A. Howe;

H. R. 9619. An act for the relief of Mrs. Clare M. Ash;

H. R. 9256. An act for the relief of the Park National Bank;

H. R. 11718. An act for the relief of James A. Shearer; and

H. R. 12106. An act for the relief of Samuel Abraham, John A. Carroll, Forrest E. Robinson, Thomas J. Sawyers, Jack Silmon, and David N. Wilson.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 380) authorizing the Clerk of the House to make changes in the enrollment of H. R. 12132, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 9256. An act for the relief of the Park National Bank;

H. R. 11718. An act for the relief of James A. Shearer; and

H. R. 12106. An act for the relief of Samuel Abraham, John A. Carroll, Forrest E. Robinson, Thomas J. Sawyers, Jack Silmon, and David N. Wilson; to the Committee on the Judiciary.

H. R. 6489. An act for the relief of Thomas A. Howe; and

H. R. 9619. An act for the relief of Mrs. Clare M. Ash; to the Committee on Finance.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that in connection with morning business, statements made during the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on traffic in opium and other dangerous drugs, for the year ended December

31, 1957 (with an accompanying report); to the Committee on Finance.

INCREASE OF LIMITATION ON BASIC COMPENSATION OF CERTAIN CIVILIAN EMPLOYEES OF THE COAST GUARD

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend subsection 432 (g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REVISION OF COMMUNICATIONS ACT OF 1934

A letter from the Chairman, Federal Communications Commission, Washington, D. C., transmitting a draft of proposed legislation, relating to revision in the Communications Act of 1934 (47 U. S. C. 409 (c)) to conform to the substance of the Administrative Procedure Act (5 U. S. C. 1001–) (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Board of Supervisors of Maui County, Hawaii, favoring the enactment of the bill (H. R. 13070) to provide for the disposition of surplus personal property to the governments of Alaska and Hawaii until December 31, 1959; to the Committee on Interior and Insular Affairs.

CONSTRUCTION PROJECTS IN SUPERIOR NATIONAL FOREST—RESOLUTIONS

Mr. HUMPHREY. Mr. President, in recent days I have received several resolutions urging the Congress to appropriate additional funds to the Department of the Interior for construction projects and other projects which have been planned or are in the planning stage for Superior National Forest. I now have a resolution which has been adopted by the village of McKinley, St. Louis County, Minn., and I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Resolution 423

Resolution requesting appropriation of additional funds for improvements in the Superior National Forest

Whereas the greatly reduced production of the iron mines operating in the Mesabi Iron Range, St. Louis County, Minn., have caused critical unemployment and related economic problems; and

Whereas some funds have been appropriated for expenditure by the Department of the Interior for construction projects in the Superior National Forest, which forest is closely adjacent to and includes part of the Mesabi Iron Range, and the funds have helped the unemployment situation but are inadequate to materially benefit this area; and

Whereas the expenditures of such moneys for various construction projects in the Superior National Forest will provide needed facilities within the forest to make the area more attractive to the country: Now, therefore, be it hereby

Resolved, That additional moneys be appropriated by the Congress of the United States to construct the needed roads, fire breaks, trails, camping facilities, and other needed requirements in the Superior National Forest immediately, as these improvements will not only be of benefit to the Nation as a whole, but will provide additional employment to the unemployed labor force in this area which has been increased greatly with the reduction of steel products and the mining of iron ore; be it further

Resolved, That a copy of this resolution be forwarded to Congressman JOHN A. BLATNIK, Senator HUBERT HUMPHREY, Senator EDWARD J. THYE, and Congresswoman COYA KNUTSON.

LEONARD BUTALA,
Mayor.

Attest:

CLARK M. MACKIE,
Village Clerk.

Mr. HUMPHREY. Mr. President, I have received a resolution from the town of Stuntz, County of St. Louis, Minn., urging the Congress to appropriate additional funds to the Department of the Interior to be used in carrying out projects now in progress and other projects that have been planned or are in the planning stage for Superior National Forest.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas the Department of Interior is in the process of carrying out a number of construction projects, and other projects are planned or are in the planning stages for the Superior National Forest; and

Whereas an acute unemployment situation exists on the Mesabi Range and in particular in the town of Stuntz and the village of Hibbing: Now, therefore, be it

Resolved by the town board of the town of Stuntz, That the Congress of the United States be memorialized requesting that body to appropriate additional funds to the Department of Interior to be used for the carrying out of construction projects now in progress and other projects which have been planned or are in the planning stages for the Superior National Forest and at an early a date as possible; be it further

Resolved, That a fair proportion of said funds be earmarked and set aside for employment of unemployed persons in the town of Stuntz and the village of Hibbing so as to alleviate the acute unemployment situation which exists on the Mesabi Range; be it further

Resolved, That copies of this resolution be forwarded by the clerk immediately to Congressman JOHN A. BLATNIK, Senator HUBERT HUMPHREY, Senator EDWARD J. THYE, and Congresswoman COYA KNUTSON forthwith.

Dated at Hibbing, Minn., this 7th day of August 1958.

ELIZABETH KENNEDY,
Clerk, Town of Stuntz.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Ind. (Rept. No. 2483).

By Mr. GREEN, from the Committee on Foreign Relations, without amendment:

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the free world to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959 (Rept. No. 2484).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes (Rept. No. 2485).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H. R. 1684. An act for the relief of William Franklin Rollins (Rept. No. 2486);

H. R. 8759. An act for the relief of W. G. Hollomon and Mrs. W. G. Hollomon (Rept. No. 2487); and

H. R. 9258. An act for the relief of Mrs. Minnie Perreira (Rept. No. 2488).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 3545. A bill for the relief of John F. Sheehan (Rept. No. 2489).

DIVERSION OF WATER FROM LAKE MICHIGAN INTO ILLINOIS WATERWAY—REPORT OF A COMMITTEE—INDIVIDUAL AND SEPARATE VIEWS

Mr. KERR. Mr. President, on behalf of the Senator from New Mexico [Mr. CHAVEZ], from the Committee on Public Works, I report favorably, without amendment, the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, and I submit a report (No. 2482) thereon. I ask unanimous consent that the report may be printed, together with the individual views of the Senator from Oregon [Mr. NEUBERGER], and separate views of the Senator from Michigan [Mr. MCNAMARA].

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from Oklahoma.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

Brig. Gen. Robert G. MacDonnell, United States Army (lieutenant colonel, Corps of Engineers), to be president and senior member of the California Debris Commission.

By Mr. GREEN, from the Committee on Foreign Relations:

Maxwell M. Rabb, of Massachusetts, John W. Hanes, Jr., of Virginia; Robert H. Hamlin, of Massachusetts; and George N. Shuster, of Connecticut, to be representatives to the 10th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization; and

Anna L. Rose Hawkes, of Vermont; Justus B. L. Lawrence, of New York; William Albert Noyes, Jr., of New York, and John R. Richards, of Oregon; to be alternate representatives to the 10th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

By Mr. BUTLER, from the Committee on the Judiciary:

Carlton G. Beall, of Maryland, to be United States marshal for the district of Columbia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 4316. A bill to provide for the relocation of the Fort Peck-Great Falls transmission line in the vicinity of the city of Glasgow, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY:

S. 4317. A bill to extend the copyright provisions of title 17 of the United States Code to musical compositions produced without the use of a conventional system of notations; to the Committee on the Judiciary.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 4318. A bill to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS:

S. 4319. A bill to prohibit convicted felons from holding union office or employment; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS when he introduced the above bill, which appear under a separate heading.)

EXTENSION OF COPYRIGHT PROVISIONS TO CERTAIN MUSICAL COMPOSITIONS

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference, a bill to amend the Copyright Act of 1909. Let me explain my reason for introducing this bill at this time so late in the session.

We all know that the Copyright Act of 1909 is undergoing extensive revisions. The very extensiveness of these revisions will consume a great deal of time perhaps even beyond the next session of Congress. Meanwhile, the present gap in the Copyright Act of 1909 could be corrected shortly after Congress reconvenes next January so that the composers of the new art of electronic music in the United States should not continue to be handicapped in the development of their art.

Electronic music is created without musical instruments by producing sounds by electronic means directly on magnetic tape without utilizing a written score. It is widely recognized in Europe and even behind the Iron Curtain as the music of the future. France, West Germany, Italy, Belgium, and the Soviet Union have elaborate centers where composers are able to work with the necessary facilities. It is of such importance in Europe that the Brussels World's Fair is devoting a full week to this form of experimental music. The American composer in this field is in such an underprivileged position that not only is there no official American participation, but the journal published by the world's fair describing this international experimental music event makes practically no mention of any work done in the United States.

Mr. President, our American composers are not only faced with the costs of expensive equipment and material that they must use in this work, but even the fruit of their labor is unprotected by copyright for lack of a written score—depriving them of the royalties which their work has earned. This handicap has limited the production of such music in the United States because the Copyright Act of 1909 requires that written notation be submitted in order to copyright a piece of music, and in electronic music there is no notation possible as the music is created directly on tape.

For example, a young American couple composed an entire sound track score for a Hollywood feature film. Although the work was very successful and was nominated for an academy award, the Hollywood studio found that they could not bring out a sound-track album of this film without jeopardizing their copyright on the film sound-track by putting it on disk. It is such an important adjunct to a motion picture to issue a sound-track album that this inability to bring out a copyrighted phonograph record has deterred the Hollywood producers from further using this form of modern music. So the American composer of electronic music is both deprived of the important royalty income from phonograph records and also for practical purposes excluded from motion picture scoring opportunities. Both of these problems could be solved if the copyright law had provision for this form of music.

There is no good reason why American composers working with this new and very promising musical form should not have the statutory copyright protection which all other artists are afforded, and which is not contained in the present statute simply because this form of art was not in existence when the statute was created. While it would, of course, be desirable to incorporate this amendment into the full revision of the copyright law, the delay which would be caused by awaiting the complete revision would create a severe hardship condition for the composers in this field who are at present without statutory protection and are not able, therefore, to issue recordings of their work.

Hence, by introducing this measure today, and serving notice that I shall introduce an identical bill next January, I hope reports from the appropriate agencies can be expedited and early passage assured.

I offer this particular amendment because I desire to get department reports on it during the period of the adjournment of Congress, so that when the Committee on the Judiciary and the Subcommittee on Copyrights and Patents meet next January, there will be no excuse for the department to delay in getting their views and observations relating to the amendment on the record.

Also, I understand that the staff will be studying the matter, and I want to have the language of the amendment available for their review.

Mr. President, I ask that the bill be received and printed, and that it be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4317) to extend the copyright provisions of title 17 of the United States Code to musical compositions produced without the use of a conventional system of notations, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROHIBITION OF CONVICTED FELONS HOLDING UNION OFFICE OR EMPLOYMENT

Mr. WILLIAMS. Mr. President, I introduce, for appropriate reference, a bill to prohibit convicted felons from holding union office or employment.

The bill which I am introducing is a simple but extremely necessary one. It makes it a Federal criminal offense for any person convicted of a felony thereafter to hold office or important employment in a labor union.

The events of the past several weeks have made the enactment of legislation of this kind a matter of the most pressing urgency. The reappearance before the McClellan committee of Jimmy Hoffa, boss of the Teamsters' Union, has revealed that many of the most important officials of that union are ex-convicts. Wherever the McClellan committee has developed evidence of corruption, bribery, extortion, blackmail, shakedowns, arson, violence, and sudden death in the affairs of the Teamsters' Union, an ex-convict teamster official seems to be involved. Jim Hoffa himself has done nothing to eliminate these criminal elements, and gives no indication that he intends doing so. To the contrary, his attitude on these matters before the McClellan committee has been one of noncooperation—yes, even of defiance. And it is painfully clear that there is nothing either in existing Federal law or in the powers and programs of the AFL–CIO that will enable this terrible condition to be remedied.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. GOLDWATER. I want to commend the Senator on the proposed legislation which he has introduced, but I wish to point out I am afraid it will not get rid of Jimmy Hoffa, because Jimmy Hoffa has never served a jail sentence. That was the main trouble with the proposed legislation defeated in the House the other day. We could not get at the Hoffas and the Becks and the Dios unless they had a jail record. We have to do something more. I think the approach of the Senator from Delaware is a good approach; but until we give the people who work the right to join or not join unions—in other words, provide a free union movement—and let them get rid of their own officers, the problem will not be solved. Jimmy Hoffa has not served time in jail, so this bill would not touch him.

Mr. WILLIAMS. It is true that the bill may not touch him, but the point I am trying to make is that in the closing days of the session we could at least enact some legislation which would give relief in this field. I do not think, having knowledge of what has been disclosed, Congress can adjourn without giving some relief.

Mr. GOLDWATER. I could not agree with the Senator more.

Mr. WILLIAMS. I will go further. At the time we had the labor bill before the Senate, I supported many amendments, which we were unable to incorporate in the bill, but which would have been most effective in giving union members the protection they desire.

Mr. GOLDWATER. Had we accepted the suggestions of the Senator from Arkansas [Mr. McCLELLAN] on democratic processes in unions, that proposal would have enabled union memberships to cleanse themselves of the leaders they did not want. The way the bill went through, it was an unworkable bill. It was laughable. It was a hoax. The union members could never have cleansed their unions of the members they did not want.

Mr. WILLIAMS. I fully recognize, in introducing the bill, that it does not go far enough, but I felt this was the minimum which could be done at the present session of Congress.

Mr. GOLDWATER. I congratulate the Senator for the introduction of the bill.

Mr. WILLIAMS. Mr. President, the Kennedy-Ives bill which was defeated by the House the other day contained a prohibition similar to the provisions of my bill. I believe that this Congress has an inescapable obligation, in the light of the most recent disclosures before the McClellan committee, to enact the bill into law. The need for it is clear, and short as is the time remaining before adjournment, it is sufficient in which to get this measure approved. We shall be derelict in our duty if we fail to adopt this simple measure, which within 30 days of its enactment, will make the position of the criminals in the Teamsters' Union wholly untenable.

There may be some disagreement as to certain sections of the Kennedy-Ives bill, but there can be no disagreement as to the need for this proposal.

Even though we are nearing adjournment, this is the minimum protection which should be given to the members of the unions.

Congress should stay in session until we have effectively dealt with the problem of corrupt union officials. Honest labor leaders and millions of members of unions are urging that we take effective action in dealing with this problem. I hope some action can be taken before the Congress adjourns.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4319) to prohibit convicted felons from holding union office or employment, introduced by Mr. WILLIAMS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF RAILROAD RETIREMENT, RAILROAD RETIREMENT TAX, AND RAILROAD UNEMPLOYMENT INSURANCE ACTS—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him, to the bill (S. 1313) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, which were ordered to lie on the table, and to be printed.

DIVERSION OF WATER FROM LAKE MICHIGAN INTO ILLINOIS WATERWAY—AMENDMENT

Mr. WILEY. Mr. President, I submit an amendment, which I intend to propose to H. R. 2, the Illinois Waterway bill.

The purpose of the proposed amendment is to narrow the applicability of the so-called good faith defense to a charge of price discrimination brought under section 2 (a) of the Clayton Act, as amended, as this defense is interpreted in the Standard Oil of Indiana case—*Standard Oil Co. v. Federal Trade Commission* (340 U. S. 231 (1951)). The problem to which this amendment is directed is the injury to competition through price discrimination. Under the doctrine of the Supreme Court in the Standard Oil case, regardless of the injurious effect on competition, it is a complete defense to a charge of price discrimination for a seller to show that he gave the price discrimination in good faith to meet a lawful and equally low price of a competitor.

Under my amendment where the probable effect of a price discrimination may be a substantial lessening of competition or tendency to create a monopoly, good faith would no longer be a complete defense.

Also under my amendment, meeting competition would continue to be an absolute defense where the discrimination, while perhaps injuring competition with an individual competitor, was not sufficient to result in a probable lessening of competition or a tendency to create a monopoly. My amendment does not go as far as the original objectives of the Robinson-Patman Act.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

MUTUAL SECURITY APPROPRIATION BILL, 1959—AMENDMENTS

Mr. ELLENDER. Mr. President, I submit two amendments, intended to be proposed by me, to the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, and ask that they be printed and lie on the table. One amendment seeks to cut $100 million from the military funds, and one seeks to cut $50 million from defense-support funds.

The VICE PRESIDENT. The amendments will be received, printed, and will lie on the table.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HRUSKA:

Statement by him on the 40th anniversary of the independence of Czechoslovakia.

NOTICE OF HEARING ON NOMINATION OF JOSEPH C. SATTERTHWAITE TO BE ASSISTANT SECRETARY OF STATE BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today from the President of the United States the nomination of Joseph C. Satterthwaite, of Michigan, a foreign service officer of the class of career minister, to be Assistant Secretary of State.

Notice is given that the Committee on Foreign Relations, at the expiration of 6 days, in accordance with the committee rule, will give consideration to this nomination.

CONGRESSIONAL RESPONSIBILITIES OF FINANCIAL SOUNDNESS AND PROPER LABOR LEGISLATION

Mr. GOLDWATER. Mr. President, as this session draws to a close, the editorial writers of the Nation have heaped lavish praise on the leadership of the House and Senate in this 85th Congress for its accomplishments. There is no question that these accomplishments are many; but before we agree that all of them are good or great, I think we must allow time to pass, in order to be able to discover just what they will do.

For instance, we have put the Federal Government more firmly in the field of education. Is that wise? Only time will tell—time which in all probability will see local control of schools on the wane.

We have appropriated and authorized the expenditure of enough money to give the Nation in the approaching years its greatest peacetime deficit—a deficit estimated as high as $12 billion. There has been little inclination on the part of this Congress to save the taxpayers money. It is true that we must recognize the need for a high rate of defense spending for many years to come, and the only opportunity of helping the taxpayer in this area is to get more for him for his dollar. But this Congress has not been inclined to accomplish legislation that would encourage this. In defense spending, particularly, anything has gone, with the word "economy" a forgotten one in the limbo of the 85th. At this rate, it will not take many years to prove the folly of deficit spending, because neither this country nor any country can long sustain deficit spending at the rate of $12 billion a year.

I want to remind my colleagues once again, as I often have, that our enemies in Russia have for many years said they would destroy us by causing a collapse of our economy. As we wind up this 85th Congress, it seems to me that they are making better progress toward this means of ending our freedoms than they are making in the material fields of weapons.

The argument for economy has long ceased to be a political one. It is now a national one, and one that is serious beyond my ability to express it.

Turning to another field, this Congress, through the McClellan committee, has turned up the thievery of Dave Beck, the gangsterism of Dio, the ruthless brutality of Walter Reuther, and the hoodlum-protecting Jimmy Hoffa, as these men operate in the union movement protected by the laws of the Federal Government. This Congress had a challenge, as clear as the noonday sun, to write and enact legislation that would curb all of these evils. Yet, this Congress has failed to do, so. A colleague of ours has blamed the defeat of the labor measure on the evil in labor and the uninformed in management. If he meant what he said, that is a very dire condemnation of the leadership of this Congress. But I do not believe that the leadership of this Congress would succumb to pressures from either or both of these groups. No, this measure was doomed to defeat from the outset; and let me briefly state my reasons for saying that:

Instead of legislation beaten out by the subcommittee and committee discussions, the bill was presented to the subcommittee, after preparation by an eminent professor from Harvard University. I have respect for this man; I think he is an excellent professor of law. But I doubt that theory is as valuable as practice, when legislation is being written.

The subcommittee and the full committee, when confronted with proposed legislation that even a casual observation would have shown to be short of what was needed, and which, furthermore, contained provisions on which, at best, only meager hearings were held, attempted to amend the bill. Amendment after amendment was offered, including a complete substitute bill containing salutary provisions suggested by Senators McCLELLAN, KNOWLAND, KENNEDY, IVES, MUNDT, myself, and others. A few of these were accepted, including the trusteeship provisions prepared by the Senator from Massachusetts [Mr. KENNEDY] although not included in the original bill.

The reasons why a more workable bill was not reported out of committee will remain the property of my colleagues; but I believe that, on reflection, they must realize that the very weakness of the bill was what eventually killed it—not labor, not management, nor a combination of the two, but the American public's final realization that what was being offered them as a cure for the evils discovered in the labor movement was a hoax and a sham.

Mr. President, it has been said that Jimmy Hoffa is the only one who would have benefited by the defeat of this bill; but I suggest to my colleagues and to the American people that the Kennedy-Ives bill did not contain provisions that would have allowed the membership of Hoffa's union to get rid of him through the democratic processes proposed by Senator McCLELLAN.

Often we were told, "We must have a moderate bill." I repeat here the challenge I have made many times to those who accuse those of us who worked for a real bill: Let them point out one suggestion we made that could be determined as union-busting or too strong against the unions.

For instance, we asked that the suggestions of the McClellan interim report for democratic processes be followed. They would have given the rank-and-file member something to say about the operation of his union. That cannot correctly be regarded as labor-busting or antilabor; yet these suggestions were defeated. In accordance with the suggestions of the McClellan committee, we asked that fiduciary responsibility be required of labor leaders. That cannot be considered as labor-busting, but it was defeated.

Again, in keeping with the recommendations of the McClellan committee, we asked that the States be given the right to operate in the areas of no-man's land. Nobody can say that to allow a small union and a small company to have their arguments settled by a local court is union-busting or antilabor; yet that amendment was defeated. Three specific proposals of the McClellan committee were ignored; and these proposals were made by men who had listened to testimony for more than a year, and I know from personal acquaintance that they cannot correctly be considered as antiunion. These proposals were made for the union members' benefit and to protect the public; yet they were defeated.

Mr. President, I do not care to detain the Senate long on this subject today. But I believe that the coming 86th Congress is faced with probably as great a challenge that any Congress of the United States ever will be faced with—namely, to face up to its responsibilities to the American people in two general areas—first, the area of financial soundness, and second, the area of proper labor legislation. To do this is going to require courage of a type that has not been too obvious in Washington for many years. It is very easy to swim with the stream, but it is hard to go against it; and the stream we are in today is not a healthy one for the United States. It is not healthy from a financial standpoint, because we are destroying the economic soundness of America; and it is not healthy from a moral standpoint, when we allow Government protection to the Becks, the Dios, the Reuthers, and the Hoffas to permit them to operate as they do in this country.

Next year, men are going to be called on to be men, and to stand up in this body and vote, not with an eye toward perpetuating themselves in office, but with an eye to perpetuating the American constitutional Republic, its freedoms, and our free enterprise system.

I feel certain that during the adjournment, during the time when many of us are running for reelection, we are going to be told time and again by our constituents that they demand those things from us; and am confident that when the next Congress convenes, we will be prepared to give the country the kind of courage that has been the hallmark of our past and will be the guaranty of our future.

BIRTHDAY OF SENATOR GEORGE D. AIKEN, OF VERMONT

Mrs. SMITH of Maine. Mr. President, today is the birthday of one of the greatest men to ever serve in the United States Senate—a Senator whose record has set a very high goal for every one of us.

There is a real, genuine, and deep affection for him on both sides of the aisle, an affection so great that it is matched only by the tremendous respect Senators hold for him.

Today is the birthday of the senior Senator from Vermont, GEORGE D. AIKEN. I am delighted to pay my respects to him, and to wish him many more happy birthdays.

Mr. REVERCOMB. Mr. President, I want to join the able Senator from Maine in tribute today to Senator GEORGE AIKEN, a Senator who is so highly respected, and who has given such splendid service to the country, as well as to the great rock-ribbed State of Vermont. I wish him many happy returns of the day.

THE UNITED STATES PUBLIC HEALTH SERVICE

Mr. MURRAY. Mr. President, last night the Senator from Alabama [Mr. HILL], for himself and several colleagues, including myself, introduced a bill, S. 4312, to strengthen the Commissioned Corps of the United States Public Health Service. I ask unanimous consent, Mr. President, that there be set forth at this point in the RECORD an explanation of the bill, and a section-by-section analysis of it sent us by the Department of Health, Education, and Welfare.

There being no objection, the explanation and analysis were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, August 15, 1958.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.:

The purpose of the proposed legislation is to assist the Public Health Service in recruiting and retaining competent personnel by strengthening the Commissioned Corps personnel system and by increasing its career attractiveness. The proposed legislation would:

1. Improve and strengthen the retirement system applicable to commissioned officers of the Regular Corps of the Service;

2. Remove commissioned officers of the Reserve Corps from coverage under the Civil Service Retirement system and substitute therefor the retirement program applicable to commissioned officers of the Regular Corps;

3. More closely identify the retirement system applicable to Public Health Service commissioned officers with the system applicable to military personnel; and

4. Increase the number of appointments to the higher grades in the Regular Corps (full grade and above) which may be made each year by making the existing limitation (not

more than 10 percent of original appointments authorized for the year) inapplicable to the appointment to the Regular Corps of active duty reserve officers.

A major retirement proposal is an authorization for retirement after 20 years of service, subject to the Secretary's approval. Despite the fact that this proposal would authorize retirements 10 years earlier than is authorized under existing law, we believe that it would result in retaining in the Service more capable officers for longer periods of service.

Practically all the resignations from the career service occur during the first 15 years of service. Of the 458 Regular Corps medical officers who resigned during the period 1946 through 1956, 171 had completed less than 5 years service, 227 had completed 5 through 9 years, 54 had completed 10 through 14 years and only 6 had completed 15 or more years of service. An important reason for resignations after 5 years of service is the uncertain future resulting from the narrowly limited room at the top and the necessity under present law of completing 30 years of service in order to realize retirement benefits (unless retired for disability or on attainment of age 64). These resignations are particularly serious because of the investment in training which the Government has made, and because this is the group from which the future leaders of the Service must come.

The possibility of retirement after 20 years of service would encourage many excellent officers, who now resign after completion of a shorter though substantial period of service, to remain for at least 20 years. Moreover, experience in the military services (where 20-year retirements are now authorized) has shown that only a small number of officers of superior capability retire voluntarily after 20 years. They tend to remain because they are in positions which are professionally rewarding and personally challenging. In addition, it should be pointed out that the retired pay of those retiring after 20 years but before 30 years of service would be proportionately lower than the retired pay of those who complete the 30 years.

Under present law the Surgeon General may, upon his application and with the approval of the President, be retired after completion of 4 or more years as Surgeon General and 25 years of active commissioned service in the Public Health Service. It is proposed that this provision be extended to all general grade officers. In contrast to the military services, no permanent general grades are authorized within the Public Health Service Commissioned Corps personnel system. Consequently, an officer transferred out of one of the few general grade positions must revert to his lower permanent pay grade and rank. This creates individual hardship and awkward administrative situations which may hamper the Surgeon General in the best utilization of his staff. The alternative of optional full retirement, after 25 years, for an officer who has been in the general grade for the required period of time would increase administrative flexibility and would not be unreasonable as a reward for an officer who was qualified to hold a position of such high responsibility.

Under existing law commissioned officers of the Reserve Corps of the Public Health Service are the only group within the uniformed services subject to the Civil Service Retirement Act. As in the other uniformed services, however, officers of the Regular Corps of the Public Health Service are under a noncontributory retirement program. Thus, Reserve officers of the Service, who receive the same pay as regulars, are subject to the civil-service retirement deduction of 6½ percent of their basic pay. No such deduction is made from the regular officer's pay for his retirement benefits. This distinction is even more inequitable toward the reservist since he receives less retired pay than the regular officer with the same pay and the same length of service. The draft bill would remedy this inequity by extending the Public Health Service staff retirement system for Regular officers to its reservists on active duty.

Under present law a Regular Corps officer appointed after his 34th birthday and not later than his 45th birthday is retired for age at age 64 with retired pay computed at the rate of 75 percent of basic pay. Likewise, an officer who is appointed to the Regular Corps after his 45th birthday has his retired pay at age 64 computed at the rate of 4 percent for each year of service times basic pay. These two provisions are more liberal than provisions applicable to military personnel. For this reason, we are substituting for these provisions two methods of computing retired pay which are similar to provisions now applicable to military personnel. For officers who at the time of retirement had completed 12 full years of active service the retired pay would not be less than 50 percent of basic pay. In no instance would retired pay exceed 75 percent of basic pay. The existing provisions on computation of retired pay would continue to apply to officers on active duty at the time of enactment if the new provisions were less favorable.

The enclosed draft bill would amend the Public Health Service legislation in several other less significant respects in order to bring the Service's retirement system closer to parity with those of the military services. These amendments would—

1. Credit military service for purposes of retirement;

2. Authorize officers to retire at the highest grade held, temporary or permanent; and

3. Authorize a major fraction of a year to be counted as a full year in the computation of retired pay.

The Public Health Service Act presently limits original appointments to the Regular Corps in the full grade or above to 10 percent of the vacancies in the overall Regular Corps strength. Over the past several years this limitation has permitted only 28 to 30 such appointments each year. Consequently, to meet the need for additional highly qualified professional and scientific personnel for the new or expanding responsibilities of the Service, many officers have been appointed to the higher grades in the Reserve Corps. There are now approximately 300 such Reserve officers on active duty in the higher grades. Since only a few of these can, under the present limitation, be appointed to the Regular Corps in the higher grades for which their ability and experience would qualify them and since the responsibilities of the Service will necessitate additional appointments of this nature to the Reserve Corps, the number of these officers in the Reserve Corps will continue to increase with the passage of each year.

We believe a large proportion of these officers are qualified for the career service and are anxious to obtain the tenure which the career service affords. A transfer from the Reserve to the Regular Corps would thus provide a substantial inducement for these highly qualified and experienced officers to remain with the Service instead of resigning to seek more secure employment. Their transfer to the Regular Corps would also provide a better balanced staff in the permanent operating programs of the Service. The bill would therefore make the 10 percent limitation on the higher grade appointments in the Regular Corps inapplicable to members of the Reserve Corps appointed to the Regular Corps after they have been in the Reserve Corps for a year (but less than 3½ years).

There is also enclosed a detailed analysis of the draft bill.

Since the enactment of the enclosed draft bill would not in the foreseeable future entail annual expenditure of appropriated funds in excess of $1 million, the provisions of Public Law 801, 84th Congress, are not applicable.

The Bureau of the Budget advises that it perceives no objection to the submission of this proposed legislation to the Congress for its consideration.

Sincerely yours,

_____,
Secretary.

DETAILED ANALYSIS OF DRAFT BILL

(To strengthen the commissioned corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes.)

SECTION 1

This section provides a short title for the bill entitled the "Public Health Service Commissioned Corps Personnel Act of 1958."

SECTION 2

This section would preclude officers from being appointed and called to active duty in the commissioned corps at an age beyond which they could not complete the minimum career service of 20 years for purposes of retirement unless they possess exceptional qualifications. Exceptions to this limitation would be made in the case of Reserve officers who are called to active duty for 1 year or less or in the event that the commissioned corps of the Service is declared by the President to be a military service.

SECTION 3

The number of higher grade appointments (full grade or above) authorized to be made in the Regular Corps in any fiscal year under section 207 of the Public Health Service Act is 10 percent of:

(a) The number of vacancies existing on the first day of the fiscal year in the strength of the Regular Corps authorized by Congress in the Appropriation Act; plus

(b) The number of officers in the Regular Corps who during that fiscal year retire or for any other reason cease to be on active duty.

Section 3 of the bill would amend section 207 of the Public Health Service Act to permit those Reserve officers presently on active duty at the full grade or above to be appointed in the Regular Corps regardless of the number of years they have been on active duty, if they have been on active duty for at least 1 year prior to July 1, 1958, and they apply for appointment prior to July 1, 1962. Under section 207, as so amended, Reserve officers entering on active duty after July 1, 1958 would be required to serve on active duty continuously for at least a year before appointment to the Regular Corps, but they could not apply for such appointment after they had served continuously for more than 3½ years. If such requirements are not met, or if a person outside the Service applies for appointment in one of the higher grades in the Regular Corps, the existing 10 percent limitation would still apply.

SECTION 4

This section would revise the existing section 211 of the Public Health Service Act, with respect to the retirement of Regular or Reserve officers of the Public Health Service, in a number of respects. The subsections and paragraphs referred to below are subsections and paragraphs of the amended section 211.

Subsection (a) sets forth the eligibility requirements and the methods of computing retired pay in case of retirement for length of service or age (64 years) of commissioned officers of the Service.

Paragraph (1) of subsection (a) provides that all officers shall be retired on the first day of the month following their 64th birthday. This provision does not represent any change in existing law.

Paragraph (2) of subsection (a) provides that commissioned officers may be retired by the Secretary, and shall be retired upon their application, after completion of 30 years of active service. This provision, which is contained in existing law for regular officers, would be applicable to Reserve officers as well.

Paragraph (3) of subsection (a) provides for retirement, with the approval of the Secretary, upon completion of 20 years of service for both Regular and Reserve officers. Although this provision would provide a new benefit for Public Health Service officers, it parallels similar provisions applicable to members of the military services.

Paragraph (4) of subsection (a) would establish the formulas under which retired pay would be computed for officers retiring for age or length of service (20 or 30 years). The first formula would authorize retired pay to be computed at the rate of 2½ percent for each year of active service, as defined in subsection (d) of the amended section 211, times basic pay. In addition to his years of active service, the second formula would permit a physician or dentist to be credited for retirement purposes with the 4 or 5 years authorized for basic pay purposes under section 233 (a) (7) of title 37, United States Code. If upon retirement for age an officer has completed 12 whole years of active service, as defined in subsection (d) of the amended section 211, his retired pay shall not be less than 50 percent of his basic pay. In no event will retired pay exceed 75 percent of basic pay. Application of these two formulas to the computation of retired pay constitutes a major change in the existing formulas for computing retired pay under such circumstances. Under present law a Regular Corps officer appointed after his 34th birthday and not later than his 45th birthday is retired for age at age 64 with retired pay computed at the rate of 75 percent of basic pay. Likewise, an officer who was appointed to the Regular Corps after his 45th birthday and who is now retiring for age has his retired pay computed at the rate of 4 percent for each year of service times basic pay. This change in computing retired pay parallels the formulas applicable to the computation of retired pay for military personnel.

Paragraph (5) of subsection (a) would authorize the Surgeon General, the Deputy Surgeon General, and Assistant Surgeons General to be retired, with the approval of the President, after completion of 25 years of active commissioned service in the Public Health Service and after 4 or more years in any one or a combination of the general officer grades. This provision, which is presently applicable only to the Surgeon General, parallels provisions applicable to the military services, inasmuch as all military medical and dental officers may retire after 26 years of service (after 25 years of service for medical officers in some instances) with full retired pay.

Subsection (b) of the amended section 211 of the Public Health Service Act, in conjunction with subsection (a) (4) of the same section, would authorize retired pay to be computed on the basis of the basic pay of the highest grade held by the officer and in which he served on active duty for not less than 6 months. The basic pay of the highest grade would be that pay to which the officer would be entitled if serving on active duty in such grade on the date of his retirement, regardless of the pay or pay grade of such grade at the time the officer served in such grade. This provision is similar to provisions currently applicable to members of the military services.

Subsection (c) of the amended section 211 extends to Reserve officers entitled to retired pay under the Public Health Service staff retirement program an existing provision of law which permits the involuntary recall to active duty of Regular Corps officers during periods when the Commissioned Corps is a military service.

Subsection (d) defines the term "active service" for purposes of establishing eligibility for and the computation of retired pay. It would include all active service in any of the uniformed services, including the Commissioned Corps of the Public Health Service, but excluding the Coast and Geodetic Survey; not more than 5 years of active service with the Public Health Service, other than as a commissioned officer, but limited to those types of services performed by commissioned officers; and all other active service in another uniformed service (excluding the Coast and Geodetic Survey) which is creditable for retirement purposes under laws governing the retirement of members of such other uniformed service. This subsection would change existing law in one major respect only. It would authorize credit, for all retirement purposes, of active service in the other uniformed services, excluding the Coast and Geodetic Survey.

Subsection (e) would authorize the crediting of a part of a year of 6 months or more as a whole year for purposes of computing retired pay. This follows the law applicable to the military services.

Subsection (f) of the amended section 211 would, in addition to a few drafting changes, amend the existing subsection (g) of section 211 to limit (i) the crediting of active service with the Public Health Service, other than as a commissioned officer, to a maximum of 5 years and (ii) the service to be so credited to the type of service performed by commissioned officers.

SECTION 5

Subsection (a) of section 5 of the bill would amend section 2 of the Public Health Service Act to add a new subsection (p) defining "uniformed service." The term would include all Regular or Reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, or Coast and Geodetic Survey.

Subsection (b) of section 5 would amend section 208 (b) of the Public Health Service Act to authorize Reserve officers retired for age, length of service, or disability to purchase supplies, such as quartermaster supplies, from the military services on the same basis as such supplies may be purchased by officers of the military services. The present provision is further amended by deleting the word "quartermaster" as supplies sold by services other than the Army are not known as quartermaster supplies.

Subsection (c) of section 5 would amend section 210 (g) (3) of the Public Health Service Act in two minor respects. This provision relates to the retired pay of a full grade officer of the Regular Corps who is twice passed over for permanent promotion to the senior grade and who is subsequently retired. The bill would make it clear that his retired pay would be computed on the basis of the basic pay of his permanent grade.

Subsection (d) of section 5 would amend section 326 (a) of the Public Health Service Act to delete therefrom all references to retired personnel of the Coast Guard, Coast and Geodetic Survey, and Public Health Service. The inclusion of such personnel in the existing section 326 (a) permits such persons to receive medical care from civilian facilities in emergencies. Such benefit is not available to retired personnel of the military services who are entitled to medical care only at medical facilities of the uniformed services pursuant to section 301 (b) of the Dependents' Medical Care Act. The only intent of this amendment is to establish parity between retired personnel of the Coast Guard, Coast and Geodetic Survey, and Public Health Service and retired personnel of the military services.

SECTION 6

One of the main purposes of this section is to safeguard rights earned under the Civil Service Retirement Act for Reserve officers transferred from the civil service retirement system to the staff retirement system proposed by this bill. It would also provide for the continuance of civil service retirement credits for Government employees who enter the Public Health Service Commissioned Corps from civil service positions.

Subsection (a) of section 6 provides that service, prior to January 1, 1959, as a commissioned officer of the Regular Corps of the Public Health Service shall be considered, for purposes of credit under the Civil Service Retirement Act, as civilian service. (Service in the Reserve Corps is already considered as civilian service for the purposes of such act.) Such Regular Corps service would not, however, be considered as civilian service for purposes of section 3 (f) of the act, which requires 5 years of civilian service for eligibility for an annuity under the act. In other words, such Regular Corps service would be creditable under the act only if the officer, after his resignation from the service, completed 5 years in a civil-service position subject to the act. Two additional exceptions to this general provision are made in subsections (b) and (c) of section 6 (explained below). Also, this subsection provides that Reserve officers of the service who are on active duty on January 1, 1959, and continue on active duty thereafter shall be considered as transferred, as of such date, to positions in which they do not continue subject to such act. Reserve officers on inactive status who are subject to the act on December 31, 1958, solely on the basis of being a Reserve officer would be considered, as of January 1, 1959, as being separated from Government service. Under this provision any Reserve officer who, as of January 1, 1959, had 5 years or more of service creditable under the Civil Service Retirement Act, including his Public Health Service Reserve service, could elect to leave his money in the civil service retirement fund and receive a deferred annuity based on such service commencing at age 62.

Subsection (b) provides the general rule which would preclude the crediting of service under the Civil Service Retirement Act, if such service is also creditable for retirement purposes under the Public Health Service staff retirement system. Any service which is so creditable, such as active commissioned reserve service before January 1, 1959, or civil-service employment with the Public Health Service, would not, except as explained below, be credited for civil-service retirement purposes upon an officer's retirement under the Public Health Service staff retirement plan, regardless of whether such service would be used in the computation of the officer's retired pay from the Public Health Service. If, however, an officer has, at the time of his retirement from the Public Health Service for age or length of service, service dually creditable under both the Civil Service Retirement Act and the Public Health Service staff retirement system, and has not applied for and received a refund of his civil-service retirement deductions covering such service, he may waive the use of such credits in computing his Public Health Service retired pay and use such credits for annuity purposes under the Civil Service Retirement Act. For example, an officer who had 10 years of active reserve service on January 1, 1959, and 20 years of such service thereafter, applies for retirement upon completion of 30 years of service. He may elect to have his retired pay from the Public Health Service computed at the rate of 2½ percent times 30 years times basic pay, or at the rate of 2½ percent times 20 years times basic pay, thus permitting the officer to use his 10 years of service before January 1, 1959, for civil-service retirement purposes.

Subsection (c) of section 6 amends section 1 (r) of the Civil Service Retirement Act. This section defines "military service" for purposes of that act. The amendment would bring service after 1956 in the Regular or Reserve Corps of the Public Health Service within the meaning of the term.

SECTION 7

Under an amendment to the Civil Service Retirement Act, enacted in 1956, no service in a uniformed service performed after 1956 may be creditable thereunder if a person is or becomes eligible for old-age, survivors, and disability insurance payments. The purpose of this limitation is to preclude a civilian employee who enters military service from having this period of service credited under both programs. As the Civil Service Retirement Act authorizes a civilian employee to receive gratuitous credit for military service, this limitation is not unreasonable. Public Health Service reserve officers, however, are compelled to pay for both civil-service retirement (at the rate of 6½ percent of basic pay) and old-age, survivors, and disability insurance (at the rate of 2¼ percent of basic pay) with respect to their service after 1956 and, assuming enactment of the enclosed draft bill, before January 1, 1959. Yet, the limitation described above is applicable to this group of officers who are the only group of Federal personnel in this situation. Section 7 of the draft bill would resolve this unusual situation to some extent, by permitting such an officer (or his survivors) to use such service for civil-service retirement purposes or for purposes of old-age, survivors, and disability insurance, as he (or his survivors) may elect.

SECTION 8

This section provides effective dates for the amendments made by the bill. Moreover, subsection (b) of this section would provide that officers of the Regular Corps on the date of enactment of the bill who become eligible for retirement under the amended section 211 of the Public Health Service Act could have their retired pay computed under said section 211, as it existed on the day before the date of such enactment.

AWARD TO 1ST LT. ROBERT M. KERR

Mr. REVERCOMB. Mr. President, a member of the Air Force, who is from my State, is to receive a high award for outstanding bravery in a ceremony at the Pentagon tomorrow.

He is 1st Lt. Robert M. Kerr, 29, of Huntington, W. Va., who is to be presented with the annual Cheney Award—one of the highest awards given by the United States Air Force. This award is made each year for the most outstanding act of bravery by Air Force personnel during the year.

Lieutenant Kerr was chosen to receive this high honor because of the heroic role he played in landing a jet plane whose pilot had blacked out while in flight.

Flying as an observer in a T-33 over Japan, on October 13, 1957, Lieutenant Kerr, who had never piloted a plane before, took over the controls when the plane's pilot became incapacitated, and successfully landed the craft at the Yokata Air Force Base in Japan, where he was assigned to the 67th Tactical Reconnaissance Wing. His feat was all the more unusual in that the landing was made at night and without damage to the craft.

Lieutenant Kerr's action in this instance typifies not only great courage, but is likewise typical of the resourcefulness of our servicemen. Americans everywhere can take pride in such valorous conduct.

The award is to be presented by Gen. Thomas D. White, Air Force Chief of Staff, at noon tomorrow. Among those who will be present for this ceremony will be Lieutenant Kerr's mother, Mrs. Elizabeth Matthews Kerr, and his grandmother, Mrs. Margaret Y. Matthews, both of Huntington, W. Va.

I extend to him my congratulations upon receiving this fine award.

SENATOR EDWARD MARTIN OF PENNSYLVANIA

Mr. CLARK. Mr. President, when this session of Congress comes to an end, my colleague, the distinguished senior Senator from Pennsylvania [Mr. MARTIN] will retire to a well-deserved rest after 60 years of service to his community, his State, and his Nation.

Some days ago a number of his colleagues who grew to know him well as a result of his service in the Senate rose in this Chamber to pay him their tribute. It was my misfortune not to be on the floor that day.

As a result of the fact that in Pennsylvania the retirement of EDWARD MARTIN has been spread about, as a result of his long service as a soldier, lawyer, governor, and Senator, there has been a great mass of laudatory comments in the press about EDWARD MARTIN.

Mr. President, I ask unanimous consent that at this point in my remarks a series of newspaper articles outlining Senator MARTIN'S distinguished career, and praising him for his service to his country, may appear in the CONGRESSIONAL RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SIXTY YEARS OF SERVICE TO PUBLIC IS ENDING FOR SENATOR MARTIN—PENNSYLVANIAN HAS BEEN A SOLDIER, LAWYER, AND GOVERNOR; SO NOW HE'LL RETIRE TO WASHINGTON (PA.) FOR QUIET, HIS HOPES

(By Ingrid Jewell)

WASHINGTON, July 4.—When Congress adjourns, Senator EDWARD MARTIN, Republican, of Pennsylvania, will retire from a public career, military, and civil, that stretches back 60 years.

He and Mrs. Martin will return permanently to their home in Washington, Pa., she with enthusiasm, he with satisfaction.

He has served in every military grade from private to major general and has won the Distinguished Service Cross with Oak Leaf Cluster. He has been auditor general, treasurer, adjutant general, and Governor of Pennsylvania. He has been State Republican chairman, and chairman of the governors' conference.

CREEPING UP ON 79

Now almost 79, he is becoming Private Citizen ED MARTIN.

If he has a regret, it is a small one: That he never succeeded to the chairmanship of the Senate Finance Committee on which he has been ranking Republican for 2 years. The darn Democrats frustrated him by retaining control of the Senate.

If he has fear for the future, it is not personal but national: he fears inflation.

"Inflation," he says, "is a more serious threat than depression. And it is a damn sight more dangerous than Russian bombs."

This old soldier says Congress is spending far too much on defense.

He is concerned, too, by the emphasis on subsidizing the teaching of science to the exclusion of the humanities. A democracy is based on the humanities.

And he deplores the election year tendency of Congress to expand Government handouts without providing the tax sources to pay for them.

Pay as you go has been his lifelong philosophy. He tells young newlyweds, "avoid installment buying."

WOULD CUT DEBT

The outstanding accomplishment of his 4 years as governor, he believes, was reduction of the public debt to $44 million and reduction of the tax rate.

He also takes satisfaction from the initiation in his administration of the pure stream law; of the law requiring school children to take physical examinations; and of a survey of mental and penal institutions which has led subsequently to many reforms.

A little sadly, he has arrived at the conclusion you can't legislate morality.

He has emerged, at 78, a cautious optimist. The caution matches his age. The optimism matches his erect grooming, his considerate courtesy which is as warming as it is rare.

When he was Republican State chairman, he promoted legislation establishing the State's corporation and banking codes which gave a sound foundation for their operation and encouraged corporations to locate in Pennsylvania.

CLOSE ARMY TIES

He has worked to develop a closer relationship between the Regular Army, the Organized Reserve, and the National Guard because "our country must depend for its defense on the citizens themselves."

The Senator can recall only one job he never held that carried no responsibility. That was when he was a private in the 10th Pennsylvania Volunteer Infantry. He enlisted in Waynesburg where he was attending college, in 1898, and was sent immediately to the Philippines.

"On July 31, I was under fire and on August 1, I was made a corporal. Then the trouble started. Before I was a corporal I had no responsibility and I had a big time."

Of all the jobs he has held since, that of United States Senator has been the "toughest and most interesting."

"This," he points out, "is the center of the world. The rest of the world depends on what we do. That's why I am so careful about spending money."

He thinks taxes are so high they discourage initiative.

"Young men tell me they don't mind going in partnership with Uncle Sam, but they don't want to be the minority partner." He refers to the 52 percent corporation income tax.

GOES BACK TO COLLEGE

When he was mustered out of service in San Francisco in 1899, he returned to Waynesburg College and took his degree in 1901. He read law with an attorney and was admitted to the bar in 1906.

He saw combat in France in World War I. Aside from military and public service jobs, his career has been spent in the oil and gas business.

His plan has been to take over properties abandoned by large companies as no longer profitable, to build them up through secondary recovery.

MARTIN RECORD IS HAILED

(By Nicholas P. Gregory)

WASHINGTON, July 12.—Senator EDWARD MARTIN, Republican, of Pennsylvania, is bowing out of the Senate at the end of this term with an unmatched record in getting Congress to approve and appropriate funds for public-works projects in Pennsylvania.

MARTIN, a two-term Senator who will be 79 next September, has been instrumental in getting the Senate to vote funds for the $111 million Delaware River channel. By the end of this session, $39,445,000 would have been voted to continue work on the deeper channel, which, when completed, will contribute handsomely to the industrialization of Delaware Valley, U. S. A.

A compilation shows that, as of July 3, funds for 31 Pennsylvania and related projects have been voted by the Senate Appropriations Committee after they have cleared the Public Works Committee, of which MARTIN is ranking minority member.

A total of $61,320,000 is involved in construction and planning funds for the 31 projects. The largest is the 40-foot channel on the upper Delaware between Philadelphia and the Fairless Works of the United States Steel Corp. at Morrisville, Pa.

In addition, there is a $500,000 appropriation to finance a survey of the Delaware River. Money has also been voted for flood-control projects in the central and western parts of the State, as well as survey studies of French Creek and the Juniata and Lackawanna Rivers.

A total of $7,615,000 has been earmarked for work on 8 reservoirs in the State, the largest sum—$1,740,000—having been set aside for Bear Creek Reservoir.

A 15-minute film has been made to dramatize Pennsylvania's need for more Federal judges to handle the expanding case docket. Nationally, about 45 new Federal judgeships are needed.

Last year the Judicial Conference of the United States recommended that 7 more judges be assigned to Pennsylvania, 3 for the Eastern District and 4 for the Western.

Attorney General William P. Rogers indorsed this proposal and appears in the film, which will be shown throughout the State. Others in the film are MARTIN; Senator JOSEPH S. CLARK, Democrat; Representative HUGH SCOTT, Republican; and Representative CARROLL D. KEARNS, Republican, of Parrell and Conneaut Lake.

SIXTY YEARS—MARTIN WINDS UP CAREER

(By Hugh Fleming)

WASHINGTON.—Last week practically the whole Pennsylvania Republican Congressional delegation augmented by party candidates for offices now filled by Democrats held a strategy and harmony dinner meeting in a Washington hotel.

Although no one mentioned it, everybody felt, and rightly so, that it was really a farewell dinner to that great old wheelhorse of the Republican Party, Senator EDWARD MARTIN.

Senator MARTIN has distinguished himself in five fields: law, military, politics, government, and business. When the Congress adjourns next month it will bring to a close 60 years of public service as a soldier and statesman.

MARTIN was born September 18, 1879, in a log house on a Greene County farm near the village of Tan Mile, Pa., the son of Joseph Thomas Martin and Hannah Bristor Martin. Ten generations before, in the middle of the 17th century, his father's ancestors had emigrated to this country from England.

Young EDWARD was 15 when he entered Monongahela College, at Jefferson. The same year he transferred to Waynesburg College where he played football and started the study of law. But he was not to have an uninterrupted education, for the Spanish-American War was in the making and he became a soldier of the line.

On May 9, 1898, he joined Company K of the 10th Pennsylvania Volunteer Infantry. After a year in the steaming jungles of Luzon under the command of Gen. Arthur MacArthur, father of Gen. Douglas MacArthur, he returned home with the rank of sergeant and a bad affliction of malaria.

He completed his education and continued his interest in his State's National Guard.

During World War I he served in France as a regimental commander, took part in five major offensives, was wounded and gassed. He twice received the country's second highest military award for valor and heroism, the Distinguished Service Cross.

By 1922 his work in the National Guard had earned him the rank of brigadier general and besides his active practice of law he served as a director of 12 banks and corporations. Two years later he was elected State auditor general by nearly 1 million votes and 4 years later by the same number of votes was elected State treasurer.

During World War II, now a major general, he was in command of the Fifth Corps area, comprising the States of Indiana, Kentucky, West Virginia, and Ohio.

On January 19, 1943, he was inaugurated the 97th Governor of Pennsylvania and under his direction the gigantic industrial and agricultural forces of Pennsylvania were mobilized to produce the all-time record of record-breaking quantities of weapons, equipment, food, and other munitions of war.

On the close of his term as governor he became a candidate for the Senate and in the general election of November 1946, he was elected by a plurality of 602,130 votes over his Democrat opponent. He was the third governor in the State's history to be subsequently elected to the United States Senate. Four years later he was reelected with close to 2½ million votes.

His retirement at the close of this session leaves a vacancy as senior Republican member of the Public Works Committee (he was chairman during the 83d Congress) and senior Republican member of the Finance Committee.

There is not sufficient space to tell even in part the honors, decorations, high positions in organizations and associations that Senator MARTIN has accumulated during his lifetime. But as an example this reporter counted 61 honorary college degrees hanging on the wall of one of his outer offices.

All these, along with autographed pictures of the famous of the world, most of them intimate friends, will be taken down within the next few weeks and shipped to his family home in Washington, Pa., where Senator MARTIN will live out his remaining years as just another good American citizen.

[From the Philadelphia Bulletin of July 17, 1958]

SENATOR MARTIN'S RETIREMENT—NEARING 79, HE SERVED NATION AND STATE 60 YEARS

(By Robert Roth)

WASHINGTON.—In a few weeks, when Congress adjourns, Senator EDWARD MARTIN will retire to private life after 60 years in the service of his country, his State and his party. This is by way of saying goodby.

ED MARTIN has not been one of the best known or best publicized of Senators, but his departure from the Chamber in which he has served for 12 years will leave a vacancy not easily to be filled and he will be missed by his fellow Senators, by his constituents and by the newspapermen who have worked with him over the years.

There are many reasons for this. MARTIN is an effective legislator. With an industry beyond the capacity of men much younger, he is assiduous in his attention to committee duties, in casting his vote on rollcalls and in taking care of the myriad chores that constituents heap upon a Senator.

He is a member of the inner core of Senators, that small group, known as the Club, that transcends party lines and exercises an important effect on the way the Senate does its business. He is known as a man whose word can be relied on. He is always a gentleman, never loses his temper, never indulges in theatrics, is always courteous to the point of courtliness. He has as many friends as any man in the Senate.

REPUBLICAN OF TAFT SCHOOL

There are those who tend to dismiss MARTIN as a negative and therefore unimportant factor in the National Legislature. It has been said by his enemies—he has some—that he has not had a new idea in three generations.

It is true that he tends to be ultra-conservative in his political thinking, that he is a Republican of the Taft rather than of the Eisenhower school, that his regard for the old-fashioned virtues of thrift and self-reliance have made his distrustful of New Deal reforms. It is true also that no important piece of legislation bears his name as author.

Despite this, MARTIN'S usefulness as a Senator has been great. As ranking Republican on the Senate Finance and Public Works Committees, he has had an important influence in recent years on tax policy and on public works developments.

As much as any one man, he is responsible for the gigantic public roads program, largest in history, which was launched when he was chairman of the Public Works Committee. Without him the Delaware River dredging project still might be only a faint hope instead of an accomplishment well along to completion.

LOOKED OUT FOR PENNSYLVANIA

MARTIN has the knack of getting Senators of both parties to go along with him on projects that are important to his State. Pennsylvania projects have fared as well in the Public Works Committee with MARTIN as ranking minority member as they did when he was chairman.

The fact that MARTIN can get Democratic cooperation when he needs it does not mean he is nonpartisan. He is, on the contrary, a fiercely loyal party man and in the last 6 years has faithfully supported the Eisenhower administration most of the time, even when this meant casting his votes for measures that ran counter to his own deeply held convictions.

An example of the way MARTIN works was provided during this past week, when a bill to extend the Reciprocal Trade Agreements Act was in its final stages. MARTIN was never a believer in free trade, but he was prepared to support this bill, giving the President increased authority to reduce tariffs, because the President had said it was vital to the national security.

HOW HE MANAGED OPPOSITION

However, Senator ROBERT KERR, Democrat of Oklahoma, offered an amendment which would have stripped the bill of virtually everything the President wanted in it and added almost everything the President did not want there. KERR wanted that amendment to come to the Senate floor for a vote and it could not get there without the consent of the Senate Finance Committee. MARTIN cast the deciding vote in committee for a favorable report on the KERR amendment.

When it came to the floor MARTIN voted against it, and it was defeated, overwhelmingly, as MARTIN knew it would be. But meanwhile he had given KERR the chance KERR wanted, and had placed KERR in his debt. It is because of such tactics that the word is passed every now and then in the Senate cloakrooms that a bill should be passed because ED MARTIN wants it.

Service in the Senate is only a part of ED MARTIN'S career. He served in the Army of the United States in every rank from buck private to major general—in the Spanish-American War, in the Philippines, on the Mexican border and in the First and Second World Wars.

In politics, too, he served in all ranks, beginning as secretary of the Greene County

Republican Committee and working up to state chairman and finally to Governor. Between times he practiced law and interested himself in a variety of business enterprises in the banking, transportation and oil-production fields.

ANNOUNCED RETIREMENT IN 1952

Now he is nearing 70 and preparing to enjoy a long-deferred rest. He is not retiring because he fears defeat or because this is a bad year for Republicans to run. He announced soon after his reelection 6 years ago that he would not seek office again.

His departure from Washington will be regretted by many who have come to depend on him as a friend and rely on him as an ally. He can look back on a longer, more varied and more useful career than is given to most men.

If this were a sermon instead of a newspaper column, its text might well be part of Matthew 25: 23—Well done; good and faithful servant.

[From the Pittsburgh Press]

AWARD OF MERIT

An unusual event took place last week in the United States Senate, which is often a forum of heated debate. Nine Senators rose in turn to pay spontaneous tribute to one of their number.

The Member they honored is Senator EDWARD MARTIN, of Pennsylvania, Republican, who is retiring from the Senate at the end of this year after a notable career in public life.

The Senators who expressed their esteem of the Pennsylvania Senator included both Republicans and Democrats. Many of them are fellow-members of the Senate Committee on Public Works, of which Senator MARTIN is former chairman and now ranking minority member. (Senator MARTIN could not be present because he was helping a couple of Pittsburghers plead for Federal help for the Crosstown Boulevard.)

In general, the Senators told the story of ED MARTIN which is familiar to most Pennsylvanians. Born in a log house in Greene County, he achieved notable success in many fields, served his country in three wars, headed the 28th Division, Pennsylvania National Guard; went up the ladder of politics and was elected by the people of Pennsylvania to almost every post within their power to fill, including auditor general, State treasurer, governor, and Senator.

Senator FRANCIS CASE, South Dakota Republican, saw Senator MARTIN'S career as "an example of the rewards offered in the United States, under the American system of free and equal opportunity, to the youth of our land, no matter how humble may be their origin." Senator ROBERT S. KERR, Oklahoma Democrat, believes the Pennsylvanian to be "one of the great men I have known." Others expressed themselves in similar vein.

We of Pennsylvania have good reason to know ED MARTIN'S caliber, for he has served us, in one capacity or another, for these past 60 years, and many of our people have served with him in various endeavors, in war and peace. All who know him will want to associate themselves with the remarks of his fellow Senators, which were richly merited.

[From the Philadelphia Inquirer of Tuesday, July 29, 1958]

SENATE HEAPS PRAISE ON SENATOR MARTIN

(By John M. Cummings)

It is easy enough to understand why Pennsylvania's 68th United States Senator and its 97th Governor ducked a session of the world's most exclusive club in Washington the other day. There is one thing Senator ED MARTIN hesitates to face—praise of his record and his career.

Nevertheless, the praise poured forth until it covered nearly six pages of the CONGRESSIONAL RECORD. It came from the Republican and Democratic sides of the aisle, proving once again that in a worthy enterprise our Senators are capable of rising above narrow political considerations.

From precinct worker to the United States Senate, from private to major general, ED MARTIN over a long career has unflinchingly faced the fire of the opposition, and there were times when he would have been justified in crying out, "Lord, save me from my friends."

The bipartisan praise heaped on Senator MARTIN was neither extravagant nor fulsome. It came from the hearts of those who uttered it and it was meant, every word of it.

Tall, spare, and ramrod straight from his years of military service, Senator MARTIN is a quiet-spoken, even tempered guy until • • • And when that "until" takes place you had better head for the hills. He is the kind of bloke who would have twisted and squirmed had he been in the Senate the day his colleagues broke through the political barrier and traced his career from Washington County to the Philippines, to Harrisburg, to the battlefields of Europe; his return to the State Capitol and on to Washington, where his second term in the Senate is drawing to a close.

It was this that brought on the testimonial session. Senator MARTIN having served his State and his country honorably and well, and approaching 80 is about to retire from public life. Indeed he let it be known shortly after his second election to the Senate he would not seek a third term. His successor is to be chosen this coming November. Voters will decide between the Republican nominee, Representative HUGH SCOTT, and Gov. George Leader on the Democratic side.

Senator CASE, a South Dakota Republican, led off in the Senate's laudation of the Pennsylvania soldier statesman. CHAVEZ, New Mexico Democrat; KERR, of Oklahoma, in 1950 a candidate for the Democratic presidential nomination; CARLSON, Kansas Republican; KNOWLAND, of California, Senate minority leader; SMITH, New Jersey Republican; WILEY, Wisconsin Republican; THURMOND, South Carolina Democrat; CURTIS, Nebraska Republican, and BRIDGES, New Hampshire Republican, each in turn paid personal respects to Senator MARTIN and his remarkable political and military career.

Nor was his business life neglected. The Pennsylvania Senator has been over the years active in banking, in manufacturing, mining, and other enterprises.

It was in the nature of the Senate's farewell to the Senator from Pennsylvania who soon will hang up his toga and reach for—well, it's difficult to conceive of ED MARTIN reaching for his bedroom slippers. Certainly he hasn't lost his zest for public service. As an old comrade in the wars we join his colleagues in wishing him well.

[From the Erie (Pa.) Times-News of Sunday, August 3, 1958]

AWARD OF MERIT TO SENATOR MARTIN

An unusual event took place last week in the United States Senate, which is often a forum of heated debate. Nine Senators rose in turn to pay spontaneous tribute to one of their number.

The Member they honored is Senator EDWARD MARTIN, of Pennsylvania, Republican, who is retiring from the Senate at the end of this year after a notable career in public life.

The Senators who expressed their esteem of the Pennsylvania Senator included both Republicans and Democrats. Many of them are fellow members of the Senate Committee on Public Works, of which Senator Martin is former chairman and now ranking minority member.

In general, the Senators told the story of ED MARTIN, which is familiar to most Pennsylvanians. Born in a log house in Greene County, he achieved notable success in many fields, served his country in three wars, headed the 28th Division, Pennsylvania National Guard; went up the ladder of politics and was elected by the people of Pennsylvania to almost every post within their power to fill, including auditor general, State treasurer, Governor, and Senator.

Senator FRANCIS CASE, South Dakota Republican, saw Senator MARTIN'S career as "an example of the rewards offered in the United States, under the American system of free and equal opportunity, to the youth of our land, no matter how humble may be their origin." Senator ROBERT S. KERR, Oklahoma Democrat, believes the Pennsylvanian to be "one of the great men I have known." Others expressed themselves in similar vein.

We of Pennsylvania have good reason to know ED MARTIN'S caliber, for he has served us, in one capacity or another, for these past 60 years, and many of our people have served with him in various endeavors, in war and peace. All who know him will want to associate themselves with the remarks of his fellow Senators, which were richly merited.

By his own choice, Senator MARTIN has now elected to retire as a United States Senator. Soldier—Governor—Senator—how much has been put into this life of his? But more than that, not only did he carry the titles of offices which the people gave him, but his service to his country and to his Commonwealth stands out, and will be a bright light not only in the lives of members of his family, those now present and those who may come after, but also in the history of our Nation.

As he retires from his active public life to quieter and greener pastures, I wish for him an overflowing cup of happiness. I hope he will continue to advise those of us who have been the beneficiaries of his wisdom through so many years. I trust he will continue to see us often and advise with us, which he has so ably and so helpfully done regarding the affairs of his country—of our country.

Mr. POTTER. I wish to join with my colleagues in expressing regret that the senior Senator from Pennsylvania [Mr. MARTIN] will be leaving the Senate. Those of us who have had the opportunity to serve in the Senate with Senator MARTIN respect him, as the distinguished Senator from West Virginia stated, for a life of dedicated public service. He has served with distinction with the 28th Infantry Division, as the commanding general of that division. It happens that I served at a later date with that division, and I know the pride in which every man of the division holds Senator MARTIN.

Senator MARTIN served as Governor of his State. During his tenure as Governor of his State, Pennsylvania flourished as never before or since.

He has had distinguished service in the United States Senate. I know of no man in the Senate who has had more understanding and appreciation for the problems of his colleagues than Senator MARTIN. While he was an outstanding soldier, he is also a kind and gentle man.

At this time I join my colleagues in wishing Senator MARTIN and his lovely wife a long and happy future. I know his service to his country will not cease today, but that he will continue to make personal contributions to a better society in the future, as he has in the past.

Mr. WILLIAMS. Mr. President, I wish to join my colleagues in paying respect to a great American. Nearly 12 years ago I had the privilege of entering the Senate on the same day Senator MARTIN was sworn in. During the years which have intervened I have had the opportunity of serving with him. I know I speak for every Member of the Senate when I say that no man ever served in the Senate of the United States who commanded the respect of his colleagues to the extent enjoyed by Senator MARTIN.

As he leaves and departs for private life, for a well-earned rest, he carries with him not only the best wishes of the Senate, but also of the people of Pennsylvania and the people throughout the country. The State of Pennsylvania and our country is losing a great representative. The United States Senate is losing one of its most able Members, and we are losing one of our best friends.

Mr. JOHNSON of Texas. Mr. President, I could not let this opportunity pass without saying a word about my dear friend, ED MARTIN. He has been very good to me since I came to the Senate. He has helped me over many rough roads. He is an able man. He is a fair man. He is a just and patriotic American. The Senate will miss him when he leaves.

Mr. KERR. Mr. President, I join my colleagues in paying tribute to the distinguished senior Senator from Pennsylvania. It has been my privilege to know him for many years. In World War I, I had the opportunity of serving in a very minor role in the great 28th Division of Pennsylvania, at which time he was one of its outstanding leaders.

ED MARTIN was Governor of Pennsylvania when I was Governor of Oklahoma. It was my privilege to visit his State and to have him visit as a guest in Oklahoma. I have served with him on two committees of the Senate, the Committee on Public Works and the Committee on Finance. There has been no finer member of either committee. He has been rugged in his integrity, yet humble and generous and understanding.

I have considered it a privilege to be associated with him, and I look forward to the continuance of our association, as personal friends. It is with deep regret that I note that he has seen fit to retire from the Senate.

Mr. DOUGLAS. Mr. President, I wish to join my colleagues in paying tribute to the senior Senator from Pennsylvania. I have had the pleasure of serving with him on the Finance Committee for 2 years.

I think it is true that we seldom vote alike on important questions. The economic and political views of the senior Senator from Pennsylvania are very different from those of the senior Senator from Illinois. Nevertheless, I think it should be said that I have never known anyone who was more gentle in his manner, more genuinely friendly in his attitudes, or more tolerant, than the senior Senator from Pennsylvania. If we could all copy the Senator from Pennsylvania in these respects—while, of course, correcting his erroneous economic and political views—this would be a much better Senate and ours would be a much better country.

I believe that the note of genuine friendliness which the Senator from Pennsylvania injects into every situation in which he is involved is something which is badly needed in these times, when party and personal passions may run high. All of us, whatever our political or economic views, have respect for the Senator from Pennsylvania. We wish for him a long, happy, useful, and active life.

FEDERAL LAW CONCERNING WIRETAPPING

Mr. CLARK. Mr. President, I know that there continues to be confusion about the state of Federal law concerning wiretapping, and that this confusion is confounded by recent flamboyant uses of hidden electronic listening devices and secret wire recorders of conversation in a spectacular case which occupied front page attention of metropolitan daily newspapers for some time.

Therefore, I think it is helpful to all of us to know that the Senate Constitutional Rights Subcommittee under the chairmanship of the able senior Senator from Missouri [Mr. HENNINGS] has been studying the subject of wiretapping, eavesdropping, and the Bill of Rights carefully this year and has published the printed record of two hearings and a compilation of background materials.

I ask unanimous consent that an editorial published recently in the St. Louis Post Dispatch commenting on the work of the Senate Constitutional Rights Subcommittee be printed in the body of the CONGRESSIONAL RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EVERYTHING ON WIRETAPPING

Anyone who wants to inform himself on the arguments for and against wiretapping and the use in court of evidence obtained by eavesdropping can do it very easily hereforth. All he needs to do is to obtain a copy of Wiretapping, Eavesdropping, and the Bill of Rights, published by the Senate Judiciary Subcommittee on Constitutional Rights as appendix to hearing of May 20, 1958.

This 160-page report is a model in the assembly of basic information and materials. It contains first the Bill of Rights. Then it presents the pertinent Federal and State laws. Next it gives the texts of 16 Supreme Court decisions, dissents as well as majority opinions, in cases dealing with wiretapping or related issues. Then it devotes 50 pages to pertinent foreign laws from those of Great Britain around the world to Japan. Finally there is an excellent list of books and magazine articles if further reading is desired.

Members of the subcommittee—Senators HENNINGS of Missouri, O'MAHONEY of Wyoming, ERVIN of North Carolina, JOHNSTON of South Carolina, LANGER of North Dakota, WATKINS of Utah, and HRUSKA of Nebraska—can take satisfaction in this admirable piece of work by the subcommittee staff.

JUDGE BOYD LEEDOM, CHAIRMAN, NATIONAL LABOR RELATIONS BOARD

Mr. CASE of South Dakota. Mr. President, in the Washington Daily News of yesterday, August 19, 1958, there was published an article by John Herling, entitled "He Knows His Own Mind." The general trend of the article is to pay a well-deserved tribute to the independent and judicial mind exhibited by Judge Boyd Leedom, Chairman of the National Labor Relations Board, who comes from South Dakota.

For this tribute to Mr. Leedom I have complete respect, and I second it in every particular, except that Mr. Herling ties it up with an incident at the White House, which he has placed in entirely the wrong light.

The article by Mr. Herling states, in part, that when Judge Leedom was appointed to the position, the South Dakota Senators—

Republicans KARL MUNDT and FRANCIS CASE, • • • among the most combative legislators in the field of labor relations • • • moved in rapidly to take charge of Judge Leedom when he was to be introduced to President Eisenhower.

The morning they brought him over to the White House happened to coincide with a visit of AFL-CIO President George Meany who was seated in an anteroom.

Senator MUNDT was introducing Judge Leedom to Mr. Meany when suddenly Senator CASE came out of an inner office with Gerald Morgan, a Presidential assistant.

It is not correct that I came out of an inner office with Gerald Morgan. I had gone to the White House as had the

senior Senator from South Dakota [Mr. MUNDT] to join in the presentation of Judge Leedom; but I did not come out of an inner office with Gerald Morgan. Mr. Morgan happened to be passing by, and I made a jocular remark, intended as such.

Judge Leedom, whom I had known back in the days when he was a college student, and with whose father I had a very close friendship, had previously told me that he was being offered a great deal of free advice from everyone as to what the Taft-Hartley law meant. So, when I saw Mr. Morgan going by, I did say with a smile that I am sure the judge understood, "Boyd, I want you to meet Jerry Morgan" and did say something to the effect that he had a great deal to do with the drafting of the Taft-Hartley law, as he had been a consultant for the House Labor Committee; but I did not say it in the way Mr. Herling reports it, which is as follows:

"Judge," said Senator CASE, "I want you to meet Jerry Morgan. He's the fellow who really wrote the Taft-Hartley law. If you ever want to know what Congressional intent was for any part of the Taft-Hartley law, just telephone Jerry at the White House. • • • He knows the Congressional intent down to the last comma."

Reading further in Mr. Herling's hearsay report of an incident 3 years old——

Senator CASE braked to a halt when Senator MUNDT shushed him, pointing to George Meany, an unscheduled witness to Senator CASE's unorthodox attempt at indoctrinating a new member of the NLRB.

That interpretation of my remark is completely mistaken. I made no attempt to indoctrinate Judge Leedom. I had urged his appointment as a judicial person, one without bias either for or against labor. My remark, of which Mr. Herling's quote is not exact, was given with an inflection of exaggerated sarcasm and a smile to refer to the many attempts that were being made to advise Mr. Leedom with respect to possible questions he might be asked. It had come to be a standing joke between Judge Leedom and myself.

If Mr. Meany reported the incident, I can see how he might have misinterpreted it, because he did not know of the friendly relationship which had existed between Judge Leedom and me for many years.

I commended Judge Leedom upon his independence of mind when I endorsed him to the Senate committee for confirmation as I had when I recommended him to the White House for the position earlier. And from that day to this I have never talked with Judge Leedom with respect to a single case pending before the National Labor Relations Board in any way, shape, or manner. I recommended Judge Leedom because he possessed a judicial temperament.

My reference to the part of Jerry Morgan in working upon the draft of Taft-Hartley was made as a jocular comment on the fact that so many people were offering Judge Leedom advice as to what his job would be.

With respect to the particular occasion for Mr. Herling's comment, Judge Leedom recently wrote an article which was published in the Law Journal of the law school of the South Dakota State University. It was the outgrowth of a study which he had made of one of the recommendations of the Hoover Commission. It so happens that Judge Leedom is now in Europe attending an international conference. I believe it was the Sunday before he left that I telephoned him and commended him for the very same quality in the very same article for which Mr. Herling commends him, that is his independent and conscientious thinking.

In the article he expressed the hope that the National Labor Relations Board would be preserved as an independent agency, and that its duties would not be transferred to a court. Judge Leedom pointed out the advantage of having a Board which could act in a quasi-judicial manner, but with the flexibility of an independent agency, not subject to the delays incident to the handling of cases under strict court procedures.

Having pointed this out, I think I might add that I have been proud of the record Judge Leedom has been making. I have placed in the RECORD 1 or 2 of the addresses he has given before conventions in which he has also exhibited his fairminded and thoughtful approach to all matters. During the debate on the Kennedy bill, I called attention to his respect for the legislative process as shown in committee hearings. I applaud him for the views expressed in the article which prompted Mr. Herling's column. And I am sure that Judge Leedom will continue to be, the sincere, earnest student and seeker for fairness and justice that we who have known him for many years have always held him to be.

Mr. President, I turn now to another matter.

The PRESIDING OFFICER (Mr. MORTON in the chair). The Senator from South Dakota has the floor.

REMAINING CLOSE TO THE PEOPLE

Mr. CASE of South Dakota. Mr. President, I should like to read a paragraph or two from an editorial written by Mr. Herschel D. Newsom, master of the National Grange, which appears in the National Grange Monthly for August. Mr. Newsom, after noting that his grandfather, years ago, resigned as postmaster because he discovered that a public servant must somehow seem arbitrary and cold at times, and because he wanted to preserve his normal friendly relationships, comments upon the idea which is being advocated that public officials should be insulated from their friends.

Mr. Newsom wisely points out:

To be able to complain or make suggestions to your Congressman, Senator, or to the President himself, is a national tradition—a democratic privilege. It is our insurance against unfairness, protection against being pushed around by powerful public agencies, commissions, or persons—a safeguard against abuse from Government—a part of our system of checks and balances.

Let's not be stampeded into a situation whereby a Congressman or Senator or someone at the White House cannot pick up the phone and make inquiry concerning a decision. This need not mean that the inquirer is asking that the decision be changed or reversed. It may well mean that he wants to know the reason for the decision and the background leading up to it.

This is the way to reduce autocratic decisions to a minimum. This is the way to help preserve responsive and responsible government. Public servants must be above legitimate suspicion but they must not be so far above the rest of us that we cannot reach them.

Mr. President, if the time ever comes when the American people, through their elected representatives in Congress, may not petition the agencies of Government and have their views expressed, it will be a sad day for representative government.

EXEMPTION OF PROFESSIONAL TEAM SPORTS FROM ANTITRUST LAWS—AMENDMENT PROPOSED TO BE OFFERED TO H. R. 13254, THE FOOD ADDITIVE BILL

Mr. DIRKSEN. Mr. President, sometimes a mild frustration impels one to pursue a course which otherwise he would not pursue. I am sending to the desk an amendment which I intend to propose to H. R. 13254, the food additive bill.

For 35 years baseball, under two decisions of the Supreme Court of the United States, has been held to be a unique business and, except for radio and television, exempt from the antitrust laws. During all these years, football and other team sports had thought they enjoyed the same immunity. However, in February 1957, the Supreme Court in the Radovich case held that professional football is subject to the antitrust laws.

The Radovich decision, in fact, makes it clear that, except for baseball, all team sports are now subject to the antitrust laws. The Court in this decision, which has created a most serious problem for these sports, invited Congress to eliminate this discrimination.

Professional team sports are grateful to Senator KEFAUVER who, as chairman of the Senate Judiciary Antitrust and Monopoly Subcommittee, of which I am a member, graciously found time to schedule and to hold hearings on the sports bill, S. 4070, introduced by Senator HENNINGS and 50 other Senators, which is the companion bill of H. R. 10378 which passed the House overwhelmingly.

Believing that the session which has now been prolonged was about to expire, the subcommittee tabled this bill. This was a great disappointment to professional team sports.

The minor baseball leagues are threatened with extinction by their inability to protect their home gates by prohibiting telecasts of major league baseball games into their home cities when their teams are playing at home.

And professional football, where most of the receipts go into players' salaries with small profits to club owners, is threatened by the Players Association with an antitrust treble damage suit in the amount of $4,200,000.

Basketball and hockey are in litigation or are likewise threatened with jeopardizing antitrust litigation.

The amendment I propose embodies, with but one change, the text of the Hennings bill, S. 4070, and H. R. 10378, which was approved overwhelmingly by the House of Representatives. These identical bills subject the business aspects of professional team sports to the antitrust laws and exempt the sports aspects. These bills expressly exempt sports practices which relate to:

First. The equalization of competitive playing strength.

Second. The employment, selection or eligibility of players, the reservation, selection, or assignment of player contracts.

Third. The right to operate within specified geographical areas.

Fourth. The regulation of rights to broadcast and telecast reports and pictures of sports contests.

Fifth. The preservation of public confidence in the honesty in sports contests.

My amendment includes the foregoing provisions of the Hennings bill and the House bill except for a change with regard to broadcasts and telecasts. There I have considerably limited the exemption, as I will explain later, but have given adequate relief to the sports concerned.

Why should Congress today be hesitant about exempting professional sports from the antitrust laws?

Consider first for a moment the history of the past 35 years. For 35 years Congress has known that baseball was exempt and the American public believed, with good reason, that all professional team sports were similarly exempt. Nevertheless, during that 35 years Congress did not see fit to bring professional sports under the antitrust laws. Therefore, why should Congress today hesitate to return sports to the position they occupied before the Radovich decision?

It has been said that an exemption of professional sports from the antitrust laws would be unusual and unwarranted. This assertion is in error.

Congress has repeatedly exempted from the antitrust laws businesses which either have a small impact upon the economy or which are dissimilar from the ordinary commercial business. To include professional team sports within this group would do no violence to precedent.

The complete list of businesses which Congress has exempted from the antitrust laws are to be found beginning on page 31, in Congress and the Monopoly Problem: 56 Years of Antitrust Development, 1900–1956—House Document No. 240; 85th Congress, 1st session—prepared by Legislative Reference Service for the Select Committee on Small Business, House of Representatives.

Professional team sports are not big business; their economic impact is slight. All major- and minor-league baseball teams together had a gross income from all sources of only $60 million in 1956. This was less than one-half of the 1956 volume of business done by a single department store in New York City.

Professional football grossed only about $14 million. Basketball and hockey grossed even less, namely two and three million dollars, respectively.

Baseball needs this legislation if minor leagues are to survive.

Although baseball is itself exempt from the antitrust laws, its exemption does not extend to its radio and television activities.

The position of minor leagues is desperate. In 1949, nearly 42 million fans attended minor-league games, but last year less than 16 million attended. In 1949, before television became the big factor it is today, 444 communities had minor-league teams. Today only 175 communities have minor-league baseball teams. In 1949 there were 59 minor leagues; today only 24 remain.

Knowledgeable baseball officials who testified believe that the principal cause of the contraction of minor-league baseball is the inability of the minor and major leagues to enter into an agreement to blackout from television an area surrounding the hometown of a minor-league team the day that it is scheduled to play a game at home.

The television provision in my amendment solves this problem and may well save minor-league baseball. It provides that leagues and teams may enter into an agreement which would protect the minor-league teams from telecasts originating within 75 miles of their home communities on days on which they are scheduled to play games there. This provision—which is patterned after baseball's former rule 1 (d) and football's present rule governing telecasts, which has been upheld by the United States District Court for the Eastern District of Pennsylvania speaking through Judge Grim—reads:

The regulation of the granting by a club of the right to telecast reports or pictures of contests in the organized professional team sports of baseball, football, basketball, or hockey from telecasting stations located within 75 miles of the home community of another club on the day when such club is scheduled to play there a regularly scheduled league game in the same sport.

This limited exemption should satisfy those who considered as being too broad the blanket approval of agreements to blackout radio and television included in the House bill. My provision would adequately protect major and minor league professional baseball. Football has operated very satisfactorily within the framework of this rule. Baseball will benefit by it too. It is reasonable, it is fair, and it is not nearly as broad as the radio and television portion of the Senate bill and the bill which was passed by the House. It is in the public interest because it will go far toward saving minor league baseball.

FOOTBALL NEEDS THIS EXEMPTION

As is well known to all of you, the Supreme Court of the United States in the Radovich case held that professional football is subject to the antitrust laws. Obviously this decision jeopardizes the continued existence of professional football in that it raises questions as to the legality of the player draft, reserve clause, powers of the commissioner of the National Football League, and territorial rights. If any of these should now be held by the courts to be an unreasonable restraint of trade, organized professional football, the highly competitive and colorful sport that we know today, might well come to an end.

The desirability of prompt action by the Senate on the sports bill is convincingly stated in an editorial appearing in the New York Times of June 27, 1958, which praised the bill overwhelmingly passed by the House and urged the Senate to act expeditiously to approve and pass it without delay. The editorial is as follows:

LEGISLATION TO HELP SPORTS

The House of Representatives acted wisely and decisively when it adopted, by voice vote, a liberal bill to exempt some of the nonbusiness and strictly sport phases of professional sports from antitrust legislation. The Senate will be well advised not to bury this measure under prolix committee operations but to let it come out promptly and be approved.

What the House did was simply to make clear the intent of the legislators in the face of some confusing judicial rulings. We think the House also reflected the sentiment of the overwhelming majority of the American people. There are certain aspects of sports operations that are strictly commercial and they can and should be regulated in the fashion that the bill provides. The other aspects, that have to do with the actual operations of the leagues and associations that make the games possible, are in a different category and should be treated differently.

A long process of trial and error has evolved a sports machine that runs to the credit of sport and to the advantage of the public. It does not need tinkering at this time. It needs the green light.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

AUTHORIZATION FOR CLERK OF HOUSE TO MAKE CHANGES IN ENROLLMENT OF H. R. 13132

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate House Concurrent Resolution 380, and I ask that it be considered.

The PRESIDING OFFICER. The Chair lays before the Senate House Concurrent Resolution 380, which will be stated by title.

The CHIEF CLERK. A concurrent resolution (H. Con. Res. 380) authorizing the Clerk of the House to make changes in the enrollment of H. R. 13132.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 380) was considered and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 13132) to amend the District of Columbia Teachers' Salary Act of 1955, is authorized and directed—

(1) in the amendment to section 4 of the act of August 5, 1955 (House engrossed bill, page 6, line 18), to strike out "salary Class" and insert in lieu thereof "salary class";

(2) in the amendment to section 4 of the act of August 5, 1955 (House engrossed bill,

page 6, line 21), to strike out "possess" and insert "possesses";

(3) in the amendment to section 13 of the act of August 5, 1955 (House engrossed bill, page 14), in the table, in per diem step 2 for principal, senior high school, strike out "25.57" and insert in lieu thereof "27.57";

(4) in the amendment to section 15 of the act of August 5, 1955 (House engrossed bill, page 16, line 4), strike out "inserting at the end of the first sentence 'ex-' and inserting in lieu thereof "inserting immediately before the period at the end of the first sentence ', ex-.'"

INFLATION

Mr. MARTIN of Pennsylvania. Mr. President, from time to time during this session of the Congress, I have spoken about the destructive effects of inflation upon the economy and the damage to the welfare of the people.

A year ago during July and August the Senate Finance Committee held extensive hearings occasioned by inflation that had continued for a year and a half, and its effect upon the financial condition of the United States.

At that time, the price index had increased 3.4 percent since March 1956. By May 1958, it had increased 7.8 percent over March 1956.

A year ago, we had the prospect of a near-balanced budget for 1958. The actual result was a deficit of $2.8 billion.

The estimated deficit for fiscal 1959 has crept up by stages until now the best guess is $12 billion or $13 billion.

In a statement on the floor several weeks ago, I reviewed some figures showing wage increases for 1958, as reported by the Bureau of Labor Statistics. These, I pointed out, appear to me to be as large and inflationary as those for preceding years.

Mr. President, we have now experienced nearly 2½ years of continuous price rises.

The factors which make for continued inflation—wage increases unrelated to improvements in productivity plus very large deficits, not only for fiscal 1959 but for later years as well—appear stronger today than they were a year ago.

I fear there is a growing acceptance of the idea that inflation may continue indefinitely.

This is reflected in the rising prices on the stock market as compared with the results of the Government refinancing of its debt. I am deeply concerned by the reactions to the Treasury refunding of maturing securities in June. Of the $9.3 billion of bonds held by the public, there was $2.8 billion not exchanged, the public preferring cash instead. If the sales of certificates to the Federal Reserve bank are counted, the public holders demanded cash for no less than 42 percent of their holdings. In the last 2 weeks of July, the Federal Reserve purchased $1.3 billion of Treasury certificates, notes, and bonds, which is in marked contrast to its operations in the preceding 5 years.

In regard to this situation the Wall Street Journal of August 4 had this to say:

Because of inflation the Treasury cannot borrow from the public. Unable to get dollars from the public, it must get them from the central bank. The central bank produces them by inflation. Then the new inflation proceeds to erode even more the sources of public funds, forcing the Treasury next time to get still more of its dollars from the central bank. • • • It is almost a classical example of the inflation treadmill.

On this same Treasury financing, the August issue of the National City Bank letter stated:

No one can say how big a deficit the President will forecast for fiscal 1960 in his budget message next January. But closer at hand there is the problem of finding buyers for 10 or 12 billion dollars United States Government securities to finance the fiscal 1959 deficit. • • • In addition to raising new money, and retaining a market for $22 billion of 91-day bills, the Treasury will have to finance $46.1 billion of marketable certificates, notes, and bonds maturing in the next 12 months.

What the Federal Reserve has done is by way of an emergency stopgap. But financing deficits through banks of issue is a hazardous business. It raises the specter of uncontrolled inflation. As we can see from foreign experiences, it can create circumstances in which Government bonds can be made salable only if they are tied to cost-of-living indexes or the price of gold. The unfortunate aspect of the Federal Reserve's massive intervention is that it gives encouragement to inflationary psychology.

The letter further states:

But most essential is getting Federal Government expenditures and financial commitments of every type under control. It is not fair to ask anyone to buy bonds of a government which seems to be embarked on deficits as a way of life.

As President Grover Cleveland wisely stated in his last annual message to Congress in 1896: "The way to perplexing extravagance is easy but a return to frugality is difficult."

Yet the task in the end cannot be escaped. National strength and solvency—the preservation of free institutions and trust in government—depend upon facing fiscal facts.

Mr. President, inflation is the one great threat to the credit of the United States. In its spending, taxing, and debt policies, the Government itself is in large measure responsible for the inflationary conditions over the past decade. Certainly, the rise in Government spending from $64.6 billion in 1955 to $74 billion in 1958 and perhaps $80 billion in fiscal 1959 can only be expected to create continued inflation.

Mr. President, I have at other times discussed the excessive growth of debt—Government and private—over a period of years, the growth of the money supply, easy credit conditions, high levels of investment, consumer debt, and other matters creating our inflationary boom and the eventual recession resulting from these earlier excesses.

Over the past year the Senate Finance Committee, under the leadership of Senator BYRD, has held extensive hearings, totaling six volumes, covering fiscal monetary, debt, economic development and related matters. In addition, it has published a 750-page compendium of papers by competent authors representing many fields of business, banking, educational, and other activity. The facts and analysis are available and adequate in scope and detail for those who would try to understand the problems of public finance, monetary policy, debt management, and other matters related to our continuing economic problems, including inflation.

For those who are interested in these matters but do not have the time to explore these long volumes, I wish to commend the excellent review and analysis of these hearings by the Senator from Utah [Mr. BENNETT] presented in four speeches on the floor of the Senate, appearing in the CONGRESSIONAL RECORD, as follows: July 8, 1958, page 13129; July 15, 1958, page 13794; July 21, 1958, page 14349; August 5, 1958, page 16163.

These speeches rank among the finest on economic matters I have heard in my 12 years in the Senate. I understand these have been reproduced and may be obtained at the office of Senator BENNETT.

The bulk of the increased spending in fiscal 1959—about $5 billion—represents additions to or new expenditures for civilian programs, and, in large degree, sponsored and promoted as being antirecession in character. I feel the inflationary effects may and probably will, over the long pull, far outweigh any of the temporary benefits derived from this spending. The benefits are only transient while the increased debt and the eroded dollar will be carried forward for many years. We have in this Congress added to other existing fundamental factors which have created inflation over the past several years.

Mr. President, the problem of inflation has been and continues to be uppermost in my concern for the welfare of this great country and all its people. In my discussions on this floor and elsewhere I have earnestly tried to be absolutely honest and fair in presenting the facts and arguments relating to this problem. This should not be a matter which resolves itself into a contest between class and class in our society. It is one that affects all of us together, and the very existence of the form of government which we all cherish so much. I sincerely hope that as understanding of this problem improves among all the people, we may develop the necessary policies and take appropriate actions before it becomes even later than we think.

I wish to return to a matter which, in addition to Government fiscal and monetary policy, is basic to the serious problem of continued inflation. I refer to the inflationary push of repeated rounds of excessive wage increases. In the hearings before the Finance Committee and in the compendium of economic papers previously referred to, there was practically unanimous and emphatic agreement that wage increases and escalation agreements in excess of improvements in productivity in the economy as a whole must result in inflationary price increases. As to price increases over the past several years, it was demonstrated over and over again that excessive wage increases was the greatest single cause. On previous occasions I have discussed the facts of wage increases, productivity, and their inflation impact. Today I wish to emphasize this point and to refute what I consider to be unwarranted and erroneous attachment of responsibility upon a single company or industry for the inflationary trend in our economy.

In a recent statement on this floor, I said:

Despite all the evidence of this inflationary wage push, union leadership ignores the fact or even denies that it exists. Instead, through their publications and all propaganda devices of their organizations, they continually attack the excessive profits of greedy employers. They point to administered prices, charging these are arbitrarily set, with little regard to costs or ability of purchasers to buy.

Rising prices are often charged to be evidence of monopoly in particular products. In short, every statistical device and emotional appeal is made to union membership and the public to justify their wage and other demands. Thus, they would absolve themselves of any responsibility for increasing prices and, on the other hand, take credit for correcting and adjusting injustices and inequities, which they tnemselves have in large measure created.

Contrariwise, in an address before the industrial union department, AFL–CIO, on April 22, 1958, Mr. Robert Nathan, a prominent leader of Americans for Democratic Action, stated:

In the years 1955, 1956, and 1957, conservative and financial circles engaged in one of the most effective and damaging campaigns in our economic history. A coordinated and powerful campaign was launched to spread the false idea that the inflation was attributable totally to higher wages, that irresponsible trade-union leadership had destroyed the value of the dollar and that the No. 1 enemy of the country was wage inflation. This was a hoax—a disastrous hoax which will render a constructive fight against inflation increasingly difficult. Unfortunately, it was widely swallowed and I blame labor leadership for not effectively exposing it as a fraud and a misrepresentation of facts.

Most frequently, wage increases in excess of productivity increases stemmed from earlier irresponsible pricing policies which brought lush profits and which led the unions to insist on sharing these exorbitant profits.

The steel industry is a classic illustration of irresponsible administered monopolistic pricing. Every time the steel industry raised wages, it increased prices threefold. It is no exaggeration to state that the steel industry alone was far more responsible for the inflation than all trade-union wage negotiations put together. The steel industry was the real culprit of the 1955–57 inflation.

It is my firm conviction that the phony campaign to sell the American people on the fraud that higher wages were the principal cause of the 1955–57 inflation must be fought tooth and nail. If it persists without opposition, then there will be less and less chances to arrive at intelligent and constructive policies to preserve prosperity and avoid further inflation. It is incumbent on labor and all liberals to expose this fakery for what it is and to really analyze the anatomy of the 1955–57 inflation.

Mr. President, what I have just quoted scarcely complies with the requirements set up by Mr. Nathan himself when he states:

It is incumbent upon labor and all liberals to expose this fakery and we will not succeed without facts and honesty, both of which have been obscured by propaganda efforts of labor's enemies. They must not be permitted to continue their destructive campaigns.

Is it fact and honesty to assert that "every time the steel industry raised wages, it increased prices threefold," or is it "misrepresentation and fraud to obscure the real facts and the true picture" as charged to others by Mr. Nathan? I shall presently put in some figures which should throw some light on where rests the "hoax and fraud" referred to.

Mr. President, on August 12, the Senator from Minnesota spoke on the steel-price increase. He referred to the recent steel-price increase of $4.50 a ton but nowhere did he mention what increased employment costs of the 20 to 25 cents per hour effective July 1 would be per ton of steel produced. In fact, at the time of any wage increase that has occurred, I do not recall of labor leaders and others, who later deplore and criticize increased prices, pointing out the effect of wage increases on either costs or prices. Only increasing prices are roundly scored and the monopolists who extort them from a defenseless public—but the increase in basic costs is conveniently ignored.

I quote briefly from the speech of the Senator from Minnesota:

This latest price boost, which averages $4.50 a ton, it is estimated will cost steel buyers an additional $285 million. Steel price increases in the past 2 years have cost steel buyers nearly $2 billion.

The steel companies, as usual, place the blame for raising their prices on the back of labor by saying that wage increases necessitate price boosts.

This is a familiar excuse which the steel corporations plead each time they raise prices and contribute to the inflationary spiral. The facts, however, do not bear out this theory, especially in the steel industry. I do not deny that wage increases, in the absence of comparable increases in productivity, play a factor in rising prices. But to admit this is a far cry from accepting the alibi of the steel corporation that labor is the culprit.

I was sorry that the President at his press conference of August 6, in answer to a question on the rise in steel prices, placed major blame for inflation on the workers. As a matter of fact, the President did not even mention the steel corporations.

Mr. President, as one who has repeatedly stated, with facts supported by official and other reliable sources, that excessive wage increases have been the principal factor in continued price increases, I desire to add a more complete set of facts on the relation of employment costs, other costs, profits, dividends, and reinvested earnings, that go to make up the price of steel.

I have gone to the annual report of United States Steel Corp. for 1957, the latest year available and which contains annual cost, income, and other data on a comparable basis back to 1910. These are not merely statistical compilations—they are the audited results, certified by a public-accounting firm.

The results computed from these operating and financial data clearly demonstrate the cost-push effects on the prices of steel. I shall show comparisons of the average of the years 1947–49 with the averages for the years 1955 to 1957, inclusive, and with the figures for 1957.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a table showing "principal total costs and income of United States steel corporations, per ton of steel products shipped, for specified periods."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Principal total costs [1] and income of U. S. Steel Corp., per ton of steel products shipped, for specified periods

	Average, 1947–49 (3 years)	Average, 1955–57 (3 years)	1957	Increase, 1955–57 over 1947–49	Increase, 1957 over 1947–49
1. Steel production (thousand tons)	27,899	34,150	33,738	6,251	5,849
2. Percent capacity operated	91	87.1	85.2	−3.9	−5.8
3. Steel products shipped (thousand tons)	19,703	24,277	23,414	4,574	3,771
4. Weekly earnings per employee	$81.60	$108.50	$115.75	$46.90	$54.15
	Costs [1] per ton of steel shipped				
5. Total costs [1]	$109.58	$130.40	$170.61	$49.82	$61.08
a. Employment costs	48.81	70.95	79.52	22.15	30.71
b. Products and services bought	46.25	57.17	56.56	10.92	10.31
c. Depreciation, depletion interest, and other costs on debt	6.45	11.84	12.09	5.39	5.64
d. Income and other taxes	8.07	19.43	22.44	11.36	14.37
	Income (after taxes) and its distribution per ton of steel shipped				
6. Income (after taxes)	$7.16	$15.62	$17.91	$8.46	$10.75
a. Dividends (stock), preferred and common	3.90	6.93	7.09	3.03	3.19
b. Reinvested in business	3.26	8.69	9.95	5.43	6.69
7. Percent income of sales	6.1	8.9	9.5		

[1] The figures on costs and income relate to total operations of the steel corporation including fabrication, mining, shipping, and some activities not related strictly to steel manufacture. However, steel manufacture and strictly related activities constitute 90 to 95 percent of its total operations. Therefore, the costs and income per ton of steel products shipped do not constitute an accounting segregation for steel production alone and should not be so interpreted. However, the relationships among the various items are perfectly valid for reflecting comparative changes in costs and income, either for steel operations alone or for total operations. The inclusion of nonsteel operating data, as given in the annual report of the corporation, could affect the relationship of cost and income items only to an insignificant degree.

Mr. MARTIN of Pennsylvania. Mr. President, I have used the 1947–49 average because these years have been adopted as the revised base for the Bureau of Labor Statistics' Index of Consumer Prices and many other Government and private indexes. Also, because those years were presumed to reflect a return to relative stability following the war and postwar production dislocations and inflation. Furthermore, 1947–49 reflect good operating years for the corporation, as follows:

(a) Highest production and shipments of steel and steel products for any 3-year prior period, except for World War II years, 1941–44.

(b) Highest hourly and weekly earnings of employees and highest employment costs up to that time.

(c) Highest costs for products and services sold and bought.

(d) Third highest years for taxes, second highest for income, dividends, and reinvested income in the business.

(e) Income averaged about 6 percent of sales for the 1947–49 years and operating rate was 91 percent of capacity.

The years 1955–57 were the record 3 years in the history of the company in nearly every category—production, sales, hourly and weekly earnings, taxes, net income, dividends and reinvestment of earnings on the business. Production was at 87 percent of capacity, employment was lower than in earlier years and income averaged 8.9 percent of sales. This latter average has been exceeded in 6 previous 3-year periods since 1910. On the other hand, 4 earlier years showed considerable losses and in 6 years the ratios of income to sales were abnormally low.

Thus a comparison between 1947–49 and 1955–57 is one between an extremely good period in the earlier instance and record-breaking years in the latter instance. The one is a very good benchmark for the other to observe wage push, increased productivity and other factors that contribute inflation or stability in the United States Steel Corp. and the steel industry generally. Also, I believe that comparisons between these 3-year periods provide a more reasonable measurement of change than is possible between any two selected individual years.

I have also shown the results for 1957, and compared these with the 1947–49 average. The year 1957 reflects the largest dollar figures for sales, employment costs, income and other taxes, net income, dividends, reinvested in business, and showed the highest ratio of income to sales since 1940.

It should be pointed out that dollar figures are on current-year basis and no adjustment is made for declining purchasing power of the dollar.

The figures include all the operations of the steel corporation—mining, transportation, raw materials production, fabrication and other related activities not strictly steel production. The related activities, though included in all the years, could have only very minor influence on the comparisons that are made. Data on employment and expenditures for expansion of capacity, new construction, and major equipment installations are not included in the figures used for the comparisons that are made.

Now what do we find as to some of the changes affecting costs and prices of steel during these years?

Total employment costs, including salaries, wages, social security payments, pension plan, paid vacations, and other employee benefits were $48.81 per ton of steel shipped during the period 1947 to 1949, inclusive. For 1955–57 these costs amounted to $70.96 per ton, or $22.15 higher in the latter period.

Income after taxes per ton of steel shipped increased from $7.15 for 1947–49 to $15.62 for 1955–57, or $8.47 higher in the latter years.

In this simple comparison, we find that the share of increased costs of steel spent for employment increased over 2½ times as much as that retained after profits by the corporation.

However, it seems to me that the income to the corporation needs to be further considered before any judgment should be made as to their level. The share of earnings after taxes must supply two requirements, namely, dividends to stockholders, and retention in the business for expansion, replacement and improvement in equipment, and other necessary purposes.

Of the $8.47 per ton increase in total income after taxes, $5.44 was reinvested by the corporation for purposes indicated and $3.03 went for increased dividends.

Whether the amounts allocated for reinvestment from income during these years was too high, I shall not pass judgment here, except that testimony before the Finance Committee last summer indicated that spending for investment of all kinds, public and private, was excessive, particularly that arising out of debt. In that regard, governments—Federal, State and local—as well as industry and others were equally at fault in that regard.

However, I do remember that only a few years back the steel industry in particular was criticised for not increasing production capacity at a faster pace to higher levels. Whether the industry's present capacity of over 140 million tons is higher than it should be, to which the steel corporation contributed its part, I do not feel competent to pass any opinion. I do not recall that there were many, either in or out of Government, who warned against this growth. In fact, I believe the expansion was approved and even applauded by those who now deplore the idle capacity, or who criticize the prices out of which much of the increased capacity was made possible. If the new increased investments were reasonably justified, it would seem to me the necessary earnings required to finance them must then also be considered justified.

The only alternative to these freely arrived at decisions for increased capacity, made company by company, would be to have some super all-wise planning board to determine when, and by how much, capacity and related investments should be made, as well as determining how these shall be financed.

Now as to dividends. As noted earlier, dividends for 1955–57 were the highest in the corporation's history and were $3.03 per ton higher in these years than during 1947–49.

This increase to stockholders was less than one-seventh as much as the increase in employment costs per ton over the same period. Surely the increased employment costs of $22.15 per ton could hardly have been squeezed out of the $3.03 increased dividends per ton nor can they be charged with only a small part of increased prices of steel resulting from all increased costs, most important of which is employment costs. The tail of increased dividends can scarcely be said to wag the dog of inflationary prices in steel.

If one compares the corporation's operating results for 1957 with those for 1947–49, it is found that employment costs per ton of steel shipped increased $30.71, taxes increased $14.37, reinvestment in business increased $6.69 and dividends increased $3.19. Employment costs increased about 10 times as much as return to investors.

Again, I do not see how $60 per ton of increased total costs, or $30 of increased labor costs can be squeesed out of $6.69 of profits that went into reinvestment or $3.19 per ton that went to 295,000 individual investors, and to many more represented by the holdings of charitable and educational institutions, insurance companies, trustees of estates, and others.

Mr. President, in using the figures of the most profitable year in the company's history, I can scarcely be accused of perpetrating a hoax and a fraud when the figures show that employment cost increases are by far the most important factor in the increased total costs and resultant higher prices over the 10-year period of the recent past.

I have also compared the cost and income results for earlier years of operation of the steel corporation. Using the per-ton averages for the years 1939 to 1941 and comparing them with those of the war years and for 1947 to 1949, the results show even more strikingly the increase of employment costs as dominating the increase in total costs during this period.

I believe this brief analysis of the wage-push factor on costs, and hence prices, has operated similarly in all industry in varying degree—some more and some less—during these years.

I am not here concerned whether prices, wages, taxes, or profits could or should have been somewhat lower. Nor am I pleading the case of the steel corporation or any other company or industry. What I am concerned with is the powerful push of persistent inflationary forces in our whole economy.

The use of the steel figures is prompted by the long series of comparable audited operating data available, as well as the unsustainable charges that the steel industry is often singled out as the pace setter and bellwether of inflation.

Over the years the product is relatively comparable, although continuous improvement in steel products has occured. However, there have been no radical year-to-year model and product changes which complicate and make more difficult the task of identifying and measuring costs and the sources of inflationary pressures.

The enormous expenditures for new plant and equipment have been made not only to increase capacity but to improve productivity and to offset rising costs. The rising costs per ton is a clear measure of total inability of increased productivity to match the growth of labor and other costs.

Nor is the end in sight.

There are many other elements that enter into the increasing costs and prices of steel upon which I have not touched. These include the inadequacy of depreciation to cover the replacement costs of obsolete and worn-out equipment, the growing costs of so-called fringe benefits which last year alone amounted to $265 million for United States Steel, the enormous burden of taxes of $525 million or over $22 per ton of steel shipped and other factors. These all influence and are affected by inflation.

Mr. President, the first problem in dealing with inflation is to identify clearly and unmistakably its causes. That means we must look at all the facts and not get lost in a welter of propaganda, charge, and countercharge. We must all of us, inside and outside of government, either accept or reject the idea that inflation is inevitable in our system of economy and government. If we propose to reject it with all its ultimate disastrous results, we must also have the will and the discipline to forgo individual or group temporary economic advantage, for the greater good of promoting a stable as well as an expanding economy. We must work positively to protect the value of our currency and the pledged faith and credit of the United States. If we fail in this, we can only look forward to consequences that have developed in other nations over the comparatively recent past. We cannot look to other countries for economic aid to save us from our own folly.

Mr. President, as I have stated, the Senator from Utah [Mr. BENNETT] has delivered some very outstanding addresses on this important subject. I trust that all my colleagues will read them carefully.

I have been a student of military affairs all my life. I have advocated a strong defense and large appropriations for the same. However, owing to our present fiscal situation, I sincerely trust that we will reduce future appropriations, even including national defense.

Mr. President, I sincerely hope that my colleagues will give careful heed to the suggestions of the distinguished senior Senator from Virginia [Mr. BYRD], chairman of the Finance Committee. He is so well informed on all our fiscal problems and in addition has the courage to stand up for his ideas. Next year the senior minority member of that committee will be the senior Senator from Delaware [Mr. WILLIAMS], who is also a great student of financial affairs.

In closing, I fear that inflation and the erosion of the dollar more than I fear the attack of any enemy country.

JOSEPH N. NICOLLET, 19TH CENTURY FRENCH MATHEMATICIAN AND ASTRONOMER

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks an article concerning Joseph N. Nicollet, 19th century French mathematician and astronomer, who was the first man to identify correctly the true source of the Mississippi River above Lake Itasca in my own State of Minnesota. This article, written by Melva Lind, dean of students of Gustavus Adolphus College in St. Peter, Minn., was published originally in the centennial edition of the St. Paul Pioneer Press, on May 11, 1958.

Recognition of Joseph Nicollet is particularly appropriate at this time because of ceremonies now being planned in his honor by my fellow Minnesotans as part of the centennial celebration of that great State. During his life, Joseph Nicollet headed exploratory expeditions into various parts of the United States and its territories, but his major work was concentrated in the wilds of northern Midwest—wilds now known by the name of Minnesota. After months of hazardous exploration, Nicollet discovered a stream which he termed "truly the infant Mississippi, all others below, its feeders and tributaries." After finding in Minnesota the ultimate source of that great river which drains the central regions of our continent, Nicollet continued his exploratory efforts, eventually charting and describing the hydrographical basin of the upper Mississippi River. The fruits of his study were embodied in a report presented in 1843 to the 2d session of the 28th Congress of the United States—a report which proved instrumental in unlocking a glistening realm of new territory beyond the frontier.

Guided by the efforts of his study, other pioneers followed Nicollet into the northern Midwest, settling the land and organizing themselves, so that 15 years after the filing of that momentous document, they were able to enter the United States as a member State. It is in tribute to these pioneers and in particular recognition of the work of Joseph Nicollet, scientist and explorer, mathematician and astronomer, that I have asked that the article written by Melva Lind be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NICOLLET PIERCE TO TRACE MISSISSIPPI TO ITS SOURCE, MAP AREA

(By Melva Lind)

Ever since the days of the Spanish conquistadores, Europeans have thought of the Western Hemisphere as the land of adventure and promise. It was therefore not surprising that Joseph N. Nicollet, 19th century French mathematician and astronomer, at a critical moment of personal unhappiness and financial ruin should have turned his eyes toward America and the French-speaking domain of Louisiana.

Disembarking in 1832 at New Orleans, he proceeded to visit Baltimore, Washington, Charleston, Atlanta, Mobile, and other southern cities in quest of scientific data. A self-styled "solitary pilgrim" he also explored the Allegheny range, and surveyed the Red River, the Arkansas, and the lower Missouri. But the Mississippi was Nicollet's true love, and the urge to map the river from mouth to source his fondest hope. Although Indian legend had long maintained that the mighty stream sprang from many small sources, the upper reaches of the giant river had remained uncharted.

On July 2, 1836, Nicollet reached Fort Snelling by steamboat from St. Louis, bearing letters of introduction to Lawrence Taliaferro, the Indian agent, and Henry H. Sibley of the American Fur Co. From both these early Minnesotans he received advice and material help in planning his journey to the headwaters of the Mississippi. Although the 1836 expedition was considered a private one, the War Department permitted Nicollet to borrow some instruments, and he also received financial help from the Chouteau fur trading firm of St. Louis.

Leaving Fort Snelling on July 27 for the Falls of St. Anthony, the explorer learned that disgruntled Sioux Indians, ever tempted to express resentment over new conditions that disturbed them, had stolen part of his equipment. Fortunately for the expedition, Taliaferro was in a position to replace the loss with but little delay.

Accompanied by a guide, Desire Pranchet, several mixed bloods and a number of Chippewa Indians, Nicollet began his journey along the Mississippi to the Crow Wing River, arriving after 2 adventure-filled months at Lake Itasca. Discounting 4 of the 5 small creeks that entered the lake as trickling rills, he declared the fifth or principal creek to be truly the infant Mississippi; all others below, its feeders and tributaries.

To Nicollet belongs the credit of having correctly identified the true source of the Mississippi, a task which Schoolcraft in a brief visit to Lake Itasca had not chosen to undertake, secure in the belief that the Mississippi sprang from the lake itself.

Working with feverish abandon for 3 days and parts of each night, Nicollet continued his minute exploration of the headwaters, and gathered the astronomical and barometrical observations necessary for the map he was planning. The return trip downstream brought the party back to Fort Snelling and the relative civilization of the frontier September 27.

From that moment until September 1837, the St. Peters settlement was to serve as Nicollet's headquarters.

In 1843, Nicollet's map and the findings related to it, described by Col. J. J. Abert, Chief of the United States Topographical Engineers, as material that might serve as a basis for the best map yet published of the United States west of the Mississippi, was purchased for the Government by order of Joel Poinsett, Secretary of War.

The magnificent map that embodied many of the findings gathered by Nicollet during his three major explorations beyond the frontier, may be consulted today in his Report Intended To Illustrate a Map of the Hydrographical Basin of the Upper Mississippi River, 28th Congress, 2d session, Senate Document No. 237 published in 1843. As Nicollet the scientist, the artist, and the man of wisdom had foreseen, his map proved to be the magic key that helped unlock a glistening realm of new territory.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an article entitled "Dean Lind Writes of

Nicollet, Early Scientist," and published in the Mankato, Minn., Free Press of August 18, 1958.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEAN LIND WRITES OF NICOLLET, EARLY SCIENTIST

A desire for firsthand acquaintance with a key center of the fur trade in early Minnesota life sent Dean Melva Lind, of Gustavus Adolphus College, on a visit (August 9–10) to Lac Qui Parle, onetime domain of Joseph Renville, the fur trader, who in 1838 and 1839 lavished the hospitality of a border chief on French scientist Joseph N. Nicollet, and his assistant, John Charles Fremont.

Although Fort Renville and its dependencies have long since disappeared, letters seen by Dean Lind at the Library of Congress in Washington, D. C., still serve to recreate the period of transition between the old and the new on the Minnesota frontier.

That Nicollet enjoyed his sojourns at Lac Qui Parle, finding his visits both pleasant and profitable, is obvious from his letters. In addition to recording the topographical data he had been asked to collect for the United States Government, he found many opportunities to increase his knowledge of Minnesota Indians, a study already begun by him at Fort Snelling in 1837.

That Nicollet viewed these unfortunate native Americans with a compassionate understanding was not at all characteristic of the manifestation of his independence of thought. On many occasions he deplored the ineffectiveness of the Federal Government that was seemingly making no provision for the future happiness of these "children of nature." Writing informally on December 28, 1838, to his friend, Secretary of War Joel Poinsett, in French, as was his custom, Nicollet relates impressions of the recent official survey that took him from Traverse des Sioux to the Pipestone quarry, around Lake Traverse and Big Stone Lake, down to Lac Qui Parle. Nicollet notes that "the most hostile bands (through Sioux territory) about whom people had wished to frighten us were those that received us with the greatest friendship and hospitality. • • • People have written a great deal on the difficulties encountered in civilizing the savages and in the ignorant pride we take in our civilization. • • • We prefer to accuse Providence of having cast among us a human race that is incomplete and imperfect, rather than reproach ourselves for not having first of all studied the nature of the obstacles to be overcome in order to discern the means to be employed. • • • The Indians need bread, and not shots from a gun; speak to their hearts and allay their needs, this is, in my opinion, the infallible route by which to lead them where one wishes and induce them to do everything one can possibly desire them to do."

That some of the Sioux on the western prairies were tempted to think of Nicollet, the man of science, as a man of medicine, is perhaps not surprising. A letter from Joseph Renville, dated Lac Qui Parle, October 14, 1839, and addressed to Nicollet related a sad event. "I take the liberty of sending you this little letter to inform you that since you left, everyone is in perfect health," says Renville, writing in French. "The Indians here have talked a great deal about you since you left, saying that they could never forget you because of the good advice that you gave them. • • • Cloud-That-Rings, the native who accused you of lying, has died. He had an old gun in his tent that had been lying around since spring, he took the stock off above the mounting and began to blow into the gun thinking that it was not loaded and placed the breech in the fire, the shot went through his mouth and dug out his brains. At present there are some who think that all this lay in your power. • • • Cloud-That-Rings died saying that you are a medicine man."

Although the actors and the circumstances of the frontier life in which they lived have long since vanished, Renville, Nicollet, and Lac Qui Parle are legacies that remain on the State roster of Minnesota counties.

POSSIBLE AGREEMENT ON SUSPENSION OF NUCLEAR TESTS

Mr. HUMPHREY. Mr. President, since July 1 an international conference has been meeting on the technical requirements to monitor a possible agreement on the suspension of nuclear tests. We have received word that this conference of experts, which is composed of a western team headed by a United States representative and a Soviet bloc team headed by a representative from the Soviet Union, is about to conclude its deliberations. It is not only noteworthy that these talks are ending, but also and of great interest is the statement that they will end in complete agreement.

In the midst of perplexing and crucial crises in the Middle East and at a time when the world situation is far from hopeful, we are for the first time in 12 long years of effort actually witnessing a measure of agreement and concrete progress between countries of the West and the countries of the Soviet bloc on the control of armaments. It is important to realize both the tremendous significance of this step and at the same time to acknowledge that the full meaning of the agreement reached in Geneva will be meaningless unless further steps follow.

The successful conclusion of the conference at Geneva means that the two groups of scientists were able to agree on the methods of detecting and identifying nuclear tests and also on a control system to assure with a high degree of reliability that an agreement on a suspension of nuclear weapons tests could not be violated secretly. This conference, which was purely technical in nature, did not have the authority to decide the political question as to whether a suspension of weapons tests with an effective and operating control system should take place. That decision should follow soon, and the only way to have it follow soon is to have the governments concerned make immediate arrangements to convene a political conference to implement the conclusions of the technical conference of experts, as well as to negotiate many of the political and administrative matters which were beyond the scope of the conference of experts to decide.

I favor such a political conference. I have said so many times, just as I have urged on many occasions that a technical conference of experts be held. I would support an agreement under proper safeguards and conditions to suspend nuclear weapons tests. The important thing now is to have the executive branch of our Government declare its willingness to enter into political negotiations for a suspension of nuclear tests with the safeguard of inspection. It is equally important that the American people, including Members of Congress, continue to study this matter most carefully, so they may be aware of its importance, its possibilities, and its limitations in terms of our national security, in terms of the reduction of international tension, in terms of slowing down the arms race—in short, in terms of the future peace of the world.

The technical conference at Geneva was conducted in private. This is probably one of the reasons why its deliberations were successful. Many of us have said that real negotiations on serious subjects cannot be undertaken when surrounded by the glare of full publicity. It is interesting to note in this connection that when the Russians really want to conduct serious discussions, they are quite willing to have them held in private. This, of course, contrasts markedly from their cry for summit meetings in full view of the public and with world publicity, but without necessarily any definite purpose in mind, other than propaganda.

Although the privacy of the Geneva discussions undoubtedly facilitated agreement, now that they have been terminated, it is essential that a full report of their nature be made public.

Mr. President, I have followed very closely the progress of the Geneva technical talks. I have read with care the few news articles which were written about them and the communiques issued by the conference to the press. As chairman of the Senate Subcommittee on Disarmament, I have also been privileged to receive additional reports regarding the discussions of the Soviet and Western scientists.

The President, the Secretary of State, and the delegates to the conference will report fully to the public. But I wish to state to my colleagues that the team which represented and served the West at the Geneva conference was composed of an extremely able group of scientists. It consisted of some 40 United States, British, French, and Canadian experts—all first rate in their special fields of endeavor.

I am told that the assistance rendered by the British nuclear weapons experts and the other British, Canadian, and French scientists and technicians was invaluable.

I am informed that no individual who was asked by the President of the United States to serve declined. We had, in Geneva, weapons experts and physicists from Livermore, Los Alamos, Cornell University, and the Rand Corporation; seismologists from the Air Force, California Institute of Technology, University of California and Columbia University; and experts in radio chemistry, meteorology, and acoustics from the University of Chicago, the United States Weather Bureau, and the Air Force. We had American, British, and Canadian translators who knew Russian well; and we had able staff support from the Department of State, the Atomic Energy Commission, the Department of Defense, and the office of Dr. Killian, the President's scientific adviser. And last, but not by any means least, the United States was served by a team of three competent scientists as the principal delegates—namely, Dr. James Fisk, executive vice president of Bell Telephone Laboratories, who was the chairman of the western delegation; Dr. Robert Bacher, a prominent nuclear physicist, from the California Institute of Technology, and former Commissioner of the Atomic Energy Commission; and Dr. Ernest Lawrence, director of the Radiation Laboratory at the University of California. It is a great tribute to Dr. Lawrence that when he became very ill, while at Geneva, he remained for most of the conference, in the face of extreme discomfort and potential danger to his health. Reports from the conference show that Dr. Fisk, who carried the responsibility of the chairmanship of the Western delegation, and who, therefore was required to receive and weigh the various scientific data and judgments of his fellow workers, did a masterful job in coordinating and managing the Western side of the scientific discussions and negotiations.

I am sure all of us will wish to study the results of the conference. My intention today was primarily to pay tribute to the Western delegation for their enormous labors and perseverance; to emphasize the need for immediate preparations by our Government regarding negotiations on an international agreement for the suspension of nuclear tests; and, finally, to urge the American people to become fully informed on this vital issue.

In addition, I must mention something of the role of the United Nations in the work of the Conference. The United Nations supplied all of the official translating, recording, and preparations of the documents presented at the Geneva meetings. The Secretary-General had a personal representative attend all of the regular sessions. The United Nations furnished the physical facilities, and it paid the cost of all the secretarial and administrative services I have mentioned.

Too often we only hear about the United Nations when the world is facing a particular crisis, such as the one now facing us in the Middle East. Too little do we hear of the constructive work performed by the United Nations, especially the Secretariat, during conferences and meetings such as the one which took place in Geneva. Without the United Nations standing by to help, the conference of experts would have had enormous technical difficulties in carrying out its work. We must be thankful that the United Nations is able and willing to carry out such necessary services.

Before I conclude, I also wish to state the views of one Senator regarding the need for a bipartisan approach to this question. To have the United States ratify, and then implement, an agreement with the Soviet Union and the other countries to suspend nuclear weapons tests under an effective control system will require full cooperation between the executive and legislative branches of government. I, for one, am prepared to treat this matter as one which deserves such cooperation. I believe that the President and the Secretary of State will agree with me and many of my colleagues on the need for a cooperative approach. This entire subject matter is of such vital importance to the security of our Nation, the role of American leadership in mutual security and defense, and the posture and image of our foreign policy, that there must be a candid and unprejudiced study, discussion, and decision by both the Congress and the executive branch.

Mr. President, I wish to add that I am very grateful and appreciative that the President of the United States took the initiative in connection with the Geneva Conference. Although on occasion I have been critical of some of the developments by the executive branch in the field of foreign policy, I say, with real joy and happiness in my heart, that in this instance the President did the proper thing, and the team he sent to Geneva is a credit to the Nation.

DECISION OF THE EIGHTH CIRCUIT COURT OF APPEALS IN THE LITTLE ROCK SCHOOL DESEGREGATION CASE

Mr. JAVITS. Mr. President, later today or tomorrow, I shall make a statement regarding the Little Rock school desegregation case decision. But in the meantime, I believe that all Members of the Senate should have available to them the text of the very important opinion of the Eighth Circuit Court of Appeals, together with editorial comment which indicates great support for the position that the United States cannot back down in the face of violence in regard to the enforcement of law, and that at the same time there is every desire to be wise and temperate about the matter, within the limitations of enforcing the decision of the Supreme Court.

Mr. President, later in the day or tomorrow, I shall have more to say about the matter; but in the meantime I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, the opinion of the Eighth Circuit Court of Appeals, written by Judge Matthes; the dissenting opinion of Judge Gardner; and also editorials published today in the New York Herald Tribune and the New York Times.

There being no objection, the opinions and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of August 19, 1958]

TEXT OF APPEALS COURT'S OPINION UPSETTING SUSPENSION OF INTEGRATION IN LITTLE ROCK

ST. LOUIS, August 18.—Following is the text of the majority opinion of the Eighth Circuit United States Court of Appeals reversing the decision of United States District Judge Harry J. Lemley suspending integration at Little Rock High School for 2½ years and the dissenting opinion:

"John and Thelma Aaron, minors, by their mother and next friend (Mrs.) Thelma Aaron, et al., appellants v. William G. Cooper, et al., members of the Board of Directors of the Little Rock, Ark., Independent School District, and Virgil T. Blossom, superintendent of schools, appellees.

"Appeal from the United States District Court for the eastern district of Arkansas, August 18, 1958.

"Wiley A. Branton and Thurgood Marshall (Elwood H. Chisolm, Irma Robbins Feder, Constance Baker Motley, and Spottswood W. Robinson III, of counsel) for appellants.

"Richard C. Butler and A. F. House, for appellees.

"Before Gardner, chief judge, and Sanborn, Woodrough, Johnsen, Vogel, Van Oosterhout and Matthes, circuit judges."

This appeal is another in a series of legal actions which followed the adoption and implementation of a plan for gradual integration of the public schools in Little Rock, Ark., as set up by the school board in that district, and approved by the United States District Court for the eastern district of Arkansas, and by this court. *See Aaron v. Cooper* ((E. D. Ark., 1956) 143 F. Supp. 855, Aff'd 243 F. 2d 361 (8 Cir. 1957)); *Thompson v. Cooper* ((8 Cir. 1958) 254 F. 2d 808); *Faubus v. United States* ((8 Cir. 1958) 254 F. 2d 797).

In conformity with the plan, and under the direction of the superintendent of schools of the Little Rock School District (hereinafter called district), approximately 80 Negro students were meticulously screened prior to the opening of schools in September 1957. Seventeen were accepted for entrance in the final 2 years in high school, but when 9 of the students voluntarily withdrew, the 9 remaining attempted to enter the school when it opened. After a series of skirmishes, resulting in the placing of troops around the Central High School Building (*see Faubus v. United States, supra*), the 9 Negro students were admitted and 8 of them attended the full year. On February 20, 1958, the members of the school board (hereinafter called board) and the superintendent, filed a petition in the United States District Court, Eastern District of Arkansas, Western Division, asking that the plan of integration "be realistically reconsidered in the light of existing conditions," and that it be postponed until such time as the concept of all deliberate speed could be clearly defined. Thereafter, the Honorable Harry J. Lemley, United States district judge for the eastern and western districts of Arkansas, was designated by the chief judge of this circuit to hear and determine the issues presented by the petition. At the district court's direction, appellees filed an amended petition in which they alleged that in light of existing conditions, they were of the opinion that a suspension of operations under the plan until January 1961, was reasonable and advisable:

MOTION TO DISMISS FILED

Appellants attacked the petition by a motion to dismiss, contending that the petition was insufficient to state a cause for relief or a claim for relief which would be cognizant under rule 60 (b) of the Federal rules of civil procedure. They also filed a response to the petition. Following an extended trial of the issues presented by the pleadings, the district court filed an exhaustive opinion (—F. Supp. —) and entered its order granting permission to suspend the operation of the plan of integration until midsemester of the 1960–61 school year.

From that order, plaintiffs (appellants) prosecuted an appeal to this court. Because of the vital importance of the time element in the litigation, and in line with the suggestion of the Supreme Court in its per curiam order of June 30, 1958, on petition for certiorari, we heard the appeal on its merits on August 4, 1958.

A review of the events leading up to the present appeal, as revealed by the record, is necessary to a proper understanding of the meritorious question for decision.

On May 20, 1954, following the decision of the Supreme Court in *Brown v. Board of Education* on May 17, 1954 (347 U. S. 483), the board adopted a statement concerning the Brown decision, recognizing its responsibility to comply with Federal constitutional requirements, and on May 24, 1955—several days prior to the supplemental opinion of the Supreme Court in *Brown v. Board of*

Education (349 U. S. 294), the board approved a "plan of school integration," which provided for a gradual integration of all public schools, beginning with the high school level, in the fall of 1957. See *Aaron* v. *Cooper* (143 F. Supp. 855 for the plan in its entirety, Aff'd (8 Cir.) 243 F. 2d 361).

MOST DESIRABLE PLAN

It was the feeling of the board that the plan, as proposed, was the most desirable and workable under all of the circumstances, and that as the result of an active public relations program, the public generally approved of the plan. However, a systematic campaign developed which undermined whatever confidence the public might have had in the plan to integrate the public schools. In November 1956, the people of the State of Arkansas adopted: (a) Amendment 44 to the State constitution, which commanded the General Assembly to oppose by every constitutional method the "unconstitutional desegregation decisions of the United States Supreme Court " (1 Ark. stat. 1947, 1957 supplement); (b) a resolution of interposition which, inter alia, called upon the people of the United States and the governments of all the separate States to join the people of Arkansas in securing an adoption of an amendment to the Constitution of the United States which would provide that the powers of the Federal Government should not be construed to extend to the regulation of the public schools of any State, or to prohibit any State from providing for the maintenance of racially separate but substantially equal public schools within such State; (c) a pupil assignment law dealing with the assignment of individual pupils to individual public schools. The 61st General Assembly of Arkansas, which convened in January 1957, enacted sections 80–1519 to 80–1524, Arkansas State, 1947, known as the pupil assignment law; section 80–1525, ibid, which relieves school children of compulsory attendance in racially mixed public schools; sections 6–801 through 6–824, ibid, which established a State sovereignty commission; section 80–539, ibid, which authorizes local school boards to expend district funds in employing counsel to assist in the solution of problems arising out of integration.

During the summer of 1957, anti-integration forces, pointing to the recent Arkansas enactments, petitioned for, and received from the Pulaski Chancery Court at Little Rock, an injunction directed against the board, restraining any action toward integrating Little Rock Central High School during the school term beginning September 3, 1957. On August 29, 1957, on application of the board, the United States District Court at Little Rock entered an order enjoining the use of the State court injunction in an attempt to block the integration plan. We affirmed this order, *Thomas C. Cooper* ((8 cir.) 244 F. 2d 808).

SEGREGATION DRIVE CITED

From the testimony of the superintendent, and voluminous exhibits, consisting mainly of newspaper articles and paid advertisements, it is demonstrated that prosegregationists carried on a relentless and effective campaign during the summer of 1957. The Governor of Georgia, Marvin Griffin, and Roy V. Harris, publisher, of the same State, and Rev. J. A. Lovell, described as a "Texas radio minister," appeared in Little Rock and delivered speeches against integration to large audiences. The effect of these efforts may be gleaned from the superintendent's testimony; (Mr. Blossom)—"(b)ut there was a tremendous amount of opposition following the appearance of the Governor of Georgia • • • that this plan which had been developed as I explained over a long period of time, seemed to be driven out of everybody's mind. • • • In the minds of people who talked to me the thing that became prevalent (was) 'we don't have to do this when the Governor of Georgia says nobody else has to do it.'" On July 9, 1957, what purports to be a full-page statement appeared in the Arkansas Democrat, the first two paragraphs of which are typical, not only of the statement in its entirety, but of other articles appearing from time to time in the same publication:

"People of Arkansas versus race mixing: Official policy of the State of Arkansas.

"The people of Arkansas assert that the power to operate public schools in the State on a racially separate but substantially equal basis was granted by the people of Arkansas to the government of the State of Arkansas, and that, by ratification of the 14th amendment, neither the State of Arkansas nor its people delegated to the Federal Government, expressly or by implication, the power to regulate or control the operation of the domestic institutions of Arkansas; any and all decisions of the Federal Government to the contrary notwithstanding."

Whose statement is the above?

It is the statement of Gov. Orval E. Faubus, of Arkansas. It is the core of the resolution of interposition which he personally fathered. Governor Faubus hired the solicitors who circulated the petitions to place this resolution on the ballot. Governor Faubus filed resolution and petitions with the secretary of state on July 5, 1956, and the resolution was submitted to the people in last November's general election. The people of Arkansas by a tremendous, overwhelming majority gave it their thundering approval.

THE WILL OF THE PEOPLE

Sponsored by the Governor of Arkansas, adopted by a tremendous majority of Arkansas voters, the above statement is the will of the people of Arkansas.

As September 3 approached, the opposition to Negro children entering Central High School had stiffened and solidified. On the night of September 2, Governor Faubus appeared on television in Little Rock and announced that in the interest of preserving peace, he had called out units of the National Guard, and had directed that the white schools be placed off limits to Negro students, and that the Negro schools be placed off limits to white students. The subsequent events, which ultimately brought forth United States troops, and the entry of the nine Negro children in Central High School, are found in our opinion in *Faubus* v. *United States*, supra.

The record firmly establishes that although the Negro children attended Central High School during the 1957–58 school term under the protection of Federal troops, and later, federalized National Guardsmen, the opposition to the plan of integration by many members of the public, and particularly parents of white students, failed to subside. Whether the white students who were the troublemakers, stood for segregation of the races in schools as the result of their environment over the years, or because of the intense campaign that was focused upon that issue by adults, does not appear, but the indisputable fact is that certain of the white students demonstrated their hostility to integration by overt acts of violence and misconduct, committed within the schoolbuilding, as well as by destruction of school property through acts of vandalism.

EVENTS OF SCHOOL YEAR

The events which occurred during the school year may be summarized as follows:

1. Although there were no unusual events in the classrooms, there were a number of incidents in the halls, corridors, cafeteria, and restrooms, consisting mainly of slugging, pushing, tripping, catcalls, abusive language, destruction of lockers, and urinating on radiators.

2. Forty-three bomb threats necessitated searches of the schoolbuilding, and particularly the lockers, some 2,400 in number. These bomb threats were broadcast on the local radio and television stations, precipitating calls from parents and withdrawal of students for the day.

3. Numerous small fires occurred within the building, particularly in restrooms where tissue paper and towels accumulated.

4. The destruction of school property throughout the school necessitated the expenditure of school funds, which might otherwise have been used for general maintenance purposes, to repair the damage.

5. Misconduct on the part of some students resulted in approximately 200 temporary suspensions for short periods of time, and 2 permanent expulsions.

6. The administrative staff in the school spent a great deal of time making reports of incidents, alleged and real, arising out of opposition to the presence of nine Negro students.

7. Teachers and administrative staff were subjected to physical and mental strain and telephone threats.

8. Inflammatory anti-integration speeches were made at public meetings by speakers from other States, and the local newspapers carried many anti-integration articles.

9. Vicious circulars were distributed condemning the district court, the Supreme Court of the United States, and the school officials who recognized the supremacy of the Federal law.

10. Vulgar cards, critical of the school officials, were given by adults to schoolchildren for distribution within the school building.

11. In general there was bedlam and turmoil in and upon the school premises, outside of the classrooms.

Careful and critical analysis of the relevant facts and circumstances in light of applicable legal principles, leads us to the inescapable conclusion that the order of the district court suspending the plan of integration cannot stand.

VARIED SOLUTIONS FORESEEN

In *Brown* v. *Board of Education* (349 U. S. 294), the Supreme Court, in dealing with the manner in which integration should be effected, recognized that full implementation of the constitutional principles involved many require solution of varied local school problems—and that the school authorities have the primary responsibility for elucidating, assessing, and solving the problems. While the district courts, aided and guided by equitable principles, may properly take into account the public interest in the elimination of obstacles in making the transition of school systems operated in accordance with the constitutional principles set forth in *Brown* v. *Board of Education* (May 17, 1954, 347 U. S. 483), it should be emphasized that the court, in the opinion dealing with the relief to be granted, stated (349 U. S. at p. 300): "But it should go without saying that the vitality of these constitutional principles cannot be allowed to be yielded simply because of disagreement with them."

The precise question at issue herein, i. e., whether a plan of integration, once in operation, may lawfully be suspended because of popular opposition thereto, as manifested in overt acts of violence, has not received judicial consideration. But there is sound and convincing authority that a school board, acting promptly and completely uninfluenced by private and public opinion as to the desirability of desegregation in the community, must proceed with deliberate speed, consistent with proper administration, to abolish segregation, *Jackson* v. *Rawdon* (5 cir. 1956, 235 F. 2d 93, 96, certiorari denied 352 U. S. 925); *School Board of the City of Charlottesville, Va.* v. *Allen* (4 cir. 1956, 240 F. 2d 59, certiorari denied, 353 U. S. 910);

and while "• • • a good faith acceptance by the school board of the underlying principle of equality of education for all children with no classification by race might well warrant the allowance by the trial court of time for such reasonable steps in the process of desegregation as appears to be helpful in avoiding unseemly confusion (n)evertheless, whether there is such acceptance by the board or not, the duty of the Court is plain. The vindication of rights guaranteed by the Constitution cannot be conditioned upon the absence of practical difficulties." *Orleans Parish School Board* v. *Bush* (5 cir. 1957, 242 F. 2d 156 at p. 166, certiorari denied 354 U. S. 921). "The fact that the schools might be closed if the order were enforced is no reason for not enforcing it." *Allen* v. *County School Board of Prince Edward County, Va.* (4 cir. 1957, 249 F. 2d 462, 465, certiorari denied 355 U. S. 953), because, as the court there stated, at page 465: "A person may not be denied enforcement of rights to which he is entitled under the Constitution of the United States because of action taken or threatened in defiance of such rights."

JUDGE LEMLEY'S OPINION

In his opinion • • • F. Supp. • • •, which incorporated findings of fact and conclusions of law, Judge Lemley, who has most carefully and conscientiously considered the problem presented, recognized that the occurrences which motivated the instant proceeding were the direct result of general community opposition to integration. He stated:

"From the practically undisputed testimony of the testimony of the board's witnesses we find that although the continued attendance of the Negro students at Central High School was achieved throughout the 1957–58 school year by the physical presence of Federal troops, including federalized National Guardsmen, nevertheless on account of popular opposition to integration the year was marked by repeated incident or more or less serious violence directed against the Negro students and their property, by numerous bomb threats directed at the school, by a number of nuisance fires started inside the school, by desecration of school property, and by the circulation of cards, leaflets, and circulars designed to intensify opposition to integration. • • •

"It is important to realize as is shown by the evidence, that the racial incidents and vandalism which occurred in Central High School during the past year did not stem from mere lawlessness on the part of the white students in the school, or on the part of the people of Little Rock outside the school; nor did they stem from any malevolent desire on the part of the students or others concerned to bomb the school, or to burn it down, or to injure or persecute as individuals the nine Negro students in the school. Rather, the source of the trouble was the deep-seated popular opposition in Little Rock to the principle of integration, which, as is known, runs counter to the pattern of southern life which has existed for 300 years. The evidence also shows that to this opposition was added the conviction of many of the people of Little Rock, that the Brown decisions do not truly represent the law, and that by virtue of the 1956–57 enactments, heretofore outlined, integration in the public schools can be lawfully avoided."

"In reaching this conclusion we are not unmindful of the admonition of the Supreme Court that the vitality of these principles 'cannot be allowed to yield simply because of disagreement with them'"; here, however, as pointed out by the board in its final brief, the opposition to integration in Little Rock is more than a mere mental attitude; it has manifested itself in overt acts which have actually damaged educational standards and which will continue to do so if relief is not granted.

CONCLUSIONS REJECTED

Appalling as the evidence is—the fires, destruction of private and public property, physical abuse, bomb threats, intimidation of school officials, open defiance of the police department of the city of Little Rock by mobs—and the naturally resulting additional expense to the district, disruption of normal educational procedures, and tension, even nervous collapse of the school personnel, we cannot accept the legal conclusions drawn by the district court from these circumstances. Over and over again, in the testimony, we find the conclusion that the foregoing turmoil, chaos, and bedlam directly resulted from the presence of the nine Negro students in Central High School, and from this conclusion, it appears that the District Court found a legal justification for removing temporarily the disturbing influence; namely, the Negro students. It is more accurate to state that the fires, destruction of property, bomb threats, and other acts of violence, were the direct result of popular opposition to the presence of the nine Negro students. To our mind, there is a great difference from a legal standpoint when the problem in Little Rock is stated in this manner. From the record it appears that none of the Negro students was responsible for the incidents on the school property, and the one Negro expulsion seems to have resulted after the Negro student was physically struck in the face, following which it was found that the student had "failed to adjust," in violation of an agreement with the school board not to become embroiled in incidents.

This court recognizes that, following the first Brown decision, the members of the board, acting in good faith, and working with the superintendent of schools, moved promptly to promulgate a plan designed to gradually bring about complete integration in the Little Rock public schools, and they are to be commended for their efforts in that regard. We are also not unmindful of the difficulties which were faced by the board members and school administrators in attempting to give life to the plan of integration. As we have seen, they have been constantly harassed; they have met with overt opposition from the public, and the legislature through passage of the 1957 enactments. The executive department of the State of Arkansas has openly opposed their efforts, as demonstrated by the statement by the governor of the official policy of the State of Arkansas against integration, followed by the use of National Guardsmen to prevent entry of Negro students. The result was to place the board between the upper and the nether millstone." See *Thomason* v. *Cooper* (254 F. 2d 808 at p. 810). While it may appear to the members of the board and the superintendent, that they have a thankless task, they may be recompensed by the knowledge that throughout, they, as public officers, have recognized their duty to support the Constitution of the United States, and to respect the laws and courts of our Federal Government and our democratic ideals, regardless of their personal convictions with respect to the wisdom of school integration.

OBSERVATION BY COURT

It is not the province of this court in this proceeding to advise the board as to the means of implementing integration in the Little Rock schools. We are directly concerned only with the legality of the order under review. We do observe, however, that at no time did the board seek injunctive relief against those who opposed by unlawful acts the lawful integration plan, which action apparently proved successful in the Clinton, Tenn., and Hoxie, Ark., situations. See *Kasper* v. *Brittain* (245 F. 2d 92 (6 cir. 1957), certiorari denied 355 U. S. 894, rehearing denied 355 U. S. 886); *Hoxie School District* v. *Brewer* (E. D. Ark.) (137 F. Supp. 364, aff'd); *Brewer* v. *Hoxie School District* (8 cir. 1956) (238 F. 2d 91). The evidence also affords some basis for relief that if more rigid and strict disciplinary methods had been adopted and pursued in dealing with those comparatively few students who were ring leaders in the trouble making, much of the turmoil and strife within Central High School would have been eliminated.

IMPOSSIBLE SITUATION SEEN

An impossible situation could well develop if the district court's order were affirmed. Every school district in which integration is publicly opposed by overt acts would have "justifiable excuse" to petition the courts for delay and suspension in integration programs. An affirmance of "temporary delay" in Little Rock would amount to an open invitation to elements in other districts to overtly act out public opposition through violent and unlawful means. The Supreme Court of the United States has specifically determined that segregation in the public schools is a deprivation of the equal protection of laws guaranteed by the 14th amendment. The board, by public statement, has recognized its constitutional duty to provide nonsegregated educational opportunities for the children of Little Rock; the district court, in its memorandum opinion, supra, at page • • •, stated: "• • • it is not denied that under the Brown decisions the Negro students in the Little Rock district have a constitutional right not to be excluded from any of the public schools on account of race." Acting under a Federal court order, the board did proceed with a fair and reasonable program for gradual integration, which program had previously been approved by this court. This issue plainly comes down to the question of whether overt public resistance, including mob protest, constitutes sufficient cause to nullify an order of the Federal court directing the board to proceed with its integration plan. We say the time has not yet come in these United States when an order of a Federal court must be whittled away, watered down, or shamefully withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto.

MINDFUL OF INCIDENTS

Mindful as we are that the incidents which occurred within Central High School produced a situation which adversely affected normal educational processes, we nevertheless are compelled to hold that such incidents are insufficient to constitute a legal basis for suspension of the plan to integrate the public schools in Little Rock. To hold otherwise would result in accession to the demands of insurrectionists or rioters • • •," *Stratwear Knitting Co.* v. *Olson* (13 F. Supp. 384 at 391), and *Faubus* v. *United States* (254 F. 2d 797 at 807), and the withholding of rights guaranteed by the Constitution of the United States. Accordingly, the order of the district court is reversed, with directions to dismiss the appellees' petition.

GARDNER, CHIEF JUDGE, DISSENTING

It would affirm on the grounds stated by Judge Lemley in his opinion. (*Aaron* v. *Cooper* (E. D. Ark) • • • F. Supp.)

Because of the limitation of time within which this case must be decided it is not possible to prepare a dissenting opinion and, hence, I am preparing only a short memorandum.

It is conceded that the school authorities have acted in good faith both in formulating a plan for integrating and in attempting to implement that plan. Their efforts in this regard were met with unprecedented and unforeseen opposition and resistance as set out and enumerated in the majority opinion. This opposition included acts of violence to such an unprecedented extent that

the Armed Forces of the United States were stationed in and about the school building. The events pertinent to the attempts of the school authorities during the school year to implement its plan for integrating are set forth in the majority opinion. The normal conduct of the school was continuously disrupted and the state of mind, both within and without the school, was to a greater or lesser extent in a state of hysteria. Under circumstances and conditions set out in Judge Lemley's opinion the school authorities made application for an extension of time so as to permit a cooling off or breathing spell so that both pupils, parents, teachers, and the public might to some extent become reconciled to the inevitable necessity for public school integration. Having in mind that the school officials and the teaching staff acted in good faith and that the school officials presented their petition for an extension of time in good faith, it was the duty of the court to consider whether the action of school authorities constitutes good faith implementation of the governing constitutional principles. *Brown* v. *Board of Education* (349 U. S. 294). In this situation the action of Judge Lemley in extending the time as requested by the school officials was the exercise of his judicial discretion. The background is well set forth in Judge Lemley's opinion. For centuries there had been no intimate social relations between the white and colored races in the section referred to as the South. There had been no integration in the schools and that practice had the sanction of a decision of the Supreme Court of the United States as constitutionally legal. It had become a way of life in that section of the country and it is not strange that this long-established, cherished practice could not suddenly be changed without resistance. Such changes, if successful, are usually accomplished by evolution rather than revolution, and time, patience, and forebearance are important elements in effecting all radical changes.

JUDGE'S ACTION BACKED

The action of Judge Lemley was based on realities and on conditions rather than theories. The exercise of his discretion should not, I think, be set aside as it seems to me it was not an abuse of discretion, but rather a discretion wisely exercised under the conditions. We should not substitute our judgment for that of the trial court. Judge Lemley's decision is not without precedent in principle. It is, I think, warranted by the decision of the Supreme Court in *Brown* v. *Board of Education* (349 U. S. 294). See also *Allen* v. *County School Board of Prince Edward County*, (E. D. Va. • • • F. supp. • • •); *Davis* v. *County School Board of Prince Edward County*, (E. D. Va. 140 F. supp. 431); *Wisconsin* v. *Illinois* (278 U. S. 367, modified, 281 U. S. 179, 289 U. S. 395, 309 U. S. 569, 311 U. S. 107); *Standard Oil Co.* v. *United States* (221 U. S. 1). It was the judgment of the school officials as indicated by their petition and, after hearing, the judgment of the trial court, that the extension of time requested should be granted. I do not think it can be said that the findings of the trial court and its conclusion based thereon are clearly erroneous. I would affirm.

[From the New York Herald Tribune of August 20, 1958]

NO SURRENDER ON LITTLE ROCK

"We say the time has not yet come in these United States when an order of a Federal court must be whittled away, watered down, or shamefully withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto."

Thus writes Judge Marion C. Matthes in the 6-to-1 decision of the Eighth United States Circuit Court of Appeals which strikes down District Judge Harry J. Lemley's suspension of racial integration in Little Rock Central High School until mid-1961.

The decision is logical and forthright. It states the issue clearly—whether a government of law and order must surrender to "overt public resistance, including mob protest." Here the answer was inevitable—certainly not.

As the court points out, to permit nullification of the original court directing a modest start on integration in Little Rock would have tolerated and indorsed Faubus-inspired violence. Furthermore, this would have been the ready-made excuse for other communities to petition for delay and suspension of desegregation. Even worse, giving Little Rock its way would amount to an open invitation to elements in other districts to overtly act out public opposition through violent and unlawful means.

While the court offered no advice to the Little Rock school authorities, it did make a couple of pointed observations. For one thing, the decision pointed out that the board failed to seek injunctive relief against troublemakers, as per the worthy examples of Clinton, Tenn., (remember John Kasper?) and Hoxie, Ark. Also, the court thought there was some ground to believe that tougher discipline against a few student ringleaders could have stopped a lot of school tumult.

What happens next? Admittedly it's a difficult situation, but this has been of Governor Faubus' making. The judges have said emphatically that the law cannot be trifled with, that the integration order must go forward. This is firm, unequivocal demand for compliance. It couldn't have been put any stronger.

Next move is up to the people of Little Rock and Faubus. And the Governor can take notice right now that on him rests the first responsibility for preserving order in the legal right of those seven Negroes to attend Central High School.

[From the New York Times of August 20, 1958]

A GOVERNMENT OF LAWS

The decision of the United States Circuit Court of Appeals at St. Louis in the Little Rock school desegregation case is a striking reaffirmation that ours is a Government of laws: We say that the time has not yet come in these United States when an order of a Federal court must be whittled away, watered down or shamefully withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto.

There can hardly be any question that if the court had granted the Little Rock school board's petition to defer its integration plan because of the artificially instigated turmoil that took place last year, an impossible situation—even an anarchic one—might have developed throughout the South. As the court noted, an affirmance of temporary delay in Little Rock would amount to an open invitation to elements in other districts to overtly act out public opposition through violent and unlawful means. While the fullest consideration must be given to the revolution in southern mores being brought about by the desegregation decision of 1954, that cannot mean yielding to mob rule.

There also can be no question that the Court of Appeals decision, logical and inevitable as it was, presents the people of Little Rock and the administration in Washington with tough and urgent problems. The original integration plan is still in force, and—unless there is a stay of the Circuit Court's order—will still be 2 weeks hence, when the schools of Little Rock reopen. It is perfectly evident from Governor Faubus' attitude, strengthened by his recent smashing electoral victory, that he will do everything in his power to prevent those schools from opening in even a minutely integrated form. Another clash between State and Federal power seems sadly inevitable; and plans had better be more carefully laid in Washington now than they were at this time last year to cope with it.

The overwhelming mass of moderate opinion throughout the Nation recognizes that the element of deliberateness in the Supreme Court's 1954 opinion must be recognized, in some areas and under certain circumstances, as more binding than the element of speed. The lower Federal courts certainly recognize this fact, too; and there has been no disposition to force this basic change with undue haste. But come about it must, under the Constitution and laws of the United States; and violence and intimidation will not prevent it. That is the meaning of Judge Matthes' decision; and sooner or later Gov. Orval Faubus must understand it instead of leading his people, as he is now doing, backward into the nineteenth century, with potentially disastrous consequences to Arkansas and the Nation.

Finally, Governor Faubus and all who hold with him may be reminded that wherever there has been an honest and sober attempt to carry out the spirit of the 1954 decision there has been progress.

RETIREMENT OF MAJ. GEN. CHARLES G. HOLLE

Mr. LONG. Mr. President, during the month of October of this year, Maj. Gen. Charles G. Holle will retire from the service of the Corps of Engineers of the United States Army—more than 40 years from the date he entered the United States Military Academy as a cadet. For 40 years General Holle has been a faithful servant, rendering devoted service to the United States Army in many capacities. I came to know him best when he was district engineer of the New Orleans district, in charge of the flood-control and navigation programs of my State.

General Holle served the New Orleans district of the Corps of Engineers for nearly 4 years—one of the longest periods of commissioned service in the history of that district. During that time he won the hearts of his employees, of the officials of the city of New Orleans and the State of Louisiana, and of the man on the street who knew him as a man devoted to his job and to the mission for which he was held responsible.

The district engineer at New Orleans holds a difficult, a strategic, and an important job. The job is difficult because the incumbent in that job must wear many hats—he must be able to meet and satisfy the needs of people in many walks of life; it is strategic because New Orleans is dependent for its existence upon its waterways and the man who administers them holds the key to many of the problems that perennially present themselves; it is important because the decisions he makes are far reaching and have a bearing on the lives of many people who live behind the levees that protect one of the Nation's fastest growing metropolitan areas.

I do not believe that any man graced that job with more dignity than did Charles G. Holle. During his tour of duty with the engineers he distinguished himself on many other assignments. Some of them were:

Three tours of duty in the Canal Zone.

Two assignments on flood-control duties.

Foreign duty.

Division engineer duty.

Five important assignments in the Office of the Chief of Engineers.

There are times when we regret the regulations that require a man to retire when he reaches a designated age. This is one of those times. As everyone who knows him will attest, upon his retirement, General Holle is strenuous, vigorous, forceful, and capable, and is performing his usual outstanding job. His capable guidance will be missed by many who look to him for advice. At the present time, he is filling 4 jobs in an outstanding manner—he is special assistant to the Chief of Engineers for St. Lawrence matters; he is alternate for the Secretary of the Army on the St. Lawrence River Joint Board of Engineers; he is Chairman of the Board of Engineers for Rivers and Harbors; he is president of the Beach Erosion Board.

I am not expressing my views alone. These are the views of other members of the delegation of the State of Louisiana who worked with and who respect the judgment and the ability of General Holle.

Mr. President, I make this statement for the RECORD, in order that the Members of this body may know the esteem in which we hold Maj. Gen. Charles G. Holle, and in order that we may use this means of expressing our appreciation to a man who has devoted his life to public service and who has accomplished so much. I hope that his zeal will be an incentive for many to follow in the future, and I hope that he will continue his work in a civilian capacity, for he has demonstrated to us that he has reached the point in his life where we need him most.

RISING PRICES AND FALLING PRODUCTION

Mr. LAUSCHE. Mr. President, on July 21 last the Standard Oil Co. of Ohio put into effect a 1-cent-per-gallon increase in its regular gasoline sold at Sohio service stations. Within the next day or two, all of the other major brands also raised their gas prices the same amount.

Based on published figures on sales, the Standard Oil Co. of Ohio stands to gain some additional $10 million a year in the State of Ohio due to this increase. Counting the increase applied by all companies, the cost to the Ohio consumers will be some $31 million during the next year.

As far as I can determine, this increase is not justified. Even counting a wage increase granted the employees of Standard Oil of Ohio, this would amount to only about 25 percent of the increase. In addition, some crude oil prices are dropping; and inventories are at a normal 4 weeks supply, which means the oil companies cannot claim that a shortage has brought the price increase. As a matter of fact, Standard of Ohio and the other companies showed a drop in sales during the first half of this year.

Mr. President, this pattern of rising prices in the face of decreasing production and sales is the same pattern that we see in so many other industries. In steel, for instance, the recent price increase was effective as soon as the United States Steel Corp. joined the parade of higher prices. In Ohio, one company again takes the lead—Standard of Ohio—and the others fall into line.

It would appear logical that when sales fall, companies would try to cut prices to encourage consumers to buy. Instead, the opposite is the case in steel, in oil, and other industries.

It does not matter what is the cause of this trend—whether price rises are caused by wage increases, or the other way around. The situation that faces us today is that giant companies in industry after industry are raising prices higher and higher at will. The consumer apparently has nothing to say about it. He must go along, if he needs the product. This is an unhealthy situation; it means that monopoly and lack of competition have reached an alarming stage.

Leaders of industry must take action to reassure the American consumer that they are not simply out to charge all the market will bear. If they sit idly by and prices continue to rise, it will mean the ruin of the American economy.

INTEGRATION AND EDUCATION

Mr. FULBRIGHT. Mr. President, there appeared in today's Wall Street Journal an excellent editorial comment on the school situation in my State. It expresses a tolerant and understanding attitude with respect to the problems we face in Arkansas. It would be of great benefit to the people of Arkansas if more people would take this enlightened and understanding approach to the grave problem with which we are confronted.

I ask unanimous consent, Mr. President, that the editorial entitled "Integration and Education" be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INTEGRATION AND EDUCATION

Among the many trials of the people of Little Rock, certainly not the least of them has been the way in which the course of events has been suddenly reversed and reversed again by the various agencies of Government. And now they are to suffer more of it.

First there was the ruling of the Supreme Court that upset the old order in the schools. To this change the local authorities in Little Rock, and most of its people, tried to adjust. But then of a sudden they were confronted with troops sent by their Governor to block integration and troops sent by their President to enforce integration. Next there was a ruling by a Federal district judge denying a stay and ordering immediate integration. This was followed by an order from another Federal judge in the same district granting the people a time's respite by postponing integration.

This week the Federal circuit judges once more reversed direction. They ordered integration forthwith. Yet still nothing is settled. There is talk of another appeal to the Supreme Court, which could again reverse events, and of a special session of the legislature at which the Governor may try again to take events in his own hands.

This surely is a terrible buffeting of one people by the laws and the powers of office. Each of these officeholders may have had the right to act as he did; certainly one district judge is not bound by another. But just the same the result has been that the people of Little Rock did not know from one day until the next under what order of society they must live but found all changed by which holder of what office wielded the moment's power.

We cannot know what will happen next month in the schools of Little Rock. It may be too late now for the hope that somehow time and forbearance will be allowed to heal passions. And yet it must be hoped.

For any man can see what will happen if the issue of integration comes to devour the issue of education. What kind of education can we give any children, white or Negro, in classrooms inflamed by animosities or, if once more it comes to that, echoing the tramp of soldiers?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PROVISION OF NOTICE OF APPEAL FOR INTERLOCUTORY RELIEF AGAINST ORDERS OF CERTAIN ADMINISTRATIVE AGENCIES

The PRESIDING OFFICER (Mr. MORTON in the chair). The Chair lays before the Senate the unfinished business, which will be read.

The LEGISLATIVE CLERK. A bill (H. R. 6789) to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies.

TRIBUTE TO RETIRING SENATORS

Mr. REVERCOMB. Mr. President, as we move toward the close of the sessions of the 85th Congress, I want to express my feelings and pay tribute to six Members of the Senate who, by their own choice, are voluntarily retiring from this body. With the termination of their service here, the country will suffer a distinct loss. On some public issues and on the best course of government in guiding the destiny of our Nation there have been disagreements among them. These disagreements were earnest. But they have basic traits with which all of them are endowed and which have made them towers of strength in the affairs of the Nation. They are patriotic. They are sincere. They have understanding, and a sense of fairness. They have proved themselves to be men of courage and great capacity for comprehending the problems that have confronted us during the years they have served the American people in the United States Senate.

To me, and I believe to others, they have been a source of inspiration to those who know them and have worked with them.

Our selected Republican leader who serves now as minority leader and has served as majority leader of the Senate, the Senator from California, Mr. WILLIAM F. KNOWLAND, will always be remembered as a man gifted with able

leadership. He has been a pillar of strength to the Republican Party, and few men have exerted greater influence in shaping the legislation of this country during the 14 years he has served here. It is natural in him to fight for his convictions. His frank and forthright stand on public issues has gained the admiration of the American people. While one may differ with his views and conclusions, no man questions his sincerity. He leaves the Senate for the seat of the governorship of the great State of California, and he goes with my wishes for complete success.

My neighboring State of Pennsylvania loses a distinguished Member of the Senate through his choice to retire this year. Earlier today I had occasion to speak here upon the departure of EDWARD MARTIN from the Senate. No man in public life today has achieved more, or rendered finer service to the country to which he is devoted. A great soldier in the time of our wars; Governor of Pennsylvania; an outstanding Member of the United States Senate; EDWARD MARTIN retires from this body with the acclaim of its Members and his country.

In the retirement of our colleague, WILLIAM JENNER, of Indiana, we lose the services of a courageous patriot and statesman. No man has been more forceful in defending the interest of America both upon the fields of battle and in the Halls of Congress than JENNER, of Indiana. He does not hesitate to stand forth for those things in which he earnestly believes. However much others may differ with him, they know that he fights for those principles he believes to be right.

The distinguished senior Senator from New Jersey, H. ALEXANDER SMITH, able and diligent, leaves this body with the respect of every Member. A patriot and a scholar, his influence has for years been felt in the deliberations and conclusions of the Senate of the United States. He retires to the cloisters of Princeton University from whence he came to give his country his able services.

The State of New York, is losing a great public servant and the country is likewise losing a statesman of high caliber in the retiring of IRVING M. IVES, of New York. A tireless worker with a scholarly mind and a deep understanding of the complex problems of this industrial age, he has set an example of earnestness and outstanding statesmanship. His sense of fairness in dealing with controversies, ever the servant, have left a high example and a lasting mark upon the Senate.

Senator RALPH FLANDERS, of Vermont, has contributed much to the deliberations and work of this Senate. Gifted with a scholarly mind and the experience of successful business, he has had this rare combination of attributes so useful in meeting the problems that a fast changing age has brought.

I express to each of them my best wishes for happiness and continued high success in the years ahead. They have demonstrated their greatness. The need of their guidance in the life of the Nation still exists, and it is my hope that they will return here often to give us the benefit of their experience and their wisdom.

May their years be happy ones. This they richly deserve through the service that they have rendered their country and their fellow man.

Mr. MARTIN of Pennsylvania. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORTON in the chair). Without objection, it is so ordered.

THE CALENDAR

The PRESIDING OFFICER. Under the order previously entered, the clerk will call the measures on the calendar, starting with Order No. 2484, H. R. 12365.

SUCK PIL RA

The bill (H. R. 12365) for the relief of Suck Pil Ra was considered, ordered to a third reading, read the third time, and passed.

PROHIBITION OF USE OF UNTESTED ADDITIVES IN FOOD—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety, was announced as next in order.

Mr. MORTON. Mr. President, I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

Mr. CARROLL subsequently said: Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARROLL. I should like to know what action has been taken on Calendar No. 2487, H. R. 13254.

The PRESIDING OFFICER. That bill was passed to the foot of the calendar.

Mr. CARROLL. The Senator from Wyoming [Mr. O'MAHONEY] is not present this morning. He is attending a funeral. He has asked that his specific objection be recorded on this bill. A very important amendment has been offered recently, within the last 30 minutes. The matter has been under investigation. Hearings have been held by our committee for a period of time on the matter. I am confident the chairman of the subcommittee, the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Wyoming [Mr. O'MAHONEY], would register a vigorous objection to Order No. 2487, House bill 13254, as now amended.

The PRESIDING OFFICER. Does the Senator desire to have the order placing the bill at the foot of the calendar rescinded?

Mr. CARROLL. The majority leader has informed me that the bill has gone to the foot of the calendar.

VALIDATION OF OVERPAYMENTS TO CERTAIN OFFICERS OF ARMED SERVICES

The Senate proceeded to consider the bill (H. R. 3366) to validate overpayments and pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 8, after the word "hospital", to strike out "received compensation from that hospital (including meals and living quarters in kind),", and on page 2, line 5, after the word "as", to insert "such compensation."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

COOPER TIRE & RUBBER CO.

The bill (H. R. 7499) for the relief of the Cooper Tire & Rubber Co. was considered, ordered to a third reading, read the third time, and passed.

Mr. BRICKER subsequently said: Mr. President, I move to reconsider the vote by which Calendar No. 2489, H. R. 7499, for the relief of the Cooper Tire & Rubber Co. was passed.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois to lay on the table the motion of the Senator from Ohio to reconsider the vote by which the bill was passed.

The motion to lay on the table was agreed to.

VIVIAN D. GIESEY

The Senate proceeded to consider the bill (S. 3287) for the relief of Vivian D. Giesey, which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 2, after the word "was", to strike out "wrongfully", so as to make the bill read:

Be it enacted, etc., That (a) the Civil Service Commission is authorized and directed to pay, out of any money in the civil service retirement and disability fund, to Vivian D. Giesey, an annuity equal to the annuity which she would have received under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, if her husband, William C. Giesey, had continued to serve as an employee of the United States until his death on September 29, 1954, and had retired on that date, the said William C. Giesey having served as an employee of the United States for approximately 20 years until he was separated from Federal employment on July 31, 1954.

(b) There shall be deducted and withheld from the annuity authorized under the first section of this act an amount equal to the amount of any refund of contributions which have been made on account of the death of the said William C. Giesey.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

T. R. MACKIE

The resolution (S. Res. 381) referring the bill (S. 2682) entitled "A bill for the relief of T. R. Mackie," to the Court of Claims was considered and agreed to, as follows:

Resolved, That the bill (S. 2682) entitled "A bill for the relief of T. R. Mackie", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts, if any, legally or equitably due from the United States to the claimant.

ADMISSION INTO UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 675) to facilitate the admission into the United States of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 3, after line 24, to strike out:

SEC. 10. In the administration of the Immigration and Nationality Act, Mrs. Lena F. Shelton shall be deemed to be a nonquota immigrant.

And, in lieu thereof, to insert:

SEC. 10. For the purposes of the Immigration and Nationality Act, Mrs. Lena F. Shelton, the widow of a United States citizen, shall be deemed to be within the purview of section 101 (a) (27) (A) of that act, and the provisions of section 205 of the said act shall not be applicable in this case.

After line 23, to insert a new section, as follows:

SEC. 14. For the purpose of the Immigration and Nationality Act, Kinji House shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

On page 5, at the beginning of line 4, to change the section number from "14" to "15"; in line 5, after the numerals "11", to strike out "and"; and in the same line, after the numerals "12", to insert "and."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

The title was amended so as to read: "A joint resolution to facilitate the admission into the United States of certain aliens, and for other purposes."

HAROLD PANGELINAN

The Senate proceeded to consider the bill (S. 4113) for the relief of Harold Pangelinan, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "Act", to insert a colon and "*Provided*, That if the said Harold Pangelinan is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (4) of section 212 (a) of the Immigration and Nationality Act, Harold Pangelinan may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That if the said Harold Pangelinan is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 1803) for the relief of Mrs. Boyd Dinehart and Richard Reams was announced as next in order.

Mr. MORTON. Over.

The PRESIDING OFFICER. The bill will be passed over.

WALDO E. MILLER

The bill (H. R. 4991) for the relief of Waldo E. Miller was considered, ordered to a third reading, read the third time, and passed.

ANGELO SARDO

The bill (H. R. 7374) for the relief of Angelo Sardo was considered, ordered to a third reading, read the third time, and passed.

VIOLA BELGER

The bill (H. R. 7720) for the relief of Viola Belger was considered, ordered to a third reading, read the third time, and passed.

MISS EDITH DORN

The bill (H. R. 8014) for the relief of Miss Edith Dorn was considered, ordered to a third reading, read the third time, and passed.

APPEALS FROM INTERLOCUTORY DECREES

The bill (H. R. 6238) to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory decrees was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6789) to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies, was announced as next in order.

Mr. CLARK. Mr. President, that is the pending business. It should go over.

The PRESIDING OFFICER. The bill will be passed over.

MAJ. ANTHONY R. PARRISH

The bill (H. R. 10813) for the relief of Maj. Anthony R. Parrish was considered, ordered to a third reading, read the third time, and passed.

KIIKO NEMOTO

The bill (H. R. 10993) for the relief of Kiiko Nemoto was considered, ordered to a third reading, read the third time, and passed.

MRS. MARIA TARSI PRIORI

The bill (H. R. 11299) for the relief of Mrs. Maria Tarsi Priori was considered, ordered to a third reading, read the third time, and passed.

PAUL E. NOLAN

The bill (H. R. 12144) for the relief of Paul E. Nolan was considered, ordered to a third reading, read the third time, and passed.

ERNEST T. STEPHENS

The bill (H. R. 12154) for the relief of Ernest T. Stephens was considered, ordered to a third reading, read the third time, and passed.

S. JACKSON & SON, INC.

The bill (H. R. 12855) for the relief of S. Jackson & Son, Inc., was considered, ordered to a third reading, read the third time, and passed.

ANNELIESE OTTOLENGHI

The bill (H. R. 12906) for the relief of Anneliese Ottolenghi was considered, ordered to a third reading, read the third time, and passed.

BORIS F. NAVRATIL

The Senate proceeded to consider the bill (H. R. 3571) for the relief of Boris F. Navratil, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Boris F. Navratil shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 16, 1949.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

D. A. WHITAKER AND OTHERS

The Senate proceeded to consider the bill (H. R. 9950) for the relief of D. A. Whitaker and others, which had been reported from the Committee on the Judiciary, with an amendment at the top of page 4, to insert:

Nothing contained in this act shall be construed as an implication of liability on the part of the Government of the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

VENUE IN TAX-REFUND SUITS BY CORPORATIONS

The Senate proceeded to consider the bill (H. R. 9817) relating to venue in tax-refund suits by corporations, which had been reported from the Committee on the Judiciary, with amendments on page 2, line 2, after the word "business", to insert "or principal office or agency", and in line 3, after the word "or", to insert "principal officer or agency".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PERMISSION FOR ILLUSTRATIONS AND FILMS OF UNITED STATES AND FOREIGN OBLIGATIONS AND SECURITIES

The Senate proceeded to consider the bill (H. R. 9370) to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 2, at the beginning of line 14, to insert "except those of stamps"; in line 16, after the word "such", to strike out "stamp or other"; in line 18, after the word "their", to insert "final"; in line 20, after the word "importation", to strike out "except" and insert "but not"; in line 21, after the word "purposes", to insert "except philatelic advertising"; on page 3, line 15, after the word "to", to insert "uncanceled"; and in line 16, after the word "not", to strike out "canceled or".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SOUTHWEST FREEWAY AND REDEVELOPMENT OF SOUTHWEST AREA, DISTRICT OF COLUMBIA

The joint resolution (H. J. Res. 630) to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the southwest area in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

CLIFFORD OESTERLEI

The bill (H. R. 2265) for the relief of Clifford Oesterlei was considered, ordered to a third reading, read the third time, and passed.

TRUCK & AXLE MANUFACTURING CO.

The bill (H. R. 2269) for the relief of Truck & Axle Manufacturing Co., was considered, ordered to a third reading, read the third time, and passed.

JAMES McGUIRE

The bill (H. R. 7337) for the relief of James McGuire was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. ROBERT B. HALL

The bill (H. R. 8184) for the relief of Mr. and Mrs. Robert B. Hall was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9262) for the relief of the estate of A. A. Alexander was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

HOMER G. PRESTON

The bill (H. R. 10587) for the relief of Homer G. Preston was considered, ordered to a third reading, read the third time, and passed.

DUNCAN MOORE AND WIFE, MARJORIE MOORE

The bill (H. R. 11156) for the relief of Duncan Moore and his wife, Marjorie Moore, was considered, ordered to a third reading, read the third time, and passed.

L. L. McCANDLESS, DECEASED

The Senate proceeded to consider the bill (H. R. 11200) for the relief of L. L. McCandless, deceased.

Mr. BARRETT. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. Mr. President, the bill would give the estate $65,894.29 for damages to a ranch leased and owned by the estate when the Army occupied the premises immediately following the attack on Pearl Harbor. The ranch, located in Hawaii, was occupied by the Army for defense purposes for a period of 4 years. Fences, corrals, and buildings were torn down. Livestock escaped or were killed, and the large ranch was withdrawn from the claimant's use. The damages set forth in the bill were found to exist by the District Court for the Territory of Hawaii. The bill is recommended by the committee, since the committee felt the Army was responsible for the loss, whereas the claimant was not at fault.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. BARRETT. Does the Senator feel the bill would establish a precedent in any regard as to the payment of claims arising out of acts of war?

Mr. EASTLAND. No. The district court found the damages to exist. The ranch was occupied. Under the Constitution, the claimant must be compensated for damages. I do not think passage of the bill would establish a precedent.

Mr. BARRETT. Mr. President, I have no objection.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 11200) was ordered to a third reading, read the third time, and passed.

CLAYTON T. WELLS

The bill (H. R. 12867) for the relief of Clayton T. Wells was considered, ordered to a third reading, read the third time, and passed.

HIPOLITO C. DEBACA

The Senate proceeded to consider the bill (H. R. 10473) for the relief of Hipolito C. DeBaca which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "act." to insert "No benefits, except hospital and medical expenses actually incurred, shall accrue by reason of the enactment of this act for any period prior to the date of its enactment.".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

INCREASE IN ANNUITIES FROM THE DISTRICT OF COLUMBIA TEACHERS RETIREMENT FUND

The bill (H. R. 8735) to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

ADDITIONAL FUNDS FOR THE COMMITTEE ON THE JUDICIARY

The resolution (S. Res. 378) providing additional funds for the Committee on the Judiciary in connection with the investigation of the administration of the internal security of the United States was considered and agreed to, as follows:

Resolved, That the limitation of expenditures under Senate Resolution 233, 85th Congress, 2d session, relating to the internal security of the United States, agreed to January 29, 1958, is hereby increased $15,000, and such sum, together with any unexpended balance of sum previously authorized to be expended under such resolution, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee and covering obligations incurred under such resolution on or before January 31, 1959.

MacARTHUR MINING CO.

The resolution (S. Res. 382) referring the bill (S. 263) for the relief of the MacArthur Mining Co., to the Court of Claims was considered and agreed to, as follows:

Resolved, That the bill (S. 263) entitled "A bill for the relief of the MacArthur Mining Co., Inc., in receivership", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts, if any, legally or equitably due from the United States to the claimants.

MRS. ELLDREY L. WHALEY

The bill (H. R. 7685) for the relief of Mrs. Elldrey L. Whaley was considered, ordered to a third reading, read the third time, and passed.

JAMES F. MORAN

The bill (H. R. 11239) for the relief of James F. Moran was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. ALTO ROSS AND OTHERS

The bill (H. R. 12207) for the relief of Mr. and Mrs. Alto Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945 AS AMENDED

The bill (H. R. 13406) to amend the District of Columbia Redevelopment Act of 1945, as amended was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 4073) for the relief of Peter James O'Brien was announced as next in order.

Mr. BARRETT. Over, Mr. President.

Mr. MORTON. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5584) for the relief of Mrs. Maude L. Smith was announced as next in order.

Mr. MORTON. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

MR. AND MRS. JOSEPH D. METZGAR

The bill (H. R. 7178) for the relief of Mr. and Mrs. Joseph D. Metzgar was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 8496) for the relief of William H. Pearlmutter was announced as next in order.

Mr. BARRETT. Over, Mr. President.

Mr. MORTON. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

MAGNOLIA AIRPORT, INC.

The bill (H. R. 10733) for the relief of Magnolia Airport, Inc., was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 11817) for the relief of Adele M. Parker was announced as next in order.

Mr. BARRETT. Over, Mr. President.

Mr. MORTON. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

BERNARD H. ENGLISH AND JOHN E. HAYDEN

The bill (H. R. 13437) for the relief of Bernard H. English and John E. Hayden was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF CIVIL WAR CENTENNIAL COMMISSION

The Senate proceeded to consider the joint resolution (H. J. Res. 557) to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission which had been reported from the Committee on the Judiciary with an amendment, on page 1, after line 7, to strike out:

Sec. 9. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, not to exceed $100,000 in any one fiscal year.

And, in lieu thereof, to insert:

Sec. 9. There is hereby authorized to be appropriated not to exceed the sum of $50,000 to carry out the provisions of this joint resolution for the fiscal year of 1960.

Mr. BYRD. Mr. President, the joint resolution as passed by the House of Representatives provided, not an appropriation, but for an authorization of $100,000 to continue the work of the Civil War Centennial Commission. The bill was amended by the Committee on the Judiciary to reduce the amount to $50,000 for the fiscal year 1960.

Mr. President, I am advised by the Commission this amount is not sufficient. The President of the United States is an ex officio member of the Commission. Four Members of the Senate and four Members of the House of Representatives and other prominent citizens are members of the Commission. The $50,000 is not sufficient to continue the work which has been done with respect to the Civil War Centennial Commission. I think this is very important work, and should not be hampered by a lack of funds. I, therefore, ask, Mr. President, that the committee amendment be rejected and that the House bill, which authorizes $100,000, which, of course, is subject to approval by the Director of the Bureau of the Budget, be passed.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. JAVITS. I have had the most urgent representations on this subject. I hope very much the Senate will concur in the very reasonable request of our colleague.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. ANDERSON. I have checked into this matter a little bit. I strongly support the suggestion made by the Senator from Virginia.

Mr. EASTLAND. Mr. President, I accept the amendment.

Mr. ROBERTSON. Mr. President, I should like to associate myself with the views expressed by my senior colleague, and I ask unanimous consent to have printed in the RECORD the splendid statement made by members of the Commission—and we now have three present on the floor; the Senator from Pennsylvania [Mr. MARTIN], the Senator from Ohio [Mr. BRICKER], and the Senator from New Mexico [Mr. ANDERSON]—as to the purposes of the study.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

To commemorate the centennial of this war we do not want simply to string together a series of holidays, reviving here the exultation of victory and there the sadness of defeat. Rather, the centennial must give us a new understanding of the way in which Americans built from sacrifice and suffering an enduring Nation and a lasting peace. Our ancestors fought to the limit of endurance for 4 years; when the fighting ended they closed ranks, saw in the unity of their land something that overshadowed the bitterness of the fight, and ever since have stood firmly together, fighting side by side, when occasion has demanded, to defend the values which both sections had stood for while the Civil War lasted. Human history contains few lessons more inspiring than this.

So the centennial observance must be a new study of American patriotism—a study which should give us a deeper understanding of the immense reserves of bravery, of sacrifice, and of idealism which lie in the American character.

This study must be based on a broad knowledge of the underlying facts. From the ingenuity and resourcefulness with

which an unprepared people met the challenge of the first truly modern war, much can be learned. It goes without saying that where fables and legends have obscured the real truth, the truth must be made clear. We are not preparing to commemorate a romantic myth; we are making ready to look closer at a chapter of our own history, and the chapter must be accurate.

THE PRESIDING OFFICER. The Chair is informed that the desire of the Senator from Virginia will be achieved automatically if the committee amendment is rejected.

Mr. BYRD. I ask that the committee amendment be rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was rejected.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

REFERRAL OF PRIVATE BILL TO COURT OF CLAIMS

The resolution (S. Res. 379) to refer a private bill (S. 4303) to the Court of Claims was considered and agreed to, as follows:

Resolved, That the bill (S. 4303) entitled "A bill for the relief of Floyd Oles," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

BILL PASSED OVER

The bill (H. R. 3193) for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar, was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

CAREER APPOINTMENTS IN COMPETITIVE CIVIL SERVICE

The bill (H. R. 9407) to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service was considered, ordered to a third reading, read the third time, and passed

GRAND PORTAGE NATIONAL MONUMENT, MINNESOTA

The bill (H. R. 11009) to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

LT. COL. CHARLES A. HOLSHOUSER

The bill (H. R. 1493) for the relief of Lt. Col. Charles A. Holshouser was considered, ordered to a third reading, read the third time, and passed.

THOMAS FORMAN SCREVEN AND OTHERS

The Senate proceeded to consider the bill (H. R. 10559) for the relief of Thomas Forman Screven, Julia Screven Daniels and May Bond Screven Rhodes, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding any statute of limitations, lapse of time, or any prior court decision on this claim, but any court of the United States, jurisdiction is hereby conferred on the United States Court of Claims to hear, determine and render judgment on the claims of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes, against the United States for the reasonable value, as of October 1, 1943, of block numbered C 37, Pine Gardens subdivision, Brewton Hill Plantation, Hulin Ward, in Savannah, Ga., which property was taken by the United States in condemnation proceedings (civil action No. 204), Savannah division) begun June 11, 1942, and the final order in which was entered October 1, 1943.

SEC. II. Suit upon such claim may be instituted hereunder not later than 1 year after the date of the enactment of this act: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to confer jurisdiction upon the United States Court of Claims to hear, determine and render judgment on the claims of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes."

BILL PASSED OVER

The bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes, was announced as next in order.

Mr. BARRETT. Over, Mr. President. The bill is not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

DISPOSAL OF FEDERALLY OWNED PROPERTY

The Senate proceeded to consider the bill (S. 4198) to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes, which had been reported from the Committee on Public Works with an amendment on page 2, line 7, after the word "interest", to insert a colon and "*Provided*, That the foregoing shall not be construed to preclude action under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377) if the Secretary of the Army reports the property to the Administrator of General Services for reassignment or disposal as excess real property", so as to make the bill read:

Be it enacted, etc., That, whenever the Secretary of the Army, upon recommendation of the Chief of Engineers, determines that any of the federally owned property of Hanson Canal and lock in St. Mary Parish, La., and the Company and Houma Canals in Lafourche and Terrebonne Parishes, La., no longer economically serve the purposes for which they were constructed or acquired, the structures and appurtenances including real property acquired in connection therewith may be eliminated as features of existing Federal navigation projects.

SEC. 2. The Secretary of the Army is authorized to transfer or convey the property described above to the State of Louisiana or any of its political subdivisions, any local interests, or others, upon such terms and conditions as the Secretary may determine to be in the public interest: *Provided*, That the foregoing shall not be construed to preclude action under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377) if the Secretary of the Army reports the property to the Administrator of General Services for reassignment or disposal as excess real property.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 13500) to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill (H. R. 13500), which is an identical House bill.

There being no objection, the Senate proceeded to consider the bill (H. R. 13500), to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 13500) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, S. 4198 is indefinitely postponed.

RECOMMENDATIONS FOR LEGISLATION FOR REIMBURSEMENT TO STATES FOR CERTAIN HIGHWAYS

The joint resolution (H. J. Res. 654) requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

BILL PASSED OVER

The bill (H. R. 12728) to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

HARRY N. DUFF

Mr. CLARK. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 2407, H. R. 1695, for the relief of Harry N. Duff. I believe the bill was objected to because there was no amendment offered. I understand the distinguished Senator from Mississippi desires to offer an amendment at this point.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the Senate proceeded to consider the bill (H. R. 1695) for the relief of Harry N. Duff.

Mr. EASTLAND. Mr. President, I offer an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 1, in line 10, it is proposed to insert the following:

The enactment of this act shall not be construed as any inference of liability on the part of the Government of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 1695) was read the third time, and passed.

MRS. MAUDE L. SMITH

Mr. MORTON. Mr. President, I ask unanimous consent to revert to Calendar No. 2531, House bill 5584.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5584) for the relief of Mrs. Maude L. Smith.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MAGNUSON. Mr. President, for the purpose of the record, let me say that I appreciate the consideration of both committees in this case. This woman's small child was killed by a Post Office truck, during the time when there was a hiatus or a vacancy in the city of Seattle in the office of postmaster. The committee thought there might have been some laches on the part of the woman herself, but both postmasters have assured me that there was no laches at all. All the information was before the Judiciary Committee prior to the reporting of the bill. This woman lost her small child. She is quite distraught; and I think what is proposed is the minimum we should do for Mrs. Smith in this case.

Mr. BARRETT. Mr. President, on the basis of the Senator's explanation, we withdraw the objection.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

PROHIBITION OF USE OF UNTESTED ADDITIVES IN FOOD—BILL PASSED OVER

Mr. TALMADGE. Mr. President——

The PRESIDING OFFICER. The attention of the Chair is called by the Parliamentarian to the fact that there is one more bill at the foot of the calendar, which must be disposed of, namely, Calendar 2487, House bill 13254, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CLARK. Mr. President, it is my understanding that the Senator from Colorado [Mr. CARROLL] indicated that he had been asked to object to the bill and to ask that it be passed over, because of the fact that it was objectionable to the junior Senator from Wyoming [Mr. O'MAHONEY], who cannot be present. Accordingly, I must ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

DR. HERBERT H. SCHAFER AND HIS WIFE

Mr. TALMADGE. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 2462, Senate bill 4109.

Th PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4109) for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORTON. I object.

Mr. TALMADGE. Mr. President, will the Senator withhold his objection in order that I may offer an explanation of the bill?

Mr. MORTON. Certainly.

Mr. TALMADGE. This bill was introduced in the Senate by me, and a companion bill was introduced in the House by Representative PAUL BROWN of Georgia, to admit Dr. and Mrs. Schafer to permanent residence in the United States. Its purpose is to prevent the disruption of a vital program of advanced research on diseases of the heart presently being conducted at the Eugene Talmadge Memorial Hospital at Augusta.

Dr. Schafer, a native of Germany and a citizen of France, is director of the Electrocardiographic Laboratory of the Eugene Talmadge Memorial Hospital. That hospital is a State-supported institution operated by the State of Georgia in connection with the Medical College of Georgia for the twofold purpose of providing medical care for indigent Georgians and conducting advanced research, particularly in the fields of cancer and heart disease.

Dr. Schafer presently is engaged in invaluable work in an extensive research project at the Talmadge Hospital which has as its objective the perfecting of surgical techniques for the cure of congenital and rheumatic heart disease. Dr. Schafer's skills in the examination of the heart are considered by hospital authorities to be irreplacable and his departure would be a great blow not only to Georgia but also to the entire medical profession.

With the assistance of Senator RUSSELL, Congressman BROWN and myself, Dr. Schafer—who is in this country on an exchange-visitor status—sought a waiver of the 2-year foreign residence requirement under Public Law 555. But, because he is not engaged in any research project financed by Federal funds, the United States Public Health Service declined to recommend a waiver for him. And, that being the case, the Department of State and the Immigration and Naturalization Service had no alternative under the law but also to decline a recommendation.

The Public Health Service did not minimize the importance of Dr. Schafer's work but took the position that it cannot recommend waivers for physicians not directly engaged in Public Health Service projects or research.

The Committee on the Judiciary, recognizing the extenuating circumstances of this case, unanimously recommended passage of S. 4109. However, because waiver had been declined under Public Law 555, an objection was interposed when the measure was considered on Calendar Call yesterday.

It is apparent, Mr. President, that if allowed to continue in his present capacity, Dr. Schafer will be in a position to make a significant contribution to the advancement of medical science.

Unless this bill is passed at this session, Dr. Schafer and his wife will be forced to depart the country and the research project in which he is engaged will be interrupted, if not terminated.

I believe this Senate will agree that it is the national interest that Dr. Schafer and his wife be admitted to permanent residence for the purpose of obtaining citizenship and, on behalf of my colleague and myself, I sincerely hope the Senate will enact this measure.

I sincerely hope that the Senator from Kentucky will withdraw his objection.

Mr. MORTON. Mr. President, do I correctly understand that Dr. Schafer came here on an exchange basis?

Mr. TALMADGE. The Senator is correct.

Mr. MORTON. My objection, of course, is not to Dr. Schafer, whom I do not know.

Mr. TALMADGE. I understand.

Mr. MORTON. I understand about the great work he is doing.

I have a very strong feeling that people who are brought here at the taxpayers' expense in connection with exchange programs should go back to their own countries. That is the purpose of the program.

Mr. TALMADGE. I point out to the Senator, however, that if he had been employed by the Federal Government instead of the State government, the Federal Government would gladly have recommended that he be allowed to remain.

Mr. MORTON. In view of the great work which the Senator assures me the doctor is doing, and in view of the unusual circumstances of the case, I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

Mr. TALMADGE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated August 18, 1958, from Herbert H. Schafer, the beneficiary under the bill, to Hon. PAUL BROWN, a Member of Congress from the State of Georgia.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 18, 1958.

Hon. PAUL BROWN,
Congress of the United States,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN BROWN: Thank you for your letter of August 14, 1958, which contained several discouraging enclosures; I received it this morning.

As Senator TALMADGE has informed me by telegram that the Senate Judiciary Committee has favorably reported his bill for my wife's and my relief and Senator TALMADGE expressed hope that the bill will be passed in the Senate and sent to the House this week, I should like to submit some information which the House Judiciary Committee might consider as a mitigating circumstance in my particular case. I thought it important to write you immediately just in case they did meet on private immigration bills this session.

The law states that aliens entering as exchange visitors prior to June 4, 1956, or "who departed as exchange visitors prior to that date will not be subject to the restrictions on immigration provided in Public Law 555 unless they subsequently acquire this status." We could easily have left the country during this "period of grace" and reentered with an immigration visa.

When I entered the United States as an exchange visitor on April 22, 1954, there were no immigration restrictions on such aliens; i. e., I did not fall under this law originally. The reason that I did not make an effort to escape jurisdiction by leaving the United States at that time is as follows: The university was in full teaching session and I was urged not to leave during this critical time. Neither the university nor, of course, myself, realized the extreme likelihood that the waiver request would not be granted. The university officials promised every effort in my behalf—which they have made—and all of us believed that either by the waiver provision or as a last resort by private legislation we could probably expect favorable action. I sincerely hope that the error of judgment in not protecting myself against the restrictions of Public Law 555—which error was made in good faith and out of sense of responsibility to the university—will not end my hopes to have my status changed.

Please accept my gratitude for all your efforts.

Sincerely yours,
HERBERT H. SCHAFER, M. D.

MARKUS H. TEITEL

Mr. JAVITS. Mr. President, I ask unanimous consent for the present consideration of Calendar 2066, House bill 6595.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6595) for the relief of Markus H. Teitel.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 765. An act to increase the authorization for the appropriation of funds to complete the International Peace Garden, N. Dak.;

S. 1542. An act for the relief of Lori Biagi;

S. 2043. An act for the relief of Genoveffa Migliorni;

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes;

S. 2530. An act to designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Mont.;

S. 2592. An act to amend the law relating to the execution of contracts with Indian tribes;

S. 2594. An act to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes;

S. 2850. An act for the relief of Maria Pontillo;

S. 2868. An act to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans;

S. 2922. An act to authorize per capita payments to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes;

S. 3139. An act to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio;

S. 3203. An act relating to minerals on the Wind River Indian Reservation in Wyoming, and for other purposes;

S. 3534. An act to authorize the Secretary of the Army to convey approximately 181 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.;

S. 3564. An act to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers;

S. 3572. An act to authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md., and for other purposes;

S. 3676. An act for the relief of Maria Michela Leo Di Giola;

S. 3682. An act to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes;

S. 3723. An act to amend Public Law 522, 84th Congress (relating to the conveyance of certain lands to the city of Henderson, Nev.);

S. 3873. An act to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds;

S. 3882. An act to amend the act of July 1, 1948, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers;

S. 3986. An act to authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Miss., and for other purposes;

S. 4004. An act to encourage and authorize details and transfers of Federal employees for service with international organizations;

S. 4167. An act to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes;

S. 4191. An act to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication;

S. 4287. An act to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases;

S. J. Res. 178. Joint resolution authorizing the President of the United States of America, to proclaim February 8–14, 1959, as National Children's Dental Health Week;

S. J. Res. 190. Joint resolution to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska; and

S. J. Res. 201. Joint resolution to authorize the chairman on the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

PROVISION OF NOTICE OF APPEAL FOR INTERLOCUTORY RELIEF AGAINST ORDERS OF CERTAIN ADMINISTRATIVE AGENCIES

The Senate resumed the consideration of the bill (H. R. 6789) to provide for reasonable notice of applications to the United States courts of appeal for interlocutory relief against the orders of certain administrative agencies.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Indiana [Mr. JENNER].

The Chair recognizes the Senator from Indiana.

PRINTING AS A SENATE DOCUMENT THE LEGISLATIVE HISTORY OF SENATE BILL 2646

Mr. JENNER. Mr. President, under the agreement worked out with the majority leader, the debate on S. 2646, the Jenner-Butler bill, will be substantially curtailed. This is a matter of great importance, and I think it is important that the record should be clear. I therefore ask unanimous consent that the legislative history of this bill in the present session of Congress, as compiled by the Parliamentarian of the Senate, may be printed as a Senate document.

So that we may be fair about this, Mr. President, I ask that this document include all the remarks which have been made on the subject of this bill, either by its proponents or by its opponents, during the present session.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVISION OF NOTICE OF APPEAL FOR INTERLOCUTORY RELIEF AGAINST ORDERS OF CERTAIN ADMINISTRATIVE AGENCIES

The Senate resumed the consideration of the bill (H. R. 6789) to provide for a reasonable notice of applications to the United States courts of appeal for interlocutory relief against the orders of certain administrative agencies.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Indiana [Mr. JENNER].

Mr. JENNER. Mr. President, I send to the desk a modification of my amendment. I wish to modify my amendment accordingly.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 4, immediately preceding the period, it is proposed to insert the following: "and not involving a discrimination based on race, color, or religion."

The PRESIDING OFFICER. The Senator has the right to modify his amendment accordingly.

Mr. HENNINGS. Mr. President, if this is the appropriate time to do so, I desire to object. When the yeas and nays have been ordered on an amendment, I believe a modification of the amendment is not in order, except by unanimous consent.

Mr. JENNER. I ask unanimous consent.

Mr. HENNINGS. I reluctantly am compelled to object, because it is the desire of those in opposition to speak against the entire amendment as offered by the Senator from Indiana.

Mr. JENNER. The Parliamentarian has informed me that the yeas and nays have been ordered on the motion to table, not on my amendment. We are not dealing with the motion to table, on which the yeas and nays have been ordered. The yeas and nays have not been ordered on my amendment.

Mr. HENNINGS. I should like to ask the Chair to instruct the clerk to again read the amendment. I was not able to hear it clearly.

The PRESIDING OFFICER. The clerk will read the amendment.

The LEGISLATIVE CLERK. On page 2, line 4, immediately preceding the period, it is proposed to insert the following: "and not involving a discrimination based on race, color, or religion."

The PRESIDING OFFICER. The Senator has a right to modify his amendment. The yeas and nays have been ordered on the motion to lay on the table, not on the amendment.

Mr. HENNINGS. Again, I reluctantly, with all respect to my friend and associate on the Committee on the Judiciary [Mr. JENNER], and also my other distinguished associate on the Judiciary Committee, the Senator from Maryland [Mr. BUTLER], am compelled to object. I am advised by parliamentary authorities—although I have not discussed it with our distinguished Parliamentarian, but I understand other Senators have discussed it with him—that the yeas and nays having been ordered, any modification or substitution or striking out of any portion of the amendment is not in order.

Mr. JENNER. The yeas and nays have not been ordered on the amendment, but on the motion to lay on the table.

Mr. HENNINGS. As I understand, the yeas and nays have been ordered on the motion to lay on the table.

The PRESIDING OFFICER. That is correct. They have not been ordered on the amendment.

Mr. HENNINGS. I stand corrected.

Mr. JENNER. Mr. President, the bill, S. 2646, has come to be known as the Jenner-Butler bill, and under that name has been the subject of about as much abuse as I have ever known to be heaped on a single piece of legislation. It has also been the subject of a great deal of propaganda, and a great many misrepresentations, and a great many unjustified innuendoes, all aimed at creating an atmosphere in which the bill could not be passed.

So bitter has been the reaction against this bill in certain quarters that the Attorney General of the United States has put it in writing that so long as it is a part of this bill, he objects to a legislative provision which he had previously approved and which he says he stands willing to approve if it is offered as separate legislation and not as a part of this bill.

Some of the amendments offered by the Senator from Maryland, and adopted by the Committee on the Judiciary, have not had an opportunity for fair consideration in the public mind. Having been accepted as a part of the Jenner bill, they have won the undying opposition of certain groups to whom the Senator from Indiana is anathema and anything he touches is thereby defiled.

Actually, the Senator from Maryland should be getting hurrahs from the people who opposed the bill as I originally introduced it, because the Senator from Maryland offered the amendment, adopted by the Judiciary Committee, which struck out four-fifths of my original bill. But nobody is giving the Senator from Maryland credit for that. The constructive and affirmative amendments which he offered have been tacked onto my bill, and are now a part of it; and the Senator from Maryland is supporting the principle of my bill, as embodied in section 1 and referring to the one area out of five, originally proposed, where the committee has left it effective.

Mr. HENNINGS. Mr. President, will the Senator yield at this point for an observation about our colleague from Maryland?

Mr. JENNER. I am glad to yield.

Mr. HENNINGS. I should like to say, in all fairness, that I support the statement of the Senator from Indiana that the distinguished senior Senator from Maryland, my colleague on the Committee on the Judiciary, did oppose in principle certain sections of what was first known as the Jenner bill. The learned Senator from Maryland, an able lawyer and valued member of the Committee on the Judiciary, offered an amendment to the Jenner bill. It certainly may well be said that in committee, according to the views of some of us—which I do not expect my good friend from Indiana to concur in—we had before us certainly a better bill than was originally presented by my good friend from Indiana. Be that as it may, I believe that the Senator from Maryland should have the benefit of note being taken of the position he took on the other portions of the bill.

Mr. BUTLER. I thank the Senator for his kind remarks.

Mr. JENNER. So the people and the groups who hate the Jenner bill because it is the Jenner bill have tarred the Senator from Maryland with the same stick with which they smeared me, and now they hate the Jenner-Butler bill because it is the Jenner-Butler bill.

This is an absurd and thoroughly unfair situation, which would give me great cause for worry if I was not sustained by my faith that the Members of this body will not be swayed by any such personalizations, but will consider this bill section by section, on its merits.

Perhaps it may be helpful, for the record at least, to refer to the reason why this bill was introduced at all. It was introduced because I had become gravely concerned by what appeared to be the self-evident fact that we had a runaway Supreme Court to deal with.

This was irritating to me as a lawyer. The Supreme Court of the United States, under the Constitution, is not supposed to legislate; but here was a Court that was legislating left and right, in case after important case laying down rules of general applicability, and sometimes even going so far as to make arrangements for judicial enforcement of its judicially made law.

Ever since the Tidelands decision, this situation had been growing steadily

worse. My colleagues will remember that in the Tidelands case the Supreme Court threw the principle of eminent domain out the window, disregarded the principle of the inviolability of property rights, and enunciated the startling doctrine that if the Central Government wanted the tidelands, and said it needed them, presto, by right of paramount interest the Central Government owned them. The need for remedial action by the Congress thereupon seemed clear; and in the Tidelands case Congress did act to correct the situation. But there had been a long line of cases, involving Communists and subversive activity, in which the Court had accepted, point after point, the legal propositions advanced by the Communists, until we arrived at a point where it seemed to me Congressional action was inescapably required. By that time the Supreme Court, through its decisions, had robbed the States of their right to protect themselves against subversion through laws enacted by their respective State legislatures and enforced by their State officials; had deprived Congressional committees of the power to control their own investigations subject only to the supervision of their parent bodies; had deprived the executive branch of the Federal Government of power to get rid of Communist employees, except in certain sensitive positions, and had made a shambles of the Smith Act, so that there was no longer any law, State or Federal, on the statute books of this country, under which current activities of the Communist conspiracy could be stopped or punished. States had been required to rehire Communist teachers, and to permit Communists to become officers of State courts through admission to the bar.

Clearly, this was a situation in which the balance of powers decreed under the Constitution had been upset by the usurpations of the judicial branch. The result of this line of Supreme Court decisions had been to bring about a crisis in law enforcement, a crisis in dealing with the Communist conspiracy; but above all, what we were faced with was a constitutional crisis, it seemed to me; and I sought to apply the remedy found in the Constitution itself, one of the check-and-balance provisions of the Constitution, the grant of authority to the Congress, contained in article III, section 2, to regulate and make exceptions to the appellate jurisdiction of the Supreme Court.

Accordingly, I drafted a bill to withdraw appellate jurisdiction from the Supreme Court in 5 specified areas; and this was the original Jenner bill, which I introduced as S. 2646 on July 26, 1957.

During hearings on the bill, a number of witnesses suggested that, while the principle I had adopted was sound, the application of that principle which I proposed was too broad. The principle should be used, these witnesses said, on a much narrower front, and only where its application was sure to produce a desired result. To deal with the other matters raised by the various Court decisions, it was suggested, Congress should amend the specific legislation interpreted by the Court, so as to correct the law, instead of attempting to coerce the Court into changing its decisions.

Well, I had never intended to coerce the Court; the purpose of my bill was remedial and not punitive, and I said so at the time I introduced it. But I saw what these critics of the bill meant. They meant that we could not trust the Court to correct its mistakes, and that under the influence of these mistaken Supreme Court opinions it was not even certain that the lower courts would go back to the sound and basic principles which had constituted the law before the Supreme Court began changing things around. Only if Congress itself corrected the evil effects of the Supreme Court's decisions, it was argued, could we be certain that they would stand corrected.

It was in line with the suggestions and recommendations of these witnesses that the Senator from Maryland proposed a series of amendments to my bill; and it was because I understood what he was trying to do that I have gone along with the Butler amendments approved by the Judiciary Committee.

As reported from the Judiciary Committee, this bill consists of 4 sections.

Section 1 would withdraw from the Supreme Court appellate jurisdiction over admissions to the practice of law in State courts, thus restoring to the highest court of each State authority to make final decisions respecting who may be officers of that court and the lower courts of the State.

Every witness who has appeared—and I think even the proponents of the bill—will admit that Congress has that authority under article III, section 2 of the Constitution. In other words, that authority was placed in the Constitution so that we would have a check and a balance against every department of the Government to prevent its invasion of the other departments. This check was given to Congress explicitly in the Constitution, so that Congress could keep a check on the judicial usurpation of the legislative powers.

Section 2 of the bill, as amended, and reported, and which we are discussing as the Jenner amendment to the pending bill, provides for contemporary determination of the issue of pertinency before a Congressional committee, so as to supply the witness with that certainty respecting what is being required of him which the Supreme Court said, in the Watkins case, a witness should have.

This section would also permit a Congressional committee to control its own legislative investigations, subject to the will of its parent House. This section will not authorize any committee to act outside its jurisdiction, and would not deprive the Federal courts, including the Supreme Court, of the right to determine as a matter of law whether the committee was acting within its jurisdiction in any particular instance.

Section 3 would restore enforcibility of the various State antisubversive statutes which were rendered unenforcible by the Supreme Court decision in the Nelson case. Statutes affected include those of 42 States and Alaska and Hawaii.

Section 4 would amend the Smith Act in three respects so as to make it applicable to current activities of the Communist conspiracy in this country. The word "organize" would be defined so as to be applicable to the normal activities of a Communist organizer, such as forming new groups, recruiting members, shifting leadership, and so forth. Probable immediate effect would be eliminated as an element of the crime of teaching and advocating the forceful and violent overthrow of the Government; but the principle that speaking does not involve a crime unless it involves incitement to either present or future action would not be abandoned. This section would further amend the Smith Act so as to make intent to bring about the overthrow of the Government of the United States by force and violence, coupled with an attempt to implement that intent by teaching or advocating the duty or necessity of such overthrow, a punishable crime.

In dealing with the Communist conspiracy, we must never forget that it is a conspiracy with which we are dealing.

As I have declared before, Mr. President, a misdeed by an individual, as an individual, is one thing; the action of a member of a conspiracy, in furtherance of the conspiracy, is quite another matter, in law and in fact.

Conspiracy is not a serious problem where law and order prevail and sovereignty is unchallenged. But conspiracy is a problem of deadly seriousness, where the rule of law is challenged, or sovereignty is threatened, by groups working to destroy the Nation. The Communist conspiracy is that kind of a conspiracy, and the Supreme Court of the United States has so held.

As Dr. Edmund E. Witte says, in Government in Labor Disputes, the doctrine of conspiracy rests upon the proposition that the many acting in combination have a power for evil far greater than than of any one individual.

As Mr. Justice Harlan said, in Arthur against Oakes:

> Because of the great power of combinations, the law inquires into the purposes of those who combine.
>
> If the purpose is one which the law condemns, the very combining is illegal.
>
> The crime of conspiracy is complete when a group of men agree to do something unlawful, before they have done anything more to carry out their purpose.
>
> The unexecuted intent to do wrong is itself criminal.
>
> Again, much that individuals may lawfully do becomes illegal when done by many in combination.

So great is the power of conspiracy deemed to be, that once a combination to effect some unlawful purpose has been formed, every act done in pursuance thereof is illegal, although such an act is of itself innocent.

All those who engage in combination to accomplish an illegal purpose, moreover, are responsible for the acts of any of their number which are done to carry out the common intent.

I will not say the Supreme Court of the United States has forgotten these privileges, as they apply to the world Communist conspiracy. What the majority of the court has done, since the Dennis decision written by the late Chief Justice Vinson, has been to treat the Communist conspiracy as no conspiracy at all, but merely a matter of political belief and association.

As to the need for some action to remedy the situation in which we find ourselves by reason of recent Supreme Court decisions, let me quote an eminent Constitutional authority.

The New York Times on March 16, 1958, printed the following letter from Prof. Edward S. Corwin of Princeton University, editor of the Constitution Annotated:

> To the Editor of the New York Times:
>
> I quite agree with your editorial of February 26 that Senate bill 2646 threatens a dispersal of judicial power that would lead to much confusion. At the same time the measure deals with a real problem which is recognized, for instance, by Judge Learned Hand in his Harvard lectures: that of keeping the court out of legislative territory; and I might add, out of executive territory too.
>
> There can be no doubt that on June 17 last the court went on a virtual binge and thrust its nose into matters beyond its competence, with the result that (in my judgement at least) it should have aforesaid nose well tweaked.
>
> Its holding in the Watkins case, in which it claims the right to recast Congressional resolutions authorizing committee investigations, is quite irresponsible and indefensible, interfering as it does with the great primal power, an inheritance of the Mother of Parliaments, as Inquest of Realm. For the transmission of this right to Congress via the early State legislature, see the authoritative article by Dr. George B. Galloway, Investigations, Governamental, in the Encyclopedia of Social Sciences (N. Y., 1932).
>
> Equally irresponsible was the Court's holding in the Yates case on the same occasion. This practically repealed the Smith Act, although a year earlier the Court had held, in the Nelson case, that the act repealed all State antisedition acts, the total result being to leave the country exposed to unjustifiable propaganda urging the right of revolution.
>
> What, then, is the remedy for this vicious nonsense? I would suggest a declaratory act of Congress assertive of the correct reading of the Constitution on the points involved in the above-mentioned cases. And I would add a reference to the Court's weird holding in *Cole v. Young* (July 2, 1956), in which the unique doctrine is arrived at that the Court may undertake to pit its judgment against that of an executive official as to the loyalty or reliability of a subordinate of the official.
>
> The country needs protection against the aggressive tendency of the Court, no doubt. Unfortunately, Senate bill 2646 goes so far that its adoption would violate that ancient maxim of common sense, not to throw the baby out with the bath.

Mr. President, I do not agree with Professor Corwin that the bill S. 2646, as I introduced it—and that was the bill he was talking about, not the present Jenner-Butler bill, because there is only one section of the original bill left—went too far. I certainly do agree with him that there is no doubt that the country needs protection against the aggressive tendency of the Court. As it turned out, the Judiciary Committee, in reporting the bill, struck out the portions which Professor Corwin thought went too far, and limited the withdrawal of jurisdiction to the single area of admissions to the practice of law in State courts. This is an absolute minimum. The Supreme Court of the United States had previously ruled that who was to practice in the State courts was none of their business.

It is the smallest area of all those in which I originally proposed jurisdiction should be withdrawn. It is, however, the clearest case of judicial usurpation; for traditionally, the Supreme Court has never had nor claimed jurisdiction to review the findings of State courts with respect to bar admissions. Even the president of the American Bar Association, in a speech opposing enactment of my bill, declared:

> The curb approved by the committee removes jurisdiction in cases involving admission to the bar by the States, an area where obviously most lawyers would agree that jurisdiction should not exist except under most extreme and unusual circumstances.

I think the amendment I have just offered clarifies that proposition.

It is my understanding that Professor Corwin does not see objection to any present provision of the bill, as reported from committee, except that he considers it theoretically possible, even if not probable or even likely, that under section 1, some State might discriminate between or among bar applicants on the basis of race, religion, or color. I am not authorized to quote Professor Corwin directly on this point, but it is my understanding he would like to see some protection against even the theoretical possibility that this might be done. To provide such protection, Mr. President, a moment ago I submitted my amendment to section 1. The amendment is in the form of an exception, and it would preserve the appellate jurisdiction of the Supreme Court in any bar admissions case involving discrimination based on race, color, or religion.

Mr. President, I propose to devote the majority of my time today to discussing the first section of the bill. But there are some things I want to say about the other sections, also.

Section 2 of the bill is a very modest approach to the solution of a major problem. I am not sure but that it may become necessary for Congress to take further and more drastic action, in order to reassert its prerogatives, which the Supreme Court has either challenged or usurped in its decision in the Watkins case, and in its treatment of subsequent cases under the Watkins decision. But as a first step toward recovering some of its proper powers with respect to legislative investigations, Congress is surely justified in enacting the provisions of section 2 of this bill.

Section 2 amends the contempt statute so as to provide for the contemporary determination of any disputed question of pertinency in connection with a question asked of any witness appearing before a Congressional committee.

What is involved is pertinency in the sense of a legislative determination that certain information or information of a certain kind is desired to serve the legislative purpose, and that a particular question is reasonably well calculated to produce the desired information. When a question is pertinent in this sense, if the committee is acting within its jurisdiction, the witness must answer the question when properly directed to do so, or be guilty of contempt of the Congress.

Section 2 does not affect the question of whether a committee in any given instance is acting within its jurisdiction. That question may be raised by any witness at any time, and where raised, it is always a question of law for determination, ultimately, by the courts.

Let us consider the problem facing the Congress in the performance of legislative duties concerned with protecting the Government of the United States. The acknowledged situation confronting this Nation, as stated by the Supreme Court in Denis versus United States,[1] is "the development of an apparatus designed and dedicated to the overthrow of the Government, in the context of world crisis after crisis." The Dennis case conspirators intended to overthrow the Government "as speedily as the circumstances would permit. Their conspiracy to organize the Communist Party and to teach and advocate the overthrow of the Government by force and violence created a clear and present danger. They were properly and constitutionally convicted for violation of the Smith Act."[2]

The court of appeals had held earlier that the record in the case amply supported the necessary finding of the jury that the conspirators, "the leaders of the Communist Party in this country, were unwilling to work within our framework of democracy, but intended to initiate a violent revolution whenever the propitious occasion appeared."[3] The majority of the Supreme Court rejected "any principle of Government helplessness in the face of preparation for revolution, which principle, carried to its logical conclusion, must lead to anarchy. No one can conceive that it is not within the power of Congress," said Mr. Chief Justice Vinson, "to prohibit acts intended to overthrow the Government by force and violence."[4]

Although the more recent decision of the Supreme Court in the Yates and Schneiderman cases gave the Smith Act a construction which rendered its effective enforcement most difficult, if not impossible, that decision did not overrule the decision in the Dennis case or take issue with the concept that Congress has the power to prohibit acts intended to overthrow the Government by force and violence.

Having this power to legislate, for the protection of our national existence, against a conspiracy to overthrow the Government by force and violence, the Congress clearly has the right to inquire respecting the nature, scope, and activities of such a conspiracy; and it is equally clear that such inquiry may be made—in fact, it almost might be said that it must be made—of those who have the greatest knowledge of the conspiracy—that is, those who are present or former conspirators.

And these witnesses must not be permitted to withhold the facts of the conspiracy, as they know them, on the basis

[1] 341 U. S. 494 (1951).
[2] Ibid., pp. 516-517.
[3] Ibid., p. 497.
[4] Ibid., p. 501.

of merely technical or falsely sentimental objections. Individual rights must be recognized, but the right of the people of this country to protect themselves and be protected against subversive conspiracy, and to preserve the internal security of this Nation, must be recognized also. And we must never recognize any asserted right of any Communists or anyone else to conspire for the overthrow of our Government by force or violence or assassination.

Section 3 of Senate bill 2646 represents the absolute minimum of action necessary to undo the evil results of the Supreme Court decision in the Nelson case. So that there may be complete understanding of this situation, I want to mention here some aspects of the case which need to be clearly explained and stressed.

So there can be no doubt about exactly what the Supreme Court decided in the case of Pennsylvania against Nelson, let me read from the opinion in that case to show what the Supreme Court, itself, said was the only matter before it. Said the Court:

> The precise holding of the (Pennsylvania) court, and all that is before us for review, is that the Smith Act of 1940, as amended in 1948, which prohibits the knowing advocacy of the overthrow of the Government of the United States by force and violence, supersedes the enforceability of the Pennsylvania Sedition Act which proscribes the same conduct.

The majority opinion in the Nelson case resolved this single question before the Court by determining that Congress has intended to occupy the field of sedition.

True, the Court went on to say that Federal antisubversive statutes—

> touch a field in which the Federal interest is so dominant that the Federal system (must) be assumed to preclude enforcement of State laws on the same subject.

But this was in specific disregard of the statutory provision, contained in section 3231 of title 18 of the United States Code, and applicable to the Smith Act, that:

> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

Also, in view of its own statement as to "all that is before us for review," the Court's statement with regard to the dominancy of Federal antisubversive laws must be considered as mere dictum.

The Court also went on to say that:

> Enforcement of State sedition acts presents a serious danger of conflict with the administration of the Federal program.

This also was dictum, and furthermore, it was directly contradictory of the statement contained in the Department of Justice brief in the case, that:

> The administration of the various State laws has not, in the course of the 15 years that the Federal and State sedition laws have existed side by side, in fact interfered with, embarrassed, or impeded the enforcement of the Smith Act. The significance of this absence of conflict in administration or enforcement of the Federal and State sedition laws will be appreciated when it is realized that this period has included the stress of wartime security requirements and the Federal investigation and prosecution under the Smith Act of the principal national and regional Communist leaders.

The Supreme Court's handling of a Congressional expression of intent that the Smith Act should not preclude the enforcement of State laws in the same field, is an exercise in the fine art of making the law say exactly the opposite of what it squarely says, and means. In this connection, the Supreme Court's opinion written by Mr. Justice Warren makes a pointblank misstatement. Support for the misstatement is thereupon attempted by means of a hazy and erroneous footnote—footnote No. 10 in the Court's opinion—which shows gross incompetence in reading and applying a simple statement of law.

As it reads up to footnote 10, the opinion by Mr. Chief Justice Warren says:

> Where, as in the instant case, Congress has not stated specifically whether a Federal statute has occupied the field in which the States are otherwise free to legislate—

And at that point the footnote is added—

> Different criteria have furnished touchstones for decision.

The first statement in the passage I have quoted is specifically incorrect. Congress has stated that the Federal statute principally under review in the Steve Nelson case—that is, the Smith Act, or to cite it, title 18, section 2385, United States Code, proscribing subversive activities—does not occupy—that is, does not preempt—a field in which the States are otherwise free to legislate. Congress took special pains to see that the States were not precluded from this field.

The latter part of the sentence which I quoted from Mr. Justice Warren's opinion seems to be saying that different tests should be applied in deciding something; but it is not clear what is supposed to be decided. There would indeed seem to be something open for decision according to the categorical statement in the first part of the quotation. But since that statement happens to be categorically wrong, as I have pointed out, any question of different tests or different touchstones of decision would seem to be very much beside the point.

The Smith Act is a part of a long law which comprises title 18 of the United States Code, and is commonly referred to as the "criminal code." One of the ways in which Congress took special pains to see that the States were not precluded from the field of legislation and court action against subversive activities directed against the Federal Government (as well as against the States' own governments) was by enacting the latter part of what is now section 3231 of title 18 of the United States Code, which declares that:

> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

There can be no question about whether the Congress intended this interpretive sentence to apply to the Smith Act. Clearly, Congress intended this sentence to apply to every provision in title 18. As a matter of fact, the revisers' note with regard to the section points out that a similar clause preserving State jurisdiction, with respect to an entirely different section of title 18, was eliminated as surplusage, it being felt that the second sentence of section 3121 would cover the situation fully. In other words, the revisers of the code, and the Congress which enacted it, felt that the provisions of section 3231, saving the jurisdiction of the States, applied to all Federal crimes. It was the policy of the Congress, clearly here enunciated, that no Federal criminal statute was to be the basis for invalidating a State law defining a similar or parallel crime as an offense against the State.

Footnote 10 of the majority opinion in the Steve Nelson case declares, respecting this second sentence of section 3231:

> The office of the second sentence is merely to limit the effect of the jurisdictional grant of the first sentence. There was no intention to resolve particular supersession questions by the section.

But, Mr. President, there are a few things wrong with this footnote. In the first place, it is an egregious error to say that the Congress, in declaring "nothing in this title shall be held" and so forth, did not mean this title but meant merely the preceding sentence.

In the second place, the first sentence of section 3231 involves a grant of jurisdiction to the district courts of the United States over certain offenses under laws of the United States. The second sentence involves preservation of the jurisdiction of the courts of the several States under State laws. How, therefore, the second sentence, dealing with the jurisdiction of State courts under State law, can be considered a limitation of the prior sentence, dealing with the jurisdiction of Federal courts under Federal law, is difficult to see.

But if we take the finding of the footnote at face value, and consider the second sentence of section 3231 as in fact a limitation on the first sentence, then we would have to say that although the first sentence gives the district courts of the United States certain original jurisdiction, this grant is limited by the second sentence to mean that it cannot take away or impair jurisdiction already possessed by the courts of the several States. Here, again, we would have a situation the direct opposite of the conclusion at which the Court arrived.

The last sentence of footnote 10 also deserves mention. This sentence declares:

> There was no intention to resolve particular supersession questions by the section.

Actually, it is the clear intent of section 3231 to avoid every single supersession question which might be raised with respect to either the Smith Act or any other provision of the Criminal Code; and in this sense it resolves them by specifically disavowing any intent to interfere with the enforceability of the criminal statutes of the several States. It is literally true, therefore, that this second sentence of section 3231 must have been intended to resolve every supersession question to which it should be applied. So the footnote statement is here, also, clearly wrong.

Before I leave this point, Mr. President, I want to say it is interesting that the Pennsylvania State Supreme Court, in deciding the Nelson case—where it reversed the lower courts of Pennsylvania which had considered the case—did not refer in any way to this provision in section 3231 of title 18 of the United States Code. Obviously the existence of this section was known to the court, for it was mentioned in a strong dissent by Justice Bell. But the majority opinion does not mention it.

There were seven justices on the Pennsylvania Supreme Court. Three of them concurred with Justice Jones, who wrote the opinion in the Nelson case. Two took no part in the decision, and Justice Bell wrote a dissent.

Entirely ignoring this provision of Federal law, the majority of the Pennsylvania court decided that the Pennsylvania Sedition Act had been superseded by operation of law upon enactment of the Smith act by the Congress. Curiously, Justice Jones did not base the court's decision upon a declared purpose of the Congress to preempt the field; he based it, rather, upon general propositions which led him to think the Federal antisedition statutes should be exclusive.

The excellent 16-page dissenting opinion by Justice John C. Bell, Jr., is so conclusive upon both the law and the facts as to cause the careful reader to wonder how the court's majority could possibly sign, as they did, a contrary opinion.

The only reason we can deduce for the failure of the majority of the Pennsylvania court to even mention section 3231 of title 18, United States Code, is that they found it too hot to handle. That is, they could not answer its telling effect against the position they were taking.

To summarize the situation in the Nelson case: Nelson was convicted in the trial court in Pennsylvania, before Judge Harry M. Montgomery of the Court of Quarter Sessions of the Peace of Allegheny County. This court, in a 12-page opinion, held that the jurisdiction of the Federal Government was not exclusive in this sedition field because the latter had not expressly nor by necessary implication indicated its intention to supersede or preclude action by the States. This opinion did not refer to title 18 United States Code section 3231. It did refer to the McCarran act, the so-called Internal Security Act of 1950, declaring that this act was in addition to and not in modification of existing criminal statutes.

This opinion of the trial court was set out in full and adopted by the Superior Court of Pennsylvania as its own in affirming the conviction.

The Supreme Court of Pennsylvania then reversed the conviction, without mentioning title 18, United States Code, section 3231, though this section was the keystone of a devastating dissenting opinion by Justice Bell.

The Supreme Court of the United States thereafter construed the meaning of title 18, United States Code, section 3231, as exactly the opposite of its plain intent, and on this basis, plus some broad dicta, held not only that the Pennsylvania Sedition Act had been superseded by Federal law, but that the antisedition laws of 42 States and Alaska and Hawaii were unenforcible because of Federal preemption of this field.

With the McCarran Act tied up in litigation furthered and compounded by the Supreme Court, the Nelson decision left the Smith Act as the only useful and enforcible major antisubversive statute available as a defense against the Communist conspiracy. In the Yates and Schneiderman decision, the Court rendered the Smith Act unenforcible against current Communist activity, thus leaving this country defenseless against the Communist conspiracy, with no statute, Federal or State, which can be used to curb or punish Communists who are today working for the overthrow of this Government by force and violence. Section 3 of S. 2646 will restore the usefulness of State antisubversive laws, and section 4 will shore up the Smith Act and make it once more a useful instrument in fighting the Communist conspiracy.

Because there have been some questions by Senators as to the right of a State to punish as a crime subversive activity within its borders but directed against the Federal Government, I want to discuss this point briefly.

The Supreme Court has repeatedly held that States are competent to pass statutes against subversion, and that the enactment of such statutes is not unconstitutional under the Federal Constitution. To put it another way, the courts have repeatedly held that in the absence of a Federal statute to the contrary, or directly conflicting, a State law was valid which defined as a crime subversive activity against the State or against the national Government.

One of the leading cases in this line is Gilbert versus The State of Minnesota, decided December 13, 1920, and reported at volume 254 United States, page 325.

Involved in that case was a Minnesota antisubversive statute declaring it to be a misdemeanor for any person to teach or advocate by any written or printed matter or by oral speech that citizens of the State of Minnesota should not aid or assist the United States in prosecuting or carrying on war with the public enemies of the United States.

The United States Supreme Court, in an opinion written by Mr. Justice McKenna, specifically held not only that the Minnesota statute was valid under the Federal Constitution, but also that it might be upheld both as a legitimate measure of cooperation by the State with the United States, not in conflict with the Federal power, and also as an exercise of the police power to preserve the peace of the State. The purpose of the Minnesota statute, as declared therein, was to make it unlawful "to interfere with or discourage the enlistment of men in the military or naval forces of the United States or of the State of Minnesota." Gilbert was indicted for violation of this Minnesota statute. He was convicted, and the conviction was upheld by the Supreme Court of the State of Minnesota.

Counsel for Gilbert specifically contended in the Supreme Court of the United States that the Minnesota statute was repugnant to the Constitution of the United States in that all power of legislation regarding the subject matter contained in the statute is conferred upon Congress and withheld from the States.

The Supreme Court said that in order to uphold this contention the broader proposition must be established that a State has no interest or concern in the United States or its armies or power of protecting them from public enemies.

In considering this question, the Supreme Court said:

> Undoubtedly, the United States can declare war and it, not the States, has the power to raise and maintain armies. But there are other considerations. The United States is composed of the citizens of the United States, who also are citizens of the States, and it is from these citizens that armies are raised and wars waged, and whether to victory and its benefits, or to defeat and its calamities, the States as well as the United States are intimately concerned. And whether to victory or defeat depends upon their morale, the spirit and determination that animates them—whether it is repellent and adverse or eager and militant; and to maintain it eager and militant against attempts at its debasement in aid of the enemies of the United States, is a service of patriotism; and from the contention that it encroaches upon or usurps any power of Congress, there is an instinctive and immediate revolt. Cold and technical reasoning in its minute consideration may indeed insist on a separation of the sovereignties and resistance in each to any cooperation from the other, but there is opposing demonstration in the fact that this country is one composed of many and must on occasions be animated as one and that the constituted and constituting sovereignties must have power of cooperation against the enemies of all.

Continuing, the Supreme Court said it specifically agreed with the finding of the Minnesota Supreme Court, "that the State is not inhibited from making 'the national purposes its own purposes to the extent of exerting its police power to prevent its own citizens from obstructing the accomplishment of such purposes.'"

In the case of Halter against Nebraska, volume 205, United States, page 34, the Supreme Court of the United States upheld a Nebraska statute directed against the debasement of the national flag. It had been contended by the defendant that the flag of the United States was the national emblem and as such subject only to the control of the national power. The Supreme Court, in sustaining the Nebraska statute, recognized that in a degradation of the flag there is a degradation of all of which it is the symbol, that is, the national power and national honor and what they represent and have in trust. To maintain and reverence these, to encourage patriotism and love of country among its people, may be affirmed, the Court said, to be a duty which rests upon each State.

In the case of Gitlow against People of New York, decided June 8, 1925, and reported at volume 268, United States, page 652, the Supreme Court of the United States was dealing specifically with a Communist case. Benjamin Gitlow was one of the leaders of the Communist

Party. He had been indicted in the Supreme Court of New York, along with three others, for the statutory crime of criminal anarchy. Separately tried and convicted, he had appealed, only to have his conviction affirmed by the appellate division and by the New York Court of Appeals. In the Supreme Court of the United States, Gitlow's counsel contended that the New York statute, by its terms and as applied in his case, was repugnant to the due process clause of the 14th amendment.

The Supreme Court declared:

That a State in the exercise of its police power may punish those who abuse this freedom (of speech) by utterances inimical to the public welfare, tending to corrupt public morals, incite to crime, or disturb the public peace, is not open to question. (Citing numerous cases.) Thus it was held by this Court in the Fox case, that a State may punish publications advocating and encouraging a breach of its criminal laws; and, in the Gilbert case, that a State may punish utterances teaching or advocating that its citizens should not assist the United States in prosecuting or carrying on war with its public enemies.

And, for yet more imperative reasons, a State may punish utterances endangering the foundations of organized government and threatening its overthrow by unlawful means. These imperil its own existence as a constitutional State. Freedom of speech and press, said Story, does not protect disturbances to the public peace or the attempt to subvert the Government. It does not protect publications or teachings which tend to subvert or imperil the Government or to impede or hinder it in the performance of its governmental duties. It does not protect publications prompting the overthrow of Government by force; the punishment of those who publish articles which tend to destroy organized society being essential to the security of freedom and the stability of the State. And a State may penalize utterances which openly advocate the overthrow of the representative and constitutional form of government of the United States and the several States, by violence or other unlawful means.

Mr. President, I do not want to take the time to traverse and discuss individually each of the attacks which has been made on this bill. In the main, they are repetitive, and often singularly similar in language. However, my attention has been especially directed to a document entitled "Report of the Board of Managers of the Chicago Bar Association Opposing the Jenner Bill (S. 2646) as Amended and Reported to the Senate by the Judiciary Committee." This document has had considerable circulation in my State and has also, I believe, been circulated to many Members of the Senate, if not to all my colleagues. I am sure it has also been widely circulated in Illinois, and perhaps elsewhere. Perhaps by analyzing this, and showing up its errors, we can get a sort of birdseye view of the opposition.

This brief against S. 2646—for that is what the so-called Report of the Board of Managers of the Chicago Bar Association amounts to—does not speak truly; and in many ways its misstatements and deficiencies are typical of the campaign of misstatements and half-truths which have been waged against this bill.

In the first paragraph of this document, the board of managers of the Chicago Bar Association declares of S. 2646 that:

This bill, as finally amended and reported to the Senate, in general would limit the appellate jurisdiction of the United States Supreme Court and overrule certain Supreme Court decisions.

The fact is that this bill would limit the appellate jurisdiction of the Supreme Court only to the extent of removing from that jurisdiction questions relating to bar admissions in the courts of the several States. Furthermore, the bill would not overrule any Supreme Court decisions. Let me explain this.

Section 1 of the bill concerns the withdrawal of jurisdiction to which I have already referred.

Section 2 of the bill amends a criminal statute enacted by the Congress, so as to define a word used therein. The purpose is not to change the holding of the Supreme Court in the Watkins case that a witness before a Congressional committee is entitled to certainty with respect to what is being required of him, and with respect to the legislative finding that any question he is being required to answer is a question reasonably intended to elicit information desired by the legislative branch. The purpose of section 2 is to provide this certainty which the Court says the witness should have. This section does not negative anything that was contained in the Watkins decision, and therefore cannot be said in any sense to be overruling that decision.

Section 3 is designed to restore the enforcibility of State antisubversive laws; but cannot be said to overrule the decision of the Supreme Court in the Nelson case, since this section only sets up a rule for the future, being merely a declaration of Congressional intent. It is true, however, that the intent declared is different from the intent attributed to the Congress by the Supreme Court in the Nelson case.

Section 4 amends the Smith Act so as to make it currently useful against the Communist conspiracy; but here again there is no overruling of the Court. It was the law as formerly and presently on the statute books that the Supreme Court interpreted in the Yates and Schneiderman cases. For Congress to change this language does not involve a challenge to the Supreme Court's interpretation, or an overruling of it, but is merely an exercise of Congress' power to amend a statute whenever it is found that for any reason, whether because of interpretation, enforcement, or some inherent deficiency or outside impediment, the statute is not working well.

The CBA board of managers report goes on to say that the amendments to S. 2646 provided for the following, and then come four numbered paragraphs.

The first of these is as follows:

1. A Congressional committee is final in its ruling on whether or not a question should be answered on the point of pertinency.

This is not a full and correct statement. To be full and correct, the statement as written should be preceded with the words "while acting within its jurisdiction" so as to make it read: "While acting within its jurisdiction, a Congressional committee is final in its ruling on whether or not a question should be answered on the point of pertinency."

To state it another way, the pertinency with respect to which the committee is to make the final decision is legislative or procedural pertinency; while the question of jurisdictional pertinency remains a question of law to be decided by the courts.

The second numbered paragraph in the CBA board of managers report reads as follows:

2. The head of any department or agency of Government could summarily suspend without pay any employee found to be a security risk without any appeal therefrom.

This was the substance of an amendment which was offered by the Senator from Maryland, but which was not accepted in committee. The CBA board of managers report notes this by saying—beginning at the bottom of page 1 of the report—

As finally reported to the Senate by the Judiciary Committee, bill S. 2646 is substantially as amended by Senator BUTLER, except that the provision for the suspension of an employee by the head of his department was deleted from the bill by the Judiciary Committee, and the bill was reported out of that committee without this provision.

Notwithstanding this evidence that the board of managers of the Chicago Bar Association knows what actually happened to that particular amendment which Senator BUTLER offered, a little farther down in their report the CBA managers list as one of the reasons why they find objectionable the other provisions of S. 2646, as amended, the following:

3. The provision enabling summary suspension of individuals by the head of any department or agency of the Government would deprive them of procedural safeguards against arbitrary governmental action in direct contravention of the purposes of the civil service laws, as expressed in sections 652 and 863, title 5, U. S. C. A.

Thus the CBA managers cite as an objection against the bill what they consider to be the deficiencies of a section which is not in the bill, and which their own report indicates they know was offered as a proposed amendment and rejected in committee. How this could come about is difficult to understand.

The third numbered paragraph in the CBA managers' categorization of amendments introduced by Senator BUTLER in this:

3. A Federal act cannot occupy a legislative field to the exclusion of the State law, unless it expressly so provides.

This statement is grossly inaccurate, since as written it indicates that the bill provides a general rule with respect to Federal preemption, a rule to be applicable in all fields of law. The fact is that the amendment offered by the Senator from Maryland, and which is now in the bill as section 3, amounts to a Congressional disclaimer of intent to preempt the field only with respect to antisubversive legislation. Whether the CBA managers have deliberately misrepresented the scope of this amendment, or have misunderstood the amendment, cannot be determined. Either alternative seems most unlikely.

The fourth numbered paragraph in the CBA board of managers' categorization of the Butler amendments is this:

4. The Smith Act is amended so that advocating or teaching the overthrow or destruction of the Government is made a crime without regard to the immediate probable effect of such action.

This statement is not grossly incorrect, but is inadequate because not sufficiently precise. It is not the mere advocacy or teaching of the overthrow or destruction of the Government which is prohibited by the Smith Act, and with respect to which immediate probable effect would be eliminated, as an element of crime, by the amendment proposed in section 4 of S. 2646. What the Smith Act makes a crime is knowingly or willfully advocating, abetting, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States or the government of any State, Territory, District, or possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government.

The report of the board of managers of the Chicago Bar Association goes on to declare that:

Judicial review of the constitutionality of legislative decisions is a basic principle of the Constitution of the United States.

This statement is, of course, untrue. Judicial review of the constitutionality of legislative decisions is not specifically provided for by the Constitution. The power of judicial review was imported into the Constitution as Judge Hand recently put it, by Mr. Chief Justice Marshall, at a very early stage of the Court's existence. But it cannot be said to be a basic principle of the Constitution since it is not set forth in that document.

Whether this principle of judicial review of the constitutionality of legislative decisions gives breath and blood to the American philosophy that the Government is a government of laws and not of men, as the CBA managers declare in their report, depends upon whether the power of judicial review of legislation is exercised in accordance with the Constitution and the precedents, or merely utilized as a device for conforming the law to what the individual members of the Court, or a majority of them, think the law should be. In the latter case, judicial review is being used to promote a judicial oligarchy, and is bringing us far closer to a government of men and not of laws.

The CBA managers report goes on to declare that the limitations placed upon the appellate jurisdiction of the Supreme Court in the bill as amended, violate this principle of judicial review of the constitutionality of legislative decisions. The fact is, of course, that the withdrawal of appellate jurisdiction proposed in section 1 of the bill is specifically authorized by a constitutional provision—in article III, section 2. Logically, it cannot be said that exercise of a power specifically conveyed by the Constitution is violative of constitutional principle.

The CBA board of managers in their report cite, in five numbered paragraphs, the reasons why they say they are opposed to curbing the appellate jurisdiction of the Supreme Court. The first of these numbered paragraphs is as follows:

1. The independence of the Supreme Court is jeopardized if its jurisdiction can be curtailed because of the current unpopularity of certain of its decisions.

To comment on that, Mr. President, let me say first that in a narrow sense, the proposal in section 1 of S. 2646 for withdrawal of certain jurisdiction from the Supreme Court is not motivated by the current unpopularity of its decisions but by the fact that the Court has usurped and exercised a jurisdiction which as recently as 1917 it admitted it did not have at all—that is, jurisdiction over admissions to the bar of an individual State. Where the Court has thus sought to enlarge its own jurisdiction by usurpation, the only remedy would appear to be by Congressional action under article III, section 2 of the Constitution, to withdraw the jurisdiction improperly asserted.

This is not a case of punishing the Court; it is not a case of taking something away from the Court in one area because of the Court's actions in some other area; this is pinpointing the particular area where the Court has gone too far.

In the larger sense, one wonders when, as the CBA managers conceive it, the framers of the Constitution intended that the power granted to the Congress under article III, section 2, would be used. If this power is not to be used at a time when some decision or decisions or line of action by the Supreme Court is unpopular, how is it to be used at all? This power is granted by the Constitution to the Congress, which is the legislative branch, representative of the people and elected by them. Surely the Congress is not going to utilize this power to curtail the appellate jurisdiction of the Supreme Court in an area where the Court's exercise of its powers is unobjectionable.

It seems clear that the framers of the Constitution, since they inserted this grant of power as a check against the Court, must have foreseen the possibility that the time would arise when there might be occasion to use it. Such a time, it would appear, necessarily would involve improper or excessive, and therefore unpopular, use or abuse of power by the Supreme Court.

The point I am trying to make is that the time to curtail the jurisdiction of the Supreme Court, if it is ever to be done, is when the Court has asserted a jurisdiction which it should not have, or is using its jurisdiction in the wrong way. In either case, the Court's decisions are apt to be quite unpopular. Therefore, the question of the popularity of the Court's decisions is a factor not to be ignored, but to be considered, in deciding upon whether the time has come to utilize the authority granted by article III, section 2 of the Constitution.

Let me say further that I cannot see how the independence of the Supreme Court is in any way jeopardized, or can be jeopardized, by a withdrawal from the Court of certain appellate jurisdiction. Judicial independence is the power to act without coercion in the area of judicial jurisdiction. Jurisdiction defines the area in which the Court may act at all. Jurisdiction may be broad or narrow without affecting the independence of the judiciary.

The second numbered paragraph given by the CBA managers as a reason why they oppose section 1 of S. 2646 is this:

2. The independence of the judiciary is vital in order to preserve the constitutional and democratic form of government under which we live.

But, Mr. President, as I have just pointed out, there is no interdependent relationship between jurisdiction and judicial independence; nor is it either accurate or proper to say that a limitation of the Court's jurisdiction, or a withdrawal of certain appellate jurisdiction, as proposed in section 1 of S. 2646, is an attack on the independence of the judiciary. The courts will have enough to do without the jurisdiction which this section proposes to withdraw; and their independence in doing it will not be affected in any way by the enactment of this legislation.

The third reason listed by the CBA managers for opposing section 1 of S. 2646 is this:

3. Persons involved in litigation of the type that this bill covers are just as much entitled to review by the Supreme Court as other litigants.

This is a very misleading statement. The point to remember here, Mr. President, is that no person is entitled to Supreme Court review. Cases are reviewed by certiorari, that is, as an exercise of the Supreme Court's judgment respecting the cases it will take. Where the Supreme Court denies certiorari, the lower court becomes in effect the court of last resort. In limiting the appellate jurisdiction of the Supreme Court as provided in section 1 of S. 2646, no entitlement of any individual is being curtailed; there is only a narrowing of the area within which the discretionary power of the Court to take or reject cases may be exercised.

As a matter of fact, no person has any right to any appeal at all in any case, except as it may have been granted by statute. There is no constitutional right of appeal. The due process requirements of the Constitution are satisfied by a single trial in a court having jurisdiction to decide the question at issue. Any further trials or any appeal from the decision of this original tribunal is a matter of grace, and not a matter of right.

The fourth reason given by the CBA managers for their opposition to section 1 of S. 2646 is as follows:

4. Curbing the Supreme Court's appellate jurisdiction in certain fields may be contagious and may spread to other areas whenever decisions in those areas become politically unpopular.

Mr. President, if this is the same as saying that any time the Supreme Court gets out of line to the extent it has in attempting to force States to admit Communists as officers of their courts, Congress will step in and use its constitutional power to limit the Supreme Court's jurisdiction, then I say, I hope that statement is correct.

But to whatever extent that statement may be intended or understood as charging that the action proposed in section 1 of S. 2646 is punitive and intended spitefully, and that such an exercise of power would constitute a bad precedent and lead to further spiteful withdrawals of Supreme Court jurisdiction as a way of punishing the Court, then I say, any such interpretation of the action proposed is wholly without foundation.

We must understand that it does not punish the Court, or any of the Justices, to withdraw jurisdiction in a certain area. The Court has no vested interest in its jurisdiction. The power to exercise jurisdiction in a particular area gives the Court no greater kudos, no greater public acceptance, no greater salary, no larger expense accounts, and no greater general prestige.

The fifth reason given by the CBA managers for their opposition to section 1 of S. 2646 is this:

5. The Bill of Rights and the 14th amendment to the Constitution are impaired when the protection of the Supreme Court is withdrawn in selected legislative areas since that Court is the ultimate guardian of constitutional liberties of individuals against arbitrary governmental action.

Perhaps the best answer to this paragraph is a paragraph from the dissenting opinion written by Mr. Justice Holmes in the case of Baldwin against Missouri, decided in 1930 and reported at title 281, United States Code, page 586. Mr. Justice Holmes said:

I have not yet adequately expressed the more than anxiety that I feel at the ever-increasing scope given to the 14th amendment in cutting down what I believe to be the constitutional rights of the States. As the decisions now stand, I see hardly any limit but the sky to the invalidating of those rights if they happen to strike a majority of this Court as for any reason undesirable. I cannot believe that the amendment was intended to give us carte blanche to embody our economic or moral beliefs in its prohibition. Yet I can think of no narrower reason that seems to be to justify the present and the earlier decisions to which I have referred.

We have come a long way since 1930; and the issue, all the way, has been, and is today, not one of individual rights, but one of States rights. The area within which section 1 of this bill would withdraw appellate jurisdiction from the Supreme Court is an area within the powers reserved to the States under article X of the Constitution.

After giving, as their reasons for objecting to section 1 of the bill, the five numbered paragraphs to which I have just devoted attention, the board of managers of the Chicago Bar Association then lists in four numbered paragraphs what it designates as its reasons for finding objectionable the other provisions of S. 2646, as amended.

The first of these four numbered paragraphs is as follows:

1. Four of the five provisions have nothing whatever to do with the jurisdiction of the Supreme Court; and nothing to do with each other; they should have been introduced as separate bills.

This is not a criticism of what is in this bill, Mr. President; it is criticism of the fact that the bill is here at all. It is an attempt to tell the Senate of the United States how it shall legislate. The CBA managers say that the provisions of sections 2, 3, and 4 of this bill "should have been introduced as separate bills."

Well, Mr. President, one of them was introduced as a separate bill. The text of section 3 of this bill is substantially identical with the text of the bill, S. 654, introduced by the Senator from New Hampshire [Mr. BRIDGES], on behalf of himself and others. This is by no means the first time, Mr. President, that individual proposals introduced as separate bills have reached this floor as parts of a different bill; nor is it likely to be the last such occasion. This criticism by the CBA managers is captious and presumptuous.

The second numbered paragraph the CBA managers give us as a reason for finding certain provisions of the bill objectionable is this:

2. The provision removing from judicial review in a criminal trial for contempt of Congress the matter of the pertinency of a question under inquiry determines this justiciable element of the crime by legislative decree; it is of dubious constitutionality under the due process clause of the fifth amendment to the Constitution of the United States. It also would make the Congressional body conducting the inquiry judge and jury in its own cause. *Sinclair* v. *United States* (279 U. S. 263) holds that the question of pertinency is a question of law to be determined by the courts.

Mr. President, that paragraph of criticism is pretty confused. It overlooks the fact that in legal contemplation there is a question of jurisdictional pertinency—that is, whether the committee is acting within its jurisdiction—which is a question of law and always must be decided by the courts; and on the other hand, it is a question of legislative pertinency—sometimes referred to as procedural pertinency—which involves whether the information sought by a particular question has been legislatively determined to be necessary in connection with the investigation then under way, and whether the question asked has been determined legislatively to be reasonably designed to produce information desired or needed by the investigation. The Supreme Court has said a witness is entitled to certainty with respect to pertinency, in this connotation. In the Watkins case, the Supreme Court said this legislative determination of pertinency had not been clearly made. The provisions of section 2 of S. 2646 provide for making such a legislative determination of pertinency, at the time a question is asked and every time—not just sometimes, but every time—the witness wants this question of pertinency determined.

The question of whether a committee is exceeding its jurisdiction is not affected at all by the provisions of section 2 of this bill, but would remain as a question of law for determination by the courts.

The third numbered paragraph in the category of reasons given by the CBA managers for their objections to certain provisions of S. 2646 is this:

3. The provision enabling summary suspension of individuals by the head of any department or agency of the Government would deprive them of procedural safeguards against arbitrary governmental action in direct contravention of the purposes of the civil service laws, as expressed in sections 652 and 863, title 5, U. S. C. A.

As I have pointed out before, Mr. President, this is an attack on a provision which is not in the bill; and there is no way to answer such an attack except as I have, and by pointing out that such a criticism does not belong in any discussion of the bill as it lies before us.

The fourth numbered paragraph in the CBA managers' list of reasons for objecting to this bill is as follows:

4. The provision amending the Smith Act is of doubtful constitutionality under the first amendment. This amendment guarantees freedom of speech as to abstract doctrine. It is only when action, presently or in the future, is urged or incited, that a substantive evil arises which can be punished under the law. Advocating or teaching the overthrow or destruction of the Government cannot, therefore, be made a crime without regard to the immediate probable effect of such action. In *Dennis* v. *United States* (341 U. S. 494), the Court held that "where an offense is specified in a statute in nonspeech or nonpress terms, a conviction relying on speech or press as evidenced of the violation may be sustained only when the speech or publication created a 'clear and present danger' of attempting or accomplishing the prohibited crime."

Mr. Justice Holmes, in sustaining the constitutional validity of the Espionage Act of 1917, stated that in the case of any law abridging freedom of speech or of the press, it must be decided in every case "whether the words used are used in such circumstances and are of such nature as to create a clear and present danger that will bring about the substantive evils that Congress has a right to prevent." In short, under the first amendment an individual is permitted to believe or say what he will up to the point where advocacy becomes a clear and present danger that a substantive public evil will result therefrom.

Senators will note that the third sentence of the first of the two paragraphs which I have just read declares that:

It is only when action, presently or in the future, is urged or incited, that a substantive evil arises which can be punished under the law.

The next sentence asserts that:

Advocating or teaching the overthrow or destruction of the Government cannot, therefore, be made a crime without regard to the immediate probable effect of such action.

This is obviously a complete non sequitur. Clearly, since the urging or inciting of action in the future is a substantive evil, the immediate probable effect of any particular urging or incitement is not a sine qua non of the evil.

The whole purpose of the amendment is to make it clear that Congress regards any incitement, even incitement toward future action at an indefinite future

time, as a danger to the internal security of this country.

The CBA managers quote approvingly from the Dennis case. What needs to be made very plain here is that it is the decision in the Yates and Schneiderman cases, and not in the Dennis case, which has made a shambles of the Smith Act, and brought on the situation which we are trying to correct through the enactment of section 4 of S. 2646. What also needs to be clearly understood is that the Yates decision contravenes and undermines Dennis, but deviously, and without directly overruling it.

The philosophy embodied in the amendments to the Smith Act proposed in section 4 of this bill is not inimical to the clear and present danger doctrine, but is rather an assertion by the Congress of its belief that in the case of the Communist conspiracy, the total danger is so great that incitement even toward indefinite future action in furtherance of the conspiracy is a clear and present danger which may be prohibited by act of Congress.

Now, before I close, let me return to the discussion of section 1 of S. 2646, which is my special concern because it proposes to utilize a power specifically granted to the Congress in the Constitution.

My original proposals along these lines have been modified and limited, but the basic principle remains.

In the one area in which it is still applicable—which is with respect to admissions to the practice of law in the several States—this basic principle of my original bill, that is, withdrawal of appellate jurisdiction from the Supreme Court, provides a complete remedy for the evil results flowing from the Supreme Court's decisions in the Schware and Konigsberg cases. The evil we are seeking to correct here is assumption by the Supreme Court of control over State bar admissions and the use of this assumed control to force individual States to accept Communists as officers of their courts. By removing such cases from the appellate jurisdiction of the Supreme Court, this assumption of power is negatived, and its exercise for the future is prevented.

Arguments against taking appellate power from the Supreme Court, on the ground that where this is done uniformity of decision is made impossible, fall flat when applied to the proposed withdrawal of jurisdiction in connection with State bar admissions. For in this field, there is no need or desire for uniformity. The qualifications which each State will fix for those who may become officers of its courts and counselors at its bar remains a matter of public policy for each State to determine for itself; and the court of last resort of each State is unquestionably the proper forum to make the final decision respecting who shall be officers of the courts of that State.

As late as 1917, the Supreme Court of the United States declared it did not possess the power to sit as a court of review over the decision of a State court in a disbarment case. In Selling against Radford the Court said:

Three things are patent: (a) That we have no authority to reexamine or reverse as a reviewing court the action of the Supreme Court of Michigan in disbarring a member of the bar of the courts of that State for personal and professional misconduct.

A little farther down in the decision, the Court continued:

We are of opinion that on the case presented our duty is not to review the action of the State court of last resort—a power which we do not possess.

It is interesting to note that an effort was made in 1944 to have the Supreme Court sit in review of the actions of a State in denying an applicant admission to its bar. This was in the case of In Re Summers, an Illinois case, argued in April 1945, and decided June 11 of that year.

The appellant was a man named Summers, who had been denied admission to the bar of the State of Illinois because he was a conscientious objector, and the Supreme Court of Illinois said that under the circumstances he would not be able in good faith to take the required oath to support the constitution of the State of Illinois. Summers was not a Communist.

In a 5 to 4 decision, the Court held that the refusal of Summers' application for admission to the practice of law, on the ground stated, was not a denial of any right he had under the 1st and 14th amendments of the Federal Constitution. The Court said:

Thus a court created to administer the laws of Illinois as it understands them, and charged particularly with the protection of justice in the courts of Illinois through supervision of admissions to the bar, found itself faced with the dilemma of excluding an applicant whom it deemed disqualified for the responsibilities of the profession of law or of admitting the applicant because of its deeply rooted tradition in freedom of belief. The responsibility for choice as to the personnel of its bar rests with Illinois. Only a decision which violated a Federal right secured by the 14th amendment would authorize our intervention. It is said that the action of the Supreme Court of Illinois is contrary to the principles of that portion of the first amendment which guarantees the free exercise of religion. Of course, under our constitutional system, men could not be excluded from the practice of law, or indeed from any other calling, simply because they belonged to any of our religious groups, whether Protestant, Catholic, Quaker, or Jewish, assuming it conceivable that any State of the Union would draw such a religious line. We cannot say that any such purpose to discriminate motivated the action of the Illinois Supreme Court.

* * * * *

The United States does not admit to citizenship the alien who refuses to pledge military service. Even the powerful dissents which emphasized the deep cleavage in this court on the issue of admission to citizenship did not challenge the right of Congress to require military service from every able-bodied man. It is impossible for us to conclude that the insistence of Illinois that an officer who is charged with the administration of justice must take an oath to support the constitution of Illinois and Illinois' interpretation of that oath to require a willingness to perform military service violates the principles of religious freedom which the 14th amendment secures against State action, when a like interpretation of a similar oath as to the Federal Constitution bars an alien from national citizenship.

It is significant, Mr. President, that in this Summers case, a dissenting opinion written by Mr. Justice Black, and concurred in by Justices Douglas, Murphy, and Rutledge, laid the foundation for the decisions the Court handed down in the Schware and Konigsberg cases 10 years later.

Perhaps the most important thing about the Schware and Konigsberg decisions is that in them the Supreme Court has achieved a result favorable to Communists on the basis of a line of reasoning which it could not and would not apply equally to all litigants.

In both the Konigsberg and Schware cases, State bar examiners had found an applicant lacking in the good moral character requisite for admission. In the Konigsberg case, the State authorities also found that the applicant had not affirmatively shown that he did not advocate the overthrow of the State or Federal Governments by force or violence. These findings were overturned by the Supreme Court on the ground that they were not rationally justified. In effect, the Supreme Court gave Schware and Konigsberg new trials. They did not order the cases remanded for new trials, they did not order the taking of new evidence, they did not themselves hear the evidence; but on the basis of the records, the Justices of the Supreme Court assumed themselves the positions of trial judges, made decisions respecting the credibility of witnesses, decided what evidence to believe, and came to their own independent conclusions with respect to these matters, which conclusions they then imposed upon the respective States of California and New Mexico.

In the New Mexico case, the applicant was an admitted former Communist. He had been in the Communist Party from 1932 to 1940, except for a short time in 1937. While in the party, he had used two different aliases. He explained this use of aliases by saying that it helped him to be more effective as a union organizer among Italian workers, it helped him get work in the shipyards, and it helped conceal his real identity when he got in trouble in connection with the waterfront strike in California in 1934.

Schware had a record of several arrests. He had been picked up 2 or 3 times during the 1934 waterfront strike, under the State's criminal syndicalism law. Later, his efforts to recruit soldiers for Loyalist Spain led to his arrest and indictment in 1940 for violation of the Neutrality Act. In 1941, he was arrested on the way to California on suspicion he was driving a stolen car. None of these charges was ever prosecuted to a finish, either conviction or acquittal.

Konigsberg had not admitted membership or former membership in the Communist Party. He had been identified by a witness under oath as having attended meetings of a Communist Party unit. Under questioning by the California Board of Bar Examiners, Konigsberg declined to answer questions as to whether he was or ever had been a member of the Communist Party. He did not claim his constitutional privilege

against self-incrimination under the fifth amendment. Instead, he asserted a constitutional privilege to remain silent.

In arguing their respective cases before the Supreme Court, both Schware and Konigsberg attributed unconstitutionality to certain State actions and laws. Konigsberg, besides asserting that he had a constitutional right to remain silent instead of answering questions about Communist Party membership, also contended that it was unconstitutional for the State of California to require that an applicant for admission to the bar be a nonadvocate of the overthrow of the Government by force and violence. Schware charged the New Mexico bar examiners with using confidential information which they would not let him see, and also asserted the State could not make membership in the Communist Party a ground for denying admission to practice law, when at the time of such party membership the party was not unlawful in New Mexico.

Surprisingly, the Supreme Court did not uphold any of these specific contentions of unconstitutionality. The Court said it found it unnecessary to decide them.

The Supreme Court went ahead and decided the Konigsberg and Schware cases on the single ground, as I have pointed out, that there was no basis in fact for the finding of the bar examiners in either case.

The essence of what the Court did in the Schware and Konigsberg cases, therefore, was to find, first, that these two men had been deprived of a right, and that this deprivation had been based on determinations of fact by the triers of fact which the Supreme Court found not "rationally justified." If this reasoning should be applied across the board, every case would become a constitutional case, because the losing party in a lawsuit almost always is deprived of something, either a right of some kind or his liberty or, in case of a murder conviction, his life.

As Mr. William H. Rehnquist of Phoenix, Ariz., has pointed out in his article in the American Bar Association Journal for March 1958:

> Unless there is some reason why being denied admission to the bar is a constitutionally more serious deprivation than being imprisoned or suffering a large adverse money judgment, or unless former Communists and suspected Communists are a specially favored class who alone may invoke this new due process, logically the Court has made almost every case a due process case.

As Mr. Rehnquist pointed out in his Bar Journal article, it is one thing to review a record to see if the evidence supports the factual finding of a lower court, when that finding is determinative of an independently presented constitutional question; but in the Schware and Konigsberg cases, the whole constitutional question involved, so far as the Court's decision goes, is the question of whether the factual finding below was rationally justified.

And in holding that the factual findings below were not justified, the Supreme Court has substituted its own judgment for the judgment of the triers of fact, has substituted its own decisions on matters of credibility for the decisions of those who saw and heard the witnesses.

As Mr. Rehnquist said—and I quote him again because I cannot improve upon his language:

> It is all but incredible that the majority of the Court in Schware and Konigsberg can mean their rule of rational justification to have general application. Yet if Schware and Konigsberg are to be its beneficiaries, why not every other litigant before the Court? As suggested above, denial of the right to practice a calling is not invariably and indisputably more onerous than other adverse results commonly reached in both civil and criminal litigation. The only remaining difference between Schware and Konigsberg, on the one hand, and a hypothetical litigant who would seek advantage of the rule of their cases, on the other, is that Schware was an admitted ex-Communist and Konigsberg was accused of being a Communist. Conceding that they should be treated no worse than other litigants, is there any reason why they should be treated better? Rationally it is difficult to understand why such persons are entitled to factual review and trial de novo in the Supreme Court while the ordinary man in the street is not. Since the result reached here is not ostensibly based on any civil liberties claim, even that ground of distinction is lacking.
>
> If the Court had chosen to give the stamp of approval to those claims of Konigsberg and Schware which it bypassed, many persons would have disagreed with the result. Nonetheless, the result would have been a principle which could have had application to all similarly situated persons. The most serious criticism of the Court's opinions in Schware and Konigsberg is not that they require such persons to be admitted to practice law—a result about which thoughtful people may disagree—but rather that they reach their result by a line of reasoning which appears to be good for these cases only. Just as surely as Schware and Konigsberg cannot rationally be limited to Communist and suspected Communist bar applicants, they cannot practically be applied to other classes of cases without making the Supreme Court of the United States an appellate court of general jurisdiction. A decision of any court based on a combination of charity and ideological sympathy at the expense of generally applicable rules of law is regrettable no matter whence it comes. But what could be tolerated as a warmhearted aberration in the local trial judge becomes nothing less than a constitutional transgression when enunciated by the highest court of the land.

Mr. President, opponents of this bill have attempted, by quoting Abraham Lincoln, to establish that Lincoln counseled meek acceptance of whatever the Court might say.

But this was not Lincoln's position at all.

From the time the Dred Scott decision was handed down, Lincoln was determined that it should be overruled. He spoke mildly at first, referring hopefully to the possibility that the Court might reverse its own decision. This is the statement which has been quoted by opponents of the bill. What they quote is from a statement made by Lincoln in a speech at Springfield, Ill., on June 26, 1857, as a part of the famous Lincoln-Douglas debates; and the particular quotation they use is this:

> We know the Court that made it has often overruled its own decisions, and we shall do what we can to have it overrule this. We offer no resistance to it.

This quotation has been offered as evidence that Lincoln counseled acceptance of the Supreme Court's determination.

But the fact is that Lincoln had been going up and down the country attacking the Dred Scott decision; and Judge Douglas had denounced all who question the correctness of that decision, as offering violent resistance to it. Lincoln was a lawyer, and he was making the point that there is a difference between resisting a decision—that is, refusing to regard it as the law of the particular case decided—and refusing to treat an erroneous decision as a precedent.

To put this particular quotation from Abraham Lincoln in proper context, here is what Lincoln said that day at Springfield:

> He (Douglas) denounces all who question the correctness of that decision, as offering violent resistance to it. But who resists it? Who has, in spite of the decision, declared Dred Scott free, and resisted the authority of his master over him?
>
> Judicial decisions have two uses—first, to absolutely determine the case decided; and, secondly, to indicate to the public how other similar cases will be decided when they arise. For the latter use, they are called precedents and authorities.
>
> We believe as much as Judge Douglas (perhaps more) in obedience to, and respect for, the judicial department of Government. We think its decisions on constitutional questions, when fully settled, should control not only the particular cases decided, but the general policy of the country, subject to be disturbed only by amendments of the Constitution as provided in that instrument itself. More than this would be revolution. But we think the Dred Scott decision is erroneous. We know the Court that made it has often overruled its own decisions, and we shall do what we can to have it overrule this. We offer no resistance to it.
>
> Judicial decisions are of greater or less authority as precedents according to circumstances. That this should be so accords both with common sense and the customary understanding of the legal profession.
>
> If this important decision had been made by the unanimous concurrence of the judges, and without any apparent partisan bias, and in accordance with legal public expectation and with the steady practice of the departments throughout our history, and had been in no part based on assumed historical facts which are not really true; or, if wanting in some of these, it had been before the court more than once, and had there been affirmed and reaffirmed through a course of years, it then might be, perhaps would be, factious, nay, even revolutionary, not to acquiesce in it as a precedent.
>
> But when, as is true, we find it wanting in all these claims to the public confidence, it is not resistance, it is not factious, it is not even disrespectful, to treat it as not having yet quite established a settled doctrine for the country.

Mr. WATKINS. Mr. President, will the Senator from Indiana yield for a question?

Mr. JENNER. I am glad to yield.

Mr. WATKINS. I came into the Chamber after the Senator from Indiana had begun his speech. But a moment ago I understood him to say that he proposed to amend the first section of the bill.

Mr. JENNER. Yes.

Mr. WATKINS. Will the Senator from Indiana state what his amendment is?

Mr. JENNER. My amendment is in line with the points brought out by Prof. Edward Corwin. He thought there might be some mistakes in interpretation.

My amendment is as follows: on page 2, in line 4, immediately preceding the period, insert "and not involving a discrimination based on race, color, or religion."

If such matters were involved, the Supreme Court could decide as to that. I think the amendment clarifies the matter.

Mr. WATKINS. In other words, the amendment of the Senator from Indiana would limit the jurisdiction of the Supreme Court in all cases involving the subject matter mentioned in the section, except——

Mr. JENNER. Except when those three matters are affected.

I do not think adoption of the amendment is necessary; but, in order to make absolutely certain that there would not be anything of that sort, I wish to have the amendment agreed to.

Mr. WATKINS. I thank the Senator from Indiana.

Mr. JENNER. Mr. President, Lincoln grew more and more impatient as time wore on. In a speech at Chicago on July 10, 1858, Lincoln declared:

> Somebody has to reverse that decision, since it is made; and we mean to reverse it, and we mean to do it peaceably.

So as to avoid the superficiality which critics of the bill have indulged in, let us put that statement in context. This is what Lincoln said about the Dred Scott decision, that night at Chicago.

> I have expressed heretofore, and I now repeat, my opposition to the Dred Scott decision; but I should be allowed to state the nature of that opposition, and I ask your indulgence while I do so. What is fairly implied by the term Judge Douglas has used, "resistance to the decision"? I do not resist it. If I wanted to take Dred Scott from his master, I would be interfering with property, and that terrible difficulty that Judge Douglas speaks of, of interfering with property, would arise. But I am doing no such thing as that; all that I am doing is refusing to obey it as a political rule. If I were in Congress, and a vote should come up on a question whether slavery should be prohibited in a new Territory, in spite of the Dred Scott decision, I would vote that it should.
>
> That is what I would do. Judge Douglas said last night that before the decision he might advance his opinion, and it might be contrary to the decision when it was made; but after it was made he would abide by it until it was reversed. Just so. We let this property abide by the decision, but we will try to reverse that decision. We will try to put it where Judge Douglas would not object, for he says he will obey it until it is reversed. Somebody has to reverse that decision, since it is made; and we mean to reverse it, and we mean to do it peaceably.

Mr. President, that is exactly what Senate bill 2646, which is before this body today, is doing. These decisions must be changed peaceably, and this legislative body, the Congress of the United States, is the peaceful and orderly place to straighten out this situation, which has brought us to disaster with respect to the internal security of our country and the usurpation of the legislative powers of this country.

I further quote from Lincoln:

> What are the uses of decisions of courts? They have two uses. As rules of property they have two uses. First—they decide upon the question before the court. They decide in this case that Dred Scott is a slave. Nobody resists that. Not only that, but they say to everybody else that persons standing just as Dred Scott stands are as he is. That is, they say that when a question comes up upon another person, it will be so decided again, unless the court decides in another way, unless the court overrules its decision. Well, we mean to do what we can to have the court decide the other way. That is one thing we mean to try to do.
>
> The sacredness that Judge Douglas throws around this decision is a degree of sacredness that has never been before thrown around any other decision. I have never heard of such a thing. Why, decisions apparently contrary to that decision, or that good lawyers thought were contrary to that decision, have been made by that very court before. It is the first of its kind; it is an astonisher in legal history. It is a new wonder of the world. It is based upon falsehood in the main as to the facts—allegations of facts upon which it stands are not facts at all in many instances—and no decision made on any question—the first instance of a decision made under so many unfavorable circumstances—thus placed, has ever been held by the profession as law, and it has always needed confirmation before the lawyers regarded it as settled law. But Judge Douglas will have it that all hands must take this extraordinary decision, made under these extraordinary circumstances, and give their vote in Congress in accordance with it——

I interpolate here to say that we are hearing the same arguments made today about decisions handed down by the Supreme Court. I resume the quotation where I broke off—

> yield to it and obey it in every possible sense. Circumstances alter cases. Do not gentlemen here remember the case of that same Supreme Court, some 25 or 30 years ago, deciding that a national bank was constitutional? I ask if somebody does not remember that a national bank was declared to be constitutional? Such is the truth, whether it be remembered or not. The bank charter ran out, and a recharter was granted by Congress. That recharter was laid before General Jackson. It was urged upon him, when he denied the constitutionality of the bank, that the Supreme Court had decided that it was constitutional; and General Jackson then said the Supreme Court had no right to lay down a rule to govern a coordinate branch of the Government, the members of which had sworn to support the Constitution—that each member had sworn to support that Constitution as he understood it. I will venture here to say that I have heard Judge Douglas say that he approved of General Jackson for that act. What has now become of all his tirade against resistance to the Supreme Court?

Lincoln grew increasingly impatient about failure to secure a reversal of the Dred Scott decision; but he did not drop the fight. At Cincinnati, September 17, 1859, he said:

> We must prevent the revival of the African slave trade, and the enacting by Congress of a territorial slave code. We must prevent each of these things being done by either congresses or courts. The people of these United States are the rightful masters of both congresses and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution.

Lincoln never wavered in his opposition to the Dred Scott decision. The Court never reversed itself. But eventually it was reversed, in effect, by Lincoln himself, when, as President of the United States, he issued the Proclamation of Emancipation. It is well for us to bear in mind that the constitutional change represented by the 13th and 14th amendments did not in and of itself change the status of the Negro. The constitutional change merely ratified what Lincoln had done with the Emancipation Proclamation, in overthrowing the Dred Scott decision.

In our time of crisis today, we cannot sit inactive and wait for some possible action by the Supreme Court which might perhaps in some way alter or eliminate the effects of some one or more of its pronouncements on this line of decisions which has been hailed by the Communists as giving the Communist Party so many unprecedented new opportunities.

Now, by the Jenner-Butler bill we are asking Congress to protect itself and the country against the usurpation of this runaway, wild Court, which is tearing down the Constitution of the United States. We have an obligation to act; to move to repair the damage which has been done; to rebuild the defenses against the Communist conspiracy which the Court has demolished; to reassert the right of the legislative branch to control the conduct of its own affairs; to restore to the States the right to protect themselves against subversion; and to withdraw from the Court that jurisdiction which it has improperly usurped from the States.

This is our duty; we cannot escape it. Not all that can be done in this line of duty will be done by this one bill. Other action will be necessary. We have proved that by the Mallory bill and other bills Congress has passed in this session. But the pending bill does some of the things which most need to be done; and these are things we can do now by passing the bill. There is no justification for delaying action on these things in order to hook them up with something else that we may hope to do next year. This much we can do here and now. If we do not do it, I cannot imagine how we shall excuse ourselves to the people back home who are looking to us for action.

Mr. BUTLER obtained the floor.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. BUTLER. I am happy to yield.

Mr. HENNINGS. It is not my desire to interrupt the Senator with questioning or any argument at this point in the proceedings. I have noted the very sparse attendance of Senators. Because of the enormous importance of the proposed legislation to the entire country and to the future of the country, I believe it is lamentable there are not

more Senators present to hear the scholarly address on the question, even though it is on the side to which I am opposed, by the distinguished Senator from Maryland. I wonder if the Senator from Maryland will permit me at this time to suggest the absence of a quorum.

Mr. BUTLER. I shall be happy to do so, provided I do not lose my right to the floor.

Mr. HENNINGS. I think the Members of the Senate, Mr. President, are about to miss a very important address. Senators are going to be called upon to vote on this matter in a relatively short time. Certainly enlightenment on this subject, since the Committee on the Judiciary spent 8 weeks on it, would not be amiss.

Mr. BUTLER. I thank the Senator.

Mr. HENNINGS. It might even inform some Senators.

Mr. President, therefore I suggest the absence of a quorum.

Mr. BUTLER. Mr. President, I ask unanimous consent that I may yield to the Senator from Missouri for the purpose of suggesting the absence of a quorum, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HENNINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

The Senator from Maryland has the floor.

Mr. BUTLER. Mr. President, we are beginning the consideration of proposed legislation which is before the Senate because the people of this country are greatly troubled and widely dissatisfied with the results of a series of decisions by the Supreme Court of the United States which have gone beyond the Court's proper sphere; which have involved judicial legislation; which have amounted to unwarranted invasion of the prerogatives of other coordinate branches of the Government; which have invaded the rights of the States guaranteed under the 10th amendment; which have in one case or another, respectively, sought to substitute the Court's judgment for the administrative judgment of the Congress with respect to the control of its own committees; for the legislative judgment of the Congress in numerous areas; for the judgments of State legislatures, and other duly-constituted State officials with respect to matters properly committed to their care and jurisdiction; for the judgment of a jury with respect to the guilt of an accused; and even for the judgment of the Founding Fathers with respect to the meaning and effect of the Constitution of the United States.

The people want the Congress to deal with this situation, Mr. President, and if this were not so, this bill would not be here before us today.

As Mr. William Henry Chamberlain wrote in the Wall Street Journal:

It has been a long time since so many decisions of the Supreme Court have aroused so much audible public dissent and controversy.

Most people probably feel that where there is a written constitution there must be an interpreter and that the Supreme Court is best qualified for this role. What has caused dissatisfaction at certain times in the past and what is causing dissatisfaction today is the impression that the Supreme Court is going beyond its proper function of interpreter of the law as it is written. It is alleged that the Court is assuming the role of a board of censors, issuing decisions based not on clear points of law but on what the Justices, or a majority of them, think the law ought to be.

There is a world of difference between deciding a particular case and laying down a general rule of law to be applied on a nationwide basis. It is the job of the courts to decide specific cases. It is the job of the legislative branch to make law of general applicability. But in many cases, in recent years, the Supreme Court of the United States has sought to lay down rules of general applicability, and to provide for the application and enforcement of such rules on a nationwide basis.

Thus, in the Nelson case, the Supreme Court was not content to decide that the Pennsylvania statute was in conflict with enactments by the Congress. The Court went much further, and sought to lay down a rule of general applicability, declaring that the Congress had preempted the field of antisubversive legislation, thus rendering unenforceable the antisubversive statutes of 42 States. In the Watkins case, the Court was not content to decide that the defendant was not guilty as charged; it went much further, and presumed to lay down rules of general applicability with respect to the conduct of Congressional investigations, to claim for itself the right to determine whether Congressional committees were properly carrying out their mandates from their parent bodies, and to create a new right of privacy, which is neither declared in the Constitution nor provided for by statute. In the Watkins and Sweezy cases, the Court sought to create a new "first amendment right of association" which is neither declared in the Constitution nor provided for by statute. In the Girard case, the Court overturned settled law and wrote what amounted, in effect, to a new statute respecting wills. In the Du Pont case, the Court overturned settled law, and wrote what was, in effect, a new antitrust statute of general applicability. In the Brown case, the Court overturned settled law and not only wrote, in effect, a new statute with respect to segregation, but in spite of the constitutional provision giving the Congress the right to enact statutes to carry into effect the 14th amendment, laid down court-made rules for the enforcement by the judicial branch of the new court-made law.

The question is, as David Lawrence has put it, whether the Supreme Court will be required to return to its original role—to serve solely as a judicial institution.

I have every confidence that an overwhelming majority of the people of this country who understand what is involved in the bill, S. 2646, and what the effect of the bill would be if enacted, will support it most strongly. But I can readily understand that if a man knows about the bill only what he may learn from some source bitterly opposed to the bill, he may well conclude that he should oppose it likewise. I hope that the debate on this bill in this body will be full enough, and lucid enough, and well enough reported so that everyone in the country may come to know the facts about this legislation, and what is involved here. I shall exert my own efforts to the fullest toward the accomplishment of that objective.

I want to make it clear from the start that I have the very highest regard for the Supreme Court of the United States as an institution. As Woodrow Wilson pointed out in one of his lectures in 1908, when he was a professor at Princeton, our balanced form of government requires a judicial system which can and will make fixed determinations respecting the law and the Constitution, applying them with equal impartiality to claims by the Government and claims against the Government, and striking a proper balance between the rights of the Federal Government, the rights of the sovereign States, and the rights of the individual.

Unfortunately, the making of fixed determinations respecting the law and the Constitution requires great respect for the principle of stare decisis; but the present Supreme Court has virtually abandoned this rule, and in many cases has made decisions not on the basis of what it has found the law to be, but rather on the basis of what a majority of the Justices think the law should be. This reconciling of the law with political, economic, and social developments, as Mr. Chief Justice Warren has expressed it, should be left to the legislative branch, and not attempted by the judiciary.

When the Congress amends a law, the amendment has only future effect, and thus it is always possible to know what the law is. When the Supreme Court amends a law or in effect amends the Constitution, by changing the meaning, or when the Supreme Court purports to write new law of general application, the effect of the new law or the changes thus brought about is frequently, in fact most often, retroactive. In the face of the prospect of such court-made changes, and such judge-made law, it is impossible at any given time to know what the law is. Yet certainty is an essential attribute of equal justice under law.

The Senator from Oregon [Mr. MORSE] said on the floor of the Senate on July 10, 1958:

Let me make clear that when a set of facts comes before the United States Supreme Court the individuals involved in each set of facts really become impersonal beings, so far as judicial duty is concerned. And if in protecting civil rights, in protecting constitutional rights of men and women, the Court may be dealing with a Communist, a murderer, a rapist, or any other person of heinous stripe, it still remains the duty of

that Court to apply the Constitution irrespective of the character or makeup or philosophy or point of view of the individual involved. Whenever the Supreme Court or any other court in this land ceases to do that, we shall have destroyed equality and uniformity of justice.

This was an excellent statement of the duties of the Court. Unfortunately, to say what the Court should be and should do is not the same as saying what the Court is and is doing. The fact is that the Court has given Communists a better break than any other class of litigants.

I do not criticize the Court as an institution; I seek to protect it as an institution. What I seek is to correct what I conceive to be the improper way in which the Court is performing its functions—perhaps I had better say, the improper way in which the Court is exceeding its functions—and by bringing about such correction, to remove the greatest basis of disrespect for the Court.

We must have a Supreme Court, as a proper part of our constitutional system of checks and balances. But we must remember that to have an all-powerful Court, which can perform or infringe at will the functions of the legislative and executive branches, is just as bad as to have no Court at all. Under neither circumstance can the constitutional balance of power continue to exist.

I seek to defend the Supreme Court of the United States; to protect it, as an institution, against the denigrating effect of the actions of certain of its own members; to restore it to its proper place in our tripartite system of government; and to secure it once more in the respect and affection of the people.

At the outset, I want to state quite briefly what each section of this bill, which has been offered in the form of an amendment, would do.

Section 1 would withdraw from the Supreme Court its appellate jurisdiction with respect to the question of who may be officers of State courts—that is, who may practice law in State courts.

Section 2 would provide for contemporary determination by a Congressional committee of the pertinency of any question asked of a witness before the committee—pertinency in the sense of the legislative need for the information sought to be elicited.

Section 3 would restore the enforceability of the various State antisubversive laws effectively invalidated by the decision of the Supreme Court in the Nelson case.

Section 4 would amend the Smith Act so as to make it applicable to current Communist activity. This would be accomplished by defining "organize" so as to include formation of groups or segments of the party and the recruitment of new members, making it a crime to teach and advocate the overthrow of the Government of the United States by force and violence with intention to cause such overthrow, and removing the question of immediate probable effect as an element in the crime of knowingly or willfully advocating, abetting, advising, or teaching the duty, necessity, desirability or propriety of overthrowing or destroying the Government of the United States or the government of any State, Territory, District or possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government.

The basic issue involved here can be simply stated.

As recommended by the committee, this bill would accomplish four results:

First. States would have the sole right to decide who may be officers of their respective State courts.

Second. State antisubversive laws would be enforcible notwithstanding the Federal legislation in this field.

Third. The right of Congressional committees to rule on the pertinency of questions asked of witnesses would be reasserted.

Fourth. Teaching and advocacy of the overthrow of the Government by force and violence or by assassination, with intent to bring about such overthrow, would be made illegal.

Mr. President, these are moderate objectives. Legislation to accomplish these moderate objectives is necessary because the Supreme Court has purported to write new law of general applicability.

The real question is not whether the United States Supreme Court has had good intentions in its repeated attacks on States rights, and its usurpation of legislative functions. The real question is whether the judicial legislation by the Court should be permitted to take away long-established constitutional rights of the States and of Congress. As the Arizona Republic, of Phoenix, Ariz., phrased it:

If a body of appointed officials, holding office for life and standing beyond the reach of the voters, can make new law in this country, then obviously the elected representatives of the people have lost some of their power.

By reasserting the power of Congress and protecting the reserved powers of the States, enactment of this bill will help to reestablish the balance between the three branches of the Government which was intended by the Constitution.

Before I go further, let me pause here to clarify two points on which there has been much misunderstanding.

When the Jenner bill was first introduced, most of those who cried out against it ended their tirades with the assertion that if in fact there was something wrong with the interpretation which the Supreme Court had placed on any particular statute, the orderly thing to do was for Congress to amend the statute so as to correct the mistake, rather than attempting to limit the jurisdiction of the Supreme Court.

This, Mr. President, is exactly what my amendments to the Jenner bill propose—that the Congress by legislation amend three particular statutes which the Supreme Court has misinterpreted or misapplied. And now the opponents of the bill cry out that my amendments are subject to the same objections which they raised to the original Jenner bill. This is not reasoned argument, Mr. President. It is an appeal to unreasoning emotionalism.

I shall try to keep reason in the ascendant throughout my discussion of this legislation.

Now for the second point I want to mention at this time.

There seems to be a measure of confusion about whether this bill as it has come from committee contains anything which would affect the operation of the civil service laws, or jeopardise the jobs of Government employees. The answer, unequivocally, is that it does not.

I did propose an amendment to the bill for the purpose of meeting the decision in the Cole case, and specifically making the power to terminate employment in the interest of the national security applicable to all agencies of the Government. However, this amendment was eliminated in the Judiciary Committee, and does not appear in the bill as it has been reported to the Senate.

Before we discuss the provisions of this legislation in detail, let us look at the record to see how it got here.

The bill S. 2646 was introduced on July 26, 1957. After due public notice, a hearing on the bill was held August 7, 1957. On August 8, 1957, the bill was reported favorably from the subcommittee to the full Committee on the Judiciary. It worked its way gradually to the top of the full committee agenda, and eventually came up for discussion in the full committee. At that time, opponents of the bill contended that more complete hearings should be held, and the full committee unanimously adopted a resolution referring the bill back to the subcommittee with instructions to take testimony or statements from any person who might offer to express an opinion with respect to the bill, and specifically to seek the opinions of any person whose name was suggested by any member of the committee. This resolution also provided for bringing the bill back before the full committee for action on March 10.

Under this order of the full committee, hearings were held on February 19, February 20, February 21, February 25, February 26, February 27, February 28, March 4, and March 5 of this year. A total of 53 witnesses testified in person. An additional 37 persons submitted written statements in behalf of themselves or organizations which they represented. A substantial volume of correspondence about the bill was received. Every statement offered for the record, all other written communications of any nature opposing the bill, and a substantial part of the correspondence in favor of the bill, were included in the printed hearing record. Correspondence in favor of the bill was so voluminous that letters and postcards which involved obvious duplication, or were clearly just "pressure" mail, were not ordered printed. The printed hearing record with appendices totals 1380 pages. The hearings were all in print and distributed to Senators by March 10, when consideration of the bill in full committee was resumed. The bill was approved by the committee, by a vote of 10 to 5,

on April 30, 1958, with a proviso that actual reporting was to be delayed to permit the filing of minority views. The bill was reported to the Senate on May 15, 1958.

In the form in which it was introduced, and in which it was first reported from subcommittee, the bill simply provided for exercise by the Congress of its authority, under article III of the Constitution of the United States, to regulate and make exceptions to the appellate jurisdiction of the United States Supreme Court. This principle was to be applied in five specified areas, each defined in a numbered subparagraph of the bill.

Numerous witnesses at the hearings urged that Congress should not be content with merely withdrawing appellate jurisdiction from the Supreme Court in areas where the Court has handed down decisions contrary to the intent of the Congress, but rather that specific statutes which the Court had misconstrued should be amended so as to elucidate the present Congressional intent. Four proposed new sections, embodying this approach, were offered in committee as amendments to the bill; and three of these were adopted.

The three committee amendments have much in common. Each of them proposes to amend legislation enacted by the Congress of the United States to which the Supreme Court has given an interpretation or an effect not intended by the Congress. Each of them is intended, by supplying a legislative deficiency which the Supreme Court has made clear, to strengthen the security of the Nation by providing more effective ways of dealing with those who engage in subversive activities. Each of them, obviously, deals with a matter which is of importance to the internal security of the United States

This is the theme, Mr. President, which ties these amendments together into a unity: the conception that subversion must be dealt with firmly and effectively, that the Congress has a right and a duty to investigate it, and to devise laws to cope with it; and that fighting subversion and protecting our internal security are just as much a matter of interest to the States as they are to the Federal Government.

It was also proposed in the committee that withdrawal of appellate jurisdiction from the Supreme Court be limited to a single area, namely, cases which involved the validity of any law, rule, or regulation of any State or of any board of bar examiners, or similar body, or of any action or proceeding taken pursuant to any such law, rule or regulation pertaining to the admission of persons to the practice of law within such State. This proposal was approved by the committee and became the first committee amendment, which thus proposes to strike out the first 4 of the 5 numbered subparagraphs in the original bill.

If this first committee amendment should be adopted, the withdrawal of appellate jurisdiction which would be accomplished by enactment of section 1 of the bill as thus amended would leave to each State and its duly-created agencies, as a matter of public policy within that State, the determination of standards for admission to the bar of that State; and would leave full power to administer such standards in the hands of the State and its duly-constituted agencies. Questions of law in connection with such standards or the administration of them would be justifiable in the courts of the State, but not otherwise. In this connection, the majority report from the Judiciary Committee declares:

> Every lawyer practicing in a State court is an officer of that court and it is the view of the committee that determination of who may be officers of the courts of a State is a matter properly for determination by the State, and the determination of which is a basic right of the State. Any person seeking to become an officer of the courts of a State, as a practicing attorney, should be entirely willing to leave to those State courts full responsibility for determining any question which may arise in connection with his application for admission to practice. This is not a field in which any Federal agency should intervene, or with respect to which there should be any Federal or uniform standards.

To that expression I wholeheartedly subscribe.

Now, let me say a word about hearings. Each of the committee amendments to the bill S. 2646 resulted from and grew out of hearings which were held on the bill. In the case of the first committee amendment, its purpose is merely to strike out part of the language of the original Jenner bill. In the case of the amendment which embodies section 3 of the bill, this proposal has been the subject of hearings before the Committee on the Judiciary. In fact, the language of this amendment is the same as the language of the bill S. 654 introduced by the Senator from New Hampshire [Mr. BRIDGES], which in turn is the same as the language of the bill S. 3617 which was reported unanimously from the Committee on the Judiciary in the 84th Congress.

With respect to the other two committee amendments, it can be said that in neither case has the specific language of the amendment been the subject of hearings. But to say this, as an objection to the offering or consideration of the amendments, necessarily implies that a Senator may not or should not offer an amendment to a bill, in committee, unless the specific language of the amendment has been the subject of public hearings; or else that if a Senator does offer such an amendment, further progress on the bill to which the amendment is offered should be stopped until the amendment has been made the subject of public hearings. Of course, Mr. President, there is no such rule; and to adopt any such rule would be to stultify this body by making the legislative process virtually interminable, and putting into the hands of Senators who might want to defeat a measure the power to delay it forever simply by a process of presenting successive amendments in language which has not been the subject of public hearings.

The main purpose of a public hearing is to learn the facts regarding a particular situation which may or may not call for legislation, as a basis for determining, first, whether there should be legislation, and second, what form legislation should take.

Committees of the Senate hold many hearings; but committees of the Senate also report many bills on which hearings have not been held.

The only worthwhile and justifiable purpose of a hearing is to learn facts. A hearing serves little useful purpose as a sort of popularity poll or trial by compurgation.

Senators cannot complain that they have had no opportunity for expressing their views on the bill, because they have that opportunity here in this Chamber. And it is abundantly clear that every pressure group which opposes this bill has adequate channels for getting its opposition to the bill expressed here on the Senate floor, also.

There is another misconception about this legislation which should be corrected early in this debate.

Let us dispose of it right now. I refer to the idea that the bill as reported from the committee is a substitute bill, or that the Senator from Maryland ever offered a substitute bill or any amendment in the nature of a substitute. This myth has been used quite effectively by opponents of the bill, who have sought to create the impression that the amendments which I offered to the bill in committee embodied the same principles which were already in the bill when it was introduced. It may be impossible ever to correct the impressions of everyone who has been misled in this way; but Senators, at least, should know that the committee amendments, which represent amendments proposed by the Senator from Maryland in committee, while narrowing the applicability of the principle upon which the original Jenner bill was based, do not eliminate that principle, and, accordingly, cannot be said to substitute anything for it. As a matter of fact, the vote in the committee was 12 to 3 to sustain this principle, the principle of utilizing the power of the Congress under article III of the Constitution to regulate the appellate jurisdiction of the Supreme Court.

Further, the committee amendments, each of which involves a legislative change in a statute previously enacted by the Congress, do not either individually or as a whole constitute, either in substance or form, a substitute or substitutes for language of the original Jenner bill which the committee proposes to strike out.

For example, the original bill would have withdrawn the appellate jurisdiction of the Supreme Court with respect to any function or practice of any Congressional committee or subcommittee, the jurisdiction of any such committee, or any action or proceeding against a witness charged with contempt of Congress. The committee amendment embodied in section 2 of the bill does not withdraw any such jurisdiction from the Supreme Court, but rather leaves the Court just as free as it is now to consider the matters enumerated in the numbered subparagraph (1) of the original Jenner bill.

For another example, the numbered subparagraph (2) of the original Jenner bill would have withdrawn appellate jurisdiction from the Supreme Court with respect to administration by the executive branch of its employee-security program. There is no similar provision, nor any provision dealing with this problem, in any of the committee amendments. I offered an amendment which would have affected the Government employee loyalty program, but it was not reported by the committee. And the amendment which I offered did not involve withdrawal of any jurisdiction from the Supreme Court, but only sought to amend the Summary Suspension Act.

For another example, the original Jenner bill contained in the numbered subparagraph (3) a withdrawal from the Supreme Court of jurisdiction over any statute or executive regulation of any State the general purpose of which is to control subversive activities within such State. This would not have solved the problem of conflict or apparent conflict between Federal antisubversive laws and State laws in this field, but would simply have left the determination of such conflicts to State courts and the lower Federal courts.

The third section of the bill as it has come from the committee would indeed have an impact upon this field of State antisubversive law; but a far different impact than the original provisions of the Jenner bill would have. The committee amendment, which I had the honor to sponsor, does not involve any withdrawal of jurisdiction, and it does deal directly with the principle of preemption, by providing specifically that in the field of antisubversive legislation, acts of Congress shall not prevent the enforcement of State laws.

Finally, it should be pointed out that the numbered subparagraph (4) of the original Jenner bill would have withdrawn appellate jurisdiction from the Supreme Court with respect to rules, bylaws and regulations of school boards, boards of education, boards of trustees, and similar bodies, concerning subversive activities among teachers. All I have done with respect to this provision is propose to strike it out, and the first committee amendment would do so. I have not offered and the committee has not approved any amendment dealing in any way with schools or the actions of school boards or boards of education or boards of school trustees.

One more thing needs to be pointed out: The original Jenner bill contained no provision dealing with the Smith Act, or attempting to meet any of the problems raised by the decision of the Supreme Court in the Yates case. On the other hand, I proposed an amendment, now embodied in section 4 of the bill as reported from committee, designed to deal with these problems by specific amendment of the Smith Act. This is obviously not a substitute for anything in the original Jenner bill.

While we are speaking of substitutes, the Senator from New York has served notice of his intention to offer, as a substitute for this entire bill, a proposed constitutional amendment to eliminate the power of the Congress to regulate the jurisdiction of the Supreme Court under article III of the Constitution.

When the Senator from New York attempts to do this he will raise constitutional and parliamentary questions which need not be discussed here and now. But I think it should be pointed out, as a matter to be borne in mind, that the constitutional amendment in question may be offered as a technical substitute for the bill, but it is not in fact a substitute for anything in the bill. On the contrary, the constitutional amendment which the Senator from New York has said he favors embodies the direct antithesis of section 1 of this bill, and involves nothing at all that relates in any way to section 2, 3, or 4 of this bill, or that would deal in any way with the problems with which those sections attempt to deal.

If the Senator from New York wanted to be consistent, he would offer his proposed constitutional amendment as a substitute for section 1 of the bill, for the proposal of the Senator from New York is a direct alternative to section 1 of the bill. Offering the proposed constitutional amendment as a substitute for the whole bill necessarily involves an attempt to defeat sections 2, 3, and 4 without putting anything in their place or offering any other suggestion for dealing with these matters. Defeat of any one of these sections of the bill, each of which is a separate committee amendment, could be more directly accomplished by simply voting against the amendment.

Perhaps it will be contended that the purpose in offering the proposed constitutional amendment as a substitute for the bill S. 2646 is to get the amendment before the Senate without having it considered by the Judiciary Committee. Without discussing the merits of such a course—I happen to be one who believes in the committee system—I think it is not unfair to point out that if the only purpose in offering the constitutional amendment is to get it considered by the Senate, then it should be offered as an amendment to this bill, or as a substitute for section 1, and not as a substitute for the whole bill. This would accomplish everything with respect to getting the amendment considered that could be accomplished by offering it as an amendment to the entire bill. But of course, unless the proposed constitutional amendment is offered as a substitute for the entire bill, it will not serve the purpose of providing a device for defeating the committee amendments to the bill without having to vote on them directly.

Before I move on to give detailed answers to some of the attacks on this legislation, let me discuss each of the four sections in order.

I have stated that the basic purpose of my first amendment to S. 2646, which appears now as the committee amendment to section 1 of this bill, was to preserve the principle of utilizing article III, section 2, clause 2 of the Constitution to assert the power of the Congress to curb the Supreme Court's incursion beyond its proper sphere, while narrowing application of the principle to the one area with respect to which there can be no substantial argument, namely, the right of each sovereign State to decide as a matter of public policy who may practice law in its courts.

The bill as originally introduced would have withdrawn appellate jurisdiction from the Supreme Court in five areas. My amendment strikes out the language defining four of these areas, leaving the withdrawal of jurisdiction applicable only in the one area which, as I have indicated, is an area with respect to which there can be no substantial argument about the paramount rights of the States.

Mr. President, I refer to certain Supreme Court decisions in connection with this question, and I ask that there be printed in the RECORD, as a memorandum in the nature of a footnote, references to some of the cases decided by the lower courts on this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

FEDERAL JURISDICTION OVER THE RIGHT TO PRACTICE LAW IN A STATE COURT

In *Emmons* v. *Smitt* (149 F. 2d 869), the Circuit Court of Appeals for the Sixth Circuit held, in 1945, that the Federal civil rights statute did not authorize the Federal district court to entertain an action by an attorney to enjoin the grievance committee from continuing with State bar proceedings against the attorney, since the right to practice law is not secured by the Constitution or by any law of the United States, and is not a property right but a privilege granted by the State.

Said the court:

"We search in vain for a basis for jurisdiction of the district court over plaintiff's action, insofar as it seeks to secure to him the right to practice his profession. The claim that it is found in subsection (14) of section 41, 28 U. S. C. A. (Suits to redress deprivation of civil rights) is without merit, since plaintiff's right to practice law is not secured to him by the Constitution nor by any law of the United States. It is not a property right but a privilege granted by the State of Michigan."

This decision was in effect upheld by the Supreme Court when certiorari was denied October 8, 1945.

In *Keeley* v. *Evans*, an Oregon case decided in 1921, it was held that a Federal court cannot review the action of a State court in denying admission to the bar. Said the District Court of Oregon, "a Federal court is without power or authority to review, reexamine, or reverse the action of the supreme court of a State in denying a license to practice law in the State, nor has it jurisdiction to require the State courts to grant such license."

The Oregon Federal court further held that while the right of an attorney to practice law is a property right of which he cannot be deprived without due process of law, refusal to grant him a license to practice in the courts of a State is not an abridgement of any privilege or immunity, in which he is protected by the 14th amendment or article IV, section 2, of the Constitution.

The Oregon Federal court further held that a State statute prescribing the qualifications prerequisite to the admission of any person to practice law in the courts of the State and the tribunal and procedure by which such qualifications shall be determined is within the power of the legislature and valid.

Said the Court:

"It is beyond question that this, a Federal Court, has no power or authority to review, reexamine, or reverse the action of the State supreme court in denying a license to practice law in the State. The

United States Supreme Court has so declared as to its own authority to reexamine or reverse, as a reviewing body, the action of a State court in disbarring a member of the bar of its own court. *Selling* v. *Redford* (243 U. S. 46, 50; 37 Sup. Ct. 377, 61 L. Ed. 585; Ann. Cas. 1917D, 569). If that court has no such authority, it follows, by a much stronger reason, that this court possesses none.

"Nor can this Court interpose to give complainant affirmative relief, such as to require the supreme court of the State to issue him a license to practice law in the State. This follows by reason of the distinct organization of the two courts, one being national and the other State, between which there is no jurisdictional coordination as it respects the administration of State polity. A Federal Court will administer the laws of the State in controversies in which it is given jurisdiction, but it will not interpose to direct or review the administration of State affairs.

"This would dispose of the case, but for the contention that complainant is entitled to admission to the bar of this State in spite of regulations prescribed by the laws of the State and rules of court governing the admission of attorneys from another State, and, in this relation, that the Supreme Court has denied him the right to be heard in his own behalf, and that he has been deprived of a privilege due to a citizen of the United States, and to which citizens of the several States are entitled, contrary to the provisions of section 2, article 4, of the Federal Constitution, and the 5th and 14th amendments thereo.

"Without doubt, the right of an attorney to practice law is a property right, which can be taken from him only after judicial hearing and a fair opportunity to be heard in his own defense. *Ex parte Garland* (4 Wall. 333, 18 L. Ed. 366); *Ex parte Robinson* (19 Wall. 505, 22 L. Ed. 205; State ex rel. McElhiney, 241 Mo. 502, 606, 145 S. W. 1139); *Smith* v. *Medical Examiners* (140 Iowa, 66, 117 N. W. 1116). As we have seen, the proceedings against complainant were not for his disbarment, but, notwithstanding, it is without question that he not only had ample notice and a fair opportunity to be heard, but he actually appeared before both the board and the court, and was afforded full and adequate opportunity to present his case in all of its angles. Due process of law does not embrace nor control mere forms of procedure in State courts, or regulate practice therein. All of its requirements are complied with, provided, in the proceedings which are claimed not to have been due process, the person proceeded against has had sufficient notice and an adequate opportunity has been afforded him to defend. *Louisville & Nashville Railroad Co.* v. *Schmidt* (177 U. S. 230, 236, 20 Sup. Ct. 620, 44 L. Ed. 747).

"Complainant is precluded, in view of the record, from at all insisting that he has been condemned without due process of law. Nor can he insist with confidence that he has been deprived of the privileges and immunities of a citizen of the United States. The right to practice law in the State courts is not such a privilege or immunity, within the meaning of the first section of the 14th amendment. *Bradwell* v. *Illinois* (16 Wall. 130, 21 L. Ed. 442). As it relates to the privileges and immunities of citizens of the several States, these, says Washington, Circuit Justice, sitting in the Circuit Court, in *Corfield* v. *Coryell* (6 Fed. Cas. 546, 551, No. 3, 230), may—

" 'be all comprehended under the following general heads: Protection by the Government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; subject nevertheless to such restraints as the Government may justly prescribe for the general good of the whole.'

"Speaking of this clause of the Constitution, the Supreme Court in *Slaughterhouse Cases* (16 Wall. 36, 77 (21 L. Ed. 394)) declares:

" 'Its sole purpose was to declare to the several States that whatever those rights, as you grant or establish them to your own citizens, or as you limit or qualify, or impose restrictions on their exercise, the same, neither more nor less, shall be the measure of the rights of citizens of other States within your jurisdiction.'

"Leaving this subject for the present, let us inquire by what right and authority an attorney is entitled to engage in the practice of the law and acquires that privilege. Formerly, and under the common law, it rested with the courts to determine who was qualified to become one of its officers as an attorney and counselor, and for what cause he ought to be removed. *Ex parte Secombe* (19 How. 9, 11, 15 L. Ed. 565).

"But it is competent for the legislature of a State, unless restricted by the constitution, to confer that power upon the supreme court of the State (*Cooper's Case* (22 New York 67, 90)). Attorneys are officers of the court, and, generally speaking, they are admitted as such upon its orders, upon evidence of their possessing sufficient legal learning and fair private character (*Ex parte Garland* (*supra*)). 'It has been,' says the court (4 Wall. 378, 18 L. Ed. 366), 'the general practice in this country to obtain this evidence by an examination of the parties.' So the court declares, in *Ex parte Robinson* (*supra*, 19 Wall., p. 512, 22 L. Ed. 205):

" 'Parties are admitted to the profession only upon satisfactory evidence that they possess fair private character and sufficient legal learning to conduct causes in court for suitors.'

"This is, in substance, what is required by the State statute: The applicant must show that he is a citizen of good moral character, which may be proved by any evidence satisfactory to the court, and that he is possessed of the requisite learning and ability. An attorney from another State may be admitted generally upon proof that he is a person of good moral character, which may also be proved by evidence satisfactory to the court. So it is obvious that the requirements for admission to practice in the State courts are not different from those that are exacted generally. At any rate, the legislature has the right to prescribe qualifications for the office, to which the applicant or attorney must conform, as a prerequisite to his admission (*Ex parte Garland* (*supra*, 4 Wall., p. 379, 18 L. Ed. 366)).

"Now, in view of these regulations, what right, privilege, or immunity is extended to the citizens of the State to become practitioners at law that is not likewise extended to a citizen of another State? Obviously, there is none, and complainant has not been subjected to any different regulation. Nor have complainant's privileges and immunities been abridged, within the first section of the 14th amendment. If the service is public, the State may prescribe qualifications, and require an examination to test the fitness of any person to engage in and remain in the public calling (*Smith* v. *Texas* (233 U. S. 630, 636, 34 Sup. Ct. 681, 58 L. Ed. 1129, L. R. A. 1915D, 677, Annotated Cases 1915D, 420)).

"It cannot be denied that an attorney's calling is public in character. He is an officer of the court, and his services are to the public. It is eminently proper that his qualifications and fitness to engage in the service shall be inquired into before he is permitted to enter the profession. So it has been declared that:

" 'State legislation, which in carrying out a public purpose is limited in its application, is not a denial of equal protection of the laws, within the meaning of the 14th amendment, if within the sphere of its operation it affects alike all persons similarly situated.' *Williams* v. *Arkansas* (217 U. S. 79, 30 Sup. Ct. 493, 54 L. Ed. 673, 18 Ann. Cas. 865, first clause of syllabus)."

The decision of the District Court of Oregon in the case of *Keeley* v. *Evans* was appealed to the United States Supreme Court but the appeal was dismissed January 13, 1922, on motion of counsel for appellant.

In the case of *Mitchell* v. *Greenough* (100 Fed. 2d 194), the Circuit Court of Appeals for the Ninth Circuit held, in 1938, that the right to practice law in State courts is not a privilege granted by the Federal Constitution or laws within a statute authorizing action in Federal court to recover damages for deprivation of a right or privilege of a United States citizen by an act done in furtherance of a conspiracy to impede the due course of justice with intent to deny the citizen equal protection of the laws.

In this case the plaintiff's complaint had charged conspiracy to deprive him of the right to practice law in the courts of the State of Washington and in the Federal district court in Washington by means of perjured testimony in his trial for grand larceny, of which he was convicted, for the purpose of intimidating him into surrendering such right as a condition precedent to a grant of preparole by the Governor. The circuit court held that this complaint stated no cause of action under a statute authorizing an action in Federal court for recovery of damages by one injured in his personal property or deprived of a right or privilege of United States citizens by acts done in furtherance of a conspiracy to impede the due course of justice with intent to deny him equal protection of the laws.

The Federal district court had dismissed the appellant's complaint for lack of jurisdiction.

Said the circuit court:

"The conspiracy charged is claimed to come under the provisions of the Federal statutes (8 U. S. C. A. secs. 43, 47, supra). We pause here to observe that the right to practice law in the State court has been held by the Supreme Court not to be a privilege granted by the Federal Constitution or laws. *Bradwell* v. *State of Illinois* (16 Wall. 130, 21 L. Ed. 442); *Ex parte Lockwood* (154 U. S. 116, 14 Sup. Ct. 1082, 38 L. Ed. 929). In *Green* v. *Elbert* (8th Circuit, 63 F. 308), the circuit court of appeals held that the conspiracy to deprive a lawyer of his right to practice law in the State courts was not a conspiracy to interfere with any right or privilege 'granted, secured, or protected by the Constitution of the United States.'"

The Supreme Court denied certiorari in this case on April 17, 1939.

Mr. BUTLER. In the Konigsberg and Schware cases, the Supreme Court asserted jurisdiction over the question of State bar membership. The bill S. 2646 proposes to withdraw such appellate jurisdiction from the Court. It has been charged that this will deprive the Court of one of its constitutional prerogatives.

But, Mr. President, throughout most of its existence, the Supreme Court of the United States has never had nor claimed authority to control membership in the bars of State courts.

In Selling against Radford, decided in March 1917, this question came up for consideration, and the Supreme Court specifically declared that it did not have this jurisdiction. Selling against Radford was a disbarment case, but the principle of control over State bar admissions is the same whether it is a disbarment or an admission which is involved.

The Court in that case said unanimously that it had no authority to reexamine and reverse, in the capacity of a court of review, the action of a State court in disbarring a member of its bar. The Court expressly declared we do not possess power to review the action of a State court of last resort in such a matter. Mr. Chief Justice White, speaking for a unanimous Court, said:

Three things are patent: (a) That we have no authority to reexamine or reverse as a reviewing court the action of the Supreme Court of Michigan in disbarring a member of the bar of the courts of that State for personal and professional misconduct.

A little further down in the decision, the Court continued:

We are of opinion that on the case presented our duty is not to review the action of the State court of last resort—a power which we do not possess.

How, then, can it be said that it is depriving the Supreme Court of one of its constitutional prerogatives to take from it a segment of appellate jurisdiction which the Court has only recently asserted, and which only 40 years ago—and 130 years after the Constitution was adopted—the Court itself declared it did not have and could not exercise? To ask the question is to answer it. This appellate jurisdiction over State bar admission, which the Court has asserted and sought to exercise in the Konigsberg and Schware cases is not a constitutional prerogative of the Court; it is but a usurped power, and quite recently usurped, at that.

The authority of Congress to do what is proposed in section 1 of the bill—that is, to regulate and make exceptions to the appellate jurisdiction of the Supreme Court—is specifically provided in article III, section 2, clause 2 of the Constitution, which reads as follows:

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

This is not a provision which got into the Constitution by chance. Nothing got into the Constitution by chance. This is one of the specific check-and-balance provisions of the Constitution, as the Judiciary Committee of the Senate has pointed out. In fact, it is the only check which the Constitution gives to the Congress as a protection against attempted usurpation of legislative prerogatives by the Supreme Court. It is also the only check the Congress has against improper invasion by the Court of the rights reserved to the States and to the people under the 9th and 10th amendments of the Constitution.

In considering the question of constitutional rights, it is worth remembering that Congress has constitutional rights, too. For one thing, it has "all legislative powers" granted by the Constitution. Another constitutional power of the Congress is the power to regulate and make exceptions to the appellate jurisdiction of the Supreme Court.

In order to defend properly the "separation of powers" implicit in our form of government, it is necessary to understand it. The separation of powers doctrine was not created and is not maintained for the sole benefit of any 1 or any 2 branches of the Government. It was created and is maintained for the sake of preserving the Government as a whole, by protecting the people against the oligarchy which would surely result if any one branch of the Government attained complete ascendancy. Thus, the separation of powers system requires checks and balances, and such checks and balances have been provided in the Constitution, so that each branch of Government has a constitutional power to curb either of the other two branches.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BUTLER. I am happy to yield.

Mr. JAVITS. The Senator has just made a statement which, it seems to me, poses the issue before the Senate. I know that we are trying to avoid prolonged debate. However, this may well prove to be a very historic debate, and we should try to pinpoint this question as clearly as we can.

The Senator has said that the separation of powers, in effect, requires us to take the action which is being so ably advocated by my colleague, the Senator from Maryland, and my colleague, the Senator from Indiana. Yet it seems to those of us who actively oppose the proposed legislation that what the Senator from Maryland has said is the very reason why Congress should stay its hand in this field. I say that for this reason. It may be that we may be able to pinpoint this whole controversy. The approach of the Senator from Maryland is more moderate than has been that of my colleague from Indiana, in the sense that the Senator from Maryland is not seeking, except in the one case of bar admissions, to set aside the Supreme Court's appellate jurisdiction, but he would give the Supreme Court certain instructions as to what its opinions should be.

Senators like myself, who oppose the Senator's proposal, say that by what the Senator proposes to do he would be inviting the Supreme Court to hold what it has already held, and that the Supreme Court would have to find as unconstitutional what the Senator would do under his proposal.

I am sure the Senator is familiar with the Yates case, and the press has become familiar with it also. I point out, in that connection, that the Supreme Court itself must, based upon what it has already said, strike down the Senator's proposal as being unconstitutional, because the Court in that case has said:

We should not assume that Congress chose to disregard the constitutional zones so clearly marked.

The Court has held that mere advocacy was not enough.

Mr. BUTLER. The Senator knows that in the Dennis case the decision was contrary to the Yates decision, and that decision was handed down by the Chief Justice, and I concur in that opinion.

Mr. JAVITS. What I am pointing out is that in connection with the very point the Senator is trying to deal with, the Supreme Court has already said what it proposes to do.

Mr. BUTLER. Of course, the Supreme Court can change its mind, just as some Senators have changed their minds. I do not wish, through my inactivity on the floor of the Senate, to condone an opinion of the highest court in America which says that it is proper for me, for example, to go out and preach the duty and necessity of overthrowing my own Government by force and violence.

Mr. JAVITS. If the Senator will allow me just one further minute, the other case is the effort to change the situation in the Watkins case by making conclusive the finding as to the pertinency before a Congressional committee of a question asked of a witness. But there again we are inviting a finding of unconstitutionality if we should pass this bill, because the Court said:

The first amendment may be invoked against infringement of protected freedoms by law or by lawmaking—such an investigation into individual affairs is invalid if unrelated to any legislative purpose. That is beyond the powers conferred upon the Congress in the Constitution.

Mr. BUTLER. I respectfully say to the Senator from New York that I certainly do not wish to be critical of the Court, and I certainly do not wish to take an aggressive position in opposition to him, because he is my good friend and I respect him. He is a tremendously able lawyer and an excellent United States Senator. But I say this in regard to that question. The Supreme Court of the United States, in my opinion, has overstepped the bounds of propriety. It has told the Congress of the United States in so many words: "Even though you are acting within your jurisdiction, and even though you say the information you seek is needful and necessary to carry out your constitutional duty to legislate, you nevertheless cannot have that information unless we, the Supreme Court, say you can have it."

I say that that is a breach of the separation of powers. It puts the Supreme Court in the legislative chamber where it does not belong, and I, for one, am perfectly willing to send legislation to that Court today, if I can do it, and let them declare it unconstitutional; and then the people will rise up and demand that Congress be given back its inherent power to legislate.

Mr. JAVITS. That is exactly my point. I say this is nothing but an exacerbation of a dissatisfaction that already exists, and the proposed bill will only make it worse.

Mr. BUTLER. I respectfully disagree with the Senator. I am the last Member of this body who would do anything to hurt the Supreme Court as an institution. I believe we have a right to counsel the Court. When the Court thinks we have done something that is unconstitutional, they do not have any qualms in telling us about it. They are a coordinate branch of the Government. If the Government is to work well, we must work in coordination. The three

branches of the Government must be able to communicate with one another. This is our method of communication. This bill would tell the Court, "In our opinion you have usurped our power. We recent it. We want you to take a second look at what you are doing."

Mr. JAVITS. At the same time, Mr. President, if I may sum up my deep-seated opposition to this particular bill, it is that if we approve it in either 2 stages or 1 stage, we say, "We deprive you of certain powers which you have had and exercised for over a century." That is where I think this is court-raiding, and therefore, to be equated with the court-packing bill of 1937.

Mr. BUTLER. When we come to talk about powers which have been exercised since the foundation of this Government, I say they have been exercised under the grant of Congress; and what powers Congress gives, those powers can be taken away.

Mr. JAVITS. Out of respect for the principle of the separation of powers I do not think we should take it away, and that is why I say this is the fundamental difference.

Mr. BUTLER. I do not like to, but I beg to differ with my respected colleague. However, I must go on.

Very few will argue that the Supreme Court has no power to declare an act of Congress unconstitutional. But this power is at best only implicit in the Constitution. The power of the Congress to regulate and make exceptions to the appellate jurisdiction of the Supreme Court is expressly stated in the Constitution. The exercise of a constitutionally-granted power in a constitutional way cannot possibly be destructive of the constitutional purpose. On the contrary, it may be in a given instance the only way in which the constitutional purpose can be preserved.

There is a great deal of precedent for Congressional action withholding jurisdiction from Federal courts. The first Judiciary Act, passed in 1789, withheld from the jurisdiction of the district and circuit courts that whole group of cases involving the Constitution, laws and treaties of the United States, except for offenses against the United States, seizures and forfeitures made under the impost, navigation, or trade laws of the United States, and suits by aliens under International Law or treaties. The result of this act was that original jurisdiction in that whole group of cases was exercised by State courts, subject to appeal to the Supreme Court of the United States.

Section 11 of the Judiciary Act of 1789, applicable to diversity jurisdiction, forbade diversity suits involving assignments unless diversity existed between the original parties to the promisory note or chose in action. This limitation was applicable to all Federal courts, including the Supreme Court; and its validity was upheld by the Supreme Court in 1799 in the case of *Turner* v. *Bank of North America* (4 Dall. 8), and again in 1850 in the case of *Sheldon* v. *Still* (8 Howard 441).

The act of March 3, 1839, Fifth United States Statutes at Large, page 339, made decisions of the Secretary of the Treasury in tax disputes final, and not subject to any appeal. This provision was upheld in the case of *Cary* v. *Curtis* (3 Howard 236).

The act of March 2, 1867, Fourteenth United States Statutes at Large, page 475, provided that "no suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court." The validity of this act was never questioned.

The Norris-LaGuardia Act, Title 29, United States Code, section 107, provided that no court of the United States shall have jurisdiction to issue a temporary or permanent injunction in a case growing out of a labor dispute except under defined conditions. The validity of this act has never been questioned.

The portal to portal Pay Act of 1947, title 29 United States Code, sec. 252 (d), provided that no court of the United States, or of any State, Territory, or possession of the United States shall have jurisdiction of any action, whether instituted prior to, or on, or after May 14, 1947, to enforce liability or impose punishment for or on account of the failure of the employer to pay minimum wages or overtime compensation under the Fair Labor Standards Act of 1938. Validity of this provision was upheld in *Thomas* v. *Carnegie Illinois Steel Corp.* (174 F. 2d 711), and *Battaglia* v. *G. M. C.* (169 F. 2d 257). An effort was made to get the Battaglia case reversed in the United States Supreme Court but that Court denied certiorari, thus in effect affirming the case (335 U. S. 887).

The Johnson Act, (title 28 United States Code, sec. 1341), provided that United States district courts should not enjoin the administration of State taxes, subject to the qualification that a "plain, speedy, and efficient remedy may be had" in the State courts. This act did not prevent appeal to the United States Supreme Court of a State court decision embracing a Federal question. Another provision of the same act (28 United States Code sec. 1342) provided that district courts should not enjoin the rate orders of State agencies. This provision was subject to four qualifications: (1) that jurisdiction is based solely on diversity of citizenship or repugnance to the Constitution; (2) that the order does not interfere with interstate commerce; (3) that the order was issued after notice and hearing; and (4) that a "plain, speedy, and efficient remedy may be had in the courts of such State." Under this law, appeals may be taken from State courts to the Supreme Court on the constitutional issue as to whether the rate order is confiscatory and deprives the utility of its property without due process of law. Also, if the review afforded by State courts is merely another step in the rate-making function and is in the nature of a legislative, rather than a judicial, review, litigation may be instituted in Federal courts.

The recent Supreme Court decision in the case of Myron Wiener, removed from the War Claims Commission in 1953, involved another instance of limitation on the jurisdiction of the Federal courts. As the Supreme Court pointed out, War Claims Commission decisions are, by reason of a specific statutory provision, final and not appealable to any court.

The argument has been made that the grant of judicial power in section 1 of article III of the Constitution conflicts with the grant of power to the Congress, in section 2 of the same article, to regulate and make exceptions to the appellate jurisdiction of the Supreme Court. This argument confuses judicial power with jurisdiction. Judicial power is distinct from jurisdiction. Judicial power is the authority a court may exercise when it has jurisdiction. The two sections of Article III of the Constitution are not in conflict. All the provisions with respect to jurisdiction are in the second paragraph of section 2, which delineates the circumstances and conditions under which the judicial power may be exercised.

A very long line of cases holds that the Supreme Court can exercise only that appellate jurisdiction which the Congress authorizes by statute. Thus, in *Barry* v. *Mercein* (5 Howard 103), a case decided in 1847, the Supreme Court declared:

> This Court has appellate power only in cases provided by Congress.

In the case of *Re Kaine* (14 Howard 103) decided in 1852, it was said "This Court, therefore, as it has always held, can exercise no appellate jurisdiction, except in the cases, and in the manner and form, defined and prescribed by Congress."

Other important cases which are authority for the same proposition include *Wiscart* v. *Dauchy* ((1796) 3 Dallas, 321); *Clarke* v. *Bazadone* ((1803) 1 Cr. 212); *United States* v. *Goodwin* ((1812) 7 Cr. 108); *United States* v. *Gordon* ((1813) 7 Cr. 287); *United States* v. *Nourse* ((1832) 6 Pet. 470); *Ex parte Dorr* ((1845) 3 How. 103); *Forsythe* v. *United States* ((1850) 9 How. 571); *Ex parte Vallandigham* ((1864) 1 Wall. 243); *Daniels* v. *Chicago & Rock Island Railroad Co.* ((1866) 3 Wall. 250); *Walker* v. *United States* ((1866) 4 Wall. 163); *Ex parte Yerger* ((1869) 8 Wall. 85); *Butterfield* v. *Usher* ((1876) 91 U. S. 246); *United States* v. *Young* ((1877) 94 U. S. 258); *United States* v. *Sanges* ((1892) 144 U. S. 310); *American Construction Co.* v. *Jacksonville, Texas, Kansas, Western R. R. Co.* ((1893) 148 U. S. 372); *Colorado Central Consolidated Mining Co.* v. *Turck* ((1893) 150 U. S. 138); *Chapman* v. *United States* ((1896) 164 U. S. 436); *United States* v. *Bitty* ((1908) 208 U. S. 393); *Montgomery Building & Construction Trades Council* v. *Ledbetter Erection Co.* ((1952) 344 U. S. 178).

Another and shorter line of cases, which might appear at first glance to be contradictory to this principle, upon examination is seen to arrive at the same result. This lesser line of cases rests on the basic conception that the source of the appellate jurisdiction is constitutional, and does not arise from Congressional statutes; but all these cases hold that the Congress does have power to limit appellate jurisdiction by exceptions and regulations. The cases in this shorter line take the position that where the Congress has in terms affirmatively granted appellate jurisdiction to the Supreme Court, as in the Judiciary Acts, these acts must be construed as an exercise by the Congress of its power to regulate the appellate jurisdiction of the Supreme Court, and therefore must be deemed impliedly to exclude all appellate jurisdiction not specifically included within the statutory declaration.

Thus, in *Durousseau* v. *United States* (6 Cr. 307), decided in 1810, it was said:

> When the first legislature of the Union proceeded to carry the third article of the Constitution into effect, they must be understood as intending to execute the power they possessed of making exceptions to the appellate jurisdiction of the Supreme Court. They have not, indeed, made these exceptions in express terms. They have not declared that the appellate power of the Court shall not extend to certain cases; but they have described affirmatively its jurisdiction, and this affirmative description has been understood to imply a negative on the execution of such appellate power as is not comprehended within it.

In *Ex Parte McCardle* (7 Wall. 506), decided in 1869, it was said:

> The principle that the affirmation of appellate jurisdiction implies the negation of all such jurisdiction not affirmed having been established, it was an almost necessary consequence that acts of Congress, providing for the exercise of jurisdiction, should come to be spoken of as acts granting jurisdiction, and not as acts making exceptions to the constitutional grant of it.

In *Maynard* v. *Hecht* (151 U. S. 324), decided in 1894, it was said: "An affirmative description of the appellate jurisdiction of this court in a suit implies a negative on the exercise of such appellate power as is not comprehended within it."

Other cases in this line are *United Statse* v. *More* ((1805) 3 Cr. 159); *Merrill* v. *Petty* ((1873) 16 Wall. 338); and *Murdock* v. *Memphis* ((1875) 20 Wall. 590).

Thus, the Supreme Court has repeatedly held that while the appellate power of the United States extends to all cases within the judicial power of the United States, actual jurisdiction under the power is confined within such limits as Congress sees fit to prescribe. Leading cases supporting this position include *Martin* v. *Hunter* ((1816) 1 Wheat. 304, 337); *The Francis Wright* ((1882) 105 U. S. 381, 385); *Ex parte Yerger* ((1869) 8 Wall. 85, 98); *Luckenbach S. S. Co.* v. *United States* ((1926) 272 U. S. 533) and *St. Louis R. R. Co.* v. *Taylor* ((1908) 210 U. S. 281).

The plain meaning of article III, section 2, clause 2 of the Constitution permits of no doubt that the Congress can regulate and make exceptions to the appellate jurisdiction of the Supreme Court. It is an elementary principle of constitutional law that words of the Constitution are to be given the meanings they have in common use. Leading cases on this point are *Tennessee* v. *Whitworth* (117 U. S. 139, at page 147), decided in 1886; and *Fairbanks* v. *United States* (181 U. S. 283, at page 287), decided in 1901.

The power granted to the Congress under article III, section 2, clause 2 is a discretionary power, and Congress may therefore, in exercising this power, use any means within the scope of the grant *Hepburn* v. *Griswold* ((1870) 8 Wall 603); *Champion* v. *Ames* (the Lottery case) ((1903) 188 U. S. 321). As it was declared in the case of *The Francis Wright* (105 U. S. 381, at page 386): "Not only may whole classes of cases be kept out of the jurisdiction altogether, but particular classes of questions may be subjected to reexamination and review, while others are not."

An extremely important point to bear in mind in consideration of this whole matter is that the right of appeal is not essential to due process. An excellent statement on this point will be found in *Reetz* v. *Michigan* (188 U. S. 505), a case decided in 1903. Due process does not comprehend the right of appeal *McKane* v. *Durston* (153 U. S. 684, at page 687). Another good authority on this point is *Lott* v. *Pittman* (243 U. S. 588, decided in 1917). More recent authorities, to the same effect, are *Luckenbach Steamship Company* v. *United States* (272 U. S. 533, decided in 1926); and *District of Columbia* v. *Clawans* (300 U. S. 617, decided in 1937), where it was held that a curtailment of the appellate jurisdiction of the Court raises no question of due process.

As the Charleston (W. Va.) Mail said in an editorial on May 29, referring to section 1 of the bill:

> The very area in which the Court is often (and mistakenly) held to be the final arbiter is, in itself, subject to Congressional review. And if, as it happens, Congress decides that the court has taken upon itself more powers than it is capable of handling in the public's interest, Congress may make such regulations as it thinks necessary to restrain or enlighten or correct the Court.

The fact that Congress has been hesitant to exercise its own right of review does not minimize its constitutionality.

There is nothing strange about this and nothing inconsistent with the notion of a government in which the sovereign power rests with the people. It would be stranger still if the Constitution had set the Court apart from the other branches of the Government and given it some special immunity from the checks and balances which restrain the others from wayward arrogance and the assumption of absolute powers.

The Court can err and wander afield and when, in the common judgment, it does, the ways to check it are provided. It can reverse itself, as it sometimes does. The President, with the advice and consent of the Senate, can change its composition. The people can amend the Constitution to provide it a clear light upon the popular will. The method proposed by Senators JENNER and BUTLER is simply the one reserved to Congress to protect it from being overbalanced and undone by the judiciary.

Even witnesses who testified against S. 2646 have admitted the constitutionality of the proposal embodied in section 1. Joseph Rauh, who testified for Americans for Democratic Action, said in his prepared statement:

> I am aware, of course, that article III of the Constitution specifies only the cases in which the Supreme Court shall have original jurisdiction and says that in all other cases the Court shall have appellate jurisdiction "with such exceptions and under such regulations as the Congress shall make." I am aware, too, that frequent statements can be found in Supreme Court opinions that Congress has unlimited power to regulate the jurisdiction of the lower Federal courts and the appellate jurisdiction of the Supreme Court.

It may be argued, too,

Said Mr. Rauh,

> that there is precedent for S. 2646. In 1868, the Radical Republican Congress withdrew from the appellate jurisdiction of the Supreme Court review of certain judgments of the United States circuit courts in habeas corpus proceedings, in order to frustrate a Supreme Court determination of the validity of post-Civil War reconstruction legislation. Even though the case had already been argued and was under consideration by the Supreme Court when the 1868 act was adopted, a unanimous Supreme Court held in *Ex parte McCardle* (7 Wall. 506 (U. S. 1868)) that Congress had deprived it of its authority to decide the case.

Mr. Ernest Angell, who testified representing the American Civil Liberties Union, and who opposed the bill, was asked if he was arguing "not the constitutionality of what is proposed in this bill, not Congress' right to do it, but merely the advisability of doing it," and he replied, "Precisely." Then Senator JENNER asked him: "In other words, you realize Congress has the authority to do it under the Constitution?" and Mr. Angell replied, "As specified in article III. I am glad you brought it up. It is a very, very pertinent question, I might say."

Leonard Boudin testified on behalf of the Emergency Civil Liberties Committee, and opposed the bill. This passage from his testimony is significant. Counsel asked:

> You mean the power of the United States Supreme Court to have appellate jurisdiction over constitutional problems is inherent in this Constitution?

Mr. Boudin replied: "Yes."

Counsel said: "With the exception that the Congress may make regulations and exceptions?" and Mr. Boudin replied: "Yes."

Mr. Arthur J. Freund, of St. Louis, an outstanding member of the bar and a member of the American Bar Association Special Committee on Individual Rights as Affected by National Security, testified in opposition to the bill. During the course of his testimony, the following colloquy took place:

> Mr. SOURWINE. Do you, yourself, challenge the constitutionality of the provision of section 2 of article III which gives the Congress authority to regulate the jurisdiction of the Supreme Court and make exceptions to it?
>
> Mr. FREUND. You can't challenge the constitutionality of a constitutional provision. I think what you do is to determine how a particular case fits into a specific category of the Constitution with respect to the whole instrument.
>
> Mr. SOURWINE. But the phrase you just read, sir, appeared to indicate that you felt this bill was a challenge to the Constitution.
>
> Mr. FREUND. I do.
>
> Mr. SOURWINE. But, since this bill only seeks to utilize an authority which is specifically granted by the Constitution, how can it be a challenge to the Constitution?
>
> Mr. FREUND. I think it is a challenge to the Constitution, probably, not in its actual legal verbiage, but in its effect upon individual rights guaranteed under the Constitution that I anticipate would be affected.
>
> Mr. SOURWINE. You mean that by this bill, if Congress passed it, Congress would be doing something which the Constitution

authorizes it to do, but would be doing it with an unconstitutional effect or in an unconstitutional way?

Mr. FREUND. I would accept that.

Mr. SOURWINE. That is what you mean?

Mr. FREUND. Yes.

Later on in his testimony, Mr. Freund was asked if he had knowledge of any case holding that Congress does not have the right to restrict or regulate the appellate jurisdiction of the Supreme Court, and he replied that he did not.

Jefferson B. Fordham, dean of the University of Pennsylvania Law School, testified and submitted a formal statement. Dean Fordham said:

In my testimony it is my purpose not to explore the constitutional questions. I do not grant that your bill would be constitutional in that respect. I pass that question.

Dean Fordham went on to most strongly attack the bill—that is, the original Jenner bill, which is all that was before the committee at that time.

Toward the end of Dean Fordham's testimony, counsel said:

You and I agree that there should be some legislation against subversion. What can the Congress do about this matter now?

Dean Fordham replied:

I do not really have any mature notion about that. I don't feel quite qualified to advise about that as to what particular change would be made there.

Then the following colloquy took place:

Mr. SOURWINE. All right, sir. I move to one more thing. The committee would like very much to have your opinion as to the constitutionality of Senator JENNER's bill. You said initially that you did not concede that—do you have any doubt about it?

Mr. FORDHAM. I have some doubt about it, on a rather broad theory with respect to its application to the cases coming up from the State courts. It isn't based on any specific provision of the Constitution. It is based on a rather broader theory. We do have some broad theories of constitutionalism which are not based on express bases, such as the doctrine of intergovernmental immunity.

It does seem to me that there is a basis for developing a rational theory here to take away from the Supreme Court the jurisdiction to review State court decisions involving the interpretation of the Bill of Rights, carried over in the 14th amendment and so on, does involve, or would involve a kind of limitation upon the application of those provisions of the Constitution, which is out of harmony with the constitutional scheme. In other words, I put this in terms of a basic notion of the Constitution scheme.

Mr. SOURWINE. You would then negative the plain language of the Constitution in article III, section 2, paragraph 2, because of this basic scheme that you speak about?

Mr. FORDHAM. Well, let us see about this plain language business. The Constitution says that the judicial power of the Supreme Court shall extend to certain things. Then it says that in certain of those things the Supreme Court will have original jurisdiction. As to all other things the Supreme Court shall have appellate jurisdiction. With such a caption you have it subject to such regulations as the Congress may prescribe.

Senator JENNER. That is right.

Mr. FORDHAM. I grant that Congress can make exceptions—I grant it can.

Senator JENNER. You do not question the constitutionality of this bill?

Mr. FORDHAM. It is a question of how far the exceptions go. Wait a minute. May I ask you a question? Does this business go to the point that you deny all appellate jurisdiction to the Supreme Court?

Mr. SOURWINE. There are two schools of thought about it. I am not attempting to advance my own opinion. I only advance it as a theory. I would like to know if you do agree or if you do not agree. I think you are aware that there are two long lines of cases.

The longer line, by all odds the majority line, is that the Supreme Court has no appellate jurisdiction except as it is granted by the Congress. Certainly, under that line of opinion, Congress could take it all the way—what Congress grants it can take away. That was followed in the McCardle case where you recall the 1867 statute did not deny authority. It simply withdrew authority previously granted by repealing the grant. And the Court says, "We do no longer have this grant of authority from the Congress. We do not have the appellate jurisdiction."

The other line, I believe you will agree, is the one which we might say is followed by Story, that the grant of appellate jurisdiction comes from the Constitution itself but is subject to the exceptions and regulations of the Congress, and that when the Congress, in passing the Judiciary Act affirmatively, said the Court shall have thus and thus jurisdiction, that would be simply an inverted way of expressing——

Mr. FORDHAM. Yes.

Mr. SOURWINE. That it was withdrawing jurisdiction, making an exception in all of the areas that it did not expressly include.

Mr. FORDHAM. Yes.

Mr. SOURWINE. Under that second line of cases, however, there is an explicit recognition of the right of the Congress to make exceptions. And it would mean that under that doctrine there is no place to draw the line at the point where Congress may not except, perhaps, at the top; in other words, if Congress should pass an act that says the Supreme Court shall have no appellate jurisdiction whatsoever, then it might be arguable under this secondary line of opinions which are cited that that act was unconstitutional but so long as they leave any appellate jurisdiction to the Supreme Court under that line of cases, it would be a constitutional act?

Mr. FORDHAM. Well, perhaps so, but there is the idea that a scintilla is not much of anything.

Mr. SOURWINE. You base that on the idea Senator JENNER's bill here strips the Court of all but its——

Mr. FORDHAM. I don't say, Senator, that I have any view that this part of the bill is unconstitutional. I am not saying that it is. But I do say that there is a, I think, respectable theory.

Mr. SOURWINE. Is there any case that you can think of?

Mr. FORDHAM. I cannot cite a case but I think that you can develop a respectable theory in line with the story thinking that this—that to bring about this result with finality of decision in the State courts on matters of interpretation of Federal Constitution, provisions like the 14th amendment which expressly contemplates Federal enforcement, is out of harmony with the constitutional scheme.

Mr. SOURWINE. Federal enforcement is not available, only through the Supreme Court.

Mr. FORDHAM. I know that is right. As a matter of fact, I frankly point out that the 14th amendment expressly says that the Congress shall have power to pass legislation to enforce the 14th amendment. I have that in mind.

Mr. SOURWINE. We have been unable here to find any case turning on the question or involving the question of Congress' power to regulate or make exceptions in which that power was denied or in which there was any contention by the Supreme Court that it should be. We haven't been able to find a minority opinion of the Court which made that contention. And I wondered if you had run across some?

Mr. FORDHAM. I do not have any.

Senator JENNER. If you do, will you let us know about it?

Mr. FORDHAM. I shall, sir.

Senator JENNER. Thank you very much.

I may say, Mr. President, that up to the present time Dean Fordham has not provided us with any case or even any minority opinion of the Supreme Court denying the power of the Congress to regulate or make exceptions to the appellate jurisdiction of the Supreme Court.

Mr. Thomas E. Harris, associate general counsel of the AFL–CIO, testified against the bill.

Parenthetically, it may be of interest to point out that in his prepared statement, Mr. Harris said:

We respectfully suggest that if Congress wishes to reverse the result of the Nelson case, taking it again as an example, S. 2646 is a very poor way to go about it. The proper way, we believe, would be by the enactment of one of the various bills that were introduced at the 84th Congress, such as S. 3617 or S. 3603, which specifically give the States concurrent power to legislate with respect to sedition against the Government of the United States.

Then, a little further on in his statement, Mr. Harris said:

The point we are making now is simply that if Congress is dissatisfied with the result of the Nelson decision, the cure is to enact a statute in effect overturning it. That remedy would preserve the orderly processes of the law, while likewise achieving the result presumably sought by Congress; viz, clearing the way for State sedition prosecutions.

As Senators will recognize, and as I have already pointed out, this approach which Mr. Harris suggested on behalf of the AFL–CIO is exactly what is embodied in section 3 of the bill as it has come from the committee.

Mr. Harris was the only witness in opposition to the bill who challenged the constitutionality of the principle of the original Jenner bill; that is, withdrawal of appellate jurisdiction from the Supreme Court, the principle which is now embodied, with limited application, in section 1 of the bill as it has come from committee.

On this point, Mr. Harris said:

I would like to make a comment, if I may, on the question of the constitutionality of S. 2646.

I do this with some trepidation because I have not studied it with the care that should always be used before reaching a conclusion on such a matter.

Article III, in dealing with the appellate jurisdiction of the Supreme Court, does, of course, state, with such exceptions, that it shall have appellate jurisdiction in appellate categories of cases "with such exceptions as the Congress shall make."

I would suppose that the power of the Congress under that provision is, however, limited by the Bill of Rights, just as all other powers of the Federal Government are limited by the Bill of Rights.

Specifically I would suppose that just like the commerce clause and the treaty power or any other Federal power, that they must be exercised in accordance with due process and other provisions of the Bill of Rights.

If, for instance, the Congress should enact a law stating that a particular litigant, a particular named litigant, could not appeal a case, or that a court could not have jurisdiction to entertain an appeal of a particular named litigant, I would think that that would be unconstitutional, that that law would itself violate the due process clause.

Now this is, of course, not the same sort of thing.

It seems to me that the question on a statute like this would be whether there was any reasonable basis on which it could presume that Congress could segregate out these types of cases.

Counsel for the committee asked: "Does it have to be reasonable?"

Mr. Harris replied:

Yes, I think that the test of due process is reasonableness.

There is of course a presumption of reasonableness, I think.

Then the following colloquy took place:

Mr. SOURWINE. No, I mean does the exercise by the Congress of its authority under article III, section 2, paragraph 2, have to be reasonable?

Isn't that a discretion given to the Congress?

Mr. HARRIS. No, I do not think it is absolute any more than any other power of Congress. That is, I think it is subject to the limitations of the due process clause.

Mr. SOURWINE. You think that the due process clause gives anyone a right of appeal to the Supreme Court of the United States? Aren't you confusing the right to have your cause reviewed with the right to have it appealed to the Supreme Court?

Mr. HARRIS. I think it gives a person the right that his right of appeal shall not be taken from him, except under due process of law.

Mr. SOURWINE. Is there any right of appeal except by statute?

Mr. HARRIS. No, I do not think there is, and I do not think that due process requires that a right of appeal be given.

Mr. SOURWINE. No, I would agree.

Mr. HARRIS. And if all of the Supreme Court's appellate jurisdiction were taken from it, it seems to me that that would probably be permissible.

Mr. SOURWINE. There are a lot of cases under which you can argue that you cannot take it at all.

Mr. HARRIS. It is a problem of classification that it seems to me raises the problem.

Mr. SOURWINE. If the Supreme Court's jurisdiction is taken away within a particular area affecting equally all persons within that area, there is no due process problem that arises, is there?

Mr. HARRIS. I think that would depend on whether the definition of the area itself violated the due process clause. I have given one example that I think would be a violation—if you named a particular person.

Mr. SOURWINE. I am talking about what is in this bill.

Mr. HARRIS. I would think a provision that the Supreme Court shall not have jurisdiction to hear appeals by Negroes would violate the Constitution.

Mr. SOURWINE. There is nothing like that in this bill.

Mr. HARRIS. No, but I point that out simply in answer to your suggestion or what I took to be your suggestion, that there are no limitations on the power of the Congress under article 3, section 2, paragraph (2). It seems to me that there are some due process limitations. The question then is what?

Mr. SOURWINE. What I said might certainly be accepted as an intimation that that was a view.

However, what I was trying to do was to get at your view on the constitutionality of the provisions of this bill.

You have previously raised the due process question.

Mr. HARRIS. Yes.

Mr. SOURWINE. And I was wondering if you see any due process question, actual or possible, under this bill.

Mr. HARRIS. I do see a possible question.

Mr. SOURWINE. What is it?

Mr. HARRIS. And I am not clear on what the answer to it would be. It does not seem to me an open or shut question either way as to whether the bill would be constitutional.

Mr. SOURWINE. Which of the provisions there do you have in mind as raising a due process question?

Mr. HARRIS. I would think that they all raise some question.

Mr. SOURWINE. In what way?

Mr. HARRIS. But I am not sure that the answer would be the same case in all of them. It may be, for instance, that depriving the Supreme Court of jurisdiction to review admissions to the State bar, that that entire category of cases might be accepted by the Court as a reasonable category and the elimination of that jurisdiction as not violating the due process clause.

Some of the other matters, on the other hand, might be treated differently.

It is significant, Mr. President, that even Mr. Harris, who suggested "with some trepidation" the possibility that it might be possible to raise a constitutional question with respect to some possible exercise of the power of the Congress to regulate the appellate jurisdiction of the Supreme Court under article III of the Constitution, apparently does not believe there is any such question involved in depriving the Supreme Court of jurisdiction to review admissions to the State bar—which is the only provision contained in section 1 of this bill. In other words, Mr. Harris' testimony amounts to an expression that section 1 of this bill is constitutional.

A statement of Thurgood Marshall was read by Clarence Mitchell, Director of the Washington Bureau, National Association for the Advancement of Colored People. The statement did not contend that the bill was unconstitutional, and Mr. Mitchell, in his oral testimony, did not make that contention.

Mr. Benjamin E. Smith testified on behalf of the National Lawyers Guild, in opposition to the bill, but he did not contend that the bill was unconstitutional. Near the end of his testimony, Mr. Smith was asked:

Do you regard the provision in article III, section 2, paragraph 2, of the Constitution with respect to the appellate power of the Court, as one of the check-and-balance provisions of the Constitution?

He replied: "Yes, I do."

Counsel then asked Mr. Smith:

Well, will you explain how the utilization by the Congress of a check-and-balance provision of the Constitution can be contrary to the maintenance of the balance of power set up in the Constitution?

Mr. Smith replied:

Well, I think that it depends, Mr. Sourwine, upon the way in which this portion of the Constitution is made use of. I think that certainly it is a part of the check-and-balance system of our Government, but I think it is certainly a question of opinion as to what you propose to enact under this part of the Constitution as to whether or not it really serves the intent of supporting check and balance.

Under Federal Courts, section 199, in volume 36 of Corpus Juris Secundum, it is made clear that the Supreme Court has only such appellate jurisdiction as is affirmatively conferred by the Congress. This section reads in part as follows:

Such appellate powers as are given to the Supreme Court by the Federal Constitution are limited and regulated by acts of Congress and must be exercised in accordance with such regulations, and no appellate jurisdiction in a given case can be exercised by the Supreme Court if Congress has made no provision therefor. By statute (28 U. S. C. A. secs. 344–350), Congress has specified the appellate jurisdiction of the Supreme Court, and the effect is to deny by implication all appellate jurisdiction which is not affirmatively conferred. Congress may give the Supreme Court appellate jurisdiction in respective matters as to which, under the Constitution, it has original jurisdiction, but jurisdiction granted as original cannot be exercised as appellate.

Dean Roscoe Pound of Harvard University Law School submitted a statement in opposition to the bill, and accompanied it with a letter in which he said:

My statement does not cover the first of the two key issues of which you write. It seems to me enough to say that if Congress does have the power (which seems fairly clear) the particular exercise of it in this case would be very unfortunate. I have confined myself therefore to that proposition.

The key issue Dean Pound referred to was the constitutionality of a provision withdrawing appellate jurisdiction from the Supreme Court. Dean Pound said it "seems fairly clear" that Congress does have this power.

That concludes my discussion of section 1 of S. 2646 at this point.

The first amendment embodying new language which I offered to S. 2646, and which as adopted by the committee is section 2 of that bill, relates to the power of Congress to inquire of witnesses in Congressional investigations. It pertains specifically to the decision of the United States Supreme Court in the case of *Watkins* v. *United States* (354 U. S. 178). The opinion in this case involved a prosecution for criminal contempt under the provisions of section 102 of the Revised Statutes, now section 192 of title 2 of the United States Code. This provision of law, which was passed by the Congress in 1857, provides that any person, having been summoned as a witness by the authority of either House of Congress, who willfully makes default, duce papers upon any matter under inquiry by any committee of either House of Congress, who wilfully makes default, or having opportunity, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100, and imprisonment in a common jail for not less than 1 month nor more than 12 months. It is clear from this recital of the provisions of the statute that in order to be convicted pursuant to its provisions, first, a person must have been summoned as a witness; second, his attendance must relate to

a matter under inquiry by either House, or a duly constituted subdivision of either House; third, the witness must either make default or refuse to answer a question propounded by the Congressional body; and fourth, the question so propounded must be pertinent to the question under inquiry: It must be a question reasonably calculated to produce information needed and desired by the legislative body conducting the inquiry, as a part of that inquiry. It is this latter requirement with which the United States Supreme Court was primarily concerned in the case of Watkins against United States.

The facts in that case are these. The House Un-American Activities Committee was conducting a hearing in Chicago and had summoned before it as a witness a man by the name of Watkins. This man had in the course of his interrogation admitted to having cooperated with the Communist Party and having participated in Communist activities to such a degree that, to use his own words, "some persons may honestly believe that I was a member of the party." He acknowledged that he had made contributions upon occasions to Communist causes, that he had signed petitions for Communist causes, and attended caucuses at a Farm Equipment Workers International Union Convention at which Communist Party officials were present. He disclaimed ever having carried a Communist Party card or having accepted the discipline of the Communist Party. He was then confronted with a list of names of persons concerning whom previous testimony had been given before the committee which indicated they were members of the Communist Party. When asked to identify, from his own knowledge, whether he knew any of them to have been members of the Communist Party, he refused to give the information, not on the basis of the fifth amendment, but on the basis that he thought the questions were outside the proper scope of the committee's activity. He did say that he would answer questions about persons whom he knew to be members of the Communist Party and whom he believed still were, but as to others, he refused to discuss what he called "the political activities of my past associates."

Following this refusal on the part of the witness, the chairman of the committee submitted a report to the House of Representatives concerning the witness' refusal to answer the questions which had been propounded to him—House Report 159, 83d Congress, 2d session. The House thereupon directed the Speaker to certify the committee's report to the United States attorney for the initiation of criminal prosecution. This action was taken by a voice vote—CONGRESSIONAL RECORD, volume 100, part 5, pages 6382–6386. Later, a seven-count indictment was returned. The accused waived his right to a jury trial and was found guilty on all counts by the court and a sentence was imposed consisting of a fine of $100 and a suspended prison sentence of 1 year.

Upon appeal to the Circuit Court of Appeals for the District of Columbia, the conviction was reversed by a 3-judge panel, 1 member dissenting. A rehearing en banc was requested and the full bench of the Court of Appeals after the rehearing affirmed the conviction, with the judges of the original majority in dissent (233 F. 2d 681). The Supreme Court thereafter granted certiorari (352 U. S. 822).

By way of summary, this is the posture of the case as we prepare to examine the decision of the Supreme Court. The inquiry was being conducted in Chicago by the House Un-American Activities Committee. The witness was asked to identify certain persons. He declined to answer with respect to some of the names presented to him, asserting that such questions were outside the scope of the committee's authority. He was thereupon cited for contempt of Congress, and convicted, and this conviction, upon appeal, was upheld.

The opinion of the Court in this case reads more like a Law Review article than a decision of the United Sates Supreme Court. Several pages of the opinion are consumed by a detailed description of the abuse of investigative authority of the English Parliament, some of the cited instances having occurred almost 300 years ago. It also contains praise of the Royal Commissions of Inquiry now utilized under the parliamentary system. As far as I can determine, the Court in this review of parliamentary investigations and its studied praise of the Royal Commissions, is suggesting the utilization by Congress of such procedures without any examination into the difference between the English Parliament and the Congress of the United States or without sufficient consideration of the extreme power afforded a Royal Commission in its investigation.

Following this review of ancient history, the Supreme Court opinion in the Watkins case undertakes to review the investigative activities of the two Houses of Congress since the founding of the Republic. Finally, after the Court has inundated, by sheer verbiage, those who attempt to follow its logic, it returns to the issue of the guilt or innocence of the man charged. Ultimately, the Court determined that the witness was not accorded a fair opportunity to determine whether he was within his rights in refusing to answer the questions, and that his conviction was therefore invalid under the due-process clause of the fifth amendment. The Court found that this fair opportunity was lacking because of vagueness, a vagueness which made it, according to the Court, impossible for the witness to determine what the question under inquiry was and, as a consequence, whether the question propounded to him was, in fact, pertinent as required by the statute. The Court asserted that (1) the resolution creating the committee was vague; and (2) the statement of the chairman of the committee outlining the purpose of the investigation was vague. The Court found itself befuddled by words like "un-American activities," "subversion and subversive propaganda," and the "principle of the form of Government as guaranteed by our Constitution," and it bestowed upon the witness the benefit of its own confusion, although the witness had not asked for it. Bear in mind that the witness had not complained that he was unable to make the determination that the question was pertinent—in fact, he had asserted that it was not pertinent.

As I see it, Mr. President, the decision of the Court pertained primarily to the words "question under inquiry", as those terms are used in the contempt-of-Congress statute. The Court found that the "question" or "matter" under inquiry was not sufficiently defined to enable the witness to determine whether the question asked was pertinent to it. In the Court's view, there was no satisfactory showing that the committee needed and wanted, as a part of its then current inquiry, information which the questions Watkins refused to answer were reasonably calculated to produce. In this the Court saw a denial of due process to the witness in violation of the Fifth Amendment to the Constitution of the United States. The Court held that since the statute involved was a criminal statute there must be, under constitutional standards, sufficient certainty with respect to pertinency so as to clearly establish a standard of criminality in connection with the refusals to answer. Obviously, any alteration of this concept as a matter of principle would require a constitutional amendment. Of course, statement of this principle does not resolve the question of whether there had been, in fact, sufficient clarity with respect to pertinency. The Court held there had not been.

The Court, however, went considerably beyond this holding in its decision. In its sweeping discussion of the whole problem of the investigatory power of the Congress and its relationship to the private rights of individuals, the Court seems to be laying the foundation for denying Congress the use of criminal sanctions where the Court is not persuaded of the legislative need, particularly in those instances where public opprobrium might be inflicted upon the witness by reason of his refusal to answer a particular question asked of him. The Court, for example, states at page 198, as follows:

> Accommodation of the Congressional need for particular information with the individual and personal interest in privacy is an arduous and delicate task for any court.

Later, on that same page, the Court observes:

> The critical element is the existence of, and the weight to be ascribed to, the interest of the Congress in demanding disclosures from an unwilling witness.

Later, on page 205, the Court comments:

> Protected freedoms should not be placed in danger in the absence of a clear determination by the House or the Senate that a particular inquiry is justified by a specific legislative need.

Still later, in its discussion of the provisions of the Legislative Reorganization Act, outlining the jurisdiction of the House Un-American Activities Committee, the Court states:

> It is impossible in such a situation to ascertain whether any legislative purpose justifies the disclosures sought and, if so, the importance of that information to the Congress in furtherance of its legislative function.

As is evidenced from the Court's lengthy opinion, there are several different aspects to the problem of the relationship, to the rights of an individual witness, of the Congressional power to investigate in aid of legislation. One of these aspects is the need of the Congress for information on which to base legislation. The Court obviously alluded to this in the last quotation which I cited above. I can agree that a particular inquiry must be justified by a legislative need, but I do not believe that the Supreme Court ought to be the judge of legislative need. I submit, Mr. President, that there is no authority under our form of government capable of making the decision of legislative need other than the Congress of the United States. The Congress is the constitutional repository of the power to legislate. It alone knows what information is necessary to carry out its constitutional mandate. In this regard, I think that this principle was well stated by Senator Fessenden, of Maine, on March 12, 1860, at a time when the Senate was considering the scope of the resolution authorizing an investigation of the incident at Harpers Ferry. Senators will find his remarks in the Congressional Globe, 36th Congress, 1st session, at page 1102:

> Congresses have appointed committees after committees, time after time, to make inquiries on subjects of legislation. Had we not power to do it? Nobody questioned our authority to do it. We have given them authority to send for persons and papers during the recess. Nobody questioned our authority. We appoint committees during the session, with power to send for persons and papers. Have we not that authority, if necessary to legislation? Who is to be the judge as to our duties necessary to legislation? Who is to judge of the necessity? We, Senators may say there is danger in it; they may object that we are judges in our own case. Sir, we are judges for the good of the Nation, for the good of the people. They have made us their legislature; they have told us what to do; they have told us how far we may go with relation to certain matters, and where we must stop; but as to the mode by which we are to accomplish the great purposes for which we were created, and do the great things which we were appointed to do, they have left that to us.

Mr. President, the Court cannot know the information the Congress needs in order to fulfill its legislative function, nor can the executive branch of the Government. There is real necessity, therefore, to provide a means by which the Court may ascertain that the Congress has determined that there is a legislative need to secure an answer to questions which Congressional committees have propounded. I do not understand this to be at odds with the observations of the Court. The Supreme Court itself said:

> Only the legislative assembly initiating an investigation can assay the relative necessity of specific disclosures (p. 206).

I have attempted to set forth such a proceeding in an amendment to the contempt-of-Congress statute. My amendment provides that a question is presumed to be pertinent in the sense that it is responsive to a legislative need, first of all, unless timely objection is made to the question by the witness. This is in accord with a long line of decisions based on well-recognized principles.

The constitutional grant of all legislative powers to the Congress necessarily included the power to secure needed information. As the Supreme Court itself said in the case of *McGrain* v. *Daugherty* (273 U. S. 135, 161) decided in 1927:

> There is no provision expressly investing either House with power to make investigations and exact testimony to the end that it may exercise its legislative function advisedly and effectively. So the question arises whether this power is so far incidental to the legislative function as to be implied.
>
> In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the Colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both Houses of Congress and in most of the State legislatures.

In this same case, the Supreme Court quoted approvingly from the decision in the case of *People* v. *Keeler* (99 N. Y. 473), where the Court said:

> We are bound to presume that the action of the legislative body was with a legitimate object if it is capable of being so construed, and we have no right to assume that the contrary was intended.

Thirty years later, in the case of *In Re Chapman* (166 U. S. 661, 670), the Supreme Court of the United States had declared:

> We cannot assume on this record that the action of the Senate was without a legitimate object, and so encroach upon the province of that body. Indeed, we think it affirmatively appears that the Senate was acting within its right, and it was certainly not necessary that the resolutions should declare in advance what the Senate meditated doing when the investigation was concluded.

These decisions embody the principle that a legislative purpose must be presumed in authorizing a Congressional investigation. On the basis of this principle, Federal courts have repeatedly held—as late as 1947 in the case of *United States* v. *Dennis* (72 F. Supp. 417), and as late as 1948 in *Barsky* v. *United States* (167 F. 2d 241)—that the courts will not try to determine in advance whether legislation might result from an investigation which would be either unconstitutional or invalid.

Standing committees of the Senate, and their subcommittees, are specifically granted investigatory powers by the Legislative Reorganization Act of 1946. Subsection 134 (a) of that act provides:

> Each standing committee of the Senate, including any subcommittee of any such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures (not in excess of $10,000 for each committee during any Congress) as it deems advisable. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance at a cost not exceeding 25 cents per hundred words.

The boundaries of the Congressional power of inquiry were discussed in *Townsend* v. *U. S.* (decided in 1938 (95 F. 2d 352, 361), where it was said:

> A legislative inquiry may be as broad, as searching, and as exhaustive as is necessary to make effective the constitutional powers of Congress.* * * A judicial inquiry relates to a case, and the evidence to be admissible must be measured by the narrow limits of the pleadings. A legislative inquiry anticipates all possible cases which may arise thereunder, and the evidence admissible must be responsive to the scope of the inquiry, which generally is very broad. Many a witness in a judicial inquiry has, no doubt, been embarrassed and irritated by questions which to him seemed incompetent, irrelevant, immaterial, and impertinent. But that is not a matter for a witness finally to decide. Because a witness could not understand the purpose of cross-examination, he would not be justified in leaving a court room. The orderly processes of judicial determination do not permit the exercise of such discretion by a witness. The orderly processes of legislative inquiry require that the committee shall determine such questions for itself. Within the realm of legislative discretion, the exercise of good taste and good judgment in the examination of witnesses must be entrusted to those who have been vested with authority to conduct such investigations.

This, Mr. President, is a pronouncement by a Federal Court exactly in line with the theory embodied in section 2 of S. 2646 as it has come from the committee. As the Court said, "The orderly processes of legislative inquiry require that the committee shall determine such questions for itself." And as late as 1949 the Supreme Court of the United States, denying certiorari in the case of *Marshall* v. *U. S.* (176 F. 2d 473, 474, cert. denied 339 U. S. 933), accepted the principle enunciated in Townsend against United States, that "within the realm of legislative discretion, the exercise of good taste and good judgment in the examination of witnesses must be entrusted to those who have been vested with authority to conduct such investigations."

However, when an objection is raised on the grounds that a particular question is not pertinent to the matter under inquiry, then it becomes imperative to provide a procedure whereby pertinency, in the sense of legislative need, may be determined. The procedure which I have outlined in my amendment is that when objection is made, the presiding officer shall rule. His ruling will stand unless reversed by the body on appeal. The ruling of the presiding officer, as I have used it, means the ruling of the Senator or Representative presiding at the hearing. The body, as I have used that term, means the body conducting the hearing, whether a committee, or a subcommittee, or other instrument of the Congress.

As I previously remarked, the decision of the Court in the Watkins case related primarily to a determination of the scope of the words "question under inquiry" as

those terms appear in the contempt-of-Congress statute. This might be said to be a question of jurisdictional pertinency; and in this sense, my amendment does not affect the right of a defendant to secure a judicial interpretation.

The word "pertinent" precedes the words "question under inquiry" in the statute. My amendment defines the word "pertinent," not the words "question under inquiry." I have sought to define the word "pertinent" in order to supply two deficiencies. One of these I have just discussed—that is, the amendment attempted to provide for a clear determination of legislative need so that the courts need not presume to be the judge of that factor. But there is a second objective of my amendment, Mr. President: that is, to provide a means for advising the witness and the court that the Congress believes that the question which has been propounded to the witness is pertinent to a matter with respect to which the Congress has a right to inquire. What we are here supplying is the mechanism by which the Supreme Court and the other Federal courts may know that the Congress considers the question and its answer pertinent to a matter under inquiry. This does not preclude the Court from concerning itself with the private rights of the individual. It does advise the Court of the opinion of the Congress that the Congress considers the question pertinent to the matter under inquiry. It provides for the securing of a ruling contemporaneous with the propounding of the inquiry. It provides for an appeal from the ruling of the chair, and then it permits a further examination and determination by the full House or full Senate when either of those bodies is called upon to adopt a resolution initiating a criminal prosecution under the contempt-of-Congress statute. Any citation by the Senate or House in such a matter necessarily amounts to upholding the body which conducted the hearing at which the alleged contempt was committed. It would necessarily involve the decision by the House or the Senate, as the case may be, that the information was required by legislative need and a further determination by the House or the Senate that the question propounded was in the minds of the Members of that body pertinent to a clearly understood matter under inquiry by one of its committees.

Mr. President, I know that there are those who have asserted that this legislation is an attempt to withdraw from the consideration of the Federal courts an essential element to the crime of contempt of Congress. Despite the attempts which have been made to thus tar this amendment with the brush of unconstitutionality, this amendment does not propose to withdraw from the jurisdiction of the Federal courts, consideration of the issue of whether the question propounded was, in fact, within the jurisdiction of the committee. This is, as the Court pointed out, a jurisdictional concept of pertinency, and it must be satisfied. However, the statute does not deal with jurisdictional pertinency. It requires that the question asked be pertinent to the issue under investigation. The statute does not say that the inquiry must be within the scope of the committee's authority. If it is not, the whole proceeding is void and cannot provide the basis for a contempt conviction. Whether the investigation is pursuant to the committee's authority is a separate issue which exists independent of the statute, as is clearly shown by the decision of the Supreme Court in the case of *United States* v. *Rumely* (345 U. S. 41).

Mr. President, I would not want to withdraw from the Court's consideration the issue of whether a question propounded by a Congressional committee was, in fact, within the jurisdiction of the committee. I do not want any committee of Congress to possess the power to summon persons, or to compel persons to submit documents and papers, or to answer questions, which that committee, under its delegated authority, has no right to require. I have expressed myself on this subject many times. Beyond this question of my own desire, I would deem such an attempt to be clearly unconstitutional.

Those who assert this amendment attempts to withdraw court consideration of the jurisdictional issue do so in the face of the fact that such an interpretation would render the amendment unconstitutional and that it is a fundamental rule of construction of the Supreme Court of the United States that where a statute is subject to more than one interpretation, the courts will place upon it that interpretation which is constitutional in order to avoid striking down the statute *Crowell* v. *Benson* (285 U. S. 22, 62, and cases cited).

I hope, Mr. President, that with this clarification we may withdraw from the debate on this legislation any further assertion that this legislation is intended to, or is reasonably calculated to, or may constitutionally, deprive the courts of the United States of the opportunity to determine whether the question asked is within the jurisdiction of the committee which asked it.

Mr. President, the Supreme Court in the Watkins case spent 25 pages setting forth an opinion which culminated in a finding that the scope of an investigation had not been sufficiently defined to enable the witness to determine the pertinency of a question asked of him. In its linguistic beneficence, however, the Court has laid its foundation. It has forewarned the Congress. Determine your legislative need for information or we will do it for you, the Court has said. Yet, even the Justices who concurred in this opinion admit that only the legislative assembly initiating an investigation can assay the relative necessity of specific disclosures. A more self-evident statement could not be imagined. And yet, you will be asked to defeat an amendment which provides a means whereby the Court may know that there is a legislative need and that the Congress has so found.

Mr. President, I think that the Court in the Watkins opinion has proposed to move unjustifiably into the area of legislative power. I think we as Members of the Senate must be quick to repulse this invasion. We must be just as quick, I might add, as the Court would be if the Senate of the United States or the Congress were to attempt to invade the judicial power. I prefer to think of this measure as corrective, not punitive—one which does not attempt to withdraw legitimate jurisdiction of the Supreme Court, but does establish a devotion to the principle of separation of powers in the Federal Government.

Mr. President, the issue is basically whether the legislative branch will continue to be effective. The opinion in the Watkins case in a peroration at the close contains the following statement at page 215:

> The legislature is free to determine the kinds of data that should be collected. It is only those investigations that are conducted by use of compulsory process that give rise to a need to protect the rights of individuals against illegal encroachment.

On the basis of this our freedom to inform ourselves is apparently to be restricted to voluntary information which willing witnesses may supply and to such other information as we may elicit by compulsory process with the advice and consent of the Supreme Court of the United States. Those who have not attempted to legislate might believe that we can operate successfully as a legislative body under this arrangement, but I certainly do not. We cannot obtain, in many cases, without the aid of compulsory process, the information we need to legislate. For confirmation of this it is necessary to look no further than at the recent disclosures obtained through the use of the subpena in the hearings of the McClellan committee investigating improper practices in labor and management.

Investigation in aid of legislation is a vital function of a representative legislature. It is essential to the legislative process. This was recognized by the Supreme Court itself in McGrain against Daugherty, from which I already have quoted, when the Court stated that investigations are a necessary and appropriate attribute of the power to legislate. (273 U. S. 135, 175 (1927).)

Mr. Justice Clark, in his dissent in the Watkins case, also recognized this when he observed:

> To carry on its heavy responsibility the compulsion of truth that does not incriminate is not only necessary to the Congress but is permitted within the limits of the Constitution. (Page 233.)

When a nonelective body presumes to arrogate to itself the function of determining whether there is legislative need for disclosures when investigations are being conducted by an agent of either House of Congress, it is time for the legislature to act and to act decisively. As we act, we preserve not just the powers of the Congress but also the power of the electorate who chose us to legislate; in adopting this amendment we shall be protecting not only our own prerogatives as part of the legislative branch, but also those of the people of the United States and the States to whom we are responsible.

Let me restate the heart of this matter. In the Watkins case, the Supreme Court ruled that a witness was entitled

to know with certainty whether the question being asked him was pertinent, since in the criminal statute on contempt Congress had made pertinency a factor in the crime of contempt. The Court suggested that this requirement might be met by fully informing the witness of the reasons why the question was considered pertinent. But that amounts to leaving the decision to the witness, and this is not a decision which should be left to the witness. Pertinency in the sense in which it is referred to here involves the legislative need for the information being sought, and this is a question to be determined by the legislative body, and not otherwise. What I have proposed is to meet the requirement of certainty which the Supreme Court has enunciated by establishing a basis for contemporary determination by the legislative body of whether the information sought to be elicited by any particular question is needed. First, my amendment provides that if the point of pertinency is not raised by the witness with respect to a particular question, the question will be deemed pertinent. Second, if the point of pertinency is raised by the witness, the body conducting the hearing will determine whether the question is pertinent in the sense that there is legislative need for the information sought to be elicited. Finally, the amendment embodies what every Senator knows to be a standard rule of procedure: that the ruling of the Chair will stand as the ruling of the body unless reversed on appeal by the body itself.

The only reason there is a statutory crime of contempt of Congress is that Congress has enacted the statute making it a crime; and that same statute, enacted by the Congress, makes pertinency a factor in that crime. Who will say that Congress does not have the right to amend its own statute so as to provide the certainty, with respect to pertinency, which the Supreme Court has declared to be needed?

Now let us turn to the next section of S. 2646.

The third committee amendment, which constitutes section 3 of the bill, would restore the enforceability in at least 42 States of the various antisubversive statutes which were rendered unenforcible by the lawmaking the Supreme Court indulged in in the case of Pennsylvania against Nelson.

As the report of the Judiciary Committee points out, the language of this proposed new section is very plain and would be difficult to misunderstand.

The only field of State legislation which would be affected in any way is the area of State statutes providing criminal penalties for acts, attempts, or conspiracies to commit sedition against a State or the United States, or to overthrow the government of a State or the Government of the United States.

State legislation in this field was always considered proper, until the Supreme Court said otherwise in its decision in the Nelson case.

Before I go any further, I want to clear up what has come to be rather substantial and widespread confusion about the intent of the Congress with respect to preempting the field of antisubversive legislation. This confusion results to a large extent from the very cavalier treatment which the United States Supreme Court, in its decision in the case of Pennsylvania against Nelson, gave to the specific Congressional declaration on this point which appears in section 3231 of title 18 of the United States Code.

What the Supreme Court did in this connection was like making black white; the Court portrayed this statutory provision as being what it is not, and not being what it is.

Let me document this point so that it will be clear to all.

Title 18 of the United States Code is the title which deals with criminal code and criminal procedure. This is not a mere codification; it is itself substantive law. It was enacted in 1948, and involved a reenactment, with numerous changes and consolidations and eliminations, of all the Federal criminal statutes in existence at that time. It was intended that after enactment of the bill, as the Judiciary Committee of the Senate pointed out in its report on this new codification, filed by the senior Senator from Wisconsin [Mr. WILEY], on June 14, 1948:

> Uncertainty will be ended and there will no longer be any need to examine the many volumes of the Statutes at Large as the bill, upon enactment, will itself embody the substantive law which will thus appear in full in the United States Code.

In the Nelson decision, the Supreme Court, laying a foundation for going forward with a lengthy consideration of various criteria used by the courts at different times in determining questions of legislative preemption, said:

> Where, as in the instant case, Congress has not stated specifically whether a Federal statute has occupied a field in which the States are otherwise free to legislate, different criteria have furnished touchstones for decision.

Footnote 10 to the opinion, intended to document the Court's assertion that Congress had not stated specifically whether the Smith Act has occupied its field, reads as follows:

> Petitioner makes the subsidiary argument that title 18 United States Code, section 3231 shows a Congressional intention not to supersede State criminal statutes by any provision of title 18. Section 3231 provides:
>
> "The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States.
>
> "Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof."
>
> The office of the second sentence is merely to limit the effect of the jurisdictional grant of the first sentence. There was no intention to resolve particular supersession questions by the section.

The fact of the matter is, as research demonstrates, that the second sentence of section 3231 was not intended merely to limit the effect of the jurisdictional grant of the first sentence, but was a separate provision, derived from a number of prior statutes, and intended by the revisers of the code, who explained it so, to be effective with respect to every provision of the Federal Criminal Code.

Research also makes it clear that the Court's statement that there was no intention to resolve particular supersession questions by the section is extremely misleading, since it is obvious that the purpose of the section was to prevent supersession questions in the field of criminal law, by an explicit provision that would protect the validity and enforceability of all State laws in this field.

We could go back farther, but we need not go beyond March 4 of 1909 to make this clear. By an act approved March 4, 1909, the then-existing Federal criminal statutes were codified. These included statutes against treason and sedition and other subversive activities. Section 326 of that act provided:

> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

Section 340 of that act provided:

> The crimes and offenses defined in this title shall be cognizable in the circuit and district courts of the United States, as prescribed in sections 563 and 629 of the Revised Statutes.

It will be seen that in the 1909 codification, the preservation of State jurisdiction appeared in the statute before the clause relating to the jurisdiction of United States courts.

On May 18, 1934, an act was approved which defined certain crimes related to bank robbery, but which was not enacted as a part of the Criminal Code. Section 4 of this act provided:

> Jurisdiction of any offense defined by this act shall not be reserved exclusively to courts of the United States.

This act was codified in 1940 as a part of title 12 of the United States Code; but when the Criminal Code was reenacted in 1948, the essential provisions of this act were embodied in the new Criminal Code as section 2113 of title 18. However, the provisions of section 4 of the act of May 18, 1934, were not carried over into the new Criminal Code enacted in 1948, because, the revisers of that code explained in a note which is a part of the legislative history of the act, it was felt that the point was adequately covered by the provision in section 3231 of title 18 that:

> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

The specific reviser's note I refer to appears in the United States Code, immediately following section 3231, under the heading "Legislative History," and reads as follows:

> The language of said section 588d of title 12, United States Code, 1940 edition, which related to bank robbery, or killing or kidnapping as an incident thereto (see section 2113, of this title), and which read: "Jurisdiction over any offense defined by sections 588b and 588c of this title shall not be reserved exclusively to courts of the United States" was omitted as adequately covered by this section.

Since this reviser's note was a part of the legislative history of the act and was before the Congress when the new Criminal Code was enacted, it is clear that this represented the intention of the Congress.

The important point here is that the revisers intended the provision in the second paragraph of section 3231 to be applicable to each of the separate provisions of title 18, the new Criminal Code; and the Congress ratified this intention.

In the 1940 edition of the United States Code, which was merely a codification of existing statutes and not a reenactment, as the 1948 Criminal Code was, section 546 provided:

> The crimes and offenses defined in this title shall be cognizable in the district courts of the United States, as prescribed in section 41 of title 28.

Section 547 of title 18 of the 1940 edition of the United States Code provided:

> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

It will be noted that in the 1940 code these two provisions were codified as separate sections. When the House of Representatives passed the bill which eventually became title 18, the Criminal Code, the language of the 1940 codification was used, section 546 becoming the first paragraph of section 3231 and section 547 becoming the second paragraph of section 3231. In the Senate, the language of the first paragraph was amended so as to give United States district courts original jurisdiction of all offenses against the laws of the United States, exclusive of the courts of the States. The purpose of this amendment was to preserve another provision of the 1940 codification which granted such exclusive jurisdiction. The point to remember here is that what was involved was only offenses against the United States; that is, offense charged under some Federal law. There was nothing in this provision to affect in any way the jurisdiction of State courts over offenses charged under State laws.

Furthermore, it should be noted that the second paragraph of section 3231 was not, as the Supreme Court's footnote 10 indicates, added as a limitation on the jurisdictional grant of the first sentence. On the contrary, the second paragraph was retained without change when the first paragraph was amended.

It is also worthy of note that a provision dealing solely with the jurisdiction of the courts of several States under the laws of the States—which is what the second paragraph of section 3231 is—can hardly be said, in logic, to be a limitation on a jurisdictional grant which deals solely, as does the first paragraph of section 3231, with the jurisdiction of Federal courts under Federal laws.

Whether this footnote was written originally by Mr. Chief Justice Warren, as a part of his opinion, or was added, at some stage of the proceedings, by some law clerk, does not appear on the record. The fact remains that the footnote is so misleading as to constitute clear misrepresentation. Yet the Court's position, justified solely by this footnote, that Congress has not stated specifically whether the Smith Act preempted its legislative field, is the keystone of the whole opinion in the Nelson case.

It was never the intent of the Congress, by enactment of the Smith Act, the Internal Security Act, or any other piece of legislation, to tie the hands of the States so that they could not act against subversion directed either against the National Government. The effect produced by the Supreme Court decision in the Nelson case—that is, virtual invalidation of all State anti-subversive legislation—was not only unintended by the Congress, but was not desired by the Congress. The way to eliminate this undesirable effect is to enact section 3 of S. 2646 into law.

As the Judiciary Committee has pointed out, enactment of section 3 of S. 2646 could not and would not have any retroactive effect with respect to any person whose conviction was previously reversed. In many instances where prosecutions under State law have been dropped or dismissed at one stage or another as a result of the Supreme Court's ruling in the Nelson case and the recognition by State authorities that convictions could not be secured in the face of the Nelson case doctrine, new proceedings against the individuals involved could not now be started, because the statute of limitations has run. So it is clear that enactment of this section of the bill would not overcome all of the undesirable results flowing from the Nelson case decision. But enactment of this section will be doing all we can do in this field.

Basically, the purpose of section 3 of this bill as it has come from the committee is to meet the major problem raised by the Supreme Court's decision in the Nelson case, and end the silent supersession of State authority in the field of antisubversive legislation.

However, States would not have to enact new antisubversive laws if the Congress should adopt this section of the bill. Existing State laws against subversion would simply become once more effective and enforceable.

In the Nelson case, the Supreme Court took the position that if Congress did not want to preempt a field of legislation, but rather wanted to leave the field open to concurrent State legislation, Congress could do that also. In other words, Congress is not faced with the dilemma of having to avoid enactment of legislation in any particular field in order to avoid invalidating State legislation in that field. What is proposed by section 3 of this bill is that Congress make clear its intent that in the future antisubversive laws enacted by the Congress shall not prevent the enforcement of State antisubversive laws. Of course, if Congress should later on decide that it wanted to preempt this field for Federal legislation, or that it wanted to invalidate State laws with respect to some particular area of subversion, Congress could always do so.

The greatest evil of the Supreme Court's decision in the Nelson case was that it purported to make new law of general applicability, which rendered unenforceable the anti-subversive laws of 42 States, Alaska, and Hawaii. With the Smith Act rendered unenforceable against current Communist activity by the Supreme Court's decision in the Yates and Schneiderman cases, and the Internal Security Act still in litigation after 8 years because the Supreme Court refused to meet its responsibility to pass on the constitutionality of that act, there is today no effective antisubversive legislation, State or Federal, which may be used to check the Communist conspiracy in this country. This helpless and hopeless situation must not be allowed to continue.

Now we come to the last section of the bill.

The basic objective of section 4 of S. 2646 as it has come from the committee is to meet the decision in the Yates case and restore the effectiveness of the Smith Act provisions against organizing for the overthrow of the Government of the United States by force and violence, and teaching or advocating such overthrow.

This section of the bill contains a proposed finding respecting the need for legislative clarification of the Smith Act, and then embodies three proposed amendments to that act.

The first of these would add the words "without regard to the immediate probable effect of such action" at the beginning of the paragraph presently defining the crime of knowingly or willfully advocating or teaching the duty, necessity, desirability or propriety of overthrowing or destroying the Government of the United States or the government of any State, Territory, District, or possession thereof, by force or violence, or by the assassination of any officer of any such government.

The second proposed amendment of the Smith Act, embodied in subsection (c) of section 4 of the bill, would make the factor of intent to cause the overthrow or destruction of the Government of the United States an element of the crime of advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying such government by force or violence.

The third amendment which section 4 of S. 2646 would make in the Smith Act is embodied in subsection (d), and consists of a definition of the term "organize," so as to give this term a reasonable legislative meaning so that the provision of the law against organizing for the overthrow of the Government of the United States by force and violence would have applicability to current activities of the Communist Party, U. S. A.

It has been argued that section 4 of S. 2646 is bad because its first subsection specifically mentions the decision in the Yates case. But, Mr. President, the problem we are attempting to meet involves the misinterpretation and misconstruction of a statute by a particular decision. We are seeking to correct this situation by making the Congressional intent so clear that it cannot be misinterpreted or misconstrued. The best way to accomplish that is to call a spade a spade. We do not want to leave any doubt about the objective or effect of this proposed amendment; and the amendment is couched in language which will avoid any such doubt.

It is not merely a right of the Congress, but a duty of the Congress, to correct any construction of one of its statutes by the Supreme Court which it considers to be wrong. The easiest, and clearest, and simplest way to do this is by reference to the specific opinion which contained the wrong interpretation.

In his memorandum of opposition to my amendments, the Senator from Missouri has written that the trial court in the Yates case "gave an instruction to the jury which called for a guilty verdict if they found the defendant advocated and taught the necessity and duty to overthrow the Government by force and violence," but that he did not tell them they had to find an urging or inciting.

But I say to my colleagues it is impossible logically to imagine how anyone could advocate and teach that the overthrow of our Government by force and violence is both a necessity and a duty, without both urging and inciting both the overthrow of the Government and the use of force and violence to accomplish it. Is not teaching a man that a certain act is his duty an incitement for him to perform the act? Is it not urging him to perform it? And how is it possible to advocate a course of action without urging that it be followed?

Nevertheless, in the Yates-Schneiderman decision the Supreme Court construed the existing provision of the Smith act with respect to the teaching and advocacy of the overthrow of the Government by force and violence as not embracing any teaching and advocacy which did not involve incitement to action. Subsection 4 (b) of S. 2646 simply embodies the principle that there can be incitement without the fixing of a specific date for action, and without the probability of immediate action.

Subsection (b) of section 4 is based on the recognized psychological principle that if a man can be brought to accept the concept that a particular course of action is desirable and necessary he is liable to take that course of action when opportunity presents itself; and on the legal principle that the greater the magnitude of a threat which may be brought about by a particular course of action, the less important immediacy becomes as a factor in determining the right of the Congress to legislate against the course of action, in order to avoid the threat.

The threat of Communist domination through the success of the world Communist conspiracy in this country is the greatest threat which faces our Nation today, and Congress has both the right and the duty to enact the best legislation it can devise to minimize that threat, not only in the immediate future, but for any future time.

It does not meet the problem we face to say that the advocacy or teaching of the overthrow of the Government as a mere abstract doctrine is not a clear and present danger. Whether we accept or reject that statement must depend upon what is mere abstract doctrine.

We know that there is a world Communist conspiracy. We know that members of this conspiracy have for many years been teaching and advocating the overthrow by force and violence of free governments around the world. We know that as a result of this teaching and advocacy, many free governments have been overthrown by force and violence. We must not blind our eyes to the relationship of cause and effect.

The great evil in the Yates-Schneiderman decision is not that it states that the teaching and advocacy of "mere abstract doctrine" is not unlawful. The evil is that this decision implicitly declares that the Communist conspiracy is not unlawful and cannot be made unlawful.

The question is not whether Congress can legislate against speech which does not constitute a clear and present danger; the question is what constitutes a clear and present danger.

The Post Office Department employs clerks to sort mail. It is their job to put each letter in its proper pigeonhole. When they do this, they are serving their proper purpose. But when a clerk puts a letter in the wrong pigeonhole, he is not serving his proper purpose.

The classification of mere abstract doctrine is just a semantic pigeonhole. If we put in that pigeonhole the kind of teaching and advocacy which has been successful in bringing about the overthrow by force and violence of free governments in many countries, and the eventual enslavement under communism of the peoples of those countries, the very least which can be said is that the pigeonhole is being misused.

It should be obvious that it is impossible to advocate the overthrow of the Government of the United States by force and violence without inciting to action. Any rationalization which reaches a different conclusion is a misuse of a semantic pigeonhole.

There is a great difference between teaching something, in the sense of inculcating it as a belief, and teaching about something in the sense of informing; between teaching what a certain doctrine is, and teaching that it is right.

It may be sound and proper to explain that Karl Marx advanced the theory that the overthrow of capitalist governments was inevitable, and that Lenin espoused militant Marxism. But to teach that Marxism-Leninism is right, and that the Government of the United States of America should be overthrown, and that the use of force and violence to accomplish this overthrow is proper, is dangerous to the existence of this Nation.

Subsection (c) of section 4 does not involve any question of abstract doctrine. What is involved here is the question of intent. This section would cover any and all advocating and teaching of the overthrow of the Government of the United States by force and violence, if the person doing the teaching and advocating intends to implant a belief that there is a duty to overthrow the Government by force and violence or a justification for doing so, regardless of how the teaching and advocating is labeled.

Clearly, to bring about the overthrow of the Government of the United States by force and violence would be a crime. To intend to bring about the overthrow of the Government of the United States by force and violence is to intend a crime. To seek to do so is to seek to accomplish a crime, whether or not the effort is successful and whether or not the means used are the most effective which might be conceived. A man who intends to rob a bank or to commit a murder and who performs an overt act in furtherance of that intent is guilty of an attempt to commit the crime of robbery or murder. The Government of the United States is certainly no less entitled to protection than a bank, and the life of an individual is certainly no more entitled to protection than the countless lives which would be lost if the Communist conspiracy should succeed in this country.

Subsection (d) of section 4 would give the word "organize" as used in the Smith Act a reasonable meaning, conforming closely to the dictionary definition, and would thus make this section of the Smith Act enforceable against current Communist activity in this country. Under the interpretation given by the Supreme Court in the Yates-Schneiderman decision, this section of the act is not currently enforceable against Communist activity because the Court has held that the term is applicable only to the original formation or subsequent complete reorganization of the Communist Party, and the last complete reorganization of the Communist Party was in 1945, more than 13 years ago. But Communist functionaries, using the title of "organizer," have been doing organizing work for the Communist Party in this country for 40 years, and are doing organizing work for the Communist Party today. Their activity could be reached and controlled under the Smith Act if Congress would enact into law subsection 4 (d) of this bill.

To admit or to assert that the construction which the Supreme Court has placed on the organizing section of the Smith Act, in its Yates-Schneiderman decision, was in accordance with the intent of the Congress, is to admit or assert that Congress intended this section of the act to have no applicability to the Communist Party at the time it was enacted, and never to have any applicability to the Communist Party at any future time unless the Communist Party should recognize at some day after enactment of the law; and then to have applicability only for a period of 3 years from the date of such reorganization. To state this proposition is to refute it. As I have pointed out before, the Supreme Court itself has been able to arrive at this interpretation only by treating a statement made on the floor of the House, to the effect that the act was intended to apply not alone to the Communist Party, as though it were a statement that the act was intended to apply not at all to the Communist Party.

But even more important than the question of what the Congress intended when it passed the Smith Act is the question of what is the present intention of the Congress. If we want the Smith Act to apply to current activities of the Communist conspiracy, then we must amend

the act along the lines of what the Judiciary Committee has recommended. Perhaps we may say that it is not our business to determine now what the Congress intended in 1940. But we cannot say that it is not our business to make our own intentions clear at the present time. If we let the Smith Act stand on the books as it is today with the interpretation and application which the Supreme Court has given it in the Yates-Schneiderman decision, we shall be making it clear that we do not want the act to apply to the current activities of the Communist conspiracy in this country.

The basic reason why it is important to enact legislation such as proposed in section 4 of S. 2646 is that what the Supreme Court has said about the intent of the Congress will remain controlling, in the eye of the law, until Congress by legislation expresses a different intent, or until the Supreme Court changes its mind again. When we are dealing, as we are here, with a law designed to protect the Government of the United States against efforts to bring about its overthrow by force and violence, or by assassination, we have a duty to act. We cannot afford to rest our hopes for the protection of this country on the chance that the Supreme Court may change its mind at some future time. Even if it appeared likely that the Supreme Court would change its mind—and it does not appear likely at the present time—we should have no right to shirk our own responsibility to provide for the internal security of this country as best we can. Congress cannot overrule the Supreme Court; but Congress can at least do its best to enact a statute which will protect this Nation and the people we represent from the world Communist conspiracy.

So far I have been concerned primarily with an affirmative presentation of what is in this legislation, and why it is there, and why it should be enacted. I do not intend to take a negative approach at any time; but I do want to address myself, specifically, now to some of the arguments which have been made against the proposals embodied in S. 2646. Many of these arguments contain or are based upon gross misstatement or misunderstanding of what is actually involved.

Newspaper stories about S. 2646 have been, to an amazingly large degree, misleading with respect to its purposes and effects. Perhaps this is not surprising, in view of the great amount of misinterpretation which has been given the bill by its opponents. I do not charge that newspapers, or any particular newspapers, have deliberately misinterpreted the bill. I do not know if that is true, and the evidence on that point is not all in. It will be interesting to see the extent to which the papers give space to the corrections of these misinterpretations, when they are explained here on the floor of the Senate.

I do not propose to traverse here every editorial which has been written against this bill, for that would involve tedious repetition. I only propose to discuss enough of them to show the pattern of opposition, and to form a basis for discussing some of the major misconceptions and misconstructions which constitute the core of arguments against the bill. In using certain editorials and news stories as examples, I do not mean to imply that these are the worst examples, nor do I have any animosity against the particular papers, from the columns of which I quote. I do not charge that any of the misstatements and misconstructions to which I shall refer were deliberate and knowing, or were ill-intentioned. There would be no way of proving such a charge. I believe every newspaper in this country has an obligation to be factual and fair in its news columns; but in its editorial columns, a newspaper has a right to be as foolish, or as wrong, or even as unfair as it may wish to be. But when a newspaper is foolish, or wrong, or unfair in its columns, it is certainly the right of every citizen, even a United States Senator, to point out the foolishness, the wrongness, or the unfairness.

A Detroit News editorial of April 23, 1958, starts off with the charge that the Senate Judiciary Committee, in approving substantial sections of the Jenner bill acted in defiance of the administration, the considered judgment of the American bar association and of law, logic and common sense.

That charge has several components. Let us look at them one by one.

The clause "in defiance of the administration" implies not only that this bill is opposed by the executive branch of the Government, but also that there is some duty on the part of the committee not to report any legislation which has not been proposed, or at least approved, by the executive branch. A challenge to authority is defiance; but is there any authority in the executive branch to dictate or control the actions of the Congress, aside from the authority constitutionally vested in the President to veto an act of Congress which he disapproves? Of course there is not. The dictionary says that "defy" means "to challenge to combat." Was the action of the Judiciary Committee in approving any portion of this bill such a challenge to the executive branch? Of course not. The dictionary says that "defy" means "to challenge to perform an action proposed as impossible; to dare." Was the action of the Judiciary Committee in approving any part of this bill such a challenge to the executive branch, or such a dare? Of course not.

Clearly, there was no defiance of the administration in what the Judiciary Committee did about this bill.

Was there, then, any defiance of the considered judgment of the American Bar Association? The American Bar Association by a resolution adopted in Atlanta, Ga., disapproved of this bill as introduced, and as reported from subcommittee, on the specific grounds that the bill, since it proposed to utilize a specific check-and-balance provision of the Constitution, contained in article III, section 2, clause 2, of that great charter, was in conflict with an official position, previously taken by the bar association, in support of a proposed constitutional amendment to eliminate this check-and-balance provision from the Constitution. But the bill as it then stood involved the proposal to withdraw appellate jurisdiction from the Supreme Court in five areas. The Judiciary Committee eliminated all mention of four of those areas. To that extent the committee went along with the bar association's position. Furthermore, the bar association did not have before it and did not consider and did not express any opinion with respect to the amendments offered by the Senator from Maryland, which constitute 3 of the 4 sections of the bill as it has been reported from the committee. How can it be said that in approving these 3 sections, or any one of them, the committee was defying the considered judgment of the American Bar Association? It can be said, of course, but not truthfully or accurately. I shall discuss the position of the American Bar Association in more detail before I conclude.

Now, did the action of the Judiciary Committee in reporting S. 2646 defy law? The first section of the bill proposes an exercise by the Congress of a power specifically granted to it in the Constitution of the United States, which is most certainly a part of the law of the land. Is this defiance of law? Of course not. The last three sections of the bill propose to amend statutes enacted by the Congress. Is this defiance of law? Of course not. It is a part of the orderly process of lawmaking.

Now, did the Judiciary Committee's action in approving this bill, or any part of it, amount to a defiance of logic? In other words, is what the committee has done illogical? Is it illogical to seek to utilize a check-and-balance provision of the Constitution in an effort to restore a balance which has been upset by the action of one of the coordinate branches of the Government which has invaded rights guaranteed to the States under the Constitution? Of course not. Is it illogical to seek to amend, by orderly legislative process, a statute originally enacted by the Congress when it has become clear that the statute as currently interpreted is unenforcible, or is having results not intended by the Congress? Of course not.

So there is nothing illogical in what the committee has done.

Finally, is the committee's action in approving this bill, or any portion of it, in defiance of common sense? To the extent that common sense comports with logic, what I have just said is equally applicable to this question. And is it defiance of common sense for the Congress to assert and seek to protect its own powers and prerogatives as one of the great coordinate branches of this Government? Of course not. Is it a defiance of common sense to propose that a statute which has been found inoperative or unenforcible, or objectionable in its effects, should be amended? On the contrary, this is the most sensible thing to propose in such circumstances.

So we see that this whole grandiose indictment in the Detroit News editorial falls of its own weight.

This editorial goes on to declare that this bill as it has come from the committee would "undermine the Supreme Court's right to place limits on the Congressional investigative power." Undoubtedly, the editorial refers in this connection to section 2 of the bill. But, Mr. President, does the Supreme Court have any "right to place limits on the Congressional investigative power"? Of course not. Neither the executive branch nor the judicial branch can limit the power of the legislative branch. Any limits on the Congressional investigative power are limits placed there by the Constitution, which defined and fixed the powers of all the branches of the Government. And the Constitution specifically provides that "all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." That is the very first section of the very first article of the Constitution. That amounts to a direct assertion that no legislative power is granted either to the executive branch or to the judicial branch.

This does not mean that there are no limits on the legislative power to investigate, and it does not mean that the Congress itself can define the limits of its power. But it most certainly does negative the idea that the Supreme Court has any right "to place limits on the Congressional investigative power." The Detroit News editorial correctly understood what the Supreme Court has sought to do; but it most incorrectly asserted the Supreme Court's power to do it.

This Detroit News editorial goes on to say that this section of the bill "in effect, would place the citizen in the position of having no appeal from Congressional decrees—a commonplace procedure under dictatorships, but a radical departure from the Anglo-Saxon tradition of law which protects the individual's rights." Here we have a repetition of one of the most common misconceptions or misconstructions of this provision of the bill. Section 2 of the bill does not take from the citizen his right of "appeal from Congressional decrees." It does not invade the citizen's constitutional rights. It does not in any way deter full adjudication of those rights in the courts. It does not seek to assert any right the Congress does not have under the Constitution; and it could have no effect in that regard if it did. All this section of the bill does is provide for a clear expression by the investigating body in each instance of its own finding with respect to the pertinency of its question—an expression which will give the witness certainty with respect to what is being required of him, and which undoubtedly will be useful to any court which may be called upon subsequently to pass upon a question of law involved in a charge of contempt brought against the witness.

This Detroit News editorial goes on to assert that this bill "strikes directly at the independence of the judiciary, a fundamental of our republican form of government without which the constitutional doctrine of separation of powers would be meaningless."

But the fact is that the bill does not strike at the independence of the judiciary. To be independent is not the same thing as to be all-powerful. The judiciary is not all-powerful. The judiciary is and should remain independent in the exercise of its proper functions. But the judiciary is and should be independent only where it has the right to act. The judiciary does not have the right to legislate. The judiciary does not have the right to invade the reserve powers of the States or of the people. It is wrong to say that the independence of the judiciary protects the separation-of-powers doctrine. On the contrary, it is the separation-of-powers doctrine which protects the judiciary. The Founding Fathers recognized that if any one branch of the Government ever became supreme and all-powerful, we should have government by oligarchy; and oligarchies are always overthrown, sooner or later. The Supreme Court of the United States is supreme as a court; it is not supreme as a governmental power.

The doctrine of the separation of powers is indeed fundamental to our republican form of government. But inherent in that doctrine is the concept that each coordinate arm of the Government should be independent within its own sphere, and should operate within that sphere. That is why check-and-balance provisions were written into the Constitution, so that each of the three coordinate branches of the Government has a means of checking either of the other two branches in the event it should seek to exercise power outside its proper sphere. One of those specific check-and-balance provisions is the provision of article III, section 2, clause 2, giving the Congress the right to regulate the appellate jurisdiction of the Supreme Court. What section 1 of this bill proposes is to utilize this check-and-balance provision for the very purpose for which it was intended. And it is noteworthy that what is proposed is that the Congress should utilize this check-and-balance provision not in defense of its own prerogatives, but in defense of the reserved rights of the States and of the people.

This Detroit News editorial descends, at the end, to the same kind of name-calling which has characterized other attacks on the bill. The editorial declares that the measures proposed by this bill "call for resistance by all those who cherish our inheritance of law and justice." In other words, the Detroit News charges that the 10 Senators on the Judiciary Committee who voted to report this bill favorably to the Senate do not cherish law and justice. By implication, the editorial threatens to characterize similarly any Senator who fails to oppose the bill here on this floor. I am confident, Mr. President, that this attempt at intimidation, and all similar attempts, will fail in their purpose.

An editorial in the Boston Herald, of April 29, 1958, stated:

> Another remedy, proposed by Senator BUTLER of Maryland, would rewrite certain sections of the law which the Supreme Court is supposed to have misinterpreted and set up new procedural rules, which it is hoped the Court will follow in future.

The fact is that none of my amendments sets up any procedural rules for the Court to follow. Each of my proposals in terms would amend a statute enacted by the Congress, so as to make the statute effective in accordance with the intent of the Congress. For Congress to declare its intent by amending its own statutes is certainly not the same thing as setting up new procedural rules for the Supreme Court.

This same editorial in the Boston Herald declared that "the Butler proposals" were "offered as a last-minute amendment to—or substitute for—the Jenner bill, which means they will not get the public hearing and committee scrutiny which all major legislation should have." Implicit in this statement is the false assertion that no Senator should offer an amendment to pending legislation until the specific language of his proposal has been the subject of public hearings. Any such rule would bar most amendments in committee and virtually all floor amendments.

This same statement in the Boston Herald editorial also carries the implication that a committee does not scrutinize any proposal which is not the subject of public hearings. This is a complete non sequitur, as every Senator knows. In the case of my amendments, each one of them was voted upon separately in the Judiciary Committee, after full debate; and to say or imply that the Judiciary Committee did not properly perform its duty of scrutinizing these proposals is an unjustified libel upon the committee and its members.

This Boston Herald editorial in its concluding paragraph asserts that "All friends of orderly Government" will wish success to the Senator from Missouri in his efforts to defeat this bill and the amendments which I have proposed to it, and which the Judiciary Committee has recommended to the Senate. This is another instance of name-calling. It characterizes any Senator who has voted or who votes for the bill or for my amendments as an enemy of orderly Government. The fact is, of course, that in any case where the Congress finds a statute which it has enacted is not being properly construed and interpreted, the orderly procedure, and the only orderly procedure, is for the Congress to amend the statute so as to make clear its meaning and intended application. This is all that I propose.

This Boston Herald editorial concludes with a reference to the "kill the umpire" slur which has been one of the most effective weapons used by the opponents of this bill. The editorial declares:

> It is one thing to disagree with the umpire. It is quite another to undermine the umpire's authority so that he cannot continue to function.

This is extravagant language. There is nothing in this bill which would make it impossible for the Supreme Court to continue to function.

There is a basic fallacy in the contention that this bill embodies a "kill

the umpire' philosophy. If the supreme law of the land, as defined by the Constitution—that is, the Constitution itself, and the laws of the United States which shall be made in pursuance thereof, and treaties made under the authority of the United States—are deemed to constitute the rules of the game, then it is true that this bill would change the rules. But that is no affront to the Supreme Court. The Supreme Court is not supposed to change the Constitution, or the laws enacted by the Congress, or treaties, any more than an umpire is supposed to change the rules. Neither the laws of our country nor the rules of baseball are immutable. Both are subject to change, and an orderly manner is provided in both instances by which changes may be brought about. The Constitution may be changed by a constitutional amendment. Laws enacted by the Congress may be changed by a subsequent enactment. A treaty may be changed by a subsequent treaty, or by a subsequent act of Congress. It is the job of the Supreme Court to apply the laws to particular cases, just as it is the job of an umpire to apply the rules to particular cases. When the law is changed, it is the job of the Supreme Court to apply the new law. When a baseball rule is changed, it is the job of the umpire to apply the new rule. But an umpire who made new rules as he went along, and sought to apply them, would be the greatest possible detriment to the orderly conduct of the game of baseball; and a Supreme Court which makes up new rules as it goes along, and seeks to apply them, is certainly doing nothing to advance the orderly conduct of government.

As Mr. Ernest G. Mira, of Alton, Ill., said in a letter to the editor of the Wall Street Journal:

Opponents of the Jenner-Butler bill complain that its approach is that of the baseball fans who shout "Throw the umpire out" when he renders decisions they don't like. But if the umpire decides that the American team must tell the Red team its strategy in advance (Jencks), and decides that the American pitcher must tell the Red batters in advance what kind of a pitch he is going to throw (Watkins), and then decides that the Red team doesn't have to tell anybody anything (Sweezy, Watkins, and Konigsberg), maybe the baseball commissioners would insist that the umpire follow the rule book.

As Senator JENNER told his colleagues:

We don't want to stop the umpire from enforcing the rules; we just want to keep him from getting into the game and tagging us out at home.

An editorial in the Denver Post of May 1, 1958, starts out by characterizing S. 2646 as a "bill to punish the Supreme Court." All such characterizations embody a well-known principle of propaganda—the principle of labeling. It is recognized by all students of motivation that there is a common human tendency to react to labels—favorably if the label is good, unfavorably if the label carries a bad connotation. The fact is that this bill does nothing to punish the Court. It is corrective, not punitive. With respect to three statutes which have been so interpreted as to render them ineffective in accordance with the intent of the Congress, this bill proposes to amend the statutes so as to make them effective. In a fourth area, not involving any Federal statute, where the Supreme Court has invaded the constitutionality protected rights of the States to conduct their own internal affairs in accordance with their own public policy, this bill proposes that the Congress, representing the States and the people, make use of a specific check-and-balance provision of the Constitution to insure that the Court shall not similarly invade the rights of the States in the immediate future. But the bill is limited to guarding against this possible future invasion of States' rights. It makes no attempt to punish the Court for its past invasion of these rights.

This same Denver Post editorial to which I have referred says that the Senator from Indiana [Mr. JENNER] "is retiring from the Senate this year after 12 years of misguided crusading against subversion." I think it is true, Mr. President, that the Senator from Indiana has been crusading against subversion during all of his tenure in this body. But I doubt, Mr. President, that any substantial number of Americans will agree that crusading against subversion is "misguided."

This same Denver Post editorial correctly states that a provision of this bill "would deprive the Supreme Court of the power to review State laws or decisions regulating admission to the practice of law." Then, as though hearing the great voice of the American people ask "What is so wrong about that?", the editorial declares:

If a State, for a frightening example, required a religious oath for lawyers, nothing could be done about it.

Mr. President, this rhetorical editorial question overlooks the fact that State constitutions contain prohibitions against religious tests; State laws implement those constitutional provisions; and State courts enforce them. It overlooks the fact that all justices and judges of all the highest courts of all the States have taken the same oath which has been subscribed by the Justices of the Supreme Court of the United States, an oath to support and defend the Constitution of the United States. I say to my colleagues that I have seen no evidence that the judges and justices of the highest courts of the States are any less to be trusted in this respect than are the Justices of the Supreme Court of the United States. I have said before, Mr. President, and I say again, any applicant for admission to the bar who is unwilling to leave to the courts of his State the determination of his fitness to become a practicing attorney has no business seeking to become an officer of those courts.

This same Denver Post editorial, Mr. President, declares that "Butler's version" of this bill "simply ignores the Court." Mr. President, all my amendments propose to do is to amend statutes passed by the Congress. What proper part does the Supreme Court of the United States have in amending a statute? The amendment of a statute is solely a matter for the Congress.

It is worth noting here that in this particular statement the Denver Post has characterized as "Butler's version" the one particular provision of the bill which I did not propose, though I have assented to it; namely, the first section, which would withdraw from the Court appellate jurisdiction with respect to admissions to the bars of State courts. Having made this confusing and inaccurate reference, the Denver Post editorial then declares that this provision of the bill, if passed, "would give a Congressional committee power to pry into the affairs of anyone the committee chairman disliked, for no reason whatsoever except his desire to expose or embarrass." This simply is not so. As the report of the Judiciary Committee points out, and as I have repeatedly explained on this floor, and as other Senators have explained here, not least among them the Senator from Indiana, who authored this proposal, section 1 of the bill would not withdraw any jurisdiction from the Supreme Court with respect to any criminal case. Nor would section 2, which is the section that amends the criminal contempt statute. Enactment of this section would leave the Court free, as it is now, in connection with any prosecution for contempt of Congress, to pass upon the question of whether the committee involved was acting without jurisdiction. But it would confront the Court, in passing upon this question, with an explicit finding by the body conducting the investigation, ratified by the parent body, that the information sought was pertinent to the investigation and that the question asked was reasonably calculated to produce desired information. It is not only proper for Congress to provide for making such a declaration a part of the record; it is directly in compliance with the Supreme Court's own adjuration that a witness before a Congressional committee is entitled to certainty, at the time, with respect to what the committee is requiring of him, under pain of contempt.

In its next paragraph, this Denver Post editorial declares that this bill "would again legalize State laws governing subversive activities, which the Supreme Court has declared an obvious Federal matter." But, Mr. President, the Supreme Court has not declared antisubversive laws to be "an obvious Federal matter." As I have pointed out before, the Supreme Court has only asserted that it was the intention of the Congress to preempt this field. If the Congress does not desire to preempt this field, certainly it is proper for the Congress to say so.

The Denver Post editorial goes on to declare that the bill "would amend the Smith Act to cover teaching of abstract doctrines, even when no clear and present danger existed—a plain violation of the first amendment." But the fact is—and this has been repeatedly pointed out here in this Chamber, and is explicitly covered in the Judiciary Committee's report on this bill—that the proposed amendment of the Smith Act does not amount to a repudiation of the "clear and present danger" doctrine, and does not cover the "teaching of abstract doctrines," but is rather an assertion by the Congress of its judgment that efforts to inculcate in the minds of residents of this country the concept that it is right, desirable, a necessity, or a duty to overthrow the Government of the United States by force and violence constitutes a clear and present danger even though a specific date for the overthrow is not proposed. Enactment of section 4 of this bill as it has come from the committee would not amount to a Congressional declaration that advocacy without incitement is a clear and present danger, but would amount rather to a Congressional declaration that incitement need not involve either the fixing of a specific date for violence or the urging of any particular immediate act.

To illustrate the correctness of this view, let me point out that if any substantial number of motorists ever accept the idea that men with long, white beards are undesirable pedestrians, and that it is right, necessary, desirable, and a duty to run them down when the opportunity presents itself, it is going to get mighty dangerous for a man with a long, white beard to try to cross the street.

This Denver Post editorial goes on to label the bill "with the Butler amendments" as "un-American." This is another instance of name calling for propaganda purposes. If it is un-American, Mr. President, to propose to amend existing laws so as to make them more workable and conform them more nearly to the will of the people, then I plead guilty to the charge; but in that case, I shall have a lot of company.

In the Washington Star of Sunday May 11, 1958, a story under the byline of David Koonce declares that—

"Senator BUTLER's plan would bridle the High Court in four areas." But the fact is that only 3 of the 4 amendments to the bill which I proposed were approved by the committee; and none of these 3 amendments has anything to do with the jurisdiction of the Supreme Court. Obviously, since my amendments do not affect the jurisdiction of the Court in any way, they cannot truly be said to bridle the Court.

Mr. Koonce declared, in this story in the Washington Star, that my first amendment—section 2 of the bill as it has come from the committee—"would let Congress, not the Court, have the final say-so on whether questions posed by its committees are pertinent." This statement is true if it is understood correctly, that is, as involving pertinency in the sense of whether Congress needed the information sought by the questions, and deemed the questions reasonably well designed to produce the information it sought. But the statement is not correct if it is construed in the only sense in which it would support the contention that this amendment seeks to bridle the Court: that is, in the sense that the amendment would prevent the Court from considering the question of whether a committee has attempted to act without jurisdiction. The amendment, if enacted, would not prevent the Court from considering this question, as the Judiciary Committee report on this bill makes perfectly clear.

The Koonce story declared that my second amendment—embodied in section 3 of the bill as it has come from the committee—"would give specific authority to the States to enforce their own laws against subversion." The fact is that the authority of a State to make and enforce laws against subversion is a sovereign authority, not flowing from any Federal grant, though protected by the 9th and 10th amendments to the Constitution. All that my amendment would do is remove a court-created impediment to the enforcement of State antisubversive statutes.

The Koonce story declares that:

The Court's ruling in the Nelson case in 1956 held that Pennsylvania could not enforce its laws against subversion, because this area belonged exclusively to Uncle Sam.

Mr. Koonce may not have meant it so, but this statement is most susceptible of being understood as saying that the Supreme Court ruled that as a constitutional matter only the Federal Government could legislate against subversion. This is the same error into which the Denver Post fell, in the editorial I have discussed. Others also have made this error; but as I have pointed out already, the fact is that all the Supreme Court held was that the Congress had demonstarted an intention to preempt the field of antisubversive legislation—and the Supreme Court promulgated this finding in the face of a clearly stated Congressional intent to the contrary. Even so, the Supreme Court's decision did not amount to saying that the Federal Government had any more right in this field than in any other field. The Supreme Court said only that in any area where the Congress has the right to legislate, Federal laws take precedence over State laws; and that therefore, since the Court found that Congress had intended to preempt the field of antisubversive legislation, State laws in this area had been rendered unenforceable: not by virtue of any incapacity on the part of the States, or by virtue of any determination of principles enunciated by the Court, but by virtue of the actions of the Congress, as the Supreme Court saw fit to construe them.

With respect to my third amendment—embodied in section 4 of the bill as it has come from the committee—the Koonce story said that the Supreme Court's decision in the Yates case "held that the mere favoring of violent overthrow, when not accompanied by the active incitement to others, could not come under" the Smith Act. But the Court did not say that the "favoring of violent overthrow could not come under the act." What the Court said was that the Smith Act should not be considered as having been intended by the Congress to prohibit the advocacy of the overthrow of the Government of the United States by force and violence, or by assassination, when such advocacy did not amount to incitement.

If the Congress did not intend to set up a bar to enforcement of the antisubversive statutes of 42 States—and I am confident this was not the intention of the Congress—then we have a perfect right to declare our true intention. If the Smith Act was not effective, as passed, to accomplish its purpose, even though we learn this many years after the law was passed, and even though the ineffectiveness is due to a construction which no one thought of at the time the law was passed, still it is both the right and the duty of Congress to amend the law in an effort to make it serve its intended purpose.

The Koonce story carries as one of four separate paragraphs under the general statement that "Senator BUTLER's plan would bridle the High Court in four areas," the following:

Membership in the bar. The bill would take from the Court its authority to review State decisions on bar admissions. This idea was prompted by the Court's reversal of two State court decisions upholding the denial of two bar candidacies because the applicants allegedly had Communist connections.

But this portion of the bill is not a part of Senator BUTLER's plan. It is a part of Senator JENNER's original bill, as he introduced it. I approve this part of the bill, and I have not sought to strike it out, as I did in the case of four similar proposals made by Senator JENNER, on which the Judiciary Committee went along with me. But this part of the bill was kept in the bill by a vote of 12 to 3 in the Judiciary Committee. That does not make it the plan of any of the 12 Senators who voted for it; that makes it the recommendation of the committee, but it is still Senator JENNER's plan, and credit for it should not be taken away from him.

In this same paragraph, the Koonce story declared, as I have pointed out, that—

This idea was prompted by the Court's reversal of two State court decisions upholding the denial of two bar candidacies because the applicants allegedly had Communist connections.

That statement is completely misleading. The use of the word "allegedly" implies doubt. In the New Mexico case, Schware admitted membership in the Communist Party over a period of 8 years, and the Supreme Court held that this fact could not be taken into account in determining his character and fitness to become an officer of the court. In the California case, Konigsberg claimed privilege under the fifth amendment, on the ground that his answers might tend to incriminate him, in refusing to answer questions about Communist affiliations; and the Supreme Court in effect denied the right of the bar examiners to cross-examine him about such matters as an element in determining his fitness.

There are other respects in which this story in the Washington Star, by Mr. David Koonce, is inaccurate. For instance, Mr. Koonce wrote that Senator BUTLER's substitute "breezed through the Judiciary Committee's Internal Security Subcommittee less than a month after it was offered." The fact is that my amendments were never offered in subcommittee. I offered them in the full committee, after the bill had been reported favorably from the Internal Security Subcommittee. The amendments

themselves represent legislative formulations of suggestions made during hearings on the bill by Mr. Frank Ober, a leading attorney of Baltimore, Md., and the author of Maryland's antisubversive law, and by other witnesses.

At another point in his story, Mr. Koonce gratuitously attributed to the majority leader a predilection for chicanery which is wholly unjustified by the whole record of the majority leader in this body, and which should be, and I think is, resented by the majority leader's colleagues on both sides of the aisle. Mr. Koonce declared that the majority leader "may, however, approve of its being brought to the floor, in order not to ruffle the southerners, and then simply permit the general press of Senate business to prevent it from actually reaching the debate stage." This is a not too subtle way of saying that the majority leader could be expected to agree to bringing the bill up, and then go back on his agreement. Nothing the majority leader has ever done in this body would justify any such expectation.

A signed article by Ted Lewis in the New York Daily News for Tuesday, June 10, declared that this bill as reported from committee "would prohibit the court from judging a Congressional committee's authority to question witnesses." This is not true, and the fact that it is not true has been repeatedly demonstrated on this floor. The authority of a committee to question witnesses is a question of jurisdiction, for judicial determination; and there is nothing in this bill which would take that question away from the courts.

The same article by Ted Lewis, in the same paragraph, states that this bill would "reinstate State sedition laws which the Court has held invalid." This is also untrue. The Supreme Court has not held any State sedition laws invalid. The Court has merely found and declared that it was the intent of the Congress to preempt the field of antisubversive legislation, and therefore that the State laws cannot be enforced. But the Court has not said that there is anything intrinsically wrong with the State laws themselves. To declare a State law invalid, the Supreme Court would have to find a constitutional flaw in the law or in its application. No such question has been raised with respect to State antisubversive laws generally, and no such finding has been made by the Supreme Court.

Misstatements about the bill, S. 2646, have not been limited to newspapers. Time of May 12, 1958, in a 2-column article repeated 3 egregious misstatements about the bill. It said the bill had been approved by the Senate Judiciary Committee without hearings, when the fact is that lengthy hearings were held. Time also listed as one of the main points of the bill the following:

> Unless specifically stated, no act of Congress would preempt State laws in the same field.

The fact is of course that the bill would have no applicability to any field except that of antisubversive legislation, in which field it would permit State laws to be passed and enforced.

Time also listed as a main point of the bill the following:

> The antisubversion Smith Act should be expanded to make a criminal offense of the mere teaching of advocacy of violent overthrow of the United States.

The bill, of course, does not refer to the teaching of advocacy but does add the element of intent so as to make it a crime to teach or advocate the violent overthrow of the Government of the United States, with intent to bring about such overthrow; and by eliminating probable immediate effect as an element of the crime of teaching and advocating the overthrow of the Government of the United States or of any State by force or violence, or by assassination, opens the door to evidence demonstrating the probable long-range effects of the teaching or advocacy in any particular case.

I will not offer further examples of the publication by non-Communist newspapers and magazines of misleading or untrue statements about this legislation. But I do want to refer to certain Communist attacks on the bill.

Symptomatic of the Communist attitude toward this bill is the bitter attack of the Worker, Communist weekly newspaper, against both the bill and its sponsors.

In its June 8 issue, under a headline charge that the bill "Aims a Pistol at Liberty," the Worker makes a number of charges which I expect will have been heard repeated more than once on this floor by the time debate on this bill has been concluded. The Worker refers to the bill as a device to smash the civil rights decisions of the United States Supreme Court. The fact is, of course, that in spite of the Worker's editorial oratory, there is nothing in this bill that would affect the segregation decision or civil rights decisions generally.

Another charge made by the Worker is that S. 2646 seeks to nullify the Supreme Court decision in the California Smith Act case by declaring that the Smith Act applies to abstract doctrine as well as to speech that incites to action. The truth is, as pointed out repeatedly here on this floor, that the bill does not seek to prohibit the teaching of abstract doctrine but does seek to reinvigorate the Smith Act so that it can be used effectively against Communists who actively teach and advocate the overthrow of the Government of the United States by force and violence.

This Worker article goes the Supreme Court one better and creates another new alleged first amendment freedom. The Supreme Court created the freedom of association. The Worker article declares that the majority of the Judiciary Committee brazenly defies the first amendment protection of the freedom to advocate.

The article in this Communist paper then charges that anti-intellectualism and suppression of thought are on the agenda of this Congress.

The language in this article gets more vituperative as it goes along. After the reference to anti-intellectualism and the suppression of thought, the article charges proponents of this bill with trickery and then refers to section 3 of the bill as a gun which is aimed not only at the Pennsylvania case but also at the New Hampshire, Massachusetts, and Kentucky cases and much more at a whole series of possible cases in the Southern States.

In this connection, the Worker article asserts that "the Eastlands"—I do not know what they mean by that plural; there is only one EASTLAND in the Senate—"the Eastlands want a free field, a whole setup of local ordinances and State laws, prosecutors, judges, and police at their command to conduct political trials." Asserting that "there is a smell of Salem witch-hunt trials in this bill," the Worker article goes on to declare that "the Butlers and Eastlands want to grab arbitrary and absolute power for Congressional committees to act as police, prosecutor, and judge in conducting hearings, investigations, and findings."

> The old star chamber would be the practice—

Asserts the Worker article, going on to declare that—

> at the same time, this new bill would also spread the net of loyalty investigations and national security to every classification of jobs.

This latter charge ignores the fact that a proposed provision to deal with questions raised by the decision in the Cole against Young case was eliminated from the bill in committee, and as it stands before us now the bill contains no provision dealing with the employee security program in the executive branch.

Such a bill can and must be defeated in its entirety, trumpets the Worker article. To accomplish this defeat, the Worker calls for a united front.

> Those forces which have spoken against the original Jenner bill and the Butler version—

The Worker article declares—

> provide the base for active movement of every section of the population against this plot.

Osmond K. Fraenkel, chairman of the committee on constitutional liberties of the National Lawyers Guild, has sent a statement to every member of the United States Senate, according to the May issue of the New York Guild Lawyer, monthly publication of the New York City chapter of the National Lawyers Guild. The National Lawyers Guild has been characterized as the legal arm of the Communist Party, and is on the Attorney General's list of subversive organizations. The text of Mr. Fraenkel's statement, to which I have referred, contains a number of misstatements and misleading implications.

At the outset, the statement declares that the bill as reported from committee "amends sections of the United States Code which the Supreme Court had previously limited or defined in order to protect basic constitutional rights." The clear implication here is that the Supreme Court had declared that the Constitution required that certain statutes enacted by the Congress be interpreted in a particular way. The likely inference from this, especially on the part of one not wholly familiar with the subject, is that the bill seeks to change some interpretation which the Supreme Court has declared is constitutionally required.

The fact is that in no case where this bill would amend existing law has the Supreme Court said or even intimated that such a change as proposed would be unconstitutional. The Supreme Court has, in fact, clearly invited some of these changes in existing statutes.

Moving on to a discussion of the case of Pennsylvania against Nelson, which resulted in rendering unenforcible the antisubversive laws of at least 42 States, Mr. Fraenkel declares that "in the absence of a showing that the Federal laws are not being enforced, there is no reason for permitting duplicating State enforcement."

This argument entirely overlooks the existence of State sovereignty, and treats State antisubversive laws as merely a sort of backstop for Federal legislation in this field. This is a misleading approach to the question. Actually, the point involved in considering enforcibility of Federal and State laws in the same field is not whether the Federal law is being enforced adequately, but only whether there was Congressional intent to preempt the field, and, if not, whether the specific statutes are in such conflict that they cannot be given effect together.

In discussing the Watkins case and section 2 of this bill, Mr. Fraenkel asserted that the decision of the Court in Watkins "ruled that a person who refused to answer Congressional committee's question could not constitutionally be convicted of contempt unless the pertinence of the question to a valid legislative purpose had been explained to him." This statement is misleading because it fails to explain that the decision in Watkins was only construing a Congressional statute which made pertinency an element of the crime of contempt of Congress, and that this Court decision in no way prejudices the right of Congress to amend this statute, nor lays down any rules as to how the statute may or must be amended if it is to be changed.

Continuing, the Fraenkel statement declares:

> The bill provides that each Congressional investigation committee would have the final authority to decide whether the questions put to the witnesses were pertinent to a valid legislative purpose, without review by the Supreme Court. This would transform a Congressional committee into judge, prosecutor, and jury. It would leave the committee without any check upon the scope of its authority, its adherence to a legislative purpose or to the announced purpose of a particular investigation. It would, in effect, use the investigative power to convert Congressional committees into an autonomous and irresponsible system of Government, duplicating in all essential respects the evils of the infamous star chamber.

Back of all this rhetoric lies the false statement that this bill—and undoubtedly, the reference is to section 2 of the bill, since no other section of the bill deals with the subject matter—would operate to divest the Supreme Court of appellate jurisdiction to review questions of jurisdictional pertinency in connection with convictions under the Congressional contempt statute. I have already demonstrated the fallacy of this contention.

Examination of the Worker article of June 8, attacking S. 2646, together with the statement sent to Members of the Senate by Osmond K. Fraenkel, chairman of the National Lawyers Guild committee on constitutional liberties, shows quite clearly that the writer of the Worker article was using the Fraenkel statement as a basis for his attack on the bill and its sponsors.

This is not surprising, in view of the long-time characterization of the National Lawyers Guild as "the legal arm of the Communist Party" in the United States. It will be interesting to see where else these Lawyers Guild statements crop up.

Concerning section 1 of the bill, Mr. Fraenkel's statement declares:

> This would permit the States to impose any type of stricture on the law student or applicant for admission to the bar.

Compare the statement in the Worker article, that "one section would permit the States to impose any type of restriction on law students or for admission to the bar."

Declared Mr. Fraenkel:

> Under this provision, a person could be prohibited from practicing law by the State body because of his race, sex, or color, and he would have no recourse to the United States Supreme Court.

The Worker article said:

> A State could prohibit a person from practicing law because of race, sex, or color and that person would have no recourse to the Supreme Court.

Of course, this is a bugaboo without substance, a wraith conjured up by opponents of the bill. The Konigsberg and Schware cases did not involve State denial of admission to the bar because of race, sex, or color; what was involved was communism.

Concerning section 4 of the bill, Mr. Fraenkel says:

> The bill provides that the Smith Act applies to abstract doctrine as well as to speech that incites action—

And goes on to declare that this part of the bill is unconstitutional in that it violates first amendment guaranties which protect advocacy of ideas as distinguished from advocacy of unlawful action.

The sheer falsity of this statement has been repeatedly demonstrated. Section 4 of the bill says nothing at all about abstract doctrine; and the effect of enactment of section 4 would be only to make the intent to bring about the overthrow of the Government by force and violence a factor in the crime of teaching and advocating such overthrow, and to make it clear that the question of whether particular teaching and advocacy of such overthrow constitutes incitement is not to be determined solely by the question of whether the person incited immediately performed an act of violence.

Further discussing section 4, Mr. Fraenkel says:

> That part referring to the use of the word "organize" is of doubtful constitutional validity as it singles out for special treatment persons occupying organizational positions.

If this argument is valid, Mr. President, then the law against dope peddling is bad because it applies to persons who are engaged in a particular occupation. The fact is, of course, that the organizing section of the Smith Act is not aimed at any particular individuals or at individuals holding any particular positions; it is certain acts that are prohibited, no matter who performs them or what positions such persons hold.

This statement, which the May issue of the New York Guild Lawyer attributes to Mr. Fraenkel as chairman of the National Lawyers Guild committee on constitutional liberties, was transmitted to Members of the Senate under date of May 5 by Mr. Royal W. France, executive secretary of the National Lawyers Guild, under the caption "Statement by National Lawyers Guild in Opposition to S. 2646."

I have pointed out the obvious relationship between the Fraenkel statement and the Worker article on this legislation.

Other similarities in some of the attacks on this bill are interesting. For instance, Frank Serri, president of the National Lawyers Guild, New York City chapter, in a form letter addressed to Members of the Senate, declared that the bill "would adversely affect the civil liberties of the American people and weaken the American system of separation of powers." That letter was dated May 21. I have already referred to the statement by Mr. Osmond K. Fraenkel, which the National Lawyers Guild sent out on May 5, in which it was charged that the bill S. 2646 "interferes with the independence of judiciary and with our constitutional system of separation of powers."

The board of governors of the American Bar Association, meeting in Washington on May 20, approved a resolution characterizing the bill as "a threat to the independence of the judiciary."

The American Bar Association special committee on individual rights as affected by national security, in recommending that the board of governors of the ABA adopt this resolution, submitted a report in which it was declared that "the committee further recommends that the association oppose the bill as an attack on the independence of the judiciary, destructive of the separation of powers contemplated by the Constitution."

It has not yet been established just who originated this particular formula for attacking the bill. Probably we shall never learn. One thing is certain: its initial falsity is inherent, and it is just as false in the mouths of the ABA board of governors as it was when it was distributed by the National Lawyers Guild and repeated by the Worker.

I have referred to the American Bar Association position on this bill, and I promised earlier I would discuss that in detail before I concluded.

The house of delegates of the American Bar Association has been represented as opposing S. 2646. The fact is that all the ABA house of delegates has opposed

is the bill originally introduced by the Senator from Indiana [Mr. JENNER]; in other words, this opposition goes only to section 1 of S. 2646.

The resolution adopted by the house of delegates of the American Bar Association under date of February 25, 1958, refers to S. 2646 now pending before the Congress. On February 25, 1958, the amendments offered by the Senator from Maryland, and subsequently approved by the Judiciary Committee, and which now constitute sections 2, 3, and 4 of this bill, as reported from the committee, were not pending.

Understanding, therefore, that this ABA opposition is limited to the provisions of section 1 of S. 2646, let us look at the resolution adopted by the ABA house of delegates on February 25. This resolution reads:

Whereas in 1949 the American Bar Association adopted a resolution urging the Congress to submit to the electorate an amendment to the Constitution of the United States, to provide that the Supreme Court of the United States shall have appellate jurisdiction in all matters arising under the Constitution; and

Whereas S. 2646 now pending before the Congress, if enacted, would forbid the Supreme Court from assuming jurisdiction in certain matters, contrary to the action heretofore taken by this association and contrary to the maintenance of the balance of powers set up in the Constitution between the executive, legislative, and judicial branches of our Government: Now, therefore, be it

Resolved, That, reserving our right to criticise decisions of any court in any case and without approving or disapproving any decisions of the Supreme Court of the United States, the American Bar Association opposes the enactment of Senate bill 2646, which would limit the appellate jurisdiction of the Supreme Court of the United States.

It is noteworthy that the major reason given by this resolution for opposition to section 1 of this bill is that in 1949 the ABA adopted a resolution favoring a constitutional amendment which would limit the right of Congress to regulate and make exceptions to the appellate jurisdiction of the Supreme Court. It is significant that when the ABA took that action in 1949, the whole line of recent decisions, so well characterized by Dean Clarence Manion as "a history of usurpations and invasions of the constitutional powers of Congress and the reserved rights and responsibilities of the States of the Union" which "threatens to reduce the constitutional powers of the legislative arm to impotence in the face of threatened Communist despotism," remained to be written. In 1949, the Senator from Maryland supported the position taken by the American Bar Association at that time and introduced a constitutional amendment along the lines favored by the bar association. But the Senator from Maryland has learned from experience, and stands today as a firm supporter of every provision in this bill. The American Bar Association house of delegates, on the other hand, reaffirmed its 1949 position and opposed section 1 of this bill because it conflicts with that 1949 position. Truly, the actions of the house of delegates of the American Bar Association must be as immutable as the laws of the Medes and the Persians. Anything to be consistent. As Ralph Waldo Emerson once said:

A foolish consistency is the hobgoblin of little minds.

It must be noted that the February 25 resolution of the ABA house of delegates also referred to the provisions which—as they then stood—have been substantially limited in section 1 of this bill, as being "contrary to the maintenance of the balance of powers set up in the Constitution between the executive, legislative, and judicial branches of our Government." Does the phrase sound familiar? That viewpoint is difficult to understand, because all that is here proposed is an exercise by Congress of a power specifically conferred upon Congress by the Constitution itself. How such an exercise of constitutional power, especially when the power in question is one of the check-and-balance provisions of the Constitution, can be deemed "contrary to the maintenance of the balance of powers set up in the Constitution" poses a difficult problem in logic.

It is perhaps noteworthy also that the resolution of the ABA house of delegates on February 25 specifically reserved the right to criticize court decisions, and specifically disavowed either approval or disapproval of "any decisions of the Supreme Court of the United States."

More recently—to be explicit, at its meeting on May 19 and 20 of this year—the board of governors of the American Bar Association adopted a most interesting resolution with respect to this bill. The text of this resolution is as follows:

Resolved, That the American Bar Association opposes the enactment of the so-called Jenner bill, S. 2646, as amended and reported by the Judiciary Committee of the Senate, which combines a limitation on the appellate jurisdiction of the Supreme Court and a threat to the independence of the Judiciary with substantive changes of far-reaching significance which should be considered independently of each other and only after adequate public hearings at which the organized bar and others interested can be heard. This action does not constitute approval or disapproval of the substantive changes proposed by sections 3 and 4; be it further

Resolved, That in expressing its opposition to the enactment of S. 2646, as amended, the American Bar Association reaffirms its position as expressed in the resolution on this subject adopted by the house of delegates of the American Bar Association in Atlanta, Ga., on February 25, 1958.

Several points are worthy of consideration in connection with this resolution.

This resolution of the ABA board of governors states that it "reaffirms" the position expressed in the resolution adopted by the house of delegates in Atlanta on February 25, 1958. But that resolution went only to the provisions of the original Jenner bill, which now appear in limited form in section 1 of the bill. To this extent, therefore, the resolution of the board of governors opposes enactment of the bill only because it contains section 1, and does not oppose sections 2, 3, and 4.

The resolution of the board of governors does, however, refer to these latter sections of the bill when it says the bill combines "substantive changes of far-reaching significance which should be considered independently of each other and only after adequate public hearings at which the organized bar and others interested can be heard." But this does not constitute any substantive objection to the provisions of any of these three sections of the bill. It is only an effort to tell the Senate how it should legislate. I submit, Mr. President, it is not for the board of governors of the American Bar Association to tell the Senate that it may not consider, seriatim, but in a single bill, three separate but related legislative proposals all designed to ameliorate the undesirable effects of recent decisions of the Supreme Court for the purpose of strengthening the internal security of the United States. This is the grossest presumption on the part of the ABA board of governors, and cannot fail to arouse resentment in this body.

It would seem that if the board of governors of the American Bar Association, being determined to register further opposition to this bill, had any specific objections to any of the provisions of sections 2, 3, or 4, they would have stated those objections. But they did not do so. As a matter of fact, the resolution of the board of governors specifically states that it does not constitute either approval or disapproval of sections 3 and 4. This might be deemed to imply either approval or disapproval of section 2; but again, it would seem that if the ABA board of governors really wanted to approve or disapprove section 2, they should have said so directly.

This most recent action of the ABA board of governors, Mr. President, leaves me with the distinct impression that there are forces at work in that board which do not want any legislation enacted as a Jenner bill, or as a Jenner bill with Butler amendments.

Another striking instance of this same attitude, Mr. President, is evidenced by a letter addressed under date of May 23, by the Deputy Attorney General of the United States, Mr. Lawrence E. Walsh, to the attorney general of New Hampshire, Mr. Louis C. Wyman. This letter reads as follows:

DEAR GENERAL WYMAN: This will refer to your letter of May 12 inquiring as to the Attorney General's position on S. 654, a bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

S. 654 is identical with S. 3617 of the 84th Congress on which Attorney General Rogers, then as Deputy Attorney General, reported to the Senate Judiciary Committee as indicated in the enclosed press release of May 17, 1956. The views expressed on S. 3617 are equally applicable to S. 654 and continue to be the views of the Attorney General.

Section 3 of S. 2646, 85th Congress, the Jenner bill, as reported by the Senate Judiciary Committee, is identical with S. 654 and S. 3617, and this Department would be pleased to support the provisions of that section in separate legislation. The text of the section is objectionable to the Department only because of the legislative context in which it was created.

Thank you for your assurance of continued cooperation. As I stated in my letter of May 8 we are always appreciative of having your personal views and those of the National Association of Attorneys General on matters of common concern.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

In other words, Mr. Walsh recognizes that the provisions of section 3 of S. 2646 are identical with a bill which the Department of Justice has specifically approved, and he says the Department would still approve these provisions in separate legislation. But, says Mr. Walsh:

The text of the section is objectionable to the Department only because of the legislative context in which it was created.

That can only mean, Mr. President, that Mr. Walsh says the Department is now opposing section 3, which it previously approved, because the section was offered as an amendment to the Jenner bill and reported to the Senate as a part of the Jenner bill.

If a worse reason for disapproving a legislative provision has ever been openly stated by a representative of the United States Government, in his official capacity, it has not come to my attention.

The action of the ABA house of delegates, to which I have referred, was based on a report from its special committee on individual rights as affected by national security. That report is not fairly applicable to section 1 of the bill as it now stands. That report stated that "S. 2646 would withdraw from the appellate jurisdiction of the Supreme Court five types of cases which are now reviewable in that Court." The bill as reported from committee would withdraw appellate jurisdiction in only one type of case. It might be thought that the criticisms of the ABA committee were intended to apply equally to all five types of cases covered in the original bill. But the fact is that they do not. The ABA committee's own report states:

The bill would leave lower courts to make final decisions in the fields withdrawn from Supreme Court jurisdiction. We do not believe it sound to prevent review in the highest court of such important questions. The lower courts may differ among themselves so that there may be great confusion in decisions. Resolution of such conflict is a historic contribution of review in the Supreme Court.

Now note, Mr. President, that the only area in which appellate jurisdiction would be withdrawn from the Supreme Court under section 1 of the bill as reported from committee is in the area of cases involving bar admissions in State courts. And this is not an area in which nationwide uniformity is required. Each State has, or at least should have, the right to determine for itself the qualifications for admission of an attorney to become an officer of its courts. It appears, therefore, that the opposition of this bar association special committee was directed at those four paragraphs of section 1 of the bill which the Judiciary Committee has proposed should be stricken.

The action of the ABA board of governors in May also was based on a report of the American Bar Association special committee on individual rights as affected by national security. This second report, on the basis of which the ABA board of governors took its action, is misleading in several respects.

This report of this ABA committee states that section 2 of the bill "would have the effect of withdrawing the jurisdiction of all courts to pass upon the pertinency of questions propounded by committees of Congress in Congressional investigations. The decision of the committee as to the pertinency of the question would be final and not subject to review by any court."

This is misleading because, as I have already pointed out, section 2 would not withdraw any jurisdiction from any courts. Section 2 would provide certainty, at the time of a hearing, with respect to what was required of a witness; but the question of jurisdictional pertinency would remain for judicial determination in any proper case.

This ABA committee report declares:

Section 3 of the bill would allow the States to enact statutes concerning subversive activities without running afoul of the prohibition which normally results from occupation of a sphere by the United States.

The fact is that section 3 of the bill would restore the enforceability of State statutes in the antisubversive field. But the ABA committee's statement implies that this would somehow revoke a normal prohibition. As every good lawyer knows, and as the members of this special ABA committee should have known, and probably did know, there can be no preemption of any legislative sphere by the United States except through and by enactment of legislation by the Congress. Preemption may result either from a declared intention of the Congress, or from an intention implied by the courts. But it is the intention of the Congress which controls. A sphere cannot be occupied by the United States except through legislation. And if Congress does not want to occupy a sphere, certainly it cannot be required to do so. Furthermore, when legislation enacted by Congress is interpreted so as to occupy a sphere, and thereby render unenforceable existing legislation in 42 States—and this is the situation we have in the Nelson decision—certainly the Congress has both a right and a duty to declare its true intention; and to do so is not to overthrow any normal prohibition.

Concerning section 4 of the bill, the May report of the ABA Special Committee says that this section refers to the Yates and Schneiderman cases, involving construction of the Smith Act, by name, and states that the distinction found to exist in those decisions is one never intended by Congress and is undesirable. It would then amend the statute to prevent such a construction of the act in the future.

The fact is that the bill does not state that the distinction between advocacy of the forcible overthrow of the Government as an incitement to action and advocacy of such overthrow as mere abstract doctrine is one never intended by Congress. The bill says that this distinction is subtle and difficult to grasp—and properly attributes this characterization of the distinction to Mr. Justice Harlan, who so characterized it in his separate opinion in Yates and Schneiderman. But what the bill says was never intended by the Congress is the construction put upon section 2385 of title 18 of the United States Code by the Supreme Court.

The Supreme Court, Mr. President, in Yates and Schneiderman, construed section 2385 of title 18—which is the codification of the Smith Act—so that it could not be applied to and enforced against current activity of the Communist conspiracy in this country. This is clearly a construction never intended by the Congress, and one which Congress can correct by legislatively stating its true intention, as I have proposed.

What the bill declares is undesirable is the uncertainty and unclarity which the Supreme Court decision in Yates and Schneiderman has infused into the Smith Act. It is to remove this uncertainty and make this criminal statute clear in its application to the current activities of the Communist conspiracy in this country that the amendment embodied in section 4 of the bill is proposed.

The May report of the special ABA committee goes on to say:

From the foregoing summary of the provisions of the bill it is apparent that it is still objectionable for the reasons specified in the resolution adopted by the house of delegates at Atlanta, the difference between the original and the amending bill being merely a matter of degree.

It is further apparent that the portion of the amended bill which does not propose to curtail the appellate jurisdiction of the Supreme Court deals with matters of substance and basic questions.

Thus we see the committee, in two adjacent paragraphs, declaring that the difference between the original and the amended bill is "merely a matter of degree," and that there is a portion of the amended bill, dealing with matters of substance and basic questions and which does not propose to curtail the appellate jurisdiction of the Supreme Court, as the original bill did. The report thus contradicts itself.

This report of the ABA special committee goes on to say that:

By this report the committee does not take any position upon the merits of the individual amendments now incorporated in S. 2646 which do not affect the appellate jurisdiction of the Court or the independence of the judiciary.

Since sections 2, 3, and 4 are amendments "which do not affect the appellate jurisdiction of the Court or the independence of the judiciary," this means the committee is taking no position with respect to these amendments.

The report of the bar association special committee goes on to say that "each of the amended provisions of the bill is one involving difficult questions of individual rights or of the delineation of legislative power as between the States and the Federal Government."

But the fact is, Mr. President, that section 2 of S. 2646 involves neither a question of individual rights nor a question of the delineation of legislative power as between the States and the Federal Government. It only involves

a question of the power of the legislature to determine for itself the information which it needs and the questions calculated to produce such information.

Similarly, section 3 of the bill does not involve any question of individual rights, or of the delineation of legislatve power as between the States and the Federal Government. It does imply a question of how the Congress wishes to exercise its legislative power; but there is no question of power involved; only the question of whether the power which Congress admittedly has should be used to prevent the enforcement of State laws against subversion.

And section 4 of the bill does not involve any question of individual rights or of the delineation of legislative power as between the States and the Federal Government. It does involve a question of legislative intent in the use of legislative power; but there is no question about the existence of the power, or about the right of Congress to use this power or not use it as Congress sees fit.

Even section 1 of the bill does not involve any question of individual rights or of the delineation of legislative power as between the States and the Federal Government. It does involve a question of whether the judicial power should be used to interfere with the rights reserved to the States under the 10th amendment. With respect to individual rights, while every individual has a right to his day in court, no individual has a right to a day in the Supreme Court by way of appeal. For one thing, any appellate procedure is a matter of grace, as has been repeatedly pointed out here. Furthermore, a man should not have, in law and justice, any reason for feeling the Supreme Court of the United States will be any more favorable to his cause than a lower Federal court or the supreme court of a State—though, as a practical matter, it must be admitted, there is some basis for a possible feeling by Communists that the best forum for their cause is the Supreme Court.

The ABA special committee characterizes "the present bill" as an attempt to legislate in "important fields" on a "shotgun basis" without "adequate consideration." This is not a criticism of any of the proposals I have made and which are before us with the approval of the Committee on the Judiciary. This is a criticism of the Senate and its Judiciary Committee.

Taken all in all, this May report of the ABA special committee on individual rights as affected by national security is a weasel-worded document, disingenuous and self-contradictory, highly misleading and obviously unfair to the sponsors of this legislation and to the members of the Judiciary Committee who have approved it.

Mr. Charles S. Rhyne, president of the American Bar Association, has defended the association's position in public speeches. Mr. Rhyne is an honest and forthright man, an excellent lawyer, a good American, and a firm anti-Communist. He has had his difficulties in defending the bar association's stand in opposition to the Jenner-Butler bill.

Speaking before the Washington County Bar Association at Hagerstown, Md., on May 6, Mr. Rhyne said:

> Our Government was established with three separate branches specifically to create a balance of power. The checks which each of these branches has on the others are our best insurance that the absolute power necessary to form a tyranny will never vest in any one branch.

Of course, Mr. Rhyne was right in that statement. And one of the checks he was speaking of is the power given to the Congress under article III, section 2 of the Constitution, the power to regulate the appellate jurisdiction of the Supreme Court, and make exceptions to that jurisdiction.

Mr. Rhyne expressed himself as opposed to legislative attempts to punish judges for particular decisions by whittling away jurisdiction of the courts, and added:

> I have particular reference to the Supreme Court of the United States and to the recent action by the Senate Judiciary Committee reporting favorably a bill to limit its appellate jurisdiction.

Clearly, Mr. Rhyne was characterizing the Jenner-Butler bill as a legislative attempt to punish judges for particular decisions. But at best he was only expressing an opinion, not stating a fact. And the obvious fact is, of course, that S. 2646 does not punish any judges. As repeatedly pointed out here, the purpose of the bill is remedial, not punitive.

Mr. Rhyne told his audience at Hagerstown that—

> The Senate Judiciary Committee's recent action in approving 1 of the 5 proposed jurisdictional curbs of the Jenner bill is regrettable.

So it is clear Mr. Rhyne knew that the bill had been amended in committee. He continued:

> The curb approved by the Committee removes jurisdiction in cases involving admission to the bar by the States, an area where obviously most lawyers would agree that jurisdiction should not exist except under most extreme and unusual circumstances.

It would seem almost that Mr. Rhyne was arguing for the bill as reported out of the Judiciary Committee, instead of against it. He says the only area where the committee bill removes jurisdiction is an area where most lawyers would agree that jurisdiction should not exist except under most extreme and unusual circumstances.

Mr. Rhyne continued:

> I do not here consider the other parts of that bill as reported and which are aimed at repealing specific Supreme Court decisions as the American Bar Association has not studied or acted upon those new proposals.

In other words, Mr. Rhyne was not exercising his own judgment, but was merely, in his capacity as president of the ABA, standing by the position that body had taken. Since Mr. Rhyne spoke at Hagerstown, the board of governors of ABA has come out with its ill-considered opposition to S. 2646 as reported from committee; and perhaps now Mr. Rhyne would feel it his duty to support the position of the board of governors of the ABA and oppose all parts of the bill.

Mr. Rhyne continued:

> But whether it is 1 or 5 curbs on the jurisdiction of the Court and regardless of the merits of the decision at which the curb is aimed, the principle is the same. The thrust of my position is that the American Bar Association was correct in opposing all such curbs regardless of the merits or demerits of particular decisions to which those curbs are directed.

Mr. Rhyne says he and the ABA are fighting for a principle here: the principle that the jurisdiction of the Supreme Court of the United States should never be curbed, in any respect, regardless of the circumstances or the provocation. It does not seem to bother Mr. Rhyne that necessarily implicit in this position is the contention that the framers of the Constitution were wrong in making provision for Congressional regulation of Supreme Court jurisdiction. The Constitution does not say how or when that authority shall be used by the Congress; but the fact that it is written into the Constitution means that the framers of that document could foresee the possibility that an instance might arise when use of this authority would be fully justified. The ABA president now says there is not and cannot be any such instance.

In his speech in Hagerstown, Mr. Rhyne adopted as his own the half-baked idea previously advanced by others that there is a reasonable comparison between what the Supreme Court has been doing in national security cases and what an umpire does in a baseball game. Said Mr. Rhyne:

> Disagreement with a judicial decision is no more reason to abolish jurisdiction to decide such a case than disagreement with decisions of a baseball umpire at homeplate is reason to eliminate homeplate umpires. Without umpires at homeplate a baseball game would be confusion compounded. And confusion compounded would surely be the result if the umpire at the zenith of our judicial system is eliminated in certain cases as the Jenner bill proposes.

Although Mr. Rhyne spoke of umpires at homeplate, undoubtedly he knows that there is just one umpire at homeplate, and that his word is final. Essentially, that is what section 1 of the Jenner-Butler bill would accomplish with respect to admissions to the bars of the several States. In each State there would be just one umpire, and his decision would be final.

Actually, as those who have thought the matter through are sure to realize, this simile of the umpire is entirely inapropos. Admittedly it is unjustified for a baseball fan to shout, "Throw the umpire out" when that official renders a decision the fan does not like. But if an umpire should decide, first, that the American pitcher must tell the Red batters in advance what kind of a pitch he is going to throw—as the Supreme Court did in the Watkins and Sacher cases—second, that the local ground rules cannot be enforced against the visiting Red team—as the Supreme Court did in the Nelson decision—third that the Red team can teach its pitchers to throw bean balls because teaching rule breaking cannot be punished—as the Supreme Court did in the Yates case—and fourth, that members of the Red team must be permitted to play on the American team—Konigsberg, Slochower, Cole, Service—then the baseball commissioner is quite likely to insist that the umpire stick to the rules or get out of the ball park.

To discuss this simile of the umpire from another standpoint: suppose Washington is playing Baltimore, and the first two men up are called out on strikes. Each batter said he hadn't really meant to swing, but the umpire pointed out that the rule book says this is a matter for the discretion of the umpire, and ruled in each case that the batter had struck out. Suppose the first batter—Konigsberg—and the second batter—Schware—could appeal to some group of superumpires, who had not seen the game but who could decide that on the basis of the stories the batters told, they really didn't swing and couldn't have been put out, and must be allowed to take their bases? This is more nearly what happened in the Schware and Konigsberg cases. The remedy, it would seem, is to leave the decision to the umpire who saw the play; and that, in effect, is what section 1 of S. 2646 will do with respect to admissions to the bars of the various States.

ABA President Rhyne told his Hagerstown audience that:

> Only once in 169 years has Congress denied access to the courts. Such a record speaks well for the position of opposition of the American Bar Association to the Jenner bill.

Leaving aside the logical question of whether the fact that a thing has only been done once proves that it should never be done, there is still another basis for challenging this statement by Mr. Rhyne. What he said about only once in 169 years has been often repeated; but the fact is that Congress has on many instances denied access to the courts. The Norris-La Guardia Act (29 U. S. C. A., secs. 101–115) deprived all Federal courts of jurisdiction to issue injunctions in labor disputes, except in a few isolated cases. The Johnson Act (28 U. S. C. A., secs. 1341–1342) deprived the district courts of jurisdiction to enjoin or restrain any State taxes and State-fixed public utility rates, except in certain special cases. Decisions of certain Federal regulatory agencies, like the Federal Trade Commission, have been made by act of Congress final and not subject to review by any Federal court. When the propriety of these acts has never been challenged, why is it so suddenly unthinkable to deprive a Federal court of appellate jurisdiction in another field?

In his Hagerstown speech, Mr. Rhyne said:

> It is well to recall Abraham Lincoln's reaction to the famous Supreme Court decision returning Dred Scott to slavery—certainly as controversial as any decision of our day. In rejecting proposals to curb the jurisdiction of the Supreme Court even though he vigorously dissented from and severely criticized that decision, Lincoln said: "We know the Court that made it has often overruled its own decisions and we shall do what we can to have it overrule this. We offer no resistance to it."

But when the Court did not overrule its decision, President Lincoln in 1857 said:

> Somebody has to reverse the decision, since it is made, and we mean to reverse it, and we mean to do it peaceably.

And in 1859, Abraham Lincoln said:

> The people of these United States are the rightful masters of both congresses and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution.

And was it not Lincoln who by the Emancipation Proclamation overthrow the doctrine of the Dred Scott decision, and the institution of slavery with it? This was overthrowing the Court's rule by executive action—for which there was no constitutional authority.

There is a tendency to forget that the American Bar Association filed a brief amicus curiae in the Watkins case. Let me read a few paragraphs from that brief filed by the American Bar Association:

> The power of Congress to make investigations and exact testimony in aid of legislation is implied as an attribute to the power to legislate.
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> • • • • •
>
> Congress has the authority—indeed the compelling duty—to inquire fully into matters and conditions relating to communism generally, its objectives, and its particular activities.
>
> • • • • •
>
> The legitimate exercise of the investigating power is not restricted to legislation in actual contemplation, nor is its power to conduct hearings for legislative purposes to be measured by recommendations for legislation or their absence.
>
> • • • • •
>
> So necessary is the proper functioning of the investigative powers of the legislative process that any unwarranted limitation placed by the courts upon them would result in irreparable harm to this coordinate branch of the Government.

Concluding its brief, the American Bar Association said:

> Official records and common knowledge furnish proof of the fact that the Congress of the United States over recent years has been occupied constantly with problems growing out of the challenge of communism. In every session during the last two decades measures have been presented for consideration relating to subversion. The organization of the Un-American Activities Committee by the House of Representatives and the creation of the Internal Security Subcommittee by the Senate show conclusively that the legislative branch of the Government realized the gravity of the situation and was determined to act in preservation of this Government.
>
> It was in fulfillment of its duty in this respect that the Un-American Activities Committee undertook the inquiries which included the interrogation of the petitioner, John T. Watkins. Naturally the questioning was pressed when Watkins admitted that he had cooperated with the Communists and possessed information as to the operations of these enemies of the United States. When it is borne in mind that this treacherous apparatus is under the domination of a foreign government and is calculatingly directed toward the overthrow of American institutions by force and violence, the exercise of judicial realism becomes imperative in enunciating a legal principle preserving the broadest possible fact-finding powers in Congress to fulfill its legislative duty.

That the legal defenses against the Communist conspiracy have not been perfected is attested by the fact that the Internal Security Act of 1950 has not yet been finally acted upon by the Supreme Court of the United States. It is a fact that the legislative branch must give continuing attention to the study and consideration of every aspect of this problem. To the credit of the House Un-American Activities Committee and of the Senate Internal Security Subcommittee it can be said that unremitting attention has been given in order to legislate, if the courts should eventually decide that the present statutes are in need of revision or amendment.

No clearer or more authoritative declaration could have been given than the message to the joint session of the Congress by President Eisenhower on January 5, 1957, setting out in detail the ever-present danger to American institutions posed by the Soviet-inspired Communist Party. It is false to the point of absurdity to dignify this conspiratorial organization as a political party, which its sympathizers and even some courts are prone to do. President Eisenhower himself left no doubt as to the conviction of the United States Government that clear and present danger faces us from the Communist conspiracy.

The President in portraying the crises through which America has passed stated that the world has experienced instability which has been heightened and at times manipulated by international communism. He answered in this January 5, 1957, message the misguided zealots who would further temporize with the Soviet propagandists when he said:

> "International communism, of course, seeks to mask its purpose of domination by expressions of good will and by superficially attractive offers of political, economic and military aid."

And lest complacency mark the American attitude our President as Commander in Chief, warned that there exists increased danger from international communism.

We commend to the Supreme Court the reasoning and clarity of the opinion rendered by Judge Bastian of the Circuit Court of Appeals sitting en banc. While vigilant of the rights of the traverser in a criminal proceeding, this learned jurist was not unmindful of the necessary safeguards for the protection of the individual. Constitutional privileges must ever be preserved, so that no individual defendant will ever be denied the basic rights of American citizenship. Nevertheless those safeguards must not be overextended to the point that enemies of our form of government be encouraged and aided in their subversive purposes.

In respectfully suggesting to this Court that the issues herein presented are of far-reaching importance, we do not countenance any departure from those foundational principles which have ever supported the free institutions of the United States. But we would do a disservice to our Government and especially to the judicial branch, which has always proved a bulwark of our liberties, if we urged the Court to do anything which would have the effect of lessening national efforts for self-preservation.

We believe that in every individual case, no matter how inconsequential it may appear to be, there is the opportunity of strengthening or weakening this free constitutional Republic, which is the last hope of struggling human beings the world over. It is our belief that we must preserve individual rights and freedoms but that the best guaranty we can have to accomplish this purpose is the protection and preservation of our national security.

The danger of loss of our freedoms must not be risked. The elected representatives of our legislative and executive departments

must be upheld in their actions unless there is violation of either constitutional or statutory provisions when they are acting in protection of the national welfare. We repeat the expressed belief in our brief, as amicus curiae, in the case of *Communist Party of the United States of America v. Subversive Activities Control Board*, No. 48, October term, 1955, that: "This country is entitled to protection—not alibis or epitaphs."

The lawyers of this country, if given an opportunity freely to express their own feelings, would be far more likely to affirm that brief filed by the ABA in the Watkins case, than to approve the subsequent action of the ABA board of governors in opposing S. 2646.

Another adverse report on S. 2646, which deserves special mention because it was based wholly on opposition to a provision that is no longer in the bill, is the report of the committee on the Federal courts of the New York County Lawyers' Association, adopted on April 28, 1958.

This New York County Lawyers' Association report does not deal in anyway with the last three sections of the bill as reported from the committee, but was directed solely against the bill as originally introduced. In fact, after naming the Watkins, Nelson, Schware, and Konigsberg decisions, this report of the New York County Lawyers' Association committee declares:

> The committee expresses no view as to whether any of these cases was correctly decided, or whether or not it would be desirable to change the result, by appropriate legislation, so far as that may be done.

This New York County Lawyers' Association report involves a certain amount of misrepresentation; but since the report deals solely with a provision which the committee has proposed to strike out of the bill, namely, subparagraph (4) of section 1, it does not appear necessary to discuss in detail the merits and demerits of the report itself. It seems not improper to say, however, that when persons circulate such reports as this, purporting to oppose the bill, yet which are actually directed at some provision no longer in the bill, the persons who are circulating such reports must be doing so either without knowledge of the facts or with deliberate intent to confuse and mislead.

Now let me talk about two famous legal authorities, and their views on some of the issues involved in this legislation.

One of the authorities who favors the approach which is embodied in my amendments to S. 2646 is Prof. Edward S. Corwin, who is beyond doubt one of the outstanding authorities on the American Constitution, being the author of the Constitution Annotated. Professor Corwin wrote the committee that he was unable to testify personally because of a voice affliction; but he sent selected material from his works for inclusion in the record. Subsequently, in a letter to the New York Times, Professor Corwin expressed himself further.

In that letter he said:

> I would suggest a declaratory act of Congress assertive of the correct reading of the Constitution.

This is, in essence, what my amendments would accomplish.

Professor Corwin has made it clear both in the material he submitted for our hearing record and in his letter to the New York Times, that he thought the original Jenner bill went too far. I may say I shared that opinion. But Professor Corwin also made it abundantly clear that he was, as he put it:

> Sympathetic with the general purpose of S. 2646.

In his letter to the Times, Professor Corwin declared that S. 2646—

> deals with a real problem which is recognized, for instance, by Judge Learned Hand in his Harvard lectures—that of keeping the Court out of legislative territory; and I might add, out of executive territory.

Professor Corwin went on to declare:

> There can be no doubt that on June 17 last the Court went on a virtual binge and thrust its nose into matters beyond its competence, with the result that (in my judgment at least) it should have aforesaid nose well tweaked.

Discussing particular cases decided by the Court, Professor Corwin wrote:

> Its holding in the Watkins case, in which it claims the right to recast Congressional resolutions authorizing committee investigations, is quite irresponsible and indefensible, interfering as it does with the great primal power, an inheritance of the Mother of Parliaments, as Inquest of Realm. For the transmission of this right to Congress via the early State legislature, see the authoritative article by Dr. George B. Galloway, Investigations, Governmental, in the Encyclopedia of Social Sciences (New York, 1932).
>
> Equally irresponsible was the Court's holding in the Yates case on the same occasion. This practically repealed the Smith Act, although a year earlier the Court had held, in the Nelson case, that the act repealed all State antisedition acts, the total result being to leave the country exposed to unjustifiable propaganda urging the right of revolution.

Concluding his letter to the Times, Professor Corwin wrote:

> What, then, is the remedy for this vicious nonsense? I would suggest a declaratory act of Congress assertive of the correct reading of the Constitution on the points involved in the above-mentioned cases. And I would add a reference to the Court's weird holding in *Cole v. Young* (July 2, 1956), in which the unique doctrine is arrived at that the Court may undertake to pit its judgment against that of an executive official as to the loyalty or reliability of a subordinate of the official.
>
> The country needs protection against the aggressive tendency of the Court, no doubt. Unfortunately, Senate bill 2646 goes so far that its adoption would violate that ancient maxim of commonsense, not to throw the baby out with the bath.

The bill Professor Corwin was talking about in that letter, and which he said went too far, was the text originally introduced. The bill as it has come from the Committee on the Judiciary involves a greatly narrowed application of the principle of withdrawal of appellate jurisdiction from the Supreme Court, and contains also proposed amendments to three separate statutes, in areas where Supreme Court decisions have rendered such statutes unenforceable or otherwise construed them in a way not intended by the Congress.

The excerpts from Professor Corwin's work The Constitution and What it Means Today—12th edition—which he himself suggested for inclusion in our hearing record are extremely pertinent to the specific amendments which I have proposed and which the Judiciary Committee has adopted. The first of these excerpts is from page 19 of Professor Corwin's book, and is as follows:

> Indeed, in the last case just cited, the Court goes so far as to suggest that it is entitled to rule whether a question put to a person under investigation by a Congressional committee was relevant. It can be rather confidently predicted that Congress will not indefinitely permit its primitive power of inquiry to remain in judicial leading strings.

By its vote on section 2 of S. 2646, Mr. President, the Senate will express its own opinion on the question of whether Congress should permit its power of inquiry to remain in judicial leading strings.

The second selection from his works which Professor Corwin transmitted for our hearing record was from page 202 of his book, and is as follows:

> Recently the security of the Dennis case, indeed of the Smith Act itself, was gravely impaired by the holding in *Yates v. United States*, which was decided on June 17, 1957. Here petitioners, who were codefendants in the Dennis case, were arraigned under the general conspiracy statute (18 U. S. C. 371). The Court held that inasmuch as the petitioners had not followed up their preachments asserting the right to overthrow government by force and violence with an effort to organize a putsch, they must be deemed to have been propounding an abstract doctrine. Indeed, the Court invites a reconsideration of the Dennis holding. Meantime, however, the Smith Act will have served to repeal all State antisedition acts. In short, today the right to preach the right to overthrow government by force and violence has become a preferred right as against both National and State Governments, provided only that those who do the preaching do so in abstracto.

The point Professor Corwin has made here is basic to our consideration of section 4 of the bill S. 2646. It is true, as Professor Corwin points out, that under the decision in the Nelson case all State antisubversive legislation was rendered unenforceable, and that under the decision in the Yates case the Smith Act itself was virtually repealed. This is a situation with which the Congress must deal; and section 4 of S. 2646 embodies the proposal which the Judiciary Committee has approved for dealing with it.

The third excerpt from Professor Corwin's writings which he selected for our hearing record is from the preface to the 12th edition of The Constitution and What It Means Today, and is as follows:

> The present edition brings the story in the main down to 1958. Its point of departure is furnished by the Court's holdings last June 17, when, in the words of a disrespectful critic: "The Court went on a binge." Of these holdings, especially notable are those in *Watkins v. United States* and *Yates v. United States* which, although they appear to have had the support of all the Justices except Justice Clark, have aroused a storm of adverse criticism on the part of the American bar and in other informed quarters as well. (See especially Prof. Bernard Schwartz, The Supreme Court—October 1956 Term, New York Law Review, November 1957.) That these holdings are in for considerable trimming first and last can scarcely be doubted.

Note that in this passage Professor Corwin quotes his own letter to the New York Times, and calls himself a "disrespectful critic" of the Court.

Professor Corwin has been bitterly berated by the Lawyers Guild and by editorial writers for certain newspapers. The fact remains that this is the man whose learning in the field of constitutional law is without peer among the living members of the bar. We shall do well to listen to him, and give proper weight to his words. Bear in mind that he does not appear as a proponent of this bill. He is, on the contrary, by his own description, an opponent of the bill in its original form. But from the depth of his understanding of what the Constitution intended with respect to the proper functioning of the Supreme Court, Professor Corwin has borne witness to what he himself has called the Supreme Court's "irresponsible and indefensible" actions.

There has been some controversy over just what Judge Learned Hand said in his Oliver Wendell Holmes lectures at Harvard University, earlier this year, that is pertinent to the question of whether the Supreme Court has been exceeding its proper powers or attempting to exercise powers not belonging to it.

What Judge Hand wrote to the Senator from Missouri, and what Judge Hand wrote to the Senator from Maryland, about S. 2646, already, I think, has been made a part of the record. From this correspondence we know where Judge Hand stands on this bill: he is opposed to part of it, and does not wish to express an opinion with respect to the rest of it.

So that the record may be complete at this point, let me read the correspondence to which I have referred.

The Senator from Missouri wrote to Judge Learned Hand on May 2 as follows:

> DEAR JUDGE HAND. The Senate Judiciary Committee has voted to favorably report S. 2646 with amendments. In my opinion, the committee has acted very unwisely in this matter for several reasons. The Internal Security Subcommittee held very lengthy hearings on this bill as originally introduced. The subject of the inquiry at that time was withdrawal from the Supreme Court of appellate jurisdiction in certain cases. However, after these hearings, Senator BUTLER introduced four amendments which compose three-fourths of the bill as it presently stands. These amendments are quite sweeping and bear little, if any, relation to the subject matter of the hearings. Therefore, in my opinion, it cannot be claimed that there have been adequate hearings—indeed, any hearings at all—on the bill as reported.
>
> In my opinion, sections I, II, and IV of the bill as it presently stands raise very serious constitutional questions.
>
> In addition, I disagree from a policy position with many of the proposals of the present bill.
>
> I am enclosing a copy of the bill, as reported, and a letter prepared by Deputy Attorney General Walsh in opposition to the bill. I would appreciate your views on this bill. I believe that they would be most helpful to me and other Members of the Senate as we give further consideration to this piece of legislation.
>
> With every best wish, I am,
>
> Sincerely yours,
>
> THOMAS C. HENNINGS, JR.,
> *United States Senate.*

It has previously been pointed out here, but perhaps cannot be overstressed, that the Walsh opinion is largely irrelevant, being mostly directed at the general approach which was involved in the bill before it was amended in committee. The same is true, of course, of such reports as that by the committee on Federal legislation of the Association of the Bar of New York. This point is not clearly enough understood. For instance, it is quite generally believed that the Attorney General is opposed to the language of section 3 of the bill, which attempts to deal with the situation raised by the Supreme Court's decision in the Nelson case. But the fact is that this section of the bill is not similar to the much broader bill, with respect to preemption of legislative areas as against the States, which the Attorney General did oppose; but on the contrary, is the same language as contained in the Bridges bill, the predecessor of which was approved by the Department of Justice. Unless the Department has meant to change its position on this point—which I cannot conceive—there is then no Justice Department opposition to this section of the bill, except, as I pointed out earlier today, because of the fact that it is part of the Jenner-Butler bill and is not separate legislation.

It is easy to understand how someone not thoroughly familiar with the bill in its various stages, and with the problems involved, might be misled in instances such as this; but it is hard to understand how anyone who was familiar with the bill in its various stages could possibly quote so much of the criticism which is now irrelevant, without indicating the extent to which the cause of such criticism has been eliminated.

Judge Hand replied to the Senator from Missouri as follows:

> MY DEAR SENATOR: I have your letter of May 2 with its enclosure. Being still a United States judge, although retired, I should be unwilling to give any opinion on the constitutional questions raised by sections I, II, and IV of the proposed statute. I do not feel the same compunction, however, in expressing my opinion that such a statute if enacted would be detrimental to the best interests of the United States. It seems to me desirable that the Court should have the last word on questions of the character involved. Of course, there is always the chance of abuse of power wherever it is lodged, but at long last the least contentious organ of Government generally is the Court. I do not, of course, mean that I think it is always right, but some final authority is better than unsettled conflict.
>
> I fear that this will not be much value to you, but for what it may be worth I am sending it.
>
> Sincerely yours,
>
> LEARNED HAND.

On May 19, I wrote to Judge Hand as follows:

> DEAR JUDGE HAND: Senator HENNINGS has made public your reply to his letter of May 2. In it you expressed your opinion that "such a statute" as S. 2646, as reported from the Committee on the Judiciary, "if enacted would be detrimental to the best interests of the United States."
>
> You continued: "It seems to me desirable that the Court should have the last word on questions of the character involved." Since the amendments to the bill which were adopted on my motion do not foreclose the Court from having "the last word," I cannot help wondering if your expression of opinion had reference to these amendments.
>
> I would not wish to press you unduly with regard to your views on this bill, but since your letter to Senator HENNINGS has been made public, and is being construed as a condemnation of the bill in toto, I hope you will not consider it improper to express your opinion with respect to each of the sections of the bill as frankly as you expressed it in your letter to Senator HENNINGS. I enclose a copy of the bill as reported from the committee, together with a copy of the committee's report. You will note there are only 4 sections of the bill, the last 3 of them representing amendments which I proposed.
>
> Will you be good enough to let me know whether, considering each of these sections separately, it is your opinion that enactment of such section into law would be detrimental to the best interests of the United States?
>
> With thanks for your courtesy in giving consideration to my request, and with highest regards, I am,
>
> Sincerely,
>
> JOHN MARSHALL BUTLER,
> *United States Senator.*

To this letter, Judge Hand replied:

> MY DEAR SENATOR BUTLER: Please excuse my failure to answer your letter of the 19th; I was out of town from Wednesday morning until last night.
>
> In my letter to Senator HENNINGS referring to sections 1, 2, and 4 of the proposed bill I said that I thought it undesirable to give any opinion as to the constitutional questions raised by those sections, but that I thought them "detrimental to the best interests of the United States." This I followed by adding that I thought that the Supreme Court "should have the last word" on the questions involved. Apparently what I wrote has been misunderstood as including an opinion touching the substantive aspects of sections 2 and 4, as distinguished from denying any review by the Supreme Court. I did not mean to express any such opinion. The sections raise questions whose merits, unlike section 1, may come for decision before the lower courts, and it appears to me undesirable that I should discuss this aspect of them while I remain a judge.
>
> Respectfully yours,
>
> LEARNED HAND.

I think this letter from Judge Hand somewhat clears up the matter. The net of it seems to be that he was never against section 2 of the bill, and it appears likely he was misled by consideration of the Walsh opinion. This seems to follow from the sentence:

> Apparently what I wrote has been misunderstood as including an opinion touching the substantive aspects of sections 2 and 4, as distinguished from denying any review by the Supreme Court.

This seems to refer to the original Jenner bill—not to the amendments which I offered and which were reported from the committee. My personal opinion is that the situation boils down to the fact that Judge Hand's only opposition is to section 1 of the bill, on the

jurisdictional basis, and that he has expressed no opinion on section 3, and his reference to 2 and 4 must be considered as limited to the now-superseded proposal to deny judicial review.

There is no absolute inconsistency between the position expressed by Judge Hand in these letters and what he has said about the problem generally; for what Judge Hand said in his Harvard lectures cannot be construed as dealing with any particular proposed legislative provisions which might be applied as correctives if the Congress should determine correction to be needed. In those lectures, however, Judge Hand did express himself on several points bearing on the question of whether the Court's activity has been such as to justify or require corrective legislation.

Judge Hand's Oliver Wendell Holmes lectures have been printed in book form, under the title "The Bill of Rights." This little book, by probably the most able and experienced judge in the United States, is worthy of careful examination. After stating—on page 54 of the book—that in the segregation cases "It seems to me that we must assume" that the Court "did mean to reverse the legislative judgment by its own appraisal," Judge Hand went on to speak of the Court as "not being disposed to divest itself of that power of review that it has so often exercised and as often disclaimed." Then he asserted—and this will be found at the bottom of page 55 of the book:

I cannot frame any definition that will explain when the Court will assume the role of a third legislative chamber and when it will limit its authority to keeping Congress and the States within their accredited authority. Nevertheless, I am quite clear that it has not abdicated its former function, as to which I hope that it may be regarded as permissible for me to say that I have never been able to understand on what basis it does or can rest except as a coup de main.

At the outset of his third lecture—which starts on page 56 of the book—Judge Hand said:

In this lecture I shall say first why I do not think that the interests mentioned in the first amendment are entitled in point of constitutional interpretation to a measure of protection different from other interests; and then conclude by considering whether, even assuming that I am right in thinking that the Constitution does not warrant the courts in annulling any legislation because they disapprove it on the merits, nevertheless it is desirable that they should exercise such an authority on extreme occasions.

Then, discussing the question of freedom of speech under the first amendment, Judge Hand said—and this passage will be found beginning on page 57 of the book:

It has been again and again unconditionally proclaimed that there are no limits to the privilege so far as words seek to affect only the hearers' beliefs and not their conduct. The trouble is that conduct is almost always based upon some belief, and that to change the hearer's belief will generally to some extent change his conduct, and may even evoke conduct that the law forbids. Everyone agrees that there may be so close a causal sequence between the belief engendered and the unlawful conduct as to toll the privilege; but what that sequence must be still remains obscure.

Let me approach by steps. Suppose the words are such that, if the hearer acted upon the belief they induced, the speaker would become a principal in a crime. There are such words, as everyone agrees; indeed, the existing Federal statute defines them in terms that in substance go back at least to the time of Bracton. One makes himself a principal in the commission of a crime by the hearer when he 'aids, abets, counsels, commands or procures' the hearer to commit it. As you will observe, several, if not all, of these acts may be only verbal. I am not aware that anyone has ever suggested that, although the utterance induces the hearer to attempt to commit the crime, it is privileged if the attempt fails. Nor have I ever heard that even the most ardent champions of the privilege extend it to words that, though they fail to persuade the hearer to attempt to commit the crime, would make him a principal if they had succeeded in inducing him to make an attempt.

Here we come very close to the question involved in the Supreme Court's decision in the Yates case.

Judge Hand continued:

So far we seem to be on terra firma. On the other hand there have been, and still are, those who believe that words will be privileged, even though they satisfy the definition, if the unlawful conduct they seek to induce is to be after a substantial interval. That is the doctrine of "clear and present danger." The only ground for this exception that I have ever heard is that during the interval between the provocation and its realization correctives may arise, and that it is better to accept the risk that they may not be sufficient than to suppress what, however guilty in itself, may prove innocuous. I confess that I cannot understand why it should not be adequate protection of the speaker's privilege if he were allowed to show that the interval made it reasonably certain that the provocation would not be realized. It is always a difficult matter to forecast what will be the effect of such a pause, and by hypothesis the words proceed from an unlawful purpose and do not therefore fall within any interest that the amendment is designed to protect. I doubt that the doctrine will persist, and I cannot help thinking that for once Homer nodded.

In *Yates* v. *United States*, the Supreme Court made a distinction between words that advocate "concrete action" and those that advocate "principles divorced from action." It would be difficult, indeed perhaps it would be impossible, to imagine an occasion on which the statute would make the advocate of "principles divorced from action" a principal in a crime, even though his words had in fact provoked the hearer to commit it; but there are occasions, I submit, when the speaker may lose his privilege although he confines himself to "principles divorced from action." Let me suggest a not impossible one on which such an utterance would not I believe be protected. Suppose that a man wished to denounce the ineptitude and corruption of the Government to a crowd that he knew to be ripe for riot; and that he had been told that what he proposed to say would probably set them off. Suppose further that he still persisted in going on with his speech because he believed he had a message of high importance. Would it be privileged? It merely states the problem to say that the answer turns on "whether the gravity of the 'evil' discounted by its improbability justifies such invasion of free speech as is necessary to avoid the danger."

We come now to a rather interesting point in connection with discussion of Judge Hand's views. The fact that Judge Hand quoted approvingly from a statement by Professor Freund has been taken by many, who know the extreme liberality of Professor Freund's views in general, and who may not have taken the trouble to analyze the particular passage quoted by Judge Hand, that the judge was taking a position on the left.

But let us look at the particular passage which Judge Hand quoted.

Judge Hand said:

I cannot improve upon Professor Freund's gloss:

"The truth is that the clear-and-present danger test is an oversimplified judgment unless it takes account also of a number of other factors: the relative seriousness of the danger in comparison with the value of the occasion for speech or political activity; the availability of more moderate controls than those which the state has imposed; and perhaps the specific intent with which the speech or activity is launched. No matter how rapidly we utter the phrase 'clear and present danger' or how closely we hyphenate the words, they are not a substitute for the weighing of values. They tend to convey a delusion of certainty when what is most certain is the complexity of the strands in the web of freedom that the judge must disentangle."

For the purpose of consideration in connection with the provisions of S. 2646, the key words in the quoted portion of Professor Freund's writings are "the specific intent with which the speech or activity is launched."

Senators will note that one of the purposes of my amendment to S. 2646, which appears as section 4 of the bill as reported from committee, is to inject the factor of specific intent. The theory here is quite in line with the Freund statement as quoted by Judge Hand.

So that Senators may have clearly in mind the passage to which I am referring, let me read it. This is the last four lines on page 5 of the calendar print of the bill, and comprises new language which it is proposed to insert in the Smith Act:

Whoever, with intent to cause the overthrow or destruction of any such government, in any way or by any means advocates, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying any such government by force or violence.

As Judge Hand said after quoting from Professor Freund:

The controversy may arise over a statute specifically covering the occasion, and the question will then be the same as on occasions when the due process clause is involved. The standard set should prevail unless the Court is satisfied that it was not the product of an effort impartially to balance the conflicting values. When the statute does not lay down a standard specifically covering the occasion, the Court must of course first interpret it, but should it conclude that it does cover the occasion, I cannot see why it should dispose of the dispute by any different test.

A little further along in his third lecture, referring to provisions of the first eight amendments other than those dealing with freedom of expression and freedom of religion, Judge Hand said:

Many of them embody political victories of the 17th century over the crown, and carry their own nimbus of precedent. So far as they do, any extension beyond their historical meaning seems to me unwarranted,

though that limitation is not always observed. It is true that at times they may present issues not unlike those that arise under the first amendment and the due process clause, and in such cases I cannot see why courts should intervene, unless it appears that the statutes are not honest choices between values and sacrifices honestly appraised.

This expression by Judge Hand, it seems to me, is especially apropos to the consideration of what the Supreme Court has done in attempting to create a new "First Amendment right" of "freedom of association." This is, I think, clearly a case where the Court has not observed the limitation that the constitutional provision should not be extended beyond its historical meaning.

Beginning at page 66 of the book, Judge Hand sums up—and states that he is doing so—what he had previously said, as follows:

The authority of courts to annul statutes (and a fortiori, acts of the Executive) may, and indeed must, be inferred, although it is nowhere expressed, for without it we should have to refer all disputes between the departments and States to popular decision, patently an impractical means of relief, whatever Thomas Jefferson may have thought. However, this power should be confined to occasions when the statute or order was outside the grant of power to the grantee, and should not include a review of how the power has been exercised.

This last sentence, I think, will bear repetition. It is important:

However, this power should be confined to occasions when the statute or order was outside the grant of power to the grantee, and should not include a review of how the power has been exercised.

Continuing, Judge Hand said:

The distinction in the case of legislation demands an analysis of its component factors. These are an estimate of the relevant existing facts and a forecast of the changes that the proposed measure will bring about. In addition it involves an appraisal of the values that the change will produce, as to which there are no postulates specific enough to serve as guides on concrete occasions. In the end all that can be asked on review by a court is that the appraisals and the choice shall be impartial. The statute may be far from the best solution of the conflicts with which it deals; but if it is the result of an honest effort to embody that compromise or adjustment that will secure the widest acceptance and most avoid resentment, it is due process of law and conforms to the first amendment. In theory any statute is always open to challenge upon the ground that it was not in truth the result of an impartial effort, but from the outset it was seen that any such inquiry was almost always practically impossible, and moreover it would be to the last degree political.

I am well aware that the decisions do not so narrowly circumscribe the power of courts to intervene under the authority of the first amendment and the due process clause. I have not tried to say how far those decisions have in fact extended the scope of these clauses. Frankly, I should despair of succeeding. On the contrary I have been only trying to say what is the measure of judicial intervention that can be thought to be implicit, though unexpressed, in the Constitution. You may well ask, however, what difference it makes at long last if the courts do exceed those implicit limits.

Even though until about a century ago it was the accepted role of courts to confine themselves to occasions when Congress or the States had stepped over their borders, why should we now retreat, if it has become the custom to go further and correct patent deviations from a court's notions of justice? It is a constitution, you may go on to remind me, that we are expounding, and constitutions have the habit of organic growth. Ours is no different from other constitutions, and it has by now been modified to protect the basic privileges of any free society by means of an agency made irresponsive to the pressure of public hysteria, public panic, and public greed.

There may be much to be said for the existence of some such organ in a democratic state, especially if its power be confined to a suspensive veto, like that for example of the present British House of Lords. The recuperative powers of a government that has no such curb are indeed great, but in the interval between the damage and the restoration great permanent injury may be done, and in any event the suffering of individuals will never be repaired. Those who advocate such relief at times concede too scanty importance to the provisions very carefully devised at least in the Federal Constitution to check hasty and ill-considered legislation. The veto and independent tenure of the President, unlike that of the ministry in most democracies, are obvious curbs upon sudden swings of popular obsession; so too is the Senate, whose control is in the hands of a small minority of the population, representing a facet of public opinion quite different from that of the urban sections. However, I am not going to discuss whether it might not be desirable to have a third chamber, but on the contrary I shall assume for argument that it would be. The question still remains whether the courts should be that chamber. Let me try to sum up the case on both sides; and first that of those who wish to give the courts power to review the merits.

I agree that they have the better argument so far as concerns free speech. The most important issues here arise when a majority of the voters are hostile, often bitterly hostile, to the dissidents against whom the statute is directed; and legislatures are more likely than courts to repress what ought to be free. It is true that the periods of passion or panic are ordinarily not very long, and that they are usually succeeded by a serener and more tolerant temper; but, as I have just said, serious damage may have been done that cannot be undone, and no restitution is ordinarily possible for the individuals who have suffered. This is a substantial and important advantage of wide judicial review.

When one comes to the other interests covered by the Bill of Rights it seems to me impossible to be sure on which side the advantage lies. Judges are perhaps more apt than legislators to take a long view, but that varies so much with the individual that generalization is hazardous. We are faced with the ever present problem in all popular government: how far the will of immediate majorities should prevail. Even assuming, as I am, that a suspense veto would be desirable, the power to annul a statute is much more than that. It does not send back the challenged measure for renewed deliberation; it forbids it by making a different appraisal of the values, which, as I have just said, is the essence of legislation. Moreover, judges are seldom content merely to annul the particular solution before them; they do not, indeed they may not, say that taking all things into consideration, the legislators' solution is too strong for the judicial stomach. On the contrary they wrap up their veto in a protective veil of adjectives such as "arbitrary," "artificial," "normal," "reasonable," "inherent," "fundamental," or "essential," whose office usually, though quite innocently, is to disguise what they are doing and impute to it a derivation far more impressive than their personal preferences, which are all that in fact lie behind the decision. If we do need a third chamber it should appear for what it is, and not as the interpreter of inscrutable principles.

Again, Mr. President, I want to repeat what Judge Hand said, because I think it is exceedingly important. The learned judge said:

Even assuming, as I am, that a suspensive veto would be desirable, the power to annul a statute is much more than that. It does not send back the challenged measure for renewed deliberation; it forbids it by making a different appraisal of the values, which, as I have just said, is the essence of legislation. Moreover, judges are seldom content merely to annul the particular solution before them; they do not, indeed they may not, say that taking all things into consideration, the legislators' solution is too strong for the judicial stomach. On the contrary, they wrap up their veto in a protective veil of adjectives such as "arbitrary," "artificial," "normal," "reasonable," "inherent," "fundamental," or "essential," whose office usually, though quite innocently, is to disguise what they are doing and impute to it a derivation far more impressive than their personal preferences, which are all that, in fact, lie behind the decision. If we do need a third chamber it should appear for what it is, and not as the interpreter of inscrutable principles.

None of the proponents of S. 2646, Mr. President, who are gravely concerned about the increasing legislative activity of the Supreme Court, have stated their case any better than that.

Judge Hand continues:

Another supposed advantage of the wider power of review seems to be that by the moral radiation of its decision a court may point the way to a resolution of the social conflicts involved better than any likely to emerge from a legislature. In other words, courts may light the way to a saner world and ought to be encouraged to do so. I should indeed be glad to believe it, and it may be that my failure hitherto to observe it is owing to some personal defect of vision; but at any rate judges have large areas left unoccupied by legislation within which to exercise this benign function. Besides, for a judge to serve as communal mentor appears to me a very dubious addition to his duties and one apt to interfere with their proper discharge.

There is a delightful restraint in Judge Hand's expressions, Mr. President, and a delicate irony, which require reading and rereading for full appreciation. But despite the velvet lining of the pincers with which he holds up to the light of common sense the foibles and excesses of the Court, their grip is sure and firm.

Respecting one of the major deficiencies of a court which hands down opinions based not upon the principle of stare decisis but rather upon the personal prejudices and predilections of the individual judges or justices, Judge Hand said—and this will be found beginning on page 72 of the book:

This consideration becomes especially important in appellate courts. It is often hard to secure unanimity about the borders of legislative power, but that is much easier than to decide how far a particular adjustment diverges from what the judges deem tolerable. On such issues experience has over and over again shown the difficulty of securing unanimity. This is disastrous because disunity cancels the impact of monolithic solidarity on which the authority of

a bench of judges so largely depends. People become aware that the answer to the controversy is uncertain, even to those best qualified, and they feel free, unless especially docile, to ignore it if they are reasonably sure that they will not be caught. The reasoning of both sides is usually beyond their comprehension, and is apt to appear as verbiage designed to sustain one side of a dispute that in the end might be decided either way, which is generally the truth. Moreover, it certainly does not accord with the underlying presuppositions of popular government to vest in a chamber, unaccountable to anyone but itself, the power to suppress social experiments which it does not approve. Nothing, I submit, could warrant such a censorship except a code of paramount law that not only measured the scope of legislative authority but regulated how it should be exercised.

Of course, our paramount law—the Constitution of the United States—does not "measure the scope of legislative authority" and "regulate how it should be exercised". So, clearly, what Judge Hand has said here is that for the Supreme Court to act as a "chamber, unaccountable to anyone but itself" exercising "the power to suppress social experiments which it does not approve" does not "accord with the underlying presuppositions of popular government," and that the attempted exercise of such power by the Supreme Court is unwarranted censorship.

As Judge Hand so delightfully expressed it—beginning near the bottom of page 73 of the book:

For myself it would be most irksome to be ruled by a bevy of platonic guardians, even if I knew how to choose them, which I assuredly do not. If they were in charge, I should miss the stimulus of living in a society where I have, at least theoretically, some part in the direction of public affairs. Of course I know how illusory would be the belief that my vote determined anything; but nevertheless when I go to the polls I have a satisfaction in the sense that we are all engaged in a common venture. If you retort that a sheep in the flock may feel something like it; I reply, following St. Francis, "My brother, the Sheep."

There speaks a man of great wisdom, of great learning, of great integrity, of great courage. God bless Learned Hand, and keep him among us for many years to come. His country needs him.

On January 16 of this year the Director of the Federal Bureau of Investigation testified before a subcommittee of the House Committee on Appropriations. In the course of that testimony he said some things which I think have substantial bearing on the question of whether the Congress should enact S. 2646.

Opening his discussion of the Communist Party in the United States, Mr. Hoover said:

Since I last appeared before your committee we have continued the same intensive investigation of the Communist Party, U. S. A., as we have over the years. This investigation has consistently revealed that trained and dedicated party members are continuously engaged in their vicious behind-the-scenes operations in all segments of American society. There is no indication that these clandestine operations of the party will diminish in the future. Every tactic, every program, every action on the part of the Communist Party in America must be closely followed in order to determine the underlying reasons and strategy for such action.

While conceding some recent losses in membership, party leaders are convinced that most of the members who have left its ranks, or who have been inactive in recent months, are still Marxists and, with concerted effort, can be reactivated in the party. Many of these former members are still willing to cooperate with the party on specific issues, but not as party members.

Efforts of the bona fide party membership have been complemented by an intensified program of infiltrating mass organizations. To disguise its programs as the offerings of legitimate organizations and to divorce its activities from the stigma of open identification with communism, the party has established many front groups and continuously strives to infiltrate unsuspecting, well-respected organizations. Since front groups are used to dupe loyal citizens in supporting and promoting campaigns which are designed to help the party attain its goals, they constitute one of the most important phases of Communist activity in the United States.

We now have approximately 150 known, or suspected, Communist-front and Communist-infiltrated organizations under investigation.

These infiltrating tactics constitute a real security hazard. While the Communist Party members in some 60 countries in the world constitute only a negligible percentage of the people enslaved, their successes have been achieved in a large measure through the technique of infiltration; by seizing leadership of key organizations, groups and popular fronts; and by brutal force.

The influence of the Communist conspiracy reaches into almost every walk of life. To gage its effect, we need only to note the widespread clamor which is raised whenever our Government attempts to deal firmly in self-defense against the subversive threat.

Certain organizations obviously dedicate their efforts to thwart the very concepts of this Nation's security programs. They vehemently oppose methods to gain this security and it is obvious that their aim is to destroy it. They protest that they are fighting for freedom, but in reality, they seek license.

They hypocritically bar Communists from their membership, but they seek to discredit all persons who abhor Communists and communism. They claim to be anti-Communist but they launch attacks against Congressional legislation designed to curb communism. They distort and misrepresent and ridicule the Government's security efforts.

They lobby and exert pressure on the leaders of Government both in the legislative and executive branches.

Sadly, the cult of the pseudoliberal, which is anything but liberal, continues to float about in the pink-tinted atmosphere of patriotic irresponsibility; and remains strangely silent when another nation such as Hungary is pillaged, plundered, and reduced to virtual serfdom by barbaric communism.

Every pseudoliberal in this country should look inside his heart and give heed to the destruction he may be bringing upon the very country that permits him to enjoy this very freedom of thought.

Some people may doubt that an organization the size of the Communist Party of America, with a decline in membership in recent years, represents a real danger to the security of this country.

I cannot emphasize too strongly that the numerical strength of the Communist Party means nothing. We must never forget that those individuals who remain as members today are fanatically dedicated to the ultimate forcible destruction of our form of government. History tells us of the devastation which a handful of fanatics strategically placed can bring. To minimize the menace of communism as the activity of a small dissident group develops lethargy and can only lead to disaster.

Our investigations have clearly shown that the Communist Party, U. S. A., is a hard core of conspiratorial Reds unaffected by party differences and controlled by the heavy hand of Moscow. As long as this apparatus exists it is a continuing aggressive force, constantly at work to subvert the American people and to destroy us.

Soviet Communist Party leader, Nikita Khrushchev reiterated this goal in his much publicized television interview in June 1957, when he stated that your grandchildren would live under the heel of Communist socialism.

Discussing prosecutions under the Smith Act, Mr. Hoover said:

Since 1949, Federal juries have returned guilty verdicts against 108 Communist Party leaders under the conspiracy and membership provisions of the Smith Act of 1940. As a result of court decisions, only 59 of these convictions remain as of January 10, 1958.

Continuing on this subject, Mr. Hoover said:

Indicative of the overall reaction of the Communist Party to certain court rulings is a statement made by a top Communist functionary while discussing the Supreme Court decision of June 17, 1957, which ordered the acquittal of 5 California Smith Act subjects and retrial of the remaining 9. This functionary commented: "• • • the greatest victory the Communist Party in America has ever received. This decision will mark a rejuvenation of the party in America. We've lost some members in the last few years but now we're on our way again. The people are sick and tired of witch hunts."

And then the Director of the Federal Bureau of Investigation said this:

Crime and subversion have become critical challenges due to the mounting success of criminal and subversive elements in employing loopholes, technicalities, and delays in the law to defeat the interests of justice.

Mr. Hoover quoted the Honorable Warren E. Burger, judge of the United States Court of Appeals, District of Columbia Circuit, who he said:

Found cause to warn of what he considers "• • • an unfortunate trend of judicial decisions • • • which strain and stretch to give the guilty, not the same, but vastly more protection than the law-abiding citizen."

Mr. Hoover also quoted Justice John C. Bell, Jr., of the Pennsylvania Supreme Court, who he said displayed the same common sense realism when he wrote:

The brutal crime wave which is sweeping and appalling our country can be halted only if the courts stop coddling and stop freeing murderers, Communists, and criminals on technicalities made of straw.

Declared Mr. Hoover:

I have the utmost respect for the independence of the courts. The judiciary is not, and never must become, a mere rubber stamp for the other branches of government. But the courts themselves must also eventually come to grips in a realistic manner with facts and join all forces for good in protecting society. The late Justice Cardozo recognized this need when he said: "But justice, though due to the accused, is due to the accuser also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true."

Mr. President, let me pick up two loose ends, and then I shall conclude.

It has been asserted that Communist subversion is a national problem which should be handled on a national basis by the Federal Government. In his memorandum of opposition to my amendments, the Senator from Missouri declared:

The Federal Government is fully equipped to do the job of prosecuting individuals for subversive activity, and it alone is in a position to coordinate effectively this task.

Unfortunately, Mr. President, the Federal Government is not at the present time equipped to do the job of prosecuting individuals for subversive activity. What we are trying to do in this bill is to provide the necessary equipment so that this job can be done. Congress tried to provide such equipment before, and for a time the equipment which Congress provided worked well. But the Supreme Court has taken that equipment away. The constitutionality of the Internal Security Act of 1950 has been permitted to remain in litigation for nearly 8 years, and the end of this litigation is nowhere in sight. As for the Smith Act, to use the words of Judge Richard H. Chambers, of the United States Court of Appeals in San Francisco, the Supreme Court has made "a virtual shambles" of the Smith Act by its decision in the Yates-Schneiderman cases.

There is in this country today no sound basis for either State or Federal prosecution of subversive activity. Every State antisubversive law has been invalidated by the decision in the Nelson case, and even State investigation of subversive activity has been curtailed by the decision in the Sweezy case. The Smith Act, the major Federal antisubversive law, under the interpretation given to it by the Supreme Court, is no longer applicable to current Communist activity. Certainly the least we can do is to restore the effectiveness of this antisubversive law with respect to the current activities of the Communist conspiracy and those who are engaged in it. This is what would be accomplished by section 4 of the bill as it has been reported from the committee.

As for State action against subversion, who will say that the people of a State do not have a stake in preserving our form of government against overthrow by force and violence, or that they should not have the right, through their duly elected State legislatures, to enact laws for that purpose?

Mr. President, I have one more point to cover.

The argument has been made, Mr. President, that the guarantee of equal protection of the laws under the 14th amendment somehow prevents a State from prohibiting Communists from becoming officers of its courts. But the practice of law is a privilege not a right, as the Senator from Missouri has admitted in his memorandum of opposition to my amendments to S. 2646. As the Senator from Missouri said in that memorandum: "No one contends that a person has a constitutional right to practice law."

It is not correct, Mr. President, to say that every person has an equal right with every other person to be admitted to practice law before the courts of a State. At best, it can only be said that an individual has the same right as is given to other persons of his class, to attempt to qualify for admission to the bar under State law. And surely it is not unjust discrimination for a State to bar Communists from becoming officers of its courts. If communism was just a political belief, this might be different; but communism is a world conspiracy which has as one of its principal objects the overthrow by force and violence of the Government of the United States.

The Supreme Court has said, in *Yick Wo* v. *Hopkins* (118 U. S. 356), at pages 373 and 374, that if a law "is applied and administered by public authorities with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights" this may constitute a denial of equal justice within the prohibition of the Constitution. But are we willing to say that keeping Communists from becoming officers of our courts is administering the law with an evil eye and an unequal hand? I deny it, Mr. President.

We are confronted with a situation in which sovereign States of the Union have been denied the right to even evaluate membership in the Communist conspiracy as a factor bearing on the character and fitness of an applicant for admission to the bar. This is the rule which the Supreme Court has laid down, and it is the rule which the Court may be expected to follow in similar cases. The only remedy for this situation is to put the determination of such matters back in the hands of the State supreme courts where it belongs.

It is not right to assume that State and local authorities cannot be trusted. Our whole system of government is based on the justified assumption that they can be trusted. It is not right to take the position that the administration of local affairs close to the people is a mistake, and that the only way to get good administration or right decisions is to commit the administration and the decisions to control by expanding Federal power. To do so is to move down the road toward statism, at the end of which lies tyranny.

As a matter of fact, where a privilege is concerned, and not a right, the right of equal protection of the laws does not require even the avoidance of discrimination. Look at the case of *Kotch* v. *Pilot Commissioners* (330 U. S. 552), where the Supreme Court held that the unfettered discretion of officer river pilots to select their apprentices was not a denial of equal protection of the law to persons not selected, even though such apprenticeship was required for appointment as a pilot, and even though the officer pilots almost invariably exercised their discretion in favor of their relatives and friends. The point in that case was that becoming a river pilot was not a matter of right, but a matter of privilege. And as I have pointed out, becoming an officer of a State court is not a matter of right, but a matter of privilege.

Now I have finished, except to say this:

We cannot know whether what we say here will have any lasting quality, or be quickly forgotten. But we can be quite sure that what we do here will deeply affect the course of this Nation for uncounted years ahead.

Today we face many choices of elemental importance. Only a few of these choices are involved in the legislation we are now debating. But how we make these choices cannot fail to have lasting impact on the welfare of our country.

At stake on these choices are the preservation of our tripartite form of government, the protection of the rights and prerogatives of the sovereign States which make up this Union, and the ability of our State and National Governments, acting in cooperation, to curb the Communist conspiracy within our borders before it is too late.

We cannot plead that we do not know the issues. We cannot cut the stakes. And we may not avoid the choices, for in this situation failure or refusal to act involves a choice as clear-cut as action. We have come to a time of testing. May God help us to meet the test with wisdom and courage and patriotism.

Mr. EASTLAND. Mr. President, the Jenner amendment to the pending measure is a bill intended to strengthen the internal security of the United States of America. It is a bill which is honestly and sincerely opposed by Senators and others who take the view that this bill is unwise and in opposing it they are somehow protecting the Supreme Court.

But the most bitter opponents of this bill are the Communist Party and its front organizations in this country. They oppose it because they fear it. They know its enactment would raise barriers to the success of the Communist conspiracy. They know it would put weapons into the hands of our Federal and State Governments with which to defend this Nation against subversion from within.

There are also many who oppose this bill without understanding it. Some oppose it because they think opposition to it is the correct liberal position. Some oppose it because they honestly believe one or more of the many misstatements which have been made about it. Some oppose it for the sake of a foolish consistency. Some oppose it because they have been emotionally misled by the propaganda against it. Some oppose it because of political or personal pressures.

The more people there are who fully understand this bill and its provisions, and who comprehend and accept the facts which make its enactment necessary, the better chance we shall have of getting it enacted into law. So I want to address myself particularly to those who may be confused, or misinformed, or uncertain about this bill.

It is not surprising that there should be those who are confused about this bill, misinformed about its provisions, or uncertain respecting the need for it.

Ever since it was introduced, shrewd minds, zealous pens and busy hands have been trying all the tricks they could to mix up the issues and keep America's eyes off the basic facts.

These are the facts which they have been trying to conceal:

First. The Communist underground conspiracy is 40 years old.

Second. The Communist conspiracy is and always has been the spearhead of Communist military attack.

Third. In order to protect themselves against this spearhead, the American people through their State and national legislatures built a substantial structure of defense.

Fourth. Recent decisions of the Supreme Court have demolished this whole defense structure.

Fifth. The security of the United States demands that this defense structure be rebuilt and maintained.

Sixth. In rebuilding this structure we must set up such safeguards as we can against the possibility that the Court may destroy it all over again.

No combinations of counterattacks, tricks, or diversionary maneuvers can keep the people's eyes off these basic facts. The people understand them, and accept them as valid reasons for enactment of this legislation, because these facts are related so vitally to the preservation of their liberties and the survival of their way of life.

The more the opponents of this bill try to smother them, the more the people realize they are afraid to confront these facts.

Consider some of the tricks played by the smokescreen manufacturers.

When this legislation first was offered, they said it was not seriously proposed, that it was just a political move.

Then when the bill began to make progress, they created a hullabaloo with the charge that the bill was being advanced by secret maneuvers. The truth was, of course, that it was introduced with a full-dress speech on the Senate floor. Then hearings were called in accordance with normal Senate procedure.

After the bill had been considered in subcommittee and reported favorably to the full committee, it was charged that the hearings were inadequate. Thereafter many days of additional hearings were held. Every person nominated as a witness by any Member of the Senate was invited to appear and testify, every person who asked to be heard was given all the time he wanted, and every statement seriously offered for the record was inserted in the record.

But when the bill was again before the full committee for consideration, the cry of "insufficient hearings" was renewed. The people were told that the Attorney General of the United States was not even given the courtesy of an invitation to testify on the bill. This statement was inaccurate; but, after the Attorney General had chosen not to appear and testify, his office sent up a letter which lent color to the charge.

When the Senator from Maryland introduced his amendments to the bill in a regular meeting of the Judiciary Committee, and distributed his amendments openly in a mimeographed press release, an attempt was made to discredit them by describing them as "sleeper" amendments.

When the Judiciary Committee approved some of these amendments, every one of them based on testimony given at the open public hearings, it was charged that the amendments had been approved without adequate consideration.

After the bill was reported favorably from the committee, by a vote of 10 to 5, it was contended that political considerations dictated this legislation should not be debated on the Senate floor.

Today, or tomorrow, someone else will think of some other device for scattering American public opinion. But I do not believe that public opinion is going to be scattered by this succession of shabby little tricks. The American people are not fools. They can see through this smokescreen. Mail received at the offices of the Subcommittee on Internal Security has been running more than 100 to 1 in favor of this bill.

I dare the opponents of this bill to come to face the facts. I say that the Communist underground conspiracy is the spearhead of Communist military attack. I say that decisions of the Supreme Court have effectively destroyed this Nation's defense against that conspiracy. I say that the Communist Party has openly rejoiced at the Court's decisions, and openly boasted that the Court has given the party new opportunities to rehabilitate itself. I say that the Communist worldwide radio has also lavished praise on the United States Supreme Court for these decisions. I say that the Court's decisions have paralyzed the Smith Act, paralyzed the enforcement of anti-Communist laws in at least 42 States, and interfered with the investigation of the Communist conspiracy by the legislative branch. I say that the Court's decisions have opened jail doors to let Communist conspirators back into the main stream of American life, denied the right of our Government to deport known Communist aliens, forced the States to admit Communist teachers to the faculties of tax-supported schools, and coerced the State Department into issuing passports to known Communists, thus giving them freedom to travel for Communist purposes. I say that the Court has forced the States to accept secret Communists as officers of their courts.

This bill alone will not do the whole job that needs to be done. But it will do a substantial part of the job. This is a part of the job that can be done now, and if we do not do it now, the people will have a right to believe we have no stomach for doing any of it.

A runaway Congress or President can be turned out of office by the voters in 2 or 4 years. But we are struck with a runaway Supreme Court for life, unless we use effectively the legislative process provided by the Constitution to counteract the evil effects of the Court decisions which have caused so much Red rejoicing.

Now, what is it this bill will do?

It will restore to Congress the right to fix the scope and control the conduct of its own investigations; to determine when its legislative process requires information; to decide what information it needs; to choose the witnesses from whom it will seek this information; and to decide what questions shall be asked in an effort to secure the information it desires.

It is just as wrong for the Court to dictate to Congress what questions Congress may ask in order to legislate, as it would be for the Congress to dictate to the Court what questions the Court may ask in order to adjudicate.

This bill will not authorize any committee of the Congress to act outside its jurisdiction, though that is one of the charges made against the bill. But it will let Congressional committees, so long as they stay within their jurisdiction, run their own proceedings in their own way, subject to the control of their parent legislative body. That is how it should be.

This bill will make it clear that the Congress considers it impossible to teach and advocate the overthrow of the Government of the United States by force and violence without providing incitement to action in that direction, and that Congress regards incitement toward either present or future action, in the direction of violent overthrow of the Government, as a clear and present danger.

Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, recently testified that 49 top Communists convicted by Federal juries under the Smith Act have been set free by Supreme Court decisions. Judge Richard H. Chambers, of the United States Court of Appeals for the Ninth Circuit, declared that Supreme Court decisions have left the Smith Act, as to any further prosecution under it, a virtual shambles. The bill before us will bring order out of this chaos.

This bill will also amend the Smith Act so as to make it a crime to teach or advocate the violent overthrow of the Government with intent to bring about such overthrow, whether or not the attempt is successful or immediately productive of action. To say that a man who intends to bring about the forceful overthrow of his government, and tries to do it, cannot be punished unless he succeeds in some degree, is like saying no barn door may be locked until at least one horse has been stolen from the barn. The element of intent, coupled with action—that is, teaching and advocacy—cannot always be established; but when it can be established, it is most assuredly a proper basis for criminal prosecution.

This bill will restore to the States the twin rights to enact and enforce their own antisubversive laws.

In the Nelson case, the Supreme Court rendered unenforceable the antisedition laws of 42 States and of Alaska and Hawaii, on the ground of its finding that the Congress had intended to preempt the field for the Federal Government. To uphold this ground, the Supreme Court perverted the plain language by which Congress had declared exactly the opposite intent. It is the unquestioned right of the Congress to restate the law and its own intent, making clear that it did not and does not intend to prohibit the States from protecting themselves against subversion.

This bill also will prevent the Supreme Court from depriving the highest court of each State of the right to decide who may practice law in the courts of that State, in accordance with the public policy of that State, as declared by its laws, enforced and administered by its own officials.

One of the great checks of our American system of checks and balances is the constitutional right of Congress to limit the jurisdiction of the Supreme Court. This right is plainly set forth in article III, section 2, of the Constitution of the United States. This right has been exercised in many instances; not only in a single Civil War habeas corpus case, as opponents of this bill have charged. This right was exercised in section 11 of the Judiciary Act of 1789, passed by a Congress composed largely of the very men who had approved the Constitution itself. This act prohibited actions based on diversity of citizenship and involving assignments, unless diversity existed between the original parties to the promissory note or chose in action. The Supreme Court upheld the validity of this provision in the case of *Turner* v. *Bank of North America*, in 1799 (4 Dall. 8), and upheld it again in the case of *Sheldon* v. *Still*, in 1850 (8 How. 411).

The power of the Congress to limit the jurisdiction of the Supreme Court was exercised in the act of March 3, 1839, which made decisions of the Secretary of the Treasury in tax disputes final, and not subject to any appeal. The Supreme Court upheld this provision in the 1839 act in the case of *Cary* v. *Curtis* (3 How. 236).

The power of the Congress to limit the jurisdiction of the Supreme Court was exercised in the act of March 2, 1867, which provided that "no suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court." No court ever challenged the validity of that act.

The right of the Congress to limit the jurisdiction of the Supreme Court was exercised again in the Norris-LaGuardia Act of 1932, which deprived all Federal courts of jurisdiction to issue injunction in nearly all labor disputes; and no court has ever challenged the validity of the power, as there exercised.

This power of the Congress to limit the jurisdiction of the Supreme Court was exercised again in the Hiram Johnson Act of 1934, which deprived Federal courts of jurisdiction to suspend or enjoin public-utility rates fixed by State agencies, where jurisdiction is based solely on diversity of citizenship or repugnance to the Constitution, the State order does not interfere with interstate commerce, and was issued after notice and hearing, and a "plain, speedy, and efficient remedy may be had in the courts of such State." This law permits appeals from State courts to the Supreme Court on the constitutional issue of whether the rate order is confiscatory and deprives the utility of its property without due process of law; but this law does not authorize an appeal by the utility on any other ground, or by consumers on any ground at all.

Those citations of law should be enough to establish that the power of the Congress to limit the jurisdiction of the Supreme Court has been exercised repeatedly. It should be exercised again to protect the States in their traditional right to license and control lawyers who are officers of their courts; and, in the words of the American Bar Association committee on Communist tactics, strategy, and objectives, to "permit bar associations to set standards of membership high enough to exclude those who refuse to testify frankly and fully about their past activities in furtherance of Communist plans to conquer the Free World by subversion."

For more than 130 years after the Constitution was adopted, the Supreme Court never asserted or sought to exercise any jurisdiction or control over admissions to the practice of law in State courts. As late as 1917, in the case of Selling against Radford, the Supreme Court unanimously asserted it had no authority to reexamine and reverse, in the capacity of a court of review, the action of a State court in disbarring a member of its bar. The Supreme Court explicitly used the words "we do not possess" such power. That was a disbarment case, where the appellant was already a member of the bar, and might be said to have had some vested interest in maintaining his status.

In the Konigsberg and Schware cases, decided in 1957, what was involved was the question, not of disbarment, but of admission to the bar, which everyone recognizes is a privilege and not a right. Yet the Supreme Court in those cases asserted and purported to exercise the very power which 40 years earlier, in the disbarment case of Selling against Radford, the Supreme Court had said it did not possess. Nothing happened in the meantime to give the Court that power, Mr. President. This is not a constitutional power which the Court has sought to exercise. This is another case of a clear usurpation of power, a usurpation which the bill before us will correct by restoring the power to the State courts, where it traditionally has reposed, and where it belongs.

Mr. President, the purpose of this bill is not punitive; it is remedial. Enactment of this bill will not hurt the Court; it cannot hurt the Court. In some instances where the Court has changed the law from what the Constitution said it was or from what the Congress said it was, to what the Court thought it should be, enactment of this bill will change the law back to what the Congress says it is. But that cannot hurt the Court, nor can it hurt any Justice on the Court. Enactment of this bill could not even give cause for umbrage to any Justice of the Supreme Court, unless he feels that he has a right to take part in the lawmaking process, and to have the law stand forever as he makes it. But the Constitution, Mr. President, says that all legislative power is vested in the Congress of the United States.

Mr. President, when the people feel that justice is no longer certain, that their courts are breaking with precedent, and are tearing down the bulwarks of judicial continuity, they are rightly restless and apprehensive. But even under such circumstances, they are not likely to rise against the courts unless the judicial departure from settled conclusions adversely affects the rights of the people or endangers their liberties. In such an instance, the wrath of the people is cumulative, focusing itself first against the particular decisions which oppress them or threaten to denude them of their rights or endanger their safety; and then, inevitably, against the Court itself.

We have such an instance in the line of decisions by the Supreme Court of the United States which has given such comfort and encouragement to the Communist conspiracy, leaving the Nation virtually defenseless against the spearhead of military aggression to which I referred at the outset of my remarks. By shoring up our defenses, by partially restoring, as this bill will, the tripartite balance of power which has been upset by the Supreme Court's usurpations, we shall not be harming the Court. On the contrary, we shall be protecting the Court against evil consequences to itself, flowing from its own decisions, even as we shall be protecting the Nation against evil consequences to the Nation, flowing from those decisions. When the people no longer fear the Court, they can once more learn to respect it and to trust it.

Although I know that enactment of this bill will benefit the Supreme Court itself in the long run, I am not urging its enactment for that reason. I urge its enactment for the sake of the rights of the States, the freedoms of the people, and the protection of the internal security of the United States of America.

Mr. JAVITS. Mr. President, I shall speak for only 5 minutes, and then I wish to have a quorum call had, preceding what I hope will be the speech of the Senator from Missouri [Mr. HENNINGS].

Mr. President, I speak only because I have had a rather extensive part in the debate on the Jenner-Butler bill. My remarks at this time are, in a sense, a summation. Therefore, I shall be brief, and shall not make specific reference in detail to the authorities.

Mr. President, what concerns me and, I believe, the rest of the people of the country who feel as I do about the bill, is that it represents an effort by Congress to destroy the separation of powers in an area where Congress has that power, but should have the self-discipline not to exercise it.

Congress can deprive the Supreme Court of appellate jurisdiction; Congress has that power. But if Congress does so, it will deprive us of the final arbiter of what is or what is not in consonance with the Constitution.

I believe there should be universal agreement on the proposition that the maintenance of the proper balance between the Constitution and the laws made by Congress is at least as important as the effort to find Communists or root out subversion in the country. All of us realize that in the latter effort, we can go overboard. I am contending for assurances and guarantees against destruction of our own liberties in the

process of finding the subversives who, themselves, would destroy our liberties.

Mr. President, democratic society is built on self-discipline. If the President of the United States should sit on his hands and refuse to enforce the laws, there would be no way to get at him except by impeachment. So, too, if Congress refused to appropriate money and the processes of government stopped, nobody could do anything about it, except that in our society we expect self-discipline to see that it shall not happen.

So Congress should not, in 1 stage, as in the Jenner bill, or in 2 stages, as in the Jenner-Butler bill, itself destroy the separation of powers which gives the Supreme Court the authority to decide what is constitutional and what is not constitutional.

The Jenner bill would have been directed toward encompassing in the pending bill legislation to deprive the Supreme Court of appellate jurisdiction, and leave such jurisdiction to inferior courts in the Federal judicial system. The Jenner-Butler bill takes it one step removed, and deprives the Court of jurisdiction only in respect to bar admission cases, and in other cases strives to meet the point where the Court may have invalidated certain conviction under action taken by the Congress.

The Jenner-Butler bill would cause the Supreme Court to declare unconstitutional the very acts we propose to approve here—the Smith Act definition, and the finding of pertinency by Congressional committees. When the Supreme Court did that, notwithstanding an act by the Congress such as proposed in this bill, then the tension between the Supreme Court and a majority of Congress would really be at a peak. The next step would be to take away the jurisdiction of the Supreme Court.

It is for that reason that I say the Jenner-Butler bill proposes to do it in 2 steps, and the Jenner bill proposes to do it in 1 step.

There is a great difference between the Nelson case provision of the bill and the other provision of this bill. In respect to the Nelson situation, the Congress is asked to declare a Congressional policy that it does or does not want the Federal sedition law to preempt a whole field, but wishes to allow the antisedition laws of 42 other States also to have concurrent jurisdiction. The purpose is very understandable. Personally, I have reservations. But that is a logical field of Congressional power. But in the rest of the Jenner-Butler bill, we are asked to tell the Court what it said was not a crime—to wit, the advocacy of the idea of overthrowing the Government by force—is a crime. I say the Court, if it is consistent, and if it has character—and it has that—must declare such an act unconstitutional. We are trying to tell the Court what is unconstitutional instead of the Court trying to tell us and the country.

In the Watkins case exactly the same situation prevails. The Court has stated that, in order to protect the individual, a committee must ask a question, and obtain an answer, on pain of contempt, only if the question is pertinent to the inquiry. Yet, it is proposed to tell the Court that a Congressional committee exclusively shall determine what is or what is not pertinent. In short, we are trying to tell the Court what is constitutional, and saying that the Court must not tell us what is constitutional. Again the Court will have to declare such an act unconstitutional, if it has any character, and it has character.

So Congress would, by its own act, put into motion a chain of circumstances in which the next step would be to deprive the Supreme Court of jurisdiction in respect to contempt cases arising out of inquiries by Congressional committees, and deprive it of jurisdiction where convictions are made under the Smith Act. That would be the next step. When we did that, we would have pitted the Congress and the Court against each other in the way I have described.

If we did what is proposed by the proponents we would be engaging in an act of self-discipline which would destroy the separation of powers, and would jeopardize our country in the steps which it is taking, by many means, to prevent subversion.

No one can forget that Judge Medina, one of our distinguished judges in New York, tried 11 Communist leaders, and, after much pain and ordeal, vindicated every precept for which the Supreme Court is contending with respect to due process, convicted them, and the conviction stuck all the way up in the process of appeal. In short, there is a right way to do it. The pending proposal is not the right way. It strikes at the very foundations and security of our constitutional system.

Mr. President, no wonder that minorities, individuals, and groups concerned with civil rights and liberties throughout the country have made a holy crusade against the Jenner-Butler bill, because they see the handwriting on the wall. The very essence of constitutional government requires a final court to determine what is and what is not the paramount law of the land. Congress cannot do it by amendments which it adopts day in and day out, and year in and year out. Those persons say that if such a technique is employed to undermine the separation of powers, then the greatest danger arises to the rights of the people.

That is the reason for my deep-seated opposition to the proposal. I hope, and I pray—I think it is that serious—that the motion to table which is expected to be made will succeed.

Mr. THURMOND. Mr. President, the pending amendment is of particular interest to me because I have had a lifelong interest in all things pertaining to the delicate balance of power existing between the three branches of the Federal Government and between the Federal and State Governments.

In the present instance, we are confronted by an alarming trend on the part of the judicial branch of the Government, headed by the Supreme Court, to usurp fields of responsibility that belong elsewhere.

Not only has the Court dealt deadly blows to the constitutional principle of States rights and to the lawmaking power of the legislative branch of the Federal Government, but the Court has also struck at the fundamental authority vested in the executive branch.

The time is long past due for action by the Congress to call a halt to this unconstitutional seizure of power by the third branch of the Government.

The amendment which is before us does four things:

First. It forbids the Court to review cases challenging State rules for admission to the bar, except in certain cases.

Second. It would make Congressional committees the final judges of whether questions asked of their witnesses are pertinent.

Third. It would affirm the right of States to enforce their own antisedition laws.

Fourth. It would broaden the Smith Antisedition Act by forbidding "theoretical advocacy" of the forcible overthrow of the Government as well as advocacy which is "incitement to action."

The passage of this amendment limits the jurisdiction of the Supreme Court with respect to review of State rules for admission to the bar. In no other way would the Court's jurisdiction be diminished.

This bill is badly needed to preserve the autonomy of the States, to insure effective Congressional investigation, and to protect the very existence of our State and local governments against sedition.

This bill has been the subject of detailed study by the Judiciary Committee. To me, the Jenner bill as introduced is more preferable than the Jenner-Butler amendment which is pending. In fact, I would prefer an even stronger bill than that introduced by the Senator from Indiana [Mr. JENNER]. This is the only bill, however, which deals with specific decisions on which the Senate will have an opportunity to act at this session, and for that reason, I shall support the Jenner-Butler amendment.

Mr. STENNIS. Mr. President, the Jenner amendment to the pending bill, H. R. 6789, embracing as it does the language of S. 2646, presents one of the most serious issues considered in this Congress or any other Congress.

In recent years the Supreme Court has greatly extended its power in the review of Congressional activities, invalidating State qualifications for admission to the bar, and it has virtually destroyed the State and Federal security programs which constitute our only internal protection against Communist activities in our midst.

The pending amendment brings the issues, widely divergent though their subject matter may be, clearly into focus as they should be, and this debate should receive the attention of every thoughtful American concerned about what is happening in his country. Many wonder what must be done to stop the trend toward judicial tyranny.

The details of the Jenner bill are well known, and their purpose has often been maligned, but it is my sincere belief that if not this year, then in the very near future, a comprehensive bill of this type must be enacted under the constitutional powers of Congress to reverse the trend of recent Supreme Court decisions, which is greatly hastening the centralization of government while sitting in judgment on all activities of government, State and Federal.

The Constitution provides Congress with the power to regulate the appellate jurisdiction of the Supreme Court, and this is one of the fundamental checks and balances in our constitutional system. It may be the only way in which the co-equal status of the three branches of government may be maintained in the future.

The only area of law in which Congress seeks by this bill to assert the power given it by article III, section 2, of the Constitution—to make regulations governing the appellate jurisdiction of the Supreme Court—is in the field of qualifications established by the individual States with regard to the regulation of admission of persons to practice law within such States.

While it is a serious matter for Congress to undertake to circumscribe and limit another branch of government, it is a necessary step, for when the Supreme Court of the United States undertakes to rewrite State qualifications for bar membership, it has transgressed the very heart and soul of local government which is the firmest foundation of our State-Federal union. This appears to be the only manner in which the desired result may be achieved by Congressional action.

Section 2 of the bill is necessary to overcome the dangerous precedent established in United States against Watkins. In this case, a witness before the House Un-American Activities Committee refused to answer questions concerning his prior associations with people engaged in Communist activities, not on the usual ground of the fifth amendment nor even a distorted interpretation of the first amendment, but on the ground that the committee lacked authority to propound these questions to him. The subject under consideration by the committee at this time was an investigation of Communist infiltration of labor activities around Chicago. Certainly this matter is within the legitimate purview of Congressional investigative activities ultimately leading to legislation to correct evils disclosed thereby. The Supreme Court, however, upheld the witness' contentions and effectively cast a pall of doubt on standing committees' authority to pursue inquiry in matters within their jurisdiction when a reluctant witness is encountered. In section 2 of the Jenner bill, the very powers of Congress itself are at stake, and Congress must act to preserve the authority entrusted in it by the Constitution as the only truly representative body in Government.

Section 3 and 4 of the bill dealing with State and Federal antisubversive laws meet squarely the problem posed by the Supreme Court in two cases.

In the first, Pennsylvania against Nelson, the Supreme Court held that Congressional legislation in the field of antisubversive activities had effectively preempted the field, leaving the States powerless to enforce their own sedition laws which previously had been upheld and considered valid. In reaching this conclusion, it was necessary for the Court to imply an intent by Congress to preempt the antisubversive field for no such notion was included in any of the acts considered by the Court nor in any of the materials constituting the acts' legislative history. The Department of Justice has repeatedly testified that State administration of their antisubversive laws has not impeded nor hindered effective Federal enforcement of its own laws, but the many years' experience by the Department of Justice were ignored by the Court in reaching the conclusion embraced in the Nelson case decision.

The Court held that because of the national interest in the problem of subversive activities, Federal laws must dominate the field, and spoke of the desirability of a uniform and comprehensive program defined by Federal statutes proscribing subversive activities generally.

Yet 1 year later, in the Yates and Schneiderman case, the Supreme Court virtually emasculated the Smith Act, releasing convicted Communists because of tortured misinterpretations of statutory language relating to organizing activities of the Communist Party and by use of a subtle distinction between: A conspiracy to advocate the violent overthrow of our Government as an abstract doctrine, and a conspiracy to advocate the violent overthrow of our Government as an incitement to action. In reaching this conclusion, the Court misconstrued Congressional intent, which was to proscribe a conspiracy regardless of whether revolutionary acts resulted therefrom.

All in all, the pending amendment presents what many distinguished lawyers consider the best approach to the problem of a Court which refuses to exercise judicial restraint, but seeks to sit in judgment and direct all activities, both State, local, and national, of all branches of Government. Through violence to the well-recognized rules of construction of statutes and other devious methods, this Court is hastening the trend toward complete centralization of Government and regimentation of the American people.

SENATOR WILEY OPPOSES JENNER-BUTLER BILL

Mr. WILEY. Mr. President, specific legislation to deal with specific legal problems is one thing. That is the way legislative process should operate. However, the shotgun approach to attempt to shoot down the prestige and authority of a coordinate branch of the Government is something else again. This we should continue to oppose with all of the strength at our command.

DIVISION OF POWERS

The genius of the American system of government is the balance of powers which permits governmental decisions while at the same time preserving the freedom of the individual.

If a citizen gets into trouble with one branch of the Government, he can always appeal for reasonable treatment from one of the other branches, especially if he has a good case.

The presently amended bill is less objectionable than the original bill introduced as S. 2646. However, it still carries with it the murky atmosphere of an emotional attack upon the Supreme Court.

It indicates objection to the authority of the Supreme Court, and reacts against it.

The minority of the Judiciary Committee constituted six members of the committee. Four joined in minority views of 10 pages, together with six appendixes. I wrote a brief additional minority comment myself, as well as joining with the minority. The Senators from Illinois and North Dakota [Mr. DIRKSEN and Mr. LANGER] also wrote short minority statements. This pamphlet of some 86 pages will repay careful reading.

The bill is not one to vote up or down precipitately. It involves a basic constitutional question—the division of powers between the judicial, the legislative, and the executive.

The United States—and especially the Senate of the United States—has been torn for more than a year by a bitter and provocative debate that strikes at the roots of American Government. Narrowly and compactly stated, this is the debate on the proposed Congressional limitations on the appellate jurisdiction of the United States Supreme Court. The legal elements of this debate are very profound, and have been discussed here in the Senate, in the law journals of the country, and in the writings and utterances of bar associations from one end of the land to the other. Because the legal aspects of the subject have been exhausted from just about every conceivable avenue of approach—and in the most learned detail—I shall forbear, for the most part, from going over again this long and wearily beaten path.

Yet to feel deeply about the issues and to fail to speak up where one's conviction is so powerful would be an act of omission that does violence to my conscience and, I believe, my oath as a Senator of the United States. I want to treat this subject reverently because the most sacred aspects of the inner structure of the Constitution of the United States are involved. I want to treat the proponents of the measures for curtailing the constitutional powers of the Supreme Court with respect, for I shall never cease to be convinced of their sincerity and the integrity and high purpose of their motivations. But this high regard personally for my senatorial colleagues, with whom on this issue I stand in perhaps a more adamant opposition than on any issue I can recall in my senatorial career, does not blind me to the radicalism and the extreme danger and unwisdom of their whole basic proposition.

The debate to this hour has enjoyed some success from the standpoint of prudence, restraint, and the prevention of the enactment of legislation that would do violence to the concept of our Government as evolved by the Founding Fathers. Thus S. 2646 was presented in one form, sternly and ruggedly opposed, and reissued in somewhat modified dress,

with the hope that the change of legalistic nuance would disguise if not conceal the latent dynamite inherent in this most ill-conceived legislation.

The sound movement of the machinery of legislation has been so conceived by the creators of this Government that caution had time to step in and thwart thus far the march toward enactment. It is the sound movement of the whole machinery of American Government, which this legislation attacks, that must be maintained in all the materials of its original concept, lest we do greater violence to our form of government than we know. For S. 2646 in its initial form as first drafted, as amended, or as it may be further amended, is charged not with the spirit of genuine reform, or the spirit of change in the interests of progress. It cannot be said to be concerned solely with the purpose of righting a wrong. No, S. 2646, in the nature of its purpose and the unhappy climate of thinking in which it was nurtured from the beginning—whether its sponsors so willed it or not—is charged rather with the venom of the feud. It is steeped in the bitterness of a consuming wrath. In some quarters, it evinces the evidences even of vindictiveness. This proposed legislation, so powerfully concerned in depth with the separation of powers, with civil rights, with the individual and government, with the States and the Federal authority, cannot now and never will rid itself of the poisons of rancor and ill-will that permeate it. This is, in its origin, its amplification, and in the changes it has undergone, proposed legislation of disgruntlement. This is not merely a pronouncement of reproof against those on the High Court whose philosophy of government and whose attitude toward the Constitution its sponsors hold in contempt. This proposed legislation is not a vote of censure against this member of the Supreme Court or that one. Rather than improve the relationship between the legislative branch and the judicial branch this proposed legislation deliberately deteriorates it. What the proposed legislation does is what so many of the highest legal authorities in the land feel it would do.

It would do violence to the basic structure of American government.

Even if I were to disagree with some of the findings of the Supreme Court as vigorously as do my colleagues who sponsor this legislation, I still would not be able to find it in my heart to recommend enactments that so curb the powers of the Supreme Court, so inhibit its incumbents, so remove the judicial disciplines from our legislators, as to vitiate the soundness of the democratic process. To pursue such a course logically it would be right to destroy the powers of the Presidency if one disagreed with the White House. What the sponsors of this measure are saying is not that the Supreme Court has decided wrongly—which may or may not very well be true—but what the sponsors of this measure are, in effect, saying is that the Supreme Court as an institution is itself wrong and needs therefore to be reduced to a zero, or near-zero, in the structure of our Government.

In that aspect of the situation, we have the fatal error.

Of couse the Supreme Court can be wrong, has been wrong, and has itself, by subsequent decision, confessed its errors. The very strength of the Supreme Court, as the very strength of democratic government, rests in the capacity to substitute a new right for an old wrong. The idea of amendment, which made our Constitution itself so flexible, is a wise admission, as we all know, of the inevitability of change, and growth, of progress and of adjustment. The greatest protection against the probability of error was built into the Court both by the number of its incumbents and by the process of their appointment and the lifetime security of their tenure. There is not a Member of the Senate, not a group of legislators anywhere, who would be at a loss to find a decision, perhaps a whole area of legal thinking, pronounced as law by the Supreme Court in the past, with which they would not profoundly and unalterably disagree. But would that have been a reason for slashing, with the venomous knives of legislative disapproval, the basic powers of the Supreme Court?

Surely, had that weak foundation been built into the edifice of our country, we would have had the merest vestige of a Supreme Court long before this. And if what the sponsors of this proposal now so ardently fight for were indeed in line with the thinking of the Founding Fathers, if it had accordingly been acted upon as decisively in the past, as it is now being acted upon by this proposed legislation, then—I ask—what role would have been left for the Court to play in American Government? Had the thinking contained in S. 2646 and all its subsequent and adroitly patched modifications prevailed from the days of the constitutional convention how possibly—I ask—would our Government have been able to survive in its essential and original form? The destruction that would have been meted out to it in the notorious McCardle case in the 1860's would then have been fatal. That mistake was another attempt to cut down the meaning of the Supreme Court and—successful for the moment—it failed, of course, in the end. The destruction that would have been meted out to the highest judicial authority in the land during the incredible period when the idea sprang up in the White House to pack the Supreme Court, would have very well ended the life of the Republic as we then constitutionally knew it. Those were the two great instances of mortal error when I believe that the very pith and meaning of American Government hung in the balance. But just as—up to now—this proposed legislation has been kept from its work of ruin, so in the reconstruction period and during the court-packing issue, the inherent judgment of American leadership, and of the aroused American people, checked the degradation and the ruin of our form of government.

Something might have been salvaged, or something might have remained after such destruction, reminiscent of the original. But it would hardly have been this Government in this form. The damage to the Constitution would have been too substantive. For the Supreme Court, one of the main supporting structures, to the great arch of democratic government, would have been demolished, and our Nation would have been hobbled with a hanging and perilously uneven mass of piled up political rubble. It may even be that this Government would then have blundered through in some way, as cripples manage to limp through life somehow. But this Constitution of ours would hardly then have been what Gladstone described it: "the most wonderful work ever struck off at a given time by the brain and purpose of man."

It is this that I ask be preserved; it is this that I ask be rescued again in the year 1958, from an emotionally motivated proposal that would malform what has stood so majestically and served mankind and the Free World so well since its founding. It is certainly no over-simplification to say that what is involved here is to check those who disagree with a Supreme Court point of view from forever nullifying the Supreme Court. It is certainly no oversimplification to say that what is involved here is to check those who, like all of us, loathe this thing called communism, from altering the Supreme Court itself and our basic Government because some Communists happen to be the beneficiaries of decisions by the Supreme Court that affect the rights and liberties of all Americans. It has been stated again and again and again and it needs no belaboring from me that the law—applied with integrity to all—that happens to help a character we despise, may tomorrow help any one of us in the maintenance of what we call the dignity of the individual.

Emotion and indignation and a sense of having been defeated are blinding forces, but what in law can be more immoral than the application of law so that it protects me but hinders you? If this were a problem merely of bad legislation in a limited area of government, I would be far less positive, far less vehement, far less moved in my opposition. What invests my opposition with so much concern is that the damage I see so clearly, should such legislation be passed, is damage to the Constitution itself and to the basic and the whole body of republican government as the great men who founded this country saw it.

Of course, speaking shall I say "technically" and in the letter of the law, I see, as the sponsors of this measure see, the legal right of the Congress within certain limits to constrict the appellate authority of the Supreme Court. The right fundamentally exists although it can hardly be described as a total right. Here precisely we come upon the principle of government by consent, of reasonableness, of compromise—here precisely we come upon something vaguely to be identified as the "human spirit" upon which the Founding Fathers depended for the success of the immensely pioneering project in government they had set up. The President was to have certain powers, the legislature was to have certain powers, the Supreme Court

was to have certain powers. There were the powers of veto and the powers of judicial review. At given points, the exact line marking the division of powers was not delineated as we delineate the boundaries between nations. Here in the issue before us we have one of these uncertain areas of demarcation—a twilight zone. What we must in our time depend upon, and what without a shadow of a doubt the Founding Fathers expected we would depend upon, is the moral sense of the legislators, the moral sense of the Supreme Court itself, the American genius for compromise without friction. We must depend on our talents as a people and as a government for adjustment.

If we take up one by one—as I shall not do because it has been done so thoroughly and so well before—the cases involved in the proposed legislation, what do we find? We find that the implementation of the disagreements with the Supreme Court decision by the enactment of law to make such decisions in the future impossible, means the abuse to a degree that terrifies me, of the powers of the legislature to determine the appellate powers of the High Court. It means that the principle of reasonableness our Founding Fathers relied upon has been abandoned by us in the year 1958. The issues involved in such cases as Watkins; Service against Dulles; Cole against Young; Pennsylvania against Nelson; Sweezy against New Hampshire; Slochower against Board of Higher Education of New York City; of Schware against Board of Bar Examiners of New Mexico; of Konigsberg against State Board of California, and more recent cases that bear a kinship to these cases, all go to the heart of law that belong, in my judgment, to the judicial and not the legislative sphere.

When I say that this proposed legislation is immoral, I do not mean to impugn the characters by one iota of those Senators who sponsor it. What I recognize is a kind of blind rage now being shrewdly directed to channel into retaliatory legislation, their accumulated anger against the judiciary. It gets no doubt a good deal of its fire and its smoke from the constituencies in various parts of the country that feel themselves especially affronted by these decisions.

I ask: What would happen to our courts if they, too, were influenced to a determining degree by the flood of passion that from time to time leads governments and legislatures and—especially dictators—into such fatal decisions? Where would justice find its place if the guideposts for decision were not a cool appraisal of justice and the law but a hot resignation to anger?

Suppose the elements of reasonableness and adjustment were indeed to break down, as this legislation threatens to break them down. Suppose then that the Supreme Court, acting within its legal authority as the sponsors of this legislation are acting within theirs, were to take umbrage at the Senate and the House. Suppose, that as an expression of that angry reaction the Court—within its prescribed jurisdiction—found legal rationalizations for upsetting, capriciously, vital legislative enactments?

How long could this Republic survive under government by mutual frustration?

I ask how could this Republic survive with a Supreme Court that is not a Supreme Court?

If we legislate here, should this anti-Supreme Court law pass, knowing we are then free of all the major restraints of judicial review, what effect would that have upon the wisdom and the prudence, the caution and the judgment of our legislative conduct? If the Supreme Court itself, after the passage of this legislation against its authority, has to make its decisions under the shadow of perpetual legislative curtailment, how then could the nine Justices or any of them, apply a free, uninhibited judgment, a judgment of sweep and scope and judicial independence?

We have already seen the beneficient fruits of prudence when this legislation was restrained from going through in its original form. It has since been modified without, I fear, any vital alteration in its basic and unfortunate purpose. I plead for an enlargement of that prudence, and a continuation of it, to forestall what may very well be historically the most ruinous legislation to come out of the Senate—and the Congress—in half a century. We are not dealing here with a matter of tariff, however important that may be, or a problem of highways, or an item in foreign aid. This legislation violently tampers with the basic law of the land as established by the Founding Fathers. It goes to the heart of our most cherished liberties. Its consequences will undoubtedly be frighteningly unwise and can be fatal to the inherent structure of American Government.

Against so dangerous a course, I set up a warning. I plead, above all, let us not set up the anger of the hour against the wisdom of the Founding Fathers. Let us not, to right what may seem to some of us a regional judicial injustice, create a profoundly perilous national wrong. Let us not, as this threatens to do, kill the principle of the Supreme Court because we differ, even bitterly, with some of the decisions of some of the present Justices. Let us not lose sight of the Government of the United States as a whole in a passion to discipline one of its parts. Let us not forget the role of the United States in the most perilous hour for the Free World since the dawn of time. For to do violence to the American tradition by denigrating the eminence and the prestige, the honor and the power of the Supreme Court of the United States, is to do violence to the concept of freedom and by that much to throw dust in the face of the whole Free World in a moment of its acutest peril.

Mr. HENNINGS. Mr. President, first I should like to state I appreciate very much the forbearance of my colleagues, the distinguished Senator from Wisconsin and the distinguished junior Senator from New York, who have spoken this afternoon and spoken with brevity. I appreciate, as well, the forbearance of the Senators on the other side, those who hold views opposing the view I happen to espouse on this question, in limiting themselves. There is so much to be said on this question, and so much which will be said should the motion I propose to make to table the amendment offered by the Senator from Indiana fail. If that should occur there will be abundant time for all who have something to say on this subject to say it completely and fully.

Mr. JAVITS. Mr. President, will the Senator yield so that I may make a brief comment?

Mr. HENNINGS. I am glad to yield.

Mr. JAVITS. I deeply appreciate the remarks of the Senator from Wisconsin, who is so senior on the Committee on the Judiciary. The remarks were splendidly presented.

I should like to join my colleague in the expression of appreciation for true greatness in facilitating the entire procedure.

Mr. HENNINGS. I thank the Senator very much. I want to say that the distinguished senior Senator from Wisconsin is a ranking member on the Committee on the Judiciary and is a tower of strength on the committee. We find him to be sound, we find him to be studious, we find him to be diligent and to be enormously interested in all questions brought before us which affect the deep, basic things—the things which affect the lives of our people and destiny of our country.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to my colleague on the Judiciary Committee.

Mr. CARROLL. Mr. President, I think it would be appropriate at this time to lay a foundation.

I have not had an opportunity, of course, to know what the Senator from Missouri is going to say on the proposal, but I have heard the distinguished Senator from Wisconsin, and I believe the Senator from New York would like to know a little of what has gone on in the committee.

As a new Member one of the first major votes I faced in the Judiciary Committee was on the question of whether we would seek to curb the appellate jurisdiction of the Supreme Court of the United States. As a result of a question put by the Senator from Missouri in the committee, we learned that only two witnesses had appeared before the Subcommittee on Internal Security of the Senate Committee on the Judiciary to testify on this far-reaching proposed legislation to curb the appellate jurisdiction of the Supreme Court of the United States.

At that time a motion was made by the distinguished Senator from Missouri to throw the matter open to public hearing. A motion to table that motion was made, and failed by one vote. That is an important part of the history. The motion of the Senator from Missouri prevailed. The able leadership of the distinguished Senator from Missouri resulted in the testimony of many expert witnesses, including deans of universities, distinguished lawyers, representatives of the American

Bar Association, and bar associations throughout the country. The newspapers rose virtually en masse to support the position taken by the distinguished Senator from Missouri.

As a result of the public hearings which were held, 4 of 5 sections of the bill were stricken. After the hearings there was no desire on the part of the Judiciary Committee to curb the appellate jurisdiction of the Supreme Court wholesale.

The able Senator from Wisconsin [Mr. WILEY] is the senior minority member of the Senate Committee on the Judiciary. The Senator fought in bipartisan ranks to achieve this desirable end.

We are now confronted with the remaining hodge-podge bills. We face miscellaneous proposals lumped together in another effort to strike at the Supreme Court. Only one of these seeks to curb its jurisdiction, but all have the same ultimate purpose—to make a frontal assault and attack upon the Supreme Court of the United States.

I pay tribute to the senior Senator from Missouri for his very excellent fight. I also pay tribute to the Senator from Wisconsin, who joined with other Republican members of the committee to bring this issue to the floor of the Senate of the United States, and before the American people. I sincerely hope the motion which will be made by the Senator from Missouri will prevail, and that once and for always we shall lay to rest the ghost of the frontal assault upon the appellate jurisdiction of the Supreme Court of the United States.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HENNINGS. At this point I wish first, if the Senator will bear with me for a moment, to express my thanks to my learned and able colleague on the Judiciary Committee, the junior Senator from Colorado [Mr. CARROLL]. He is most generous in bestowing praise upon the Senator from Missouri. He has himself been in the forefront of this fight. I do not know what I would have done without him, the Senator from Wisconsin [Mr. WILEY], the Senator from Tennessee [Mr. KEFAUVER], and some of the other stalwarts on the committee who have stood shoulder to shoulder in trying to bring some semblance of order out of what was originally, indeed, a rather weird combination. We have not altogether succeeded.

Many odds and ends were brought together in a bill. Some of the proposals contained in that bill were the subject of hearings, and with respect to other proposals no hearings whatsoever were held. The Committee on the Judiciary spent some 8 weeks on Senate bill 2646, and finally we have it in its present form, the proponents having abandoned some four of the areas in which they had originally hoped to achieve success. So the work done in committee and the able assistance of my four brethren who voted against reporting the legislation has had the salutary effect of bringing the bill down to such proportions that it can at least be debated, although there are parts of it today upon which there have been no hearings.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to my friend from Pennsylvania.

Mr. CLARK. I should like to comment that I am confident that my friend from Missouri will make a substantial and able speech in opposition to the Jenner-Butler bill. I and a number of other Senators have been prepared to speak in support of the Senator from Missouri.

Mr. HENNINGS. I am well aware of that.

Mr. CLARK. I think the decision to rest our case in the hands of our able counsel, the senior Senator from Missouri, was a wise one. I want the RECORD to show my complete agreement with him, even before he speaks. We have discussed the burden of his speech. I had prepared a rather substantial and lengthy speech in support of my friend from Missouri, which I hope, as a result of the motion to table, it will not be necessary for me to deliver.

Mr. HENNINGS. Does the Senator desire to insert his speech at this point in the RECORD?

Mr. CLARK. I think not.

Mr. HENNINGS. I should like to say, in consonance with what my distinguished friend from Pennsylvania has said, that it is only because of his generous forebearance and because of the desire of some of us to bring the motion to table to a vote as soon as possible, that I was able to persuade the Senator to withhold making his speech at this time, not that what I shall say in any way transcends in value what the Senator has prepared, if, indeed, it is as good; but someone must sum up. The able Senator from Pennsylvania is learned in the law. He has practiced law successfully. He has occupied the position of mayor of the great city of Philadelphia, and is, in all respects, a fine legal scholar and technician. Throughout he has been most interested and most vigilant with respect to this legislation, as he is with respect to all matters to which he gives his attention.

Mr. President, I shall be as brief as possible. If the motion to table should fail, we can anticipate full, lengthy, virile debate and discussion of all phases of this question, and upon the functions of the Supreme Court, the Constitution, and all cognate and related questions which bear upon this great issue.

I have no desire to foreclose any Senator from speaking. The senior Senator from Maryland [Mr. BUTLER] and the junior Senator from Indiana [Mr. JENNER] agreed to limit their speeches today. We have all tried our best to bring this question to a vote.

Mr. KEFAUVER. Mr. President, will the Senator yield very briefly?

Mr. HENNINGS. I am glad to yield to my colleague on the committee.

Mr. KEFAUVER. Inasmuch as the so-called Jenner-Butler bill, as such, was not placed before the Senate by the Policy Committee, but is being brought in as an amendment, I thought it might escape the attention of some of the Members of the Senate that in the report on the bill proper there is a very excellent statement of minority views, which was prepared by the distinguished Senator from Missouri [Mr. HENNINGS], in which the Senator from Wisconsin [Mr. WILEY] and the Senator from Colorado [Mr. CARROLL] and I join.

Mr. HENNINGS. I was substantially aided in the preparation of the report by all Senators who signed it with me.

Mr. KEFAUVER. This statement is not on the desk of Senators, but I thought it should be called to their attention. There are additional minority views by the senior Senator from Wisconsin [Mr. WILEY]. There are additional views by the senior Senator from North Dakota [Mr. LANGER], in which he disagrees in principle with the majority views, and by the junior Senator from Illinois [Mr. DIRKSEN], who disagrees with one section of the bill.

I thought I should mention this point now because the bill is being brought up in a rather unusual manner, and some Senators may not know that there was such disagreement in the Judiciary Committee about it.

Mr. HENNINGS. The Senator from Tennessee [Mr. KEFAUVER], who is one of the most able and helpful members of our committee, has made a contribution to the discussion today, and I thank him for it.

Mr. President, again I say I shall try to skim the surface as best I can in making a summation of what I believe are the salient issues and points.

As we all know, even lawyers of seasoning and experience disagree. We all know that oftentimes there is a segment of respectable opinion upon both sides of any controversy. Indeed, Mr. President, we know that such a body as the Supreme Court of the United States over the decades, since the very time of its inception, has handed down decisions by a split vote. There have been many 5-to-4 decisions. Let us assume that the Justices who are in the minority on a 5-to-4 decision take the position that some of our colleagues in the Senate take. We might except that they would take the position, if they found themselves too consistently in the minority, and overruled, of saying, "We should limit the jurisdiction of these fellows in some way or other so we will not constantly be overruled."

We know that the Court itself divides. We know that many of these questions are indeed very close questions of law. We know that the law is not immutable, but is protean. It changes constantly to conform to human progress and to the advances made in this great land of ours, all of which are to the advantage of society and for the safety, security, and welfare of our people. Therefore, all of these factors bear upon the question. The Supreme Court does not rigidly hand down opinion after opinion predicated upon something that happened 100 years ago and law that was laid down 100 years ago. The Supreme Court must consider many diverse factors that arise in the course of human events. Though there is a saying that human nature never changes, still new fields of law develop. A number of new fields of law have been created—the tax law, aviation law, and even a law regulating space, which has come before the Senate. These are laws regulating the

various technological and scientific advances the world is now making, and though the people of this country may not call a tax law necessarily an advance, it is a necessary law.

We have many statutes which must be interpreted afresh and looked at anew by the Court because of the advance of society.

I am certain that every Member of this body recognizes the danger of the international Communist movement. I am not going to undertake to make a jury speech on the issue because we are considering a legal matter. I shall not undertake to discuss the subject of communism. I recognize it as a serious threat. I am prepared to vote in favor of the President's program when the mutual security bill comes up, in order to give the President full support in the field of foreign affairs through mutual security. I have always voted for defense appropriations and I have always voted for aid to the western alliance and the Free World. I believe that is one way to combat communism. Indeed, in my judgment it is the most important way to combat communism, but I do not deprecate or overlook the fact that there are some would-be Communists and would-be subversives in our midst.

Mr. JOHNSON of Texas. Will the Senator yield?

Mr. HENNINGS. I am glad to yield to the distinguished majority leader.

Mr. JOHNSON of Texas. I ask unanimous consent that at the conclusion of 20 minutes we have a quorum call, and when a quorum is obtained, proceed to vote on the motion of the Senator from Missouri [Mr. HENNINGS].

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

Mr. HENNINGS. Mr. President, I thank the Senator. In view of our agreement I shall hurry on in order that we may reach a vote on the pending question.

I am also sure that each Member of this body agrees that the danger of communism must be met. However, we are a civilized and self-confident society. Our Government, as we all know, is democratic in form and is limited by a written Constitution. Therefore, it is incumbent upon this body to make certain that we combat the Communist danger only by the methods and with the weapons of free men. True, the methods of tyranny would be far more effective in meeting this danger, but our forefathers have set our course, and we must continue along this path of liberty and justice if we are to survive and prosper as free people. Certainly, to protect our Nation from tyranny we must not adopt the method of the tyrant.

On occasion in the past unwise and unjust deeds have been committed in the name of security. I hope that we will prove ourselves a responsible legislative body or, as some people like to say, the greatest deliberative body in the world.

I hope that, in the closing days of the 85th Congress we will act in a responsible manner and not join the ranks of those who have committed excesses and outrages and have infringed upon the liberties and the rights and the lives of others, all in the name of security and protection from the Communist threat.

The pending amendment, offered by the Senator from Indiana [Mr. JENNER], contains provisions which would affect the rights and liberties of all our people. In my humble opinion, a constitutional issue is raised by every provision of the amendment. Every provision also raises very serious policy questions. The amendment is a hodgepodge. It brings together legislation which strikes out in every direction. Only 2 of the 4 provisions even deal with internal security.

I wish the record to show—and I ask Members to mark it well—that the amendment is opposed by the Justice Department, the American Bar Association, by many of the State bar associations, and by the deans of most of the law schools in the country, including the dean of the Indiana Law School, of the State of the Senator who proposes the amendment.

Judge Learned Hand has written to me, in response to a letter of mine, respecting S. 2646, as amended. When I was a boy, the sayings of Learned Hand were considered the quintessence of legal reasoning and logic and thought, and certainly the expressions of a balanced legal mind.

I shall not take time to read the judge's letter in full. I merely wish to quote from it, as follows:

> I do not feel the same compunction, however, in expressing my opinion that such a statute if enacted would be detrimental to the best interests of the United States.
>
> Of course, there is always the chance of abuse of power wherever it is lodged, but at long last the least contentious organ of Government generally is the Court. I do not, of course, mean that I think it is always right, but some final authority is better than unsettled conflict.

Mr. BUTLER. Mr. President, I dislike to ask the Senator to yield to me at this point, but I, too, have received a later letter from Judge Hand. I wonder whether he would be willing to ask unanimous consent to have that letter placed in the RECORD at this point.

Mr. HENNINGS. I shall be glad to do so.

Mr. BUTLER. I have heretofore placed it in the RECORD. The point I make is that Judge Hand did not mean to pass upon the substantive provisions of sections 2 and 4.

Mr. HENNINGS. I shall take the Senator's word for it.

Mr. BUTLER. Confusion has arisen because so many references are to the original bill, not to the amendments.

Mr. HENNINGS. That is true. I am sorry that the pressures of the moment will not permit us to engage in extended discussions at this time. I am rushing to meet a deadline.

Mr. President, I ask unanimous consent that both letters be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES COURT HOUSE.

MY DEAR SENATOR: I have your letter of May 2 with its enclosure. Being still a United States judge, although retired, I should be unwilling to give any opinion on the constitutional questions raised by sections I, II, and IV of the proposed statute. I do not feel the same compunction, however, in expressing my opinion that such a statute if enacted would be detrimental to the best interests of the United States. It seems to me desirable that the Court should have the last word on questions of the character involved. Of course, there is always the chance of abuse of power wherever it is lodged, but at long last the least contentious organ of Government generally is the Court. I do not, of course, mean that I think it is always right, but some final authority is better than unsettled conflict.

I fear that this will not be much value to you, but for what it may be worth I am sending it.

Sincerely yours,

JUDGE LEARNED HAND.

JUDGE LEARNED HAND'S CHAMBERS,
UNITED STATES COURT HOUSE,
New York, May 26, 1958.

MY DEAR SENATOR BUTLER: Please excuse my failure to answer your letter of the 10th; I was out of town from Wednesday morning until last night.

In my letter to Senator HENNINGS referring to sections I, II, and IV of the proposed bill I said that I thought it undesirable to give any opinion as to the constitutional questions raised by those sections, but that I thought them "detrimental to the best interests of the United States." This I followed by adding that I thought that the Supreme Court "should have the last word" on the questions involved. Apparently what I wrote has been misunderstood as including an opinion touching the substantive aspects of sections II and IV, as distinguished from denying any review by the Supreme Court. I did not mean to express any such opinion. The sections raise questions whose merits, unlike section I, may come for decision before the lower courts, and it appears to me undesirable that I should discuss this aspect of them while I remain a judge.

Respectfully yours,

LEARNED HAND.

Mr. HENNINGS. At the 11th hour this morning the Senator from Indiana qualified his bill by exempting considerations of race, creed, and color. That was another 11th-hour provision which was handed to us just as we came into the Chamber this morning and the matter could only be considered for the first time after the morning hour.

A brief statement respecting each provision might be very helpful at this point.

The first provision would take from the Supreme Court its power to review denials of admission of lawyers to State bars. This provision is contrary to our historic principle that the Supreme Court should have the final word as to the constitutionality of governmental action. It would be a legislative decree to the Supreme Court that it should render decisions which are politically popular or it will lose its power to review such cases. It would send out the word to the Supreme Court that it had better behave itself and had better hand down the right decisions; that it had better decide cases as we want them decided, or we will take care of the Court, we will take away some of the Court's power, some of its authority, some of its jurisdiction.

Mr. President, once that door has been opened, once we begin to whittle at the jurisdiction of the Supreme Court, the floodgates will be open. Then, heaven

help the United States and our present system of checks and balances under the three-power system of government. This could be the first swing of the ax in chipping away the whole foundation of our independent Federal judiciary.

The second provision would give to a Congressional committee the power to make a final determination of pertinency of a question which would be binding on the Federal courts in a trial for contempt of Congress. Congress has placed upon the Federal courts the duty of punishing for contempt of Congress. Pertinency of the question asked by a committee has been established by the Congress as an essential element of the crime. In my opinion, all elements of a crime should be decided judicially by the court and the jury. It is, indeed, unwise if not unconstitutional for Congress to make a final determination of such an element of the crime of contempt. It would be the same as allowing a prosecutor to determine whether the questions they themselves have asked are proper.

In addition, this provision is completely ambiguous, as indicated by the Senate report on S. 2646, as amended.

I commend, to those who may run and read, a reading of the dissenting views as well as the majority views in the report.

The third provision would revitalize State laws which proscribe sedition against the Federal Government. The Pennsylvania Supreme Court in holding that the Federal law preempted the field presented a strong argument not only as to preemption but as to the wisdom of preemption. This proposal would allow the State to interfere and hamper effective enforcement of the Federal statutes in this area. Because of the interstate nature of the Communist movement it can best be combated by a uniform policy under centralized control.

I believe it can be best combated, as it is being combated, by no less a person than J. Edgar Hoover, the friend of many of us, and admired by all who know him and by many who do not. This danger can best be combated under a uniform policy, under centralized control; not by prosecuting attorneys in the State, running hither and yon, to track down people whom they may think are a little strange, a little odd, a little unorthodox, who may perhaps even be Communists. Who can say where that kind of activity would lead? It is perfectly obvious that many innocent persons would be brought to book, harassed, and harried because some prosecuting attorney decided he wanted to get his name into the newspapers and make a great big splash on the front page to the effect that he is a great Communist hunter.

The third provision in the bill would permit also premature warnings or harmful advance disclosure of evidence. In my opinion, this provision would not help our Nation in its fight against subversion but would to the contrary be detrimental.

The last provision of the bill is the ultimate in bad legal draftmanship. The language of subsection (a) is almost unbelievably bad.

I do not want to be offensive to any of my scholarly and legal friends on the other side of the question, but the language of subsection (a) is almost incredibly bad. It is incomprehensible. We have all understandably devoted major attention to the glaring fundamental substantive faults of the amendment, but this structural defect of phraseology should not go uncriticized.

The provision begins in a most unlawyer-like way by mentioning, "Yates against United States, Schneiderman against United States, and so forth" and proceeds to include a direct quotation of a phrase from the Court's opinion, identifying the author by name—Mr. Justice Harlan.

He was the author of the opinion. When I read that quotation, I could not believe I was reading proposed legislation. I thought I was reading some sort of report on a memorandum. But here it is in the bill.

For some 14 years, in the House and Senate combined, with an interval between during which I practiced law, I have never seen proposed legislation drawn like this. It may be very valuable; indeed, it has the appeal of novelty, if that be an appeal. But I do not think we are looking for bizarre ways in which to present proposed legislation in the form of bills to the United States Senate. This is not the time to exercise one's imaginative propensities. Surely the Senate of the United States should not approve such draftsmanship, the content notwithstanding. It is utterly amazing.

The next two subsections amend the advocacy provisions of the Smith Act. Read literally they add absolutely nothing to the construction the Supreme Court has already placed upon the statute. However, if all three subsections to which I have referred are taken together, it might conceivably be possible to interpret the provisions as making advocacy in the abstract a crime. If this be the case, then the provision is unconstitutional, because the Supreme Court for more than 50 years has held the first amendment protects all advocacy in the abstract; not just the Court that is spoken of by some in derogation, as the Warren court; but the Court for 50 years past.

Therefore, this provision is entirely redundant, tautological, or unconstitutional, depending on how it is construed.

I have discussed each of the provisions briefly because I thought it would be helpful to all Members of the Senate in voting upon a motion to table, which I shall make at the conclusion of my remarks. The issues involved in each of these provisions are quite complex, and if the motion to table is defeated it will, of course, be necessary to discuss thoroughly each provision. I say here and now—and I assure everyone—that it will be done to the best of the ability of some of us to do it. There are also many amendments to this proposal which have been printed and ordered to lie on the table. I am certain some of these will be called up if this amendment is considered further.

We cannot, merely because it is late in this session of Congress, let something like this go through in the interest of saving the time of some of our Members, as much as we would like to accommodate and be obliging in that respect.

As I have said, I am certain some of the amendments will be called up if consideration of the amendment is permitted to go further.

The pending amendment has in reality only one purpose. That is to visit retribution on the Supreme Court for some of its past decisions and to put a foot in the door in anticipation of future attempts to strip the Court of its jurisdiction whenever there is disagreement with its decisions.

I am constrained to say that it is an unmitigated attempt to impose the will of Congress upon the Supreme Court. It is in complete violation of the spirit of our Constitution.

Agreement or disagreement with the Court's decision in particular cases should not be the basis of consideration of this bill. As a lawyer, I have disagreed with many of the decisions of the Court.

What should concern the Senate is the maintenance of the concepts of the separation of powers, under the Constitution of the United States.

Mr. President, this bill is reminiscent of two previous and ill-advised attacks on the Supreme Court. In the days after the Civil War, the Congress withdrew from the Supreme Court its power to review denials of a writ of habeas corpus. That was in 1868. In this way, the Congress prevented the Court from ruling on the reconstruction acts, which were of highly questionable constitutionality. But in 1869, the Congress was ashamed of what it had done, and did not renew that restriction on the basic right of habeas corpus.

Mr. President, I do not believe this Senate desires to join the ranks of the Reconstruction Senate of 1868 and 1869, which was so coarse and harsh in its treatment of our brothers of the South.

The other attack occurred 20 years ago, in an attempt to pack the Court. Despite the love of the people for their President, that attempt was opposed by the people and by the bar associations; and, indeed, here in the Senate where the bill met its well-deserved fate. The same opposition prevails today.

Mr. President, on the basis of all the foregoing reasons that I have set out, I move that the amendment of the Senator from Indiana [Mr. JENNER] be laid on the table.

Mr. JOHNSTON of South Carolina. Mr. President, the most important question involved here, as we approach a vote to table this amendment offered by the Senator from Indiana, is the question of whether the Senate of the United States is going to yield to the argument that it should not take action to change a declaration of the Supreme Court of the United States.

We are told that where the Court has declared the intent of the Congress as being something which Congress never intended, and does not intend now, with the result that the antisubversive statutes of 42 States have been rendered unenforcible, we must not act to declare our true intent, because that would somehow violate the separation of powers.

We are told that where the Court has made a shambles of a criminal statute, with the result that scores of convicted Communists have been freed, and Federal law-enforcement officers have no statute to use in combating the Communist conspiracy in this country, we must not shore up the statute to make it effective against current Communist activity, because if we did that might somehow violate the separation of powers doctrine.

We are told that where the Court has claimed for itself the right to decide what information Congress may seek, and of whom it shall seek it, and how it shall ask for it, we must not take action to reassert our prerogatives as a coequal branch of Government, because if we did we might somehow upset the separation of powers doctrine. We are told that where the Court has usurped powers reserved to the States, and forced sovereign States of this Union to make Communists officers of their courts, contrary to their own State policy, we must do nothing to force the Court back into its proper sphere, nothing to restore to the States the power thus taken from them, because if we do, we may somehow violate the separation of powers doctrine.

Mr. President, in order for there to be a separation of powers, there must be different powers to separate. If the Congress is going to acquiesce in every incursion of the Supreme Court into the field of judicial legislation; if the Congress is going to stand dumb while the Court usurps its prerogatives and ties its hands, misinterprets its statutes and misdeclares its intent; if the Congress is going to have to do nothing about any declaration of the Supreme Court, no matter how wrong it may be, no matter how far outside the proper jurisdiction of the Court, then I say to you, my colleagues, we had better stop worrying about separation of powers, because we will have no powers to separate. The power will be all in the Supreme Court.

This bill does nothing unreasonable. It would withdraw from the Supreme Court a jurisdiction over State bar admissions which it never had and which it disavowed in 1917, but which is claimed in the past year. It will reassert the right of Congressional committees to run their own investigations, so long as they stay within their jurisdictions. It will restore the enforcibility of State antisubversive laws. And, finally, it will shore up the Smith Act so as to make it once more an effective instrument against the current activities of the Communist conspiracy. I could not vote against any one of these four things, regardless of the political implications, and still live with my conscience. But I have no political problem, either; for what I know to be right in this case, I know also that the people want. For these reasons, I have supported this legislation in committee and here on the floor, and I shall vote for the amendment of the Senator from Indiana, and against the motion of the Senator from Missouri to table the amendment.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	McNamara
Allott	Green	Monroney
Anderson	Hayden	Morse
Barrett	Hennings	Morton
Beall	Hickenlooper	Mundt
Bennett	Hill	Murray
Bible	Hoblitzell	Neuberger
Bricker	Hruska	O'Mahoney
Bridges	Humphrey	Pastore
Bush	Ives	Potter
Butler	Jackson	Proxmire
Byrd	Javits	Purtell
Capehart	Jenner	Revercomb
Carroll	Johnson, Tex.	Robertson
Case, N. J.	Johnston, S. C.	Russell
Case, S. Dak.	Jordan	Saltonstall
Chavez	Kefauver	Schoeppel
Church	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Langer	Symington
Dirksen	Lausche	Talmadge
Douglas	Long	Thurmond
Dworshak	Magnuson	Thye
Eastland	Malone	Watkins
Ellender	Mansfield	Wiley
Ervin	Martin, Iowa	Williams
Fulbright	Martin, Pa.	Yarborough
Goldwater	McClellan	Young

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR] and the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The PRESIDING OFFICER. A quorum is present. The question is on agreeing——

Mr. CASE of South Dakota. Mr. President——

The PRESIDING OFFICER. The Chair advises the Senator from South Dakota that the question is on agreeing to the motion of the Senator from Missouri [Mr. HENNINGS] to lay on the table the Jenner-Butler amendment, which motion is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR] and the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Delaware [Mr. FREAR] and the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "yea."

The result was announced—yeas 49, nays 41, not voting 6, as follows:

YEAS—49

Aiken	Hennings	Morton
Anderson	Hoblitzell	Murray
Beall	Humphrey	Neuberger
Bible	Jackson	O'Mahoney
Bush	Javits	Pastore
Carroll	Johnson, Tex.	Proxmire
Case, N. J.	Kefauver	Purtell
Case, S. Dak.	Kennedy	Revercomb
Chavez	Kerr	Saltonstall
Church	Kuchel	Smith, N. J.
Clark	Langer	Symington
Cooper	Lausche	Thye
Dirksen	Magnuson	Watkins
Douglas	Mansfield	Wiley
Gore	McNamara	Yarborough
Green	Monroney	
Hayden	Morse	

NAYS—41

Allott	Fulbright	McClellan
Barrett	Goldwater	Mundt
Bennett	Hickenlooper	Potter
Bricker	Hill	Robertson
Bridges	Hruska	Russell
Butler	Ives	Schoeppel
Byrd	Jenner	Smith, Maine
Capehart	Johnston, S. C.	Sparkman
Cotton	Jordan	Stennis
Curtis	Knowland	Talmadge
Dworshak	Long	Thurmond
Eastland	Malone	Williams
Ellender	Martin, Iowa	Young
Ervin	Martin, Pa.	

NOT VOTING—6

Carlson	Frear	Payne
Flanders	Holland	Smathers

So Mr. HENNINGS' motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12858) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 3, 17, and 18 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 12 to the bill, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

PROVISION OF NOTICE OF APPEAL FOR INTERLOCUTORY RELIEF AGAINST ORDERS OF CERTAIN ADMINISTRATIVE AGENCIES

The Senate resumed the consideration of the bill (H. R. 6789) to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies.

The PRESIDING OFFICER (Mr. BIBLE in the chair.). The bill is open to amendment.

Mr. DOUGLAS, Mr. JOHNSON of Texas, and Mr. HENNINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DOUGLAS. I offer an amendment for myself, the Senator from Oregon [Mr. MORSE], and the Senator from Minnesota [Mr. HUMPHREY], which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. It is proposed to add a new section as follows——

The PRESIDING OFFICER. The clerk will suspend the reading of the amendment until the Senate is in order.

Mr. HENNINGS. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Missouri with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. The Senate will be in order so that the Senator may be heard. The clerk will complete the reading of the amendment for the information of the Senate. The Chair will then recognize the Senator from Illinois.

The CHIEF CLERK. At the end it is proposed to add a new section, as follows——

Mr. JOHNSON of Texas. Mr. President, may we have order in the Chamber, please.

The PRESIDING OFFICER. The Senate will be in order.

The CHIEF CLERK. At the end it is proposed to add a new section, as follows:

SEC. 3. The Congress hereby expresses its full support and approval of the recent, historic decisions of the Supreme Court of the United States holding racial segregation unlawful in public education and transportation as a denial of the constitutional right to the equal protection of laws.

Amend the title by adding at the end thereof the following:

And to express the support and approval of Congress for the recent desegregation decisions of the United States Supreme Court.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois [Mr. DOUGLAS].

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. DOUGLAS. Mr. President, I am glad to yield to the Senator from Missouri for a motion, with the understanding that I do not lose my right to the floor or the right to speak on the pending amendment.

The PRESIDING OFFICER. If a motion to table is made, it is the understanding of the Chair that the motion will be nondebatable. The Chair recognizes the Senator from Illinois.

Mr. DOUGLAS. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois will state the parliamentary inquiry.

Mr. DOUGLAS. May I inquire——

The PRESIDING OFFICER. Before the Senator states the parliamentary inquiry, the Senator will suspend for a sufficient length of time that the Senate may be brought to order, so that the Senator from Illinois may be heard as he propounds his parliamentary inquiry. The Senate will be in order. The Senator will not proceed until the Senate is in order.

The Senator from Illinois is recognized for the purpose of propounding a parliamentary inquiry.

Mr. DOUGLAS. Mr. President, my parliamentary inquiry is this: If a motion to reconsider the preceding vote is made, followed by a motion to table then, upon the disposition of that motion, will the Senator from Illinois still have the floor?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that if a motion to table is made, and the motion is carried, the Senator can be recognized after the vote. Prior to that time, of course, the motion to table, before it is put to a vote, would not be debatable.

Mr. DOUGLAS. I thank the Senator.

Mr. HENNINGS. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri.

Mr. HENNINGS. Mr. President, I thank the Senator from Illinois for his gracious acquiescence in deferring to me for the purpose of making the motion which I am about to make.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. What is the parliamentary situation?

The PRESIDING OFFICER. There is pending before the Senate an amendment offered by the Senator from Illinois. No motion has been made to table that amendment.

Mr. JOHNSON of Texas. Mr. President, who has the floor?

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may yield——

Mr. JOHNSON of Texas. Who has the floor?

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. HENNINGS. Mr. President, I shall occupy the floor only very briefly.

I now move to reconsider the vote by which the Jenner amendment was laid on the table.

The PRESIDING OFFICER. The Senator from Missouri has moved to reconsider the vote by which his motion to lay on the table the Jenner amendment was agreed to.

Mr. DOUGLAS. Mr. President, I move to lay on the table the motion of the Senator from Missouri to reconsider.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Has the motion to reconsider been made?

The PRESIDING OFFICER. The motion to reconsider the vote by which the Jenner amendment was laid on the table has just been made by the Senator from Missouri. The Senator from Illinois [Mr. DOUGLAS] has moved to lay on the table the motion of the Senator from Missouri to reconsider the vote by which the Jenner amendment was laid on the table.

Mr. RUSSELL. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. RUSSELL. I make the point of order that a motion to reconsider a successful motion to lay on the table is not in order. No such motion appears anywhere in the book of rules. The only motion which would be in order would be a motion to take the amendment from the table. I know of no motion to reconsider a successful motion to table. If there be one, then a motion to reconsider a motion to reconsider a motion to lay on the table would be in order.

The PRESIDING OFFICER. The Chair will consult with the Parliamentarian.

The Chair is advised by the Parliamentarian that a motion to reconsider is in order; and that a motion to lay on the table that particular motion to reconsider is likewise in order. The question would be on the motion to lay on the table the motion of the Senator from Missouri to reconsider.

The authority for the Chair's determination is the first paragraph of rule XIII, taken from Jefferson's Manual, section XLIII.

Mr. RUSSELL. Mr. President, I ask that the entire rule on which the Chair relies be read for the information of the Senate.

The PRESIDING OFFICER. The portion of the rule referred to will be read for the information of the Senate.

The legislative clerk read as follows:

RULE XIII—RECONSIDERATION

1. When a question has been decided by the Senate, any Senator voting with the prevailing side or who has not voted may, on the same day or on either of the next 2 days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion. (Jefferson's Manual, sec. XLIII.)

The PRESIDING OFFICER. The Chair is further advised that rule XXII should be considered in connection with the first paragraph of rule XIII. Rule XXII provides as follows:

1. When a question is pending, no motion shall be received but * * * to lay on the table.

The Senator from Illinois made a motion to lay on the table the motion of the Senator from Missouri to reconsider the vote by which the Jenner amendment was laid on the table. That motion was ruled by the Chair to be in order.

Mr. RUSSELL. Am I to understand the Chair to rule that a motion to reconsider a successful motion to lay on the table is in order?

The PRESIDING OFFICER. That is the ruling of the Chair.

Mr. RUSSELL. I dislike very much to do so, but I believe the Senate itself ought to establish that precedent, and I respectfully appeal from the decision of the Chair.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. RUSSELL. On that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLOTT. Mr. President, I believe the question, as stated by the Chair, leaves a gap. In general, the proposition stated by the Chair is true; but I make the point that, under rule XIII, if a motion to reconsider has been made and a motion to lay that motion on the table is made, then a motion to reconsider the motion to lay on the table is not in order. But this does not apply under all circumstances in this field. I call attention to the last sentence of paragraph 1:

Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

But in this instance we had simply a motion to lay a proposition on the table, not a motion to lay a motion to reconsider on the table. We had a motion to lay a proposition on the table, and now we have a motion to reconsider a successful motion to lay on the table. I believe such a motion is proper. But as stated by the Chair, it would not be true in all cases, because a motion to reconsider a motion to lay on the table a motion to reconsider would not be in order.

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the junior Senator from California.

Mr. KUCHEL. Is the Chair in a position to advise the Senate what the Chair's position is on the basis of the Parliamentarian's advice with respect to the statement just made by the senior Senator from Colorado?

The PRESIDING OFFICER. The Chair is advised that a motion to reconsider a motion to reconsider would not be in order, but a motion to reconsider the motion to table the amendment is in order, and the motion to lay that particular motion to reconsider on the table is also in order pursuant to rule XXII.

The Chair recognizes the Senator from Colorado.

Mr. ALLOTT. Now that we have divided this question, will the Chair inform the Senate exactly which branch of the question the Senate is about to vote on?

The PRESIDING OFFICER. The present question is on the appeal from the judgment of the Chair that the motion of the Senator from Illinois to lay on the table the motion of the Senator from Missouri to reconsider the previous vote is in order.

Mr. ALLOTT. I thank the Chair.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from California.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

Mr. CASE of South Dakota. Mr. President will the Senator from California withhold his request for the moment?

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. KNOWLAND. I withhold it.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, prior to the vote on the Jenner amendment I sought to be recognized for a minute or two in order that I might state my position on the amendment. I was advised that there was a limitation on debate, and therefore I was not able to state my reason. I should like to state it briefly.

The junior Senator from South Dakota came to the Congress of the United States in an era when the proposition to pack the Supreme Court was the great question of the day. At that time, the spring of 1937, during my first term in Congress, I stated on the floor of the House of Representatives very clearly my position in regard to packing the Supreme Court. I said that there is no tyranny so great as that which would limit the Court, that we had to have a court of last resort, that we had to have an appellate court to make final decisions, and that even if there might be some instances in which we individually disagree with the decisions of the Court, it is necessary in a government of law to have a court which has the last word. Therefore, Mr. President, I find myself unable at this time, after a limited debate and limited consideration, to vote for an amendment which would place a limitation on the appellate jurisdiction of the Supreme Court.

It might be that I would agree, after proper debate and proper consideration, some rule should be established for the conduct of the Court. I believe that is within the power of the Congress. I believe it is within the power of the Congress to fix the jurisdiction of the Court. But I do not believe at this stage of the session of Congress that kind of question can have proper or ample consideration. Therefore I am voting for the motion to table the amendment which would at this time impose a limitation upon the appellate jurisdiction of the Supreme Court.

The PRESIDING OFFICER. The Senate will be in order.

The Chair recognizes the Senator from Georgia.

Mr. RUSSELL. Mr. President, I wish first to make it perfectly clear that the parliamentary position I take on this issue has nothing whatever to do with my attitude toward the amendment which has just been tabled. My position rests solely on the theory that a motion to reconsider a successful motion to lay on the table is not in order, and that the only proper parliamentary way to button up this amendment would be a motion to take from the table and a motion to lay that motion on the table.

There is nothing I know of in parliamentary procedure which permits us to reconsider a motion to lay a motion on the table. In my opinion, a motion to reconsider a motion to lay on the table is always out of order. As has been said by my learned and errudite friend the Senator from Colorado [Mr. ALLOTT], the Senate has a special rule with respect to a motion to lay on the table a motion to reconsider a vote. But when a matter is on the table, the proper parliamentary procedure to button up that matter, so that it cannot be reopened, is to move to take it from the table and then to move to lay that motion on the table. Then it is forever buttoned up.

I have no great interest in this matter. I certainly have no hope of being able to reconsider the amendment which is involved, much as I should like to see that amendment enacted into law. However, I have never heard of a motion to reconsider a motion to lay on the table. If such a motion has been made in the Senate during my service, it was made when I was not on the floor or out of the city. I do not believe it is sanctioned by Roberts' Rules of Order.

A great many people advocate that we use Roberts' Rules of Order in the Senate. That has been advocated on occasion. However, I contend that a motion to reconsider a motion to lay a motion on the table is not in order under Roberts' Rules of Order. It is necessary to make a motion to take a matter from the table. I realize that a great deal of feeling is involved here on the amendment which has been adopted. As usual, on a vote of this kind, I found myself voting with the minority.

I am not trying to overthrow the result of that vote. I do not believe it is good parliamentary practice, however, under the rules of the Senate, to make a motion to reconsider a motion to lay on the table.

Mr. HENNINGS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Missouri will state it.

Mr. HENNINGS. If the Senator from Missouri withdraws his motion to reconsider, and the Senator from Illinois withdraws his motion to lay the motion on the table, would it not require a two-thirds vote to take the amendment off the table?

The PRESIDING OFFICER. The Chair is advised, since the decision of the Chair has been appealed from, and since the yeas and nays have been ordered on the appeal from the ruling of the Chair, it would require unanimous consent, first, to withdraw the request for the yeas and nays.

Mr. HENNINGS. That again is not my question. The question I have asked most respectfully of the present occupant of the Chair is whether a two-thirds vote would be required to take the amendment off the table.

The PRESIDING OFFICER. The Chair is advised it would take a majority vote to accomplish what the Senator from Missouri has suggested. It would take a two-thirds vote to suspend the rule of the Senate.

Mr. HENNINGS. A two-thirds vote to suspend the rule?

The PRESIDING OFFICER. Yes.

Mr. HENNINGS. In order that we may proceed more profitably with other matters, I would be most happy to withdraw my motion, if I may, by unanimous consent. I ask unanimous consent to withdraw my motion to reconsider the vote by which the amendment of the Senator from Indiana was laid on the table.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri to withdraw his motion to reconsider the previous vote? The Chair hears none, and it is so ordered.

The Chair advises the Senate that the question before the Senate is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] for himself and on behalf of the Senator from Oregon [Mr. MORSE] and the Senator from Minnesota [Mr. HUMPHREY].

Mr. DOUGLAS. Mr. President, the amendment which has been read by the clerk, and which is offered by the senior Senator from Oregon [Mr. MORSE], the junior Senator from Minnesota [Mr. HUMPHREY], and the senior Senator from Illinois [Mr. DOUGLAS], is as follows:

SEC. 3. The Congress hereby expresses its full support and approval of the recent, historic decisions of the Supreme Court of the United States holding racial segregation unlawful in public education and transportation as a denial of the constitutional right to the equal protection of laws.

We further move to amend the title by adding at the end thereof the following: "and to express the support and approval of Congress for the recent desegregation decisions of the United States Supreme Court."

Mr. President, behind the smokescreen of the legal complexities in the half dozen court measures with which the Senate has been or is about to be confronted in the closing days of the session, the real issue is the Supreme Court. The amendment which my colleagues and I are proposing puts that issue out in the open, right here on the floor of the Senate.

After the strain and conflict of the 4 years since the Court's decision in the desegregation cases, it is high time—in fact, it is long past the time—that Congress face up to this issue squarely and act upon it.

In offering this amendment, Mr. President, I have a deep sense of the urgency of Congress taking some positive action to deal with the most pressing domestic issue today—the problem of the resistance in some areas of the country to the carrying out of the historic decisions of the Supreme Court holding that racial segregation is unlawful in public education and transportation.

The events reported in the press almost daily, particularly in areas of the States of Arkansas and Virginia, demonstrate beyond contradiction that the progress of compliance with the desegregation decisions of the Court is being strongly if not bitterly hindered by local public officials and others.

It seems clear from the actions and threats of those who thus seek to nullify the law of the land that there is a real danger not only to the efficient conduct of public education, but also to the maintenance of law and order itself.

The prospects of leadership from the Chief Executive of our country or from any of the executive departments to encourage compliance and to discourage lawlessness are dim—although the statement made by the President earlier today is a belated step in the right direction.

There is a compelling need for the elected representatives of the people in Congress to express their conviction in support of the Court's desegregation decisions and thus lend the weight of their leadership and encouragement to those elements in these communities which are themselves—although not in favor of desegregation—willing to uphold our system of public education and our underlying system of law and order.

It had been my hope that Congress would proceed to the consideration of some such action much earlier this year. In company with 15 other Senators I introduced a bill, S. 3257, which proposes not only that Congress declare its support and aproval of these decisions, but also that it act to give the necessary authority to the various executive departments to assist, encourage and cooperate with local communities in their transition to compliance with the orders of the Court.

I regret that this bill, which was introduced on February 10, 1958, was not accorded any hearings, despite the efforts of the Chairman of the Constitutional Rights Subcommittee, Mr. HENNINGS, and his colleague, the Senator from Wyoming [Mr. O'MAHONEY].

I likewise regret that the hearings begun in the House before the Judiciary Committee there on companion measures, could not because of the press of other business be concluded.

It is clear, however, that this is not a new issue before Congress since the basic principle underlying this amendment to the pending bill was involved in the section of the civil rights bill of 1957 which has been commonly known as part 3.

It was in my judgment a grave mistake of the Senate to strike that part from the civil rights bill of 1957, and to refuse to give to the Attorney General the authority to institute legal actions against those who deny any persons their right to the equal protection of the laws on account of race, color or religion. I believe that the denial of that authority, along with the failure of Congress to take any other affirmative action and the failure of the President of the United States to take any constructive action were in large part responsible for the tragic developments in Little Rock, Ark., in 1957.

I fear that if we do not act to adopt some such measure as S. 3257, or to make some such minimum declaration of our deep conviction on this basic principle as is stated in the pending amendment, we shall have failed our country in a time of crucial need. I therefore hope that the amendment will be adopted.

Mr. President, for 4 years we who have believed that the Supreme Court in its unanimous decision in the Brown case was correct have kept relatively silent in the Senate under a barrage of attack upon that decision and the other decisions of the Supreme Court.

We have listened to threats of massive resistance. We have listened to denunciations of the personnel of the Court. We have heard high officials in State government openly declare that they intended to disobey the decisions of the courts of the United States. In the interest of harmony, we have kept silent, believing that the storm would pass—or at least hoping that the storm would pass.

Now, after 4 years of relative silence, I think we should take the field and declare our faith and belief in the historic Brown decision, rendered by a unanimous Supreme Court, a Court which included three men from the South; which included men of both political parties; and which was headed by the noble American, who handed down the decision, Earl Warren.

I appeal to the Senate and to the country that we make it perfectly clear that the Supreme Court speaks for the overwhelming weight of the public opinion of the United States.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2249, Senate bill 654.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

Mr. DOUGLAS. Mr. President, do I understand that the Senator from Texas is proposing that we lay aside the current bill, together with the amendment which the Senator from Illinois with two of his colleagues is proposing that the Senate attach to it, and that we take up instead the so-called Bridges-Eastland bill?

The PRESIDING OFFICER. The Senator from Illinois is correct.

The question is on agreeing to the motion of the Senator from Texas. (Putting the question.)

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. The "ayes" have it.

Mr. DOUGLAS. "No."

The motion was agreed to; and the Senate proceeded to consider the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities, which had been reported from the Committee on the Judiciary with an amendment.

Mr. MORSE. Mr. President, a point of order.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. MORSE. Before the Chair completed the announcement on this vote,

the Senator from Illinois was seeking recognition.

The PRESIDING OFFICER. The Chair understood the Senator from Illinois to vote "no."

Mr. MORSE. No; he first sought recognition by the Chair.

Mr. DOUGLAS. I was seeking recognition to make a declaration.

The PRESIDING OFFICER. The Chair recognized the Senator from Texas, who made a motion that the Senate proceed to the consideration of S. 654. The Chair put the question on the motion of the Senator from Texas; and, in the opinion of the Chair, the motion carried by a voice vote. The business now before the Senate is the bill introduced by the Senator from New Hampshire [Mr. BRIDGES] for himself and other Senators.

Mr. MORSE. Mr. President a point of order.

The PRESIDING OFFICER. The Senator from Oregon will state his point of order.

Mr. MORSE. I assure the Presiding Officer that I seek only to protect what I consider the precious floor rights of each one of us. I respectfully call the attention of the Presiding Officer to the fact that as he started to put the question on the voice vote, the Senator from Illinois was seeking recognition.

I think that in these closing days of the session it is of the utmost importance that every effort be made to protect our floor rights from hasty action.

I think that if the Senator from Illinois was seeking the floor and was calling for recognition when the Presiding Officer was attempting to put the question to a vote, then the Presiding Officer was out of order in putting the question. The only thing to do, under such circumstances, is to ask unanimous consent to give the Senator from Illinois his floor right.

I hope we shall not have to sit here constantly under almost trigger tension of our muscles, in order to be able to protect our rights on the floor. However, if that is necessary, we shall start doing so beginning with this very moment.

So I ask unanimous consent that the voice vote be set aside until the Senator from Illinois can be heard.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. KNOWLAND. Mr. President, reserving the right to object, let me say that as I understood the situation—and I was in the Chamber at the time—the distinguished majority leader [Mr. JOHNSON], moved that the Senate proceed to the consideration of Calendar No. 2249, Senate bill 654. At that time, the Senator from Illinois [Mr. DOUGLAS] asked the Chair whether that motion, if agreed to, would mean that Senate bill 654 would supplant the bill previously under debate this afternoon. The Chair answered in the affirmative.

At that point, the question was put by the Chair to a voice vote. I think it was obvious that an overwhelming majority of the Senate was in favor of the motion to have the Senate proceed to the consideration of Senate bill 654. So I do not believe the circumstances were such that the Senator from Illinois was foreclosed from anything. He propounded a parliamentary inquiry, namely, whether the motion of the Senator from Texas would, if agreed to, result in having the bill which was the subject of the motion supplant the bill previously under consideration by the Senate. The Chair answered that obviously that would be the case and that in that event, any amendments pending to the bill previously under consideration would be supplanted, until the bill to which they had been offered was again considered by the Senate.

Mr. MUNDT. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. MUNDT. I am sure of the facts, because I happened to have my eyes focused on the Senator from Illinois [Mr. DOUGLAS] at the time when the question was put.

I must say that the point of order raised by the Senator from Oregon should be sustained, because the Senator from Illinois [Mr. DOUGLAS] was on his feet, had his hand raised in the air, and was addressing the Chair, after he received the reply to his parliamentary inquiry.

I say this as one who is opposed to the amendment of the Senator from Illinois, and as one who will support the motion of the Senator from Texas.

But I believe orderly procedure should be preserved. In view of the confusion which existed at the time in the Chamber, I can well understand how the Chair did not realize that the Senator from Illinois was then addressing the Chair.

This is an important matter. If a Senator who addresses the Chair is overlooked, I think we must take steps to make sure that such Senator is heard at the appropriate time.

So I believe the Senator from Oregon is exactly correct in the position he takes.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I did not hear the Senator from Illinois address the Chair and seek recognition, and I did not see him seek recognition. However, his statement that he was seeking recognition is sufficient to satisfy me; and I shall be glad to have the Senator from Illinois recognized before the vote on the motion is taken.

Therefore, Mr. President, I ask unanimous consent that the vote by which the Senate proceeded to the consideration of Senate bill 654 be vacated.

Mr. KNOWLAND. Mr. President, I join in that motion.

The PRESIDING OFFICER. The motion of the Senator from Texas is identical with the request already made by the Senator from Oregon [Mr. MORSE].

Let the Chair state, in his own behalf and in his own defense, that the Chair certainly is willing at any time to have any Senator recognized. At the point under discussion, the Chair had asked that Senators who favored the motion of the Senator from Texas say "aye." If the Chair correctly heard the proceedings, the Chair certainly heard the Senator from Illinois vote "no," when the vote was in the process of being taken. That understanding by the Chair was the basis of the Chair's ruling.

The Senator from Oregon has asked unanimous consent that the vote on the motion of the Senator from Texas be vacated, and that the Chair recognize the Senator from Illinois.

Mr. JOHNSON of Texas. Mr. President, the pending question then will be on agreeing to my motion that the Senate proceed to the consideration of Calendar 2249, Senate bill 654, will it not?

The PRESIDING OFFICER. That is correct.

Is there objection to the request of the Senator from Oregon? Without objection, it is so ordered.

The question now is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

The Senator from Illinois is recognized.

Mr. DOUGLAS. Mr. President, first I wish to thank my colleagues for their courtesy and graciousness in regard to this matter. In particular, I wish to thank my good friend, the Senator from Oregon [Mr. MORSE], for making the request; and I wish to thank the senior Senator from South Dakota [Mr. MUNDT]; and I wish to thank our distinguished and able majority leader, Mr. JOHNSON of Texas.

Let me say that I did vote "no"; but I only voted "no" after I had previously unsuccessfully—sought recognition by the Chair, in order to speak on the motion in question. So I believe that explanation of the sequence of events is sufficient.

Mr. President, if any Member thinks that by getting the bill previously under discussion out of the way, he will avert and avoid facing the issue of whether the Senate approves or disapproves the decisions of the Supreme Court in the desegragation cases, that Member is mistaken.

I say in all kindness, but with the utmost determination, that we intend—or, at least, I intend—to submit this amendment or a similar amendment to other bills of this general nature which may be before this body.

I shall do so because, I believe very sincerely that we have a great Supreme Court. I believe very sincerely that its decisions in the desegregation cases were correct, both from the standpoint of constitutional law and from the standpoint of the aspirations of at least 90 percent of the American people. I personally could not leave this session of Congress, therefore, after having heard others try to tear down the reputation and the decisions of the Court, without raising my voice—however weak it may be—in defense of those principles and in defense of those decisions.

So I say very frankly that I am ready to stay here, not only all summer, but all fall—for, after all, it happens that I am not running for office. [Laughter.]

Furthermore, I keep in good physical condition, by exercising every morning. So I am willing to stay here until we face this issue.

Again, I wish to thank my colleagues for the splendid courtesy they showed to me; and I wish to say that we will meet again at Phillipi.

Mr. LAUSCHE. Mr. President, I recognise the absolute sincerity of the amendment proposed by the Senator from Illinois [Mr. DOUGLAS]. However, I should like to suggest to my colleagues that support or opposition to the amendment proposed by the Senator from Illinois is not the only question which should be considered in connection with the ultimate disposition of his amendment. I am one of those who believe that a court of justice in action should be inviolate, free from any effort by any segment of the economy or society to influence it in its judgments.

On the dome of practically every courthouse in the country is a representation of the goddess of justice. She is shown with her eyes blinded; she recognizes no one. Her function is to administer justice with impartiality to all who come before her.

Our uppermost objective should be constantly to keep our judges and our courts free from any temptation or any efforts to influence them. It should be our objective to make certain that the administrative department of the Government does not usurp the functions of the Congress. Likewise, we should make certain that the Congress does not usurp the powers of the Chief Executive. And, over and above that, our objective should be to make certain that we do not intend to impose our thinking upon the thinking of the Court in the disposition of questions which come before it.

What I have said does not at all reflect my individual thinking about the propriety of judgments that were rendered by the Court. May I ask this question? If next January the complexion of this Congress should change, and a motion should be made to condemn the Supreme Court for what it has done, what would be the propriety of that action? Can we safely and consistently, in keeping with the spirit of justice and the purpose of the separation of the different branches of Government, begin as a body either to commend or condemn what the courts do? In the 1930's, when the Supreme Court was packed—and, in my judgment, improperly—if the Congress then had proceeded with resolutions to condemn the Court in its judgments, I would have had the same grave doubt about the propriety of doing so at that time as I now have about the correctness of the suggestion made by the Senator from Illinois.

I will privately express my views about the correctness of the judgments of the Supreme Court, but I think we ought to proceed with the greatest of caution in trying, as a body, to give either approval or disapproval to what the Court does.

Justice administered, impartially, objectively, without thought of who may be before the Court—how can it be done if the great Congress of the United States proceeds to condemn when it is dissatisfied, and to approve when it is satisfied?

Before we vote on the proposal, irrespective of what our thinking is on the propriety of judgments of the Supreme Court, I beg Senators to give consideration to the serious consequences which may flow from what we do.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. LAUSCHE. Yes. I am through.

Mr. HAYDEN. I thoroughly concur in what the Senator from Ohio has said. There is also another branch of the Government, the executive branch. Would not we be equally justified in either praising or condemning action of the executive in carrying out mandates of the Court?

Mr. LAUSCHE. While I was Governor of Ohio there were times when I disagreed with the judgment of the Court, but I never uttered one word either in approval or disapproval. I would say the President of the United States would be stepping beyond the scope of his legitimate function as President if he began to condemn or approve what was done.

Mr. HAYDEN. If it is improper to criticize the Court, is it not also improper to criticize or to approve action taken by the President in carrying out what he directed to be done?

Mr. LAUSCHE. I think there can be a clear delineation made between those two situations. We look upon the Court as being out of the political realm. We look upon the Court as the repository of all that is right and good. We do not expect it to render its judgment on the basis of political expediency. But we know that the President and the Congress are in politics and that, as a result, there flow conflicts of decisions.

Mr. ERVIN. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina.

Mr. ERVIN. I just want to say this, Mr. President. If we are going to have a policy of passing resolutions approving or disapproving decisions of the Supreme Court of the United States the Congress will spend the major part of its time reviewing the decisions of the Supreme Court of the United States, which is a function that lies outside of its constitutional powers.

Someone observed generations ago that

> No man e'er felt the halter draw
> With good opinion of the law.

In every lawsuit somebody wins and somebody loses. If we set a precedent of approving or disapproving decisions of the Supreme Court, somebody will ask Congress to reconsider every decision of any consequence and express its judgment on whether the Supreme Court did or did not reach a wise decision.

I once heard of an old lawyer who never did agree with the decision of any court adverse to his client. Finally, he died, leaving a last will and testament. His heirs were dissatisfied with his last will and testament. Incidentally, there is about as much dissatisfaction with last wills and testaments as there is with decisions of courts. Some of the heirs who did not like the last will and testament the old lawyer had made contested his will. His will was set aside on the ground that his disagreement with the court decisions adverse to his clients indicated a lack of testamentary capacity. (Laughter.)

The case was appealed, and the appellate court reversed the decision of the lower court, holding that the fact that a lawyer disagreed with decisions of courts was no evidence of mental incapacity on his part.

Are we going to take the time of the Senate to argue whether a certain decision is right or a certain decision is wrong? If that is so, I want to say I think the case of Gong Lum against Rice, which was handed down in 1927 by a unanimous court and which reached a conclusion diametrically opposite that of the Brown case, was correct. I could stand here on the floor of the Senate, and argue, almost until the last echo of Gabriel's horn trembles into ultimate silence, that the Gung Lung case was right, and that the Brown case was wrong.

Let us not waste our time engaging in a function which is the function of the court and not the function of the Congress.

Mr. President, I have one distinction I think no other person who ever occupied a judicial office can claim. While I was serving upon the Supreme Court of North Carolina a lawyer who lived in Rockingham, N. C., namely, my late friend George Steele, came before the court and argued a case. He lost his case, and I had to write the decision against him. Lo and behold, a few days later I received a special delivery letter from George Steele. I do not think any other judge who ever wrote a decision adverse to anybody ever received such a letter. I prize it for that reason. George wrote me to this effect: "I have read your decision, and I want to confess that for the first time in my legal experience I think the court was right and I was wrong in my position."

If we adopt a course of action such as that implicit in the proposed amendment of the able and distinguished Senator from Illinois, we will be laying aside our legislative duties and usurping the judicial functions of the Supreme Court of the United States. This is true because we will be converting ourselves into a forum for passing upon the wisdom or unwisdom of virtually every decision handed down by that Court which arouses either enthusiasm or anger on the part of any substantial group of people.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. BIBLE in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Joseph C. Satterthwaite, of Michigan, a Foreign Service Officer of the Class of Career Minister, to be an Assistant Secretary of State, which was referred to the Committee on Foreign Relations.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

The Senate resumed the consideration of the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Mr. DOUGLAS. It is always delightful to listen to the distinguished Senator from North Carolina, who combines good humor and gentlemanly conduct with his many other estimable qualities, but I am somewhat puzzled and, if he will forgive me, somewhat amused by his argument.

The Senator said, as my good friend from Ohio had said before him, that it is not a function of Congress to express either approval or disapproval of the decisions of the Supreme Court.

I ask my colleagues, what have we been doing all afternoon? What has the Judiciary Committee been doing by passing on some of these questions? The amendment which was the so-called Jenner-Butler bill, which was recently tabled, was a thinly transparent effort to overrule no less than five Supreme Court decisions—Schware, Koenigsberg, Watkins, Nelson, and Yates.

This is all part of a "reverse the Court" campaign which stems largely, although not entirely, from the earlier decision of the Supreme Court in the Brown case, and the cases which have grown out of the Brown case.

What our good friend is apparently contending for is that Congress has the right to disapprove the decisions of the Court, but does not have the right to declare its approval of the decisions of the Supreme Court. My friend is arguing that we must embark on a one-way street; that we should overrule the Court, but never support the Court.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. BUTLER. How did the Senator vote on the Mallory bill last night?

Mr. DOUGLAS. I voted against the Mallory bill.

Mr. BUTLER. The Senator voted against the Mallory bill?

Mr. DOUGLAS. Yes.

Mr. BUTLER. I should like to ask the Senator whether he can walk on both sides of the street?

Mr. DOUGLAS. No, I do not think that I have done so. I voted against the Mallory bill in order to uphold the decision of the Supreme Court.

Mr. GOLDWATER. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I am glad to yield.

Mr. GOLDWATER. I ask this in sincerety, although the Senator might think there is some levity involved.

Mr. DOUGLAS. The Senator from Arizona can say anything he wishes.

Mr. GOLDWATER. I wonder if the Senator from Illinois would agree to an an amendment I have prepared, which I might consider offering as an amendment to his amendment, that we add to this body's approval of the recent decisions of the Supreme Court this body's approval of the recent decisions of the National Labor Relations Board.

Mr. DOUGLAS. When the Senator from Arizona has the amendment prepared, I shall be glad to listen to it, but I would suggest that the Senator offer the amendment on his own time and not on mine.

Mr. GOLDWATER. The amendment is prepared.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to my good friend from Louisiana, who, I will say, is an extremely gracious gentleman, with whom I have been on close and intimate personal relationships since he has been in the Senate, although we have differed sharply on many matters.

Mr. LONG. As much as some of us may not like it, particularly when we disagree, I know of no one who denies that the decision of the Court has the effect of interpreting the law as being what the Court says it is. That is binding, whether one wishes to accept it or not. Those who wish to change the law are thereby placed in the position that they must advocate legislation to change the law.

Of course, that is not what the Senator is proposing. The Senator is not proposing to change the law. The Senator is satisfied with the Court decision and wants to keep the law the way the Court says it is. I submit there is a basic difference in the approach. When someone finds the Supreme Court decision interpreting the law to be different from what he thinks it should be, he thereby must seek to have legislation passed to make the law what he thinks it should be. I am sure the Senator realizes the distinction between the two courses of action. One is an attempt to make law, and the other, as in the Senators' case, is an attempt to more or less glorify a courts' decision when the Court interprets the law in a way which is unpopular to many.

I assure the Senator he is not going to make the decision any more popular with those who disagree, even if he does succeed in having Congress pass, by a majority vote in this body or in any other body, language which says the majority agrees with the Court decision.

Mr. DOUGLAS. Mr. President, somewhat similar issues to this have arisen at various times in American history. If we study the period of Andrew Jackson, we find that Congress once passed a resolution condemning the actions of Andrew Jackson. If I had been alive at the time and a Member of the Senate, I hope that I would have voted against that resolution. I know I would have. I think if I had been alive and in the Senate later I would gladly have voted to expunge the resolution of censure, which carried—and carried, I will say, on the motion of Senator Thomas H. Benton of Missouri.

This is therefore not an unusual or unprecedented act.

Mr. ERVIN. Mr. President, will the Senator yield for an observation and a question?

Mr. DOUGLAS. If the Senator will permit, I should like to finish a sentence or two first.

My motive is simply this: Having witnessed the cruel and to my mind unfair attacks which have been made upon the Court and which have been made upon many great Justices of the Court, notably Earl Warren, the Chief Justice, I have felt for a long time that those of us who believe in the decision, those of us who believe in the Justices, should speak out. I have talked with people in my own State and in various sections of the country, and I feel this faith in the Court is a deep, widespread, and intensely held belief.

Mr. President, I do not think we should ask the Court to be continuously on the receiving end of epithets or attempts to whittle down its authority, while at the same time and in the same process there are attacks upon the integrity and patriotism of the Justices.

I think those who believe in the Justices—those who believe in these principles—have an obligation and a duty to rally to the support of the Court. I believe the country is behind the basic decisions of the Supreme Court.

The issue is shortly coming up. The Governor of Arkansas has virtually served notice that he does not intend to abide by the decisions of the courts of this country.

I think we must choose on whose side we stand. Do we stand on the side of Governor Faubus, or do we stand on the side of the Supreme Court of the United States as expressed in a unanimous opinion, an opinion written by one of the greatest Americans of all time, the noble former Governor of California and present Chief Justice of the United States?

Mr. President, I promised to yield to the Senator from North Carolina. I yield for a question.

Mr. ERVIN. I think we might be exercising authority over the Supreme Court if the Senator's proposal should pass, an authority which we do not possess. Some time ago I saw a TV program on which Mr. Justice William O. Douglas appeared and Mr. Justice Douglas stated very clearly and very emphatically that the doctrine of stare decisis does not apply to decisions in constitutional matters. It follows that since the doctrine of stare decisis does not apply in constitutional matters, the proposal of the Senator from Illinois might be interpreted as an attempt to make permanent law of a decision which Mr. Justice Douglas says is not permanent and may be changed at any moment.

Mr. DOUGLAS. My learned friend from North Carolina, with the wealth and profundity of this classical knowledge, uses the term "stare decisis." Many years ago I studied Latin, but I stopped that study a long time ago, and I have had only casual acquaintanceship

with Latin literature since, but not with legal terms. I wonder if the learned Senator would explain to a relatively ignorant man from the Middle West just what he means by "stare decisis."

Mr. ERVIN. It means "standing by the decision." When the Supreme Court says it does not stand by decisions on constitutional questions, I do not think we should adopt an amendment saying that it must stand by them. It might be interpreted as an effort to coerce the Supreme Court to adopt a doctrine of "stare decisis" in an area where it says the doctrine does not apply.

Mr. DOUGLAS. The Court gives every evidence of standing by its decisions, thank the Lord; and if at any time the Senate wishes to "non stare decisis", of course it can do so.

All our amendment does is to say that Congress expresses its full support and approval. It does not put any pressure on the Supreme Court. It does give to a beleaguered group of men who sit in the building close to us some moral support against the attacks which have been leveled against them.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Colorado.

Mr. CARROLL. I cannot sit silently by and hear the distinguished Senator from Illinois criticized in any way for offering this amendment, although I did not feel, under the circumstances, that I wished to add my name to it.

I felt that Congress should not express its approval or disapproval of what the Supreme Court has done. But I invite the attention of the distinguished Senator from Illinois to the fact that in an official committee report of hearings of a Senate Judiciary Subcommittee, there was a separately published appendix—a document called S. P. X. That means "Soviet principle No. 10." This came from the Internal Subcommittee of the Committee on the Judiciary. It has been distributed by some of the anti-Semitic, racist groups of the country, together with pictures of the Justices of the Supreme Court of the United States, as an "official Senate report."

What do Senators think the title was? It was called: "The Supreme Court an Instrument of Global Conquest." Supreme Court Justices were pictured as indicted by an "official Senate report," as agents of Communist power.

I leave it to the Senator from Oregon [Mr. MORSE] if that impression was not further enhanced on the floor of this body not too long ago. A distinguished Member of this body presented a comparative statistical analysis of the decisions of each of the Justices of the Supreme Court, in an effort to show that they were soft to the Communist cause. The able Senator from Oregon, standing alone on that occasion, challenged that scandalous comparative statistical analysis. The time has come, in my opinion, when this nonsense ought to stop.

It is true, as the Senator from Ohio has said, that individually we may not agree with some of the decisions of the Supreme Court; but when we collectively, or in speeches as officials, attempt to tear down one of the most important pillars of constitutional government, the Supreme Court of the United States, we do a great disservice to our own Nation.

Only this morning, in a press conference, as I understand—I have not seen the press release—the President of the United States, in a prepared statement, called upon the people of the Nation to support the orders of the courts of the Nation. The President said, in substance, "If you do not, you will have anarchy."

That is the hottest issue today before the American people.

As I conceive the amendment offered by the able Senator from Illinois, its purpose is not to commend or approve the Supreme Court as a body, but to say that its decisions and the legal orders which flow from those decisions in a constitutional democracy must be given full faith and credit, or else, as the President said, we shall have anarchy.

I commend the able senior Senator from Illinois, although under the circumstances I did not feel that I wished to join in his amendment at this time, because it seems to me that the Senate, by its vote on the Mallory bill yesterday, impliedly — yes, explicitly — approved what had been done by the Supreme Court.

Today, in a series of votes in connection with a motion to lay on the table disposing of the Jenner-Butler bill, the Senate has again given explicit approval to the Supreme Court decisions. It has not approved decisions in individual cases, but it has said that the Supreme Court is a coordinate separate branch of the Government, and that we recognize that separation. We say to the Supreme Court, "We may not agree with all you do, but we will support you."

I say to the Senator from Illinois that I could not stand silently by, when we know that many continuous attacks have been made by Members of this body and of the other body on our Supreme Court. I say, in all good conscience, that this nonsense ought to stop.

Mr. DOUGLAS. I thank the Senator from Colorado.

Mr. MORSE. Mr. President, will the Senator yield for a comment?

Mr. DOUGLAS. I yield to the Senator from Oregon for a comment, with the understanding that I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, as cosponsor of the amendment, I wish to assume my full share of responsibility for it with the Senator from Illinois and to take upon my shoulders, which I believe are about as broad as those of the Senator from Illinois, my share of any criticism which comes from the offering of this amendment. I shall be very brief, Mr. President. There will be other hours for talk. My belief is that we cannot have a government by law unless we have a recognition on the part of the citizenry of this country and their representatives in the Congress that the courts must remain inviolate.

I completely agree with the position taken by the President of the United States this morning in his press conference and the support that he gave to this very important principle of government by law.

We all know that we are not legislating here in a vacuum. We all know that in the closing days of this session a great issue is being raised by a series of bills involving the United States Supreme Court. We know that there is great and deep division among us. There is also great mutual respect among us for the sincerity of the conviction of Senators on both sides of the question. But the line to which I refer divides the Senate of the United States today in my judgment more clearly than the middle aisle.

I wish that in the closing days of this session none of these bills had been offered. I respectfully disagree with my dear friend from Colorado [Mr. CARROLL]. I do not place upon the Mallory legislation discussed yesterday the interpretation which he does. I agree with everything else he said. I believe the speech of the Senator from Colorado this afternoon will prove to be a historic one, as we apparently prepare for a great debate. How long that debate will last I do not think any Member of this body can say at this moment.

I was against the Mallory bill for the reasons set forth in my speeches yesterday, but I do not accept the interpretation that the Mallory bill will not be received in this country as a bill that was intended to restrict somewhat the United States Supreme Court because certainly its proponents in the House of Representatives offered it for that clear purpose, and said so. In my opinion the fact that amendments were offered in the Senate does not change at all the motivating purpose in introducing the bill in the first place.

The introduction of that legislation has raised the issue, and it is an issue that has now reached every hamlet and every hearth in America. The issue is whether or not we have reached one of those historic crises in America that calls upon the elective representatives of a free people to take sides on the issue as to whether the rulings of the Supreme Court on basic constitutional guaranties are going to be supported by the elected representatives of the people. I believe the people are entitled to know from each one of us where we stand on this issue, now that it has been raised here on the floor of the Senate, so they can pass judgment upon us at that checking place where we can be checked as we come before them and they walk into the ballot booth.

If we are to proceed in the Senate with a discussion of bills which propose to restrict and limit the decisions of the United States Supreme Court, I will fight to the finish in support of these great decisions, for in my judgment these contested decisions of the United States Supreme Court are sound from their four corners, and I do not propose to have colleagues bring up bills which seek, indirectly or directly, to discipline the United States Supreme Court.

There are those of us who believe that the Supreme Court is doing a great judicial job in support of our liberties. We have the direct issue before us raised by the Senator from Illinois as to whether or not we are willing to stand up and be counted in support of those decisions.

That is my position on this matter as we start this debate, Mr. President, if, for the next few days or weeks, we are to be confronted with various proposals which seek to restrict the United States Supreme Court.

I was against the court-packing bill in 1937, proposed by a Democratic administration. I was the dean of a law school at that time and I spoke out against that kind of interference with the judicial system of this country. Likewise, in 1958, I am against proposed legislation which seeks to place restrictions upon the untrammeled right of the United States Supreme Court to determine what our constitutional privileges and rights and prerogatives are under the organic law. As I have said before—and I close with this—I like to cite the decision of that great Virginian and Chief Justice of the United States Supreme Court, the great John Marshall, who laid down clearly the principle that I enunciate once again, that, in the final analysis, it is for the court sitting in that temple of justice, just a stone's throw away, to be the guardian and the protector and the determiner of the constitutional rights of free men and women in America.

Mr. DOUGLAS. Mr. President, I yield now to the Senator from Tennessee, with the understanding that I do not lose my right to the floor.

Mr. KEFAUVER. Mr. President, I respect the high motivations of my distinguished friend from Illinois. He and I have agreed on many things and on most issues in the Senate.

Mr. DOUGLAS. And on occasion we have stood together alone against the world.

Mr. KEFAUVER. Sometimes we have been very lonely in the minority. I would hope that the Senator and the other sponsors of his amendment, upon further contemplation, will decide not to urge the establishment of what would be a bad precedent in the Senate. We would be most unwise to do so.

I have always respected the decisions of the Supreme Court as the law of the land. I feel that when the Supreme Court interprets the Constitution, such an interpretation should be respected as such. I am sure that all of us, as Senators and as lawyers, have agreed or disagreed with various opinions and decisions of the Supreme Court.

However, I have never condemned or vilified the Supreme Court when I have disagreed wtih some of its decisions. I believe that we must maintain our respect for the judiciary and that we cannot undermine the respect of the people for the judiciary.

I say in all candor to my distinguished friend from Illinois that I believe that with his amendment we would be making a clear invasion of the rights of the judiciary. If we do this today with respect to any decision of the Supreme Court the people in the future might well ask of other decisions: Has the Senate approved that decision? Has the Senate disapproved the decision? If the Senate has not approved a decision, some might feel that it is not a good decision, because the Senate has not approved it. If the Senate disapproves a decision of the Supreme Court, many people will be led to believe that they need not respect it nor adhere to it nor abide by it, because it has not been given sanction by the super supreme court, to wit, the United States Senate.

I would not vote for a resolution to approve or disapprove any decision of the Supreme Court. It just is not our business. We are legislators not judges.

I am speaking here today as one who has voted against efforts to undercut and undermine the Supreme Court. I voted to table the Jenner-Butler bill, as the Senator knows. In spite of the fact that I have not agreed with some of the measures which have been presented, the fact is that they were presented as bills to change a law, not as a resolution to put the Senate of the United States in a super judiciary capacity, where we will be looked to by the people for either approval or disapproval. And how about divided opinions of the court? Shall we undertake the task of deciding and voting on whether the majority of 5 Justices were correct or that the minority of 4 Justices were in error? If we started this kind of business we would have no time to legislate—all of our time and thought would be taken up with second-guessing the Supreme Court.

I believe we would do the cause of respect for the finality of the Supreme Court's judgment a great deal of harm if we established this principle today. I would hope that the Senator and his cosponsors of the amendment will consider this fact, and that they will understand that Senators, by and large, certainly will not rake over the coals, so to speak, or put into disrepute the Supreme Court. If we must wait until the Senate has acted on every decision of the Supreme Court before we may have public acceptance or rejection of what the court has done, we shall have done the judiciary a great deal of harm.

Mr. DOUGLAS. I shall yield to the Senator from Maryland in a moment, but I must reply to the distinguished Senator from Tennessee. He has made a very sophisticated legal argument.

What it boils down to is that we in Congress can criticize the Supreme Court and can introduce bills to reduce its authority, and can issue pamphlets accusing it of being an arm of the Communist conspiracy, but that we cannot express our belief and trust in the Supreme Court, and our support of its decisions.

The action which I am proposing does not assume any power in the Senate to act as a super supreme court, but merely expresses our opinion on one of the most highly contested issues of the day.

Surely it is not unheard of for Congress to give its opinions on actions of other branches of the Government. The other day the distinguished senior Senator from Georgia [Mr. RUSSELL], one of the ablest men in the Senate, and the extremely fine chairman of the Committee on Armed Services, offered a resolution declaring it to be the sense of the Senate that we should not contemplate surrender. Eighty-eight Members of this body voted for the resolution, including, I believe, the Senator from Tennessee.

Mr. KEFAUVER. Yes.

Mr. DOUGLAS. The Senator from Illinois certainly voted for it. There were only two Senators who voted against it.

Mr. KEFAUVER. I wish to say——

Mr. DOUGLAS. May I continue?

Mr. KEFAUVER. I merely wish to say that bringing up that resolution was a mistake.

Mr. DOUGLAS. We frequently express our opinions on these matters. I am simply proposing that instead of permitting the Supreme Court to be exposed to a constant machine gun fire of attack, with poison gas mixed in, Congress should indicate its beliefs in the decisions in the desegregation cases, and by doing so that we affirm our faith in the integrity of the members of the Supreme Court.

Believe me, those men need our support. They are under heavy fire. They are under heavy fire from the floor of the Senate. They are under heavy fire from various sections of the country. The governor of a great State has virtually thrown down the gage of battle to them. No one knows what is coming. On whose side are we? I repeat again: Are we on the side of Governor Faubus? Or are we on the side of Earl Warren?

But the issues are more important than Faubus or Warren. The issues are whether we believe in law or in anarchy. Those are the issues. On those points, I do not believe the Senate, or the Members of the Senate, should be silent.

I have respect for my good friends from the Southland, many of whom, although not all, take a very strong position opposed to the decisions of the Court. I have never criticized their sincerity; although when their doctrines are carried out to their ultimate conclusion, it would lead to any State or group of people disobeying decisions of the Court with which those people do not agree.

We in the Midwest might disagree with some of the Court's decisions, but we have abided by decisions of the Supreme Court which have frequently gone against us.

We cannot expect nullification to be the exclusive property of one section of the country. If nullification is carried out in one section, then other sections of the country will demand the same privilege. I do not want to see that happen. I do not want to see the period 1861–1865 come again to this country. I want a united country. I believe that is the desire of the overwhelming proportion of the people in the North and the South. Those who attempt to create sectional divisions, and to pit the South against the North, in my judgment, do a disservice to their section and to the Nation as a whole.

Mr. JAVITS. Mr. President, I subscribe fully to the fundamental idea which motivated the amendment offered by the Senator from Illinois. I have, however, very grave doubt about whether the amendment as offered will carry out what he has in mind. When we begin

to deal with approval or disapproval, it seems to me that we detract rather than add to the stature of the court, a body fully as powerful and fully as entitled to its responsibilities under the Constitution as are we.

One of the things we have argued, with respect to our colleagues who do not like the decision of the Supreme Court in Brown against Board of Education, is that whether they approve or disapprove it, it is the law of the land. Therefore, the choice is between anarchy and law, as my distinguished colleague from Illinois has so eloquently said. Whether they approve or disapprove the decision, the idea that the law shall be sustained is infinitely more important than that they are dissatisfied with this particular decision in their lives and the lives of the people whom they represent.

I suggest to my colleague that if he really wants to do what ought to be done now, in a very trying time, when such grave dangers confront a great State of the United States, would it not be proper to express ourselves in this way. I suggest to the Senator from Illinois that rather than to speak in terms of approval and disapproval, which get us into the whole problem of detracting from the authority of the court, which we are trying to support, and also get us into the whole problem of whether in the future we must disapprove in order to make people understand we are back of the agencies of Government. I think the country understands what has happened in the Mallory case and what has happened in the Senate today with respect to the amendment offered by the distinguished Senators from Maryland and Indiana.

This is the most eloquent way in which to show that we are back of the Court in the exercise of its power.

But I suggest as a practical matter, in view of the grave emergency facing the country in Little Rock, that we might substitute for what the Senator has proposed the following:

"It is the sense of Congress that the mandates of the Supreme Court of the United States are entitled to full faith and credit as the law of the land, and that the Government of the United States has a duty to see to it that they are enforced."

I suggest that this is exactly how we have approached other emergencies which have required very serious decisions by our Government. This is the nature, for example, of the Formosa resolution and other resolutions which Congress has adopted with respect to events abroad.

I suggest to the Senator from Illinois that a time comes when it is useful to have the country know that we are back of what may have to be very difficult measures in a very difficult situation. I think that is in accord with the tradition of Congress, in the way it expresses itself.

I, too, as a lawyer, would have very great reserve about the question of approving or disapproving decisions of the courts, any more than I would want the courts or the executive to pass resolutions in an authoritative way approving or disapproving what we do, when it is not within their particular province to do so.

I suggest this method to my colleague, because I respect very deeply the fundamental point which has animated him and his associates in doing what they have done. We must not let our eyes be closed to the fact that this is a very tense moment with respect to the enforcement of the Supreme Court mandate in an important part of the country. It should be made clear exactly how the overwhelming majority of Congress and the country feel on this issue; and that it is well for the agencies of government to back up that single agency of the Government, which is the Supreme Court, in an effective way, in order to get its mandates of law enforced, whether they be approved or disapproved, or whether we like them or not.

Mr. DOUGLAS. Mr. President, I appreciate the spirit of the Senator from New York. I have always admired his legal subtlety, which is almost always harnessed in a good cause.

Let us be realists. It is highly improbable, in view of the motion of the Senator from Texas, that the amendment which we three Senators have prepared will presently be voted upon by this body, I am under no illusions. For what we have before us is a bipartisan alliance to lay aside the pending measure and our amendment to it and to bring up S. 654, the so-called Bridges bill. I am under no illusions about that. I know that the motion of the Senator from Texas will be supported by the leadership on both sides of the aisle, and that the motion undoubtedly will prevail.

I hope the Senator from New York will put his amendment in shape and have it ready to offer as an amendment to S. 654. I shall be very glad to consult with the Senator off the floor, to see if we cannot combine our forces in an effective way. It is always a pleasure to work with the Senator from New York and with those Senators on the other side of the aisle, who feel similarly with him in these matters. I assure him that we approach this matter in a very constructive frame of mind.

We are merely desirous that the message go out to the country and to the Supreme Court that reinforcements are coming.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. BUSH. Mr. President, neither I nor anyone else can in any way question the good faith and sincerity of the Senator from Illinois in this matter. I myself have agreed with him, I think, on most of the issues which are involved in his amendment. I doubt that there is much difference in our votes, when it comes down to the questions which are involved in the amendment.

I feel, however, that the amendment which he has offered is really one which should not be pressed before the Senate. I think the Senator from Ohio, a little while ago, made a very significant point when he said that if we begin to pass resolutions of approval, shall we also begin to pass resolutions of disapproval?

My view is that we would find ourselves, before long, running popularity contests with respect to the decisions of the Supreme Court of the United States. I do not believe that that is the proper office of the Senate or of the Congress as a whole. I believe the duty of Congress is to make the law of the land, and that the duty of the Supreme Court is to interpret the law of the land.

If Congress does not like the interpretations of statutes made by the Supreme Court, it is within the power of Congress to pass legislation which will upset the decisions of the Supreme Court, if we choose to do so. At any rate, Congress has the power to correct, through the legislative process, and that is the way Congress should function.

I hope the Senator from Illinois will not press his amendment.

I hope the Senator from Illinois will not press for the adoption of his amendment, which calls for commendation of the Supreme Court, because surely that would invite other attempts to commend or to disapprove, and thus the Senate would be put in a very awkward position.

I feel very strongly about this matter; and I say, with great respect for the Senator from Illinois, that I would be disposed to move, if he does not, although I thought he intimated that he would be so disposed, that his amendment be placed on the table.

I do not believe we should engage in popularity contests regarding the Supreme Court. It seems to me that the dignity of the Court would be impugned by such action by the Senate, and I know that the Senator from Illinois certainly would be the last person to attempt to demean the dignity of the Supreme Court. I believe it should be above such action by the Senate.

If the Senate wishes to take action regarding the decisions of the Court, the Senate should do so by means of the normal legislative process.

I thank the Senator from Illinois for permitting me to make these observations.

Mr. DOUGLAS. Mr. President, I thank the Senator from Connecticut for his remarks. He is always courteous, dignified, and kindly; and it is a pleasure to serve with him in committee in this Chamber.

Mr. President, I must say, however, that I have been somewhat struck by the position taken by some of my colleagues. They say they think the decisions of the Court are correct, but that, nevertheless, it would be a blow against the dignity of the Court, for the Senate to state that it approves the Court's decisions.

In other words, that attitude suggests that Senators should be silent when attacks are made on the decisions of the Court, and that such silence would amount to a showing of respect for the Court.

Mr. President, one of the Ten Commandments is, "Thou shall not bear false witness"—in other words, "Thou shalt not lie."

The Victorian poet, Arthur Hugh Clough, put the Ten Commandments into the pharisaical speech of the Victorian period, in his poem "A Modern Decalogue," in the course of which he interpreted the Ten Commandments in the following ways, among others:

> Do not adultery commit.
> Advantage rarely comes of it.

Another was:

> The church on Sunday to attend,
> Will serve to make the world thy friend.

Still another is:

> Bear not false witness; let the lie
> Have time on its own wings to fly

Mr. President, if we permit attacks to be made against people and institutions in which we believe, and if we stand silent and do not raise our voices in their support, we really give aid, comfort, and tacit approval to such attacks. We should defend the truth when it is under attack and not permit false statements to be spread abroad without a word of protest or correction. To keep silent is to permit malicious statements to gain currency.

So I felt that we should act in behalf of the Court.

I have always thought that the intellect should be used to find methods for corrective action, whereas all too frequently the intellect seems to be used to find highly plausible reasons for not acting.

As I serve in this body—where I have now served 10 years—I become more and more impressed with how the simplest matter can be twisted by highly skilled rhetoricians, who protest that they believe in everything one is trying to do, but say this is not the time or the place or the way to do it, or that the man who makes the attempt is not the person to do it—with the result that frequently one feels as if he were Gulliver waking up and finding himself tied in all directions, and thus prevented from moving—prevented by the intellectually thin, but powerful, strings which tie one down.

I hasten to add that I do not wish to compare myself to Gulliver, and my colleagues to Lilliputians. [Laughter.] But I do not want the Senate to be tied down by the Lilliputians.

Mr. MORSE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. As I understand the present situation, our amendment has been set aside.

Mr. DOUGLAS. Not yet; but I believe it will be.

Mr. President, is not the pending question on agreeing to the motion of the Senator from Texas?

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from Texas that the Senate proceed to the consideration of Calendar 2249, Senate bill 654. That question still is pending.

Mr. DOUGLAS. I thank the Chair.

Mr. MORSE. I wish to say to the Senator from Illinois that I stand with him through thick and thin in this effort.

Mr. DOUGLAS. The Senator from Oregon is a good fighter. He never quits.

Mr. MORSE. I think the amendment of the Senator from Illinois is helpful in expressing our point of view; and I say to the Senator from Illinois, and also to the Senator from Tennessee [Mr. KEFAUVER], who shares our point of view in regard to many matters, that I believe we can take into consideration, in this connection, the possibility of redrafting the amendment.

However, I believe that by raising the issue, the Senator from Illinois is attempting to put the Senate on record in connection with the question of whether it stands behind the Supreme Court as the supreme judicial institution of the country, with its power to pass final judgment on the constitutional rights of American citizens.

Mr. DOUGLAS. That is correct.

Mr. MORSE. That is what we seek to accomplish. If a modification of the language of the amendment or if changes in the emphasis on a particular type of case will make the amendment more acceptable to some of our colleagues, I think we should consider making such a modification of such changes.

But I believe it is the duty of those of us who hold the views we do hold in regard to civil rights and other civil-liberties cases, to press for action on an amendment which makes perfectly clear that the Senate supports the Supreme Court as the final tribunal for the determination of constitutional rights.

Mr. DOUGLAS. The Senator from Oregon is correct.

Mr. McNAMARA. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield to the Senator from Michigan.

Mr. McNAMARA. I thank the Senator from Illinois.

I wish to say to him that I certainly hold views similar to his, when it comes to supporting the Supreme Court in any manner possible.

However, I rise for another purpose. Will the Senator from Illinois yield to me?

Mr. DOUGLAS. Yes, except I will not yield to permit the Senator from Michigan to attack the proper diversion of the waters of Lake Michigan by the city of Chicago for necessary sanitary purposes. [Laughter.]

Mr. McNAMARA. That was the last thought in my mind.

Mr. DOUGLAS. With that understanding, I will yield, provided the Senator from Michigan does not attack the city of Chicago or the right of Chicago properly to divert a little more of the waters of Lake Michigan. [Laughter.]

Mr. McNAMARA. Mr. President, I wish to say to the Senator from Illinois that I have no sympathy with his attempt to create a new river between the Great Lakes and the Mississippi; and at the proper time and at the proper place, we shall debate that matter. But this is not the time. [Laughter.]

Mr. President, I rise—with the permission of the Senator from Illinois—for the purpose of complimenting the present occupant of the chair, the junior Senator from Nevada [Mr. BIBLE], for the very fine manner in which he has handled a rather difficult situation.

I believe his rulings were very helpful to the progress of the Senate in its deliberations; and the Senator from Nevada is to be complimented for his skill, his alertness, and for the clarity of his decisions.

I think that by means of the manner in which he performed he added to the dignity of the Senate; and I pay him this compliment in all sincerity.

Mr. DOUGLAS. May I say I should like to join the Senator from Michigan in paying tribute to the present Presiding Officer. The junior Senator from Nevada is, I think, one of the most skilled presiding officers we have in this body. The junior Senator from Mississippi [Mr. STENNIS] is a very skilled presiding officer. I would put the skill of the Senator from Nevada very close to that of the junior Senator from Mississippi.

I should also like to say I think a considerable share of the credit for the wise decisions which generally come down from the Chair should go to the Parliamentarian, Mr. Watkins, and his assistant, Dr. Riddick.

Mr. MORSE. Mr. President, will the Senator yield to me so I may join in that compliment to the Senator from Nevada?

The PRESIDING OFFICER. The Chair appreciates all the compliments, and would like to invite the Senator from Michigan to take over the gavel.

The Chair recognizes the Senator from Illinois.

Mr. DOUGLAS. I yield to the junior Senator from Oregon with the understanding that he will not speak of the Canadian views on Lake Michigan diversion.

Mr. NEUBERGER. Mr. President, I did not know we were so circumscribed in speaking.

Mr. DOUGLAS. Mr. President, I withdraw my reservation, because Canada has no such objection.

Mr. NEUBERGER. Mr. President, it was not my intention to proceed to a discussion of Lake Michigan or Columbia River diversion, but I want to begin by saying I concur in everything which has been said about the junior Senator from Nevada as a skilled presiding officer. It is always welcome to be able to have, when he is the presiding officer, something resembling silence in the Chamber, because sometimes it sounds like Popocatepetl, or, at least, Vesuvius, had erupted again; but not when the junior Senator from Nevada is presiding.

However, I should like to turn to the thought that I think we should be somewhat hesitant in legislation we enact hastily in the closing days of the session.

On Friday evening we enacted a so-called no-surrender resolution, in the form of an amendment, which I believe has not brought very much credit on the Senate. If the editorials I have read in newspapers of virtually every political tinge and range of economic view can be believed, I have seen that action almost universally condemned in the press. The amendment was adopted hastily. No committee hearings or study were held on it. Nobody tried to ascertain the facts or lack of facts on which it was based.

I do not want the Senate to repeat such hasty action on legislation now. I think we should be extremely hesitant about adopting any proposal, amendment, resolution, or any other form of legislation in this vital field without considering it very carefully.

I want to say about the proposal of the able Senator from Illinois that I think it is offered with his usual eloquence and sincerity of purpose. I subscribe to the goal he seeks. My own general feeling is that it would perhaps be better to adopt language sustaining the Supreme Court as an institution—as the great institution it is—than to propose a narrow expression as to one single decision or set of decisions.

I say that because I am somewhat afraid such action would inevitably invite expressions on the other side on these decisions. Then we should be in an endless and interminable situation.

Therefore, it is my hope that when the appropriate time comes the able Senator from Illinois, who led the historic fight last year for the enactment of the first civil-rights legislation in eight decades, will want to make it an expression of sustaining the Supreme Court as an institution, rather than expressing approval or disapproval of any one particular decision of the Supreme Court.

I think if we should get into that situation, we would have an endless situation on our hands. We would invite Members of the Senate from the South to condemn the Circuit Court of Appeals at St. Louis. We would invite Members of the Senate from the North to condemn the district judge in Arkansas. So it would go, and there would be no termination of it.

In conclusion, I endorse, commend, and admire the purposes of the Senator from Illinois. Speaking for myself, I would rather suggest a resolution or an amendment which expressed commendation and approval of the Supreme Court as the great institution it is, which urged that the Government enforce the majority rulings of the Supreme Court, but which was not narrowed to only one decision of the Supreme Court.

Mr. DOUGLAS. That, as I understand, was the substance of the proposal of the Senator from New York.

Mr. NEUBERGER. I believe it was, in general.

Mr. DOUGLAS. I shall be very glad to consult with the Senator from New York, the Senator from Oregon, and other Senators who have the same feeling; but at the moment the issue before the Senate is the motion of the Senator from Texas, which I think probably will prevail. However, for the reasons which I have previously stated, I feel I should oppose the motion of the Senator from Texas and, in opposing it, vote, instead, to reach a vote first on supporting the Court, rather than proceeding to the consideration of one more bill to reverse a decision of the Court.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. I agree with the observations of the Senator from Illinois. I completely agree with the observations of my colleague in regard to the need for consideration of a change in the language of our amendment. I did not have the privilege of hearing the Senator from New York. I was called away from the Chamber before the Senator from Illinois yielded to him. However, I have been briefed on what he said. So far as his objective is concerned, I find myself in agreement. I, myself, am not ready to make a commitment on language. I am not suggesting that the author of our amendment, which I cosponsored, make any commitment at this time.

Before I yield the floor, I think it should be said we will proceed to confer in regard to proposed substitute language somewhat along the lines of the suggestion of the Senator from New York, to wit:

It is the sense of the Senate that the basic concepts of our Constitution establish under the separation of powers the function of the Supreme Court to interpret the laws and the Constitution, and require that the mandates of the Supreme Court and other courts of the United States be entitled to full faith and credit as the law of the land, and require that the Government of the United States has the duty to see that they are enforced.

Mr. DOUGLAS. I shall be glad to consult with the Senator from New York and the two Senators from Oregon and any other Senator interested in trying to get as great a degree of support as we can of a statement by the Senate that in this great crisis we stand behind the court, rather than behind the Governor of Arkansas.

Mr. MORSE. That is the issue.

Mr. NEUBERGER. Mr. President, I wish to praise the Senator from Illinois for his characteristic openmindedness.

Mr. DOUGLAS. I thank the Senator. I oppose the motion of the Senator from Texas.

Mr. MANSFIELD. Mr. President, I take this opportunity to commend the distinguished occupant of the chair for handling a very difficult parliamentary situation in the finest parliamentary manner.

Mr. JOHNSON of Texas. Mr. President, I, too, wish to express my compliment to the Senator from Nevada and associate myself with the statement of the Senator from Montana.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas that the Senate proceed to the consideration of Calendar No. 2249, Senate bill 654.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 3, after the word "Congress", to strike out "heretofore or", so as to make the bill read:

Be it enacted, etc., That (a) chapter 115 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 2392. Enforcement of State statutes

"Except to the extent specifically provided by any statute hereafter enacted by the Congress, the enactment of (a) any provision of law contained in this chapter or in chapter 37, 67, or 105 of this title, (b) the Subversive Activities Control Act of 1950, (c) the Communist Control Act of 1954, or (d) any other act of the Congress hereafter enacted which prescribes any criminal penalty for any act of subversion or sedition against the Government of the United States or any State of the United States, shall not prevent the enforcement in the courts of any State of any statute of such State prescribing any criminal penalty for any act, attempt, or conspiracy to commit sedition against such State or the United States, or to overthrow the government of such State or the Government of the United States.

"As used in this section, the term 'State' includes any State of the United States, the Territory of Alaska, the Territory of Hawaii, and the commonwealth of Puerto Rico."

(b) The analysis of chapter 115 of title 18, United States Code, is amended by inserting at the end thereof the following new item:

"2392. Enforcement of State statutes."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 4273) to provide for cooperation with the European Atomic Energy Community.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 116) to approve agreement between the Government of the United States and the European Atomic Energy Community (EURATOM) concerning cooperation to advance the peaceful application of atomic energy.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 9, 16, 20, 25, 29, 36, 40, 48, 56, 62, 65, 85, 89, 90, 91, 92, 93, 94, 97, 98, 112, 118, 125, and 126 to the bill, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 2, 7, 14, 15, 22, 24, 42, 50, 58, and 113 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence, and that the House insisted upon its disagreement to the amendments of the Senate numbered 23 and 114 to the bill.

1959 SUPPLEMENTAL APPROPRIATION BILL—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the House has agreed to the conference report on the supplemental appropriation bill for 1959. Certain amendments were reported by the conferees as being in disagreement. I desire to make a brief statement to the Senate in connection with them.

I ask unanimous consent that I may suggest the absence of a quorum and, when the quorum call is concluded, that I be recognized.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	McNamara
Allott	Green	Monroney
Anderson	Hayden	Morse
Barrett	Hennings	Morton
Beall	Hickenlooper	Mundt
Bennett	Hill	Murray
Bricker	Hoblitzell	Neuberger
Bridges	Humphrey	O'Mahoney
Bush	Ives	Pastore
Butler	Jackson	Potter
Byrd	Javits	Proxmire
Capehart	Jenner	Purtell
Carroll	Johnson, Tex.	Russell
Case, N. J.	Johnston, S. C.	Saltonstall
Case, S. Dak.	Jordan	Schoeppel
Chavez	Kefauver	Smith, Maine
Church	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Stennis
Cotton	Kuchel	Symington
Curtis	Langer	Talmadge
Dirksen	Lausche	Thurmond
Douglas	Long	Thye
Dworshak	Magnuson	Watkins
Eastland	Malone	Wiley
Ellender	Mansfield	Williams
Ervin	Martin, Iowa	Yarborough
Fulbright	Martin, Pa.	Young
Goldwater	McClellan	

The PRESIDING OFFICER. A quorum is present.

1959 SUPPLEMENTAL APPROPRIATION BILL—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 20, 1958, pp. 18761–18764, CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 13450, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 20, 1958.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 9, 16, 20, 25, 29, 40, 48, 56, 62, 65, 85, 89, 90, 91, 92, 93, 94, 97, 98, 112, 118, 125, and 126 to the bill (H. R. 13450) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes", and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 2, and concur therein with an amendment, as follows:

In lieu of the sum of $1 million named in said amendment, insert: "$500,000"

That the House recede from its disagreement to the amendment of the Senate numbered 7, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: ": *Provided further*, That no part of any appropriation herein shall be used for land acquisition for an access road to such airport until the Secretary of Commerce has made a report to the Appropriations Committees of Congress as to the need of an access road as a necessary approach to said airport which will, when completed, directly connect with the George Washington Memorial Parkway."

That the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

"SALARIES AND EXPENSES

"For necessary expenses, not otherwise provided for, of the Small Business Administration, including expenses of attendance at meetings concerned with the purposes of this appropriation and hire of passenger motor vehicles, $3,500,000, and in addition there may be transferred to this appropriation not to exceed $11,060,000 from the revolving fund, Small Business Administration, and not to exceed $825,000 from the fund for liquidation of Reconstruction Finance Corporation loans, Small Business Administration, for administrative expenses in connection with activities financed under said funds: *Provided*, That the amount authorized for transfer from the revolving fund, Small Business Administration, may be increased, with the approval of the Director of the Bureau of the Budget, by such amount (not exceeding $500,000) as may be required to finance administrative expenses incurred in the making of disaster loans: *Provided further*, That 10 percent of the amount authorized to be transferred from the revolving fund, Small Business Administration, shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, only in such amounts and at such times as may be necessary to carry out the business loan program: *Provided further*, That $1,000,000 of the amount herein appropriated shall be available only upon enactment into law of S. 3651, 85th Congress."

That the House recedes from its disagreement to the amendment of the Senate numbered 15, and concur therein with an amendment, as follows:

In lieu of the sum of $215 million named in said amendment, insert "$200 million."

That the House recede from its disagreement to the amendment of the Senate numbered 22, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

"SALARIES AND EXPENSES

"For an additional amount for necessary expenses of the Office of Civil and Defense Mobilization, $2,500,000: *Provided*, That this appropriation shall be available for the purposes set forth under the appropriations granted for the fiscal year 1959, under the headings 'Salaries and expenses,' Office of Defense Mobilization, and 'Operations,' Federal Civil Defense Administration."

That the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

"EMERGENCY SUPPLIES AND EQUIPMENT

"For an additional amount for 'Emergency supplies and equipment,' including procurement, as authorized by subsection (h) of section 201 of the Federal Civil Defense Act of 1950, as amended, $2 million."

That the House recede from its disagreement to the amendment of the Senate numbered 36, and concur therein with an amendment, as follows:

In the wording of said amendment, strike out the word "hereafter."

That the House recede from its disagreement to the amendment of the Senate numbered 42, and concur therein with an amendment, as follows:

In lieu of the sum of $4,700,000 named in said amendment, insert "$4,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 50, and concur therein with an amendment, as follows:

In lieu of the sum named in said amendment, insert "$8,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows:

In lieu of the sum named in said amendment, insert "$50,000."

That the House recede from its disagreement to the amendment of the Senate numbered 113, and concur therein with an amendment, as follows:

In lieu of the sum named in said amendment, insert "$10,000,000."

That the House insist upon its disagreement to the amendments of the Senate numbered 23 and 114 to said bill.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 2, 7, 14, 15, 22, 24, 42, 50, 58, and 113.

The motion was agreed to.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KUCHEL. I think the able Senator from Arizona and the other members of the conference committee deserve the sincere thanks of the Senate and the American people for retaining in the bill the authority to preserve the historical treasures located in the Library of Congress, which the able Senator and I discussed earlier this week.

Mr. HAYDEN. To our surprise and delight, the House agreed to that amendment.

Mr. KUCHEL. I am delighted.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Is this an appropriate time to make my motion with respect to amendment numbered 36?

The PRESIDING OFFICER. Such a motion would be in order.

Mr. JOHNSON of Texas. With respect to Senate amendment numbered 36, I move that the Senate disagree to the House amendment, further insist upon its amendment, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to.

Mr. JOHNSON of Texas. Senate amendment No. 36 reads as follows:

No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress.

The House voted to insist upon its disagreement to this amendment. Finally, the House voted to accept the amendment without the word "hereafter."

It was unanimously felt in the Space Committee, in the Senate Appropriations Committee, and in the Senate, that all appropriations must be previously authorized by legislation approved by Congress. If that practice is to be followed, this language is necessary.

All appropriations must be previously authorized by legislation approved by Congress. This practice is as well established and rigidly adhered to as any precedent in the Congress. Some authorizations are general; others, specific. Where authorizations are general, it is not necessary to have annual specific authorization bills prior to appropriations for particular fiscal years. The precedent for specific annual authorizations prior to appropriations is quite well established with respect to new, complicated and unusually large expenditure programs.

For example, the mutual security appropriation each year is specifically authorized, including salaries and expenses and all other administrative costs of the program. Military construction appropriations are always preceded by a specific authorization bill. The Atomic Energy Commission construction and equipment program is annually authorized prior to appropriations.

The new space agency will operate in an area where little is known. Its program for expenditures, both construction and research and development, and its salaries and expenses to a large complement of personnel will be extremely difficult to justify and understand.

There is precedent and sound reason for the requirement that the particular standing committees having jurisdiction over the agency's activities shall annually authorize prior to appropriations all of the programed expenditures of the agency. In this way, the technical and complex budget which will range into many hundreds of millions of dollars will first be explained and justified to the standing committees which can and will devote the necessary time to understand these activities and which will be best equipped to pass cooperative judgment with the agency officials on the soundness of the program.

With a previous authorization bill the Appropriations Committees will be greatly aided when they consider the actual appropriation requests. The members of the Senate Committee on Aeronautical and Space Sciences and the House Committee on Science and Astronautics will have the intimate knowledge and familiarity with the budget that will enable them to be constructive forces in guiding appropriation requests through the Appropriations Committee and the Congress.

The requirement that all Agency appropriations be previously authorized annually will be of great benefit to the Agency in undertaking its new scientific activities. It will be of great assurance and benefit to the public, since it will demonstrate to them the care and thoroughness with which the Congress, through its appropriate standing committee, is participating in programing our large future expenditures in the field of space technology.

I therefore move that the conferees on the part of the Senate be instructed to insist upon Senate amendment No. 36.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on my motion.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Florida [Mr. SMATHERS], are absent on official business.

I further announce that if present, and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from West Virginia [Mr. REVERCOMB] is detained on official business.

If present, and voting, the Senator from Nebraska [Mr. HRUSKA], the Senator from Maine [Mr. PAYNE], and the Senator from West Virginia [Mr. REVERCOMB] would each vote "yea."

The result was announced—yeas 86, nays 0, not voting 10, as follows:

YEAS—86

Aiken	Bush	Church
Allott	Butler	Clark
Anderson	Byrd	Cooper
Barrett	Capehart	Cotton
Beall	Carroll	Curtis
Bennett	Case, N. J.	Dirksen
Bricker	Case, S. Dak.	Douglas
Bridges	Chavez	Dworshak
Eastland	Kennedy	Pastore
Ellender	Kerr	Potter
Ervin	Knowland	Proxmire
Fulbright	Kuchel	Purtell
Goldwater	Langer	Russell
Gore	Lausche	Saltonstall
Green	Long	Schoeppel
Hayden	Magnuson	Smith, Maine
Hennings	Malone	Smith, N. J.
Hickenlooper	Mansfield	Sparkman
Hill	Martin, Iowa	Stennis
Hoblitzell	Martin, Pa.	Symington
Humphrey	McClellan	Talmadge
Ives	McNamara	Thurmond
Jackson	Monroney	Thye
Javits	Morse	Watkins
Jenner	Morton	Wiley
Johnson, Tex.	Mundt	Williams
Johnston, S. C.	Murray	Yarborough
Jordan	Neuberger	Young
Kefauver	O'Mahoney	

NAYS—0

NOT VOTING—10

Bible	Holland	Robertson
Carlson	Hruska	Smathers
Flanders	Payne	
Frear	Revercomb	

The PRESIDING OFFICER. On this vote the yeas are 86, and there are no nays. The conferees of the Senate are instructed to further insist on Senate Amendment No. 36.

Mr. HAYDEN. Mr. President, to complete action on the conference report, I move that the Senate recede on amendment 23 and further insist on amendment 114.

Mr. ELLENDER. Will the Senator from Arizona tell us what amendment 114 is?

Mr. HAYDEN. Amendment 114 provides $5 million for payment to the Informational Media Guaranty Fund, as to which the House insisted on its amendment. I think an adjustment can be made on this amendment when we go to conference.

Mr. ELLENDER. Mr. President, I would like to request that the Senate recede from amendment No. 114 and take the same action as has been taken by the House.

The PRESIDING OFFICER. Does the Senator from Louisiana wish a separation of the vote on the motion?

Mr. ELLENDER. Yes.

The PRESIDING OFFICER. The chairman of the Committee on Appropriations has moved that the Senate recede on amendment 23 but further insist on its disagreement on amendment No. 114.

Mr. ELLENDER. Yes. As a substitute for that motion, I move that the Senate recede from its action on amendment No. 114.

The PRESIDING OFFICER. Does the Senator from Louisiana have any objection to the Senate receding on amendment No. 23?

Mr. ELLENDER. I have no objection.

Mr. KNOWLAND. Mr. President, I hope the motion of the chairman of the Committee on Appropriations will be agreed to and that the motion of the Senator from Louisiana to recede on amendment No. 114 will not be agreed to.

We have had some discussions on this matter. It was fully discussed on the floor of the Senate. I believe that if it is sent back to conference, we can get an adjustment which will be approximately half the figure in the bill as it passed the Senate.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. What is the pending motion, the motion of the Senator from Arizona, or the motion of the Senator from Louisiana?

The PRESIDING OFFICER. The motion of the Senator from Arizona was to recede on amendment No. 23. Does the Senator from Louisiana agree to the motion to recede on amendment No. 23?

Mr. ELLENDER. I agree to the motion of the Senator from Arizona to recede on amendment No. 23.

Mr. KNOWLAND. I understood we had agreed to recede on amendment No. 23, on the motion of the Senator from Arizona.

Mr. HAYDEN. I had stated them together.

Mr. President, I move that the Senate recede on amendment No. 23.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona to recede on amendment No. 23.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate further insist on amendment No. 114, which provides $5 million for payment to the Informational Media Guaranty Fund. As the Senator from California has said, we hope to adjust that item by a compromise.

Mr. SALTONSTALL. Mr. President, has the Senator from Louisiana yielded the floor?

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. ELLENDER. Mr. President, it is not my purpose to detain the Senate very long. I discussed my proposed amendment to strike $5 million included in the bill for the Informational Media Guaranty program when the bill was presented to the Senate.

It is my considered judgment that any appropriation for this program can and should be taken up in the regular appropriation bill. In 1948 a guaranty fund was established which would make it possible for books, magazines, and other publications to be sold in various countries and which would insure dollar payments to the publishers in exchange for the currencies they had received for their publications.

In 1956 this fund was placed under the control of the United States Information Agency. The USIA, through the State Department, I presume, entered into executive agreements with various countries which actually destroyed the nature of the revolving fund. Under terms of these agreements a limitation was put upon the use of the soft currencies purchased by us. They were to be used solely in the countries where obtained for scientific, educational, and cultural purposes instead of being sold to the State Department or other Government agencies for use in their foreign operations. As the revolving fund was originally intended, the dollars received in these sales were to be used to replenish the revolving fund.

Mr. President, it is my judgment that the Appropriations Committee should proceed with caution in this matter and should ascertain whether or not USIA has the authority to enter into such agreements.

In this case we are being asked to replenish the revolving fund. We should make certain that any additional funds will not be used in the way they have been used in the past. This money should, by all means, be used only for the purpose as it was originally intended and that is to guarantee our publishers against losses in case of foreign exchange fluctuations.

I do not wish to go into the details of the matter, except to say that one country—Israel—received almost one-third of this money. Books and magazines were sold in Israel for Israeli pounds. The United States, in turn, bought from the publishers the pounds. Then, our planners entered into contracts, or agreements, with Israel. By means of these agreements large amounts of Israeli currency—as I remember the figure, it was $3,500,000—were actually used to build various cultural centers and things of that kind. This was done instead of putting the money into the revolving fund where Congress intended that it go.

As I have pointed out, this is a further subsidy to the publishers of the country.

No one except a few publishers will suffer if we delay this item until next year.

We have an information service, which is distributing information about the United States in many of the countries of the world. It maintains libraries in almost all countries, and a good purpose is served through that medium. We supply the libraries with books on America and with other publications of all kinds; and that program is continuing.

But the refinancing of the program we are now discussing can be postponed until next January. At this time the Congress will be able to make a thorough study and determine whether it desires to continue this program.

As of June 30, 1958, the USIA had on hand $1,600,000 in the revolving fund. The collections to be made during the current year will amount to approximately $8.6 million. As the funds are collected, they can be used to enter into new contracts; and as a result, no one will suffer.

So I hope the Senate will vote to recede on the amendment, just as has been done by the House of Representatives.

Mr. HAYDEN. Mr. President, the amendment was recommended by the Committee on Appropriations. The Senator from Louisiana [Mr. ELLENDER] offered an amendment on the floor to delete the item. This amendment was rejected by a vote of 59 to 23. So the Senate placed the amendment in the bill by a vote of over 2 to 1.

Under those circumstances, I believe we are justified in taking this amendment back to conference, as the Senator from California has said. We do not expect to get all of the amount; but in the conference I think we can expect to arrive at a suitable adjustment.

So I hope the Senate will concur in my motion.

Mr. BUSH. Mr. President, once again members of the Committee on Appropriations in the other body have shown a callous indifference to the needs of the people of Connecticut who suffered so cruelly in the 1955 flood disasters, and have been waiting so patiently for Congress to give them promised assistance.

I refer to the refusal of the House Committee to consider an appropriation for planning funds for the Mad River Dam, at Winsted; and to the insistence of the House conferees on the deletion from the supplemental appropriations bill of planning funds for the Hall Meadow Brook and East Branch Dams, at Torrington.

In contrast with the sympathetic attitude of the Senate committee, which has consistently sought to provide the funds needed to advance urgently needed flood-protection projects in my State, the committee in the House has been obstructionist.

Included in the supplemental appropriations bill, as passed by the Senate, were modest sums for 5 Connecticut projects, including $100,000 in preconstruction planning funds for each of the 2 Torrington dams. Although the Senate last year approved $100,000 in planning funds for the Mad River Dam, at Winsted, the Senate committee this year did not insist on the inclusion of this item, because it was advised that the House would refuse to consider additional "new starts" involving a Federal cost in excess of $5 million.

Yet, despite the Senate's restraint, the House conferees have now insisted on the deletion from the bill of the planning money for the 2 Torrington dams, as well as $1 million for Bridgeport Harbor and $175,000 for 2 Connecticut beach-erosion-control projects, areas 8 and 11 and area 9.

Although I regret the loss of funds for Bridgeport Harbor and the shoreline projects, I do not regard these setbacks as being so detrimental as the failure to provide planning funds for the flood-protection projects.

The 3 dams I am discussing—the Mad River Dam, at Winsted; and the 2 dams at Torrington—are needed for the protection of human life.

Let me read for the information of the Senate, the justifications presented by the Corps of Engineers for these projects:

MAD RIVER

Flood control is urgently needed for the protection of Winsted and downstream areas. Six major floods have occurred in the Mad River Basin since 1900. In the most disastrous of these floods—that of August 1955—7 lives were lost, almost a mile of Winsted's main street was gouged out to a depth of 10 to 15 feet, about 80 buildings were destroyed, 5 bridges over Mad River were washed out and another was badly damaged, and a majority of the stores and commercial establishments along Main Street suffered a complete loss of stock. Industrial, commercial, and residential property damages were extremely large. Without adequate flood control of the Mad River, it is probable that a disaster similar to that of 1955 will be repeated.

EAST BRANCH

The project is located in the city of Torrington, on the east branch of the Naugatuck River, 3 miles above its confluence with the west branch. During the past 30 years, 6 major floods have occurred in the Naugatuck River Basin. The disastrous flood of record in August 1955 took 6 lives and caused an estimated $23,300,000 of damages in the area extending downstream from the project site, through Torrington, to the area to be protected by the Thomaston Reservoir. The project has a benefit-to-cost ratio of 1.3 to 1.0.

HALL MEADOW BROOK

The project is located in the city of Torrington, on Hall Meadow Brook, 0.4 mile above its confluence with the west branch of the Naugatuck River. The disastrous flood of record occurred in August 1955. The danger of recurrence of a comparable disaster in the Torrington area and along the Naugatuck River above Thomaston Reservoir will remain acute until the protection to be furnished by the project is provided. The project has a benefit-to-cost ratio of 2.4 to 1.0.

Mr. President, the action of those who have refused to permit the appropriation of planning funds for these urgently needed dams this year has set back the construction schedule by at least 1 year. Should another terrible flood disaster be inflicted upon Winsted and Torrington before the dams can be completed, they will bear a heavy burden of responsibility.

The actions taken on the supplemental bill and on the regular public works appropriation bill, the conference report on which is also before the Senate today, emphasizes the need for an item veto by the President.

The public works appropriation bill contains funds for at least 75 projects which were not recommended in the public works program submitted by the President. By some strange coincidence, many of these projects are located within States and Congressional Districts which are represented on the Appropriations Committee of the House.

For example, I find that in Missouri the following unbudgeted projected projects were provided funds by the conferees:

Faubus River Drainage District, construction, $750,000.
Des Moines and Mississippi Levee District No. 1, planning, $100,000.
Joanna Reservoir, planning, $50,000.
Kasinger Bluff Reservoir, planning, $80,000.
St. Louis, construction, $1,700,000.
Stockton Reservoir, planning, $150,000.

Mr. President, I do not contend that these are unworthy projects which lack justification, but I submit that there are no projects in the bill with greater justification than the Winsted and Torrington Dams. And I protest against the discrimination which has been practiced against people in my State.

Mr. RUSSELL. Mr. President, I rise to say just a word in support of the motion of the Senator from Louisiana [Mr. ELLENDER], namely, that the Senate recede from its position on this amendment, which I believe is No. 114. It deals with the expenditure of $5 million for the Information Agency, for publications—books, pictures, motion pictures, and other things of that nature.

Mr. President, undoubtedly the program has at times served a rather useful purpose. But it has been applied very heavily in some instances, and not at all in other countries.

The program is fundamentally unsound from a legislative standpoint, for here we have an instance in which no regular appropriation is made, but the Agency is authorized to go to the Treasury and there obtain the money it needs, and put the money into a revolving fund, and obtain foreign currency in exchange for the books, and then spend the foreign currency in the respective countries.

Some of the projects have been most bizarre. The program should be reviewed by the parent legislative committee, as well as by the Appropriations Committee.

I do not believe the matter will suffer by being put over until the session which will begin in January. This Agency has $5 million, and also has foreign currency.

So I shall vote to support the motion which has been made by the Senator from Louisiana.

Mr. SALTONSTALL. Mr. President, I merely wish to state that the Senate voted on this item on August 15; and by a vote of 59 to 23, the Senate voted to include the item of $5 million.

I believe the amount can be adjusted. We cannot amend the amount here, but it can be amended by the House.

So I hope the Senate will support the motion which has been made by the Senator from Arizona [Mr. HAYDEN].

The PRESIDING OFFICER (Mr. MONRONEY in the chair). The question is, Will the Senate recede from its position on amendment No. 114?

Mr. KNOWLAND. Mr. President, in view of the fact that two motions have been made, I wish to make sure that the question now is on agreeing to the motion of the Senator from Louisiana [Mr. ELLENDER] that the Senate recede from its position on amendment No. 114.

The PRESIDING OFFICER. That is correct.

Mr. KNOWLAND. I understand that the Senator from Arizona has as chairman of the Appropriations Committee, requested a "no" vote on this question. I join him in his position in favor of a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana [Mr. ELLENDER] that the Senate recede from its position on amendment No. 114 [putting the question].

The motion was rejected.

The PRESIDING OFFICER. The question now comes on agreeing to the motion of the Senator from Arizona [Mr. HAYDEN] that the Senate further disagree to the amendment of the House to the amendment of the Senate numbered 114, insist on the Senate amendment, and request a further conference with the House.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendment, request a further conference with the House, and that the Chair appoint the same conferees.

The motion was agreed to and the Presiding Officer appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. ANDERSON, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, and Mr. KNOWLAND conferees on the part of the Senate to the further conference.

Mr. MANSFIELD. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. MANSFIELD. I understand that the $2,500,000 to be paid to the Crow Nation for the right-of-way and dam site in Big Horn, Montana, has been disallowed by the House.

Mr. HAYDEN. Yes.

Mr. MANSFIELD. I further understand that the funds allocated by the Senate for the Creston Fish Hatchery and the Miles City Fish Hatchery have been disallowed by the House.

Mr. HAYDEN. They were.

Mr. MANSFIELD. Can the Senator from Arizona give the Montana Congressional delegation any assurance that these matters will be given priority consideration at the beginning of the next session?

Mr. HAYDEN. Both of them are highly meritorious projects. The Crow Indians must be paid.

As for the fish hatcheries, they are badly needed; but others are badly needed, too, so these hatcheries are not alone in that respect. But they will have to wait until the next bill. At that time, I shall do my best to take care of them.

Mr. MANSFIELD. Mr. President, if I may ask the chairman of the committee a further question, has there been any change in the allocation of funds so that the Crow Nation can be paid for the rights they are deeding to the Government, through resolution, to the right-of-way and dam site of this great project which has been authorized for 14 years in eastern Montana?

Mr. HAYDEN. They can be paid out of the available reclamation funds. The objection was made they would come out of the funds for the Missouri River Basin project, and that same money would not be available for other work which had to be done. We thought it was better—I still think so—to appropriate directly for the payment to the Indians, and leave the Missouri River project funds alone.

Mr. MANSFIELD. But on the basis of the new wording, the Secretary of the Interior is empowered, if he can find funds from the Missouri River project fund, to pay the Crow Nation?

Mr. HAYDEN. That is correct.

Mr. MANSFIELD. I thank the Senator.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Oregon.

Mr. NEUBERGER. May I inquire as to the fate of the funds which we added in the Senate of $100,000 for the commencement of work and progress on the National Outdoor Recreational Review Commission?

Mr. HAYDEN. We obtained $50,000 in the conference.

Mr. NEUBERGER. Is it the opinion of the able chairman that this amount is sufficient to get that important commission under way this year?

Mr. HAYDEN. It was all we could get.

Mr. NEUBERGER. Fifty thousand dollars is the amount allowed by the conferees?

Mr. HAYDEN. Yes.

Mr. NEUBERGER. I thank the chairman.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. I should like to ask the Senator from Arizona what, if any, change was made with respect to the $200,000 item in the supplemental appropriation bill which the Senate provided to finance a conference of the International Civil Aviation Organization?

Mr. HAYDEN. Amendment numbered 111 eliminates languages proposed by the Senate which would appropriate $200,000 for international contingencies. The Department is authorized to proceed with arrangements for holding the 12th session of the International Civil Aviation Organization in the United States.

In other words, whatever funds are available can be used for this conference.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from North Dakota.

Mr. LANGER. Will the Senator tell me what happened to the $100,000 appropriation for a peace garden to be located in Canada and North Dakota?

Mr. HAYDEN. The conference committee directed the National Park Service to use available funds for the International Peace Garden.

LUMP-SUM PAYMENT OF ACCUMULATED AND ACCRUED ANNUAL LEAVE OF DECEASED EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSTON of South Carolina. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSTON of South Carolina, Mr. NEUBERGER, Mr. YARBOROUGH, Mr. MARTIN of Iowa, and Mr. MORTON conferees on the part of the Senate.

EFFECTIVE DATES OF INCREASES IN COMPENSATION GRANTED TO WAGE BOARD EMPLOYEES — CHANGE OF CONFEREE

Mr. JOHNSTON of South Carolina. Mr. President, the distinguished Senator from Kansas [Mr. CARLSON], who had been appointed by the Chair as a conferee on Senate bill 25, is necessarily absent from the Senate. I ask unanimous consent that the Chair appoint a conferee to serve in the place of the Senator from Kansas.

The PRESIDING OFFICER. The Chair is advised that the Senator from Iowa [Mr. MARTIN] has been appointed in the place of the Senator from Kansas.

PUBLIC WORKS APPROPRIATION BILL, 1959—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12858) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 20, 1958, p. 18752, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, all legislation must be the result of adjusting the differences in a bill as passed by the two Houses of Congress. I consider the result of this conference as very satisfactory to the Senate conferees, and the report was signed by all of the Senate conferees. There were some compromising with reference to the Senate amendments, but that is the purpose of a conference.

The conference report provides an appropriation of $1,118,128,835, which is $41,787,000 below the amount approved by the Senate, and $40,301,635 above the amount approved by the House.

Attached is a summary of the bill, showing how the money is to be distributed among titles I, II, and III. Title I covers civil functions, Department of the Army. Title II covers certain agencies of the Department of the Interior. Title III covers the Tennessee Valley Authority.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public works appropriation bill, fiscal year 1959—Summary table

	Budget estimates, 1959	House allowance	Senate allowance	Conference allowance
TITLE I				
CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY				
Quartermaster Corps, cemeterial expenses	96,915,000	96,915,000	96,915,000	96,915,000
Corps of Engineers:				
General investigation	7,940,000	8,613,000	11,486,000	10,188,000
Construction, general	564,630,000	578,455,000	630,371,500	608,346,500
Operation and maintenance, general	101,200,000	109,370,000	115,970,000	113,370,000
General expenses	11,750,000	11,720,000	11,720,000	11,720,000
Mississippi River and tributaries	67,000,000	67,250,000	70,000,000	68,347,300
St. Lawrence Joint Board of Engineers	100,000	100,000	100,000	100,000
Total, Corps of Engineers	752,620,000	775,508,000	840,608,500	806,972,800
Total, title I	759,535,000	782,424,000	847,521,500	813,887,800
TITLE II				
DEPARTMENT OF THE INTERIOR				
Bureau of Reclamation:				
General investigations	4,732,000	4,365,474	5,292,000	4,535,000
Construction and rehabilitation	140,018,000	135,906,141	153,247,000	148,015,000
Operation and maintenance	27,898,000	27,898,000	27,898,000	27,898,000
Loan program	25,200,000	4,200,000	5,434,000	5,434,000
General administrative expenses	4,154,000	3,914,000	4,104,000	4,090,000
Upper Colorado River Basin fund	67,475,000	67,172,385	68,885,335	68,085,335
Total, Bureau of Reclamation	269,101,000	245,739,200	265,730,335	258,577,335

Public works appropriation bill, fiscal year 1959—Summary table—Continued

	Budget estimates, 1959	House allowance	Senate allowance	Conference allowance
TITLE II—Continued				
DEPARTMENT OF THE INTERIOR—continued				
Bonneville Power Administration:				
Construction	$21,000,000	$20,934,000	$20,934,000	$20,934,000
Operation and maintenance	9,170,000	9,170,000	9,170,000	9,170,000
Total	30,170,000	30,104,000	30,104,000	30,104,000
Office of the Secretary, Southeastern Power Administration; operation and maintenance	735,000	735,000	735,000	735,000
Southwestern Power Administration:				
Construction				
Operation and maintenance	975,000	975,000	975,000	975,000
Continuing fund [1]	(4,405,000)	(4,405,000)	(4,405,000)	(4,405,000)
Total, Southwestern Power Administration	975,000	975,000	975,000	975,000
Total title II	300,981,000	278,553,200	295,544,335	287,391,335
TITLE III				
Tennessee Valley Authority	16,850,000	16,850,000	16,850,000	16,850,000
Grand total	1,077,356,000	1,077,827,200	1,159,915,835	1,118,128,835

[1] Appropriation of receipts. Not included in totals of this table.

Mr. ELLENDER. Mr. President, with respect to title I, the amount approved for cemeterial expenses of the Quartermaster Corps by both the House and Senate was $6,915,000, so this item was not in conference. Proceeding to the Corps of Engineers, the conference bill provides $806,972,500 which is $33,634,000 below the Senate, and $31,463,500 more than the amount approved by the House.

On general investigations the conference bill provides $10,188,500 which is $1,296,500 below the amount approved by the Senate, and $1,573,000 more than the amount approved by the House.

I append a tabulation showing a breakdown of the general investigation funds approved by the House, and as approved by the Senate, together with the amounts agreed to in conference.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

General investigations

	1959 appropriations		
	House	Senate	Senate conference proposal
1. Examinations and surveys:			
S. Res. 148		$100,000	
(a) Navigation studies	$723,500	1,125,000	$1,023,500
(b) Flood-control studies	2,185,000	3,400,000	3,035,000
(c) Beach erosion cooperative studies	87,000	99,000	97,000
(d) Special studies:			
(1) San Francisco Bay area survey	750,000	750,000	750,000
(2) Ohio River Basin survey	200,000	500,000	356,000
(3) Great Lakes harbors survey	212,000	250,000	227,000
(4) Delaware River review	500,000	500,000	500,000
(5) Watershed Protection Act studies	75,000	75,000	75,000
(6) Hurricane studies	1,000,000	1,000,000	1,000,000
(7) Hudson River (siltation) study	141,000	141,000	141,000
(8) Potomac River review	200,000	200,000	200,000
(9) Colorado River, Tex		100,000	50,000
(10) Trinity River, Tex		250,000	100,000
Subtotal, examinations and surveys	6,073,500	8,490,000	7,554,500
2. Collection and study of basic data:			
(a) Stream gaging (U. S. Geological Survey)	162,000	190,000	190,000
(b) Precipitation studies (U. S. Weather Bureau)	260,000	326,000	326,000
(c) Fish and wildlife studies (U. S. Fish and Wildlife Service)	43,000	43,000	43,000
(d) International water studies	35,000	35,000	35,000
Subtotal, collection and study of basic data	500,000	594,000	594,000
3. Research and development:			
(a) Beach erosion development studies	153,000	203,000	153,000
(b) Hydrologic studies	109,000	125,000	109,000
(c) Civil works investigations	975,000	975,000	975,000
(d) Mississippi Basin model	590,000	810,000	590,000
(e) Mississippi River comprehensive study	73,000	73,000	73,000
Subtotal, research and development	1,900,000	2,186,000	1,900,000
4. Alaska pierhead lines survey	140,000	140,000	140,000
5. Arkansas Red River pollution control survey		75,000	
Total, general investigations	8,613,500	11,485,000	10,188,500

Mr. ELLENDER. Mr. President, on "construction, general," they agreed on $603,246,500 which is $27,125,000 below that approved by the Senate, and $24,791,000 more than allowed by the House.

I append a tabulation showing a breakdown of the construction and planning items as passed by the Senate, and as agreed to by the conference committee of the Senate and House.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD.

Corps of Engineers construction, general, fiscal year 1959

Construction, general, State and project	Approved budget estimate for fiscal year 1959		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Alabama:								
(N) Columbia lock and dam, Alabama and Georgia			$600,000		$600,000		$600,000	
(N) Dauphin Island Bay					(1)		(1)	
(N) Jackson lock and dam	$6,000,000		6,000,000		6,000,000		6,000,000	
(P) Millers Ferry lock and dam						$150,000		
(P) Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia	11,700,000		11,100,000		11,700,000		11,700,000	
Alaska:								
(N) Dry Pass	$46,000		$46,000		$46,000		$46,000	
(N) Gastineau Channel					1,100,000		1,100,000	
(N) Neva and Olga Straits					(1)		(1)	
Arizona:						60,000		$60,000
(FC) Gila River channel improvement								
(FC) Painted Rock Reservoir	7,000,000		7,000,000		7,000,000		7,000,000	
(FC) Whitlow Ranch Reservoir	1,500,000		1,500,000		1,500,000		1,500,000	
Arkansas:								
(N) Arkansas River and tributaries, Arkansas and Oklahoma (general studies)		$600,000		$900,000		900,000		900,000
(N) Arkansas River and tributaries, Arkansas and Oklahoma (emergency bank stabilization and channel rectification)	541,000		541,000		541,000		2,541,000	
(N) Arkansas River and tributaries, Arkansas and Oklahoma, other bank stabilization and channel rectification					4,000,000			
(P) Beaver Reservoir		250,000	750,000		750,000		750,000	
(P) Bull Shoals Reservoir, Ark. and Mo. (additions of units Nos. 5 and 6)	500,000		500,000		500,000		500,000	
(P) Dardanelle lock and dam	2,500,000		2,500,000		2,500,000		2,500,000	
(P) Greers Ferry Reservoir	4,000,000		4,000,000		5,000,000		4,000,000	
(FC) McKinney Bayou and Barkman Creek, Ark. and Tex					300,000		300,000	
(FC) Millwood Reservoir (modification)						150,000		150,000
(FC) Red River levees below Denison Dam, Ark., La., and Tex	400,000		400,000		750,000		400,000	
Table Rock Reservoir, Ark. and Mo. (See Missouri.)								
(FC) Walnut Bayou	575,000		575,000		575,000		575,000	
California:					500,000		500,000	
(FC) Black Butte Reservoir								
(FC) Carbon Canyon Dam and Channel	1,800,000		1,800,000		1,800,000		1,800,000	
(FC) Devil, East Twin, Warm and Lytle Creeks	800,000		800,000		800,000		800,000	
(FC) Eel River			370,000		370,000		370,000	
(N) Half Moon Bay			1,200,000		1,200,000		1,200,000	
(FC) Hogan Reservoir				230,000		230,000		230,000
(FC) Los Angeles County drainage area	18,500,000		18,500,000		19,000,000		18,500,000	
(FC) Lower San Joaquin River and tributaries	1,000,000		1,000,000		1,000,000		1,000,000	
(FC) Middle Creek	600,000		600,000		600,000		600,000	
(FC) Mill Creek levees		32,000		32,000		32,000		32,000
(N) Playa Del Rey Inlet and Basin	1,200,000		1,200,000		1,200,000		1,200,000	
(N) Port Hueneme Harbor (excludes cost to USN)			840,000		840,000		840,000	
(FC) Russian River Reservoir	750,000		750,000		950,000		750,000	
(FC) Sacramento River	3,000,000		3,000,000		3,000,000		3,000,000	
(FC) Sacramento River and major and minor tributaries	1,000,000		1,000,000		1,000,000		1,000,000	
(N) Sacramento River deepwater ship channel	6,000,000		6,000,000		7,425,000		6,000,000	
(FC) San Antonio and Chino Creeks	2,000,000		2,000,000		2,000,000		2,000,000	
(N) San Diego River and Mission Bay	876,000		876,000		876,000		876,000	
(N) San Francisco Harbor:								
a—Removal of shoals and rocks and 45-foot main ship channel			20,000		20,000		20,000	
b—50-foot main ship channel and Black Point shoal channel			285,000		285,000		285,000	
(FC) San Jacinto River and Bautista Creek		110,000		110,000		110,000		110,000
(N) San Joaquin River Stockton deepwater channel	700,000		700,000		700,000		700,000	
(FC) San Lorenzo Creek	1,800,000		1,800,000		2,000,000		1,800,000	
(FC) San Lorenzo River	2,300,000		2,300,000		2,300,000		2,300,000	
(FC) Santa Clara River		60,000		60,000	460,000		460,000	
(N) Santa Cruz Harbor						75,000		75,000
(FC) Santa Maria Valley levees		115,000		115,000	500,000		500,000	
(FC) Stewart Canyon Basin						30,000		30,000
(FC) Success Reservoir	4,000,000		4,000,000		5,000,000		4,000,000	
(FC) Terminus Reservoir	6,000,000		6,000,000		6,500,000		6,000,000	
Truckee River and tributaries, California and Nevada. (See Nevada.)						15,000		15,000
(FC) Tuolumne River reservoirs (New Don Pedro)								
Connecticut:								
(FC) Thomaston Reservoir	5,000,000		5,000,000		5,000,000		5,000,000	
Delaware:								
(N) Inland waterway, Delaware River to Chesapeake Bay, Del. and Md.:								
a—Summit Bridge	2,940,000		2,940,000		2,940,000		2,940,000	
b—Canal improvement				180,000		180,000		180,000
Florida:								
(FC) Central and southern Florida	7,500,000		5,260,000		7,500,000		6,500,000	
(N) Intracoastal Waterway, Caloosahatchee River to Anclote River				135,000		135,000		135,000
(N) Intracoastal Waterway, Jacksonville to Miami	1,100,000		1,100,000		1,930,000	28,000	1,100,000	28,000
(N) Port Everglades Harbor					573,000		573,000	
(N) St. Joseph Bay, Port St. Joe Harbor								
(N) Tampa Harbor:								
a—34-foot channel	2,950,000		2,950,000		2,950,000		2,950,000	
b—Hillsboro River					(1)		(1)	
Water-hyacinth obstructions in the waters of the Gulf and South Atlantic States, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas. (See Louisiana.)								
Georgia:								
(N) Brunswick Harbor (deferred for restudy)				28,000	168,000		168,000	
Columbia lock and dam, Alabama and Georgia. (See Alabama.)								
(P) Hartwell Reservoir, Ga. and S. C	15,500,000		15,500,000		15,500,000		15,500,000	
(N) Savannah River below Augusta	700,000		700,000		700,000		700,000	
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia. (See Alabama.)								

See footnotes at end of table.

Corps of Engineers construction, general, fiscal year 1959—Continued

Construction, general, State and project	Approved budget estimate for fiscal year 1959		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Hawaii:								
(FC) Hanapepe River					$407,000		$407,000	
(N) Honolulu Harbor		$38,000		$38,000	1,000,000		1,000,000	
(N) Kawaihae Harbor	$1,352,000		$1,352,000		1,352,000		1,352,000	
Idaho:								
(FC) Columbia River, local protection:								
a—Blackfoot River						$46,000		$46,000
b—Boise Valley						24,000		24,000
c—Heise Roberts extension				5,800		5,800		5,800
d—Lightning Creek					(1)		(1)	
e—Little Wood River			58,000		58,000		58,000	
Illinois:								
(FC) Carlyle Reservoir	800,000		800,000		800,000		800,000	
(BA) Chicago, Burlington & Quincy RR. bridge, including channel change			800,000		800,000		800,000	
(FC) Clear Creek Drainage and Levee District	236,000		236,000		236,000		236,000	
(FC) Drury Drainage District						80,000		80,000
(FC) East St. Louis and vicinity	1,500,000		1,500,000		1,500,000		1,500,000	
(FC) Henderson River (diversion unit)						117,000		117,000
(N) Illinois Waterway, Calumet-Sag Channel, part I	8,500,000		8,500,000		8,500,000		8,500,000	
(N) Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.: Regulating works	1,000,000		1,000,000		1,200,000		1,000,000	
(N) Mississippi River between the Missouri River and Minneapolis, Minn.: Rectification of damages	65,000		65,000		65,000		65,000	
(N) Mississippi River between St. Louis, Mo., and lock and dam 26, Illinois and Missouri (lock and dam 27)					1,000,000		1,000,000	
(FC) Shelbyville Reservoir						50,000		
(FC) The Sny Basin			500,000		500,000		500,000	
(BA) Wabash R.R. bridges at Merrodosia and Valley City	1,800,000		1,800,000		1,500,000		1,800,000	
(FC) Wilson and Wenkel and Prairie duPont Drainage and Levee Districts	400,000		400,000		400,000		400,000	
(FC) Wood River Drainage and Levee District	800,000		800,000		800,000		800,000	
Indiana:								
(FC) Evansville			200,000		200,000		200,000	
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)								
(FC) Mansfield Reservoir	3,400,000		3,400,000		3,400,000		3,400,000	
Markland lock and dam, Indiana, Kentucky and Ohio. (See Kentucky.)								
(FC) Monroe Reservoir						28,000		28,000
(FC) Salamonie Reservoir						50,000		
(N) Uniontown, locks and dam, Indiana and Kentucky						150,000		
(FC) Vincennes					235,000		235,000	
Iowa:								
(FC) Floyd River and tributaries						150,000		150,000
(FC) Iowa River-Flint Creek Levee District No. 16		150,000		150,000		150,000		150,000
(FC) Little Sioux River	2,700,000		2,700,000		2,700,000		2,700,000	
(FC) Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri	3,500,000		2,500,000		2,500,000		2,500,000	
(N) Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:								
a—Sioux City, Iowa, to Omaha, Nebr	5,700,000		5,700,000		5,700,000		5,700,000	
b—Omaha, Nebr., to Kansas City	3,300,000		3,300,000		3,300,000		3,300,000	
c—Kansas City to the mouth	4,000,000		4,000,000		4,000,000		4,000,000	
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa, including Miners Bend. (See Nebraska.)								
(FC) Muscatine	226,000		226,000		226,000		226,000	
(FC) Muscatine Island Levee District and Muscatine Louisa County Drainage District No. 13					390,000		390,000	
(FC) Rathbun Reservoir						130,000		
(FC) Red Rock Reservoir		175,000		175,000		175,000		175,000
Kansas:								
(FC) Abilene	200,000		200,000		200,000		200,000	
(FC) Elk City Reservoir					300,000			
(FC) John Redmond (Strawn) Reservoir			400,000		400,000		400,000	
(FC) Manhattan			300,000		300,000		300,000	
(FC) Milford Reservoir		180,000		180,000		180,000		180,000
Missouri River channel stabilization, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)								
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)								
(FC) Ottawa	950,000		950,000		950,000		950,000	
(FC) Perry Reservoir		125,000		125,000		125,000		125,000
(FC) Pomona Reservoir			800,000		800,000		800,000	
(FC) Salina	900,000		900,000		900,000		900,000	
(FC) Topeka	2,700,000		2,700,000		2,700,000		2,700,000	
(FC) Toronto Reservoir	2,400,000		2,400,000		2,400,000		2,400,000	
(FC) Tuttle Creek Reservoir	15,400,000		15,400,000		15,400,000		15,400,000	
(FC) Wilson Reservoir		175,000		175,000		175,000		175,000
Kentucky:								
(P) Barkley Dam (lower Cumberland lock and dam), Ky. and Tenn	10,500,000		10,500,000		10,500,000		10,500,000	
(FC) Buckhorn Reservoir	4,500,000		4,500,000		4,500,000		4,500,000	
(FC) Catlettsburg	642,000		642,000		642,000		642,000	
(FC) Fishtrap Reservoir				140,000		140,000		140,000
(N) Greenup locks and dam, Kentucky and Ohio	11,000,000		11,000,000		11,000,000		11,000,000	
(N) Lock and dam 41, Indiana and Kentucky	6,000,000		6,000,000		6,000,000		6,000,000	
(N) Markland locks and dam, Indiana, Kentucky, and Ohio	11,000,000		11,000,000		11,000,000		11,000,000	
(N) New Richmond locks and dam, Kentucky and Ohio	4,000,000		4,000,000		4,000,000		4,000,000	
(FC) No. 2 Barren Reservoir		120,000		120,000		120,000		120,000
(FC) Nolin Reservoir			500,000		500,000		500,000	
(FC) Rough River Reservoir and channels	3,300,000		3,300,000		3,300,000		3,300,000	
Uniontown locks and dam, Indiana and Kentucky. (See Indiana.)								
Louisiana:								
(FC) Amite River and tributaries	725,000		725,000		1,000,000		1,000,000	
(N) Barataria Bay Waterway						88,000		88,000
(N) Chefuncte River and Bogue Falls					(1)		(1)	
(N) Gulf Intracoastal Waterway: Plaquemine-Morgan City alternate route	6,500,000		6,500,000		6,500,000		6,500,000	

See footnotes at end of table.

Corps of Engineers construction, general, fiscal year 1959—Continued

Construction, general, State and project	Approved budget estimate for fiscal year 1959		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Louisiana—Continued								
(N) Mississippi River, Baton Rouge to Gulf of Mexico					$150,000		$150,000	
(N) Mississippi River Gulf Outlet	$3,500,000		$3,500,000		4,500,000		4,000,000	
(FC) Mooringsport Reservoir, La. and Tex. (Deferred for restudy)						$100,000		$100,000
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)								
(N) Water hyacinth obstructions in the waters of the Gulf and South Atlantic States, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas					300,000		300,000	
Maine:								
(N) Jonas River (modification)					(1)		(1)	(1)
Maryland:								
(FC) Cumberland, Md., and Ridgeley, W. Va	1,751,000		1,751,000		1,751,000		1,751,000	
Inland waterway, Delaware River to Chesapeake Bay. (See Delaware.)								
Massachusetts:								
(N) Boston Harbor extension to 40-foot anchorage	2,100,000		2,100,000		2,100,000		2,100,000	
(FC) East Brimfield Reservoir	3,900,000		3,900,000		3,900,000		3,900,000	
(FC) Hodges Village Reservoir	2,700,000		2,700,000		2,700,000		2,700,000	
Narragansett Bay area, Rhode Island and Massachusetts. (See Rhode Island.)								
(FC) New Bedford, Fairhaven, and Acushnet				$460,000		460,000		460,000
(FC) North Adams	4,500,000		4,500,000		4,500,000		4,500,000	
(N) Salem Harbor			1,320,000		1,320,000		1,320,000	
(FC) West Hill Reservoir			275,000		275,000		275,000	
(FC) Westville Reservoir		$141,000		141,000		141,000		141,000
(FC) Weymouth Fore River	800,000		800,000		800,000		800,000	
(FC) Worcester	2,534,000		2,534,000		2,534,000		2,534,000	
Michigan:								
(FC) Battle Creek	1,200,000		1,200,000		1,200,000		1,200,000	
(N) Big Bay Harbor			342,000		342,000		342,000	
(N) Great Lakes connecting channels	23,500,000		23,500,000		27,500,000		25,200,000	
(N) Harrisville Harbor	700,000		700,000		700,000		700,000	
(BA) Houghton-Hancock Bridge	1,300,000		1,300,000		1,300,000		1,300,000	
(N) Little Lake Harbor				30,000		30,000		30,000
(N) Manistique Harbor	338,000		338,000		338,000		338,000	
(N) New Pue lock						380,000		380,000
(N) Port Austin Harbor	613,000		613,000		613,000		613,000	
(N) Saginaw River	800,000		800,000		800,000		800,000	
(N) St. Marys River, improvement of south canal	2,000,000		2,000,000		2,200,000		2,000,000	
(N) Whitefish Point Harbor	541,000		541,000		541,000		541,000	
Minnesota:								
(N) Grand Marais Harbor					(1)		(1)	
(FC) Lost River and Ruffy Brook					128,000		128,000	
(FC) Mankato and North Mankato						55,000		55,000
(N) Minnesota River navigation						33,000		33,000
(FC) Mississippi River at St. Paul and South St. Paul						200,000		200,000
Mississippi River between Missouri River and Minneapolis, Minn., rectification of damages. (See Illinois.)								
(FC) Red River of the North, Minn. and N. Dak	500,000		500,000		500,000		500,000	
(N) St. Anthony Falls	1,100,000		1,100,000		1,100,000		1,100,000	
Missouri:								
(FC) Bear Creek Reservoir			300,000		300,000		300,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)								
(FC) Canton	100,000		100,000		100,000		100,000	
(FC) Cape Girardeau (reach No. 2 only)	1,500,000		1,500,000		1,500,000		1,500,000	
(FC) Des Moines and Mississippi Levee District No. 1				100,000		100,000		100,000
(FC) Fabius River Drainage District			750,000		750,000		750,000	
(FC) Joanna Reservoir				50,000		50,000		50,000
(FC) Kaysinger Bluff Reservoir				80,000		80,000		80,000
(FC) Meramec River Reservoirs—Meramec Park, Cedar Hill, and Union (deferred for restudy)						150,000		
Mississippi River between Ohio River and Missouri River, Ill. and Mo. (See Illinois.)								
Mississippi River between St. Louis, Mo., and lock and dam 26, Illinois and Missouri (lock and dam 27). (See Illinois.)								
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)								
(FC) Pomme de Terre Reservoir	3,400,000		3,400,000		3,400,000		3,400,000	
(FC) St. Louis			1,700,000		1,700,000		1,700,000	
(P) Stockton Reservoir				150,000		150,000		150,000
(P) Table Rock Reservoir, Ark. and Mo.	12,400,000		12,400,000		12,400,000		12,400,000	
Montana:								
(FC) Columbia River local protection:								
a—Clark Fork at Missoula		12,000		12,000		12,000		12,000
b—St. Regis River					(1)		(1)	
(P) Fort Peck Dam (2d powerplant)	6,500,000		6,500,000		6,500,000		6,500,000	
Nebraska:								
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)								
Missouri River channel stabilization, Iowa, Kansas, Missouri, Nebraska. (See Iowa.)								
(FC) Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebr., and S. Dak	1,000,000		1,000,000		1,000,000		1,000,000	
Nevada:								
(FC) Truckee River and tributaries, California and Nevada					150,000		180,000	
New Hampshire:								
(FC) Hopkinton-Everett Reservoir	1,400,000		1,400,000		1,500,000		1,500,000	
(FC) Otter Brook Reservoir	330,000		330,000		330,000		330,000	
New Jersey:								
(N) Delaware River, Philadelphia Naval Base to Trenton, Pa., and N. J	13,000,000		13,000,000		13,000,000		13,000,000	
(N) New York and New Jersey, Channels, N. Y. and N. J	5,420,000		5,420,000		5,420,000		5,420,000	
Staten Island Rapid Transit Bridge, New York and New Jersey. (See New York.)								

See footnotes at end of table.

Corps of Engineers construction, general, fiscal year 1959—Continued

Construction, general, State and project	Approved budget estimate for fiscal year 1959		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
New Mexico:								
(FC) Abiquiu Reservoir	$1,250,000		$1,250,000		$1,250,000		$1,250,000	
(FC) Albuquerque	775,000		775,000		775,000		775,000	
(FC) Carlsbad						$40,000		$40,000
(FC) Los Esteros-Alamogordo Reservoirs		$90,000		$90,000		90,000		90,000
(FC) Rio Grande Floodway, Cochiti to Rio Puerco						50,000		50,000
(FC) Socorro						45,000		45,000
New York:								
Allegheny River Reservoir, Pennsylvania and New York. (See Pennsylvania.)								
(N) Barcelona Harbor	200,000		200,000		200,000		200,000	
(N) Buffalo Harbor, north entrance	2,000,000		2,000,000		2,000,000		2,000,000	
(FC) Endicott Johnson City and Vestal	1,700,000		1,700,000		1,700,000		1,700,000	
(SP) Fire Island Inlet			880,000		880,000		880,000	
(N) Great Lakes to Hudson River Waterway	110,000		110,000		910,000		910,000	
(N) Hudson River, New York City to Albany					200,000			
(N) Irondequoit Bay			120,000		120,000		120,000	
New York and New Jersey Channels, N. Y. and N. J. (See New Jersey.)								
(N) Oswego Harbor detached breakwaters	1,000,000		1,000,000		1,000,000		1,000,000	
(BA) Staten Island Rapid Transit Bridge, New York and New Jersey	2,500,000		2,500,000		2,500,000		2,500,000	
North Carolina:								
(N) Beaufort Harbor					(1)		(1)	
(N) Channel connecting Thoroughfare Bay with Cedar Bay					(1)		(1)	
(N) Oregon Inlet (12-foot channel to Manteo and Wanchese only)			722,000		722,000		722,000	
(FC) Wilkesboro Reservoir		125,000		125,000		125,000		125,000
North Dakota:								
(FC) Cannonball River at Mott						35,000		
(P) Garrison Reservoir	10,600,000		10,600,000		14,000,000		10,600,000	
(FC) Lower Heart River	500,000		500,000		500,000		500,000	
Red River of the North, Minn. and N. Dak. (See Minnesota.)								
Ohio:								
(N) Ashtabula Harbor	997,000		997,000		997,000		997,000	
(N) Belleville locks and dam, Ohio and West Virginia						125,000		
(FC) Dillon Reservoir	8,250,000		8,250,000		8,250,000		8,250,000	
Greenup lock and dam, Kentucky and Ohio. (See Kentucky.)								
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Indiana.)								
(FC) Muskingum River Reservoir					520,000			
(N) New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia	10,000,000		10,000,000		10,000,000		10,000,000	
New Richmond lock and dam, Kentucky and Ohio. (See Kentucky.)								
(N) Pike Island locks and dam, Ohio and West Virginia		250,000		250,000	1,000,000		1,000,000	
Shenango River Reservoir, Pa. and Ohio. (See Pennsylvania.)								
(FC) West Branch Mahoning River Reservoir				200,000		200,000		200,000
Oklahoma:								
Arkansas River and tributaries, Arkansas and Oklahoma. (See Arkansas.)								
(FC) Broken Bow Reservoir						150,000		150,000
Denison Reservoir, Tex. and Okla. (See Texas.)								
(FC) Enid					250,000		250,000	
(P) Eufaula Reservoir	7,500,000		7,500,000		7,500,000		7,500,000	
(FC) Keystone Reservoir	8,500,000		8,500,000		10,000,000		8,500,000	
(FC) Oologah Reservoir	10,000,000		10,000,000		10,000,000		10,000,000	
(FC) Optima Reservoir (deferred for restudy)						25,000		25,000
Oregon:								
(FC) Blue River Reservoir		105,000		105,000		105,000		105,000
(N) Columbia River between Vancouver, Wash., and The Dalles, Oreg.: 27-foot channel	1,000,000		1,000,000		1,000,000		1,000,000	
(FC) Columbia River local protection: John Day River		16,000		16,000		16,000		16,000
(P) Cougar Reservoir	5,500,000		5,500,000		5,500,000		5,500,000	
(FC) Fall Creek Reservoir		150,000		150,000		150,000		150,000
(P) Green Peter Reservoir		310,000		310,000	1,300,000			310,000
(P) Hills Creek Reservoir	13,000,000		13,000,000		13,000,000		13,000,000	
(FC) Holley Reservoir		110,000		110,000		110,000		110,000
(BA) Interstate bridge, Oregon and Washington					80,000		80,000	
(P) John Day lock and dam, Oregon and Washington	8,000,000		8,000,000		10,000,000		8,000,000	
(FC) Lower Columbia River improvement to existing works:								
a—Magruder Drainage District						5,000		5,000
b—Multnomah County Drainage District No. 1	600,000		600,000		600,000		600,000	
c—Woodson Drainage District						6,000		6,000
(N) Rogue River at Gold Beach					750,000		750,000	
(P) The Dalles Dam, Oreg. and Wash	13,500,000		13,500,000		13,500,000		13,500,000	
(FC) Willamette River Basin bank protection	500,000		500,000		500,000		500,000	
(FC) Willamette River Basin Channel improvement and major drainage:								
a—Calapooya River						50,000		50,000
b—East Muddy and Lake Creek						30,000		30,000
Pennsylvania:								
(FC) Allegheny River Reservoir, N. Y. and Pa	1,000,000		1,000,000		1,000,000		1,000,000	
(FC) Allentown	700,000		700,000		700,000		700,000	
(FC) Bear Creek Reservoir	1,740,000		1,740,000		1,740,000		1,740,000	
(FC) Bethlehem			350,000		350,000		350,000	
(FC) Bradford	2,750,000		2,750,000		2,750,000		2,750,000	
(FC) Brookville						35,000		35,000
(FC) Chartiers Creek at and in vicinity of Washington						25,000		25,000
(FC) Curwensville Reservoir		175,000		175,000		175,000		175,000
(N) Dam 8, Monongahela River	2,000,000		2,000,000		2,000,000		2,000,000	
Delaware River (Philadelphia Naval Base to Trenton), Pa. and N. J. (See New Jersey.)								
(FC) Dyberry Reservoir	1,400,000		1,400,000		1,400,000		1,400,000	
(FC) Kettle Creek Reservoir			800,000		800,000		800,000	
(N) Maxwell locks and dam, Monongahela River		275,000		275,000		275,000		275,000
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)								
(FC) Prompton Reservoir	1,100,000		1,100,000		1,100,000		1,100,000	
(FC) Ridgway						20,000		20,000

See footnotes at end of table.

Corps of Engineers construction, general, fiscal year 1959—Continued

Construction, general, State and project	Approved budget estimate for fiscal year 1959		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Pennsylvania—Continued								
(FC) St. Marys						$20,000		$20,000
(FC) Shenango River Reservoir, Pa. and Ohio				$100,000		100,000		100,000
(FC) Stillwater Reservoir	$1,300,000		$1,300,000		$1,300,000		$1,300,000	
(FC) Tyrone						40,000		
Rhode Island:								
(FC) Narragansett Bay area, Rhode Island and Massachusetts				600,000		600,000		600,000
(FC) Woonsocket	1,200,000		1,200,000		1,200,000		1,200,000	
South Carolina:								
Hartwell Reservoir, Ga. and S. C. (See Georgia.)								
South Dakota:								
(P) Big Bend Reservoir		$200,000		200,000	600,000		600,000	
Missouri River, Kensiers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebraska, and South Dakota. (See Iowa.)								
(P) Oahe Reservoir	28,800,000		28,800,000		28,800,000		28,800,000	
(FC) Sioux Falls	1,900,000		1,900,000		1,900,000		1,900,000	
Tennessee:								
Barkley Dam, Ky. and Tenn. (See Kentucky.)								
(P) Cheatham lock and dam	950,000		950,000		950,000		950,000	
(FC) Lake City	295,000		295,000		295,000		295,000	
Texas:								
(N) Brazos Island Harbor	1,400,000		1,400,000		1,600,000		1,400,000	
(FC) Buffalo Bayou	2,500,000		2,500,000		3,000,000		2,500,000	
(FC) Canyon Reservoir	500,000		500,000		500,000		500,000	
(FC) Cooper Reservoir and channels	800,000		800,000		800,000		800,000	
(BA) Corpus Christi Bridge	915,000		915,000		915,000		915,000	
(P) Denison Reservoir, Tex. and Okla.:								
a—Highway bridge at Willis Ferry site	1,000,000		1,000,000		1,000,000		1,000,000	
b—Additional recreation facilities			250,000		(2)		(2)	
(N) Galveston Harbor and Channel seawall	1,000,000		1,000,000		1,500,000		1,000,000	
(N) Gulf Intracoastal Waterway:								
a—Guadalupe River channel to Victoria	1,000,000		1,000,000		1,000,000		1,000,000	
b—Realined route, vicinity Aransas Pass	1,400,000		1,400,000		1,400,000		1,400,000	
(N) Houston ship channel	800,000		800,000		1,170,000		800,000	
(FC) Lampasas Reservoir		125,000		125,000		125,000		125,000
(P) McGee Bend Dam	4,500,000		4,500,000		4,500,000		4,500,000	
McKinney Bayou and Barkman Creek, Ark. and Tex. (See Arkansas.)								
Mooringsport Reservoir, La. and Tex. (See Louisiana.)					150,000		150,000	
(FC) Navarro Mills Reservoir								
(FC) Navidad and Lavaca Rivers, channel improvement at Halletsville			333,000		333,000		333,000	
(N) Pass Cavallo Port Lavaca						50,000	377,000	50,000
(FC) Pecos								
(N) Port Aransas-Corpus Christi Waterway:								
36-foot channel	1,300,000		1,300,000		1,300,000		1,300,000	
(FC) Proctor Reservoir		125,000		125,000		125,000		125,000
Red River levees below Denison Dam, Arkansas, Louisiana, and Texas. (See Arkansas.)								
(N) Sabine-Neches Waterway	1,000,000		1,000,000		1,250,000		1,000,000	
(FC) San Antonio Channel	1,000,000		1,000,000		1,000,000		1,000,000	
(FC) Somerville Reservoir						75,000		75,000
(N) Texas City Channel:								
36-foot channel					500,000		500,000	
(FC) Waco Reservoir	1,000,000		1,000,000		1,800,000		1,000,000	
Utah:								
(FC) Salt Lake City	300,000		150,000		150,000		150,000	
Vermont:								
(FC) Ball Mountain Reservoir	2,700,000		2,700,000		3,000,000		2,700,000	
(FC) East Barre Reservoir (modification)	678,000		678,000		678,000		678,000	
(FC) North Hartland Reservoir	2,300,000		2,300,000		2,300,000		2,300,000	
(FC) North Springfield Reservoir	2,000,000		2,000,000		2,160,000		2,000,000	
(FC) Townsbend Reservoir	2,000,000		2,000,000		2,000,000		2,000,000	
Virginia:						10,000		10,000
(FC) Hayst Reservoir (deferred for study)								
(N) Norfolk Harbor, widen 40-foot channel	1,200,000		1,200,000		1,200,000		1,200,000	
(BA) Norfolk & Portsmouth Belt Line RR. bridge	240,000		240,000		240,000		240,000	
(FC) Pound Reservoir		150,000		150,000		200,000		200,000
Washington:								
(P) Chief Joseph Dam	2,400,000		2,400,000		2,400,000		2,400,000	
Columbia River between Vancouver, Wash., and The Dalles, Oreg., 27-foot channel. (See Oregon.)								
(FC) Eagle Gorge Reservoir	6,000,000		6,000,000		6,000,000		6,000,000	
(P) Ice Harbor lock and dam	22,500,000		22,500,000		22,500,000		22,500,000	
Interstate bridge, Oregon and Washington. (See Oregon.)								
John Day lock and dam, Oregon and Washington. (See Oregon.)								
(P) Little Goose lock and dam						250,000		
(FC) Lower Columbia River improvement to existing works: Wahkiakum County Consolidated Diking District No. 1								
(P) Lower Granite lock and dam						72,000		72,000
(P) Lower Monumental lock and dam		550,000		550,000		108,000		550,000
The Dalles Dam, Oreg. and Wash. (See Oregon.)						550,000		
(N) Willapa River and Harbor and Naselle River	270,000		270,000		270,000		270,000	
West Virginia:								
Belleville locks and dam, Ohio and West Virginia (See Ohio.)								
Cumberland, Md., and Ridgeley, W. Va. (See Maryland.)						40,000		40,000
(FC) East Bainville	2,500,000		2,500,000		2,500,000		2,500,000	
(N) Hildebrand lock and dam								
New Cumberland lock and dam, Ohio and West Virginia. (See Ohio.)		125,000		125,000		125,000		125,000
(N) Opekiska lock and dam								
Pike Island lock and dam, Ohio and West Virginia. (See Ohio.)						85,000		85,000
(FC) Princeton								
(FC) Summersville Reservoir					1,000,000			
(FC) Sutton Reservoir	12,000,000		12,000,000		12,000,000		12,000,000	

See footnotes at end of table.

Corps of Engineers construction, general, fiscal year 1959—Continued

Construction, general, State and project	Approved budget estimate for fiscal year 1959		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Wisconsin:								
(N) Bayfield Harbor			$122,000		$122,000		$122,000	
Wyoming:								
(FC) Jackson Hole	$400,000		400,000		400,000		400,000	
(FC) Sheridan	400,000		400,000		400,000		400,000	
(FC) Local protection projects not requiring specific legislation	3,000,000		3,000,000		2,000,000		2,000,000	
(FC) Emergency bank protection	200,000		200,000		200,000		200,000	
(FC) Snagging and clearing	600,000		600,000		600,000		600,000	
Projects deferred for restudy		$16,000		$16,000		$16,000		$16,000
Recreation facilities, completed projects					1,000,000		750,000	
Small authorized projects					4,000,000		4,000,000	
Reduction for anticipated savings and slippages	−30,000,000		−30,000,000		−30,000,000		−30,000,000	
Total	557,520,000	5,500,000	568,117,000	7,738,000	618,375,000	10,396,500	592,170,000	9,476,500
Lower Columbia River fish and sanctuary program (Fish and Wildlife Service)	1,600,000		1,600,000		1,600,000		1,600,000	
Grand total, construction, general	559,120,000 (564,620,000)	5,500,000	570,717,000 (578,455,500)	7,738,500	619,975,000 (630,371,500)	10,396,500	593,770,000 (603,246,500)	9,476,500

[1] Eligible for selection under a lump sum appropriation for small authorized projects. [2] Included in recreational facilities of completed projects.

Mr. ELLENDER. Mr. President, on the item "Operation and maintenance" for which the Senate proposed an additional $6,600,000 for maintenance, the conferees allowed $4 million. So there will be a total of $7,400,000 available for deferred maintenance. This should reduce the backlog of deferred maintenance to about $37,600,000. Two years ago the Senate committee recommended a program of $10 million a year for this purpose until this backlog of deferred maintenance has been eliminated so that the projects that have been completed can serve the purposes for which they were built.

On the Mississippi River and tributaries the conferees agreed on $68,347,500, which is $2,612,500 below the amount approved by the Senate, and $1,097,500 more than the amount allowed by the House.

I append a tabulation showing a breakdown of the items as passed by the Senate and as agreed to in conference.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Flood control, Mississippi River and tributaries, fiscal year 1959

Projects	Approved budget estimate for fiscal year 1959		House allowance		Senate recommendation allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. General investigations:								
(a) Examinations and surveys	$150,000		$150,000		$250,000		$250,000	
(b) Collection and study of basic data	50,000		50,000		50,000		50,000	
Subtotal, general investigations	200,000		200,000		300,000		300,000	
2. Construction and planning:								
Mississippi River levees	$2,700,000		[1] $2,950,000		[1] $2,950,000		[1] $2,950,000	
Channel improvement	22,555,000		22,555,000		24,000,000		23,277,500	
Memphis Harbor	550,000		550,000		550,000		550,000	
Vicksburg Harbor	750,000		750,000		750,000		750,000	
Baton Rouge Harbor	250,000		250,000		250,000		250,000	
Old River control	8,570,000		8,570,000		8,550,000		8,550,000	
St. Francis Basin	3,900,000		3,900,000		4,000,000		4,000,000	
Reelfoot Lake	40,000		40,000		40,000		40,000	
West Tennessee tributaries	0					$75,000		$75,000
Lower Arkansas	500,000		500,000		500,000		500,000	
Tensas Basin								
Boeuf and Tensas Rivers, etc	990,000		990,000		1,090,000		1,090,000	
Red River backwater	135,000		135,000		135,000		135,000	
Yazoo Basin	(3,950,000)		(3,950,000)		(4,300,000)		(3,950,000)	
Sardis Reservoir	130,000		130,000		130,000		130,000	
Enid Reservoir	95,000		95,000		95,000		95,000	
Arkabutla Reservoir	60,000		60,000		60,000		60,000	
Grenada Reservoir	90,000		90,000		90,000		90,000	
Auxiliary channels	2,075,000		2,075,000		2,075,000		2,075,000	
Main stem	400,000		400,000		400,000		400,000	
Tributaries	175,000		175,000		175,000		175,000	
Big Sunflower River, etc	925,000		925,000		925,000		925,000	
Yazoo Backwater	0				350,000			
Atchafalaya Basin	5,430,000		5,430,000		5,430,000		5,430,000	
Lake Pontchartrain	500,000		500,000		500,000		500,000	
Total construction and planning	50,800,000		51,050,000		53,345,000	75,000	52,272,500	75,000
3. Maintenance	16,000,000		16,000,000		17,000,000		16,000,000	
4. Flood control emergencies	0				500,000			
Grand total	67,000,000		67,250,000		70,920,000		68,347,500	

[1] Includes $250,000 to initiate New Madrid floodgate.

Mr. ELLENDER. Mr. President, the item for the St. Lawrence Seaway Joint Board of Engineers was not in conference.

In title II the conference bill provides $287,391,335, which is $8,153,000 below the amount approved by the Senate, and $8,838,135 more than that by the House.

For general investigations of the Bureau of Reclamation the conference bill provides $4,556,000 which is $696,000 below the amount approved by the Senate, and $190,526 more than the amount approved by the House.

For construction and rehabilitation the conference bill provides $146,015,000, which is $7,332,000 below the amount approved by the Senate, and $7,028,859 more than the amount approved by the House.

I attach a tabulation showing a breakdown of the construction and rehabilitation items as passed by the Senate, and as agreed to in conference.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Bureau of Reclamation, fiscal year 1959

CONSTRUCTION AND REHABILITATION PROGRAM

State and project	Budget estimate, 1959	House allowance	Senate allowance	Conference action
Arizona:				
Colorado River front work and levee system			$275,000	$275,000
California:				
Central Valley project:				
Exclusive of Trinity River division	$1,785,099	$674,240	1,785,099	1,785,099
Trinity River division	41,472,901	41,472,901	41,472,901	41,472,901
Santa Maria project	1,629,000	1,629,000	1,629,000	1,629,000
Solano project	1,081,000	1,081,000	1,081,000	1,081,000
Ventura River project	10,058,000	10,058,000	10,058,000	10,058,000
Colorado:				
Collbran project	4,618,000	4,618,000	4,618,000	4,618,000
Idaho:				
Little Wood River project	1,000,000	1,000,000	1,000,000	1,000,000
Palisades reregulating dam and powerplant (Burns Creek)		500,000	800,000	800,000
Montana-North Dakota:				
Fort Peck project	2,000,000	2,000,000	2,000,000	2,000,000
Nevada-California:				
Washoe project, Prosser Creek dam and reservoir			800,000	800,000
New Mexico:				
Middle Rio Grande project	3,628,000	3,628,000	3,628,000	3,628,000
McMillan Delta project			225,000	225,000
Oklahoma:				
Washita Basin project	6,500,000	6,500,000	8,000,000	8,000,000
Oregon:				
Crooked River project	1,000,000	1,000,000	1,000,000	1,000,000
Rogue River project, Talent division	9,500,000	9,500,000	9,500,000	9,500,000
Wapinitia project, Juniper division	95,000	95,000	95,000	95,000
Texas:				
Lower Rio Grande rehabilitation project, Mercedes division			800,000	800,000
San Angelo			800,000	800,000
Utah:				
Weber Basin project	5,273,000	5,273,000	5,273,000	5,273,000
Washington:				
Columbia Basin project	10,000,000	10,000,000	12,300,000	10,000,000
Wyoming:				
Eden project	615,000	615,000	615,000	615,000
Shoshone project	501,000	501,000	501,000	501,000
Drainage and minor construction	2,564,000	2,564,000	3,124,000	3,124,000
Rehabilitation and betterment of existing projects	2,603,000	2,603,000	2,603,000	2,603,000
Subtotal (exclusive of MRB)	105,924,000	105,312,141	114,284,000	110,784,000
Missouri River Basin project:				
Ainsworth unit, Nebraska		1,100,000	1,100,000	1,100,000
Bostwick division, Nebraska Kansas	1,790,000	1,790,000	1,790,000	1,790,000
East Bench unit, Montana			1,570,000	None
Farwell unit, Nebraska		750,000	750,000	750,000
Frenchman Cambridge division, Nebraska	3,800,000	2,300,000	3,800,000	3,800,000
Glendo unit, Wyoming	11,000,000	11,000,000	11,700,000	11,000,000
Helena Valley unit, Montana	2,538,000	2,538,000	2,538,000	2,537,000
Owl Creek unit, Wyoming	1,192,000	1,192,000	1,192,000	1,197,000
Transmission division	9,988,000	9,985,000	9,884,000	9,884,000
Webster unit, Kansas	1,218,000	1,218,000	1,218,000	1,218,000
Drainage and minor construction	500,000	500,000	721,000	721,000
Investigations	2,000,000	2,000,000	2,000,000	2,000,000
Other Department of the Interior agencies	3,000,000	2,286,000	3,000,000	2,236,000
Subtotal, Missouri River Basin	37,086,000	36,674,000	41,963,000	39,231,000
Grand total, construction and rehabilitation	143,010,000	141,986,141	156,247,000	149,015,000
Less:				
Prior year funds programed in 1958				
Anticipated slippage in 1959	3,000,000	3,000,000	3,000,000	3,000,000
Total appropriation	140,010,000	138,986,141	153,247,000	146,015,000

UPPER COLORADO RIVER BASIN FUND

Colorado River storage project:				
Flaming Gorge unit, Utah	$10,500,000	$10,068,335	$10,068,335	$10,068,335
Glen Canyon unit, Arizona-Utah	49,000,000	48,100,250	47,980,000	47,980,000
Navajo unit, New Mexico	7,000,000	7,000,000	7,000,000	7,000,000
Transmission division	205,000	205,000	225,000	225,000
Advance planning	770,000	770,000	770,000	770,000
Subtotal	67,475,000	66,173,585	66,053,335	66,053,335
Participating projects:				
Paonia project, Colorado		1,000,000	1,000,000	1,000,000
Central Utah project, Vernal unit, Utah			1,000,000	1,000,000
Total Upper Colorado River Basin fund	67,475,000	67,173,585	68,053,335	68,053,335
Less prior year funds programed in 1958				
Appropriation	67,475,000	67,173,585	68,053,335	68,053,335

Mr. ELLENDER. Mr. President, the amount for operation and maintenance was $27,500,000 as passed by the House and the Senate, so this item was not in conference.

With respect to the loan program, the House agreed to the Senate amendment.

For general administrative expenses the conference bill provides $4,039,000, which is $125,000 below the amount approved by the Senate, and $125,000 more than the amount approved by the House.

On the upper Colorado River Basin fund, the House agreed to the Senate amendment.

The items for the power-marketing agencies of the Department of the Interior were not in conference.

ABIQUIU DAM, N. MEX.

Mr. President, I would like to direct the attention of the Senate to a statement that appears on page 20 of the conference report. This is part of the statement of the managers on the part of the House. The managers on the part of the House are not in agreement with the Senate report statement concerning an uncontrolled outlet for the Abiquiu Dam." I wish to assure the Senate that the managers on the part of the Senate have not changed their opinion as expressed in the Senate reports of the past 3 years that the uncontrolled outlet is required to comply with the authorizing legislation, and the managers on the part of the Senate expect the Corps of Engineers to comply with the authorizing legislation.

UNCONTROLLED OUTLET AT ABIQUIU RESERVOIR

Mr. JOHNSON of Texas. Mr. President, the 1948 Flood Control Act authorized the construction of one reservoir at the Chamita site as a part of the Middle Rio Grande project. It was directed that the installation of spillway gates should be deferred until New Mexico had accrued water credit under the Rio Grande compact. The purpose of this directive was to give positive assurance that the controlled storage on the Rio Chama would not exceed 700,000 acre-feet. This stipulation was in accordance with the agreement between the States of Texas, New Mexico, and Colorado under the compact.

Further detailed planning resulted in the development of a two-reservoir system consisting of a low reservoir dam at the Chamita site and high dam at Abiquiu site, at a saving estimated at that time to be approximately $9 million. The States of Texas, New Mexico, and Colorado, and the Chief of Engineers agreed that the installation of an uncontrolled outlet at the Abiquiu project was necessary to comply with the intent of the authorizing legislation. The uncontrolled outlet would have the effect of limiting the controlled storage to approximately 700,000 acre-feet in the revised two-dam plan.

The revised two-reservoir plan was presented to the Public Works Committees of Congress in 1954, and at that time the project included the construction of an uncontrolled outlet.

In the House report on the public works appropriation bill for fiscal year 1956 it was pointed out that the House committee was allowing $75,000 for completion of plans for the Chamita-Abiquiu project, stating that due to the insistence of one of the States involved in the compact, the Corps of Engineers agreed to the uncontrolled outlet at a cost of about $950,000. In the report on the appropriation bill by the House for fiscal year 1957, it was stated that "Abiquiu Dam on the Chama River in New Mexico should be constructed with an uncontrolled outlet so as to limit the flood control and sedimentation reserve capacity of the reservoir to 562,000 acre-feet, and the entire Abiquiu-Chamita project should be so planned and constructed as to comply in all respects and particulars with the Flood Control Act of 1948."

The report of the House Appropriations Committee on the public works bill for fiscal year 1958 directed the Corps of Engineers to eliminate the uncontrolled outlet. The Senate Appropriations Committee pointed out on its report on the same bill "that the agreement which lead to the authorizing legislation, and the authorizing legislation itself, requires the uncontrolled outlet. The committee therefore directs the Corps of Engineers to comply with the provisions of the authorizing legislation with respect to storage, which requires inclusion of the uncontrolled outlet."

In the conference report on the public works appropriation bill for fiscal year 1958 the following is quoted:

ABIQUIU DAM, N. MEX.—The conferees agreed to the inclusion of an uncontrolled outlet.

In the hearing on the public works appropriation bill for 1959, General Itschner, the Chief of Engineers, made the following statement:

Although detailed planning has revealed that the saving effected by the two-dam plan is not so great as anticipated when the change in plan was made in 1954, the present estimate of this saving, computed on the same basis as previously; that is, with the uncontrolled outlet, is over $5 million. This saving could only have been achieved through the agreement of the compact States (Texas, New Mexico, Colorado) to the change in plan, which agreement was predicated on the construction of the uncontrolled outlet limiting storage to 700,000 acre-feet. Therefore, the uncontrolled outlet should not be considered as an added expense in connection with the Abiquiu Dam, but rather as an integral and essential element in a proposal which results in a net saving of over $5 million to the United States.

In summary, it is submitted that the uncontrolled outlet is necessary to conform to the authorizing legislation and the Rio Grande compact. It is necessary in order to comply with the agreement between the Corps of Engineers and Texas compact commissioner for the Rio Grande compact, and it is also necessary in order to provide Texas with its fair share of downstream water, and to protect the rights of the downstream water users.

Mr. ELLENDER. I now move, Mr. President, that the conference report be agreed to.

Mr. CHAVEZ. Mr. President, will the Senator yield, so that I may ask a question or two?

Mr. ELLENDER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I understand that in New Mexico Abiquiu Dam was approved.

Mr. ELLENDER. The Senator is correct.

Mr. CHAVEZ. The project was approved in the amount which was contained in the bill, with the exception of those things which might be involved in the statement of the Senator from Texas.

Mr. ELLENDER. The Senator is correct.

Mr. CHAVEZ. Was there the inclusion of the item which contains flood protection for Socorro, N. Mex.?

Mr. ELLENDER. Does the Senator refer to surveying?

Mr. CHAVEZ. No. The Socorro item was for planning.

Mr. ELLENDER. Excuse me. The planning item is included.

Mr. CHAVEZ. What about Dark Canyon, at Carlsbad, N. Mex.?

Mr. ELLENDER. That was included.

Mr. CHAVEZ. What about Los Esteros, on the Pecos River? Was the planning money included?

Mr. ELLENDER. All the planning money was included, I will say to my good friend from New Mexico. The reason I hesitated to answer the question is that, as the Senator knows, in respect to survey moneys, the moneys are not earmarked.

Mr. CHAVEZ. Was the money earmarked in the conference report for that part of the money which was to be used for the Los Esteros planning?

Mr. ELLENDER. The planning money is in the bill.

Mr. CHAVEZ. A lump sum?

Mr. ELLENDER. The money is in the bill and is earmarked. I wanted to make a distinction as between the survey funds and the planning money. In all cases, the planning money is identified with the project for which the money is provided, whereas in the case of the surveys we provide a certain sum, but the selection of the projects is left to the discretion of the engineers.

Mr. CHAVEZ. The original bill provided for some construction money for Socorro. Is that included?

Mr. ELLENDER. Planning funds are included in the bill under Construction, general.

Mr. CHAVEZ. That is in the bill?

Mr. ELLENDER. Yes.

Mr. CHAVEZ. The original bill provided for some money for Dark Canyon at Carlsbad on the Pecos River. Is that included?

Mr. ELLENDER. That is included.

Mr. CHAVEZ. What about Two Rivers on the Pecos, at Roswell, N. Mex.?

Mr. ELLENDER. There was nothing in the original bill for that.

Mr. CHAVEZ. Is there anything in the bill or in the conference report which has anything for Two Rivers at Roswell on the Pecos?

Mr. ELLENDER. No, sir.

Mr. CHAVEZ. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. If the Senator will indulge me, I should like to ask the chairman of the full Committee on Appropriations a question with respect to an item carried in the bill. The question has to do with the appropriation of $1,870,000 for the East Bench unit in the Beaverhead Country of Montana, which was agreed to in the Senate Committee on Appropriations and passed by the Senate unanimously, but which I understand was stricken in conference.

Mr. HAYDEN. The Senator is correct. I am sorry to say the States of Montana and Washington, to speak as

gamblers do out West, have had a run of bad luck. I hope and pray that luck will change when we come to the next Congress. Those projects are meritorious and ought to be provided for, but we could not persuade the House to do so.

Mr. MANSFIELD. I thank the chairman of the committee. I want to assure the Senator that the Montana delegation, with or without the present speaker, will be before him next year in an attempt to get funds. I thank the Senator for his consideration.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. May I ask the distinguished chairman of the subcommittee handling the bill what action was taken with respect to construction funds to initiate work on the Big Bend Dam?

Mr. ELLENDER. Some construction money was provided; $600,000.

Mr. CASE of South Dakota. The $200,000 provided by the House was for planning, I believe.

Mr. ELLENDER. Yes.

Mr. CASE of South Dakota. The Senate added $400,000?

Mr. ELLENDER. An additional $400,000 was added by the Senate.

Mr. CASE of South Dakota. So the $600,000 was allowed?

Mr. ELLENDER. The Senator is correct.

Mr. CASE of South Dakota. In commenting on that, Mr. President, I should like to say it is appropriate to do this, and this is the right time to get the Big Bend Dam started. In July the Corps of Engineers closed the Oahe Dam, the great and large structure just above the Big Bend Dam site. Under the planning by the engineers, Big Bend Reservoir will act as a stilling basin and a regulating dam to take the surges of water from the high Oahe Dam and tame them, so to speak, to modify any damaging effects to the banks of the river below, especially during times when there may be ice.

In addition, the omnibus rivers and harbors bill for this year settled the questions which have arisen with respect to the use of power from the Big Bend Reservoir, reserving for use in the State where the dam is located 50 percent of the power.

This dam is a medium sized dam—at least, it is between the two great dams, Randall and Oahe. It seems appropriate with respect to the final dam to be constructed in South Dakota that there should be some reservation of power.

The language used in the omnibus bill described the dam as one on which construction had not yet been started. That bill was signed by the President in advance of the completion of action on the rivers and harbors appropriation bill, so it is appropriate we may start construction on the Big Bend Dam.

I wish to express my appreciation to the Senate conferees for their recognition of the merits of the dam and for the fact that it now is to be started in the orderly prosecution of work.

Mr. ELLENDER. The Senate had a good case, I will say to my good friend from South Dakota. The motive which caused the House to take the position it did, I am sure, was that this is one of the last main stem dams in that area, to be placed under construction.

Mr. CASE of South Dakota. I thank the Senator.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Oregon.

Mr. NEUBERGER. I should like to ask the distinguished chairman of the Public Works Subcommittee the fate of the construction funds which were so appropriately and so valiantly added in the Senate for Green Peter Dam in the Santiam River watershed in the State of Oregon.

Mr. ELLENDER. I am sorry to say that the Senate conferees were forced to recede on the moneys provided for construction. There were two reasons advanced, as I recall. First was the fact that there is in that area some difference of opinion among the people. Secondly, there is the fact that the project has not been completely planned.

I elicited a promise from some of the members of the committee, who I am sure will be reelected to Congress, that when the matter is taken up next year, if the planning is completed, there will not be any difficulty in obtaining sufficient funds in order to start construction.

Mr. NEUBERGER. I thank the Senator from Louisiana for his encouraging assurance. I know he will respect that assurance. I know the Senator from Louisiana realizes, as I do, that the Green Peter project has a very high and very favorable benefit-to-cost ratio.

Mr. ELLENDER. The Senator is correct.

Mr. NEUBERGER. Again, I want to express our appreciation for the championing by the Senator from Louisiana of that Green Peter project in our State. I have every faith in the Senator's promise that next year we will secure those construction funds.

Mr. ELLENDER. I promise the Senator I shall do my best.

Mr. NEUBERGER. I know the Senator will.

I should like to ask a question about one other project in our State of Oregon. I believe we in the Senate were successful, under the leadership of the Senator from Louisiana, in adding $750,000 for improvement of the Rogue River Harbor at Gold Beach, Oreg. Was that item retained in the conference, or was it dropped?

Mr. ELLENDER. The conference allowed $750,000 for the Rogue River Harbor project at Gold Beach.

Mr. NEUBERGER. I thank the Senator again for his great support of our Oregon projects.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD statements I have prepared relative to the action of the conference committee on the Yellowtail Dam and Reservoir, the fish hatcheries in Miles City and Creston, and the East Bench unit in Montana.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MANSFIELD ON SUPPLEMENTAL APPROPRIATIONS BILL

When the Senate passed the supplemental appropriations bill last week it contained funds for several projects which were of extreme importance to the State of Montana. They are projects on which the Montana Congressional delegation has spent considerable time and effort.

The Senate included an appropriation of $2,500,000 for the payment to the Crow Indian Tribe in Montana for the transfer of some 7,000 acres of land needed at the site of the construction of Yellowtail Dam and Reservoir.

The Senate also adopted a floor amendment adding $675,000 for fish hatcheries in Pennsylvania, Idaho, Montana, and Vermont. These funds would have provided for the rehabilitation of the fish cultural station at Creston, Mont., estimated to cost $230,000. Also, $50,000 was earmarked for the completion of construction on the Miles City fish hatchery.

I was most disappointed, as I know all Montanans will be, to learn that these items were rejected in conference. Continued delay in appropriating these funds will only add to the cost of this work and hinder the efficient operation of these hatcheries.

The fishing demands of this country have increased tremendously in recent years and in my own State of Montana recreation has become one of its major industries. These increased demands cannot be met with inadequate hatchery facilities. The Creston hatchery has needed modernization and expansion for many years. The Miles City warm-water hatchery is new and the additional $50,000 would have allowed the unit to operate according to original specifications, but now the hatchery will not be able to do so.

I had also hoped that the Congress would approve the direct appropriation of $2,500,000 for the payment to the Crow Indians. This would insure the removal of the one remaining obstacle to construction of Yellowtail Dam, a multiple-purpose project on the Big Horn River in southeastern Montana.

However, I do understand that not all is lost and that the conference report on the public works appropriations bill deletes language precluding the use of funds for payments to the Crow Indians as authorized in Senate Joint Resolution 2. In view of this action, I hope that the Secretary of the Interior will act expeditiously in earmarking Interior Department funds for this payment.

The distinguished chairman of the Senate Appropriations Committee [Mr. HAYDEN] has assured me that the Yellowtail Dam and Montana's fish hatchery needs at Creston, Ennis, and Miles City will receive early consideration in the next session of Congress. In the event that I am returned to the Senate by the people of Montana, these projects will be among the very first to receive my immediate attention.

STATEMENT OF SENATOR MANSFIELD ON EAST BENCH UNIT—PUBLIC WORKS APPROPRIATION BILL

The conference report on the public works appropriations bill pertains to the appropriation of funds for some extremely important projects, their continued construction and planning of others. The conferees have apparently agreed upon a limitation of new starts and one of the important projects that has failed to receive approval in conference is the East Bench unit in southwestern Montana near the city of Dillon.

When this bill passed the Senate, it contained an allowance of $1,870,000 for the initiation of construction of the East Bench unit. This unit will provide full irrigation for 21,800 acres and supplemental water of 28,000 acres that now have an inadequate water supply. This is an extremely important project, enthusiastically supported by the local people. Repayment contract negotiations have proceeded on schedule and the Bureau of Reclamation is ready to go ahead with construcion as soon as funds are available.

This project is a "natural" for early construction. Funds have been earmarked for planning on such projects as Bruces Eddy in the amount of half a million dollars, but there is a wide and very local disagreement as to the value of this proposed project. In the instance of East Bench all difficulties have been resolved.

This news will be disappointing to the people in Beaverhead County. This is an important segment in the development of Montana's natural resources and you can be assured that the Montana Congressional delegation will again be leading the fight to obtain construction funds at the earliest possible date. I am confident that we will have the splendid cooperation of the able chairman of the Senate Committee on Appropriations [Mr. HAYDEN] in this matter.

Mr. MANSFIELD. Mr. President, in conclusion, I wish to say that I am indebted to the distinguished senior Senator from Arizona [Mr. HAYDEN], the chairman of the committee; to the Senator from Louisiana [Mr. ELLENDER], the chairman of the subcommittee; and to all the members of the Senate Committee on Appropriations, both Democrats and Republicans, for the support and encouragement which they have given to me. Even though we have lost out, in these dying days of the Congress, on these most worthy projects, I certainly want the people of the State of Montana and my colleagues to know it was through no fault of the members of the Senate Committee on Appropriations. I am indebted to each and every one of them for their courtesy, kindness, and consideration, and their efforts to help the people of Montana.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SALTONSTALL. I should like to add my remarks to those of the Senator from Louisiana. We may not always agree on all things, but I know of no one who has devoted more effort to the details of the public-works bill. Even though Massachusetts did not get so many projects out of it, I know that the Senator did his work as fairly and conscientiously as possible, with the interests of the whole country at heart.

Mr. ELLENDER. I thank the Senator.

Mr. CHAVEZ. Mr. President, I wish to join other Senators in paying my respects to the Senator from Louisiana for his devotion and dedication in connection with this bill. The bill hardly affects Louisiana, but we of the West understand and appreciate the fact that the Senator from Louisiana, who heads the committee, so well understands the problems of the West. I wish to join my colleagues in paying my respects and expressing my thanks.

Mr. ELLENDER. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 12858, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 20, 1958.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 3, 17, and 18 to the bill, (H. R. 12858), making appropriations for civil funotions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 12 to said bill, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: "*Provided further*, That no part of the funds herein appropriated shall be used for the construction of the Prosser Creek Dam and Reservoir (Washee project, California-Nevada) until the enactment into law of S. 4009, or similar legislation: *Provided further*, That no part of the funds herein appropriated shall be used for the construction of the Gray Reef Dam and Reservoir (Glendo unit, Missouri River Basin project) until said dam, and reservoir are specifically authorized."

Mr. ELLENDER. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 12.

The motion was agreed to.

DEATH OF JUDGE SEABORNE L. DIGBY, FORMER MEMBER OF FEDERAL POWER COMMISSION

Mr. ELLENDER. Mr. President, this morning I received news of the death of Judge Seaborne L. Digby, who, Senators will recall, completed his term as a member of the Federal Power Commission only a few weeks ago.

Judge Digby, a lifelong resident of Louisiana, died last night at his family home in Monroe, to which he had retired to engage in the private practice of law.

This announcement comes to me as a great shock, tempered only with the sorrow felt in the passing of an old friend.

Those of us who knew Judge Digby in an official capacity knew him to be a man of integrity and unsullied honor. This extended all through his public life—as district attorney and then judge of Lincoln and Union Parishes in Louisiana, as Louisiana Conservation Commissioner and then as a member of the Federal Power Commission.

But even more than that, those of us who were privileged to know him as a friend knew by experience of his warm, personal touch.

The State of Louisiana, and the Nation as well, has lost a valued citizen, one who gave unselfishly and unstintingly of himself.

All of us will miss him.

SALE OF MILITARY EQUIPMENT TO NEUTRALIST INDONESIA

Mr. BRIDGES. Mr. President, it is shocking to me—and I am sure it is shocking to the American people—to learn that the United States is embarking upon a program of selling military equipment to a so-called neutralist country, Indonesia.

Signing of an agreement with the Sukarno government was announced yesterday by the State Department. The United States has already begun to ship small arms, trucks, jeeps, and communication items for which Indonesia is to pay us either in American dollars or Indonesian currency.

Being repaid with Indonesian money is about the equivalent of receiving play money. Such currency is not readily convertible into the sound currencies of the world. In other words, our military aid will probably wind up as a gift to the Sukarno government.

According to the State Department, all of our military aid is intended to help maintain the internal security of Indonesia. Of course, this is a reference to the situation in Indonesia where there was open rebellion this year in an attempt to overthrow the Sukarno government, which the anti-Communist rebels considered too pro-Communist.

It is no secret the Sukarno regime permitted Communists to hold government office. It is no secret the Sukarno government received tanks, heavy artillery, fighter planes, and bombers from Moscow puppets and allies; namely, Poland, Czechoslovakia, and Yugoslavia. With such Communist aid, Sukarno was enabled to quell the rebel uprising.

Now that Sukarno apparently has crushed his anti-Communist opposition, the United States Government apparently is acting to shore up the Sukarno regime.

This is on a par with the calculated risk the United States Government has been taking with Yugoslavia. Today, after 9 years and almost $2 billion of American aid, the Tito government is no closer to the Western allies than in 1949. When the chips are down, where will Tito be? He told the world time after time his soldiers would be marching shoulder to shoulder with the Soviet's, and that they would march side by side together for a common objective.

The question persists, where will the neutralists be when the chips are down; particularly the neutralists who seem to be sympathetic to the Communist cause?

In my opinion, it is a waste of the taxpayers' money and a deplorable dissipation of our limited resources to give aid to regimes that play footsie with the Communists and who ally themselves more often on the side of the Communists than with us.

It is high time we recognised the cloak of neutralism in many instances for what it is: A diplomatic device for playing both sides of the street and for masking sympathy for Communist goals and objectives.

I, for one, seriously question the neutrality of a Government whose leader has sided time after time against us in the U. N.; who favors the admission of Red China to the U. N.; and who insists that socialism is on the march to destroy those who oppose it.

Last April 24 Sukarno said:

> The new era will be marked by socialism and the brotherhood of man and the fall of capitalism and imperialism which is an historical certainty. Those who cannot understand or oppose the trend of the times will be destroyed.

It seems to me the American people should be given a full explanation of the reason for United States aid to a nation whose leader has already written off the capitalist countries of the world, of which the United States is the leading exponent.

The American people are entitled to a full explanation of the reasons impelling the administration to decide to ship military aid to Sukarno. The American people are likewise entitled to be told of the extent of such aid and the scope of assistance under consideration for the future.

Mr. President, we have a right to know whether we are pouring our dollars into a dry well. We have a right to know whether we are building up an arsenal which may well fall to a Communist coup in Indonesia. We have a right to know why we do not limit our aid to those countries which are willing to stand up and be counted in the fight against communism.

I ask unanimous consent, Mr. President, to have inserted in the body of the RECORD at this point 1 editorial and 4 newspaper articles dealing with this Indonesia problem: The editorial from today's Washington Daily News, a news story from the Chicago Daily Tribune, of August 20, 1 item from the New York Times of August 20, and 2 items from the New York Times of August 19.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of August 19, 1958]

UNITED STATES FLYING ARMS TO INDONESIANS—EQUIPMENT REPORTED SENT FROM JAPAN UNDER NEW WASHINGTON POLICY

(By Bernard Kalb)

JAKARTA, INDONESIA, August 18.—The United States is reported to be airlifting some light military equipment for the Indonesian Army. This marks an important change in Washington's policy toward this neutralist nation, informed sources said tonight.

Several United States Air Force Globemasters were said to have transported a variety of materiel into Indonesia from Japan in the last few days. It is believed additional equipment may be brought in by ship.

Two of the Globemasters were said to have flown materiel to Kemajoran International Airport here last Friday and 2 more today. According to unofficial information, the Globemasters may bring in more equipment for Indonesia's Army of about 200,000 men. The planes departed after unloading.

NO PUBLIC ANNOUNCEMENT

No public announcement has been made here of Washington's latest attitude toward Jakarta on arms. But one is expected shortly.

According to the source, delivery of light military equipment, such as rifles, machine guns and small vehicles, is in line with a Washington decision reached early in August. No heavy equipment is believed to be included in the framework of the decision.

This decision is regarded by observers as a significant change from the past Washington policy toward this strategically situated archipelago nation, the largest in southeast Asia.

Jakarta had failed until now to purchase arms from the United States. Reports from Washington earlier this year expressed anxiety about developments in this capital.

SUKARNO VERY HAPPY

President Sukarno is reported to be very happy over the change, according to a palace source. Many observers predict improvement in the relations between the United States and Indonesia, which recently were strained.

Speculation among observers was that the United States apparently had decided to sell military equipment to Indonesia partly on the belief that the Indonesian Army's high command was a force for stability in this crisis-burdened nation. Lt. Gen. Abdul Haris Nasution, Army Chief of Staff, is regarded by competent sources as being anti-Communist and his senior officers are regarded as being either anti-Communist or non-Communist.

The army leadership, President Sukarno, and the Communist Party are regarded by most observers as the three major power factors in Indonesia. The Communists scored major gains at the polls in last summer's regional elections to make them the largest vote-getting party on Java.

COMMUNIST PARTY CURBED

In recent months army leaders have taken various steps interpreted as being aimed at checking the freedom of action formerly enjoyed by the Communist Party. General Nasution, who is only 39 years old, is said to be regarded by Communist strategists as one of their chief enemies.

It was impossible tonight to learn the value of the military equipment to be sent Indonesia. One guess was that it would come to several million dollars. Washington said in April that Indonesia had requested in the summer of 1957 arms valued at $600 million.

Some observers speculated that several factors had probably gone into Washington's reported decision on arms. One was that the central Sumatran rebellion—which the rebels said was aimed partly at forcing the formation of a Jakarta government free of pro-Communist influence—had been put down. Another was that Indonesia turned earlier this year to the Communist bloc for military equipment and that Communist jet aircraft had already arrived here. Indonesians have said their country turned to the Communist bloc only after Washington had not taken favorable action on their request to buy arms.

The Indonesian Army is western oriented in military tactics and about 300 of its officers have been trained in the United States.

[From the New York Times of August 19, 1958]

REDS' AID PROJECT IN INDONESIA FAILS—CANE-SUGAR MILL FINANCED BY EAST GERMANS TURNS OUT TO BE A FIASCO

(By Greg MacGregor)

JOGJAKARTA, INDONESIA.—The first major economic venture between Indonesia and the Communist world has brought confusion and angry words.

The huge Madukiamo cane-sugar mill, built here by East Germany and manned by about 100 East German technicians in addition to 500 Indonesian workers, was formally opened May 29. But the sugar mill has yet to produce an ounce of marketable sugar.

Construction of the project began in 1954. It was regarded by many observers as a move calculated to demonstrate that Indonesia was not solely dependent upon United States aid. It was built at a cost of 250 million rupiah ($21 million at the legal rate).

Financing of the machinery and most of the other equipment was done by an East Germany bank on the basis of a 1955 loan calling for repayment in 8 years at 2½ percent.

PRODUCTION IS DELAYED

The day after the opening ceremonies, it was announced that certain technical and administrative delays would postpone actual production until June 5. On June 5 another, more terse announcement stated that production would begin June 12.

On June 12 no announcement was made, but the mill did not go into production and it was reported that something had broken down. Two more efforts were made to get the mill into production with no better luck. It was then that angry words with charges and countercharges began. The Germans accused the Indonesians first of stupidity and then of sabotage. The Indonesians replied with accusations of incompetence.

Meanwhile, the peak of the sugarcane harvest season had been reached and huge quantities of raw cane, supplied principally by the Madubaru Sugar Co., were rotting at the mill where it had been shipped for processing. Sugarcane production is the main industry of this city. Finally, at great loss to the company, the raw cane still fit for processing was shipped to another mill to salvage part of the crop.

The specific charges first made by the German technicians against the Indonesians were that Indonesian contractors had been unable to lay concrete foundations for plant operations. They said the foundations were out of line and showed lack of technical skill or carelessness.

SABOTAGE IS CHARGED

This was followed by a charge from the East German trade mission accusing Jakarta of sabotage. This charge was based on the alleged finding of a large piece of iron mangled in the grinders with the first load of stalks.

The Indonesian mill manager, when told of these accusations, informed members of the local press on July 15 that the German charges were naive and laughable. He said the trouble was caused entirely by the unorthodox cooling and lubricating system. His countercharges were quickly backed up by charges from other Indonesians that the whole construction was a fiasco because the plant had been constructed to process beet sugar instead of cane sugar.

Apparently the East Germans have decided to shoulder the blame because word has been passed that indemnities would be paid for losses. The main group named was the Sugar Cane Planters Association of Jogjakarta. East German spokesmen said 6 million rupiahs would be paid to planters, transport companies, and sugar cutters for their losses. The total annual output for the mill should have been 250,000 tons.

[From the Chicago Daily Tribune of August 20, 1958]

RARE UNITED STATES PACT TO SEND ARMS TO INDONESIA

(By Joseph Hearst)

WASHINGTON, August 19.—The United States is supplying an unspecified amount of arms to the Indonesian Government under an agreement signed last week in Jakarta, it was disclosed Tuesday by the State Department.

The disclosure was not made until press reports were received from Indonesia that American Globemaster planes were airlifting the arms from Japan.

Joseph Reap, State Department press officer, told reporters the shipments include

small arms, trucks, jeeps, and communications equipment. He said all of it is intended to help maintain the internal security of Indonesia.

SIGNED BY AMBASSADOR

Reap said the agreement was signed by United States Ambassador Howard P. Jones and Foreign Minister Subandrio and was kept secret at the request of President Sukarno. He said it provides that payment can be made either in American dollars or Indonesian currency, but he refused to disclose the value of the equipment.

The decision to supply military equipment to the so-called neutralist Sukarno government marked a change in relations between the two governments, possibly reflecting Washington approval of Sukarno's reappraisal of Communists in his country. Whereas Sukarno and his national party had shown tolerance for the Communists there has been a recent cooling in this attitude and steps have been taken to trim the influence of the Reds.

TURNED DOWN PREVIOUSLY

Sukarno sought military supplies from the United States early last year, but the State Department weighed the request against Indonesia's claim to Netherlands New Guinea, decided the arms might be used for offensive purposes, and turned down the request. When the rebellion against Sukarno's government flared into fighting in Sumatra and other islands Secretary of State John Foster Dulles took the position that the United States should not supply either side.

The rebellion now has virtually been stamped out and the American Government appears to have decided to reward Sukarno's swing away from the Communists by helping strengthen his army against possible trouble that may be created by the Reds.

[From the New York Times of August 20, 1958]

INDONESIANS HAIL UNITED STATES ARMS SALES—AMOUNT OF EQUIPMENT AND TERMS NOT YET SETTLED—AIRLIFT TO GO ON

(By Bernard Kalb)

JAKARTA, INDONESIA.—Foreign Ministry circles expressed satisfaction today over an agreement with the United States to buy United States military equipment.

They also interpreted it as a sign that Washington had at long last realized it is to the mutual benefit of both countries if the United States deals directly with Indonesia without considering Washington's policy toward The Hague.

The Netherlands, the former colonial power here, is a United States ally in the North Atlantic Alliance.

The agreement formally announced tonight was regarded by observers as certain to go a long way toward improving the recently strained relations between Jakarta and Washington.

The formal announcement was made by the Foreign Ministry in a brief statement that, in effect, signified the Washington policy on the longstanding question of selling military materiel to this troubled country had undergone a basic shift. Past United States policy had been to hold off on a favorable decision on Jakarta's request to purchase arms.

TERMS NOT SETTLED

The exact amount of military equipment to be sold to Indonesia and the terms of purchase have to be agreed upon, according to some sources. But tonight's statement by Indonesia, which follows an active independent foreign policy, noted that the sale would be on a commercial basis.

Actually tonight's announcement, which confirmed an earlier report of the arms sale, was something of an anticlimax. Word already had gotten around the Capital that four United States Air Force Globemasters had airlifted light military equipment to Indonesia beginning last Friday.

Two more globemasters were expected to bring materiel tomorrow. It was learned that 10 or more globemasters might pick up equipment at United States depots in Japan, Korea, and the Philippines until all that could be airborne had been flown in. Heavier materiel is expected by ship.

The fact that the United States was prepared to sell military equipment to Indonesia was interpreted by Western observers here as a sign of growing confidence by Washington that Indonesia could triumph over her pressing economic and political problems.

Not the least of these is the problem of the Communist Party that emerged from last summer's regional elections on Java as the No. 1 vote-getting party on this heavily populated island. But army leaders recently have taken a series of moves that are widely regarded as curbing some of the freedom of action formerly enjoyed by the Communists.

It is no secret the West had grave doubts Indonesia could combat her internal stresses and subversive elements.

But the last few months, in the opinion of some diplomatic observers, has shown that a number of Indonesia's key leaders have been moving to meet the nation's recurring crises.

ARMS PACT SIGNED AUGUST 13

The arms agreement was officially reported to have been signed August 13 between Foreign Minister Subandrio and United States Ambassador Howard P. Jones.

Tonight's Foreign Ministry announcement said Indonesia would use the arms to complete modernization of her forces as she had been doing through the purchase of arms from various other countries in the last few months.

This was a reference to military equipment bought from the Communist bloc.

Indonesia also announced tonight that she would not seek inclusion of her dispute with the Netherlands over Wet New Guinea in the agenda of the regular session of the United Nations Assembly.

The statement said that because of both the Dutch attitude and United Nations procedures it is clear the United Nations could not yet solve colonial issues. Indonesia claims West New Guinea, which is held by the Dutch.

[From the Washington Daily News of August 20, 1958]

INDONESIAN ENIGMA

The United States Government announced yesterday it was rushing arms to the Sukarno government of Indonesia which still has an anti-Communist rebellion on its hands.

President Sukarno is reported very happy over this. He should be, for only a few months ago Washington officialdom was indicating sympathy for the rebel cause.

At the same time we have about 2,000 United States marines arriving at Singapore. We say this is for additional shore leave and fleet training. Radio Moscow says it's to encourage the Indonesian rebels—whose main strength is just across the strait from Singapore. What is Sukarno going to think?

Could be that he is as confused as ever. In a 2-hour oration the other day he plugged both the American Declaration of Independence and Karl Marx' Communist Manifesto. "Furthermore," said Sukarno thoughtfully, "it has been a year of challenge."

He was certainly right about that—a year of real challenge for anyone trying to understand Indonesia, or even following what our Government thinks about it.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Oregon.

Mr. MORSE. I thank the Senator for his forthrightness in speaking on this subject. As he knows, we sent a great deal of military supplies into Iraq for purposes of internal security.

Mr. THYE. Mr. President, will the Senator speak a little louder? I cannot hear the Senator.

Mr. MORSE. I just pointed out what I am sure the Senator from New Hampshire already knows. We sent millions of dollars of military supplies into Iraq on the basis of the rationalization given by the State Department that it was for purposes of maintaining internal security. I am advised by my associate here that it amounts to about $54 million. However, it did not maintain much internal security, if that were a legitimate purpose for sending it, which, of course, I deny. But even if we take the State Department premise, it did not maintain internal order. I ask the Senator from New Hampshire if he shares my suspicion that those military supplies are now in hands that are not very pro-western.

Mr. BRIDGES. I share the Senator's suspicion, and so far as I am concerned, I am growing sick and tired of American resources being poured out to countries that are playing footsie with the Communists and on practically all the great issues stand up with the Communists against the United States.

Mr. MORSE. I share that point of view. I believe my point of view probably extends beyond the point to which the Senator from New Hampshire might go. I am opposed to sending American arms into any country of the world which is internally so disturbed and disrupted and on the verge of civil war that shipments of our arms to it are interpreted as indicating that we are taking sides in an internal disturbance. I think when we follow such a course of action we only feed the propaganda grist mill of the Communists, and they make a plausible argument about it to the people in the areas of the world they are trying to take away from us. The Communists say that we are sending arms to the disturbed area in order to maintain some particular local government against which the people are in revolt.

I am glad the Senator from New Hampshire has raised the issue. I do not ask him to go as far as I go in this matter, but I believe his comments are a fitting premise for me to declare my point of view once more. I am opposed to sending American arms into any country for the purpose of maintaining internal order. When all is said and done, that is exactly what we did in Lebanon. We poured military supplies in there, too. The supplies failed to maintain internal order, and so we had to send American boys in to maintain the Chamoun government, to which the President committed himself without the consent of the Congress of the United States. When Chamoun is replaced in September, where are we going to be? We know what the Secretary of State is doing these days. He is trying to save face in the United Nations for the horrendous blunder he and the President made in Lebanon, but he has no face left to save.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1256. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 3775. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3966. An act to amend Public Law 85-422; and

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. WILLIAMS of Mississippi, Mr. MACK of Illinois, Mr. WOLVERTON, and Mr. BENNETT of Michigan were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. WALTER, Mr. WILLIS, Mr. KEATING, and Mr. CRAMER were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills and joint resolutions of the House:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.;

H. R. 1494. An act for the relief of the Southwest Research Institute;

H. R. 4642. An act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure;

H. R. 7860. An act to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range.";

H. R. 9633. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes;

H. R. 12670. An act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12663. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. J. Res. 648. Joint resolution providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln; and

H. J. Res. 659. Joint resolution for the relief of certain aliens.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills and joint resolutions of the House:

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 11668. An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended;

H. R. 12216. An act to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the "Cordell Hull Dam and Reservoir";

H. R. 12303. An act to amend the Revised Organic Act of the Virgin Islands;

H. R. 12632. An act authorizing Gus A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12808. An act to amend the Federal-Aid Highway Act of 1958 to extend for an additional 2 years the estimate of cost of completing the Interstate System;

H. R. 12883. An act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems;

H. J. Res. 635. Joint resolution for the relief of certain aliens;

H. J. Res. 653. Joint resolution for the relief of certain aliens; and

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 540. An act for the relief of the Board of National Missions of the Presbyterian Church in the United States of America;

S. 552. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.;

S. 571. An act for the relief of George P. E. Caesar, Jr.;

S. 2001. An act for the relief of AlaLu Duncan Dillard;

S. 2057. An act for the relief of Diana Elaine Greig;

S. 2216. An act for the relief of John C. Walsh;

S. 2955. An act for the relief of Kazuko Young;

S. 3004. An act for the relief of Joanna Strutynska;

S. 3219. An act for the relief of Mrs. Margaret Graham Bonnalie;

S. 3221. An act for the relief of Erika Margaretha Zintl Pearce;

S. 3300. An act for the relief of Jean Andre Paris;

S. 3306. An act for the relief of Itzhak Aronovici;

S. 3357. An act for the relief of Arturo Ernesto Audrain y Campos;

S. 3445. An act for the relief of Teruko K. Jackson;

S. 3448. An act to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes;

S. 3502. An act to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes;

S. 3509. An act for the relief of Wong Wing Bow;

S. 3547. An act for the relief of Andrejs Pablo Mierkalns;

S. 3607. An act for the relief of Harvey L. Forden;

S. 3640. An act for the relief of Daniel (Nathaniel) Rosenzweig;

S. 3739. An act for the relief of Hermine Eimon Papadian;

S. 3743. An act for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano);

S. 3768. An act for the relief of Hing Man Chau;

S. 3789. An act for the relief of Donald J. Marion;

S. 3801. An act for the relief of Klara Leitner and her daughter, Sylvia Leitner;

S. 3836. An act for the relief of Concettina Iannacchino;

S. 3921. An act for the relief of Peter Tillner;

S. 4020. An act for the relief of Kunio Inouye (Sparkman);

S. 4021. An act to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas;

S. 4063. An act to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes;

S. 4071. An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities;

S. 4081. An act for the relief of Marianne (Sachiko) Fuller;

S. 4196. An act to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents; and

H. R. 7125. An act to make technical changes in the Federal excise tax laws, and for other purposes.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

The Senate resumed the consideration of the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

Mr. BRIDGES. Mr. President, Senate bill 654, although very brief in content, is designed to restore to the respective States the power and authority to maintain and enforce their State laws against sedition and subversion.

Prior to 1956, it was believed that the individual States could legislate and enforce their own laws on matters of sedition and subversion, as they had done for over a century. However, in 1956,

the Supreme Court of the United States held in the case of Pennsylvania versus Steve Nelson that State laws on the subject of subversion were superseded by Federal legislation in this field. The Court said, in effect, that the Smith Act of 1940, the Internal Security Act of 1950, and the Communist Control Act of 1954 have given the Federal Government an exclusive area in which to operate.

Therefore, I introduced S. 654 which has since been reported favorably by the Judiciary Committee of the Senate. The bill will make it clear beyond a reasonable doubt that Congress had no intention of eliminating the reserve powers of the States in the field of sedition and subversion. This bill will amend the Smith Act of 1940 and make it positive that State laws against sedition and subversion are not preempted by Federal legislation on the same subject. It will, for all time, make the law clear and incontestable that Congress has no intention of excluding State enforcement of their own sedition laws.

There is no question concerning legislative intent in this matter. I have been privileged to sit in this great legislative body for more than 22 years, and as a result of this experience it is my firm belief that the decision of the United States Supreme Court in the so-called Steve Nelson case goes far beyond my intent and the intent of Congress when it passed the Smith Act, which the Court interpreted in making its decision. This case is but one of several far-reaching decisions by the Court in recent years which have attracted national attention.

Whatever the reasoning may be for some of these decisions, I have no intention at this point of going into an extended discussion. However, I will say, without hesitation, that certain of these decisions I disagree with emphatically. I therefore want it made crystal clear for the future what the intention of Congress is in the field of sedition and subversion, for I believe this to be one of the most urgent questions of our time.

This bill has the recommendation of the Department of Justice, and many State law-enforcement agencies, including the National Association of Attorneys General. If this bill is enacted, it will once again allow the States to operate in partnership with the Federal Government in the serious and continuing business of investigating and prosecuting criminal subversion. It will restore stability and balance to our National and State security programs.

Mr. President, there are two basic truths in this field which I believe need reemphasizing:

First. The power of the States to protect themselves is older than the United States Constitution. This power in the States was expressly reserved to them by the 10th amendment.

Second. There is an inherent mutual duty in the individual States and the Federal Government to cooperate in their mutual protection.

When the time comes that we must look exclusively to either the States or to the Federal Government for protection, then this Nation will perish. Here is clearly an area for joint action by the Federal Government and the several States, one complementing the other in our mutual protection.

Mr. McCLELLAN. Mr. President, for myself and in behalf of 33 of my colleagues, I offer an amendment, which I send to the desk and ask to have stated. The amendment is cosponsored by Senators BRIDGES, BRICKER, RUSSELL, MUNDT, SCHOEPPEL, THURMOND, WATKINS, YOUNG, COTTON, SMATHERS, LONG, MARTIN of Pennsylvania, BUTLER, BARRETT, CURTIS, MALONE, GOLDWATER, JORDAN, BYRD, CAPEHART, FULBRIGHT, MARTIN of Iowa, ROBERTSON, HOLLAND, HILL, BENNETT, SPARKMAN, STENNIS, HICKENLOOPER, WILLIAMS, IVES, TALMADGE, and ELLENDER.

The PRESIDING OFFICER. The committee amendment will have to be disposed of first. The question is on agreeing to the committee amendment.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Is it understood that if the Senate adopts the committee amendment at this time, each Senator reserves his right to offer another amendment even though his amendment may not relate to the same subject matter as the committee amendment?

The PRESIDING OFFICER. The committee amendment is a two-word amendment.

The committee amendment itself would not be open to amendment, but any other part of the bill would be open to amendment.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. Mr. President, will the adoption of the committee amendment preclude the offering and consideration of the amendment which I have presented, and which is in the nature of a substitute for the entire bill?

The PRESIDING OFFICER. No.

Mr. McCLELLAN. I thank the Chair.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

The PRESIDING OFFICER. Does the Senator from Arkansas wish to pursue his amendment?

Mr. MORSE. Mr. President, a parliamentary inquiry.

The Senator from Arkansas offers his amendment, which is in the nature of a substitute.

Mr. McCLELLAN. It is in the nature of a substitute for the entire bill.

Mr. JAVITS. Mr. President, will the Senator yield so that I may suggest the absence of a quorum? We are getting into a very important area.

Mr. McCLELLAN. I have no objection, if I may be recognized, so that I may proceed.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. Without objection, the committee amendment is agreed to.

The amendment offered by the Senator from Arkansas will be stated.

The LEGISLATIVE CLERK. On page 1, beginning on line 3, it is proposed to strike all down to and including the analysis which follows line 18, on page 2, and insert in lieu thereof the following:

That (a) chapter 1 of title 1 of the United States Code is amended by adding at the end thereof the following new section:

"§ 7. Preemption—Federal and State statutes

"No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of any State laws on the same subject matter unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and the State law so that the two cannot be reconciled or consistently stand together."

(b) The analysis of chapter 1 of title 1 of the United States Code is amended by inserting at the end thereof the following new section:

"7. Preemption—Federal and State statutes."

SEC. 2. (a) Chapter 115 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 2392. Enforcement of State statutes

"Except to the extent specifically provided by any statute hereafter enacted by the Congress, the enactment of (a) any provision of law contained in this chapter or in chapter 37, 67, or 105 of this title, (b) the Subversive Activities Control Act of 1950, (c) the Communist Control Act of 1954, or (d) any other act of Congress heretofore or hereafter enacted which prescribes any criminal penalty for any act of subversion or sedition against the Government of the United States or any State of the United States, shall not prevent the enforcement in the courts of any State of any statute of such State prescribing any criminal penalty for any act, attempt, or conspiracy to commit sedition against such State or the United States, or to overthrow the Government of such State or the Government of the United States.

"As used in this section, the term 'State' includes any State of the United States, the Territory of Alaska, the Territory of Hawaii, and the Commonwealth of Puerto Rico."

(b) The analysis of chapter 115 of title 18, United States Code, is amended by inserting at the end thereof the following new item:

"2392. Enforcement of State statutes."

Amend the title so as to read:

To establish rules of interpretation governing questions of the effect of acts of Congress on State laws.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I yield to the Senator from New York for a question.

Mr. JAVITS. Mr. President, will the Senator yield, so that I may suggest the absence of a quorum?

Mr. McCLELLAN. Will the Senator from New York withhold his suggestion of the absence of a quorum until after I have yielded to the Senator from Oregon?

Mr. JAVITS. Very well.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is the amendment offered by the Senator from Arkansas, in the form of a substitute for the bill, in turn subject to an amendment in the nature of a substitute?

The PRESIDING OFFICER. The amendment in the nature of a substitute is open to amendment.

Mr. MORSE. It may be amended by way of an amendment in the nature of a substitute?

The PRESIDING OFFICER. It would also be open to amendment.

Mr. MORSE. I was satisfied that that was the rule, but I thought we should make our record at every step, because subsequently I shall offer an amendment in the nature of a substitute to the McClellan amendment in the nature of a substitute.

Mr. McCLELLAN. Mr. President, do I understand correctly that the Chair has ruled that an amendment in the nature of a substitute can be offered to an amendment in the nature of a substitute?

The PRESIDING OFFICER. The Chair is informed that an amendment in the nature of a substitute can be offered to an amendment in the nature of a substitute. That would be in order.

Mr. McCLELLAN. May I inquire if another substitute can be offered for the second substitute?

The PRESIDING OFFICER. Another substitute can be offered.

Mr. McCLELLAN. I should like to have the Chair cite the rule under which an amendment in the nature of a substitute can be offered for an amendment in the nature of a substitute.

The PRESIDING OFFICER. Rule XVIII controls.

Mr. McCLELLAN. I am not so much concerned about technicalities; I simply want to have my proposal considered.

Now I am happy to yield to the Senator from New York for the purpose of suggesting the absence of a quorum.

Mr. JAVITS. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Arkansas yield for that purpose?

Mr. McCLELLAN. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Monroney
Allott	Green	Morse
Anderson	Hayden	Morton
Barrett	Hennings	Mundt
Beall	Hickenlooper	Murray
Bennett	Hill	Neuberger
Bible	Hoblitzell	O'Mahoney
Bricker	Humphrey	Pastore
Bridges	Ives	Potter
Bush	Jackson	Proxmire
Butler	Javits	Purtell
Byrd	Jenner	Reverecomb
Capehart	Johnson, Tex.	Robertson
Carroll	Johnston, S. C.	Russell
Case, N. J.	Jordan	Saltonstall
Case, S. Dak.	Kefauver	Schoeppel
Chaves	Kennedy	Smith, Maine
Church	Kerr	Smith, N. J.
Clark	Knowland	Sparkman
Cooper	Kuchel	Stennis
Cotton	Langer	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Malone	Watkins
Eastland	Mansfield	Wiley
Ellender	Martin, Iowa	Williams
Ervin	Martin, Pa.	Yarborough
Fulbright	McClellan	Young
Goldwater	McNamara	

The PRESIDING OFFICER (Mr. THURMOND in the chair). A quorum is present.

Mr. McCLELLAN. Mr. President, at the outset, I wish to say that I wholeheartedly support, and shall vote for, Senate bill 654. My amendment is not an effort or device or act to in any way sabotage that bill. I commend the distinguished Senator from New Hampshire for introducing it. I was very happy to join with him, among other Senators, as a cosponsor of it. I think the legislation is needed. I think the substitute, with the additional provisions it contains, is also needed.

The amendment, as I have stated, is in the nature of a substitute. It modifies all of S. 654. We are not eliminating it. It would simply add to the bill the additional provisions of H. R. 3 as it passed the House of Representatives on July 17, with two minor technical and perfecting amendments.

Mr. President, on January 7, last, for myself and 14 other Senators on both sides of the aisle, I introduced S. 337, a companion bill of H. R. 3. It was a bill to establish rules of interpretation covering questions of the effects of acts of Congress on State law.

I had introduced a similar bill in the 84th Congress. This substitute is comparatively short, and I think it can be said that to explain it requires merely a reading of H. R. 3 as it passed the House of Representatives. I believe the vote by which it passed the House was 241 to 155, with the other Members of the House not voting.

Primarily, H. R. 3, as is true of the substitute here proposed, is designed to correct a situation that exists under present rulings of the United States Supreme Court, that where Congress has enacted legislation on any subject, the States are deprived of all power to enact or enforce similar laws on the same subject, even though not in conflict with a Federal act.

This substitute will do two things. First, an act of Congress would not repeal a State law, or nullify it, or preempt a field, unless the Congress specifically said so. And, second, State laws would not be declared by the Supreme Court as being ineffective and incapable of enforcement unless they were in irreconcilable conflict with the Federal law.

I may say, Mr. President, that until recently, through the years, that had been the manner of construction. It had been a well recognized principle that where the State law and the Federal law did not clash to the extent that one of them had to be rendered ineffective, State laws remained valid.

What the proposal really means is that the Federal law will remain supreme in those cases where it is not in conflict with State law or where the Congress specifically provides that this legislation preempts the field.

In other words, we are simply saying that if it is the intent of Congress to preempt a legislative field and take over jurisdiction from the States, Congress should say so specifically, and not leave it to the guess of the Court as to what the Congress intended.

Mr. ERVIN. Mr. President, would the Senator rather complete his statement and yield for a question afterward, or does he care to yield now?

Mr. McCLELLAN. I shall be glad to yield at this point.

Mr. ERVIN. As a matter of fact, as I understand the amendment, from my reading of it, one of the tests of construction to be employed is confined to the question whether there is a conflict between a Federal and a State statute in the field in which both the Federal Government—or the Congress—and the State have power to legislate.

I notice that in the test, so far as a conflict is concerned, the Senator has expressed in exactly the same language which was employed by the Supreme Court in the case of Missouri, Kansas & Texas Railway against Haber, reported in 169, United States Supreme Court Reports, at page 613.

I notice that the amendment in this respect uses the exact language used by the Court on page 623 of that opinion, wherein the Court stated:

> May not these statutory provisions stand without obstructing or embarrassing the execution of the act of Congress? This question must of course be determined with reference to the settled rule that a statute enacted in execution of a reserved power of the State is not to be regarded as inconsistent with an act of Congress passed in the execution of a clear power under the Constitution, unless the repugnance or conflict is so direct and positive that the two acts cannot be reconciled or stand together.

I notice the Senator's amendment uses the last words.

Mr. McCLELLAN. Will the Senator give us the date of that decision?

Mr. ERVIN. This decision was handed down in 1897. I may say it is in complete harmony with scores of other opinions of the Supreme Court.

Mr. McCLELLAN. That had been the rule of construction until recently. We are simply undertaking to say by a statute that we shall go back to the long-tested, tried, and proved rule of construction that had been followed.

Mr. ERVIN. In other words, one section of the Senator's amendment undertakes to reaffirm the rule of construction which had existed since the foundation of the Republic, and also to prescribe a rule of construction in cases where the acts of Congress and the acts of a State in a field where both governments are entitled to legislate were not in conflict. In that case the Senator's amendment is designed to clear up some ambiguity in the law which is mentioned in the Steve Nelson case, wherein the court quoted *Hines* v. *Davidowitz* (312 U. S. 52, 67) and stated there is no single crystal-clear test as to when the Federal law occupies the entire field where there is no conflict between the provisions of the Federal law and the State law. The Senator merely proposes to provide in that instance a crystal-clear test—that is, the Congress shall indicate in an act, by the express words, that the act is intended to preempt the field, and thus give a crystal-clear test, instead of the ambiguous tests which are now employed.

Mr. McCLELLAN. I think we had a crystal-clear test before, under the precedents of the court, but since they are not now followed, we are undertaking to establish that test and that rule by statute.

May I say the authority of the States to enact and enforce legislation will remain concurrent with that of the Congress in all other fields, unless such authority is denied to the States by the Constitution, and in those areas where legislative authority under the Constitution is reserved exclusively to the States.

It is the ruling of the Supreme Court that whenever the Congress enacts legislation on any given subject, its jurisdiction becomes exclusive and no State law on the same subject can be enforced. We all know that during the past 25 years, the Congress has legislated pretty well all over the waterfront in the regulation of commerce and general welfare laws. A continuation of this trend will seriously impair the power and authority of the respective States to legislate in these fields and to substantially at least nullify the 10th amendment to the Constitution, which reserves to the States all powers not granted to the Federal Government.

No more glaring example can be found than that in the decision of the Supreme Court of Pennsylvania in Commonwealth against Nelson, upheld by the Supreme Court of the United States. We are all familiar with that case. I do not think there is any Member of Congress, in the enactment of the Smith Act, who had any thought of preempting the legislative field in subversion and sedition. That is what S. 654 and the pending amendment are designed to correct.

I will say if this situation should be corrected in the field of sedition, why should it not be corrected in other fields? I know sedition is an important fields, but there are other very important fields, also. If it is proper to preserve the State laws in that field notwithstanding the fact that the Supreme Court has for the present, at least, stricken them down, why is it not proper to preserve the traditional rule of construction which was followed so well and successfully for so many years without trespass on the rights of States?

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield.

Mr. CASE of South Dakota. I note, in comparing the language of H. R. 3 with the language of S. 654, that the first part deals with the matter of preemption, which the Senator is discussing. However, the latter part of H. R. 3 seems to be identical with the language of S. 654, except for the fact that in the Senate bill the committee apparently proposes to strike out the word "heretofore" in relation to the sedition questions. Does the amendment offered by the distinguished Senator from Arkansas do anything with respect to the word "heretofore"?

Mr. McCLELLAN. The amendment would restore the word "heretofore."

Mr. CASE of South Dakota. It would?

Mr. McCLELLAN. Yes.

Mr. CASE of South Dakota. I personally like the argument which the Senator has been making with respect to the first part of the substitute bill to deal with preemption, but I am wondering if the word "heretofore" should not be stricken, as it is in S. 654, as reported.

Mr. McCLELLAN. I will discuss that matter.

Mr. CASE of South Dakota. That section of the bill specifically prescribes the particular statutes heretofore enacted to which it would apply, and then makes the law applicable to anything hereafter enacted.

Mr. McCLELLAN. The relationship would apply to both "heretofore" and "hereafter." Suppose the Federal Government should pass another statute dealing in some manner with the subject. Of course the law would be applicable to the statute. We certainly do not want the rule to stand with respect to all sedition laws, as it did in the Nelson case. If we leave it that way, as I would interpret it, any case brought under the Smith Act hereafter would be covered.

Mr. CASE of South Dakota. Does not the Nelson case come under the specific references in the bill, prior to the "heretofore"?

Mr. McCLELLAN. I think that is true.

Mr. CASE of South Dakota. My point is merely that if the enumeration of the sedition acts heretofore enacted is given, the law would apply to those and would cover them. Then it could be stated "or any other act of Congress hereafter," and that would cover the waterfront.

Mr. McCLELLAN. I hope the language will cover the waterfront, if enacted into law, because I feel that is the way it should be. If we do not put in the word "heretofore" then we will have two rules of construction. All laws of the past will have one rule, and the laws of the future will have a different rule. I think the rule should be consistent.

Pennsylvania undertook to prosecute a notorious Communist, who was a citizen of that State, under the State Sedition Act. The Supreme Court of Pennsylvania held that the Congress, in passing the Smith Act, which, as we all know, makes it a crime to advocate the overthrow of the Government by force, preempted the field and the State of Pennsylvania could not enforce its own act and protect itself from treasonable acts on the part of its own citizens. There are a number of other such cases.

Before I refer to them I wish to give a little background on the need for the proposed legislation.

When the Congress enacts Federal legislation in a field traditionally occupied by the States, the Supreme Court has said that in accommodating State and Federal power it starts with the assumption that the historic police powers of the State are not to be superseded by the Federal act unless such is the clear and manifest purpose of the Congress.

All we are undertaking to do now is to have the Congress clearly indicate what its intention is, so that there will be no guessing, so that there will be no speculation about the matter, and so that the matter will not be left to chance.

In the case of *Rica* v. *Santa Fe Elevator Corporation* (331 U. S. 218, 1946), the Court stated: "The question in each case is what the purpose of Congress was."

Mr. ERVIN. Mr. President, will the Senator yield for an observation?

Mr. McCLELLAN. I yield.

Mr. ERVIN. It is very significant that the act of Congress which was involved in the case of Rice against Santa Fe was as informateve as the amendment which the Senator wishes to have agreed to on the point, because in that case the Federal statute expressly said that a person who applied for a license to operate a warehouse under the act of Congress should be under the exclusive control of certain sections of the statute. In other words, the act of Congress spelled out what the Senator says, that Congress should hereafter establish as a rule of construction in cases where there is no irreconcilable conflict.

Mr. McCLELLAN. That is correct. In the same case the Supreme Court stated:

> It is often a perplexing question whether Congress has precluded State action, or, by the choice of selecting regulatory measures, has left the police power of the States undisturbed, except as the State and Federal regulations collide.

It is apparent, therefore, that H. R. 3 and the provisions of the substitute are designed to assist the Court in resolving this "perplexing question" of ascertaining the Congressional purpose. In other words, if this bill is passed, with the amendment, the question will forever be less perplexing, and it will not tax the speculation of the Court or its energies to try to ascertain what was the intent of Congress in legislation it enacted with respect to preemption.

Mr. JOHNSTON of South Carolina. It is true also that no constitutional question is involved, and we have a right to legislate on this subject as we see fit.

Mr. McCLELLAN. I do not believe anyone has raised the constitutional question. I have not heard of such an objection. I think Congress has the duty to make clear what it means, not only in this particular field, but all others. Here we are only saying that Congress shall make its intention clear. Unless Congress clearly indicates that it intends to do a certain thing, the Court will exercise the rule of construction which has been traditional until the recent constructions.

Mr. JOHNSTON of South Carolina. That is all Senate bill 654 and the Senator's amendment would do.

Mr. McCLELLAN. That is all. Senate bill 654 merely covers the field of sedition. My amendment covers "the whole waterfront" with respect to this particular area.

Thus the first section of House bill 3 or the substitute amendment would merely, first, require Congress to express its purpose clearly in enacting legislation; and, second, require the Supreme Court to follow its own rule and construe Federal statutes as displacing

State power only when Congress expressly states its intention so to do.

Concern has been voiced in some quarters that these bills might require extensive revision of most, if not all, Federal statutes, because of the possible retroactive effect. This could hardly result, however, for at least two reasons.

Mr. JOHNSTON of South Carolina. Until the Nelson case it was believed by the attorneys general of the various States that the States also had the right to enact laws on these subjects.

Mr. McCLELLAN. It was not only believed, but that was the practice.

Mr. JOHNSTON of South Carolina. And the Supreme Court itself was divided on this question, was it not?

Mr. McCLELLAN. I am sure that is correct.

Mr. JOHNSTON of South Carolina. Three members of the Supreme Court dissented, and thought the ruling of the Supreme Court was wrong.

Mr. McCLELLAN. I think we can be helpful. We do not wish to be critical. That is not the spirit in which we are acting.

In the first place, Congress has the duty, in enacting laws, to try to say what it means, so that the understanding will be clear, and so that there will be no hazard of difficult interpretations.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. ERVIN. In other words, the motives of the proponents of the substitute are exactly the opposite of those of the Roman Emperor Caligula. The Roman Emperor Caligula wrote his laws in small characters and hung them high on the wall so that people could not read or understand them, in order that he might punish them for violating his laws.

The purpose of the substitute of the Senator is to make the laws clear, so that the people can understand them, and so that the governors and the law enforcement officers of the 48 States can understand when Congress intends to occupy an entire field of legislation to the exclusion of the States, where there is no conflict between the acts of Congress and the laws of the States on the subject.

Mr. McCLELLAN. That is true. I think this provision would be helpful to the Supreme Court, in view of the long list of precedents applying another rule of construction. Suddenly we find that rule abandoned and another substituted for it. It has created great confusion.

Mr. ERVIN. I will ask the Senator if it is not a fact that many of the States, before the Steve Nelson case decision was handed down, had had laws against subversion and sedition for generations, which laws, as in the Gitlow case, had gone before the Supreme Court of the United States, which, on a number of occasions, had upheld such laws as valid State enactments.

Mr. McCLELLAN. Yes. I believe 46 of the 48 States have similar laws.

I said that concern had been voiced in some quarters that these bills might require extensive revision of the statutes, but I do not believe that is true.

The first reason is that no substantive law is involved. Litigation in each area of Federal regulation would be necessary before the proposed rule of construction could be applied. Necessarily this would be a case-by-case and statute-by-statute process in applying the proposed rules of interpretation. Even assuming, however, that a result contrary to the intent of Congress might be reached, Congress, by simple amendment to the particular statute in question, could provide for preemption if such was its desire.

Under such a case-by-case approach, Congress clearly would not be overburdened with the necessity for reviewing statutes, other than as such need might arise from judicial decision erroneously construing the purpose of Congress with respect to a particular statute. Otherwise State sovereignty would be preserved, unless, of course, there was a direct conflict between the two systems of regulation.

Second, with respect to statutes defining Federal crimes, it is already provided that nothing in the Criminal Code of the United States "shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof."

Construing this section, that is, section 18, United States Code, page 3231, in *Sexton* v. *California* (189 U. S., 319), the Supreme Court said:

> It was intended to leave with the State court unimpaired the same jurisdiction over the act that it would have had if Congress had not passed an act on the subject.

Accordingly, it seems clear that no problem respecting the criminal laws of the United States would be raised by enactment of this bill.

With respect to the conflict doctrine, the Supreme Court in *Sinnot* v. *Davenport* (22 Howard, 227), back in 1859, stated:

> We agree that in the application of this principle of supremacy of an act of Congress in a case where State law is but the exercise of reserve power, the repugnance or conflict should be direct and positive, so that the two acts could not be reconciled or consistently stand together.

Other decisions are cited. It will be noted, therefore, that the pending substitute would merely write into law the rule of construction followed until quite recently by the Supreme Court. In fact, the first section of the amendment uses substantially the same language as was used by the Court in Sinnot against Davenport, to which I have referred.

However, the Court had long held that there must not only be direct and positive conflict, but also that such conflict must be actual, and not merely potential or speculative. Thus, as recently as 1942, the Supreme Court stated: "Nor will we assume in advance that a State will so construe its law as to bring it into conflict" with the Federal law, and "it is not sufficient, however, to show that the State act might be so construed."

In other words, the Court has gone a long way toward trying to preserve the sovereignty and the supremacy of the Federal Government and the sovereignty of the 48 States as it is expressed in the Constitution.

Mr. ERVIN. No question of constitutional law is involved in the amendment, as I understand. The Constitution of the United States permits both Congress and the States to exercise concurrent legislative authority over the subjects to which the amendment will apply.

Mr. McCLELLAN. That is correct.

Recently, however, the Supreme Court has departed from these long-established guides to construction. Thus, in *Garner* v. *Teamsters, etc. Union* (346 U. S. 485), the Supreme Court found that "a conflict is imminent because both State and Federal remedies might be brought to bear on the same labor union activity." Accordingly, it held the Pennsylvania statute to be displaced "to avoid facing a conflict because it found "no indication that the—Federal—statute left it open for such conflict to arise."

We could go on with a great many of these cases. I may say that the pending amendment is designed to avoid conflict by implication, as was the case in the Garner decision. Thus the bill proposes that no State law shall be invalidated on the ground that Congress so intended unless Congress declared such intent or unless there is a direct and positive conflict between such an act and State law so that the two cannot be reconciled or consistently stand together.

It is my belief that there would be two tests if this law is enacted. One is that Congress declare in clear language that it wanted to preempt the field. The other test is whether the act of Congress is in such irreconcilable conflict with the State law that one of them must fall. Then, of course, the State law must fall.

Here again, as in the case of the proposed rule respecting preemption, a case-by-case approach would be necessary for applying the interpretive guides contemplated by the bill. Therefore, the effect of the bill would be gradual and would not require reexamination by the Congress of all the Federal regulatory laws. It would, however, constitute a reaffirmation by Congress of the Federal system created by our Constitution.

Mr. President, there are a number of other cases which might possibly be cited by other Senators in the course of the debate, but the cases I have referred to serve as outstanding examples of the necessity for the proposed legislation.

Mr. President, as I have previously stated, Congress has heretofore dealt with and is increasingly passing legislation upon a multitude of subjects under its constitutional authority, but over which it does not have exclusive jurisdiction. It is for that reason that I am urging curtailment of the so-called preemption doctrine as provided in the bill. I believe it might well be said that the President of the United States is in accord with the principle of the proposed legislation. It will be recalled that in one of his campaign speeches he pledged:

> I want to see maintained the constitutional relationship between the Federal and State Governments for if the States lose their meaning, our entire system of government loses its meaning. And the next step is the rise of the centralized national state, in which the seeds of autocracy can take root and grow. We will see that the legitimate rights of the States and the local communities are respected.

I ask the Senate whether it is a legitimate right of the State to enact legislation where it has concurrent jurisdiction with the Federal Government until and unless the Federal Government says, "We are taking over the whole area." And who should say that? Congress? Congress is the legislative body. Congress, the lawmaker, should say it. Now, we can say it. We should say it. By adopting this rule of construction the Congress hereafter will say it. Concluding the quotation:

> We will not reach into the States and take from them their powers and responsibilities to serve their citizens.

That is exactly what the Nelson case did, in my judgment. They reached into the States.

Mr. ERVIN. Will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from North Carolina.

Mr. ERVIN. The substitute offered by the Senator from Arkansas provides that in areas where both Congress and the States have power to legislate, Congress shall have the power to occupy that field exclusively and deny the right of the States to function in it under the supremacy clause of the Constitution; and the substitute merely undertakes to prescribe a rule of construction which will enable everyone to understand with comparative ease when Congress has seen fit to occupy the field exclusively.

Mr. McCLELLAN. That is true. If it had been known that the Supreme Court would construe the Smith Act as having preempted the field, the State of Pennsylvania would not have gone to all the trouble it did to prosecute that Communist. Clarification is needed. Legislation is needed. It is not in the spirit of criticism. A confusion has arisen which makes it impelling for us to determine the question one way or another. If we leave it to chance, if we keep enacting legislation and say, "We are not going to say that we mean to exclude State jurisdiction," and if the act is then interpreted as preempting jurisdiction, many things will be left in doubt.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. WATKINS. Is it not correct to say that some of the statements of the Supreme Court in some cases, particularly the one the Senator has been discussing, are invitations to Congress, in a way, to clarify a situation? It seems to me that when the Court calls attention to a situation, as it did in the Nelson case, it is, in effect, an invitation to Congress to clear up its intention, so that there will not be any argument about it.

Mr. McCLELLAN. I believe that the Supreme Court often writes an opinion in such a fashion or tone, or so phrases it, as to carry a possible suggestion to the legislative body as to what is needed, although it does not specifically make a recommendation to Congress as to what is to be done.

Mr. WATKINS. I should like to call the Senator's attention to the famous Guss case, which arose in Utah in the field of labor activity. The Supreme Court called attention to a situation which it felt Congress could clarify, and suggested that Congress step in and clear up that situation.

Mr. McCLELLAN. Of course, the Court did not say what kind of legislation should be enacted, and it did not specifically recommend any legislation. Very often it so phrases its opinions and so expresses itself as to indicate that it feels that Congress has a duty to act.

Mr. WATKINS. Some of the commentators and writers dealing with the case said that the Supreme Court, in effect, invited Congress to step into that field and clarify the situation, even though they could not find under the law, as they understood it, that the State could go ahead if the United States Government had jurisdiction in that field, and if interstate commerce was involved, even though to a minor extent as compared with intrastate commerce, and they suggested that that was a field which ought to be taken care of.

When we attempted to take care of that situation a little while ago on the labor bill we were turned down. My amendment was rejected. The situation confronting us tonight, which I shall discuss later, seems to me to indicate that there should be an amendment of this kind, and even to clear up situations in the labor field—situations in which we cannot get any relief whatsoever.

Mr. McCLELLAN. I thank the Senator.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that what we are trying to do is to clarify the situation which confronts us at present? I hold in my hand volume 350 of United States Reports. On page 519, beginning in the first paragraph, the following appears:

> Mere fear by courts of possible difficulties does not seem to us in these circumstances a valid reason for ousting a State from exercise of its police power. Those are matters for legislative determination.
>
> Finally, and this one point seems in and of itself decisive, there is an independent reason for reversing the Pennsylvania Supreme Court. The Smith Act appears in title 18 of the United States Code, which title codifies the Federal criminal laws. Section 3231 of that title provides: "Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof."

As I recall, the Smith Act was passed in 1920.

Does not the Senator from Arkansas think that when that statement was included, the Court was trying to clarify exactly what we are trying to clarify at present?

Mr. McCLELLAN. It is so indicated. I have just quoted from the President's campaign pledge. I point out now that he implemented his position soon after he was elected by appointing the Commission on Intergovernmental Relations to look into this field. I quote from the Commission's report:

> Second. National laws should be so framed that they will not be construed to preempt any field against State action unless this intent is stated.
>
> Third. Exercise of national power on any subject should not bar State action on the same subject unless there is positive inconsistency.

This is all the proposed legislation will do. I have heard that the Attorney General may be opposed to a measure of this type. However, when the Supreme Court decided the Nelson case in favor of the Comonwealth, the Attorney General filed a brief amicus curiae in the Supreme Court and said:

> To warrant a holding that State legislation which is otherwise a valid exercise of the State's police power has been superseded or suspended by an act of Congress dealing with the same subject matter, the Congressional act must be in irreconcilable conflict with the State act, or the Congressional intent to occupy the field exclusively must otherwise appear.

That was the position of the Department of Justice in the Smith case. That position, in my judgment, should have been sustained. I do not see any reason why we should change that position now. I assume, to be consistent, that the Department should feel the same way now. We are not going beyond that position.

Mr. WATKINS. Has the Senator from Arkansas any indication that the Department of Justice has changed its position?

Mr. McCLELLAN. I do not know. I said I understood that possibly there would be some opposition from the Department of Justice.

Mr. WATKINS. I cannot understand why the Department would want to change its position, because if their position was sound before, why should they want to take an unsound position now?

Mr. McCLELLAN. I should not think they would. This is a matter which needs attention, I contend, again not in a spirit of criticism. But the situation is one which is not good for the States and not good for the Federal Government.

The American Bar Association undoubtedly approves the proposed legislation, because it adopted in convention assembled the following resolution:

> *Resolved*, That the American Bar Association favors the enactment into law of H. R. 3, entitled "A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws," and authorizes and directs the standing committee on jurisdiction of law reform to advocate by all appropriate means its passage by the Congress of the United States.

There are many other organizations, I am told, which support the proposed legislation, including the Organization of Chief Justices, made up of the chief justices of the various States; the Conference of Governors of the 48 States; the National Association of State Attorneys General; and many others. I do not have the complete list before me.

Mr. President, I do not deem it necessary to talk longer at this time. I hope the amendment in the nature of a substitute will be agreed to. I think if it is needed in the field of sedition, it is needed in other areas. By adopting the amendment in the nature of a substitute, we will cover in one bill all areas in which such legislation is needed.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. WATKINS. I have listened with great interest to the Senator's statement. It is clear-cut, logical, and almost unanswerable, so far as general policy is concerned. The amendment which the Senator from Arkansas has offered seems to meet what the courts have indicated was necessary in a situation of this kind. I compliment the Senator upon his clear-cut statement, and the sound position he has taken.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. ERVIN. I join with the distinguished Senator from Utah in his commendation of the fine presentation which the distinguished Senator from Arkansas has made on the amendment in the nature of a substitute.

I have recently made a study of the question of the effect of the rules of construction on statutes enacted in the past and statutes to be enacted in the future.

The amendment of the Senator from Arkansas, while it would establish a rule of construction for all statutes, both those heretofore enacted and those to be enacted hereafter, would operate only prospectively. It would not impose any liability, either civil or criminal, on any person, corporation, or association on account of any event which has taken place in the past. It would only operate to impose liability in any case, on events which may hereafter occur, such liability to be imposed under any law, regardless of the time it was enacted.

I think, as the Senator has so well said, in adopting rules of construction it is necessary, if the rule of construction be wise, that it apply equally to all laws whenever enacted.

The Senator from Arkansas has rendered a great service to the country in the presentation of this amendment. I think the amendment should be adopted.

The amendment does not constitute a reflection of any kind upon the Supreme Court. As a matter of fact, the Supreme Court almost invited such an amendment, as the Senator from South Carolina has pointed out, in the Steve Nelson case. It cited a previous case, in which it said that there is no one crystal clear, distinctly marked formula for determining whether the Federal Government does or does not intend to preempt the field. Consequently, the Senator's amendment would establish——

Mr. McCLELLAN. A legislative program.

Mr. ERVIN. It would establish a single crystal-clear test by which that serious legal question would be solved, and would not leave to the chance of case-by-case solution, as the Senator has indicated, something which imposes tremendous burdens on the States. If there had been a declaration in the Smith Act that Congress intended to preempt the entire field of legislation, the State of Pennsylvania would never have spent its money to prosecute Steve Nelson.

Mr. BUTLER. Mr. President, following the remarks of the Senator from North Carolina [Mr. ERVIN], with which I heartily concur, I wish to say that I think the amendment of the Senator from Arkansas establishes the rule of construction announced by the Supreme Court itself, as long ago as 1859, in the case of Sinnott against Davenport.

Mr. McCLELLAN. Yes; and I have referred to that case.

Mr. BUTLER. Mr. President, if it meets with the approval of the Senator from Arkansas, I should like to have printed in the RECORD a statement by me on the original House bill 3.

Mr. McCLELLAN. I shall be very happy to yield for that purpose.

Mr. BUTLER. Then, Mr. President, I ask unanimous consent that I may have printed in the RECORD, following the remarks of the Senator from Arkansas, the statement to which I refer.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

H. R. 3 is not a long-involved bill of intricate language. It is concise, direct, and unambiguous. It establishes a rule of construction for Federal statutes so clear that no conscientious court would be able to misinterpret its intent. Indeed, it establishes the very rule of construction announced by the Supreme Court itself as early as 1859 in *Sinnot* v. *Davenport* (22 Howard 227).

What is this rule? The rule is that, whenever Congress acts in an area where both the States and the Federal Government possess jurisdiction, the Congress may displace State laws dealing with the same subject if the Congress manifests such an intent. The courts for many years held that, if the intent is not expressed, State laws would not be invalidated unless there was a showing of direct and positive conflict between the State statutes and the Federal statutes. In such a case, the State laws must yield under the supremacy clause of article VI of the Constitution of the United States. The holdings of the Supreme Court on this point have been expressed for such an extended period that it may likewise be said to be a rule of construction. Thus, until recently, we had two rules of construction appropriate to a Federal-State system. Now, the Supreme Court in the Nelson case has so extended the first rule as to create another rule. The Court, in the Nelson case, decided that, where the Court itself presumed an intent on the part of Congress to occupy an area of concurrent jurisdiction, the State laws are rendered unenforcible.

This bill (H. R. 3) strikes at implied preemption, or as some refer to it, presumption of preemption. When the highest Court of the land infers preemption in absence of Congressional direction, it is time for the Congress to exercise a little direction. Congress is the lawmaking body. It has the right to say what it means and the right to express its intent. That is what this bill does. It expresses the Congressional intent. It says to the Court: "Don't presume. If we intend to occupy a field to the exclusion of State laws, we'll say so. If we don't say so and there is a direct conflict between the Federal statute and the State statute in an area of concurrent jurisdiction, then strike down the State statute." In saying the latter, we are only saying what article VI of the Constitution says anyway. Article VI of the Constitution makes Federal laws supreme over State laws when those Federal laws are enacted pursuant to the Constitution. H. R. 3 does not alter this. It could not constitutionally and, at last glance, the Court was still holding that if acts of Congress are subject to 2 or more constructions, 1 constitutional, the other unconstitutional, the Court will give the statute the constitutional construction. There is no need, therefore, to become fearful when it is intimated that H. R. 3 is somewhow unconstitutional. It is as constitutional as Congress. It is the Congress setting up a rule of construction or interpretation for the guidance of the Supreme Court. There are already six such rules of construction in the Federal law. They are all in chapter 1 of title 1 of the United States Code under the chapter heading "Rules of Construction." They all provide rules for the interpretation of terminology in Congressional enactments. Many of them date back to the Revised Statutes and some beyond that. They are visual evidence that Congress has heretofore adopted a blanket rule of construction concerning certain terminology which obtains unless the statute involved specifically provides otherwise. That is what H. R. 3 proposes. It is a general rule of construction which is controlling unless Congress in a statute provides otherwise. Is this so revolutionary? Is it so catastrophic as the opponents of this bill contend? Hardly. It simply says to the Court that in the future when you construe acts of Congress in an area of concurrent Federal-State jurisdiction, look to the specific language of the statute. If the language is not there, don't presume that Congress intended to preempt the field. Congress did not intend it. Is this complicated? Not at all.

The doctrine of Federal preemption is predicated upon the supremacy clause as contained in article VI, clause 2, of the Constitution of the United States. That clause reads as follows:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

This doctrine of preemption relates only to areas of overlapping jurisdiction, which means that Congress, in taking action in a field in which both the States and the Federal Government may legislate, has preempted the entire field and the States may not validly legislate in such field. This doctrine, if liberally applied, will result in an accretion of power to the Federal Government and a corresponding loss of power by the State governments.

Historically, the doctrine has been cautiously applied. The courts followed fairly hard and fast criteria of legislative interpretation, whereby a State law was deemed to be valid as long as it was not in direct conflict with a Federal law on the same subject. Recent judicial decisions have deviated from this practice to a marked degree, so it is appropriate to trace the development of Court interpretation of the doctrine of preemption from the decided cases enunciated by our highest Court over the years.

The earliest statement of this interpretation, that a State law shall be deemed valid so long as it is not in direct conflict with a Federal law on the same subject, was made by the Supreme Court over 120 years ago in the case of *Cohens* v. *Virginia* (6 Wheat. 264, 443), and it was consolidated as a rule in the 1842 case of *Gibbons* v. *Ogden* (9 Wheat. 1).

It was in Cohens against Virginia that Justice Marshall expounded his theory of the conditions under which Congressional enactments should be considered to supersede State laws bearing on the same subject matter—a rule of interpretation wisely hedged with reasonable limitations and a due regard for the real, if in some areas subordinate, sovereignty of the States.

"To interfere with the penal laws of a State," Justice Marshall wrote, "where they are not leveled against the legitimate powers of the Union, but have for their sole object the internal government of the country, is a very serious measure, which Congress cannot be supposed to adopt lightly or inconsiderately. The motive for it must be serious and weighty. It would be undertaken deliberately and the intention would be clearly and unequivocally expressed. An act ought not to be construed as to imply this intention, unless its provisions were such as to render the construction inevitable."

In the landmark case of *Gibbons* v. *Ogden*, Mr. Justice Marshall stated:

"The nullity of any act, inconsistent with the Constitution, is produced by the declaration, that the Constitution is the supreme law. The appropriate application of that part of the clause which confers the same supremacy on laws and treaties, is to such acts of the State legislatures as do not transcend their powers, but though enacted in the execution of acknowledged State powers, interfere with, or are contrary to, the laws of Congress, made in pursuance of the Constitution, or some treaty made under the authority of the United States. In every such case, the act of Congress, or the treaty, is supreme; and the law of the State, though enacted in the exercise of powers not controverted, must yield to it."

I cannot overemphasize this formula enunciated by Justice Marshall: "The nullity of any act, inconsistent with the Constitution, is produced by the declaration, that the Constitution is the supreme law."

Mr. Justice Marshall specifically pointed out that such State laws must "interfere with, or be contrary to, the laws of Congress."

This judicial interpretation so clearly enunciated by Chief Justice Marshall in *Gibbons* v. *Ogden* was consistently followed by our highest courts for over 100 years and was followed until the deviation of the Supreme Court in 1941 in *Hines* v. *Davidowitz* (312 U. S. 52, p. 67). During this hundred-odd year period, the Court consistently applied the conflict theory. In decision after decision, it was held that there must be a direct and positive conflict between the act of Congress and a State law of such a magnitude that the two could not consistently stand together before the State statute would fall. That language was used by the Supreme Court of the United States in *Sinnot* v. *Davenport* (22 Howard 227, 243), wherein the Court states:

"We agree, that in the application of this principle of supremacy of an act of Congress in a case where the State law is but the exercise of a reserved power, the repugnance or conflict should be direct and positive, so that the two acts could not be reconciled or consistently stand together."

However, in 1941, in *Hines* v. *Davidowitz* (312 U. S. 52, 67), Mr. Justice Black, speaking for the majority in the Hines case, enunciated a new doctrine when he said:

"There is not—and from the very nature of the problem there cannot be—any rigid formula or rule which can be used as a universal pattern to determine the meaning and purpose of every act of Congress. This Court, in considering the validity of State laws in the light of treaties or Federal laws touching the same subject, has made use of the following expressions: conflicting; contrary to; occupying the field; repugnance; difference; irreconcilability; inconsistency; violation; curtailment; and interference. But none of these expressions provides an infallible constitutional test or an exclusive constitutional yardstick. In the final analysis, there can be no crystal clear distinctly marked formula."

Justice Stone held to the old rule in a strong dissenting opinion when he said:

"But no words of the statute or of any committee report, or any Congressional debate indicate that Congress intended to withdraw from the States any part of their constitutional power over aliens within their borders. We must take it that Congress was not unaware that some 19 States have statutes or ordinances requiring some form of registration for aliens, 7 of them dating from the last war. The repeal of this legislation is not to be inferred from the silence of Congress in enacting a law which at no point conflicts with the State legislation and is harmonious with it."

Following the Hines case, cited supra, we find in more and more cases the Supreme Court resorting to a presumption of legislative intent in order to preempt a field.

The Federal Pure Food and Drug Act did not express a Congressional intent to occupy this whole field of legislation. The Court in *Cloverleaf Butter* v. *Patterson* (315 U. S. 148, 179), did not find that there was a direct and positive conflict between the Federal Act and State law so that the two could not be reconciled or consistently stand together. No constitutional question was presented and both laws could have been given effect, but the majority held that the Federal law must be deemed to have destroyed the State law by implication. In other words, it took away the right of the State of Alabama to protect the health of its citizens on the basis that Congress had passed a Federal law on the same subject.

Chief Justice Stone, in dissenting, pointed out that the majority's decision represented "a radical departure from the salutary principle that Congress, in enacting legislation within its constitutional authority, will not be deemed to have intended to strike down a State statute designed to protect the health and safety of the public unless the State act, in terms or in its practical administration, conflicts with the acts of Congress or plainly and palpably infringes its policy."

Chief Justice Stone further pointed out that what the majority was presuming a legislative intent nowhere expressed in the statute:

"It is one thing for courts in interpreting an act of Congress regulating matters beyond State control to construe its language with a view to carrying into effect a general though unexpressed Congressional purpose. It is quite another to infer a purpose, which Congress has not expressed to deprive the States of authority which otherwise constitutionally belongs to them, over a subject which Congress has not undertaken to control. Due regard for the maintenance of our dual system of government demands that the courts do not diminish State power by extravagant inferences regarding what Congress might have intended if it had considered the matter, or by reference to their own conceptions of a policy which Congress has not expressed, and is not plainly to be inferred from the legislation which it has enacted. Considerations which lead us not to favor repeal of statutes by implication, *United States* v. *Borden Co.* (308 U. S. 188, 198–9); *United States* v. *Jackson* (302 U. S. 628, 631); *Posados* v. *National City Bank* (296 U. S. 497, 503, 505), should be at least as persuasive when the question is one of the nullification of State power by Congressional legislation."

In a vigorous dissenting opinion, Mr. Justice Frankfurter said:

"The result of this decision is to deny Alabama the power to protect the health of its citizens without replacing such protection by that of the Federal Government. The Chief Justice does well to call attention to the fact that such a construction of the Renovated Butter Act gratuitously destroys the harmonious cooperation between the Nation and the States in safeguarding the health of our people. If ever there was an intrusion by this Court into a field that belongs to Congress, and which it has seen fit not to enter, this is it. And what is worse, the decision is purely destructive legislation—the Court takes power away from the States but is, of course, unable to transfer it to the Federal Government."

But the case that highlights this judicial trend from the previous rule of interpretation to the new theory of presumption of legislative intent is the Steve Nelson case, *Pennsylvania* v. *Nelson* (350 U. S. 497). In that case, the Federal act did not express an intent on the part of Congress to occupy the whole field of sedition. The Court did not find that there was a direct and positive conflict between the Federal act and the Pennsylvania law so that the two could not be reconciled or consistently stand together. In that case, both the Federal act and the State law were perfectly constitutional and could have stood side by side. However, the Supreme Court resorted to a presumption of Congressional legislative intent in order to strike down the State law. In other words, the Court, in the guise of national interest and concern, resorted to a presumption of legislative intent to preempt the field.

Mr. Justice Reed illustrates this trend to presumptive preemption in his dissent, wherein he stated:

"But the Federal sedition laws are distinct criminal statutes that punish willful advocacy of the use of force against 'the Government of the United States or the government of any State.' These criminal laws proscribe certain local activity without creating any statutory or administrative regulation. There is, consequently, no question as to whether some general Congressional regulatory scheme might be upset by a coinciding State plan. In these circumstances the conflict should be clear and direct before this Court reads a Congressional intent to void State legislation into the Federal sedition acts. Chief Justice Marshall wrote:

"'To interfere with the penal laws of a State, where they * * * have for their sole object the internal government of the country, is a very serious measure, which Congress cannot be supposed to adopt lightly, or inconsiderately. * * * It would be taken deliberately, and the intention would be clearly and unequivocally expressed' (*Cohens* v. *Virginia* (6 Wheat. 264, 443).

"Moreover, it is quite apparent that since 1940, Congress has been keenly aware of the magnitude of existing State legislation proscribing sedition. It may be validly assumed that in these circumstances this Court should not void State legislation without a clear mandate from Congress."

This legislation is necessary in order for the Court to return to the long standing rule followed for many years by our highest Court. That is the intent of this legislation—to set out clearly as a guidepost to the Court that if an act of Congress expresses an intent to occupy a particular field of law, then the Congressional act is supreme to the exclusion of any State law on the same subject in the matter. If there is a direct and positive conflict between a Federal act and a State law so that the two cannot be reconciled or consistently stand together, then again the State law becomes inoperative and the Federal act becomes supreme. But if the act of Congress and the State law are both constitutional with no expression of intent to exclude the State law and the two statutes are not in direct conflict, then both must and should be given effect. In other words, a Federal act is not to be presumed to repeal a State law and a State law is not to be destroyed by inferences or implications.

This is merely restating what we thought the law was and what it has been up until recent decisions by the Supreme Court.

Since so many false and misleading arguments have been made with respect to this legislation, I think it might be helpful if I set forth some of the things which it will not do as well as the things it is expected to accomplish.

First of all, H. R. 3 does not impair or in any way change the provisions of the supremacy clause of the Constitution. The supremacy clause of the Constitution says that acts of Congress in pursuance of the Constitution are the supreme law of the land. H. R. 3 does not change this and could not change it. H. R. 3 really implements the sixth amendment by reinstating the rules of construction which guided the Supreme Court of the United States itself for so many years prior to the recent Nelson and Cloverleaf decisions.

Second, H. R. 3 makes no change in the substantive law of the United States. It merely proposes an additional rule of construction of which there are already six on the Federal statute books for guidance of the Federal courts in carrying out their proper judicial functions of determining the intent of Congress.

Third, H. R. 3 is not an encroachment by the legislative branch upon the functions of the judiciary, for it is the Congress which has the authority to make the laws of the United States and that power must certainly carry with it the concomitant power to define the terms which it uses in its statutes and interpret the meaning and construction of them for the guidance of the courts who must apply their terms to individual cases.

Fourth, H. R. 3 does not require the readjudication of cases such as the Nelson and Cloverleaf cases. It does provide that the extension of the rule of construction enunciated in those decisions is no longer applicable in future constructions of Federal statutes.

Fifth, H. R. 3 has nothing to do with the school segregation decision, for the decision in that case was based upon constitutional grounds and not upon the interpretation of any legislative enactment. It did not in any way involve the doctrine of preemption.

Sixth, H. R. 3 would not have the effect of inviting litigation. It would on the contrary, forestall or prevent considerable litigation because it would clarify the intent of Congress in its enactments. It would result in fewer challenges of State statutes on the grounds that prior Federal statutes had wittingly or unwittingly preempted the field in which such State laws attempt to operate. It would remove the urging of such a condition where there was no direct statement of the intention of the Congress to occupy the field. It would require a pleader who sought to invoke the doctrine of preemption to demonstrate irreconcilability between the Federal and State laws. It certainly could not be any more of an invitation to litigation than is the present rule of construction announced by the Supreme Court in the Steve Nelson and the Cloverleaf cases. Those who contend that H. R. 3 would invite litigation, if they believe it to be a valid contention, should examine the number of cases which have been brought in recent years by which litigants have sought to challenge the validity of State statutes on the basis of an assertion of an obscure intent on the part of Congress to occupy the field in which the Federal law operates.

These points, to my mind, constitute a complete refutation of the arguments which have been advanced against this legislation. Such arguments are not sound, and in most cases emanate from a desire to see the powers of the Federal Government increased at the expense of the States. This bill imperils the new doctrine of presumption of preemption. That doctrine, with the likelihood it holds for accretion of power by the Federal Government, has attracted the attention of many lawyers, legislators, and organizations who are deeply concerned about it. They see in it a design to concentrate power and they rightfully fear concentration of power.

I say they rightfully fear it because they bear vivid recollections of totalitarian regimes who deftly achieved a concentration of power and then used that power to stifle liberty and freedom. How inadequate are the lessons of history if we forget that while the concentration of power may bring efficiency, such efficiency is often the siren song of liberty. The Founding Fathers knew this. They wisely devised a system based on a division of powers between a national and a local government. Then they proceeded to diffuse the power granted at the Federal level between three coordinate branches. Each branch possessed some authority that acted as a check on the other. And in the Federal legislature the drafters of the Constitution provided a chamber whose function it was to represent the States as such.

We all know that the Senate of the United States was created for the purpose of protecting the legitimate interests of the sovereign States within the Federal system. The House of Representatives, on the other hand, was created to give voice to the populous areas. Paradoxically, however, we are now confronted with a situation where it is the House of Representatives which has emerged as the protector of the States by virtue of the passage by that body of H. R. 3. The Senate, the vaunted protector of the States as entities within the Federal system, has yet to act on the bill.

What is H. R. 3? It is an important step in the restoration of the States of this Nation to their rightful position as vital components of a Federal Union. It is the reversal of a trend which has seen State and local powers diminish to a point dangerously near extinction. It is an effort to restore balance in our Federal-State relationships. It is a measure which is well suited for the approval of the body created by the Constitution to protect the States as institutions within a Federal system.

Mr. McCLELLAN. Mr. President, I thank the Senator from Maryland for his contribution.

Mr. ROBERTSON. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. ROBERTSON. Mr. President, I wish to associate myself with the splendid statement the distinguished Senator from Arkansas has made in regard to House bill 3.

Throughout the session, I have received many letters on this subject from Virginia constituents; in fact, I believe more of my constituents have expressed an interest in this necessary reform than in any other measure which has been before the Senate at the present session.

So I hope very much that, as the distinguished Senator from Arkansas has said, the Senate will agree to the amendment.

Mr. McCLELLAN. I thank the Senator from Virginia.

Mr. President, I yield to floor.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CURTIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. Mr. President, in the interest of the people of the Nation, particularly the small-business men who operate local establishments, and who have been dependent upon State and local courts for the protection of their rights, this Congress should seriously consider the enactment of specific legislation to assure such citizens the protection to which they are entitled, under the Constitution, as citizens of this great country. I refer specifically to House bill 3, which already has been passed by the House of Representatives. That bill would go far toward clarifying the present confusing situation concerning the conflict of jurisdiction between the Federal authorities and the State governments.

Mr. President, let me say that the amendment submitted by the Senator from Arkansas [Mr. McCLELLAN] is, in substance, House bill 3, with probably two clarifying amendments.

House bill 3, as passed by the House of Representatives, is designed specifically as a guide to the courts in dealing with problems where jurisdiction might be in dispute. More particularly, House bill 3 provides that no act of Congress shall be construed as indicating the intent of Congress to occupy a particular field of law in which such action shall operate to the exclusion of all State laws on the same subject, unless (1) the Federal statute contains a clear and precise explanation of Congressional intent that the Federal Government shall have exclusive jurisdiction in the field, or (2) unless there is, between the Federal and State laws, a direct and positive conflict which cannot be reconciled.

This proposed legislation will clear up the confusion which has prevailed for some time because the courts have had to grope for the specific legislative intent in this field of preemption and concurrent jurisdiction.

It will also fill a very dangerous void which has been created by a situation in which under Federal law, the Federal Government has been occupying various fields in theory, but not in practice. One of the best examples is the field of jurisdiction in labor disputes involving a small local businessman. In many instances, these local businessmen are the victims of a no man's land, so far as the protection of their rights is concerned. Again, I can use as the best example the franchised new car and truck dealers. So far as these businessmen are concerned, the Supreme Court has held that, even though the businesses they conduct are primarily local in character, they nevertheless affect interstate commerce; hence in their labor problems they are subject to the jurisdiction of the National Labor Relations Board. The Supreme Court went one step further, in a case arising in my State of Utah—the case of Guss against Utah Labor Relations Board—when it declared that the field

of labor relations had been preempted by the Federal authorities; and that in labor disputes involving a business which affected interstate commerce, the State authorities had no power to act, even though the National Labor Relations Board, because of its jurisdictional standards or for other reasons, declined to assume jurisdiction. In such cases, these businessmen have no place to go for the protection of their rights and a determination of their responsibilities in such labor disputes.

Mr. President, here is a practical illustration of the need for the enactment of a measure such as that spelled out in the amendment which has been submitted by the Senator from Arkansas [Mr. McCLELLAN].

Specifically, here is what can happen: One dealer I have heard about has been picketed for more than 2 years, despite the fact that his employees do not want to belong to a union. The dealer has appealed to the National Labor Relations Board, but the Board refuses to take jurisdiction. The dealer has appealed to his State courts. They will not act, because the Supreme Court says they cannot take jurisdiction. The result is continuing picket lines and loss of business. This businessman and others like him must have relief from this ridiculous situation.

Mr. President, I attempted to correct the situation by means of the amendment I proposed to the labor bill which recently was before this body. I tried to do so on two occasions. But, each time, the Senate refused to agree to the amendment I submitted, which would have provided relief for the small-business men of my State and for small-business men in other States similarly situated.

Mr. THYE. How did the Senator from Utah proposed to have that done?

Mr. WATKINS. Under the amendment, if the Federal authorities did not give them relief—because the Federal Labor Relations Board refused to accept jurisdiction—the State labor relations board could then take jurisdiction and could provide them relief.

Mr. THYE. The State courts were without jurisdiction because the Federal authorities have jurisdiction in this field; is that correct?

Mr. WATKINS. The Federal courts have held that the National Labor Relations Board has jurisdiction. But the Board has refused to act in this field—or to extend its jurisdiction to this case. And because of the confused state of the laws, the Supreme Court has held that the Congress intended that the National Labor Relations Board have jurisdiction in this field, to the exclusion of the Utah State Labor Relations Board and the State courts.

By reason of that ruling in the Guss case, the State Labor Relations Board cannot go ahead. So we have a situation where the evils should be corrected, where our labor unions should be able to apply to a board and get relief. They cannot do it under the ruling of the Supreme Court. The situation should be corrected. I think it will be corrected by this amendment, if it is adopted.

Mr. THYE. In other words, the situation is that the National Labor Relations Board has no jurisdiction.

Mr. WATKINS. It has jurisdiction according to the United States Supreme Court, but it has stated that most of the activities of the businesses involved are intrastate in character and that the National Labor Relations Board has so much to do that it will not take jurisdiction of that kind of a case, and it has refused to do so.

Mr. THYE. The Federal Court is not interested.

Mr. WATKINS. The Supreme Court has stated the State Labor Relations Board cannot act because the Federal authorities have jurisdiction.

Mr. THYE. And the State courts are excluded.

Mr. WATKINS. That is right, even though the court passed on the matter and the Supreme Court of Utah has ruled that the State Labor Relations Board can go ahead under those circumstances.

Mr. THYE. However, it failed to act?

Mr. WATKINS. No; the State did act. Appeals were taken from the decisions there made, and the Supreme Court of the United States held that the State did not have jurisdiction, in view of the fact that the National Labor Relations Board has jurisdiction, and should act; but it has not acted.

Mr. THYE. In other words, there is a twilight area in which the court has stated the court is not functioning as it should function or the Labor Board is not functioning as it should, and the Senator is trying to bring about a correction of that situation.

Mr. WATKINS. Yes. That is correct.

Mr. THYE. I understand the Attorney General is opposed to the legislative proposal.

Mr. WATKINS. I have not been advised of that fact, although I have heard a rumor to that effect. I do not understand how the Attorney General could be so close to the question and feel that way.

Mr. THYE. I have not read the communication, but in discussing it across the dinner table, in the Senate dining room, the report I heard was the Attorney General's office was opposed to it. That is what led me to ask the question, because I respect the judicial qualifications and ability of the distinguished Senator from Utah.

Mr. WATKINS. I should like to point out, in connection with what the Senator has just said, that we have a situation in this country which I think is alarming. More and more and more power is being taken over by the Federal Government. Congress, by some of its acts, has increased the tendency to take away from the States the enforcement and operation of laws. I do not like to see that trend. I think the labor relations board of my State can do a better job in this field, where there is a mixture of interstate and intrastate commerce, than the National Labor Relations Board can do. The matters should be taken care of nearer home. The problems involved are so numerous and vast that if the Court is going to hold only the National Labor Relations Board can act in this field, we had better get 3 or 4 National Labor Relations Boards on the job, because the present one has said that it cannot take care of the load. It is away behind. The Supreme Court practically invited Congress to correct the situation by legislation.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. WILEY. The question was asked as to the attitude of the Attorney General, and the question was raised in the discussion about his attitude. The Attorney General is in favor of S. 654, but now I should like to read what he has stated about the amendment we are discussing, which is really H. R. 3. H. R. 3, of course, was not reported to the Senate by the Judiciary Committee:

> H. R. 3 is designed to revive certain State laws previously held unconstitutional because of their conflict with Federal statutes. It proposes to change the effect of these Federal statutes not by openly amending them but by passing a retroactive rule of interpretation to change the meaning the courts have given to the words now contained in these statutes without changing the words themselves.
>
> The bill is so broadly drawn that its effects cannot be foretold, and if it is effective it must change the meaning of statutes conclusively interpreted many years ago, basic statutes under which millions of dollars have been invested, under which important human relationships have been fixed.

Then he quotes section 1, which is practically the same as the amendment:

> No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates to the exclusion of all State laws on the same subject matter unless such act contains an express provision to that effect or unless there is a direct and positive conflict between such act and the State law so that the two cannot be reconciled or consistently stand together.
>
> This section would attempt to apply a new rule for determining the intent of not only the present Congress or of a future Congress, but also previous Congresses whose intent is a long concluded fact not subject to change by legislative fiat. It would provide that there was no intent to occupy a field to the exclusion of State laws unless the Federal statute contains an express provision to that effect or unless there is a direct and positive conflict so that they cannot consistently stand together.

Mr. WATKINS. Does the Senator want to read that entire quotation?

Mr. WILEY. He gives an illustration.

Mr. WATKINS. Does the Senator want to make a speech on his own time, or does he want to make it as a part of mine, because I want to reply?

Mr. WILEY. I think the quotation relates to the question which was asked.

Mr. WATKINS. The question was asked. I have no objection to the Senator's making a statement on his own time. If that is the position of the Department of Justice—and undoubtedly it is—the Senator must have a copy of the statement it has made. I say the Department is in error.

Mr. WILEY. I have a copy of the letter written to the Senator from Mississippi [Mr. EASTLAND].

Mr. WATKINS. I have no doubt of that, but the Department has missed the point; because wherever there is a conflict between the State and Federal statutes—this bill provides—where it cannot be reconciled, the Federal statute would prevail, and the State statute would not. All we are asking to have done in this case is to have the rule of construction, which the Supreme Court has followed for many, many years, adopted. I do not agree with the opinion stated in the letter insofar as it may relate to H. R. 3, which is the McClellan amendment.

Mr. WILEY. I simply ask unanimous consent that the remainder of the letter, which was sent to the Senator from Mississippi [Mr. EASTLAND] under date of August 18, 1958, be printed in the RECORD. I did not mean to get into any discussion.

Mr. WATKINS. Obviously what has provoked the discussion is that the statement should not go unchallenged.

Mr. President, I request unanimous consent that the Attorney General's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah? The Chair hears none and it is so ordered.

Mr. JOHNSTON of South Carolina rose.

Mr. WATKINS. Does the Senator from South Carolina wish to have me yield?

Mr. JOHNSTON of South Carolina. Yes.

Mr. WATKINS. I yield for a question.

Mr. JOHNSTON of South Carolina. We were discussing the same subject. The Senator from Wisconsin brought up the letter. I wanted to bring up the fact that the bill now pending, to which the amendment has been proposed, has been made very plain. In the letter the law is covered.

Mr. WILEY. Which law?

Mr. JOHNSTON of South Carolina. The bill now pending before the Senate, S. 654.

Mr. WILEY. I so stated.

Mr. JOHNSTON of South Carolina. That was stated in the letter.

Mr. WILEY. S. 654 was referred to.

Mr. JOHNSTON of South Carolina. Yes. The impression was left that if other laws were not irreconcilable they ought to be enforced.

Mr. WATKINS. As a matter of fact, the same principle for which we are contending is indicated, but there is the suggestion that it be applied in a very limited area.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. WATKINS. It is suggested it should be applied in one case, involving the laws of subversion.

Mr. JOHNSTON of South Carolina. The Senator is correct.

Mr. WATKINS. This proposal would merely extend the same principle to other situations. If it is sound to apply it to one field of law, it should be sound to do so with respect to others. That is the point I make.

Mr. President, I emphasize that in my judgment it is the responsibility of this Congress more clearly and specifically to lay down ground rules which will guide the courts, both Federal and State, in determining their jurisdiction in litigation involving our citizens and our constituents. It is not fair to leave any situation in a position where the citizen can neither resort to protection from the State courts nor the Federal courts, when it is within our power to simply and concisely spell out our intentions.

I think the Supreme Court has a right to criticize us when we do not spell out our intentions. We should spell out our intentions so clearly that nobody can misunderstand them. If we have not done so, certainly no one can object if we try to correct a failure to state clearly what we meant. That is a part of the duty of the Congress.

I cannot criticize the Supreme Court at times for pointing out that we have not clearly defined our intentions. When the Court points out that we have not done so, that our legislation is vague and fuzzy, we ought to make our intention clear. We ought to make clear exactly what we mean.

Mr. JOHNSTON of South Carolina. Is it not also true that in the Nelson case the Court pointed out a way to clarify the situation. That is what we are trying to do at the present time.

Another thing Senators will notice is that the Nelson case left a cloudy area in which we do not know what will happen. If a case is brought up which is covered by Federal law and also by State law, there is an implication in the decision that if no national scope is involved, interstate commerce, or something like that, the right of trial might be given to the State. That means that it will be necessary for cases to go to the Supreme Court for a decision on the question we are trying to clear up tonight.

Mr. WATKINS. In cases in which it has been decided that the Federal law and the State law are in conflict, such a decision would not be reversed by passage of the bill under consideration.

Mr. JOHNSTON of South Carolina. The Senator is correct.

Mr. WATKINS. There is no intention to do so.

Mr. JOHNSTON of South Carolina. No.

Mr. WATKINS. If there had not been an entrance into the field and a determination that there was a conflict, the bill would be a guide.

Mr. JOHNSTON of South Carolina. The Senator is correct. The bill would clarify the situation, so we would know where we were in the future.

Mr. WATKINS. I thank the Senator.

The intent of this Congress with respect to such matters should not be made a matter of conjecture. Under no circumstances should our intentions remain unexpressed, to thus provide a means for overextension of Federal authority into purely local matters. In so doing we might deprive a citizen of his just day in court. No citizen should be made the victim of our own derelictions.

We should enact H. R. 3 or some similar legislation before we adjourn. I have advocated, in a general way, that such legislation be passed for a long time, and I know I express the sentiments of many of my colleagues in this regard, as well as the sentiments of many of my constituents in the State of Utah.

Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

LABOR REFORM LEGISLATION

Mr. WATKINS. Mr. President, there is another phase of labor law which has been discussed by the President of the United States, to which I should like to invite the attention of the Senate. I hold in my hand a statement from the White House, issued by the President. There are six rather short paragraphs in the statement, and I think the President has put his finger squarely on a situation which is pressing for action.

It is to be regretted that even the mild or rather weak and anemic bill we passed in this body and sent over to the House of Representatives was defeated.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. DOUGLAS. Is it not true that the Kennedy-Ives bill, when it went to the House of Representatives, was primarily defeated by Republican votes?

Mr. WATKINS. I do not know whether it was primarily so defeated.

Mr. DOUGLAS. That is true.

Mr. WATKINS. It may be true.

Mr. DOUGLAS. It is true.

Mr. WATKINS. Suppose it is. The bill was so bad——

Mr. DOUGLAS. The bill was bad?

Mr. WATKINS. Yes, it was. I think the bill was so weak and anemic that it was difficult for anyone to actually justify voting for it. I finally voted for it.

Mr. DOUGLAS. If the Senator thought it was a bad bill, why did the Senator vote for it?

Mr. WATKINS. It had some virtues.

Mr. DOUGLAS. Certainly.

Mr. WATKINS. It had a little virtue, but it was really not a very strong bill.

Mr. DOUGLAS. Did the virtues exceed the demerits of the bill?

Mr. WATKINS. I think there was a slight balance of virtue over demerit.

Mr. DOUGLAS. And that is why the Senator voted for the bill?

Mr. WATKINS. No; not entirely.

Mr. DOUGLAS. Would it not have been a good thing if the Republicans in the House had voted for the bill, too?

Mr. WATKINS. That is not the only reason I voted for it. I thought perhaps if we could get the bill to the House, where there could be a little further discussion, where Members were not so afraid to do something worthwhile——

Mr. DOUGLAS. The House had this subject under consideration for a long time.

Mr. WATKINS. Wait a minute, please. I have the floor.

Mr. DOUGLAS. The Senator is correct.

Mr. WATKINS. I thought we might get the bill through the House, and we might in conference work out something to really help in the situation.

Mr. DOUGLAS. Will the Senator yield for a question?

Mr. WATKINS. I yield.

Mr. DOUGLAS. Is it not true that the Republicans voted 3 to 1 against the bill and the Democrats voted 2½ to 1 for the bill in the House of Representatives?

Mr. WATKINS. That merely points up what we are saying now. The bill was one of those things that no one could be very much satisfied with, considering what was set out in the bill. Very few people were satisfied. Business did not like the bill. Labor did not——

Mr. DOUGLAS. Business did not like it?

Mr. WATKINS. Wait a minute. I have the floor.

Mr. DOUGLAS. That is correct.

Mr. WATKINS. I know the Senator is always very courteous, but I would like to finish my thought when I get started.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WATKINS. I yield, but the next time I should like to finish.

Mr. DOUGLAS. Is it not true that the reason business did not like the bill was that the bill would have compelled industry to list expenditures over $5,000 in the field of labor relations, so as to shut off the abuses of the Nate Shefferman type?

Mr. WATKINS. I do not know whether that was the point of view of business or not. Businessmen did not write to me on the subject, and I did not read any of the communications to other Members of the Congress. There were plenty of other things in the bill. There was a weakening of the Taft-Hartley Act, which had been some protection. There were many other things in the bill which made it doubtful in my opinion whether the bill should have been given the vote it received in this body, without going to the House of Representatives.

I had the hope—and I want to stress that it was hope—that the House would strengthen the bill and that we would get something of more substance in it after the House had studied it. However, the more the bill was studied the more convinced the Members became that it was really nothing but a great many words put together, which would not do very much.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. DOUGLAS. Does that agree with the opinion of the Senator from Utah?

Mr. WATKINS. The bill would not correct the situation disclosed by the Senate rackets investigation. From day to day we have seen evidence of many more things which need correction. We cannot go into the little-pills-and-water treatment, the old type of treatment which was used to treat every disease. That will not give us a cure.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. DOUGLAS. What Member on the Senator's side of the aisle has specialized the most in labor relations?

Mr. WATKINS. Does the Senator refer to the Senator from New York [Mr. IVES]?

Mr. DOUGLAS. Yes.

Mr. WATKINS. I know the Senator from New York.

Mr. DOUGLAS. Did not the Senator——

Mr. WATKINS. Wait a minute. I have very high regard for the Senator, but I have disagreed with him many times on the matter of labor relations. I happen to come from a State in which we are not bothered with so many "isms" and all that type of thing, as they are bothered with in the great State of New York. We live rather simply. We have some fundamental principles we accept.

Mr. DOUGLAS. Is the Senator imputing——

Mr. WATKINS. By the way——

Mr. DOUGLAS. Is the Senator saying——

Mr. WATKINS. Just a moment, please.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. DOUGLAS. That is correct.

Mr. WATKINS. I do not want to be discourteous, but the Senator keeps breaking in when I am trying to make a point.

Mr. DOUGLAS. I beg the Senator's pardon, but will the Senator yield for a query?

Mr. WATKINS. Will the Senator wait just a moment until I finish this thought?

I say, we live in a State in which we have some very sound principles which have been adopted over the years by our people generally. Labor and business try to get along together. They have been getting along together, for the most part.

We are now becoming greatly alarmed by what we see going on in the country—the gradual gathering together of more and more power in the unions. We have made them exempt from regulations which apply to monopolies. For example, the Teamsters' Union, through its present president, is reaching out to exert power over all fields of communication, travel, and transportation in this country. It is a great danger to our country's welfare. We were hopeful that this Congress would do something about the situation. I think the President's statement clearly points that out, when he says:

> I am most disappointed that the Congress has thus far failed to enact legislation to curb the racketeering, corruption, and abuses of trust and power which Senator McClellan's committee has found to exist today in the labor-management field.

Trust and power. What does the President mean?

He means that we have reposed great power in the hands of labor unions and their leaders. They have grave responsibilities under those conditions. Their leaders are the trustees for those whom they represent, who have given them the power to represent them. There are great combinations of labor. We would not permit big industrial combinations to operate without some regulations. There is very little regulation in the field of labor. The President is calling attention to that abuse. There is a great trust reposed in the hands of labor leaders, and they possess great power.

I might point out other statements in the brief press release of today. They are all loaded with important material.

I ask unanimous consent to have the entire press release printed in the RECORD at this point as a part of my remarks.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

I am most disappointed that the Congress has thus far failed to enact legislation to curb the racketeering, corruption, and abuses of trust and power which Senator McClellan's committee has found to exist today in the labor-management field.

Last January I recommended to Congress that comprehensive legislation be enacted so that the rights of the American worker would be safeguarded. The bill passed by the Senate in June, the so-called Kennedy-Ives bill, fell far short of these recommendations.

For example, it failed to provide adequate machinery to enforce the standards necessary to the proper handling of labor union funds. Further, the bill's failure to deal with the problems of boycotting and blackmail picketing would have given greater impetus to abuses the American people want to curb. It would have weakened certain aspects of the Taft-Hartley Act. It did not move at all toward recognition of appropriate State responsibility in labor matters.

In sum, it did not meet the Nation's needs because it did not deal effectively with many of the evils which need correction.

On August 18 the House voted on the bill under the procedure which permitted no opportunity to amend it and thus to correct its deficiencies.

I still hope that before adjournment the Congress will pass a labor bill which will effectively protect the working men and women of our country.

Mr. WATKINS. I now yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I wish to clear up one point.

Is it not true that the senior Senator from New York [Mr. IVES] has probably had more experience in labor relations matters than any other Member of this body, with the possible exception of the senior Senator from Oregon [Mr. MORSE]?

Mr. WATKINS. Is the Senator asking me a question?

Mr. DOUGLAS. Is that not true?

Mr. WATKINS. He may have had. I do not know. But I do have great respect for him. However, I have already pointed out that the problems which he and the people face in New York are not the same problems which the other States face, not only from the standpoint of industrial relations, but also from the standpoint of politics, which is important.

Mr. DOUGLAS. When the Senator said that Utah was not afflicted with the isms which characterized the State of New York, did the Senator from Utah mean to imply that the senior Senator from New York was influenced by isms?

Mr. WATKINS. I did not mean at all to imply that he was influenced by isms. I meant to imply that there are a great many isms up there which he must take into consideration. I happened to have been a member of the Internal Security Subcommittee for a number of years, and we found a great concentration of some of the problems of subversion in the great State of New York. Some of the problems related to labor activities.

Mr. DOUGLAS. Does the Senator from Utah think for 1 minute that the Senator from New York would be influenced or swayed by those factors in the slightest degree in the performance of his duties?

Mr. WATKINS. I do not intend to dissect the conscience of the great Senator from New York. I have profound respect for him. He has the right to express his views as he pleases. I have the right to dissent, and I have dissented many times. Many times I have agreed with him. I once lived in the great State of New York, and I know some of the special problems of that State. I was a resident there for 5 years at one time. I know the various activities, and the social issues in that State, which the people of many small States only read about in the newspapers. They never have such problems in their own States.

In New York there is a variety of races and nationalities. In times past, there were a large number of unassimilated immigrants who had come from Europe and other places in the world bringing with them a great variety of ideologies. An entirely different situation, of course, exists west of the Hudson, in the "hinterland."

Mr. DOUGLAS. Is it not a fact that at one time Utah was populated almost entirely by immigrants from other countries who embraced an unpopular religion?

Mr. WATKINS. Utah was settled in the first place by white people from the great States of Vermont, New Hampshire, and Massachusetts. They did not come from New York or from foreign lands. Many people came to Utah from other lands, but they were people whose philosophy was very much like that of New Englanders, who were really the founders of the great State of Utah. They do not agree with many of the doctrines now popular in this country. They do not agree that great powers should be given to any one group of men, without any control, so to speak, in the field of labor. The labor leaders have become so strong and powerful that they can practically dictate the economic life of the country, and they are now doing it in a large measure.

I have no quarrel with labor union people as such. We have many fine labor union members in my State, and many of the labor leaders are fine people; but they have very little to say about what is done by their powerful labor leaders who operate in the great centers of population.

Mr. DOUGLAS. I should like to ask a few simple questions to develop the facts in the case.

Is it not true that the Senator from New York [Mr. IVES] was the joint author, with the Senator from Massachusetts [Mr. KENNEDY] of the labor bill?

Mr. WATKINS. I disagreed with many Members on my side of the aisle. I disagreed with the Senator from New York.

Mr. DOUGLAS. Is it not true the Senator from New York issued a very strong statement when this bill was defeated in the House saying that it was a disgrace that the bill had been defeated in this manner, and that politics should not be allowed to sway such decisions?

Mr. WATKINS. I agree that politics should not be allowed to sway such decisions, but I think politics did so in the House of Representatives, and I think politics did so on the floor of the United States Senate when the same bill was before us.

Mr. DOUGLAS. I agree with the Senator from Utah. I believe Republican politics defeated the bill on the floor of the House when approximately three-quarters of the Republican membership of the House voted against the bill which the distinguished senior Senator from New York helped to draft.

Mr. WATKINS. Apparently it was found on further investigation that the bill was as I have described it; it was so weak and anemic that it really did not contain anything of substance. On the other hand, it was actually damaging to the interests of the overwhelming majority of the people of this country, including members of labor unions.

Mr. DOUGLAS. Does the Senator from Utah maintain that the House gave it more careful scrutiny than did the Senate?

Mr. WATKINS. The House had a much longer time to scrutinize the bill. It had a great deal of time after we passed it and before it was called up and considered. I understand that the Speaker kept the bill on his desk for 41 days. There were at least 41 days in which to consider the bill.

Mr. DOUGLAS. Is it not true that hearings resulting in a transcript of over 1,000 pages were held by the Senate committees?

Mr. WATKINS. That is true, and the transcript of those hearings was available to Members of the House.

Mr. DOUGLAS. Is it not true that no hearings were held in the House?

Mr. WATKINS. The Senate committee held such elaborate hearings that House hearings were not found to be necessary.

Mr. DOUGLAS. Does the Senator mean that every Member of the House read the entire transcript?

Mr. WATKINS. Probably as large a proportion of Members of the House read the transcript as was the case in the Senate.

Mr. DOUGLAS. Does the Senator from Utah remember the lengthy debate on this issue in the Senate?

Mr. WATKINS. I remember it because I took part in it, and I was defeated twice.

Mr. DOUGLAS. The debate took several days, did it not?

Mr. WATKINS. Oh, yes, it did; and the Members of the House had those proceedings before them as well.

Mr. DOUGLAS. How long was it debated in the House? For 40 minutes, was it not?

Mr. WATKINS. I do not know. If the House Members had respect for us they might have taken full advantage of what was done over here. They could have all read the RECORD and decided what they wanted to do. I regretted very much that we sent to the House the bill we sent over there, but, as I said before, I voted for it so that a bill would at least be before the House for consideration, and after the House Members finished considering the bill they could use their best judgment in voting on it. However, they were not permitted to amend it at all. A dictatorial fiat was laid down. House Members were told, "You must take this bill or nothing. You must vote on it." They said, "All right. If that is the way we are to be treated, in a country where we are supposed to have free debate, we are ready to act." And they voted it down.

Mr. CLARK. Mr. President, will the Senator yield for a couple of questions?

Mr. WATKINS. If the Senator from Illinois has completed his questions, I shall be glad to do so.

Mr. DOUGLAS. I should like to make a reply to the Senator's comments; but I shall do so later on my own time.

Mr. WATKINS. I yield to the Senator from Pennsylvania. I am always interested in what the Senator from Illinois has to say. He is very interesting and plies many fine questions.

Mr. DOUGLAS. It is always a pleasure to discuss these questions with the Senator from Utah, even though we do not frequently agree.

Mr. CLARK. Mr. President, will the Senator yield for a couple of questions?

Mr. WATKINS. I had hoped that the Senator from Illinois would be converted sooner or later with respect to the matters we disagree on frequently.

Mr. CLARK. Is the Senator from Pennsylvania correct in his understanding that the Senate is now debating the Bridges bill to which the McClellan amendment has been offered?

Mr. WATKINS. We are debating both the bill and the amendment. The amendment, if adopted, will be part of the bill, so perhaps we are debating the bill.

Mr. CLARK. Is it not correct that the principal question before the Senate is whether or not the scheme of Federal regulation laid down in the Smith Act is so pervasive as to make reasonable the inference that the States should not be permitted to legislate on their own in this regard, and that this is the principal issue which we are now determining?

Mr. WATKINS. That is one of them, but why restrict it to the Smith Act? We think it is avoiding the issue to a great extent to apply it only to the Nelson case. Why not bring it in in connection with all the other matters on which Congress legislates in this field.

Mr. CLARK. Still the issue is whether a Federal statute shall prevail to the exclusion of a State statute, is that correct?

Mr. WATKINS. If it is confined to the Senate bill, yes, but I have never seen the time when Members of this body were willing to restrict themselves when they knew there were problems in another field if, while they had the subject before them, they were able to take care of

those problems at the same time. H. R. 3 which is presented will help to take care of the same problem in broader fields of legislation as well. I have already pointed out to the Senate—and if the Senator were here he would have heard me—that it would help us in the labor field in my own State as concerns the no man's land situation which I have called to the attention of the Senate a number of times.

Mr. CLARK. But the purpose of the proposed legislation before us is to make possible a reinstatement of certain State statutes which, if the Federal Government is to occupy the field, would be held to be unconstitutional; is that not correct?

Mr. WATKINS. If they are held unconstitutional, of course, they will not be affected, by the provisions of this bill and if they have already been ruled upon, and have been held to be in conflict with national statutes, they will not be reversed. We shall not enter that field again.

Mr. CLARK. What we are discussing is whether Federal legislation shall be preeminent to State legislation, or whether it shall not.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. WATKINS. I think the Senator from Pennsylvania has asked his two questions.

Mr. CLARK. If the Senator does not care to yield any further, I shall desist.

Mr. EASTLAND rose.

Mr. WATKINS. I should like to get the comment of the Senator from Mississippi on the matters raised by the Senator from Pennsylvania.

Mr. EASTLAND. The distinguished Senator from Pennsylvania says that Federal legislation would be preeminent within the field. I should like to know what Federal legislation.

Mr. CLARK. The Smith Act.

Mr. EASTLAND. The Smith Act was gutted by the Supreme Court. The Supreme Court in the Nelson case held that 42 State antisubversive statutes were unconstitutional. The court said, "We rely on the Smith Act." Then it turned around a year later and destroyed the Smith Act.

Mr. President, the people of the United States are today defenseless in the face of an internal Communist conspiracy to destroy us.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. WATKINS. I yield to the Senator from Pennsylvania.

Mr. CLARK. One final question: What has all this discussion of labor legislation to do with the issue now pending before the Senate?

Mr. WATKINS. I tried to make that clear in my statement. I did not see the Senator in the Chamber at the time. In the State of Utah it would permit us to go ahead in that "no man's land" area which I called to the attention of the Senate twice in the debates on the recent labor bill which it mentioned in these discussions. The Senate refused to accept the amendments which would have given us some relief out there. This particular proposed statute would help us in that field.

Mr. CLARK. I thank my friend for his courteous answer to my question.

Mr. WATKINS. I have tried my best. I hope I have cleared up at least my position and the position of those who are supporting H. R. 3. I thank the Senator, and I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado [Mr. CARROLL].

Mr. CARROLL. Mr. President, the question propounded by the Senator from Pennsylvania and answered by the distinguished Senator from Mississippi really highlights the purpose of this legislation.

I am indebted to the distinguished chairman of the Committee on the Judiciary for being so forthright in his presentation. He tells what the proposed legislation would do. Let us make no mistake about it. The Senator from Pennsylvania has asked whether S. 654 is contained within the bill. Of course, it is. It is linked with H. R. 3. Both of them have to do with the so-called doctrine of preemption.

All lawyers try to go to source material to find what the issue is and to simplify it. We should do that, in order to know what we are voting on. The proponents of the proposed legislation would have us believe that it appears to be so innocuous and simple that almost anyone can understand its purpose. I am reminded of the so-called right-to-work statutes, which are being discussed in campaigns conducted throughout the several States, under a false and phony and misleading solgan. I hope—in a few moments if possible, to clarify the issues in the case by taking a look at the source material. In connection with this proposed legislation, the proponents, perhaps unwittingly, have unfrocked themselves. The proposal stems largely from a decision, not of the United States Supreme Court, but of the Supreme Court of Pennsylvania in the Steve Nelson case.

There is nothing to guide the Members of the Senate with respect to H. R. 3, because no hearings have been held on it. Committee hearings were held in the other body, not by a committee of the Senate. This is one of the most important pieces of proposed legislation to come before the Senate in this session. Why is the proposed legislation important? Again I must look to the source material provided by the House of Representatives, where hearings and debates were held. I shall read from the minority views. These are views held by distinguished lawyers in the other body. They are not the views of a single Member, but of a great number of lawyers in that body. This is what they said:

> Seldom has this House had before it a bill so productive of chaos in the legal relationships governing substantial areas of American economic and political life.

That is a very important sentence. I continue:

> Ironically, there has seldom been a bill which is more likely to prove a disappointment to its advocates.

That language is contained in the minority views of the House report.

In one sentence this bill proposes to deal with 150 years of jurisprudence and the delicate and intricate realm of the distribution of power between the Federal and State governments.

There have been 150 years of decisions, Mr. President. Now do Senators understand why the Attorney General of the United States objects to the bill? The distinguished Senator from Wisconsin [Mr. WILEY] has included in the RECORD a report from the Attorney General of the United States.

Perhaps I can read a paragraph from it. The Attorney General says:

> This section would attempt to apply a new rule for determining the intent not only of the present Congress or of a future Congress, but also previous Congresses whose intent is a long concluded fact not subject to change by legislative fiat. It would provide that there was no intent to occupy a field to the exclusion of State law unless the Federal statutes contain an express provision to that effect, or unless there is a direct and positive conflict so that they cannot consistently stand together.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. CARROLL. I should like to ask the Senator from South Carolina to permit me to follow the thread of my thought.

Mr. JOHNSTON of South Carolina. I merely wish to ask one question at this point.

Mr. CARROLL. I yield.

Mr. JOHNSTON of South Carolina. Is it not correct to say that any Congress in the future would have the right to pass laws and undo what we do if it saw fit to do so? Would not the passage of the proposed legislation give a future Congress the right to enact a law if it intended to have the Federal Government take over the entire field? Therefore that statement is not correct.

Mr. CLARK. Does my distinguished friend from South Carolina, who is a member of the Committee on the Judiciary, and for whom I have a very high regard, understand that the bill before us is retroactive?

Mr. JOHNSTON of South Carolina. It is retroactive, but when a Congress in the future passes a law it can say whether the State shall be excluded from this field.

Mr. CARROLL. When the Senator from South Carolina admits that the proposed legislation is retroactive, does he not also admit that it cuts across decisions in cases affecting the social, political, and economic life of our country which have been rendered in the past?

Mr. JOHNSTON of South Carolina. I say to the Senator from Colorado that the proposal before us would not change any law which is already on the statute books. It deals only with procedure.

Mr. CARROLL. I come back again to the source material of the House, as we must do. Not having had hearings in this body, and really not having had an opportunity to interrogate witnesses in our own hearings in the Senate Committee on the Judiciary, we must go to the only source left to us; namely, the hearings in the other body.

I wish to talk a little about the Steve Nelson case, because that case did not originate as a Federal case. The Steve Nelson case originated in Pennsylvania. It came through the courts of Pennsylvania. I think it is important to discuss that case.

There is no doubt in my mind that Steve Nelson was a Communist. Briefly, this is the background of the case. Around 1939 Pennsylvania enacted a sedition statute. In 1940, Congress enacted the Smith Act, a broad and inclusive statute. Years later, Steve Nelson was indicted under the Pennsylvania statute, which sought to punish him for an offense against the United States. He was convicted in the lower court. I hope Senators will listen carefully to this account.

After his conviction, Nelson was sentenced to 20 years in prison. He was also fined $10,000 and assessed costs of $13,000. So he received a 20-year sentence coupled with what amounted to a $23,000 fine.

After the conviction, the case moved through the lower courts of Pennsylvania. The case was sustained in the lower courts.

During the interim, Steve Nelson was charged with a Federal offense under the Smith Act. He was sentenced to 6 years imprisonment.

The State case reached the Supreme Court of Pennsylvania, a very respected court. Pennsylvania is a State older than the Nation. In the legal profession we frequently refer to Philadelphia lawyers, who are among the best lawyers in the country.

Some may say that the Supreme Court of Pennsylvania was communistic. Some would have us believe that the Supreme Court of the United States is communistic. Let us not put the tag of communism on the courts because they do not happen to agree with the preconceived notion of a few Members of this body about how the laws shall be interpreted and administered.

Let me read something about the Steve Nelson case. I am not quoting from the Supreme Court of the United States; I am quoting from the Supreme Court of Pennsylvania. This is a question which was asked, on the subject of preemption:

> One of the categories of supersession is when the field, in which both the Federal Government and the State have legislated, is of paramount importance to the Federal Government.

This was not the Supreme Court of the United States speaking. The Supreme Court of Pennsylvania asked:

> What Federal interest, it may be asked, could be more dominant than maintenance of the security of the Federal Government itself which the Smith Act was designed to vouchsafe against subversive political assaults?

What could be more dominant?

> And what could be more hampering to the exercise of Federal power in such connection than to have a State assume to prosecute what is in truth an affront to the National Government?

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. CARROLL. May I finish, please? Then I shall be happy to yield.

I continue:

> We have already referred to the powers of the Federal Government derived through State concession, either expressly or impliedly, upon the adoption of the Constitution. But, wholly apart from that, the Federal Government has at all times possessed the inherent right to protect and defend itself against enemies, domestic as well as foreign.
>
> When, therefore, a State assumes to punish, as does the Pennsylvania statute here involved, sedition against the United States, it is intruding in a matter where the national interest is obviously paramount. It follows necessarily that the Federal Government's control of the field must be exclusive if it is to protect itself effectively and completely.

This was the finding of the Supreme Court of Pennsylvania. The court, in its concluding paragraph, referred to a famous admonition. It said:

> Surely no more impressive admonition could have been given to the judiciary of our country.

What admonition was the court talking about? It was not talking about a Communist. It was not talking about a man who, in those days, was charged with being a Communist. Of whom was the court speaking? The court was speaking of Mr. Chief Justice Charles Evans Hughes, who was speaking for a unanimous Court.

This is something to which we should pay attention in the closing hours of Congress, when we are tired, and torn sometimes by regional problems, torn by differences in philosophy. This statement, I think, rings the bell of democracy and liberty. Let us pay attention to the words of Chief Justice Hughes:

> The greater the importance of safeguarding the community from incitements to the overthrow of our institutions by force and violence, the more imperative is the need to preserve inviolate the constitutional rights of free speech, free press, and free assembly in order to maintain the opportunity for free political discussion, to the end that Government may be responsive to the will of the people and by changes, if desired, may be obtained by peaceful means.

That was what Chief Justice Hughes said. I continue with his statement:

> Therein lies the security of the Republic, the very foundation of constitutional government.

I now read from the concluding paragraph of the opinion of the Supreme Court of Pennsylvania, not the Supreme Court of the United States.

> Surely, no more impressive admonition could have been given to the judiciary of our country. If this counsel is to be heeded faithfully, it is essential that criminal sanctions for conduct hostile to our Federal Government be promulgated, imposed, and controlled—

This is the key to the matter—

> imposed and controlled uniformly for the Nation as a whole. And that, only the Central Government can accomplish.

I think the Steve Nelson case is the real genesis of the proposed legislation. It is another example of the assault which is being made upon the Supreme Court. That is why, in connection with the Mallory bill and Jenner-Butler bill, I have called for moderation. In the Steve Nelson case, the Supreme Court calls for uniformity. That is what the Senator from Pennsylvania [Mr. CLARK] was inquiring about.

After the Supreme Court of Pennsylvania reversed this conviction, a hue and cry was raised over the country, and the case was taken to the Supreme Court of the United States. The attorneys general of the States have an association. That association made the statement that the Supreme Court of the United States was interfering with State powers. They filed an amicus curiae brief in the Supreme Court. The Supreme Court, in a wonderful opinion, sustained the Supreme Court of Pennsylvania.

Why attack the Supreme Court of the United States? It did not write the opinion of the Supreme Court of Pennsylvania. All that the Supreme Court of the United States did was to render a decision saying that when the Federal Government passed the Smith Act it preempted the field.

This is a problem on which the FBI is working. The FBI works with the police departments of the States. It works with the other agencies of law enforcement. The attorney general of Colorado is a Republican, and Colorado has a sedition law. Colorado would not dream of moving into this field. Why? Because it is a field which is dominated by the Federal Government, and it should be dominated by the Federal Government.

What was the effect of the Supreme Court decision? Forty-two States have sedition acts. These acts would be reactivated by this bill. I observe my friend from North Dakota on the floor. He knows that some of those acts in the States originated as far back as World War I. Some of the acts were directed against German-Americans when the United States was about to go to war with Germany. Some of them were directed, as is always the case in a period of national fright, against certain nationals of foreign origin. Some were directed against the "wobblies," the so-called international workers of the world.

Mr. McCLELLAN. Mr. President, will the Senator from Colorado yield?

Mr. CARROLL. I shall be happy to yield after I finish stating this point. I have no desire to avoid questions; but I wish to finish my statement, because I believe we shall make a point here, about these acts.

These facts do not appear in the report; one has to dig deep into the statutes. In 1917 and 1919, the Federal Government had some Sedition Acts. But after World War I, the Federal Government abandoned the field. From about 1921 until 1940, when the Smith Act was passed, the Federal Government was not working in this field, and therefore all the Sedition Acts of the States were operative. But when the Federal Government reentered the field in 1940, so the Supreme Court has said, the Federal Government then preempted the field.

That is a reasonable interpretation. I know that many men who were in the

Congress in 1940 say it was not the intent of Congress to preempt the field. But who can say as a matter of fact that either the Supreme Court of Pennsylvania or the Supreme Court of the United States was wrong?

The conclusion reached by the Supreme Court of the United States is a logical one. Reasonable men can differ regarding it; but there is no reason to castigate the Supreme Court for what is certainly an intelligent decision.

What happened to the State sedition statutes when the Supreme Court handed down its decision? That decision of the Supreme Court left the State sedition statutes in limbo. The decision did not repeal them, because only a State can repeal its own statutes. But the Court's decision invalidated those State acts, insofar as they affected the Federal Government.

What will the passage of the pending bill do? It will reactivate all those State statutes. But, as the distinguished Senator from Pennsylvania has said, many of those statutes cannot meet the standards and the tests which have been established by the decisions of the United States Supreme Court, and therefore many of those State statutes are unconstitutional. In my opinion there is no question about that.

Let me say that I have on my desk a book which is based on a very great study which was made in this field. If I were to mention the name of the group which made the study, extremists might say the study was made by a Communist-front group. However, we find that the book was published by the Fund for the Republic. Was it a Communist group? Of course, it was not—even though many persons do not like it. The group obtained its money from the Ford Foundation. I would like to mention the name of a gentleman who had a great deal to do with the report.

He was the president of the Fund for the Republic.

Was the president of the Fund for the Republic a Communist? Indeed, not. Mr. President, the gentleman to whom I refer is now a Member of this very body, namely, the Senator from New Jersey [Mr. CASE].

At one time I served in the House with the Senator from New Jersey [Mr. CASE]. I certainly know he is not a Communist. After he left the Congress, he became head of the Fund for the Republic.

In the study, we find set forth, State by State, the text of the State sedition statutes.

Our committee should have held hearings on the bill to study such facts. At such hearings testimony would have been received from all of the great thinkers and experts.

Instead of that no hearings have been held on the bill.

I believe I have stated enough to show the origin of the bill.

Now let us consider the most important bill: namely, House bill 3.

Mr. McCLELLAN. Mr. President, at this point, will the Senator from Colorado yield?

Mr. CARROLL. I am happy to yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. I heard the distinguished Senator from Colorado say that 42 States now have sedition laws. If the decision of the Supreme Court is the law of the land, then no State has a sedition law; then all the State sedition laws are invalid. Does the Senator from Colorado agree?

Mr. CARROLL. No, I do not agree at all.

Mr. McCLELLAN. If all the State sedition laws are invalid, they cannot be enforced.

Mr. CARROLL. That is an entirely different situation.

Mr. McCLELLAN. So long as the Federal Government has preempted the field, what do the State sedition laws amount to? In that event, they constitute simply empty gestures.

Mr. CARROLL. No; there are State laws.

Mr. McCLELLAN. I am referring to State laws which deal with sedition against the Federal Government.

Mr. CARROLL. Then my colleague's statement is a true one.

Mr. McCLELLAN. So there are no State laws on sedition against the Federal Government?

Mr. CARROLL. That is true.

Mr. McCLELLAN. The statement was made that it is an affront to the Federal Government.

Mr. CARROLL. I did not say that; the Supreme Court of Pennsylvania said that.

Mr. McCLELLAN. The Senator from Colorado read it from the decision of the court?

Mr. CARROLL. Yes.

Mr. McCLELLAN. Who is the Federal Government?

Mr. CARROLL. I assume that all of us are parts of it.

Mr. McCLELLAN. The Federal Government is made up of the 48 States; the Federal Government is a union of the 48 States.

Who comprise a State? The citizens thereof. Who defend this country? The citizens of the several States of the United States.

Therefore, is it correct to say that a State has no right to pass a sedition law to preserve itself in connection with enforcement of the law?

Suppose the Federal Government does not enforce the Federal sedition law. In that event, what happened in the Commonwealth of Pennsylvania? The State, not the Federal Government, undertook to enforce the law.

It is said that the State cannot do so. But suppose the Federal Government acts in a careless and negligent manner, and does not enforce the law. In that event, is the State precluded from enforcing the law? Yet ours is a union of States; and the States are composed of citizens—of the very people who defend it when sedition undertakes to overthrow it.

Mr. CLARK. Mr. President, will the Senator from Colorado yield to me?

Mr. CHURCH. Mr. President, will the Senator from Colorado yield to me?

Mr. CARROLL. I should like to respond for a moment to the statements which have been made by the Senator from Arkansas; I cannot let some of the statements go unanswered or unchallenged.

Of course, all of us are a part of the Federal Government. Of course, we have a dual system of government. Of course, we have a federal form of government.

But that is not the question which is involved in this case. The question concerns an interpretation of the Supreme Court in connection with preemption. The Federal law is supreme and exclusive. That is why the decision is binding. That is why the decision of the Supreme Court takes precedence over the State laws, most of which are antiquated; That is the reason why this bill is now before the Senate.

There is no reason at all why a State cannot protect itself. But the problem involves the situation where a State invokes a State criminal statute for an offense against the United States.

Mr. President, I have submitted minority views on Senate bill 654, the Bridges bill, a part of which is identical to the pending bill. I should like to read for a moment from those minority views:

> It is most significant that after Nelson's conviction and sentence in the Pennsylvania State court, he was indicted and convicted under the conspiracy section of the Federal Criminal Code for conspiring to violate the Smith Act. For this Nelson received a sentence of 5 years.
>
> This raises the important question. In the absence of adequate hearings, for the lack of due and proper consideration, is it really the intention of the Congress of the United States to permit the possibility of double punishment for the same overt acts? If so, Congressional approval of double and possibly multiple trials and punishment for the same offense would immediately raise a basic constitutional issue as was the case in *Hinds* v. *Davidowitz* (312 U. S. 52, 61 S. Ct. 399, 85 L. Ed. 581) that such legislation affected "the rights, liberties, and personal freedoms of human beings • • •." In that case the Supreme Court of the United States held in part an act of Congress may touch a field in which the Federal interest is so dominant that the Federal system will be assumed to preclude enforcement of States laws on the same subject.

This is basic, fundamental constitutional doctrine, and it should not be changed by this bill.

There is not the slightest doubt in my mind, as I note the opinion of the Attorney General concerning H. R. 3, and view the tremendous consequences of the proposed legislation, that the President of the United States would be forced to veto the bill.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. CARROLL. I yield to the Senator from Idaho.

Mr. CHURCH. I have listened with great interest to the learned discussion of the pending bill being made this evening by the distinguished Senator from Colorado, and I have listened to the colloquy between the Senator from Colorado and a very eminent Member of this body, the Senator from Arkansas [Mr. McCLELLAN], for whom I have great personal esteem. But I must take issue with the Senator from Arkansas when he refers to the Federal Government as the creature of the States. I differ with him in this respect, for it seems to me the Constitution of the United States makes expressly clear in its preamble that the Federal Government is the creature of the sovereign people, not of the various States.

The preamble of the Constitution reads, "We the people." It does not read, "We the thirteen States of the Atlantic seaboard do hereby create a national government." It reads:

> We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.

What could be clearer than that? And if words do not make it clear, the substance of this Government should make it clear, for Federal laws do not apply upon the State, do not bind the States and compel conformity from the States. Federal laws pierce through the States to the sovereign people of this land. The Government of the United States is a government of the American people, and it rests upon the American people.

I ask the distinguished Senator from Colorado if he does not agree with me that the proper guardian of the Federal Government is the Congress, and that it is altogether proper and appropriate that the Congress decide what acts shall constitute subversion as against the Government of the United States.

Mr. CARROLL. There is no doubt that what the Senator from Idaho has just said is true in all respects. He has made a very fine presentation. The Senator from Arkansas has not correctly described the situation. This is positive proof of it. I shall now read from the Constitution. This is a complete answer.

Mr. McCLELLAN. Mr. President, will the Senator kindly yield to me?

Mr. CARROLL. Not at this time. I want to finish this thought, and I want to make a record on this point.

Mr. McCLELLAN. Go ahead.

Mr. CARROLL. The presentation by the distinguished Senator from Idaho is so clear and concise that it cannot admit of any reasonable misinterpretation. I shall read the constitutional provision. This is what we call the doctrine of national supremacy, as set up in the Constitution. Perhaps we ought to have it in the record:

> This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby.

That refers not merely to certain areas of the country, but to all areas. Everyone is bound, anything in the constitution or the laws of any State to the contrary notwithstanding. It is upon that constitutional provision that the doctrine of national supremacy is predicated. That article gives the Supreme Court the opportunity to interpret the intent of the Congress.

Do Senators think the Supreme Court, in interpreting an act, would, under the Constitution, really permit preemption except where the Federal Government has the dominant interest?

I now yield to the Senator from Idaho.

Mr. CHURCH. I fully associate myself with the remarks which have been made this evening by the distinguished Senator from Colorado. I take this opportunity to emphasize my conviction that the Government of the United States rests upon the sovereign people of the United States, and that it reaches through to the people. It does not rest upon a collection of States. The express terms of the Constitution make that clear, as does the fact that the Federal laws pierce through the States and operate on individuals.

I oppose the bill in this form because I think Congress is the proper and natural guardian of the National Government, and that Congress, and Congress alone, should define acts which constitute subversion against the National Government. Let the State legislatures exercise their prerogatives, enact such laws as they care to enact, and define the acts which may constitute subversion against the State governments; and let the Congress alone decide what shall constitute subversion against the National Government. This is one Government, and we shall keep this Government one Government only if we insist on its prerogative to decide what shall constitute subversion of the National Government. That is why I think the bill in its present form should not pass.

I commend the Senator from Colorado for the profound and learned exposition he has made this evening on the pertinent constitutional authority which supports his position in this historic debate.

Mr. CARROLL. I thank the Senator from Idaho for his very fine contribution for the record in this debate.

I now yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I thank the distinguished Senator from Colorado.

I did not say a while ago that the Federal Government was the creature of the States. I said this Government was composed as a union of States. But since the question of creature has been injected into this debate, I call the attention of my friends to article VII of the Constitution. I should like to read it. If the States did not create this Government, I do not know who did. Listen to this:

> The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

There would not be a United States tonight were it not for the fact that nine States ratified the Constitution. That is a correct statement. I point out something else. The States did not surrender everything to the Federal Government. Amendment 10 to the Constitution says "the powers not delegated." The Federal Government is a creature of powers delegated. From where were the powers delegated?

I ask Senators to listen to the language:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved—

To whom are they reserved? To the States.

Mr. CLARK. Or?

Mr. McCLELLAN. Or to the people. But the powers are reserved to the States. The powers do not have to reach the people. The States created this Government.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McCLELLAN. The people were citizens of the States. The States were representatives in the process of ratifying the Constitution.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McCLELLAN. The truth is that this Government—the Federal Government as we speak of it—is a government of a union of States. There would not be a Federal Government if it had not been for State action.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield if I have the floor.

Mr. CARROLL. Mr. President, I am very happy to yield to the Senator from Pennsylvania. The Senator from Pennsylvania has been most kind and patient, and I shall be most glad to permit him to speak as soon as I make a brief comment.

I am glad to have the Senator from Arkansas clarify his previous statement.

Mr. McCLELLAN. I referred to a union of States; I did not say a creature of the States.

Mr. CARROLL. Whatever the record is the last statement of the Senator is helpful, and I am sure it will be helpful in the debate.

Mr. McCLELLAN. I thank the Senator.

Mr. CARROLL. Mr. President, this debate begins to reveal the key of what is in back of it all. There is an effort to turn the Nation backward.

Now let us talk about the 14th amendment.

All through the debate runs the thread of a concept of States rights. We find it not only in the economic field, but also in the political field. There are some—and I am sure there are none in this body—who think the Civil War is not yet over.

We should refer to the 14th amendment. We are no longer only State citizens, we are American citizens.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. CARROLL. I prefer not to yield until I finish my thought.

Any American citizen can go to Federal courts. We now have something which is called "due process." An American citizen can protect his economic rights, his political rights, or his democratic rights under the 14th amendment.

What is the real purpose of H. R. 3? Everybody knows who is supporting H. R. 3. The United States Chamber of Commerce, the National Association of

Manufacturers, and all the groups which are trying to change the doctrine of national preemption under the Constitution are behind it, because they think the States can be influenced to further the ends which they seek. That is the reason. There is no question about it.

The Senator from Utah made reference to labor. The bill is aimed at labor, and we should make no mistake about it. The bill is aimed at the National Labor Relations Board.

It was thought 10 years ago, when I was a Member of the House of Representatives, that, if there could be an amendment to the Wagner Act to replace it with the Taft-Hartley Act, these groups would be satisfied. Yet we found that in this field they are never satisfied. Now they endeavor to turn back the clock and put the power back in the States.

There is an effort to narrow Federal power and strike at labor. There is an effort to cut labor down with right-to-work bills and other restrictive measures.

They hope they can cut down some of the other progressive forces moving in our society. We have a great, growing, expanding society.

The basic hope of H. R. 3 advocates is to turn back the clock; make no mistake about it.

Even some conservative groups are associated with us, however. The American Railroad Association does not want the bill passed. Why is that so? It is so because New York could impose a State restriction on a boxcar, which might not coincide with the statute of New Jersey. New Jersey might want a ladder on the other end of the boxcar. Arizona might impose a limitation on the train crew which would not coincide with the limitation on the train crew under the statute of Colorado. The railroads do not like that.

The Attorney General states that in his opinion passage of such a bill would cut back 150 years through litigation affecting the economic and political life of this Nation.

Of course, I have no pipeline into the White House, but if the Attorney General has such a strong conviction as is evidenced by the opinion which has been inserted in the RECORD by the Senator from Wisconsin, I should think there would be not a single doubt as to a veto. Economic chaos would result if the bill were enacted into law. The President would have to veto the bill. There is no doubt in my mind about that, but we will let the President assume his responsibility. It is our job to assume our responsibility this evening.

I now yield to my friend, the Senator from Pennsylvania, who has been very helpful in this discussion.

Mr. CLARK. I thank my friend for his courtesy. To me this has been a most interesting discussion. I am particularly pleased that it has been conducted in such a good natured way among friends who happen to disagree among themselves, but who nonetheless remain friends. I am happy to see an occasional little vein of humor coming through. I think that is all to the good.

The discussion has been particularly interesting, because the junior Senator from Idaho, the junior Senator from Colorado, and the junior Senator from Pennsylvania, all relatively recently elected Members of this body, are contesting against the senior Senator from Arkansas, the senior Senator from South Carolina, and the senior Senator from New Hampshire.

Mr. CARROLL. I hope the Senator will not forget the senior Senator from North Carolina, who is standing behind him.

Mr. CLARK. I did not know my good friend was in the Chamber. I am sure he is readying something which will absolutely destroy what I am saying.

The point I am trying to make is that I think this discussion about the supremacy of the States or the supremacy of the Federal Government has been going on ever since the days of nullification in South Carolina in about 1830. The discussion continued throughout the Civil War, and then there was a hiatus for a while. It has suddenly raised its head again. I suspect, though I could be wrong—I am not at all sure I am correct—that the stream of history, the one-world concept, and all the things which have bound us together, from space to the atom bomb and interstate commerce, are carrying us inevitably to a situation in which the supremacy of the Federal Government is something we will not much longer be able to controvert, because it is essential to national safety.

I should like to refer for a moment to a comment the Senator made a little while ago about the decision in Commonwealth against Nelson, in the Supreme Court of Pennsylvania. I think it cannot be stressed too often that it was not the Supreme Court of the United States in the first instance which struck down the Pennsylvania sedition act, and by implication the sedition acts of other States, when the Supreme Court of Pennsylvania said that the Federal Government had occupied the field and preempted the field. It was not the Supreme Court of the United States, against which so many diatribes have been urged within and without this Chamber; it was the supreme court of a State, the State or Commonwealth of Pennsylvania.

When my friend was reading from the opinion of the Supreme Court a while ago he was reading from the opinion of the court as rendered by Mr. Justice Jones. Is that a correct understanding?

Mr. CARROLL. That is exactly correct.

Mr. CLARK. I do not desire to detain the Senate too long, but we have been here quite a while, and I presume we will stay a while longer.

I should like to point out that Mr. Justice Jones has since that time become Chief Justice of the Supreme Court of the Commonwealth of Pennsylvania. Mr. Justice Jones was then the only Democrat on the court. He had run for Governor as the candidate of the Democratic Party. To my deep regret and disappointment he was defeated. He went on the court.

Mr. Chief Justice Jones is not what might be called a typical northern Democrat. He is more on the line of some of my good friends on our side of the aisle; a pretty good, conservative southern Democrat. I do not know whether he is going to resent these comments when he reads the CONGRESSIONAL RECORD tomorrow, but in any event Chief Justice Jones is a pretty sound, good, constitutional lawyer and conservative fellow. He wrote the opinion. I think my friend will agree that although he wrote the opinion of the court, he was the only judge of the Supreme Court of Pennsylvania who signed that opinion. Four other judges filed a brief concurring opinion. I think my friend will agree that the concurring opinion of Mr. Chief Justice Horace Stern, a liberal Republican who came from the court of common pleas to the Supreme Court of the United States, Mr. Justice Allen Stearne, a very conservative and able judge who came from our orphans' court in Philadelphia, and Mr. Justice Chidsey, who was the Attorney General in one of the most conservative Republican administrations which had ever served the Commonwealth of Pennsylvania, is well worth reading into the RECORD at this point. It is very short:

> Sedition against the United States is not a local offense. It is a crime against the Nation. As such it should be prosecuted and punished in Federal courts where this defendant has in fact been prosecuted and convicted and is now under sentence. It is not only important but vital that such prosecutions should be exclusively within the control of the Federal Government, and we are of the opinion that this is required in order to harmonize the respective constitutional powers of the Nation and several States. We assume that the question involved, being obviously one of national importance, will be finally determined by the Supreme Court of the United States.

The question was finally determined by the Supreme Court of the United States, but all it did was to affirm the decision of the State Supreme Court, which consisted primarily of conservative judges who felt that the national interest should be preeminent. I believe it is important at this point in the debate to emphasize that fact. I thank my good colleague for his courtesy in yielding to me. I apologize for any excess emphasis which I supplied here. I urge that the Senate continue to conduct this debate on the friendly note on which it started.

Mr. McCLELLAN. Will the Senator yield?

Mr. CARROLL. I should like to conclude, in order to keep the record straight. I shall be very happy to yield when I shall have concluded.

The Senator from Pennsylvania has made a good contribution to the debate. This is all good for the record. I sought previously to show that the attack upon the Supreme Court is nonsense. I have said that three times today. The Supreme Court did not initiate this case. It came to them from Pennsylvania, as I said previously, and I read long excerpts from that decision. The judges rendered a collective judgment. They are not infallible. They are all excellent lawyers. I discussed their history yesterday during the debate. We all know most of them. They are fine men and fine lawyers. Why create the impression that there is some sort of Communist arm touching their shoulder? That is the sheerest sort of nonsense when we have men of conservative Republican background from Pennsylvania saying the same thing. All we are asking is a little commonsense.

We appreciate the difference in viewpoint of people. That is why we thrash this out and hammer it on the anvil of debate. Everyone has a right to his own opinion, but there is no one group in the body that is so all-knowing that it knows all answers to all questions. That is why the Founding Fathers set up as a separate department of the Government the Supreme Court. They are not always right. Being human, as I have said, they are not infallible.

I yield now to my distinguished friend from Arkansas [Mr. McCLELLAN] and to my friend from North Carolina [Mr. ERVIN].

Mr. McCLELLAN. I thank the distinguished Senator. I did not quite get the implication of what the distinguished Senator from Pennsylvania intended to impute in making comparisons between the senior Senators of this body favoring the bill and the junior Senators opposing it. If seniority, as against juniority, has any real meaning in the deliberation, I suggest that we consider the seniority of court decisions that lasted for 75 years, and also the seniority of our Founding Fathers, who so constituted the government that this legislative body had a right to separate State powers from Federal powers, reserving rights to the States which created the Federal Government. I use the word "created" now. They created the Federal Government. There would not be one without it. I am willing to be so recorded in the ranks of seniority on this issue.

Mr. CLARK. Mr. President, I have no desire to answer the argument of the distinguished Senator from Arkansas. I believe he has made a good argument.

Mr. CARROLL. As I construe the remarks of the junior Senator from Pennsylvania, he was really in humility saying that we are in a position where we are challenging men who have greater seniority. Perhaps we have a little different viewpoint. The Senator knows that seniority is to be greatly respected by younger people, and we do respect it, but it does not compel us to yield our basic constitutional and fundamental right to express our deep convictions.

Mr. McCLELLAN. I did not think the Senator was serious in making an issue, but I wished to point out, if it has meaning or significance, that we should go back to the seniority of the courts and let us go back to the seniority of the Founding Fathers of this Government.

Mr. CARROLL. I shall not try to interpret the remarks of the Senator from Pennsylvania, but I should like to interpret my own, as I did the other day in connection with the Mallory decision. Are we confronted with a new concept? It is not new. This is one more step in an evolutionary process. Forty-four years ago the Supreme Court considered this subject in connection with search and seizure. That is why I say that an effort is being made to turn back the clock. We should resist the inclination to turn backward.

Mr. McCLELLAN. In other words, we are supposed to go along with the new concept. We do not turn backward. We do not join that concept.

Mr. CARROLL. That is a new point. I shall answer this if I require all night to do so.

Mr. McCLELLAN. I did not mean to do that. I am sorry. Mr. President, may I withdraw my remarks?

Mr. CARROLL. I shall answer this point because I think it is basic. There may be a touch of arteriosclerosis in legal jurisprudence, too. But we cannot go back 75 years. We must go forward. Each year the population of this country increases by 3 million persons. Our economy is expanding and we are moving forward. We are constantly confronted with new problems. The distinguished majority leader led the fight in the field of scientific and astronautic development. We are moving in a new age, a new era. We have been living in a new era since 1945. What is the value of talking about going back 75 years? We have problems enough as we move forward, and that is what we are attempting to do in connection with this legislation. We do not want to turn the clock back 150 years with this legislation. That is what the Attorney General is saying and that is what I am sure the President will say.

I now yield to the Senator from North Carolina.

Mr. ERVIN. I should like to indulge in a couple of facetious remarks before I discuss the problem seriously.

Mr. CARROLL. I have always enjoyed the remarks of the Senator from North Carolina.

Mr. ERVIN. I am completely convinced of the fact that the Civil War is over. My only regret, however, is that I cannot say the same thing about Reconstruction. I will say that I agree with the distinguished Senator from Colorado that acts of Congress prevail over acts of State legislatures, and that in consequence I accept the constitutional doctrine of the supremacy of Federal laws over State laws.

Mr. CARROLL. That is a constitutional principle.

Mr. ERVIN. The McClellan substitute seems to me to be a very convenient vehicle for those people who believe that the Federal Government ought to preempt particular fields. This is true because it provides exactly how the intent of Congress in this respect may be made plain.

It recognizes that the Federal Government can preempt any field of legislation in which both Congress and the States can legislate, and it provides a method to make the intent of Congress crystal clear. I cannot conceive why anyone should oppose the amendment. It provides that by writing a provision into an act Congress may say it is intended to preempt that field for the Federal Government. Then there can be no controversy about it. There cannot be any reason for litigation in connection with it. If we do not do that a great many lawsuits will result. That reminds me of the story of the young lawyer who went to a revival service. The preacher called on him suddenly to pray. The young lawyer prayed a very fervent and very sincere prayer. He said, "Stir up much strife among Thy people, Lord, lest Thy servant perish." [Laughter.]

If we reject the McClellan substitute, the young lawyers' prayer will be answered, for cause for litigation will remain. If we adopt the substitute we will make it clear that Congress preempts a field merely by so declaring. This action would not be harmonious with the lawyers' prayer because it would not promote strife among the Lord's people.

Mr. CARROLL. I thank the Senator for his observation.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. CARROLL. I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, first of all I wish to thank the Senator for indulging me again. I must state at the outset that I intend to be brief. I wish to say also that I have never felt my juniority more than when I joust with such distinguished leaders of the Senate as the Senator from North Carolina and the Senator from Arkansas.

I must say that it is not the politics in the bill nor in the amendment that concerns me. It is the fundamental principles involved which concern me.

What is the unique contribution we have made to the art of government in Western civilization? Is it our Bill of Rights? I suggest that it is not. There were many charters of liberties prior to our civil rights, going back to the Magna Carta. Is it our representative Government? I suggest it is not. Many representative governments have preceded ours. England can fairly boast of being the mother of parliaments. Is it the fact that we are a Republic? I suggest it is not. There was a great Roman republic many centuries ago prior to the time of the Caesars. Is it the fact that our country is a democracy? I suggest it is not. Greek city states knew democracy in a much purer form than ever we have known.

If there is one unique contribution which this country has made to the art of politics, it is the principle of the federated State. Federation is that concept which is unique and wholly American.

Therefore, as I suggested earlier in the debate, I believe it is incumbent upon us to understand that the Federal Government is not the creature of the States. If that were so, the Federal Government would be a confederation, even as the United Nations is, or as the League of Nations once was, with sovereign states associated together.

The Federal Government, as the preamble of the Constitution suggests, is a Government which rests upon the great sovereignty of the people, and it exercises its jurisdiction directly upon the people through its own courts and by its own laws within the area of its jurisdiction, as defined by the Constitution of the United States.

Therefore, if my analysis is not faulty, it follows logically, and it necessarily must follow, that it is the charge of Congress to determine what shall constitute subversion against the National Government. Otherwise, in my own State, the legislature could define one set of acts which the legislature would decide constituted subversion against the National Government. The legislature of the State of Wyoming could define an entirely different set of acts, and so on, throughout the States, if Congress, in failing to exercise its prerogative, should thus fail to establish a uniform standard applicable to all citizens of the United States.

Mr. JOHNSTON of South Carolina. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. JOHNSTON of South Carolina. I ask that the rule of the Senate be observed strictly.

The PRESIDING OFFICER. The Senator from South Carolina requests the regular order. The Senator from Colorado yield only for a question.

Mr. CHURCH. Then I shall address a brief question to the Senator from Colorado.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho for a question?

Mr. CARROLL. I believe the junior Senator from Idaho is laying a predicate for his question. What is the question?

Mr. CHURCH. The Senator is correct.

Mr. BUTLER. We should have shorter predicates. [Laughter.]

Mr. CHURCH. The question which I should like to propound to the distinguished Senator from Colorado reflects upon the things I have already said. Does the Senator from Colorado agree that Congress under our constitutional system may permit the various States, should it choose to do so, to pass laws whereby the States would declare in their separate jurisdictions what shall constitute an act of subversion against the Federal Government?

If Congress asserts its rightful prerogative, in conformity with the fundamental principles which underlie our system, it ought not to do this, but ought properly to preempt the field, and regard itself as the proper guardian of this Government, and lay down that law which will have uniform applicability to all the citizens of the country, and determine in this way fairly and equitably what shall constitute subversion against the National Government, and leave it to the States to decide what shall constitute subversion as applied to the various States.

Mr. CARROLL. This is precisely the recommendation of the Supreme Court of Pennsylvania. This is precisely the decision of the Supreme Court in the Nelson case. This is precisely what is recommended by all who have made a study of this matter. One of these studies I mentioned previously in the RECORD. It is a document prepared by the Fund for the Republic entitled "Digest of the Public Record of Communism in the United States." I was reluctant to mention it, because it is sustained financially by money from the Ford Co. Who was a director of the fund? The distinguished junior Senator from New Jersey [Mr. CASE]. He was not then a Senator.

The brilliant argument made by the distinguished Senator from Idaho is heartily concurred in by me.

I believe we now come to the principal question, the question of economics.

Let us see what practical men, rather than theorists, have to say about the effect of this bill.

This statement comes from the attorneys for the Association of American Railroads. I say to my distinguished friend, the Senator from North Carolina, if the evidence I am about to present is correct, his boy who is praying is in the wrong pew. This is what the Association of American Railroads said:

> During the last 75 years Congress has developed a complex and elaborate administrative system for the railroads of this country. During this period the courts have, on numerous occasions, passed upon the question of when certain railroad matters are subject to exclusive regulation by Federal law, and when they are subject to concurrent regulation by Federal and State law. If that same work were to be modified by this bill, great confusion would result.

I turn again to the House report, because no hearings were ever held in this body. And I emphasize again that we are asked in the closing days of Congress to act upon one of the most important measures to be presented to this Congress. This material, again, comes from the House report. There is no other source material than that. This is what the House report said:

> Demonstrative of the consternation already generated by H. R. 3 is the strenuous opposition to this bill expressed by the Department of Justice.

I have previously referred to the Department of Justice. Who else is opposed? The Interstate Commerce Commission is against the bill. I have already mentioned the Association of American Railroads.

Let me read 1 or 2 lines from the House report:

> Seldom has this House had before it a bill so productive of chaos in the legal relationships governing substantial areas of American economic and political life.

Does not that send up a danger signal? Does it not give a warning of the importance of the bill before us? I certainly hope the bill will be returned to committee; that it will be placed where it ought to be. We will be back next year. It can then come before the Committee on the Judiciary, where we will have an opportunity to consider it. What is the necessity for rushing? In the closing days of Congress, when we are all tired, must we pass this kind of proposed legislation? This is important enough and far-reaching enough to require weeks; yes, months of study. Let us hear from the representatives of the Interstate Commerce Commission and of the Association of American Railroads. Let us hear from the people who are affected by the bill. Let us go into the matter of the bill's retroactivity. Do we know the effect of this bill on 150 years of settled litigation? We have had no advice on the matter.

Mr. DOUGLAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield for a question?

Mr. CARROLL. I yield for a question.

Mr. DOUGLAS. The Senator from Colorado has made an extremely able speech. May I ask him whether it is not probable that H. R. 3 covers legislation previously passed, as well as applying to legislation which is to be passed in the future?

Mr. CARROLL. There is absolutely no doubt about it. It is, what we say in law, retroactive. That is why it will be productive of economic chaos. So says the railroad counsel; so say the representatives of the Interstate Commerce Commission.

Mr. DOUGLAS. Is it not true that under the Commerce Clause of the Constitution, the Federal Government, in 1886, and later in 1906 and 1908, established the Interstate Commerce Commission and gave to that Commission the power to regulate rates and also to prescribe safety conditions on the railroads of the country?

Mr. CARROLL. That is exactly correct.

Mr. DOUGLAS. Is it not also true that in the Minnesota rate case, such Federal laws were said to have preemption over State laws?

Mr. CARROLL. I have not had a chance to examine that question. I do not know how it would be affected in this instance. I think it was the Minnesota rate case.

Let me talk about the fields that would be opened to the jurisdiction of the bill.

The transportation and commerce statute, administered by the Interstate Commerce Commission; the Federal Power and Natural Gas Act, administered by the Federal Power Commission; the aviation statutes, administered by the CAA; the Merchant Marine Act; statutes governing irrigation; statutes governing the naturalization of aliens; the Agricultural Act programs.

I say to Senators who come from farm areas that they had better examine carefully the record made in the other body on H. R. 3.

H. R. 3 also deals with criminal law in general, as well as law connected with internal security.

Mr. DOUGLAS. Is it not true that in this vast field of legislation dealing with interstate commerce, the Federal statutes never anticipating that H. R. 3 would come upon us, did not contain the preemption provision which is required in H. R. 3, if the Federal power is to prevail in future legislation? In other words, there were no such safeguarding provisions.

Mr. CARROLL. This is exactly correct.

Mr. DOUGLAS. Is it not true that since a tremendous amount of legislation in the past does not contain these specific provisions, the Federal laws governing railways, pipelines, interstate

transportation, the distribution of electricity, trade practices, airline routes, and the like, will all go by the board because of the failure of past Congresses to anticipate that a bill like H. R. 3 would ever come upon the floor of the Senate or would pass Congress?

Mr. CARROLL. The Senator from Illinois is exactly correct.

Mr. BUTLER. Mr. President, I ask for the regular order.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. CARROLL. I yield to the Senator from Oklahoma for a question.

Mr. MONRONEY. Is it not true that the distinguished Senator from Colorado was one of the cosponsors of the Federal Aviation Act of 1958?

Mr. CARROLL. That is correct; yes.

Mr. MONRONEY. Is it not true that there is not one line in that bill which would protect or save the air safety bill which was passed only a week or two ago by Congress, and is now before the President, from being negated by the so-called H. R. 3? Has not Congress preempted that field and written an air safety rule without reference to State laws, or designating them to qualify under this bill?

Mr. CARROLL. I had not thought of that at all. I am deeply indebted to the Senator from Oklahoma for his suggestion.

Mr. President, this is why we need hearings on the bill. Recently there have been two terrible air crashes. The distinguished Senator from Oklahoma, with his great experience and wisdom in this field, promulgated air safety legislation and asked some of us to cosponsor his proposal.

May I ask the Senator from Oklahoma, has that bill now passed the House?

Mr. MONRONEY. It has passed the House and is awaiting the signature of the President. But there is not a saving clause in the entire bill to protect it against H. R. 3.

Mr. CARROLL. This is proof positive of what we have been talking about all evening. How can we pass such a bill in the closing hours of the session, when we are all tired and have not had the opportunity to conduct full hearings? The bill ought to be sent back to the committee. Next year we can take a look at it. Next year we will be able to hear from the experts in all fields. In the meantime, who can say that the national interests will not be protected? Who can say that anybody will be hurt? This is merely an attempt by a few persons to make a frontal assault upon the Supreme Court decision. I think no one will deny that the Court decision has been thoroughly aired and, in my opinion, is fully justified.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of 45 minutes of debate—to be equally divided, and controlled, respectively, by the majority and minority leaders—there be a quorum call; and that, then, the Senate proceed to vote on the McClellan substitute.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, will the Senator from Texas restate the proposed unanimous-consent agreement?

Mr. JOHNSON of Texas. I ask unanimous consent that there be 45 minutes of debate, to be followed by a quorum call; and that then the Senate proceed to vote on the McClellan substitute; and that the 45 minutes of debate be equally divided between the Senator from Missouri [Mr. HENNINGS], the Senator from Georgia [Mr. TALMADGE], and the Senator from South Carolina [Mr. THURMOND]; and that then the Senator from Missouri [Mr. HENNINGS] be recognized, to offer a motion to table.

If the motion prevailed, that would end the matter. If the motion did not prevail, then there would be more debate, probably on tomorrow.

Mr. GORE. Mr. President, reserving the right to object—although I hesitate to object—nevertheless, this matter is of great importance.

Several Members of the Senate are not present in the Chamber at this time. Later, when they enter the Chamber, they may desire to speak.

So I feel constrained to object to a proposal which arbitrarily would limit the debate to 45 minutes, and would divide the 45 minutes among 3 Members of the Senate, and thereby would bar the other 93 Members of the Senate from participating in the debate.

Mr. JOHNSON of Texas. If other Senators desire to have time in which to speak, I shall modify the proposed agreement accordingly. We have included time for each Member who has notified us that he desires to speak. If any other Senator desires to speak, we shall allot time to him.

So I am willing to propose that one hour or one hour and a half be allowed for debate; or, if the Senator from Tennessee desires to have the further consideration of the bill go over until tomorrow, that can be done.

Mr. GORE. Mr. President, further reserving the right to object, let me state that now the majority leader has amended his request, until it really is not a unanimous-consent request at all.

As I understood the first request, it was that 45 minutes be allowed for debate. Thereafter, the majority leader proposed that the 45 minutes be allotted to 3 specific Members of the Senate.

Mr. JOHNSON of Texas. Or to other Senators, for that matter. If the Senator from Tennessee desires to have time allotted to him, we shall provide for it. Does the Senator from Tennessee desire to have that done?

Mr. GORE. I am not sure.

Mr. JOHNSON of Texas. If the Senator from Tennessee makes up his mind, and decides that he wishes to have time allotted to him, we shall include time for him; and until he decides what he wishes, we shall reserve time.

Mr. GORE. Mr. President, will the Senator from Texas restate the request?

Mr. JOHNSON of Texas. Yes.

Obviously, there must be leaders on each side of the aisle. The only requests the leaders have received have come from the three Members mentioned, who have stated that they wish to speak. They are the Senator from Georgia [Mr. TALMADGE], who indicated he would like to have 15 minutes allotted to him; the Senator from South Carolina [Mr. THURMOND], who indicated that he would like to have 15 minutes allotted to him; and the Senator from Missouri [Mr. HENNINGS], who indicated that he would like to have 15 minutes allotted to him.

If the Senator from Tennessee would like to have 15 minutes allotted to him or to any other Senator whom he might envision as desiring to speak, we would be glad to include in the request a provision for time for such Senator or Senators.

But we wish to inform the Senate that we expect the vote to be taken at 11 p. m. or 11:30 p. m. this evening, or that we expect to have the further consideration of the measure go over until tomorrow. We have to make some plans.

If the Senator from Tennessee would like to have some time allotted to himself, or would like to have time allotted to an unnamed Senator whom he believes might wish to have time allotted to himself, we would be glad to include in the proposal a provision for such time.

Mr. GORE. Mr. President, further reserving the right to object, let me say I am not certain that I shall wish to have time allotted to myself; I am not certain whether I shall or shall not desire to speak.

Mr. JOHNSON of Texas. Would the Senator from Tennessee desire to have some time allotted to him?

Mr. GORE. It is entirely possible that during the 45 minutes of debate, there would be made statements which would require an answer, in the estimation of the junior Senator from Tennessee, or in the estimation of other Senators, some of whom may be present at this time, or some of whom may not be present at this time.

Therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. JOHNSON of Texas. Then, Mr. President, in order to accommodate the Senator from Tennessee, I ask unanimous consent that the vote be taken following debate of 1½ hours.

Thus far, I have received requests which total only 45 minutes. If any other Senator desires to have time allotted to himself, and will so indicate, I

shall be glad to include such time in the proposed agreement.

But just to be sure that we anticipate any possible request, I ask unanimous consent that the vote on the motion of the Senator from Missouri [Mr. HENNINGS] to table following debate lasting for 1½ hours. If any of that time were not consumed, we would yield it back.

Mr. GORE. Mr. President, further reserving the right to object, let me ask whether the Senator from Texas now has amended his request.

Mr. JOHNSON of Texas. Yes.

If the Senator from Tennessee wants to have additional time allotted, I shall allot him such time as he may desire or such time as he may think that any of the Senators in his group might desire.

Mr. GORE. Then I understand that the request of the Senator from Texas has been amended; is that correct?

Mr. JOHNSON of Texas. That is correct.

Mr. GORE. Mr. President, will the Senator from Texas state the proposed unanimous-consent agreement, as now amended?

Mr. JOHNSON of Texas. It has been amended because my friend, the Senator from Tennessee, suspects that some Senator might wish to have time allotted to him. Therefore, I have included in my request an allowance of time for that purpose.

Absent Senators are not now able to speak for themselves; so, therefore, I am willing to include an additional 45 minutes to cover the anticipated speeches of any Members of the Senate for whom the Senator from Tennessee may speak.

Mr. GORE. It is entirely possible that some Member of the Senate may upon some occasion wish to speak.

Mr. JOHNSON of Texas. I grant that. I allow time for that. If the Senator will tell me who that Senator is, we will be glad to provide for him.

Mr. GORE. The Senator from Tennessee does not know. Will the Senator from Texas restate his request?

Mr. JOHNSON of Texas. I ask unanimous consent that at the conclusion of 1 hour and a half, to be equally divided between the majority and minority leaders, it shall be in order for the Senator from Missouri to make his motion to table.

Mr. LANGER. Mr. President, I object. [Laughter.]

The PRESIDING OFFICER. The Senate will be in order.

Mr. JOHNSON of Texas. Mr. President, I want to state that I appreciate the cooperation of the Senator from Tennessee. So far as the leadership is concerned, the session tonight will continue for as long as Senators may desire to stay. I wanted to try to give each Member of the Senate some knowledge of how long we would debate this question before voting on the motion to table. If we desire to be indefinite about it, then I trust the Senator from Missouri will be present to make his motion to table and, whenever the proper time arrives, the Senator will be prepared to make the motion.

Mr. HENNINGS. Mr. President, I will undertake to be present and available for that purpose, and shall no doubt listen patiently and be edified by the erudite debate that will proceed.

Mr. JOHNSON of Texas. I am grateful for the cooperation of the Senator from Missouri.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Arkansas.

Mr. McCLELLAN. We know that after a motion to table is made it is not debatable. I do not know who may want to speak. I hope we may conclude in an hour. Obviously, there are Senators who wish to speak. I trust the motion to table will be withheld until everyone who wants to speak has had an opportunity to do so.

Mr. HENNINGS. I certainly had not anticipated withholding any motion within the terms of the original unanimous-consent request as suggested by the majority leader. However, the senior Senator from North Dakota has objected. So I assume we shall continue, like Tennyson's brook, until all thoughts on this subject have been expressed, and thereafter the motion to table will be made. No one is going to be shut off. I assure my distinguished friend from Arkansas it is not our desire to avail ourselves of any sharp practice in this matter, or shut anybody off, or foreclose or forestall an opportunity for every Member to express himself.

Mr. McCLELLAN. I was sure that was the Senator's position. It is possible the Senator from Arkansas may want to say 2 or 3 more words at some time.

Mr. JOHNSON of Texas. Mr. President, if I still have the floor, I should like to say that I have conferred with the minority leader. We are very desirous of announcing plans that will be satisfactory to the majority of this body. We plan to remain in session as long as the majority may think we can stay and be productive of good results. We hope to be able to vote on the motion to table this evening. From the requests we have had, we should be able to vote within an hour. There may be requests we are unaware of, but if the membership will support the majority and minority leaders, we will stay here until we have a vote or until we demonstrate that there are Senators who do not desire a vote. If there are Senators who do not desire a vote, and if they will notify us, we shall be glad to adjourn forthwith; but I think, from the information I have, all Senators are reasonable and will be ready for a vote after adequate time is allotted for discussion.

Therefore, in view of the fact that we hope the Senate will adjourn sine die by Saturday night, I am going to ask the minority leader and the other Members of the Senate on both sides of the aisle to support me, have each Member of the Senate discuss the matter as long as he desires to, at the conclusion of which, the Senator from Missouri has informed us, he will be prepared to make a motion to table.

We hope to vote on the motion to table this evening, and proceed to the mutual security appropriation bill, the debt limitation bill, the renegotiation bill, and the railroad retirement bill tomorrow. If we are unable to do that, it will not be the fault of the Senator from Texas. But I am willing to stay here as long as any Senator may desire to address himself to this subject, because I believe in unlimited debate.

Mr. TALMADGE. Mr. President——

The PRESIDING OFFICER. The Senator from Georgia.

Mr. TALMADGE. The issue before this Senate, Mr. President, can be succinctly summarized in the words of the late Franklin Delano Roosevelt when he said on March 9, 1937:

> The Court in addition to the proper use of its judicial functions has set itself up as a third house of Congress—a super legislature, as one of the Justices has called it—reading into the Constitution words and implications which are not there. We have, therefore, reached the point as a nation where we must take action to save the Constitution from the Court and the Court from itself.

Regardless of how one may feel about the Court reform proposals advocated by Mr. Roosevelt, one nevertheless must admit that he had a keen insight into the danger to constitutional government posed by a Supreme Court bent upon usurpation of legislative power.

It is a danger about which we have been continually warned from the first days of the Republic.

George Washington touched upon it in his Farewell Address in this manner:

> If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

Thomas Jefferson stated it this way:

> The legislative and executive branches may sometimes err, but elections and dependence will bring them to rights. The judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass.

And Abraham Lincoln declared in this first inaugural address:

> The candid citizen must confess that if the policy of government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court—the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal.

The Supreme Court during the past 4 years has confirmed the worst fears of those great men of our Nation.

The pattern of its decisions since May 17, 1954, has been one of calculated design to destroy the last vestige of State sovereignty in this Nation, to hamstring the enforcement of the laws by the executive branch and to nullify the constitutional powers and prerogatives of Congress.

In patterning its rulings on the basis of the Justices' notions of what the law ought to be rather than what the law is, the Court has deliberately ignored the Constitution of the United States and substituted impractical and unproved theories for established law and precedent.

Among other things, the Court has sought:

First. To prohibit State and local governments from operating their public schools in the manner they determine to be in the best interests of their citizens. (*Brown, et al.* v. *Board of Education of Topeka* (347 U. S. 483).)

Second. To limit the power of State and local governments to hire and fire teachers and other employees as they see fit. (*Slochower* v. *Board of Education of New York* (350 U. S. 551, 351 U. S. 64).)

Third. To nullify State laws against sedition and subversion. (*Pennsylvania* v. *Nelson* (350 U. S. 497, 681; 351 U. S. 936).)

Fourth. To prevent individuals from willing their property as they wish. (*Commonwealth of Pennsylvania* v. *Board of Directors, et al.* (353 U. S. 230, 989).)

Fifth. To put crippling restraints upon the power of Congress to investigate. (*Watkins* v. *United States* (354 U. S. 178).)

Sixth. To limit the authority of the executive branch and law enforcement agencies to prosecute law violators. (*Mallory* v. *United States* (354 U. S. 449).)

Seventh. To afford a judicial refuge for Communist conspirators. (*Yates, et al.* v. *United States* (355 U. S. 66, 356 U. S. 363).)

The Court has gone so far as to hold that witnesses may refuse to testify before Congressional committees on the grounds that their consciences will not permit them to do so; that confessions cannot be sought from arrested rape suspects; and that membership in the Communist Party is not necessarily proof of conspiring to overthrow the Government of the United States.

Those, Mr. President, are but a few of many examples of the manner in which the Supreme Court in recent months has flagrantly usurped legislative power and encroached upon the rights of States and individuals in the name of interpreting the Constitution.

Those, Mr. President, are but a few of the many shocking decisions of the Supreme Court which its rabidly partisan advocates would have the citizens of the United States blindly accept as "the law of the land" contrary to the clear provisions of the Constitution.

In that light, Mr. President, is it any wonder that the American people are losing confidence in the Federal judiciary; that there is a great public outcry for Congress to act to restore the proper balance of power among the three branches of government; and that there is a ground swell of sentiment for the Supreme Court to be put back to ruling on what the law is rather than what its members may, at any given time, think the law ought to be?

The fundamental issues herein involved were well stated in 1956 by the erudite and renowned journalist, Arthur Krock, of the New York Times, as follows:

> An ever-broadening concept of federalism as contrasted with that of a Republic of sovereign States; decisions on the basis of what the Court majority thinks the law ought to be as contrasted with what the law is; growing adherence to the "preemption doctrine" by which the Court excludes the States from any legislative area occupied by Congress without any clear proof of such Congressional intent; the use of psychological and sociological research as guides to decisions when the Constitution and the statutes provide no specific authority.

Mr. President, if Congress is to fulfill its appointed duty to restore the Supreme Court to its proper constitutional role, the very minimum action it can take at this session is to write into law the language embodied in H. R. 3.

While limited legislation dealing with specific problems created by the Court's recent usurpations is laudable and has my wholehearted support, I feel it is absolutely essential that a statute of general application be enacted as a permanent remedy to judicial distortion of constitutional guaranties and Congressional intent.

Despite all the dire predictions of the chaos which would result from its enactment, it must be recognized that the language of H. R. 3 does no more than reaffirm the guaranty of the 10th amendment to the Constitution which states:

> The powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people.

It will not invalidate any Federal laws and it will not give States authority to legislate in any fields in which they are not presently legislating.

All that it will do will be to restore the 10th amendment as the criterion to be used by the Supreme Court in determining whether laws enacted and enforced by the individual States are within the scope of their authority under the Constitution of the United States. And it will revitalize the constitutional system of checks and balances by putting an end once and for all to the Court's biased second guessing of Congressional intent in enacting Federal laws.

As a constitutional fundamentalist who believes the Constitution of the United States means word for word what it says and should be enforced in that manner, I personally prefer—and am ready to vote for—even more stringent and specific legislation than that embraced in the language of H. R. 3.

It is my personal view that Congress should exercise its authority under paragraph 2, section 2, article III, of the Constitution to limit the jurisdiction of the Supreme Court in those areas, particularly in the field of public education, wherein it has encroached upon the constitutional rights and prerogatives of the States and their individual citizens.

I deeply regret that the prevailing climate of opinion has made it impossible for these of us sponsoring and advocating such legislation to obtain its enactment at this session.

However, I do wholeheartedly favor the language of H. R. 3 as a warning to the Supreme Court that further usurpations of legislative power on its part will result in even more concerted efforts to curb its assumed role as "supreme lawgiver of the land."

Let me make it clear, Mr. President, that the proposal of measures of this nature should not be construed as an attack on the Supreme Court as an institution.

To the contrary, it is the activities of those who have perverted the Court's original purposes and judicial functions which have prompted this and similar bills.

It is not the Supreme Court as an institution, but the mistaken attitude of a majority of its Justices as to the extent of the Court's authority, which is the basis of the growing demand that the usurped powers of the present court be curbed.

It is the abuse, not the use, of the judicial power that is at issue.

The late President Roosevelt correctly stated it when he said:

> Our difficulty with the Court today rises not from the Court as an institution but from human beings within it.

In voting on the pending proposal, the Senate will be taking a stand on three much broader issues. It will be determining:

First. Whether the Constitution is to be amended by the method provided in it or by judicial fiat.

Second. Whether the constitutional balance of powers is to be preserved or the Supreme Court allowed to function, as Justice Brandeis said, as a "super legislature."

Third. Whether the States are to retain their sovereign identity as established under the Constitution or are to become meaningless subdivisions of an all-powerful judicial dictatorship centered in Washington.

If our Government is to continue as one of laws and not of men, legislative action is necessary.

If our Government is to be one of constitutional checks and balances, it is time that the checking and balancing started.

So long as the judiciary confines itself to its proper sphere of action there can be no complaint. But when the actions of the judiciary go beyond that proper sphere, checking and balancing must commence.

We must decide, therefore, today whether we are to have a Government under the Constitution of the United States or a Government dominated by whatever nine persons happen to compose the Supreme Court of the United States at any given time.

We must decide today whether it will be Congress or the Supreme Court which makes the laws of the land.

A vote for the pending proposal, Mr. President, will be a vote for continued constitutional government with laws made by the Congress and interpreted by the Supreme Court.

I hope for the sake of the future of our country that it is approved.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, those of us who have been urging Congress to enact legislation to protect the States from the unwarranted extension of Federal power sometimes suspect that we are being smothered with kind regards. It is very difficult to find an avowed enemy of States rights. In principle, it appears, every Member of this distinguished body is a friend of the 48 sovereign States and wishes them to exercise their full rights and powers.

When it comes down to cases, however, it is an entirely different matter. Bills aimed at protecting the rights and powers of States are invariably attacked, not because anyone objects to the principle of concurrent jurisdiction, but because there are always alleged flaws in the bills. In picking out these supposed flaws, opponents of States rights legislation are lamentably inconsistent.

For example, during this session of Congress there have been two proposals affecting the relationship between the States and the Federal Government which have attracted widespread support. One of these proposals has been under attack principally because it is a bill to correct specific Court decisions. The leading objection brought against the other is that it is too general.

The proposal which is said to be too specific is the Jenner-Butler bill, S. 2646, which deals with specific instances in which the Supreme Court has either misinterpreted the intent of Congress or of the framers of the Constitution. It was just tabled by a close vote. The bill remedies the bad effects of several specific Court decisions. The decisions are not closely related, although they all deal with the powers and functions of government. Therefore, the principal objection raised to the Jenner-Butler bill is the claim that it is a shotgun bill, hitting a specific case here, and another specific case there, without framing a general philosophy which can be applied to a whole broad field of legislation.

An objective onlooker might suppose that those who object to the Jenner-Butler bill on the ground that it deals with specific cases would be delighted to support H. R. 3, the antipreemption bill, or some variation thereof. H. R. 3 passed the House recently by a vote of 240 to 155. It does not pick out specific decisions of the Supreme Court and overturn them. It simply establishes a rule of interpretation for Federal courts to follow in cases involving the doctrine of Federal preemption. It sets down in clear and unmistakable terms a principle which is generally acceptable to all.

Nevertheless, a substantial number of those who have been telling us that the Jenner-Butler bill should not be passed because it deals with specific cases are objecting to the antipreemption proposal because it is broad and general.

There is no consistency in this position. I am forced to the reluctant conclusion that some of those who call themselves friends of the States, in principle, are opposed to all legislation aimed at protecting the rights and powers of the States. I am thankful for the kindness of these individuals in speaking for the principle of States rights, but I wish that they would not smother all legislation in this field with their kindnesses.

For myself, I believe that both specific and general legislation is needed. We need legislation to correct specific decisions of the Supreme Court in which the intent of Congress has been misinterpreted. Such legislation should be crystal clear; it should cite chapter and verse to make it unmistakable that a court ruling is being corrected.

No doubt some would desire that we not undertake to correct the Supreme Court when it misinterprets the intent of the Congress or of the framers of the Constitution because they do not wish to embarrass the Court or because they believe the Court to be infallible. If they hold this former belief, then they should join in the effort to provide the Court with these rules of interpretation which should assist the Court in establishing the intent of Congress, thereby reducing the necessity of subjecting its decisions to Congressional scrutiny and review. If, on the other hand, they believe the Court to be infallible, then they should vote against this proposal because it is designed only to lessen the chances of human error.

It is the duty of the Congress to provide the Court with rules of this nature which will be helpful in considering cases in which the meaning of an act of Congress is in dispute.

Such rules of interpretation should be simple and clear so that the Court will have no difficulty in understanding how to follow the guidelines. The proposed rules which have been placed before this body plainly state that which urgently needs to be stated.

The antipreemption proposal does not add or detract from the constitutional powers of the States:

> No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of any State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and the State law so that the two cannot be reconciled or consistently stand together.

It does not add or detract from the powers of Congress. It does not limit the jurisdiction of the Court.

It deals solely with legislation in fields in which power has been delegated to the United States by the States through the Constitution. This proposal has not—could not have—any application whatsoever to matters outside the enumerated powers of Congress, to matters reserved to the States by the Constitution.

We are dealing here only with the doctrine of preemption. The question of preemption is one that arises only in fields in which both the States and the Congress have legislative powers—in other words, fields in which Congress has been granted powers by the States through the Constitution. And it is generally conceded that in those fields in which the Congress has legitimately and clearly been granted powers under the Constitution, Federal law on the subject takes precedence over State law. Everybody admits that. So just what is all the hue and cry about, Mr. President? What on earth prompted the hysterical charge that this bill would strike down the Federal supremacy clause?

This bill, of course, would do no such thing, Mr. President. It is admitted, I repeat, that in those fields in which, under the Constitution, power is delegated to the Congress, Federal law takes precedence. This does not mean that Federal law in those fields is exclusive. Yet, this is what the Supreme Court's false and extreme application of the doctrine of preemption tends to imply.

The mere fact that power is delegated to the Congress in certain fields does not mean that the States are powerless to act in those fields. Suppose, in some fields in which the power to legislate is delegated to the Congress, the Congress fails to act.

Shall there be no regulation whatsoever of this activity? Or suppose the Congress legislates in only a small portion of this field. Shall all the rest remain unregulated? Of course, Congress could intend that there should be no regulation; if this should be the case, it can easily declare its intent to that effect. But, Mr. President, this is Congress' business, and it is the Congress which should determine its own intent. It should not be left up to the Supreme Court to determine the Congress' intent.

Mr. President, when the Congress legislates in an area, if it intends thereby to preempt that entire area to the exclusion of the States, it should say so. Similarly, if the Congress has intentionally not passed any legislation in a certain field, and wishes that field to remain totally free of regulation on any level, it should make its position clear. It should not be left up to the Supreme Court, years later, to apply the doctrine of preemption or to determine that the silence of Congress indicated a legislative wish that there be no State regulation of the field of activity in question.

Mr. President, it is far more beneficial to all segments of society for Congress to lay down in advance the broad principles which the courts are to observe than to have to take specific action later to undo the results of a decision of the Court. The latter process may entail long delay, and in the meantime havoc can be wrought in whatever field of activity of American life that is affected by the decision.

I shall recall to the Senators' minds how an entire American business, reaching into nearly every home in America and affecting practically every man, woman, and child in this broad land, was thrown into complete turmoil by a decision of the Supreme Court. The example to which I refer is that of the American insurance profession and the SEUA case (*United States* v. *Southeastern Underwriters Association*, (322 U. S. 533, 88 L. Ed. 1440, (1944)).

The effect of this decision, which was handed down in 1944, and which reversed the long-standing rule laid down 75 years before, in Paul against Virginia, was to knock the props out from under the regulation of the insurance business by the States. Since State regulation was clearly in the best interests of all concerned, it was necessary for the Congress to take steps to restore the power of the States to regulate. This it did, through Public Law 15 of the 79th Congress, and thus the situation was finally rectified, but only after incalculable trouble and confusion had been caused to the business, the public, and the Government.

We certainly do not want to have a repetition of such turmoil in any phase of American life. Enactment of the proposed rules of interpretation will go a long way toward eliminating the danger of such repetitions. The courts will be put on notice that it is the intent of Congress to respect the rights of States in any field of concurrent jurisdiction.

Mr. President, I have carefully studied the arguments presented by the opponents of this bill. As I have mentioned, all are careful to doff their hats politely to the principle of States rights. Nevertheless, they object to the passage of the proposal, and principally on the ground that enactment of this legislation would somehow disturb the balance of powers between the States and the Federal Government, or between the legislative and judicial branches of the Federal Government, and that this derangement of the established order would encourage a flood of unnecessary litigation.

There are two major fallacies in this line of thought.

First, the notion that the bill proposes any alteration in the constitutional division of power can be dispelled quite simply by reading the language of the proposal. The philosophy of the proposal is not a new philosophy. It is the philosophy tersely expressed by the Supreme Court in the historic case of *Texas* v. *White* (7 Wall. 700 (1869)):

> The United States is an indestructible Union composed of indestructible States.

Second, the belief that enactment of the proposal will invite a flood of litigation is tenable only if we accept the obviously unsound premise that any clarification of the rules of interpretation is an invitation for lawsuits. If we accept this premise, we must reject all efforts to clarify and codify the laws.

This proposal will not invite litigation; on the contrary, it will discourage litigation. Consider, for example, the Steve Nelson case. In that case, although it was clearly not the intent of Congress to strike down the State antisedition laws, the Court ruled that the dominant interest of the Federal Government precluded State intervention. The Court, by implication, invited challenges to other State laws in fields where there might be a dominant Federal interest. This antipreemption proposal does not invite litigation; it discourages it by making the rules clear.

Mr. President, the historic test of Federal preemption laid down by John Marshall—6 Wheaton 264, 443—is that the intent of Congress to preempt the field of legislation to the exclusion of the States must be clearly and unequivocally expressed.

There would be no necessity for the proposed rules of interpretation if Justice Marshall's test had been followed in recent years. But the Supreme Court has rejected that test, most notably in the Nelson case.

In the Nelson case, the Court took cognisance of the fact that sedition is a Federal crime under title 18—Crimes—of the United States Code, but it completely ignored section 3231 of this title which states:

> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

This was a case in which Congress and the State legislatures had concurrent jurisdiction. There was no conflict between the State and Federal laws. The executive branch of the Government, in an amicus curiae brief filed in the Nelson case, stated:

> The administration of the various State laws has not, in the course of the 15 years that the Federal and State sedition laws have existed side by side, in fact interfered with, embarrassed, or impeded the enforcement of the Smith Act. * * * Moreover, the problem of subversion, as we think Congress recognized, is of such magnitude as to invite Federal-State cooperation in the enforcement of their respective sedition laws. Thus the Attorney General of the United States recently informed the attorneys general of the several States in this connection that a full measure of Federal-State cooperation would be in the public interest.

Yet, in the face of overwhelming evidence to the contrary, the Court divined an intent of Congress to occupy the field to the exclusion of State legislation.

What does this mean? Would the enactment of an aid-to-education bill lead the Supreme Court to decide that Congress had intended to preempt the entire field of education? Can the fact that the Federal Government levies an income tax be interpreted to mean that Congress intended to exclude the States from this tax field? These speculations are admittedly farfetched, but hardly more so than the distortions of interpretation which led the Supreme Court to the Nelson decision.

In brief, what is required is that Congress state that it favors the maintenance of State laws in areas in which the Federal Government also has laws, unless there is a direct and positive conflict between the laws, or unless Congress specifically states otherwise.

If Congress wishes to state, in enacting a particular bill, that it intends ot nullify parallel State laws, it may do so. One of the intangible benefits of the proposal, indeed, is that it will encourage Congress to consider pending legislation from the point of view of its effect on existing State laws.

It is incumbent on Congress, as well as on the Supreme Court and the executive branch, to take thought of the rights reserved to the States and to the people by the Constitution, and to avoid further encroachments on the rights of States.

The tragic alternative is the total centralization of power in the Federal Government, the reduction of the States to mere political subdivisions, and the death of local self-government in this Nation.

Mr. STENNIS. Mr. President, I ask unanimous consent that certain remarks I have prepared in connection with S. 337 and H. R. 3 be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS

Perhaps one of the most important measures considered by the Congress in many years with regard to the balance of State and Federal power is this particular bill, S. 337. This bill is absolutely necessary if the validity of literally hundreds of State laws affecting local matters are to be preserved. The laws to which I refer do not conflict directly with any valid Federal law, nor do they attempt to regulate any field of law in which the Federal Government has exclusive legislative jurisdiction under the Constitution.

As a rule of statutory construction, the preemption concept has a legitimate and valid place and has been stated as follows:

> "Under well-recognized constitutional principles the supremacy clause of the Constitution has been interpreted to mean that any provision of State law must yield to Federal law if it is in direct and positive conflict and irreconcilable with the Federal law. This, of course, holds true only in the areas in which the Federal Government has constitutional authority to act. However, it is within the constitutional prerogative of the Congress to determine the extent, if any, to which it intends that the State law must yield to national law. Thus, unless there is left an irreconcilable conflict between a part of a State law and the Federal statute, both would be effective in their respective areas."

This statement of the general principles involved here is taken from a letter from William P. Rogers, then Deputy Attorney General, on May 16, 1956, to Senator EASTLAND as chairman of the Committee on the Judiciary on the bill (then S. 3617, now S. 654) to authorize the enforcement of State antisubversive laws.

Within its limited scope, this statutory guide is well grounded in law, logic, and experience. Under our Constitution, Federal laws in a Federal field must prevail when they directly conflict with State law. So long in our judicial history as the courts correctly applied the preemption rule in cases of direct conflict between State and Federal law, or where the States had been excluded by article I, section 10, of the Constitution from legislating, the boundaries of State and Federal jurisdiction were well defined. In recent years, the Supreme Court has discarded judicial restraint and has presumed to imply a Congressional intent to preempt a field of law, thereby excluding all State laws, in the absence of any language in the Federal act or any supporting evidence in generally accepted legislative history of the Federal act.

The preemption rule is a procedural rule. It is a rule which does not in any way affect substantive law. It would provide a universal formula or guide to all courts in the future with regard to Congressional intent to exclude State legislative action on a particular subject.

The companion measure to this bill, H. R. 3, introduced in the House by the distinguished Representative from Virginia, Judge

HOWARD SMITH, has passed the House by the convincing and overwhelming vote of 240 to 155. I hope that the Senate may also act favorably on this measure. Its purpose is to reinforce and underscore a fundamental rule of judicial construction. Part of the key language of the bill itself was taken directly from the Supreme Court opinion affirming the rule: "This Court has said—and the principle has been often reaffirmed—that in the application of this principle of supremacy of an act of Congress in a case where the State law is but the exercise of a reserved power, the repugnance or conflict should be direct or positive so that the two acts could not be reconciled or consistently stand together."

This rule has never been discarded nor discredited by the Supreme Court because it is too fundamentally sound. However, none but the members of the Supreme Court themselves may determine when this rule will be ignored and some case decided on other grounds. This has been true in the case of State subversive laws, *Commonwealth* v. *Nelson*, or in labor disputes involving local emergencies, *Amalgamated Association* v. *N. L. R. B.* (340 U. S. 383, 1950), or the condemnation of unsanitary butter, *Cloverleaf Co.* v. *Patterson* (315 U. S. 148, 1942). The effect of decisions such as these are far-reaching, for they affect not only the State statute under consideration in the particular case, but also similar State statutes. Where this doubt as to validity is cast on other statutes, numbers of cases are invited and unnecessary litigation floods already crowded court dockets.

But further, and perhaps most important, the States are excluded from legislating in many vital fields, and even the power of investigation leading to legislative proposals has been challenged. Unless the cases are reversed or overruled by the court itself, distinguished on some technical grounds, or unless Congress acts now, the States are paralyzed from asserting their own powers in many different vital fields of concurrent jurisdiction. Grave issues presented by abuse of this rule of statutory construction deserve the full attention of the Senate and favorable action by this body, which is the only depository of States rights in the Federal Government. I hope that the pending measure will receive an early and substantial vote of approval.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement in support of the McClellan amendment be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

The purpose of these remarks is to advocate legislation to outlaw the so-called preemption doctrine as it has been misinterpreted.

This doctrine holds that when Congress enacts legislation on a subject the Federal court may presume it intends to take exclusive jurisdiction in the field and applicable State laws are nullified.

At best, this preemption doctrine is a questionable judicial theory. Split decisions characterise its record through the years.

It was developed by the Federal Supreme Court many years ago, but great significance was not attached to it at the time because the Federal Government was not legislating in the broad field it has now usurped.

But under today's expansive interpretation of interstate commerce, Congress is legislating on nearly every conceivable subject. Not only have the times changed; so has the Federal Supreme Court.

As the preemption doctrine has been exploited in recent years it is extremely destructive of our form of government.

Events of the past 5 years have led me to make a special study of Federal Court decisions over this period. I wish every American—and especially Members of Congress—would make such a study.

Decision after decision strikes down the rights of individuals, destroys the effectiveness of local police protection, and preempts and nullifies perfectly constitutional State laws.

The pattern clearly reaffirms Thomas Jefferson's sage warning that there would be times when the Federal Supreme Court would attempt to lay all things at their feet. But for the purpose of the pending bill I speak only to the last category of decisions involving the old doctrine of preemption.

The American Law Division, Library of Congress, has prepared for me a list of nine selected Federal Supreme Court decisions dealing with supersedence of State laws. Mark the fact that these are selected cases. The Court has applied the preemption doctrine time and time again.

I shall cite here as a sample only the Steve Nelson case to demonstrate the dangerous way in which the Court has applied this doctrine. We all know the case. The effect of the decision was so bad Senate bill 654 is directed specifically to the situation it created.

Steve Nelson was a notorious Communist who was convicted in the State courts of Pennsylvania. The effect of the Federal Supreme Court's application of the preemption doctrine was to turn Nelson loose and strike down State law because there was a Federal law on sedition.

Even more serious, as a result of this application of the preemption doctrine, perfectly good and constitutional sedition laws in 42 States are now to be regarded as invalid.

I am not noted for long speeches. And now we are pressing for adjournment. I shall not consume the Senate's time or burden the RECORD with a parade of similar cases. It suffices to say the list is long and the immediate need for corrective action by Congress is urgent.

How urgent is the need? There is a case pending in Virginia at this moment. We have copies of the plea by the seller of narcotics challenging the Virginia law under which he was prosecuted on the grounds that Congress by a recent Narcotics Act preempted the field. He was prosecuted in nearby Fairfax County.

Must State laws prohibiting traffic in narcotics, kidnaping, etc., be disregarded because of Federal laws against these heinous crimes?

Carried to extreme conclusion, it may be contended that the Federal Supreme Court can destroy the 48 States by application of this preemption doctrine. It would have only to hold that Federal tax laws preempt State authority to levy taxes.

When it invalidated the sedition laws in 42 States by its action in the Nelson case, as in others, the Federal Supreme Court did so in complete disregard of the intent of Congress.

Nowhere in all the legislative history of the Federal law—known as the Smith Act—is there any justification for Federal Court's preemption of State laws. The author of the act, himself, Judge HOWARD W. SMITH, is the authority for that statement.

When you study the decisions of the Federal Supreme Court over recent years, and look at the pattern they have taken, it is no wonder that great concern has been formally expressed by the Governors, the chief justices and the attorneys general of the 48 States, and the American Bar Association.

At this point let the RECORD show these facts:

1. A bill, almost identical to S. 337 now pending in the Senate, to outlaw the preemption doctrine was introduced in the Senate and the House of Representatives in January 1954.

2. The Supreme Court decision on the school segregation case was not handed down until 3 months later, in April 1954.

3. The 1954 bill (S. 3143, 84th Congress) was introduced by Senator JOHN L. MCCLELLAN, of Arkansas, with 11 other sponsors.

Of the 12 sponsors on the bill, 1 is a former State supreme court justice, 2 are former judges, 1 is a former State attorney general, 2 are former prosecuting attorneys, and 5 others are lawyers. I am the only sponsor who has been neither lawyer nor judge.

The Honorable HOWARD W. SMITH, a former judge, and author of the Smith Act, was sponsor of the 1954 bill in the House of Representatives.

All that 1954 bill did was to provide that if Congress intends by an act to set aside State laws, it will say so, and not leave it to the Supreme Court to guess at its intent. It further provided that State laws must not be annulled by Federal laws unless they are in direct conflict.

Such a law was needed then. Continuing exploitation of the preemption doctrine by the Federal Court makes it imperative now.

The House of Representatives passed such a bill July 17 with the overwhelming vote of 249 to 147. The bill—H. R. 3—is now before the Senate Judiciary Committee.

Meanwhile, the committee has reported two Senate bills, S. 337 and S. 654.

S. 654 is limited to correction of the damage done by the Nelson case decision.

Senate bill 337 is almost identical to our 1954 bill, and so is H. R. 3. The provisions of these two bills should be passed.

Mr. JAVITS. Mr. President, I shall take only about 5 minutes.

Mr. MORSE. Will the Senator yield?

Mr. JAVITS. Does the Senator from Oregon desire me to yield to him? If he does, I shall be glad to yield.

Mr. MORSE. Mr. President, I have prepared a speech on the pending amendment, but I am going to ask permission that it be inserted in the RECORD. It is not a particularly short speech, and I would like to have it prefaced by quotations from the Attorney General's letter of August 18, that part of the letter which deals with the Department of Justice opposition to H. R. 3. I ask unanimous consent that those quotations from the Attorney General's letter be inserted at this point in my remarks, and that then my manuscript in opposition to the pending amendment be inserted.

There being no objection, the excerpt from the letter of the Attorney General to Senator JAMES O. EASTLAND dated August 18, 1958, and the statement by Senator MORSE were ordered to be printed in the RECORD, as follows:

H. R. 3 is designed to revive certain State laws previously held unconstitutional because of their conflict with Federal statutes. It proposes to change the effect of these Federal statutes, not by openly amending them but by passing a retroactive rule of interpretation to change the meaning the courts have given to the words now contained in these statutes without changing the words themselves. The bill is so broadly drawn that its affect cannot be foretold and if it is effective, it must change the meaning of statutes conclusively interpreted many years ago, basic statutes under which millions of dollars have been invested and under which important human relationships have become fixed.

Section I reads as follows:

"No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and a State law so that the two cannot be reconciled or consistently stand together."

This section would attempt to apply a new rule for determining the intent of not only the present Congress or of a future Congress, but also previous Congresses whose intent is a long concluded fact not subject to change by legislative fiat. It would provide that there was no intent to occupy a field to the exclusion of State laws unless the Federal statute contains an express provision to that effect or unless there is a direct and positive conflict so that they cannot consistently stand together.

There are relatively few Federal statutes containing express provisions preempting the field. Major laws relating to interstate enterprises, and others in fields of heretofore undoubted Federal preeminence, such as bankruptcy and immigration, contain no such provisions. In these fields there is serious question as to the effect of section 1 upon heretofore existing court rules of interpretation—whether there is any difference between the direct and positive conflict test contained in the bill, and that which the courts have heretofore applied.

There were declarations by Congressmen favoring the bill in committee and on the floor of the House that the first section of H. R. 3 is merely declaratory of existing law. Ordinarily, Congress should not be called upon to perform a useless act, especially when it would give rise to great uncertainty in so many vital areas of Federal-State relations. Some proponents of this measure believe that it will change existing law. Indeed Congressman HOWARD W. SMITH, who introduced the bill, testified before the House Judiciary Committee that he had no interest in the bill unless it was made retroactive.

If it would change the law, then innumerable questions arise as to how far and in what fields changes in the law are intended to be wrought. These changes in a multitude of Federal-State relationships will be uncertain in extent and meaning until the courts have passed on the numerous questions raised.

The principal area in which Federal legislation comes into conflict with State legislation covering the same field is that in which the commerce power is exercised. There are, of course, many other fields in which problems of concurrent jurisdiction arise; control of aliens by requirement of registration, *Hines* v. *Davidowitz*, 312 U. S. 52; authority over immigration, *Takahashi* v. *Fish & Game Commission*, 334 U. S. 410; labor-management relations, *Garner* v. *Teamsters, Chauffeurs, etc., Union*, 346 U. S. 485.

For the farmer and the businessman in interstate commerce H. R. 3 creates the serious possibility of multiple and different regulations by 49 jurisdictions. A striking but typical example is given by the vice president and general counsel of the Association of American Railroads:

"Enactment of H. R. 3 without language excepting its application to carriers subject to part 1 of the Interstate Commerce Act such as railroads would create chaos in the field of Federal regulation of the railroads. For example, in areas now preempted by Federal legislation such as: (1) rates, H. R. 3 might lead to establishment of multitudinous rates on a single commodity depending upon the action of State courts and juries as to a reasonable rate; (2) penalties, many antiquated State laws are in existence and would have application to interstate rail transportation service if H. R. 3 were enacted, including nullifying car service orders of the Interstate Commerce Commission; (3) safety appliances and free interchange of rolling stock along railroads in this country, H. R. 3 would permit the substitution for Federal law of innumerable and conflicting State statutes requiring particular safety devices on railroad rolling stock; (4) locomotive inspections, conflicting State laws might be given full application with resulting intolerable operation conditions; (5) hours of service, the diversity of State employment laws is a matter of common knowledge and enactment of H. R. 3 would lead to untold complications and additional expense in complying therewith as compared to existing Federal law. Cannot overemphasize the undesirable nature of and chaotic condition that would be created in the field of interstate railroad transportation by enactment of H. R. 3 without language excepting its application in instances of railroads subject to the Interstate Commerce Act."

Similarly, farmers and marketers of agricultural produce complying with the Federal Food, Drug and Cosmetic Act might be subject to prosecution under numerous State laws which set up different and varying standards for compliance. (See *Savage* v. *Jones*, 225 U. S. 501.)

Warehousemen subject to Federal regulation with respect to rates, discrimination, rebates, service and other matters might become subject to State regulations with respect to the same matters.

Even in an area traditionally the responsibility of the Federal Government because of its intimate relationship to international affairs, there might be troublesome conflicts. In the field of immigration, for example, an alien subject to comprehensive Federal registration procedures might find himself subject also to discriminatory and burdensome State legislation destructive of the personal protections afforded him by the Federal law. (See *Hines* v. *Davidowitz*, 312 U. S. 32.)

It seems doubtful indeed, that Congress would want such results to flow from the passage of H. R. 3, but the difficulty with section 1 is that no one knows what specific results are intended or will ensue. At the end of a long series of lawsuits it is possible, as some of its proponents contend, that the courts might construe H. R. 3 as merely declaratory of existing law. Thus interpreted, the bill would be a useless piece of legislation producing untold confusion and burdening the courts with a rush of litigation to no avail. However, I doubt that any member of the Senate, or that any other person, can foresee with clarity the change this bill is intended to make. This is not merely the usual fear of litigation which accompanies all litigation. Usually such fear is as to a single field and is resolved with one or two cases. This bill will provoke litigation at every point of Federal-State conflict no matter how ancient and well settled.

It is thoroughly understandable that Congress should desire that its legislative intent be properly interpreted by the courts, but this understandable objective cannot be achieved by adding H. R. 3 to the statute books. Its passage would muddle and becloud not only these particular fields in which Congress desires legislation to change the effect of certain judicial decisions, but also innumerable fields wherein delicate Federal-State relationships are now balanced as a result of long-established court decisions, and fields which Congress in passing H. R. 3 would not interfere with if they were studied in detail.

S. 337 is prospective only and thus much less objectionable, although it will still leave the question of the extent of change, if any, intended in existing rules of interpretation and although it will add difficulties in the case of amendments hereafter passed to statutes already in existence. It is possible that the amended statute would thereafter be forever subject to dual rules of interpretation, one for that part which would antedate the enactment of this bill and another for the additions or changes made thereafter. It is also possible that an amendment to an existing statute might be held to have the effect of making the entire statute subject to the new rules of interpretation. The confusion which would be created argues strongly against its enactment.

STATEMENT BY SENATOR MORSE

This bill, or amendment, as it is now offered, embodies the same approach to problems of Federal and State jurisdiction in the same field as is found in H. R. 3, already passed by the House of Representatives.

In my judgment, this legislation would return the theory and practice of our Constitution back in time to somewhere before the Civil War.

This legislation provides that except where Congress has specifically stated or where there is an irreconcilable conflict between State and Federal law, legislation in areas in which both the Federal Government and the States are empowered to act shall be enforced together. It would have general application; it would not be limited to any particular field of legislative activity.

Although motivations for support of it are derived from a variety of sources, the one factor more significant than any other is undoubtedly the decision in *Pennsylvania* v. *Nelson* (350 U. S. 497 (1956)). In that case, the Supreme Court affirmed a decision of the highest court of Pennsylvania, declaring unconstitutional the Pennsylvania sedition statute insofar as it applied to subversive activities against the United States. However, unlike other bills which have sought legislatively to reverse the Supreme Court on specific issues, this measure goes far beyond the area of State sedition statutes and by shotgun legislation affects broad questions of interstate commerce, criminal law, labor relations and many others. With this capacity to produce unknown and unpredictable results, it defies even minimal standards for responsible legislative action.

It is basic and uncontestable that Congress should legislate only in response to a demonstrated need. Where a ruling of the Nation's highest Court is involved or affected, that need should be clear and overwhelming as being in the public interest.

To what need does this proposal respond? Its supporters argue that the United States Supreme Court has all but destroyed the concurrent powers of the States by nullifying State action under the preemption doctrine. This has been achieved, they maintain, through the Court's distortion of the will of Congress. The Court has, they argue, often inferred a legislative purpose to preempt when, in fact, Congress has no such intention.

The doctrine of preemption is not a novelty fashioned by a contemporary court to decide a hard case. It has been with us consistently since it was first advanced by Daniel Webster as long ago as 1824, in *Gibbons* v. *Ogden* (9 Wheaton 1). Its application has remained. Nor is it a doctrine which inevitably deprives the States of their concurrent powers.

Analysis of the decisions of even recent years—years which saw the deepest penetration of Federal legislation under the commerce clause into areas once exclusively occupied by the States—shows numerous cases in which State laws operating in the same field as Federal statutes have been upheld by the Supreme Court. Far from destroying the concurrent power of the States, the Supreme Court has, in recent years, preserved very substantial areas of State interest against the incursion of Federal authority.

Thus, in the dairy and cattle industry, an order of the State of New York prohibiting the importation of cattle without a health certificate was upheld against the argument

that the Cattle Contagious Disease Acts (33 Stat. 791 (1903), 33 Stat. 1264 (1905)), had preempted the field (*Mintz* v. *Baldwin*, 289 U. S. 346 (1933)).

Similarly, in the area of agricultural controls, the Court sustained a California agricultural marketing program as not being in conflict with or precluded by the commerce clause, the Sherman Act or the Federal Agricultural Marketing Agreement Act (*Parker* v. *Brown*, 317 U. S. 341).

In *Townsend* v. *Yoemans* (301 U. S. 441 (1937)), a Georgia statute fixing maximum charges for handling and selling leaf tobacco, as applied to tobacco for export, was held not to conflict with the Tobacco Inspection Act.

In *Union Brokerage Co.* v. *Jensen* (322 U. S. 202 (1944)), the Court upheld the exclusion by Minnesota from its courts of a firm licensed by the Federal Government because of its failure to obtain the license required by State law. In a case arising under the Natural Gas Act, the Court upheld the right of States to regulate rates for gas sold within the State by an interstate pipeline company, *Panhandle Eastern Pipe Line Co.* v. *Public Service Commission of Indiana* (332 U. S. 507 (1947)).

In the field of State regulation of grain exchanges, the Court has upheld the right of a State to prescribe such rules as did not conflict with the provisions of the Commodity Exchange Act (*Rice* v. *Chicago Board of Trade*, 331 U. S. 247 (1947)). In *California* v. *Zook* (336 U. S. 724 (1949)) the Court rejected the argument that the Federal Motor Carrier Act precluded the States from prohibiting the sale of transportation over the highways.

In the field of labor relations, the Court has found that the Wagner and Taft-Hartley Acts do not preclude all State legislation in the field. Thus, in a number of cases arising in Wisconsin, the Court has upheld orders of the State employment relations board, although the industry was in interstate commerce (*Allen Bradley Local* v. *Employment Relations Board*, 315 U. S. 740, (1942); *Auto Workers* v. *Wisconsin Board*, 336 U. S. 245 (1949); *Algoma Plywood and Veneer Co.* v. *Wisconsin Board*, 336 U. S. 301 (1949)).

The Court has continued to uphold State action in the labor relations field in *United Construction Workers, etc.* v. *Laburnum Construction Corp.* (347 U. S. 656 (1953)), which upheld State court jurisdiction over a common law tort action for damages even though the conduct complained of also constituted an unfair labor practice under Federal law. In somewhat similar situations, the Court in two decisions handed down on the same day, May 26, 1958, just a few months ago, reasserted State power in this field (*International Union* v. *Russell*, 356 U. S. (1958); *International Association of Machinists* v. *Gonzales*, 356 U. S. (1958)).

In addition, the Supreme Court has gone far in respecting State action directed at preserving public order in labor disputes in interstate commerce. Similarly, in matters affecting public health and safety, the Court has, wherever possible, upheld the right of the States to protect their people.

There is no complaint by the proponents of this measure that in any of these cases in which the interest of the States was upheld, the Court had engaged in judicial legislation or had distorted the will of Congress. It would appear that, stated more accurately, the complaint is not of a general failure by the Court to properly infer legislative purpose in applying the preemption doctrine. It is rather that in a small number of close cases, the Court in the arduous process of weighing the competing interests of national and local government, found in favor of the national interest.

Indeed, in several of the cases cited by the proponents of the amendment, the members of the Supreme Court disagreed among themselves to the extent of achieving a decision only by the narrow margin of 5 to 4. (*Cloverleaf* v. *Patterson* (315 U. S. 148, 1942) and *Slochower* v. *The Board of Higher Education* (350 U. S. 551, 1956)). Confronted with the same facts, other bodies might well have reached the same conclusions.

It is particularly revealing, in this respect, to note that in the case so often cited as an example of the enlargement of the principle of Federal preemption, namely, the Nelson case, the power of the State to act in the area of subversion against the Federal Government was nullified in the first instance not by the Supreme Court of the United States, but by the highest court of Pennsylvania. This can hardly be claimed to be a case of Federal aggrandizement by the Supreme Court of the United States.

Nor is Congress powerless under present law to reverse legislatively any application of the preemption doctrine with which it disagrees. Amendment of the specific Federal statute involved provides the simplest, most direct, and most effective method of restoring State power. Furthermore, it is a method which Congress has successfully employed in the past. When the Supreme Court found in *Oregon-Washington R. and Nav. Co.* v. *Washington* (270 U. S. 87, 1926), that the Plant Quarantine Act of 1912 had occupied the field to the exclusion of State power to prevent the importation of plants afflicted with a disease not covered by Federal regulations, Congress promptly amended the act to permit State action.

We submit, therefore, that in applying the preemption doctrine the Court has, wherever possible, preserved the concurrent power of the States and that in those few cases where Congress disagrees with the application of the doctrine, it may easily and effectively reverse the Court and restore State power. This can hardly be said to constitute a situation requiring such sweeping and baffling legislation as is now proposed.

Of even greater importance than the basic fact that there is no need for this bill is its manifest undesirability. Not only will it fail to achieve the purpose for which it was apparently designed but it will probably have the opposite effect of enlarging the power of the Federal Government at State expense. It will create confusion in significant areas of settled law, causing a rash of unnecessary litigation. In addition, it will impose an insupportable burden upon the Congress.

First of all, there is great uncertainty as to the meaning and effect of the measure. It must be remembered that laws are not self-executing. They must be applied to specific situations and where there is dispute as to their meaning the courts must be able to give them effect consistent with the legislative purpose.

We have heard during this session of the Congress, repeated denouncements of the judiciary for distorting the will of Congress. And that attitude is responsible in no small measure for this proposal before us. Yet, it is replete with ambiguity. It is ambiguous to the extent that the author of the House version of it and the Deputy Attorney General of the United States could not agree as to its meaning or effect. Like an iceberg, the real meaning of it is mostly submerged and unknown.

Apart from the uncertainty as to meaning and effect which characterizes the proposal, there is serious doubt as to whether the bill achieves even the broad purpose of its proponents, that is, to remove from the courts determination of the issue of whether an act of Congress preempts the field. If Congress wants a particular piece of legislation to preempt, argue its advocates, it can do so by express provision. If Congress does not want to preempt, it need say nothing and the judiciary should be barred from inferring any such purpose.

Logical as this theory appears, the complexities of its practice make it a totally unrealistic proposal. But putting aside that criticism for the moment, the legislation does not in fact place in Congress exclusive responsibility for the preemption issue. For it provides that State law may be nullified by the courts under preemption doctrine not only where Congress expressly declares its intent to preempt, but also in any case where there is a direct and positive conflict between such act—of Congress—and State law so that the two cannot be reconciled or consistently stand together.

Thus, in the last analysis, even under this proposal, we would be back in the courts for determination of the preemption question. All this proposal does in this respect is to establish a standard for making that decision.

It is not surprising that the numerous justices who have been responsible over the last 150 years of jurisprudence have not slavishly adhered to a single verbal formula in all cases involving these delicately balanced interests of local, State, and Federal Governments, even though if restricted to this formula now proposed, they would probably have still reached the same conclusions. But the effect of enacting it into law to affect Federal legislation now on the books in addition to those laws already tested under the preemption doctrine can only be a needless unsettling of established law by fruitless litigation. In addition, it is no more than reasonable to predict that faced with the task of preventing a Balkanization of this Nation in situations which Congress cannot foresee, the courts will be forced to give a broad reading to the direct and positive conflict standard and to rely increasingly on the theory of an unconstitutional burden on interstate commerce, or on other constitutional theories unaffected by this amendment.

Moreover, if this amendment were adopted, any State could gain concurrent power even over matters demanding national uniformity merely by passing an act which is the same as the Federal act, and then developing its own procedures and interpretative law. The resultant chaos would take us back to the Articles of Confederation.

Such a development has occurred in labor legislation, when New York State adopted a State law identical to the Wagner Act. A divergence in interpretation arose, and the Court held that application of the State law and practice could only result in confusion, chaos, and conflict. That prospect looms in many additional areas under this proposal.

The impact of the chaos from this legislation would be felt in the railroad industry, in all possible areas of concurrent powers including shipping, aviation, and all other forms of transportation; it would be felt in labor-management relations, criminal law, aliens, power and natural-gas regulations, matters affecting the national defense, and in water rights and other natural-resource areas. Nor would the confusion be limited to acts of Congress subsequent to adoption of this amendment. It would be retrospective as well as prospective. It would be applicable to statutes already in existence—statutes enacted by men who relied upon judicial construction to decide whether a statute preempted the field and who could not have known that their failure to expressly preempt might result in distortion of a legislative scheme of regulation.

Consternation over this proposal is demonstrated in the strenuous opposition to it expressed by such divergent groups as the Department of Justice, the AFL–CIO, the Interstate Commerce Commission and the Association of American Railroads.

I think I demonstrated from the list of cases I cited at the beginning of these remarks—and they were taken from the minority views on H. R. 3 filed by the House Judiciary Committee—that the Supreme Court does not strike down State laws capriciously or arbitrarily. It never holds that any Federal legislation per se preempts any field. It makes the finding of either Federal preemption or concurrent enforcement on a case by case basis; it makes the determination area by area.

It did that in the Nelson case, and in fact, so did the Pennsylvania Supreme Court. Both concluded that sedition against the United States was by nature something that must be uniform throughout the entire area under the jurisdiction of the United States, and that Federal legislation covering it preempted the field. But the United States Supreme Court further found that State law governing sedition against a State did not destroy the uniformity of the nature of Federal sedition, and permits the enforcement of such laws.

If any rule of thumb can be derived, I think it is one that asks, first: Whether a uniform national policy is inherently required in the field under consideration; and secondly, if so, does the enforcement of the State statute destroy that uniform National policy?

That seems to me to be an entirely reasonable standard for the courts to apply. And I think it is essentially one that must be applied by the courts.

Allusion already has been made to the unrealism of having Congress decide whether or not it intends to occupy the field as to every contemplated legislative act within the broad spectrum of concurrent powers. Whether application of the preemption doctrine is in fact desirable depends upon the interrelationship of the Federal law with that of a given State. Thus, before enacting legislation, Congress would have to have knowledge of the laws and the interpretations of those laws of each of the 48 States.

I ask my colleagues: Do you contemplate that hereafter in studying proposed legislation, each Senate committee and each Member of this body must familiarize himself first with the language of every State law on the subject and their interpretation, so that we may know whether it is necessary and desirable for Congress to preempt the field?

It is perfectly certain that that is exactly what we would have to do with every piece of legislation that comes before us. How else could we know whether to include a preemption clause in a bill, unless we first knew just what is already on the statute books in 48 States regarding it?

Not only would this be an overwhelming new burden upon Congress, what of the future? How do we know if, once deciding that we need not preempt a particular area of concurrent power, that sometime in the future some State may pass a law that is in conflict with our intent or does destroy what we had intended, even though at the time of passage we had not considered the possibility of such a State law being adopted? We not only do not have the time to study existing State laws in the detail that would be necessary, neither is the Senate or the Congress of the United States prescient. We don't know what the Congress or the Senate may do in the future, much less what 48 State legislatures may do in the future.

Perhaps it would come down to putting a preemption clause in every bill we pass, just to be on the safe side. Congress would be faced with the overwhelming burden of continuously surveying the laws of all of our jurisdictions, unless it chose the former course of preempting the field as a matter of practice.

Rather than risk nullification of a Federal statute, Congress might become inclined to resolve all doubts in favor of preemption. Thus, the purpose of the bill would not be achieved. I think we are much better off to leave the matter to the courts to decide on a case-by-case basis, which Congress can later override if it sees fit to do so.

Mr. JAVITS. Mr. President, I shall try to follow the admirable example set by my colleague. I support the motion to table the amendment which is before us.

Mr. President, I believe that one of the finest analyses which I have seen on this question has been made by the Association of the Bar of the City of New York. I ask unanimous consent that it be included as part of my remarks. It is dated August 1, 1958, addressed to the chairman of the Judiciary Committee of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AUGUST 1, 1958.

The Honorable JAMES O. EASTLAND,
Senate Judiciary Committee,
Senate Office Building,
Washington, D. C.

DEAR SENATOR EASTLAND: The Committee on Federal Legislation of the Association of the Bar of the City of New York unqualifiedly disapproves the provisions of the H. R. 3 now before the Senate Judiciary Committee. The bill seeks to require the courts to uphold State legislation of any subjects covered by Federal statute in the absence of a specific declaration by Congress of its desire to preempt the field or of a direct and positive conflict so that the two statutes could not be reconciled or consistently stand together. It would also restore to the States the power to enforce criminal statutes dealing with subversive activities. The latter provisions were taken from H. R. 977, which (with its companion measure S. 654) was disapproved in a report of our committee. That report was overwhelmingly approved at a stated meeting of our bar association after extensive consideration. Copies of the report have been sent to all members of the Senate and House Judiciary Committees, and we enclose an additional copy herewith for your convenient reference.

We refer to that report as proof of the undesirability of the portion of H. R. 3 dealing with reanimation of State sedition statutes. Many of the criticisms contained in that report are equally applicable to the broad provisions of H. R. 3 which would limit application of the doctrine of preemption with respect to every Federal statute now in effect or enacted in the future. Our disapproval of such provisions is based upon the following reasons:

1. The bill is unnecessary. Congress is free at all times to declare its intent as to whether specific Federal acts should supersede State legislation in whole or in part.

2. The bill is unwise. Congress has heretofore dealt with preemption statute by statute. The mere fact that a statute may not in the past have contained a specific declaration of intent to preempt and that no direct and positive conflict existed between the Federal act and State statutes did not mean that Congress felt there should be no preemption. Illustrative of this is the decision in *Bethlehem Steel Co.* v. *New York State Labor Relations Board* (330 U. S. 767 (1947)) where the Supreme Court, in absence of a specific provision in the Wagner Act or the New York State Labor Relations Act giving foremen rights to representation, held that the Wagner Act preempted this area to the exclusion of State legislation. Had H. R. 3 been law at that time this decision would not have been possible. But Congress in the Taft-Hartley Act confirmed this decision by specific provision.

The bill would effect retroactive amendment of many statutes which have been interpreted to provide for Federal preemption in specific fields, and it would do this in blanket fashion without consideration of possible far-reaching adverse consequences.

The doctrine of implied preemption is not new, as the majority report of the House Judiciary Committee indicates. One of the best early expressions of the doctrine appears in *Houston* v. *Moore* (5 Wheat. 1, 22 (1820)), where the Court said: "The two laws may not be in such absolute opposition to each other, as to render the one incapable of execution, without violating the injunction of the other; and yet, the will of the one legislature may be in direct collision with that of the other." And the late Chief Justice Stone in the Cloverleaf case which is advanced as a reason for this broad legislation, indicates that in the absence of a declaration of Congressional policy, a policy plainly inferred from a statute is a sufficient basis for application by the Court of the doctrine of preemption (315 U. S. 170, see H. Rept. No. 1878, at pp. 6–7).

While there is room for difference of opinion on the merits of particular decisions, we detect no actual tendency on the part of the Supreme Court to encroach upon the legislative area in its application. There are numerous recent decisions in which the Court has upheld the power of the States. See, for example, *Parker* v. *Brown* (317 U. S. 341 (1943)); *Townsend* v. *Yeomans* (301 U. S. 441 (1937)); *Union Brokerage Co.* v. *Jenson* (322 U. S. 202 (1944)); *Panhandle Eastern Pipe Line Co.* v. *Public Service Commission* (332 U. S. 507 (1947)); *Rice* v. *Chicago Board of Trade* (331 U. S. 247 (1947)); *California* v. *Zook* (336 U. S. 725 (1949)); *Allen Bradley Local* v. *The Employment Relations Board* (315 U. S. 740 (1942)); *Auto Workers* v. *Wisconsin Board* (330 U. S. 345 (1949)); *Algoma Plywood and Veneer Co.* v. *Wisconsin Board* (336 U. S. 301 (1949)); *United Construction Workers* v. *Laburnum Corp.* (347 U. S. 656 (1953)); *International Union* v. *Russell* (356 U. S. — (1958)); *International Association of Machinists* v. *Gonzales* (356 U. S. — (1958)).

The favorable report of the House Judiciary Committee refers to five decisions as indicating otherwise. *Slochower* v. *Board of Education* (350 U. S. 551 (1956)); dealt with the constitutional privilege against self-incrimination, not with preemption. In *Railway Employees' Department* v. *Hanson* (351 U. S. 225 (1956)) the Federal statute specifically authorized closed shop union agreements notwithstanding any other provisions of any statute of any State. The remaining three cases (*Pennsylvania* v. *Nelson* (350 U. S. 497 (1956)); *Phillips Petroleum Co.* v. *Wisconsin* (347 U. S. 672 (1954)); and *Cloverleaf Co.* v. *Patterson* (315 U. S. 148 (1952)); certainly do not justify a blanket restriction of the doctrine of preemption in every field of Federal law as proposed in the bill.

The complex problems arising from the diverse provisions of State sedition laws, in relation to the comprehensive body of Federal legislation pervading the same field, the subject matter dealt with in the Nelson decision, have been the subject of careful consideration by our committee and by the membership of the association. The conclusion was reached that the Nelson decision was sound on the basis of the reasoning stated in the Court's opinion and the precedents relied upon. In addition, far-reaching and vital policy considerations were found to militate against the suggested legislative reversal of the decision. The detailed reasoning of our committee in support of these conclusions is set forth in its report, previously mentioned. We respectfully urge your consideration of the enclosed copy of this detailed report.

Even for those who may disagree with our reasoning as applied to this area, it should be clear that in dealing with the delicate problems of Federal-State accommodation, the remedy should be by specific statute addressed to carefully defined and

limited areas. Thus, specific relief is available if thought to be necessitated by the decision in the Phillips case dealing with rates charged by independent gas producers and in the Cloverleaf case dealing with regulation of packing stock butter. A bill to restore power to the States over independent gas producers has already been reported favorably by the House Judiciary Committee, H. R. 8525. The Cloverleaf case was decided 16 years ago and no untoward results of this decision are evident.

3. The bill would create confusion in many areas in the Federal-State relationship and vastly increase litigation in this field. It would be impossible to point out the resultant confusion in all areas which would be affected by this legislation. No real appreciation of such confusion in all the possible applications of this measure could be acquired without such exhaustive and time-consuming study as to be impractical. But predecessor and similar bills have been considered by the Judiciary Committees of both Houses. See H. R. 3 and House Report No. 2576, 84th Congress, 1st session, and print of hearings of April and July, 1955, and April 1956; S. 3143 and Senate Report No. 2252, 84th Congress, 2d session, and print of hearings of May 1956. These bills were studied and opposed by representatives of the A. F. of L–CIO, Railway Labor Executives' Association, Association of American Railroads, the Department of Justice, the Department of Labor and the Interstate Commerce Commission. Representative of these views is the able statement of the Association of American Railroads (hearings, Senate Judiciary Committee on S. 373 and 3143, May 18, 1956, at p. 25):

"The position of the railroad industry is that if this bill is enacted into law, it might provide the basis for an assertion that many long-established judicial decisions in the field of the regulation of public carriers in the United States have been weakened or unsettled.

"During the last 75 years, the Congress has developed a complex and elaborate administrative system for the regulation of the railroads of this country, and during this period the courts have on numerous occasions passed upon the question of when certain railroad matters are subject to exclusive regulation by Federal law, and when they are subject to concurrent regulation by Federal and State law. These adjudications have become an integral part of the entire system that Congress has provided for the field of national transportation. The industries engaged in such transportation have come to rely on those decisions as part of the framework of law and regulation which defines their responsibilities and obligations in the conduct of their business. If that framework were to be modified substantially by a bill such as S. 3143 it is feared that great confusion would result."

The Judiciary Committee of the House had this to say concerning such broad legislation (H. Rept. No. 2576, 84th Cong., 2d sess., p. 3):

"Problems concerning the relation of the Federal and State Governments were the prime subjects of discussion at the time of the adoption of our Constitution, and down through the years new situations have occurred which have given rise to similar problems. In each case the problems had to be met and dealt with in accordance with the demands of each individual set of circumstances. It appears questionable that a formula could be found that would serve to define in all instances just how the relationship between State and Federal laws should be interpreted * * *. The broad coverage provided by the language of H. R. 3 as originally introduced would also make it difficult to describe precisely the effect which that language would have if it should be enacted into law.

"As a result the committee determined to recommend that H. R. 3 be amended to provide concurrent jurisdiction for Federal laws relating to the specific area of sedition and subversion."

The adverse reports of the broader provisions of the bill which had been submitted by the Department of Justice, by the Interstate Commerce Commission and by the Department of Labor were quoted in full in this report.

We believe that the foregoing objections are equally applicable to the provisions of H. R. 3 now being considered by the Judiciary Committee of the Senate.

4. The bill would impair the judicial process without adequate substitute for such impairment. As to existing legislation where Congress has not declared its intent to preempt and where there is no direct and positive conflict between Federal and State statutes no determination has been made in the multitudinous areas which would be affected as to whether preemption in whole or in part is desirable in the light of the varying policies, backgrounds and provisions of all Federal statutes. The bill would prevent the courts from exercising their historic province of making such determinations. Even if Congress were to make such determinations now as to existing State and Federal legislation, which is obviously impractical and no one suggests, it would be necessary also for Congress to assume the burden of continued surveillance of legislation in the 48 States which might well conflict with or frustrate Federal policy even in the absence of a specified Congressional intent to preempt or of a direct and positive conflict between Federal and State statutes. If Congress does not do so the courts would be powerless to do so under the provisions of this bill. As we pointed out in our prior report on H. R. 977 and S. 654 (p. 4):

"Moreover, continuing alertness by Congress of the mere provisions of all present and future State legislation would not alone suffice, for it is in the operation and specific applications of statutes that problems of inconsistency and interference become apparent. In the harmonizing of the statutes to our Federal and State governments, it has been pointed out that: 'Proper accommodation is dependent on an empiric process, on case-to-case determinations. Abstract propositions and unquestioned generalities do not furnish the answer.'

"The pressures under which Congress operates in this dynamic area obviously do not render feasible its now undertaking to perform this painstaking empiric process presently carried on by the courts."

5. There is no assurance that the bill would accomplish the objectives of its proponents. This objective appears to be to protect the rights of the States from unwarranted invasion by the courts. But it has been pointed out that of two repugnant statutes the latter prevails over the former even though the result is reached by implication alone (see *Barney* v. *Dolph*, 97 U. S. 652, 656 (1878)); that any subsequent Congress would be free to indulge in preemptive activity without confining itself to this type of bill; and that such a bill would not be likely to result in judicial decision more favorable to States rights than would be rendered without it. (See Federal Preemption: How To Protect the States' Jurisdiction, 49 A. B. A. J. 131, 189 (1957). Cf. *Kellogg* v. *The City of Oshkosh*, 14 Wis. 678, 683 1861).) Moreover, it is unlikely that Congress will find it possible to accord really detailed study to the question of whether or not particular statutes should or should not preempt State legislation any more than it has in the past. It has been predicted on the one hand that the tendency of Congress might be to include provision for preemption in future legislation to avoid frustration of Federal policy by State legislation and, on the other hand, that an opposite tendency might develop only to find that subsequent State legislation makes preemption necessary to the scheme of Federal legislation. (See House Rept. No. 1676, 85th Cong., 2d sess., pp. 13, 18.) Neither of these possibilities seems desirable.

In summary the Committee on Federal Legislation believes that this legislation is unnecessary and unwise, that it would create great uncertainty in existing laws necessitating increased litigation, that it would impair the historic function of the courts in applying the doctrine of preemption without adequate substitute therefor, and that it might not even accomplish the purposes of its proponents. If corrective legislation is necessary with respect to particular statutory provisions, those particular areas should be dealt with piecemeal.

Very truly yours,

RICHARD W. HOGUE, JR.,
Chairman, Committee on Federal Legislation.

Mr. JAVITS. Mr. President, by way of summarizing this very splendid statement, which will take just a moment, the objection to what is really H. R. 3 is that it is retrospective in operation and therefore exposed to the duplication of regulation, as for example in the railroad industry and in the aviation industry, in administrative systems, built up over the decades. It will require a reinventory of all the laws on the books in order to ascertain whether or not we are destroying the edifice of decision of administrative procedure we have built up in all this time.

Second, Mr. President, insofar as this amendment is prospective in its operation, it fails to take account of the effect on the preemption doctrine of the new State legislation. For example, so many of the States now are trying to pass laws finding ways to avoid integration of their public school system. We shall have a terrific race trying to keep up with that if we have the proposed statute on the books.

Finally, Mr. President, it will prevent us from keeping pace with facts in the implementation of legislation as they develop.

Justice Frankfurter, as shown in the statement of the Association of the Bar of the City of New York, stated in a dissenting opinion in *United Mine Workers* v. *Arkansas Oak & Flooring Co.* (351 U. S. 62, 76):

> Proper accommodation is dependent on an empiric process, on case-to-case determinations. Abstract propositions and unquestioned generalities do not furnish the answer.

Mr. President, I believe that if we are unwise enough to adopt this amendment, we shall throw our State and Federal law into a state of confusion which will require years to unravel, and which will work to the greatest disadvantage not only of the interests of our country, but even to the interests of those who most sincerely propose this amendment tonight.

Mr. LANGER. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. On page 2, line 4, it is proposed to insert a new sentence, as follows:

> This act shall not apply to any treaties or acts of Congress relating to Federal leases with Indian tribes.

The PRESIDING OFFICER. The Chair asks the Senator from North Dakota if he is offering his amendment to the amendment offered by the Senator from Arkansas, in the nature of a substitute?

Mr. LANGER. That is correct. The Indian tribes of North Dakota have communicated with me on this subject, and I hope that the Senator in charge of the bill will take my amendment to conference.

Mr. HENNINGS. Mr. President, so far as I have the power to do so, I accept the distinguished Senator's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER].

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I am informed that the Senator from Arkansas [Mr. MCCLELLAN] is willing to accept the amendment offered by the distinguished Senator from North Dakota [Mr. LANGER].

Mr. LANGER. I thank the Senator from Arkansas.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota, to the amendment offered by the Senator from Arkansas [Mr. MCCLELLAN] in the nature of a substitute.

The amendment was agreed to.

Mr. HENNINGS. Mr. President, at the outset I should like to say that I shall undertake to be exceedingly brief at this late hour of the evening. I shall not detain the Senate unnecessarily. Indeed I shall not detain the Senate at all.

Other Senators have spoken eloquently and with erudition and knowledge on this subject after considerable thought and study. I had my small contribution ready to make this evening. However, so much has been said on both sides of the question, I shall forego to undertake further to illuminate the subject, were I capable of so doing.

I should like to say at this time, however, before I undertake to make a motion to table the amendment of the Senator from Arkansas, that I shall be very glad at this time to yield to any Senator for the purpose of addressing himself to the subject.

Mr. MCCLELLAN. Mr. President, as the sponsor of the amendment I believe I should make the closing remarks, if I should desire to do so. Therefore, I shall ask the Senator from Missouri to yield to me when he concludes his remarks and before he makes his motion, so that I may speak for 2 or 3 minutes if I desire to do so.

Mr. HENNINGS. I assure the Senator that he will be able to do so.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Missouri may yield to the Senator from Arkansas for 3 minutes and still retain the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. HENNINGS. I yield at this time to the Senator from Arkansas.

Mr. MCCLELLAN. I beg the Senator's pardon. I said I would like to speak after he has concluded his remarks.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. CASE of South Dakota. The acceptance of the amendment exempting the application of the substitute to laws relating to Indian tribes makes it impossible for me to vote for the pending amendment.

Mr. HENNINGS. Mr. President, before making the motion which I intend to make, to table the amendment, I should like to say, in brief, that I believe the amendment should be tabled by the Senate.

It is retroactive in character.

I believe it would compound litigation and result in a spate of litigation and uncertainty, which might plague us for many years to come.

I believe, too, that there are grave constitutional doubts about the amendment of the distinguished Senator from Arkansas. I shall not undertake to enlarge upon them at this time. However, I will say that no one knows, in view of the breadth of the scope of the bill, what it may do and what its impact may be upon our economy and upon our industrial organization.

Also, no hearings have been held on the bill in the 85th Congress. It is true that hearings were held in the 84th Congress on the proposed legislation. However, in my judgment, those hearings were inadequate.

Suffice it to say, Mr. President, that I am opposed to the amendment. At this time, if the distinguished Senator from Arkansas wishes to say something, I shall be glad to yield to him.

Mr. MORSE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Oregon?

Mr. HENNINGS. I am glad to yield to the Senator from Oregon.

Mr. MORSE. Is it correct to say that the Attorney General has filed a lengthy statement with the Senator's committee in opposition to the proposal before us today?

Mr. HENNINGS. The Senator from Oregon is correct. The Attorney General has done so, and has set forth his grounds for so doing.

Mr. MORSE. Does not the Attorney General in his letter state the position of the administration in opposition to the proposal?

Mr. HENNINGS. It is beyond cavil and beyond any doubt that the letter of the Attorney General, the legal adviser of the President of the United States and the chief legal officer of our Government, states the position of the administration on this matter.

SEVERAL SENATORS. Vote! Vote!

Mr. HENNINGS. May I ask the Senator from Arkansas if he desires to be recognized?

Mr. MCCLELLAN. Mr. President, I shall take only a minute.

Mr. HENNINGS. I yield such time to the Senator as he may desire.

Mr. MCCLELLAN. I merely wish to make this observation in closing the debate. Charges have been made to the effect that this is an attack upon the Supreme Court. It is not an attack upon the Supreme Court. The measure is designed to aid and help and give guidance to the Supreme Court, which is confused and does not know, oftentimes, exactly what Congress meant when it passed a particular law, especially whether Congress meant to preempt a field. It has so indicated by divided decisions. It is our responsibility to clarify the situation. By enacting the bill before us, we would clarify the situation, and no further mistake would be made in that connection; and we would restore the traditional role of construction which has been followed in this country for 75 years by the highest Court of the land.

That is all it does. I hope the amendment will be adopted.

Mr. HENNINGS. Mr. President, I move to lay the amendment of the Senator from Arkansas on the table.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri to lay on the table the amendment in the nature of a substitute offered by the Senator from Arkansas.

Mr. DOUGLAS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CASE of South Dakota (when his name was called). On this vote I have a pair with the senior Senator from Nebraska [Mr. HRUSKA]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming, [Mr. O'MAHONEY] are absent on official business.

I also announce that, if present and voting, the Senator from Montana [Mr. MURRAY] and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Florida would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from New York [Mr. IVES] are absent on official business. The pair of the Senator from Nebraska [Mr. HRUSKA] has been previously announced.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

The result was announced—yeas 39, nays 46, not voting 11, as follows:

YEAS—39

Aiken	Green	McNamara
Anderson	Hayden	Monroney
Beall	Hennings	Morse
Bible	Humphrey	Morton
Bush	Jackson	Neuberger
Carroll	Javits	Pastore
Case, N. J.	Johnson, Tex.	Proxmire
Church	Kefauver	Purtell
Clark	Kennedy	Saltonstall
Cooper	Kuchel	Smith, N. J.
Dirksen	Langer	Symington
Douglas	Magnuson	Wiley
Gore	Mansfield	Yarborough

NAYS—46

Allott	Hickenlooper	Revercomb
Barrett	Hill	Robertson
Bennett	Hoblitzell	Russell
Bricker	Jenner	Schoeppel
Bridges	Johnston, S. C.	Smathers
Butler	Jordan	Smith, Maine
Byrd	Kerr	Sparkman
Capehart	Knowland	Stennis
Cotton	Lausche	Talmadge
Curtis	Long	Thurmond
Dworshak	Malone	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Williams
Ervin	McClellan	Young
Fulbright	Mundt	
Goldwater	Potter	

NOT VOTING—11

Carlson	Frear	Murray
Case, S. Dak.	Holland	O'Mahoney
Chavez	Hruska	Payne
Flanders	Ives	

So Mr. HENNINGS' motion to lay on the table Mr. MCCLELLAN'S amendment was rejected.

Mr. MCCLELLAN. Mr. President, I move that the vote by which the motion to lay on the table the amendment of the Senator from Arkansas was rejected be reconsidered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arkansas.

Mr. BENNETT. I move to lay that motion on the table.

Several Senators requested the yeas and nays.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CLARK. It is my understanding that earlier today there was quite a discussion as to whether a motion to lay on the table a motion to reconsider a motion to lay on the table was appropriate under the rules. The distinguished Senator from Georgia [Mr. RUSSELL] raised that point. There was a rather elaborate discussion in the Senate, at the conclusion of which the yeas and nays were requested to determine whether the ruling of the Chair should be sustained. At that point, in order to conserve time, the motion to reconsider the vote was withdrawn.

I should like to raise the same question which my distinguished friend the Senator from Georgia [Mr. RUSSELL] raised earlier, as to whether it is a proper motion under the parliamentary rules which govern the Senate.

What is the present parliamentary situation? Has the Senator from Arkansas withdrawn his motion?

The VICE PRESIDENT. The present parliamentary situation is that the question is on the motion of the Senator from Utah [Mr. BENNETT] to lay on the table the motion of the Senator from Arkansas [Mr. MCCLELLAN] to reconsider the vote by which the motion to lay on the table the amendment of the Senator from Arkansas was rejected.

Mr. CLARK. Has the Chair ruled on my parliamentary inquiry, which was whether that motion was in order or not?

The VICE PRESIDENT. The motion is in order.

Mr. CLARK. This question arose——

Mr. BENNETT. Mr. President, a motion to lay on the table is not debatable.

The VICE PRESIDENT. The Senator is correct. It is not debatable.

Mr. CLARK. I appeal the ruling of the Chair, and ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. CASE of New Jersey and Mr. CARROLL addressed the Chair.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. Has the motion to reconsider been made?

The VICE PRESIDENT. It has been made.

Mr. JOHNSON of Texas. Has the motion to lay on the table been made?

The VICE PRESIDENT. Both motions have been made.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered?

The VICE PRESIDENT. The yeas and nays have not been ordered.

Mr. JOHNSON of Texas. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MCCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MCCLELLAN. Is the vote to be on the appeal from the ruling of the Chair?

The VICE PRESIDENT. The vote is to be on the motion of the Senator from Utah.

Mr. MCCLELLAN. Is it my understanding that the appeal from the ruling of the Chair has been withdrawn?

Mr. CLARK. It has not.

Mr. MCCLELLAN. I ask for action on the appeal from the ruling of the Chair.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. CLARK. Mr. President, I withdraw that appeal.

The VICE PRESIDENT. The appeal is debatable.

Mr. CLARK. I withdraw my appeal.

The VICE PRESIDENT. The Senator withdraws the appeal.

The question now is on the motion of the Senator from Utah [Mr. BENNETT] to lay on the table the motion of the Senator from Arkansas [Mr. MCCLELLAN] to reconsider the vote by which the motion to lay on the table the amendment of the Senator from Arkansas was rejected. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HUMPHREY. On this motion, is a vote "nay" a vote to reconsider?

The VICE PRESIDENT. In effect, what the Senator states is correct.

Mr. HUMPHREY. I thank the Chair.

Mr. MCCLELLAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Arkansas will state it.

Mr. MCCLELLAN. Will a vote "yea" on this motion sustain the action the Senate just took on the previous vote?

The VICE PRESIDENT. The Senator is correct.

The legislative clerk proceeded to call the roll.

Mr. CASE of South Dakota (when his name was called). On this vote I have a pair with the Senator from Nebraska [Mr. HRUSKA]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MAGNUSON (when his name was called). On this vote I have a pair with the senior Senator from Florida [Mr. HOLLAND]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], and the Senator from Florida [Mr. HOLLAND] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from New York [Mr. IVES] are absent on official business.

The pair of the Senator from Nebraska [Mr. HRUSKA] has been previously announced.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "yea."

The result was announced—yeas 47, nays 40, not voting 9, as follows:

YEAS—47

Allott	Goldwater	Potter
Barrett	Hickenlooper	Revercomb
Bennett	Hill	Robertson
Bricker	Hoblitzell	Russell
Bridges	Jenner	Schoeppel
Butler	Johnston, S. C.	Smathers
Byrd	Jordan	Smith, Maine
Capehart	Kerr	Sparkman
Cotton	Knowland	Stennis
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Dworshak	Malone	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Williams
Ervin	McClellan	Young
Fulbright	Mundt	

NAYS—40

Aiken	Hayden	Morton
Anderson	Hennings	Murray
Beall	Humphrey	Neuberger
Bible	Jackson	O'Mahoney
Bush	Javits	Pastore
Carroll	Johnson, Tex.	Proxmire
Case, N. J.	Kefauver	Purtell
Chavez	Kennedy	Saltonstall
Church	Kuchel	Smith, N. J.
Clark	Langer	Symington
Cooper	Mansfield	Wiley
Douglas	McNamara	Yarborough
Gore	Monroney	
Green	Morse	

NOT VOTING—9

Carlson	Frear	Ives
Case, S. Dak.	Holland	Magnuson
Flanders	Hruska	Payne

So Mr. BENNETT'S motion to lay on the table Mr. MCCLELLAN'S motion to reconsider the vote by which the motion to lay on the table Mr. MCCLELLAN'S amendment was rejected, was agreed to.

Mr. CARROLL. Mr. President——

The VICE PRESIDENT. The Senator from Colorado.

Mr. CARROLL. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CARROLL. What is the present legislative situation? As I understand the situation, earlier in the evening the Senate proceeded to consider a bill entitled S. 654, the so-called Bridges bill. Is it true that a substitute known as the McClellan substitute was offered, which incorporated H. R. 3 and at the same time incorporated the provisions of S. 654? What is the parliamentary situation at this time?

The VICE PRESIDENT. The question is on agreeing to the substitute amendment of the Senator from Arkansas, as amended.

Mr. CARROLL. That is the pending question?

The VICE PRESIDENT. That is the question before the Senate at this time.

Mr. CARROLL. Mr. President, I move——

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. JOHNSON of Texas. Mr. President, may we have order?

The VICE PRESIDENT. The Senator from Colorado has the floor. The Senate will be in order.

Mr. CARROLL. Mr. President, I move to recommit the bill to the Committee on the Judiciary. I do so for two reasons. It ought to be very clear to everyone——

Mr. JOHNSON of Texas. Mr. President will the Senator yield to me?

Mr. CARROLL. I will yield to the Senator from Texas with the understanding that I do not lose my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

PROTECTION OF PRODUCERS AND CONSUMERS AGAINST MISBRANDING AND FALSE ADVERTISING OF FIBER CONTENT OF TEXTILE FIBER PRODUCTS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MAGNUSON. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. MONRONEY, Mr. BIBLE, Mr. SCHOEPPEL, and Mr. BUTLER conferees on the part of the Senate.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES—AMENDMENT

Mr. DOUGLAS (for himself, Mr. JAVITS, Mr. MORSE, Mr. CASE of New Jersey, Mr. HUMPHREY, Mr. MCNAMARA, and Mr. NEUBERGER) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities, which was ordered to lie on the table and to be printed.

Mr. KEFAUVER submitted an amendment, intended to be proposed by him to Senate bill 654, supra, which was ordered to lie on the table and to be printed.

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT, RELATING TO USE IN FOOD OF CERTAIN ADDITIVES—AMENDMENTS

Mr. DIRKSEN submitted amendments, intended to be proposed by him, to the bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety, which were ordered to lie on the table, and to be printed.

Mr. WILLIAMS submitted amendments, intended to be proposed by him, to House bill 13254, supra, which were ordered to lie on the table, and to be printed.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, August 20, 1958, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 765. An act to increase the authorization for the appropriation of funds to complete the International Peace Garden, N. Dak.;

S. 1542. An act for the relief of Lori Biagi;

S. 2043. An act for the relief of Genoveffa Migliozzi;

S. 2530. An act to designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Mont.;

S. 2592. An act to amend the law relating to the execution of contracts with Indian tribes;

S. 2594. An act to transfer certain property and functions of the Housing and Home Finance Administrator to Secretary of the Interior, and for other purposes;

S. 2850. An act for the relief of Maria Pontillo;

S. 2922. An act to authorize per capita to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes;

S. 3139. An act to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio;

S. 3303. An act relating to minerals on the Wind River Indian Reservation in Wyoming, and for other purposes;

S. 3534. An act to authorize the Secretary of the Army to convey approximately 181 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.;

S. 3564. An act to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers;

S. 3572. An act to authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md., and for other purposes;

S. 3676. An act for the relief of Maria Michela Leo Di Gioia;

S. 3682. An act to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes;

S. 3723. An act to amend Public Law 522, 84th Congress (relating to the conveyance of certain lands to the city of Henderson, Nev.);

S. 3873. An act to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds;

S. 3882. An act to amend the act of July 1, 1948, chapter 791 (24 U. S. C., 279a), providing for the procurement and supply of Government headstones and markers;

S. 3906. An act to authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Miss., and for other purposes;

S. 4004. An act to encourage and authorize details and transfers of Federal employees for service with international organizations;

S. 4191. An act to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication;

S. 4287. An act to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases;

S. J. Res. 178. Joint resolution authorizing the President of the United States of America to proclaim February 8–14, 1959, as National Children's Dental Health Week;

S. J. Res. 190. Joint resolution to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska; and

S. J. Res. 201. Joint resolution to authorize the Chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I should like to have the Senator yield to me for the purpose of making a motion to adjourn until 12 o'clock tomorrow. The Senate has agreed to amendments to the bill. There will be thorough and extensive debate. We are all aware of that fact. It is 11:30 in the evening. I think Members are ready to go home. If the Senator will yield, I will ask unanimous consent that the Senator be recognized at the conclusion of the morning hour tomorrow.

Mr. CARROLL. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. And I shall move that the Senate adjourn.

Mr. CARROLL. Mr. President, reserving the right to object, is the record clear that there is now pending a motion to recommit?

Mr. JOHNSON of Texas. That is correct. The record is clear. If it is not clear it can be made clear tomorrow at 12 o'clock.

Mr. CARROLL. So long as the motion is now pending, I have no objection.

Mr. JENNER, Mr. McCLELLAN and several other Senators addressed the Chair.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate adjourn.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

Several Senators addressed the Chair.

Mr. JOHNSON of Texas. The motion is not debatable. I move the Senate adjourn.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas that the Senate adjourn. The motion is not debatable.

Mr. JENNER. Mr. President, I asked for recognition before the motion was made. I was yelling at the Chair.

Mr. McCLELLAN. Mr. President, I was trying to obtain recognition.

Mr. JENNER. Mr. President, will the Senator withdraw his motion?

Mr. JOHNSON of Texas. No; I will not withdraw the motion.

Mr. JENNER and several other Senators requested the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas that the Senate adjourn. On this question the yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], and the Senator from Florida [Mr. HOLLAND] are absent on official business.

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], and the Senator from Florida [Mr. HOLLAND] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from New York [Mr. IVES] are absent on official business.

On this vote, the Senator from Maine [Mr. PAINE] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maine would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 70, nays 18, not voting 8, as follows:

YEAS—70

Aiken	Hill	Morton
Anderson	Hoblitzell	Murray
Barrett	Humphrey	Neuberger
Beall	Jackson	O'Mahoney
Bennett	Javits	Pastore
Bible	Johnson, Tex.	Potter
Bush	Johnston, S. C.	Proxmire
Capehart	Jordan	Purtell
Carroll	Kefauver	Russell
Case, N. J.	Kennedy	Saltonstall
Case, S. Dak.	Kerr	Smathers
Chavez	Knowland	Smith, Maine
Church	Kuchel	Smith, N. J.
Clark	Langer	Sparkman
Cooper	Lausche	Stennis
Dirksen	Long	Symington
Douglas	Magnuson	Talmadge
Eastland	Malone	Thye
Ellender	Mansfield	Watkins
Fulbright	Martin, Iowa	Wiley
Gore	Martin, Pa.	Yarborough
Green	McNamara	Young
Hennings	Monroney	
Hickenlooper	Morse	

NAYS—18

Allott	Curtis	Mundt
Bricker	Dworshak	Revercomb
Bridges	Ervin	Robertson
Butler	Goldwater	Schoeppel
Byrd	Jenner	Thurmond
Cotton	McClellan	Williams

NOT VOTING—8

Carlson	Hayden	Ives
Flanders	Holland	Payne
Frear	Hruska	

So the motion was agreed to; and (at 11 o'clock and 40 minutes p. m.) the Senate adjourned until tomorrow, Thursday, August 21, 1958, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate August 20, 1958:

DEPARTMENT OF STATE

Joseph C. Satterthwaite, of Michigan, a Foreign Service Officer of the class of career minister, to be an Assistant Secretary of State.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 20, 1958

The House met at 12 o'clock noon.

Rev. Arthur H. Underwood, the Church of St. Timothy, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, who alone dost govern the minds and hearts of men, make us deeply conscious of Thy presence in our midst as again we meet to take counsel together for the work Thou hast committed to our care. To Thy loving wisdom and mercy we commend our Nation. Grant, we beseech Thee, to the President of the United States, the Vice President, and to all in authority, wisdom and strength to know and to do Thy will. Fill us with the love of truth and righteousness; and make us ever mindful of our calling to serve this people in Thy faith and fear. In the press of demands too great for man unaided by Thy grace, may we ever hear Thy quiet voice within speaking to us the words of truth, power, and salvation. As Thy children, may we lay aside all that divides and sets a man against his brother, that so, in unity of heart and spirit, we may bravely and gladly bear the burdens of this hour.

Finally, we commend to Thy gracious care and keeping the distressed peoples of all lands, that of Thy mercy they may find strength to endure their trials and wisdom to work out the ways of understanding and of peace; all which we ask through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the following titles:

H. R. 1493. An act for the relief of Lt. Col. Charles A. Holshouser;

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 2269. An act for the relief of Truck & Axle Manufacturing Co.;

H. R. 4991. An act for the relief of Waldo E. Miller;

H. R. 5584. An act for the relief of Mrs. Maude L. Smith;

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory orders;

H. R. 6595. An act for the relief of Markus H. Teitel;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzgar;

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7499. An act for the relief of the Cooper Tire & Rubber Co.;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 7720. An act for the relief of Viola Belger;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes;

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11009. An act to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes;

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12207. An act for the relief of Mr. and Mrs. Alto Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols;

H. R. 12365. An act for the relief of the estate of Suck Pil Ra;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Anneliese Ottolenghi;

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson Company, and Houma Canals, La., and for other purposes;

H. J. Res. 557. Joint resolution to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission;

H. J. Res. 630. Joint resolution to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the southwest area in the District of Columbia;

H. J. Res. 654. Joint resolution requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways; and

H. Con. Res. 380. Concurrent resolution authorizing the Clerk of the House to make changes in the enrollment of H. R. 13132.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11477. An act to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. EASTLAND, Mr. CARROLL, Mr. WILEY, and Mr. DIRKSEN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9147) entitled "An act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3502. An act to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes;

S. 4021. An act to establish the United States Study Commission on the Savannah, Altamaha, Saint Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins, and intervening areas;

S. 4063. An act to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes; and

S. 4196. An act to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents.

PEREMPTORY CHALLENGES IN CIVIL CASES

Mr. CELLER submitted a conference report and statement on the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants.

MINERALS SUBSIDY

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to extent my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COLLIER. Mr. Speaker, here in the closing days of August when we all should and could have long since been back in our Districts, we are still discovering and creating new crises which demand the immediate action of this Congress.

We have been told that we face the total destruction of some segment of our national economy, national defense, and in some instances even our national survival as these various bills come to us in these waning days.

And here again we have been told that we have the alternative of another subsidy program or catastrophe.

All technical phases of the program today have been pretty well mulled over.

As far as stockpile figures are concerned, we have had a sufficient variation and conflict of figures in the debate thus far to justify any position one might choose to take either for or against this bill.

But I can't for the life of me figure out why all of this vital emergency legislation, none of which can hold a few months until the 86th Congress convenes, comes in the last minute logjam of this 2-year session, which, coincidentally, is an election year.

To contend there are no real problems in the domestic mining industry and particularly in the production of copper, lead, zinc, flourspar and tungsten would admittedly be ridiculous.

But this legislation is the easy way out and it is neither a sound or permanent solution to the problem.

I repeat, as I did during the discussion on the rule, that it is a problem for the Tariff Commission and this legislation is just another case where the cure, such as it is, is far worse than the disease itself.

If you have any doubt about the preference of the solution to the problem, may I suggest that you read the testimony given by the folks in the mining industry before our committee.

And I might suggest that if there is any further doubt as to the solution, you might read the report sent up a few days ago from the Secretary of the Interior—but read between the lines, too.

Just 3 weeks ago, on the floor of this House, the gentleman from Arkansas, the very distinguished and astute chairman of the Ways and Means Committee, admonished us of the grave inflationary dangers of our deficit spending.

Never was there a more serious warning presented in a more sincere manner.

If you looked around the floor that day, you would have observed a feeling of solemn realization of this warning on both sides of the aisle as Mr. MILLS spoke.

But before the echo of these words died out, we were back pumping more gas into a balloon that will literally burst before it can possibly descend.

It should be pointed out too that this bill creates a positive threat that the entire mineral industry might well become subservient to the Secretary of the Interior in the years ahead.

Further than that, we are swinging the door wide open to another Federal subsidy program that 5 years from now will either demand an extension or the industry itself may find itself in worse shape than it is today.

But let's not labor under any illusion that this program will end in 5 years.

Right now the taxpayers of this country are ladened with no less than 71

Federal subsidy programs passed as temporary or limited emergency measures, and 65 of these have grown rather than shrunk.

All of these Federal subsidy babies wear a size 12 shoe before they are old enough to be spanked.

Those of us who deal in practical politics know, too, that it is invariably political suicide to halt or even reduce any Federal subsidy program.

On the other hand it is generally a real political temptation to increase these programs, especially when election years roll around.

I contend that we are setting a dangerous precedent, one that can reach far beyond the domestic mining industry.

If this program is adopted, how can Congress refuse subsidy payments to any industry that claims it is in economic difficulty?

Well, I suppose it is useless to talk in terms of setting dangerous precedents.

The fact that we are as a nation $288 billion in debt apparently does not seem to make too much difference in what we have done here in recent weeks.

If we keep this up with legislation like we have before us today, we'll face a real crisis, perhaps sooner than we think.

There are solutions to many of these problems that don't have a billion-dollar price tag on them and we had better start taking some other road than deficit spending before it is too late.

PUBLIC WORKS APPROPRIATION BILL, 1959

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 12858) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2670)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12858) "making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 8.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 11, 13, 15, and 16, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,188,500"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $603,246,500; and the Senate to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $113,370,000; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $68,347,500; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $4,556,000; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $3,831,000; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $148,015,000; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $4,039,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 12, 17 and 18.

CLARENCE CANNON,
LOUIS C. RABAUT,
MICHAEL J. KIRWAN,
BEN F. JENSEN,
JOHN TABER,
Managers on the Part of the House.

ALLEN J. ELLENDER,
CARL HAYDEN,
RICHARD B. RUSSELL,
JOHN MCCLELLAN,
WILLIS ROBERTSON,
LISTER HILL,
WARREN G. MAGNUSON,
SPESSARD L. HOLLAND,
ROBT. S. KERR,
WILLIAM F. KNOWLAND,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
EDWARD J. THYE,
KARL E. MUNDT,
MARGATET CHASE SMITH,
HENRY C. DWORSHAK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12858), making appropriations for Civil Functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

Rivers and harbors and flood control

General Investigations

Amendment No. 1: Appropriates $10,188,500 instead of $8,613,500 as proposed by the House and $11,485,000 as proposed by the Senate. The increase over the House figure is distributed as follows:

Navigation studies	$300,000
Flood-control studies	850,000
Beach erosion cooperative studies	10,000
Ohio River Basin study	156,000
Great Lakes Harbor survey	15,000
Colorado River, Texas	50,000
Trinity River, Texas	100,000
Stream gauging	28,000
Precipitation studies	66,000
Total	1,575,000

Construction, General

Amendment No. 2: Appropriates $603,246,500 instead of $578,455,500 as proposed by the House and $630,371,500 as proposed by the Senate. The conferees are in agreement that funds appropriated under this item shall be allocated as set forth in the following tabulation:

Construction, general, State and project	Approved budget estimate for fiscal year 1959		Conference allowance	
	Construction	Planning	Construction	Planning
Alabama:				
Columbia lock and dam, Alabama and Georgia			$800,000	
Dauphin Island Bay			(1)	
Jackson lock and dam	$6,000,000		6,000,000	
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia	11,700,000		11,700,000	
Alaska:				
Dry Pass	846,000		846,000	
Gastineau Channel			1,100,000	
Neva and Olga Straits			(1)	
Arizona:				
Gila River channel improvement				$60,000
Painted Rock Reservoir	$7,000,000		$7,000,000	
Whitlow Ranch Reservoir	1,500,000		1,500,000	
Arkansas:				
Arkansas River and tributaries, Arkansas and Oklahoma (general studies)		$900,000		900,000
Arkansas River and tributaries, Arkansas and Oklahoma (emergency bank stabilization and channel rectification)	541,000		2,541,000	
Arkansas—Continued				
Beaver Reservoir		$250,000	$750,000	
Bull shoals Reservoir, Ark., and Mo. (additions of units Nos. 5 and 6)	$800,000		500,000	
Dardanelle lock and dam	2,500,000		2,500,000	
Greers Ferry Reservoir	4,000,000		4,000,000	
McKinney Bayou and Barkman Creek, Ark. and Tex.			300,000	
Millwood Reservoir (modification)				$150,000
Red River levees below Denison Dam, Ark., La., and Tex.	400,000		400,000	
Table Rock Reservoir, Ark. and Mo. (See Missouri.)				
Walnut Bayou	575,000		575,000	
California:				
Black Butte Reservoir			500,000	
Carbon Canyon Dam and Channel	1,800,000		1,800,000	
Devil, East Twin, Warm, and Lytle Creeks	800,000		800,000	
Eel River			370,000	
Half Moon Bay			1,200,000	
Hogan Reservoir				230,000
Los Angeles County drainage area	18,500,000		18,500,000	
Lower San Joaquin River and tributaries	1,000,000		1,000,000	
Middle Creek	600,000		600,000	
Mill Creek levees		32,000		32,000
Playa Del Rey Inlet and Basin	1,200,000		1,200,000	
Port Hueneme Harbor (excludes cost to U. S. Navy)			840,000	
Russian River Reservoir	750,000		750,000	
Sacramento River	3,000,000		3,000,000	
Sacramento River and major and minor tributaries	1,000,000		1,000,000	
Sacramento River deepwater ship channel	6,000,000		6,000,000	
San Antonio and Chino Creeks	2,000,000		2,000,000	
San Diego River and Mission Bay	876,000		876,000	
San Francisco Harbor:				
a—Removal of shoals and rocks and 45-foot main ship channel			20,000	
b—50-foot main ship channel and Black Point Shoal channel			285,000	
San Jacinto River and Bautista Creek		110,000		110,000
San Joaquin River Stockton deepwater channel	700,000		700,000	
San Lorenzo Creek	1,800,000		1,800,000	
San Lorenzo River	2,300,000		2,300,000	
Santa Clara River		60,000	460,000	
Santa Cruz Harbor				75,000
Santa Maria Valley levees		115,000	500,000	
Stewart Canyon Basin				30,000
Success Reservoir	4,000,000		4,000,000	
Terminus Reservoir	6,000,000		6,000,000	
Truckee River and tributaries, California and Nevada. (See Nevada.)				
Tuolumne River reservoirs (New Don Pedro)				15,000
Connecticut:				
Thomaston Reservoir	5,000,000		5,000,000	
Delaware:				
Inland waterway, Delaware River to Chesapeake Bay, Del. and Md.:				
a—Summit Bridge	2,940,000		2,940,000	
b—Canal improvement				180,000
Florida:				
Central and southern Florida	7,500,000		6,500,000	
Intracoastal Waterway, Caloosahatchee River to Anclote River				135,000
Intracoastal Waterway, Jacksonville to Miami	1,100,000		1,100,000	
Port Everglades Harbor				28,000
St. Joseph Bay, Port St. Joe Harbor			573,000	
Tampa Harbor:				
a—34-foot channel	2,950,000		2,950,000	
b—Hillsboro River			(1)	
Water-hyacinth obstruction in the waters of the Gulf and South Atlantic States, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas. (See Louisiana.)				
Georgia:				
Brunswick Harbor (deferred for restudy)			168,000	
Columbia lock and dam, Alabama and Georgia. (See Alabama.)				
Hartwell Reservoir, Ga. and S. C.	15,500,000		15,500,000	
Savannah River below Augusta	700,000		700,000	
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia. (See Alabama.)				
Hawaii:				
Hanapepe River			$407,000	
Honolulu Harbor		$58,000	1,000,000	
Kawaihae Harbor	$1,352,000		1,352,000	
Idaho:				
Columbia River, local protection:				
a—Blackfoot River				$46,000
b—Boise Valley				24,000
c—Heise Roberts extension				5,500
d—Lightning Creek			(1)	
Little Wood River			88,000	
Illinois:				
Carlyle Reservoir	800,000		800,000	
Chicago, Burlington & Quincy R.R. bridge, including channel change			500,000	
Cleer Creek Drainage and Levee District	236,000		236,000	
Drury Drainage District				80,000
East St. Louis and vicinity	1,500,000		1,500,000	
Henderson River (diversion unit)				117,000
Illinois Waterway, Calumet-Sag Channel, pt. I	8,500,000		8,508,000	
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.; Regulating works	1,000,000		1,000,000	
Mississippi River between the Missouri River and Minneapolis, Minn.: Rectification of damages	65,000		65,000	
Mississippi River between St. Louis, Mo., and lock and dam 26, Illinois and Missouri (lock and dam 27)			1,000,000	
The Sny Basin			500,000	
Wabash R. R. bridges at Merodosia and Valley City	1,500,000		1,500,000	
Wilson and Wenkel and Prairie duPont Drainage and Levee Districts	400,000		400,000	
Wood River Drainage and Levee District	800,000		800,000	
Indiana:				
Evansville			200,000	
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)				
Mansfield Reservoir	3,400,000		3,400,000	
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				
Monroe Reservoir				25,000
Vincennes			235,000	
Iowa:				
Floyd River and tributaries				150,000
Iowa River-Flint Creek Levee District No. 16		150,000		150,000
Little Sioux River	2,700,000		2,700,000	
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri	3,500,000		2,500,000	
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:				
a—Sioux City, Iowa, to Omaha, Nebr	5,700,000		5,700,000	
b—Omaha, Nebr., to Kansas City	3,300,000		3,300,000	
c—Kansas City to the mouth	4,000,000		4,000,000	
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa, including Miners Bend. (See Nebraska.)				
Muscatine	226,000		226,000	
Muscatine Island Levee District and Muscatine Louisa County Drainage District No. 13			300,000	
Red Rock Reservoir		175,000		175,000
Kansas:				
Abilene	200,000		200,000	
John Redmond (Strawn) Reservoir			408,000	
Manhattan			300,000	
Milford Reservoir		180,000		180,000
Missouri River channel stabilization, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)				
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)				
Ottawa	950,000		950,000	
Perry Reservoir		125,000		125,000
Pomona Reservoir			800,000	
Saltna	900,000		900,000	
Topeka	2,700,000		2,700,000	
Toronto Reservoir	2,400,000		2,400,000	
Tuttle Creek Reservoir	15,400,000		15,400,000	
Wilson Reservoir		175,000		175,000
Kentucky:				
Barkley Dam (lower Cumberland lock and dam), Ky. and Tenn.	10,500,000		10,500,000	
Buckhorn Reservoir	4,500,000		4,500,000	
Catlettsburg	642,000		642,000	

See footnote at end of table.

Construction, general, State and project	Approved budget estimate for fiscal year 1959		Conference allowance	
	Construction	Planning	Construction	Planning
Hawaii:				
Hanapepe River			$407,000	
Honolulu Harbor		$58,000	1,000,000	
Kawaihae Harbor	$1,352,000		1,352,000	
Idaho:				
Columbia River, local protection:				
a—Blackfoot River				$46,000
b—Boise Valley				24,000
c—Heise Roberts extension				5,500
d—Lightning Creek			(1)	
Little Wood River			88,000	
Illinois:				
Carlyle Reservoir	800,000		800,000	
Chicago, Burlington & Quincy R.R. bridge, including channel change			500,000	
Cleer Creek Drainage and Levee District	236,000		236,000	
Drury Drainage District				80,000
East St. Louis and vicinity	1,500,000		1,500,000	
Henderson River (diversion unit)				117,000
Illinois Waterway, Calumet-Sag Channel, pt. I	8,500,000		8,508,000	
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.; Regulating works	1,000,000		1,000,000	
Mississippi River between the Missouri River and Minneapolis, Minn.: Rectification of damages	65,000		65,000	
Mississippi River between St. Louis, Mo., and lock and dam 26, Illinois and Missouri (lock and dam 27)			1,000,000	
The Sny Basin			500,000	
Wabash R. R. bridges at Merodosia and Valley City	1,500,000		1,500,000	
Wilson and Wenkel and Prairie duPont Drainage and Levee Districts	400,000		400,000	
Wood River Drainage and Levee District	800,000		800,000	
Indiana:				
Evansville			200,000	
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)				
Mansfield Reservoir	3,400,000		3,400,000	
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				
Monroe Reservoir				25,000
Vincennes			235,000	
Iowa:				
Floyd River and tributaries				150,000
Iowa River-Flint Creek Levee District No. 16		150,000		150,000
Little Sioux River	2,700,000		2,700,000	
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri	3,500,000		2,500,000	
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:				
a—Sioux City, Iowa, to Omaha, Nebr	5,700,000		5,700,000	
b—Omaha, Nebr., to Kansas City	3,300,000		3,300,000	
c—Kansas City to the mouth	4,000,000		4,000,000	
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa, including Miners Bend. (See Nebraska.)				
Muscatine	226,000		226,000	
Muscatine Island Levee District and Muscatine Louisa County Drainage District No. 13			300,000	
Red Rock Reservoir		175,000		175,000
Kansas:				
Abilene	200,000		200,000	
John Redmond (Strawn) Reservoir			408,000	
Manhattan			300,000	
Milford Reservoir		180,000		180,000
Missouri River channel stabilization, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)				
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)				
Ottawa	950,000		950,000	
Perry Reservoir		125,000		125,000
Pomona Reservoir			800,000	
Saltna	900,000		900,000	
Topeka	2,700,000		2,700,000	
Toronto Reservoir	2,400,000		2,400,000	
Tuttle Creek Reservoir	15,400,000		15,400,000	
Wilson Reservoir		175,000		175,000
Kentucky:				
Barkley Dam (lower Cumberland lock and dam), Ky. and Tenn.	10,500,000		10,500,000	
Buckhorn Reservoir	4,500,000		4,500,000	
Catlettsburg	642,000		642,000	

See footnote at end of table.

Construction, general, State and project	Approved budget estimate for fiscal year 1959		Conference allowance	
	Construction	Planning	Construction	Planning
Kentucky—Continued				
Fishtrap Reservoir				$140,000
Greenup locks and dam, Kentucky and Ohio	$11,000,000		$11,000,000	
Lock and dam 41, Indiana and Kentucky	6,000,000		6,000,000	
Markland locks and dam, Indiana, Kentucky, and Ohio	11,000,000		11,000,000	
New Richmond locks and dam, Kentucky and Ohio	4,000,000	$120,000	4,000,000	
No. 2 Barren Reservoir				120,000
Nolin Reservoir			500,000	
Rough River Reservoir and channels	3,300,000		3,300,000	
Louisiana:				
Amite River and tributaries	725,000		1,000,000	
Barataria Bay Waterway				58,000
Chefuncte River and Bogue Falia			(1)	
Gulf Intracoastal Waterway: Plaquemine-Morgan City alternate route	6,500,000		6,500,000	
Mississippi River, Baton Rouge to Gulf of Mexico			150,000	
Mississippi River Gulf Outlet	3,500,000		4,000,000	
Mooringsport Reservoir, La. and Tex. (Deferred for restudy)				100,000
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
Water hyacinth obstructions in the waters of the Gulf and South Atlantic States, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas				
Maine:			300,000	
Josias River (modification)			(1)	
Maryland:				
Cumberland, Md., and Ridgeley, W. Va.	1,751,000		1,751,000	
Inland waterway, Delaware River to Chesapeake Bay. (See Delaware.)				
Massachusetts:				
Boston Harbor extension to 40-foot anchorage	2,100,000		2,100,000	
East Brimfield Reservoir	3,800,000		3,800,000	
Hodges Village Reservoir	2,700,000		2,700,000	
Narragansett Bay area, Rhode Island and Massachusetts. (See Rhode Island.)				
New Bedford, Fairhaven, and Acushnet				400,000
North Adams	4,500,000		4,500,000	
Salem Harbor			1,320,000	
West Hill Reservoir			275,000	
Westville Reservoir		141,000		141,000
Weymouth Fore River	800,000		800,000	
Worcester	2,534,000		2,534,000	
Michigan:				
Battle Creek	1,200,000		1,200,000	
Big Bay Harbor			342,000	
Great Lakes connecting channels	23,500,000		25,500,000	
Harrisville Harbor	700,000		700,000	
Houghton-Hancock Bridge	1,300,000		1,300,000	
Little Lake Harbor				30,000
Manistique Harbor	338,000		338,000	
New Poe lock				350,000
Port Austin Harbor	613,000		613,000	
Saginaw River	800,000		800,000	
St. Marys River, improvement of south canal	2,000,000		2,000,000	
Whitefish Point Harbor	541,000		541,000	
Minnesota:				
Grand Marais Harbor			(1)	
Lost River and Ruffy Brook			128,000	
Mankato and North Mankato				55,000
Minnesota River navigation				33,000
Mississippi River at St. Paul and South St. Paul				200,000
Mississippi River between Missouri River and Minneapolis, Minn., rectification of damages. (See Illinois.)				
Red River of the North, Minn. and N. Dak	500,000		500,000	
St. Anthony Falls	1,100,000		1,100,000	
Missouri:				
Bear Creek Reservoir			300,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)				
Canton	100,000		100,000	
Cape Girardeau (reach No. 2 only)	1,500,000		1,500,000	
Des Moines and Mississippi Levee District No. 1				100,000
Fabius River Drainage District			750,000	
Joanna Reservoir				50,000
Kaysinger Bluff Reservoir				80,000
Mississippi River between Ohio River and Missouri River, Ill. and Mo. (See Illinois.)				

Construction, general, State and project	Approved budget estimate for fiscal year 1959		Conference allowance	
	Construction	Planning	Construction	Planning
Missouri—Continued				
Mississippi River between St. Louis, Mo., and lock and dam 26, Illinois and Missouri (lock and dam 27). (See Illinois.)				
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)				
Pomme de Terre Reservoir	$3,400,000		$3,400,000	
St. Louis			1,700,000	
Stockton Reservoir				$150,000
Table Rock Reservoir, Ark. and Mo	12,400,000		12,400,000	
Montana:				
Columbia River local protection:				
a—Clark Fork at Missoula		$12,000		12,000
b—St. Regis River			(1)	
Fort Peck Dam (2d powerplant)	6,500,000		6,500,000	
Nebraska:				
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)				
Missouri River channel stabilization, Iowa, Kansas, Missouri, Nebraska. (See Iowa.)				
Missouri River (Kenslers Bend, Nebr., to Sioux City, Iowa, including Miners Bend), Iowa, Nebr., and S. Dak	1,000,000		1,000,000	
Nevada:				
Truckee River and tributaries, California and Nevada			150,000	
New Hampshire:				
Hopkinton-Everett Reservoir	1,400,000		1,500,000	
Otter Brook Reservoir	320,000		320,000	
New Jersey:				
Delaware River (Philadelphia Naval Base to Trenton), Pa. and N. J	13,000,000		13,000,000	
New York and New Jersey Channels, N. Y. and N. J	5,420,000		5,420,000	
Staten Island Rapid Transit bridge, New York and New Jersey. (See New York.)				
New Mexico:				
Abiquiu Reservoir	1,250,000		1,250,000	
Albuquerque	775,000		775,000	
Carlsbad				40,000
Los Esteros-Alamogordo Reservoirs		90,000		90,000
Rio Grande Floodway, Cochiti to Rio Puerco				80,000
Socorro				45,000
New York:				
Allegheny River Reservoir, Pa. and N. Y. (See Pennsylvania.)				
Barcelona Harbor	200,000		200,000	
Buffalo Harbor, north entrance	2,000,000		2,000,000	
Endicott Johnson City and Vestal	1,700,000		1,700,000	
Fire Island Inlet			880,000	
Great Lakes to Hudson River Waterway	110,000		910,000	
Ironclequoit Bay			120,000	
New York and New Jersey Channels, N. Y. and N. J. (See New Jersey.)				
Oswego Harbor detached breakwaters	1,000,000		1,000,000	
Staten Island Rapid Transit Bridge, New York and New Jersey	2,500,000		2,500,000	
North Carolina:				
Beaufort Harbor			(1)	
Channel connecting Thoroughfare Bay with Cedar Bay			(1)	
Oregon Inlet (12-foot channel to Manteo and Wanchese only)			722,000	
Wilkesboro Reservoir		125,000		125,000
North Dakota:				
Garrison Reservoir	10,600,000		10,600,000	
Lower Heart River	500,000		500,000	
Red River of the North, Minn., and N. Dak. (See Minnesota.)				
Ohio:				
Ashtabula Harbor	997,000		997,000	
Dillon Reservoir	8,250,000		8,250,000	
Greenup lock and dam, Kentucky and Ohio. (See Kentucky.)				
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Indiana.)				
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia	10,000,000		10,000,000	

See footnote at end of table.

Construction, general, State and project	Approved budget estimate for fiscal year 1959		Conference allowance	
	Construction	Planning	Construction	Planning
Ohio—Continued				
New Richmond lock and dam, Kentucky and Ohio. (See Kentucky.)				
Pike Island locks and dam, Ohio and West Virginia		$250,000	$1,000,000	
Shenango River Reservoir, Pa. and Ohio. (See Pennsylvania.)				
West Branch Mahoning River Reservoir				$200,000
Oklahoma:				
Arkansas River and tributaries, Arkansas and Oklahoma. (See Arkansas.)				
Broken Bow Reservoir				150,000
Denison Reservoir, Tex. and Okla. (See Texas.)				
Enid			250,000	
Eufaula Reservoir	$7,500,000		7,500,000	
Keystone Reservoir	8,500,000		8,500,000	
Oologah Reservoir	10,000,000		10,000,000	
Optima Reservoir (deferred for restudy)				25,000
Oregon:				
Blue River Reservoir		105,000		105,000
Columbia River between Vancouver, Wash., and The Dalles, Oreg.: 27-foot channel	1,000,000		1,000,000	
Columbia River local protection:				
John Day River		16,000		16,000
Cougar Reservoir	5,500,000		5,500,000	
Fall Creek Reservoir		150,000		150,000
Green Peter Reservoir		310,000		310,000
Hills Creek Reservoir	13,000,000		13,000,000	
Holley Reservoir		110,000		110,000
Interstate Bridge, Oregon and Washington			50,000	
John Day lock and dam, Oregon and Washington	8,000,000		8,000,000	
Lower Columbia River improvement to existing works:				
a—Magruder Drainage District				5,000
b—Multnomah County Drainage District No. 1	600,000		600,000	
c—Woodson Drainage District				6,000
Rogue River at Gold Beach			750,000	
The Dalles Dam, Oreg. and Wash	13,500,000		13,500,000	
Willamette River Basin bank protection	500,000		500,000	
Willamette River Basin channel improvement and major drainage:				
a—Calapooya River				50,000
b—East Muddy and Lake Creek				30,000
Pennsylvania:				
Allegheny River Reservoir, N. Y. and Pa	1,000,000		1,000,000	
Allentown	700,000		700,000	
Bear Creek Reservoir	1,740,000		1,740,000	
Bethlehem			350,000	
Bradford	2,750,000		2,750,000	
Brookville				35,000
Chartiers Creek at and in vicinity of Washington				25,000
Curwensville Reservoir		175,000		175,000
Dam 8, Monongahela River	2,000,000		2,000,000	
Delaware River (Philadelphia Naval Base to Trenton), Pa. and N. J. (See New Jersey.)				
Dyberry Reservoir	1,400,000		1,400,000	
Kettle Creek Reservoir			800,000	
Maxwell locks and dam, Monongahela River		275,000		275,000
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)				
Prompton Reservoir	1,100,000		1,100,000	
Ridgway				20,000
St. Marys				20,000
Shenango River Reservoir, Pa. and Ohio				100,000
Stillwater Reservoir	1,300,000		1,300,000	
Rhode Island:				
Narragansett Bay area, Rhode Island and Massachusetts				600,000
Woonsocket	1,200,000		1,200,000	
South Carolina:				
Hartwell Reservoir, Ga. and S. C. (See Georgia.)				
South Dakota:				
Big Bend Reservoir		200,000	600,000	
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebraska, and South Dakota. (See Iowa.)				
Oahe Reservoir	38,800,000		38,800,000	
Sioux Falls	1,900,000		1,900,000	

Construction, general, State and project	Approved budget estimate for fiscal year 1959		Conference allowance	
	Construction	Planning	Construction	Planning
Tennessee:				
Barkley Dam, Ky. and Tenn. (See Kentucky.)				
Cheatham lock and dam	$959,000		$959,000	
Lake City	286,000		286,000	
Texas:				
Brazos Island Harbor	1,400,000		1,400,000	
Buffalo Bayou	2,500,000		2,500,000	
Canyon Reservoir	500,000		500,000	
Cooper Reservoir and channels	800,000		800,000	
Corpus Christi Bridge	915,000		915,000	
Denison Reservoir, Tex. and Okla.:				
Highway bridge at Willis Ferry site	1,000,000		1,000,000	
Galveston Harbor and Channel seawall	1,000,000		1,000,000	
Gulf Intracoastal Waterway:				
a—Guadalupe River channel to Victoria	1,000,000		1,000,000	
b—Realined route, vicinity Aransas Pass	1,400,000		1,400,000	
Houston ship channel	800,000		800,000	
Lampasas Reservoir		$125,000		$125,000
McGee Bend Dam	4,500,000		4,500,000	
McKinney Bayou and Barkman Creek, Ark. and Tex. (See Arkansas.)				
Mooringsport Reservoir, La. and Tex. (See Louisiana.)				
Navarro Mills Reservoir			150,000	
Navidad and Lavaca Rivers, channel improvement at Halletsville			323,000	
Pass Cavallo Port Lavaca			377,000	
Pecos				50,000
Port Aransas-Corpus Christi Waterway:				
36-foot channel	1,300,000		1,300,000	
Proctor Reservoir		125,000		125,000
Red River levees below Denison Dam, Arkansas, Louisiana, and Texas. (See Arkansas.)				
Sabine-Neches Waterway	1,000,000		1,000,000	
San Antonio Channel	1,000,000		1,000,000	
Somerville Reservoir				75,000
Texas City Channel:				
36-foot channel			500,000	
Waco Reservoir	1,000,000		1,000,000	
Utah:				
Salt Lake City	300,000		150,000	
Vermont:				
Ball Mountain Reservoir	2,700,000		2,700,000	
East Barre Reservoir (modification)	678,000		678,000	
North Hartland Reservoir	2,300,000		2,300,000	
North Springfield Reservoir	2,000,000		2,000,000	
Townshend Reservoir	2,000,000		2,000,000	
Virginia:				
Hayst Reservoir (deferred for study)				10,000
Norfolk Harbor, widen 40-foot channel	1,200,000		1,200,000	
Norfolk & Portsmouth Belt Line RR. bridge	240,000		240,000	
Pound Reservoir		150,000		200,000
Washington:				
Chief Joseph Dam	2,400,000		2,400,000	
Columbia River between Vancouver, Wash., and The Dalles, Oreg., 27-foot channel. (See Oregon.)				
Eagle Gorge Reservoir	6,000,000		6,000,000	
Ice Harbor lock and dam	22,500,000		22,500,000	
Interstate Bridge, Oregon and Washington. (See Oregon.)				
John Day lock and dam, Oregon and Washington. (See Oregon.)				
Lower Columbia River improvement to existing works: Wahkiakum County Consolidated Diking District No. 1				72,000
Lower Monumental lock and dam		550,000		550,000
The Dalles Dam, Oregon and Washington. (See Oregon.)				
Willapa River and Harbor and Naselle River	270,000		270,000	
West Virginia:				
Cumberland, Md., and Ridgeley, W. Va. (See Maryland.)				
East Rainelle				40,000
Hildebrand lock and dam	2,800,000		2,800,000	
New Cumberland lock and dam, Ohio and West Virginia. (See Ohio.)				
Opekiska lock and dam		125,000		125,000
Pike Island lock and dam, Ohio and West Virginia. (See Ohio.)				
Princeton				55,000
Sutton Reservoir	12,000,000		12,000,000	

See footnote at end of table.

Construction, general, State and project	Approved budget estimate for fiscal year 1959		Conference allowance	
	Construction	Planning	Construction	Planning
Wisconsin:				
Bayfield Harbor			$122,000	
Wyoming:				
Jackson Hole	$400,000		400,000	
Sheridan	400,000		400,000	
Local protection projects not requiring specific legislation	3,000,000		3,000,000	
Emergency bank protection	200,000		200,000	
Snagging and clearing	600,000		600,000	
Projects deferred for restudy		$16,000		$16,000
Recreation facilities, completed projects			750,000	
Small authorized projects			$4,000,000	
Reduction for anticipated savings and slippages	−$30,000,000		−30,000,000	
Total	557,520,000	$5,500,000		
Lower Columbia River fish and sanctuary program (Fish and Wildlife Service)	1,600,000		1,600,000	
Grand total, construction, general	559,120,000 (564,620,000)	5,500,000	563,770,000 (569,246,500)	$9,476,500

[1] Included in total for small authorized projects.

The conferees on the part of both Houses are in agreement with the House Report statement concerning the use of funds for the Allegheny River Reservoir project.

The managers on the part of the House are not in agreement with the Senate report statement concerning an uncontrolled outlet for the Abiquiu Dam.

The conferees are in agreement that additional available funds up to a total of $160,000 may be used for property protection work on the North Springfield Reservoir.

The conferees on the part of both Houses are in agreement that $250,000 of the amount provided for recreational facilities shall be used for additional facilities at Dennison Reservoir.

The conferees are in agreement that the Corps should utilize up to $500,000 of available funds for planning on the Bruce's Eddy Reservoir.

Amendment No. 3: Reported in disagreement.

Amendment No. 4: Inserts language as proposed by the Senate. The conferees on the part of both Houses are in agreement that the intent of the language provision involved is to prevent the use of any funds on the Missouri River from Kansas City to the mouth for the specific purpose of furthering a nine-foot navigation channel. The Senate language which has been adopted is applicable to only the "Construction, general," appropriation, whereas the House language was applicable to all appropriations. The managers on the part of the House have accepted the Senate change in order not to preclude necessary maintenance or emergency dredging to previous project depths.

Operation and Maintenance, General

Amendment No. 5: Appropriates $113,270,000 instead of $109,370,000 as proposed by the House and $115,970,000 as proposed by the Senate.

Flood Control, Mississippi River and Tributaries

Amendment No. 6: Appropriates $68,347,500 instead of $67,250,000 as proposed by the House and $70,960,000 as proposed by the Senate. The conferees are in agreement that the funds in this appropriation item are to be allocated as follows:

Projects	Budget estimate, 1959		Conference allowance	
	Construction	Planning	Construction	Planning
1. General investigations:				
(a) Examinations and surveys	$150,000		$250,000	
(b) Collection and study of basic data	50,000		50,000	
Subtotal, general investigations	200,000		300,000	
2. Construction and planning:				
Mississippi River levees	2,700,000		2,950,000	
Channel improvement	22,555,000		23,277,800	
Memphis Harbor	550,000		550,000	
Vicksburg Harbor	750,000		750,000	
Baton Rouge Harbor	250,000		250,000	
Old River control	8,550,000		8,550,000	
St. Francis Basin	3,900,000		4,000,000	
Redfoot Lake	40,000		40,000	
West Tennessee tributaries				75,000
Lower Arkansas	500,000		500,000	
Tensas Basin				
Boeuf and Tensas Rivers, etc	$990,000		$1,080,000	
Red River backwater	135,000		135,000	
Yazoo Basin:				
Sardis Reservoir	130,000		130,000	
Enid Reservoir	95,000		95,000	
Arkabutla Reservoir	60,000		60,000	
Grenada Reservoir	90,000		90,000	
Auxiliary channels	2,075,000		2,075,000	
Main stem	400,000		400,000	
Tributaries	175,000		175,000	
Big Sunflower River, etc	925,000		925,000	
Atchafalaya Basin	5,430,000		5,430,000	
Lake Pontchartrain	500,000		500,000	
Total construction and planning	50,800,000		51,972,800	$75,000
3. Maintenance	16,000,000		16,000,000	
Grand total	67,000,000		68,347,800	

TITLE II—DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

General Investigations

Amendment No. 7: Appropriates $4,556,000 instead of $4,365,474 as proposed by the House and $5,252,000 as proposed by the Senate. The conferees on the part of both Houses are in agreement that none of the funds provided are to be used for studies of the Middle Snake Basin.

Amendment No. 8: Strikes out language inserted by the Senate.

Amendment No. 9: Provides that $3,831,000 of the funds appropriated under the General Investigations heading shall be derived from the Reclamation Fund, instead of $3,640,474 as proposed by the House and $4,427,000 as proposed by the Senate.

Construction and Rehabilitation

Amendment No. 10: Appropriates $146,015,000 instead of $138,966,141 as proposed by the House and $153,947,000 as proposed by the Senate. The conferees are in agreement that the funds provided under this heading are to be distributed as follows:

State and project	Budget estimate, 1959	Conference allowance
Arizona:		
Colorado River front work and levee system		$375,000
California:		
Central Valley project:		
Exclusive of Trinity River division	$1,786,000	1,786,000
Trinity River division	41,472,901	41,472,901
Santa Maria project	1,629,000	1,629,000
Solano project	1,081,000	1,081,000
Ventura River project	10,058,000	10,058,000
Colorado:		
Collbran project	4,618,000	4,618,000
Idaho:		
Little Wood River project	1,000,000	1,000,000
Palisades reregulating dam and powerplant (Burns Creek)		800,000
Montana-North Dakota:		
Fort Peck project	2,000,000	2,000,000
Nevada-California:		
Washoe project, Prosser Creek Dam and Reservoir		$800,000
New Mexico:		
Middle Rio Grande project	$3,625,000	3,625,000
McMillan Delta project		225,000
Oklahoma: Washita Basin project	6,500,000	6,500,000
Oregon:		
Crooked River project	1,000,000	1,000,000
Rogue River project, Talent division	9,500,000	9,500,000
Wapinitia project, Juniper division	95,000	95,000
Texas:		
Lower Rio Grande rehabilitation project, Mercedes division		800,000
San Angelo		800,000
Utah:		
Weber Basin project	5,273,000	5,273,000
Washington:		
Columbia Basin project	10,000,000	10,000,000

State and project	Budget estimate, 1959	Conference allowance
Wyoming:		
Eden project	$615,000	$615,000
Shoshone project	201,000	201,000
Drainage and minor construction	2,564,000	3,124,000
Rehabilitation and betterment of existing projects	2,603,000	2,603,000
Subtotal (exclusive of MRB)	105,924,600	110,784,000
Missouri River Basin project:		
Ainsworth unit, Nebraska		1,100,000
Bostwick division, Nebraska-Kansas	1,790,000	1,790,000
Farwell unit, Nebraska		750,000
Frenchman-Cambridge division, Nebraska	3,800,000	3,800,000
Glendo unit, Wyoming	11,000,000	11,000,000
Helena Valley Unit, Montana	2,538,000	2,538,000
Owl Creek unit, Wyoming	1,192,000	1,192,000
Transmission division	9,988,000	9,884,000
Webster unit, Kansas	1,218,000	1,218,000
Drainage and minor construction	560,000	721,000
Investigations	2,000,000	2,000,000
Other Department of the Interior agencies	3,000,000	2,238,000
Subtotal, Missouri River Basin	37,086,000	38,231,000
Grand total, construction and rehabilitation	143,010,000	149,015,000
Less anticipated slippage in 1959	3,000,000	3,000,000
Total appropriation	140,010,000	146,015,000

The conference committee feels that the Bureau of Reclamation should continue its efforts to renegotiate the contracts for repayment on the Columbia Basin project. The basic concept of the Reclamation law is that water users should repay the government in accordance with their ability to repay. It is better that this policy be applied to all projects. In addition to the amount provided for the Columbia Basin project, up to $1,000,000 of additional funds may be applied if such funds are available.

With respect to the Glendo Unit of Missouri River Basin Project, the conferees are in agreement that up to $700,000 of the funds allocated to this project may be used for the Gray Reef Dam and Reservoir.

Amendment No. 11: Provides that $85,000,000 of the appropriation under this heading shall be derived from the Reclamation Fund as proposed by the Senate instead of $86,500,000 as proposed by the House.

Amendment No. 12: Reported in disagreement. The managers on the part of the House will offer a motion to insert Senate language providing that none of the funds appropriated shall be used for the Prosser Creek Dam and Reservoir or the Gray Reef Dam and Reservoir until authorized by law. The motion will delete language precluding the use of funds for payments to the Crow Indians as authorized in S. J. Res. 12.

Loan Program

Amendment No. 13: Appropriates $5,434,000 as proposed by the Senate instead of $4,800,000 as proposed by the House.

General Administrative Expenses

Amendment No. 14: Appropriates $4,039,000 instead of $3,914,000 as proposed by the House and $4,164,000 as proposed by the Senate.

Upper Colorado River Basin Fund

Amendment No. 15: Appropriates $68,033,335 as proposed by the Senate instead of $67,179,585 as proposed by the House. The conferees are in agreement that the funds appropriated under this heading are to be allocated as follows:

State and project	Budget estimate, 1959	Conference allowance
Colorado River storage project:		
Flaming Gorge unit, Utah	$10,500,000	$10,098,325
Glen Canyon unit, Arizona-Utah	49,000,000	47,900,000
Navajo unit, New Mexico	7,000,000	7,000,000
Transmission division	205,000	205,000
Advance planning	770,000	770,000
Subtotal	67,475,000	66,033,325
Participating projects:		
Paonia project, Colorado		1,000,000
Central Utah project, Vernal unit, Utah		1,000,000
Total Upper Colorado River Basin fund	67,475,000	68,033,325

Amendment No. 16: Strikes House language no longer necessary in view of conference action on the Paonia project.

Administrative Provisions

Amendment No. 17: Reported in disagreement.

Amendment No. 18: Reported in disagreement.

CLARENCE CANNON,
LOUIS C. RABAUT,
MICHAEL J. KIRWAN,
BEN F. JENSEN,
JOHN TABER,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Iowa.

Mr. GROSS. Could the gentleman tell us in a few words what happened in this conference between the House and the Senate? Was this bill increased? Was it decreased? What happened?

Mr. CANNON. It is always customary. I always make such a statement, and I shall make no exception to the rule in this case. I thank the gentleman for calling attention to the routine.

Mr. Speaker, the total estimates received from the Bureau of the Budget on this bill were $1,077,756,000.

The bill as it passed the House carried $1,077,827,200.

The Senate bill increased that amount to $1,159,915,835.

The conference report which we bring in today reduces the amount of the Senate bill to $1,118,128,835.

The final conference figures are in excess of the budget by $40,722,825. The final conference report is in excess of the House figures by $40,301,635, but it is a reduction under the Senate figures of $41,787,000.

The Senate added 114 unbudgeted civil functions projects, to the House bill. These 114 projects increased the bill by $1,393,927,000; that is in the ultimate total cost of the projects.

Of these 114 projects the Senate receded on 45, and the House receded on 72. But the total amount represented by the projects the Senate receded on was $812,950,000, whereas the total amount represented by those the House receded on was only $580,977,000. So it is evident that in conference the House was able to reduce the Senate figures on civil functions by a much larger amount than that represented by the items on which the House receded.

On the matter of the general investigations item for the Corps of Engineers—and I make this statement as a basis for future reference—the House conferees agreed to an increase of $1,150,000 for navigation and flood-control surveys with the understanding that these funds would be allocated by the Corps of Engineers to the most urgent unbudgeted projects on which testimony was received from Members of the House and Senate.

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. I would appreciate some information as to the criteria the conferees used in eliminating projects.

Mr. CANNON. Mr. Speaker, this bill is entirely too large. It comprises many items we could get along without. It appropriates vast sums of money that should not be appropriated. And yet people ask, Why do you not appropriate more money?

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman suggest that the House vote against the conference report?

Mr. CANNON. I would not object, and I think the gentleman would be within his rights, and undoubtedly the United States Treasury would be in a much better situation if enough Members joined the gentleman in that position. But we must be realistic.

The Senate insists it is a part of the United States Government; the Members from New York, California, and Texas insist their respective States are still in the Union. We must meet the problem in a practical manner.

We have done that. But if it meets with the disapproval of the House, I shall be the last one to object.

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. Mr. Speaker, is it not true that one of the reasons the bill has as many items in it as it has is that the committee under the gentleman's direction ordered the Engineers to come back with a larger budget than they presented originally?

Mr. CANNON. The gentleman says the committee "under my direction." There are 50 veteran members of this committee. My experience is that they are the hardest-headed men in the entire House. It is the largest committee and the most ungovernable committee, in any legislative body or in any Congress.

So I regret to have to tell the gentleman that I am not in position always to direct that committee as to what it shall do, and shall not do, and I think it is unfortunate sometimes that I cannot.

However, I may say to the gentleman that the original budget submission was designed to set back the construction schedules on 124 going projects out of 146 in the construction stage. The amendment to the budget was requested after extensive testimony to the effect that the stretch-out budget would cost the taxpayers more than necessary on these projects. The purpose of the amended budget was to put these projects back on economical construction schedules and save the taxpayers unnecessary expenses.

And in that connection, may I say, Mr. Speaker, the bill and the statement of the managers both include language of great importance concerning the Missouri River from Kansas City to the mouth. The language of the bill is as follows:

Provided further, That none of the funds appropriated for "Construction, General", in this act shall be used on the project "Missouri River, Kansas City to mouth", for any purpose other than bank stabilization work.

The conferees' statement appears in conference report on page 20. It is as follows:

Amendment No. 4: Inserts language as proposed by the Senate. The conferees on the part of both Houses are in agreement that the intent of the language provision involved is to prevent the use of any funds on the Missouri River from Kansas City to the mouth for the specific purpose of furthering a 9-foot navigation channel. The Senate language which has been adopted is applicable to only the "Construction, general," appropriation, whereas the House language was applicable to all appropriations. The managers on the part of the House have accepted the Senate change in order not to preclude necessary maintenance or emergency dredging to previous project depths.

The engineers have dreamed for years of a 9-foot channel in this part of the river, which is wholly impractical.

Every year the Congress has included language in the bill or the report to prevent abortive attempts to sink such a channel, but testimony this year indicates that they are still futilely working at it. The purpose and intent of both Houses is clearly set out in this legislation and failure to abide by it must be considered as a violation of law.

Questions have been raised on one other item which appeared in the Senate report. It does not affect the bill or conference report but it should be noted in the record. The conferees of both Houses agreed during the course of the conference meetings to abandon the Senate report statement on Cow Creek.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, the chairman of our Appropriations Committee has told the House the amount that is in this bill and the amount by which it is over the budget, which is a little over $40 million. The House reduced the budget by a small amount. The Senate, of course, then raised the House figures by a great amount. We did bring the Senate figures down considerably, as you will note by the report.

This conference report has the unanimous approval of the Members of the House who were on the conference.

Now, the $1,118,128,835 which this bill provides is, of course, a great, huge amount. But, we must remember that every dime in this bill is to be spent and will be spent for flood control, for the conservation of soil and the protection of life and property and other purposes that add to the assets of our Nation. As I said on the floor of the House when the bill was before us, while this amount is great, it is a very, very small fraction of what we appropriated for national defense, even a small fraction of what we appropriate for foreign aid. But, certainly this bill, which covers so many projects, some 350 scattered all over the United States, flood control projects, irrigation projects, hydroelectric dams, reclamation projects in the 17 western States, river and harbor improvements, dredging of harbors, and a multitude of others, contains things which we must carry on as a government of the people.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Connecticut.

Mr. PATTERSON. I would like to ask the gentleman if there is anything in here or has there been anything taken out for the flood control projects in the Naugatuck Valley in Connecticut. I know about the $5 million for the Thomaston Dam but nothing else.

Mr. JENSEN. Well, the report speaks for itself regarding construction projects. They are each set forth individually. If your question is in reference to investigations, you will note that we agreed to $1,150,000 more than in the House bill for surveys which the Army Engineers will allocate to those projects that they feel are most justified.

Mr. PATTERSON. May I ask the gentleman a further question? As to this money that is being appropriated to the Army Engineers, are they going to be the sole distributors of the particular funds for the respective projects, or who is going to decide that?

Mr. JENSEN. We decide it by individual projects except for this lump sum amount. The Congress has decided on all of these projects listed in the statement of the managers.

Mr. PATTERSON. The only thing it shows is the Thomaston Reservoir.

Mr. JENSEN. If the project the gentleman is interested in is not indicated in this list then it is possible that the Army Engineers will allocate funds for a survey of the project in which he is interested.

Mr. PATTERSON. I notice on page 4 of the report there are set forth appropriations for flood control; is that correct?

Mr. JENSEN. Yes.

Mr. PATTERSON. On page 4 under "Flood control studies" there is a certain amount of money appropriated for flood-control studies. What I wanted to know is, is this appropriation going to cover the studies and the surveys and the flood-control projects for the Naugatuck Valley, which includes Winsted, Torrington, and the rest of them?

Mr. JENSEN. If the gentleman's project is an authorized project——

Mr. PATTERSON. It has been authorized.

Mr. JENSEN. And the Army engineers have recommended survey funds for that project——

Mr. PATTERSON. They have done that.

Mr. JENSEN. Then the Army engineers now have authority under the language of this report to allocate funds to the project, because we gave them full authority to use their best judgment and discretion in allocating this $1,150,000 to the projects that they considered the most justified and the most urgent.

Mr. PATTERSON. Then the gentleman is saying that the Army engineers are the ones who finally must decide whether or not the projects in the Naugatuck Valley are going to be taken care of; is that correct?

Mr. JENSEN. That is right.

Mr. PATTERSON. And the surveys?

Mr. JENSEN. That is right; they are limited to surveys in exercising that authority.

Mr. PATTERSON. They are the sole judges on whether that should be done or not?

Mr. JENSEN. At least for the fiscal year 1959, and with regard to this million dollars plus.

Mr. PATTERSON. I thank the gentleman.

Mr. Speaker, I am deeply gratified that the public works appropriations bill of 1959 provides an additional $5 million for construction work on the Thomaston Dam and Reservoir, that is the key to the flood-control system for the Naugatuck Valley, but I emphatically deplore the omission of planning funds for the authorized dry dams and reservoirs for the protection of Winsted and Torrington, Conn.

I sought with all the emphasis at my command to convince the House Appropriations Committee to provide the planning funds recommended by the United States Army Corps of Engineers and the Bureau of the Budget.

I think it is most regrettable that this Congress saw fit to ignore the urgent pleas for protection for the flood-hazard communities of Winsted and Torrington that were terribly devastated in the disastrous floods of 1955. It is more than regrettable—it is reprehensible—and that is an understatement.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. That would include the Merrimack Valley also, would it not?

Mr. JENSEN. Yes; I will say to the gentlewoman, that if her project is not included in this list of projects, if it has been authorized for a survey and the Army engineers have indicated a willingness to spend money for a survey of the project in which the lady is interested, then they have the discretion under the language of this report to allocate money to the project in which the lady is interested.

Mrs. ROGERS of Massachusetts. This only includes surveys; is that correct?

Mr. JENSEN. That is right.

Mrs. ROGERS of Massachusetts. Because the engineers already have under the law the authority to go ahead with local flood construction projects when indicated by the engineers.

Mr. NEAL. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman.

Mr. NEAL. There is an item of $145,000 for planning on one of the locks and dams of the Ohio River which was eliminated from this report. Do I understand that the United States Army engineers have the authority if they see fit to allocate money for the planning of this particular dam?

Mr. JENSEN. If it is construction, the answer is "No"; if it is a survey, the answer is "Yes."

Mr. NEAL. Surveys and planning.

Mr. JENSEN. Just surveys.

The SPEAKER. The time of the gentleman from Iowa [Mr. JENSEN] has again expired.

GENERAL LEAVE TO EXTEND

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MEADER. Mr. Speaker, today Congress recognizes the part the Port of Monroe, Mich., will play in future development of the interior of our continent.

We have approved an expenditure of $1 million to restore Monroe Harbor to project depth. It will enable Monroe to receive and export the products of world commerce as an integral part of the St. Lawrence Seaway.

I wish to express my thanks to the House Appropriations Committee for responding to the presentation we made establishing the Monroe Harbor restoration as a meritorious project.

I also wish to express my appreciation for the help Senator CHARLES E. POTTER, of Michigan, gave us in guiding the legislation through the United States Senate.

Today is a red-letter day for Monroe and the Second District of Michigan.

Mr. RUTHERFORD. Mr. Speaker, I am very disappointed with this conference report on the public works appropriation bill for 1959 being submitted to this body minus funds for an uncontrolled outlet at the Abiquiu Dam in New Mexico.

According to page 18756 of the RECORD of today, wherein this conference report is reproduced, there appears the following sentence:

The managers on the part of the House are not in agreement with the Senate report statement concerning an uncontrolled outlet for the Abiquiu dam.

To those of us familiar with the events, facts, and past history connected with the Abiquiu project this is most frustrating and shocking. It means the House conferees, in withdrawing the provision for an uncontrolled outlet have sanctioned the Congress on the part of the House to break a promise to the people of Texas and the members of the Rio Grande Compact in connection with this project.

The 80th Congress passed H. R. 6419 for the construction of a dam on the Rio Chama at Chamita, in New Mexico. This original legislation mentioned a dam at Chamita only and did not mention a dam at Abiquiu. In a letter to me dated September 4, 1957, Comptroller General Joseph Campbell held that this original legislation (H. R. 6419, 80th Congress) be held in effect as the authorizing legislation.

However, the Chamita dam would have stored and retained 752,000 acre-feet of water annually. Since the Chama River empties into the Rio Grande, which serves Texas' water needs, the State of Texas objected to the storing of more than 752,000 acre-feet of water while only approximately one-third that much would be sent into the Chama. Obviously, this would create serious water shortages in the Texas area already suffering from water problems.

In September of 1953, the Army Corps of Engineers asked to amend the original proposal to construct not one but two dams. One of them would be located at the previously mentioned Chamita site; the other at Abiquiu. Maj. Gen. Emerson C. Itschner, Chief, Army Corps of Engineers, has stated his investigations revealed the new location at Abiquiu would save approximately $8,900,000 in construction costs. Accordingly, in June of 1954, a meeting was held between Col. C. Barnes, District Engineer, Corps of Engineers, Albuquerque, N. Mex., and Mr. Louis A. Scott, Rio Grande compact commissioner of Texas. It was agreed that Texas would allow the construction of the second proposed dam on the Abiquiu site only if an uncontrolled outlet would be provided to insure Texas getting its fair share of the water, as called for in the Rio Grande Compact of 1948 and to limit the storage in the two reservoirs to the amount authorized in the Chamita dam alone. Of this General Itschner has stated: "The Corps of Engineers agreed that the Texas commissioner was within his rights to request such limitation."

Senator Price Daniel, of Texas, and Senator CLINTON ANDERSON, of New Mexico, agreed to this compromise and it was incorporated in S. 1555 of the 83d Congress and S. 500 of the 84th Congress. The compromise was set out in subparagraphs A and B of Public Law 858, 80th Congress, as concerns the maximum storage. Further, Public Law 858 made no mention of a dam at Abiquiu yet the fiscal 1957 budget called for $1,500,000 for this purpose.

I have letters in my files from the Army Corps of Engineers saying that at all times the Department of the Army has felt the uncontrolled outlet is required by the authorizing legislation. In testimony before the Senate Appropriations Committee, General Itschner said there was a moral obligation for the Corps of Engineers to support the uncontrolled outlet because the project was authorized on that basis.

It seems clear past Congressional intent has been to provide the uncontrolled outlet. On May 20, 1956, by an overwhelming vote and with but one member dissenting, the Public Works Subcommittee of the House Appropriations Committee placed in the appropriations bill a provision that the uncontrolled outlet would be provided. The Senate committee report of July 12, 1957—Senate Report 609—directed the Corps of Engineers to provide an uncontrolled outlet. House Report No. 1049, page 10, Report on Public Works Appropriation Bill, 1958, called for the uncontrolled outlet. Such provision was in a conference report agreed to by both Houses of Congress and the bill was approved on August 26, 1957, becoming Public Law 85-167, 85th Congress. And the Senate inserted the needed uncontrolled outlet provision again this year.

Now the House conferees have violated all agreements and past Congressional intent by removing from the conference report this year the requirements for an uncontrolled outlet. This is thanks the people of Texas have been given for going along with the Abiquiu project in order to save the United States Treasury almost $9 million. This action now sees Texas in danger of its downstream water rights; a Texas that presently sees New Mexico owing it more than 500,000 acre-feet of water under the terms of the Rio Grande compact.

I do not believe, Mr. Speaker, the House conferees have lived up to the agreements mentioned herein; nor have they upheld past Congressional intent, nor have given proper consideration to the requirements of the authorizing legislation in their unwise action of removing the uncontrolled outlet from the Abiquiu project.

I would point out that Senators from New Mexico and Texas, and Members of the House from New Mexico and Texas have all agreed that the uncontrolled outlet should be provided. In short, the House conferees seem to speak for a definite minority in insisting that the uncontrolled outlet be dropped. They have caused some doubts as to the worth of the entire Abiquiu project in so doing.

Mr. BRAY. Mr. Speaker, the adoption of the conference report on this legislation—public works appropriation bill—will be an important step in assisting Indiana in solving its critical flood-control problem. I trust that this conference report will be adopted.

There is in this bill $3.4 million for the continued construction of the Mansfield Reservoir which will be of great value to the prevention of floods on the Wabash River. I am very happy to say that there is also included in this bill $25,000 for the planning of the Monroe Reservoir on Salt Creek, a tributary of the East Fork of the White River. This project will necessitate cooperation between the Federal Government and the State of Indiana, as it is not only a flood-control project but a pioneer project where the values of water retention are considered in addition to those of flood control.

The House was unable to consider the Salt Creek project when the appropriation bill was passed by the House on June 19, 1958. The authorization bill which included this project was not signed by the President until July 3, 1958; and a project cannot be included in an appropriation bill until it has been authorized. The Senate, however, was able to place this much-needed Salt Creek project in the bill adopted July 9, 1958.

New flood-control projects have been greatly handicapped in the last few years because there had been no omnibus authorization bill enacted since 1954. The omnibus authorization bills of 1955 and 1957 were both vetoed by the President because they contained projects which had not been properly approved by the United States Corps of Engineers.

The flood conditions in Indiana have become very critical. Floods have destroyed a substantial part of the crops in the great rich bottoms of the Wabash River Valley, including both the East and West Forks of the White River and their tributaries, during each of the last 3 years. If this cycle of weather continues, a substantial part of this great breadbasket of the Midwest will be of limited value unless aid is received.

Indiana does have an agency, the Indiana Flood Control and Water Resources Commission, which is doing a very fine job and has been making a thorough study of our problems. In addition to Salt Creek Reservoir, three other reservoirs were included in the authorization bill signed by the President on July 3, 1958. These reservoirs will give great protection to the Wabash Valley when completed and will be located on the Salamonie, the Mississinewa, and the Wabash Rivers. We hope to get appropriations for these reservoirs in the budget for this coming year.

I am also pleased to observe that this conference report includes money for work on levees which are much needed in Indiana.

The Indiana Flood Control and Water Resources Commission, in cooperation with the United States Corps of Engineers, has been working toward an integrated flood control program. Interested communities in Indiana are holding meetings and making plans to assume their part in flood control. New levee construction is being planned as part of a well-designed and scientific pattern to get the maximum value from levees.

However, we are well aware that levees alone cannot give adequate flood control protection. It is necessary to retain the water in reservoirs upstream. This is desirable not only for flood protection but for the utilization of the water during periods of drought. With the reservoirs now planned on the upper Wabash River and the additional ones that we hope to have approved in the next authorization bill and with the completion of a reasonable levee system, the great Wabash River will be harnessed to properly serve the people and not to destroy their handiwork.

The situation of the White River is more complex as there are not sufficient locations on the upper White River and its tributaries to construct large reservoirs. However, in Greene County there are at least one or two locations where fair sized reservoirs could be created. The possible locations of other smaller reservoirs are being studied. We are primarily compelled to rely on levees and small lakes and ponds throughout the White River watershed to control the excess water. In this regard I want to call attention to the Small Watersheds Act enacted in 1954. The act envisioned the retention of the water in the area in which it falls. The water level in Indiana has been lowering at an alarming rate within the last 15 years. Earlier in Indiana the forests and the beaver dams held the water to prevent both floods and water shortages. Among other things, this legislation is designed to accomplish the construction of many ponds and small lakes which will not only prevent erosion and floods but will provide a source of surface and underground water which will add greatly to the value of the land. In addition they will provide tremendous possibilities for recreation.

I am happy and proud to say that two of the very early watershed projects under this legislation have been started in the Seventh Congressional District of Indiana. They are the Busseron Creek project, principally in Sullivan County, and the Prairie Creek project in Daviess County, both of which have been recently approved by the proper agencies and by Congress. I am encouraging people in other areas to investigate such projects. I am hopeful that these small watershed districts will be organized in the upper reaches of both forks of White River because they will not only benefit these localities but will also slow down the rush of water from these areas and so protect the lower part of the Whtie River from floods.

We do have great flood problems in Indiana—problems which have been increasing in the last few years. We are working to establish methods of control which will make water the great asset it can be rather than the liability it becomes when uncontrolled. We are working hard to solve these problems and are asking Federal assistance along those lines that have been considered Federal responsibility for many years. We are grateful for the inclusion of these flood-control projects in the authorization bill of 1958 and for the inclusion of these projects in this conference report. I hope that the House can now accept them as is recommended by the conference committee.

Mr. REUSS. Mr. Speaker, once again I rise to speak for conservationists and sportsmen in opposition to Bruces Eddy project on the North Fork of the Clearwater River in Idaho.

I am sorry that the conferees on the Public Works appropriation bill, H. R. 12858, agreed that the Corps of Engineers should utilize up to $500,000 of available funds for planning this project, which has never been able to clear a legislative committee of the House.

Bruces Eddy would do irreparable damage to natural resources and to wildlife. It would create a lake nearly 50 miles long in the narrow canyon of the Clearwater, flooding 12,000 acres of vital winter range for one of this country's largest elk herds. It would obstruct the runs of migratory salmon and steelhead trout.

Bruces Eddy is not one of the main control plan projects. It is being pushed in an effort to recapture some of the needed flood-control storage sacrificed by this administration to commercial underdevelopment at Hells Canyon.

One of the giveaways at Hells Canyon is the loss of almost 3 million acre-feet of storage. The Federal Power Commission recognized this in its final decision, which touched upon this question of loss of storage on the Snake and Columbia Rivers by the licensing of the Idaho Power Co. dams.

The Commission said:

> If applicant (Idaho Power Co.) is to be permitted to construct its developments, an additional amount of flood control would have to be provided elsewhere. We have previously pointed out some possibilities of providing this storage, although its relative cost is not shown. However, we are convinced from the record that the provision of such storage should not be a problem from the standpoint of availability of other sites.

Bruces Eddy would create a reservoir of 1,433,000 acre-feet of usable storage. It would replace about half the storage lost to the giveaway at Hells Canyon. As an alternative to full utilization of the rugged canyon that forms a huge natural reservoir at Hells Canyon, it is proposed here to inundate one of the last upland wildernesses in America, destroy a unique scenic and recreational area and lose important fish and wildlife resources.

The other possibilities mentioned by the Power Commission for upstream storage were 4,250,000 acre-feet at Libby Dam, Mont., and 3,160,000 acre-feet at Glacier View Dam, Mont.

Everyone is for the Libby project, even the administration. It is easy to declare oneself for Libby, because it is tied up before the International Joint Commission. Glacier View's storage could be obtained only by invading Glacier National Park.

Informed conservationists and sportsmen, not only in the West but throughout the United States, are opposed to Bruces Eddy. Many of them have registered their objections to me, as individuals and through their local and State organizations. The National Wildlife Federation, the Wildlife Management Institute, the Izaak Walton League of America are among national organizations opposed to the project.

Bruces Eddy is too high a price to pay for the administration's abandonment of the public interest at Hells Canyon.

The Idaho Fish and Game Department has opposed Bruces Eddy because of studies which indicate a serious impact of this project on fish and wildlife resources. Similar studies by the Fish and Wildlife Service are incomplete. Appropriation of money for engineering planning will set a dangerous precedent for other projects not authorized for construction.

Mr. BAILEY. Mr. Speaker, I regret very much that I find myself in disagreement with the House conferees on this important appropriation bill.

My protest is over the discriminatory manner in which the committee refuses to accept an item in the Senate version of the appropriation bill that would have provided $1 million for special construction on the Summersville Reservoir on the Gauley River in West Virginia.

On checking the bills approved by the conference committee, I find 41 items inserted by the conferees which were not included in the budget estimate. Many of these projects did not have the approval of the Army engineers and on many of them no survey which would indicate the cost had been made.

I, with my colleagues in West Virginia, had made a plea for this appropriation in order to provide jobs for hungry workmen living in the area where this project would have meant so much to alleviate the suffering of thousands of people presently unemployed. Projects were approved in areas where there is little, if any, unemployment. It would appear that the committee gave little or no consideration to use public-works projects to take up the slack in unemployment. There was no logrolling in this proposal. The committee's action was grossly unfair and, from the remarks made by one of the House conferees, their action was premeditated.

Mr. WILSON of Indiana. Mr. Speaker, I am pleased to have supported today the conference report on the public works appropriations measure which contains, among many other items, a small amount for advance planning by Army engineers of the Monroe Reservoir project in Indiana.

This proposed reservoir will mean much to farmers and business people of my own District and other areas of southern Indiana because it will do much to control floodwaters and conserve water in the White River area. It is my sincere hope that next year will see more progress on the reservoir project, which now has been formally authorized by this Congress.

As a part of this overall White River-Wabash River flood control objective, which fits into the general Ohio River development program, I have in mind projects to control portions of the Muscatatuck River in south central Indiana. This would mean a great deal to the economy of several Indiana counties, particularly Jennings, Scott, and Jackson in my own Congressional District.

The Indiana Water Resources Commission has investigated two or three proposals for dam sites on the Muscatatuck in the vicinity of North Vernon, Ind., in Jennings County. United States Army engineers also have become interested in the matter and they agree that flood control and water conservation of that river is most desirable.

It is my intention to bring this problem before Congress next year and press for authorization of Muscatatuck River work. At this point, however, I wish to compliment the House and the other Chamber for having enacted needed legislation in the appropriations measure just approved.

Mr. CANNON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 1: Page 4, line 6, after the figure insert "of which $273,000 shall be available for the acquisition of telephone facilities, and for the readjustment of service in the vicinity of Tuttle Creek Reservoir in Kansas."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 12: Page 10, line 17, insert the following: ": *Provided further*, That no part of the funds herein appropriated shall be used for the construction of the Prosser Creek Dam and Reservoir (Washoe project, California-Nevada) until the enactment into law of S. 4009, or similar legislation: *Provided further*, That no part of the funds herein appropriated shall be used for the construction of the Gray Reef Dam and Reservoir (Glendo unit, Missouri River Basin project) until said dam and reservoir are specifically authorized: *Provided further*, That no part of the funds herein appropriated shall be available for payments (or transfers) authorized in S. J. Res. 12, or similar legislation."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

> Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided further*, That no part of the funds herein appropriated shall be used for the construction of the Prosser Creek Dam and Reservoir (Washoe project, California-Nevada) until the enactment into law of S. 4009, or similar legislation: *Provided further*, That no part of the funds herein appropriated shall be used for the construction of the Gray Reef Dam and Reservoir (Glendo unit, Missouri River Basin project) until said dam and reservoir are specifically authorized."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 17: Page 16, line 16, insert the following: "Not to exceed $125,000 of the funds made available for the Solano project, California, shall be available for the construction of safety and public-use facilities which shall be nonreimbursable and nonreturnable."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 18: Page 16, line 20, insert the following: "Not to exceed $600,000 of the amount appropriated herein for the Washita Basin project, Oklahoma, shall be nonreimbursable representing that portion of the cost of the Foss Dam and Reservoir allocated to furnish a water supply for the Clinton-Sherman Air Force Base."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

By unanimous consent, at the request of Mr. CANNON, a motion to reconsider the votes by which action was taken on the several motions was laid on the table.

SUPPLEMENTAL APPROPRIATION BILL, 1959

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. MORANO. Reserving the right to object, Mr. Speaker, will the gentleman tell me why a Senate amendment which provided a million dollars for a start on the Bridgeport Harbor navigation project, and another Senate amendment which provided $150,000 for a start on the beach erosion project in Fairfield County, were deleted from the conference report?

Mr. CANNON. The reason they were omitted is that there were not enough votes in the conference on either side of the table to put them in.

Mr. MORANO. Is there some reason other than that? What was the reasoning behind the casting of those votes?

Mr. CANNON. Fundamental parliamentary procedure requires a majority in order to include an item, and a majority was not available.

Mr. MORANO. Mr. Speaker, will the gentleman later yield to me to ask a question when the conference report is being considered?

Mr. CANNON. I shall be glad to yield to the gentleman, when the situation permits.

Mr. McDONOUGH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McDONOUGH. Mr. Speaker, after the statement of the Managers on the part of the House is read, if we have any objections to any of the amendments in the conference report; is there then time to discuss them?

The SPEAKER. There is if the gentleman from Missouri will yield for a discussion.

Mr. McDONOUGH. I want to be sure that the gentleman from Missouri will yield.

Mr. CANNON. Mr. Speaker, I have never yet refused to yield to anyone asking a legitimate question on any matter coming before the House.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2677)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 6, 8, 10, 11, 12, 26, 37, 39, 46, 47, 49, 53, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 104, 107, 111, 117, 119 and 120.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 13, 19, 27, 30, 32, 41, 43, 44, 45, 51, 52, 55, 59, 60, 61, 63, 64, 66, 67, 82, 83, 84, 86, 87, 88, 95, 99, 100, 101, 102, 103, 106, 109, 115, 116, 121, 122, 123 and 124, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,500,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,830,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,530,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "Office of Civil and Defense Mobilization"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,200,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$300,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$5,000,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"CONSTRUCTION AND EQUIPMENT

"For construction and equipment at laboratories and other installations of the National Aeronautics and Space Administration and for the acquisition or condemnation of real property, as authorized by law, $25,000,000, to remain available until expended."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,000,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

"SALARIES AND EXPENSES

"For expenses necessary for the Alaska International Rail and Highway Commission, established by the Act of August 1, 1956 (70 Stat. 888), as amended, $40,000."

And the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$350,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"ASSISTANCE FOR SCHOOL CONSTRUCTION

"For an additional amount for providing school facilities and for grants to local educational agencies in federally affected areas, as authorized by the Act of September 23, 1950, as amended (20 U. S. C., ch. 14), including not to exceed $200,000 for necessary expenses during the current fiscal year of technical services rendered by other agencies, $50,000,000, to remain available until expended: *Provided*, That no part of this appropriation shall be available for salaries or other direct expenses of the Department of Health, Education, and Welfare."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$130,000,000"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$186,500"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,397,406,000"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"OPERATION AND MAINTENANCE, GENERAL

"For an additional amount for 'Operation and Maintenance, General', $70,000."

And the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"LOAN PROGRAM

"For an additional amount, $4,203,000."

And the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$550,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 7, 9, 14, 15, 16, 20, 22, 23, 24, 25, 29, 36, 40, 42, 48, 50, 56, 58, 62, 65, 85, 89, 90, 91, 92, 93, 94, 97, 98, 112, 113, 114, 118, 125, and 126.

CLARENCE CANNON,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
BEN F. JENSEN,
C. W. VURSELL,
FRANK T. BOW,
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLAN J. ELLENDER,
LISTER HILL,
CLINTON P. ANDERSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendents of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

Department of Agriculture

Agricultural Research Service

Amendment No. 1: Appropriates $3,500,000 for plant and animal disease and pest control instead of $2,000,000 as proposed by the House and $4,000,000 as proposed by the Senate.

Amendment No. 2: Reported in disagreement. The Managers on the part of the House intend to offer a motion which will provide $500,000 additional for the contingency fund to be used to meet a recent infestation of pink bollworm in the Southwest. In order to establish a long-range program for permanent eradication of this pest, the Departments of State and Agriculture are requested to undertake negotiations with Mexico to establish a cotton-free zone along the United States-Mexican border to prevent its spread between the two countries.

Amendment No. 3: Appropriates $1,750,000 for meat inspection as proposed by the House instead of $2,100,000 as proposed by the Senate.

Soil Bank Programs

Amendment Nos. 4 and 5: Appropriate $279,450,000 for the acreage reserve program as proposed by the Senate instead of $275,000,000 as proposed by the House, and authorize $19,050,000 for administrative expenses as proposed by the Senate instead of $17,500,000 as proposed by the House.

CHAPTER II

Department of Commerce

Civil Aeronautics Administration

Amendment No. 6: Appropriates $11,735,000 for operation and regulation as proposed by the House instead of $12,750,000 as proposed by the Senate.

Amendment No. 7: Reported in disagreement.

Maritime Activities

Amendment No. 8: Eliminates language inserted by the Senate to provide an additional $25,000 for salaries and expenses.

Amendment No. 9: Reported in disagreement. The managers on the part of the House intend to offer a motion to recede and concur in the Senate language. The conferees are in full agreement that these funds shall not be continued available for any purpose other than the payment of benefits to disabled seamen and shall be finally rescinded on June 30, 1959.

Bureau of Public Roads

Amendment No. 10: Eliminates language inserted by the Senate to increase the limitation on general administrative expenses by $550,000.

National Bureau of Standards

Amendment No. 11: Eliminates language inserted by the Senate to provide an additional $262,000 for expenses.

Amendment No. 12: Appropriates $186,000 for plant and equipment as proposed by the House instead of $200,000 as proposed by the Senate.

Related agencies

Amendment No. 13: Inserts headings.

Amendments Nos. 14 and 15: Reported in disagreement.

CHAPTER III

Department of Defense—military functions

General Provision

Amendment No. 16: Reported in disagreement.

CHAPTER V

Department of the Army—Civil functions

Administration, Ryukyu Islands

Amendment Nos. 17 and 18: Appropriate $2,830,000 instead of $2,750,000 as proposed by the House and $2,850,000 as proposed by the Senate, and authorize $1,530,000 for administrative and information expenses instead of $1,450,000 as proposed by the House and $1,550,000 as proposed by the Senate.

CHAPTER VI

General Government matters

Executive Office of the President

Executive mansion and grounds

Amendment No. 19: Inserts chapter number and headings.

Amendment No. 20: Reported in disagreement.

Office of Civil and Defense Mobilization

Amendment No. 21: Inserts heading.

Amendments Nos. 22 through 25: Reported in disagreement.

Corregidor—Bataan Memorial Commission

Amendment No. 26: Eliminates language inserted by the Senate to provide $46,000 for administrative expenses.

CHAPTER VII

Independent offices

Amendment No. 27: Changes chapter number.

General Services Administration

Amendment No. 28: Appropriates $5,200,000 for operating expenses, Public Buildings Service instead of $3,800,000 as proposed by the House and $5,800,000 as proposed by the Senate.

Amendment No. 29: Reported in disagreement.

Federal Housing Administration

Amendment No. 30: Provides $100,000 for administrative expenses and not to exceed $4,500,000 for nonadministrative expenses as proposed by the Senate.

Interstate Commerce Commission

Amendment No. 31: Appropriates $300,000 for salaries and expenses instead of $461,000 as proposed by the Senate.

National Aeronautics and Space Administration

Amendment No. 32: Inserts heading.

Amendment No. 33: Appropriates $5,000,000 for salaries and expenses instead of $7,000,000 as proposed by the Senate.

Amendment No. 34: Appropriates $50,000,000 for research and development instead of $70,200,000 as proposed by the Senate.

Amendment No. 35: Appropriates $25,000,000 for construction and equipment instead of $47,800,000 as proposed by the Senate.

Amendment No. 36: Reported in disagreement.

National Science Foundation

Amendment No. 37: Appropriates $4,000,000 as proposed by the House instead of $4,400,000 as proposed by the Senate.

Veterans Administration

Amendment No. 38: Appropriates $5,000,000 for general operating expenses instead of $4,750,000 as proposed by the House and $5,269,000 as proposed by the Senate.

Amendment No. 39: Eliminates language inserted by the Senate which would appropriate $450,000 for grants to the Republic of the Philippines.

Amendment No. 40: Reported in disagreement.

CHAPTER VIII

Department of the Interior

Amendment No. 41: Changes chapter number.

Departmental Offices

Office of Saline Water

The conferees are in agreement that the amount provided is solely for the planning and construction of pilot plants and improvement and operation of the test facility near Port Orange, Fla.

Office of Minerals Exploration

Amendment No. 42: Reported in disagreement. The managers on the part of the House intend to offer a motion to appropriate $4 million for salaries and expenses. The conferees are in agreement that participation by the Federal Government in exploration project contracts should not exceed 50 percent of the actual project cost. In addition, emphasis should be placed on providing exploration assistance on those strategic and critical minerals and metals for which there is a serious shortage in the United States. Not to exceed $900,000 of the amount provided shall be available for administration and technical services. In addition, not to exceed $200,000 shall be available from the borrowing authority funds of the Office of Defense Mobilization for administering liquidation of contracts in force.

Office of Oil and Gas

Amendment No. 43: Appropriates $18,500 for salaries and expenses as proposed by the Senate.

Bureau of Land Management

Amendment No. 44: Appropriates $885,000 for management of lands and resources as proposed by the Senate instead of $200,000 as proposed by the House.

Bureau of Indian Affairs

Amendment No. 45: Appropriates $4,000,000 for road construction and maintenance (liquidation of contract authorization) as proposed by the Senate instead of $1,500,000 as proposed by the House. The conferees are in agreement that the 1959 contract authorization shall be carefully programmed to provide a balanced program throughout the current fiscal year without any advance from the 1960 authorization and expect that the obligation authority remaining under the 1959 contract authorization will be apportioned accordingly.

Geological Survey

Amendment No. 46: Appropriates $1,500,000 for surveys, investigations, and research as proposed by the House instead of $2,483,000 as proposed by the Senate.

Bureau of Mines

Amendment No. 47: Appropriates $1,250,000 for conservation and development of mineral resources as proposed by the House instead of $1,350,000 as proposed by the Senate.

National Park Service

Amendment No. 48: Reported in disagreement.

Amendment No. 49: Eliminates language proposed by the Senate which would provide an additional $200,000 for construction. The conferees are in agreement that $100,000 for acquisition of lands in connection with the Civil War Centennial Celebration, and $100,000 for construction of facilities, in the event S. 765 is enacted into law, at the International Peace Garden, North Dakota, shall be made available from existing funds.

Amendment No. 50: Reported in disagreement. The managers on the part of the House intend to offer a motion to appropriate $8,000,000 for construction (liquidation of contract authorization) instead of $10,000,000 as proposed by the Senate. The conferees are in agreement that the 1959 contract authorization shall be carefully programed to provide a balanced program throughout the current fiscal year without any advance from the 1960 authorization and expect that the obligation authority remaining under the 1959 contract authorization will be apportioned accordingly.

Fish and Wildlife Service

Amendment No. 51: Inserts heading.

Amendment No. 52: Appropriates $125,000 for management and investigations of resources as proposed by the Senate.

Amendment No. 53: Eliminates language proposed by the Senate which would appropriate $675,000 for construction.

Related agencies

Amendment No. 54: Appropriates $40,000 for salaries and expenses, Alaska International Rail and Highway Commission, instead of $240,000 as proposed by the Senate.

Historical and memorial commissions

Amendment No. 55: Appropriates $30,000 for the Boston National Historic Sites Commission as proposed by the Senate.

Amendment No. 56: Reported in disagreement.

Amendment No. 57: Appropriates $350,000 for the Lincoln Sesquicentennial Commission instead of $142,000 as proposed by the House and $642,000 as proposed by the Senate.

Amendment No. 58: Reported in disagreement.

CHAPTER IX

Department of Labor

Amendment No. 59: Changes chapter number. Grants to States for Unemployment Compensation and Employment Service Administration.

Amendment No. 60: Provides that $14,200,000 shall be available as a contingency fund as proposed by the Senate instead of $10,000,000 as proposed by the House. The managers on the part of the House and the Senate are agreed that an average of 2,500,000 insured unemployment shall be used as the base in determining the availability of contingency funds for use by the States.

Department of Health, Education, and Welfare

Gallaudet College

Amendment No. 61: Inserts heading.

Amendment No. 62: Reported in disagreement.

Amendment No. 63: Appropriates $94,000 as proposed by the Senate.

Howard University

Amendment No. 64: Inserts heading.

Amendment No. 65: Reported in disagreement.

Amendment No. 66: Appropriates $396,600 as proposed by the Senate.

Office of Education

Amendment No. 67: Inserts heading.

Assistance for School Construction

Amendment No. 68: Appropriates $50,000,000 of which $300,000 is for necessary expenses of technical services rendered by other agencies instead of $60,150,000 of which $250,000 would be for necessary expenses of technical services rendered by other agencies as proposed by the Senate.

Payments to School Districts

Amendment No. 69: Appropriates $130,000,000 instead of $149,700,000 as proposed by the Senate.

Salaries and Expenses

Amendment No. 70: Appropriates $186,500 instead of $316,000 as proposed by the Senate.

Public Health Service

Amendment No. 71: Strikes heading proposed by the Senate.

Assistance to States, General

Amendment No. 72: Deletes appropriation of $1,000,000 for grants to schools of Public Health proposed by the Senate.

Military Pay Increases

Amendment No. 73: Deletes heading proposed by the Senate.

Amendments Nos. 74 through 81: Delete appropriations for military pay increases under eight appropriation items totaling $634,000 proposed by the Senate.

CHAPTER X

Legislative branch

Amendment No. 82: Changes chapter number.

Senate

Amendment No. 83: Appropriates $102,160 for committee employees as proposed by the Senate.

Amendment No. 84: Inserts heading.

Amendment No. 85: Reported in disagreement.

Amendments Nos. 86, 87, and 88: Appropriate $65,000 for inquiries and investigations as proposed by the Senate.

Amendments Nos. 89 and 90: Reported in disagreement.

House of Representatives

Amendment No. 91: Reported in disagreement.

Architect of the Capitol

Amendment No. 92: Reported in disagreement.

Library of Congress

Amendment No. 93: Reported in disagreement.

General Provisions

Amendment No. 94: Reported in disagreement.

CHAPTER XI

Atomic Energy Commission

Amendment No. 95: Changes chapter number.

Amendment No. 96: Appropriates $2,397,406,000 for operating expenses instead of $2,378,972,000 as proposed by the House and $2,418,840,000 as proposed by the Senate. The conferees are in agreement that the full budget estimate of $2,880,880,000 shall be allocated to the raw materials program and that the reduction below the Senate figure be allocated by the Atomic Energy Commission to other programs under this heading.

Amendment Nos. 97 and 98: Reported in disagreement.

Amendment No. 99: Appropriates $249,929,000 for plant acquisition and construction as proposed by the Senate instead of $229,429,000 as proposed by the House.

CHAPTER XII

Public works

Department of Defense—Civil Functions

Amendment Nos. 100 through 103: Insert chapter number and headings.

Amendment No. 104: Eliminates language proposed by the Senate which would appropriate $1,925,000 for construction of rivers and harbors and flood control projects.

Amendment No. 105: Appropriates $70,000 for operation and maintenance, general, rivers and harbors and flood control projects as proposed by the Senate.

Department of the Interior

Amendment No. 106: Inserts heading.

Amendment No. 107: Eliminates language proposed by the Senate which would appropriate $2,500,000 for construction and rehabilitation, Bureau of Reclamation.

Amendment No. 108: Appropriates $4,203,000 for the loan program, Bureau of Reclamation as proposed by the Senate.

CHAPTER XIII

Department of State

Amendment No. 109: Changes chapter number.

Administration of Foreign Affairs

Amendment No. 110: Appropriates $550,000 for salaries and expenses instead of $450,000 as proposed by the House and $650,000 as proposed by the Senate.

Amendment No. 111: Eliminates language proposed by the Senate which would appropriate $200,000 for international contingencies. The Department is authorized to proceed with arrangements for holding the Twelfth Session of the International Civil Aviation Organization in the United States.

United States Information Agency

Amendment Nos. 112, 113, and 114: Reported in disagreement.

CHAPTER XIV

Treasury Department

Amendment No. 115: Changes chapter number.

United States Secret Service

Amendment No. 116: Inserts heading.

Amendment No. 117: Eliminates language proposed by the Senate which would appropriate $54,000 for salaries and expenses, White House Police.

Amendment No. 118: Reported in disagreement.

Coast Guard

Amendment No. 119: Appropriates $150,000 for acquisition, construction, and improvements as proposed by the House instead of $399,000 as proposed by the Senate.

Post Office Department

Amendment No. 120: Eliminates language proposed by the Senate which would appropriate $29,500,000 to the Postal Modernization Fund. The managers on the part of both Houses agree that the Department should continue the contract engineering staff, associated with modernization projects, out of available funds.

CHAPTER XV

Claims for damages, audited claims, and judgments

Amendment No. 121: Changes chapter number.

Amendment No. 122: Inserts reference to Senate Document.

Amendment No. 123: Appropriates $14,223,218 as proposed by the Senate instead of $8,823,895 as proposed by the House.

CHAPTER XVI

General provisions

Amendment No. 124: Inserts chapter number and heading.

Amendment Nos. 125 and 126: Reported in disagreement.

CLARENCE CANNON,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
BEN F. JENSEN,
C. W. VURSELL,
FRANK T. BOW,
Managers on the Part of the House.

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. MORANO. Mr. Speaker, will the gentleman from Missouri yield?

Mr. CANNON. Presently, just as soon as I make a statement. Then I will be glad to yield to the gentleman.

SUMMARY OF THE CONFERENCE REPORT

Mr. Speaker, the total estimates considered by the House on this bill were $3,226,315,440. As passed by the House, the bill represented a substantial reduction, carrying a total of $3,131,844,797. The bill then went to the other body. The Senate in due process received estimates which the House had not received as to matters which had come up after the bill passed by the House; and the Senate added items for which there was no budget request. The total estimate considered by the Senate aggregated $4,081,154,221. The Senate cut that amount down to $3,866,382,978.

The conference report which we submit here today further reduces that amount to $3,684,805,478, a reduction of $396,348,743, nearly 10 percent, below total estimates. As compared with the House bill, it is an increase of $552,960,681. As compared with the Senate bill, it is a reduction of $181,577,500. The principal reason for this marked discrepancy between the conference report and the two bills is that this bill, contrary to what might otherwise appear to be the core, is more of a regular annual bill than a supplemental bill. While it includes a number of supplemental items, they represent a relatively small percentage of the total. Nearly 85 percent of the conference total represents the regular annual appropriations for several agencies and activities. So it is only incidentally a supplemental appropriation total.

Of the conference report total of $3,684,805,478, over $3 billion—or, as I say, nearly 85 percent—is the regular annual appropriation. There are a half dozen or so items, but the principal items are:

	Conference allowance
Atomic Energy Commission (regular annual budget)	$2,647,336,000
Small Business Administration (regular annual budget)	203,500,000
Federally impacted area school assistance items (regular annual items)	180,186,500
Total	3,031,021,500

As to the abnormally large increase of $552,960,681 over the House bill, the House should know that approximately $496 million, or 90 percent, represents amounts not considered by the House when the bill was first here. There are many items involved, but just 3 of them account for $463,686,500. These are:

Small Business Administration	$203,500,000
New Space Agency	80,000,000
Federally impacted area school items	180,186,500
Total	463,686,500

So, Mr. Speaker, leaving aside these items not originally before the House, the conference agreement total is not unreasonable and represents a good compromise in relation to the original bill.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker——

Mr. MORANO. Mr. Speaker, will the gentleman yield to me?

Mr. TABER. I yield to the gentleman.

Mr. MORANO. I would like to ask the chairman of the committee [Mr. CANNON] a question. The other body inserted an amendment appropriating approximately $1 million for the start on the Bridgeport Harbor navigation project, and also inserted an amendment which would provide $150,000 for beach erosion projects in my district.

I would like to know—obviously I know that there were not enough votes to keep it in—but I would like to know why it was taken out. Every engineering project, I understand, was taken out except one in Wisconsin for $79,000. I would like to know why that was left in and why this one at Bridgeport was taken out.

Mr. CANNON. The Committee on Appropriations has been more than generous with the distinguished gentleman from Connecticut and with his State. In the conference report on the Public works appropriations bill which has just been agreed to here on the floor within the last few minutes the great State of Connecticut was given, absolutely, every appropriation budgeted for that State that they asked for. Now they came in the very next minute after we had disposed of that subject.

Mr. MORANO. Which subject?

Mr. CANNON. The subject of public works appropriations. They came in the very next day after the conference report on the public works appropriation bill and the very next minute after it was agreed to here on the floor and asked for these and, of course, we could not grant them.

Why did they not ask for them in time to get in the bill?

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. PATTERSON. I just want to say the great State of Connecticut did get in in time and they were in when the bill went to conference. There must be some logical explanation.

Mr. CANNON. Mr. Speaker, the gentleman from Connecticut [Mr. MORANO] is correct when he says that every project of this character submitted by the Senate was stricken from the bill. All of them were construction projects and all of them went out.

But the Wisconsin project for $79,000 to which he refers was not a construction project. It was an operations and maintenance project. And the reason it was retained was that the purpose of the appropriation was to put the road in shape to turn over to the State for State maintenance. In short, it was a project to relieve the Federal Government of all future maintenance and was approved as an economy measure.

But even had proper classification applied, the Bridgeport Harbor item and the beach-erosion item were brought before us too late. There was no opportunity to consider them. There was no opportunity to hold hearings. It was too late to take them up. The proponents of the two items had the entire session in which they could have brought them before us, but they did not do so.

Furthermore, the gentleman is in error in regard to their approval. There was no approval by the President or the Bureau of the Budget. No estimates were submitted to the committee at any time.

The State of Connecticut received in full, in the public-works appropriation bill, just approved by the House, every budgeted item submitted to the committee.

I am certain the gentleman appreciates fully the courtesy and consideration shown him and his State by the committee.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Connecticut.

Mr. MORANO. I want to say to the gentleman from Missouri that he is a little bit wrong when he states this is an excessive demand. This project in Bridgeport has been authorized, it has been recommended by the Budget Bureau, and we were given $1,000,000 by the Senate to make a start on the Bridgeport Harbor and $150,000 for beach erosion.

Mr. CANNON. The gentleman is mistaken, I am sorry. There was no budget estimate. The Committee on Appropriations makes enough mistakes at best, it too frequently provides money without due consideration. But certainly we should not be expected to provide money sight unseen, without any information whatever on which to base an appropriation. I trust the gentleman commends us for providing in full all estimates received for his State.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. CANNON. Mr. Speaker, I yield 5 additional minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, there are quite a lot of these things that come in at the last minute that it is impossible to cover in the way they were presented to the committee. When you go into a conference of that kind in the last days of the session, you cannot hold hearings. There were no hearings on any of these things that we could go by. These items for Connecticut that have been referred to here are mostly for either small projects or they are for items relating to other things. Until those things develop a little further we cannot tell what we ought to do. Frankly, I do not see how we can possibly agree to those things at this time.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Connecticut.

Mr. MORANO. Can we get an assurance at least from the ranking minority member of this committee, the distinguished gentleman from New York [Mr. TABER] that earnest consideration will be given to these projects when we come back next year? That is if we come back next year.

Mr. TABER. If I am here next year and still a member of the committee, I will see to it that the State of Connecticut has plenty of opportunity to be heard on the projects that it is interested in.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from California.

Mr. McDONOUGH. I would like to ask the gentlemen of the Appropriations Committee what consideration was given to the items for the provision of funds for the National Aeronautics and Space Administration. As I read the report, the request was for $7 million for salaries and expenses, which was cut to $5 million. There was a request for $70 million for research and development which was cut to $50 million. There was a request for equipment of $47 million, which has been cut to $25 million.

We have heard time after time in this House about the lack of progress being made in space research, and here we are with a new administration and holding it down to a very limited amount of money for salaries, a very limited amount of money for equipment, and with an impossible sum of money for the construction of new equipment that is already programed down here in Beltsville. That is for a science laboratory. It seems to me that the committee has gone to an extreme in limiting this new agency to a pittance in order to get started. Will the gentleman tell me why these cuts were made?

Mr. TABER. I will try to tell the gentleman what has happened there. The Senate committee recommended $35 million with a budget estimate of $70 million.

Then there was $7 million for administration. The House allowed $5 million. There was an item of $47.8 million in the Senate, and that was allowed at $25 million, so that there is $50 million provided for research and development in place of the $70 million. That means a total of $80 million. Now, that is quite a lot of money for a new agency just getting started, and it was felt that was all that they could use.

Mr. McDONOUGH. Well, did the committee hear from the Administrator or did it hear from any of the committees?

Mr. TABER. The Senate did hear from the Administrator, and we went over everything with the Senators. We spent considerable time on that yesterday afternoon.

Mr. McDONOUGH. Well, now, I have been through the hearings on this question of establishing this new agency. And, we have, as I said before argued and argued and complained about the United States not moving fast enough in the development of space exploration. And it seems to me that with the new Administrator, just appointed and confirmed, who is ambitious and interested in the development of this whole program, we are limiting him to a very small sum of money.

Mr. TABER. Is the gentleman interested in more money for research? Is that it? Now, we increased the Senate allowance from $35 million to $50 million.

Mr. McDONOUGH. The report I am reading from indicates this.

Mr. TABER. The Senate committee allowance was $35 million, and that is all that they figured they should allow. And, we went $50 million on it. Frankly, I do not think they did very bad by us.

Mr. McDONOUGH. You reduced it from the request of $70 million to $50 million.

Mr. TABER. Yes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman state very briefly how much this bill is increased over the bill as it left the House?

Mr. TABER. This bill is above the House bill by about $552 million.

Mr. GROSS. Half a billion dollars plus.

Mr. TABER. Yes; $463 million of that is for items that the House never considered at all, and we did not have any estimates of it.

Mr. McDONOUGH. Mr. Speaker, if the gentleman will yield further, I would like to inform the ranking member of the Committee on Appropriations that Dr. Dryden came before the committee and made a request of $47.8 million for this new equipment, for this new science laboratory and for the new launching platform at Wallops Island. And, he said that was a modest request. He said he needed far more than that. But, he modestly requested that amount to start with. Now, if we are to compete with Russia, we have to give these people the equipment to do it. I think the request has been reduced to a minimum of our requirements, and it is going to indicate that we are not moving as fast as we should in this space program.

Mr. TABER. The committee of conference decided that they would give $25 million for that item. I thought they had done pretty well for the space agency. Frankly, I think that these figures are more than we should allow.

There are three amendments in disagreement that it is proposed, as I understand, by the chairman of the House committee of conference to move to further insist on in our disagreement with them.

Mr. McDONOUGH. Do those amendments apply to these items?

Mr. TABER. No. They are amendments in disagreement. There are no amendments in disagreement with reference to the space agency. Those things will be disposed of and discussed as we get to them.

Mr. CANNON. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. FORD], a member of the committee.

Mr. FORD. Mr. Speaker, I am disturbed, as is the gentleman from California [Mr. McDONOUGH], with the reductions which have been made in the budget request for the National Aeronautics and Space Administration. However, I am even more concerned about the inclusion of a provision in the bill by the other body which is designated here as Amendment No. 36.

As I understand, that amendment was originally submitted to the majority leader in the other body by the staff of their so-called Space Committee and recommended to him by them. Through his efforts that amendment was included in the military construction appropriation bill. In conference it was stricken. However, the same amendment was offered to the supplemental appropriation bill by the majority leader and in conference on this bill it is included as a legislative rider.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FORD. I am happy to yield to the gentleman from New York.

Mr. TABER. That amendment has to be in technical disagreement. The House conferees agreed to move to recede and concur, but it is in technical disagreement. If it is desired to consider it it should be done at that time.

Mr. FORD. May I just say a word or two about it at this time because I think it is very bad legislation both as to form and substance. It reads as follows:

> No appropriation may be made to the Natonal Aeronautics and Space Agency unless previously authorized by legislation hereinafter enacted by the Congress.

This provision is completely and totally contrary to the basic space legislation which this Congress enacted not more than a month ago. That was good legislation. It was, I think, carefully considered and very ably presented to the House by the Majority Leader, the gentleman from Massachusetts, [Mr. McCORMACK].

We included in that basic legislation a provision in reference to appropriations which in effect said this, that the space agency has to get special authorization legislation for any construction that costs more than $250,000 or for any land acquisition. I think requiring special authorizing legislation in those instances is sound. The House and the Senate enacted that legislation. Within a month after its enactment, we come along with a legislative rider on an appropriation bill and say that from here on in NASA must come up here and get an authorization bill each year for any of their activities, for the construction of facilities, for the acquisition of land and for their day-to-day operating expenses.

In effect, what you are telling the people of this new agency is that they have to spend about half their time up here first before an authorization committee and then before an appropriation committee to get any money whatsoever for their operations. Instead of Dr. Glennan, the Director, and Dr. Dryden, his administrative assistant, spending the maximum amount of time in running their agency and trying to give us the needed impetus to get ahead or stay ahead of the Russians, they are going to be up here justifying every penny they get for operations and construction before four committees of the Congress. I think it is a deplorable requirement, I want to indicate my complete disagreement with this provision.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from New York.

Mr. KEATING. I want to associate myself emphatically with the gentleman from Michigan. I know of no precedent for this kind of legislation. Here we are going to require this agency, if this becomes law, to make a presentation on every little shed they want to build, or anything else, first before a committee to get an authorization and then before the Appropriations Committee. It was for the very purpose of avoiding this that we put this limitation in the basic legislation. It seems to me important that we vote down and disagree with this amendment. It has no purpose except to make work for a committee, or perhaps its staff. Further, it might be an extremely serious thing to our own national defense. This agency is going to be concerned with a great many matters that are vital to the future welfare of this country. To hamstring them this way is a great mistake. I hope the House will not recede and concur in this amendment, which is without precedent.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. McDONOUGH. I also want to associate myself with the gentleman from Michigan in his protest. As I indicated while I was on the floor, and I am sure the gentleman will agree with me, during the hearings on this space administration we heard from a lot of very capable and intelligent people, who stated that you could not have a year-to-year appropriation program on a thing of this sort and develop an adequate program in research and development for space exploration. Is not that true?

Mr. FORD. I am greatly concerned with the hamstringing that this amendment will impose on the National Aeronautics and Space Administration. I think that agreeing with this will hinder and roadblock their day-to-day operations. It means before they can spend a nickel for the pay of a clerk in the lowest grade they will have to come up here and get an authorization on an annual basis from a legislative committee. In addition this is legislation on an appropriation bill, and I think it is wrong both as to form and as to substance.

Mr. McDONOUGH. How, for instance, are we going to continue on a program of research on cosmic rays or satellites, for civilian purposes, not military purposes, where it requires research and development for months and months and

perhaps a year, if we come up to a point where we have to come back to a committee and say, "Well, we have gone so far, and we ask for a few more million dollars." This is a ridiculous provision.

Mr. FORD. Under this provision they will have to come up before Congressional committees four times in every session.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. May I say to the gentleman from Michigan that the language which you had a great deal to do with in the space agency authorization bill was good language. It is the only type of authorization language that is necessary and should be insisted upon here in the House today. The unnecessary language of this amendment to the supplemental appropriation bill was introduced in the Senate as an amendment not only to the supplemental appropriation bill but also to the military construction appropriations bill, by the Majority Leader of the Senate. I believe this language will hamstring the activities of this new agency. It is indeed regrettable that it was included in this bill. It must be deleted from this legislation today.

Mr. FORD. This language in my opinion will be detrimental to the basic objectives of our research and development programs in space exploration and astronautics. If there is ever to be any blame in the future for failures or slow downs, this kind of language will have to bear a large share of the burden.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. SISK. I, too, was concerned about this language when I found it in the Senate discussion of the matter.

Does the gentleman agree with me that this is in direct contradiction to the language which we placed in the original authorization bill for the agency?

Mr. FORD. It seems to me it is about 95 percent in opposition to the basic legislation for the space agency. The Congress did set out certain requirements where NASA had to come back to get special authorization, but there was nothing in that act which would hamstring NASA to this extent.

Mr. SISK. I, too, am concerned. I have been attempting to find out what the status of this is. In other words, whether or not the conferees agreed and whether or not it is going to be a matter of voting down the motion to concur in the Senate amendment. Does the gentleman understand that to be the procedure.

Mr. FORD. As I understand it, we can fight the motion to recede and concur, and if we are successful the bill goes back to conference, in effect, insisting that the position of the House be sustained. I hope we will take such action.

Mr. SISK. I thank the gentleman.

Mr. TABER. If the gentleman will yield, there is one thing I would like to make clear. The vote on the conference report itself has nothing to do with this or any of these other items in disagreement.

Mr. FORD. As I understand it, then, we vote on the conference report first and then take up the individual motions to recede and concur.

Mr. TABER. They will be taken up in numerical order.

Mr. FORD. Mr. Speaker, I am also greatly concerned about the reductions which were made in the actual obligation authority made available to the National Aeronautics and Space Administration. The total budget request was $122 million. The agency was given in this conference report $80 million. The reduction is over $40 million.

We have heard a great deal of criticism about the executive branch of the Government with reference to our missile and our space programs. In fact, after the failure on last Sunday of the first lunar probe, certain people, Members of this body, and others, were somewhat critical of the failure in that effort despite the fact that it was an experiment where the possibility of success was at best 50–50. I fail to understand both as to the substance and as to the politics, if you want to say it, why some in this Congress after being so critical of the administration should now come up and cut the national space agency appropriation by about one-third. The reduction in funds cannot be justified on the facts. It certainly is not going to be a sound position to defend in the political arena.

I am disappointed because I think this appropriation, requested by the President, would have given to the space agency an opportunity to move ahead and to do a real job. I certainly hope that a means or a method can be found to remedy the error of this reduction by the conference committee.

Mr. THOMAS. Mr. Speaker, will my distinguished friend yield for a question?

Mr. FORD. I am glad to yield to my colleague.

Mr. THOMAS. I admire my colleague very much, but I do hope he will calm his fears as to the crippling of this agency. We looked into their request for funds carefully and, I might say, prayerfully. I doubt if it can be said with any degree of accuracy that their plans are firm. What the committee did was this. It is pretty well agreed on both sides of the table, and between both bodies, that there was not the slightest disposition to hamstring the agency. All that we wanted to do was to see the agency get started right and get started on the right foot and come January, we will take another look at the thing.

As a matter of fact my guess is they have got more money than they can possibly spend. Their plans are not firm, and I doubt if they know today just exactly what they are going to do. They cannot know by virtue of the "animal" itself; it is impossible.

Mr. FORD. May I reply by saying that there are many highly competent and qualified people, technically and otherwise, in this area who have been dismayed that the budget submitted by the administration was not greater in this program.

I think this budget as submitted by the administration was reasonable under the cirmustances, but I am personally very unhappy and dismayed that the reduction has been made by the conferees.

Mr. THOMAS. They have worlds of money to use between now and January; they cannot possibly obligate all the money that is carried. We can always take another look at it, and in January if they need more money they will get it. Let us start them out right.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. McDONOUGH. Money is one thing, but the legislation that is in this bill is another, and if amendment No. 36 which says that no appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress, is left in we are going to hamstring the agency even before January 1.

Mr. FORD. In the meantime you are losing 4 months' valuable time and 4 months in the missile and space field at this point is critical. I cannot understand how this Congress is going to sit here and accept these reductions.

Mr. McDONOUGH. Does not the gentleman agree with me that if these conferees in the House here would generally agree with this kind of legislation and want to see this space agency progress, we should vote to eliminate this amendment and insist on the House position on amendment No. 36.

Mr. FORD. Certainly, the amendment should be deleted. We should insist on the House position on amendment No. 36. In addition I strongly disapprove of the reductions in NASA's budget.

GENERAL LEAVE TO EXTEND

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PATTERSON. Mr. Speaker, I was deeply disturbed when I learned that yesterday the House conferees knocked out the Senate-approved $100,000 for planning work on the East Branch Reservoir and $100,000 for planning work on the Hall Meadow Reservoir that would have afforded flood protection for the city of Torrington, Conn. These planning funds had been recommended by both the Rivers and Harbors Congress and the United States Army Corps of Engineers as well as the United States Bureau of the Budget.

It was due to the great diligence of Senators PURTELL and BUSH that this $200,000 item was inserted in the supplemental appropriations bill on the Senate side; and I know that it will be a great disappointment to the people of Torrington when they hear that these urgently needed planning funds were deleted by the House conferees.

Torrington suffered terribly in the disastrous floods of 1955 and nothing has been done to prevent a recurrence of another disaster in the future. Furthermore, the modest request for planning funds was based on the careful surveys

and sound engineering recommendations of the United States Army Corps of Engineers.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, I take this time merely to call attention to amendment No. 60 which covers funds for grants to States to enable them to administer the unemployment compensation and employment security programs.

The total amount of $325,600,000 which will be available with the supplemental amount of $20,600,000 recommended for this grant-to-States item is the same as was approved by both the House and the Senate. There is no disagreement on the total amount of the appropriation.

However, this total amount is divided between a base appropriation with which the State employment security agencies are required to perform the workloads associated with a given level of insured unemployment and a contingency fund to be used when workloads exceed those in the base appropriation and for other purposes specified in the bill.

The House approved a base appropriation of $305,600,000 for the workloads related to an average of 2,900,000 per week. The Department of Labor appealed this action to the Senate. In this appeal they made two points which had not been made clear to the House. These two points were that in 1958, when insured unemployment averaged 2,200,000 per week, it had cost the State employment security agencies $295 million to operate and that to process the same workload in 1959 would require $301,400,000. The additional $6,400,000 is needed to pay for mandatory cost increases which were not paid in 1958. The largest of these items is $3,500,000 for postage due to the recent increase in postage rates passed by the Congress. This amount was not in the estimate as it was submitted by the President because the new postage law had not been passed when the estimates were prepared.

The Senate approved a base appropriation of $301,400,000 which it considered to be adequate for an insured unemployment average of 2,200,000 per week, the 1958 experience. After considering the new facts presented to the Senate, I have come to the conclusion that a base appropriation of $301,400,000 for a weekly average of 2,200,000 insured unemployment is not unreasonable.

However, the conferees have now recommended that the State employment security agencies be required to handle 2,500,000 claims per week for $301,400,000. This is tantamount to saying to the agencies which pay unemployment compensation and provide employment service for millions of our people, "Do as much work as you did in 1958 but you must do it with 4,000 fewer people." This will mean delays in benefit payments, errors in the processing of claims as well as heavy layoffs in the State and local offices of the State employment security agencies. Even worse it will mean layoffs at a time when every effort needs to be made to pay benefits promptly to unemployed workers and when efforts to place workers in jobs should be intensified.

I also would like to make the point that this is not coming out of the Federal Treasury at all. It is paid for by a three-tenths of 1 percent assessment paid by the employers for the administration of these programs in all the States. I have talked this over with the members of the subcommittee, including the ranking Republican member of the subcommittee who is on his feet now. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I agree with the gentleman from Rhode Island in what he has said and I believe he will agree with me that the language that is contained in this report is more restrictive than the language in the House bill.

As the gentleman from Rhode Island has stated, the House and Senate approved $325,600,000 which includes the supplemental amount of $20,600,000 for grants to States for unemployment compensation and employment service administration.

The State employment security agencies are faced with a problem because they are required by the conference report to perform workloads related to an insured unemployment of 2,500,000 a week with the base appropriation of $301,400,000. In 1958 the States processed an average of 2,200,000 claims per week at a cost of $295 million. In 1959 there are about $6,400,000 worth of mandatory costs which will have to be paid even if the workload remains the same. The largest of these mandatory costs is $3,500,000 for postage due to the recent increase in rates passed by the Congress. This amount was not in the estimate submitted by the President.

The State employment security agencies were able to pay unemployment benefits fairly promptly in 1958 because they diverted employees who normally performed employment service and tax collection functions and also took numerous short cuts. However, by any standard, service to the public was at what must be considered minimum levels. If the States are now requested to take an average of 300,000 more claims per week with the same number of employers that they had in 1958 it is obvious that there will be delays in benefit payments, substantial errors in the processing of claims and heavy layoffs in the State and local offices of the State employment security agencies. These layoffs will come at a time when the State agencies need to make every effort to pay benefits promptly and accurately to unemployed workers and when their employment services should make every effort to place workers in jobs. It is not good business to decrease job placement efforts because workers will remain unemployed longer under such conditions.

Mr. FOGARTY. The gentleman is entirely correct.

Two or three things have happened, since we held hearings on the bill, that increase the cost of the administration of this program.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Rhode Island has expired.

Mr. CANNON. Mr. Speaker, I yield the gentleman 4 additional minutes.

Mr. Speaker, may I say that the gentleman from Rhode Island is one of the most expert parliamentarians in the House. He understands the procedure as well as or better than anybody I know. It is not necessary for me to remind the distinguished gentleman from Rhode Island that this is not subject to change. This has not been brought back in disagreement. This is a conference report and the conference report must be voted up or down, however necessary it may seem to be to make some revision at this late hour. It is utterly impossible to do that unless you vote down the conference report or recommit it. The gentleman from New York, I think, is familiar with the situation.

Mr. TABER. The chairman of the Committee on Appropriations has probably stated the facts correctly. However, I think we could correct it by some sort of communication from the chairman of the two Appropriations Committees a little later on, if we have to.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from New York.

Mr. ROONEY. Mr. Speaker, I should like to say to my distinguished friend, the gentleman from Rhode Island [Mr. FOGARTY] that although the present parliamentary situation is as described by the distinguished gentleman from Missouri [Mr. CANNON], as one of the conferees on thise bill, I entirely agree with the opening statement of the distinguished gentleman from Rhode Island. I am hopeful that in connection with the final appropriation bill, which will be the mutual security bill, something will be done to cure the situation the gentleman has described.

Mr. CANNON. The gentleman is discussing a matter not before the House. There is nothing that can be done to change this item except to vote down the conference report or recommit it.

Mr. FOGARTY. Mr. Speaker, I knew at the time I rose on my feet I could not do anything about this matter today without voting down the conference report. I do not want to ask that the conference report be voted down, but I thought we might get agreement of some kind with the chairman of the Committee on Appropriations, and the ranking minority member, whereby we could straighten out this inequity before this Congress adjourns. This, in my opinion, is a mistake that has been made by the conference committee, and it should be straightened out, even though we find ourselves in a difficult parliamentary situation.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Illinois.

Mr. YATES. I spoke to the State director in Illinois, and he says as far as the operation of his program is concerned it would be better if the appropriation were voted down because of the limitation agreed on by the conferees. He says he does not know how he is going to carry on his work with the limitation.

Mr. FOGARTY. I thought we might be able to get an agreement with the chairman of the Committee on Appropriations [Mr. CANNON], along the line suggested by the gentleman from New York [Mr. ROONEY]. The President just yesterday sent some additional requests for supplemental appropriations to Congress. This request is printed as Senate Document No. 117. I understand that these appropriations, if approved, will likely be included as a separate title in the mutual security appropriation bill. It would be entirely possible, and in my opinion most desirable, that the Senate include, either in the bill or their report, language which would correct this situation. It would, of course, be my hope and expectation that the House would agree with any such correction that the Senate might make. I reiterate that, because of the parliamentary situation, it was not my intention to try to get this matter corrected today but rather to secure an agreement with the chairman of the committee and the ranking minority member to use their influence in securing correction in connection with the remaining appropriation bill now pending in the Senate.

Mr. LAIRD. Will the gentleman yield?

Mr. FOGARTY. I am glad to yield.

Mr. LAIRD. I just wanted to say that I wholeheartedly concur in the gentleman's suggestion and hope that it can be carried out.

Mr. FOGARTY. I thank the gentleman.

This is not fair to the States, it is not fair to the program. It is not money that comes out of the Federal Treasury at all. Again I say this three-tenths of 1 percent is paid by the employers to administer the program in the States. It does not belong to the Treasury.

I wonder if the chairman would accept language to change and modify this if the Senate agrees to modify it in connection with the supplemental items now pending?

Mr. CANNON. Mr. Speaker, I do not want to embarrass the gentleman at all, but the gentleman's subcommittee reported out a more restrictive figure than this. That is what we were going on. Their report contained a figure of 2.9 million average insured unemployment to use as a base in determining the use of contingency funds, and the Senate report contained a figure of 2.2 million. The provision which the subcommittee, of which the distinguished gentleman from Rhode Island is the very effective and experienced chairman, sent over to the Senate contained the figure of 2.9 million. But, the Senate had 2.2 million, so we compromised at 2.5 million. We compromised at a more favorable figure than the gentleman's subcommittee recommended. Of course, it had to be agreed to by the managers on the part of the House and the managers on the part of the Senate. We were in unanimous agreement. There was no objection on either side. We adopted a more generous figure than the gentleman's committee recommended.

Mr. FOGARTY. Just to straighten out the record, the subcommittee of which I am chairman and the gentleman from Wisconsin [Mr. LAIRD], is the ranking member, did vote this out, but since the time we acted changes have taken place; costs have increased. We passed an increase in postage rates, which means an additional $4 million which we had no knowledge of at that time. Rents have increased since we acted on the bill. And, there have been other increases since our subcommittee held hearings on this.

Mr. CANNON. The subcommittee did not call it to the attention of the conferees, the subcommittee did not call it to the attention of the House, the subcommittee did not call it to the attention of the full committee, so we proceeded on the assumption that the figure that the gentleman's subcommittee recommended was the desirable figure. We had no information, no suggestion, that the conditions had changed or the gentleman's subcommittee had changed or the gentleman himself had changed, so we went ahead on the assumption that the figure he gave was the final figure, and we got even a more favorable figure than the gentleman recommended.

Mr. FOGARTY. That is not so, because the Senate amendment also reduces the base appropriation by $4,200,000 below the House bill and places that amount in the contingency fund. The House conferees agreed to that amendment and then compromised on the number of insured unemployment to be used as a base. So we have a more unfavorable bill, and the record shows it. When you pass this conference report you tell them to handle 2.5 million claims a week with practically the same money they had last year to handle 2.2 million. It means that they are going to be short by 4,000 employees of being able to carry on the work on last year's standards. It does not add up at all. When we have millions of people unemployed it is no time to lay off people so that their claims cannot even be handled properly.

Mr. CANNON. The fact remains that the House managers secured a more favorable figure than the gentleman recommended. And it is also a fact that the total appropriations for this activity for 1959 is $75 million more than was appropriated just 2 years ago for 1957.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I join with my colleague from Rhode Island [Mr. FOGARTY], in the position that he takes on this amendment underlying his objection to the agreement that an average of 2,500,000 insured unemployment shall be used as the base in determining the availability of contingency funds for use by the States.

This language is too restrictive. It forces the already overburdened employees of State employment offices charged with the duties under the unemployment compensation fund to carry a heavier burden with the same amount of money.

Mr. Speaker, from experiences in my own District, and I am sure that similar conditions exist throughout the Nation, the State unemployment insurance offices have been taxed to capacity by the great number of unemployed in their respective areas. This has occasioned long lines and interminable hours of waiting by those who come in to sign for benefits under the Unemployment Insurance Act. Often times it is an exhausting and frustrating ordeal. Some of the offices are not equipped with sufficient facilities or space to give the applicants a decent place to wait or rest until their turn comes for their interviews with the clerks.

A failure to provide more funds for administration or to cut the workload will result in greater inconveniences than the existing intolerable conditions.

Those who have suffered the calamity of the loss of their jobs and face little prospect of employment are entitled to better treatment than they now receive as they apply for their benefits. And by better treatment, I mean adequate facilities and sufficient personnel to properly handle the great numbers of applicants that daily visit these offices.

The responsibility rests with the State governments to secure facilities that can adequately handle the many people who apply. The Federal Government has a responsibility of making available sufficient money to employ enough trained and efficient personnel. I hope that the Senate will take favorable action on this proposal.

Mr. Speaker, I ask unanimous consent to include with my remarks a news story from the Springfield Daily News on Monday, August 18, under a three-column headline "DES Critics Swamp Sponsor of Petition" which underscores my position in this matter.

DES CRITICS SWAMP SPONSOR OF PETITION

A Newland Street woman who got 101 waiting claimants to sign an on-the-spot petition against local Division of Employment Security methods today had to call for help.

Mrs. Marie Roberti, who contended that the Worthington Street office has set up a "breadline" treatment of claimants, today said she has been deluged with approximately 70 telephone calls since Friday when the petition was signed as the claimant stood in line.

The petition organizer said that she has listened to all kinds of complaints from people against DES.

Since the telephone has not stopped ringing, according to the harried woman, she has asked that complaints be referred to State representatives since she is unable to keep up with the number of irate calls coming in to her.

At the same time she contended that the long lines do not just occur on Friday as DES officials contend, holding that she found a line outside the office today.

She has sent out her petition urging investigation of conditions here to Governor Furcolo and asked State representatives to keep an eye on its course in Boston.

Eugene Sweeny, DES manager here, said the lines on Friday will be offered space inside the 339 Worthington Street office, but he thought they would be better off standing outside since the facility just doesn't have the room to accommodate a large turnout.

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the House consider en bloc those amendments which are in technical disagreement on which the House managers will offer a motion to recede and concur, numbered as follows: 9, 16, 20, 25, 29, 40, 48, 56, 62, 65, 85, 89, 90, 91, 92, 93, 94, 97, 98, 118, 125, and 126.

I am excluding from the motion which is at the desk, amendment No. 36.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. FORD. Mr. Speaker, reserving the right to object, is it clearly understood that in the motion to be offered amendment No. 36 is excluded?

Mr. CANNON. Mr. Speaker, that will come up for a separate vote.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 5, line 13, insert:

"War Shipping Administration liquidation

"Notwithstanding the last proviso under this head in the Department of Commerce and Related Agencies Appropriation Act, 1959, the funds made available under said head shall remain available until June 30, 1959, for payment of benefits to disabled seamen under crew life and injury and second seamen's war risk insurance policies and for payments under the act of September 30, 1944 (58 Stat. 758): *Provided*, That after these payments shall have been made, the unexpended balance remaining in this account is hereby rescinded and shall be covered into the Treasury."

Senate amendment No. 16: Page 9, line 8, insert:

"General provision

"Subparagraph (a) of section 606 of the Defense Appropriation Act, 1959, is amended by deleting '$245' and inserting in lieu thereof '$365.'"

Senate amendment No. 20: Page 16, line 21, insert:

"EXECUTIVE MANSION AND GROUNDS

"Extraordinary alterations and repairs

"For extraordinary alterations, repairs, furniture, and furnishings of the Executive Mansion and grounds, to be expended as the President may determine, notwithstanding any other provisions of this or any other act, $100,000, to remain available until expended."

Senate amendment No. 25: Page 18, line 4, insert:

"FUNDS APPROPRIATED TO THE PRESIDENT

"Translation of publications and scientific cooperation

"For purchase of foreign currencies, pursuant to section 104 (k) of the Agricultural Trade Development and Assistance Act of 1954, as amended, for disseminating scientific and technological information and supporting scientific activities overseas, $5,100,000, to remain available until expended."

Senate amendment No. 29: Page 19, line 15, insert:

"Hospital facilities in the District of Columbia

"For an additional amount for expenses necessary in carrying out the provisions of the act of August 7, 1946 (60 Stat. 896), as amended, authorizing the establishment of a hospital center in the District of Columbia, including grants to private agencies for hospital facilities in said District, $1,020,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 3259, 85th Congress."

Senate amendment No. 40: Page 24, line 1, insert:

"Soldiers' and sailors' civil relief

"For an additional amount for 'Soldiers' and sailors' civil relief,' $1,300,000 to remain available until expended."

Senate amendment No. 48: Page 26, line 11, strike out lines 11 through 16, and insert:

"For an additional amount, $50,000 and not to exceed $20,000 and not to exceed $25,000 of the appropriations under this head in the Department of the Interior and Related Agencies Appropriation Acts, 1957 and 1958 (Public Laws 573, 84th Cong. and 85–77) respectively, shall be available during the current fiscal year for reimbursements to the District of Columbia for benefit payments made for those fiscal years pursuant to the act of August 21, 1957 (71 Stat. 399): *Provided*, That any costs in excess of the amounts stated herein shall be reimbursed from this appropriation for the current fiscal year."

Senate amendment No. 56: Page 29, line 15, insert:

"HUDSON–CHAMPLAIN CELEBRATION COMMISSION

"For expenses necessary to carry out the provisions of the act of August 8, 1958 (Public Law 85–614), $50,000, to remain available until March 1, 1960."

Senate amendment No. 62: Page 31, line 16, insert:

"For an additional amount, fiscal year 1958, for 'Salaries and expenses', for payment of retroactive pay increases granted by administrative action for the maintenance and administrative staff, comparable to those authorized by the Federal Employees Salary Increase Act of 1958 (Public Law 85–462, approved June 20, 1958), $15,000."

Senate amendment No. 65: Page 32, line 3, insert:

"For an additional amount, fiscal year 1958, for 'Salaries and expenses', for payment of retroactive pay increases granted by administrative action, comparable to those authorized by the Federal Employees Salary Increase Act of 1958 (Public Law 85–462, approved June 20, 1958), $182,500."

Senate amendment No. 85: Page 36, line 2, insert:

"Committee on rules and administration

"For compiling, preparing, and indexing material for the Senate Manual, $200, which amount may be paid as additional compensation to any employee of the United States."

Senate amendment No. 89: Page 36, line 12, insert:

"Miscellaneous items

"For an additional amount for miscellaneous items, fiscal year 1958, $50,000, to be derived by transfer from the appropriation 'Salaries, officers and employees, Senate,' fiscal year 1958."

Senate amendment No. 90: Page 36, line 17, insert:

"Stationery (revolving fund)

"For an additional amount for stationery for committees of the Senate, $300, to remain available until expended."

Senate amendment No. 91: Page 36, line 21, insert:

"For payment to Katharine McVey, widow of William E. McVey, late a Representative from the State of Illinois, $22,500."

Senate amendment No. 92: Page 37, line 6, insert:

"CAPITOL BUILDINGS AND GROUNDS

"Extension of additional Senate Office Building site

"To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to carry out the provisions of Public Law 85–591, 85th Congress, relating to the acquisition of property in square 725 in the District of Columbia, including necessary incidental expenses, $625,000, to remain available until expended."

Senate amendment No. 93: Page 38, line 1, insert:

"LIBRARY OF CONGRESS

"Preservation of early American motion pictures

"For expenses necessary to enable the Librarian of Congress to provide for the conversion to safety base film of the George Kleine collection of nitrate film, and the paper prints of early American motion pictures now in the custody of the Library, $60,000."

Senate amendment No. 94: Page 38, line 8, insert:

"GENERAL PROVISIONS

"Subsection (b) of section 502 of the Mutual Security Act of 1954, as amended, is amended as follows:

"After the words 'House of Representatives' the first time they appear, insert 'and the Select Committee on Astronautics and Space Exploration of the House of Representatives and the Special Committee on Space and Astronautics of the Senate.'"

Senate amendment No. 97: Page 40, line 5, insert: "*Provided further*, That of the funds appropriated herein, $2 million shall be transferred to and merged with funds appropriated to the National Science Foundation."

Senate amendment No. 98: Page 40, line 8, insert: "*Provided further*, That $3 million of the funds appropriated in this paragraph shall be available only upon the enactment of S. 4273 or H. R. 13749 for research and development costs in connection with agreements for cooperation with the European Atomic Energy Community."

Senate amendment No. 118: Page 45, line 19, insert:

"Contribution for annuity benefits

"For reimbursement (not heretofore made), pursuant to section 6 of the act of August 21, 1957 (71 Stat. 399), and effective in accordance with section 8 of such act, to the District of Columbia, on a monthly basis, for benefit payments made from revenues of the District of Columbia to or for members of the White House Police force and such members of the United States Secret Service Division as have been or may hereafter become entitled to benefits under the Policemen and Firemen's Retirement and Disability Act, such amounts as hereafter may be necessary: *Provided*, That hereafter the appropriation granted under this head in the Treasury Department Appropriation Act, 1951 (64 Stat. 638), shall not be available."

Senate amendment No. 125: Page 48, line 12, insert:

"SEC. 1601. The provisions of title II of Public Law 85–472, approved June 30, 1958, shall apply also to costs in the fiscal year 1957 and 1958 of pay increases granted by or pursuant to Public Law 85–564 and 85– and 85– : *Provided*, That for the purposes of this paragraph the limitation for the warranting of appropriations and transfer-

ring of appropriations contained in section 206 (b) of title II of Public Law 85–472 shall be extended to September 30, 1958: *Provided further*, That the portion of this paragraph applicable to teachers and pension increases for policemen, firemen, and their widows and orphans shall be effective only upon enactment into law of H. R. 13132 and H. R. 7450, or similar legislation."

Senate amendment No. 126: Page 48, line 25, insert:

"SEC. 1602. No part of the funds appropriated in this (or any other) act shall be used to pay (1) any person, firm, or corporation, or any combinations of persons, firms, or corporations, to conduct a study or to plan when and how or in what circumstances the Government of the United States should surrender this country and its people to any foreign power, (2) the salary or compensation of any employee or official of the Government of the United States who proposes or contracts or who has entered into contracts for the making of studies or plans for the surrender by the Government of the United States of this country and its people to any foreign power in any event or under any circumstances."

Mr. CANNON (interrupting the reading). Mr. Speaker, I ask unanimous consent that the further reading of the amendments be disposed with and that they be printed in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate numbered 9, 16, 20, 25, 29, 40, 48, 56, 62, 65, 85, 89, 90, 91, 92, 93, 94, 97, 98, 118, 125, and 126, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 2, line 8, insert "of which $1 million shall be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for the control of outbreaks of insects and diseases to the extent necessary to meet emergency conditions."

Mr. CANNON. Mr. Speaker, I move the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 2, and concur therein with an amendment, as follows: In lieu of the sum of "$1,000,000" named in said amendment, insert "$500,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 3, line 25, insert: ": *Provided further*, That no part of any appropriation herein shall be used for the land acquisition for, or the construction of, an access road to such airport which when completed would directly connect with the George Washington Memorial Parkway."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 7, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided further*, That no part of any appropriation herein shall be used for land acquisition for an access road to such airport until the Secretary of Commerce has made a report to the Appropriations Committees of Congress as to the need of an access road as a necessary approach to said airport which will, when completed, directly connect with the George Washington Memorial Parkway."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14: Page 7, line 18, insert the following:

"Salaries and Expenses

"For necessary expenses, not otherwise provided for, of the Small Business Administration, including expenses of attendance at meetings concerned with the purposes of this appropriation and hire of passenger motor vehicles, $3,775,000, and in addition there may be transferred to this appropriation not to exceed $11,700,000 from the revolving fund, Small Business Administration, and not to exceed $825,000 from the fund for liquidation of Reconstruction Finance Corporation loans, Small Business Administration, for administrative expenses in connection with activities financed under said funds: *Provided*, That the amount authorized for transfer from the revolving fund, Small Business Administration, may be increased, with the approval of the Bureau of the Budget, by such amount as may be required to finance administrative expenses incurred in the making of disaster loans: *Provided further*, That 15 per centum of the amount authorized to be transferred from the revolving fund, Small Business Administration, shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, only in such amounts and at such times as may be necessary to carry out the business loan program: *Provided further*, That $1,000,000 of the amount herein appropriated shall be available only upon enactment into law of S. 3651, 85th Congress."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SALARIES AND EXPENSES

"For necessary expenses, not otherwise provided for, of the Small Business Administration, including expenses of attendance at meetings concerned with the purposes of this appropriation and hire of passenger motor vehicles, $3,500,000; and in addition there may be transferred to this appropriation not to exceed $11,060,000 from the revolving fund, Small Business Administration, and not to exceed $825,000 from the fund for liquidation of Reconstruction Finance Corporation loans, Small Business Administration, for administrative expenses in connection with activities financed under said funds: *Provided*, That the amount authorized for transfer from the revolving fund, Small Business Administration, may be increased, with the approval of the Director of the Bureau of the Budget, by such amount (not exceeding $500,000) as may be required to finance administrative expenses incurred in the making of disaster loans: *Provided further*, That 10 percent of the amount authorized to be transferred from the revolving fund, Small Business Administration, shall be apportioned for use, pursuant to section 3679 of the Revised Statutes, as amended, only in such amounts and at such times as may be necessary to carry out the business loan program: *Provided further*, That $1 million of the amount herein appropriated shall be available only upon enactment into law of S. 3651, 85th Congress."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 8, line 19, insert the following:

"Revolving fund

"For additional capital for the revolving fund authorized by the Small Business Act of 1953, as amended, to be available without fiscal year limitations, $215,000,000: *Provided*, That $50,000,000 of this amount shall be available only upon enactment into law of S. 3651, 85th Congress."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 15, and concur therein with an amendment, as follows: In lieu of the sum of "$215,000,000" named in said amendment, insert "$200,000,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 17, line 4, insert the following:

"Salaries and expenses

"For an additional amount for necessary expenses of the Office of Defense and Civilian Mobilization, $2,915,000: *Provided*, That this appropriation shall be available for the purposes set forth under the appropriations granted for the fiscal year 1959, under the headings "Salaries and expenses", Office of Defense Mobilization, and "Operations", Federal Civil Defense Administration."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 22, and concur therein with an amendment, as follows: In lieu of the matter dropped by said amendment insert:

"Salaries and expenses

"For an additional amount for necessary expenses of the Office of Civil and Defense Mobilization, $2,500,000: *Provided*, That this appropriation shall be available for the purposes set forth under the appropriations granted for the fiscal year 1959, under the headings 'Salaries and expenses', Office of Defense Mobilization, and 'Operations', Federal Civil Defense Administration."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 17, line 12, insert the following:

"Federal contributions

"For an additional amount for 'Federal contributions' including financial contributions to the States pursuant to section 205 of the Federal Civil Defense Act of 1950, as amended, to be equally matched with State funds, $4,000,000: *Provided*, That funds appropriated under this head in the Independent Offices Appropriation Act, 1958, shall be available for the purposes of this appropriation."

Mr. CANNON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 17, line 20, insert the following:

"Emergency supplies and equipment

"For an additional amount for 'Emergency supplies and equipment', including procurement, as authorized by subsection (h) of section 201 of the Federal Civil Defense Act of 1950, as amended, $2 million: *Provided*, That funds appropriated under this head in the Independent Offices Appropriation Act of 1958 shall be available for the purposes of this appropriation."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Emergency supplies and equipment

"For an additional amount for 'Emergency supplies and equipment', including procurement, as authorized by subsection (h) of section 201 of the Federal Civil Defense Act of 1950, as amended, $2 million."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36; page 22, line 19, insert the following: "No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Michigan.

Mr. FORD. Mr. Speaker, I am opposed to this motion, and I should like to have time to discuss the opposition to this proposal. Could the gentleman yield to those of us who do oppose it 30 minutes?

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan.

Mr. FORD. Mr. Speaker, this is the matter I discussed earlier. It involves the provision which was offered to the supplemental appropriation bill on the floor of the other body. As I read the debate on the military construction appropriation bill on the floor of the other body, I find this statement by the author of the amendment and I quote:

I have talked with members of the staff of the space committee which met this morning in connection with the question of authorization. On behalf of that committee, I offer an amendment.

That was this amendment. Apparently, this particular amendment had no real consideration by the appropriations committee in the other body. Apparently it was sponsored by the staff of the space committee in the other body. It completely repeals the basic law which the Congress approved less than a month ago for the establishment of the Space Agency.

Here is a copy of the basic law. We included a provision, section 307 (a) and (b) which said, in effect, that there should be a special authorization for any construction project that involved more than $250,000. In addition, it said that there should be a special authorization for any land acquisition.

By the inclusion of that provision in the basic space legislation, we said that the NASA shall have authority for research and development just like we give to the Army, Navy, and Air Force in continuing appropriations without an annual authorization. This new agency is going to handle matters of equal importance to our missile program. I fail to see why we should require this agency to have an annual authorization bill.

We do not require the Defense Department and we do not require any one of the many other agencies of the Federal Government involved in this kind of work to have an annual authorization. The practical effect of this amendment will be to hamstring, to slow down, and curtail the acceleration of our missile and satellite programs, particularly our civilian or nonmilitary efforts on research and development for satellites.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. ARENDS. That is the very thing we are trying to avoid at this particular time in the face of such conditions as exist today. We are trying to avoid any slowdown that would be brought about by any such procedure as this. That is why I support wholeheartedly the position that the gentleman from Michigan has taken. But, can the gentleman answer this question for me, and I know that he does not know what goes on in the minds of the members of the staff of the other body, but I would like to know one good reason for this language being put in this bill like this. I am at a loss to understand.

Mr. FORD. I have been trying to recollect whether there is any other similar agency that has to come up here once a year to get an authorization for research and development. I do not know of such an agency. The only annual authorization bill with which I am familiar is our mutual security bill. We do not require the Army, the Navy, and Air Force to come in here and get an authorization to do their research and development work on missiles. We do not require any other agency that I know of to get such annual authority.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. TABER. I am going to suggest to the gentleman that he ask unanimous consent that this amendment No. 36 be reported by the Clerk so that the membership may understand just what it means.

Mr. FORD. As I understand the parliamentary situation, and I have checked with the Parliamentarian, if we want to reject the inclusion of this amendment in the law, we must vote down the motion to recede and concur. If we vote down the motion to recede and concur, then a motion can be offered, and I have such a motion at the Clerk's desk, to move that the House insist on its disagreement with the amendment of the Senate numbered 36.

Mr. TABER. That is correct, but I think that if the amendment was reported by the Clerk as it is here in the bill, the membership would be able to see just exactly what they will be voting on.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CANNON. Mr. Speaker, I yield the gentleman from Michigan 2 additional minutes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the Clerk read amendment No. 36, which is in disagreement.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

Amendment 36: Page 22, line 19, insert: "No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress."

Mr. FORD. May I repeat again: In the basic space legislation which was approved unanimously by this Congress less than a month ago, we took care of the authorization problems which require special action by the Congress. This provision in this bill completely nullifies the provision in the law which we passed 30 days ago.

If this language which is in disagreement is included, before the Space Agency can hire 1 clerk, 1 single clerk to do some typing, they have to come to Congress and get an authorization by the Congress on an annual basis. If they want to make one contract with a university or a private research organization for the most important thing that is to be done in satellite work, they have got to get an annual authorization by the Congress.

Mr. JUDD. Mr. Speaker, will the Senator yield?

Mr. FORD. I yield to the gentleman from Minnesota.

Mr. JUDD. The gentleman from Arkansas [Mr. HAYS] and I were in England in the late summer of 1944 when Hitler sent across his first V–2's. That was just 2 months or so after our Expeditionary Force had left England to land in Normandy. It was said in all

quarters that had Hitler been able to launch his V–2 just 4 months earlier, he might have won the war. Are we here today to take chances on 4, 6, 8 months, or a year of delay in this most important field?

Mr. KEATING. The gentleman is so right, as is the gentleman from Michigan—if the gentleman will yield; and while the gentleman from Michigan said this involves civilian advances in this field, yet between the civilian and the military the difference is so little that delay might have a very adverse effect on our national defense effort if these people have to come up here on every single item and ask an authorization before they can get an appropriation.

Mr. FORD. We all know that the authorization legislation for the mutual-security program and the appropriation bill for the mutual-security program are the slowest-moving proposals in the Congress each year.

It means that if you require the Space Agency to go through this tortuous process you are going to hold back a lot longer than necessary the effort this country is making in the satellite and missile field.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I hesitate to rise in opposition to our Appropriations Committee because certainly they do an outstanding job and they do a lot of hard work. However, in this particular amendment under discussion here I wish to endorse everything that the gentleman from Michigan [Mr. FORD] has said. I feel that it definitely represents a danger to an agency that I think can be the most effective force in the immediate future that we have created in a great many years.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to make just one slight correction. This amendment is not an amendment of the House Appropriations Committee or the Senate Appropriations Committee; it was offered on the floor of the Senate by the majority leader at the request of the staff of the Senate Space Committee.

Mr. SISK. I appreciate the correction made by the gentleman from Wisconsin. I know, of course, that it was not proposed by the Appropriations Committee of the House, but that the particular language under discussion came about from action in the other body.

Mr. O'BRIEN of New York. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. I would like to concur in what the gentleman is saying, and I want to point out to the House that the distinguished gentleman from Michigan [Mr. FORD], has won a reputation here for a healthy respect for the taxpayer's dollar and a very great alertness to our national defense needs.

It seems to me the significant thing here is that while those who concocted this language did not intend to hamstring our efforts, the fact remains every member of the committee of this House which dealt with this urgent problem, Democrats and Republicans alike, have stated here that this language, if it survives, will hamstring us in this missile and satellite field.

Mr. SISK. I thank the gentleman from New York for his contribution. I am in complete agreement with him and that is the point in my taking the floor.

I would like to discuss for a moment the action taken by your select Committee on Astronautics and Space during the last 5 or 6 months. That committee, under the able leadership of our majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], considered this particular problem at great length. The language which was written into the original authorizing bill setting up the new Space Agency was gone over with a fine-tooth comb. The gentleman from Michigan [Mr. FORD], the gentleman from California [Mr. MCDONOUGH], and the other gentlemen on my side will agree that that is true and that we did, from time to time, make some changes in the language. We realized the importance of permitting this agency to act quickly and expeditiously to do the things that were necessary, realizing that they must have freedom of action; yet at the same time we were concerned with protecting the taxpayer's dollar, and we did set up provisions providing for authorization, for the purchase of substantial real estate, equipment, or buildings where there was a substantial amount of money involved.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from New York.

Mr. KEATING. The gentleman will remember that we spent hours and hours in discussing this matter, whether the $250 million was the correct amount or whether we should have any limitation. We went over this with a fine-tooth comb.

Mr. SISK. I agree with the gentleman.

Mr. MCDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from California.

Mr. MCDONOUGH. The gentleman will agree also that one of those of the committee who was most insistent that this agency have everything possible to step up its program to meet the Russian threat was the majority leader [Mr. MCCORMACK]. If he were here this morning I think he would be down in the well of the House supporting the same question.

Mr. SISK. I may say to the gentleman I thoroughly agree with him. That is one of the reasons I am down here, although I feel my inability to carry the ball to the extent that he has done before the House in connection with this new agency. We all owe him a debt of gratitude for the work he has done.

Now, let us not do something that will tend to tie the hands and destroy the effectiveness of this new agency which we are all depending on to win for us not only a propaganda victory but to win for us some real achievement in the space field and in the field of aeronautics, in a field which will have a material effect on the national defense of our country.

For these reasons, Mr. Speaker, I hope that the motion offered by the gentleman from Missouri will be defeated.

The SPEAKER. The time of the gentleman from California has expired.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, let me discuss this briefly. There is nothing partisan about this matter. We are all together in the same boat. One of my able and distinguished friends raised another point that there was not enough money in here. But let me confine my remarks to this language and let me read it to you:

No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress.

Now, let us see what the history of this language is. This language was put in by the Senate. It is my understanding that the very able Senate minority leader offered the amendment on the Senate floor, and it was adopted by a big vote. If I am in error, I stand corrected, but that is my understanding.

Mr. FORD. Mr. Speaker, will the gentleman yield for a correction?

Mr. THOMAS. By all means, for a correction.

Mr. FORD. The amendment was offered by the majority leader. There was no rollcall. It was accepted by a voice vote in the other body.

Mr. THOMAS. Well, did I make an untrue statement?

Mr. FORD. You said, "minority leader."

Mr. THOMAS. I beg your pardon. I mean the majority leader, the Honorable LYNDON JOHNSON of Texas.

Well, now, why did they adopt this language? Let us look at it. The good old legislative committee of this House, than which there are no finer men in this body, virtually gave away all the power of the House of Representatives. To whom? To the committee or to the House or to the Senate or to the Congress? No. To the executive branch of the Government. And, I do not mean to be partisan; I do not care if he is a Democrat or a Republican. The legislative committees of the House and Senate gave away, gentlemen, the authority of the House and the Senate. They gave it to the executive, and the only way you are going to get some of that authority back is by this language, and, gentlemen, that is true.

Furthermore, let us see how many big scientific agencies we have in this Government. Now I am talking sense to you. You have the Atomic Energy Commission. You have spent almost $50 billion on that agency. And, did you give away your authority there like you did here? Of course you did not. Then we have the National Science Foundation that is costing you around $100 million this year. And, they are nothing but the finest scientists in the world. Did you give away your authority there? No. Do you require them to come and justify their money? Do

you know how much money we have given this crowd this year for research alone? In this bill you wanted $182 million, and your committee gave them $150 million for research alone plus another $25 million for real estate plus another $5 million for salaries, and in addition to that they had from the NACA another $80 million. And, the House of Representatives says to these agencies every year: "Submit your program. How much money do you want?" And, we give it to them. You are not being unduly harsh with this crowd. What is wrong with them coming over and letting the Congress determine? After all, we do the legislating.

Gentlemen, we are making a mountain out of a molehill. This amendment protects what? The authority and the prerogatives and the jurisdiction of the Congress; that is all it does. Is there anything wrong if they come in here and submit their requests? Every agency does that every year. Two hundred and fifty million dollars or $330 million have already been justified. What is wrong with that, gentlemen?

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from California.

Mr. McDONOUGH. Has the gentleman read this language that is in dispute and that we are about to vote upon? Reading the language in the last line "by legislation hereinafter enacted by the Congress." Now, that language is a veto, if you please, a repealer amendment to the action that this Congress approved a short time ago.

Mr. THOMAS. Is there anything wrong in the Congress legislating? Whose duty is it to legislate, the Executive's or that of the legislative branch?

The SPEAKER. The time of the gentleman from Texas [Mr. THOMAS] has expired.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I want to say that the Congress should understand just what this situation is. I am taking this time because I feel that the conferees made a mistake in agreeing to move to recede and concur in this language. If their language had been of the character that simply meant that they should receive no appropriations that had not been authorized by previous action of the Congress, if the word "hereafter" were out, I would not mind at all, and I do not think anybody else would because then these people could come up with an annual estimate or any other estimate that they might have to submit in between. But to undertake to repeal all of this language, to tell this agency which has just been set up that they cannot do anything or have any application for an appropriation in a regular annual way, the way other agencies in the Government proceed, I think would be a mistake.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. FORD. Of course, the Army, the Navy and the Air Force in their research and development programs do not get annual legislative authority before they ask for an appropriation. They have the authority to come up and ask the Committee on Appropriations on an annual basis for research and development funds. This language that was included in the conference report makes the Space Agency go through the Congressional process twice each year and appear before four committees annually. It will absolutely hamper, hinder them, and I think slow down their efforts to do a real job in our space program.

Mr. TABER. It seems to me that the House should say that they do not expect this language to be passed. Frankly, under section 307 of the law that was passed by the Congress there is an authorization for appropriation. They cannot get any appropriation in any way except by coming to the Congress and asking for it. If the law under which they are operating were a blanket authority to dig into the Treasury, that would be another story. But it is not that. It is a limited authority. It authorizes appropriations to be made, and those appropriations should not be made without very careful consideration by the committees of the Congress that have to consider them.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. KEATING. Supplementing what the gentleman from Michigan [Mr. FORD] said, I know of no agency that has been put through any such wringer as this, that is required to get an authorization and then an appropriation on the ordinary run-of-the-mill items for that agency; am I correct in that?

Mr. TABER. That is right; there is no question about it.

Mr. KEATING. The gentleman from Texas [Mr. THOMAS] has indicated that the Congress should have control over this, and we agree to that.

Mr. TABER. But we do have control over it.

Mr. KEATING. We do, through the Committee on Appropriations. What we are objecting to is that this hamstringing operation requires their going before two committees.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from California.

Mr. McDONOUGH. I think the gentleman from New York [Mr. TABER] has made very clear that the word "hereafter" in the amendment is the key point. If the "hereafter" were removed, the language would not be necessary at all, because we have the authorization in the original bill.

Mr. TABER. The language would not be necessary anyway, because we already have limiting language in the authorization act.

Mr. McDONOUGH. That is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. If this language were being considered originally in the House, it would go out on a point of order, would it not?

Mr. TABER. Yes.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. JUDD. Everybody agrees with the gentleman from Texas [Mr. THOMAS] that the Congress wants to keep full control of the expenditure of money. He rightly says that for every clerk that is hired, the agency in question has to come back to us for appropriations. That will be true of this new agency if this language is stricken out; the only difference is that they—just like other agencies—will not have to come back each year for a reauthorization. If this Senate language is stricken out, the Congress still will have control of the expenditures of the agency. Is not that correct?

Mr. TABER. That is correct.

Mr. Speaker, I hope the House will refuse to concur in this amendment.

Mr. KEATING. Mr. Speaker, Senate amendment No. 36 to H. R. 13450 would defeat the purposes of the National Aeronautics and Space Act enacted into law less than a month ago. That act was carefully drawn after extensive hearings and after meticulous consideration was given to all its provisions, including those related to appropriations. The membership of the Select Committee on Astronautics was unanimous in supporting the act as drawn, and both Houses passed the act without dissent. I cannot imagine that the Members really wish to reverse a decision so carefully considered and which brought such credit to the Congress. I cannot imagine that the Congress which has shown real understanding in pressing for a strong national space program would accept a hobbling and crippling machinery of control which will impede the new administration in its efforts to demonstrate world leadership in the development of the space sciences.

There can be no thought, upon reflection, that the Congress would surrender any real part of its responsibilities to the executive branch through failure to adopt this rider. The power over appropriations is unimpaired.

This amendment would require the busy officials of the new space administration each year to justify to four different committees every penny they need to spend. This is close to an impossible burden if they are also to have time to develop and to operate a comprehensive program in space technology and related matters. I would not want to burden them this way, and I think the events on this floor this afternoon make clear that my colleagues of the select committee who have given so much attention to this matter of organization and management share this view.

For any Member who does not recall the language of the Space Act as passed, provision is already made that authorizations are required for each specific construction and equipment budget item of $250,000 or more. Rejection of this Senate amendment to this appropriation bill will not alter these requirements in the least. The general

authorization covering other expenditures provided by the Space Act is in keeping with normal practices for other Government agencies.

Mr. Speaker, this Congress has made a splendid, bipartisan start toward the formulation of a comprehensive and effective program for the exploration and development of space. We should not in any way sabotage that program by means of restricting riders and amendments such as this one. I feel certain the overwhelming majority of this body do not want to constrict our outer space efforts and will decisively defeat this amendment.

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion.

Mr. FORD. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 126, nays 236, not voting 67, as follows:

[Roll No. 183]

YEAS—126

Abbitt	Fascell	Murray
Abernethy	Feighan	Nix
Albert	Fisher	Norrell
Alexander	Flood	Passman
Anderson, Mont.	Flynt	Patman
Andrews	Fogarty	Perkins
Anfuso	Forand	Philbin
Ashley	Forrester	Poage
Ashmore	Fountain	Rabaut
Ayres	Frazier	Riley
Bailey	Garmatz	Rivers
Barden	Gary	Robeson, Va.
Barrett	Gathings	Rogers, Colo.
Bass, Tenn.	Grant	Rogers, Fla.
Beckworth	Gregory	Rogers, Tex.
Bennett, Fla.	Harris	Rooney
Blitch	Harrison, Va.	Rutherford
Boggs	Healey	Santangelo
Bonner	Hemphill	Saund
Breeding	Herlong	Schenck
Brooks, Tex.	Huddleston	Scott, N. C.
Brown, Ga.	Hull	Selden
Brown, Mo.	Ikard	Shelley
Burleson	Jennings	Sheppard
Byrne, Pa.	Jones, Ala.	Sikes
Cannon	Kee	Smith, Miss.
Celler	Keogh	Smith, Va
Christopher	Kilday	Staggers
Coad	Kilgore	Steed
Cooley	King	Teller
Davis, Ga.	Kirwan	Thomas
Davis, Tenn.	Kitchin	Thompson, Tex.
Dent	Landrum	Thornberry
Denton	Lankford	Tuck
Dingell	Lennon	Vinson
Dorn, S. C.	Lesinski	Walter
Dowdy	Loser	Whitener
Eberharter	Madden	Whitten
Elliott	Magnuson	Williams, Miss.
Everett	Mahon	Willis
Evins	Matthews	Wright
Fallon	Mills	
	Mitchell	

NAYS—236

Adair	Bolton	Collier
Addonizio	Bosch	Corbett
Alger	Bow	Cramer
Allen, Calif.	Boyle	Cretella
Allen, Ill.	Bray	Cunningham, Iowa
Andersen, H. Carl	Broomfield	Cunningham, Nebr.
Arends	Brown, Ohio	Curtin
Aspinall	Broyhill	Curtis, Mass.
Auchincloss	Budge	Curtis, Mo.
Avery	Bush	Dague
Baldwin	Byrd	Dawson, Ill.
Baring	Byrne, Ill.	Dawson, Utah
Bass, N. H.	Byrnes, Wis.	Delaney
Bates	Canfield	Dellay
Becker	Carnahan	Dennison
Belcher	Carrigg	Devereux
Bennett, Mich.	Cederberg	Dixon
Berry	Chamberlain	Dollinger
Betts	Chatf	Donohue
Blatnik	Chenoweth	Dooley
Boland	Chiperfield	Dorn, N. Y.
Bolling	Church	
	Clark	
	Cohelan	
	Conte	
	Corbett	
	Cramer	
	Cretella	
	Cunningham, Iowa	
	Cunningham, Nebr.	
	Curtin	
	Curtis, Mass.	
	Curtis, Mo.	
	Dague	
	Dawson, Ill.	
	Dawson, Utah	
	Delaney	
	Dellay	
	Dennison	
	Devereux	
	Dixon	
	Dollinger	
	Donohue	
	Dooley	
	Dorn, N. Y.	
	Durham	
	Dwyer	
	Edmondson	
	Farbstein	
	Fenton	
	Fino	
	Ford	
	Fulton	
	Gavin	
	George	
	Glenn	
	Granahan	
	Gray	
	Green, Oreg.	
	Green, Pa.	
	Grimn	
	Griffiths	
	Gross	
	Gubser	
	Gwinn	
	Hagen	
	Haley	
	Halleck	
	Harden	
	Harvey	
	Haskell	
	Hays, Ark.	
	Hays, Ohio	
	Henderson	
	Heselton	
	Hess	
	Hiestand	
	Hill	
	Hoeven	
	Holifield	
	Holland	
	Holmes	
	Holt	
	Holtzman	
	Horan	
	Hosmer	
	Hyde	
	Jackson	
	Jarman	
	Jensen	
	Johansen	
	Johnson	
	Jonas	
	Judd	
	Karsten	
	Kean	
	Kearns	
	Keating	
	Kelly, N. Y.	
	Kluczynski	
	Knox	
	Knutson	
	Krueger	
	Lafore	
	Laird	
	Lane	
	Latham	
	Libonati	
	Lipscomb	
	McDonough	
	McFall	
	McGovern	
	McGregor	
	McIntosh	
	Macdonald	
	Machrowicz	
	Mack, Ill.	
	Mack, Wash.	
	Mailliard	
	Marshall	
	Martin	
	May	
	Meader	
	Merrow	
	Metcalf	
	Michel	
	Miller, Md.	
	Miller, Nebr.	
	Montoya	
	Moore	
	Morano	
	Morgan	
	Moss	
	Moulder	
	Multer	
	Mumma	
	Natcher	
	Neal	
	Nicholson	
	Nimtz	
	Norblad	
	O'Brien, Ill.	
	O'Brien, N. Y.	
	O'Hara, Ill.	
	O'Konski	
	O'Neill	
	Osmers	
	Ostertag	
	Patterson	
	Pelly	
	Pfost	
	Pillion	
	Poff	
	Polk	
	Porter	
	Price	
	Quie	
	Ray	
	Reece, Tenn.	
	Reed	
	Rees, Kans.	
	Reuss	
	Rhodes, Ariz.	
	Rhodes, Pa.	
	Riehlman	
	Roberts	
	Robison, N. Y.	
	Robeson, Ky.	
	Rodino	
	Rogers, Mass.	
	Roosevelt	
	Sadlak	
	St. George	
	Saylor	
	Scherer	
	Schwengel	
	Scrivner	
	Scudder	
	Seely-Brown	
	Siler	
	Simpson, Ill.	
	Simpson, Pa.	
	Sisk	
	Smith, Calif.	
	Smith, Kans.	
	Springer	
	Stauffer	
	Sullivan	
	Taber	
	Talle	
	Teague, Calif.	
	Tewes	
	Thompson, N. J.	
	Thomson, Wyo.	
	Tollefson	
	Trimble	
	Udall	
	Ullman	
	Van Pelt	
	Van Zandt	
	Vorys	
	Vursell	
	Watts	
	Weaver	
	Westland	
	Wharton	
	Widnall	
	Wigglesworth	
	Wilson, Ind.	
	Withrow	
	Wolverton	
	Yates	
	Younger	
	Zablocki	
	Zelenko	

NOT VOTING—67

Baker	Harrison, Nebr.	Powell
Baumhart	Hébert	Preston
Beamer	Hillings	Prouty
Bentley	Hoffman	Radwan
Boykin	James	Rains
Brooks, La.	Jenkins	Scott, Pa.
Brownson	Jones, Mo.	Sheehan
Buckley	Kearney	Shuford
Burdick	Kilburn	Sieminski
Clevenger	LeCompte	Spence
Coffin	McCarthy	Taylor
Colmer	McCormack	Teague, Tex.
Coudert	McCulloch	Thompson, La.
Derounian	McIntire	Utt
Dies	McMillan	Vanik
Diggs	Mason	Wainwright
Doyle	Miller, Calif.	Wier
Engle	Miller, N. Y.	Williams, N. Y.
Frelinghuysen	Minshall	Wilson, Calif.
Friedel	Morris	Winstead
Gordon	Morrison	Young
Hale	O'Hara, Minn.	
Hardy	Pilcher	

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Coudert against.

Mr. Sieminski for, with Mr. Mason against.

Mr. Doyle for, with Mr. Beamer against.

Mr. Hébert for, with Mr. Bentley against.

Mr. Hardy for, with Mr. Wainwright against.

Mr. Pilcher for, with Mr. Frelinghuysen against.

Mr. Preston for, with Mr. Derounian against.

Mr. Thompson of Louisiana for, with Mr. Minshall against.

Mr. Morrison for, with Mr. Baker against.

Mr. Colmer for, with Mr. Sheehan against.

Mr. Winstead for, with Mr. Scott of Pennsylvania against.

Mr. Miller of California for, with Mr. Hillings against.

Mr. Young for, with Mr. Taylor against.

Mr. Boykin for, with Mr. Baumhart against.

Mr. Friedel for, with Mr. Wilson of California against.

Mr. Gordon for, with Mr. Kilburn against.

Mr. Vanik for, with Mr. Engle against.

Mr. Weir for, with Mr. Miller of New York against.

Mr. McCarthy for, with Mr. McCulloch against.

Until further notice:

Mr. Coffin with Mr. James.

Mr. Dies with Mr. Kearney.

Mr. Diggs with Mr. Hoffman.

Mr. Rains with Mr. Hale.

Mr. Morris with Mr. Clevenger.

Mr. Spence with Mr. Brownson.

Mr. Teague of Texas with Mr. McIntire.

Mr. Shuford with Mr. Prouty.

Mr. McMillan with Mr. Harrison of Nebraska.

Mr. HEMPHILL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. CANNON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 36, and concur therein with an amendment, as follows: Strike the word "hereafter" from said amendment.

Mr. FORD. Mr. Speaker, will the gentleman from Missouri yield?

Mr. CANNON. I yield to the gentleman from Michigan.

Mr. FORD. Mr. Speaker, as I understand the effect of that amendment is to remove the requirement that each and every year from now on the Space Agency would have to come up here in the first instance and get an authorization bill before they could get an appropriation.

Mr. CANNON. That is the intent.

Mr. FORD. In other words, the basic Space Act takes care of the matter in that it requires them to come up and get the authorization for any construction over $250,000 or for the acquisition of land, but the basic space legislation also says that appropriations are authorized, which gives to the Committee on Appropriations each year the right to look at and to approve or disapprove the budget submitted by the executive branch of the Government.

Mr. CANNON. The amendment speaks for itself.

Mr. FORD. The effect of the amendment is that they do not have to go through the tortuous process of an annual authorization bill as the legislation previously required.

Mr. Speaker, I have no objection to the motion to recede and concur with an amendment, now that we are striking the word "hereafter."

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 42: On page 24, line 11, insert:

"OFFICE OF MINERALS EXPLORATION

"Salaries and expenses

"For expenses necessary to provide a program for the discovery of the minerals reserves of the United States, its Territories and possessions, by encouraging exploration for minerals, including administration of contracts entered into prior to June 30, 1958, under section 303 of the Defense Production Act of 1950, as amended; hire of passenger motor vehicles; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), when authorized by the Secretary, at rates not to exceed $75 per diem for individuals; and attendance at meetings concerned with the purposes of this appropriation, $4,700,000, of which $37,000 shall be transferred to the appropriation 'Salaries and expenses,' Office of the Solicitor, fiscal year 1959: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 3817, 85th Congress, or similar legislation."

Mr. CANNON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 42, and concur therein with an amendment, as follows: In lieu of the sum of "$4,700,000" named in said amendment, insert "$4,000,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: Page 27, line 8, insert:

"Construction (liquidation of contract authorization)

"For an additional amount for 'construction (liquidation of contract authorization)', $10,000,000 to remain available until expended."

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate No. 50, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$8,000,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 58: Page 30, line 1, insert:

"OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

"For expenses necessary to carry out the provisions of the act of June 28, 1958 (Public Law 85-470), $100,000, to remain available until expended."

Mr. CANNON. Mr. Speaker, I offer a motion.

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate No. 58, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$50,000."

The motion was agreed to.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the next two amendments, Nos. 112 and 113, be considered en bloc.

The Clerk read as follows:

Senate amendment No. 112: Page 44, line 21, insert:

"UNITED STATES INFORMATION AGENCY"

Senate amendment No. 113: Page 44, line 22, insert:

"Acquisition and construction of radio facilities

"For an additional amount of 'Acquisition and construction of radio facilities $15,000,000, to remain available until expended."

The SPEAKER. Is there objection to the request of the gentleman from Missouri that the amendments be considered en bloc?

There was no objection.

Mr. CANNON. Mr. Speaker, I move that the House insist on its disagreement to the amendments of the Senate numbered 112 and 113.

Mr. BOW. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. Bow moves that the House recede from its disagreement to the amendment of the Senate numbered 113 and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert "$10,000,000."

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I offer this preferential motion on the item referring to the United States Information Agency which would permit that Agency to construct facilities in the United States for a broadcast behind the Iron Curtain, in Russia, into Africa, and into the Middle East. I may say that the administration asked for $22,500,000 for this purpose and for the construction of other facilities abroad. The other body in its wisdom reduced that amount to $15 million, $10 million of which would be used for the construction of the facilities here in the United States in what is known as Baker East.

The one now proposed to take the place of the old Baker East would take six 500-kilowatt transmitters and six 250-kilowatt transmitters, with a total capacity of 4,840 kilowatts.

It seems to me the history of what has happened in the past few months would convince this House that it is necessary for us to speed up our propaganda facilities throughout the world. We have seen one small nation of the world completely upset within the past few weeks by the use of propaganda from a foreign nation. The Egyptian radio had penetrated into Iraq.

Mr. Speaker, I have never been so sincere in my life as I am today on this question. I think the whole survival, perhaps, of our country rests upon what we do in some of these items. I have been one of the critics of the United States Information Agency and the Voice of America in the past. I criticize them today, because I do not believe they have been putting forth the kind of programs that should go behind the Iron Curtain and also to the friendly countries of the world, that we might be able to tell the truth about America and to sell America to the people abroad that we would like to have as our friends.

I criticize them today but, Mr. Speaker, if we criticize a general in a hot war, if we criticize a division in a hot war, we would not deny the ammunition or the facilities to carry on the war in order to win. It is most important that we win this cold war as much as any hot war we have ever fought. This is one of the great instruments we can use in the fighting of the cold war to get the word out.

Mr. Speaker, in the last 2 weeks I have been sitting in my living room here in Washington every night listening to a short-wave receiver, and when I turn on that short-wave set I can go across the dial and at five different places on that dial I listen to the voice of Moscow. It comes in as strong here in Washington as WTOP or our other local stations. We hear it in English. I hear the propaganda that they are putting out against us. On that same radio I listen to Prague from Czechoslovakia and Sofia and Warsaw—all coming into my living room here in Washington. We are not in a position today to penetrate not only to our friendly countries but behind the Iron Curtain to tell the story that should be told. I hope these facilities are granted to the Voice of America and that they will set up a program so that we can reach the peoples of the world with the real story of America; so that we can have these people as our friends and so that we can let the people behind the Iron Curtain know the truth.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. ROONEY. Mr. Speaker, I yield 5 additional minutes to the distinguished gentleman from Ohio.

Mr. Speaker, before the distinguished gentleman proceeds further on this additional time; will the gentleman please explain to the House why these radio facilities are not available for use today?

Mr. BOW. Yes, I will be very happy to. The gentleman refers, I assume, to the original Baker East which was provided some years ago. The Committee on Appropriations of the House granted the right to buy the land and establish the facilities on the east coast. After this was provided by the House, a decision was made by the agency, or at that time by the State Department, not to go forward. I will say to the gentleman from New York very frankly it became somewhat of a political football and some political capital was made of it. I admit that to the gentleman and it is unfortunate that it happened. But, those facilities were to be built.

Mr. ROONEY. If the distinguished gentleman will further yield; when I asked my question, I must say to my distinguished friend, the gentleman from Ohio, as to why we do not have these radio facilities today, I thought he would explain to the House that the administration has never requested these facilities over the past 5½ years but on the contrary has insisted that the Voice of America was the best in the world.

Mr. BOW. Well, again, I agree with the gentleman. You know the gentleman from New York is going to come into the well of the House and he is going to make a splendid speech and he is going to take this agency apart, as I think they should be taken apart in many instances, and he is going to be able to cite the record to you of their failures, and with much of that I am going to agree. But, I say to my colleagues in the House that that is past history. We are now faced with a situation: Are we going to surrender because of that? Or are we going to have the facilities to go forward? Are we going to change it so that we can get the Voice of America behind the Iron Curtain? The point is that they do not have the facilities now and it is going to take us some time to get them. This $10 million is only for the construction of Baker East to give us this strong station to send the Voice of America behind the Iron Curtain and to send it into Africa and Europe and the Middle East. We can no longer depend, my colleagues, on relay stations in other countries throughout the world. We have to be prepared to do it from here because we do not know how long our leases will survive in those countries and how long they will be available. For our own protection we have to have facilities and we have to have them here, and we have to have them in such strength that we can penetrate these areas.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to my distinguished chairman.

Mr. TABER. I wish the gentleman would call attention to the fact that at the present time we have no facilities that can get behind the Iron Curtain or really get to the folks in the other countries around the world.

Mr. BOW. That is quite right. And I will say this to you, that they have told us in the past that they were getting through. They told us they were getting through the jamming and getting in, and we have not been doing that and that is not true.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield.

Mr. ROONEY. Were they trying to mislead the committee over all the years that the distinguished gentleman from Ohio has been a member of it when they were telling us that they were satisfactorily getting into Moscow and getting through the Soviet jamming or were they being just downright dishonest?

Mr. BOW. I do not know what the reason was, Mr. Speaker.

Mr. TABER. If the gentleman will yield; they did not fool the committee.

Mr. BOW. No, I think that is quite right. They were not fooling us. The gentleman from New York [Mr. ROONEY] was not fooled at all. When he was in Ankara and tried to get the Voice of America he could not get it. They said he just did not know how to tune the set in, but the truth of the matter was it was not coming through.

Mr. ROONEY. I must in all candor respectfully disagree with my friend and make the confession that they have fooled me at least for the last 5 or 6 years. For 13 years we have appropriated every nickel asked for the Voice of America, every nickel, never once did I vote to cut them, not 1 year in the 13 years. They were always allowed the full amount for broadcasting operations.

As far as radio facilities are concerned, they have not asked us for money for these facilities in the past 5 years, and now you say we cannot get into Moscow.

Mr. BOW. I say we are not getting into Moscow. They are jamming us. We do not have the strength to get through. We have had faulty ammunition. We have tried to correct the ammunition, but we have got to have the materiel to fire the good ammunition when we have it. I am admitting some of the things the gentleman said are true. We sat side by side. We have criticized this agency.

Mr. ROONEY. Mr. Speaker, will the gentleman further yield?

Mr. BOW. I yield.

Mr. ROONEY. I yield the gentleman from Ohio an additional minute, Mr. Speaker, in order that I may ask him a question.

Does the gentleman not think that the House and the House Committee on Appropriations should have an opportunity to hold thorough hearings on a $27 million request such as Baker East as well as on a program that will run into $50 million or $60 million? Or should this agency and the administration be permitted to come in during the last few days of a Congress and circumvent the House and its Appropriations Committee by going to the Senate for a brief perfunctory hearing on a huge appropriation such as this?

Mr. BOW. I will say to the gentleman that the amendment has been reduced from $25 million to $10 million. This amount was allowed in order to get a start on this most important program.

Let me say in conclusion that this is a matter in which the President is quite concerned. The President is for this and wants to start this $10 million installation in the United States, and I am sure that the leadership knows that this is one of the items in this whole program about which the President is most concerned.

Mr. ROONEY. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, this is one of the sorriest situations which we have ever faced; and it was not unforeseen. I just do not know why this USIA agency has never quite been able to get done what the Congress authorized it to do, and urged it to do, and has taken it to task almost every year for not doing. Yet, somehow or other, the money has been spent and the results have not come up to what this country had a right to expect.

Many of you will remember that in 1947 when we were considering just what to do in this whole information field, a joint committee of the House and Senate, of which the Senator from New Jersey, Mr. SMITH, and our then colleague, Congressman KARL MUNDT, were cochairmen, visited 22 countries in Europe, on both sides of the Curtain, to study our information program including the Voice of America. I remember very well one night in Bucharest, Rumania, when we listened to the Communist message coming over the radio, clear as a bell from half a dozen different capitals, but when we tried to get the Voice of America all we could get was squeaks and squawks and static. Everywhere in Europe it was the same; ours was a very poor and weak signal.

Back here, we insisted in our reports somehow or other this country must get transmitting facilities second to none. It is intolerable that the United States with all its technological accomplishments cannot make itself heard around the world.

Mr. ROONEY. Mr. Speaker, will the gentleman from Minnesota yield?

Mr. JUDD. I yield.

Mr. ROONEY. I wish the distinguished gentleman from Minnesota will tell the House why it is that this agency over all the years and with all the millions of taxpayers' dollars it has spent did not have the courage to come to the House of Representatives and ask for the money to create the new radio facilities.

Mr. JUDD. I do not know. It is not because we have not protested. As I said in the beginning, it is a sorry situation and I do not see how it can be justified. But our job now is to get out of the bad situation and get ahead.

Mr. Speaker, a few weeks ago I talked to a distinguished American just back from a visit to Central America. He said that one night in Nicaragua, when the Lebanon crisis was at its height, they turned on the radio and could get 11 stations broadcasting the Communist story in Spanish, in Portuguese, and in English. But they could get only one station telling the American story and its signal was very poor.

Look what we have in the Middle East. Egypt, has a practically bankrupt government; we are the richest country in the world. Egypt is supposed to be backward in technology; we boast about being the best in the world, we are so boastful of our technological achievements. Yet Egypt has a 300-kilowatt station in Cairo broadcasting around the clock to all those parts of the world. The United States has not a single broadcasting or relay station above 100 kilowatts. I repeat, Mr. Speaker, that it is intolerable for the United States to be itself so far behind Egypt or any other country in the world in this all-important war of words and ideas.

We have relay stations abroad designed to boost our signal, but who can be sure that those relay stations may not be denied to us, or ever be taken away from us.

Mr. ROONEY. When did the gentleman find all this out? Why did this administration not ask for funds for adequate radio facilities?

Mr. JUDD. I have been protesting the inadequacy of our broadcasting facilities, as the members of the Committee on Foreign Affairs will testify, every single year when this operation came up. I can go back into the record of the committee and the record of debates in the House and show where we have urged action to make sure we do a better job in getting

the truth through. We were always told that our story was being heard; but whenever we could get independent statements from personal friends over there, they would tell us that the American signal is not anywhere near as good as is the Russian signal or the signals of its satellites or the British signal.

But it does not help much today to go over the past, I will accept my share of the blame. The task now is to get going. We cannot allow ourselves to be dependent on weak stations anywhere; and we cannot be dependent on relay stations in other countries, some of which may be taken over at any time by the countries where they are. We have to have the best stations in the world here in the United States so that we can make our story heard around the world on our own power, just as the Russians are able to do. The United States has no business being third, fourth, or fifth in this field. We must be first, just as we are in every enterprise to which we dedicate ourselves in earnest.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Ohio.

Mr. SCHERER. Have we ever found out why these conditions have existed all these years? It sounds to me like somebody has infiltrated in these agencies someplace.

Mr. JUDD. At one time half a dozen years ago, when the gentleman from Massachusetts [Mr. McCORMACK] and I were discussing this same matter during debate, I said that at the end of the war this agency was the most infiltrated agency in our Government. When we were fighting with Russia against Hitler and Japan, a large number of Communists and pro-Communists were knowingly brought into the Office of War Information, because they are the best propagandists in the world and the most skillful in demoralizing or confusing their enemies which at that time were ours, too. After the war they blanketed the OWI personnel without any real check into the new information agency. Naturally they then propagandized subtly against ourselves, because with Hitler gone, we were the new enemy to be confused and defeated. Those in the agency swore that the situation had been cleaned up, that all of that questionable personnel had been cleaned out. Of course, these holdovers, and their unknown colleagues whom they always seem to manage to get in with them, were too smart ever to make pro-Communist statements. What they did was just to unsell the United States. They just did not do a good job of telling our story—it is weak, half-hearted, unconvincing. If they had made a single pro-Communist statement they would have been detected and eliminated.

It is hard to believe so second rate a job could have been done in this field, unless someone planned it that way. Why should the United States be limping and lagging when we could have the best facilities in the world? We have the best story to tell and yet we often do not make as good or as strong an impression abroad with our inferior facilities as other countries make with an inferior story but superior facilities.

Mr. Speaker, I hope very much that the amendment offered by the gentleman from Ohio will be adopted.

Mr. SCHERER. From what the gentleman has said and from what I have heard on the floor today, does the gentleman not think we ought to have a complete Congressional investigation as to why these conditions have existed over this long period of time? I think every Member of this House would want to know that.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Kentucky.

Mr. CHELF. If a judge did what these fellows are doing, they would be impeached; if we did what they are doing, we would be defeated or unseated. Why in the name of heaven do we not fire these people? With all of the money that we have appropriated over the years, I am amazed, I am shocked, I am astonished, I am knocked off of my perch as a result of this information to the effect that after 13 years of my voting for this program, we have not yet penetrated the Iron Curtain. Why? What's wrong? Obviously there is something bad, really off-stroke in this agency. An investigation ought to be in order, and soon. The taxpayers are entitled to a better deal.

Mr. JUDD. I am afraid that off our perch is where we are all likely to be unless we today take action to get going.

Mr. CHELF. Can we not get rid of these fellows in some way or other? It seems that 13 years of trying is far too long. We need action in order to get the story of democracy and of America over to the world. We cannot lose this cold war.

Mr. JUDD. It has been the same sad story under both administrations; neither can point the finger at the other. But let us point the finger at ourselves right now and start to get the thing corrected.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Pennsylvania.

Mr. SIMPSON of Pennsylvania. The gentleman presents a most serious problem. I would like to inquire along what line of reasoning could we conclude that the money as authorized here would be spent more carefully, more profitably and properly than the money that has been wasted in the past? I would be willing to vote for this or any amount more if it can be shown that the money will be spent more wisely than it has been spent in the past.

Mr. JUDD. It is my understanding that this is the first time we have actually appropriated funds for the construction of this big broadcasting station down in North Carolina to send across the Atlantic. At one time we had discussion about it, and I think authorization of funds. Also for a station in Oregon—to send across the Pacific.

Mr. ROONEY. Mr. Speaker, if the distinguished gentleman from Minnesota will kindly yield, I did not clearly hear him, what did the gentleman say about this being the first time? For what?

Mr. JUDD. The first time, so far as I recall, that we have appropriated funds specifically for the purpose for which this amendment offered by the gentleman from Ohio would authorize $10 million, that is, to start construction of the big facility in North Carolina.

Mr. ROONEY. Nonsense; land in North Carolina was appropriated for, and actually acquired in January 1952. But this administration sold those 2,817 acres of land in the vicinity of Wilmington, N. C., in July and August 1956. Besides, $2,533,000 for transmitters was expended at that time.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Ohio.

Mr. BOW. I would like to say to the gentleman that money was appropriated, land was purchased and the money appropriated for the facility. Unfortunately they did not go ahead. And, one of the black marks against this whole program is that they sold it down there, after we gave them the money and they purchased the land, at a loss of $1.5 million. That is one of the situations we are faced with today. We have to go ahead now and do the job, and the Congress should make sure that it is done, and I am sure the President of the United States will see that this money is used for this purpose and to build a facility that will be properly used.

Mr. JUDD. It is my recollection that there were charges in the other body that the particular locations chosen in North Carolina and Oregon were not well suited from an atmospheric standpoint for sending a strong signal. In fact, I believe the charge was made that certain persons in the agency had deliberately chosen the poorest locations in the United States in order to keep the signal weak and ineffective, no matter how much we spent on the stations. So the land was given up. But who then bought the land on the west coast? Private broadcasting interests promptly bought the land. They apparently considered it the best place out there to put broadcasting facilities.

Mr. CHELF. I agree with the gentleman from Ohio. There ought to be an investigation made of this outfit, and before the sun sets tonight.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, the situation is serious and bad. All right. Are we going to spend our time looking backward, or are we going to have the courage—and sometimes it is spelled with four letters, a stronger word—to really face up to where we are and do the kind of thing that will do something for our country? If this facility is erected in this country, we certainly can handle it better and have better oversight than if it were built somewhere else. I assure you, Mr. Speaker, that in the studies I have made of Moscow and communism, the methods, their strategy and their tactics all over the world for the last 40 years, that I know something about it. And I know that unless we do take some stand, regardless of what has gone before, America will be in a bad way. We should look ahead and say to ourselves "This is the time when we must do it, or we perish." If you do not have a shortwave set, get one, a small transistor set will do it—get one and listen in on Moscow's wavelengths; 5, 6, or 7 of them come in every night. Listen in and see how you would like to be flooded with that sort of thing day in and day out. Because Moscow and her satellites do have the necessary facilities; they can and do flood the world day and night. That is what is going on in the Near East; it is going on in Africa and Africa, Mr. Speaker, probably holds the future of mankind in her hands. It seems to me we would be penny wise and pound foolish not to start building an adequate facility. Granted, we here in this House have a responsibility to see to it that it does a good job. But, Mr. Speaker, we had better get busy and do the job.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Speaker, I would like to say in answer to some of the people who have been wanting an investigation of this agency that the agency comes under the jurisdiction of the subcommittee of the Committee on Foreign Affairs, of which I have the honor to be chairman. We have had them up before us on occasion. The reason we have not gone further than we have is that they have a new director in the office. We helped get rid of Mr. Larson, who was running a political agency, and the President has appointed a new director. We thought we ought to give him time to get his feet on the ground and to see what really was going on in his own agency. I have every confidence that Mr. Allen will do a good job. Very shortly he will be called in to give an accounting.

As far as going back over the 10 years, as to why they have not been able to penetrate, I hope to go into that; but I shall be frank and say that this debate today has brought out some material that was new to me. Very shortly, after the adjournment of Congress, we are going to have the new director in and we shall go into that explicitly and thoroughly.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman.

Mr. PILLION. Will the gentleman consider the question of a review of the civil-service laws that have brought these incompetents and subversives into the Government, so that an agency would not have to spend 5 years to get rid of an incompetent or a subversive? The type of protection the civil service affords is a protection not of the Nation, not of the public, but merely of the employee, and at all times.

Mr. HAYS of Ohio. If anything like that is brought out, I shall be glad to refer it to the Committee on the Civil Service, with the recommendation that they do something about it.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I am going to be perfectly frank with you. I have known that this outfit was no good for a long time, ever since it started. I have suggested various things to different people who have been in charge of it, that might have put it on its feet and make it an effective agency of the United States Government. Frankly, there is not any question that it has been utterly worthless and helpless.

It was about 2 months ago, if I remember correctly—I may be a little bit too conservative on that—but about 2 months ago a new man was put in charge of it, George Allen, a member of the Foreign Service of the United States, who comes from South Carolina. Everybody in that part of the country, practically speaking, is a Democrat, and I assume that he is a Democrat. So that, with an appointment from a Republican President, there could hardly be expected a continuation of political activities in connection with that agency.

I have known George Allen for the last 10 or 12 years. He was in there for a little while, back in 1948, and he did several things to help loosen it up, get it started. But he was taken away pretty soon and again went back to the Foreign Service. He is the only one who has been in charge of the agency who has shown signs of life.

Mr. Speaker, what I want to see today is this motion of the gentleman from Ohio [Mr. Bow], adopted. I want to see that we get on the job and do something. That is what we need to do. That is what the President needs to have, support along the line of our foreign policy, so that it can be good for something, so that we can get somewhere. We cannot get anywhere by postponing action. We have got to start to do something. This is one of the most crucial things that we have in front of us. Let us go ahead and do business and not postpone matters until the last of next year.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Illinois.

Mr. ARENDS. Let me say to the gentleman from New York and also to the gentleman from Ohio [Mr. Bow] that I am so pleased that they take the position they take today. It is easy to look back and find mistakes, but, as a former colleague of ours used to say, there is no pancake so flat that it does not have two sides. Mistakes have two sides, too. It is human to err. We have erred. But as Americans in this House today what we are talking about is something that is in the best interests of this country of ours. We should immediately adopt the proposal as put forth in the suggestion of the gentleman from Ohio [Mr. Bow].

Mr. TABER. I have known this thing was not right, and I have been putting it up to these people day after day and hour after hour, trying to get them to move and to do something. Now we have the start of a motion. Let us get behind it and push it and put it across.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. SIMPSON of Pennsylvania. I want to see this problem solved. If he is convinced that misfits have made a mess of it in the past, I want the gentleman to tell me. I know he would not support the legislation unless he fully believed that the intention from now on is to have it administered at the level where this money will be spent in such a way that the problem will be solved and will be solved properly.

Mr. TABER. That is just what I want to see done, and that is just why I propose to apply every bit of pressure I can to see that they go ahead and do something and make it something.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman knows I attend the meetings at the White House. I should like to say to the Members that the President of the United States has always taken a very great and active interest in this whole program. Particularly is he impressed with its absolute necessity at this time. I do not know of anything we have discussed down there about which he has been more concerned than this. I just propose that this matter can be taken care of.

Mr. TABER. This is the situation: We have 2 or 3 of these 100,000-watt setups in New York City and around that territory. Out of that spot there is so much interference in the air that it is almost impossible to get anything across. We do not have adequate facilities, so that if the material we are putting on the air was any good it could be delivered. If we go ahead with this million-watt setup we can have facilities that will be strong enough and powerful enough to drive through the interference. Let us do it. Let us all get behind this man Allen and push him to do the things he ought to do to make this thing more and more effective and take care of our interests in the world.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kentucky.

Mr. CHELF. Does the gentleman feel that if Mr. George Allen is given sufficient time he will straighten out this mess?

Mr. TABER. I hope he will. I am going to do everything I can. Frankly, I frequently talk to him on the subject and for long stretches. I am going to do everything I can, and I am going to furnish him with every bit of information I have available, as I have in the past, so that he will have a chance to go ahead and do the job; and I believe he will be given the chance to do it.

Mr. CHELF. Is it true he has been there only a couple of months?

Mr. TABER. That is right.

Mr. CHELF. Then I feel very different about the situation. I thought probably he was operating under the same bunch of screwballs for the past 13 years. But if a man has been there

only 60 days, I agree with the gentleman he ought to be given an opportunity. Then if he does not perform, let us get somebody who can.

Mr. TABER. That is right.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Speaker, I do not come to the well of the House to hold a brief for what has been done by the Voice of America in the past or even what has been done by the Secretary of State in the past 5 or 6 years, or what he is doing today. I come here to tell you my own experiences and my own intense feelings.

I took a trip around the world on behalf of the Committee on Foreign Affairs last year, and I have come back with this conclusion: Notwithstanding hundreds of millions and billions of dollars which we are giving in foreign aid, mostly in military assistance, we have not made much success in what I call the public-relations job. In country after country the leaders of countries in the Far East confided in me. I was asked this question everywhere by sincere and honest so-called friends of the United States. My colleagues: Just listen to this question. This is the question that was asked me over and over again: "Why are the Americans afraid of the Communists?" I do not blame anybody else. I was brought up so that when things go wrong with me, I blame no one but myself. My friends, I say we have failed to do a good enough public-relations job. We are engaged in a cold war today and we know it. I will call that cold war a one-game series. My friends, we have to win that game. We must come out first best because there is no such thing as second best because there will be no other game in the series. Our job is to win the hearts and minds of the people the world over. We are suffering defeats in the United Nations and we are suffering defeats everywhere because we have neglected this public-relations job. I went into a country where last year we gave $250 million in foreign aid. The total population of that country is 12 million. When I traveled in that country or when any other American traveled anywhere inside that country, he not only had to have a chauffeur but he had to have an armed guard. We were giving $250 million to a people where the life of an American was not safe. I say before we give $250 million in foreign aid, if it takes $20 million to tell the people of that country what America stands for, then let us spend that $20 million first before the $250 million foreign aid is given. The Voice of America has made mistakes. If somebody says it will cost $10 million to tell America's story behind the Iron Curtain or to tell America's story to the neutral countries, my friends, let us spend that $10 million. We cannot afford to take a chance. I say again Americans are a nation of super salesmen. Americans have remained comfortably unconcerned as to what the rest of the world thinks about them. We cannot remain unconcerned any longer. Let us give the Voice of America $10 million or even $50 million if there is any chance of doing some public-relations job.

Mr. FULTON. Mr. Speaker, I rise in support of the amendment of the gentleman from Ohio [Mr. BOW]. I know George Allen who heads the United States Information Agency and know him very well. As a member of the House Foreign Affairs Committee for 12 years I have watched George Allen on his various responsible Government assignments, and I want you Representatives here to know he is from North Carolina and not South Carolina and, secondly, he is as fine a southern gentleman as I have ever met.

In our United States Foreign Service officer group, he is as competent a Foreign Service officer as we have in the United States service. George Allen is thoroughly experienced in the Mid-East. As Mr. TABER has said, the time has been short that he has had responsibility for this Agency. George Allen has been there a little less than a year. He should certainly have the time to reorganize this difficult Agency and do the job that we, in the Congress, expect of him.

This situation where there are so many cries for sudden punishment is like the new boy in school: If you are taking somebody to the woodshed, be sure you take the right boy to the woodshed. You have got the wrong one when you take George Allen.

May I say this to you: I was abroad last year, and one of our duties on the European Subcommittee of the House Foreign Affairs Committee was to see how the Voice of America was operating, and, likewise, Radio Free Europe, which is not Government-operated. I found they were both well-run and managed. Let me tell you, Mr. Speaker, certain Members in Congress sometimes get too excited about programs that the United States is doing abroad because we are not patient enough. We in the United States are doing all right abroad; we are not losing friends, we have more friends than many of you would know. We have good basic friends.

But when the United States tries to give what is the truth on the radio and say what our promises will be, it takes time to show that often other's statements are lies, and that they do not live up to their promises. So, of course, these poor people around the world are taken in by grand promises and little performance.

The proof of the pudding, Mr. Speaker, is that these people in foreign countries are still voting overwhelmingly in the United Nations for the general policies of the United States of America and the policy of the Free World, for peace and development. Surely, we fall behind occasionally, but we are so often ahead, it is a good spur to us to have to do our best in hard competition.

So, I say let us get this particular United States radio installation recommended by the amendment of FRANK BOW, and we should pass the amendment, likewise, to give a vote of confidence in the Voice of America and the new leadership of the United States information program under that fine fellow, George Allen.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, since the name of George Allen has entered this debate here this afternoon I have asked for this brief time.

Mr. Speaker, I hold no brief for this Agnecy. I think the House is pretty well aware of the failure of it. But I was delighted, when I was abroad last year, to spend some time with George Allen, and when he was asked to take this position I feit a great relief. I have known George Allen for many years. If any man in America can do anything for this Agency I have confidence that George Allen can do it.

Mr SCHERER. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. SCHERER. Is the gentleman in a position to say that George Allen has ever complained to him about his inability to get rid of certain incompetent personnel in the USIA?

Mr. DURHAM. I have no doubt of his ability to get rid of them.

Mr. SCHERER. Has he ever complained to you that because of the law he has been unable to get rid of them, that he is handicapped?

Mr. DURHAM. No; he has not.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from New York [Mr. ROONEY] such time as he may require.

Mr. ROONEY. Mr. Speaker, if this House were to adopt the pending motion of the gentleman from Ohio to spend the amount of $10 million at this time on this project it would mean a total expenditure of at least $27 million of the taxpayers' money for this Baker East transmitter. We are going to see who are the advocates of economy in government and sensible spending, and who are not.

The House or its Appropriations Committee has never been given an opportunity to inquire into this present situation. The House, and I will take the period of the past 5 years, or the other body, the entire Congress of the United States, has not turned down in that period of time any request for radio facilities for the Voice of America; and in all the past years has allowed every nickel requested for radio broadcasting, although savings were made each year in the rest of the USIA program on all sorts of silly things uncovered by the House Appropriations Committee here and brought to the attention of the House. But here we are confronted with a situation where in order to deliberately get around the House Committee on Appropriations and to avoid their searching examination, they sent up to the other body a budget estimate of $22.3 million after this supplemental appropriation bill passed the House and went to the other body.

If there is the slightest merit to this request for $22,300,000 that amount should be appropriated and not the $10 million provided for in the pending motion, because this is the sort of compromise that invariably costs the taxpayers more money in the long run.

Perhaps I can convince this House that if it goes along with the House Committee on Appropriations in this instance and gives the House Committee on Appropriations an opportunity to investigate this serious matter during the Congressional recess, and permits the committee to hold hearings during the recess between now and January, we will come up with the proper answer.

I submit that the procedure being followed in this matter by the present free-spending administration and USIA ignores the House. As I said, they went to the other body after this bill left the House, asked for $22.3 million, whereupon the other body allowed them to settle for $15 million. Now the administration and USIA want $10 million. This is no way to play around with the taxpayers' money.

What happened with regard to this in the other body? The printed hearings which I have here run, as far as the Senators' questions and USIA answers are concerned, from page 491 to page 500, 9½ pages, on a request for taxpayers' funds that would eventually run up to $50 million or $60 million. Why, these hearings do not even show in what State they would locate this Baker East or east coast transmitter. I had to have inquiry made of USIA.

Where are they going to locate it? They propose to locate it in the vicinity of Wilmington, N. C. Lo, and behold, in 1951 the Congress appropriated money to build a high-power transmitter in the vicinity of Wilmington, N. C. We find that after Congress appropriated the money, and as recently as August of 1956—up to August 2, 1956—2 years ago, the administration sold the property at a loss to the taxpayers of at least $1,217,000, an admitted loss on their part, mind you. I am reading from their own figures. They bought the property there in the vicinity of Wilmington, N. C., for $82 an acre. They bought 2,817 acres for $233,000. They then spent $112,000 of your money on engineering designs; land improvements, $25,000; construction fee, $115,000; construction and installation, including construction of roads, buildings, drainage, sewerage, water supply, and so forth, $809,000. Oh yes; other costs of $89,000.

The following information was furnished the committee by USIA:

U. S. INFORMATION AGENCY

Acquisition and construction of radio facilities—Financial statement of Baker East (canceled March 1955)

[In thousands]

Item and description	Actual obligations, June 30, 1958	Non-recoverable obligations to the appropriation	Non-recoverable obligations to U. S. Government	Remarks
Transmitters:				
4 dual 500-kilowatt shortwave	$2,081			The 4 dual 500-kilowatt transmitters are planned for Projects Sahara and Gamma.
2 100-kilowatt shortwave	452			The 2 100-kilowatt transmitters have been installed at Projects Jade and John.
Subtotal	2,533			
Engineering design	112	$112	$112	
Site acquisition and improvement:				
Land (2,817.69 acres)	233	233	73	The land was sold by GSA (July 10–Aug. 2, 1956) for $125,000. Timber rights were sold for $35,000. The total receipts $160,000 were deposited into miscellaneous receipts of the Treasury.
Land improvement	25	25	25	
Subtotal	258	258	98	
Construction and installation:				
Construction fee	115	115	115	
Construction and installation	809	809	809	This covers construction of roads, buildings, drainage, sewage, water supply, etc. The facility was in various stages of completion at the time the project was canceled.
Subtotal	924	924	924	
Other costs	89	83	83	This covers various miscellaneous supplies, antennas, shipping, audio equipment, etc. The audio equipment, valued at $6,000, will be used by the Agency.
Total	3,916	1,377	1,217	

Now, after having as recently as within the past 2 years sold this property for $125,000 or about $44 an acre, and remember they bought it for $82 an acre, and they also bought radio equipment at a cost of over $2½ million which became secondhand the day they took possession of it—this administration permitted a loss of $1,217,000 plus 50 percent of the cost of the radio equipment. What does this administration and USIA now want to do? They want this $10 million to acquire a site in the vicinity of Wilmington, N. C., for the Baker East transmitter. They want to buy land, including swampland there, at $200 an acre. There is $1,100,000 included in Mr. Bow's $10 million for this purpose.

Mr. Speaker, for years this administration and USIA have been kidding us. They insisted their broadcasts got into Moscow, that they got by the Russians and satellites. At no time did Dr. Johnson or Mr. Strubert or Mr. Larson tell us to the contrary.

In the fall of 1955 I went to the Island of Rhodes in the eastern Mediterranean to visit and see about the floating transmitter to the Middle East, the *Courier*, which was tied up there along shore. My committee helped build that ship and relay transmitter on certain assurances. I found that it was ineffective, that it could not operate without being tied up next to the shore of the Island of Rhodes or without a big station which was constructed on top of a hill, at considerable additional cost to the taxpayers.

This was 3 years ago, in the fall of 1955. We recommended that they get rid of it. Oh, no. And what does the distinguished Mr. Allen have to say about it now?

Included in the 9½ pages of colloquy in the other body we find these questions and answers:

Senator THYE. Mr. Chairman, I have a question at that point. What about the installations that we had aboard a ship in the Mediterranean?

Mr. ALLEN. We are using that ship, Senator THYE. It is at the Island of Rhodes at the present time, but it is not in any way adequate. It is a 50-kilowatt medium wave station and even at night it can only reach part way into the Middle East and the African Continent. In the daytime it can just barely be heard in along the seaboard, at Beirut and Alexandria.

These cities are not far from the Island of Rhodes.

Mr. ALLEN. It has turned out that the ship has been a disappointment, in all frankness. We can move it, but the ship serves as a relay base, so the ship itself has to receive the signal first and then boost it out. In order to receive it adequately, the ship has to be tied up alongside the shore and have its receiving antenna on the land. We have tried it at sea a little but it just does not work very well.

This is the ship *Courier* that you have heard me discuss previously on this floor, and concerning which I made protest. They have a Coast Guard crew of about 110 men living in beautiful, delightful homes on the shore of the Island of Rhodes. Do you think anybody paid any attention to the situation there? No.

The gentleman from Ohio [Mr. SCHERER] asked a question about people down in the Agency that Ambassador Allen cannot get rid of. The people he should get rid of he cannot get rid of because they have been appointed by the White House. If you vote for this motion what assurance do you have that the $10 million will be spent any more wisely than the previous money?

Now, let us go a bit further on this question. Mr. Allen says that it would take 2 to 3 years to construct this transmitter in North Carolina to take the place of the transmitter that this administration and USIA abandoned, if you please. Is a delay of about 4 months going to hurt? Is it not proper that the Agency and its engineers and the people concerned come before the House Committee on Appropriations and make a case for $27 million of taxpayers' money? If they make a case—and, as I said before, as one who has never voted to cut one nickel for the Voice of America, having been assured they were doing a good job—and I say we will give them a fair hearing—and if they are entitled to the money we will recommend it. We will hold hearings during the recess. What is unfair about that? What is not sensible about that?

Why is that not the right approach? Why not go along with this proposition, for if you accept the motion offered by the distinguished gentleman from Ohio [Mr. Bow], you are embarking on a project that is going to cost the taxpayers $27 million, a project that was abandoned by the same people running this Agency only as recently as 2 years ago.

Mr. Speaker, in the fiscal years 1950, 1951, 1958, and 1959, the Congress appropriated $67,146,939 for acquisition and construction of USIA radio facilities. At the specific requests of this administration and USIA, in the 83d and 84th Congresses, we consented to the transfer of $10,106,717 of these moneys which were appropriated to bolster broadcasting facilities, for use for other and different purposes. Not only did this administration use that $10,106,717 for salaries and expenses of the Department of State and the United States Information Agency, but they did so at a time when they were inflexible in their testimony and position that the Voice of America was operating 100 percent efficiently and was piercing the Iron Curtain every day of the year even in the face of Soviet jamming which attempted to keep it out of Moscow, the Soviet Union, and the satellites.

Every time this committee made inquiry of Mr. Streibert and the other heads of the United States Information Agency since 1953, we were flatly informed that the VOA broadcasting operation was a perfect one. All you need do is go back over the reams and reams of press releases issued by Streibert, Larson, and company, widely carried in the press of America advising the public of the great accomplishments of this Agency, at least insofar as the Voice of America was concerned.

Mr. Speaker, I was appalled when I first learned that these people running the United States Information Agency did not present a request such as this to the Appropriations Committee of the House of Representatives either in connection with the regular annual supply bill for the Agency or in connection with the pending supplemental appropriations bill for 1959. I submit that their present procedure is nothing more than a gimmick to avoid a detailed, searching examination of the deceit which has been perpetrated upon the Congress and the American taxpayers.

In the mere 9½ pages—pages 491 to 500—of testimony taken before the Appropriations Committee of the other body, to which I have previously referred, I was amazed to find, beginning on page 491, the following statement of Mr. Allen:

(b) Obsolescence and low power of existing domestic facilities make it virtually impossible to deliver reliable signals to our relay bases, to say nothing of direct coverage of European and Middle Eastern target areas in the face of jamming.

As a preliminary I repeat my reference to the fact that the Congress appropriated money back about 1951 for the construction of a high-powered transmitter on the east coast of the United States in the vicinity of Wilmington, N. C., known then as Baker East. After necessary funds were appropriated by the Congress for this project and the project later discontinued by the administration on the ground that it was not feasible, how should one feel at this point in the current calendar year 1958 to read the following recent testimony of Mr. Allen before the other body:

The main item I would like to stress is a $10 million appropriation to increase our facilities on the east coast of the United States. Now, we have discussed that item inside the executive branch of the Government, since 1951. Every year, either in the Agency or the State Department or in Bureau of the Budget, it has been said, "Well, let's go along as we are now and another time, next year maybe, we will come forward with it."

Mr. Allen further testified:

I would like to repeat what I said before you came in, that our file shows that we have been discussing the east coast facilities for years. However, each time it has come up, somebody has come along and said put it off until next year. Egypt started building a 600-kilowatt transmitter 2 years ago. They have 300 kilowatts installed already and everybody is talking about how Egypt can blanket the area. You have a hard time trying to find the Voice of America because we didn't start building transmitters sooner.

Another matter that drew my attention and is contained in the printed Senate hearings, is the following testimony of Mr. Allen, at page 496 of those hearings:

Americans in places like Baghdad, who had no communication with the outside world, are now learning to depend on the Voice of America for their news in English, and it is a very fine development.

Is it possible that we are spending the millions of dollars involved in this program in order to furnish a news service in English to Americans in Baghdad, if you please? I have always thought that the purpose of this Agency was to combat the propaganda of the Soviet Union.

Although I have served for many years in connection with the appropriations for the United States Information Agency and although I have always been for a good information program, I find myself continually confronted with the hocus-pocus of the Agency. During the course of the hearings in the early part of this year on the regular annual appropriations bill and the item therein for the United States Information Agency, there was the following printed testimony beginning at page 243:

FILM SHOWINGS TO AMERICAN AUDIENCES

Mr. ALLEN. I wonder if I could take this occasion, Mr. Chairman, to find out the views of the committee on a question that has been put up to me several times. Several people have complained to me that there are excellent films in the USIA film catalog which Americans would like to see but we do not allow them to do so. I have assumed that it was entirely proper and perhaps even obligatory, when Americans want to see what we are doing with our appropriations, that we should allow them to do so, but I find some differences of views in my own staff as to whether we ought to do that or not.

Recently a committee was appointed by the President which met in the State Department, concerned with cultural matters overseas. In that committee meeting I was attacked rather severely for holding close to our chest films that would be very important, they felt, for American people to see. I told them we certainly could not hire a hall and put on a showing for American people, but if proper American institutions and organizations asked to borrow our films, I saw no reason why we could not lend them to them and let them show the films.

Mr. ROONEY. I thought the American taxpayer's money for USIA was to be spent to show these films abroad in order to combat communism.

If you get into the area suggested you will need a lot of manpower when you give something away for free and it will cost the American taxpayer tremendous sums of money to show these films to American people. You would be building up to something like the $800,000 of taxpayers' money to tell the American people they ought to go to the Brussels Fair. That is not why we are at the Brussels Fair at all. We are there to compete with other peoples of the world on the standing of the United States in cultural achievements and so forth. I think all your films should be working or in use overseas.

Those are my personal ideas.

Mr. ALLEN. Mr. Chairman, I appreciate your reply. I want to make it clear I take no attitude on the question. I am groping for advice, and thought this was the appropriate place to ask that question, but maybe not.

Mr. ROONEY. This committee and the Congress does not run the executive branch of Government and we never take the position of saying "You do thus and so." We do say, "Do not do thus and so" after you make the mistake. I do not think it is the function of this Appropriations Committee to say "You must use the money for thus and so" unless it is in line with your request.

We have followed this policy for years and shall, I hope, continue to do. When we find instances where the American taxpayers' money has been foolishly spent or squandered, we shall highlight it.

As to your films, we look at these films every year. We have never been very much impressed by them. And we will look at them again this year. We will spend as many days as necessary to look at the films. They are very expensive.

Mr. ALLEN. On the point of whether we have films in the United States, I do not know how many films we have, but I agree surely that the main place for these films is outside the United States. I can understand that we might have a copy right now of the Marian Anderson film, for example. I do not know.

Mr. SHELTON. Sir, we have library prints, usually one print of each film.

Mr. ALLEN. I should think, Mr. Chairman, that if the American public wants to see what we are doing and asks us to lend them copies of a film, we might be subject to proper criticism if we say, "No, you cannot see what we are doing." As regards the radio scripts of the Voice of America, there is a specific provision in the law that says we must make those scripts available if anyone asks for them.

Mr. PRESTON. May I make a comment on that, which is my own personal view. There are two objections I can see to the releasing of those films to the American public on demand. The first is it would soon grow to a very large program, because it has become very popular in civic meetings when they cannot get a speaker, to show movies. Pretty soon you would have a terrific demand from clubs, PTA's, the League of Women Voters, and other organizations.

Secondly, the people who look at the film are not always aware of the objective sought in the film. If you make a film slanted toward an objective in a certain area of the world, a lot of them would not be familiar with the circumstances in that area and would not understand what you are trying to do in that area, and would not be competent to judge the film, then you would be having criticisms you would spend long hours trying to explain away. This is a highly specialized activity, and I do not think it would be a good idea.

Mr. ALLEN. I agree it takes good, sound judgment to decide what to do about films. I have specifically in mind a request which was made, I believe, by the American Council on Islamic Affairs, which was going to have a meeting and they would like to see the films made of the Sultan of Morocco during his visit here. Those are the type of requests I have to answer, and I am glad to have the chance to have it discussed.

Mr. PRESTON. I can understand how that would be a different request from one from the Kiwanis Club of Podunk, Iowa, who might want to show a particular film just because it was United Nations Week that week. It would run into a pretty big operation. I think there could be exceptions made here and there, but as a broad policy if you went into that you would soon be just a film library and it would require the services of a lot of people.

Mr. ALLEN. It may be that this can be handled through some other organization of the Government. I do not know the setup well enough to judge, but the Office of Education, for example, does have a lot of films, prints of which can be obtained by the public.

Mr. ROONEY. Those films are educational films for American use. I do not think there is an agency of Government that is not in the film business. The Armed Forces are; the Department of Health, Education, and Welfare is; everybody is in it. With regard to your Agency, I have been appropriating money for it for years in the belief that it was to combat communism abroad and that your activities were to be abroad and not in the United States.

Mr. ALLEN. I think I have the tenor of your views, Mr. Chairman, and I appreciate them.

Mr. ROONEY. Ours is a democratic process. I am only one member of this committee. Those are my personal views and always have been. I am for the Agency and have been over the years. But I want to cut out the nonsense that always creeps into your program. It will cost the American taxpayer a lot of needless money if you distribute these films in the United States, and I would not vote 15 cents for the cost of showing those films here.

About 3 weeks ago, at 5 o'clock on Saturday afternoon, I found on my television set a motion picture which was stated to have been produced by the USIA and the BBC. This motion picture, which was stated to have been released through the Office of Education of the Department of Health, Education, and Welfare, was about as silly a film as one can imagine. It concerned a department store here in the District of Columbia, showed Negroes doing all the menial work, and if it did nothing else it did give publicity to the people who owned that store. This whole business seemed so silly to me at the moment, that the following day I requested the staff, in view of the testimony which I have brought to your attention, to find out what the situation was. Imagine my amazement when I was handed the following papers prepared by the United States Information Agency pursuant to my request:

MOTION PICTURES OF THE UNITED STATES INFORMATION AGENCY RELEASED FOR PUBLIC EDUCATIONAL USE IN THE UNITED STATES[1]
(AS OF AUGUST 13, 1958)

America Presents America.
American Newsboy.
An American Portrait.
The Ancient Curse.
And Now Miguel.
Appalachian Trail.
Apprentice Training.
Around This Table.
Arts of Japan.
Asian Artists in Crystal.
Atoms for Peace. Part 1: Introducing the Atom.
Atoms for Peace. Part 2: Medicine.
Atoms for Peace. Part 3: Agriculture, Industry, and Power.
Atoms for Peace. Part 4: Scientific Advancement.
Atoms for Peace. Part 5: Working Together.
Atoms for Peace. Part 6: Training Man for the Atomic Age.
Battle in the Taral.
Bennington College.
Blue Ribbon.
Businessmen's Service Club.
Clean Water Makes Good Health.
A Community Advisory Service.
County Government.
Design for Growing.
Etawah Story.
Ethiopia in the Free World.
Expanding World Relationships.
Factory Worker Turns Farmer.
A Fair Chance.
The Family of Man.
The Greatest Treasure.
The Haven.
Head of the House.
Helping Teachers To Understand Children, Part 1.
Helping Teachers To Understand Children, Part 2.
Herald Tribune Youth Forum.
Himalayan Awakening.
Hoover Dam.
A House, a Wife, and a Singing Bird.
Hungarian Fight for Freedom.
Hurricane Circuit.
The Impressionable Years.
Impressions of Japan.
India Plows Deeper.
International Ice Patrol.
Journey Into Medicine.
Junior Chamber of Commerce.
Junior College for Technical Trades.
The Korea Story.
Let Us Live.
Letter From an American Schoolboy.

[1] USIA films are produced specifically for overseas use and USIA does not distribute copies in the United States. It releases certain films through the United States Office of Education for use in American schools and colleges. The office, in turn, authorizes United World Films to make and sell copies per GSA contract GS-00S-17375. School and university film libraries purchase copies and lend or rent them to educational film users.

Life for the Land.
Museum of Science and Industry.
A Nation in Torment.
The Near Horizon.
Now We Are Free.
Out of Hungary to Freedom.
Out of the Darkness.
Passport Issued.
The Photographer.
Planning for Plenty.
Preparation of Teachers.
Pursuit of Happiness.
Rehabilitation of the Blind.
Rescue Squad.
Revolt of a Generation.
Rosary of the Missions.
Rural High School.
Rural Women.
The Scroll.
Shipbuilders of Essex.
Small Town Editor.
Tanglewood, Music School and Music Festival.
Tom Schuler, Cobbler Statesman.
Toward Tomorrow.
Trailer 201.
Training of Men.
UCLA.
Union Local.
Vice President Nixon, Ambassador of Friendship.
Victory in Taral.
Voice of a Choir.
We Build a Town.
The Yukawa Story.
Americans All.
Atacama Desert.
Belo Horisonte.
The Bounteous Earth.
Brasil.
Brasil Gets the News.
Brasilian Quartz Goes to War.
Brasil's Fishing School.
Buenos Aires and Montevideo.
Colombia, Crossroads of the Americas.
The County Agent.
Cuernavaca.
The Day Is New.
The Doctor.
Down Where North Begins.
Fiestas of the Hills.
Fire and Water.
Fundo in Chile.
Good Neighbor Family.
Guadalajara.
Heart of the Inca Empire.
High Plain.
High Spots of a High Country.
Hill Towns of Guatemala.
Hookworm.
Housing in Chile.
Insects as Carriers of Disease.
Jungle Quest for the Great Stone Heads.
Lima.
The Mechanic.
Mexico Builds a Democracy.
Mexico City.
Montevideo Family.
Monuments of Ancient Mexico.
Ohio Town.
Orchids.
Our Neighbors Down the Road.
Pan American Bazaar.
Paraguay.
Patagonian Playground.
Patzcuaro.
La Paz.
People of Two Worlds.
Peru.
Peru's Coastal Region.
Rio de Janeiro
São Paulo
The School
Schools of the South
Sky Dancers of Papantla
South Chile
Southern Brazil
Sundays in the Valley of Mexico
Tehuantepec
This Is Ecuador
A Town in Old Mexico
Treasure Trove of Jade

Venezuela
Vera Cruz
Wealth of the Andes
Wings Over Brazil
Wooden Faces of Totonicapan
Young Uruguay
Yucatan
The Amazon Awakens
Defense Against Invasion
The Grain That Built a Hemisphere
How Disease Travels
The Human Body
Infant Care
Tuberculosis
Water, Friend or Enemy
What Is Disease
Cleanliness Brings Health
Winged Scourge
A Better Tomorrow
Capital Story
The Cummington Story
Freedom To Learn
Hymn of the Nations
The Library of Congress
Northwest U. S. A.
San Francisco, 1945
Steel Town
Swedes in America
The Town
Tuesday in November
Valley of the Tennessee
Adult education
Audio-visual aids to learning
Bent with the years
Board of education
Books for everyone
Brooklyn Technical High School
Burroughs newsboy foundation
Cancer education
The CARE story
Children's guardian
Citizen's public hall
Community Chest
Creative leisure
The Economic and Social Council at work
Education for peace
The family
For a bright home life
Freedom of the press
How to conduct a meeting
Independent commercial radio station
International House
Japan and the U. N.: What is the U. N.?
Japanese Diet members observe United States Government in action
Japanese Diet members visit an American legislature
Japanese trade fair
Japanese women leaders visit the United States
Junior achievement
Leaders of tomorrow
Letter to a friend
Libraries without bars
Men who fish
Museums for school children
My child is blind
NYU television workshop
National Folk Festival, part 1
National Folk Festival, part 2
National Folk Festival, part 3
A new beginning
New eyes and new ears
Our town is our classroom
Road to peace
The rural co-op
SCAP and CI and E information centers
Small town library
Social change in a democracy
The social worker
A story of goodwill
Streptomycin.
TVA Town.
This Land Is Mine.
Town Meeting of the World.
Tulsa, Oklahoma.
UNESCO and Japan.
Union and the Community.
We, the Japanese People.
Will for Peace.
Working Through College.
World in a Schoolroom.
A Year in America.
Roads and Traffic.
Small Town Newspaper.
Smog: The Pittsburgh Story.
How America Shops.
Automation.
Presidential Conventions.
Farming.
Home Buying.
Immigrants.
State Capital.
Problems of Leisure.
Old Age: A Generation of Elder.
Railroads.
Air Traffic.

THE DISTRIBUTION AND USE IN THE UNITED STATES OF USIA FILMS

BACKGROUND

In a letter dated June 23, 1948, to the Assistant Secretary of State, the Commissioner of Education referred to the motion pictures being produced by the Department for use in its overseas programs and expressed the wish that such films could be made available through the Office of Education for noncommercial educational use in the United States. On July 29, 1948, the Assistant Secretary acquiesced and suggested that representatives of the Office of Education and of the Department's International Motion Picture Division work out the necessary arrangements. Copies of these two letters are attached.

CURRENT PROCEDURES

1. The United States Information Agency determines which of its films, produced or acquired for overseas use, can and should be released for educational use in the United States, taking into account legal factors and policy considerations. The Office of Education exercises no control in the selection of such films.

2. The United States Information Agency authorizes the Office of Education to release specific films for public educational use in this country. A copy of a representative letter is attached.

3. The Office of Education authorizes United World Films, Inc., to make copies of such films, utilizing for this purpose negatives of the Government, and to sell these copies in accordance with the provisions of contract GS-OOS-17375. A copy of a representative letter is attached.

4. United World Films notifies schools, colleges, and other users of educational films of the availability of the USIA films so released and fills purchase orders for copies of the films.

5. United World Films sends to the Office of Education monthly summaries of such sales, including duplicate copies of all sales invoices. The Office keeps a statistical record of sales but sends the invoices, which contain the names and addresses of purchasers, to the United States Information Agency for its information and reference file.

FEDERAL SECURITY AGENCY,
Washington, June 23, 1948.

Mr. GEORGE V. ALLEN,
Assistant Secretary of State, Department of State, Washington, D. C.

MY DEAR MR. ALLEN: The United States Office of Education is charged, in its organic act, with the responsibility "to diffuse such information as shall aid the people of the United States in the establishment of efficient school systems, and otherwise promote the cause of education throughout the country."

In carrying out this responsibility the Office of Education performs many services for American schools and colleges. One of these services, which has grown rapidly in recent years, is that of making available to educational institutions motion pictures and other visual aids of the United States Government. At the present time, the Department of Agriculture, the Department of Commerce, the Navy Department, and a number of other agencies and departments have released certain films to the Office of Education for distribution to the public to be used for educational purposes.

We have had numerous inquiries about the availability of the motion pictures of the Department of State. These inquiries express the belief of school and college officials that these films, showing various aspects of American life, would be particularly useful in American education. For example, concerning your recently completed picture on teacher education in the United States, the President of Ball State Teachers College has written us saying:

"We have had the privilege this past weekend of viewing the world premier of Teacher Training, U. S. A., prepared for the United States Department of State by the International Film Foundation of which Julien Bryan is director.

"As you know this film was made on the Ball State Teachers College campus last year. We are professionally proud of the film because we believe that it portrays the essence of a teacher education program based on the concept of child development and on the concept that the teacher is a well-rounded person. Both of these concepts are vividly portrayed in the movie.

"We know that the picture was made to be used by the United States Department of State in the USIS program as one of a group of documentary films to be shown in foreign countries. However, we should like to use the film for pre-service and in-service education on our campus and in the State of Indiana.

"We believe the film would be very useful for many college and public-school systems in the development of their programs. For some reason which we do not fully understand, documentary films of this type, with some exceptions, are not made available by the State Department to educational institutions or to anyone in the United States. Since there would be no cost to the State Department and since we do not intend to sell or lease the movie, we would be interested in having you find out for us if it is at all possible for us to obtain three copies of the movie which could be used for local and State meetings."

In order to meet such requests and thus to promote the cause of education, the Office of Education urges that the Department of State, if possible, make its films available to the Office of Education for use in its program of assistance to educational institutions in this country. The use of the films will, of course, be limited strictly to noncommercial educational purposes.

I hope that it will be possible for our Visual Aids to Education Section and your International Motion Picture Division to work cooperatively in effecting such arrangements as may be necessary to make certain of your motion pictures available domestically. It seems to me particularly important that films such as yours on various aspects of American life be widely used in American schools and colleges at the present time to help bring about in American youth a better understanding of and a greater faith in American democracy.

Cordially yours,
J. W. STUDEBAKER, *Commissioner.*

DEPARTMENT OF STATE,
Washington, July 29, 1948.

Mr. RALL I. GRIGSBY,
Acting Commissioner,
United States Office of Education,
Federal Security Agency,
Washington, D. C.

MY DEAR MR. GRIGSBY: The receipt is acknowledged of Mr. Studebaker's letter of June 23, 1948, proposing that this Department make available to the Office of Education for distribution in this country motion picture productions mentioned in the letter, the display of which it is believed would "• • • diffuse • • • information • • • and • • • promote the cause of education throughout the country." Use of the films concerned would, the letter states, be limited strictly to noncommercial educational purposes.

This Department is pleased to agree to the suggestion so made. There are, of course, certain conditions to be observed in respect to these films and therefore it is desirable that, as suggested in the letter under acknowledgement, representatives of your office take the matter up with Mr. Herbert T. Edwards, Chief of the Department's International Motion Pictures Division. They will doubtless be able to work out all necessary arrangements.

Sincerely yours,
GEORGE V. ALLEN,
Assistant Secretary.

UNITED STATES INFORMATION AGENCY,
Washington, June 4, 1948.

UNITED STATES COMMISSIONER OF EDUCATION,
Department of Health, Education, and Welfare, Washington, D. C.

DEAR SIR: This will authorize the United States Office of Education to release for public, nonprofit distribution and exhibition within the United States, including the sale of prints by United World Films under contract GS-OOS-17375, the following motion pictures:

The Grain That Built a Hemisphere.
Water: Friend or Enemy.
Defense Against Invasion.
The Amazon Awakens.
The Human Body.
What Is Disease?
Tuberculosis.
Infant Care.
How Disease Travels.

Sincerely yours,
JACK W. EVANS,
Special Assistant to Director, Motion Picture Service.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D. C., July 16, 1948.

Mr. LEO B. GUELPA, Jr.,
Manager, Government Films Department, United World Films, Inc., New York, N. Y.

DEAR MR. GUELPA: This will authorize United World Films, Inc., in accordance with the terms and conditions of contract GS-OOS-17375, to make and sell 16-millimeter prints of the following motion pictures:

	Price per print	
	List	Government
The Amazon Awakens (color, 1,203')	$177.73	$133.30
Defense Against Invasion (color, 487')	73.95	55.46
The Grain That Built a Hemisphere (color, 411')	64.56	47.67
How Disease Travels (color, 396')	57.21	42.91
The Human Body (color, 357')	51.87	38.90
Infant Care (color, 338')	49.29	36.97
Tuberculosis (color, 388')	56.13	42.10
Water, Friend or Enemy (color, 333')	48.60	36.45
What Is Disease? (color, 408')	63.16	47.37

These motion pictures, originally produced by the Office of Inter-American Affairs, should be listed in catalogs and in sales reports as films of the United States Information Agency.

Printing materials are located at Byron, Inc., and United World Films, Inc., is hereby authorized to purchase prints for $0.072 per foot plus $1 per reel (400 feet or fraction thereof). The sales prices quoted above have been calculated upon these laboratory prices in accordance with the provisions of paragraph 12 of contract GS-OOS-17375.

Sincerely yours,
SHERLEY REID,
Chief, Visual Education Service.

And Ambassador Allen had testified before the committee: "There are excellent films in the USIA film catalog which Americans would like to see but we do not allow them to do so."

The situation in which the Congress and the American taxpayers find themselves today points up what I have been saying on the floor of this House for years. I want a good powerful United States Information Agency and I want a good powerful Voice of America on the airwaves. The crowd running this outfit have not had the ability to achieve either of these desires. I have said a number of times here on the floor that if the United States Information Agency were doing a good job and needed the money I would be willing to appropriate a billion dollars a year. But I cannot condone the extraordinary procedure adopted by the administration in this instance. I repeat the charge that in order to deliberately avoid hearings before the House Committee on Appropriations, this administration and the Agency resorted to the gimmick of waiting until testimony was taken on the regular bill and again only recently on the pending supplemental appropriations bill, and then after the House had sent this bill to the other body sent up this request. Are they afraid to answer questions? Are they afraid to put their cards on the table and place the responsibility for the fiasco of the Voice of America where it belongs?

I again submit that if the $10 million contained in the pending motion of the gentleman from Ohio is worthy of an affirmative vote which would start construction of at least a $27 million project, then the entire amount requested by the Agency, to wit, $22,300,000 is justified.

Regardless of the outcome of the vote on the pending motion, I intend to request a thoroughgoing investigation of this whole situation by the investigations staff of the House Appropriations Committee.

Finally, I suggest to Ambassador Allen that he take the United States Information Agency people, who are lobbying like demons for bigger USIA appropriations and this very item, off Capitol Hill at the first moment. There are entirely too many USIA lobbyists whose large salaries are paid with taxpayers' money whose only job seems to me to be to get bigger and greater appropriations for the Agency. I am reliably informed that in the past number of days the Secretary of the Interior has personally called almost all the Members on the other side of the aisle lobbying for passage of the minerals subsidy pilferage of the taxpayers' pockets. Is not there someone who has the ear of the President of the United States to inform him as to what is going on in the premises?

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 172, not voting 67, as follows:

[Roll No. 184]

YEAS—190

Adair	Dorn, N. Y.	Mumma
Addonizio	Durham	Neal
Allen, Calif.	Dwyer	Nimtz
Allen, Ill.	Farbstein	Nix
Anfuso	Fenton	O'Brien, N. Y.
Arends	Fino	O'Hara, Ill.
Ashley	Ford	Osmers
Auchincloss	Fulton	Ostertag
Avery	George	Patterson
Ayres	Glenn	Pelly.
Baldwin	Granahan	Price
Barden	Green, Pa.	Quie
Barrett	Griffin	Ray
Bass, N. H.	Griffiths	Reece, Tenn.
Bates	Gubser	Reed
Becker	Gwinn	Rees, Kans.
Belcher	Hagen	Reuss
Betts	Halleck	Rhodes, Ariz.
Blatnik	Harden	Rhodes, Pa.
Bolling	Harvey	Riehlman
Bolton	Haskell	Roberts
Bonner	Hays, Ark.	Robison, N. Y.
Bosch	Hays, Ohio	Robsion, Ky.
Bow	Heselton	Rodino
Boyle	Hess	Rogers, Colo.
Bray	Hiestand	Rogers, Mass.
Broomfield	Hill	Sadlak
Brown, Ohio	Holifield	Saund
Broyhill	Holmes	Saylor
Bush	Holt	Schenck
Byrd	Holtzman	Schwengel
Byrne, Pa.	Horan	Scott, N. C.
Canfield	Hyde	Scudder
Carnahan	Jensen	Seely-Brown
Carrigg	Judd	Selden
Cederberg	Karsten	Simpson, Pa.
Chamberlain	Kean	Sisk
Chenoweth	Kearns	Smith, Kans.
Chiperfield	Keating	Smith, Miss.
Christopher	Kelly, N. Y.	Springer
Church	Knox	Staggers
Clark	Knutson	Stauffer
Cooley	Lafore	Taber
Corbett	Laird	Talle
Cramer	Latham	Teague, Calif.
Cretella	Lennon	Tewes
Cunningham, Iowa	Lesinski	Thompson, N. J.
Cunningham, Nebr.	McDonough	Thomson, Wyo.
Curtin	McGovern	Tollefson
Curtis, Mass.	McGregor	Trimble
Curtis, Mo.	McIntosh	Udall
Dague	Machrowicz	Ullman
Dawson, Utah	Mailliard	Van Zandt
Delaney	Martin	Vorys
Dellay	May	Vursell
Dennison	Merrow	Westland
Dent	Michel	Whitener
Devereux	Miller, Md.	Widnall
Diggs	Miller, Nebr.	Wigglesworth
Dixon	Moore	Withrow
Dollinger	Morano	Wolverton
Dooley	Morgan	Younger
	Moss	Zablocki
	Moulder	Zelenko

NAYS—172

Abbitt	Brooks, Tex.	Edmondson
Abernethy	Brown, Ga.	Elliott
Albert	Brown, Mo.	Everett
Alexander	Budge	Evins
Alger	Burleson	Fallon
Andersen, H. Carl	Byrne, Ill.	Fascell
Andrews	Byrnes, Wis.	Feighan
Ashmore	Cannon	Fisher
Aspinall	Celler	Flood
Bailey	Chelf	Flynt
Baring	Coad	Fogarty
Bass, Tenn.	Collier	Forand
Beckworth	Davis, Ga.	Forrester
Bennett, Fla.	Davis, Tenn.	Fountain
Bennett, Mich.	Dawson, Ill.	Frazier
Berry	Denton	Garmatz
Blitch	Dingell	Gary
Boggs	Donohue	Gathings
Boland	Dorn, S. C.	Gavin
Breeding	Dowdy	Grant
	Eberharter	Gray

Green, Oreg.	McMillan	Robeson, Va.
Gross	Mack, Ill.	Rogers, Fla.
Haley	Mack, Wash.	Rogers, Tex.
Hardy	Madden	Rooney
Harris	Magnuson	Roosevelt
Harrison, Va.	Mahon	Rutherford
Healey	Marshall	Santangelo
Hemphill	Matthews	Scherer
Herlong	Meader	Scrivner
Hoeven	Metcalf	Shelley
Holland	Mills	Sheppard
Huddleston	Mitchell	Sikes
Hull	Montoya	Siler
Ikard	Morris	Simpson, Ill.
Jackson	Multer	Smith, Calif.
Jarman	Murray	Smith, Va
Jennings	Natcher	Steed
Johansen	Nicholson	Sullivan
Johnson	Norblad	Teller
Jonas	Norrell	Thomas
Jones, Ala.	O'Brien, Ill.	Thompson, Tex.
Kee	O'Hara, Minn.	Thornberry
Keogh	O'Konski	Tuck
Kilday	O'Neill	Van Pelt
Kilgore	Passman	Vinson
King	Patman	Walter
Kirwan	Perkins	Watts
Kitchin	Pfost	Weaver
Kluczynski	Philbin	Wharton
Kruger	Pillion	Whitten
Landrum	Poage	Wier
Lane	Poff	Williams, Miss.
Lankford	Polk	Willis
Libonati	Porter	Wilson, Ind.
Lipscomb	Rabaut	Wright
Loser	Riley	Yates
McFall	Rivers	

NOT VOTING—67

Anderson, Mont.	Hale	Pilcher
Baker	Harrison, Nebr.	Powell
Baumhart	Hébert	Preston
Beamer	Henderson	Prouty
Bentley	Hillings	Radwan
Boykin	Hoffman	Rains
Brooks, La.	Hosmer	St. George
Brownson	James	Scott, Pa.
Buckley	Jenkins	Sheehan
Burdick	Jones, Mo.	Shuford
Clevenger	Kearney	Sieminski
Coffin	Kilburn	Spence
Colmer	LeCompte	Taylor
Coudert	McCarthy	Teague, Tex.
Derounian	McCormack	Thompson, La.
Dies	McCulloch	Utt
Doyle	McIntire	Vanik
Engle	Macdonald	Wainwright
Frelinghuysen	Mason	Williams, N. Y.
Friedel	Miller, Calif.	Wilson, Calif.
Gordon	Miller, N. Y.	Winstead
Gregory	Minshall	Young
	Morrison	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Frelinghuysen for, with Mr. Hébert against.

Mr. Wainwright for, with Mr. Buckley against.

Mr. James for, with Mr. Thompson of Louisiana against.

Mr. Derounian for, with Mr. Morrison against.

Mr. Taylor for, with Mr. Colmer against.

Mr. Miller of New York for, with Mr. Winstead against.

Mr. Williams of New York for, with Mr. Friedel against.

Mr. Sieminski for, with Mr. Vanik against.

Mr. McCarthy for, with Mr. Engle against.

Mr. Bentley for, with Mr. Pilcher against.

Mr. Hillings for, with Mr. Preston against.

Mr. Coudert for, with Mr. Doyle against.

Mrs. St. George for, with Mr. Miller of California against.

Mr. Hosmer for, with Mr. Young against.

Mr. Scott of Pennsylvania for, with Mr. Rains against.

Mr. Baker for, with Mr. Gordon against.

Mr. Wilson of California for, with Mr. Boykin against.

Mr. Kearney for, with Mr. Macdonald against.

Mr. Kilburn for, with Mr. Teague of Texas against.

Mr. Minshall for, with Mr. Anderson of Montana against.

Mr. Burdick for, with Mr. Coffin against.

Until further notice:

Mr. Dies with Mr. Baumhart.

Mr. Brooks of Louisiana with Mr. Beamer.

Mr. Gregory with Mr. Sheehan.

Mr. Shuford with Mr. McCulloch.

Mr. Spence with Mr. Utt.

Messrs. DURHAM, McGOVERN, CUNNINGHAM of Nebraska, McDONOUGH, CUNNINGHAM of Iowa, DORN of New York, ALLEN of Illinois, MILLER of Nebraska, REECE of Tennessee, and RHODES of Pennsylvania changed their vote from "nay" to "yea."

Messrs. CELLER, HEALEY, MULTER, METCALF, and SMITH of Virginia changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment No. 112.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 114: Page 45, line 1, insert:

"Payment to informational media guaranty fund

"For payment to the 'Informational media guaranty fund', for partial restoration of realised impairment to the capital used in carrying on the authority to make informational media guaranties, as provided in section 1011 of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1442), $5,000,000."

Mr. CANNON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

AGREEMENT BETWEEN UNITED STATES AND EURATOM

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (S. Con. Res. 116) to approve agreement between the Government of the United States and the European Atomic Energy Community—Euratom—concerning cooperation to advance the peaceful application of atomic energy.

The Clerk read the concurrent resolution, as follows:

Whereas the United States of America has instituted a program of international cooperation to make available to cooperating nations the benefits of peaceful applications of atomic energy; and

Whereas the United States of America and the European Atomic Energy Community (Euratom) have entered into an agreement providing for cooperation in programs designed to advance the peaceful application of atomic energy: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That pursuant to the provisions of sections 11 (1) and 124 of the Atomic Energy Act of 1954, as amended, the agreement between the Government of the United States of America and the European Atomic Energy Community (EURATOM), signed at Brussels on May 29, 1958, and at Washington on June 19, 1958, concerning cooperation between the parties in programs for the advancement of the peaceful application of atomic energy, be and hereby is approved. This resolution does not constitute approval or disapproval of the memorandum of understanding, or any other agreements which have not been formally approved or authorized by the Congress.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The concurrent resolution was concurred in, and a motion to reconsider was laid on the table.

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, House Concurrent Resolution 376 and its companion, Senate Concurrent Resolution 116, in accordance with the requirements of the Atomic Energy Act of 1954, provide for Congressional approval of the international agreement establishing a United States-Euratom cooperation program signed at Brussels on May 29, 1958, and in Washington on June 19, 1958. These resolutions specifically provide that they do not constitute approval or disapproval of what is designated as the memorandum of understanding or any other agreements which have not been formally approved or authorized by Congress.

The European Atomic Energy Community, shortened to Euratom, was established in 1957 by Belgium, Germany, France, Italy, Luxembourg, and the Netherlands. Its aim is to bring those countries together in a cooperative effort toward the speedy establishment and growth of nuclear industries. More particularly, it is vitally interested in getting an atomic-electric power industry going in Europe to supplement dwindling conventional power sources on the Continent and eventually to relieve Europe of the vicissitudes of reliance on Mid-East and other oil imports to fuel substantial portions of its domestic and industrial electricity capacity.

Euratom is roughly similar to the European Iron and Steel Community which has been operating successfully in connection with these ferrous metals. It is not a superstate, but it is more than a mere treaty between the nations involved.

The international agreement these resolutions seek to approve is a rather short document, merely reciting that the parties will cooperate in programs for the advancement of the peaceful applications of atomic energy. It says that such cooperation will be undertaken from time to time pursuant to such terms and conditions as may be agreed and shall be subject to all provisions of law applicable to the parties to it. Specifically, it recites that any cooperation undertaken by the United States will be done only pursuant to an agreement for cooperation entered into pursuant to section 123 of the Atomic Energy Act of 1954.

To spell this out then, what these resolutions seek to approve is merely the international agreement. The international agreement, in turn, is a somewhat loose declaration that the parties will cooperate on peaceful applications of atomic energy in ways that will be agreed upon later. Such later agreements would, insofar as our Government is concerned, be wrapped up in what section 123 of our Atomic Energy Act calls an "agreement for cooperation." As such, it could not be executed unless the President determines in writing that it "will promote and will not constitute an unreasonable risk to the common defense and security." Nor can it go into effect until it has been before the Joint Committee on Atomic Energy for 30 days, during which it will be examined and if found wanting in any respect be subject to the Joint Committee's disapproval.

Now, when the Joint Committee received the international agreement, it also received a lengthy proposed draft of an agreement for cooperation to follow it up. This proposal recites a number of whereases and contains 16 detailed articles. Appended to it were a number of annexes and memoranda of understanding going into further detail on numerous financial and technical points. I emphasize that this was only a proposed draft, the draft of the proposed agreement for cooperation was not signed, only initialed.

These documents were presented along with the international agreement for three principal reasons. First, to give the Congress a context in which to evaluate the international agreement. Second, to initiate discussion between the executive and legislative branches directed eventually at achieving mutual approval of text for an agreement for cooperation. Third, to obtain legislative authorization during this session of Congress of basic first steps of the contemplated cooperation.

The latter are embodied in S. 4273 passed by the other body yesterday and its companion H. R. 13749 to be before us later today.

It was not deemed feasible at this late time in the session to fully evaluate the draft proposal of any agreement for cooperation. That is why the resolution before us now specifically sets forth that it does not constitute an approval or disapproval of the memoranda of understanding or the draft agreement for cooperation. These matters will be gone into by the Joint Committee thoroughly next year. Meanwhile, however, as I mentioned, certain basic first steps which the Joint Committee felt necessary for the purposes of later cooperation, and desirable from the standpoint of our international relations, will be before us shortly in the form of H. R. 13749.

After careful consideration of these proposals over a long period of hearings by the Joint Committee, I am satisfied they are in the best interests of the United States of America, am supporting them, and urge this body to enact both House Concurrent Resolution 376, before us now, approving the international agreement, and H. R. 13749 which will come up shortly to authorize initial steps in our cooperation with Euratom.

Mr. PATTERSON. Mr. Speaker, House Concurrent Resolution 376 is merely a concurrent resolution by the two Houses of Congress that the agreement between the Government of the United States and the European Atomic Energy Community, known as Euratom, is approved.

The text of the agreement recommended to be approved is set forth at pages 2 and 3 of the Joint Committee report on this resolution. The agreement is merely a general statement that the parties will cooperate in programs for the advancement of the peaceful applications of atomic energy. Moreover, the agreement, in article I states:

Specifically it is understood that under existing law the cooperation extended by the Government of the United States of America will be undertaken pursuant to an Agreement for Cooperation entered into in accordance with section 123 of the Atomic Energy Act of 1954, as amended.

Therefore, as further cooperation is undertaken, necessary authorization and appropriations must be obtained from the Congress of the United States.

Mr. Speaker, I believe that the House should approve the concurrent resolution as the first step in a program of cooperation to advance the peaceful uses of atomic energy which should be of great benefit both to the Western European countries and also to the United States. It will provide orders for United States manufacturers to sell our types of reactors, and will also represent a step forward in developing the peaceful uses of atomic energy.

Mr. Speaker, I urge all Members of the House to vote for approval of House Concurrent Resolution 376.

COOPERATION WITH EUROPEAN ATOMIC ENERGY COMMUNITY

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4273) to provide for cooperation with the European Atomic Energy Community.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Euratom Cooperation Act of 1958."

SEC. 2. As used in this act—

(a) "The Community" means the European Atomic Energy Community (Euratom).

(b) The "Commission" means the Atomic Energy Commission, as established by the Atomic Energy Act of 1954, as amended.

(c) "Joint program" means the cooperative program established by the Community and the United States and carried out in accordance with the provisions of an agreement for cooperation entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, to bring into operation in the territory of the members of the Community powerplants using nuclear reactors of types selected by the Commission and the Community, having as a goal a total installed capacity of approximately 1 million kilowatts of electricity by December 31, 1963, except that 2 reactors may be selected to be in operation by December 31, 1965.

(d) All other terms used in this act shall have the same meaning as terms described in section 11 of the Atomic Energy Act of 1954, as amended.

SEC. 3. There is hereby authorized to be appropriated to the Commission, in accordance with the provisions of section 261 (a) (2) of the Atomic Energy Act of 1954, as amended, the sum of $3 million as an initial authorization for fiscal year 1959 for use in a cooperative program of research and development in connection with the types of reactors selected by the Commission and the Community under the joint program. The Commission may enter into contracts for such periods as it deems necessary, but in no event to exceed 5 years, for the purpose of conducting the research and development program authorized by this section: *Provided*, That the Community authorizes an equivalent amount for use in the cooperative program of research and development.

SEC. 4. The Commission is authorized, within limits of amounts which may hereafter be authorized to be appropriated in accordance with the provisions of section 261 (a) (2) of the Atomic Energy Act of 1954, as amended, to make guaranty contracts which shall in the aggregate not exceed a total contingent liability of $90 million designed to assure that the charges to an operator of a reactor constructed under the joint program for fabricating, processing, and transporting fuel will be no greater than would result under the fuel fabricating and fuel life guaranties which the Commission shall establish for such reactor. Within the limits of such amounts, the Commission is authorized to make contracts under this section, without regard to the provisions of sections 3679 and 3709 of the Revised Statutes, as amended, for such periods of time as it determines to be necessary: *Provided, however*, That no such contracts may extend for a period longer than that necessary to cover fuel loaded into a reactor constructed under the joint program during the first 10 years of the reactor operation or prior to December 31, 1973 (or December 31, 1975, for not more than 2 reactors selected under section 2 (c)), whichever is earlier. In establishing criteria for the selection of projects and in entering into such guaranty contracts, the Commission shall be guided by, but not limited to, the following principles:

(a) The Commission shall encourage a strong and competitive atomic equipment manufacturing industry in the United States designed to provide diversified sources of supply for reactor parts and reactor fuel elements under the joint program;

(b) The guaranty shall be consistent with the provisions of this act and of attachment A to the memorandum of understanding between the Government of the United States and the Community, signed in Brussels on May 29, 1958, and in Washington, D. C., on June 12, 1958, and transmitted to Congress on June 23, 1958;

(c) The Commission shall establish and publish minimum levels of fuel element cost and life to be guaranteed by the manufacturer as a basis for inviting and evaluating proposals;

(d) The guaranty by the manufacturer shall be as favorable as any other guaranty offered by the manufacturer for any comparable fuel element within a reasonable time period; and

(e) The Commission shall obtain a royalty-free, nonexclusive, irrevocable license for governmental purposes to any patents on inventions or discoveries made or conceived by the manufacturer in the course of development or fabrication of fuel elements during the period covered by the Commission's guaranty.

SEC. 5. Pursuant to the provisions of section 54 of the Atomic Energy Act of 1954, as amended, there is hereby authorized for sale or lease to the Community:

Thirty thousand kilograms of contained uranium 235

One kilogram of plutonium

in accordance with the provisions of an agreement for cooperation between the Government of the United States and the Community entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided*, That the Government of the United States obtains the equivalent of a first lien on any such material sold to the Community for which payment is not made in full at the time of transfer.

Sec. 6. (a) The Atomic Energy Commission is authorized to purchase or otherwise acquire from the Community special nuclear material or any interest therein from reactors constructed under the joint program in accordance with the terms of an agreement for cooperation entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided*, That neither plutonium nor uranium 233 nor any interest therein shall be acquired under this section in excess of the total quantities authorized by law. The Commission is hereby authorized to acquire from the Community pursuant to this section up to 4,100 kilograms of plutonium for use only for peaceful purposes.

(b) Any contract made under the provisions of this section to acquire plutonium or any interest therein may be at such prices and for such period of time as the Commission may deem necessary: *Provided*, That with respect to plutonium produced in any reactor constructed under the joint program, no such contract shall be for a period greater than 10 years of operation of such reactors or December 31, 1973 (or December 31, 1975, for not more than 2 reactors selected under section 2 (c)), whichever is earlier: *And provided further*, That no such contract shall provide for compensation or the payment of a purchase price in excess of the Commission's established price in effect at the time of delivery to the Commission for such material as fuel in a nuclear reactor.

(c) Any contract made under the provisions of this section to acquire uranium enriched in the isotope uranium 235 may be at such price and for such period of time as the Commission may deem necessary: *Provided*, That no such contract shall be for a period of time extending beyond the terminal date of the agreement for cooperation with the Community or provide for the acquisition of uranium enriched in the isotope U–235 in excess of the quantities of such material that have been distributed to the Community by the Commission less the quantity consumed in the nuclear reactors involved in the joint program: *And provided further*, That no such contract shall provide for compensation or the payment of a purchase price in excess of the Atomic Energy Commission's established charges for such material in effect at the time delivery is made to the Commission.

(d) Any contract made under this section for the purchase of special nuclear material or any interest therein may be made without regard to the provisions of section 3679 of the Revised Statutes, as amended.

(e) Any contract made under this section may be made without regard to section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable.

Sec. 7. The Government of the United States of America shall not be liable for any damages or third party liability arising out of or resulting from the joint program: *Provided, however*, That nothing in this section shall deprive any person of any rights under section 170 of the Atomic Energy Act of 1954, as amended. The Government of the United States shall take such steps as may be necessary, including appropriate disclaimer or indemnity arrangements, in order to carry out the provisions of this section.

The bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

Mr. DURHAM. Mr. Speaker, House Concurrent Resolution 376 (S. Con. Res. 116) is a concurrent resolution to approve the agreement between the Government of the United States of America and the European Atomic Energy Community—referred to as Euratom—which has been signed and submitted to the Congress in accordance with the requirements of sections 11 (1) and 124 of the Atomic Energy Act of 1954.

H. R. 13749—S. 4273—is a bill to provide for the first step in this cooperation. It allows the program to get started, but further implementation can be carried out only after further authorization from the Congress.

This bill authorizes to be appropriated $3 million for use in the cooperative research and development program, to be matched by an equivalent amount by the Euratom countries.

This bill also provides in section 4 for a guarantee program whereby the Commission will back up guaranties on fuel elements costs and performance made by United States of America manufacturers to the Euratom customers. Through this means United States of America manufactureres will get orders, and the Euratom user will receive a guaranty as to the cost and performance of the fuel element. The maximum contingent liability as provided in the bill for this guaranty program will be $90 million and if the United States of America manufacturers can make good guaranties, the cost to the Commission will be much less. In all cases, the Commission will require a guaranty by the United States of America manufacturer, and the Commission's guaranty will be only a backup, or supplemental, guaranty.

I would like to make one thing clear about this guaranty program in section 4 of the bill and that is this:

Section 4 authorizes no funds at this time, and funds will be authorized only after submission to the Joint Committee of more information as to each proposed contract, and further authorization by the Congress.

The remaining sections of the bill provide for sale of fuel—section 5, for acquisition of special nuclear material—section 6, and a provision that the Government of the United States shall not be liable for any damage or third party liability—section 7. These provisions have been closely scrutinized by the Joint Committee and are considered essential or desirable to carry out this worthwhile program.

The goal of the Euratom countries is to bring into operation atomic-power reactors of United States types of a million kilowatts in operation by 1963. The Joint Committee provided in the bill for a permissive modification of this goal so that two reactors might be brought into operation by December 31, 1965, if, in the combined technical judgment of the Commission and the Community, such a change would be desirable.

Mr. Speaker, the Joint Committee on Atomic Energy carefully scrutinized every provision in the original recommended bill, and made a number of important changes. These were done, with the concurrence of the executive branch, in order to provide authorization for what is needed right now, but nothing more than that. Further authorization and appropriations must be obtained from the Congress as particular projects are firmed up in the program.

In closing, Mr. Speaker, I would like to quote from the final paragraph of the comments of the Joint Committee as set forth in the committee's report:

6. Conclusion: The Joint Committee, after many days and hours of testimony and consideration of the program, reached agreement on the language of a bill to provide for the initial stages of cooperation with Euratom. The Joint Committee believes that implementation of this program will constitute an important step forward both in our foreign policy and in the development of the peaceful uses of atomic energy.

This program will provide for close cooperation with Euratom, will cost the United States taxpayers comparatively little, and will assist our own manufacturers.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SUMMARY OF GUARANTY PROGRAM UNDER SECTION 4 OF THE BILL

Mr. VAN ZANDT. Mr. Speaker, section 4 authorizes the Commission, within limits of amounts hereafter authorized, to make guaranty contracts which shall in the aggregate not exceed a total contingent liability of $90 million, designed to assure that the charges to a Euratom operator will be no greater than charges which would result under guaranties established by the Commission. For reactors in this program the Commission has established the following guaranties:

Fuel life or performance: 10,000 megawatt days per ton—for stainless steel or zirconium clad elements.

Fuel fabrication cost: $100 per kilogram of contained uranium—for fuel elements using stainless steel cladding—or $140 per kilogram of contained uranium—for fuel elements using zirconium cladding. See attachment A to memo of understanding, page 19 of Joint Committee print.

The maximum contingent liability which the Commission may assume under section 4 of the bill is $90 million. As indicated at pages 467–469 of part II of the hearings, this maximum figure was calculated on the basis of a manufacturer's guaranty as to performance of 7,000 megawatt days per ton; and a manufacturer's guaranty as to fuel element fabrication costs of $120—stainless steel cladding—or $150—zirconium cladding. For example, if the manufacturer guarantees 7,000 megawatt days, the Commission's contingent liability would apply to only 3,000 megawatt days.

If the United States of America manufacturers are able to make better guaranties as to fuel element life and cost than those in the above paragraph upon which the calculations were based, the Commission's contingent liability will be correspondingly reduced below the $90 million figure. Many experts feel, especially as to fuel element life, that the manufacturers will be able to obtain better than 7,000 megawatt days, and hence that the Commission's contingent liability will be correspondingly reduced.

Further details on the operation of the guaranty are set out at page 240 of the hearings.

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, the bill before us, H. R. 13749, is a clean bill, altering in many respects the original AEC proposed bill initiating our program of cooperation with Euratom. The measure ties future control of any such cooperative program to Congress and gives us ample opportunity, step by step, to see where we are going in this direction, and, if circumstances warrant, either go ahead, change course, or stop.

The overall goal of the United States-Euratom program is the construction by 1963 of some five full-scale American-type atomic plants in the Euratom countries, or some of them at least. These countries include Belgium, West Germany, France, Italy, Luxembourg and the Netherlands.

These plants would have an aggregate capacity of about 1 million electric kilowatts, and would cost an estimated $350 million. Euratom proposes to finance the venture with $150 million from the utility companies building the plants, which represents the cost of building conventionally fueled plants of equivalent kilowatt capacity, by an Export-Import bank loan of $135 million, and a European bank loan of the balance of $65 million. The United States would contribute $50 million on a matching basis for research and development work over a 5-year period, subject to an extension of the program for 5 years on the same basis; guarantee fuel performance costs under a contingent liability up to $90 million; and sell Euratom 30,000 kilograms of U–235 under a long term arrangement.

Now to discuss these United States commitments authorized by this bill. The bill authorizes expenditure of $3 million in the current fiscal year, providing Euratom puts up an equivalent amount, for cooperative research and development work aimed at perfecting fuel elements and other portions of the reactors that will be built under the program. I would not say that this specific work would not be done by the Atomic Energy Commission anyway, but it is the general type of thing AEC aims at, so it is inevitable that the results of the program will not only relieve other budget accounts of at least a portion of their responsibilities in this regard, but they will also enhance our own techniques in the production of nuclear electricity.

The bill authorizes AEC to negotiate what are actually United States Government guaranties that the reactor fuel elements will produce a certain minimum amount of heat and will not cost more than a certain maximum amount. What this provision amounts to can best be explained by comparing it with automobile liability insurance. If you get into an automobile accident and the other fellow gets a judgment against you, the insurance company pays the judgment up to the limits of your policy. If you do not get into an accident, the insurance company pays out nothing and keeps your premiums.

So in this instance, if the fuel elements produce the minimum amount of heat and they are sold to Euratom for not more than a certain amount of money, the United States Government pays out nothing. If these specifications are not met, then the Government is liable, but only if the manufacturer's individual guaranty on these products does not satisfy the deficiency. The total amount of contingent liability which can be incurred is $90 million—if everything goes wrong, which is highly unlikely. Further than that, no contract for any part of the total may be signed until authorization and appropriation authority is later granted by this Congress.

Although some may differ with me, I have sufficient confidence in the abilities of our scientists and engineers to believe they will produce fuel elements that not only meet, but exceed the specifications, and that we may be called upon to pony up under the guaranties only in those rare instances where some highly unusual and unexpected difficulty is encountered. The reactors called for by this program are not experimental in nature, but types which are proven at the time the go-ahead is given on them. Looking back over the progress of the last 5 years in reactor technology, and realizing that we now look ahead from a much firmer and broader base of knowledge. I cannot help but feel confident these guaranties will not prove difficult for us. Yet, I can, putting myself in the position of the purchasers of these reactors, see why they would be adamant about committing themselves to the program without them.

Before leaving the subject, and for those technically inclined, I will explain that the bill incorporates by reference attachment A of the memorandum of understanding between the United States and the Euratom people which provides a guaranty of fuel elements in water reactors at an average irradiation level of 10,000 megawatt days per metric ton of contained uranium. It also provides the maximum charge for fuel elements of certain dimensions with stainless steel cladding of not over $100 per kilogram of contained uranium, and the maximum charge for similar fuel elements clad with zirconium of not over $140 a kilogram. Provision is made for the adjustment of charges having different claddings, dimensions, or uranium enrichment.

The bill authorizes the AEC to sell or lease 30,000 kilograms—roughly 75,000 pounds—of U–235 to Euratom. The plan is to sell an initial reactor inventory of 9,000 kilograms on a 10–20 year deferred payment basis with interest at 4 percent, with payment for the remaining 21,000 kilograms to be made "cash on the barrelhead" at time of transfer. To protect United States interest in the inventory, the bill provides that we shall have the equivalent of a first lien on the material.

Now somebody is going to ask how much that U–235 is going to cost, so I might as well say now that the figure is indeterminate until specifications of the fuel elements are made. This U–235 isotope constitutes up about one one-hundred-fortieth of the atoms of uranium. Practically all the rest are U–238. The uranium in these reactors will contain a greater percentage of the U–235 isotope, or will be what is known as enriched uranium. The degree of enrichment determines the cost. So although the enriched uranium will [illegible] the reactors will contain in all [illegible] kilograms of the U–235 isotope, the specific degree of enrichment will determine not only how much total uranium is involved, but also the aggregate price. The greater the degree of enrichment, the greater the price. So it ends up with the apparent anomaly that the less uranium we sell them, the more it will cost because it will contain a greater percentage of precious U–235.

Whatever this price is, it will be the same as we will sell to domestic users. I hope I made my discussion of the fuel guaranties sufficiently clear to make it apparent that this price has a bearing on the guaranties, since the guaranties involve maximum costs of the fuel elements based on their amount of contained uranium.

Another provision of the bill deals with the plutonium that is created as a by-product of operating the reactors. As you know, the fission process involves the release of neutrons which in some instances act to transmute U–238 into Pu–239, or plutonium. Buy-back provisions permit the AEC to acquire up to 4,100 kilograms of such plutonium produced by the program reactors.

In original drafts the bill provided only that proven type reactors could be considered in the program. This was a little indefinite as to whether the reactors had to be proven at the time we passed the legislation, or at the time the reactors were contracted for. The bill before us eliminates that ambiguity. As a byproduct of so doing, the target operational date for not more than two reactors was extended from 1963 to 1965. Such rapid progress is being made in the reactor art that it was felt undesirable to freeze for consideration only those types that are proven as of today. Also, such freezing would, as a practical matter, limit the firms eligible to furnish reactors to 2, or 3 at the most, depending on how you define proven.

In considering this legislation the Congress should be under no delusion that it will capture the entire European reactors market for United States suppliers. Although there are some that will disagree with me, it is my personal feeling that the bill goes no farther than making us

competitive in this market with the British. The British atomics industry can be loosely described as a government monopoly. They give fuel guaranties and other incentives that would prevent us from competing in the European market at all without such legislation as this before us today. Euratom is, in fact, also dickering with the British for some of their reactors.

Nor should any inference be drawn from this legislation that we will not be carrying on our own continued and considerable research and development in the reactor arts. I mentioned that the research and development features of this program might relieve a portion of other budget accounts of some of their responsibilities, but I meant it only in the context that such relief would permit research and development along other important lines. We have reiterated time and again by statute and otherwise our belief that early attainment of economically feasible nuclear electricity is a major national objective. If we adhere to that belief it means not a slackening of effort, but the seizing upon every opportunity to forward it.

The bill provides, with respect to patents on inventions or discoveries made by the manufacturer while the fuel element guaranties are in effect, that the Government shall obtain a royalty-free, nonexclusive, irrevocable license for governmental purposes. In my own personal view, unless the Government is going into the business of producing nuclear electricity for sale, this provision is rather meaningless. However, it may be that patents on devices that are applicable to other governmental purposes, and also with respect to naval nuclear propulsion, might possibly be obtained and thus give the provision some meaning. At least, if it does not do us any good, it will not hurt us any.

The bill has provision that the United States Government is held immune for any damages or third-party liability arising from the joint program which are in the nature of a tort. The provision is so written that it does not deprive any one of his indemnity protection under terms of the Price-Anderson Act. This means essentially that while reactor components are being manufactured in the United States, say, that people would be protected from any incident to the extent that the Price-Anderson Act stipulates.

I believe the passage of this bill represents the minimum we must do in order to maintain the concept of cooperation in the field of peaceful atomic uses. As a Nation we have harped on this subject for a number of years. It seems to me we are now at the put up or shut up stage. The bill is so written that Congress will keep a fairly rigorous eye on and control over the future of this cooperation with Euratom, thus we do not write a blank check by approving it.

I recommend favorable action on the bill.

Mr. PATTERSON. Mr. Speaker, I rise in support of H. R. 13749, a bill to provide for cooperation with the European Atomic Energy Community—Euratom—to develop the peaceful uses of atomic energy.

The Joint Committee on Atomic Energy, of which I am privileged to be a member, spent many hours of work and conscientious study on this bill. As carefully drafted by the Joint Committee, it permits the program to get started, but only authorizes to be appropriated $3 million at the present time, and requires the Atomic Energy Commission to return to the Joint Committee and the Congress before receiving additional authorization for appropriation. As drafted, this bill will permit the appropriate agencies of the United States Government to proceed with the Euratom countries, and lay the groundwork for the program, and return to the Congress and explain it in more detail next session, and request authorization and appropriations at that time.

As for the $3 million authorized in this bill for a cooperative program of research and development, there is a proviso that this $3 million must be matched by the Euratom countries, and it is intended that all future amounts will also be matched, dollar for dollar, by the Euratom countries. This research and development money will then be used to improve fuel elements of United States type reactors and should result in tremendous benefits, both direct and indirect, to USA manufacturers. More importantly, this cooperative research and development program will help advance the leadership of the United States of America in developing the peaceful uses of atomic energy.

Section 4 of the bill provides the framework of a guaranty program which is essential because of the uncertainty of nuclear fuel element fabrication costs and performance at this time. No funds are authorized in section 4 of the bill, and authority is given only to lay the groundwork and to return to the Congress for specific authorizations and appropriations as each project is more specifically described in the future. This guaranty will be used by the Commission to back up and supplement guaranties offered by United States manufacturers in selling their products to Euratom customers. The guaranty is to us of direct benefit to United States manufacturers in allowing them to make sales of fuel elements at this time.

As I stated earlier, no funds are authorized at this time, and subsequent authorizations and appropriations must be obtained. However, the Atomic Energy Commission witnesses—who did an excellent job in presenting this complex subject to the Joint Committee—have testified that the maximum contingent liability to the Government will be no more than $90 million, and this amount is provided in the bill as a limit or ceiling of maximum contingent liability.

I would like to emphasize that nothing is authorized in section 4 of the bill at this time, and that future authorizations and appropriations must be obtained. Also, the $90 million is only a maximum contingent liability figure, and it is possible that the funds actually expended by the Commission in its guaranty will be considerably less than this maximum possible contingent liability.

Mr. Speaker, cooperation with Euratom will help advance our atomic equipment manufacturing industry, and will add to United States prestige and leadership in this field. It will also provide for increased ties of economic and political cooperation with our closest Western European allies. The members of the Joint Committee have considered this program carefully and in great detail. We believe that it is a good program, and that this bill provides a good first step without going too far, and I join my colleagues of the Joint Committee in urging the House to approve H. R. 13749.

TO AMEND CHAPTER 223 OF TITLE 18, UNITED STATES CODE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. DAVIS of Georgia. Mr. Speaker, I object.

STABILIZING PRODUCTION OF CERTAIN MINERALS

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 4036, with Mr. EVINS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Texas [Mr. ROGERS] had 40 minutes remaining, and the gentleman from Nebraska [Mr. MILLER] had 36 minutes remaining. The gentleman from New York [Mr. PILLION] had been recognized for 6 minutes and had consumed 2 minutes of his time. The Chair recognizes the gentleman from New York [Mr. PILLION].

Mr. PILLION. Mr. Chairman, this program is a hodgepodge of contradictory economic errors.

It will repeat all of the economic errors that we have committed in dealing with agricultural surpluses and add a few more errors.

The advocates of this bill say they have unemployment in their mining districts but also state that this bill is not intended to relieve unemployment.

This bill adopts the much ridiculed theory of granting Federal funds to corporations on the theory that some small fraction of it will trickle down to relieve unemployment.

There are probably no more than 10,000 unemployed in the mining industry. The Nation has a total of 5 million unemployed. There are hundreds of thousands unemployed in the auto, coal, steel, and railroad industries alone.

Why should this small segment of the mining industry be selected for this colossal costly preferential treatment? How can we refuse to extend this same program of fixed prices and subsidy payments to thousands of other manufacturers and industries?

It is claimed that this bill will permit some marginal mines to remain open. But, the relief is not limited to the marginal producers. The bulk of this relief will go to a few highly prosperous mining and refining corporations.

Let us take a look at the tungsten market for an example of what this bill does.

We now have enough tungsten in our stockpiles to meet our needs for anywhere from 19 to 26 years.

The tungsten subsidy stockpile program has been a scandalous waste of tax money. The tungsten corporations have been selling second-grade inferior ores to the Federal Government at a price of between $55 to $65 a ton. This price is about $20 a ton above market price.

The same corporations who were selling to the Federal Government were importing and using first-grade foreign tungsten at a price of $35 a ton. This bill sets a fictitious subsidy of $53 a ton. Both the State Department and the Department of the Interior recommended only $48 a ton.

There have been some vague statements made here about giving relief to the mining corporations?

Let us see if they need relief.

I have here a copy of the July edition of Fortune magazine. This edition analyzes the profits for the year 1957 of the largest 500 corporations of this country.

Here are some facts taken from this analysis:

The average percentage profit of these 500 corporations based on sales was 5.6 percent.

The average percentage profit of the mining corporations was 11 percent.

This is nearly double that of the average corporation.

The average percentage profit of these 500 corporations on their investment capital was 11.4 percent.

The average percentage profit of the mining companies on invested capital was 12.8 percent.

The return and profit on investment capital for the Kennecott Copper Corp. was $2.4 percent.

The profit on investment capital for the National Lead & Zinc Co. was 20.3 percent.

These figures do not indicate any depressed financial condition in the mining industry.

There is some truth to the statement made here that it is expensive to reopen a mine if it is once closed down.

That is true, but the expense of reopening all the marginal mines would probably be less than $20 million against the cost of somewhere between $500 million and $650 million for this program. In addition, we would be conserving there ores in the ground, instead of wasting them now when they are a glut on the market.

Now, Mr. Chairman, we should, in prudence, and in good conscience, relate this bill to our overall fiscal outlook.

The present estimates indicate a deficit for this year of between $12 billion and $15 billion.

We, certainly, cannot continue these peacetime deficits. If we continue these types of programs, we cannot avoid imposing substantial new taxes next year.

What taxes, are the gentlemen who vote for these expenditures, willing to impose next year?

Is this Congress willing to substantially increase corporation taxes?

Shall we increase excise taxes?

Shall we wipe out depletion allowances?

Shall we reduce the $600 personal income tax exemption? If we were to wipe out all of the $600 exemption, it is doubtful if that alone would be enough to cover the deficit.

Mr. Chairman, it is high time that those who advocate these expenditures, also give this Congress and the taxpayers of this country, some estimate of the taxes that will have to be imposed in the next session of Congress.

The responsibility for voting and imposing taxes will rest, primarily, ethically, and politically, upon those gentlemen who continue to vote for these spending and squandering programs.

Mr. Chairman, most of us are opposed to planned socialism. This is the heart of the political-economic theory of the Soviet and Red China Governments.

There is one political-economic philosophy that is worse than planned socialism, it is the unplanned socialism exemplified in this bill.

Mr. Chairman, the following letter from the American Farm Bureau Federation explains its views with respect to the pending legislation:

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., July 15, 1958.

Hon. CLAIR ENGLE,
Chairman, House Committee on Interior and Insular Affairs, United States House of Representatives, Washington, D. C.

Re Mineral subsidy bills, S. 4036 and H. R. 13290.

DEAR MR. ENGLE: This is to summarize the policies of the American Farm Bureau Federation with respect to the above specified bills. It will be appreciated if you will incorporate this letter in the record of the hearing on this subject.

We are very seriously concerned that the proposal for mineral subsidies will establish a precedent that could be broadly extended to other industries; and that its application to any industry would serve as a vehicle whereby private competitive enterprises would be converted into enterprises controlled, directed and dependent upon Government.

If we are to adopt the precedent that certain mineral industries, because they face import competition, should receive direct subsidy payments, this policy could be applied with equal logic to a great many other industries. Nor is there any reason to suppose that this approach would be limited to commodities subject to import competition.

If the use of direct payments to bring total returns up to specified levels is warranted in the case of the minerals specified, there is no reason why the same approach should not at some future time be adopted for other minerals—iron ore, coal, oil, sulfur, potash, phosphates, and other mineral products.

Nor is there any reason why this approach should not be used for other natural resource industries such as forest products, fisheries, or for agriculture.

And if this is a desirable policy there is no reason why it should not be extended to many manufactured products—to textiles, ceramics, automobiles or farm machinery.

The railroads are currently involved in a serious income situation. With comparable logic, direct payments might be made to railroads to bring average earnings to a specified level.

It is submitted as axiomatic——

1. That which the Government subsidizes it will come to control, eventually, if not immediately. In the long run "He who pays the piper calls the tune."

2. That the support of price or income creates the need for control of production.

Both of these axioms are carried into effect in S. 4036 and H. R. 13290. These bills provide that the Secretary may fix quarterly limitations on the total amounts of each product for which payments are to be made. The Secretary is further authorized to distribute the benefits of the program equitably among the producers.

This is an effective control of production at any time the margin between the stabilization price and the market price is significant.

Thus, the Secretary of the Interior would have the authority to allocate the right to produce among the producers of each metal; and the quota for each producer would tend to be frozen, thus preventing normal shifts in the pattern of production in response to economic and market factors.

Any industry for which direct payments are used as an income-supporting device is likely to become a net consumer rather than a net producer of Federal tax revenue, thus adding significantly to the tax burden on all other taxpayers.

For example, a study by the Department of Agriculture of the cost of a direct payment program for agriculture at 90 percent of parity reached the conclusion that the program would cost between seven and one-half and ten billion dollars a year.

It is a basic feature of our private competitive enterprise system that price serves as the balance wheel—to balance supply and demand, to guide production and consumption, to direct the flow of investment. The economists would say that the function of price is to allocate resources.

But when Government steps into the picture to prevent price from performing any or all of these functions, we are, in effect, substituting political management, and centralized control, and planning for the impersonal operation of the market system.

It is our conviction that the archstone of the economic system that has made America the arsenal and support of the Free World, is that its functioning is guided primarily by the impersonal operation of the market system, rather than upon centrally controlled and directed authority.

Individuals, by making choices based on price, vote many times daily as to their preferences. Thus free price, if not seriously altered, by interference of monopoly or Government, is the most democratic economic system ever devised.

We were fortunate in that circumstances freed us from the controls, the cartels, the guild system, the political management that was the old world economic system.

Many observers of the European scene have suggested that the post-war recovery of

Europe has been roughly proportionate to the extent to which it has thrown off the shackles of centralized control, whether by cartel or government, and moved toward the market system.

The extraordinary resurgence of the German economy since World War II is attributed to the wartime destruction of the many institutional arrangements to restrict competition and control price and production, and the steadfast opposition of the political leadership of the German Government to the reinstatement of such institutional arrangements.

It is our view, therefore, that the issues involved are far broader than the specific mineral industry problems covered by the bills. The basic issue involved is the choice between (1) a free competitive private enterprise system operating in response to market factors or (2) central planning and direction of the economy by government. The pragmatic test of experience, in our view, evidences the overwhelming superiority of the first choice. We believe it is important to the long-run welfare of the people of the United States and to the strength of our economic system that we avoid on every possible occasion, any excursions or precedents going in the direction of the second choice.

The implications of this proposal in terms of foreign trade and foreign relations will also be obvious. The net effect of a payment program is to reduce imports below what they would otherwise be by subsidizing higher cost production here at home. We believe that the long-run welfare of the whole American economy will be most furthered by policies that result in a high level rather than a low level of trade between nations. We must import if we are to export. The present imbalance between exports and imports is not desirable, either to the United States or to other countries. Barriers to increased imports stand in the way of obtaining a better balance.

National defense is commonly given as the reason for measures to protect a domestic industry. Present legislation provides means whereby such factor may be given carefully considered attention. But this national defense aspect can be overdone. If mineral imports come from nearby countries such as Canada, Mexico, etc., this provides essentially the same national-defense feature as production in the United States.

The proposed method of financing mineral subsidies contained in S. 4036 and H. R. 13280, avoids annual review of such expenditures by the Appropriations Committees and the Congress and adds one more noncontrolled expenditure item to the Federal budget.

It is not our purpose to present a comprehensive or alternative program for the minerals industry. This is the appropriate function of the voluntary associations representing the industry. Our only purpose is to set forth, in general terms, why the American Farm Bureau Federation believes the enactment of mineral subsidy legislation is not a desirable alternative; but, on the contrary, is against public policy for the reasons stated above.

Respectfully submitted,

CHARLES B. SHUMAN,
President.

Mr. ROGERS of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. ULLMAN).

Mr. ULLMAN. Mr. Chairman, I rise in support of this legislation.

I urge passage of S. 4036 as it has been reported by the House Committee on Interior and Insular Affairs. In my opinion it provides the minimal requirements for the survival of our domestic mining industry.

Testimony has already been presented to the House concerning many features of this legislation. I wish only to add to this excellent presentation a few brief comments concerning the importance of S. 4036 for the Nation's chrome miners.

Mr. Speaker, section 402 of the legislation now before the House provides a cautious and limited approach to the problem besetting the small domestic producer of chromium ore. No one examining this proposed program could contend that overgenerous consideration is being asked for our hard-pressed miners. The bill calls for an incentive payment of $35 per long dry ton for domestically produced ore. The program is drafted so as to provide maximum benefits to the small chrome producer by placing a 10,000 long-dry-ton limitation on any single mining operation. Thus, assistance is given to the type of chrome miner who characterizes the chrome-producing industry.

We have been told that S. 4036 is nothing more than subsidy legislation for the American miner. Certainly this is one aspect of this legislation. It does provide a subsidy in the form of an incentive payment for the small miner. But I can think of few more worthy recipients of a Government payment than those individuals who are attempting to develop an essential domestic industry.

Mr. Speaker, I have always been a firm supporter of reciprocal-trade agreements. I enthusiastically supported the recent extension of that act for an additional period of time. But if it is necessary to break down tariff walls, then it is equally necessary to guarantee an essential domestic industry sufficient Government support so as to enable it to develop and expand. That is exactly what S. 4036 would do by providing incentive payments to assist our domestic mining industry to return to the thriving condition where it can effectively compete with foreign producers.

Mr. Speaker, defeat of S. 4036 means the defeat of the small independent miner who is the backbone of the chrome-producing industry. Rejection of this legislation means that the United States would become 100 percent dependent on foreign producers of chromium ore. I submit that the American miner and the American people are deserving of more constructive action.

S. 4036 offers us an opportunity to reactivate our presently dormant mining operation. It offers a sound, cautious approach which I believe is worthy of our support.

GENERAL LEAVE TO EXTEND

Mr. METCALF. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CLARK. Mr. Chairman, I am going to vote for this bill because I feel we must keep the lead- and zinc-mining industry of the United States in a healthy and vigorous condition—as sound public policy. The overwhelming endorsement given by the Senate and by the House Interior Committee to the substance of the bill as evidencing a keen desire to aid the ailing lead and zinc mines is most gratifying.

Mining, smelting, and refining of lead and zinc is indispensable to the commerce of our Nation. We cannot expect these important extractive industries to survive if they must exist under free trade while being taxed to help provide subsidies for other areas of our economy, that is, farming, shipbuilding, plane travel, and so forth.

It is to the everlasting credit of the lead and zinc miners that they have faithfully followed the road open to them by law in seeking tariff relief twice in the last 5 years—but to no avail. Each time they received the unanimous recommendation of the Tariff Commission that relief is necessary only to be met with alternate measures such as stockpiling, or futile appeals to foreign countries to let up on the flood of metal shipped to the United States.

We know that the industry would prefer to receive assistance through a tariff rather than to be subsidized, but it has no longer any choice in the matter. The administration has proposed another alternate solution, a subsidy arrangement, which is embodied in the bill (S. 4036) before us. I do not think the bill goes far enough, but at this late hour in the session, and considering the urgency of the matter, it is the best we can hope for. It is either this bill or more hardship. Certainly, if we have millions to spend to develop industries abroad, bolstering their competitive position, we should have equal solicitude for our domestic industry.

I urge all my colleagues to vote for this bill so that wage earners who are now without work may soon be returned to their jobs in the lead and zinc mines and smelters of our Nation.

SUMMARY—LEAD-ZINC

I. Experience of lead-zinc industry under various provisions of United States trade laws and legislative proposals:

1. May 10, 1950, lead industry petitioned for "escape clause" pursuant to Mexican Trade Agreement and Executive Order 9832. Denied by Tariff Commission July 18, 1950, formally dismissed by Commission January 25, 1951. Reason given was that United States had canceled Mexican agreement effective December 31, 1950. Duty on lead temporarily returned to 1930 rate.

2. Early 1951 lead-zinc industry advised Committee on Reciprocity Information against cuts in duty at forthcoming Torquay meeting. Despite this, duty on both lead and zinc was cut at Torquay, effective June 6, 1951. Lead duty had only been restored 5 months before by United States abrogation of Mexican agreement.

3. Industry petitioned the Tariff Commission on Febraury 14, 1951, for a section 336 "difference in cost of production" investigation. Denied by Commission on May 29, 1951. Reason given was that trade agreement rates could not be changed by section 336 action.

4. Lead-zinc industry petitioned the Commission on September 14, 1953, for "escape clause" action under section 7 of Trade Agreements Extension Act of 1951. On May 21, 1954, the Commission unanimously found serious injury and recommended maximum increase in duties.

5. Concurrent with the 1953–1954 "escape clause" investigation the Commission conducted a section 332 "general investigation" and on April 19, 1954, forwarded its 356-page report to the Committee on Ways and Means and Committee on Finance.

6. On August 30, 1954, the President declined to implement the recommendations of the Commission and instead initiated defense stockpile purchases and barter acquisitions.

7. Nearly a year ago (May 28, 1957) the Department of Agriculture, by a series of regulations, stopped barter, the major alternate program instituted by the President. August 1, 1957, Office of Defense Mobilization announced defense stockpile goals were nearly met. ODM ceased zinc purchases in April 1958 and has announced lead purchases will cease in June 1958.

8. ODM has stated that due to very large Government stocks of lead and zinc (over 1,250,000 tons of each metal), the industry is not eligible for consideration pursuant to the national security amendment (section 7 (b)) of the Trade Agreements Extension Act of 1955.

9. On June 19, 1957 the administration forwarded to the Congress a bill suspending present duties on lead and zinc and substituting a series of import taxes to be effective only if the United States price of lead was below 17 cents and zinc below 14½ cents.

10. Hearings were held on the administration's bill August 1 and 2 (House) and July 22–24, 1957 (Senate). Industry concurred in "peril point" prices of 17 cents and 14½ cents, but said schedule of import taxes inadequate. On the average, proposed schedule was about 25 percent less than 1954 recommendation by Tariff Commission which the President said was insufficient.

11. Following the exchange of letters in August 1957 between the late Mr. Cooper and the President, the industry again petitioned the Tariff Commission for escape clause action. Petition filed 6 months ago (Sept. 27, 1957); hearing before Commission 4½ months ago (Nov. 19–26, 1957).

12. In his letter of August 20, 1954 the President stated maximum increase duties would have only a minor effect on United States lead-zinc prices and would not reopen United States mines. The industry's pending petition requests quotas and increased duties. A complete plan for quotas was submitted to the Commission.

13. Rather than quotas or a combination of tariff and quotas, the industry believes a fair and effective answer would be provided by legislation suspending the present duties and in lieu thereof establishing peril point market prices, 17 cents for lead, 14½ cents for zinc, with a 4 cent import tax immediately behind these peril point prices. Tax would be payable by importers only if they imported unneeded amounts of lead or zinc and would break the United States market price below these peril point prices.

14. Such legislation would increase the flow of trade dollars since exporting countries could supply United States needs at much better prices than they are receiving today. While the quantity of import lead and zinc would be less, the prices for needed imports would be greater and would more than offset any decline in volume. This would serve to provide importing countries needed additional dollars with which to purchase other United States commodities and manufacturing products.

II. Comments on lead-zinc statistics:

1. For 10 years United States industrial consumption of lead and zinc have been fairly constant at about 1,100,000 tons per year. During this same period the ratio of lead imports to United States mine production has grown from 58 percent to 150 percent; in the case of zinc increased from 40 percent to 124 percent.

2. During this 10 year period imports of lead have increased from 220,000 tons a year to 500,000 tons a year; zinc imports from 280,000 tons a year to 730,000 tons a year. United States mine production has stayed fairly constant during periods of reasonable prices but has now been curtailed more than 30 percent.

3. The statistics attached herewith are based on net imports for consumption which are those used by the Tariff Commission. Statistics are also compiled on the basis of general imports (which include material entering bonded warehouses). Estimates for 1957 would show general imports for zinc exceeded 800,000 tons and lead exceeded 580,000 tons.

4. Varying United States market prices during the last 10 years have had very minor, if any, effect on United States industrial consumption of lead and zinc.

5. Unneeded imports caused United States supply of lead and zinc to greatly exceed industrial requirements. Before barter stopped, almost a year ago, large amounts of these excess imports were absorbed by governmental acquisitions.

6. Unneeded imports have forced the price of lead to decline from 16 cents in early 1957 to 12 cents—a drop of 25 percent. Zinc has been forced down from 13½ cents to 10 cents—a decline of 26 percent.

7. The sharp decline in United States mine production has occurred in the second half of 1957 and early 1958. Present annual rate is lower than the depression years of the mid-1930's.

8. Employment in the lead-zinc mining industry has been cut in half. In the 1954 escape-clause action the Tariff Commission found employment had declined by 9,000 jobs. In the current situation over 5,000 additional employees have lost their jobs in the industry. Total loss of over 13,000 jobs.

9. While United States prices improved in 1955 and 1956 under the alternative programs initiated by the President (in lieu of accepting the Commission's recommendations), employment did not return to the early 1952 level.

10. During Korea United States prices of lead and zinc were frozen by the Government. Import duties were suspended subject to reinstatement if the United States price would fall below 18 cents for each metal.

11. During 1957, in contrast to curtailment of United States mine production, imports of lead and zinc were exceedingly high—in the case of zinc reached all-time record levels.

12. While United States mine production has been curtailed 30 percent, foreign mine production has not declined substantially. Noteworthy during the severe price break of 1953–54 (the time of the prior Tariff Commission's recommendations) mine production, outside the United States, did not decline and, in fact, increased despite low prices.

13. Stocks of refined unsold lead and zinc at domestic plants are over 400,000 tons.

14. Calculations show that the 4 major exporting countries (Canada, Mexico, Peru, Australia) are actually losing dollar exchange revenue by flooding United States market with unneeded metal.

Mr. HOLIFIELD. Mr. Chairman, although I have decided not to oppose the so-called Euratom legislation (S. 4273), I have grave doubts as to the timeliness or the wisdom of the President's proposal.

The legislative draft which was sent to the Joint Committee on Atomic Energy was completely unacceptable to me and many other members of the committee. We have carefully analyzed its original language and have rewritten the bill.

The original language would have provided for a blank check of authority and authorization of funds. The authority would have allowed the Atomic Energy Commission to negotiate, without Congressional check, the types of reactors and the terms and conditions under which approval would have been given to each separate contract between a United States manufacturer and foreign purchaser.

Under the new and present legislative language and the Joint Committee on Atomic Energy report, safeguards and mutually agreed upon purposes and intents have been more carefully delineated. The Joint Committee has retained its right to scrutinize and effectively exert its judgment through separate consideration of each project and separate authorization of funds and guaranties for each international arrangement. The Joint Committee has plainly legcertain criteria for the Atomic Energy Commission to use in the negotiations of projects.

The joint committee has plainly legislated protection from third party liability to the United States Government and expects the Atomic Energy Commission to obtain, in each contract, sufficient disclaimers and indemnity protections to hold the Government free from damage claims in the third party liability area.

The report provides clear and concise language as to Congressional intent and is to be considered meticulously in the future action of the Atomic Energy Commission and its future interpretation of the Joint Committee's intents and purposes.

Because of these changes in the legislative draft, the understandings which have been agreed upon between the Joint Committee and the Commission, and the retention of the funding and assistance authority in the Congress, I shall not oppose the legislation.

One other factor which I have considered in my decision has been the international effect of defeating this legislation. The President, following the advice of his special atomic adviser, Mr. Strauss, has made certain public statements, offers and commitments to friendly nations for assistance in the application of atomic energy. I consider some of these Presidential actions to be ill advised and the Euratom program premature. I will give some of the reasons for my statement.

The goal of economic atomic electrical power has not, as yet, been attained. Nor will it be attained even in the high cost areas of Europe by the technology to be built into the Euratom reactor program.

The necessity to build more than one reactor of a limited choice of types will involve costly duplication. It will also preclude the advantage of including "stairstep" advances in the next few years' technology as far as these six large reactors are concerned.

Some of this objection may be overcome if the Atomic Energy Commission will insist on convertible or adaptable features being built into each reactor

so that future improvements may be incorporated at a later date. Further protection may be obtained by delaying for 2 years at least 2 of the 6 reactors.

As I estimate the potential liability in terms of American taxpayers' dollars, this program could involve—in grants, loans, and furnished-free inventories—well over a half billion dollars. If all goes well and the Euratom nations are willing and able to repay the loans and other obligations, this outlay may be considerably reduced over a period of 20 years.

I fear that the general poor financial position of these nations will jeopardize repayment and I also fear that disillusionment over the economics of nuclear power may well cause resentment toward their benefactors.

I fear that the Euratom program will be used as an excuse for not proceeding with a vigorous domestic program. Although the Atomic Energy Commission has testified before the Joint Committee that the Euratom program will not constitute grounds for nullifying a vigorous, Government-sponsored program in the future, I predict that such an excuse will be advanced. The Joint Committee will not accept such an excuse, in my opinion.

It is interesting to note that the Gore-Holifield bill, which sought to build at Government expense several large and intermediate types of advanced reactors, was opposed and defeated by the administration under Chairman Strauss' leadership. Mr. Strauss claimed, during that debate, that the way to advance reactor technology was through small laboratory models of reactors of many types and that we should not be concerned with a race for kilowatts.

Because of the Strauss philosophy, Great Britain built large power producing reactors and achieved a dominant competitive position in the international market. We now find ourselves in the position of advocating the opposite course of the Strauss philosophy of building laboratory size reactors.

We find the administration advocating the building of a limited and necessarily duplicating type and series of large power producing reactors in foreign countries with United States subsidies.

We find ourselves 2 or 3 years late in the atomic power program and we are hypothecating United States dollars in larger amounts of potential liability than called for under the Gore-Holifield bill.

Under the Euratom program, it is probable that at least one-half of the 6 reactors will be built in all or part public power nations. We therefore find that the former cry of socialism in regard to building Government-financed reactors on Government-owned atomic energy plant sites, which was for sole use in the said plants, has now been conveniently forgotten.

In sponsoring the Euratom program that which was socialism in the TVA becomes acceptable on the Euphrates. The complete hypocricy and inconsistency of the Eisenhower-Strauss atomic philosophy was never exposed more clearly.

We now plan to support large-scale power-reactor programs in France, where all electric utilities are nationally owned, and in Italy, which is about evenly divided between public- and private-power interests.

What are the basic reasons behind the administration's support of Euratom?

First. It is a belated attempt to implement the President's atoms-for-peace message of 1953, 5 years ago.

Second. It is also a belated attempt to cover up the failure of the Strauss atomic power development program, which was based on a claim that private enterprise would furnish the research, development, and construction money for large-scale atomic power reactors. This program has failed. Private industry has not and cannot absorb the cost of attaining the goal of economic atomic power. Private industry has admitted this inability before our Joint Committee many times in the last 2 years.

Third. Rather than admit that the administration's atomic-power-development program has miserably failed and that today we cannot compete with British-developed large power reactors in the world market, the administration has come forward with a complicated mixture of half-baked international commitments, direct and indirect subsidies for American atomic-machinery manufacturers, and starry-eyed European reactor buyers. This is for the purpose of covering up the failure of the Strauss atomic-power-development program.

What are some of these direct and indirect subsidies in the Euratom program?

First. We are only asked to authorize $90 million to subsidize reactor fuel manufacturers in the two fields of fuel element manufacture and fuel element life.

Second. We are asked to authorize approximately $400 million of fuel inventory for the six Euratom reactors. The terms are theoretically based on a 20-year lease sale contract. The first 10 years provide for 4½ percent interest payments on the appraised value of the fuel. The second 10 years provide for interest at the same rate plus amortization of the principal over the second 10-year period.

Third. The Export-Import Bank is supposed to furnish the Euratom buyers $135 million on a low interest rate loan. The factor of collateral and recovery in the event of default has not yet been solved and seems to be most difficult.

Fourth. We are committed to purchase plutonium which is produced in the six Euratom reactors at a total estimated cost of $49,200,000. We are restricted in the use of this plutonium to peacetime purposes only. At the present time there has not been developed a peacetime use for plutonium. This investment, therefore, is predicated upon the hope that we will be successful in developing nonweapon, peacetime uses for plutonium.

Fifth. We are to be obligated to process the spent fuel elements at prices which we hope will cover the cost involved in the processing. But, in this field there are unknown factors such as the cost of permanent disposal of waste products. It is possible that this will cause us great trouble and expense as the burden of disposal of the atomic wastes becomes greater.

Sixth. We are to be obligated to furnish up to a maximum of $50 million for joint research and development in the restricted field which applies to the types of reactors selected for the Euratom program. The Joint Committee on Atomic Energy will watch this phase of the program very carefully to see that equal funds are supplied for this joint program by the Euratom nations and also to see that the American people receive the benefits of such research and development as may occur under this tax supported program.

Seventh. By no means the least problem which is involved in the building of plutonium producing reactors in foreign countries, is that of enlarged production and processing of atomic and hydrogen weapon material, that is, plutonium. If we buy the plutonium for peacetime use, we may not be able to use it. On the other hand, if the owning nations refuse to sell the plutonium to us, it becomes their own ready supply for the development of their atomic hydrogen weapons program.

At this time when the peace of the world depends upon an international agreement against using nuclear weapons, we are embarking upon a foreign program of building plutonium producing reactors which may provide the basic material for many other nations to have their own independent supply of plutonium. Had we used the tax moneys to support a domestic program of reactor building, we would have control over the plutonium and this danger would not be created by our encouragement of a foreign reactor building program, over which we can have no sure control.

Eighth. This Euratom program may be used to further obstruct and delay an aggressive stairstep program of reactor development in the United States. Such a reactor development program would not be contingent upon uncertain or unknown international factors, but would be completely within our own control. It could take into consideration only the primary object of building a series of large scale power producing reactors over the years with enough time between each step to take advantage of technical advancement. If the Euratom program is allowed to nullify such a domestic program, then we may awaken too late to insure American leadership in the atomic power field.

Ninth. The claim put forward by the more enthusiastic proponents of the original Euratom sponsors, that this program would solve the dependence of the European countries on Middle East oil is of course unrealistic. The 6 countries comprising the Euratom group have an installed kilowatt capacity of some 60 million units. The pending atomic-power program of this program will amount to 1 million or one-sixtieth of the total capacity. Furthermore it will be more costly than conventional power-plants. We may therefore reasonably conclude that no appreciable effect will be made on solving the problem of European dependence on Middle East oil within the lifetime of these reactors.

It is for these and other reasons that I am gravely troubled with this Euratom legislation. A great deal will depend upon the diligence of the Joint Committee on Atomic Energy in scrutinizing each and every step of the program which may be proposed. A great deal will depend upon the development in the domestic field of a reactor-building program which will go far beyond the Euratom program in the field of realizing our own technical capacity.

It is only because I believe that the Joint Committee will discharge its duties conscientiously and diligently in the years that lie ahead that I am constrained—although reluctantly, to allow the administration's program to be initiated.

As one member of the Joint Committee, I serve warning at this time upon all concerned that I shall look at each proposed international project with a magnifying glass. And, I will demand that wherever possible the rights of and potential benefits to American taxpayers be preserved.

Mr. HAGEN. Mr. Chairman, I rise in support of the bill S. 4036, to provide relief for the domestic mining industry. During debate on this issue the bill has been variously referred to as a rescue bill, a survival bill, a relief bill. It is all of that, and more, too. It is imperative that this legislation be enacted if our domestic production of the important minerals concerned with in this bill is to continue to exist. If we stand idly by and permit the mining industry to perish we will live to regret it, for these minerals are imperative in time of national emergency. We cannot turn their production on and off as one would a water faucet. In order to guarantee continued producton we must act favorably on this legislation.

As an example, I will cite the case of tungsten, the metal with which I am most interested, as several tungsten mines are located in the district which I have the privilege to represent. Two years ago more than 200 tungsten mines were in operation in the United States. Today exactly one is operating. Two years ago some 4,000 persons were employed in tungsten mining activity. Now this number has dwindled to a mere handful. Tungsten is vitally necessary for our war machines in time of emergency. Yet, in World War II we were compelled to import much of that which we used. To stockpile this precious commodity toward the time when we will need it is a reasonable and practical practice.

Incentive payments such as are proposed here are not new. Subsidies exist for many segments of our economy deemed vital to national defense. Some do not approach the justification involved in metals such as tungsten, lead, zinc, copper, and fluorspar.

Mr. Chairman, I urge a favorable vote on S. 4036 in the interests of the welfare of our great country.

Mr. METCALF. Mr. Chairman, it has been charged that the copper companies have such huge earnings that they do not need this legislation for them to survive. I do not know about the rest of the copper mining companies but I want to read an excerpt from the Fortune article that I inserted in full in the CONGRESSIONAL RECORD the other day.

Anaconda sales in 1957 dropped to $571 million from $749 million in 1956, and profits to $44 million from $111,500,000 in 1956. In the first quarter of this year income was $19,895,055 (versus $44,310,960 in 1957; profits, $6,130,898 (versus $18,156,320 in 1957).

Meanwhile Anaconda is riding out the storm, which is far less severe than many others Anaconda has weathered in its 63-year history.

But the storm is still raging and in the Washington Post on August 15 there was a story on the financial page relating that the Anaconda Co.'s consolidated net income in the first half of 1958 fell 62 percent. And mind you that is consolidated net income and includes income from the Anaconda Co.'s other operations such as the aluminum plant and their lumber operations and includes income from foreign mines as well as domestic.

By closing mines the mining companies can weather the storm, by drawing on other resources perhaps the companies can weather the storm. But the miners who are unemployed have no other resources and they cannot close down their homes and discharge their families. Many weeks last winter Montana had the dubious honor of leading the Nation in the rate of unemployment. Now our rate has fallen off, many people have exhausted their benefits, and have gone from unemployment compensation to general welfare. The following table shows what has happened in Silver Bow County, the county in Montana in which the copper mines are located:

Moneys dispensed by the Silver Bow County Welfare Board from what is known as the counties emergency general assistance program.

		Money paid
1957	January	[1] $3,139
	February	2,607
	March	2,546
	April	2,633
	May	2,143
	June	2,045
	July	2,603
	August	2,628
	September	3,756
	October	4,559
	November	6,265
	December	7,604
	Total	42,528
1958	January	[1] 12,122
	February	20,834
	March	34,532
	April	36,305
	May	32,517
	June	33,566
	July	33,193

[1] These figures represent dollars amounts only.

But more serious for you and for your constituents in every section of the country is the fact that in order to stay afloat the mines have been closed. These mines in Butte, Mont., are some of the deepest in the country. You have been told how properties deteriorate when they are closed, how they flood, how the timbers rot and the shafts move and the machinery rusts. Sometimes the cost of reopening is prohibitive and a great and valuable natural resource is lost forever. And that is where your own self-interest comes in, and the interest in the security of your country and your interest in continuing to have the raw materials to maintain the American standard of living.

Prior to World War II, the United States produced more copper than it consumed. But the increased wartime demand for copper so increased our consumption that in 1942 it became the most critical metal of all. Today the United States in peacetime produces about 42 percent of the copper produced in the Free World but in a peacetime economy it consumes 51 percent of the Free World's supply, so that while the United States is the largest copper-producing country in the world, it is also the greatest copper-consuming country in the world. Nearly half of the copper consumed in America is used in pure metallic form by the electrical industry in the manufacture of generators, motors, telephone and telegraph equipment, powerlines and similar items. Building and building equipment takes 10 percent and the automotive industry another 10 percent. The remainder is used in bronze and brass alloys and for such things as refrigerators, air conditioning equipment and the like.

In time of war, copper's chief use is in munitions but it is also used in airplane and missile production, signal equipment and ordnance.

Copper is the most nearly indispensable metal in war and peace to maintain the defense of the Nation and to maintain the American standard of living and production.

In 1950, the United States used 18 pounds per capita. Russia that year consumed but 2.43 pounds per capita. The disparity in copper consumption indicates a similar disparity in the standard of living in the two countries. In the same year, Canada used copper at the rate of 15½ pounds per capita; the United Kingdom, 14.84 pounds; and Germany, 9.97. As living standards and industrialization increase in other countries of the world, the foreign consumption increases. For example, European use of copper increased 21.4 percent in the period from 1955–57.

Our domestic consumption in 1956 was about 1½ million tons, our domestic production was slightly over a million tons. Our domestic production can continue at the rate of a million tons per year if we can maintain a healthy mining industry.

In 1956, the world production of copper was 3,750,000 tons. If the United Kingdom, Canada, France, and Germany had consumed copper in 1956 at the same per-capita rate as the United States more than 4 million tons of copper would have been required, or an annual shortage of 250,000 tons. If Russia begins to approach the American consumption level, we will need a 50-percent

greater world production of copper than we now have.

To demonstrate how the world demand is increasing, let us compare the imports and exports of copper in the years 1956 and 1957. In 1956, we imported 276,000 tons of blister copper. That is unrefined copper. This was refined into electrolytic copper in American refineries and 222,000 tons were exported. In 1957, we imported 301,000 tons of unrefined copper and exported 361,000 tons of electrolytic copper. In 1956 and 1957, we imported about the same amount, 590,000 tons, but in 1957 we exported 125,000 more tons than in the previous year. This as a result of the 21-percent increase in European consumption I mentioned.

If this rate of increase continues we shall be glad we purchased this 150,000 tons. If we are to be able to maintain our armaments and our domestic standard of living, we must maintain our copper industry at the present level. If we keep our mines open and our skilled miners employed, in a few years we will be grateful that we have them to provide a domestic supply of a very scarce metal. The stockpile we have accumulated, and the amount we add if we purchase every pound of the 150,000 tons authorized by this bill will be worth a great deal more to us to keep our electrical and our automotive industries supplied with indispensable metal for both our peacetime and our wartime economy.

Mr. COOLEY. Mr. Chairman, in the course of the discussion on the mineral bill before us some Members have wondered why we must maintain our domestic tungsten mining industry and have alluded to certain stockpile data which are classified information and hence not subject to critical evaluation and debate in an open forum. However well intentioned these Members may be, I fear that they are overlooking both the critical position with respect to tungsten in which the Nation found itself only a few years ago; and, more importantly, I think they are also overlooking the very great importance that the high temperature resistant metals, of which tungsten is in first place, will be called upon to play in the future defense of the Nation.

I should like to remind my colleagues that in mid-1951, just 7 short years ago, Senator LYNDON JOHNSON'S Preparedness Subcommittee of the Armed Services Committee of the Senate singled out tungsten as one of the most critical materials where shortages were imperiling our defense effort. The 27th report of his Preparedness Subcommittee, dated July 5, 1951, revealed the critical shortage of tungsten and pointed out that our high velocity armor-piercing shell program was jeopardized by inadequate supplies. That report was issued at a time when our Armed Forces had been pushed back in Korea and when the main world sources of tungsten were in extremely vulnerable foreign countries including even the enemy itself, since China had been a major source. Despite our then monopoly in the field of atomic weapons, American soldiers, sailors, airmen, and marines were slugging it out on the ground with the enemy, and the preponderence of our casualties were in the ground forces. Expanded tank war in Korea or elsewhere on the periphery of the Free World could have pushed us back farther. Tungsten carbide high-velocity armor-piercing shells were needed in great quantity. Accordingly, where we had previously neglected our domestic resources, the Government instituted a major domestic purchase program to try to get domestic mines into operation. Further, following the recommendations of the Preparedness Subcommittee, a large foreign procurement program was also launched by the Government. And in those days of desperate shortage from time to time stockpile specifications were waived in one respect or another to permit the Government to take title to material that would not otherwise have met the very rigid specifications of the strategic stockpile. This too was in furtherance of the report of the Preparedness Subcommittee.

In the early years of the Korean war tungsten was under domestic allocation and price controls and conservation and limitation orders were in effect to limit uses. Even our critical jet engine programs were held back by quantitative limitations on the amount of tungsten that could be employed. Indeed, the shortage was so desperate that tungsten was one of the few materials that were allocated throughout the Free World by the International Materials Conference. Under the stimulus of the domestic expansion program and desiring to see the national needs fulfilled, the domestic tungsten mining industry rose to the occasion and as the years passed proved that it had the ability to deliver the goods; in fact, by 1956 domestic production exceeded domestic consumption—a consumption that undoubtedly was smaller than normally would have existed had it not been for the extreme conservation measures in force on all industry during the Korean war. We should be eternally grateful that our stocks of tungsten in the strategic stockpile, in the Defense Production Act inventory, and the Public Law 733 inventory, are now in better shape than they were in the desperate days following the Communist attack in Korea. But merely because we currently appear to be in a somewhat more comfortable position in tungsten, and although the bill before us will add nothing to our tungsten stockpile, is this any cause for complacency with respect to keeping intact a source of our future supplies? I for one say "No."

The repeated failures under even ideal conditions of our missiles convince me that we have only begun to realize our need for much better high temperature resistant materials in engines and skins of missiles. Indeed, in its most recent annual report the National Advisory Committee for Aeronautics—which is now to become the nucleus of our new space agency—pointed out the critical need for development of protective coatings on metals such as tungsten that have a very high melting point and other favorable properties at elevated temperatures—43d Annual Report of the NACA, January 27, 1958.

Further, the distinguished Special Stockpile Advisory Committee, whose members include Admiral Radford, General Smith, and others of like stature, pointed out in its report to ODM that demand for high temperature materials could increase sharply when research and development currently under way proves out. Each day we read in the public press of the priority being given to harnessing the superhigh temperatures of nuclear fission and fusion. Surely the efficient conversion of extremes of temperature to energy in a form useful to man will hinge on the improvement and greatly expanded use of high-temperature-resistant materials. Tungsten, with its melting point of 6,143 degrees Fahrenheit, possesses the highest melting point of all metals, and indeed of all elements known to man save one, carbon—which latter has a melting point of 6,692 degrees Fahrenheit. Consequently, greatly expanded uses no doubt will be demanded of us in the next few years. With the rest of the world sources of tungsten in highly vulnerable overseas areas, we cannot afford to let our domestic mining industry die. In the face of expanded future requirements, our stockpiles could represent but a small percentage of such new requirements. And further, we do not dare draw down our strategic stockpiles in any period short of allout war. If tungsten was needed so desperately for antitank warfare in the Korean war, who is to say for sure that some new peripheral or limited war, which most authorities now concede to be more likely than allout nuclear war, will not again result in a similar great demand? In 1951 Senator LYNDON JOHNSON'S subcommittee pointed out that the Defense Department itself had completely failed to foresee its own requirements for tungsten for ammunition. How can we be sure that the secret data that most of us have had no opportunity to examine critically is any more accurate today?

In conclusion, therefore, I believe that in a period of world unrest such as the present, when our Nation is threatened as never before, we must take this step currently before us to assure the continuity of a nucleus of our domestic tungsten mining operations. Today the domestic tungsten mining industry is in the position of a drowning man, with all but one mine shut down. The legislation before us can be a lifesaver. To protect our national security and our economy, I, for one, believe the enactment of this legislation is essential.

On August 11, 1957, former President Herbert Hoover addressed a letter to the gentleman from New York, Congressman VICTOR L. ANFUSO, enclosing a copy of a letter which Mr. Hoover on May 23, 1957, wrote to Hon. Sinclair Weeks, Secretary of Commerce. The letter reads as follows:

THE WALDORF ASTORIA TOWERS,
New York, N. Y., May 23, 1957.

The Honorable SINCLAIR WEEKS,
Secretary of Commerce,
Department of Commerce,
Washington, D. C.

DEAR MR. SECRETARY: This is just a personal suggestion which may wash out on investigation.

This country has been genuinely devoted to systematic conservation of national resources for over 50 years. The purpose is to provide fundamental materials for our people 50 years hence. Many of these Federal agencies for this purpose are in your department.

My suggestion is that your Department canvass the prospective resources of the United States in the nonferrous metals. In my view, there have been no consequential new districts discovered in the past 50 years; the ground has been well combed over and there is little prospect of consequential new districts being discovered; a good many districts have already been largely exhausted and those still producing are not likely to be in action 50 years hence.

All of which brings me to the possibility of trading the perishable surplus of food, costing huge amounts for storage, for an imperishable metal. The Department of Agriculture seems in difficulty with this policy as they are not in the metal conservation field.

The problems need a look at from this point of view.

Yours faithfully,

HERBERT HOOVER.

I call attention to former President Hoover's letter to Secretary Weeks in the hope that you might be impressed with the views expressed by this distinguished American who has served our Government in many capacities. I am certain you will recall that at one time Mr. Hoover was our Secretary of Commerce. Mr. Hoover is also a distinguished engineer and understands and appreciates the importance of providing fundamental materials for the people of our Nation and having such materials available in adequate quantities to enable us to meet all of the emergencies and eventualities of the future. It will be noted that Mr. Hoover emphasized the importance of our barter program under the provisions of Public Law 480, under which program we have been trading perishable surplus agricultural commodities for imperishable metals which are in short supply in our own country. Mr. Hoover indicates in this letter that officials of the Department of Agriculture seem to be in difficulty in administering this barter program and that they are in difficulty because "they are not in the metal conservation field."

Mr. Chairman, the only living former Republican President and the present Republican President seem to agree that we need to stockpile great quantities of strategic and fundamental materials. President Eisenhower, I understand, approves and recommends the bill under consideration and former President Hoover seems to be in accord with the views expressed by President Eisenhower.

In conclusion, I want to again emphasize the importance of the pending measure to hundreds of my constituents who have been deprived of their livelihoods because of the closing of the largest tungsten mining operation in the country. If this bill is passed and becomes law, the tungsten mine in my District will open and will operate and the miners now unemployed will return to their jobs and continue to produce this precious metal which is so essential to the well-being of the people of this generation and to generations yet unborn. The problems here involved are of paramount importance. I commend this bill and urge you to approve its provisions.

Mr. ROGERS of Texas. Mr. Chairman, I yield such time as he may require to the gentleman from New Mexico [Mr. MONTOYA].

Mr. MONTOYA. Mr. Chairman, I am strongly in favor of this legislation because I feel it will implement and nurture a healthy economy throughout the country.

Mr. Chairman, S. 4036, under consideration is of vital importance in the promotion of our domestic economy and securing the defense needs of our country for the future. While this statement may be too general, I would like to project the possible results that underlie the enactment of this legislation. It is patently clear to all of us here that the domestic mining industry has been suffering too many setbacks lately because of foreign competition. The ailing mining industry of our country cannot survive unless it is placed on an equal competitive plane with foreign competitors. The "wait and see" attitude certainly demonstrates the verity of this statement because during this period we have finally realized the dire consequences resulting from this unfair position in which foreign imports have placed our domestic mining industry. During this session of Congress, we have been talking about recession, relief of unemployment, and foreign aid. We have helped foreign countries in the name of peace in terms of billions of dollars. We have shared our wealth with peoples in foreign lands in the hope of raising their standard of living and making it possible for these unfortunate people to share in a better way of life. Our American hearts have responded bountifully without vociferous protestations.

But now that the compass is directed at relieving a distressful domestic situation, we find loud protestations when we seek to help Americans within our borders and our country's economic future. I cannot perceive the logic of this position. I feel that we must continue to nurture the development of our natural resources for present and future use in peace or war, and at the same time provide a vehicle of subsistence for many of the mining families of this country and other families in related industries who are today facing economic strife because of the impact of foreign imports and the aforementioned competitive advantage. How can we say to these Americans that their plight must be resolved within the charity of their neighbors, when we, in turn, take the opposite position with respect to foreign peoples? I have repeatedly called to the attention of this body the sad situation which prevails in my State in its mining areas. Today I have received a very representative telegram which indicates clearly and most vividly the plight of many American families in one area of my State. I wish to quote this telegram at this point in the RECORD:

We urge passage of Senate bill 4036 for the following reasons: In our county of Grant we now have 1,700 unemployed miners who are completely out of work. Some of these men have been unemployed since May 1957. Reduction of men and shutting of mines has continued since May 1957 until now. There is only one mining company operating in this mining district.

The following operations have shut down completely: United States Smelting Co., American Smelting & Refining Co., Peru Mining Co., Empire Zinc, Phelps-Dodge, Banner Mining Co. These men affected by layoff have either exhausted their unemployment compensation or have been forced to leave this area. At this time 700 families in Grant County are now receiving surplus commodities through the welfare department; an emergency relief committee was formed which was composed of business, civic, labor, and fraternal organizations to try and help the distressed families, but this group has not been able to cope with the great problem created by unemployment. For these reasons we urge passage of S. 4036 so that these domestic mines can again reopen and workers can earn a living for themselves and families.

I know this situation is paralleled many times in other parts of our country. I do not believe that this Congress will forsake these people who need employment, or that we will close our eyes to the future of our country and paralyze the development of our resources which are so vital, not only in times of peace, but in times of defense need as well.

I sincerely urge that the House give favorable consideration to this vital piece of legislation.

Mr. ROGERS of Texas. Mr. Chairman, I yield 4 minutes to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Chairman, the bill before us today represents our last chance to save the domestic lead-zinc industry. That may sound like a dramatic statement—but it is true.

Most of the Nation's 600 lead-zinc mines are now operating in the red. They are being kept open on a day-to-day basis—awaiting word of what happens in this Chamber. It is cheaper to operate them at a continuous loss than to close them down, because once a mine is closed it is very expensive—and sometimes almost impossible—to reopen.

These mines provide the major feed for the many smelting and refining plants which are scattered throughout the country adjacent to the mines. The smelters are also laying off men.

We all know that lead and zinc are essential to our peacetime industry and living. Should overseas supplies be diminished or cut off in a defense crisis, adequate domestic sources of lead and zinc would become crucial to our national survival. This vote, therefore, is in reality a national security vote.

To the people in a wide section of my State of Idaho the vote you are about to cast represents not just survival to them in some possible defense crisis in the future—but survival today. The largest lead-zinc producing area in the country is located in the Congressional District I represent. Shoshone County—the heart of the area—is a one-industry county, a lead-zinc county. The jobs of hundreds of miners and smelter workers and the economic stability of the mining companies are both immediately at stake.

But in a larger sense the security of a dozen thriving communities, and the thousands of people who live in them is in the balance. If this legislation is

not passed, their outlook is dark indeed. A number of small businesses have already failed—others would undoubtedly have to close their doors. Well-rooted families are already pulling up these roots and moving away. Others will follow. City fathers are worrying about diminishing tax revenues, and how they are going to meet commitments already made for city improvements. The people are desperate. Shoshone County, which in the past has produced so much wealth for America, faces the prospect of becoming a long valley of ghost towns.

Since we have surpluses of some of our minerals, you may feel we do not need to keep producing them at this time. It is true that we are in a valley of low consumption, but our long-range problems are more likely to be problems of shortages and rising prices. Normally, our domestic mines can supply only about 70 percent of our industrial consumption of lead and zinc. Research could greatly expand the use of these and other metals.

I need only to mention that a total of 65 minerals used by America in World War II came from abroad, and to say that for 27 of them there was no domestic source of supply whatsoever, to indicate how important it is to keep our domestic mines producing strategic ores so we will not get caught short in a defense emergency.

We had almost 2 years to prepare for World War II—we may not have that much time again. And, you will recall, great quantities of minerals went to the bottom of the ocean in the first few months of that war. Should there be a space age war—which God forbid—we might not even have 2 days to prepare for it.

As I said earlier, this bill represents a last resort for some of the domestic minerals industries covered by it—and particularly for the lead-zinc industry, which is probably in the deepest crisis.

No industry has fought harder to stay on its feet. It has written an unparalleled record of conscientiously pursuing every procedure available to obtain administrative relief from the importation of cheaply mined foreign ores. On three different occasions it has gone to the great trouble and expense of asking the Tariff Commission for relief under escape clause procedures. On two occasions the Commission has made a unanimous finding of serious injury, but no action has been taken to help the industry.

This is hard to understand, since excessive imports are so obviously the cause of the industry's trouble. As I have indicated, about 30 percent of our industrial consumption of lead and zinc must be supplied by imports. Today, however, 70 percent of this consumption is coming from imports.

Mr. Chairman, the lead-zinc mines have literally been kept in operation this past year on hope and promises. The miners and owners alike sweated out the long months while we were awaiting the report from the Tariff Commission on the industry's most recent attempt to secure relief through the escape clause of the Trade Agreements Act. They are still staggering from the blow they received when the President decided that the escape clause route was not the correct approach, and suggested the subsidy bill now before us.

At that time only 1,700 men were employed underground in the lead-zinc mining industry in Idaho. Most of those men who had jobs underground were cut early this year to a 4-day week, which considerably cut their pay checks.

Early in June, the Bunker Hill Co., the largest lead-zinc operator in the area, whose workers underground are already on drastically reduced shifts, alerted its smelter workers to a possible shutdown during August and September if some relief was not provided by the Congress or the administration during June. On August 1, 200 men were laid off, and the entire underground operation is threatened with a complete closedown. The Day Mines, another substantial operation, has laid off more employees, and expects to curtail all operations in the area around the 1st of September if this bill does not pass.

Needless to say, the people of the area have their ears glued to the radio for news on this bill.

The administration has suggested a stabilization price of 14.75 cents for lead and 12.75 cents for zinc. Many of our mines, which by no stretch of the imagination could be called marginal, could exist at the 14 and 12 cents margins only by liquidating their present ore assets. They could not finance exploration for new ore bodies. Other mines could only break even with the subsidy prices.

The committee has therefore recommended the prices inserted in the bill by the Senate—15½ cents for lead, and 13½ cents for zinc, with ceilings of 3.9 and 2.9 respectively. The Idaho industry can keep operating at these figures, and I understand industry in other sections of the country can, too.

There are annual limitations per producer, per quarter, on the amount of ore on which a subsidy may be paid, both for lead and zinc, and for other metals covered by the bill, which makes it passage particularly important to small and middle-sized operators.

Mr. Chairman, the mine companies and mine workers have not been able to get relief from cheaply mined foreign imports through any existing administrative channels or under any existing law. We turned them down in committee when the extension of the Trade Agreements Act was considered. We turned them down on the floor of this body when the Trade Agreements Act was up for a vote. You will remember the attempt was made to recommit that bill to have written into it provisions to give relief to injured domestic industries. That attempt failed.

The bill before us today, is not all we had hoped for—but it is a step in the right direction. And it is a step which is desperately needed. I hope it will pass.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, here in the closing days of August when we long since should have completed our business and been home, we are still discovering or creating new crises of one type or another that we are told cannot wait 3 or 4 months to be taken care of.

Here again today we have before us a bill we are told we have no alternative but to pass or accept catastrophe. Since about all the technical phases of this bill were discussed yesterday and were also discussed during consideration of the rule, I would like to talk basics in the very brief time I have at my disposal. As far as stockpile figures are concerned, for example, I think we have enough conflict of figures presented yesterday and in the debate on the rule that we can choose any part of these statistics we want to justify our position in being for or against this bill.

Mr. METCALF. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am sorry; I have but 3 minutes, I cannot yield.

Mr. METCALF. If the gentleman will yield I will see that he gets an additional minute.

Mr. COLLIER. I am sorry; I refuse to yield.

It seems strange this should have come up in the last minutes of our session, but, coincidentally, it happens to be an election year.

Furthermore, to contend that there is no problem in the mining and production of lead, zinc, fluorspar, and tungsten would admittedly be ridiculous, but I repeat what I said yesterday, that this bill does not offer any real solution to the problem as I understand it. The solution of this problem lies with the Tariff Commission as shown by the hearings before our committee. Important men in the mining industry themselves say this is not the proper solution but they take this as the best remedy that can be given at the moment.

I say also that this is an item of legislation where the cure is worse than the disease. I might just say before I drift any further away from the basics of the program, that it was just 2 weeks ago that the gentleman from Arkansas, the distinguished and astute chairman of the Ways and Means Committee, stood in the well of this House and admonished the Members of this body of the inflation we would get into by this deficit spending.

Mr. ROGERS of Texas. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Chairman, I find myself down here in the well again. My message today is to try to tell you again what I told you yesterday. Yesterday many Members came to the well of this House and spoke of their bleeding hearts. They said they were interested in a dying industry, that they did not want the industry to die. Do you remember those words yesterday?

I did a little research in the meantime to find what dividends had been paid in the last few years by this dying industry. What about Kennecott Copper in the year 1953, what did it pay?

CALL OF THE HOUSE

Mr. McGREGOR. Mr. Chairman, knowing the gentleman from Ohio as I do, when he takes the floor he has information of importance to give us that all the Members should hear.

Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 185]

Anderson, Mont.	Gordon	Pilcher
Ashley	Grant	Powell
Baker	Gwinn	Preston
Barden	Hale	Prouty
Baumhart	Harrison, Nebr.	Radwan
Beamer	Hébert	Rains
Bentley	Henderson	Rivers
Boykin	Hillings	St. George
Brooks, La.	Hoffman	Scott, Pa.
Brownson	Holifield	Sheehan
Buckley	Hosmer	Shuford
Burdick	Hyde	Sieminski
Christopher	James	Smith, Kans.
Clark	Jenkins	Smith, Miss.
Clevenger	Jensen	Spence
Cohn	Jones, Mo.	Steed
Colmer	Kearney	Teague, Tex.
Cooley	Kilburn	Teller
Coudert	LeCompte	Thomas
Denton	McCarthy	Thompson, La.
Dies	McCormack	Utt
Dingell	McCulloch	Vanik
Doyle	McIntire	Wainwright
Eberharter	Mason	Williams, N. Y.
Elliott	Miller, Calif.	Willis
Engle	Miller, N. Y.	Wilson, Calif.
Frelinghuysen	Minshall	Winstead
Friedel	Morrison	Young
	Passman	

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines, and finding itself without a quorum, he had directed the roll to be called, when 342 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Ohio [Mr. KIRWAN] is recognized for 9 minutes.

Mr. KIRWAN. Mr. Chairman, I would like to read this news item that I have just taken from the teletype out here in the Speaker's lobby. Here is what it says:

NEW YORK.—The stock market made another moderate advance today in quiet trading.

Pivotal stocks rose from fractions to about a point. Some gains went beyond that. Many stocks showed slight changes to the plus or minus side.

Features were Kennecott's rise of 1¾ as hope waxed for congressional passage of the minerals-subsidy program; and Lorillard's drop of 2½ despite an upped dividend as traders sold on the news.

That just came over the ticker here. The people in the stock market in New York and throughout the Nation realize that this is a great gravy train that they are trying to get aboard now. It is one of the best ever in America, and if they can only get on it, everything will be fine. Yesterday it was hard to sit in this Chamber and listen to the people telling about this dying industry, the copper industry, that is supposed to be dying on the vine unless it gets help. Let us take a look at this dying industry.

In 1953, the copper industry paid $6 per share on their common stock. In 1954, they paid $6 per share on their common stock. In 1955, they paid $7.75 per share on their common stock. In 1956, they paid $9.25 per share on their common stock. In 1957, they paid $7 per share on their common stock.

Oh, what a happy death they are dying with that kind of money. But, we hear nothing about the thousands and thousands of industries that have gone into bankruptcy.

How about the automobile industry in Detroit? What are the Members who represent that area going to tell their people when they go home? It looks like there are about 200,000 unemployed in that area and when the people ask you whether you did anything for them, you are going to have to say, "no, but we took care of about 5,000 other people who are idle."

Now, let us move on to the west coast where there are thousands of working people idle. In the Chicago area the people there are idle by the thousands. There is the steel center in Gary, Ind. There is the Youngstown Sheet & Tube Co., steelworkers are idle by the thousands but there is not a word in this bill about steel. I am not down here crying for sympathy or anything like that. Life was not too easy for me for a long time. I started working in a coal mine for 35 cents a day and the going was tough. That was 1896. I am old. Yes, very old, and I have seen a lot of life. I know what life was then. I joined the miners union in 1899. I will have been in the union for 60 years come next year. I have been paying dues for a long time. But, I do not think the Wagner Act was passed to have the steel people try to put the finger on Members of Congress for something that they should not be interested in—namely, mining minerals. Steel is their game. I represent the third largest steel center in the country. There are about 66,000 unemployed in that district and there is not a thing in this bill for steel. There is not a thing in this bill for any of these people throughout the Nation. There is nothing in this bill for coal. I remember back in 1902 when there was a coal strike, when they came out of slavery. I took part in that strike for 6 months. The people in those days were put out of the company houses and you lived in a tent for 6 months and you ate cornmeal. You could not buy anything from the company stores. Yet, we hear some people say, "Let us go back to the good old days."

Anybody who talks about the olden days is about 30 years of age. He knows nothing about the olden days. I am telling you, with all the sincerity I can muster, there are less than 10,000 at the most who are out of employment in these 5 minerals covered by this bill. Less than 90,000 are unemployed in the whole mining industry.

Last year President Eisenhower presented his budget to Congress and said on page 89 that there is $260 million worth of surplus tungsten that the stockpile cannot absorb. I gave you the figures yesterday about the large unemployment among the coal miners. There are miners who probably have not worked a day since the Second World War; yet every day they try to better their condition. The Congress has done very little for the miners in the last 15 years.

If Senator Wagner were back with us today, he would not advocate the passing of a Wagner Act to have somebody send for a Congressman off the floor every day and tell them how to vote for the mining industry when their job is to represent the steel industry. But you have them scattered all over here. I am only telling you the facts because I am in a position to tell them to you. I am paid up in the Brotherhood of Railroad Trainmen. If you do not want to do something for Michigan, do not vote to do something for 10,000 who want to get on this gravy train. Do something for the 5 million who are out of work; do something for the aged; do something that will benefit the common good, not just a few.

Remember, Kennecott stock went up 1¾ after the close of the stock market yesterday.

What are we going to say when we report back to our bosses, the American people who are our constituents? As I said yesterday, we have got to give an account of our stewardship this fall. When they ask me: "MIKE, what did you do for us?", how will it sound to them for me to say I voted to keep 10,000 people working when there are so many other millions not working?

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. No, I have only limited time allowed me. In the other body there is not one Senator east of the Rocky Mountains on that Committee on Interior and Insular Affairs, not one; everyone on that committee on the Democratic and Republican side alike, comes from west of the Rockies. That is the section that is chiefly getting the good out of this, that and the few mining States in the East in the case of lead and zinc. Let me give you one little illustration of how the West benefits from this. In the Minerals Division of the Interior Department we were draining a lead mine out in Colorado. Every year a bill came into the Congress. I am not talking about Republicans, but Republicans and Democrats alike, a bill came to the Congress for draining that lead mine out in Leadville every year. It cost several million dollars for draining that mine. So one year I stopped it and immediately the Cleveland Trust Co., the largest bank in Ohio, who owned some stock in it sent a letter down to Youngstown, Ohio, to the press, and they sent it to me. The letter protested against stopping this work. And the surprising thing about this letter was that it was written on the letterhead of a bank so rich it could have bought out a good share of the United States Government, they had that much money. But there you have a case of old Uncle Sam and the taxpayers draining that mine in Leadville, Colo., that had not been worked for many years.

I say we have done well by the West. I know what I am talking about, for I have worked in lumber camps, in grain fields, in oil fields in the West. We are spending millions to develop its resources; for mineral and geologic research, for forestry, et cetera. We just approved here today $4 million more for minerals exploration.

Let me ask you what they are going to think over there in Michigan where they paid billions in taxes and where they have a couple of hundred thousand people out of work and idle? There is nothing in here for them—just $650 million to subsidize four minerals to help 10,000 miners, chiefly in the West.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. HILL].

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I just want to take this time to ask the gentleman from Ohio if he knows how the steelworkers' union stands on this bill.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. HILL. I want an answer first to the question.

Mr. DAWSON of Utah. If the gentleman from Ohio does not care to answer, I can tell him that the steelworkers' union is in favor of this bill.

Mr. BOLAND. That is precisely what the gentleman from Ohio said.

Mr. HILL. I did not yield to the gentleman. I yielded only to the gentleman from Utah.

Mr. DAWSON of Utah. Will the gentleman yield for an answer to the question?

Mr. HILL. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I want to say again that the steelworkers union is in favor of the bill because I do not want the impression left that the steelworkers are complaining.

Mr. KIRWAN. That is just what I say, instead of their staying to their knitting and looking after the interests of the steelworkers here, we find them down here and the steelworkers are paying them to look after their interests.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Colorado.

Mr. ASPINALL. If any Member got the idea that that drainage was authorized and the money was furnished by the Congress to drain one mine, of course that is not correct. May I say that the Leadville tunnel was drained prior to that and it was in operation right up until the last year or two. The gentleman from Ohio referred to one mine and left the impression that we were endeavoring to build up a dead industry out in that area. That is not right. This legislation, of course, has nothing to do with that particular area as far as the drainage of the tunnel is concerned.

Mr. METCALF. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Montana.

Mr. METCALF. I want to bring to the attention of the gentleman from Ohio that the steelworkers have lead and zinc and copper miners organized, and members of their union in Utah, Arizona, and Idaho, with a few in Montana, and they are acting in their own self interest to try to take care of their own union affairs.

Mr. HILL. And they are for this bill.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I merely want to add that the steelworkers are the bargaining agents for the miners of Oklahoma, Kansas, and Missouri who are out of employment at this time also; so the steelworkers have a legitimate interest in getting them back to work.

Mr. HILL. They are supporting the bill; so am I supporting this bill. There is nothing the matter with this legislation.

Mr. Chairman, I support this measure. I am sure all know of my great interest in agriculture and the welfare of the American farmer. But I am equally concerned with the vital need for a healthy, active, and progressive American mining industry. I know from first-hand experience how essential the mining industry is to the economy of our Nation.

As a former chairman of the Select Committee on Small Business I conducted field investigations of the small mines of America in the principal mining districts in the western United States. Our committee found that the condition of the small mines in every section of the country was deplorable. Our small miners were doing their best under American standards to supply the Nation's requirements for metal and nonmetals. But they were being forced into bankruptcy by unfair competition from cheap-labor mines from outside our country. We found that when mines are active they provide one of the best markets for American farm products and manufactured goods. The miner does not produce a single item he uses. Most of his income is spent in markets in areas where mining is not conducted. He buys automobiles, radios, electric products, and the hundred and one other items any other American worker purchases with his income. He pays local, State, and Federal taxes as does any other small-business man. He contributes liberally of his share of the income from his product to truck lines, railroads, and power companies. He, in a sense, like the farmer, is a part of the basic economy of our great Nation.

In my District he produces lead and zinc in Clear Creek and Gilpen Counties, tungsten and fluorspar in Boulder County, and in northern Colorado near my home in Fort Collins they are developing one of the great fluorspar mines of the county.

It is good for all of us to keep the mines in operation. Not only in times of emergency when imports are cut off but in peace times as well. For when we lose the skill of our miners we will lose one of the greatest assets of a powerful Nation.

I ask my colleagues to support this measure which is designed not only to keep our major mines in operation for a 5-year period but also lends special encouragement for our small operators in the mining business. I commend the Interior Department for coming forth with this program. I commend the Interior and Insular Affairs Committee for bringing this measure before us and I thank the leadership of both political parties for supporting this legislation and giving us an opportunity to adopt it before adjournment of this Congress.

I know how badly the legislation is needed. I know it will encourage the production of other metals such as butyl in my District which are badly needed in our defense effort.

I could not conscientiously return to my home in cool, colorful Colorado without urging my colleagues to support this measure and avoid the costly experience of making America totally dependent upon foreign sources for its metals and nonmetallics.

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Chairman and members of the Committee, I rise in support of this legislation.

On yesterday reference was made to a letter which was transmitted to the President of the United States last year by the late beloved former chairman of the Committee on Ways and Means, the Honorable Jere Cooper, and concurred in by the other 14 Democratic members of that committee. That letter dealt specifically with recommendations made by the executive branch of the Government with respect to a condition affecting the lead and zinc industry. The letter was in response to a plea to the committee to consider an approach to this problem entirely different from the one herein recommended. It was therein proposed that we enact, what was called by the administration, a sliding excise tax which, by any other name, was a tariff.

The Democratic members of the committee took the position that if this was the relief sought, then there was existing machinery in the trade-agreements program and in general legislation, ODM authority, and so forth, to deal with the problem. As far as I was concerned personally, I was opposed then and I am opposed now to attempting to solve this type of problem by the tariff approach.

There has been a good bit of discussion here about cost. Let us try to analyze what it would cost the consumer and the Government if we attempted to put a tariff, which was levied at a rate which was protective to these mines. That tariff would be so high that the cost to the Department of Defense for essential items alone, the increase in cost, would, in my judgment, more than offset the entire cost of this proposed legislation.

In addition to that, that does not include 1 penny of the cost involved to the consuming public of the United States automobile industry, the utilities industry, and the countless others who use these vital and strategic minerals and metals.

So, Mr. Chairman, I think that we must approach this problem logically, if we possibly can.

I, personally, do not have a copper mine, a lead mine, or a zinc mine within many hundreds of miles of the District which I have the privilege and the honor of representing in this great body. But I think this problem, like so many other problems, is not one which involves the interests of just one particular Congressional District, as important as those interests are; but I think it involves rather the national interest of the United States, and even as much as that, if not more, our position in the world in which we are living.

Let us examine that for a moment. All of us know that we are engaged in a ruthless competition with this atheistic system known as communism. All of us know that the rulers in the Kremlin employ every method known to mankind. This is not a struggle alone between sputniks and submarines and missiles and the land armies and the military. This is a struggle across the board in human endeavor. And one of the most significant of those is in the economic field.

Take aluminum. There is a strategic metal. The Russian competition or the threat of Russian competition has had much to do with the recent depression in the price of aluminum. Aluminum is not the only thing that is being threatened. All down the line, all across the board in the economic range we are being met with the fiercest type of state-controlled, state-operated communistic competition.

Russia decides, let us say, that it will send wheat to India. Some fellow goes to Khrushchev and he says, "This means 50,000 Russians will starve to death, in some province." And Khrushchev says, "So what? This is the second time you have complained to me," or some such thing. That is the type of competition that we are up against.

In short, Mr. Chairman, this program not only has implications here, but it has tremendous implications abroad. I realize that much of the debate here is directed against what is called foreign competition. But most of this foreign competition comes from our friends; copper from Chile, lead and zinc from Peru, from Mexico, and from Canada. These are not our enemies, these are our friends. These are people who help us. These are people we count on in the United Nations and in other organizations.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. Not at the moment; I should like to, because I greatly admire and respect the gentleman, but I just cannot at this time.

We must not take the position that this is something directed at the enemies of this Republic; not at all. This is a program, as I see it, which gives stability to an industry which is vital to the economy of our country, which is vital in the economic cold war, which is vital in our relationship with some of our best friends in the world. It will bring about at least a partial solution to a problem which has been with us for a long time.

Much has been made of the fact that there has been fluctuation in the commodity exchanges. Certainly there has been. Where you have industries living in this condition, the exchanges are going to fluctuate. If you pass this bill I think you will have stability and no such fluctuation.

I hope the bill will be passed.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Chairman, opponents of S. 4036, the Minerals Stabilization Act, have raised five main objections in this debate. They are as follows:

First, that the act is too costly.

Second, that it is not justified from the standpoint of defense needs.

Third, that a tariff is a better way to save the mining industry.

Fourth, that the measure gives a whopping big subsidy to big mining firms.

Fifth, that minerals should be left in the ground and mined only as they are needed.

Let us consider briefly each of these objections in their order:

The maximum amount which this measure could cost for the first year would be $156.9 million. This is not all an expenditure because $82.5 million goes for stockpiling 150,000 tons of copper, which is as good as money in the bank. The mere prospect of passing this legislation could raise the price of copper to 27½¢ a pound and preclude the necessity of the Government buying this $82.5 million worth. By considering the stockpiling of copper a good investment, which we should, and deducting its cost from the total, the actual cost for the first year could not exceed $74,457,000.

The estimated maximum cost for the 5-year program, including the copper stockpiling, is $454.7 million.

The second objection is that this legislation is not justified on the grounds of defense needs. This objection has already been met. My colleagues have shown you in this debate that the estimate of defense needs was based upon the erroneous assumption that our domestic mines would continue to produce at the rate they were producing when the estimate was made. The fact is that they will not continue to produce at that rate because practically all of our remaining lead-zinc mines are operating in the red right now, on a day-to-day basis, just waiting to see the outcome of our vote today before closing down.

Just you take domestic metals out of competition by permitting our mines to close and see what the great foreign cartels will do to us and our economy by way of prices. Prices would skyrocket. We need this legislation for the protection of our economy as well as for the defense of our country.

Now for the third objection; namely, "that a tariff is better." Personally I agree. But my colleagues have told you that for 2 years and more we have literally begged for tariff relief under the escape clause or relief from any source, but without success. It is S. 4036 which you can now pass or nothing. You don't need to be reminded of the treatment given our Vice President in South America partly as a result of our talk about tariff on lead and zinc, or the unfriendly feelings generated in Canada, to understand the opposition of the State Department to a tariff.

Please note that the Stabilization Act before you will not upset our foreign relations. A tariff inevitably would.

The fourth objection is that "the bill gives a whopping big subsidy to big mining firms." One of the best answers to this objection is title II of the bill itself which has not even been mentioned thus far in the debate. Title II fairly well precludes exactly what the opposition maintains the bill includes. Title II shuts off the help to the big mines at a certain point and adds to the help given the small mines. In addition to providing a maximum of 3.9 cents per pound of lead up to 350,000 tons total production and 2.9 cents per pound of zinc on 550,000 tons total production, the act under title II contributes 1.125 cents per pound of lead and 0.55 cent per pound of zinc on the first 500 tons a mine produces. The larger the mine the less the proportionate assistance, and the smaller the mine the greater the proportionate assistance.

Small mines have been and are the principal casualties. Practically all of the marginal ones have long since succumbed and are beyond the hope of restoration. Those that are left deserve to live, and title II of the Minerals Act will help them to survive.

Now let us consider the fifth objection; namely, that "the minerals should be left in the ground and mined when needed."

The implication here is that a metal mine can be turned on and off at will—like a spigot. This assumption is entirely fallacious because unused mines fill with water, cave in, sell their equipment, and cease all exploration for new ore veins.

Take as a specific example one of our oldest and proven superior mines—the Chief Consolidated Mine at Eureka, Utah, which closed down last October. Testimony in the hearings—Tariff Commission 1957, testimony by Miles Romney—showed that this mine produced 10,000 to 12,000 tons of metals each year, that the cost of reopening would be about $2,500,000 and that it would take approximately four and one-half years to bring it back into production.

Mr. Chairman, this bill is not exactly palatable to most of us but it is either this or a raise in tariff through the escape clause and bring down the wrath of neighboring nations upon our heads. We just cannot think of permitting our remaining lead-zinc mines to close. A vote for this measure is our last chance to save many of them.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Colorado.

Mr. ASPINALL. The gentleman refers to the fact that the cost for 1 year will be $156 million. That is just for the first year.

Mr. DIXON. That is for the first year, and it is less after that.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Arizona.

Mr. UDALL. I think we should clarify the situation with respect to the statement made a moment ago by the gentleman from Ohio. If the price of copper rises to 27.5 cents, there is nothing in this bill for copper.

Mr. DIXON. That is correct. I would almost bet that if this bill is passed copper will go up a cent, and there will be nothing needed for copper. That is where most of the objection has been centered.

Mr. UDALL. Is it not also true that there is no subsidy payment or gravy train or anything in this bill for copper? There is no subsidy of any kind, no stabilization payment, no payment of any kind to the copper industry.

Mr. DIXON. That is true, but suppose we do have to buy $82 million worth of copper, it is like gold in the bank, anyway. We would sustain no loss.

Mr. ROGERS of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Chairman, I am a member of the House Foreign Affairs Committee. Like an overwhelming majority of my colleagues, I supported the extension of the Reciprocal Trade Act and the mutual-security program. However, I have not lost sight of the fact that all our efforts will avail very little if we fail to keep our own economy strong and efficient. At the very foundation of our domestic economy is the mining industry. Without this basic industry we would be weak and ineffective. This is particularly true of lead—a mineral resource with which my own State, Missouri, is blessed. In fact, Missouri is the principal producer of lead in the United States.

I doubt that the average person is aware of the essential uses of lead in our everyday life. Your automobile, which is quite essential, starts with a lead storage battery. Its delicate mechanism operates on electricity properly supplied through the lead battery. It operates on bearings containing lead. Its radiator is put together with lead, and the gasoline it uses contains lead. Your home contains lead—especially in plumbing—and is most likely painted and protected with lead paint. Your telephone messages and the electricity you use are conveyed in lead-covered cables. Protection against atomic radiation depends largely on lead, and thus it goes—I point out these everyday uses of lead to stress the fact that we just cannot afford to let our essential lead resources languish or fall to pieces in the adjustments of other issues. Nothing else is quite so essential to our well-being and security.

Our Government has stimulated and assisted mineral production abroad with American funds. This is justified only if we also give adequate stimulus to our own domestic mineral production. I quote from a publication of the International Cooperation Administration:

Assistance in mining is directed toward helping Peru in its efforts to develop its mineral resources, and to appraise mineral potentialities. Since 1945 the United States has provided missions for geological investigation in Peru.

Some results:

A systematic study of more than 1,000 lead and zinc deposits made in northern Peru gave the Government an estimate on which to base plans for road and concentration plant construction and for providing mining loans to small miners.

A United States technician has been in Peru since 1953 to aid in the development of the Peruvian employment service.

Traditionally, the tariff has been used in the United States to help balance the mining industry. However, for reasons which have been widely discussed, the present administration prefers a subsidy to tariffs. This is not the time to quarrel with this decision. Although the lead miners have expressed a preference for adequate tariff relief, they are willing to cooperate with the Government in the subsidy provided in S. 4036. The miners are desperate, even though they have been and are cooperative. There is no need for any further delay. Other means of Government assistance, such as stockpiling, barter, tax relief, or tariffs, are either unavailable or have been excluded from use for one reason or another. The time has come for action—affirmative and constructive action which will restore the lead-mining industry in this country to its proper role in our economy.

Let me call your attention to the very small comparative amount of support provided in this bill. At the very most, not to exceed $27 million a year is needed for lead. This amount would be used only if there is no improvement in world lead prices. This amount is paltry when compared with the millions of dollars of Government aid given in subsidies to so many other groups.

One of my colleagues has expressed apprehension over the huge Government stockpile of metals accumulated largely under Public Law 520 for military purposes, and the other stockpile being acquired by the Department of Agriculture through barter. Let me assure my colleagues, they need have no misgivings about the wisdom of the Government in procuring these valuable and imperishable foreign supplies and stockpiling them in the United States. Mines all over the world are becoming increasingly more difficult to find and our own domestic needs are growing at a steady rate. We can well afford to pile up all the foreign metal we can acquire through barter. Future generations will bless us for such foresight.

In closing, I earnestly appeal to my colleagues who support reciprocal trade and mutual security. Surely we owe the provisions of S. 4036 to our own people. And to you who oppose reciprocal trade and foreign aid because, as you insist, we ought to be doing something for our own people, here is your chance. Please, for our own security and well-being, support this stabilization of our basic mining industry.

ST. JOSEPH LEAD CO.,
New York, N. Y., August 18, 1958.

Hon. A. S. J. CARNAHAN,
The House of Representatives,
Washington, D. C.

MY DEAR MR. CARNAHAN: I have been disturbed to read in the papers some Congressional comment about the proposed mineral stabilization bill, which would imply that large American mining companies with operations abroad are importing minerals and then demanding a subsidy to protect themselves from the imports.

Let me hasten to set the record straight so far as the St. Joseph Lead Co. is concerned. Although we are the largest lead mining company in the United States with roots that go back almost 100 years in Missouri, and although we do mine lead in Argentina, none of our foreign production reaches the United States. All of it is used locally in Argentina.

With kindest regards.

Respectfully yours,
ANDREW FLETCHER,
President.

Mr. ROGERS of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. IKARD].

Mr. IKARD. Mr. Chairman, we have heard here this afternoon the distinguished gentleman from Louisiana and others who have made the point that this program is the proper way to approach this problem and that it is certainly the more equitable way and a cheaper way in the long run than to approach it on a tariff basis. And the gentleman has given the background of what occurred last year in the Committee on Ways and Means when dealing with this question.

Mr. Chairman, I would like to make one other point and that is with reference to the situation of the domestic market as it exists today. It has largely been and is a creature of the Federal Government. A good example of this, I think, is copper. Since the Korean war the United States Government has underwritten new copper production of something on the order of 250,000 tons of copper annually at a considerable cost of some two-hundred-and-eighty-odd million dollars. Therefore, since they have on the one hand been provided with and given these incentives and encouragement and in many instances ultimatums to increase production, then I think due to the essential character of these metals, the program provided for in this bill is must legislation.

Mr. MILLER of Nebraska. Mr. Chairman, I yield to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, this domestic minerals bill authorizes an expenditure of $650 million in subsidies to be paid the copper, lead, zinc, acid-grade fluorspar, and tungsten industries. It is supposed to assist these industries and their employees. The bill is supported by many outstanding and conscientious Members of the Congress.

The administration also is supporting this subsidy program but despite the favorable views of the Secretary of Interior, I strongly oppose the bill.

It seems to me that we are ignoring large segments of economy when we continue to subsidize and stockpile these mineral resources. I speak for these segments in opposition to this measure.

First of those ignored is, of course, the taxpayer. With the deficit for this fiscal year estimated to run over $10 billion, we are now proposing to add to that deficit an amount in excess of a half billion dollars.

We are also ignoring those industries and their employees which use these minerals. At this point may I read a letter which I recently received from Mr. A. E. Jacobson, president of the Grand Haven, Mich., Brass Foundry:

Hon. GERALD R. FORD, Jr.,
House of Representatives,
Washington, D. C.

DEAR JERRY: The Grand Haven Brass Foundry and its employees ask that you vote against the Government's proposition of stockpiling 300 million pounds of copper to bring the price up to 27½ cents.

Our business is beginning to pick up a little and, with the present price, we are able to compete with some of the other materials that have held up and infringed on the brass foundry business.

The Government has so much copper stockpiled at the present time that we cannot figure out why they should have more in stock. The British Government wants to unload 2,000 tons and why should we boost the price on the world market. We feel the only way to adjust the copper market is through the law of supply and demand. Business is starting to pick up and there will be a much greater demand for copper so we feel we should sit tight on copper prices and when the demand exists, the prices will adjust themselves.

We all sincerely hope you will vote no against any propositions of stockpiling copper.

May we hear from you?

Sincerely yours,
GRAND HAVEN BRASS FOUNDRY,
A. E. JACOBSON.

Mr. Jacobson points up the other side of the problem and represents that large group of consumers which should not be ignored.

Then, of course, the ultimate consumer is also adversely affected by any artificial stimulus to higher prices. It is self-evident that legislation to increase the cost of raw materials is going to be reflected in the prices of articles purchased by the ultimate consumer, you and me, all of us.

Finally, Mr. Speaker, the Congress has given the mineral industries and administration an alternative method for attacking the problem of surpluses in these industries. They may proceed under the "peril point" and "escape clause" provisions of the Trade Agreements Act. Congress intended these provisions to be used. We did not intend that they should be bypassed when the going got rough.

I am opposed to this Minerals Stabilization Act because of its costs to the taxpayers, its effect on consumers, both at the fabricating level and at the consumption level, and because an alternative approach to the problem is presently available under Federal law.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, will the gentleman from Texas [Mr. ROGERS] yield me additional time?

Mr. ROGERS of Texas. It was my understanding that the gentleman could not get any time on the other side and he talked me into an agreement to yield him 4 minutes. Not having a full understanding of what transpired on that side of the aisle, I am not going to go back on my agreement and I yield him 4 minutes.

Mr. GAVIN. I thank the gentlemen from Texas and from Nebraska. I did appeal to my side and I was unable at the time to secure any time as it was all allocated.

I thank my good and able friend from Texas whom I greatly admire, for the consideration he has given me. I also want to say to the House that the gentleman from Texas is recognized as one of our outstanding Members who by his work has won the great admiration of the Members on both sides of the aisle. He has been most considerate of my request for time.

Mr. Chairman, this proposed legislation before us today calls for a program of incentive payments designed to maintain what is referred to as a small production of minerals. It may be a small production but the estimated cost is approximately half a billion dollars—which is no small amount.

It would appear to me that the Government today is becoming a Government of pressure groups—in fact, a Government of subsidies. We subsidize many and varied programs—from agriculture to minerals we are creating a utopia where no one can lose. The Government will protect and finance all phases of our economic and social life. We may go bankrupt and create chaos; however, these programs must go on.

We are facing a $12 billion deficit in fiscal year 1959. We recently increased the national debt by $13 billion. It would appear that we are definitely headed for a $300 billion national debt.

How long the country can continue these spending programs without eventually leading to bankruptcy is problematical.

Let me remind the House that it is about time we approach these legislative proposals in a practical, realistic, common sense manner. The distinguished gentleman from Ohio, my friend, Mr. KIRWAN, made a very able presentation. We must not be influenced by these various pressure groups. We must determine whether these programs are sound and for the best interest of the country as a whole.

Certainly we did not build our country on subsidy programs. America was built by hard work, thrift, and frugality.

It would appear, as I have stated, that we are trying to develop a utopia where everything will be subsidized. This system of ours cannot stand this terrific impact and debt without ending up in difficulties.

Unless we change the trend I am quite certain we will end up with a bureaucratic Government overlording all phases of our economic and industrial life.

Now, what is the difference between this program and a program subsidizing the automobile industry when it becomes overstocked with automobiles. In a time of surplus production, the Government would buy and stockpile automobiles so that the automobile manufacturers could continue to buy steel uninterruptedly. There would be no slackening or curtailing in the production of steel and automobiles, and no men would be laid off in these areas. Everybody could operate in a regular manner.

This same principle could apply to radios, television sets, pottery in Ohio, coal in Pennsylvania, textiles in the New England States, or any other item in overproduction. Now let us not pick out one segment of our economy or one industry and subsidize it. Certainly that is what you are attempting to do here in this bill.

There is no demand for the production of these minerals. There is an ample stockpile. Now you are working on what is called an incentive program.

Why we should develop legislation for a program of incentive payments designed to maintain a small domestic production of minerals, I am unable to understand.

Incentive, or whatever it is, the Government is putting up a half billion dollars to keep them in operation. There has been ample stockpiling of all of these materials. Do not be mislead by the term "incentive program."

Why we get into programs of this nature I am unable to understand. Certainly we cannot pick out one particular branch of industry to give preferred attention and give no consideration to the coal industry of Pennsylvania, the steel industry of Ohio, the pottery industry of Ohio, the textile industry of the New England States, and every other industry that is having a difficult time and where employees also have been laid off by the thousands.

You are establishing a precedent here that you cannot live up to. It is unfair that any one particular segment of our industrial life should be given preferred attention over any other branch of industry.

It is about time that we looked at these programs in a good, sound, common sense manner. Before long we are going to be in debt $300 billion. We are paying $7½ billion annually in interest on our national debt.

Now, this great Nation of ours has given us what we have and this great system under which we have operated has opened the doors for opportunities for all of us. My interest is to see that the same opportunities are offered to the generations of tomorrow—the freedom of thought, freedom of operation, and the freedom to create and do the things that will continue to build a great America. You cannot do it, my friends, by carrying on programs of subsidies in every phase of our economic, industrial, and agricultural life, all of which will lead us to inflation and bankruptcy.

We are duly elected as representatives of the people to protect the solvency of this Nation. I sincerely hope that we have the courage of our convictions to approach these various legislative programs from a practical, sound, commonsense manner.

Let me state, the only legacy that we are leaving for the generations that follow is a backbreaking debt that will bear down on them for the next 75 to 100 years.

What a legacy to leave to the youth of tomorrow.

We should get back to the old commonsense way of handling things. Therefore, I trust this legislation will be defeated.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 7 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Utah.

Mr. DIXON. One of the big arguments made against this bill that has been raised here today is that we are giving subsidies to whopping big industries that do not need it.

I call the attention of the Members of the House to the fact that title II of this bill does exactly the opposite. After a certain point is reached it cuts off the big industries. It benefits the little industries. For instance, after a mine produces 500 tons, it gets no help under title II. All of the small mines that produce under that amount get a great deal of help under title II. They get 1.12 cents per pound on lead and 55 cents for zinc up to 500 tons, is that correct?

Mr. RHODES of Arizona. That is my understanding.

Mr. DIXON. This bill does exactly the opposite to what it has been reported to do. The charge that we are giving the money to whopping big corporations is not correct.

Mr. RHODES of Arizona. The bill was not drafted with the intent of helping any big organization, as the gentleman has so well pointed out.

Mr. Chairman, yesterday I tried to put this bill back into perspective, but it seems it has gone out again today. The gentleman from Pennsylvania who just spoke and the gentleman from Ohio [Mr. KIRWAN], both fine Members of the House and good friends of mine, have succeeded in making this bill look like a relief bill. This is not a relief bill. This is not a bill to end unemployment in any area. If I thought that was the thesis behind this bill, I would not blame anybody for opposing it because all of you have unemployment in your districts.

You all have your own problems, and certainly I would not blame you one bit if you felt that we in the West or we from the mineral producing areas were trying to put our problems ahead of yours. That is just not the case.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Colorado.

Mr. ASPINALL. Those of us who support the bill support it because we feel that this industry is necessary to the welfare of the Nation. It is strange to some of us that in the bill we passed this afternoon we had an appropriation for $680 million in 1 year to purchase uranium, and yet here we have in this bill some of the metals that are just as important to the future of America as uranium, and in the 5-year program we have a $456 million authorization only.

Mr. RHODES of Arizona. I thank the gentleman.

That brings me to the next point I wanted to make, and that is that this bill is for the defense of this country. The gentleman from Pennsylvania—and heaven only knows, he is a fine Member of the House, but he tries to show this bill in the light of a relief bill, as a bill which is trying very desperately to give this industry some advantage that some other industry does not have. Well, of course, there is some difference between trying to save an industry which is vital to national defense and in trying to save some of the industries which the gentleman talked about. The whole difference between this and the Brannan plan, and the whole difference between granting subsidies to any other industry, is defense, and do not forget it. Can you Members of the House possibly have forgotten the scurry which went through this country in World War II and the Korean war when we were trying desperately to get the sinews of war, the minerals and the metals needed to win the war? Of course you cannot. Sure, this bill may cost a little money, but you have never seen anything as expensive as trying to prospect for ore, trying to construct mines for and trying to produce strategic minerals and metals in a situation where you have no time, where you have only a national emergency, where you are having ships which are carrying strategic minerals to our shores shot out from under us by torpedoes from the enemy and where we have no choice but to spend all the money that is necessary, all the time that is necessary, in order to bring to these shores the minerals and metals which we must have to prosecute a war. I say to you, my friends, that the cost of this bill will be found to be very small indeed if we find that again—and please God it will not—this Nation is involved in a shooting war. This body and every Member of it will then thank his lucky stars that he was wise enough at the proper time to support a bill which is designed to keep an industry going, which is the most vital industry to any war effort which any of us could imagine. I say, keep it going, and that is all that we can do, because there is no profit in this bill for anybody. All we want to do is to allow the domestic mining industry to proceed on a minimal basis to keep the mines open, to keep them from flooding, to keep the timbers from rotting, to keep the machinery from rusting so that this great industry will be ready in the event the country needs it.

Mr. ROGERS of Texas. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, this debate on the bill has taken the same turn as the debate on the rule. Before I make the few remarks that I want to make in closing the general debate on the bill I want to call the attention of every Member of this House to the first phrase in a very important statement that was made by Daniel Webster, which graces this side of the Chamber, high up. It says:

Let us develop the resources of our land.

That is what this bill is for. That is why it was brought before the Congress. It is not a stockpiling bill. It is not a relief bill. It is not a defense bill, except for what it contributes in good, sound advancement of civilization in bringing about those results. They are merely facets in the problem that are served by following a sound policy. And I say to you that this is a sound policy.

I want to repeat what I said on the rule. When this matter first came to my attention I was against it. I was opposed to it for many, many reasons and many of them were the reasons that have been brought out on this floor by the gentleman from Ohio, a very able Member of this House, Mr. KIRWAN; the gentleman from New York, Mr. PILLION, a very dear friend of mine, and the gentleman from Pennsylvania, Mr. GAVIN. They did a wonderful job. They are dedicated Congressmen. They do everything that they think is right and certainly I yield to their judgment in what they do. But I have studied this bill. We held extensive hearings on it and we found out what the trouble was so far as this industry is concerned.

I want to talk about just a few of the things that were mentioned, in closing this debate. Much was said about unemployment. Of course, this bill will help employment—of course it will. Any sound piece of legislation in America helps employment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to the distinguished gentleman from North Carolina.

Mr. COOLEY. Mr. Chairman, I would like to say to the gentleman that I am in complete accord with the views he has expressed concerning this important measure. I have a definite interest in the pending measure for the very great reason that the largest tungsten mine in America is located in my District. That mine has been closed since the month of June. About five or six hundred breadwinners are now in idleness. The management will reopen this mine and start up the operation if this bill becomes law, although the price of tungsten provided in the bill is just about the average cost of production in a well-operated mining operation.

I shall vote for the bill.

Mr. ROGERS of Texas. Mr. Chairman, I thank the gentleman. I want to say that we had hoped that the distinguished chairman of the House Committee on Agriculture would enter into this debate, but he was in a conference committee and did not get back to the House until just a few minutes ago.

Mr. Chairman, I want to touch on tungsten for just a few moments. I think it is a very important matter to call to the attention of this House. But returning for a moment to the question of employment, let me say that if something is not done to shore up this industry in America, you are going to have more unemployment in this industry. Certain figures were used. We were told there were only a few thousand unemployed. Please listen to this. When a miner becomes unemployed he becomes unemployed because there is no mining to do. Where does he go? He goes to the railroad or the steel mills or some place else. Then when he becomes unemployed, that unemployment is not charged up as unemployment of a miner. It is the same with the farmer in agriculture. When they leave the farms, they go to the cities to obtain employment to feed their families. Let me say that we have made a tragic mistake in that regard, because over three-fourths of a million farm families have been driven off the farm since 1951 into these cities. They constitute part of the unemployment that is plaguing our country today. If we will get this economy shored up as it should be, these people who are unemployed will go back where they came from, and you will not have the unemployment that you have in many of the steel centers, in many of the automobile centers, and so forth.

In that regard I want to say this. Some have talked about the philosophy of this matter; that is, because we can get it cheaper somewhere else, because we can get some of these minerals cheaper from foreign sources, that we ought to do that.

Just trace that out to its logical end. We can buy wheat cheaper in Canada, we can buy wheat cheaper in lots of places than we can raise it in America. Why do we not stop growing wheat, and stop making automobiles, and stop producing pottery, and start buying them from foreign countries? The trouble is, they do not think far enough and realize there would not be anything to buy them with.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. ROGERS of Colorado. I want to compliment the gentleman from Texas on his excellent presentation of a problem that is not necessarily peculiar to the West but is one that faces the entire Nation, that is, the opportunity we have to continue a basic industry. If you do not pass this legislation, I think the record is clear that most of the mines will be compelled to close.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from North Carolina.

Mr. COOLEY. In line with the gentleman's argument, we have a wool program that protects the wool producers of America. We have a sugar program that protects the sugar beet and sugar cane producers of America. All we are asking here is something to protect the miners, who are contributing to the welfare of America.

Mr. ROGERS of Texas. I thank the gentleman.

We have the defense stockpile situation. Some people look so far and no further. They talk about this great stockpile. Let me say to you with regard to these minerals, I would much prefer to have a stockpile program, but we do not have a stockpile program. We were told 4 years ago that the administration was going to work out a long-term minerals program, and present it to us for some action. We waited on the Committee on Interior and Insular Affairs for that program for 4 years, and this is what we got. It is a baby that was put on our doorstep at the last minute before this Congress closed. Why was that done? Because the minerals people had been given to understand that they would be taken care of in the reciprocal-trade program. They were not taken care of in the reciprocal-trade program, as all of you well know. We are at the end of the rope, we are at the close of Congress, and something has to be done, not to stop some unemployment—of course it will do that—not to produce something for a stockpile, not to produce something just for the general economy of this country, but to provide at least a partial self-sufficiency for this country in some strategic and I say indispensable minerals that must be had as we go into the future.

I wish I had time to give you the benefit of what came before us in the hearings, and I wish you would take time to read them. I think most of you would realize that this is not a nickel-and-dime situation, this is a situation where we may be facing our survival, that is, whether or not we survive, because what we are doing is this: We are moving into an era in the advance of civilization when we are going to need tremendous supplies of very high heat-resistant metals. We are going to need a tremendous supply of fuel. People that think that you can be pennywise right now are going to find out that we have been pound foolish. The thing this Congress ought to do is go into this program as the groundwork, the very beginning of what will have to be done in the future in meeting the requirements.

Take tungsten for instance, as was mentioned by the gentleman from North Carolina. I want to say this about it.

If you will look in the records, you will find today Russia claims to have the greatest reserves of tungsten in the world. And who was making that claim before Russia? It was Red China and Red China could prove it. Russia and Red China together have over 50 percent of the world's reserve in tungsten today and that is the world's proven reserves. How are we going to know whether we have any reserves or not if we are going to cut off any possible program and say that because we can get it from Korea or get it from someplace else a little bit cheaper than we can produce it in America, we are simply going to say we are not going to do it. You know what will happen if war comes along. You know exactly what will happen. The same thing will happen that happened with reference to the manganese situation during the last war when the German enemy with their submarines, when they were short of ammunition, they would pick one or two or three ships out of a convoy of 70 ships because they were carrying manganese. That is exactly what happened. We hear about the need for these high heat resisting metals. The gentleman from Colorado [Mr. ASPINALL] who is the distinguished acting chairman of the committee at this time has a chart which I would like him to show to you.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am glad to yield to my distinguished colleague.

Mr. ASPINALL. As the gentleman from Texas just stated, I hold in my hand a chart which shows the present use of metals and their heat resistant point as far as effectiveness is concerned. You will find this ferrous or iron level. Here is where your metals of today will become unusuable as far as heat is concerned. To get up to the area where you get a heat resistant operation, you have to get up to the tungsten area and this "W" is "W" for wolfram, now called tungsten. It is in the use of tungsten that the future of the United States is dependent so far as its use in missiles and airplanes and cones that they talk about are concerned. That is why tungsten is important to our survival at the present time.

Mr. ROGERS of Texas. I thank the gentleman from Colorado. I think that points it up as to what we need to do. The question before this House is whether or not we are going to stay in this indispensable metals industry or are we going to get out of it. I say we should stay in it.

Mr. MILLER. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. GEORGE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. GEORGE. Mr. Chairman, I am hopeful that S. 4036, a bill to stabilize production of copper, lead, zinc, tungsten and acid-grade fluorspar and for other purposes, will receive favorable action by this Congress today. The mining industry in the United States, and especially in the tristate mining area of Kansas, Oklahoma and Missouri where lead and zinc are produced, is in desperate circumstances due to the world price now being paid for these metals.

The tristate mines and smelters cannot operate under present world price conditions. Consequently all of our mines have shut down and our smelters are not in operation.

During World War I 50 percent of the lead and zinc mined in the United States was produced in this district. During World War II, over 12 percent of the lead and zinc produced by our country came from this area. The United States produces only 40 percent of its needs at the present time, and we are only asking for protection which is granted in this bill to maintain our domestic production.

Mr. Chairman, the mining industry has always been considered one of our basic producers of new wealth. The Membership of the House today is going to determine by its vote on S. 4036 whether this basic industry will survive or be abandoned. These mines cannot be allowed to lay idle any great length of time because of accumulation of water in them. It is a constant fight to keep this underground water pumped out, for if it is allowed to accumulate, the mines will have to be abandoned. The measure we are considering today is the only way we can maintain our domestic mineral output, and if this measure is enacted, it will permit the orderly readjustment of domestic production to all normal commercial markets. This program, if

enacted, will not interfere with friendly countries abroad who are now supplying us with a great deal of our domestic mineral needs.

I cannot conceive of the Congress not taking favorable action on this program which is absolutely necessary for the survival of a great many of our domestic mines. I do not believe that the House of Representatives wants to accept the responsibility of allowing this basic industry to collapse and for us to become dependent altogether on foreign imports for our metal needs.

It is imperative that we get a favorable vote on S. 4036. The Nation's security and welfare is bound too closely to this metal program for the Congress not to take favorable action.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Domestic Minerals Act of 1958."

Mr. ROGERS of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines, had come to no resolution thereon.

WHEAT UNFIT FOR HUMAN CONSUMPTION—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 441)

The SPEAKER laid before the House the following message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 11581, "To remove wheat for seeding purposes which has been treated with poisonous substances from the 'unfit for human consumption' category for the purposes of section 22 of the Agricultural Adjustment Act of 1933, and for other purposes."

Virtually all of the seed wheat entering the United States comes from Canada. Much of the wheat so imported is treated with poisonous substances which act as inhibitors of wheat diseases and insects. As such wheat is unfit for human consumption, it is so classified under the Tariff Act. Under the classification, "wheat unfit for human consumption," treated seed wheat is dutiable at 5 percent ad valorem (about 10 cents per bushel at current prices) as compared with a duty of 21 cents per bushel on all other imported wheat, including untreated seed wheat. The present measure would reclassify treated seed wheat and put it in the straight "wheat" classification, thereby making it subject to the higher rate of duty.

The duty on wheat unfit for human consumption was reduced from 10 to 5 percent ad valorem in a bilateral agreement with Canada effective in 1939. The present rate was bound under the General Agreement on Tariffs and Trade in 1948. These agreements recognize the right of the United States to raise duties or impose quotas should imports, at current rates of duty, of wheat unfit for human consumption seriously injure or threaten injury to domestic producers. Similar protection is provided under these international agreements and the Agricultural Adjustment Act with respect to imports which interfere with programs of the Department of Agriculture.

There is, in the record, no claim that the present rate of duty is imposing a hardship on anyone, or interfering with any program of the Department of Agriculture. Our laws provide a method for making and sustaining such a claim, which has not been invoked in this case. While, in some respects, seed wheat classifications may be anomalous, this seems a scant basis for taking an action which, I believe, would violate our international agreements, and be inimical to the trade policy of the United States, the interests of our farmers, and our relations with Canada.

The United States is constantly working to reduce the barriers to world trade. The latest manifestation of this effort is the recent and overwhelming endorsement by the Congress of a 4-year extension of the Trade Agreements Act. Tariff reduction without serious hardship to our domestic producers is an integral part of our trade policy. Approval of H. R. 11581 would be inconsistent with this policy and would not be understood by our trading partners, particularly Canada.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 20, 1958.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. COOLEY. Mr. Speaker, I move that the bill and message be referred to the Committee on Agriculture and ordered to be printed.

The motion was agreed to.

The SPEAKER. The Chair is going to recognize Members now to send bills to conference and to concur in Senate amendments.

ADMISSIBILITY OF CERTAIN EVIDENCE, STATEMENTS AND CONFESSIONS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes, with a Senate amendment thereto, disagree to the amendment of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CELLER, WALTER, WILLIS, KEATING, and CRAMER.

EDUCATION OF MENTALLY RETARDED CHILDREN

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13757) to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies.

The Clerk read the title of the bill.

Mr. ARENDS. Mr. Speaker, I trust the gentleman from South Dakota will not press for consideration of the bill. This bill has been calendared for consideration under suspension of the rules. I ask the gentleman to withdraw his request.

Mr. McGOVERN. May I say to the gentleman from Illinois that this has been cleared with the Minority Leader, the gentleman from Massachusetts, Mr. MARTIN. I am wondering if the gentleman from Illinois is aware of that fact.

Mr. ARENDS. I may also say to the gentleman from South Dakota that I have information that a number of Members wish to discuss this matter and would object to its being called up for consideration now. I hope the gentleman will withdraw his request.

Mr. McGOVERN. Mr. Speaker, I withdraw my request.

WATERSHED PROTECTION AND FLOOD PREVENTION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5497) to amend the Watershed Protection and Flood Prevention Act, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 6, strike out "recreational and."

Lines 10 and 11, strike out "recreational and."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

IMPROVEMENTS TO CAPITOL POWER PLANT

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12883) to provide for certain improvements relating to the Capitol Power Plant and its distribution systems, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 9, strike out "oil-burning."

Page 2, line 8, strike out "oil."

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. JONES]?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, can the gentleman tell me if this has been cleared by the ranking minority member of the House Committee on Public Works?

Mr. JONES of Alabama. It has been cleared with the ranking member of the Public Works Committee and the leadership on that side of the aisle.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ESTABLISHING A COMMISSION AND ADVISORY COMMITTEE ON INTERNATONAL RULES OF JUDICIAL PROCEDURE

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4642) to establish a Commission and Advisory Committee on International Rules of Judicial Procedure, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 6, line 20, after "amounts" insert "not to exceed a total of $75,000."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, can the gentleman tell me if this has been cleared by the ranking minority member of the Committee on the Judiciary?

Mr. WALTER. Yes. The only amendment is a limitation on the expenses.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING THE FEDERAL-AID HIGHWAY ACT OF 1958

Mr. FALLON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12808) to amend the Federal-Aid Highway Act of 1958 to extend for an additional 2 years the estimate of cost of completing the Interstate System, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 6, strike out "June 30, 1960, 1961, and 1962." and insert "June 30, 1960, and June 30, 1961."."

After line 6 insert:

"SEC. 2. That the sixth sentence of section 108 (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 379) is amended to read as follows: 'The Secretary of Commerce shall make a revised estimate of cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within 10 days subsequent to January 2, 1961.'"

Amend the title to read as follows: "An act to amend the Federal-Aid Highway Acts of 1956 and 1958 by advancing the date for submission of the revised estimate of cost of completing the Interstate System and to extend the approval of such estimate for an additional year."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BOATING SAFETY ON THE NAVIGABLE WATERS OF THE UNITED STATES

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11078) to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 13, strike out "7½" and insert "10."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. ARENDS. Mr. Speaker, reserving the right to object, what change was made in this bill?

Mr. BONNER. This raises the power limit from 7½ horsepower to 10 horsepower. This has all been cleared with the gentleman from Washington [Mr. TOLLEFSON], with the gentleman from California [Mr. ALLEN], and with the leadership.

Mr. ARENDS. It was cleared with some of the Members on the gentleman's side of the aisle who were interested in this?

Mr. BONNER. Yes; the gentleman from Florida [Mr. SIKES].

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ALLEN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ALLEN of California. Mr. Speaker, H. R. 11078, the small boat safety bill, as it came back to the House from the other body, provides for the numbering of all undocumented vessels powered with more than 10 horsepower. I believe it would have been a better bill if it covered all powered vessels including those of 10 horsepower and less as was originally intended. Nevertheless, it is still a very good bill.

Under it all undocumented vessels propelled by machinery of more than 10 horsepower using the navigable waters of the United States must be numbered, by the States in those States which adopt the overall numbering system, and by the Federal Government otherwise. While the Federal numbering system under Federal law applies only to undocumented vessels with more than 10 horsepower, there is nothing in the bill to prevent the States from numbering all undocumented vessels including those of 10 horsepower and less. It should also be noted that while the Federal authorities will not number undocumented vessels of 10 horsepower or less, the Coast Guard will still enforce the provisions of the Motor Boat Act of 1940, which have to do with running lights, fire prevention and lifesaving equipment, negligent and reckless operation, etc., with regard to all mechanically propelled boats regardless of how small or of how little power.

Under the bill the Secretary of the Treasury, probably through the Coast Guard, will establish an overall numbering system which will apply to all vessels which the Federal Government will number and which may be adopted by each of the several States so desiring, for vessels propelled by machinery of more than 10 horsepower. It is my hope that the overall numbering system will be so constituted that States which desire to use it may also apply the numbers to vessels of 10 horsepower and less if they wish to number all vessels. It may well be that the Congress will wish to make a similar extension of the numbering system to additional small boats and it would be well if the overall numbering system now instituted should be adaptable if and when such future extensions of the law are adopted.

It is to be hoped that the States adopting the overall numbering system will have in mind in connection with State legislation and agreements between the several States that uniformity of laws and reciprocity of treatment is highly desirable for the full enjoyment of the recreation which boating makes available to those who take their boats from State to State. Any State has the power to enforce its laws on its own intrastate waters. The adoption of the overall numbering system will qualify a State to enforce its laws on the navigable waters of the United States within such a State. It must, of course, thereafter number undocumented vessels of over 10 horsepower in accordance with the overall numbering system. There is nothing in the bill to prevent it from numbering additional vessels as has been stated. It could also enforce on the navigable waters of the United States all its laws otherwise regulating the use of undocumented vessels. A State could, as some States now do, in addition to requiring a number in accordance with the overall numbering system which will identify a vessel regardless of where it

is found, require additional licenses to operate either motors or boats or both on the waters within the State. Arrangements between the States with regard to reciprocity of treatment in such instances will be very desirable.

The bill includes the provision for the collection of statistics with regard to accidents and their compilation in the office of the Secretary for whom the Coast Guard will probably act. For the first time we will have a comprehensive body of statistics which will furnish factual information with regard to the dangers implicit in the use of small boats. The Federal Government and the several States will have available therefrom a source of information upon which to make future changes in law which will make the use of small boats safer.

Under the bill there will be available to the Coast Guard the right to use the simplified civil penalty procedure ordinarily comparable to State procedures in connection with very minor offenses including violation of the laws against reckless and negligent operation of small boats of all sizes provided for in the Motor Boat Act of 1940. In addition, and in other respects, civil penalties under H. R. 11078 are changed sufficiently to make them more effective. Heretofore, the penalty of $10 for failure to number a vessel required to be numbered was not always sufficient to cause a person to wish to avoid the penalty.

H. R. 11078 as it comes before us is a good bill. Primarily it is an enabling act which will permit the several States to have concurrent jurisdiction with the Federal Government over the navigable waters within their respective boundaries and to enforce their respective laws on all the waters within such boundaries whether they be intrastate waters or navigable waters of the United States. The States can, and it is hoped that they will, assume the responsibility for numbering undocumented vessels propelled by machinery and for the passage and enforcement of laws which will make the use of small boats and the great recreational resource which they involve as safe as may be possible.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING SECTION 27 OF MERCHANT MARINE ACT OF 1920

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9833) to amend section 27 of the Merchant Marine Act of 1920, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, line 6, after "carrier" insert "subject to part 3 of the Interstate Commerce Act, as amended."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, can the gentleman tell me if this has been cleared with the ranking minority members?

Mr. BONNER. It has been cleared with all sides.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER AT OR NEAR MIAMI, MO.

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3776) to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the constructon of a bridge across the Missouri River at or near Miami, Mo.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 2 of the act of January 16, 1936 (49 Stat. 1093), as amended, is hereby amended by striking out "twenty years" and inserting in lieu thereof "thirty-five years."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORDELL HULL DAM AND RESERVOIR

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12216) to designate the dam and reservoir to be constructed on the Cumberland River, near Carthage, Tenn., as the "Cordell Hull Dam and Reservoir," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 2, insert:

"TITLE I"

Page 1, line 3, preceding "That" insert "SECTION 101."

Page 2, after line 4, insert:

"TITLE II"

"SEC. 201. That the purpose of this title is—

"(a) to provide for an integrated and cooperative investigation, study, and survey by a commission created pursuant to this title and composed of representatives of certain departments and agencies of the United States, and of the State of Texas, in connection with, and in promotion of, the conservation, utilization, and development of the land and water resources of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) in the State of Texas in order to formulate a comprehensive and coordinated plan for—

"(1) flood control and prevention;

"(2) domestic and municipal water supplies;

"(3) the improvement and safeguarding of navigation;

"(4) the reclamation and irrigation of land, including drainage;

"(5) possibilities of hydroelectric power and industrial development and utilization;

"(6) soil conservation and utilization;

"(7) forest conservation and utilization;

"(8) preservation, protection, and enhancement of fish and wildlife resources;

"(9) the development of recreation;

"(10) salinity and sediment control;

"(11) pollution abatement and the protection of public health; and

"(12) such other beneficial and useful purposes not herein enumerated; and

"(b) to formulate, within the time provided for in section 209 of this title, a basic, comprehensive, and integrated plan of development of the land water resources within the area described in this section for submission to, and consideration by, the President and the Congress, and to make recomendations, after adequate study, for executing and keeping current such plan. It is not the purpose of this title to create any continuing or permanent instrumentality of the Federal Government or to take from, or reassign, the duties and powers of any department or agency of the United States represented on the Commission, except as herein provided in this title.

"SEC. 202. In carrying out the purposes of this title it shall be the policy of Congress to—

"(1) recognize and protect the rights and interests of the State of Texas in determining the development of the watersheds of the rivers herein mentioned and its interests and rights in water utilization and control, as well as the preservation and protection of established uses;

"(2) protect existing and authorized projects and projects under construction whether public or private;

"(3) utilize the services, studies, surveys, and continuing investigational programs of the departments, bureaus, and agencies of the United States;

"(4) recognize an important body of existing Federal law affecting the public lands, irrigation, reclamation, flood control, grazing, geological survey, national parks, mines, and minerals; and

"(5) to recognize the primary responsibilities of the State of Texas and local interests in such State in developing water supplies for domestic, municipal, industrial, and other purposes and that the Federal Government should participate and cooperate with such State and local interests in developing such water supplies in connection with the construction, maintenance, and operation of Federal navigation, flood control, irrigation, or multiple purpose projects.

"SEC. 203. (a) In order to carry out the purposes of this title, there is hereby established a commission to be known as the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins and intervening areas (hereinafter referred to as the 'Commission').

"(b) The Commission shall be composed of fourteen members appointed by the President as follows:

"(1) One member, who shall serve as Chairman, and who shall be a resident from the area comprising the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces and San Jacinto River Basins (and intervening areas) embraced within the State of Texas and who shall not, during the period of his service on the Commission, hold any other position as an officer or employee of the United States, except that a retired military officer or a retired Federal civilian officer or employee may be appointed under this title without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $12,000 in any one calendar year;

"(2) Six members of whom one shall be from the Department of the Army, one from the Department of Commerce, one from the Department of Health, Education, and Welfare, one from the Department of Agriculture, one from the Department of Interior, and one from the Federal Power Commission; and

"(3) Seven members, nominated by the Governor of Texas subject to the provisions of subsection (c) of this section, each of which shall be a resident of a different one of the following geographical areas of Texas:

"(A) Neches River Basin;

"(B) Trinity River Basin;

"(C) Brazos River Basin;

"(D) Colorado River Basin;

"(E) Guadalupe-San Antonio River Basin;

"(F) Nueces River Basin; and

"(G) San Jacinto River Basin.

"(c) In the event of the failure of the Governor of the State of Texas to nominate a person or persons in accordance with the provisions of paragraph (3) of subsection (b) of this section satisfactory to the President within 60 days after a request by the President for such nomination, the President shall then select and appoint a qualified resident from the State of Texas.

"(d) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

"(e) Within 30 days after the appointment of the members of the Commission by the President, and funds have been made available by the Congress as provided for in this title, the Commission shall organise for the performance of its functions.

"(f) The Commission shall elect a Vice Chairman from among its members.

"(g) Eight members of the Commission, of whom at least four shall have been appointed pursuant to subsection (b) (3) or (c) of this section, shall constitute a quorum for the transaction of business.

"(h) Members of the Commission shall report from time to time to their respective departments or agencies, or to the Governor of the State of Texas if appointed pursuant to subsection (b) (3) or (c) of this section, on the work of the Commission, and any comments and suggestions pertaining to such work from such departments, agencies, or governor shall be placed before the Commission for its consideration.

"(i) The Commission shall cease to exist within 3 months from the date of its submission to the President of its final report as provided for in section 209 of this title. All property, assets, and records of the Commission shall thereupon be turned over for liquidation and disposition to such agency or agencies in the executive branch as the President shall designate.

"SEC. 204. The Commission may, for the purpose of carrying out the provisions of this title, hold such hearings, sit and act at such times and places, take such testimony, administer such oaths, and publish so much of its proceedings and the reports thereon as it may deem advisable; lease, furnish, and equip such office space in the District of Columbia and elsewhere as it may deem necessary; use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States Government; have printing and binding done in its discretion by establishments other than the Government Printing Office; employ and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended; purchase or hire, operate, maintain, and dispose of such vehicles as it may require; secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman, and employees of the departments or agencies from which persons have been appointed to the Commission pursuant to section 203 (b) (2) of this title may be assigned upon request by the Chairman of the Commission to temporary duty with the Commission without loss of seniority, pay, or other employee status; pay travel in accordance with standardized Government Travel Regulations and other necessary expenses incurred by it, or any of its officers or employees, in the performance of duties vested in such Commission; and exercise such other powers as are consistent with and reasonably required to perform the functions vested in such Commission under this title.

"SEC. 205. Responsibility shall be vested in the Chairman for (1) the appointment and supervision of personnel employed under the Commission, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds: *Provided*, That in carrying out his functions under the provisions of this section, the Chairman shall be governed by the general policies of the Commission.

"SEC. 206. (a) Members of the Commission appointed pursuant to section 203 (b) (2) of this title shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive the salary of their regular position when engaged in the performance of the duties vested in the Commission. Such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

"(b) Members of the Commission, other than those appointed pursuant to section 203 (b) (2) of this title, shall each receive compensation at the rate of $50 per day when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties, but the aggregate compensation received by the members of the Commission pursuant to this subsection shall not exceed $12,000 per annum in the case of the Chairman, and $7,500 per annum in the case of members of the Commission other than those members appointed pursuant to section 203 (b) (2) of this title.

"SEC. 207. In the formulation of a comprehensive and coordinated plan or plans for (a) the control, conservation, and utilization of the waters of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basin (and intervening areas), (b) conservation and development of the land resources of such area; (c) flood control, navigation, reclamation, agriculture purposes, power, recreation, fish and wildlife, and (d) such other needs as are set forth in paragraph (a) of the first section of this title, the Commission shall—

"(1) seek to secure maximum public benefits for the State of Texas and the Nation consistent with the specific directions contained in section 208 and elsewhere in this title;

"(2) utilize the services, studies, surveys, and reports of existing Government agencies and shall encourage the completion of such current and additional studies and investigations by such agencies as will further the purposes of this title, and such agencies are authorized to cooperate within the limits of available funds and personnel to the end that the Commission may carry out its functions as expeditiously as possible;

"(3) take into consideration the financial, physical, and economic benefits of existing and prospective Federal works constructed or to be constructed consistent with the purposes of this title:

"(4) include in its plan or plans estimated costs and benefits; recommendations relating to the establishment of pay-out schedules (areawide or otherwise) taking into account the Federal Government's present and prospective investment in the area; costs reimbursable and nonreimbursable; sources for reimbursement; returns heretofore made from existing projects and estimates of returns from recommended projects; repayment schedules for water, irrigation, industrial, and other uses; power rates and recommendations for the marketing thereof in such manner as to encourage its most widespread use at the lowest possible rates consistent with the return of capital investment and interest thereon; and

"(5) offer in its plan or plans proposals for the construction and operation of the projects contained therein, and designate the functions and activities of the various Federal departments and agencies in connection therewith consistent with existing law, except that no such plan or plans shall include final project designs and estimates.

"SEC. 208. In the formulation of its plan or plans and in the preparation of its report to the President, the Commission shall comply with the following directives:

"(1) The report shall contain the basic comprehensive plan for the development of the water and land resources of the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins (and intervening areas) formulated by the Commission in accordance with the provisions of, and to accomplish the purposes of, this title;

"(2) The Commission and the participating Federal departments and agencies shall comply substantially with the intent, purposes, and procedure set forth in the first section of the act entitled 'An act authorizing the construction of certain public works on rivers and harbors for flood control and other purposes', approved December 22, 1944 (58 Stat. 887).

"SEC. 209. (a) The Commission is authorized and directed to prepare a final report, within the time provided for in this section, for submission to the President. Before the Commission takes final action on the approval of such report for submission to the President, it shall transmit a copy of such report to each department, agency, and to the Governor of the State of Texas referred to in subsection (b) of section 208 of this title. Within 90 days from the date of receipt by each such department and agency, and by the Governor of the State of Texas of such proposed report, the written views, comments, and recommendations of such department, agency, and Governor shall be submitted to the Commission. The Commission may adopt in its report to the President any views, comments, and recommendations so submitted and change its report accordingly. The Commission shall transmit to the President, with its final report, the submitted views, comments, and recommendations of each such department and agency, and of the Governor of the State of Texas whether or not adopted by such Commission.

"(3) The President shall, within 90 days after the receipt by him of the final report of the Commission, transmit it to Congress with his views, comments, and recommendations.

"(d) The final report of the Commission and its attachments shall be printed as a House or Senate document.

"SEC. 210. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to carry out the purpose of this title."

Amend the title so as to read: "An act to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the 'Cordell Hull Dam and Reservoir' and to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, can the gentleman tell us whether this has been cleared with the ranking member of the committee on this side of the aisle?

Mr. BLATNIK. Yes. Also with the minority leadership.

Mr. BALDWIN. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT

Mr. ASPINALL. Mr. Speaker, I have four unanimous consent requests that have been cleared with the leadership and by the members of the committees.

CROW CREEK SIOUX RESERVATION INDIANS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12670) to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, South Dakota, whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "$2,019,219.94" and insert "$1,395,811.94."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PINE RIDGE SIOUX TRIBE OF INDIANS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7860) to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range," with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

"That (a) the Secretary of the Interior is authorized and directed to pay the sum of $3,500 to each of the following Indians or their estates: Edith Apple Bear, Ephriam Brafford, Catherine Jones Brewer, Lamont Cook, Eloise Ruff Garnett, Jake Harvey, Ambrose Hernandez, Floyd F. Hernandez, Thomas Hollow Horn, Steven L. Hunter, Edward Janis, Jr., Norman Janis, George Jensen, William Jones, Carrie Knee, Clency Kocer, Seth P. Martinez, Walter Martinez, George Mountain Sheep, Jack O'Rourke, Wilbur Pourier, Josephine Thunder Bull, Gilbert Twiss, Martha E. Clifford Whiting, Patrick O'Rourke, William Clifford, Bertha Huebner Darling, and Loren Pourier."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

OAHE DAM ON THE MISSOURI RIVER

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12662) to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 15, strike out "$3,937,832" and insert "$3,299,513."

Page 5, line 8, strike out "$8,500,000" and insert $6,960,000."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LOWER BRULE SIOUX RESERVATION INDIANS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12663) to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "$1,175,231" and insert "$976,523."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMMEMORATING THE 150TH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 648) providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Page 4, line 4, after "States," insert "Secretaries of departments, heads of independent agencies, offices and commissions."

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GUS A GUERRA

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12632) authorizing Gus A Guerra, his heirs, legal representatives, and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out "4 years" and insert "1 year."

Page 1, line 10, strike out "6 years" and insert "2 years."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO AMEND PUBLIC LAW 85-422

Mr. KILDAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3966) to amend Public Law 85-422.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That (a) section 4 (a) of Public Law 85-422 is amended by striking out "and persons with two or less years of service for basic pay purposes who were retired for physical disability or placed on the temporary disability retired list."

(b) This amendment shall take effect on June 1, 1958.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TO AMEND THE REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 12303) to amend the Revised Organic Act of the Virgin Islands, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 19, after "may", insert ", with the concurrence of the Governor,".

Page 3, line 4, after "comptroller,", insert "or if the Governor does not concur in the taking of an appeal to the Secretary,".

Page 3, strike out lines 19 to 24, inclusive, and insert:

"SEC. 7. The last sentence of section 24 of said act is amended to read as follows: 'The Attorney General shall appoint a United States marshal for the Virgin Islands, to whose office the provisions of chapter 33 of title 28, United States Code, shall apply.'"

Page 4, strike out lines 9 to 18, inclusive.

Page 4, strike out all after line 18 over to and including line 4 on page 5.

Page 5, line 5, strike out "12" and insert "10."

Page 5, line 8, strike out all after "government" down to and including "government," in line 10.

Page 5, line 16, after "the" where it appears the second time insert "public interest by."

Page 5, line 21, strike out "13" and insert "11."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, will the gentleman tell me if this has been cleared with the ranking member of the Committee on Interior and Insular Affairs?

Mr. O'BRIEN of New York. It has.

Mr. BALDWIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONAL SCIENCE FOUNDATION ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3268) to amend the National Science Foundation Act of 1950, as amended, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. WOLVERTON. Mr. Speaker, reserving the right to object, will the gentleman explain to the House the purpose of the legislation?

Mr. HARRIS. This is a bill to amend the National Science Foundation Act. The purpose of the legislation is to facilitate the operation of the National Science Foundation by permitting the 24-man National Science Board to delegate authority to its executive committee or to the director of the Foundation. It is requested by the National Science Foundation as necessary to the administration of the act.

Mr. WOLVERTON. Mr. Speaker, this meets the entire accord of the committee on this side, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the National Science Foundation Act of 1950, as amended, is amended in the following manner:

Section 4 (d) and section 4 (e) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"(d) The Board shall meet annually on a day during the last 2 weeks of May and at such other times as the Chairman my determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the voting members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail mailed to his last-known address of record not less than 15 days prior to any meeting, of the call of such meeting.

"(e) The first chairman and vice chairman of the Board shall be elected by the Board to serve until the first Monday in December next succeeding the date of election at which time a chairman and vice chairman shall be elected for a term of 2 years. Thereafter such election shall take place at the second annual meeting occurring after each such election. The vice chairman shall perform the duties of the chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect a member to fill such vacancy."

SEC. 2. Section 5 (b) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(b) In addition to the powers and duties specifically vested in him by this act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by sections 10 and 11 of this act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11 (c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board to the Director or to the executive committee."

SEC. 3. Section 6 (a) and section 6 (b) (1) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"SEC. 6. (a) The Board is authorized to appoint from among its members an executive committee, and to assign to the executive committee such of the powers and functions granted to the Board by this act as it deems appropriate; except that the Board may not assign to the executive committee the function of establishing policies.

"(b) If an executive committee is established by the Board—

"(1) such committee shall consist of the Director, as a nonvoting ex officio member, and not less than 5 nor more than 9 other members elected by the Board from among their number;

"(2) the term of office of each voting member of such committee shall be 2 years, except that (A) any member elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was elected shall be elected for the remainder of such term; and (B) the term of office of 4 of the members first elected after the date of enactment of this act shall be 1 year;

"(3) any person who has been a member of such committee for 6 consecutive years shall thereafter be ineligible for election during the 2-year period following the expiration of such sixth year;

"(4) the membership of such committee shall, so far as practicable, be representative of diverse interests and shall be so chosen as to provide representation, so far as practicable, for all areas of the Nation;

"(5) such committee shall render an annual report to the Board, and such other reports as it may deem necessary, summarizing its activities and making such recommendations as it may deem appropriate. Minority views and recommendations, if any, of members of the executive committee shall be included in such reports."

SEC. 4. Section 10 of the National Science Foundation Act of 1950, as amended, is amended, to read as follows:

"SEC. 10. The Foundation is authorized to award, within the limits of funds made available specifically for such purpose pursuant to section 16, scholarships and graduate fellowships for scientific study or scientific work in the mathematical, physical, medical, biological, engineering, and other sciences at appropriate nonprofit American or nonprofit foreign institutions selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States, and such selections shall be made solely on the basis of demonstrated and potential ability; but in any case in which 2 or more applicants for scholarships or fellowships, as the case may be, are deemed by the Foundation to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant 1 to each of such applicants, the available scholarship or scholarships or fellowship or fellowships shall be awarded to the applicants in such manner as will tend to result in a wide distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia."

SEC. 5. Section 11 (c), section 11 (d), and section 11 (e) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"SEC. 11. The Foundation shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this act, including, but without being limited thereto, the authority—

"(c) to enter into contracts or other arrangements, or modifications thereof, for the carrying on, by organizations or individuals in the United States and foreign countries, including other Government agencies of the United States and of foreign countries, of such scientific activities as the foundation deems necessary to carry out the purposes of this act, and, at the request of the Secretary of Defense, specific scientific activities in connection with matters relating to

the national defense, and, when deemed appropriate by the foundation, such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes;

"(d) to make advance, progress, and other payments which relate to scientific activities without regard to the provisions of section 3648 of the Revised Statutes (31 U. S. C. 529);

"(e) to acquire by purchase, lease, loan, gift, condemnation, or otherwise, and to hold and dispose of by grant, sale, lease, loan, or otherwise, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this act."

SEC. 6. Section 13 (a) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"SEC. 13. (a) The Foundation is hereby authorized to facilitate any international scientific activities consistent with the purposes of this act and to expend for such international scientific activities such sums within the limit of appropriated funds as the Foundation may deem desirable. The Director, with the approval of the Board, may defray the expenses of representatives of Government agencies and other organizations and of individual scientists to accredited international scientific congresses and meetings whenever he deems it necessary in the promotion of the objectives of this act. In this connection, with the approval of the Secretary of State, the Foundation may undertake programs granting scholarships and fellowships to, or making other similar arrangements with, foreign nationals for scientific study or scientific work in the United States or foreign countries without regard to section 10 or the affidavit of allegiance to the United States required by section 15 (d) (2) of this act."

SEC. 7. Section 13 (b) of the National Science Foundation Act of 1950, as amended, is amended by inserting in lieu thereof a new section 13 (b) as follows:

"(b) The Foundation is also authorized, with the approval of the Secretary of State, to undertake programs providing for the conduct or facilitation of such other scientific activities abroad as are deemed to be in the interest of the United States."

SEC. 8. Section 13 of the National Science Foundation Act of 1950, as amended, is further amended by renumbering former section 13 (b) to become section 13 (c) and by amending section 13 (c) (1) to read as follows:

"(c) (1) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 11 (c), and the authority to facilitate international scientific activities as provided in subsections (a) and (b) of this section, shall be exercised only with the approval of the Secretary of State, to the end that authority to undertake such programs shall be exercised in such manner as is consistent with the foreign policy objectives of the United States.

"(2) If, in the exercise of the authority referred to in paragraph (1) of this subsection, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director."

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS of Arkansas:

Strike out all after the enacting clause of the bill S. 3268 and insert the provisions of the bill H. R. 11257 as amended by the committee.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

A similar House bill (H. R. 11257) was laid on the table.

TRADING WITH THE ENEMY ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11668) to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out "$5,000,000" and insert "$3,750,000."

Page 2, line 2, after "amended." insert "There is hereby authorized to be appropriated to the Attorney General such sums as may be necessary to replace the sums deposited by him pursuant to this subsection."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. WOLVERTON. Mr. Speaker, reserving the right to object, and I shall not object, because there is entire accord in this legislation on this side, does the gentleman from Arkansas wish to make any further statement?

Mr. HARRIS. I shall be glad briefly to explain to the House that the purpose of the legislation, as amended, would be to transfer funds from the proceeds of liquidated vested assets under the jurisdiction of the Attorney General into the War Claims Fund in order to satisfy unpaid awards heretofore made under the War Claims Act of 1948, as amended. The House passed the bill transferring a total of $5 million. The Senate reduced that amount to $3,750,000.

Mr. WOLVERTON. Mr. Speaker, I withdraw my reservation of objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, the enactment of H. R. 11668 providing for the transfer of $3,750,000 to the War Claims Fund to pay remaining awards by the Foreign Claims Settlement Commission to Philippine religious organizations for their schools, hospitals, and welfare establishments accomplishes the ends of equity and justice and marks another milestone in the course of friendly Philippine relations.

Under the provisions of the Philippine Rehabilitation Act of 1946, religious institutions received inadequate consideration because of the age of their equipment and the standards of depreciation used in the payment of claims. Accordingly, Public Law 303 of the 82d Congress was adopted to provide for reimbursement for relief given by these institutions to American soldiers and civilians and to pay for loss and damage of hospitals, schools, leper colonies, and welfare installations on the basis of replacement cost.

When we found that a narrow interpretation of the words "affiliated with organizations in the United States" imposed a hardship on some worthy institutions, we amended the War Claims Act further by Public Law 997 of the 84th Congress to include them. Payments under these Congressional enactments were not met by the taxpayers' money but from the War Claims Fund made up of liquidated enemy assets in the hands of the Alien Property Custodian. When the Attorney General required legislation to authorize further transfers to the War Claims Fund to make payments, we first passed Public Law 211 of the 83d Congress and now H. R. 11668 to discharge a number of effective but unpaid additional awards.

There never has been any question about the merit of the provisions for payments to institutions which for generations looked after the education, health, and welfare of the inhabitants of the Philippines in the absence of adequate government maintenance of these services. The unselfish and dedicated activities of religious organizations furthered civilization in those far-off islands and built up a citizenry schooled in democratic ideals and practices. When the growing clouds of communism threatened to obscure the sun of freedom in the newly organized Republic, these resources of western democratic ideals furnished the strength to weather the storm and account for our one remaining bulwark in the Far East against the continuing Communist menace.

No racial, religious, or economic distinctions were drawn among the beneficiaries of our legislation. Although the Filipinos are Christians leaning predominantly to the Roman Catholic faith, nevertheless approximately 30 Protestant institutions have or will have received under the laws enacted by this Congress a total of upward of $4 million. The Jewish community has been substantially compensated in accordance with their number.

It is no sign of immodesty for us to take deep satisfaction from our accomplishment towards at least partial reimbursement and compensation for the war losses of our Philippine allies and our recognition of the noble works in the field of education, sanitation, health, and welfare of Philippine religious institutions of all faiths and denominations.

CLAIMS PAID

ROMAN CATHOLIC

The Roman Catholic Bishop of Lingayen	$79,839.71
Institute of the Daughters of Jesus	53,129.56
The Roman Catholic Bishop of Leyte	75,063.56
Immaculate Conception Anglo-Chinese Academy	30,734.37
Cong. de Religiosas Dominicas de Sta. Cat. de Sena	622,780.75
The Roman Catholic Archbishop of Manila	1,245,323.30

CLAIMS PAID—Continued

ROMAN CATHOLIC—continued

Hospital de San Juan de Dios	$931,921.12
Community of the Sisters of St. Paul de Chartres	1,250,263.23
The Roman Catholic Bishop of San Fernando	6,773.32
Cong. de Religiosas Misioneras de Santo Domingo	134,423.83
Congregation of the Religious of the Virgin Mary	684,646.08
Franciscan Sisters of the Immaculate Conception	39,919.39
Instituto de Hermanas Augustinas Terciarias de Filipinas	108,880.06
Roman Catholic Prelature "Nullius" of Iba	28,322.62
Beaterio del Santisimo Rosario	137,663.15
Foreign Mission Sisters of St. Dominic, Inc	194,174.64
For. Mis. Sisters of St. Dominic (St. Paul's Hosp.)	1,315,523.15
Madres Siervas del Espiritu Santo de la Ador. Perpetua	500.00
Corporacion de PP Augustinos	1,113,774.30
Society of St. Columban	107,551.91
Sisters of the Good Shepherd	304,789.55
Community of Benedictine Sisters	803,605.68
Servants of the Holy Ghost	161,790.33
Maison de la Salle College	304,469.02
Christian Brothers	148,998.92
Daughters of Charity of St. Vincent de Paul	1,667,507.07
Society of the Divine Word	518,798.38
Assumption Convent, Inc	554,038.61
Ateneo de Cagayan	482,559.18
Missionary Canonesses of St. Augustine	1,033,597.81
Franciscan Missionaries of Mary	204,960.83
The Belgian Catholic Missionaries	60,179.54
Ateneo de Manila	1,954,860.95
Colegio de San Jose	331,418.22
Isabelle Cultural Corporation	935,229.10
Corp. de Padres Dominicos de Fil. and Univ. of Sto. Tomas	1,292,575.12
San Beda College	73,979.60
Knights of Columbus	115,874.55
Catholic Vicar Apostolic of Mt. Province	287,667.64
El Colegio de San Juan de Letran	583,016.54
The Roman Catholic Archbishop of Cagayan	205,541.23
The Roman Catholic Bishop of Zamboanga	391,500.75
El Observatorio de Manila	365,324.98
Ateneo de Naga	73,882.07
The Roman Catholic Archbishop of Jaro	455,825.59
Corp. de Padres Dominicos de Filipinas	109,726.70
Congregation of Mission of St. Vincent de Paul	229,581.93
Oblates of Mary Immaculate	8,814.37
Total	21,821,322.27

PROTESTANT

Ilog Baptist Church	$20,362.01
Seaside Baptist Church	3,371.00
Cosmopolitan Student Church	36,912.98
Domestic and Foreign Mission Society of Protestant Episcopalians	216,277.91
St. Luke's Hospital	20,908.32
Mary Johnston Hospital	12,482.50
Young Men's Christian Association of the Philippines	637,723.43

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CLAIMS PAID—Continued

PROTESTANT—continued

General Conference of Seventh Day Adventists	$384,816.96
Young Women's Christian Association of Manila	24,892.40
Bishop Mission District of Protestant Episcopalian Church in United States of America	227,926.14
Silliman University and Board of Foreign Mission of Presbyterian Church in United States of America	365,860.43
Board of Foreign Mission of Presbyterian Church in United States of America	57,558.31
Board of Foreign Mission of Presbyterian Church in United States of America	5,363.46
Board of Foreign Mission of Presbyterian Church in United States of America	297,740.34
American Board of Commissioners for Foreign Missions	139,910.62
American Baptist Foreign Mission Society	589,191.00
St. Stephen's Chinese Girl's School	23,275.11
Woman's Division of Christian Service of Board of Foreign Missions and Church Extension Methodist Church	440,478.32
Board of Foreign Missions of Presbyterian Church in United States of America	30,477.82
Central Philippine College	105,408.50
Philippine Union Mission Corp. of Seventh Day Adventists	25,121.92
	3,668,059.50

(In addition, there have been in claims and paid total amount of $2,332.50 to some individuals.)

JEWISH

National Jewish Welfare Board	$95,147.26
Jewish Community of the Philippines	17,982.32
	113,129.58

UNPAID CLAIMS

ROMAN CATHOLIC

The Roman Catholic Archbishop of Cebu	$372,318.19
The Roman Catholic Bishop of Lipa	556,675.59
The Roman Catholic Bishop of Surigao	131,019.68
The Roman Catholic Archbishop of Neuva Caceres	215,658.95
The Roman Catholic Bishop of Nueva Segovia	300,485.52
La Provincia de San Nicolas de Tolentino de las Islas Filipinas de la Orden de Padres Agustinos Recoletos	153,609.17
The Roman Catholic Bishop of Tuguegarao	270,891.92
The Roman Catholic Bishop of Lucena	206,213.19
Catholic Women's League of the Philippines, Inc	21,460.00
Agustinian Recollect Missionaries of the Philippines	47,523.91
Colegio de Santa Rosa de Manila, Inc	590,767.31
	2,868,643.43

PROTESTANT

Nabulao Baptist Church	$3,025.00
Union Theological Seminary	56,313.52
The Church of Jesus Christ "New Jerusalem"	810.00

UNPAID CLAIMS—Continued

PROTESTANT—Continued

Philippine Annual Conference of Methodist Church	$300,000.00
Northwest Philippines Annual Conference of the Methodist Church	42,500.00
Northern Philippines Annual Conference of Methodist Church	57,500.00
Union Church of Manila	27,500.00
Philippine Mission Churches of Christ	5,000.00
Hinoba-an Baptist Church	1,485.00
Dinalupihan Methodist Church	525.00
	394,658.52

MANILA.

Congressman MCCORMACK,
United States Congress,
Washington, D. C.:

The Philippine Baptist Convention and the United Church of Christ in the Philippines send their deep gratitude for your third amendment to the War Claims Act.

ALFREDO R. GOMEZ,
Authorized Representative.

Congressman MCCORMACK,
House of Representatives,
Washington, D. C.:

Philippine Federation of Christian Churches passed resolution thanking you for passage third amendment War Claims Act in House of Representatives.

ALFREDO GOMEZ,
Resolution Committee.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TEXTILE FIBER PRODUCTS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? (After a pause.) The Chair hears none, and appoints the following conferees: Messrs. HARRIS, WILLIAMS of Mississippi, MACK of Illinois, WOLVERTON, and BENNETT of Michigan.

INTERNATIONAL CRIMINAL POLICE ORGANIZATION

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4169) to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization. I may say that this is identical with the bill we had on the Consent Calendar Monday, H. R. 13354.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the act of June 10, 1938, c. 335, 52 Stat. 640 (22 U. S. C. 253a) is amended to read as follows: "That the Attorney General is authorized to accept and maintain, on behalf of the United States, membership in the International Criminal Police Organization, and to designate any departments and agencies which may participate in the United States representation with that organization. Each participating department and agency is authorized to pay its pro rata share, as determined by the Attorney General, of the expenses of such membership. The total dues to be paid for the membership of the United States shall not exceed $25,000 per annum."

Passed the Senate August 18 (legislative day, August 16), 1958.

Attest:

Secretary.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOUTHWEST RESEARCH INSTITUTE

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1494) for the relief of the Southwest Research Institute, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "the sum of $3,200.84." and insert "such sum, not exceeding $3,200.84, as the Housing and Home Finance Administrator may accept as allowable costs payable under contract H-76 or under any amendment thereto had such contract provided for an estimated total cost of $63,700.84."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Reserving the right to object, Mr. Speaker, what is the Southwest Research Institute?

Mr. LANE. The Southwest Research Institute is in San Antonio, Tex.

Mr. GROSS. What does it research?

Mr. LANE. The gentleman from Texas [Mr. KILDAY], the author of the bill, is here, and he will explain it.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

JEWISH WAR VETERANS, U. S. A., NATIONAL MEMORIAL, INC.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 109) to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That the following-named persons, to wit: Ben Kaufman, Trenton, N. J.; William Berman, Westbrook, Maine; Joseph Gilman, Manchester, N. H.; Captain Louis H. Albrand, Burlington, Vt.; Mrs. Ethel Cohen, Providence, R. I.; Paul J. Robin, Providence, R. I.; Frederick S. Harris, Meriden, Conn.; Edward Lettick, New Haven, Conn.; William Carmen, Brookline, Mass.; David Lasker, Boston, Mass.; Mrs. Sarah Stone, Brighton, Mass.; Harry D. Henshel, New York, N. Y.; Captain Joshua Goldberg, New York, N. Y.; Sol Masch, New York, N. Y.; Sam Slutsky, Peekskill, N. Y.; I. T. Rockman, Harrisburg, Pa.; Harry H. Schaffer, Pittsburgh, Pa.; Doctor David Coyne, Hoboken, N. J.; Edward Nappen, Atlantic City, N. J.; Howard M. Berg, Wilmington, Del.; Samuel Michaelson, Baltimore, Md.; Louis E. Spiegler, Washington, D. C.; Joseph F. Barr, Washington, D. C.; Joseph A. Reshefsky, Portsmouth, Va.; Edward Leyton, High Point, N. C.; Doctor Harry Appel, Charleston, S. C.; Harry Harrison, Atlanta, Ga.; Paul Ginsberg, Atlanta, Ga.; Harry Cohen, Miami Beach, Fla.; Louis B. Lepp, Birmingham, Ala.; Edwin I. Baer, Louisville, Ky.; Doctor Yale Burke, South Bend, Ind.; Harry T. Madison, Oak Park, Mich.; William Bobier, Phoenix, Ariz.; Samuel Shaikewitz, St. Louis, Mo.; Major General Julius Klein, Chicago, Ill.; Nathan Rakita, Milwaukee, Wis.; Meyer Dorfman, St. Paul, Minn.; Hyman Greenspan, Dallas, Tex.; Harold Freeman, Phoenix, Ariz.; Harry Pells, Denver, Colo.; Hy Weitzman, San Bernardino, Calif.; Don Kapner, Seattle, Wash.; Sherman Z. Lipstein, Omaha, Nebr.; William Stern, Fargo, N. Dak.; and their successors, are hereby created and declared to be a nonprofit body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Jewish War Veterans, United States of America, National Memorial, Incorporated (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

"COMPLETION OF ORGANIZATION

"SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws, not inconsistent with the provisions of this act, and the doing of such other acts as may be necessary for such purpose.

"PRINCIPLES AND OBJECTS OF THE CORPORATION

"SEC. 3. The principles and objects of the corporation shall be—

"(a) to maintain and conduct a national memorial and museum dedicated to and commemorating the service and sacrifice in the Armed Forces of the United States during the period of war by Americans of the Jewish faith;

"(b) to gather, collate, edit, publish, and exhibit the memorabilia, data, records, military awards, decorations, citations, and so forth, for the purpose of preserving the memories and records of patriotic service performed by men and women of the Jewish faith while in the armed services of the United States in time of war; and

"(c) to stimulate patriotism in the minds of all Americans by encouraging the study of the military and naval history of our Nation.

"CORPORATE POWERS

"SEC. 4. The corporation shall have power—

"(a) to have succession by its corporate name;

"(b) to sue and be sued, complain and defend in any court of competent jurisdiction;

"(c) to adopt, use, and alter a corporate seal;

"(d) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States, for the management of its property and the regulation of its affairs; said constitution and bylaws should likewise not be inconsistent with the laws of any State in which the corporation is to operate;

"(e) to contract and be contracted with;

"(f) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual, and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

"(g) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property; and

"(h) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

"PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

"SEC. 5. (a) The principal office of the corporation shall be located in Washington, D. C., but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, Territories, and possessions of the United States.

"(b) The corporation shall at all times maintain in its headquarters in the District of Columbia a designated agent to accept service of process for the corporation and notice to or service upon such agent, or mailed to the headquarters of the organization in the said Districtof Columbia shall be deemed notice or service upon the said corporation.

"BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

"SEC. 6. (a) Upon the enactment of this act, the initial board of directors of the corporation shall consist of the present officers and members of the board of directors of the existing corporation, entitled "Jewish War Veterans U. S. A., National Memorial, Inc.," an organization incorporated under the laws of the District of Columbia.

"(b) Thereafter, the board of directors of the corporation shall be of such number (not less than 36) who shall be selected in such manner, including the filling of vacancies and serve such terms as shall be prescribed under the constitution and bylaws of the corporation.

"(c) The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

"OFFICERS, ELECTION OF OFFICERS

"SEC. 7. (a) The officers of the corporation shall be a president and such number of vice presidents as shall be provided for in the constitution and bylaws, as well as a secretary and treasurer.

"(b) The officers of the corporation shall be elected in such manner and for such terms as well as with such duties as may be prescribed in the constitution and bylaws of the corporation.

"USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

"SEC. 8. (a) No part of the income or assets of the corporation shall inure to any officer or director or be distributable to any such person. Nothing in this section, however, shall be construed to prevent the payment of compensation to the officers or employees of the corporation in amounts approved by the executive committee of the corporation.

"(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

"NONPOLITICAL NATURE OF CORPORATION

"SEC. 9. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

"LIABILITY FOR ACTS OF OFFICERS AND AGENTS

"SEC. 10. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

"PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

"SEC. 11. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

"BOOKS AND RECORDS; INSPECTION

"SEC. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

"AUDIT OF FINANCIAL TRANSACTIONS

"SEC. 13. (a) The financial transactions shall be audited annually, at the end of the fiscal year established by the corporation, by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

"(b) A report of such audit shall be made by the corporation to the Congress not later than 6 months following the close of such fiscal year for which the audit is made. The report shall set forth the scope of the audit and shall include verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

"USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

"SEC. 14. Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto. Nothing in this section shall be construed so as to permit any such assets being distributed to any officer or employee or inuring to the benefit of any private person.

"TRANSFER OF ASSETS

"SEC. 15. The corporation may acquire the assets of the Jewish War Veterans, U. S. A., National Memorial, Inc., a body corporate organized under the laws of the District of Columbia, upon discharging or satisfactorily providing for the payment and discharge of all of the liabilities of such corporation and upon complying with all the laws of the District of Columbia applicable thereto.

"RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

"SEC. 16. The right to alter, amend, or repeal this act is expressly reserved."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. POFF. Reserving the right to object, Mr. Speaker, and I shall not object, I wonder if the gentleman will explain the purpose of the bill.

Mr. LANE. Yes, I will be glad to.

This is for the purpose of meeting the requirements of the understanding we now have with the Senate Committee on the Judiciary as to the form of these corporate charters. This includes a provision that the corporation must not support any political party, that the income may not be distributed to the directors or officers, and that no loans may be made to any of the officers, directors, or employees. It is thought that these are all desirable amendments. The Committee on the Judiciary is now making a practice of putting these requirements into all the various charter bills.

Mr. POFF. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GUERDON PLUMLEY

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1801) for the relief of Guerdon Plumley.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Guerdon Plumley, Richmond Hill, N. Y., the sum of $542.50. Such sum represents the amount of the judgment and costs for which the said Guerdon Plumley was held liable to Abraham Appelbaum in a civil court action in the courts of the State of New York. This civil action arose out of an accident which occurred on April 1, 1951, between an automobile owned by the said Abraham Appelbaum and a United States mail truck driven by the said Guerdon Plumley, a garageman-driver in the New York post office motor vehicles service. Such sum shall be paid only on condition that Guerdon Plumley shall use such sum or so much thereof as is necessary to pay such judgment and costs in full: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

M. SGT. ROBERT A. ESPE

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1258) for the relief of M. Sgt. Robert A. Espe. Two similar House bills were passed in the various Congresses. This bill has now passed the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert A. Espe, master sergeant, United States Air Force, the sum of $10,500. The payment of such sum shall be in full settlement of all claims of the said Robert A. Espe against the United States on account of the death of his wife, Joyce Merlyn Espe, and his infant son, Victor Robert Espe, on January 26, 1950, while passengers in an Air Force plane which disappeared after leaving Elmdorf Air Base at Anchorage, Alaska: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN EMPLOYEES—NAVY DEPARTMENT

Mr. LANE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12212) for the relief of certain employees of the Department of the Navy. This bill was on the consent calendar earlier this week and was objected to by the gentleman from Michigan [Mr. FORD] who has now withdrawn his objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That any employee of the Department of the Navy who, as a result of administrative error, received any overpayment of per diem while assigned to duty at the Golcuk Navy Yard, Ismet, Turkey, during the period beginning November 23, 1955, and ending April 30, 1957, both dates inclusive, is relieved of liability to pay to the United States the amount of such overpayment. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each employee of the Department of the Navy referred to in the first section of this act the amount certified to the Secretary of the Treasury by the Secretary of the Navy as the total of the amounts withheld from such employee by the United States on account of the overpayments referred to in the first section of this act, plus the amounts paid to the United States by such employee on account of such overpayments: *Provided*, That no part of the amount appropriated in this act for the payment of any one claim in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PARAGRAPH (K) OF SECTION 403 OF FEDERAL FOOD, DRUG, AND COSMETIC ACT, AS AMENDED

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9521) to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended, to define the term "chemical preservative" as used in such paragraph.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. WOLVERTON. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of this bill?

Mr. HARRIS. Mr. Speaker, I will yield to the gentleman from Mississippi [Mr. WILLIAMS] who is chairman of the subcommittee which held hearings on this matter for a brief explanation of the bill.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the purpose of this bill, as amended, is to amend section 403 (k) of the Federal Food, Drug, and Cosmetic Act by providing that the term "chemical preservative" as used in that section, shall not be construed to apply to a raw agricultural commodity which is the produce of the soil bearing or containing a fungicide or fungistat applied after harvest, while such commodity, having been received in a shipping container which bears labeling declaring the name of such fungicide or fungistat, is held or displayed in accordance with the custom of the trade, out of such shipping container.

The amendment further provides that nothing in this act shall affect any requirement of the laws of any State or Territory. The bill, as amended, is in the nature of a compromise. The fresh fruit and vegetable industry sought an amendment to the Federal Food, Drug, and Cosmetic Act which would have eliminated altogether both on the retail and wholesale levels the labeling requirement contained in section 403 (k). The Federal Food and Drug Administration and a majority of the State food and drug administrators opposed such a change in the law.

Under the provisions of the compromise the labeling requirement would no longed be applicable to the extent that the raw agricultural commodity is held or displayed out of the shipping container in which such commodity was shipped.

Any labeling or other requirements imposed by State laws or the laws of any Territory remain unaffected by this legislation.

The compromise amendment has the support of the fresh fruit and vegetable industries and is also agreeable to the Food and Drug Administration.

Mr. DINGELL. Mr. Speaker, much has been said by proponents of H. R. 9521 that section 403 (k) of the food and drug law and other sections dealing with labeling are not safety and health features of the law. Nothing is further from the truth. These sections are the cornerstones of good enforcement. Without adequate and proper labeling proper enforcement is almost completely impossible.

The compromise amendment before Congress today reflects two things, the inability of Congress and of the country to appropriate adequate money for full and complete enforcement of the food and drug laws of this country, a situation which we will one day have cause to regret. Because of inadequate appropriations, the Food and Drug Administration must investigate some 85,000 establishments dealing with food, drugs, and cosmetics around this country with less than 350 inspectors.

The compromise made admits only the inadequacy of this force to properly inspect the establishments with whose inspection they are charged. The amendment as drafted expressly recognizes that the States continue to have the responsibility to inspect retail establishments for food, drug, and cosmetics plants within their borders. It also recognizes that the States will continue to have the right to insist on such labeling requirements as they may deem worthwhile, and adequate action under their police power.

I want it made plain that I participated in this compromise because of the inability of the Food and Drug Administration, with its present meager staff, to enforce labeling requirements of the law as to fresh fruits and vegetables treated with postharvest pesticide chemicals. But the compromise in no way weakens the rights of States to act in this field, nor is it in any way establishing a precedent under which other labeling sections of the food and drug law are open to attack.

The proposed amendment to the Federal Food, Drug, and Cosmetic Act would add a further provision to section 403 (k) which presently requires, among other things, that if a food bears or contains a chemical preservative it must bear labeling stating that fact. The amendment states that that provision "shall not be construed to apply to a raw agricultural commodity which is the produce of the soil bearing or containing a fungicide or fungistat applied after harvest while such commodity having been received in a shipping container which bears labeling on such container declaring the name and function of such fungicide or fungistat is held or displayed in accordance with the custom of the trade out of such shipping container."

The Food and Drug Administration has contended that substances added to food to retard spoilage through fungicidal or fungistatic activity are chemical preservatives within the meaning of section 403 (k). Therefore commodities which bear such substances when shipped in interstate commerce must comply with those sections of the law that require them to bear labeling stating the fact that preservatives are present and, further, setting forth the names of the chemicals. Present law also requires that this information be displayed at the time of retail sale whether the commodity is offered in bulk or in a prepackaged container. Exemptions from these requirements may be secured upon the showing that it is impracticable to comply with them. There has not been complete agreement between the Food and Drug Administration and industry on whether it is impracticable to declare this information as presently required by law. Neither does industry agree with the Food and Drug Administration that pesticide chemicals are chemical preservatives within the meaning of the Federal Food, Drug, and Cosmetic Act. Industry, through H. R. 9521 as originally introduced, has sought a complete exemption from the requirements of section 403 (k) with respect to the declaration of pesticide chemicals on the labeling of fruits and vegetables to which they may have been applied.

It must be borne in mind that many pesticide chemicals are poisonous and deleterious substances which can be used safely only in certain amounts. Safe tolerances are established by law. Therefore it would be unrealistic to enact legislation which would tend to make difficult the task of a regulatory agency charged with the protection of public health by making certain that these dangerous substances are present only in amounts which can be tolerated safely. It would be virtually impossible for the Food and Drug Administration to ascertain, in a timely manner, whether a commodity bears or contains a pesticide chemical and if so the identity of that pesticide chemical—or combination if

two or more are used—unless it is truthfully labeled.

Proper labeling of containers in which fruits or vegetables are shipped at wholesale to show the presence and identity of pesticide chemicals does not appear to present problems which cannot readily be solved by that industry.

The suggested revision would have the following effect:

First. The labeling of shipping containers and of prepackaged raw agricultural commodities which are produce of the soil—for practical purposes, fruits and vegetables—bearing or containing fungicides or fungistats applied postharvest would have to state the name and function of such fungicides or fungistats. This would facilitate the enforcement responsibilities of the Food and Drug Administration in making certain that any pesticide chemicals present are there only in the legally tolerated amounts.

Second. In prepackaged commodities it would make the information relative to the presence of fungicides or fungistats available to consumers in more informative fashion.

Third. It would not make it a Federal offense for a retailer to fail to display labeling on bulk displays of fruits and vegetables in those cases where they bear or contain fungicides or fungistats. In this regard it is important to note that the Federal Government lacks the facilities to enforce any requirement relating to the labeling of retail bulk displays of fruits and vegetables. Therefore, for practical purposes the present requirement is unenforcible. Traditionally, regulation of the local retail sale of fresh fruits and vegetables has been a function of the individual State governments. The present amendment in no way abridges or proscribes the right of the States to impose any requirements relative to the labeling of fruits and vegetables sold at retail which in their opinion is indicated.

In summary, the amendment would preserve the most important safety features of the present law and at the same time offer the relief sought by industry. It would not prevent those States which believe that the presence of pesticide chemicals should be declared in the labeling of bulk retail displays from enacting and enforcing such requirements; to the contrary, it would aid them in this respect.

Mr. WOLVERTON. Mr. Speaker, there is no objection on this side of the aisle. In fact, there is considerable desire for the enactment of this legislation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 343 (k)), is amended by adding at the end thereof the following new sentence: "As used in this paragraph the term 'chemical preservative' shall not include any pesticide chemicals when used in or on any raw agricultural commodity which is the produce of the soil."

With the following committee amendment:

On page 1, line 5, after the word "adding" strike out all down to and including line 9, and insert: "before the period at the end of the first sentence thereof a colon and the following proviso: '*Provided further*, That the provisions of this paragraph relating to chemical preservatives shall not be construed to apply to a raw agricultural commodity which is the produce of the soil, bearing or containing a fungicide or fungistat applied after harvest, while such commodity, having been received in a shipping container which bears labeling on such container declaring the name and function of such fungicide or fungistat, is held or displayed, in accordance with the custom of the trade, out of such shipping container.'

"(b) Nothing in the amendment made by the first section of this act shall affect any requirement of the laws of any State or Territory."

The committee amendment was agreed to.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Forida [Mr. HALEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection?

Mr. HALEY. Mr. Speaker, H. R. 9521 is of fundamental importance to the fresh fruit and vegetable industry, to the retail trade handling fresh produce, and to consumers.

I want to state at the outset that the question of safety or health is not involved in this legislation inasmuch as these factors are effectively covered in the Miller amendment, section 408, of the Federal Food, Drug, and Cosmetic Act. In fact, Mr. John L. Harvey, Deputy Commissioner, Food and Drug Administration, during hearings on the bill, agreed that the whole question of the safety of chemicals used in connection with raw agricultural commodities is dealt with in the Miller amendment. He further stated that there is no question but they are harmless in the quantities used.

The basic objective of this bill is to bring about a workable application of the Miller pesticide-chemical amendment and the rodenticide provisions of the Food, Drug, and Cosmetic Act to the marketing and labeling of fresh fruits and vegetables bearing residues of certain pesticide chemicals. The bill makes clear that harmless residues of pesticides which have been approved by the Food and Drug Administration, on fresh fruits and vegetables, are not chemical preservatives within the meaning of section 403 (k) of the Federal Food, Drug, and Cosmetic Act and, therefore, are not subject to the labeling requirements of that section.

It is to be noted that section 403 of the Federal Food, Drug, and Cosmetic Act pertains to labeling. Section 403 provides:

A food shall be deemed to be misbranded (k) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: *Provided*, That, to the extent that compliance with the requirement of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the Secretary.

Since section 403 (k) is only concerned with labeling and not with public health, to apply this labeling requirement to fresh fruits and vegetables makes it unworkable, impractical to enforce, and will not inform the consumer as intended. In addition, the enforcement of this impractical regulation would add to the consumer price of basic food items.

It has been clearly established that the use of pesticide chemicals is most important in providing an adequate supply of foodstuffs in our modern society. It will be recalled that a few years ago if you picked out a nice apple at your favorite store, you were apt to find a very healthy worm within the apple or there might have been insects around the core. But today, thanks to the use of pesticide chemicals, you may safely bite into an apple without fear of the added flavor of a worm or other insects.

On July 22, 1958, the distinguished junior Senator of New York had inserted in the RECORD an address made by the noted Dr. Bernard L. Oser, of the Food and Drug Research Laboratories, Inc., Maspeth, Long Island, N. Y., on the occasion of his receiving the Babcock-Hart award for his valuable contributions to the technology of food production and processing. Dr. Oser pointed out that the science of chemistry is our greatest ally and that it is impossible to calculate precisely the value of agricultural produce saved by pesticides alone. Here it should be noted that, during hearings on this bill, ample evidence was presented that substantiates Dr. Oser's remarks and clearly establishes the need for the use of these pesticide chemicals in connection with the storage and marketing of raw agricultural commodities. In his address, Dr. Oser also warned the American people against popular writings on the subject of chemicals, stating that most of it is fabricated from speculation, half-truths, and obsolete information which, in turn, results in emotional pressure being brought to bear on legislative representatives and administrative agencies. We have witnessed that sort of campaign being waged against this measure.

In order to explain the problems involved in the marketing of raw agricultural commodities, and to show the need for the use of pesticide chemicals and the impracticability of the labeling requirement, I want to point out that the producing areas of fresh fruits and vegetables are located a long distance from the population centers for the most part. As a result, even though the industry has developed an efficient method of marketing, there is still a time lag between the harvesting date and the date of the consumer purchase. For example, after the produce is harvested, some may go into storage, some may be shipped directly to a distribution point, such as Philadelphia, where a chain grocery store repacks it and distributes it to their several stores, and other produce may be shipped to one of the large cities where it is sold at auction, then distributed to many retail outlets. Therefore, unless some

method is used to protect the produce from such things as blue mold, stem-end rot, and decay, the losses will greatly reduce the availability of eatable fresh fruits and vegetables. Hence, it is readily apparent that pesticides play an important part in insuring an adequate supply of these commodities, by retarding development of extraneous spores and inhibiting insect infestation upon the exterior of the produce.

From the foregoing it can also be seen that it is simply impractical to label raw agricultural commodities in a manner which will comply with the food and drug regulations. In any city, fresh fruits and vegetables are supplied by numerous shippers throughout the country. Assume that 3 different supplies of an item have been shipped from 3 different parts of the country and it was necessary to treat these different supplies with different pesticides. In order for the industry to comply with the labeling regulation, each of these three different supplies would have to be kept separate from packinghouse to the distribution point, and to the retail store as well as while they are displayed for retail sale. This would mean a duplication of effort, increased handling, and increased package cost, all adding up to increased cost to the consumer.

Wherever and whenever the law requires added cost, that cost is passed on to the consumer. Further, without the use of pesticides the supply of fresh fruits and vegetables would be greatly reduced, hence the price to the consumer would be prohibitive.

You might say, but that would not be difficult if the boxes were labeled or placards inserted in the boxes to show that the produce has been treated with a certain pesticide. Even so, the produce still would be mixed and commingling would continue, thus making it impossible to comply with the law. This commingling means that the consumer is not informed as the present law in theory implies.

It should be noted that it is a violation of the statute and a criminal offense to place an incorrect label upon the shipment or upon a display in a retail store. Consequently, because of the mixing of produce which unavoidably occurs in the plant where the produce is packaged, at the distribution point, and at the retail store, there are admittedly thousands of technical violations of the statute. This places all concerned in jeopardy of criminal prosecution.

The Food and Drug officials have stated that this requirement is necessary to provide them with information necessary to enforce the provisions of the Food and Drug Act. They added that they do not have sufficient men to adequately police the industry. They have admitted that their only chance of properly enforcing the Food and Drug Act is by policing the shipping points—or the points of origin. Consequently, the argument that the labeling requirement is necessary for the enforcement of the act is clearly without basis in fact.

Mr. Speaker, it has been stated that there are up to 150 chemicals involved in this legislation. Such statements are erroneous and without foundation. The regulations promulgated by the Food and Drug Administration only apply to postharvest pesticide chemicals and there are only about 10 pesticide chemicals presently involved in the labeling requirements of section 403 (k) as it applies to fresh fruits and vegetables.

These postharvest fungicides constitute a small percentage of the pesticide chemicals used in the production, storage and transportation of raw agricultural commodities. As George P. Larrick, Commissioner of Food and Drugs, testified on January 11, 1958, before a subcommittee of the House Committee on Appropriations, "Over 150 pesticide chemicals are used in one way or another on farm crops. About 1,500 separate tolerances have been established to show at what levels these chemicals may safely remain on crops as they are shipped." Therefore, since the Food and Drug Administration has only required the labeling of produce to show the postharvest use of pesticide chemicals, and that when these same chemicals are used before harvest they do not require labeling, H. R. 9521 is only concerned with about 7 percent of the pesticide chemicals used in connection with the production, storage, and marketing of farm crops.

Therefore, Mr. Speaker, since the health and safety factors are adequately covered in the Miller amendment, section 408 of the Federal Food, Drug, and Cosmetic Act, and since the present labeling requirements are totally impractical and do not inform the consumer as intended, I strongly urge enactment of H. R. 9521 to clarify the present statute and to afford relief from the impractical labeling requirement as it pertains to raw agricultural commodities.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I have been rather close during the last few weeks to the legislation now before the House for consideration. During the last few weeks, a number of us have been working assiduously to formulate a sound compromise between the fruit and vegetable industry and the Food and Drug Administration. I think that H. R. 9521 as amended incorporates such a sound compromise and I believe it is worthy of the full support of the House.

At this time I want to commend the sincere and dedicated efforts of all those who have been involved in our discussions. In particular I wish to commend my good friend, Congressman JOHN DINGELL, of Michigan, and the author of H. R. 9521, Congressman JAMES HALEY, of Florida.

The solution which H. R. 9521 presents to the House today is a workable one. It relieves both the industry and the Food and Drug Administration of the responsibility of enforcing what is an almost impossible labeling requirement at the retail level. At the same time it provides for the specific labeling of shipping containers and thus, in my opinion, will be of great assistance to the Food and Drug Administration in the enforcement of its program.

The compromise language which has the support of the Committee on Interstate and Foreign Commerce requires that the label of the container in which fruit and vegetables are shipped declare not only the function of the fungicide or fungistat present but the name as well. I wish to point out that 403 (k) as it now reads does not necessitate the naming of the applied fungicide or fungistat. I think it important to note that by agreeing to the naming of the chemical applied, I do not believe that there is any intention of suggesting that the labeling requirements set forth in section 403 (i) (2) of the Pure Food, Drug, and Cosmetic Act are applicable to fresh fruits and vegetables. This section which pertains to fabricated foods has no relevance to fresh fruits and vegetables. Both the legislative history as well as litigation in the courts clearly indicates that the requirements set forth in 403 (i) (2) are inapplicable to fresh produce.

Testimony presented by the Food and Drug Administration at hearings held on H. R. 9521 seems to indicate, however, that the Food and Drug Administration believes that section 403 (i) (2) is in some way relevant. As I understand it, the Administration contends that when DDT is applied to an apple, that apple then becomes a fabricated food because the apple is one ingredient and the DDT is another ingredient.

The Supreme Court in *American Fruit Growers, Inc.* v. *Brogdex Company* (283 U. S. 1) has effectively ruled on this contention. In that case which involved the application of borax to oranges, the Court pointed out that:

> Addition of borax to the rind of natural fruit does not produce from the raw material an article for use which possesses a new or distinctive form, quality, or property. The added substance only protects the natural article against deterioration by inhibiting development of extraneous spores upon the rind. There is no change in the name, appearance, or general character of the fruit. It remains a fresh orange fit only for the same beneficial uses as theretofore.

Mr. Speaker, it would seem therefore most unlikely that any inference could be drawn from the amendment which has been accepted by the supporters of H. R. 9521 as to the applicability of the labeling requirement set forth in section 403 (i) (2) for fruits and vegetables. Clearly such inference would be unfounded

Mr. Speaker, in conclusion I wish to commend the members of the House Interstate and Foreign Commerce Committee for their diligent efforts on behalf of H. R. 9521. I know that my esteemed colleague, Congressman CHARLES O. PORTER, who effectively represents the fresh fruit and vegetable producers of the Fourth Congressional District of Oregon wants to join with me in this commendation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended."

A motion to reconsider was laid on the table.

House Resolution 651 was laid on the table.

ESTABLISHMENT OF CLUBS FOR BOYS AND GIRLS ESPECIALLY INTERESTED IN SCIENCE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13191) to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object; how much is this bill going to cost?

Mr. WRIGHT. The authorization is limited to not more than $50,000 annually.

Mr. GROSS. That is $50,000 annually?

Mr. WRIGHT. Yes.

Mr. GROSS. How many clubs will there be? Is this nationwide? What is it?

Mr. WRIGHT. It directs the Secretary of the Department of Health, Education, and Welfare to start the organization of future scientists clubs similar to the Future Farmers of America clubs throughout the country.

It was reported by the committee unanimously with 20 Members present.

Mr. GROSS. I wish the gentleman would withdraw this bill. There are several matters I would like to ask about and which I think should be discussed. Is this a foot-in-the-door proposition that is going to grow and grow into a large expenditure?

Mr. WRIGHT. I would say to the gentleman that it is not a foot in the door any more than the Future Farmers of America was.

Mr. GROSS. How much money did we expend on the Future Farmers of America?

Mr. WRIGHT. I think about the same. This bill was patterned after the bill creating the Future Farmers of America.

Mr. GROSS. Was there any additional cost as far as the Future Farmers of America were concerned?

Mr. WRIGHT. I do not think there was.

Mr. GROSS. This would cost how much? I do not want to start something that is going to be a drain on the taxpayers of the country.

Mr. WRIGHT. I will say to the gentleman that this bill met with the approval of the Department of Health, Education, and Welfare. Our committee considered it and considered that it was a good thing.

Mr. GROSS. Does the gentleman expect to be back here for another $50,000 next year?

Mr. WRIGHT. I do not expect to be back at all.

Mr. H. CARL ANDERSEN. Mr. Speaker, reserving the right to object, I believe that too many bills are being called up and passed in this manner at this late hour. I shall have to ask the gentleman to withdraw his request. I shall object to any further bills tonight, Mr. Speaker.

Mr. WRIGHT. Mr. Speaker, will the gentleman withhold his objection?

Mr. H. CARL ANDERSEN. I am asking the gentleman to withdraw his request, or I shall regrettably have to object.

Mr. WRIGHT. Mr. Speaker, I withdraw my request.

The SPEAKER. Does the Chair understand the gentleman to say he was going to object to every consent request for the balance of the day?

Mr. H. CARL ANDERSEN. Not necessarily, Mr. Speaker, but it seems to me a great amount of business is going through the House without due consideration. I shall listen carefully to each request as it is presented.

The SPEAKER. The gentleman from Minnesota has asked the gentleman from Texas to withdraw his bill.

Mr. WRIGHT. I comply with the request, Mr. Speaker.

ADMINISTRATIVE SITE FOR YOSEMITE NATIONAL FOREST

Mr. SISK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12281) to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, to enable the Secretary of the Interior to preserve the extraordinary natural qualities of Yosemite National Park, notwithstanding its increasing use by the public, the Secretary is hereby authorized to provide in the manner hereinafter set forth an administrative site in the El Portal area adjacent to Yosemite National Park, in order that utilities, facilities, and services required in the operation and administration of Yosemite National Park may be located on such site outside the park.

SEC. 2. For said site the Secretary of the Interior is authorized to acquire by purchase or donation, or with donated funds, approximately 1,200 acres, as shown on map No. NP-YOS-7011, of non-Federal land, interests in land, and appurtenances thereto, and, to avoid severing parcels in private ownership which extend beyond the area so depicted, the Secretary of the Interior may acquire in their entirety such parcels of land or interests therein.

SEC. 3. The Secretaries of Agriculture and Interior are authorized to arrange and effect mutually satisfactory transfers of jurisdiction over land administered by each in the El Portal area. Land so transferred to the Secretary of the Interior shall thereupon be excluded from the national forest or forests involved and thereafter be administered by the Secretary of the Interior pursuant to this act as a part of said administrative site. Land transferred to the Secretary of Agriculture pursuant to this act shall thereupon become national forest land subject to all laws, rules, and regulations applicable to land acquired pursuant to the Week's law.

SEC. 4. Unless acquired as authorized by this act, nothing contained herein shall, with respect to lands comprising the administrative site, affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral right-of-way, or any other purpose whatsoever, or affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his lands.

SEC. 5. The administrative site provided for herein shall not become a part of Yosemite National Park, nor shall it, except as hereinafter provided, be subject to the laws and regulations governing said park, but the site shall be subject to such special rules and regulations as the Secretary of the Interior may determine are necessary to assure its administration in accordance with the terms and purposes of this act: *Provided*, That the authority to grant privileges, leases, and permits and to enter into contracts for the accommodation of visitors in the park, as contained in section 3 of the act of August 25, 1916 (39 Stat. 535), as amended (45 Stat. 235, 16 U. S. C., 1952 edition, sec. 3), shall apply to this site.

SEC. 6. Funds now or hereafter appropriated or otherwise available for operating and capital programs in the areas administered by the National Park Service, including funds for acquisition of land and interest in land, are hereby made available to acquire land, interests in land, and appurtenances thereto, within the administrative site, and to further the purpose of this act.

SEC. 7. (a) In order to provide compensation for tax losses sustained as a result of any acquisition by the United States, of privately owned lands, together with any improvements thereon, located within said site, payments shall be made to the county in which such lands are located in accordance with the following schedule of payments: For the fiscal year in which the land has been or may be acquired and 9 years thereafter there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on the land, together with any improvements thereon, by public taxing units in such county, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for any period falling within such fiscal year. For each succeeding fiscal year, until 20 years elapse, there shall be paid on account of such land an amount equal to the full amount of taxes referred to in the preceding sentence, less 5 percent of such full amount for the year for which the payment is to be made and an additional 5 percent for each preceding year which falls within said 20-year period: *Provided*, That the amount payable under the foregoing schedule for any fiscal year preceding the first full fiscal year following the approval of this act shall not become payable until the end of such full fiscal year.

(b) As soon as practicable after the end of each fiscal year, the amount then due for such fiscal year shall be computed and certified by the Secretary of the Interior, and shall be paid by the Secretary of the Treasury: *Provided*, That such amount shall not exceed 25 percent of the revenues collected during such fiscal year at Yosemite National Park.

With the following committee amendments:

Page 2, line 23, through page 3, line 5, strike out all of the language following the words "SEC. 4." and insert in lieu thereof the following:

"Nothing herein contained shall affect any valid claim, location, or entry existing under the land laws of the United States, or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land."

Page 3, line 6, through page 3, line 18, strike out all of the language following the words "Sec. 8." and insert in lieu thereof the following:

"Until further action by the Congress, the lands acquired by or transfered to the Secretary of the Interior hereunder shall not become a part of Yosemite National Park, nor be subject to the laws and regulations governing said park, but the Secretary of the Interior shall have supervision, management, and control of the area and shall make and publish such rules and regulations as he may deem necessary and proper for its use and management: *Provided*, That he may grant nonexclusive privileges, leases, and permits for the use of land in the area and enter into contracts relating to the same, subject to the limitations and conditions applying to the similar authority provided in section 3 of the act of August 25, 1916 (39 Stat. 535), as amended (45 Stat. 235, 16 U. S. C., 1952 ed., sec. 3)."

The committee amendments were agreed to.

Mr. SISK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SISK: Page 4, line 17, strike out section 7 in its entirety.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 653) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments as follows:

Page 2, lines 1 and 2, strike out "Wang Pai (Freddie) Chun."

Page 2, line 2, after "Cornell," insert "and."

Page 2, line 3, strike out ", and Kinji House."

Page 2, line 8, strike out "and Kinji House."

Page 2, line 12, after "Act," insert "except in the case of Hermine Keshishyan."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 659) for the relief of certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment as follows:

Page 3, after line 2, insert:

"Sec. 4. For the purposes of the Immigration and Nationality Act, Sister Ignatia (Marie Nicodemia Wilhelmina Kohlmann), Sister Charlotte (Maria J. Matthijssen), Sister Laurentia (Johanna Gertrude Theresia Smeets), Sister Bernardine (Maria Hendrika Hegeman), Sister Petronella (Johanna Monica Plasmans), and Sister Raymonde (Wilhelmina Grada Weijn) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this section of this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available."

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

WAIVING CERTAIN PROVISIONS OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House joint resolution (H. J. Res. 661) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, strike out lines 4 to 8, inclusive.

Page 2, strike out lines 9 to 13, inclusive.

Page 2, line 14, strike out "4" and insert "2."

Page 2, line 22, strike out "5" and insert "3."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House joint resolution (H. J. Res. 635) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, strike out all after line 15 over to and including line 4 on page 3 and insert:

"Sec. 3. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of Ramon Rodriguez and Pedro Flores-Carrillo."

Page 3, line 5, strike out "5" and insert "4."

Page 4, line 4, strike out "6" and insert "5."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

STATEMENT BY THE PRESIDENT OF THE UNITED STATES WITH REFERENCE TO THE LABOR REFORM BILL, COMMONLY KNOWN AS THE KENNEDY-IVES BILL

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I call attention to the following statement of the President issued today in reference to the so-called Kennedy-Ives bill:

STATEMENT BY THE PRESIDENT

I am most disappointed that the Congress has thus far failed to enact legislation to curb the racketeering, corruption, and abuses of trust and power which Senator MCCLELLAN's committee has found to exist today in the labor-management field.

Last January I recommended to Congress that comprehensive legislation be enacted so that the rights of the American worker would be safeguarded. The bill passed by the Senate in June, the so-called Kennedy-Ives bill, fell far short of these recommendations.

For example, it failed to provide adequate machinery to enforce the standards necessary to the proper handling of labor union funds. Further, the bill's failure to deal with the problems of boycotting and blackmail picketing would have given greater impetus to abuses the American people want to curb. It would have weakened certain aspects of the Taft-Hartley Act. It did not move at all toward recognition of appropriate State responsibility in labor matters.

In sum, it did not meet the Nation's needs because it did not deal effectively with many of the evils which need correction.

On August 18 the House voted on the bill under a procedure which permitted no opportunity to amend it and thus to correct its deficiencies.

I still hope that before adjournment the Congress will pass a labor bill which will effectively protect the working men and women of our country.

COMPENSATION OF MEMBERS OF THE BOARD OF PAROLE

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4096) to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. H. CARL ANDERSEN. Mr. Speaker, reserving the right to object, is this new matter?

Mr. LANE. No. This appeared on the Consent Calendar earlier this week.

Mr. H. CARL ANDERSEN. It has not been considered by the House?

Mr. LANE. No, it has not been considered by the House. It was on the Consent Calendar earlier this week. The gentleman who objected to the bill desires to withdraw his objection. There is no objection to the bill.

Mr. H. CARL ANDERSEN. Will the gentleman inform us what the bill does?

Mr. LANE. This bill comes to us as an Executive communication and seeks to increase the salaries of the members of the Board of Parole from $13,900 to $17,500, an increase of approximately $3,500 a year for each one of those members. It seems that in 1956 Congress passed the Federal Executive Pay Raise Act. At that time the 21 boards and commissions all received increases in salaries, but the Board of Parole was not included in the 1956 Federal Executive Pay Act, therefore received no salary increase.

Mr. H. CARL ANDERSEN. How many members are involved?

Mr. LANE. Eight members. It has the blessing of your Attorney General and the Bureau of the Budget.

Mr. H. CARL ANDERSEN. Mr. Speaker, I will have to object at this time.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, this bill is listed as one of those to be considered under suspension of the rules. I would suggest that the gentleman withdraw it for the time being.

Mr. H. CARL ANDERSEN. That will be agreeable to me.

Mr. LANE. Mr. Speaker, I withdraw my request.

SPECIAL ORDER

Mr. PELLY. Mr. Speaker, I ask unanimous consent that in the special order I obtained today I be permitted to recognize other members of the Washington delegation and that all Members may be permitted to revise and extend their remarks, with Mr. HOLMES, the retiring Member, to be last.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

SUSPENSION OF RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on tomorrow and at any time during the remainder of this week it may be in order for the Speaker to recognize Members to move to suspend the rules and pass certain bills.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Reserving the right to object Mr. Speaker, will the gentleman tell us what bills are embraced in this request?

Mr. ALBERT. The following bills will be called up under suspension under the unanimous-consent request:

Senate Concurrent Resolution 109, establish a force for United Nations, with amendments;

S. 3335, National Capital Center of the Performing Arts;

S. 3942, Azores, relief, aliens;

S. 4039, funds for science research;

S. 3653, training school, Immigration, and Naturalization Service;

H. R. 13343, authorization appropriation, Pan American games;

S. 1864, Patent Office, increase board of appeals;

H. R. 7166, technical amendments, Railroad Retirement Tax Act;

S. 2719, fish, salmon, and halibut bounties.

S. 3712, appropriations for Rama Road, Nicaragua;

S. 3379, Foreign Service annuities, with amendment;

S. 3680, participation, World Science-Pan Pacific Exposition;

S. 4096, compensation, Board of Parole;

S. 2114, field sites, National Bureau of Standards;

S. 1438, bonds of United States marshals; and

S. 1985, authorizing plans for National Air Museum.

Mr. Speaker, I will state that these bills have all been cleared with the leadership on the minority side and these bills only are embraced within the unanimous consent request.

Mr. GROSS. These are the only bills; I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. HAYS of Ohio. Mr. Speaker, further reserving the right to object, do I understand that if there are any other bills added to this list, they will be the subject of a further unanimous-consent request?

Mr. ALBERT. The gentleman is correct.

Mr. HAYS of Ohio. Mr. Speaker, I withdraw my reservation of objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, I am tremendously interested in the bill providing for the increase in retirement pay for railroad workers. That is not on the list the gentleman read, is it?

Mr. ALBERT. That is not.

Mrs. ROGERS of Massachusetts. I think we owe as much to the railroad employees as we do to anyone else in the United States, if not more. I know the tremendous strain those wonderfully fine men are under. I hope so much that that bill will be brought up.

Mr. ARENDS. Mr. Speaker, further reserving the right to object, as I understand this list of 16 bills will be called at any time during the balance of the week, and only these; and that any others that might be placed on such a list will be put there only after consultation with Members on the minority side.

Mr. ALBERT. The gentleman is correct.

Mr. ROOSEVELT. Mr. Speaker, reserving the right to object, I understand that No. 17 on the old list, H. R. 13241, has been stricken, primarily because of the fact that the subject matter is being taken care of by the conference report on the school bill.

Mr. ALBERT. That is my understanding. I will say to the gentleman that the list here is the list agreed to between the Speaker and the minority leadership, and it is the only list that is embraced within my request.

Mr. GROSS. Mr. Speaker, can the gentleman give us any idea as to when the first of these suspensions will be called up?

Mr. ALBERT. Of course, under the agreement, that will be within the discretion of the Speaker. I should think the Speaker would probably recognize for suspensions tomorrow. We have other legislative business, however.

Mr. GROSS. Will they be called in the order in which they are listed?

The SPEAKER. The Chair will seek to do that, if possible.

Mr. GROSS. I thank the Speaker.

Mr. ARENDS. If the gentleman will permit, the other business is the completion of the minerals bill, and we have been advised that when these suspensions are called, we will be told in ample time so that we can notify the Members.

The SPEAKER. That is correct.

Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE INTERPARLIAMENTARY UNION—A NEW BATTLEGROUND OF THE COLD WAR

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 60 minutes.

Mr. FEIGHAN. Mr. Speaker, the 47th Conference of the Interparliamentary Union was held in Rio de Janeiro on July 24 to August 1, 1958. It was my privilege to be a member of the United States delegation to the Conference. This was the first conference of the Interparliamentary Union which I have attended as a delegate. I was impressed with a number of developments which took place in the Conference and equally unimpressed with still another set of developments.

At this point I should like to express my appreciation to our able colleague the gentleman from New York [Mr. ROONEY], chairman of the Subcommittee on Appropriations, whose keen understanding of the importance of the Interparliamentary Union in these days of strife and international tension contributed largely to the successful work of the American delegation.

I came away from the Conference convinced of one thing; that is, the Interparliamentary Union has become a major battleground for the ideological struggle which we call the cold war. The Interparliamentary Union is an important world forum because it provides a political arena in which the great issues of the day are taken up and debated by parliamentarians from many countries of the world. The Russian imperialists have seized upon this time-honored international forum as a strategic platform from which they are attempting to spread their insidious propaganda, promote the ideology of totalitarianism, and spread the seeds of discord among the non-Communist nations holding membership in the Interparliamentary Union.

It would be a very grave error to underestimate the power of the public platform provided by the annual meeting of the Interparliamentary Union. In these days of rapid, mass communications the spoken word from any world forum is transmitted in many languages to millions of people in all quarters of the globe in a matter of minutes. No

longer are the points of view, opinions, resolutions introduced, and resolutions adopted confined to voluminous printed reports which, after review by a few experts, and scholars, are then filed away to gather dust. The international forum today is a readymade vehicle for the forming of public opinion in every country where the news from abroad is not subject to the straitjacket of censorship and a controlled press, radio, and television. This is particularly true in times of international stress and tension, such as the world finds itself in today.

The Russians are well aware of these facts. They know that the free press, radio, and television will carry their spoken words and proposals at these international forums by virtue of simply reporting fully and accurately on the proceedings of such meetings. They also know that the harsh hand of totalitarian censorship will prevent the full reporting of such events to the people within the present-day Russian empire. Only what the thought control experts of the Kremlin think is good for the people to hear or read will be carried. Thus, the Russian representatives at the Interparliamentary Union or any other international forum have a readymade, one-way street for their ideological warfare activities. That street leads straight to millions of people of the non-Communist world who are anxiously awaiting an era of peace and justice and prosperity for all people.

The American delegation under the chairmanship of our colleague the gentleman from Iowa [Mr. TALLE] had ample opportunity to clarify the position of the United States with respect to many of the great issues of our day. This was a very important part of the work of the mission because the Russian group worked overtime attempting to distort and misrepresent the position of our country in world affairs.

Congresswoman CATHERINE ST. GEORGE was chairman of the committee considering a draft resolution on the non-self-governing territories. In its capacity as well as in all the proceedings of the conference she brought great credit to the United States. I owe a particular debt of gratitude to her, not only for her support, but also for her keen knowledge of the procedural precedents of the Conference in keeping alive and actively before the Interparliamentary Union an important amendment which I offered on behalf of the United States delegation to the draft resolution of non-self-governing territories.

Mr. HENRY TALLE on the opening day of the Conference brought the good wishes of Congress and the American people to the assembled delegates. He pointed up the importance of the Organization of American States in which 21 nations of this hemisphere serve as voluntary, equal partners, characterizing it as the most successful adventure in international community living which the world has ever known. His analysis of the importance of freedom of the press, both national and international, was one of the highlights of the Conference.

Mrs. ST. GEORGE, addressing the Conference the second day, made the point that it was impossible to expect one side to abandon nuclear tests until it was positively assured the other side would do likewise. This was in answer to the propagandizing efforts of the Russian group to capitalize on the hollow announcement recently made by the Kremlin on suspension of nuclear tests, immediately after the Russians had completed their most extensive set of nuclear bomb tests to date. She also made it clear that the action which the United States and Great Britain took in Lebanon and Jordan was taken at the request of the legal governments of those countries and in response to solemn promises given that we would help defend the nations of that area against aggression. It was pointed out that the United States and Great Britain were taking nothing from those countries and that they would not murder people to whom safe conduct had been promised. This observation was an appropriate reference to the Russian aggression against Hungary in 1956 and the murder a few months ago of Imre Nagy, who had been promised safe conduct by the Russians.

Mr. SADLAK addressed the Conference on Representative Assemblies in Non-Self-Governing Territories. His theme was "deeds not words" in evaluating the progress toward self-government in these territories. He presented the challenging record of deeds of the United States, underscoring the orderly, historical movement of the Philippines toward national independence. As a consequence a solid bond of confidence and mutual respect exists between the United States and the Republic of the Philippines. In a realistic analysis of the political trends in the area of non-self-governing territories and nations he stated:

> Today the non-self-governing areas cannot be told to wait 300 years for freedom to come to them. Many demand it now. Others will soon add their voices to the call for liberty.

Mr. KEATING, in addressing the seventh session of the Conference, did a very able job of analyzing the international fraud perpetrated by the Kremlin in its unilateral declaration to stop the testing of hydrogen bombs. He raised the pertinent questions as to who could place any faith in the promises of the Russians in light of their long record of broken treaties and agreements and why the Russians were unwilling to discuss international inspection to insure that agreements in this vital area were lived up to. His vigorous advocacy of an international police force to prevent aggression by either direct or indirect action exposed the basic reason why the Russians opposed this plan—they feared this force for genuine peace might be called upon to prevent war should another freedom revolution break out within their captive empire, such as occurred in Hungary in 1956.

Mr. POAGE, speaking at the eighth session of the Conference on Strengthening of Peace, pointed out that at the end of World War II the United States had quickly demobilized 10 million men whereas the Soviet Union had not demobilized to any comparable extent even 12 years after the end of the war. It was therefore obvious why other nations had rejected the Russian proposal for armaments limitations—they would have no way of knowing whether the Russians were living up to their own international proposals. The fact that the Soviet Union maintained a military establishment larger than all other nations of the world combined was pointed up as a necessary background to evaluating any proposal emanating from them. He concluded that until there was complete and absolute inspection, there could be no effective disarmament.

Mr. BOGGS addressed the ninth session and emphasized that cultural exchanges should have as their objective not coexistence in an atmosphere of fear of atomic war, but genuine understanding in at atmosphere of mutual trust. In acknowledging the effort put forth by the Soviet Union on education of youth he expressed the conviction that an educated people, no matter how indoctrinated, would demand freedom. He predicted that police states were doomed by an educated society.

Members of Congress, I am sure, will be interested in a brief summary of the Russian attempts to use the Conference for false propaganda and derisive purposes, and the tactics they employed.

The attempted uses can be broken down into the following main categories:

First. An effort to have the Conference go on record as branding the United States and Great Britain as military or armed aggressors.

Second. An effort to promote the ideology of communism by the advocacy of nationalization of all basic industries and national resources by the less developed nations of the world.

Third. An effort to cause division and discord among the member states of the Organization of American States.

Fourth. An effort to camouflage the Soviet Union as a peace-loving force made up of happy people anxious to help the less developed nations while impugning the United States, Great Britain, and other free countries as imperialists and exploiters of other nations.

Fifth. An effort to further the illusion that the imposed Communist regimes in the non-Russian nations of the Soviet Union and Central Europe were freely elected and that the so-called parliaments in those countries represented the freely expressed will of the people.

The tactics they used to advance these propaganda objectives were in some instances clever and in others both obvious and crude. Briefly, they were as follows:

The Russian group brought along with them a special message from the Kremlin in the nature of a propaganda resolution. That resolution paid the usual lip service to the cause of peace as a background to inflammatory and false charges against the United States and Great Britain. The clear intent of the resolution was to cause the Conference to brand the United States and Great Britain as armed aggressors in the Near East and the enemies of the national independence movement while casting the

Russian imperialists in the unbecoming role of friend and defender of Arab nationalism. This last-minute Russian resolution was ruled to be out of order because it had not been submitted to the appropriate committee before the date set for the submission of all resolutions. Nevertheless, the Russians and their appointed representatives to their captive non-Russian nations made a great deal of noise about it during several days of the Conference.

In the debate on the investment of foreign capital in countries in process of economic development, the principal Russian spokesman openly advocated the nationalization of all natural resources of raw material, transportation facilities, ports, powerplants, and other basic industries. He charged that unless this was done the investment of foreign capital would not contribute to the development of these nations. In the same context he claimed that nationalization of all means of production in the Communist-occupied countries has led to rapid industrialization and a better life for the people. The facts, however, do not support his claims. It is well known that nationalization within the Russian empire is nothing more than a clever device through which the Russians can more thoroughly exploit the workers in the captive countries, provide a higher standard of living for the new Russian aristocracy and its entourage, all resulting in a miserable existence for the common man. This unhappy result should be well considered by the leaders of the less developed countries who are attempting to close overnight the industrial time gap of a hundred years. In any case, it would be well for Congress to consider putting a prohibition on the use of any United States public funds, that is the money put up by the taxpayers of the United States, for the development of any projects or industries which are nationalized by the country receiving or seeking a loan of such funds. This would put a quick stop to Russian efforts to clamp their worker-exploiter system on free countries, particularly in the Western Hemisphere. The only thing the Russians can contribute to the material advancement of the less developed countries is loose conversation. It is time we called the Russian bluff and forced those who are flirting with these loose promises to take a position for or against nationalization. Sooner or later we will have to face this issue and the sooner we do the better it will be for us and our traditional friends.

No opportunity was lost by the Russian group and their appointed spokesman for the captive non-Russian nations to portray the Soviet Union as a champion of progress, culture, and "peaceful co-existence." Practically every spokesman for the Russian bloc played on these themes, just like the sounds emanating from a cracked phonograph record. All of this was, of course, played into the official record which certainly will be given wide distribution later by the Kremlin. A most unusual performance in this regard was put on when the report of the Committee on Intellectual Relations came before the Conference. This report was presented in the name of the Committee by one of the Russian group but it turned out to be two reports. One was the Russian report which found everything the Russians are doing to be just dandy and everything wrong in the world to be the fault of the non-Communist nations. All the corny and overworked propaganda themes of the Russians were set forth in this report. The other phase of the report turned out to be nothing more than a reference to the fact that other matters were taken up in the Committee but the Russian chairman attached no importance to them.

If ever I was tempted to feel that cultural exchange programs with the Russians might ease international tensions, my experience at this Conference has removed all possible temptations in the future.

The Russian group made a number of concerted efforts to sow the seeds of discord and division among the members of the Organization of American States. The most obvious and open effort came in the discussions of the economic development of the nonindustrialized nations. The Russian spokesman charged that the capitalist countries were engaging in imperialist activities in preventing the development of many countries of Latin America. Interwoven in his speech of discord was the theme that the Latin American republics should isolate themselves from the system of free enterprise which has brought billions of investment and development dollars to our friends to the south. No responsible American has ever claimed that the capitalist system is perfect but no honest appraisal can support the charge that the investment of American capital in Latin America has not contributed substantially to the industrialization and economic advancement of the countries in that area. Much more needs to be done under a system that will guarantee that the full benefits of the capitalist system, as we know it, will accrue to all the people of the Latin American Republics. The alternative offered by the Russian spokesman is a pernicious form of colonialism much worse than the chains of the old colonialism which the Latin Americans broke many, many years ago.

It seemed to me ridiculous that the Russian group spent so much time fighting a propaganda war against colonialism and imperialism. The most aggressive colonizers and imperialists down through 500 years of history have been the Russians. The outstanding characteristic they possess is that of ruthless colonizer and imperialist. Only a few years ago the world witnessed the depths of their despotism in advancing their dream of world empire when the Imperial Red Army reinvaded Hungary to stamp out the demands of the Hungarian people for freedom and national independence. To hear a Russian rail against colonialism and imperialism was like hearing a thief cry thief. This strange performance may be accounted for in some part by the Russian national psychosis which has caused them to feel they could never escape from the historic tyranny of their own system unless they saved the world from its encroachments. "Peaceful coexistence" was announced over and over again as the Russian solution to world tensions. This is the plan whereby the non-Communist world is called upon to disarm and put itself at the mercy of the leaders in the Kremlin. No mention was made by the Russians of outlawing the evils of internal subversion or indirect aggression which has been their specialty and which today is an even more dangerous threat to human freedom than armed conflict.

Sitting through the sessions of the Conference and observing the actions of the Russians and their appointed representatives from many of the captive nations of their empire, I could not help but ask myself by what standard of judgment had the Interparliamentary Union admitted them to membership in the organization. Is it not a well-known fact that the Presidium of the Soviet Union is nothing more than a rubberstamp for the policies and programs already decided by the Communist Party of the Soviet Union? Is it not a known fact that the Presidiums of the occupied countries of central and eastern Europe are nothing more than a cheering section for the orders handed down by the Communist Party of the Russian Federated Soviet Socialist Republic to their proconsuls in those countries? In no sense can these Presidiums be considered as deliberative bodies. In none is the right to dissent allowed, none is made up of representatives chosen by the will of the people. All are handpicked by the Communist Party and the people are compelled to vote for them because all legitimate political parties are prohibited. It is a fair question to ask whether legitimate parliamentary bodies are not doing violence to the truth and impairing the moral force of representative government by admitting to their councils people who are not parliamentarians by any realistic standards or stretch of the imagination? The danger exists that these corroding influences will weaken the structure of the Interparliamentary Union and bring it to such a state of disrepair that its usefulness which was so long in the building will be lost.

An example of my point is well demonstrated by the fact that K. Gubin, chief editor of the Russian newspaper, Isvestia, the ideological organ of the Russian Communist Party, was at the conference posing as a parliamentarian of the U. S. S. R. This professional propagandist played a most important role for the Russian group during the proceedings of the Conference. At the meeting of the committee on representative assemblies in the non-self-governing territories he was the Russian spokesman against the amendment proposed by the United States delegation.

Another case in point is that of J. I. Paleckis, a spokesman for the U. S. S. R., and the Russian representative on the Council of the Interparliamentary Union. He was officially listed by the Russian group as follows: "Deputy of the

Soviet of Nationalities, Deputy President of the Presidium of the Supreme Soviet of the U. S. S. R., President of the Presidium of the Supreme Soviet of the Lithuanian S. S. R." He has still another listing and a most pertinent one, in the public hearings conducted by the House Select Committee To Investigate Communist Aggression, 83d Congress. It will be recalled that this select committee was established to inquire into the Russian military occupation of Lithuania, Latvia, and Estonia, and the forced incorporation of those once free and independent countries into the Soviet Union in 1940. The select committee took sworn testimony from eyewitnesses to this tragedy. One of these witnesses was Gen. Jonas Cernius, who had been Prime Minister of Lithuania in 1939. He testified to the ultimatum the Soviet Union handed to the Lithuanian Government which forced them to reorganize their government, and establish a provisional government. This so-called provisional government was established with the Red army in occupation of Lithuania. This excerpt from the sworn testimony shows how that provisional government was formed and how Paleckis became President:

Mr. MCTIGUE. The provisional government?
General CERNIUS. Yes.
I was invited to be Minister of Defense by General Rastikis.
I said over the phone that we could do nothing. I was not in Kaunas in those days. He said, "We will try to do everything possible."
There was installed the so-called puppet regime. The regime of Paleckis.
Mr. KERSTEN. He is the Communist puppet? He was at that time?
General CERNIUS. I knew him personally before, in Lithuania. He was sometimes invited to the Embassy of the Soviet Union in Kaunas. He was editor of a newspaper, but he didn't play the role of communism. But it seems he was a Communist.
Mr. KERSTEN. He was a secret Communist, and he is the present Communist dictator there, isn't he?
General CERNIUS. Yes. He was appointed by Russia. It was a disappointment.
Smetona said, "I cannot get people for government; Moscow tells me."

It cannot be argued that since the Russians and their many colonies hold membership in the United Nations they are therefore qualified for membership in the Interparliamentary Union. The United Nations was never intended to be and is not now a parliamentary body. There is need, therefore, for a careful examination of these questions by Members of Congress and the parliamentary bodies of other member nations who are interested in the future of the Interparliamentary Union.

Membership in the Interparliamentary Union brings with it a recognition which should not be overlooked. The newly independent nations of the world are aware of this and they should be welcomed to membership. So, too, are the Russians aware of this fact. They see in Interparliamentary Union membership a golden opportunity to hang a false mantle of legitimacy and respectability over the Communist regime which they have imposed by force and violence upon once free and independent nations. They make a great effort to gain admission for these regimes and to present their spokesmen as representatives of the people of these unhappy countries. For the past several years the Russians have been attempting to gain admission for Red China. This year the main effort was to gain admission for Outer Mongolia, another appendage of the Russian empire which is currently serving as a convenient exile for the demoted Molotov. Their efforts failed but one can be certain they will try again at future meetings of the Interparliamentary Union.

It is significant to note that every member of the Russian group, including their appointees from the captive countries, charged the United States and Great Britain with actions threatening the peace. This was the main line they parrotted in every speech they made. The spokesman for the Yugoslav Communists fully supported the Russians in their efforts to pin the label of armed aggressor on the United States. He skillfully pleaded the case of the Russians asking that the many black lessons of history be forgotten and that the free countries accept things as they are. This was an appeal for recognition of a status quo such as Khrushchev has persistently stated as a condition sine que non to the convening of another so-called summit conference.

In contrast to this exhibition of speakers with their minds in a straitjacket, there were many constructive and significant points of view on world problems put forth by the delegates from the free countries. Notable was the address of Madame Ngo Dinh-Nhw of Vietnam who made a stirring appeal on behalf of the people of the newly independent nations of Asia. She urged the Interparliamentary Union to remain true to its origins—to leave "the role of political compromise and bargaining to the United Nations, in order itself to be essentially the high moral authority, integral depository for the ideal of human liberty."

The delegate from Turkey, Mme. Nazli Tlabar, in another significant address urged the Interparliamentary Union to stick to its principles and leave all compromise to the United Nations. She made the point that "In this nuclear age, I still believe that there is a tremendous power in ideals, more power than in the poor words with which we seek to imprison them."

In connection with a draft resolution on the non-self-governing territories which was pending before the Conference, a careful study of it convinced me it was both incomplete and onesided. The language of the pending resolution was pointed only at the colonies and non-self-governing territories in the free world, thereby neglecting the most serious problems of colonialism and imperialism, that is, the new colonialism, the new imperialism of the Russian Communists. An opportunity was afforded me to speak before the Conference on this matter, during which I offered an amendment on behalf of the United States delegation to accord equal time and consideration to the problem of the non-self-governing nations of the Russian Empire. I had reference to Poland, the Baltic States, Hungary, Ukraine, Rumania, Czechoslovakia, Byelorussia, Bulgaria, Georgia, Armenia, Turkestan, East Germany, North Korea, North Vietnam and others in a similar colonial position. My proposal was met with enthusiasm by the majority of the delegates attending. As expected, the Russian group did not take kindly to it because it upset their carefully laid plans to use the Conference as a platform for branding the Western nations as imperialists. The only answer they offered to the proposal was a clumsy effort to confuse the issue.

The amendment which I offered was referred to the Juridical Committee where it will be taken up and acted upon at the spring meeting of the Interparliamentary Union in Nice, France. In my judgment this development offers an opportunity for the United States delegation and delegations from other free countries to explode the myth which the Russian imperialists have been spreading about the one happy family of socialist nations. Moreover, it provides an opportunity for the Free World to reassure the friendly people of these non-self-governing nations that we are actually working for their peaceful liberation from Russian tyranny and occupation. It would also have the effect of putting the Russians on the defensive on the basic cause of world tensions and strife. This would be a reversal of the climate the Russians have been working in at the Interparliamentary Union Conference. Vigorous support of this amendment and its approval can result in the strengthening of the cause of liberty and freedom, and thereby would be a contribution to the winning of a just and lasting peace.

As I said in my opening remarks, the Russians have moved the ideological war into the Interparliamentary Union. No longer is the Interparliamentary Union restricted to a conference of representatives of legitimate parliamentary bodies. It is now an important battleground of the cold war. The executive branch of the Government has been required to meet the challenge of the cold war in the United Nations and in other international organizations and meetings. Many Members of Congress have not been satisfied that a maximum effort has been made by the Government in these encounters with the ideological warfare of the Russians. The challenge of the cold war has now been thrust directly into the legislative branch of the Government. I say directly because Congress is solely responsible for participation in the Interparliamentary Union just as the executive branch is primarily responsible for actions taken in meetings of heads of government, the United Nations, and in other intergovernmental organizations. Congress must meet this challenge. To meet the challenge, Congress must develop a more definite and positive program for participation in the Interparliamentary Union—a program which will vigorously advocate, first, the principles of individual liberty and human freedom; second, the right of all nations to national self-determination in an atmosphere free from foreign occupation and control; third, the orderly industrial development of those nations which seek our assistance under a system which will guarantee that a fair share of the benefits therefrom will accrue to the people of those nations; fourth, realistic and workable disarmament programs; fifth, free regional federations of coequal States developed along the lines of the Organization of American States; sixth, the full utilization of atomic energy for peaceful purposes as a means of lifting the heavy labors from the backs of mankind; seventh, the harnessing of the great scientific discoveries and advances of our age to resolving the problems of disease, famine, and poverty which confront the majority of the people who inhabit the earth.

I will insert a copy of the amendment offered by the United States delegation which I had the honor to present and which is now pending before the Juridical Committee of the Interparliamentary Union. At the interim meeting of the Union next spring, this amendment will be considered and acted upon. The amendment offered by the United States delegation is:

INTERPARLIAMENTARY UNION, 47TH INTERPARLIAMENTARY CONFERENCE, RIO DE JANEIRO, JULY 24–AUGUST 1, 1958

Point 6 of the Agenda:

THE DEVELOPMENT OF REPRESENTATIVE ASSEMBLIES IN NON-SELF-GOVERNING TERRITORIES

Amendment submitted by the United States delegation: Insert, after the final paragraph:

"And since it is a matter of equal concern that many once free and independent nations during the past 40 years have been reduced to the status of non-self-governing nations, deprived of their free political institutions and representative parliamentary bodies, thus creating a situation causing widespread strife within such nations, leading to international tensions which might give rise to war;

"Considers that such non-self-governing nations should be given consideration equal to that accorded non-self-governing territories in all proceedings of the Conference."

Mr. SADLAK. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Connecticut.

Mr. SADLAK. I commend the gentleman on his initiative, research and presentation he has made in undertaking to give to our colleagues a complete and succinct report on the recent, I would say successful, conference held in Rio de Janeiro. I am intimately familiar with the Conference itself and with the great part the gentleman played in presenting his amendment. The editor of Izvestia almost had apoplexy from making every effort to have the matter stricken, but the gentleman succeeded in keeping it alive so that it has gone over to the next meeting, which will be held in Nice.

I am of the same opinion as the gentleman that this is a vitally important conference and that we must do the job completely or else the meetings will be taken over by the Soviets and those satellites whom they are still endeavoring to bring into the Interparliamentary Union, for example, Red China.

I would suggest that the gentleman, in order to make this a complete compendium of the activities of our delegation that went to Rio de Janeiro, ask unanimous consent that those speeches of our colleagues who likewise participated be entered in the RECORD, and any additional comments they may desire to make.

Mr. FEIGHAN. I thank the gentleman very much, and also thank him for the suggestion. I am mindful of the noteworthy and successful efforts made by our colleague from Connecticut during all the sessions of the Conference in winning new friends for the United States and in clarifying the position of the United States on important world issues. He was tireless in his endeavors and a worthy advocate of the parliamentary system as we know it in the United States.

Mr. Speaker, I ask unanimous consent that the addresses delivered by our colleagues at the 47th Interparliamentary Union Conference be placed in the RECORD immediately following my remarks, and remarks of the gentlewoman from New York [Mrs. ST. GEORGE], and I further ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, I wish at this time to commend my colleague, the gentleman from Ohio, on his extremely good speech on the work of the Interparliamentary Union at our recent conference in Rio de Janeiro.

Congressman FEIGHAN'S work at the conference was outstanding. His resolution to incorporate the non-self-governing nations with the non-self-governing territories was well thought out and something that may well be brought out successfully at the next conference. Our colleague certainly gave the Russians and their satellites food for thought, and many of our friends were delighted at the stand he took and the leadership he gave them in trying to fight for the liberty and dignity of the captive nations that have lost all their rights under the heavy paw of the Russian bear.

It is well for this Congress to realize the importance of these conferences, and it is encouraging that one of our Members has taken the time and the trouble to bring the deliberations of the 1958 Conference to our attention.

ADDRESS BY THE HONORABLE MICHAEL A. FEIGHAN, UNITED STATES REPRESENTATIVE FROM OHIO, DELIVERED BEFORE THE 47TH CONFERENCE OF THE INTERPARLIAMENTARY UNION AT RIO DE JANEIRO, SPEAKING ON THE DRAFT RESOLUTION CONCERNING THE DEVELOPMENT OF REPRESENTATIVE ASSEMBLIES IN NON-SELF-GOVERNING TERRITORIES

The quest for peace engages the attention and efforts of men of good will in all parts of the world. All humanity is today beset by strife and tensions which, if allowed to persist, will plunge the world into the disaster of another war. This is the overriding challenge of our times. The question before all of us is: How can we remove the strife and tensions which give rise to war?

One of the outstanding causes of strife and tension is injustice. That is, injustice against people and nations.

In our times it is injustices against entire nations which cause unrest on a scale unparalleled in the history of mankind and thereby retard the winning of a lasting peace. The demand for genuine, representative self-government is heard from the people of all nations who are today the victims of colonialism or imperialism in any form.

The old colonialism is giving way to the rising tide of nationalism as the empires of the past are becoming reconciled to the need for a new world order in which all nations shall govern their own affairs and live at peace with their neighbors. This reconciliation carries with it the high responsibility for assisting the people of the old colonial territories in the task of building free political institutions which will assure representative parliamentary bodies. Only through the exercise of a universal vote, free and secret ballots, the right of multiple political parties which take their case to the electorate at fixed intervals, and parliamentary bodies which adhere to the right of the opposition to dissent, can such free political institutions be built and preserved. In turn this requires responsible local leadership which is responsive to the will of the electorate.

This, then, is the challenge which confronts both the statesmen of the administering power of the non-self-governing territories and the people of such territories. It is a common task in which both interests must assume equal responsibility. There is sufficient good will on all sides to assure success once the objectives are clearly defined and a time set for the accomplishment of the task.

Significant and praiseworthy steps have already been taken by the administering powers in many of the non-self-governing territories. In some, democratic and representative parliamentary bodies are in the process of forming, others are undergoing adjustments to make direct representation of the people a reality. In some the tempo of constructive change is not keeping pace with the popular demands of the politically awakened people. But in practically all these territories the need for a change is recognized and the reconciliation which accompanies it provides the necessary basis for a bright and orderly future.

Turning to the new colonialism, one immediately sees under the yoke of this new imperialism a long array of politically mature and well-established nations which today are non-self-governing, which have been deprived of their free political institutions and whose representative parliamentary bodies have been destroyed. These ancient and proud nations, surely no less than the newly awakened nations of Asia and Africa, are worthy of the considerate and continuing interest of this Conference.

During the past 40 years this new colonialism, this new imperialism, has forcibly incorporated once free, democratic, and independent nations into its empire. This new imperialism seeks to accommodate the rising tide of nationalism by spuriously proclaiming that these nations are independent. However, by its own definition, the new imperialism limits this independence to hollow form while the substance of the state, that is, the very life of the state and its people, is completely controlled by an alien, unwanted and predatory power. Clearly, no nation or territory can be self-governing unless the people therein exercise complete control over the internal affairs of the nation and are undisturbed masters of their destiny. The record of the past 40 years demonstrates that the people of these non-self-governing nations will never be satisfied with national independence which is limited to meaningless forms. So long as they are deprived of the essential substance of national independence, which is the right to govern their own affairs free from alien control or direction, they will continue to exercise the only opportunities open to them

to dissent, that is, by internal revolts and freedom revolutions.

Within the past 5 years we have witnessed three outstanding expressions of violent dissent by the people within the orbit of Russian influence. In 1953 there was the mass uprising in East Germany in which the workers and peasants sought to throw off alien rule. This was followed in 1956 by the popular revolts in Poland in which all the people of Poland were in sympathy. Then, in October of 1956, the entire Hungarian nation—workers, peasants, soldiers, intellectuals, and even some of the new ruling class—rose up in a bloody revolution which resulted in the restoration for 5 historic days of national independence in substance as well as in form. All the people of the world know that it took a major military campaign by the Red army to return Hungary to the status of a non-self-governing nation. Time does not permit a full recount of the many popular uprisings which have taken place over a period of many years in Ukraine, Georgia, Turkestan, the Baltic States, and in other non-Russian nations. However, the implicit warning carried by these events urges us to find an honorable remedy to end the human strife and dangerous international tensions which they create.

To that end I propose that the draft resolution now before this Conference be amended to reflect the urgent need for developing procedures whereby the people of once free and independent nations which have been reduced to the status of non-self-governing territories shall be accorded the opportunity, under the United Nations supervision, to freely determine substance as well as the form of their government. Such steps would be in accordance with the spirit and the letter of the United Nations Charter.

Allow me to make one point clear, beyond any doubt. I do not include in my proposal the Russian nation itself which, as is well known, is only one of many nations which make up the Soviet Union and its population constitutes a minority. It is strictly an internal matter for the Russian people to determine whether their nation is self-governing. This is not a concern of this Conference nor should it be a concern of the United Nations.

It has always appeared to me to be grossly unjust that in any consideration of the colonial or dependent territory problem that the burden is placed only upon the old colonialism, which as I have said has largely reconciled itself to the inevitable changes taking place in the world. The new colonialism, the new imperialism carries with it a far greater threat to the winning of the peace. Surely the non-Communist world in and of itself cannot expect to eliminate the dangerous international tensions which give rise to war. These tensions can be eliminated only by an equal amount of good will and desire for changes on the part of the ruling class of the new colonialism. That is, changes which accord with the freely expressed will of the people. The cause of peace and amity among nations requires that this burden be borne by all forms of colonialism and imperialism.

To that end I urge this Conference now and in the future to give equal consideration and attention to the problems of non-self-governing nations as that given to non-self-governing territories.

THE DEVELOPMENT OF REPRESENTATIVE ASSEMBLIES IN NON-SELF-GOVERNING TERRITORIES

(Address by the Honorable ANTONI N. SADLAK, delegate from the Congress of the United States to the Interparliamentary Union Conference, Rio de Janeiro, Brazil, July 30, 1958)

Mr. President, in behalf of the delegation from the United States of North America I wish to emphasize some actual results, some recent accomplishments from our encouragement in the development of representative assemblies in non-self-governing territories. My remarks will, I hope, confirm that we mean whatever we say when the United States participates in the attainment of this worthy goal by a territory. Our deeds, I feel, will speak better than volumes of words on this process of self-government to the territories.

Before I make specific mention of the examples, may I stress an obvious truth concerning all territories; namely, that the people of the territories demand freedom because they are not now free and because the governing powers have made them aware of the Western traditions of freedom, of democracy, and of the wealth that has come from industrial civilization.

Often, however, the people of the self-governing areas do not realize that democracy developed slowly in the West over several centuries as the people gradually won greater freedom for themselves and learned how to use it responsibly so that the freedom of their neighbors was not threatened. Today the non-self-governing areas cannot be told to wait 300 years for freedom to come to them. Many demand it now. Others will soon add their voices to the call for liberty. But we know, too, that democracy will probably not work unless the people can receive some training in the democratic process before they become completely self-governing. Thus, democracy today faces a difficult and deeply trying period and, I trust, we parliamentarians have a like and equal and similar understanding of the definition and meaning of the word "democracy."

After all, the representative assembly is one of the most important devices available in trying to solve this seemingly impossible problem of how to create as it were, "instant democracy." The representative assembly provides an opportunity to give the people of the territory experience in the elective process, in enacting laws and administering the nation without giving them full responsibility and power all at once. As it becomes apparent that each new grant of power is used responsibly, the governing nation should increase the powers of the representative assembly and thus gradually bring the territory to self-determination by peaceful means.

May I here insert my complete, unqualified endorsement of the proposed amendment of my colleague, Mr. FEIGHAN of the United States, who cites his concern and vigorously protests the deprivation of once free, independent nations which successfully attained complete freedom, and have been reduced to the status of non-self-governing nations by a new colonialism or imperialism.

Now for my examples—the Philippine Islands became independent in 1946 by the mutual consent of the Filipinos and the Americans after a lengthy process in which more and more power was gradually extended to a representative Filipino assembly. Today the Philippines are a Republic with a working democracy, and have an outstanding delegation here in Rio. They also maintain a close and friendly relationship with the United States. On the other hand Puerto Rico rejected independence from the United States and chose to become a commonwealth in 1952. Puerto Rico has the same autonomy in local affairs as one of the United States and its citizens are also United States citizens, but it neither contributes much to the Treasury of the United States nor has voting representation in our Congress. The Puerto Ricans are free to change their status and apply either for full statehood in the United States, or to become completely independent. Finally, I would point out that Alaska has just been made our 49th State and the people of Hawaii are also seeking statehood rather than independence. I cite these examples, my fellow delegates, to demonstrate that the development of representative assemblies in non-self-governing territories does not necessarily lead to the independence of the territory or become a device for the expression of hatred toward the governing power if a territory does choose independence. Much depends on the character of the past relationship between the territory and the governing power and the compatability of their interests.

The United States is even beginning the processes of self-government on the 2,000 scattered islands of Micronesia in the South Pacific, which we hold under a U. N. trusteeship agreement. Thus far we have given the islanders a sense of unity that they have never experienced previously. The natives of the more than 1,000 Marshall Islands govern themselves under American guidance by a system of elected officials and a two-house congress, with the upper chamber consisting of hereditary nobles. A constitution is now being drafted for the Ponape district of the Caroline Islands and these same things are taking place for the first time elsewhere in Micronesia which has known only rule by foreign powers for hundreds of years. The goal of the United States is an independent Micronesian federation. I might add that the United States has even permitted the natives of Okinawa and the Bonin Islands to assume a significant degree of local self-government even though these are strategic trusts which we hold under the Japanese Peace Treaty and which will one day be returned to Japan.

In conclusion, I would like to stress once again what the United States feels to be one of the central truths of our time. The peoples of the non-self-governing territories are demanding self-determination in ever-increasing numbers today and if they are to develop as democracies rather than as totalitarian governments, the Western nations must speed up the process of laying the basis for democracy including the development of responsible representative assemblies. Encouragement from the Interparliamentary Union could play a significant part in increasing the number of such assemblies. I hope this will be one result of our meeting here this year.

And, Mr. President, permit me to take this opportunity to express my deep appreciation for the courtesies, for the warmth, and genuine reception by our Brazilian hosts. For me and mine I say—Muito obrigado, caros vizinhos (Thank you very much, dear neighbors).

ADDRESS OF HON. KATHARINE ST. GEORGE, MEMBER OF CONGRESS, BEFORE THE INTERPARLIAMENTARY UNION CONFERENCE IN BRAZIL, JULY 1958

Mr. President and fellow delegates, those of us who come from the Western Hemisphere are especially proud and happy to be here at the first conference ever to be held in one of our great sister Republics of South America. The friendship and hospitality of the Government and people of Brazil will long be remembered by all members of this Interparliamentary Union, but especially by those members who belong to other American Republics.

Again this year we come to the Conference fortified by the report of our distinguished Secretary General. I have now attended three of these conferences, and I am more amazed today than ever at this report and all that it covers. Almost every detail of the history and the politics of the nations who are members of this Conference is covered. It is true that world history is moving with great rapidity today and that some extremely significant events have happened since the report was written. At the very

opening of the report the Secretary General writes:

"Considering the world situation from the point of view of relations between the great powers an impression of stability is gained, albeit of a superficial nature only. No sign can be seen of any sustained rapprochement, but neither has any direct initiative been taken affecting a status quo which, for the time being, the parties concerned seem to have tacitly accepted."

This situation has changed for the worse and it is devoutly to be hoped that out of the deliberations of this Conference we can achieve a "modus vivendi" that will gradually bring the nations of the world to a true belief that peace cannot be achieved without understanding and tolerance. All nations yearn for peace and it is for us who are members of this Conference to strive mightily for this end.

The report deals at some length with the problems of atomic tests. Here misunderstandings still prevail and are perhaps those most conducive to disaster. In this field real discipline and self control must be created. It is impossible to expect one side to abandon tests until positively assured that the other side will do likewise. This is a poor time and place to indulge in demagoguery, and it was disappointing yesterday to hear accusations that the United States and Great Britain were threatening to use atomic bombs. We know of no such threat, but we do know that the present head of the Soviet Union said: "We will bury you," to an interviewer from the West. This may have been meant as a joke, but some of us may not find it very funny.

The situation in the Middle East is threatening, but American and British troops are in Lebanon and Jordan only because they were called upon by those two small and free nations for the protection which had been promised them in case of need. We are taking nothing from Lebanon or Jordan. We will not murder people to whom safe conducts have been given. We will help them to maintain their freedom, at their request, because we gave them a solemn promise to that effect and we will keep that pledge. As to oil interests, it is almost silly to mention them. The United States and South America have enough petroleum products to supply the Free World for years, if not centuries, to come.

The fact that so many nations today are mere satellites is disheartening in the extreme. The report quotes Mr. Spaak in reference to NATO in the following words:

"The day when there were no longer any discussions between them would be the day when, having accepted one government as leader, the other governments would be no more than mere satellites—and the alliance would have no further reason for existing."

Again we are confronted by the fact that words do not mean the same thing to all people. Even such words as peace and freedom are not the same in all languages.

Our Secretary General is impartial in his thinking and his writing. This, of course, brings us sometimes to the philosophy of "a plague on both your houses," which is not what we enjoy hearing, even though it may be good for the soul.

This report is a great document not only today but for the future when many of us, we hope many of a younger generation, will read and study it with interest and profit as a true and impartial picture of our times. The report also includes the preliminary documents that make up the agenda that we, in this year of grace 1958, considered of the greatest importance.

Since our last conference in London the clouds that menace and surround parliamentary governments all over the world have not lifted. On the contrary, they have become blacker and more dangerous. On that occasion I spoke somewhat pessimistically about the future of our parliamentary systems. I regret that very little has happened since the London Conference to alter any of these opinions. One thing did happen, however, at our Geneva Conference, which I feel was encouraging, and to which I intend to address myself at this time. On this occasion the Committee on Non-Self-Governing Territories, presented in the name of the committee a resolution on "The Development of Representative Assemblies in Non-Self-Governing Territories" and this item has been put on the agenda for this Conference. Now, why can we feel that this resolution is an encouraging sign? First, because it shows the world that we believe in representative government as the ultimate toward which all peoples strive. Secondly, because we believe that representative government is capable of growth and improvement. And this is perhaps the most important part of all. Any philosophy, whether of government or of any other science, that becomes static and incapable of change or growth is destined to wither and die.

Finally, I would recommend to you the words of a former President of my country, Herbert Hoover, who said recently in Brussels:

"We must unceasingly strive by all peaceable means to make the world safe for representative government. From representative government alone can come respect for your dignity as men and women, your flowering as individuals, your rights to a rising chance in life, to self-expression, and to security from sodden uniformity."

THE PROBLEMS OF ATOMIC WEAPONS AND NUCLEAR TESTS

(Address by Hon. W. R. POAGE, 47th Conference, Interparliamentary Union, Rio de Janeiro, Brazil, July 28, 1958)

Mr. Chairman, fellow delegates, everyone seems to agree that it would be highly desirable for all nations to suspend further atomic tests, and indeed to agree to forego the use of nuclear weapons. I think we can also agree on the desirability of greatly reducing and eventually eliminating all of the military establishments of all types and character throughout the world. In fact, my own country, the United States of America, at the close of World War II, demobilized more than 10 million men. No nation has ever carried out such an extensive demobilization, nor has the Soviet Union, the only other great power with such a large establishment, demobilized to a comparable extent, even though more than a dozen years have now elapsed. We do not know the exact size of the Russian military establishment today, but it is undoubtedly comparable, or even larger than the establishment of all the balance of the world combined. Possibly this tremendous manpower is locked up in unproductive work, because the communistic rulers feel that they do not need to devote the skills and labor of this great force for the improvement of the standard of living of their people. In my country we feel that we need to devote the labor and the skill of our young men to constructive undertakings—to the further improvement of the standard of living of our people and of all the people of the world.

Indeed, it seems to us that, desirable as it may be to limit the testing and the use of atomic weapons, it is even more desirable to reduce the wasteful use of manpower through the maintenance of conventional weapons.

The United States of America has repeatedly expressed its willingness and desire to restrict all types of armaments—both atomic and conventional—but no intelligent person could expect or want us to abandon any weapons without some dependable assurance that the U. S. S. R. will do likewise, and will do it at the same time. Nor do we ask of the Soviet anything which we are unwilling to extend to them. We would no more think of asking the U. S. S. R. to accept our unsupported promises to abandon weapons than we would accept their unsupported promises.

We recognize that the whole buildup of men and weapons throughout the world is the result of lack of confidence in the sincerity and good will of our neighbors. We hope that the time may soon come when all people will feel as secure against their neighbors as I believe the United States and the people of Canada feel, each as regards the other, but until that ideal situation arrives, there can be no substitute for full and unlimited inspection, to assure the compliance of mutual promises. Such acceptance of mutual inspection is an absolute prerequisite to any effective disarmament, or any control of either use or testing of atomic or nuclear weapons.

Nor is it any answer to say that one of the great powers says that it will forego the use of testing of any type of weapons but demands that its possible victims should accept its unsupported promises. This is particularly true in the face of a long record of the use of force wherever and whenever it seemed expedient. And the very refusal to accept the principle of unrestricted inspection can do nothing but strengthen those doubts.

Let me repeat: the United States of America welcomes any practicable program of mutual control of our reduction in all kinds of armaments, but the control must be mutual. We invite complete inspection of our own arms, even of our atomic development, but that inspection must be mutual. Nor does the United States of America wait until it has just completed its annual series of atomic tests and then suggest a period of suspension of such tests. Such obvious insincerity can do nothing but increase the determination of all other countries to see for themselves that all promises are being fulfilled.

Mr. Chairman, it is not my desire to emphasize or widen this mistrust, but I feel that the people of the world should clearly understand that mere words will never take the place of deeds. There have been charges of aggression hurled at my country and at Great Britain at this very Conference. These charges stem from the fact that the two great powers have carried out their commitments to protect two small nations from destruction. Of course, we recognize that it would have been far more desirable had the United Nations gone to the protection of these small countries, but the very people who condemn us have stood in the way and refused to allow action by the United Nations. The United States and Great Britain stand ready, as we have always stood, to move out of Lebanon and out of Jordan any day the Soviet is willing to let the United Nations protect these lands. Did Russia make any such offer when she moved troops into Hungary? Let the small nations of the world judge the large powers by their actions, not their words, and let the small nations recognize that it is the military power, and especially the atomic power, of the United States of America, which stands between them and the type of aggression we have witnessed in Korea and Vietnam. We of the United States will not impose our rule on anyone. Ask our neighbors. Ask Canada. Ask Cuba. We want to hold no people under our control. Ask the Philippines. We want to engage in no armament or atomic race. We want to beat our swords into plowshares but we can only do so when we know that others are doing likewise.

We challenge the sincere cooperation of the U. S. S. R. to join in a real, completely inspected program of disarmament. We will meet you halfway, but we have no intention of disarming ourselves without absolute assurance that others are doing likewise.

THE PRINCIPLES GOVERNING THE INVESTMENT OF FOREIGN PRIVATE OR GOVERNMENTAL CAPITAL IN COUNTRIES IN PROCESS OF ECONOMIC DEVELOPMENT

(Speech delivered by Hon. HENRY O. TALLE, Iowa, before Interparliamentary Union Conference, Rio de Janeiro, Brazil, July 26, 1958)

We are gathered today to consider basic issues relating to the role of foreign investment in economic development. I submit that the most direct and significant point of reference for the formulation of a set of principles of foreign investment is to be found in the last four words of the topic of this session. The principles we arrive at will depend in large measure upon our understanding and interpretation of the phrase "process of economic development."

There is the totalitarian road to development. Countries that follow this path seek to advance industrially at the expense of the freedom and liberties of their peoples. Through propaganda, subversion, and more recently, through ostensibly favorable credit terms, they pursue international policies designed to weaken and undermine the independent sovereignty of other nations.

Very different is the democratic process of development based on individual freedom to work, to spend, to save, and to invest. With the demands of modern life and unsettled world conditions, the governments of democratic countries have come to play a much larger role than in earlier periods in promoting economic progress. But this role continues to be nourished in the traditions of free institutions.

All countries, from the most industrially advanced to the relatively backward, are confronted with the problem of obtaining an adequate supply of savings for capital expansion, without which economic progress is not possible. It is to the interest of all the nations of the Free World, since they are economically interdependent, that favorable conditions are created for tapping the sources of savings at home and abroad with which to assure economic growth. These conditions must meet the varying needs of countries in different stages of development.

The foreign economic policies and programs of the United States recognize the importance both of the principle of interdependence and the principle of diversity of countries in various stages of economic development.

In the interests of our own economy and those of the rest of the Free World, we have endeavored to stimulate foreign investment through such a governmentally owned corporation as the Export-Import Bank. Our oldest public institution in this field, it has loaned over $9 billion for development purposes in more than 50 countries. These loans, both to private borrowers and governments, have helped finance on a sound business basis, mutually beneficial to borrower and lender, power-generating installations, transportation facilities, manufacturing plants, and the extraction industries. Only recently, the lending authorization of the Export-Import Bank was increased by $2 billion.

The United States is proud of the role it has played in promoting the flow of foreign investment through its participation in the International Bank for Reconstruction and Development, and in strengthening the international currency system through its membership in the International Monetary Fund. The World Bank has successfully promoted the international flow of capital for productive projects either by lending funds directly, guaranteeing loans made by others, or by participating in such loans. The gross total of loans that the bank has made to 46 countries amounts to $3.5 billion.

Closely affiliated with the World Bank is the International Finance Corporation. It was established in 1956 to overcome two limitations on the bank's ability to finance a greater number of private development projects: The lack of equity investment in projects, and the requirement that loans made to a private firm be guaranteed by the government of its country. With the removal of these obstacles, the International Finance Corporation aims to demonstrate that soundly conceived private investment projects in less developed areas can be sufficiently attractive to stimulate a much larger flow of private capital into these areas.

About a year ago, the United States set up the Development Loan Fund to extend long-range financing to underdeveloped countries. The Fund is not in competition with private investment, nor is it competing with the Export-Import Bank and the World Bank. It aims to facilitate the financing of meritorious developmental projects that have difficulty in obtaining the necessary funds. Many of the less developed countries have a limited capacity to service dollar loans on the terms required by the International Bank and the Export-Import Bank. Under the more flexible terms of the Loan Fund, repayments can be made in local currencies as well as dollars. It can operate with greater flexibility not only because it recognizes the necessity of repayments in terms of local currencies, but because it can also finance either private or governmental projects on an adjustable basis for as long as 40 years.

This brief review of the major governmental programs to stimulate the flow of investment into developmental projects serves to remind us that a variety of financial tools, public and private, has been proved necessary to meet diverse capital needs. But experience has also shown that in the interests of all of the countries of the Free World it is imperative that the economic growth of the underdeveloped areas be accelerated. Such advance depends not only on the readiness of the more industrialized nations to expand the flow of capital to these areas, but also on what the peoples of these countries do for themselves. Their progress depends on the adoption of measures which would encourage investment from inside as well as from outside the country.

I have in mind control of inflation, planning for balanced economic growth and administrative and legislative actions that permit the inflow of capital equipment and services—and the outflow of reasonable earnings.

The technically less advanced countries appreciate more than ever before the importance of capital investment in promotion of economic progress. They frequently place their main hope for such progress on the obtaining of capital from abroad. But the flow of capital depends on the existence of certain basic political and social conditions without which private investment cannot operate. In addition, capital requires technical and managerial skills for effective utilization, a working force that is adaptable to changes in technology, and the development of adequate marketing and credit institutions.

The more advanced industrial nations must also provide more favorable conditions for expanding the role of private domestic investment in underdeveloped areas. The United States has taken a number of steps in this direction. These include the maintenance of information and counseling services for potential investors, as well as strengthened Government staffs overseas equipped to understand the importance of foreign investment. The International Cooperation Administration which provides insurance against loss arising from inconvertibility of local currency earnings, expropriation, and war risks, has been steadily expanding its guaranty program. The Government has also negotiated an increasing number of bilateral treaties designed to protect more adequately the interests of private investors. It has also provided tax incentives for overseas investment, although more can be done in this field.

In closing, I should like to refer briefly to the draft resolution relating to the agenda for this session. The recent events in the Middle East point up all the more the need for strengthening the economies of underdeveloped areas, especially those which have recently achieved their independence. The draft resolution calls upon the parliaments to adopt the principle of multilateral financing of long-term development projects of underdeveloped nations as against such financing on a bilateral basis. The implications of Resolution No. 3 are far reaching. The proposal involves the establishment of another international organization with subscription of a substantial amount of funds by many different countries. There are many practical difficulties in the creation of additional institutions for multilateral financing, which require further study if we are to build solidly. Also, may I remind you that there are many experts in the field of foreign investment, including many in the countries receiving investments, who are equally convinced that in the present stage of assistance to underdeveloped areas the bilateral approach has so much merit that it should not deliberately be consigned to a place of secondary importance, as is implied in the draft resolution before us. I, therefore, suggest for your consideration that this resolution be modified to provide for further study of the subject.

TRANSLATION OF THE SPEECH DELIVERED BY MADAME NGO DINH-NHU, VIETNAM, GENERAL DEBATE JULY 24, 1958

Mr. President, ladies, gentlemen, it is a particularly pleasant duty for me to bring to this platform, in the name of the Vietnamese delegation, the expression of our gratitude to the Brazilian group for the warm and cordial welcome they have extended to us. Our gratitude is the more profound because we accept that welcome not simply as a gesture of courtesy, but as a new expression of generous and active friendship which the Brazilian people continue to show for faraway Free Vietnam, for her efforts and for her courage.

Certainly we Vietnamese who wish to live in freedom, independence, and peace need a great deal of courage, effort, and sacrifice. In a world such as that just so well described by the Secretary-General in his report, where man finds his share of hope constantly menaced by anguish and terror; in an Asia of which we Vietnamese well understand that we are an integral part and in which geography has placed us at one of the most sensitive points each one of us must know how to face up to destiny.

I have just said that it is Asia which I know best, by our Asian community of experience, of ideals, and of destiny. Speaking of Asia through what I know of Vietnam is not, I believe, greatly limiting to that subject. For, the resurgence of the masses of Asian peoples now coming to play an active role in the course of human events—is this not one of the most salient facts of the twentieth century? The peace and prosperity of the world, the special concern of this conference—do they not depend in large part upon the solutions to the problems of these masses?

And these masses, once political independence has been gained or regained, are extremely impatient to make up for their technical, and consequently economic and social, lag.

What an impassioned undertaking and how immense it is, when we remember that most of our countries are not only one, but two, technical and industrial revolutions behind time—that of the nineteenth century as well as that which is now being realized in the atomic domain. The internal awakening of these masses does not manifest itself without profoundly influencing the political regimes of the Asian peoples. Some, as Tacit would say, rush headlong into slavery, believing they will find greatness in servitude. Together with most of the others, Vietnam is striving to open for herself a narrow path between an anarchic liberalism and the totalitarian menace—a menace which is very real because, from international peaceful coexistence, totalitarianism during this past year has, by infiltration through the many fissures in the democratic regimes, expanded to an internal coexistence.

This has not come about without provoking varied and sometimes violent reactions in the countries victim to this massive political penetration. Admittedly different in their expressions, these reactions often revolve about a same theme: How to achieve a democracy which is capable of constructing our economies while at the same time defending itself against totalitarian temptations.

In practice this leads us immediately to another subject of great concern—extremely important in the measure that it is involved in the effort for solution to the previously mentioned problem of maintaining a viable democracy in the areas subject to great internal and external pressures: This is the subject of the aid of economically more favored countries to economically underdeveloped countries. In consideration of this, I believe we must not confuse the two kinds of underdeveloped countries. There are, indeed, countries in which development has simply been thwarted for a time, as, for example, by war. This is the case of certain Western countries. But there are also countries, such as most of those in Asia, which are basically underdeveloped, totally devoid of any economic and industrial substructure. To liken the latter to the former and to apply to them the same methods is to risk rendering the generous aid of our friends less effective.

Vietnam, following the examples of her elders in Asian democracy and with the help of her friends, is putting her best efforts into the struggle on all fronts to defend the principle of democracy founded on the concept that each man has a soul, that is to say a goal to attain and an equal right to pursue it in freedom. In practice, particularly in the existing social context of Asia, there exists, however, a certain gap between the economic and social reality, which tends toward planning and collective organization, and its political and judicial expression which has remained individualistic along the liberal lines of the 19th century. It is perhaps this which explains the present paralysis of the free countries in the face of totalitarian infiltration.

To bridge in a certain measure this gap, and with the goal of reinvesting the democratic movement with an indispensable dynamism, the Interpalliamentary Union will perhaps best serve peace and democracy if, true to its origins, it leaves the role of political compromise and bargaining to the United Nations, in order itself to be essentially the high moral authority, integral depository for the ideal of human liberty, and promoter of new democratic formulas adapted to the new world.

These are the thoughts, perhaps bold, which are inspired to me by the current events of the world. In submitting them to your sympathetic consideration, I invoke the sign under which I came to this platform, that of friendliness and understanding.

TRANSLATION OF THE SPEECH DELIVERED BY MMR. NAMLI TLABAR, TURKEY

Mr. Chairman, ladies, and gentlemen, I am sure that you would all agree that one cannot help a feeling of holiday in this beautiful country, where Brazilian hospitality is to blame. But alas as parliamentarians we are not paid by our people to forget, but to remember our troubles and try to do something about them—it can be said: What can be done here by representatives of assemblies who differ so much? But for those who believe that the human spirit has a tendency to freedom and decency, for those who believe that there are powers of ingenuity, faith and endurance that no one can realst, and for those who believe that because of all this peace is bound to come no matter how difficult some may make it, a lot can be done. And because I am one of those who finds strength in believing I will let my thoughts freely flow on the subjects that have been discussed here today. Who knows they may seed and bear fruit? Isn't that what we are all here for.

The delegate of our host country opened the debate yesterday with an eloquent speech, specially stressing that his country believes in peaceful coexistence among all peoples on the principle of self determination. I couldn't agree more, we are all for the principle of self determination, as long as this determination is free from all outside pressure and as long as it is applied to minorities as well as majorities—I have always envisaged coexistence in Europe between a federated Europe and a liberated Russia. Why should that not be possible some day?

All of us here seem to wish that problems should be solved by peaceful means, but how sad it is that some find it more convenient to eliminate in a horrible manner those that are in their way. Yet some day, these same men will be sitting among us discussing with us, how lasting peace can be preserved. Surely this is not what my colleagues mean, when they speak of the establishment of a rule of law.

A lot has been said on the crisis in the Middle East. My friends have already firmly stressed at the council meeting that Turkey has no intention, by any means to take any action that would aggravate the already grave situation in this area.

We consider nationalism a perfectly healthy and natural movement which we understand and sympathize as long as it is not twisted into wrong channels to suit the imperialist ambitions of others. We believe that nothing can set back true nationalism more than it should be thus perverted.

We believe that the military support given to Lebanon and Jordan was necessary to safeguard peace in the area. We welcome the action. In the light of the brutal overthrowing of the legal government of Iraq, Britain and the United States could have not failed to respond to a plea for assistance from those small countries whose independence was threatened by those whose resources and powers are so much larger. The decision is in accordance with the U. N. Charter, furthermore the United States and Britain should be considered morally bound to take such action, as they were legally invited by legally elected governments.

We would welcome an international police force, of course, but as long as the right of veto is there, how bright are our chances of success?

The question of summit talks continues to create a sort of psychological confusion in the Free World although in reality almost nobody seems to be opposed in principle to summit talks. It would, of course, be utterly naive to believe in the merits of having these talks just for the sake of having them. But after careful preparations of the agenda, if such discussions are to take place, we believe that representatives of all nations concerned, big or small, should be invited to take part. As the peace and welfare of our world does not belong to the strong only, but to all of us. And certainly the easy method of making concessions on the shoulders of smaller nations will no more be accepted or tolerated by these. I will not dwell long on the question of disarmament and the dangers confronting our Free World today, as Turkey's peace-loving and constructive attitude vis-a-vis these questions is well known. We earnestly hope that effective control can be established, so that total disarmament, the hope of millions and millions can at last come true.

Before I end my too-short speech I would like to congratulate the eloquent and charming delegate from Vietnam on her realistic speech. I totally agree with her, that this body should stick to its principles and leave all compromises to the U. N. In this nuclear age, I still believe that there is a tremendous power in ideals, more power than in the poor words with which we seek to imprison them. * * * If this body arms itself with such potential power and firmly fights every falsification of it, then it will be rendering the best and even most practical service to the peoples of the world.

I believe that this is a decisive period in our evolution when the whole future may hang in the balance, when even small happenings now, may tip the scale one way or the other. History is calling on us and the forces of freedom cannot refuse to heed its appeal.

May our joint efforts and deliberations at this conference guide us to the right solutions in the best interests of mankind.

Thank you.

REPRESENTATIVE HAL HOLMES

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, it is appropriate that in the closing days of the 85th Congress that there be spread on the RECORD something of the feeling of regret that is shared by Members of both sides of the aisle that the gentleman from Washington [Mr. HOLMES] has declared his intention to retire from Congress; and in this connection I would like to say two things: first, that it is with a personal sense of loss that Members like myself who hope to return in the future view the gentleman's retirement, and secondly, it is very definitely a loss to the Congress and to the Nation and the people of the Fourth Congressional District of the State of Washington that the gentleman is not returning.

Mr. Speaker, it is natural to measure success by something concrete. We find it easier to point to definite achievements that can be felt and seen. As a yardstick in the Congressional District of the gentleman from Washington [Mr. HOLMES] as maybe in no other Congressman's district, the evidence as to the effort and service of Congressional work is evident. Few Members of Congress realize this fact and certainly because of the inordinate modesty of the gentleman, few of his constituents have realised that the Yakima project which includes the irrigation and river development programs in the gentleman's district is the most extensive and successful development of its size in America. The wealth that comes out of the soil in the way of products as I understand, since this development started exceeds

$1 billion and some of the projects have already paid off and others are in the process of returning to the Federal Government the investment that was made in them. Much of this, along with much of the Columbia River Basin's multipurpose development projects are due to his persistent, although inconspicuous, efforts.

As those of us who have worked with the gentleman from Washington [Mr. HOLMES] know only too well, he has quietly, and as I have already said, all too modestly met the responsibilities of his office and as a result he has been a great asset to his District in a very concrete and tangible way. But, Mr. Speaker, the intangible public service of our friend and colleague as a member of the Ways and Means Committee and in his general service to the Nation as a Member of the House, in value is beyond calculation. The conscientious efforts that he has put into legislation for the general good both in committee and in the House is something that will never be adequately recognized and only those who have worked with him day in and day out will fully appreciate.

Mr. Speaker, in terms of high principle, intellectual ability and conscientiousness, our friend and colleague has gained a position of respect enjoyed by few Members during his long service.

Personally, if I am fortunate and return next year, I shall miss his presence in this Chamber, but in any event I shall carry with me real gratitude for the help given me by him when I first came to Congress and for his cooperation which I have always had since that time. As I say, I shall always be personally indebted to the gentleman from Washington [Mr. HOLMES] for his help and likewise for his friendship. Certainly we of the Washington State delegation have enjoyed the association with him, and likewise let me say that my wife and I are going to miss his charming wife, Margaret, who is, of course, beloved and warmly regarded along with her husband by so many other Members and their wives.

In the future I shall have one advantage over many of my colleagues, in that my home will be close to Ellensburg where the Holmes family lives. As such, I anticipate many opportunities to visit and to continue the association of six memorable years in Congress. Meanwhile, however, I join with others in saying "well done" to a person of great ability and character, a person whose friendship means a great deal. I join, Mr. Speaker, in wishing our colleague well and in all too inadequate words add my tribute to his splendid service to the people of his district and of our Nation.

Mr. TOLLEFSON. Mr. Speaker, several of our colleagues will not seek reelection this fall. Amongst them is our good friend, HAL HOLMES, who is completing his 16th year as a Member of this House. He has served his State and Nation with distinction in this body, and all of us who have served with him will be sorry to see him leave. We shall miss his good judgment, counsel, and advice. We shall also miss his friendliness and willingness to be helpful.

Few, if any, have excelled him in his devotion to the duties of his office. His attendance record at his committee meetings and at the sessions of the House is almost a perfect one. He has been a most conscientious Member of this body and has worked hard at his assignments. No problem or task was too difficult for him to undertake.

The problems of the people of his district were, of course, given his special attention. No Representative served his people more effectively than did HAL HOLMES. One has only to visit his District to see the results of his contributions to the welfare of his area.

Leaving with HAL will be his lovely and devoted wife, Margaret. Much of the credit for our colleague's distinguished record must be attributed to her. She has been a true helpmate. These are two wonderful people and I want to wish them continued success and happiness in the years ahead.

Mr. MACK of Washington. It was with great regret that I learned several months ago that our colleague, HAL HOLMES, was not going to stand for reelection.

In the 16 years HAL HOLMES has been in Congress he and his good wife, Margaret, have become institutions in all Congressional circles. They have won niches of affection in our heart and the admiration of our minds.

To his colleagues of Washington State HAL HOLMES always has been a source of sound advice.

I can recall no Congressman in my time who has accomplished so much for our State and the Pacific Northwest, its development and prosperity and therefore the happiness and well-being of its people. Many of the power dam facilities and the defense installations of eastern Washington were "his babies." He sponsored and he fought them through committees and Congress until these became realities.

HAL HOLMES is a most modest man, a quality unusual in politicians. He never sings his own praises or tells of his accomplishments. His friends know these were many and important.

HAL HOLMES has been diligent and faithful. He has one of the best attendance records in the Congress. His mind is filled with a fund of information on many legislative subjects acquired by long study and a retentive memory. He expresses himself colorfully, clearly, and effectively. It is a joy to listen to him expound on national issues and problems. He has made his information available readily and willingly to all of us, and for this I know others are most grateful. HAL HOLMES has been one of our soundest and most reliable advisers.

I wish HAL were not retiring from Congress, but he is. I want him and his wife, Margaret, to know that all our best wishes go with them and will follow them, as will our hopes for their health and happiness.

Mr. HORAN. Mr. Speaker, it is a pleasure for me to join my colleagues in paying tribute to HAL HOLMES. We came to Congress at the same time 16 years ago. It has been a real pleasure to serve with HAL. His understanding of the varied legislation that has passed through this Chamber during that time has been tremendous and his council has been sought and appreciated by all of us.

HAL was devoted to his job—both as a high ranking member of the great Committee on Ways and Means and to the multiple measures that affected his district, his State, the Nation and the world. His record of attendance was one of the very best.

I, too, want to pay my respect to his lovely wife, Margaret, who has gathered to her heart so many friends here in Washington and who has been such a great asset to HAL in all his activities. May God bless them and be with them always.

Mr. AUCHINCLOSS. Mr. Speaker, the Congress is going to miss the gentleman from Washington [Mr. HOLMES] when he does not return next year. His service began with the 78th Congress, the same time that I came here, and a warm friendship between us started immediately. His quiet manner, his gentle kindliness, and his high sense of humor won him many friends who all regret his decision not to seek reelection. In addition to his other traits he has a keen and analytical mind which brought much wisdom to the discussions of the great Committee on Ways and Means on which he served.

Mrs. Auchincloss and I wish him and his delightful wife, Margaret, all of the best in the days to come, and we hope they will return to Washington once in a while to nourish a friendship that means much to us.

Mr. McGREGOR. Mr. Speaker, I want to join with my colleagues in paying tribute to one of the great Members of this legislative membership, the Honorable HAL HOLMES, of Washington.

HAL is a great American—a gentleman and a scholar in every respect. I am proud to say that he and his gracious wife are close friends of the McGregors, and I sincerely wish them every happiness in their retirement.

Mr. HOLMES. Mr. Speaker, I want to thank my colleagues for these fine words.

During my 16 years as a Representative in Congress from the Fourth District of Washington I have known many friends. It is these friends and the many people I have known and personally worked with throughout my service in the Congress that I will miss. This body is a body of great men, dedicated men who work hard for their respective districts and their country. It has been a privilege to serve with you.

I can only say, thank you, and I wish you all good luck and extend my best wishes to you all.

HON. DAVID WILLIAMS

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it gives me great pleasure that the Honorable David Williams, a judge who lives in Concord, in my District, was elected unanimously at the Disabled American Veterans convention to be their commander for the next year. He will bring a great fund of information and a tremendous amount of zeal to furthering the cause of the disabled veterans. He has dedicated his life to helping the veterans, disabled and otherwise, for many years. He is a very fine soldier and veteran and a constituent of whom I and hundreds of others are very proud. I shall talk more of him tomorrow.

Mr. Speaker, I hope so much that the avalanche of bills that have passed and, that with so many billions being given to almost every group in the country a little bill of mine, H. R. 8424, to give a little group at the Capitol the benefit of subscribing to retirement benefits that passed the House unanimously and is now pending in the Senate, will be passed before we adjourn. It would be incredible to me that that bill could be pigeonholed and have to wait for another year. It is a most deserving and righteous bill. It would be punitive not to pass it. I hope Members will ask the other body with me to pass it.

THE CASE FOR AN INTER-AMERICAN BANK

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 10 minutes.

Mr. SIKES. Mr. Speaker, since the midthirties there has been consistent demand for an Inter-American Bank designed to promote trade and improve the prosperity of the nations of the Western Hemisphere. Unfortunately for those who believe that such a bank would serve a favorable purpose, the United States has consistently refused any financial support for the proposal. Significantly, however, with the current reappraisal of the United States policies toward our neighbor republics in this hemisphere the proposal for an Inter-American Bank has again come forward and it may now receive greater attention than in previous years.

Over the years our Government has argued that there is already sufficient investment capital available, public and private, to insure development in Central and South America at the optimum rate. Since Vice President NIXON's illfated trip there has been a growing belief that we have been deficient in meeting special Latin American needs and desires. Dr. Milton Eisenhower, upon his return from Central America, expressed the opinion that our Government must become more positive in extending economic assistance to Latin America. Against this background is the fact that the administration has recently proposed a regional institution for the Middle East. Obviously, now the United States is in an awkward position unless it supports an institution in the Western Hemisphere.

It is not generally known, but there is little trade between the Latin American countries. They do not buy and sell in quantity to each other. It is logical to suppose that the existence of a hemisphere bank would encourage more commerce between the nations of the hemisphere. It could lead to greater trust and confidence in each other and the United States. Such an institution could help to overcome the feeling among Latin American nations that the United States tries to dominate them, if not for selfish reasons, then at least by the exercise of overcautious paternalism. It could strengthen the feeling of dignity and equality and help to direct nationalism into constructive channels. It should show clearly the good motives of the United States in lending a friendly hand to establish and support an institution which if properly managed can be of real assistance in developing material and human resources in Central and South America. Such a Bank could even be the first step in hastening the processes of economic integration which already is being talked about and which may become of real importance in the future. Presumably, the institution would be more sensitive than present facilities to special needs such as housing, education, and health, which are so necessary for well-balanced development.

A part of the reluctance which has been shown by this country in aiding the creation of a hemisphere bank undoubtedly is due to the fact that already we are a major participant in a number of international banking institutions and the fear that the creation of an institution peculiar for this hemisphere would lead to requests for similar institutions for other specific regions of the world. I submit that we have a particular interest in this hemisphere and its people. They are our closest neighbors and our stanch friends. This hemisphere can be very largely self-sustaining once it is properly developed. The prosperity of the Western Hemisphere means continued prosperity for the United States. We have direct and compelling reasons to stand by and strengthen our neighbors in the Western Hemisphere. The establishment of an Inter-American Bank is sufficiently important for the project to stand on its own feet. It is justified in my opinion without regard to our participation in other banks and could not be held to create a precedent for similar participation in other area banks. I consider it a long-overdue step.

SESQUICENTENNIAL ANNIVERSARY OF ESTABLISHMENT OF CATHOLIC ARCHDIOCESES IN AMERICA

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. GREEN] is recognized for 10 minutes.

Mr. GREEN of Pennsylvania. Mr. Speaker, I wish to thank the gentleman from Massachusetts [Mr. MCCORMACK] for his kindly mention of Philadelphia Catholics' early contribution to America along with fellow members of the faith in Baltimore, Boston, New York, and Louisville. With justifiable Yankee pride he speaks of the atmosphere of tolerance Roger Williams set up in his Rhode Island haven. Williams knew bigotry and oppression and it taught him tolerance. In like manner the founder of the Pennsylvania colony had been a religious refugee in Holland. William Penn and his Society of Friends made Penn's Woods a religious sanctuary for Europeans of all sects who were suffering persecution because of their way of looking up to God.

As a result our State provided refuge for many followers of Peter Memno and other Germans whose descendants have become known as the Pennsylvania Dutch. A Catholic mission was located at Ivy Mills as early as 1729 and Philadelphians can still worship in Old St. Joseph's at Fourth and Willings Alley, founded by Jesuits in 1733.

As history well records, Catholics have made contributions to all important events including the signing of the Declaration of Independence and the wars in which our Nation has been engaged. Where our national welfare has been at stake they served as Americans, not as Catholics.

There are monuments of Christianity that have been erected by the early pioneers who brought the cross to the new continent. The padres who left their picturesque little missions on our west coast forsook the relative comforts of Spain to blaze a new spiritual trail on the new continent. As our east coast became colonized men brought their religion with them. The colony of Maryland was named for the Mother of Christ. It was a Catholic settlement and it is noteworthy that Lord Baltimore guided through the Assembly of Maryland the famous Act of Toleration of 1649.

To quote the gentleman from Massachusetts about our own Quaker City:

All of us know well that toleration depends on more than legislative acts. It demands charity, love, one toward another. The people of the archdiocese of Philadelphia learned this lesson well. When Bishop Michael Egan laid the first cornerstone in that great city, he was met by aporadic outbursts of bigotry. The Catholic people, under the leadership of such bishops as the strong James Fenwick, the saintly John Newman, and the unruffled Patrick Ryan, provided an antidote. During the plagues of the 18th and 19th centuries and even during the great influenza epidemic of 1918, the priests and sisters cared for the sick indiscriminately. During the Civil War many communities of sisters braved the battlefields to care for the wounded. A monument to their memory stands here in Washington.

In the 20th century it was Denis Cardinal Dougherty who began to strengthen organized charity in the archdioceses. Now the 1,400,000 Catholics of Philadelphia, under the wise and scholarly administration of Archbishop John O'Hara, display an enviable record: 14 general hospitals; 6 sanitariums; 17 asylums for orphans and infants; 14 homes for the aged; and 5 protective institutions; all open to the public. This work is only an example of what the Catholic people throughout the entire country are doing to care for the needs of their fellow men.

A recent publication of the Department of Health, Education, and Welfare, entitled "The State and Nonpublic Schools," begins with this statement:

"Nonpublic educational institutions are and have always been a significant part of the Nation's total educational resources. These institutions serve millions of American youth and adults each year. They play an enormous role in transmitting our cultural heritage and enriching it. They make contributions at all levels of education and

in all areas. They exert a tremendous influence in fashioning the American way of life."

This paragraph states well the contribution of private schools to the Nation, and it is no secret that many of these schools belong to the Catholic school system. In each of the celebrating archdioceses Catholic education has always been a major concern.

As the eastern seaboard population has swelled, Philadelphia's growth has kept pace and Catholic expansion has been proportionate. This is shown in the establishment of parishes. I name herewith a few of the early churches and then enumerate those either situated in or serving my constituents, giving the date of founding:

Early before the Revolutionary War: 1729, Ivy Mills Mission (near Chester); 1733, St. Joseph's; 1763, St. Mary's.

After the Revolutionary War: North of Girard Avenue and east of Broad Street: 1833, St. Michael's (Second Street); 1842, St. Peter's; 1843, St. Stephen's; 1845, St. Joachim's; 1845, St. Ann's; 1849, St. Dominic's; 1850, St. Malachy's; 1865, St. Edward's; 1870, Maternity of Blessed Virgin Mary; 1872, St. Veronica's; 1873, Visitation; 1882, Nativity of Blessed Virgin Mary; 1884, St. Leo's; 1889, Our Lady of Mercy; 1889, St. Bonaventure's; 1890, Presentation of Blessed Virgin Mary; 1892, St. John Cantius'; 1899, Ascension; 1911, Mater Dolorosa; 1911, St. Cecelia's; 1914, Our Lady of Pompeii; 1916, St. Henry's; 1917, Our Lady of Consolation; 1919, St. Bartholomew's; 1919, St. Joan of Arc; 1920, St. William's; 1922, St. Hugh's; 1922, St. Katherine of Sienna; 1923, St. Martin's; 1923, St. Ambrose; 1927, St. Matthew's; 1927, St. Bernard's; 1928, St. Timothy's; 1928, Holy Innocents'; 1928, Resurrection; 1950, St. Christopher's; 1954, Our Lady of Ransom; 1955, St. Jerome's; 1958, Our Lady of Calvary.

Freedom of worship is among the most important privileges guaranteed by the Bill of Rights. It was spawned in a period of European history when bigotry and religious persecution prevailed in many European nations. Unwittingly, the bigots of Europe assisted greatly in the colonization of America. At the invitation of the gentleman from Massachusetts, Philadelphia is glad to join Baltimore, Boston, New York, and Louisville in lauding the survival and development of religious tolerance in our Nation.

AGRICULTURAL ACCOMPLISHMENT, 1953–58

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, this has been a very significant year for American agriculture and I think it most appropriate as this Congress is about to conclude its business that we pause and consider some of the gains achieved for our farmers and ranchers.

We have been blessed throughout most of the Nation this year with favorable growing conditions. Harvests show signs of being the most productive in America's history. We are happy for our farmers that this is true. We should always be thankful that ours is a Nation of abundance rather than scarcity.

Yes, our agricultural economy has been on the rise. There is no recession in agriculture. It has been one of the bright spots in our economy this year. Prices received by our farmers and ranchers are generally well ahead of last year and farmers' income for the first 6 months of this year showed a remarkable increase over last year.

Too often we let the cries of the critics drown out the gains achieved by this administration. Let us then take a look at some of the agricultural accomplishments chalked up in the past 5½ years:

AGRICULTURAL ACCOMPLISHMENTS 1953–58

Surplus commodities which cost $14 billion were moved out of storage and into use in 5 years. Inventory of surpluses has been pared from its peak of $8,930,000,000 to $7,160,000,000. Overall production and consumption of most farm products are now more nearly in balance than at any time since the height of the Korean war.

REA has helped 988 rural electric and 596 rural telephone systems since 1953. Electric loans last year reached $241 million; telephone loans are being made at the level of about $90 million a year.

Exports grew from $2.8 billion in 1953 to an alltime high of $4.7 billion in fiscal 1957 and continued at a high level in 1958 with $4.1 billion in shipments.

Appropriations for agricultural research have been increased by 95 percent since 1953.

Repeal of Federal taxes on gasoline used in tractors and other machinery saves farmers $60 million a year.

Farmers in 1954 were benefited by the largest tax reduction in history.

Gross farm income in the first half of 1958 was the highest on record—$13.8 billion. Realized net income was at an annual rate of $13.3 billion—22 percent above the first half of 1957.

Per capita farm income rose from $838 in 1950 to $967 in 1957, the second highest on record.

Owner equities rose 7 percent during 1957 to a peak of $168.4 billion. Farm ownership is at a record high, and there is a smaller proportion of tenants than ever before. Farm foreclosures are near an alltime record low.

The standard of living on farms is the highest in history, measured in terms of electrical appliances, automobiles and other conveniences owned by farm families.

Twenty-seven million acres of farmland were taken out of production by the Soil Bank in 1958 alone. These acres would have otherwise added to our surpluses. In addition, participating farmers—while adding to their income—are making unprecedented strides in the conservation of soil, water, forests, and wildlife resources.

In periods of livestock market gluts, 550 million pounds of meat and meat products worth $225 million were bought for distribution to school lunch and other eligible outlets. Cattle and hog prices were thus bolstered.

Family type farms received loans totaling $178 million in 1958 as compared to $130 million in 1953. Farm ownership loans totaled $50.3 million compared to $29.7 million in 1953.

Insured loans to farmers have averaged $315,651,000 a year for the past 5 years.

The volume of housing loans made per month rose from an average of $1,931,000 prior to March of this year and close to $8,151,000 during June.

About 60 million people in 80 foreign countries are receiving food and fiber donated by the people of the United States. Six billion dollars worth of surplus farm products have been shipped under Public Law 480 to meet the needs of foreign countries.

Important new facilities were established to insure future agricultural progress and livestock health. Among these is the Plum Island Animal Disease Laboratory in Long Island Sound where diseases foreign to our country are being studied for control purposes. Native diseases will be studied at the new Ames, Iowa, laboratory.

Mexico was given financial and technical assistance in wiping out an outbreak of foot-and-mouth disease which, had it spread, would have meant incalculable losses for United States stockmen.

States with modified certified brucellosis-free status increased from 3 in 1954 to 13 in 1958. Activities are being intensified.

A milestone was reached by the Forest Service in 1957 when for the first time one billion trees were planted.

Timber cut in national forests is at the rate of $115 million per year, the highest on record.

Forest fires in 1957 were reduced to an alltime low.

The importance of water to farm and city people was recognized by this administration. The first Soil and Water Conservation Advisory Committee was established and meets regularly to plan for the future.

One hundred and twenty-three local watershed projects in 41 States were receiving assistance as of August 1958.

The internal revenue law was amended to permit farmers and ranchers to deduct from their taxes expenditures made for installing certain soil and water conservation practices.

The rural development program is raising living standards of those on the lowest rung of the economic ladder through the cooperation of the Federal Government and local authorities. Work is progressing in 30 States and Puerto Rico.

The Great Plains conservation program is operating in 288 counties. The long-range purpose is to minimize drought, flood, and wind erosion damage in the Western States once embraced in the "Dust Bowl."

The Special Milk Program was inaugurated in 1954. The program was operated last year in 75,000 schools where nearly 2 billion half pints of milk were distributed.

The School Lunch Program absorbs large quantities of surplus foods. Last year's total purchases were $475 million. Complete meals in 1958 were increased 900 million over the 1,000 million served in 1951.

The agricultural credit system was made more responsive to farmers' needs. The Farm Credit Administration was made an independent agency.

Soil Conservation Service appropriations increased each year between 1953 and fiscal 1959 as follows: 1953—$70 million; 1954—$73 million; 1955—$81 million; 1956—$91 million; 1957—$97 million; 1958—$121 million; 1959—$128 million.

The number of Soil Conservation Districts assisted in 1957 totaled 2,768 compared to 2,493 in 1952.

The Agricultural Marketing Service was established in the Department's reorganization of 1953 to give greater emphasis to problems of marketing and the distribution of farm commodities.

The bipartisan National Agricultural Advisory Commission was established in 1953. The Department works with it in reviewing national agricultural policies and in developing and administering farm programs.

The agricultural attaché system was returned to the Department, helping to strengthen efforts to expand foreign markets.

Operation Outdoors was set up to expand family recreational facilities in the national forests.

Income from dairying was the highest on record last year.

Per capita consumption of such high protein, protective foods as meat, milk, and eggs is substantially above prewar levels.

Emergency livestock feed programs have helped farmers and ranchers stave off disaster from drought, floods, etc. Farmers have received about 145 million hundredweight of feed with the Government paying $146 million of the total cost.

Farmers have added about 350 million bushels in new storage capacity while industry has been encouraged to increase its capacity by 600 million bushels in the largest grain storage program in history.

Approximately $600 million a year had been extended in disaster and drought aid since 1953.

The Water Facilities Act was amended to provide for direct and insured loans for certain soil and water conservation activities in all States. Prior to this amendment, the act had applied to the westernmost States only.

TELEPHONE COMPANY WINDFALL

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include several letters.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON. Mr. Speaker, last spring one of the principal items in the papers was a cut in dairy price supports which was ordered by the administration and later put into effect. Consumers were told by the Secretary of Agriculture that they could expect to benefit in lower retail prices paid for milk, cheese, and butter among other dairy products if only the prices paid to farmers were cut. The United States Department of Agriculture now reports in the August 1958 issue of The Dairy Situation that milk and cheese prices are not lower for June of this year than they were a year ago. It proudly points out that butter prices are down but buries in the text of the report that the butter price is down only three-tenths of 1 cent in June of 1958 as compared with June of 1957. The very next sentence, not noted in the bulletin highlights, reports that the price of cheese for June rose one-half cent over a year ago.

So much for that rosy spring promise to consumers which withered and died in the summer sun.

About the time the administration was showing this interest in consumers I learned of hearings of the House Antitrust Subcommittee which indicate that the public has paid $159 million to the telephone company over and above a 6.5 percent rate of return to owners of the company on public long-distance calls. I believe wholeheartedly that investors deserve a return on their money. I also believe that in utility operations when that guaranteed return exceeds the amount our experts consider reasonable the public deserves a return on its overcharge.

Because of the administration concern for consumers I called these hearings to the attention of the White House. I was referred to the Federal Communications Commission for further information and after several letters found that the problem is being ignored as it relates to John Q. Public.

The interesting part of this story is the fact disclosed in hearings of the House Antitrust Subcommittee last spring that the expert telephone staff members working for the FCC, who are most familiar with the problem, have long recognized this windfall and on two separate occasions recommended to the commissioners that the public deserved a review of rates. Those recommendations received no more action from the Commission than did my inquiries in behalf of long-distance callers. The very least the public deserves out of this is a 6.5 percent rate of return on the overcharge instead of the cold shoulder it is receiving from the Federal Communications Commission.

In order that the public may know what I have tried to do on this subject, I am submitting for the RECORD, my correspondence file on this matter:

MAY 2, 1958.

The Honorable DWIGHT D. EISENHOWER,
President of the United States
The White House, Washington, D. C.

DEAR MR. PRESIDENT: When Secretary of Agriculture Benson reduced dairy price supports last December, he showed the administration's concern for consumers by noting that consumers should benefit from reduced prices.

Testimony before a House committee revealed Wednesday that the FCC in 1953 granted the Bell Telephone Co. a long-distance rate increase, without public hearing, so that the company's returns have exceeded the 6.5-percent margin considered reasonable for almost 5 years.

Mr. President, telephone subscribers are consumers too. Many in my District place long-distance calls. I respectfully call this to your personal attention because I know you prize consistency.

Sincerely yours,

LESTER JOHNSON.

THE WHITE HOUSE,
Washington, May 16, 1958.

The Honorable LESTER JOHNSON,
House of Representatives,
Washington, D. C.

DEAR MR. JOHNSON: The President asked me to acknowledge and thank you for your letter of May 2 concerning the increased interstate long-distance telephone rates filed with the Federal Communications Commission by the Bell System effective as of October 1, 1953, and the level of interstate earnings that has obtained subsequent thereto.

As you know, the Federal Communications Commission, when acting in an adjudicatory capacity is an independent agency. The President can exercise no control whatever over its decisions. When acting in this capacity, the Commission is considered to be an agency responsible to the Congress.

If you desire any information about the 1953 AT&T rate increase, I suggest you write to the FCC.

Sincerely,

GERALD D. MORGAN,
Special Counsel to the President.

MAY 23, 1958.

Mr. JOHN DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR MR. DOERFER: At the suggestion of Gerald D. Morgan, special counsel to the President, I am writing to you for information concerning the 1953 A. T. & T. rate increase.

According to the hearing before the House Antitrust Subcommittee April 30, the long-distance rate increase was granted without public hearing. Is this true?

It was also reported that the rate of return considered reasonable on the telephone company's investment is 6.5 percent, and that under the 1953 increase the system received a 7.7 percent rate of return on interstate service in 1955; 7.8 percent in 1956; and 7.3 percent in 1957. The amount of profit to the company as a result of this rate increase was reported to be $159 million in excess of the 6.5 percent return considered reasonable. Are these facts as reported?

The administration has taken an active interest in consumers. When dairy price supports were scheduled for a reduction last December it was reported that the cut should have a beneficial effect upon consumers because prices would be lowered to them on dairy products. As a former resident of Wisconsin, I think you must already know that the price support cut will cost Wisconsin dairy farmers about $40 million per year.

Now some of these dairy farmers are telephone subscribers who place long distance calls and they deserve consumer protection too. Would you kindly tell me what share of the $159 million mentioned above was derived from Wisconsin subscribers? Will you also let me know as soon as possible what action the Federal Communications Commissioner is taking to protect the interests of telephone subscribers from this unnecessary overcharge? I would also be interested in knowing what action the Commission contemplates to get back and return to the telephone ratepayers the amount they have paid in excess of a reasonable rate of return since 1953.

Sincerely yours,

LESTER JOHNSON.

JULY 8, 1958.

Mr. JOHN DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR MR. DOERFER: Last May 23 on the suggestion of Gerald D. Morgan, special counsel to the President, I wrote to you for information concerning the 1953 A. T. & T. rate increase on long distance calls. A copy of my letter to you is enclosed.

You called me later and requested additional time to prepare an answer which would give the full views of the Federal Communications Commission on the matter. I agreed.

Since our conversation I know you have been busy with many matters. I also note that the FCC has taken a commendable step in cutting back on private line telephone rates. I wish to congratulate you on this action in the public interest.

As I understand it, public long distance rates discussed in my letter of May 23, 1958 to you are not affected by the FCC report 396 dated June 25, 1958.

I hope your reply to my May 23 letter will be sent soon and that it will have good news for the general public using long distance lines.

Sincerely yours,

LESTER JOHNSON.

JULY 14, 1958.

Mr. JOHN DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR MR. DOERFER: This letter will confirm our telephone conversation of this morning in regard to my inquiry to the Federal Communications Commission through you on May 23 and the followup letter I sent on July 8.

Your report today that the FCC now has under adjudication the question of what constitutes a reasonable rate of return on public long distance telephone calls was the first information I have had that this matter

is now being considered by the Commission. I am sorry you did not mention it when you called me in regard to the May 23 letter to request additional time to prepare an answer. However, I am pleased to know that the FCC now has under adjudication the question of how much profit is reasonable on the long distance charges paid by the public.

I appreciate your concern that my letters to the Commission might possibly get some attention in the press because of the current investigation of the House Subcommittee on Legislative Oversight. There is nothing secret about my correspondence with the Commission. My only request is that when my correspondence file is made available to anyone it include all the letters in their entirety.

My request to you for information is no more than that. Had I been informed that an adjudication of what constitutes a reasonable rate of return on long distance telephone charges paid by the public was under way it would have been unnecessary for me to inquire about it as I am confident the Commission will issue a report.

Sincerely yours,

LESTER JOHNSON.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., July 14, 1958.

Hon. LESTER JOHNSON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN JOHNSON: Thank you for your kind indulgence in permitting me to delay an answer to your May 23 letter until after oral argument in the present pending telephone private line rate case.

As you indicated there are some matters in your letter which may be deemed inappropriate to discuss.

However, with respect to your inquiry whether a long-distance rate increase was granted in 1953 without a hearing, the answer is "Yes." Both increases and decreases in the past have been granted to common carriers engaged in domestic and foreign wire and radio communication services without a hearing but not, however, until after investigation.

You indicate that the rate increase in 1953 "was reported to be $159 million in excess of the 6.5 percent return considered reasonable." This report is not accurate. It was estimated that the new rates would produce additional revenues of about $65 million annually and a calculated rate of return of 6.5 percent, which was regarded to be in the "zone of reasonableness."

A year or more after the new rates were made effective, there was an unanticipated upsurge in the carriers' traffic and as a result instead of the new rates producing a return in the neighborhood of 6.5 percent, as they were originally designed to do, a higher return was actually realized. The $159 million you referred to represents for the period 1955–57, inclusive, the cumulative difference in revenues actually received and what would have been realized had a 6.5 percent rate of return been maintained. You might also be interested to know that rate reductions prior to the October 1953 increase amounting to over $250 million on an annual basis and based on 1952 traffic volume were negotiated by this Commission without formal hearing. The cumulative effect of such reductions from the time they were effected until the present time amounts to several billion dollars.

As you know the accounts of the Bell System companies are required to be maintained in accordance with the rules and practices prescribed by the Commission. The departmental and field office staffs of this Commission make appropriate examinations to ascertain that the accounting rules are being complied with. This Commission is continuously engaged also in prescribing and revising depreciation rates and practices applied by all Bell System telephone companies. The Bell System telephone companies as well as all other communications common carriers subject to our jurisdiction, are required to file monthly and annual reports setting forth comprehensive operating financial and earnings data. In the case of the Bell System telephone companies, this information is supplemented by submission of substantial amounts of additional financial and operating data, including detailed monthly reports. This information is also subjected to continuous review and analysis by the Commission.

You will appreciate that as a result of the above-described continuing regulatory supervision and surveillance, this Commission at all times is in a reasonably well-informed position to evaluate the adequacy of revenues and earnings and the need for either rate increases or rate reductions. Several interstate rate reductions which have been negotiated by the Commission with the Bell System over the years were made possible largely by this method of regulation. This, so far as I am able to ascertain, has been the practice most frequently employed ever since the adoption of the Communications Act of 1934.

It may be of interest to note that long-distance rates are only 10 percent higher today than at the close of World War II as compared with the cost of goods and services which certainly have experienced far greater increases.

Our interstate ratemaking problems differ a good deal from those encountered by State commissions. The developments in the techniques of long lines communications have made possible the economic use of facilities, such as microwave radio and coaxial cable, which can convey hundreds of messages at the same time at very low unit costs. Because of the nature of intrastate traffic, the use of similar facilities is not economically feasible on a State or local basis. Accordingly, this Commission has been able to effectuate rate reductions over the years, whereas all of the State commissions have been faced with inevitable and repeated rate increases. On the other hand, interstate or long lines earnings are much more volatile as compared with intrastate earnings, and hence rates of return for intrastate and interstate services are not comparable.

In any event, since some of these matters are presently under consideration I cannot elaborate upon them with propriety at this time. Thank you for your interest in this matter. If there is any further information you may desire, I will, of course, try to be helpful.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

AUGUST 4, 1958.

Hon. JOHN C. DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR MR. DOERFER: On May 23 I wrote you in regard to testimony developed by the House Antitrust Subcommittee over testimony developed by the subcommittee that the American Telephone & Telegraph Co. received without public hearing a rate increase which brought returns of $159 million in excess of a 6.5 percent rate of return considered reasonable by the FCC during the years 1953 to 1957.

In your reply of July 14 you state:

"The $159 million you referred to represents for the period 1955–57, inclusive, the cumulative difference in revenues actually received and what would have been realized had a 6.5 percent rate of return been maintained."

You then point out that previous rate reductions ordered by the FCC would have amounted to several billion dollars by this time if not put into effect. I commend the commission for carrying out its duty in previous years and again call your attention to the $150 million which you call cumulative difference and which I call excess profit. Having done its duty in the past I am sure the Commission will now take some positive action in regard to this $150 million.

Last May I asked you what action the Commission contemplates to get back and return to public long distance ratepayers the $159 million cumulative difference they have paid the telephone company in excess of a 6.5 percent rate of return.

You have not answered my inquiry. You replied:

"In any event, since some of these matters are presently under consideration I cannot elaborate upon them with propriety at this time."

I am not asking you to comment upon matters under consideration. I am asking you if, indeed, they are under consideration. My question is this: Is the Federal Communications Commission, as you have implied, now conducting an adjudication of rates charged the public for long distance telephone calls?

Again let me say I have no objection whatsoever to having my correspondence with you made public so long as the entire file is released when it is made public.

I trust it will take no more than a week to reply to this simple inquiry.

Sincerely yours,

LESTER JOHNSON.

FEDERAL COMMUNICATIONS COMMISSION,
Washington D. C., August 8, 1958.

Hon. LESTER JOHNSON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN JOHNSON: This is in reply to your letter of August 4, 1958, regarding the rates charged by the Bell System for interstate long-distance telephone calls.

The Commission does not have a formal proceeding in progress at this time with respect to the rates charged by the Bell System companies for the message-toll-telephone segment of their interstate operations. A formal hearing is now in progress with respect to the rates charged by these companies, as well as the Western Union Telegraph Co., for their interstate private-line services. Many ratemaking problems which are involved in the regulation of rates for communications services are under consideration in these proceedings, as indicated in the last paragraph of our letter of July 14, 1958. In addition, the matter of the reasonableness of the earnings of the Bell System companies from their interstate operations is under continuing review and surveillance.

Recently, the Commission carefully reviewed the current status of the Bell System's interstate earnings in the light of the many factors involved, such as the current cost of money, general economic conditions, and the effect of these conditions on the volume of interstate telephone business and the level of interstate earnings. As a result, the Commission concluded that a general investigation of the overall level of interstate rates and earnings is not warranted at this time. We shall, of course, continue our practice of maintaining a continuing surveillance over these matters. May we assure you that the Commission will take prompt and appropriate action by formal proceedings or otherwise, as may be necessary, should the circumstances indicate that such action is required to protect the public interest in just and reasonable telephone rates.

In our letter of July 14 we noted that the rates for interstate long-distance telephone services are only 10 percent higher today than at the close of World War II. During this same period, the rates for intrastate toll and local exchange services have increased approximately 44 percent and the Consumer Price Index has increased by approximately 59 percent.

We trust that the foregoing will be of assistance to you and will furnish you with the information which you desire. If you wish any further information regarding this matter we will, of course, be pleased to hear from you.

Sincerely yours,

ROBERT E. LEE,
Acting Chairman.

SECRECY MANIA OF AEC

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, on May 26, 1958 I personally delivered to two Commissioners of the Atomic Energy Commission, Mr. Graham and Mr. Floberg, a letter containing 21 questions. Nearly 3 months later, on August 15, 1958, I finally received an answer, an answer which I was told by Commissioner Floberg had been rewritten six times, an answer, Mr. Speaker, which leans heavily on the excuse that no answers can be made because the material is classified.

What about this secrecy mania of the AEC? Is it really necessary for national security? Does it really serve the best interests of the United States?

Based on the findings of my trip to Eniwetok last May I am certain that much of the secrecy is unnecessary and actually harmful both to our position in the eyes of the world and to our efforts to make scientific progress in this vital area.

If I am returned to the House next year I intend to introduce legislation to provide for a Department of Nuclear Energy whose chief would be a member of the President's Cabinet. It is also my hope that Senator ANDERSON, who will then be chairman of the Joint Committee on Atomic Energy, will be able to arrange for his committee to delve into this matter of secrecy and see if the American people and the world cannot be told more about our policies in attempting to harness this fearful force with such infinite capacity for evil or good.

Under previous consent to extend my remarks I now include my letter of May 26, 1958, to the Atomic Energy Commission with the reply sent to me on August 15, 1958 by the AEC over the signature of Commissioner John F. Floberg, and with comments by me on the reply given.

MAY 26, 1958.

ATOMIC ENERGY COMMISSION,
Washington, D. C.

GENTLEMEN: Here are a number of questions which I should like the Commission to answer in an unclassified letter:

Mr. Floberg's letter begins:

On the 26th of May and at your request, Commissioner Graham and I met with you. In the 2-hour conversation that ensued various matters were raised by you and discussed by us. At the end of the meeting you gave to Mr. Graham a letter dated May 26, asking some 21 questions, several of which had been discussed in our meeting. You asked that we answer in writing to you.

My first question was:

1. Why are the press and other informational mediums barred from Eniwetok for the whole Hardtack series with the exception of one shot? The top scientists and military men there assure me that there is nothing secret there outside of the boxes containing the devices themselves. There are ample facilities to accommodate 10 to 30 mediums' representatives. And people everywhere want to know and are entitled to know more about the purposes and conduct of these tests.

The AEC's answer is:

Your first question stated that top scientists and military men at the EPG assured you there was nothing secret there outside of the weapon boxes and that there were ample facilities to accommodate continuously 10 to 30 mediums' representatives and you asked why the press and other international mediums are not allowed to attend the whole Hardtack series.

I believe that you may have misunderstood the senior EPG personnel or they your questions. In our meeting we explained that there were many aspects of operation and much equipment beyond the nuclear devices themselves which are classified and that these are widespread throughout the proving ground. We pointed out that the course you propose would restrict to a high degree task force operations. The senior responsible task force personnel, military and civilian, agree with us in these regards. I understand you have had correspondence with the White House also concerning this matter and have received answers from Mr. Bryce Harlow. I believe, therefore, I need not cover this subject further.

My comment is: I did not misunderstand the senior Eniwetok Proving Ground personnel because it was this very matter of secrecy which caused my trip to the mid-Pacific. It is a little hard to believe that the instruments themselves are classified and it does seem to me that the value of demonstrating to the world that we are not reckless and aggressive, as our secrecy policies about these tests make us look, is grossly underrated.

My second question was:

2. What is the point of the Pinion operation? It seems to me a waste of time and money to show the 32 persons from all over the world something that has been demonstrated before and is not news, namely, that there is no immediate local fall-out from an airburst of a device in our possession. Most people remember the picture in Life some time ago showing the three Air Force officers standing directly under an air burst and doing so in perfect safety.

The AEC's answer is:

Your second question asks the reason for conducting the U. N. demonstration shot. There were plenty of good reasons for scheduling the demonstration shot, most of which we discussed with you in the Commission office, but I see no cause for extending this letter by reciting them since the cancellation of the demonstration shot, for equally good reasons, was announced on July 26, 1958.

My comments are: The fact is that the demonstration shot was canceled because too few of those invited believed that they would see anything to justify making the trip.

My third question was:

3. Chairman Strauss has on several occasions defended the present series of tests by asserting our need for a relatively clean antimissile missile so radioactive debris won't fall back on us as we seek to defend ourselves. Is it not true and rather well known that a high altitude burst, even of a dirty device, has no local fallout?

The AEC's answer is:

Your third question states that former Chairman Strauss has on several occasions defended the Hardtack series by asserting our need for a relatively clean antimissile missile so that radioactive debris would not fall back on our people. You ask whether it is not true, and rather well known, that a high-altitude burst even of a dirty device has no local fallout. It is a well-known fact that a high-altitude burst generally will not give a heavy local fallout pattern, but this fact points to only one part of a complex problem. It is also true that the detonation of large numbers of shots at high altitude might contribute very significantly to fallout levels over very widespread areas including those near the firings. In the case of nuclear weapons used for defense against manned bombers, the problem has obvious implications. In all these regards very detailed information on the effects of firing under varied conditions is contained in the publicly issued handbook, Effects of Nuclear Weapons—1957. In the development of so-called clean weapons—weapons of low-fission yield, our objective is to design weapons whose firing would result in lesser residual contamination, both local and at a distance.

My comments are:

I can understand that clean defensive weapons are needed to prevent contamination not below the detonation but in the general area. However, it seems to me that whatever general fallout one would get would be trivial compared with that from an enemy attack. A concerted attack, I am informed, would involve approximately 1,000 megatons, most of which would be fission debris deposited locally. Moreover, I am informed that if there were a thousand 100 kiloton bombs, that is a total of 100 megatons, the fallout of 5 percent (rather high for high airbursts) would amount to only 5 megatons or less than that from a single nuclear weapon.

My fourth question was:

4. If the Hardtack series is, as there is reason to believe, relatively "clean," why cannot you announce the approximate total additions from these shots to the stratospheric reservoir? If it is less than 10 megatons, why not publicize this fact and show up the last Soviet test series?

The AEC's answer is:

Your fourth question concerning the cleanliness of Hardtack asks why we cannot announce the approximate total addition from these shots to the stratospheric reservoir. It is still the policy of the Commission to reveal such information only when information concerning our weapons design will not thereby be compromised.

My comment is: Does not the whole world have an interest in what we are doing to the world's atmosphere? And cannot we release this information in such a way as to prevent our enemies from checking on a particular test or weapon? You will note I only asked about the approximate total additions from these shots to the stratospheric reservoir.

My fifth question was:

5. Can't you be more explicit about the particular purposes of the Hardtack series and the priorities among the purposes? Cleanliness and peaceful applications are

given equal weight with smallness in previous statements, yet it seems clear this is not the case.

The AEC's answer is:

Your fifth question asks whether we cannot be more explicit about the purposes and priorities of the Hardtack series, commenting that in statements cleanliness and peaceful applications are given equal weight with smallness. Your sixth question asks why we do not separate shots for peaceful application from purely military shots, hold them underground, and invite U. N. participation. Commission statements have not indicated that a major purpose of the Hardtack series is the development of peaceful uses. All shots to be fired in the series, as you know, are designed to meet some specific defense requirement. In this regard you will note that the initial announcement of the Hardtack series (enclosure No. 1) and the announcement relative to the danger area dated February 14, 1958 (enclosure No. 2), pointed out that the objective of the series is the development of various types of weapons for defense against aggression. Both indicated that an important purpose also is the development of nuclear weapons of reduced radioactive fallout in relation to yield. The earlier announcement indicated, too, that the series would give information on the effects of weapons for military and civil-defense uses. There have been no firings to date of shots designed specifically to further nonmilitary applications, although much information valuable to nonmilitary use has been acquired incidentally from military firings. Byproduct peaceful uses of military devices are so normal that it would, indeed, be remarkable if nuclear developments did not compare in this respect with most other military systems. The underground Rainier firing of September 19, 1957, is an excellent example of this and an unclassified report thereon is attached as enclosure No. 3. It has been our intention to consider U. N. observance of any United States detonation for peaceful uses, as Dr. Libby has indicated publicly on several occasions. In this regard I am attaching as enclosure No. 4 a copy of an announcement of June 9, 1958, concerning a survey for a possible nuclear detonation harbor project. You will note that this specifically mentions our plan for U. N. participation if the harbor shot is fired. Though many interesting nonmilitary applications can be accomplished with underground containment, one such as the harbor excavation probably could not.

My comment is: The communications I had from AEC ranked peaceful purposes along with the development of defensive weapons and the development of clean weapons. I can only repeat that I believe the AEC has done a terrible job of public relations. This is tragic because of the importance of these policies in the field of international relationships. It would seem that the basic question is not whether additional tests are useful in a military sense but rather whether these tests are of more value to us or to the Russians if they continue to test.

My sixth question was:

6. Why not separate peaceful applications of nuclear devices from the purely military shots? Invite the UN to participate, hold them all underground, and make public everything but the devices in the black boxes themselves. (For AEC's answer see question 5.)

My comment is: It is quite clear that the AEC–DOD have no intention of relaxing secrecy on any aspect of the weapon. Project Plowshare is definitely a classified activity, yet it has such great potentiality for good public relations arising from our development of nuclear explosions for constructive peaceful purposes.

My seventh question was:

7. Why not announce more details about the tests now being conducted and announce every shot? At present the one sentence announcement is meaningless except that it stirs the public to wonder what actually is happening and how many other shots have been completed without disclosure.

The AEC's answer is:

Your seventh question asks why we do not announce more details concerning tests being conducted, and announce every shot. As has been explained to you orally, we believe such course would have considerably greater advantage to the Soviets than to ourselves.

My comment is: It is not clear to me what advantage the Soviets do gain. Why for example has the AEC not even revealed the number of shots in the Castle and Red Wing Operations?

My eighth question was:

8. Why can't the AEC issue more information about "clean" bombs? It is not exactly a secret that superbombs derive their energy from the fission of U–238 and yet the AEC has not admitted this over a 4-year period.

The AEC's answer is:

Your eighth question asks why the AEC cannot give more information about "clean" bombs and comments that the AEC has not admitted over a 4-year period the importance of fission to the yield of superbombs. The details of design of the "clean" weapon, like that of all atomic weapons, are restricted data and the Atomic Energy Act of 1954 rightfully forbids public dissemination. It is the Commission's policy to make public as much information as can be released safely and legally concerning this and other types of weapons. As to the importance of fission in a thermonuclear weapon, your attention is invited to the handbook, "The Effects of Nuclear Weapons—1957" pages 5 and 17. The handbook also gives detailed information on the patterns of fallout from various weapons. On page 421 it explains how these patterns vary as the percent of fission yield varies. Your attention is also invited to enclosure No. 5, which is a copy of certain testimony released by the JCAE Special Subcommittee on Radiation. On pages 73, 74, 79 and 80 thereof there are statements as to the manner in which the so-called "clean" weapon varies from a standard design. Much additional pertinent information is contained in the record of the JCAE's June 1957 fallout hearings.

My comment is: Pages 5 and 17 of the reference cited refer to the fission-fusion in nuclear weapons and imply that fusion neutrons are useful for uranium fission, but no mention is made of the utilization of U–238 as a fissionable substance. Page 73 of the second reference is that of Dr. Graves' testimony before the Holifield committee. This is a blind alley because Graves says he would prefer to discuss it in a closed session. On page 74 Graves says you can have "cleaner" but not "clean" bombs.

My ninth question was:

9. Why should not we quit testing, on a multilateral basis, since presumably we are ahead of the Soviet Union, having a 4-year lead in testing and having tested more than twice as many bombs as they have?

The AEC's answer is:

Your questions 9, 10, and 11 all concern the matter of justification for continued testing. I believe the best brief statement of our beliefs in this regard are contained in our comment upon your proposed legislation, H. R. 8269. I am attaching as enclosure No. 6 a copy of that comment.

My comment is: My comments have been made before in the RECORD with respect to this report so I shall not repeat them now.

My 10th question was:

10. Does testing for better military weapons ever end? Are we not seeking perfection endlessly? It is public knowledge that the Armed Forces have atomic artillery of various calibre, depth charges, air to air, ground to air, and air to ground nuclear warheads for missiles. Will the need for more "sophisticated" weapons ever be satisfied? (For AEC's answer see question 9.)

My 11th question was:

11. Do we not have enough nuclear warheads and the means of delivering them right now to deter any intentional attack? (For AEC's answer see question 9.)

My 12th question was:

12. Since the inception of the H-bomb, what "safe rate of annual testing" meaning megatons of fission debris per year has the AEC used in its test program? How was this safe level agreed upon within the AEC and when was the first "safe level" solicited by the Commission from its technical advisors?

The AEC's answer was:

Your 12th question concerns the safe rate of annual testing used by the AEC. A statement of national policy in this regard is contained in annex II of the Bermuda communique issued after the March 1957 meeting between the President and the Prime Minister. The communique is attached as enclosure No. 7.

My comment is: The Bermuda communique is a vague generality and defines no safe level. This is a matter of public health. The AEC should reveal what its standards are.

My 13th question was:

13. When did the AEC receive a military specification for a clean bomb?

The AEC's answer was:

Your 13th question asks when the AEC received a military specification for a "clean" bomb. The Department of Defense expressed interest in such weapons several years ago. Beyond this I am not free in an unclassified letter to discuss Department of Defense requirements submitted to the Atomic Energy Commission.

My comment is: An expression of "interest" by the DOD several years ago is pretty flimsy. This is not a specification of military requirements. It looks as though classification here is used as a coverup.

My 14th question was:

14. Have the natives of Rongelap and other Marshallese sought compensation for radiation injuries received as a result of United States bomb tests? Has any compensation been granted?

The AEC's answer was:

Your 14th question asks whether the Rongelapese or other Marshallese have sought and received compensation for radiation injuries. They have not filed a claim and have not received a compensation as a result of a legal claim. However, through the United States Government they were given care, resettled in a newly built location and provided livestock.

My comment is: A serious moral question is involved here, one which has worldwide implications. How do you adequately and justly compensate people for such injuries? However, I must say that this answer is direct, which is more than I can say for the preceding 13.

My 15th question was:

15. Is it possible to test a nuclear weapon in space with a high degree of safety? What about the flash?

The AEC's answer was:

Your 15th question concerns the phenomena of nuclear detonation in space. Adequate answer to the question as phrased cannot be given without a discussion of information which would be of benefit to the Soviets. We would be happy to discuss this in a closed meeting at any time.

My comment is: I cannot understand why this must be classified and I intend to find out in the closed meeting suggested. What is involved here is a straight weapons effect. Since defense weapons would be used over the United States the public has a right to this information. The old dodge that this data would help the Russians is silly. It is a weapons effect and if the Russians do not know it already, they can find out very easily from their work unless, of course, they need to test to find this out. By our not telling what the data are, we invite the Russians to continue their tests. The AEC record on release of weapons effects is one of tardy information. Example: The first book on atomic weapons effects came out 5 years after Hiroshima. The second book on thermonuclear weapons came out almost 5 years after the Mike Shot.

My 16th question was:

16. If missiles are armed with nuclear warheads for intercepting ICBM's would a nuclear explosion result if these missiles aborted in takeoff or if they plunged to earth?

The AEC's answer was:

Your 16th question concerns the possibility that an antimissile missile might detonate on the ground if it aborted. As has been explained to you, every effort is made in the design of all our nuclear weapons to insure against accidental detonation.

My comment is: Because new versions of Nike will be tipped with nuclear warheads, this is a very important question. The public is entitled to a better answer than Mr. Floberg's vague generality.

My 17th question was:

17. AEC spokesmen have repeatedly asserted that the United States is far ahead of the Soviets in nuclear weapons. Upon what type of evidence is this assertion based? Estimates of Soviet capability—including the date of their first A-bomb and first H-bomb—have been badly in error.

The AEC's answer is:

Your 17th question asks upon what type of evidence do we base our estimates of the Soviet's nuclear weapons capability. For reasons known to you it is not possible in an unclassified document to comment on this matter.

My comment is: I do not ask for sources or methods, which obviously must be kept secret, but only for the type of evidence on which we base our estimates.

My 18th question was:

18. Since the AEC is charged by law with responsibility for carrying out weapon development, including testing, would it not be desirable for some other agency of the Government to appraise the radiation hazards from test programs?

The AEC's answer is:

Your 18th question concerns the advisability of some agency of Government other than the AEC making an appraisal of the radiation hazards from test programs. In this regard the National Academy of Sciences, on the suggestion of the AEC, conducted an investigation of all effects of radiation on man. Its report is entitled "The Biological Effects of Atomic Radiation." Its findings also were confirmed by the British Medical Research Council in a report issued at the same time. Its report is entitled "The Hazards to Man of Nuclear and Allied Radiations." Copies of these reports are attached as Enclosures Nos. 8, 9, 10. I believe it is important to note that these reports lean heavily on information developed by the AEC and were highly complimentary of the thoroughness of AEC's work in the radiation field. The AEC has considered from the beginning that it must analyze continually the health and safety aspects of all its activities and has conducted very extensive surveys, analyses, and studies over the years. We are always appreciative, however, of any authoritative effort undertaken by another agency to assist us in these matters. As you well know, the United Nations had a special committee of technical experts study this same problem; its recent report confirmed the previous studies referred to above.

My comment is: The NAS study was done after the events had taken place. The U. N. has made no attempt to define safety limits. The question here is whether some other agency ought to monitor the AEC's procedures as they relate to public health and safety. In my opinion the Public Health Service should be given this responsibility.

My 19th question was:

19. In view of Soviet technical achievements, including Sputnik III, would it not be wise to reappraise our policy of secrecy in scientific development? Is it not possible that we are hurting ourselves with too much secrecy?

The AEC's answer is:

Your 19th question concerns the advisability of reappraising our policy of secrecy in view of Sputnik III. It has been AEC's policy to appraise continually the information it retains classified and to declassify rapidly such information when it need no longer be retained as classified. In this regard the AEC declassified 21,809 documents in 1957 and an additional 12,541 in 1958 through May 31.

My comment is: This is the old numbers game. It would make more sense if the AEC would reveal how many reports are generated each year and how many are classified. How long does a document stay classified? Why are such areas as fusion power, project plowshare and some aspects of biology and medicine still classified?

My 20th question was:

20. Would the AEC agree to Senator Anderson's proposal that we halt "the testing of nuclear weapons of more than one megaton intensity"?

The AEC's answer is:

Your 20th question concerns the AEC's opinion on the halting of all tests of more than a megaton. Again, I believe our opinion relative to any test cessation is best expressed by our comment on your proposed legislation, H. R. 8269, which is attached as enclosure No. 6.

My comment is: There are many ways to cut down the great harm from continued testing but apparently the AEC is determined to recognize none.

My 21st question was:

21. The assertion has been made that if we agreed to cease testing qualified scientists could not be retained at the Los Alamos Laboratory. Has any poll been taken of these scientists which substantiates this contention? Would not these scientists stay on the job if granted freedom to pursue unclassified and publishable scientific work?

The AEC's answer is:

Your 21st question asks if any poll has been taken to determine whether our laboratory personnel would leave the laboratories in case of a test cessation and whether they could not be retained if allowed to pursue other work. No poll has been taken in this regard, nor does a poll seem to me to be a sound technique for attacking such a problem as this. The laboratory directors and their senior-staff members have asserted repeatedly that such a cessation would lead the laboratory personnel to seek fields of work other than those connected with weapons development. We believe that most would stay if extensive and important nonmilitary work were carried on at the laboratories. The effect in either case, however, would be an interruption of further development in the nuclear-weapons field.

Sincerely yours,

JOHN F. FLOBERG,
Commissioner.

My comment is: I still think a poll would be the scientific way to proceed to obtain necessary facts as to the states of mind held by laboratory personnel. Why speculate? Why accept repeated assertions of laboratory directors and senior-staff members when the facts themselves can be ascertained?

My final comments are: There is no space to include the references cited in Mr. Floberg's letter but they are obtainable upon request from the AEC.

I am disappointed in the answer I received to my questions. It seems to me that the AEC could have answered them, without in any way endangering national security, more specifically and fully. I intend to continue my efforts to determine whether the AEC's secrecy mania can, with profit to all, be replaced by a more sensible policy.

DEVELOPMENTS IN THE SHIPPING BUILD-AND-TRADE-OUT INVESTIGATION

Mr. ZELENKO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ZELENKO. Mr. Speaker, on March 14, 1957, I brought to the attention of the House a multimillion dollar maritime giveaway and tax windfall to the Onassis shipping interests. A brief summary of what has taken place in regard to this matter up to the present time is in order.

At that time it was pointed out that a so-called trust, placing the Onassis vessels in the hands of his two minor American children, did not afford proper protection for the interests of the American people. This trust had been the result of a settlement of civil and criminal charges against the Greek shipowner and was supposed to be forever secure in American hands.

I charged that this trust was so loopholed, that in effect, Mr. Onassis would still be in virtual control of his vessels. It was charged further, that the trust was not irrevocable and that there were a number of devices in it by which he could again obtain actual control of his vessels; that this transaction would actually create unemployment; and that it would cause the loss of over 500 jobs to American seamen.

At the same time I charged that this was a tremendous tax windfall, that the Government would lose millions of dollars in income tax, not only from the operation of the Onassis ships but from the income tax loss on jobs of American employees. Also, that the vessels were being transferred in such a way and for such giveaway prices, that tremendous additional tax advantage would accrue to the companies. Grave doubt was expressed that the contract between the Onassis interests and the Government would ever be fulfilled; that is, the contract to build three new supertankers to fly the American flag in exchange for the transfer of 14 United States ships to foreign ownership.

By reason of these charges the House Merchant Marine Committee conducted extensive hearings in March and April of 1957.

As a result of the hearings, the charges of tax windfall, creation of maritime unemployment and unusual favored treatment for the Onassis interests were clearly and overwhelmingly proved.

The committee was assured by the Maritime Administrator that the contract and the trust would be tightened up wherever possible to assure the building of the new American ships.

I do not wish to take the time of the House to detail the testimony. I recommend for your reading a copy of the hearings before the Merchant Marine and Fisheries Committee, entitled "Study of Vessel Transfer, Trade-in, and Reserve Fleet Policies, Part I." However, some pertinent parts of the testimony before the committee are important enough to discuss now.

It was found that the so-called trust was based upon the settlement of the criminal and civil cases against Onassis and his associates. Although the civil case had been settled for about $7 million in penalties, at the time of the settlement there was no mention made to the court that this trust was to be created.

Subsequently, the Department of Justice, together with the Onassis lawyers, drew this trust agreement. It was unusual in many respects, particularly in that it provided elements of the ship transfer to foreign flag, the tax windfall advantages, and all of the other emoluments and favored treatment which have been subsequently received by Onassis.

This trust, instead of penalizing the Onassis interests, was set up in such a way by the two departments of Government involved, that is, the Department of Justice and the Department of Commerce, that it not only vitiated the effect of the penalty of the court settlement but has provided means by which it is easier not only for Onassis to pay his penalty but make substantial profits thereon.

Further, no bond was required for the building of the new American vessels by the Onassis interests. In other words, all that remained for the Government was a lawsuit.

At the conclusion of the 1957 hearings, fears were expressed by members of the committee that once the Onassis interests were permitted to proceed with the terms of the trust, that they would not comply with the requirement to build the American ships.

On April 15, 1958, these fears, unfortunately, were realized. The Onassis interests sent a letter to the Maritime Administration indicating that they were canceling the contract; that they would not proceed with the building of the American ships and were ready to take the matter to court.

The hearings on this subject were resumed before a special subcommittee of the Merchant Marine Committee with the distinguished chairman of the full committee, the Honorable HERBERT BONNER, serving as chairman of the subcommittee. Just before the commencement of the new hearings, at the request of the Maritime Administrator, the Department of Justice began a law suit for the collection of the $8 million damages from Onassis.

The new hearings, which began in June of this year, have revealed some startling and shocking facts. I suggest to my colleagues that when these hearings are printed in full they be the subject of intensive study. Among other things we found that although over $20 million have been collected by the Onassis trust for the purpose of building American ships, there was only about $750,000 in the fund. All of the money collected has gone to the payment of all the old debts and back taxes which had been due and owing by Onassis to the Government and creditors for periods prior to the settlement of his cases in court for periods back to 1948. Legal fees and salaries have taken almost a million dollars. For example, the chief executive of the operation although receiving approximately $35,000 yearly for his salary, does this work only as a part-time occupation.

Among some of the old Onassis debts which were being paid by the trust were some mortgages owing to one of America's largest life-insurance companies. It was testified that another disbursement has occurred by the $10,000 yearly salary paid to the son of a high official of this life-insurance company. The duties of this man apparently are merely to see that payments are made to the insurance company. It was further brought out that a $5,000 yearly salary is paid by the operating company to the trust officer of the trustee bank. His duties for the company were not made clear.

There was no indication at the time of the 1957 hearings that moneys collected which were to be used for building American ships were to be disbursed in such large amounts or for the purposes above indicated. Witnesses had testified that there were about three or four million dollars due and owing for back debts and taxes. I am sure that if the committee had any notice whatsoever that all the $20 million was to be used for these purposes, immediate steps would have been taken to protect the interests of the American people by adequate legislation.

Although this trust is supposed to be under American control, the testimony shows that very little, if anything, is done without the presence or approval of Mr. Onassis, who is not an American citizen, and the inescapable conclusion has been reached that he has tacit if not actual control even at the present time.

Evidence has been adduced that further great advantage has been given to him, for even in the payment of his old debts, amounting to millions of dollars, under the setup of the trust he is obligated to pay only 25 percent of the debts instead of 49 percent, as he would have if the trust had not been created. This alone has amounted, during the past year, to a giveaway to him of about $5 million.

Throughout the hearings, both in 1957 before the full committee and before the subcommittee this year, the participation of the Department of Justice in this maritime transaction was of great interest.

It having been testified that the trust agreement was based upon the civil and criminal cases, the committee went into the Department of Justice activities in this case.

Mr. Onassis, testifying under oath, said that back in 1948, long before he had been indicted, after being unable to procure some of the surplus Government tankers involved, he had gone to the law firm of Lord, Day & Lord. At that time, one of the senior partners was Herbert Brownell, Jr. Mr. Onassis testified that he had paid "fancy prices" for legal advice and services to acquire and procure these surplus vessels. That subsequently, acting on that advice and services, these vessels were acquired. This transaction was the subject of the civil and criminal cases instituted against him by the Government in 1953. However, they had long been under investigation by the prior administration of President Truman. Mr. Onassis testified that he had been indicted in 1953 by the Department of Justice, headed by the then Attorney General of the United States, Herbert Brownell, Jr., the very person whose law firm had acted as his attorneys in the transaction, and that he had been indicted upon the precise matter for which he had paid them the "fancy prices".

Mr. Onassis then testified that he had "ransomed" himself by discussing in person, in numerous interviews with Assistant Attorney General Burger and other officials in the Department of Justice,

the settlement of his civil cases and the dismissal of the criminal charges against him. He repeatedly stated that the only reason for his agreeing to settle the civil case and to pay about $7 million in penalties was to have the criminal charges against him dismissed.

As a result of the foregoing testimony, it became necessary, both in the interests of the investigation and out of courtesy to Mr. Brownell, to call him as a witness. He appeared, and in his sworn testimony he admitted that back in 1948 and 1949 he had shared in his law firm's fees which were received from Mr. Onassis, that he knew at all times who Mr. Onassis was. Although admitting this, Mr. Brownell denied that Mr. Onassis had been indicted for the same matter on which his law firm had represented Onassis. Upon being confronted with statements and bills rendered by his law firm, Mr. Brownell, nevertheless, repeatedly denied the truth of the Onassis testimony in this respect. When Mr. Brownell was questioned as to why, when acting as Attorney General in the Onassis matter, he had not disclosed his prior connection with Mr. Onassis, either his own version thereof or that of Onassis, he gave a most unusual answer. He stated that it would have been improper to disclose this prior connection, although he conceded that in a state of facts such as set forth by Onassis he would have required such disclosure both by himself or his subordinates.

This has resulted in a sharp and categorical conflict in the sworn testimony of Mr. Onassis and Mr. Brownell. Which one is telling the truth and which one has perjured himself should be the subject of investigation by the Department of Justice. Discrepancies in the sworn testimony of witnesses at Congressional hearings is not to be taken lightly, for it offends the dignity of the Congress and of the American people. It impedes our legislative duties.

Furthermore, if the testimony of Mr. Onassis is true and that of Mr. Brownell is in error, there are serious questions of conflict of interest and legal ethics involved. There was placed into the record of the hearing Canon Nos. 6 and 37 of the Code of Ethics of the American Bar Association. There have also been Federal court decisions on this subject. Leading cases are *In Re Boone* (83 Fed. 944), and *United States* v. *Bishop* (80 Fed. 2d 65). On the other hand, if the testimony of Mr. Brownell is accurate, then proper steps should be taken to have Mr. Onassis either rectify his testimony or he should be dealt with as the circumstances dictate.

Mr. Onassis gratuitously gave the committee testimony on a transaction similar to his involving other persons called the Kulukundis group. In that case the Kulukundis people had sometime in 1948 retained Mr. Brownell in person together with his law firm for advice and services on procuring ships such as those involved in the instant transaction. Subsequently, when Mr. Brownell became Attorney General, he had those people indicted for the ship transaction. They were brought to trial in the United States District Court for the District of Columbia in a case entitled United States against Philadelphia Marine. The case was tried in December 1954. During the course of the trial Mr. Brownell, who was then Attorney General and whose assistant was prosecuting the defendants, was subpenaed as a witness on behalf of the defendants. At the trial he admitted his prior connection with the defendants and the work he had done for them before becoming Attorney General. The defendants were acquitted. Mr. Brownell's testimony at that trial, has been made part of the record of the hearings.

Mr. Onassis in his testimony repeatedly asserted that what he had done was on the advice of his lawyers. He stated that he had paid great sums of money for legal advice in order to be sure that what he was doing was proper.

Another amazing bit of the testimony developed during the course of the present hearings was that officials of the Onassis Company testified, that although they had by letter canceled the contract with the Government, the actual facts were to the contrary. That is, that they were proceeding with the building of the ships; that the letter of cancellation had been a mere pretext and a device to obtain further Congressional hearings on the subject. These officials testified that they had reason to believe that the Merchant Marine Committee would not interest itself in this subject again unless the Onassis interests were not fulfilling the contract. Knowing this, they conspired to draft this letter of cancellation with the thought they could reactivate the hearings and thus possibly modify the contract with Congressional approval.

However, the most startling evidence on this phase was still to come. All of these witnesses testified that the Maritime Administrator himself knew of their hoax in advance and as a matter of fact, that they had sent him a draft of their cancellation letter in advance for his approval and comment. They also testified that he knew that they had not canceled their building contracts and were proceeding with them.

The foregoing made it necessary to recall the Maritime Administrator. In his sworn testimony he denied that he knew of the hoax but admitted receiving a draft of the proposed cancellation letter. This has resulted in a square conflict of sworn testimony.

These discrepancies should also be the subject of scrutiny by the Department of Justice. These actions on the part of the Onassis group constitute a fraud on the Government. It was upon the letter of cancellation that the Maritime Administrator turned the case over to the Department of Justice, which even at present is suing for $8 million liquidation damages on the contract. If the facts as testified by the Onassis interests are true, that is, that the ships are now building, then this lawsuit is a futile one and cannot be successfully concluded by the Government. Their nefarious scheme has caused this Congress irreparable loss of time, waste of effort, and substantial expenditures of committee funds in reactivating these hearings to attempt to secure for themselves some additional advantages in their contract.

Further probing into the settlement of the civil and criminal cases disclosed that on December 21, 1955, an attorney from the Department of Justice appeared before a Federal court and in substance stated it would be very difficult for the Government to prove its case against Onassis. He stated, in effect, that the case was a very weak one. Thereupon, the court was requested to dismiss the case against Onassis in person, and to subject some of his corporations to fines.

During the course of the hearings, the same Department attorney who had appeared before the court to dismiss the indictment against Onassis, and whose statement to the court at that time is a part of the record of these hearings, admitted that prior to December 21, 1955, he had drawn a memorandum on the merits of this case for his superiors in the Department of Justice. In the memorandum, which is a part of the record of the hearings, he reviewed all of the evidence and came to the following conclusion:

> Proof of the foregoing facts will be established by a large mass of documents, consisting of maritime records, records of the companies, the banks, Metropolitan Life Insurance Co., Socony-Vacuum Oil Co., and Simpson, Spence & Young, together with the testimony of persons connected with the companies, former employees thereof, Government officials, bank officials, employees of Simpson, Spence & Young, and the Central American Steamship Co., agents of the FBI, as well as the statements of Onassis and Berenson to investigators. Assuming all the proposed evidence is admitted, it will be clearly and definitely established that the defendant corporations could not have functioned without Onassis; that Onassis had actual as well as economic control over the companies, which he was permitted to exercise; that this control was not only contemplated and intended by the conspirators when Onassis was unable to get vessels directly, but carried out by them even to the present time when Onassis instituted negotiations with the Civil Division looking toward a settlement of the pending civil proceedings.

This opinion and the entire memorandum indicates that instead of a weak and unprovable case, the Government had a strong and indeed easily proven case of criminality against Onassis.

As a matter of fact, this very witness from the Department of Justice testified before the committee that he had always felt that the persons and corporations involved were guilty. Nevertheless, upon the direction and suggestion of his superior, he informed the court that the case was a weak one. He also testified that the court was not aware of all of the facts contained in his memorandum.

This dismissal of the criminal case against Onassis was part and parcel of the settlement of the civil case and indeed, one neatly tied package. It was admitted in the 1957 hearings by a high official of the Department of Justice that the so-called deal which had been suggested by one of the Onassis attorneys at the inception of the litigations was in effect what had been achieved by the court settlement in 1955.

It was further brought out from the departmental memorandum of the same witness that there was evidence that one

of the persons involved in the Onassis transactions sometime between 1948 and 1953 had embezzled $500,000, that he had never been charged therewith, and not even prosecuted. This witness testified that nothing has been done about it to the present time. Upon being questioned as to failure to act, he testified that in his opinion it was not a Federal matter. However, in view of the fact that some of the funds collected during the past year were disbursed for the payment of past debts, Federal taxes, and obligations instead of being available for the building of the ships, it seems that this question of the embezzlement of a half million dollars is most certainly something that the Government should be concerned with.

The foregoing is merely a sampling of the facts and testimony before the committee. The entire transaction is a most complex one. In fact, the complexity has all but obscured the shocking aspects of the transaction and the detrimental effect upon the American Merchant Marine, American labor, the American maritime industry, and the American economy. To say that the Onassis interests have merely been coincidentally fortunate in their transactions with the Government is to disregard the inescapable conclusion and the fair inferences from the testimony before the committee.

I have no doubt that in the wisdom of the committee it will take whatever steps are necessary to rectify legislatively and otherwise, the inequities and the abuses indicated by this entire transaction.

As the hearings on this particular subject draw to a close, I wish to indicate that months of study have revealed another set of transactions in which the so-called Niarchos interests are involved, and which practically parallel the course taken by that of Onassis. On what is known of the Niarchos cases so far it may well be that the facts when revealed will show greater abuses than those in the instant situation.

In any event, some results have been forthcoming, albeit somewhat late, on the part of the Maritime Administration. It has just recently instituted a policy of escrow arrangement on funds collected on those build-and-trade-out transactions to assure the building of American-flag ships.

From this summary of some of the highlights of the testimony adduced during the hearings before this committee, it is evident that the next Congress will enact much needed remedial legislation to prevent the depletion of the American Merchant Marine, to prevent million dollar tax favoritism, to prevent unemployment among American seamen, and to in other ways promote and protect the American flag on the high seas.

In conclusion, I wish to compliment the great chairman of the Merchant Marine Committee, the Honorable HERBERT BONNER, for his exemplary and outstandingly fair and thorough conduct of these hearings. Each and every witness was given full opportunity to be heard and most of them expressed their appreciation for their treatment.

The diligent and learned counsels of the committee, John Drewry, Esq., Bernard Zincke, Esq., and Robert Cowan, Esq., deserve the commendation and thanks of the House for their great work in this inquiry.

BOATING INDUSTRY

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, Public Law 519, which was passed by this body during the 84th Congress, has created a great deal of concern in the boating industry, which is a very important and major segment of our gulf coast economy.

The intent of Congress in passing this law was to insure safety at sea through a program of inspection and certification of all boats carrying more than six passengers. We all agree, especially those in the boating industry, that this program could be constructive and beneficial to all; however, the major objections to this law have not been on the basis of the act itself but on the regulations set up by the Coast Guard under the authority given to it by the act.

The boating industry has, of course, voiced its appeal to the Congress and in essence has said that the regulations impose a tremendous financial burden to the owners and operators in this industry, which is basically a one-man operation in a highly competitive field; that the features of the regulations would not insure safety at sea, as these provisions are covered by previous law; that the provisions of this law were imposed without the consent of the majority of the members of the boating industry; that the regulations are far too complicated and wordy in language to be understood and comprehended by the members of the boating industry; and that the regulations would deny due process of law.

On numerous occasions I have discussed these points with the Coast Guard, and on each occasion I have been assured that the Coast Guard is in sympathy with the boating industry and that it has done, and will continue to do, everything it can to make this law operate in the manner in which Congress intended for it to be carried out.

Public Law 519 was to go into effect on January 1, 1958, but at the urging of Congress its enactment was postponed until June 1, 1958. This inspection program has now been in operation for a little more than 2 months, which is much too early to determine its effectiveness or its reception by the owners and operators of small boats; however, I, along with many of my colleagues, have urged the Coast Guard to show moderation in this program, and I have requested the Coast Guard to keep me constantly informed of its progress. If the questions that have been voiced by the boating industry do develop, then I expect to urge that at the earliest possible time in the 86th Congress, this law be amended, or if necessary repealed, so that new legislation can be put into its place which would enable our boating industry to live with and to understand this form of regulation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. SCOTT of Pennsylvania (at the request of Mr. MARTIN), for 3 days, on account of illness in family.

Mr. DEROUNIAN (at the request of Mr. ARENDS), for today, August 20, 1958, on account of birth of daughter in his family.

Mr. ANDERSON of Montana, for August 20 and 21, on account of official business.

Mr. HOSMER, for 6 days, on account of official business of Joint Committee on Atomic Energy.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SIKES, for 10 minutes, today.

Mr. MCDONOUGH, for 60 minutes, today.

Mr. GREEN of Pennsylvania, for 10 minutes, today, and to revise and extend his remarks.

Mr. SCHWENGEL (at the request of Mr. BALDWIN), for 30 minutes, on August 22.

Mr. MCDONOUGH, for 60 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HERLONG and to include extraneous matter.

Mr. MORANO and to include extraneous matter.

Mr. ARENDS.

Mr. KEATING and to include extraneous matter.

Mr. THOMPSON of New Jersey.

Mr. CELLER.

Mr. ALGER.

Mr. BROOMFIELD and to include extraneous matter.

Mr. AUCHINCLOSS.

Mr. BURLESON and to include extraneous matter.

Mr. PORTER and to extend his remarks in the body of the RECORD following the legislative business of today and to include extraneous matter therein.

Mr. STEED.

Mr. VURSELL and to include extraneous matter.

Mr. COOLEY.

Mr. RABAUT and to include extraneous matter.

Mr. H. CARL ANDERSEN and to include extraneous matter.

Mr. WOLVERTON and to include extraneous matter.

Mr. WEAVER.

Mr. PELLY.

Mr. WAINWRIGHT.

At the request of Mr. ALBERT, the following Members were granted permission to extend their remarks and to include extraneous matter in each instance as follows:

Mr. ROONEY to revise and extend remarks he made today in the House and to include therein extraneous matter.

Mr. EVINS.

Mr. RUTHERFORD.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7125. An act to make technical changes in the Federal excise tax laws, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 540. An act for the relief of the Board of National Mission of the Presbyterian Church in the United States of America;

S. 552. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.;

S. 571. An act for the relief of George P. E. Caesar, Jr.;

S. 765. An act to increase the authorization for the appropriation of funds to complete the International Peace Garden, N. Dak.;

S. 1542. An act for the relief of Lori Biagi;

S. 2001. An act for the relief of Alalu Duncan Dillard;

S. 2043. An act for the relief of Genoveffa Migliozzi;

S. 2057. An act for the relief of Diana Elaine Greig;

S. 2216. An act for the relief of John C. Walsh;

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes;

S. 2530. An act to designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Montana;

S. 2592. An act to amend the law relating to the execution of contracts with Indian tribes;

S. 2594. An act to transfer certain property and functions of the Housing and Home Finance Administrator to Secretary of the Interior, and for other purposes;

S. 2650. An act for the relief of Maria Pontillo;

S. 2888. An act to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans;

S. 2922. An act to authorize per capita to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes;

S. 2955. An act for the relief of Kazuko Young;

S. 3004. An act for the relief of Joanna Strutynska;

S. 3139. An act to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio;

S. 3203. An act relating to minerals on the Wind River Indian Reservation in Wyoming, and for other purposes;

S. 3219. An act for the relief of Mrs. Margaret Graham Bonnalie;

S. 3221. An act for the relief of Erika Margaretha Zintl Pearce;

S. 3300. An act for the relief of Jean Andre Paris;

S. 3306. An act for the relief of Itzhak Aronovici;

S. 3357. An act for the relief of Arturo Ernesto Audrain y Campos;

S. 3445. An act for the relief of Teruko K. Jackson;

S. 3448. An act to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes;

S. 3502. An act to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes;

S. 3509. An act for the relief of Wong Wing Boe;

S. 3534. An act to authorize the Secretary of the Army to convey approximately 161 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.;

S. 3547. An act for the relief of Andrejs Pablo Mierkalns;

S. 3564. An act to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers;

S. 3572. An act to authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md., and for other purposes;

S. 3607. An act for the relief of Harvey L. Forden;

S. 3640. An act for the relief of Daniel (Nathaniel) Rosenzweig;

S. 3676. An act for the relief of Maria Michela Leo Di Gioia;

S. 3682. An act to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes;

S. 3723. An act to amend Public Law 522, 84th Congress (relating to the conveyance of certain lands to the city of Henderson, Nev.);

S. 3739. An act for the relief of Hermine Elmon Papazian;

S. 3743. An act for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano);

S. 3768. An act for the relief of Hing Man Chau;

S. 3789. An act for the relief of Donald J. Marion;

S. 3801. An act for the relief of Klara Leitner and her daughter, Sylvia Leitner;

S. 3826. An act for the relief of Concettina Iannacchino;

S. 3873. An act to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds;

S. 3882. An act to amend the act of July 1, 1948, chapter 791 (24 U. S. C., 279a), providing for the procurement and supply of Government headstones and markers;

S. 3921. An act for the relief of Peter Tillner;

S. 3986. An act to authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Miss., and for other purposes;

S. 4004. An act to encourage and authorize details and transfers of Federal employees for service with international organizations;

S. 4020. An act for the relief of Kunio Inouye (Sparkman);

S. 4021. An act to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas;

S. 4053. An act to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes;

S. 4071. An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities;

S. 4081. An act for the relief of Marianne (Sachiko) Fuller;

S. 4167. An act to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes;

S. 4191. An act to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication;

S. 4196. An act to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents;

S. 4287. An act to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases;

S. J. Res. 178. Joint resolution authorizing the President of the United States of America to proclaim February 8-14, 1959, as National Children's Dental Health Week;

S. J. Res. 190. Joint resolution to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska; and

S. J. Res. 201. Joint resolution to authorize the chairman on the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 3904. An act for the relief of Nunik Firjanian and Florence Thomasi;

H. R. 4544. An act for the relief of Louis S. Levenson;

H. R. 6175. An act for the relief of Virginia Hell;

H. R. 6894. An act to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and splittings;

H. R. 8160. An act authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes;

H. R. 8481. An act to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii;

H. R. 8652. An act to rescind the authorization for the Waldo Lake Tunnel and regulating works, Willamette River, Oreg.;

H. R. 9239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes;

H. R. 9371. An act to provide for the relief of certain members and former members of the Army and the Air Force, and for other purposes;

H. R. 10360. An act to amend title V of the Agricultural Act of 1949, as amended;

H. R. 11630. An act to amend title IV of the Social Security Act to extend the unemployment insurance system to ex-servicemen, and for other purposes;

H. R. 11697. An act to amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the harbor of New York, to extend the application of that act to the harbor of Hampton Roads;

H. R. 12489. An act to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956;

H. R. 12494. An act to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes;

H. R. 12876. An act to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes;

H. R. 13342. An act to provide for a survey of Parish Line Canal, La.;

H. R. 13558. An act to incorporate the Military Order of the Purple Heart of the United States of America, of combat-wounded veterans who have been awarded the Purple Heart; and

H. R. 13688. An act to provide airmail and special-delivery postage stamps for Members of the House of Representatives on the basis of regular sessions of Congress, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 36 minutes p. m.), the House adjourned until tomorrow, Thursday, August 21, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2251. A letter from the Chairman, Federal Communications Commission, relative to transmitting for the consideration of the Congress amendments to section 409 (c) of the Communications Act of 1934 (47 U. S. C. 409 (c)); to the Committee on Interstate and Foreign Commerce.

2252. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to amend subsection 432 (g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum"; to the Committee on Merchant Marine and Fisheries.

2253. A letter from the Acting Secretary of the Treasury, transmitting the Annual Report of the Federal Bureau of Narcotics, prepared by the Commissioner of Narcotics, for the calendar year ended December 31, 1957; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of conference H. R. 3368. A bill to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants (Rept. No. 2678). Ordered to be printed.

Mr. DAWSON of Illinois: Committee on Government Operations. Fortieth report of the Committee on Government Operations pertaining to Federal role in aviation (Rept. No. 2679). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Forty-first report of the Committee on Government Operations pertaining to Internal Revenue Service (Rept. No. 2680). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 56 pertaining to sightseeing businesses in the District of Columbia (Rept. No. 2681). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H. R. 13823. A bill to amend section 104 of the Revised Statutes, with respect to contempt citations in the case of witnesses before Congressional committees, and for other purposes; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 13824. A bill to provide for an averaging taxable income; to the Committee on Ways and Means.

By Mr. DOWDY:

H. R. 13825. A bill to amend the act of March 3, 1901, to grant a right of possession in certain property in the District of Columbia to surviving widows, widowers, and minor children so long as such property is used as their principal place of residence; to the Committee on the District of Columbia.

By Mr. PELLY:

H. R. 13826. A bill to provide direct aid to States and Territories for educational purposes only; to the Committee on Ways and Means.

By Mr. FALLON:

H. R. 13827. A bill to establish within the Housing and Home Finance Agency a new program of mortgage insurance to assist in financing the construction, improvement, expansion, and rehabilitation of harbor facilities for boating and commercial craft; to the Committee on Banking and Currency.

By Mr. MILLS:

H. Res. 693. Resolution providing for printing as a House document the Compilation of Social Security Laws; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLE:

H. R. 13828. A bill for the relief of Pinkhas Argaman; to the Committee on the Judiciary.

By Mr. BURDICK:

H. R. 13829. A bill for the relief of Leonard Zimmer; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 13830. A bill for the relief of Alfred E. Machado; to the Committee on the Judiciary.

H. R. 13831. A bill for the relief of Jesus Cruz-Figuero; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 13832. A bill for the relief of John F. Linehan; to the Committee on the Judiciary.

By Mr. LATHAM:

H. R. 13833. A bill for the relief of Leonardo Castorina; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H. R. 13834. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Henry G. Mathusek; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 13835. A bill for the relief of Frank W. Clark; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

733. By Mr. DOOLEY: Resolution of the Woman's Auxiliary to the Medical Society of the State of New York in opposition to enactment of the Forand bill (H. R. 9467); to the Committee on Ways and Means.

734. By the SPEAKER: Petition of the county clerk of Maui, Wailuku, Maui, T. H., relative to requesting and urging the Senate to approve H. R. 13070 in the form as passed by the House of Representatives; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Social Security Amendments of 1958

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. RABAUT. Mr. Speaker, on August 19, 1958, the Social Security Amendments Act of 1958 passed the Congress by an overwhelming majority and now goes to the White House for the President's signature.

The immediate effect of these amendments will be felt in the monthly benefit checks of approximately 12 million Americans who are presently on the rolls of the social security system.

The more important changes made by Congress which will be highlighted in the benefit payments of the near future are: First, raise of the minimum to $33 and the maximum to $118 monthly for retired workers; second, raise the maximum to $254 monthly for family groups; third, raise the eligible earning wage of the retiree to $100 monthly; fourth, ease the eligibility requirements for disability benefits resulting from gradual disabilities; fifth, ease the eligibility requirements for qualification as a family dependent; sixth, increase in the appropriations by $5 million for each of the following: First, the maternal child health programs; second, the crippled children's services; and, third, the child welfare services.

To support these increases the social-security withholding tax was raised by one-fourth of 1 percent for employees and employers; by three-eighths of 1 percent for self-employed persons.

Another consideration of the Congress in passing these amendments is the fact that this additional money will find its way into the channels of trade with local merchants, thereby helping the local economy.

Fortieth Anniversary of Independence of Czechoslovakia

EXTENSION OF REMARKS
OF
HON. ROMAN L. HRUSKA
OF NEBRASKA
IN THE SENATE OF THE UNITED STATES
Wednesday, August 20, 1958

Mr. HRUSKA. Mr. President, in October of this year, the 40th anniversary of independence for the Republic of Czechoslovakia will be observed.

It was from this central European country that my ancestors came. For this reason, I have followed carefully, and with great interest, the events which have transpired there in recent times. Since my school days, I have read its history, its literature, and its achievements.

Because the Congress will soon adjourn, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a statement which I have prepared in regard to this 40th anniversary.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FORTY YEARS OF CZECHOSLOVAK INDEPENDENCE

(Statement by Senator HRUSKA)

October 28, 1918, signified one of the most important landmarks in the modern history of the Czech and Slovak people. That date is often referred to as the origin of their independence. But mere dates mean little, for the 4th of July didn't mean the true beginning of American independence nor does July 14 indicate the beginning of French independence. The true origin of the aspirations for independence and republican form of government of both of these nations crystalized in the minds of their peoples long before they were declared or achieved.

By the same token, the feeling of necessity to be free and self-governed developed in the thinking of the Czechs and Slovaks more than 40 years ago. The Czechs and Slovaks have proved time and time again that the spirit of self-determination and national independence is very firmly imbedded in their thoughts and desires. That is why they can claim today that they are celebrating 40 years of Czechoslovakian independence even though this small, strategically located central-European country has really been free and independent for only one-half of that period. There has always been enough evidence to prove that the Czechs and Slovaks, if left alone, would have continued to develop their government along the lines of a truly constitutional republic.

The first 20 years after World War I were the formative years, when national independence was finally reached after 300 years of foreign suppression. The first President, Tomas Garrigue Masaryk, guided his people over the obstacles to new paths for the realization of ideals developed and kept alive in the minds of people during the long years of alien rule.

Not everything was perfect in the new republic. Czechoslovakian democracy suffered the deficiencies of political infancy. Conscious of the experience of the suffering of a supressed minority, the founders of the republic were particularly anxious to fashion the parliamentary system and electoral laws so as to assure the right of representation to all, even every small minority. This lead to party splintership, and an overemphasis on politics in all phases of life. It resulted in the lack of centralized responsibility.

But this weakness was far outweighed by the accomplishments of the new nation in the field of economic stabilization and adoption of modern social legislation. In the international field Czechoslovakia stood firmly on the side of those supporting the new permanent international organization, the League of Nations, with which the republic shared its own growing pains. The Minister of Foreign Affairs, Dr. Eduard Benes, became one of the principal personalities of the League. The Czechoslovak Republic and its people occupied an important position among the free peoples of the world. It gained the respect of friend and foe alike for its political, social, and economic accomplishments. The political structure and governmental policy of Czechoslovakia during the first 20 years of existence earned for it the title of "the most democratic country of central and eastern Europe."

The same forces that swept away the structure of the postwar order in the international status quo situation, destroyed the independence of this promising young republic in 1938. Nazi aggression took its primary aim at its most immediate and most ardent foe, the Czechoslovaks. Due to the weakness of the Western democracies which allowed themselves to be pushed by the Fascists into the Munich agreement, the fighting spirit of the Czechs and Slovaks was broken. Their armed forces, at that time the best-equipped and best-prepared military units of all the democratic nations, were disarmed.

Events moved swiftly. In less than 6 months after Munich, Bohemia, and Moravia became German protectorates. Slovakia was declared an independent state under Nazi sponsorship and direct supervision. Many Czechs and Slovaks who had the opportunity, seized it and joined the Western Allies in the fight against the German-Italian Fascists.

Even though the Czechs and Moravians in the protectorate were not directly involved in the military action of the Second World War, in their enforced labor for the German military machine, thousands of the patriots paid with their lives for their underground efforts to sabotage and slow down the Nazi war industry.

At the end of World War II, due to the so-called liberation of the major part of the territory of Czechoslovakia by the Red Army and the international conditions prevailing at that time, undue Soviet influence was extended to Czechoslovakia. The Czechoslovakian Communist leaders, who had spent their war years in Moscow and who returned to Czechoslovakia on the heels of the Red army, exacted for themselves a share in the Government which was totally out of proportion to the political positions they had prior to the war. A political struggle between Communists and non-Communists in Czechoslovakia broke out even before the whole country was free.

In spite of the attempts of the democratically minded leaders supporting President Benes, this struggle was climaxed by the Communists' overthrow and seizure by force and violence of the Government in February 1948. Pressed by the threat of civil war and Red Army intervention, President Benes yielded to Communist demands. With the sudden and mysterious death of Jan Masaryk, the popular foreign minister and son of the first President, open and complete assumption of power in Czechoslovakia by the totalitarian Communist regime was accomplished. And again thousands of Czechoslovaks left the country, taking the grave risk of being shot or imprisoned during their attempts to escape the new tyranny.

Settled now in all four corners of the world, these exiles encompass all groups of the population: workers, farmers, students, businessmen, industrialists, artisans, priests and preachers, army officers and soldiers, government officials and workers, mothers with children, and members of the police. At the risk of their very lives, Czechs and Slovaks have continually defied and outwitted the vigilance of the Communist police and frontier guards in a succession of ingeniously planned and daringly executed escapes. In freedom trains, airplanes, primitive armored vehicles built by their own hands, in home-made submarines and diving suits and by innumerable other cunning devices they have forced the seemingly impenetrable Iron Curtain.

Many more remained at home because their escape was impossible. Nevertheless they too are giving evidence, by their open or concealed opposition, that they do not want the dictatorial rule of the foreign totalitarian regime.

The impression many casual observers in the West and among the neutral countries may have that Czechoslovakia is one of the most stable and cooperative Soviet bloc members is much more apparent than real. There is a large body of evidence pointing to the fact that the Czechs and Slovaks—in overwhelming majority—oppose the present-day regime in their homeland. Aside from the many thousands of those who were fortunate and succeeded in escaping from the workers' paradise, the people who remained had given ample existence of their resistance to the Communist dictators. It must be remembered that the way of insurrections which swept the Communist satellites in 1953, started in Pilsen and other industrial cities of Czechoslovakia. Likewise, the 1956 revolts which culminated in the Polish and Hungarian uprisings can easily be traced in their intellectual contents to the example shown by the Czech and Slovak writers and students during the demonstrations in the spring of that year.

The best evidence of the weakness of the Czechoslovakian Communist regime, however, is demonstrated by the fact that the today's rulers of Czechoslovakia find that they must follow very closely the Moscow line especially the ruthless Stalinist brand of it, because they realize that any relaxation would only encourage an open mass revolt. Let us keep in mind, therefore, in assessing the action of the present-day regime in Czechoslovakia, that it is not the wishes of the people, not even those of a sizable minority, which are behind the decisions of the Czechoslovak Communist Government, but rather the bulk force of Soviet Russian superpower.

We can rest assured that the Czechs and Slovaks have remained faithful to their cultural tradition which has been closely tied to that of the West, and that they oppose the pressures to replace it by Communist cultural concepts. Even the most furious attempts of the Communists to combat Masaryk's democracy cannot destroy the people's attachment to the democratic tradition of Presidents Masaryk and Benes. Both Masaryk and Benes remain the symbols of true democracy, of freedom from Communist oppression. Through these symbols the Western cultural heritage in Czechoslovakia shows great persistence under the eastern onslaught.

Ten years of systematic intimidation and police terror have been unable to break the spirit of resistance of the people. Until very recently almost hermetically sealed frontiers have proven no barrier to the resourcefulness of courageous individuals in their quest for freedom. Inside the heavily guarded borders the resistance continues with unabated vigor in spite of Draconic countermeasures taken by the Communists.

The role of this nation's present people is a harsh and difficult one. If it be said or thought that it is hopeless, history will refute such statement. In spite of the oppressive heel of Nazi occupation and control from 1938 to 1945, the spirit of freedom and liberty lived in great strength and hope. The 300 years preceding 1918, when the Republic was established, were a much longer time indeed. But that same spirit lived on through generations none of which saw the light of independence and all that goes with it.

The world can be sure that even now, 10 years after the Communists have taken over, the strong and clear will of the people and their desire to be free still burn brightly in the hearts and in the souls of the greatest number of them. They are certain to be vindicated in their faith. When the proper time comes that effective and successful blows can be struck, let us hope that the peoples of the Free World will boldly and promptly help them to reenter the ranks of free men once more.

The Construction and Operation of Small Vessels

EXTENSION OF REMARKS
OF
HON. A. S. HERLONG, JR.
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. HERLONG. Mr. Speaker, under permission to extend my remarks, I include excerpts from a letter from the National Boat Association, Inc., a nationwide association of boatowners, as follows:

If we are to maintain, separately, our legislative, executive, and judicial branches of Government, we feel constrained to register our protests in this matter.

A small industry, struggling with the highly competitive conditions as we have them today, a business which is seasonal and must operate on a part-time basis only, cannot meet the demands required by the regulations.

Mr. Speaker, this relates to administrative rules commonly referred to as CG–249, published in the Federal Register on October 5, 1957 (46 C. F. R. 7949–7980) pursuant to Public Law 519 of 84th Congress (46 U. S. C. A. 390–390g) which seeks to regulate the construction and operation of small vessels. Letters coming to me indicate universal opposition to this law and I have attempted to ascertain the reasons why the boatbuilders and owners mutually oppose the law. The statute was enacted under the banner of a safety measure so the first question I asked was: "Can anyone object to safety?" Oh, no, Mr. Speaker, everyone is for safety, first, last, and all the time. Without safety the boatman not only will forfeit his own life, as well as the lives of others, but in addition his boat will be permanently sealed in Davy Jones' locker along with his savings of a lifetime. Everyone wants safety.

Mr. Speaker, in order to get the answer about objections to the law, let us look at the facts, as well as the law, and see what happens and how the boatowner is affected under the law. First, let me say that statistics show that these boats have the best safety record, the lowest percent of fatalities resulting from travel, in history. Therefore, on the safety score there is no justification for the law. This fact, within itself, is sufficient grounds for its repeal but let us proceed with our examination looking for a moment at the rules and the manner in which they operate on the boatowner, and remembering that some items have no relationship to safety.

Now boating and fishing have long been honored callings dating back almost to the beginning of time and those who have devoted their lives to the sea are the men best qualified to know that rules are necessary to govern their profession. Certainly an attorney would not presume to tell a surgeon how to perform an operation nor would a physician presume to promulgate court rules to govern the legal profession and court procedure. But the evidence before us is to the effect that the boatmen, those to be governed and incidentally those who must pay the bill, had little or no voice in promulgating the rules. But wherein and how are the rules objectionable? In three places we find language reading:

A like appeal shall be allowed • • • to the commandant, whose decision shall be final (sec. 175.20; 187.05–35; 187.30–05).

Does this mean that the doors of the civil courts are closed to the boatowner? Has he no remedy, or means of redress, through civil court procedure? How, where and when, under CG–249, does he have his day in court? Here, Mr. Speaker, is one of the roots of the problem and the first reason for repeal.

In looking over CG–249 I find in several places—more than a dozen—language reading, in effect: "as may be required by the officer in charge, marine inspection." Does this language mean that CG–249 excludes any remedy provided by the Declaratory Judgment Act? If it means what it says, then we may have as many different interpretations of the law as there are inspectors—every inspector will have his own theory in exercising the broad discretion attempted to be conferred under the rules. This, I am informed, has already resulted in illegal discrimination and it may lead to arbitrary and capricious action. Under recent court decisions, I understand, if it is a discretionary matter, judicial review is precluded. Here then is another and second reason why this law should be repealed.

A third reason for repeal is that the regulations are so long and complicated as not to be understandable.

I am advised that the Coast Guard, being a military department of our Government, is excluded from the operation of the Administrative Procedure Act. Under CG–249, it appears that this administrative agency may exercise broad legislative, executive and judicial powers above and beyond what the Constitution permits. In other words, the Coast Guard makes the law as embodied in CG–249, it administers the law which it has made, it investigates, charges or indicts, is both judge and jury, and has constituted itself the court of appeals and of last resort. The decision of the Commandant is final, as pointed out above.

Now this is a criminal law—section 5—for which a $1,000 penalty may be imposed in addition to forfeiture of the offending vessel. CG–249, section 185.05–1, seems to indicate that a manslaughter charge may lie. CG–249 makes no provision for a fair and impartial trial before a disinterested court of law so here is a fourth reason why the regulations are fundamentally objectionable and should be vacated and set aside.

According to CG–249, I am informed, some boats must be practically rebuilt. Is this not a bill of attainder and a fifth reason why Public Law 519 should be repealed?

It seems to me, Mr. Speaker, that here we have regulations so harsh and expensive, and without reason or justification, as will bring financial ruin to an industry and which at the same time seeks to preclude a judicial hearing, or remedy at law. Certainly the Congress never intended such a result. I think that one step that the 86th Congress should take is to repeal this law.

Justice in Government Contracts

EXTENSION OF REMARKS
OF
HON. TOM STEED
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. STEED. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to commend to my colleagues attention to an article in Aeronautical Procurement magazine by Allen M. Smythe. During my service in the Congress, I have had many occasions to consider decisions of various administrative agencies. I am a member of the Small Business Committee and as such have been conscious of their problem. Many times I have had the feeling that the various administrative agencies have been arbitrary in their decisions regarding the small businesses which do not have the resources that the larger corporations have. In my own view, I know of at least one growing industry in my own district where an arbitrary decision of an administrative agency did much to force it into bankruptcy.

This article refers to a decision of the Armed Services Board of Contract Appeals, with which I happen to be familiar. Although the decision involves a large corporation, Borg-Warner, it is my idea of how the Government should treat all contractors and subcontractors. Mr. Justice Holmes once said that "when one deals with the Government, he should turn square corners." I believe in that. On the other hand, I believe in the motto on the Department of Justice Building, somewhat to the effect that "The United States always wins a case when Justice is done to one of its citizens."

This article refers to a case before the Armed Services Board of Contract Appeals, ASBCA No. 3418—58–2 BCA section 1836—May 27, 1958, which involves a rather novel contract problem. The decision is unique and far reaching. However, it does demonstrate that at least before the Armed Services Board of Contract Appeals, the citizen can receive fair consideration even though it involves a large amount against one of the services.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of August 16, 1958:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, of Texas)

The death of a colleague, Bill McVey, of Illinois, abruptly halted House activities, as last respects were paid to the highly respected Member. Fifteen Members (11 House, 4 Senate) have passed on during the 85th Congress. The House adjourned Monday, after eulogies of Bill, providing some sober reflection and a sharp contrast to the rushed activities preceding adjournment, now almost in sight.

The Senate, or "other body," as it is called, is racing to catch up with the House. In 1 day, the Senate passed 123 measures, on another 87, working nights and weekends. The House alternated early adjournments with rushed days, when bills were railroaded through under suspension of the rules, a hurried setting aside of the usual more time-consuming and laborious parliamentary procedures. We are proving again how irresponsible Congress can be—and the worst is yet ahead. Billions of dollars of questionable expenditures and legislation of very controversial nature are programed for next week under suspension.

Grim humor entered the scene when Judge SMITH, head of the Rules Committee, allegedly in disapproval to pending bills, left Washington. This halted the normal programing of legislation. Most Members would concede, I am sure, that the current programing of bills by the leadership under suspension, avoiding the Rules Committee, is quite customary when in haste. Unfortunately, it is also quite political. Example: as the Labor Committee voted 22–7 not to consider the watered-down Democrat labor bill, and on party lines spurned the tougher Republican bill, the leadership bypassed the committee and programed the labor bill for House consideration anyway, under suspension. This bill, a whitewash of labor leaders' excesses dishonesty, and violence, is no doubt pleasing to Reuther who figures he can't lose. If the bill is brought up and rejected as poor and ineffective legislation, there will be no corrective labor legislation at all. If it is passed, it won't alter the monopolistic dictatorial powers now enjoyed by union leaders. Meanwhile, the public will be confused by the charges and countercharges of politicians and labor leaders.

The Area Redevelopment Act provided the week's most vigorous and controversial debate. The act is intended "to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas." What does that mean? The bill goes on "that Federal assistance to communities, industries, enterprises, and individuals in areas needing redevelopment should enable such areas to achieve lasting improvement and enhance the domestic prosperity by the establishment of atable and diversified local economies." Well, that's the dictum of socialistic and Communist nations, if you analyze the language. This reads like the language of United States high-flown foreign aid to other countries, but does this make it right.

The report accompanying the bill explained the "why and where of chronic localized depression" in this way: (1) Technological change results in unemployment: steam locomotive mechanics are laid off by the coming of diesel engines (should we have had subsidized pony expressmen, lamplighters, snuffmakers, buggy-whip manufacturers, etc., when new products affected them?); (2) migration of industry to low labor cost areas results in dislocation of communities and workers (is this bad, or preventable? Rather, isn't this normal and expected in the freedom of competitive private enterprise society?); (3) shifts in demand, as from coal to oil result in hardship (isn't consumer demand and supply necessarily right in our form of society?); (4) seasonal unemployment of resort communties such as Atlantic City, N. J., results in unemployment in off seasons (now, is the Federal Government supposed to subsidize the Fair Park concessionaire the other 11 months of the year?).

These are but some of the reasons advanced by WRIGHT PATMAN and others sponsoring this bill. The scope and cost of such a program is unlimited. The logic is unbelievable—downright fantastic—and I so stated on the floor. Where now is constitutional government—local and States rights—and responsibilities? Who now mourns for the taxpayer who will pay higher taxes and/or lose billions in the watered currency of inflation. And the bill passed—with a majority of Democrats for, and a majority of Republicans against it.

Weekly Broadcast of Congressman Celler Over Radio Station WINS, New York, Sunday, August 17, 1958

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the transcript of my remarks over radio station WINS, New York, Sunday, August 17, 1958:

AN HONEST-TO-GOODNESS SUMMIT MEETING

There is to be a summit meeting, but not with Khrushchev and Soviet Russia. It will be a South American top-level meeting of Latin Americans, probably with Presidents and Foreign Ministers of Western Hemisphere countries.

This is good news. It represents a healthy change of attitude on the part of our State Department. The idea for the meeting or even meetings, came from the able and energetic President of Brazil, Dr. Juscelino Kubitschek. Secretary Dulles thought well of the idea.

Drive and determination are characteristics of President Kubitschek. He was born in Brazil in 1902, and lost his father when he was only a year old. Early in life he started to work and earn a living. Despite many obstacles, he studied medicine and became a doctor of medicine. He served in hospitals in Paris, Vienna, and Berlin, and is a top Brazilian surgeon. It is unusual for a medical man to become the head of a nation.

President Kubitschek was elected mayor of Belo Horizonte in 1940. In 5 years in office, he was largely responsible for the city's planned growth. Later, he became governor of Minas Gerais, his native State and, during his term in office, he helped build its industry and attract capital. He was a most popular governor and in 1956, became President of Brazil, amidst great acclaim and approval.

He has great plans for Brazil and is a decided friend of ours. We should aid him in every reasonable way to help build a strong, progressive, democratic Brazil. He has a wonderful motto that he follows religiously: "What I start, I finish." I recommend it to our President. One of his plans is the setting up of a new capital in the center of Brazil, to be called Brazilia. The present capital of Rio de Janeiro is on the coast and is really unsuited as a capital. Although a beautiful and picturesque city, Rio is, in part, quite narrow and permits of little growth. It is also far distant from the interior of the land. The site of the new capital will be right in the center of the country. The task of setting up a new capital is gigantic. The great Turk, Kemal Ataturk, did just that in setting up Ankara as the new capital of Turkey.

I met President Kubitschek on my last visit to Rio 2 years ago. My dear wife accompanied me. We had a most pleasant and constructive interview. In fact, he presented me with his portrait photograph, taken in full regalia. This now hangs in my Washington office and I shall always prize it.

Brazil will move steadily forward and onward with its President. He is a human dynamo, constantly on the move to improve the lot of his people. We shall, I am sure, hear utterances of a real statesman at the coming South American Summit Conference. I hail President Kubitschek.

Undoubtedly, as a result of the visits of Dulles, Nixon and Milton Eisenhower to South America and more particularly, their contacts with Dr. Kubitschek, the United States is now backing a move in Latin America for a loan bank. This is a reversal of policy. It will be an Inter-American Development Institution—a sort of financial Marshall plan for Latin-American countries. These countries have been urging the establishment of a hemisphere development bank ever since the Marshall plan for Europe was set up in 1948. However, the United States steadily opposed the idea for a number of political and economic reasons. For one thing, the United States preferred bilateral credit arrangements with individual Latin-American countries because the United States could then firmly control the nature of the dispensing or spending of the funds. I believe however, the setting up of this Inter-American Development Institution is a step in the right direction and should help greatly to cement and solidify our relations with the neighboring Republics.

THE "NAUTILUS" AND THE AFFRONT TO RICKOVER

All of us were recently thrilled when we received the news that the atom-powered submarine *Nautilus* plunged through the polar icecap at the North Pole. Another great forward step had thus been made in the conquest of the physical world.

This amazing voyage by the *Nautilus* under its skipper, Comdr. W. R. Anderson, opens up great vistas for our military offense and defense as well as the development of new international trade routes. Just imagine crossing the North Pole under the icepack. It is almost too fantastic to believe. However, this wonderful voyage under the deep Arctic icepack was no mere accident. It may be eerie, but it did not take place in any dream world. It was the result of many days and nights of hard labor, weeks and months, and years in the laboratory, on the testing ground and in the training camps. It was a product of vision, wisdom, and arduous work. We pay tribute not only to the gallant commander and the intrepid crew of the *Nautilus*, but also to the man whose inexhaustible energy and wisdom made this wonderous exploit possible. That man is Rear Adm. Hyman G. Rickover, the father of nuclear-powered submarines.

The skipper, Commander Anderson, was called to the White House and received a Presidential citation (the first Legion of Merit awarded in peactime) amidst considerable pomp and circumstance. The fanfare which greeted Commander Anderson must have been a great change from the long nights and dark days spent beneath the Arctic. There were present, together with the President, the President's aide, Capt. E. P. Aurand; Thomas S. Gates, Secretary of the Navy; Vice Adm. James A. Russell, Acting Chief of Naval Operations; Adm. Frederick B. Warder, Commander of the Atlantic Fleet Submarine Force; Adm. Jerauld Wright, Supreme Commander Atlantic Forces of the North Atlantic Treaty Organization; John A. McCone, Chairman of the Atomic Energy Commission; and Lewis Strauss, Administrative Assistant to the President on Peaceful Purposes of Atomic Energy.

The one additional man who should have been there was strangely absent. I refer to Rear Adm. Hyman G. Rickover who was mainly responsible for the construction of the *Nautilus*. Frankly, he was, in effect, snubbed. Why was only the top brass invited to the ceremony and not the man responsible for the *Nautilus*? The skipper of the *Nautilus*, Comdr. W. R. Anderson, realized the affront and after receiving the Presidential citation at the White House went directly to Admiral Rickover's office in the Navy Building and paid his personal respects to the slight, frail figure, Admiral Rickover. The Admiral, when subsequently interviewed, said he was "too busy to worry about snubs." Receiving snubs is nothing new for Admiral Rickover. In 1953 he was well-nigh involuntarily retired from the Navy. Navy promotion boards twice passed over him in selecting captains for promotion to rear admiral. Ordinarily, when you are twice passed over, that means retirement, but Congress recognized the wonderful nuclear work registered by Rickover and forced the Navy to grant him his due. The Navy took heed and made him a rear admiral.

Rickover's difficulty with the Navy stems from his zeal in pushing the development of nuclear-powered ships. The Navy brass does not like his outspoken comments and his disdain for redtape. Admiral Rickover now faces another fight; he is 58 years old and his active duty will end July 1960, unless he gets special extension of a year or is promoted to vice admiral. Congressional pressure is already building up to force his promotion to vice admiral. I am for it.

Commenting on the *Nautilus* feat, Admiral Rickover said, "It shows that we now have a ship that can hide under the ice and when we get missile subs, like the Polaris, anyone who dares attack us will inevitably be destroyed."

As a result of the vigorous protests directed against the administration, and especially the Navy, for their failure to invite Admiral Rickover to the Navy ceremony, it is indeed refreshing to learn that the Navy apologized for its failure to invite the father of the submarine *Nautilus* to the White House ceremonies honoring the historic cruise under the North Pole. Navy Secretary Thomas S. Gates, on Tuesday last, indicated that preoccupation with the operational significance of the magnificent attainment of the *Nautilus* caused the failure to include Admiral Rickover as a guest. Secretary Gates paid tribute to the unique skill of Admiral Rickover. The belated statement, however, is rather cold comfort and does not entirely clear the Navy. The admiral is acclaimed on all sides, in and out of Congress. Twenty-one Senators have cosponsored a bill to give the admiral a special medal.

Far more important, however, is the fact that on the heels of the triumphant exploit of the *Nautilus*, we received the information that a second nuclear submarine, namely the *Skate*, sailed under the North Pole, duplicating the feat of the *Nautilus*. The Defense Department said that the *Skate* sailed from New London, Conn., July 30, reached the pole last Monday and after going under the pole, surfaced in a break in the ice 40 miles from the pole. The *Skate* then continued underwater explorations.

These two cruises of the *Nautilus* and the *Skate* point the way for amazing exploration and the use of nuclear-powered cargo submarines as a new commercial seaway between the major ports of the world. In all, the United States is building a fleet of 33 of these atomic-powered submarines. They will round out, also, our military defense and offense.

The country owes a vast debt to Admiral Rickover. Without his drive and energy and wisdom and inventiveness, the voyages under the polar icecap would have been impossible. We all hail the skippers of the *Nautilus* and the *Skate*, and the father of the nuclear-powered submarine, Rear Adm. Hyman G. Rickover.

RUSSIA AGAIN RENEGES

The ways of the Red Russians are passing strange. Even in sports, we Americans are finding that these Russians have a rather bizarre or strange way with what we call the rules of the game. The Americans agreed to meet the Russians in certain athletic contests. Officials of the United States Amateur Athletic Union got a signed contract from Russian officials. It stipulated that men's and women's events would be tabulated separately and would not be combined. This agreement was essential because American women do not take as great an interest in javelin throws, high jumps, shot puts and mile races as do men. American women manifest no mass interest in sports.

The great athletic meet was held in Russia on July 27 and 28. The team scores revealed the following: For the men, the United States received 126 points, the Soviet Union received 109 points; for the women, the Soviet Union received 63 points, the United States received 44 points. Immediately the Soviet officials, defaulting in their agreement, produced on the scoreboard the combined results for both men and women: Russia, 172 points; the United States, 170 points. From the 30,000 Russian spectators there were great cheers, "The Russians won."

The Russian Tass News Agency and radios blared forth throughout the Red world, headlines, "Soviet Athletes Beat Americans." All that the United States officials could do was to point to the sealed agreement. The Russians paid no attention to it. Far from apologizing for their violation of their pledge, the Russians are now demanding a 1959 match and are further demanding the use of combined scores of men's and women's teams. Very properly, the American officials rejected the demand. That rejection should meet with widespread approval. Here we have another concrete example of the Russian custom of dishonoring agreements.

The United States is fast learning that on all levels of life, including the playing field, Red Russia uses her own rules. They must win by either fair or foul means.

The United Republican Fund of Illinois

EXTENSION OF REMARKS
OF
HON. LESLIE C. ARENDS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 20, 1958

Mr. ARENDS. Mr. Speaker, there has been, and continues to be, considerable discussion of the manner in which political campaigns are financed. Various proposals have been made. It has even been proposed that instead of the party funds being raised by contributions of individuals and organizations that they be appropriated from the United States Treasury.

The objective of all of us is to preserve our two-party system and to strengthen it. The continuing struggle between the two parties enables our people to know both sides of every issue. That each party, through its respective candidates, may present its program large sums of money are required to finance television programs, radio programs, for literature and advertising, and for all those media through which debate is conducted and the people obtain the facts upon which to make their decision.

It is my view that the funds for this purpose should come from private contributions. To be sure, simply by virtue of their contributions certain individuals and certain groups have been able to exert considerable influence in governmental affairs. It is for us to find ways and means to correct the abuses. One of the ways is to encourage all the people to contribute to the party and to the candidates of their choice. In this way it will be the many, and not just a few, who will be taking an active voice in what is proposed and what is opposed by each political party.

I wish to call your attention to a program which has been undertaken in Illinois which, if successful, will meet the twofold objective of raising the necessary funds for political campaigns and stimulate individual interest in political affairs. I refer to the United Republican Fund of Illinois.

The United Republican Fund of Illinois has decided to raise most of its funds for the 1958 election campaign through a dues-paying membership program. This seems to me to be wise and sound.

The dues-paying membership program will allow large numbers of people to support the party. The fund has sponsor memberships at $100; sustaining memberships at $25, and associate memberships at $10.

Under the dues-paying membership plan, large numbers of voters will assume the responsibilities of citizenship by taking an interest in the party in which they have a financial stake. It will help build party loyalty. No longer will there be a reason for those who wish to be active to be left out of party affairs. A modest stake will cause members to show a more personal concern for the party. The new program can build party strength and greatly increase the number of active workers.

The obligations of citizenship involve both going to the polls and voting and individual contributions, however small, to the support of the party of one's choice.

Through the program of dues-paying memberships, the United Republican Fund of Illinois is making an outstanding contribution to our country's political future—to saving the America we know and love. Charles H. Percy, president of the fund, James C. Worthy, the 1958 fund general campaign chairman, and the fund board of governors deserve the thanks of the Congress for their determined effort to solve this important problem.

Sound Federal Legislation To Aid Education

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 20, 1958

Mr. PELLY. Mr. Speaker, the plight of education, including inadequate pay for teachers, lack of sufficient classrooms, and generally insufficient public financial support has caused me to do some serious thinking.

On the one hand, we are told the school costs of the Nation are second only to the costs of national defense of all public services. Furthermore, public school expenditures, it is said, have tripled in 20 years while personal-consumption spending has only doubled in cost. We are told that the per-capita school expenditures in America are three times those of Russia. Meanwhile, as to teacher shortages in late years, information is published to the effect that the increased percentage of number of teachers has exceeded the rise in the percent of number of students. Also, a recent study indicated, for example, that in 1957 teachers' salaries, on the average, were 94 percent above the 1929 level, whereas earnings of all workers were up only 82 percent.

On the other hand, Mr. Speaker, statements come from reliable individuals and study groups pointing to the need of accelerating our educational efforts and one only has to read the testimony in support of the Federal scholarship bill to arrive at the firm conclusion that financial expenditures for education must increase. Likewise, many able and competent authorities say that, considering the respective sources of revenue, with State and local taxes being in large measure based on real-property valuations, the time has come when Federal assistance for education is essential where taxes are based more on income.

Mr. Speaker, I have consistently and conscientiously resisted Federal aid to education. My fear has been that Federal bureaucrats would dictate to the parents and local community groups as to just how the children of America would be indoctrinated and standardized.

At the same time, in order to express my interest in aiding education and at once to prevent Uncle Sam from sitting on every school board in the country and by purse-string control telling it what to do, I have introduced a bill which provides, I think, the simple answer to both problems. My bill would direct aid to the States by allocating 1 percent, respectively, of all Federal income taxes collected in each State back to those same States to be spent for education in accordance with the budgets and under the exclusive management of those States.

This would give Federal aid without any Federal costs of administration or without any means of enforcing Federal standards or control.

Following is a table which shows the approximate amount of taxes which would be returned to the various States under the terms of my bill:

	1 percent of Federal income and corporation taxes retained in State
Alabama	$4, 281, 000
Arizona	1, 745, 000
Arkansas	1, 663, 000
California	52, 558, 000
Colorado	7, 115, 000
Connecticut	11, 411, 000
Delaware	7, 908, 000
Florida	7, 992, 000
Georgia	6, 433, 000
Idaho	1, 146, 000
Illinois	52, 029, 000
Indiana	13, 496, 000
Iowa	5, 386, 000
Kansas	4, 500, 000
Kentucky	4, 822, 000
Louisiana	5, 131, 000
Maine	1, 663, 000
Maryland	15, 410, 000
Massachusetts	17, 703, 000
Michigan	53, 784, 000
Minnesota	9, 974, 000
Mississippi	1, 538, 000
Missouri	15, 543, 000
Montana	1, 202, 000
Nebraska	3, 432, 000
Nevada	840, 000
New Hampshire	1, 292, 008
New Jersey	18, 841, 000
New Mexico	1, 157, 000
New York	126, 126, 000
North Carolina	7, 558, 000
North Dakota	662, 000
Ohio	41, 547, 000
Oklahoma	5, 578, 000
Oregon	4, 694, 000
Pennsylvania	46, 278, 000
Rhode Island	2, 771, 000
South Carolina	2, 522, 000
South Dakota	751, 000
Tennessee	5, 181, 000
Texas	21, 579, 000
Utah	1, 593, 000
Vermont	656, 000
Virginia	7, 387, 000
Washington	7, 807, 000
West Virginia	2, 919, 000
Wisconsin	11, 831, 000
Wyoming	527, 000
Hawaii	1, 314, 000
Total (approximate)	629, 000, 000

Certainly, Mr. Speaker, the closer to the people the better the functions and management of any public service like education. Frankly I have not found that Federal scholarships or programs to raise educational teaching standards are the answer. Rather I favor giving our educators adequate funds, and I am confident we will not have to worry about Russian competition.

Young Men in Politics

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 20, 1958

Mr. THOMPSON of New Jersey. Mr. Speaker, one of our country's great Senators, as I am confident history will confirm, has some cogent observations to make about the part young men can play, and have played, in politics and points to our Founding Fathers as proof that politics and careers of distinguished service to the Nation are compatible.

I include for the information of my colleagues a brilliant article by Senator PAUL DOUGLAS, of Illinois, from Esquire magazine of September 1958:

THE BRIGHT YOUNG MEN IN POLITICS
(By PAUL DOUGLAS, Senator (Democrat, Illinois), of the United States)

In the seed-time of our Republic, young men carved out stunning careers in public affairs. Jefferson was 33 when he wrote the Declaration of Independence, Madison 36 when he took the lead in drafting the Constitution. The wonder boy of the era, Alexander Hamilton, by 32, was George Washington's Secretary of the Treasury. At 20, he was well on the way to permanent fame as the General's military aide-de-camp, adviser—and a lieutenant colonel in the Revolutionary Army.

Nineteen signers of the Declaration of Independence were in their twenties and thirties and the average age of all signers about 45. I include Benjamin Franklin, 81, as an honorary member of these young giants. His mind—to quote a Convention delegate—"was alive as any man of 25."

In a young, yeasty, new-borning America, young men had political opportunity thrust upon them. Older citizens, except for the perennially young-in-heart Franklin, were loath to break with the established order and English crown. So it was youth which took the plunge for independence, and young men catapulted into leadership positions, who became Founding Fathers. Given responsibility, they matured rapidly. The Nation's highest honors went to the politician and statesman, along with the clergy, and these professions attracted the most gifted and high-minded talents of the day.

Other great men in United States history have been early-bloomers. Voters sent Abraham Lincoln to the Illinois State Legislature at 25, and Stephen A. Douglas at 23. Franklin D. Roosevelt was a New York senator at 28. Though they came from widely divergent backgrounds and eras, these men and their careers offer object lessons for would-be politicos today. All began politicking in their twenties. And they got their feet wet, first, in local or State politics. All were trained in the law. Social Scientist C. Wright Mills probing the personal histories

of some 513 Americans who've held the Nation's best political jobs over 164 years (Supreme Court justices, Presidents, Cabinet officers, et al.) came up with the not-so-astounding fact that about 75 percent had been lawyers.

This percentage holds roughly true for the young Republicans and Democrats I'll profile (though they are also drawn from fields like teaching, journalism, the clergy, and business). The reasons for the long, sustained romance between the law and politics are obvious. Key Government jobs involve the making, drafting, changing of laws. Psychologically, lawyers tend to be natural candidates, for the art of oratory and persuasion can be used interchangeably to sway juries or clients—or win votes. Furthermore, voters do not hold the opinions of a lawyer against him.

If the first 30 years of United States history were a golden age for the young politicians, it is an older generation which now wields political power. The average age of Congress is 56. President Eisenhower is 67; Secretary of State Dulles, 70. We're older as a Nation of course, and a citizenry whose average age is older naturally values maturity more highly. It takes longer today for men to become known nationally. Mass communications like TV and radio actually help older men hold onto entrenched positions through exposure on these mediums—opportunities not readily available to the young unknown. There are exceptions: Robert Kennedy and Bernard Schwartz are already famous to the public as Senate investigators, as was the late Rudolph Halley—but generally the old guard has a firmer hold on the medium.

The selection of outstanding young politicians under 35 is not an easy one to make, but there is no dearth of candidates. This year, for example, a 29-year-old unknown, Democratic-Farmer-Labor candidate, Eugene Foley, lawyer, came within 700 votes of becoming the first Democrat elected in Congress in 65 years from a rock-ribbed GOP dairy-farming district in Minnesota. Winner in this close election was a 6-foot-3 Norwegian-American dairy farmer, ALBERT QUIE, 34. Elected to fill the unexpired term of the late GOP Congressman Andresen, QUIE must run for office all over again this November. Moral here: you can sometimes win—or almost win as Foley did—in a hopeless contest with the help of a burning issue. In this case, traditionally GOP farmers, disgruntled by Benson farm policies, simply stayed home on election day. It's the young candidates who often have the courage to run in swing districts, heavily populated by an independent vote which swings back and forth between elections. Political old guardsmen aren't so apt to covet candidacies in these volatile areas. Victory takes idealism, long hours of political drudgery enthusiasm—youthful qualities all. As a result, you are apt to find stronger, better candidates in the seesaw contests.

THE YOUNG DEMOCRATS

With some of these considerations in mind, I lead off my list by profiling the young Democrats whom I naturally know most intimately:

First, of course, is the United States Senator from Idaho, FRANK CHURCH, a handsome, slender youngster of 34. CHURCH, a lawyer who saw World War II action in Burma, China, and India, was elected to the Senate after fighting his way through a crowded Democratic primary and then beating the Republican incumbent, Herman Welker, by as big a majority as that by which President Eisenhower carried the State. Coming to the Senate a virtual unknown (though he had been chairman of the State Young Democrats from 1952 to 1954 and had married into a family of prominent Idaho Democrats), he established himself as an orator by a magnificent speech in favor of a high dam at Hell's Canyon. I rank him, as a Senate speaker, along with such spellbinders as HUMPHREY, of Minnesota; MORSE, of Oregon, DIRKSEN, of Illinois; JAVITS, of New York. Unless accident intervenes, CHURCH should be long in the Senate—and perhaps as much an influence, in his own style, as his famed predecessor, William E. Borah.

My own State of Illinois has produced a colorful Congressman in KENNETH GRAY, from the southernmost District, the 25th, a coal-mining and farming area. He hadn't yet reached his 30th birthday when he was elected in 1954, displacing GOP Congressman Bishop who'd won election after election for 14 years. A wartime combat pilot, KENNETH is a man in love with speed—he has a penchant for flying planes, and driving autos, full throttle. By profession, he's been an auto dealer; by hobby, a skilled auctioneer and magician. He used his talents as a magician in his campaigning. One favorite trick: taking a man's shirt off without removing his coat. This backfired in one case—when his sleight-of-hand revealed the grubby underwear of a local bigwig. Politically, GRAY is tireless and knows virtually every family in his District by name.

Congressman GEORGE MCGOVERN, of South Dakota is both an egghead and a war hero, who won the Distinguished Flying Cross for 35 bombing missions over Europe. (Fliers, I have observed, seem to do well in politics—perhaps it has the same adventurous appeal.) He came home from Europe to graduate from college, then went on to Northwestern University where he received a Ph. D. in history and political science; subsequently he taught history at Dakota Wesleyan. In a solidly Republican State, he and a group of young people set about building up a moribund Democratic Party virtually from scratch. To do so, he resigned his teaching job to serve as organizing secretary of the Democrats from 1953 to 1956. In the House he's known for his clear discussions of farm and foreign policy, and his interest in education is unflagging. This fall he, too, faces a reelection fight, against Gov. Joe Foss, another war hero. In a recent poll, some 23 percent of voters queried said they regarded themselves as Republicans; 25 percent confessed to being Democrats; the rest classified themselves as independents. There's no doubt that even in historically solid Republican or Democrat bailiwicks, voters today are more willing to cross party lines, if an attractive candidate (like MCGOVERN) comes along.

Representative JIM WRIGHT, 35, shaped his political aptitudes by running first for the mayorship of Weatherford, Tex.—actually, he won the job twice. Then he was elected to a House seat in both the 84th and 85th Congresses. An ex-advertising man, he was singled out in 1953, by the Texas Junior Chamber of Commerce, as one of the year's five outstanding young Texans. He, too, has a notable war record—winner of the Distinguished Fying Cross in B–24 combat missions in World War II.

In Washington, powerful influence is not possessed solely by elected officials. In a Republican administration you will obviously find fewer zealous young Democrats in high places than you would, say, in the heyday of the New Deal.

One young man, whose name is seldom in the public prints, at 29 is a formidable behind-the-scenes power. He is Bobby Baker, of South Carolina, secretary for the Democratic majority in the Senate and hence Senator LYNDON JOHNSON'S right-hand man. Baker is a persuasive force in the cloakrooms—he sounds out Democratic opinion on upcoming bills, estimates their chance for passage, makes sure that enough Democratic Senators are rounded up for crucial rollcalls. In time, he may emerge another Leslie Biffle, the gray eminence among Democratic lawmakers, who went on being a party power year in, year out.

I've cited hard-driving committee counsel Robert Kennedy, who has hit the headlines with his probing of Dave Beck and Jimmy Hoffa. He has one inherent advantage: his name is already known in American public life via his Senator brother, JOHN KENNEDY, and his father, Joe Kennedy, ex-Ambassador to Great Britain, though all the very independent Kennedys like to carve out careers on their own. Certain names do wield a political magic—the Roosevelts, the Tafts, for example. Undeniably, they are of help in bringing a young man to public notice, though performance is required to stay there. In Minnesota, the Youngdahl name is potent. Luther Youngdahl, now a distinguished Federal judge, for three terms was the State's Progressive Republican Governor; now a nephew, Kent Youngdahl, 29, has been twice elected as an Independent Democrat to the 13-man Minneapolis City Council.

From the field of journalism comes a 33-year-old State Senator, George Brown, of Denver, Colo., ex-Air Force pilot and the first Negro to be hired as a reporter on a major daily newspaper, the Denver Post, west of the Mississippi. Graduate of the University of Kansas School of Journalism, Brown worked successively as a police reporter, aviation editor, night city editor, and made such a name for himself he was appointed to fill a vacancy in the Colorado lower house in 1955. In 1956, he was elected on his own right to the State senate.

THE YOUNG REPUBLICANS

Who are the bright youngsters among the Republicans?

I've had most friendly associations with a number of remarkable young men in the GOP over the years—the progressive and truly able Oren Root, Jr., in New York, for one; Phillip Willkie, son of the illustrious Wendell Willkie, for another. I thought so highly of him, I made him counsel for the Senate Committee on Ethics in Government, of which I was chairman. Nonetheless, I am not as well acquainted with young Republicans under 35 as I am with their Democratic opposites. I turned for advice and counsel in winnowing a list to friends like Willkie, now practicing law in Rushville, Ind., to GOP legislators, newsmen, officials in Republican Party headquarters, and administration staff members. One authority sent along a wry observation with his ballot: that GOP youngbloods tend, in his opinion, to be more conservative today than their national administration—witness last year's Young Republican convention which repeatedly dissented from Eisenhower policies as too liberal.

The border State of West Virginia has something of a political wunderkind in the immensely attractive Gov. Cecil Highland Underwood, 1 of 5 children of a dirt farmer. Not since 1933 has a Republican lived in the West Virginia Governor's mansion. At 35, Underwood's also the youngest governor in the Nation. By his early twenties he was deeply immersed in politics as well as in pursuing an academic career—first as a graduate fellowship student, then high-school teacher, finally vice president of Salem College—with time out for door-to-door selling as a Fuller brush man. At 22, he won a seat in the State legislature and campaigned in seven elections thereafter without losing a one. Normally, West Virginia votes Democrat by more than 100,000 majority; the Republicans were dispirited, to say the least, after a 30-year losing streak, but by the time Underwood revitalized the party, he won the governorship by 60,000 votes. He was indisputably helped by two factors: Eisenhower ran on the same ticket, and carried the State; the Democrats were grievously split between conservative and liberal wings.

Hartford, Conn., insurance capital of America, is an industrial town which almost invariably votes Democrat by about a 25,000-vote majority. But 34-year-old EDDIE MAY managed to secure a House seat for the Republicans 2 years ago largely by force of personality, and by waging a whirlwind speaking marathon before Kiwanis, Rotary, veterans' groups and other civic organizations. Eighteen months before elections, party leaders decided to make an all-out fight for the seat. They set about methodically searching for a fresh personality who could attract the independent vote. They were attracted by MAY'S speaking ability, his strong junior chamber of commerce and civic-organizational ties, his war record as a P–38 fighter pilot, his reputation as a successful insurance man with wide acquaintanceship.

In a rather jet-propelled career, young JOE HOLT of California, went from the University of Southern California to fighting in World War II, then back to college, where he was active in Republican politics and, upon graduation, became president of the Young Republicans of the State of California. When the Korean war started, he went back into service and was wounded in a booby-trap explosion in Korea. Only a few months after his return from the wars, this tough, blunt ex-Marine, at 26, became a candidate for the House, has demonstrated his staying power by winning election three times.

In the South, young WILLIAM CRAMER, of Florida, is an important personality—far beyond his two-term election to Congress, for he is the only office-holding Republican of any importance in the State, and first to be elected in his District since 1875. As a lieutenant junior grade, CRAMER took part in the invasion of southern France, graduated Phi Beta Kappa from the University of North Carolina, went to Harvard Law School. He learned his political ABC's as minority leader in the Florida State legislature, then as regional director of the Young Republicans. In 1952, he went through the trial-by-fire of losing an election; but in 1954, backed up by a revitalized organization of Young Republicans, he won a House seat, heavily supported by voters in St. Petersburg, Fla., many of whom are retired Republicans from the North. In 1956, he increased his majority again.

Representative RICHARD POFF, 34, has the distinction of being the first Republican elected in his traditionally Democratic District. Graduate of the University of Virginia Law School, his appeal for southerners who favor military heroes was enhanced by his record as a B–24 bomber pilot with the Eighth Air Force in England (he also holds the Distinguished Flying Cross and his unit was awarded a special Presidential citation). As a student, he ran successfully for the mayorship of Copeley Hill, a village maintained by his university for student war veterans and their families; at 29, he tried for a House seat in the 83d Congress, was returned to the 84th and 85th by satisfied constituents.

IMAGINATIVE CAMPAIGNING

Mayor Gordon S. Clinton, of Seattle, Wash., in his mid-thirties, waged a campaign for that office which was marked by imaginative tactics. He was backed by two young brain-trusters, Joel and Frank Pritchard, who apparently have no designs on elective office themselves, but have behind-the-scenes powers in a number of GOP races. The brothers Pritchard set about organizing a vote-getting cadre called 100 Young Men for Clinton. Actually 1,000 got steamed up about the campaign; they held Kaffee-klatsches in homes, walked miles in door-to-door campaigning; at rush hour, young men for Clinton invaded crowded bus stops, handing out campaign literature. On election night, they staged a 5-hour telethon in which one personable and articulate young supporter after another spoke up for Clinton. The candidate himself, a local lawyer, had built a citywide reputation as an outstanding citizen—board member of the YMCA and a director of the National Conference of Christians and Jews. He displayed an affinity for getting on famously with the varied ethnic groups—the Filipinos, Chinese—in this polyglot city, which still has a rugged, frontierlike spirit about it. Since his election, Clinton has shown a nonpartisan tendency to call on Democrats, as well as Republicans, as advisers and consultants to his administration.

In Ohio, newspapermen have voted John Ashbrook, 29, one of the State's outstanding legislators. His father, the late William Ashbrook, was a conservative Democrat who represented the 17th District in Congress for 20 years and ran his weekly newspaper in Johnstown, Ohio, as a stanchly Democratic organ. In 1953, his son inherited the publication and switched it over to the GOP column. Graduate of the Ohio State Law School, Ashbrook as a Harvard undergraduate, was a very active young Republican club member; as a Navy officer he went to the antarctic in 1946 and 1947 with the Byrd expedition, came back to plunge into Ohio politics, and nationally is well known as chairman of the Young Republicans' National Federation.

THE TRENDS

Some trends seem to emerge from my list of candidates. Nearly all the men have service records; most in World War II, a few in Korea. One or two were boomed for office as war heroes. They have traveled widely either in uniform or as footloose Americans, and have college degrees, if not higher academic honors. Despite the onus of egghead, which quite improperly dogged Adlai Stevenson in two presidential campaigns, candidates are finding it less necessary to talk down their literacy to the electorate. (I think of one wise and witty southern Senator, now retired, with a gorgeous string of academic degrees and honors, who habitually felt called upon to address his voters in the language of the cracker-barrel philosopher.)

There are good reasons for this. Some 8 million men took advantage of the GI bill of rights after World War II to pursue academic studies. Americans in general are better educated. (A nation once run by intellectuals of the caliber of Madison, Jefferson, Monroe, Adams, may be realizing it takes a high degree of competence to understand such far-ranging issues, which national politicians face, as: the French war in Algeria, the turbulent situation in Indonesia, measures to combat growing unemployment, the lag in missiles, and the shortage of classrooms.

But if young candidates today are better educated, better traveled, and less provincial, they are in the opinion of a longtime Washington correspondent less colorful. "Politics was more fun to cover in the old days," he remarks, with a certain nostalgia. The era of the string tie, the galluses, is on the wane in Congress. Television and the times have not only revolutionised political campaigning but the candidate as well; old-fashioned histrionics look ludicrous performed solitarily in a studio. Moderation, sensibleness are the appeals of the day; many TV political speeches, a GOP national executive remarks, more closely resemble a plea for the Community Chest than the old-style, barn-burning, stemwinding brand of political oratory.

I believe the prospects for a young man with political ambitions are brighter in 1958 than they have been in many decades. Lamentably, steadily, after the Civil War, politics lost luster as a career for the up-and-coming and ambitious. The rush to get rich quick centered men's ambitions on business, rather than public affairs. The ways in which so many politicians allowed themselves to be corrupted by selfish interests also made politics distasteful, as a calling. All too often, the politico was the agent of the bankers, the manufacturers, the railroad kings. There are signs, happily, that this prejudice is lessening. After World War II, particularly, many veterans came home with ideas about building a better America; the hurly-burly of war, perhaps, made men look more kindly upon the hurly-burly of politics.

Business may still be more lucrative and other professions less risky.

But from personal experience, first in Chicago ward politics, later in Washington, I can attest that politics is still the most exhilarating of callings for the young man of ideas. And the Nation has never needed him more.

Let's Prohibit Travel by Communists

EXTENSION OF REMARKS
OF
HON. ALBERT P. MORANO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. MORANO. Mr. Speaker, under leave to extend my remarks in the RECORD I wish to include the text of a statement I prepared for delivery coincident with the consideration of H. R. 13670, the bill which our House Foreign Affairs Committee unanimously ordered reported.

This bill permits the Secretary of State to prohibit travel by Communist agents, saboteurs and spies, and is of the utmost importance to our national security.

I sincerely hope this bill will be brought up for consideration soon. I strongly urge, Mr. Speaker, that this bill be scheduled for action before the Congress adjourns.

The statement is as follows:

I urge immediate passage of H. R. 13670, the bill unanimously ordered reported by the Foreign Affairs Committee, which permits the Secretary of State to prohibit travel by Communist agents, saboteurs and spies. Without this legislation there is a serious loophole in our security laws. Under the recent Supreme Court decisions there would be no means whereby the Secretary of State could deny passports to individuals who are travelling abroad to further the nefarious purposes of the international Communist movement.

The United States is spending billions of dollars for its defense and further billions of dollars for foreign aid. We have millions of our boys under arms sworn to protect the security of the United States. On the other hand, if this legislation is not enacted, we are faced with a situation in which persons may go abroad to subvert and thwart the foreign policy of the United States and to stir up trouble against nations friendly to us. It is a necessity.

The bill grants authority to the Secretary of State to plug this loophole. At the same time, it insures maximum protection for the rights of our citizens under the Constitution. It provides for both administrative hearings and judicial review of those hearings and of passport denials by the Secretary of State.

The bill which is before the House was perfected after a thoroughgoing analysis by the Committee on Foreign Affairs. We tried to strike the best compromise between the rights of the individual and the security of the United States. I do not think that anyone can criticize it as an infringement of individual rights, since we were most careful to prescribe procedural safeguards.

The bill itself is in the form of an amendment to the Passport Act of 1926. The first section makes Congressional findings with respect to the danger of the international Communist movement to the security of our homeland. It emphasizes the fact that the Communists use couriers as a principal means of carrying directives and orders of the party. These couriers frequently carry their messages in their minds in order to prevent detection. The granting of authority to deny passports to such couriers is essential to our security system. Section 5 makes specific reference to the use of travel by the international Communist conspiracy.

Section 6 is the operative section, granting the authority to the Secretary of State to deny passports. The persons who are subject to such denial are Communist members, affiliates of the Communist Party, and persons knowingly engaged in activities intended to further the international Communist movement. In all cases, however, the Secretary of State must also find that the activities or presence abroad of the individuals concerned would be harmful to the security of the United States. This is a double-barrelled finding and will insure that innocent persons will not be subject to having a passport denied on capricious grounds.

Section 7 of the bill authorizes the Secretary of State to require the applicant for a passport to sign an affidavit concerning membership in the Communist Party and support of the international Communist movement.

Section 8 provides for an administrative hearing of any proposed denial of a passport. Further, it provides for judicial review of the hearing and denial of a passport.

This legislation is in the best interests of the United States, and I urge every Member of the House to give it his wholehearted support.

Public Housing

EXTENSION OF REMARKS
OF
HON. CHARLES W. VURSELL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. VURSELL. Mr. Speaker, with leave to extend my remarks, I desire to insert a factual table in the RECORD showing the actual amount of obligations in proposed housing legislation recently considered by the Senate and House.

I am confident the following information would be of interest to the Members of this body:

	S. 4035 as approved by the Senate	S. 4035, amended by House Banking and Currency Committee	H. R. 13776, Riestand substitute	Rains proposal of Aug. 18, 1958
Urban renewal (capital grants)	[1] $1,800,000,000	[2] $1,000,000,000	[3] $200,000,000	[3] $400,000,000
New direct lending program for elderly housing		100,000,000		50,000,000
FNMA special assistance to buy FHA and VA mortgages at par		500,000,000		250,000,000
College housing:				
Direct loans for housing	400,000,000	400,000,000	200,000,000	300,000,000
New direct lending program for classrooms, laboratories, etc.	125,000,000	250,000,000		125,000,000
Public housing:				
A. (Estimated increase in subsidy appropriations required per annum for 40 years because of proposed changes in existing and future subsidy contracts)	[4] 1,000,000,000			
B. (Subsidies for 20,000 expired units revived by the bill)	[4] 500,000,000	[5] 500,000,000		[5] 500,000,000
C. (Subsidies for 17,500 new units)	[5] 437,500,000			
Veterans' direct loans	[6] 150,000,000	[6] 150,000,000		[6] 100,000,000
Farm housing research	[7] 300,000	[7] 300,000		[7] 300,000
Total	4,412,800,000	2,900,300,000	400,000,000	1,725,300,000

[1] 6 years.
[2] 2 years.
[3] 1 year.
[4] $25,000,000 per year for 40 years.
[5] Subsidies under 40-year contracts.
[6] This is in addition to the $350 million Congress authorized for this purpose in April 1958.
[7] 3 years.

Federal Antibombing Legislation

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. KEATING. Mr. Speaker, I have introduced legislation which will permit the Federal Government to lend a helping hand to local efforts to deal with recent bombings in many southern and some northern communities, involving homes, churches, synagogues, schools, and community centers. An identical bill has been introduced by the gentleman from New York [Mr. CELLER], and a similar bill has been introduced by the gentleman from Florida [Mr. CRAMER]. I am certain that there will be no partisan or sectional differences about this legislation. Every law-abiding citizen is outraged by such acts of violence and terror.

The proposed legislation will make it a Federal crime to import or transport or possess any explosive with knowledge or intent that it will be used to damage or destroy any building for the purpose of interfering with its use for educational, religious, charitable, or civic objectives, or of intimidating any person pursuing such objectives. Under the terms of the bill, Federal intervention will be possible as soon as any such bombing takes place. This is accomplished by a presumption that dynamite used to blow up any of the kinds of buildings specified has been illegally imported or transported. At the same time, to meet any constitutional objections, the bill provides that no person may be convicted unless there is evidence independent of this presumption that the offense has been committed.

The American people have been horrified by the recent bombings of homes, churches, synagogues, schools, and community centers. Since the beginning of 1957 there have been 47 such bombings or attempted bombings. The bill I have introduced is necessary because of the threat of further bombings wherever racial tensions continue unabated, because of the strong indications that these outrages are the work of a criminal conspiracy cutting across State lines, and because the intervention of the Federal Government, and particularly of the Federal Bureau of Investigation, would have an immediate deterrent effect and would greatly increase the chances of tracking down those responsible. So far, local police officials have been unable, in all but one instance, to apprehend those responsible for these shocking crimes. This makes it imperative that the FBI lend its expert facilities and manpower for a thorough investigation of all such incidents.

In proposing this legislation I am not unmindful of the fact that the responsibility generally for investigating and prosecuting acts of violence rests upon local law-enforcement officials and not upon the Federal Government. The proposed legislation would not divest State and local authorities of that primary responsibility and duty. It would, however, supplement their efforts by giving to the Federal authorities concurrent jurisdiction to act in those cases in which interstate facilities have been used to transport explosives.

I would like to see these bills become law as soon as possible. I recognize however, that because of the rush toward adjournment it is unlikely that there will be any action in this session of Congress. I have introduced the bill at this time, however, in order to make it possible for the Department of Justice and other interested agencies to thoroughly study the measure during the Congressional recess. I hope that when the new Congress convenes in January it will make this vital measure one of its first orders of business.

Senator H. Alexander Smith, of New Jersey

EXTENSION OF REMARKS
OF
HON. JAMES C. AUCHINCLOSS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. AUCHINCLOSS. Mr. Speaker, I cannot let the session of Congress close without expressing my deep gratitude and respect for the magnificent service the senior Senator from my own State of New Jersey, H. ALEXANDER SMITH, has rendered the country during his terms of office in the Senate.

His is a character that is outstanding. Resolute in his opinions; honest in his efforts; tireless in his consecration to duty; and devoted in his service to his country, Senator SMITH has set an example of conduct worthy of the emulation of all. His voluntary retirement from office will leave a void that will be hard to fill in the councils of the Senate and judging by the encomiums of his colleagues, he will be greatly missed.

As an old friend of more than 60 years, his departure means a great loss to me, but I am confident that the influence of his sterling character will long be felt, and his wise counsel will long be remembered. I join enthusiastically with his host of friends in wishing him and his good wife the best of everything in the days to come. May God's rich blessings attend them always.

The Agricultural Act of 1958

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. COOLEY. Mr. Speaker, in response to numerous requests coming from throughout the country for explanatory matter with respect to the farm bill just approved by the Congress and now awaiting action by the President, I have prepared a concise statement on the provisions of this bill. With the permission of the House, I shall insert this matter in the RECORD:

MAJOR PROVISIONS OF THE AGRICULTURAL ACT OF 1958

COTTON

With respect to cotton the bill prevents a reduction in the national cotton acreage allotment from 17,500,000 acres in 1958 to approximately 14 million acres in 1959. The bill provides a minimum national allotment of 16 million acres in 1959 and subsequent years. It stipulates that no individual grower who had an allotment of 10 acres or less in 1958 shall have his allotment reduced and provides 310,000 additional acres for this purpose.

The Secretary of Agriculture is authorized to give each cotton farmer a choice in 1959 and 1960 between:

(a) Remaining within his acreage allotment and receiving price supports in 1959 at no less than 80 percent of parity, and in 1960 at no less than 75 percent of parity.

(b) Planting up to 40 percent above his allotment and receiving price support on all the cotton he produces at not less than 15 parity points below the support level of the choice (a) producers who remain within their allotments. This would mean that in 1959 the support level for the choice (b) producers could be no lower than 65 percent of parity and in 1960 no less than 60 percent of parity.

Price supports for choice (a) farmers (those planting within their original allotments) would be through a Government purchase program, and cotton so purchased by the Commodity Credit Corporation, as well as any other cotton owned by the CCC, could be made available for sale, through July 31, 1961, for unrestricted use at not less than 110 percent of the then current level of support for choice (b) farmers. This would mean that in no event could the Government sell cotton at less than 71.5 percent of parity in 1959 nor less than 66 percent of parity in 1960. Thus it would be expected that (b) farmers (who plant above their basic allotments) might be able to dispose of their cotton in the markets at prices above the support level for the (b) producers.

The (a) and (b) choice programs would be discontinued after the 1960 crop, and price supports would be set at the discretion of the Secretary for all cotton producers at not less than 70 percent of parity in 1961 and not less than 65 percent of parity for 1962 and subsequent years.

The new farm bill retains the parity principle. The bill provides that parity shall be applied, as heretofore, to Middling ⅞-inch cotton through the 1960 crop, and thereafter parity shall be applied to the average of the crop. It is expected that the floor of 65 percent of parity effective in 1962 and thereafter would mean a minimum of at least 30 cents a pound for Middling 1-inch cotton.

Under the new bill, beginning with the 1959 crop, the Secretary is directed to establish separate price support rates for split grades of cotton and for full grades substantially reflecting relative values.

CORN

The bill provides for a referendum, by December 15, 1958, in which farmers of the commercial corn area would choose between:

(1) The present program of acreage allotments and price supports at between 75 and 90 percent of parity; and

(2) A new program which would abandon the commercial area designation, abolish all corn acreage allotments and set price supports at 90 percent of the average market price for the preceding 3 years, or at 65 percent of parity (around $1.14 a bushel), whichever is higher. The support would apply to corn produced throughout the Nation, not to any designated commercial producing area.

RICE

The bill establishes a national minimum allotment of 1,652,000 acres, with price supports to be set by the Secretary in 1959 and 1960 at between 75 and 90 percent of parity, at not less than 70 percent of parity in 1961 and not less than 65 percent of parity in 1962 and subsequent years. The bill forestalls a cut in rice acreage from 1,652,000 in 1958 down to about 1 million in 1959.

WOOL

The National Wool Act is extended for 3 years, from March 31, 1957 to March 31, 1960.

MILK

The veterans and armed services milk program is extended for 3 years.

Mr. COOLEY. Mr. Speaker, for those wanting a more detailed discussion of the new farm bill I am inserting a summary of principal provisions prepared by the Office of the General Counsel, United States Department of Agriculture, as follows:

SUMMARY OF PRINCIPAL PROVISIONS OF AGRICULTURAL ACT OF 1958

(Prepared by the Office of the General Counsel, U. S. Department of Agriculture)

TITLE I—COTTON

The years 1959 and 1960: For 1959 and 1960, each individual farmer will have a choice between (a) his regular acreage allotment and price support as determined under section 101 of the Agricultural Act of 1949 (except that for the 1959 crop the level of support shall be not less than 80 percent of parity) or (b) an increase of not to exceed 40 percent (the precise percentage to be determined by the Secretary) in his regular farm allotment with price support at 15 percent of parity lower than the level determined for farmers who elect choice (a). Price support to farmers who elect choice (a) will be made available through a purchase program. CCC is directed to offer cotton for sale for unrestricted use at not less than 10 percent above the lower price support level made available to farmers who elect choice (b) (sec. 101).

After 1960: After 1960, farmers will receive only their regular acreage allotment, and price support will be at such level as the Secretary determines within the following limits: For 1961, the level will be not less than 70 percent and not more than 90 percent of parity; after 1961, the level will be not less than 65 percent and not more than 90 percent of parity. The escalator clause under which the minimum support level is determined on the basis of the supply percentage is repealed effective with the 1961 crop. Price support for cotton will be based on the average quality of the crop, beginning in 1961 (sec. 102).

Minimum national marketing quota: The act provides a minimum national marketing quota for cotton, after 1960, equal to estimated domestic consumption and exports less imports subject to such adjustment as will assure the maintenance of adequate but not excessive stocks, but the Secretary in making such adjustments may not reduce the national marketing quota for any year below the larger of (i) estimated domestic consumption and exports less 1 million bales or (ii) 10 million bales (sec. 103 (1)).

Minimum national allotment: Beginning with the 1959 crop, the act provides for a minimum national acreage allotment for cotton of 16 million acres (sec. 103 (2)).

Converting national marketing quotas to acreage allotments: The act provides for the use of a 4-year yield instead of a 5-year yield in converting the national marketing quota to a national acreage allotment (sec. 103 (4)).

Extra long staple cotton: Beginning with the 1961 crop, the national marketing quota for extra long staple cotton will be an amount equal to the estimated domestic consumption plus exports, less imports, plus such additional number of bales as the Secretary determines is necessary to assure adequate working stocks until cotton from the next crop becomes readily available (sec. 103 (3)).

Minimum farm allotments: The act provides for permanent minimum farm cotton allotments of 10 acres or the 1958 acreage allotment established for the farm, whichever is smaller. 310,000 acres over and above the national acreage allotment are provided for apportionment to the States (1,000 acres to Nevada) on the basis of the States' needs for additional acreage for establishing such minimum allotments, and such further acreage as may be necessary is authorized to be apportioned to the farm to increase each farm acreage allotment to the prescribed minimum (sec. 104 (a) (b) (c), sec. 105).

Method of determining farm allotment: The act authorizes the Secretary to use the previous year's allotment (instead of tillable acreage or history) as a basis in making allotments if he determines that such action will facilitate effective administration (sec. 106).

Retention of surrendered acreage in county: The act provides that any cotton acreage which is surrendered shall be retained in the county and not surrendered to the State committee so long as any farmer in the county desires additional cotton acreage (sec. 107).

CCC sales restrictions: Effective August 1, 1961, minimum prices for sales of CCC cotton for unrestricted use are increased to 115 percent of support price plus reasonable carrying charges, except that CCC is authorized to sell at the market price a number of bales equal to that by which the national marketing quota is less than domestic consumption and exports (sec. 109).

Cotton export program: The act provides that nothing therein shall be construed to affect or modify the cotton export sales program provided for in section 203 of the Agricultural Act of 1956 (sec. 110).

Split grades: Beginning with the 1959 crop of cotton, the Secretary is required to establish separate price support rates for split grades (sec. 111).

TITLE II—CORN AND FEED GRAINS

Corn: The act provides for a referendum to be held among corn producers in the commercial corn-producing area to determine which of two programs shall be in effect. If a majority of the producers favor it, acreage allotments and the commercial corn area will be discontinued, and price support for corn will be 90 percent of the average price received by farmers for the 3 preceding years, but not less than 65 percent of parity. If the referendum fails to carry, acreage allotments will continue to be in effect, and the minimum level of price support will continue to be between 75 percent and 90 percent of parity on the basis of the supply percentage, as provided under section 101 of the Agricultural Act of 1949 (sec. 201).

Other feed grains: Beginning with the 1959 crop, price support for oats, rye, barley, and grain sorghums will be at a level determined by the Secretary to be fair and reasonable in relation to the price support for corn, taking into consideration the feed value of the commodity in relation to corn and the other factors specified in section 401 (b) of the Agricultural Act of 1949 (sec. 201).

TITLE III—RICE

Acreage allotments: The minimum national and State acreage allotments presently in effect for rice will be extended permanently (sec. 301).

Price support: The escalator clause under which the minimum support level is determined on the basis of the supply percentage is repealed effective with the 1959 crop. Beginning with the 1959 crop, price support will be at a level determined by the Secretary within the following limits: For 1959 and 1960, price support will be not less than 75 percent and not more than 90 percent of parity; for 1961, price support will be not less than 70 percent and not more than 90 percent of parity; after 1961, price support will be not less than 65 percent and not more than 90 percent of parity (sec. 302).

TITLE IV—WOOL

Extension of Wool Act: The Wool Act is extended for 3 years until March 31, 1962, and provides for the use of 70 percent of the ad valorem duties on wool and wool products (in addition to 70 percent of the specific duties) (sec. 401).

TITLE V—MISCELLANEOUS

Transfer of acreage allotments: A uniform procedure is provided for transferring the allotment on a farm from which an owner is displaced by eminent domain proceedings to other farms owned by the owner (sec. 501).

Equity payments: CCC is authorized to take over unredeemed collateral under nonrecourse loans, without making equity payments (sec. 502).

Tung nuts: The act provides that tung nuts, for which the minimum price support level is now 60 percent of parity, shall be supported at not less than 65 percent of parity in any year in which domestic production of tung oil will be less than anticipated demand for such oil (sec. 503).

Armed services milk program: The special program for making dairy products available to the military agencies and veterans' hospitals is extended for 3 years until December 31, 1961 (sec. 504).

Donation of cotton for training program: CCC is authorized to donate cotton to educational institutions for use in training students in the processing and manufacture of cotton into textile (sec. 505).

NOTE.—The foregoing is a summary, and not a complete analysis, of the provisions of the act.

President's Veto of Appropriation Bill With Funds for Veterans and Post Offices

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. EVINS. Mr. Speaker, in view of the fact that we shall shortly be considering once more the independent offices appropriations bill, under unanimous consent I insert in the CONGRESSIONAL RECORD my newsletter of August 11, 1958, which deals with the President's veto of this bill. The newsletter follows:

CAPITOL COMMENTS
(By JOE L. EVINS, Member of Congress, Fourth District, Tennessee)

PRESIDENT VETOES APPROPRIATION BILL WITH FUNDS FOR VETERANS AND POST OFFICES

President Eisenhower this week vetoed the independent offices appropriations bill. The measure carries funds for 17 of the independent Federal agencies, including the General Services Administration and the Veterans' Administration. By far the largest portion of the nearly $6 billion in the bill was budgeted for the Veterans' Administration and provided increases in funds for veteran hospitalization, pensions, and the construction of veterans hospitals, including the new hospital at Nashville. In the budget for the General Services Administration there were funds for new post offices and Federal buildings in many districts throughout the United States.

In his veto message the President objected to a provision of the bill which required the Federal Government to make a half-billion-dollar deposit in the retirement fund for Federal employees. Federal employees are not covered by social security—instead they have their own retirement plan and contribute a percentage of their pay to the retirement fund. The Government is supposed to match this contribution. It has not been doing so, however, and is now some $18 billion in arrears—not counting the loss of interest which would have been earned if the Government had made its contribution to the fund. It can well be imagined what an outcry would arise if a private corporation or labor union were guilty of such a practice in the operation of a pension plan.

Although it was realized that the Government could not possibly catch up with its arrears to the fund, a bipartisan majority of the House felt that the Government should at least not go any further in arrears. Accordingly, in the independent offices appropriations bill the House called for a contribution of a half-billion dollars to the retirement fund. It should be noted that such a contribution would not result in a loss of funds for the Government. The funds would be invested in Government securities and actually the only net cost to the Government would be the interest on the securities—which it will have to pay in any event at some future date.

It was this provision that the President objected to. The President admitted the obligation and responsibility of the Government to the retirement fund but objected to making the contribution apparently because—although it would be largely a bookkeeping transaction—the contribution would be added to the budget and make it look worse. The veto has raised considerable resentment in the Congress partly because of the widespread feeling that the Government should live up to its obligations in the same way it expects business to live up to its obligations; and partly because the veto amounts in effect to an "item veto" which is not permitted by the Constitution. It is uncertain what action the Congress will take, and until action is taken the Veterans' Administration and the other agencies will not be able to carry out their projected programs for the present fiscal year.

While the construction of the post offices at Carthage and Lafayette and the new veterans hospital in Nashville may be further delayed a few weeks as a result of the veto, it is fully expected that the Congress will shortly act to authorize funds for these projects—whatever it may do about the retirement fund.

Middle East Policy Proposal

EXTENSION OF REMARKS
OF
HON. OMAR BURLESON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. BURLESON. Mr. Speaker, the following appeal for a new United States policy in the Middle East, based on a policy statement written for members of the National Committee for Security and Justice in the Middle East by author-historian Alfred M. Lilienthal upon his recent return from a 4-month visit in the area, more nearly deals with realities of existing conditions than other policies recently announced and proposed:

"The landing of marines in Lebanon was an act out of character which invited endless misinterpretation. The motives can be explained, but suspicion cannot be destroyed.

"History has long refuted the notion that tanks, guns, and paratroops can extinguish the flames of a burning nationalism. For what has been taking place in the Middle East has been an Arab renaissance—a struggle to be free of foreign domination and of external interference—a determination to be united.

"The attitude of the West toward the struggle of the Arab people for complete freedom is a matter of record. In 1917 Arab nationalist leaders threw in their lot with the Allies and provided the extra force needed to crush Turkish power in the Middle East. The liberated Ottoman Arab provinces were divided up against the wishes of the inhabitants and placed under British or French spheres of influence.

"What was once a united greater Syria, today is Syria, Lebanon, Jordan, and Israel. The religious, social, political, personal, and clannish antagonisms, which lie at the very core of the civil war in Lebanon, were nurtured under the West's "divide and rule" policy.

"Faisal I, the grandfather of the late king, came from the Arabian Peninsula. The Kingdom of Iraq was created for him by the British as was that of Trans-Jordan for his brother Abdullah. Egypt was under virtual British occupation for

72 years until the Suez Canal Evacuation Agreement of 1954.

"A good part of the resultant distrust and resentment against the European powers has rubbed off on the United States because of our alliance with London and Paris and our significant role in creating the State of Israel. When it came to Arab nationalism, we set aside our longstanding American tradition of supporting peoples in their fight to attain complete independence. Whereas Americans were at one time warmly regarded in the area, we have become by acts of omission and commission persona non gratae as surely as have the British and French—perhaps in a way more so, because so much more was expected of us.

"One needs to be only momentarily in the Middle East to encounter the deep conviction that the people's enemy is not Russian communism, but Western imperialism. The United States has done nothing to dispel this widespread feeling.

"President Nasser is only the symbol of this Arab nationalism. After helping to halt the British-French-Israeli aggression, the United States proceeded to undermine Nasser through every subtle economic means and propaganda device. Guided from Washington, American information media waged an all-out vituperative "Get Nasser" campaign, using the label Hitler of the Nile.

"To fit the needs of the headline and label makers, the complex Middle East politics have been grossly oversimplified.

"American policy grievously erred in assuming that every political movement against a government backed by the West must be inspired and supported exclusively by Nasser and that every movement made by Nasser must be inspired and supported exclusively by Russia. This is the end resultant of equating pan-Arabism with communism. As a matter of fact, Nasser has been hard on Communists both in Egypt and in Syria. We compounded our mistakes by striving to maintain particular governments and particularly political personalities in power, even against the sentiment of the people.

"Our Government has not given the American people the facts. Interested Americans, like Norman Thomas and Alfred M. Lilienthal who visited Iraq during the past months were put in touch with members of the opposition who had gone underground. Iraqi jails were crowded with intellectuals and politicians, alike violently opposed to a foreign policy which they insisted was British dictated. Political parties had been disbanded—labor unions prohibited. Freedom of speech and press was suspended. Army officers who disagreed were pensioned off; citizens, who at the time of the Suez crisis petitioned for a break in diplomatic relations with Britain, were imprisoned.

Through the national development board, Iraq was putting a good portion of its oil revenues into constructive channels. But the maldistribution of landholding, which had long called for some type of land reform, was neglected by Nuri es-Said who had served as Prime Minister 14 times. Above all, it was obvious to any observer that the people in Iraq had little confidence in their rulers and the rulers no confidence in their people. If these facts were available to the American Embassy in Baghdad they ought to have been available to the Department of State in Washington. To imply that the Iraqi revolt was caused by external machinations from Cairo was to mislead the American people.

"The events in Iraq called not for military action, but for a complete change in American foreign policy. Added to the Lebanese civil war, here was unmistakable proof that the Eisenhower doctrine and the Baghdad Pact were dead instrumentalities and that we could be no more successful than the British in splintering the Arab world.

"The Middle East can yet be saved to the West and world war III averted by the following prompt action:

"First. Anglo-American forces must be withdrawn from the Middle East as gracefully and as quickly as possible. Future United States efforts toward ending existing tensions ought to be made through the United Nations. The observer group in Lebanon should be strengthened and other steps taken which the U. N. Secretary-General may deem necessary.

"Second. The United States should grant recognition to the new Iraqi Government.

"Third. The United States should take the lead in the United Nations for a reconsideration of the whole Palestine question. At the heart of all existing tensions in the Middle East lies this unresolved problem. So long as 1 million Arab refugees remain homeless, so long as the Holy City of Jerusalem is divided by barbed wire, and so long as United Nations resolutions are flouted, there can be no peace in the Middle East.

"The United States must make clear to the State of Israel that it will not be protected by us from the consequences of its own breeches of the 1947 U. N. resolutions. We should not countenance any military action to destroy the State of Israel; but we should, once and for all, put an end to the fallacy that the United States supports either the Zionist philosophy of unlimited immigration into Israel with its consequent expansionism, the defiance of U. N. agreements, or the Israeli refusal to accept responsibility for the Arab refugees.

"Fourth. A new Middle East policy must be based upon an affirmative attitude toward Arab nationalism. Only by sitting down around the table with Arab nationalists and helping them to achieve justifiable aspirations can we moderate their future course. President Nasser should be invited to Washington for frank and friendly discussions with President Eisenhower.

"Any new look at the Middle East must point up our willingness to assist the Arab nations in their quest for security, equal treatment, freedom, and a decent standard of living. In striving towards these goals American private investment has a big role to play.

"Fifth. This new Middle East policy must also recognise as friendly governments those who wish to adopt a neutralist course between East and West. Such neutralism will in the end serve the purposes of Western security to a far greater extent than attempts to impose a pro-Western policy. The strong theism in Islam will serve as a deterrent against a willing acceptance of Communism; while the common dependence on oil can persuade the Arabs to maintain friendly political and commercial relations with the West. The mutuality of interests and cultural ties will ultimately enable the Arab countries to see clearly just who are their friends and who their enemies.

"The choice before us as Americans is either to admit past errors and embark upon this new path or to continue on the road to global war. We can never subscribe to a futile sacrifice of lives in order to preserve a policy which history has refuted. It is our sincere conviction that respectful and reflective attention to this program will help prevent the Middle East from becoming the graveyard of human civilization just as it was the birthplace many thousands of years ago."

Capitol Commentary

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. WEAVER. Mr. Speaker, under leave to extend my remarks, I have from time to time included in the RECORD copies of my newsletter, Capitol Commentary, which I send to my constituents. To bring the RECORD up to date, I include herewith my last newsletter from the first session of the 85th Congress and those that I have prepared during this session:

CAPITOL COMMENTARY FOR MONDAY, SEPTEMBER 16, 1957

(Report by Congressman PHIL WEAVER to First District)

CONGRESS ADJOURNS

When this final newsletter for this year is mailed to you, I will be back home in Nebraska beginning my third successive tour of the First District to give you a firsthand report as your elected Representative. I want to thank each of you who has taken the time to write to me so that I could have the benefit of your counsel and your viewpoints. The sentiments expressed by all of you at home on the many issues which have confronted our Government during this session have helped me tremendously in the study, consideration, and decisions I have made. I trust that all of you will continue to pass on these suggestions to me during the next session of the 85th Congress, which will begin in January. My thanks also goes to our fine daily and weekly newspapers and our radio and television stations in Nebraska which have, from a public-service standpoint, so generously conveyed these newsletter, radio, and television reports to the citizens of the First District and of Nebraska.

REVIEW OF THE 85TH CONGRESS

The first session of the 85th Congress is now history. A quick review of its activities shows a summary of some of the major legislation enacted into law:

National defense and internal security

H. R. 7143 (Public Law 85–63): Continues to July 1, 1959, suspension of 2,000,500 statutory limitation on personnel strength of Armed Forces.

International affairs

House Joint Resolution 117 (Public Law 85–7): Authorizes the President to undertake economic and military cooperation with nations of Middle East to strengthen defense of their independence.

S. 2130 (Public Law 85–141): Authorizes $3.3 billion mutual security program of military, economic and technical assistance to friendly nations.

Governmental reorganization

H. R. 6127 (Public Law 85–315): Authorizes President to appoint a Civil Rights Commission; establishes Civil Rights Division in Department of Justice, and provides for jury trial for criminal contempt at discretion of court.

National economy

H. R. 4090 (Public Law 85–12): Extends to July 1, 1958, the 52-percent corporate income tax and present schedule of excise taxes on alcoholic beverages, cigarettes, automobiles and parts and accessories.

S. 2504 (Public Law 85–120): Extends Small Business Administration to July 31, 1958; increases lending authority to $530 million.

H. R. 5520 (Public Law 85–17): Authorizes Secretary of Treasury to pay interest up to 3.26 percent on savings bonds.

Veterans and servicemen

H. R. 52 (Public Law 85–168): Increases rates of compensation for service-connected disabilities and for dependency allowances.

H. R. 53 (Public Law 85–56): Consolidates into single act and simplifies laws governing compensation, pensions, burial benefits, hospitalization, and administration by Veterans Administration.

Natural resources

H. R. 8996 (Public Law 85–177): Authorizes $382.6-million program for Atomic Energy Commission construction and development of nuclear facilities.

H. R. 2146 (Public Law 85–47): Amends Small Reclamation Projects Act of 1956.

Social security, health, and welfare

H. R. 6659 (Public Law 85–104): Authorizes $1.9-billion housing program.

Congressional action on appropriation estimates, 85th Cong., 1st sess.

Appropriation bill	Estimates	Passed by House	Passed by Senate	Conference agreement	Reduction		
					Amount latest action	Percent House bill	Percent latest action
Bills for 1958:							
Treasury-Post Office	$3,965,291,000	$3,884,927,000	$3,884,927,000	$3,884,927,000	$80,364,000	2.0	2.0
Interior	515,189,700	454,395,700	457,152,600	456,189,600	59,000,100	11.5	11.5
General Government matters	20,921,870	16,021,370	16,010,370	16,010,370	4,911,500	23.4	23.5
Independent offices	5,923,195,000	5,385,201,700	5,378,594,800	5,373,877,800	549,317,200	9.0	9.3
Labor-HEW	2,981,277,581	2,846,831,581	2,885,290,781	2,871,182,781	110,094,800	4.5	3.7
District of Columbia (Federal payment)	25,504,450	22,504,450	23,004,450	22,504,450	3,000,000	11.8	11.8
Commerce	871,513,000	653,685,060	613,584,260	597,790,225	273,722,775	25.0	31.4
State, Justice, Judiciary	665,649,802	563,799,793	563,085,293	562,891,293	102,758,509	15.3	15.4
Agriculture	3,965,446,617	3,692,889,757	3,668,972,157	3,666,543,757	298,902,860	6.9	7.5
Legislative	108,271,443	78,370,285	104,844,660	104,844,660	3,426,783	2.8	3.2
Defense	36,128,000,000	33,562,725,000	34,534,229,000	33,750,850,000	2,368,150,000	7.1	6.6
Public works	876,453,100	814,813,023	884,151,323	858,094,323	18,358,677	7.0	2.1
Supplemental (Post Office)	149,500,000	133,000,000	133,000,000	133,000,000	16,500,000	11.0	11.0
Supplemental, 1958	1,973,767,827	1,581,590,587	1,824,001,547	1,734,011,947	239,755,880	15.0	12.1
Mutual Security	3,386,860,000	2,524,760,000	3,025,660,000	2,768,760,000	618,100,000	25.4	18.2
Atomic Energy	2,491,625,000	2,299,718,500	2,323,632,500	2,323,632,500	167,992,500	7.7	6.7
(a) Cumulative totals:							
House	63,907,854,615	58,515,233,806			5,392,620,809	8.4	8.4
Senate	64,048,466,290		60,320,140,771		3,728,325,519		5.8
Conference	64,048,466,290			59,134,110,706	4,914,355,584		7.7
Supplemental and deficiency, 1957, total	589,644,320	463,920,788	512,293,045	455,620,925	134,023,395	20.9	22.7
Cumulative totals for session:							
House	64,494,927,778	58,979,154,594			5,515,773,184	8.6	8.6
Senate	64,638,110,610		60,832,433,816		3,805,676,794		5.9
Conference	64,638,110,610			59,580,731,631	5,048,378,979		7.8

CAPITOL COMMENTARY FOR JANUARY 31, 1958

CAPITOL COMMENTARY

The 2d session of the 85th Congress has begun. With the eventful days that are to follow, it is my intention to bring you each month this newsletter report on issues and questions that concern every American. As your elected Representative in Congress, I earnestly solicit you to give me your viewpoints and opinions on these matters. Government is for the people, and I welcome an expression from you. It is essential to our form of government to preserve freedom of speech and thought.

To receive a copy of Capitol Commentary, just drop a card to me, care of House Office Building, Washington, D. C.

For radio and television reports from your Congressman in Washington, check with your local station or your newspaper.

STATE OF THE UNION

The dominant issue which confronts America today is adequate security, and the dollar cost is very high. We cannot afford to hesitate in meeting the challenge of the space era. We can better meet that challenge if we strive for efficiency in Government to save tax dollars, which, in turn, can be used to strengthen, coordinate, and unify our Armed Forces. Total emphasis, therefore, must be directed toward efficiency in Government to get maximum economy and savings. Since the bulk of each tax dollar goes to our armed services for defense, and since defense plays such a vital and significant part in protecting our people and our country, every taxpaying citizen is entitled to value received on his investment in America and its future.

OUR DEBT CEILING

The statutory debt limit today stands at $275 billion. In 1955 Congress increased this limit to $281 billion until June 30, 1956, at which time the limit reverted to $275 billion. In July 1956 the debt limit was temporarily increased to $278 billion. On the last day of June 1957 the ceiling again reverted to the statutory limit of $275 billion. The House has just had under consideration H. R. 9955, which would temporarily increase the debt limit to $280 billion. I voted against passage of this measure, just as I voted against the other so-called temporary increases in the debt limit.

The whole purpose of limiting our national debt is so that we can control our spending, and the responsibility for spending should rest with the Congress, not with the executive branch of the Government. There can be no control or restraint on spending as long as we are content to make borrowing easier. By giving in to the whims of the spenders and raising the debt ceiling, we are thus defeating the very purpose for which a statutory debt limit was created.

I do not believe that there should be any increase in the public debt limit (1) until all agencies of Government are directed to freeze any and all unobligated funds previously appropriated so that a close and thorough reexamination of expenditure requirements and needs can be made. A good example is the $3.1 billion of current unobligated funds for foreign-aid spending; (2) until we have evidence of a realistic dollar-saving reorganization of the Defense Department which now is spending more than half of each tax dollar.

Sputnik is serious; but we should keep our equilibrium and not lose our heads. No nation can continue forever to spend tax dollars which must still be earned by future generations.

NEBRASKA EDUCATION

In the field of education and according to statistics recently published, Nebraska ranks as follows compared with other States: 34th in the number of persons completing 4 years of college, with only 5.1 percent of its population in that category; 6th in the percentage of the population with less than 5 years in school (4.9 percent); 13th in the average number of school years completed (10.1 percent); 12th in the percentage of the population which has completed 4 years of high school (38.5 percent); 10th in the percentage of draftees disqualified by the mental test (4.9 percent); 35th in the percentage of elementary-school teachers with 4 or more years of college (26.6 percent); 42d in average annual teacher salaries for 1957 and 1958 ($3,250 compared with California's $5,750); 29th in the amount spent for education per pupil per year ($255).

PEACE THROUGH STRENGTH

A look at the 1959 budget is frightening—$73.9 billion. The Treasury Department predicts that income from taxes will produce sufficient revenues to meet the amount requested.

Defense spending is a tremendous 54 percent of the budget—$39.8 billion.

A contingency fund of an additional half billion dollars is available for spending at the discretion of the President to meet any crisis that might arise. The real defense total then comes to $40.3 billion.

Other funds that may be lumped under defense spending are those allotted for the Atomic Energy Commission, stockpiling and defense production expansion, foreign military aid, economic development aid, the United States Information Agency and the Civil Defense Administration.

Our national security costs may well come to $47.3 billion—a huge 64 percent of the budget.

WATER RESOURCES PROGRAM

The ban on new starts may climax in a breakdown of our whole water development program. The fact that a project has not been started does not make it of less value than other projects that are already underway and receiving Federal funds. It might be wise to reappraise and restudy the many existing projects to determine their comparative economic value in relation to proposed new starts. A long-range viewpoint of our entire water development planning is necessary if we are to properly conserve our soil and water.

FOR THE RECORD

From my newsletter of June 27, 1957, may I restate for the record my position on needed essential items of defense:

"An effort was made in the House to put back some $300 million for aircraft, missiles, research and development, and I supported this proposition. Here in this instance was the exception and not the rule for me, on where economy begins. It is apparent that we must keep pace if we are going to keep the peace. In these critical phases of our defense program, we must stay in a competing position with Soviet Russia, and be certain, without doubt, that the security forces of the United States are not impaired, and that we are not 'letting down our guard.' We cannot afford to lag behind in these highly technical and advanced scientific fields or find ourselves lulled into a false sense and feeling of security. No one wants waste, duplication or extravagance in government, and we must be objective in searching these things out; however, we cannot afford to gamble on needed essential items of defense—particularly aircraft or missiles, when the very freedom of America is at stake."

CAPITOL COMMENTARY FOR JUNE 17, 1958

AIR SAFETY

Recent collisions and near misses by aircraft have disturbed all of us. An immediate and concerted effort must be made to properly separate all aircraft in flight, assuring the maximum degree of safety to each plane, whether it be civilian or military. In this connection I want to release the text of a recent letter from James T. Pyle, Administrator of the Civil Aeronautics Administration, who discusses this subject in detail. Mr. Pyle's letter to me follows:

"This letter is in response to our recent discussion and previous discussions that we have had from time to time on the question of aviation safety and the necessary improvements in our air navigation and air traffic control facilities.

"The Civil Aeronautics Administration, as the agency responsible for the control of the Nation's air traffic, has long been aware of the increasingly critical problems in handling greatly increasing volume of civil and military traffic. By close association with the problems of air traffic control on a day-to-day basis, the agency has for a long time been doing everything possible to increase the capacity of the air traffic control system to meet the demands placed upon it by civil and military requirements. Back in 1956, the CAA introduced the first of the Federal airway plans. At that time the air traffic control system was capable of handling about 12,000 instrument flights per day. As a result of our work over the past 2 years, the capacity of our system has been increased to a point where it now can handle some 17,000 instrument flights per day. While we are completely capable of handling the instrument flight rules (IFR) traffic of today, we are not capable of controlling the nearly 50,000 flights per day which occur in good weather.

"Pending our ability of doing a complete and effective job of positive control of all air traffic the CAA is considering taking the following steps:

"1. Realinement of jet penetration procedures so as to provide maximum separation from other traffic where practicable.

"2. Establishment of narrow bands of positive control segments on high density airways to provide better protection for those aircraft who need and desire this service.

"3. Reexamination of military training areas to provide geographical segregation between noncompatible types of air traffic; and

"4. Where necessary, the development of special traffic rules.

"In this connection, the CAB has issued its Draft Release 58–8 which authorizes the designation of three transcontinental positive control air corridors effective June 15, 1958. Initially our proposals provide for positive control of all aircraft at altitudes of 17,000 feet mean sea level up to and including 22,000 feet mean sea level on 1 transcontinental route between New York and San Francisco, 2 transcontinental routes between New York and Los Angeles, with a spur into Washington, and 2 routes running between Washington and Chicago. This application of positive control could be expanded to cover other routes and provide protection for en route aircraft except that to apply it would seriously curtail military training activities situated along many of the routes. The air traffic control system could handle the en-route traffic in this altitude strata but could not simultaneously accept the military training activities.

"A joint CAA-military review is now being made to provide additional positive control by segregating military training operations from en route traffic. We recognize that certain types of military operations are not adaptable to air traffic control procedures. We expect to provide for this by setting aside reserved airspace for special military operations such as acrobatics, air-to-air combat training, etc. We also hope to provide reserved corridors or tunnels through which traffic flying off established air routes may safely cross high density airways. The CAA also is concerned with the problems presented by visual flight rules (VFR) traffic. To this end we have instigated a VFR terminal area advisory service, which will operate along the same lines as our IFR arrival and departure control. The test will be run at Weir Cook Airport in Indianapolis in the very near future. During this test all aircraft in radio communication with the Weir Cook tower will be serviced by radar monitoring and will be provided with traffic information. We are getting our feet wet in the area of semiautomatic control of air traffic. For the past 18 months we have been operating a computer at our Indianapolis air route traffic control center. Our computer program will be expanded within the next few months with the installation of greater capacity equipment at the New York center next month and at the Washington center in July. The CAA has been taking positive and constructive steps to alleviate within the limits of our present capacity in terms of facilities, procedures, and personnel the extremely serious problems of our crowded skys. We will continue our maximum efforts.

"I shall be delighted to continue to periodically inform you of the progress we are making. We appreciate your interest and support in our behalf and hope that the steps that we have been taking to further assure maximum air safety meets with your approval."

STATUS OF LITTLE BLUE UNIT, NEBRASKA

This project is a multiple-purpose development on the Little Blue River, principally for irrigation and flood control. It would consist of a storage reservoir near Angus, Nebr., and necessary canals and other facilities to serve irrigation water to about 15,000 acres in south-central Nebraska. The unit was first studied by the Bureau of Reclamation in 1949 as part of a reconnaissance survey of the water resources of the Blue River Basin in connection with flood control storage sites being considered by the Corps of Engineers. Drought conditions of the past several years have stepped up interest in the Little Blue unit locally where there is need for irrigation on the south side of the river, since ground water resources are not immediately available. The proposed Angus Reservoir, in addition to irrigation and flood protection, would provide increased recreational opportunities and aid in conservation of fish and wildlife resources.

In 1956 I requested the Bureau of Reclamation to initiate preliminary studies of this project and work it into its schedule. Forty-two thousand dollars was programed in fiscal year 1958 to finance preliminary engineering, hydrologic, and economic studies and a reconnaissance report. W. A. Dexheimer, Commissioner of the Bureau of Reclamation, has just advised me and I quote from his letter:

"It was anticipated that the report would be completed before this date, but it was unfortunately delayed. All field work necessary to the preparation of the report was completed some time ago, and we expect to receive the report in this office very soon. The reconnaissance report will serve as a basis for determining whether more detailed studies of sufficient accuracy to support recommendation for authorization should be undertaken. It will also serve to select the specific areas which should be considered and present information which will assist local interests in deciding whether they wish us to proceed. On the assumption that the findings of the report are favorable and that there appears to be strong local sentiment in favor of the proposal, funds have been requested in our fiscal year 1959 budget to start upon the detailed studies. The feasibility report may be completed in fiscal year 1960."

CAPITOL COMMENTARY FOR JULY 30, 1958

[From the CONGRESSIONAL RECORD July 28, 1958]

HELLS CANYON—A BILLION DOLLAR MISTAKE

Mr. Speaker, it is apparent that a few political opportunists in Nebraska want to inject the controversial Hells Canyon issue into the comming election campaign. This is good, but Nebraskans are entitled to nothing less than the whole story and all of the facts about Hells Canyon which for the fifth time Congress has refused to authorize. The citizens of our State will not tolerate half truths. Nor do they expect campaign issues to be discussed on that level by candidates hungry for votes.

I will attempt in the next several paragraphs to review this question in some detail and present what I know to be the hard, cold facts about Hells Canyon.

Hells Canyon legislation calls for the construction of a Federal dam on the Snake River to provide power in the Northwest. In 1955, after Congress refused repeatedly to provide the money for a high dam at the expense of all the taxpayers, the privately

owned Idaho Power Co. was granted, under Federal license from the Federal Power Commission, the rights to finance and construct in the Hells Canyon reach, three dams and to sell power from them for a 50-year period. Much needed power will begin to flow very shortly from the first of these three units to be built and paid for by private enterprise.

The proponents of a Federal dam still today want to drown out and destroy one dam which is nearly finished, the second which is in advanced stages of construction and the final unit expected to be started shortly. This would mean not only raiding the Treasury of over a half billion dollars for construction costs, but paying for some $80 million worth of work resulting from the stoppage of the contracts underway. It would mean that Congress would be responsible for the loss of over $500 million in potential tax revenues to our Government over the 50-year licensing period. It would mean endless litigation on a valid contract. It would foreclose an immediate power supply and cause disastrous shortages for this area. This all adds up to a billion-dollar mistake.

Since Hells Canyon was to be built primarily for power, private enterprise consented to undertake and develop its power potential without cost to the taxpayers of America. A bipartisan Federal Power Commission, after exhaustive studies and hearings covering 5 years, licensed this private company and decided that the three-dam plan was better than the plan proposed for a high Federal dam. It was a unanimous verdict by an expert body made up of Republicans and Democrats alike which since 1920 has had the responsibility to regulate and conserve the public's water-power resources. This license has been held valid by the Nation's two highest courts, including the Supreme Court of the United States. Idaho Power is handling its own financing and surrendered voluntarily tax amortization certificates stating it would accept no concessions even though they were entitled to them under the law.

In comparing the licensed project with the proposed Federal dam, we find that the licensed project will produce about 5¼ billion kilowatt-hours annually—slightly more than the Federal dam and will produce this power at a rate substantially lower than the cost of production in the Government proposed plant. Statements to the effect that the Idaho phosphate deposits are in the Hells Canyon area are about as true as saying Washington, D. C., is in the New York area or that Hastings, Nebr., is in the Kansas City area. The airline distance from the Hells Canyon site to Pocatello, which is the nearest phosphate bed and which city contains the nearest phosphate plant, is 274 miles. The large phosphate deposits are even farther away in the southeastern corner of Idaho. A new $5 million phosphate plant for the Farmers Co-op near Montpelier is 334 airline miles from the Hells Canyon site. Nowhere in the proposal to build the dam at Hells Canyon were any plans drawn for transmission lines to carry electricity to the phosphate beds and the staggering cost of any such lines has never been estimated. The line loss alone would make such a proposal infeasible, but under no stretch of the imagination could the transmission be accomplished for less than 2 mills per kilowatt-hour. If you add 2 mills to the 4.3-mill figure which the Bureau of Reclamation has given as the cost of producing a kilowatt-hour of electricity in the proposed Hells Canyon plant, you have a cost to the Government of at least 6.3 mills. This is substantially above the price being paid for electricity to operate the many electric furnaces treating phosphate rock in southeastern Idaho.

In discussing the interests of the farmers in a Federal dam in order to receive so-called cheap fertilizer, the public record shows that for 6 successive years, the only two large farm organizations in the State of Idaho, the State Farm Bureau and the Grange, have each year gone on record as unalterably opposed to the building of the Federal project. Claims that by 1960 Nebraska farmers would be paying $750,000 more for fertilizer because the Federal project was not approved this year are hardly deserving of comment. Had Hells Canyon been authorized during this session of the Congress, its building schedule as outlined by the Bureau of Reclamation called for completion at the end of the 8th year after start of construction, which would be 1967. This goal for completion was based on annual appropriations from the Federal Treasury at the height of construction in excess of $100 million per year.

Nebraskans should more properly have been reminded by these proponents that since the project has not been authorized, the citizens of our State will save $3,364,000 as their prorata share of the ultimate cost without considering the fantastic transmission lines probably closer to 400 miles in length because of the rugged terrain involved. Under a single Federal dam the generation of power would drop to a maximum of only 66,000 kilowatts for from 3 to 4 months every spring and summer while the reservoir is refilling. Just where the phosphate plants would get their electricity during this period is a mystery. Nebraska's own Fred Seaton, Secretary of the Interior, had this to say about Hells Canyon in a letter to Dr. A. L. Miller, former chairman and ranking Republican member of the House Interior Committee:

"If S. 555 is enacted, appropriations for the next 6 years for reclamation projects, will have to be 60 percent higher than those appropriated for the last 6 years. Ten years ago and from time to time since then, the Congress had a choice between Federal construction of the Hells Canyon Dam and the alternative of permitting the Federal Power Commission to license non-Federal construction. During this 10-year period the theoretical benefits dramatized by proponents of the high dam have been repeatedly considered by the Congress. The Congress did not heed their pleadings and refused authorization for Federal construction. Today we are not faced with a theory. As a practical matter it would be impossible to justify to the taxpayers of the Nation, overburdened as they are, the extravagant waste of authorization of Federal construction at this time."

It is significant to note in conclusion, that Democrats joined with the Republicans in the Interior Committee this year to bury this monstrosity. I hope for good. Until this became a political matter, the vote in the House Interior Committee was unanimous by Republicans and Democrats in rejecting this proposition. Certainly wherever private enterprise can do the job and here is an excellent example, there is no justification for the Government getting into business.

Evidently the proponents of this legislation do not wish to adhere to a basic policy of government enunciated by Abraham Lincoln.

"The legitimate object of government is to do for a community of people whatever they need to have done but cannot do at all, or cannot do so well, for themselves in their separate and individual capacities. But in all that people can individually do as well for themselves, government ought not to interfere."

Extension of the East Front of the Capitol

EXTENSION OF REMARKS
OF
HON. J. T. RUTHERFORD
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. RUTHERFORD. Mr. Speaker, the purpose of my rising today is to join with our beloved SAM RAYBURN and with others of that distinguished company now advocating the east front extension of our Capitol Building.

We all realize the vilification our Speaker has courageously endured in this regard. No honest, decent, fair-minded man or woman in America who has followed this controversy as it developed can but hold the highest admiration for his stanchness in the face of this ill-advised but virulent criticism.

In the course of this fight, precipitated by a small group of willful men, SAM RAYBURN has been maligned as an insensitive dictator, an historic barbarian, a crafty and scheming interloper, and by a thousand other epithets.

Most of us here in the House have recognized how utterly baseless and unfair were these charges, and some of us have taken pains to defend the extension plan. I am afraid, however, that in the press of a hectic session all too many of us who have admired SAM RAYBURN'S courageous stand have failed to make our own position as crystal clear as we would have otherwise liked.

At this time I would like most emphatically to associate myself with him in this fight. I want to make it clear beyond doubt that not only am I supporting the Rayburn position in this regard, but with the permission of the House I would like to carry the attack to the enemy just a bit.

Who are these self-styled experts who would insist that the power of the United States Congress does not extend to altering certain aspects of a public building? Who do these people think built the Capitol in the first place if not the Congress? Seven or eight times the Congress has added to or basically altered their meeting place on Capitol Hill. Why, if these additions and alterations had not been made our present building would be little more than a square, framehouse used as an overcrowded legislative workshop.

What sort of logic are those persons using who say let there be no change? Almost every act of forward progress is met with howls from some very vocal group. Who can forget the protests when the United States bought Alaska from Russia? Who can forget the sneers that met the Louisiana Purchase? Who can forget the furor raised over the digging of the Panama Canal? And is it not true that many people were skeptical over a certain document known as the Constitution of the United States, when first it came into being? I believe, Mr. Speaker, those who are howling the loudest at proposals to extend the east front of the Capitol would have been among the very first to oppose the Louisiana Purchase, the purchase of Alaska, the digging of the Panama Canal, the ratification of the Constitution. For it seems that some people are born to be "againers."

Speaker RAYBURN has been accused of not being an architect, and I am afraid we will have to concede that point, just as we will have to concede that not one of these self-styled patriots and saviors of sanctified shrines is a venerable and respected legislator with a half-century of service.

I would like to pose the not too startling thought at this juncture that not many of these same armchair critics are much shakes as architects themselves. Administrators perhaps, propagandists surely, and conceivably even fair draftsmen, but great architects, definitely not.

Who among these men who would poke fun at SAM RAYBURN for not being an architect can present an accomplishment comparable to John Russell Pope's magnificent National Gallery of Art, or his National Archives Building, or his enduring Jefferson Memorial? John Pope wholeheartedly endorsed the east front extension. Do the calamity howlers insist John Pope is loutish and unqualified?

Who among these critics can equal the incomparable work of Henry Bacon, designer of the Lincoln Memorial? Bacon endorsed the east front extension, but then perhaps he, to, is amateurish.

Would the Washington Post or the DAR consider the great firm of Carrere & Hastings, designers of the Senate and House Office Buildings as well as the Supreme Court's beautiful structure, to be swinish or historically barbaric? This firm endorsed the east front extension.

One could go on and on, Mr. Speaker, but it is not necessary. I simply want to emphasize that the overwhelming majority of the Congress, the elected representatives of 170 million Americans, remain solidly in favor of this extension.

I have not personally received a great deal of mail on this subject, either pro or con. My people live in west Texas and they are thoughtful enough to realize they can hardly pass judgment on whether or not repairs should be made to a public building some 2,000 miles away from them, and which many of them have never seen. Recently I had in my office a delegation of mature, postgraduate college students from my district and one of them mentioned the issue of extending the east front of the Capitol. I took them from my office to the Capitol Building and, after having obvious defects and hazards pointed out to them, the group was unanimous in its feeling that the east front extension should be carried out. I think almost any objective, sincere person who took the time to investigate the situation firsthand would agree with that verdict. The man whose full job it is to maintain the Capitol Building in the best possible condition, Mr. George Stewart, says it is mandatory the east-front extension be carried out. I think he is in a position to know what he is talking about.

Many of us resent the bitter attacks upon Speaker RAYBURN. He has nothing personal to gain by the extension of the east front. He has said words to this effect many times:

The people have been good to me. I've received everything I want.

In return, he has given a half century of service to the Nation. His mark will be left upon this land so long as the Capitol Building stands; so long as the Nation exists, and I think we are the better for it.

Had the criticism not been so cruel the entire embroglio would be laughable. In a paraphrase of Winston Churchill, we might say that "never have so few soreheads attempted to tamp such an enormous tempest into such a tiny teapot."

The House and Senate authorized this work with hardly a dissenting voice. The money has been voted. This being the case, I can only ask, Why the continued delay? If any criticism can justifiably be leveled at SAM RAYBURN it is because he has been too considerate of a blatantly vocal but inconsequential minority. The Congress and the American people have worked their will in this regard. I urge that work begin without further verbiage or delay.

Presentation Proceedings of the Veterans of Foreign Wars, Department of New Jersey

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. WOLVERTON. Mr. Speaker, during my service in the House of Representatives, covering a period of 32 years, it has been a privilege and a pleasure to have supported without exception all legislation that has been before the House designed to promote the welfare of our veterans and their dependents.

It was particularly gratifying to have had this service recognized by the Veterans of Foreign Wars of the United States, Department of New Jersey, at its annual convention held at Wildwood, N. J., on June 28, 1958, by presenting to me the gold medal of merit of that organization.

I have been requested on behalf of the department officers to have inserted in the RECORD a transcript of the presentation proceedings referred to, therefore in accordance therewith and the unanimous consent granted to include the following as part of my remarks:

STATE CONVENTION, VETERANS OF FOREIGN WARS OF THE UNITED STATES, DEPARTMENT OF NEW JERSEY, AT WILDWOOD, N. J., JUNE 28, 1958

Commander SCHULER. Comrade sergeant at arms, will you escort, along with our department senior vice commander, Robert Kearney, and our department junior vice commander, Robert Dunn, the Honorable CHARLES A. WOLVERTON, Congressman from the First New Jersey District, in the House of Representatives. [The delegates arose and applauded.]

Sergeant at Arms HOGAN. Comrade Commander, at this time I would like to present to you Congressman WOLVERTON.

Commander SCHULER. You will escort the good Congressman to the rostrum.

To the delegates here assembled at the 39th State convention of the Veterans of Foreign Wars of the United States, it is my pleasure to welcome the Honorable CHARLES A. WOLVERTON, a Member of the United States Congress.

Congressman WOLVERTON down through the years has been the champion of the veteran in the Halls of the House of Representatives. It is fitting and proper that the Veterans of Foreign Wars of the State of New Jersey, through action by their council of administration, order the highest award of our organization be presented, to one who has been the stanchest friend of all veterans.

It is with the greatest of pleasure that I present to the Honorable CHARLES A. WOLVERTON, the Department of New Jersey Veterans of Foreign Wars gold medal of merit on behalf of our organization. [Applause.]

Congressman WOLVERTON, permit me to read the citation for this our highest award.

"The Veterans of Foreign Wars of the United States, Department of New Jersey, awards of the gold medal of merit, to CHARLES A. WOLVERTON, in recognition and most sincere appreciation of the more than half a century of faithful public service to the people of his city, county, State, and country, as a city solicitor, county prosecutor, member of the house of general assembly and its speaker, special assistant attorney general of New Jersey, and as an important and continuous Member of the Congress of the United States since 1926; and who during 55 years of public service has ever been a true friend and patron of the veteran, his dependents and orphans.

"Ordered by the council of administration at its session on May 4, and presented at its annual convention, in the city of Wildwood, this 28th day of June 1958.

"EDGAR R. SCHULER,
"*Commander.*

"Attested:

"BENJ. P. THOMAS,
"*Adjutant.*"

[Applause.]

Comrades of the Veterans of Foreign Wars of the Department of New Jersey, I give you your friend and mine, Congressman CHARLES A. WOLVERTON.

(The delegates arose, cheered, and applauded.)

Hon. CHARLES A. WOLVERTON. Commander Schuler, officers and members of the Veterans of Foreign Wars in State convention. I assure you that I have been overwhelmed in receiving this very high honor that you have seen fit to bestow upon me. So frequently in public life you do the thing that you think is right, and maybe at times you do the thing that is right, but it is not always that you have an expression of appreciation equal to that which you have bestowed upon me today in presenting this highest award of merit. I accept it in all humility.

I am conscious of the fact that during the 32 years that it has been my privilege to have served in the Congress that I have endeavored whenever and in whatever way the opportunity was presented, to be of service to our veterans and their dependents. I claim no credit for that. It was their due. And for me to have done otherwise would have been a delinquency upon my part that would have been inexcusable.

I know of no service that it has been my privilege to participate in during that long

term of office that has given me more pleasure, more genuine feling of compensation within than the feeling I have had when I realized that in my limited, humble way I was able to give something in return as an evidence of the appreciation that the Nation has to those who have rendered valiant service to it in the days that have past.

I think, if you will permit me to reminisce for a moment—after all, that seems to be the most natural thing for a person as they advance in years is to reminisce—particularly so on an occasion of this kind, when reference is made to the service that I have rendered, as has been so splendidly stated in this citation that was read by your State commander, my mind goes back to the first instance of any magnitude that I had an opportunity to show my appreciation, and what I believe should be the attitude of the Nation, toward its natural defenders at all times.

You will pardon me if I refer to the fact that back there in 1933, when the so-called Economy Act was passed, which proved to be so harmful to the veterans of our Nation, although I recognized the need of economy at that particular time, because we were in the depths of a great depression; yet, to me it seemed unfair, unjust, and unpatriotic that whatever reason there might be for economy in Government, that which would affect the veterans adversely should have been the last place in which to show it. [Applause.]

Today, as my mind goes back to that occasion, I do find pleasure in saying to you, with reference to my own personal conduct at that time, and without any criticism being directed to anyone who had a different viewpoint—but, as I look back upon it, and as I realize what happened afterward to rectify the wrong that was done when that act was passed, I confess to you that it is a pleasure for me to realize that I, at least, was the one Member of the House in the New Jersey delegation, regardless of politics, who voted against that so-called Economy Act. [Applause.]

When I cast that lone vote, and in the days immediately following it, I had the feeling, if I was to judge by the treatment that was accorded to me by some individuals, that I had committed a grievous sin. You might think I had leprosy. But, there is an old saying that they who laugh last laugh best, and the year following that vote by the Congress in passing that Economy Act things began to happen, and the Members of Congress, when they saw what was being done to our veterans in the name of economy couldn't wait until they got back to Washington to repeal what they had done. It was awfully pleasing to be in a position to say: I told you so.

Now, during the years that have intervened, there have been plenty of opportunities, and if anyone could rise up and say that in any instance where a veteran's right was at stake that my vote wasn't cast in favor of the veteran, then I would bow in humble and apologetic attitude to you today. [Applause.]

You will pardon me for mentioning this in a personal way, because while it gives me a great deal of pleasure personally, yet I want you to feel that in the giving of this unusual and outstanding citation, that has been so generous in its reference to me, that there was something back of it that did justify, although not that I could expect it, but that you might know that your officers were aware of the service I tried to render.

During those years that have intervened—and I am not going to speak long, for I realize you have an important session and, unfortunately, Congressmen have a tendency to talk too long. In Washington, we have a rule that under some circumstances a Member can only speak for 5 minutes. So you can see what we think of one another. And if you had such a rule here, and knew my tendency to speak longer than I should, probably you would have adopted the rule before I was invited to reply to this citation.

During those years, and I must take the time to tell you, it has been a pleasure and a privilege for me to have had an association with your national officers and with your State officers, as well as with your local officers in my own county of Camden, and the counties of Gloucester and Salem, which I also have the privilege of representing. I have found them, without exception, to be individuals who, in a heartfelt way, are interested in all that pertains to the welfare of veterans. I want to say to you that much of what Congress has done that has proved beneficial to veterans in one way or another, I give credit to the service organizations for the part that they have played in bringing that legislation to fruition. [Applause.]

To me it is inconceivable that any serviceman should withhold joining a service organization such as this. There are too many who were willing to travel on a "free train," as some might call it, without being willing to associate themselves with the organizations that are working day in and day out for their benefit, and who have accomplished so much for them.

When the Spanish-American War was past, we had the Spanish-American War veterans. I should have referred, first, to the Civil War, with the GAR. My grandfather fought in that war. I know something of the lack of proper treatment that was accorded to the veterans of that war. But, I have observed that through the years, with the work of the GAR, with the Spanish American War veterans, with the other World War I veterans, and yours, which has its membership limited to those who have fought in foreign war, the Korean veterans, the auxiliaries, and all the other veteran organizations, some based on a racial background, some on a religious background, but all of them working for the interest of the veteran—I have seen this Nation step along from the weak and inefficient service to its veterans in the Civil War up to the present time when we exceed—and I am not bragging about what our benefits are, except to say, exceeding that of any other nation in the world in its treatment of its veterans. And for this splendid accomplishment, I give credit to your organization, and to the other veteran organizations that are interested in promoting the welfare of the veterans and their dependents.

It has been my privilege to serve in the Congress with one of your former national commanders. I think he served three terms of office in that high position. I refer to JIMMY VAN ZANDT. There is a leader, whether he is in Congress or out of Congress, seeking to promote at all times all that would be helpful and beneficial to veterans and dependents.

My friends, it has been a pleasure to have served with these men that have represented you in the National Capital, your national officers, with your State officers and with your local officers. I have found that in every proposition that they have ever presented, it has been based upon deep, serious and considerate thought; and it is for that reason that Congress has had a desire and a willingness at all times to comply with the wishes that are made known on behalf of the veterans through their officers.

In conclusion may I say that I deeply appreciate what you have done. I expect to leave Congress at the end of this term by my desire not to run again. But, my interest in the welfare of veterans, their widows, children, and other dependents will never cease. If and when I can be of service to you, even though I may not be in official position, I am anxious to still be helpful. I am at all times yours to command.

I thank you.

(The audience arose and applauded.)

Commander SCHULER. I had a call this morning from our past commander in chief, and a very close friend of the honorable Congressman, and he said that he was putting a wire into this city. We have been in receipt of that telegram, and I would like to read it:

"EDGAR R. SCHULER,
"Commander, Department of New Jersey,
"Veterans of Foreign Wars,
"Wildwood High School:

"The department is to be congratulated for selecting my good friend and colleague, Congressman CHARLES WOLVERTON, for this year's gold medal of award. CHARLIE, as we know him, is a good friend of the veterans, and one who has established himself in the Halls of Congress as a pillar of that type of Americanism we veterans fought and stand for. As you know, he is retiring from Congress at the end of this session. Therefore, our country is losing the service of a great guy and a champion of all people. Extend to him my best wishes, and say hello to the gang for me.

"Congressman JAMES E. VAN ZANDT,
"Past National Commander in Chief."

[Applause.]

Annual Report to Constituents by Hon. Stuyvesant Wainwright, of New York

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EXTENSION OF REMARKS
OF

HON. STUYVESANT WAINWRIGHT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 20, 1958

Mr. WAINWRIGHT. Mr. Speaker, this is my sixth annual report. It is submitted 3 days before the session's close, as I must return home to prepare for the visit on Long Island of a distinguished friend, RICHARD NIXON. This will cause me to miss several votes; however, as my attendance has been in the highest bracket over the years, I can expect the only objection to come from partisan political sources seeking to embarrass me for election purposes.

At the end of each Congressional session I have made it a custom to submit to you, the citizen, an account of the year's activities. This is based on my fundamental philosophy that the citizen places a trust in his Representative. The Congressman must report to the people as to how he handled that trust.

In addition to this annual accounting, each week during the year I have written a column for your local newspaper. The Long Island radio stations allow me a special program every Sunday. Several hundred news items of special interest have been submitted. All this is designed to keep you, the Long Island citizen, the best informed in the country. You are just that. More newspapers are sold; more TV and radio is beamed our way; more mail is received by my office than in any other Congressional area. I hasten to add that this is due possibly to the tremendous population of New York's First District—nearly 800,000 people, making it the second in size in the country.

This had been a good session of Congress. Remember, I am a Republican saying this about Democrats, for they have controlled the Congress. The Democrats are the majority party. But this Congress has been essentially a teamwork proposition, as for instance the national defense education bill put through on the Democratic side by CARL ELLIOTT of Alabama and by myself as floor leader on the Republican side. The President requested a defense reorganization plan. Congress gave it to him. He requested an extension of the Reciprocal Trade Act. We gave it to him. He requested continued military and civil aid for our allies in our fight against communism. We gave it to him. He submitted the largest peacetime military budget in history. We granted his requests. Alaskan statehood was passed. Civil rights legislation was enacted. All these measures were proper and necessary and were supported by me as your Representative.

In one major respect, however, this Congress deserted the American people, and particularly the union man. I refer to labor legislation. I have praised the Democrats for their help in supporting the Eisenhower program. By the same token, Democrats must assume blame for failures. By pigeonholing amendments designed to help the union worker, by offering a weak labor reporting bill, by forcing parliamentary tricks to ram through the Kennedy-Ives bill without House debate or committee hearings, the Democratic leaders failed badly in this important respect. As this is an election year, they are afraid certain union bosses would turn on them as the party that passed a strong labor bill. What a pity that the American worker should be deprived of protection because of petty politics. So much for the national scene.

On Long Island we continue to grow. We added eight new post-office facilities. They are Amityville, Bay Shore, Brookhaven, Commack, Eastport, Jericho, and Oakdale. I am especially proud of the completion of the West Islip Post Office. This turned into a personal battle with the Post Office Department which was against giving West Islip a facility.

For several years our growth has been reflected in the large number of housing problems. Homeowners had been swindled by certain sharp builders who gave the whole industry a black eye. These cases have been greatly reduced, thanks to special cooperation from acting United States Attorney Neil Wickersham and the Long Island Builders Institute. Our locality was made the subject of a special article in August's Redbook magazine.

Another major issue which took the forefront was beach erosion. With the support of the United States Army district engineer for New York, a long-awaited plan has been presented in Washington. It came too late for the appropriation of funds in this fiscal year, but prospects look excellent for calendar 1959. Added to this are my plans for federalizing both Moriches and Shinnecock Inlets over the objection of Park Commissioner Moses. This proposal of mine was approved this month by the Army engineers. This will be the culmination of a program I started some years ago and named "the crusade to save Long Island".

In this regard, I should mention two other items of importance to our Long Island real estate. The first is my Fire Island National Park project. This is by no means dead or forgotten. In 1957 the economy bloc eliminated any chance of putting the necessary funds in the budget. Since then, the Interior Department has been avoiding a showdown on the issue. While this fiddling goes on, Fire Island burns. The two chances of success for the project lie through the raising of public funds or by convincing the Secretary of the Interior of the importance of this concept.

Many other Long Island matters have been processed. Take, for example, the destruction of the oyster industry in Long Island waters by the presence of starfish. Not only are the oystermen put out of work, but also a great industry dies. To correct this I presented emergency legislation to Congress. My only hope is that our action will have been in time. Another problem is the waste of a valuable airport, MacArthur, in the town of Islip. I have gone before the Civil Aeronautics Board in an effort to get this airfield put into regular commercial service. This is being blocked by the large, powerful airlines who erroneously claim that the field would be unprofitable. The potato industry, as usual, is faced with too large a supply and a reduced demand. Congressional efforts to obtain a national marketing agreement for voluntary crop reduction were not eminently successful. Obtaining agreement amongst farmers for crop reduction is not a simple task. Realistic potato growers are the first to admit this.

Amongst the many pieces of public legislation I introduced this year were H. R. 9935, to provide compensation for certain World War II losses; H. R. 11671, a military pay readjustment bill; H. R. 11873, to improve the recruitment and training of United States Foreign Service officers; H. R. 12552, a bill to facilitate cooperative research in education.

In the field of personal service, we have processed 138 servicemen's cases; 48 incidental military cases dealing with the National Guard, Army Engineers, and so forth; 54 veterans' cases; and 92 housing complaints; and assisted in numerous immigration and passport cases. What this means is that in addition to the normal legislative process, we handle each year between three and four hundred detailed, complicated personal problems affecting the lives of countless more hundreds of people.

Each year my annual report has always contained an economic comment which has in the past been highly accurate. During the boom of 1957's summer I predicted economic trouble ahead for the the winter and spring of 1958. People claimed this was soothsaying the impossible. Unfortunately, my prediction was correct. For the winter of 1958–59 and through next spring I conceive of economic stability for our Long Island area. I do not believe there will be boom expansion. Rather it should be described as normal growth both for industry and home construction. Unemployment will be less than normal due to expanded temporary military requirements in the airframe industry. This industry, as has been pointed out many times, will be greatly reduced in 6 to 10 years due to rocket warfare. We all hope our Long Island industrial leaders are meeting the challenge.

My service academy appointments achieved heights beyond all expectations. More boys qualified or were named alternates to the United States Air Academy than in other Congressional District. The Naval and Military Academy graduates made exceptional records. Our placements at the Merchant Marine Academy continued to be the highest. Possibly because of this, our area was honored by my being placed on the Board of Visitors at the Military Academy at West Point. I was surprised beyond words to be chosen to join this distinguished group of leaders, who serve as de facto trustees of the Academy.

Earlier this year at my own expense I sent out a questionnaire to a large number of people on my mailing list. In this way I was able to obtain your views—obtain public sentiment on the major issues of the day. I spent alternate Saturday afternoons at my Huntington and Wainscott offices. In this way, people were able to visit personally and discuss their problems. This was especially helpful to those who could not take time off during the working week or make the expensive trip to Washington.

Public service is a pleasurable experience. It has been made so by the tolerance, understanding, and mutual objectivity of the overwhelming number of constituents. Thank you.

Congressman William S. Broomfield Reports to the People of the 18th District of Michigan

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EXTENSION OF REMARKS
OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 20, 1958

Mr. BROOMFIELD. Mr. Speaker, so that my constituents and friends in the 18th District of Michigan will have an idea of how I represent them, I am pleased to present this report outlining my record during the Eighty-fifth Congress which has just concluded.

During the past 2 years, I have served as a member of the House Committee on Public Works, which is concerned with all proposed legislation dealing with Federal civil construction projects in our Nation and in our possessions abroad. In this committee, I am also a member of Subcommittees on Buildings and Grounds and Rivers and Harbors.

I maintain two offices to serve my constituents—one here in Washington and the other at 2300 North Woodward Avenue, Royal Oak, Mich. Another office will be established soon when I make my annual tour of Oakland County communities in my mobile Congressional office.

BILLS SPONSORED

During the past 2 years, I have sponsored a number of bills, a great many of which—I am happy to say—were enacted into law with only minor variations. Among those passed by both Houses were measures to:

Carry out Hoover Commission recommendations to place our Federal budget on an annual accrued basis. This measure is expected to save our Federal Government billions of dollars.

Provide a "pork free" rivers and harbors bill which saved taxpayers more than $300 million through the elimination and modification of useless and unauthorized Federal projects which had not been found engineeringly sound or fiscally productive by the Corps of Engineers or the Bureau of the Budget.

Tighten Federal laws to stop mailing of obscene and crime-inciting material.

Provide funds for the completion of the St. Lawrence Seaway, which will create thousands of new jobs and many new businesses in Michigan.

Permit teachers to deduct higher education expenses for tax purposes. (This change was approved by Executive decree after legislation was introduced.)

Permit the donation of Federal surplus equipment to volunteer fire departments to increase the ability of smaller communities to cope with major fires.

Require humane slaughter of livestock.

Provide Federal postal and civil pay raises to permit Government employees to cope with the higher cost of living. These raises were long overdue.

HIGHWAY FUNDS

Free $2.2 billion additional funds for State highway construction programs to help complete our new Federal Interstate Highway network in the earliest possible time.

Prohibit the manufacture and sale of switchblade knives involved in interstate commerce as an aid in combating our Nation's growing crime and juvenile delinquency problems.

During the past 2 years, Oakland County (which comprises the 18th District) has grown tremendously. I am proud to have had the opportunity of helping communities in my District in obtaining Federal help to aid them in coping with the problems of growth.

Some of these Federal projects in which Oakland County obtained help were:

NEW POST OFFICES

The largest post office expansion program in Oakland County history, with 18 new post offices and additions either completed, under construction, or due for construction in the very near future. These new post offices and additions are in: Birmingham, Clawson, Farmington, Hazel Park, Highland, Keego Harbor, Lake Orion, Lathrup Village, Madison Heights, Pontiac, Oxford, Rochester, Southfield, Troy, Union Lake, Walled Lake, Waterford and Wixom.

New facilities totaling $460,000 for the Pontiac Airport to increase air safety and to expand its operations.

Urban renewal funds for two communities. Pontiac will receive $1,775,000 to rehabilitate areas near its downtown district, while Royal Oak Township will be rebuilt in its entirety under the urban renewal program. This is the first community in the United States which will undergo such complete redevelopment.

Low-cost housing for Royal Oak Township residents, with 140 units already approved for 100 percent financing by the Federal Housing Administration.

FLOOD STUDY

Federal flood study of Oakland County and the rest of the Detroit area to help in planing future drainage networks. This survey will also clear away many intercounty legal problems concerning drainage networks. It will also meet the objections of Macomb County residents to the construction of the 12-town drain designed to alleviate basement flooding in the South Oakland area, as well as drainage projects in the Pontiac and Avon areas which will drain into Lake St. Clair.

A new reserve training center for Pontiac, which cost an estimated $320,000.

Arranged Library of Congress surplus book donations to Oakland County libraries for those communities which chose such service.

Helped obtain planning funds for a number of Oakland County communities.

Aided Ferndale in its problem with a former antiaircraft site which residents intend to use as a city park.

In addition, a vast number of personal and business problems dealing with agencies of the Federal Government were settled.

DEEDS HISTORY

Now that the 85th Congress has finished and its deeds have become history, I think it is well for all of us to take a sharp look at its accomplishments and its failures.

The actions which have just been completed by Congress will have a bearing upon the way we live our lives, work at our jobs, conduct our businesses, and educate our children.

Federal action has its effects upon our State governments, our cities and villages, our counties, and even upon our local school districts.

The readiness of our Nation to resist outside aggression, the ability of the United States to conduct our relations with our neighbors across the seas and the extent of our efforts to contain and win the battle against international communism in our cold war with the Red world are all reflected in the actions of the 85th Congress.

OUTSTANDING

There were a number of positive accomplishments, and some of them were particularly outstanding. I would like to mention a few here.

One of the most important was a Defense Department reorganization plan which will assure our Nation's Armed Forces of maximum readiness if the threat of attack occurs. This new law, requested by President Eisenhower, provides the Defense Department with the tools it needs to eliminate complicated chains of command and duplication of effort. It permits our Armed Forces to react quickly and in force to meet any threat to our Nation's security. In these days of hydrogen bombs and ballistic missiles, it permits maximum use of new weapons and concepts of warfare.

Extension of reciprocal trade agreements will pay handsome dividends to all of us in our Nation, particularly to those of us in Michigan. The St. Lawrence Seaway will be completed next spring and open for full-scale business. When this occurs, our own home State will have the opportunity to expand its industrial and business base to a great degree. Raw materials for our plants will be cheaper because of water transportation. Our finished products will cost less abroad because of lower transit costs. The seaway will herald the end of putting all of Michigan's economic eggs in the automobile basket. It will mean a diversification of industry which will help check our State's unemployment problems.

NEW STATE

Creation of a 49th State—Alaska—finally was approved by Congress. This virtually untouched area of vast potential natural wealth will now grow at a tremendous rate. Alaska is chockfull of the raw materials which our industrial States need to run their businesses. All that has been lacking in the past has been the money to develop these resources. Now that statehood is assured, investment capital will undoubtedly see that these vast resources are made use of in the best interests of our Nation.

Space exploration will be advanced by a bill which provides for the coordination of outer space research under a single Government agency and places control of this exploration largely in civilian hands. Also, space agencies have been formed in both the House and Senate to assure adequate funds and laws to carry out our programs with speed and the least amount of waste possible.

Social security benefits will be increased by 7 percent. This financially sound program is one of the best which has ever been passed by Congress. It will help those who have been hit hardest by steadily increasing living costs.

Gains already accomplished toward creating a free, prosperous agricultural community will be further increased by Congressional action taken a short time ago. Secretary of Agriculture Benson's plans on this subject have proved to be correct, and our Nation is on the road toward less subsidies and more income for farmers with plans to reduce our vast surpluses of food goods.

A Federal airport act will mean more funds for airport construction and greater safety in air travel in the years to come. In preparation for the jet transport age, Congress took numerous steps to meet the challenge in the field of aviation.

MORE JOBLESS PAY

Increased unemployment compensation benefits were provided to aid those who were out of work through no fault of their own. These additional funds certainly helped many families, particularly in Michigan where the business recession started.

Tax and credit relief for small businesses was approved by Congress, while the Small Business Administration was turned into a permanent Federal agency. These steps will end some of the unjust tax discrimination against small businesses which has been prevalent in the past and permit these businesses to borrow funds at reasonable rates to permit them to expand and purchase new equipment.

SOME FAILURES

Despite the long list of accomplishments, there were some failures during the last session of Congress. The most notable of these was the failure to pass an effective law to end corruption and misuse of power by certain officials in some of our Nation's strongest labor unions.

Unfortunately, the Kennedy-Ives bill could not have done a complete job in cleaning up these abuses if it had been passed by Congress. I voted for the measure even though it did not offer enough protection for union members from some of their officials. To me, half a loaf was better than none at all.

Congress never had a real opportunity to consider an adequate labor law during the past 2 years, despite the payoffs, brutality, and physical violence which were brought to light in Senate hearings. The House Education and Labor Committee had no opportunity to hold hearings on the Kennedy-Ives bill. The matter was brought before the House at the tail end of the session under suspension of the rules, which limited debate on this important measure to 40 minutes, banned all amendments, and required a two-thirds vote for passage.

Still too much power is concentrated in our Federal Government, despite the recommendations of President Eisenhower and his advisory committee on this subject. Concentration of these programs in Washington can only mean waste, duplication of effort and, in some instances, programs which are not in the best interests of the citizens they are designed to serve.

Programs designed too far away from their source can only lead to misunderstanding of the problems involved, and to the creation of a top-heavy bureaucracy. Congress must take further steps in this direction.

SELECT VETO

No select veto power for the President to eliminate useless projects in catch-all omnibus bills has as yet been enacted into law. I have sponsored a proposed constitutional change to give the President this power, and I am certain that its enactment into law would mean tremendous savings to the American taxpayer. Too often, useless projects are stuck in the middle of otherwise valuable Federal plans where they cannot be extracted without vetoing the entire measure. The President should have the power to eliminate the wheat from the chaff.

No extension of lease-purchase provisions for new Federal construction was passed by Congress this session. This measure which I sponsored would continue the system which was successful in building a great many new post offices, Federal court houses and other structures with the least amount of drain on local and Federal pocketbooks. Instead, the majority in Congress has returned to the spoils system of direct appropriation for Federal construction. This antiquated method will increase our already tremendous national debt and will give no tax relief to local communities.

No central scientific clearinghouse for classifying new discoveries and making the information available to those who can use it has as yet been acted upon by Congress. I proposed the creation of a National Academy of Science which would serve as an information center and also a training ground for our most talented youth. So far, this matter has not been acted upon by a committee of either the House or the Senate.

DISEASE RESEARCH

Inadequate fund provisions for research into some of our most serious diseases and afflictions must be corrected in the future. The same kind of concentration of energy, talent, and facilities should be made available for medical research as are provided for some of our other Federal programs. The savings in life, manpower, and talent would be tremendous and of untold value to our Nation.

The failings of Congress during the past session can be corrected in the future. It is my hope that such will be the case, and I will definitely continue to strive toward that goal. The accomplishments of the past Congress are many, and in the vast majority of cases, they were in the best interests of our Nation and its people.

Some have called the 85th Congress the best in years, and I am inclined to agree with these people. Our President was able to win approval for almost all of his programs, with the single notable exception of adequate labor legislation. At times, it took presidential vetoes to put Congress back on the right track. At other times, it took the warm light of public opinion on issues to bring the majority of Members into line. But the end results were good, and were a credit to our Nation and its people.

In conclusion, I hope that the people of the 18th District feel that I have done my duties well here in Congress. It has always been my aim to be responsive to the wishes of my constituents, to understand their problems and to propose solutions which are equitable and in the best interests of the Nation.

searching on the part of each of us to determine individually and collectively the degree to which we have met our responsibilities. The House of Representatives is the truly democratic branch of our Government and it is to us that the people properly look for action on their most urgent problems. We are the only body of public servants who must go before our people every 2 years and account for our stewardship of the Federal Government. Some Members of Congress think that is too often and I am frank to agree that those 2 years roll by awfully fast, but I am personally willing to face up to the ordeal of the reelection campaign if in so doing we can properly lay before the voting public the record of both accomplishments and failures.

As our distinguished Speaker has said, this has been one of the hardest working and most productive sessions of Congress in history. In my opinion, the Congress this year was too productive when it comes to spending legislation. In the 1957 session, for example, we appropriated a total of $68 billion. This year, Congress approved more than $80 billion at the same time we raised the national debt ceiling another $13 billion. I have been shocked deeply by this session of Congress spending taxpayers' money with such abandon, knowing that our Nation—our people—would be plunged another $13 billion in debt. I have not had the opportunity to calculate the total, but I know the record will show that the vote of H. CARL ANDERSEN of Minnesota was cast against appropriations items the sum of which would have closely approximated the deficit now before us. These were all nondefense items. I will not economize at the expense of an adequate national defense.

My people are heavily burdened, Mr. Speaker. They are called upon to bear their share of the tremendous taxes required to service our national debt and meet expenditures, and yet because we are in a rural area we have not had our fair share of the expanding national income. The knife has cut both ways, and I want to take a few minutes before we adjourn to discuss briefly the impact of this Congress upon the loyal, hard-working citizens of the Seventh District of Minnesota. They sent me here to fight for their interests, and that is what I have done to the best of my ability in the last 20 years.

EIGHTY-FIFTH CONGRESS BAD FOR MIDWEST

The other day, when the last farm bill was before us, I said that this had been the worst Congress in my 20 years from the standpoint of Midwest agriculture and our rural economy. That statement bears repeating, because most of us will be back next year as Members of the 86th Congress, and the least we can do is to profit by the mistakes of the 85th Congress in the adoption of corrective, forward-looking laws for American agriculture and our rural economy.

Farm legislation has been made a political football for many years, but I deeply regret to say that the last 2 years have seen sectionalism enter the picture, and that has been worse than any previous partisan differences.

The Facts About the New Farm Bill

EXTENSION OF REMARKS
OF
HON. H. CARL ANDERSEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 20, 1958

Mr. H. CARL ANDERSEN. Mr. Speaker, as this 2d session of the 85th Congress draws to a close, it is time for soul-

Let us take a quick look at the record. In the first session, the Midwest looked to Congress for two major actions. We asked for a realistic acreage allotment for corn to preserve that program—and we asked for funds for the acreage reserve.

I personally introduced a bill to provide 90-percent-of-parity price supports for family-size farms. It was my purpose to do the necessary job of protecting the economies of family farmers and the main-street merchants of our rural towns and villages, and also to do something about the costly, surplus-producing price-support program for the big, corporation type farm operations. The 90-percent price support under my bill would have applied, for example, to only the first 4,000 bushels of corn per farm. I went before the Committee on Agriculture to plead for action, but nothing was done. Everyone said it was a sound proposal, but they had other fish to fry.

March 13, 1957, was the first of many disappointing days in Congress for Midwest farmers. It will be recalled that our corn legislation to provide a 51-million-acre corn allotment was killed by a 217-to-188 vote, with most of the southerners voting against the measure. I tried desperately to effect a compromise with our friends from the South, and was grateful for the remarks of the gentleman from Mississippi [Mr. ABERNETHY], CONGRESSIONAL RECORD, volume 103, part 3, page 3584, when he said:

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I certainly will. I think the gentleman has made a great contribution, probably the greatest that has been made up to now, in an effort to get this thing on the road.

We had another glimmer of hope when the junior Senator from Minnesota, Mr. HUMPHREY, brought out his corn bill. The defeat was even worse on that side as the Senate killed the Humphrey corn bill by a vote of 45 nays to 35 yeas. Only 15 of the 49 Democratic Senators voted for the Humphrey bill, and the Democratic chairman of the Senate Committee on Agriculture openly fought it.

On the corn legislation we saw for the first time the deadly effects of a combination of our colleagues from the South and those from the industrial labor districts who joined forces to kill our measures.

Our next test came on May 15, 1957, when the coalition of southerners and big-city Congressmen again joined forces to eliminate the funds for the 1958 acreage reserve. The Harrison—Virginia—amendment to kill the acreage reserve was approved by a 192-to-187 vote, with 11 Southern States casting 75 votes to kill the appropriation and only 25 to save it. Again we were staggered by the combined vote of the South and the industrial East.

I carried the fight to the Senate Committee on Appropriations, and the funds were restored. As a matter of fact, funds were so urgently needed that it became necessary early in 1958 to bring out of my committee an additional authorization. However, the fact remains that if the House had had its way on May 15, 1957, there would have been no funds whatsoever for the acreage reserve in 1958.

Our plea for these funds found some support among my good friends in the South, as shown by the gentleman from Florida [Mr. MATTHEWS], CONGRESSIONAL RECORD, volume 103, part 5, page 6882:

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Chairman, I would like to thank the distinguished gentleman for the splendid statement he has made. I have not been a Member of Congress for so many years, but I want to say to the distinguished gentleman that I have always found him to be a very wise man in in his understanding of the problems of agriculture. I would like to join my colleagues on both sides of the aisle in saying to him, "Thank you for this very excellent statement."

With a few minor exceptions, the 1st session of the 85th Congress was totally nonproductive as far as Midwest agriculture was concerned.

When the second session convened in January 1958 those of us vitally concerned with the economic problems of the Midwest knew that we had a fight on our hands. I was strengthened in my determination to get something done by the many words of encouragement I received at that time. Mr. M. W. Thatcher, general manager of the Farmers Union Grain Terminal Association and a real fighter for farm legislation, wrote me on January 8, 1958:

Agriculture has great friends in each of the two major parties, but the history will show we had our worst bumps during the three Republican administrations, namely, Harding, Hoover, and Eisenhower; and we had our best periods under Wilson, Roosevelt, and Truman. I am not interested in the political parties, but I am interested in friends like you who really make a hard fight for our friends on the farm and who do it with some political risk.

It is unfortunately true that the fluctuations in our rural economy have coincided with these different political administrations, but we must recognize that the good years of agriculture were also war years under the administrations of Wilson, Roosevelt, and Truman. What I am here in Congress fighting for is a program of parity for agriculture in peacetime—not just in the years of war. I do not want to depend on wartime prosperity for agriculture.

In the early weeks of this session I took the floor several times to call attention to the urgent needs of Midwest agriculture. On February 27, 1958, we were engaged in one of those discussions when the following exchange took place—pages 3063–3064:

Mr. H. CARL ANDERSEN. Naturally, if we take the net total income of the farmers of the United States, which has been falling, and relate that to the number of farm families which is also falling, certainly the per capita net income does not show a true picture.

The fact remains, as the gentleman from South Dakota has well stated, that the net farm income of agriculture has dropped—that is simply a matter of statistics—continuously from 1951 to this date. I think it is up to the Congress of the United States to try to do something about it, seeing as how we do not have the sort of Secretary of Agriculture who has the ability or the desire to do so. That is my personal opinion. I commend the gentleman for trying to bring out here today these facts, and I hope we will have a factual presentation of the case and keep away from partisan politics.

Mr. MCGOVERN. May I also commend the gentleman from Minnesota. A few minutes ago the point was made here on the floor of the House that it takes considerable courage to defend the Secretary of Agriculture. I for one admire the courage of the gentleman from Minnesota in speaking out on the House floor yesterday and stating his criticism of the Secretary of Agriculture, in spite of the fact that he had to do that in the face of the President's defense yesterday of Secretary Benson. I think that takes considerable courage and it bespeaks the fact that the gentleman from Minnesota has always been more interested in the family farmer and his well-being than he has been in partisan politics or partisan gain.

The president of the National Farmers Union also took notice of our early efforts to pave the way for farm legislation, and wrote me as follows:

MARCH 26, 1958.

DEAR CARL: Our board meetings and biennial convention prevented me from thanking you sooner for sending me a copy of the CONGRESSIONAL RECORD containing your excellent speech about Secretary Benson. It was both a well-organized indictment of his administration and a powerful statement of what farmers really need these days. I will find it very useful in my work during the coming months.

I hope to see you in Washington in the near future. Meanwhile, please keep up the good work.

Kindest personal regards.

Sincerely,

JAMES G. PATTON.

I received many such letters of encouragement from my friends in the Farm Bureau, the Farmers Union, the Grange, as well as businessmen who had felt the pinch of a low farm economy.

In all fairness, I must say that the Committee on Agriculture worked hard on farm legislation. They considered literally hundreds of bills and I personally went before the Committee to plead for action on dairy legislation, the wool program, the need to strengthen ASC committees, and others. But the Committee on Agriculture was very late in bringing out a farm bill.

June 26, 1958, will go down in history as one of the darkest days of all for American agriculture and our rural economy. On that day the House of Representatives, for the first time in modern history, refused to even consider a major farm bill and voted 214 nays to 171 yeas against the rule to take up the omnibus farm bill.

I implored the House that day to at least give agriculture its day in court, but the greatest disappointment was the fact that not one leadership spokesman—Democrat or Republican—said one word in behalf of the proposal to debate the omnibus farm bill. Rural America suffered a staggering defeat at the hands of a cruel combination of city Republicans and labor-elected Democrats.

LABOR CUTS THE THROAT OF AGRICULTURE

In order that this record may be complete, Mr. Speaker, I would like to quote from a recent speech made on the floor

of the House by one of the greatest men in Congress—Democrat or Republican—the gentleman from Missouri [Mr. CANNON]. Mr. CANNON has served in the Congress for 36 years, has been the parliamentarian at several Democratic national conventions, and if there ever was a man who personified the Democratic Party that man is CLARENCE CANNON, of Missouri. In his speech of July 22, 1958, here on the floor of the House, he stated the case more accurately and more effectively than any other has done. He said:

Mr. CANNON. When I first came to the House, there was not a labor union in the district from which I came. It was an agricultural district, and not a community was to be influenced by a vote for labor in the House. But it seemed to me that agriculture and labor had a common cause. Both were preyed upon by the same predatory interests, and obviously they should work together. For that reason I have consistently supported labor legislation, beginning with the first Wagner bill, and have never cast a vote that was not friendly to labor in the years in which labor was slowly building support in the House and in the country.

But the favor has not always been returned. And while labor has forged ahead, agriculture has lagged behind, and on a roll-call vote last week the labor vote in the House refused even to consider a farm bill.

Commentators in the newspapers referred to it as a smashing victory for Secretary Benson, but, of course, Secretary Benson had nothing whatever to do with it. A farm reporting agency briefly and accurately sums up the situation as follows:

"The balance of power that decided the outcome was the group of 50 city Democrats who voted against the bill. They voted their resentment against southerners who had opposed labor-law liberalization and racial integration."

There, Mr. Speaker, you have from the mouth of a great Democrat who has served in Congress for 36 years with honor and distinction the indictment of labor for the defeat of the omnibus farm bill.

Look at that vote on page 12372 of the CONGRESSIONAL RECORD. You will see the vote of labor-sponsored Congressmen from the big industrial areas against even considering the omnibus farm bill. As the gentleman from Missouri [Mr. CANNON] has said, labor cut the throat of agriculture, and farm people should never forget it.

There are still some demagogs who would try to convince farm people that they have something in common with the big labor unions. All any farmer has to do is look at the investigations of the Senate Committee on Labor Racketeering, and he can see that he has nothing in common with the gangsters, the ex-convicts, and the crooks who have captured far too many of our labor unions. Any farmer who follows the Senate hearings can see how those racketeers have robbed their unions, how they have bought and sold political officeholders, and how they have abused not only the employers with whom they have dealt, but their own members as well.

The tragedy of it all, Mr. Speaker, is that the rank and file of labor would not for a minute seek to exploit the farm people. The honest, hardworking union members who have lost control of their unions doubtless sympathize with us but their leaders, who are now being investigated by the McClellan committee in the Senate, have chosen to destroy our farm economy simply because they cannot dictate to us farm Congressmen.

In my own district, Mr. Speaker, the man who seeks my seat in Congress this fall is supported strongly by organized labor. My labor opponent for Congress has earned their favor by following the lead of a few labor leaders while he was in the State legislature, even though this required that he go against the best interests of the people he represented. The labor candidate for Congress in the Seventh District led the fight for daylight saving time in the State legislature, which farmers despise, and he joined in the effort to reapportion our State legislature in a manner which would strip the country areas of some of their present representation and give those seats to big cities.

It is common knowledge that labor leaders from outside my State are doing their best in an effort to knock me out of Congress and to elect in my place a man who will, generally speaking, do their bidding. I look forward to the contest in the Seventh District this fall, because I know my people and I have every confidence that they will keep a man in Congress who independently represents them. I do not believe that political slush funds from labor organizations can elect a labor candidate in the rural district I have had the privilege of representing for the past 20 years. My people know from the record of the 85th Congress that labor has turned against agriculture, and that it would be suicide for our Seventh District to elect to Congress a labor-sponsored candidate.

We have good, clean unions in my District—the railway unions, the postal employee unions, the building trades, and so forth. They have not been infiltrated by the gangster elements now before the McClellan committee, and God grant they never will. We are an independent people in southwestern Minnesota. We will decide our own destinies and we deeply resent these outside influences coming into our area to try to force upon us any of their political choices.

THE FACTS ABOUT THE NEW FARM BILL

The farm bill finally approved in the closing days of Congress will, in my judgment, be ruinous to Midwest agriculture. I can hardly conceive of a measure which would more deliberately sow the seeds for the destruction of our feed and livestock economies.

On August 4, 1958, the House was asked to suspend the rules and pass this nefarious farm bill. The Democratic leadership sought to force the bill upon us with only 40 minutes of debate and no opportunity for amendments. The gentleman from Missouri [Mr. CANNON] described it:

It is not a farm bill; it is the humbuggiest humbug that was ever humbugged. If it passes, 20 years of successful farm legislation will be lost.

Again, the power of organized labor was brought to bear against American agriculture. This time, it was argued that consumers must be helped. Can you imagine anything so ridiculous as a farm bill to help consumers? But that was what it was, and I quote the words of the gentleman from New York [Mr. ANFUSO] who is a Democrat on the Committee on Agriculture. Speaking in behalf of the measure—page 16053 of the RECORD—he said:

Mr. ANFUSO. This bill was voted 28 to nothing. I believe it will help the consumer because it will reduce the price of cotton, corn, and rice, and we should be able to get cheaper shirts and cheaper cotton fabrics. Also cheaper beef and cheaper pork chops and cheaper hamburger.

Think of that, Mr. Speaker. A member of the great Committee on Agriculture, a big-city Democrat, calling upon Congress to approve a farm bill which he proudly proclaims will cheapen everything the farmer produces. Does not anyone from the big-city districts realize that farmers and rural businessmen are already at the bottom of the economic ladder—or do they not care? What a tragic injustice to force my farmers to pay for high-priced labor when they buy farm machinery and then tell those farmers that they must take a reduction in farm commodity prices so this same high-price labor can have cheaper pork chops.

The following exchange is quoted from page 16054 of the RECORD:

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Minnesota who has contributed so much to farm legislation during his entire service in the House.

Mr. H. CARL ANDERSEN. The gentleman from New York [Mr. ANFUSO] made a very correct statement when he said that the effect of this bill would be to provide cheaper corn and cheaper beef and meat for the consumers.

Mr. CANNON. Of course.

That same day, Mr. Speaker, the chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY], said:

Mr. COOLEY. If I were to write a bill, I would write one in keeping with the views of the gentleman from Minnesota [Mr. H. CARL ANDERSEN], who is opposing the bill because it does too little for the farmer.

In other words, Mr. Speaker, even the chairman of the committee which brought that nefarious bill before us readily admitted that I was right and that common sense and good judgment called for a bill along my line of reasoning. No bill will ever bear my stamp of approval which does not do something worthwhile for agriculture—and I will fight to the end any such proposal as this which will further depress our rural economy.

They failed to get the necessary two-thirds majority to suspend the rules and pass that bill, but another attempt was made on August 14 and that succeeded. The gentleman from New York [Mr. ANFUSO] paid me a nice compliment but he still joined in the fight to force down our rural economy. He said—page 17634.

Mr. ANFUSO. Mr. Speaker, first of all, I should like to take this opportunity to congratulate my good friend, the gentleman from Minnesota [Mr. H. CARL ANDERSEN],

for the wonderful manner in which he represents his constituents. I know he is interested in getting the most for them.

Such words of praise from a city Democrat are welcome, but I would trade them 10 times over for a vote for Midwest agriculture.

The bitter truth, Mr. Speaker, is that the 85th Congress has forced through a farm bill which will not only sow the seeds for the destruction of Midwest agriculture but which will also bear no fruit for consumers. Feed grain and livestock prices will go down, purchasing power will be lost in rural America, and the middlemen will take the difference. In the long run the consumers will not get cheaper food and clothing—they will just lose a rural market for the things they manufacture.

A JOB FOR THE NEXT CONGRESS

I have taken the time of the House, Mr. Speaker, to document this sad history of farm legislation in the 85th Congress which is about to adjourn. I know that the hour is late and there is no hope left this year.

Next January a new Congress will meet. There will be ample opportunity to appraise the damage done by the 85th. If my people return me to Congress, I will continue my fight for a fair deal for agriculture and our rural economy.

The work of Congress carries forward from one session to the next. There will be many issues to decide, and I have every confidence that the next Congress will recognize the mistakes that have been made and do something about them.

RECORD NOT ALL BAD

The record is not all bad. Many good and constructive programs are under way, and much work we have undertaken is yet to be completed.

I am proud to say that in my Subcommittee on Agriculture Appropriations we stopped dead the proposal to increase interest rates for REA. The Congress itself probably did not know that the budget laid before us for the United States Department of Agriculture this year provided for a radical change in the REA loan program which would require the cooperatives to go into the private money market for their loans. This was completely unacceptable to me personally and I insisted that the whole story be written into the record of our hearings.

Many people in the REA program wrote me expressing their appreciation for the fight I made to protect their loan program. I was especially pleased with this letter from Clyde T. Ellis, general manager of the National Rural Electric Cooperative Association, who has so ably helped us defend REA:

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION,
Washington, D. C. April 8, 1958.

Hon. H. CARL ANDERSEN,
House of Representatives,
Washington, D. C.

DEAR CARL: I did, indeed, read the record of the House appropriations hearings relative to REA and we all think that you did an excellent job in bringing out pertinent information about the proposed legislation. Such exposure of the fraud and deception that is involved in the proposed bill will go a long way to stopping it in its tracks, I believe.

I am sure that rural electric consumers all over the country will be grateful to you for your help in this instance as in others.

Very best personal regards.

Sincerely,

CLYDE T. ELLIS,
General Manager.

We not only stopped, for this year at least, the attempt to hamstring our REA and RTA programs, but we also strengthened some of the other important farm programs. We made additional funds available for soil conservation, extension, experiment stations, research, and others.

We expanded research on utilization of agricultural surpluses, and for the first time we provided $5 million in foreign currencies generated by the Public Law 480 program to finance utilization research in foreign countries.

For the first time we also wrote into the appropriations bill language setting aside $35 million of section 32 money for the purchase of surplus commodities for the school lunch. These funds are already in use to buy turkeys out in my area which will not only help stabilize the turkey market but will also make these turkeys available for school lunch.

The Congress adopted my amendment to restore next year the ACP practices knocked out of the program for 1958, and we strengthened by law the authority of the farmer-elected county committees. Under my amendment the popular A–3—alfalfa—practice will be restored next year, for example, and only the county ASC committee can change it. In my judgment, our ASC committees are indispensable and must be kept strong.

We also have some very important watershed projects under way in my District, and it will be my responsibility to obtain the funds next year to carry that work forward. Other watersheds are in the discussion or planning stages, and we will need money for those if they are to be developed.

We are nearing completion of the transmission line bringing cheap power into my District from the Missouri River, and I expect to obtain the funds next year to complete that job. This low-cost power is already pouring into my District with more to come. In addition to the REA cooperatives, municipal systems of Alexandria, Benson, Granite Falls, Luverne, Madison, Marshall, Olivia, Ortonville, Redwood Falls, and Tyler have firm power allotments. It is conservatively estimated that this new power will, in my Seventh District alone, save consumers at least a million dollars a year on their electric bills.

We have started construction of a big soil and water research laboratory at Morris, Minn., and we must include funds in the agriculture appropriations next year to complete that project and provide for its operation.

We have several Army engineers flood-control projects in the planning stage, and my Subcommittee on Public Works Appropriations will be asked to provide those funds.

We must act on the proposed legislation to restore the authority of the REA Administrator over the REA and RTA programs, and we must be prepared to fight once again the efforts to cripple that vital farm program.

We have started in a number of areas in my District a dynamic and progressive program of industrial development, and that work must go forward if we are to provide good jobs for our people and expand our economy.

These are but a few of the projects and programs we have under way which will call for further action in the next Congress. They are important to my people and to southwestern Minnesota.

But the most important job we will have before us next January, Mr. Speaker, will be the enactment of a good farm bill to sustain the economy of American agriculture. We are all Americans and I firmly believe that the justice of our case will ultimately receive fair treatment at the hands of Congress.

UNITED STATES OF AMERICA

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PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, SECOND SESSION

SENATE

THURSDAY, AUGUST 21, 1958

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou Compassionate Father of us all, without whom life has no destiny but dust.

Strengthen, we pray, with Thy wisdom and might those who here speak for the Nation, that the strain of these fateful days may not break their spirits, and that no denials of human freedom now loose in the world may intimidate their souls.

When the problems which confront these servants of Thine, and of the Republic under Thee, seem insoluble; when the very principles for which brave men have died are basely betrayed, and fair dreams seem to sink into the sands of futility; still may they labor on, serene and confident, knowing while the weeping of hopes deferred may endure for a night, the joy of Thy sure victory cometh in the morning.

In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 20, 1958, was dispensed with.

LIMITATION ON DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the morning hour statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORT ON TORT CLAIMS PAID BY CANAL ZONE GOVERNMENT

The VICE PRESIDENT laid before the Senate a letter from the Governor, Canal Zone Government, Balboa Heights, C. Z., transmitting, pursuant to law, a report on tort claims paid by that Government for the period July 1, 1957, to June 30, 1958, which, with the accompanying report, was referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

The memorial of Nigel Keep, of Berkeley, Calif., remonstrating against the enactment of legislation to give retirement and other benefits to former Presidents of the United States; ordered to lie on the table.

Petitions signed by W. R. Wheeler, and Carl C. Pierce, Jr., both of Bakersfield, Calif., relating to the enactment of the bill (S. 3992) to amend the organic act at Guam, and for other purposes; ordered to lie on the table.

The petition of Louise Dreiner, of La Porte, Ind., relating to the amendment of the Senator from Indiana [Mr. JENNER] to the bill regarding Federal aid to education; to the Committee on Labor and Public Welfare.

A telegram in the nature of a petition from the Veterans of Foreign Wars of the United States, in convention assembled at New York City, signed by Richard L. Roudebush, commander in chief, praying for the enactment of the so-called Douglas-Payne bill, relating to the provision of aid to depressed communities; ordered to lie on the table.

PROHIBITION OF ALCOHOLIC BEVERAGE ADVERTISING IN INTERSTATE COMMERCE—PETITIONS

Mr. WILLIAMS. Mr. President, I present, for appropriate reference, several petitions signed by sundry citizens of the State of Delaware, praying for the enactment of the so-called Langer bill (S. 582) to prohibit alcoholic beverage advertising in interstate commerce. I ask unanimous consent that one of the petitions be printed in the RECORD.

There being no objection, the petitions were referred to the Committee on Interstate and Foreign Commerce, and one petition was ordered to be printed in the RECORD, without the signatures attached, as follows:

We, the undersigned, desire to have passed the Langer bill (S. 582) which would restrict the advertising of intoxicating beverages.

(Signed by Emma B. McLean, and sundry other persons.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes (Rept. No. 2491).

ADDITIONAL FUNDS FOR COMMITTEE ON ARMED SERVICES

Mr. STENNIS submitted the following resolution (S. Res. 386), which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Armed Services, or the Military Construction Subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to military construction.

SEC. 2. For the purpose of this resolution the committee, from September 1, 1958, to January 31, 1959, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis such personnel as may be necessary; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $12,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Subsequently, Mr. HENNINGS, from the Committee on Rules and Administration, reported favorably, without amendment, the resolution (S. Res. 386) to provide additional funds for the Committee on Armed Services, and submitted a report (No. 2490) thereon; which resolution was placed on the calendar.

AMENDMENT OF RULE RELATING TO CLOTURE—INDIVIDUAL VIEWS

Mr. CASE of New Jersey, from the Committee on Rules and Administration, submitted individual views on the resolution (S. Res. 17) to amend section 2 of rule XXII of the Standing Rules of the Senate, which were ordered to be printed as part 2 of Senate Report 1509.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary:

Leon P. Miller, of West Virginia, to be attorney of the United States for the Virgin Islands.

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Thirty-four postmaster nominations.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 4320. A bill for the relief of Robert Laderlich; to the Committee on the Judiciary.

RENDITION OF MUSICAL COMPOSITIONS ON COIN-OPERATED MACHINES—AUTHORITY TO FILE INDIVIDUAL VIEWS AND REPRINTING OF S. REPT. 2414

Mr. O'MAHONEY. Mr. President, I want to call attention to the fact that there was reported to the Senate on August 15, 1958, the bill (S. 1870) to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines, being report No. 2414.

The Senator from Wisconsin is a member of the subcommittee which handled the proposed legislation, if I remember correctly. The Senator is the ranking Republican member of the committee. The Senator from Wisconsin desires to file minority or individual views. Therefore, I ask unanimous consent that committee report No. 2414 may be reprinted to contain the individual views of the Senator from Wisconsin, which views will be filed shortly. Can the Senator indicate by what date the views will be ready?

Mr. WILEY. I think they will be ready tomorrow morning.

Mr. O'MAHONEY. Tomorrow morning?

Mr. WILEY. Yes. I think they will be ready by then.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Senator may file his individual views with the Secretary of the Senate, in case the Congress is adjourned, within the next week.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HILL:

Letter entitled "In Defense of TVA," written to the editor of the Washington Post and Times Herald and published August 21, 1958.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

REBUTTAL OF CHARGE BY DREW PEARSON CONCERNING FORMER LIEUTENANT COMMANDER NIXON

Mr. SCHOEPPEL. Mr. President, on July 4 of this year I noticed in a column by Drew Pearson a reference which he made to Vice President NIXON when he was in the Navy as contract officer negotiating with the Erco company of Maryland.

Mr. President, when I read this article which referred to Vice President NIXON I took it upon myself to check up and find out what the facts were, because this article by Pearson is a deliberate, expressed, or implied misrepresentation of the facts, all of which were matters of record and which this alleged columnist could have ascertained before he wrote this article.

The exact quotation from the article is as follows:

When Vice President NIXON was in the Navy as contract officer negotiating with the Erco company of Maryland, he borrowed $150 from the company. Such a loan is illegal. Unlike Kibler, he did not report it.

Mr. President, the facts as I have found them are as follows:

In October 1945, Mr. NIXON was then a lieutenant commander in the United States Navy, with an assignment to the Glenn Martin Co., of Baltimore, with instructions to negotiate the settlement of terminated contracts. Just on or before October 30, 1945, Commander NIXON received a telegram requesting him to appear on November 2 in California.

Because of the shortness of time involved, one W. G. Carroll, of the Engineering & Research Corp., of Maryland, volunteered and took it upon himself to make reservation and purchase an airline ticket for Commander NIXON to California with his company credit card. This he did. No priority was involved and there was no loan whatsoever. When the ticket was delivered by Mr. Carroll, Commander NIXON on that day, namely, October 30, 1945, gave to Mr. W. G. Carroll his personal check, drawn on the Corn Exchange Bank & Trust Co., terminal branch, of New York, for the sum of $128.05, in full and complete payment for air transportation to California.

So that there can be no question about this transaction and the allegedly deliberate misrepresentation by Mr. Pearson of what transpired, I am offering for the record and as a part of my remarks a photostatic copy of the check, dated October 30, 1945, which I have heretofore referred to, showing payment and cancellation.

Mr. President, here is another of the numerous deliberate, irresponsible misrepresentations which Pearson has been making in his column.

There was no loan whatever from the company to Mr. NIXON. The ticket was paid for immediately upon its delivery.

Since it was no loan, no illegality could possibly have been involved, and there was no reason whatever for Mr. NIXON to report the transaction to anyone.

At the time the transaction took place, Mr. NIXON was not "negotiating with the Erco company," as alleged in the column. His part in the contract-termination negotiations of that company had been completely finished, and no negotiations in which he was involved were pending at that time.

I think, in the interest of truth and fairness, it is important for all those who read the CONGRESSIONAL RECORD to know the extent to which Mr. Pearson goes to deliberately misrepresent matters.

I ask unanimous consent that a photostatic copy of the check I have referred to be printed in the RECORD.

There being no objection, the copy was ordered to be printed in the RECORD, as follows:

No. ——

CORN EXCHANGE TRUST CO.,
TERMINAL BRANCH,
New York, October 30, 1945.

Pay to the order of W. G. Carroll, $128.05.
(One hundred twenty-eight and .05 dollars.)

RICHARD M. NIXON.

THE WORLD MEDICAL ASSOCIATION

Mr. BRICKER. Mr. President, not enough recognition has been given to the role of voluntary and private associations in promoting international understanding and in keeping the Free World free. We are inclined to regard these ambitious ends as the exclusive concern of intergovernmental organizations. President Eisenhower's people-to-people program is a healthy reminder that individual effort is often more potent than collective action.

Today I salute the World Medical Association, a private organization composed of 53 national medical associations representing 700,000 physicians all over the world. Man for man, and dollar for dollar, the World Medical Association is doing much more to improve the world health than any international organization in the field of medicine.

Two intergovernmental agencies are concerned with medicine. The World Health Organization is primarily concerned with public-health problems which either cannot be solved by national public-health authorities acting alone or which can be handled better on a cooperative basis. The International Labor Organization is primarily concerned with the task of spreading socialized medicine to areas of the world where the private physician-patient relationship is still respected.

Only the World Medical Association is working at the international level for free enterprise in medicine; for the freedom of a patient to choose his own doctor. The success of the World Medical Association makes it possible to compare standards of medical care in countries A, B, and C, where doctors are civil servants, with those prevailing in X, Y, and Z, where free physician-patient relationships exist. The fact that we can make such comparisons is the best reason for believing that socialized medicine will be abandoned as inferior and as unworthy of a free people.

I ask that there be printed in the RECORD at this point in my remarks a table showing six differences between the World Medical Association and the World Health Organization.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

WHAT IS THE DIFFERENCE BETWEEN THE WORLD MEDICAL ASSOCIATION AND THE WORLD HEALTH ORGANIZATION?

THE WORLD MEDICAL ASSOCIATION

1. World Medical Association is an organization of national medical associations. The unit of membership is the medical association. It is completely nongovernmental. It is not part of the U. N. It is a voluntary organization.

2. World Medical Association represents the practicing medical profession.

3. World Medical Association was organized in 1947 by AMA representatives and western European medical leaders. Purpose was to exchange medical knowledge, to protect the freedom of medicine, and promote world peace.

4. Each member association sends 2 delegates, 2 alternate delegates, and observers to the General Assemblies—the supreme policy-making body of WMA.

5. The executive body is the council. This meets twice a year and comprises 11 members elected from the assembly and the president, president-elect, and treasurer.

6. World Medical Association is supported by members' dues and contributions and the annual budget is about $165,000.

THE WORLD HEALTH ORGANIZATION

1. World Health Organization is an intergovernmental health agency. Unit of membership is the member and nonmember governments of the U. N. that accept the nine principles upon which WHO is founded.

2. World Health Organization represents governments in medicine.

3. World Health Organization is the result of proposal of U. N. in 1945 to create a specialized agency to deal with all matters related to health.

4. Each member government sends three delegates, chosen preferably from the national health administration of the government, to the annual World Health Assembly.

5. The executive board is the executive body and consists of 18 members elected from 18 member governments.

6. Supported by dues allocated by the U. N. scale and the budget for 1958 was $13 million.

Mr. BRICKER. The World Health Organization has done excellent work in combating and confining contagious diseases. It would be pointless to compare, on a purely quantitative basis, the work done by an organization with a $13 million budget and that done by a private organization with an annual budget of $165,000. Nevertheless, the size of the WHO's campaign against disease should not be allowed to obscure the World Medical Association's fight for medical freedom or its ability to provide almost instantaneous medical assistance in emergency situations.

The 10th birthday of the World Medical Association will fall on September 18 of this year. To signalize the anniversary of this fine organization, I ask unanimous consent for printing in the RECORD at the conclusion of my remarks an article by Milton Golin entitled "The Story of the World Medical Association," which appeared in the September 1957, issue of the Journal of the American Medical Association.

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair). Is there objection to the request?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE STORY OF THE WORLD MEDICAL ASSOCIATION—WORLD MEDICINE COMES OF AGE—FEARLESS CONCERN FOR PATIENT IS HIGH POINT OF HARMONY IN VOICES OF 700,000 DOCTORS

(By Milton Golin)

Cuban police seize physicians as hostages. A "flu" epidemic finds the Philippine Medical Association in desperate need of drugs. Maltese doctors are threatened when they resist a move to limit patients' free choice of physician.

These recent crises carry a direct threat to the general public, not to the medical profession alone. Ten years ago, doctors of each nation usually had to slug out such problems themselves. More likely than not, there was no place outside their borders to turn for help—no voices to bespeak their troubles or to forewarn their colleagues in other lands. Massive danger to health and medical practice was only part of the handicap to physicians and their patients 10 years ago. Doctors needed to know what scientific developments in Berne, Switzerland, could benefit clinical knowledge in Kansas City, or what new medical education precept discussed in Vienna might raise the proficiency level of an intern or a budding specialist in Melbourne.

Today medicine has an international voice, the World Medical Association, a confederation of 53 national medical associations representing more than 700,000 physicians around the globe. It is sounding an alarm against those who would oppress the doctor and his patient. It is telling the story of farflung advances in medical science. It is rallying help for brother physicians who are in need.

Help was needed urgently last Memorial Day as Asian (Far Eastern) influenza was striking hundreds of thousands of Filipinos. Physicians were running out of antipyretics. Off went a frantic cable from the Philippine Medical Association to the World Medical Association headquarters in New York City: "Request immediate airlifting of antipyretics, analgesics, and if available polyvalent flu vaccine." The cable could not have arrived at a more difficult time. A long holiday weekend loomed ahead, and many pharmaceutical firms either were closed or were operating with only standby staffs. Air transportation companies had their own priority problems. There was the prospect, too, of governmental redtape in an international drug shipment.

But World Medical Association's secretary-general, Dr. Louis H. Bauer, and his staff tackled the problem with know-how. First they notified the Civil Aeronautics Board, and the redtape began disappearing. Then they found that officials of the Borroughs Wellcome & Co., Inc., of Tuckahoe, N. Y., were able to prepare a 300-pound shipment of an antipyretic analgesic for delivery to Newark airport before 5 p. m. that day. From there, a Flying Tiger cargo plane rushed the supply to San Francisco, where a Pan American Airways plane was waiting to carry it the rest of the way. On Sunday morning, before the end of the holiday weekend, the drugs were delivered to eager medical hands in Manila. The accomplishment was speedy, spontaneous, and completely voluntary.

Within hours, other pharmaceutical firms were responding: A 600-pound air shipment of analgesic from McNeil Laboratories; similar supplies arranged by E. R. Squibb & Sons; antibiotics and tranquilizers from Charles Pfizer & Co., Inc. Eli Lilly & Co. launched a "crash" weekend project in their Indianapolis laboratories, in hopes of more quickly proving the effectiveness of their influenza vaccine. And Parke, Davis & Co. authorized the Philippine Medical Association to obtain all necessary drugs from the company's Manila office. Said Dr. Bauer: "It is in the unity of purpose in such emergencies that the strength of the members of the health profession is tested—and proved equal to the task. It gives and does not count the cost; toils without resting; and asks no reward for its labor than a better and happier world for all people."

HELP FOR HUNGARIANS

Scores of Hungarian physicians certainly were asking no reward when they fled Communist butchery last fall. Many of them escaped so hurriedly that they left behind the vital papers which could show their accreditation. One of them reported: "I treated the children and youths injured in the rebellion. There was no time to fill in and file the numerous reports that the Government required—nor did I feel justified in revealing the names, addresses, and conditions of the patients who came to me. • • • I was still in my clinic after midnight when a patient's mother came to warn me that the police were on their way to arrest me for treason. I fled • • • I have no papers to prove who I am or what my education and experience has been—life, security, and freedom for my family were my only thought."

This doctor's plight illustrates a major project of the World Medical Association: A central repository for medical credentials (carrying the registrant's dated photograph, fingerprints, and notarized signature) so that physicians everywhere can prove their qualifications in case disaster strikes at their home country. "Success in this one program alone," says Dr. Bauer, "would justify the existence of WMA." For lack of such a repository, meanwhile, the WMA has been trying to establish new credentials for, and otherwise rehabilitate, Hungarian refugee physicians in the free medical world.

The World Medical Association first spoke out against the Hungarian outrage last November in a telegram to the United Nations, strongly urging "that every necessary step be taken to prevent further butchery and deportation of Hungarian citizens and that the actions of those responsible for these atrocities be strongly condemned." Soon afterward, the United Nations did just that—censured perpetrators of the terrorism. Next came World Medical Association's appeal to member associations and individual physicians that "all possible aid to Hungary through your organization • • • will be another proof of the importance the doctors of the world place on human dignity and freedom."

MATURE VOICE OF MEDICINE

This is the voice of world medicine, come of age, a voice with authoritative tone. World Medical Association's cry against oppression in Hungary is the mature call of a young adult born out of the ferment of World War II. Doctors from many nations were thrown together in the common missions of that great conflict over a decade ago. Their wartime brotherhood in arms suggested the values of a permanent international alliance of organized medicine. These physicians also felt the need to restate

medicine's universality, and to express their independence of political compulsions. There was a need, too, to assert a solidarity in repudiating the perverted medical practices which were forced against some physicians in Nazi concentration camps. (Based on a 1948 "Declaration of Geneva," World Medical Association physicians pledge: "I will retain the utmost respect for human life from the time of conception; even under threat I will not use my knowledge contrary to the laws of humanity.")

In this background will the World Medical Association observe its 10th birthday on September 18. When the World Medical Association speaks today, it is heard as the official voice of the practicing profession, listened to by such diverse global agencies as the International Labour Office, International Social Security Association, and World Health Organization. And when World Medical Association spoke out for help for Hungary's refugee doctors (sending 500 Swiss francs as a starter) it spawned offers of additional funds, medical supplies and aid, housing accommodations, and resettlement facilities from medical associations in the United States, Austria, Chile, Finland, Denmark, Cuba, and other nations.

CRISIS IN CUBA

The Cuban contribution, particularly, carries an ironic note. Even today, less than a year after the last World Medical Association general assembly in Habana, Cuban physicians are being persecuted because they, like their Hungarian colleagues, gave medical treatment to those demonstrating against the Government. Last June, the Cuban Medical Association offices were raided during a regular business session. Physicians who care for sick and wounded street rebels still are being beaten, imprisoned, and held as hostages. It is a criminal offense for the medical association to hold meetings.

The crisis in Cuba is scheduled for discussion at Istanbul, Turkey, starting September 29 when World Medical Association President J. A. Bustamante, himself a Cuban physician, opens the next general assembly under a theme of "Solidarity—The Key to Medical Advance." The World Medical Association already has pointed out that, while doctors must fulfill their duties as citizens, they are pledged to serve humanity—without regard to religion, nationality, race, social standing, or party politics. Not long ago the World Medical Association announced that while it cannot within the framework of its constitution engage in political conflicts • • • the doctors of Cuba need the moral support of every freedom-loving medical association. Since then, letters of encouragement have been arriving daily in Habana, Santiago, and other Cuban communities, reminding the doctors that colleagues in other lands are supporting them in all humanitarian efforts.

BELGIUM AND MALTA

Repeatedly, humanitarianism has shown its power in the climate of world medical opinion. In Belgium, the Government time and again has tried to create a state medical service which would force doctors to abide by all past and future ministerial regulations, and would require patients to obtain a permit before seeking medical care. So the Belgian medical profession organized its own medical insurance plan to assure free choice of physician. Not only are Belgian doctors and patients satisfied, but physicians from other countries have acclaimed the plan. This spring, World Medical Association delegate Pierre Giorieux reported: "My (Belgian) Government, recognizing that it could not control the medical profession, sent a new bill to the Parliament which • • • would remove all aspects of social security from the legislative power of Parliament. The Prime Minister has officially stated that he will respect all the conventions of the medical profession."

Not long ago the Territorial Government of Malta embarked on a campaign of threat, insult, and harassment in an effort to limit the private practice of medicine in favor of a salaried service. When the nearly 200 Maltese physicians resisted, the Prime Minister hinted that he would import physicians from abroad to carry out his plan. The World Medical Association promptly alerted the profession in neighboring countries, and the result was a governmental agreement to put aside its plans. Again, international solidarity among physicians had upheld a measure of freedom for them and their patients. (Says the World Medical Association: "Confidence in one's doctor is essential for good therapeutics, and a patient does not ordinarily have confidence in a doctor whom he is compelled to consult.")

In scattered regions of the world other physicians are gaining strength and moral support from the World Medical Association:

The Venezuelan Government revamps its social-security bill in order to include a free choice of doctor for the patient, after the Venezuelan Medical Association points out that "the best interests of the people and the profession can only be served when the legislation conforms to the 12 principles of social security established by the World Medical Association."

The Japanese Medical Association arouses physicians in scores of nations when it reports in the trilingual (English, Spanish, and French) World Medical Journal, official publication of the World Medical Association, that Government medicine methods threaten to restrict visits of Japanese patients to their doctors "in complete disregard of public opinion."

Bolstered by World Medical Association principles, the Chile medical profession has achieved a new unity in its 3-year battle against restrictive Government pressures.

OTHER PROGRAMS

It would be a mistake, judging from these events alone, to regard World Medical Association as a lobby bent only on fighting the evils of socialized medicine. Other efforts outshine its role as an alarm ringer and fighter for unfettered medical practice. One is the drive for a central repository for medical credentials. Another is sponsorship of the first World Conference on Medical Education, in London in 1953 (the second is set for 1959 in Chicago). The World Medical Association also has adopted a modernized Hippocratic oath, as well as an international code of ethics. Already successful in some South American countries, World Medical Association is continuing to help in the establishment of national medical associations elsewhere throughout the world. Currently, it is:

Promoting a freer international flow of proved therapeutic agents.

Formulating principles of cooperation between practicing physicians and public health officers.

Promoting medical research.

Observing and reporting on the activities of more than 23 other international organizations as they affect the practice of medicine.

Another World Medical Association project is universal adoption of a special emblem that will identify and protect medical units in civil defense—just as the Red Cross symbol protects units during armed conflict. The civil-defense design has been agreed upon by a joint committee of International Medicine and Pharmacy, the World Medical Association, and the International Red Cross; it already is ratified by several nations.

DO NOT CONFUSE WMA WITH WHO

World Medical Association makes a point of distinguishing itself from the World Health Organization. WHO is strictly an intergovernmental public health agency created by the United Nations and supported this year by member nations to the tune of $13,500,000. The World Medical Association, on the other hand, is completely nongovernmental in its origin of national medical associations. Operating this year on a budget of only $185,000 (little more than 1 percent of WHO's whopping expenditures), World Medical Association is the voice of the practicing profession and the individual patient. During its first 5 years, World Medical Association was pledged $250,000 by joint action of the American Medical Association board of trustees and representatives of the pharmaceutical industry. This placed the fledgling organization on sound footing. Since then, a United States committee, and supporting groups of other nations—comprising individual physicians, laymen, and corporate members—have provided backbone support to World Medical Association through dues ($10 annually per person in the United States) and voluntary activity.

One result of this individual participation is a stark awareness that what happens to the freedoms of 200 doctors and their patients on the Island of Malta, or in another part of the world, can affect the future of doctors and patients everywhere. The United States committee, approaching this year's membership goal of 10,000, thus is made up of physicians who have taken the lead in realizing that there is just as much need for boosting World Medical Association as for taking part in county, State, and National medical society activities. They know that health is a language that can be spoken everywhere. Last spring, for example, some 3,000 physicians from 48 nations including the Soviet Union kicked over all barriers of communication when they took part in an annual International Congress of Otolaryngology in Washington, D. C. The atmosphere was amicable because they had a common interest.

Similar rapport in the health field is taking place this week in Rome, where an estimated attendance of 1,000 American dentists at the Federation Dentaire Internationale is furthering President Eisenhower's people-to-people program. That program is being pursued not only by the United States committee of the World Medical Association but also by:

Thousands of United States Armed Forces medical personnel who care for local populations overseas.

American doctors who take part in demonstrations of new techniques during visits to hospitals and clinics abroad, as a means of stressing the desire of the United States to share its scientific progress.

Pharmaceutical companies which emphasize international good will in their worldwide contacts. One—Smith, Kline & French—now has television production crews assigned to film activities of American physicians abroad in private, missionary, military, foundation, and government practice. Next February the firm will present the story as a documentary, portraying doctors as United States ambassadors of good will in Japan, Korea, Hong Kong, India, Indonesia, Iran, Turkey, Ethiopia, France, and Guatemala.

INSTRUMENT OF PEACE

As Dr. Albert C. Holt says in his hospital office in Bombay: "We are representing the whole medical profession in America to these people. • • • If we fail, American medicine has failed in their eyes."

Dr. Gunnar Gunderson, who is president elect of the AMA, and also a director of World Medical Association's United States committee, puts it this way: "We can add new meaning to the M. D. degree—medical diplomacy. World peace cannot be attained until we build peace into the hearts and minds of men. Since physicians are the most intimately acquainted with the physical and mental needs of their patients, they are the most logical engineers for this great moral reconstruction project. If we more than half million physicians assume this task on an individual personal basis we may yet succeed where soldiers, statesmen, and politicians have previously failed."

EMERGENCY DROUGHT RELIEF PROGRAMS

Mr. WILLIAMS. Mr. President, in the closing days of the 1st session of the 85th Congress the Senate passed S. 304, the purpose of which was to provide for mandatory contributions of not less than 25 percent on the part of the States toward any further emergency drought relief programs.

The administration strongly recommended the enactment of this legislation, and I am glad to note that the House Agriculture Committee has finally taken action on this proposal and reported the bill.

The principle behind this State participation requirement was not altogether to reduce the cost of the Government's contribution, but to make the States and local communities more responsible for good administration of the program and the disbursement of relief only to those in need.

In the past, it has been disclosed that the wealthy owners of two of the Nation's most famous racehorses were recipients of relief under this 100 percent Government financed program. Each had been certified by the local communities as being in dire need to the extent that they needed this Federal assistance. Even the fabulously wealthy King Ranch in Texas was found to be on the relief roll.

In another instance about $800 in relief, or free feed, was given to an individual whose only livestock was a polo pony and a bird dog. Yet he, too, was qualified as a needy livestock owner and thereby eligible for Government relief.

Numerous other glaring abuses were called to the attention of the Senate in support of the need of this corrective legislation. These disclosures of abuses resulting from the distribution under the emergency drought relief program were so scandalous that they became embarrassing to the Democratic controlled committee, and they, in 1957, suddenly stopped the investigation, and have refused to proceed further with the exposure. Public opinion would prevent any such practices being followed if the local or State communities were paying a part of the cost.

The emergency drought relief program was administered in two phases: One provided subsidized feed to those livestock owners who were certified as being financially unable to maintain their basic herds without Government assistance. The second phase was that if, in addition to subsidized feed they needed emergency loans to tide them over the distressed period, such loans were made by the Government at a low rate of interest and with lenient terms as to collateral required. In both instances it was intended that these liberal loans and subsidized feed were to go only to those in need, and then only to help the livestock owners maintain their basic herds.

A major argument in support of that bill when considered was that its benefits were primarily intended for the small farmers; however, an examination of its administration shows that the largest percentage went to the exceptionally large owners.

The King Ranch and the owners of the racehorse Swaps certainly were not little farmers, and never should have been on the relief rolls.

Several loans ranging from $50,000 to over $1 million were approved, with the proceeds being used not only to maintain basic herds, but also for expansion.

The Fowlkes Bros., of Marfa, Tex., borrowed from the Farmers' Home Administration $1,046,605 to meet their annually recurring farm and home operating expenses. The loan was granted on the basis that it was needed to enable the partnership to maintain its basic herds throughout the drought period. However, the record shows that the partnership used $257,500 of the $1-million loan to enlarge their herd and buy additional equipment. Yet it was said that the whole purpose behind the legislation was to enable the farmer to maintain his basic herd.

In addition to granting this low collateral loan, the Fowlkes Bros. received emergency feed purchase orders with a cash valuation of over $160,000—$46,685 in 1954, $5,156 in 1955. In 1956, they did not receive any feed purchase orders, but they did receive $1,000 in ACP payments from the Government, and in 1957 they received feed purchase orders with a value of $73,760, plus another $1,000 for ACP payments, plus hay and roughage certificates redeemed in the amount of $39,179. This makes a total of $166,780 in subsidy for feed given to this corporation during the 4-year period, in addition to the emergency loan of almost $800,000.

In other words, at a time when the Government was advancing about a million dollars in loans and grants to this partnership, including $166,000 in free feed, on the basis that they were helping him to maintain his basic herd; the Government loaned him an extra quarter million dollars to expand his herd and buy more livestock to be put on the same relief program. Certainly the law was never intended to allow one farmer to use this program to expand his herd at the expense of his neighbors and the taxpayers.

A second example: O. G. Hill, O. G. Hill, Jr., and Foster Hill, of Hereford, Tex., were loaned $1,076,300 to maintain their basic herd, and during this same period, from 1954 through 1957, this group received $62,081 in free feed from the United States Government.

These are just a couple of examples of the so-called little farmers receiving benefits under the program. It should be remembered that in many areas bona fide and worthy small farmers were denied assistance and loans on the basis that there were inadequate funds available. The relief was being siphoned off in these uncontrolled areas.

I reemphasize what I have said on many previous occasions—the purpose behind the enactment of the emergency drought feed program and emergency loan program was sound in that its objective was to enable those farmers living in drought-stricken areas to maintain their basic livestock herds throughout the critical period. I voted for this program, and am perfectly willing for the Government to underwrite a major part of the cost of the grants in instances where it is necessary, and I will underwrite the principle that the Government should make loans on very lenient terms under the emergency which developed as the result of the extreme drought. But that does not mean that the program should not be closely administered to prevent abuses. When we find examples such as have been called to the attention of the Senate before, wherein operations like the multi-million-dollar King Ranch, comprising an area larger than the entire State of Delaware, is feeding its cattle on relief, it is time to call a halt.

Such irresponsible administration would not develop under a program when the local taxpayers knew that a part of their money was going to underwrite the cost. It is therefore imperative, if these programs are ever to be used again, that some State and local participation in the cost be mandatory.

I am glad that the House Agriculture Committee has at least seen fit to report this proposed legislation, which was passed by the Senate last year. The need of this legislation was strongly recommended by the administration.

I have a report listing the loans in excess of $50,000 granted under this program in the two-State area of Oklahoma and Texas, along with a report of the amount of subsidy under feed purchase program which were given as grants to the same individuals, plus the amount they received as ACP payments, and I ask unanimous consent that the entire report be printed in the RECORD at this point.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Washington, D. C., January 13, 1958.

Hon. JOHN J. WILLIAMS,
United States Senate.

DEAR SENATOR WILLIAMS: Attached are copies of the two reports requested in your letter of December 9, 1957. One report shows the number and amount of emergency and special livestock loans made in Oklahoma and Texas during the last 5 years. The other report lists borrowers indebted for more than $50,000 in the aggregate on these types of loans along with the purposes for which the loan funds were advanced.

Sincerely yours,

K. H. HANSEN,
Administrator.

U. S. DEPARTMENT OF AGRICULTURE
FARMERS' HOME ADMINISTRATION

Borrowers in Texas owing $50,000 or more on emergency and special livestock loans

Borrower	Total amount loaned	Amount loaned for—				Unpaid balances		Amount of principal delinquent as of Jan. 17, 1958
		Annually recurring farm and home operating expenses	Purchase of livestock and equipment	Refinancing of debts	Real estate repairs and improvements	Interest	Principal	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
William E. Crews, Jr., Marfa, Tex.	$255,190	$172,115	$83,075	0	0	$5,266	$61,714	$61,714
Fowlkes Bros., Marfa, Tex.	1,046,605	789,105	257,500	0	0	62,080	549,144	549,144
N. B. Chaffin, Marfa, Tex.	83,400	83,400	0	0	0	7,215	47,148	47,148
Carl B. Black, Marfa, Tex.	114,880	85,850	29,030	0	0	1,815	52,067	24,607
W. R. Cartledge & Son, Marfa, Tex.	139,320	42,820	96,500	0	0	2,134	56,982	56,982
O. G. Hill, O. G. Hill, Jr., and W. Foster Hill, Hereford, Tex.	1,076,300	1,076,300	0	0	0	48,330	582,857	481,857
James L. and Lee M. Gates, Pearsall, Tex.	121,120	69,720	51,400	0	0	2,647	62,627	47,475
William M. Hemphill, Jr., San Angelo, Tex.	136,205	136,205	0	0	0	5,812	54,401	54,401
Lacy Bros., Benjamin, Tex.	242,535	155,245	87,290	0	0	6,331	68,616	68,616
Lee R. Graves, Fort Stockton, Tex.	119,620	80,720	38,900	0	0	6,309	57,497	46,493
Frank A. Perry, Iraan, Tex.	121,585	85,010	36,575	0	0	5,473	50,253	50,253
Powell C. Coates, Sanderson, Tex.	98,325	81,225	17,100	0	0	5,371	54,818	54,818
Harry O. Geffert, George West, Tex.	104,240	44,270	59,970	0	0	5,202	56,826	56,826
D. K. McMullan, Jr., Big Lake, Tex.	190,570	190,570	0	0	0	9,360	70,596	70,596
Ernest D. Goodloe, Pecos, Tex.	74,900	39,400	35,500	0	0	5,759	52,746	52,746
Mike Q. Smith, Sanual, Tex.	139,120	67,120	72,000	0	0	1,687	51,829	21,746
Everett Bros., Pandale, Tex.	94,945	94,945	0	0	0	5,059	50,153	50,153
Lemuel E. Henderson, Pumpville, Tex.	148,535	148,535	0	0	0	6,288	59,699	59,699
Charlie F. Hinds, Comstock, Tex.	125,745	102,825	22,920	0	0	4,572	61,266	44,551
Ira G. Deaton, Del Rio, Tex.	236,080	236,080	0	0	0	5,174	52,776	52,776
Marvin T. Ratliff, Del Rio, Tex.	103,510	103,510	0	0	0	3,694	55,315	55,315
William J. Riggs, Dryden, Tex.	151,075	151,075	0	0	0	5,847	47,852	47,852
Jack and Roy Deaton, Sanderson, Tex.	236,240	236,240	0	0	0	5,137	62,570	62,570
Tol Murrah, Sanderson, Tex.	150,160	150,160	0	0	0	7,490	64,777	64,777
Manning H. Vick, Graham, Tex.	64,505	32,605	31,900	0	0	583	49,708	29,948
James C. Roark, Alpine, Tex.	104,970	82,190	22,780	0	0	3,944	64,337	42,637
Levi M. Waters, Jr., and Arnold O. Waters, Meadow, Tex.	188,920	181,760	5,160	0	0	1,943	57,548	57,518
L. J. Schmidt, Dalhart, Tex.	93,100	53,100	40,000	0	0	1,163	87,600	19,450
Henry D. Lewis, Dumas, Tex.	187,110	89,515	60,630	$16,320	$20,645	2,445	72,077	30,394

Agricultural conservation payments, dollar value of emergency feed purchase orders cashed, and dollar value of hay and roughage certificates cashed in Texas by certain farmers and ranchers

Name of borrower	Location	1953	1954		1955		1956		1957			1958
		ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Hay and roughage certificates redeemed	ACP payments
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Texas												
Wm. E. Crews, Jr.	Marfa	$1,214	$3,125	$1,373	$856	$2,268	$296	$1,489	$5,553	$1,500	0	0
Fowlkes Brothers	do	0	46,685	0	5,156	0	0	1,000	73,760	1,000	$39,179	$750
N. B. Chaffin	do	0	6,996	0	64	500	205	1,142	475	1,000	946	750
Carl B. Black	do	0	1,524	0	861	0	0	0	395	247	95	0
W. R. Cartledge & Son	do	0	0	663	0	0	0	0	0	0	0	0
W. R. Cartledge (individually)	do	0	1,376	741	1,680	1,152	0	1,211	1,320	0	0	0
Gene Cartledge (individually)	do	0	7,632	640	300	0	0	1,125	1,998	0	0	0
O. G. Hill, O. G. Hill, Jr., and Foster Hill	Hereford	0	3,042	384	0	120	7,815	0	6,756	0	645	0
O. G. Hill, Sr. (individually)	do	0	7,057	0	2,435	0	4,050	0	7,758	0	0	0
O. G. Hill, Jr. (individually)	do	0	7,210	0	6,642	0	0	0	0	0	0	0
Foster Hill (individually)	do	0	1,781	0	6,386	0	0	0	0	0	0	0
James L. and Lee M. Gates	Pearsall	0	788	1,000	0	1,800	718	0	460	0	0	0
James L. Gates (individually)	do	0	453	0	0	0	0	0	0	0	87	0
William M. Hemphill, Jr.	San Angelo	509	3,053	450	1,174	353	218	0	376	0	1,606	0
Lacy Brothers	Benjamin	459	186	1,336	524	1,041	0	0	0	0	0	0
Lee R. Graves	Fort Stockton	0	795	427	447	0	0	0	0	0	3,728	0
Frank A. Perry, Jr.	Iraan	0	3,992	0	0	0	775	0	380	0	0	0
Powell C. Coates	Sanderson	0	3,601	0	0	0	1,044	0	1,915	0	277	0
Harry O. Geffert	George West	0	1,868	0	0	0	507	0	1,313	0	0	0
D. K. McMullan, Jr.	Big Lake	0	6,334	400	8,960	700	5,663	700	15,634	700	0	1,000
D. K. McMullan, Jr. and Bob Sims (partnership).	do	0	2,057	0	6,987	1,374	753	0	8,464	0	0	5
Ernest D. Goodloe	Pecos	0	1,246	0	0	0	0	0	0	0	0	0
Mike Q. Smith	Sabinal	600	200	884	429	239	520	0	0	0	0	0
Everett Brothers	Pandale	597	6,981	422	250	0	0	925	1,696	500	0	0
Lemuel E. Henderson	Pumpville	1,804	5,964	750	280	1,499	1,015	1,500	3,818	1,500	0	0
Charlie F. Hinds	Comstock	1,096	994	750	600	1,500	400	1,445	1,555	1,200	360	0
Ira G. Deaton	Del Rio	0	1,589	0	2,460	0	0	0	1,406	0	0	0
Ira Deaton & Sons (partnership).	do	1,999	0	500	0	0	0	799	0	0	0	0
Jack and Roy Deaton	do	0	0	0	0	0	0	0	0	0	342	0
Marvin T. Ratliff	do	621	5,737	1,200	1,374	1,350	1,932	1,500	2,955	550	1,015	1,800
William J. Riggs	Dryden	0	10,419	0	598	700	997	800	3,287	1,450	0	1,373
Tol Murrah	Sanderson	0	32,778	0	1,069	0	324	800	2,038	1,350	187	0
Manning H. Vick	Graham	0	0	420	0	0	0	0	2,964	0	360	0
James C. Roark	Alpine	1,453	1,781	0	785	0	0	605	750	877	0	470
Levi M. Waters, Jr., and Arnold O. Waters.	Meadow	0	1,717	0	0	0	0	0	0	0	0	0
Levi M. Waters, Jr. (individually).	do	0	0	798	0	1,380	0	756	0	338	0	0
Arnold O. Waters (individually).	do	600	0	1,436	0	1,002	0	600	0	0	0	0
L. J. Schmidt	Dalhart	0	0	268	0	674	0	826	0	0	0	0
Henry D. Lewis	Dumas	345	130	23	0	966	0	1,060	0	402	0	386

Borrowers in Oklahoma owing $50,000 or more on emergency and special livestock loans

Borrower	Total amount loaned	Amount loaned for—				Unpaid balances		Amount of principal delinquent as of Jan. 17, 1958
		Annually recurring farm and home operating expenses	Purchase of livestock and equipment	Refinancing of debts	Real estate repairs and improvements	Interest	Principal	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Walter H. Hyatt, Beaver, Okla.	$57,935	$11,196	$150	$22,439	$24,130	$1,980	$49,314	$9,879
George W. Kirton, Boyd, Okla.	84,490	29,090	17,109	28,565	12,785	1,260	61,162	8,622
Robert E. Selman, Selman, Okla.	128,810	125,956	1,590	0	1,274	8,286	81,737	81,737
Charles V. Word, Arnett, Okla.	92,925	35,450	33,050	24,000	425	740	52,928	9,456

Agricultural conservation payments, dollar value of emergency feed purchase orders cashed, and dollar value of hay and roughage certificates cashed in Oklahoma, by certain farmers and ranchers

Name of borrower and location	1953	1954		1955		1956		1957			1958
	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Hay and roughage certificates redeemed	ACP payments		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Walter H. Hyatt, Beaver	0	$549	0	$178	0	$2,406	0	0	0	0	0
George W. Kirton, Boyd	$54	764	0	126	$1,514	440	$1,885	0	$1,048	0	0
Robert E. Selman, Selman	0	6,132	0	2,838	785	6,315	1,277	0	1,372	0	0
Charles V. Word, Arnett	0	0	0	0	0	0	0	0	0	1,162	0

THE SOLID RECORD OF ACCOMPLISHMENT BY MONTANA'S FRESHMAN REPRESENTATIVE, THE HONORABLE LEROY H. ANDERSON

Mr. MURRAY. Mr. President, I wish to call attention to the solid record of accomplishment compiled by the junior member of the Montana Congressional delegation, Representative LEROY H. ANDERSON, during his first term in Congress.

Fifteen of the bills he introduced, or companion measures to them, have become law. These measures deal with major fields such as agriculture, Indian affairs, reclamation, wildlife, banking and currency, excise taxes, military affairs, and social security.

His ability has been particularly recognized here in Congress in the fields of agriculture, military affairs, fiscal policy, and veterans affairs.

He serves on the Committee on Banking and Currency and the Committee on Interior and Insular Affairs, and has appeared before many other committees, both in Senate and House, on behalf of his Montana constituents.

Let me cite an example of the kind of work he has done to further worthy development of the Nation's resources:

We have in Montana, at Benton Lake near Great Falls, a potentially wonderful breeding ground for ducks. However, except for about 1 year out of 20, the rainfall is insufficient to attract the waterfowl.

Representative ANDERSON talked this problem out with local wildlife enthusiasts and managers of a nearby irrigation system. Plans were developed to divert water from the irrigation system into the lakebed. Representative ANDERSON was instrumental in obtaining approval of this plan from the Fish and Wildlife Service. Then, the pertinent appropriations bill having already left the House of Representatives, he personally conferred with members of the Senate and House Appropriations Committees, and convinced them of the merit of this plan. Consequently appropriations for this project were made, and Montana and other States will soon share the benefits of another fine waterfowl refuge, thanks to the little publicized but effective work of Representative LEROY ANDERSON.

His many years of experience as a Montana farmer, plus his legislative experience as a member of both the senate and house of representatives in the State legislature, qualified him to step right in and help solve some of the agricultural problems so important to Montana's Second Congressional District.

He steered through the House of Representatives legislation which continued the durum-wheat program last year. Additionally, he has been particularly effective in conferences with Agriculture Department officials, such as we had on the subject of wheat grading and resealing, for the simple reason that he knows at least as much about grain and livestock as the departmental experts do.

As a member of the Committee on Banking and Currency Committee, he played an important role in obtaining approval of the area-development bill, which offers great possibilities for economically depressed communities in our State and for our Indian citizens.

As chairman of the Senate Interior and Insular Affairs Committee, I have been privileged to work with Representative ANDERSON toward successful action on a number of bills relating to Montana's resources and Indian problems.

His efforts in the Interior Committee resulted in Congressional approval of bills relating to mineral development of the Crow Indian Reservation, compensation for the Crow Indians for land within the Huntley project, and exchange of land on the Huntley project as desired by a local school district. In each instance Representative ANDERSON was able to obtain approval of amendments desired by local interests.

Most important, perhaps, was Representative ANDERSON'S yeoman service on behalf of the Yellowtail Dam resolution, now signed into law. Largely because of his efforts, a settlement on payment to the Crow Indians has been reached. Next year, with his help, I am confident we will obtain construction funds for this large multipurpose dam, which will mean so much to eastern Montana, particularly the Billings-Hardin area.

One of the most important pieces of legislation approved by the 85th Congress, as regards Montana, was Representative ANDERSON'S bill—now Public Law 85-151—which provides that the Surgeon General may, instead of building hospitals merely for Indians, construct community hospitals to serve Indians and non-Indians alike, when he finds it more efficient to do so.

The first hospital to receive funds under the Anderson Act was in Polson, Mont. High on the priority list to benefit from this law, when local questions are settled, are the communities of Wolf Point and Poplar.

As a member of the Banking and Currency Committee, Representative ANDERSON has an intimate acquaintance with the problems of Montana business. As a railroad worker, when a young man, he learned the problems of the laboring man the hard way.

An example of one community where both business and labor benfited from Representative ANDERSON'S efforts is Roundup, where the coal mines are producing for the Atomic Energy Commission plant at Hanford, Wash., thanks to Representative ANDERSON'S successful efforts to obtain a fair share of production, for the AEC, from this Montana community in his Congressional District.

A graduate chemical engineer with a degree from Montana State College, and advanced study in physical chemistry at California Institute of Technology, a major general in the Army Reserve, and national president of the Senior Reserve Commanders Association of the United States Army, a member of a national committee of the Presbyterian Church, LEROY ANDERSON is one of the most versatile and well-rounded men to serve in Congress. He is fair, capable, and a worker, and I am proud to serve on a delegation which includes a man who delivered so well for the people of Montana during his first term in Congress.

PRESIDENT EISENHOWER'S STATEMENT ON THE LITTLE ROCK SCHOOL SITUATION

Mr. STENNIS. Mr. President, President Eisenhower's statement at his press conference yesterday shows that, once again, his plan is to use troops in integrating the Little Rock schools.

This plan is based on a misunderstanding of the conditions in that troubled city. The use of force cannot achieve any constructive goal, for the real opposition to integration is not found in lawless elements. Opposition to integration is actually the overwhelming voice of the mothers and fathers of the children, those most directly concerned. Their objection is in no spirit of defiance or lawlessness on their part. They are sincere, patriotic, and law-abiding citizens. Traditions and customs for a pattern of separate social and civic activities between the races have been handed down from mother to daughter, from father to son. This pattern has afforded generations of peaceful and harmonious cooperation among the people of the two races. These traditions cannot be erased by court orders, nor swept aside by force.

The evils of bad law have a way of multiplying and perpetuating themselves. The illegal school decision of 1954 will continue to haunt people of this country and bring division between men until corrective action is taken. The local institution which we highly regard, our public school, must again become subject to the control of the good citizens who have struggled to raise it and our educational standards to their present levels.

The Supreme Court decision which established this principle vested the control of the local situation with the district judge. The court of appeals' unfortunate and tragic decision of Monday indicates the adoption of a course which will destroy public-school education in the South. If the extreme proponents of integration, at whatever cost, continue to prevail in their insistence on rule or ruin, they will succeed only in rule and ruin of our local public-school system.

Mr. President, there was recently published a very timely editorial on the tragic situation, in the Washington Star of August 20, 1958, entitled "Little Rock's Ordeal." I ask unanimous consent that the editorial be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LITTLE ROCK'S ORDEAL

Unless it is held in abeyance pending an appeal to the Supreme Court, the 6 to 1 ruling by the Eighth Circuit Court presumably means that Little Rock's ordeal will begin all over again 2 weeks from tomorrow.

What is presented in this situation is a potentially destructive collision between wisdom and the law.

The six appellate judges conceded that they were directly concerned only with the legality of District Judge Lemley's order for a 2½-year postponement of integration in Little Rock. They were only incidentally concerned with the consequences of their reversal of the Lemley order. The basic issue, as the majority saw it, "plainly comes down to the question of whether overt public resistance, including mob protest, constitutes sufficient cause to nullify an order of the Federal court directing the board to proceed with its integration plan. We say the time has not yet come in these United States when an order of a Federal court must be whittled away, watered down, or shamefully withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto."

This seems to say that the appellate court reversed Judge Lemley because it would not yield to mob action, and this, as a principle of law, may be valid. But we are not so sure that it is wise.

Certainly, the strong language used by the court is not likely to help the Little Rock School Board and School Superintendent Virgil Blossom in the coming school year. Both the board and the superintendent have tried throughout in complete good faith to put the integration plan into effect. The appellate court concedes this. The court also concedes that integration under Federal bayonets imposed physical and mental strain on teachers and members of Central High School's administrative staff, and that, in general, there was bedlam and turmoil in and upon the school's premises, outside the classrooms.

These were among the practical considerations which prompted Judge Lemley to grant the 2½-year postponement, and which persuaded Chief Judge Gardner of the appellate court that Judge Lemley was right in doing so. The chief judge put it this way: "The action of Judge Lemley was based on realities and on conditions, rather than theories. The exercise of his discretion should not, I think, be set aside as it seems to me it was not an abuse of discretion but rather a discretion wisely exercised under the conditions."

It may be that this gets to the heart of the matter. How much discretion did the Supreme Court intend that a district judge should have? Are the findings of a district judge to be ignored by an appellate court which does not wish to appear to be yielding to mob pressures? What, really, is the meaning of all deliberate speed, as that term was used by the Supreme Court?

If this ruling is appealed, perhaps the Supreme Court will take the case and clear up these uncertainties. We hope so. For there is no future, it seems to us, in merely sending a case of this kind back to the school authorities who have tried in good faith to implement integration and who now say, also in good faith, that they simply cannot, in the existing circumstances, cope with the problem. This kind of judicial policy can lead only to a succession of Little Rocks, with severe impairment if not the destruction of public education for both colored and white children.

DEFICIENCY IN TROOP CARRIERS

Mr. SYMINGTON. Mr. President, a member of the staff of the News and Courier of Charleston, S. C., has sent me a thought-provoking article from that outstanding newspaper entitled "Fast Troop Carriers Lacked by MATS To Deploy United States Armed Forces for Battle."

Mr. President, we all know of the tragic inadequacy of the airlift for our Army and Marines. The article is but further proof of that fact. I ask unanimous consent that the article from the News and Courier be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAST TROOP CARRIERS LACKED BY MATS TO DEPLOY UNITED STATES ARMED FORCES FOR BATTLE

(By Anthony Harrigan)

France is a fleck of green under the clouds as this turboprop troop carrier, loaded with a 9-ton truck needed in Lebanon, flies at 22,000 feet toward Evereux Air Base outside of Paris.

The Lockheed C–130–A plane, built in Georgia, is fast (350 miles per hour) and takes off after a short run, which is important for planes designed for use in a battle zone. But C–130–A's are few in the United States Air Force.

The fact is that the United States airlift capability is inadequate to meet the needs of the Nation in a major crisis.

The small number of planes in the pipeline to Lebanon testifies that the Military Air Transport Service should be equipped with new planes of the most advanced types.

On the flight line at Rhein-Main Air Base, Frankfurt, Germany, are 20 giant, 4-motored C–124's, the Globemasters familiar to residents of Charleston and Greenville. The propeller-driven C–124's are part of a special task force that flew to Germany from Donaldson Air Base (Greenville) to Germany within hours after President Eisenhower ordered troops into Lebanon.

Col. Roland J. Barnick, United States Air Force, a veteran of Bataan who flew B–29's in the Pacific during World War II, is commander of the task force. Within 15 minutes after the task force arrived at Rhein-Main Air Base, the first aircraft was dispatched for Lebanon.

But if Colonel Barnick and his men were ready to do their job, the United States has not demonstrated its willingness to provide aircraft in sufficient numbers.

Colonel Barnick cannot discuss the number of aircraft in the task force. But this writer, in conversation with pilots and officers handling cargo, as well as from studying scheduled flights, concludes that less than 40 C–124's are attached to the task force.

In addition to these planes operating under MATS control, the United States airlift was augmented in its early phases by approximately 40 C–130A troop carrier planes based in France, and a similar number based at Ardmore, Okla.

The C–124's can carry approximately 200 men. The C–130A's are equipped to carry 65 paratroopers with full equipment. Had all these planes been available in Europe at the time the President ordered intervention, they would have been able to airlift less than 10,000 men.

Actually, they wouldnt' have been able to airlift 10,000 men who were ready for battle.

Soldiers without machine guns, ammunition, artillery, rockets, medical units, and all the housekeeping elements of field forces are not battle forces.

A large portion of the airlift capability was devoted to military supplies, not fighting men. For instance units of Colonel Barnick's task force flew gasoline to Jordan for the support of British units in that country.

The C–124's comprising the task force have a big payload but require more refueling stops than the C–130A's. The first missions were flown across the Brenner Pass into Italy. But the Austrians protested violation of their air space. Subsequent flights had to be made via Marseilles, France; Naples, Italy; Piraeus, Greece; Adana, Turkey; and Beirut, Lebanon. The C–130A's can make the flight to Beirut nonstop, but the heavily laden C–124's cannot.

MATS has a few modern C–133A's, big brothers to the C–130's. But these were grounded during the airlift because of an accident to one which required a survey of all planes of this type. Senator STUART SYMINGTON, former Secretary of the Air Force, pointed out July 15 that the United States is ordering only 15 C–133's a year.

The MATS activity that Charlestonians know is routine overseas transport of servicemen and military dependents. This is a task for which present equipment is clearly inadequate when MATS is called on to fulfill its primary obligation—the airlift of United States military forces and their battle equipment.

One wonders what would have happened had the United States troops in Lebanon met resistance from Red volunteers or if the Chinese Reds had launched a diversionary move against some area of American interest in the Far East.

It seems that the United States would have been completely incapable of meeting its needs for airlift.

The United States has rejected the idea of a mass Army deployed at bases throughout the world. Instead, it has chosen to develop a highly mobile force armed with tactical nuclear weapons. Such is the United States intention, but the planes to airlift these troops do not exist.

To this writer, it appears that MATS is suffering from acute anemia of appropriations. The super-Constellations that fly over Charleston are beautiful planes. But a few quality planes are not a substitute for numbers when the Nation faces a crisis requiring troops.

MATS needs quality and quantity in its airfleet.

MATS hasn't a single jet transport. But it is a fact that several European airlines have jet transports.

United States airlines are in the process of equipping themselves with the Boeing 707 transport. It is precisely such equipment that MATS needs at the earliest possible date. The Boeing 707 will carry 150 passengers at 550 miles per hour. The faster the planes, the quicker the delivery, the fewer the number of planes needed in the pipeline.

It is entirely possible that the Martin *Jetmaster* seaplane, developed for the Navy, should be added to the MATS fleet. This fast seaplane would be of use in many parts of the world where airports might be inadequate or damaged.

If Americans are concerned about the equipment available to their own military, they should consider the fact that the Russians already have the TU–104 jet transport in service that flies almost twice as fast as United States military transports. Observers in Russia have also remarked on the numbers of large jet helicopters the Russians have in service.

The workhorse of the Air Force on short personnel and cargo runs is the C–47, the two-engined transport familiar to American servicemen in the last war. It is a fine plane but a far cry from a jet helicopter.

The cost of enlarging and modernizing the MATS airlift fleet is likely to be very expensive. A jet transport costs in the neighborhood of $7 million, compared with $2.5 million for a Superconstellation. But if the United States rejects a big military force, it can't fail to provide up-to-date equipment for a small, battle-ready force.

RURAL ELECTRIFICATION ADMINISTRATION: ADDRESS BY SENATOR SYMINGTON

Mr. SYMINGTON. Mr. President, several months ago, expecting this session of Congress to be over by this time, I accepted an invitation to speak at the 20th annual meeting of the Consolidated Rural Electric Cooperative at Mexico, Mo.

I was honored to receive the invitation and looked forward to meeting with this fine group of farm families, to discuss with them some of the work of the Congress and present to them some of my thoughts with regard to the problems of agriculture and rural electrification.

As the Members of the Senate know, we were in session from 10 o'clock the morning of August 19 until 12:15 a. m. the next morning, with 14 votes and 4 record votes during the day and evening.

Late Monday afternoon, August 18, realizing that it would be impossible for me to meet with the members of the Consolidated Rural Electric Cooperative, I talked to their manager, Mr. R. D. Buresh, and explained the situation to him. He understood. I appreciate that understanding.

My administrative assistant, Mr. Stanley Fike, did attend the meeting, however, and delivered my talk prepared for that occasion.

Since I discussed matters believed of interest to all of us, I ask unanimous consent to have my remarks prepared for the 20th annual meeting of this great cooperative printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS PREPARED BY SENATOR STUART SYMINGTON FOR DELIVERY AT THE 20TH ANNUAL MEETING CONSOLIDATED ELECTRIC CO-OP, MEXICO, MO., AUGUST 19, 1958

Thank you very much for inviting me to be with you in Mexico today as you celebrate 20 years of progress in your Consolidated Electric Co-op.

Several weeks ago, in reading the July issue of your co-op magazine, Electric Gleams, I was impressed by the growth of the Consolidated Electric Co-op since its origin in June of 1938—from a few miles of power line then to more than 1,800 miles today; and a few hundred members then to more than 4,700 members today.

I was also impressed with the way you have been paying off your debts and liquidating your loans. Yes, as stated in that article, it is indeed "a record to be proud of."

I congratulate you, the members, your board of directors, and your manager for this excellent record.

But, the success story of your co-op is typical of many hundreds of other electric co-ops throughout the country.

This is not to minimize your success. Your record emphasizes the national record of the rural electric co-ops.

REA is the success story of individual farmers, working in cooperation with their neighbors, with the assistance of their Government, overcoming obstacles, to bring electric power to rural America—to bring farm families out of the dark ages.

In 1935, when the REA was first created, only 6 percent of our Missouri farms were receiving central station electric service. Today, 23 years later, more than 95 percent of our farms have electricity.

Along with light for the farm homes, have come the many electrical appliances—refrigerator, toaster, stove, radio, television, automatic washer—all designed to ease the workload and make farm life more pleasant for all members of the family.

In addition through the power provided by rural electric co-ops, much of the drudgery associated with farming has been greatly reduced, or eliminated.

The pump handle has been replaced with an electric motor and a complete water system on many farms. The manual chores of milking, feeding, handling grain, have all been made easier.

The advent of electricity in rural America is one of the most significant accomplishments in agriculture. In the 23 years prior to the creation of the Rural Electrification Administration, productivity per man-hour of farm labor had increased 20 percent. In the 23 years since 1935, farm labor productivity has more than doubled.

Of course, there have been many other factors contributing to the sensational increase in farm productivity. Improved crop varieties, increased efficiency in livestock production, modern power machinery, improved management techniques, all have contributed to this complex of agricultural development. In 1935, one farm worker was able to produce enough food and fiber to support 10 other people. Today, that same farm worker produces enough to support 20 other people.

Despite these outstanding accomplishments, the economic gap between agriculture and other segments of our economy has not been reduced.

In other segments of the economy, increases in productive efficiency are rewarded by higher wages, and increased profits.

This has not been true in agriculture. Farm productivity has doubled since 1935, but total farm income in 1957—in terms of purchasing power—was 2 percent less than in 1935.

What is even more serious is that the farmer's economic position has degenerated in recent years as compared with other segments of our economy. For example, from 1952 to 1957, corporate profits increased 15 percent; wages increased 30 percent; interest income increased 73 percent; but net farm income declined 24 percent.

In 1957, dollar farm income was at its lowest point since 1942—15 years.

In view of this situation, is it any wonder that nearly 4 million farm people have been forced to give up their farms and their homes in the last 5 years and move elsewhere to try to find jobs which would give them a reasonable standard of living?

A number of years ago, one of our great farm leaders warned that national depressions are farm bred and farm led.

As farm income decreased, the purchasing power of farm families dropped sharply. Business for main street merchants declined. Factories and businesses throughout America have felt the effect of these depressed economic conditions.

Since 1952, farmers have suffered a total loss of income of more than $15 billion—an average of $3,000 for every farm in the United States.

How much has this contributed to the current recession and to the hardships and suffering of the millions of workers who have been and are still without jobs?

No one can be certain, but we do believe that the depressed conditions in agriculture are the result of the farm policies being put

into effect in these past 5 years. That policy has been based on a theoretical assumption that lower prices will discourage farm production.

The farmers, who have been the unwilling tools in this experiment, know how foolish is this theoretical assumption. Farmers know what their fixed costs are. They know how their operating expenses have gone up in recent years. And they know that if the price per bushel or the price per pound goes down they have to produce and sell more bushels or more pounds in order to have the same number of dollars to meet their costs and to maintain a reasonable standard of living for their families.

Despite the obvious fallacy of this theoretical approach, and ignoring the protests of farmers, farm leaders, and many of us in Congress, the Department of Agriculture has doggedly driven—prices down, repeatedly asserting that production would be reduced and markets would be expanded.

Has this happened?

Let's look at the record.

From 1952 to 1957, farm prices dropped 16 percent. If the theory that lower prices would reduce production is accurate, then total production should also have declined.

But this has not happened.

Instead, between 1952 and 1957, total farm output increased 6 percent and, according to the latest Department of Agriculture crop-production report, it will increase even more this year.

The official reports of his own Department prove this part of Secretary Benson's textbook theory a colossal failure.

But what of the "expanded markets" which were to result from the lower farm prices?

The most obvious expansion has been in the Government warehouses and storage bins.

In January of 1953, the Commodity Credit Corporation's inventory of all agricultural commodities was valued at $1.1 billion. In January of 1958, after 5 years of the policies of this Administration, there was $5.4 billion of farm commodities in Government storage—an increase of 500 percent. These supplies would have been even greater had it not been for Public Law 480 and other export programs. They have moved billions of dollars of farm commodities out of CCC stocks and into foreign markets.

The failure of the present farm policy is even more evident when we examine the cost of the program.

During the 20-year period from 1933 to 1953, the cost of price support operations for the 6 basic agricultural commodities was $20 million. In the 5-year period from June of 1953 through May of 1958, price support costs on the basic commodities have been $2.4 billion.

In other words, in the 5 years under this Administration, the costs of price supports on basic commodities are 120 times greater than the costs in the previous 20 years.

At the same time, price support costs for all farm commodities have increased 445 percent.

During the 20-year period prior to the present administration, the cost of all farm price supports averaged only 35 cents per person per year. During the past 5 years, that cost has been $5.70 per year per person.

As a former businessman and as one with experience in various Government agencies, I am always interested in the type and quality of the administration of any department in the Government. Based on the record, the present administration of the Department of Agriculture is weak.

The Department has some 20 percent more employees today than it had in 1952. The administrative and other general costs associated with the price support programs have increased over 900 percent in the past 5 years—from $34 million in 1952 to $312 million in 1957.

We need to keep in mind that, while the costs of the programs were increasing at an almost incredible rate, farm prices were declining 16 percent, the parity ratio dropped 18 percent, and farm income was down 24 percent.

This is the almost unbelievable record of the policies and administration of the past 5 years.

Some informed observers assert this record has been developed to bring public ridicule and resentment against the farmer and all farm programs, so as to eventually destroy all farm programs.

Whether or not this is true, there are examples where attempts have been made to destroy certain basic elements of the overall program. One of these is very close to home for many Missouri farmers.

I am, of course, referring to the efforts of the Department of Agriculture to weaken the local farmer committee system. Many of you may recall that in 1953 regulations and directives were issued which prevented the local elected farmer committeemen from functioning as administrators of the farm program on the local level.

County committees in Missouri were ordered to hire office managers who were to assume this administrative control. County committees were suspended or fired because, in some instances, they were unwilling to accept the office manager sent by the State office.

Others were discharged on various trumped up charges.

The situation became so serious that, in the fall of 1955 and again in 1956, a special Senate Agriculture Subcommittee conducted hearings to investigate the situation.

As a result of those hearings, and based on the report issued by the subcommittee, I joined with several other Senators in introducing a bill designed to prevent some of the abuses of the county committeeman system.

In spite of vigorous opposition from the Secretary of Agriculture, this bill has been passed by the Senate, and is now awaiting House action.

Another example of the Administration's efforts to weaken or destroy important farm programs is of great concern to you and to all REA members throughout the Nation.

For several years, people closest to the REA program have felt that the present Administration was not fully sympathetic to the general concept of farmers, through cooperative effort, supplying electricity in rural areas.

Until last year, however, there had been little positive evidence of any threats directed at the REA program. Then, sometime during May of 1957, the Secretary of Agriculture asked the REA Administrator to submit all REA loan applications of $500,000 or more to the Secretary for final clearance.

This was the first time, since the creation of the REA in 1935, that the Administrator was not permitted to exercise his best judgment with regard to loan applications.

Through the years the Secretary of Agriculture has had the authority to exercise general supervision and direction over the Administrator of the REA. However, prior to 1957, no Secretary of Agriculture had tried to overrule the Administrator.

In 1953, during consideration of the Government Reorganization Plan, Secretary Benson testified before Congress that he would make no changes in the procedures relating to REA without first consulting not only the Congress but also with the farm groups concerned.

This he did not do.

When Secretary Benson told the present Administrator, Mr. Hamil, to submit loan applications, he had not consulted Congress or any farm groups. In fact, his action was kept secret for some time. Only when a local co-op questioned a delay in the processing of its loan did the information become public that the delay came in the Secretary's office where the loan had been sent for clearance.

As this change in policy was reported in the newspapers throughout the country, REA members, their co-op leaders, Members of Congress and others familiar with and sympathetic to the REA program, protested this action as an effort to weaken or destroy the REA.

Many believed this was a substantial change in REA policy, and that it posed a serious threat to the future of the program. Questions were raised as to why Secretary Benson wanted to review the larger loans, why he did not announce this change, why Congress was not consulted.

The Senate Government Operations subcommittee charged with the responsibility for keeping a check on activities of Government agencies, immediately called Secretary Benson to testify and to explain his actions.

After some time, the Secretary finally appeared and gave his explanation. But that explanation was far short of being adequate, and legislation was immediately introduced to restore REA to the independent status it had prior to 1953.

During the hearings on that legislation, witness after witness, representing REA co-ops throughout the country, testified in support of restoring the REA to an independent status.

REA members and their co-op managers were also concerned with other actions of the administration which hit at the foundation of their program.

One of these was the administration proposal of legislation which would have the effect of raising the interest rate on REA loans. The justification for this action is based on the fact that, in recent years, because of the higher interest rates under the tight-money policies, the cost of money to the Government has been above the 2 percent interest rate charged on REA and other Government loans.

However, those proposing this legislation overlook the fact that for nearly two decades the Government actually made $48 million on the 2 percent REA loans.

In addition, during our investigation we found that this proposal had not originated within the Administrator's office. Instead, it came from the Secretary of Agriculture and was sent to Mr. Hamil for his approval.

Before our committee, Hamil testified that higher interest rates would be harmful and would impede the development of REA co-ops in some areas of the country. It became rather obvious that the REA Administrator was, in effect, required to support the administration's recommendation, even though he did not believe it was in the best interests of the electrification program.

The Department of Agriculture cut by one-half the funds requested by the REA for new loans. Through the action of Congress, the entire amount needed by REA was restored.

When the REA appropriation bills came before Congress this past year, the Administrator of the program was relegated to a secondary position, while an appointed Assistant of the Secretary of Agriculture testified to the committee.

None of these incidents taken alone would be construed as a serious threat to the REA, but viewed together, they indicate the Administration's unsympathetic and perhaps hostile attitude.

This is the reason many of us in Congress believe legislation is needed to restore full authority for the functions of the program to its Administrator.

The REA program, which has provided such a great service to rural America, must not and will not become a pawn in the hands of any Secretary of Agriculture.

Even though we believe the REA concept is well established, all members, their leaders and their representatives in Congress need to be constantly on guard so that progress in the next 23 years can be as great and as significant as it has in the past 23 years.

So, too, must we be more vigilant and more emphatic in demanding overall farm policies that are sound, plus administration that will make those policies work.

In the entire farm program, we need the spirit of cooperation which has been so successful in your own consolidated electric cooperative right here in the heart of Missouri's Little Dixie.

If all of us who are interested in a fair share of American prosperity for the American farmer will but work together, with that spirit, then success will be assured.

To this cause, I pledge my full support and again thank you for the honor and privilege of presenting these thoughts today.

PROGRAM OF FEDERAL GOVERNMENT ACTION AT LITTLE ROCK

Mr. JAVITS. Mr. President, it is time that we were very clear about the major domestic crisis referred to earlier by my colleague, the junior Senator from Mississippi [Mr. STENNIS], which could be again brought on by events in Little Rock. It is essential that there be stated in advance not only the policy of the United States, which the President has now done, but also that there be initiated a course of action endeavoring to avoid if at all possible, dire emergencies like those which faced the country when rioting occurred at Little Rock last September.

Whatever may not have been done that should have been done by the Congress when the Senate eliminated part III of the civil rights bill of 1957, the fact is that we must act now with the means we have at hand. I believe it fair to say, however, that if the President finds that Congressional action is necessary to meet any emergency at Little Rock, then he should call the Congress into special session for the purpose. The courses of action which should now be taken I respectfully suggest and urge are the following:

First. That the Civil Rights Commission hold hearings in Little Rock in conjunction with its Arkansas Advisory Council, which was appointed to advise and assist the Commission in tackling our country's most crucial domestic problem.

Second. That the Attorney General should promptly intervene as a friend of the court, preferably at the request of the school board or the court, but in the absence of either on his own responsibility and at once.

Congress has enacted a statute establishing the Civil Rights Commission with broad powers to study and recommend—calmly and deliberately—in the field of school desegregation and other fields. I think Little Rock is an ideal place for the Commission to do its work now.

Mr. President, the Department of Justice should lend the full weight of the United States Government to the current judicial proceedings, and the Attorney General should without delay apply to intervene in the Little Rock case.

The history of the 1957 disorder at Little Rock's Central High School which required Federal troops to be sent to Little Rock last September and the continuance of the position of Governor Faubus along exactly the same lines which brought on the previous emergency demand that this be done.

In that connection, Mr. President, I ask unanimous consent to have printed in the RECORD, the text of the statements by Governor Faubus on the Little Rock decision, made yesterday and today; and, Mr. President, preceding those statements, I ask unanimous consent to have printed in the RECORD, the statement of the President of the United States at his press conference yesterday, expressing the same determination which he expressed in 1957, and in that connection I asked unanimous consent that the White House statement dated October 3, 1957, be printed as a part of my remarks.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

(WASHINGTON, August 20, 1958.—Following is the transcript of President Eisenhower's news conference:)

President EISENHOWER. Good morning. Please sit down.

Ladies and gentlemen, anticipating questions about this recent decision [on school integration] of the Eighth Circuit Court, I am going to read a little statement, and there will be copies of it available to you; so you don't have to take specific notes. Because there are still some phases of this case pending in the courts it would not be appropriate for me to express my view on the case itself.

This case, however, or any person's agreement or disagreement with its outcome, must not be confused with the solemn duty that all Americans have to comply with the final orders of the court. Nor should we lose sight of the fact that the maintenance of order to permit compliance with the final orders of the court is the responsibility of each State. Each State owes to its inhabitants, to its sister States and to the Union the obligation to suppress unlawful forces. It cannot by action or deliberate failure to act permit violence to frustrate the preservation of individual rights as determined by a court decree. It is my hope that each State will fulfill its own obligation with a full realization of the gravity of any other course.

Defiance of this duty would present the most serious problem, but there can be no equivocation as to the responsibility of the Federal Government in such an event. My feelings are exactly as they were a year ago. And I said then:

"The very basis of our individual rights and freedoms rests upon the certainty that the President and the executive branch of Government will support and insure the carrying out of the decisions of the Federal courts."

Every American must understand—that is the end of the quote, by the way.

Every American must understand that if an individual, a community or a State is going successfully and continuously to defy the courts, then there is anarchy.

I continue to insist that the commonsense of the individual and his feelings of civil responsibility must eventually come into play if we are to solve this problem.

I will have nothing further to say about the integration problems and specific cases that are now before the courts, not only in this one particular case—there are four others—but we will have to wait for the outcome of decisions and actions before any further comment.

[From the New York Times of Thursday, October 3, 1957]

WHITE HOUSE STATEMENT

(WASHINGTON, October 2.—Following is the text of a White House statement of legal principles guiding President Eisenhower in the school integration problem.)

1. The executive branch of the Federal Government does not participate in the formulation of plans effecting desegregation.

This function is left to the community where maximum understanding of local problems exists so that proper and effective solutions may be devised. This was clearly recognized by the United States Supreme Court when it said:

"To that end, the courts may consider problems related to administration, arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas into compact units to achieve a system of determining admission to the public schools on a nonracial basis, and revision of local laws and regulations which may be necessary in solving the foregoing problems. They will also consider the adequacy of any plans the defendants may propose to meet these problems and to effectuate a transition to a racially nondiscriminatory school system."

Although the Federal Government has no responsibility to initiate action to desegregate public schools or to formulate any plans for desegregation, the courts have made it clear that the Department of Justice, at the invitation of the Court, must participate in litigation involving public school desegregation for the purpose of assisting the court.

TIME IS UP TO LOCALITIES

2. The period of time within which any such plan should be put into effect likewise must be proposed by the local authorities and approved by the courts.

The Supreme Court held that admission of children to public schools on a nonracial basis should go forward with all deliberate speed. In requiring a "prompt and reasonable start to full compliance," the Court also made it clear that insincere or dilatory tactics could not be used to defeat constitutional protections and rights.

The executive branch of the Government does not play a part in these local deliberations or under existing law in the court proceedings when such plans are considered.

3. A final order of a Federal court giving effect to a desegregation public school plan must be obeyed by State authorities and all citizens as the law of the land.

The action of the Supreme Court has conclusively settled the principle that public school desegregation is, under existing constitutional provisions, the law of the land. Final orders of the Federal courts carrying out this principle must be observed.

It is the duty of the State authorities to give full aid to the enforcement of a desegregation public school plan once it is finally ordered by the court. This obligation is not open to any doubt. It is also a required responsibility of good citizenship that every person in the community respect the law and its processes. Such observance of law is fundamental to our existence as a Nation of free people under constitutional government.

GOVERNOR MAY NOT BALK COURT

4. Powers of a State governor may not be used to defeat a valid order of a Federal court.

The governors of the respective States have the primary responsibility for maintaining domestic order. However, under a pretext of maintaining order a governor may not interpose military force or permit mob violence to occur so as to prevent the final order of a Federal court from being carried out.

When an obstruction of justice has been interposed or mob violence is permitted to exist so that it is impracticable to enforce the laws by the ordinary course of judicial proceedings, the obligation of the President under the Constitution and laws is inescapable. He is obliged to use whatever means may be required by the particular situation.

TEXT OF STATEMENT BY GOVERNOR FAUBUS ON LITTLE ROCK DECISION

(LITTLE ROCK, ARK., Aug. 19.—Following is the text of a statement by Gov. Orval E. Faubus on a decision yesterday by the Eighth Circuit Court of Appeals in St. Louis. The decision overturned a district court ruling that had granted a 2½-year delay in integration at Little Rock's Central High School.)

The reversal of the Lemley decision by the Federal Court of Appeals is most regrettable. The higher court's decision indicates an indifference and disregard for the will of the people that is most alarming and dangerous.

The spotlight now has shifted to the school authorities, the officials of the NAACP (National Association for the Advancement of Colored People), and the parents of the Negro children.

Any action taken by the chief executive, the legislature, or the people before the attitude of these people is known, might prove to be premature and unnecessary.

The school board now needs to take the people of the district into its confidence and let them know its intentions and its plans. Does the board intend to continue to promote the complete integration of the Little Rock school while muttering insincere, half-hearted protestations, or does it intend to fight in every legal way possible the integration by force, with such dire consequences for education in the affected schools, and the peace of the community.

For evidence of the school board's attitude I point to two quotations from the reversal ruling itself:

"This court recognizes that, following the first Brown decision the members of the board, acting in good faith, and working with the superintendent of schools, moved promptly to promulgate a plan designed to gradually bring about complete integration in the Little Rock public schools, and they are to be commended for their efforts in that regard."

At another point in the reversal we find the following language: "On August 29, 1957, on application of the board, the United States district court at Little Rock entered an order enjoining the use of the State court injunction in an attempt to block the integration plan."

SCHOOL BOARD'S ACTION

It must be noted here that it was the school board that dashed into the Federal court presided over by Judge Davies the very next day after the State court ruling, staying the execution of the plan of integration, and asked for the ruling which said in substance: "integrate forthwith, without regard for the consequences."

If the school board intends to continue to promote the complete integration of the Little Rock schools, the people are entitled to know. It is the people's business, because the schools belong to the people and not to the school board.

How many Negroes will be admitted to Central High School on opening day? If only those previously enrolled are readmitted, when will the number be raised to 90 or to 900, the latter figure being the number eligible to attend Central High School under the board's complete integration plan?

Will Negro students be admitted to Hall High School on the opening day? If so, how many? If not, when will this be done? It is necessary under the board's plan of complete integration. The delay of the plan by Judge Lemley has now been reversed, and the board is ordered to continue.

What other schools will be integrated on opening day? They are all in the plan of complete integration. When will white students be ordered to enter the Negro school? Will that be on opening day this year, and if not, when will it be done? It is a part of the plan of complete integration, drawn up by the board and approved by the Federal Court.

How many Negro students have applied for admission to white schools? Who are they and when did they apply?

Why all the secrecy surrounding these developments? Why the secret board meetings? Aren't the people entitled to know about their own school affairs?

The school board must surely realize the dire implications of any forcible integration of the schools at this time.

Although it has been ordered to continue with the integration plan, it has every right to resist the order by any and every legal means.

1. The board may use the school-assignment law, now on the statute books, which was passed by the overwhelming vote of the people at the general election of 1956.

2. Meet with the parents of the Negro students, and the officials of the NAACP who have instigated and promoted the continued integration efforts. Discuss frankly with them the situation as it now exists, with the dire consequences that may ensue as to the quality of education for the Negro students as well as others, and also the jeopardy to the peace and tranquillity of the community. These Negro parents may rise above their desires for the attainment of their immediate objectives in this matter.

Their decision, the Negro parents and the NAACP in the interest of harmony and greater good to the whole community, to allow a cooling-off period, by sending their students to school with their own race during the coming year, would do much, if not more than anyone else could do, to resolve this whole unhappy situation.

Failing in both of the above, the school board should resign as previously suggested by Judge John Pilkington, of Hope, Ark., and others and allow the people to select a new board which would have the courage to act in conformity to their wishes.

The schools are scheduled to open in less than 2 weeks from this date. If the people, the members of the legislature, or the chief executive are to have any opportunity to do anything about this situation, without the possibility of unnecessary action, or of conflicting action with the efforts of the school board, then it is necessary to know almost immediately the plans and intentions of the school board and the Negro leaders.

Surely the board has plans. If not, it has been very shortsighted indeed.

TEXT OF FAUBUS REPLY TO EISENHOWER

LITTLE ROCK, ARK., August 20.—Following is a text of a statement by Gov. Orval E. Faubus today in reply to President Eisenhower's comments at his news conference on problems raised by racial integration in the public schools:

You have asked for comment on the statement of President Eisenhower.

The free people of a democracy such as ours think of the "law of the land" in terms of laws passed by their own votes at the ballot box, or in terms of laws passed by their elected representatives.

Time after time the people of Arkansas and other States have voted overwhelmingly against forcible integration.

VIEWS ON COURT EDICT

Furthermore, many, many eminent lawyers throughout the Nation, regardless of their views on the segregation-integration question, have expressed the view that the United States Supreme Court decision of 1954 is without the basis of law. No law has ever been passed which says that all people of every section of the Nation must be forced to integrate against their wishes and regardless of the consequences, however bad they might be.

Millions of Americans hold a deep and sincere conviction that the original Supreme Court decision is illegal and violates the principles of democracy, and that the decision is not in accordance with the Constitution, which guarantees to the States certain rights—among them the field of education.

Therefore, compliance cannot be obtained by invoking the sacred name of the Constitution, or by the use of the once-magic name of Eisenhower.

DISCORD SEEN LIKELY

It is, then, inevitable that the integration of the races cannot be achieved without great discord, except by the process of evolution, which requires patience, tolerance, and understanding over a period of time. The length of time must be based upon the peculiar circumstances and conditions in each area, and the period of time required will vary from community to community and, perhaps, from State to State.

If it is the purpose of Mr. Eisenhower's statement to reaffirm his position of last fall, that it is my duty as Governor to use the military to enforce integration in any school district in this State, then I must say that my position of last fall is unchanged.

I do not interpret my constitutional duties to cover any such theory as that advanced by the President.

I do recognize my duty to preserve the peace of my State, and I shall continue to do so to the best of my ability. It is also elementary that I am bound under my oath of office to uphold the Constitution and to enforce the laws of my own State, within the framework of the Federal Constitution.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes, to conclude my remarks on this subject.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, only as I have indicated can the dignity and authority of the United States be manifested well enough in advance to work out within the bounds permitted by the mandate of the Supreme Court against public school segregation some program for desegregation in the Little Rock public schools which may prove just and feasible. Without the participation of the United States Department of Justice there is every reason to suppose that the situation can deteriorate as it did in September last with a national emergency—indeed what was an international emergency—on our hands again.

I point out again, Mr. President, we hear constantly from our Southern colleagues that one must be temperate and judicious in trying to work out this situation. Mr. President, I ask my colleagues to judge the words of Governor Faubus and tell us whether they are temperate and judicious and whether the Governor himself and the people of Arkansas could not make a great contribution toward handling this controversy temperately and judiciously.

I certainly agree that should be our aim and our end, and the suggestions I have made are directed toward such objective.

The Circuit Court for the Eighth Circuit has settled the judicial situation as to Little Rock, and most Americans will applaud the statement of Judge Matthes that in the court's opinion, "The time has not yet come in these United States when an order of a Federal court must be whittled away, watered down or safely withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto. To hold otherwise would result in accession to the demands of insurrectionists or rioters and the withholding of rights granted by the Constitution of the United States."

Not only did the court eloquently state the problem with which this country is faced in Little Rock, it went further and observed "that at no time did the (school) board seek injunctive relief against those who opposed by unlawful acts the lawful integration plan, which action apparently proved successful in the Clinton, Tenn., and Hoxie, Ark., situations."

Mr. President, the President of the United States has made clear his determination to follow the policies which he followed in September 1957. The Governor of Arkansas has made clear his intention to use all legal force at his command again to endeavor to frustrate the Federal court—and, I submit, the Constitution itself. He tried it last year with the National Guard. Now he has urged the school board to resign rather than comply with the latest order of the court. It would be folly, under those circumstances, to expect the State to ask assistance, or to expect the school board and the local authorities to ask the Attorney General to intervene.

The court itself might well ask the Justice Department to intervene as a friend of the court, but I do not believe that the Federal Government should wait at the door considering the urgency of serving notice that there must be order in the house. Under the circumstances the initiative should be taken by the executive branch. The courts have borne the full brunt of this problem long enough. They cannot be expected to perform legislative and executive functions as well.

Congress has failed, in my humble opinion, by refusing to pass an effective part 3 to the Civil Rights Act, to do its part. Part 3 would have given the Attorney General authority to participate without leave of anyone, in individual actions to enforce the 14 amendment.

Again the situation bears out what I and others have been arguing, that such a course would be in the best interests even of those opposed to integration, because it would provide an orderly process of law, with the highest authority of the United States serving notice in advance as to what would be done, and not waiting until the emergency is upon us.

The authority of the courts and of the law and that their mandates shall be obeyed is the very essence of community order. Without it, government fails the people. Even if the Congress has not acted as a body to give the Federal Government specific authority to intervene in the Little Rock school litigation, each of us nonetheless has a duty to do his part to uphold the law and its enforcement by the Federal authorities. It is for this reason that I have urged these courses of action which are designed to anticipate events rather than to react to them just as they threaten to overwhelm us.

Mr. JENNER. Mr. President, has the morning hour been concluded?

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair.) Morning business has not been concluded.

STATEMENT BY PRESIDENT EISENHOWER ON LITTLE ROCK INTEGRATION DECISION

Mr. NEUBERGER. Mr. President, inasmuch as the Senate is now debating the vital issue of Supreme Court rulings and judicial sanctity, I ask unanimous consent to include in the CONGRESSIONAL RECORD the statement made by the President of the United States on August 20, regarding the Little Rock integration decision and the crisis in school integration generally. I approve of the President's words, and I trust he will back them up with Executive action at the appropriate time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, August 20, 1958]

EISENHOWER STATEMENT

(Following is the statement on the Little Rock integration decision and school integration generally made by President Eisenhower at his news conference this morning:)

Because there are still some phases of this case pending in the courts, it would not be appropriate for me to express my view on the case itself.

This case, however, or any person's agreement or disagreement with its outcome must not be confused with the solemn duty that all Americans have to comply with the final orders of the Court. Nor should we lose sight of the fact that the maintenance of order to permit compliance with the final orders of the Court is the responsibility of each State.

Each State owes to its inhabitants, to its sister States and to the Union the obligation to suppress unlawful forces. It cannot by action or deliberate failure to act permit violence to frustrate the preservation of individual rights as determined by a court decree. It is my hope that each State will fulfill its obligation with a full realization of the gravity of any other course.

Defiance of this duty would present the most serious problem, but there can be no equivocation as to the responsibility of the Federal Government in such an event. Our feelings are exactly as they were a year ago. As I said then:

"The very basis of our individual rights and freedoms rests upon the certainty that the President and the executive branch of Government will support and insure the carrying out of the decisions of the Federal courts."

Every American must understand that if an individual, community or State is going successfully and continuously to defy the courts, then there is anarchy.

I continue to insist that the common sense of the individual and his feeling of civic responsibility must eventually come into place if we are to solve this problem.

UNHEEDED ALARMS

Mr. CLARK. Mr. President, I ask unanimous consent to be permitted to proceed for not more than 7 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. CLARK. In this morning's Washington Post appears a thoughtful article by Walter Lippmann, entitled "The Unheeded Alarms." I ask unanimous consent that the article be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of Thursday, August 21, 1958]

THE UNHEEDED ALARMS

(By Walter Lippmann)

A week ago Senator JOHN S. KENNEDY made a powerful and impassioned speech about the prediction, which is widely supported among experts, that within a few years the Soviet Union will be far ahead of us in the big strategic missiles. The period of our inferiority is estimated to be from 1960 to 1964 when the Soviet Union will, according to these estimates, have the power to destroy our Air Force and to devastate 85 percent of our industry, 43 of our 50 largest cities.

Senator KENNEDY'S speech was applauded by the Democratic Senators who took part in the debate. But it was attacked by Senator HOMER E. CAPEHART of Indiana who objected to it on the grounds that in such a public exposure Mr. KENNEDY was selling America short and giving aid and comfort to the Russians. This charge was easily disposed of because the fact of the matter is that the speech contained nothing that could be news to the Russians, nothing that has not been said publicly many times before. The most notable occasion when it was said before was on January 23 of this year, during this session of Congress, in the unanimous report of the so-called Preparedness Subcommittee.

This subcommittee heard some 70 witnesses, interviewed some 200 experts, and took about 7,000 pages of testimony. It reported unanimously that the Soviet Union leads in ballistic missiles and in the number of submarines, that it will soon surpass this country in manned bombers. It reported too what is even more significant and portentous, that "the Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States" and that "the Soviet Union is producing scientists and technicians at a rate substantially greater than our own country." If this is true, the lead of the Soviet Union will increase and the gap will not be closed.

Perhaps the most important question raised by Senator KENNEDY'S speech is why, in view of the subcommittee report in January at the beginning of the session, he did not deliver this speech until August 14 at the very end of the session. What has been happening between January, when the alarm was sounded, and August when Mr. KENNEDY sounded it again? What happened, it is plain enough, is that the failure to respond to the alarm was in both parties, and that there is no discernible difference between the attitude of the Eisenhower administration and that of the Democratic opposition. A few Democratic Senators have made speeches which are on the record but the party as an organization has reacted to the warning as the President himself has reacted.

The bipartisan reaction to the discovery that the Soviet Union is forging ahead in the race of armaments has been governed, I think, by the human propensity to prefer a disagreeable fact which is still in the future to a disagreeable remedy in the present. The danger period, according to these calculations, will not begin for at least 2 years; the remedial measures to cope with it ought to have been laid down in this session of Congress. The bipartisan leadership has avoided the disagreeable remedies, hoping that somehow the alarming predictions of Senators SYMINGTON, JACKSON, and KENNEDY, and of Mr. Joseph Alsop, will not come true.

Indeed, so far as I know, there does not exist an agreed program of what the disagreeable remedies are. Mr. KENNEDY made a few suggestions but he offered no program, and although the Democratic opposition is very critical of President Eisenhower, there is no alternative Democratic program before the country.

Why is it like that? I think it is because the real problem—the relatively greater speed of Soviet technological development—cannot be overcome by a spending program alone. It would be quite easy to push Congress into new and bigger expenditures. But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest. We are in competition with a new society which is in deadly earnest, and there is no use pretending that amidst our comforts and our pleasures, we are serious enough.

That is why, when the alarms are sounded, we turn over and go to sleep again.

Mr. CLARK. Mr. Lippmann states that—

Within a few years the Soviet Union will be far ahead of us in the big strategic missiles. The period of our inferiority is estimated to be from 1960 to 1964 when the Soviet Union will, according to these estimates, have the power to destroy our Air Force and to devastate 85 percent of our industry, 43 of our 50 largest cities.

I believe that that is a sound statement of fact, based upon nonsecret information available to every American citizen, and buttressed by the fine research done by the Preparedness Subcommittee, headed by the distinguished majority leader, the gentleman from Texas [Mr. JOHNSON], and ably abetted by the distinguished Senator from Missouri [Mr. SYMINGTON], and the distinguished Senator from Washington [Mr. JACKSON].

Mr. Lippmann further concludes that—

The Soviet Union is producing scientists and technicians at a rate substantially greater than our own country.

That also is a clearly established fact, buttressed by the Encyclopedia Britannica, as well as by visits to the Soviet Union by many distinguished American educators, two of whom come from my own Commonwealth of Pennsylvania—the president of the University of Pennsylvania, Gaylord P. Hornwell, the chancellor of the University of Pittsburgh, and other distinguished Pennsylvania educators.

At that point I leave Mr. Lippmann, because he states that there is no discernible difference between the attitude of the Eisenhower administration and that of the Democratic opposition on defense and educational policy. He says that a few Democratic Senators have made speeches which are on the record, but the party as an organization has reacted to these warnings as the President himself has reacted—negatively.

I deny that allegation. I say again what I have said so many times on the floor of the Senate, that it is impossible to push water uphill. A legislative body cannot supply the zeal, the vigor, the imagination, and the implementing policy which it is the problem and duty of the Executive to furnish. No amount of money which the Congress might appropriate would make up for the feeling of smug complacency which affected the Eisenhower administration long before sputnik, and which, unfortunately, still continues.

I think we had a little indication the other night on the floor of the Senate that a guilty conscience was finally gnawing at the minds of some supporters of the administration in this body. I pray that that guilty conscience may gnaw further until, in God's good time, we find reawakened in this administration the sense of urgency which was present for a few short weeks after sputnik.

I commend my colleagues on the Foreign Relations Committee, on the Preparedness Subcommittee, and on the Armed Services Committee, for the extraordinary contribution they have made toward reawakening that sense of urgency. I hope that in some small way I have been able to aid them to a slight degree.

Mr. Lippmann continues:

The danger period in the missiles race, according to these calculations, will not begin for at least 2 years; the remedial measures to cope with it ought to have been laid down in this session of Congress.

That is correct. My friend, the Senator from Missouri [Mr. SYMINGTON], and my friend, the Senator from Washington [Mr. JACKSON], have pointed this out again and again on the floor of the Senate as the distinguished junior Senator from Massachusetts [Mr. KENNEDY] did the other day, and as the distinguished Senator from Arkansas [Mr. FULBRIGHT] did in his fine speech on the question of our policy in the foreign relations field.

I suggest that, as Mr. Lippmann says that the real problem—

cannot be overcome by a spending program alone. * * * But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest. We are in competition with a new society which is in deadly earnest, and there is no use pretending that amidst our comforts and our pleasures, we are serious enough.

That is why, when the alarms are sounded, we turn over and go to sleep again.

I feel very strongly indeed that it is an obligation of Members of the Senate to hammer away at the sense of national complacency which is on its way to destroying our liberties, our freedom, and our very national existence.

I suggest that—

The fault, dear Brutus, is not in our stars,
But in ourselves, that we are underlings.

Mr. SYMINGTON. Mr. President, I congratulate the Senator from Pennsylvania for his eloquent remarks in connection with the interesting and thought-provoking article by Mr. Lippmann. Ever since the first week the distinguished Senator from Pennsylvania came to the Senate, he has joined with a group of Senators who have been constantly warning the American people that the plans and programs of this administration with respect to our position, vis-a-vis that of the growing Communist conspiracy, are not adequate to meet the danger. I am glad once again that the voice of the Senator from Pennsylvania has risen in the Senate so that the people will know the truth in connection with the most important problem we have today.

Mr. CLARK. Mr. President, I thank my friend for his kind remarks. I point out that inadvertently—and I have no excuse for it—I overlooked mentioning the distinguished junior Senator from Montana [Mr. MANSFIELD] and the distinguished junior Senator from Alabama [Mr. SPARKMAN] as two of the Members of this body who have constantly impressed upon the Senate and upon the country the dangers of a continuation of our present course in foreign policy and in national defense.

THE UNITED STATES EXHIBIT AT THE BRUSSELS WORLD'S FAIR

Mr. GREEN. Mr. President, I have received a most interesting letter from 20 of the young American guides serving at the Brussels World's Fair. These guides are American young people who day after day have had an opportunity to observe the foreign reactions to our exhibit in the United States pavilion there.

The letter which these young Americans have sent to me is in defense of an exhibit there entitled "Unfinished Work." These 20 guides believe that a recent policy decision to remove this exhibit was provoked by criticism emanating from the Congress, and that the decision may well destroy one of the most significant and powerful of our exhibits at the Brussels Fair.

I have avoided thus far participating in controversies which have arisen over the nature of our exhibits at the fair, but this letter is so thoughtful that I believe it deserves the most careful attention of every Member of Congress, of the Department of State, and of the United States Information Agency.

The essence of the comments of these young Americans is that our exhibit entitled "Unfinished Business" has had a heavy and favorable impact on visitors to the fair, and also, these young Americans note, "It takes courage to be honest."

I ask unanimous consent that this letter be printed in the RECORD at this point.

I intend to pursue this matter with the appropriate officials of the United States Government, and I take this opportunity to commend these Americans for their splendid, thoughtful letter:

BRUSSELS, BELGIUM,
August 16, 1958.

Hon. THEODORE F. GREEN,
United States Senate,
Washington, D.C.

MY DEAR SENATOR GREEN: We, the undersigned American guides at the Brussels World Fair, would like to submit a report on an exhibit in the United States Pavilion entitled "Unfinished Work." Our action has been inspired by a recent change in policy which will replace the three problems now portrayed in this exhibit (race relations, urban renewal, and conservation of natural resources) by a public-health exhibit. We understand that this change will be made because of the recommendations of some Members of Congress, the State Department, and the United States Information Agency.

Because Unfinished Work has been criticized in the United States, we believe it is imperative to present our evaluation of this exhibit which is based on our direct, personal experience. We are sending this report to you because we earnestly hope that you will understand our position and, if you see fit, take appropriate action.

Unfinished Work has been open to the public about 10 weeks (it opened late and was closed for changes), and has been seen by approximately 250,000 persons. Visitors are usually taken through it in separate language groups, ranging from 5 to 25 persons. This permits each guide to have direct contact with everyone. In brief, this exhibit is made up of three sections: (1) Introduction to the problems through newspaper clippings; (2) improvements already achieved and steps being taken toward further progress through photographs and charts; and (3) the ideal for the future through photographs. The general purpose of the exhibit is to demonstrate how the dynamics of American society resolves its problems and eventually realizes the ideals for which we stand.

In the first part, the problems are simply stated as follows:

1. The American Negro: One American citizen in 10 is descended from African slaves. These 17 million Negroes have yet to win all of the equal rights promised them by American democratic theory.

2. The Alliance With Nature: The American Continent was settled with little thought for the future of its seemingly unlimited resources; now Nature needs help from man's management to husband and renew our trees, soil, and water.

3. The Crowded City: In less than two generations, Americans have changed from a country to a city people. Three-fourths of them now live in urban areas, whose rapid growth has brought problems of congestion and of housing that is not yet up to the other standards of American life.

Throughout this exhibit, we try to be as honest as possible, admitting that many aspects of the present situation are unfortunate, but that recent changes justify optimism. For example, in the second section of the exhibit, the racial problem is discussed from three points of view—educational, political, and economical. One graph shows the increase in the number of Negro students in American universities and colleges: 27,141 in 1930 and 196,000 in 1956. The accompanying photograph depicts Negro and white students, with a Negro professor, at the University of California. The graph below shows the results of the 1954 Supreme Court decision on integration. Out of a total of 3,008 southern school districts, 761 have integrated. In explaining this graph, we say that schools in the North already were integrated, but that the South does not have a monopoly on the problem. We add that although it is a legal problem in many parts of the South, it still remains a social and economic problem in the North. On the subject of Little Rock, all heads immediately nod in recognition when this name is mentioned. Without exception, every European and Asian is familiar with this incident and all too frequently, this is as far as his knowledge extends. We add, however, that while the headlines were filled with the violence of Little Rock, there were many other communities in the South which carried out integration in a quiet and orderly manner. In these cases, usually committees of whites and Negroes cooperated in working out a long-range integration program which gave both sides adequate time to adapt to this new concept. The next photograph shows Negroes using voting machines (which fair visitors are already familiar with, having seen them in the pavilion). The accompanying chart shows the rise in the registered Negro vote in the South: 1947—595,000; 1952—1,008,614; and, 1956—1,238,038.

The next group of photographs depicts Negroes and whites working together. There is also a photograph of the New York Commission on Discrimination. We explain that many cities have such public service commissions which permit white and Negro citizens to protest against discrimination of any kind.

Another photograph shows a Negro couple in a modern, upper-middle class kitchen in a Little Rock home. In explaining these pictures, we say that they are not necessarily typical of either Negro or white living conditions but that they indicate that such standards are possible. The accompanying chart shows the rise in Negro per capita incomes: 1937, $384; 1947, $750; and 1956, $1,070, on the basis of the constant dollar. We add that there is still a large difference between the average white and Negro income, but that this gap has steadily decreased in recent years. On the corner of this wall, there are photographs of President Eisenhower, Adlai Stevenson, the Rev. Martin Luther King, and Walter Reuther with accompanying quotations. For example, Reverend King's words are: "This is not a war between the white and the Negro, but a conflict between justice and injustice. It is one of the greatest glories of America that we have the right of protest."

The other side of this structure is occupied by the housing problem and the conservation problem. In the housing section there is a photograph of the southwestern section of Washington, D. C., showing slums with the Capitol dome in the background. This same photograph was circulated in some parts of Europe and throughout Communist countries several years ago as an example of how Americans live. A scale model of a new apartment building is placed under this picture, indicating the type of housing which is replacing this section. Other photographs contrast slum areas with new housing projects. We also explain in this section how cities can participate in an urban renewal program and share part of their costs with the Federal government. The accompanying charts explain that 60 percent of all homes in the United States are occupied by their owners. There are also photographs of Levittown showing our development of large scale, low cost, one family housing projects.

In the conservation of natural resources section, there is a photograph showing soil conservation through contour plowing, a concept which is relatively new to Europeans. The accompanying chart reveals that in 1957, out of a total of 4,900,000 farmers, more than 1,700,000 of them had conservation plans. A chart also shows that the forest area now under protection is 600 million acres, compared to 387 million in 1937. A map of California is exhibited as an example of how this State is helping to solve its irrigation problems through such projects as the Shasta Dam. The adjoining chart shows that reservoir capacity has risen from 1.5 million acre-feet in 1940 to an expected 410 million in 1970.

According to the amount of space we have devoted to describing the racial problem in this report, it may appear as if it has been overemphasized. But we can explain this imbalance by the amount of interest shown in the racial problem abroad and the criticism which has been focused on the presentation of this problem by people in the United States.

In the third section of this exhibit, three large photographs communicate a loose idea of the American ideal. One wall shows Negro, white, and Oriental children dancing in a circle, hands joined. The other side shows the graceful sweep of threshers curving over a Kansas wheat field, and the third photograph is a tall, modern apartment building. The plaque reads: "American communities, like American individuals, like to emulate and surpass each other. By this process democracy's unfinished business, already partially mastered, will get done on a national scale. To be followed no doubt by other (and perhaps nobler) challenges. The goal that draws us is not utopia, but larger freedom, with more justice. Democracy is our method. Slowly, but surely, it works."

In this section we ask visitors, if they have questions about any part of the exhibit. Almost all will say, "Thank you very much," and will shake our hands. Visitors are definitely and positively affected by this experience. Others will add, "It shows the democratic and free spirit of the United States," or "You are very courageous to do this," or "Only a great country can recognize its own faults." Many, who have only heard of Little Rock, will say, "We did not realize that the Negro has made so much progress." Often it is contrasted to th Russian pavilion.

Each nationality group has a somewhat different reaction to the exhibit. Often they will admit that they have similar problems in their own countries: the British with the West Indians, the Dutch with the Indonesians, and some Belgians with the Congolese. The most interested response, however, comes from peoples from Asiatic and Communist countries. They have been told about our racial problems with more intensity and exaggeration than any other groups. Many will start out with complete skepticism and leave with an indication of new respect.

For example, a group of Indian and African students bluntly asked, "How can you call yourselves a democracy and the representatives of free peoples if you treat your Negro citizens like this?" This same group stayed and discussed the problem for more than an hour. They said that they were hesitant about coming to the United States to work and study. "If it is difficult we will come, but if it is impossible, please tell us." After the hour's discussion, although the problems had not been resolved, they had been opened up, and both sides felt as if something worthwhile had been accomplished. They came back again to say thank you. This is typical of many of the reactions we receive every day in this exhibit.

Some visitors will frankly ask, "But why do you have this problem at all?" We try to approach it from a historic, political, and economic point of view, adding, "It takes time for people to change, and it cannot be forced on them, especially in a democracy."

Sometimes people will start out almost belligerently, such as one German who said, "When the Americans came to Germany 10 years ago, they told us how terrible we were the way we treated the Jews, but you are doing the same thing with the Negroes." We made a distinction—the Germans tried to eliminate the Jew from society; we are

trying to integrate the Negro into our society.

"Although American visitors are in the minority, almost all who have come to the exhibit have been impressed by it. While many may have heard critical reports before seeing the exhibit, they become convinced that it takes courage to be honest. This has been equally true of 3 housewives from Georgia as 2 law students from New York City.

In conclusion, we would like to evaluate this exhibit in terms of the larger context of the World's Fair and American foreign policy. The theme of the Exposition is a new humanism in a scientific age, and the efforts each country is making to improve the material standard and human rights of its citizens. The United States is the only country represented at the Brussels World's Fair which is engaging in this type of open self-evaluation. What has sometimes been termed as "hanging out our dirty linen" by critics of the exhibit in the United States has, on the contrary, turned out to be a powerful type of inverse propaganda. It is a total contrast to the Russian Pavilion and provides a positive answer to their twisted propaganda about us. This exhibit has succeeded in gaining for us a deep and sensitive measure of understanding and respect in the eyes of the average fair visitor.

Judging from the responses we have received when working in this exhibit, we strongly believe that the proposed changes in unfinished work will diminish our prestige abroad and will open us up to new and severe criticism because we have been forced by domestic pressure to retreat from a courageous position.

We thank you for your kind consideration.

Sincerely yours,

Michael C. Moore, Gloria H. Teal, Lawrence E. O'Neil, Madeleine May, Kibbe Fitzpatrick, Nancy Gore, Carol J. Hardin, Edward G. Janeway, Jr., Stanley Reeves, Kathleen M. Quinn, Ronald Davidson, Charles E. Butterworth, Lydia Blanchard, Henry Hammond, Beverly E. Franks, John R. Yancey, Mary-Lou Donahoo, Jane Bancroft, Armena Martin, Carleton Dallery.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair lays before the Senate the unfinished business, Senate bill 654.

The Senate resumed the consideration of the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

The PRESIDING OFFICER. The pending question is on the motion of the Senator from Colorado [Mr. CARROLL] that the bill be recommitted to the Committee on the Judiciary.

IN RETROSPECT

Mr. JENNER. Mr. President, the time has come for me to take my leave.

Twelve years spent in the Senate of the United States—nearly a third of a man's professional life—leave a mark which nothing will ever erase.

I am proud to have been chosen by my State of Indiana, to serve in the United States Senate.

I have made many happy associations here, and I hope they will not fade away.

Though I am sorry to leave, I am happy to return to the life of a private citizen. No people anywhere in our country care more for home and family, for private life and our local communities than the people of Indiana.

We have something of the feeling that our local communities are the hub of the universe, which was so strong among Americans in colonial and pioneer days.

It is nearly 14 years since the day in November 1944, when I first took the oath of office in this Chamber.

Those 14 years have been among the most critical in the history of the United States.

As I plan to depart, I ask myself, what does it all mean? What is happening to my country?

When I came to the Senate in 1944, the armies of the Allies had broken through the German West Wall and freed France from the enemy.

The end was in sight.

In the Pacific the Navy had begun the destruction of Japanese sea power. MacArthur and his men had started on the bloody island road to Tokyo.

Our country was the head and shield of the grand alliance.

We not only had 12 million men under arms, in every theater of the war, but we were the arsenal for all the Allied Nations.

Our farms and factories poured out rivers of goods for war. Our railroads carried them across a continent.

Our ships and the ships of the Allies braved the submarine-infested waters about England, the Arctic Coast of Russia, Africa and Latin America.

Our pilots set new records for flights over the oceans and opened the icy routes to Alaska, from which Russian pilots picked up not only planes for the defense of Moscow, but also secret reports on how to use atomic energy for war.

Though I abhor bigness as a test of American achievements, the might of our operations, at such a high level of quality, added the sense of overwhelming strength to the patriotic devotion which stirred our people.

We were fortified inwardly by the conviction that we had never used our superior power to impose our will on any other people.

We expected nothing from our sacrifices except liberty for all nations, and the peace that goes with freedom.

That year of 1944 was a truly great year in the record of our country.

Mr. President, what has happened to that America? What has happened to our courage, our clear direction and purpose, our proper pride in our accomplishments and sense of restraint in using the power that was given us?

The glory has departed. We no longer have a sense of elation. We are confused, operating at cross-purposes.

We refuse to face the harsh realities of the world we live in, and instead fall back on moralistic platitudes to hide the emptiness of our minds.

I keep asking myself why. I do not have a clear answer.

But, at least, I have tried to free my mind of cant, to strip it bare of the platitudes which are in style today.

I am willing to face the emptiness of things, because I believe that only after we have cleansed our minds of lies can new seeds begin to grow, in the little clearings where the weeds of self-deception have been cut down.

Only if we have the courage to live with the winter of our disillusionment, will we see, once again, a spring of new ideas and hope rise from the store left by our Founding Fathers.

I am not going to retrace the struggle which has gone on in Congress and the executive branch since 1944.

The point is that we have been engaged in a far greater struggle, against a far more powerful force, than consumed our full powers in the war against the axis.

We are fighting against a tidal wave of collectivism, coming out of Eastern Europe, which, if it is not stopped, will destroy all western civilization and the Christian faith on which it is based.

It must be stopped, though we do not yet see on what battlefront the present-day Huns will be halted.

You recall the story of Jacob wrestling with the angel. Jacob struggled long and hard, in the darkness, with an opponent he could not see. He was sure his strength would fail, but he fought on. With the breaking of the day, Jacob knew he had been wrestling with superhuman power, but the angel told him he had the blessing of God and would prevail.

The Communist challenge may yet prove the goad which compels us to rise out of our sloth and security, to face the dangers of the world we live in.

In many ways Congress has been the frontline of this struggle for the soul of America.

We know of the determined efforts by a little group of willful men to perpetuate in the war and postwar years the unrestrained executive power they had built up during the New Deal period and World War II.

Let me say here that I am not speaking as a Republican. I am not making a defense of my party, and I am not making any partisan criticism of the Democratic Party.

My only concern is with the question: What is happening to our country?

As I have said repeatedly, the New Deal had no common interests with the Democratic Party. New dealism is an importation from countries where the executive power was always dominant, or where rising left-wing fractions, inexperienced in politics, yielded to the childish hope that, if governments were made strong, they would use their power to serve the interests of the people.

I said to members of my own party in 1953 that the New Dealers were interested only in the party in power.

I said they would make the same efforts to capture the Republican Party in 1953 that they made to take over the Democratic Party in 1933. I leave the rest to my colleagues.

Let us go back to November 1944. Most Americans saw only the grand coalition with its huge armies and navies and air armadas pressing forward to victory.

The Atlantic Charter promised a just peace. But little groups of men were already hard at work, to make over our Government, on the anvil of war, in their own image.

We know how the Atlantic Charter was replaced by the agreements of the Big Three at Teheran, Yalta, and Potsdam.

We know how carefully thought out plans for military government of Germany and Austria were replaced by the Morganthau plan for making Germany a pastureland and sending her scientists and others to slave labor in Russia.

We know how the trained diplomats who understood the Far East were replaced by John Carter Vincent and Lachlin Currie, Owen Lattimore, and E. C. Carter, with their precise plans for the softening up of Free China, and the abandonment of Asia to the Communists.

We know how American economic ideas of free enterprise in foreign trade were replaced by GATT and other parts of the blueprint for one economic world.

We know how our policy was directed to let Korea fall, without letting it look as if we pushed her. Our valiant fighting men in Korea resisted and defeated the screaming hordes of Red China. We know how the victory was taken away from us, in the dark recesses of collaboration between our State Department and the United Nations.

We know how the Republican Party was gradually shifted from the leadership of Ken Wherry, Robert Taft, Arthur Vandenberg, and the group of Senators who fought so bravely with them. We know how it was taken over by Paul Hoffman, and his kind, the modern Republicans, and the men in the shadows behind them.

We know how the Democratic Party was transformed from a party which accepted Franklin Roosevelt's temporary reforms, but still was committed to the Constitution, into a party managed by Harry Hopkins, Dean Acheson, Walter Reuther, and the men in the shadows behind him.

We know how brilliantly Congress brought out the facts about the Communist influence on our Government's policies. The House of Representatives supported, through every kind of pressure and abuse, the Committee on Un-American Activities. The Senate supported the Subcommittee on Internal Security, under Senator McCarran, Senator Eastland, and myself. The evidence brought out by those committees and other committees of Congress documented large areas of the Communist conspiracy within our Government.

We know the pressure which set in to destroy these committees and to besmirch the evidence the Congress had gathered, and, even, to attack the legislative power itself.

Many brave and distinguished Members of Congress were retired to private life, because they incurred the anger of the Communists, who relentlessly pursue any one who dares oppose them, until the day he dies. There is a long line of such brave, defeated, forgotten men, up to the day of infamy when Joe McCarthy was censured by his own colleagues in the Senate because someone in high office did not want him to get nearer to the secret places where Communists had power over our Armed Forces.

While this struggle was going on in our country, the Soviet rulers were busy expanding the empire of death over half the world of living men.

We remember that, even while our flyers were piloting planes over Canada to Alaska, and our seamen were going down to death in the icy waters near Murmansk, the Soviet Union had its spy network in Japan, under Richard Sorge, urging the Japanese to attack America, instead of Siberia. When Japanese planes rained death out of the morning sky on Pearl Harbor, the Soviet Union knew Siberia was safe. It moved its Asian forces to the European front.

Let every American who praises the Russian defense of Moscow remember that the Russian victory was possible only because our loyal ally, the Soviet Union, had persuaded the Japanese to attack our country.

The Soviet Union, in 1944, was so weak that it barely survived the conflict with Hitler. It survived only because America sent the extra margin of food and planes and trucks which kept the Russian armies in the field.

How did the Soviet Union repay our help, when the victory was won? Just exactly as they had said they would repay it. Lenin had long taught the Communists that they must use every nationalist war to start the world civil war. As soon as the Communists were sure we would defeat the Nazis, Soviet political leaders started their intrigues to destroy Chiang Kai-shek and conquer China. They intended that America would have no friends and no bases between Outer Mongolia and the coast of California.

They lit the fires of civil war in Korea and Southeast Asia, stirred up civil commotion in Germany, Italy, Austria, France, and England, trained their subversive followers in India, Africa, and Latin America, and brilliantly directed their traitorous fifth column and its dupes in America.

Now half the world is under the heel of their armies. A large part of the so-called Free World is so confused by their intrigues, so fearful of their vengeance, that it cannot plan a counterattack.

All over the world the simple people know the score. They know Communism is death. They will try to escape so long as they can. All over the earth they are leaving the Communist world for the Free World—voting, if you please, with their feet.

Our Government tells us Tito is a great champion of freedom; but the plain people of Yugoslavia do not understand. Every day they are walking their way to freedom.

In Germany, all the human traffic is one-way—from Communist Germany to Free Germany. We remember the pictures of the Korean refugees clinging by the hundreds to every cart and truck that left the Korea of the Communists for the land of Syngman Rhee. They are still coming. Farther south, the Chinese flee in junks from the mainland to Taiwan; yet we are asked to believe the armed forces of China, with the best modern equipment, could never return from Taiwan to the mainland.

Politically, the world is covered with a blanket of silence. There is not much debate or argument. There is only the stillness, and the soft sound of feet crossing the borders to freedom, or junks sailing in the winds to the land of hope.

Our people have not failed. Our principles have not been found wanting. Our political leaders have failed. The people have courage, and the instinct for truth. They know the greatest political earthquake in history has destroyed all landmarks. They are willing to work and to suffer. They ask of their leaders only that they be given new maps, so they can find their way over the new territory, through which, like the children of Israel, they must journey if they are to reach the promised land.

Our times call for soul-searching by both our political parties. In a crisis as deep and as wide as that of today, political leaders cannot do everything. But have they done enough?

It is the task of political parties, under the two-party system, to mediate among the many special interests, but to find answers that serve the common good.

Today, that task is, I admit, harder than it has ever been before. America is sick with a sickness that goes very deep. The sickness has spread into our schools, our industries, our unions, even our churches. But that is no excuse for failure of the political parties to do their own work.

The duty of our parties is to serve the one great political interest in our country, the interest of those Americans who ask no gifts from their country, who believe—with Cleveland—that the Government does not support the people. The people support their Government.

Have our political leaders read Plato and Aristotle and learned how old is the trick of buying the support of the people with their own money? Have they worked hard enough to see that those who promise a brave new world in our day are no different from the demagogs of Athens and Rome? Have they learned to read, in the high-minded pronouncements about peace, collective security, and a new day for the common man, the same lies and deception that have destroyed so many republics?

Do they know, but fear for their own little safety?

It is the duty of political leaders to lead the Nation to clear political thinking. They must tell the people where, in the lies and confusion, their vital interests will be found.

Behind all the fooling and the horseplay, the partisan argument, and appeals to emotion, the great American parties have served our Nation well. I hope they will again. But today the individual who is trying to understand the dangers to our country must stand alone, and do what little he can, until the parties take up their burden again.

This is no time for me to speak of what I have done, or tried to do, although I am trying, by this recounting, to find the answer for myself.

Wherever I could, I have fought vigorously the Communist penetration into American Government and American life. The records of our subcommittee and other committees tell the story of how much we uncovered.

Wherever I could find a means to weaken the communism influence on our soil, I have fought for it—in the immigration laws, in internal security legislation, in the fight to give the States their sovereign right to legislate, except where it conflicts with the national purpose. The bill before the Senate on yesterday, which I first introduced, would take from the Supreme Court the power to hear appeals in areas where the Court has deliberately restrained Congress, the executive branch, our States, our school system, and our bar examiners, from necessary and proper steps to guard our country against internal communism. That bill is not before the Senate at this time; it was defeated yesterday by a vote of 41 yeas to 49 nays. But I hope it has left its impression. That fight is not over; it still will have to be won.

In foreign affairs, I have opposed solemn agreements with men who frankly admit they regard all agreements as military feints to deceive the hated enemy. I have opposed collective security and foreign aid, because they are failures, and the record shows it. They have not strengthened American security or brought peace and good will to the world. Instead, we have exported jobs and have drained away the wealth of this country; and still the Communists go merrily on their way.

It is just as stupid for us to fall into Communist boobytraps as it would have been for President Roosevelt and his advisers to talk peace with Hitler, join him in a world government for collective security, and distribute billions of our earnings in foreign aid to keep the neutral nations from turning pro-Nazi.

I have urged at every opportunity that we take the Communists at their word, and admit they are engaged in a civil war against the world. That means we should keep from them everything which builds up their warmaking power. We cannot feed their strength by trade, diplomatic relations, summit conferences, unchallenged rulership of the satellites, and the most absurd folly of all—cultural exchange with those who have reduced all culture to obedience to the state.

I have fought against all steps leading to world government, by people afraid to make an honest appeal to Americans to abandon their Constitution. I have opposed the perversion of the treaty power into an instrument for reducing our Government to a province of a world state. I have opposed abandonment of the constitutional rights of our fighting men through status of forces treaties and agreements. I have fought all the many-pronged attempts to transform American fighting forces into police contingents, subject to control by the Security Council of the United Nations, where they would no longer be able to safeguard our country or obey our Constitution.

Finally, I have fought, wherever I saw a chance, against the weakening of America through financial waste, Government extravagance, red-ink budgets, the lies about owing our debt to ourselves, and the widespread inflation throughout our whole economy which follows fiscal dishonesty.

Congress is kept in a state of perpetual confusion, goaded to such speed the Members cannot think. But if one looks carefully, there is no confusion. The problems are really simple.

If I had to reduce everything I have learned in the last 14 years to one sentence, I could sum it up in these words, "Please do not give your Government so much money."

Easy money is the root of political corruption. Rigid control of public money is the root of political morality and political creativeness.

Corruption of governments by too much wealth is not a new problem, but a very old one. The founders of our country understood how essential it is to keep government close to poverty's edge. They put the control over expenditures into the hand of Congress for a simple reason. The Congress which appropriated the money would not have the spending of it, and could not build up an empire of pressure groups. The executive, which could misuse public money, was not permitted to appropriate it, or lay taxes to collect it.

If the New Dealers had not had too much easy money, they could never have set up emergency agencies and created the sprawling bureaucracy which devoured the old-line Federal agencies. If the Government in wartime had not had too much money, it would never have been able to put teams of one-worlders into every field of Government, to prepare the directives, to write the laws, and to make the propaganda for our postwar Tower of Babel.

If the postwar agencies had not had far too much money, they would not have been able to make our executive branch so huge, that Congress cannot control it, so secret that neither Congress, the press, nor the people can find out what is going on.

A government with too much money to spend destroys the society it governs, in two ways. A spending government corrupts the weak with the current equivalent of bread and circuses. Today we call them Federal aid and summit conferences. More important, a spending government must destroy the strong.

No spending government ever gave up spending voluntarily. If it is threatened with loss of the money it loves, a spending government will fight with everything it has to preserve its advantage. A government with billions of dollars to spend as it likes is a government with economic soldiers it can send out to make war on its own people.

It must use money as a weapon to destroy the strong, who want no dependence on government. Why should anyone be surprised when the obvious happens?

I need only mention the income tax, Federal control of expenses of industry like advertising and depreciation, Federal control of income-tax exemptions and tax-exempt foundations. Why is it that the tax-exempt foundations are almost as a unit committed to the welfare state? Let us not be naive.

The Members of this body have seen the growing demand by the public for reduced spending, and lower taxes, which reached its peak last year. Senators remember how angrily the public protested the Eisenhower budget for fiscal 1959.

Yet we have seen this year the wildest spending debauch ever engaged in by any Congress. I have chosen those words deliberately. Nothing in the New Deal, nothing in World War II, and nothing in the postwar years or Korea, is anything like as outrageous as was the spending spree of 1958.

The administration had virtually achieved a balanced budget in 1957 and was trying to pay back part of the debt that now costs us $8 billion a year in interest alone.

Where is the surplus now? Gone with the wind. The Secretary of the Treasury says we went into the red nearly $3 billion in the year just ended. The deficit will be perhaps $12 billion this year. We have thrown away the hope of a balanced budget for years to come.

I think the estimates of our deficit will prove much too low. The inflationary spirit is like a fire. Once started, it is hard to bring under control.

What is the end? We know. It is an old, old story. Always the end has been foreseeable long before the crash.

I will not repeat to you the story of inflation in Germany or France or any other country. But I say this—the financial losses of inflation are of the size of catastrophe. But they are not intolerable.

The American people could stand the loss of every dollar of their accumulated capital, and start from the bottom, to rebuild all their wealth, as Germany did after 1945.

My fear is this. The American people, like other people, cannot stand the moral deterioration, the intellectual decadence, that the flight to inflation brings. The men in Congress who pushed the American economy over the brink, from financial responsibility to runaway inflation, will have to answer for the destruction of everything political, economic, moral, intellectual that has made America strong.

Inflation in Germany was the start of Adolf Hitler's journey to the summit. Inflation in the French Revolution led to Napoleon Bonaparte. Inflation is political suicide.

I have not said the American people are going to travel the primrose path of inflation. I say they are being pushed in that direction by wild-eyed Socialists, ambitious intellectuals, power-seeking demagogs and hidden Communists.

I say the issue is not over money. The issue is over the political sanity, the intellectual honesty, the moral decency, and the military vitality of the United States.

I am not retiring from political life because I am retiring from Washington.

As I said recently, our country is not governed by officials in the Capital. So long as America is true to itself, its strength will lie in the country, not in the Capital. Its political sovereignty will lie in the people, not in the officials. Its intellectual energy will be widespread in all parts of the Nation, not emanating in a cloud from Washington. Its spiritual strength will be in its families, its local communities, its local papers, its local schools and colleges, and symphony orchestras and baseball sandlots. Whenever the American people decide to rise up and rebel against Government that comes from their Capital City, they can end it forever.

If the day should ever come when the centralists and power seekers succeed in draining the strength of America to the Capital, I hope they will give up the sacred name of our country, and let it gather dust in the annals of history instead of being perverted to serve men not worthy of our past.

Our time will be known as one of the most decadent periods in political history, or it will be a time of great creativeness. We do not know. But let us not forget that the years immediately preceding the Constitutional Convention of 1787 have gone down in history as the Critical Period. The men who struggled with the difficulties that followed the Revolution did not know what 1787 would bring.

What Americans did once, they can do again.

The men who assembled to form the Constitutional Convention, were deeply grounded in both history and the practical affairs of life. They did not try to impose on the New World an exact model of the England of Magna Carta or Simon de Montfort, or the Parliamentary war with the Stuart kings. As men of wisdom and true scholarship, they knew the only way to preserve for new generations the virtues of the past is to understand both the deeper significance of history, and the challenge of formless new experience.

We have inherited in our Constitution and our political system something greater than that document itself, magnificent as it is. We have inherited something of the greatness of mind of the men who made our Nation. They were faced with heavy burdens, but they took from the confusions and currents of their day the best that men had learned from the past and crossed it with their clear understanding of the universe opening before us, in which we move step by step into the new world of time.

It is my hope that the people of our generation will meet the difficulties of this period of confusion and chaos with the same fiery spirit of our forefathers. I hope and believe they will recreate the spiritual life of our country, for new generations, as the voyagers from old Europe recreated the spiritual, intellectual and political achievements of the Old World in the virgin lands of America.

To leave the Senate is not to abandon the fight. Those who have been once involved in this conflict will never be able to turn away again until the fight is won.

I close with the words John Adams wrote to his wife Abigail, the day after the signing of the Declaration of Independence.

Adams wrote:

> You will think me transported with enthusiasm, but I am not. I am well aware of the toil and blood and treasure it will cost us to maintain this Declaration, and support and defend these States. Yet through all the gloom I can see the rays of ravishing light and glory.

I leave the Senate with regret. I return to my home in Indiana with hope and joy. Wherever we are, we shall continue working together, to make sure that this new birth of freedom shall not perish from the earth.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JENNER. I yield.

Mr. GOLDWATER. I have not the words with which to express myself and my gratitude—and I think I speak for the people of my State when I say their gratitude, too—for the service of the distinguished Senator from Indiana, who will leave the Senate at the end of this session.

I believe that his speech today will go down in history as a part of the warning sign which is long overdue, not about what is happening to America, but what has happened to America.

I wonder if the Senator from Indiana will allow me to ask him a question or two in that connection.

Mr. JENNER. Certainly.

Mr. GOLDWATER. I wonder if, when the Senator came to the Senate 14 years ago, even though we had been subjected to 10 or 12 years of New Deal philosophy, he did not find at that time the majority of Members of this body and the other body, the executive branch, and even the judicial branch, adhering to the words of the Preamble to the Constitution:

> We, the people of the United States—

Did the Senator not find that to be the situation, even in those days?

Mr. JENNER. I did.

Mr. GOLDWATER. Am I correct in thinking that when the Senator came here 14 years ago there was still some sanctity attached to the 10th amendment, which reads:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Was not some degree of sanctity attached to that part of the Constitution 14 years ago?

Mr. JENNER. It certainly was.

Mr. GOLDWATER. Mr. President, I believe in history. I am a firm believer in what is written on the front of the Archives Building "What is past is prologue. Study the past."

I am not going into ancient history. But does the Senator from Indiana remember hearing on this floor yesterday, about 18 hours ago, these words from one of our colleagues:

> But we cannot go back 75 years. We must go forward. Each year the population of this country increases by 3 million persons. Our economy is expanding and we are moving forward. We are constantly confronted with new problems.

Does the Senator remember that, vaguely?

Mr. JENNER. That is what I referred to in my remarks. That is a part of the New World philosophy which we are asked to accept, breaking loose from all fundamentals, and destroying the greatest country under God's shining sun.

Mr. GOLDWATER. I wonder what our forefathers would think about us if they could see us shivering about an increase in our population, and not preparing to get along as they did when their population increased by the same or a greater percentage rate. Their problems were far greater than those we have to solve today.

I wonder if the Senator heard on the floor of the Senate yesterday these words:

> We are moving in a new age, a new era. We have been living in a new era since 1945.

Mr. JENNER. We have been living in a new era since 1787. However, that does not mean that we can safely abandon all basic principles, all keystones of constitutional government, and depart on the primrose path of inflation, in the belief that we, 170 million people, can feed, clothe, support, and elevate the standard of living of the rest of the world, and still retain our standard of living and our form of government.

Mr. GOLDWATER. That is exactly the point I am trying to make in my colloquy with the Senator. I believe that words were uttered on the floor of the Senate yesterday which are dangerous words, words which have never before been heard in this Chamber, words which give us all pause and cause us to feel concern.

Let me read a little further, to see if I can refresh the Senator's memory:

> What is the value of talking about going back 75 years? We have problems enough as we move forward, and that is what we are attempting to do in connection with this legislation. We do not want to turn the clock back 150 years with this legislation.

Mr. JENNER. How many times have we heard that?

Mr. GOLDWATER. I ask the Senator, if our problems could be solved 170 years ago by the Constitution, the Declaration of Independence, and the Bill of Rights, problems which were basic then and are basic today because they deal with man's spiritual strength, not his material strength, why must we depart

from that concept and say that we must change the Constitution and change the intent of the Constitution to put one branch of the Government—nay, two branches of the Government—above the branch which is supposed to represent the people?

Mr. JENNER. I thank the Senator for his remarks.

Mr. GOLDWATER. Mr. President, before the Senator takes his seat, I wish to express my gratitude to the Senator for having expressed in so eloquent a way the fears of so many Americans. Again on the floor it was said yesterday:

I suspect, though I could be wrong—I am not at all sure I am correct—that the stream of history, the one-world concept, and all the things which have bound us together, from space to the atom bomb and interstate commerce are carrying us inevitably to a situation in which the supremacy of the Federal Government is something we will not much longer be able to controvert because it is essential to national safety.

Is the national safety helped by the recognition on the floor of this body that our Constitution, in effect, means nothing, that what we need is a Federal bureaucracy over us?

Mr. JENNER. And then one world.

Mr. GOLDWATER. I thank the Senator for having yielded to me. I know that other Senators will wish to comment on what the Senator said. One of the greatest events in my life has been the friendship of the Senator from Indiana, and as he goes back to the green hills and green fields of Indiana and to the wonderful people of that State, of whom my wife is one, I hope our friendship will continue to grow and blossom throughout the years.

Mr. CURTIS. Mr. President, I wish to commend the distinguished Senator from Indiana, not only for the speech he has just made, but for many he has made heretofore. We are taught in Holy Writ to prove all things; hold fast that which is good.

The theory of the American Constitution, including States rights, the rights of local government, the rights of the individual and adherence to a system set up under the Constitution, has proved to be good. Those who would change that concept, who would tear down State lines and would make the Federal Government powerful in all things, those who feel that this economy can be changed and divided and deviated from, have not proved their case. They have tried for many years but they have never proved that their methods can bring about a happier, healthier society than has been enjoyed under this Republic.

Mr. CAPEHART. Mr. President, I have been with BILL JENNER from Indiana, our home State, in many a fight. Some of them we won; some we lost. I have known BILL JENNER politically for 20 years, and I have never known a man who was a harder fighter, a harder hitter, or one who campaigned more aggressively for the things he believed in than BILL JENNER. We shall miss him here because of his aggressive fighting spirit. We all wish him well "back in Indiana." I shall be joining him one of these days. If there is anything that I or any other Senator can do for him, I am sure we shall be happy to do it. I wish him well in his new business. I hope he will not completely withdraw from politics. He should not get out of politics, and I certainly hope he will not. I am sure that every Member of the Senate wishes him health and happiness in the coming years.

Mr. JENNER. I thank my senior colleague.

Mr. CASE of South Dakota. Mr. President, 6 years ago this summer it was my privilege to attend a dinner at the Hotel Claypool in Indianapolis to which 1,000 women from all over the State of Indiana came to help launch a campaign to speed up a campaign for the reelection of BILL JENNER to the United States Senate. On that occasion I heard the distinguished Senator from Indiana deliver a speech which, in fervor and strength, was second only to the one which he has given here today. He made certain pledges to the women of Indiana and to all the people of Indiana on that occasion when he was a candidate for reelection. I wish to say to him—and through the RECORD, to the people of Indiana—that the Senator from Indiana has done his level best to redeem every promise to carry forward the ideals which he expressed on that occasion when those 1,000 women came to wish him well in that campaign.

Mr. THURMOND. Mr. President, I wish to extend my congratulations to the able and distinguished Senator from Indiana. This is my fourth year in the Senate, and I look upon the Senator from Indiana as one of the soundest, ablest Senators within this body. He is a true patriot, a loyal citizen, an able Senator, and a great American. I regret that he has not sought reelection to the Senate of the United States. America needs more men of his type and his mind.

I am proud to have served here with the great Senator from the State of Indiana, and I wish him the finest of success and happiness in the years to come.

Mr. KEFAUVER. Mr. President, I have served on the Judiciary Committee with Senator JENNER for a number of years. On a great many fundamental problems we have disagreed, as we do now, within the committee, and on other legislation that has come to the floor of the Senate.

Senator JENNER has always been a man of his word. If he ever tells us anything, we know that is the way it is going to be. There could not be a more likable, charming person than he is to work with on a committee or in the Senate. I wish him good luck in his endeavors. We shall miss him in the Judiciary Committee of the Senate.

Mr. COOPER. Mr. President, I wish to make a short statement about our colleague, Senator JENNER. I do so, first, because we came here together in 1947. Second, because he is representative of a State, the State of Indiana, which is very close to my own State, not only geographically, but in the character of its people; for there were thousands of people from the eastern seaboard who streamed through the Cumberland Gap, remained a while in Kentucky, and then passed on into Indiana. Among them was the Great Emancipator, Abraham Lincoln.

We all know that Senator JENNER is not only strong but relentless in his views, and yet outside of this Chamber he is tolerant of the views of others. No one is more kindly or friendly than BILL JENNER. In a personal sense I believe I have been his friend, and I have felt always in a personal sense that he has been my friend. I know he is an American of great patriotism and of strong convictions. He presents his vigorous views to the Senate and to the Nation. I know that he is a man who deeply loves his country. So I say as a friend to my colleague, I shall miss him, and I wish him every success.

Mr. BRIDGES. Mr. President, service in this great body has two important byproducts not often thought about either by our own Members or by the public at large. One—and of great value to the Nation—is that the Senate is a testing ground for the talent, personality, and character of the men sent here to represent the sovereign States of the Union. The scroll of statesmen in the Nation's history has been distinguished by the names of many great men whose service was rendered in this Chamber.

SENATE IS CRUCIBLE OF FRIENDSHIPS

The other is that the Senate is the crucible in which so many fine and understanding friendships are compounded.

I have been fortunate to have nearly 22 years of service in this body. What I have done here for my State and Nation will ultimately recede into history, but the treasured friendships I have made here will remain fresh in memory for all the rest of my life.

The closing days of each Congress always lay an extra strain on the heartstrings because for one reason or another some of our good friends and colleagues will not be with us when the roll of the next Congress is called.

One, who leaves this body by his own choice, is my good friend and able colleague, BILL JENNER.

COULD HAVE BEEN EASILY REELECTED

Senator JENNER was elected to the Senate three times by the people of the progressive midwestern State of Indiana. He represented them so ably that if he had chosen to remain here they would have supported him overwhelmingly.

BILL JENNER's life and career express the good earthiness of the Indiana soil where he was born. He was raised by stern but loving parents in a day when fathers and mothers recognized their responsibility to guide their children along the straight and good road. He learned from them the simple code to fear God, love his country, and to stand on his own feet.

These are the virtues he brought to his service in this body. They are the great values which distinguish our Nation's history.

HIS CODE OF LIFE

BILL JENNER has never shirked the basic responsibilities of the devoted parent, the good citizen, and the trusted public servant. In his code of life there

is no room for the fair-weather friend, the political faddist, or the middle-of-the-roader who fears to take a positive stand.

His service in this body is distinguished by political honesty, by the courage of his convictions, by true patriotism, and by firm insistence on the sound principle of self-reliance for men and nations.

His yardsticks are his understanding of the eternal truths of life and of the principles which have molded our American Republic. These he found embodied in our heritage, in sound economic principles, in the Declaration of Independence, in the Constitution, and in Washington's Farewell Address.

And so he fought loose fiscal policies, the Socialist welfare state, distortions of the Constitution by the executive branch and by the judiciary, and the feather-brained doctrines of those who maligned the good name of liberalism.

AMONG FIRST TO RECOGNIZE RED THREAT

BILL JENNER was among the first to recognize the true nature of the Communist international conspiracy against the United States and the Free World. In his fight to expose subversion and propaganda in the Communist aim to destroy America, he gave no quarter and asked for none.

In BILL JENNER's book, the yardstick of American foreign policy is true patriotism and the national interests of the United States. He sought strength, independence, and dignity for the Nation at home and abroad.

He has been the foe of bigness in government, of bureaucracy, of welfarism and blind internationalism—not because he is out of date with the times as his critics charge—but because he believes that these developments weaken the self-reliance and individuality of men and nations.

FUNDAMENTAL PRINCIPLES ARE ETERNAL

BILL JENNER would not deny that times have changed, but he insists that fundamental principles are eternal. In this he does not stand alone, but in the illustrious company of some of the greatest statesmen in the history of this body.

In the light of his patriotism, convictions, and forthright courage, it is no mystery that Senator JENNER became a controversial figure. There were times when his critics charged him with intemperateness.

What these critics never understood was that here is a man true to himself, a man moved by intense love for his country, devoted to fundamental principles, and determined to discharge his responsibilities to the Nation as he saw them.

Like Ezra, the celebrated Biblical character whose name he bears, BILL JENNER sought to call his countrymen back from what he believed were the errors of our times.

Progress in such a mission is not made by tip-toeing around the fringes of controversy, nor by imitating the squeak of a mouse.

GREAT MEN ALWAYS CONTROVERSIAL

So what if he were controversial and occasionally intemperate? These are controversial and intemperate times. And few men have been great in history who were not controversial.

What matters most is that BILL JENNER is honest and sincere; that he spoke out for the preservation of the Constitution; that he fought for sound economic principle; and that he held the patriotic interests of his country a sacred trust of his public service. In these things, he has met successfully the high standards of this body.

RESCUED MANY A DULL DEBATE

All Senator JENNER's friends and colleagues regret his decision not to stand for reelection. We shall miss him. He always proved to be a loyal and understanding friend. His personal integrity and good sportsmanship constantly inspired us. Many a dull debate on this floor was rescued from boredom by his earthy wit and humor.

His leaving is a temporary parting of friends. What is said here is not an epitaph on BILL JENNER's public life. He is still young with many years of public service yet before him.

This is a bon voyage as he leaves for his new undertakings, with all of us wishing him success and happiness.

And it is something of a reminder, too, that whenever he decides to return to public life, he will find many friends to welcome him.

Mr. BARRETT. Mr. President, I join my colleagues in paying tribute to BILL JENNER. He has been a great advocate on the floor of the Senate for all the measures which will mean much for the betterment of our country. He has taken a great part in the development of legislation which he thought and which we thought would be best for the country as a whole. He has been a great Senator from the State of Indiana. He has been a great United States Senator. He is a great American. I am proud to say to BILL JENNER today that we are sorry he is leaving this body.

Mr. ALLOTT. Mr. President, it is a real honor and a privilege to join my colleagues in saying a few words on the floor about a man whom we all know as BILL JENNER, and who will always be known to us as BILL. I know of no man in the United States Senate, whether we have agreed with him or disagreed with him—and I have done both—who has more consistently attempted to resolve issues on the basis of the principles which our forefathers laid down in the Constitution. I believe that is something all of us should practice, for the good of our country. As a personal friend I admire him, and I can only say to him that in the choice he has made the Senate of the United States will suffer. He has made contributions to the Senate which will not be appreciated for some time. We will all miss him immensely.

BILL, all I have to say is, God bless you, and I hope you will find in your life ahead the fulfillment of your dreams and aspirations which you so richly deserve.

Mr. JAVITS. Mr. President, I am very much pleased to be on the floor to join with my colleagues and friends in saying, "BILL, we are sorry to see you go. We wish for you all the best. We wish for you personal happiness and all the things which you want for your future."

The junior Senator from Indiana and I have practically had an automatic voting pair. It became a matter of interest. When we voted alike on the floor, it was something really unusual.

Yet I have a deep conviction that such a condition is the very essence of why our country is so great; that it is this amalgam of ideas which makes it great; that each of us, in his own way, has an impact upon our people and upon our time. That is the way we want it. I think I would be untrue to my own conscience if I did not say that only the Lord knows who is right.

It is only the free and fair exchanging of ideas and awaiting the mandate of the Senate, of Congress, and the country, that gives us the national virility and strength to meet the towering challenges, unmatched in history, which our country faces today.

I say to my colleague, as he leaves, that notwithstanding our disagreements on many fundamental matters of policy, I appreciate the sincerity and respect, the indefatigable energy and erudition, with which he has attacked problems in his way, as I have tried to do so in my own. I believe that in this way each of us makes his contribution to what is good for the United States and the Free World.

Mr. JENNER. I thank the Senator from New York.

Mr. BUSH. Mr. President, I appreciate the fact that it must be very difficult for the distinguished Senator from Indiana to take leave of the Senate. That was evident in the remarks which he made a few minutes ago.

I wish to acknowledge that it has been a privilege to enjoy the friendship of the Senator from Indiana. While holding very sharp and definite views, and perhaps opinions different from those of other Senators, he has never allowed that to interfere with his friendliness or with their having the advantage of the warmth of his friendship. I am one who appreciates that.

The Senator from Indiana has made many contributions to this body. I think of two at the moment which I should like to mention, so that if the Senator from Indiana ever looks at this RECORD he will know that I have remembered them.

I recall the days when he presided over the very important subcommittee which was investigating largely in connection with Communist activity and infiltration. Those were days when Senators were under criticism concerning the fair procedures of investigating committees. I recall particularly that the distinguished Senator from Indiana was commended by many persons, both those who agreed with him and those who did not, for the way in which he conducted the hearings over which he presided.

I recall particularly a statement made by Dr. Harry D. Gideonse, of Brooklyn College, one of the great institutions of learning in the New York area, in which he specifically said that he thought that the Senator from Indiana had conducted those hearings with eminent fairness to all concerned. I thought that was a great compliment to the Senator from

Indiana, especially as it came from so eminent a source.

Finally, I think the Committee on Finance will miss the Senator from Indiana very much. I doubt—and in private conservations other Senators have indicated to me that they doubted—that his place on that committee can be filled, from among those who remain in the Senate, by one who has the sound ideas which he has respecting matters which come under the attention of the Committee on Finance.

I congratulate the Senator from Indiana particularly upon his service on the Committee on Finance, which I believe has been only in the closing years of his membership here, but which has been extremely useful to the committee, to the Senate, and to the people of the United States.

I wish the Senator all happiness in his retirement. I hope he will not lose contact with us; nor will we lose touch with him.

Mr. JENNER. I thank the Senator from Connecticut.

Mr. SALTONSTALL. Mr. President, while I do not always agree with my friend from Indiana, I shall miss him as a Member of this body. I look to him as a friend. I have always enjoyed him as a colleague, even though at times we have differed.

Mr. JENNER. I thank the Senator from Massachusetts.

ORDER FOR SENATOR MARTIN OF PENNSYLVANIA TO ADDRESS THE SENATE

Mr. MARTIN of Pennsylvania. Mr. President, I am very desirous of saying something concerning the distinguished Senator from Indiana and also the other Senators who are retiring with me at the end of the year. I ask unanimous consent that I may have the floor immediately after the distinguished Senator from Massachusetts [Mr. SALTONSTALL] has concluded his address.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 3268) to amend the National Science Foundation Act of 1950, as amended, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendment to the Senate amendment No. 36, and further insisted upon its disagreement to the amendment of the Senate No. 114 to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. THOMAS, Mr. ROONEY, Mr. GARY, Mr. TABER, Mr. BOW, and Mr. FORD were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H. R. 12212) for the relief of certain employees of the Department of the Navy, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3966. An act to amend Public Law 85-422;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization; and

S. 4273. An act to provide for cooperation with the European Atomic Energy Commission.

THE NATION'S SECURITY

Mr. SALTONSTALL. Mr. President, complacency certainly has no place in our consideration of the adequacy of our Nation's defenses now or in the future; but equally certain, we must not become panicky about them.

This last week we in the Senate have listened to discussions concerning our Nation's defenses: First, whether studies concerning methods of surrender were being conducted. The President ended that with the word "nonsense" and the Senate disposed of it by a vote of 88 to 2 against the use of any Government funds for any such study; and, second, whether our preparations for the defense of our country are adequate.

The American people have a right to all of the facts we can possibly make available. I have based my entire life in public office on the belief that the people reach right decisions once they know the facts on which to base a decision.

Our Nation's security requires a frank discussion of our capabilities, for much has been said in recent weeks estimating the possible inadequacy of our defenses in the years ahead. To make an intelligent appraisal of our Nation's defense capacity all of the facts must be known.

Policies must be debated and should be criticized—but responsible criticism must be grounded on a solid foundation of fact.

By affirming as fact what is, at best, opinion does not lead to sound action by our people.

Above all, let us not give credence to the propaganda of those who would destroy us by adopting their boasts as facts.

Surely every one competent to judge tells us that today we are sufficiently strong so that no nation will dare to attack us because of our ability to retaliate devastatingly.

But, will the day come, say in 1960 to 1964, when the Soviet can inflict damage on us without our ability to inflict great enough damage on them to stop them from attacking us? That is what some critics of our defense policies say may happen.

The fact that they can damage us we all realize. The asset that we must have is the strength to damage them sufficiently so that they will not attempt to damage us.

We will never be the underdog if we maintain confidence in ourselves, advance our science by hard, constructive research, develop new weapons, and put them into production.

We do not hide our failures—we cannot be complacent in our successes.

Our defense policies are postulated on two fundamental considerations:

First. We must maintain adequate retaliatory power, not necessarily overwhelming, but sufficient to deter attack by any nation now or in the future.

Second. We must build a strong economy, maintain strong conventional forces to back up free nations who are our friends, and maintain our defenses against the political and economic aggression so characteristic of the Soviets.

Our task is to maintain this strength, not man for man, with any potential enemy, and not bomb for bomb, but by sufficient strength—whatever that quantum may be—so that we may discourage an attack on us by any nation.

We must look at the whole spectrum of our Nation's defense, not merely one isolated aspect.

Consider for a moment a few hard facts—some recent developments—about our defense posture:

First. The intermediate-range ballistic missile is in production. And this even though our missile program was not begun until 1953. The Russians had a 5-to-10-year headstart on us.

Second. The Atlas ICBM has been successfully test-fired and a nose cone has been shot into space and returned. We have developed the ICBM with unprecedented speed.

Third. The United States has unsurpassed leadership in the application of nuclear power to naval vessels. The 1,500-mile Polaris missile-firing nuclear sub is being converted from dream to reality; and it was great news when our nuclear-powered sub, the *Nautilus*, split the North Pole under the icepack and the *Skate* followed 8 days later.

Fourth. Three American satellites are circling the globe in outer space, better instrumented, scientifically, than any of the models produced by the Russians.

Fifth. American military forces are on 24 hours' call anywhere on the globe, with mobility that all the Russian ground forces put together cannot muster.

Sixth. The Strategic Air Command is equipped with the most modern manned aircraft in the world. Our drawing boards are replete with bold, new models.

Seventh. (a) Our atomic weaponry, including nuclear depth charges, has increased a thousandfold the striking power of our military forces.

(b) An atomic charge has been fired several miles into the air—a precursor of the anti-ICBM missile.

Eighth. The BOMARC, a deadly defensive missile, has been fired, with incredible accuracy, by remote control 1,500 miles away.

Ninth. Under the reorganized Pentagon, we have good reason to believe that our Nation's defenses will be administered more speedily, more efficiently, and with less waste.

Is this lack of research or—lack of progress? Does this indicate that we are headed for second best in 1960 or 1964?

So let us not sell ourselves short. The Soviets may be ahead of us in some developments. But when some persons base their conclusions on estimates of Russian efforts, as compared with our efforts, when actually the Russians' are merely estimates, and are not hard, certain evidence, then I am worried. There is a great deal of difference between making a judgment based on estimates of what we think the Soviets are doing, and making a judgment based on what we know they are doing.

Let me offer one illustration of the kind of misunderstanding which can arise. We have heard a great deal of discussion about the quantitative comparison of Russian and American ICBM strengths. Figures which have been used show 130 United States ICBM's in 1964, as compared with 2,000 Russian ICBM's in the same year.

But this, I find, is a comparison of two entirely different things, for the 130 United States ICBM's represent only our developmental objective, and do not take into account what we can mass-produce, once preproduction models are completed and a decision to concentrate on a particular missile has been made.

The Russian figure of 2,000, however, is based on estimates of the maximum number they might produce, once in full mass production.

Furthermore, preliminary production estimates on one ICBM model indicate that we can exceed the Soviet effort numerically, if desirable. The exact numbers are classified, however.

In other words, we are comparing the optimum Russian mass production capacities with what are simply our own preliminary objectives, and do not even account for what we intend to produce.

We shall never be the underdog if we keep on the job. We need more efficiency. We must cut down on waste. We must make decisions as to choice of weapons, and then must proceed to develop and produce them.

The Preparedness Committee, under our majority leader, developed 17 points where speedy decisions and more action are needed. Decisions have been made; actions have followed.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Massachusetts yield? He referred to me, and I wish to make a brief comment in that connection. Ordinarily I would wait until the conclusion of the Senator's formal statement; but I am required to leave the Chamber in a moment or two.

Mr. SALTONSTALL. Let me say that in connection with these remarks I intend to submit a memorandum on the 17 points, and to include the unclassified material submitted in that connection. I realize that there is also a group of classified material; I have a copy of it, and so does the majority leader. However, I intend to submit for the RECORD only the unclassified material.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Massachusetts will yield briefly to me——

Mr. SALTONSTALL. I yield.

Mr. JOHNSON of Texas. I should like to observe that the distinguished former chairman of the Armed Services Committee [Mr. SALTONSTALL] and I have no difference of opinion about the need for adequate defense for the Nation. I commend the Senator from Massachusetts for his efforts to keep America prepared.

I commend the Defense Department, under Secretary McElroy, for its attempts and his attempts to accelerate our defense preparations.

I do have a difference of opinion, I believe, in regard to whether we are going far enough, fast enough.

So I do not think the question here is one of patriotism or dedication to one's country. The question is purely one of judgment.

I recognize that the President, the Commander in Chief, has had great experience in this field; and naturally his opinions carry great weight. However, I wish the RECORD to show now—as I have wanted it to show year after year after year—that I believe the question is one of relative strength; and I do not think America is doing as much as it should be doing now.

I thank the Senator from Massachusetts for yielding to me; I appreciate his courtesy. I commend him for his efforts to keep America strong.

Mr. SALTONSTALL. I thank the Senator from Texas.

Mr. JOHNSON of Texas. I do differ with him on the extent of our effort.

Mr. SALTONSTALL. In the course of the remainder of my prepared remarks, I believe I shall answer some of the questions the Senator from Texas has raised.

Mr. JOHNSON of Texas. I reviewed the Senator's prepared statement a short time ago; and I wished to make this statement to him.

Mr. SALTONSTALL. I appreciate it very much.

Mr. CASE of South Dakota. Mr. President, will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Massachusetts yield to the Senator from South Dakota?

Mr. SALTONSTALL. I prefer to finish my formal statement before I yield further, Mr. President. I yielded to the majority leader because I realize that he is extremely busy, and that he had to leave the Chamber. After I conclude my prepared remarks, I shall be glad to yield to other Senators.

Mr. President, in the coming January, we must review those actions, to see whether we are still going forward as fast as we should.

I ask unanimous consent to have printed at this point in the RECORD the 17 points named by the Preparedness Subcommittee, together with the unclassified answers of the Department of Defense.

There being no objection, the memoranda were ordered to be printed in the RECORD, as follows:

RECOMMENDATION NO. 1.—MODERNIZE AND STRENGTHEN THE STRATEGIC AIR FORCE

Since April 3, 1958:

(1) The standard SAC alert force has been increased. The number of bombers on 15 to 30 minute alert is up 33 percent and tankers by 50 percent. In the present situation, number is higher (but classified).

(2) One ICBM training squadron and one Atlas squadron have been activated at Cooke Air Force Base. We have commenced deployment of the first Thor squadron to the United Kingdom to assist in training program. We have revised the ICBM operational concept to decrease vulnerability to enemy attack and permit greater effectiveness. (Refers to dispersal—which is classified.)

RECOMMENDATION NO. 2—STEP UP THE DISPERSAL OF SAC BASES

Since April 3, 1958, all money has been released to the construction agencies, and construction contracts are being placed as rapidly as possible.

RECOMMENDATION NO. 3.—PUTTING MORE EFFORT INTO DEVELOPING ANTIMISSILE MISSILES

(1) Appropriate modifications to missile test ranges in order to test adequately the missile when available are being determined.

(2) Program of over $200 million for Nike-Zeus for fiscal year 1959 has been approved.

(3) Management responsibility for Nike-Zeus program has been assigned to chairman, ballistic missile committee (Holaday) to provide expediting advantages possible through ballistic missile committee channels.

(4) Advanced Research Projects Agency has been directed to proceed with fundamental research phases aimed at later missile improvements.

RECOMMENDATION NO. 4.—IMPROVE EARLY WARNING SYSTEM FOR MANNED AIRCRAFT AND ACCELERATE THE DEVELOPMENTS OF AN EARLY WARNING DETECTION SYSTEM FOR BALLISTIC MISSILES

(1) Program for construction of a two-station ballistic missile early warning system and associated communications with estimated cost of over $500 million has been approved.

(2) Negotiations underway with appropriate government to increase number of stations in ballistic missile early warning system.

(3) Negotiations underway with appropriate government for improving communications with ballistic missile early warning system and distant early warning.

(4) Negotiations are underway with appropriate government for augmenting DEW line and other warning lines with more modern radars.

(5) The Argentia extension of the DEW line on the Atlantic side and the Aleutian extension on the Pacific side are in operational use.

(6) Management responsibility for the BMEWS assigned to the chairman, BMC (Holaday) in order to achieve expediting advantages through specialized organizational structure.

(7) Advanced Research Projects Agency to proceed with fundamental research phases applicable to later improvements of BMEWS.

RECOMMENDATION NO. 5.—MODERNIZE AND STRENGTHEN GROUND AND NAVAL FORCES

Army modernization by its very nature is a continuing process. This program continues and will be strengthened with the approval of the fiscal year 1959 budget. Among the advanced weapons in progress are Honest John adaption kits, battlefield radars, improved reconnaissance systems, communications, and equipment to provide increased mobility.

Since April 3, 1958:

1. On April 18 the 4th Army Missile Command (air transportable) was activated in Korea.

2. On June 20 the 40th Field Artillery Missile Group (Redstone) was deployed to the 7th United States Army in Germany. This unit has successfully fired Redstone missiles as part of its training program (two).

3. Conversion of Continental United States Nike-Ajax air defense units to Nike-Hercules was initiated and training begun. The first three Nike-Hercules batteries are now in operation.

4. By June all 24 batteries of the 6 Nike-Ajax air defense battalions in Europe were operational.

5. The F4H–1 supersonic all-weather carrier-based fighter was assigned a DOD urgency second only to the national priorities program. This priority and the comparable priority previously given to the F8U–3 will help assure early availability of the F4H–1 for evaluation of which aircraft is to be procured for the air defense mission of the Navy.

6. About 80 percent of fleet Marine forces have completed reorganizing under new concepts of amphibious warfare and tactical nuclear warfare. The remainder will be completed by the fall of this year.

7. On August 3, the *Nautilus* reached the North Pole under ice, followed by the *Skate* crossing the North Pole on August 11, 1958.

8. Army authorized to procure Mohawk airplanes.

9. Navy extends contract with Martin Co. for engineering studies on nuclear seaplane.

10. World's largest submarine *Triton* to be launched August 18, 1958. A total of 33 atomic powered subs have been authorized, the *Triton* will be the 8th launched.

STATEMENT BY GEN. NATHAN F. TWINING, UNITED STATES AIR FORCE, CHAIRMAN OF THE JOINT CHIEFS OF STAFF, BEFORE THE PREPAREDNESS INVESTIGATING SUBCOMMITTEE (JOHNSON) OF THE COMMITTEE ON ARMED SERVICES, UNITED STATES SENATE, ON RECOMMENDATION NO. 6, PROVISION OF ADEQUATE AIRCRAFT FOR GROUND FORCES, JULY 24, 1958

One of the 17 recommendations of this subcommittee was that there should be provided for the Armed Forces of the United States "an adequate airlift for ground troops." In my first report to the committee on this recommendation on February 26, 1958, I stated that, as of that date, the Joint Chiefs of Staff were on record that our airlift capabilities were, in general, adequate. I further stated that the Joint Chiefs of Staff had directed that another study be made of the whole airlift problem in the light of the world situation as it exists today. On April 3, I reported that the Joint Chiefs of Staff study on airlift was still in progress and would not be completed for some time.

Any study of strategic airlift is bound to be complex, studded as it must be with assumptions that may or may not be valid in actual emergency situations. Such factors as I discussed in my testimony of April 3, as—bases, servicing facilities, stocks of gasoline and spart parts, communications, and terminals capable of receiving, unloading, and servicing the aircraft expeditiously—must be taken into account. Furthermore, these factors must be taken into account for each movement contemplated. All of the factors I enumerated vary for movements from and to different points. A very good discussion of the general factors involved in strategic airlift was given by my predecessor as Chairman of the Joint Chiefs of Staff to the Mahon subcommittee of the House Committee on Appropriations. A sanitized version of this presentation appears at pages 2049 through 2097 of that subcommittee's hearing on the Department of Defense Appropriations for 1958.

With the above as a background, let me give you a progress report on what the Joint Chiefs of Staff organization has accomplished since I last testified on this subject 2½ months ago. The Joint Staff has, all during this period, been engaged in an extensive and comprehensive study of strategic airlift under mobilization and wartime conditions. This study covers a 4-year time period, 1958 through 1962—and constitutes an overall evaluation of airlift capability versus airlift requirements for the first 2 months of a general war. The evaluation is made under two major conditions: First, when D-day follows a mobilization day of 6 months; and second, when D-day and M-day coincide. This study has been completed and coordinated throughout the Joint Staff and is currently being commented upon and cleared by the services. It should be ready for formal presentation to the Joint Chiefs within the next 2 weeks. Should the committee desire, the conclusions and recommendations of this study could be discussed in a later executive session, subsequent to consideration of the paper by the Chiefs.

In addition to the study I have outlined above, the Joint Chiefs of Staff have noted and approved a report of the joint advanced study group on United States airlift capability in a specific emergency situation in the Pacific. This group took a typical limited war situation as set forth in an existing CincPac operation plan calling for United States military participation in the defense of a Far Eastern country. The group did what we in the military call "war gaming" of this particular operation plan. In developing that portion of the study concerned with United States airlift capability to support troop deployments to the emergency area in accordance with plans, a problem allocation of airlift consistent with United States airlift capabilities in the Pacific area was utilized. The study group concluded that, with the airlift allocated, the planned deployment of forces and materiel to implement the operation plan was feasible from the airlift point of view. That is to say—they concluded we had sufficient airlift to do the job required. I wish to emphasize that this is but one limited war situation out of many possibilities. It was studied and war gamed, however, with the maximum amount of realism which can be put into such a problem. Because this is an actual, not a theoretical, war plan, the solution is very highly classified and further details cannot be given in open session.

I would like to conclude by stating that nothing which has been developed by the Joint Chiefs of Staff organization thus far has changed my opinion that we have in being and programed sufficient airlift to meet our real needs. I want the committee to know, however, that I and the Joint Chiefs of Staff as a corporate body have an open mind on this subject and our study of it is deep, thorough, and continuous.

The balancing of priorities in what we must buy to best defend the United States is one of the most difficult problems which face the Chiefs as a corporate body. If the individual services could have everything they wanted, I'm sure the Air Force would like to have more troop carrier aircraft—so would I. But, as I pointed out to this committee on February 26 of this year:

"Somewhere the Joint Chiefs as a corporate body has to make up its mind what you are going to buy."

The fact of the matter is—when the Joint Chiefs were considering in March of this year a priority list of what they would like most to buy if they were given $1.5 billion additional funds and what they would like most to buy if they were given $2.5 billion additional—troop carrier aircraft were not on any service list.

RECOMMENDATION NO. 7.—POUR MORE EFFORT INTO OUR ANTISUBMARINE PROGRAM

Since April 3, 1958, several significant steps have been taken to improve antisubmarine capabilities. All of these, primarily involving detection, are of highly classified nature.

August 4: Navy awards multimillion contract to Lockheed for P2V–7 antisub aircraft and equipment.

RECOMMENDATION NO. 8.—SET UP PRODUCTION SCHEDULES OF ATLAS, THOR, JUPITER, AND ACCELERATE DEVELOPMENT OF TITAN

(1) Successfully completed first phase of testing Atlas program with successful June missile flight. Now engaged in more complex test phase of this missile.

(2) Buildup of Atlas production rate continues.

(3) Titan, which was started later than Atlas program, is coming along in satisfactory manner.

(4) Thor program on schedule with flight test program achieving considerable success. Expect occasional flight test failure as reliability and debugging test program proceeds. Expect to meet scheduled operational deployment date.

(5) Buildup of Thor production rate continuing toward maximum approved schedule.

(6) Thor-Able, a Thor missile with a modified Vanguard second stage, successfully boosted a nose cone to a distance of over 5,000 miles giving us important nose cone reentry information.

(7) Two full-scale Jupiter nose cones have been successfully recovered after full-range flights, confirming solution of IRBM nose cone problem and providing data for further improvement.

RECOMMENDATION NO. 9.—REDUCE LEAD TIME IN THE DEVELOPMENT OF WEAPONS SYSTEMS BY CUTTING DOWN ON DECISION TIME AND BY SIMPLIFYING PROCUREMENT PROCEDURES

(1) Reorganization of the Defense Department is expected to assist materially, particularly the establishment of the Director of Defense Research and Engineering.

(2) Progress has been made in simplifying procurement procedures governing smaller transactions which impose heavy workloads on industry and government.

RECOMMENDATION NO. 10.—PROVIDE FOR A FREER EXCHANGE OF SCIENTIFIC AND TECHNICAL INFORMATION BETWEEN THE NATIONS OF THE FREE WORLD

Since April 3, 1958 Congress has just (July 2) enacted Public Law 85–479, broadening the degree to which information in the atomic field can be shared with our allies. The President on July 3 submitted to the Congress a new proposed agreement for cooperation with the United Kingdom.

Under our revised national disclosure policy, the sharing of scientific information with selected allies has increased.

RECOMMENDATION NO. 11.—START WORK AT ONCE ON THE DEVELOPMENT OF A ROCKET MOTOR WITH A MILLION-POUND THRUST

Since April 3, 1958 a contract has been let with North American Aviation for development of an engine of about 1-million pound thrust. Development of this engine is carefully coordinated between ARPA and NACA.

[Department of Defense news release of July 25, 1958]

In amplification of Defense Secretary McElroy's remarks before the Senate preparedness investigating subcommittee yesterday, the Department of Defense said today that, after careful coordination between ARPA and the National Advisory Committee for Aeronautics, the Air Force has been authorized to proceed with the development of a liquid propellant rocket engine which will produce over 1 million pounds of thrust from a single combustion chamber.

While the first application for such a large engine has not yet been definitely established, it will unquestionably be needed in this era of satellites and space vehicles. An engine of this size could be used to put up a manned satellite weighing approximately 20,000 pounds or an interplanetary vehicle weighing 5,000 pounds.

The Air Force has let a contract to the Rocketdyne Division of North American Aviation to begin development of major components for the engine, which is similar in principle to the Rocketdyne powerplants now used in the Atlas, Thor, and Jupiter missiles. One aspect of this new engine development is that the single combustion chambers may be clustered together to provide a multimillion pound thrust capability for United States military and civilian space programs of the future.

The authorization comprises only a part of the total program for high thrust engines under consideration. It is considered an interim measure to ensure continued progress in this field, while the total program was being developed between ARPA and the National Advisory Committee for Aeronautics.

RECOMMENDATION NO. 12.—GIVE SERIOUS ATTENTION TO THE QUESTION OF SHELTERS AND STOCKPILES FOR CIVIL DEFENSE

This does not fall under our direct responsibility.

RECOMMENDATION NO. 13.—REORGANIZE THE STRUCTURE OF THE DEFENSE ESTABLISHMENT

Since April 3, 1958, a bill embodying most of the points in the President's proposal has now been enacted.

RECOMMENDATION NO. 14.—PROVIDE INCREASED INCENTIVES FOR THE RETENTION OF TRAINED PERSONNEL IN THE MILITARY SERVICES

Since April 3, 1958:

(1) The military pay bill (Cordiner) has been passed into law (May 20).

(2) To amend the Universal Military Training and Service Act to authorize additional deferments in certain cases (category IV).

Modern weapons have intensified our urgent need for realistic standards of initial acceptability for service whether through enlistment or induction. In the absence of this authority, the Army has been compelled to accept through induction many marginal individuals with limited training capability, requiring the Army to place them into uniform, house them, assign them basic training, and—then—after considerable initial outlay has been forced to separate them from service as inept or unsuitable.

Status: This legislation has passed both Houses and is before the President for signature.

(3) To amend title 10, United States Code, with respect to active duty agreements for Reserve officers, and for other purposes (term retention).

This proposed legislation is designed to provide an improved status for Reserve officers on active duty with the Armed Forces. It is urgently needed to raise the critically low rate of retention of Reserve officers beyond their obligated tours of duty.

Status: It has been introduced in the House as H. R. 13472. Hearings have not been set by either Senate or House Armed Services Committee.

RECOMMENDATION NO. 15.—ACCELERATE AND EXPAND RESEARCH AND DEVELOPMENT PROGRAMS; PROVIDE FUNDING ON A LONG-TERM BASIS

Since April 3, 1958:

(1) It is hoped that the new office of the Director of Defense Research and Engineering will help in this respect.

(2) The Department of Defense has requested increased transfer authority in the Department of Defense emergency fund from $100 million to a total of $500 million. Such an increase would enable us to move promptly in both research and development and procurement, to capitalize on any unexpected developments or important technological breakthrough.

RECOMMENDATION NO. 16.—PUT MORE EFFORT INTO DEVELOPMENT OF MANNED MISSILES

(1) X–15 rocket powered manned research aircraft development program is proceeding on schedule.

(2) Contracts have been awarded to the General Electric Co. and the North American Aviation Corp. for design of full-scale sealed capsules capable of providing environment adequate to sustain a man in space.

(3) The joint ARPA–NACA panel has continued its review of various proposals for placing a man in space with the object of achieving manned space flight at the earliest practicable date.

RECOMMENDATION NO. 17.—ACCELERATE THE DEVELOPMENT OF THE POLARIS (FBM) MISSILE SYSTEM

Since April 3, 1958:

The Polaris program is continuing to meet its demanding schedule with a remarkable degree of success thus far. To assure continued acceleration of the program in the interim preceding passage of the 1959 budget, the Navy was given special authorization of $248 million for obligation and commitment for Polaris.

The Secretary of Defense has assured the Defense Appropriations Subcommittee that this program will be carried forward at all practicable speed.

Mr. SALTONSTALL. Mr. President, above all, America possesses an intangible quality which no totalitarian world power can share, namely, a will to win, and a belief, indeed, a conviction, in that which we know to be right. This spirit is our most formidable weapon. H-bombs can never destroy it, for freedom and liberty know no compromise.

Mr. President, let us never sacrifice, by psycho-surrender, the heritage of our great free democracy.

Instead, let us take a realistic look at the situation we face. The Communists are the aggressors. As aggressors, they may select the time for attack.

It is simple for them to concentrate on developing, for example, 1965 weapons, and to disregard today's technology. We must strike the proper balance between the weapons of the future and the weapons we need today. We cannot hope to concentrate on each year's military weaponry to the same extent that the Russians, if they choose to attack us, can concentrate on the weaponry of the one particular time they may select for attack.

Should we be drawn by fear into laying all-out effort on a particular period of time—let us say, the period from 1960 to 1964—for our primary defensive emphasis, we may then neglect the modernization of our present forces, and may invite an attack at the present time. Or we may neglect the weapons we need for defense in 1970, and may invite disaster in that year.

It is our job to strike the balance which will most effectively, at any given time, insure the security of our Nation. This is the balance that we have achieved today.

It is this balance that we must maintain each hour, each day, and each week of each year. We cannot be panicked into unwarranted emphasis on any future time, at the expense of the present time. The alternative, clearly, is to select a period of time for primary emphasis on our military development. And that, we can easily see, might well lead to disaster, because then we would either lose our present strength or lose our future strength beyond that selected period.

We can never rest on our oars. But much of our work will be undone if we pass to our people, as judgments, what are truly mere estimates.

I have confidence in the judgment of our President and his military advisers. I have faith that our scientific researchers, our leaders in education, and our industrial leaders and workers will continue with their skills and efforts to keep us in front. I have confidence in the will of our people to remain free.

The gap we have to avoid is in our will and determination. Then there will be greater security for ourselves and, we pray, more peace in the world.

We have confidence in our will to win and in our belief—indeed, our knowledge—that ours is a right and just cause. For in this knowledge lies our greatest strength; and from this strength emerges a weapon more powerful than anything a totalitarian nation can shoulder.

Mr. President, the strength of our will and determination, of our belief in ourselves and the rightness of our purpose, stands between freedom and slavery.

Mr. CASE of South Dakota. Mr. President——

Mr. SALTONSTALL. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. First of all, I wish to commend the efforts of the Senator from Massachusetts in the entire field of military preparedness and national security. I also wish to commend him for the speech he has made in the Senate today.

I should like to draw attention, by way of emphasis, to one of the points he made. He said we have the problem of selecting weaponry and building a defense balanced for the particular danger which will face us at any particular time.

Does not he feel that one of the important values provided for in the military reorganization bill which recently was passed by Congress was the placing upon the Secretary of Defense of the responsibility for making decisions with respect to new weapons systems, so that

in spending our money and in devoting our efforts, we may concentrate on those best suited to meet our particular needs?

Mr. SALTONSTALL. That is one of the most important parts in the reorganization bill, in my opinion—to give that decision to the Secretary of Defense, through his administrator, for that purpose.

Mr. CASE of South Dakota. I am reminded of one of the little stories I learned when I was a boy, which was allegedly credited to Benjamin Franklin, in which he told of the boy who went to the fair and spent all of his money buying whistles at the first stand he found when he went inside the fair gates. After he had loaded up on those whistles, he made the rounds of the stands at the fair, and saw many other whistles and other articles he wanted to buy, but he was out of money.

I have thought of that story many times in thinking about the problems of national defense. Along comes a new gadget which sometimes is attractive. Perhaps it has some value. But any nation that spends all its scientific talents and money upon a Maginot Line or on something new may use up all its money and resources and not have them available for something which is really needed. The problem of the correct exercise of judgment as to what we should spend our money on is a real one. I am glad the Senator from Massachusetts has pointed out that problem in connection with our national security.

Mr. President, supplementing what the Senator from Massachusetts has already done in the way of asking unanimous consent to have printed the 17 conclusions of the Preparedness Subcommittee, to which I was one of the subscribers, and the comments of the Defense Department thereon, I should like to ask, if I may, that following my remarks there be printed in the RECORD an interview which took place in a television broadcast, in which Professor Wiesner, of Massachusetts Institute of Technology, was interviewed by Mr. Erwin D. Canham, of the Christian Science Monitor. This contains the key paragraphs of the interrogation of Professor Wiesner, by Mr. Canham, followed by the comment of the Defense Department, which was placed in the open record of the Preparedness Subcommittee hearings.

There being no objection, the television interview and the Defense Department statement were ordered to be printed in the RECORD, as follows:

CANHAM-WIESNER INTERVIEW

The panel moderator, Mr. Erwin D. Canham, of the Christian Science Monitor, asked Professor Wiesner this question:

Mr. CANHAM. • • • In what areas are the Soviets already stronger than we?

Professor WIESNER. I presume you are talking about military areas now?

Mr. CANHAM. That's right.

Professor WIESNER. First of all I believe, although not everyone would agree with me, that the Soviets have managed to make a considerably more effective air-defense system than we have; I think it is perfectly obvious to everyone that they are ahead of us in the missile field. I believe that their limited war capability both in quality and quantity is superior to ours, and their submarine fleet is certainly a much larger one than we have at the present time.

Mr. CANHAM. If their air defense is as strong as you state, and assuming a surprise attack such as Mr. Sprague spoke of, does this mean that our capacity of retaliation is uncertain?

Professor WIESNER. At this point I do not think that is so. The situation is changing rapidly and it could be that a few years hence it would be impossible for us to do an effective retaliation.

Mr. CANHAM. You think the situation is getting worse instead of better?

Professor WIESNER. I think so; yes.

DEFENSE DEPARTMENT STATEMENT ON WIESNER'S REMARKS

We would comment as follows on Professor Wiesner's remarks. His first statement is that "the Soviets have managed to make a considerably more effective air-defense system than we have." He wisely prefaces this assertion with the statement that not everyone would agree with him, since as General Twining pointed out (see p. 278 of the record), no one, including the Chairman of the Joint Chiefs of Staff, really knows the answer to this question.

As Secretary McElroy pointed out in his testimony before your committee (p. 277 of the record), "• • • the Soviet Union has one problem of defense, we have another. He puts together his defense program in relationship to his need and we put ours together in relationship to our need."

Thus, any comparison of our air-defense system with that of the Soviet's should be based on an evaluation of the problems of the two powers. Taking into consideration, however, that our defense needs are different and examining all the weapons in our arsenal, offensive as well as defensive, and evaluating the Russian capabilities in the same fields from known intelligence, we conclude on the basis of the best military advice we can get that our air-defense system is superior to that of the Soviet Union.

Professor Wiesner's second comment was that "it is perfectly obvious to everyone that they are ahead of us in the missile field."

We would not concede that it is perfectly obvious. It has been stated publicly that it is probably true that the Soviets are ahead of us in the development of the intercontinental ballistic missile with a range of some 5,000 miles. Mr. McElroy made such a statement on June 6, just 2 months ago. We believe, however, that we are closing the gap in the development of this long range missile.

Our successful Atlas firing the other day is evidence of our progress in this field. There are some categories of missiles, such as air-to-air and air-to-surface, where we believe we have a definite edge on the Soviets. It is misleading to take just one category and draw conclusions from it without considering the whole missile picture.

WHAT SORT OF WAR AND WHERE?

Professor Wiesner's next statement was that the Soviet's "limited war capability both in quality and quantity is superior to ours."

It is difficult to comment on such a statement without asking the obvious question: "What sort of a limited war, fought with whose troops, and what weapons in what location of the globe?"

This is the sort of statement on which long essays could be written unless the conditions for the limited war were set forth. In some areas of the globe, we believe our limited war capability, both in quality and in quantity, is superior to the Russians', while in other areas of the globe, we would concede the opposite.

We have no quarrel with Professor Wiesner's next statement that the Soviet "submarine fleet is certainly a much larger one than we have at the present time."

On the other hand, the Soviets have nothing to match our nuclear submarines now coming off the ways in increasing numbers.

We have accelerated our Polaris program, and the Navy is bending every effort to improve its antisubmarine capability, for which additional moneys were voted by the Congress in the budget augmentation programs.

There is no doubt that the large numbers of Soviet submarines pose a great threat to our Navy, our merchant marine, and our Nation. However, our answer to this threat should not merely be to try to build a larger submarine fleet.

Of course, we disagree with Professor Wiesner's final conclusion that the military situation is getting worse instead of better.

We believe great strides have been made in the past few months and we, therefore, think if our military posture versus that of Russia has changed, it is getting better instead of worse. This is no indication of complacency on our part for we in the Department of Defense realize full well that herculean efforts must be made to keep us in favorable military balance versus the Soviet Union.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Washington.

Mr. JACKSON. I gather from the distinguished Senator's speech that he wants to make the point that our knowledge of Russian capability in certain areas is based on estimates. Is that correct?

Mr. SALTONSTALL. Well, not entirely based on estimates; based partly on estimates of intelligence and some on facts.

Mr. JACKSON. Obviously we do not want to get into facts here, that involve problems of security.

Mr. SALTONSTALL. That is correct.

Mr. JACKSON. Is it not true that, generally speaking this Nation has erred on the side of underestimating Russian capability?

Mr. SALTONSTALL. I know the Senator from Washington has a lot of information on this subject, but I would not say his statement is true in every respect, although it is true in some respects.

Mr. JACKSON. Not in every respect, but in some vital areas we have underestimated the capabilities of the Russians, have we not?

Mr. SALTONSTALL. In some areas.

Mr. JACKSON. In trying to project our capabilities in relation to the Soviets, it is well documented that, for a long period we have underestimated the Soviets. We underestimated the time at which they were going to get the first A bomb and the first hydrogen bomb. We underestimated them on the long-range bomber, the ballistic missile, their submarine fleet, and right on down the line. I think the past record is clear. While I agree with my friend that we clearly do not want to overestimate the Russians, the truth is that, until sputnik, many of the American people did not realize the growth of Soviet military power. The fact did come home to the American people with the dramatic revelation that the Russians had developed a propulsion system far superior to anything we had.

Mr. SALTONSTALL. I agree with the Senator that we underestimated the

Russians as to the time sputnik would be launched.

Mr. JACKSON. I make this statement in all fairness, and not with any intent to be partisan. As I said, we also underestimated the Russians on the A bomb.

Mr. SALTONSTALL. However, we have overestimated them in at least one instance which I would rather not mention—a very important instance.

Mr. JACKSON. I think there has been a miscalculation with respect to what the Senator has in mind. While the Russians may have dropped off in the particular area which the Senator has in mind and which I have in mind, that fact may be the basis for the development of a new and better system.

Mr. SALTONSTALL. That is what we have to be ready for.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Connecticut.

Mr. BUSH. I congratulate the distinguished Senator on his statement. In that connection, the Senator talked about our position in the field of missile development. I wonder if the Senator would permit me to ask unanimous consent to have printed in the RECORD at this point one page of the testimony from the hearings of the Johnson subcommittee, in which Dr. Teller answered the questions of Mr. Weisl. Mr. Weisl asked the question:

Dr. Teller, why do you believe we are behind the Russians in the development of the long-range missile?

Dr. Teller replied:

That is something of a long story; and may I take the patience of the committee to answer it in more than just a few words?

Senator JOHNSON. Yes.

Then Dr. Teller made the answer which I am sure is familiar to all members of the committee. He pointed out that the Russians began a vigorous ballistic missiles development program immediately after World War II, and that we did not. His answer appears in part I, page 9, of the hearings, and I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks, in order to conserve the time of the Senate.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

WHY WE ARE BEHIND THE RUSSIANS

Mr. WEISL. Dr. Teller, why do you believe we are behind the Russians in the development of the long-range missile?

Dr. TELLER. That is something of a long story; and may I take the patience of the committee to answer it in more than just a few words?

Senator JOHNSON. Yes.

Dr. TELLER. I would like to say that there is a special reason, and there is a general reason.

The special reason I have already tried to indicate. The special reason is that we have not embarked on a really vigorous missile program before we had clear and definite evidence what we shall do with such a missile, how such a missile can be used.

Let me make this a little bit more complete. In 1946, right after the end of the war, we could have said: Let us develop ballistic missiles. One can go big distances, they are extremely interesting developments, some important wartime usefulness has been demonstrated by the German V-2.

Well, we did go into the development of ballistic missiles, but at an exceedingly slow and small rate. We did not start a vigorous development because it could not be proved that these missiles will be really important in the next war. We did not, if the next war comes, we did not have the really powerful explosive that would be needed in the warhead of such a missile.

Years later we finally realized that a system consisting of a guided missile and a warhead, which in the meantime has been developed, would indeed be an extremely powerful weapon. Therefore, we have determined to start a very vigorous program on the ballistic missile.

When we started this program, we went into it with quite a bit of energy and I think the efforts have paid off, and I have nothing to say about that program that would not bear out that it has been an excellent and excellently managed program, but it came too late.

The Russians have started on their ballistic-missile program, from all we know, right after the war, and they kept at it.

Mr. BUSH. Mr. President, I also ask unanimous consent, following that insertion, to have printed a table entitled "Programed Obligation Totals for United States Missiles Programs, Department of Defense, Fiscal Year 1946 Through Fiscal Year 1958" at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Programed obligation totals for United States missiles programs, Department of Defense, fiscal year 1946 through fiscal year 1958 [1]

[In millions of dollars]

	Total missile program	Surface-to-surface program [2]	Long range surface-to-surface program [2]	IRBM and program [2]
Fiscal year:				
1946 and prior	70	19	9	(3)
1947	58	20	6	-------
1948	81	36	11	-------
1949	98	45	18	-------
1950	134	65	22	-------
1951	784	186	113	-------
1952	1,058	240	143	-------
1953	1,166	406	270	3
1954	1,057	350	258	14
1955	1,470	559	376	161
1956	2,270	902	679	515
1957	4,283	2,000	1,743	[4] 1,380
1958 (preliminary)	4,638	2,100	1,928	1,400

[1] Program data contained in this table include the cost of bringing guided missile weapon systems to an operational status, combining research and development, production facility expansion and tooling, procurement, contract, and military overhead to support missile testing and certain construction costs for research and development. The figures above do not include military pay, the cost of maintaining and running operational sites, construction installations not included in research and development costs, or building or converting ships incident to the guided-missile program.

[2] Each of the above columns is a part only of the preceding column to the left.

[3] Totals less than $1,000,000 are not included above.

[4] Unusually high expenditures in fiscal year 1957 were due to a large nonrecurring capital investment in test facilities.

Mr. BUSH. Mr. President, in a recent speech on the floor of the Senate the distinguished junior Senator from Massachusetts [Mr. KENNEDY] drew some conclusions from the Lebanon operation which I believe were unwarranted and bear comment, and perhaps correction. The statement of the junior Senator from Massachusetts which I have in mind reads as follows:

It should be obvious from our Lebanon experience that we lack the sea and airlift necessary to intervene in a limited way with the speed, discrimination, and versatility which may well be needed to keep it limited—and without weakening our ultimate retaliatory power. It is shocking to realize that units entering the Lebanon pipeline at the time of the Iraqi revolt emerged at the other end to find that by then the dust had settled and we had already recognized the new regime and it was time to evacuate.

I have attempted to analyze that statement and present a statement for the RECORD in which General Twining's comments on this matter are given, and in which conclusions are reached which I think do not support the statement of the distinguished junior Senator from Massachusetts. I ask unanimous consent now that the entire statement of mine be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PRESCOTT BUSH

In a recent speech on the floor of the Senate Senator KENNEDY drew some conclusions from the Lebanon operation which I believe were unwarranted and bear correction.

Senator KENNEDY'S statement was as follows:

"It should be obvious from our Lebanon experience that we lack the sea and airlift necessary to intervene in a limited war with the speed, discrimination, and versatility which may well be needed to keep it limited—and without weakening our ultimate retaliatory power. It is shocking to realize that units entering the Lebanon pipeline at the time of the Iraqi revolt emerged at the other end to find that by then the dust had settled and we had already recognized the new regime and it was time to evacuate."

Let me say at the outset that, as I understand the Lebanon operation from questioning officials of the Department of Defense, neither airlift nor sealift was a problem. We had both in more abundance than needed. The despatch and landing of our troops in Lebanon was effected at a deliberate and preplanned speed, executed as planned. Airlifting or sealifting of troops into Lebanon at greater speeds would not have been in consonance with the desires of our military and diplomatic planners.

I think the best description of the relationship of airlift and sealift to the Lebanon operation was given by testimony of General Twining before an executive session of the Senate Armed Services Preparedness Subcommittee on Friday, July 25. This testimony, while given in executive session, has since been edited by General Twining and declassified by the Department of Defense. Senator SALTONSTALL, a member of the committee, asked Secretary McElroy and General Twining, who were witnesses together, the following question:

"Senator SALTONSTALL. Following along those lines, if you had to move substantially more of our military forces into Lebanon or anywhere in the Mideast, have we got the available airlift or would we do it by water?"

The reply by the Chairman of the Joint Chiefs of Staff was as follows:

"General TWINING. We have a great deal more airlift than we could possibly use in connection with Lebanon. There is an example of the airlift problem. If we had to put a division into Lebanon on an emergency basis, what would be the fastest way to get it there from the United States? It certainly would not be by air because we

could not get it in by air. It is impossible. And there is the heart of the matter.

"The quickest way to get them into Lebanon would be to put them on a ship and send them over there or, airlift a small advance echelon and send the rest by ship. But we only have one field in the whole area. Even using it to full capacity, it would take a solid week to land a division in airplanes even if we had all the airplanes.

"So those are the problems you run into on his airlift. The Chiefs have been studying these problems through the years.

"I do not know of any place except the mainland of Europe itself where you could really launch a great massive airlift of the kind that General Gavin was talking about, 2 or 3 divisions."

The following colloquy then ensued:

"Senator SALTONSTALL. So your opinion on that question of the airlift versus the water transport, because of bases throughout the world—is still the same that you gave us 6 months ago?"

"General TWINING. That is right. Even on this small lift we had in connection with the Lebanon operation, the tactical lift, we had congestion at some of our terminals on the way over with some of these airplanes • • • If we had to put in a division somewhere in the world, Lebanon is an example for us to look at to see the difficulties • • • We could not airlift them into Lebanon. We just could not. The terminal facilities just are not there."

In this statement, General Twining has touched on the core of the problem. Careful study has shown that, for these extremely complex and complicated airlift operations the problem of terminal facilities will, in many areas of the world, establish limits upon the size and tempo of operations that can be successfully carried out.

It does not therefore, seem obvious to me, that anyone could conclude from this testimony or from the Lebanon operation itself that we lack sea and airlift to intervene in a limited war with the speed, discrimination and versatility which may be needed to keep it limited.

May I state once more that the Lebanon operation was carried out as planned and that lack of sea and airlift was not a factor. Therefore, the only conclusion which should be drawn from the Lebanon operation with respect to air and sealift is that we had all we needed for the operation as planned.

The entire Lebanon operation, airlifting 4,200 troops and 2,500 tons of cargo (1,800 Marines from the United States and 3,400 Army troops and cargo from Europe) used only a little over 100 transport aircraft. The United States has over 5,000 military type transport planes in its inventory, not to mention civil aircraft which could be used in any grave emergency.

This is more than twice as many transport aircraft as are possessed by any other nation in the world, including the Soviet Union. This does not suggest that all of these have the capacity of the transports that were used for the Lebanon operation. Many of them are older, smaller types. But even a quick comparison of the number of planes used for that operation with the total number on hand will show that we had many times the airlift capability that we actually used.

Our total airlift capacity is determined only after a most careful and searching study of the military problems we confront around the world today. Our responsible military leaders endeavor to make a reasonable provision from an overall point of view for such airlift needs—and not to be swayed by overemphasis on this, or any other major component, of our total military power.

Both military and commercial shipping were also more readily available than the troops they had to transport. Here again in numbers and types of troop ships the Free World enjoys an overwhelming superiority.

I would like to repeat the last sentence of Senator KENNEDY's paragraph on the Lebanon operation so it will be fresh in our minds:

"It is shocking to realise that units entering the Lebanon pipeline at the time of the Iraqi revolt emerged at the other end to find that by then the dust had settled and we had already recognized the new regime and it was time to evacuate."

Now I have read this statement several times and each time I return to probe its meaning. So far as I know, this Government never expressed or had any intent to intervene in the Iraqi revolt. It is a disservice to imply that we did, since the inaccuracy plays into the hands of the Soviets as they broadcast the same unfounded assertion. I cannot and do not register any shock, therefore, that our troops failed to reach Lebanon in time to intervene in Iraq. The important thing is they reached Lebanon at the time they were supposed to reach Lebanon and for the purpose they were sent there.

Mr. SALTONSTALL. I thank the Senator.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Colorado.

Mr. ALLOTT. A remark was made on the floor a few moments ago concerning the underestimate of the potential of the Russians. I should like to ask the senior Senator from Massachusetts if he recalls a statement by a certain columnist, whom everyone seems to love to quote at this particular time. Concerning the Russian potential about 2 years ago, the columnist made the prediction that by now the Russians would have over 800 operational Bisons. Does the Senator recall that prediction?

Mr. SALTONSTALL. I think I know to whom the Senator refers.

Mr. ALLOTT. Now we are told by this same columnist that the Russians have only about 250 Bisons.

A remark has also been made with respect to Russian submarines and how we have underestimated the Russians in that regard. The distinguished Senator has been a member of the Committee on Armed Services for some time. Is it not a fact that ever since World War II the Russians have been building up their submarine fleet, which was a matter of common knowledge and has been a matter of common knowledge throughout the world?

Mr. SALTONSTALL. That is entirely correct. Of course, the purpose of our submarines may be quite different from the purpose for which the Russians want to use submarines. There are some common purposes, but there are also completely different purposes. As I have tried to say, we have to have a balanced defense, which includes things other than submarines.

Mr. ALLOTT. I thank the Senator for yielding.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I am interested in the talk of the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I appreciate that comment. I have always been interested in the talks of the Senator from Missouri, although we sometimes disagree.

Mr. SYMINGTON. I appreciate what the Senator has just said. The Senator says in his talk that he wants to present the facts. The Senator mentions a figure of 130 ICBM's in 1964 and 2,000 Russian ICBM's in 1964. Does the Senator say that the figure of 130 ICBM's in 1964 is incorrect?

Mr. SALTONSTALL. I do not quite understand the question.

Mr. SYMINGTON. Does the Senator say we plan to have more than that number of 130 ICBM's in 1964?

Mr. SALTONSTALL. I have checked 3 or 4 times with responsible authorities on this matter. As I understand it, those figures are the figures of ICBM's for development purposes. That is, the different missiles which are being experimented with for development purposes. As I understand the situation, when the development of any one of those instruments, or of any group of them, is perfected, the missile or missiles will go into the production stage. Perhaps a lot of other missiles now being used for development purposes will be dropped. The first chosen will be mass-produced. That is what I understand to be the situation, and that is what I tried to say.

Mr. SYMINGTON. Does the Senator believe there are any plans or programs for producing, on any basis of any kind, more than 130 ICBM's by 1962?

Mr. SALTONSTALL. Mr. President, the answer to that is "Yes." The figures of the proposals are classified. I am confident the Senator can get the figures if he wants them.

Mr. SYMINGTON. Does the Senator say that we plan to make more than 130 ICBM's by 1962?

Mr. SALTONSTALL. I would prefer not to answer that on the floor, but it is my understanding these figures relate to development weapons. The figures as to the amounts we can produce are under security regulations.

Mr. SYMINGTON. Let me say that I have not originated these figures which the Senator referred to in his talk. I was simply asking the Senator for his opinion. As I understand the Senator, he believes the plans are to produce more than 130 ICBM's by 1962.

Mr. SALTONSTALL. I say to the Senator from Missouri, who I know knows much about these things, that the 130 relates only to the developmental models planned and is not production capacity.

Mr. SYMINGTON. I am sorry I did not know the Senator was going to make this talk, until I saw excerpts from it on the ticker.

Mr. SALTONSTALL. I will say to the distinguished Senator from Missouri, the Senator has been courteous to me at various times, but I did not send a copy of the remarks to the Senator because I had no idea when I could get the floor to deliver them.

Mr. SYMINGTON. I thank the Senator.

Is not the Senator, in effect, comparing the estimated Russian position with what we could produce if we changed our military schedules with respect to ICBM's?

Mr. SALTONSTALL. Will the Senator please repeat the question?

Mr. SYMINGTON. Is the Senator not comparing the estimated Russian position with what we could produce if we changed our missile schedules?

Mr. SALTONSTALL. I am comparing their maximum production with what I understand is our developmental objectives. What we may then produce is classified.

Mr. CASE of South Dakota rose.

Mr. SALTONSTALL. Will the Senator permit me to yield to the Senator from South Dakota, who has a more elaborate answer on that subject?

Mr. CASE of South Dakota. Mr. President, on that point my understanding is that when the Secretary of Defense makes the decision he is required to make under the Reorganization Act our schedules may be revised with respect to ICBM's or whatever the application would be of his selection of the weapons systems.

Mr. SALTONSTALL. I thank my friend from South Dakota.

Mr. CASE of South Dakota. That is the purpose of the procedure.

Mr. SYMINGTON. I am simply trying to make the record clear.

Mr. President, in the talk the distinguished Senator has given, he stated the missile program was not begun until 1953. Does the Senator not know that the first contract for the intercontinental Atlas was given to Convair in 1946 or 1947?

Mr. SALTONSTALL. The first program was begun in fiscal year 1946, but the total program was then only $70 million.

Mr. SYMINGTON. Yes.

Mr. SALTONSTALL. The program ran from 1946 up to 1953, when it was $1,166,000,000. The figure for 1958 was $5,107,000,000, and in 1959 it is estimated at approximately $6.6 billion.

Mr. BUSH. Mr. President, will the Senator yield on that point, for a question?

Mr. SYMINGTON. May I please finish the colloquy, first?

It is true, is it not, that due to the discovery and development of new weapons, it was possible to have a great change in the missile picture later?

Mr. SALTONSTALL. Yes.

Mr. SYMINGTON. When the Senator says that the missile program did not start until 1953, does not the statement the Senator just made at least partially refute his statement?

Mr. SALTONSTALL. Partially.

Mr. SYMINGTON. I thank the Senator.

Mr. SALTONSTALL. I meant to give the impression that was when the program got under way as such.

Mr. BUSH. Will the Senator permit me to comment on the very point he is discussing?

Mr. SALTONSTALL. Will the Senator from Missouri permit that?

Mr. SYMINGTON. I would be glad to have the Senator do so.

Mr. BUSH. The important point under discussion in the remarks of the Senator from Massachusetts was in connection with the medium and long-range missiles. I think the table did show it was not until 1953 that any money was spent in that area.

Mr. SYMINGTON. That is not correct.

Mr. BUSH. That is in the table, which was submitted at the hearing.

Mr. SYMINGTON. The original contract was for the Atlas intercontinental ballistic missile.

Mr. BUSH. That information is in the table submitted officially to the Johnson subcommittee. It was in the hearings. I have excerpted the information and had it printed in the RECORD.

Mr. SYMINGTON. The contract was given to the Convair Co. for the Atlas intercontinental missile in 1946 or 1947.

Mr. BUSH. Let me say to the Senator, I do not question that.

Mr. SYMINGTON. The $70 million was appropriated at that time. I was simply asking a question so that the facts would be brought out.

Mr. BUSH. I was simply saying, there must be a question about the matter.

Mr. CASE of South Dakota. If the Senator will yield to me, I have a little personal knowledge on that point.

Mr. SYMINGTON. If the Senator from Massachusetts would prefer to yield to others, I will be glad to ask more questions when he has finished the colloquy.

Mr. SALTONSTALL. The Senator from Missouri has always been courteous to me.

Mr. SYMINGTON. May I continue?

Mr. SALTONSTALL. The Senator may do so.

Mr. SYMINGTON. I thank the Senator.

Mr. CASE of South Dakota. Mr. President, will the distinguished Senator from Missouri permit me to support his statement?

Mr. SYMINGTON. If the Senator desires to support my statement, that very much influences my position in the matter.

Mr. CASE of South Dakota. Mr. President, I happened to be a member of the appropriations subcommittee which dealt with the Department of Defense in 1946 and 1947. I know the Senator from Missouri is correct in saying money was made available to the North American or Convair people for a missile project in 1946. The Senator from South Dakota was one of those who at that time protested very bitterly—and it is a matter of record in the hearings in 1947—the transfer of part of the research and development money to "Pay of the Army."

Mr. SYMINGTON. The Senator is correct.

Mr. CASE of South Dakota. Representative Engel, of Michigan, and I bitterly opposed that transfer because we thought that the research and development program should continue. However, the decision was dictated at that time by someone in the Budget Bureau, I suppose. It is a matter of record.

The Senator from Missouri is correct in saying that the program was started then, that the money was transferred, and that we lost valuable time in 1947 and 1948 as a result.

Mr. SYMINGTON. The Senator is correct. With only the atomic bomb, the development of the intercontinental ballistic missile program could not progress satisfactorily. It was not until the development of the hydrogen bomb plus the great savings of weight that the ballistic missile program became really practicable.

Mr. SALTONSTALL. The missile program was started in 1947, canceled in 1948, reinstated in 1951, and began to operate in a bigger way in 1953.

Mr. SYMINGTON. We had the Navaho. The Senator remembers when that development started. It included the Rocketdyne engine.

Mr. SALTONSTALL. I take the Senator's word for that.

Mr. SYMINGTON. The present thrust of the Atlas intercontinental ballistic missile uses the Rocketdyne engine.

Mr. SALTONSTALL. So I understand.

Mr. SYMINGTON. If the development of the Rocketdyne had not been started in 1947, we would be at least 2 years further behind in the production of the Atlas ICBM would we not?

Mr. SALTONSTALL. I agree with the Senator.

Mr. SYMINGTON. I thank my friend from Massachusetts.

In connection with point 4, the Senator says:

> Three American satellites are circling the globe in outer space, better instrumented, scientifically, than any of the models produced by the Russians.

I ask the Senator how he knows that?

Mr. SALTONSTALL. That is based upon information given to me as recently as this morning. With respect to the instrumentation of our satellites, we are using miniaturized electronic equipment, while the Russians are still using conventional vacuum tubes. I cannot explain to the Senator the details of the miniaturized electronic equipment, but that is the information which I have received.

Mr. SYMINGTON. We are engaged in a discussion of relative military strength. The Senator knows that the largest satellite we have put up has no military significance, whereas the Russian satellite has a weight which indicates the Russians have a thrust capable of use in intercontinental ballistic missiles.

Mr. SALTONSTALL. I agree with the Senator. However, our scientists report that we are getting more data from our satellites than the Russians are from theirs.

Mr. SYMINGTON. In connection with the fifth point the Senator makes, he states:

> American military forces are on 24 hours' call anywhere on the globe, with mobility that all the Russian ground forces put together cannot muster.

What is the implication of that statement?

Mr. SALTONSTALL. I thought over that statement fairly carefully before I made it. The implication in that statement is that we are alert today to help our friends in a situation in which our assistance might be required.

Mr. SYMINGTON. The Senator knows, does he not, that we have sworn testimony before our committee that this

country cannot lift and properly support overseas a single division?

Mr. SALTONSTALL. I agree with the Senator that we received such testimony. I am concerned with the airlift. In the original statement that I had prepared there were some statements on that subject, but I omitted them because I thought the statement was becoming too long. There is the question of the airlift and the sealift. As I understand, in the recent landing at Beirut, we used 10 percent of our airlift, and a very small fraction of our sealift. I am sure the Senator will agree that the question involves landing fields. That is a problem in many sections of the world today. The question is, How big an airlift will be practicable and realistic to use, in view of the shortage of airfields around the world?

Mr. SYMINGTON. When the Senator says that American military forces have a mobility which all the Russian ground forces put together cannot muster, is he talking about airlift?

Mr. SALTONSTALL. I am talking about the airlift and the sealift combined.

Mr. SYMINGTON. There would be no reason for the Soviets to go by sea if they could go by land.

Mr. SALTONSTALL. That is correct.

Mr. SYMINGTON. There is no need for the Soviets to have any large airlift of a strategic nature, is there?

Mr. SALTONSTALL. A large airlift of a strategic nature?

Mr. SYMINGTON. Yes. In other words, their distances are shorter than ours.

Mr. SALTONSTALL. Distances in Europe and Africa are shorter than ours. I am not sure that they are shorter in all parts of Africa, but certainly in certain parts.

Mr. SYMINGTON. Is there any question in the Senator's mind, based upon his membership on the Armed Services Committee and other information he has available to him, that we are falling behind the Soviet Union so far as our defense strength is concerned vis-a-vis theirs?

Mr. SALTONSTALL. I would certainly disagree with that statement. That is what I have tried to say. I believe the Senator from Missouri, who is very well informed on all these subjects, will agree with me that all the testimony before the so-called Symington Committee and before the so-called Johnson Committee indicated that as of today and through 1958—and we hope the same situation will continue in 1959, and possibly in 1960—we are sufficiently strong so that no nation would dare to attack us. The problem will come in later years. We are never going to be an attacker Nation. Therefore we must remain prepared today. We must be prepared in 1959, 1960, and 1961. In certain respects we are not as far ahead vis-a-vis any possible opponent as regards certain weapons. On the other hand, we are very substantially ahead in the development of certain other weapons. For example, I know the Senator had the same pride I had when the *Nautilus* and *Skate* went under the North Pole. The Senator has the same pride as I have in the development of the Polaris submarine.

Those are weapons that we believe are unique insofar as we are concerned at the present time, and we hope that those weapons will be of very great value to us in the days ahead. I do not agree with the Senator that we are falling behind. I say that what we have to do is to continue our efforts, and in that, I will collaborate with the Senator from Missouri, although we differ in certain particulars.

Mr. SYMINGTON. I thank the Senator from Massachusetts. It is never a pleasure to disagree with him. I am sure he is sincere in his position and I hope he thinks I am sincere in mine.

Mr. SALTONSTALL. I agree with the Senator. I know he is sincere in his position; I disagree with him perhaps only as to tempo, and certain other respects.

Mr. SYMINGTON. I ask the Senator if he did not sign a report on last January 23, the first finding of which stated:

> The Soviet Union leads the United States in the development of ballistic missiles.

Mr. SALTONSTALL. I did. I signed it and I put into the RECORD, as the Senator has said, a report on the 17 points up to the present time. I know he has seen or can see the classified answers.

Mr. SYMINGTON. May I ask if the second point which he signed and agreed to on January 23, did not read as follows:

> The Soviet Union leads the United States in number of submarines, which raises the possibility of attack with modern weapons or missiles, although the indications are that we are ahead in the production of atomic submarines.

Mr. SALTONSTALL. I agreed with that statement then. I agree with it today. But I think the fact that we are so far ahead in the development of nuclear-powered submarines and certain other weapons for the protection of ourselves and our friends, offsets the increase in submarines on the part of the Russians.

Mr. SYMINGTON. The third point in the statement, which I believe the Senator remembers signing was:

> The Soviet Union is rapidly closing the gap in manned air power—and, at present rates, will surpass this country in a comparatively short time.

Mr. SALTONSTALL. I signed that statement in January. I believe the situation has somewhat changed now, as the Senator knows, but we cannot go into that subject here.

Mr. SYMINGTON. I agree that if there is a change it is in all probability because of their rapid missile development.

The fourth point, with which I think the Senator agreed is:

> The Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States.

Mr. SALTONSTALL. We have had evidence to that effect. I believe that evidence is what might be called reasonably hard evidence. I have introduced a bill on that very subject, which I have discussed with the Senator from Missouri, and I hope that if he feels the same way as I do, we can both try to improve the bill when I introduce it again next January. I think we should make every effort to cut lead time.

Mr. SYMINGTON. Let me say I certainly agree with my able friend from Massachusetts.

I shall skip the space item and go to the final point, because at that time we did not know the Soviets were going to launch a satellite. That was in 1956. Finally the point which was unanimously adopted by the Senator from Massachusetts, as well as all other members of the committee, was:

> The Soviet Union is producing scientists and technicians at a rate substantially greater than our country.

Mr. SALTONSTALL. I agree, and recently we passed a bill in this body, now pending in conference, which we hope and trust will improve that situation.

Mr. SYMINGTON. Mr. President, I have read the speech of the Senator from Massachusetts, and it is an interesting address. He talks about not being worried, but what worries me today on the floor of the Senate is that all of these matters which the Senator agreed to in January 1958, he disagreed with in January 1957.

As a result, the report which the able Senator was very helpful in formulating in 1956 was in effect discarded and considered perhaps unilateral; and I have never quite been able to figure out why it was that the Senator felt willing to sign and agree to a report in January 1958 to which in January 1957 he did not agree.

Mr. SALTONSTALL. Mr. President, that goes into a matter of history. I would first answer the question by saying that there again it was a question of degree. The Senator is referring to the so-called Symington committee.

Mr. SYMINGTON. It was the Subcommittee on Air Power. The counsel was picked with the Senator's approval.

Mr. SALTONSTALL. There it was a question of degree. The majority report, if I may say so without being rude or in any way intemperate to my colleague, for whom I have a great regard, was so intense that I did not feel I could sign it. I wanted to sign it, and, if it had been more moderate in its tone, I would have signed it.

Mr. SYMINGTON. Will the Senator yield and permit me to insert into the RECORD the language of the report of 1957 and the report of 1958?

Mr. SALTONSTALL. That is the Senator's privilege, and I would not disagree. I did not intend to discuss past reports, and I am sure the Senator does not want to emphasize them too much.

Mr. SYMINGTON. The statement that it was "intense" is an unfortunate charge. If the Senator will permit me, I should like to read into the RECORD and let the Senator decide as between the language of 1957 and the language of 1958.

Mr. SALTONSTALL. I shall withdraw the word "intense." I was working hard to find a word which I thought represented what I meant. I would say the minority report was more moderate in

tone, and the majority was a little less moderate than I cared to sign.

Mr. SYMINGTON. Will the Senator from Massachusetts permit me to insert in the RECORD at this point information I have about the investigations?

Mr. SALTONSTALL. Certainly. That is the Senator's privilege.

Mr. SYMINGTON. Mr. President, during 1956, hearings were held to bring out both the absolute and relative facts regarding our airpower. Not only was the record of these hearings published promptly after the witnesses gave their sworn testimony, but in January 1957 a report was issued, giving findings and conclusions as based on the expert testimony previously received.

One year later, in January 1958, another important report was issued regarding our military strength.

First of all, I would compare the 6 findings in the 1958 report with findings in the 1957 report.

The 1957 report states:

> The Soviet Union has exceeded the United States at least in some aspects of the ICBM and IRBM * * * has fired long-range ballistic missiles farther than we have * * * [and] they are as far, if not further, advanced in the long-range ballistic missile field.

The 1958 report states:

> The Soviet Union leads the United States in the development of ballistic missiles.

The 1957 report states:

> The Soviet Union is producing substantially more submarines than the United States and the testimony credits them with the capability to produce missile-launching submarines.

The 1958 report states:

> The Soviet Union leads the United States in number of submarines, which raises the possibility of attack with modern weapons or missiles—although the indications are that we are ahead in the production of atomic submarines.

The 1957 report shows:

> The Soviet Union is producing more combat aircraft than the United States; has thousands more aircraft in combat units than the United States; and if present plans and programs are not changed, by the period 1958–60 the Russian long range Air Force will be stronger than that of the United States and therefore we will have lost our superiority in strategic airpower.

As we both know, these figures have been checked, but we cannot discuss them in detail.

The 1958 report states:

> The Soviet Union is rapidly closing the gap in manned air power—and, at present rates, will surpass this country in a comparatively short time.

The 1957 report shows:

> The Soviet Union has decreased the time used between the original design and quantity production of combat aircraft as compared with the time required by the United States.

The 1958 report states:

> The Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States.

The 1957 report shows:

> The Soviets are progressing at a faster rate than the United States in the development and production of new type scientific weapons.

The 1958 report states:

> The Soviet Union has led the world into outer space.

The 1957 report states:

> The Soviet Union is currently graduating twice as many trained scientists and engineers per year as the United States.

The 1958 report states:

> The Soviet Union is producing scientists and technicians at a rate substantially greater than our country.

I believe the 1957 testimony was given by Dr. Killian.

This comparison shows a remarkable similarity in findings. In fact, five of the six 1958 findings are practically the same as those listed in the 1957 report. The one partial exception is that the 1957 report points up the Soviet Union's greater progress in scientific developments, while the 1958 report simply states the fact that such scientific developments have permitted the Soviet Union to lead the race into outer space.

The 1957 airport report cited a large number of findings, and pertinent portions of testimony to support those findings, and also listed 23 conclusions. It recommended that the deficiencies in military strength which had been pointed out in the findings and conclusions be corrected as promptly as possible.

The 1958 report of the Preparedness Subcommittee listed 17 principal areas upon which decisive action must be taken.

It is clear that both reports called for action to correct weaknesses in, and otherwise strengthen, our defense posture.

A comparison of the 17 points in the 1958 report with the findings and 23 conclusions in the 1957 report reveals a significant degree of similarity.

The significance of this similarity can be more fully understood when it is realized that the sworn testimony given in both hearings was based, in large measure, upon the same character and content of intelligence information. This point prompts reference to one of the conclusions in the 1957 report which was not in the 1958 report—namely:

> The defenses of the United States have been weakened because of the failure to act on national intelligence information; and also because of a tendency to either ignore or underestimate Soviet military progress.

Mr. President, I ask unanimous consent, with the permission of the Senator from Massachusetts, to have inserted at this point in the RECORD a point-by-point comparison of the 17 recommendations in the 1958 report with the contents of the 1957 report.

Mr. SALTONSTALL. I am glad to have the Senator do that. I think the two reports must be read in full in order to understand them.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

1. (a) The 1958 report:
"Modernize and strengthen the Strategic Air Force."

(b) The 1957 report:
Several of the conclusions and a number of the findings for which corrective action was urged dealt with the modernization and strengthening of SAC. As example, the conclusions cited the "insufficient number of long-range modern jet bombers" and the absence of a "program to produce a sufficient number"; the failure of the United States "to produce an adequate number of jet tankers"; and the absence of "any adequate program to overcome that deficiency."

2 (a) The 1958 report:
"Step up the dispersal of SAC bases."

(b) The 1957 report:
"The United States has an insufficient air base structure. The present structure affords neither the alert status, nor that dispersal necessary for security."

3. (a) The 1958 report:
"Put more effort into developing antimissile missiles."

(b) The 1957 report:
Reference was made to "the importance of a solution to the problem of a defense against long range ballistic missiles," and also to the limitations that had been placed on many research and development programs which, in turn, had "retarded needed modernization of weapons systems," and also to the "increased vulnerability of the United States to sudden attack."

4. (a) The 1958 report:
"Improve our early warning system for manned aircraft and accelerate the development of an early warning detection system for ballistics missiles."

(b) The 1957 report:
Reference is made to the failure of the Department of Defense "to develop an adequate defense warning system."

5. (a) The 1958 report:
"Modernize and strengthen ground and naval forces."

(b) The 1957 report:
Specific reference was made in the conclusions to the inadequacy of the "direction and planning of naval strength"; the "inefficiency in defense planning * * * with respect to limited war"; the insufficiency of action taken "to maintain the mobility of the Army and enable the latter to meet overseas commitments."

6. (a) The 1958 report:
"Provide an adequate airlift for ground troops."

(b) The 1957 report:
This point was covered in the reference to "the mobility of the Army" and also in the language which points up the absence of plans for "provision for adequate airlift."

7. (a) The 1958 report:
"Pour more effort into our antisubmarine program."

(b) The 1957 report:
The report stresses the fact that the United States is vulnerable "to submarine attack against our shipping, and particularly vulnerable to submarine missile attack on military and civilian targets within our heartland."

8. (a) The 1958 report:
"Step up production schedules of Atlas, Thor, Jupiter, and accelerate the development of Titan."

(b) The 1957 report:
This report refers to "duplication, even triplication, among the 3 services in the development and production of missiles"; to "waste in the allocation to the 3 services of responsibility in the missile field"; to delay "in giving overriding priority to the ballistic missile program"; and also to the "serious loss of time as compared with the rapid progress of the Soviets in this field."

9. (a) The 1958 report:
"Reduce lead time in the development of weapon systems by cutting down on decision time and by simplifying procurement procedures."

(b) The 1957 report:

The conclusions cited the fact that the Soviet Union has "decreased the time used between the original design and quantity production of combat aircraft as compared with the time required by the United States," and also scores our relative lack of "speed and quantity of prototype development."

11. (a) The 1958 report:

"Start work at once on the development of a rocket motor with a million pounds thrust."

(b) The 1957 report:

The report points up the "extraordinary Soviet progress in the research and development field"; the failure to allow sufficient funds for development of more powerful "jet engines," of "nuclear propulsion," of "high energy fuel"; and the fact that the Russians have developed "jet engines with substantially more thrust than any the United States has in operation."

13. (a) The 1958 report:

"Reorganize the structure of the Defense Establishment."

(b) The 1957 report:

The report cites the "duplication" and "triplication" in the Department of Defense; the "waste" in the Department of Defense; the necessity to obtain "proper programing and administration in the Department of Defense"; and states that "confusion and therefore inefficiency in defense planning have developed from the vacillating defense policies."

14. (a) The 1958 report:

"Provide increased incentives for the retention of trained personnel in the military services."

(b) The 1957 report:

The report emphasizes "the growing shortage of skilled manpower" and the resultant "inadequate maintenance of aircraft"; and also the "inadequate housing and inadequate pay scales (which) are decreasing the operational effectiveness and morale of our Armed Forces."

15. (a) The 1958 report:

"Accelerate and expand research and development programs, provide funding on a long-term basis, and improve control and administration within the Department of Defense or through the establishment of an independent agency."

(b) The 1957 report:

The report scores the fact that "the Soviets are rapidly closing the qualitative gap"; and also states: "The duplicating approach characteristic of many research and development programs in the Department of Defense, along with the dollar limitations established for such programs, has retarded needed modernization of weapons systems • • • retarded important scientific breakthroughs."

17. (a) The 1958 report:

"Accelerate the development of the Polaris missile system."

(b) The 1957 report:

No specific reference was made to the Polaris missile system, as this name had not yet been applied to the Navy's efforts to adopt the Jupiter missile to use on submarines. However, the report did urge action on the ballistic-missile program, which, at that time, included the Navy's efforts to develop such a missile within the Jupiter project.

This comparison shows the similarity of coverage between 14 of the 17 points in the 1958 report and the conclusions and findings of the 1957 report. The three 1958 recommendations not specifically covered are as follows:

"10. Provide for a freer exchange of scientific and technical information between the nations of the Free World."

"12. Give serious attention to the question of shelters and stockpiles for civil defense."

"16. Put more effort in the development of manned missiles."

It will be noted that Nos. 10 and 12, while significant to an overall study of defense matters, did not come within the appropriate range of study for an airpower investigation.

As for recommendation No. 16, i. e., to increase the effort in the development of manned missiles, this would have been appropriate in an airpower investigation, and was covered indirectly in the recommendation for increased effort in airpower research and development, including both manned aircraft and missiles.

Among the 23 conclusions of the 1957 report, there were some items emphasized that were not in the 17 recommendations of the 1958 report. One of these has already been referred to—the matter of more effective use of our national intelligence information.

Another had to do with urging that financial considerations not be placed ahead of defense requirements. This called for a major policy change.

Still another was the recommendation regarding our failure to use the capacity which we have to produce and maintain airpower which is relatively stronger than that of the Soviets.

In many respects, the most important conclusion, and recommendation to correct, had to do with the failure of our Government to give the public accurate and timely information which it has the right to know.

It should be noted that the 1958 report of the Preparedness Subcommittee was agreed to, as to its findings and recommendations, by all members of the subcommittee from both sides of the aisle.

On the other hand, the minority were not willing to publicly face the facts, based on national intelligence and expert sworn testimony, as presented in the 1957 report. In fact, the minority preferred to discount these facts and, to the extent of their ability, to prevent the American people from realizing the truth of our deteriorating relative defense position. Rather, the minority decided to tell the American people that these 1957 conclusions, based on the sworn testimony of expert witnesses—many of whom were the same as appeared before the Preparedness Subcommittee—were "unduly pessimistic, and not sufficiently objective."

The minority also took the position that vast programs for modernization of our forces are now in progress (and that) we can be optimistic about them and take confidence from the many instances of solid accomplishment.

The policy illustrated by this pleasant view of the vast programs and accomplishments was followed by even greater scientific strides by the Soviets, and by cutbacks and stretchouts in our own defense program in the fields of jet bombers, jet tankers, jet fighters, ICBM's, IRBM's, and research and development.

Mr. SYMINGTON. Mr. President, the point I make is that some of us signed the 1956 report and published it in 1957 in order not to have any political implications. If all of us had agreed to it then, our defenses would now be 1 year farther ahead than they are. Therefore, I hope, now that certain things have happened, such as the situation in Iraq and the placing in orbit of the sputniks, we will not once more return to complacency.

Mr. SALTONSTALL. I agree with the Senator from Missouri that we must never be complacent.

Mr. SYMINGTON. I make that point to the Senator because in one of the so-called chins-up speeches of the President in the fall of 1957, the latter said that the American people would not sacrifice security to a balanced budget. I was much impressed by that statement, and hoped that something real would be done; and that we would stop making things we did not need, and start making more of the weapons which we do need.

But I was very sorry to realize, upon checking the figures, that in the first 6 months after sputnik, or roughly within that period, the amount spent for our defense is much less than in the preceeding 6 months without even allowing for the depreciation in the value of the dollar.

Mr. SALTONSTALL. I respect the Senator's sincerity. We cannot be complacent. I agree with him in that statement 100 percent. I think the figures next January will show greatly increased activity. I thank the Senator from Missouri for his interest in the matter.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. BARRETT. At the outset, I commend the Senator from Massachusetts for his splendid contribution to the discussion of the defense posture of the country. I served on the Subcommittee on Military Preparedness and heard witnesses over a long period of months. Seventy of the highest and best qualified experts on military affairs came before the subcommittee. We had the benefit of a considerable body of classified information.

It is fair and reasonable for men to differ on conclusions as a result of such extensive testimony. But I ask the distinguished Senator from Massachusetts if it is not his opinion, as it is mine, that from an overall standpoint we are well able to defend our country under existing circumstances, and that the prospects for the future are that we will be able, through our magnificent Strategic Air Command and the developments in the missile field, to protect our country under any set of circumstances.

Mr. SALTONSTALL. I believe we can do so today in the case of any prospective enemy. What we must do is not only to preserve our present strength, but, in the years to come, we must go forward with the development of new plans.

Mr. BARRETT. We are certainly doing that, as the Senator well knows. We are building the largest intercontinental ballistic missile base in my State of Wyoming. We have made tremendous progress in that field.

It may be that Russia has some advantage at the moment in that particular field, but we must also consider that in addition to intercontinental ballistic missiles, which are vital, so far as the Soviets are concerned, we have a capability, or will have tremendous capability, in IRBM's, and that we are in a much better position, as a result of them, in the ballistic missile field.

Mr. SALTONSTALL. We have IRBM's now in production. We are preparing bases from which they can be fired effectively. We hope to develop an IRBM to be used in conjunction with the Polaris submarine. By 1960, 1961, and 1962, we hope we shall have bases throughout the world from which they can be fired.

Mr. BARRETT. I had the occasion, together with the Senator from South Dakota [Mr. CASE] and the Senator from Connecticut [Mr. BUSH], and other members of the Committee on Armed Services, to visit the Convair plant in California; to see their proving ground at Kanova Park. We visited also the Douglas Aircraft Co., where the Thor missile is being produced, and also the plant of North American Aviation Co.

As a result of the briefings and the information we obtained at that time, I was very much impressed by the tremendous activity and progress which is being made in this field.

I also had occasion to visit the headquarters of the Strategic Air Command at Offut Field, in Omaha.

For the foreseeable future, at least, the United States is well protected because of the splendid organization headed by Gen. Thomas S. Power, of the Strategic Air Command.

I have made an appraisal of the situation. Taking into consideration all the factors which enter into the defense of the country, and the fact that we are spending 60 percent of our budget for defense, it seems to me that we cannot take one isolated instance in the entire defense program and judge the entire program by that one factor.

I have made an appraisal of the subject. I ask the Senator from Massachusetts if he will permit me to ask unanimous consent to have my appraisal, made as a result of the hearings, printed at this point in the RECORD.

Mr. SALTONSTALL. I will appreciate having the Senator do that. The Senator from Wyoming is a conscientious, hard-working member of the Committee on Armed Services. His opinion is of great value.

Mr. BARRETT. I thank the Senator from Massachusetts.

Mr. President, I ask unanimous consent that a statement I have prepared on this subject be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

At the outset let us commend the distinguished senior Senator from Massachusetts for his splendid contribution on the matter of the defense posture of our country. As a member of the Senate Armed Services Committee I attended the hearings of the preparedness subcommittee covering a period of several months. The committee heard from over 70 of the highest caliber witnesses. That committee had the benefit of testimony from the best qualified experts in and out of the Government. We had the benefit of a considerable body of testimony of a classified nature.

It is natural that reasonable men may differ in conclusions after hearing the evidence brought forth during the course of the preparedness hearings on the difficult and complex problem of national defense in these difficult and troublesome times. In order to fairly appraise the security of our country it is necessary to consider the problem from every angle and to take a broad and comprehensive view of the adequateness of our defense system. It is not only folly of the highest degree but utterly silly to give even a moments thought to the question of this country surrendering to any foreign power now or ever for that matter.

I hope and pray that this world will be spared from a devastating atomic war, but should it come, I am certain that victory will come to our colors.

I agree with our top military people that from an overall standpoint we are capable of defending our country now and will be able to do so in the future.

Our ability to retaliate depends on many interrelated factors which must be weighed and judged by our military experts. Briefly, the retaliatory forces must be of such size, such variety and such effectiveness as to destroy any nation that would dare attack us. And, Mr. President, related to these is the maintenance of a defensive system that will not only provide early warning of impending attack but will also provide the dispersal, the speed of reaction, and the protection of the retaliatory forces to preclude the possibility of their destruction on the ground.

In my judgment we must place our chief reliance at the present time on the retaliatory power represented by our manned aircraft. The conversion of the heavy bomber force to all jet B–52's will soon be completed. The 11 wings each of 30 B–36's will be replaced by 11 or more wings of B–52's each with 45 aircraft. The replacement program provides more than a 50 percent increase in the number of heavy bombers in addition to the increased capability in each aircraft.

To be realistic we must admit that the Soviet air defense will also improve. For that reason the B–52's will be equipped with air-to-ground missiles so that it will be unnecessary for them to penetrate heavily defended areas in order to reach their targets. They will be supported in their penetration by a wide array of devices such as decoys, radar seekers, and electronic countermeasures to enhance their ability to destroy their targets. We are continuing the production line of B–52's with fiscal year 1959 funds and they will continue as a very potent part of our arsenal for a good long while.

Furthermore, Mr. President, very considerable capability exists in the over 1,500 B–47 medium bombers notwithstanding the eagerness in some quarters to write them off. These aircraft operating from the continental United States bases, with aerial refueling by the KC–97 tankers, can reach a substantial number of important targets without the use of our extensive complex of overseas bases.

I am reliably informed that many of these B–47's can hit their assigned targets with 1 or 2 refuelings for their mission and not 3 or 4 as stated by the junior Senator from Massachusetts.

The B–47's will be phased out as soon as we start getting delivery of the B–58 supersonic jet bomber which is presently being procured in production quantities. In addition, Mr. President, we can look forward to the time when the replacement of the B–52's by the new supersonic intercontinental B–70 heavy bomber, designed for speeds in excess of 2,000 miles an hour at very high altitudes will take place.

As everyone knows there is a massive effort underway to provide further diversity and effectiveness in our retaliatory strength by the development and production of ballistic missiles. These missiles will be deployed by SAC to complement the bombers. The first and largest intercontinental ballistic missile base is being constructed in my State. I would be remiss if I did not refer to our solid fuel Polaris IRBM, which has tremendous importance and potential as a nuclear delivery system. And, Mr. President, before long we will be delivering IRBM's to our allies in quantity.

The Secretary of Defense assured the Subcommittee on Defense Appropriations that the Polaris program will be pressed forward with all practicable speed.

While improving, diversifying and modernizing our own retaliatory forces, we are fully recognizing and reacting to the progress being made by the U. S. S. R. We have had in operation for some time and are constantly improving and modernizing an extensive radar warning system. This system has been designed and operated primarily for defense against attack by manned aircraft and air-breathing missiles. As most of my colleagues are aware, this far-flung warning system extends across the cold Arctic wastes out over the Atlantic and Pacific Oceans. The system includes the Mid-Canada and Pinetree radars which, to a considerable extent, were established and are operated by our friendly neighbor to the north. We have had the closest cooperation and working relationships in the air defense field with Canada.

Nor does this warning system disregard the missile threat. Work has already started on the construction of the detection phase of a new system, including radar stations and communications lines. Development of the antimissile missile active defense system is now being accelerated and is going forward under the highest national priority.

Along with a diversity of weapons which will be enhanced by the coming of ballistic missiles into the inventory of the operating forces, there is a dispersal of their bases. Dispersal has several advantages. It requires that the attacker increase his attacking force size which greatly increases the probability of our detecting the raid. It also poses great, if not insurmountable, problems to the attacker in planning and supporting a massive attack against the dispersed force. Furthermore, dispersal of manned aircraft increases the alert capability by providing additional runways for fast takeoff.

Testimony shows that squadron dispersal for the heavy bombers and wing dispersal for the major part of the medium bombers is completely provided for in the budgets and construction is well underway in most cases.

The concept of dispersal applies not only to the manned aircraft of the Strategic Air Command, but equally well to the other elements of our strength for now and for the years to come. The missile bases are being spread geographically. The aircraft carriers, with their jet attack aircraft, are scattered over the oceans. The same principle applies to the Polaris submarines as well as to the Regulus missile launching submarines.

Let's take a look for a moment Mr. President at the position of a Soviet planner in the years of the so-called missile gap. B–52's poised on our continental bases prepared to strike in a matter of minutes against specific targets if retaliatory action is required. The picture is further complicated by Snarks and medium bombers supported by tankers. On overseas bases ringing the Soviets will be IRBM's, medium bombers of the B–47 and the supersonic B–58 types, and the air-breathing missiles. Further complicating the picture are the aircraft flying from aircraft carriers. Also coming from carriers, cruisers, and submarines strategically will be the supersonic Regulus missiles. Polaris submarines travelling thousands of miles under water move undetected into appropriate strategic locations to launch from under the water the Polaris missile at targets up to 1,500 miles away.

Weapons, warning and dispersal need another essential element to comprise a successful retaliatory force. I speak now of alertness, of that quality which contributes so much to readiness. We have extensive communications networks ever ready to relay the command words in time of crisis. We have the 15-minute alert schedules which place on our fields ready for takeoff a substantial number of SAC planes, armed, ready to go. As a necessary adjunct to these,

we have the skill and competence of our military personnel, their training and their morale.

After a visit to Offutt Field, near Omaha, I was mighty proud of the great accomplishments of General LeMay and now General Powers, in welding SAC into the world's most powerful fighting force. Every American can well be proud of that great and powerful force.

As the Senate well knows, we have recently demonstrated the alertness of our forces. The normal alert forces were maintained and I understand that during the period we placed an extraordinary additional proportion of our retaliatory forces on alerts of from 15 minutes to 2 hours.

In addition to the great premium placed on retaliatory forces that can be airborne on their missions to demolish an enemy in the warning time before an aggressor can reach us, the great importance of an effective air defense has been recognized.

Just as in the case of the retaliatory weapons, the air defense weapons have undergone continuous modernization, taking advantage of the results of technological developments. Within the next few years the interceptor forces will be completely equipped with the Century series aircraft. Furthermore, and this is of great importance, all fighter interceptors will be equipped to fire air-to-air guided missiles and rockets and a substantial number of squadrons will employ the nuclear armed rocket, Genie.

These modern interceptors constitute a very potent force. The Air Force will also have many Bomarc pilotless interceptors. Funds for several hundred of these have been appropriated by the Congress and construction has already begun on a number of bases for Bomarc in phase with the availability of the production models. I am told that the performance of Bomarc in its development test provides convincing evidence that it will be a most effective addition to our air defense forces. I have learned that in a recent test a Bomarc missile secured a direct hit on a target aircraft at a range in excess of 75 miles from the missile launching point and 1,500 miles from the electronic control point.

We know that the Army already has many Nike-Ajax ground-to-air missile installations in this country. These are being reequipped with Nike-Hercules, a nuclear armed weapon with greater range, altitude, and higher kill probability. The Army will also bring into operation during the next few years the Hawk, a ground-to-air missile system for use against low altitude targets.

All these weapons systems taken together with the constantly improving control and warning systems and the high priority programs for their extension against missiles, provide a truly formidable air defense for the United States.

I have listened with great interest to the remarks of the distinguished junior Senators from Massachusetts and from Missouri. Their work and their words attest to sincere interest in national defense which they share with all other patriotic Americans. Let me say, here and now, that I think the distinguished majority leader is entitled to great credit for the manner in which he conducted the preparedness hearings. I was privileged to participate in those hearings.

I have also noted the magnificent accomplishments of our Defense Establishment and their current programs. I have listened to the testimony of responsible military and civilian leaders. I have great confidence in our military leadership. Let no one sell America short.

Mr. BARRETT. Mr. President, I desire to read into the RECORD at this time a statement which impressed me very much, made by General Twining at the preparedness hearings last January. It would be an unnecessary tragedy if our national policy, or the will of our allies—to say nothing of the confidence of our people in their civilian and military leaders—were weakened because of the mistaken impression that the Soviet had achieved military ascendancy over the Free World. Such a misapprehension could lead to fatal compromises in connection with disarmament negotiations and could lead to other retreats in the foreign policy field—worldwide—which would eventually destroy our security. Further, such mistaken conclusions could actually increase the probability of total war because they might result in bolder courses of Soviet action and greater opportunity for fatal miscalculation.

Mr. CASE of South Dakota and Mr. SYMINGTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield; and, if so, to whom?

Mr. SALTONSTALL. Mr. President, I am surrounded by Senators from Pennsylvania. I yield first to the Senator from South Dakota for protection.

Mr. CASE of South Dakota. Mr. President, I was interested in the exchange of comment with respect to the point in the 1958 report of the Subcommittee on Military Preparedness relating to ballistic missiles. I recall the executive meeting of the Committee on Armed Services when we were phrasing the report. I think, without violating any confidence of the committee, I can point out that the ultimate statement simply used the term "ballistic missiles."

Some of us—and I certainly speak for myself in that respect—had the feeling, which I still have, that while at that time the Russians might have had an advantage in the intermediate missile, they did not have a demonstrated or known advantage in the intercontinental ballistic missile. The suggestion which I made at that time was that we not cover both fields, but simply use the general term.

I am afraid that in the comments which have been made, in the reference to the report of the subcommittee, that the committee reported unanimously that the Soviet Union leads in ballistic missiles. I would not have conceded in January that Russia led in the entire field of ballistic missiles, but only in the intermediate range missiles.

At that point, I will go a step further and say that if I had only $3 to spend on intercontinental and intermediate range missiles, I would spend $2 on the Polaris, as the term or type of intermediate range missile, and I would spend the other dollar on the intercontinental ballistic missile.

If funds were limited, I would not favor spending too much on the Thor and the Jupiter, which are dependent upon bases within sufficient range. I think it is only natural that the Soviets concentrate on the intermediate range ballistic missiles, because the bases we have overseas are within the range of such missiles.

But for ourselves, I favor concentrating on the intercontinental ballistic missiles and the Polaris, which is the seagoing version of the intermediate range ballistic missile.

Mr. SYMINGTON. Mr. President, will the Senator from Massachusetts yield so I may reply to a statement made by the Senator from South Dakota?

Mr. SALTONSTALL. I yield.

Mr. SYMINGTON. It is seldom I am not in agreement with my friend, the Senator from South Dakota [Mr. CASE], one of the most able persons on detail either in or out of Congress that I know.

But I would not want to have left on the floor of the Senate the impression that our Nation is ahead of the Soviets in the field of the intercontinental ballistic missile. If the Senator from South Dakota wishes me to justify that statement, I shall do so, although it will have to be off the floor of the Senate. But it is my belief the Soviets are years ahead of us in the field of the intercontinental ballistic missile.

Mr. SALTONSTALL. The Senator from Missouri may be correct, except I disagree in the case of his use of the words "years ahead."

Mr. SYMINGTON. At least, both of us agree that the Senator from South Dakota was——

Mr. SALTONSTALL. I do not wish to leave the impression that I believe he was inaccurate.

Mr. SYMINGTON. I believe that the Senator from South Dakota was speaking of the situation as of January 1958, whereas I believe that the Senator from Massachusetts and I were speaking of more recent information. Does the Senator from Massachusetts agree?

Mr. SALTONSTALL. I believe the Senator from South Dakota was merely clarifying the intent of the committee in defining ballistic missiles.

Mr. CASE of South Dakota. Let me say that I simply mean that we should not be concentrating on the intermediate range missile, which depends upon bases at a certain distance from a potential enemy, inasmuch as our ability to maintain such bases depends upon many uncertain factors.

Mr. SALTONSTALL. I agree.

Mr. SYMINGTON. I agree, but our plans for bases for intercontinental ballistic missiles are pitifully small.

Mr. SALTONSTALL. I think it will be well for the Senator from Missouri to bring up this point at the hearings next year.

Mr. SYMINGTON. After studying the matter to the best of my ability, I am convinced our present and planned relative strength is far from adequate.

Mr. SALTONSTALL. I thank the Senator from Missouri.

Mr. CLARK. Mr. President——

Mr. SALTONSTALL. I yield to the Senator from Pennsylvania.

Mr. CLARK. I thank the Senator from Massachusetts.

Earlier today, when my friend was not on the floor, I made a few comments on this subject, and based them on an article by Walter Lippmann, as published in the newspapers today.

Mr. SALTONSTALL. I have read the article, although I did not hear the remarks the Senator from Pennsylvania made.

Mr. CLARK. I wonder whether the Senator from Massachusetts agrees with

the following part of the article by Mr. Lippmann:

> The real problem—the relatively greater speed of Soviet technological development—cannot be overcome by a spending program alone. It would be quite easy to push Congress into new and bigger expenditures. But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest. We are in competition with a new society which is in deadly earnest, and there is no use pretending that amidst our comforts and our pleasures we are serious enough. That is why, when the alarms are sounded, we turn over and go to sleep again.

Mr. SALTONSTALL. I agree with a certain part of it. I agree that we cannot be complacent. I agree that the evidence we have heard is that the Russians are producing scientists faster than our country is. I certainly hope we do not "turn over and go back to sleep." I believe we cannot be complacent. I believe we must work hard, educate our younger people, and keep all our programs developing.

Mr. CLARK. I am very happy to hear the Senator from Massachusetts make that statement, because I am sure he believes, as I do, that it is urgent that the American people be kept aware of the deadly peril they face.

Mr. SALTONSTALL. I agree with the Senator from Pennsylvania; and we must face that situation with efficiency, lack of waste, and intelligent education.

Mr. CLARK. I thank the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, at this time I yield to the senior Senator from Pennsylvania [Mr. MARTIN].

Mr. MARTIN of Pennsylvania. I thank the Senator from Massachusetts for yielding to me.

Let me say that I have been very glad to hear the statements which have been made this afternoon by my colleagues.

I appreciate very much what the Senator from Massachusetts has said. In that connection, I should like to ask a question.

In my 50 years of military experience, I have heard a great deal about various developments. First, I heard that the Gatling gun would win wars. Next, I heard that the machinegun would win wars. Next, I heard that chemicals would win wars. Next, I heard that airplanes would win wars.

Let me ask the distinguished senior Senator from Massachusetts whether he is giving consideration to the worth of the ground forces of the Nation?

Mr. SALTONSTALL. I hope we are. Both branches of Congress this year set the manpower strength of the Army at 900,000, whereas it was recommended for appropriation purposes at 870,000. I think this year the Congress has provided more funds for research, development, and production of weapons than has been provided for some years past. In the opinion of the Army, not all the funds for modernization of weapons and new weapons is available; I know that is true. But the funds available now for that purpose are greater than those available in the past. The question is one of degree. The funds now available for research in missiles and airplanes are greater than the funds available for research in regard to ground weapons. However, some funds have been provided for the latter purpose, although not enough yet to satisfy the Chief of Staff.

Mr. MARTIN of Pennsylvania. As all of us know, both the defensive and the offensive efficiency of our forces depends on the morale of the troops. I wonder whether the Armed Services Committee is taking into consideration the effect on the people of the United States of these enormous expenditures—$40 billion for defense—which make it necessary for us, if we are ever to have a balanced budget, to curtail domestic expenditures. I wonder what consideration is being given to the ground force divisions in the Regular Army, the old, historic units of the National Guard, and the Reserves. The latter are, of course, at the home stations, and are teaching the people of the country what real defense means.

As an illustration, let me point out that I believe that the war which probably was the best fought, but with poorer discipline and organization than any other war in history, was the War Between the States. The discipline was so poor that at times one-fourth of the northern army and one-fourth of the southern army returned to their homes, without leave. Nevertheless, when fighting was to be done, there has never been as intelligent and as courageous fighting in all history as that done during those years by the armies of the North and the South.

I wonder whether the Armed Services Committee is giving thought to the word spreading over the Nation that we, the people of the Republic, fight the wars.

The people of the Nation will not fight the wars, by using complicated instruments of various kinds, unless—and I wish to stress this point to the members of the Armed Services Committee—the Nation has men who know how to operate those instruments and implements. Are we doing what must be done in order to spread word over the Nation that it is patriotic to serve in these various capacities, and that our men will do so because they love their Nation, and that that is the only way we shall ever have a successful defense?

We cannot buy either defense or offense. They depend on the spirit of the people. If we spend money in large quantities, with the result of inflation and erosion of the value of the dollar, the people become discouraged.

So I wish to inquire whether the Armed Services Committee is taking such matters into consideration.

Mr. SALTONSTALL. I believe it is. The Armed Services Committee and the Appropriations Committee voted to have the strength of the National Guard increased over the strength recommended by the administration; and both of those committees took a similar position in regard to the strength of the Reserves. Furthermore, we hope we are allowing more for armories than was recommended originally.

I agree with the Senator from Pennsylvania that we wish to keep up the spirit and the morale of the divisions, such as the Yankee Division, in Massachusetts; and the 28th Division, in Pennsylvania. I recall when the 28th Division left, to go overseas. It sailed from Boston; and I was there, to see it off.

I hope we are maintaining that spirit.

Mr. MARTIN of Pennsylvania. I thank the Senator from Massachusetts.

Mr. ALLOTT. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. ALLOTT. Mr. President, I appreciate very much the Senator yielding to me. I think the unfortunate thing about this discussion, in some ways, is the injection of partisanship into it, which I believe has no place in it. I am sorry the discussion of last week injected a strong portion of partisanship into the debate. We are all loyal, patriotic Americans. We realize that there is no place here for such partisanship. But I think it should be interesting to point out that up to and including the fiscal year 1953 we had spent only $3½ billion in the development of all missiles, and that just a few million dollars of that amount had gone for the development of ballistic missiles.

I cannot help feeling that the discussion which took place last week, and part of the discussion at this time, is one of the greatest deterrents we shall have to real development. We discourage scientists. We discourage all those who are literally pouring out their life's blood in great scientific and ballistic efforts. They read in the papers that those who are speaking about it in the Senate are in effect condemning their efforts and saying their efforts are falling far behind the achievements of the Russians day by day. To me such criticism is one of the greatest deterrents to morale and real progress.

If the Senator will indulge me for just a moment, I should like to comment upon one of the real fields involved. I am not on the Armed Services Committee, but I have been a member of the Committee on Labor and Public Welfare for the last 4 years. During the last 6 or 8 months we have taken many hundreds of pages of testimony about the educational program.

I am happy to note that the conference committee has agreed upon an educational bill, which will be reported to us. In Walter Lippmann's column this morning, he said some things which have not been quoted. He said:

> There does not exist an agreed program of what the disagreeable remedies are. Mr. KENNEDY made a few suggestions but he offered no program, and although the Democratic opposition is very critical of President Eisenhower, there is no alternative Democratic program before the country.
>
> Why is it like that? I think it is because the real problem—the relatively greater speed of Soviet technological development—cannot be overcome by a spending program alone. It would be quite easy to push Congress into new and bigger expenditures. But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest.

I do not think the problem has been stated more clearly anywhere in the United States. We are not doing for our

schoolchildren, in an educational way, what we should. The curricula are not as tough as they should be. Our teachers are not paid well enough. As a consequence we do not get competent teachers.

I hope the education bill will move somewhat in the direction of alleviating that problem, but the real help can only come from the thousands and thousands of individual school boards all over this country, as well as the parents, in an effort to improve the curricula for our schoolchildren, and see that our children study the subjects they should. When we do that we shall overcome the great lag which has been discussed.

I apologize to my friend for taking this time, but I feel very strongly about the matter.

Mr. SALTONSTALL. What the Senator from Colorado has said is very true.

Mr. ALLOTT. Mr. President, I ask unanimous consent that a statement I have prepared on this matter be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ALLOTT

My illustrious colleague has brought to the attention of my distinguished colleagues what purports to be a weakness in our military strength during the years 1960–64. It has been asserted that this alleged weakness is caused by lagging efforts in the pursuit of our missile program. We hear much criticism of our missile program, but let's look at the facts.

Up to and including fiscal year 1953, about $3.5 billion had been provided for support of all our missile programs, with only a pitiful amount devoted to the ballistic missiles. In fact the total long-range ballistic missile effort for the 8-year period from 1945 to 1953 was on the order of a few million dollars. In the period from 1953 to 1959, this administration has devoted over $19 billion in support of the overall missile program, of which more than $5.5 billion has been devoted to the direct support of our critical ballistic missiles. These programs, their importance recognized, were placed on a crash basis. The Atlas program, which was barely started, had its development time scale cut to a third of the prior schedule from 1965 availability to availability in 1959. Additional missiles, the Titan ICBM and the IRBM's—Jupiter, Thor, Polaris—were all added to the program on a crash basis.

Many of my illustrious colleagues have shared with me the opportunity of keeping up to date through our committees on the progress of the missile programs. You have heard, for example, that the very important Polaris submarine program has been accelerated twice since its inception. I am confident that the Secretary of Defense will utilize the additional funds voted by Congress for a third acceleration of this program as soon as this can usefully be done.

Less than 3 years ago this country embarked on the development of IRBM's. Here again the operational availability dates have been advanced over those predicted at the start of the programs. Today we have demonstrated operational systems and deployment is imminent. This feat is being accomplished in less than half the time normally associated with the development of complicated weapon systems. I regret that I cannot mention our production rates for the IRBM's but they are rising rapidly.

Turning to ICBM's, we all heard just the other day of the successful Atlas test, a major milestone in this important program. Here, too, our production rate is rising. To say that the missile program is lagging at the present time is indeed an unworthy reflection on the splendid efforts of the thousands who are working long hours and struggling against time to meet our tight schedules. Let us give credit where credit is due—to the brilliant achievements of this corps of scientists, engineers, and workmen—and debit where debit is due—to those who were responsible for our late start.

According to these purported estimates the Russians will have hundreds of missiles from their production line while we will have only a relative few. The best estimates I have been able to obtain give them only a few months' lead time in the ICBM field, even with our late start, and I am not aware of any positive information which indicates that the Soviets are increasing this apparent edge. Let us ask ourselves then whether this purported estimate of their ICBM capability during the years 1960–64 is just another like the much publicized estimates of their Bison strength a few years ago. You may recall that we were told 2 years ago that they would have by now several times as many Bisons as we would have B–52's. Today, gentlemen, I am told we have several times as many B–52's as they have Bisons.

Let us not be stampeded by estimates based upon so much uncertainty, particularly as they obviously represent speculation in the absence of definite information. Such action is inappropriate to the great people we are. Rather, let us continue to trust and support our American scientists, engineers, and industry who are providing a Free World ballistic missile capability in less than half the time required by the Soviets and who are assuring the maintenance of a strong United States retaliatory capability.

THE McCLELLAN SUBSTITUTE FOR S. 654

Mr. ROBERTSON. Mr. President, it is surprising to me that there should be so much opposition to a proposal as simple and as obviously needed as that contained in the pending McClellan amendment which is, of course, of the same substance as H. R. 3 and of S. 337, of both of which I am a sponsor.

The purpose of this proposal, as has been amply explained in the recent debate, is to restore some potency to the 10th amendment to the Constitution and to give Congressional endorsement to a rule of interpretation which until recently had been generally accepted by the courts. We propose to say merely that Federal laws are supreme where they are in direct conflict with State laws or where Congress specifically has said its intention was to preempt the field, but that in the absence of these conditions the court has no right to assume that a Federal law on a subject automatically nullifies State laws on the same subject.

The need for this declaration has been made manifest by a recent series of Supreme Court decisions which have been listed in the CONGRESSIONAL RECORD. Organizations like the American Bar Association, the Organization of Chief Justices of State Courts, the National Association of State Attorneys General, and the Conference of Governors of the Forty-Eight States have endorsed H. R. 3, which is the McClellan substitute for S. 654.

The language of the proposal, as was brought out in yesterday's debate by the senior Senator from North Carolina, is based on language of a Supreme Court decision handed down in 1897 and affirmed many times since that date. It is not new or radical and there is no reason to anticipate that passage of this resolution would have an upsetting effect on any existing legislation except in areas where the courts, in pursuing certain allegedly social objectives have read into the laws of Congress an authority which was not intended and which is contrary to the spirit of the 10th amendment.

Therefore, Mr. President, I believe that businessmen need not be concerned over a possible unsettling of their established practices if the McClellan substitute or H. R. 3 becomes law. They will be in the same situation they have been in at least since 1897. But the States, which have laws of their own dealing with subversive activities, regulation of their own employees, operation of their schools, or protection of business enterprises, will be able to continue to enforce those laws as they always did until recently when the Supreme Court became a usurper of legislative power.

The Court itself, in my opinion, will profit by the mandate of Congress which this resolution would provide and will be encouraged to return to practices which will restore it to the prestige and the position in our Government which was intended by the authors of our Constitution.

Therefore, Mr. President, I hope that the pending bill as altered by the McClellan amendment will be approved.

DEATH OF SEABORN L. DIGBY, FORMER MEMBER, FEDERAL POWER COMMISSION

Mr. LONG. Mr. President, it was with deep personal regret that I learned of the passing Tuesday night of Judge Seaborn L. Digby. Judge Digby was a distinguished citizen of Louisiana. It was only last month that Judge Digby had declined an offer of reappointment as a member of the Federal Power Commission, choosing instead to return to his native State of Louisiana. His term expired on June 22 and he left Washington soon thereafter. A week ago he suffered a heart attack, and remained critically ill until stricken by a further attack which proved fatal yesterday.

Judge Digby was born on February 6, 1892, in Union Parish, La. He was educated in the public schools of Louisiana and attended Louisiana Institute of Technology briefly. Subsequently he graduated from Louisiana State University with a degree of bachelor of laws. He was admitted to the bar in 1916, and began the practice of law at Farmerville before being called into military service in 1918. Upon release from military service, he was appointed district attorney for the fourth judicial district of Louisiana to fill an unexpired term. In the same year he was elected and served a full term in this position.

In 1922 he was elected judge of this judicial district to fill an unexpired term. In 1924 he resumed the practice of law at Farmerville until 1929, at which time he moved to Monroe. He served as city attorney from 1938 to 1948, at which time he was named commissioner of conservation. He served a 4-year term in that position, leaving the office in December 1952.

Judge Digby married Maude McLees, of Ruston, La., on May 27, 1920. He is now survived by his devoted wife and one son, James Foster.

Judge Digby was one of the most beloved of Louisianians who have served the Federal Government in Washington. He had the respect and admiration of all those who knew him well. He also had the respect of those with whom he came in contact in his official capacity as a member of the Federal Power Commission. During his entire term of office here I heard no single word of criticism, either of his performance of duties or of his personal life.

Judge and Mrs. Digby decided when they came to Washington in 1953 that they would return at the end of his term of office. I saw him on several occasions just before his return to Louisiana. He was truly resistant to "Potomac fever," and he returned to Louisiana without doubts as regards his course of action. It is for this reason that it seems especially cruel that he did not have the full opportunity of renewing his acquaintances and again taking up his life in his home State.

The State and the Nation have lost a fine public servant and citizen. At the same time, all of us can take pride in his accomplishments and contributions during his lifetime. Those of us who knew him well will feel his loss for a long time to come.

I am sure that all my colleagues share my regrets at his passing, and join me in extending condolences to his family.

ORDER THAT SENATOR FULBRIGHT BE RECOGNIZED FOLLOWING THE REMARKS OF SENATOR MARTIN OF PENNSYLVANIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Pennsylvania [Mr. MARTIN] the Senator from Arkansas [Mr. FULBRIGHT] may be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETIREMENT OF SENATOR MARTIN OF PENNSYLVANIA

Mr. MARTIN of Pennsylvania. Mr. President, I cannot speak of leaving the United States Senate without deep emotion.

It reminds me of being mustered out of the United States Army or being separated from the service. I first had that experience in San Francisco in 1899, when I returned from Spanish-American War duty in the Philippines. The second time was at El Paso, Tex., after the Mexican Border campaign under that great soldier, General Pershing. The third was at Camp Dix, N. J., on my return from France at the end of World War I. And the fourth when I was stationed at Camp Hayes, Columbus, Ohio, during World War II.

At such times one feels glad to get out of the service. Men who had served together promise each other they will have frequent reunions. Unfortunately, in this uncertain life, it has never again been possible for the whole group to assemble. More than half of the fine men who were my army buddies have answered the last roll call. Taps have sounded over their honored graves.

In the 80th Congress, when I first had the honor of taking a seat in this Chamber, 16 other Republicans entered the Senate as freshman Members. That was the largest number in the history of this body.

They were Lodge, Massachusetts; Flanders, Vermont; Baldwin, Connecticut; Williams, Delaware; Ives, New York; Bricker, Ohio; Jenner, Indiana; Cooper, Kentucky; McCarthy, Wisconsin; Thye, Minnesota; Kem, Missouri; Ecton, Montana; Dworshak, Idaho; Watkins, Utah; Malone, Nevada; and Cain, of Washington.

I was the senior in point of years, and I am happy to have this opportunity to praise my colleagues of that freshman class as magnificient Americans who were sincere and patriotic in their dedication to the ideals of our country.

There were times when they differed in their approach to legislative problems, but all had the same objective—to advance the welfare of the United States and all its people.

One of this number, Joe McCarthy, has been called by his Creator to everlasting rest. In leaving the Senate, along with five others, I am wondering if we will ever again assemble on this earth. That, my friends, is in the hands of God.

I count myself most fortunate to have been close, in association and friendship, with all of our distinguished colleagues who are leaving this body.

RALPH FLANDERS is a stalwart New Englander who has high ideals and the courage to stand up for the principles to which he gives undeviating allegiance. As a fellow member of the Finance Committee, I have had the opportunity of noting his many splendid qualities. There is no doubt in my mind that he will continue to use his great talents in the future, as he has in the past, for the benefit of our country.

Long before I came to the Senate I knew ALEX SMITH and valued his friendship. We were State chairmen at the same time. We were both members of the Glenn Frank Commission. ALEX has come back into Pennsylvania to speak in my behalf when I was a candidate for public office and I have spoken for him in New Jersey. We have been brought closer together here in Washington by the affection which Mrs. Smith and Mrs. Martin have for each other. I know that he will continue to serve our country in his private life and that he will always be guided by the same patriotic motives which have shaped his distinguished career.

IRVING IVES came to the Senate with long legislative experience as one of the outstanding leaders in the New York State Assembly. Through his comprehensive knowledge of government and his deep concern for the good of all Americans he has made a great contribution to the American way of life. I am sure that he, too, will exert all the influence at his command for a better, happier America.

BILL JENNER, of Indiana, belongs to that fine group of Americans who are proud to be known as politicians. No man in this Senate has a more loyal following in his home State than Senator JENNER. He is a young man, and I sincerely hope that he will continue his public work because men of his type are so badly needed during these trying times.

BILL KNOWLAND comes from the great Pacific Coast. His people are firmly grounded in the soil of the Golden State. He has been a great leader and a hard worker. His word is his bond. His type of American statesmanship has made the United States Senate the outstanding legislative body of the world. California and the United States need BILL KNOWLAND.

I desire to thank the able and hard-working majority leader, the distinguished Senator from Texas, LYNDON JOHNSON, and the great minority leader, BILL KNOWLAND, whom I have already mentioned, for the many courtesies so generously extended to me on so many occasions.

I offer my special thanks and appreciation to one of the most distinguished Americans of our time, the chairman of the Finance Committee of the Senate, HARRY BYRD.

I am proud that HARRY BYRD has been one of my fine friends in the Senate. He has a more profound knowledge of the intricacies of the Federal financial situation than any other American. I feel safe in saying that the solvency of our Nation and its economic security depend upon the ability, patriotism, and courage of men like HARRY BYRD who regard inflation and an unsound currency as a greater threat than atomic attack.

I want to pay tribute, also, to the great Senator from New Mexico, DENNIS CHAVEZ, who serves so ably and with such high regard for the national welfare as chairman of the Committee on Public Works. Under his fair and impartial leadership great things have been accomplished—great constructive public works projects that will be beneficial to all sections of our country far into the future.

I have in mind also the debt of gratitude which I owe to my colleagues of the Finance Committee and the Committee on Public Works for their patience, their helpfulness and their kindness to me at all times. It has been a real pleasure to work with such outstanding Americans.

In leaving the Senate, I do so in full appreciation of its great traditions. Here we are guided by carefully worked out rules of procedure. We are bound by certain unwritten laws and customs which really make the United States Senate the last free forum of debate in the world.

Here the right of a Member to express himself fully, without limitation on debate, is protected. Unlimited debate has frequently been criticized by Members of the Senate, and by many outside of this body. While unlimited debate has sometimes compelled me to be on duty the entire night, I feel that unlimited debate in the Senate has more arguments in favor of its rentention than against it.

I regret that sometimes there is a tendency in Congress, using the army expression, "to pass the buck." The Founding Fathers placed the legislative body first in our Constitution. For the greater good of our country it must remain first. I hope the Congress will never evade that great responsibility.

Mr. President, in conclusion and by way of farewell, I should like to read a prayer for our country, written by Gen. George Washington. I quote:

Almighty God, who has given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will.

Bless our land with honorable industry, sound learning, and pure manners.

Save us from violence, discord and confusion; from pride and arrogance, and from every evil way.

Defend our liberties, and fashion into one united people the multitudes brought out of many kindreds and tongues.

Endow with the spirit of wisdom those to whom, in Thy name, we entrust the authority of government, that there may be peace and justice at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

In the time of prosperity fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail; all of which we ask through Jesus Christ our Lord. Amen.

Mr. CASE of South Dakota and Mr. BUSH addressed the Chair.

Mr. MARTIN of Pennsylvania. I am glad to yield first to the Senator from South Dakota.

Mr. CASE of South Dakota. It was my privilege some days ago to recite at some length some events in the life of the distinguished Senator from Pennsylvania, who is leaving us at the conclusion of this term of office. I have worked with the Senator in the Committee on Public Works, and it has been a very great privilege.

I knew something of the Senator's devotion to the problems of the committee, and I knew something of the character of intelligence which the Senator is able to apply, but until I did some research as to his life in the years before he came to the Senate, I did not have a full appreciation of the very rich life of service which he has led through all the years—starting in the late 1890's, when, as a young man, he was a volunteer and served in the war against Spain, serving in the Philippines; and continuing with his career as a public official in the counties and the State of Pennsylvania, until he became Governor of that State, with a record unsurpassed by any. His military career, in which he started as a private, was signalized by the stars of a lieutenant general given to him some months ago. He was a major general when I met him in Louisiana many years ago.

The Senator's career has been remarkable. We shall miss ED MARTIN in the Senate. I really did not intend to speak at any such length as I have now, because I said so many things the other day, but I wanted to make one point.

Senator MARTIN, I say to you, it will be as impossible for you in the days ahead, after you have left the Senate of the United States, to fail to respond to the opportunities for service in your community, in your State, and in your Nation, as it has been in the past. You may no longer be serving as a Senator of the United States, but until the day you draw your last breath you will be serving the welfare of the people of the United States in whatever community and whatever capacity God, in His infinite wisdom, may place upon you.

Mr. MARTIN of Pennsylvania. I thank the distinguished Senator. I should like publicly to thank the distinguished Senator from South Dakota for the manner in which he has aided me in the Committee on Public Works. As Senators know, I am the senior Republican on both the Committee on Public Works and the Finance Committee. It has been necessary for me to turn over an enormous amount of work to the distinguished Senator from South Dakota in connection with my service on the Public Works Committee, and to the distinguished Senator from Delaware [Mr. WILLIAMS] in connection with the work of the Committee on Finance. Both of them have given of their time unstintingly to aid me, and I am most appreciative.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MARTIN of Pennsylvania. I am glad to yield.

Mr. BUSH. I have listened intently and with great interest to the comments of the distinguished Senator from Pennsylvania. He is a modest man. It is characteristic of him that at the time he is about to retire from the Senate he acclaims others for their great service to the Senate, with little regard for himself.

Those of us who have had the pleasure and privilege of serving with him, and to know him as a United States Senator and as a great American citizen, realize that this year the Senate will lose one of the finest, ablest, and greatest men ever to serve in this body.

The Senator from Pennsylvania has referred to his service on the Committee on Finance. In that capacity the Senator has repeatedly called the attention of the country and of the Senate, particularly, to the grave dangers which this country faces from an unsound dollar, or, to put it another way, from inflation.

It will be impossible for the Republican side of the Senate to replace him on the Committee on Finance with anyone who believes so sincerely in the dangers of inflation, or who knows more about what we should do to combat that evil. We are losing a bulwark of great strength when the Senator from Pennsylvania retires from the Committee on Finance.

Likewise, as the senior Republican on the Committee on Public Works, his service has been outstanding, and at times brilliant. I say that as one who has had the privilege for 4 years of serving on that committee with him, from the time when we first took up the new interstate and defense system of highways.

The Senator was one of those whose foresight—gained partly from his military experience and partly from his experience as Governor of Pennsylvania, as well as United States Senator—enabled him fully to understand the necessity for the establishment of that great new system of interstate highways.

It is a pleasure for me to congratulate the Senator today on his numerous accomplishments in so many fields, and to say to him that we hope we shall see him often back here when he comes to visit us in the years ahead.

Mr. MARTIN of Pennsylvania. I greatly appreciate the very kind words of the distinguished and able Senator from Connecticut.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MARTIN of Pennsylvania. I am glad to yield.

Mr. ERVIN. The able and distinguished senior Senator from Pennsylvania occupies a very warm spot in my heart. He was the first Member of the Senate to welcome me when I came to this body, and I shall always treasure the recollection of that great courtesy.

The senior Senator from Pennsylvania will carry with him from this body the admiration and affection of all his colleagues on both sides of the aisle. He will leave behind him—as he has left behind him in all his previous public service—a magnificent record which exemplifies in the highest degree the great courage which he showed on the battlefield as a soldier in several wars.

In my judgment it is a great loss to the United States for the senior Senator from Pennsylvania to retire. His service has always been characterized by high intelligence, by the greatest degree of fairness, and by the greatest degree of both moral and spiritual courage.

It is with much regret that I see the Senator retire. I wish him Godspeed during many years ahead.

Mr. MARTIN of Pennsylvania. I thank the distinguished Senator very much for his very kind and generous remarks.

In closing, I wish to thank all Senators who have spoken so kindly of me. Also I wish to thank all the Members of this body, on both sides of the aisle, for their universal courtesy, kindness, and helpfulness.

Mr. WILEY. Mr. President, I have listened to the fine encomiums about the distinguished Senator from Pennsylvania, and I agree with all of them. I said on a previous occasion that I had heard of the General but never knew him until he came to the Senate. I expected to see a man who was scarred and hardened by his military experience through the years. Instead, I find him, as has been stated, a modest and very convincing speaker, one to whom the Senate listens when he speaks. He and his dear wife I found to be very friendly souls. Life has given them many trials, but they have not taken

the thorns; they have picked the roses. Furthermore, they have reflected to others what they have learned on life's highways—friendliness, affection, love of country, fidelity, duty, and friendship. We are not saying goodbye to the Senator from Pennsylvania. We shall see him often. And as the Germans in Pennsylvania say, it is "auf wiedersehen."

Mr. MARTIN of Pennsylvania. Mr. President, I thank the distinguished Senator very much for his very kind remarks.

Mr. DWORSHAK. I wish to join with my colleagues in paying tribute to the senior Senator from Pennsylvania. During the years I have been privileged to serve in the Senate with him, his sterling Americanism and his dedication to the service of his country and his fellow men have been a real inspiration. I know he has well earned the leisure he has earned, which I sincerely hope he and Mrs. Martin will enjoy to the fullest extent. I am sure also that he will continue to take a profound interest in preserving this Republic of ours and in promoting the security and the welfare of our country.

Mr. MARTIN of Pennsylvania. Mr. President, I thank very sincerely my distinguished colleague from Idaho. We came to the Senate at the same time, and I am sure our friendship and admiration for each other have increased through the years.

Mr. LONG. Mr. President, I wish to congratulate the Senator on the very fine statement he has made. I assure him that the sentiments of his colleagues on the Republican side of the aisle are equally shared by his colleagues on this side of the aisle. He has been extremely courteous, helpful, and polite to all of us on our committees and on the floor of the Senate. While sometimes we have disagreed, the Senator has always been fair and frank and has always held the interests of this Nation first and foremost. We have all respected him and admired him for that, and our good wishes on this side of the aisle are every bit as strong as those of his Republican colleagues.

Mr. MARTIN of Pennsylvania. Mr. President, I appreciate very much the pleasant remarks of the Senator from Louisiana. Our work on the Finance Committee has been very helpful to me, and I sincerely trust I made just a small contribution in the difficult work of that committee.

THE CHARACTER OF PRESENT-DAY AMERICAN LIFE, ITS ORDER OF VALUES, AND ITS SENSE OF PURPOSE AND DIRECTION

Mr. FULBRIGHT. Mr. President, I beg the indulgence of the Senate if I do not speak loud enough to be heard throughout the Chamber; my voice has not fully recovered.

We are in the last hours of the 85th Congress. Much has been done here since we met in January of this year. Much remains to be done before we clear our desks—and perhaps our consciences—and go our several ways. For the constructive work that has been done and will still be done, all praise is due to the distinguished leader of this Chamber. Praise is also due to those who have had a part in winnowing the wheat from the chaff, so that things alien to the public interest were not allowed to pass through the legislative mill.

But if I now ask for a brief portion of the Senate's time when I know that time is running out, my apology is the subject to which I wish to address myself. It does not lie in any specific field of legislation, but rather the other way around. Rather it forms the field from which any legislation, good or bad, or any executive act, good or bad, ultimately draws its own form and substance. For my subject is the character of present-day American life—its order of values, and its sense of purpose and direction—if any.

The focal point of our present-day concern is quite naturally the foreign policy of the Nation. On August 6, last, I had read for me in the Senate some remarks I had prepared on that general subject. My points of emphasis were two. First, I suggested that we were inviting disaster if after every failure of our foreign policy, we laid the blame solely at the door of the Soviet Union. Second, I suggested that only by looking at and correcting our own shortcomings in our relationship with the rest of the world, could we hope to avoid a twin evil. One evil was that we might blunder into a catastrophic war. The other evil was, that America would find itself isolated against its own will from the rest of the world, because the rest of the world no longer trusted us.

With respect to all this, I said that the President and the Congress share the responsibility for what went wrong in past matters of foreign policy; and that they have an equal responsibility to set matters right for the future. Still, the President and the Congress—any President and any Congress—are not instruments which live and work in a closed circuit, in a political and social vacuum. Rather they rise from the people, get their title of office from the people, are responsible to the people, are constantly advised by the people, and are subject to periodic review by the people.

This, in turn, in the final analysis, means one thing; it means that except within the limits of certain discretionary powers allowed the President and the Congress, what is done or not done by them is directly related to what the people want them to do or will not allow them to do.

It is part of our litany in public life to say that the people speak with the voice of God. I do not question that. Much less do I question the institutions and practices of democracy that draw their vitality from that principle. But I would feel myself a toadying sycophant if I did not speak one plain truth. It is that the people, for some years now, have spoken with the voice of a false god—and it is a voice which has impressed itself on what government itself has been doing during this period. If things have gone wrong, the people are not without blame in the matter.

The last thing that can be said about our foreign policy in the last few years is, that it was not what the people wanted. Of course they wanted it. And what they got was exactly what they wanted—a foreign policy on the cheap, featuring a pact here, a doctrine there, and a shipment of a few guns everywhere.

The people wanted to believe that after years of cold-war strain, they were at liberty to stop thinking any more. They wanted to believe that after years of cold war sacrifice, they could bask in the artificial sunlight of a government which did not bother them with serious things. They wanted to believe that in a world full of menace, the way to get out of the line of danger was to have a government which used such energy as it had to the end that everything should stand still. And if things somehow refused to stand still, then the thing to do was to lasso what was in motion by tossing out another attitude, or another platitude.

Can anyone in this Chamber deny this? Can anyone here deny that the distinguishing feature of American society during much of the decade of the 1950's was its weakness for the easy way? Can anyone deny that in this period, we were the opposite to what our Founding Fathers had in mind for the new America?

The Founding Fathers said—and here I quote the first paragraph of the Federalist Papers:

It seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable of establishing good government from reflection and choice, or whether they are forever destined to depend for their constitutions on accident and force.

But I ask now: What show of reflection and choice was there in much of the decade of the 1950's when the word "egghead" became a word of abuse; when education was neglected; when intellectual excellence became a cause for suspicion; when the man in public life, or the writer, or the teacher, who dared articulate an original thought risked being accused of subversion. What show of reflection and choice was there in this period when the man of distinction was the man who had a station wagon, a second car plated with chrome, a swimming pool, a tax-free expense account, and a 21-inch color television set with the 36-inch star on its screen?

It was precisely because there was so little reflection and choice in this period, that what we got in our Government was a Government which entrusted the highest interests of state to the play of accident and force. For whenever we brought ourselves to do anything at all about a crisis that exploded before our astonished eyes, we almost automatically reached for bigger bombs and bigger bombers.

Mr. President, I am not opposed to bombers. But neither do I want SAC to become a nuclear version of the Maginot line. Yet that is what it is likely to become if the only thing we can think to do after each crisis, is to order some more arms—and then go to sleep

on the arms. And that is what SAC is tending to become when after every crisis, our highest officers of state, without regard to their own responsibilities to speak plain truths, tell the people that the crisis was really just the passing shadow of a mirage—knowing that that is what the people want to think.

A frightening historical parallel has occurred to me with increasing frequency in recent weeks. Fifteen or sixteen centuries ago, the Roman Empire was all-powerful, rich, successful—and also complacent. Neither the Roman emperors nor the Roman senate could bring themselves to be overly concerned with the crude and boorish people to the north. Emperors were judged by the public entertainment they arranged, and the wealth and substance of the empire were dissipated in lavish consumption. When anyone was so inconsiderate as to call attention to the gathering clouds on the horizon, he was denounced as a prophet of gloom and doom and purged for un-Roman activity. In 1958, the critic is charged with selling America short.

This picture is admittedly oversimplified. But in broad outline it is pertinent and valid. The fall of great civilizations runs a well-defined course. On the outside, the civilization has a hard, shining surface, full of glitter and superficial accomplishment. But inside the outer shell, invisible decay does its work. And the hard shell collapses on the empty center when that civilization collides with a challenge it no longer has the power to meet, because it was indifferent to the challenge too long.

I do not believe that we Americans are incapable of meeting the challenge of the Soviet Union and of the nationalistic revolution going on in Asia and Africa. But I say in all seriousness that we do not have much time left in which to shed our indifference and do something about it.

There is some slight ground for encouragement in the initiative which the President took in his speech before the United Nations General Assembly on August 13. I hope this will not be another flash in the pan. I hope it does not run the familiar course of the big buildup, followed by the big letdown. I hope the President's words—which are not self-executing—will be followed up relentlessly and imaginatively by action.

But in any event, much more sweeping changes need to be made, not alone in our foreign policy; but more difficult still, in our scale of social and cultural values. I say "more difficult" because social and cultural values are not reducible to sticks and stones which can be milled to one shape or another. Social and cultural values arise from habits of the heart and mind; and if there is to be a revision in them, the revision must go on in the privacy of every American's thoughts. If that kind of revision does not occur, I doubt if the necessary revision in our foreign policy, if and when it is made, can be long sustained.

Until we do revise our sense of values, we will never think we can afford to do the things which, in my judgment, we must do if we are to survive as a free nation.

Is it not ridiculous, Mr. President, that we place a higher economic value on driving a truck than on teaching school?

Is it not out of all proportion that we accord greater social prestige to a rock and roll singer than to a philosopher?

We are constantly told we cannot afford a good public school system, but we could have a very good one if we diverted to education even a fraction of what we spend on all manner of amusement and luxury. The only logical inference to be drawn from this fact is that we, as a people, would rather have the luxuries than the schools. Now, surely, Mr. President, this is getting things upside down. We are treating luxuries as necessities, and necessities as luxuries. And the irony of it is that we are not really confronted with this kind of choice. We are rich enough to have our cake and eat it too. But we have become so greedy, we want it alamode.

So, Mr. President, I say we have got to revise our scale of values. We have got to return to a reasonable sense of what is really important, as distinguished from what is merely desirable. Fundamental to this process is a change in public attitudes toward public figures. We hear a great deal in the Senate, Mr. President, about our heavy responsibilities as Senators and about the grave importance of the decisions which we make. This is all true. But I daresay there is not a Member of this body who has not heard the word "politician" used as an epithet. I daresay that there are few Members of this body who do not envy the happier standing that Mickey Mantle or Bob Hope enjoys in the Nation.

I am not being critical of Mr. Mantle, who is an estimable young man and who performs valuable services for his employers. I am simply saying that something has got to be done to bring things back into proper perspective. Some way must be found to increase public understanding of public affairs, and to develop a sense of values appropriate to the problems and decisions which confront our people.

I am frank to admit that I have no quick or easy solution to offer. There may be no solution at all. But if there is, it lies, I think, in long-term efforts in the field of education and not in superficial public relations campaigns masterminded from Madison Avenue.

Yet one of the most discouraging events of this session of Congress has been its action in regard to education. When sputnik made it dazzlingly clear that we were falling behind the Russians in at least some fields of technology, our reaction was to pass an education bill designed to take a few feeble steps toward producing more scientists and improving the teaching of languages. Now, Heaven knows this needs to be done. I voted for it. But I suggest this is another instance in which our priorities are somewhat askew.

As badly as we need scientists and linguists, we even more badly need people who are capable of evaluating the work of the scientists and of making the enormously complicated decisions—which are essentially political decisions—that are called for if we are to adjust our policies and our life to our scientific progress. The age of the amateur is over. We can no longer look to our household experiences, or to commonsense knowledge if we are to pass good judgments on the new kind of life-and-death political-scientific questions which have become the leading questions of modern government. In addition to commonsense, we need exact knowledge, which we can come by only through hard study shared in by everyone. In short, we need to become a nation of statesmen-scientists—just as much as we need atomic scientists. Unless we become a nation of statesmen-scientists, we can kiss goodby our whole traditional constitutional system for responsible power. It will be done for because only a handful of experts will make decisions for the rest of us, and we will have no exact basis for knowing whether they decided well.

It is as plain as can be that we, all of us, must either become far more knowledgeable about the world on the one hand, or revise our constitutional system on the other hand, if we are to meet successfully the kind of challenge we are now being subjected to by the Russians.

Now, Mr. President, I suppose I will be criticized for having said all this. There are those who react almost instinctively to any suggestion that we are not living in the best of all possible worlds. There will doubtless be those who think it is politically unwise to extend criticism of this kind to American society itself.

I must respectfully disagree. I think the American people can take it. Further, I think increasing numbers of them are beginning to realize they deserve it.

We have lately heard a great deal about the nuclear gap between the United States and the Soviet Union. I suggest that an equally serious gap is that which exists between the profession and the practice of the tenets of freedom in this country. We have covered over this gap with the smug complacency of the ever-easier life, with a desperate pursuit of material success, and with a moratorium on creative thinking. We have bridged this gap with an unspoken demand for rigid conformity, with an excess of self-righteous moralizing. We have covered it over with boisterous but, at heart, terrified, clinging to what is left of our technological superiority, as though it will, by some supernatural power, save us from the forces of darkness which are closing in on the world.

I remind the Senate that the influence of this country was never greater in the hearts of men throughout the world, nor the power of the words of its leaders to move men more potent, that when it had no machines or technological capacities to speak of. It was never greater than when its leaders for the most part, were deeply religious men, when life was not easy but very hard, when men were judged more by what they were than by what they had, by what they contributed of their thoughts and heart and labor to the community rather than by what they were able to get from the community, when new ideas were as welcome as new peoples to these shores.

What I am suggesting, Mr. President, is that the problem is larger than what has gone wrong with our policies. Even more fundamental, it is what has gone wrong with our society.

We shall get policies which are attuned to the sweep of history and the ever-changing world in which we live, if Americans are reawakened, as they must be reawakened, to the larger meaning of the United States and its role in the destiny of mankind. We shall get political leaders and officials to administer these policies if Americans cease, as they must cease, to put a premium on the petty, the boisterous, the insensitive, and the fearful.

One may well ask, Mr. President, why Americans have been so long in asserting these demands for change. I do not know why, but I do know these demands will not be much longer in coming. Those of us who presume to lead, not only in Government but in education, in public information, and in all the institutions of American life must bear a major responsibility for the delay. For too long, we went along with the prevailing tides of know-nothingism. For too long, we accepted these tides, either willingly or with a sullen sense of inevitability, for fear of rocking ourselves, if not of rocking the boat.

We have gone through periods like this before in our national history, Mr. President. The decades of the 1920's and of the 1870's come readily to mind. In each case, we eventually came to our senses, went to work, and corrected a good deal of what had been wrong. Our situation is now more serious because the threat is more dangerous. Although we can take some comfort from history, we make a tragic—perhaps a fatal—mistake if we assume the inevitability of American national survival.

It is time, Mr. President, to cease going along as usual. It is time to test the slogans and the shibboleths by which we have lived this past decade, both in our relations with others and with ourselves. It is time to test them in the fires of free and open and honest discussion. Perhaps then, Mr. President, we shall get an answer to what is wrong in our foreign policy. Even more important, perhaps, we shall get an answer to what is wrong in our own national house.

I am not entirely without hope that this can be done. There are some signs that the American people are rousing themselves from the luxurious torpor which has afflicted them in recent years. All I can say is that it is high time. We have already turned off the alarm several times, and reset it for a later hour. We dare not do that again.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I do not intend to ask the Senator from Arkansas any questions, in the light of the usual brilliant address he has made to the Senate on the subject of foreign policy.

However, I fully agree with his comparison of the present-day United States with the last days of the old Roman Empire. We all recall, for example, that when the legions went up to the Rhine, in the beginning they went up alone, with only their battle equipment. But as the Roman Empire became rich and accustomed to more luxurious living, soon the legions brought with them the attributes of civilization, including their wives and children. The result was that, when the showdown came, the legions were vanquished, and the Germans and their allies took over.

A similar situation exists so far as American forces stationed in various parts of the world are concerned. They have the accouterments to which they are accustomed while at home. I hope the similarity will not be carried to the extreme.

The Senator has spoken about speeches being made, but nothing being done to carry through what was advocated in the speeches. I think he has raised a good point. For example, all of us are aware of the magnificent speech made by the President of the United States at the United Nations last week. He spoke about the unstable condition in the Middle East. It was an excellent speech. But the question now is, What will the follow through be?

As the Senator from Arkansas has asked, Are we to rest on that speech? Or will we do the things which must follow the procedures outlined with respect to a certain proposition or policy in that operation?

The Senator has also said that if anyone—and I am sure he was talking about the Senate—says something about defining a sense of values, he is immediately accused of selling America short. It is easy to use a phrase of that kind, but it takes brainpower, hard work, and courage to face up to the realities of our weaknesses.

I commend the Senator from Arkansas and all other Senators who have taken the floor in recent weeks to try to point out the weaknesses of our country, and to try, as best they knew how, as persons not charged with the responsibility of conducting our foreign policy, to make suggestions which will help to rectify the terrible, the difficult, the weakened position in which we find ourselves.

I again commend the distinguished Senator from Arkansas.

Mr. FULBRIGHT. I thank the Senator from Montana for his comments. I particularly appreciate his reference to those who have criticized. They certainly have not criticized merely in a quarrelsome or partisan spirit. Their whole purpose has been to try to find some means of improving the deficiencies which I believe all of us realize exist.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. BUSH. I congratulate the Senator from Arkansas on the address he has made this afternoon. I followed it closely as he presented it.

I think he has called attention to one of the most serious dangers we face, namely, public attitudes. I associate myself, positively, with the Senator in his statement that we must revise our scale of values, that a way must be found to increase public understanding of public affairs, and that there must be a development of a sense of values appropriate to the problems and decisions which confront our people.

The Senator has pointed that up by saying that we place a higher economic value on the driving of a truck than we do on teaching school. While the Senator confesses that he does not know for certain what the answer to the question is—and it is a very reasonable, modest, and appropriate suggestion—he does offer the thought, in which I concur, that in the field of education perhaps we need more enlightenment, more public understanding, then we do in any other field. In the field of education, the distinguished Senator from Arkansas has been outstanding in his life, particularly as a Senator. I think the programs which he has sponsored in the Senate in the field of education have done much to improve the relations of the United States with other countries, particularly those countries who are our friends, and some who are perhaps not so friendly.

Again, I congratulate my good friend from Arkansas upon his splendid address. I hope it will be read by all Senators and will be widely read throughout the United States.

Mr. FULBRIGHT. I thank the Senator for his kind remarks. With regard to education, I have always remembered—although most persons tend to forget it—that the Senate on 2 occasions specifically, and perhaps on others, but on 2 noteworthy occasions, has passed very good bills in the field of domestic education. However, it has never been possible to have them passed in the other body.

So while I am critical of what we have not done, I certainly do not mean the criticism to apply directly to this body, although I think we might have made some further efforts. But the failure has not been primarily our fault. The other body has certainly contributed to the neglect by Congress of education. The Senator from Connecticut, with his background at Yale and his other activities, is fully conscious of that. He has certainly done his part to improve education.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Indiana.

Mr. CAPEHART. I did not hear the speech of the able Senator from Arkansas. I did hear a little of what the Senator from Montana said. Being the author of the slogan that we should not sell the United States short, I presume the Senator from Montana had reference to what I have said in the past on that subject.

Although I did not hear the speech of the Senator from Arkansas, I certainly agree with that portion to which the able Senator from Connecticut just referred.

Inasmuch as the Senator from Montana has identified me as being the author of the slogan that we should not sell the United States short, I again reiterate my belief, my sincere, conscientious, honest belief, that I think we ought to criticize the United States. In fact, when we in the Senate criticize the United States, we are really criticizing ourselves, because both branches of Congress make policy. We appropriate money. If there are any weaknesses, we

ought to accept the responsibility for them. I have no objection to our doing that.

My objection is simply to the statements which are made in the Senate that we have lost face throughout the world; that the people of the world have lost confidence in us.

Is there any reason why they should not lose confidence in us, when very seldom a speech is made or comments are made pointing out our strength, our goodness, and the many fine things which we do? My observation has been that too often the opposite is the case.

We constantly talk about the things which are wrong with the United States. I listened this afternoon to the colloquy between the Senator from Missouri [Mr. SYMINGTON], and the Senator from Massachusetts [Mr. SALTONSTALL]. The Senator from Missouri raised six points as to which he questioned the Senator from Massachusetts very sharply, especially as to whether Russia was not superior to or ahead of the United States in the different fields he mentioned. He was attempt'ng to prove statements which other persons had made over the years.

That is the sort of thing to which I object. I should like to hear Senators, who are capable of doing it, say good things about our defense and good things about the United States, and praise the Nation, because there is much to be said in praise of our defenses.

I believe our Nation is stronger than Russia. I base that belief upon study and observation. I was in Russia last year. I do not believe the world will permit us to be its leader or will have the respect it should have for us if we never have any kind things to say about the United States, if we never have anything good to say about the strength of the United States, but if, instead, our officials constantly state that the United States is always wrong and that the other nations are always right.

That is why I used the phrase "sell the United States short." I say to Senators, in all fairness, that I do not believe they wish to leave that impression in the world. But certainly the leaders of the Soviet Union are the world's greatest propagandists; and they repeat to the people of Russia what Senators and other high officials of our Government say.

It is one thing for a man on the street, so to speak, to make a statement; it is one thing for an editor to make a statement in an editorial published in his newspaper; but it is quite another thing for a Senator or a Member of the House of Representatives or a governor to make a critical statement. If a high official of our Government makes such a statement, the people have a right to believe that the statement is based on fact. Furthermore, the Russians use such statements by high officials of our Government to propagandize the Russian people and the peoples of the other countries of the world. That is the basis of the complaint I am making.

Certainly we should improve; there is no question of that.

On the other hand, Mr. President, when able Senators criticize—as many of them have been doing—they really are criticizing themselves, as Members of the Congress. Both political parties have had responsibility for the running of the Government during the last 26 years, since our Nation has been involved in the leadership of world affairs. So I believe the time has come when we shall have to lead from the positive, instead of from the negative or from weakness.

I hope no Senator will take personally what I have said, any more than I take personally what other Senators say.

But if Senators are to be effective, certainly they must "get hard," so to speak, and must be frank. I do not question the honesty or integrity of those who make critical statements, which I believe are proper to be made if they are coupled with praise and with saying good things about the United States. That is my position. I make no apologies for taking it. I sincerely feel that I am correct. I am not trying to limit criticism or debate. I simply say that, in my best judgment, Senators should begin to praise the United States and to point out its areas of strength, as well as its areas of weakness.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. JORDAN in the chair). Does the Senator from Arkansas yield to the Senator from Montana?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. In response to what the Senator from Indiana has stated, I wish to say that no one questions either the sincerity or the patriotism of the Senator from Indiana. But when some of us criticize and at the same time try to be constructive—although whether we succeed in doing so can be told only with the passage of time—we do not like to be accused, either directly or indirectly, of "selling the country short."

I am sure the Senator from Indiana stands for the constructive approach, and I am sure he knows that no Member of Congress would do anything to "sell America short."

But someone has to do something—as the Senator from Arkansas [Mr. FULBRIGHT] has been doing this afternoon, and as other Senators have done before he spoke—to try to point out the existing facts of life, to try to take the sugar coating off the cake, to try to expose the picture for what it is.

We learn from holy writ that "the truth will make you free." I believe that is a correct statement as applied to our Nation; because if we wake up in time to do the things which need to be done in the fields of education, and so forth I believe we shall take effective steps, as good citizens, to promote the welfare of the Nation.

Mr. CAPEHART. I agree that we should point out both our strengths and our weaknesses.

But my complaint is that some Senators do not couple critical statements with statements about the strength of the Nation and the good things it does. However, I believe that the people of other countries should be able to read, in the statements Senators make on the floor of the Senate, about the good things our Nation does and about its strength.

Mr. MANSFIELD. I certainly agree with the Senator from Indiana—and this point was brought out clearly in the speech made by the Senator from Arkansas [Mr. FULBRIGHT]—that if there is any blame, it must be shared here on both sides of the aisle.

Mr. FULBRIGHT. Mr. President, let me say just a word in response to the comment which has been made by the Senator from Indiana.

I believe what has been accomplished in our country speaks for itself. I do not believe it would be proper or appropriate for us to prate, from time to time, here on the floor of the Senate, about the accomplishments of our country. To do so would serve no good purpose that I can think of.

The purpose of the speeches we make is to find ways to improve the Nation's policies and procedures, including its educational system.

Certainly, I do not think the educational system of our country is the worst in the world. There are many good things which I can say about it. But I do not believe our educational system is as good as it should be, or is as good as the demands upon us require.

The conditions now existing in the world require a far greater knowledge and understanding of scientific matters, international relations, and political matters, than was the case in the old days. At the time of Thomas Jefferson, education was restricted to a very few persons, who ran the country; and the people of that day had no idea of the type of mass education that is being undertaken today in the United States.

But I am convinced that the quality of our education has suffered as a result of the effort to educate everyone, and also because we have not devoted to education the resources required by it. So I say our educational system is deficient.

I say that simply because I know of no other way to arouse sufficient interest—although I may say that the interest aroused thus far has not been very successful, as far as the desired result is concerned. Certainly it would not promote the attainment of that objective to say, each day, "our educational system is fine, and needs no improvement, and nothing needs to be done about it."

I believe the Senator from Indiana misinterpreted the comments I made about existing conditions. I have never intended to convey the impression that we are not as strong as Russia or that we are less strong. It seems to me that such considerations are irrelevant. I do not know whether we have as many ICBM's as the Russians have now, or as many as the Russians will have next year or the following year. My feeling is that if we have enough to do what we are told we need to be able to do—that is to seriously, if not fatally, destroy the Russian community—then that is enough. I do not know whether we have more than enough. However, that is not the comparison I was trying to make; and I do not believe that the relative strengths—certainly, not the relative physical strengths—of the United States and Russia are the primary consideration.

I happen to believe that the probability of a military showdown with Russia is rather remote. I do not think either country—our leaders or the Russian leaders—wish to indulge in an all-out war. I think it is in the other field that there is an all-out war—a cold war which is getting hotter every day—and it is that war which I have particularly in mind. Diplomatic relations, trade, understanding of trade, how we treat other countries, how we keep them in sympathy with the purposes of the West, our relations with our own western allies are all matters which make for strength in the nonmilitary area. It is in an area particularly to which I have tried to direct my remarks. My remarks relate to the cold war, if one wishes to call it that—the nonmilitary struggle with the Russians. I am convinced we are not doing all we ought to do in that field; that not only are we failing to gain ground, but that we are not even holding our own relative position.

I do not wish to make this a partisan matter. I would certainly be willing at the proper time, or at any time, to admit weaknesses on the part of the preceding administration. Neither administration has done this job properly. I may say I often critized the preceding administration, if the Senator will remember. I do not think the matter has anything to do with partisanship. It is merely a question of trying to develop policies on the part of this country which will improve the conduct of our foreign relations. I mean not only political relations, but economic, social, and cultural—all the activities which would strengthen this country, and strengthen it not merely in the way of making it a little stronger than Russia, but strengthen it absolutely.

Mr. President, I am ready to yield the floor——

Mr. WILEY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Wisconsin.

Mr. WILEY. I may say to the Senator I was privileged to listen to his speech. I also had read it. I think it contains some thought-provoking material. I wish to comment briefly about it, and then ask a few questions.

I agree fully, on the subject of complacency, that it is our obligation not only to see to it that we in the Senate are not complacent, that is, ignorant of the changed world in which we live, and the world changing from day to day, but it should be our intention to make sure our people do not fall into a complacent notion. I think in that respect the speech of the Senator from Arkansas is a very challenging one.

The Senator referred to the matter of education. The Senator stated, with respect to that matter, the President and the Congress share the responsibility for what went wrong in past matters of foreign policy, and that they have an equal responsibility. The Senator said that the people are also to blame.

I should like to try to get a little light on the statement, because I think our foreign policy is to a large extent made by what foreigners do. In other words, without becoming particular, let us assume country X should, in the interest of America, do certain things, but as a result of certain events, action on our part is precipitated. In that respect I think possibly something the Senator from Indiana has said has some merit.

During the Roosevelt administration I felt, and during this administration I have felt, that when certain events in foreign countries occur over which we have no control, all at once action on our part is required. In view of the light that we have, the Executive, which spearheads our foreign relations, then and there, takes certain action. It is not the Executive; it is not the Congress; it is the foreigners who have created the situation which requires action on our part.

We may differ on what the action should be. If that is what the Senator has in mind, he should be more specific and say what he would have done if he had been President, or what the Congress should have done that it did not do. However, I think that, by and large, the people are a little wiser than we are. That is why they are backing the President. They sense what the situation is.

Let us consider the situation in the United Nations right now. I think the Senator from Arkansas has made some remarks about it. Who created that situation in the United Nations? Did we create it, or did the Kremlin, or the Arab countries, create it? Events took place which required action on our part. The question is, What action should we take? What should the President do? If the action he takes does not work out well, is he to blame? No; it is the same as handling a crazy mule that will not listen to reason. Are we to blame if a group which wants to assassinate will not listen to our philosophy and will not listen to what we want? Are we to blame, or are they to blame?

In that respect, I think it is fair to say that neither the President nor the Congress is to blame. It is the kicking mule that is to blame. If we cannot control the mule—referring to a certain nation as a mule—are we to blame? I would say no.

Ever since the end of the last World War we have kept the world from getting into another world war. In that respect, over and above every other consideration, it seems to me our foreign policy has been successful.

I should like to have a comment from the Senator from Arkansas in relation to the statement about scientific education. He made a very fine speech.

Mr. FULBRIGHT. Mr. President, in reply to the Senator from Wisconsin, may I say that one of the points I was seeking to make about education, with regard to science, is that while I favored the bill we passed, I think we should not restrict the program to scientific training and to languages. That would be a mistake. Ways must be found to accomplish a broader purpose. I like the way the Senate acted in 1947 and 1948 when it passed bills to assist basic education—elementary and secondary education in general.

On the other point, when the Senator talked about the responsibility of the people, I must say I cannot go along with his idea that all of the trouble in the Middle East or anyplace else comes about because of some other nation acting like a mule. I think there are very important forces in the Middle East—nationalism, if we want to call it that, or pan-Arabism—which exist, have existed, and which will be in existence for a long time. These forces result in substantial changes, as a result of which this country must take action. We have been tempted to either ignore or misinterpret or misunderstand the situation, up until recently. There is some sign, within the last month or two, that our leaders are beginning to realize the real facts in the Middle East.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WILEY. What I had in mind in making the analogy with respect to the mule is that we know that in the Middle East there is a difference in religion, which creates very deep schisms. We also know there is a difference in nationalities, which contributes to schismatic conditions. We also know that Arab nationalism has come into being, which is a schismatic condition. We know that the Kremlin is seeking to stir up trouble, to take over the oil of the Mideast, and to gain a pathway to Africa. We have had little or nothing to do with those things. The problem is presented. When the problem is presented by others I do not think we can say, as it has often been said, that we are to blame. That is my position.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, it it always a pleasure to listen to the distinguished junior Senator from Arkansas talk about problems with respect to other nations, which is a subject on which the Senator is at least as well versed as any other Member of the Senate.

Mr. President, most of my presentations on this matter have to do with the military aspect, because I am not a member of the Senate Committee on Foreign Relations and am a member of Armed Services.

As my able friend from Arkansas so well stated, there are many deficiencies in categories other than the military field, as we consider the relationships of our country with other countries.

Our psychological warfare, for instance, is inadequate for the job to be done.

On the economic side, the talk made by the Director of the Central Intelligence Agency before the United States Chamber of Commerce last April 28 was one of the most interesting presentations of the problem made to date. Fifteen years ago the Nazi armies were 1,000 miles inside Russia. Nevertheless, that country has recovered to the point where according to Mr. Dulles in that talk, the

combined steel production of the Sino-Soviet alliance in the first quarter of 1958 exceeded the total steel production of the United States.

Think of that. We all know that steel production is the base of any industrial complex in a modern economy.

The distinguished Senator from Arkansas pointed out the grave problems incident to education and our planning in that field. I could not agree more with his position on that vital subject. After the present Chairman of the Joint Chiefs of Staff and many other experts in the military field came back from a trip to Russia 2 years ago last June, I made a point of asking each member of that group what impressed them most in Russia. Some of these men were engineers; many of them were fliers. But all were military men whose prime interest was not education.

I made a point of asking all those men what impressed them most in Russia. Without exception every member of the military group stated that what impressed them most in the Soviet Union was the degree of effort being made to educate the youth especially as compared with what we were doing in this country.

Mr. President, once again the very able and articulate Senator from Arkansas has pointed out that, in addition to our military defense, there is a great deal more we must do if we are going to successfully wage the peace. I commend and congratulate him.

Mr. FULBRIGHT. I thank the Senator from Missouri.

Mr. LAUSCHE. Mr. President, will the Senator yield for a brief statement?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I commend the Senator from Arkansas for his very objective and timely analysis of the problem which confronts our country.

Mr. FULBRIGHT. I thank the Senator.

Mr. LAUSCHE. The Senator has struck upon points which might bring adverse comment to him, but he has done so without fear.

I also subscribe to the thought that our country, over and above everything else, must be strong from a defensive standpoint to cope with whatever problem might be foisted upon us. I think secondly, however, that when we speak of education we should have primarily in mind the development of a character in our American youth which will make them fit to exercise those great prerogatives which exist for a free people in a democracy.

On the bottom of page 3 of the Senator's statement these words appear:

> Fifteen or sixteen centuries ago, the Roman Empire was all-powerful, rich, successful—and also complacent. Neither the Roman emperors nor the Roman senate could bring themselves to be overly concerned with the crude and * * * entertainment they arranged, and the wealth and subetance——

Mr. FULBRIGHT. There is a line missing from the mimeographed copy of the speech, I will say to the Senator.

Mr. LAUSCHE. There is a line missing?

Mr. FULBRIGHT. Yes.

Mr. LAUSCHE. The thought is contained in the statement.

Mr. FULBRIGHT. The missing line is in my remarks.

Mr. LAUSCHE. It continues:

> The wealth and substance of the empire were dissipated in lavish consumption.

Let us apply that thought to our country. In Rome, the story was "Circuses and cake." Debauchery, dissipation, dancing, song, and wine were the prime thoughts of the people of Rome.

There lived beyond the Rhine a barbaric race, the Germans. They were described as being without education, barbarians who were not at all familiar with the things that meant civilization in the fourth and fifth centuries. But someone came from beyond the Rhine and said, "The people whom we describe as barbarians respect their women. They work. Their word is as good as their bond."

Those were the barbarians across the Rhine. Suddenly it came to pass that those barbarians met the Romans in battle; and the quality of work, the quality of integrity, devotion to womanhood and family reflected itself in the vigor of the defense which they made in battle.

In my judgment, education means the development of character. Let us take a look at what Congress is doing with respect to the development of character. We urge appropriations for defense and for foreign aid. I subscribe to them, because I believe that over and above anything else we must make certain that our country will not become a captive of the Soviet Union.

At the same time, out of this Congress, week after week legislation is emerging telling the people of the United States, "Luxury is your assignment in this world. Dance and song shall be your lot." I ask, Are we, by our conduct, giving an education to our children and developing the character of the American people?

I commend the Senator from Arkansas for his fearlessness in dealing with this problem. Several weeks ago I saw, either in Life or Time magazine, a quotation from a statement made by some Communist leader in the Far East. He was a rebel. He said, "We will win because we work."

What is the situation in our country? The education consists in telling our youth, "You will live even if you do not work. We will give you encouragement in the form of featherbedding practices. You will be paid more, even though you do not produce more."

I put the question to myself, "Where are we heading? What is eventually to happen to us if this program continues?"

My outline would be as follows: Let us be militarily strong. Let us help those nations which are legitimately and honestly friendly toward us. Let us return to the principles of the vigorous pioneer characters who moved from the Atlantic coast out West, to the banks of the Ohio and across the Mississippi, across the mountains of the West, over to the shores of the Pacific Ocean.

They believed in character. They believed in work, and they believed in education. Their primary thought when they met on those waters in the West was, "We have brought with us our institutions, our government, our churches and our schools."

In the stockade, there were guns on the wall and holes in the stockade wall through which the guns were fired. In one corner there was a church; in another corner was a school. Outside there was a room in which the courthouse and the government offices were housed.

From such schools came great Americans, primarily because of the character that was instilled in them.

Of course, I am concerned with the subject of education. I know of the deep interest of the Senator from Arkansas in that subject. But we tell our youth, "Study that in which you have an interest." The only interest I had when I was a boy was in playing baseball. We tell our youth "Study that which will be economically useful to you." That is fine, but there is something beyond that, as the Senator from Arkansas has said.

We can build schools with golden roofs and embellishments beyond imagination, but they will not necessarily produce an educated child. It requires more than that. It depends upon the substance within him, and the willingness to do things that are important. It is in that field that I believe we in Congress can do much to achieve that which the Senator from Arkansas suggests in his speech.

I say to the Senator from Arkansas that under no circumstances can his statement be construed as any type of political attack. It is constructive, and intended to bring to the attention of Members of Congress and the people of our country a most serious problem.

Mr. FULBRIGHT. I thank the Senator for his remarks. He is very complimentary.

SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. FULBRIGHT. Mr. President, I am gratified to hear that the President has today signed S. 3651, the Small Business Investment Act of 1958.

This is the culmination of efforts of many people over a period of almost 10 years to provide additional sources of equity-type capital and long-term loans for small business.

Because of the widespread public interest in this legislation, I had the staff of the Committee on Banking and Currency prepare a simplified statement in explanation of the act, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE SMALL BUSINESS INVESTMENT ACT OF 1958

BASIC INFORMATION

The Small Business Investment Act of 1958 is designed to aid the growth and development of small-business concerns by providing (1) long-term loans and equity-type capital to small businesses, credit which is not available through commercial banks, (2) long-term loans to State and local development companies, and (3) grants for

research and counseling in the management, financing, and operations of small businesses.

The program will be administered by the Small Business Administration, which will receive an initial appropriation of $50 million for loans and will have access to approximately $27.5 million for grants. Legislation (S. 3651) enabling the new program originated in the Senate Committee on Banking and Currency, and was passed by the Congress on August 7, 1958.

SMALL-BUSINESS INVESTMENT COMPANIES

Formation: The principal feature of the act contemplates the formation of new private financial institutions to functions as small-business investment companies. These companies must be organized under State laws unless such laws in a particular State are incompatible with the purpose of the act, in which event a small-business investment company can be chartered by the Small Business Administration. In all cases, the new companies must receive SBA approval in order to operate under the act. Approval will depend upon the need for small-business financing in the proposed area of operation, the character and ability of the proposed management, and the existing number of such companies.

Initial capital required: Each company must have an initial paid-in capital and surplus of at least $300,000. The SBA is authorized to lend up to $150,000, which amount can be considered as part of the required initial capital. Stock in small-business investment companies may be purchased by any persons or organizations eligible to do so under other laws governing the activities of such prospective stockholders. A national bank, or a member bank of the Federal Reserve System, or a bank insured by the Federal Deposit Insurance Corporation may hold stock in a small-business investment company in an amount up to 1 percent of such bank's capital and surplus.

Borrowing power: Small-business investment companies may borrow funds to the extent permitted by SBA regulation. The SBA can lend an amount up to 50 percent of the capital and surplus of an investment company. For this purpose, any funds loaned by the SBA to become a part of capital and surplus will be treated as capital of the investment company and will not be counted as borrowings for compliance with the 50-percent limitation. Thus, a new company could be formed with a minimum of $150,000 in private funds matched by $150,000 of capital-type funds borrowed from the SBA, and the company would be eligible to borrow an additional $150,000 from the SBA.

Providing funds to small businesses: Small-business investment companies may supply funds to small businesses (as defined by the SBA) in two basic ways: (1) By purchase of debenture bonds convertible into stock of the borrowers at the option of the investment company, and (2) by loans in the conventional use of that term. All lending terms and conditions will be subject to compliance with SBA regulation. There is no statutory maximum maturity for convertible debentures, but the act limits the maturity of conventional loans to 20 years with provision for extension up to 10 years. Without approval of the SBA, no single enterprise may receive financial assistance which exceeds an amount equal to 20 percent of the combined capital and surplus of the investment company.

Tax features: By separate statute (1) investors in the small-business investment companies can treat losses in such companies as an ordinary deduction rather than an offset against capital gain, (2) the investment companies receive the same privilege on any losses on the convertible debentures or stock of small-business concerns, and (3) the investment companies are entitled to a 100-percent-dividends-received deduction.

Miscellaneous provisions: Small business investment companies are exempt from borrowing limits contained in the Investment Company Act of 1940. The Securities and Exchange Commission is given power to exempt such companies from compliance with provisions of the Securities Act of 1933 and the Trust Indenture Act of 1939.

LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

Unsecured loans: State development companies may receive unsecured loans from the SBA up to a total amount which does not exceed the total amount borrowed by the company from all other sources. Such SBA funds shall be treated on an equal basis with funds of the highest priority borrowed by the company from any other source after the date of enactment. This latter requirement can be waived by the SBA.

Secured loans: In addition to, and separate from, the lending power described above, the SBA can make secured loans to State and local development companies. These loans must be identifiable with an ultimate small-business borrower, may not exceed $250,000, and must mature within 10 years with provision for extension up to an additional 10 years.

General requirements: All funds advanced to State and local development companies by the SBA must be used to assist small business concerns, and none of the SBA funds can be used in a way which would result in a substantial increase of unemployment in any area of the country.

GRANTS FOR RESEARCH AND COUNSELING

The act makes available approximately $27.5 million for SBA grants to a State government, State agency, State development company, or to colleges and universities. These grant funds are to be used for studies, research, and counseling concerning the managing, financing, and operation of small business enterprises. Only one grant can be made within any one State in any one year, and no grant may exceed $[illegible],000.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and for other beneficial consumptive uses.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9521. An act to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended; and

H. R. 12361. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 12281) to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

LIVING IT UP IN LAOS

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, a reprint from the Reader's Digest of an article which originally was published in the Wall Street Journal entitled "Living It Up in Laos."

This article is a revealing account of the weakness of some of our foreign-aid spending.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIVING IT UP IN LAOS—TINY ASIAN KINGDOM USES UNITED STATES AID TO SPLURGE ON LUXURIES

(By Igor Oganesoff)

VIENTIANE, LAOS.—The circumstances of American aid to this Southeast Asian kingdom add up to a story of flagrant misuse of United States aid funds—and of profiteering that may give Communist propagandists a weapon offsetting the anti-Communist influence the aid program was designed to have in Laos.

Laos has been ecstatically drowning in American aid ever since 1955, not long after it was carved out of what used to be Indochina. Roughly $135 million is the amount the United States has poured into the local economy.[1]

Most of the United States dollars have been turned over to the Laotian Government either for various United States-sponsored economic projects or to support the 25,000-man Royal Laotian Army. But there are peculiarities surrounding this United States aid program. Local traders buy America's aid dollars from the Laotian Government, purchase goods abroad and sell them for kip (the native currency) in Laos. Instead of raising the Laotian standard of living and providing for industrial expansion, the principal effect of United States largess has been a rather weird boom, based on nothing more solid than cash on hand and an assumption that there is more to come.

FORDS AND FEATHER DUSTERS

Sleek Cadillacs, Buicks, and Fords have been imported by the dozen, although the principal highways still are hardly more than jungle trails. Other items on last year's import list make delightfully wacky reading: 4½ tons of feather dusters, 73 tons of sporting goods, fishing tackle and thermos jugs, 180 tons of automobile covers, $13,400 worth of festival decorations, $11,500 worth of musical instruments, and thousands of dollars worth of costume jewelry.

Retail shops are stocked to their bamboo ceilings with items that the Lao have hardly ever seen before; American toothpaste, roller skates, Japanese dolls, French perfume.

A lot of the United States money went to buy products from Red China: cherries in

[1] The Laotian Government's own income is barely $13,500,000 a year.

sirup from Shantung, Five Goats beer from Canton. Much of this stuff is unsalable, but it doesn't matter; the importers have already made their profits from foreign-exchange manipulations.

THE MAGIC KIP

To understand this, one must acquaint himself with the magic kip, the highly overvalued Lao currency unit. The official exchange rate, set by the Lao Government, is 35 kip to the American dollar. But in the hard-headed money markets of Hong Kong, Bangkok, or even in Vientiane, a Lao trader can buy up to 100 kip for a dollar. This sets the stage for fantastic profits.

A Lao trader may buy 100,000 kip in the free money market for $1,000. He then applies for an import license for, say, $1,000 worth of building cement, but puts up only 35,000 kip to get the $1,000 from the Government at the official rate. This leaves him 65,000 kip before he has even moved the goods. Then he can simply sell his import license for more cash, if he wants.

If an importer decides to use his license, he still stands to profit heavily. Suppose he imports inexpensive men's shirts at $1 each. Since he buys his dollars from the Laotian Government at the official rate, each shirt costs him 35 kip. But then the free-market money values come into play. When the shirt goes on the market in Laos, it is priced at about 100 kip. So the importer has nearly tripled his money. Repeating this process under Laos' free-and-easy import rules, a businessman quickly can amass a considerable fortune.

In neighboring Bangkok, reports of collusion between foreign exporters, particularly in Hong Kong, and Laotian traders are commonplace. One source estimates that only about 20 percent of the contracts from Hong Kong are free of kickbacks to importers for underweight, underfilled or overpriced shipments, which allow the importer to further build up his foreign exchange hoard.

Many shipments, it is said, are diverted in Thailand (95 percent of Laos' imports pass through Bangkok and then are transported to Laos overland), where there is a lively demand for a wide range of goods. Other items arrive in Vientiane only to be shipped out again for greater profits. Thus, industryless Laos has become an exporter of automobiles and outboard motors.

It is estimated that well over half of the goods paid for never reach the Laotian market. "The country is now straining to absorb $12 million worth of goods, yet $35 million worth is supposed to be coming in. If all this stuff actually arrived, it would be lying all over the streets," claims Ralph A. Epstein, a management consultant with the American firm of Howell & Co. of Washington, D. C., which has sent a three-man mission here as part of a $2,576,000 United States aid project in civil administration.

Privately, local United States officials doubt that they can ever achieve a complete reform in the aid program, even after currency exchange reform. "There is still no assurance that Laos will import the things it really needs to improve the economy, rather than luxury goods," one International Cooperation Administration man admits.

A MAJOR HANDICAP

ICA officials, uneasy at the flood of unessential imports financed by the United States, did win one concession this year. They were allowed to place a representative on Laos' National Export-Import Council, with power to veto any import. The current ICA man suffers from a major handicap, however, in his job as watchdog. All the council's deliberations, and the import applications as well, are in French—a tongue for which the ICA man requires an interpreter.

Because funds have been released in lump sums by ICA, United States control has been made difficult. As a result, Lao officials, besides granting import licenses for luxury goods, often have siphoned off the funds for their own uses. There is a lush building boom going on. Leading traders and government officials (often the same people) are huddling with architects and contractors for lavish new residences or flashy additions to formerly modest homes.

CERTAIN FAVORS

It is generally agreed that some 200 or 300 leading families in Laos (population: 2 million) are getting most of the benefit from the massive import program. One ICA official admits that certain favors are granted Lao political and government leaders to keep them friendly.

Meanwhile, back in the countryside, the rank and file of the Laotians live much as they have always lived, oblivious of United States help. Their flimsy shacks are built on stilts to protect them from snakes and flooding during the rainy season. They farm rice and a few vegetables and raise chickens. ICA officials will admit that, except for a few projects, their whole program to date hasn't gone far in raising the standard of living of the general population.

CROSSING THE MEKONG

The strictly economic projects are equally beset with problems. One of the few visible results of the ICA's efforts is a $600,000 ferry system, crossing the Mekong River separating Laos and Thailand. The United States bore all the cost, including a 15-month training course and natty uniforms for the 37-man staff.

Operating costs are $4,000 a month, and revenues in the past have been only $700 to $300. United States aid funds make up the difference. The reason for the deficit is not hard to find. Only a few yards from the ferry, Chinese junks are loaded to the gunwales with crates, oil drums, and passengers. The junks are owned by a Chinese businessman who was foresighted enough to obtain a transport contract with the Thai rail monopoly, Express Transport Organization, which carries nearly all the freight to and from the Laotian border and the big market city of Bangkok.

REHABILITATING ROADS

Transport improvement is the largest single current aid project, with $5,600,000 provided by the United States. Besides the new ferry, there's a $3,700,000 plan to rehabilitate roads. Most of this has been spent for heavy earth-moving equipment, tractors, bulldozers, and shovels.

Actual roadwork is largely in the hands of an American firm which operates on contract with the Laotian Government and has a force of Okinawans on the job. The principal project is maintaining the dirt road between Vientiane and the royal capital of Luang Prabang, 150 miles north. No new roads are contemplated.

Just under $600,000 has been provided for industrial development. A small part of this has gone into mining, mineral, and power surveys, but the bulk has been paid for three diesel electric generators to be installed in Vientiane. The generators have been here, unused, since June of last year; there's no equipment around for transmission line. Continuous operation of the generators would cost the Laotian Government a sizable chunk of its normal income—another indication of the long-lasting nature of Laos' dependence on United States aid.

The Communists, of course, exploit corruption in government and riches flowing to a favored few. And Americans here are beginning to wonder how long the United States, in doling out assistance, can afford to ignore this unfortunate part of its program.

REACTION IN CONGRESS

All of the above statements were borne out in recent testimony before the House Committee on Foreign Affairs. And from representatives of the United States General Accounting Office, State Department and even ICA itself, the committee brought out further serious evidence about the Laotian situation that has been hidden from the public since 1955.

Laos has insisted on an unrealistically high exchange; then, instead of getting ICA approval for all import licenses that our dollars pay for, high Laotian officials have gone into the import business themselves, quietly issued these licenses on the side, and refused to let the United States investigate what happened to the money.

Last July the General Accounting Office sent ICA a report indicating trouble in Laos and asked for comment. ICA kept the report 6 months before bothering to reply.

This spring GAO sent an investigating team to Laos. It reported there was still no adequate check on the import licenses. "The program is being badly administered," said George Staples, associate director of GAO's Civil Accounting and Auditing Division.

One of ICA's excuses is that whatever its faults, the program is holding back communism. However, a year ago the Laotian Government came to terms with the Communist Pathet Lao, with which it had been fighting, took in its leader as Minister of Planning and Procurement, and allowed the Reds to handpick two units of their own troops and integrate them into the army we support. Recently at least nine Communists were elected to the national legislature.

Through June 30, 1957, the ICA obligated $135 million for Laos, and is still disbursing aid at the same rate, as far as can be guessed—around $50 million a year—although taxpayers are not supposed to ask. The State Department has stamped such information Classified to the public.

This year Congress balked at the State Department policy of secrecy when publication of the foregoing article made it impossible to conceal the facts any longer. The Congressional consensus: only publicity can force eradication of evils such as are set forth here. "If you say there is no effective way to control diversion," Foreign Affairs Subcommittee Chairman CLEMENT J. ZABLOCKI, of Wisconsin, told an ICA witness, "there are Members of Congress who will certainly give a sound, foolproof method. That is to discontinue aid."

(From a report to the Reader's Digest by Charles Stevenson.)

EXERCISE BY SUPREME COURT OF POLICYMAKING POWERS—RESOLUTION BY STATE CHIEF JUSTICES

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article in today's issue of the New York Times entitled "High Court Urged To Limit Actions."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGH COURT URGED TO LIMIT ACTIONS—CHIEF JUSTICES OF THE STATES BID FEDERAL BENCH CURB POLICYMAKING ROLE

(By Lawrence E. Davies)

PASADENA, CALIF., August 20.—The United States Supreme Court was urged today to put on the badge of judicial self-restraint.

A committee of State chief justices took the Court members to task with an expression of hope that they would stick to their tremendous strictly judicial powers and avoid exercising essentially legislative powers in questions involving State actions.

Headed by Chief Judge Frederick W. Brune, of Maryland, the committee declared that no more important obligation rested upon the Supreme Court than that of careful moderation in the exercise of its policy-making role. It expressed grave concern over the asserted exercise by the Court of almost unlimited policymaking powers.

"It has long been an American boast," said the committee report read to the 10th annual meeting of the conference of chief justices, "that we have a government of laws and not of men. We believe that any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast."

The chief justices or their associates from 47 States, Hawaii, and Puerto Rico, will be in session the rest of the week at the Huntington-Sheraton Hotel here. Arkansas, a spokesman said, was not represented because of an illness.

Chief Justice John R. Dethmers, of Michigan, the conference chairman, recalled that the committee on Federal-State relationships as affected by judicial decisions was authorized at last year's meeting in New York after some barbs had been aimed at the Supreme Court.

The study was to deal with the subject, he said, "temperately but directly and forthrightly." The 31-page resultant report read by Judge Brune was, indeed, couched in noninflammatory language but time and again it carried a sting.

The report was the subject of discussions by four conference groups during the afternoon. It is scheduled for formal action by the meeting at the closing business session Saturday.

The Brune committee itself has drawn up a resolution respectfully urging the Supreme Court to exercise "one of the greatest of all judicial powers—the power of judicial self-restraint." This will be turned over to the resolutions committee headed by Chief Justice Levi S. Udall, of Arizona, with what Justice Dethmers described as the enthusiastic support of all the Brune committee members.

Nowhere in the report was there mention of the question of racial segregation.

It was explained that committee members felt to inject this into the study would stir sectional feelings and defeat the overall purpose of the study.

Early in the report, the chief justices noted it was part of their obligation "to seek to uphold respect for law." But they went on to assert:

"We do not believe that this goes so far as to impose upon us an obligation of silence when we find ourselves unable to agree with pronouncements of the Supreme Court (even though we are bound by them), or when we see trends in decisions of that Court which we think will lead to unfortunate results."

Signing the report with Judge Brune were Chief Judge Albert Conway, of New York; Chief Justice Dethmers, Chief Justice William H. Duckworth, of Georgia; Chief Justice John E. Hickman, of Texas; Chief Justice John E. Martin, of Wisconsin; Associate Justice Martin A. Nelson, of Minnesota; Chief Justice William C. Perry, of Oregon; Chief Justice Taylor H. Stukes, of South Carolina; and Chief Justice Raymond S. Wilkins, of Massachusetts.

As consultants they had five members of the University of Chicago Law School.

Mr. WILLIAMS. I invite special attention to the one significant statement in the resolution adopted at a recent convention of chief judges, at Pasadena:

It has long been an American boast that we have a government of laws and not of men. We believe that any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast.

This is a timely warning of the great danger to our American system under some of the recent Supreme Court rulings and coming from the Association of Chief Justices of our States this warning cannot be ignored. Unquestionably the Supreme Court has gone far afield in some of their recent decisions.

The Association of Chief Justices continued in this resolution to express grave concern over the asserted exercise by the Court of almost unlimited policymaking powers. And they urged the Court to put on the badge of "judicial self-restraint."

This committee of judges urged our Supreme Court to exercise "one of the greatest of all judicial powers—the power of judicial self-restraint."

The members of our Supreme Court would do well to read the recommendations of this group in its entirety and, I hope they will heed the advice given.

Signing this report, in addition to Judge Brune, of Maryland, were Chief Judge Albert Conway, of New York; Chief Justice Dethmers; Chief Justice William H. Duckworth, of Georgia; Chief Justice John E. Hickman, of Texas; Chief Justice John E. Martin, of Wisconsin; Associate Justice Martin A. Nelson, of Minnesota; Chief Justice William C. Perry, of Oregon; Chief Justice Taylor H. Stukes, of South Carolina; and Chief Justice Raymond S. Wilkins, of Massachusetts.

Mr. ERVIN. Mr. President, I wish to make an observation relevant to the matter to which the attention of the Senate is being directed by the able and distinguished Senator from Delaware. This is not the first time the chief justices of the 48 States have spoken on this problem. In 1952 the chief justices of the 48 States unanimously adopted a resolution asking Congress to pass legislation which would put an end to the practice whereby the lowest Federal courts can nullify the decisions of the highest courts of the States.

Again, on a second occasion, the chief justices of the 48 States adopted a second resolution on this subject, and the very strong proposals made by the committee of the chief justices of the 48 States in Pasadena, Calif., yesterday is the third time the chief justices of the 48 States of the Union have called the attention of the Nation to this serious problem in our Federal-State relationships.

Mr. COTTON. Mr. President, in view of the very pertinent remarks and insertions made by the distinguished Senator from Delaware [Mr. WILLIAMS] and the able Senator from North Carolina [Mr. ERVIN], I should like to call to the attention of the Senate a quotation which I chanced to see within the last half hour. These words were said by a great Democratic war President of the United States, Woodrow Wilson:

The history of liberty is the history of the limitation of governmental power, not the increase of it.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

Mr. HENNINGS. Mr. President, again, at this hour of the debate on the amendment of the Senator from Arkansas, which, as we know, contains the provisions of two bills, S. 337 and S. 654, the latter of which is commonly known as the Bridges bill, I am constrained to say, with all the earnestness at my command, that I believe in these late days of the session of Congress, the Senate may conceivably be doing something, should it reject the motion to recommit, which will plague not only the Senate, but also the people of the country, other Senates, and other Congresses for years to come.

Should this amendment be enacted, I believe there will be chaos, there will be litigation, indeed, there will be a great compounding of litigation. We will find ourselves in an endless labyrinth of uncertainty and indecision. Conceivably, it may have a very serious effect not only upon our political institutions, but also upon the economy of the Nation itself.

I had intended speaking at considerable length upon the subject. However, after taking counsel with others who are interested in the same objectives which move others of us, I shall be brief at this time.

I should say that the lack of hearings, the failure adequately to call and hear witnesses upon both sides of this question should alone suffice to justify its being recommitted to the Committee on the Judiciary for further study and consideration.

I have been asked to explain the nature of the preemption provision in this bill and other bills now before the Senate.

This is, as we know, what lawyers might call a "shotgun" approach. We know that Congress may, when Congress is so moved and desires to do so, preempt legislation in a certain field of activity. But here we are asked to invoke what is known as the doctrine of preemption, in a field so broad that it embraces virtually the entire spectrum of our legal and judicial system. That in itself would be a perilous and, indeed, a very dangerous thing to do.

I solemnly urge the Senate to do nothing which may reproach and plague us in the years to come. We do not know what effect the proposed legislation would have.

Several witnesses appeared before the House committee, where hearings were held. The House committee heard an Assistant Attorney General, the president of the Association of American Railroads, representatives of the Interstate Commerce Commission and the AFL–CIO.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield.

Mr. THURMOND. Did the Senator say that the Association of American Railroads is opposed?

Mr. HENNINGS. No; I said a representative of the Association of American Railroads appeared before the House committee. If I misspoke, I correct myself.

Mr. THURMOND. I misunderstood the Senator.

Mr. HENNINGS. The Senate committee has held no hearings whatsoever, I remind my friend from South Carolina, upon this exceedingly vital and all-embracing attempt to legislate in many areas, some of which we know not.

To me, as a member of the Committee on the Judiciary, it is appalling and a source of dismay that in this 11th hour, in the dying, closing days of this session of Congress, when minds and bodies are fatigued, we should be discussing this subject. We have had a long and, I think, productive session. I believe that is generally admitted. To come in on almost the last day with a proposal such as this, I believe, reflects to every thoughtful lawyer an effort to act hastily.

I have received many communications from responsible members of the legal profession, from bar associations, and from some members of the judiciary, who urge that we not act irresponsibly on what is now proposed.

For instance, a telegram came to me a few minutes ago from the dean of the Law School of the University of Notre Dame, a great institution of standing in this country, as we all know. It reads:

> I urge you to oppose Senate consideration of bills reported out without the benefit of hearings. Specifically I urge you to oppose H. R. 3.
>
> JOSEPH O'MEARA, *Dean.*

I have received many other such telegrams.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. CLARK. I emphasize what the Senator from Missouri has just said about how foolish it is to legislate on so important a matter without hearings having been held by a Senate committee. I do not think there is a Member of the Senate who has any idea of what the bill at hand will do to the law of regulating labor standards; to the law having to do with labor-management relations; to the law affecting conservation of natural resources; to the law relating to public works; to the immigration and nationality laws; to the law with regard to public health and welfare; to the laws with respect to agriculture; to the law governing air commerce; to the law in the general field of interstate commerce; to the civil-rights law.

Many Senators have asked to have an amendment drafted to exempt each of a number of specific fields from this proposed shotgun give-and-take legislation, so that the field in which they are particularly interested may be exempted, because no one knows what the bill, if passed, will do in those fields.

Mr. HENNINGS. I thank the Senator from Pennsylvania for his valuable contribution to the discussion. He is indeed eminently correct. In addition to the fields enumerated by the Senator, there are many others of which we know not and cannot at this time foresee.

Indeed, we have found that the proposed legislation is not only retrospective but prospective. It would require that Congress make a survey of State laws. Before we passed upon a given piece of proposed legislation, it would be necessary to survey all the State enactments to see whether a field existed for preemption and whether there was conflict.

Mr. JAVITS. Mr. President——

Mr. HENNINGS. I may say to the Senator from New York—I believe it has been said before—that we are asked to pass proposed legislation for the purpose of finding out what it means. Certainly that is not the sort of legislation for a responsible body, such as we think the Senate is, to pass.

Mr. JAVITS. Mr. President, at this time, will the Senator from Missouri yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Missouri yield to the Senator from New York?

Mr. HENNINGS. I shall be glad to yield to the Senator from New York, formerly the attorney general of the State of New York. I shall yield first to the Senator from Ohio [Mr. LAUSCHE], who previously asked that I yield; and then I shall be glad to yield to the Senator from New York.

Mr. JAVITS. Mr. President, inasmuch as the Senator from Ohio has resumed his seat, I gather that he does not wish to be yielded to at the moment.

Mr. HENNINGS. Very well; then I yield now to the Senator from New York.

Mr. JAVITS. I thank the Senator from Missouri for yielding to me.

Let me say that I have heard many questions asked about the difference between the pending bill and the so-called Butler-Jenner bill, which the Senate laid on the table on yesterday. One of the questions asked was whether the pending bill is worse or is better than the Butler-Jenner bill, and so forth, and so on.

Senators who favored the Butler-Jenner bill knew exactly what they favored and what it provided. That bill had specific application to certain Supreme Court decisions.

The difficulty with House bill 3 is that we do not know what it would amount to if it were enacted into law. Notwithstanding the elucidations which have been made so eloquently by the Senator from Missouri [Mr. HENNINGS], the Senator from Colorado [Mr. CARROLL], and other Senators, if the pending bill were to be enacted, I am confident that next year or the year after that it would be found that the bill had 50 or 150 other applications which no one ever thought of before, but which we suddenly would find were creating confusion.

In other words, this bill is generic; it applies to everything; it is as deep as vice.

Mr. HENNINGS. Perhaps the Senator from New York will wish to say that the bill is similar to an iceberg—much of which is beneath the surface, so it is impossible to tell the extent of the underwater portion.

Mr. JAVITS. Exactly.

I believe that in the opinion of those of us who opposed the Butler-Jenner bill, the pending bill—H. R. 3—is, for that reason, even worse.

Mr. HENNINGS. I thank the Senator from New York for his observations and his contributions.

Mr. President, I think some disenchantment and disillusionment is in store for the proponents of this measure. Apart from the breadth of its purpose, I do not believe it will achieve the purpose intended, namely, to remove from the courts the determination of whether a specific act of Congress preempts the field.

At this time, let me inquire whether the distinguished Senator from Ohio [Mr. LAUSCHE] desires that I yield to him. I intended to yield to him before now.

Mr. LAUSCHE. I thank the Senator from Missouri.

I wish he would describe in greater detail the extent of the hearings which were held on the bill.

Mr. HENNINGS. I shall be glad to do so.

In the first place, as I have stated, I do not know whether the Senator from Ohio was then in the Chamber—no hearings whatever were held during the 85th Congress on this bill, by either the Senate Judiciary Committee or any subcommittee of the Senate Judiciary Committee. It is true that some hearings were held during the 84th Congress. I would have to say that, in my own judgment, although some Senators may disagree, and may take issue with me on this point—only scanty hearings were held in the 84th Congress, some 3 years ago, at a time when some of the present Members of the Senate were not Members of this body, and, indeed, when some of the present members of the Judiciary Committee were not then serving on that committee.

Mr. LAUSCHE. I should like to inquire about the provisions of the bill which would make it retroactive. Were they discussed in the committee; or has the discussion of that phase of the matter been confined to the debate on the floor of the Senate?

Mr. HENNINGS. I do not wish to rely entirely on my memory, in connection with the question of whether the matter of retroactivity was discussed in the committee. But if it was, then I do not believe the discussion of it in the committee was very thorough or very protracted.

Perhaps the Senator from Tennessee [Mr. KEFAUVER] has a better recollection on that score than I do. Therefore, I yield now to him, for the purpose of having him answer the question.

Mr. KEFAUVER. Mr. President, the McClellan bill, a similar bill, was before the committee, but was not the subject of hearings at this session of Congress.

When the McClellan bill received final consideration by the committee, the provision for retroactivity was eliminated from the bill. So the bill, as reported to the Senate, and as now on the calendar, does not contain a retroactive application provision. The words "Acts heretofore passed" were stricken from the bill by the committee. So the bill as reported to the Senate, and as now on the calendar, applies only to future acts.

Mr. HENNINGS. The Senator from Tennessee now is referring to S. 337 not to H. R. 3. Is not that correct?

Mr. KEFAUVER. Yes. At this session of Congress, no committee hearings have been held on House bill 3. In the last Congress, hearings were held on a similar bill, which had been introduced by the Senator from Arkansas [Mr. MCCLELLAN]. But the two bills are not identical.

Mr. LAUSCHE. Were hearings held on the matter of making the proposed law retroactive?

Mr. KEFAUVER. There were no hearings.

Mr. LAUSCHE. There were no hearings of any nature whatsoever?

Mr. KEFAUVER. None on the pending bill.

Mr. LAUSCHE. Is there available a transcript of the testimony taken in regard to House bill 3, as reported to the Senate; or is there available a transcript of the testimony taken on the substitute bill?

Mr. KEFAUVER. There were no hearings in this Congress. There were some hearings in the previous Congress.

Mr. HENNINGS. Very well; I now understand that no hearings whatever were held on it during this session.

Mr. KEFAUVER. I am sure the distinguished Senator from Ohio has read the statement of the Attorney General, which was filed during the hearings held by the House committee. For the Senator's information, let me state that it was printed in the CONGRESSIONAL RECORD of July 15, where it appears at page 13860.

Mr. LAUSCHE. Let me point out that in the Committee on Interstate and Foreign Commerce, I tried to procure a decision which would prevent the committee from reporting to the Senate a lot of cats and dogs, so to speak.

Eventually, this session of Congress will adjourn. I favor having the Senate devote as much time as possible to the consideration of various measures which are being sent to us during the last minutes of the session, if by so doing it will be possible to keep many bad bills from being considered by the Senate.

Mr. HENNINGS. I thank the Senator from Ohio for his statement. I may say that many of us have consistently opposed the reporting of this proposed legislation.

Mr. LAUSCHE. It would have been better if we had adjourned 3 weeks ago. If we continue the session for another 2 weeks, it will cost the taxpayers of the Nation another $3 billion.

Mr. HENNINGS. I shall be glad to yield now to any other Senators who may wish to have me yield to them, in order to permit them to make observations.

Mr. EASTLAND. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. Yes, I am glad to yield to the distinguished chairman of the Judiciary Committee.

Mr. EASTLAND. Mr. President, the distinguished Senator from Missouri knows that no hearings were held on House bill 3 at this session of Congress. But the identical question was gone into during the committee hearings on the Jenner-Butler bill; the subject matter covered in the hearings on the Jenner-Butler bill is the same as that in issue in connection with House bill 3 or the McClellan bill.

Mr. HENNINGS. I may say to the chairman of our committee, who knows this better than anyone else, the Judiciary Committee in its discussions of matters of constitutional law, practice, and proceeding, ranges as far and wide as a hunting dog. We go all over the lot, as the Senator knows. We touch upon all manner of things in our discussion at one time or another. We spent something like 6 or 7 weeks on S. 2646 alone, and took all of the time of the Committee on the Judiciary in so doing.

Mr. EASTLAND. But the Senator, of course, realizes that the same problem was gone into very thoroughly by the Judiciary Committee in hearings on the Jenner-Butler bill, and everyone who desired to testify, pro and con, on this question was given the opportunity.

Mr. HENNINGS. I should say that the question of whether the problem was fairly gone into or not would be a conclusion to be derived from the point of view of the one who might be hearing the testimony.

Mr. EASTLAND. That is right; but there were committee hearings on this question.

Mr. HENNINGS. The committee does go into many, many facets and many, many aspects of all of these questions, some not germane, some not directly in point, when it considers various amendments to many bills which the committee handles.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield to the Senator from Colorado.

Mr. CARROLL. Is it not true that at no time in the full committee hearings of the Senate Judiciary Committee did we ever discuss the full import of a bill which cuts across economic and political patterns going back 150 years, as was brought out in the debate? As a matter of fact, did we ever have a single hearing of the Senate Judiciary Committee based on the consideration of this important pending legislation?

Mr. HENNINGS. It is demonstrably true and certainly a fact that we did not have any hearings on this proposed legislation, or similar legislation dealing with preemption across the board.

Mr. CARROLL. As a matter of fact, we spent most of our time on S. 2646, the Jenner bill, which was designed primarily to curb the appellate jurisdiction of the Supreme Court.

Mr. HENNINGS. In five areas originally; four of which were stricken in committee.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. EASTLAND. But we went into this whole question. One facet of the proposed legislation was to curb the appellate jurisdiction of the Supreme Court. We went into the whole picture. This bill has had thorough committee hearings and thorough committee considerations.

Mr. HENNINGS. I do not reflect upon the chairman when I say that, in my judgment, we did not have perhaps as thorough a discussion of it as we should have had.

Mr. EASTLAND. I am sure we could not do anything to convince the distinguished Senator from Missouri. He has his point of view. The Senator from Mississippi has his point of view. The record speaks for itself, and I think the record is a full answer to the objection that there have been inadequate hearings.

Mr. HENNINGS. I think it might be observed, too, that the Committee on the Judiciary handles something like 54 percent of the legislation which comes to the floor of the Senate. I alone happen to serve on 9 subcommittees of that committee, and I am chairman of 3 of them. Other Senators may have more subcommittees than I have. It is a very busy, very hard-working committee. Whether there is adequate or sufficient discussion on one matter or not oftimes depends on the time element. We do not have an opportunity at times to do all the things we would like to do. But this fact does remain, and I should like to emphasize this point again, there is no doubt whatever in the minds of any Member of this body that there were no hearings held upon the proposed legislation as it is before us for consideration today. Any lawyer may have read widely upon any aspect of his professional interest, and he may have discussed the subject and attended hearings and taken part in hearings; but as to the question of adequate hearings, again I say, in my judgment—and again I respectfully differ with the chairman of the committee—hearings were not held on the proposed legislation before the Senate today.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. CARROLL. Is it not true that the Senate Judiciary Committee did not consider H. R. 3, but reported S. 337? The best evidence of the treatment we gave S. 337 is a report comprising about 300 pages, which does not in any wise go into the serious and involved economic problems which the Senator from Missouri is discussing.

As a matter of fact, even in that bill, which has now been abandoned in favor of H. R. 3, the Senator from Wyoming inserted the words "hereafter enacted," in order to strike out the retroactivity of S. 337.

So I think the record is clear that there has been only a cursory examination and consideration given to this important pending legislation.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HENNINGS. If the Senator will excuse me to make one observation in connection with this matter, then I shall be glad to yield.

It is not the function of the Congress to legislate only where there is a need for legislation. It seems to me that in the field of preemption we have not established a real demand or need for this legislation. I think able lawyers who are proponents of it, on reflection may even agree we know not where we are going in the future should the bill be enacted in its broad sense, as embodied in the McClellan amendment.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield now.

Mr. EASTLAND. The distinguished Senator knows that frequently, after committee hearings, an entirely new bill develops and comes out of committee from the one which was introduced.

Mr. HENNINGS. Many, many times that is true.

Mr. EASTLAND. In this case the entire question was gone into very, very carefully in hearings on the Jenner-Butler bill. In fact, as I recall—I do not want to be held to the accuracy of this statement, but as I recall—the hearings on the Jenner-Butler bill and the Bridges bill were combined.

Mr. HENNINGS. May I inquire in what respect the Senator suggests that the so-called Jenner-Butler bill dealt with preemption?

Mr. EASTLAND. I say, as I recall——

Mr. HENNINGS. The gravamen of this proposed legislation is preemption.

Mr. EASTLAND. I understand. As I recall, the hearings on the Bridges bill and the Jenner-Butler bill were combined. I can be mistaken about that, but that is the way I recall.

Mr. HENNINGS. I do not wish to be invidious in this statement, but the RECORD certainly should reflect that when the so-called Jenner bill first came before the Committee on the Judiciary it developed upon the senior Senator from Missouri to ask what sort of hearings had been held and what the nature of those hearings had been. It developed if I mistake not, that one witness, a member of the committee, the author of the bill, and a member of the staff of the Committee on the Judiciary were the ones who testified at the hearing.

Mr. EASTLAND. What the distinguished Senator says is absolutely correct; and on motion of the distinguished senior Senator from Missouri, the bill was recommitted to the subcommittee, and extensive hearings were held on that bill, and on the very principals involved here.

Mr. HENNINGS. May I again inquire of my friend, the learned and able chairman of the Committee on the Judiciary, whether any hearings were held with respect to preemption or the preemption doctrine in connection with the Jenner-Butler bill.

Mr. EASTLAND. There were some witnesses, as I recall, who testified on the Bridges bill, which, of course, deals with the doctrine of preemption. That is what I recall.

Mr. HENNINGS. I understood the Senator from Mississippi to say that in connection with the Jenner-Butler bill there had been some discussion and some hearings relating to the doctrine of preemption, or the theory of preemption.

Mr. EASTLAND. Yes.

Mr. HENNINGS. The bill itself has nothing to do with preemption.

Mr. EASTLAND. The committee made the Bridges bill one section of the Jenner-Butler bill.

Mr. CLARK. Mr. President, will the Senator yield for one question?

Mr. HENNINGS. Has the distinguished Senator from Mississippi concluded?

Mr. EASTLAND. Surely.

Mr. HENNINGS. I yield to the Senator from Pennsylvania.

Mr. CLARK. I would be grateful if my good friend from Mississippi would listen to the question. I ask this purely for the purpose of obtaining information.

Am I correct in my understanding that the only hearings held before the committee with respect to the doctrine of preemption were confined to the Steve Nelson case and preemption in the field of security legislation of the States?

Mr. HENNINGS. I am satisfied that is the case. I stand to be corrected if it is not true. Of course, we know that the celebrated Steven Nelson case in all likelihood generated H. R. 3, or was one very important factor in the generation of the bill.

If I recall that case correctly—and I believe I do, because I have read it and studied it—it was a decision of the Supreme Court of the State of Pennsylvania. The Supreme Court or the highest tribunal of the Commonwealth of Pennsylvania held that the State laws did not apply in the Nelson case. The Supreme Court of the United States affirmed the finding of the Supreme Court of Pennsylvania.

If we are going to talk about the United States Supreme Court undertaking to seek aggrandizement by occupying this field, we must remember that the Supreme Court of the State of Pennsylvania was the court which laid down the principle in the Steve Nelson case. Upon appeal to the Supreme Court of the United States, the Supreme Court of the United States affirmed the decision of the Supreme Court of Pennsylvania.

The distinguished former mayor of the city of Philadelphia, the junior Senator from Pennsylvania, probably knows something about that case and knew something about it at the time it was tried. No doubt the Senator has studied the case I ask for his confirmation as to whether the facts as I have cited them are substantially true.

Mr. CLARK. That is of course my understanding. Steve Nelson was a resident of Pittsburgh and not of Philadelphia.

Mr. HENNINGS. Since the Senator is a Pennsylvanian, he knows about the case in detail.

Mr. CLARK. Yes. We discussed the case at length on the floor yesterday.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield to my friend from Mississippi.

Mr. EASTLAND. The distinguished Senator knows that after hearings in which we went into the preemption doctrine, as I recall, the committee wrote preemption provisions into the bill. Not one time before the Judiciary Committee did the Senator from Missouri or any member of the Judiciary Committee who opposed the bill raise the question that there had been inadequate hearings. Not one time was that question raised in the committee.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I will say to the Senator from Mississippi that, as the Senator knows, I have objected rather consistently to many bills because of lack of hearings. Only last week I raised objection to a deportation bill.

I cannot recall specifically and I would not want to misinform the Senate, but as I recall, the question of preemption which came before the Judiciary Committee—and I stand to be corrected, if wrong—related only to the field of subversion or sedition, and did not cover the broad spectrum and scope which the proposed legislation now before us seeks to embrace.

Am I correct in that understanding?

Mr. EASTLAND. I did not hear the entire statement of the Senator; I am sorry.

Mr. HENNINGS. I suggested that the hearings which were held related only to the question of sedition and not the broad field attempted to be covered under the mantle laid down in the pending amendment, which is in all respects H. R. 3.

As to the objections, I have no independent recollection. I recall that we have considered many measures in the committee, and I have objected to perhaps more than my share of them because of inadequate hearings, because of what I thought to be insufficient consideration of the matters, and also because I think the Committee on the Judiciary is charged with a high and solemn responsibility to come to the Senate and act responsibly after full and complete hearings and after thorough deliberation.

I think the Senate of the United States has a right to look to the Judiciary Committee for legal guidance; and it has a right to know, to believe, and to have confidence that the committee—whether the Senate agrees with the committee or not—has at least given thorough consideration to things which affect the very future of this country, its economic life and its political institutions, to an extent which we cannot at this time predict or foresee.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield to the Senator from Tennessee.

Mr. KEFAUVER. My position in respect to the proposed legislation is that if it were confined to statutes hereafter enacted, and also restricted to the fields of crime and sedition, I would be in favor of its passage.

Mr. HENNINGS. If I may interrupt for a moment, I take it the Senator is not in favor of a broadside approach into realms where angels would fear to tread. We do not know where we may end if we adopt this amendment. Is that not substantially true, under all the circumstances?

Mr. KEFAUVER. The Senator is correct. I am particularly fearful of the application of the bill in so far as transportation is concerned, and the effect upon railroads, airlines, trucking companies, and the many fields in which there may be operations under two sets of statutes. The people have to know under what law they are supposed to operate.

In this connection I note a very pertinent statement by Mr. Walsh, the Deputy Attorney General, who testified before the House committee:

> Mr. WALSH. That is not an assault on a constitutional provision but when a bill attempts to encompass 150 years of jurisprudence in two sentences, then I think brevity might be an assault on a statute.

The committee members and Mr. Walsh were discussing how long it would take to examine all the State statutes to see which ones would be preempted by the new interpretation.

Mr. HENNINGS. How long did they conclude it would take?

Mr. KEFAUVER. I will read what Mr. Walsh said.

Mr. HENNINGS. I would say it would be an incalculable time.

Mr. KEFAUVER. Mr. Walsh said:

> I would say that this job you are suggesting for the Department of Justice is not one for a week, a month, or a year. There will be many years involved in such a job.
>
> During that period, this bill would be in effect and private persons would be sued and would be suing each other in trying to reassert their rights which they viewed as changed under this bill.
>
> Let each change of the law come after a period of study. The preservation of State activities is worth enough to consume all of that time. If we can relieve the Federal agencies of the strain of petty, internal regulation so that they can concentrate on truly national problems, it is worth all of the hours that we put into it. Do not change the law before we do that. Let us do that and then change the law piece by piece as we go along.

If there ever was a piece of legislation which should have some real hearings and consideration, it is this. No one knows what confusion might be caused in the field of property rights.

Mr. HENNINGS. What would the Senator suggest in the way of legislation to regulate railroads if the States were to enact their own regulations? A train going across the continent passes through several States. The regulations would have to be somehow adjusted to fit each State as the train crossed the line.

Mr. KEFAUVER. That is set forth by Mr. Gregory S. Prince, vice president and general counsel of the Association of American Railroads, in a letter which was printed in the House proceedings. He says that this bill, H. R. 3, might lead to the establishment of different rates on a single commodity, depending upon the action of State courts and juries as to a reasonable rate; second, in connection with penalties, many antiquated State laws are in existence which would have application to interstate rail transportation service.

He discusses safety appliances, locomotive inspection, and hours of service. People would never know under which law they were supposed to operate. The State would have one set of regulations and the Federal Government would have another. Such regulation would affect locomotives, trains, airplanes, and trucks. So until a detailed study had been made of all the retroactive factors, people could be sued and penalized without any fault on their part.

Mr. HENNINGS. The Senator is eminently correct.

Mr. President, I think the debate has been most adequate. For that reason I shall not continue, in the interest of saving time. I believe the Senator from Colorado [Mr. CARROLL] is about to renew his motion to recommit the bill. Before that is done, I promised to yield to the distinguished Senator from New Mexico [Mr. ANDERSON] for the presentation of a conference report.

CONSTRUCTION BY DEPARTMENT OF INTERIOR OF DEMONSTRATION PLANTS—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today, p. 18945, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Mr. President, the conference report was unanimously agreed to by all the conferees.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ANDERSON. Mr. President, I ask unanimous consent that a statement dealing with the saline water demonstration program be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON CONFERENCE REPORT—S. J. RES. 135 SALINE WATER DEMONSTRATION PROGRAM

In connection with the adoption of the conference report on Senate Joint Resolution 135, to authorize a saline water demonstration program, I desire to make a few comments as part of the legislative history on the measure.

First, President Eisenhower commented that new horizons were opening in the desalting of water in his address on Mideast problems before the United Nations General Assembly in New York on August 14. I attach an extract from his address at the conclusion of this statement.

Next, I reiterate the view expressed on the floor of the Senate repeatedly that the saline water conversion demonstration program provided for by Senate Joint Resolution 135 is the most important step in the national water program since the enactment of the Reclamation Law in 1902. The seawater desalting program and the treatment of brackish water at economical cost has national significance as well as international potentials that run the gauntlet from domestic and industrial rises in this country to a place as an instrument for peace and rehabilitation overseas. We must bear in mind that by 1975, the United States with a population of upward of 200 million persons will be faced with fresh water shortages for domestic, industrial, agricultural, and national defense purposes in many vital population centers and agricultural areas.

Senate Joint Resolution 135 sets the stage for tackling the problem of achieving economical means of desalting seawater in the coastal areas and treating brackish water in the interior.

The modest sum of $10 million is authorized for the construction of not less than 3 seawater desalting plants and 2 brackish water treatment plants. Each plant is to demonstrate a different process.

Responsibility is placed squarely on the shoulders of the Secretary of the Interior to implement the demonstration program promptly and effectively. Use of funds already appropriated is authorized for the employment of consultants and experts to pave the way for a decision by the Secretary as to the first plant within 6 months after the resolution is approved. A decision as to each of the other plants is to be made by the Secretary at 3-month intervals. Construction of the first demonstration plant should be under way within a year. All of us have confidence that the present Secretary of the Interior (Fred A. Seaton) a former distinguished Member of the Senate, will perfect an organization directly under him to expedite this program. We look to him for prompt and effective action.

The conferees agreed that the Congress should maintain surveillance of the program by requiring the Secretary to report promptly on each decision with respect to the type of process selected.

The principal change made in the resolution in conference is the omission of a demonstration plant in the Virgin Islands as a feature of the program. A salt water distillation plant is authorized for St. Thomas under H. R. 12226, which is now in conference.

I desire to pay tribute to the cooperation of the cosponsors of Senate Joint Resolution 135, the Senator from South Dakota [Mr. CASE], the Senator from California [Mr. KUCHEL], and the Senator from Wisconsin [Mr. WILEY].

In the House of Representatives the leadership of House Interior Committee: chairman, Representative CLAIR ENGLE, of California, Representative WAYNE ASPINALL, of Colorado, and their colleagues, contributed to the initiation of the program.

In addition to the excerpt from the President's United Nations address, I attach hereto the following news story by James Reston from the New York Times of August 14, entitled "President Hints at Gains in Sea Water Conversion," and an editorial from

the New York Daily News of August 11, entitled "Fresh Water From the Sea."

(The material referred to is as follows:)

[From the New York Times of August 14, 1958]

PRESIDENT EMPHASIZES IMPORTANCE OF SALINE WATER CONVERSION—EXTRACT FROM PRESIDENT EISENHOWER'S ADDRESS TO THE UNITED NATIONS GENERAL ASSEMBLY ON MIDDLE EAST PROBLEMS IN NEW YORK, WEDNESDAY, AUGUST 13

I would hope that high on the agenda of this institution would be an action to meet one of the major challenges of the Near East, the great common shortage—water.

Much scientific and engineering work is already under way in the field of water development. For instance, atomic isotopes now permit us to chart the courses of great underground rivers. The new horizons are opening in the desalting of water. The ancient problem of water is on the threshold of solution. Energy, determination, and science will carry it over that threshold.

[From the New York Times of August 14, 1958]

PRESIDENT HINTS AT GAINS IN SEA WATER CONVERSION

(By James Reston)

WASHINGTON, August 13.—The United States Government is making genuine and even exciting progress in reducing the cost of desalting sea water and purifying brackish inland water.

This explains President Eisenhower's brief but fascinating statement to the United Nations today that the ancient problem of ending the world's water shortage is on the threshold of solution.

The experts here on the subject wish the President had used a different metaphor. They say it will be a long time before the waters of the sea can be harnessed to turn the deserts of the Middle East into the fertile lands of Biblical times. But atomic energy and new processes and machinery are now carrying the water conversion experiments from the laboratory into the realm of practical industrial and agricultural uses.

PROBLEM ONE OF EXPENSE

At the present, land-based units convert about 15 million gallons a day of sea water or brackish water into fresh water. Two of these units, capable of converting 5 million gallons a day, are situated in the oil-rich sheikdom of Kuwait on the Persian Gulf. But these units, like the sea-conversion plants on ocean liners, are immensely expensive.

The problem has been to reduce the cost of conversion from about $1.75 per thousand gallons to 50 or 75 cents, and Washington officials think this may be achieved within 5 years.

Atomic science is improving the prospect in three ways. President Eisenhower referred to one of them today. He noted that atomic isotopes were being used to chart the course of great underground rivers so they can be tapped more effectively.

Dr. R. B. Mesrobian, of the center of research and engineering of the Continental Can Co. of Chicago, has demonstrated that a small amount of radioactive material injected into underground streams can be followed by instruments above ground as it courses in the water below the earth. He will explain the results of his experiments in the forthcoming atomic-energy conference in Geneva.

Recently, too, the Office of Saline Water of the Department of the Interior, and the California division of water resources signed a contract with the Flour Corp., of Whittier, Calif., for a study of a combination nuclear-reactor saline water conversion plant. It is hoped that this reactor will provide cheaper energy for the evaporation of sea water in what is called the electrodialysis process.

This process is the one totally new concept developed in recent years for the conversion of saline water. The Netherlands has been particularly successful in developing this system.

A 2,800,000-gallon-a-day plant of this type is under construction in South Africa. The United States Government has purchased similar experimental equipment from the Netherlands for use in the laboratories of the Bureau of Reclamation in Denver.

DETAILS OF PROCESS

The Department of the Interior explains the process as follows:

When most salts are dissolved in water, the solution contains submicroscopic electrically charged particles, called ions, in suspension. If an electric current is passed through such a solution, the ions having a positive charge will move by the electrical force of attraction to the negative source of current. Conversely, the negatively charged ions will move to the positive source of current.

This process makes the separation of the two types of ions more effective by using plastic ion exchange membranes. These membranes are made of a combination of plastic materials, some of which are particles carrying a positive charge.

This plastic sheet, or membrane, is impervious to water, but if it is placed in a salt solution, the positive ions can pass through the positive membrane under the driving force of electricity, but the negative ions of the solution cannot.

Conversely, a membrane made of negatively charged particles will permit the negatively charged ions from the solution to pass through but not the positive ions.

Thus a pair of these ion exchange membranes, one negative and the other positive, can form a cell. If salt water is placed between them and an electric current is applied across them, the positive and negative salt ions will move through the respectively charged membranes, leaving a less salty water in the middle and saltier water on the outside of the membranes.

By stacking these cells and repeatedly passing the water through the membranes, the salt, or brackish, water can be purified. Also, it is understood that if the membranes are so constructed as to include certain radioactive materials, the electrical current necessary will be reduced to about one-third.

Some officials here have been saying for years that exploitation of these new processes would not only help the United States solve its growing water shortage in the West, but would also dramatize Washington's effort to put its scientific knowledge to peaceful uses in the underdeveloped areas of the world.

Unfortunately, Congress has not always shown such enthusiasm for the project. Since 1952, when the experiments started in the Department of the Interior, the appropriation requests have been cut on an average of 20 percent.

Only in the last few days, however, Congress has voted $10 million to the Department of the Interior for the construction of 5 demonstration-production plants, 3 for conversion of sea water, and 2 for the conversion of brackish water.

This is more than tenfold the annual appropriations of the past and thus the program is beginning to make real progress. Even so, much more can be done. For example, while the Federal Government is to get $10 million for development of these new plants, California alone has planned an $11 billion investment in developing its water resources.

[From the New York Daily News of August 11, 1958]

FRESH WATER FROM THE SEA

Twice in the last 15 months, House committees have complained that the Department of the Interior (Fred A. Seaton, Secretary) is dragging its feet as regards studying cheap methods of turning sea water into fresh water.

Congress in 1952 set up the Office of Saline Water in the Interior Department, and since then has given it $2,850,000 for its researches.

We imagine the fact that House committees these days are controlled by Democrats, while the Interior Department is run by Republicans, has something to do with the bitterness of the committees' attacks on Mr. Seaton and his colleagues.

Be that as it may, the fresh-water problem in the United States is getting more serious all the time.

In one way or another, we use between 20 and 25 gallons of water per person per day. Industry uses enormous quantities (to make 1 ton of steel, you need 65,000 gallons of water), and agriculture soaks up almost as much as industry.

Altogether, Americans use about 250 billion gallons of water a day; and it is estimated that the figure will be 600 billion a day by 1980.

There are, of course, ways to take the salt and other impurities out of sea water and make it drinkable.

You can do the trick by simply boiling the sea water and condensing the steam that comes off it. Or you can freeze it, and the resulting ice will be salt-free—as icebergs are.

THE COST PROBLEM

Then, there is the so-called electrodialysis process, whereby impurities are eased out of salt water by electrical methods too complicated to describe here.

Up to now, all these devices are pretty expensive. But progress at cutting costs is being made.

The Maxim Silencer Co., of Hartford, Conn., claims to have developed a distillation system which can supply fresh water from the sea at around 20 cents per 1,000 gallons—fairly expensive, but not prohibitive.

A couple of research outfits at Harbor Island, N. C., think they are in sight of a 25 to 50 cents per 1,000-gallon price.

Other scientists are at work on the problem—notably Dr. LeRoy A. Bromley, of the University of California, who believes a new distillation process which he has dreamed up will eventually produce fresh water from the sea in large quantities at 25 cents to 50 cents a 1,000 gallons.

So it looks as if the cost problem will be solved sooner or later. The sooner the better, considering the large number of communities which have had to ration water from time to time, particularly during last summer's bad northeastern drought.

If Congress wants to be helpful in the matter, it can speed action on a bill which has already passed the Senate.

This measure authorizes the above-mentioned Interior Department to spend $10 million on 5 new water-conversion plants—4 in this country and 1 in some possession of ours; perhaps the Virgin Islands.

We imagine that with that kind of money and encouragement, the Interior Department would really get cracking. How about giving it the chance to do so?

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. JOHNSON of Texas. I wish to commend the Senator for his activity in this field, and the very excellent work he has done. I am hopeful that the legislation will be promptly enacted.

I ask unanimous consent to have printed in the RECORD at this point a very brief statement which I have prepared on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSON OF TEXAS

Construction of saline water conversion plants and brackish water conversion plants will contribute greatly toward a solution of the Nation's water problems.

Texans can particularly appreciate the significance of successful water conversion. We are long on floods and short on water in my home State. We have 370 miles of coastal area, but the cities along the coastal plain are hard pressed to provide water for municipal and industrial needs. We have an inland water area of 3,826 square miles, but runoff from these streams is 85 percent, and what remains is frequently brackish.

Conversion plants designed to demonstrate the reliability and the engineering, operating and economic potentials of the processes are essential to the orderly development of our resources. Successful and economical conversion of sea and brackish waters would mark a tremendous advance for us in the work we have been doing to fulfill our industrial, municipal, and agricultural water obligations.

Mr. ANDERSON. Mr. President, in passing the joint resolution the House inadvertently changed one of the numerals from "1952" to "1956." The Parliamentarian tells me that the easiest way to handle the situation is by way of a Senate concurrent resolution, which I now submit, after conferring with the majority and minority leaders. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 121) submitted by Mr. ANDERSON was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, to strike out, in the language agreed to by the conferees on House amendment numbered 15, in the second sentence beginning with the word "Unobligated", the numeral "1956" and in lieu thereof insert "1952."

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considerd and agreed to.

Mr. ANDERSON. Mr. President, I thank the Senator from Missouri [Mr. HENNINGS] for yielding to me.

Mr. HENNINGS. In turn, I compliment and commend the distinguished junior Senator from New Mexico for the indefatigable effort which he has shown in this field, which characterizes all his activities in this body. It is a pleasure to yield to him for the important business which he has brought before the Senate.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

The Senate resumed the consideration of the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. The Senator from Colorado has asked me to yield to him. I have nothing further to say. I am preparing to yield the floor in order that the motion to recommit the bill may be renewed. Are there any other Senators who desire recognition before I yield?

Mr. CARROLL. Mr. President, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARROLL. What is the pending business before the Senate?

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado [Mr. CARROLL] to recommit the bill to the Committee on the Judiciary.

Mr. CARROLL. Mr. President, I understand there are to be comments on this subject. I shall withhold my comments, and I thank the Senator from Missouri.

Mr. HENNINGS. Mr. President, if there is to be extensive debate on the question, I have considerable more material that I desire to submit in addition to what I have already presented. May I have the attention of the majority leader, please? In conformity with what I understood to be a general understanding between the opponents and the proponents of the amendment, I expected no further debate, but if there is to be further debate, I myself have considerable in the way of additional comments to make, which would require at least an hour and a half.

Mr. JOHNSON of Texas. Mr. President, I can speak for no other Senator, but I can speak for myself. I should like to reach a vote as early as possible. The Senator from North Carolina [Mr. ERVIN] indicated that he had a brief statement of 4 or 5 minutes to make. I assume the Senator from Arkansas [Mr. MCCLELLAN] has a statement to make.

Mr. HENNINGS. It is not my desire to foreclose any Senator who desires to present his views. I may say to the distinguished majority leader, as I said last night before moving to table the McClellan amendment.

As the Senator from Texas will recall, I asked if any Senators desired that I yield before the motion to table was made. Again I say it is not my intention to undertake to foreclose or estop or in any way prevent any statement being made upon this motion.

Mr. JOHNSON of Texas. Will the Senator agree to yield the floor so that the Senator from North Carolina may make a brief statement and the Senator from Arkansas may do likewise? The Senator can always obtain the floor.

Mr. HENNINGS. I am aware that I can. But I, too, have much more to say on this subject. Much has already been said. I am not sure the Senate needs further enlightenment on it, but I feel that although I have been living with this subject a half year or more, I can stand considerably more enlightenment on many aspects of it.

I find it a very difficult subject. The more I deal with it, and the more I study it, the more difficult it becomes. It may be a very simple matter to those not as obtuse as some of us, those who are more learned in the law, those who have had greater experience and who can read into this legislation a degree of safety and assurance, not only that it will do what its proponents claim for it, but that it will not do what some of us are well satisfied it inevitably will do; namely, seriously infringe upon and have, if not a disastrous effect, a most serious adverse impact upon the economy of this country, upon the industrial organizations of this country, upon the transportation and water interests of this country, upon agriculture, and upon fields the domain of which we know not completely at this time.

I shall content myself for the time being with what I have said on this and related subjects during the past 3 days. The debate has indeed been illuminating. The more we debate it the more we learn about the subject. To me it hoists a danger signal to the Senate, a warning and an admonition not to act irresponsibly in the closing days of this session to mar and tarnish the good record which has been made in most respects up to this point.

I now yield the floor and abide the judgment of the Chair with respect to recognizing another Senator.

Mr. ERVIN. Mr. President, I have never in my life heard so much fine oratory used to complicate simplicity. Insofar as the bill embodies the provisions of what has become popularly known as H. R. 3, it contains just two simple provisions. The bill relates only to fields in which the Constitution of the United States permits both Congress and the States to legislate. It does not relate in any way to fields in which the Federal Government, under the Constitution, has exclusive power. It does not relate in any way to fields in which the States are forbidden to act by the Constitution. I repeat that it relates only to those fields in which the Constitution of the United States permits both Congress and the States to legislate, and it recognizes the constitutional doctrine of the supremacy of conflicting Federal statutes over State statutes in fields in which both Congress and the States are permitted by the Constitution to legislate.

It lays down two tests which are rules of construction, not rules of law. One of the rules of construction applies to a case in which there is an apparent conflict between the Federal and State laws on the same subject. It says in that case the rule of construction which arose with the establishment of this Republic, and which has been observed by all judges of the Supreme Court of the

United States until recent days, shall continue to be the rule for the construction of statutes in determining, when the statutes disagree, whether State statutes shall fall under the Federal supremacy doctrine. It provides in that case that the Federal act shall not be construed to invalidate the State act unless the two are so repugnant and inconsistent with each other that both laws cannot stand. That is a sound doctrine. It is the only sensible doctrine of construction for instances where there is a supposed conflict between Federal and State laws on the same subject in a field in which both have constitutional power to legislate.

The other rule is a rule which is to be applied as a rule of construction, not as a rule of law, in instances where Congress and the State legislate upon the same subject, and there is no conflict or apparent conflict between the act of Congress and the legislation of the States. It merely says in that case Congress can make clear that it intends that the Federal Government shall preempt or occupy the entire field of legislation in that area by a simple declaration to that effect.

Instead of stirring up litigation, or engendering uncertainty, it provides a rule of law which is crystal clear and so plain that he who runs may read and not err in so doing.

The hue and cry about the supposed retroactive effects of the bill are, wasted upon a nonexistent legal ghost.

The bill, if enacted into law, would be only a rule of construction. It would in no case prevail if it appeared from the act which Congress had passed that Congress intended to preempt the entire field, even though no declaration to that effect was made in the act. It would apply only in case of ambiguity on that point, and it would operate only prospectively, that is, in the future. While it would apply in the construction of a statute enacted in the past, as well as in respect to a statute enacted in the future, it would not impose any liability of any kind on any person for any event which had occurred prior to the time the bill became law. It would impose liability only for events which would occur in the future.

Instead of being a complicated statute, the bill, if enacted into law, would avoid innumerable conflicts in the realm where Congress and the States are authorized to legislate.

The necessity for a law of this kind is well pointed out by the action taken by a committee of the chief justices of the 48 States meeting in Pasadena, Calif., yesterday. The committee, representing the chief justices of the 48 States, has approved and submitted to the chief justices, for adoption, a resolution asking the Supreme Court of the United States to exercise judicial restraint in the field of Federal and State relations. The pending bill, insofar as it incorporates within it the provisions of H. R. 3, would be the best and simplest and most direct means of promoting peace and harmony in the field of Federal and State relations, because it would provide a rule of construction under which even a layman could determine whether the Federal Government had preempted a field in which both Federal and State Governments, in the absence of Federal preemption, would have a constitutional right to act.

Therefore, instead of being likely to cause any injury and litigation, the bill, if enacted, would have exactly the opposite effect, and would be a very salutary measure to carry out the resolution proposed by the committee of the chief justices of the 48 States, and it would have a very salutary effect in perpetuating our dual system of government under which this country has grown great.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. RUSSELL. Is the Senator referring to some action taken by the chief justices of the supreme courts of the several States at a previous time or is he referring to the action which was reported in the press today by a committee of chief justices?

Mr. ERVIN. Before I answer that specific question, I may say that, according to my study of the subject, the chief justices of the 48 States of the Union on two previous occasions have gone so far as to ask Congress to enact statutes which would clarify the law in the field of Federal-State relations.

Yesterday, according to a dispatch offered for the RECORD, a committee appointed by the chief justices of the 48 States, proposed for adoption a resolution which, in plain English, calls upon the Justices of the Supreme Court of the United States to do something salutary in this field, namely, to exercise judicial restraint in matters arising in the fields where this problem occurs.

Mr. RUSSELL. Mr. President, is the Senator from North Carolina certain that the article was printed in the RECORD heretofore?

Mr. ERVIN. It was placed in the RECORD at the instance of the distinguished Senator from Delaware [Mr. WILLIAMS].

Mr. RUSSELL. I am glad to know that it is in the RECORD.

I noted that the meeting was held in Pasadena, Calif. Even in the atmosphere of Pasadena, the chief justices of the State courts—and I doubt not that any two of them had had more judicial experience in their lives than the present members of the Supreme Court of the United States combined had at the time they took office—filed the report and resolution respectfully imploring the Supreme Court of the United States to exercise some restraint; in other words, that they should adjudicate instead of legislate and invade the fields of the States.

Among the chief justices who approved the resolution were the chief justice of Maryland, the chief justice of New York, the chief justice of Michigan, the chief justice of Wisconsin, the chief justice of Oregon, the chief justice of Massachusetts, the chief justice of Minnesota. In addition, there were three chief justices from States that are in the South. I realize that when anyone from a southern State mentions the Supreme Court of the United States he is considered suspect. So I shall not mention the States of the chief justices from those three States. But the chief justices from the great States of New York, Michigan, Massachusetts, Oregon, Minnesota, and Wisconsin, at the annual meeting of the chief justices of the States, endorsed the resolution to which the Senator from North Carolina referred.

Because the article has already been included in the RECORD, I shall not ask to have it incorporated again, but I hope it will receive wide circulation. Some of us who have spent our lives at the law sometimes feel rather like a mother would feel to see a child suffering, when we see the Constitution and the laws tortured by interpretation of the Supreme Court of the United States. When we cry out against such decisions, we are told that the decisions of the Supreme Court are sacrosanct; that no one should question the decisions of that body in any way.

But a group of chief justices from the State supreme courts, from every area of the Nation, and who have had years of experience at the bar and on the bench, have adopted resolutions protesting the deviations of the Supreme Court of the United States.

It always struck me as being a little strange to have one characterize himself as a liberal and to take the position that any institution of Government was above criticism. That viewpoint goes back to the philosophy of the divine right of kings, a theory which we thought went out with the Bourbon dynasty in France, which held that the king could do no wrong. But self-styled liberals now adopt that philosophy and contend the Court is beyond criticism.

The Supreme Court is composed of men who hold their offices for life. Even if they had very little experience in the law or on the bench, and obtained their appointments because they were a personal friend of the President, or the President felt called on to pay a political debt, or because they happened to be a crony of the President, and are selected to serve on the Supreme Court, these liberals contend that they are from that time forward endowed with supernatural qualities and can make no mistakes, and no one should criticize them.

Thomas Jefferson was really a liberal. He would turn over in his grave to hear any such contentions by one who called himself a liberal.

Mr. ERVIN. And also Abraham Lincoln.

Mr. President, this is the third time the chief justices of the States have appealed for aid to preserve the powers of the States.

So far as I am concerned, I think every American has the right to think and to express his honest thoughts concerning anything under the sun, including decisions of Supreme Court majorities. Whenever any Member of the Senate thinks there is an encroachment upon the jurisdiction of Congress or the jurisdiction of the States or upon the jurisdiction of the judicial, or executive branch of the Federal Government he owes his country a duty to make known his view, because only in that way can he uphold his oath to defend the Constitution.

Now, I yield to the Senator from California.

Mr. KUCHEL. Mr. President, I believe I recollect correctly that the senior Senator from Arkansas [Mr. MCCLELLAN] and some other Senators introduced a bill to provide that, prospectively only, it was the intent of Congress that the Federal Government would not preempt a field, unless it was specifically asseverated in the particular Federal law. Did the Senate Committee on the Judiciary report that bill to the Senate?

Mr. ERVIN. The Senator from Arkansas introduced a bill which undertakes to provide a rule of construction in that respect, both in regard to the laws heretofore passed and the laws to be hereafter enacted. The Committee on the Judiciary reported the bill with an amendment that restricted its provisions to the laws hereafter enacted by Congress, if my recollection is correct.

Mr. HENNINGS. But that is not the bill before us.

Mr. KUCHEL. That bill, then, was reported by the Committee on the Judiciary and is now on the calendar.

Mr. ERVIN. Yes. The Committee on the Judiciary also reported the bill which is popularly known as the Bridges bill, and which was restricted, in this respect, to the field of sedition and subversion.

The Senator from Arkansas has offered an amendment in the nature of a substitute to the Bridges bill.

Mr. KUCHEL. Mr. President, I shall make a few comments later. I shall not make them now. I desired to elicit this information first.

Mr. ERVIN. I now yield to the Senator from Missouri.

Mr. HENNINGS. I thank my friend from North Carolina. It is always a pleasure and a delight to discuss matters with the distinguished Senator from North Carolina, who is a most valuable member of the Committee on the Judiciary. Although my views do not always agree with his, or his with mine, I believe that we can better perform our functions when there is some division of opinion, in order that truth may be separated from error.

Mr. ERVIN. I desire to thank the Senator from Missouri for his kind statement, and to return to him the compliment he has paid me.

Mr. HENNINGS. I have long cherished my friendship with the Senator from North Carolina, and I have warm regard for him. Although we have not very often found ourselves on the same side of the question in this Congress, I hope we shall have better fortune in the next Congress.

I desire to lay at rest one statement which the Senator from Georgia seemed to dwell upon when he adverted to the suggestion that there are some so-called liberals—and in some places that is not a very complimentary word—who think the Supreme Court should not be criticized. I do not consider myself a liberal or a progressive. I consider myself a Democrat. I have been a Democrat all my life. There has never been a Republican in my family. But I do not think I have to apologize for being a Democrat in what I think is the best traditional fashion of democracy. I try to live up to it. I do not always succeed. But I try to do what I think a good Democrat would do in the Jeffersonian sense, in the Jacksonian sense, in the Wilsonian sense, in the Rooseveltian sense, and in the Truman sense.

That has been one of my articles of faith all my life. So when some would apply the adjectives liberal and progressive, I say that I believe the Democratic Party is the party of change, the party of progress, the party that ventures forth, the party of new ideas, the party of venturesome, imaginative, constructive progress for the people of the Nation; and, of course, we derive our sovereignty from the people we undertake to represent.

I have repeatedly stated that I do not think the Supreme Court is infallible. In fact, member of that august body themselves do not consider it infallible, for we know there have been times when members of that body have stopped speaking to one another, and sometimes have reviled one another privately, because of differences among the members of the Court. We know that 5-to-4, 6-to-3, and other split decisions of the Court have sometimes resulted in such feelings, sometimes to such an extent that certain members of that body have said that other members of it were, in certain instances, dead wrong—just as members of other institutions can be dead wrong, and just as I have, at times, been dead wrong; and I fear that if I live long enough I shall have been dead wrong in a great many cases.

Therefore, I do not subscribe to the doctrine of infallibility as regards either the Supreme Court or any other human institution. I have criticized many of the decisions of the Supreme Court. I have been disappointed by many of its decisions. But, by the same token, even though I may be disappointed by, or in disagreement with, some decision the Court has handed down, I do not believe in the enactment of legislation which would remove from the Court some of its jurisdiction.

Mr. ERVIN. I thank the Senator from Missouri. But certainly the pending bill will not remove any jurisdiction from the Court. Instead, the bill will permit the Court to solve certain problems without difficulty.

If the bill had been law at the time of the enactment of the Smith Act, and its provisions had been complied with in that act, Pennsylvania would never have gone to the expense of prosecuting Steve Nelson. This is true because the matter would have been so clear that there would have been no controversy as to whether the Federal Government had preempted the field of sedition.

Mr. President, since my legislative duties prevent me from engaging any more in the practice of law, I am not now nearly as anxious as I used to be to see litigation stirred up. Therefore, I favor adoption of the amendment of the Senator from Arkansas [Mr. MCCLELLAN] even though it might constitute a negation of the prayer of the young attorney, "Stir up much strife among Thy people, O Lord, lest Thy servant perish." [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado [Mr. CARROLL] to recommit the bill to the Committee on the Judiciary.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

Mr. KUCHEL. Mr. President, will the Senator from Nebraska be so kind as to withhold the suggestion of the absence of a quorum?

Mr. CURTIS. Very well.

Mr. KUCHEL. Mr. President, as a matter of good, sound, American public policy, I believe that the States of the American Union, as well as the Government of the United States, should—indeed, must—have the right to legislate in the field of antisedition and antisubversion legislation. As a Member of the United States Senate, I am prepared—indeed, I am quite anxious—to be given an opportunity to vote in favor of the pending bill, unfettered by amendments, and which, in making specific reference to Federal antisubversion legislation already enacted, states specifically and unequivocally that the Congress does not intend to preempt the field of protecting American Government, State and Federal, but, to the contrary, welcomes the partnership of State laws in ferreting out and punishing those who conspire to overthrow any segment of American Government by force or violence.

No Member of this body whether lawyer or not, has, thus far, risen to condemn the proposed bill as being illogical, untenable, unconstitutional or susceptible of the imperfect construction.

I must say that it is exceedingly distressing to me that the Senate now has before it an amendment—submitted by the distinguished Senator from Arkansas [Mr. MCCLELLAN]—which would add to the pending bill a vastly different, and vigorously contested, policy decision, for consideration by the Senate.

Earlier, I had my memory refreshed by my friend, the Senator from North Carolina [Mr. ERVIN] who confirmed that there is available for consideration by the Senate a bill, now on our calendar, authored by the Senator from Arkansas, which, in simple terms, provides that, on a prospective basis only, Congress declares that it does not desire to preempt any particular field of legislation, unless it specifically says so.

It is now, unhappily, the responsibility of the Senate to deal with an amendment which would do more than merely make that legislative policy prospective, but, to the contrary, would apply that policy retroactively, as well. Thus, to a simple, understandable, logically desirable bill authorizing joint State and Federal action against subversives, we are now confronted with a complex and controversial amendment which could, whether you like it or not, result in the defeat of a needed piece of legislation.

The Department of Justice raises the questions of a highly technical, and certainly a preeminently important, nature, as a result of which the Department opposes the proposed retroactive application of such a Congressional statement of policy.

Let me quote a few paragraphs, once again, from the written comments of the Attorney General of the United States, arguing, as the top Government lawyer, against the proposed Senate amendment, which is the same thing as H. R. 3:

H. R. 3 is designed to revive certain State laws previously held unconstitutional because of their conflict with Federal statutes. It proposes to change the effect of these Federal statutes, not by openly amending them, but by passing a retroactive rule of interpretation to change the meaning the courts have given to the words now contained in these statutes without changing the words themselves. The bill is so broadly drawn that its effect cannot be foretold and if it is effective, it must change the meaning of statutes conclusively interpreted many years ago. basic statutes under which millions of dollars have been invested and under which important human relationships have become fixed.

Section 1 reads as follows:

"No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and a State law so that the two cannot be reconciled or consistently stand together."

This section would attempt to apply a new rule for determining the intent of not only the present Congress or of a future Congress, but also previous Congresses whose intent is a long concluded fact not subject to change by legislative fiat. It would provide that there was no intent to occupy a field to the exclusion of State laws unless the Federal statute contains an express provision to that effect or unless there is a direct and positive conflict so that they cannot consistently stand together.

There are relatively few Federal statutes containing express provisions preempting the field. Major laws relating to interstate enterprises, and others in fields of heretofore undoubted Federal preeminence, such as bankruptcy and immigration, contain no such provisions. In these fields there is serious question as to the effect of section 1 upon heretofore existing court rules of interpretation. Whether there is any difference between the direct and positive conflict test contained in the bill, and that which the courts have heretofore applied.

There were declarations by Congressmen favoring the bill in committee and on the floor of the House that the first section of H. R. 3 is merely declaratory of existing law. Ordinarily, Congress should not be called upon to perform a useless act, especially when it would give rise to great uncertainty in so many vital areas of Federal-State relations. Some proponents of this measure believe that it will change existing law. Indeed, Congressman HOWARD W. SMITH, who introduced the bill, testified before the House Judiciary Committee that he had no interest in the bill unless it was made retroactive.

If it would change the law, then innumerable questions arise as to how far and in what fields changes in the law are intended to be wrought. These changes in a multitude of Federal-State relationships will be uncertain in extent and meaning until the courts have passed on the numerous questions raised.

The principal area in which Federal legislation comes into conflict with State legislation covering the same field is that in which the commerce power is exercised. There are, of course, many other fields in which problems of concurrent jurisdiction arise: control of aliens by requirement of registration, *Hines* v. *Davidowitz*, 312 U. S. 52; authority over immigration, *Takahashi* v. *Fish & Game Commission*, 334 U. S. 410; labor-management relations, *Garner* v. *Teamsters, Chauffeurs, etc., Union*, 346 U. S. 485.

For the farmer and the businessman in interstate commerce H. R. 3 creates the serious possibility of multiple and different regulations by 49 jurisdictions. A striking but typical example is given by the vice president and general counsel of the Association of American Railroads:

"Enactment of H. R. 3 without language excepting its application to carriers subject to part 1 of the Interstate Commerce Act such as railroads would create chaos in the field of Federal regulation of the railroads. For example, in areas now preempted by Federal legislation such as: (1) rates, H. R. 3 might lead to establishment of multitudinous rates on a single commodity depending upon the action of State courts and juries as to a reasonable rate; (2) penalties, many antiquated State laws are in existence and would have application to interstate rail transportation service if H. R. 3 were enacted, including nullifying car service orders of the Interstate Commerce Commission; (3) safety appliances and free interchange of rolling stock along railroads in this country, H. R. 3 would permit the substitution for Federal law of innumerable and conflicting State statutes requiring particular safety devices on railroad rolling stock; (4) locomotive inspections, conflicting State laws might be given full application with resulting intolerable operation conditions; (5) hours of service, the diversity of State employment laws is a matter of common knowledge and enactment of H. R. 3 would lead to untold complications and additional expense in complying therewith as compared to existing Federal law. Cannot overemphasize the undesirable nature of and chaotic condition that would be created in the field of interstate railroad transportation by enactment of H. R. 3 without language excepting its application in instances of railroads subject to the Interstate Commerce Act."

Similarly, farmers and marketers of agricultural produce complying with the Federal Food, Drug, and Cosmetic Act might be subject to prosecution under numerous State laws which set up different and varying standards for compliance. (See *Savage* v. *Jones*, 225 U. S. 501.)

I suggest that it would be far better from the standpoint of the Nation to give the Members of the Senate an opportunity to sit in judgment on the intricate question of prospective versus retroactive application of antipreempting legislation in dealing with the bill on the calendar and available for consideration by the Senate, which the Senator from Arkansas has introduced, which is prospective in nature, which could be amended if a majority of the Senate determined to be retroactive as well, and which in its present form has been sent to us with the approval of the Senate Committee on the Judiciary.

Pending now is an unfortunate motion to recommit the subversion legislation to committee.

Mr. President, I oppose the motion to recommit, and I shall vote against adoption of the motion. If approved, that motion would kill the bill, and States would continue to be powerless to enact general antisubversion laws or to enforce antisedition laws which they have already adopted. That, as I see it, would be bad for our country.

Therefore, I am quite prepared to exercise my judgment in this way. I oppose the amendment submitted by the very able and fine Senator from Arkansas [Mr. MCCLELLAN]—although I wish that the entire question of retroactivity might be omitted from our consideration of this important piece of proposed legislation, and that retroactivity be considered as a possible amendment to his own bill, prospective only in character, which is now on our calendar.

The bill authored by the Senator from New Hampshire [Mr. BRIDGES] is endorsed by the Government of the United States. The Attorney General has recommended enactment of the bill. The attorneys general of the States of the Nation have requested its enactment. I unhesitatingly endorse it as good, sound American policy, and as the best means of making unmistakingly clear what the imperfect words of the present Federal laws failed properly to disclose as the intent of Congress.

So, certainly, here is a clear opportunity—if we do not muddle or meddle with amendments which, if not actually designed to put the bill "down the drain," at least will have that undesirable result—to deal with the pending bill, which, in my judgment, is in the public interest, which helps protect America against subversion and which should be enacted into law. The pending bill provides the Congress with an opportunity to determine, on an honorable policy basis, whether it wishes the States as well as the Federal Government to deal with matters of antisubversion.

Mr. President, because I desire to have an opportunity to vote in favor of that bill without amendments, I hope the motion to recommit will be rejected.

Mr. GORE. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. GORE. The able junior Senator from California served capably and honorably as controller of the great State of California. Therefore, it is some comfort to me to hear the Senator express sentiments akin to those I hold.

Is there anything basically wrong or erroneous with the legislative branch of the Government proceeding to protect its legislative prerogatives from judicial encroachment by providing rules of construction for legislation hereafter enacted?

Mr. KUCHEL. First of all, I thank my friend for his comment. I was in the government of California after the conclusion of World War II. I was controller of California for almost 7 years. Prior to the war I practiced law in my home community, and was in the State legislature.

I would answer my friend from Tennessee, "No." I think it is the duty of the Congress, when a law is passed, if the intention or the purpose of that act is not clear, to enact amendatory legislation of that law so the intent and purpose of the act will be crystal clear. That reminds me of something, if my able friend will let me say it.

Mr. President, some of the responsibility for the difficulty of interpreting the purpose of legislation devolves upon those of us who are Members of the Congress and who sometimes, because of the speed with which we are required to operate and legislate, fail, with all the skill that ought to be present, to use the precise verbiage to describe the intention which we on this side of the Capitol and those on the other side of the Capitol have with respect to legislation which we enact.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. KUCHEL. I yield.

Mr. GORE. If the Congress wishes to protect its legislative prerogatives from encroachment by the judiciary through its interpretation of legislative intent, or otherwise, it can proceed to do so, and I am willing to do so in legislation hereafter enacted with a general rule of construction. But the Senator has said the Congress can wisely do so by amending such legislation as may exist regarding which there may be doubt as to intent. Would not that kind of procedure lend itself to specific correction, rather than an attempt to apply a 1- or 2-sentence bill to all legislation heretofore enacted throughout the history of this country?

Mr. KUCHEL. The Senator is eminently correct, and I think his point is a powerful one. It ought to appeal to all in this Chamber.

Mr. GORE. Where is there a Member of Congress who can envision the extent of the effect of H. R. 3 retroactively? Present Members and their successors in the Congress will be masters of legislation enacted in the future, but who is there who could foresee the extent of this rule of construction if it were applied to all existing law?

Mr. KUCHEL. God alone knows how it would or could or might be applied in a retroactive fashion.

Mr. GORE. What would be its effect in the field of interstate commerce?

Mr. KUCHEL. The Senator touches on perhaps one of the most important fields of law, where, if retroactively applied, the amendment would, in my judgment, and in the opinion and judgment of the Senator from Tennessee, create a maelstrom of problems as to whether or not an article in interstate commerce in each instance were susceptible to regulation by State or local laws, as against laws which the Congress had enacted.

Mr. GORE. Is it correct to assume, then, that the able junior Senator from California is willing to join the junior Senator from Tennessee in enacting a reasonable rule of construction for legislation hereafter enacted, and that he is willing to deal specifically with encroachment by judicial decision with respect to legislation already in existence?

Mr. KUCHEL. I agree with what the Senator has just said. Let me say that misfortune of misjudging legislative intent has resulted on many occasions from the failure of Congress using precise and unmistakable language in the wording of legislation. Congress works at high speed. We have able staff assistance. But in the hurly-burly of a legislative session, we enact legislation whose verbiage is many times honestly susceptible to two meanings, and sometimes more. If anyone begins to assess fault for wrongful interpretation of Congressional intent of statutes, I suggest that Congress itself must assume its share of the blame.

Mr. GORE. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield? I should like to put a question to him.

Mr. KUCHEL. I yield to my good friend the able junior Senator from Ohio.

Mr. LAUSCHE. Let us assume that this proposed law is enacted and, through it, the declaration is made that "no act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and a State law so that the two cannot be reconciled or consistently stand together."

Now let us assume that there comes before the Court a case involving the question as to whether the Federal act has preempted a particular field of governmental operation. The Court, in examining the circumstances, and reading in the CONGRESSIONAL RECORD the debate on the bill, finds that the act, which was enacted in the past, did contemplate a preemption of the field. Then the Court looks at the newly adopted statute and finds, after an examination of the newly adopted statute, that it cannot carry out the true intent and the true purpose Congress had when the law was enacted.

Let me state my interpretation of the situation. By this provision, making it mandatory for the Court to say there is no preemption, we affix the stamp of falsehood upon the pronouncement of the Court complying with the provisions of the act, because that pronouncement is in direct conflict with the truth as it existed when the act originally became law.

Mr. KUCHEL. I think the Senator makes a very able argument.

Mr. ERVIN. Mr. President, will the Senator yield for a comment on that particular point?

Mr. KUCHEL. I yield to the Senator from North Carolina.

Mr. ERVIN. I disagree with my able friend from Ohio. That is why I said that this bill, if enacted into law, would establish a rule of construction, not a rule of law. A rule of construction is merely a rule which enables the Court to interpret a statute in case of ambiguity.

Referring to the case which the Senator from Ohio put to the Senator from California, this bill if enacted into law would not govern such a case, because it would clearly appear from the suppositious case that Congress has preempted the field and had intended to preempt it. This is merely a rule of construction which would be applied in the case of ambiguity.

Mr. LAUSCHE. I am glad to get the comments of the distinguished Senator from North Carolina. I understand what a rule of construction and what a rule of law are, but I cannot speedily subscribe to the views expressed by my distinguished colleague, because under this language no discretion is given to the Court. The Court is told, "You cannot state that the field was preempted because there is no provision in the law to that effect."

Mr. KUCHEL. Mr. President, I will be glad to yield the floor to my able friend from Ohio.

Mr. LAUSCHE. I desire to make a statement.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. One cannot lightly cast aside the resolution adopted by the chief justices of the 48 States concerning the need for some clarification of this subject. One cannot lightly cast aside the resolution adopted by 43 governors in the 1956 governors conference calling for some action to clarify this conflict which is occurring. I repeat that 48 governors in the 1956 conference suggested that some clarification must be made as to this problem.

Likewise, we cannot cast aside the fears which reside with some Members of the Senate about the purpose in making the law retroactive in its operation. The disclosures which have been given lend emphasis to the confusion which might develop. This is a matter worthy of serious consideration, especially when it is said, "Not only prospectively, but retrospectively this law shall operate."

I feel that something must be done in this field, and it must be done on the basis of not one isolated field of action. There are probably 50 fields of action to which this has application. Regrettably, in the last 2 days we have been thinking only of 1 field and have become oblivious to the fact that the principle is applicable in probably 50 other fields of governmental function.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GORE. If it be true, as the able Senator says, that there are 50 fields of action, can the able Senator foretell the effect of the retroactive provisions of H. R. 3 upon those 50 fields? If not, would it not be the part of wisdom for the Congress to proceed to act after study and after some knowledge of possible effect? Would it not be the part of wisdom and judicious procedure to deal specifically with those fields, in the case of existing law?

Mr. LAUSCHE. In my judgment we are going into the realm of the unknown when we are trying to foretell what a human mind, even residing in a judge, will do with the language. We would be speculating fantastically in trying to predict how the court would retrospectively apply the language.

There is great strength in the proposition that we ought to have some certainty, to the degree we can achieve it, since we are possessed of human minds, about what the impact will be.

I should like to ask the chairman of the committee, what is his view concerning a law which would cope with the problem about which complaint is made by the chief justices of the 48 States and the governors of the 48 States, in the event it is to operate only prospectively?

I ask the Senator from Missouri [Mr. HENNINGS] to answer the question. The Senator from Missouri stated that a bill had been proposed.

Mr. HENNINGS. Mr. President, I did not understand the question was addressed to me. I do not happen to be chairman of the committee.

Mr. LAUSCHE. The Senator is the chairman of the subcommittee.

Mr. HENNINGS. No. My subcommittee had no dealings with the legislation. The Subcommittee on Constitutional Rights is the subcommittee of which I am chairman.

Mr. LAUSCHE. Am I correct in my understanding that a bill which is intended to operate in the future, from the day of its passage, is on the calendar of the Senate?

Mr. HENNINGS. Yes, that bill is S. 337, as amended in the Committee on the Judiciary. I will say to the able Senator, I think he has grasped the salient and essential point. We know not whither we are drifting on this legislation. We do not know what it is likely to do. As the able Senator from Tennessee pointed out, we are legislating in utter darkness and uncertainty.

I think, as the Senator says, these matters should be given reflection, serious and sober consideration by the committees having these matters within their jurisdiction. I find this field is enormously complex. I think it is very difficult to understand.

I think the number of 50 fields the Senator mentions is a very conservative estimate, in addition to the effect on the commerce clause. If we believe there are only 50 fields, the proposed legislation may still be so far reaching that it will burgeon and spread to all areas of our life and our economy.

But I am not sure I have answered the Senator's question.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. JOHNSTON of South Carolina. Let us keep the record straight. Many people have been talking about the bill as something which would do a great deal of irreparable injury. Someone spoke up to say that all interstate commerce laws would be involved. There is not a thing in the bill, if it were passed, which would keep the Federal Government from acting exactly as it has in the past. The only question, really, is whether we also want the States to act, when such action is not in conflict with the Federal law. That is all the bill would provide. We are confusing the issue when we talk about all the other laws on the statute books which have been passed heretofore. As I see it, the only question is whether we want the States to try to help out just a little bit in the situation.

Mr. LAUSCHE. I appreciate the statement made by the Senator from South Carolina. I feel somewhat bewildered by the fact that if this is a procedural rule, as distinguished from a substantive law——

Mr. ERVIN. A rule of construction.

Mr. LAUSCHE. A rule of construction deals with procedure.

Mr. ERVIN. It deals with interpretation.

Mr. LAUSCHE. If this is a procedural rule, then there is no need to make the statute retrospective, because all changes in law dealing with procedural matters are operative on cases as they come before the court. Rules of evidence, rules of pleading and rules of construction are all operative upon the cases which come before the court, and no declaration is needed to make them retrospective.

Mr. HENNINGS. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to recommit the bill to the Senate Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, I shall be very brief. In the discussion last night the distinguished Senator from Colorado in his remarks said, "Let us hear from the people who will be affected by the legislation. Let us hear from the Association of American Railroads."

Mr. President, I have received a letter from the Association of American Railroads. We talk about the retroactive aspects of the matter, and we talk about those who would be most affected. This is certainly the biggest scarecrow which has been thrown up in this area.

I assume the railroads have some pretty good lawyers. I assume those lawyers give attention and study to bills which they think may adversely affect the interests of the railroads. And I assume, Mr. President, after the remarks last night, when the matter was called to their attention, there was a desire to set the record straight. I received a letter today, dated August 21, 1958, which reads:

ASSOCIATION OF AMERICAN RAILROADS,
Washington, D. C., August 21, 1958.

Hon. JOHN L. MCCLELLAN,
The United States Senate,
Washington, D. C.

DEAR SENATOR MCCLELLAN: The purpose of this letter is to make clear the position of the Association of American Railroads with respect to the amendment proposed by you to S. 654 on August 20, 1958.

It is my understanding that your proposed amendment would add to S. 654 the provisions of H. R. 3 as adopted by the House of Representatives on July 17, 1958. You may be assured that the Association of American Railroads does not oppose adoption by the Senate of your amendment. On the contrary, we take no position on the merits of that amendment, believing that its principle is intended to apply to much legislation in which we have no substantial interest as an industry.

When H. R. 3 was being considered on the House side we endeavored to make this position clear to the Members of the House, stating then that we took no position on the merits of that bill. We did seek an exemption that would make the bill inapplicable to acts of Congress relating to carriers subject to the Interstate Commerce Act, believing that it was not the intention of the authors of the bill to affect longstanding Federal laws regulating interstate commerce and having years ago been held to preempt the field. At the same time we stated that, in event such amendment should fail, the railroads would not oppose the passage of the bill. I quote in part a telegram from Mr. Gregory S. Prince, vice president and general counsel, Association of American Railroads, dated July 17, 1958, to certain Members of the House of Representatives.

"In view of the numerous statements being made on the floor of the House of Representatives with respect to the position of the Association of American Railroads on H. R. 3, I wish to state in unequivocal terms our position on this bill. The Association of American Railroads takes no position on the merits of the bill. * * * Therefore, we feel that the supporters of the bill should have no objection to the amendment we advocate. In the event that amendment should fail, the railroads will not oppose the passage of the bill."

In keeping with this position, we have made no effort to obtain any amendment to H. R. 3 as it was placed before the Senate. Consequently, adoption of its provisions as an amendment to S. 654 is not opposed by the Association of American Railroads.

Very truly yours,

WILLIAM M. MOLONEY,
General Solicitor.

I point out that in the past when the Supreme Court has held that the Congress, by an act, intended to preempt a field, previous decisions were not upset. The proposed legislation is not retroactive in that sense. It would be applied only in a new test of the law. It would not upset the decisions which had already been made in past cases with respect to an act of Congress. The rule of construction would affect only cases which would arise in the future. In instances in which the courts have already made findings, under the long established rule which the courts have followed, this legislation would have no effect.

I was greatly concerned by the statements of the distinguished Senator from Ohio and other Senators a moment ago. They stated that there are at least 50 fields of action in which this proposed legislation might apply. If there are 50 fields of action in which it might operate, there are 50 fields of action in which the Supreme Court can operate, just as it did in connection with the Nelson decision.

So what are we to do? Are we to do nothing? There would never have been any occasion for this bill if the Supreme Court had followed the long established precedents. All the bill would do would be to restore the long established rule of construction.

Which is the safest for the country—to settle this question by enacting into law a rule of construction, or for the Congress to take no action and permit the Supreme Court, if it cares to do so, in 49 or 50 other fields of action, again throw away a precedent of long standing and establish a new precedent, as it did in the Nelson case? I think the situation is pretty serious.

I spoke last night, and I stated that I was not offering the amendment in a spirit of criticism of the Supreme Court. I am not doing so now. Everyone listening to me now knows whether or not I have ever said a word, or whether any other Member of this body has said a word on the floor, in the way of personal criticism of the Supreme Court.

However, we know that for some of its decisions the Court is under criticism from sources which the Congress cannot ignore. I do not believe we would want to ignore the views of the Attorney General of the United States. I do not believe we wish to disregard the governors of the 48 States. I do not believe we wish to ignore and disregard what the chief justices of the several State courts have said, and the action they have taken.

I am interested in this question only because there is a gap. Action should be taken. I should like to see this amendment voted upon on its merits. Senators say they are in favor of Senate bill 654; yet if they vote to send the bill back to committee, they know that it will be killed. It will not be enacted at this session of Congress.

Therefore I trust that the motion to recommit the bill will be defeated. The gap ought to be filled. The Congress ought not to sit silently by and take no action.

Mr. President, I shall have very little more to say. If this debate continues for a week, that is all right, if any Senators wish to continue it for that length of time. But enough has been said. Enough is known, and there is enough before the Senate to enable it to act.

Mr. THURMOND. Will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from South Carolina.

Mr. THURMOND. Is it not correct to say that the American Bar Association, composed of the leading lawyers of the United States, have passed a resolution in favor of H. R. 3, the very bill the distinguished and able Senator from Arkansas has offered as a substitute? I shall read that resolution:

Resolved, That the American Bar Association favors the enactment into law of H. R. 3, 84th Congress, 1st session, entitled "A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws," and authorizes and directs the standing committee on jurisprudence and law reform to advocate by all appropriate means its passage by the Congress of the United States.

The Senator is aware of that resolution, is he not?

Mr. McCLELLAN. Yes. I have been aware of its contents. I recall a number of them.

Mr. THURMOND. I assume the Senator is also aware of the action which has been taken by a number of medical associations. A typical example is a telegram to Hon. HOWARD W. SMITH, a Member of Congress from the State of Virginia, which reads in part:

Our association supports H. R. 3 as now proposed and hopes no amendments will be attached unless you think it advisable.

The Medical Society of the State of Pennsylvania and other medical societies have endorsed H. R. 3.

The distinguished Senator from Arkansas just referred to the attorneys general. The attorneys general, who advise the governors in the State governments, men in whom we all have confidence in our States, took action in this field during the 50th annual meeting of the association, which was held in Phoenix, Ariz. I read one paragraph of their resolution:

Be it resolved by the 50th annual meeting of the National Association of Attorneys General, That this association approves the enactment by Congress of legislation to clarify its intent that no future act of Congress shall be considered to exclude any State laws on the same subject matter unless such Congressional act contains an express provision to that effect, nor shall such Congressional act invalidate a provision of State law which would be valid in the absence of such act unless a power expressly granted to the Federal Government by the Constitution of the United States is involved.

I would ask the distinguished Senator from Arkansas if he is familiar with that.

Mr. McCLELLAN. I am sure most of the Senators are familiar with it. If the Senator will please place in the RECORD the communications approving H. R. 3 which he has, and name the parties sending them, we shall be able to move along. I do not wish to keep the Senator from reading them if he desires to do so, but he would expedite matters by naming the parties sending the communications and inserting them in the RECORD.

Mr. THURMOND. I have just one more.

Mr. McCLELLAN. Very well.

Mr. THURMOND. I have here a telegram which gives the action of the 48th Annual Governors' Conference. Here is what the governors of the States of the United States say:

Members of this conference are gravely concerned by decisions of the Supreme Court of the United States which have held that Congressional enactments supersede State laws on the matters involved and thereby preempt those fields for the Federal Government alone. Judicial interpretations of this character seriously handicap the States in the regulation and the administration of their internal affairs: Now, therefore, be it

Resolved, That the 48th Annual Governors' Conference recommend to the Congress that Federal laws should be so framed that they will not be construed to preempt any field against State action unless this intent is stated, and that exercise of national power on any subject should not bar State action on the same subject unless there is positive inconsistency.

I ask the distinguished Senator if that is not exactly what his amendment does.

Mr. McCLELLAN. That is my interpretation of it, and if I did not think it would accomplish that purpose, I would not be here fighting for it.

Mr. THURMOND. I shall not read any additional telegrams or letters, but I call attention to the fact that the National Lumber Manufacturers' Association has endorsed this bill, as have also the Missouri State Chamber of Commerce, the United States Chamber of Commerce, the Wisconsin Employment Relations Board, the American Farm Bureau, the California Farm Bureau, the Kentucky Farm Bureau, the Pennsylvania Farmers Association, the South Carolina Farm Bureau, the Tennessee Farm Bureau, the Texas Farm Bureau, the Conference of American Small Business Organizations, the Medical Society of the State of Pennsylvania, the South Carolina Law Enforcement Officers Association, Association of State Labor Relations Agencies, American Cotton Manufacturers Association, Southern States Industrial Council, the National Grange, the National Industrial Council and, as I mentioned the governors' conference, and the Association of Attorneys General.

Mr. President, I should like to ask the Senator from Arkansas if this is his interpretation of the bill, if I can state it in one simple sentence: If the Federal Government has a law on a subject and a State has a law on the same subject, the State law will not be stricken down unless 1 of 2 conditions exists: First, if the Federal act contains an express provision for exclusive jurisdiction; second, if there is a positive and direct conflict between the Federal law and the State law and the two cannot be reconciled or consistently stand together. Is that the Senator's interpretation of the amendment?

Mr. McCLELLAN. That is exactly what the amendment means. I do not see how it can be interpreted otherwise.

Mr. THURMOND. I thank the Senator.

Mr. McCLELLAN. I shall conclude my remarks by asking unanimous consent to have printed in the RECORD an article written by Representative EDGAR W. HIESTAND, published in the Alameda (Calif.) News-Press of July 26, 1958. It deals with H. R. 3. The author has given a great deal of study to the proposal, having worked on it for a long time. It is a very splendid and convincing article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESSMAN EDGAR W. HIESTAND REPORTS
THE WASHINGTON NEWS

WASHINGTON.—The most important single bill of this session of Congress, in my judgment, and one of the most important of any session in modern times, is H. R. 3. The bill states its purpose in clear and simple terms:

"No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is direct and positive conflict between such act and the State law so that the two cannot be reconciled or consistently stand together."

Obviously this would correct the "preemption doctrine" upon which many of the much criticized decisions of the Supreme Court have been based. In one of the most recent, the notorious Steve Nelson case, the Court turned loose a convicted Communist, because he was prosecuted under Pennsylvania law, rather than the Federal Smith Act. In another case, the Court held that Alabama could no longer enforce her own State pure food law, because the Federal Government adopted such a law, thereby preempting the field and nullifying Alabama's law.

These are but two of such controversial decisions.

In these instances, the Supreme Court, not merely "in effect," but actually, nullified State law by application of the doctrine of Federal preemption. The confusion resulting from these decisions poses a very serious problem and a dangerous threat to our system of government, which is based on the premise of local self rule, and places in jeopardy that whole great body of State legislation now on the books.

Students of government know that the Founding Fathers of this Nation, when drafting the Constitution, were vitally concerned with preserving the authority of the State governments. They were fearful of centralized power and tyranny. Having just broken the yoke of one such power to earn

their freedom, they were disinclined to create a similar monster on domestic soil. Quotations of these great American patriots fill volumes. Washington, Jefferson, Adams, Franklin, Paine, and many others, were adamant, and articulate on the subject of local self government.

It is generally agreed that the Constitution would not have been ratified without the Tenth Amendment, which provides that the powers not specifically delegated to the Federal Government are reserved to the States, or to the people. I hold the opinion that we are a far stronger Nation composed of 48 sovereign Republics, than we would be as a strong, centralized, Federal despotism.

The concept of State sovereignty, so indelibly stamped on our Declaration of Independence, Constitution, and Bill of Rights by the Founding Fathers, must be preserved.

Students of government and free citizens alike, must be conscious of the increased concentration of power in our Government in Washington. This centralization has weakened State government and law enforcement, narrowed its scope of operation and depleted sources of revenue for it. As a result, the weakened States have been more and more prone to look to the Federal Government for financial aid. This aid has in most instances been willingly supplied, but of course, with Federal strings attached.

If adopted by Congress, H. R. 3 would, in part, checkmate the trend toward centralization in our Government, and proportionately strengthen the position and power of the sovereign States. Thus rejection of H. R. 3 by Congress would be a green light to the forces of centralization, and a lethal blow to the sovereign States.

H. R. 3, for which I have worked very hard, is a companion bill to my H. R. 679, and I hope we can pass it.

Mr. McCLELLAN. Mr. President, in conclusion, I ask that we not send the bill back to committee. The substitute should be adopted. If the bill is sent back to committee we cannot vote on its merits. I know there are honest differences of opinion. I quarrel with no one who honestly disagrees with me. I respect everyone's convictions. However, Mr. President, the bill should be voted on, and we should decide its fate on its merits. The device of returning it to committee should not be used to kill the measure at this session of Congress. I hope we will face the issue and vote our honest convictions, and thereby let the American people know that the Senate intends to do something in this matter, and not let the American people know that the Senate is not ready and is not willing to do anything about the problem.

Mr. CARROLL. Mr. President, in view of the fact that the distinguished Senator from Arkansas mentioned my name at the outset of his remarks concerning some statements on the issue which I read into the RECORD last evening, I should like to say, as I said many times last night, that there is no source material available within the Senate to which a Senator can refer. Therefore I had to go to the House of Representatives for source material, where proper hearings have been held on the bill. I had to go for this information to the House.

I, too, have a copy of a letter which was addressed to the distinguished Senator from Arkansas by the Association of American Railroads, and it is a very significant letter. It bears out exactly what the distinguished Senator from Pennsylvania has said as to what we might have confronting us if we do not recommit the bill and bring some common-sense into the situation. If we pass the bill we shall have to go through the whole judicial code, chapter by chapter, and exempt from the application of the act transportation, communications, and, as the distinguished Senator from Oklahoma [Mr. MONRONEY] said last night, even his own bill, now enacted, having to do with the civil aviation program.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. CARROLL. Not at the moment. I did not interrupt the Senator from Arkansas. I should like to finish my point; then I shall be happy to yield. This is what the letter addressed to the distinguished Senator from Arkansas said:

> We did seek an exemption that would make the bill inapplicable to acts of Congress relating to carriers subject to the Interstate Commerce Act, believing that it was not the intention of the authors of the bill to affect long-standing Federal laws regulating interstate commerce and having years ago been held to preempt the field.

Of course the railroads would have no objection to the bill if they could make its provisions inapplicable to themselves. This is the letter of the Association of American Railroads dated August 21, 1958. Let us see what else they said in the letter addressed to the Honorable JOHN L. MCCLELLAN, this time on May 22, 1956. This is the part I read last night. I now repeat. It is from the same Association of American Railroads, with its distinguished lawyers and learned men.

I read from page 25 of the hearings of the House entitled "Federal-State Concurrent Jurisdiction," May 18, 1956:

> During the last 75 years, the Congress has developed a complex and elaborate administrative system for the regulation of the railroads of this country, and during this period the courts have on numerous occasions passed upon the question of when certain railroad matters are subject to exclusive regulation by Federal law, and when they are subject to concurrent regulation by Federal law and State law. These adjudications have become an integral part of the entire system that Congress has provided for the field of national transportation.

That letter was written in connection with a bill similar to the one now pending, having to do with the question of preemption. It was an almost identical bill. I continue:

> The railroads, therefore, respectfully suggest that no action be taken by the Senate Judiciary Committee that would have the effect of setting aside the legal arrangements that have been developed with such care in this field. Without attempting to be exhaustive, it is believed that the proposed bill might result in drastic changes in the fields regulated by the Interstate Commerce Commission under authority of the Interstate Commerce Act, and in the fields covered by such laws as the hours of service law, the Federal employers' liability law, the safety appliance law, and no doubt many others.

This is the concluding paragraph of the letter:

> In order to avoid the harmful consequences that might ensue in the field of interstate railroad transportation if this measure should be enacted, it is suggested that the bill be amended by the addition of the following language:
>
> "This act shall not apply to laws of Congress relating to carriers by railroad subject to part I of the Interstate Commerce Act."

Now Senators can understand why the Interstate Commerce Commission opposes the bill. Now they can understand why the Department of Justice opposes the bill. That is why I read what I have just read.

I have no connection with the railroad attorneys. I read the letter from the hearings held in 1956. I submit that by their own letter dated today, they have proved the point conclusively.

I read again from the letter of August 21, 1958, in which is quoted, in part, a telegram from Mr. Gregory S. Prince, vice president and general counsel, Association of American Railroads, dated July 17, 1958, to certain Members of the House of Representatives:

> Therefore, we feel that the supporters of the bill should have no objection to the amendment we advocate.

Do we advocate an amendment for the benefit of the Association of American Railroads? Is there a provision in the bill which will exempt the railroads?

If the motion to recommit is not agreed to, there will be many amendments to the bill, because we shall not only be helping the railroads; we shall be helping other methods of transportation. We shall be helping the aviation industry. We shall be moving step by step to exclude other forms of transportation and industry. Why? The answer is that we cannot legislate intelligently, in the closing days of a session, on an important matter which has never been considered by a committee of this body.

This is the argument I made last night. If the Senator from Arkansas and other Senators think this is a simple bill, then let us have some hearings. It is only 3 months until we can be back to hold them. The proposal can then be considered carefully. We can call in the legal lights and find out whether the measure is merely a rule of construction. We shall find out whether it is a simple bill. Is there something wrong with that suggestion? Why can we not wait 60 or 90 days?

I could stand here and talk for another 30 or 40 minutes, talking about the Interstate Commerce Commission, which the Senator from South Carolina has incorporated in the bill.

Again, I go to the source material in the House, because there is nothing in this body to give us the benefit of thinking.

Representative KENNETH KEATING, a distinguished Member of the House from New York, at page 14145 of the RECORD of July 17, 1958, said:

> It has been said that the American Bar Association favors this bill. I have a letter from the president of the American Bar Association dated July 15, saying:
>
> "It is not correct to say that the association has approved the bill."

If we examine the debates, we will find nothing about such a recommendation having been put before that organization. It was a group in the House of

Delegates, which has no right to commit the American Bar Association.

I received a telephone call last night from Mr. Charles Rhyne, of the American Bar Association. He has authorized me to say, in his behalf, that the American Bar Association has not endorsed H. R. 3.

Mr. President, I could continue to talk at length on this measure, because its scope is so broad and its significance so great. I could speak on this subject, as could any other Senator, hour upon hour, as each of us sought to find his way through this maze. There are many problems which confront us. I know we are tired and want to vote. Therefore, Mr. President, I shall forego further remarks. Many excellent arguments have been made.

I now yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, after the Senator read last night what he has repeated today, the Senator then said that the representatives of the Interstate Commerce Commission and the Association of American Railroads had been heard. In 3 years' time they have changed their mind. They no longer oppose the bill.

Mr. CARROLL. I read from the letter of the Association of American Railroads to the Senator from Arkansas [Mr. McCLELLAN] dated August 21, which is today:

> Therefore, we feel that the supporters of the bill should have no objection to the amendment we advocate.

What amendment do they advocate? They want to be exempt from the provisions of the bill. If the Senate does not recommit the bill, we shall be exempting many other fields. Mr. President, I have nothing more to say on the motion.

Mr. EASTLAND. Mr. President, this legislation has been made necessary because a decision of the United States Supreme Court, in the case of Commonwealth of Pennsylvania against Steve Nelson, enunciated a new extension of the doctrine of Federal legislative preemption, to the great joy of Communists convicted, indicted, or under investigation for violation of State antisubversive laws. The effect of that Supreme Court decision was to render unenforceable the antisubversive and antisedition laws of 42 States and Hawaii and Alaska.

This bill has just one purpose: to make sure that no State law not in direct and positive conflict with Federal statutory provisions shall be stricken down or rendered unenforceable on the theory that Congress has occupied the field in which it operates, unless the Congress has itself determined to occupy that field and has expressed its determination in legislation.

The Communist Party, U. S. A., and Communist-front organizations in this country, are the greatest opponents of this bill. They fear it and oppose it because they like things the way they are now, with no effective legislation at either the State or Federal level under which Communist activity can be controlled. If this bill is passed, the governments of the sovereign States of the Union will again be in a position to take effective action to defend themselves and the Union itself against subversion from within.

The day after the Supreme Court handed down its decision in the case of Commonwealth of Pennsylvania against Steve Nelson, the Communist Daily Worker hailed the decision as a tremendous victory.

When the Communists hailed the Nelson case as a tremendous victory, they were not thinking of it as a victory for the security of the United States; they were thinking of it as a victory for the Communist conspiracy. No one knows better than the Communists themselves how their conspiracy has been hurt and hampered by the antisubversive activities of the States.

Outstanding efforts in combatting communism have been made by many States down through the years. States which have been notable in this regard include California, Florida, Illinois, Massachusetts, New Jersey, New York, Ohio, and Washington.

Opponents to the bill contend that because, as the minority report on similar legislation in the other body puts it:

> The power of the State to act in the area of subversion against the Federal Government was nullified in the first instance not by the Supreme Court of the United States but by the highest court of the Commonwealth of Pennsylvania.

The decision of the United States Supreme Court in Pennsylvania against Nelson can hardly be claimed to be a case of Federal aggrandizement by the Supreme Court of the United States. This argument overlooks entirely the fact that all that the Pennsylvania Supreme Court decided was the status of the Pennsylvania law; but the Supreme Court of the United States presumed to lay down general law of general applicability, which resulted in rendering unenforceable the antisubversive and antisedition statutes of 42 States and 2 Territories.

Specifically, the Supreme Court decision in the Nelson case brought about a crisis in law enforcement. In State after State, Communists who had been convicted of subversive activity were put in a position to seek and secure new trials or outright release; Communists under indictment were discharged and the indictments dismissed; and many cases against other Communists, carefully prepared after months or years of investigation, and ready or nearly ready for presentation to grand juries, were dropped because it was obvious there was no use in indicting a Communist when there was no enforceable law under which he could be convicted; and the Supreme Court decision in the Nelson case had made all State antisubversive laws unenforceable.

But the Nelson case decision did not concentrate within itself all the evils of the preemption doctrine. It is merely the latest, and probably the worst, in a series of decisions which have advanced this doctrine step by step, in recent years, despite the fact that the doctrine of preemption, as it has been expanded and applied, works counter to our basic philosophy of government.

The philosophy which best fits the constitutional and traditional theory of our form of government is that a man should be controlled most by that law which is closest to him, and least by that law which is farthest away. Wholly consonant with his philosophy is the attitude that State laws should be valid and enforceable except where they conflict directly and positively with a Federal statute, absent a specific Congressional finding of need and intention to take the particular field or area of law into Federal control. Under this philosophy, States' rights to control their own affairs through State legislation and enforcement would be unimpinged except where Congress made specific provision to the contrary, and it would then be up to the Congress to justify its assertion of Federal control.

Quite out of consonance with the traditional and constitutional American theories of government is the idea that Congress should take over control of any field in which its acts, and then leave it up to the individual States to show why the field or portions of it should be returned to them.

In the former instance—and this is the philosophy embodied in the bill now before us—Congress will act with its eyes open, and will know in advance what the results of its acts will be.

On the other hand, if we go along with the doctrine of preemption by operation of law and without any expression of intent, Congress will never be sure what it is doing, or what will be the effect of its enactments upon the rights of the States and the laws of the States.

There is a subtle and insidious twist to this doctrine of a preemption which has gone largely unnoticed.

Under the Constitution, there are two fields in which Congress may legislate: Those where Federal power is exclusive, such as foreign relations, declaration of war, naturalization, and regulation of the coinage; and fields where concurrent State and Federal jurisdiction may exist.

The tendency of the doctrine of preemption is to narrow the area of concurrent Federal and State jurisdiction and broaden the area of exclusive Federal jurisdiction. The preemption doctrine necessarily involves, to a greater or lesser degree, the idea that mere enactment of Federal legislation in a field, thereby expressing national interest and concern in the field, results in making the field exclusively a Federal one. But the constitutional delineation of certain fields of legislation as exclusively Federal necessarily implied that fields not so delineated were not intended to be exclusively Federal; so that the preemption doctrine, in gradually wearing away State jurisdiction and cutting down on States rights, is also, at the same time, blurring a distinction clearly made and undoubtedly firmly intended in the Constitution itself.

It makes sense for Congress, when it desires to take control of a particular field or sphere of legislation to the exclusion of a State law or laws, to express its intent specifically; and for the intent so expressed to then control. But when

the Congress has no intention to assert control of a particular sphere or field of legislation, and is perfectly willing that State legislation in the same field or sphere should continue to be effective and enforceable, at least to the extent that it does not conflict directly and positively with any provisions of Federal law, it most emphatically does not make sense for the Congress to acquire all power in the field merely by virtue of having acted within it, and then to have to pass new legislation in order to restore the enforceability of State statutes in the allegedly preempted area.

For the future, if there is any area of law which the Congress determines should be preempted to Federal use, to the exclusion of all State law in the field, Congress need only declare its finding in order to accomplish the result it desires. If there is some State law which the Congress wishes to supersede, in a field where the Congress is competent to legislate, Congress need only express its determination in order to supersede that State law. But if S. 337 is enacted, never again will there be imputed to the Congress an intention to preempt a field of State law in a case where Congress has neither desired to preempt nor made any provision for doing so.

There is a principle of legislative construction that courts will not favor repeal of one Federal statute by another by implication, but will try to preserve the enforceability of both statutes unless there is a clear provision for repeal contained in the latter of the two statutes. We should be just as careful to preserve State laws from repeal by implication, as the result of some Federal enactment, as we are to preserve Federal laws from repeal by subsequently enacted Federal statutes.

Opponents of this bill have made much of the contention that Congress should legislate only in response to a demonstrated need. They make this point, of course, as a preliminary to their contention that there is no need for S. 337 or any similar bill. On the contrary, the need for such legislation as this, if only to counteract the effects of the Supreme Court decision in the Nelson case, is so great that it need hardly be argued. But there is a good deal of merit in the idea that Congress should legislate only in response to a demonstrated need. Suppose we apply this principle to the question of superseding State laws. Then we would say, Congress should supersede a State law only when there is a demonstrated need. Congress should preempt a field of law, to the exclusion of existing State legislation, only when there is a demonstrated need. If we are going to live up to this principle, then of course Congress should enact legislation such as that now before us, which will avoid invalidation of a State statute or preemption of a field of legislation except where Congress has expressly found and declared a need for such a result. In other words, this argument of the opponents to the bill, when it is examined, strongly supports the enactment of the bill.

Another argument made against this bill is that it would displace the usual method of Federal-State accommodation by a blanket declaration that past and future Federal legislation will include State acts only to the extent specifically stated. The usual method of determining the enforceability of State legislation in relation to Federal enactments, opponents of this bill say, has been judicial determination on a case-by-case basis, so that evaluation may be made of the impact of Federal and State acts on one another in terms of practical operation and the national or local problems presented. This is a correct statement, but the conclusion they draw from it is wrong. What they overlook, or refuse to admit, is the fact that it was the Supreme Court of the United States which abandoned the case-by-case basis and attempted to make general law of general applicability which would render unenforcible the laws of all of the States wherever the Court chooses to say Congress has preempted the field.

Do not lose sight of the fact that wherever there is a statute which has provisions plainly at variance with Federal legislation it cannot stand against the conflicting Federal law, regardless of whether S. 337 is enacted.

And wherever there is a State statute which is vague, indefinite, uncertain, or lacking basic constitutional procedural safeguards, such statute could be attacked for its intrinsic defects, and declared unconstitutional without regard to the provisions of S. 337, if it should be enacted.

There is nothing in S. 337 which would give vitality or constitutionality to an infirm or unconstitutional State statute; and there is nothing in S. 337 which would permit a provision of State law, in irreconcilable conflict with a provision of Federal law, to stand against the Federal legislative provision.

It is important that we recognize that enactment of this bill will not involve undoing anything that Congress has done. For instance, Congress has never affirmatively declared an intention to preempt the field of antisubversive legislation, or to overthrow any State laws in this field. In this field, and in any other field where Congress has power to legislate, whenever any Act of Congress, past, present, or future, declares that Congress is taking over, that declaration of Congressional intent will be controlling, even though S. 337 has been enacted. And let me repeat that whenever it is found in any particular case that a provision of an act of Congress is in irreconcilable conflict with a provision of State law, the fact that S. 337 has been enacted into law will not prevent the courts from holding that the provision of Federal law must be enforced as against the provision of State law with which it is found to be in conflict.

No predominance of State law over Federal law in any instance of direct conflict between the two would be brought about by enactment of S. 337.

What is basic here is the question of Congressional intent. Through the growth of the doctrine of preemption, State laws have been superseded in area after area without any expression of intent by the Congress that this should happen. Unfortunately, the intent which the Supreme Court imputes to the Congress becomes and remains, in the eye of the law, the actual intent of the Congress, unless and until the Congress speaks out to the contrary. Fortunately, it is still within our power to speak out and say for ourselves what our intent is.

It is quite wrong to say that enactment of this bill would encroach upon a judicial function. The Supreme Court has a right to apply the law to the decision of particular cases, but the Court does not have the right to make law, nor does it have the right to compel the Congress to take any particular course of action the Court may think right.

Where a legislative field is one for concurrent State and Federal jurisdiction, under the Constitution, the Court can neither arbitrarily transfer it to the field of Federal jurisdiction, nor force upon the Congress an unwanted intent to claim the field as its own. The Court can, of course, declare the intention of the Congress as it comes to understand that intention. But if the intention which the Court declares is not in fact the intention of the Congress, the Congress can always enact new legislation properly declarative of its true intent.

Under this bill, if Congress has expressly preempted a field of law, all State law in that field falls. If Congress has expressly stricken down a State statute, that particular statute falls. If there is an irreconcilable conflict between a provision of Federal law and a provision of State law, the Federal provision controls and the State provision falls. But where there has been no preemption of a field, no express invalidation of a State law, and no direct and irreconcilable conflict between a Federal and a State provision, the two provisions will be allowed to operate concurrently, each in its own jurisdiction. That is all there is to it.

Now let me say a word about an amendment offered to S. 337 in committee, which involved adding the words "hereinafter enacted" at two places in this bill. Senators will find these words in italic on lines 3 and 8 of the calendar print of S. 337. This amendment was supported by the contention that its purpose is to avoid retroactivity, which sounds like a plausible reason. But the fact is that a proper distinction has not been made between retroactivity of effect, and retroactivity of application. This bill will not have retroactive effect with or without this amendment. It will have effect only from and after the date of its enactment. But without the amendment, the bill will have retroactive application; that is, it will apply as a declaration of Congressional intent with respect to statutes already on the books. If the amendment is adopted, the bill will not constitute a declaration of Congressional intent except with respect to legislation which may be passed hereafter.

To adopt the amendment, with this result, would be to make the bill a nullity. It would accomplish nothing. No declaration of Congressional intent can be binding on future Congresses, nor even on the same Congress, with respect to afterpassed legislation, if Congress wants to express a new intent. Thus, with respect to legislation which may be passed hereafter, this bill can do nothing that Congress cannot do at the time it passes the new legislation; nor can this bill prevent Congress from expressing its current intent at that time, whatever that intent may be. That is why there is nothing to fear from this bill. Any time in the future that Congress may wish to preempt a field of legislation, or overturn a State law, in any area where Congress has legislative power, Congress will be able to do so, even though this bill has been enacted.

But the purpose of this legislation is to cure a situation which has been brought about by the Supreme Court's expansion of the doctrine of preemption and implied preemption. The Supreme Court has declared the intent of Congress as something other than what the Congress in fact intended. And the purpose of this bill is to declare the true intent of Congress with respect to preemption; to declare that Congress has not intended and does not intend to nullify State laws on a wholesale basis where it has not expressed any such intention, and has not intended and does not intend to supersede or invalidate any particular State law or provision of State law with which no Federal statute is in direct conflict, and which Congress has not specifically declared should be superseded or invalidated.

This basic objective of the bill—to cure such situations as invalidation of all State antisubversive laws by the decision in the Nelson case—cannot be accomplished unless the bill we pass has application to the laws already on the books.

It is not some possible future law which Congress may pass that has been used as the basis for rendering the sovereign States of this Union impotent to deal with communism and other subversive activity. It is laws already enacted which the Court has cited. The Court said that by merely taking action in the field of antisubversive legislation, through enactment of the Smith Act, the Internal Security Act, and the Communist Control Act, Congress has preempted this entire field and rendered the antisubversive laws of 42 States and Alaska and Hawaii unenforcible. Unless Congress declares to the contrary, this Court statement of Congressional intent will stand as a continuing bar to enforcement of State antisubversive statutes. And the same principle holds true in other areas.

Clearly, Congress must make its present declaration of intent applicable to the laws it already has passed, if it wants to accomplish its purpose of curing the evils of preemption by Court decree.

Congress can say—and this bill does say—that the declaration of intent we now make shall not apply to any case decided in the past, but only to cases decided in the future. We could not say otherwise. But if we adopt the committee amendment, we shall be adopting the Supreme Court's statement of Congressional intent to preempt fields of State law where Congress expressed no such intent and did not pass conflicting legislation.

To summarize, Mr. President, we face this situation:

The Supreme Court in the Nelson case enunciated new law of general applicability, leaving to the Federal Government alone all authority and responsibility for control or punishment of the Communist conspiracy or other subversive activity. Then, in the Yates and Schneiderman cases, the Supreme Court rendered the Smith Act unenforcible against current Communist activity. With the Internal Security Act still in litigation after 8 years because the Supreme Court refused to meet its responsibility to pass on the constitutionality of that act, there is no effective antisubversive legislation in this country today at either the State or Federal level which may be used to deter the Communist conspiracy. This is a situation which involves the gravest danger to the Nation, and is a situation which must not be allowed to continue.

If we should refuse to act in this situation, the people of this country would be justified in concluding we were satisfied with things as they are. And that is what adoption of the committee amendment will do; it will leave things as they are.

Enactment of S. 337 will not provide effective antisubversive laws at the Federal level. That will have to be handled in another way, either by enactment of the Jenner-Butler bill, S. 2646, or at least by enacting separate legislation embodying substantially the provisions of section 4 of the Jenner-Butler bill. But by simply reaffirming, as S. 337 does, the intent of Congress that the States are to be allowed concurrent jurisdiction in fields which the Congress has not affirmatively preempted, and thus restoring the future enforcibility of State antisubversive and antisedition laws, we shall be able to restore some very effective and very useful barriers against the onward march of communism toward its goal of sovietizing the United States of America.

What we have before us is basically an issue of States rights. There are forces in this country which want to see all State law superseded by Federal law. They want to see Federal controls over commerce, over labor, over agriculture, over every phase of life, enlarged and broadened until everything is run from Washington. They want to see the Federal police powers extended further and further until we arrive at the point where there is no need or room for local law enforcement, except perhaps as an adjunct to Federal power.

The goal toward which these forces are aiming is nothing less than the leviathan state; and that cannot be achieved so long as the sovereignty and the rights of the individual States of the Union are preserved. So the apostles of the leviathan state pass up no opportunity to chisel away at the rights of the individual States of the Union.

A decade ago, the late, great Senator from Nevada, Pat McCarran, wrote an article which appeared in the Journal of the American Bar Association in which he pointed out the growing trend toward what he called the "silent supersession of State powers" through the growth of the doctrine of Congressional preemption—that is, the doctrine that where Congress has enacted substantial legislation in a particular legislative field, it must be deemed to have preempted the field to the exclusion of State law. Senator McCarran warned that unless Congress took some action to stay this trend, the day would come when State laws in area after area would be rendered unenforcible not because of anything Congress said, nor because of any conflict between Federal and State law, but merely because Congress had acted in the field.

We have seen this warning borne out. The doctrine of preemption has grown and its application has been broadened. One of the most unhappy applications of this doctrine was in the case of Pennsylvania against Nelson, and the results of that decision have been so favorable to the activities of the Communist conspiracy in this country, and so dangerous to the security of the States and of the Nation as a whole, that I believe the country as a whole has been shocked into an awareness of the situation and is demanding action to correct it. Certainly we Senators who sit here with full understanding of the fact that by a single misrepresentation of the intent of the Congress, the Supreme Court has been able to render unenforcible the antisubversive laws of 42 States and Alaska and Hawaii, and who are fully aware of many other instances in which the rights of the States to enact and enforce their own laws have been taken away from them under this doctrine of Federal preemption, cannot plead unfamiliarity with the problem, or ignorance that it exists. And now that we have the opportunity to do something about it, by passing this bill, we are going to have some mighty tall explaining to do if we fail to take advantage of this opportunity.

Mr. CARROLL. Mr. President, I am ready to vote. I do not wish to shut anybody off from speaking. If no one else wishes to speak, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARROLL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FULBRIGHT in the chair). Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Colorado [Mr. CARROLL] that the bill be recommitted. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT (when his name was called). On this vote, I have a pair with the senior Senator from New Jersey [Mr. SMITH]. If the senior Senator from New Jersey were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. BUSH (when his name was called). On this vote, I have a pair with the distinguished senior Senator from Ohio

[Mr. BRICKER]. If the Senator from Ohio were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. SMATHERS (when his name was called). On this vote I have a pair with the junior Senator from Oklahoma [Mr. MONRONEY]. Were he present and voting, he would vote "yea." Were I permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], and the Senators from Oklahoma [Mr. KERR and Mr. MONRONEY] are absent on official business.

I further announce that if present, and voting, the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], and the Senator from Oklahoma [Mr. KERR] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Nebraska [Mr. HRUSKA], and the Senator from New York [Mr. IVES] are absent on official business.

The Senator from Kansas [Mr. CARLSON], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in the family.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

On this vote, the Senator from Maine [Mr. PAYNE] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maine would vote "yea", and the Senator from Nebraska would vote "nay."

The respective pairs of the Senator from New Jersey [Mr. SMITH] and of the Senator from Ohio [Mr. BRICKER] have been previously announced.

The result was announced—yeas 41, nays 40, as follows:

YEAS—41

Aiken	Green	McNamara
Anderson	Hayden	Morse
Beall	Hennings	Morton
Bennett	Humphrey	Murray
Bible	Jackson	Neuberger
Carroll	Javits	O'Mahoney
Case, N. J.	Johnson, Tex.	Pastore
Case, S. Dak.	Kefauver	Proxmire
Chaves	Kennedy	Purtell
Church	Langer	Saltonstall
Clark	Lausche	Symington
Cooper	Magnuson	Wiley
Dirksen	Malone	Yarborough
Douglas	Mansfield	

NAYS—40

Barrett	Hickenlooper	Revercomb
Bridges	Hill	Robertson
Butler	Hoblitzell	Russell
Byrd	Jenner	Schoeppel
Capehart	Johnston, S. C.	Smith, Maine
Cotton	Jordan	Sparkman
Curtis	Knowland	Stennis
Dworshak	Kuchel	Talmadge
Eastland	Long	Thurmond
Ellender	Martin, Iowa	Thye
Ervin	Martin, Pa.	Watkins
Fulbright	McClellan	Williams
Goldwater	Mundt	
Gore	Potter	

NOT VOTING—15

Allott	Frear	Monroney
Bricker	Holland	Payne
Bush	Hruska	Smathers
Carlson	Ives	Smith, N. J.
Flanders	Kerr	Young

So Mr. CARROLL's motion to recommit was agreed to.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the motion to recommit was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Montana to reconsider. (Putting the question)——

Mr. THURMOND. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

Mr. THURMOND. I would like to know what the motion is. I cannot hear the Senator from Texas.

Mr. JOHNSON of Texas. A motion was made to reconsider the vote by which the bill was recommitted. I made a motion to lay that motion on the table.

The VICE PRESIDENT. The motion is not debatable.

The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Montana to reconsider.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 4249) to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose.

The message also announced that the House had agreed to the report of the committee of further conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, and that the House receded from its disagreement to the amendment of the Senate numbered 36 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 9950. An act for the relief of D. A. Whitaker and others; and

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

H. R. 8943. An act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code;

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes; and

H. R. 9817. An act relating to venue in tax refund suits by corporations.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 1493. An act for the relief of Lt. Col. Charles A. Holshouser;

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 2269. An act for the relief of Truck & Axle Manufacturing Co.;

H. R. 4991. An act for the relief of Waldo E. Miller;

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 5584. An act for the relief of Mrs. Maude L. Smith;

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from the interlocutory orders;

H. R. 6595. An act for the relief of Markus H. Teitel;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzger;

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7499. An act for the relief of the Cooper Tire & Rubber Co.;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes;

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-condtional and career appointments in the competitive civil service;

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957;

H. R. 9822. An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes;

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes;

H. R. 11186. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12365. An act for the relief of the estate of Suck Pil Ra;

H. R. 12632. An act authorizing Gus. A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12863. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Anneliese Ottolenghi;

H. R. 13132. An act to amend the District of Columbia Teachers' Salary Act of 1955;

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes;

H. J. Res. 557. Joint resolution to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission;

H. J. Res. 630. Joint resolution to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the Southwest area in the District of Columbia;

H. J. Res. 654. Joint resolution requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways; and

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

SUPPLEMENTAL APPROPRIATION BILL, 1959—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the distinguished chairman of the Committee on Appropriations has a conference report to present on the supplemental appropriation bill. I understand the conferees were unanimous. I hope we can act on the report promptly, and proceed to the consideration of other business this evening.

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the Senate numbered 36, and the amendment of the House thereto, and numbered 114, to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 36 and the amendment of the House thereto, and numbered 114 to the bill (H. R. 13450) "making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$2,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 36.

CARL HAYDEN,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
CLINTON P. ANDERSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
GERALD R. FORD, JR.,
FRANK T. BOW,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 36.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Arizona to give an explanation of what the conferees did as to amendment No. 36.

Mr. HAYDEN. The amendment originally read:

No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress.

The conferees added the words "for any period prior to June 30, 1960" after "National Aeronautics and Space Administration." In other words, this language would accomplish the purpose of the Senate for the period ending June 30, 1960, and not permanently.

Mr. JOHNSON of Texas. Mr. President, I think so far as fiscal year 1960 is concerned, this would take care of the situation. I realize, after having served in the House of Representatives for 6 terms, and in the Senate for some 10 years, that legislation is a matter of give and take. I realize that we cannot always have everything we want.

I think it is highly desirable that Congress maintain a constant surveillance over new agencies and be at least informed as to what are their plans and what their expenditures may be. Congress should be informed prior to the time the agencies seek appropriations, so that public opinion may reflect itself.

I realize the point of view expressed in the House. I have read the debate. I am sorry to say I do not believe the House Members realized the full portent of our amendment.

In view of the fact that the distinguished chairman of the committee and the other able conferees have been able to preserve the principle for 1 year, and in view of the fact that the Special Committee on Space and Astronautics intends to act as a partner and not an adversary with the National Aeronautics and Space Administration, I am willing to go along with the agreement of the conferees. I would not be frank, however, if I did not say for the record, so that all who hear may know, I think the conferees made a serious mistake when they reduced the appropriations to the extent they did for the National Aeronautics and Space Administration. I think time will tell, and I want to predict that the reduction we made, below the President's budget request, will return to haunt us.

So far as I am concerned, I am not going to attempt to hold up the conference report. The authorizing committee did hear detailed evidence to justify the President's budget request. As nearly as I can tell, that detailed information was not available to the individual members of the Appropriations Committee to the same extent.

The President asked for $125 million. The Senate provided the full $125 million. We went to conference, and we settled by cutting off $45 million of the $50 million the Senate provided.

Since we live in an uncertain world, it is certainly a calculated gamble to do this. I think I should raise my voice and warn the Members of Congress who have taken that gamble that I want none of the blood on my hands which may result from our failure to take adequate steps in time.

There is not anything we can do about the matter now. We have had to accede to the views of the other body. I realize that is necessary. I think the conferees have done as good a job as they could do. I do not rise to criticize anyone. I rise to attempt to warn the people of America, that in my opinion the President's budget request was too low. Then when we took a meat ax after it and cut it from $125 million to $75 million, practically a 50-percent cut, without justification, we made a serious mistake.

Mr. BRIDGES. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield to the Senator from New Hampshire.

Mr. BRIDGES. I want to say to the distinguished chairman of the committee that I had the pleasure of serving with him on the conference committee. I realize the strong feelings of the Senate, as demonstrated by the 86-to-0 vote yesterday.

I know that, with respect to legislation, the two Houses must reach a common ground of understanding. I believe the Senate conferees were able to do that without surrendering the principle they stood for. When a conferee is able to arrive at a common ground of agreement with the other body and does not surrender principles, I think one has been successful. Therefore, in spite of the fact that the report is not exactly as I should like to see it, it is satisfactory to the Senator from New Hampshire, both as a conferee of the committee and the ranking minority member of the Special Committee on Space and Astronautics. I am glad to join in approval.

Mr. HAYDEN. The Senator will agree with me that we will obtain experience for 1 year with the legislative committee; that is, the Special Committee on Space and Astronautics. The committee will pass upon the subject matter before it goes to the Committee on Appropriations, and we will have the advantage of passing an authorization bill. If that turns out to be good procedure, it can be followed afterward. We will have that experience, which we would not have if we had accepted the House amendment in the first place.

Mr. BRIDGES. The Senator is correct.

Mr. DIRKSEN and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. HAYDEN. I yield first to the Senator from Illinois.

Mr. DIRKSEN. I wish to ask the Senator from New Hampshire a question, if I may. We really had difficulty with the item the first time it came before the Appropriations Committee. I must confess that, except for the items of equipment and the things which need to be ordered, deciding what to do was sort of guesswork on my part. I was willing to go to a much lower figure. With the $80 million, certainly the agency will be able to plan between now and the first of the year. If additional funds and additional authority are necessary, there will be no difficulty in coming to the Congress in ample time for that purpose.

Mr. HAYDEN. Particularly if the Special Committee on Space and Astronautics authorizes the action.

Mr. BRIDGES. The Senator is correct. I think we have a good arrangement.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I commend the conferees for their excellent work. Of course, we are never exactly satisfied with anything.

There was one item in the appropriation bill this year which I think the Senate and the Congress will have to do something about next year. We provided an item of $29.5 million in the Senate bill for modernization of the Post Office Department. Far more than that is needed to really modernize our post offices as they should be modernized at the present time.

Being chairman of the Committee on Post Office and Civil Service, naturally I come in contact with subjects of that kind to a greater extent than other Senators. So I hope that next year the Senate will not only give $29,500,000, but will see to it that the proper amount is allowed to do a good job.

Mr. HAYDEN. Mr. President, while the House did not agree to allow any money for that purpose at this time, we did obtain the promise that if a budget estimate were to come up early in the year, it would be given early consideration by the other body, and something would probably be done about it.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HUMPHREY. I should like to inquire of the distinguished chairman what happened to the item relating to civil defense appropriations?

Mr. HAYDEN. We could not get anywhere with it.

Mr. HUMPHREY. Did the Senate conferees have to accede to the House figure?

Mr. HAYDEN. We asked the House conferees to take the item back to the House, and the House overwhelmingly voted not to accept it, so we were compelled this morning to recede.

Mr. HUMPHREY. What is the figure which is allowed for civil defense appropriations?

Mr. HAYDEN. Two and one-half million dollars for emergency supplies.

Mr. HUMPHREY. Nothing for Federal contributions?

Mr. HAYDEN. That is correct.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. We tried very hard in the conference to put through the adjustment which was agreed to on the floor of the Senate, but the House conferees were adamant. We could not move them at all. They were very much opposed to beginning the new activity, but they took the item back to the House, and, as the distinguished chairman said, the House supported the conferees on the floor of the House, and we could do nothing further.

Mr. HUMPHREY. I understood what happened early this morning. I merely wished to develop the record.

I believe that the chairman of the committee and all the other members of the committee, particularly the Senator from Massachusetts [Mr. SALTONSTALL], have been a fine help in arriving at an arrangement in the Senate. I regret that the funds for Federal contributions have been dropped. This is a blow to the State civil defense agencies.

Let me say to our friends in the other body that they are the ones who initiated the legislation for Federal contributions. They initiated the legislation for greater Federal appropriations. It is rather paradoxical and ironic that they are the ones who now refuse to go along; but I know that some of the Members of the other body will read the record. If the Lord grants me the right to live until next January, I shall be back here making a request before the appropriate subcommittee and committee for funds for civil defense. The administration will be doing so, too, but I should like to support it.

I note the fact that several Senators are nodding their heads. I should like to be able to register those nods as vocal assents.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona [Mr. HAYDEN] that the Senate concur in the House amendment to Senate amendment No. 36.

The motion was agreed to.

The amendment of the House to Senate amendment No. 36 is as follows:

In lieu of the matter proposed by said amendment, as amended by the House amendment thereto, insert "no appropriation may be made to the National Aeronautics and Space Administration for any period prior to June 30, 1960, unless previously authorized by legislation hereafter enacted by the Congress."

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be printed in the RECORD a table illustrating the appropriations as they appeared in the House and Senate bills and agreed to in conference.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

The supplemental appropriation bill, 1959 (H. R. 13450)

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	DEPARTMENT OF AGRICULTURE				
	AGRICULTURAL RESEARCH SERVICE				
	SALARIES AND EXPENSES				
304	Plant and animal disease and pest control	$3,000,000	$2,000,000	$4,000,000	$3,500,000
	Meat inspection	2,100,000	1,750,000	2,100,000	1,750,000
	Total, salaries and expenses	5,100,000	3,750,000	6,100,000	5,250,000
	AGRICULTURAL CONSERVATION PROGRAM SERVICE				
304	Emergency conservation measures	Language	Language	Language	Language

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	DEPARTMENT OF AGRICULTURE—Continued				
	SOIL BANK PROGRAMS				
304	Acreage reserve program	$282,800,000	$275,000,000	$279,450,000	$279,450,000
	Total, chapter I	287,900,000	278,750,000	285,550,000	284,700,000
	DEPARTMENT OF COMMERCE				
	CIVIL AERONAUTICS ADMINISTRATION				
304	Operation and regulation	12,750,000	11,735,000	12,750,000	11,735,000
304	Construction and development, additional Washington airport	53,500,000	50,000,000	50,000,000	50,000,000
	BUREAU OF FOREIGN COMMERCE				
304	Salaries and expenses	305,000			
S. 110	Export control	3,060,000	3,060,000	3,060,000	3,060,000
	COAST AND GEODETIC SURVEY				
304	Salaries and expenses	491,000	343,500	343,500	343,500
304	Construction and equipment, geomagnetic station	400,000	400,000	400,000	400,000
	MARITIME ACTIVITIES				
304	Salaries and expenses	25,000		25,000	
304	Maritime training	175,000	68,000	68,000	68,000
S. 110	War Shipping Administration liquidation	Language		Language	Language
	BUREAU OF PUBLIC ROADS				
304	General administrative expenses	($50,000)		($50,000)	
304	Inter-American Highway	10,000,000	10,000,000	10,000,000	10,000,000
	NATIONAL BUREAU OF STANDARDS				
304	Expenses	262,000		262,000	
304	Plant and equipment	200,000	186,000	200,000	186,000
304	Construction of facilities	3,000,000	3,000,000	3,000,000	3,000,000
	WEATHER BUREAU				
304	Salaries and expenses	840,000	1,840,000	1,840,000	1,840,000
304	Establishment of meteorological facilities	1,300,000	1,300,000	1,300,000	1,300,000
	RELATED AGENCIES				
	SMALL BUSINESS ADMINISTRATION				
S. 110	Salaries and expenses	3,775,000		3,775,000	3,500,000
S. 110	Revolving fund	215,000,000		215,000,000	200,000,000
	Total, chapter II	305,063,000	81,932,500	302,023,500	285,432,500
	DEPARTMENT OF DEFENSE—MILITARY FUNCTIONS				
	INTERSERVICE ACTIVITIES				
304	Retired pay, 1958	9,000,000	9,000,000	9,000,000	9,000,000
304	Retired pay, 1959	18,000,000			
	DEPARTMENT OF THE ARMY				
304	Military personnel, 1958	8,000,000			
	DEPARTMENT OF THE NAVY				
304	Medical care, 1958	($,000,000)			
	Total, chapter III	35,000,000	9,000,000	9,000,000	9,000,000
	DISTRICT OF COLUMBIA				
	OPERATING EXPENSES				
304	Department of Public Health	($8,000)			
304	Personal services, wage-scale employees (fiscal year 1958)	(75,000)	(75,000)	(75,000)	(75,000)
	MISCELLANEOUS				
304	Settlement of claims and suits	(26,701)	(26,701)	(26,701)	(26,701)
304	Judgments	(1,290)	(1,290)	(1,290)	(1,290)
304	Audited claims	(19,645)	(19,645)	(19,645)	(19,645)
	Total, chapter IV	(208,636)	(122,636)	(122,636)	(122,636)
	FOREIGN OPERATIONS				
	DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS				
306	Administration, Ryukyu Islands	3,150,000	2,750,000	2,850,000	2,830,000
306	Construction of utility systems, Ryukyu Islands	6,000,000	600,000	600,000	600,000
	Subtotal	9,150,000	3,350,000	3,450,000	3,430,000
	EXPORT-IMPORT BANK				
306	Administrative expense limitation	($2,055,000)	($2,055,000)	($2,055,000)	($2,055,000)
	Total, chapter V	9,150,000	3,350,000	3,450,000	3,430,000
	GENERAL GOVERNMENT MATTERS				
	EXECUTIVE OFFICE OF THE PRESIDENT				
S. 110	Executive Mansion and Grounds: Extraordinary alterations and repairs	100,000		100,000	100,000
	Office of Civil and Defense Mobilization:				
S. 110	Salaries and expenses	4,000,000		2,915,000	2,800,000
S. 110	Research and development	9,150,000			
S. 110	Federal contributions	9,000,000		4,000,000	
S. 110	Emergency supplies and equipment	7,188,000		2,000,000	2,000,000
	FUNDS APPROPRIATED TO THE PRESIDENT				
S. 110	Translation of publications and scientific cooperation	Language		4,100,000	4,100,000

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	GENERAL GOVERNMENT MATTERS—Continued				
	CORREGIDOR BATAAN MEMORIAL COMMISSION				
394	Salaries and expenses	$46,000		$46,000	
	Total, chapter VI	29,484,000		14,161,000	$9,700,000
	INDEPENDENT OFFICES				
	FEDERAL COMMUNICATIONS COMMISSION				
394	Salaries and expenses	142,000	$142,000	142,000	142,000
	FEDERAL POWER COMMISSION				
394	Salaries and expenses	120,000	120,000	120,000	120,000
	GENERAL SERVICES ADMINISTRATION				
394	Public Buildings Service, operating expenses	6,400,000	3,800,000	7,800,000	5,200,000
394	Construction, public buildings	323,000	323,000	323,000	323,000
	Hospital facilities in the District of Columbia			1,020,000	1,020,000
394	Expenses, supply distribution	177,000	160,000	160,000	160,000
394	National Archives and Records Service	36,000	32,500	32,500	32,500
	HOUSING AND HOME FINANCE AGENCY				
394	Federal National Mortgage Association (limitation on administrative expenses)	(800,000)	(700,000)	(700,000)	(700,000)
S. 110	Federal Housing Administration (limitation on administrative and nonadministrative expenses)	(4,600,000)		(4,600,000)	(4,600,000)
	Public Housing Administration:				
394	Annual contributions (fiscal year 1959)	4,300,000	3,900,000	3,900,000	3,900,000
394	Limitation on nonadministrative expenses	(750,000)	(500,000)	(500,000)	(500,000)
	INTERSTATE COMMERCE COMMISSION				
S. 110	Salaries and expenses	500,000		461,000	300,000
	NATIONAL AERONAUTICS AND SPACE ADMINISTRATION				
S. 112	Salaries and expenses	7,000,000		7,000,000	5,000,000
S. 112	Research and development	70,200,000		70,200,000	50,000,000
S. 112	Construction and equipment	47,800,000		47,800,000	25,000,000
	NATIONAL SCIENCE FOUNDATION				
394	Salaries and expenses	4,400,000	4,000,000	4,400,000	4,000,000
394	International Geophysical Year	2,950,000	2,500,000	2,500,000	2,500,000
	VETERANS' ADMINISTRATION				
394	General operating expenses	5,269,000	4,750,000	5,269,000	5,000,000
394	Inpatient care	3,486,000	3,400,000	3,400,000	3,400,000
S. 110	Grants to the Republic of the Philippines	450,000		450,000	
S. 110	Soldiers' and sailors' civil relief	1,300,000		1,300,000	1,300,000
	Total, chapter VII	154,853,000	23,127,500	154,277,500	107,397,500
	DEPARTMENT OF THE INTERIOR				
	DEPARTMENTAL OFFICES				
	OFFICE OF SALINE WATER				
394	Salaries and expenses	530,000	345,000	345,000	345,000
	OFFICE OF MINERALS EXPLORATION				
S. 113	Salaries and expenses	5,000,000		4,700,000	4,000,000
	OFFICE OF OIL AND GAS				
S. 110	Salaries and expenses	53,500		18,500	18,500
	BUREAU OF LAND MANAGEMENT				
S. 110 394	Management of lands and resources	1,000,000	200,000	885,000	885,000
	BUREAU OF INDIAN AFFAIRS				
394	Road construction and maintenance (liquidation of contract authorization)	4,000,000	1,500,000	4,000,000	4,000,000
	GEOLOGICAL SURVEY				
394	Surveys, investigations, and research	3,983,000	1,500,000	2,483,000	1,500,000
	BUREAU OF MINES				
394	Conservation and development of mineral resources	2,850,000	1,250,000	1,350,000	1,250,000
394	Health and safety	50,000			
394	Construction	11,280,000	10,905,000	10,905,000	10,905,000
	NATIONAL PARK SERVICE				
394	Management and protection	88,000		50,000	50,000
394	Construction	1,200,000		200,000	
394	Construction (liquidation of contract authorization)	10,000,000		10,000,000	5,000,000
	FISH AND WILDLIFE SERVICE				
	BUREAU OF SPORT FISHERIES AND WILDLIFE				
394	Management and investigations of resources	325,625	Language	125,000	125,000
	Construction			675,000	
	BUREAU OF COMMERCIAL FISHERIES				
394	Management and investigations of resources	425,625	85,000	85,000	85,000
	Subtotal, Department of the Interior	40,785,750	15,785,000	36,821,500	31,162,500

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	INDEPENDENT OFFICES				
	ALASKA INTERNATIONAL ROAD AND HIGHWAY COMMISSION				
S. 110	Salaries and expenses	$240,000		$240,000	$40,000
	NATIONAL CAPITAL PLANNING COMMISSION				
394	Land, acquisition, National Capital Park, parkway, and playground system	2,000,000			
	SMITHSONIAN INSTITUTION				
394	Salaries and expenses	52,800	$52,800	52,800	52,800
	HISTORICAL AND MEMORIAL COMMISSIONS				
S. 110	Boston National Historical Sites Commission	20,000		20,000	20,000
394	Civil War Centennial Commission	63,000	63,000	63,000	63,000
	Hudson-Champlain Celebration Commission			50,000	50,000
S. 110 394	Lincoln Sesquicentennial Commission	742,000	142,000	642,000	350,000
	OUTDOOR RECREATION RESOURCES REVIEW COMMISSION				
S. 110	Salaries and expenses	100,000		100,000	50,000
	VIRGIN ISLANDS CORPORATION				
S. 110	Borrowing authority	(1,500,000)			
	Total, chapter VIII	44,003,550	16,042,800	36,989,300	31,789,300
	DEPARTMENT OF LABOR				
	OFFICE OF THE SOLICITOR				
394	Salaries and expenses	110,000	110,000	110,000	110,000
	BUREAU OF EMPLOYMENT SECURITY				
394	Salaries and expenses	247,000	300,000	300,000	300,000
394	Grants to States for unemployment compensation and employment service administration	10,600,000	20,600,000	20,600,000	20,600,000
394	Unemployment compensation for veterans	37,700,000	37,700,000	37,700,000	37,700,000
394	Unemployment compensation for Federal employees	36,300,000	36,300,000	36,300,000	36,300,000
	Total, Department of Labor	85,057,000	95,010,000	95,010,000	95,010,000
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	GALLAUDET COLLEGE				
S. 110	Salaries and expenses, 1958	15,000		15,000	15,000
S. 110	Salaries and expenses	32,300		34,000	34,000
	HOWARD UNIVERSITY				
S. 110	Salaries and expenses, 1958	182,500		182,500	182,500
S. 110	Salaries and expenses	396,600		396,600	396,600
	OFFICE OF EDUCATION				
S. 115	Assistance for school construction	60,150,000		60,150,000	50,000,000
S. 115	Payments to school districts	149,700,000		149,700,000	130,000,000
S. 115	Salaries and expenses	316,000		316,000	196,500
	PUBLIC HEALTH SERVICE				
	Assistance to States, general			1,000,000	
394	Salaries and expenses, hospital construction services	150,000			
394	Military pay increases, various appropriations	2,270,000		634,000	
	ST. ELIZABETHS HOSPITAL				
394	Salaries and expenses	32,000	32,000	32,000	32,000
	SOCIAL SECURITY ADMINISTRATION				
394	Limitation on salaries and expenses, Bureau of Old-Age and Survivors Insurance	(5,831,000)	(5,831,000)	(5,831,000)	(5,831,000)
	OFFICE OF THE SECRETARY				
394	Salaries and expenses, office of field administration	(18,000)	(18,000)	(18,000)	(15,000)
	Total, Department of Health, Education, and Welfare	213,244,400	32,000	212,460,100	180,846,600
	NATIONAL LABOR RELATIONS BOARD				
394	Salaries and expenses	1,515,000			
	UNITED STATES SOLDIERS' HOME				
394	Limitation on operation and maintenance and capital outlay	(232,000)	(232,000)	(232,000)	(232,000)
	Total, chapter IX	299,816,400	95,042,000	307,470,100	275,856,600
	LEGISLATIVE BRANCH				
	SENATE				
	SALARIES, OFFICERS AND EMPLOYEES				
S. 112	Committee employees	102,160		102,160	102,160
	CONTINGENT EXPENSES OF THE SENATE				
	Committee on Rules and Administration			200	200
S. 112	Inquiries and investigations, 1958	73,000		73,000	73,000
S. 112	Inquiries and investigations, 1959	10,000		10,000	10,000
S. 112	Stationery (revolving fund)	300		300	300
	Miscellaneous items	Language		Language	Language
	HOUSE OF REPRESENTATIVES				
	Payment to widow of deceased member			22,800	22,800
	CONTINGENT EXPENSES				
	Stationery (revolving fund)		262,800	262,800	262,800

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	LEGISLATIVE BRANCH—Continued				
	ARCHITECT OF THE CAPITOL				
	CAPITOL BUILDINGS AND GROUNDS				
S. 112	Expansion of additional site for New Senate Office Building	$625,000		$625,000	$625,000
	CAPITOL POWER PLANT				
------	Expansion of facilities		$750,000	750,000	750,000
	LIBRARY OF CONGRESS				
------	Preservation of early American motion pictures			60,000	60,000
------	General provisions			Language	Language
	Total, chapter X	810,460	1,012,800	1,905,960	1,905,960
	ATOMIC ENERGY COMMISSION				
113	Operating expenses	2,443,000,000	2,375,972,000	2,418,840,000	2,397,406,000
266, 388	Plant acquisition and construction	204,000,000	229,429,000	249,929,000	249,929,000
	Total, chapter XI	2,647,000,000	2,605,401,000	2,668,769,000	2,647,335,000
	PUBLIC WORKS				
	DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS				
	DEPARTMENT OF THE ARMY				
	Rivers and Harbors and Flood Control				
------	Construction, general			1,925,000	
------	Operation and maintenance, general			70,000	70,000
	DEPARTMENT OF THE INTERIOR				
	BUREAU OF RECLAMATION				
------	Construction and rehabilitation			2,500,000	
------	Loan program			4,203,000	4,203,000
	Total, chapter XII			8,698,000	4,273,000
	DEPARTMENT OF STATE				
	ADMINISTRATION OF FOREIGN AFFAIRS				
394	Salaries and expenses	854,000	450,000	650,000	550,000
	PAYMENT TO GOVERNMENT OF DENMARK				
394	Payment to Government of Denmark	5,296,302	5,296,302	5,296,302	5,296,302
	INTERNATIONAL ORGANIZATION AND CONFERENCES				
	INTERNATIONAL CONTINGENCIES				
S. 110	International contingencies	200,000		200,000	
	Total, Department of State	6,350,302	5,746,302	6,146,302	5,846,302
	DEPARTMENT OF JUSTICE				
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
394	Salaries and expenses, general legal activities	200,000	200,000	200,000	200,000
394	Salaries and expenses, United States attorneys and marshals (1958)	Language	Language	Language	Language
	FEDERAL PRISON SYSTEM				
394	Salaries and expenses, Bureau of Prisons	2,066,000	2,066,000	2,066,000	2,066,000
	GENERAL PROVISIONS				
394	General provisions				
	Total, Department of Justice	2,266,000	2,266,000	2,266,000	2,266,000
	UNITED STATES INFORMATION AGENCY				
394	Salaries and expenses	1,100,000			
S. 112	Acquisition and construction of radio facilities	22,300,000		15,000,000	10,000,000
S. 110	Payment to informational media and guaranty fund	7,000,000		5,000,000	2,500,000
	Total, United States Information Agency	30,400,000		20,000,000	12,500,000
	Total, chapter XIII	39,016,302	8,012,302	28,412,302	20,612,302
	TREASURY DEPARTMENT				
	BUREAU OF THE PUBLIC DEBT				
394	Administering the public debt	1,500,000	1,500,000	1,500,000	1,500,000
	BUREAU OF CUSTOMS				
394	Salaries and expenses	150,000			
	UNITED STATES SECRET SERVICE				
394	Salaries and expenses, White House Police	54,000		54,000	
S. 110	Contribution for annuity benefits	Language		Language	Language
	COAST GUARD				
394	Operating expenses	6,900,000	Language	Language	Language
394	Retired pay	700,000			
394	Acquisition, construction, and improvements	150,000	150,000	399,000	150,000
	Total, Treasury Department	9,454,000	1,650,000	1,953,000	1,650,000

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	POST OFFICE DEPARTMENT				
394	Administration, regional operation, and research	$1,600,000			
394	Transportation, 1958	3,000,000			
	REIMBURSEMENT FOR PUBLIC SERVICES				
S. 110	Reimbursement for public services	171,259,000			
	PAYMENT TO POSTAL MODERNIZATION FUND				
S. 110	Payment to postal modernization fund	29,500,000		$28,500,000	
	Total, Post Office Department	205,359,000		29,500,000	
	Total, chapter XIV	214,813,000	$1,650,000	31,453,000	$1,650,000
	CLAIMS AND JUDGMENTS				
S. 418 / 112	Claims and judgments	14,224,509	8,522,895	14,223,316	14,223,316
	GENERAL PROVISION				
S. 110	Salary increases, policemen, firemen, and teachers	Language		Language	Language
	Grand total	4,081,154,221	3,131,844,797	3,866,382,978	3,697,305,478

LUMP-SUM PAYMENT FOR ACCRUED ANNUAL LEAVE OF DECEASED EMPLOYEES—CONFERENCE REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7710) entitled "An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its amendment numbered 1.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same with an amendment as follows:

In Senate amendment numbered 2 as set forth in the Senate engrossed amendments strike out "SEC. 3." and insert in lieu thereof "SEC. 2."

And the Senate agree to the same.

OLIN D. JOHNSTON,
DICK NEUBERGER,
RALPH YARBOROUGH,
THOMAS E. MARTIN,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSTON of South Carolina. Mr. President, the conference agreement on this bill is completely satisfactory to both Houses. The House has accepted section 3 of the bill which is a Senate amendment and the Senate has agreed to striking out section 2 of the bill because identical language is contained in another measure now awaiting approval in the House. The Senate has been assured that action will be taken on the bill pending in the House, so no purpose would be served by retention of the same provision in H. R. 7710.

The PRESIDING OFFICER (Mr. BEALL in the chair). The question is on agreeing to the conference report.

The report was agreed to.

ADDITIONAL JUDGE FOR JUVENILE COURT OF DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. CLARK. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered (1), (2), (3), (4), and (5).

JOSEPH S. CLARK,
ALAN BIBLE,
JACOB K. JAVITS,
Managers on the Part of the Senate.

THOMAS G. ABERNETHY,
JOHN DOWDY,
JOSEPH P. O'HARA,
JOHN J. ALLEN, JR.,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CLARK. Mr. President, as the present occupant of the chair [Mr. BEALL] knows, it is of the greatest importance that there be an additional judge in the Juvenile Court of the District of Columbia. In order to obtain that additional judge it was necessary for the Senate conferees to recede from three amendments to the House bill. The Senate conferees were unanimous in their view that they should recede, and I ask for approval of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

LOAN OF CAPTION FILMS FOR THE DEAF

Mr. HILL. Mr. President, on August 26 of last year, the Senate passed S. 1889, providing in the Department of Health, Education, and Welfare, a loan service of caption films for the deaf. This bill was referred to the House Committee on Education and Labor which considered this legislation this year and after amending the bill in two respects, namely; by authorizing an appropriation not to exceed $250,000 and by striking out the "Advisory Council," favorably reported the bill under House number H. R. 13678 to the House. The House, on August 15, 1958, passed this bill without further amendment.

Mr. President, the House bill, H. R. 13678, is now at the President's desk. I ask the Chair to lay the House bill before the Senate and I ask unanimous consent for the immediate consideration of H. R. 13678.

The PRESIDING OFFICER laid before the Senate a bill coming over from the House of Representatives, (H. R. 13678) to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf, which was read twice by title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CARL EBERT AND HIS WIFE, GERTRUDE EBERT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3276) for the relief of Carl Ebert and his wife, Gertrude Ebert, which was, to strike out all after the enacting clause and insert:

That section 352 (a) of the Immigration and Nationality Act shall be held to have been and to be inapplicable to Carl Ebert and his wife, Gertrude Ebert: *Provided*, That they return to the United States to reside within 3 years following the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, on June 23, 1958, the Senate passed S. 3276, to permit two naturalized United States citizens to remain in Germany, the country of their birth, for 3 years following the date of enactment of the act without losing their United States citizenship by protracted residence abroad.

On August 19 the House of Representatives passed S. 3276, with a technical amendment which does not change the original intent of the bill as passed by the Senate.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

The motion was agreed to.

VICENTA GARCIA y PUENTE

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3818) for the relief of Vicenta Garcia y Puente, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Vicenta Garcia y Puente. From and after the date of the enactment of this act, the said Vicenta Garcia y Puente shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrant and orders have issued.

Mr. JOHNSON of Texas. Mr. President, on August 11, 1958, the Senate passed S. 3818, to grant the status of permanent residence in the United States to the beneficiary, who is an elderly widow residing in the United States with her children.

On August 19, 1958, the House of Representatives passed S. 3818, with an amendment to merely cancel outstanding deportation proceedings.

The amendment is acceptable, and I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The Clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONVENING TOMORROW MORNING AT 9:30

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, it convene at 9:30 o'clock a. m.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF LATE SESSION TOMORROW AND POSSIBLE SINE DIE ADJOURNMENT ON SATURDAY NIGHT

Mr. JOHNSON of Texas. Mr. President, I wish to give notice that we expect to have a very late session tomorrow evening and that we shall make every effort to adjourn sine die by Saturday night.

I should like to have the very faithful members of the staff to be informed that we will have two more very trying days, and we may have to work around the clock. However, we have some very important proposed legislation which must be acted on.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas has the floor.

EXTENSION OF RENEGOTIATION ACT OF 1951

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 2544, H. R. 11749, to extend the Renegotiation Act of 1951 for 6 months, and for other purposes. I give notice now that if the motion is agreed to, I do not intend to have any action taken on the bill tonight.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. I wish to give notice of the possibility that the bill dealing with the Railroad Retirement Act will be offered as an amendment to the pending bill. I wish Senators to be on notice that, while that has not definitely been determined, it is likely before we conclude consideration of H. R. 11749, to extend the Renegotiation Act, an amendment will be offered to it incorporating the substance of the railroad retirement bill reported by the senior Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. Does the Senator mean S. 2020 or S. 1313? There are two. S. 2020 is the technical bill.

Mr. JOHNSON of Texas. I have reference to Calendar 2428, S. 1313, to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act so as to provide increases in benefits and for other purposes.

The Senator from Nebraska [Mr. CURTIS] and the Senator from New Jersey [Mr. SMITH] wish to be informed about it. I refer to calendar 2428, S. 1313. I do not know that that amendment will be offered, but there is a possibility of it. I shall give the minority leadership such information ahead of time as I can, although any Senator has the right to offer an amendment to any bill.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

Mr. JOHNSTON of Texas. I yield.

Mr. CURTIS. To what bill would the Railroad Retirement Act be offered as an amendment?

Mr. JOHNSON of Texas. To calendar 2544, H. R. 11749, to extend the Renegotiation Act, which is a House bill.

I shall be very glad to enter into a unanimous-consent agreement to limit debate of the pending bill if Senators are disposed to do so.

One of the reasons for coming in early tomorrow morning is that I hope we will be able to dispose of the Renegotiation Act extension, the mutual security appropriation bill, the bill increasing the public debt limit, the conference report on S. 3420, dealing with Public Law 480, and the other appropriation bills, so that we may adjourn sine die on Saturday night.

With the fine cooperation I have received this week from every Member of the Senate, I have no doubt that we will be able to do it.

FINANCIAL CONDITION OF THE RAILROADS

Mr. JENNER. Mr. President, last Saturday, when this body had under consideration the social security amendments of 1958, the senior Senator from Oregon sent to the desk, as an amendment to that proposed legislation, S. 1313, which would amend the Railroad Retirement Act, the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act so as to provide increases in benefits and for other purposes. At that time he made certain comments regarding the history of S. 1313 and what he referred to as the "subsidy" or "handout" granted the railroads under the recently enacted legislation commonly referred to as the Smathers bill. I shall address myself to those comments.

The senior Senator from Oregon indicated in his statement that the Senate should vote on S. 1313 because in 1956 Congress had passed legislation which had to do with railroad retirement but had failed to provide funds to take care of the deficit in the railroad retirement fund which resulted from the passage of that legislation, that it was understood that at the next session of Congress legislation would be passed which would take care of that deficit, and to carry out that obligation the Senate should now consider the pending measure S. 1313.

It is true that in 1956 Congress passed legislation which granted a 10-percent increase in the annuities provided for under the railroad retirement system. No increased taxes to pay the cost of those benefits were provided in that bill. The railroads opposed the increased benefits in 1956. Notwithstanding this opposition, representatives of the railroad industry appeared in hearings on S. 1313 before the Railroad Retirement Subcommittee of the Senate Labor Committee in the spring of 1957 and stated that in the event the standard railway labor organizations had sponsored a bill in the 85th Congress only for the purpose of paying the cost of the 10 percent increased benefits the carriers would not have opposed such a proposal. In other words, if all S. 1313 had done was to pay off the deficit resulting from the 1956 legislation, the railroads would never have appeared regarding the bill. However, S. 1313 in the form introduced and also in the form reported by the Senate Committee on Labor and Public Welfare is a far cry from a bill aimed at merely financing the 10-percent increase in benefits provided for 2 years ago. With respect to the railroad retirement system the bill would provide a 10-percent increase in retirement benefits over and above the 10 percent granted in 1956; it would provide an increase in the taxable compensation base from $350 to $400 a month and an increase in the rate of tax from 6¼ percent to 9 percent each for employees and employers and thus raise retirement taxes paid by the railroads by more than $175 million a year.

In regard to the unemployment system S. 1313 would provide increased and extended unemployment and sickness benefits for railroad employees; it would fix the practical minimum weekly benefit at a level above the maximum weekly benefit under all but a very few State unemployment systems; it would permit individual beneficiaries to draw several thousand dollars in benefits for one period of unemployment; it would increase the tax base; and it would increase the tax rate paid by the railroads to support the unemployment system, thereby increasing the railroads' unemployment taxes by about $85 million a year more than they are now paying. It may be that there is some obligation on this body to consider legislation aimed at paying for the costs of the 1956 amendments to the railroad retirement system, but there certainly is no obligation to consider with favor the drastic and sweeping changes in the railroad retirement and unemployment systems contained in S. 1313 in the form reported by the Labor Committee.

The senior Senator from Oregon states that he does not propose to oppose the program set forth in S. 1313 on the basis that railroad workers and retired railroad employees should subsidize the carriers on the ground that the carriers now claim they cannot afford a fair retirement system. There is, of course, a considerable difference of opinion as to what constitutes a fair retirement system for railroad employees. As everyone knows, the benefits available to railroad workers under existing law are much more generous than those available to the worker under the present social-security system and will continue to be much more generous even if the social security amendments which we considered last week become law. However, the important point, it seems to me, is that the senior Senator from Oregon is willing to impose additional payroll taxes against the railroad industry regardless of their effect on that industry. He appears to be of the view that the only fact worth being considered is what is a fair system for a particular group of employees and once having determined that fact the system should be placed in effect without any consideration being given to the impact on the employers of such employees.

Every Member of the Senate is well aware of the very critical financial situation in which the railroads now find themselves. Extended hearings were held early this year on the legislation which has now become the Transportation Act of 1958, at which time the railroads clearly showed that they needed help and they needed it quickly. The railroads' position has not improved in the interim between those hearings and the present. As a matter of fact, it has steadily declined. In the first 5 months of 1958, 42 railroads were operating in a deficit. During that same period the net income of the class I railroads was only $72 million. Additionally, operating costs are steadily increasing and traffic is continuing to decline. Railroad employment in May 1958 was about 180,000 less than it was in May 1957.

The last serious freight car shortage in this country is that which occurred in the fall of 1956. Serviceable ownership of freight cars is now 20,000 less than it was at that time and such ownership recently has been decreasing at the rate of 10,000 cars a month. Because of the decline in earnings of the carriers they have been unable to maintain their car fleet, and accordingly there are about 140,000 freight cars out of service awaiting repairs. Further, lack of money prevents them from purchasing new cars. The imposition of increased payroll taxes, such as are provided for in S. 1313, would deprive the carriers of funds already badly needed for maintenance of existing equipment and purchase of new equipment all in the best interests of the national transportation system and at a time when the national defense potential of the railroads is already a matter of concern.

The senior Senator from Oregon states that if the railroads, in order to supply the people of the country with continuing transportation which is essential to national defense, need a further subsidy along the lines of the Smathers bill he would vote for it. The Smathers bill, of course, provides no subsidy or handouts as they were referred to in the Senator's statement, and no one can point to anything in the legislation which even smacks of a subsidy or handout.

As I understand the senior Senator from Oregon, his position is that increased benefits should be granted the railroad employees even though the cost of such benefits will thereafter prevent the railroads from buying new cars and maintaining their present fleet, and then if it develops that the railroads are inadequately equipped to take care of the defense needs of the Nation a subsidy should be provided. I am unalterably opposed to such a proposition, and I am certain that the majority of the House and Senate are likewise opposed. The railroads of this country have never asked for subsidization and I cannot believe that railroad employees would favor subsidies. Subsidizing the railroad industry is outright socialism and could only lead to nationalization of not only the railroads but of the entire transportation system of this country. We have all seen the disastrous results when the transportation systems of other countries have been nationalized. Certainly the railroad industry would not favor nationalization and the railroad employees would not desire to give up their right to collective bargaining, a right that almost certainly would be lost to them under Federal operation of the carriers.

It is obvious that the railroads do not have the money to pay for the costs of S. 1313. It does not appear in the foreseeable future that they will have funds to pay those costs. It seems to me that it is far more in the best interests of the Nation's economy and of the national defense to give the railroads an opportunity to use such funds as are available to provide themselves with a car supply capable of meeting the needs of this country than it is to deprive them of such funds and in fact bankrupt a number of lines in order to provide additional retirement and unemployment benefits to a group of employees whose benefits are already substantially more liberal than those granted to workers in industries other than the railroads.

MINERALS STABILIZATION LEGISLATION

Mr. BIBLE. Mr. President, today is a black day for the domestic mining industry of America. By a vote of 182 to 159, the House has defeated the minerals stabilization bill, washing—at least for a year—any hopes the faltering mining industry might have held out for a Congressional lifeline.

The bill that was defeated by the House today was certainly not a cure-all for all the ills besetting our mining industry, Mr. President. In fact, it fell far short of the aims many of us had hoped to achieve in the face of great obstacles. The bill was designed to assist domestic mining by establishing a

long-range purchase program for copper, lead, zinc, acid-grade fluorspar and tungsten, as well as promoting mining and development research for beryl, chromite and columbium-tantalum from domestic mines.

While I would prefer to see legislation enacted that would call for proper protective tariff guaranties to domestic mining to meet the unfair and indiscriminate importation of foreign metals, it was felt that this measure might provide at least a semblance of relief for a distressed and near-mordant segment of our economy. Under this bill, there was the possibility that we could have salvaged something—that perhaps some mines, now closed, might have been able to reopen and prevent our country from being barren of mineral production.

I am tremendously disappointed at the House action, Mr. President, not only because of the blow that has been dealt to our own mining industry but by its implication that some House Members have a greater concern for the mining world overseas than they do for our own producers.

AUTHORIZATION TO COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO FILE REPORT DURING ADJOURNMENT

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the Committee on Post Office and Civil Service be permitted to file, during the adjournment of the Senate, a report of its activities during the 85th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL EXECUTIVE REPORTS OF A COMMITTEE

The following additional executive reports of a committee were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Howard W. Babcock, of Nevada, to be United States attorney for the district of Nevada, vice Franklin P. Rittenhouse; and

Russell R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia.

INCREASED DIVERSION OF WATER FROM LAKE MICHIGAN INTO ILLINOIS WATERWAY—AMENDMENTS

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, which were ordered to lie on the table, and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MUTUAL SECURITY APPROPRIATION BILL

Mr. BRIDGES (for himself and Mr. WILLIAMS) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 13192, an act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, the following amendment, namely, page 7, line 21, add the following new section:

"SEC. 109. The Congress hereby requests the President, from time to time during the fiscal year ending June 30, 1959, to review the expenditures programed by the executive branch for such fiscal year and to issue such directives to the Director of the Bureau of the Budget and other officials in the executive branch of the Government as may be necessary to achieve the maximum reduction in the expenditures of the executive branch during such fiscal year consistent with the objectives of maintaining essential Government services, providing adequately for the common defense, and fostering a healthy national economy; all with a view toward achieving an aggregate, of at least 2 percent on defense appropriations and at least 4 percent on other appropriations but not more than 10 percent on any one item, reduction in the expenditures programed by the executive branch as of July 1, 1958, for the fiscal year ending June 30, 1959. Nothing in this section shall be deemed to authorize executive action to decrease expenditures for interest on the public debt, veterans compensation, or pensions, Federal, and State cooperative benefit programs and expenditures from trust funds. A report of action taken under this chapter shall be contained in the 1960 budget."

Mr. BRIDGES (for himself and Mr. WILLIAMS) also submitted an amendment, intended to be proposed by them, jointly, to House bill 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 21, 1958, he presented to the President of the United States the following enrolled bills:

S. 540. An act for the relief of the board of national mission of the Presbyterian Church in the United States of America;

S. 552. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.;

S. 571. An act for the relief of George P. E. Caesar, Jr.;

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 2001. An act for the relief of Alalu Duncan Dillard;

S. 2057. An act for the relief of Diana Elaine Greig;

S. 2216. An act for the relief of John C. Walsh;

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes;

S. 2888. An act to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans;

S. 2955. An act for the relief of Kazuko Young;

S. 3004. An act for the relief of Joanna Strutynska;

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3219. An act for the relief of Mrs. Margaret Graham Bonnalie;

S. 3221. An act for the relief of Erika Margaretha Zintl Pearce;

S. 3300. An act for the relief of Jean Andre Paris;

S. 3308. An act for the relief of Itzhak Aronovici;

S. 3357. An act for the relief of Arturo Ernesto Audrain y Campos;

S. 3445. An act for the relief of Teruko K. Jackson;

S. 3448. An act to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes;

S. 3502. An act to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes;

S. 3509. An act for the relief of Wong Wing Boa;

S. 3547. An act for the relief of Andrejs Pablo Mierkalns;

S. 3607. An act for the relief of Harvey L. Forden;

S. 3640. An act for the relief of Daniel (Nathaniel) Rosenzweig;

S. 3739. An act for the relief of Hermine Elmon Papazian;

S. 3743. An act for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano);

S. 3768. An act for the relief of Hing Man Chau;

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3789. An act for the relief of Donald J. Marion;

S. 3801. An act for the relief of Klara Leitner and her daughter, Sylvia Leitner;

S. 3826. An act for the relief of Concettina Iannacchino;

S. 3921. An act for the relief of Peter Tilliner;

S. 3966. An act to amend Public Law 85-422;

S. 4020. An act for the relief of Kunio Inouye (Sparkman);

S. 4021. An act to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas;

S. 4053. An act to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes;

S. 4071. An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities;

S. 4081. An act for the relief of Marianne (Sachiko) Fuller;

S. 4167. An act to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization;

S. 4196. An act to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents; and

S. 4378. An act to provide for cooperation with the European Atomic Energy Commission.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, if no Senator desires to address the Senate, or ask any questions, I move that the Senate stand in adjournment until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 49 minutes p. m.) the Senate adjourned until tomorrow, Friday, August 22, 1958, at 9:30 a. m.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 21, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

I Chronicles 22: 12: *Only may the Lord give you wisdom and understanding.*

Almighty God, as we again assemble to confer and consult with one another, may we have a clear vision of Thy will and a deep concern for the good of all mankind.

We pray that in our plans and purposes we may give evidence that we are partners rather than partisans.

Grant that we may never try to escape the imperatives of our own personal responsibility as we face the crucial issues of our time.

Inspire us to affirm and apply those principles of justice and righteousness which must be paramount in all our longings and labors to build the temple of world peace.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate has passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

H. R. 3571. An act for the relief of Boris F. Navratil;

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes;

H. R. 9817. An act relating to venue in tax refund suits by corporations;

H. R. 9950. An act for the relief of D. A. Whitaker and others;

H. R. 10473. An act for the relief of Hipolito C. DeBaca;

H. R. 10559. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes; and

H. J. Res. 678. Joint resolution to facilitate the admission into the United States of certain aliens.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3287. An act for the relief of Vivian D. Giesey;

S. 4109. An act for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; and

S. 4113. An act for the relief of Harold Pangelinian.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 469) entitled "An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. MONRONEY, Mr. BIBLE, Mr. SCHOEPPEL, and Mr. BUTLER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7710) entitled "An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON of South Carolina, Mr. NEUBERGER, Mr. YARBOROUGH, Mr. MARTIN of Iowa, and Mr. MORTON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12858) entitled "An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to Senate amendment No. 12 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 2, 7, 14, 15, 22, 24, 42, 50, 58, and 113.

The message also announced that the Senate recedes from its amendment No. 23.

The message further announced that the Senate disagrees to the House amendment to Senate amendment No. 36, further insists on its amendments Nos. 36 and 114, asks a further conference with the House on the disagreeing votes of the two Houses thereon, and reappoints as conferees on the amendments in disagreement, Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. ANDERSON, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, and Mr. KNOWLAND.

The message further announced that the Senator from Iowa [Mr. MARTIN] had been appointed a conferee on the bill (S. 25) entitled "An act relating to effective dates of increases in compensation granted to wage board employees" in place of the Senator from Kansas [Mr. CARLSON], excused.

SUPPLEMENTAL APPROPRIATION BILL, 1959

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, insist on the House amendment to Senate amendment No. 36, insist on its disagreement to Senate amendment No. 114, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CANNON, THOMAS, ROONEY, GARY, TABER, FORD, and BOW.

CALL OF THE HOUSE

Mr. YATES. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 186]

Ashley	George	Miller, N. Y.
Avery	Glenn	Minshall
Bailey	Gordon	Mitchell
Barden	Gwinn	Morrison
Baumhart	Hale	Norrell
Beamer	Harrison, Nebr.	Pilcher
Bentley	Haskell	Powell
Blitch	Hébert	Preston
Boykin	Herlong	Prouty
Brooks, La.	Hill	Radwan
Brownson	Hillings	Rivers
Buckley	Hoffman	Roosevelt
Burdick	Hosmer	Scherer
Christopher	James	Schwengel
Clevenger	Jenkins	Scott, Pa.
Coffin	Jensen	Sheehan
Colmer	Johnson	Shuford
Coudert	Jones, Mo.	Simpson, Pa.
Curtis, Mass.	Kearney	Spence
Dies	Kilburn	Taylor
Diggs	LeCompte	Teague, Tex.
Doyle	McCarthy	Thompson, La.
Durham	McCormack	Vanik
Eberharter	McCulloch	Williams, N. Y.
Elliott	McIntire	Winstead
Engle	Macdonald	Young
Farbstein	Mason	Zelenko
Frelinghuysen	Metcalf	
Friedel	Miller, Calif.	

The SPEAKER. On this rollcall 333 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RETIREMENT, CLERICAL ASSISTANTS, AND FREE MAILING PRIVILIGES FOR FORMER PRESIDENTS OF THE UNITED STATES

Mr. MURRAY. Mr. Speaker, I call up the conference report on the bill (S. 607) an act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2657)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1 and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows:

Restore the matter proposed to be stricken out by the House amendment with the following changes:

Page 1, line 9, of the Senate engrossed bill, strike out all matter following the word "President" down to but not including the period in line 11, and insert in lieu thereof the words "an office staff".

Page 2, line 4, of the Senate engrossed bill, strike out all matter following the word "exceed" down to and including the period in line 10, and insert in lieu thereof "$50,000 per annum. The rate of compensation payable to any such person shall not exceed the maximum aggregate rate of compensation payable to any individual employed in the office of a Senator. Each individual appointed under this subsection to a position on the office staff of a former President shall be held and considered to be an employee of the Government of the United States for the purposes of the Civil Service Retirement Act, the Federal Employees' Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954.".

Page 2, line 14, of the Senate engrossed bill, strike out the words "located in a Federal building".

And the House agree to the same.

Amendments numbered 3, 4, 5, and 6: That the House recede from its amendments numbered 3, 4, 5, and 6.

Amendment to the title: That the House recede from its amendment to the title of the bill.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

OLIN D. JOHNSTON,
MIKE MONRONEY,
DICK NEUBERGER,
FRANK CARLSON,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This is a technical amendment which designates subsection (a) of the bill. The Senate recedes.

Amendment No. 2: The House amendment struck out subsections (b), (c), and (d) of the Senate bill which contained provisions as follows:

Subsection (b) of the Senate bill provided an office staff (administrative assistant, secretary, and other secretarial and clerical assistants) for each former President with rates of basic compensation fixed by the former President at rates which in the aggregate would not exceed the aggregate amount prescribed by law for the basic compensation of the administrative assitant, secretary, and other secretarial and clerical assistants authorized for a Senator from the least populous State of the Union, with additional compensation at the rates provided by law for employees in the offices of Senators.

Subsection (c) of the Senate bill required that the Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped located in a Federal building at a place within the United States to be designated by the former President.

Subsection (d) of the Senate bill provided for the conveyance free of postage within the United States, its Territories and possessions, of all mail matter sent by any former President under his written autograph signature.

The committee of conference recommends that the Senate recede from its disagreement to House amendment No. 2 and agree to the same with an amendment which restores the matter proposed to be stricken from the Senate engrossed bill by House amendment No. 2 (that is, subsections (b), (c), and (d) discussed above) with the changes described below and that the House agree to the same.

The changes are as follows:

First, the new subsection (b) as agreed to in conference, relating to the office staff of a former President, eliminates language which sets forth specifically the different types of employees comprising the office staff and, in lieu of such specific language, makes general reference to an office staff.

Second, the new subsection (b) as agreed to in conference, relating to the office staff of a former President, eliminates language which provides that the aggregate basic compensation of such office staff members shall not exceed the aggregate basic compensation of the office staff employees of a Senator from the least populous State and that such office staff members also shall receive additional compensation at rates provided by law for employees in offices of Senators, and, in lieu of such language, requires that the aggregate basic compensation of such office staff employees of former Presidents shall not exceed $50,000 per annum.

Third, the new subsection (b) as agreed to in conference adds a provision (not contained in the Senate bill) to the effect that the rate of compensation payable to any individual member of the office staff of a former President shall not exceed the maximum aggregate rate payable to any individual employed in the office of a Senator.

Fourth, the new subsection (b) as agreed to in conference adds a provision the purpose of which is to make it clear that the members of the office staffs of former Presidents will be entitled to the benefits of the Civil Service Retirement Act, the Federal Employees' Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954.

Fifth, the new subsection (c) as agreed to in conference, relating to office space for former Presidents, eliminates the restriction contained in the Senate bill requiring that such office space be located in a Federal building.

Amendment No. 4: Subsection (e) of the Senate bill provided for a pension of $10,000 a year to the widow of a former President if the widow shall waive the right to any pension or annuity under any other act of Congress. House amendment No. 4 eliminated this waiver provision. Subsection (e) of the bill as agreed to in conference restores this waiver provision and, therefore, is the same as subsection (e) of the Senate bill. The House recedes.

Amendments Nos. 3, 5, and 6: These amendments, which redesignated certain subsections of the bill and repealed certain existing law, were technical and clarifying amendments intended to carry out the purposes of House amendments Nos. 2 and 4. Amendments 3, 5, and 6 are eliminated from the bill as agreed to in conference as unnecessary in the light of the conference agreement with respect to amendments Nos. 2 and 4. The House recedes.

Amendment to the title: In order that the title of the bill might reflect the purpose and effect of House amendment No. 2, the House version amended the title of the bill so as to read: "An act to provide retirement benefits to former Presidents of the United States and their widows." The House amendment to the title is eliminated from the bill as agreed to in conference as unnecessary in the light of the conference agreement with respect to amendment No. 2. The House recedes.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

Mr. MURRAY. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the conference agreement on S. 607 represents a fair, reasonable, and highly desirable compromise of the matters at issue in the disagreeing votes of the two Houses on this legislation.

As passed by the Senate, this legislation provided for each former President, first, a $25,000 annual monetary allowance; second, a staff comprising an administrative assistant, a secretary, and other secretarial and clerical assistance, selected by the former President and paid at rates which in the aggregate could not exceed the aggregate amount provided by law for the staff of the office of a Senator from the least populous State; third, office space located in a Federal building at such place in the United States as the former President shall specify; and, fourth, free postage for mail sent by the former President under his written autographed signature. In addition, the Senate bill would authorize a $10,000 annuity for each widow of a former President if such widow waived all right to any other annuity or pension under any act of Congress.

The House on July 30 passed this legislation with an amendment striking out the provisions in the Senate bill for, first, staff assistants for former Presidents; second, office space for former Presidents; and, third, the franking privilege for former Presidents. This left

only the provisions for the $25,000 annual monetary allowance for each former President—which is subject to taxation—and the $10,000 annuity for each widow of a former President.

The staff provision of the Senate-passed bill, as was pointed out in the House debate on this legislation, could have involved salaries aggregating as much as $120,000 for each former President, depending on the individual salaries paid each staff member. The average amount of the aggregate staff salaries in the offices of Senators from the least populous State presently is approximately $100,000.

The conference agreement eliminates language in the Senate bill which specified the types of staff employees of former Presidents and which authorized such staff employees aggregate compensation equaling that of the office of a Senator from the least populous State. In lieu thereof, the agreement authorizes an office staff for each former President and limits the aggregate compensation of such staff to a maximum of $50,000 per annum. In other words, the staff allowance authorized in the Senate bill has been reduced by one-half in the conference agreement, which certainly is a fair and reasonable adjustment.

The conference agreement also includes a House Post Office and Civil Service Committee amendment limiting the top salary of any member of the staff of a former President to the maximum compensation payable to any individual employed in the office of a Senator.

The conference agreement clarifies an ambiguity of the Senate-passed bill—which did not specify whether or not the staff assistants provided for in that bill would be considered as Federal employees for certain purposes—by the insertion of language making clear that the office staffs of former Presidents will be eligible for coverage of the Civil Service Retirement Act, the Federal Employees' Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954. This language in the conference agreement is highly desirable to clarify the law and facilitate its administration with respect to the office staffs, particularly in cases of staff personnel who have previous service covered by the acts I have mentioned.

The conference agreement restores the provision for office space, but eliminates unduly restrictive Senate language relating to space in Federal buildings. The Administrator of General Services, under this agreement, will have the necessary measure of administrative latitude in order to carry out his responsibilities for quarters for regular Government activities as well as office space for former Presidents.

The conference agreement includes the original Senate provision for a $10,000 annuity to each widow of a former President if the widow waives the right to any pension or annuity under any other act of Congress. The purpose of both the House and Senate language is identical in respect to the $10,000 annuity being the only benefit for which such widows are eligible. The Senate waiver language was adopted in the conference agreement since it will be more effective than the House language as a permanent limitation on these annuities.

Mr. Speaker, this legislation has been before the Congress, in substantially the same form, for well over 3 years. It has received very careful and extended consideration in the Post Office and Civil Service Committees of both Houses, and has passed the Senate by large majorities on two occasions. The Senate agreed to the conference report the day following the conference, with strong bipartisan support. The ranking minority member of the Senate Post Office and Civil Service Committee stated that this legislation should have been enacted years ago and that he was pleased the legislation was before the Senate for final consideration.

Mr. Speaker, this conference agreement is a fair compromise of the differences between the two Houses. It will provide very moderate and reasonable annuities for former Presidents of the United States and the means for them to carry out the many duties and responsibilities which continue to be theirs after they leave the highest office in the Nation. I hope that we will have the same bipartisan approach that has been evidenced in the other body and that this House will approve the conference agreement.

Today the President of the United States is virtually the only officer of the Federal Government who is not covered by some kind of retirement program. He occupies the greatest office in the world. His duties are most trying and exacting. A former President is considered a dedicated statesman, available whenever desired for service to our country. The interest of the American people in the President does not cease when his term of office has ended, nor does his responsibility end when he retires. The public demands for speeches, conferences, and correspondence continue after his term of office ends.

The distinguished Speaker of the House, the majority leader and the minority leader, all three, appeared before our committee in behalf of this legislation.

I am sure that the House today will agree to this conference report. The Senate agreed to it with practically no debate. There were only two who discussed the conference report, the chairman of the Senate Committee on Post Office and Civil Service, Mr. JOHNSTON of South Carolina and also the ranking minority member of the committee, Mr. CARLSON, of Kansas. There was not a dissenting voice raised against this legislation in the other body. I feel that this House should agree to the conference report because it is only just and right that we extend this deserving consideration to our former Presidents.

Our Federal judges today retire on full salary. The members of the Supreme Court when they retire receive $35,000 per year, which is $10,000 a year more than this bill provides for a former President. Five-star generals retire on full pay with a very good staff.

Mr. CRETELLA. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Connecticut.

Mr. CRETELLA. The gentleman from Tennessee indicated in his remarks that the majority leader, the Speaker of the House and the minority leader appeared in behalf of this legislation.

Mr. MURRAY. That is correct.

Mr. CRETELLA. Is it not a fact that when those gentlemen appeared before the committee the only legislation that we had to consider at that time was that of a pension allowance of $25,000 a year, that all the other fringe benefits that have been added to this bill were added later? At the time those gentlemen appeared there was no reference to franking privileges, there was no reference to staffs, and no reference made to allowance for office space; is that correct?

Mr. MURRAY. I must disagree with my friend from Connecticut. Those provisions affecting the office staff and the franking privilege were in the bill when our Speaker, our majority leader and minority leader appeared before our committee last March.

I may say also that the charge is made that this is a bill in which only one ex-President is interested, ex-President Truman. We have never heard anything from Mr. Truman about this legislation, but I have a statement which appeared in the Boston Daily Globe of Boston, Mass., of Thursday, August 7, 1958, headed "Hoover Favors Pensions for Ex-Presidents."

This is dated San Francisco, Calif., August 6, 1958, and is an Associated Press statement:

Herbert Hoover declared today a pension ought to be given to former Presidents "and it ought to be accepted."

A man of independent wealth himself, the former President told why he favors a bill now before Congress to award a $25,000 annual pension.

"In recent years," observed Hoover, "former Presidents have had to take on a lot of public duties. They are semipublic servants."

Mr. Hoover further said:

"These days all judges retire with pensions. Generals retire with pensions.

"About the only person who doesn't now have a pension is a former President.

"I presume Mr. Truman and I both must write 4,000 to 5,000 letters a month—all these things are kind of a public duty."

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I would just like to say to my distinguished chairman that I have no objection to pensions for Presidents or pensions for the widows of Presidents. But, I do have great doubt as to the merits of setting up a staff, with unlimited franking privileges, because I do not believe it is necessary. And, it is on that basis that if there is a rollcall on this conference report, I shall vote against it, not because I have any objections to giving Presidents or widows of Presidents pensions.

Mr. MURRAY. Does the gentleman realize the voluminous amount of mail and the tremendous amount of letters received and written by ex-Presidents? As former President Hoover said, he gets from 4,000 to 5,000 pieces of mail a

month right now. And, would you expect the ex-President, out of this $25,000, to pay for all of that stenographic assistance and clerical assistance?

Mr. CEDERBERG. I have no objection if you give limited franking privileges, but it is my understanding that this is unlimited as it came back in this conference report.

Mr. MURRAY. That is correct. And should be unlimited.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Iowa, who is also opposed to this legislation.

Mr. GROSS. Did former President Hoover endorse all of the frosting that you put on the cake?

Mr. MURRAY. I am reading the statement that appeared in the Boston Globe.

Mr. GROSS. Does he endorse all the fringe benefits that you put in this bill over in the Senate; all the frosting you put on the cake?

Mr. MURRAY. All I know is what this article states.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Minnesota.

Mr. JUDD. On the matter of office space for former Presidents, the conference report says that it does not need to be in a Federal building. Is there any limitation on the amount of rental to be paid for such office space if in a private building?

Mr. MURRAY. Not at all. I am sure it will be obtained in a Federal building. At the present time former President Truman has office space in the Truman Library, which belongs to the Federal Government.

Now, this legislation has been pending before our committee for over 3 years. I do hope that the Members will back up the committee, will approve the conference report, and get through with this legislation. We have had hearing after hearing on it. We thoroughly considered it, and this conference report is a compromise, and it is fair and it is just and reasonable.

I now yield to our beloved Speaker, the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I am distressed that as much heat has been generated about a piece of legislation as has been displayed here today. I doubt if I would ever be more disappointed in the House of Representatives than I would today if you turned down this proposition. After discussing it with the majority leader and the minority leader, it is true that each of us went before the Committee on Post Office and Civil Service and endorsed this proposition. And, we endorse it today. I am certain that I speak for the gentleman from Massachusetts [Mr. MARTIN], when I say that he is for the adoption of this conference report.

Mr. MURRAY. I thank the Speaker.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the distinguished minority leader.

Mr. MARTIN. Mr. Speaker, let me say to the distinguished Speaker that I favor the adoption of the conference report because I believe it is necessary to accept the report to have legislation that I believe is just and desirable. I believe all Government employees are entitled to a pension, regardless of their offices.

It has been my experience to know personally 8 Presidents of the United States, 4 of them rather intimately. I know the tremendous burden that is thrust upon their shoulders in this high office. I know the very exacting demands of the office. I think any man who has served as President of the United States, no matter what his political faith, is entitled to be assured of a retirement revenue at the close of his service.

Mr. Speaker, reference has been made to Mr. Hoover. Mr. Hoover does not need this pension. He does not need any of the emoluments that go with the legislation. He is big enough to appreciate and say that there may be men coming along who will need this. We should not force them to write and lecture to gain a livelihood in their final days. I do not believe that we should be niggardly. We must not make it so that only men of great wealth can serve as President.

Some of the opposition has been based on the fear it will be misused. I have differed violently on many occasions with Mr. Truman, and I rather anticipate I shall continue to differ with him. Regardless of that fact the issue must not be determined by prejudice but with justice. Mr. Truman did serve his country in a time when few men would have liked to be President of the United States, with full knowledge of what they had to go through. He did make some notable contributions to our welfare. I think he deserves the annuity as a matter of justice, and I think it is desirable to give him clerical assistance that he may effectively do his work. A man who serves a long period never ends his public service. We must have some confidence in the men who served as President, and I believe none of these grants will be used unfairly.

I believe that we here in America want to avail ourselves of the services of our ex-Presidents as much as possible. They have attained a vast amount of wisdom that can be beneficial to this country. We want all the knowledge and wisdom possible to bring our country through the crisis of the future. I should like to see this conference report approved by an overwhelming vote. We have already recorded ourselves upon this measure in one instance. I hope that this watered-down conference report will be adopted.

Mr. MURRAY. Mr. Speaker, I yield further to the distinguished Speaker.

Mr. RAYBURN. Mr. Speaker, I expected that the gentleman from Massachusetts [Mr. MARTIN] would make that kind of a statement. There has been a great deal of talk about Mr. Truman's book. Mr. Truman had no staff. He had to hire everyone who worked for him. He had to buy every piece of paper and every stamp. He had to pay travel expenses of everybody who worked with him on his book. He did not get the benefit of the capital gains provision. He came out of it with the paltry net sum of $27,500 for the labor and the expense he went to to get that book published.

As the gentleman from Massachusetts has so well said, the President of the United States does not have any chance to pay into a retirement fund. We do. I think the most comforting thing that has ever been done for the Members of the House of Representatives and the Senate of the United States was when we passed a bill toward retiring ourselves and put ourselves under the same law as the rural carriers and the post office clerks. I think we could do nothing that would show we are bigger and better than to pass this bill at this time.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Indiana.

Mr. HALLECK. I have felt for a long time that legislation along this line was overdue. I think any of us who have had experience around here know, and I certainly have had opportunity in my much lesser capacity to know, that when you attain a position of some prominence in public life so many responsibilities and obligations follow you even when you no longer hold that official position. Certainly that would be ample reason for some reasonable arrangement for providing the quarters and the services and the mailing privileges.

I know many have thought that some of the suggestions have gone too far. There could be a difference of opinion about that. Personally, I cannot conceive of any man who has been President of the United States knowingly violating the privilege as far as the mailing is concerned. Of course, that is a matter that would constantly be within the action of the Congress to deal with.

One other thing I might say: I know that at the moment much of the attention in respect to this measure might be focused on one individual.

Wholly apart from any consideration of Mr. Truman, this legislation is for the years to come. I do not know what the financial situation of our present great President is but, as far as I am concerned, I look at this legislation as something that might one day be of very much help to him. Certainly I am not going to express any doubt or any question about what I am sure his conduct in future years will be.

I hope this conference report is adopted.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Kentucky.

Mr. CHELF. Any man that is big enough to be President of the United States will certainly, I am sure, be honest and careful with the use of the frank if we entrust it to him. There is no man in my book, in my time, certainly, who has had the responsibility that Harry Truman has had, and I say that as a Democrat who on occasion has differed with Mr. Truman. He took his duties seriously—he studied each major question before him—and once he made up his mind—he did not vacillate, oscillate, deviate, or hesitate. He acted promptly. He acted to save Turkey from communism. He acted when Korea was invaded. As a result of his decision to drop the atomic bomb in World War II there are tens of thousands of our boys alive and happy today. That took courage—every decision that he made demanded raw courage—intellect and a deep sense of duty to America and the world. History will call him the Andrew Jackson of his time.

Mr. MURRAY. I guess I have differed with him more than the gentleman has.

Mr. CHELF. But when you hang it all out on the clothes line; any man who is big enough to be President of the United States is big enough to carefully, conscientiously, and judiciously use the franking privilege placed in his care and custody. Likewise he will be most concerned about any needless expense on the taxpayers. I know that no former President would abuse any privilege accorded to him by the people through their representatives. I commend the gentleman from Tennessee. He seeks to legislate on principles and fairness and not on prejudice. The conferees and the committee have done a fine job. It is L. P. D.—long past due.

Mr. MURRAY. Let me say this in conclusion: Just remember that this $25,000 allowance to ex-Presidents is taxable, and the way taxes are today, that would take a sizable amount out of it.

So let us approve this conference report, as the other body has.

Mr. Speaker, I yield 8 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, no good baseball player walks back to the dugout because he happens to have two strikes on him. I say that with the greatest respect for the distinguished Speaker, the distinguished minority leader, and the chairman of my committee.

Mr. Speaker, I rise in opposition to the conference report on S. 607.

This conference report on the proposal to institutionalize and subsidize the nonexistent office of former President reveals serious confusion as to the difference between compromise and capitulation.

The mandate given to the House conferees through the amendments to S. 607 adopted by the House July 30 was to compromise the proposed combined pension, office staff allowance, office space and franking privilege provisions of the original bill on the basis of simply a pension for former Presidents and their widows.

I hold that this was a genuine compromise between those who opposed all of the provisions of S. 607 and those who favored everything called for in that bill.

Instead of holding firm for this real compromise, the conferees have come back with what I can only describe as a surrender document. Let us see just what is in this conference report.

In the first place, what has come back to the House is approval and adoption by a majority of the conferees of every single basic feature and provision of the original bill—pension, office staff allowance, office space, and franking privilege.

So far as the basic issue debated and resolved in this House on July 30 is concerned—the basic issue of whether we are going to start the buildup of a bureaucracy around a nonexistent office—there is no compromise or concession whatsoever by the other body.

What is claimed as a compromise, namely the Senate agreement to cut the office staff allowance to a $50,000 maximum, has no bearing on this basic principle which the House had rejected and which is now reestablished.

Does anyone suppose that once the principle of such an office staff for a nonexistent office is accepted—and it is accepted in this conference report—there will be any major difficulty hereafter in raising the ante? Obviously, the dollars amount will subsequently have to be geared to inflation.

The $50,000 reduction in the office staff allowance which the other body so generously consented to is a cheap price indeed for what they bought.

So much for the claim that this is a compromise. Now let us see what the conferees have added to the bill as it went to conference from the House:

First. The conferees have restored unlimited franking privilege in lieu of the $4,000-per-month limitation imposed by the House committee amendment.

Second. The conferees have revised the provision with respect to free office space so that the office space no longer need be in a Federal building. I cannot interpret this as other than carte blanche for General Services Administration to provide such space, if a former President so requests, either by lease or by construction of new office space, with no ceiling on the cost in either event.

Third. The conference report specifically spells out the status of personnel on the office staff of a former President. It provides that they "shall be held and considered to be employees of the Government of the United States for the purpose of the Civil Service Retirement Act, the Federal Employees Compensation Act, and the Federal Employees Group Life Insurance Act of 1954."

I do not know how it would be possible to confirm any more precisely and emphatically my statement in the earlier debate that this is the beginning of the buildup of a bureaucracy around a nonexistent office.

I hope that my colleagues will fully grasp what this involves. It means that for the first time in American history a non-office-holding citizen is to have as his employees and subordinates a permanent official entourage of Federal personnel.

In that connection, I call attention to Mr. Truman's comment to the press on August 6, relative to this pending legislation, to the effect that former Presidents should not receive less consideration in this respect than five-star admirals and generals.

I will pass over the fact that none of the five-star admirals and generals has, to my knowledge, publicly campaigned for these perquisites for themselves.

The important and highly relevant fact, it seems to me, is that the permanent rank of these officers—whether on active or inactive duty is quite incidental—was established by statute either prior to or coincident with the granting of these perquisites.

I am not aware of any corresponding statute conferring the permanent rank of President, or, as Mr. Truman prefers, of Commander in Chief, upon the temporary occupants of the White House.

Finally, Mr. Speaker, I direct the attention of the House to Mr. Truman's tart comment, in the same interview, relative to criticism of the use which might be made of the office staff allowance. Mr. Truman is quoted as saying—and I have reduced the voltage of his remark somewhat—"I would use it anyway I please."

I will merely say of this that in the debate on July 30 I did envision the possibility of some future President taking such an attitude. Obviously, my timing was off so far as my forecast on this score was concerned.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from California.

Mr. GUBSER. I am sure the gentleman has heard a great many allegations both here and in the other body regarding perversion of our Constitution. The gentleman knows that the power of this Government is in the hands of the legislative, executive, and judicial branches. The Constitution says not a single word or even mentions a fourth branch. This legislation will create a fourth one and will be an additional perversion of the spirit of the Constitution.

Mr. JOHANSEN. In my judgment it would be, and particularly in light of the statement of Benjamin Franklin at the time of the Constitutional Convention that it was the good fortune of those who, having served as President in the role of servant, would upon their retiring return to the rank of the rulers.

Mr. MURRAY. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, this is the first time that I have been able to ascertain the real purpose of this legislation, to whom it is directed, who wants it, who needs it. We tried when the bill was previously before the House, to find out for whom this bill was designed, and nobody seemed to want to say. We tried in the committee before that to find out for whom this legislation was necessary. Nobody could tell us.

Today we learn that it is for ex-President Truman, and we saw the interesting spectacle of a couple of Democrats here in the well of the House trying to outtalk each other on the subject of who opposed him the most while he was President. I opposed him, too, but I am not going to get into that competition because I would be outclassed as between those two Democrats.

The gentleman from Tennessee [Mr. MURRAY], chairman of the committee, said this is a compromise. The distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN], says this is a watered-down version of

the House bill. It is neither. It is neither a compromise nor a watered-down version; this is the worst kind of surrender on the part of the House conferees.

The House approved a bill that provided $25,000-a-year pensions for ex-Presidents and $10,000 for widows. It went over to the other body and the conferees loaded it with everything the House turned down. So it is not a compromise; not a watered-down version; it is an abject surrender on the part of the House conferees.

The distinguished Speaker spoke of the pensions for Members of Congress. If I remember correctly, I am making a substantial contribution out of my pay check every month to this pension fund, and I do not recall anything in the pending bill that provides that any former President put up any money of any kind.

Yes; I learn for the first time today that this bill is for the benefit of Harry Truman who recently with his family disposed of some 220 acres of land adjacent to the Grand View (Mo.) Air Base which was conveniently located there when he was President, at a cost of some $30 million. He joined in disposing of 220 acres of farm land that is to be converted into what I understand is to be known as Truman Corners, with a shopping center, and a residential subdivision.

It is interesting to note that Congress, with a deficit of from 10 to 13 billion dollars staring it right in the face; with the Treasury confronted with extreme difficulty in refinancing $120 billion worth of Government securities, is prepared to provide a nice fat pension, a staff, unlimited free mailing privilege, and a plush office for former President Harry S Truman, who also bought in on an oil well deal down in Alabama not long ago.

Mr. Speaker, I do not intend to belabor this issue except to say that if this conference report is approved, I will not be surprised if a campaign is started across the country entitled "Bundles for Ex-Presidents."

Mr. MURRAY. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, some are opposed to this conference report because they say neither of our two living ex-Presidents need this pension and the accompanying perquisites. I believe that to be the fact. I certainly hope that neither of our living ex-Presidents is in need of this particular bill and the benefits under it. Mr. Speaker, that is all the more reason why we should adopt it at this time. Some day it may be that an ex-President will need it. We should do it now, not as a special grant to any particular individual but as a matter of principle for all time. We should do it because it is in keeping with the stature and dignity of the office of the President of the United States. We ought to do it because it is in keeping with our own dignity.

Mr. MURRAY. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, our distinguished Speaker has advised that he is distressed concerning this legislation. I am also distressed. It is with regard to pressure exerted for this measure.

I regret indeed I am not in agreement with the leadership in the House who are in support of this conference report. This legislation comes at a most inopportune time. We are within a few days of adjournment. Even so, this bill seems to be a "must" before the House adjourns.

A few days ago the House considered a Senate bill which provided for $25,000 a year for retirement benefits of former Presidents and $10,000 a year for their widows; also, approximately $100,000 for clerical hire and secretarial work, together with free office space and unlimited use of franked postage.

The House struck out all the benefits except the $25,000 for retirement benefits and $10,000 for widows of former Presidents.

The members of the conference committee, except myself, agreed to the proposal you are considering today. This proposal provides retirement benefits of $25,000 per year for former Presidents and $10,000 per year for their widows; also, $50,000 for clerk hire; also, free office space; also, free use of franked postage. I voted against the proposal and reserved the right to express my opposition to this measure today.

If you vote for this proposal, you approve not only $25,000 a year for former Presidents and $10,000 for their widows, but you add $50,000 a year for clerk hire, making $75,000 a year, and you are going to add, also, the cost of office space and furnishings and unlimited use of franked postage.

Let me repeat, if you believe the House was right only a few days ago, then you will vote against the conference report, but if you vote for the report, you are going to vote for $75,000 for former Presidents, together with free office space and unlimited use of postage.

I think the American people want to be fair with former Presidents, but in view of present conditions and circumstances, I do not believe they favor such examples of expenditure at the present time.

I just cannot go along with this proposal. It will cost a total of almost $100,000 a year. I really do not believe our former Presidents expect us to vote this legislation. Certainly not now. I think I should add with reference to so-called pressures, none of them—for or against the legislation—came from outside of Washington.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that all Members may be granted permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DENNISON. Mr. Speaker, the concept of a pension for ex-Presidents of the United States is one of which I approve. I am disturbed, however, by the fact that the House conferees on S. 607 have departed from that concept and have permitted the inclusion of fringe benefits which were not in the House version as originally passed. I believe this Nation has a responsibility to its greatest public servants, the Presidents of the United States, and I support every move to see that after their service to this country they shall not be in want. However, I am not convinced that it is the responsibility of the American people or the duty of Congress to provide an ex-President or any other retired public servant with benefits beyond an amount equal to reasonable living expenses. Before we extend additional benefits such as an unlimited franking privilege, free office space, and a free staff, serious study should be given to the full implications of such a move.

Mr. GRIFFIN. Mr. Speaker, when this bill was before the House a week or so ago, I voted in favor of the rule which allowed this measure to come on the floor for consideration.

During the course of that debate we wisely adopted an amendment striking out provisions of the bill providing former Presidents with a staff of clerical assistants and the free-mailing privilege. I supported this amendment. We retained in the bill the provision for a $25,000-a-year pension for former Presidents.

I believe that the pension provision is sound and should have been enacted a long time ago. However, I do not believe it would be wise or justified to set up a Federal bureaucracy around the nonexistent office of former President.

The SPEAKER. The question is on the conference report.

Mr. JOHANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken, and the Speaker announced that the yeas had it.

So the conference report was agreed to.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair would hold, in strict compliance with the rules of the House, the gentlemen would be too late, because the Chair had announced his decision that the conference report had been agreed to.

A motion to reconsider was laid on the table.

DEMONSTRATION PLANTS FOR PRODUCTION OF WATER

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, and municipal, and other beneficial consumptive uses, and I ask unanimous consent that the statement on the part of the managers of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2674)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2, 10, 11, 11½, 12, 13, 14, and 16, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows:

In lieu of the language inserted by the House amendment, insert the following: "A decision with respect to the process to be utilized in the first of these five plants shall be made by the Secretary within six months after the date of approval of this joint resolution and decisions with respect to the processes to be utilized in the other plants shall follow at intervals of not more than three months. Each such decision shall be reported promptly to the Congress and the construction of the plants shall proceed as rapidly as is possible."; and the House agree to the same.

That the House recede from its amendments numbered 4, 6, 7, 8, and 9; that the Senate recede from its disagreement to amendment of the House numbered 5; and agree that item (3), subsection (b), section 1, wherein these amendments occur, be further amended so that it reads as follows:

"(3) Such plants shall be located in the following geographical areas with a view to demonstrating optimum utility from the standpoint of reliable operation, maintenance, and economic potential—

"(A) At least one plant which is designed for the conversion of sea water shall be located on the west coast of the United States, at least one such plant shall be located on the east coast thereof, and at least one such plant shall be located on the gulf coast thereof; and

"(B) at least one plant which is designed for the treatment of brackish water shall be located in the area generally described as the Northern Great Plains and at least one such plant shall be located in the arid areas of the Southwest."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 15, and agree to the same with an amendment as follows:

In lieu of the language inserted by the House amendment, insert the following:

"SEC. 6. When appropriations have been made for the construction or operation and maintenance of any demonstration plant under this joint resolution, the Secretary may, in connection with such construction or operation and maintenance, enter into contracts for construction, for materials and supplies, and for miscellaneous services, which contracts may cover such periods of time as he shall consider necessary but under which the liability of the United States shall be contingent upon appropriations being available therefor. Unobligated appropriations heretofore made to carry out the Act of July 3, 1956 (66 Stat. 328), as amended (42 U. S. C. 1951 and following) shall be available for administrative and technical services, including travel expenses and the procurement of the services of experts, consultants, and organizations thereof in accordance with section 15 of the Act of August 2, 1946 (60 Stat. 806), as amended (5 U. S. C. 55a), in connection with carrying out the provisions of this joint resolution."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
JAMES A. HALEY,
A. L. MILLER,
JOHN J. RHODES,
Managers on the Part of the House.

JAMES E. MURRAY,
CLINTON P. ANDERSON,
THOMAS H. KUCHEL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 135) providing for the construction of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The conference committee accepted, for the most part, the amendments of the House to the Senate-passed resolution, and the language agreed upon does not materially change the House-approved legislation. In several instances language of the House amendments was modified. The House amendments and the actions of the conference committee thereon are discussed in the following paragraphs.

The House inserted the word "experimental" in front of the words "demonstration plants" to make it clear that the plants to be constructed would not necessarily represent the ultimate state of perfection in a given process. The conference committee agreed to leave out the word "experimental" on the basis that the term "demonstration plant" is defined in the legislation and that it would not be appropriate to qualify further this definition.

The House added language requiring each plant to demonstrate a different process so that there would be no duplication of plants in the various geographical locations. The conference committee agreed to accept this House language.

A provision in the Senate-passed resolution would have required the Secretary to make decisions within 6 months after enactment on all processes to be demonstrated. The House modified this provision to require the decision on 1 process in 6 months, with the other decisions to follow at intervals of not to exceed 6 months. The conference committee agreed to the House language requiring the selection of the first process in 6 months but modified the language with respect to the other decisions to provide that they follow at intervals of not to exceed 3 months. The conference committee further modified the language to require that the Secretary's decisions be promptly reported to the Congress.

With respect to the geographical location of the sea-water-conversion plants, the Senate placed 1 of the plants on the west coast, 1 on the east or gulf coast, and 1 in the Virgin Islands or some other territory or island area of the United States. The conference committee deleted the Virgin Islands or other island area as a location for one of the sea-water-conversion plants on the basis that authority for construction of a sea-water-conversion plant to meet the immediate need of the Virgin Islands for a supplemental water supply is included in other pending legislation, and adopted language locating the 3 sea-water plants; 1 on the west coast, 1 on the east coast, and 1 on the gulf coast.

With respect to the location of the brackish-water-treatment plants, the Senate located one in the Northern Great Plains area and one in the Southwest. The House deleted this language, leaving the decision with respect to location of these plants to the Secretary of the Interior. The conference committee accepted the Senate language placing 1 plant in the Northern Great Plains area and 1 plant in the Southwest.

The language added by the House to authorize acceptance of financial and other assistance from any State or public agency was accepted by the conference committee.

The Senate resolution included language terminating the program and the authority of the Secretary provided in the legislation 5 years after enactment. The House extended this period to 7 years. The conference committee accepted the House amendment.

The House amendment permitting the Secretary to enter into contracts for construction or for materials and supplies covering more than 1 year and contingent upon the appropriation of funds was accepted by the conference committee with the added provision that funds presently available to the Secretary for the continuing saline-water-research program could be used for administrative and technical services necessary to initiate this program.

Other minor clarifying language added by the House was agreed to by the conference committee.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
JAMES A. HALEY,
A. L. MILLER,
JOHN J. RHODES,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, a question has been raised concerning the effect of the conference committee amendment to section 6 of Senate Joint Resolution 135. Specifically, the question is whether the second sentence of that amendment contains a limitation on expenditure of funds for travel purposes. My answer is that it does not contain such a limitation and was not intended to do so. All that the amendment does is to insure that funds already appropriated for carrying out the saline-water program shall be available for getting this new aspect of the program under way. It is a means of permitting necessary expenses for initial administrative and technical services to be met pending consideration next year of a regularly submitted appropriation request for this work. Travel is sometimes a necessary part of such expenses. It would probably not have been necessary to include specific mention of travel, but it seemed desirable to make our intent 100-percent clear—namely, that there should be no excuse for not getting the program off the ground on even a faint argument that moneys were not available for travel expenses. The amendment does not specify the amount to be available for

this purpose but leaves this to the reasonable judgment of the Secretary of the Interior.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DOMESTIC MINERALS BILL OF 1958

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 4036, with Mr. EVINS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read down to and including line 4 of the bill.

The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 4, strike out "Stabilization".

The committee amendment was agreed to.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, now we are up against a lot of pressure. Pressure has been swelled; thinking people cannot be influenced by pressure. I hope this House will do some thinking on this bill.

I have found out overnight that this copper situation is rolling along and that they are working 6 days a week. Developments have come about in the use of copper in such things as sewage lines, and that sort of thing, because they can handle that stuff to so much better advantage with copper. Copper is something that will last longer than the other metals. So that these people are just rolling at the present time. I suppose that we ought to provide a subsidy for those who are rolling, rather than to try to use our heads and approach this matter from an intelligent standpoint.

Frankly, I cannot go along with any scheme that provides so many varieties of subsidies. The trouble with the whole situation is that if we are going to provide a subsidy for all these things that are provided for in this bill, we are going to have to spread ourselves out. We are going to have to provide subsidies for every single item of consumption in the United States, and we will be completely bankrupt before we get through with that kind of an operation.

Let us show some capacity to stand up and do our legislating on its merits, and try not to do it on the basis of pressure and influence.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. PILLION. I have here a report from the Bureau of Mines dated February 1958, in relation to one metal in this bill; and the other metals are pretty much in the same situation. I am referring to employment in the copper industry. The Bureau of Mines report which is very recent states that in 1955 total employment was 28,900. In 1957 instead of having unemployment, that employment has jumped to 32,400. In most of these metals employment is greater than it was in 1955 which was considered a good year for employment.

Mr. TABER. There is an item on the news ticker out in the lobby which indicates that the Kennecott Copper Co. has gone on a 6-day week, something they did not do during wartime. Let us get together and use our heads. Let us get a little backbone in us and turn this bill down. Let us not make fools of ourselves.

Mr. MATTHEWS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have listened intently to the debate during the past couple of days on this important measure because, believe me, I wanted to accommodate myself to the viewpoint of my friends who are so vitally interested in this problem. I know the problem they have in the mining industry, and I am willing to admit that it is a pressing problem. But I find myself in a situation where if I accommodate myself to the viewpoint of my friends in favor of this particular legislation, I cannot accommodate my conscience.

Down deep in my heart, Mr. Chairman, I believe this is bad legislation. I believe it is bad legislation because it is preferential. It takes one segment of American industry, and granted it is an important segment, and places it in a class entirely by itself.

I do not blame my friends who are so concerned about the plight of the mining industry in their Districts, but what about other segments of the mining industry not covered by this legislation? And what about plywood, in my particular District? What about plywood in the Districts of others here, in other sections of the country?

I told my friends in the plywood industry that for the good of America I must vote for the Reciprocal Trade Agreements Act. I did not have any tacit understanding that my industry would be granted any particular privilege. I told my people I was going to vote for reciprocal trade for the good of America. I was told that my people could go before the Tariff Commission. I was told that if they presented a case they would be granted special benefits and privileges. I was told that the Reciprocal Trade Agreements Act would be so liberalized from the industry's viewpoint that we could look forward to some relief.

Why do we say to those in the plywood industry, "You can go through these regular channels," but we say to those in other segments of American industry, "You have these special benefits and these special privileges"?

What about the pottery industry? The people engaged in that industry are not great scions of wealth. They do not have great lobbying organizations representing them. But they have a case, and they have an important case.

What about the people in the fishing industry? I was at a committee meeting with some of my distinguished colleagues not long ago and we were talking about the plight of the little fishermen in this country. One of the gentlemen present—a fisherman, told us that when he went to the State Department to get relief the State Department told him, "Well, you had just better find some other business to get into."

What I am saying is, I do not doubt that many industries are in great difficulty, but why take one group of industries and treat them on a preferential basis? We might need an entirely new plan to solve the difficulties in which we find ourselves. I know that American industry is more and more being faced with this impossible burden of meeting the needs of their laborers, paying decent wages, and having to compete with foreign imports. But what about taking care of all of our American industry? What about taking care of coal, or, in my particular District, plywood, or tung oil? In my home county at one time tung oil was produced to a greater extent than in any other part of the Union, but because of foreign imports the business is just about put out of existence at the present time. It is a little industry. It needs protection. If it is right to protect one segment of American industry with one particular set of rules, I submit to you in all decency, in the spirit of democracy, in the spirit of answering the question not of who is right but what is right, let us conceive of a plan that is fair and equitable to all of American industry. Let us renounce this costly preferential legislation.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the bill S. 4036 be considered as read and open to amendment at any point.

Mr. CURTIS of Missouri. I object, Mr. Chairman.

Mr. HAYS of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HAYS of Ohio moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. HAYS of Ohio. Mr. Chairman, I do this in the interest of conserving time, because I believe this bill should be killed and I think we ought to do it now, because we have a lot of important things before us if we are going to adjourn any time in the near future.

The House has already turned down the Brannan plan pretty emphatically, and this is nothing more or less than a Brannan plan for metals.

That is exactly what it amounts to. It picks out a certain group of employees only to subsidize. The gentleman from Ohio [Mr. KIRWAN] gave you a list of the unemployed in the categories of metals contained in this bill. I look at his list and his source was the Bureau of Labor Statistics. It shows in this group there is a net unemployment over 1955 of 5,000 miners exactly. This bill carries an appropriation of a half billion dollars. If you divide 5,000 into a half billion dollars, what they are asking the Congress to do is to spend $100,000 per miner to put these fellows back to work. Now that is just the way it figures out. That is pretty expensive putting back to work. At a matter of fact, I would rather vote for a bill to give them all $5,000 apiece and let them stay home because then you could save $450 million for the taxpayers. What is the truth about this? The truth about the bill is that it is a direct subsidy to the mine operators and, as the gentleman from Ohio [Mr. KIRWAN] pointed out on the floor of the House yesterday, an indirect subsidy to those who dabble in mining stocks. That is what you are asking the Congress to do. If there are people here who believe what they say they believe, that the Government is going in the red at a fantastic rate and we ought to stop, this is a good place to stop because if this bill passes, there is a precedent for every industry that has a little recession to come in and get a subsidy. Certainly, if we pass a subsidy for this favored group, you could not in good conscience refuse to give anybody else a subsidy.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. GAVIN. I wonder why the gentleman does not introduce an amendment to include the pottery industry in Ohio, which I understand is having considerable difficulty meeting foreign competition and in which industry there are hundreds of men unemployed.

Mr. HAYS of Ohio. I would introduce it if we had a chance to pass it, but I am a realist and there were not enough of us from the pottery districts for them to need our vote to pass the Reciprocal Trade Agreements Act. So we were not approached. You might just about put it in the category: You are not against bribery in principle except when you are left out of it. And I am just realistic enough to know that they did not need the pottery votes and my amendment would not have a chance of passage. Besides that I am not amenable to bribery.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I am very glad to yield to the gentleman.

Mr. PILLION. I call to the attention of the gentleman from Ohio that the statistics of the Bureau of Mines as of February 1958, indicates that instead of having a net loss of employment, there has actually been a net gain of employment in the mining of these metals of about 3,000 between the years 1955 and 1957, and the only area where there has been an appreciable loss of employment, of course, has been in tungsten which, as the gentleman knows, we have such a tremendous stockpile of it that we do not know what to do with it.

Mr. HAYS of Ohio. I thank the gentleman for his contribution.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, this motion which is offered by the gentleman from Ohio is one of a series of efforts which I am sure will be made this afternoon to either cripple or destroy this legislation on which the House has been working for 2 days. I would like to answer for a moment or two, if I might, several of the arguments that have been advanced on the floor today against this legislation.

In the first place, the gentleman from Florida who spoke so eloquently just a few minutes ago, and who is one of my dear friends in the House, asked the House this question: Why do not these industries have to go to the Tariff Commission? He left the implication with you that the mining industries of America have not gone to the Tariff Commission and sought relief. I am speaking to you here today for 2,600 unemployed lead and zinc miners, and mill and smelter workers in the Second District of Oklahoma, who represent and work in an industry that has twice gone to the Tariff Commission in the last 4 years. In 1954, they went to the Tariff Commission. They made a case. They got a unanimous finding that they were being destroyed by imports and were in need of relief, but they could get no relief.

In 1957, doing what the gentleman from Florida said they ought to do, they went again before the Tariff Commission. Once again they spent long hours and long days making a case before the Tariff Commission. They got a unanimous finding again that they were being destroyed by the unrestricted imports and that they were entitled to relief, but they have not been given any relief. So we are asking in the Congress today that the Congress give these miners the relief that the Tariff Commission said they should receive and which they have not been given.

Mr. HAYS of Ohio. Will the gentleman tell us who refused to follow the findings of the Tariff Commission?

Mr. EDMONDSON. There is one further point I want to touch on, then I will yield to my friend.

The reason they are in this trouble, the reason our domestic miners are in the distressed condition they are in today is the manner in which we have been administering our foreign aid and the reciprocal-trade programs which have been supported by many of my colleagues, on the floor today.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Florida.

Mr. MATTHEWS. I would like to say to my friend that his industry is not the only one that has gone to the Tariff Commission and has been turned down time and time again. Many of us around here find ourselves in the same position.

Mr. EDMONDSON. If my friend from Florida brings before the committee the case of an industry that is jeopardized I shall be glad to give it favorable consideration on the floor.

But to get back to the bill under consideration, here we have a program that has been reported to Congress, that has been passed by the other body overwhelmingly, and we are asking this House to give us a chance to make this case and to give to the American miners and to give to the American producers a chance to continue. That is the plea we make to the Congress of the United States.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Not at this time.

Mr. Chairman, we are subsidizing production in foreign countries. At this very time our Government is buying minerals from foreign sources, foreign producers, and is paying 5 or 6 cents above the market price for lead and zinc, and this is being done under so-called procurement contracts of long standing, which certainly amount to a liberal form of foreign aid. Programs to stimulate foreign production of metals have been adopted and generously appropriated for here in the past. I say it is time we did something for the American miner and the American producer. Let us adopt this bill here today and defeat these unworkable amendments.

I now yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I just want to say to the gentleman that I voted against the reciprocal-trade treaty before the gentleman was a Member of this body, and several times since he has come here.

Mr. EDMONDSON. May I say to my friend from Ohio that I, too, voted against the reciprocal-trade treaty bill, when its extension was last before this House, without needed safeguards for our own industry.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. SMITH of Mississippi. The gentleman has invited all the supporters of the bill——

The CHAIRMAN. The time of the gentleman from Oklahoma has expired. All time on the preferential motion has expired.

The question is on the motion to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. HAYS of Ohio) there were—ayes 77, noes 76.

Mr. UDALL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROGERS of Texas and Mr. HAYS of Ohio.

The Committee again divided, and the tellers reported that there were—ayes 108, noes 98.

So the motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and

tungsten from domestic mines, had directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out.

Mr. RHODES of Arizona. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 171, nays 174, not voting 84, as follows:

[Roll No. 187]

YEAS—171

Abbitt	Fascell	Natcher
Abernethy	Fenton	Neal
Adair	Flynt	Nicholson
Alexander	Fogarty	Nimtz
Alger	Forand	Norblad
Andersen, H. Carl	Ford	O'Hara, Minn.
Andrews	Forrester	O'Konski
Ashmore	Gary	Ostertag
Bailey	Gathings	Pelly
Baldwin	Gavin	Philbin
Bass, N. H.	Grant	Pillion
Bates	Green, Oreg.	Poff
Becker	Griffin	Polk
Bennett, Fla.	Gross	Quie
Betts	Gwinn	Rabaut
Blatnik	Haley	Ray
Boland	Harden	Reed
Bolton	Hardy	Riehlman
Bonner	Harrison, Va.	Riley
Bosch	Harvey	Robeson, Va.
Bow	Haskell	Robison, N. Y.
Bray	Hays, Ohio	Robsion, Ky.
Broomfield	Hess	Rogers, Fla.
Brown, Ga.	Hiestand	Rooney
Brown, Ohio	Hoeven	Sadlak
Broyhill	Holt	St. George
Bush	Huddleston	Saylor
Byrne, Ill.	Hull	Schenck
Byrnes, Wis.	Hyde	Scott, N. C.
Cannon	Johansen	Seely-Brown
Carrigg	Jonas	Selden
Cederberg	Kean	Sikes
Chamberlain	Keating	Siler
Chiperfield	Kelly, N. Y.	Simpson, Ill.
Church	Kilgore	Smith, Calif.
Collier	Kirwan	Smith, Va.
Cramer	Kitchin	Springer
Cretella	Laforo	Staggers
Cunningham, Iowa	Laird	Stauffer
	Lane	Taber
	Lankford	Talle
Cunningham, Nebr.	Lipscomb	Teague, Calif.
	McDonough	Tewes
Curtin	McGregor	Thomas
Curtis, Mass.	McIntosh	Tuck
Dague	McMillan	Utt
Davis, Ga.	Mack, Wash.	Van Pelt
Delaney	Mahon	Van Zandt
Dennison	Matthews	Vinson
Denton	May	Vursell
Devereux	Meader	Westland
Dingell	Michel	Wharton
Donohue	Miller, Md.	Whitener
Dorn, N. Y.	Moore	Whitten
Dorn, S. C.	Morano	Williams, Miss.
Dowdy	Multer	Wilson, Calif.
Eberharter	Mumma	Wilson, Ind.
Fallon	Murray	Younger

NAYS—174

Addonizio	Breeding	Dixon
Albert	Brooks, Tex.	Dollinger
Allen, Calif.	Brown, Mo.	Dooley
Allen, Ill.	Burleson	Dwyer
Anderson, Mont.	Byrd	Edmondson
	Byrne, Pa.	Elliott
Anfuso	Canfield	Everett
Arends	Carnahan	Evins
Aspinall	Celler	Feighan
Auchincloss	Chelf	Fino
Ayres	Chenoweth	Fisher
Baker	Christopher	Flood
Baring	Clark	Fountain
Barrett	Coad	Frazier
Bass, Tenn.	Cooley	Fulton
Beckworth	Corbett	Garmatz
Belcher	Curtis, Mo.	Granahan
Bennett, Mich.	Dawson, Ill.	Gray
Berry	Dawson, Utah	Green, Pa.
Boggs	Delay	Gregory
Boiling	Dent	Griffiths
Boyle	Diggs	Gubser
Hagen	Magnuson	Rogers, Tex.
Halleck	Mailliard	Rutherford
Harris	Marshall	Santangelo
Hays, Ark.	Martin	Saund
Healey	Merrow	Scrivner
Hemphill	Metcalf	Scudder
Heselton	Miller, Nebr.	Sheppard
Holifield	Mills	Sieminski
Holland	Montoya	Sisk
Holmes	Morgan	Smith, Kans.
Holtzman	Morris	Smith, Miss.
Horan	Moss	Steed
Ikard	Moulder	Sullivan
Jackson	Nix	Teller
Jarman	Norrell	Thompson, N. J.
Jennings	O'Brien, Ill.	Thompson, Tex.
Jones, Ala.	O'Brien, N. Y.	Thomson, Wyo.
Judd	O'Hara, Ill.	Thornberry
Karsten	Osmers	Tollefson
Kearns	Passman	Trimble
Kee	Patman	Udall
Kilday	Patterson	Ullman
King	Perkins	Vorys
Kluczynski	Pfost	Walter
Knox	Poage	Watts
Knutson	Porter	Weaver
Krueger	Price	Widnall
Landrum	Rains	Wier
Lennon	Reece, Tenn.	Wigglesworth
Lesinski	Rees, Kans.	Willis
Libonati	Reuss	Withrow
Loser	Rhodes, Ariz.	Wolverton
McFall	Rhodes, Pa.	Wright
McGovern	Roberts	Yates
Machrowicz	Rodino	Zablocki
Mack, Ill.	Rogers, Colo.	
Madden	Rogers, Mass.	

NOT VOTING—84

Ashley	Gordon	Minshall
Avery	Hale	Mitchell
Barden	Harrison, Nebr.	Morrison
Baumhart	Hébert	O'Neill
Beamer	Henderson	Pilcher
Bentley	Herlong	Powell
Blitch	Hill	Preston
Boykin	Hillings	Prouty
Brooks, La.	Hoffman	Radwan
Brownson	Hosmer	Rivers
Buckley	James	Roosevelt
Budge	Jenkins	Scherer
Burdick	Jensen	Schwengel
Clevenger	Johnson	Scott, Pa.
Coffin	Jones, Mo.	Sheehan
Colmer	Kearney	Shelley
Coudert	Keogh	Shuford
Davis, Tenn.	Kilburn	Simpson, Pa.
Derounian	Latham	Spence
Dies	LeCompte	Taylor
Doyle	McCarthy	Teague, Tex.
Durham	McCormack	Thompson, La.
Engle	McCulloch	Vanik
Farbstein	McIntire	Wainwright
Frelinghuysen	Macdonald	Williams, N. Y.
Friedel	Mason	Winstead
George	Miller, Calif.	Young
Glenn	Miller, N. Y.	Zelenko

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Johnson for, with Mr. Hébert against.
Mr. Zelenko for, with Mr. Morrison against.
Mr. Farbstein for, with Mr. Thompson of Louisiana against.
Mr. Winstead for, with Mr. Buckley against.
Mr. Colmer for, with Mr. Keogh against.
Mr. Bentley for, with Mr. Durham against.
Mr. Taylor for, with Mr. Roosevelt against.
Mr. Hosmer for, with Mr. Engle against.
Mr. Frelinghuysen for, with Mr. Miller of California against.
Mr. Beamer for, with Mr. Doyle against.
Mr. Scherer for, with Mr. George against.
Mr. Sheehan for, with Mr. Boykin against.
Mr. Wainwright for, with Mr. Hillings against.
Mr. Simpson of Pennsylvania for, with Mr. Kilburn against.
Mr. Herlong for, with Mr. Glenn against.
Mr. Derounian for, with Mr. Friedel against.
Mr. Coudert for, with Mr. Hill against.
Mr. Henderson for, with Mr. Coffin against.
Mr. Preston for, with Mr. Scott of Pennsylvania against.
Mr. Pilcher for, with Mr. Mitchell against.
Mr. Williams of New York for, with Mr. McCarthy against.
Mr. Kearney for, with Mr. Ashley against.
Mr. James for, with Mr. Jensen against.
Mr. Rivers for, with Mr. Gordon against.
Mr. Mason for, with Mr. Shelley against.
Mr. McCulloch for, with Mr. Vanik against.

Until further notice:

Mr. Teague of Texas with Mr. Avery.
Mr. Spence with Mr. Baumhart.
Mr. Barden with Mr. Radwan.
Mrs. Blitch with Mr. Prouty.
Mr. Brooks of Louisiana with Mr. McIntire.
Mr. Macdonald with Mr. Brownson.
Mr. O'Neill with Mr. Budge.
Mr. Davis of Tennessee with Mr. Hale.
Mr. Dies with Mr. Hoffman.
Mr. Shuford with Mr. Harrison of Nebraska.
Mr. Young with Mr. Clevenger.

Mr. NORRELL, Mr. BYRD, MR. AUCHINCLOSS, and Mr. RHODES of Pennsylvania changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The Committee resumed its sitting.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill follows:

TITLE I

SEC. 101. (a) The Secretary of the Interior shall provide for stabilization payments to producers of ores or concentrates of lead, zinc, acid-grade fluorspar (fluorspar containing 97 percent or more calcium fluoride on a dry weight basis), and tungsten trioxide produced from domestic mines, as provided in this title.

(b) Upon presentation of evidence satisfactory to the Secretary of a sale of newly mined domestic ores, or concentrates produced therefrom, of lead, zinc, acid-grade fluorspar, and tungsten trioxide, the producer of such ores or concentrates shall be paid (if the market price of the material produced therefrom at the time of the sale was less than the stabilization price set forth hereinafter) an amount equal to but not exceeding the difference between the amount actually received by the producer from the sale and an amount, as determined by the Secretary, which the producer would have received for such ores and concentrates had the market price of the material produced therefrom at the time of sale been equal to the stabilization price as shown in the following schedule:

Material stabilization price

Lead (common), 15½ cents per pound, New York, N. Y.

Zinc (prime western), 13½ cents per pound, East St. Louis, Ill.

Fluorspar (acid-grade), $53 per short ton, f. o. b. point of shipment.

Tungsten trioxide, $36 per short ton, f. o. b. shipping point.

(c) If a producer further processes such ores or concentrates without effecting a sale, the equivalent and competitive market value of such ores or concentrates, as determined by the Secretary, at the time of such further processing shall be used in lieu of the amount which would have been received in the case of a sale, for the purpose of computing payments.

SEC. 102. (a) Subject to the provisions of subsection (b) of this section, no stabilization payments under this title shall be made on sales, or further processing in lieu of sales, for any 1 year with respect to any production the recoverable content of which is in excess of the following annual limitations:

(1) Three hundred and fifty thousand tons of lead;

(2) Five hundred and fifty thousand tons of zinc;

(3) One hundred and eighty thousand tons of acid-grade fluorspar;

(4) Three hundred and seventy-five thousand short ton units of tungsten trioxide.

(b) No stabilization payments under this title shall be made on any domestically produced material which is sold to or eligible for sale to the United States Government, or any agency thereof, pursuant to a contract made under the provisions of the Defense Production Act of 1950, as amended, the Strategic and Critical Materials Stockpiling Act, or the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956. Any such material shall be applied to reduce the annual limitations specified in this section, and the quarterly limitations as fixed by the Secretary.

SEC. 103. (a) For purposes of administration the Secretary may fix quarterly limitations on the total amounts of each material on which stabilization payments are made for the purpose of achieving stabilization in the annual rates of production.

(b) Where sales of any material exceed such quarterly limitations, the Secretary may adjust stabilization payments to producers for that quarter so as to distribute the benefits of the program equitably among the producers, but stabilization payments shall not be denied on any sales of any producer during such quarter whose sales did not exceed the following quantities: Lead, 1,250 tons; zinc, 1,250 tons; fluorspar (acid-grade), 1,250 tons; and tungsten trioxide, 3,000 short-ton units.

(c) Whenever the total production from domestic mines of any of the minerals to which this title applies exceeds the quarterly limitation in any one quarter, the Secretary may establish, for succeeding quarters, limitations on the quantities for each producer that will be eligible for stabilization payments, but no producer shall have a quarterly limitation for any mineral less than the quantity set forth for that mineral in the preceding subsection.

SEC. 104. (a) In the case of tungsten trioxide, stabilization payments on the sales of any 1 producer shall be limited to 15,000 short-ton units per quarter from production originating in any 1 mining district: *Provided*, That in the event eligible sales from newly mined production is less than the quarterly limitation for this material, as established by the Secretary, the Secretary, at his option and under regulations issued pursuant to this act, may make stabilization payments on sales of tungsten ores and concentrates from the inventory of producers which were produced after July 1, 1956, but prior to the effective date of this title. In no event shall payments on sales from such inventories exceed an aggregate of 25,000 short-ton units to any 1 producer from production originating in any 1 mining district, nor shall payments on sales from such inventories, together with sales from newly mined production, exceed in any quarter an aggregate of 15,000 short-ton units for any 1 producer from production originating in any 1 mining district.

SEC. 105. No stabilization payment made under this title on the recoverable content of any ores or concentrates shall exceed the following: Lead, 3.9 cents per pound; zinc, 2.9 cents per pound; fluorspar (acid-grade), $13 per short ton; and tungsten trioxide, $18 per short-ton unit of WO_3.

SEC. 106. Whenever the Secretary determines that the total quarterly production of any of the materials on which stabilization payments are to be made, as provided in this title, has exceeded the quarterly limitation for each of 2 successive quarters by an amount in excess of that shown in the following schedule: Lead, 9,000 tons; zinc, 15,000 tons; fluorspar (acid-grade), 5,000 tons; tungsten trioxide, 55,000 short-ton units, he shall provide that all stabilization payments on such materials sold thereafter shall be suspended until such time as he shall be satisfied that the annual rate of production from domestic mines will approximate the amounts set forth in section 102 (a).

SEC. 107. The provisions of this title shall take effect on the first day of the first quarter next following the date of enactment of this act and shall terminate on June 30, 1963.

TITLE II

SEC. 201. (a) In addition to any payments under title I of this act, the Secretary shall make limited tonnage payments, upon presentation of evidence satisfactory to him of a sale of newly mined ores, or concentrates produced therefrom, as provided in this section.

(b) (1) Such payments shall be made to producers of lead, as follows:

(A) As long as the market price for common lead at New York, N. Y., as determined by the Secretary is at or below 15½ cents per pound, at the rate of 1.1250 cents per pound on not to exceed 500 tons per quarter per producer; or

(B) As long as such market price is above 15½ cents per pound but is below 17 cents per pound, at the rate provided in clause (A) reduced by an amount equal to 75 percent of the amount by which such market price exceeds 15½ cents per pound, on not to exceed 500 tons per quarter per producer.

(2) No payment shall be made under the provisions of this section to producers of lead when such market price is equal to, or exceeds, 17 cents per pound.

(c) (1) Such payments shall be made to producers of zinc, as follows:

(A) As long as the market price for prime western zinc at East Saint Louis, Ill., as determined by the Secretary, is at or below 13½ cents per pound, at the rate of .5500 cent per pound on not to exceed 500 tons per quarter per producer;

(B) As long as such market price is above 13½ cents per pound, but is below 14½ cents per pound, at the rate provided in the preceding clause (A) reduced by an amount equal to 55 percent of the amount by which such market price exceeds 13½ cents per pound, on not to exceed 500 tons per quarter per producer.

(2) No payment shall be made under the provisions of this section to producers of zinc when such market price is equal to or exceeds 14½ cents per pound.

(d) Such payments shall be made to any producer of tungsten trioxide who has not sold more than 250 units thereof during any quarter, at the rate of $4 per unit on the number of units produced by such producer in such quarter.

SEC. 202. The provisions of this title shall take effect on the first day of the first quarter next following the date of enactment of this act, and shall terminate on June 30, 1963.

TITLE III

SEC. 301. The Secretary is hereby authorized and directed to establish and maintain a program to purchase not more than 150,000 short tons of refined copper produced from ores mined in the United States its Territories, and possessions, of such types as he deems desirable meeting the same specifications for purchases of refined copper as are or may be in effect pursuant to the Strategic and Critical Materials Stockpiling Act. Such purchases shall be made at the market price, but not to exceed 27½ cents per pound, delivered Connecticut Valley.

SEC. 302. All copper purchased pursuant to the authority of this title shall be turned over to the supplemental stockpile in accordance with the provisions of the act of July 10, 1954 (Public Law 480, 83d Congress (68 Stat. 454)), as amended.

SEC. 303. The provisions of this title shall take effect upon the date of enactment of this act, and shall terminate on June 30, 1959.

TITLE IV

SEC. 401. The Secretary is hereby authorized to establish and promulgate such regulations and require such reports as he deems necessary to carry out the purposes of this act, but such regulations shall assure equitable distribution of the benefits of the programs provided by this act throughout the domestic industries affected.

SEC. 402. The Secretary may delegate any of the functions authorized by this act to the Administrator of General Services.

SEC. 403. (a) For the purposes of this act—

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "producer" means any individual, partnership, corporation, or other legal entity engaged in producing ores or concentrates from domestic mines and in selling the material produced in normal commercial channels.

(3) The term "sale" means a bona fide transfer for value of ores and concentrates from a producer to a processing plant.

(4) The term "domestic mine" means any single operating unit producing ores from properties located within the United States, its Territories, or possessions, and operating in one State or mining district.

(5) The term "newly mined" means domestic material processed into concentrates or severed from the land subsequent to the date of enactment of this act, but shall not exclude normal inventories of crude ore. The term does not refer to material recovered from mine dumps, mill tailings, or from smelter slags and residues derived from material mined prior to the date of enactment of this act.

(6) The term "quarter" means the calendar periods commencing on the first day of the months of January, April, July, and October.

(b) For the purposes of sections 103 and 201 of this act, the Secretary may determine what constitutes a single operating unit producing ores, and, in the event that more than one producer claims payment for sales from production of a single operating unit, the Secretary may determine the quantity of sales for each such producer to which the above limitations shall apply.

(c) For purposes of sections 103 and 201 of this act, sales of concentrates produced from ores sold to a mill or processing plant in accordance with regulations issued pursuant to this act shall not be considered as the sales of the owner of the mill, but shall be considered as the sales of the producer of the ores.

SEC. 404. In order to finance programs authorized under this act, the Secretary is authorized and empowered to issue to the Secretary of the Treasury notes and obligations in an amount not exceeding $350 million outstanding at any one time. Such notes and other obligations shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Secretary, with the approval of the Secretary of the Treasury: *Provided*, That such notes and other obligations may be redeemed by the Secretary at his option before maturity in such manner as may be stipulated in such notes

or other obligations. Such notes and other obligations shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average yield on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such notes and other obligations. The Secretary of the Treasury is authorized to purchase any notes or other obligations issued by the Secretary hereunder and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act are extended to include any purchases of such notes and other obligations.

SEC. 405. No payment shall be made under this act after December 31, 1963.

SEC. 406. The Secretary shall make an annual report with respect to operations under this act as soon as practicable after July 1 of each of the years 1959 to 1963 inclusive to the Committees on Interior and Insular Affairs and the Committees on Appropriations of the Senate and House of Representatives. Any such report shall contain such recommendations as the Secretary may deem appropriate.

SEC. 407. Any person who willfully violates any provision of this act or any regulation issued under this act shall upon conviction be fined not more than $10,000, or imprisoned for not more than 10 years, or both.

Amend the title so as to read: "An act to stabilize production of copper, lead, zinc, acid-grade fluorspar and tungsten and to promote mining and development research for beryl, chromite, and columbium-tantalum from domestic mines."

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 6, strike the word "produced" and insert the word "producible."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 12, strike the word "produced" and insert the word "producible."

Mr. BYRNES of Wisconsin. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, I voted for the rule which made the consideration of this bill in order, but I am opposed to the bill. I voted to make the bill in order because I certainly thought that there should be brought to the attention of every Member of this Congress and to the country the plight that the lead and zinc people are in. It seemed to me that the discussion that would be possible under general debate would make information with respect to the plight of those industries available to the country.

There can be no question but what the lead and zinc industries are being seriously injured. It has been found on two separate occasions by a duly constituted Commission of our Government, which held hearings and made findings that the industry is being seriously injured.

I do not think, however, that we have placed the proper emphasis on the question of why or how it is being injured or that this bill even considers the cause of the injury. What did the Tariff Commission find and why did it find it and what were its recommendations? The Tariff Commission found in 1954 by a unanimous decision, and they found again this year, in April, by a unanimous decision that the lead and zinc industry was being injured. Why? Because of imports, low-priced imports, imports produced at low cost in some foreign country. That is why we have the problem. That is why they are being injured. There was a unanimous decision to that effect.

Let me quote from the report of the United States Tariff Commission to the President under date of April 24, 1958:

As a result of the investigation, including the hearings:

(1) The Commission unanimously finds that, as a result in part of the customs treatment reflecting the concessions granted thereon in the General Agreement on Tariffs and Trade, unmanufactured lead and unmanufactured zinc are being imported into the United States in such increased quantities, both actual and relative to domestic production, as to cause serious injury to the respective domestic industries producing like or directly competitive products;

(2) Commissioners Brossard, Talbot, and Schreiber find that, in order to remedy such serious injury, it is necessary, for an indefinite period, that unmanufactured lead and unmanufactured zinc be subject to duty at the maximum rates permissible under section 350 of the Tariff Act of 1930, as amended (see table 3 in the statistical appendix), and, in addition, that such unmanufactured lead and unmanufactured zinc be subject to quantitative limitations as set forth in table C on page 80; and

(3) Commissioners Sutton, Jones, and Dowling find that, in order to remedy such serious injury, it is necessary, for an indefinite period, that unmanufactured lead and unmanufactured zinc be subject to duty at the rates originally imposed by the Tariff Act of 1930 (see table 3), without quantitative limitations of any kind.

You will note that the Commission found that the lead and zinc industry was being injured as a result of the increased importation of lead and zinc as a result of concessions or reductions in the tariff on lead and zinc contained in the General Agreement on Tariff and Trade.

Let me call the attention of this Congress to the fact that we have a law on the statute books. It is the law today, it has been the law since 1951, and it will be the law for the next 4 years. I refer you to section 6 of the Trade Agreements Act of 1951. This section provides that no reduction or concession made under the Trade Agreements Act shall be permitted to continue in effect when the product on which the concession has been granted is, as a result, in whole or in part, of the duty or other customs treatment reflecting such concession, being imported in such increased quantities as to cause or threaten serious injury to the domestic industry. That provision is continued under the Trade Agreements Act Extension which was passed by this Congress and which was signed by the President yesterday.

I would point out to you also that the law authorizes the President to take action to increase the duties where injury is resulting from increased imports.

Now, Mr. Chairman, note the recommendation made by the Tariff Commission as to what should be done to relieve the lead and zinc industry under the present circumstances. This recommendation was made as recently as April 24 of this year. The Commission was unanimous in its recommendation that the duty on lead and zinc imports should be increased at least to the rate originally imposed by the Tariff Act of 1930. Three of the Commissioners recommended that the duty should be increased to the maximum rates permissible and, in addition, that quantitative limitations or quotas should be imposed. I should point out that nothing has been done by the President to date to carry out this recommendation.

You will note that the Tariff Commission does not recommend getting into a Brannan plan, an incentive payment or a subsidy program. They recommend meeting this problem in the historical American way, namely, the imposition of duties.

The mess we are in today is a direct result, Mr. Chairman, of the bad faith of the administration as far as the administration of the trade-agreements program is concerned. I said on this floor last June 10 when the extension of the Trade Agreements Act was before the House:

Until we get something that will assure us that the escape clause is meaningful, until we have assurance that section 6 of the Trade Agreements Extension Act of 1951 is carried out in spirit and in letter, I shall oppose further extensions of this act.

I was prompted to make that statement and oppose extension of the Trade Agreements Act when it was before this House last June because of the existence of situations exactly like the situation that now exists with respect to the lead and zinc industry.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. BYRNES] has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Chairman, this situation we have today in the field of lead and zinc is a result of the failure of the escape clause to function under the administration of the Trade Agreements Act. This is not the only industry that is so affected. There are other industries. And if you are going to give this type of special relief; if you are going to start subsidizing industries that are injured as a result of imports, you will open up the greatest floodgates this country has ever seen and you will reverse the historic policy of this country.

If you say, as you, in effect, say by this bill, that any industry injured as a result of the importation of goods produced by cheap labor abroad will be subsidized to make up the price differential, there is no end to the burden that

you are going to place on the American economy and the American taxpayers. We cannot stand it. Why should you start on this road today?

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. Briefly, I yield to the gentlemen from Colorado.

Mr. ASPINALL. Mr. Chairman, I take no offense at what the gentleman is saying. I think he is right. But suppose this bill should become law, and then the administration accepted its responsibilities to proceed under the escape and peril clauses, then this bill would not cost the taxpayers anything, would it?

Mr. BYRNES of Wisconsin. That is right. But I would force the President to carry out the present law; I would not give him the alternative. If I were to offer any alternative, I would say pass the bill H. R. 6894 that was before the Committee on Ways and Means last year, on which we had hearings and which has been sitting in that committee, to take care of the lead and zinc situation, by imposing an import tax on the imports. And that is still available to the Congress. The President has ample authority to increase duties and impose quotas. That is the type of relief that should be pursued. We should not get into the completely unrealistic approach that is offered by this bill.

The way to solve any problem is to attack the cause of that problem. This bill does not attack the cause. Even should this bill become law, the problem facing the lead and zinc industry will remain because the cause of their problem will still remain. This country will still permit the importation of lead and zinc at prices which make it impossible for the domestic industry to compete.

The proposal before us is a poor substitute for appropriate and effective action imposing a proper restriction on imports.

Industry should not be forced to accept the temporary and ineffective relief provided by this proposal. It is entitled to protection through the historical American method of duties and quotas on imports.

The American taxpayer should not be burdened by the additional cost of almost one-half billion dollars authorized by this legislation. The imposition of a duty would correct the problem, and, in addition, produce a revenue to the Treasury. This legislation drains the Treasury.

Mr. Chairman, either the President should accept the responsibility that is placed on him as part of the Trade Agreements Act and take effective action carrying out the recommendations of the Tariff Commission, or this Congress should pass bill H. R. 6894 imposing import taxes on lead and zinc. Such alternative actions would not only be effective, but they would be permanently effective because they attack the heart of the problem, the increased foreign imports.

If we pass this bill we will only be delaying the day of reckoning because the basic problem will still remain with us.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. BYRNES] has again expired.

Mr. CURTIS of Missouri. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I had not intended to take the floor; but during the debate some things have been said and I would not feel quite right if I did not do my best to correct them.

A statement has been made to the effect that a subsidy is a less regressive method of handling a trade situation than a tariff. As a matter of fact, the converse is true. There was testimony by expert witnesses before our Subcommittee on Tariff and Trade, of which the gentleman from Louisiana [Mr. BOGGS] is chairman. The question I put to many of them was: Of all the barriers to trade we have, whether it be a license, a quota, a subsidy, or what, do you not agree that the least restrictive and most liberal is the tariff? The answer was invariably, "Yes."

Of course, anyone who studies trade matters will recognize that that is the case.

We have an unusual situation in regard to lead and zinc, for this reason: Only 30 percent of the domestic market is filled by our domestic production. Seventy percent is always going to come from abroad. We are talking about a balance. The administration made it clear when they supported and sent up this program that they were agreeing with the findings of the Tariff Commission that damage had been done to the lead and zinc industry.

The only argument that faces this Congress today and, I might say faces the administration, is, having conceded that the industry has been injured and that it needs help; how is the best way to help them? I want to talk about what is the difference—the economic difference—between a tariff and a subsidy. Number one, a subsidy or a license or a quota means that the industry and the individual companies and the people involved and the labor unions have to come to a bureaucracy in order to plead their case and to prove their case. That is one of the most regressive forms of trade barriers while a tariff once it is imposed is available to all the people to figure out as best they can how they are going to fit into that particular program. That is one reason the subsidy program is one of the last kind of programs to adopt because our people have to come to a bureaucracy for decision instead of allowing the law of supply and demand to enter into the picture. The second economic difference is this, and this is important. A subsidy is imposed upon the whole society, upon all of the taxpayers, while a tariff places the cost essentially on the consumers of that product involved. I think from the standpoint of good economics and those who believe in the private enterprise system and want to keep it as free as possible that the burden should be imposed upon the consumers of that particular item. In that way, incidentally, if you have materials that might replace a particular kind of material in our economy, the price of any subsidy is borne by that particular product. There is the big, basic difference. As far as our foreign friends are concerned, there is no distinction between a subsidy and a tariff because we are saying we are going to try to preserve the 30 percent of the domestic market for the domestic producers whether you do it with a tariff or whether you do it with a subsidy. So the sole issue before us, I submit, is which method is the better method and which is the best method under the private enterprise system.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. DAWSON of Utah. What the gentleman is saying is that there is no question at all that the lead and zinc industry is in dire straits; is that not correct?

Mr. CURTIS of Missouri. That has been agreed and I do not think anyone would be correct in coming into the well of the House and saying otherwise because whichever side you are on, whether it be for subsidy or for tariff, that has been agreed to.

Mr. DAWSON of Utah. In other words, what we are doing is quibbling about what we are going to do to save the patient and there is no question in the mind of anyone that if relief is not granted either through a tariff or by a subsidy that the lead and zinc mines of this country are going to close up and the taxpayers of the country are going to pay for it in the end.

Mr. CURTIS of Missouri. I think that is true, but I do not regard it as quibbling over which method. I think we have some very basic political and economic factors involved in the decision as to which course we are going to take.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike out the last word.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. MILLER of Nebraska. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SIMPSON] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I am opposed to the passage of S. 4036, which provides for the payment of subsidies, under certain circumstances, to the producers of a limited number of minerals.

I oppose the bill because the recently-extended trade agreements program, which I also opposed, provides far better means of protecting the jobs of workmen threatened by excessive imports of the very same minerals, if the administration would only employ them.

My colleagues will recall that during the recent debate on the trade program, I fought for the adoption of much more stringent guaranties than are contained in the legislation signed into law by the President yesterday. My paramount concern was to require the Executive to

act in those cases where relief is justified. As the law stands, we are forced to depend upon voluntary action on the part of the administration.

Is it not reasonable to suggest that we be realistic and take action as provided under present law to protect the jobs of American workingmen?

The existing law provides that the President may impose a quota which would limit imports of the minerals in question, thereby enlarging the market for domestic producers to the extent that imports are restricted.

As a matter of policy, the administration refuses to impose quotas on the grounds that to do so would injure foreign producers. The fact is that S. 4036—the legislation we have before us—would injure foreign producers in exactly the same degree as would be the case if protection were granted to American producers under provisions of our present trade law.

The gentleman from Texas has declared that S. 4036 is not a stockpile bill. On the contrary, he says, it is a bill to assist in the disposal of minerals produced from American mines. If my friend is correct, this can only mean that the minerals produced and sold by reason of the subsidies provided in S. 4036 are intended to, and would most certainly, supplant minerals now coming into the United States at low tariff rates.

Therefore, it will be recognized that foreign producers would be injured just as much under S. 4036 as they would be under the imposition of either quotas or increases in import duties. Inasmuch as the subsidies called for in this bill would cost over $500 million, it seems ridiculous to me for us to impose this further burden on our taxpayers when the net result would be to endanger friendly relations with certain foreign countries. Apparently, the reaction of our foreign friends would be the same and they would be so minded no matter what course we might choose to follow here in the United States to assist our domestic mineral producers.

We should keep in mind that H. R. 12591, the Trade Agreements Act of 1958 which was signed by the President yesterday, also contains a specific provision which would permit the President to convert specific duties to an equivalent ad valorem rate based on 1934 price levels. It would provide the kind of protection our minerals industry deserves, if the administration could be induced to invoke its authority. By so doing, our taxpayers would be ahead in the amount of $500 million.

No one, I am sure, is more aware of the need of maintaining a strong minerals-mining industry than I. Unlike other industries, when mines are closed, they become flooded and deterioration sets in very rapidly. Closed mines are exceedingly difficult to reopen. Our mobilization base has always included a strong mining industry. The stockpile has been designed to supplement a mining industry, not to supplant it.

The bill before us might give some temporary relief to the mining industry, but in good conscience, no one could support it since there are so many other alternatives in the Trade Agreements Act to provide relief for this important segment of our economy.

Prior to the passage of H. R. 12591, the Tariff Commission could not recommend any substantial relief for mineral producers except for imposition of quotas. They could operate only within the specific duties imposed in the 1930 act. In 1930 the specific tariff represented a very substantial measure of protection based on the prevailing world price for lead, zinc, and copper. Because of inflation, the restoration of the 1930 specific rate, even if it were increased by 50 percent, would still afford very little real protection.

The provision to which I referred earlier—the Purtell amendment—would permit the conversion of all specific duties to an equivalent ad valorem rate based on the 1934 price levels. As I inferred, this amendment makes the entire mineral subsidy program unnecessary, as it authorizes the President to provide substantial relief for lead, zinc, copper, and other distressed mineral industries. It has always been my opinion that we should not concern ourselves with relief for a specific industry, but should rather direct our efforts to afford help for everyone. The Purtell amendment places everyone on the same ad valorem basis.

Prior law provided a base period of January 1, 1945, and permitted the President, upon recommendation of the Tariff Commission to establish a duty rate of 50 percent above the base for articles with respect to which a successful escape clause action has been maintained.

The measure we adopted makes substantial relief possible. For the benefit of my colleagues, I would like to cite examples.

In the case of lead in pig and bars, the specific rate of duty on January 1, 1934, was 2⅛ cents per pound on lead content. The ad valorem equivalent of that specific duty was 113 percent. Increasing that ad valorem equivalent by 50 percent would mean that an ad valorem equivalent of 169.5 percent could be applied in the case of lead. Converting the possible ad valorem equivalent back to a comparable specific rate of duty would produce 22.4 cents per pound on lead content. This is compared to the 3⅞ cents per pound that would have been the maximum duty possible under the former law.

This section similarly offers opportunity for realistic protection in the case of zinc block, pigs, or slabs. The rate of duty in effect on January 1, 1934, was 1¾ cents per pound. Its ad valorem equivalent was 53.5 percent. Increasing the ad valorem equivalent by 50 percent produces 80.25 percent and converting that latter percentage into a specific duty results in a figure of 9.23 cents per pound. This is compared with a 2.625 cents per pound maximum specific duty that would have been possible previously.

In the case of copper, refined, ingots, plates, and bars, the rate of duty on January 1, 1934, was 4 cents per pound. The ad valorem equivalent was 54.6 percent, which, when increased by 50 percent, produces an ad valorem rate of 81.9 percent. This latter percentage produces a current specific rate equivalent of 24.5 cents per pound.

It is clear that the Trade Agreements Act gives the Tariff Commission ample power to grant substantial relief to distressed American mineral producers. Furthermore, the act provides for Congressional review of escape-clause actions. If the Tariff Commission should recommend relief which the President did not feel disposed to grant, a mechanism has been established for Congressional consideration of his finding, although I would be the first to recognize its practical limitations.

The trade agreements extension embodied in H. R. 12591 also includes this significant language in respect to industries affecting our national security:

> If the President is advised by the Director (of Defense Mobilization and Civilian Defense) that, as a result of his investigation, the Director is of the opinion that the article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President shall take the required action unless he determines that the article is not being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

Needless to say, producers of all the minerals covered by the legislation now before us would qualify under this national defense amendment.

In view of the fact, Mr. Chairman, that we find we have several possibilities of affording help to our domestic minerals industries under existing law, it seems clear to me that we should exhaust these alternatives before embarking on new programs which might establish unfortunate precedents for the future involving commitments for the expenditure of untold billions of dollars.

In conclusion, Mr. Chairman, I am constrained to say that the proposal now before us is the outgrowth of certain promises made earlier in an attempt to influence votes on the legislation to extend the trade-agreements program. I cannot believe that any of my colleagues will permit themselves to be imposed upon in this manner.

Mr. RHODES of Arizona. Mr. Chairman, every day in the last 3 days about this time I have come to the well of the House to get this particular discussion back in category. This is not a relief bill. This is not a bill to cure unemployment. This is a bill to save a very basic industry needed for the defense of the United States of America. In these few words, I will try to tell you what this bill is about. It is undoubtedly a fact that this industry is needed for defense. The industry is in difficulty because of foreign competition. That has not been disputed by anybody. The industry has gone to the Tariff Commission and has tried in every way it possibly could to get aid under the tariff laws. That has not been disputed by anyone. The only thing which is then in dispute is what we do about it. As the gentleman from Utah said very aptly, while we worry about the remedy, the patient is going to die. As I said a few days ago, this is not a patient which is easily resurrected. You can take land out of cultivation, but you can bring it back into cultivation comparatively easily.

But you let a mine go out of production and you have it flooded, you have the timbers rotting, you have the machinery rusted; and, believe me, all you have left is an ore deposit in the ground, and it takes about as much money to put it back into production as it took to put it into production in the first place.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. BAKER. Am I correct in saying it is the view of the gentleman that it is far better to have a fair import duty than to have this bill, but if we cannot get the duty—and it looks at the moment that we cannot—then it is imperative that we get this bill?

Mr. RHODES of Arizona. That was my next point.

Mr. BAKER. If the gentleman will yield again, may I say further that I join with the gentleman. I am a member of the Ways and Means Committee and heard all this evidence. I cannot see where we are going to get the relief that is needed through a tariff, which is the proper remedy, and that is the reason I am supporting this bill.

Mr. RHODES or Arizona. I do not find myself in disagreement with many of the things said by the gentleman from Wisconsin [Mr. BYRNES], nor do I find myself in disagreement with many of the things said by my good friend from Missouri [Mr. CURTIS]; but the fact remains that we tried and tried desperately to get help through the Tariff Commission but we have been unable to get it. This is the only answer which we see; and, because of the necessity to save this industry for the future of the United States of America all we can do at this particular time, as far as I can see, is to vote this bill out and to pass it on the floor of the House.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. BYRNES of Wisconsin. The gentleman knows I am sympathetic to the program.

Mr. RHODES of Arizona. Indeed the gentleman is.

Mr. BYRNES of Wisconsin. It seems to me one of the problems here in passing this legislation is, the gentleman I am sure will concede, that it is but a stopgap, is it not? The problem is still with us, namely, imports of production produced at prices lower than we can possibly pay.

Mr. RHODES of Arizona. The gentleman is absolutely correct. This is only stopgap legislation. Other Members have said it is only stopgap legislation, but it is the kind of stopgap necessary to save a very sick business from dying altogether.

Mr. BYRNES of Wisconsin. Then why not extend this for 1 year and next year come back and lay the problem again before the Ways and Means Committee? That would be the direct way to cure the problem.

Mr. RHODES of Arizona. That is a very good question. The only answer to that is that it requires a considerable investment even to keep one of these mines going when it is losing money. Under a 1-year program you would not find very many mines that are now losing money which would be willing to stay; in other words, a 1-year program is no more of an answer to the problem than is stopgap legislation to which the gentleman referred. The answer is, as the gentleman stated, a change in the tariff policies of the United States. But we have no chance right now of getting a change made, and it is a matter of doing something at this time to keep this industry from going down the drain. Believe me, if it goes down the drain the taxpayers of this country are going to be paying more money for lead and zinc as imports in the future than they now can imagine. The gentleman will remember a few years ago when one of our great allies released its stockpile of lead and zinc on the world market and broke the market. We had to act then to save lead and zinc by stockpile purchases, because to fail to do so would have placed our economy at the mercy of a world market which could have gone out of sight.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. GAVIN. Mr. Chairman. I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. The gentleman has presented the case for lead and zinc, and we deeply sympathize with the existing situation but why should we pass discriminatory legislation for one particular phase of our economic or industrial life? What I am calling to the gentleman's attention is the pottery industry in Ohio which has just as many difficulties as the lead and zinc industry. The textile industry in New England is in a very depressed condition. This morning my attention was called to the fact that the Wamsutta plant in New Bedford was just closed the other day and a thousand people are out of employment. They have no place to go, they had no recourse to other work. It too is a very serious situation.

Why should not the textile industry also receive the preferential treatment the gentleman asks for lead and zinc?

Why are not the coal mines of Pennsylvania that are in the same category?

Mr. RHODES of Arizona. Will the gentleman yield me some of my time?

Mr. GAVIN. Why does not the coal industry receive some help? Therefore I say to you, and I asked for these 2 minutes, why should we not include all phases of our economic life along with lead and zinc? Why be discriminatory?

Mr. RHODES of Arizona. May I answer the gentleman?

Mr. GAVIN. All the industries need assistance.

Mr. RHODES of Arizona. I have tried to answer that question 3 days running at this particular hour of the day. The reason is because all of the industries which the gentleman has mentioned, although they are sick, maybe sicker than ours, have nothing to do with defense. If this bill cannot be justified as a defense measure, I agree with the gentleman it cannot be justified to take care of one industry as against all the other industries.

Mr. GAVIN. We have ample stockpiles to take care of our defense needs.

Mr. RHODES of Arizona. No. I pointed out to the gentleman 2 days ago that these stockpiles are somebody's educated guess as to what might be needed in the case of war. An educated guess is only as good as any other guess. The only way to defend this country adequately is to have an industry which is capable of producing the metals so badly needed for war production in the event our ships are being sunk as they were in World War II.

Mr. GAVIN. When the gentleman started his discussion, he said this was not a stockpiling bill. He said that it is an incentive program.

Mr. RHODES of Arizona. I did not say it was an incentive program.

Mr. GAVIN. That is what it has been referred to as being.

Mr. RHODES of Arizona. It is a program to keep an industry going which is vital to the defense of this country.

Mr. GAVIN. The gentleman will admit if this legislation is enacted it will not cure the problem except on a temporary basis?

Mr. RHODES of Arizona. That is absolutely correct.

Mr. GAVIN. It is not the answer, it is not the solution.

Mr. RHODES of Arizona. I never said it was the answer. I agree with the gentleman; it is a stopgap proposition.

Mr. O'KONSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am very glad to follow the gentleman from Arizona, because I believe if you just shuffle this thing down to one point on why there is a so-called need for this bill, it is the fictitious argument presented by the gentleman from Arizona, approached from the standpoint of national defense.

I did something perhaps that many of you did not do. I read every page and every speech given in this Congress when the reciprocal trade agreements bill was up for consideration. Sixty-nine times in that debate the question was raised on how these reciprocal trade agreements were going to affect our national defense. The question was raised 69 times if you had any industry in the United States of America that is being hurt by reciprocal trade agreements—that is, these imports—what protection under the Reciprocal Trade Agreements Act, is that industry, which is so vital, going to have under that bill?

Sixty-nine times the advocates of the Reciprocal Trade Agreements Act reiterated, again and again, and referred to the section and paragraph, to the words in the bill stating that just as soon as it is indicated that any industry in the United States of America is being hurt by imports under the Reciprocal Trade

Agreements Act, an industry that is vital to our national defense, there is an escape clause, and the President of the United States of America can take immediate action to save that industry.

Sixty-nine times the proponents of the bill assured us that there was that protection in the reciprocal trade agreements bill. Now, 1 of 2 things is true. Either the advocates of the Reciprocal Trade Agreements Act were telling falsehoods; or, No. 2, the President of the United States of America is incompetent to judge whether an industry is vital to our national defense. These are the only two conclusions that can be drawn.

I say to you that the proponents of this pending bill have not made a case that this industry is vital to the defense of our country. If it were, you have an escape clause set out and promised 69 times in the process of the debate on the reciprocal trade agreements bill that an industry in the United States of America, vital to our national defense, has nothing to worry about because we have an airtight provision in this bill to take care of them, if they are adversely affected.

The gentleman from Texas stated you have to have this bill because we have the Reciprocal Trade Agreements Act. Now we come to the core of the whole thing. There is a hidden reason, obvious only to those who know and care what is going on, why you have to have this bill.

This bill is a payoff to the doubtful Congressmen and Senators who voted for the Trade Act. Without this promised payoff, the trade agreement never would have become law. This is in addition to the $87 million payoff to copper interest on the eve of the final vote to sway doubting Congressmen.

One thing I cannot understand, particularly from the gentleman on my side, is this. Whenever we have a bill up here which affects the general economy of all of the people, what do they do? We had a bill here, the community facilities bill, and I thought that the roof was going to come off the Chamber of the House over here, because we were trying to do something for all communities, all segments of society. Who opposed it? Some of the very people coming down here now and pleading for special consideration for their communities. They are asking a giveaway of $100,000 per man to put 1 man to work: total cost $650 million.

Let me tell you something, my friends, in conclusion. Everybody is being hurt by these reciprocal trade agreements, and I say to you now we are either going to fall together or we are going to exist together. We are not going to get along by taking up one segment, one group of people, one industry, and pass special legislation for them. Let me tell you, with the special consideration that they have already given oil, with the special consideration that they are now giving metals, they have enough votes to keep the reciprocal trade agreement in effect forever. They don't need any other votes. If this bill passes any chance for relief for others is gone forever.

We had a good bill here. The community facilities bill. It helped everyone and every community. It was not a handout. It was in the nature of loans. Some of the very people who are in favor of spending $100,000 to put 1 man to work, now voted against that bill that would have done so much for the whole United States of America. This present bill is not legislation—it is a payoff and should be deplored by the Congress as a whole.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, like the gentleman from Louisiana, Mr. Boggs, who has been very active in behalf of this bill—at least, he was yesterday—I have not a single mine in the District I have the honor to represent.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. In a minute.

Mr. BOGGS. I am still active for it.

Mr. GROSS. Just a minute. I will yield later. I have not a single mine in the District I represent. But, unlike the gentleman from Louisiana, I am not a free trader.

Mr. BOGGS. Am I?

Mr. GROSS. Yes, and I wonder what the gentleman from Louisiana has in store for the knitting mill in my District that is being severely injured by the imports of knit gloves and mittens from the cheap labor of Hong Kong, Japan, and Italy. I do not know whether these products are handled through International House in New Orleans that apparently does a lot of curbstone brokerage in imports. But, I do know that American products are being hurt, and I do not see any relief for them.

The gentleman from Texas [Mr. ROGERS], a little while ago said that anyone who voted for the so-called Reciprocal Trade legislation ought to vote for this bill. It is not incumbent upon them to do any such thing for they could expect that the industries of this country would be protected under the terms of that bill.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Gladly.

Mr. ROGERS of Texas. Is the gentleman saying that the people who voted for the Reciprocal Trade Agreements Act had no concern at all for American business and were more interested in foreign trade?

Mr. GROSS. I said that they had a right to expect that the provisions of that act would be properly administered.

Mr. ROGERS of Texas. Would not that objection lie if they were to vote against their own interests?

Mr. GROSS. I am saying that they have a right to expect that the law be administered according to the terms of that law.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield, if you want to tell me about International House.

Mr. BOGGS. Does the gentleman yield?

Mr. GROSS. I yield.

Mr. BOGGS. Am I to imply from the gentleman's statement that if there was some provision in here for a knitting mill in his District, he would be for the bill?

Mr. GROSS. No, I would not be for the bill because it is a raid upon the Treasury which in turn results from the so-called Reciprocal Trade Act. I am not a special pleader.

Mr. BOGGS. You are not voting on reciprocal trade agreements today.

Mr. GROSS. No more than I would expect to find quotas in this bill to take care of the Louisiana sugar producers.

Mr. BOGGS. Did the gentleman vote for the reciprocal trade agreements bill?

Mr. GROSS. Of course I did not vote for it.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ROGERS of Texas. The gentleman does know that this is an administration measure, and he knows that the White House endorses it and that the Interior Department endorses it.

Mr. GROSS. Oh, yes. But that still does not make any difference to the gentleman from Iowa. Right is right and wrong is wrong, and this $650 million handout will not correct the basic trouble which is foreign imports.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. DORN of South Carolina. Mr. Chairman, I want to compliment the distinguished gentleman from Iowa, and I should like to ask this question, too. One of the distinguished gentlemen a moment ago inferred that only lead and zinc were essential to national defense. I certainly think that the gentleman's knitting mill and all of the textile industry and the woolen industry are also essential.

Mr. GROSS. What I am trying to say to the gentleman from Louisiana [Mr. Boggs] is that I do not come here as a special pleader.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. I am a little bit confused, because the gentleman from Louisiana [Mr. Boggs] stated very frankly and honestly, honorable gentleman that he always is, that he is a freetrader. Then I also heard the gentleman from Iowa say, "Well, how about the sugar quotas?" In other words, what the gentleman from Iowa really means is that the gentleman from Louisiana is a freetrader for everything except sugar.

Mr. GROSS. The gentleman from Wisconsin has stated the case exactly.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PILLION. I think perhaps we ought to clarify the relationship of this program to the national defense. The national defense has been mentioned here a number of times. Referring to the report on this bill, nowhere do I find any reference to this program being necessary or desirable for the national defense. I find no approval, no letter of approval from the Department of Defense. This program is wholly outside of the Department of Defense requirements. I think the House ought to know that, and I think it ought to be made clear here that this has nothing to do national defense.

Mr. REED. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I shall not take but a very few minutes to speak on this question. We have wrestled with this lead and zinc tariff proposition for a long time in the Committee on Ways and Means. I am in deep sympathy with the condition of these mines. In fact, I worked so hard trying to get relief for them on the tariff that a delegation from the mining districts of the West came to pay their respects to me for what I had tried to do for them.

Mr. Chairman, I have great respect for this body. I have been in it a good many years. It is called the greatest legislative body in the world. It can only remain so if we preserve the rules of this House. I want to call attention to this. Every time we have had a war, the power of Congress has been weakened because great powers have been given to the Executive. We are told that they have surrendered those powers, but after all, there is a left over of power in the Executive that has watered down the strength of this Congress. There is not any question about it in my mind. I have seen it and I think many of the older Members have seen it, too.

I think it is more important to preserve the integrity of this House by bringing legislation in here under the rules, by having hearings before the proper committees and getting to the very bottom of these matters than to surrender to the Executive. I am not revealing any secrets; I do not know how many Members there are on the floor—I would not ask them to raise their hands—who have received letters and calls from the departments downtown and told what to do, at least by inference. And sometimes there are great promises made. I have seen it happen here in Congress after the wars. I have seen legislation pushed through by promises that if they were privately made, handled in that way, it might be called bribery. We have to stop the practice in order to protect the integrity, the good will and the reputation of this House.

I have a little quotation here. It says:

> That which raises a country, that which strengthens a country, and that which dignifies a country—that which spreads her power, creates her moral influence, and makes her respected and submitted to, bends the hearts of millions, bows down the pride of nations to her—the instrument of obedience, the fountain of supremacy, the true crown and scepter of a nation is character.

The only way we can preserve character in this legislative body is to follow the orderly procedure of the House rules. When there comes a time that the bureaus downtown can put the pressure on here and bring in such a piece of legislation as we have here, even though it may bring some relief, that is not the way it should be handled, and everybody on this floor knows it. If they can do it in one case they can do it in another, and they will keep doing it every time they want to put something over on the House of Representatives.

Mr. Chairman, in the name of the people of the United States, we cannot afford to surrender the power and the integrity and the character of this great legislative body.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. REED. I yield to the gentleman from Tennessee.

Mr. BAKER. In my judgment, no greater man ever served in this body than the distinguished gentleman just addressing us. May I ask one question: Does the gentleman agree with me that this important and serious problem must be solved by the Congress?

Mr. REED. It must be, of course. I agree to that. It must be solved in the honorable way.

Mr. BOGGS. Mr. Chairman, I move to strike out the last word.

Mr. NEAL. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from West Virginia.

Mr. NEAL. In line with what has been said by the gentleman from New York, admitting that the Congress surrendered its power over tariff questions, admitting that we made a mistake, does it not appear to the gentleman that this legislation is nothing more than an attempt on the part of the Congress to correct a mistake which has been made and has continued since the adoption of the Trade Agreements Act?

Mr. BOGGS. First, I will not admit we made a mistake, but, assuming one was made, I think this legislation should be passed.

I should like to join with the distinguished gentleman from Tennessee in a word of tribute to the gentleman from New York. I know of no man who has served our country with greater ability or greater integrity than has the gentleman from New York [Mr. REED].

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I should like to associate myself with the gentleman in his statement. I know that I speak the sentiment and the feeling of everyone on this side of the House in echoing the words of the gentleman from Louisiana with respect to the distinguished gentleman from New York [Mr. REED].

Mr. BOGGS. I thank the gentleman.

One of the really great pleasures of my life has been to be associated for many years with the gentleman from New York and to know his wife and his family, and also to have had the privilege of agreeing with him and disagreeing with him. On this subject, as everyone knows, I have disagreed with the gentleman from New York.

This is a subject that over the years has lent itself to a great deal of emotionalism and, shall I say, "catagonizing."

I also admire the gentleman from Iowa. I do doubt if there is any Member who follows legislation with more diligence than the gentleman from Iowa. But just a moment ago he thought he was using a bad term when he talked about a freetrader. I do not plead guilty to being or not being a freetrader or of being or not being a protectionist, but I will say this: I am not really concerned about these words. They do not frighten me. If advocating the trade-agreements program, which is a program of reciprocity——

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. GROSS. I thought the gentleman pleaded guilty of being a freetrader a few moments ago.

Mr. BOGGS. Will the gentleman please listen to me? If this is pleading guilty, then I plead guilty. If advocating the trade-agreements program, which protects 4 million American jobs and provides markets for American industry and agriculture; which has also been advocated by the United States Chamber of Commerce and the National Association of Manufacturers, the President of the United States, by most of the great industrial leaders of this country, by the labor organizations, and which passed the House just recently by a vote of 317 to 92—if that means I am a freetrader, then I plead guilty.

Because, believe you me, I am for the trade-agreements program. I was for it last week and last year and as long as the people of my District honor me with the privilege of serving here, I intend to be for it.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. BYRNES of Wisconsin. Does the gentleman believe that section 6 of Trade Agreements Act should be carried out and also that the escape-clause provision under section 7 of the Trade Agreements Act should be carried out?

Mr. BOGGS. That is one of those "Do you beat your wife" questions?

Mr. BYRNES of Wisconsin. I just asked you whether you believe they should be carried out.

Mr. BOGGS. Certainly, I believe that and I believe they are being carried out. The President of the United States under the provisions of the act has full discretion in that respect, as the gentleman from Wisconsin well knows.

Mr. BYRNES of Wisconsin. He does not under section 6.

Mr. BOGGS. Mr. Chairman, I decline to yield further.

Mr. Chairman, I do not understand how someone who is opposed to the trade-agreements program should use this opposition as a basis for being opposed to this bill. Apparently, the gentleman from Iowa was opposed to the trade-agreements program because of a knitting mill in his District. I have no complaint about that. If his knitting mill makes it necessary for him to be against the trade-agreements program, that is all right with me. But why should he be against this program?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Chairman, one of the best expositions of this bill, I thought, was made a few moments ago

by the gentleman from Missouri [Mr. CURTIS]. He pointed out the economic considerations involved in a tariff and the economic considerations involved in this type of approach. There is nothing new about this. There is nothing radical about this. If anyone will examine our economic system, he would know that this method has been employed time and time again in our free-enterprise economy. The gentleman from Missouri, I gather, reached the conclusion that he preferred the tariff approach to this approach. He gave certain data to which I do not subscribe as chairman of the subcommittee upon which the gentleman served. When you impose a tariff, you do a whole variety of things. In this particular instance, in the case of the sliding-scale excise tax recommended by the administration last year and turned down by the Committee on Ways and Means, what would you have done? No. 1, you offended all of our friends abroad. Now I know some people feel we would be just as well off without any friends. I do not. I have not come to that conclusion. If anyone has any doubt about it, talk to the people in Peru. This had much to do with the demonstrations involving the Vice President of the United States upon his visit there this year. The gentleman from Missouri went to Canada last October with some of the rest of us on the subcommittee. He talked to the present Prime Minister of Canada, Mr. Diefenbaker. He talked to the party leaders of both parties in Canada. The gentleman from Missouri heard about lead and zinc in Canada.

Subsequently the gentleman from Michigan and I went to Peru, and we went to Chile; we heard about copper, we heard about lead and zinc. So this is just something you cannot disassociate from our friends abroad, much as you would like to. It is a fact which exists.

What about the tariff approach? Not only do you offend all these people, but also the cost is much greater, because the cost then must be paid on every pound consumed.

Who is the biggest customer for these metals and minerals? The Defense Department which buys much of them, so far as the Government is concerned. A tariff would therefore cost the Government of the United States, by paying the increased cost, more than every penny which is authorized in this bill. In addition to that, however, from a cost point of view, every consumer who buys 1 pound of any one of these metals would be required to pay the whole cost.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. GROSS. What is this, a subsidy for the Defense Department?

Mr. BOGGS. This is an effort to satisfy as best we can our commitments here and abroad and to maintain an industry which even the gentleman from Iowa admits is an essential industry.

Mr. GROSS. I am saying that this must be a subsidy, and I am asking the distinguished gentleman from Louisiana if it is a subsidy for the Defense Department.

Mr. BOGGS. The gentleman from Louisiana admits that it is a subsidy if the prices drop below certain levels.

Mr. GROSS. For the Defense Department.

Mr. BOGGS. For the mines and workers. Let me pass to other arguments which have been advanced here in the last several days: It is that certain other segments of the economy possibly might need similar treatment.

It seems to me that we are always called upon to stand on our own feet. It seems to me that if there are other industries, other groups which are entitled to consideration, then they should not scuttle this program which is recognized as necessary.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Chairman, the bill, S. 4036, to stabilize production of copper, lead, zinc and tungsten presents some difficult problems for the Members of the House. One serious question which troubles me greatly has been touched upon during the debate on the measure. That has to do with the flight of capital from the United States to foreign nations for investment there.

I realize that there are many reasons for private capital investing abroad. Three of them arise from actions of Congress itself. They are our high tax rate, our reciprocal trade legislation and our foreign aid program. The first two almost compel private capital to go abroad. The third encourages it.

It has been pointed out during this debate that the bulk of imports of copper, lead and zinc from abroad come from mines owned and operated by American capital. Because of lower wage rates and costs in foreign lands these imports can undersell our own minerals. As a consequence, the United States mining industry can't compete and is threatened with closure. To keep the industry in production it is proposed by the pending measure that we subsidize it to the extent of perhaps $500 million. The basis for the proposal is chiefly that critical defense minerals are involved and that in the interests of national defense we must keep our own mines in operation so that we need not depend entirely upon foreign nations during an emergency. The House may decide that this must be done.

Involved in this matter, however, is a more far-reaching problem. How many of our industries, because of high taxes and reciprocal trade legislation, will move abroad? In 1949 our Committee on Merchant Marine and Fisheries heard testimony to the effect that imports of foreign fish products had caused some United States establishments in New England to close up. It was predicted that they would move to Canada. This they have now done, and are sending their products into this country to compete with those of their former associates in New England. The fishing industry in that area is in such dire straits because of these imports that there is some question whether it can long survive.

The same thing is occurring in the plywood industry. Last year 656 million square feet of plywood was imported into this country. Foreign plywood can easily undersell domestic plywood because of lower wages and costs. Now, because they can no longer compete, some American plywood people are either building or will build plywood plants abroad in such countries as Australia, Turkey, South America, and Japan. They will produce for the American market and will offer further competition to the remaining United States plywood plants.

We know that the American automobile industry has built plants abroad. How many other United States industries are undergoing or will undergo similar experiences, I do not know. It is reasonable to assume there are many. Whatever the number, United States jobs are lost and the United States economy adversely affected. I urge Congress to make a thorough study of the forced flight of United States capital which is invested in industries abroad and then competes for United States markets.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on the pending bill and all amendments thereto close at 4:30.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. SAYLOR. Mr. Chairman, reserving the right to object, I am going to object because if the gentleman will limit debate and get down to the amendments we will be through before that time.

The CHAIRMAN. Does the gentleman object?

Mr. SAYLOR. Mr. Chairman, I object.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close at 4 o'clock.

Mr. HALEY. Mr. Chairman, I object.

Mr. ROGERS of Texas. Mr. Chairman, I move that all debate on the pending bill and all amendments thereto cease at 4 o'clock.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 3, line 2, strike out the word "such", and insert "shipment to producer's processing plant for."

Page 3, line 6, strike the subsection designation "(a)."

Page 3, line 9, strike out the word "for", and insert "in."

Page 8, line 17, strike out the word "produced", and insert "sold."

Page 8, following line 18, insert a new section reading as follows:

"SEC. 202. Payments may be made to any producer in accordance with the provisions of this title without regard to the provisions of section 106 of this act."

Page 8, line 19, renumber "SEC. 202." as "SEC. 203."

Page 9, following line 19, insert a new title reading as follows:

"TITLE IV

"SEC. 401. The Secretary of the Interior is hereby authorized and directed to establish and maintain a program of incentive payments to domestic producers of beryl, chromite and columbium-tantalum in order to promote mining and development research for these minerals, as provided in this title.

"SEC. 402. (a) The production incentive payments authorized by this title shall be made for the following minerals newly mined from deposits located within the United States, its Territories and possessions, in the amount and subject to limitations herein specified:

"(1) For beryl concentrates (10 percent BeO basis), $70 per short ton, with premiums and penalties as set forth in the regulations issued pursuant to this act, for not to exceed an aggregate of 1,000 short tons annually. No incentive payment shall be made in a calendar year on a quantity in excess of 150 short tons produced by any one producer and originating in any one mining district from properties controlled by such producer.

"(2) For commercial grade, metallurgical chromite (46 percent basis), $35 per long dry ton, with premiums and penalties as set forth in the regulations issued pursuant to this act, for not to exceed an aggregate of 50,000 long dry tons annually. No incentive payment shall be made in a calendar year on a quantity in excess of 10,000 long dry tons produced by any one producer and originating in any one mining district from properties controlled by such producer.

"(3) For commercially acceptable columbium-tantalum concentrates (basis 50 percent contained combined pentoxides), $2.35 per pound of contained combined pentoxides with ratios of Ta_2O_5–Cb_2O_5, premiums and penalties as set forth in regulations issued pursuant to this act, for not to exceed an aggregate of 50,000 pounds annually. No incentive payment shall be made in a calendar year on a quantity in excess of 10,000 pounds produced by any one producer and originating in any one mining district from properties controlled by such producer.

"(b) The incentive payment programs shall not be initiated until the termination of existing purchase programs of the Federal Government for these materials, respectively, set forth in regulations issued under authority of the Strategic and Critical Materials Stockpiling Act (53 Stat. 811), as amended; the Defense Production Act of 1950 (64 Stat. 798), as amended; and the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (70 Stat. 579).

"(c) No incentive payment shall be made pursuant to the provisions of this title except upon presentation of evidence satisfactory to the Secretary that the material has been produced and sold to a consumer, mill or processing plant, or dealer in chromite, beryl, or columbium-tantalum ores or concentrates in accordance with regulations issued under this act.

"SEC. 403. The provisions of this title shall take effect on the first day of the first quarter next following the date of enactment of this act, and shall terminate on June 30, 1963."

Page 9, line 20, strike out "Title IV", and insert "Title V."

Page 9, line 21, renumber "SEC. 401." as "SEC. 501.".

Page 10, line 5, renumber "SEC. 402." as "SEC. 502.".

Page 10, line 8, renumber "SEC. 403." as "SEC. 503.".

Page 10, line 17, add a new sentence reading as follows:

"In the event that a producer further processes ores or concentrates a sale shall be deemed to have occurred when such ores or concentrates are shipped to the processing plant.

Page 11, line 7, strike out "103 and 201", and insert "103, 201 and 402".

Page 11, line 8, following the word "determine" insert "what constitutes a mining district and".

The committee amendments were agreed to.

The Clerk read as follows:

Committee amendment: Page 11, line 20, strike out all of section 404 through page 12, line 19, and insert in lieu thereof the following:

"SEC. 504. There are hereby authorized to be appropriated from any funds in the Treasury not otherwise appropriated, such sums as may be necessary, not to exceed $650 million, to carry out the provisions of this act."

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas to the committee amendment: Page 15, line 11, strike out "$650 million" and insert in lieu thereof "$458 million."

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The Clerk read as follows:

Page 12, line 20, renumber "SEC. 405." as "SEC. 505."

Page 12, line 22, renumber "SEC. 406." as "SEC. 506." strike out the words "The Secretary shall make an annual report with respect to operations under this act as soon as practicable after July 1 of each of the years 1959 to 1963 inclusive" and insert in lieu thereof "The Secretary shall make semi-annual reports with respect to operations under this act not later than March 1 and September 1 of each year."

Page 13, line 4, renumber "SEC. 407." as "SEC. 507."

Amend the title so as to read: "An act to stabilize production of copper, lead, zinc, acid-grade fluorspar and tungsten and to promote mining and development research for beryl, chromite and columbium-tantalum from domestic mines."

The committee amendments were agreed to.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I will be happy to.

Mr. ROGERS of Texas. I was so interested in the gentleman's argument that the committee will accept his amendment.

Mr. SAYLOR. I am delighted to hear that, but I am more interested, if the amendment is accepted and we go to

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania, Mr. SAYLOR.

Mr. SAYLOR. Mr. Chairman. I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: Page 4, after line 18, insert: "*Provided*, no producer shall receive stabilization payments on any sales in any one quarter in excess of the quantity specified in this section."

Mr. SAYLOR. Mr. Chairman, the members of the committee have stated that it was their desire to make sure that this legislation would help small producers, and they adopted the preceding section 103 (b) which limits the amounts that may be produced in any one quarter. Now, all my amendment does is to say that the language that is contained in that section means what it says and that any producer, shall be limited to those amounts in section 103 (b).

Now, to show you how loosely this bill is drawn this amendment has a strange and startling effect. The present cost of the bill as estimated by the Department of the Interior for lead, zinc, fluorspar—acid grade—and tungsten trioxide is $296 million. If this amendment is adopted to make sure that each producer shall only be paid for 5,000 tons of lead and zinc, fluorspar and tungsten, this means that 95 percent of the production will go to small producers, and the payments, instead of being $296 million as specified in the bill, will be reduced to no more than $73,520,000, or a net saving of $222,480,000.

Now, unless this is to be a bonanza for several of the large mineral producers and if the committee means that this is a matter of defense and that they actually need small mines for defense and increased production then let us see to it that the payments go to small mines and do not go to a handful of big producers.

In 1956, 659 mines—95 percent of mines—produced less than 5,000 tons each of lead and zinc for a total production of 238,000 tons, or 27 percent of total domestic production of 895,000 tons.

If stabilization payments were limited to production of up to 5,000 tons annually for each mine—which would cover full production of 95 percent of the mines—the 5-year cost, for lead and zinc, would be $73.5 million instead of $296 million under the bill which sets no maximum on the amount which can be paid each producer.

5-year period

	Bill		Tons	Proposed limitation to cover 95 percent of mines	Saving (additional amount that would go to large producers) only 5 percent of mines
	Tons	Cost—Interior estimate		cost	
Lead	1,750,000	$136,500,000	475,000	$32,050,000	$104,450,000
Zinc	2,775,000	159,500,000	715,000	41,470,000	118,030,000
Total	4,525,000	296,000,000	1,190,000	73,520,000	−222,480,000

conference, that you stand up and fight for it then?

Mr. ROGERS of Texas. Of course, that is going to depend on what transpires. That is a bridge we will cross when we get to it. I am not making any commitment to anyone in this House as to what is going to happen in the future, even as to adjournment. I want to say this, if the gentleman wants us to accept his amendment, we will be very glad to do so.

Mr. SAYLOR. I will be happy to have it accepted, and I hope that if the gentleman is one of the conferees—and I feel sure that he will be—he will see that this amendment is kept in the bill.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. This amendment raises a question in my mind as to whether or not you are attempting to do something for the people who work in the mines, who are employed in the mines, or whether you are striving to do something for the mine owners.

If the gentleman is trying to do something for the people who are employed in the mining industry, then it seems to me he is defeating his purpose because his amendment is too restrictive.

Mr. SAYLOR. This amendment is not restrictive. It just says that the section 103 (b) actually means what it says. If the gentleman will read it, he will see that that is all the proviso assures.

Mr. SMITH of Mississippi. My question applies to section 32 as well as the gentleman's amendment.

Mr. SAYLOR. Then the gentleman had better ask the committee what they are trying to do.

Mr. SMITH of Mississippi. I understand that the gentleman from Pennsylvania is a member of the committee.

Mr. SAYLOR. I am a member of the committee, but I am opposed to the bill. I am trying to improve the bill a little so that if it does pass we will have something we can live with, and not be a windfall to the large operators.

Mr. SMITH of Mississippi. There is a serious question in my mind whether the gentleman's amendment will do something for that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOLAND: On page 1, line 10, strike out the words "and tungsten trioxide."

On page 2, line 4, strike out the words "and tungsten trioxide."

On page 2, strike out all of lines 22 and 23.

On page 3, strike out all of lines 16 and 17.

On page 4, line 16, strike out "and tungsten trioxide, three thousand short-ton units."

On page 5, beginning on line 3, strike out all of section 104 down to and including line 22.

On page 6, strike out all of line 3.

On page 6, line 11, strike out "tungsten trioxide, fifty-five thousand short-ton units."

On page 8, beginning with line 14, strike out all of paragraph (d) down to and including line 18.

Mr. BOLAND. Mr. Chairman, I wonder if the chairman of the committee will accept this amendment?

Mr. ROGERS of Texas. I cannot accept it, because it is too long and involved. But let me ask the gentleman a question. What is the general purport of it?

Mr. BOLAND. The general purport of it is to strike out price support for tungsten in this bill—just tungsten; that is all.

Mr. ROGERS of Texas. We could not accept that.

Mr. BOLAND. I have no illusions about the passage of this bill. There have been too many shotgun weddings over the past 3 days which assure that this bill will be passed. All I want to do is to make it more acceptable, perhaps, to the American people.

I have listened to this debate during the past couple of days. I have been here every minute while this debate has been going on. There has been no justification made for tungsten in this bill. Today, in the heat of all the arguments that have been made by the proponents of this bill, all of them have been leveled at lead and zinc. And I think at times they have made a good case and I congratulate them on the case that they have made. But there have been no arguments made here in favor of tungsten.

It has been said that this is a national defense bill, that this is necessary for the security of the United States. If that is so, it certainly does not apply to tungsten because in the stockpile which the United States Government has—and no one can deny that with reference to tungsten this bill is a stockpile bill—we have 177 percent of our needs. All of the testimony developed by the Senate, and I am sure some of the testimony developed by the House Committee on Interior and Insular Affairs, points up the fact that the stockpile is big enough for at least 19 years. Some of the members of the committee who are carrying the ball for this bill have said that this was a national defense bill and that a failure to vote for this would weaken our defense posture. With reference to tungsten nothing could be further from the truth.

The record is clear, and so clear that all who run can see.

Do you know that we have enough tungsten in the stockpile, even using the present average of 25 pounds for every jet engine necessary for our national defense——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that the gentleman be allowed the time that was allotted to me.

The CHAIRMAN. Without objection, the time allotted to the gentleman from Rhode Island is transferred to the gentleman from Massachusetts.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that I may be allowed to revise and extend my remarks at this point in the RECORD.

Mr. MILLER of Nebraska. Reserving the right to object, Mr. Chairman, I do not believe it has been the rule of the House to transfer time.

The CHAIRMAN. The Chair has already ruled that the gentleman can transfer his time to the gentleman from Massachusetts.

Mr. BOLAND. You have had all the time here the past couple of days.

Mr. MILLER of Nebraska. I have not taken any time.

Mr. BOLAND. The committee has.

The CHAIRMAN. The Chair had not known of the objection of the gentleman from Nebraska at the time he ruled.

Mr. MILLER of Nebraska. I was on my feet objecting, because it is against the rules of the House to transfer time.

The CHAIRMAN. Was the gentleman on his feet at the time the gentleman from Rhode Island made the request?

Mr. MILLER of Nebraska. Yes; I was.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I do this only to yield at this time to my distinguished friend from Massachusetts [Mr. BOLAND]. I just wish to say that if there was ever a move made to help defeat this bill, that objection to giving my time to Mr. BOLAND should be it. If the bill is defeated, the gentleman from Nebraska can take credit for defeating it.

Mr. BOLAND. I thank the gentleman from Rhode Island. I am surprised the gentleman from Nebraska should try to foreclose me from stating the facts which I intend to present to the Committee.

There is enough tungsten in the stockpile now, even at the present average of 25 pounds per jet engine, to build 2,300,000 airplane engines; or, we have enough tungsten in the stockpile now to last 192 years for the purpose of building jet engines.

What about shielding atomic aircraft? Something has been said about that, that tungsten is necessary for that; and it is. It is a great metal. But even if 10 tons of tungsten were used in a single aircraft, we have enough in surplus alone to build 5,750 atomic aircraft. No one knows how soon or how far in the future our Nation will accomplish a breakthrough in the atomic aircraft field. We all hope that it will be soon. But no matter what the time, the national reserve of the tungsten stockpile is large enough to supply the needs of this project—and is way beyond the needs.

Much will be made here by the supporters of the bill that we are crippling our security if this bill fails or if tungsten is knocked out of the proposal. This just is not so. Every last Member

of this House is interested in maintaining a strong defense structure and no Member wants or desires to weaken it. But there is a limit beyond which we should not go. And we are now far beyond that limit with respect to the critical material that is essential to supply the new and modern sinews of war. That metal is tungsten. We have more than enough for jet engines and atomic aircraft shields.

Mr. Chairman, here is a real chance to save $35,250,000. That is the amount of the subsidy that will be awarded under this proposal for tungsten. The proponents will come up here and say that it is only a pittance, a small amount. It is only seven million and a couple of hundred thousands dollars a year for the next 4 years. But the fact of the matter is that it adds up to $35,250,000.

Is that all it is going to cost the people of America? Is that all, as we have been assured, it is going to cost? Of course this is not it at all, because in the Senate hearings, when this bill was before the Senate, the Secretary of the Interior, Mr. Fred Seaton, was testifying and he said in response to a question by the distinguished senior Senator from Nevada that he would think that legislation which would increase the stabilization price in the years to come would be good legislation. Those were the remarks of the Secretary of the Interior, Mr. Seaton. Under this bill, the stabilization price for tungsten is $36 per short ton. I want the Members of the House to know that is the highest range for tungsten since 1953. This is one metal that is not essential at this time. This is one metal that should be knocked out of this bill.

Mr. HAGEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAGEN. Mr. Chairman, I speak in opposition to the amendment of the gentleman from Massachusetts [Mr. BOLAND] which would exclude tungsten from the benefits proposed by this legislation. I speak as the representative of a district which has many tungsten mines.

The principal justification for the subsidies proposed in this bill is that they relate to commodities which are vital to our defense program in time of peace and to a war program in time of war to the extent that the possibilities of interruption of supply dictate the maintenance of a domestic source of supply. A further premise is the fact that domestic mines once shut down are hard to reopen in timely fashion if salvageable at all and the fact that discovery of needed additional supply sources depends upon continuous activity which will exist only with a sufficient price incentive.

In my opinion tungsten is the most military of the metals described in this bill. The description of its uses contained in the report of the committee compared to the uses of the other metals dealt with in this legislation and described in such report will demonstrate that conclusion. It is used in temperature resistant alloys, as an ingredient of cutting tools and in the fabrication of armor piercing shells and electronic devices.

Currently all domestic production is shut down with the exception of a small supply secured as the byproduct of molybdenum mining and one small separate operation. Domestic tungsten mines are generally small. There are over 700 producers.

The proponent of this amendment states that we have huge oversupplies of tungsten trioxide secured as the result of a Government stockpiling operation. It is true that we have stockpiled supplies, but it cannot be demonstrated that these are oversupplies. With the rapid development of our electronic needs and the increased uses for temperature resistant alloys in guns, missiles, and aircraft it would be foolish to state that we were oversupplied.

A further point of significance is that the bulk of tungsten is produced in the United States, Bolivia, Korea, and Red China. No supplies are available from Red China nor will they be so available. In the event of emergency, the hope of supplies from Korea would be remote indeed. Bolivian supplies would be only a slightly less insecure prospect.

In view of the needs of our Defense Establishment and the proven need of a Government program to sustain tungsten mining in this country I would respectfully urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, I rise in opposition to the amendment. I want to say now I had no objection to the transferring of time in the regular order, but for any Member to come on the floor of the House and transfer their time without standing in the well of the House, that is the reason I objected. If anybody else wants to transfer their time to me and stand in the well, I will be glad for them to do that.

Mr. Chairman, now as to tungsten. I would like to call your attention to tungsten, where tungsten can be found, and where it now comes from; 95 percent of the tungsten of the world is located in Russia, Red China, Korea, and Bolivia. At one time this country had 200 small tungsten mines, but not today. They are closed. We have 15 percent that comes from this country. There is one captive mine in Alabama that is now partially closed. What is tungsten used for? It is one of the higher melting metals, in the higher ranges of melting facilities used in guided missile cones that go out into outer space and come back; yes, alive or not alive, destroyed or intact. And the 192-year supply of tungsten in this country is fantastic. That is not the case.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I decline to yield.

Mr. Chairman, I refuse to yield?

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. ASPINALL. Is it not true that 75 percent of the consumption of tungsten which we used last year, according to the estimates, came from outside the United States and not from Red China or from Russia but from production outside the United States?

Mr. MILLER of Nebraska. The gentleman is correct. Most of it came from Bolivia and Korea. I am sure the Members of the House would not want the industry in this country to be dependent upon getting tungsten from Korea, Bolivia, or any other country.

Having a good supply of tungsten on hand is like having a good fat bank account. The amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BOLAND].

The question was taken; and on a division (demanded by Mr. GAVIN), there were—ayes 52, noes 42.

So the amendment was agreed to.

Mr. COAD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COAD: On page 9, strike out lines 1 through 19.

Mr. COAD. Mr. Chairman, the amendment I have offered simply takes out the title which provides for the supports for copper. Mr. Chairman, I voted for the rule providing for the consideration of this bill by the House. A few moments ago I voted not to strike out the enacting clause. But, Mr. Chairman, I have been in attendance faithfully during the past 3 days and I have not heard anyone who has made a case for copper under the provisions of this bill. I believe those who are for this bill and those who are against this bill can both vote for this amendment. We have heard a great deal about copper. We have heard what has been happening on the stock market in the last few days concerning the price of copper stocks.

I know that the dividends which have been paid on copper stocks in the last several years have not indicated whatsoever that they are suffering and that they need assistance. We know that there is already in effect through the Interior Department a stockpiling program for copper that amounts to $82,500,000.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. COAD. I cannot yield.

We know that under the provisions of this bill this is only a support program to add to the profits of the copper industry, those who are already in command of a copper program that is not now suffering.

If we believe in this bill, and I have voted to bring it in here and I voted not to strike out the enacting clause, if we want to help this bill then we will vote to take out this section on copper. I do not believe there is anyone who can really

justify this title being in this bill in the form in which it is written.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not have a pound of copper in my district, but I know that there is justification for the copper portion of this bill. I know, for example, that the copper company that is showing the big gains on the stock market that we have heard a lot of talk about is a copper company that is against this bill, that appears to be more interested in its foreign production than its mines in the United States.

Mr. METCALF. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. METCALF. I regret very much that I have not any time in which to answer the gentleman from Iowa that I have not taken any time on the floor but I have consistently extended my remarks in the RECORD.

The Anaconda Copper Co., which is in my district, has consistently lost. Their consolidated statement has been such that if they had not had Anaconda Aluminum Co. and their lumber company operations, they would have lost all their profit. They are closing down mines in Montana, mines more than a mile deep. Those mines are flooded; the machinery is rusted, and those mines will be lost forever if this $150,000 purchase does not remain in this bill.

This copper is money in the bank, and I will wager that if this bill passes—and it is only an authorization bill—if this bill passes and this title remains in the bill, the price will go above 27½ cents; this surplus will all vanish from the market, the mines will open, and the Government will not have to buy a single pound of copper.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. UDALL. The only facts before the House on the copper situation come from the Office of Defense Mobilization which has stated only this week that we have only 75 percent of the amount currently calculated as needed for an adequate copper stockpile. This fact has not been controverted by anyone during the 3 days of this debate.

Mr. EDMONDSON. Furthermore, we used a lot more copper in a single year of World War II than we have in our maximum stockpile objective for copper at the present time. For the sake of the country we must look ahead to the future and keep the copper mines in production in this country. The only reason we have seen additional investments in foreign mines is because we have made it so attractive for people to invest in foreign countries that they prefer to invest there rather than in production in our own country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. HAYS of Ohio) there were—ayes 28, noes 63.

So the amendment was rejected.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Chairman, I want to make a correction, if I can. The statement was made here that there was only about one tungsten mine in the United States. When the tungsten subsidy was killed by the Congress after it had cost us $220 million since 1951, there were 122 mines producing tungsten in 1 State, Nevada. In fact it is well known that tungsten is "coming out of our ears."

Mr. HAYS of Ohio. Mr. Chairman, I yield to the gentleman from Georgia [Mr. FLYNT] for the purpose of offering an amendment.

Mr. FLYNT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLYNT: On page 15, after line 11, insert a new section to be appropriately numbered reading as follows: "SEC. . No payment shall be made under this act to any producer which shall declare any dividends or transfer any funds to a surplus account, during the calendar or fiscal year in which it applies for or receives any payment hereunder."

And renumber the remaining sections.

Mr. RHODES of Arizona. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RHODES of Arizona. Mr. Chairman, the amendment is not germane to the bill.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard?

Mr. FLYNT. Mr. Chairman, may I say that the amendment is as germane to the bill as the provision in the bill which precedes the point at which the amendment is offered, providing a time limit on the disbursement of payments under the act. My amendment would simply provide and place a limitation on eligible producers who can participate under the proceeds of the act. I may say further, its purpose is to prevent speculation and the profits from speculation at the cost of the taxpayers who shall pay the $650 million provided in this legislation.

The CHAIRMAN (Mr. EVINS). The Chair is prepared to rule. The Chair has examined the amendment, which has been read, and overrules the point of order.

Mr. HAYS of Ohio. Mr. Chairman, if the proponents of this legislation are sincere about companies being in distress, they ought to accept this amendment without any further argument.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. No. I want the author of the amendment to say something about it.

Mr. ASPINALL. He should have stated that ahead of this.

Mr. FLYNT. Mr. Chairman, I thank the gentleman from Ohio for yielding to me for the purpose of offering this amendment and for the opportunity of speaking briefly on it.

Mr. Chairman, this amendment will show this bill for exactly what it is, a $650 million windfall to the large producers who will undoubtedly receive the major benefits from it. If this amendment is adopted it will provide that the bulk of the funds carried in this bill will go to prevent unemployment and put people back to work in an essential industry in this country.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Would it be possible for a mine to operate at a profit and to receive payments under the gentleman's amendment?

Mr. FLYNT. I will answer the gentleman's question by saying that the answer would depend on the situation in each particular case; but I, for one, do not want to vote $650 million of tax money to promote speculation in the New York stockmarket. I just do not believe that it is a proper expenditure of tax money, and I do not believe it is morally right.

On yesterday the gentleman from Ohio [Mr. KIRWAN] and others either read extracts from news that came in on the ticker in the Speaker's lobby or otherwise commented on the fact that certain mining stocks rose on yesterday and that the rise was attributed to belief that the administration-sponsored minerals bill would pass. Along with every Member of this House, I want American industries and enterprises to prosper and flourish, but I do not believe that it is good legislation to provide windfalls to selected groups at the expense of public funds.

The estimated $14-billion deficit for fiscal 1959 is already much too big, and I do not believe that the additional $650 million which this bill would provide should be added to the staggering deficit that already confronts us.

One final point is that this amendment is necessary if relief is to be provided where relief is either necessary or desirable from the standpoint of the public interest. The sponsors and advocates of the bill have said that it is designed to benefit interests which are shrinking or suffering. This amendment would have the effect of guaranteeing that kind of help by restricting expenditure of Federal funds to companies and areas where relief is genuinely needed.

This amendment would put teeth into the bill to provide for employment and prevent forced shutting down of mine operations. It would channel the funds provided for in the bill into the direction where such funds are truly needed, rather than indiscriminately where larger and more profitable producers would seek and obtain the lion's share or the major portion of the funds provided.

It is possible that the amendment will not cure the many defects and deficiencies which appear in the bill, but it would certainly make it a better bill than it is in its present form.

I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. FLYNT].

The question was taken; and on a division (demanded by Mr. LENNON) there were—ayes 64, noes 50.

Mr. ROGERS of Texas. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROGERS of Texas and Mr. FLYNT.

The Committee again divided, and the tellers reported that there were—ayes 79, noes 59.

So the amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. KILGORE].

Mr. KILGORE. Mr. Chairman, I offer an amendment.

Amendment offered by Mr. KILGORE: Strike out the words "acid-grade fluorspar," from the title.

On page 1, line 8, strike out the words "acid-grade fluorspar (fluorspar", strike out all of line 9, and strike out the words "dry weight basis)," in line 10.

On page 2, lines 3 and 4, strike out the words "acid-grade fluorspar."

On page 2 strike out line 20, and on line 21 strike out the words "point of shipment."

On page 3 strike out line 14 and the word "fluorspar;" on line 15.

On page 3, line 16, strike out "(4)", and replace with "(3)."

On page 4 strike out line 17 and the word "tons;" on line 18.

On page 6, line 2, strike out the words "fluorspar (acid-grade), $13.00 per short ton."

On page 6, line 10, strike out the words "fluorspar (acid-grade), five thousand", and the word "tons;" on line 11.

On page 16, in the second line below line 3, strike out the words "acid-grade fluorspar."

Mr. KILGORE. Mr. Chairman, I ask unanimous consent to explain the amendment in lieu of its being read.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KILGORE. Mr. Chairman, in the interest of conservation of time of the Committee I have asked that I might explain the amendment rather than it being read, because it is a complicated amendment but simple in its application. This amendment would strike from the bill acid-grade fluorspar wherever it may appear. It appears in some 9 or 10 places in the bill. The adoption of the amendment would take out from under the proposed subsidy in this bill any subsidy for acid-grade fluorspar.

Mr. Chairman, I would like to say these things about acid-grade fluorspar by way of distinguishing the condition that this industry finds itself in as compared to the situation that has been described to this committee for several days with respect to the other mining industries.

Acid-grade fluorspar is being produced in this country at a higher rate now than it was the year before and at a higher rate than it was produced in any prior year in the history of its production.

The price at which it is selling today is only 7 percent lower than was the price at the height of the Korean conflict.

If there is any considerable unemployment in this industry today it cannot exceed some 500 or 600 persons.

I became considerably interested in acid-grade fluorspar by reason of the fact that about 50 to 70 percent of all known world deposits of fluorspar are in Mexico and there is imported into the United States through my district, at least a considerable portion of the acid-grade fluorspar used in this country. When examining into these questions I learned these facts about increased production, satisfactory price, and the absence of any considerable unemployment in the industry, the belief on the part of everybody that the demand for fluorspar would go up, and these additional facts that I think are quite interesting.

This bill would not in any manner affect 60 percent of the acid-grade fluorspar production in the United States because it is from captive mines. This production would go on even if you had a downturn, I should assume.

That would mean that with this legislation we are talking about only 40 percent of the production of acid-grade fluorspar in the United States if we assume that 100 percent of the production sought to be bolstered by this bill would cease if the fluorspar part of this legislation is not passed.

Everyone agrees that fluorspar is quite significant to many phases of national defense and that the utilization of it will continue to increase. The Secretary of Interior has indicated that he wants to stabilize domestic production at about 180,000 tons annually. Domestic production last year was 190,000 tons. It is believed that capacity production of domestic acid-grade fluorspar does not greatly exceed 200,000 tons. This means that in the absence of major new deposits in the United States, and it should be be pointed out in passing that there have been no such deposits discovered since World War II, that a large part of our needs must be fulfilled from imports.

In this respect we are fortunate that Mexico can supply those needs. The supply route can be over land within Mexico and over land in the United States or within the inland waterways in the United States. This would make it appear that the maintenance of our trade relationship with Mexico so that we can continue to purchase acid-grade fluorspar from that country would be most important to national defense. It would appear then that without the subsidy sought to be provided in this bill for acid-grade fluorspar that this country can maintain a domestic industry and can maintain a trade relationship with a friendly foreign country to augment our needs of this strategic material, and over a safe supply route.

Mr. Chairman, I urge the adoption of the amendment.

Mr. GRAY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois in opposition to the amendment.

Mr. GRAY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas [Mr. KILGORE]. This is a bad amendment and should be defeated. The gentleman has offered this amendment to protect the importers of fluorspar from Mexico. Since the gentleman's district borders on the side of Mexico and I know he has workers in his district handling these imports, I cannot blame him for offering the amendment. However, let me call to the attention of the House that foreign imports have already choked off 90 percent of the domestic market for fluorspar. What do we want to do, give them all of the market? If you adopt this amendment that is precisely what you will do eventually. We have a stockpile program that will run only until December 31 of this year on acid-grade fluorspar. After that our mines will be forced to close unless we can pass this bill or get other remedy.

If our mines are forced to close we will be dependent upon Mexico, Italy, Spain, and Germany for this strategic material in case of an emergency.

In the limited time I have I would like to tell you a little about the important role flourspar is playing in our defense effort.

Acid grade fluorspar is essential in peacetime as well as wartime. Without it we cannot produce aluminum, atomic energy, hydrofluorine acid, fluorine for the chemical industry as well as many, many other essential products. The Atomic Energy Commission's report to Congress made it perfectly clear that a supply of acid grade fluorspar was just as essential to the atomic energy program as was a supply of uranium.

Dr. Wernher von Braun, the leading light in our missile and rocket program, had this to say about fluorine: "It is impossible for us to have too much fluorine if we are to successfully maintain our missile and rocket program necessary to defend this country against aggression."

I ask the Members of this House if they want to jeopardize this small but vital industry by failing to include fluorspar in this minerals program. From the temperament expressed here this afternoon it appears that the opponents of this measure will attempt to adopt all amendments in order to weaken the bill and eventually cause its defeat. I hope you will take a good look at the need to preserve our domestic mining industry and support the legislation before us without all these crippling amendments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. KILGORE].

The question was taken; and the Chairman being in doubt, the Committee divided and there were—ayes 91, noes 51.

Mr. GRAY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, a few minutes ago the gentleman from Ohio [Mr. KIRWAN], said there were 120 tungsten mines operating in Nevada. There were a year or two years ago, but they are all closed now.

There is only one tungsten mine now, a captive mine in Alabama, that is under partial operation.

Mr. RHODES of Arizona. All I want to say, Mr. Chairman, and I am not going

to impose any more on the good nature of the Committee because I think all has been said on this bill that can be said, is what I said before: This is a defense bill. This is not an unemployment bill or a relief bill for anybody. This is a bill which will save a very basic industry for the defense of the country.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, I just want to say to my good friend that all has not been said that could be said about this bill. There is still a lot to be said.

I call the attention of my friend from Texas, who spoke about this legislation going to conference, to the fact—that we are not so certain—about its going to conference until the votes are recorded; so I think the gentleman's statement is premature.

They ask us what the bill will do or what the bill is about.

Here is a statement and it comes from an authoritative source:

> This proposal calls for a program of incentive payments designed to maintain a small domestic production of minerals as an adjunct to Government research programs. The payments will provide an incentive to domestic producers to advance both research and exploration for these highly strategic commodities.

That is what the bill does. This is not stockpiling in any sense, so they say, however, it is an incentive to stockpile more of these minerals that have been referred to here today. Really, this is a discriminatory piece of legislation. It is going to cost the American taxpayers between 500 and 700 million dollars. It is discriminatory in favor of the lead and zinc industry. We have just as many difficulties in the pottery industry of Ohio and in the textile industry of the New England States, and in the coal mining regions of Pennsylvania and they are entitled to and should be given just as much consideration as the lead and zinc industry. Why should these minerals receive preferential treatment? But, let us give careful thought to our vote today. Here is an opportunity to save $500 million to $700 million. We are facing a deficit next year of $12 billion or $13 billion. Here is a chance to save some money for the taxpayers back home. The man who by the sweat of his brow must earn the money to pay the taxes to meet the cost of such unnecessary programs as proposed here today. Let us give Mr. Taxpayer a little consideration in your final vote today. I sincerely trust that this legislation will be voted down.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, we are coming to the close of a debate that has been very heated and a debate which, I think, is very well for the House of Representatives to have gotten into. The first thing I want to say is this. This bill is an administration bill. It was handed to our committee by the Secretary of the Interior. We worked on it long and hard hours to put it into shape because we felt it was vital to the interest of this country. Now we are moving into an age, as I told you before, of high heat resistant metals. You struck tungsten out of this bill. Let me tell you what you have done. Over 50 percent of the tungsten in the world is owned by Russia and Red China. Now, of course, it is not bad at all to let Russia and Red China get ahead of us on that. So also let them get ahead of us on columbium and let them get ahead of us on tantalum that we have to import 99 percent of what we use. And let them get ahead of us on beryl and everything else—just so long as you do not infringe on some fellow's particular district. I tell you this is a bill for America. It has America written all over it. When you vote against this bill, you are not voting against some deficit or something like that, but you are voting against America. That is the reason the administration sent it up here.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. JENNINGS. As I understand it, this bill contains nothing for the manganese industry; is that correct?

Mr. ROGERS of Texas. There is a manganese program in effect and when the time comes and we need to work on that, we will work on it, and if it had been necessary to include it in the bill, we would have put it in because it is very important.

Mr. JENNINGS. Does the gentleman not also agree that we do need a long-range program on manganese because it is the most strategic of all the strategic metals and we are only producing 15 percent of the manganese in this country, which is so vitally needed.

Mr. ROGERS of Texas. We need a long-term program on all of these minerals. But, this is the only thing we were left with after the administration told us that they would give us a long-term proposition, they did not do it. Then they did not do it on the Reciprocal Trade Agreements Act. I am not going to stand up here as a Member of the Congress and sell our vital industries down the drain simply to help some importer in some foreign country. I am not going to do it.

Mr. SISK. Mr. Chairman, I arise in support of this mineral stabilization bill because I believe it to be the minimum requirement for a basic industry. Failure to act favorably on this legislation at this time condemns one of our most basic industries to almost certain death. I think this legislation has been very adequately explained and so I shall not attempt to enter into the technical details of the problem. I am of course primarily concerned with the plight of chrome producers and tungsten mines in my own area. At the present time they are closed down, at a great loss not only to mine owners, to the employees of the mines, but in my opinion to the detriment of all Americans. As has been explained, we are not proposing this bill as a welfare measure or as an antidote to unemployment, yet at the same time information given at the committee hearings would indicate that this stabilization program could effect the welfare of hundreds of thousands of people and ultimately the security of all of us. We are faced again with the situation where a segment of American industry is being sacrificed on the altar of diplomacy, in an effort to assist our foreign policy. I have supported reciprocal trade, believing in the necessity of that type of program. However, we must take offsetting measures to protect our own people and our own industries, else we lose the economic strength we are attempting to sustain. Contrary to the statements, Mr. Chairman, of some of the opponents of this program, it does not represent a windfall for any one person or any single group of people, but as has been explained, the legislation is rather to offer primary assistance to the small owner and the small producer of basic minerals. I plead with you, my colleagues, to support this legislation and give this program a chance.

Mrs. PFOST. Mr. Chairman, the gentleman from New York [Mr. FILLION] said on the first day of debate on this bill that he did not know what this bill would do or what it was intended to do.

Let me tell you that it is intended to insure the jobs and incomes of some 22,000 people in one county in the Congressional District I represent. Shoshone County is a one-industry county—a lead-zinc county. Its entire economy is built around the payrolls of the lead-zinc mines and smelters. At stake here today is not just the jobs of the men in the mines and the smelters, and the security of their families, or the economic stability of the mining companies—at stake here today is the security of every person and every family in the county.

This bill does not provide a subsidy for foreign-mined ores. It provides a subsidy only for domestic-mined ores.

Some Members have said this is a bill to provide subsidies for the big companies. This is not a big company bill.

It sets a quarterly limitation on the amount of ore on which a subsidy may be paid. This means that the bill will be particularly helpful to small- and middle-sized operators.

Mr. Chairman, I am sure it is not the intention of this Congress to allow our domestic mines and metals industries to wither on the vine and die.

Nor is it the intention of this body, I am sure, to deny our American citizens the opportunity of earning their livelihood in our domestic mines so that workers in other countries may be assured a job in their mines.

Much of the expansion in foreign metals production has been financed by the United States Government. This means that money has been taken out of the pocket of the American miner to finance a development which is now taking his job from him. No wonder there is bitterness in Shoshone County, in my State of Idaho, today.

The mine companies and the mine workers have not been able to get any relief from the flood of cheaply-mined foreign ores coming into this country under any existing law or through any existing administrative channel. Domestic mines can produce all but 30 percent of our consumption of lead and zinc. Yet, because we do nothing to protect our domestic industry, 70 percent of our domestic consumption is coming from imports.

In my opinion, Congress should now pass this bill because it is the only fair thing to do. But aside from the equities in the matter, we should pass it because minerals are vital elements in the security and economic welfare of our country. Should overseas supplies be diminished or cut off in a defense crisis, adequate domestic sources of lead and zinc would become crucial to our national survival.

Mr. Chairman, I shall cast my vote for S. 4036. I am not willing to bequeath to future generations, as a monument to the folly of this Congress, a long valley of ghost towns in northern Idaho, and other lead-zinc producing areas in this country.

Mr. DENT. Mr. Chairman, I join in supporting the minerals subsidy bill now before us.

I do this with the hope and belief that by so doing some consideration will be given the coal industry. Thus we may strike the first blow at the depressing recession in both the bituminous and the anthracite coal fields, not alone in Pennsylvania but in every State where coal is of major importance to the general welfare of the people.

I have tried along with others to have Congress pass a coal research bill, which must come within the very near future or the whole coal economy may well suffer irreparable harm.

The future needs for fuel, regardless of oil, gas or nuclear energy, will largely depend upon coal for fulfillment.

Coal has been and for the foreseeable future will remain, the number one fuel of the heavy productive industries.

With a fairly complete knowledge of the needs of the coal industry, I appeal to the membership to give serious and favorable consideration to this amendment.

Even if we do not achieve our aim of passing a coal commission bill at this session I shall support the minerals subsidy bill because it starts our thinking in the right direction.

Sooner or later we must give the same consideration, in times of need, to the mining industry that we are giving to agriculture, wool growing, shipbuilding, and other activities that are supported by public funds. Sooner or later the coal industry will be recognized.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines, pursuant to House Resolution 689, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. SAYLOR. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 159, nays 182, answering "present" 1, not voting 87, as follows:

[Roll No. 188]

YEAS—159

Addonizio	Garmatz	Norrell
Albert	Granahan	O'Brien, Ill.
Allen, Calif.	Gray	O'Hara, Ill.
Allen, Ill.	Green, Pa.	Osmers
Anderson, Mont.	Gregory	Patman
Anfuso	Griffiths	Patterson
Arends	Gubser	Perkins
Aspinall	Halleck	Poage
Ayres	Hays, Ark.	Porter
Baker	Healey	Price
Baring	Hemphill	Reece, Tenn.
Barrett	Holifield	Rees, Kans.
Bass, Tenn.	Holland	Rhodes, Ariz.
Beckworth	Holmes	Roberts
Belcher	Holtzman	Rodino
Bennett, Mich.	Horan	Rogers, Colo.
Berry	Ikard	Rogers, Mass.
Boggs	Jackson	Rogers, Tex.
Bolling	Jarman	Santangelo
Boyle	Jennings	Saund
Breeding	Jones, Ala.	Scrivner
Brooks, Tex.	Judd	Scudder
Brown, Mo.	Karsten	Shelley
Burleson	Kearns	Sieminski
Byrne, Pa.	Kee	Sisk
Canfield	Kilgore	Smith, Kans.
Carnahan	King	Smith, Miss.
Celler	Kluczynski	Spence
Chelf	Knox	Steed
Chenoweth	Knutson	Sullivan
Christopher	Krueger	Teller
Clark	Landrum	Thompson, N. J.
Coad	Lesinski	Thompson, Tex.
Cooley	Libonati	Thomson, Wyo.
Corbett	Loser	Thornberry
Dawson, Ill.	McFall	Tollefson
Dawson, Utah	Machrowicz	Trimble
Delay	Madden	Udall
Dent	Magnuson	Ullman
Diggs	Mailliard	Vorys
Dixon	Marshall	Walter
Dollinger	Martin	Watts
Dooley	Merrow	Weaver
Edmondson	Metcalf	Widnall
Elliott	Miller, Nebr.	Wier
Everett	Mills	Wigglesworth
Evins	Montoya	Willis
Fino	Morgan	Withrow
Fisher	Morris	Wolverton
Flood	Moss	Wright
Fountain	Moulder	Yates
Frazier	Multer	
Fulton	Nix	

NAYS—182

Abbitt	Broyhill	Dingell
Abernethy	Bush	Donohue
Adair	Byrd	Dorn, N. Y.
Alexander	Byrne, Ill.	Dorn, S. C.
Alger	Byrnes, Wis.	Dowdy
Andersen, H. Carl	Cannon	Dwyer
Andrews	Carrigg	Eberharter
Ashmore	Cederberg	Fallon
Auchincloss	Chamberlain	Fascell
Bailey	Chiperfield	Feighan
Baldwin	Church	Fenton
Bass, N. H.	Collier	Flynt
Bates	Cramer	Fogarty
Becker	Cretella	Forand
Bennett, Fla.	Cunningham, Iowa	Ford
Betts	Cunningham, Nebr.	Forrester
Blatnik	Curtin	Gary
Boland	Curtis, Mass.	Gathings
Bolton	Curtis, Mo.	Gavin
Bonner	Dague	Grant
Bosch	Davis, Ga.	Green, Oreg.
Bow	Delaney	Griffin
Bray	Dennison	Gross
Broomfield	Denton	Gwinn
Brown, Ga.	Devereux	Haley
Brown, Ohio		Harden
		Hardy
Harris	Meader	Sadlak
Harrison, Va.	Michel	St. George
Harvey	Miller, Md.	Saylor
Hays, Ohio	Moore	Schenck
Heselton	Morano	Scott, N. C.
Hess	Mumma	Seely-Brown
Hiestand	Murray	Selden
Hoeven	Natcher	Sikes
Holt	Neal	Siler
Huddleston	Nicholson	Simpson, Ill.
Hull	Nimtz	Smith, Calif.
Hyde	Norblad	Smith, Va.
Johansen	O'Hara, Minn.	Springer
Jonas	O'Konski	Staggers
Kean	Ostertag	Taber
Keating	Passman	Talle
Kelly, N. Y.	Pelly	Teague, Calif.
Kilday	Philbin	Tewes
Kirwan	Pillion	Thomas
Kitchin	Poff	Tuck
Lafore	Polk	Utt
Laird	Quie	Van Pelt
Lane	Rabaut	Van Zandt
Lankford	Ray	Vinson
Lennon	Reed	Vursell
Lipscomb	Reuss	Westland
McDonough	Rhodes, Pa.	Wharton
McGovern	Riehlman	Whitener
McIntosh	Riley	Whitten
McMillan	Robeson, Va.	Williams, Miss.
Mack, Ill.	Robison, N. Y.	Wilson, Calif.
Mack, Wash.	Robsion, Ky.	Wilson, Ind.
Mahon	Rogers, Fla.	Younger
Matthews	Rooney	Zablocki
May	Rutherford	

ANSWERING "PRESENT"—1

O'Brien, N. Y.

NOT VOTING—87

Ashley	Hale	Minshall
Avery	Harrison, Nebr.	Mitchell
Barden	Haskell	Morrison
Baumhart	Hébert	O'Neill
Beamer	Henderson	Pilcher
Bentley	Herlong	Powell
Blitch	Hill	Preston
Boykin	Hillings	Prouty
Brooks, La.	Hoffman	Radwan
Brownson	Hosmer	Rains
Buckley	James	Rivers
Budge	Jenkins	Roosevelt
Burdick	Jensen	Scherer
Clevenger	Johnson	Schwengel
Collin	Jones, Mo.	Scott, Pa.
Colmer	Kearney	Sheehan
Coudert	Keogh	Sheppard
Davis, Tenn.	Kilburn	Shuford
Derounian	Latham	Simpson, Pa.
Dies	LeCompte	Stauffer
Doyle	McCarthy	Taylor
Durham	McCormack	Teague, Tex.
Engle	McCulloch	Thompson, La.
Farbstein	McGregor	Vanik
Frelinghuysen	McIntire	Wainwright
Friedel	Macdonald	Williams, N. Y.
George	Mason	Winstead
Glenn	Miller, Calif.	Young
Gordon	Miller, N. Y.	Zelenko

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Johnson of Wisconsin against.

Mr. Morrison for, with Mr. Zelenko against.

Mr. Thompson of Louisiana for, with Mr. Farbstein against.

Mr. Buckley for, with Mr. Winstead against.

Mr. Keogh for, with Mr. Colmer against.

Mr. Durham for, with Mr. Bentley against.

Mr. Roosevelt for, with Mr. Taylor against.

Mr. Engle for, with Mr. Hosmer against.

Mr. Miller of California for, with Mr. Frelinghuysen against.

Mr. Doyle for, with Mr. Beamer against.

Mr. Mitchell for, with Mr. Scherer against.

Mr. Glenn for, with Mr. Pilcher against.

Mr. Kilburn for, with Mr. Preston against.

Mr. Hill for, with Mr. Simpson of Pennsylvania against.

Mr. Friedel for, with Mr. Rivers against.

Mr. George for, with Mr. Sheehan against.

Mr. Scott of Pennsylvania for, with Mr. Henderson against.

Mr. McCarthy for, with Mr. Derounian against.

Mr. Ashley for, with Mr. Wainwright against.
Mr. Jensen for, with Mr. Stauffer against.
Mr. Gordon for, with Mr. Vanik against.
Mr. Coffin for, with Mr. Herlong against.
Mr. Boykin for, with Mr. O'Brien of New York against.
Mr. Burdick for, with Mr. Coudert against.
Mr. Hillings for, with Mr. Rains against.

Until further notice:

Mr. Teague of Texas with Mr. Hale.
Mr. Young with Mr. Avery.
Mr. Dies with Mr. Baumhart.
Mr. Davis of Tennessee with Mr. Harrison of Nebraska.
Mrs. Blitch with Mr. Hoffman.
Mr. Barden with Mr. McGregor.
Mr. Macdonald with Mr. Miller of New York.
Mr. O'Neill with Mr. Minshall.
Mr. Brooks of Louisiana with Mr. McIntire.
Mr. Shuford with Mr. Mason.

Mr. REUSS changed his vote from "yea" to "nay."

Mr. O'BRIEN of New York. Mr. Speaker, I voted "No." I have a live pair with the gentleman from Alabama [Mr. BOYKIN]. If he were present, he would vote "yea." Therefore, I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 121. Concurrent resolution authorizing a change in the enrollment of the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumption uses.

CONSERVATION OF THE RARE HAWAIIAN NENE GOOSE

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4249) to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. ARENDS. Mr. Speaker, reserving the right to object; will the gentleman tell us what this bill does?

Mr. BONNER. Mr. Speaker, the purpose of the bill is to authorize a program of research, propagation, and management for the Hawaiian Nene goose. At the present time, there are only about 50 geese at large in the entire Territory of Hawaii, and their continued existence is threatened in the absence of a program for their management. Up to the present, voluntary efforts by private individuals and very small grants by the Territory of Hawaii have served to keep the species from following the passenger pigeon into extinction. Existing funds that might be used are not available because of regulations of the Fish and Wildlife Service and, in the absence of this authorization, necessary steps for the propagation of the species cannot be undertaken.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That whereas there are less than 50 Nene geese in the wild state in the Territory of Hawaii, and this unique, native species of waterfowl is threatened with imminent extinction, the Secretary of the Interior is hereby authorized and directed to promote a program of research, propagation, and management necessary to effect the restoration of this threatened species in its natural habitat.

SEC. 2. The sum of $15,000 per annum is hereby authorized to be appropriated each year for a period of 5 years to carry out the purposes of this act.

Mr. BURNS of Hawaii. Mr. Speaker, S. 4249 and H. R. 11584 are identical bills to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose—Branta sandvicensis—which is now considered one of the rarest species of waterfowl in the world.

I want to take advantage of this opportunity to commend the chairman and members of the Merchant Marine and Fisheries Committee of the House for their expeditious and gracious consideration of this bill and its prompt reporting to this House. I want to also acknowledge the kind courtesy of the senior Senator from Washington, the Honorable WARREN MAGNUSON, for his introduction of the Senate bill which was promptly considered by the Interstate and Foreign Commerce Committee of the other body which the Senator from Washington is chairman. The diligence and great interest of Chairman MAGNUSON and the members of his committee are gratefully acknowledged.

By action of the Territorial Legislature in 1955 the Nene, or Hawaiian goose, was named the official bird of Hawaii.

The history of the effort to preserve the vanishing species of wildlife in the United States is one of too little too late. The Nene was abundant at one time on the slopes of Mauna Loa and Hualalai in Hawaii and Haleakala in Maui.

Over the past several decades this magnificent waterfowl has declined seriously in numbers due to several factors, including indiscriminate hunting in past years, changes in land use, and the increase of predators, such as mongooses, wild pigs and dogs. The bird was formerly a migratory one but became at some time in the distant past a resident of Hawaii.

Today, as a result of extensive efforts, there are less than 50 birds in the wild state. Two captive flocks are in existence, one owned by Mr. Herbert C. Shipman, of Hawaii, and the other by the Wildfowl Trust, Slimbridge, Gloucestershire, England. This latter flock was started from a male and 2 females in 1950.

In 1955, with the help of interested conservationists in Hawaii and on the mainland, grants to the total amount of $8,000 to finance an ecological survey were secured through the Yale University Bishop Museum Fellowship, Pan American Section of the International Committee for Bird Preservation, the Guggenheim Foundation, and the McInerny Foundation. Dr. William H. Elder, professor of zoology at the University of Michigan, conducted the study and made a four-step recommendation.

The Legislature of Hawaii and the Territorial administration have made material contributions of effort and money to the preservation of the Nene and its reestablishment. Since July 1, 1949, to June 30, 1953, $22,865 has been expended through the fish and game division of the board of agriculture and forestry. The budget request for the 1958–59 biennium is $17,000.

Within the last month an agreement was made with the Bishop estate and C. Brewer & Co., owners of the land where the Nene is found in the wild state, for the establishment of a sanctuary which will be maintained and controlled by the fish and game division of the Territorial government. The two owners of the land are allowing the use of their property without compensation. Hawaii has done its part with the means at its command. The Federal assistance is needed so that competent personnel can be assigned to the task of permanently restoring the Nene and seeing the job through. This can be done by enactment of S. 4249 and H. R. 11584.

The Wildlife Management Institute, the National Parks Association, the National Audubon Society, the Wildfowl Trust of England, the Federation of Western Outdoor Clubs, the Izaak Walton League of America, among others, have expressed their support of the bills. The Department of the Interior, Fish and Wildlife Service, has recommended enactment of the bills, and the Bureau of the Budget interposes no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

OPERATING ASSIGNMENT OF THE NUCLEAR SHIP "SAVANNAH"

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, 2 years ago there was enacted a bill, which I introduced in the spring of 1955, to authorize the construction of an atomic merchant ship powered by a specially designed advanced type of reactor. This first great application of nuclear power to shipping was to be a practical merchant vessel of combination passenger and cargo design capable of providing shipping services on routes essential for maintaining the flow of the foreign commerce of the United States. The authorization took the form of an amendment to title VII of the Merchant Marine Act of 1936, since it was intended that the ship would be in furtherance of our national maritime policy as laid down by the Congress in that act.

The creation of the ship was to be a joint project with the Atomic Energy Commission responsible for the nuclear reactor and the Department of Commerce responsible for design and construction of the vessel itself and all of its other equipment and machinery.

This important project is now under way. She was christened the Nuclear Ship *Savannah* at her keel-laying in Camden, N. J., on National Maritime Day, May 22, of this year. She is scheduled to be launched next year and be ready for operation in 1960.

The *Savannah*, in her construction and operation, will be the laboratory in which the American merchant marine in the nuclear age will be developed. Upon completion it is contemplated that she will operate to various areas throught the world in demonstration of the peaceful uses of the miracle power of atomic energy.

We are fortunate that through the effective operation of the Merchant Marine Act of 1936, to foster the development and encourage the maintenance of an American-flag, citizen-owned merchant marine, there are long-established and experienced operators serving essential trade routes with wholly owned and operated American-flag passenger and freight vessels serving Western Europe, the Mediterranean, the east and west coasts of South America, the Far East, Australia, Africa, and around the world.

Thus, there are logically available many companies ready, able, and willing to perform their share in their partnership with the Government in carrying out our national policy. Among them are major companies whose very names bespeak of our country: United States Lines, American Export Lines, and American President Lines.

In view of the foregoing, therefore, I was greatly disturbed—I might even say I was shocked—when it was announced by the Maritime Administration and the Atomic Energy Commission 2 or 3 weeks ago that States Marine Corporation of Delaware has been selected as the general agent for the operation of the nuclear ship *Savannah*, under a negotiated operating agreement.

At this point I want to make it perfectly clear that my reaction to the announcement implies no criticism of States Marine as an operating steamship company. Nor do I suggest that the proposed assignment of the vessel is not within the letter of the law.

On the basis of information which has come to my attention, there are, however, certain aspects of this proposition which I consider to be highly questionable.

First, it is the intent of the 1936 act that the American merchant marine shall be owned and operated under the United States flag by citizens of the United States. Provisions of the shipping laws implement this intent by strict requirements regarding citizenship. Further to assure the very highest degree of American control, the 1936 act provides that it shall be unlawful for any contractor receiving an operating differential subsidy, or for any charterer of vessels under that act, or any holding company, subsidiary, affiliate, or associate of such contractor or such charterer, or any officer, director, agent, or executive thereof, directly or indirectly to own, charter, act as agent or broker for, or operate any foreign-flag vessel which competes with any American-flag service determined to be essential under the act.

It is my understanding States Marine Lines operates about 15 American-flag ships of its own, plus 24 more through its wholly owned subsidiary, Isthmian Lines, Inc. Some 40 to 50 American-flag ships are said to be operated under charter. And an additional 4 or 5 are operated through a berth agency with Bloomfield Steamship Company. But the States Marine fleet of 122 vessels includes somewhere between 30 and 40 foreign-flag ships, operated through foreign connections and affiliations which makes it presently ineligible to receive operating subsidy or charter vessels under the 1936 act. In the operation of both its American and foreign-flag ships, this company uses foreign shipping firms as its agents abroad, and in turn acts as United States agents for them.

According to Fortune Magazine, in South Africa, for example, States Marine, headed by Henry Mercer of New York, helped set up a company for an old friend, former British Air Marshal Harris. As the Fortune article says:

> Mercer was instrumental in getting some ships from the United States Maritime Commission for the South African company, and the two firms whack up 50/50 such cargo as they can corral that is headed either east or west between the United States and South Africa.

Only by resorting to the broad authority in the Federal Maritime Board to use general agents to operate vessels owned by the United States for experimental or testing purposes, can the assignment of the nuclear ship *Savannah* to States Marine rather than to an American operator without foreign connections be legally justified.

While flexibility of authority is undoubtedly desirable in connection with the development, trial and testing of vessels for experimental purposes, no facts have come to my attention which would justify the assignment of a vessel having the significance of the nuclear ship *Savannah* to an operator who because of extensive foreign-flag affiliations cannot meet the tests laid down in the 1936 act, when there are fully-qualified wholly-owned American steamship companies available to perform this important function.

In this connection, it is my understanding that an interagency operator selection board of the Maritime Administration and the Atomic Energy Commission was appointed to review and analyze the replies of the seven operators indicating an interest in operating the *Savannah*. It is further my understanding that this Board unanimously recommended American President Lines, Limited, as first choice and United States Lines Company as second choice, on the basis of the many factors involved, but with particular reference to basic trade routes and extent of experience with passenger operations. Moreover, these two companies have already made substantial studies in connection with nuclear propelled vessels. Unfortunately, I cannot vouch for the accuracy of the conclusions which I have been told were contained in the report of the interagency board, because I have been unable to obtain a copy of the report. I have requested the Maritime Administrator to furnish me with a copy of the board's report with the background justifications for the final selection of an operator. This has been denied me.

Nonetheless, it is a well-known fact that States Marine does not now, and never has, engaged in the operation of passenger vessels, although I believe the Isthmian subsidiary carries some passengers on its 12-passenger freighters. I am at a loss to understand the decision that has been made.

The publicity attending the announcement of the assignment of the vessel states that in the handling of future passenger travel, Matson Navigation Co. would act with States Marine. Again I cannot understand why other qualified American passenger operators should have been passed over in favor of a company that had indicated no interest in operating the vessel.

The picture becomes even more cloudy and confusing when it is realized that the able and distinguished new Chairman of the Atomic Energy Commission, Honorable John A. McCone, is a man with extensive shipping interests. Mr. McCone's shipping companies are Joshua Hendy Corp., and Panama Pacific Tankers which are engaged directly or through subsidiaries in the shipping business as owners, charterers and operators of ships under both foreign and American flag. The Hendy vessels are employed in the distribution of chemicals, crude oil and refined petroleum products, and iron ore and bauxite. At the time of his nomination for the Atomic Energy Commission post, Mr. McCone was engaged in a very active partnership with Mr. Mercer, the head of States Marine Lines. According to the August 1958 issue of Fortune:

> With Mr. Mercer's support, Mr. McCone had plunged ahead with a plan to make Joshua Hendy one of the most important seagoing ore carriers. Its trade prospered. It was hauling iron ore from Venezuela and Peru, bauxite from Jamaica, and chemicals in the intercoastal trade.

The nomination hearings before the Senate Section of the Joint Committee on Atomic Energy on July 2 of this year do not go into detail except to show that Mr. McCone has divested himself of his control of the two shipping corporations to the extent of placing his stock in them in an irrevocable trust with the trust department of the California Bank of Los Angeles. I have no concern with the arrangements made by Mr. McCone to meet the technical requirements of the law in regard to the difficult problem of avoiding conflicts of interests

faced by so many able and successful businessmen when called to public service. However, the facts concerning the intimate business relationships which have existed between Mr. McCone and Mr. Mercer raise certain obvious questions when we seek to find the answer to the apparently illogical assignment of the nuclear ship *Savannah* to States Marine Lines by the Department of Commerce and the Atomic Energy Commission.

Another recent development seems to shed further light on a picture that becomes more complicated as it is examined. As recently as August 14, 1958, the president of Matson Orient Line, Inc., an applicant for operating subsidy from United States Atlantic ports to the Far East, announced that Matson Navigation Co. and Isthmian Lines, Inc., will each acquire a 50-percent ownership of Matson Orient. Matson Navigation and Isthmian will buy 100 percent of the common stock of Matson Orient, Inc., for $8½ million, with which Matson Orient then proposes to purchase three vessels from each Matson Navigation and Isthmian with which to commence its new service and will have $1 million left over as working capital. The officers and directors of Matson Orient Line are also officers or directors of one or more of Matson Navigation Co., Isthmian Lines, Inc., and States Marine Corp. Perhaps this new development explains why Matson Navigation Co., which expressed no interest in operating the *Savannah*, should nevertheless be designated to act with States Marine in the handling of future passenger travel.

Mr. Speaker, even though I have no reason to believe that any law has been violated by the decision of the Secretary of Commerce to select States Marines Lines as operating agent for the nuclear ship *Savannah* in preference to exclusively American-flag lines, which to me are seemingly more logical and qualified, the known circumstances in this matter are of great interest to me and I feel that they must be to the Members of Congress generally.

I do not know whether there was any undue pressure from any source that caused this situation to be brought about; but I can assure you that I intend to follow the future course of arrangements relative to the development and operation of our first nuclear merchant ship with even more intense interest than I heretofore have since I introduced the original authorizing legislation.

There is not now, and I doubt if there ever has been, any Member of this Congress more devoted to the cause of developing and maintaining a strong American-flag merchant marine. The Merchant Marine Act of 1936 is an excellent law if administered properly and carefully. But if it is not, I fear that we might again find ourselves confronted with the disgraceful situation that brought about the Black investigation of 1934 and 1935, with its disclosures of complicated corporate subterfuges and favoritism diverting the purposes of the then existing law which Congress had passed in the hopes of developing an adequate, stable, and efficient merchant marine to serve the needs of the commerce and defense of this country.

Mr. Speaker, I will watch with interest to see who plucks the plum.

SUPPLEMENTAL APPROPRIATIONS, 1959

Mr. CANNON submitted the following conference report and statement on the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 2686)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 36 and the amendment of the House thereto, and numbered 114, to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 36.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
GERALD R. FORD, JR.,
FRANT T. BOW,
Managers on the Part of the House.

CARL HAYDEN,
DENNIS CHAVES,
ALLEN J. ELLENDER,
CLINTON P. ANDERSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER VII

Independent offices

National Aeronautics and Space Administration

Amendment No. 36: Reported in disagreement.

CHAPTER XIII

United States Information Agency

Payment to Informational Media Guaranty Fund

Amendment No. 114: Appropriates $2,500,000 instead of $5,000,000 as proposed by the Senate.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
GERALD R. FORD, JR.,
FRANK T. BOW,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The Clerk read the conference report.

Mr. CANNON. Mr. Speaker, this report is the result of the further conference with the other body on the supplemental appropriation bill for 1959.

On yesterday the House and the Senate disposed of all other differences on the bill. The report now before the House disposes of the two remaining amendments—Nos. 36 and 114.

Amendment 36 originally provided that in the future, no appropriation could be made to the National Aeronautics and Space Administration unless first authorized by law hereafter enacted. The House on yesterday refused to subscribe to that provision. The Senate further insisted. In the pending report, the managers reach agreement on language limiting the life of the provision to appropriations for any period up to June 30, 1960. Since appropriations for fiscal 1959 are already adopted, the provision will have no practical effect until the next Congress, at which time there will be opportunity to further consider the matter.

Amendment 114 inserted $5 million for further payment to the informational mediums guaranty fund under supervision of the United States Information Agency. The House had not considered the item and on yesterday, refused to concur. The Senate further insisted. The pending report proposes $2,500,000 for the item, a compromise of one-half.

Mr. Speaker, the managers would of course have preferred to sustain the will of the House, but as with most proposed legislation, when the other body continues to insist, the only practical solution is compromise. On both amendments, we believe we secured a reasonable compromise.

In conclusion, Mr. Speaker, and by way of summary, the final appropriation totals for the bill in relation to the budget estimates and the House and Senate versions are as follows:

Budget estimates (including some not considered by House)	$4,061,154,221
House bill	3,131,844,797
Senate bill	3,866,382,978
Conference total (final)	3,697,305,478
Conference total compared to budget estimates	−383,848,743

Mr. Speaker, the final total is a reduction of nearly 10 percent below total budget estimates. And to repeat briefly the statement of yesterday, this bill is more of a regular annual bill than a supplemental bill. It is only incidentally a supplemental bill. Nearly 85 percent of the conference total represents the regular annual appropriations for several agencies and activities. And of the abnormally large increase over the House bill, approximately 90 percent represents amounts not considered by the House when the bill was first here.

The SPEAKER. The question is on suspending the rules and agreeing to the conference report.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment 36: Page 22, line 19, insert: "No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress."

Mr. CANNON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 36, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, as amended by the House amendment thereto, insert:

"No appropriation may be made to the National Aeronautics and Space Administration for any period prior to June 30, 1960, unless previously authorized by legislation hereafter enacted by the Congress."

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, I wish to yield to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, this is the matter we discussed and voted on yesterday where the vote in the House was 236 to 126 to reject the Senate amendment which would have required that from here on in the National Space Agency would have to come to the Congress and get an annual authorization as well as an annual appropriation.

Subsequent to our action in the House the matter went back to the Senate, and the Senate by a vote of 86 to nothing insisted upon their provision in the bill. As a consequence the issue again went to conference. The Senate conferees started out by insisting upon their position, but they gradually modified it until they were willing at one point to make it a 3-year extension of their language or a 3-year abrogation of the basic Space Agency law.

I think the House conferees by getting a concession from the Senate conferees have accomplished considerable under this new language. Only for fiscal year 1960—that is one more year—must there be an annual authorization prior to an appropriation.

It is not what I wanted, because I personally feel that the basic law is sound, but we all know that when you go to conference you have to achieve what is practical; and, in my opinion, the House conferees prevailed to a very substantial degree.

Mr. O'BRIEN of New York. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. O'BRIEN of New York. May I say I think the conferees worked out a very fair compromise, and I am sure that the Members on this side who are on the Space Committee go along with you.

Mr. FORD. I thank the gentleman from New York.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. KEATING. I want to commend the gentleman for the fight he put up for sound essential practice, and I want to urge that this 1-year delay be not made a permanent arrangement. I think it is a very serious interference with matters vitally affecting our national defense, and I can only hope and pray that during this next year we will not be hamstrung in trying to do what we need to do by having to go through four committees to get it done.

I think it would be much preferable to have stood on our position, as I know the gentleman from Michigan does, but I realize also that we must make some concessions in order to get legislation.

Mr. FORD. It is my opinion that this 1-year trial run will prove the unsoundness of following the Senate position.

Mr. KEATING. I am sure it will.

Mr. McDONOUGH. Mr Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. McDONOUGH. I just want to compliment the gentleman on the fight he has made. It is a substantial piece of legislation for which he is arguing. The original bill probably authorized this, and this, as I said the other day, is a trial.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to say to the gentleman from Michigan that I feel this is a step backward from the original authorization language which was adopted by the House and reported by the Space Committee. I believe this new Agency in the next year will spend all of its time justifying authorizations and appropriation requests before the United States Congress instead of getting on with the vital work this country needs to do in the field of space activity.

Mr. FORD. My views coincide with those of the gentleman from Wisconsin. But we were faced with a practical problem and I think we did the best we could in extending the Senate language for 1 year to prove the unsoundness of the Senate position.

Mr. CANNON. Mr. Speaker, the only addition to the Senate provision is the inclusion of the phrase "for any period prior to June 30, 1960." The effect of it, of course, as I said, is to leave the whole matter for the next Congress. The Congress will be free to further consider the matter in the next session.

Mr. Speaker, I move the previous question on the motion.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

APPOINTMENT OF THE ADJUTANT GENERAL OF PUERTO RICO

Mr. KILDAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13666) to amend title 32 of the United States Code to permit the appointment of the adjutant general of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. KILDAY]?

Mr. ARENDS. Mr. Speaker, reserving the right to object, will the gentleman explain what this does?

Mr. KILDAY. Mr. Speaker, at the present time the adjutant general of Puerto Rico is required to be appointed by the President of the United States. This bill would simply permit the Governor of Puerto Rico to appoint the adjutant general of Puerto Rico.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 3, section 314 (b) of title 32 of the United States Code is amended by striking from the first and second sentences thereof the words "Puerto Rico," and the preceding commas.

Mr. KILDAY. Mr. Speaker, I insert at this point in the RECORD a letter addressed to the Honorable CARL VINSON, chairman of the Committee on Armed Services, signed by Hugh M. Milton II, Acting Secretary of the Army, as follows:

AUGUST 21, 1958.

Hon. CARL VINSON,
Chairman, Committee on Armed Services, House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H. R. 13666, 85th Congress, a bill "To amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico." The Secretary of Defense has delegated to the Department of the Army the responsibility for expressing the views of the Department of Defense thereon.

The purpose of the bill is to remove the present legal requirement that the Adjutant General of Puerto Rico shall be appointed by the President. This would permit the Governor of Puerto Rico to appoint the adjutant general of the Commonwealth as provided by its laws.

The Department of the Army, on behalf of the Department of Defense has no objection to the above-mentioned bill. However, it should be noted that the bill is substantially identical to section 2 of H. R. 10906, 85th Congress, a bill to provide that the National Guard of Puerto Rico shall be subject to the same provisions as apply to the National Guard of each of the States, as to which a similar report was made to your committee on August 18, 1958.

The enactment of this legislation will cause no increase in the budgetary requirements for the Department of Defense.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget advises that there is no objection to the submission of this report to the Congress.

Sincerely yours,

HUGH M. MILTON II,
Acting Secretary of the Army.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MINNESOTA STATE FAIR AND CENTENNIAL EXPOSITION

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11889), to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, after line 6, insert:

"SEC. 7. Paragraph 1798, Tariff Act of 1930, as amended (U. S. C., title 19, sec. 1201, par. 1798), is further amended by redesignating subparagraph (h) as subparagraph (i), and by inserting a new subparagraph (h) to read as follows:

"'(h) Automobiles rented by any resident of the United States while abroad may be imported into the United States by or on behalf of such resident for the transportation of such resident, his family and guests, and such incidental carriage of articles as may be appropriate to his personal use of the automobile without payment of duty, for such temporary periods as the Secretary of the Treasury by regulation may prescribe. Any automobile exempted from duty under this subparagraph which is used otherwise than for a purpose herein expressed or is not returned abroad within the time and manner as the Secretary may prescribe by regulation, or the value of such automobile (to be recovered from the importer), shall be subject to forfeiture to the United States.'"

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, in the form in which it passed the House of Representatives, the purpose of H. R. 11889 was to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be admitted without payment of tariff.

The Senate added one substantive amendment to this bill. The purpose of this amendment, according to the report of the Senate Finance Committee, is to permit residents to bring into the United States, without payment of duty or posting of bond and for temporary periods only, automobiles rented abroad. Under present law residents on a short trip back into the United States from adjacent countries with automobiles rented abroad must either pay duty on the rented vehicle or place it under bond.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. REED. Mr. Speaker, I have concurred in the request that the House agree to the Senate amendment to this legislation. As passed by the House H. R. 11889 provided for the duty-free entry of articles for exhibition at the Minnesota State Fair and Centennial Exposition in St. Paul, Minn. The Senate has provided an amendment to this legislation which would permit residents of the United States to bring into the United States for temporary periods automobiles rented abroad without the requirement of a duty payment or the posting of a bond. With respect to the Senate amendment it is provided that the Secretary of the Treasury shall issue regulations to provide for the manner in which this entry privilege shall operate. It is my expectation that those regulations will make it clear that such entry of rented vehicles shall only be allowed in connection with incidental crossings and will not be the means for the establishment of a pattern of operating in the United States automobiles that have been rented in a foreign country.

GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. CARNAHAN. Mr. Speaker, I move to suspend the rules and concur in Senate Concurrent Resolution 109, as amended.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that consideration should immediately be given by the General Assembly of the United Nations to the development, within its permanent structure, of such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

The SPEAKER. Is a second demanded?

Mr. VORYS. Mr. Speaker, I demand a second.

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CARNAHAN. Mr. Speaker, I yield such time as he may require to the gentleman from Texas [Mr. PATMAN].

HOW TO OBTAIN FINANCING UNDER THE SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. PATMAN. Mr. Speaker, today an important new small-business measure has taken its place among the Federal statutes. The President only a few minutes ago signed the small business investment bill which both the House and the Senate passed on August 7.

We have already received a great number of inquiries from people all over the country—small-business people and others—who are interested in forming a small-business investment company which this act provides for.

The staff of our Small Business Committee has prepared an explanation of this act, what it authorizes and how the provisions of the act will work. This is in the form of questions and answers that any small-business man can understand. It appeared in the CONGRESSIONAL RECORD in a speech I made several days ago.

I am inserting this in the RECORD because I know it will be useful to the other Members in answering questions from their constituents about how the new small-business-financing program will work.

I hope that our committee will have printed copies of this statement available if the Members of the House should find that the statement is useful.

Mr. CARNAHAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the resolution now under consideration is House Concurrent Resolution 373, substituted for Senate Concurrent Resolution 109. This resolution expresses the sense of the Congress that consideration should immediately be given by the General Assembly of the United Nations to the development, within its permanent structure, of such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

The resolution in its present form represents the culmination of a long period of study by the Committee on Foreign Affairs and by a number of Members of the House of Representatives who do not belong to the Committee on Foreign Affairs who have shown a marked interest in a United Nations force. During the 85th Congress resolutions expressing approval of the concept of a United Nations force have been introduced by the following Members of the House: Hon. ROBERT HALE; Hon. EDNA F. KELLY of New York; Hon. CHESTER E. MERROW; Hon. HENRY S. REUSS; Hon. STUYVESANT WAINWRIGHT; Hon. PETER FRELINGHUYSEN; Hon. PETER W. RODINO, Jr.; Hon. HUGH J. ADDONIZIO, and Hon. JOHN D. DINGELL, as well as by myself. These resolutions have been considered by the Committee on Foreign Affairs.

The committee has also given close attention to the experience of the United Nations with the United Nations Emergency Force in the area of the border between Israel and Egypt, as well as the operation of the United Nations Observation Group in Lebanon.

Because of the great interest in the matter of a United Nations force shown by Members of the House of Representatives and by the public generally, the Subcommittee on International Organizations and Movements, of which I have the honor to serve as chairman, held hearings on July 24 and July 25 of this year at which testimony was received from officials and individuals who are particularly well informed on this matter.

On the basis of its study of recent developments and with careful consideration to the recommendations of the experts who testified before the subcommittee, the Committee on Foreign Affairs drafted House Concurrent Resolution 373 in its present form.

The resolution indicates the desire of the Congress that permanent arrangements be made so that a United Nations observation and patrol force may be brought into service promptly whenever future circumstances make such action desirable. The resolution does not make specific recommendations as to the nature or organization of the force except to make clear that a force limited to observation and patrol functions is contemplated. The Committee on Foreign Affairs believes that favorable action by the Congress on this resolution will give encouragement to the United States delegation to the United Nations and to other nations of the world who recognize the value of such a force in the world of today.

Approval of this resolution does not involve any major financial commitment on the part of the United States. The present United Nations Emergency Force in the area of the Israel-Egyptian border consists of between 5,000 and 6,000 men and costs the United Nations $25 million per year to maintain. This cost is assessed among all the 81 United Nations members at the regular scale of assessments. The United States share is 32.51 percent. It was my privilege to serve as a member of the United States delegation to the United Nations General Assembly last year, and as a result of my observations at that time, I am convinced that the overwhelming majority of the nations of the world do not want the United States to assume too large a share of the responsibility for financing any United Nations force. These nations recognize that unless a United Nations force represents the entire United Nations membership it cannot perform its function. If such a force should come to be regarded as being dominated by the United States its usefulness would be greatly diminished.

My experience at the United Nations last fall also convinced me that there is no perceptible sentiment among the nations of the world today in favor of a United Nations army large enough and strong enough to withstand armed aggression. This resolution specifically indicates approval of an observation and patrol force. I do not believe that the world situation is such that a United Nations force could or should attempt anything more. So far as I have been able to observe, the overwhelming majority of the governments represented at the United Nations share this view.

The purpose of this resolution is to give encouragement so that necessary immediate action can and will be taken. I share the belief of many, that had the United Nations been prepared to act more quickly in Lebanon, the crisis there might have been prevented from reaching an acute stage. If the United Nations is ready to act immediately in the future when a crisis threatens, such action may have a profound effect upon the people of the world and the security of the United States. I hope that this resolution will be approved by an overwhelming majority.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Would it be at all possible, under the provisions of this resolution, to examine whether or not Soviet Russia should withdraw her troops from Poland and Hungary?

Mr. CARNAHAN. That would be a matter which could be considered by the United Nations if they took up the consideration of this subject.

Mr. FLOOD. Would there be any inclination in your committee, in view of the action taken on this resolution, and commendably so, to examine even at this late hour a resolution I just introduced this week to indicate the feeling of this House that the American delegation should be so instructed with reference to Poland and Hungary?

Mr. CARNAHAN. If there were time, I assure the gentleman we would be glad to consider the resolution.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Ohio.

Mr. FEIGHAN. In view of the context of this resolution, with reference to the question asked by the gentleman from Pennsylvania, in December of 1956, I believe, the United Nations passed a resolution demanding that the Russians get out of the enforced occupation of Hungary. I was wondering, in view of the fact that the Russians did not do so and would not even permit a United Nations inspection team to go into Hungary, if it would not be more appropriate if we, the Congress, went on record requesting the Department of State to ask our Ambassador Lodge to present a resolution to the United Nations to the effect that the Russians should get out of Hungary and, in the event that they would not, they should be expelled from the United Nations.

Mr. CARNAHAN. I would answer the gentleman that the question of expelling a member of the United Nations is a question that would be considered by the General Assembly of the United Nations.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Georgia.

Mr. FLYNT. Does this mean that American youth could be conscripted or drafted under selective service to serve in the United Nations police force?

Mr. CARNAHAN. Not unless the force would be made up of units committed by the member nations and a unit was committed by the United States.

Mr. FLYNT. Would that be possible?

Mr. CARNAHAN. Under this resolution, in our report we recommend that no forces from the big powers be admitted as members of the force.

GENERAL LEAVE TO EXTEND

Mr. VORYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD on this resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Massachusets.

Mr. NICHOLSON. I would like to ask if this would be a permanent force to be sent anywhere in the world by the United Nations?

Mr. VORYS. No. It is generally not contemplated that it would be that sort of force, as far as fighting is concerned. I shall have more to say about the nature of the force in a few minutes.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from California.

Mr. BALDWIN. Can the gentleman tell me what kind of vote in the United Nations would be required to direct this force to go to some particular area?

Mr. VORYS. I imagine a majority vote in the Security Council, including all of the permanent members, or a two-thirds vote in the General Assembly.

Mr. Speaker, at this time I yield 7 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I want to commend the Committee on Foreign Affairs for the resolution they have brought out; that is, by comparison with the resolution that was adopted by the other body. It is my hope that if adopted the conferees will insist upon the House version.

However, it is impossible for me to understand the necessity for any resolution on this subject. I should like to ask the question as to why under articles 43, 44, and 45 of the United Nations Charter, there is not complete authority to establish, if necessary, a United Nations police force. Can the gentleman from Missouri [Mr. CARNAHAN] or the gentleman from Ohio [Mr. VORYS] tell me why we should be confronted with a resolution of this nature at any time?

Mr. CARNAHAN. The United Nations has the authority granted under the charter, as the gentleman says. This resolution is only a guide to our delegates to the General Assembly of the United Nations.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. VORYS. There has been a complete breakdown under articles 43 to 47 to attempt to set up a United Nations force. I think that they had something like 253 meetings and finally went out of business because, as you can imagine, of Russian objections.

Mr. GROSS. This is what I think about the United Nations Charter, articles 43, 44, and 45, and the establishment of a police force: Alger Hiss, who was one of the chief architects of the charter, deliberately left out any provision for financing a U. N. police force. It is my opinion that this resolution is before us today for the purpose of saying indirectly: "Just go ahead and organize a United Nations police force and the American taxpayers will put up

the money for it." And we certainly have been doing a good job of putting up the money.

The gentleman from Missouri [Mr. CARNAHAN] says the assessment for this outfit would be on a basis of a United States contribution of 32 percent plus, is that right?

Mr. CARNAHAN. Thirty-two and fifty-one one-hundredths percent.

Mr. GROSS. But the gentleman from Missouri did not mention the voluntary contributions that American taxpayers have made to the existing United Nations Emergency Force.

Mr. CARNAHAN. The expenses of the force for the current year are assessed against all of the members on the scale of assessment.

Mr. GROSS. And the Russians and their satellites have not paid one thin dime of their assessments, have they?

Mr. CARNAHAN. Whether or not they pay their assessment is something we have nothing to do with.

Mr. GROSS. No, and a good many others have not, but we stepped right up with a voluntary contribution. We put up $13 million out of approximately $15 million in total voluntary contributions.

I heard the President of the General Assembly of the United Nations, the gentleman from New Zealand, on television last Sunday. He seemed very much in favor of the establishment of a permanent police force, but he did not say anything about New Zealand's helping to finance it. How much did New Zealand put into the voluntary contribution to the present emergency force? The munificent sum of $27,950 while Americans were being taken for $13 million.

Other nations are not carrying their share of the load on the basis of either voluntary contributions or assessments. We are holding the sack. What this resolution is designed to do is say that we approve a United Nations police force, and we put up the money.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I should like to ask the gentleman 2 or 3 very quick questions: Is it not true that American forces were part of an emergency United Nations force in the Korean war?

Mr. GROSS. Yes; and Americans sustained 90 percent of the casualties and all the financing of that war.

Mr. JOHANSEN. Is it not true that there are American soldiers and airmen who served in that combat who are still prisoners of the Red Chinese?

Mr. GROSS. That is my understanding.

Mr. JOHANSEN. May I ask the gentleman if it is his judgment that if any of the members of this proposed emergency force are captured in line of duty the United Nations will go to their rescue?

Mr. GROSS. Of course not.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Connecticut.

Mr. MORANO. The gentleman cited the instance of New Zealand paying such a small amount to contribute to the upkeep of this United Nations emergency police force. It is quite possible that any country that had a unit in the emergency force would have a lower assessment by reason of the fact they did have that unit in it.

Mr. GROSS. I was not talking about an assessment; I was talking about a voluntary contribution.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. JUDD. Will the gentleman tell the House whether the United States has a unit in the U. N. expeditionary force now maintaining peace on the border between Israel and Egypt?

Mr. GROSS. No.

Mr. JUDD. That is correct.

Mr. GROSS. The gentleman can get his own time to enlarge on that. It is not the U. N. force that is maintaining peace between Israel and Egypt or anywhere else.

Mr. JUDD. I merely want to point out that actually the money we have contributed to the support of that U. N. force is infinitesimal in comparison with what it is costing us to have our own troops in Lebanon, and our own position in that part of the world would be much stronger, I believe, if the forces in Lebanon were U. N. units, rather than just United States units.

Mr. GROSS. Pull the Sixth Fleet out of the Mediterranean and see how much effect your wonderful U. N. organization has on the situation.

Mr. Speaker, in the hearings before the Foreign Affairs Committee on this resolution I discovered a word that is very interesting.

I believe it was spoken by a gentleman by the name of Johnson who was testifying and he said that if the Communist states persisted in their refusal to pay their assessments to the U. N. emergency force there would certainly be a "shortfall" of funds.

From here on out let us not talk about a Treasury deficit. Let us adopt this new word that has been coined by the internationalists and make our own deficit a little more palatable by calling it just a "shortfall."

Mr. Speaker, there is no necessity for this resolution. There is ample authority in the United Nations Charter for the establishment of a police force. I repeat that the real purpose of this resolution is to say indirectly that Uncle Sap will pay the bills even though the cash drawer is becoming more bare every day.

Mr. CARNAHAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, this resolution expresses the approval of the Congress of the idea that a United Nations force suitable for such purposes as observation and patrol should be on hand whenever situations exist that threaten international peace and security.

I believe that all of us have been impressed with the effective service which has been rendered by the United Nations Emergency Force in the area of the border between Egypt and Israel. There are many who believe that had a United Nations observation and patrol force been on call when the crisis in Lebanon began to develop, conditions in the Middle East might not have reached the acute stage which exists there today.

The resolution is general in its terms and avoids specific recommendations. A subcommittee of the Committee on Foreign Affairs, under the able chairmanship of the gentleman from Missouri [Mr. CARNAHAN], held 2 days of hearings on the general problem of a United Nations force at which expert testimony was received. During the course of these hearings a number of the problems to be solved and obstacles to be overcome if a United Nations force is to be established were pointed out. Most of these problems and obstacles will have to be worked out slowly within the United Nations as a result of negotiation among the 81 governments concerned.

Approval of this resolution does not commit the Congress to anything but the approval of the general idea of a limited observation and patrol force. The available evidence indicates that there is no discernible sentiment within the United Nations in favor of the creation of a United Nations army capable of withstanding armed aggression in a shooting war. The reasons for not having such an army are discussed in detail in the committee report on the resolution. None of the larger nations in the world under the conditions that prevail today wants to see an armed force established under United Nations control which might conceivably be used against its own interests.

Approval of this resolution does not involve any commitment on the part of the United States to underwrite the major part of the cost of a United Nations observation and patrol force. It is pretty generally agreed among the nations of the world that any United Nations force to be effective must represent and be supported by the United Nations as a whole. If such a force were to be financed primarily by the United States or any other of the larger nations or even any limited group of nations, there would be the danger that a force so financed was subservient to its financial backers.

In my judgment, an expression by the Congress that the United Nations act promptly to take those measures which can be taken immediately to make an observation and patrol force readily available would give encouragement not only to our own delegation to the United Nations but to other United Nations members who are favorable to the concept of such force. I hope the resolution will be overwhelmingly approved.

Mr. CARNAHAN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Speaker, I am in favor of this resolution, but I should like to say I would be a lot happier about it and the whole procedure at the United Nations if the State Department had asserted themselves as they were urged to do by certain members of our committee.

In this meeting in the General Assembly, they should have said to the Soviet Union, "If you want us to pull our troops out of Lebanon we might be in a mood to do that about the same moment you start pulling your troops out of Poland and Hungary." But now we let ourselves get on the defensive. We did not say anything about their shortcomings. As the Scripps-Howard papers said in an editorial in yesterday's papers across this Nation, we suffered a defeat. Why we were not more aggressive in holding up to the world that the great aggressors, the aggressors for a long period of time, and those continuing to be the aggressors are the Soviet Union, I do not know, but we just seem not to do that.

I merely took this time to point out that certainly the members of the Committee on Foreign Affairs had advised the State Department that we felt this way about it, and it is no fault of ours if they have not done this in the United Nations.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. JUDD. I agree that we should take advantage of every opportunity to put the Soviet Union on the defensive because of its outrageous behavior in keeping its aggressive forces in Hungary. But I do not believe it would have been wise for our State Department to have done what the gentleman has urged, because if we were to say at the United Nations, "We will pull out of Lebanon if you Russians pull out of Hungary," it might appear that, in a sense, we were saying that we are in Lebanon improperly, the same as they are improperly in Hungary, whereas we are not in Lebanon improperly. We are in Lebanon at the request of the democratically elected Government of Lebanon, while the Russians invaded Hungary against the wishes of both its government and its people.

Mr. HAYS of Ohio. I do not want to get into an argument on semantics with the gentleman, but it should have been worded in some way to have brought to the attention of the world that these people who are so sanctimoniously calling us aggressors are murderers and aggressors of the worst sort. We passed up an opportunity even to mention it.

Mr. JUDD. And we should still do what the gentleman suggests.

Mr. VORYS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we are helping to make history by the vote on this resolution today.

Our President, in his great speech in the United Nations, said "I believe this assembly should take action looking toward the creation of a standby United Nations Peace force—in existence, ready for call by countries fearful for their security."

The Senate was ahead of him. They have already passed a resolution advocating such a force. The least the House can do is to stand behind him, and the Senate, by passing this resolution overwhelmingly.

This is not as strong as the Senate version. We do not commit ourselves to a force substantially like the present United Nations Emergency Force of approximately 6,000 on the Israeli-Egyptian border, which cost us over $13 million the first year. We do not commit ourselves to any plan. We do not submit any plan. Neither did the President. Our hearings developed, as pointed out in our report, that a permanent United Nation's fighting force to deal with major aggression, is not a possibility now. I happen to think that all that is needed now is a permanent headquarters planning staff for calling up and giving logistic support to limited national contingents capable of observation and patrol, from smaller nations willing and able to supply such contingents, when the Security Council or the Assembly calls for action. But I also think that it would be unwise for the United States officially to propose, or sponsor, or underwrite, any particular plan at this time. There are many complications, as explained in our excellent committee report. This is a time for quiet and careful study, and group evolution of a plan, rather than for either of the great powers to invite a prestige and propaganda battle by a specific proposal.

Therefore, although our resolution is cautious, and general in its terms, it is timely, not timid. It calls for immediate consideration of the problem, without attempting to dictate the solution.

Contrary to what some have feared or claimed, we make no commitment as to payment, but I am sure that our share of financing any observation and patrol force within the terms of our resolution would cost us less than our Lebanon expeditions, less than a world war.

Let us face it: When a threat to international peace occurs with Communist encouragement, and a country calls for help, we have just three alternatives; first, handle it ourselves, as we did in Lebanon; second, forget it, and let the Communists take over; or, third, have a United Nations force to handle it.

We do not want to do it all ourselves; we are not going to stand by and do nothing; the only thinkable alternative for us is a United Nations peace force. The Assembly has heard from the Senate and the President; the House must speak up today, and pass this resolution.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from California.

Mr. McDONOUGH. Who will be the commander in chief? And who will direct these forces? And on whose order will they move into any particular area where international peace is threatened?

Mr. VORYS. That would have to be worked out, as we point out in our resolution. We certainly would not have a permanent commander in chief. Nor would we make the Secretary General commander in chief. It has to be worked out on the basis of the situations as they arise.

For instance, it was quite clear in our hearings that while a number of the smaller nations would be willing tentatively to train and have prepared contingents to serve, none of the United Nations would be willing at this time in world history to commit a contingent in advance that would go into action in any and every emergency that might arise.

Mr. McDONOUGH. Does the gentleman believe that this force, if it is once brought into being, would be on immediate call and be as quickly assigned to an important duty as the Marines were in Lebanon?

Mr. VORYS. Oh, no. It might be possible if the logistics were well planned in advance. The sort of question the gentleman is bringing up is what caused us to recommend immediate study of this matter.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Is not the organization ready to do these things now under the charter, to raise a task force or whatever it may be called, a police force, or something? They have the right to do it now without any resolution from the United States Government.

Mr. VORYS. You might say they did it in Korea, they did it in the Israeli-Arab situation. What is needed is a little more advance planning so that it can be done promptly and so that in emergency situations we can have plans that will work without tying the hands of this country or others in advance.

GENERAL LEAVE TO EXTEND

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent that all Members who have spoken during this debate may have the right to revise and extend their remarks, and that all Members may have 5 legislative days within which to extend their remarks on this resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, House Concurrent Resolution 373 expresses the sense of Congress that the General Assembly of the United Nations should develop within its permanent structure such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

The Committee on Foreign Affairs has voted unanimously in favor of this resolution.

If such a United Nations force had been established at the time of the Lebanon crisis in all probability it would not have been necessary for us to land troops in Lebanon or the British in Jordan. The course of recent events in the Middle East might have been materially altered. Such a force was used effectively at the time of the Suez crisis in 1956.

Experience demonstrates that in the future situations may develop which will require on short notice the services of such a United Nations force; and the ability to have such a force ready to act quickly may determine the difference between peace and war.

This resolution does not prescribe the exact nature of such a force or its precise function but it does reflect the desire of Congress that the United Nations support whatever action is necessary to enable suitable United Nations forces to be used promptly for observation and patrol where international peace and security are threatened.

In my judgment if this is done it will be an important step toward maintaining world peace.

Mr. KEATING. Mr. Speaker, this is a timely and important resolution. I am strongly in favor of it. Strong approval by Congress of the principle of an international police force will demonstrate to the world this Nation's unswerving dedication to peace and our willingness to explore all means for preserving peace. It will back up the President's endorsement of this idea.

Perhaps never before in the history of the world was there greater need for calm, objective, and broadminded thought on this possible avenue for helping to achieve a more just and secure international order. It is a time which demands that all nations of good will demonstrate their ability to see the broader picture and to contribute wholeheartedly to all efforts to prevent war and promote world harmony. I think it is extremely important that we approve this resolution to show the whole world that the United States does have the breadth of vision and the sincere desire necessary to preserve mankind from destruction.

Right here in our own hemisphere we have witnessed an example of how cooperative efforts in international security can pay large dividends in terms of friendly relations and absence of warfare. All the peace-loving nations of the world would do well to examine with care the experience of the nations of South America in carrying out their self-imposed system of inter-American policing.

Operating through a collective defense pact, commonly known as the Rio Treaty, and through the machinery of the Organization of American States, this policing program has been in large measure both effective and generally acceptable. By means of voting sanctions, of dispatching investigating committees, and of careful use of military observers, the nations of Latin America have successfully nipped in the bud a number of potentially incendiary situations among nations of this area.

One reason the Rio Treaty has operated so successfully is that it provides a flexible system of inter-American policing which tailors the means to the situation. The fact that sanctions can be imposed up to and including the use of collective armed forces has had the effect of eliminating the danger of aggression among the neighbors of this section of the world. In addition, the Americas have coordinated their policies to defend themselves against any extrahemisphere threat. Since the end of World War II no other nations in the world have enjoyed the freedom from fear of aggression from their neighbors and the world as have the Americas.

When the United Nations was organized in 1945 procedures similar in many respects to the inter-American system were envisaged for maintaining peace. The U. N. idea, based on certain fundamental principles, provided procedures for peaceful settlement and for arriving at decisions to enforce the peace. This idea also anticipated the creation of forces to maintain the peace when the use of force became necessary.

It soon became apparent, however, that there was a fundamental division within the United Nations between nations which cherished their independence and desired a stable international order, and the power ambitions and aggressive ideology of the Soviet bloc. This expansionist combination succeeded in subverting and taking over a long list of independent governments. The result was that political consensus, the necessary base for any international policing action, was absent in the world community. Attempts to create world collective security by agreement among the great powers were thus doomed to failure from the start.

However, repeated efforts were made to gain approval of some sort of world-wide army to help maintain order and security. Whenever fighting has started or is threatened in some sector of the world, agitation has begun afresh for the creation of a U. N. army to be dispatched to the scene to calm the troubled situation. These proposals always revive whenever—as in the instance of Korea, Hungary, Egypt, or the present Middle East crisis—the need becomes too obvious and too urgent to ignore.

One extremely useful precedent has been provided in the case of the United Nations Emergency Force, which has done so much to maintain stability and peace in areas of acute tension between Egypt and Israel. The relative success of this force in patrolling the uneasy cease-fire has drawn praise from many governments. Its long-range value, however, can best be measured in terms of the use to which the time gained will be put to solve the complex problems afflicting that area, and the use to which we can put the experience gained by this adventure in international policing.

The 13 years of experience in the United Nations has demonstrated conclusively that politically speaking, it is a house divided. A gulf separates those nations which believe in the U. N. Charter principle of independence and those which in practice deny that principle—which really believe in a Communist world hegemony, controlled and directed from Moscow and Peking. The Soviet Union has demonstrated it will do all within its power to exclude from its captive domain any international policing action, even to the extent of barring an investigating committee, such as in the case of Hungary in 1956.

Most recently, of course, the Soviet conspiracy has blocked efforts to organize and dispatch a U. N. peace force to the troubled Middle East, in an effort to calm the potentially explosive situation there. However, this barrier to world unanimity on an international police force should not discourage us. We should not regard the opposition of the Soviet Union to these peace efforts as an insurmountable barrier. We should press forward with all the vigor at our command to gain support for this principle from all men of good will who sincerely desire peace. On the other hand, I believe we are completely justified in questioning the motives of those nations of the world who, by their intransigent attitude, have repeatedly blocked attempts to create the international force which may well represent a key to the future peace of the world.

The United States most recently through the President's General Assembly address, has repeatedly demonstrated its willingness to participate in an international army for peace. That willingness can be decisively reaffirmed by our approval of House Concurrent Resolution 373 today.

Certainly recent developments in the Near East provide sufficient demonstration of the tremendous need for some sort of a peace force. It should, of course, be under the control of the United Nations, ready to move instantly in case of an international emergency at the request of a member government which believes itself threatened by outside aggression.

In a world contracted by speedy communications, in a world in which even the smallest nations possess the terribly destructive weapons of modern war, any international disturbance—however localized—can spread like a plague and thus present a real threat to world stability. The only feasible answer to this challenge to the peace of the world is to provide a U. N. force capable of so spreading a U. N. mantle over an embattled state as to inhibit—if not directly to prevent—a coup d'etat, infiltration by indirect aggression, or other untoward pressures from outside the Nation, such as we have witnessed recently in the Near East.

A U. N. police force need not be a huge, all-powerful army. It might not number more than 50,000 or 60,000. It might perhaps be found best to establish a firm nucleus at all times centered under one command, with other forces in the individual countries, available upon call.

It is my firm conviction that the smaller nations of the world must form the backbone of any international force. This will prevent the bigger powers running the risk of being dragged into a nuclear conflict which could doom all mankind.

Such an international police army could not—and should not—fight wars. It could not prevent isolated assassinations planned by outside aggressors such as we have recently witnessed.

But a permanent U. N. police force can serve as an effective deterrent to hostilities, could be a focus for the moral opinion of the world, and could serve numerous practical uses in observation, patrol, and guard duty between potentially hostile states.

Certainly, in the light of the dangers inherent in man's vast technological and material progress, we must search with imagination and foresight for the answers to the enigmas of world peace. Today we have too little of either—at a time when we stand in desperate need of both.

There has been sufficient study and experience concerning an international police force. There is plenty of evidence to show how great a factor it could be in preserving peace. No nation of good will can in good conscience oppose the creation of such a force.

The time is running short. Each new crisis brings us closer to the potential horrors of a World War III. The next international brush fire may set off that worldwide conflagration if the nations of the world do not rise to the occasion.

A permanent United Nations police force provides a new, decisive means by which the nations of the world which sincerely believe in peace can provide the machinery to quarantine regional conflicts and thus better insure their solution. The resolution before us provides a tangible means for this body to signify support of this key means to preserve the peace of the world.

I want to commend the committee for its diligence in reporting out this measure at this most pertinent time. I urge its resounding approval by this body. By our action today we will place the people of America squarely behind the goal of a permanent United Nations peace force—one of the strong sure hopes for the peace for which all men of good will hope and pray.

Mr. O'HARA of Illinois. Mr. Speaker, I wish to remark that we have just listened to one of the last speeches in this Chamber of the distinguished gentleman from Ohio [Mr. VORYS], who in two decades of service on the Committee on Foreign Affairs has made a contribution to his country that will be remembered in history. I am supporting the resolution sponsored and so eloquently presented by the gentleman from Missouri [Mr. CARNAHAN], but I am supporting it all the more ardently because its passage is urged by the gentleman from Ohio in one of his last appearances in the well of the House.

Mr. REUSS. Mr. Speaker, there could not be a better time for the House to express itself in favor of a United Nations police force, as envisaged by House Concurrent Resolution 373. Because of President Eisenhower's constructive program for the Middle East advanced before the United Nations General Assembly last week, Congressional backing needs to be expressed. In a statement before the House Committee on Foreign Affairs on July 24, 1958, in support of a United Nations police force, I said:

> The duties of such a force would be as much moral as military. It could police a disputed area as does the present United Nations emergency force in Egypt and Israel. It could act as a border patrol as does the present United Nations observation group in Lebanon. By being in existence beforehand, it could avoid hasty improvisation after damaging unilateral action has been taken.
>
> The resolution is particularly timely because a United Nations police force could be the cornerstone of a more constructive policy for the Middle East. Immediately, I would hope that U. N. Secretary General Dag Hammarskjold's proposal to augment the observation group now in Lebanon is speedily implemented to prevent infiltration of the borders of Lebanon, and that our United States forces can be withdrawn. But a permanent United Nations police force is necessary so that further action to maintain order in the Middle East, or elsewhere, could be taken under the moral authority of the United Nations.
>
> A permanent United Nations police force should be accompanied by two other United Nations policies which it is high time we supported and brought into being—a United Nations Middle East Development Authority, to channel economic aid to the Middle East on a basis that involves a community of countries both on the giving and receiving end; and a United Nations Commission to regulate and keep down the flow of arms into the Middle East, from whatever source.
>
> We should accompany this U. N. action for a police force, for arms control, and for economic aid in the Middle East, by making clear that we recognize the need and desire of the Arab world for a place in the sun, and that instead of fighting Arab nationalism we hope to channel it constructively. We should make clear that the oil wealth of the Middle East need present no problem—they need to sell it to the West, and the West needs to buy from them. To the extent that its benefits can be spread through all the countries of the Arab world, and through all ranks of Arab society, so much the better. Our continued determination to defend Israel from attack need in no way detract from our determination to meet the basic Arab desire for dignity and progress. If this new policy requires us to concentrate less on rulers and more on the masses of people, that, too, seems in keeping with the American tradition.

Mr. Speaker, I hope that House Concurrent Resolution 373 will pass by an overwhelming vote.

The SPEAKER. The question is on suspending the rules and passing Senate Concurrent Resolution 109 as amended?

The question was taken; and the Chair announced that in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The doorkeeper will close the doors, the Sergeant-at-Arms will notify absent members, and the Clerk will call the roll.

The question was taken; and there were—yeas 299, nays 20, answering "present" 1, not voting 109, as follows:

[Roll No. 189]

YEAS—299

Abbitt	Baker	Bosch
Abernethy	Baldwin	Bow
Adair	Baring	Boyle
Addonizio	Barrett	Bray
Albert	Bass, N. H.	Breeding
Alexander	Bass, Tenn.	Brooks, Tex.
Allen, Calif.	Bates	Broomfield
Allen, Ill.	Becker	Brown, Ga.
Andersen, H. Carl	Beckworth	Brown, Mo.
Anderson, Mont.	Belcher	Brown, Ohio
Andrews	Bennett, Fla.	Broyhill
Anfuso	Bennett, Mich.	Budge
Arends	Berry	Burleson
Ashmore	Betts	Bush
Aspinall	Blatnik	Byrd
Auchincloss	Boggs	Byrne, Ill.
Ayres	Boland	Byrne, Pa.
Bailey	Bolling	Byrnes, Wis.
	Bolton	Canfield
	Bonner	Cannon
Carnahan	Holtzman	Price
Carrigg	Horan	Quie
Cederberg	Huddleston	Rabaut
Celler	Hull	Ray
Chamberlain	Hyde	Reece, Tenn.
Chelf	Ikard	Reed
Chenoweth	Jackson	Rees, Kans.
Chiperfield	Jarman	Reuss
Church	Jennings	Rhodes, Ariz.
Coad	Jonas	Rhodes, Pa.
Collier	Jones, Ala.	Riehlman
Cooley	Judd	Riley
Corbett	Karsten	Roberts
Cramer	Keating	Robeson, Va.
Cretella	Kee	Robison, N. Y.
Cunningham, Iowa	Kelly, N. Y.	Robsion, Ky.
Curtin	Kilday	Rodino
Curtis, Mass.	Kilgore	Rogers, Colo.
Curtis, Mo.	King	Rogers, Fla.
Dague	Kirwan	Rogers, Mass.
Davis, Tenn.	Knox	Rogers, Tex.
Dawson, Ill.	Knutson	Rooney
Dawson, Utah	Lafore	Rutherford
Delaney	Laird	Sadlak
Dellay	Lane	Santangelo
Dennison	Lankford	St. George
Dent	Lesinski	Saund
Denton	Libonati	Saylor
Devereux	Lipscomb	Schenck
Diggs	Loser	Scherer
Dingell	McDonough	Scrivener
Dixon	McFall	Scudder
Donohue	McGovern	Seely-Brown
Dooley	McIntosh	Selden
Dorn, N. Y.	Mack, Ill.	Sheppard
Dwyer	Mack, Wash.	Sieminski
Edmondson	Madden	Sikes
Elliott	Magnuson	Siler
Everett	Mahon	Simpson, Ill.
Evins	Mailliard	Sisk
Fallon	Marshall	Smith, Miss.
Fascell	Martin	Smith, Va.
Feighan	Matthews	Springer
Fenton	May	Staggers
Fino	Meader	Sullivan
Fisher	Merrow	Taber
Flood	Michel	Talle
Fogarty	Miller, Md.	Teague, Calif.
Forand	Miller, Nebr.	Teller
Ford	Mills	Tewes
Fountain	Montoya	Thompson, N. J.
Frazier	Moore	Thompson, Tex.
Fulton	Morano	Thomson, Wyo.
Gary	Morgan	Thornberry
Gathings	Morris	Tollefson
Gavin	Moss	Trimble
Granahan	Moulder	Tuck
Grant	Multer	Udall
Gray	Mumma	Ullman
Green, Oreg.	Murray	Van Zandt
Green, Pa.	Natcher	Vorys
Griffin	Neal	Vursell
Griffiths	Nimtz	Walter
Gubser	Nix	Watts
Gwinn	Norblad	Weaver
Hagen	O'Brien, Ill.	Westland
Haley	O'Brien, N. Y.	Wharton
Halleck	O'Hara, Ill.	Whitener
Harden	O'Konski	Widnall
Hardy	Ostertag	Wier
Harris	Patman	Wigglesworth
Harrison, Va.	Patterson	Willis
Haskell	Pelly	Wilson, Calif.
Hays, Ark.	Perkins	Wilson, Ind.
Hays, Ohio	Pfost	Withrow
Heselton	Philbin	Wolverton
Hiestand	Pillion	Wright
Hoeven	Poage	Yates
Holland	Poff	Younger
Holmes	Polk	Zablocki
Holt	Porter	

NAYS—20

Davis, Ga.	Johansen	Scott, N. C.
Dorn, S. C.	Kitchin	Smith, Calif.
Dowdy	Krueger	Smith, Kans.
Flynt	Landrum	Utt
Forrester	Lennon	Van Pelt
Gross	Nicholson	Williams, Miss.
Hemphill	O'Hara, Minn.	

ANSWERING "PRESENT"—1

Alger

NOT VOTING—109

Ashley	Buckley	Davis, Tenn.
Avery	Burdick	Derounian
Barden	Christopher	Dies
Baumhart	Clark	Dollinger
Beamer	Clevenger	Doyle
Bentley	Coffin	Durham
Blitch	Colmer	Eberharter
Boykin	Coudert	Engle
Brooks, La.	Cunningham, Nebr.	Farbstein
Brownson		Frelinghuysen

Friedel	Keogh	Prouty
Garmatz	Kilburn	Radwan
George	Kluczynski	Rains
Glenn	Latham	Rivers
Gordon	LeCompte	Roosevelt
Gregory	McCarthy	Schwengel
Hale	McCormack	Scott, Pa.
Harrison, Nebr.	McCulloch	Sheehan
Harvey	McGregor	Shelley
Healey	McIntire	Shuford
Hebert	McMillan	Simpson, Pa.
Henderson	Macdonald	Spence
Herlong	Machrowicz	Stauffer
Hess	Mason	Steed
Hill	Metcalf	Taylor
Hillings	Miller, Calif.	Teague, Tex.
Hoffman	Miller, N. Y.	Thomas
Holifield	Minshall	Thompson, La.
Hosmer	Mitchell	Vanik
James	Morrison	Vinson
Jenkins	Norrell	Wainwright
Jensen	O'Neill	Whitten
Johnson	Osmers	Williams, N. Y.
Jones, Mo.	Passman	Winstead
Kean	Pilcher	Young
Kearney	Powell	Zelenko
Kearns	Preston	

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Hess.
Mr. Keogh with Mr. Taylor.
Mr. Buckley with Mr. Coudert.
Mr. Dollinger with Mr. Baumhart.
Mr. Healey with Mr. Hoemer.
Mr. Friedel with Mr. Kean.
Mr. Garmatz with Mr. Glenn.
Mr. Preston with Mr. Osmers.
Mr. Pilcher with Mr. Simpson of Pennsylvania.
Mrs. Blitch with Mr. Henderson.
Mr. Morrison with Mr. Minshall.
Mr. Thompson of Louisiana with Mr. McGregor.
Mr. Brooks of Louisiana with Mr. Derounian.
Mr. Teague with Mr. Frelinghuysen.
Mr. Young with Mr. George.
Mr. Colmer with Mr. Harrison of Nebraska.
Mr. Winstead with Mr. Hale.
Mr. Whitten with Mr. Sheehan.
Mr. Coffin with Mr. Hoffman.
Mr. Doyle with Mr. Jensen.
Mr. Miller of California with Mr. Kearns.
Mr. Roosevelt with Mr. Kilburn.
Mr. Engle with Mr. Stauffer.
Mr. Shelley with Mr. McIntire.
Mr. Farbstein with Mr. Hillings.
Mr. Zelenko with Mr. Bentley.
Mr. O'Neill with Mr. Miller of New York.
Mr. Macdonald with Mr. McCulloch.
Mr. Machrowicz with Mr. Harvey.
Mr. Kluczynski with Mr. Beamer.
Mr. Rivers with Mr. Avery.
Mr. Boykin with Mr. Scott of Pennsylvania.
Mr. Clark with Mr. Prouty.
Mr. Durham with Mr. Mason.
Mr. Eberharter with Mr. Wainwright.
Mr. Holifield with Mr. Kearney.
Mr. Ashley with Mr. Brownson.
Mr. Herlong with Mr. Clevenger.
Mr. Johnson with Mr. James.
Mr. McCarthy with Mr. Hill.
Mr. Rains with Mr. Williams of New York.
Mr. Davis of Tennessee with Mr. Cunningham of Nebraska.
Mr. Barden with Mr. Jenkins.
Mr. Vanik with Mr. Schwengel.
Mr. Vinson with Mr. Radwan.
Mr. Steed with Mr. Burdick.
Mr. Thomas with Mr. Latham.
Mr. Metcalf with Mr. LeCompte.

Mr. REES of Kansas changed his vote from "nay" to "yea."

Mr. UTT changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

S. 3021

Mr. WALTER. Mr. Speaker, I ask unanimous consent that the bill (S. 3021) for the relief of Stanislawa Wojczul be recommitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONSIDERATION OF INDEPENDENT OFFICES APPROPRIATION BILL TOMORROW UNDER SUSPENSION OF THE RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker tomorrow to recognize for a motion to suspend the rules and pass the independent offices appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HOUSE LEADERSHIP FAILURE TO PERMIT CONSIDERATION OF ADEQUATE ANTIRACKETEERING LABOR LEGISLATION BEFORE ADJOURNMENT SHOULD RESULT IN THE PRESIDENT'S CALL OF A SPECIAL SESSION OF CONGRESS TO MEET THIS CRITICAL LEGISLATIVE PROBLEM

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this opint in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, much has been said and written about the Kennedy-Ives bill and the refusal of the House to be stampeded into accepting the politically inspired, take-it-or-leave-it, labor dictated and labor whitewash of racketeering within the unions.

I favor strong antiracketeering labor legislation that fully carries out the recommendations of the McClellan committee and incorporates the labor reform recommendations the President has made unsuccessfully to Congress for years. The Kennedy-Ives bill does neither but rather is a surrender to the demands of Walter Reuther, and would amount to the condonation of the atrocities of such unscrupulous labor bosses as Jimmy Hoffa.

The shortcomings of the bill, which was brought up under a rule that permitted only 40 minutes of debate on a 48-page bill after the bill had been held by the Democrat Speaker on his desk without opportunity for committee consideration for 40 days and 40 nights, and under a rule that excluded amendments to strengthen the bill, are so numerous that no conscientious legislator could swallow it.

Some of the inadequacies are:

First. That the bill did not carry out the labor reform recommendations of the McClellan committee and thus would not have gotten rid of the Hoffas and the racketeering in unions.

Second. That the bill had no enforcement sanctions on unions that retain officers who file false or misleading financial reports to the Secretary of Labor.

Third. That the bill failed to provide for democratic elections by union members on matters vital to them.

Fourth. It tried to preempt the whole field of State labor laws, completely overturning States rights and responsibilities in this field, and overburdening the NLRB with work not administered in the States.

Fifth. It did not outlaw organizational or racketeer picketing even in cases when the parties to a dispute did not want such picketing.

Sixth. It did nothing to tighten up inadequate secondary boycott provisions of the present law.

Seventh. It placed management under penalty of $10,000 fine for any action that might be construed as favoring the employee when the timing of such action coincided with union attempts to organize his employees, thus denying employees of many benefits otherwise obtainable.

Eighth. It provided for no penalties for improper union leadership activities by only requiring reporting and disclosure of such activities to the Secretary of Labor, with no power in the Secretary to penalize improper activities.

Ninth. It failed to provide for guarantee of trust funds against labor leader raiding by setting such funds up as trust funds.

From this, it can be clearly seen that the bill needed strengthening and clarification, particularly in the light of the fact that the Senate debated the bill for 5 days and added 28 amendments on the floor, none of which had been studied and carefully prepared after adequate hearings.

I refuse to be a party to the liberal Democrat-Labor conspiracy to fool the people of this country who have arisen in righteous and rightful indignation over the racketeering disclosures before the McClellan committee into settling for this whitewash of labor racketeering approach. Surely, to pass this milk-toast bill this session would prevent effective legislation.

I cannot too strongly urge the leadership of the House to permit the Members of Congress who are devotedly interested in strong antiracketeering legislation to vote on a bill this session, under a rule that permits full debate and needed strengthening amendments. To deny Members the opportunity to so legislate is to deny the millions of Americans who have not been taken in by the Reuthers, the ADA and the liberal prolabor Democrats by their propaganda drive to pass a weak whitewash bill, the Kennedy-Ives bill, their right to be represented in Congress.

I call upon the House leaders to exercise responsible leadership and to report the Senate bill under an open rule this session. If the leadership refuses to do this, I am prepared to and intend to use every persuasive effort to prevail on the President to call a special session to consider this matter at the earliest possible date.

CODE OF MILITARY LAW

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8943) to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code, with Senate amendments thereto, and ask unanimous consent to dispense with the reading of the Senate amendments or their printing in the RECORD, and that the Senate amendments be concurred in.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to dispensing with the printing of the Senate amendments in the RECORD?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana to concur in the Senate amendments?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VENUE IN TAX REFUND SUITS

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9817) relating to venue in tax refund suits by corporations, together with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, lines 1 and 2, after "business" insert "or principal office or agency."

Page 2, lines 2 and 3, after "business" insert "or principal office or agency."

Mr. KEATING. Mr. Speaker, reserving the right to object, will the gentleman explain what this bill is?

Mr. WILLIS. This bill has to do with jurisdiction in tax refund cases. The gentleman will remember that there is confusion under present law as to where an action may be brought for tax refunds by corporations. The bill as we passed it would have required that the venue be in the district where the principal office or business was conducted. The Senate amendment simply adds the phrase "or agency."

Mr. KEATING. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ILLUSTRATIONS OF CERTAIN UNITED STATES AND FOREIGN OBLIGATIONS AND SECURITIES

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9370) to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes, together with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, line 13, after "illustrations" insert ", except those of stamps."

Page 2, line 16, strike out "stamp or other."

Page 2, line 18, after "their" insert "final."

Page 2, line 20, strike out "except" and insert "but not."

Page 2, line 21, after "purposes" insert "except philatelic advertising."

Page 3, line 15, after "to," insert "uncanceled."

Page 3, line 16, strike out "canceled or."

Mr. KEATING. Mr. Speaker, reserving the right to object, will the gentleman explain the Senate amendments?

Mr. WILLIS. The effect of the Senate amendments generally is as follows:

The purpose of the first and second amendments is to continue in effect the situation under existing law whereby foreign stamps may be illustrated for certain purposes and under certain conditions without limitation as to the size of the illustrations. Illustrations of United States stamps would also be permitted in the same manner. With respect to the latter, illustrations at the present time are limited under regulations issued pursuant to the section being amended to a size less than three-quarters or more than 1½ the size of the genuine stamp. Representations have been made to this committee by philatelists and stamp dealers that postage stamp albums, catalogs, and other literature now in existence contain illustrations of foreign postage stamps in exact size as permitted under existing law, which publications would become subject to forfeiture if the bill became law in the form that it passed the House. Therefore, these amendments are designed to correct that situation. Moreover, the amendments to paragraph (1) of the first section of the bill would remove the existing size restrictions with respect to the illustration of United States stamps, inasmuch as there appears to be no logical reason to retain this restriction. The Treasury Department has indicated it has no objection to these amendments.

The purpose of the third amendment is to make clear that it would not be necessary to destroy negatives and plates used in making the illustrations that would be permitted until after their final use. The committee has been informed that plates used to make stamp albums, for example, are used several times over during a period of time and the amendment would remove any possible doubt as to whether that practice can be continued.

The purpose of the fourth and fifth amendments is to permit the filming of stamps for advertising purposes. Postage stamp dealers have pointed out that without these amendments, they would be unable to show pictures of their products, that is, postage stamps, in advertising on such mediums as television. Since a special exception is made under existing law which permits illustrations of stamps in connection with advertising in printed publications, it would appear logical to permit such use in other mediums which have been developed since the original enactment of the prohibitions.

The purpose of the sixth and seventh amendments is to limit the definition contained in section 3 of the bill to uncanceled stamps of foreign governments whether or not demonetized. One of the principal practical effects of section 3 of the bill as referred to this committee would have been to prohibit completely colored illustrations of foreign postage stamps. Philatelists and stamp dealers have made strong representations to the committee that the complete prohibition of colored illustrations would have a highly adverse effect upon the stamp industry, particularly in the promotion of the sale of stamps through the use of colored illustrations of stamps. The Treasury Department, at whose instance this legislation was introduced, has contended, on the other hand, that United States and foreign postage stamps should receive uniform treatment under the laws of the United States and that whether or not an act is criminal under our laws should not depend on the law or act of a foreign government. These amendments are a compromise between those two positions, and one of its principal practical effects would be to permit the use of colored illustrations of canceled stamps of foreign governments. Under the amendments to section 3, it would not be necessary for the Treasury Department to resort to the law or acts of a foreign country, as it would be possible to determine the legality of a reproduction by whether or not it was cancel on its face. The amendments proposed to the new section 15 of title 18, United States Code, will have the effect of removing canceled foreign stamps from the purview of section 504 and, therefore, it will be possible to freely illustrate canceled foreign stamps in color for any legitimate purpose.

The purpose of the proposed legislation, as amended, is to—

(1) Permit black and white illustrations of revenue stamps of the United States for philatelic and numismatic purposes;

(2) Permit black and white illustrations of United States and foreign paper money and other obligations and securities for educational, historical, and newsworthy purposes; and

(3) Permit motion picture films, microfilms, and slides of United States and foreign postage and revenue stamps, paper money, and other obligations and securities, except films in connection with advertising. The proposed legislation would also amend existing law to make clear that uncanceled foreign postage and revenue stamps are obligations and securities of foreign governments

within the meaning of the counterfeiting statutes of the United States.

The Department of the Treasury submitted a draft of this proposal and recommended its enactment. That Department will have initial responsibility for the administration of these provisions.

Section 1 of the bill is divided into two parts. Paragraph (1) will permit the printing, publishing, or importation of black and white illustrations of postage, revenue stamps, and other obligations and securities of the United States and of a foreign government, bank, or corporation for philatelic, numismatic, educational, historical, or news-worthy purposes in articles, books, journals, newspapers, or albums; but not for advertising purposes except illustrations of stamps and paper money in the advertising of legitimate dealers in stamps or coins or of publishers or dealers in philatelic or numismatic articles, books, etc.

Such illustrations may not, except as to stamps, be of the same size of the matter which they illustrate but must be of a size either less than three-fourths or more than 1½ in linear dimension of each part of such stamp, obligation, or security. The negatives and plates used in making the illustrations must be destroyed after final use.

Paragraph (2) permits the making or importation, except for advertising purposes, of film, microfilms, etc., for use on a screen or telecast of postage or revenue stamps and other obligations and securities of the United States and of a foreign government, bank, or corporation. No reproductions may be made from such films, etc., under this paragraph without the permission of the Secretary of the Treasury.

Section 2 of the bill is a drafting provision and amends the chapter analysis of chapter 25 of title 18 of the United States Code to reflect the change made in the catchline to the revised section of the code set out in section 1 of the bill.

Section 3 contains a definition of the term "obligation or other security of any foreign government" so as to include uncanceled stamps of foreign governments whether or not demonetized.

Section 4 of the bill, like section 2, is a drafting provision, and amends the chapter analysis of chapter 1, title 18 of the code to reflect the catchline of the new section 15 of title 18 as set forth in section 3 of the bill.

Mr. KEATING. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a conference report on the bill S. 3420, to extend and amend the Agricultural Trade Development and Assistance Act of 1954.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that the Committee on the Post Office and Civil Service may have until midnight tonight to file a report on the bill S. 1411 to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

SCIENCE CLUBS FOR BOYS AND GIRLS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 13191 to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science.

The Clerk read the title of the bill.

Mr. BALDWIN. Mr. Speaker, reserving the right to object, has the gentleman cleared this with the gentleman from Minnesota who objected to this bill last evening?

Mr. WRIGHT. I have cleared it with the leadership and with the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, I might say that I did not object to the bill last night. I asked that the bill be put over until today for consideration.

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman one question. This provides for an annual appropriation of $50,000. Does the gentleman think this will go on indefinitely? Can we have some assurance from the gentleman that this appropriation of $50,000 will not be sought indefinitely?

Mr. WRIGHT. It is not anticipated that this will be an indefinite authorization. It is only an authorization, and, of course, the appropriations will have to be approved individually. It is anticipated by the committee that this charter for the future scientists of America will be about the same as the farm clubs of America and there will be no need to continue this.

Mr. GROSS. It is anticipated that within a reasonable time the appropriation will cease?

Mr. WRIGHT. That is true.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. WRIGHT]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to strengthen future scientific accomplishment in our Nation by assisting in the development of a body of boys and girls with a special interest in science, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, and for each fiscal year thereafter, such sums, not in excess of $50,000, as may be necessary to enable the Commissioner of Education to encourage, foster, and assist in the establishment in localities throughout the Nation of clubs which are composed of boys and girls who have an especial interest in science.

SEC. 2. (a) The Commissioner of Education shall carry out his duties under the first section with a view to the ultimate chartering by the Congress of a corporation, similar to the Future Farmers of America, which will seek to—

(1) develop an interest in science on the part of the young people of America.

(2) provide an opportunity for the exchange of scientific information and ideas among members of the clubs,

(3) encourage the promotion of science fairs at which members of the clubs may display their scientific works and projects, and

(4) develop an awareness of the satisfactions to be derived through a career devoted to science.

(b) The Commissioner of Education may utilize any of the personnel and facilities of the Office of Education in carrying out this act.

Mr. WRIGHT. Mr. Speaker, the Nation has been shocked and alarmed by the recent disclosures that Russia not only is closing the scientific gap which long existed between our two countries but, in terms of graduates in the scientific and technological fields, actually is outstripping us.

This bodes ill for the future. It indicates that, unless we can discover means to stimulate and encourage the development of the inherent intellectual capacities of our youth, another generation may awaken to a world in which complete scientific mastery will lie in the hands of a godless colossus.

It could be fatal for unchallenged scientific supremacy to fall to such a nation, devoid of the humanities and the sense of decent restraint which, in the interest of the future of mankind, must be the inseparable companions of scientific discovery.

It therefore devolves upon us to discover and develop the means, within the framework of our traditional Democratic society, to accelerate scientific inquiry among our youth to the end that we may keep pace and either retain or regain the leadership in this vital field.

This bill is an attempt to discover one such efficacious approach.

THE PROBLEM

Verifiable reports have made us aware of enormously increased emphasis upon basic scientific studies in the Soviet public schools and of rapidly increasing numbers of scientists and engineers being graduated annually by Soviet colleges. One major aspect of this achievement, when compared with our own situation, is the deadly serious manner in which the Russian teenager has been induced to regard his studies. The reports disclose that the Soviet student in the secondary schools is frequently studying until late at night and 6 days each week to master the 4 years of advanced mathematics, physics, chemistry, and so forth, which are required of him.

While it is true that these schools are regimented, totalitarian, and humorless, we would make a serious mistake to underestimate their efficiency. It is by means of these mental sweatshops that Russia has, in just 30 years, emerged from almost 75 percent illiteracy—about equal to Indochina—to one of the two really great powers on earth. The illiteracy rate in the Soviet Union today is estimated to be between 2.5 percent and 5 percent which does not compare badly with our own rate of about 2.5 percent today.

We would not imitate their basic educational system which is shaped solely in the interest of the State and in complete disregard of the needs of the individual child, but only at our peril would we ignore the basic fact that Russia has made the rewards of intellectual accomplishment so attractive that her youth are working with extreme diligence to keep up with an extraordinarily difficult curriculum. They have managed to provide incentives which induce all their children to stretch their intellectual capacities to the utmost.

As of the present moment, our reservoir of technicians and scientists is larger than theirs, but while our public schools appear to be decelerating in this field and emphasizing such things as ballroom dancing and driver education, the Russians are gaining by leaps and bounds. In the past year, Soviet college graduates in the technical, scientific, and engineering fields exceeded ours by almost 2 to 1:

THE AIM

Our aim in light of this situation must be twofold. First, we must manage to stimulate and encourage more studious application to scientific studies in our public schools and to do this within the basic framework of our democratic school system.

Secondly, we must contrive a means of locating the gifted students with inclinations in this direction at a relatively early age and provide an early method of challenging their latent interests and channeling their energies into projects and courses of constructive study.

We would lose the fundamental thing we seek to protect if we were merely to mimic the Soviet method of dangling material financial reward in the faces of relatively impoverished students and ordering them to exert their utmost energies. To achieve these aims in the traditional American way, we must cause the scientifically inclined student to want to achieve by creating a program in which he can experience the thrill of achievement and find prestige in the eyes of his contemporaries.

THE METHOD

In devising a workable method to realize this aim, it seems to me that we can build upon our own experience. In the Vocational Agriculture program, we have successfully challenged and stimulated many hundreds of thousands of American youngsters to achievement which they otherwise would not have attained.

In essence this proposal is simple. It would provide for the scientifically adapted students in all the communities throughout our Nation the same essential type of program which was provided for the depression stricken farm youngsters in our agriculture communities as early as 1936 by the Vocational Agriculture and Home Economics legislation.

The Vocational Agriculture program has worked with considerable success through some 10,000 secondary schools in the small cities and agricultural areas throughout the United States. It has given the farm-oriented youngster a pride in self-improvement, a sense of belonging, and a program in which he and his friends may work together and experience the real fun of accomplishment on after-school projects which they themselves have selected with the approval of their vocational agriculture instructors.

In this way, this familiar program has stimulated youthful achievement and demonstrated the actual pleasure of accomplishment to the youthful mind by lifting this level of activity above the often dull and prosaic level of classroom assignments. Under this program, local clubs have been sponsored in which teenage youngsters have found acceptance in the eyes of their fellow students by outstanding accomplishment. Fairs have been sponsored at which the students from different schools have proudly displayed their projects. At these fairs a sense of healthy interscholastic competition has been developed, and the youngsters have known the thrill of representing their schools in such competitions.

That the program has found acceptance with the students themselves is known by anyone who has had close associations in the rural communities of our nation and seen the youngsters proudly wearing the packets and displaying the emblems which they have won by their own achievements.

I would envision a similar program to avail the nation of the scientific interests of our youth by similarly encouraging local clubs of Future Scientists of America—FSA—along the general pattern that the Future Farmers of America—FFA—have so successfully developed.

If interscholastic competitions should result at science fairs throughout the nation, studious youngsters might begin to know the thrill and the incentive which today impel most American boys to want to develop skill and mastery in such sports as football, basketball, etc.

To put it simply and perhaps a bit facetiously, I believe we need to develop a climate in which "cheer leaders for slide rule teams" would not be so farfetched a notion as it would appear to be today.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

D. A. WHITAKER AND OTHERS

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9950) for the relief of D. A. Whitaker and others, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 4, after line 6, insert:

"Nothing contained in this act shall be construed as an implication of liability on the part of the Government of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

HARRY N. DUFF

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1695) for the relief of Harry N. Duff, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 10, after "act." insert "The enactment of this act shall not be construed as any inference of liability on the part of the Government of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

VALIDATING OVERPAYMENTS OF PAY AND ALLOWANCES MADE TO CERTAIN OFFICERS OF THE ARMY, NAVY, NAVAL RESERVE, AND AIR FORCE

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3366) to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 8 and 9, and page 2, line 1, strike out "received compensation from that hospital (including meals and living quarters in kind)."

Page 2, line 1, after "such" insert "compensation."

Page 2, line 5, after "as" insert "such compensation."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VIVIAN D. GIESEY

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3287) for the relief of Vivian D. Giesey.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. POFF. Mr. Speaker, reserving the right to object, may I inquire of the

gentleman if the Department report on this bill is favorable or unfavorable?

Mr. LANE. I may say to the gentleman from Virginia that this comes in with the approval of the Civil Service Commission. This is a rather unique case and they have placed their stamp of approval on it.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That (a) the Civil Service Commission is authorized and directed to pay, out of any money in the civil service retirement and disability fund, to Vivian D. Giesey, an annuity equal to the annuity which she would have received under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, if her husband, William C. Giesey, had continued to serve as an employee of the United States until his death on September 29, 1954, and had retired on that date, the said William C. Giesey having served as an employee of the United States for approximately 20 years until he was separated from Federal employment on July 31, 1954.

(b) There shall be deducted and withheld from the annuity authorized under the first section of this act an amount equal to the amount of any refund of contributions which have been made on account of the death of the said William C. Giesey.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TOWN OF PORTSMOUTH, R. I.

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2636) for the relief of the town of Portsmouth, R. I.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the town of Portsmouth, R. I., the sum of $3,433.50, representing the amount due such town from the Public Housing Administration as payments in lieu of taxes for projects RI-1-D-1 and RI-2-D-1, Melville Trailer Park, Portsmouth, R. I., for the period between February 1, 1956, and August 31, 1956: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. LANE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANE: On page 1, line 6, strike out the following: "the amount due such town from the Public Housing Administration as."

Page 1, line 11, strike out the following: "in excess of 10 percent thereof."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A BILL TO PROVIDE FOR THE DENIAL OF PASSPORTS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, an editorial in this morning's Washington Post purported to analyze a bill on the denial of passports sponsored by the gentleman from Ohio [Mr. VORYS] and myself.

The bill clearly sets forth in section 5 a Congressional finding that the international Communist movement is dedicated to weakening and ultimately dominating the United States; that it constitutes a clear, present, and continuing danger to the security of the United States; and that its agents and supporters use passports to promote the objectives of international communism. For these reasons the bill provides that passports may be denied, and I repeat, may be denied, to such individuals.

Recent court decision noted the lack of legislation authorizing the Secretary of State to deny passports to Communists or Communist supporters. This bill is designed to fill that gap.

The editorial refers to the bill as dubious legislation. Are the objectives of the Communists dubious? Are the means by which they seek to achieve these objectives dubious?

Those who helped perfect this bill were fully mindful of the rights of individuals as well as the security of the United States. The bill lists three categories of persons to whom the Secretary of State may deny a passport: (1) a member or former member of the Communist Party; (2) an individual who is affiliated with the Communist Party; (3) an individual who knowingly engages or has engaged since 1948 in activities intended to further the international Communist movement.

Note, however, that two important qualifications are in the bill. First, it must be determined that the activities or presence abroad of the individuals listed in these three categories would be harmful to the security of the United States. Second, the denial of the passport, as I have already indicated, is not mandatory. The Secretary is authorized to deny passports.

The date 1948 was included because it was that year that Czechoslovakia fell to the Communists. That event made clear to everyone, including most editorial writers, the real nature of the Communist conspiracy. Finally, the bill provides for an administrative review before a passport can be denied. If the passport is denied, the bill provides for a court review.

The issue involved in drafting legislation of this type may be expressed rather simply, namely, to balance the rights of the individual against those of the country to protect itself not from some theoretical attack but from a very real and evident danger.

If the editorial writer thinks there is no such danger, he will undoubtedly write followup editorials advocating the elimination of United States Information Agency, a heavy reduction in our military expenditures and in our Mutual Security Program.

The purposes, the guaranties, and the restrictions in this bill are clear. The editorial writer, not the bill, has fuzzy restrictions.

DR. ERNEST S. GRIFFITH

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD, to be followed by the remarks of the gentleman from Oregon [Mr. PORTER], the gentlewoman from Oregon [Mrs. GREEN], and the gentleman from Connecticut [Mr. MORANO].

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I rise to pay tribute to Dr. Ernest S. Griffith, who will retire this fall as Director of the Legislative Reference Service, Library of Congress. Dr. Griffith leaves the Hill to assume the deanship of the School of International Service at American University. We heartily congratulate him as he transfers his courageous leadership to another highly responsible position, but we are deeply sorry to lose his keen judgment and tireless energies in behalf of the Congress.

Dr. Griffith came to the Legislative Reference Service in 1940 and the high recommendations which preceded him were not overstatements. His value to the Members of the House and Senate, their office and committee staffs, steadily increased as he pushed forward to fulfill the obligations of LRS to the Congress.

I recommend that each Member of this body read with discernment the memorandum which Dr. Griffith prepared on the achievements, problems, potential, and recommendations of the Legislative Reference Service. This document was printed on July 1 by the Committee on House Administration. There is much food for thought in Dr. Griffith's valedictory. Throughout this report, and likewise throughout his career with us, he has placed emphasis on the fact that Congress is the key decision-making institution of the Nation.

Dr. Griffith was born in Utica, N. Y., the son of George and Elizabeth Stacey Griffith. His father died when he was seven and his schoolteacher mother directed her efforts to give her family the best of knowledge and the highest ideals.

It was from an atmosphere of honesty, scholarly thought, and love for his fellow man that Dr. Griffith entered Hamilton College, where he received the A. B. degree. He was appointed a Rhodes scholar and received his Ph. D. degree from Oxford University. Dr. Griffith spent 5 years in Great Britain, acting as warden of the university settlements, Liverpool, England, while he was obtaining his Oxford education.

Ernest Griffith became associate professor of political science at Syracuse University. After a period as visiting professor of government at Harvard University, he returned to Syracuse as dean of its lower division, and also taught comparative government. He was called to Washington, D. C., in 1935 to become dean of the American University Graduate School. He continued to teach political science.

After coming to the Library of Congress as Director of the Legislative Reference Service in 1940, Dr. Griffith did not cut himself off entirely from his love for the teaching profession. He has been a lecturer at Swarthmore College, and at New York, Oxford, Birmingham, and Manchester Universities, as well as the Universities of Oslo and Swansea.

His interests and activities have directed him to hold membership in many professional associations. Among these are the American Political Science Association, National Municipal League, American Society of Public Administrators, and the National Academy of Economics and Political Science.

Other affiliations include the Wilderness Society, Phi Beta Kappa, Phi Kappa Phi, Delta Upsilon, the Methodist Church, the Authors' Club, and the Potomac Appalachian Trail Club. I am told he enjoys the reputation of a record-holding mountain climber.

It would be impossible to mention the numerous articles which Dr. Griffith has written and published. Among the books on government to his credit are: The Modern Government in Action (1942); Congress: Its Contemporary Role (1951); and The American System of Government (1953). He is editor and coauthor of Research in Political Science (1948), and coeditor of the Congressional Anthology (1955).

It was in 1946 that the Congressional Reorganization Act increased appropriations for the service which Dr. Griffith headed. It was then that the work of LRS began to draw public attention. Back in 1915 the Service had fewer than 12 persons on its staff and a budget of only $25,000. In 1947 Dr. Griffith directed his staff of 150 in the answering of 23,382 requests. I need not tell you that the number of requests now handled by the Service is much beyond that 1947 figure. It is my understanding that, from July 1957 through June 1958, 68,879 requests were processed.

It is particularly apparent to the membership of the House Committee on Administration that Dr. Griffith commands the respect of both Democrats and Republicans. He has exerted every effort to give impartial information to the Congress.

The handling of large problems of national and international scope and overseeing the operations of LRS have never been regarded by Dr. Griffith as a burden. He has carried his heavy responsibilities with an astounding amount of enthusiasm. I personally have always found Ernest Griffith courteous, efficient, prompt, and thorough. His immediate and intelligent responses to governmental problems have been most gratifying. He is known to the members of the House Administration Committee as a counsel of unusual qualifications.

I consider it an honor to have known and worked with Dr. Griffith and extend to him and his fine family sincere best wishes for the future.

Mr. PORTER. Mr. Speaker, I am particularly happy on this occasion to join with my colleagues in paying tribute to Dr. Ernest S. Griffith, who has served faithfully as Director of the Legislative Reference Service since 1940. He leaves a fine heritage of factfinding to his successor, Dr. Hugh Elsbree.

Few public servants are entitled to the degree of tribute that we extend to Dr. Griffith—and few there are who more justly deserve it. He has led a most active life in behalf of good government. He is an honest and courageous man. He has brought added dignity to the Congress of the United States in his dealings with us.

Mrs. GREEN of Oregon. Mr. Speaker, Dr. Griffith's fine and consistent service to the Congress as Director of the Legislative Reference Service during the past 18 years deserves special recognition. He has greatly increased our opportunities to serve this Nation, through his leadership of the Legislative Reference Service and his desire to listen and understand the problems facing each individual Member of Congress. We are constantly facing changes—changes all over the world. Dr. Griffith has always been aggressive in seeking out ways in which the Legislative Reference Service could help us in finding the right and just solution to these many complex problems. We wish him continued success at American University and give him our deep thanks.

Mr. MORANO. Mr. Speaker, in a free society there is no escape from responsibility. The responsibility of an elected representative in the Congress of the United States is heavy, and through the years makes more and more demands on the individual Member. Dr. Griffith's willingness to help us lighten our loads deserves our sober appreciation. We shall miss his assistance and his ardent aid in behalf of good government.

MORE AND MORE IT LOOKS LIKE KENNEDY IN SIXTY

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I respectfully call to the attention of all my colleagues in the House a recent article which appeared first in the New York Times and then was reprinted in many of the country's outstanding newspapers, including my own home newspaper, the Providence Journal.

It is an article written by James Reston, a newsman held in the highest esteem by all his associates, and by all in public life in Washington. It is a thoughtful and well-reasoned article pointing out the great strides which Senator JOHN F. KENNEDY of Massachusetts has made toward the Presidency of the United States. He already has won enthusiastic support for the presidential nomination by the Democratic Party, and I am confident the vast majority of the American voters will be genuinely thrilled to have the opportunity to vote for this brilliant young man to be their President at a time when we need youth and vigor and intelligence to guide our country through its manifold difficulties, at home and abroad.

KENNEDY'S PROGRESS

(By James Reston)

WASHINGTON.—JOHN FITZGERALD KENNEDY, the Lochinvar of Back Bay, is riding off with quite a few honors at the end of his first term in the Senate.

Even his competitors in the Senate for the 1960 Democratic Presidential nomination—there is one in almost every seat—concede that he has made more progress in this session than any other Democratic candidate.

Washington is rough and unscientific about these things, but at the end of every session it has a way of sensing who has gone up during the session and who has declined. The pros seem to be summarizing it this weekend about as follows:

Up, Democratic: KENNEDY, Senator LYNDON JOHNSON, of Texas, and Senator HUBERT HUMPHREY, of Minnesota.

Down, Democratic: Senator ESTES KEFAUVER, who is temporarily out of new issues, and Senator STUART SYMINGTON, who was expected to exploit his excellent defense record better than he has.

Incidentally, it may be significant that even those professionals who were saying privately 2 years ago that Adlai E. Stevenson, of Illinois, was finished, are now guessing that there will be so many new candidates in 1960 that he may very well get a third nomination after the newer candidates kill each other off in the first 10 ballots.

On the Republican side, the main development seems to be the rise of Vice President NIXON in relation to the decline of Senator WILLIAM F. KNOWLAND. It is noted here that Mr. NIXON has been extremely quiet recently, apparently on the theory that there is nothing he can say about Sherman Adams or the Middle East that will be both truthful and helpful to his candidacy.

The only significant change in the picture, however, is in the position of Senator KENNEDY. Senator JOHNSON'S sense of the big issue and his uncanny gift of parliamentary maneuver are undoubtedly the greatest personal achievements of the session, but health and geography are against him. Senator HUMPHREY'S record on disarmament and his perceptive criticism of the administration's Middle East policy have enhanced his reputation, but his popularity still lies on the left, and the mood of the country is far from radical.

Hence the relative progress of Senator KENNEDY. When he arrived in the Senate in 1953 he established himself as the rookie of the year and this was about the way he was regarded until the Democratic convention of 1956.

The pros, who are older and therefore allergic to rookies, thought he was too young—35 when he came in, 41 now—and some of them even thought he was too pretty. Also he read, and even wrote, books, and spoke to people at Harvard—all of which encouraged the professionals to wonder whether he was tough enough for the big time.

The Democratic liberals were skeptical. Some of them criticized his wealth—as if he were responsible for that—and others, like Mrs. Franklin D. Roosevelt, were unhappy

about his silence on the McCarthy issue. Even when he won the Pulitzer Prize for writing a book on senatorial heroes, called Profiles in Courage, it was noted that he never mentioned McCarthy and the liberal gag was that he had more profile than courage.

None of this amused Senator KENNEDY, who doesn't have the toughest skin in town, but he endured. He won the support of LYNDON JOHNSON in the Democratic convention, almost got the Vice Presidential nomination there; and took his licking gracefully before a vast television audience. Then he came back here and went to work.

In the first session of the 85th Congress he made a speech about Algeria which Democratic foreign policy experts such as Dean Acheson thought was naive and even silly. But in the second session he was much more effective.

He took on the tough job of drafting and piloting a labor bill through the Senate. He made an exhaustive personal study of the problem. He fought and won a battle with George Meany of the AFL–CIO on his bill. He took on and licked Secretary of Labor Mitchell in the process, and while all this failed to prevail against the massive prejudice of several powerful groups in the House, he did get it through the Senate and won the unanimous respect of his colleagues in the process.

In the field of foreign affairs, he came up with an imaginative India aid bill, outmaneuvered the State Department on a controversy over revising trade with the Iron Curtain countries, and last week made one of the most effective speeches of the session in criticism of the administration's foreign and defense policies.

Incidentally, it is significant that when Senator HOMER CAPEHART of Indiana condemned this speech as giving aid to the enemy, Senators on both sides of the aisle defended Senator KENNEDY in a way they would have hesitated to do a couple of years ago.

Meanwhile, he has been moving out into the country in a conscious and well-planned campaign to meet the Democratic State political leaders. And en route he has been calmly talking about the question of his Roman Catholic religion and its relation to the presidency.

In short, Senator KENNEDY is on the make; he makes no pretense about it, and he dismisses out of hand the suggestion that he is young enough to wait for some other presidential campaign.

He has been lucky, in that he has come to the center of the stage when the cast of presidential characters is not the best in the history of the Republic. He has arrived, too, when political leaders, analyzing President Eisenhower's political success, are impressed with the power of personality in an age of television campaigning.

So he is not for waiting until some other year, when newer and perhaps tougher competition will arrive. He is swinging for the fences now, and by general agreement his batting average in this session has been pretty good.

RETIREMENT OF HUBERT B. SCUDDER

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. MCDONOUGH] is recognized for 60 minutes.

Mr. MCDONOUGH. Mr. Speaker, I have asked for this time for the purpose of giving the members of the California delegation and the other Members of the House, especially the Committee on Public Works, an opportunity to express their views concerning one of the members of our delegation who is retiring, Mr. HUBERT SCUDDER. This is the third attempt I have made to obtain this time, but due to the pressure of legislative business it has been difficult to obtain it. But, I feel that we have a certain amount of obligation in saying a word in behalf of one of our colleagues who has chosen to retire.

Mr. Speaker, HUBERT SCUDDER has given 46 years of his life to public service. He began his public career as superintendent of utilities in his hometown. He served on the city council and was elected mayor of his city. He has a record in World War I of having served from November 1920 until the end of the war in the coast artillery. Following that he served 16 years in the California State Legislature with credit to himself and to the State of California, and having devoted himself to interests that were beneficial to the economy of the State, he was considered by the governor and appointed real estate commissioner for the State of California. Following that he served up to the present time, 16 years, in the Congress of the United States, and all of us who know him, know him to be a gentle gentleman, the type of man whom we can always approach, whom we can obtain advice from. He has served with great credit on the Committee on Public Works and also as a member of the Republican Policy Committee.

Mr. Speaker, I am sure there are many Members here who desire to express themselves concerning his retirement, and I yield now to the gentleman from California [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, I certainly want to join in paying my word of tribute and respect and admiration for the distinguished gentleman from California [Mr. SCUDDER]. I have had the privilege of serving with him since he came to the Congress. We occupied adjoining offices in the Old House Office Building. I am sure that I, like many others, have been impressed by the conscientious nature of his service, and I am sure that his ability will be missed not only on the great committee of this body on which he served but also in the body at large. I join with his other friends and colleagues in wishing him the fullest measure of success and happiness in the years to come.

Mr. MCDONOUGH. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I would like very much to join with those who are paying tribute today to Congressman SCUDDER, of California. I believe I speak for the entire Ohio delegation when I say to you that we feel that we are losing a very able Member of the House of Representatives in his retirement. It has been my pleasure to serve with HUBERT SCUDDER on the House Republican Policy Committee for a number of years where his wisdom and his advice and his good common sense has contributed greatly not only to the benefit of his party but to the benefit of the entire Congress and the country as a whole.

I join in wishing him Godspeed, a happy retirement and a lengthy and healthy life.

Mr. MCDONOUGH. Mr. Speaker, I thank the gentleman for his contribution. Before I yield to the gentleman from California [Mr. YOUNGER] let me say that this ceremony today is not for the purpose of writing an obituary. It is not the end of anything; it is the beginning of something. In my opinion, it is the beginning of an opportunity for HUBERT SCUDDER to enjoy a certain type of freedom, independence, and liberty that he has been denied as a public servant for 46 years. From here on, HUBERT SCUDDER can tell Mr. So-and-So out in his district to go jump in the lake if he does not like his opinion. He can also be very independent as to where he goes and when he comes, without any criticism from his neighbors. It is the type of freedom I know he will enjoy for many years of good health. I just wanted to make the point clear that this is not the end of anything; it is the beginning of something.

Mr. Speaker, I yield to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, I should like to join my colleagues from California in paying tribute to our colleague, Mr. HUBERT SCUDDER, who is retiring from Congress voluntarily this year. I want to pay a personal tribute, because when I came here with the 83d Congress there was no one who was more helpful to me as a freshman, with advice and counsel, than Mr. SCUDDER. He was always ready to advise, to tell me the ways of the House, and I owe a great debt of gratitude for all the things he did for me as a freshman.

I hope he has a long life of pleasure; traveling and doing the things that I know he wants to do. Forty-six years in public service is a long time, and I know of no one who has served with greater integrity in the public interest than Mr. SCUDDER.

Mr. MCDONOUGH. I thank the gentleman.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. MCDONOUGH. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Speaker, all of us will deeply miss HUBERT SCUDDER. He has had not only a distinguished career in this body as an able and conscientious Member of Congress, but he is, certainly a, kindly, fine, high principled gentleman in every sense of the word.

Mr. MCDONOUGH. I thank the gentleman.

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. MCDONOUGH. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. Mr. Speaker, on behalf of the Democratic members of the Committee on Public Works, on which our colleague, HUBERT SCUDDER, has served for a number of years, I want to express our deep regret that he is leaving Congress.

Also I wish to express our appreciation of the many happy hours of fellowship we have had on the committee and for the contributions which Mr. SCUDDER has made to our deliberations. I want to wish him and his lovely wife every good thing in the years to come.

Mr. MCDONOUGH. I thank the gentleman.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. MCDONOUGH. I yield to my colleague from California.

Mr. BALDWIN. Mr. Speaker, it has been my privilege during the last 4 years to serve on the Committee on Public Works with HUBERT SCUDDER. Coming into the committee as a new member, I found HUBERT was of tremendous aid and assistance to me in providing guidance and giving me an understanding of the work of the committee.

I have also had the privilege, as a member of the committee, during a recess to visit HUBERT SCUDDER's district and to see something of the projects then under construction in that district. HUBERT SCUDDER has a very large district, one of about 400 miles of seacoast, with many harbor and flood-control problems. He has served his district extremely well.

I have seen him time and time again in the committee, work to see that his district was properly taken care of from the standpoint of harbor developments and flood-control projects. At the same time he has shown a deep understanding and appreciation of the needs of all parts of the country. It has been a privilege to serve with him. He has been an inspiration to me. I wish him and his lovely wife a great deal of pleasure in the years ahead.

At the request of Mr. BALDWIN, the gentleman from New York [Mr. BUCKLEY], chairman of the Committee on Public Works, the gentleman from Maryland [Mr. FALLON], and the gentleman from California [Mr. MAILLIARD] were granted permission to extend their remarks at this point in the RECORD.

Mr. BUCKLEY. Mr. Speaker, I am highly honored today to join in the well-deserved tribute being paid to my colleague, HUBERT B. SCUDDER, of California, on the occasion of his retirement from the Congress.

It is a special privilege to be here today, particularly because of the fact that I am chairman of the House Public Works Committee of which HUBERT SCUDDER has served with distinction for the last four terms in Congress.

During his 8 years of service I have found HUBERT SCUDDER to be an intelligent hard-working member of the committee. He has contributed greatly to the legislation that the committee has brought to this floor over the last 8 years. All of the members of the committee on Public Works have found HUBERT to be a worthy representative, not only of his district but also of his State and of the Nation.

Above and beyond his duties in the Congress, we have found HUBERT SCUDDER to be a man of the finest character who has greeted one and all with a cheerie word and has tried in his every day life to be a real friend to his fellowman. May I again express my well wishes to HUBERT SCUDDER on his retirement and wish to HUBERT and his wife all the best that life may hold in the years to come.

Mr. FALLON. Mr. Speaker, it gives me great pleasure to join in the tribute being tendered today to HUBERT B. SCUDDER, who has announced that he is retiring from the Congress at the close of this session. During the last four Congresses, the 82d, 83d, 84th, and 85th, it has been my pleasure to serve side by side with HUBERT SCUDDER on the Committee on Public Works. During this period I have had an opportunity to observe him, not only as a legislator, but also as a man. In both categories I am happy to say that he is A–1. HUBERT SCUDDER proved during his years on the Public Works Committee that he was a conscientious hard worker, devoted public servant interested not only in the welfare of the district that he represented, but the country as a whole. His contributions to the committee were valuable; his sincerity made him an effective member; and the record shows that his accomplishments were many. As a man I have found him to be a fine, kindly gentleman always ready with a good word and one who took an interest in all things that make for a well-rounded life.

HUBERT SCUDDER has served his district, his State, and his country well during his 10-year service in Congress. May I wish to HUBERT SCUDDER and his lovely wife all the best that life may hold in future years and as he leaves this Congress, I am sure that he goes with the best wishes of all those who have known him.

Mr. MAILLIARD. Mr. Speaker, I want to join in paying respect to our friend, the gentleman from California's First District, HUBERT SCUDDER. I was born in his district and, with other members of my family, still own a sheep ranch in that district. In some ways I have considered myself his constituent, as well as his friend and colleague.

We wish our distinguished friend the best of everything in the years ahead, as he concludes many decades of devoted public service to the people of California.

Mr. HOSMER. Mr. Speaker, I wish to join with Members of the California delegation in paying tribute here to our beloved colleague from California, HUBERT B. SCUDDER.

In the adjournment rush, we become so involved with a multiplicity of problems, big and small, that we may neglect matters of real importance—such as saying what one feels about a friend who will not be serving in Congress next year. For that reason, I am pleased to join with my colleagues in saluting Mr. SCUDDER who, during his 10 years as Representative from the First Congressional District of California, has rendered a real service both to our State and to the Nation. During my 6 years in Congress his friendship and kindly advice have been deeply appreciated. He will be missed by all who have had the privilege of knowing him. My best wishes go with him.

Mr. SMITH of Mississippi. Mr. Speaker, I am pleased to join today in the tributes being paid HUBERT SCUDDER upon his retirement from Congress.

It has been my pleasure to serve with him for 8 years on the Committee on Public Works. He has always been an indefatigable worker, devoted to the concept of working for the best interest of his country as a United States Representative.

I have had the pleasure of visiting with HUBERT in his district, and I know of the great regard that is held for him by the people of his part of California.

Let me wish Mr. and Mrs. Scudder every happiness in this change of scenery.

Mr. MCDONOUGH. Mr. Speaker, I yield to the gentleman from California [Mr. WILSON].

Mr. WILSON of California. Mr. Speaker, I join my colleagues in saying thanks to HUBERT SCUDDER for the help he has given his fellow Members, particularly the new Members. He has spent most of his lifetime in the public service, and has been sincere and dedicated to that endeavor. We all wish him many happy years in his retirement. I personally wish him years of happiness as he retires to his district in the frigid wastes of northern California. He represents the extreme northern part of the State and I the extreme southern part, but from north to south we all admire and love HUBERT SCUDDER.

Mr. MCDONOUGH. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, for the past 10 years Congressman HUBERT SCUDDER and I have been the closest of friends. Throughout most of those years he has sat next to me on the powerful House Committee on Public Works. We for many years have played golf together whenever there was opportunity to do so. We have made many trips of inspection together on public-works projects.

HUBERT SCUDDER has become one of my most prized friends in the Congress. Through constant association, I know him well and everything I know about him is good.

HUBERT SCUDDER is always a gentleman. He is a pleasant man to be with, to play with, and to work with. His sunny disposition and fine character I am certain have endeared him to every Member of this House. To know HUBERT SCUDDER is to like him and the longer and better they know him the greater their liking for him and their admiration for his integrity, ability, and patriotism.

Congressman SCUDDER was a member of the California State Legislature for many years before his people sent him to Congress. He is an experienced legislator of inquiring mind and of outstanding integrity and courage. He has accomplished much for the people of his district, his State, and the Nation during his 10 years in Congress.

Mrs. Mack joins me in wishing HUBERT SCUDDER and his charming wife, Helen, great happiness and the best of health in the years ahead. It has been a great privilege for Mrs. Mack and me to have

known them so intimately and to have enjoyed their friendship.

Mr. McDONOUGH. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, it is with mixed feelings that I take the floor today to assist in bidding a fond farewell and Godspeed to our friend and colleague, HUBERT SCUDDER. I regret as a citizen that this Nation is to lose the services of this outstanding and respected legislator. I regret also that those of us who consider ourselves his friends will not have our everyday close contacts with him that we have had in the past. However, I am pleased that HUBERT and Mrs. Scudder will now receive a well-earned rest, earned, as the gentleman now occupying the well of the House has said, after 46 long years of faithful service.

I know that HUBERT probably does not remember this one incident, but when I came here in the 83d Congress as a very young and, I might add, a very green freshman Member of Congress, I had a conversation here on the floor of this House with him which impressed me greatly. When I asked him about the work and the career on which I was starting, HUBERT had this advice: "Always vote your conscience. Never worry about the politics." I think that advice probably best describes the type of United States Congressman that HUBERT SCUDDER has been. He has voted his conscience and has placed politics in the background. No greater tribute can be made to a man than to have that kind of record after he retires after 46 years in public office. My best wishes to you and Mrs. Scudder, HUBERT, May the many, many years ahead be bountiful ones for both of you.

Mr. McDONOUGH. I thank our colleague.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. HORAN. Mr. Speaker, it is indeed a pleasure for me to join my colleague in bidding Hubert and Helen Scudder Godspeed and God bless them. HUBERT has proven himself to be a very faithful and diligent public servant. He has been constructive in all his actions. He has been a genuinely faithful public servant. The only thing I have against HUBERT is that he can outdrive me on the golf course, but I forgive you for that, HUBERT, and may you have many, many happy days from here on.

Mr. McDONOUGH. I thank our colleague from Washington.

Mr. HOLT. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. HOLT. Mr. Speaker, I join my colleagues from both the Democratic and Republican side of the aisle today in paying tribute to HUBERT SCUDDER. HUBERT, as we know, comes from the applesauce capital of California, Sebastopol—but that is where the applesauce stops. HUBERT has been the most dedicated Member of the California delegation in the Congress of the United States. HUBERT SCUDDER has represented California and the Republican policy committee for many years and he has done an outstanding job. My Congressional colleagues from all over the United States pay a great deal of respect and give a great deal of attention to HUBERT'S recommendations. He has been very helpful not only in doing things for his own district but in being always on the job, too, for the entire State of California. He has always been ready to get down and get the job done and get it done on a very high moral, spiritual and ethical plane, which everybody here appreciates. We know that he will continue as he has shown by being here on the job until the very last, to contribute to our community out there in California and the State as he has always done. We always are glad to see HUBERT because he has a smile and a kind word, like my good friend, CHARLIE GUBSER. This is probably some thing that HUBERT does not remember, but about 11 or 12 years ago when I was president of the Young Republicans of California, I came to Washington. I had never met a Congressman before. I met the California delegation. They were all pretty busy as Congressmen get, and as I have been myself ever since I came to the Congress. But only one man took the time out to spend several hours with this very young and neophyte politician and that was HUBERT. He spent over 2 hours with me explaining what was going on here in the Capitol and what politics was all about. I will never forget that. He has had a great deal of influence on my Congressional political career because there was a human being, a public servant, who really took time out for a young fellow from down south whom he had never met before. I was very grateful. I want to bid fond farewell to HUBERT SCUDDER and you know we will always welcome your advice and consultation.

Mr. McDONOUGH. I thank our colleague from California.

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. UTT. Mr. Speaker, I want to congratulate the chairman of our delegation at this time for giving us an opportunity to express our deep appreciation for the work HUBERT SCUDDER has rendered not only to his own district but to the State of California and to our Nation. I had the privilege of serving in the California State legislature with HUBERT some 25 years ago for several years. There we worked together with the so-called California economy bloc during the depression. We had a very successful session. After retiring from the State legislature, HUBERT became the commissioner of real estate for the State of California. Any of you people who have dealt with real estate matters know some of the pretty clever operators we have in southern California and they know that he had to do a terrific job in order to avoid scandals in the department of the real estate commissioner. HUBERT discharged his duties well and to the credit of his office and to the credit of the State of California. In the Congress he has rendered great service to his people. He has been constant in his work, ever present, ever helpful to his colleagues not only from the State of California but to his colleagues from all over the United States.

I want to join in paying tribute to HUBERT and wishing Mrs. Scudder and HUBERT the finest days of their lives as they retire in California and do the things they have long wanted to do.

Mr. McDONOUGH. I thank the gentleman from California. I am sure if we had had a normal legislative situation in the House today there would have been more present who would like to have expressed their views.

Mr. MACK of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from Illinois.

Mr. MACK of Illinois. Mr. Speaker, I want to join with my colleagues in paying tribute to HUBERT SCUDDER. I believe we both came to the Congress together some 8 years ago, and we had offices across the corridor from each other. I became well acquainted with him at that time and have enjoyed serving with him across the aisle for these 8 years.

I have enjoyed his friendship and I feel that I really know about his ability. I think he is one of the most competent men who has served in the House of Representatives, and I would like to join with the California delegation and all of his friends here in the Congress in wishing him much good luck and enjoyment in the years ahead.

Mr. McDONOUGH. I thank the gentleman from Illinois.

Mr. McGREGOR. Mr. Speaker, I want to join in the eulogy of my colleague on the Public Works Committee, Representative HUBERT SCUDDER.

It has been my privilege to serve with Congressman SCUDDER for a number of years and to become personally acquainted with him and his lovely wife. Congressman SCUDDER has done an excellent job. He has very ably represented not only his Congressional District but the people of the Nation. He has saved us many millions of dollars. His wise counsel has been very effective in determining expenditures that are justifiable and we in Congress will miss HUBERT SCUDDER. I extend to him and Mrs. Scudder our sincere best wishes and I hope that they will have many years of pleasant retirement.

Mr. ALLEN of California. Mr. Speaker, I would like to add my note of regret because of the loss to the House of Representatives, the State of California, and the Nation as a whole occasioned by the determination of Mr. SCUDDER to retire from office when his present term has ended.

HUBERT SCUDDER had been a valuable public servant in the State of California before he came to Congress. His services at that time had been sufficiently long and sufficiently valuable that he was, in a sense, entitled to retire then from all further active public service. He was persuaded, however, to take on the additional burdens as a Representative in Congress, a position which he has filled well and ably and at some sacrifice to himself.

He and his wife have been most delightful companions in Washington over

the years and their return to California will be regretted by many who have been their friends in Washington. My best wishes go with them for the years to come.

Mr. HILLINGS. Mr. Speaker, I join with my colleagues in paying tribute to one of the outstanding Members of the Congress upon his retirement, the gentleman from California [Mr. SCUDDER]. I shall always cherish my service with him in the House and it has been a real privilege to work closely with such a dedicated public servant. On behalf of the people of this country and my constituents in California, I extend to Mr. SCUDDER and his gracious wife my best wishes in his future plans and congratulations on a job well done.

Mr. WOLVERTON. Mr. Speaker, it is with regret that I note the retirement of HUBERT B. SCUDDER as a Member of the House of Representatives. During the 10 years that Mr. SCUDDER has been a Member of this body he has rendered distinguished service to the District which he has had the honor to represent and to the people of the Nation at large.

Mr. SCUDDER came to the Congress with a splendid record of achievement in local and State affairs that well equipped him for distinguished service in this House. He has at all times been zealous in promoting the interest of the people of his District and keenly aware to the great responsibility that has rested upon Members of Congress during the period for which he has served.

I extend to him my best wishes that in his time of retirement he will have health, happiness, and success in large measure.

Mr. AUCHINCLOSS. Mr. Speaker, it has been my privilege to serve on the same committee with our colleague, HUBERT SCUDDER, the gentleman from California, for a number of years and so have had an opportunity to see him at work. He always contributed much that was worthwhile to our discussions, and in his questioning of witnesses who appeared before us, his gentility and good commonsense were always in evidence. He is a conscientious and honest thinker, and by his character and pleasant manner he made many friends who regret his decision not to seek reelection.

I trust that the days to come may be rich in happiness and contentment and I hope he will visit us from time to time and keep fresh the friendships he has made here.

Mr. ROGERS of Florida. Mr. Speaker, it was with regret that I learned that one of the very fine and able members of the Public Works Committee, Representative HUBERT SCUDDER was retiring. It has been a privilege to have served with him and as a relatively new member of the House Public Works Committee, I have valued his wise counsel. He has indeed rendered a fine service to his District and to the people of the Nation.

I join with his many friends in wishing for him many pleasant years of retirement and in saying he will be greatly missed in the Congress, and especially in the Public Works Committee.

Mr. McGREGOR. Mr. Speaker, I want to join again with my colleagues in paying tribute to the Honorable HUBERT B. SCUDDER, of California, who is voluntarily retiring from public life.

It has been my privilege to serve on the same committee with Congressman SCUDDER and words fail me when I attempt to express my appreciation of his fine cooperation and his sincere endeavors in behalf of good legislation in our committee and in this Congress.

HUBERT, you have done a great job, and I wish you every success and every pleasure in your retirement.

Mr. McDONOUGH. Mr. Speaker, I personally feel that HUBERT SCUDDER has been a great asset to the California delegation. As I said a moment ago in a facetious mood I trust that he will enjoy the freedom he would like and that many of us in public service are denied. It will be a new life for him to feel that he can go and come where he pleases, as he pleases, say and do what he pleases, and enjoy the freedom of a private citizen and write to his Congressman and tell him how to run the Nation. He will not be jumping every 8 minutes at 3 bells. He can sleep as long as he pleases in the morning. He can get out and play golf or go fishing whenever he pleases.

HUBERT, I hope you are blessed with many many years of vigorous health to enjoy that freedom we hope will be yours.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE TO EXTEND

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent that those Members who have spoken during my special order may revise and extend their remarks and that all Members may have 5 legislative days within which to extend their remarks in tribute to Mr. SCUDDER.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

FCC SHOULD REVIEW ACTION WHICH DENIED FIRST CLASS TV SERVICE TO CAPITAL OF ILLINOIS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Illinois [Mr. MACK] is recognized for 30 minutes.

Mr. MACK of Illinois. Mr. Speaker, the record regarding television channel 2, Springfield, Ill., seems to present clear evidence that many irregularities were involved in the transfer of channel 2 from Springfield to St. Louis. This action occurred while Mr. George C. McConnaughey was Chairman of the Commission and Mr. Richard A. Mack of Florida was a member of this Commission. The Chairman at that time admitted there was outside pressure for what he referred to as deintermixture.

Section 307 (b) of the Communications Act of 1934 (47 U. S. C. 307 B) requires the Federal Communications Commission to distribute frequencies among the several States and communities in order that the result will be a fair, efficient, and equitable distribution of service to each. The Federal Communications Commission has failed to do this with respect to Springfield, Ill.

The allocation of frequencies to Springfield, Ill., has a long unusual history. Restricting my statement here to the highlights of this history, I can say that until channel 2 was moved from Springfield, Ill., to St. Louis in 1957, Springfield was always allocated a VHF channel. As the capital of one of our most important States, this was as it should be. Springfield is entitled to first-class TV service.

The first commercial TV allocation, as early as 1945, allocated two channels to Springfield—channels 8 and 10. In 1952, the sixth report and order of the Federal Communications Commission modified channel assignments and substituted VHF channel 2 and UHF channel 20 in Springfield, for channels 8 and 10. At that time a proposal was considered that channel 2 be put in St. Louis, Mo. This was rightly rejected.

People in my District applied for a license to operate on channel 2 in Springfield, and a long contested comparative hearing took place covering a period of more than 3½ years. It is not my purpose to discuss the merits of the comparative hearing, but only the loss of channel 2 to the city of Springfield.

Channel 2 was taken from Springfield under the guise of deintermixture. Deintermixture does not exist today in Springfield, Ill., and undoubtedly the city will not be deintermixed. Several VHF stations are received in this city. In view of this, channel 2 should be returned to Springfield, Ill., as a matter of simple justice under section 307 (b) of the Communications Act.

The Federal Communications Commission should move channel 2 back to Springfield, Ill., by setting aside the order of deintermixture that moved channel 2 to St. Louis.

The Special Subcommittee on Legislative Oversight has brought out, and this is a matter of public record, that the principal officer of Signal Hill Telecasting Co., of St. Louis, Mo., practically lived at the Federal Communications Commission. Mr. Harry Tennenbaum was the principal officer. He contacted Commissioners—not once, but he has admitted privately entertaining all of the Commissioners many, many times. Some of the arguments he and his representatives presented were never made a matter of record and persons opposing the move of channel 2 from Springfield to St. Louis were unable to answer the arguments as they didn't even know about them. As a matter of fact, Mr. Tennenbaum went out and hired a former Commissioner to represent him before the Commission—and this was not made a matter of record. The attorneys opposing the move of channel 2 from Springfield did not know this former Commissioner was a representative of Signal Hill Telecasting. In fact, the main attorneys of record for Signal Hill Telecasting did not know he had been employed. He filed no appearance. The Federal Communications Commission did not know of his employment. This is highly unusual. Their first question is—what work did he do? Other matters have intervened to prevent the subcommittee from developing this. The FCC should do so.

It appears that Mr. Harry Tennenbaum and Signal Hill Telecasting were very certain of what the results of the deintermixture proceeding would be. They started to negotiate for the purchase of channel 2 equipment over 3 months prior to the decision of the Federal Communications Commission, but what is even more difficult to understand is that they started to negotiate for the purchase of channel 2 equipment prior to the time for filing comments against moving channel 2 from Springfield, Ill. Mr. Tennenbaum and Signal Hill Telecasting started to negotiate for such equipment in October 1956. Some of the comments to be filed by the parties were not due until November 30 and December 3, 1956.

Signal Hill Telecasting also took another unusual step prior to the decision. It negotiated for, and signed an affiliation contract with the American Broadcasting Co. prior to the FCC decision. Mr. Paul Pelteson, a major stockholder in Signal Hill Telecasting called this a "secret" contract.

In addition to the above, there were other strange events. The rulemaking procedure to move channel 2 from Springfield to St. Louis, was started on June 25, 1956, but this rulemaking proceeding did not mention channel 36 in St. Louis—the channel then being used by Signal Hill Telecasting Corp. In the ordinary course of events one would expect a UHF operator to oppose the move of a VHF station to its city, but strangely, on September 4, 1956, Signal Hill Telecasting filed a pleading in the rulemaking proceeding in which it supported the move. This most unusual situation appeared to clear itself up on October 10, 1956. The FCC added channel 36, St. Louis, to the rulemaking proceeding. This had to be done in order for Signal Hill Telecasting to be allowed to operate on channel 2 as a substitute for channel 36. Also unusual about this matter is that there was no record request for this action at the FCC. There was no engineering data submitted to the FCC to support the rulemaking to move channel 36 from St. Louis to Springfield. There were representatives making ex parte representations as to engineering data. Other parties had no opportunity to answer these representations. The exact genesis of all the action has not been pinned down. This, the FCC should do.

In addition to all of the above, the Commission at the time it added channel 36 to the rulemaking proceeding, disavowed any intention of changing Signal Hill Telecasting's authorization to channel 2. The opposite result was reached. In connection with the rulemaking proceeding, it should be pointed out that the attorney general of the State of Illinois took part in the proceeding and stressed that Missouri had roughly twice as many VHF channels as Illinois, despite having a population only half as great. The Illinois attorney general also pointed out that St. Louis already had 4 VHF channels while Springfield had only 1. The obvious conclusion reached by the attorney general, and that should have been reached by the FCC, was that Springfield's need was far greater than St. Louis, and that in view of the mandate of section 307 (b) of the Communications Act, channel 2 should remain in Springfield.

Another more important point is that with the move of channel 2 to St. Louis, that city now has a surplus of VHF channels. There are only three networks and a fourth commercial channel must go without a network.

Lastly, I want to point this out to the House. A party to this proceeding ended up with a license. The proceeding was an adjudicatory proceeding as defined in the Administrative Procedure Act. Section 409 (c) 2 of the Communications Act forbids certain types of ex parte representation by parties to proceedings. Major stockholders and representatives of Signal Hill Telecasting Corp. admit violations of section 409 (c) 2. With respect to these violations, it is very clear to me that the FCC should set aside its deintermixture order which moved channel 2 from Springfield to St. Louis and granted Signal Hill Telecasting a license to operate in St. Louis on channel 2. For this I cite some very pertinent language from *Rocl Refining Co.* v. *Universal Oil Products Co.* (169 F. 2d 514 (C. A. 3)), certiorari denied, volume 335, United States, page 912, wherein the court, in effect stated, with respect to ex parte contacts, that from the moment an application for a license makes ex parte contacts, he ceases to depend on the justice of his case; he seeks discriminatory and favored treatment; he becomes a corrupter of the Government itself and is fortunate if he loses no more than the license he seeks to obtain.

Deliberate attempts to influence decisions outside of a record and outside of proper procedures is obviously a violation of our concepts of justice.

In conclusion, after the Commission sets aside its order of deintermixture, it should leave channel 2 in Springfield where it belongs—under the mandate of section 307 (b) of the Communications Act which requires a fair distribution of frequencies.

TAX AVERAGING LEGISLATION—A MORE REALISTIC APPLICATION OF THE ABILITY-TO-PAY PRINCIPLE

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Missouri [Mr. CURTIS] is recognized for 10 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I have been concerned for some time about the rigorous effect of our taxing statutes on those citizens who have fluctuating incomes. Because of this concern I introduced H. R. 126, which contains a plan which will allow a taxpayer whose taxable income for any one year exceeds 150 percent of his average taxable income for the past 5 years to spread the excess over a 6-year period. It is my feeling that such a plan would be a more realistic application of the ability-to-pay principle to those with fluctuating incomes. This plan, like many others, has been criticized by some because of the fear of complicating an already complex 1040 form and also because of anticipated administrative difficulties in administering the plan.

I have considered this matter for some time and because I feel it is important that this averaging principle be written into the taxing code I am introducing today a much more simplified averaging plan. It is proposed that an amendment to the Internal Revenue Code of 1954 contain the new section 1348. This new section would afford some relief to taxpayers with fluctuating incomes.

The proposed section is modeled along the lines of sections 1301, 1302, and 1303, all of which permit a limited form of averaging for compensation received from an employment, income from an invention or artistic work, and income from back pay. These provisions, however, permit averaging only as to income which is attributable to several taxable years. They are of no benefit to the taxpayer whose income is attributable only to the taxable year but which fluctuates considerably from year to year. It is probable that these sections were enacted for this reason—that they apply only to income which was earned over several years—or attributable thereto—and would consequently affect only a very few taxpayers. As a result, the existing income-averaging sections are stated in simple terms and do not present administrative complications.

Complicated income averaging formulas have had no success in Congress. No such plan has as yet been enacted into law. To be seriously considered by Congress and the Treasury, any averaging plan must meet the tests of simplicity and administrative feasibility. The present Federal individual income tax return, form 1040, is sufficiently complicated as it is. Millions of taxpayers experience yearly difficulty with it, even though most of them have no more to do than report wages subject to withholding, subtract deductions, and claim exemptions. Moreover, as the number of individual taxpayers filing returns increases, the overworked and understaffed Internal Revenue Service must process more returns, conduct more field audits, and attempt to bring a great measure of order into an inherently chaotic situation. Any proposed change which would mean additional man-hours spent in policing returns is sure to elicit little enthusiasm in the office of the Commissioner of Internal Revenue. This proposed amendment is based upon sections of the Internal Revenue Code of 1954 which have been tested successfully in the administrative laboratory. Furthermore, this proposal is simple, workable, and would require the addition of only 3 or 4 lines to the present form 1040.

This amendment would permit income averaging tax relief to individuals with fluctuating incomes based on a percentage of increase in the taxable income of the taxable year over the taxable income of the preceding year. The selection of a percentage for such a provision should be based on the knowledge that such a proposal is an experiment and that time will be needed to determine whether the provision is simple enough to be understood by taxpayers and administratively enforcible by the

Internal Revenue Service. It is suggested that an initial percentage of 50 percent be used. Thus, when a taxpayer's taxable income increased by 50 percent or more over the preceding year's taxable income, he would automatically become entitled to compute his income under section 1348. Experience will tell whether the percentage increase is too large or too small. If substantial numbers of taxpayers were able to qualify and loss of revenue reached serious proportions, the qualifying percentage could be raised to, for example, 100 percent and the number of taxpayers entitled to use the provision would be immediately reduced. On the other hand, if the plan proved administratively feasible and brought a greater measure of compliance with the income tax laws, the required percentage could be lowered so as to entitle additional taxpayers to the relief afforded.

Once the percentage-increase requirement had been met, the taxpayer would compute his tax as if he had received the taxable income ratably over the taxable year and the preceding taxable year. In effect, this would mean that the increase in taxable income from the preceding year to the current taxable year would be divided in half—for purposes of the section 1348 computation—with one-half of the increase allocated to the preceding taxable year and the other half allocated to the current taxable year. The total tax burden of the taxpayer computing his tax under section 1348 would then be the same as if he had received equal amounts of income in the preceding taxable year and in the current taxable year. For example, if A had taxable income of $8,000 in the taxable year and had had $4,000 of taxable income in the preceding taxable year, under proposed new section 1348 he would allocate the increase—$4,000—equally between both years. As a result, he would pay the same total income tax for the 2-year period as he would have paid if he had received $6,000 taxable income in each of those years.

Initially, 2 years, including the taxable year, is a sufficient number of years over which to permit allocation of the increase in taxable income. There is no necessity for using a time period in terms of months—as section 1301 now provides—because there is no question of determining when a particular project or employment giving rise to income began. If the taxpayer qualified for section 1348 treatment by meeting the required percentage of income increase, he would be automatically entitled to spread back the increase over the statutory period. Of course, a spread back which involves only 2 years will not bring substantial relief to some taxpayers who may have extreme jumps in income from one year to the next. For them, a 5-year spread-back period, or perhaps even longer, would be desirable. But the number of years selected need not be permanent. If experience shows that the 2-year period is inadequate, it can always be lengthened.

The computation of income tax under proposed new section 1348 will be well known by the taxpayers who have taken advantage of existing sections 1301, 1302, and 1303. The proposed new section does not require that amended returns be filed for prior years, nor does it provide that income received in the taxable year but allocated to prior years is excluded from tax in the taxable year. Under proposed new section 1348, the taxpayer concerned would report all of his income and pay all of his tax liability for the taxable year, but would compute it as if he had received a part of it ratably over the taxable year and the preceding taxable year. Nor does the proposed new section permit the taxpayer to compute the tax on the spread-back income at the rates applicable only to the amount of income allocated to prior years. For example, if taxpayer A is permitted to spread taxable income of $10,000 ratably over the 2-year period, he will add $5,000 to his taxable income for the preceding year and pay tax on the $5,000 spread-back amount at the rate applicable to the spread-back income plus the taxable income already reported for that year. Thus, if A received $5,000 in the preceding taxable year, the addition of the $5,000 spread-back income would result in a tax rate applicable to $10,000 of taxable income. A simple illustration will more effectively show the mechanics of the computation.

Assume that taxpayer A receives $5,000 taxable income in 1957 and $15,000 taxable income in 1958.

TAX LIABILITY COMPUTATION FOR 1957 AND 1958 UNDER PRESENT LAW

Year	Taxable income	Tax liability
1957	$5,000	$1,100
1958	$15,000	4,730
	Total, $20,000	5,830

TAX LIABILITY COMPUTATION UNDER PROPOSED NEW SEC. 1348

1957	$5,000	$1,100
1958	$5,000 (from 1957) $5,000 (increase allocated to 1957) $10,000	2,640
	Less tax paid in 1957	1,100
	Tax on $5,000 increase allocated to 1957 $5,000 (increase allocated to 1958) $5,000 (for 1958) $10,000 (tax on this amount)	1,540 2,640
	Total tax payable for 1958	4,180
	Add tax paid for 1957	1,100
	Total	5,280

Under proposed new section 1348, taxpayer A would have a tax saving of $550. Also, it is apparent that by using new section 1348, he would pay the same tax he would have paid if he had received $10,000 taxable income in each of the years 1957 and 1958.

The relief proposed in new section 1348 would be simple to explain on form 1040 and easy to administer. The only changes which would be required could be made on page 2 of form 1040 under the heading "Tax Computation." Line 5 under that heading is entitled "Taxable Income." After line 5 the following lines could be inserted:

"5a. Taxable income of preceding year (line 5 of preceding year's return).

"5b. Excess of line 5 over line 5a.

"5c. If amount on line 5b is 50 percent or more of amount on line 5a, compute tax on amount on line 5b as if this amount had been received one-half in taxable year and one-half in preceding year.

"6. Tax on amount on line 5 (less amount on line 5b if line 5c is used).

"Total tax—."

New section 1348 could thus be incorporated into form 1040 in less space than was required to provide for the retirement income provision. An explanatory note in the information pamphlet and a simple illustration should be sufficient to explain the steps involved in computing income tax liability under proposed new section 1348.

There would be little additional auditing involved of those returns which took advantage of the section 1348 computation, for the face of the return would disclose the taxable income of the current taxable year, the taxable income of the preceding year, and the percentage of increase. If any audit was necessary, it would be a simple matter to check the return for the prior year and compare the taxable income in that return with the taxable income disclosed on the face of the return for current year. Since internal revenue personnel are accustomed to dealing with computations under existing sections 1301, 1302, and 1303, they would have no difficulty in checking computations under the proposed new section. Prior difficulties with section 1301 have stemmed from determinations by the Commissioner that compensation was not received from a particular project or that not more than 80 percent of it was received in 1 taxable year. The use of new section 1348 would not involve any of these administrative questions. The only condition precedent to the use of the section would be the required percentage of taxable income increase.

Proposed new section 1348 would have no effect on the withholding provisions. Taxpayers receiving wages and salaries would follow the same procedures for reporting income taxes withheld. The only difference would be that if they qualified under section 1348, their computation of tax liability under that section might entitle them to refunds. This is a common occurrence under existing sections 1301, 1302, and 1303 and the Internal Revenue Service is well-equipped to deal with it. Nor would the proposal hamper payments of estimated tax. Again, taxpayers would follow familiar procedure, but if at the end of the year they qualified under new section 1348, they would be entitled to recompute their tax liability and claim any refunds due.

New section 1348 has an additional advantage in that it is not based in any way on source of income. For example, an individual who receives the proceeds of an endowment policy is now allowed under section 72 (e) (3) of the 1954 code to pay a tax computed as if the income had been received over a 3-year period. Such a provision unfairly discriminates against other taxpayers similarly situated. Holders of United States savings bonds may receive 10 or 20 years of interest in the 1 year in which the bond is cashed. Should they not be entitled to

spread back the interest income they received if the recipient of endowment proceeds is so favored? Accumulated dividends on preferred stocks are also lumpy in character and large amounts are likely to be received in 1 year. Are the recipients of such dividends also not entitled to similar averaging relief? Obviously, to base income averaging relief on type of income received—no matter how irregularly the income is likely to arrive in the hands of the taxpayer—is a certain way to create unfairness and discrimination among taxpayers. As a result, disgruntled taxpayers will bring pressure to have their types of income qualified for averaging relief. The proposal to use new section 1348 on the basis of percentage of taxable income increase is free from any such infirmity and will extend relief to any taxpayer who qualifies by reason of a substantial jump in income, regardless of the source of that income.

It can be argued that the benefit proposed applies only to a year which represents a substantial increase over a prior year and that new section 1348 makes no provision for taxpayers who may have many lean years and then many fat ones in succession. This is quite true, for a taxpayer whose income jumped from $5,000 to $15,000 in 1 year and then remained at the latter level for several years, would receive the benefit of new section 1348 in only 1 taxable year. However, the suggested plan does not purport to provide adequate relief for those taxpayers who may enjoy several years of stable prosperity after several years of poverty. Those taxpayers who reach an income peak which lasts for only a few years would benefit more from some form of deferred compensation arrangement whereby they could postpone the collection of some of their income in peak years to later years when earning power seriously declines. Professional athletes are a classic example of this group of taxpayers. Their peak earning periods are often less than 10 years. Nevertheless, the purpose of proposed new section 1348 is to grant relief to those taxpayers who pay substantially higher burdens because of income increases from year to year. Many taxpayers who enjoy only limited periods of high earnings would find that their incomes fluctuated sufficiently to entitle them to the benefits of the proposed section on many occasions. For example, a baseball player who entered the major leagues at an $8,000 salary; made the grade and jumped to $13,000 the next year; had a good season which justified a rise in income to $22,000; and then became a star at $35,000; would be entitled to spread back his income under new section 1348 in each year of increase.

The proposed new section makes no provision for declining incomes. However, the taxpayer with declining income is paying a substantially smaller amount of tax as his income declines. Just as the progressive rates operate to take more of a taxpayer's taxable dollar as he goes up the scale, so does the system benefit him by taking less as he goes down. Furthermore, whenever he recovers and increases his income substantially, he may qualify for section 1348 relief and save some of his increased income. Greater equity would probably be accomplished if some overall averaging scheme could be devised which provided for income averaging on the downswing as well as the upswing. But any such plan would be complicated and sure to cause serious questions of administrability. However, the proposed new section would give considerable relief to persons with constantly fluctuating incomes like farmers. For example, 1 year a farmer makes $4,000, let us say, the next year $10,000, the next $10,000, then drops again to $4,000, then jumps to $10,000 again. Both years when he jumped from $4,000 to $10,000 he would get the benefit of this averaging provision.

Loss of revenue is not a serious objection to the proposed new section 1348. Even under the more extensive averaging systems which range over many years and which include such devices as moving averages, carryovers of unused exemptions and the like, experts have estimated that only about 1 million taxpayers would be affected. Because the percentage of increase in taxable income to qualify under proposed section 1348 would be at least 50 percent, or even higher if necessary, it is submitted that far fewer than 1 million taxpayers would be entitled to its benefits. Of these, none would save large amounts of taxable income because of the restriction of spread back to 2 years. Certainly some revenue would be lost, but because of the limited applicability of new section 1348, it is submitted that the loss would be inconsequential.

The observation that the majority of taxpayers would be unaffected by new section 1348 also disposes of the argument that averaging proposals run counter to and have an adverse effect on the flexibility of the progressive income tax system. The argument is that in a period of rising incomes, the progressive rates will drain off much of the increase and reduce inflationary pressures, but that if taxpayers are permitted to average incomes, the countercyclical effect of the progressive rate structure will be blunted. This argument might have some validity if millions of taxpayers experiencing minor income fluctuations were permitted to spread back their incomes. Because of the restricted nature of new section 1348, however, the few taxpayers who will qualify will not receive tax benefits of sufficient magnitude to have any appreciable effect on the flexibility of the progressive income tax system.

One further limitation of new section 1348 should be noted. As proposed, access to the section is denied to even those taxpayers who would otherwise qualify if any of the tax payable in the taxable year is limited by any other provisions permitting income averaging. The purpose of this restriction is to prevent double relief in cases where a taxpayer would receive, for example, compensation which qualified for relief under section 1301 and his taxable income for that year also qualified under proposed new section 1348. The proposed plan would require such taxpayers to elect which form of averaging benefit they wished to have. They should not be entitled to the benefits of two averaging provisions on the same income.

Although the proposal to create a limited form of income averaging under proposed new section 1348 will apply to relatively few taxpayers, these few are justly entitled to tax relief. For years they have borne more than their fair share of the tax burden because they have occupations which produce incomes in irregular quantities. Relief which is fair and is long overdue should never be denied because the beneficiaries will be few.

Dynamic growth in the economy is frequently due to individual ambition and personal effort. These efforts often result in financial success which is a boon both to the individual who achieves it and to the Nation. The tax system should offer some incentive to the taxpayer who is willing to work toward higher income; who is willing to risk his time, his brains, and his money for ultimate reward. Yet our progressive income tax rates have a stifling effect on such incentives, and because of the requirements of national defense and a growing Federal budget, those progressive rates must remain relatively high. The simple averaging scheme proposed in these paragraphs should restore some of the incentive which may have been lost by capable and industrious individuals because it affords them a recognition of their successful efforts. The plan permits them, not unlimited tax privileges, but some relief when their success results in a substantial increase in income. The plan is simple and puts no burden on the Government either in terms of substantial loss of revenue or in loss of manpower hours to enforce it. New section 1348, in sum, offers an opportunity to afford tax relief where it is needed, where it is workable, and where it is justifiable.

THE FEDERAL-AID HIGHWAY PROGRAM

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Maryland [Mr. FALLON] is recognized for 30 minutes.

Mr. FALLON. Mr. Speaker, I wish to report on some of the highlights of the work this session of the Subcommittee on Roads of the Committee on Public Works; to review briefly progress being made on the expanded Federal-aid highway program; and comments on the benefits which will flow from this construction program to all of the people of the Nation.

First, let me say that I am grateful to all members of the subcommittee and of the Public Works Committee for the cooperation extended to me on highway matters in this Congress and for their earnest and effective work at all times. I especially appreciate the unfailing help and courtesy rendered by my distinguished colleague, the former chairman, the gentleman from Ohio [Mr. McGREGOR].

I wish, also, Mr. Speaker, to express my pleasure at the cooperation the subcommittee and I have received consistently from the Federal Highway Administrator, Bertram D. Tallamy, who has been directing a difficult and complex program in a most efficient manner.

The Committee on Public Works and our subcommittee have held numerous hearings during this session and have maintained a careful watch on administrative activities growing out of previous legislation. The chief positive achievement this year has been, of course, enactment of the Federal-Aid Highway Act of 1958.

Important, also, has been the committee's consideration and approval and subsequent enactment of a bill introduced by me which establishes a formula on which apportionments of Federal funds to the States for the Interstate System may be made for fiscal 1961. Under the bill this would be accomplished by approving the 1958 cost estimates for the Interstate System as a basis for the 1961 allocation of Federal-aid funds. The purpose of this legislation is to keep the interstate program accelerated; to give the highway departments and industry continued assurance of availability of funds so that work can be planned ahead. It also changes the date for submission of the next cost estimates from January 2, 1962 to January 2, 1961.

The committee worked hard this year on a bill to codify all of the Federal highway laws enacted since 1916. This has been passed. The objective is to bring together the mass of laws for more simplified administration. The result will be an especial service to the highway departments.

The committee, while not having legislative jurisdiction, has maintained a keen concern for protection of the highway trust fund against raids by Federal agencies for nonroadbuilding purposes. We believe that it is only fair and just to highway users who are being taxed to finance this program that the integrity of the fund be safeguarded.

Other major legislation approved by the committee in this session includes first, an authorization of $10 million to complete the Inter-American Highway; second, an authorization of $4 million to complete the Rama Road in Nicaragua; third, an extension from 5 to 7 years of the period in advance of actual construction when rights-of-way may be secured for the Interstate System; fourth, legislation, as part of the 1958 Highway Act, offering the States an incentive to control outdoor advertising along the interstate highways; and fifth, a directive to the Secretary of Commerce to provide Congress next January with recommendations as to how the Federal Government might proceed to reimburse States for toll and free roads already built on the Interstate System, provided such reimbursement might be approved sometime in the future.

In its deliberations in this Congress, the committee has benefited by information and advice offered cooperatively by many national organizations including such as the American Association of State Highway Officials and the American Road Builders' Association which speak with authority for highway administrators and engineers and for components of the highway industry, respectively.

Mr. Speaker, in 1956, Congress took bold, realistic steps to increase assistance to the States for improvement of the Nation's highways.

The Federal Government had, of course, been extending modest aid to the States for roadbuilding since 1916. But during World War II, new work was halted and existing roads were held to be largely expendable. The result was a serious deterioration of all of our streets and highways—State trunk routes, rural roads, and city streets. In 1946, we had 34 million cars, trucks, and buses operating on these deficient highways. While there were some increases in Federal aid for new roads in 1952 and 1954, the automotive population by 1956 had jumped to 62 million. We were caught in traffic jams from coast to coast and were threatened with traffic strangulation in our cities. Tragically, traffic deaths soared to 40,000 and more per year, injuries ran into astronomical figures, and the Nation's bill for human and property damages resulting from accidents on our highways reached $4 billion annually. The number of motor vehicles continued to increase and promised to exceed 100 million within 20 years.

This intolerable situation, which many States were financially unable to correct, led to a reappraisal of the Federal role in highway development.

Following World War II, toll roads began to be built at a rapid rate in areas where they were economically feasible. These were expressways that, in most instances, gave the driving public knowledge of the safety and efficiency of controlled-access highways of modern design.

Traffic conditions, as well as military and civil defense considerations, pointed to the need for a national system of modern controlled-access expressways.

In the Federal Aid Highway Act of 1956, Congress authorized a 13-year program of new construction to complete a modern-designed Interstate Highway System of 41,000 miles which would touch every State, all but 6 of the State capitals and 90 percent of the cities of over 50,000 population. When finished, the expressways will carry 20 percent of the Nation's highway traffic.

Because of the urgent need, from the viewpoint of the country's economy and its defense, the Federal Government agreed to assume 90 percent of the cost of this system of superroads. It was estimated that the total cost would approximate $27 billion over a 13- to 15-year period, an estimate since revised to nearly $40 billion.

This marked the start of a tremendous program of public works. It was left to the States to initiate the projects, let the contracts, and complete the job within prescribed Federal standards.

In addition, Congress authorized an acceleration of the historic 50-percent Federal—50 percent State fund matching program for construction of primary highways, secondary or farm-to-market roads, and certain city streets. Further, with slight increases, it continued the program of improvement of forest highways, park roads, and other routes through public lands areas, this work to be accomplished largely with Federal funds alone.

Mr. Speaker, your Committee on Public Works and its Subcommittee on Roads, of which I have the honor to be chairman, labored hard through the 84th Congress on details of this legislation. The revenue features, which were exceedingly complex, were ably and expeditiously handled by the Ways and Means Committee. A most important action, initiated by that committee, was the establishment of a Highway Trust Fund in the Treasury Department to serve as a repository for certain highway user tax revenues earmarked for the new road program.

Following are the Federal funds authorized and made available for the new program during the first 2 years, or through June 30, 1958:

Interstate System	$4,900,000,000
Primary system	832,500,000
Secondary system	555,000,000
Urban extensions of primary and secondary systems	462,500,000
Public domain roads	217,000,000
Emergency projects on primary, secondary, and urban highways only	515,000,000
Total	7,482,000,000

Of the above total, $1,125,000,000 represents funds authorized in the 1956 Highway Act for fiscal 1957 and thus supplemented previous authorizations for that year. Also $726 million of the above total represents funds authorized in the 1958 Highway Act for fiscal 1959 and thus supplemented the 1956 authorizations for that year. However, the $7,500,000,000 is the actual amount, in round figures, that Congress authorized and the Secretary of Commerce made available to the States for the new road program in a 2-year period.

On August 1, 1958, the Secretary apportioned Federal aid to the States for fiscal 1960, as authorized in the Highway Acts of 1956 and 1958. The new allocations are as follows:

Interstate System	$2,500,000,000
Primary system	405,000,000
Secondary system	270,000,000
Urban extensions of primary and secondary systems	225,000,000
Total	3,400,000,000

It is seen, therefore, that due to the 1956 and 1958 Highway Acts, some $10,900,000,000 in Federal funds has been authorized and made available to the States for all types of road building on the Federal-aid systems. Matched with State funds, this provides a program in excess of $14,500,000,000.

I have cited these figures, with minimum detail, to help underscore the magnitude of the program in which we are now heavily engaged. In 2 fast-moving years, approximately one-fifth of the funds estimated to be needed to complete the Interstate System have been made available to the States.

I am hopeful that Congress will see fit not only to carry on its part in getting this massive job through to completion on schedule but will also approve a continued modest annual step-up, at a rate of at least $25 million for

improvements of the primary highways, secondary roads and city streets.

The emergency program, undertaken this year, was a temporary measure aimed at providing quick jobs. In this action, which was part of the 1958 Highway Act, Congress authorized $400 million in Federal aid to be granted to the States on a two-thirds-one-third Federal-State matching basis for rapid construction on primary, secondary and urban road projects. To further assist the States which might need it, an additional $115 million was authorized as a fund from which States might borrow up to two-thirds of their contribution. Such borrowing is to be repaid to the Federal Government through equal annual deductions from the States' regular apportionments in fiscal 1961 and 1962. The major stipulation on projects to be financed under this temporary program is that they must be placed under construction contract by this December 1 and scheduled for completion by December 1, 1959.

As the foregoing indicates, the Federal highway program at the current time is divided into three categories:

First. The Interstate System construction financed 90 percent by the Federal Government;

Second. The emergency primary, secondary, and urban road construction financed 66⅔ percent by the Federal Government; and

Third. The regular primary, secondary, and urban road construction financed 50 percent by the Federal Government.

Work on the Interstate System is now going ahead in a satisfying way, with projects under construction all across the country. It was a slow starter because by the nature of its design and location, a heavy amount of advance engineering had to be accomplished and extensive and often expensive properties had to be acquired for rights-of-way. These two factors, coupled with lack of full public understanding and support and new administrative problems at Federal, State, and local levels, contributed to a dragging start. But, as of June 30, 1958, ending 2 full years of the expanded program, $2.47 billion in construction contracts had been advertised, $1.15 billion had been obligated for rights-of-way, and $322 million had been committed for preliminary engineering. As of the first of this month, August 1, 1958, 1,950 project miles at a cost of $505 million had been completed and another $1.77 billion was represented in construction under way on 3,160 project miles.

As one who has followed progress of the Interstate System program with great interest, I am pleased to report that it is now beginning to hit its stride. If there are no delaying interruptions at the legislative level, it should continue to swing along for another 10 years at a rate of high and steady accomplishment.

The temporary emergency program which involves mostly lighter, quicker construction projects is also coming along well. As of last week, $235 million of the $400 million in Federal funds had been definitely committed to specific projects, with contract letting soon to follow. Of the $115 million in Federal funds available to the States for short-term borrowing, about $62 million had been spoken for. The program, the projects of which must all be under contract by December 1, is slightly ahead of schedule and will probably move with increasing speed in the coming weeks.

The regular primary, secondary, and urban road projects—financed 50–50 by Federal and State governments—are advancing excellently. This has been the case right along. In the full fiscal years 1957 and 1958 a total in excess of $3 billion in construction contracts was advertised, calling for 46,568 project miles of road and 8,045 bridges. Almost $180 million was set aside for rights-of-way and $61 million for advance engineering.

According to an estimate by the Bureau of Public Roads, capital expenditure for highways on all the Federal-aid systems will accelerate annually in the years immediately ahead. The figures for the years 1956 to 1962 inclusive are as follows:

Calendar year	Federal aid	State matching funds	Total
1956	$770,000,000	$691,000,000	$1,461,000,000
1957	1,268,000,000	843,000,000	2,111,000,000
1958	1,817,000,000	944,000,000	2,761,000,000
1959	2,811,000,000	1,163,000,000	3,974,000,000
1960	3,019,000,000	1,050,000,000	4,069,000,000
1961	3,285,000,000	1,097,000,000	4,382,000,000
1962	3,434,000,000	1,135,000,000	4,569,000,000

Including non-Federal-aid expenditures the total capital investment for all streets and highways for the 7-year period is:

Calendar year	*Total capital expenditures*
1956	$5,013,000,000
1957	5,659,000,000
1958	6,202,000,000
1959	7,051,000,000
1960	7,341,000,000
1961	7,738,000,000
1962	8,092,000,000

It is indeed impressive to note that within the next 5 years—including 1958—the staggering sum of $36½ billion will be spent in improving our Nation's highways. Such a vast and sustained public works program could readily be the key to continuing prosperity.

Mr. Speaker, as chairman of the roads subcommittee, it is gratifying for me to report to the House in so favorable a way on the progress and outlook for the great road program.

Mr. Speaker, the tremendous Federal-aid highway program, which is of course in addition to the continuing locally financed road programs of the States, counties, and cities and to the building under private financing of toll roads, bridges and tunnels, is about to make its really significant impact on the Nation's economy.

It is conservatively estimated that highway construction, by the contract method, provides 228,600,000 man-hours of work, or 5,715,000 40-hour workweeks of employment for each $1 billion invested. If we assume that the total capital outlay for all roadbuilding in the country this fiscal year will reach $6 billion, that means over 1,370,000,000 man-hours of work in the 12-month period. Roughly speaking, we may expect the jobs to be divided about evenly between onsite and direct offsite employment.

When we consider that this is a long-range effort, with at least another 10 years of high-level productivity, and further that we have not yet reached what may be expected to be the height of the plateau on which the program will be sustained, then it is apparent that this will be a program providing a great many jobs over a long period.

It should also be remembered that the highway construction dollar is perhaps the most rewarding dollar spent in a community. Not only does it provide an immediate local economic stimulant and a high ratio of onsite and offsite employment but the end result is a capital investment of lasting value.

The American Road Builders' Association has estimated that the new 13-year program will utilize 50 million tons of steel, 1.5 billion barrels of cement, 130 million tons of bituminous material, 10 billion tons of aggregate, 13 billion gallons of petroleum products, 2 billion pounds of explosives, 75 million gallons of paint, and 12 million traffic signs. In addition there will be a big market for such diversified items as aluminum, seeds, fertilizer, chemicals, engineering tools, electronic computers, photographic supplies, and many others.

It is needless to say that increasing work will be opened up for the Nation's 6,000 highway contractors. The recent step-up in projects, however, indicates that competition in bidding will continue to be keen with resultant benefit to the taxpayers. Future business should remain good for banks, financing companies and bonding and surety houses.

Such an outlook is encouraging to the advancement of the country's economy. Highway work is especially desirable in this respect because it is distributed into every corner of all the States.

Nothing, however, in direct economic advantages compares with the saving of lives and the prevention of human injuries which will result from the construction of the modern highways and streets. It has already been demonstrated that the traffic death rate on divided lane, controlled-access expressways of the type to be constructed on most of the Interstate System is less than one-half that of other road and streets. This means the reduction in fatalities on the 41,000-mile Interstate System alone would represent a saving of 4,000 lives a year at least. Further, on this system the reduction in accidents and in human injury may be calculated to result in a saving of three-quarters of a billion dollars annually. On these modern roads, pedestrian deaths, fatalities at intersections and railroads and headon collisions would be virtually eliminated.

Motorists on the new interstate highways will be able to move along without costly stops and starts and it is estimated that the reduced operating costs will result in a saving of a half-billion dollars annually. Truckers are expected to operate at a saving of over three-quarters of a billion dollars annually.

Practically all kinds of goods will reach their destination in sound condition and of course more quickly. Farm produce, especially, will reach the market fresher and in better condition. Consumers should benefit from lower prices due to reduced shipping costs. There is no question in my mind that the increased efficiency of highway transport that will be made possible by the expressways will benefit all of our people.

Questions arise as to whether the super-highways which will bypass some communities will hurt downtown business. Experience thus far indicates this will not be the case. With the through-traffic expressways, shoppers actually reach downtown stores more easily and quickly. Spurs and loops running off the expressways to downtown areas bring people in minutes to the stores, hotels, offices, and theaters. Furthermore, the off-expressway streets are not crowded with through traffic that only wants to get in or out of the city anyway and does not wish to stop. Parking space is more available and driving conditions are improved.

Here is an example that has been cited to me: The California Highway Department sometime ago studied the effect on over 200 businesses located some distance from a 4-mile stretch of controlled-access expressway bypassing North Sacramento. Previously, the North Sacramento businesses had been directly on a major State route carrying through traffic. After the bypassing expressway had been built, for the first year traffic on the old road fell off 44 percent and business dropped. However, the next 2 years business volume jumped 31 percent. The Highway Department's report said that not only did the rate of increase in number of business establishments in North Sacramento considerably exceed the countywide rate but the increase in gross volume of business was so much greater than the county rate of increase that the volume of all business per establishment in the city showed a gain of 20 percent as compared with less than 10 percent in the county during the same period.

Experience with freeways and turnpikes already built proves that they encourage industrial and residential development close by and that property values rise. In New York, land values along much of the throughway moved from $600 to $6,000 an acre. Boston's circumferential highway boosted property values 700 percent. Along the Baltimore-Washington Parkway, land that was acquired for right-of-way at $250 an acre is selling now for $3,500 an acre. Land near the Eastshore Freeway between San Jose and Oakland, Calif., rose from $500 an acre before the road was built to as high as $40,000 an acre after the road was completed.

With highways such as the Interstate System will provide, it will be increasingly practical to locate industries, shopping centers and office buildings miles from a town or city. Workers and customers can reach them quickly. Decentralization of existing industries in cities will mostly affect those plants situated in blighted areas that need to be redeveloped. Industries and business concerns now favorably located in cities need not fear a dislocation of residences, customers or labor forces. The trend, instead, will be toward development of new industries and businesses adjacent to the expressways and that trend will be in harmony with a dynamic and expanding economy.

Mr. Speaker, the people of this country are going to benefit directly and indirectly by these great new thoroughfares to an extent far in excess of benefits ever before derived from any program of public works. Interstate and cross-country auto trips will be made without stop signs, stop lights or intersections at grade. Motor tours to our vast parks and State scenic and recreational areas will be in a volume dwarfing anything we know now. Social and cultural betterment is bound to be stimulated.

The big road program is now moving into high gear. The new modern-designed highways will delight the public and serve the Nation richly for many decades to come. No sounder public-works investment in America has ever been made.

SUGAR GROVE AND GREEN BANK

The SPEAKER pro tempore. Under the previous order of the House the gentleman from West Virginia [Mr. BYRD] is recognized for 20 minutes.

Mr. BYRD. Mr. Speaker, I should like to review briefly the development of the National Radio Astronomy Observatory at Green Bank, W. Va. I wish to deal with the process by which the geographical site was selected inasmuch as I have observed efforts on the part of certain individuals to make it appear that the facility has been located at Green Bank on the basis of political considerations. There are some persons who would like to make the citizens of West Virginia believe that the State is indebted to the present national administration for the location of this facility within the borders of West Virginia. These individuals, in their politically inspired efforts to mislead the voters, continually point to the Green Bank Radio Astronomy facility as one that has been given to West Virginia by the Eisenhower administration. The impression sought to be created is that West Virginians should be indebted to the Eisenhower administration for this installation and that they might not have received it had the administration of the Federal Government remained under the control of the Democratic Party.

Now, Mr. Speaker, I think credit should always be given where credit is due; however, where no political influence and no political considerations are involved I do not believe that the people of a State should be led to believe that they are indebted to any particular political party for the location of facilities within the State. The location of the Green Bank facility was decided upon on the basis of purely nonpolitical factors.

With reference to the decision to locate the National Radio Astronomy facility at Green Bank, W. Va., I wish to insert in the RECORD a letter addressed to me on July 9, 1958, by Mr. James M. Mitchell, Associate Director, Management and Public Affairs, National Science Foundation, Washington, D. C. Mr. Mitchell's letter is as follows:

NATIONAL SCIENCE FOUNDATION,
Washington, D. C., July 9, 1958.

The Honorable ROBERT C. BYRD,
House of Representatives,
Washington, D. C.

MY DEAR MR. BYRD: This is in reply to a request from your office for information about the selection of the site of the National Radio Astronomy Observatory in Green Bank, W. Va. The following information was taken from a publication entitled "Plan for a Radio Astronomy Observatory," prepared for the National Science Foundation. This publication is dated August 1956, and was prepared by Associated Universities, Inc. (AUI). The member universities of AUI are: Columbia, Cornell, Harvard, Johns Hopkins, Massachusetts Institute of Technology, Pennsylvania, Princeton, Rochester, and Yale. The president is Dr. Lloyd V. Berkner.

The basic specifications for the site for the Radio Astronomy Observatory were derived from a series of studies and discussions among scientists and engineers who are members of or associated with the steering committee of AUI. The specifications included rather detailed statements on radio noise, the general geographical location from the standpoint of research in astronomy, the amount of snow and ice that would create loads on the radio telescopes, the presence or absence of strong winds that might cause the development of dangerous vibrations in large structural units, the amount of humidity, the amount of land necessary for the telescopes and arrays, and the general surroundings which should provide as many as possible of the attributes of a university campus.

In the spring of 1955, an ad hoc panel was formed by AUI to assist in the search for possible sites. Including the panel members, those who actively participated in all or part of the search were:

H. L. Alden, University of Virginia; J. E. Campbell, et al, Tennessee Valley Authority; C. E. Cutts, National Science Foundation; E. R. Dyer, University of Virginia; R. M. Emberson, Associated Universities, Inc.; H. I. Ewen, Harvard College Observatory; F. T. Haddock, Naval Research Laboratory; J. P. Hagen, Naval Research Laboratory; Wm. Hardiman, State geologist, Tennessee; R. A. Laurence, geological survey, Knoxville; Wm. McGill, State geologist, Virginia; W. A. Nelson, University of Virginia; P. H. Price, State geologist, West Virginia; C. K. Seyfert, Vanderbilt University; P. van de Kamp, National Science Foundation.

The astronomers of this panel enlisted the assistance of associates who had personal knowledge of the region under search, among whom were the State geologists of Virginia, Tennessee, and West Virginia.

The initial search, based on a study of geological survey maps and on personal knowledge of promising areas, soon discovered a total of 20 possibilities. After the list had been narrowed substantially, all the panel members who could make the trip inspected six sites by car. The sites were rated on a number of points and final ratings developed. By December 1955, the survey had collected a great deal of information about the five most promising sites. The following is a direct quote from the AUI report mentioned in paragraph one:

"Site 18, Green Bank, is a triangular-shaped valley, about 4 miles across at the southern base and extending about 3 miles northward. Deer Creek Valley on the west side is some 50 feet below the average elevation of about 2,700 feet. Mountains of 4,000 or more feet rise in multiple folds in all directions. The site would be easy to develop for all parts of the facility, including the

installations of arrays. There are about 125 houses, stores, churches, and other buildings in the valley, so the level of internal activity is relatively low. On the basis of the radio noise measurements, Green Bank is clearly the first preference; it is first on the basis of the population studies, and the population has been decreasing in recent years; it is first on the basis of the location of nearby towns and cities, and first or second on the basis of airport activities. Although Green Bank offers a good school, churches, and two stores, Marlington 30 miles to the south, or Elkins 50 miles by car to the north, would provide for most staff requirements. Elkins offers both air and rail transportation; Davis-Elkins College is located there. The University of West Virginia at Morgantown, is approximately 100 miles distant."

The Steering Committee of AUI met in the Board Room of the National Science Foundation on Tuesday, December 13, 1955, and after discussion the committee voted unanimously for the selection of Green Bank as the site for the observatory. This recommendation was subsequently approved by the National Science Board.

I hope this is the information you require. We shall be glad to supply any further details upon request.

Sincerely yours,

JAMES M. MITCHELL,
Associate Director.

Mr. Speaker, I also wish to include for the RECORD excerpts from a statement of Mr. Allen T. Waterman, Director, National Science Foundation, before the Independent Offices Subcommittee of the House Appropriations Committee on July 14, 1958. They are as follows:

The original concept of the National Radio Astronomy Observatory now located at Green Bank grew out of two conferences held in 1954. The first was held in Washington in January 1954 under the sponsorship of the National Science Foundation, the Carnegie Institution of Washington, and the California Institute of Technology to examine into the state of research in astronomy in the United States, the scientific problems to be considered, and the need for large-scale radio telescopes. The conference brought out the need for large antennas if significant research is to be carried out in radio astronomy.

As the result of this conference, Associated Universities, Inc., was requested by a group of scientists from Harvard, Massachusetts Institute of Technology, and the Naval Research Laboratory to act on their behalf in exploring with the National Science Foundation the feasibility of a radio astronomy facility that would be available to scientists throughout the country.

These developments formed the basis for a second conference held in New York in May 1954 and which in turn led to a study undertaken by AUI with two primary objectives: (1) studies of the design and limiting characteristics of large steerable radio telescopes; and (2) a search for and selection of a suitable site for an observatory together with the preparation of a possible plan for its development.

The basic specifications for the site were developed from a series of studies and discussions among the participating scientists and engineers. The specification of paramount importance was of course freedom from radio noise and electrical interference. The fundamental sensitivities to which radio telescopes can operate on any frequency are directly proportional to the ratio of the desired signal to external noise. Therefore, the usefulness of the site is inversely proportional to the interference noise.

The necessary conditions to avoid such noise include the following:

1. Isolation from inhabitants whose work would generate electrical interference and from high tension power lines.

2. The site should be at least 50 miles distant from any city or other concentration of people or industries, and should be separated from more distant concentrations by mountain ranges.

3. The site should not be near commercial air routes, nor in a region where commerce or industry are likely to intrude or grow in the future.

4. The site should be in a valley surrounded by high ranges of mountains on all sides, if possible, to reduce diffraction of tropospheric propagation into the valley.

In addition, the site needed to be located sufficiently far south to permit observation of the milky way while still permitting research involving the aurorae, ionospheric scintillation, and polar blackouts. The site also required a climate without excessive snow and ice, freedom from high winds, and of reasonable mildness and low humidity.

Finally, the site should be located in an area most readily accessible to the majority of astronomers.

Consequently, the criteria established by the search requirements of the telescope materially reduced the geographic possibilities for the site.

The physical requirements of the site are twofold: First, the total acreage must be large enough so that a number of independent research projects can be under way concurrently without interference; secondly, that the site include large, relatively flat areas suitable for the installation of arrays required for observations at long wavelengths.

In the spring of 1955, an ad hoc panel was formed to assist in the search for possible sites. The membership was composed of representatives from the University of Virginia, the Tennessee Valley Authority, the National Science Foundation, Associated Universities Incorporated, Harvard University, the Naval Research Laboratory, Vanderbilt University, the Geological Survey, and the State Geologists of Tennessee, Virginia, and West Virginia.

In addition to the site survey carried on by the ad hoc panel, independent surveys were made by the United States Forest Service and the Geological Survey to make certain that all possible sites were considered and to determine whether any land already owned by the Government might be suitable.

In all a total of 30 possible sites in 5 States were considered. Radio noise measurements were made by an independent firm to determine comparative noise level data at the sites.

By the end of 1955 the site possibilities had been narrowed to 5 that seemed to be the most promising. Inspection trips were made to these sites during December and the Steering Committee unanimously voted to recommend Green Bank, W. Va., to the Foundation as the best possible site for the establishment of a National Radio Astronomy Observatory. The site at Green Bank is almost ideal as indicated by the following rating for the 3 best sites:

	Green-Bank, W. Va.	Deer-field, Va.	Massa-nutten, Va.
Radio noise measurements	1	2	3
Population studies	1	2	3
Airport activities	1-2	1-2	3
Mountain shielding	1	2	3

In August 1956, a report, Plan for a Radio Astronomy Observatory, was submitted to the Foundation by Associated Universities, Inc., which included the results of the site survey which I have outlined, studies of telescope designs, and a plan for the establishment and operation of a National Radio Astronomy Observatory. Four million dollars was appropriated for construction of the Observatory in fiscal year 1957, and on November 17, 1956, the National Science Foundation entered into a contract with Associated Universities, Inc., for the construction and operation of the National Radio Astronomy Observatory.

As soon as the contract was signed, arrangements were made with the Corps of Army Engineers to acquire the land for the site. The site consists of approximately 2,700 acres, almost all of which has been acquired. Ceremonies marking the beginning of construction of this facility were held on October 17, 1957.

Mr. Speaker, the foregoing letter and statement reveal that the location of the Green Bank National Radio Astronomy Observatory was selected upon the basis of scientific criteria and not upon the basis of any political considerations. Politics in no way entered into or influenced the location of the facility.

Now, Mr. Speaker, I also wish to speak briefly about the location of the naval installation at Sugar Grove, W. Va. It should be emphasized that the decision to locate this naval installation in West Virginia was made before the year 1957. I desire to insert at this point in the RECORD a colloquy which took place on the floor of this House in 1956. The colloquy is to be found in the CONGRESSIONAL RECORD, volume 102, part 5, page 6233. Remember that this discussion occurred during a debate on the military installations authorization bill and that, in point of time, this was before the November 1956 elections. The following colloquy will illustrate the point I want to make:

Mr. VINSON. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I feel that I would be remiss in my duty as a citizen of the State of West Virginia and as one of the State's Representatives in the Congress of the United States, if I failed at this time to register a vigorous protest against the pending legislation. I speak not only for myself but I speak the sentiments of the entire West Virginia delegation.

Some 2 years ago when we were considering a military construction bill, I had projects proposed for West Virginia. I was told at that time if I did not press those projects there would be something included in the next proposal. I find, Mr. Chairman, considering this particular bill H. R. 9893, and the committee report accompanying it, that once more West Virginia is being treated not only as a stepchild, as I said 2 years ago, but now we are down to the category of a fosterchild and soon we will be just a ward of the Government.

Mr. BYRD. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from the Sixth District of West Virginia.

Mr. BYRD. Mr. Chairman, I wish to compliment my colleague, the gentleman who represents the Third District of West Virginia, on his forthright and timely remarks. He has been trying for a long time to have recognition given toward West Virginia as a State which has many advantages to offer in regard to certain types of military installations. I, too, have been disturbed and concerned at not finding anything listed in this bill for West Virginia. My State, of all the 48 States, is the 1 State that has apparently been omitted, and I know that this cannot be a matter of oversight. The citizens of my State have made their share of the contributions to our national welfare in time of peace, and they have made their share of the sacrifices in time of war. They rightfully expect to receive a just proportion of the appropriations for military installations, but they have been disappointed. It is common knowledge that the economy of West Virginia has been seriously impaired by the closing down of coal mines throughout the past 3 or 4 years. Inasmuch as we have heard it said that a chain is only as strong as its weakest link, is it not important to the economy of the body politic that every segment of that economy be healthy and stable? It is not important to the economy of the whole Nation that the economy of a single State like West Virginia be lifted out of the doldrums? I should think that this would be imperative, not only from the standpoint of the economic welfare of the country but also from the standpoint of our country's defense. I, therefore, add my protest to that of my distinguished colleague, and I hope that our protests will be heard by those whose responsibility it is to give consideration to the location of military installations, and consideration to the authorization of expenditures for military projects. West Virginians do not ask for mercy. We only ask to be given justice.

Mr. BAILEY. I thank the gentleman.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Georgia.

Mr. VINSON. May I state to the Committee, to the distinguished gentleman from West Virginia, and to the country at large, that there is an item in this bill for West Virginia. It is a classified item, it is one of the most classified in all of the classified items referred to in the bill, and it involves immediately an expenditure of about $1,500,000, and will ultimately cost $20 million. I cannot discuss any more about it. West Virginia has not a single military installation in it until this bill becomes law.

Mr. Speaker, Congressman VINSON, Chairman of the House Committee on Armed Services, stated on April 12, 1956, in reply to statements by Congressman BAILEY and me, that the classified item, later revealed to be the naval installation at Sugar Grove, was an item to be located in West Virginia.

Again, I wish to emphasize that this decision to locate the naval installation in West Virginia was made before the November 1956 elections.

INTEGRATION OF PUBLIC SCHOOLS IN THE SOUTH

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Georgia [Mr. FORRESTER] is recognized for 30 minutes.

Mr. FORRESTER. Mr. Speaker, according to the newspapers of yesterday, our President warned the South that he would not tolerate any violence in the integration of public schools. In other words, any reasonable person would interpret that warning to mean that he stands ready to invade the South with force and arms.

Inasmuch as I know of no violence in the South at this time, that outburst can only be explained as being the result of an enthusiastic desire to threaten my section of the country. I observe here, however, that the South seems to be the only section in this world that the President sees fit to taunt or to challenge. A short time ago, Cuban rebels held as prisoners and hostages many of our American boys; a short time ago East Germany held in captivity some of our American fliers; Red China still holds American boys as prisoners. It is a little strange, but the President has never seen fit to threaten any of them with our military forces. Only the South does he threaten to visit with guns and bayonets.

As far as Georgia is concerned, the President need not anticipate any violence whatsoever concerning the integration of public schools. We do not intend to violate any edict of the legislating Supreme Court, although every honest lawyer knows the ruling to be complete usurpation of authority. If necessary, we will abolish the public school system. We will do that—and will continue to educate our children. Merely going to a school is of no importance. The privilege of going to a school where the teachers are loyal citizens, believing in the Constitution, a republican form of government, and Christianity is of transcending importance. That kind we will provide. We do not want and we do not intend to have any public schools that the President stands guard over with troops, or any that teach communism is only a political theory, or any that teach one-world government. We have educated our citizens before without Federal intervention or aid. We will do it again.

It is a little strange to a person who loves America to take note of the fact that the CONGRESSIONAL RECORD of August 18, 1958, page 18233, shows that the President nominated Maxwell M. Rabb of Massachusetts as a representative of the United States of America to the 10th Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization. This is the same Max Rabb who was a member of the President's cabinet and adviser on minority group affairs and who did more than any living man toward urging that troops be sent to Little Rock. He is the same Max Rabb who was formerly the head of the Anti-Defamation League of B'nai B'rith, an organization committed to the mongrelization of the races. The United Nations Educational, Scientific, and Cultural Organization is the same crowd now enthusiastically spending American taxpayers' money to prove that there are no differences in the races. It is the same group that advocated the abolishing of labeling of blood of the various races and insisted that the Red Cross put all of the various blood into the same bottle. This is the same Max Rabb, then in the President's cabinet, who well knew—many days before troops were sent into Little Rock—that the Little Rock police apprehended a man in civilian clothes at the Central High School area who, in truth and in fact, was Maj. Gen. Edwin A. Walker, later the commander of the 101st Airborne in the famous battle of Little Rock. I hold in my files a letter dated June 3, 1958, written by J. E. Bastion, Jr., Brigadier General, G. S., Deputy Chief of Legislative Liaison, stating that the Secretary of the Army had asked him to reply to my inquiry concerning the presence of General Walker in Little Rock at the time noted in my letter to the Secretary dated April 30, 1958. That letter, in the fourth paragraph thereof, admitted that, prior to the President's order calling out the troops, General Walker, dressed in civilian clothes, was stopped near Central High School. That was far more of an admission than I had ever hoped to get. I here and now charge that General Walker had no business whatever around Central High School, and that certainly his actions must have been peculiar enough to excite the interest of the police authorities. It is the same Max Rabb who knew that Lee Torch and his wife—both alleged Communists who refused to answer questions before a Congressional committee concerning their Communist activities—were in Little Rock and were the ones assisting in bringing the Negro children into the schoolrooms.

On August 20, 1958, I heard unchallenged statements made on the floor of the House to the effect that the OWI had been the most infiltrated agency in our Government and that this agency had spent millions of taxpayers' dollars to penetrate the Iron Curtain with the Voice of America—that this agency was telling us they were penetrating the Curtain and that what they said was completely untrue. This has not excited our President. It would appear to any Georgian that the President would be more concerned with Communists in government and would hasten to discover if treason was being committed by persons in Government agencies. Sad to relate, he evidences no concern.

During the present session, the House Judiciary Committee brought to the floor of this House many pieces of legislation designed to correct spurious decisions of an outrageous Supreme Court, and the House passed all of that legislation. To the credit of the House, it passed legislation permitting the Government to discharge the disloyal from Government positions. Virtually all of this legislation languishes over on the Senate side and adjournment will probably carry all of this legislation down the drain. The President could assist in passing that legislation. He could insist that Congress not adjourn until that legislation is written upon the statute books of this country.

It is ironic, indeed, that the President finds only the South the section that he chooses to chastise.

The views of the President and appointees of the President concerning the domination of our public schools are the reasons why that great Georgian, Congressman PHIL LANDRUM, has courageously led the fight against the regimentation of our schools, and every well wisher for the schools of America and the youth of America should be proud of him.

UNEMPLOYMENT

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, 25 years ago this country was rescued from disaster by an allout effort to create new jobs, improve existing ones, and eliminate conditions which forced one-third of our people to be ill clothed, ill fed, and ill housed.

Today the same picture faces many once again. The Secretary of Labor wrote me a few days ago that in Los Angeles some 35,000 people had lost their jobs in the aircraft industry alone. He went on to say the only hope for these people depends primarily upon general economic recovery, including renewed expansion in such other important industries in the area as machinery, metals, and motor vehicles.

Unfortunately, today, the President and his administration have no plans and exert no effort to cure this growing problem of paramount importance to millions of Americans. We have seen the President threaten the Congress with a veto if it passed a real unemployment compensation bill, a job-creating bill to build community facilities, a housing bill that would have helped many industries, as well as individuals. The President's Secretary of Health, Education, and Welfare forced the Congress by threat of veto to restrict the increase of social security payments to a much lower figure than is needed. This is not to say that a few good measures have not been passed—they have. Indeed, the list is long, but the legislation is not bold enough to meet the challenge of today's unemployment situation.

Today we have automation with us. Fewer people can produce the necessary output of goods, reducing the employment in some industries by as much as one-half.

What we need then is a vigorous full-employment program to create new jobs, reduce the hours of the workweek without reducing workers' purchasing power, expand existing and create new industries resulting from the latest scientific advances. We should overhaul our social-security system. We should demand that the bill passed to help small businesses be administered with vigor, thus creating more new jobs. We should not again let interest rates rise to stifle expanding enterprise.

Frankly, I do not have too much hope that this will be done by an administration so closely allied to big business and big bombers. But the people can indicate their will by the kind of Congress they elect this November. In 1960 they can restore to the White House real leadership, with the knowledge and know-how to keep all the people working all the time and to provide adequate incomes for those who have retired.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BURNS for period from August 22 to 25, inclusive, on account of the death of mother and interment rites.

To Mr. SAYLOR for Friday, August 22, 1958, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MACK of Illinois, for 30 minutes, today.

To Mr. CURTIS of Missouri, for 10 minutes, today.

To Mr. FORRESTER for 30 minutes, today.

Mr. TALLE. Mr. Speaker, I ask unanimous consent that on tomorrow, following the legislative business and other special orders heretofore entered into, I might have permission to address the House for 30 minutes for the purpose of paying tribute to Representative KARL M. LECOMPTE of Iowa, who is retiring from Congress at the end of this session.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FALLON, for 30 minutes, today, and to revise and extend his remarks.

Mr. THOMPSON of New Jersey, for 15 minutes, tomorrow.

Mr. PATMAN on the last day of the session and to revise and extend his remarks and include extraneous matter.

Mr. BYRD, for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BLATNIK.

Mr. WALTER.

Mr. ASPINALL.

Mr. EDMONDSON in two instances, in each to include extraneous matter.

Mr. FALLON.

Mr. AUCHINCLOSS.

Mr. MCGOVERN in two instances, and to include extraneous matter.

Mr. ROGERS of Florida.

Mr. CELLER.

Mr. KEAN.

Mr. KEATING.

Mr. ROGERS of Texas.

Mrs. KEE and to include extraneous matter.

Mr. SANTANGELO and to include extraneous matter.

Mr. WESTLAND.

Mr. PILLION.

Mr. DONOHUE and to include extraneous matter.

(At the request of Mr. BALDWIN and to include extraneous matter, the following:)

Mr. FORD.

Mr. COLLIER

Mr. KEARNS.

At the request of Mr. MACK of Illinois, the following Member was granted permission to extend his remarks and to include extraneous matter, as follows:

Mr. ANFUSO.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3287. An act for the relief of Vivian D. Giesey; to the Committee on the Judiciary.

S. 4109. An act for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; to the Committee on the Judiciary.

S. 4113. An act for the relief of Harold Pangelinian; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1493. An act for the relief of Lt. Col. Charles A. Holshouser;

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 2269. An act for the relief of Truck & Axle Manufacturing Co.;

H. R. 4991. An act for the relief of Waldo E Miller;

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 5584. An act for the relief of Mrs. Maude L. Smith;

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory orders;

H. R. 5595. An act for the relief of Markus H. Teitel;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzger.

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7499. An act for the relief of the Cooper Tire & Rubber Co.;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers' retirement and annuity fund, and for other purposes;

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service;

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957;

H. R. 9822. An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes;

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parriah;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes;

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12365. An act for the relief of the estate of Suck Pil Ba;

H. R. 12632. An act authorizing Gus A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, TEX.;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12663. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Annellese Ottolenghi;

H. R. 13132. An act to amend the District of Columbia Teachers' Salary Act of 1955;

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson, Co., and Houma Canals, La., and for other purposes;

H. J. Res. 557. Joint resolution to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission;

H. J. Res. 630. Joint resolution to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the southwest area in the District of Columbia;

H. J. Res. 654. Joint resolution requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways; and

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 3196. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3966. An act to amend Public Law 85-422;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization; and

S. 4273. An act to provide for cooperation with the European Atomic Energy Commission.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 7125. An act to make technical changes in the Federal excise tax laws, and for other purposes;

H. R. 13518. An act to incorporate the Blinded Veterans Association; and

H. J. Res. 585. An act authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California.

NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H. R. 13247 to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ADJOURNMENT

Mr. MACK of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Friday, August 22, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2254. A letter from the Governor, Canal Zone Government, transmitting a report of claims paid by the Canal Zone Government for the period July 1, 1957, to June 30, 1958, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

2255. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to provide for promotion of economic and social development in the Ryukyu Islands"; to the Committee on Armed Forces.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee on Interior and Insular Affairs. H. R. 12699. A bill to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, and to enter into an agreement with the State of California with respect to the financing, construction, and operation of additional works for joint use with the State of California, and for other purposes; with amendment (Rept. No. 2682). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCMILLAN: Committee on the District of Columbia. H. R. 7035. A bill to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes; without amendment (Rept. No. 2683). Referred to the House Calendar.

Mr. SELDEN: Committee on Foreign Affairs. H. R. 13760. A bill to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement; with amendment (Rept. No. 2684). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 10614. A bill to provide for the conveyance of certain real property in the State of Florida to Sumter County, Fla.; with amendment (Rept. No. 2685). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee of conference. H. R. 13450. A bill making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 2686). Ordered to be printed.

Mr. MURRAY: Committee of conference. S. 1411. An act to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security (Rept. No. 2687). Ordered to be printed.

Mr. BARDEN: Committee of conference. H. R. 13247. A bill to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes (Rept. No. 2688). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H. R. 13836. A bill to authorize an adjustment in the repayment obligation of the Pine River Irrigation District, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 13837. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Juniper unit of the Yampa-White project as a participating project of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 13838. A bill to provide that certain real property of the United States situated

in the State of Nevada shall be held in trust for members of the Fort McDermitt Paiute and Shoshone Tribe of Indians of the Fort McDermitt Indian Reservation, Nev.; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK:

H. R. 13839. A bill to establish an Assistant Secretary of Health, Education, and Welfare for Water Pollution Control, and for other purposes; to the Committee on Public Works.

By Mr. FOGARTY:

H. R. 13840. A bill to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; to the Committee on Education and Labor.

By Mr. HASKELL:

H. R. 13841. A bill to prohibit convicted felons from holding union office or employment; to the Committee on Education and Labor.

By Mr. KEATING:

H. R. 13842. A bill to prohibit eavesdropping under certain circumstances, and for other purposes; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 13843. A bill to authorize the payment of supplemental unemployment compensation to unemployed persons attending industrial training courses; to the Committee on Ways and Means.

H. R. 13844. A bill to direct the Atomic Energy Commission to provide a portable, nuclear power reactor for use at the United States Naval Air Facility, McMurdo Sound, Antarctica, for heating and power generating purposes at that base; to the Joint Committee on Atomic Energy.

By Mr. PORTER:

H. R. 13845. A bill to authorize an Under Secretary of State for Western Hemisphere Affairs; to the Committee on Foreign Affairs.

By Mr. SAUND:

H. R. 13846. A bill to provide for the assessment of costs against the United States in the case entitled "United States Against Fallbrook Public Utility District"; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 13847. A bill to provide for Government loans to enable certain holders of national service life insurance or United States Government life insurance to pay the premiums hereafter accruing thereon; to the Committee on Veterans' Affairs.

H. R. 13848. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H. R. 13849. A bill for the relief of May Hourani; to the Committee on the Judiciary.

By Mr. BLATNIK:

H. R. 13850. A bill for the relief of Blanka Krickovic; to the Committee on the Judiciary.

By Mr. BOLAND:

H. R. 13851. A bill for the relief of Brunetta A. Shaw; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 13852. A bill for the relief of Romeo Magagna; to the Committee on the Judiciary.

By Mr. ROONEY:

H. R. 13853. A bill for the relief of Jean Malandrino; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 13854. A bill for the relief of Ruth Adams, Joseph Adams, and Thomas Herbert; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 13855. A bill for the relief of Anthony Corn; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Regulating Eavesdropping Under Federal Law

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. KEATING. Mr. Speaker, I have today introduced a bill to protect the right of privacy of every citizen against unauthorized invasion. This measure would greatly expand the concept of existing wiretapping laws and represent the first effort by the Federal Government to deal with new techniques which have been developed for snooping into the affairs of the people. At the same time it is designed to provide a procedure under which eavesdropping may be engaged in for legitimate law enforcement purposes. It is my hope that this bill will serve as a basis for shielding the public from unknown interlopers without interfering with the fullest use of scientific methods of crime detection.

The bill is closely modeled after several antieavesdropping laws recently adopted in New York as a result of the pioneering work of a New York State legislative committee. I am not committed to any of the particular provisions of the bill as it is now drawn and I offer it at this time merely as a framework within which the House Committee on the Judiciary may consider the subject. I am sure that many changes will have to be made before definitive legislation is enacted.

Under the terms of the bill, unauthorized eavesdropping would be a Federal criminal offense if it occurs in any area under Federal jurisdiction, or is for the purpose of aiding or abetting or perpetrating any Federal offense, or involves the facilities of interstate commerce. It contains detailed provisions for obtaining court orders for eavesdropping under conditions paralleling those applicable to warrants for searchers and seizures. There are also several provisions in the bill which make it clear that it is not intended to supersede pertinent State laws.

We cannot avoid coming to grips with this subject any longer. Many scandals have come to light in recent years growing out of the use of various eavesdropping devices for illegitimate purposes. The Nation was shocked to discover that existing laws are not even adequate to deal with a former chief investigator for a committee of this body who was caught redhanded in the act of bugging a committee witness.

This insidious practice represents a direct threat to the personal liberties of the people. Unauthorized eavesdropping is a blatant infringement of the right of privacy. We still have a long way to go in working out the best solutions for this problem but the complexities of the task must not deter Congressional action. By introducing the bill at this time, it will be possible for the House Committee on the Judiciary to undertake a comprehensive study during the recess of Congress. This legislation can then be made one of the first orders of business when the new Congress convenes in January.

Congress Moves To Assist Small Business

EXTENSION OF REMARKS
OF
HON. GEORGE S. McGOVERN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. McGOVERN. Mr Speaker, this has been a significant Congress so far as the welfare of small business is concerned. In at least three significant areas we have passed legislation of definite benefit to small-business interests.

First of all, the Small Business Administration, which was set up in 1953 as a temporary agency has now become a permanent, independent Federal agency. The ceiling on the individual loans which the Small Business Administration may grant has been raised from $250,000 to $350,000. Furthermore, the interest rate has been reduced from 6 percent to 5½ percent.

Secondly the Small Business Administration has been authorized $250 million to furnish long-term equity capital to small business. It has been provided that these funds will not go directly to individual business but to investment concerns that will in turn allocate the long-term capital to small companies. The investment companies must be formed by at least 10 persons and have a minimum capital of $300,000, one-half of which may be secured from the Small Business Administration.

Thirdly, small business was given significant tax relief by the 85th Congress. That tax relief will come in the following forms:

First. Faster tax writeoffs on new equipment in the first year after its purchase.

Second. Extension from 2 to 3 years of the time for which a loss may be be applied against previous income to gain a retroactive tax refund.

Third. Ten years instead of 15 months in which to pay estate taxes on a business held by a few persons.

Fourth. An increase from $60,000 to $100,000 on the amount of earnings that may be retained instead of being distributed without high tax charges.

Mr. Speaker, I think these programs will be of significant assistance to our small business concerns. I hope that we will continue to make additional progress

in the next session of the Congress. As the author of legislation designed to create a permanent standing committee on small business in the House of Representatives, I am most interested in all matters relating to the welfare of this important sector of our economy.

Control of Dutch-Elm Disease

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. FORD. Mr. Speaker, I have been seriously disturbed by the fact that thousands of elm trees in Michigan are threatened with destruction by Dutch-elm disease. In a recent article in the Grand Rapids Herald, the situation was well covered. In the first section of this article entitled "Elm Disease Fanning Out," a staff writer, Robert J. McKenzie said:

A thousand or so elm trees bordering Kent County roads and in county parks will die this summer. Next summer more will die. And the summer after, probably still more.

The predictions come from George W. Mueller, a forester for the Kent County Road Commission, who has seen more and more of the umbrella-like shade trees die each year since Dutch-elm disease, the killer, made its first Kent County appearance 4 years ago.

Threatened are thousands of elms that make Kent's roads and parks scenic and shady, not to mention thousands more on private property. The private trees are out of bounds for the road commission.

Once an elm catches the disease there's no hope, it's done for.

"Maybe in a few weeks," Mueller said. "Maybe in 2 or 3 years at most. And there's only one thing to be done—saw down the tree and burn it."

On July 24 I had the privilege of attending and addressing in Grand Rapids a meeting of township officials from Kent and Ottawa Counties. At that time several supervisors including Mr. Floyd Stevens of Paris Township asked me what the Federal Government is doing on this problem and whether more could be done in the solution of this spreading difficulty. On my return to Washington I looked into the matter and found the following:

Federal and State research workers have studied Dutch-elm disease and its insect associates for the past 25 years. In miscellaneous release 12, February 1957, of the Central States Forest Experiment Station, Forest Service, entitled "Dutch-Elm Disease Control," Russell R. Whitten, entomologist, reports that:

The objective of these investigations was an effective and economical means for preventing or at least reducing the tremendous losses caused by these pests. Methods of control have been developed but there are still many problems which only more research can solve. For example, probably the most effective way to control Dutch elm disease would be to cure elm trees after they became diseased. Thus far research has failed to find such a cure, but indications are that such a treatment may eventually be developed. At the present time, however, the only known way to combat Dutch elm disease is through its insect carriers, an indirect method but one that has proved to be effective.

It is because of these indications that there may be developed an effective way to control the disease by curing the elms after they have become diseased that I address the House today.

At the present time the only sure way to control Dutch elm disease is to control its insect carriers, the Europe elm bark beetle. While there is no cure for elm trees once they become infected with Dutch elm disease, spraying healthy trees with DDT sprays is effective in protecting them against the disease. The DDT gets at the beetles; only burning the tree can get at the fungus that grows in the elms' water-conducting tissues, plugs them, and causes the tree to wilt and die.

The use of DDT has certain disadvantages. It can poison wildlife and special protection must be taken for birds and fish wherever it is used. It may "puddle" under the trees being sprayed, poisoning birds which come to drink.

Spraying a huge elm takes special high-pressure spray equipment and in many cases the trees are inaccessible to this equipment.

I was pleased to learn that the Office of Forest Insect Research of the Forest Service is carrying on further research in an attempt to find a substitute for DDT. The sum of $9,000 appears in its 1959 budget for this purpose and the work will be done in the New England States.

Work is also being done by the Forest Service in cooperation with the Agricultural Research Service in breeding disease resistant elms. This may be a long-term answer to the problem, but it will not save today's trees.

Incidentally, the Christian Buisman Elm and the Chinese Elm have been found to be highly resistant to Dutch elm disease.

The Agricultural Research Service, both at Beltsville, Md., and at Columbus, Ohio, has been engaged in experimentation for a number of years in an effort to get at the fungus in Dutch elm disease and thus cure the tree once it had become diseased. It is in this area that there seems to be the most fertile field for additional work and for which I believe the Congress should supply additional funds.

In the Plant Disease Reporter of May 15, 1958, volume 42, No. 5, is a technical article entitled "Inhibition of Growth of Ceratocystis Ulmi in Vitro by Residues From Extracts of Soil and of Plants Growing in Soil Treated With Captan or Orthocide 50 W." In this article Drs. Curtis May, John G. Palmer, and Edward Hacskaylo describe their experiments in the use of "Captan" as a systemic fungicide that may control Dutch elm disease. There is evidence that a fungicide may be found which can be distributed around an infected tree, be absorbed through the root system into the trunk, branches, and leaves to destroy the fungus.

It seems to me that it is most important and essential that this research be expanded.

In fiscal 1950 the Agricultural Research Service spent $39,500 on work on Dutch elm disease. In 1955 the amount was $53,600. By fiscal 1958 this had risen to $73,300 and for the current fiscal year $75,600 is budgeted for this work.

While the dollars spent have increased 92 percent since 1950, we all know that costs have also increased so there has been far from a 92-percent expansion in the work since 1950.

I have been assured by administrators and technicians in the Department of Agriculture that additional funds can profitably and effectively be used in further research. More testing can be done; more trees can be utilized, and more labor put into the experiments if the money were available.

To double the amount of Federal money spent annually on this essential research would mean increase of only $75,600.

I hope that the Department will make such a request to the Bureau of the Budget next year. I intend to ask the House Committee on Appropriations to increase research funds in this area by that amount in fiscal year 1960. In the meantime I will contact the Forest Service and the Department of Agriculture urging that any uncommitted emergency funds be made available promptly for an expansion of this essential work.

Dr. Walter Purviance

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. ROGERS of Texas. Mr. Speaker, my remarks today are paradoxically both sad and happy. It is my sad duty to report to this body the passing of one of the great men of my generation. It was with real grief I learned of the death of Dr. Walter Purviance of Pampa, Tex., which is my home town. It is with real joy and satisfaction I recall the beauty of his life and what he has meant to me and my family—both personally and professionally.

Dr. Purviance came to the Panhandle of Texas in the early years of this century from Grant City, Ill., where he practiced several years before his health failed. He bought a drugstore in Pampa which he operated until World War I when he was commissioned in the Army Medical Corps. He served magnificently with a field hospital unit and saw battle at Coblenz and the Rhine. After returning to Pampa after the war he worked in the First National Bank a short time before returning to medical practice, and, along with Dr. Archie Cole and Dr. J. D. Kelley, was instrumental in establishing Pampa's first hospital. Later Dr. Purviance built a fine clinic in Pampa which still bears his name. These facts are mere statistics, however, in the broad visage of this man's life.

The driving purpose in the life of Dr. Purviance was service to his fellow man.

He accomplished this in so many ways, but it was always accomplished to the benefit of the recipient and with the subjection of the donor. All his days on earth were spent, literally, in giving of himself to others. He enjoyed the complete confidence of my children and I know of no greater tribute which can be paid to any man than for him to claim the confidence of a child. His greatest reward in this life was the satisfaction he derived in fulfilling the admonition of the Master, "Love thy neighbor." His reward currently, and for eternity, is, doubtless, in rich portion.

I know that all the Members of this honorable body join me, as well as the great host of persons whose good fortune it was to know Dr. Purviance, in expressing sympathy to Mrs. Purviance, and in satisfaction for the example of his days among us.

National Cultural Center

EXTENSION OF REMARKS
OF
HON. CARROLL D. KEARNS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. KEARNS. Mr. Speaker, since Congress governs Washington, and does in Washington in a legislative way what other communities do for themselves, it must face its obligation and problem of cultural facilities as well as such matters as roads, public buildings, salaries of police, schoolteachers, and so forth.

At the very least, it should not be a roadblock which prevents the citizens of Washington and throughout the Nation, who may be interested in contributing money for a National Cultural Center, from actually doing so.

New York City expects to raise $75 million from the citizens of this country for the Lincoln Square Center of the Performing Arts. It has indeed raised some $35 million to date.

Proof that the plan incorporated in this legislation is sound is evidenced by the Lincoln Square Center project in New York City, and the National Gallery of Art in Washington, D. C.

This legislation is, in fact, based on the act approved March 24, 1937, establishing the National Gallery of Art.

In addition, the National Cultural Center will charge admission just as any theater or movie house does. Thus it will be self-supporting.

The Federal Government will not be called upon to subsidize the National Cultural Center—just as it is not called upon to subsidize any of the 382 civic and cultural centers in cities and towns of our country from coast to coast.

Another thing. This bill proposes that the Federal Government contribute some land along the Potomac River, and that the District of Columbia government likewise contribute some land now in private ownership. The District government would repay the Federal Government for land bought with Capper-Crampton funds.

It was brought out in the hearing that the same principle is involved here as when the Congress granted land on the Capitol Grounds for the Bell-Tower Memorial to Senator Taft.

The Federal Government gave land for the National Gallery or Art and Andrew Mellon and his associates have given that magnificent building and the priceless art collections. Not a penny of Federal money, not a cent of taxes, went into the construction of the National Gallery of Art.

Furthermore, by an amendment adopted by the Committee on Public Works, there is a termination date of 5 years for the Cultural Center. This provision adds commendable strength to the bill. Twelve years ago when I first came to the Congress I proposed similar legislation, and I have been an ardent supporter of the efforts of others to make a Cultural Center a reality. I think this bill, in its entirety, is one of the most significant and sound which this body has considered. Actually all that is involved is the contribution of the land owned by the Federal Government—land which has no significant buildings on it. Never before have we been able to secure so much for so little.

The Euratom Program

EXTENSION OF REMARKS
OF
HON. WAYNE N. ASPINALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. ASPINALL. Mr. Speaker, in connection with the action taken by the House approving legislation implementing the Euratom program, I would like to say a few words from the point of view of the United States uranium-ore producers. During the public hearings the Joint Committee received helpful testimony from Mr. Jess Larson, president of the Uranium Institute of America, accompanied by Mr. Gordon Weller, executive vice president. Their testimony appears at pages 250–254 of the hearings by the Joint Committee.

The domestic uranium-ore producers, including those in my own district of western Colorado, recognize that their future depends upon an expanding atomic-power program. Because the Euratom program will provide research and development assistance, and should help hasten the day when atomic power will be more widely installed both abroad and here in the United States it constitutes a good step.

However, I hope that the AEC will continue efforts to develop natural uranium reactors in order that our uranium-ore producers will be able to make direct sales to the customer rather than just to the United States Government. All of the uranium in this program so far is enriched uranium, to be sold directly by the United States Government to the Euratom users.

Also, I hope that a vigorous atomic-power-development program will be continued in this country, both by private industry and the Government, in order that atomic power may soon be developed, with resulting benefits both to the United States and the peoples of the Free World.

Interim Report on the Administration of Public Law 85–316

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to submit an interim report on the administration of the act of September 11, 1957—Public Law 85–316.

Subcommittee No. 1 of the Committee on the Judiciary, in charge of legislation relating to immigration and nationality matters, is exercising continuous scrutiny of administrative operations authorized under the act of September 11, 1957—Public Law 85–316—and is pleased to submit for the information of the Members of the House an informal report on the effect of that law.

Public Law 85–316 is a special immigration statute designed mainly to expedite the admission into the United States of orphaned children adopted by United States citizens as well as to facilitate the entry of highly skilled persons and certain close relatives of United States citizens and aliens lawfully residing in this country.

Public Law 85–316 also contains a provision under which special nonquota immigrant visas allocated, but not used, under the expired Refugee Relief Act of 1953, as amended, have been reallocated to specifically defined classes of aliens. Certain provisions of Public Law 85–316 are designed to remain a part of our permanent immigration statutes, while other provisions of the same law are temporary. Subcommittee No. 1 of the Committee on the Judiciary intends to investigate the advisability of extending some of these temporary provisions, should the continuous study of the administration of the law warrant such extension.

Further, Public Law 85–316 vested in the Attorney General of the United States certain discretionary powers to waive, under prescribed circumstances, specified grounds for exclusion of aliens, mostly in the case where the enforcement of exclusion would tend to create hardship to close relatives of the excluded alien, such relatives being United States citizens or lawfully residing aliens.

For the purpose of efficient and expeditious administration of the statute, the Attorney General of the United States has sought and obtained the concurrence of the Secretary of State in the assignment of officers of the Immigration and Naturalization Service to certain United States consular offices abroad so that an interrogation of aliens applying for relief under Public Law 85–316 and a determination of their eligibility to benefit from the waivers therein provided could be made without the necessity of forwarding of each case to the central office of the Immigration and Naturalization Service for action.

Subcommittee No. 1 of the Committee on the Judiciary was pleased to note that the Secretary of State has agreed to the assignment of duly authorized immigration officers to the United States consular offices at Frankfort, Germany; Vienna, Austria; Rome, Italy; Naples, Italy; Athens, Greece; Mexico City, Mexico; Havana, Cuba; and Tokyo, Japan. It is understood that the Secretary of State is willing to consider an expansion of this useful program, should the caseload pending before other United States consulate offices warrant such step.

Statistics embracing the period of time from the enactment date of the act of September 11, 1957, until the end of fiscal year 1958—June 30, 1958—indicate that 1,878 orphans adopted by United States citizens have obtained permanent residence in this country under the law.

One thousand and sixty-one of those orphans had been adopted abroad and 110 orphans entered the United States without the benefit of foreign adoption decrees but must be adopted in the appropriate State courts. Seven hundred and seven orphans previously admitted into the United States under the parole provision of the Walter-McCarran Act, have now obtained the adjustment of their immigration status.

Of the total number of orphans who benefited under the law, 86 percent were natives of four countries as follows: Korea, 863; Japan, 348; Greece, 253; and Italy, 146. The 1,878 orphans admitted into the United States were composed of 929 males and 949 females, and the median age of the adopted orphans is 3.4 years, as compared with the statutory limitation of 14 years of age.

The orphans admitted into the United States were distributed throughout the entire continental United States, Hawaii, and the United States possessions. The largest concentration is noted in California, 474; with New York, 165; Texas, 100; and Oregon, 94. About half of the Korean orphans and one-third of the Japanese orphans were adopted in the States of California, Washington, and Oregon, while New York is the principal State of residence of Greek and Italian orphans.

Two sections of Public Law 85–316 were designed to facilitate the entry of immigrants chargeable to the first, second, and third preference portions of the immigration quotas allocated to various countries. That purpose was achieved by converting the preferential quota immigrant cases pending on July 1, 1957, into nonquota status. Under these provisions of Public Law 85–316, the United States labor force has so far gained 2,153 highly skilled immigrants. The principal occupational skills of these aliens, who have now become permanent residents of the United States, are: engineers, 446; physicians and surgeons, 321; tailors, 177; professors and teachers, 160; nurses, 96; chemists, 72; toolmakers and dyemakers, 71; religious workers, 53; and so forth. Italy, China, the Philippines, Turkey, Greece, and Hungary were the principal countries of birth of the skilled immigrants admitted into the United States; 842 of the alien skilled specialists were born in the various countries of Asia.

Under the provisions of Public Law 85–316 affecting close relatives of United States citizens and lawfully residing aliens—second and third preference—2,301 parents of United States citizens and 13,909 spouses and children of permanently residing aliens were admitted into the United States. By far, the greatest number in this category were natives of Italy, 75 percent; while 3 percent were natives of Greece; 2.7 percent natives of Poland; and 2 percent Yugoslavia.

Under the provisions of Public Law 85–316 authorizing the Attorney General to grant waivers of grounds for exclusion in compassionate cases, a total of 377 applications were approved pursuant to sections 5 and 7 of Public Law 85–316, probably eliminating that number of private bills from the Congressional calendars. The principal nationalities represented among the beneficiaries of waivers were Germans, Italians, Mexicans and Japanese, in that order.

Four hundred and ninety-one alien members of the immediate families of United States citizens or lawfully resident aliens were admitted under the waivers of the Attorney General applicable in cases of aliens affected with tuberculosis where the United States Public Health Service has agreed to the granting of a waiver and safeguards were provided in accordance with the requirements of the statute. A report has been submitted to the Committee on the Judiciary on each of the cases where this type of waiver was used.

Section 15 of Public Law 85–316 authorized the issuance of 18,656 special nonquota visas to 3 categories of immigrants: First, German expellees; second, Dutch nationals who are refugees from Indonesia or are closely related to United States citizens, or permanently residing aliens within a defined degree of consanguinity; and third, to refugee-escapees who fled from a Communist or a Communist-dominated country, or from any country within the general area of the Middle East, and who cannot return to such country or to such area because of fear of persecution on account of race, religion, or political opinion.

As of August 15, 1958, 257 immigrant visas were issued to German expellees out of an authorized total of 2,500 such visas; 969 immigrant visas out of an authorized total of 1,600 such visas were issued to Dutch immigrants, and 252 visas were issued to refugee-escapees out of an authorized total of 14,556 visas. An additional 8,497 cases involving refugee-escapees are currently in the processing state. The initial action involving a preliminary approval of applications has been taken by the Department of State and the applicants are now being screened by appropriate agencies for the purpose of establishing their eligibility to receive immigrant visas under the provisions of the Immigration and Nationality Act.

In Defense of TVA

EXTENSION OF REMARKS
OF
HON. LISTER HILL
OF ALABAMA
IN THE SENATE OF THE UNITED STATES
Thursday, August 21, 1958

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a most timely, enlightening, and excellent letter written by Hon. ROBERT E. JONES, which was published in today's Washington Post.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

IN DEFENSE OF TVA

The anti-TVA letter in the Washington Post of August 14 by Richard W. Smith states it is "common knowledge" that the Tennessee River "flows through 7 States and drains 48." Mr. Smith, who is the manager of the deceptively dubbed national resources department of the Chamber of Commerce of the United States, seems more at home with figures of speech than with facts. Mr. Smith's assertions are thoroughly confused, erroneous, and distorted.

He asserts that "navigation benefits to the Nation do not equal the costs." Answer: According to the 1957 Annual TVA Report, the total Federal costs of operating and maintaining the Tennessee River Waterway for the previous year were $3.8 million. Savings to shippers during that year amounted to $16.2 million over those costs and represented a return of over 11½ percent on the depreciated navigation investment of $136,868,693.

Mr. Smith asserts that TVA controls floods by permanently flooding almost as much land as might be flooded by a 500-year frequency flood. Answer: The 1957 annual TVA report estimates that since 1936 TVA dams have averted flood damage at Chattanooga alone of about $120 million plus about $12 million for the lower Ohio and Mississippi Basins. These two amounts alone already equal about 70 percent of the total of $184 million invested in the flood-control features of the TVA system.

Mr. Smith asserts that TVA does not sell only "surplus hydroelectric power." Answer: TVA transmits over 56 percent of its total power to the atomic energy plants at Oak Ridge and Paducah, to the Army Redstone Arsenal which is developing the Jupiter ballistic missiles and to the Air Force wind tunnel center at Tullahoma as well as to the heavy industries of the Tennessee Valley area which are so important to our national defense.

Mr. Smith asserts that TVA sells its power cheap. Answer: Congress directed TVA to make its power available—at the lowest possible rates and in such manner as to encourage increased domestic and rural use of electricity. TVA has done just that, and at the same time has earned a substantial return on the Federal investment.

Mr. Smith asserts that TVA pays no interest on the taxpayers' money invested in

electric plants. Answer: The TVA revenue bill now before Congress would provide that the TVA make annual interest payments to the Treasury on the outstanding appropriation investment in power facilities.

Mr. Smith asserts that TVA pays no Federal taxes and makes only token payments in lieu of State and local taxes. Answer: TVA as a Government agency of course pays no "taxes," but it does pay substantial sums to Federal, State, and local governments. For example, in fiscal 1957, TVA paid $30 million out of power proceeds into the Federal Treasury, and 5 percent of its gross revenues (exclusive of revenues derived from sales to the Federal Government itself), amounting to $4.7 million, to State and local governments.

ROBERT E. JONES,
United States Representative from Alabama.
WASHINGTON.

Senator H. Alexander Smith

EXTENSION OF REMARKS
OF
HON. ROBERT W. KEAN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. KEAN. Mr. Speaker, the Senate of the United States will miss H. ALEXANDER SMITH, for during his 14 years in that body he has served the Nation well. New Jersey not only holds him in deep affection but is proud of his achievements.

Born in New York City, the son of a prominent physician, ALEX SMITH'S first ties with New Jersey came when he attended Princeton University. His most charming and devoted wife was a summer resident of Monmouth County, and it was in a church in Monmouth Beach that they were married.

In his early years, Senator SMITH suffered from a severe illness which necessitated his living for several years in Colorado and which resulted in a continued interest by him in the welfare of that State.

Perhaps it was his need for careful living in those early days which has resulted in his present rugged health at the age of 78.

Completely cured he returned East where he practiced law.

During the days after World War I, ALEX SMITH worked closely with Herbert Hoover in his relief work.

In his beloved Princeton where he made his home he was called upon to lecture on international affairs at the University.

His interest in Republican politics led him to be first Republican State treasurer, then chairman of the Republican State committee. With the death of United States Senator Warren Barbour, ALEX SMITH was elected in 1944 to complete his unfinished term; and was reelected by substantial majorities in 1946 and 1952.

His knowledge of education led to his being immediately placed on the Committee on Education and Public Welfare, on which he has since served as chairman and is now ranking Republican member.

His knowledge of foreign affairs was soon recognized by his colleagues and put to use by his election to the Foreign Relations Committee.

Senator SMITH served on the Subcommittee on the Far East where his advice and counsel have been of great help in that troubled area. He took many trips to that part of the world and once had the pleasure of greeting a fighting GI on the battlefields of Korea—his grandson.

Senator SMITH sponsored and was instrumental in having enacted into law legislation for the exchange of foreign students. But in every phase of foreign relations his advice has been sought and listened to.

His close friendship with Secretary of State Dulles always stood him in good stead.

ALEX SMITH'S particular characteristics have always been kindness, understanding and tolerance of the views of others—but with an unswerving adherence to what he believed was right. Truly he may be called a Christian gentleman.

Though he is now seeking less arduous duties in future years I am sure that his talents, experience and ability will continue to be used toward our country's welfare.

ALEXANDER SMITH can look back with great satisfaction to his work in the Senate during the past 14 of the most critical years in the life of our Republic.

He has served New Jersey well. He has served our Nation well. I pray that he and his devoted wife may have together many more years of a happy and useful life.

Imports "Under" Program Quota

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. EDMONDSON. Mr. Speaker, for the last 9 consecutive months, crude-oil imports are supposed to be under the quota set by the voluntary imports program. June imports are reported 1,900 barrels a day under the quota of 934,100 barrels a day.

The fact is that crude-oil imports into districts I–IV, the only area in which anything approaching realistic curbs were set, are some 23,000 barrels a day in excess of the quota.

By lumping crude imports for district V along with the districts I–IV it is possible to justify the conclusion that imports are under the quota. But it is generally recognized that the district V quota is far too high, as even the imporing companies are declining to bring in that much oil because of the oversupply there.

And if crude imports are under the quota overall, is that not itself evidence that somebody's quota is too high—not that the program is a success?

Not long ago when crude-oil imports into district V reached such enormous proportions, resulting in the big glut, domestic independents were admonished by the Government administrators for lumping district V in with the districts I–IV crude imports. They were told they were being unfair in refusing to consider only the success of the program in districts I–IV. Now that the shoe is on the other foot, domestic independents are told it is unreasonable of them to measure the success of the program in terms of the districts I–IV quota.

If the program's real success is to be considered, why not include oil products as well as crude. There we see an almost 50 percent increase during the last year. And the ratio of total imports to production has jumped from the 16.6 percent ratio in 1954 to over 24 percent in 1958.

Boating Regulations and the Coast Guard

EXTENSION OF REMARKS
OF
HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. ROGERS of Florida. Mr. Speaker, under leave to extend my remarks, I would like to bring to the attention of the Members, views that I have received from a number of my constituents regarding the regulations that have been adopted by the Coast Guard pursuant to Public Law 519 of the 84th Congress—CG–249, 46 CFR 7949–7980—asking that these regulations be suspended.

Public Law 519 was approved May 10, 1956, and authorized by the Coast Guard to provide certain regulations to carry out the purposes of the act. After several revisions, the regulations became effective as of June 1, 1958. Notices were sent out by the Coast Guard suggesting that all boatowners require an inspection. Following this inspection, the Coast Guard wrote letters to the boatowners indicating numerous changes in the boat and addition of equipment to bring the vessel within the requirements of CG–249. I have been advised by some of my constituents that the letters they received listed in some instances more than 40 deficiencies found by the Coast Guard inspector on boats which have proven their seaworthiness by safe and efficient service. Also, in many instances, compliance with the regulations will exceed the sum of $5,000 per boat.

In view of the high taxes and overhead costs, the highly competitive character of the business which is seasonal in many areas, I am advised it is difficult for the boat industry to meet the requirements laid down in the regulations. Furthermore, it has been stated that some of the items required to be installed are not available.

Hearings were held in the Senate on these regulations on March 19, 1958, and the report of that hearing states:

The end result of the undefined and ambiguous regulations might be unjust enforcement, possible disrespect for the law and the administering agency, uncertainty, resentment, and anxiety—none of which aid the cause of safety.

Reading further, on page 58 of the Senate report:

Even the most casual reviewer of the revised CG–249 must admit that many of the regulations are lengthy, confusing, and subject to more than one interpretation.

The members of the industry who have contacted me have asked that we express our concern to the Coast Guard so that these regulations may be postponed in their effective date until October 1, 1958, allowing time for revision in the regulations.

Aid for Small Business

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include copy of my newsletter Keenotes which was released today.

KEENOTES
(By Representative ELIZABETH KEE)

After several years of evading the issue, Congress has finally gotten around to passing urgently needed legislation to aid and assist small business.

Unfortunately, the question of tax relief for the Nation's 4 million small-business firms and a system of making the right kind of capital available had become a political football. Both political parties spoke approvingly of the problems of small business but when it came to facing up to needs of this important segment of our economy, words were louder than deeds.

I am pleased that this year action was taken. Tax relief was voted and a cooperative plan for providing long-term capital was spelled out by law. I am hopeful the program can stem the rising tide of bankruptcy for small business and help the smaller concerns compete on a more even basis with the giant corporations.

On taxes, Congress provided faster tax writeoffs on new equipment the first year after its purchase; extension from 2 to 3 years the period for which a loss may be carried back and applied against previous income to gain a retroactive tax refund; 10 years instead of 15 months in which to pay estate taxes on a business held by a few persons; an increase from $60,000 to $100,000 on the amount of earnings that may be retained, instead of being distributed, without stiff tax charges.

These new tax provisions should be of substantial assistance to small business. The longer period for paying estate taxes, for example, will enable families to retain a business instead of being forced to sell it to raise enough money to pay this particular tax. This change in itself should save many small-business firms each year.

As for credit, the Small Business Administration has been given $250 million in loan authority to furnish long-term equity capital to small business. The funds will not go directly to individual businesses but to investment companies which will furnish long-term capital to small companies unable to obtain the needed financing elsewhere. Small Business Administration requires that these privately owned and organized investment companies put up a substantial share of the money.

In addition, Congress also made the Small Business Administration a permanent agency, raised from $250,000 to $350,000 the ceiling on individual loans by the agency itself and lowered the interest rate from 6 to 5½ percent.

I enthusiastically supported all of these bills, some of which passed in the closing days of the session. Congress should be concerned with small business. Prosperous small businesses give to the national economy a buoyancy and a sound foundation which large concerns cannot provide by themselves. The absorption of small businesses by large concerns is an alarming trend.

What Congress has done is to equalise the competition between large and small businesses. Large corporations have never had any difficulty in obtaining venture capital from banks, usually at preferred rates of interest. Also, tax laws have given the larger companies a break over the small firms.

And the bill is designed for genuinely small business, too. Small business is defined as follows: A wholesaler with annual sales of less than $5 million; a retailer or dealer in services with a volume of less than $1 million; a construction company whose annual receipts for the last 3 years has been less than $5 million; manufacturers with 250 or fewer employees.

Under these rules, tax benefits and credit will go to those firms which Congress intended should have them.

Retirement of Hal Holmes

EXTENSION OF REMARKS
OF
HON. JACK WESTLAND
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. WESTLAND. Mr. Speaker, I regret I was not present when my colleagues from Washington, Mr. PELLY and Mr. TOLLEFSON, made their farewell remarks concerning our colleague, HAL HOLMES, and would like to add mine at this time.

Mr. Speaker, I regret sincerely that HAL HOLMES has decided to relinquish his seat in the Congress. I am sure this regret is shared not only by the other Members of Congress from the State of Washington and his other colleagues in the House of Representatives, but also by the people of the Fourth Congressional District of the State of Washington.

HAL HOLMES has rendered a devoted service to the people of this District for many years and the wisdom which he brought to this body and his devotion to his constituents has been most outstanding. He is a man of many abilities—rancher, cowboy, teacher, football player, and Congressman. His broad character has been of tremendous value in facing the many problems which come before any Congressman.

HAL has been a close, personal friend of mine during my 6 years in Congress and his absence will be a great personal loss to me. My greatest wish is that he and his charming wife, Margaret, will have success and happiness in the days ahead.

The Kennedy-Ives Bill

EXTENSION OF REMARKS
OF
HON. JAMES C. AUCHINCLOSS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. AUCHINCLOSS. Mr. Speaker, the Kennedy-Ives bill which recently failed of passage in the House was, of course, a most controversial measure and I wish to present my observations on this matter.

After this bill was passed by the Senate it remained on the Speaker's desk for 40 days before it was referred to the House Committee on Education and Labor for consideration. This delay, naturally, because of the approaching adjournment of Congress, jeopardised the chances of any adequate hearings on the measure, and deliberate consideration by the committee. At the last meeting held by the committee this bill was brought up for discussion and report and the members of the committee making up the majority voted unanimously against it. Later, a bill sponsored by the Republican minority on the committee and which had the approval of the administration, was called for consideration and again the 16 Democrats representing the majority voted against it. It would appear from this unanimous action on the part of the Democrat majority that there was no desire whatever to permit the House to consider any labor legislation.

A few days later for some undisclosed reason, the Democrat leadership decided that the Kennedy-Ives bill should be brought out for consideration on the floor under the suspension of the rules procedure, which does not permit any amendment except by the Member who calls up the legislation, and debate is limited to 40 minutes divided so that each side receives maximum time of 20 minutes apiece. This bill is 48 pages long and under this procedure the Members of the House were asked to vote on this comprehensive and far-reaching legislation which had not had any consideration by the appropriate committee of the House.

In this connection I think the remarks of the majority chairman of the House Committee on Education and Labor are most pertinent and informative. His statement on the floor of the House was as follows:

Mr. Speaker, I come before you today as probably a deposed chairman of a slapped-down committee. I shall try to restrain myself as best I can in what I have to say. I do not wish to offend anyone.

Mr. Speaker, the committee of which I am privileged to be chairman has been a hard-working committee this year. We have turned out much beneficial legislation and we have been busy, and no one can say otherwise. I do not like to see the committee put in the plight that it now is in. Maybe I am a little out of line with the leadership but when it comes to a question of my convictions about things for the good of the country, that takes precedence. I do not wish for this to be a Democrat or a Republican situation. I happen to be a Democrat

and I have been one all my life. I have always believed that good democracy is good sense. And, now where are we?

Here is a bill that was passed by the Senate. Then it came to the House. I think it came to the House somewhere about June 18, 1958. It was referred to my committee on July 28, 1958, at that time we were in the midst of trying to get out the education bill, trying to get out the welfare insurance pension bill, with the announcement concurred in by, certainly, the majority leader, that we were expected to adjourn and get away from here about August 9.

And I am going to say this: Not a single person connected with the leadership of this House requested me to bring the Kennedy-Ives bill out. I think they readily realized the realities of the situation. I have no criticism. To me it was perfectly obvious, and to everyone who was familiar with the situation, that you could not take a piece of legislation that involves as much as this one does, study it, learn something about it, and come out with a sensible conclusion in any period of 4 or 5 or 10 days. It was simply not in the cards and, so far as that is concerned, all of us knew it.

At the time it came up—and I have no criticism for anyone's slowness—the committee was busy as everybody else was busy, so far as that is concerned. What disturbs me and rocks me is that we are called upon on the floor of this House to take a bill that is so vital, that is the most dangerous and the most far-reaching piece of legislation in the field of labor and management that has come to this floor since the Taft-Hartley bill, a bill of 48 pages, we are called upon to understand it and to do the wise thing and to keep faith with America in 40 minutes. I cannot refrain from saying that it is an insult to the House and no compliment to their intelligence to expect them to do this thing.

How are you going to justify passing a bill, including prison sentences and $10,000 fines, with the power vested in one man, to deal with industry, to deal with management, to deal with labor, as he sees fit?

The RECORD does not reveal that anyone challenged the chairman's statement and estimate of the situation.

Because of the inadequate consideration given to this very important measure, together with provisions contained therein which would not be in the interest of the public, the workingman, or management, I was compelled to vote against this legislation and I express the fervent hope that one of the first pieces of business in the new Congress will be the consideration of wholesome, adequate, fair, and comprehensive legislation which will be for the benefit of the workingman, the management, and the general public.

Telephone Excise Tax Should Have Been Repealed

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. COLLIER. Mr. Speaker, I wish to call attention to a very serious omission on the part of this Congress. I refer to our failure to enact my bill, H. R. 12577, which would eliminate the excise tax on telephone and telegraph communications.

Mr. Speaker, this is one of the most unfair taxes ever enacted by the United States Congress. It is a luxury tax, but one imposed on something that is no longer a luxury, but is a necessity in many homes and businesses in America.

Many businessmen cannot continue to operate without the telephone. No housewife, living in a remote area, would be safe without a telephone. To millions of homes the telephone is an essential, a vital part of everyday living.

And yet, this so-called luxury tax is still with us. I think this failure to remove this most unfair, inequitable tax is one of the most serious failures of the 85th Congress. I hope the 86th will show more concern for the people. I hope this next Congress makes this the first order of business.

Ukraine Versus Bolshevik Russia

EXTENSION OF REMARKS
OF
HON. JOHN R. PILLION
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. PILLION. Mr. Speaker, on Sunday, August 17, it was my privilege to address a gathering of Americans of Ukranian descent under the sponsorship of the American Friends of the Anti-Bolshevik Block of Nations.

This group unanimously adopted a resolution condemning the Bolshevik exploitations of the Ukranian people and of the people of the satellite nations.

There is every reason to believe that Soviet Russia would be faced with serious internal disorders and resistance on the part of a large segment of the captive peoples which are now being held under a captive subjugation. My address to these people of Ukranian origin amplifies these thoughts:

Mr. Chairman, distinguished and reverend guests, and my fellow Americans, it is a high privilege to join with you in this manifestation to protest and to condemn communism: Of every shade, in every form, wherever it may exist.

This occasion marks the 25th year since the Soviet Communist Government perpetuated its historic and diabolic mass murder upon the helpless people of the Ukraine. It was in the year 1933 that the Communist Government imposed collectivization upon the Ukrainian farms.

The Bolshevik agents collected and confiscated all the grains, all the livestock and all other food to create an artificial famine. To implement this fiendish plan, the Communist agents carried on a reign of terror to enforce immediate obedience of the peasants to the collective farm system.

This brutal, inhuman campaign caused the deaths of more than 4 million Ukrainian men, women, and children.

Although Stalin was the leader of the Soviet in 1933, the chief executioner, the man who carried out this plan of operation, was the smiling Mr. Khrushchev.

Yes, the same Mr. Khrushchev who talks of "peace" one day, and threatens to "bury us" the next day.

Yes, it is the same Mr. Khrushchev who less than 2 years ago ordered Soviet troops and tanks to murder thousands of defenseless Hungarian children and patriots fighting for their liberation.

Yes, it is the same Bolshevik regime that ordered the massacre of 15,000 Polish officers in the Katyn forest.

Yes, it is the same Mr. Khrushchev who recently asked President Eisenhower to attend a summit conference and then withdrew the demand when Red China applied pressure.

I am sure that we all look back upon these events with a deep sorrow for those who were so brutally murdered. We sympathize with those who must continue to live in the shadow of Communist terror.

We are not gathered here to merely express our sympathy and our sorrow.

We are, each of us, anxious to take any reasonable measure leading toward the liberation of the captive peoples of the Ukraine, Estonia, Latvia, Poland, East Germany, Czechoslovakia, Hungary, Bulgaria and Roumania.

But this is not our basic problem. Our immediate concern is that of survival. How can we block the expansion of Communist power throughout the world. How can we halt the infiltration of Communist ideology in our schools, in our Government and among our people?

Before answering these questions, we must assess and evaluate the strength and the weakness of the Communist system. We must first look around the world. Every nation, every province has its cadres of Communists and their fellow-traveling agents. In Italy, in France, in Indonesia, in Finland, and in many other countries, the Communist Party is strong enough to be on the verge of seizing political control.

They are sufficiently strong in many countries to paralyze and neutralize efforts to aid the United States in any political or military effort.

The Communists Party carries on a campaign of agitation and propaganda by means of newspapers, magazines, radio and libraries, with trained agents in every nation on this earth.

The Communist tyranny, today, controls the manpower and resources of one-third of this world.

It dominates a population of more than 200 million in the Soviet. It exercises control over more than 100 million people in the captive satellite countries of Europe.

The Soviet has a coordinate ally of 600 million people in Red China.

The Soviet has an army that is considerably larger than that of the United States. It is well trained, fully and superbly equipped.

It has a fleet of 500 submarines. This is far more than the combined submarine fleets of the rest of the world.

It has more fighter planes than all other nations combined.

The Soviet has beaten the United States and all other nations in the development of rocket propulsion power.

I cite these facts only for the purpose of showing that we cannot afford to underestimate the military potential of the Communist bloc.

On the other side of the ledger, the United States maintains a most powerful navy.

We continue our superiority in atomic power. The United States maintains a powerful bombing fleet on air bases, which encircle the periphery of the Soviet.

Our total capacity far surpasses that of the Soviet. However, the Soviet is gaining on the United States in the expansion of heavy industry and war potential.

We possess the strength that comes from a free people.

It is generally conceded that the Communist bloc of nations would have a military superiority in the event of a war restricted to conventional weapons.

We believe that the United States would have military superiority in the event of a war including the use of atomic power.

This is the reason that the Soviet continues its worldwide agitation campaign to limit further development of atomic power.

What can we as a nation, what can we as individual citizens, do to prevent war, to maintain a just peace, to block further infiltration and expansion of communism?

We must first be able to recognize the menace and the dangers of the Communist military and economic power. Then we should try to spot and recognize the Communist Party line in our schools, in our labor unions, in our Government, so that we do not support their programs designed to create dissension, disunity, and weakness among our people.

We must become as dedicated and determined to preserve our liberties, our way of life as the Communists are to destroy us.

We in the United States have a noble mission. We carry the responsibility of preserving all religions and the morality and the ethics of religion for all mankind.

We have the responsibility of preserving constitutional government and its freedom for all mankind.

If this Nation does not survive, religion, morality and liberty will perish for centuries to come.

We must continue to allocate a large portion of our income to maintain a superiority of military power. However, we should not tolerate wastages in our defense program.

We should eliminate frills and luxuries.

We should curb excessive profits.

We should not lose sight of the fact that the primary purpose of a defense program is to acquire weapons with a maximum firepower and to train men to use them with a maximum efficiency.

We should have an economic policy that will encourage the expansion and growth of our plant capacity and our transportation system.

We must prevent the imminent danger of a runaway inflation due to fiscal irresponsibility.

We should stabilize the purchasing power of the dollar and put a stop to the ever-increasing cost of living.

We must realize that the cost of living cannot be stabilized if we cheapen the dollar by deficits of $15 billion such as anticipated this fiscal year.

We cannot stabilize the cost of living if wages continue to rise faster than the production of the wage earner.

The workingman, the labor union official, the stockholder, the corporation official, all have a social responsibility to limit wages and profits to reasonable limits.

The defense program should not be permitted to become a field day for corporate or labor profiteering.

We should, each of us, be prepared to make our own unselfish sacrifice toward the cause of just peace, if possible, and to the preservation of our freedom at any cost.

There is one aspect of this struggle between communism and the Free World that we, perhaps, have failed to give proper attention and emphasis.

We should not ignore the possibility of capitalizing upon the discontent among the more than 75 nationalities grouped together in the Soviet domination.

This demonstration here today is proof that the Ukrainian people would certainly welcome liberation.

The riots of 1956 in Posnan, Poland; the recent revolution in Hungary; the thousands of Germans fleeing from Communist Germany every month, are positive indications that the Soviet would face serious defections and active resistance among the satellite nations in any crisis.

There are many conflicting interests between the Soviet and Red China. The expanding population of China must seek its agricultural needs and its mineral resources in Siberia, Manchuria, Mongolia and Sinkiang. There will be increasing pressures upon Russia from Red China.

We should exploit these differences wherever we can and encourage Red China to orient her ambitions toward the vast resources of the Soviet.

This meeting today will help to keep alive the hopes of the people within the Soviet orbit. It unites each of us in a noble cause. We can, today, rededicate ourselves to continue to fight for freedom and to fight against the darkness of communism.

We are grateful to the officers of the Ukrainian congress and to the officers and to the membership of the American friends of the anti-Bolshevik block of nations for their continuing efforts toward these objectives.

A Proposed Harbor Facilities Insurance Program

EXTENSION OF REMARKS
OF
HON. GEORGE H. FALLON
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. FALLON. Mr. Speaker, the present demand for marine facilities is forcing local communities to curtail drastically boating and smaller commercial shipping activities in many areas of the country. Public municipalities and private operators of marine facilities are finding it increasingly difficult to finance new installations because of the high cost of new construction large enough to accommodate the new boating public as well as the large number of smaller commercial craft, particularly in our severely depressed fishing industry. This is forcing many communities to propose inadequate facilities, resulting in an increasing rate of failure, unsanitary conditions, and loss of value.

A MORTGAGE INSURANCE PROGRAM

Yesterday I introduced a bill, H. R. 13827, which has been referred to the Committee on Banking and Currency, wherein I propose a mortgage insurance program to aid the construction of privately financed and developed marine facilities serving local communities which will be effective in solving this problem. This program would be established similar to FHA mortgage insurance programs on a self-sustaining basis with insurance fees and premiums designed to cover costs and provide reserves for estimated losses and would be under the authority of the Community Facilities Administration. Mortgage amounts would be set at a maximum of 90 percent of CFA's estimate of value of the system. Maximum term and amount of insured mortgage would be at the discretion of the CFA Commissioner. It is contemplated that the program will be designed to provide an overall commitment for a system to serve an area or community with advances to be insured for sections of the system as needed during the development of the area.

CFA would limit its mortgage insurance to the actual facilities so that the mortgage would be secured by an operating business entity and real estate upon which the actual plants are installed. I believe that such a system of mortgage insurance would involve little, if any, additional risk on the part of the agency.

Ownership of such systems would rest in a privately owned corporation so long as the CFA insurance is in force and would be regulated by a State commission or in its absence by arrangements satisfactory to the CFA Commissioner.

The program would cover the construction of new facilities where needed. It would also cover refinancing transactions for the purpose of needed expansion and rehabilitation of existing systems. As such, this program would promote and assist the growth, improvement, and services of harbor facilities for the Nation. It would stimulate the initiation of new systems as well as the growth and integration of existing facilities.

Such a plan for mortgage insurance would help to overcome the problem of a series of small disconnected facilities which are too costly to integrate into a single facility when this becomes necessary in the public interest.

The program would substantially alleviate the present shortage of adequate harbor facilities for our boating, commerical craft and shipping interest. This program is designed to serve not only new marina, but also new docks, warehousing, and shipping facilities.

I would like to emphasize that this is a mortgage-insurance program that is self-sustaining through its mortgage premium feature. The Commissioner is authorized to charge a premium for the insurance authorized by this program, and is also authorized to charge a fee for appraisals on property which is offered for insurance. Thus the operation and administration of this program will not cost the taxpayers of this country any money in appropriations or additional funds. Actually it will provide much needed additional harbor facilities which will bring new revenue to local communities.

A Report to the People

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. ANFUSO. Mr. Speaker, it has become a tradition with me, at the conclusion of each Congress, to report to the people of my District regarding its accomplishments, my efforts in behalf of the constituents, and my views on major legislation.

While this report is rather lengthy, it nevertheless reflects the very extensive activities of the 85th Congress and the amount of work necessary in these times

to be a full-time Congressman. It has always been my aim to represent the interests of all the people. While I am proud to be a Democrat, I never once asked a constituent who sought my help what his political affiliation was. His need was all that concerned me.

The Eighth Congressional District in Brooklyn includes Greenpoint, the Navy Yard area, parts of Bushwick and Williamsburg. It is made up of low-income families, of various religious faiths and national origins, but all good and loyal Americans. I am honored to be their Representative in Congress.

I.—THE INTERNATIONAL SCENE

Humanity's most pressing problem today is world peace. While the world is nominally at peace, there is much tension in many areas which is stirred up by Soviet Russia or its stooges. Furthering the cause of peace and a lessening of international tension have been among my primary aims in Congress, coupled with support for the defense efforts of the Free World. The security of our Nation comes first, hence the American people must never relax their guard for a moment.

Communist aggression and subversion are a constant threat to the security of all free nations, and against this threat the people of the Free World must be adequately protected. In this connection, we must never forget the enslaved people of Poland, Hungary, and other countries behind the Iron Curtain in whose hearts the spark and the spirit of freedom still kindles. For this reason, I successfully supported aid to the Polish people by way of surplus food commodities. The only restriction I imposed was that the people knew who their benefactors were.

During the past year, in addresses on the floor of Congress and before organizations, I have proposed various plans and resolutions dealing with international affairs. Among them were:

First. That the United States should pursue an open foreign policy which will clearly delineate its relations with friendly nations, neutral countries, and the Communist bloc, so that no nation shall ever make a miscalculation as a result of not knowing how we stand on a particular situation.

Second. That the United States should reaffirm its traditional opposition to colonialism and restate its policy for the expansion of freedom throughout the world.

Third. That the United States should call together a world youth convention to promote better relations, education, scientific knowledge, and understanding among the youth of all nations.

Improvement in the relations with the Latin American countries is badly needed. To achieve this, I have recently introduced a resolution to establish a Pan-American Parliamentary Association, to be made up of parliamentary representatives of all countries of the Western Hemisphere, which is to seek better understanding among the peoples of the hemisphere, expand educational and scientific programs, develop closer cultural and trade relations, encourage tourism, help raise the standard of living, and so forth. This proposal has already been approved by the State Department, by leaders of Congress, and many Latin American leaders. This matter will be vigorously pursued in the coming months.

II.—THE ECONOMIC SITUATION

Among the measures I supported to combat the economic recession are: speeding up the work on the 41,000-mile superhighway construction program; an emergency $1.8 billion housing program to provide badly needed housing in urban areas; an additional 13 weeks of unemployment compensation for those who have exhausted their benefits; extension of loans and grants for redevelopment aid for areas having large unemployment; loans and other assistance to the railroad industry where there were huge layoffs of workers; increased the lending authority of the Small Business Administration and reduced the interest rates on loans to small business.

There were some other less important measures, but I felt that more should have been done to alleviate the situation. Additonal steps I advocated were: a huge public works program, including a large hospital construction program; more low-income public housing projects; reduction of taxes by increasing the tax exemption from $600 to $800 for all taxpayers and their dependents; full employment planning to eliminate unemployment; tax relief for small-business men to enable them to stay in business; a special tax deduction to parents for expenses up to $1,000 for college tuition for their children.

III.—SOCIAL SECURITY

Help to the aged is today a major national problem. There are nearly 12 million elderly and retired citizens now drawing monthly social security payments, and before very long their number will reach 15 million. Many others in this age group would prefer to retire, but they cannot afford to do so because the benefits are insufficient to cover their needs. Incidentally, one of my major arguments in favor of larger social security payments is that by encouraging those over 65 who are still working to retire it would make possible for younger people to fill their jobs and help to eliminate unemployment.

Although I was pleased to see Congress grant a 7 percent increase in social security payments, it is far from enough. This is evidenced by the fact that about 1½ million persons who could qualify for retirement prefer to keep on working. At the last moment I tried to increase it at least to 10 percent, arguing that since Congress gave a 10 percent increase in salaries to Federal and postal workers to allow for the increase in the cost of living in recent years it could do no less for our elderly people. I was given the assurance that further increases could be expected next year.

It is my belief that the whole social security system should be overhauled and brought into step with the times and needs of the people. For this reason, I introduced in May 1958 a bill to achieve two major purposes:

First. Reduce the retirement age for men and women to 62, but with full benefits.

Second. Increase the monthly payments by 40 percent for all. This would give our older citizens more purchasing power, it would help the economy, and it would encourage many of them to retire with greater security. This is a goal for which we should all strive.

IV.—THE CONSUMER AND THE COST OF LIVING

Another major problem which is a source of great worry to millions of families is the continued high cost of living. In 1958 it reached an all-time high, and there is no indication of a reduction in the foreseeable future. We have had a most unusual situation: An economic recession on the one hand, and a rising cost of living on the other. The most regrettable part is that the Eisenhower administration refused to take effective measures to stop this raid on the consumer public.

I brought this matter to the attention last year of the Committee on Agriculture, of which I am a member, and urged that a subcommittee be designated to study consumer problems and food cost trends. Subsequently, a Consumers Study Subcommittee was set up and I was appointed as chairman. This is a watchdog committee to study trends and situations, and to make recommendations. We have held hearings on the high cost of food, on marketing problems, on disposal of surplus food abroad by charitable organizations, on food stamp plans for the needy, etc. It is the committee's belief that by the very nature of its hearings it contributed toward holding the line on food prices, so that in recent months the cost of living has risen only a fraction.

Our subcommittee has also made several important recommendations:

First. To stockpile quantities of food in underground shelters in various areas for civilian survival in the event of war or other emergencies.

Second. Distribution of surplus food commodities to the elderly, the needy, and the undernourished through the use of a food stamp plan, which would improve their diet and raise their level of health.

Third. Modernize marketing facilities for food commodities in the cities to provide more sanitary conditions and to reduce the prices of basic foods because of savings in handling and transportation.

Fourth. Extend the work of our voluntary agencies abroad in distributing surplus foods and winning friends for America.

I favored legislation to authorize $75 million annually for the special school milk program for children to improve their nutrition, also the dairy products program for the Armed Forces, and extension of the Agricultural Trade Development Act—Public Law 480—through which we sell and distribute surplus foods abroad to help underdeveloped and needy areas, such as Poland, Italy, Israel, Ghana, India, and others.

V.—CIVIL RIGHTS

For the first time in over 80 years, since the Civil War, Congress has enacted a civil-rights measure. In the future we must adopt measures to strengthen our civil-rights laws and enforce them.

I had introduced a bill which calls for abolition of the poll tax, outlawing of mob violence, and establishment of a fair employment commission to eliminate discrimination based on race, color, religion, or national origin. These rights must be safeguarded. We cannot permit second-class citizenship in a democratic America. The protection of our civil liberties would also serve as a great weapon in our foreign policy, particularly in Asia and Africa. Incidents such as Little Rock and the bombing of churches and synagogues in the South only damage our prestige abroad and our democracy at home. Such incidents must not be repeated.

VI.—EDUCATION AND YOUTH

One of the most challenging problems facing the Nation is the current school crisis. There is a shortage of classrooms, a shortage of teachers, and our teachers are underpaid. We must provide better educational facilities for our children, especially for the 2½ million children who study in overcrowded schools or attend half-day sessions. Unfortunately, the present administration has not exerted itself too much in obtaining aid to education and the construction of schools. The welfare of our children demands the enactment of such legislation. American children are entitled to an adequate education, not a half-education. School construction has not kept pace with the growing school population, and this problem is growing worse and is affecting our educational standards.

It is very poor policy to economize at the expense of our children and to the detriment of the Nation's security. Soviet achievements in the fields of science and education have demonstrated this false economy to us quite dramatically in the past year. Our shortcomings in education are all too evident.

For this reason, I supported the scholarship bill to expand the opportunities for education to meet a critical national need by aiding needy students through loans and scholarships. I have also introduced several bills which would provide important aid in these fields; a bill to grant a tax deduction to parents for expenses up to $1,000 incurred in connection with the college education of their children, which would help low-income people provide their children with a college education; a bill to establish a United States Science Academy along the lines of West Point and the Naval Academy to train men and women for scientific careers in national defense; a bill to provide assistance to dependent children over 18 to continue their education.

I have also introduced a bill for the establishment of a junior corps of cadets in the Armed Forces for 100,000 youngsters, 14 to 18 years old, who are to enlist with the consent of their parents for 2 years. They would be trained as technicians and mechanics in various fields and later apply this training in civilian trades. It would provide many opportunities for such youngsters and help decrease juvenile delinquency. I also supported the bill to prohibit the manufacture or transportation of switchblade knives as a means of curbing crime and delinquency.

VII.—POSTAL AND FEDERAL EMPLOYEES

The 10 percent pay increase approved this year for postal and Federal employees had my full support. This raise should have been given them sooner to account for the increase in the cost of living in recent years. I continually urged and supported all efforts for a pay raise and on several occasions introduced bills to that effect. Congress acted wisely in approving the raise, plus the retroactive payments.

Another measure which had my strong support was H. R. 607 providing for a 10 percent increase in the annuities of retired Government workers. This too was a well-deserving and long overdue increase for people who are living on a limited income.

Among bills of interest to Government workers which I introduced are: to permit all Government employees to retire on full annuities after completing 30 years of service, regardless of age; to amend the Hatch Act by eliminating certain restrictions on political activities of Federal and State employees; to allow Government workers from 2 to 4 hours off from their duties, without loss of pay or annual leave, in order to vote in national and local elections. In addition, I favor recognition of Government employee unions, health insurance for Federal workers, and establishment of a system of merit promotion.

VIII.—VETERANS LEGISLATION

A number of important measures have been adopted by the 85th Congress to benefit our war veterans, the most significant of which are: Public Law 168 increases the rates of compensation for service-connected disabilities for veterans of all wars; Public Law 209 liberalizes marriage requirements for widows applying for pension or other benefits; Public Law 364 provides direct loans for veterans housing, increases the amount of such loans, and lowers the downpayments for FHA housing; Public Law 462 increases salaries of medical and nursing staffs at VA hospitals; also a law to increase burial allowance for deceased veterans from $150 to $250.

I should also like to see legislation enacted to extend GI educational benefits to World War II and Korean war veterans who were prevented from obtaining or completing such education prior to changes in the law, as well as those now serving in the Armed Forces who should be entitled to these benefits; also my bill H. R. 2385 to provide VA benefits to those who served in the Women's Army Auxiliary Corps. I am strongly opposed to any cuts in benefits to veterans and their dependents.

For my efforts on behalf of veterans, the American Legion of Kings County—Brooklyn—presented its Americanism award to me on June 20, 1958. It reads as follows:

The American Legion of Kings County Americanism Committee awards this citation to Hon. VICTOR ANFUSO for his outstanding contribution to the work of Americanism activities, for his personal interest, loyal devotion, and general support of Americanism programs, and for his high qualities of honor, courage, leadership, service, and character in the preservation and protection of the fundamental institutions of our Government.

For this honor I am very grateful.

IX.—POLAND AND EASTERN EUROPE

The people of Poland and other Eastern European countries, now occupied by Russia, are undergoing severe suffering, ruthless suppression of their human rights, and genocidal extermination practiced against them by the Communists. These nations, especially Poland, have a long tradition of friendship for the American people. For this reason, I favored the extension of Public Law 480 which made possible the sale of some of our surplus agricultural products to Poland, thereby benefiting the Polish people.

By providing food for the people of Poland we can best encourage them to keep up their struggle for freedom. If hunger spreads, it would only be an invitation to Moscow to take over complete control. We can strengthen Poland by helping her become less dependent on Russia. Under Public Law 480 Poland is able to purchase surplus foods from us for its distressed people. It is important to note that leading Polish organizations in the United States supported this legislation to aid the Polish people, despite the fact that the Polish Government is Communist.

The president of the Polish American Congress, Mr. Charles Rozmarek, wrote to me as follows on June 28, 1957:

Please accept these words of thanks and appreciation from the Polish American Congress for your heart-stirring address on the floor of the House of Representatives in behalf of giving Poland economic assistance in her difficult transition from Communist bondage to a certain measure of freedom.

Your eulogy of Pulaski and Kosciusko, and your praise of Poland's 1,000-year-long spiritual relationship with Western civilization, will be gratefully remembered by Americans of Polish origin for years to come.

On a number of occasions I introduced bills in Congress to grant legal residence in this country to persons of Polish and other Eastern European origin who succeeded in escaping from their Communist-dominated homelands. Several years ago I introduced such a bill for the former master of the ship *Batory*, Jan Cwiklinski, who left the ship and was subsequently granted asylum in the United States. In June 1958 Congress passed my bill in behalf of six Polish seamen who were given legal residence. The Right Reverend Msgr. Felix F. Burant, president of the Polish American Immigration and Relief Committee of New York, wrote to me on July 2, 1958:

Referring to our previous correspondence pertaining to your bill H. R. 4969 for the relief of six Polish sailors * * *. We are very happy indeed to be able to congratulate you

for everything you have done for our committee not only in this particular case but also in the past.

In connection with several notable anniversaries, I protested on the floor of Congress against Communist enslavement of Eastern European nations. This was done on May 3, the anniversary of Polish Constitution Day; on June 15, anniversary of Soviet invasion of Lithuania, Latvia, and Estonia in 1940; on January 22, anniversary of the proclamation of the Ukraine Republic in 1918; on March 25, anniversary of establishment of the Byelorussian Republic in 1918; on February 16, anniversary of founding of Lithuanian Republic in 1918. On all these anniversaries I expressed the wish and hope for their early liberation from Communist bondage and our solidarity with these oppressed peoples, including also Hungary, Czechoslovakia, Rumania, and others.

On April 27, 1958, it was my privilege and honor to receive the Liberty award given to me by Governor Averell Harriman of New York on behalf of the nationalities division of the Democratic National Committee for championing the cause of minority and nationality groups. In accepting this award, I stressed that the immigrant and nationality groups could render a unique service in combating Communist propaganda, but we are not utilizing sufficiently their talents and ideas.

X.—ISRAEL AND THE MIDDLE EAST

All of us are deeply concerned over the situation in the Middle East. Peace in this area would serve a four-fold purpose: it would be in the best interests of the United States and the Free World by safeguarding our strategic bases and the flow of oil; it would help keep Russia out of there; it would assure the survival of Israel as a free and independent state; and it would make possible the economic development of the region for the benefit of all nations. Unfortunately, the Middle East does not know peace and is under constant tension.

In recent years I have on several occasions spoken up in behalf of Israel. After the Suez crisis, when the United States was considering sanctions, I protested that it would strangle Israel economically and it would be morally unjustified. I protested against Egypt when it launched a reign of terror against the Jews, and also against Saudi Arabia for its discrimination of American military personnel of the Jewish faith.

As direct aid to Israel, I was among the first to urge the United States to resume economic aid and to lift the ban on tourism to Israel. As a member of the House Agriculture Committee I vigorously fought for approval of the Agricultural Trade Development Act—Public Law 480—under which Israel has purchased from the United States surplus food commodities in the amount of $62.6 million in the last 3 years. This food was sold to Israel, as it is to other countries, at reduced rates and it has helped raise the level of food consumption there and bolster its economy. In the current year Israel's purchases of surplus food under the law will be upward of $40 million.

When the United States landed marines in Lebanon in July, it was my feeling that this was the only course left open to our Government if it wanted to avoid the whole area from falling under Russian control which would have endangered the position and security of the whole Free World. By now it is clear that the Egyptian dictator Nasser is no friend of ours, and never will be. It is too bad that we stopped Britain, France, and Israel in 1956 when they were on the verge of freeing the Suez Canal and routing Nasser. If we felt strong enough to intervene in the Middle East now, we certainly were just as strong 2 years ago. Had we not interfered then, there would have been no Nasser today, no civil war in Lebanon, no coup in Iraq, no threat to Jordan, no danger to Israel's survival, no crisis in the Middle East, and no United States Marines there.

While not a single Arab State has proved to be a strong and dependable ally of the United States, Israel remains a stanch and reliable friend. For this reason, we should give her some of our modern weapons and sign a military pact with her to assure Israel's security and existence and to help stabilize the situation in the Middle East.

XI.—ITALY

The Republic of Italy maintains a very important and strategic position in Europe and the Mediterranean area, and therefore plays a major role in world affairs. Italy is today one of the stanchest friends and allies of the United States, despite the fact that it has the second largest Communist Party next to that of Russia. On the eve of the parliamentary elections in Italy in May 1958, I sent a special appeal to the Italian people urging them to support the Christian Democratic Party and other parties which are for democracy and against communism. This appeal was circulated extensively in the Italian press and other mediums of information. I was very happy to know that the parties standing for democracy emerged victorious and that Amintore Fanfani, leader of the Christian Democratic Party, became the head of the new government.

Prime Minister Fanfani visited the United States at the end of July. He held consultations with top American leaders, including President Eisenhower and Secretary of State Dulles, and addressed both Houses of Congress. I was appointed by Speaker SAM RAYBURN to serve on the honorary committee to escort the Prime Minister into the House Chamber. Under Fanfani's leadership the friendship between Italy and the United States will grow even stronger. I am firmly convinced that in the near future Italy will emerge as one of the big three of the Western World.

I was greatly honored last year when the Government of Italy bestowed upon me an award as commander of the Order of Merit for my efforts in behalf of the Italian people. On July 16, 1957, the House of Representatives officially approved the acceptance of this award.

XII.—MISCELLANEOUS ISSUES

The following are additional issues on which I took a stand in the 85th Congress:

Introduced bills to completely revise the McCarran-Walter Immigration Act to eliminate the national origins quota system and other discriminatory features. Last year Congress approved some minor changes in the law which would allow about 60,000 immigrants to enter the United States as hardship cases and unification of families. This year some 30,000 Hungarian refugees were enabled to adjust their legal status. I supported these measures.

In the field of labor legislation, I supported the bill for disclosure of employee welfare and pension funds of unions and business firms, in order to protect the interests of 80 million workers who benefit from these funds; also the Kennedy-Ives bill which sought to eliminate racketeering and other evil practices. I favored the extension of minimum wage coverage to include all those earning substandard wages.

Other important measures which I supported were: Medical research in cancer, mental health, arthritis, heart disease and others; extension of the Hill-Burton Hospital Construction Act; elimination of water pollution; flood control; Niagara power development for the benefit of consumers in New York State; national defense education bill; omnibus housing bill to provide badly needed housing and eradicate slums; the airport aid bill to improve the Nation's airports during the next 5 years; reorganization of the Defense Department; and statehood for Alaska.

I strongly opposed reductions in the strength of the National Guard; cuts in appropriations affecting the needs of aged people, veterans benefits, health and welfare programs of the Nation; also the Natural Gas Act, which would have increased the cost of gas to city consumers; curtailment of civil rights, and others.

Wherever possible I protested against racial and religious hatred. When my attention was called to a certain film which contained derogatory remarks about Americans of Italian origin, I protested vigorously on the floor of Congress. A similar protest was raised when hate sheets were being sent through the mail to incite racial and religious hatred against Jews, Negroes, and other minority groups. I urged the adoption of legislation to forbid the use of United States mails for such purposes.

Among measures I introduced are: To declare October 12 of each year as a legal holiday throughout the Nation, to be known as Columbus Day—it is observed only in certain States, but is not a national holiday; to designate December 15 of each year as Bill of Rights Day in honor of the first 10 amendments to the United States Constitution establishing the basic freedoms of the American people; to add the name of the explorer Giovanni da Verrazano, who discovered the harbor of New York in 1524, to the Hudson-Champlain celebration in New York in 1960.

I have always been on the alert to help the workers at the Brooklyn Navy Yard, located in my District, by using all possible effort to dissuade the Navy Department from mass layoffs of workers and maintaining a high level of employment.

In spite of the legislative pressure—and this has been one of the most productive Congresses—the personal problems of my constituents were never neglected. Many services were performed for individuals who sought my help in matters dealing with housing needs, servicemen's hardship cases, disability pensions, immigration, obtaining Government publications for students, and the like. These matters were handled courteously and efficiently through my offices in Washington and New York.

CONCLUSION

This is the record of service of your Representative in Congress. Any comments or views either on this record or on matters of public interest are always welcome.

Why I Am a Democrat

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

WHY I AM A DEMOCRAT

(Address by Representative EMANUEL CELLER, of New York, chairman of the Committee on the Judiciary, United States House of Representatives, before the 13th biennial State convention of the Affiliated Young Democrats, Inc., of New York State, Hotel Piccadilly, New York, August 16, 1958)

To discuss with a group of Young Democrats the reasons why I am a Democrat appeals to me as peculiarly appropriate. If any single quality distinguishes our great party from the Republicans, it is that we are the party of the young at heart. Are not the traits of youthfulness—vigor, imagination, generosity, the courage to experiment—exemplified by the New Deal and the Fair Deal, in contrast to the lassitude, caution, indecision and inertia of the present administration?

These differences are not a matter of chronological age. They are of the spirit. When I review the interests which have absorbed me for most of my 36 years in Congress—immigration, civil rights, civil liberties, the control of monopoly, and a self-respecting and peaceable relationship of earned leadership between our own and other peoples—I find that the very issues that concern me today are the issues that interested me in 1922, when I first ran for office as a Democrat.

There is nothing more important than people. This, I believe, is the great truth toward which democracy strives. We Democrats remain young at heart because, as a party, we have always maintained an abiding concern for the aspirations of the American people—for peace, security, and a decent way of life—for the aspirations of all the people, not excluding the alien, nor the worker or the unemployed, nor the schoolchild or the student, nor racial or religious minorities, whatever their origin. Because the needs of the people are real to us, we abhor reference to unemployed workers as "bird dogs" and "kennel dogs," and we have no patience with the Republican trickle down theory under which "What is good for General Motors is good for the United States." Because, as Democrats we tend to trust the people, we have become the one party that the people can trust.

In my many years in Washington, I have served in both Democratic and Republican Congresses, under Democratic administrations, and for the last 6 years, under a Republican administration. Nothing in my entire public life more vividly illustrates the basic difference between the two political parties than what has happened during the past 6 years under the Great Crusade.

As a nation, we are faced with the critical challenge of the 20th century—that of giving enlightened leadership to the Free World against the twofold threat of Communist attrition and nuclear war. To meet this challenge we must be secure in our defense and must invest our dealings with other nations with a meaningful and constructive foreign policy. How has the present administration met this challenge? It has irresponsibly dissipated our defensive strength in a riot of budgeteering and our international good will in an orgy of brinkmanship. Every day our power and prestige fall lower.

In his state of the Union message, the President said: "We have now a broadly based and efficient defensive strength, including a great deterrent power * * * We intend to assure that our vigilance, power, and technical excellence keep abreast of any realistic threat that we may face."

These words sound hollow indeed, in light of the fact that in a few short years our unchallenged military supremacy first shrank, then disappeared, then turned into what all concede is now a perilous inferiority. It can no longer be concealed that during the next 6 years Soviet missile striking power will be many times our own; their defensive strength much greater than our own; our deterrent bomber strength only slightly greater than theirs. For a long time the administration has known of the decline of our power compared with that of the Soviets. To this day it has not told us the facts and it dares not tell us the facts. Because this administration is incapable of action, it is incapable of truth.

The National Defense had been made into a budgetary debating point and sacrificed to a bookkeeper's sense of fitness.

A further suicidal avoidance of reality is found in our foreign policy—or rather lack of it. Our Secretary of State—truly the world's most misguided missile—now regularly marches us to the brink of war, and then calls on the United Nations to bail us out. Our international behavior proves to be neither consistent nor effective—except to dismay our friends and allies and alienate those whom we must win to friendship.

Nasser is a case in point. The Eisenhower-Dulles team promised him vast economic aid; withdrew the promise, then saved him from sure defeat at the hands of Israel—uncompromising ally of the West—and France and Britain. Will we next throw Israel to the wolves in the interest of an Arab unity from which only Nasser can profit, and from which our friends and allies must surely suffer?

We Democrats had a foreign policy—a policy that won and kept us friends among the small nations and at least the respect of our adversaries. Time was when every European metropolis boasted its "Avenue President Wilson" or its "Avenue President Roosevelt" in tribute to our friendship and aid. Under the present administration, these are all too often placarded with the slogan "Yankee Go Home." And in Latin America the good-neighbor policy of Hull has given way to the stoning and egging of our official representatives on what were meant as friendly visits.

Many excuses are offered for these catastrophic developments, but no amount of buck-passing or explanation can absolve us of the responsibility to give firm and courageous direction to the course of world history. Surely, it is time for a change.

On the domestic front, indecision and lack of leadership by the absentee landlord of the White House are aggravated by a critical split within his own party. There are Republicans and modern Republicans. A modern Republican thinks his party can win votes by borrowing time-tested Democratic policies—proposing a little added unemployment insurance, a little aid to education, a little liberalization of immigration, a little firmness in dealing with arrant disregard of Federal law. Himself a so-called modern Republican, the President talks the language of liberalism but reposes the execution of his policies in men who disagree with them—traditional Republicans who sabotage and set at naught his avowed liberal aims. Nor does he or his administration fight for his policies when they are jeopardized. The plain truth is that this is an administration of, by, and for big business—and in the old style.

In the old Republican tradition it turns its back on the fact of over five million unemployed. This is the way of Hoover, embellished with smooth new techniques of Madison Avenue to delude us into thinking that all is well. To cope with the highest cost of living of all time the President gently asks labor, then industry, not to overreach.

Under the present administration, big business benefits from such windfalls as the notorious Dixon-Yates giveaway and the $65 million a year increase in long-distance phone rates granted the telephone company by the Federal Communications Commission, without even a hearing, a few months after this administration came into office. Big business violators of the antitrust laws also benefit from soft settlements of their cases by the Department of Justice. Witness, for example, the revelations before our antitrust subcommittee concerning preferential treatment accorded A. T. & T. Meanwhile the small-business man has struggled along under a tax law enacted by a Republican Congress in 1954, and shot through with big business allowances and loopholes. By contrast, the present Democratic Congress will, I am confident, enact before adjournment a tax relief measure specially tailored to the needs of small business.

Business failures, bankruptcies, and home foreclosures continue to rise. Yet this Republican administration which in its first 5 years spent more money than did President Truman in 7 years and 9 months—during which he had to fight the Korean war—displays a thrift bordering on the miserly when it comes to asking funds for such programs as social security, educational incentives, and schools. Apparently the sputnik has taught them nothing. The accountant's neurosis remains dominant—a compulsive insistence on balancing the budget at a low level. Hardly an imaginative approach to the problem of expanding the effective national effort to meet the challenge of our times.

There has been imported into the highest places of our Government the psychology of big business, with a resulting tendency to accept the easy morality of the open expense account. While no administration has been wholly free from the taint of conflict of interest, the present one appears to be setting a record in this respect. Not less than a dozen high-ranking members of the Eisenhower official family, including the Assistant President of the United States, have been caught at such offenses as interceding with agencies in behalf of persons from whom

they had received expensive gifts; accepting extended hospitality from persons with whom they do Government business; ruling in favor of parties from whom they have received cash and property; and seeking or securing valuable Government contracts and favors for themselves, their families and their friends. Yet, although some have resigned, none has been fired. To commemorate this Eisenhower-Nixon double standard of political morality, a plaque should be placed in the White House reading "Sherman Adams slipped here."

The inactivity of the present Department of Justice—its general failure to present to grand juries the many cases of impropriety involving high officials of the present administration which Congressional investigations have brought to light, is most disconcerting. Indeed, there is growing concern that the Department is becoming a political arm instead of an agency dedicated to the fair and impartial administration of justice.

It is essential, for all the reasons I have outlined, to give the Democratic Party a real working majority in Congress in the coming elections. Next, we must lay the groundwork for putting a Democratic administration in Washington 2 years hence. Let anybody underrate the importance of this task, I remind you that the alternative will likely be RICHARD NIXON—alone reason enough for being a Democrat.

The East Front Matter

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. EDMONDSON. Mr. Speaker, there continues to be misleading information on the subject of the east front extension of the Capitol, and thoughtless people continue to minimize the urgency of the need for the approved restoration plan.

Casual treatment of the facts is not unusual in the Washington Post, but it is hard to understand why some architects cannot face the truth concerning the acute need for this extension plan.

As was repeatedly pointed out when this resolution originally passed both Houses of Congress—and on numerous subsequent occasions—time and weather have wreaked havoc with moldings, ornaments, cornices, banisters, and with the structurally soft sandstone blocks themselves.

Columns have cracked on the east front and cracks have extended even down into the foundations structures. Cracks in the sandstone walls in some cases penetrate the full thickness and are no longer hideable under paint and other superficial coverings. Plaster which has been used so many times in the past for temporary repair is no longer feasible and where it has been used previously it has now rotted to the extent of permitting entrance of insects, small rodents, and so forth.

Not only will this plan save the original design as our Capitol was laid out in the beginning, but it will provide a better, safer, new exterior wall, a full 32 feet east of the present structure. This 32½ feet of additional floor space is gravely needed for expanding legislative activities.

Let me emphasize, too, that this extension would permit the Capitol to remain in appearance exactly as it has these 150 years. The center facade would not be changed in any respect, and this assurance by the Architect of the Capitol and by consulting engineers and architects has brought this project the overwhelming endorsement of expert professional opinion throughout America.

As our colleague, Chairman CANNON, informed the House some weeks ago, this great Capitol building has been changed many times in its history. It was drastically changed immediately following the great fire of 1814; the subsequent increased width of the east portico completely changed the design of the east front; and the 1864 addition of the House and Senate wings may never have been envisioned by the original planners. The center steps of this same controversial east front had already been exchanged for granite steps as early as 1915; and as recently as 1950 the House as well as the Senate Chambers were completely renovated and modernized.

These are only a few examples, Mr. Speaker, of changes for the better which have been made in our beloved Capitol building. Since these alterations prove conclusively that the American people have never hesitated to make changes when a decided improvement would be the result, and since the entire east front is endangered by present decay, and since both great Houses of the Congress urgently need the additional space, I would like without reservation to take my stand in support of this extension. I also offer my congratulations to Speaker RAYBURN for having courageously led the move for this much needed reform in the face of much unfair and unreasonable criticism.

The outrageous criticism directed against our Speaker in this matter is much stronger evidence against the fairness and vision of his critics than it is against the extension plan.

Rather than the censure directed against Speaker RAYBURN by some quarters on this matter, I predict that history will accord to him the gratitude and appreciation of the American people for his foresight and his fortitude in planning and working for the preservation of our great National Capitol building.

Water Pollution Control Legislation

EXTENSION OF REMARKS
OF
HON. JOHN A. BLATNIK
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. BLATNIK. Mr. Speaker, the failure of this Congress to enact legislation to expand the construction grant program under the Federal Water Pollution Control Act is extremely unfortunate.

Two years ago I introduced legislation authorizing a $1 billion, 10-year program of Federal assistance to States and local communities to aid them in the construction of needed sewage-treatment facilities. Facts and figures available to us at that time proved, Mr. Speaker, that in order to clean up the backlog of construction needs in this one area would require the type of Federal assistance I recommended. By the time the bill was enacted the amount was cut in half. Still we considered it a great step forward in the battle against water pollution.

The program as administered by the Public Health Service has proved a great success. As of June 30, 1,038 grants totaling $55,321,862 have been made for projects worth $387,212,811. That is better than a 4 to 1 return on the Federal investment—a truly remarkable situation. Yet we are doing only half the job. We should be spending at the rate of $500 million each year in order to clear up the backlog of construction within the next 10 years. To stimulate and encourage such a rate of local and State expenditures the Federal Government should contribute $100 million a year for the next 10 years as its share of the responsibility for keeping our rivers and streams clean. The current Federal program is getting along on just one leg.

To bolster it, and add the other leg, I introduced this year H. R. 13420 which would add to the present program $50 million each year thus restoring the amount I had originally recommended 2 years ago and which now has been proven by independent surveys and studies to be exactly what was needed. The Committee on Public Works held hearings on the bill and it was favorably reported by a 21 to 7 vote. The testimony on the bill, Mr. Speaker, was overwhelmingly favorable. Seldom have I seen such complete support for a piece of legislation which just 2 years ago was highly controversial. Only the National Association of Manufacturers, the chamber of commerce, and the administration opposed my bill. The administration took the position that since the President has recommended that the program be scrapped entirely next year it could not very well support a bill doubling the program this year.

It was truly gratifying, Mr. Speaker, on the other hand, to hear and see the tremendous support the program has engendered among conservationists, State and local public health officials, municipal and civic groups. Even the President's Advisory Board on Water Pollution Control has endorsed the principle of Federal aid in this field despite the President's published views to the contrary. It just cannot be, Mr. Speaker, that so many people of such solid reputation and experience in this field who support the bill can be wrong while those few who represent mainly big industry polluters can be right.

I hope, Mr. Speaker, that one of the first orders of business of the 86th Congress will be approval of legislation expanding the construction program under Public Law 660 along the lines I proposed this year in my bill H. R. 13420. If we are to adequately cope with the ever-increasing problem of water pollution such action must be taken.

Another matter of great importance in this field is the administrative setup within the Department of Health, Education, and Welfare as regards water-pollution control activities. In the Public Works Committee report on H. R. 9540 in the 84th Congress it was pointed out that "The Committee intends to watch carefully the progress and development of the national water-pollution-control program and particularly the supporting role of the Federal Government. The committee believes that the Department of Health, Education, and Welfare should place a high priority on the objectives of the program authorized by the bill and will diligently carry out its role in this Federal-State cooperative activity by providing a constructive program within an appropriate administrative framework."

Mr. Speaker, the administrative framework within which this program functions is restrictive and detrimental to the overall operation of the pollution-control program. This program, which requires over $60 million a year, and is so vital to the Nation's future growth, is buried so deep in the morass of agency bureaucracy that it is often difficult to find out just where it is.

Consider the maze you must follow, Mr. Speaker, to find those who administer this program. They are in the Water Supply and Water Pollution Control Program Section of the Division of Sanitary Engineering Services of the Bureau of State Services of the Public Health Service of the Department of Health, Education, and Welfare.

Today I have introduced a bill to solve this problem. My bill would establish an Assistant Secretary of Health, Education, and Welfare for Water Pollution Control. It would assign the water pollution control functions of the Public Health Service to a new Office for Water Pollution Control. Mr. Speaker, I firmly believe that it is time that due recognition be given to the water pollution control functions of the Federal establishment responsible for this activity. At the present time the water pollution control functions are conducted by a small suboffice in the Public Health Service, manned, by the way, by some of the hardest working, most intelligent, and sincere public servants I have ever met. Despite their activity the Federal water pollution program is never going to be as effective as it should be until top governmental policy men are giving this problem their day-to-day attention.

After years of urging by national conservation organizations, the Congress in 1956 strengthened the fish and wildlife functions of the Federal Government by establishing within the Department of Interior the office of Assistant Secretary of Fish and Wildlife. My bill would have a similar objective in the field of water pollution control. The bill would also establish a Commissioner for Water Pollution Control which would be comparable with existing Commissioners in the Department of Health, Education, and Welfare in the fields of social security, education, and food and drugs. It is believed that the protection of our water and of public health most certainly is as important as the protection of our fish and wildlife. If this bill is adopted, it will go far toward rehabilitating the waters of this Nation for legitimate uses through a strengthened Federal-State cooperative program.

A Way to Equality for Puerto Ricans

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. SANTANGELO. Mr. Speaker, the failure of Congress to pass the Kennedy-Ives labor bill which protects against corruption of so-called union leaders, while retaining labor's right to regulate their internal affairs, is one of the shortcomings of the 85th Congress. If Congress does not pass a labor bill organized and unorganized labor groups will, as a result, continue to be exploited and to suffer. Many of these groups are exploited because they lack information or because they cannot comprehend or evaluate available information.

An important segment of my Congressional District is populated by Americans of Spanish descent. Many Puerto Ricans are striving to obtain equal opportunity in this great country of ours. I am happy to assist them in obtaining the realization of our American dream, equal opportunity to advance by reason of ability without regard to race, color, religion, or sex.

I have found these people, not only in my community but also in Puerto Rico, to be a very religious people. Four years ago I had the good fortune to visit Puerto Rico. I arrived on Easter Sunday and joined the people in prayer in their beautiful holy church. I saw the people in prayer. I saw them in the piazza or square engaging in their religious festivals. Because of their devotedly religious backgrounds and their practice, our Secretary of State or our President need not request us to grant $200 million or any less sum to fight communism. These people and their Spanish brethren in the Caribbean are natural enemies of the atheistic Communists.

I found the Puerto Ricans to be very hospitable and very friendly. Their homes are open with a welcome sign awaiting the visitor. Upon my visit to the senate and assembly in San Juan the legislators extended a most cordial welcome to a New York State legislator. The charming mayor of San Juan and the tireless governor of Puerto Rico were more than kind. They demonstrated the same characteristics which the poor and rich on that island demonstrate daily.

Let no one underestimate the contribution by Puerto Ricans to our America. Their sons have fought valiantly on the battlefield and they have made their sacrifices. They have earned their citizenship.

Without their help and without their labor hotels, resorts, and industry would find great difficulty to get along. They are a valuable asset to our economy. Like all new peoples to our shores, their lot has been a difficult one. Their inability to speak the English language and the lack of economic opportunities create certain problems. These problems are gradually being solved. Like all peoples who appreciate opportunities which the United States affords, they are advancing on all fronts—in schools, in business, and in politics.

In New York there are an estimated 900,000 Spanish-speaking people, about half the population of Madrid, Spain. Some 700,000 of these are Puerto Rican. Cubans, estimated at 100,000, comprise the second largest group. Of the 725,235 pupils enrolled in elementary and junior high schools in New York last September, 101,671 were Puerto Ricans. Of the 45,000 attending adult-education classes in the evening last March, 11,000 were Puerto Ricans.

A total of 80,563 pupils in New York schools (including high schools) as of last October, were classified as non-English speaking. These ranged from pupils unable to speak any English to those who could speak English well enough for most situations, but still had to make a conscious effort to avoid the forms of some foreign language. School officials said Spanish-speaking pupils were preponderant in the total.

Spanish is spoken in almost all Puerto Rican homes, but over 50 percent of these are reported to be bilingual. There is an average of 5.1 persons per Puerto Rican family. The Puerto Rican population is a young population; about one-third of the Puerto Ricans are under 10 years, over half are under 24 years, and two-thirds are under 35 years. The Puerto Rican labor force is estimated at 260,000. About 50,000 are employed in the garment industry, 25,000 in the restaurant and hotel business, and about 15,000 in the laundry business. About 73 percent of Spanish-speaking families read a Spanish newspaper exclusively and 14 percent read English and Spanish newspapers. Approximately 79 percent of Spanish-speaking families own television sets, and virtually 100 percent own radios. My district boasts of the only Puerto Rican district leader, Tony Mendez, the only assembly candidate, Jose Ramos Lopez, and two judges, Emilio Nunes and Manuel A. Gomes.

I was overjoyed to see that one of the great television systems, WRCA-TV Channel 4, has initiated a program to aid the Spanish-speaking population to learn English or to speak better English. The title of its program, which began on August 11 is "Aqui Se Habla Ingles." This program will create an incentive to viewers to build a greater working English vocabulary and to provide a greater sense of participation. The television company has programed a daily word game whereby the viewer must identify in English a number of household objects shown each morning on the program. When listed correctly, and in the sequence shown, the first letters of each

object will spell out a Spanish word. The viewer submits his list of words, plus the English translation of the key Spanish word, and if correct, will receive a prize. This method of learning English is easy and fun.

If this program proves successful, more Spanish people of the laboring class will be able to speak English. Consequently, they will have the ability to inform themselves as to the facts and to separate the honest labor leaders from the selfish labor baron who pretends to help them in their quest for recognition and continued employment.

I urge my Puerto Rican friends to avail themselves of television, a very effective instrument of education. A mastery of the English language is an effective way to equality for the Puerto Ricans.

A Report on the 85th Congress by Congressman George McGovern

EXTENSION OF REMARKS
OF
HON. GEORGE S. McGOVERN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. McGOVERN. Mr. Speaker, as we near the end of the 85th Congress, I wish to follow the custom of many of my colleagues in the House of Representatives and report to my constituents on my activities during this first term in Congress. I include at this point a letter to the people of the First Congressional District of South Dakota:

DEAR FRIEND: It is with deep gratitude to you that I complete my first term as your Representative in the United States Congress. To be named by the people for service in the finest parliamentary body in the world is a high privilege. We are reminded of that privilege by the stirring monuments to America's greatness here in the Capital, the Lincoln Memorial, with its spirit of compassion for the people; the Washington Monument, symbolizing the courage of our first President; the Jefferson Memorial, with its protest against "any form of tyranny over the mind of man"; the Tomb of the Unknowns, where those "known but to God" silently challenge us to work harder for a world where young men and their loved ones can live out their lives free from the terror of war.

During the 20 months that I have worked for you in Washington, I have never once turned onto Pennsylvania Avenue en route to my office without thrilling to the majestic Capitol dome that symbolizes freedom and representative government for the American people. I take this opportunity at the end of my first term to thank you for this experience and to give an accounting of my stewardship.

Let me make it clear that this report is not intended as a boastful document—although, like all politicians I will try to claim credit for as many good things as possible. There is no one of the other 434 Members of the House of Representatives, Republicans and Democrats alike, who could not teach me something about the legislative process. I am the first to admit that this first term has been a trial-and-error experience in which I have made my quota of mistakes. Everyone who has ever served in Congress readily agrees that the first term is largely a learning process. It is my hope, however, that the growth and accomplishments will outweigh the shortcomings.

A PRODUCTIVE CONGRESS

One fact is certain—the 85th Congress has been one of the most productive sessions in many years. This Congress passed the first civil-rights code in 82 years, put the reciprocal trade program on a more permanent footing, and admitted Alaska to the Union—the first State to be admitted in nearly half a century. With the launching of the sputnik, Congress moved quickly to establish a National Space Agency and to improve the coordination of atomic development with our allies.

I am pleased that this has not been a Congress marked by partisan, political wrangles. Bipartisanship in the interest of the Nation has been the keynote of both House Speaker RAYBURN and Senate Majority Leader JOHNSON. President Eisenhower told Congress at the beginning of this session that there were three "must" pieces of legislation he wanted passed by Congress: (1) Reorganization of our military defense; (2) extension of reciprocal trade on a more permanent basis; and (3) a sound mutual security program. I was happy to support the President on all three of these programs and am delighted that the Congress met the President's challenge. It has been my constant aim to put the Nation's welfare above partisan or selfish considerations.

TWO BIGGEST FAILURES OF 85TH CONGRESS

The two biggest failures of the 85th Congress were in the vital fields of agriculture and labor reform. I worked long and hard for a truly effective program for the family farmer and for a moderate labor reform bill that would clean out the crooks in the otherwise honest labor-management field. We failed in both of these areas. Congress, discouraged by Presidential vetoes of farm price support programs, finally yielded to Secretary Benson and came up with a last-minute bill that is largely worthless. I fear it will have the effect of depressing farm prices and glutting our markets with cheap feed that will in turn depress cattle and hog prices. Several years of bad drought in the Southwest created a livestock shortage that has lifted prices in our part of the country, but as herds are rebuilt and cheap feed floods onto the market, we know from past experience that if the Department of Agriculture has no program, the results are bad.

Now, let's look briefly at the basic legislative areas of the Congress in which your Congressman was most deeply involved.

AGRICULTURE

Agriculture, is of course, the No. 1 industry in South Dakota. The welfare of all of us depends upon the prosperity of the farmer. For that reason, I have concentrated more effort on agricultural problems than any other single field.

1. My first act as a Member of Congress was to introduce a bill calling for an investigation of the price spread between the cost of groceries and the prices received by farmers. That investigation conducted by the Anfuso subcommittee revealed that it is not high farm price supports or high profits for grocers that are at fault. It is the big take of processing, food handling, packaging, and other middlemen operations that account for the rising cost of food at the same time that farm prices have dropped.

2. Early last year during action on the farm bill, I introduced the family farm parity amendment which came within four votes of passing the House. It provided price support protection to the family-size farmer at a reasonable level.

3. This spring, I worked hard for a bill sponsored by myself and a colleague from a metropolitan area which would have offered price protection to the farmer on all commodities up to the level produced by the average family-size farmer. Hearings were held on my bill before the full Agriculture Committee.

4. I am pleased that Congress extended the Wool Act until 1962. The food-stamp plan to utilize farm surpluses in feeding needy Americans was unfortunately defeated. On the brighter side, the Public Law 480 program, which permits the sale of American farm surpluses for foreign currencies has been expanded and extended.

EDUCATION

As a member of the Committee on Education and Labor, I have worked hard for better schools for America. To me, there is no more urgent public responsibility than to give our children the best education that exists anywhere in the world. I do not want to see a ruthless Communist Russia devoting more time and resources to the education of the young than we do in our free way of life. Our future is built upon the minds of the boys and girls in our schools and colleges.

1. The National Defense Education Act passed by the Congress after extensive hearings by our committee, will help give America better schools and colleges without jeopardizing the precious principle of local control of education. I insisted that this bill be broadened beyond aid to science students because I believe that America needs not only good scientists, but good teachers, ministers, farmers, journalists, and other trained people to help us find the best ways of living in peace with our neighbors.

2. I am the author of a new program passed by the Congress which will help us meet the need for trained teachers to work with mentally retarded children. There are a million of these little folks in the United States and most of them can become useful, happy citizens if we can increase the number of specially trained teachers and specially equipped classrooms to teach them.

3. I am the author of a bill passed by this Congress that authorizes the Department of Health, Education, and Welfare to add captions to films that are loaned to schools for the deaf. These films can be loaned to deaf persons in any State and the captions will enable those hard of hearing to follow the movie and profit from its cultural and educational value.

SMALL BUSINESS

The 85th Congress has passed three major provisions benefiting small-business men that make this the best small-business Congress in many years:

(1) The Small Business Administration has been made a permanent agency, its loan ceiling has been raised from $250,000 to $350,000 and interest reduced from 6 to 5½ percent.

(2) Long-term equity capital will now be made available to small business through privately formed investment groups that must comprise 10 or more persons.

(3) Small business has been given substantial tax relief, including faster tax writeoffs on new equipment in the first year after purchase, extension from 2 to 3 years of the period for which a loss may be carried back and applied against previous income to gain retroactive tax refund, 10 years, instead of 15 months in which to pay estate taxes on a business held by a few persons, an increase from $60,000 to $100,000 on the amount of earnings that may be retained instead of distributed without stiff tax charges.

Believing strongly in the importance of our small-business economy, I have worked hard for the above programs. Strong anti-monopoly safeguards and other small-business defenses have seemed essential to me. I am the author of a bill which would create a permanent standing committee in the House to study the problems of small business. I testified twice before the Rules Committee on this bill.

SOCIAL SECURITY

If there is any group in America that is entitled to the special consideration of our Government, it is those who are too old to work or for other reasons cannot care for their own needs.

Congress increased the social-security benefits by 7 percent to help our older citizens meet in part the rising cost of living. This measure also provided assistance for handicapped persons or those in need under the public-assistance program.

In my testimony before the Ways and Means Committee in support of an improved social-security program, I cited some of the many letters that our office has received from older people in South Dakota who are having difficulty getting even the bare necessities of life on their present payments.

LABOR

Congress passed a major bill requiring full disclosure and accounting of all funds invested by unions or management groups in pension and welfare funds.

On the negative side, the House unfortunately killed a second major labor reform bill which was designed to crack down on some of the hoodlum tactics revealed by the McClellan committee. I helped lead the fight which brought the bill to the House floor for a vote after it was believed to be dead in the Labor Committee. It seems to me that next to our failure to secure a solid farm bill, the House defeat of this moderate labor reform bill was our greatest failure. The bill was not perfect, but, as Senator MCCLELLAN said, it was the best we could hope for in this session. I hope that the next Congress will move quickly to put the crooks out of business. They constitute a threat to an otherwise honest American labor movement.

INDIAN LEGISLATION

My bill, H. R. 12670, passed the Congress and will provide compensation to the Crow Creek Sioux Tribe for land and property which they lost in the flooding of the area that comprises the Fort Randall Reservoir. I am also the sponsor of a point 4 for American Indians resolution which provides for educational, vocational, economic, and technical assistance to American Indians similar to those programs that we have made available to many foreign countries.

CONSERVATION AND WILDLIFE

Congressman HENRY REUSS, of Wisconsin, and I have been working for legislation that would provide just compensation to farmers who are willing to leave undrained pothole areas and wetlands that are valuable to wildlife. At the present time, farmers are paid for draining wetlands and they may be paid for creating wetlands, but there is no provision to compensate a farmer who would be willing to maintain a wetlands area that already exists on his farm. Legislation sponsored by Representative REUSS and myself is designed to correct this strange situation.

I am also a supporter of the duck stamp bill passed by the 85th Congress which will provide greater revenues for acquisition of game refuge areas. With several of my colleagues, I have joined in sponsoring another good measure, the wilderness preservation bill.

While I have been from the first critical of those who regard the Soil Bank as a substitute for a good price-support program, I have always supported the conservation reserve feature of the program and was pleased to support the continuance of that phase of the program in this Congress.

VETERANS

My efforts in the field of veterans' affairs have been concentrated on stopping arbitrary cuts by the Budget Bureau in essential veterans services that represent the will of Congress. We have been waging a hard fight against proposed cuts in hospital services to veterans that include our hospital program in South Dakota. These administration-ordered cuts were not approved by Congress and represent a clear cut defiance of the intent of the Congress. I have also supported legislation designed to extend equal benefits to veterans, their dependents and survivors of all wars.

RIVER DEVELOPMENT AND REA

I have supported continued appropriations for our Missouri River development program and sought expanded appropriations to begin construction of Big Bend Dam and complete the Oahe irrigation study. Flood-control projects at Sioux Falls and on the Vermillion and James Rivers have been strongly supported by my office. With the junior Senator from South Dakota, I have sponsored legislation to correct bank erosion along the Missouri in the Elk Point area.

It has seemed to me that rural electrification and rural telephone service have been fundamental in the growth of South Dakota during the past two decades. For that reason, I have done my very best to advance the interests of these two groups. Last year, I was instrumental in securing a very substantial reduction in the amount of equity finances required of rural telephone associations. This will save rural telephone users many thousands of dollars and expedite the expansion of rural telephone service.

I was responsible for an amendment to the 1958 rivers and harbors and flood-control bill which has been hailed by REA leaders as a significant step in the defense of our rural-electrification program. This amendment maintains the principle laid down 50 years ago by Theodore Roosevelt, which gives first claim on benefits from a Federal dam to the public through such groups as rural-electric associations and municipalities.

ECONOMY

In view of the fact that 78 percent of our national budget is spent on military matters, it has always seemed to me that any substantial savings in Federal spending would have to come in this area. Since coming to Washington, I have seen considerable evidence of waste, extravagance, and duplication in the military services. On the basis of careful studies of some of the Hoover Commission findings, I introduced last year a bill that would create a central, civilian purchasing agency in the Defense Department to do the purchasing for all the defense forces. I believe that such a program could save many millions of dollars in eliminating duplication and overlapping of purchasing. The President's defense reorganization bill, which I strongly supported, will save us a great deal of money and give us a better Defense Establishment in the process, but I believe that there is much progress still to be made in the field of greater efficiency and economy in our sprawling Defense Establishment at the Pentagon.

WORLD PEACE

The most important work in this or any other Congress is our work for a peaceful world. This Congress very wisely extended the Public Law 480 program. The more we can use our agricultural abundance in a hungry world, the better chance there is of removing some of the breeding grounds of communism and war.

I am strongly in favor of the President's current Middle East plan to stabilize that area with a regional economic development program and a United Nations police force. As one who was given the opportunity to travel for 3 weeks in the Middle East during the Easter recess of the Congress a year ago, I am convinced that it is the world's No. 1 trouble spot. We have not had a firm, constructive policy in that area until now. This Congress has done a great deal to point the way toward a more workable policy for the Middle East. I close this report on the 85th Congress with the prayerful hope that we can continue to use the great power of this Nation on the side of peace in the most effective manner possible.

Again, my warm thanks to you for the privilege of serving you in the Congress. I hope to see you during my travel in South Dakota this fall.

Your friend and Representative in Congress,

GEORGE MCGOVERN.

A Report to the People

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. DONOHUE. Mr. Speaker, at this time I desire to include a summary report of my activities and speeches during this 85th Congress. I understand the Joint Committee on Printing has issued a regulation on "retrenchment in extensions;" I shall do my best to stay within the rule, while complying with the duty I have.

A MORAL OBLIGATION

In my conscientious judgment, the Biblical mandate to "render an account of thy stewardship" imposes upon every responsible public officeholder a moral obligation. Throughout my own public life, I have consistently complied with and fulfilled that obligation.

It is clearly impossible, in the time and space allowed, to record in detail my every word and action. According to the Clerk, over 15,000 measures were introduced in this Congress, and over 800 bills were considered in the House. Obviously, I cannot comment on all of them, but I shall present and reveal my personal stand and action upon some of the more important and more highly publicized legislative issues of 1957–58.

THE DUTY OF DECLARATION

Mr. Speaker, it has ever seemed to me that one of the associate duties of an individual in this high office is to make an advance declaration, prediction, if you will, of what he believes ought to occur in the Congress and list the measures to which the highest priority of action should be given in the national interest. I attempt to carry out this duty through the mediums of the newspapers in my District to whom I customarily give interviews on January 1 of each year.

On these particular days in the past 2 years, I informed my people, as cooperatively recorded, among others, in the columns of the Worcester (Mass.) Telegram and Gazette of my opinion that the main objective of this Congress and the administration should be to seek "success in halting hostilities in the Middle East in cooperation with the United Nations for the preservation of honorable peace and the avoidance of all-out atomic warfare."

As outstanding and high priority of action issues, I listed, among others, prompt immediate initiation of an accelerated missile research and production program; genuine unification of the armed services; the enactment of a civil rights law; a determined effort to substitute loan program for the "give-away" principle underlying present foreign aid relation; measures to contain and erase the unemployment trend; sensible extension of reciprocal trade, with reasonable safeguards against further economic hardships on home industries; laws to encourage gifted students in the pursuit of scientific study; legislation to provide closer and more protective control over the funds entrusted to labor union leaders by their membership; the granting of tax relief to small businesses; a legislative review, for restriction of inflationary factors creating abnormally high living costs; and a continuing reasonable essential public works program, especially for flood control.

I also predicted that "political bickering for partisan advantage will be kept to a minimum." "The purposeful selectivity of the American voters in choosing a Republican administration with a Democratic House and practically an evenly divided Senate gives evidence of the very strong desire and expectation of our people that these two departments of Government shall work in patriotic cooperation and avoid petty partisanship from either side."

Mr. Speaker, it is a matter not so much of personal, but more of patriotic satisfaction to me that substantial action was taken upon practically all of the legislative objectives I advocated, as outlined above. Also, according to the great majority of independent authorities the wholesome cooperation between the legislative and executive departments of the Government in this Congress has set a record and precedent of bipartisan accomplishment that will stand forever as a highlight of American legislative history.

THE MIDDLE EAST SITUATION

Mr. Speaker, at the outset of this Congress, as mentioned above, I expressed the opinion, on January 1, 1957, that the principal international aim of the executive department and legislative department, together, should be to try to halt hostilities in the Middle East in cooperation with the United Nations. Early in January, the Chief Executive requested the Congress to act on a resolution authorizing the President to undertake economic and military cooperation with nations of the Middle East to strengthen the defense of their independence. On Tuesday, January 29, 1957, this resolution was presented to the House, and there follows an extract from my remarks in support of the resolution:

Mr. DONOHUE. Mr. Chairman, there is no doubt, of course, that the closest and most effective cooperation between this body and the executive department should be promoted in our common patriotic purpose of containing the spread of international communism and particularly in the Middle East area. Any unnecessary display of great difference or serious controversy on this matter between our two departments of Government could very probably be most effectively used by the devilish propaganda machines of the Kremlin.

Inasmuch as the substance of the resolution is an expression of trust and confidence in the Presidential judgment, and to avoid the danger of any vicious Communist distortion of disagreement, I feel that the resolution should be supported, and I earnestly hope the Chief Executive and administration officials will reveal their full justification of it at the earliest opportunity for the understanding of the American people.

Mr. Speaker, within the scope and spirit of this resolution, Public Law 7, of the 85th Congress, the Chief Executive, on July 14, 1958, issued an order for the landing of American troops in Lebanon, and I include here an excerpt from my remarks in the House about this action, on July 15, 1958, urging that the best and wisest place in which to seek a permanent solution of the problems of Lebanon and the whole Middle East was within the United Nations.

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, it may or may not be an unfortunate matter that the President's best wisdom has ordered our troops into Lebanon, but it is useless to argue about that now. Our clear patriotic course now is to go along with the President in a demonstration of unity, while permanent solution of the problem is sought within the United Nations. We can thus, at least, try to prevent any additional triumphs of Soviet propaganda.

We may be certain that the Russians will make the most of our entrance into Lebanon and try to convince the rest of the world that it is an imperialist gesture toward war and not, as it is truly meant to be, an attempt to promote peace.

It is vitally important that we show the world that we will not reject even the germ of an idea or a proposal that could help the cause of peace.

The forum in which that can be accomplished is the United Nations, and I most earnestly hope that the President will insist that any negotiations be conducted within that international organization, originated for that purpose.

Meanwhile, let us pray divine guidance for the President in this historical hour while we remain united behind him.

Mr. Speaker, it is a matter of recent history that the President did present the problem to the United Nations where they are even now debating it while American troops are being withdrawn from Lebanon. Let us pray that, through thorough discussion between the United States, Russia, and all the other members, a peaceful solution of the turmoil in the Middle East will be amicably and cooperatively worked out.

Mr. Speaker, in the remaining time permitted, for the sake of brevity, I shall attempt to reveal in summary an account of my actions and remarks on significant legislative issues, not so much in any chronological order, but more in accord with their essential importance and the prominence they achieved in the minds of our people.

DEFENSE DEPARTMENT REORGANIZATION FOR ESSENTIAL MILITARY UNITY

Mr. Speaker, on May 22, 1958, the Armed Services Committee reported a bill recommending reorganization of the Defense Department to promote unity and efficiency. Within these past few years, nothing has been more disturbing to the Congress, or demoralizing of the people's confidence, than the obvious jealousies and rivalries that existed among the various military services resulting, unfortunately, in dangerous lags in our cold war efforts and staggering extravagances in waste of money and time. The President, himself, recommended remedial action and, in the face of the frightening display of Russian scientific superiority in missile research and development, the need for such action was clearly imperative. A great step forward in the elimination of interservice rivalries and for their closer coordination, especially in the field of missile research, was taken through final passage of this measure on August 6, 1958. The following is an extract from my remarks in the House, July 15, 1958, on this vital subject:

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, in the near future we will be called upon to exercise our responsibility of enacting legislation essentially needed to provide military unity and restrain the unhappy rivalries existing among the separate branches of our armed services.

We can each have sincere and conscientious differences as to the precise legislative provisions to accomplish the desired objective.

It is our clear duty to conscientiously attempt the enactment of a measure that will remove, so far as reasonably possible, the disastrous jealousies that admittedly exist among the services, and that will provide for the centralization of research and development under one director, in order to stop the appalling waste of the taxpayers' money due to the duplication of efforts and absurd competition among the services in this vital field of Russian challenge.

In our exhortations for unity among the armed services, it is encumbent upon us to show an example of unity here, to restore the confidence of the American people in the Congress and in the military forces. Let us resolve our differences and patriotically provide a bill that will do the job.

ANTIRECESSION ACTION

Mr. Speaker, short of the catastrophe of atomic war, there could be no greater calamity affect this Nation, and the Free World, than an economic recession here of major proportion. Beyond the terrible hardships, with which most of us here are well acquainted from our memories of the thirties, that are thereby visited upon American families, a persistent economic decline would furnish suffocating propaganda to the Russians against "American capitalism", and seriously undermine the confidence of the Free World in the destiny of the United States.

Particularly in the later part of 1957, and throughout the early months of 1958, it became obvious that we were experiencing a most serious economic depression, readjustment, decline, or whatever name you choose to call it. The fact was that some 5 million, and more, heads of families were out of work, and the prospects of early reemployment for them were vague and dim. With the consequent reduction in purchasing power, there was immediate adverse action of retrenchment in commercial sales volume and industrial production. Without the initiation of prompt measures by the Federal Government, it was clear that we were facing the very grave danger of prolonged economic collapse.

In such an emergency it is my conviction that the Federal Government has a real responsibility, through appropriate legislative and executive department programs, first to grant reasonable assistance to distressed American families, and then attempt to stimulate and bolster the overall economic situation through every proper means.

I am happy to say, that although, in my opinion, this Government did not go far enough, a substantial effort was made by the Congress to assist our people and improve the economy, with a certain limited encouragement from the executive department.

A multitude of proposals designed to help the unemployed and spur the economy were introduced in the Congress. Some very worthy and effective ones, such as the Community Facilities Act, and the Omnibus Housing Act, were, unfortunately, defeated, even though a great many Members, including myself, advocated and supported them. Several important bills, including the extension, through State grants, of unemployment benefits for an additional 16 weeks, were adopted and I voted in favor of them.

Extracts of my comments in support of these measures follow:

AREA REDEVELOPMENT ACT

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, we can ill afford another major defeat by the Kremlin, particularly in the field of propaganda against our claim and desire for leadership in the areas of economic development and social justice. Unhappily, most authorities agree we are gravely threatened with such further defeat unless a federally encouraged effective program to alleviate national conditions of substantial unemployment in certain economically depressed areas is promptly initiated.

Over the past decade increasing evidence has developed to convincingly demonstrate that our vaunted boast of having the highest living standards anywhere is in danger of being exploded and exploited as another American capitalistic myth. May Divine Providence, a determined Congress, and a united people, forbid.

It is most unhappily apparent that substantial economic decline is visiting increasing hardship and lowering the living standards in large areas of the country, particularly in New England, along the eastern seaboard, and in certain southern sections. There are varied causes for this catastrophe but principal among them are the migration of industry from New England, technological changes, such as those affecting the coal industry, and the disjointed advantages, through our foreign trade program, given to foreign competitors of multitudinous domestic industries.

All of these causes add up to chronic unemployment and permanently distressed areas which present a double threat against our internal development and our external security.

Clearly then, chronic unemployment and permanent depression anywhere in our economy is a subject of national concern and primarily so in this emergency struggle with Russia.

Responding to this challenge, in patriotic thought and purpose, a great many Members, including myself, have filed legislative proposals designed to forestall and prevent this economic tragedy.

In summary, this program would include loans for industrial projects, grants for public facilities, and financial assistance, through the cooperation of the Labor and Health, Education, and Welfare Departments, to expand vocational training programs.

Most of these provisions, with added features, are contained in the Senate-passed bill, S. 3683, now waiting upon our action in the House. At stake is our continuing national well-being and high morale, our world reputation of providing equal opportunity for all our citizens, and our ability to defend ourselves and assume the offensive in the vitally important propaganda battle with Russia. I most earnestly urge that this measure will be presented to and adopted by this House before any further idea of adjournment is entertained.

Mr. Speaker, this measure passed the House on August 15, 1958.

EMERGENCY HOUSING ACT

March 19, 1958

Mr. DONOHUE. Mr. Speaker, because of the very serious proportions to which our unemployment situation has developed over these past several months I introduced, in the House, an emergency housing bill, H. R. 11395. The objectives of my bill are substantially the same as those embodied in this legislation before us.

This bill, as well as my own measure, is designed to stimulate the general economy in this emergency period by increasing the market for homes and thereby revive the home-building industry.

Our economy, it is obvious, has unhappily declined to a point which can no longer be ignored as a slight recession or a temporary adjustment. At this hour it is useless to consume time by attempting to fix the blame for such disaster or otherwise indulge in partisan dispute. Unemployment is reaching disastrous stages in my own State and throughout other major sections of the country. With over 5 million presently unemployed throughout the Nation, and those numbers are being added to daily, I submit that the time has come for action instead of words. The proposals in this measure before us cannot be termed rash or irresponsible pump priming by even the wildest imagination.

It is equally clear that the nature of the lating effect upon many other associated inhousing industry is such that it has a stimulated housing industry upon our unemployment situation would be prompt and substantial.

Mr. Speaker, there is no need for me or anyone else to emphasize the fundamental benefits accruing to the Nation as a whole through the encouragement of private home ownership. Let us remember that there are still over 9 million World War II veterans, with their families, who have not yet exercised their entitlement to purchase a home through the medium of Veterans' Administration home mortgage financing. With regard to and consideration of them I earnestly hope that interest rates will be maintained at a level that will not be discouraging to them as well as countless millions of other potential homeowners.

Mr. Speaker, in view of the serious economic slump the country is suffering from; in view of the need for a stimulus of home construction; in view of the importance to the Nation of increasing family home ownership; and primarily because of the immediate and salutary effect a reactivated housing construction industry would have upon our distressed economy I urge prompt approval of this measure. The need is now, the hour is urgent, this is the time for action.

Mr. Speaker, this bill passed the House on March 19, 1958, and is now Public Law 364, of the 85th Congress.

THE HOUSING ACT OF 1958

Wednesday, July 23, 1958

Mr. DONOHUE. Mr. Speaker, as we progress toward the conclusion of this session, I most earnestly hope that the so-called omnibus housing bill of 1958, recently acted upon in the Senate, will not be overlooked in the logjam that so often accompanies the rush toward adjournment. Failure to act on this bill, in my opinion, would be placing an unhappy and unnecessary blemish upon an otherwise commonly admitted constructive record of this 85th Congress.

One basic reason, among many, why action on this measure is vitally important is the admitted effect it would have as a further antirecession bulwark and production and employment stimulus.

The emergency housing bill that was earlier passed has demonstrated that a stimulation of the building industry, with the associated trades affected, is one of the wisest and most economical methods through which any further deterioration of our overall economy can be restrained.

This housing bill would undoubtedly assist in the revival of our lagging economy by encouraging investment activity in the construction field, with an accompanying increase in production and employment.

Embodied also in this housing bill is the foundation purpose of promoting better housing throughout the country, giving further impetus to operating programs designed to combat slum areas, and providing needed assistance to the continuation and expansion of the veterans home loan program.

Another primary objective of the measure is to further the advancement of scientific and academic knowledge, by helping our hard-pressed institutions of higher learning to provide the vitally needed dormitories, classrooms, and scientific laboratories which are pitifully inadequate to meet the ever-increasing enrollment. Obviously, one of our essential national goals is to compete with, and surpass, the scientific achievements and progress of Soviet Russia, and we cannot hope to do it unless the fullest facilities are made available to students through our colleges and universities.

In this most blessed country in the world, we have only begun to attack the problems of providing decent housing for our elderly citizens, expanding FHA insurance, encouraging wider recognition of the necessity of urban renewal, and relocating families displaced by wholesome and healthy slum clearance.

The foundation unit of any nation is the family. The best guaranty of wholesome family life is a home of their own in decent surroundings. Reasonable encouragement of better housing for American families and American citizens, is one of the wisest investments we can make toward the future safety and progress of this great country. In order to make this wise investment, I hope that the housing bill will be presented to us for debate and action at the earliest possible date.

ACCELERATING THE FEDERAL HIGHWAY PROGRAM

April 3, 1958

Mr. DONOHUE. Mr. Speaker, this legislation, H. R. 9821, with accompanying conference report, is substantially the same as the measure, H. R. 11418, which I introduced and in support of which I submitted testimony before the House Public Works Committee recently.

The fundamental purpose of this bill is, as you know, to provide authorization for the immediate acceleration of the rate of highway construction on the Federal-aid primary and secondary road systems that is already in progress. There is certainly no dispute about the long-range economic or security value of this program.

It is, admittedly, an emergency anti-recession measure. I do not think there is much doubt in this body about the current existence of an economic recession; readjustment, transition, "slight depression," or whatever other name you please to attach to describe the alarming fact that millions of Americans are out of work. In my State and area we are unfortunately too familiar with this recession which is visiting severe economic hardships upon thousands of families whose working heads have long exhausted their unemployment compensation allowances, meager as they are and brief as they last.

It may be there are a few provisions in the bill and report that we cannot all agree upon. The fundamental fact is that by passage and initiation of the bill into action it is authoritatively estimated hundreds of thousands of creative work opportunities will be promptly developed for American taxpayers now unemployed. The economic emergency is here whether we like it or not; millions of workers are without weekly pay envelopes now; this is a sound economic recovery assistance step; we have a moral responsibility and a high legislative duty to our own people in this catastrophe. I most earnestly hope this House will promptly act without extended delay to grant the help this bill will give to so many of our citizens who are desperately in need now.

Mr. Speaker, this measure was finally approved on April 16, 1958 and is now Public Law 381, of the 85th Congress.

LEGISLATION FOR THE GOOD OF ALL AMERICANS

Mr. Speaker, it has, these past several years, too often and too unhappily, appeared to me that in the zeal and zest to sustain our faltering foreign policy too many hasty programs, of too great, too extravagant, and too expensive a nature have been approved to assist foreign nations. I have consistently, in this period, warned that in our concentration upon the rehabilitation of the Free World there has been too great a neglect of the interests and welfare of our own American people and I have attempted to point out that the most important strength, underlying any foreign policy, is a continuation and encouragement of a high morale among our own citizens. If they lose confidence in this Government and its officials, then we are, indeed, in dire trouble.

The Chief Executive told the people of this country upon his assumption of that high office that his yardstick of measurement of Government actions would be "is this good for all Americans?" Shortly after he made this patriotic pronouncement, I urged that the Congress adopt it as our rule of action also.

At this point, I would like to list a few of the measures we dealt with that, in my opinion, were primarily designed for the good of all Americans, and include excerpts from my remarks on them at the time they were under consideration here.

SOCIAL SECURITY INCREASES

July 31, 1958

Mr. DONOHUE. Mr. Chairman, I rise in support of this bill, H. R. 13549, to further improve and expand our social-security system, and to express the hope that benefits will be increased, by appropriate amendment, to at least 10 percent.

As one who has consistently supported the improvements in this social-security program since becoming a Member of this body, I am particularly pleased that the measure before us recommends increases in the old-age, survivors, and disability insurance benefits, and that it also proposes the added provision of granting benefits for the dependents of disabled workers. In recognition of the necessity for constant review to expand this Christian program, I am also glad to note that the committee proposes further improvements in the public assistance, maternal, and child-welfare provisions.

Mr. Speaker, one of the things that marks this country as a God-fearing and God-caring Nation in contrast to the slave state of Communist atheism is our legislative achievements in the fields of social and economic justice. In the propaganda battles that are currently being waged between ourselves and the Soviets, in which we are, unhappily, too often on the losing end, it is imperative for the retention of our position and our prestige as the leader of the Free World that we maintain constant progress in our fundamental legislative programs for national welfare and development. We have a chance to take a forward step along this road today by supporting this bill.

The basic objective of our social-security system is to enable our retired American workers and the disabled to retain self-respect and reasonable economic independence in the sunset years of their lives and in time of adversity. In a constantly changing economy this objective is impossible of accomplishment if upward adjustments in the laws are not made to keep pace with the increases in the cost of the articles and services that are essential to a decent existence in a free and blessed Nation.

If we cannot all agree on the various amendments of sincere intent to improve the bill, let us in good will compromise our differences and approve the substance without unnecessarily extending this debate. There will be recurring opportunities in the future to make further improvements as the needs are demonstrated. Let us do our job today as well as we can while we look toward the future in good mind and with good heart.

AID TO SMALL BUSINESS

Thursday, August 7, 1958

Mr. DONOHUE. Mr. Speaker, as I stated here a couple of weeks ago, the hour is desperate for the continuing life of small business in the dynamic economy that has developed in this country through the past decade.

The small businesses in this Nation are in pearance because, at this moment, they have grave danger of disintegration and disappno way of obtaining equity capital and long-term credit which they vitally need for any hope of survival. Although many words of sympathetic encouragement have been spoken here in the Congresses of recent history, legislative response and recognition of small business has been too long delayed.

It is and has been obvious, for a long time, from committee hearings, independent reports, and the persevering pleas of small business throughout the country, that their fundamental requirements cannot be extended by commercial banks or the Small Business Administration, as presently constituted.

I am not going the repeat the provisions of the bill, which have already been explained at length. It is in substance a good bill and an earnest attempt to grant material help in an emergency situation, although it does not go as far as a great many of us would like.

I earnestly believe it is practically the unanimous intention of the Congress to preserve the traditions of small business in the economic life and history of this country; this is an opportunity to do so.

The financial problems of small businesses all over the United States are very, very serious and this legislation is essential for their cure. I urge you to adopt this conference report so that life-preserving help may be granted to a basic segment of our economy at the earliest possible minute.

LABOR-MANAGEMENT REFORM

Wednesday, July 23, 1958

Mr. DONOHUE. Mr. Speaker, in the enactment of legislation under our democratic processes we have come to expect the efforts of special groups to interject their passions, prejudices, and particular interests. As conscientious legislators it is our duty to closely examine these pressures and concentrate our attention upon the enactment of a reasonable compromise designed primarily to inspire observance of the law with good will because of its essentially impartial nature.

In this respect there is pending before us a so-called labor-management reform bill which was approved in the Senate by an overwhelming bipartisan vote of 88 to 1. No one with good sense claims that this measure is perfect but, even according to a great many members of the Industrial Relations Research Association, it unquestionably, if adopted, would contribute to union reform and sound industrial relations. However many contentious provisions the measure may be said to contain, it undoubtedly occupies a middle and compromise ground between the extreme demands of employer and union groups. Its enactment would tend to restrain a great many of the worst abuses plaguing some of the country's largest unions and it would provide more control by union members over the affairs of their organizations. Certainly it would discourage the unbridled ambitions of those few unscrupulous individuals whose main objective appears to be personal use of big union trust funds for their own interest.

There are also provisions in this bill placing additional restrictions upon unwarranted management practices; provisions designed to prevent scheming employers from entering into collusive arrangement with any tempted union official for the purpose of perverting real collective bargaining.

The revelations of the McClellan committee have demonstrated the need for reasonable legislation to encourage labor-management internal activity reform. The general public expects a responsive impartial reaction of the Congress to that need. The great majority of labor unions have taken the first and biggest step in the best method of correction, from within, by their adoption of strict ethical codes of practice. With a temperate measure of impartial and reasonable—which is always the wisest—legislative encouragement we can entertain good hope for increasing good will and cooperation between labor and management for the national benefit. In pursuit of that wholesome objective, I most earnestly hope that this labor-management reform bill will be presented to the House before adjournment, so that it may be discussed, debated, and acted upon in accord with our democratic legislative traditions.

HOOVER COMMISSION RECOMMENDATION

August 14, 1958

Mr. DONOHUE. Mr. Speaker, I urge the unanimous adoption of this amended version of H. R. 8002, which provides for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations.

To those of us who were privileged to support the creation of the original Hoover Commission, this measure represents another forward step in a chief objective of the Commission to continuously introduce modern methods of financial accounting practices in place of the outmoded and antiquated system that was too long permitted to bewilder the understanding of Congress, prevent the constitutional control of the Congress over Government spending, and conceal great waste of the taxpayers' money.

One of the basic responsibilities of the Congress is to exercise the greatest care in and control of the tremendous financial spending of the Federal Government, especially in these emergency years. All authorities agree that rigid accounting practices is the best approach to Congressional understanding of Government financial operations and Congressional insurance, by appropriate legislative measures that not $1 of the hard-earned taxpayers' money will be spent needlessly, wastefully, corruptly, or extravagantly. This measure is at least one more step along the hard road to that Congressional duty achievement. I hope you will all approve the taking of this step without further delay.

NATIONAL DEFENSE EDUCATION ACT

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, unquestionably one of the most challenging legislative subjects that has faced this Congress, and several preceding ones, is finding ways and means through which the Federal Government can reasonably and sensibly extend desperately needed assistance to the several States to advance their educational standards and provide adequate educational facilities.

However, the dramatic Soviet demonstration of scientific achievement has inspired, I think, a more responsive mind and attitude to this problem, both in the Members of this body and the general public. It would seem that the time has come for us to resolve our differences on such a vitally important national necessity and fulfill our legislative responsibility.

In my opinion, an excellent opportunity to do so is presented to us in the form of the measure I understand is being today reported out of the House Education and Labor Committee, H. R. 13247.

In summary, this bill is designed to provide Federal scholarships and also student loan funds to enable superior students without finances to attend college. Its emphasis is placed upon the teaching and study of science, mathematics, and foreign languages. It would improve testing and counseling in secondary and elementary schools and it would help train more college teachers.

No matter on what other phases of the problem we may have some differences, I believe that there is no single Member of the Congress who would question the foundation importance of education to a progressive future for this great Nation.

I most earnestly hope that both the Congress and the administration will join their efforts toward the enactment of the substance, at least, of this bill as a united action in concern for the basic welfare and continuing development of this country.

PROTECTING THE CIVIL RIGHTS OF ALL AMERICANS

(Excerpts from House speech)

Mr. DONOHUE. Mr. Speaker, the purpose of this legislation is clear. It is to make more certain that rights guaranteed by the Constitution and laws of the United States will be enjoyed by all, regardless of race, creed, color, or national origin.

It is directed at no particular section of America. Certainly no area of the country can claim achievement of full equality under law. The Committee on the Judiciary of the House of Representatives recognizes its distinct duty to enact wise legislation which will guarantee that the words of promise spoken by the Constitution will be fulfilled in every corner of the Nation. It is also realized that American leadership of the Free World is aided greatly by practical demonstrations of our historic commitment to the ideal of equality under law.

I, therefore, sincerely hope that any temporary passions, prejudices, or partisanship will be put aside today in order that we may render a historical legislative accomplishment in our own national interest and also provide a legislative inspiration to all peoples everywhere on this blessed earth.

ANTI-INFLATION ACTION OR RUINATION

Tuesday, June 25, 1957

Mr. DONOHUE. Mr. Speaker, the constantly increasing costs of living have concentrated attention upon the grave danger of inflation and the vital necessity to take reasonable action against threatening economic catastrophe.

It is obvious that some of the methods proposed to control inflation are either unpalatable to the majority of Americans, outside of wartime, or antiquated. Therefore, a resurvey and restudy of all the economic factors involved is imperative and it is vitally important that it be done now before it is too late.

Many of us have the conviction that such a study could best be conducted by committees of the Congress rather than any select commission appointed by the President; perhaps it would be of value to have both.

In any case, let us cease any petty and partisan quarrels about authority and responsibility and initiate an investigative project speedily before our economic structure deteriorates beyond repair.

OUR OBLIGATION TO THE VETERAN AND DEPENDENTS

(Excerpts from speech in the House)

Mr. Speaker, I and a great many other Members of this House have become deeply disturbed by the increasing publicity and propaganda questioning the continuation and cost-of-living adjustments and other benefits being reasonably accorded our veterans.

I do not believe that the people of this country now wish to turn their backs in forgetfulness of the substantial sacrifices made by our war veterans and their dependents in protecting this Nation from armed enemies. On the contrary, I believe the great majority of the American people realize there is only one safeguard for this Nation in time of emergency, and that is the willingness of American men and women to fight and die to preserve our national security. I am sure they further understand that the efficiency of our fighting men is governed by the morale of their families and dependents. In these tense days of international turmoil, it is not only just but patriotically wise to inspire the veteran of the future with the example of our real concern for the veteran of the past.

Mr. Speaker, there is legislation pending to extend farm, home, and business loan guaranties for our veterans, to continue vocational rehabilitation adjustment assistance, to raise the ratings and pensions of the disabled war veterans and dependent allowances, as well as income limitations, in accord with our increased basic living costs. There is pending legislation to extend simple justice to Spanish-American War veterans and their widows, who are trying to eke out a bare existence on some $54 per month.

These, and other beneficial measures, such as the so-called War Orphans Education Act, should be enacted without delay. Most of the pending bills are substantially sound and beneficial and are intended to discharge our just obligation to the war veteran and his family. I shall continue to work in support of their enactment as the best investment we can make to insure our national security.

Mr. Speaker, a number of important measures have been adopted by the 85th Congress to benefit our war veterans, the most significant of which are: Public Law 168 increases the rates of compensation for service-connected disabilities for veterans for all wars; Public Law 209 liberalizes marriage requirements for widows applying for pension or other benefits; Public Law 364 provides direct loans for veterans' housing, increases the amount of such loans, and lowers the down-payments for FHA housing; Public Law 462 increases salaries of medical and nursing staffs at VA hospitals; also a law to increase burial allowance for deceased veterans from $150 to $250.

FLOOD PROTECTION OF LIVES AND PROPERTY

Mr. Speaker, on August 19 and 20 of 1955, the whole northeast area, including my own State and home city of Worcester, Mass., was visited by overwhelming floods in the wake of a torrential downpour of continuous rainfall through the 3 preceding days and nights. In that terrible catastrophe several lives were lost in my home area, family tragedies were numerous, and the amount of property damage staggered the imagination to assess.

In a speech in this House on May 22, 1956, I voiced my opinion that the necessity for flood control and protection action had obviously become one of the most pressing domestic problems and the responsibility of the Federal Government to assist the various States and municipalities of the Nation in solving that problem was great.

The Congress recognized this obligation and over these past few years has annually approved public works appropriations for flood control and protection proposals throughout the Nation.

In the national interest, I vigorously supported the approval of all these projects and quite naturally had a particular interest in the protection of the people and the property in my own home city of Worcester, where we have repeatedly suffered tremendous damage from unrestrained floodwaters.

At my initiation, in cooperation with local and State officials, the Army Corps of Engineers surveyed our Worcester area and recommended the construction of a flood diversionary tunnel which would practically eliminate the danger of flood ravages in the future.

I am including below excerpts from my speeches in the House in support of flood protection legislation and a summary of the appropriations approved for the construction of the Worcester flood diversionary tunnel.

(House speech, June 19, 1957)

Mr. DONOHUE. Mr. Chairman, I most sincerely hope that this public works appropriation bill for fiscal year 1958 will be overwhelmingly approved by the House today.

I speak in particular appeal for the approval of the flood relief and protection projects included in this measure that are so vitally important to so many people throughout this country. I am, of course, quite naturally concerned for the extension of assistance in protection of the lives, safety, and physical properties of the people in my own area, while at the same time extending my deepest sympathy and full support to the people of the other sections of the country who well understand the tragedy of heavy loss of life and property destruction that follows in the wake of these terrible floods, hurricanes, and other disasters from uncontrolled elements.

I express the sentiments of the people of my area in extending our gratitude to the distinguished chairman and industrious members of the committee who have recommended the approval of $1,500,000 to begin actual construction of the Worcester, Mass., flood-diversionary tunnel.

The people of my home city of Worcester and surrounding area are, unfortunately, only too well acquainted with the havoc that is wrought by raging floods.

It is an unpleasant experience to be an eyewitness to the tragedy that is visited upon a community, its people, and its property when roaring waters pour uncontrolled over bridges, and through the streets. We had this terrible experience in August of 1955 and, please God, with the completion of this tunnel it will never happen again.

The aftermath of such flood occurrence in loss of life, property damage, lost employment, and lost business is staggering to the imagination even in its effect upon an average community.

It is entirely beyond human imagination when we try to picture the amount of destruction of life and damage to property that has occurred so frequently, in recent years, in all the several States throughout the Nation. Financial losses, which can never be precisely measured, would unquestionably be up in the billions. We cannot, of course, even approach the placing of any material value upon the loss of life accompanying these tragedies.

Commonsense reflection makes it convincingly clear that the prevention and control problems of these natural disasters cannot be local or statewide but must be regional and national.

All of the people and communities who have so suffered very well appreciate that neither the individual victim nor the burdened State can alone or together survive and recover from the devastating impact of flood destruction.

They realize, as did this conscientious committee, the necessity of reasonable assistance being extended from the Federal Government to help them construct proper facilities to prevent the recurring damage and disaster of floods.

I earnestly hope and urge that the measure be approved without further extended debate.

(House speech, June 19, 1958)

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the full appropriation contained in this bill will be approved by the House without any extended delay.

Few of us need to be reminded that flood control and natural disaster protection has, indeed, these past few years become one of our most pressing domestic problems. We have increasingly recognized that the responsibility of the Federal Government in aiding the various States and municipalities throughout the country toward a solution of that problem is great.

The extraordinary and unfortunate rapidity with which the numerous visitations of the wildest elements of nature have followed one upon another throughout the country, particularly in Massachusetts and New England, has projected the imperative necessity of Federal legislation for assistance in flood control to the heights of national and Congressional consciousness. I have several times recited here the figures concerning the unfortunate deaths, and the millions of dollars of property destruction, that have resulted from ravaging floods. These personal tragedies and economic catastrophes could have been avoided in the past; there can be no excuse for their repetition in the future if we fulfill our obligations to the people we represent.

In the light of the billions of dollars that we have generously granted toward the rehabilitation of foreign nations, it would be a national disgrace if the imperative and immediate needs of our New England and other flood-ravaged regions are not provided for with full Federal assistance before disaster strikes again.

Yearly appropriations for Worcester flood diversionary tunnel

Fiscal Year	Amount	Purpose
1956	$90,000	Surveying and planning.
1957	840,000	Begin construction.
1958	1,705,000	Continue construction.
1959	2,534,000	Complete construction, estimated June 1959.

CONGRESS SHOULD NOT ADJOURN WHILE VITAL FROBLEMS REMAIN UNSOLVED

Mr. DONOHUE. Mr. Speaker, I am opposed to adjournment sine die of the House of Representatives at this time. In my opinion we should, if anything, only recess so that we may be readily available to meet projecting problems as they arise or be given definite assurance of recall to immediate session in the event any grave emergency develops.

BILLS INTRODUCED IN 85TH CONGRESS

Mr. Speaker, limitations of space and time prevent me from further dwelling on multitudinous other bills that were discussed, but I shall personally report to my people on them at length and in detail, during the next 2 months.

However, this summary would be highly inadequate if I did not list, in part, some of the bills I introduced in the 85th Congress. They follow:

H. Con. Res. 12. A concurrent resolution favoring universal disarmament.

H. Con. Res. 93. A concurrent resolution expressing the sense of the Congress that efforts should be made to invite Spain to membership in the North Atlantic Treaty Organization.

H. J. Res. 32. A joint resolution to establish a Northeastern United States Watershed Development and Flood Protection Commission.

H. R. 613. A bill to provide for the establishment of a United States Foreign Service Academy.

H. R. 614. A bill to provide for programs of public facilities construction which will stimulate employment in areas having a substantial surplus of labor.

H. R. 615. A bill to provide for loans to enable needy and scholastically qualified students to continue post-high-school education.

H. R. 1104. A bill to indemnify drivers of motor vehicles of the postal service against liability for damages arising out of the operation of such vehicles in the performance of official duties.

H. R. 1105. A bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States.

H. R. 1106. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year.

H. R. 1107. A bill to provide for emergency Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities urgently needed because of overcrowding, and to encourage full and efficient use of State and local resources in meeting school construction needs.

H. R. 3483. A bill to increase annuities payable to certain annuitants from the civil-service retirement and disability fund.

H. R. 3765. A bill to establish the Federal Agency for Handicapped and to define its duties.

H. R. 8868. A bill to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957.

H. R. 9575. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States.

H. R. 9858. A bill to protect the right of the blind to self-expression through organizations of the blind.

H. R. 10680. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements.

H. R. 10856. A bill to provide for unemployment reinsurance grants to the States to revise, extend, and improve the unemployment insurance program.

H. R. 11395. A bill to stimulate residential construction.

H. R. 11418. A bill to amend the Federal-Aid Highway Act of 1956 to increase the mileage of the National System of Interstate and Defense Highways.

H. R. 13677. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education.

CONCLUSION—TIMELY COUNSEL FROM A GREAT AMERICAN

Mr. Speaker, the words of wise authority remain forever as comforting beacons of guidance in troubled, distressing hours. A counseling message to all Americans is contained in the following extract from a speech given at Harvard University graduation exercises on June 30, 1910, by the late great Chief Justice Charles Evans Hughes:

"The most important agencies of democracy are, after all, not the organs of government, but the influences that shape public opinion. • • • Democracy must prize its public life. It has stripped it almost altogether of ceremonial and of meaningless and absurd forms. It has placed the public officer in a position of power, to be used for service. • • • Having surrounded him with none of the pomp which makes appeal to the thoughtless and ignorant, it must invest him with the higher honor which should be the reward of fidelity. Those who cultivate the true democratic spirit will be as earnest in their support of faithful officers as they are unsparing in their condemnation of the faithless."

SENATE

FRIDAY, AUGUST 22, 1958

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in all the hectic issues which crowd these feverish times, in this quiet moment at the day's threshold, we would hush all strident noises that we may hear the still small voice of the eternal. Then, hearing Thy summons, send us forth anew to this anguished generation to speak for Thee.

In this great hour of human destiny, solemnize us with a sense of a glorious mission to do our part in averting a global catastrophe, as in Thy mercy our willful world may be given a last chance to choose life. May it be in Thy providence that our America, desiring nothing but a just peace for herself and for all the world, with all her material and spiritual might, may come to the kingdom in such a time as this. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 21, 1958, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3287) for the relief of Vivian D. Giesey.

The message also announced that the House had passed the bill (S. 2836) for the relief of the town of Portsmouth, R. I., with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 109) to express the sense of the Congress on the establishment of the United Nations force, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13191. An act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science; and

H. R. 13666. An act to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 607) to provide retirement, clerical assistance, and free mailing privileges to former Presidents of the United States, and for other purposes, and it was signed by the President pro tempore.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the introduction of bills and the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Paul Kearney, of Oregon, to be United States marshal for the district of Oregon, vice Harold Sexton; and

Edward J. Donovan, of New York, to be a member of the Board of Parole, vice Harvey G. Straub.

By Mr. GREEN, from the Committee on Foreign Relations:

Joseph C. Satterthwaite, of Michigan, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. STENNIS. Mr. President, from the Committee on Armed Services, I report favorably the nominations of 9 officers for temporary promotion to the grade of rear admiral in the Navy, as well as the temporary appointment of 2 major generals and permanent appointment of 2 major generals and 9 brigadier generals in the Marine Corps.

In addition, I report favorably a total of 19 major generals and 32 brigadier generals for promotion as Reserve commissioned officers of the Army.

I ask that these nominations be printed on the Executive Calendar.

The VICE PRESIDENT. The nominations will be placed on the calendar, as requested by the Senator from Mississippi.

The nominations placed on the calendar are as follows:

Allan S. Chrisman, and sundry other officers of the Staff Corps of the Navy for temporary appointment to the grade of rear admiral;

Wallace M. Greene, Jr., and sundry other officers, for temporary and permanent appointment in the Marine Corps;

Brig. Gen. William H. Harrison, and sundry other officers, for promotion as Reserve commissioned officers in the Army; and

Brig. Gen. Aloysius Maximius Brumbaugh, and sundry other officers, for promotion as Reserve commissioned officers of the Army.

Mr. STENNIS. Mr. President, the Committee on Armed Services has reported the promotion list reference No. 144 containing general officer nominations in the Army Reserve. The committee deleted from the list the name of Brig. Gen. William Henry Naylor who was nominated to the rank of major general in the Reserve. I would like to offer the following comments with respect to the action of the committee.

First. The deletion was entirely without prejudice to the right of a promotion board to recommend General Naylor for promotion to major general at a future time. The Army representative indicated that the Army recognized the nature of the committee's action and further indicated that the deletion would not cause any change in General Naylor's present assignment nor would it adversely affect his reconsideration for promotion at a future date.

Second. The committee recognises that General Naylor has been a member of the Reserve since 1929 and had a fine record in World War II and during the Korean emergency, and since December 1, 1956, has made a good record as Commander of the 76th Infantry Division. The committee's action should not be construed as reflecting in any way on the character or ability of General Naylor.

Third. The sole reason for the committee's action in not approving the nomination at this time is because of the fact that General Naylor earned no reserve points during the period of May 1952 to December 1956. The Army stated that General Naylor requested that he be placed in the retired Reserve and did not request an assignment during the 3½-year period which would permit him to earn reserve points. It was stated that his failure to participate and earn points was due to his business commitments.

The subcommittee considers that participation as reflected in the point system is a vital part of the entire Reserve program. In order to maintain the highest possible standards for the Reserve program the committee must exercise great care, except in unusual circumstances, in waiving the requirement for point participation in the Reserves. It is the requirements of the point system that the committee must rigidly maintain.

By Mr. SALTONSTALL, from the Committee on Armed Services:

John Nichol Irwin II, of New York, to be an Assistant Secretary of Defense, vice Mansfield D. Sprague.

By Mr. BUSH, from the Committee on Armed Services:

J. Roy Price, of New York, to be Assistant Director of the Office of Defense and Civilian Mobilization; and

Kenneth T. Downs, of the District of Columbia, to be Assistant Director of the Office of Defense and Civilian Mobilization.

By Mr. JACKSON, from the Committee on Armed Services:

Hugh M. Milton II, of New Mexico, to be Under Secretary of the Army, vice Charles C. Finucane.

Mrs. SMITH of Maine. Mr. President, from the Committee on Armed Services, I report favorably a total of 4,039 nominations for temporary and permanent promotion and appointment in the Army, Navy, Marine Corps, and Air Force.

Since these names have already appeared in the CONGRESSIONAL RECORD, to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The VICE PRESIDENT. The nominations will lie on the desk, as requested by the Senator from Maine.

The nominations ordered to lie on the desk are as follows:

Paul W. Albert, and sundry other officers, for promotion in the Regular Army of the United States;

Donald R. Bautts, and sundry other Reserve officers, for permanent appointment in the Navy;

Benjamin B. Manchester III, and sundry other officers, for temporary appointment in the Marine Corps, in the grade of colonel; and

Eugene E. Moring, Jr., and sundry other officers, for promotion in the Regular Air Force.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

COMPTROLLER OF CUSTOMS

The Chief Clerk read the nomination of Raymond L. Rhodes to be Comptroller of Customs with headquarters at New York, N. Y.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Philip A. Hoghaug to be collector of customs for customs collection district No. 34, with headquarters at Pembina, N. Dak.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

The Chief Clerk proceeded to read sundry nominations in the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nominations under this heading are confirmed en bloc.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Carlton G. Beall, of Maryland, to be United States marshal for the District of Columbia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

CALIFORNIA DEBRIS COMMISSION

The Chief Clerk read the nomination of Brig. Gen. Robert G. MacDonnell, United States Army (lieutenant colonel, Corps of Engineers) to be president and senior member of the California Debris Commission.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The Chief Clerk read the nomination of Leon P. Miller to be attorney of the United States for the Virgin Islands.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Howard W. Babcock to be United States attorney for the district of Nevada.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ECONOMIC AND SOCIAL DEVELOPMENT IN RYUKYU ISLANDS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to provide for promotion of economic and social development in the Ryukyu Islands which, with the accompanying papers, was referred to the Committee on Armed Services.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JACKSON, from the Committee on Armed Services, without amendment:

S. 2765. A bill to provide for the promotion of certain persons who participated in the defense of the Philippines (Rept. No. 2492).

By Mr. BRIDGES, from the Committee on Armed Services, without amendment:

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames (Rept. No. 2493).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY:

S. 4321. A bill to establish an Assistant Secretary of Health, Education, and Welfare for Water Pollution Control, and for other purposes; to the Committee on Public Works.

By Mr. BEALL:

S. 4322. A bill for the relief of Bertha Glickmann; to the Committee on the Judiciary.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MUTUAL SECURITY APPROPRIATION BILL

Mr. WATKINS submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill, H. R. 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, the following amendment, namely: On page 2, line 23, strike out "200,000,000;" and insert in lieu thereof: "202,500,000: *Provided*, That the President is authorized and requested to use such funds as are necessary in order to negotiate and carry out agreements with foreign nations in order to alleviate economic hardships experienced by workers in foreign countries whose production is adversely affected by action hereafter taken under section 7 of the Trade Agreements Extension Act of 1951, as amended (escape clause provision);"

On page 4, line 5, immediately before the semicolon, insert the following: "*Provided*, That the President is authorized and requested to use such funds as are necessary in order to negotiate and carry out agreements with foreign nations in order to alleviate economic hardships experienced by workers in foreign countries whose production is adversely affected by action hereafter taken under section 7 of the Trade Agreements Extension Act of 1951, as amended (escape clause provision)."

Mr. WATKINS also submitted an amendment, intended to be proposed by him to House bill 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ADMINISTRATIVE SITE FOR YOSEMITE NATIONAL PARK—AMENDMENTS

Mr. MURRAY (for himself, Mr. MALONE, Mr. CHURCH, Mr. WATKINS, Mr. MANSFIELD, Mr. ALLOTT, Mr. BIBLE, Mr. BARRETT, Mr. GOLDWATER, Mr. CARROLL, Mr. CHAVEZ, Mr. O'MAHONEY, Mr. HAYDEN, Mr. KERR, Mr. DIRKSEN, Mr. ANDERSON, Mr. BENNETT, Mr. KEFAUVER, Mr. MONRONEY, Mr. MCNAMARA, Mr. MORTON, and Mr. MORSE) submitted amendments, intended to be proposed by them, jointly, to the bill (H. R. 12281) to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes, which were ordered to lie on the table, and to be printed.

AUTHORITY FOR SELECT COMMITTEE ON IMPROPER ACTIVITIES IN LABOR-MANAGEMENT FIELD, THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS, AND COMMITTEE ON GOVERNMENT OPERATIONS TO SUBMIT INTERIM REPORTS SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Senate Select Committee on Improper Activities in the Labor or Management Field and the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, or the full Committee on Government Operations, be authorized to file interim reports during the adjourned period of the 85th Congress, 2d session, and that they be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. PROXMIRE:

Two tables relating to fair margins for retailers, fair prices for consumers, and also flexible pricing with fair trade enforcement.

By Mr. BYRD:

Letter dated August 19, 1958, from James P. Richards, president and executive director of the Tobacco Institute to Senator DOUGLAS, relating to tobacco taxes.

By Mr. BEALL:

Statement prepared by himself regarding the 1958 Multiple Sclerosis Hope Chest.

By Mr. GORE:

Letter written by him to Tom J. Hitch, president of the Tennessee Farm Bureau Federation.

PROCEDURE IN CONNECTION WITH CONSIDERATION OF RAILROAD RETIREMENT BILL AND OTHER MEASURES

Mr. MORSE. Mr. President, I should like to have the attention of both the majority leader and the minority leader.

Mr. JOHNSON of Texas. The Senator has my attention.

Mr. MORSE. If, as, and when Senate bill 1313, the railroad retirement bill, comes to the floor of the Senate, today or tomorrow, I ask unanimous consent to have Mr. David Sereiber, who is the expert who sat with the Committee on Labor and Public Welfare, and who is thoroughly familiar with all the many actuarial technicalities involved in the legislation, sit alongside me during the consideration of the bill, so that he will be able to answer, through me, any of the technical questions which may arise in connection with the bill.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I have no objection. That is a practice which is followed upon occasion in the Senate. I am very happy to consent to the request.

While the Senator is on his feet, I should like to inquire how much debate he anticipates in connection with this measure, so that I may indicate to other Members when a vote may be expected, assuming that the Senate proceeds to consider the bill shortly.

Mr. MORSE. The Senator from Oregon will require a maximum of 15 minutes, but he hopes it will require not more than 10 minutes to explain the bill. I have no way of knowing how much time will be consumed by questions.

Mr. JOHNSON of Texas. Would the Senator from Oregon be agreeable to a time limit?

Mr. MORSE. That would be perfectly agreeable to me.

Mr. JOHNSON of Texas. Would it be agreeable to the minority leader?

Mr. KNOWLAND. Mr. President, I am not prepared to enter into such an agreement at this time.

Mr. JOHNSON of Texas. I am not submitting the request at this time. I am merely inquiring whether or not such a limitation would be desirable.

It is planned to consider an appropriation bill, the mutual-security bill, conference reports, the Chicago diversion bill, and a number of other measures with respect to which we have promised consideration. If possible, we would like to consider them all and adjourn by tomorrow night.

Of course, any one Senator can prevent such adjournment if he so desires. I shall ask the proponents of the various measures to give consideration to the situation, and be prepared to proceed.

Most of these measures have been before the Senate for some time, and the Senate is generally familiar with them. I should appreciate it very much if the minority leader would be kind enough to follow his usual custom of conferring with Senators on his side of the aisle who are interested in the various measures. I should like to confer with him in a few minutes to see if we can reach an agreement for limitation of debate on the railroad retirement bill and vote it up or down within a reasonable time. The proponents believe they have the votes necessary to pass it, and the opponents believe they have the votes necessary to kill it. We can determine that after a reasonable time by calling the roll.

Following the disposition of the railroad retirement bill, I should like to take up one of the appropriation bills today. I should like to explore the situation with respect to all the bills which it is planned to consider. I see no reason why we could not obtain agreements for a time limitation with respect to all of them.

Mr. MORSE. Mr. President, has the Senate acted upon my request?

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

NATIONAL RAILROAD HALL OF FAME AND MUSEUM

Mr. MORSE. Mr. President, I have received a letter from Mr. C. J. Keenan, of Portland, Oreg., bringing to my attention the National Railroad Hall of Fame and Museum, Inc., which Mr. Keenan is founding in Portland almost single-handedly. This is indeed commendable because it relates to the preservation of our American past, and the history of our railroads is of immense interest to all of us, but especially to oldtimers in the railroad industry and a legion of railroading fans. I find Mr. Keenan's zeal especially inspiring since he is 83 years of age.

I ask unanimous consent that Mr. Keenan's letter and an article entitled "Coach of Fame Is New Attraction at Griffith Park's Travel Town" be printed in the RECORD at this point in my remarks.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

NATIONAL RAILROAD HALL OF FAME AND MUSEUM, INC.,
Portland, Oreg., July 25, 1958.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR MR. SENATOR: The placement of the Coach of Fame in Travel Town, Los Angeles, was the forerunner for founding the National Railroad Hall of Fame and Museum. It was also employed as a criterion for future plans.

The Sellwood-Oaks area of Portland will soon be developed by the city of Portland into a recreational and historical empire. The city has offered to donate land therein to the National Railroad Hall of Fame and Museum. We believe the location is one of the best in the country. It is situated between the Sellwood Bluffs and the Willamette River. It will also contain a locomotive and coach museum and have its own operating railroad.

Contributions pledged for the construction of the hall and museum are not enough to complete the building. In our case, is there any provision in the Federal laws for matching our funds?

We will need plenty of space for various exhibits relating to the immortals enshrined and many other items allied to the railroads of public interest. There will be photographs, paintings, etchings, and cartoons of assorted subjects.

The museum is to be a national institution—not only a sanctuary for railroads' rarest items, but also a haven for scholars, historians, and enthusiasts. The library will offer a large collection of books on railroads. People interested in miniatures and curios will find them in the museum.

There will be a philatelic railroad section for exhibition of postage stamps issued by all nations honoring persons who have made significant contributions to the railroads of the world.

The National Railroad Hall of Fame and Museum is America's heritage relating to railroads of the past and the future. It is recognized by the Association of American Railroads * * * and we respectfully request that a resolution of recognition be considered by Congress as follows: The procurement and maintenance of buildings and railway coaches as a museum and historical shrine relating to persons who have made significant contributions to American railroads; the selection and enshrinement of such persons; the collection, display, and maintenance of pictures, plaques, monuments, biographical sketches, and other items concerning such persons; and exhibiting the same to the public.

Ten highly qualified representatives serve on the electoral committee to select eligibles for hall of fame awards. The elections are

held annually. The election of the first candidates to membership in the hall of fame has just been completed. Those honored are Abraham Lincoln, Horatio Allen, Col. John Stevens, and John Garrett. The results of all future elections will be announced on February 22 of each year.

All board members are well known for their wide interest and knowledge of railroads. Two are associate editors of Portland's leading newspapers.

Portland as the home of the National Railroad Hall of Fame and Museum would draw many people from other countries as well as from all States of this Nation.

With kind regards and best wishes,

Sincerely yours,

C. J. KEENAN.

[From Association of American Railroads for railway employee magazine editors, May 1958]

COACH OF FAME IS NEW ATTRACTION AT GRIFFITH PARK'S TRAVEL TOWN

The thousands of vacationists, sightseers, railroaders, and railroad fans who visit famous Travel Town of Griffith Park in Los Angeles are finding a new and unique attraction this season, thanks to the persistence, enterprise, and enthusiasm of C. J. "Jeff" Keenan, an 83-year-old former railroadman of Portland, Oreg.

The new attraction is the Coach of Fame, a veteran railroad car which served for many years as a dining car on the Broadway Limited, Spirit of St. Louis, and other famous trains of the Pennsylvania Railroad, and which from now on will carry exhibits honoring the men and women who have made significant contributions to the romance of railroading.

The selection of persons to be thus honored will be made after the most careful study by an impartial committee which is now being organized through the efforts of Mr. Keenan. In a press release issued by the recreation and park department of the city of Los Angeles, it is stated that ever since he first broached the idea of a Coach of Fame 10 years ago, Mr. Keenan has received encouragement from railway executives and others with whom he has discussed the subject.

TRAVEL TOWN SELECTED AFTER NATIONWIDE SURVEY

"I believe that each year we should honor one or more who have contributed to the romance of railroading," said Mr. Keenan in the interview. "They would not necessarily be railroad men; they could be anybody, an editor possibly."

The Coach of Fame is a gift of the Pennsylvania Railroad. Before making its final trip from Philadelphia to Los Angeles over the Pennsylvania and Santa Fe lines, the car was completely overhauled and repainted by the donor.

Griffith Park's Travel Town, a facility of the recreation and park department of the city of Los Angeles, was selected as the logical location for the Coach of Fame after a nationwide survey conducted by Mr. Keenan.

Railroad men and women who desire to submit names of logical candidates for recognition by the Coach of Fame can do so through the editor of this magazine. Such names will be forwarded to the committee as soon as it is organized.

THE MIDDLE EAST SITUATION

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks correspondence which I have received on the Middle East situation, which I intend to refer to later today when I make a brief speech on the Middle East situation and the United Nations action in respect thereto.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

NOVATO, CALIF., *July 24, 1958.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: At a recent meeting of the Novato chapter of the Marin Democratic Assembly, the following principles were enunciated.

We oppose the present policy of Democratic leaders in following a temporizing "togetherness" in foreign policy.

We favor establishment of a Democratic foreign policy which is in no way and no longer a bipartisan policy.

We demand that United States' troops now stationed in Lebanon be withdrawn.

We urge that the United Nations be the arbiter for all international decisions in regard to Lebanon.

We recommend that foreign aid and technical assistance be given through the United Nations and not solely by the United States.

We insist upon a return to the traditional American policy of protecting the rights of individual countries to self-determination.

We urge a revival of the traditional American policy of recognition of all de facto governments.

Only in this way can the United States regain international respect and good will which have been severely damaged by our unfortunate bipartisan foreign policy.

As workers in numerous Democratic campaigns, we feel certain that these policies will meet with popular support.

Very truly yours,

ERNEST SCHALLINGER
(For Novato Chapter, Marin Democratic Assembly).

FIRST UNITARIAN CHURCH,
Portland, Oreg., July 26, 1958.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: If you have been reading the Oregonian editorials you will be familiar with the issue with which the enclosed letter deals.

Knowing your stand in this matter, we the undersigned, thought you would be interested in our point of view.

Cordially yours,

FORD LEWIS.

PORTLAND, OREG., *July 23, 1958.*

EDITOR,
The Oregonian,
Portland, Oreg.

SIR: In a recent editorial, the Oregonian justified the sending of United States armed forces into Lebanon "on firm moral ground." We should like to insert a modest question mark after this phrase. It is easy for nations to confuse their own self-interest with the cause of world peace, or even the will of God. Newspapers, we think, ought to be on constant guard against this temptation.

There are, however, some very real moral issues involved. We believe that the United Nations, imperfect and slow moving as it is, still remains our best hope for reconciling differences among nations peacefully and constructively. If this is true, we have a moral obligation to support it and make it more effective. When we bypass it for the sake of expedience, we weaken it. Furthermore, forgetting altruism altogether for the moment, we weaken our own position in world opinion and encourage the suspicion that the moral that most concerns us in this instance is spelled "m-o-r-e o-i-l."

Other moral considerations suggest themselves. One of the principal obligations of citizenship is the duty of scrutinizing the conduct of government to support it when it is right and oppose it when wrong. To attach morality too quickly to this act of armed intervention may relieve us of the necessity of thinking the issue through, but the searching questions still remain. How long are the troops to remain there? Will we send forces to Turkey, Jordan, and Iran upon request? Will we leave Lebanon this fall if President Chamoun's successor, assuming Chamoun is sincere in saying he will not run for reelection, requests it? The overall cause of free institutions is not served by an uncritical endorsement of our present position in the Middle East simply because it is an accomplished fact.

There may be compelling reasons for our intervention related to world peace and security. If so, the Government has an obligation—a moral one, we think—to state what they are, beyond the strategic necessity of guarding petroleum supplies which it declares fiatly we do not need for peaceful purposes.

Is our object to stop the spread of Nasser's influence? If so, it was a mistake to stop the British, French, and Israeli march on the Suez in November 1956. Do we seek to encourage Israel's commendable effort to bring democracy to the Middle East? This hardly seems to comport with our continuous efforts to cultivate the favor of Ibn Saud, one of the world's most autocratic rulers, including the extravagant ovation we gave him during his recent visit to this country.

We urge an honest and realistic appraisal of this and all other applications of our foreign policy. We deplore a facile readiness to rationalize questionable diplomacy after the fact. Most of all, we decry the careless use of an honorable term to serve as an expedient of the moment. The concept of morality has operated as a vast power for good in men's lives for thousands of years. We dare not compromise it by misuse. We shall need it intact in the days and years ahead as we seek to build ever stronger the brotherhood of man and the commonwealth of God.

Sincerely yours,

Rev. WILLIAM B. CATE, Ph. D.,
Executive Secretary,
Portland Council of Churches.
Rt. Rev. A. RAYMOND GRANT, D. D.,
Bishop, Portland Area of the Methodist Church.
Rev. FORD LEWIS, Ph. D.,
Associate Minister,
First Unitarian Church, Portland.
Rev. V. LOUIS LIVINGSTON,
Rector, St. David's Episcopal Church, Portland.
Rev. JAMES MCCOBB,
Associate Minister,
First Methodist Church, Portland.
Rabbi JULIUS J. NODEL,
Temple Beth Israel, Portland.
Rev. LAURENCE E. NYE, D. D.
Minister, First Methodist Church, Portland.

ITHACA, N. Y., *August 8, 1958.*

The Honorable WAYNE MORSE,
Committee on Foreign Relations,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: Thank you very much for your kind letter of July 28 and the enclosed tear sheets from the RECORD. We are indeed grateful for the boost you gave us.

Recently your sister spoke at the Tompkins County Democratic picnic. My wife went to the picnic. She came back enthusiastic about and delighted with Mrs. Kline's address.

We are sending President Eisenhower another telegram on the Mideast today—this time 67 of us. I enclose a copy of the release.

You certainly have every reason to be proud of your part in the debate on the Middle East situation. Again I say more power to you and very best wishes.

Sincerely,

MORRIS A. COPELAND.

AUGUST 9, 1958.

Sixty-seven college and university teachers yesterday sent President Eisenhower a telegram urging him to continue to press for an immediate summit conference and to propose there a bold, new, seven-point program for the Mideast. The points they suggested include a declaration by the Security Council of support of the independence of all present Mideast nations; a Security Council ban on the competitive supplying of arms to the Mideast and restriction on movements of troops and arms in the Mideast; establishment of a permanent international police force and of an arms-control authority; inauguration of a stringless billion-a-year grant in aid and mutual assistance program for Mideast economic development; and clothing the Secretary General with broad interim authority while the police force is being established.

The signers of the telegram are faculty members of 17 colleges and universities and teachers of a wide range of subjects. The signers include lawyers, philosophers, and physical scientists, engineers and political scientists, sociologists and economists, psychologists and statisticians, as well as representatives of a number of other fields. They include among other prominent persons two past presidents of the American Economic Association and one past president of the American Statistical Association.

The signers are members of the faculties of the following institutions: Amherst, Buffalo, California, Colorado, Connecticut, Cornell, Goucher, Maryland, Michigan, Mount Holyoke, New Paltz, New School, Northwestern, North Carolina, Oregon, Texas, and Yale.

The telegram was organized by a group of six economists and other social scientists at Cornell University who had sent an earlier telegram to the President protesting the adverse international effects of the landings in Lebanon and Jordan and urging a constructive Mideast policy. Since the organizers, Prof. John A. Brittain, Morris A. Copeland, Douglas F. Dowd, Norman Kaplan, Royal E. Montgomery, and Chandler Morse, were pressed for time, the sixty-odd signers are somewhat concentrated—geographically at Cornell and by field in economics.

The organizers are inviting others to join in supporting this seven-point Mideast program.

A copy of the telegram is attached.

President DWIGHT D. EISENHOWER,
The White House,
Washington, D. C.

People throughout the world want you to act constructively and assume world leadership. Situation is ripe for you to continue to press for immediate summit conference and to propose there a world peace promoting program that is bold, new, and not anticipated by Khrushchev.

We the undersigned college and university teachers respectfully urge you to propose there the following actions. First, that Security Council declare its support of the independence of each Mideast nation now a member of the United Nations. The declaration to recognize that the people of any nation have the right if their government should no longer be acceptable to them to institute a new government and that any two or more nations, should they so desire, have the right to unite. Second, that Security Council declare that under present conditions in Mideast competitive provision of arms by outside powers and the movement of arms and armed forces across the borders of Mideast countries may constitute a threat to world peace. Third, that Security Council establish an arms control authority to regulate international movement of arms under rules to be prescribed by the Council and that Council request that all Mideast countries in importing arms and all nations in exporting arms to the Mideast do so only under the supervision of this authority and subject to Council's prescribed rules. Fourth, that Security Council establish a permanent international police force to act as the Council or Assembly may direct and specifically to act on request of any Mideast country to prevent the movement of arms across its borders except for arms shipments made under the supervision of arms control authority. Fifth, that Security Council after establishing this police force seek the pledge of all nations to refrain from sending armed forces across the borders of Mideast countries without prior approval of the Council or Assembly. Sixth, that Security Council establish under aegis of an activated SUNFED a Mideast economic development fund to administer without political strings and for the benefit of the masses of the people a continuing international grant program of the order of magnitude of $1 billion a year, including contributions by Mideast countries themselves. Seventh, that Security Council authorize and direct Secretary General, pending establishment of permanent United Nations police force, to take such steps as he may deem necessary to prevent movement of arms into any country against its will.

Gardner Ackley, Leonard P. Adams, Clarence E. Ayres, Curt F. Beck, Warren J. Bilkey, Donald J. Blake, Rudolph C. Blitz, Kenneth E. Boulding, John A. Brittain, Nelson H. Bryant, Edwin A. Burtt, Richard E. Caves, Robert Campbell, Morris A. Copeland, Donald E. Cullen, John H. Dalton, William Tucker Dean, Melvin G. de Chazeau, Ronald Donovan, Douglas F. Dowd, Robert R. Edminster, Robert Eisner, Thomas I. Emerson, Robert H. Ferguson, Leslie Fishman, Harrop A. Freeman, Dorothy C. Goodwin, James J. Gibson, Everett D. Hawkins, Forest G. Hill, Alfred E. Kahn, Norman Kaplan, William W. Lambert, F. A. Long, Robert B. MacLeod, John W. McConnell, Emil A. Mesics, Frank B. Miller, Norman Miller, Royal E. Montgomery, Chandler Morse, Arthur E. Nilsson, Oscar Ornati, Robert Palmer, Robert V. Presthus, Elinor Pancoast, John Power, Louis S. Reed, William E. Reifsnyder, Emmett J. Rice, R. R. Rohmberg, Louis R. Salkever, Karl de Schweinitz, Jr., Albert J. Silverman, Morris Singer, Alpheus W. Smith, Warren L. Smith, George Strauss, Gordon F. Streib, George Rogers Taylor, N. Arnold Tolles, Colston E. Warne, William F. Whyte, Bertram F. Willcox, Walter F. Willcox, George Winter, G. W. Zinke.

WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM,
Washington, D. C., August 1, 1958

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: The Women's International League for Peace and Freedom has been greatly disturbed about the Middle East crisis and the sending of United States troops to Lebanon.

The enclosed working paper on the current crisis in the Middle East prepared by the national executive, policy, and legislative committees on July 18 and the resolution passed by the annual meeting of our organization at Lawrence College, Appleton, Wis., June 20–24, 1958, will express our concern and offer some suggestions for immediate and long-term solutions.

We would encourage every effort for peaceful settlement through the United Nations and we hope for an assurance that such military action will not be taken again.

Respectfully yours,

MRS. ALEXANDER STEWART,
Legislative Secretary.

WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM,
Washington, D. C., July 25, 1958.

Re: Lebanon.

To: The President of the United States; the Secretary of State; His Excellency Mr. Henry Cabot Lodge, permanent representative at the United Nations; Senator Theodore Francis Green, Senate Committee on Foreign Relations; Representative Thomas E. Morgan, House Committee on Foreign Affairs.

The Women's International League for Peace and Freedom, United States section, in annual meeting June 20–24, 1958, at Appleton, Wis., commends the prompt response of the United Nations to the request of Lebanon to send a peace team to that country and is gratified that the personal visit of Dag Hammarskjold has had a calming effect upon the disturbances in that country. We urge the United States representatives to the United Nations to support the request, which the Lebanese Government has indicated it will make, for a United Nations police force sufficient to seal off the borders of the country and to prevent shipment of arms from any source. We oppose any move on the part of the United States Government which implies its intention to take unilateral action in the Lebanese crisis, and we urge our Government to contribute to the reduction of tensions in the area by refraining from the shipment of arms to Lebanon.

WORKING PAPER ON CURRENT CRISIS IN THE MIDDLE EAST

Suggested by an emergency meeting of the national executive, policy, and legislative committees of the Women's International League for Peace and Freedom, United States section, 2006 Walnut Street, Philadelphia, Pa., July 18, 1958.

The Women's International League for Peace and Freedom believes that military force or threat of force offers no solution to conflicts and tensions which abound in the world today. It deplores the unilateral action taken by the United States in landing the Marines in Lebanon, bypassing the United Nations, and bringing into the Middle East, already overburdened by tensions and needs too long unmet, an element which can only increase the conflict, delay solutions and which offers no answer either to the conflict or the real needs of the area.

The Women's International League for Peace and Freedom reaffirms its support of the United Nations because it believes that only through nations working together by the process of negotiation, conciliation, arbitration and judicial review can the peace, freedom and security of all the peoples best be guaranteed.

In order to establish the basis for negotiation, conciliation and arbitration, it is necessary to define the problem to be negotiated and the specific objectives sought by the powers involved. Since no such clarification of objectives has been made, the stated reasons for the action of the United States have not been adequate to justify such extreme and dangerous measures.

1. Landing 9,500 United States troops in a foreign country cannot be justified by any of the stated reasons.

(a) "To protect United States citizens." Diplomatic arrangements for police protection and for emergency evacuation plans are more effective and less provocative than armed intervention in the atmosphere of civil disturbance.

(b) "To encourage the Lebanese Government in defense of Lebanese sovereignty and integrity." Though facts indicate the situation in Lebanon was internal rebellion (caused by Chamoun's alleged efforts to change the constitution to permit his re-election), and although the situation had obtained for some weeks and was reportedly near solution with agreement on elections scheduled July 24, it was in fact only after the coup in Iraq that United States troops were requested by Chamoun and ordered into Lebanon.

2. Question may also be raised as to the manner in which the President acted. Even though the Eisenhower doctrine does not apply to this situation, it should be noted that when the President asked Congress to approve the Eisenhower doctrine (a measure the League opposed vigorously), he promised that if any armed intervention became necessary under this doctrine he would first consult Congress. His presenting Congressional leaders with a fait accompli in this instance and the curtailment of critical discussion of foreign policy in the House is scarcely within the democratic tradition.

3. The reported request from Lebanon for United States aid was made by President Chamoun on the advice of his cabinet, but as the record of the vote (only 26 out of 66 in favor) indicates, it was not supported by the Lebanese Parliament.

4. The administration has stated through its Ambassador at the United Nations as well as by the spokesmen in Washington that action has been taken in accord or at least in the spirit of article 51 of the United Nations Charter which provides for measures of self-defense. Since the language of article 51 of the United Nations Charter specifically defines the condition for the exercise of the right of individual or collective self-defense as "armed attack against a member of the United Nations" and does not provide for such collective action in the event of "indirect aggression" or "internal rebellion", the claim of the application of article 51 is invalid and it cannot honestly be construed to apply to United States action in this instance.

5. In view of Mr. Lodge's insistence throughout that the aim and intent of United States action has been to insure the territorial integrity and political independence of Lebanon and that troops would remain only until the United Nations could take effective action, the following resolutions and information from the Security Council are significant.

(a) The resolution adopted by the Security Council June 11 seems adequate to authorize the Secretary General to increase the United Nations observer forces to patrol the Lebanese borders to whatever extent may be deemed necessary to "insure that there is no illegal infiltration of personnel or supply of arms or other materiel across the Lebanese borders."

(b) The Japanese resolution, although vetoed in the Security Council July 22, did serve to point out the belief in the adequacy of an expanded observer force to meet the United Nations' responsibility in the area. In connection with the resolution the Japanese delegate made clear that it did not empower the Secretary General to create an International Peace Force.

(c) The Secretary General announced in the Security Council July 21 that he had already taken steps to enlarge the observer group and to take measures to increase its effectiveness.

(d) The Swedish resolution, while voted down July 18, pointed out the fact that the very presence of United States troops, evidence itself of unilateral threat of military force, makes it impossible for the United Nations forces to operate. (See editorial The Uncalculated Risk, the Wall Street Journal, July 18).

Having said all of this we still find ourselves confronted with the question of what next in the Middle East. In an attempt to answer this question, to offer an effective solution to the current crisis and a long-range program directed toward meeting the real needs of the area, the Women's International League for Peace and Freedom makes the following recommendations:

1. Withdrawal of troops: United States troops should be immediately withdrawn from Lebanon and an agreement should be sought through the United Nations for the withdrawal of all foreign troops from the area.

2. Full discussion in the United Nations: Every opportunity should be pursued for full discussion through the United Nations necessary to achieve agreements which will lead to solutions in the Middle East. To secure this, we recommend the holding, under the aegis of the United Nations, conferences at all levels, including a summit conference, in which both major powers and Arab leaders are represented and the calling of a special session of the General Assembly, if necessary.

The United States should welcome full discussion on this issue, in which it is so unhappily involved, just as in the past it has encouraged full discussion of issues in which other nations were involved. Further, the authority of the United Nations must be strengthened by the voluntary submission by our Government to it.

3. Strengthening United Nations action for Middle East solution:

(a) Support United Nations observer force and encourage the Secretary General in his efforts to expand it and make it more effective.

(b) Reject all proposals for a United Nations military force or army which would lead to greater conflict instead of solution.

(c) If forces other than the observer force are deemened necessary, recommend a force similar to the UNEF used in the Suez crisis.

(d) Seek an international agreement for a regional arms embargo and the removal of all foreign military bases, troops, etc., from the area.

4. Development of a new United States Middle East policy: The United States must abandon its emphasis on military pacts in its Middle East policy and the vague and ill-defined doctrine of indirect aggression must not be a determining factor in a new United States foreign policy. Instead a new policy must be based on traditional United States support of self-determination; recognition that Pan-Arabism is not necessarily to be regarded as identified with communism; that where they desire it, Arab countries should be free to unite and to be neutral; and recognition that a neutral Pan-Arabism will increase the opportunity for peace and security in the whole area including Israel.

5. Support for regional economic development plan: A regional economic development plan for the entire Middle East, including Israel, through the United Nations, would help in meeting the basic economic needs in the area, in directing national energies into constructive channels and in easing Arab-Israeli tensions.

THE PASSPORT SITUATION—THE NELSON CASE

Mr. MORSE. Mr. President, I have received a letter from one of our country's outstanding scholars in the field of comparative international law, Prof. Reginald Parker, of the College of Law of Willamette University, at Salem, Oreg.

I ask that his letter, enclosing a letter to the editor of the Salem Statesman, and published in the July 26, 1958, issue of that newspaper, on the subject of the United States Supreme Court and the Nelson case; also an article entitled "The Right To Go Abroad: To Have and To Hold a Passport," written by Mr. Parker, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letters and article were ordered to be printed in the RECORD, as follows:

WILLAMETTE UNIVERSITY,
Salem, Oreg., July 26, 1958.

MY DEAR SENATOR MORSE: Thank you very much for the tearsheets from the CONGRESSIONAL RECORD. I was deeply moved at the kind words you found for me and my, I assure you, modest qualifications in international law.

I injured my arm and can type only with difficulty (not that I ever could type well); I am shorn of any secretarial help during the summer; my wife does not type; my elder daughter is abroad; and my younger daughter finds no time for me as she works in a cannery. Hence, in giving you a summary of thoughts on the passport situation, I am forced to confine myself to a bare minimum, much to my regret.

I. Introduction: (a) Existing law, to be valid, must be authorized by higher law, e. g., a regulation must be authorized by a statute, a statute by the Constitution, etc.; and, de lege ferenda, law intended to be enacted should be politically desirable.

(a) i. The Secretary of State's passport regulations were not authorized by any statute. Therefore, they were invalid. *Kent v. Dulles* (87 S. Ct. 1113 (June 16, 1958).) This is now settled.

ii. The last paragraph of the Kent case opinion speaks, by dictum, of a "constitutional right of the citizen" (to travel) and it emphasizes the "important constitutional questions" that would have arisen had there been a statute to authorize the Secretary's regulations.

And indeed, such a statute would be unconstitutional. It must be assumed, and it has been so held by good authority, that the Founding Fathers intended to incorporate into the Constitution and its first 10 amendments at least all those liberties which British subjects enjoyed at the time of the Revolution. No Englishman has been denied a passport since the early 17th century—since 1606—because it was thought that Magna Carta guaranteed the unrestricted right to go abroad. There were at times statutes to restrict the freedom to travel; but the last one was repealed in 1606. The writ of ne exeat regno, of uncertain origin, was at times obtained by the Crown in a chancery court to prevent subversives from going abroad ("because we are given to understand that you design to go privately into foreign parts and intend to prosecute there many things prejudicial to us"). By the middle of the 17th century, however, this writ had fallen into disuse. Story and all other American commentators agree that its use in America has been confined to restraining absconding debtors from leaving the jurisdiction without putting up bond.

The Secretary's assertion that the denial or confiscation of passport is an exercise of foreign policymaking is neither correct nor relevant. It is irrelevant in that even the management of foreign policy can validly be done only without encroaching upon civil liberties; and it is incorrect, because, while it may be conceded that our boycott of entire countries (e. g., Hungary or China) may be an expression of foreign policy, however silly, it cannot be asserted that to deny a passport to one or the other individual has anything to do with a country's foreign policy. It polices those individuals rather than the foreign nation.

(b) The enactment of a law enabling the Secretary to restrict foreign travel would not only be invalid but also highly undesirable. No other western democracy—none of them—denies passports to its citizens for political or any other reason other than a pending criminal prosecution. The Red Dean of Canterbury travels freely in the world and nobody in Britain dreams of denying him this inherent right of an Englishman. The only Commonwealth member that has enacted legislation enabling the Government to deny or restrict passports is the Union of South Africa. Is that the example we ought to follow or rather that of England, France, Switzerland, West Germany, Austria, Italy, Holland, Belgium, Sweden, Norway, Denmark, etc.?

I traveled in many of those countries last summer. I did research on the spot and I can testify that I received the same answer everywhere: "It is unthinkable that we deny one of our citizens a passport, be he a Communist or a Fascist, as long as neither a warrant nor an unserved sentence is outstanding against him."

II. For documentation I beg to send you under separate cover several pieces that contain a great deal of research, to-wit: my article; the petitioners' brief in the Kent case; and the decision below, including the well-written dissent of Judge Bazelon.

Please do not hesitate to call on me if I can be of further help.

Good luck. And apologies for the bad typing.

Sincerely yours,

REGINALD PARKER.

P. S.—The enclosed clipping from the Statesman might interest you in connection with the anti-Supreme Court witch hunt.

R. P.

[From the Salem (Oreg.) Statesman of July 26, 1958]

UNITED STATES SUPREME COURT AFFIRMED STATE COURT IN STEVE NELSON CASE

To the EDITOR:

The frequently heard assertion that the Supreme Court in the Nelson case encroached upon or destroyed State rights is nonsense if not deliberate falsehood.

Steve Nelson was found guilty by a Pennsylvania trial court of sedition against the Commonwealth of Pennsylvania and sentenced to 20 years. The Supreme Court of Pennsylvania, however, set the conviction aside. The decision can be looked up either in 377 Pa. 58 or in 104 A. 2d 133 (1954). Four of the five State supreme court justices decided that this was not a local crime but, if any crime was committed at all, "it is a crime against the Nation. As such, it should be prosecuted and punished in the Federal courts." Thus ruled the State court.

This State court decision was affirmed by the United States Supreme Court in *Pennsylvania v. Nelson* (350 U. S. 497 (1956)). The State's attorney general had thought that his own State court was wrong and he sought redress in the United States Court; and the latter affirmed the State court's holding, mainly on the same grounds on which the decision below was based. In other words, the United States Supreme Court, far from changing State law as interpreted by the State court, affirmed it.

REGINALD PARKER,
Professor of Law, Willamette University.

THE RIGHT TO GO ABROAD: TO HAVE AND TO HOLD A PASSPORT

(By Reginald Parker*)

"Whereas in other countries totalitarianism erupted with revolutionary violence and then set to work immediately to wipe out the traces of a freedom-loving past, the process in the United States is taking an evolutionary form." (Report Jungk, Tomorrow Is Already Here 5 (1954)).

I. FREEDOM OF EMIGRATION AND IMMIGRATION HISTORICALLY

It can be said to be characteristic of the police state that its subjects may do only what they are expressly permitted to do, whereas under a "free" or constitutional system of government the law gives the citizens a wide latitude of action, and acts to be forbidden must be expressly prohibited. Traveling abroad, for instance, was one of the activities carefully supervised by the more or less benevolent tyrant of bygone police state days to prevent his subjects from becoming infected with foreign and new, and hence presumably dangerous, ideas. This system, however, had many loopholes and exceptions; the curtains were not iron in those days.[1] Governmental techniques, however, have become effective, and thus the modern totalitarian government usually takes great pains to leave no loopholes at its borders. A Pole or Czech as outspokenly opposed to his government as, say, Voltaire or the brothers Grimm were to theirs probably could not even remain alive in his country today; but if he did, he most assuredly would not be allowed to go abroad.

The exclusion of citizens from going abroad and getting acquainted with the outer world is indeed the central meaning of the phrase "Iron Curtain," coined, or at any rate, made popular, by Winston Churchill in his famous speech at Fulton, Mo., on March 5, 1946. The exclusion of aliens from coming into a country, on the other hand, is a regrettable characteristic of our time in general, but not of the Iron Curtain.

Churchill spoke in a country on whose economic aid England was then depending. Had he meant to refer to Iron Curtain countries as states preventing others from coming in to "see for themselves," the reference would have been inaccurate if applied to the Russian attitude, and in fact would have represented an undiplomatic allusion to the United States. The truth is that the exclusion of sundry classes of aliens, especially for political reasons, has been our practice to an increasing degree for a long time,[2] whereas the Soviet Union, at least up to the time of the Second World War, gave anybody who asked for it a tourist visa of many months' validity. Indeed, she maintained "Intourist" offices throughout the world for the very purpose of attracting visitors to the land of the bolsheviks, and I have never heard that any applicant was investigated or even so much as asked whether he was "bourgeois" or otherwise anti-Communist. After the war Russia closed her borders to tourists for several years.[3] At the present time, visitors apparently are admitted on a restricted basis only.[4]

No comparable freedom of ingress has existed in this country for a long time, either before or after the McCarran Act,[5] and it is a bit wearisome to read time and again in newspapers and magazines the admonition to Russia and her allies that they "should lift the Iron Curtain by throwing the borders open and letting people (or even "folks") see that they have nothing to hide." Hospitality might as well begin at home.

A recent International Architects' Congress took place in Lisbon, the capital of fascist, anti-Communist Portugal, with 3 Poles and 6 Russians attending.[6] It could not have happened here.[7] Men like Maxim Gorki were allowed not only to live for many years in Mussolini's Italy, but also to write there for Soviet magazines. The Gorkis or radicals like Pablo Picasso and evidently now Charlie Chaplin will not be welcome in our country until we recapture a more mature sense of proportions.[8] Thus, "Iron Curtain" may be a phrase of many ramifications, but as far as its original meaning is concerned it denotes a state that keeps the inhabitants at home, in one huge prison as it were.

A free country, although as we have seen it may restrict the influx of foreigners, permits its citizens to go abroad at will. True freedom—freedom from any governmental supervision—exists where no permit whatever is needed, as was the case in most countries until the First World War.[9] A situation not essentially inconsistent with freedom can be found in present-day western Europe, where going abroad is subject to a permit which can be denied merely on specific grounds preestablished by law, such as for evading a criminal sentence.[10]

II. EMIGRATION AND THE DEMOCRATIC THEORY

The totalitarian state typically demands that its subjects act at all times in the interest of the state. As a matter of fact, this attitude may be said to be the ultimate criterion of totalitarianism. Hence, under that form of rule the Government has a right to expect that its subjects abroad will act always "in the best interest" of their state,

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*B. A., 1922, LL. B., 1926, J. D., 1927, University of Vienna. Private law practice. Vienna, 1927–38. Research assistant, Louisiana State University Law School, 1938–39, Attorney, Treasury Department, 1942–43. Member, firm of Lord, Bissell & Kadyk, Chicago, 1943–44. Attorney, NLRB, 1944–48. Professor of Law, Columbus University, 1946–48. Professor of Law, University of Arkansas, 1949–51. Lecturer in law, Northeastern University, 1951–53. Professor of law, Willamette University College of Law, 1953 to present. Author, Administrative Law (1952); Questions and Answers on Labor Law (2d ed. 1951); and many articles in various legal periodicals. Admitted to District of Columbia, Illinois, and Massachusetts bars. Member, American Law Institute, Committee on Code of Ethics, and National Panel of Arbitrators, American Arbitration Association.

[1] See, e. g., the Grillparzer story told infra, p. 862.

[2] See the list of statutes, commencing with 1 Stat. 570 (1798), in Note, 3 Utah L. Revised 349 (1953).

[3] The President of the New York State Chamber of Commerce gave a plausible explanation of Russia's postwar isolation against foreigners. Grimm, *Russia Seen From Within: An Account of a Relief Mission Visit*, 429 International Conciliation 119, 122–126 (1947).

[4] Eleven Americans visited Russia between January 1 and August 13, 1953. New York Times, August 14, 1953, p. 3, col. 6. The news item does not state, however, how many other foreigners from Western European countries visited Russia in that period.

[5] 8 U. S. C. secs. 1101–1503 (1952), especially secs. 1221-1130.

[6] New York Times, Sept. 21, 1953, p. 4, col. 7.

[7] The recent appearance in this country of Russian chess players is no more than an apparent exception in view of the severe travel restrictions that were placed on those guests in New York and in view of the very limited duration and purpose of their entry permits. New York Times, June 9, 1954, p. 44, col. 3.

[8] For an array of biting comments on America's Paper Curtain by some of the world's leading brains, see 8 Bull. Atomic Scientists 210–258 (1952), and the review of it by Professor Chafee in 101 University of Pennsylvania Law Review 708 (1953).

[9] See Comment, Passport Refusals for Political Reasons: Constitutional Issues and Judicial Review, 61 Yale Law Journal 171, 172 n.5 (1952).

[10] Id. at 171–172.

and consequently it is privileged to deny the right to go abroad to those not likely to be true agents for the totalitarian state.[11]

Long ago Congress recognized that the citizens' right of free egress is the only status consonant with true freedom. A law of 1868, never yet repealed, in somewhat rolling language states that "the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness." [12] To be sure, the philosophy of the statute was aimed mainly at those foreign governments which had claimed the continuous allegiance of their former subjects who had become naturalized Americans. Yet the fact remains that we have a law on our books that gives every man a right to expatriate himself whenever he pleases. But how can he—without being allowed to go abroad? To most Americans the question of expatriation—in the broader sense of the word, including the mere transfer of domicile abroad without change of citizenship—may seem remote. Still we must bear in mind that every 17 minutes 1 person emigrates from God's country.[13]

If, however, the above quoted statute establishes that an American may emigrate whenever he pleases, then why should he not be permitted to undertake short business or pleasure trips, solely as his own "agent" rather than that of the state? Surely we, of all countries, are not to become unmindful of the humanist ideal, incorporated into the United Nations' Declaration of Human Rights, that "[e]veryone has the right to leave any country, including his own, and to return to his country." [14]

A denial for political reasons of the right to go abroad, moreover, would be violative of the democratic theory of state for additional reasons. First, and quite generally speaking, it constitutes a flagrant and patent instance of punishment for a not unlawful political activity. If a citizen engages in an illegal political act, such as treason, sedition, or a conspiracy to overthrow the government, he ought to be punished after due process of law, and hence might properly be imprisoned and consequently restrained from movement internally or abroad. If, however, his acts are merely disliked by the rulers, without being unlawful, then in a democracy it is not up to the government to invoke sanctions against him just the same by denying him the right to go abroad, for "[u]nder our system even Government must operate within the law." [15]

Second, even if the denial for mere political reasons of the right to travel to another country were formally lawful, it nevertheless would be in conflict with the essential elements of a democracy—the freedom of the citizen to gather information and to associate with whomever he wants. "For a state to be democratic it is not sufficient that the citizens thereof should participate directly or indirectly in the formation of the will of the state; in addition the constitution must guarantee to the citizens freedom of conscience, of speech, the press and, especially, freedom of association." [16]

III. CURRENT STATE DEPARTMENT POLICY

A. Specific instances

Despite the considerations suggested in part II, it has been the practice of our Department of State to deny citizens the right to go or stay abroad whenever it found that the intended trip or further sojourn would not be in the best interest of the United States. A thorough survey in the Yale Law Journal lists many recent cases of this sort.[17] Since then, under the impact of the Bauer case,[18] the Department has issued new passport regulations which, however, have not altered the substantive law to any noticeable extent.[19]

Thus, it was reported, long after the Bauer decision, that the mere fact that a passport applicant, about whom derogatory information has been received, works for the United Nations delays the issuance of his passport for personal and pleasure trips by as much as 3 months, i. e., until his American loyalty investigation as a staff worker is concluded.[20] Mr. Arthur Miller, a playwright and Pulitzer Prize winner, who received wide acclaim for his Death of a Salesman, was refused a passport, to go to Brussels to see his own play.[21] (In other words, Crucible may be seen abroad by anybody except its author.) The passport of the Daily Worker's European editor was taken away from him on his return from abroad, because his further travel was not in the best interest of the United States.[22] It is not easy to see how the new procedural safeguards, especially a hearing before the adverse step was taken,[23] could have been observed in this case of a man who was absent until the decision was executed. Nor does it seem to be consonant with what would appear to be the still legally existing freedom of the Daily Worker's press.[24]

One Miss Hepburn's passport was not renewed because, again, that would not have been in the national interest, since she had allegedly engaged in the internal political affairs of Guatemala.[25] This would more properly seem to be a matter of concern for Guatemala rather than for our Government; moreover, it appears that Miss Hepburn's past activities, whatever they were, were not in disharmony with the Guatemalan government then in power, for she protested to that very government when she learned of the State Department's decision.[26] Is it to be the case that if an American, as is done daily, expresses approval of and makes speeches for, say, the conservative governments of France or Western Germany, or even for Franco, he may keep his passport, but not so if he does the same on behalf of a leftist government in Guatemala?

The diplomatic passport of Federal Judge William Clark was taken away from him with the aid of the Franco police after he had been deprived (whether rightfully or wrongfully is not relevant here) of his American judgeship in Germany, despite his desire to stay in Western Europe for some further time; and his application for another, ordinary passport was denied, because the State Department held that Judge Clark's expressed desire to state his views in Germany on the right of bail and speedy trial in general and particularly for American citizens residing in Germany as well as on his equally clear position decrying discrimination against members of minority groups, especially Jews, would be inimical to the best interests of the United States.[27] The State Department, in its correspondence with the applicant ruled that the appropriate place for such public representations as Judge Clark had intended to make is in the United States.[28] On this point Judge Clark rejoined, "How silly can our Government be?" inasmuch as it could not effectively prevent him from making known his views to the German press, even without going abroad.[29] May his optimism prevail—may there never come a time when raison d'état will forcibly prevent Americans, including Federal judges, from expressing certain opinions to a foreign public, even through the mails or to the press.

B. The Communist danger as an excuse

A justification of all these cases, to which many others can be added, may perhaps, in the opinion of some people, be found in our struggle with world communism. It could be argued—unconvincingly, I believe—that there exists such a real emergency as would justify legislation authorising extraordinary restrictions on those of our citizens who are not in conformity with what the State Department deems to be a desirable standard of citizenry. Such an argument, however—that to fight communism we must hit both Communists and leftwingers, as well as those who are merely suspected of being leftwingers—would not cover the full size of the actual policy of the American passport au-

[11] The above abstraction is not necessarily in accord with the facts as they exist everywhere in totalitarian states. The Communist countries, as is well known, do not even take the chance of seeing whether a subject would be a suitable state's agent, but exclude everyone not a foreign-affairs official from going abroad. Fascist countries, on the other hand, in the past have displayed, to this author's personal knowledge, varying degrees of self-confidence, as it were. Nazi Germany and Dollfuss-Schuschnigg Austria placed a few obstacles in the path of foreign-travel desires. The same is true of modern Argentina. In Mussolini's Italy, however, passport applications were carefully scrutinized and granted only to loyal adherents of the Government, and the same practice prevails today in Franco's Spain.

[12] Revised Statutes, sec. 1999 (1875), 8 U. S. C., sec. 800 (1941). This law has never been repealed, even though neither the 1952 edition of the U. S. C. nor its 1954 supplement contains it. The editors of the Code, and of the U. S. C. A. carry instead of sec. 800 a note saying that its subject matter "is now covered by secs. 1482 and 1483 of this title." This is patently incorrect, inasmuch as secs. 1482 and 1483 refer merely to the loss of nationality and not to the right of expatriation.

[13] New York Times, Aug. 11, 1953, p. 1, col. 2.

[14] Art. 13 (2) of the Universal Declaration of Human Rights. 43 Am. J. Int'l L. 127, 129 (Supp. 1949).

[15] *Yanish* v. *Barber* (73 Sup. Ct. 1105, 1108 (1953)). Until now, the case has not been published in the official reporter, though it was decided more than 18 months ago.

[16] Kelsan, the Political Theory of Bolshevism 7 (1948). The book has rightly been called by all odds the best critical analysis of the political theory of Marx and Engels, and of its later development by Lenin and Stalin. Ebenstein, Introduction to Political Philosophy 313 (1952).

[17] Comment, 61 Yale Law Journal, 171, 174–178 (1952).

[18] *Bauer* v. *Acheson* (106 F. Supp. 445 (D. D. C. 1952)), 28 N. Y. U. L. Q. Rev. 752 (1953), 14 University of Pittsburgh Law Review 444 (1953).

[19] 22 Code of Federal Regulations, secs. 51.135–51.143 (Supp. 1954).

[20] New York Times, August 1, 1953, p. 1, col. 6, 7; p. 4, col. 4.

[21] New York Times, March 31, 1954, p. 25, col. 1.

[22] New York Times, August 8, 1953, p. 7, col. 1.

[23] Code of Federal Regulations, secs. 51.135–51.143 (Supp. 1954).

[24] *Yanish* v. *Barber* (73 Sup. Ct. 1105, 1108 (1953)) speaks of "a lawful job with a Communist paper." And the Internal Security Act decrees that neither membership nor even the holding of an office in the Communist Party shall constitute per se a violation of any criminal statute (50 U. S. C. sec. 783 (f) (1952)).

[25] New York Times, Sept. 7, 1953, p. 8, col. 2.

[26] New York Times, Sept. 24, 1953, p. 10, col. 7.

[27] Plaintiff's Motion for Preliminary Injunction, p. 10, *Clark* v. *Dulles* (Civil No. 2620, D. D. C., 1954).

[28] Ibid.

[29] Id. at 13.

thorities. The best-interest-of-Government reasoning was used in at least one recent instance known to newspaper readers against a rightwinger, and it was used at a time when there was no shred of an emergency.

Senator McCarthy's personal informant, one Davis, who had been employed to report on Communist connections of American diplomats in Switzerland, was sentenced to a jail term by a Swiss court in Geneva.[30] Upon his release, his American passport was canceled by the American authorities with the same standard reasoning as in the other cases mentioned above.[31] It is true, Davis was ordered deported from Switzerland; but he had committed no crime against our laws. For all the State Department ought to care, he should have been able to move to Spain or Argentina, where he might have found heart-warming sympathy.

In 1936, when I practiced law in Vienna (probably the only native-born American who was ever a member of the Austrian bar), an American client was referred to me by a friend in the American consulate. He was in jail pending the investigation of alleged communistic activities in violation of Schuschnigg's law for the protection of the (then totalitarian) state. My repeated attempts to persuade the American consul general to see to it that the client be released on bail or that he at least get a speedy trial were in vain. The trial, without a jury took place only 9 months after the client's arrest. Judge Standhartinger, however, had preserved his judicial independence. Upon the evidence, the client was acquitted. Yet the prosecutor appealed and the client, over my protests, remained in jail for another 4 months until the acquittal became final.

My annoyance that during all those 13 months the American consul had not moved a finger for a man who, after all, owned an American passport, turned out to be misplaced in both regards. My client no longer owned a passport, and the consul had, indeed, moved more than a finger. He had, through the Vienna police, seized the passport and canceled it "except for one return trip to the United States." Moreover, the validity was "restricted to 13 days." My inquiry merely produced the answer that this was in accordance with "the law and practice in such cases." I could learn neither what law the consular official had in mind, nor what he meant by "such cases." My client had never been accused of anything that was a crime in the United States, and even the Austrian courts had acquitted him. Yet, by mere administrative punishment, he was effectively deprived of the right to travel and to stay abroad.

IV. LEGALITY OF THE STATE DEPARTMENT'S POSITION

If the practices outlined above were covered by law, then it would be proper to question whether we had forsaken the democratic way of law and life, for, as has been pointed out above, this type of administrative decision is contrary to the very heart of our idea of state which guarantees freedom of association, of factfinding, of dissenting and nonconforming, of expatriation, and of pursuing one's happiness, which indubitably includes the liberty to take a vacation or attend meetings abroad. Fortunately, the State Department's practice is not grounded in any law.

A. Historical background of the passport document

Before investigating the legal angle of a passport denial, however, we must of course know what a passport is. A passport has been defined as a kind of qualified document of identification, as a "document issued in the name of the Sovereign on the responsibility of a Minister of the Crown to a named individual, intended to be presented to the governments of foreign nations and to be used for that individual's protection as a British subject in foreign countries. ° ° °"[32] It is a government's "° ° ° request, that the bearer of it may pass safely and freely."[33] On the other hand, it has also been termed "a license" to leave. "And such licenses are called passports."[34] The definition of a passport as an identification is of course always correct. But in various countries at various times the passport constituted also a foreign (or even domestic) travel license.

In continental Europe, for instance, the passport was a necessary prerequisite for any trip abroad until the end of the police-state era. This policy was most persistently carried out in the classic country of the Metternich time—Austria. We get a vivid account of the omnipresent guiding hand of all-father state in those days from the memoirs (published many decades after his death) of the Austrian classical poet, Franz Grillparzer,[35] who in 1819 felt the urge common to all classical poets: to go to Italy. However, he was known in high quarters to be a liberal, albeit ever so faintly. A report to the Emperor by Count Chorinski, the court chamber president, was made recommending the issuance of a passport to the promising young poet.

Grillparzer, however, did not wait for the dubious outcome, but left Vienna immediately upon the advice of Count Stadion, the minister of finance and friend of Metternich, who told him to obtain a provisional document from the Vienna police; the formal passport would be issued later. Grillparzer got merely a sealed letter in Vienna, which he was to present to the police in Graz. There the letter was read and sealed again, and Grillparzer was told that he should present it in Laibach,[36] where it was read and resealed once more. The same formality took place in Trieste. ("I would have very much liked to know what was being said in that sealed letter.") In view of these delays our poet missed the steamboat in Trieste and had to take a commercial trabacolo, whatever that was, to get to Venice. The Imperial Austrian Governor of that province and city, one Count Goëss, a genial, humane person, at least showed full understanding for Grillparzer's anxiety. He issued the passport upon his own responsibility, and Grillparzer was able to go abroad, i. e., to Rome and Naples.[37]

I have narrated this story not merely to illustrate the law and customs of those days in a foreign country, but also to demonstrate the one advantage which, albeit from a rather undemocratic point of view, the Metternich system had: it provided ample exceptions for the Grillparzers. Beethoven was most certainly a radical in his day, and quite anti-Austrian at times ("from the Emperor to the bootblack, all the Viennese are worthless,"[38] he told a visitor); but archdukes protected him.[39] Kant, the professor in a royal Prussian university, had all the freedom from religion he wanted and he could accept an honorary citizenship from Jacobin France and stay in office. The police state was hard on the common man, but it did make discriminating allowances for the Charlie Chaplins, the Pablo Picassos, the Joliot-Curies, or the Robesons of the day. This, at least, was a definite advantage, pro tanto, for society's tomorrow. The cultured conservative government which administered the classic police state understood these things. Mediocre, if not vulgar, bureaucracy has yet to manifest any comparable saving grace for the tomorrow it may indiscriminately cast away.

Metternich and his kind disappeared and passports on the continent around the 1860's, except in Czarist Russia, became what they remained until World War I—mere documents of identification. In actual fact very few travelers bothered to obtain passports, which were entirely optional.

The period of the First World War revived passports as a foreign travel requirement everywhere in Europe. Yet, while a traveler was required to have a passport, it was still regarded as a mere requirement of identification rather than as a license, at least in the democratically organized countries.[40] A passport was necessary to cross the border, but the police were not permitted to refuse its issuance except for reasons based on criminal law. The Government of the Republic of Austria once tried to treat passports as licenses that could be denied, but this attempt was judicially defeated. In May 1925, a group of railroad employees—and consequently Government officials—accepted an invitation of the Soviet railroad workers' union to visit Russia. They applied for passports, but the Federal Chancellery, after a search in the office of the Communist Party, found that the journey was in fact intended to be for the purposes of a propaganda that appears to endanger the public tranquillity and order and eventually the safety of this State.

While this holding (incidentally, somewhat more elaborate and colorably sound than our "best interest of the state") was no doubt not unfounded at all, it was not upheld in the Constitutional Court, to which the applicants appealed. That court, in an opinion written by Hans Kelsen, held that the constitutionally guaranteed freedom of movement included the freedom not only to emigrate, but also to leave the country for short periods of time.

"The argument that there exists no constitutionally guaranteed right to be issued a passport is per se true, yet ° ° ° in view of the regulation ° ° ° under which Austrian citizens may not leave the country without passports ° ° ° these passport regulations would be unconstitutional. ° ° ° There is no reason so to hold." [41]

B. Passports in the United States

In the United States, until World War I, passports were issued merely for identification and convenience and I have found no governmental attempt till then to prevent a citizen not charged with a violation of criminal law from going abroad.[42] In 1918, however, a statute decreed that, "when the

[30] New York Times, 1951, Feb. 13, p. 9, col. 4; Feb. 14, p. 7, col. 1; July 27, p. 4, col. 7; Oct. 10, p. 6, col. 3; Oct. 14, p. 25, col. 1; Oct. 16, p. 3, col. 5.

[31] New York Times, Oct. 18, 1951, p. 20, col. 4.

[32] *Rex* v. *Brailsford* ((1905) 2 K. B. 730, 745).

[33] *Urtetiqui* v. *D'Arbel*, 9 Pet. 692, 696 (U. S. 1835).

[34] 1 Fitz-Herbert, The New Natura Brevium, 85.

[35] 1794–1872.

[36] Now Ljubljana, Yugoslavia.

[37] Grillparzer, Selbstbiographie und Bildnisse 99–101, 345–346 (Böck and Englmann ed. 1923).

[38] Beethoven: Letters, Journals and Conversations 102 (Hamburger ed. 1952).

[39] And this although he had dedicated his Third Symphony to Napoleon Bonsparte, the protagonist, as Beethoven thought, of the French Revolution, who had beaten Austria's armies in many a battle.

[40] For a good illustration, see the Austrian decision quoted at note 41; and see Comment, 61 Yale Law Journal 171 (1952).

[41] 5 Sammlung der Erkenntnisse des Verfassungsgerichtshofes 127, 138–141 (Dec. 14, 1925).

[42] See Note, 41 Geo. Law Journal 63, 70–74 (1952); Comment, 61 Yale Law Journal 171 (1952). In 1932 a citizen was found to be in contempt of court because he had refused to come back to the United States from Paris and testify as a material witness in a criminal case. *Blackmer* v. *United States* (284 U. S. 421 (1932)), 32 Col. Law Review 747.

United States is at war," upon the President's finding and proclamation that the public safety so requires, it should be unlawful and a criminal violation for any citizen to depart or attempt to depart from or to enter the United States unless he bore a valid passport.[45]

Until that time it had been the practice of the Government to issue passports—then mere letters of identification and recommendation, as it were—in its discretion. The law of 1918 made passports mandatory, but its language did not authorize the Government to refuse passports.[46] In nontotalitarian Europe the enactment of similar laws merely meant that the governments would now control the influx and egress of aliens, but not of citizens; passports were issued, rather than granted, upon application to citizens not in default of criminal or military draft law. Nowhere in Western Europe, as far as I can determine, have passport matters been regarded as having anything to do with foreign affairs. Passports, like automobile licenses, are obtained from the local police authorities upon payment of a fee and after checking the applicant's criminal record, if any.

In America, the older idea of a passport as a kind of privilege or letter of recommendation to be granted only to him who is in good graces with the Government was not harmful to liberty as long as one could travel effectively without passports. The above-mentioned law,[47] combined with the increasing practice of nearly all foreign countries to require travelers to bear passports, changed this situation radically. The American statute and proclamation made passports a lawful prerequisite to travel to foreign countries; the laws of, and effective control of entry into, foreign countries (including our own country in regard to entering aliens) made them a legal and factual necessity. The legislative passport necessity was at times the weaker one, for the World War I law was allowed to lapse,[48] though this is not yet true of its World War II successor,[49] but even if it were not a crime to go abroad without the State Department's license, it would not be possible as long as foreign countries require the presentation of a passport,[50] a practice not likely to be discontinued in our lifetime.

Thus, as a leftover from the past when a passport was an elegant superfluity, and no more than a letter of recommendation from our foreign office, there has been transferred into the practice governing the modern passport—now legally and factually necessary for foreign travel—the conception of the Department of State that the issuance of this paper depends on the "absolute discretion" of the Government exercised pursuant to its management of foreign affairs.[51]

C. The common-law right to a passport

1. In England: However, "even government must operate within the law,"[52] and the practice of the American passport authorities is valid only if authorized by law. The common law does not authorize restrictions on the citizens' foreign travel "in the best interest" of the state. On the contrary, and in contrast to continental developments until the latter 19th century, it has been the law of England for a long time that Englishmen have had free egress from the country. Traditionally, this right has been regarded as grounded in the Magna Carta.[53] It is of course clear that the authors of article 30 of the charter[54] were far from having in mind the granting of the right of free travel. But the charter was permitted to develop beyond the original intentions of its makers. Had it been otherwise, it never would have become what it was by the time of both Coke and the American Revolution: the Great Charter of Civil Liberties.[55]

Article 30 speaks of omnes mercatores to have free exit from England, and Coke still thought that this "concerneth merchant strangers" only.[56] Yet a 14th century statute had already declared that "all merchant strangers and privies[56a] may come and go into England, after the Tenour of the Great Charter."[57] Thus an Englishman, if he were a merchant, could freely come and leave. This, however, would have bestowed upon them a privilege not enjoyed by other classes, for instance, aristocrats. Hakewill argued in 1610 that the law must apply to Englishmen alike, whether or not they are merchants.[57a]

The new construction was evidently successful, and English law by the 17th century had developed a fundamental freedom from which it has not yet deviated. This fruit of amending and liberally construing an article of a medieval charter proves, incidentally, that "[t]he whole of the Constitutional History of England is a commentary on this charter"[58] although in the peculiar English common law fashion of a commentary that prefers pro forma to cling to old concepts and letters.

We cannot, however, conclude our brief examination of English law without paying attention to the ominous Writ of Ne Exeat Regno.[59] By this writ, indeed, the king in days long bygone could, and in days still farther past actually did, as Fitz-Herbert explains, "command a man that he go not beyond the seas or out of the realm without a license" by issuing a writ containing about the following language: "Because we are given to understand that you design to go privately into foreign parts and intend to prosecute there many things prejudicial to us * * *." The addressee of the writ, however, "may come into the Chancery" and after proper procedure obtain a "license to leave."[60]

The origin of the writ is obscure, though we know that Richard II gave it a statutory basis.[61] Various English kings have used it for political reasons at various times,[62] and Coke still treated it as lex terrae,[63] though actual cases of its application could hardly be found in his day. Be this as it may, however, while under James I a statute was enacted against the sending of children to Catholic seminaries abroad,[64] which was a year later broadened so as to outlaw the sending abroad of children for whatever purpose,[65] in 1606 "one act made in the fifth year of King Richard the Second, concerning the restraint of passage of his Majesty's subjects out of this realm, and every ordinance, provision, article or clause therein contained, shall be from henceforth utterly repealed."[66]

With this the statutory basis of the writ, in its original political meaning, had ceased to be law. A mere semblance of it degenerated, as it were, into an equitable restraint of absconding debtors. Later authorities mention the writ only in this connection and make it clear that this is to be regarded as its only lawful use.[67] In other words, the royal prerogative which had been especially strong under Edward III, had gradually melted away in the sun of the Magna Carta theory that an Englishman is free to leave England if he so desires. This has been the law of England to this day, ever since about the year 150 before our Constitution.

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[45] 40 Stat. 559 (1918). And see the Browder case, infra, note 46.

[46] For cases under that law, see note 83 infra.

[47] See note 43 supra.

[48] See *Browder* v. *United States* (312 U. S. 335, 339 (1941)).

[49] See the history of the post-World War II passport restrictions in Note, 41 Geo. Go. Law Journal 63, 79–83 (1952). The present law is based on 8 U. S. C. sec. 1185 (1952), which during a war or national emergency proclaimed by the President makes it unlawful for citizens to enter or depart from the United States without a valid passport. Pursuant to this law, President Truman issued a proclamation—his last—to the effect that the national emergency still exists (18 Fed. Reg. 489 (1953), 1953 U. S. Code Cong. & Adm. News 915 (1953)).

[50] *Bauer* v. *Acheson* (106 F. Supp. 445, 451 (D. D. C. 1952)), makes it quite clear that the factual impossibility of traveling abroad without a passport is tantamount to being legally prevented from traveling.

[51] See e. g., *Perkins V. Elg* (307 U. S. 325, 349–350 (1939)), *Bauer V. Acheson*, supra, note 48 at 449.

[52] *Yanish* v. *Barber* (73 Sup. Ct. 1105, 1108 (1953)).

[53] Bl. Comm. *134, *265; 1 Fitz-Herbert, the New Natura Brevium *85; Kyle, Magna Carta, 23 Miss. L. J. 81, 98 (1952). See also Beames, a 'Brief View of the Writ Ne Exeat Regno 1 (1st ed. 1812). And see Hakewill, infra, note 57.

[54] I. e., of the Great Charter of Henry III (1225), which corresponds to art. 41 of John Lackland's Charter (1215). For a text, critical study of Magna Carta up to Coke's time, see Thompson, Magna Carta: Its Role in the Making of the English Constitution, 1300–1629 (1948). For a scholarly evaluation of the changes, see Radin, the Myth of Magna Carta, 60 Harv. L. Rev. 1060 (1947).

[55] See notes 58, 73 infra.

[56] 2 Co. Inst., *57.

[56a] Marchants aliens et priveez, meaning "denizens" or "natives." 2 Edw. III, c. 9 (1328).

[57] Ibid.

[57a] Hakewill's Argument in The Case of Impositions (1606–1610), n. 2 State Trials 371, 407, 455–458 (Howell ed. 1816). And see McKechnie, Magna Carta: A Commentary on the Great Charter of King John 400 (2d ed. 1914).

[58] Le Boutillier, American Democracy and Natural Law 138 (1950); McIlwain, The High Court of Parliament 54 (1910); 1 Pollock and Maitland, The History of English Law 172–173 (2d ed. 189); Stubbs, Select Charters 296 (8th ed. 1895); Pound Magna Carta and Constitutional Guarantees of Liberty 9 (Speech, Library of Congress, Dec. 15, 1946, press release No. 381).

[59] The writ could also be called ne exeat e (or a) regno. The phrase ne exeat regnum, sometimes encountered, is, of course, an ungrammatical barbarism.

[60] Fitz-Herbert, The New Natura Brevium *85 n. 50. Beames, A Brief View of the Writ Ne Exeat Regno 1 (1st ed. 1812), rightly observes that the writ is contrary to the spirit of the common law, which allowed every man to depart the realm at his pleasure.

[61] 5 Ric. H, c. 2 (1381).

[62] See the survey in note, 41 Geo. Law Journal 63, 64–70 (1952).

[63] 2 Co. Inst. *54. For authority, Coke cites the Register, p. 89 (i. e., Registrum brevium tam originalium quam judicialium 89–90 (4th ed. 1687)), which, however, is inconclusive in that it merely deals with writs against runaway priests and monks.

[64] 1 Jac. I, c. 4/VI (1604).

[65] 3 Jac I, c. 5/XVI (1605) ("to prevent their good education in England, or for any other cause").

[66] 4 Jac. I, c. I/XXII (1606).

[67] See *Dick* v. *Swinton* (1 V. & B. 371, 35 Eng. Rep. 145 (ch. 1813)); *Collinson* v. ——— (16 Ves. 354, 34 Eng. Rep. 351 (ch. 1811)); *Neilor's Case, Holt, K. B.* (494, 90 Eng. Rep. 1172 (1701)); 20 Eng. & Emp. Dig. 541 et seq.; 2 Story, Commentaries on Equity Jurisprudence, 506–509 (14 ed., Lyon, 1918).

2. In the United States: As to the United States, it is at once clear that we have no royal prerogative,[68] and certainly no political writ of ne exeat regno. The position of the writ in this country is best described by Story:

"The writ of the [sic] ne exeat regno is also in use in America, where it is treated not as a prerogative writ but as a writ of right in the cases in which it is properly grantable.

"In general, it may be stated that the writ of ne exeat regno will not be granted unless in cases of equitable debts and claims.[69]

The writ has been continued, for this equitable purpose only, in the Federal Judicial Codes for about 150 years.[70] The present Judicial Code does not mention it expressly.[71]

Nor can it be doubted that the liberties of "British political folklore—Magna Carta, the common law guarantees of civil liberties * * *"[72] have been adopted by the Fathers of our constitutional system.[73] In short, it would be untenable to argue that the freedoms of the common Englishman at the time of the American Revolution were not to be regarded as the minimum of what our revolutionaries wished to accomplish and finally did embody in our Bill of Rights. It is true that freedom of locomotion is not expressly mentioned in our Constitution or in the Bill of Rights; yet the Supreme Court has made it plain that this very freedom, at least as far as movement from State to State is concerned, is protected by the 14th amendment.[74]

In short, in the absence in our system of law of anything in the nature of the political writ of ne exeat regno, the State Department has no common-law right to prevent citizens from going abroad. Nor is there an enabling statute to this effect.[75] And if there were one—if our lawmakers would want the United States to fall back to the level of legal civilization that has not existed in Western Europe for a long time, or in England for more than 200 years—such a statute, it is submitted, would be unconstitutional.

D. Lack of statutory basis for the Government's policy

As we have said, at the present time there is no statute on the books that would allow the State Department to restrain citizens other than registered Communists from going abroad.[76] The possibility of judicial restraint, such as against fugitives from justice, absconding debtors, or witnesses under subpena,[77] is of no relevance to our topic.

The validity of the Internal Security Act, which makes the mere application (!) for a passport by a member of a registered Communist organization[78] a crime, hinges on the theory that the Communist Party is a criminal conspiracy. It concerns relatively few people[79] and will not be discussed here.[80]

If the wartime statutes making the leaving of the country without a valid passport a crime[81] are to be held constitutional, they cannot be construed as authorizing the Government to restrain arbitrarily the citizens' freedom of foreign travel. The language of the wartime statutes[82] does not warrant such a construction, nor would their purpose. The legitimate object of a statute requiring the use of passports is to facilitate law enforcement against fugitives from justice, including draft evaders. If a war emergency so warrants, a government might forbid any travel or any foriegn travel, or it might forbid travel by all males or by certain age groups. The constitutionality of such a statute is quite conceivable, but that is a far cry from giving an agency a blanket authority, especially when we are at war only technically, to deny citizens the right to go abroad except "in the best interest" of the country. Dicta in a few cases involving other matters that seem to suggest different views[83] do not have the force of constitutional amendments.

CONCLUSION

As a matter of fact, the State Department itself has admitted that, at least in the absence of a statute so prescribing, it has no authority to prevent Americans from traveling abroad. In two recent cases the State Department presented the argument that the mere denial of a passport by the State Department is not per se a denial of the right to go abroad.[84] This argument cannot be taken seriously. It has been ably refuted in the Bauer case:

"It is unrealistic to contend that denial of an American passport does not restrict the plaintiff's right to travel abroad. Legal rights may be violated by unlawful public action although such action makes no direct demands on the individual. [Citing *Joint Anti-Fascist Refugee Comm.* v. *McGrath* (341 U. S. 123 (1951)).] Passports are required in many countries, and as long ago as 1929 the State Department advised American citizens leaving the United States for a country where passports are not required to carry a passport, except in travel to Canada or Mexico, and for use to facilitate reentry into the United States." (Citing *Browder* v. *United States* (312 U. S. 335 (1941)).)[85]

In other respects, however, the Bauer case has not put the matter to a satisfactory end. Quite aside from implicitly asserting that a statute may constitutionally authorize passport denials, and without setting forth reasons for this dictum, the decision merely holds that the revocation of the plaintiff's passport without any notice and hearing, as well as the refusal to renew her passport without an opportunity to be heard, was without authority of law and in violation of due process.[86]

The idea that a hearing would somehow make the practice of the State Department constitutional is totally unconvincing on two grounds. First, a passport applicant is not usually in a position to wait for many months for a hearing before the Board of Passport Appeals now established as a result of the Bauer decision.[87] The reference to such a hearing may well be tantamount to a denial. Second, however, and of even greater importance, is the consideration that there is nothing in the Passport Division's new regulations that would suggest that such a hearing would be based on anything but the State Department's theory of arbitrary discretion to be exercised "in the best interests" of the State. In other words, under the regulations, even where applicable,[88]

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[68] This is clear now beyond doubt through *Youngstown Sheet & Tube Co.* v. *Sawyer* (343 U. S. 579 (1952)). And see Parker, Administrative Law, 85–87 (1952) (discussion of President's "prerogative").

[69] 3 Story, Commentaries on Equity Jurisprudence, 509 (14 ed., Lyon, 1918).

[70] The writ was embodied in section 5 of the 1793 amendment to the Judicial Code of 1789 (1 Stat. 334 (1793)). It, as well as its successors, stipulated that the writ shall not be granted "unless a suit in equity is commenced." Judicial Code (sec. 261, 36 Stat. 1162 (1911)), 28 U. S. C., sec. 376 (1940)). And see *Ginsberg & Sons* v. *Popkin* (285 U. S. 204, 208, 209 (1932)) ("at common law it was simply a writ to obtain equitable bail"); *Gooding* v. *Reid Murdock & Co.* (177 Fed. 684, 686 (7th Cir. 1910)). See also *Lamar* v. *Lamar* (123 Ga. 827, 51 S. E. 763 (1905) (not a prerogative writ in America)); *Samuel* v. *Wiley* (50 N. H. 353, 355 (1873) semble, Comment, (1951) University of Illinois Labor Forum 659).)

[71] 28 U. S. C. sec. 1651 (a) (courts may "* * * issue all writs necessary or appropriate in aid of their respective jurisdiction and agreeable to usages and principles of law.")

[72] Krout, The American Bill of Rights in Great Expressions of Human Rights 135, 138 (MacIver ed. 1950).

[73] *Ibid.*; Le Boutillier, American Democracy and Natural Law 120, 137 (1950); Brebner, Magna Carta in Great Expressions of Human Rights 61, 68 (MacIver ed. 9150); Kent, The Declaration of the Rights of Man and Citizens. id. at 145, 161–165; Pound, Magna Carta and Constitutional Guarantees of Liberty 15–17 (Speech, Library of Congress, Dec. 15, 1946, Press Release No. 381).

[74] See *United States* v. *Wheeler* (254 U. S. 281, 299, (1920)); *Twining* v. *New York* (211 U. S. 78, 97 (1908)); *Slaughter-House Cases* (16 Wall. 36, 79 (U. S. 1872)); *Paul* v. *Virginia* (8 Wall. 168, 180 (U. S. 1868)); *Crandall* v. *Nevada* (6 Wall. 35 (U. S. 1867)). Rutledge, Freedom of the Movement of Workers: Freedom of Passage Within the United States (1953) Wash. U. L. Q. 270. And see the Austrian decision quoted supra, note 41.

[75] 22 U. S. C., sec. 211a (1952), merely authorizes the State Department, consuls, etc. to issue passports ("* * * may grant and issue * * *"); and sec. 212 is superscribed "Who entitled to passport." Its text is confined to the prohibition to issue passports to non-Americans. No severe restriction of an important liberty can be inferred from these provisions.

[76] See note 78 infra.

[77] See note 70 supra (38 Am. Jur. 617, 618–619 (1941)). Title 18, U. S. C., sec. 1073 1952), makes it a crime to travel abroad with the intent to avoid criminal prosecution, custody, or confinement after conviction of certain crimes, or the giving of testimony in a felony case. *Hermans* v. *United States* (163 F. 2d 228 (6th Cir.), cert. denied, 332 U. S. 801 (1947)). Punishment for contempt of an American citizen in Paris who refused to return to the United States to testify in a criminal case was upheld in *Blackmer* v. *United States* (284 U. S. 421 (1962); see Comment, 32 Col. L. Rev. 747 (1932)).

[78] 50 U. S. C., secs. 781, 782 (5), 785, 797 (1952).

[79] Until recently "* * * only the Communist Party of the United States has been ordered to register by the Subversive Activities Control Board, and the issue of passport denial under the provisions of the act has not arisen." Note, 41 Geo. Law Journal 63, 80 (1952). At the time of this writing, other proceedings are pending.

[80] For a discussion see Comment, 61 Yale Law Journal 171, 196–198 (1952).

[81] See note 47, supra.

[82] See note 48, supra.

[83] See *Perkins* v. *Elg* (307 U. S. 325, 350 (1939) ("the Secretary's discretion with respect to the issue of a passport," but the case merely decided the plaintiff's American citizenship)); *Blackmer* v. *United States* (284 U. S. 421 (1932) (the sovereign's power to require a citizen's return in a case merely deciding a court's power to summon an American witness from abroad)); *Miller* v. *Sinjen* (289 Fed. 388 (8th Cir. 1923) (passport discretion recognized through State Department's refusal was grounded in plaintiff's not being a citizen)); *Bauer* v. *Acheson* (106 F. Supp. 445, 449 (D. D. C. 1952) (passport a "purely political document" addressed to foreign powers)).

[84] *Bauer* v. *Acheson* (supra note 83); *Transcript of Record in Robeson* v. *Acheson* (Civil No. 5500–50, D. D. C., 1950).

[85] *Bauer* v. *Acheson* (supra note 83 at 451).

[86] *Bauer* v. *Acheson* (supra note 83).

[87] 22 Code Federal Register secs. 51.135–51.146 (Supp. 1954).

[88] The entire regulation is limited to issuance of passports to Communist supporters and probable law violators (22 Code Federal

[88] See *Perkins* v. *Elg* (307 U. S. 325, 350 (1939) ("the Secretary's discretion with respect to the issue of a passport," but the case merely decided the plaintiff's American citizenship)); *Blackmer* v. *United States* (284 U. S. 421 (1932) (the sovereign's power to require a citizen's return in a case merely deciding a court's power to summon an American witness from abroad)); *Miller* v. *Sinjen* (289 Fed. 388 (8th Cir. 1923) (passport discretion recognized through State Department's refusal was grounded in plaintiff's not being a citizen)); *Bauer* v. *Acheson* (106 F. Supp. 445, 449 (D. D. C. 1952) (passport a "purely political document" addressed to foreign powers)).

if a supposed radical after months of waiting and correspondence finally gets a hearing, the Passport Division, or the Board of Passport Appeals, "after consultation with other interested offices," will advise him of the decision "as specifically as within the judgment of the Department of State security considerations permit." [8]

Such a procedure has no semblance of a safeguard of substantive constitutional rights.[9] In other words, even if the new passport regulations would comply with procedural due process—which they assuredly do not—they are not consonant with substantive due process. In short, even as Congress may not enact law "providing that no Republican, Jew or Negro shall be appointed to Federal office," [10] it may not arbitrarily deny to citizens the right to hold speeches, to join religious groups, or to go abroad, even if such a denial should be preceded by a hearing.[11]

Passports are travel identifications that have truly very little to do with our foreign policy, or even security. Spies and traitors do not usually travel abroad. Rather, they remain inconspicuously at home, as recent unfortunate cases have amply demonstrated. It will certainly not help our role as a model to others that, of all the British Commonwealth countries, the Union of South Africa appears to be the first to plan to bring its passport laws "into line with United States legislation to control travel abroad." [12]

POLITICAL CAMPAIGN CONTRIBUTIONS

Mr. SCHOEPPEL. Mr. President, the junior Senator from Oregon in his remarks on the floor of the Senate on August 19 referred to a report on political campaign contributions in the 1956 elections, which had been prepared by the Subcommittee on Privileges and Elections of the Committee on Rules and Administration. In concluding his statement he asked unanimous consent that excerpts from the report of the Senate subcommittee, followed by a series of exhibits contained therein, be printed in the CONGRESSIONAL RECORD.

I was surprised, in examining this material, to find that none of the glaring errors which I had brought to the attention of the Senate on March 29, 1957, had been corrected. In discussing the report of the subcommittee at that time I said:

I must advise the Senate that these findings are based on inaccurate statistics. The data compiled by the subcommittee contains double counting, inconsistent reporting of the same data on different tables, and such gross errors as the inclusion of individuals as members of groups to which they do not belong and, similarly, the exclusion of others. I have found significant errors in every table, which, in my judgment, render them of very doubtful value.

I also said:

Mr. President, I am convinced that the majority members of the subcommittee relied upon their staff and apparently did little checking of the figures. Hence, they have produced a statistical monstrosity.

I documented the errors in the subcommittee's report with numerous charts and tables. They were not unsupported charges.

On April 1, the distinguished junior Senator from Montana commented on my analysis and said:

The subcommittee wishes to thank the senior Senator from the State of Kansas [Mr. SCHOEPPEL] for calling to the attention of the subcommittee any errors or omissions which exist in the report. In the event there should be a reprint of the subcommittee's report, every effort will be made to correct such errors or omissions and to make the reprint as nearly perfect as possible.

More than 16 months have elapsed in which these corrections could have been made. Apparently the subcommittee concluded that the document could not be corrected and still serve the purpose for which it was intended. No further prints were submitted to the Senate. Yet the identical errors which I reported to the Senate on March 29, 1957, are contained in the tables which were placed in the CONGRESSIONAL RECORD by the junior Senator from Oregon.

Mr. President, on April 29, 1957, in a statement to the Senate replying to questions by the distinguished junior Senator from Tennessee who was the chairman of the subcommittee at the time the report was prepared, I said:

Mr. President, my colleague in attempting to determine the motive for my remarks on March 29 said: "I say, further, that we may take notice of the fact that there is now an unfilled demand for several thousand copies of the report of the subcommittee, and we may well question whether or not the secondary motive is to discourage a reprinting to satisfy these thousands of requests." (P. 5003.)

My only motive in addressing the Senate was to show that this report, in its present form, is misleading and inaccurate. The Senator from Tennessee is correct in assuming that I would oppose the reprinting of the committee print as a Senate document, since I know that it contains many errors which I have detected, and I have good reason to believe that there are additional errors which a complete audit would disclose.

I feel as strongly today about including known errors in the CONGRESSIONAL RECORD as I did toward printing these tables as a Senate document.

Without attempting again to recapitulate all of the obvious statistical errors, let me comment on just a few which show that no effort of any kind was made to correct the material prepared by the subcommittee before including these tables in the CONGRESSIONAL RECORD.

For example, on page 18405 of the CONGRESSIONAL RECORD a table is presented showing the contributions by members of the Du Pont family. The table indicates total contributions to the Republican Party of $248,423. If the junior Senator from Oregon had studied my remarks he would have noted the following facts. I said:

However, the subcommittee made a special investigation of the Du Pont family. They say on page 65:

"In the case of the Du Pont family, the names of over 900 members of the family were checked against the list of contributors."

Only 73 contributors are listed. This is a mere 8 percent of the names subjected to this check. This would not support the charge of unusual family political activity.

Mr. President, let me read you a few of the names of Wilmington, Del., citizens shown on exhibits 12 or 26 as having contributed to the Democrats, and whose contributions were not included in the table on page 65 as members of the Du Pont family. First let us take page 26–4: Alexis I. du Pont Bayard, $500; Elizabeth du Pont Bayard, $2,500. Then let me turn to exhibit 12, page 69, of the report, and we find Mr. J. H. Tyler McConnell who contributed $7,250.

The list on page 65 includes in-laws as well as direct descendants. Crawford H. Greenewalt is included in the family as he married a Du Pont girl. If we are to follow this definition, then the Du Pont family also includes Mr. J. H. Tyler McConnell, who married the daughter of William du Pont, J. H. Tyler McConnell not only made a contribution of $7,250 to the Democratic Party, but he was their candidate for the Governor of Delaware in the last election. Mr. President, the list showing the contributions by the Du Pont family is obviously incorrect, when we find these glaring errors.

If we use the subcommittee's definition of what constitutes family relationships, the Democratic Party nominated a member of this illustrious family, who is also an officer of the Hercules Powder Co., for high political office.

I also said:

The Senator from Tennessee expresses surprise that three members of the Du Pont family, whose family connection the subcommittee had not noted, contributed financial support to the Democratic Party. On March 29 I showed that one of these individuals, Mr. J. H. Tyler McConnell, was the Democratic gubernatorial candidate in Delaware last fall. It is surprising that the subcommittee was not aware that Alexis I. du Pont Bayard served as the Democratic Lieutenant Governor of Delaware during the period 1949 to 1952. He was also the Democratic candidate for United States Senator in the 1952 general election.

The subcommittee in its report referred to the fact that "in the case of the Du Pont family, the names of over 900 members of the family were checked against the list of contributors" (p. 65).

There are 900 members of the family because it is one of America's oldest families. Eleuthere Irenee du Pont de Nemours, a refugee from a French dictatorship, established a factory to make gunpowder in this country in 1802. I might add that the first Du Pont to settle in the United States was a close friend of Thomas Jefferson, who many regard as founder of the Democratic party.

Since the Du Pont family has been mentioned so prominently in the subcommittee's report and in the subsequent remarks by the junior Senator from Tennessee, may I also add that members of this family have served in this body. Henry Algernon du Pont was elected to the United States Senate from Delaware on June 13, 1906, and served until March 3, 1917. His cousin, Thomas Coleman du Pont, was Senator from Delaware from July 7, 1921, to November 7, 1922. He was elected to the United States Senate in 1924 and served from March 4, 1925, until his resignation on December 9, 1928.

On page 18412, the junior Senator from Oregon included the subcommittee

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Register secs. 51.135, 51.136 (Supp. 1954)). Hence, only subversives and suspects must get a "hearing"; citizens like Judge Clark do not. See *Clark* v. *Dulles* (Civil No. 2620, D. D. C., 1954).

[8] 22 Code Federal Register secs. 51.137–51.138 (Supp. 1954).

[9] See also Barnett. *Passport Administration and the Courts* (32 Ore. L. Rev. 193. (1953)).

[10] *United Pub. Workers* v. *Mitchell* (330 U. S. 75, 100 (1947)).

[11] For a discussion of the modern scope of substantial due process under the fifth amendment, see The Constitution of the United States of America: Analysis and Interpretation 863–864 (Corwin ed. 1953).

[12] New York Times, September 12, 1954, p. 17, col. 2.

exhibit 16, which showed contributions by officials of the 47 leading underwriters of investment bonds. The errors which I brought to the attention of the Senate on this original exhibit were not corrected in the tables which the junior Senator from Oregon placed in the CONGRESSIONAL RECORD. I said:

Mr. President, let me invite attention of the Senate to exhibit 16. It appears on page 73 and is entitled "Nineteen Hundred and Fifty-six Political Contribution of $500 and Over by Officials of the 47 Leading Underwriters of Investment Bonds."

The subcommittee leaves the impression that officials allegedly affiliated with these companies contributed $237,800 to the Republicans, and that the Democrats only received a mere $2,000 from these people. This listing further reinforces the attempt to characterize everyone in the investment banking business probably as a Republican. This is a tactic which has no place in a Senate document—at least, that is the way I feel—particularly if the facts in the report itself refute the subcommittee's statement.

In examining this exhibit I noted that A. M. Kidder & Co., of New York, is listed, and the statement is made that there had been no contributors. I am sure that many Senators will remember the stories which appeared in the newspapers last fall announcing that Mrs. Charles U. Bay had been made president of Kidder & Co. This was a noteworthy event, as Mrs. Bay is the first woman to head a leading underwriting firm. She has just been named the chairman of the executive committee of the American Export Lines, and her picture appeared on the cover of the magazine Business Week in a recent issue. Mrs. Bay is shown in the the subcommittee's exhibit 26–4 as having made contributions to the Democrats totaling $7,000. This contribution by Mrs. Bay, an important and sizable contribution, was omitted from the subcommittee's exhibit 12. Mrs. Bay is an able and very distinguished woman. I would think that my colleagues on the other side of the aisle would appreciate her. She has a long Democratic background, her late husband having served as the American Ambassador to Norway from June 1946 until June 1953.

I have noted other omissions. Benjamin J. Buttenweiser is shown on page 26–7 as having contributed $1,000 to the Democrats, but he is not included in the total for Kuhn, Loeb & Co. Mr. Gordon Dean, the former head of the Atomic Energy Commission, is shown on page 26–11 as having contributed $1,000 to the Democrats, but his name is not included on page 75 as an officer of Lehman Bros.

The few errors which I have just discussed total $9,000. This is 4½ times the amount the subcommittee shows as having been contributed to the Democratic Party by members of investment firms. In other words, Mr. President, this figure is off by at least 450 percent.

On page 18414 of the CONGRESSIONAL RECORD, exhibit 17 is reproduced. It shows the contributions made by officials of the 37 leading advertising agencies. All of the contributions shown were made to the Republican Party. The largest contribution shown is by Charles M. White, allegedly an official of the Campbell Ewald Co., in the amount of $11,350. I reviewed this table in my remarks to the Senate and I will repeat my findings with respect to Mr. White's connection with the Campbell Ewald Co., I said:

A casual inspection of the list shows that the largest single contribution of $11,350 was made by an individual by the name of Charles M. White of Washington, an alleged officer of the Campbell Ewald Agency. Examination of exhibit 12 shows a Charles M. White, the president of the Republic Steel Company of Cleveland, Ohio, as having made a contribution in the amount of $11,350. An examination of exhibit 26, page 185, shows a C. M. White, of Washington, D. C., as having made a contribution of $1,000. The address shown is 1625 K Street NW. This happens to be the Washington address of the Republic Steel Co., and this is obviously the same C. M. White who is responsible for the other listings on pages 26–185.

The magazine Printers' Ink apparently checked with the Campbell-Ewald Co. and learned that they had no official by the name of C. M. White. My own investigation reveals that the only Charles M. White in the Campbell-Ewald Agency was a young man about 20 who had been employed in their Washington, D. C. office. I hardly think he qualifies for this contribution, although he might. I merely wish to point this out.

Mr. President, exhibit 19 of the report appears on page 18416 of the CONGRESSIONAL RECORD. It shows political contributions by officials of the 100 largest military prime contractors. My analysis of this table showed the following obvious errors which I brought to the attention of the Senate.

I said:

In exhibit 19, the list showing the 100 largest military prime contractors, a contribution of $21,000 for Mr. A. P. Sloan, Jr., appears under Du Pont (E. I.) de Nemours & Co., and again under General Motors Corp. A contribution of $33,000 by Mr. Richard K. Mellon was included in the total for General Motors Corp. and again in the total for Gulf Oil Corp. A contribution by Mr. Henry Ford II, of $18,899 was counted twice, once under the Ford Motor Co., and again under the General Electric Co. The multiple counting of just these 4 individual contributions distorts the dollar total for the Republicans shown in exhibit 19 by $112,399, an error of 10 percent. There are many similar errors.

One does not have to be a skilled statistician to detect that there is something radically wrong with exhibit 19, showing total contributions to all parties by officials of the 100 largest military prime contractors, totaling more than 61 percent of the similar contributions by the officials associated with all of the 225 largest corporations in the United States, after the duplicate listings had been eliminated.

The junior Senator from Oregon included the subcommittee's exhibit 20 on page 18419 of the CONGRESSIONAL RECORD. This exhibit reportedly showed contributions by officials of the 88 corporations participating in the atomic energy program. Once against there were obvious errors which I brought to the attention of the Senate. I said:

In exhibit 20, there is a further glaring example of multiple counting. This exhibit shows the officials of the 88 corporations participating in the atomic-energy program. A single $500 contribution by Mr. Walker L. Cisler contributed $2,000 to the Republican total, as it was shown under Burroughs Corp., Detroit Edison Co., Fruehauf Trailer Co., and the Holley Carburetor Co.

Such multiple counting is completely indefensible and deceptive. The text written by the subcommittee which refers to these tabulations has no meaning whatsoever.

It is distressing that an attempt would be made to reproduce these discredited tables in the CONGRESSIONAL RECORD 16 months after the errors had been called to the attention of the subcommittee without any attempt whatsoever to correct them. As chairman of the Republican Senatorial Campaign Committee, I have an obligation to see to it that these misleading data are not presented to the American electorate as the product of scholarly research.

Significant errors were found throughout the report and in view of the statement by the distinguished junior Senator from Montana to which I have already referred, the Senate had every reason to believe that these tables would not be reprinted without correction and editing. In my statements last year, I emphasized that the errors which I found were merely the result of a casual inspection of the report.

I said:

In the preparation of these remarks, I have not examined any of the reports which were filed with the Clerk of the House, nor have I seen any of the special questionnaires which were sent by the subcommittee to those individuals who were shown in the reports on file with the Clerk of the House as having contributed $5,000 or more. I have merely spot-checked the report itself, and have confined my supplemental reference to Who's Who and financial manuals such as Moody's and the Directory of Directors. I have made no attempt to correct the report. That would be impossible without redoing the entire study based on an examination of the reports and questionnaires. I am merely showing that the subcommittee's report, as published, is not only inaccurate, but also highly misleading.

Mr. President, I wish to repeat so that there can be no misunderstanding that the errors which I cited do not constitute an audit of this report. Without a complete audit by qualified people the statistical data which has been reproduced in the CONGRESSIONAL RECORD of August 19 serves no useful purpose other than to provide very dubious campaign material for the Democratic Party.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I yield to the Senator from Montana.

Mr. MANSFIELD. The statement of the Senator from Kansas in regard to our colloquy earlier in the session is correct. I wish to point out, however, that the Subcommittee on Privileges and Elections has been unable to get authority to have a reprint made of the original report made by the subcommittee. I assure the Senator from Kansas that if we ever get that permission, any legitimate and proper changes will be made in the report.

Mr. SCHOEPPEL. I do appreciate very much what the distinguished Senator from Montana has said. It is always in character for him to bring these matters to the attention of the Senate in a most fair and proper light, and I am glad he has done so in this instance. I did think that in fairness, in view of what had been said before, the errors and discrepancies which appeared in the original report could and should be corrected, and that I should bring this matter to the attention of the Senate.

SENATORS BRIDGES AND SPARKMAN OFFER CONSTRUCTIVE PROPOSALS

Mr. MANSFIELD. Mr. President, in the August 15 issue of the Christian Science Monitor there appears an editorial entitled "A Strong Lead in the Mid-East." The first paragraph reads:

> The heart of President Eisenhower's program concerning the Middle East is its provision for a regional economic development institution under Arab leadership and using American and other aid. Other points are necessary in a protective way to give constructive energies and opportunity to work; but this is the "forward look."

In view of the action taken by the 10 Arab nations in the United Nations, I believe this is a good time to call attention again to the statement made on the floor of the Senate by the distinguished senior Senator from New Hampshire [Mr. BRIDGES] some 3 weeks ago, when he advocated the creation of an organization somewhat on the basis of what is now proposed under the leadership of the Arabs, for the purpose of doing for themselves what must be done to bring peace and stability to that area. I believe, therefore, that due credit should be given to the initiative shown by the distinguished senior Senator from New Hampshire for the statement he made on the floor of the Senate at that time.

In the same editorial there is a paragraph relative to the President's proposal for the creation of a standby United Nations police force. As Senators know, the House yesterday passed a resolution seeking to bring about the creation of a U. N. police force. The Senate also, on three occasions, has endorsed such a proposal made by the distinguished Senator from Alabama [Mr. SPARKMAN]. He likewise should be given credit for the initiative he has shown, and which has now been taken up by the administration with respect to this particularly difficult area. My purpose in making these remarks at this time is to show that constructive proposals in the field of foreign policy have been made by individual Senators on the floor of the Senate. I ask unanimous consent that the editorial may be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A STRONG LEAD IN THE MID-EAST

The heart of President Eisenhower's program concerning the Middle East is its provision for a regional economic development institution under Arab leadership and using American and other aid. Other points are necessary in a protective way to give constructive energies an opportunity to work; but this is the forward look.

This proposal, assuming that Americans will back the President, as we believe they will, represents several forward steps in United States policy. It moves beyond direct two-nation agreements which many countries feared as tying them too tightly to American purposes. It invokes United Nations sponsorship for a multi-nation organization. It emphasizes that the institution must be governed by the Arab States and that its goal must be Arab goals.

There is good precedent for the type of organization Mr. Eisenhower suggests. It could follow the lines of the Organization for European Economic Cooperation, which made successful use of the Marshall plan funds in programs which the European nations in concert formulated for themselves. In the Middle East presumably some resources would come from the oil-producing nations, and there would be a mutual interest in efficient operation.

The President has presented a sound case for the creation of a standby United Nations peace force. The situation in Lebanon, like the earlier Suez crisis, has clearly demonstrated the need for such a body if the members of the U. N. are to discharge their responsibility of protecting other nations from aggression. There is equally good reason for a monitoring organization to deal with the problem of inflammatory radio broadcasts which exceed the rights of free speech by inciting to violence.

The American position in Lebanon has benefited throughout from the expressed willingness to withdraw as soon as U. N. action could assure peace. It may be noted that Mr. Eisenhower spoke only of preserving peace in Jordan, not necessarily of guaranteeing the existence of the present regime. It may be that matters there have gone so far that preservation of that rather artificial state is unrealistic.

A breakup of Jordan could precipitate severe tests in the Middle East. It would raise most acutely the risk of an armed clash between Israel and the United Arab Republic over parts of Palestine. Here enters the desirability of the study the President proposed of U. N. measures to control and if possible prevent a threatening arms race between the Arab states and Israel.

If the debate now to ensue in the U. N. can produce actions and attitudes that will gain time there is hope for peaceful and constructive solutions in the Middle East. A habit of cooperation in a Mid-East regional development institution could eventually extend to other areas of Arab thought. The satisfaction of attaining industrial and agricultural advancement, which incidentally could greatly alleviate the refugee problem, should soften some of the sharpnesses of Arab nationalism.

We hope the proposals advanced by President Eisenhower will receive a thoughtful hearing and careful consideration in the Middle East.

DAY OF ST. STEPHEN—HUNGARIAN NATIONAL HOLIDAY

Mr. PROXMIRE. Mr. President, Tuesday marked the occasion of the great Hungarian national holiday, which honors the saint who was the first King of Hungary.

Stephen I reigned from 1001 to 1038, and the Hungarian state dates from his reign. He is celebrated for this work of bringing Christianity to Hungary—a work continued from his father's beginning. Stephen's crown, sent to him by Pope Sylvester II, remained for centuries as the sacred symbol of Hungarian national existence.

Today, we are well aware, a dark cloud hangs over the homeland of the great Hungarian people. Less than 2 years after the courageous uprising of Hungary's freedom-loving people, Soviet armed might has brutally and completely suppressed the desires for liberty and national self-expression which lie so deeply in the Hungarian spirit. The recently announced executions of two great freedom-loving Hungarian leaders is tragic evidence that the forces of international communism intend to use every means of brutality and terror to keep the Hungarian longing for freedom under firm suppression.

On this Hungarian national holiday, the United States joins the rest of the Free World in saluting this great Hungarian national spirit, which sinister forces may suppress but never kill. We must pledge never to relax our efforts—through every peaceful and lawful means—to help this great nation win true national independence once again. We must send our message to all peoples behind the Iron Curtain to reassure them that a primary objective of our international policy is to help them achieve and guarantee their national independence and self-expression.

But even though the world's political situation unfortunately makes it impossible to realize this goal immediately, there are tasks which we can perform now and problems we can face now.

We must give every support to international action to solve the desperate problems of refugees from the 1956 Hungarian revolution who remain, still unsettled, in Austria and elsewhere in Europe. America has done much to help the Hungarian freedom fighters who were driven from their homeland, and it has opened its doors to great numbers of them. But this job is not finished.

Our administration must be prepared with a plan of action for any future uprising such as Hungary's. Our unfortunate lack of preparation in 1956 made is impossible for the United States to take the positive role it should have filled in the international diplomatic negotiations following the revolution. The United States must, of course, support the United Nation's resolutions on Hungary.

Mr. President, I want to join with my colleagues in this body and with Americans everywhere to extend our hopes and prayers to the courageous people of Hungary that brutality and terror may soon be banished from their lives, that their nation will once again be numbered among the independent nations of the world, and that their great traditions of liberty and freedom will once again prevail in their homeland.

A PROPOSAL FOR AN IMPARTIAL TEST OF KREBIOZEN AS A CURE FOR CANCER

Mr. DOUGLAS. Mr. President, the dispute over the relative merits of Krebiozen as a cure for cancer has been both prolonged and heated. The eminent physiologist Dr. A. C. Ivy has made widespread tests and reported results which apparently showed that Krebiozen had been helpful in treating an appreciable number of patients. The American Medical Association on the other hand has violently denounced the preparation and its sponsor Dr. Ivy, while a committee of the National Research Council has declared on the basis of the AMA reports that it could find "no evidence of any curative effects and no palliative effects attributable to the drug itself."

The public is therefore bewildered and this popular confusion has been intensified by the bitterness of the attacks and counterattacks which have been made as well as by the mistakes and errors which have been committed by both sides.

I believe that Dr. Durovic, the developer of Krebiozen, and the scientific director of the Duga Laboratories, Inc., in Illinois, should have made public the manufacturing details of his drug and that he should not have sought to collect large sums for alleged expenses of development in South America. I also agree that whoever was responsible for issuing the press release at the initial conference announcing the first set of results made excessive claims and that it was not in scientific good taste.

But the opponents of Krebiozen have also been guilty of errors. False statements of fact have apparently been made about numerous cases alleged to have been treated with Krebiozen in an effort to discredit the use of that preparation.

Of one thing I feel certain. Dr. Ivy is not only a world famous physiologist and scientist, but on the basis of a long acquaintanceship with him, I trust his personal integrity. I also remember the way in which the organized medical profession disparaged the great discoveries of Pasteur, Lister and many other great path breakers and sought to defame their characters.

The issue is too important for us to allow possible discoveries to be prevented from being appraised because of opposition by the official branches of medicine. If Krebiozen is worthless, it should of course be discarded and discredited. If it has merit, it should be used to reduce the number of deaths and the pain now caused by this most terrible of modern diseases.

The only way to find out the truth is by an adequate series of scientific tests. Dr. Ivy has proposed such a trial to the American Cancer Society, but he has insisted upon a neutral committee to evaluate the results. This seems to me as a layman, to be eminently fair, but I shall not go into the reasons why it was not adopted, nor shall I criticize any motives in connection with it.

The Public Health Service and the National Institutes of Health would seem to be the logical body to conduct such tests.

I therefore propose:

First. That the National Institutes for Health conduct a sample test of Krebiozen upon 200 more or less terminal cancer cases who come to them for treatment and for whom at present there are no other means of relief.

Second. That 100 of these cases be treated with ampules of Krebiozen administered at regular intervals and that the other 100 be given ampules containing only mineral oil, the comfort of all patients being meticulously maintained.

Third. That the Public Health Institute and Dr. Ivy would select an outstanding biostatistician who would work with the advisers to help design the details of the test and who would be the only person who would know which patients received Krebiozen and which did not, and that these lists should be placed in a sealed envelope in a safe to be opened at a later date by the biostatistician in the presence of the advisers the selection of whom as hereinafter provided.

Fourth. That Dr. Ivy and a representative of the medical profession chosen by the Public Health Service should serve in an advisory diagnostic and therapeutic capacity, but should have no knowledge of the identity of the cases.

Fifth. That at the end of a period of time determined by the advisers the case histories of the patients, whether or not they had received Krebiozen, should be submitted to Dr. Ivy for inspection. This should include photographs where possible. Dr. Ivy would then be asked to identify the 100 cases which he believed had received Krebiozen. He would naturally select those which had shown the most improvement or where pain had been most alleviated.

The sealed envelope should then be taken from the safe by the biostatistician and opened, and Dr. Ivy's list should be compared with the actual lists and the degree of agreement or disagreement announced. A comparative study should also be made of the 100 cases which were and the 100 cases which were not treated with Krebiozen.

Sixth. That following this, if Dr. Ivy so requests, the Public Health Service examine the records compiled by Dr. Ivy of other cases which have been treated with Krebiozen, appraise the results, and publish the findings.

I submit that this is a fair proposal. It would permit an impartial and definitive testing. It can do no harm. It may do great good. I call upon Dr. Ivy and the Public Health Service to accept the terms of this test.

I intend to follow up this matter.

THE INDIANA SAND DUNES

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the fourth of a series of articles on the subject of the Indiana sand dunes, written by Richard Lewis, and published in the Chicago Sun-Times of August 20, 1958. This article describes the battle of the dunes and raises the question whether the last remnant of the dunes shall be turned over to the steel mills for an industrial city or whether the dunes are to be saved for the people of the United States.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BATTLE OF THE DUNES—TINY COMMUNITY BATTLES TO KEEP INDUSTRY OUT

(By Richard Lewis)

The tiny community of Ogden Dunes, Ind., is fighting singlehanded a zoning battle to keep industry off the Indiana Dunes.

It has zoned steel plants out of bounds within 2 miles of its corporate limits.

The action affects Bethlehem Steel Corp.'s estimated $350 million expansion program and the State of Indiana's $36 million harbor plan on the last 3½ miles of undeveloped duneland between Gary and the Indiana Dunes State Park. The park is some 50 miles southeast of Chicago.

LAUNCH ZONING PLAN

Bethlehem and two other steel companies owning land in the zoned area are attempting through the courts to nullify the Ogden Dunes zoning ordinance.

Porter County officials have responded, too. They have launched a countywide master zoning plan designed to supersede the Ogden Dunes zoning ordinance insofar as it applies to the 2-mile fringe zone beyond the town's boundaries.

Ogden Dunes has thus become the center of a second front in the battle of the dunes between the forces of industrialization and persons who want to conserve natural resources.

On another front, United States Senator PAUL H. DOUGLAS (Democrat, of Illinois) has asked Congress to set aside the site of the Bethlehem and Indiana seaport developments as a national park, to be known as the Indiana Dunes National Monument.

FIVE HUNDRED ACRES OF DUNES

Ogden Dunes perches on 500 acres of Indiana dunes beside Lake Michigan 3 miles east of the Gary city limits. Its population is listed as 788 permanent residents. About 135 more spend summers there.

Three years ago, the town's plan commission began drawing up a master plan to save the community from being encircled by industry. It adopted a master zoning plan July 1, 1957, prohibiting steelmaking within 2 miles of the town limits.

The plan commission acted under a section of the Indiana planning code giving communities jurisdiction over fringe territory in the absence of a countywide zoning plan.

The Ogden Dunes ordinance takes a 1,100-acre bite out of the 4,000 acres Bethlehem has acquired to expand into the Midwest.

RESIDENTIAL ZONING

This acreage, lying within 2 miles of the town's corporate boundary, has been zoned for residential property. The master plan also prohibits industrial processes involved in steelmaking and fabricating within the 2-mile limit.

Indiana's proposed harbor is affected because State legislation has made its development contingent on industrialization of the dunes.

Bethlehem reacted promptly to dislodge this monkey wrench in the machinery of its expansion program. The firm was joined by other industrial landowners in the 2-mile limit.

Six suits contesting the validity of the master plan and asking that it be set aside have been filed in Porter County circuit court.

FILES THREE SUITS

Two were brought by the Lake Shore Development Corp. of Indianapolis, Bethlehem's land-buying agent, which holds title to 350 acres affected by the master plan. A third suit was filed on behalf of a trust in the Farmers State Bank of Valparaiso, Ind., another Bethelehem agent, claiming 750 acres are affected.

In addition, Inland Steel Co. has brought 2 suits and Midwest Steel Co., 1. Inland has 830 acres in the zoned area which were acquired in 1919 and Midwest has about 1,000 acres.

CITE POPULATION

The pattern of contention in the suit, as set by Lake Shore's complaint, is that the Ogden Dunes master plan is unreasonable because the land where it prohibits industry is suited only for industrial use.

Moreover, Lake Shore contends, "the standards, restrictions, and regulations for industry in the master plan * * * are so exacting and unrealistic as to be confiscatory."

In an answering brief, Ogden Dunes contends that the population of the Calumet industrial region is overflowing into Porter County and that suitable residential areas to house the overflow is needed more urgently than industrial sites.

"The petitioner," says Ogden Dunes, "would apparently consider it wholly appropriate that all of this population should be housed within the shadow of a steel mill

chimney in the tradition of the last century."

While these issues were pending, the Porter County Board created a County Plan Commission, the first one of the county's history.

O. K. MASTER PLAN

The commission was granted authority to draw a master plan for the entire county. Such a plan would supersede all fringe zoning by towns outside their corporate limits under the State planning code.

Thus it would nullify the Ogden Dunes zoning restrictions insofar as they applied to the steel company lands and other property within 2 miles of the town boundaries.

During consideration of the county zoning project, it was proposed that Bethlehem contribute $25,000 toward the cost of preparing a county master zoning plan.

OFFER WITHDRAWN

The offer was made by James W. Chester, Valparaiso attorney, who represented Bethlehem's Lake Shore Development Corp. in land acquisition and also in the lawsuits against Ogden Dunes.

Chester told the Sun-Times he later withdrew the offer. He said he did not wish it to appear that Bethlehem was trying to influence the county in the zoning of the steel lands.

The county then proceeded to develop a master plan on its own, according to Gale Morgan of Chesterton, County Plan Commission secretary.

The plan commission has employed Metropolitan Planners, Inc., of Indianapolis to draw the master plan and the county, so far, is paying the bill, said Frank Ferguson of Valparaiso, county board representative on the commission.

"We didn't think it would be proper to use funds from Bethlehem," Ferguson said.

NO CONNECTION

He said the county master plan idea had no connection with the Ogden Dunes zoning dispute.

"We've been needing a master plan in this county for a long time," he said. "The northwest section is growing like Topsy with overflow from Lake County."

Plan commissioners expect it will take 18 months and numerous public hearings before the master plan is completed.

Attorney Chester and Walter S. Ricks, secretary-manager of the Valparaiso Chamber of Commerce, are confident that the steel lands will be zoned for industrial use. That will put Ogden Dunes out of the battle, they believe.

The citizens of Ogden Dunes, high in their dune-perched homes overlooking the lake, are watching and waiting.

THE TEAM SPORTS BILL

Mr. DIRKSEN. Mr. President, when the crush of adjournment comes, obviously many bills fall by the wayside. This inevitable experience indicates that certain measures will have to be given renewed attention when the 86th Congress convenes.

I indicated the other day that I was a little frustrated because at this session action was not taken on S. 4070, introduced by the distinguished Senator from Missouri [Mr. HENNINGS], which relates to team sports.

I indicated this week that I might revive it in amended form, particularly with reference to its connection with television and radio programs, and that he might attempt to attach it to a bill on the calendar. I indicated my thought that that was not the best procedure. But when we come to the shank end of the session, sometimes a more justifiable interest will dictate that perhaps that is the only way the matter can be handled.

I had in mind offering the team sports bill to what is known as the food additive bill, H. R. 13254, which has already passed the House. There has been tremendous interest in the additive subject, particularly on the part of the Department of Health, Education, and Welfare. Mr. Flemming and other persons have called me about it. I have heard from all sections of the country with reference to the bill.

When I suggested that I would propose the team sports bill as an amendment to the additive bill, that did not indicate that I was opposed to the additive bill; in fact, I favor that bill, as do many other Senators. I hope favorable action can be taken on it before this session is concluded.

I announce now that I will certainly not permit my interest in the team sports bill to blind me to the fact that the food additive bill should receive favorable action at this session.

I might find a more appropriate vehicle to which to attach the team sports bill, if that can be done. If no action can be taken on the team sports bill at this session, at least an early start will have been made toward its consideration by the Committee on the Judiciary next year.

I again express my appreciation to the Senator from Tennessee [Mr. KEFAUVER] for the lengthy hearings which he conducted so late in the session, indicating his interest in the subject of the team sports and the necessity for doing something in the fields of hockey, football, and baseball.

Mr. President, I shall amplify this statement by adding thereto some excerpts from an opinion by Judge Grim, United States district judge for the eastern district of Pennsylvania, because I think they are appropriate in any consideration of this matter.

The sports bill was recently tabled by the Senate Judiciary Antitrust and Monopoly Subcommittee due to the fact that so little time remains in this session of Congress. Since I indicated my intention to propose the sports bill as an amendment to the food-additive bill, I have received assurances from Senator KEFAUVER, chairman of the subcommittee, Senator O'MAHONEY, and other members of the subcommittee that they will work to secure passage by the Senate of some kind of a sports bill next year. In view of these assurances, and also in view of the fact that I do not wish to jeopardize the consideration of the food additive bill by the Senate at this session I shall therefore withdraw my amendment. I desire at this time to say a few words in further explanation of the need to exempt professional team sports from the antitrust laws and to point out that 50 Senators have cosponsored the original sports bill.

Professional sports' need for an exemption from the antitrust laws is eloquently explained in Judge Grim's 1953 football decision, wherein he stated:

> Professional football is a unique type of business. Like other professional sports which are organized on a league basis it has problems which no other business has. The ordinary business makes every effort to sell as much of its product or services as it can. In the course of doing this it may and often does put many of its competitors out of business. The ordinary businessman is not troubled by the knowledge that he is doing so well that his competitors are being driven out of business.
>
> Professional teams in a league, however, must not compete too well with each other in a business way. On the playing field, of course, they must compete as hard as they can all the time. But it is not necessary and indeed it is unwise for all the teams to compete as hard as they can against each other in a business way. The stronger teams would be likely to drive the weaker ones into financial failure. If this should happen not only would the weaker teams fail, but eventually the whole league, both the weaker and the stronger teams, would fail, because without a league no team can operate profitably.

As Judge Grim emphasized, professional sports are a unique type of business. It would be unwise for the teams in a league to compete as hard as they can against each other except on the playing field. If they did, the stronger teams would be likely to drive the weaker ones into financial failure and eventually the whole league would fail. Without competition on the playing field, public enthusiasm for sports diminishes, attendance falls off and, as a consequence, players' salaries and owners' profits decline. The self-interest of professional team sports is thus the strongest force assuring competition rather than monopoly. Teams in a league cannot afford to put their competitors out of business.

All team sports have learned that, in order to preserve competition on the playing field, it is necessary to employ certain restrictive devices relating to the selection and retention of players by teams, assignment of territories and so forth. These restrictive devices are designed to promote competition, not to stifle it. This is the essential difference between professional team sports and ordinary businesses.

Application of the antitrust laws to the sports aspects of professional team sports would have exactly the opposite effect from that which it has on ordinary businesses. The purpose of applying the antitrust laws to ordinary commercial businesses is to preserve competition in the public interest. This same public interest can be served only by exempting the sports aspects of professional team sports from the antitrust laws.

PUBLIC LAW 480 AND THE PRODUCTION OF WHEAT, FEED GRAINS, AND OTHER PRODUCTS

Mr. SCHOEPPEL. Mr. President, in a statement to the Senate on July 18, 1958, I pointed out that the authorization for Public Law 480 came to an end on June 30, 1958.

Insofar as authorizations under Public Law 480 are concerned, since June 30 the Department of Agriculture has been unable to go ahead or even to make plans for future activity, under this law.

In an announcement on July 20, 1958, the Secretary of Agriculture said the Department was then holding a large backlog of requests from friendly foreign nations to purchase surplus agricultural commodities for foreign currency, under title 1 of Public Law 480. The requests at that time were in excess of $600 million, at cost to the Commodity Credit Corporation. These requests were for substantial quantities of wheat, feed grains and other agricultural products. Those of us who have been following production trends, especially in the case of wheat and feed grains, will recall that these two agricultural commodities have been in large surplus supply up to this time. This year, there is being harvested perhaps the greatest wheat crop in the Nation's history. The feed grain crop, while yet to be harvested, promises to be a bumper one, also.

Since the enactment of Public Law 480, which I originally introduced, together with other Senators who were cosponsors of the bill, this country has been able to expand greatly the consumption of wheat from the farms of the United States. We have been able to move great quantities to friendly foreign countries where it has been badly needed. Thus, the United States has performed a double service by, first, giving an expanded export market to our wheat producers, and second, by strengthening our relationships with friendly foreign nations at a time when such friends are badly needed.

In the 1957 fiscal year, the United States achieved an alltime high record in exporting wheat and its flour equivalent, totaling 550 million bushels, valued at almost $1 billion. These exports were equivalent to 55 percent of the national wheat production for that year. These exports of wheat, for the first time in 5 years, made it possible to reduce the national wheat surplus stock, by over 100 million bushels.

In the 1958 fiscal year that ended on June 30, wheat exports under title 1 totaled 175 million bushels. This amount represented about 44 percent of our total wheat exports for the year.

The wheat and other agricultural commodity exports for the 1958 fiscal year might have been greater, had the authority contained in Senate bill 3420, passed by the Senate on March 20, been promptly enacted by the House. You will recall, Mr. President, that Senate bill 3420 provided for an additional authorization of $500 million for the remainder of the fiscal year 1958, or until June 30, 1958. Without this additional authority, the Department was unable to process applications.

The failure of the Congress, up to this date, to extend Public Law 480 has done much harm, especially to the American wheat farmer, in that it has deprived him of the benefits to be derived from an expanded market during the period when there was no authorization to make sales of wheat and other agricultural commodities under the terms of Public Law 480.

How much of the request for the purchase of $600 million have been lost to this country, I cannot say. I hope these requests have but been held in abeyance, pending the authorization of an extension of this law.

Mr. President, I have been informed that today the Senate will have an opportunity to pass on the conference report on Public Law 480. I hope it will be approved, if it comes before this body in satisfactory form.

Mr. THYE. Mr. President, will the Senator from Kansas yield to me?

The PRESIDING OFFICER (Mr. MORSE in the chair). Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. SCHOEPPEL. I am glad to yield.

Mr. THYE. I desire to commend the distinguished Senator from Kansas [Mr. SCHOEPPEL] for his remarks in regard to the conference committee's agreement on what we normally refer to as Public Law 480. It was the distinguished Senator from Kansas who first authored Public Law 480, which has served the Nation and the American farmers so well. It has aided in developing markets abroad. It has helped us dispose of surplus commodities which otherwise we would not have been able to sell. It has brought the much-needed food to some areas of the world where there was a deficit of food and fiber.

The distinguished Senator from Kansas [Mr. SCHOEPPEL] is to be commended for first having conceived the plan, which is embodied in Public Law 480, to dispose of surplus agricultural commodities.

Mr. President, I am a member of the Senate Committee on Agriculture and Forestry, as is the distinguished Senator from Kansas. I was a member of the conference committee which reached agreement with the House conferees on the conference report as of last evening, August 21.

The House will act first. We anticipate that the House will act early today, and that then the Senate will have an opportunity to act on the conference report.

Mr. President, I highly commend the distinguished Senator from Kansas. I, too, expect to speak on the matter when the conference report has been agreed to.

Mr. President, if I may have the permission of the Senator from Kansas to make a request at this time, I ask unanimous consent to have printed in the body of the RECORD a letter which I received from the clerk of the village of Hibbings, E. Arthur Anderson, and a resolution adopted by that village body.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

> VILLAGE OF HIBBING,
> *Hibbing, Minn., August 19, 1958.*
>
> Hon. Edward J. THYE,
> *United States Senator,*
> *Washington, D. C.*
>
> DEAR SENATOR THYE: As directed by the Hibbing Village Council I am attaching for your information a copy of a resolution adopted by our governing body on August 14, 1958, having to do with an appropriation of additional funds by Congress to the Department of the Interior, to be utilized for the operation of construction projects and other projects, either planned or in the process of planning, for the Superior National Forest.
>
> We consider the acquisition of these additional funds will be of material benefit to Iron Range communities in the relief of the prevalent unemployment situation at this time.
>
> The resolution is submitted to you with a request that you do whatever is within your power or jurisdiction in furthering the matter in question.
>
> Your cooperation is solicited and will be sincerely appreciated.
>
> Respectfully yours,
> E. ARTHUR ANDERSON,
> *Village Clerk.*

Trustee Gandsey offered the following resolution and moved its adoption:

> Resolution
>
> Whereas the Congress of the United States is considering an appropriation of additional funds to the Department of the Interior to be used for the operation of construction projects and other projects which are planned, or are in the planning stages, for the Superior National Forest; and
>
> Whereas there is at present a very considerable unemployment problem on the iron range in Minnesota, and which will likely become more acute during this coming winter; and
>
> Whereas the Village Council of the Village of Hibbing believes that if additional money is appropriated by Congress for this purpose, it will do much to relieve the unemployment situation on the iron range, generally, and in the Hibbing area: Now, therefore, be it
>
> *Resolved by the Village Council of the Village of Hibbing, St. Louis County, Minn.*, That the Congress of the United States be asked to appropriate additional funds for the Department of the Interior, to be used for the operation of construction projects in the Superior National Forest; and be it further
>
> *Resolved*, That a copy of this resolution be sent to United States Senators HUBERT HUMPHREY and EDWARD J. THYE, and to Congressman JOHN A. BLATNIK and Congresswoman COYA KNUTSON, asking them to give every assistance toward securing these additional funds.
>
> The motion to adopt the foregoing resolution was duly supported by Clerk Anderson, and, upon being put to vote, carried.
>
> JOHN J. SPANISH,
> CLAUDE J. GRAVES,
> GLADYS GANDSEY,
> *Trustees.*
> E. ARTHUR ANDERSON,
> *Clerk.*
> J. J. TAVESCHIA,
> *Mayor.*
>
> Adopted and passed this 14th day of August 1958.
>
> J. J. TAVESCHIA, *Mayor.*

Mr. SCHOEPPEL. Mr. President, I wish to thank very much my distinguished colleague, the senior Senator from Minnesota, for his kind remarks.

I recall most definitely that when Public Law 480 was first before the Committee on Agriculture and Forestry, it was the senior Senator from Minnesota [Mr. THYE] who at that time not only expressed a desire that we work out something along the lines of Public Law 480, but also stood up in the committee from time to time, on many, many occasions during the formative period of that legislation, and worked for its success.

The Senator from Minnesota will recall that the Senate passed that bill, but that then it remained in the House for the better part of a year.

I want the other Members of the Senate, as well as all those who read the CONGRESSIONAL RECORD, to know that the senior Senator from Minnesota, Senator ED THYE, took a very prominent and aggressive part in formulating and working out this proposed legislation;

and I was delighted when he was appointed one of the conferees on the bill.

I have been informed that from that conference has come a measure which provides a workable program; and I understand that the conference report will be before the Senate after the House passes on it.

I desire to acknowledge the outstanding contributions which have been made by the distinguished Senator from Minnesota [Mr. THYE], and to thank him publicly for the interest he has always manifested in this law.

Mr. THYE. Mr. President, I am grateful to the senior Senator from Kansas for yielding to me, and also for his remarks regarding my assistance in bringing about the enactment of this legislation.

THE LABOR REFORM BILL

Mr. KENNEDY. Mr. President, I ask unanimous consent that I may proceed, during the morning hour, to address the Senate for 5 minutes in addition to the normal time permitted.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the Senator from Massachusetts may proceed.

Mr. KENNEDY. Mr. President, only the Jimmy Hoffas and the Nathan Shefermans can find satisfaction in the failure of this Congress to pass the labor reform bill, generally known as the Kennedy-Ives bill. Honest union members, informed business men, responsible labor leaders, law enforcement officers, and the general public—all of these will suffer as the result of this bill's death in the House of Representatives.

Those who voted against the bill and those who lobbied for its defeat must bear a heavy responsibility during the coming months when racketeering and gangsterism in the labor movement continue unchecked. I cannot believe that the American people will accept some technical or procedural argument offered by way of excuse for the defeat of a bill which would have put Mr. Hoffa and his ilk out of business.

No two experts in labor affairs could probably agree on a draft bill in this controversial and sensitive area. Therefore, it was natural that criticism and controversy should surround it. As the Senator from Arkansas [Mr. MCCLELLAN] put it during the debate in the Senate:

> Each Senator, no doubt, feels that if he were privileged to write it he could improve on this measure.

In the same colloquy, he expressed what I believe all of us felt, when he said:

> I say let us take what we know all of us want, and pass the bill, and then move on.

And the Senate did just that, and passed the bill by an 88-to-1 vote.

That this bill displeases extremists is not surprising, for these same extremists have been the ones who have prevented the enactment of any progressive labor legislation since 1947. But this bill passed the Senate precisely because the Members of this body demonstrated, in the words of Business Week magazine, how "wise guidance in the public interest can be substituted for concern over wide apart partisan positions."

The Kennedy-Ives bill, as it passed the Senate, was a strong, bipartisan measure. Whatever may be said about what the Congress might do on some other bill at some other time, this bill represented a real opportunity for effective labor reform in this Congress. The failure to enact it only means that Hoffa and the handful of irresponsible and arrogant labor leaders who plague an otherwise clean labor movement will continue to operate.

Of one thing we may be sure: Next year, there will be more scandals, more racketeering, more abuses by the hoodlums who have infiltrated a tiny fringe of the American labor movement. But we shall lack an effective remedy to stop them; and those who defeated this bill are apparently willing to assume responsibility for tying our hands.

More union funds will be embezzled or otherwise misused next year, and the members and the public will know nothing about it.

More union elections will be rigged next year, and nothing will be done about it.

More ex-convicts will serve as union officers; more Nathan Shefferman middlemen will take payoffs; more picket lines will be set up for extortionate purposes; more trusteeships will be used for Jimmy Hoffa-type power plays; more Johnny Dio paper locals will be established to front for racketeers; but we shall be able to do nothing about it.

The results of nearly 2 years of McClellan committee hearings, of several weeks of hearings, discussion, and drafting by the Labor Committee, of long, constructive debates on the Senate floor; all this is to go for naught, because of the short-sighted opposition stemming mostly from one party and one interest group.

PROVISIONS OF THE KENNEDY-IVES BILL

No one who thoughtfully examined the Kennedy-Ives bill could doubt its effectiveness as a labor-reform measure. The key provisions of the bill, as passed by the Senate, included the following:

First. Comprehensive detailed disclosure to members, press, public, and law enforcement agencies of union financial data.

Second. Full reports by union officers on any personal conflict-of-interest transactions.

Third. Criminal sanctions for embezzlement of union funds, false reporting, false entries in books, failure to report, or destruction of union books.

Fourth. Suits by union members for recovery of funds embezzled or misappropriated by union officers.

Fifth. Prohibition of loans by employers or unions to union officers.

Sixth. Secret ballot for the election of all union officers or of the convention delegates who select them.

Seventh. Due notice of all union elections, and real opportunity to nominate opposing candidates.

Eighth. Requirement that union officers be elected by secret ballot every 4 years, by international unions; and every 3 years, by local unions.

Ninth. Prohibition on the use of union funds to support candidacy of any union officer.

Tenth. Prohibition of service as union officers of persons convicted of felony.

Eleventh. Power to Secretary of Labor to institute court action to set aside improper elections, and conduct new elections.

Twelfth. Limit on union trusteeships to 18 months.

Thirteenth. Mandatory annual report to Secretary and union members on every trusteeship, the reasons for its establishment, continuance, and operation.

Fourteenth. Prohibition on counting votes of delegates of trustee bodies unless delegates elected by secret ballot, and on transfer of funds from trusteed local union to international except normal dues and assessments.

Fifteenth. Power to Secretary of Labor to begin a court proceeding to break improper trusteeships.

Sixteenth. Prohibition of picketing for extortion or to secure payoff from employer.

Seventeenth. Prohibition of solicitation or payment of fictitious fees for unloading cargo from interstate carriers.

Eighteenth. Public financial reports of the operations of Shefferman-type middlemen; and a prohibition of channeling bribes and improper influence through such middlemen.

Nineteenth. Elimination of the "no man's land" problem which prevented NLRB action on local labor racketeering, by directing the NLRB to exercise its full jurisdiction under the Taft-Hartley Act.

A STRONG LABOR REFORM BILL

It will be noted that this bill would have implemented every one of the McClellan Committee's legislative recommendations not yet acted on, inasmuch as the welfare fund protection bill had already been passed.

The McClellan committee legislative recommendations were as follows and I quote from the report:

LEGISLATIVE RECOMMENDATIONS

> The United States Senate Select Committee on Improper Activities in the Labor and Management Field recommends that the Congress of the United States give attention to the passage of legislation to curb abuses uncovered in five areas during our first year of hearings.
>
> These recommendations are—
>
> 1. Legislation to regulate and control pension, health, and welfare funds;
>
> 2. Legislation to regulate and control union funds;
>
> 3. Legislation to insure union democracy;
>
> 4. Legislation to curb activities of middlemen in labor-management disputes;
>
> 5. Legislation to clarify the "no man's land" in labor-management relations.
>
> It must be noted that the committee has explored a number of other areas in labor-management relations and plans to present legislative proposals covering those areas at a future time. For instance, much testimony has been heard during past months on the infiltration of gangsters and racketeers into the labor movement. Additional testimony on this subject will be heard during the coming year and this, along with other subjects of committee interest, such as some phases of organizational picketing on which we have already had some testimony, will provide the basis for further legislative recommendations.

The bill rejected by the House implemented all but the first of these recommendations which was already far advanced in the legislative process. This bill would have accomplished the following:

First. It provided for complete financial disclosure by unions, with broad investigative powers for the Secretary of Labor to insure compliance;

Second. It imposed strict standards of union democracy, including free elections by secret ballot and the regulation of trusteeships;

Third. It curbed labor-management middlemen;

Fourth. It provided an effective solution to the "no man's land" problem.

The bill, as passed by the Senate, was recognized by knowledgeable men on both sides of the aisle as an effective instrument of labor reform. The Senator from Arkansas [Mr. MCCLELLAN] said of the bill:

> If enacted, and properly administered, it will drive many unreformed ex-convicts, racketeers, gangsters, and crooked officials out of the union movement and strengthen the position of honest, decent unionism, and its leaders.

Senator KNOWLAND, the distinguished minority leader, indicated that the bill marked "real progress" and said, "In the final analysis, the workers will be the ones who will suffer if Congress does not finally act on legislation of this sort at this session." And the ranking Republican member of our Senate Committee on Labor, the Senator from New Jersey [Mr. SMITH], has termed the bill "one of the important landmarks of this Congress."

TAFT-HARTLEY AMENDMENTS

There have been objections that this bill does not go far enough—that it does not restrict labor's rights in the field of collective bargaining or political activity. But the Senate demonstrated repeatedly that it regarded this as a labor reform bill, designed primarily to carry out the recommendations of the McClellan committee—and that it should not be loaded down with broad new measures in the various areas of industrial relations.

The Taft-Hartley amendments contained in the bill were placed in it at the repeated urging of administration spokesmen. The Secretary of Labor in his appearance before our committee insisted on the inclusion of these amendments as did the ranking minority member of our committee, the Senator from New Jersey [Mr. SMITH] both in committee and on the floor of the Senate.

The following excerpt, for instance, is taken from page 32 of the hearings before our committee:

> Senator KENNEDY. I will say to the Secretary, the Secretary knows quite well that I would be delighted to see reforms in the Taft-Hartley law, which are long overdue.
>
> The legislative recommendations of the McClellan committee include five areas: Legislation to regulate control of pension, health, and welfare funds, which, as I have said, we have done something about.
>
> Second, to legislate to regulate control of union funds; and three, legislation to insure union democracy; and four, legislation to curb activities of middlemen in labor-management relations; and five, legislation to clarify the "no man's land" in labor-management relations.

I will say that if it is the desire of any member of the committee to offer amendments on any question, when the subcommittee finally meets to decide on legislation, that, of course, is his privilege.

I am merely hoping to the extent possible that we will attempt to confine ourselves to this immediate challenge.

From our experience since 1947, I am aware of the error of attempting a full-scale revision of the Taft-Hartley Act which, I believe, ought to take place.

Now, it may be possible, if the subcommittee could reach a consensus, we could do something about matters like non-Communist affidavits, and the right of economic strikers, and the problem of the building trades, and matters about which I think there is quite general agreement.

However, I am anxious that we do not get into too broad a field, because the result will be that nothing will be done.

Secretary MITCHELL. Certainly, in my answers to questions, I will abide by the chairman's ruling.

Senator KENNEDY. It is not a ruling. It is just an expression of hope.

Secretary MITCHELL. I would like to say it is the reason why I thought it was to the interest of all concerned to unfold a complete labor-management program, in my opinion this program should be approached in the broadest way.

All of the recommendations we have made, we think, are needed reforms.

And again, on page 278, the Senator from New Jersey [Mr. SMITH] had this to say:

> I do want to emphasize the importance of giving serious consideration to the entire program contained in S. 3097, S. 3098, and S. 3099 which I introduced for the administration. * * *

For this reason I agree with the distinguished chairman, Mr. KENNEDY, that in the time available, it is impossible to write a major revision of the Taft-Hartley Act, especially if consideration is to be given to the recommendations of the McClellan committee dealing with the urgent problems of racketeering and union democracy, and such testimony as we received from Senator KNOWLAND yesterday, and Senator MCCLELLAN yesterday in their splendid presentation before this committee.

However, although the administration's proposals do not contemplate a major revision of Taft-Hartley, some of them are directed at specific, long-standing inequities and deficiencies, the correction of which are of immediate urgency.

This being so, I hope that it will be possible for us to deal with these proposals at this time.

The only major recommendations of the administration not included in the bill related to organizational picketing and secondary boycotts. But the Senator from Arkansas [Mr. MCCLELLAN] has clearly indicated that the question of secondary boycotts and picketing would be the subject of future investigations by the committee, and consequently, action on these two specific areas was deferred. I refer the Members of the Senate to page 11319 of the CONGRESSIONAL RECORD where this whole matter was discussed, and I quote from Senator MCCLELLAN'S speech on that page:

> Our committee has only begun to investigate that particular area. We have received some testimony regarding it, and I have repeatedly stated that the secondary boycott problem must be dealt with.
>
> But it is my theory that if we are to have good legislation, we must give it some care and thought. That is all I am asking for.
>
> If the Senate is now to try to legislate at this session, by means of this bill, in the entire labor and management field, then the select committee should be discharged, because then there would be nothing left for it to do.
>
> I want to have good legislation enacted, and I want the Senate to go into this field. But I repeat that I want these proposals properly investigated and considered, rather than to take hasty action and get bad legislation enacted.

OTHER CRITICISMS

Exaggerated criticism came from some quarters about the provisions of the bill requiring reports from employers concerning deals with labor-management middlemen. This provision of the bill prohibited nothing; it merely required information to be reported from employers concerning dealings with what the McClellan committee report called shadowy figures. Neither did this provision in any way interfere with normal employer-employee relations, nor was it ever intended to do so.

Another provision of the bill, clearly designed to prohibit bribes by employers to prevent unionization, was requested by National Labor Relations Board representatives when they appeared before the McClellan committee. This unambiguous antibribery section certainly did not preclude normal wage or other payments as was charged by some.

KENNEDY-IVES STRONGEST AVAILABLE BILL

The hard facts of the matter are that the Kennedy-Ives bill was not only the strongest bill which could pass the Congress—and the only bill which could be enacted at this Congress—it was also the strongest bill available. In most key areas it was much stronger than the proposals of the administration. Permit me to list some of them:

First. The administration proposals contained no effective regulation of trusteeships. This bill set strict standards and provided means by which union members could protect themselves against arbitrary imposition of trusteeships by international unions.

Second. The administration's bill contained weak and ineffective provisions to protect union members' voting providing only a report from a union that it follows its own rules for elections. The Senate-passed bill, on the other hand, would have required secret periodic elections of all important union officers. It went further and provided machinery to upset improperly held elections and established a method by which new elections could be held.

Third. The administration's bill merely reenacted present law dealing with union financial reports while the Senate-passed bill contained a comprehensive reporting requirement including reports by union officers of conflicts of interest.

Fourth. The administration bill contained a very limited provision requiring employers to report only payments to any union officer or employee. This is already covered by section 302 of Taft-Hartley. The Senate-passed bill, on the

other hand, contained a strong, detailed provision requiring employers and middlemen to report transactions and arrangements as well as payments and expenditures for activities intended to influence or affect employees in the exercise of rights guaranteed by the Labor Act.

Fifth. The Senate-passed bill contained a strong specific provision against "shakedown picketing" in general and against unlawful exactions from interstate truckers. These safeguards were not specifically covered in the administration bill.

Sixth. The Senate-passed bill specifically prevented convicted criminals from holding union office. This subject is not covered by the administration bill.

Seventh. The Senate-passed bill contained a specific prohibition against using union funds to influence union elections. The administration bill was silent on this subject.

Eighth. The Senate-passed bill contained specific provisions making it a criminal offense to refuse to submit to the Secretary of Labor records, and to refuse to permit the Secretary of Labor to enter and inspect books and accounts. The administration bill would have required the Secretary to resort to protracted court proceedings for this purpose.

Ninth. The Senate-passed bill contained strong criminal penalties against false entries in union books and against destruction of records. The administration bill was either silent or contained much weaker provisions dealing with this subject.

Tenth. The Senate-passed bill contained provisions designed to encourage unions to enforce strict codes of ethical practices binding upon affiliates and members. The administration bill was silent on the subject.

Eleventh. The Senate-passed bill contained a strong provision directing the Labor Board to exercise its jurisdiction in situations warranting such action and presently not covered by reason of the Board's refusal to exercise its statutory jurisdiction. The administration bill would have perpetuated the present Board-created "no man's land" by ceding jurisdiction to States, 36 of which have no State labor relations laws. This would mean applying greatly dissimilar State labor laws ranging from New York's prolabor, closed shop law to restrictive right-to-work statutes on the books in several States. More importantly it would have left thousands of employers and employees in such major industrial States as California and Illinois without the protection of a uniform national labor law.

Mr. President, neither Senator Ives nor I have ever sought to make this labor reform measure a partisan political issue. We knew that there was too much at stake. I have cited these comparisons with the administration bill to demonstrate that the bill rejected by the House yesterday was a strong and effective measure.

Until this week, it was never a party measure. The bill had a bipartisan origin and sponsorship, and included the recommendations of the President as well as those of the bipartisan McClellan committee. It was reported by the Senate Labor Committee with only one dissenting vote. It passed the Senate with only one dissenting vote. It received the endorsement of those members on both sides of the aisle who have taken a special interest in labor affairs.

But now partisanship has killed the labor-reform bill. Two-thirds of the Members were required to pass the bill in the other body. More than two-thirds of the Democrats supported the bill. More than three-fourths of the Republicans opposed it.

This is a fantastic performance. The Republicans have long assailed the Democratic Party for its supposed labor ties. They have long cried out for labor reform. They have long assailed the Democratic Congressional leadership for not passing a bill to implement the findings of the McClellan committee. Now, finally given an opportunity to vote for labor reform—for a bill that would have crippled the free-wheeling operations of Mr. Hoffa and his ilk—they chose to defeat the bill and preserve the issue.

I have already commented on the false propaganda campaign against this bill, initiated by the NAM, Retail Federation, and United States Chamber of Commerce. Their success in planting fear and confusion on the Republican side—regarding a bill thoroughly and carefully considered here before it passed 88 to 1—has now been demonstrated.

But none of this would have been possible had it not been for the sabotage of the bill effectively worked by the official Republican spokesman on labor affairs, Secretary of Labor James Mitchell.

Mr. Mitchell has talked long and piously about the need for labor reform. He has sought to give the credit for action in carrying out the McClellan committee recommendations to the Republican administration. He has sought to place the blame for inaction upon the Democratic Congressional leadership. But the facts of the matter are that the chief stumbling block to labor reform legislation in this Congress has been Secretary Mitchell.

At no time has he lifted one finger in favor of this bill. At no time has he urged his party members in either house to vote for the bill. He first attempted to sabotage the bill from Geneva, calling it "weak and ineffective," after it had been reported out of committee by a nearly unanimous vote. He has continued these negative and misleading comments up to this very week. Finally, at the crucial moment in the House debate, just before the vote on the measure, he authorized a statement on the floor of the other body calling the bill a "bad bill". The inevitable result of his intervention followed: 79 percent of the Republican Members voted against the bill.

The reason is plain: Mr. Mitchell did not want a labor reform bill. His contradictory public statements about the legislation were designed to kill the only bill that could pass, appease those anti-labor elements in his party that wanted a more restrictive bill, and maintain a synthetic political issue. For Mr. Mitchell's true attitude on labor reform was disclosed at an academic seminar some months ago. The opposition to labor reform legislation which he expressed at that meeting has since been reported in the press, and I have independently checked these quotations and found them to be accurate. At that meeting Mr. Mitchell opposed democracy in labor unions, stating it could lead to "anarchy." He opposed receiving authority to disclose union financial reports, saying he would "prefer to defer this." He opposed effective labor reform legislation, stating that he did "not think anybody is going to be able to write and pass legislation that will correct the evils that the McClellan committee has uncovered. My job is to quiet the hysteria so we do not get the kind of legislation that would be dangerous to the American labor movement. Maybe the right way to put it is: 'Feed a little innocuous legislation to the lions, and this may give us the time to put the thing in the right perspective.' "

The President is reported as having stated yesterday that the bill had four shortcomings. However, Mr. President, examination of the record indicates that the President has been inadequately briefed.

First, contrary to the President's contention the bill does contain very adequate power to enforce the standards imposed in it. Under the bill, the Secretary is authorized to make investigations, enter and inspect records and is specifically directed to compile the reports required by the bill when any person responsible for making a report neglects to do so. The bill also contains stiff criminal penalties which if properly administered will compel adherence to standards.

Second, contrary to the President's statement the bill does deal with shakedown picketing in section 603. The problems of secondary boycotts I have already discussed.

Third, the President complains about the Taft-Hartley amendments in the bill. The fact of the matter is that the Taft-Hartley amendments contained in this bill, as I have already pointed out, are all based on recommendations in the President's own labor message of last January, or have been recommended in the past by prominent Republican labor spokesmen. That message called for restoring the right of economic strikers to vote—so did this bill. It called for prehire contracts in the construction industry—so did this bill and so on.

Fourth, the President mentions the no-man's-land problem. The solution proposed by the administration was at first favored but later rejected by our committee, for it would have turned over to the States jurisdiction in interstate labor matters where no labor law exists. Thousands of workers and employees, under the administration proposal, would have been left without the protection of a uniform national labor law.

It is unfortunate that misleading charges and analysis which ignored the many sections on which there was general agreement, has killed a bipartisan

bill desperately needed by the American working people and public, regardless of party. I can only say that constructive labor reform legislation will be brought forward again next year; and I can only hope that it will pass the Congress in 1959 with the same constructive spirit that enabled it to pass the Senate by 88 to 1 this year.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point two editorials and an article on that subject.

There being no objection, the editorials and article were ordered to be printed in the RECORD, as follows:

[From the New York Times of August 21, 1958]

LABOR REFORM: LOSS AND GAIN

The cause of labor reform has received a blow from the House of Representatives, but a boost from organized labor. The House has failed, as the President reminded its Members yesterday, in its manifest duty to pass a moderate bill to curb union abuses. On the other hand, the executive council of the AFL–CIO has served the public well—and labor, too—by its prohibition of any alliances between its affiliates and the Teamsters' Union, previously expelled for corruption.

The Kennedy-Ives bill, which the House killed, may have had its defects, but, by and large, it was a promising answer to the overwhelming demand for Congressional action. Its passage in the Senate by 88 to 1 and then its defeat in the House were resultants of a complex of forces and pressures, largely below the surface of the news. Some of them, however, have been evident—for example, the strange partnership of Mr. Hoffa and his teamsters with the National Association of Manufacturers and the chamber of commerce to oppose the measure.

But the public can hardly be blamed for holding the leadership of the Democratic majority of the House largely responsible for the defeat of the bill. After all, Speaker RAYBURN's delay in sending it to the Committee on Education and Labor and the committee's failure to act when it came to them were damaging enough. The final suspension of the House rules, with limited debate and no chance for amendment, gave the bill's opponents excuses for complaint.

The Democratic candidates in the next election will have plenty to explain for their party, but, after all, 77 percent of the House Republicans who voted were against the bill.

But if the failure of Congress to act has left inviting legal doors open to further labor-union misdeeds, the AFL–CIO's action will certainly discourage them. It would have been a national calamity if teamster corruption should have been rewarded by continued cooperation from the federation's affiliates. We applaud this further evidence of organized labor's campaign to keep its own ranks clean, even if Congress fails to support the cause. But good can come of that if it intensifies the demand for effective action in Washington.

[From the Washington Daily News of August 21, 1958]

LABOR ANGRY WITH MITCHELL

(By John Herling)

FOREST PARK, PA., August 21.—The top leadership of the AFL–CIO met this week with two leading Cabinet officials of the Eisenhower administration: Secretary of State Dulles and Labor Secretary Mitchell.

The Dulles meeting was scheduled months ago as a sort of counterappearance to Dean Acheson's last May. At that time, President Truman's Secretary of State discussed international affairs with the United States labor spokesman. Last time Mr. Dulles appeared before an important labor body was 1953 when he spoke to the AFL convention in St. Louis.

The Dulles and Acheson labor seminars indicate important recognition given by the Federal Government to the significant role organized labor plays in the making of American foreign policy opinion. During the past year, AFL–CIO President George Meany was a member of the United States delegation to the United Nations Assembly. Starting next month, George M. Harrison, Railway Clerks president and chairman of the AFL–CIO International Relations Committee, becomes the labor U. N. delegate.

While all the diplomatic niceties were observed by the AFL–CIO council members, even in the question-and-answer period with Mr. Dulles, the plans laid for Mr. Mitchell's reception were somewhat on the rough side.

The reason for the vehemence and hostility which the labor spokesmen now feel toward the Labor Secretary was his surprise turnabout opposition to the Kennedy-Ives bill in the House just 3 days before.

When word came here that Representative WALTER JUDD, of Minnesota, had taken the floor armed with a statement from Mr. Mitchell that he was bitterly disappointed in a suspension of rules, the uproar and dismay on the House floor was as nothing as to the reaction which greeted the Mitchell statement at the AFL–CIO executive council.

Top leaders like Mr. Meany, Auto Workers President Walter Reuther, International Ladies Garment Workers Union President David Dubinsky, whose union's summer home—Unity House—is the site of this meeting, expressed their surprise and shock. Some considered this a doublecross of massive proportions.

Others echoed the angry statement of Republican Senator IRVING IVES, of New York, who declared that the defeat of the Kennedy-Ives bill in the House was a triumph for gangsterism.

The AFL–CIO executive council charged that the defeat was due to an unholy alliance of the NAM, the chamber of commerce, the reactionary Republican leadership of the House, the teamsters, and the United Mine Workers which wrecked the bill. Then the council hit hard at Ike's labor adviser: "We deplore the role of Secretary of Labor Mitchell, whose opposition to constructive reform legislation was obviously politically inspired."

All this was the prelude to the frontal attack on Labor Secretary Mitchell informally and at the scheduled meeting of the executive council. When word came of what some called the Mitchell betrayal, there was a strong inclination to cancel his invitation to appear before the council. Other, more calculating minds, however, prevailed. Mr. Meany said with a slight smile, "Our official statement on Mr. Mitchell is just mild."

Face to face, in a confrontation scene with the Secretary of Labor, 24 angry men, behind closed doors, were grimly determined to make it clear that Mr. Mitchell, who had become regarded in labor circles as a good Secretary of Labor, was now to be considered a Republican politician, following his party line in opposition to union-management reform.

[From the Evening Star of Wednesday, August 20, 1958]

SORRY SHOW

If any cause has been served by the House defeat of the Kennedy-Ives labor reform bill, it is not that of the public interest. Similarly, it is not that of the rank and file of union labor—the No. 1 victims of the racketeering and corruption in union administration which the measure was designed, in some degree at least, to curb. It is not that of management that has complained so often of union practices, but belatedly turned its organized weight against this moderate start at compulsory reform. And if there is political advantage to be gained from the sorry record in the House, or in the on-again-off-again position taken by the administration, it is difficult to see how either party can make any clear claim to it.

From the beginning, this legislation was recognized as relatively mild and directed only at some of the outstanding abuses revealed by the McClellan committee inquiry in the Senate. It was not "union busting" legislation, but it represented a start at imposing restraints upon misuse of union power, by hoodlum leaderships, comparable to restraints which have been imposed in past times against predatory industrial and financial interests. The measure was approved by an 88-to-1 vote in the Senate, where its bipartisan sponsors were strongly supported by Chairman MCCLELLAN. In the House, there were no comparably powerful advocates and, quite evidently, strong forces in opposition.

The result, in short, is that Congress has failed to do a job that needed doing. The need will be there, however, until some Congress musters the political courage to do the job. Meanwhile, those who managed this year's defeat may reflect upon Senator Ives' evaluation that their action "is an open invitation to all criminals to make the most of their opportunities in the labor-management field."

NEED FOR A NEW FARM PROGRAM

Mr. PROXMIRE. Mr. President, one of the most urgent tasks that is left undone as Congress adjourns is to meet the need for a new farm program. American agriculture has gone backward some more during this session of Congress.

Figures now are available which show the terrible cost to dairy producers of the severe and unjustified cut in their income which the Secretary of Agriculture imposed by his reduction of price supports for dairy products on April 1.

Mr. President, the cost to dairy producers in the United States, as a result of the reduction in the price they receive for milk since a year ago, has totaled $58.4 million during the first 4 months since the cut in dairy supports.

My own State of Wisconsin as America's foremost dairy State, has suffered most of all. Mr. President, the milk producers in Wisconsin alone have lost $8½ million in income during these 4 months as a direct consequence of Secretary Benson's unwarranted action.

This is $8½ million that Wisconsin dairy farmers had last year, but will not have in 1958 for supporting their families, paying their taxes, paying their farm-operating expenses, supporting their churches, and providing for the education of their children and their own security in their old age.

This is $8½ million that has been ripped out of the cash registers of the small-business man on Main Street in every Wisconsin town and village and small city. It is $8½ million that is not available to purchase automobiles and refrigerators and clothing and the other products of our industry.

I want to emphasize that the economic damage which is being suffered in Wisconsin is not limited to Wisconsin alone. It is spread over every part of the Nation

where dairy products are produced and sold. In 4 months' time alone, Mr. Benson's unjustified cut in dairy-farm income has drained a total of $58.4 million out of the buying power of American agriculture. I ask unanimous consent to have two tables I have prepared showing these facts printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE A

Loss to U. S. dairy farmers resulting from cut in support price ordered into effect Apr. 1, 1958

Month	Amount average farm price in 1958 is below same month in 1957, for—			Total loss in value to farmers, all milk sold, millions
	All milk (whole-sale, hundredweight	Manufacturing milk, hundredweight	Butterfat, pound	
April	$0.10	$0.16	$0.017	$14.0
May	.10	.17	.018	14.8
June	.10	.16	.018	15.6
July	.14	.14	.017	14.0
Total loss to United States milk producers, 4 months				58.4

Source: U. S. Department of Agriculture agricultural prices and crop production.

TABLE B

Loss to Wisconsin dairy farmers resulting from cut in support price of Apr. 1, 1958

Month	Price reduction per hundredweight, 1957 to 1958, average farm price in Wisconsin	Production of milk, million pounds	Loss to producers in Wisconsin
April	$0.10	1,685	$1,685,000
May	.15	1,879	2,818,000
June	.13	1,812	2,355,000
July	.10	1,551	1,551,000
Total loss to Wisconsin in producers, 4 months			8,419,000

Source: Agricultural prices and monthly crop reports, U. S. Department of Agriculture.

Mr. PROXMIRE. This would be bad enough, Mr. President, if the injustice and wrong were limited to farmers alone. Some might even justify it if the consumers of this Nation had received the benefit of the farmers' loss.

But the consumers have not received what has been taken away from the farmers.

Even worse, the consumers have had to pay higher prices than ever for the dairy products they buy in their retail grocery stores.

Mr. President, in the past 4 months alone, American consumers have been compelled to pay $47.9 million more for the dairy products they have purchased than those same products would have cost at the prices of 1 year before.

I ask unanimous consent to have a table which presents the figures to back up this important economic fact printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD.

TABLE C.—*United States consumers pay more for dairy products at retail in 1958 than same month of 1957*

Product	April		May		June		July [1]		August [1]	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
Milk (store, quart)	23.1	23.6	22.8	23.3	22.7	23.3	(2)	(2)	(2)	(2)
Milk (delivered)	24.6	24.9	24.4	24.8	24.4	24.8	24.5	25.1	24.6	25.3
Ice cream, pint	29.3	29.7	29.4	29.7	29.5	29.6	(2)	(2)	(2)	(2)
Butter, pound	74.9	73.9	74.0	73.6	73.8	73.5	(2)	(2)	(2)	(2)
Cheese, American, pound	57.4	58.2	57.4	58.0	57.6	58.1	(2)	(2)	(2)	(2)
Milk, evaporated, 14½-ounce can	14.4	15.1	14.5	15.1	14.6	15.1	(2)	(2)	(2)	(2)

[1] BLS Consumer price figures not available for July and August 1958. Figures supplied are from U. S. Department of Agriculture fluid milk and cream report, July and August 1958.
[2] Not available.

Source: Bureau of Labor Statistics, Department of Labor.

NOTE.—BLS Consumer Price Index for dairy products: In April 1958, 1.8 percent higher than in April 1957; in May 1958, 1.6 percent higher than in May 1957; in June 1958, 1.5 percent higher than in June 1957.

Mr. PROXMIRE. This, Mr. President, is a double-barreled economic injustice of the first order.

The farmer gets less. The consumer pays more.

What has become of the income that has been taken away from the farmer? What has become of the extra prices that consumers are forced to pay?

It has gone exactly where all the rest of the farm income has gone that Secretary of Agriculture Ezra Taft Benson has pried loose from American farmers in the past 5 years. It has gone exactly where the rest of the additional prices that consumers have been forced to pay during this same period has gone. It has gone into the pockets of the middlemen who buy the farmers' products and sell them to the housewives of America.

In the past 4 months alone, since the latest reduction in prices for dairy products which Secretary Benson has imposed upon the dairy farmers, the middlemen have pocketed $106.3 million more than they would have received for their share of the housewife's milk and butter money at the farm and retail prices that prevailed just 1 year ago.

Never in all history has one man done so much for the rich corporations which squeeze the farmers of America with one hand, while they shake more and more and more, in higher and higher and higher food prices, out of the aprons of America's housewives.

I ask unanimous consent to have a table summarizing the effect upon farmers, consumers, and the middlemen printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE D

Loss to United States dairy farmers, added cost to consumers, and gain by middlemen resulting from price changes following reduction of dairy supports Apr. 1, 1958

Month	Change from 1957 to same month of 1958 (millions of dollars)		
	Loss in value to farmers, all milk sold	Added cost to consumers for dairy products	Total increase in middlemen's margin on dairy products
April	14.0	13.5	27.5
May	14.8	12.0	26.8
June	15.6	11.2	26.8
July	14.0	11.2	25.2
Total	58.4	47.9	106.3

Source: Based on statistics of Bureau of Labor Statistics and U. S. Department of Agriculture. July consumer cost is a projection of figures for June 1958, which is considered conservative since fluid milk and cream report, U. S. Department of Agriculture, for both July and August shows margin between 1957 and 1958 retail price of fluid milk is increasing. BLS figures for other dairy commodities not yet available for July.

Mr. PROXMIRE. Ezra Taft Benson is the not the farmers' Secretary of Agriculture. He is not the housewife's Secretary of Agriculture. He has served the middlemen who exploit them both, he has served them with devotion, and he has served them well.

He has loaded the Department of Agriculture payroll with more employees than it has ever had before in history—and he has stuffed the Department's advisory committees with spokesmen for the middlemen. He has weakened the representation of farmers in his own advisory councils, and he has crippled the democratic influence of the farmers in their own administrative farmer committees.

And throughout this fantastic career, he has distinguished himself above all else as a mammoth spender of the taxpayer's money.

The total expenditures of the Department of Agriculture just 7 years ago—in 1951—were $650 million. Mr. President, the estimated expenditures in Mr. Benson's Department of Agriculture in the current fiscal year are more than 10 times as great.

I have had these figures compiled at my request by the Department of Agriculture itself. They show that expenditures for the Department in the current fiscal year are estimated at $6,521,000,000. I ask unanimous consent to have these figures printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE E

UNITED STATES DEPARTMENT OF AGRICULTURE

Budget estimates, appropriations and expenditures, fiscal years 1951–59

[Millions of dollars]

Fiscal year		Annual appropriations for regular activities	Loan authorizations	Special activities [1]	Restoration of CCC capital impairment	Permanent appropriations	Commodity Credit Corporation and other revolving funds	Total
1951	Budget estimates	817.0	631.0	----------	66.7	120.8	----------	1,635.5
	Appropriations	740.5	444.5	----------	66.7	124.2	----------	1,375.9
	Expenditures	753.2	422.0	----------	57.4	−582.5	----------	649.8
1952	Budget estimates	866.8	262.0	114.6	427.0	164.9	30.0	1,865.3
	Appropriations	795.0	278.2	111.0	421.5	181.1	30.0	1,817.8
	Expenditures	734.9	305.4	110.2	----------	56.2	−143.5	1,151.2
1953	Budget estimates	752.8	244.0	195.4	120.0	206.3	----------	1,518.5
	Appropriations	740.2	256.5	195.4	109.4	208.9	----------	1,510.4
	Expenditures	752.0	307.9	196.9	----------	109.6	1,761.6	3,217.2
1954	Budget estimates	726.3	205.0	179.6	110.0	201.9	150.0	1,572.7
	Appropriations	751.4	222.5	179.6	98.2	202.6	120.0	1,772.3
	Expenditures	694.1	300.7	179.8	----------	209.6	1,442.9	2,917.1
1955	Budget estimates	714.9	280.5	122.1	642.0	209.9	----------	1,979.3
	Appropriations	726.6	268.0	122.1	560.2	207.7	----------	2,028.5
	Expenditures	760.2	341.9	122.1	----------	57.1	3,295.2	4,626.5
1956	Budget estimates	788.3	410.2	184.2	1.6	194.2	----------	1,580.3
	Appropriations	809.4	408.0	184.2	1.6	198.7	----------	1,601.9
	Expenditures	823.3	367.1	183.9	----------	210.9	3,801.6	5,176.8
1957	Budget estimates	950.8	585.3	270.8	620.3	206.9	13.0	3,046.1
	Appropriations	924.5	1,068.5	270.8	620.3	246.0	13.0	3,583.1
	Expenditures	1,467.6	690.8	270.8	----------	215.9	2,560.9	5,006.9
1958	Budget estimates	2,013.4	474.5	3,156.2	1,220.8	206.6	----------	7,190.3
	Appropriations	1,732.9	448.5	3,156.6	1,220.8	294.1	----------	6,871.7
	Expenditures	1,542.8	541.5	2,588.7	----------	199.0	15.7	4,887.4
1959	Budget estimates	1,955.2	281.0	----------	1,760.4	206.1	----------	4,412.7
	Appropriations	[2] 1,847.8	594.0	----------	1,760.4	306.1	----------	4,508.3
	Expenditures (estimated)	1,768.6	646.0	----------	----------	262.8	3,838.4	6,520.5

[1] Represents reimbursements to Commodity Credit Corporation chiefly for prior-year costs of special commodity-disposal programs financed by CCC.
[2] Includes supplemental appropriations in accordance with the Department's request to the Senate Appropriations Committee. Budget estimates and estimated expenditures also include these supplemental items.

Mr. PROXMIRE. Just this week, Mr. President, I read an article written by an eminent American journalist. The point he made is that Ezra Taft Benson has been so highly successful that he has become a prominent contender for the Vice Presidential nomination on the Republican ticket in 1960.

I do not doubt the sincerity of this journalist. But I think he is wrong.

I wish these newspapermen who glorify Benson would measure his record against what has happened to the farmers of America since he took office in 1953.

I wish they would measure his record against what has happened to the housewife's food budget since he took office in 1953.

Most of all, I wish they would measure Mr. Benson's record against the promises that President Eisenhower made to the farmers of America when he was campaigning for their votes in 1952.

Certainly the President is an honorable man. Certainly he intended to carry out his campaign promises. And certainly he must have expected his Secretary of Agriculture to strive faithfully to implement those promises.

Secretary Benson has not done so. He has acted in direct contradiction to specific pledges by the President. He has moved in the opposite general direction from that promised by the President.

Mr. President, I ask unanimous consent to have a verbatim transcript from General Eisenhower's most significant farm speech of 1952 inserted at this point in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

Following are the major specific promises to farmers made by President Eisenhower in his 1952 election campaign; quoted directly from the official text of his speech at the national plowing contest, Kasson, Minn., September 6, 1952:

"And here and now, without any 'ifs' or 'buts,' I say to you that I stand behind—and the Republican Party stands behind—the price-support laws now on the books. This includes the amendment to the basic Farm Act, passed by votes of both parties in Congress, to continue through 1954 the price supports on basic commodities at 90 percent of parity. These price supports are only fair to the farmer to underwrite the exceptional risk he is now taking.

"I firmly believe that agriculture is entitled to a fair, full share of the national income and it must be a policy of Government to help agriculture achieve this goal. And a fair share is not merely 90 percent of parity—but full parity.

"We must find sound methods of obtaining greater protection for our diversified farms. They yield the rich variety of meat, milk, eggs fruits, and vegetables that support our nutritious national diet. As provided in the Republican platform, the nonperishable crops so important to the diversified farmer—crops such as oats, barley, rye, and soybeans—should be given the same protection as available to the major cash crops.

"The Democrats keep saying, 'There is no way of protecting perishables except through the Brannan plan.' But we can and will find a sound way to do the job without indulging in the moral bankruptcy of the Brannan plan.

"I give you this positive assurance: The Republican Party will use all the power it

legitimately can use to see that American farmers obtain their full share of the income produced by a stable, prosperous country."

UNITED STATES FOREIGN POLICY

Mr. WILEY. Mr. President, yesterday it was my privilege to exchange a few ideas with the distinguished Senator from Arkansas [Mr. FULBRIGHT] in relation to what he referred to as the lack in our foreign policy. At that time I brought out the fact, which I think is very important, that conditions which we face throughout the world are generated by other people and other governments.

Among other things, I mentioned the Mid-East, with its racial influences for disintegration, the trouble between Israel and the Arabs, the influence of the Kremlin in seeking to take over the Mid-East, which has such large resources of oil, in attempting to penetrate that area, as it has attempted to penetrate every place else on the globe, with the sole objective in the Mid-East of getting a clutch hold on that portion of the globe, and particularly a clutch hold on the oil of that area. If the Soviets succeeded in doing so, of course, unless something were developed to meet the threat, the Soviets would have a clutch hold on Europe.

Among other things in the Mid-East is the ferment due to the desire of nationalism. We did not create the ferment. There is also the ferment due to economic conditions. We did not create the desire to obtain a higher level of living.

Consequently, when we seek remedies for situations, let us not say that we lack in our searching for what is appropriate to meet the problem head on, whether it be economic, political, or otherwise; let us say that the situation which exists has brought about conditions over which we have had no control.

I was pleased to note an editorial in the New York Times of today, in the last paragraph of which this idea is very much brought to the front. The editorial states:

The more pertinent question is whether this resolution—

The resolution of the Arab nations—accepted by the Soviets and Nasser, will really stop them from continuing the policies that led to the crisis in the first place.

The editorial continues:

Their record for living up to pledges offers little optimism on that score.

Are we to blame? Is our foreign policy to blame for the lack of moral responsibility on the part of the Kremlin, on the part of Nasser and on the part of the Arab nations? I think what we have to do always, when failure seems to be on hand, is to diagnose the situation. If a man is sick, one must prescribe a remedy. The condition in the Mid-East is analogous to that of a sick man. We did not create the sickness. What we have been trying to do through the decades, by the expenditure of some $60 billion, is to see if we could provide an antidote for the illness.

I continue reading the editorial:

Their record for living up to pledges offers little optimism on that score. The American and British troops did stop them from engulfing Lebanon and Jordan—

Let me add, are we to blame because they wanted to engulf Lebanon and Jordan? No. We should be given credit for having stopped that.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The 3 minutes allotted to the Senator from Wisconsin have expired. Does the Senator desire additional time?

Mr. WILEY. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

Mr. WILEY. I should like to read again the sentence I had started to read:

The American and British troops did stop them from engulfing Lebanon and Jordan and may have even brought home to them the grave danger of their policies. In taking over the task of guarding Middle Eastern peace and security, the United Nations has assumed a grave responsibility, and one can only hope that it will prove equal to it.

I have one additional thought to suggest. I hope the Arab nations will see the need for genuinely carrying out in a responsible manner the plan they have submitted. I hope there will be a rebirth of responsibility, and that the Arab nations will keep faith and keep their word.

As I said on the floor a few days ago, it is our obligation to see to it that we remain alert and awake.

Mr. President, I ask unanimous consent that the editorial from the New York Times be printed in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN ARAB PLAN FOR THE ARABS

The emergency session of the United Nations General Assembly has ended in a surprising climax by producing an all-Arab solution to the present crisis in the Middle East, which seems to be the best available at this time—if it will work. This solution is embodied in a resolution submitted by 10 Arab States, including embattled Lebanon and Jordan, and unanimously adopted by the Assembly as a promise of better things to come.

In effect this resolution, which is an Arab adaptation of the Western-backed Norwegian plan and embodies key points suggested by both President Eisenhower and Secretary General Hammarskjold, does the following:

It ignores and therewith repudiates the Soviet effort to steer the Assembly into a demand for the immediate withdrawal of the American and British troops in Lebanon and Jordan which would have implied a condemnation of their presence in these countries as aggression.

Instead, by invoking both the United Nations Charter and the Arab League pact, it enjoins both the Soviets and President Nasser to respect the established Arab governments and to abstain from interfering in their affairs with a view to changing them, as also provided in the various Assembly resolutions cited by President Eisenhower against fomenting civil strife.

It calls on Secretary General Hammarskjold to make such practical arrangements as would adequately help in upholding the purposes and principles of the charter in relation to Lebanon and Jordan in the present circumstances, which means upholding their sovereignty and independence against direct or indirect attack.

It specifically provides that such arrangements to master the present circumstances—created by Nasser's Soviet-backed drive for empire—are to create a new basis to facilitate the withdrawal of the American and British troops, which in effect vindicates their presence as long as the present circumstances prevail.

Finally, the resolution endorses President Eisenhower's proposal for a regional economic development agency for the Arab states.

What the practical arrangements are to be is for Secretary General Hammarskjold to determine in agreement with the affected Arab states. Since Jordan objects to any United Nations force on its soil and instead calls for assistance to its own army, the President's proposal for a United Nations peace force and avoidance of a new arms race in the area is sidetracked for the present. But to see in this a defeat for the United States patently represents an overly pessimistic view of American policy.

The more pertinent question is whether this resolution, accepted by the Soviets and Nasser, will really stop them from continuing the policies that led to the crisis in the first place. Their record for living up to pledges offers little optimism on that score. The American and British troops did stop them from engulfing Lebanon and Jordan and may have even brought home to them the grave danger of their policies. In taking over the task of guarding Middle Eastern peace and security, the United Nations has assumed a grave responsibility, and one can only hope that it will prove equal to it.

SENATOR MARTIN OF PENNSYLVANIA

Mr. ALLOTT. Mr. President, I was unable to be present in the Chamber yesterday when some of my colleagues paid tribute to the senior Senator from Pennsylvania [Mr. MARTIN]. I cannot let this opportunity pass without paying tribute to him. In the 4 years in which I have been a Member of this body I have enjoyed no more pleasant association than my association with the senior Senator from Pennsylvania, not only as an individual but as a Senator. I shall remember him and cherish his friendship as long as I shall live. I think I shall remember him particularly for his very fine and delicate sense of balance, not only in the field of the armed services, in which he has been active and interested all his life as a member in one capacity or another, but also I shall remember him as a very fine and good adviser upon the Finance Committee.

My wife and I both have enjoyed the friendship of Senator MARTIN and Mrs. Martin, and I take this occasion to wish him well, and to wish him the best of success in the new life which he has chosen for himself away from the United States Senate, which has been his complete life for these many years.

CLARIFICATION OF OIL-IMPORT STATISTICS

Mr. KERR. Mr. President, during the hearings before the Senate Finance Committee on the extension of the Trade Agreements Act, conflicting and misleading information was presented with respect to imports of petroleum.

Correct information in this regard is important in evaluating the effectiveness of the voluntary oil-import program. In order to clarify this situation and to make the facts available to those in Congress concerned with this problem, I recently requested the Secretary of Commerce to furnish information which would show the effectiveness of the voluntary program.

On August 12 I received a letter from Frederick H. Mueller, Assistant Secretary of Commerce, enclosing two tables obtained from the Department of the Interior setting forth monthly figures with respect to the relationship of domestic crude production to, first, crude-oil imports and, second, petroleum-product imports, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Relationship of crude production to crude and product imports

[Thousands of barrels per day]

UNITED STATES TOTAL

	Crude production	Crude imports	Product imports			Total imports	Crude imports percent of production	Total imports percent of production
			Residual	Other	Total			
1957—July	6,864	1,217	358	63	421	1,638	17.7	23.9
August	6,776	1,299	359	79	438	1,737	19.2	25.6
September	6,886	1,072	336	80	416	1,488	15.6	21.6
October	6,842	1,065	430	74	504	1,569	15.4	22.9
November	6,816	941	470	116	586	1,527	13.8	22.4
December	6,939	1,049	622	82	704	1,753	15.1	25.2
Average	6,852	1,107	436	82	518	1,625	16.2	23.7

Relationship of crude production to crude and product imports—Continued

[Thousands of barrels per day]

UNITED STATES TOTAL

	Crude production	Crude imports	Product imports			Total imports	Crude imports percent of production	Total imports percent of production
			Residual	Other	Total			
1958—January	6,955	1,024	660	133	793	1,817	14.9	26.5
February	6,800	820	660	143	803	1,613	12.2	23.7
March	6,273	1,012	500	118	618	1,630	16.1	26.0
April	6,266	861	555	205	760	1,621	13.7	25.8
May	6,233	935	484	190	674	1,455	15.0	23.3
June (estimated)	6,327	937	403	310	713	1,650	14.8	26.1
Average	6,462	935	539	183	722	1,657	14.5	25.6

STOCKS OF ALL OILS

[Thousands of barrels]

	Stocks	Inventory change	Change per day
June 30, 1957	802,384		
Dec. 31, 1957	841,317	+38,933	+212
May 31, 1958	767,822	[1] 73,495	−487
For the period		−34,562	−193

[1] 5 months.

Relationship of crude production to crude and product imports

[Thousands of barrels per day]

DISTRICT I THROUGH DISTRICT IV

	Crude production	Crude imports	Product imports			Total imports	Crude imports percent of production	Total import percent of production
			Residual	Other	Total			
1957—July	5,939	978	358	63	421	1,399	14.8	21.9
August	5,847	1,003	359	79	438	1,441	17.2	24.6
September	5,952	781	336	68	404	1,185	13.1	19.9
October	5,915	793	430	70	500	1,293	13.4	21.9
November	5,896	671	470	111	581	1,252	11.4	21.2
December	6,001	788	622	76	698	1,486	13.1	24.8
Average	5,923	830	429	78	507	1,327	13.8	22.4
1958—January	5,951	854	660	123	783	1,637	14.4	27.5
February	5,923	684	640	137	777	1,461	11.6	24.7
March	5,399	890	500	110	610	1,470	15.9	27.2
April	5,429	721	555	182	737	1,458	13.3	26.9
May	5,393	752	387	169	556	1,308	14.0	24.3
June (estimate)	5,495	737	403	264	667	1,404	13.4	25.6
Average	5,593	770	522	164	686	1,456	13.8	26.0

STOCKS OF ALL OILS

[Thousands of barrels]

	Stocks	Inventory change	Change per day
June 30, 1957	694,170		
Dec. 31, 1957	702,338	+9,168	+89
May 31, 1958	625,879	[1] −77,459	−512
For the period		−68,291	−204

[1] 5 months.

Mr. KERR. Mr. President, it will be noted that the first table applies to the entire United States. The second table applies to districts I-IV, which is that portion of the United States east of the Rockies.

The first table shows that total imports into the United States during the last 6 months of 1957 amounted to 23.7 percent of domestic production. For the first 6 months of 1958, total imports increased to 25.6 percent of domestic production.

The voluntary program to limit oil imports was inaugurated in July 1957. The above information from official Government sources shows that during the period in which this program has been effective, total oil imports have increased rather than decreased. Total imports averaged 32,000 barrels daily higher in the second 6 months of the program than in the first 6 months.

There is another important fact to observe from these official statistics. While total petroleum imports increased 32,000 barrels daily, United States crude oil production decreased 390,000 barrels daily. This reduction in domestic production was necessary because of excessive imports and in order to correct burdensome inventories of above-ground stocks.

The extent to which oil imports during the past 12 months have increased over prior periods is shown in the following table:

Period	Ratio of crude oil and petroleum product imports to production (percent)
1936–41	4.9
1942–45	4.9
1946–53	12.6
1954	16.4
1955	18.3
1956	20.1
1957 (last 6 months)	23.7
1958 (first 6 months)	25.6

The statistical information furnished by Assistant Secretary Mueller shows that while imports of crude petroleum have shown a commendable drop since the voluntary oil import program has been in effect, relief to the domestic industry unfortunately has been more than offset by the large increase in refined product imports. Comparing the first 6 months of the program with the second 6 months, crude oil imports show a decrease of 172,000 barrels daily. However, product imports show an increase of 204,000 barrels daily which more than offsets the reduction made in crude oil imports.

The second table supplied to me by Assistant Secretary Mueller, which covers districts I–IV—the eastern portion of the United States—shows during the 12 months ending in June imports of crude oil into this area amounted to 13.8 percent of crude production. The President's Cabinet Committee which instituted the voluntary program recommended that crude oil imports into districts I–IV be limited to 12 percent of production in that area. Many of us have felt that the goal set by the committee and adopted by the President of 12 percent, was too high. Without arguing that point, it is extremely disturbing to see that the program has not even attained the goal set. This information shows that in the eastern part of the United States crude oil imports alone have exceeded the goal by some 100,000 barrels daily. At the same time product imports into these districts have increased at an alarming degree.

These facts concerning the effectiveness of the voluntary program to limit oil imports fully justify the recent action of Congress in strengthening the Defense Amendment, section 7 of the Trade Agreements Extension Act of 1955.

This new law, together with the facts outlined by Assistant Secretary Mueller, place a responsibility on the Administration to make an early reappraisal of the oil import problem.

ADMIRAL HYMAN G. RICKOVER

Mr. ANDERSON. Mr. President, during the past 2 weeks, many references have been made to the fight in 1953 to obtain the promotion of Admiral Rickover.

In 1953 the junior Senator from Washington [Mr. JACKSON] made a special appearance before the Armed Services Committee to present the Rickover story to his colleagues. Senator JACKSON played a key role in the fight to retain the services of Admiral Rickover. His address to the committee was—and is today—an impressive document which should be read by all those concerned for our scientific and technical progress.

I therefore ask unanimous consent to have printed in the RECORD a brief excerpt from the Atomic Submarine and Admiral Rickover, by Clay Blair, Jr. This excerpt includes the text of the statement by Senator JACKSON before the Committee on Armed Services.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

When the committee finally met in closed session, many of its members had more than simply a casual interest in the case and were impatient to question the Navy brass, especially Admiral Wallin. They had been impressed by the willingness of the members of the naval group to lay their Government careers on the block, simply to set the record straight. When Senator JACKSON (not a member of the committee) rose to make a special address, the Senators listened attentively. Behind closed doors, JACKSON addressed the distinguished group thus:

"I am not here as an advocate of Captain Rickover. My only acquaintance with him has been completely official, in connection with my previous work on the Joint Committee on Atomic Energy.

"I am here as a former member of the Reactor Development Subcommittee of the Joint Committee on Atomic Energy which has jurisdiction over the atomic-submarine program—and as one intensely interested in the atomic defenses and the atomic progress for peace in our country.

"I am here as an advocate of the kind of program which will achieve scientific victories for the Navy and the United States in the future—scientific victories as important as battle victories of the past. Today scientific progress spells military strength, and to cite two obvious examples, our part in World War II began with a disaster, in part because our military was not familiar enough with the capabilities of radar. It ended with a revolution—the dropping of two atomic bombs on Nagasaki and Hiroshima. Both were examples of the application of science to military needs. In one, we had failed to master our technology; in one, we had.

"This association of science and the military has raised many problems, and we all know they are not easy problems.

"But there is one lesson you learn almost as soon as you look into the problem of research and development for the sake of national security: scientific genius is not to be found and developed solely through the ordinary course of military conformity and the philosophy of never sticking your neck out. If slavish acceptance of barnacle-encrusted views, if going along with past and traditional methods, if striving to make one's manners and methods go along in complete uniformity with the rest of the service—if these things are to be the price of promotion in the technical branches of the services, I honestly fear for the security of our country.

"German science once led the world; Hitler reined it through trying to regiment minds which cannot be regimented and fruitful at the same time. Long before we bombed the Nazi laboratories, Hitler had blown them to bits by requiring conformity to the theories of the past. The men who wanted to build him an atomic bomb were not listened to; in some important fields Hitler relied on the weapons of the past; Europe's nonconformist refugees—Lise Meitner, Leo Szilard, Hans Bethe, and Einstein, and others—built the weapons of the future.

"Today we know that Russia captured parts of 75 snorkel submarines of the latest model the Nazis built. She has the weapon of the past—and it is a formidable one. But does she have the industry and the science to build the weapon of the future—the atomic submarine? We do not know. But we know the atomic submarine is more than a match for the snorkel.

"Has America the genius to build the atomic submarine—and the atomic aircraft carrier? Yes, we have, if we use it. But while our science and engineering leads the world, we should remember what Germany did, and what Russia herself apparently is now doing—smothering her original technical minds beneath a blanket of uniformity.

"The gist of my feeling is this: Effective scientists and effective engineers do not behave like puppets. We should not expect it of them. But nonetheless the best minds of the military must understand the best minds of our technology.

"Toeing the line, total obedience, and total conformity may be essential to success in battle—but they are not the factors which make for great forward strides in technical battles.

"Original minds, men with imagination, men with the driving genius to get revolutionary things done, must be able to find a place in the armed services—and they must be able to bring forward and advocate their fresh ideas without fear of reprisal.

"Today I believe the case of Captain Rickover is a prime example of how not to treat splendid creative technical officers in the armed services.

"The captain has twice been bypassed for promotion to the rank of read admiral, and younger officers of his project have likewise served for long period without promotion. The whole project has been treated as an orphan. In the Air Force the man who heads a similar project and performs the same work as Rickover does has the rank of general—and yet the Air Force project is not going nearly as well.

"Having been passed over twice, Rickover is scheduled to be retired.

"The truth of the matter is that the Navy atomic-power program only began to move when Rickover and the charter members of what became the Rickover team, went to Oak Ridge in 1946. He has led the atomic-power program ever since.

"To get more trained men, he was instrumental in starting the School of Reactor Technology. He returned to Washington and there took on, single-handed, the job of convincing the high command of the Navy. Later he had a somewhat similar struggle to convince the Atomic Energy Commission to start on actual construction of the atomic reactor.

"Meanwhile he assembled an unparalleled crew of young technicians, naval officers, and civilians, who today know as much about atomic power as any similar group in the country. The strangest fact of all is that not even at other places in the Atomic Energy Commission is there more progress than there is on the Rickover project. Speed toward peacetime uses of atomic power is also at stake in this case.

"Rickover has proved a wizard at getting the right men to overcome technical obstacles, and he has proved an administrative dynamo in meeting production schedules.

"It was Rickover who insisted that the pilot plant be built in a space to fit a submarine hull; not first built in a larger space and followed by a second plant based on the experience of the first. This saved years of precious time, although it made a much tougher project.

"It was Rickover who conceived and executed the unique arrangement whereby his unit is a component part of both the Navy and the Atomic Energy Commission. People working for the services and the civilian agency work side by side. This has been an enormous help in the peculiar nature of this assignment.

"Time and again Rickover has insisted on surmounting technical problems others thought impossible. He has insisted that the whole submarine be designed to be simple in operation—so it can be operated by ordinary seamen, not doctors of philosophy. They are well on the way to such a powerplant and sub—with obvious advantages for the civilian powerplants to come. Time and again he has insisted that his people do the impossible.

"On the administrative side, Rickover has been tireless in selling the facts and theories of atomic power to the Navy's high command and in bringing together as one great team the Navy, the Atomic Energy Commission, the Westinghouse, General Electric, and Electric Boat Co.'s, and all the other groups pushing this program. Admiral Wallin's statement describes several historic letters and speeches by the Secretary of the Navy, by Admiral Nimitz, by Admiral Mills, who formerly headed the Bureau of Ships. But it does not say that almost every one of these letters and milestones in authorizing the atomic submarine were written in, or based on, reports prepared in Rickover's office and nowhere else. At most places of decision it was Rickover who had gone personally, a man with a mission, on repeated visits to the officials concerned, and persuaded them to take the decisive steps. Don't forget, either, the atomic-propelled carrier—for which Rickover had fought as hard as the submarine and which today is going forward.

"I respectfully urge this committee to make a detailed and thorough investigation of this entire matter."

JACKSON's speech was followed by a carefully chosen list of questions, which he suggested that the committee address to the Navy. Among the questions: "Just who are the several Navy captains who have been in the program since its inception?" "How many of the admirals who passed on the qualification of Rickover for admiral had ever seen any of the atomic installations, or the nuclear-powered devices Rickover and his group had created?" "Was it not true that most of the acts ascribed to the Bureau of Ships were actually performed by Captain Rickover and his group?" And so on.

The committee became fully aroused.

CIVIL DEFENSE PROCLAMATION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed as a part of my remarks, on behalf of my distinguished colleague, the senior Senator from New York [Mr. IVES], a proclamation of New York Elks Lodge No. 1, relating to civil defense.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

ELKS NEW YORK LODGE NO. 1

PROCLAMATION—CIVIL DEFENSE

Whereas New York Lodge No. 1, Benevolent and Protective Order of Elks at the regular meeting held on Wednesday evening, August 20, 1958, at 353 West 57th Street, New York City, N. Y., passed and adopted a resolution urging all officers and members to actively participate and cooperate with all local civil defense directors for the protection of life and property throughout the State of New York against enemy attack, including chemical, biological, and radiological attack, as follows:

Whereas at the 94th session of the Grand Lodge Benevolent and Protective Order of Elks of the United States of America, held in New York City, N. Y., at the Hotel Sheraton Astor, from July 6 to July 10, 1958, inclusive, it adopted a resolution reading as follows:

"*Resolved*, That the board of grand trustees of the Benevolent and Protective Order of Elks, with the approval of the grand exalted ruler, be authorized to levy an assessment not exceeding $1 per year from each of the 1,200,000 members of our order, such funds to be expended by the Elks National Service Commission for the purpose of national defense and the welfare of the Nation, if an emergency should occur, and that the grand exalted ruler, with the approval of the board of trustees, be authorized to augment the sum so made by an amount not to exceed $25,000 from the grand lodge fund, to be expended at the discretion of the commission, for the same purpose"; and

Whereas the Congress of the United States enacted into law, the Federal Civil Defense Act of 1950, which became effective January 12, 1951, and which was merged into the Office of Defense and Civilian Mobilization by Executive order of the President. This law sets forth that it is the policy and intent of Congress that the responsibility for civil defense shall be vested jointly in the Federal Government and the several States and their political subdivisions. It further declared that the Federal Government shall provide necessary direction, coordination and guidance, as amended by the Congress on July 28, 1958; and

Whereas the Legislature of the State of New York enacted the New York Defense Emergency Act, laws of 1951, chapter 784, establishing the New York Defense Council, continuing the State Civil Defense Commission, providing for State and local governmental powers during the defense emergency; and

Whereas the Legislature of the State of New York has found that there exists a serious danger that this State will be subjected to enemy attack, including chemical, biological, and radiological attack; and

Whereas the legislatures of other States have also passed similar legislation and have found that a serious danger exists, making them subject to enemy attack; and

Whereas the defense of the United States of America, in this thermonuclear age is the immediate concern of all patriotic American citizens: Therefore be it

Resolved, That the officers and members of New York Lodge No. 1, B. P. O. E. are urged to offer the cooperation of our lodge to the Honorable Leo A. Hoegh, Director of the Office of Defense and Civilian Mobilization, Washington, D. C.; Maj. Gen. Ralph J. Olson, president, National Association of State Civil Defense Directors, and the Director of Civilian Defense for the State of Wisconsin, State Capitol, Madison, Wis.; and Lt. Gen. C. R. Huebner, immediate past president of said national association, and the director of the New York State Civil Defense Commission, 124 East 28th Street, New York City, N. Y.; and be it further

Resolved, That New York Lodge No. 1, immediately appeal to the Grand Lodge, B. P. O. E., all State Elks associations, and all subordinate lodges, to cooperate with all local civil defense directors in all target-support areas and all civil defense jurisdictions thereof; and be it further

Resolved, That a copy of these resolutions be mailed to the President and Vice President of the United States and the various Federal interested agencies; the Honorable Averell Harriman, Governor of the State of New York; and to the governors of the several States; Director Leo A. Hoegh; Maj. Gen. Ralph J. Olson; Lt. Gen. C. R. Huebner; the Honorable SAM RAYBURN, Speaker of the House of Representatives; the majority and minority leaders of the United States Senate and the House of Representatives and the interested chairmen of the various committees of both Houses; the majority and minority leaders of the New York State Senate and the New York State Assembly; the speaker of the assembly and the interested chairmen of the various committees of both the senate and the assembly; Mr. Horace R. Wisely, grand exalted ruler, and the secretary of the Grand Lodge of the B. P. O. E. of America; Hon. James T. Hallinan, P. G. E. R., and chairman of the Elks National Service Commission; Mr. James R. Nicholson, P. G. E. R., and general manager of the Elks magazine, 386 Fourth Avenue, New York, N. Y.; and such organizations as the chambers of commerce, Kiwanis, Rotary, American Legion, Masons, Eagles, Odd Fellows, Red Men, Knights of Columbus, Knights of Pythias, business and professional men and women organizations throughout the United States, and parents' associations.

In testimony whereof, I, Raymond Tese, exalted ruler, and Eugene C. Heffernan, past exalted ruler and secretary, have hereunto set our hands and caused the seal of said New York Lodge No. 1, Benevolent and Protective Order of the Elks, to be hereunto affixed, the 20th day of August, in the year of our Lord, one thousand nine hundred and fifty-eight, the 183d year of the independence of the United States of America.

RAYMOND TESE, *Exalted Ruler*.
EUGENE C. HEFFERNAN, *Secretary*.

A SALUTE TO CIVIL SERVICE EMPLOYEES

Mr. ALLOTT. Mr. President, it is so easy to criticize when it is found that someone's performance is not up to standard, as is frequently done by Members of Congress and the general public about those people working for the Federal Government.

We should take note on occasion to compliment those who are carrying on the everyday services of government when performance far exceeds what is considered normal.

I make particular reference to civil service employees in the State of Colorado. Both the executive branch and Congress have attempted to reduce Federal expenditures by pruning budget requests from departments and agencies of government. This has necessitated carrying on with fewer personnel doing as much as or more than had been done previously.

Let me cite specifically the Denver FHA office, headed by Charles F. Warden, Director, which serves the entire State of Colorado. In May, June, and July of 1957 they had processed to completion 1,563 applications for mortgage insurance. In this same period this year they processed 4,763 cases. In these months the Denver office attained production ratios of 20.5, 25.8, and 28.5, as compared to national averages of 18.3, 20.9, and 21.2.

The tremendous upsurge in home building and home financing activities has not been matched by increases in staff of FHA offices. Yet, under severe handicaps, the loyal employees have performed magnificently and served well the home-buying public.

While I have specific figures only for the Federal Housing Administration, I am sure that employees in other agencies have done as well under equally trying circumstances.

Some national and area statistics would denote very clearly, Mr. President, what has been happening in the housing economy, and support my belief that there is due the Federal employee an accolade for superior performance.

At its employment peak in 1957, FHA received for 1 month slightly under 30,000 applications, and completed them at the rate of 5.2 cases per processing employee. At its peak in 1958, the receipts for 1 month have been just over 100,000 which were processed at the rate of 21.2

per processing employee: four times the production for the same period of last year.

We must remember also that, in addition to the caseload of home mortgage applications cited above, these FHA offices also processed projects under Rental, Military, Urban Renewal, Elderly, and Cooperative Sections of the National Housing Act. Capehart military housing and housing for the elderly have been particularly active programs in Colorado.

This birds-eye view demonstrates, Mr. President, that one element of our economy is vigorous to the extent that its activities exceed that of prior prosperity years, a condition which I am sure obtains in more segments of the economy than the proponents of gloom care to admit.

Let me close by reiterating my admiration for those Federal employees in Colorado, and throughout the Nation who, under handicaps of more work with fewer people, are doing so well in the field of public service.

THE LATE JOHN J. PARKER, CHIEF JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE FOURTH DISTRICT

Mr. ERVIN. Mr. President, on March 17, 1958, one of America's greatest jurists of all time, John J. Parker, Chief Judge of the United States Court of Appeals for the Fourth Circuit, passed from the scene of his earthly labors. His contributions to the law will last as long as our constitutional system endures. In order that legal historians of the future may have convenient access to some appraisals of the life and services of this great judge made by those who knew him while he walked among us in the flesh, I ask unanimous consent to have printed at this point in the body of the RECORD as a part of my remarks the following:

A Tribute to John J. Parker, which was delivered by his longtime friend, Dr. Frank P. Graham, a former member of this body, at a memorial service conducted in the United States Court of Appeals for the Fourth Circuit at Richmond, Va., on April 22, 1958.

A Tribute to John J. Parker, which was delivered by his longtime associate on the bench, Judge Morris A. Soper, at the memorial service conducted in the United States Court of Appeals for the Fourth Circuit at Richmond, Va., on April 22, 1958.

An article by Don Oberdorfer entitled "John Parker Was a Judicial Giant," which appeared in the Charlotte Observer for March 18, 1958.

An article by Harry Golden entitled "Great Tar Heel: John J. Parker," which appeared in the Charlotte Observer for March 18, 1958.

Contemporary editorials from the Asheville Citizen, the Carolina Israelite, the Charlotte Observer, the Greensboro Daily News, the Morganton News-Herald, the Winston-Salem Journal, the Charleston Evening Post, the Charleston News and Courier, the Christian Science Monitor, the Northern Virginia Sun, the Washington Evening Star, and the Washington Post.

Extracts from contemporary editorials from the Richmond Times-Dispatch, the Gastonia Gazette, the Knoxville News-Sentinel, the Durham Herald, the Raleigh News and Observer, and the Monroe Journal, which were collected in the Charlotte Observer for March 23, 1958.

There being no objection, the tributes, articles, and editorials were ordered to be printed in the RECORD, as follows:

[From the Greensboro Daily News of May 4, 1958]

A TRIBUTE TO JOHN J. PARKER: "ONE OF THE GREATEST JURISTS OF OUR TIME"

(One of the great North Carolinians of our generation died recently in Washington. At a memorial service for him in Richmond, Va., last month, another great Tar Heel, his college classmate and friend, extolled his worth.)

(By Dr. Frank Porter Graham, United Nations Mediator)

We gather here not so much in the sorrow of our grievous loss, deep and personal to us all, but more in the resilient joy of his friendship, the fond recollection of everlasting associations, the nobility of his character, and in the triumph of his spirit over defeat and tragedy, time and circumstance.

In this brief compass of his life and within my own limitations, I am not adequate to do more than suggest the origin, the quality, and the range of the life and services of this man. Starting with little money and no pull, by sheer integrity of work and relentless will, he climbed the judicial heights of his time but never lost the common touch and remained loyal to old friends and appreciative of their meaning in their common life.

John Parker, by personal sympathy and by the unpretentious life of his father, a highly respected merchant in the small historic town of Monroe, was proudly a man of the people in the full dignity of our North Carolina democracy.

UP FROM POVERTY

Characteristic of many North Carolina families who triumphed over their small incomes in a resurgent State on the way up from post bellum poverty into a more general well-being through education and industry, he seldom spoke either of poverty or lineage. Through his mother and his descent from Colonial Albemarle, he had either direct or collateral heritage from a professor of Oriental languages at the University of Glasgow, a colonial governor who served the longest period of any governor in the history of North Carolina, and a post-Revolutionary governor who was one of the leading Federalists of his day. The Associate Justice of the Supreme Court from North Carolina appointed by George Washington is still the only North Carolinian who has sat on that Court, which his descendant, John J. Parker, missed by one vote in the Senate of the United States.

From the still vivid day of our first meeting on the old Cape Fear and Yadkin Valley Railroad in 1904 to the memorable day of our last conversation in New York the Saturday before he died, he became the sort of friend who illuminated the human pilgrimage with the light of a high-intent, the warmth of a joyous comradeship and the loyalty that was most sure when the road was most rough.

ON GUARD AT OLD EAST

Clearly I can see him now, when I was a freshman at the University of North Carolina and he was the leader of the junior class, standing in the doorway of the middle entrance of the oldest State university building in America, in which then roomed a number of other freshmen—Bob Bryant, Lunsford Long, David Oliver, Curtis Howard, Oscar Coffin, Richard Eames, Walter Currie, Macaulay Costner and Charles Tillett, all staunch friends of Parker throughout their lives. There he stood, in his tall strength and dignity, on guard that no marauding sophomores should subject any freshman in the Old East to the indignities of the barbarous hazing of those traditional days, now long gone at Chapel Hill. He even chose two freshmen, Kemp Battle and me, to be his joint agents in selling clothes for Strouse Brothers of Baltimore, thereby earning our clothes during our college years. With all his pressing need for his hard-earned money, his measurements of the clothes which he merchandised were known on the campus to be "all wool and a yard wide."

John Parker and Charles Tillett were distinguished as the two hardest working students and the most consistently regular in their daily routine and personal habits. You could tell the time of day by the schedule of their movements, studies and exercise. John Parker was always a prodigious worker with little or no waste motion, but with time for a friendly chat, a bit of fun and a helping hand. He led his class in scholarship, won the Greek Prize, the Bryan Prize, and the Mangum Medal in oratory.

ZEST FOR SCHOLARSHIP

He was president of the Dialectic Literary and Debating Society, famous since the close of the 18th century. Parker's inaugural address, as president of the Di in the early 20th century, was reminiscent of the brilliant address of another president of the Dialectic Society and first honor man of his class in the early 19th century, James K. Polk of the class of 1816. John Parker, as a student, had a zest for discussion, for polemics on almost any subject, religious, philosophical, literary, political, economic, and especially on the hot current issues of student life, its freedoms and responsibilities. With E. S. W. Dameron, he was a winner in intercollegiate debates with the University of Georgia; with W. P. Stacy, later chief justice of North Carolina Supreme Court, he won the intercollegiate debate with George Washington University. Parker was one of those student leaders who helped to build in Chapel Hill a campus climate of opinion and attitudes in which excellence in scholarship, literature, debate and leadership were no less renowned among students than triumphs in intercollegiate athletics.

PROGRESSIVE CONSERVATIVE

Foremost leader of the insurgent nonfraternity democracy of the University of North Carolina, he was throughout life a champion of the equal freedom and dignity of the individual person. He was essentially a progressive conservative who would conserve the best of our heritage and advance the fairest of our hopes. For him progressive measures were not to be the exhibitions of superficial novelty and passing popularity, but, in their deeper meaning, were to be the revelation of enduring values of equal freedom and justice under law for all.

To the University of North Carolina, for more than 50 years he gave the utmost of his mind and heart, whether as a foremost student, a most devoted alumnus, or a never-failing trustee and guiding spirit on the executive committee of the board, where he championed with Josephus Daniels, Max Gardner, Cameron Morrison, and others, the responsible freedom of the administration and the faculty, and the consolidation of the University at Chapel Hill, the North Carolina State College in Raleigh, and the Woman's College in Greensboro into one threefold university of the people of North Carolina. Second only to the love which he ever gave to his saintly mother, and his devoted wife, Maria, who sustained him in the heights and depths of their beautiful life together, was the love he gave his alma mater.

For John Parker the transitions of leadership were a natural evolution from high responsibility in a campus democracy to leadership in one of the original historic States to eminent influence in the Federal Union of States and in the international affairs of the free concert of nations.

NEVER EMBITTERED

As a Republican in a dominantly Democratic State, his defeats in strenuous high-level political campaigns for Congress, for State attorney general, and for governor, never embittered but rather schooled him for later victories of the spirit over disappointments and sorrows which might have undermined the character of a man without his high faith in the democratic process, generous understanding, and dauntless courage. With wisdom tempered by experience, preeminent became his services on the court of the fourth circuit in which he served as the chief judge, the senior Federal judge, and the judicial peer under 4 of the 14 Chief Justices of the Supreme Court. He wrote some 1,500 opinions, unsurpassed in numbers and epochal in basic cases for civil liberties, religious freedom, the right of the National Government and the local community to cooperate in the use of public money for public power, and for the right of a member of a labor union to sue the union for damages on account of discrimination because of race.

BEFORE AND AFTER

It was a part of his loyalty to the Constitution, the courts, and the law of the land that he, as a circuit judge, supported the position of the Supreme Court as it stood before and then as it stood after the epoch-making decision of 1954. It is notable that following the decision of the Supreme Court, in the hot southern area of civil rights, the chief justice for the fourth circuit, second only to the Chief Justice of the Supreme Court, wrote the basic opinions which provided the clear-cut interpretations and feasible implementation of the historic decision which did not compel integration but did prohibit legal segregation in the public schools on account of race or color.

Almost unanimous has been the judgment of Federal and State judges and lawyers, that, in the improvement of the procedures and administration of justice in the Federal courts, Judge Parker stands preeminent in the history of American jurisprudence.

It is recalled that an eminent English jurist, who sat with Judge Parker, the alternate American judge on the international tribunal for the trial of the Nazi leaders charged with war crimes against humanity, himself visited the United States in tribute to the quiet but profound character of the eminently judicial services of Judge Parker on that tribunal.

The life and service of John Parker today add to the democratic meaning of the homes and public schools of Monroe, N. C., the rock walls and ivied halls of the University of North Carolina, the Federal Building and Queens Road of Charlotte, and to the court of the fourth circuit in this capital on the James River in old Virginia, whose flag of responsible representative government under law must ever fly free and high in the modern world.

Over this hall now hovers the immortal spirit of John Johnston Parker. About this bench and these seats will always cluster the precious memories of a gracious gentleman, a learned scholar, and one of the great jurists of our time.

TRIBUTE TO JOHN J. PARKER, BY JUDGE MORRIS A. SOPER

To speak of Judge Parker with reverence and affection in this company of distinguished men of the law in this place, where he spoke with so much authority, is a compelling need to those of us who sat with him on this court. But we cannot be expected to speak objectively or adequately, for the terrible wrench of his sudden passing is too recent and the sense of our personal loss is too immediate and too deep. At this very moment it is hardly possible to realize that an important meeting is taking place in his courtroom without his commanding presence in the chair.

We are bewildered as to how we shall carry on without him. The truth of the matter is that we shall not be able to carry on as he did in many related fields; and it is this fact that sets him apart as a great and meaningful figure in the law in the past 40 years. To be the chief judge of one of the important courts of the country, to lead in the hearing of litigated cases, in the writing of opinions, and in the administration of the affairs of a busy Federal circuit would seem to be enough to satisfy any man; but it was not enough to satisfy Judge Parker, or to exhaust his abundant energies. You have been told of the astounding campaign which he conducted to improve the administration of justice, not merely in the Federal courts, but more particularly in the State courts, when he literally crossed the country from coast to coast and moved the legal profession with the intensity of his conviction that the courts of the country should be more efficiently conducted. We felt the impulse here in the east. Chief Justice Hudgins, who with all his colleagues honors us with his presence today, responded to the call when he came to head the historic court which sits on Virginia's beautiful Capitol Hill. Maryland responded to it by establishing a self-conscious modern system of courts with the chief judge of the State at the head. I have never heard a more powerful speech than that which Judge Parker delivered when he came to Baltimore to speak on this subject. So it was throughout the country. It seemed as if some titanic Atlas had shifted the columns which support the overarching canopy of the law and let in the wholesome light of day.

This specific project was perhaps his greatest voluntary contribution to the life of the law as portrayed in the judicial establishment of the country; but only those who were near to him could realize the number and variety of the responses which he made year after year to speak on legal subjects and enliven legal gatherings of leading lawyers in all sections of the country. When he scented danger to our constitutional structure, as in the proposed Bricker Amendment, he poured into the opposition every resource that his well-stocked mind and his superb equipment as a public speaker could command.

Added to this, as you have been told, was his part in the administration of the American Law Institute, the most important and rewarding project of our time for the clarification of the substantive law which governs the life of the Nation. It was inevitable that a judge of his stature should be called upon to give of his wisdom and experience, and equally inevitable that a man of his character should respond without stint.

Only those who served with him on the Judicial Conference of the United States, under four successive Chief Justices, can know how much work was piled on his broad shoulders as chairman of numerous committees in the past quarter of a century—much of it tedious, laborious, time-consuming, and unseen even by the legal profession. Time and time again when he came back to us from these meetings he was aweary of the burdens that he had brought with him. But never did he refuse to carry more than his fair share.

All of these things combined to produce a press of business and responsibility that in the end proved to be to much for even his extraordinary strength and determination. It was in complete harmony with the part he played in the drama of public affairs that when the sudden crash came he was in the midst of a laborious journey in the interest of the profession. It was a tragic but yet a glorious end of a great career, and we take some comfort in the fact that when he was stricken he fell almost literally into the arms of the youngest member of this court, who in the long reach of the years ahead may succeed to the place he held. Judge Haynsworth can attest the fact that Judge Parker gave his life in the performances of labors over and above the call of duty.

It has been a great challenge and a rich experience to be a member of this court which stood at the very heart of his work. It was not difficult for him to lead the court, for all he had to do was to be himself. However, that self was no ordinary person, and the work was no ordinary performance but, rather, the fulfillment of the main purpose of his life. For recreation he seemed to have no need, and his great natural abilities were directed with such intensity that his associates of necessity gave of their best to keep in the running. He never entered this court room without being prepared, and frequently this meant work into the midnight hours, almost as if it was his part to present the cases to the court, rather than to listen to what others had prepared for his hearing. Often counsel were well-nigh taken off their feet by his swift understanding of the crucial point of the controversy. Sometimes it must have seemed to them that the case was decided before they were heard, for it was quite impossible for one of his experience not to form some opinion from reading the briefs, and he had no hesitancy in disclosing what was in his mind. This served a useful purpose, for, in truth, his mind was still in balance. Not infrequently, I am sure, one side was surprised and the other was disappointed when the decision came down, to learn that he had adopted the opposing view. What they had seen was the working of a powerful mind seeking to find the right answer.

He was never inattentive or indifferent, no matter how trival the matter or unimportant the business before him. Indeed, those who sat with him came to realise that the weakness or ineptness of the parties or their attorneys made a strong appeal to the generous warmth of his inner nature so that he was wont to lend a helping hand.

And when the going was rough, and the issues were intricate and hard to understand, he was quite willing to disregard the rules and let counsel run over the allotted time. He listened with equal interest to one side as to the other, even suggesting arguments and illustration to the side with which he obviously disagreed. A hearing to him was a part of the judicial process; but it was part of his job and he enjoyed it.

He was learned in the law but his learning was not his master, it was his servant. It did not blind him to the equities of the case before him, and one was always conscious of a mighty effort on his part to cut through the complexities of factual detail and the mass of precedents to reach a fair and just conclusion. Any rule of law that seemed to stand in the way was suspect, and the full strength of his mind was put forth to show that it was not applicable without impairing the structure of the law.

He had extraordinary ability in condensing into brief compass the essential elements of a complicated situation, and his array of legal principles with supporting authorities marched with such power that even in a close case the conclusion seemed inevitable. Every opinion was written in longhand with

scrupulous care and then examined and re-examined so as to be free from error, and phrased in the most attractive style. His last opinion was still in manuscript when he was stricken. It was in the hands of Miss Jennie Beam, his faithful secretary who, during his entire judicial career of 33 years, was able, alone, in some marvelous way, to handle all of his manifold business. It was waiting for his last finishing touches. It will be published as it came from his hand. All of the 1,500 opinions which he wrote were prepared in this way. Covering every field of Federal litigation during decades of rapidly expanding governmental power, they constitute a great body of legal writing that has profoundly influenced all of the Federal courts, not excepting the Supreme Court itself.

Let me say again that this was work enough for any ordinary man. Some years ago in Richmond, in an important gathering of judicial officers, the scholarly chief judge of a great State was heard to say that he was profoundly concerned with every opinion that emanated from his court, lest some error should creep in and mar the symmetry of the law, and that this work absorbed all of his energies, leaving none for the supervisory administration of the courts of the State. There can be no doubt that the speaker rendered a great public service when he expended all the energy at his command in supervising the output of his court. Judge Parker, on the other hand, was able to do all this and more beside. No opinion came from his court, whether he sat in the case or not, that he did not examine and, if need be, criticise with meticulous care; but, in addition, he was forever on the watch to detect unwarranted delays in the prosecution of cases throughout the circuit, and ever diligent in seeing that the overburden of one district judge was lightened by the aid of his colleagues in other areas.

Besides all this, the great lift to the life of the law which he gave by setting up the judicial conference, as we know it in the fourth circuit, was of inestimable value. It was a great achievement to bring together every year from five historic States the Federal judges and the judges from the State supreme courts, the leading law officers in their governments, the Federal prosecuting attorneys, the leaders in legal education, and lawyers in active practice in the entire area, to discuss important questions in procedural reform and related social problems. Men were lifted up from their absorbing personal concerns so as to be able to see the legal profession as a whole and to realize the importance of the law as the essential governing force of society. So great and so manifest have been the benefits that the Judicial Conference has become an established fixture in every Federal circuit and in many of the States of the Union.

One might easily infer that these accomplishments could come from a man of rare ability and dignity but with little room for human sympathies. This, however, would not be true of our friend and colleague. No one ever entered his chambers without receiving a welcoming smile. He was never too busy to listen. His working day might be lengthened in the process, but that was his cheerful contribution of which you were not told. He had a genuine affection for his fellow man. Every little child that passed him on the street brought to his countenance a heartwarming smile.

This is the man we have lost and we shall mourn his passing. Yet we rejoice that our profession, our circuit, this very court, has given to the Nation a man whose great abilities were given without stint and without deviation to the single purpose of serving the establishment of the law that justice may be done among men.

I have spoken for the court today at the request of Judge Sobeloff, whose addition to the court gave Judge Parker much satisfaction. Let me express on behalf of all the members of the court the comfort and pride we take in the contributions that have been made today by the Chief Justice of the United States and by other distinguished speakers at this ceremony. Our hearts are touched also by the presence of those who loved Judge Parker and valued his career. In the 67 years of the court's existence he was the youngest man ever to be called to sit upon its bench and he served longer, both as a member and chief judge of the court, than any other man. By reason of these facts, as well as his extraordinary services to the cause of justice, he gave to this court a prestige and standing amongst the appellate courts of the Nation which, but for him, it would never have attained. None are more conscious of this fact than Judge Doble and myself, who for many years rejoiced to be his colleagues. Judge Doble regrets that he is unable to be present but he has asked us to say that he regarded Judge Parker as really one of the great American judges whose ability was only exceeded by his character.

It is fitting that the formal memorial prepared by Judge Bobbitt and his committee and all of these proceedings be deposited with the clerk of this court to serve as a permanent record of the life and works of our leader and beloved friend.

And, now, Mr. Chief Justice, may this action be authorized by the court and in honor of Judge Parker may the court now stand adjourned.

[From the Charlotte Observer of March 18, 1958]

HE PUT PROGRESS INTO COURTS—JOHN PARKER WAS A JUDICIAL GIANT

(By Don Oberdorfer)

WASHINGTON.—The humble citizen who stands before the bar of justice in any Federal courtroom in the land is today poorer because John J. Parker is dead.

It is generally agreed in top legal circles here that Judge Parker, more than any single man in recent years, helped keep the Federal courts from falling hopelessly behind the times.

He never achieved the eminence of the bench of the Supreme Court of the United States, in whose great marble domain this is being written.

But John Johnston Parker, cut off from Supreme Court service by what history views as a disgraceful and unjustified political attack grew to be a taller figure in American justice than many of the men who have occupied this top United States bench.

On several occasions, he has set important policy for the Supreme Court.

In the famous case of *Barnette* v. *West Virginia State Board of Education*, for instance, Parker upheld the right of religious liberty, holding that schools could not require a flag salute against the religious principles of some children. The Supreme Court reversed one of its prior decisions to agree with him.

In the celebrated "Buzzard Roost" case arising in Greenwood County, S. C., Parker helped establish the legal principle that Congress has the power to make loans and grants for construction work in the public interest, a principle of great practical effect today.

Duke Power Co. had sued to prevent the old WPA from granting and loaning money to Greenwood County to construct a power-plant at Buzzard Roost Falls. Parker's decision upholding the project also made clear the principle that a private corporation can't challenge the power of Congress just because the operations of Congress may cause competition with private business.

Even more famous than some of his famous cases, however, are the many years of Parker's work in improving the administration of justice.

The court reporters who sit today to transcribe testimony in all Federal court cases are there largely because of Parker, for instance.

He was responsible for writing and supporting before Congress the measure that created the Federal court reporting system. Prior to that time, court reporters had been hired on a day-to-day basis by contending lawyers in Federal court. In many cases there was no reporter and hence no verbatim record as a basis for appeal.

Without Judge Parker, it is likely that Federal judges would have far less discretion than they do in handling the thousands of young offenders who come before the Federal bar of justice.

Parker was responsible for drafting and supporting the Federal Youth Correction Act, which has allowed judges to use leeway in seeking to reform as well as punish youthful offenders.

There are many other examples of legal principles, some of them technical but considered of first importance, that exist today because of the imagination and courage of Judge Parker.

He was first chairman and guiding light of the American Bar Association's epoch-making committee on judicial administration.

This committee was a mighty force in reforming the administration of justice since its creation under Parker in 1938. Later Parker helped establish State committees on court reform all over the Nation, committees which were often referred to as the "Judge Parker committee."

Behind the limelight Parker was a tremendously influential figure.

A five-member advisory committee to the Judicial Conference of senior court judges has key responsibilities in overhauling the operation of the courts. The Chief Justice of the United States Supreme Court is one member. Parker has been another since it was created.

Few laymen ever knew it, but Parker had a major—if not critical—role in the post-war trials of the Nazi war criminals at Nuremberg.

Parker was alternate member of the military tribunal for the United States, a title which is deceptive because alternative members had nearly all the duties of full members.

Sir Norman Birkett, a British representative on the tribunal which tried the top Nazis, later recalled:

"The real work of the tribunal was done out of sight.

"In the closed sessions of the court, decisions of the greatest moment had to be taken; and it was there that Judge Parker's contribution frequently was decisive."

Birkett remembered that because of Parker's tremendous knowledge of the principles of law, his common sense and understanding, in the course of time the Russian and French judges on the tribunal turned to Judge Parker when conflicts of law or procedure arose.

Always every inch a judge, mindful that the rights of any accused man must be protected, Parker was disturbed one night at a party when a Russian judge proposed a toast to the conviction of the Nazi war criminals.

"I'll not drink to that," Parker announced in his forceful personal speech that could make an offender cower. And he didn't.

Giant that he was, Judge Parker rarely took credit in public for the advances which were so much the work of his brilliant mind and busy hand.

He never stopped fighting, however, for a system of justice without unnecessary delay, without bias or favor of any kind.

He had called a special meeting Monday of some top Federal judges to work out important problems to be met at the meeting of the powerful Judicial Conference of the United States which begins here today.

Judge Parker died at 9 a. m. Monday, but the meeting he called to improve justice went on. There is little doubt that John Johnston Parker, one of the true judicial giants of the age, would have liked that.

[From the Charlotte Observer of March 18, 1958]

GREAT TARHEEL: JOHN J. PARKER—HE BREATHED THE LAW OF AMERICA

(Harry Golden, editor of the Carolina Israelite, was a close personal friend of Judge John J. Parker. He wrote the following at the request of the Observer.)

(By Harry Golden)

A few months after the death of Senator William E. Borah, of Idaho, the news dispatches stated that the Senator had left a great fortune, well over $1 million. This was the time for me to remind Judge Parker that Senator Borah, on the testimony of Mr. William E. Green, president of the American Federation of Labor, had tipped the scales of the balance against the confirmation of Judge Parker to the United States Supreme Court. Judge Parker did not show the slightest trace of self-righteousness, and refused to join, even for a single moment, in any searching of the soul of the late Senator Borah. He said: "Senator Borah made a lot of money as a young lawyer, and during his entire career as a Senator he must have made some wise investments."

It is interesting to note that both Senator Borah and the president of the American Federation of Labor publicly acknowledged the grievous mistake they had made in stopping Judge John J. Parker from mounting the Supreme Court bench. They had both forgotten for the moment that we are a Nation of laws and not of men and that Judge Parker's decision in a certain yellow-dog contract case in the State of North Carolina was following the existence of the statutes on the books and had nothing whatever to do with his personal opinions, if any, or with the righteousness of the cause, if any.

Judge Parker said that law and law alone will do it for us, and by that he meant the maintenance of America, the greatest experiment in government in the history of human progression. As a jurist, and acknowledged one of the greatest in America, he refused to editorialize, and he refused to express his own views, whatever they might have been, in the jurisprudence with which he was charged, and the obligation to maintain the integrity of the American courts, which he placed only slightly below that of his religious faith.

Judge Parker's true greatness lies in the fact that he never once lost his balance, his sense of humor and his high optimism, despite the fact that he suffered the greatest disappointment in the history of an American lawyer—that of being denied, unjustifiably, a seat on our highest Court. In addition, this serious disappointment was followed by the great tragedy of having one of his sons, a graduate lawyer, die as a result of a terrible accident.

During his career on the bench, Judge Parker has sat in on the hearings and the disposition of nearly 4,000 cases and has written about 1,500 opinions, covering every branch of the law.

His stature in the State of North Carolina was such that long before the famous Eisenhower "coat-tails," Judge John J. Parker polled a total of 44 percent of the electorate of North Carolina, running on the Republican ticket for governor.

It is no coincidence that Life magazine several months ago, in writing a story of the great jurists of America, used full page photographs of only two men, Judge Learned Hand of New York and Judge John J. Parker of North Carolina. Both of these men, in their judicial opinions, gave the American people on three or four momentous occasions, that long "second look" on problems confronting our Republic, which has always worked so well for the preservation of the political and economic freedom of our people.

When President Roosevelt was confronted with a technical legal problem in making a firm decision between the Comptroller General and the War Shipping Administration as to the rules to be applied to the valuation of vessels requisitioned by the United States, he appointed Judge Learned Hand of New York, Judge Joseph C. Hutcheson of Texas and Judge John J. Parker of North Carolina to make the decision for him.

When President Truman sought the highest legal authority in America for the trial of the Nazi officials charged with war crimes he appointed Judge John J. Parker as the associate judge with the Attorney General, Mr. Biddle; and in that capacity Judge Parker attended all of the sessions of the tribunal and participated in all of its deliberations.

When the Eisenhower administration was embattled in its defense against the Bricker amendment which would have invalidated the torturous efforts of millions of people who are still fighting for a successful "concert of Nation," Judge John J. Parker presented a brief to the Senate Foreign Affairs Committee, which together with his appearance before that committee ended the danger of the Bricker amendment and led to a statement by the leader of the Democratic opposition—Mr. Dean Acheson: "A true liberal with a heart and a head, and his feet on the ground."

Judge John J. Parker was a very great man, probably the greatest man this Tar Heel society has produced in this century. Sir Norman Birkett, Britain's member of the Nurenburg Tribunal, visited America "For the purpose of paying small tribute to Judge John J. Parker of North Carolina."

[From the Asheville Citizen of Wednesday, March 19, 1958]

JUDGE JOHN JOHNSTON PARKER

John Johnston Parker, of Charlotte, chief judge of the Fourth Circuit of the United States Court of Appeals, was a statesman in the field of law, a philosopher whose high attainments aided in the interpretation and the advancement of constitutional democracy in America.

North Carolina, his native State, has cause to mourn his passing. It is a national loss, for he was among the country's ablest and most distinguished jurists.

Judge Parker played a significant role in the political and judicial history of this State.

Lefler and Newsome, in their history of North Carolina, point out that for decades after the War Between the States North Carolina felt estranged from the Federal Government. The Federal courts were regarded as alien tribunals and were distrusted.

The heated political conflicts centering about the Federal courts gradually decreased as personnel changes were made.

Among those who rose to the Federal bench were circuit court Judges Jeter C. Pritchard, of Asheville, in 1904, and John J. Parker, in 1925. These, with new district court judges, caused a change in attitude, for they brought the Federal judiciary into more sympathetic and popular relations to the State.

Both Judges Pritchard and Parker were men of great ability and high character and held the confidence and respect of the people.

Had justice been done in his case, Judge Parker would have gone to the United States Supreme Court bench and it is thought likely he would have become Chief Justice because of his eminent qualifications.

President Hoover nominated Judge Parker for Associate Justice of the Supreme Court in 1930, but he failed of confirmation by the Senate because of opposition that developed from a decision he made in a labor dispute case. It was an unjustified rejection of a man whose entire career was marked by probity and high intellectual attainments.

A Republican in politics, Judge Parker was no extremist. He was in the order of a middle-of-the-roader, a man who had high regard for both human rights and property rights. As his old philosophy professor, Horace Williams, of the University of North Carolina, told President Hoover in 1930, he could be expected to give first consideration to human rights.

The scholarly and kindly jurist was a firm believer in the ideals of the American form of government. In an interview with an Asheville Citizen reporter in 1943, he expressed his political philosophy in these words:

"Democracy is more than a form of government. It is a philosophy of life. It is based on the worth and dignity of the individual. It carries with it the open door of opportunity and the principle of justice for every man * * *. It * * * believes that only through the free flowering of the human spirit can true welfare and happiness be attained."

Judge Parker, an uncommon man, had faith in the common man. He fought for his chance and his right to attain fullest development in a democracy where government is through the rule of law and the consent of the governed.

[From the Carolina Israelite of May-June 1958]

JUDGE JOHN J. PARKER

When the fourth circuit Federal court held sessions in Charlotte, Presiding Judge John J. Parker would take a long walk every evening after dinner. His regular route took him within a block of my house, and if he was alone, I joined him for part of the way. I walked along with him even though he had warned me that he had already outlived three walking partners. But, as it must come to all of us, our last walking partner is always the one who survives us.

On other occasions Judge Parker and I had lunch in the local Chinese restaurant, and after we gave the order he always said: "Well, now, where did we leave off?" He said this seriously, with the same emphasis that he used while sitting on the bench: "Well, now, where did we leave off?" And this meant that we were to continue our discussion of a bit of philosophy or the Bible. An Episcopalian vestryman, Judge Parker had introduced me to the Old Testament. I began to dig in and literally memorise the Book of Job so that I might enter into the spirit of things with some degree of intelligence. Judge Parker was fascinated by the Book of Job. "It should be in every bar examination," he said, and I followed up each of our discussions with a typewritten report to him.

I scrupulously avoided discussing any matter which was under review before his court and this, of course, included most of the segregation cases of our modern era. It would be a disservice to his memory if I were to take any liberties with Judge Parker's personal views on the integration of the public schools of the South, except in terms of the viewpoint of the southern majority But having said that, we must also say this: that once there was law (in the form of a Supreme Court decision), then you had better not tamper with it. "I believe in Jesus Christ and in the Constitution of the United States," he once told me, and it was good to know that a man with such a creed was sitting in a place where decisions were made for us.

What is there to say about Judge Parker that has not already been said by his colleagues of bench and bar, including Chief Justice Earl Warren and many of the distinguished lawyers and jurists of the English-speaking world? I would only like to add this one idea: Judge John Parker cared. He cared about what was going on; he cared about America; and he cared about people. And when we understand the full implications of his deep concern and the fact that he also did something about it (associate judge at the Nuremberg trials of the Nazis; striking the most decisive blow against the Bricker amendment, etc.), then we can also understand the full extent of the very great loss to his family, his friends, and to the Nation.

There was the time a year or so before his death when the judge appeared particularly worried. Judge Simon Sobeloff's confirmation by the United States Senate was being held up by several southern Senators on the Judiciary Committee. "I must have Simon on my court," Judge Parker told me, and he repeated this with such intensity that, in perspective, it appears as though he were actually putting his hand on the shoulder of his successor. "I must have Simon on my court," and then a most remarkable letter to the Judiciary Committee from Judge Frank Winslow of Rocky Mount (N. C.), which broke the log-jam: the interlocking friendships of a lifetime, Judge Parker, Dr. Frank Graham, Kemp Battel, Judge Francis Clarkson, Dr. Otho Ross, Judge William Bobbitt, Mrs. Charles Tillett, Ambassador Hershel Johnson, and Judge Frank Winslow—old-time Tar Heels interested in an embattled judge from Baltimore whose parents were immigrant Jews from Russia, and what a story this is—of America. And what an awesome responsibility for the new presiding judge of the Fourth Circuit Court, Judge Simon Sobeloff, when he reads this article.

All of this may have reflected his own ordeal of 30 years before, because Judge Parker experienced one of the greatest disappointments an American in public life has ever faced.

President Herbert Hoover had appointed him to the United States Supreme Court and he failed of confirmation by a single vote. Senator Borah of Idaho and William Green of the American Federation of Labor, had tipped the balance against Judge Parker's confirmation. Eventually each man acknowledged that he had made a mistake. They had forgotten for a moment that we are a nation of laws and not of men, and that Judge Parker's decision in a certain labor case in North Carolina was based on the existing statutes on the books. And the most remarkable thing about this great man was that he never lost his optimism, his love for humanity, and his great capacity for fellowship, even when he spoke of the men who stopped his confirmation. He never stopped working for a single moment, and he never once lost his sense of humor.

When we used to meet on the street, I took off my hat and then there was always this slow and deliberate business of Judge Parker shifting his cane from one hand to the other hand so that he could lift his hat, too. And what a sustaining memory this is, and how wonderful that I could have earned the right to call this man "my devoted friend." This indeed could happen only in America.

[From the Charlotte Observer of Tuesday, March 18, 1958]

THE WORLD HAS TOO FEW MEN OF JOHN PARKER'S STATURE

Many qualities were blended together in John J. Parker to produce one of the truly great American jurists.

Perhaps the most important was a massive intellect which enabled him to absorb and retain both the basic principles and the complex fine points of the law, and to apply them with discernment to the new legal issues of a changing society.

Another was a calm, unruffled temperament which permitted of no play of emotions in judicial affairs.

Still another was his tremendous personal dignity and the respect it inspired.

To these qualities were added a clear perspective of the sweep of human history, an unswerving belief in the importance of individual liberty, a profound understanding of the role of the judiciary in the American democracy and complete dedication to his job.

That was John Parker the judge.

John Parker the man was warm, friendly, a merry teller of stories and anecdotes, a devoted husband and father, and a devout churchman.

Elsewhere in this newspaper will be found a detailed account of John Parker's life and achievements, an evaluation of his contributions to American jurisprudence, and an explanation of his historic role in the school-segregation litigation.

In a sense, it was a supreme irony for John Parker to inherit the difficult and unwanted job of applying the 1954 and 1955 Supreme Court decisions.

Parker believed that the separate but equal doctrine which grew out of the 1896 *Plessy* v. *Ferguson*, was the law of the land. His original ruling in the Clarendon County, S. C., school case still stands as the classic exposition of that doctrine. In that ruling, incidentally, he gave voice to a principle too often ignored these days, i. e., if separate but equal is no longer right or no longer wise, it should be changed by legislative action, not by judicial interpretation.

The Supreme Court reversed Parker's decision, one of the few times that ever happened.

It was no secret to his friends that Parker disagreed with the Supreme Court's reasoning in the school cases, but there was but one course of action for him. As he told the patent bar in New York City in 1957:

"At the head of the judicial system stands the Supreme Court of the United States, and the decisions of that Court must be accepted as to the meaning of the Constitution. You can't have even a baseball game without an umpire to interpret and apply the rules, and you can't have constitutional government without the authority somewhere to interpret and apply the Constitution.

"Final authority to do this is vested in the Supreme Court, whose duty it is to apply the great principles of government which the Constitution embodies to the changing conditions of the times, with power on its part to overrule even its own prior decisions, when in the light of better understanding or changed conditions they are deemed by it to be erroneous."

And so there fell to Judge Parker's lot a primary responsibility for applying the Supreme Court decision to complex school cases in South Carolina, North Carolina, Virginia, and Maryland, a responsibility he shouldered with good grace and was carrying out with wisdom and understanding at the time of his death.

Just as Lincoln's death proved to be a blow to the defeated South, John Parker's death is a tragic loss at another tortured period in the southern region's tortured history.

John Parker saw far beyond the boundaries of his region and his Nation, however.

From World War II until his death, he was a forceful and persuasive spokesman for greater American participation in world affairs. He believed in a new world order based not on selfishness and force but on law and reason, and right.

In that same patent bar address, Parker said:

"We in the United States had as well realize that the leadership of civilization which was Britain's task for a hundred years has devolved upon us, and that for us to fail to accept it is to turn the Free World over to Russia and to slavery.

"There should be no question in the mind of anyone as to our duty in this crisis. We must go forward. We must make ourselves strong. We must unite the Free World against Communist aggression. We must build throughout the free nations a world order which will endure."

As he had on so many previous occasions, Parker challenged the assembled lawyers and judges to measure up to the responsibility of leadership.

It was a challenge he could well afford to make, for his whole life was a brilliant record of enlightened and intelligent leadership.

We will miss John Parker. The world has too few men of his stature.

[From the Charlotte Observer of Thursday, May 1, 1958]

SOCIETY BASED UPON LAW BEST HOPE FOR FREEMEN

("What is law? Law is not a mere collection of rules and forms and precedents. Law is the life principle of organized society—the categorical imperative which prescribes how organized society must live." John J. Parker.)

In thousands of communities across the Nation today, the first national Law Day will be observed.

From dusty law books, from long-neglected history books, from moments of thought and contemplation too seldom enjoyed by busy men, will come the ideas and ideals for a reatatement of the most basic principles of the American system—liberty under law.

Different men will phrase their ideas in different words as they speak or write on Law Day.

But they will all be saying what Andrew Jackson once told a hard-bitten, frontier jury:

"Do what is right between these parties. That is what the law always means."

Law Day is largely the labor of Mecklenburg native Charles Sylvanus Rhyne, current president of the American Bar Association.

Rhyne's inspiration came from his deep concern over the failure of the law to regulate and protect society in three areas of human activity:

1. Juvenile delinquency: "The runaway events in this field stem basically from lack of respect for the law. Not ignorance of the law, but an ignoring of the law."

2. Traffic slaughter on the highways: "This is a terrible toll to pay for disrespect for traffic law—a tremendous, unnecessary waste of the human and material resources of our Nation."

3. Use of weapons to settle disputes between nations: "In this age of missiles, nuclear bombs, and man-made 'moons,' law must replace weapons or worldwide devastation is certain to occur with the outbreak of the next war."

Rhyne's immediate objective for Law Day is to remind the American people and other free peoples everywhere that individual freedom can exist only under a government of law, the fundamental concept that so distinguishes our system from Communist slavery.

Hence, it was no coincidence that May 1 was selected as the date. It will, to the extent that it is observed, counteract the worldwide propaganda effect of May Day in Communist lands.

But his longer range objective, one to which he has devoted much of his 100,000 miles of travel and many of his 180 speeches since becoming ABA president 9 months ago, is to stir interest in a world system based upon law which ultimately would settle disputes between nations just as disputes between individuals are settled in our land today.

Significantly, the late Judge John J. Parker of Charlotte had spent much time in his last years working toward the same objective. The quote which precedes this editorial came from the last speech he wrote. It was entitled "Law in the World Community." Death prevented its delivery.

A world system based on law and justice may lie beyond the capacities of the human race because it would require:

1. Adequate judicial machinery for the settlement, on the basis of reason, of disputes of an international character.

2. Adequate legislative machinery for bringing to bear the intelligence of mankind upon the solution of international problems; and

3. Adequate organization of force for the preservation of peace and the enforcement of law.

Each of these might well involve the surrender of more national sovereignty than any of the free nations, including the United States, are ready to give up. All three would obviously be rejected by the Communist nations.

Even so, beginnings have been made.

The United Nations Charter itself, the Court of International Justice, the treaty creating the European Economic Community, the Charter of the Organization of American States represent small steps toward judicial machinery.

The General Assembly of the United Nations has no power to pass laws, but it does provide a place where the world's problems can be explored and debated.

And after Korea and Suez, it is not beyond possibility that there will one day be an international police power to enforce the preservation of peace under law.

The high ideals that will be voiced by thousands of speakers today cannot be dismissed as idle and fanciful dreams. We must look to the future; the past, and the present offer nothing but wars and the threats of more wars.

Surely the human race deserves something better.

[From the Greensboro Daily News of Tuesday, March 18, 1958]

JOHN J. PARKER: "TO WHOM MUCH IS GIVEN"

The death of the Honorable John J. Parker, senior judge of the Fourth United States Circuit Court of Appeals, could have occurred at no more inopportune moment than on a weekend when new American terrorists were bombing Jewish community centers in Nashville and Miami.

Judge Parker's life was a paean of praise and a hymn of support for the idea of justice and brotherhood. He had delivered from his judicial bench and in other public forums numerous sermons on justice. They should be ringing today in the ears of American citizens who resort to cowardly bombings in the night and threats of violence against the law.

Judge Parker spoke often of the greatness of America, and he knew whence it stemmed. America is not great, he said on one occasion, "because of the strength of Army or Navy or Air Force, not because of wealth of field or forest or mine or factory, not because of the splendor of her cities or the culture of her institutions of learning, but because in her heart of hearts she still believes in the sovereignty of the individual soul and the open door of opportunity for every man. Freedom of thought, freedom of speech, freedom of conscience—the right of every man to be secure in his person and in his home against unreasonable exercise of power, the right to public trial and to be confronted by one's accusers, the right not to be deprived of life or liberty or property but by the law of the land—the general law which hears before it condemns, proceeds upon inquiry and renders judgment only after trial—these are the things that make America great, and these are but the application in the realm of government of the principles of democracy, the spirit of good will and brotherhood, and equal opportunity under the law."

These are words worth remembering and rereading here in the tragic aftermath of Judge Parker's death. But, in truth, they are words for the ages. For they sum up the total worth of Western civilization for an America designated by strength and philosophy as protector and guardian of this great heritage.

The measure by which America tolerates bombings and other acts of terrorism is the measure by which she fails to protect the soul of her greatness. Her cities may fall into dust, her natural abundance may shrink, but these ideas will remain throughout all time as a standard to which the wise and the oppressed of all ages may repair.

The measure of Judge Parker's greatness as judge and citizen lies in his championship of these causes throughout a long and productive life. There is much to be said about his peripheral activities—the services he rendered his adopted community of Charlotte, his church, his beloved North Carolina, his university at Chapel Hill, but the central theme of his life is anchored in the broad realm of the law.

Many will remember the great mistake of history which swirled around Judge Parker's appointment to the United States Supreme Court by President Hoover and the narrow margin of defeat of his confirmation by the United States Senate—by two votes. That historic episode is full of irony. For there is reason to believe that had Judge Parker been on the High Court since 1927 he would have long since been its Chief Justice, and the quality of many decisions handed down in recent years by the Court may have been changed.

Judge Parker, it seemed from his decisions before and since, was greatly disturbed by the school integration cases. There is no reason to believe he did not understand fully the moral implications of second-class citizenship, but there is ample reason to believe he also knew the law. Another eminent jurist who should have been on the high court with Judge Parker—Judge Learned Hand—has recently delivered a series of lectures at Harvard University which bears directly on this question.

If these two towering figures of the legal profession had long since been part of our High Court, how different the tide of events could have been. The great principles of brotherhood would have never lain unprotected; but these wise men, gazing directly to the heart of the complexities, may have devised means of avoiding the head-on collisions and the emotional violence which now characterize our time.

With all his greatness of mind John J. Parker was a lighthearted gentleman, full of subterranean humor and appreciation of the foibles of man. His own life exemplified his two favorite Bible passages, often quoted in his speeches.

One typifies his humility—that basic ingredient of all great men: "Let him that thinketh he standeth take heed lest he fall."

The other typifies his own understanding of the role of men endowed with unusual capacities: "To whom much is given of him much also is required."

In Judge Parker's death North Carolina loses one of her genuinely great sons; the Federal judiciary one of its keenest minds; the Nation a wise man of exceedingly great worth. There will be none soon to fill the void.

[From the News-Herald of March 21, 1958]

A GIANT PASSES THIS WAY

North Carolina has lost a great citizen in the passing of John J. Parker, senior judge of the Fourth United States Circuit Court of Appeals.

He probably has done more than any single North Carolinian in the last half century to add dignity to and respect for the law.

He was a Republican—but Democrats and Republicans alike revered this practitioner of justice and brotherhood.

Ironically, this giant who passed this way, failed to achieve his one big ambition—a seat on the United States Supreme Court. He failed to get Senate confirmation in Herbert Hoover's administration by two votes.

He was passed over again by the Eisenhower administration.

Yet this most eminent among jurists did not let it embitter him, as it might have a lesser man.

He stood stalwart in his beliefs. He felt that it was the court's prerogative to uphold laws, determine their constitutionality, not to try to make them.

Of the recent United States Supreme Court segregation decisions, he said the doctrine of "separate but equal" might have needed changing but that it was a duty of Congress to have done it by law, not a function of the Court to do by decree.

He set the pattern for racial cases in Federal courts with his definition of what the Supreme Court had done. This was in the now-famous Parker dictum.

"It is important," he said, "that we point out exactly what the Supreme Court has decided and what it has not decided in this [segregation] case.

"It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend.

"What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains • • • the Constitution, in other words, does not require integration. It merely forbids discrimination.

"It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation."

Judge Parker's ruling—that has stood unchallenged for 3 years—may have been his most important, because it helped put the court decision that many were calling the "law of the land" and a "mandate to integrate" in its proper perspective.

He possessed one of the keenest legal minds of his generation. And he took part in many important decisions.

Always, they bore out his philosophy that held that brotherhood and respect for the individual man must be upheld to effect true justice.

He believed that America's greatness did not stem from power of guns and wealth, "but because in her heart of hearts she still believes in the sovereignty of the individual soul and the open door of opportunity for every man."

"Freedom of thought, freedom of speech, freedom of conscience—the right of every man to be secure in his person and in his home against unreasonable exercise of power, the right to public trial and to be confronted by one's accusers, the right not to be deprived of life or liberty or property but by the law of the land—the general law which hears before it condemns, proceeds upon inquiry and renders judgment only after trial—these are the things that make

America great, and these are but the application in the realm of government of the principles of democracy, the spirit of good will and brotherhood, and equal opportunity under the law."

If Judge Parker had done nothing more than pen those words, he would have done a great service.

For these are words that every practitioner of the law should memorize. They are words that every American should take to heart, and broadcast throughout the world.

They tell the story of America better than any that might be written by even the most adept of the Madison Avenue propagandists.

Judge Parker did yeoman's work for his church, his State, his university.

But it was in the realm of the law that he was—as they say in the Southwest—a man who "sits tall in the saddle."

Perhaps the Greensboro News expressed it best with these words:

"In Judge Parker's death North Carolina loses one of her genuinely great sons; the Federal judiciary one of its keenest minds; the Nation a wise man of exceedingly great worth."

To which we might add that every individual lost one of his greatest advocates before the bar.

He was as near as you could get to the irreplaceable man.

[From the Winston-Salem Journal, of Wednesday, March 19, 1958]

JUDGE PARKER

Judge John J. Parker was denied through a tragic error the right to sit on the bench of the United States Supreme Court to which he had been nominated by President Hoover. But this brilliant Tar Heel jurist was not embittered by this defeat. He grew in stature and lived to prove himself as one of the truly great judges of the Federal judiciary.

In his death the entire Nation suffers serious loss. But Judge Parker will be especially missed in the South which has looked to him for legal light and guidance in working out the problems created by the public school desegregation decision of the Supreme Court.

Judge Parker was much more than a lawyer and judge. He was a statesman of broad vision and tall stature. Every phase of human welfare and progress was of deep interest and concern to him. A kind, genial man who loved all human beings, he was a strong advocate of wider American participation in world affairs. He pinned his hopes for man in a new world order "based not on selfishness and force but on law and reason and right."

But it is as one of the Nation's ablest authorities on constitutional law that Judge Parker will be best remembered. His ruling in the Clarendon County, S. C., case is believed to have set a guiding principle to govern the action of school officials in the South as they move to meet the legal problems involved in the desegregation of public schools.

In this ruling, now become famous as the "Parker dictum," he said:

"It is important that we point out exactly what the Supreme Court has decided and what it has not decided in this (segregation) case.

"It has not decided that the Federal courts are to take over or regulate the public schools of the State.

"It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing schools they attend.

"What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains • • • the Constitution, in other words, does not require integration. It merely forbids discrimination.

"It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation."

This has not been challenged in the nearly 3 years since it was handed down. The State of North Carolina has based its pupil-assignment program upon it. Many southern legal scholars feel that good-faith observance of the antidiscrimination principle set forth by Judge Parker will enable communities in the South to meet the requirements of the Supreme Court with a minimum of litigation or social dissension. If so, this may become Judge Parker's greatest and most lasting contribution to the social progress of the South and the Nation.

[From the Charleston Evening Post of Tuesday, March 18, 1958]

DEATH TAKES JUDGE J. J. PARKER

The death of Judge John J. Parker removes from the Federal judiciary one of the ablest men who ever sat on the American bench.

Had legal training, knowledge of the law and Constitution, a truly judicial mind, and devotion to duty been the criterion, Judge Parker would have been appointed to the United States Supreme Court and would have brought to that tribunal qualities that have been sadly lacking in recent years.

Nominated for such an appointment by President Hoover in 1930, Judge Parker failed of confirmation as a consequence of a bitter and malicious opposition on the part of the NAACP and certain labor leaders. On several subsequent occasions bar groups endorsed him for a seat on the High Court, but to no avail. He presided over the Fourth United States Federal Circuit Court for more than 25 years in his long and distinguished career on the bench. He came to be known as one of the Nation's foremost authorities on both Federal and State constitutional law. Just recently he was in Charleston for a special session of his court.

Judge Parker's respect for the United States Constitution was exemplified when, as a member of a three-judge court, he was one of the two-judge majority which upheld school segregation on the principle of "separate but equal" facilities. He, with Judge George B. Timmerman, pointed to the fact that the Supreme Court had established that principle on several occasions and that it had been long accepted as the fundamental law of the land.

Judge Parker refused to let any nonjudicial ideology sway his judgment. He felt that a judge should not usurp legislative functions.

In the decision which the Supreme Court arbitrarily reversed—and at the same time reversed earlier Supreme Courts—Judge Parker said:

"The constitutional principle is the same now that it has been throughout this period, and if conditions have changed so that segregation is no longer wise, this is a matter for the legislatures and not for the courts. The members of the judiciary have no more right to read their ideas of sociology into the Constitution than their ideas of economics."

The Supreme Court's disregard of that principle has let loose tragic evils upon the country.

Well may the Nation mourn the loss of a judge in whom integrity and ability were so strikingly joined.

[From the Charleston (S. C.) News and Courier of Tuesday, March 18, 1958]

JUDGE JOHN J. PARKER

Chief Judge John J. Parker of the United States Fourth Circuit Court of Appeals, who died yesterday following a heart attack, at the age of 72, was a jurist's jurist. He had been nominated once for the United States Supreme Court, endorsed many times, but never appointed. In 1954 the South Carolina Bar Association endorsed him for the vacancy caused by the death of Justice Robert J. Jackson.

Judge Parker presided at a special term of the circuit court in Charleston only 2 weeks ago. He was his usual vigorous self. His learning in the law, unshatterable integrity, and devotion to the dignity and impartiality of the judicial office made him one of the finest judges in the land.

Judge Parker was held in the highest esteem throughout the legal profession. To the layman, a chief judge of a United States circuit court may seem a remote figure. Actually, Judge Parker decided cases with a wisdom and a prudence that helped safeguard both the rights of ordinary citizens and the conditions of peace and civic order which make rights worthwhile.

President Herbert Hoover nominated Judge Parker for the High Bench in 1930. But a shameful alliance of the NAACP and the American Federation of Labor blocked approval by the United States Senate in a 41–39 vote.

A lesser man than John J. Parker, of Charlotte, N. C., might have been embittered by failure to attain the office he so richly deserved. Judge Parker, however, was a man in the classical mold who put his whole being into the performance of the duties life offered.

Judge Parker's host of friends, the legal profession, and the ordinary citizens who profited from his wise moderation and stern constitutionalism—all will miss him.

Of him it can be said in proud tones: He was a judge.

[From the Christian Science Monitor of March 19, 1958]

FOUNDATION BUILDER

Cranks may make revolutions. And crusaders often serve the essential purpose of breaking through thickets where most of us shrink from going. But the building that endures on ground thus opened is usually done by men who have come slowly and convinced themselves on every step of the way.

Few better examples could be found than John J. Parker, who for a quarter of a century served as chief judge of the Fourth United States Circuit Court of Appeals, comprising five Southeastern States.

He was born and educated in North Carolina, was appointed a Federal judge by President Coolidge, and named to the Supreme Court by President Hoover. The Senate, by a 2-vote margin, refused to confirm him for this office as a result of determined opposition by organized labor and by the National Association for the Advancement of Colored People.

Yet Judge Parker in later years handed down several important decisions welcomed by political liberals, and in 1947 declared all-white primary elections illegal. Eight years later his elucidation of the Supreme Court decision declaring unconstitutional racial segregation in the public schools promises to prove historic. He said in part:

"It is our duty now to accept the law as declared by the Supreme Court. • • • Nothing in the Constitution or the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination."

Upon the foundation laid down in this opinion both white and Negro, North and South, can find accommodation in dignity and good conscience.

[From the Northern Virginia Sun of Thursday, March 20, 1958]

JOHN J. PARKER—AN ELEGY TO A GREAT JUDGE

A remarkable transformation sometimes occurs when a lawyer puts on the robes of a judge. Conservatives, when divorced from their private interests and pressures, often write liberal opinions, and men who were ardent liberals frequently become conservatives.

The reason for this is that few of us have a chance to analyze what our real thoughts are. It is not unusual for our economic interests, associations, and the pressures of environment to obscure our real views even from ourselves.

Because of this, men selected for the bench are given economic security and tenure, so that the best in their natures may emerge. And one admires a judge who in the quiet of his chamber admits that his previous thinking was not always right.

Such a man was Chief Judge John J. Parker, of the Fourth Circuit Court of Appeals at Charlotte, N. C., who died Monday, and whose jurisdiction included northern Virginia. Thirty years ago, Judge Parker held views so conservative that, when President Hoover nominated him to the Supreme Court, liberals in Congress and elsewhere raised such a storm of opposition that the nomination had to be withdrawn.

If anyone had reason to dislike liberals and the liberal viewpoint, it was Judge Parker. Yet as he reasoned through the stormy and turbulent cases that marked his later years on the appellate bench, he generally leaned to the liberal side.

Recently, he had been very firm in declaring public-school segregation unconstitutional; he ordered its immediate end in areas covered by cases before his court.

One of these areas was Arlington County. Judge Parker ruled as he interpreted the law—whether or not his interpretation went against his own preconceived opinions or against popular opinion in his jurisdiction.

Northern Virginians will remember Judge Parkers' Arlington school decision for many years, and they will disagree with each other on the soundness and wisdom of this decision. But they join the rest of the Fourth Circuit Court of Appeals area in honoring Judge Parker for his intellectual honesty, and for his honest, objective, and fearless interpretation of the law.

[From the Evening Star of Tuesday, March 18, 1958]

CHIEF JUDGE PARKER

The career of Chief Judge John J. Parker, dead after a heart attack here, should teach a never-to-be-forgotten lesson respecting the frailty of contemporary judgments.

Back in the spring of 1930 the Senate, dividing 41 to 39, rejected the nomination of Judge Parker to a place on the Supreme Court. The Senate's liberals—including such men as Borah, La Follette, Norris, Barkley, and Black—banded together against Judge Parker because he was alleged to be antilabor and anti-Negro. The Senate Judiciary Committee listened to testimony against the nomination from witnesses representing organized labor and the NAACP. Then it voted 10 to 4 to refuse to permit Judge Parker to testify in his own behalf. All in all, it was a sorry performance and a shameful miscarriage of justice.

Judge Parker lived to confound his liberal critics, however, and some of them stated publicly that they regretted having voted against him. The antilabor charge was based on an opinion he wrote for the fourth circuit court of appeals upholding the so-called "yellow dog" contracts—contracts under which coal miners agreed not to join the United Mine Workers if given jobs. His defenders of that day said he was merely following the rules laid down by the Supreme Court, and it is a fact that the Court, then including such men as Brandeis and Holmes, refused to review the decision. This had the effect of upholding it. The anti-Negro charge was equally flimsy and destined, in time, to be refuted by Judge Parker's firm adherence to the Supreme Court's ruling in the school cases. But the Senate of 1930 was in no mood to listen—not even when the late Carter Glass, up for reelection, took the floor and said: "Situated as I am, it would be easier to vote against Judge Parker than to vote for him. But I have tried in vain to find some reason to vote against him which would satisfy my conscience."

Time has been much kinder to this truly liberal jurist than was the contemporary judgment. The American Bar Association a few years ago awarded him its gold medal for conspicuous service to American jurisprudence. This, we think, gives the true measure of the man.

[From the Washington Post and Times Herald of Tuesday, March 18, 1958]

JOHN J. PARKER

The untimely death of Judge John J. Parker at 72 removes one of the most respected figures in American jurisprudence. His Olympian stature was measured by the poise and equanimity with which he bore what, to a lesser man, would surely have been a crushing disappointment—the Senate's rejection of his nomination to the Supreme Court in 1930. Falsely denounced as foe of labor and minority groups because as a circuit court judge he faithfully followed an unpopular Supreme Court ruling in the so-called yellow-dog-contract case growing out of a strike in West Virginia, he missed confirmation by a vote of 41 to 39.

He accepted the injustice without rancor or protest, returned to his seat on the United States Court of Appeals for the Fourth Circuit and proceeded in the ensuing 28 years to confound his critics by a record of libertarian statesmanship on the bench. In one of the most recent of his opinions this soft-spoken North Carolinian affirmed lower court decrees in Arlington and Charlottesville ordering desegregation of the public schools.

Judge Parker's judicial services—in addition to his 32 years on the court of appeals and his constant interest in improved judicial administration—included a period as alternate United States member of the tribunal which tried the German war criminals at Nuremberg in 1946. He brought to that experiment in international justice the best traditions of American respect for individual rights and for the concept of due process. Only recently he was elected to the presidency of the National Conference on Citizenship—a civic enterprise to which he had for many years made rich contributions of eloquence and inspiration. Among his fellow jurists, as well as generally among Americans who came in contact with his work, none commanded greater respect or warmth of affection than this genial and salty philosopher whose life was given to the exacting and exalting discipline of the law.

[From the Charlotte Observer of March 23, 1958]

FROM THE NEWSPAPERS—TRIBUTE TO JUDGE PARKER

(Newspapers in the South Atlantic States have paid eloquent tribute to Judge John J. Parker, who died in Washington last Monday.)

(Below are excerpts from a few of them.)

Richmond Times-Dispatch: "One of the tragedies of modern American history occurred in 1930 when the United States Senate by a vote of 41 to 39 rejected the late Judge John J. Parker's appointment to the Supreme Court. • • • Judge Parker would almost certainly have been Chief Justice, instead of Earl Warren, and the meaning of this will be apparent to any student of the Court's strange aberrations of the past several years."

Gastonia Gazette: "The Nation will miss Judge John J. Parker. He was a great judge • • • and possessed one of the keenest legal intellects of our generation."

Knoxville News Sentinel: "In the light of some of the more political appointments which have been made to the Supreme Court, it is a pity he never was elevated. But his failure to gain this distinction was more than compensated by the prestige and respect he obtained by his obviously stellar talents."

Durham Herald: "The loss to public life of men like Judge Parker is grievous. But he leaves an example of brilliant, honorable, and distinguished service as a standard by which his successors may model their careers. That is a contribution more enduring than his actual work."

Raleigh News and Observer: "Judge Parker missed his greatest ambition but North Carolina and the Nation will long remember him as a great judge, who became greater after personal disappointment."

Charlotte News: "John Johnston Parker's legacy was a vision of faith in the full promise of American life. Consequently he left us all extraordinarily wealthy. In fair weather and foul, he lived his faith with remarkable fidelity. • • • In defending the principles embodied in the United States Constitution, no man has ever fought with such tenacity and grace. 'It is easy enough to believe in freedom of religion for Episcopalians or Baptists or Presbyterians. The test is whether we believe in that freedom for Mohammedans or Buddhists or atheists. It is easy enough to believe in free speech for Republicans and Democrats. The rub comes when it is applied to Communists and Fascists and others whose teaching is hostile to our institutions.' "

Monroe Journal: "It should be especially noted with deep gratitude the indelible mark his pioneering decisions has made on tempering the course of the Supreme Court's edict on integration with sound logic and practicality."

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I have discussed with the minority leader the desirability of acting upon the railroad-retirement proposal, S. 1313, and the wisdom of offering it as an amendment to the Renegotiation Act. So that we can get a test of it, we have concluded that we should have the retirement bill offered as an amendment to another bill, so as not to involve the Renegotiation Act. There is a proposed unanimous-consent agreement at the desk, and I ask that it be stated.

The PRESIDING OFFICER. The proposed unanimous-consent agreement

will be stated for the information of the Senate.

The legislative clerk read the proposed agreement, as follows:

Ordered, That, effective when the Senate proceeds to the consideration of the bill H. R. 12728, to amend the Longshoremen's and Harbor Workers' Act, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received: *Provided further, however*, That in the event the text of the railroad retirement bill (S. 1313) is offered as an amendment to the pending bill, it shall, notwithstanding the provision herein as to germaneness, be considered to be in order.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1½ hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Is there objection to the proposed unanimous-consent agreement?

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. THYE. If the conference report comes over from the House on Public Law 480, it will, of course, be a privileged matter, and the unfinished business would be temporarily laid aside to permit action on the conference report, would it not?

Mr. JOHNSON of Texas. If the conference report were called up, it would not be affected by the proposed agreement. I expect to call it up some time today. I would have called it up last night if it had been available.

Mr. THYE. Mr. President, will the Senator yield for another question?

Mr. JOHNSON of Texas. I yield.

Mr. THYE. I should like to have about 15 or 20 minutes to speak on the conference report. Would I be privileged to have that time?

Mr. JOHNSON of Texas. Oh, yes. The proposed unanimous-consent agreement would not affect the conference report; and I know that the Senate would be delighted to have the observations of the Senator from Minnesota in connection with Public Law 480, with respect to which he has been so active.

Mr. THYE. I commend the Senator for trying to obtain a unanimous-consent agreement. I think it would expedite matters.

Mr. JOHNSON of Texas. I hope we can dispose of the railroad retirement bill, so that we can consider the mutual security bill; and I hope Senators can agree on a reasonable limitation of time on the mutual security bill. It must go to conference, and there will be some delay.

Mr. ALLOTT. Mr. President, reserving the right to object, I should like to inquire if there is any particular reason why the railroad retirement bill should be considered as an amendment to another bill, and not be considered by itself. Some of us have reservations with respect to the advisability of passing the railroad retirement bill. On the other hand, we join in support of the longshoremen's bill.

Mr. JOHNSON of Texas. I will explain that.

Mr. ALLOTT. The proposed unanimous-consent agreement leaves us in a very peculiar situation, a paradoxical situation.

Mr. JOHNSON of Texas. I agree with the Senator.

Mr. ALLOTT. I wonder if the two measures could not be considered separately. I am not opposing the concept of a unanimous consent agreement. I think it is desirable.

Mr. JOHNSON of Texas. I agree with the Senator. I think the situation is unusual.

However, only a few hours remain in this session. The committee of the other body has acted, and our committee has acted. It is necessary to whittle down and redraft some of the provisions of the Senate bill, which will be offered as an amendment. In order to give the other body some opportunity to consider the proposed legislation, it will be offered as an amendment to a House bill. The renegotiation bill will also be considered.

On the other hand, if the proposed legislation should not meet with the approval of the other body, or if it should not meet with the approval of the President, we would have the problem of a veto.

The minority leader and I looked over the calendar in an attempt to find a House bill which we thought was relatively noncontroversial to which the railroad retirement bill could be offered as an amendment. We took the matter up with the sponsors of the legislation, and they are prepared to present it and defend it, and have it offered as an amendment to the House bill. In that way the Senate will have an opportunity to express itself. I believe it is felt on both sides that the vote may go one way or the other. It was decided that it would be appropriate to devote an hour or two, or perhaps 3 hours, to the consideration of the measure, and let the judgment of the Senate prevail.

I agree with the Senator from Colorado that if it were early in the session we would proceed to consider a Senate bill. But if we should proceed to consider a Senate bill, we would displease all those interested in the legislation, because it would then have to be referred to a committee by the Speaker of the House. The committee would not meet, and the effect would be the same as that of recommitting the bill.

Mr. ALLOTT. But would the effect be the same? We would be forcing upon the House the acceptance of a bill which has not been fully considered.

Mr. JOHNSON of Texas. No; a bill has been considered fully in the House committee, and the committee has reported the bill.

Mr. ALLOTT. A railroad retirement bill?

Mr. JOHNSON of Texas. Yes, a railroad retirement bill. And the leaders of the House and the leaders of the Senate are agreeable to the provisions in both bills. I believe the Senate bill was considerably more liberal than the House bill. There are some differences. I am not familiar with the details, but there has been agreement as to the provisions. It has been agreed that the railroad retirement bill may be offered as an amendment to the House bill. This procedure would be merely a matter of the House expressing itself with respect to its own bill, as modified.

Mr. ALLOTT. Mr. President, I shall not object.

Mr. JOHNSON of Texas. I am very grateful to the Senator.

Mr. ALLOTT. However, I wish to make my own position very clear because of what I believe this measure would do to the railroad retirement fund itself and to railroad workers. I may find it necessary not to vote for this proposal, in which event I would be forced to oppose the longshoremen's bill. The longshoremen do not operate in Colorado, so they are not my constituents, but I would not want to do them harm. However, I may find myself in the position of having to vote against the bill in order to express my convictions upon what I believe is the more important of the two bills, which is the railroad retirement bill. I appreciate the Senator's fine remarks.

Mr. JOHNSON of Texas. I appreciate the Senator's position, and I think there is merit in it. I appreciate his courtesy and understanding of our problem.

The PRESIDING OFFICER. Is there objection to the proposed unanimous consent agreement?

Mr. WILEY. Mr. President, I should like to ask a question. I did not hear all of the proposed unanimous consent agreement. How much time would be allowed?

Mr. JOHNSON of Texas. An hour on each amendment and an hour and a half on the bill.

The PRESIDING OFFICER. Is there objection to the proposed unanimous consent agreement? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2547, H. R. 12728.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 12728) to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That section 33 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"COMPENSATION WHERE THIRD PARTIES ARE LIABLE

"SEC. 33. (a) The right to compensation and to other benefits under this act whether for disability or death shall not be affected by the fact that the injury or death was caused under circumstances creating a legal liability in some person other than the employer or someone not in the same employ to pay damages therefor, such person hereinafter being referred to as the 'third party.' The payment of furnishing of benefits and the respective rights and interests of the beneficiary under this act and of the employer or carrier, in respect of the cause of action and the damages recovered, shall be as provided for by this section.

"(b) A beneficiary under this act in disability and death cases, or the legal representative of a deceased employee in a death case in which there is no beneficiary entitled to death benefits and in which an obligation exists upon the employer to make payment into the special fund established under section 44, shall have the right to proceed to settle or to enforce the liability of the third party by appropriate proceedings, provided that proceedings are instituted not later than 6 months after the date the cause of action accrues, unless otherwise provided in this section. If the employer or carrier prior to the expiration of the 6 months' period referred to shall have accepted liability for the payment of benefits or for the special fund payment, and shall have made payment under an award made pursuant to this act, and the beneficiary or such legal representative shall not have settled with the third party or instituted proceedings within such 6 months' period, then all right of the beneficiary against the third party shall pass by assignment to the employer to be enforced by him. The employer shall have a right in any case in which there is no person entitled to compensation for death and the employer has paid funeral expenses or made payment into the said special fund to petition for the appointment of an administrator or other legal representative (if none has been appointed) to institute proceedings against a third party, and shall have a pecuniary interest in respect to the cause of action accruing to the estate, widow, or next of kin and in damages recovered to the extent of any funeral expenses paid on account of the death of the employee and on account of the payment into said special fund, whether or not any such payment was made pursuant to an award.

"(c) In cases in which benefits have been paid by an employer without an award, no assignment of a beneficiary's cause of action shall take place under the conditions specified in subsection (b) until 90 days prior to the running of the statute of limitations affecting the cause of action. In such a case, the employer who has paid or furnished benefits shall give notice in writing to the deputy commissioner and to all other parties in interest of his intention to institute a proceeding against the third party. If no proceeding has been instituted prior to such 90-day period such notice shall operate as an assignment of the cause of action to the employer, effective on the 90th day prior to the running of the applicable statute of limitations.

"(d) In any case in which the employer (or the carrier by subrogation as hereinafter provided) receiving the assignment of the cause of action fails, refuses or neglects to sue upon or to compromise or settle the cause on or before the 30th day prior to the running of the statute of limitations affecting the cause, the right of action shall be deemed to have been reassigned on such 30th day to the person in whom the right originated.

"(e) For the purpose of determining and applying credits, as hereinafter provided, in respect to the amount recovered against the third party by settlement, suit or otherwise, no attorney's fee or item of cost in connection with a third party settlement or suit shall be considered unless approved as reasonable by the deputy commissioner. In the event recovery of damages by suit or settlement is made against the third party, whether by the person in whom the cause of action accrued or by the employer through assignment or by the carrier through subrogation, before any crediting of the sum recovered against future benefits there shall be deducted the necessary expenses incident to realization of the recovery, such as reasonable attorney's fee and costs as approved by the deputy commissioner. If the beneficiary makes the recovery, he shall also be entitled to retain one-third of the proceeds after deduction of expenses as approved. If the employer or carrier makes the recovery, he shall be entitled to retain, after deducting expenses as approved, a sum equal to benefits paid by him in the case under this act and one-fifth of the proceeds less the expenses. From the net proceeds after all such deductions, the beneficiary making the recovery shall reimburse the employer to the extent of the compensation and other benefits paid for by the employer as approved by the deputy commissioner, and any balance remaining thereafter shall be applied as a credit against future compensation for the same injury or death. If the employer, after all such deductions, shall have remaining in his possession a balance of the recovery, such balance, which shall serve as a credit against the payment of future benefits for the injury or death on account of which the recovery was made, shall be paid forthwith to the beneficiary or, if deceased, to his estate, unless the deputy commissioner shall require the employer to establish a trust fund consisting of such balance or any part thereof deemed necessary to defray the cost of future benefits for the same injury or death, any remaining balance to be paid to the employee or to his estate.

"(f) No settlement or compromise of a claim against a third party shall be made either before or after institution of proceedings without the written consent of the beneficiary (if the claim is prosecuted by the employer) or without the written consent of the employer (if the claim is prosecuted by the beneficiary). If settlement is made without such written consent and objection to the settlement is made in writing to the deputy commissioner, the deputy commissioner shall determine whether the amount agreed upon in settlement with the third party is reasonable, considering all facts and circumstances in the case. Upon finding that such amount is reasonable, the amount recovered shall be disposed of and credited as provided in subsection (e). If found not reasonable, the deputy commissioner shall determine what amount of settlement would have been reasonable under the circumstances and shall compute the allowances and credits on the basis of such amount, in the manner provided in subsection (e); and either the beneficiary or the employer shall have an action as for debt against the other for any unpaid residual net amounts found due by the deputy commissioner after computation under subsection (e).

"(g) In any proceeding against a third party, whether brought by the beneficiary, or the employer (or carrier), or by legal representative, widow or next of kin, any party to the proceedings under this act having a claim against the proceeds or amount recoverable from the third party shall have a lien against the amount recovered to the extent of his claim. Such lien shall be claimed by filing a notice in such proceeding and by serving a copy upon the parties to the court proceedings.

"(h) Where the employer is insured, the insurance carrier which has paid compensation or furnished benefits under this act shall be subrogated to all the rights of the employer under this section. Any reference in this section to the employer shall for the purposes of this section be deemed to include the insurance carrier.

"(i) The right to compensation or benefits under this act shall be the exclusive remedy to an employee when he is injured or to his eligible survivors or legal representatives if he is killed by the negligence or wrong of another in the same employ."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is now before the Senate, and the unanimous-consent agreement is in effect.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes.

Mr. KENNEDY. Mr. President, the essential feature of the pending bill is to give an employee injured by reason of the negligence of a third party the opportunity to bring suit against such third party, and at the same time to receive his workmen's compensation benefits under the Longshoremen's and Harbor Workers' Compensation Act. He must bring such suit against the third party not later than 6 months after the date when the cause of action accrues. After this time, under certain circumstances, the right of action shall pass by assignment to the employer to be enforced by him.

At the present time under the Longshoremen's and Harbor Workers' Compensation Act a worker who is injured is entitled to compensation, but if he elects to receive the compensation, he is denied the right to institute a suit against a

third party whose negligence may have caused him injury.

The effect of the pending bill is to entitle him to receive his compensation and also to institute a suit within a reasonable period of time. It did not seem to the House of Representatives, which passed the bill unanimously, or to the Committee on Labor and Public Welfare of the Senate, which approved the bill unanimously, that merely because a worker receives compensation under the Longshoremen's Act as a result of an injury, he should be denied the right to institute a suit against a third party who may have caused him injury.

It seems to me that the proposed legislation is in the public interest, and that it provides a great improvement which closes a loophole in the present act. The Senate should follow the example of the House and pass the proposed legislation.

I am prepared to yield back the remainder of my time, provided the other side is prepared to yield back its time.

I wish to make it absolutely clear that under the bill an employee making a recovery after paying attorney's fees and other costs would retain one-third of the net recovery. He would then be obligated to reimburse the employer for compensation or benefits paid, and he would retain the balance of the recovery after deducting the compensation paid.

In other words the employee would receive all of the recovery except the costs of making it and the amount which he pays to the employer for benefits and compensation paid to him by the employer for the injury.

Any amounts accruing to an employee as a result of a third party suit under this bill would be credited against any future liability which the employer might have for the same—I repeat the same—injury or death.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator desire to have time yielded to him?

Mr. MORSE. Mr. President, I intend to offer an amendment.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I offer an amendment to the bill of the Senator from Massachusetts. The amendment is a substitute for S. 1313, which is at the desk. I suggest that my amendment in the nature of a substitute be read by title only, because I shall explain it in some detail.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THURMOND. Would the Senator object to my asking that copies of the report on the bill be circulated? I do not believe they are on the desks. I think that should be done if the bill is to be taken up now.

Mr. MORSE. I thought they were on the desks of Senators. If not, they will be distributed at once.

The PRESIDING OFFICER. How much time does the Senator from Oregon desire to yield himself?

Mr. MORSE. I will start with 10 minutes.

Mr. JOHNSON of Texas. Mr. President, I should like to have the attachés on both sides of the aisle make certain that copies of the report on the bill, which are available, as well as copies of the bill itself, are delivered to the desk of each Senator. Of course, they can be obtained by Senators coming to the desk, but it would be more convenient to have them delivered to the desk of each Senator.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. ALLOTT. I should like to ask one question before the Senator from Oregon starts: Is the amendment which the Senator has sent to the desk the bill S. 1313?

Mr. MORSE. The amendment I have sent to the desk is a modification of S. 1313. I am about to explain the modification.

Mr. ALLOTT. Then, it is not S. 1313 as reported by the committee?

Mr. MORSE. Not as reported to the Senate.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays on the amendment of the Senator from Oregon, so that all Senators may know that at the conclusion of the unanimous-consent agreement there will be a vote?

The yeas and nays were ordered.

The PRESIDING OFFICER. The Chair advises the Senator from Oregon that the unanimous-consent agreement provides that S. 1313 shall be offered. It is the opinion of the Chair that the amendment of the Senator from Oregon would be out of order until S. 1313 has been offered. Does the Senator from Oregon now offer his amendment as a substitute?

Mr. MORSE. I call up S. 1313 as an amendment, and I notify the Senate that when it has been called up, I will offer my amendment in the nature of a substitute for S. 1313.

The PRESIDING OFFICER. The Senator from Oregon still does not have S. 1313 before the Senate.

Mr. MORSE. I now offer it as an amendment.

The PRESIDING OFFICER. Does the Senator from Oregon desire to have his amendment stated or printed in the RECORD?

Mr. MORSE. I ask that the amendment be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, the amendment will be printed.

The amendment is as follows:

Be it enacted, etc.—

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 2 (a) 3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"3. Individuals who will have attained the age of 60 and will have completed 30 years of service or, in the case of women, who will have attained the age of 62 and will have completed less than 30 years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age 65 when the annuity begins to accrue."

(b) Section 2 (d) of such act is amended by adding at the end thereof the following new sentence: "If pursuant to the third sentence of this subsection an annuity was not paid to an individual with respect to 1 or more months in any calendar year, and it is subsequently established that the total amount of such individual's earnings during such year as determined in accordance with that sentence (but exclusive of earnings for services described in the first sentence of this subsection) did not exceed $1,200, the annuity with respect to such month or months, and any deduction imposed by reason of the failure to report earnings for such month or months under the fifth sentence of this subsection, shall then be payable. If the total amount of such individual's earnings during such year (exclusive of earnings for services described in the first sentence of this subsection) is in excess of $1,200, the number of months in such year with respect to which an annuity is not payable by reason of such third and fifth sentences shall not exceed 1 month for each $100 of such excess, treating the last $50 or more of such excess as $100; and if the amount of the annuity has changed during such year, any payments of annuity which become payable solely by reason of the limitation contained in this sentence shall be made first with respect to the month or months for which the annuity is larger."

(c) Section 2 (e) of such act is amended by striking out "than an amount" and inserting in lieu thereof "than 110 percent of an amount."

(d) Section 2 (g) of such act is amended by inserting after "wife under age 65" the following: "(other than a wife who is receiving such annuity by reason of an election under subsection (h))."

(e) Section 2 of such act is further amended by adding at the end thereof the following new subsection:

"(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue."

SEC. 2. (a) Section 3 (a) of the Railroad Retirement Act of 1937 is amended (1) by striking out "3.04," "2.28," and "1.52" and inserting in lieu thereof "3.35," "2.51," and "1.67," respectively; and (2) by striking out "200" and inserting in lieu thereof "$250."

(b) Section 3 (c) of such act is amended by inserting after "or in excess or $350 for any month after June 30, 1954," the following: "and before January 1, 1959, or in excess of $400 for any month after December 31, 1958.."

(c) Section 3 (e) of such act is amended (1) by striking out "$4.55," "$75.90," and "his monthly compensation" and inserting in lieu thereof "$5.00," "$83.50" and "110 per cent of his monthly compensation," respectively; (2) by striking out "is less than the amount, or the additional amount" and inserting in lieu thereof "is less than 110 percent of the amount, or 110 percent of the additional amount"; (3) by inserting after "age 65," the following: "women entitled to spouse's annuities pursuant to elections made under subsection (h) of section 2 to be entitled to wife's insurance benefits determined under section 202 (q) of the Social Security Act,"; and (4) by striking out "such amount or such additional amount" and inserting in lieu thereof "110 percent of such amount or 110 percent of such additional amount."

SEC. 3. (a) Section 5 (f) (1) of the Railroad Retirement Act of 1937 is amended (1) by striking out of the first sentence the following: "who will have died leaving no widow, widower, child, or parent who would on proper application therefor be entitled

to receive an annuity under this section for the month in which such death occurred"; (2) by inserting in the first sentence after "10 times the employee's basic amount" the following: ", but not to exceed a total of $750,"; and (3) by striking out the fourth sentence.

(b) Section 5 (f) (2) of such act is amended by striking out "and 7 percent of his or her compensation after December 31, 1946 (exclusive in both cases of compensation in excess of $300 for any month before July 1, 1954, and in the latter case in excess of $350 for any month after June 30, 1954)." and by inserting in lieu thereof the following: "plus 7 percent of his or her compensation paid after December 31, 1946, and before January 1, 1960, plus 8 percent of his or her compensation paid after December 31, 1959 (exclusive of compensation in excess of $300 for any month before July 1, 1954, and in excess of $350 for any month after June 30, 1954, and before January 1, 1960, and in excess of $400 for any month after December 31, 1959)."

(c) Section 5 (h) of such act is amended by striking out "$33", "$176", and "$15.40" wherever they appear and inserting in lieu thereof "$36.30", "$193.60", and "$16.95", respectively.

(d) Section 5 (l) (1) (ii) of such act is amended by striking out "or in which month he engaged on seven or more different calendar days in noncovered remunerative activity outside the United States (as defined in section 203 (k) of the Social Security Act)" and inserting in lieu thereof the following: "or, having engaged in any activity outside the United States, would be charged under such section 203 (e) with any earnings derived from such activity if it had been an activity within the United States."

(e) Clause (A) (i) of section 5 (l) (9) of such act is amended by striking out the word "and" appearing after "July 1, 1954," and by inserting after "June 30, 1954," the following: "and before January 1, 1959, and any excess over $400 for any calendar month after December 31, 1958."

(f) Clause (A) (ii) of section 5 (l) (9) of such act is amended (1) by inserting "and before 1959" after "1954" where it first appears; (2) by inserting after "$4,200" where it first appears the following: ", or for any calendar year after 1958 is less than $4,800,"; (3) by striking out "$350" and inserting in lieu thereof "$400"; and (4) by striking out "and $4,200 for years after 1954 by" and inserting in lieu thereof the following: ", $4,200 for years after 1954 and before 1959, and $4,800 for years after 1958, by."

(g) Section 5 (l) (10) of such act is amended by striking out "44", "11", "$350", "$15.40", "$36.66", "$27.50", and "$14.66" wherever they appear and inserting in lieu thereof "49", "12", "$400", "$16.95", "$40.33", "$30.25", and "$16.13", respectively.

SEC. 4. All pensions under section 6 of the Railroad Retirement Act of 1937, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that act awarded before January 1, 1959, all widows' and widowers' insurance annuities which began to accrue before January 1, 1959, and which, in accordance with the proviso in section 5 (a) or section 5 (b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, and all annuities under the Railroad Retirement Act of 1935, are increased by 10 percent.

SEC. 5. (a) The amendments made by section 1 (other than subsection (b) thereof), by subsections (a) and (c) of section 2, and by subsections (c) and (d) of section 3 shall be effective only with respect to annuities (not including annuities to which section 4 applies) accruing for months after December 1958. The amendment made by subsection (b) of section 1 shall be effective with respect to annuities accruing during the calendar year 1959 and subsequent calendar years. The amendments made by subsections (a) and (b) of section 3 shall be effective only with respect to lump-sum payments (under sections 5 (f) (1) and 5 (f) (2) of the Railroad Retirement Act of 1937) in the case of deaths occurring after December 1958. The amendments made by subsection (g) of section 3 shall be effective only with respect to annuities accruing for months after December 1958 and lump-sum payments (under section 5 (f) (1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after December 1958. Section 4 shall be effective only with respect to pensions due in calendar months after December 1958 and annuities accruing for months after November 1958.

(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

PART II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. (a) Sections 3201, 3202 (a), 3211, and 3221 of the Railroad Retirement Tax Act are each amended (1) by striking out "after December 31, 1951" wherever it appears and inserting in lieu thereof "after December 31, 1959", and (2) by striking out "$350" wherever it appears and inserting in lieu thereof "$400."

(b) Sections 3202 (a) and 3221 of such act are each further amended by striking out "after 1954" and inserting in lieu thereof "after 1959."

(c) Sections 3201 and 3221 of such act are each further amended by striking out "6¼ percent" and inserting in lieu thereof "7½ percent."

(d) Section 3201 of such act is further amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: "*Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid after December 31, 1964, for services rendered after such date, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956."

(e) Section 3211 of such act is further amended by striking out "12½ percent" and inserting in lieu thereof "15 percent", and by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: "*Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid after December 31, 1964, for services rendered after such date, by a number of percentage points (including fractional points) equal at any given time to twice the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956."

(f) Section 3221 of such act is further amended by inserting "(a)" before "In addition", and by adding at the end thereof the following new subsection:

"(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid after December 31, 1964, for services rendered after such date, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3111 at such time exceeds the rate provided by paragraph (2) of such section 3111 as amended by the Social Security Amendments of 1956."

SEC. 202. The amendments made by section 201 shall, except as otherwise provided in such amendments, be effective only with respect to compensation paid after December 31, 1959, for services rendered after such date.

PART III—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 301. Section 1 (i) of the Railroad Unemployment Insurance Act is amended by striking out the proviso in the first sentence and inserting in lieu thereof ": *Provided, however*, That in computing the compensation paid to any employee, no part of any month's compensation in excess of $300 for any month before July 1, 1954, or in excess of $350 for any month after June 30, 1954, and before July 1, 1958, or in excess of $400 for any month after June 30, 1958, shall be recognized."

SEC. 302. (a) Section 2 (a) of the Railroad Unemployment Insurance Act is amended by striking out the language between "(i)" and "(ii)" and inserting in lieu thereof the following: "for each day of unemployment in excess of 4 during any registration period, and."

(b) Section 2 (a) of such act is further amended by striking out columns I and II and inserting in lieu thereof the following:

"Column I total compensation	*"Column II daily benefit rate*
$500 to 699.99	$4.50
700 to 999.99	5.00
1,000 to 1,299.99	5.50
1,300 to 1,599.99	6.00
1,600 to 1,899.99	6.50
1,900 to 2,199.99	7.00
2,200 to 2,499.99	7.50
2,500 to 2,799.99	8.00
2,800 to 3,099.99	8.50
3,100 to 3,499.99	9.00
3,500 to 3,999.99	9.50
4,000 and over	10.20."

(c) The proviso in such section 2 (a) is amended by striking out "50" and "$8.50" and inserting in lieu thereof "60" and "$10.20," respectively.

SEC. 303. Section 2 (c) of the Railroad Unemployment Insurance Act is amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: "*And provided further*, That, with respect to an employee who has 10 or more years of service as defined in section 1 (f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

"If the employee's years of service total—	The extended benefit period shall begin on the 1st day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for consecutive 14-day periods (each of which periods shall constitute a registration period) until the number of such 14-day periods totals—
10 and less than 15	13
15 and over	26

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this act on the basis of compensation earned after the first of such successive 14-day periods has begun. For an employee who has 10 or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has 14 or more consecutive days of unemployment, and who is not a 'qualified employee' for the general benefit year current when such unemployment commences but is or becomes a 'qualified employee' for the next succeeding general benefit year, such succeeding benefit year shall, in his case, begin on the first day of the month in which such unemployment commences."

SEC. 304. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500."

SEC. 305. Section 4 (a-2) of the Railroad Unemployment Insurance Act is amended by striking out subdivision (iv), and by striking out the semicolon at the end of subdivision (iii) and inserting in lieu thereof a period.

SEC 306. Section 8 (a) of the Railroad Unemployment Insurance Act is amended (1) by inserting after "June 30, 1954" where it first appears the following: ", and before July 1, 1958, and is not in excess of $400 for any calendar month paid by him to any employee for services rendered to him after June 30, 1958"; (2) by inserting after "June 30, 1954" where it appears for the second time the following: ", and before July 1, 1958, and to not more than $400 for any month after June 30, 1958"; (3) by inserting after "June 30, 1954" where it appears for the third time the following: ", and before July 1, 1958, or less than $400 if such month is after June 30, 1958"; (4) by striking out "1947" in paragraph 2 and inserting in lieu thereof "1958"; and (5) by striking out the table (except the column headings) in such paragraph 2 and inserting in lieu thereof the following:

"$450,000,000 or more	2 percent
$400,000,000 or more but less than $450,000,000	2½ percent
$350,000,000 or more but less than $400,000,000	3 percent
$300,000,000 or more but less than $350,000,000	3½ percent
Less than $300,000,000	4 percent."

SEC. 307. Section 8 (b) of the Railroad Unemployment Insurance Act is amended (1) by striking out "3 percent" and inserting in lieu thereof "4 percent"; and (2) by inserting before the period at the end of the first sentence the following: ", and before January 1, 1959, and as is not in excess of $400 paid to him for services rendered as an employee representative in any calendar month after December 31, 1958."

SEC. 308. The amendments made by sections 302, 303, and 306 shall be effective with respect to benefits accruing in general benefit years which begin after the benefit year ending June 30, 1958, and in extended benefit periods which begin after December 31, 1957. The amendment made by section 304 shall be effective with respect to base years after the base year ending December 31, 1957. The amendment made by clause (1) of section 307 shall apply with respect to compensation paid for services rendered in calendar months after December 31, 1958. The amendment made by clause (5) of section 306 shall be effective with respect to compensation paid for services rendered in calendar months after December 31, 1958.

Mr. MORSE. Mr. President, I now offer the amendments which I send to the desk as a substitute for S. 1313, the amendments which have been previously printed in the RECORD.

The PRESIDING OFFICER. In accordance with the previous request of the Senator from Oregon, the amendments in the nature of a substitute will be printed at this point in the RECORD.

The bill as it would be amended is as follows:

Be it enacted, etc.—

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 2 (a) 3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"3. Individuals who will have attained the age of 60 and will have completed 30 years of service or, in the case of women, who will have attained the age of 62 and will have completed less than 30 years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age 65 when the annuity begins to accrue."

(b) Section 2 (d) of such act is amended by adding at the end thereof the following new sentence: "If pursuant to the third sentence of this subsection an annuity was not paid to an individual with respect to one or more months in any calendar year, and it is subsequently established that the total amount of such individual's earnings during such year as determined in accordance with that sentence (but exclusive of earnings for services described in the first sentence of this subsection) did not exceed $1,200, the annuity with respect to such month or months, and any deduction imposed by reason of the failure to report earnings for such month or months under the fifth sentence of this subsection, shall then be payable. If the total amount of such individual's earnings during such year (exclusive of earnings for services described in the first sentence of this subsection) is in excess of $1,200, the number of months in such year with respect to which an annuity is not payable by reason of such third and fifth sentences shall not exceed 1 month for each $100 of such excess, treating the last $50 or more of such excess as $100; and if the amount of the annuity has changed during such year, any payments of annuity which become payable solely by reason of the limitation contained in this sentence shall be made first with respect to the month or months for which the annuity is larger."

(c) Section 2 (e) of such act is amended by striking out "than an amount" and inserting in lieu thereof "than 110 percent of an amount."

(d) Section 2 (g) of such act is amended by inserting after "wife under age 65" the following: "(other than a wife who is receiving such annuity by reason of an election under subsection (h))."

(e) Section 2 of such act is further amended by adding at the end thereof the following new subsection:

"(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue."

SEC. 2. (a) Section 3 (a) of the Railroad Retirement Act of 1937 is amended (1) by striking out "3.04", "2.28", and "1.52" and inserting in lieu thereof "3.35", "2.51", and "1.67", respectively; and (2) by striking out "200" and inserting in lieu thereof "$250."

(b) Section 3 (c) of such act is amended by inserting after "or in excess of $350 for any month after June 30, 1954." the following: "and before January 1, 1959, or in excess of $400 for any month after December 31, 1958."

(c) Section 3 (e) of such act is amended (1) by striking out "$4.55", "$75.90", and "his monthly compensation" and inserting in lieu thereof "$5.00", "$83.50" and "110 percent of his monthly compensation", respectively; (2) by striking out "is less than the amount, or the additional amounts" and inserting in lieu thereof "is less than 110 percent of the amount, or 110 percent of the additional amount"; (3) by inserting after "age 65", the following: "women entitled to spouse's annuities pursuant to elections made under subsection (h) of section 2 to be entitled to wife's insurance benefits determined under section 202 (q) of the Social Security Act,"; and (4) by striking out "such amount or such additional amount" and inserting in lieu thereof "110 percent of such amount or 110 percent of such additional amount."

SEC. 3. (a) Section 5 (f) (2) of the Railroad Retirement Act of 1937 is amended by striking out "and 7 percent of his or her compensation after December 31, 1946 (exclusive in both cases of compensation in excess of $300 for any month before July 1, 1954, and in the latter case in excess of $350 for any month after June 30, 1954)," and by inserting in lieu thereof the following: "plus 7 percent of his or her compensation paid after December 31, 1946, and before January 1, 1959, plus 7½ percent of his or her compensation paid after December 31, 1958, and before January 1, 1962, plus 8 percent of his or her compensation paid after December 31, 1961 (exclusive of compensation in excess of $300 for any month before July 1, 1954, and in excess of $350 for any month after June 30, 1954, and before January 1, 1959, and in excess of $400 for any month after December 21, 1958)."

(b) Section 5 (h) of such act is amended by striking out "$33", "$176", and "$15.40" wherever they appear and inserting in lieu thereof "$36.30", "$193.60", and "$16.95", respectively.

(c) Section 5 (i) (1) (ii) of such act is amended by striking out "or in which month he engaged on seven or more different calendar days in noncovered remunerative activity outside the United States (as defined in section 203 (k) of the Social Security Act)" and inserting in lieu thereof the following: "or, having engaged in any activity outside the United States, would be charged under such section 203 (e) with any earnings derived from such activity if it had been an activity within the United States."

(d) Clause (A) (i) of section 5 (l) (9) of such act is amended by striking out the word "and" appearing after "July 1, 1954," and by inserting after "June 30, 1954," the following: "and before January 1, 1959, and any excess over $400 for any calendar month after December 31, 1958."

(e) Clause (A) (ii) of section 5 (l) (9) of such act is amended (1) by inserting "and before 1959" after "1954" where it first appears; (2) by inserting after "$4,200" where it first appears the following: ", or for any calendar year after 1958 is less than $4,800,"; (3) by striking out "$350" and inserting in lieu thereof "$400"; and (4) by striking out "and $4,200 for years after 1954, by" and inserting in lieu thereof the following: ", $4,200 for years after 1954 and before 1959, and $4,800 for years after 1958, by."

(f) Section 5 (l) (10) of such act is amended by striking out "44", "11", "$350", "$15.40", "$36.66", "$27.50", and "$14.66" wherever they appear and inserting in lieu thereof "49", "12", "$400", "$16.95", "$40.33", "$30.25", and "$16.13", respectively.

SEC. 4. All pensions under section 6 of the Railroad Retirement Act of 1937, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities

under that act awarded before January 1, 1959, all widows' and widowers' insurance annuities which began to accrue before February 1, 1959, and which, in accordance with the proviso in section 5 (a) or section 5 (b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, and all annuities under the Railroad Retirement Act of 1935, are increased by 10 percent.

SEC. 5. (a) The amendments made by section 1 (other than subsection (b) thereof), by subsections (a) and (c) of section 2, and by subsections (b) and (c) of section 3 shall be effective only with respect to annuities (not including annuities to which section 4 applies) accruing for months after December 1958. The amendment made by subsection (b) of section 1 shall be effective with respect to annuities accruing during the calendar year 1959 and subsequent calendar years. The amendment made by subsection (a) of section 3 shall be effective only with respect to lump-sum payments (under section 5 (f) (2) of the Railroad Retirement Act of 1937) in the case of deaths occurring after December 1958. The amendments made by subsection (f) of section 3 shall be effective only with reepect to annuities accruing for months after December 1958 and lump-sum payments (under section 5 (f) (1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after December 1958. Section 4 shall be effective only with respect to pensions due in calendar months after January 1959 and annuities accruing for months after December 1958.

(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

PART II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. (a) Section 3201 of the Railroad Retirement Tax Act is amended to read as follows:

"SEC. 3201. Rate of tax.

"In addition to other taxes, there is hereby imposed on the income of every employee a tax equal to:

"(1) 6¾ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1958, and before January 1, 1962, and

"(2) 7¼ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1961, as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to twice the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the social security amendments of 1956."

(b) Section 3201 (a) of the Railroad Retirement Tax Act is amended (1) by striking out "1954" wherever it appears and inserting in lieu thereof "1958"; (2) by striking out "$350" wherever it appears and inserting in lieu thereof "$400"; and (3) by striking out "after December 31, 1954" wherever it appears and inserting in lieu thereof "after December 31, 1958".

(c) Section 3202 (a) of the Railroad Retirement Tax Act is amended (1) by striking out "6¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1958, and before January 1, 1962, and

"(2) 7¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1961, as is, with respect to any employee for any calendar month, not in excess of $400."

(2) Such section 3221 is further amended (A) by striking out "1954" wherever else it appears in that section and inserting in lieu thereof "1958"; (B) by striking out "$350" wherever else it appears in that section and inserting in lieu thereof "$400"; and (C) by adding at the end thereof the following new subsection:

"(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3111 at such time exceeds the rate provided by paragraph (2) of such section 3111 as amended by the social-security amendments of 1956."

SEC. 202. The amendments made by section 201 shall, except as otherwise provided in such amendments, be effective only with respect to compensation paid after December 31, 1958, for services rendered after such date.

PART III—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 301. Section 1 (i) of the Railroad Unemployment Insurance Act is amended by striking out the proviso in the first sentence and inserting in lieu thereof ": *Provided, however*, That in computing the compensation paid to any employee, no part of any month's compensation in excess of $300 for any month before July 1, 1954, or in excess of $350 for any month after June 30, 1954, and before January 1, 1959, or in excess of $400 for any month after December 31, 1958, shall be recognized."

SEC. 302. (a) Section 2 (a) of the Railroad Unemployment Insurance Act is amended by striking out the language between "(i)" and "(ii)" and inserting in lieu thereof the following: "for each day of unemployment in excess of 4 during any registration period, and."

(b) Section 2 (a) of such act is further amended by striking out columns I and II and inserting in lieu thereof the following:

"Column I Total Compensation	"Column II Daily Benefit Rate
$500 to $699.99	$4.50
700 to 999.99	5.00
1,000 to 1,299.99	5.50
1,300 to 1,599.99	6.00
1,600 to 1,899.99	6.50
1,900 to 2,199.99	7.00
2,200 to 2,499.99	7.50
2,500 to 2,799.99	8.00
2,800 to 3,099.99	8.50
3,100 to 3,499.99	9.00
3,500 to 3,999.99	9.50
4,000 and over	10.20."

(c) The proviso in such section 2 (a) is amended by striking out "$5" and "$8.50" and inserting in lieu thereof "$6" and "$10.20," respectively.

SEC. 303 (a). Section 2 (c) of the Railroad Unemployment Insurance Act is amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: "*And provided further*, That, with respect to an employee who has 10 or more years of service as defined in section 1 (f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

"If the employee's 'years of service' total—	The extended benefit period shall begin on the 1st day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive 14-day periods (each of which periods shall constitute a registration period) until the number of such 14-day periods totals—
10 and less than 15	7 (but not more than 65)
15 and over	13 days

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this act on the basis of compensation earned after the first of such successive 14-day periods has begun. For an employee who has 10 or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has 14 or more consecutive days of unemployment, and who is not a 'qualified employee' for the next succeeding general benefit year, such succeeding benefit year shall, in his case, begin on the 1st day of the month in which such unemployment commences."

"(b) An employee who has less than 10 years of service as defined in section 1 (f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding 65, which occur in registration periods beginning on or after June 19, 1958, and before April 1, 1959, and

which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits under the Railroad Unemployment Insurance Act, except that an employee who has filed, and established, a first claim for benefits under the Temporary Unemployment Compensation Act of 1958 may not thereafter establish a claim under this subsection, and an employee who has registered for, and established, a claim for benefits under this subsection may not thereafter establish a claim under the Temporary Unemployment Compensation Act of 1958. Except to the extent inconsistent with this subsection, the provisions of the Railroad Unemployment Insurance Act shall be applicable in the administration of this subsection.

"(c) The Secretary of Labor, upon request, shall furnish the Board information deemed necessary by the Board for the administration of the provisions of subsection (b) hereof, and the Board, upon request, shall furnish the Secretary of Labor information deemed necessary by the Secretary for the administration of the Temporary Unemployment Compensation Act of 1958."

SEC. 304. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500."

SEC. 305. Section 4 (a-2) of the Railroad Unemployment Insurance Act is amended by striking out subdivision (iv), and by striking out the semicolon at the end of subdivision (iii) and inserting in lieu thereof a period.

SEC. 306. Section 8 (a) of the Railroad Unemployment Insurance Act is amended (1) by inserting after "June 30, 1954" where it first appears the following: ", and before January 1, 1959, and is not in excess of $400 for any calendar month paid by him to any employee for services rendered to him after December 31, 1958"; (2) by inserting after "June 30, 1954" where it appears for the second time the following: ", and before January 1, 1959, and to not more than $400 for any month after December 31, 1958"; (3) by inserting after "June 30, 1954" where it appears for the third time the following: ", and before January 1, 1959, or less than $400 if such month is after December 31, 1958"; (4) by striking out "1947" in paragraph 2 and inserting in lieu thereof "1958"; and (5) by striking out the table (except the column headings) in such paragraph 2 and inserting in lieu thereof the following:

"$450,000,000 or more	1½ percent
$400,000,000 or more but less than $450,000,000	2 percent
$350,000,000 or more but less than $400,000,000	2½ percent
$300,000,000 or more but less than $350,000,000	3 percent
Less than $300,000,000	3½ percent."

SEC. 307. Section 8 (b) of the Railroad Unemployment Insurance Act is amended (1) by striking out "3 per centum" and inserting in lieu thereof "3½ per centum"; and (2) by inserting before the period at the end of the first sentence the following: ", and before January 1, 1959, and as is not in excess of $400 paid to him for services rendered as an employee representative in any calendar month after December 31, 1958."

SEC. 308. The amendments made by sections 302, 303 (a), and 305 shall be effective with respect to benefits accruing in general benefit years which begin after the benefit year ending June 30, 1958, and in extended benefit periods which begin after December 31, 1957. The amendment made by section 304 shall be effective with respect to base years after the base year ending December 31, 1957. The amendment made by clause (1) of section 307 shall apply with respect to compensation paid for services rendered in calendar months after December 31, 1958.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Ohio will state it.

Mr. LAUSCHE. Is the agreement on the allocation of time, which I understand was made with reference to the original bill, applicable to the amendment in the nature of a substitute?

The PRESIDING OFFICER. The time allotted to any amendment on the longshoremen's bill is 1 hour, the time to be equally divided.

Mr. LAUSCHE. When was the agreement made on the original bill?

The PRESIDING OFFICER. During the morning hour, approximately 30 minutes ago.

Mr. LAUSCHE. Then, do I understand correctly that the time on the railroad retirement bill will be limited to 1 hour?

The PRESIDING OFFICER. One hour and a half on the passage of the bill; 1 hour on the railroad retirement bill, since it has been offered as an amendment; and 1 hour on any other amendment offered.

Mr. MORSE. Mr. President, the RECORD will show that night before last I stated on the floor of the Senate that I would offer the substitute now pending as an amendment to S. 1313 when the Senate proceeded to the consideration of the railroad-retirement bill. I shall be very brief in my explanation of the bill. Because of the highly technical nature of the bill, I prefer to explain it first, and shall answer questions after I have completed the explanation of the bill.

Every Senator knows me well enough to know that I never knowingly conceal from the Senate any feature or any fact connected with any bill I am sponsoring; but I wish to explain the parliamentary situation.

The Committee on Labor and Public Welfare reported to the Senate, by a vote of 8 to 5, S. 1313. The House Committee on Interstate and Foreign Commerce reported a bill somewhat at variance with S. 1313.

The majority leader and some other leaders in Congress asked me to confer with the chairman of the House committee, Representative OREN HARRIS, to see what the two of us, at least, could agree upon as a substitute for both the House bill and the Senate bill, which could be considered by both bodies of Congress in the interest of getting some legislation passed.

I take full responsibility for what I am saying. I pass no buck to anyone. I am giving the parliamentary facts as to what we have done in the rush of the closing days of this session of Congress in order to get some legislation passed.

The substitute I am offering is a substitute which the chairman of the House Committee on Interstate and Foreign Commerce is willing to stand for in the House. It represents a considerable markdown of the Senate bill. It represents a great saving over the cost of the Senate bill, if we want to look at it from that standpoint.

I have offered the amendment in the nature of a substitute, and I shall now proceed to explain it. But first, if any of my colleagues have any questions as to the procedure I follow, they certainly are entitled to ask them now.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GOLDWATER. I have only had the opportunity to glance quickly at the explanation furnished us on the proposed amendment to S. 1313. Am I correct in observing that the tax period has been moved up to January 1, 1959?

Mr. MORSE. If the Senator will permit me to explain the matter, I think much time can be saved. Will the Senator permit me to make my explanation, and then ask me such questions as he desires to propound?

Mr. GOLDWATER. I must attend an executive meeting of the Rackets Committee, and I wanted to clear up the one point. The major objection I had was that we were jeopardizing the fund by not moving up the tax period at the same time the benefits started.

Mr. MORSE. The answer I have given the Senator is only partially correct. We are proposing to raise the tax to 6¾ percent on January 1, 1959, and then to 7¼ percent on January 1, 1962. We thought if we brought it up to 6¾ percent on January 1, 1959, that would give us, for the period of time involved, the actuarial soundness which is needed for that period.

Then when the figure is brought up to 7¼ percent on January 1, 1962, we will have taken up any lag between January 1, 1959, and January 1, 1962, so that by January 1, 1962, the fund will be actuarially sound, save and except for .57. I shall say something about that in my explanation; but suffice, for now, to say that actuarial experts advise us that any figure less than 1.0 is a figure which can be ignored in connection with the balancing of a fund as huge as this, just as in the case of the social-security fund. Actuaries pay no attention to any imbalance less than 1 percent.

If the figures I have stated shall be adopted, the so-called imbalance will be .57 percent, but the actuaries say to ignore that, because that figure shifts back and forth in a fund as large as this, depending on the number of people who die, the number of people who are unemployed, and so on.

Mr. GOLDWATER. I am very happy that the Senator from Oregon has made this change. As he knows, he and I have discussed this subject. I was very much worried about the actuarial soundness of the fund. It is one of our better funds. I do not want to see it become depleted to the point where it might disappear in from 4 to 7 years. I commend the Senator for changing at least that portion of the bill.

I regret that I cannot remain to hear the rest of the Senator's explanation, because I have a previous commitment.

Mr. MORSE. Mr. President, I want the Senator from Arizona [Mr. GOLDWATER], who is an able member of the Committee on Labor and Public Welfare, to feel that when he returns, he can meet me in the cloakroom and can examine the matter further with me, if there is

any point on which he is not clear. I urge that he do so, because if there is anything that I am exceedingly careful about, it is that when I serve as the chairman of a subcommittee, as I have in this instance, I wish my colleagues to know every step I have taken. But as is the case with the Senator from Arizona, I have been caught in the last minute rush, in the effort to work out a measure which will be fair. So I stand on my responsibility in that connection.

Mr. GOLDWATER. I thank the Senator from Oregon.

Mr. ALLOTT. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the Senator from Colorado.

Mr. ALLOTT. Since the Senator from Oregon has invited comments at this time, I shall do so now, rather than speak at a later time.

I wish to say now that my own efforts for the enactment of some railroad legislation date from the time when I entered the Senate and became a member of the Committee on Labor and Public Welfare.

All that I regret about the situation is that after I have worked hard on this matter, and have studied it, and have spent endless hours in my office and in commitee with the senior Senator from Oregon, and, in addition, have done everything I could to accelerate the consideration of this piece of proposed legislation, it is a little disconcerting, to say the least, to walk onto the floor of the Senate this morning, in anticipation that Senate bill 1313 would be considered, and to have the chairman of the subcommittee tell me—for the first time—that he has a substitute proposal which he wishes to have adopted—without an opportunity for me to consult the Railroad Retirement Board or its actuaries or attorneys; or to consult about the matter with the members of the railroad industry, who certainly are vitally interested in this matter; or, as a matter of fact, to consult with anyone except myself.

I realize that the Senator from Oregon is under great compulsion in connection with this matter.

On the other hand, the matter is an extremely complicated one; and it can be considered intelligently by the Senate only when all the Members are present, and when we are able to have their undivided attention for 3 or 4 hours at one time. Under those circumstances I think the Senate could vote intelligently on the matter. But when less time is available, it will be almost impossible for the Senate to do so, in view of the complexities involved.

I think the Senator from Oregon will agree with me on that point.

Mr. MORSE. I fully understand, and I appreciate the viewpoint the Senator from Colorado has expressed. I extend to him my sincere personal apologies for the fact that I have not talked to him in advance of our discussion at this time. However, I wish to say that I placed the amendment in the nature of a substitute in the RECORD the day before yesterday; and I have talked to as many Senators as I could find to talk to. The fact that I have not found the Senator from Colorado is no fault of his, but is my fault; and I assume the responsibility for it.

But let me say that any modification of Senate bill 1313 that is proposed by means of this amendment in the nature of a substitute is in the direction of the provision the Senator from Colorado proposed in the committee; that is to say, the amendment in the nature of a substitute will not increase any of the costs or benefits provided by Senate bill 1313, but, on the contrary, will reduce them. Any modification proposed by the amendment in the nature of a substitute is in the direction of yielding to the House proposal, with the result that the amendment in the nature of a substitute will be less costly, provides for fewer benefits, and is what may be called a cutback of Senate bill 1313, in the direction of favoring the House bill.

Mr. President, I freely acknowledge that the Senator's criticism of me is justified; and I accept it. However, I wish to say that I have not entered into any agreement—either temporary or permanent—with the chairman of the House committee, Representative OREN HARRIS, with respect to increasing the benefits provided by Senate bill 1313. Therefore, from that point of view, I do not think I am Peck's Bad Boy.

Mr. ALLOTT. I was not implying that the Senator from Oregon is Peck's Bad Boy.

Mr. MORSE. I did not mean to indicate that the Senator from Colorado was implying that.

Mr. ALLOTT. But, inasmuch as the Senator from Oregon has invited comment——

Mr. MORSE. Yes; and it is only fair for Senators to comment.

Mr. ALLOTT. Therefore, I wish to comment on the situation.

The Senate is about to legislate on one of the most complex subjects on which it could legislate; and I, for one, did not have an opportunity—and I do not think any other Members did—to study the amendment in the nature of a substitute. I saw the amendment in the nature of a substitute, as submitted by the Senator from Oregon. But, inasmuch as I have been a member of the conference committee on the education bill, and was tied up in that conference committee from early yesterday morning until late in the afternoon, I have not had an opportunity to inquire about the Senator's amendment in the nature of a substitute. I attempted, once, to get some information about it; but I have not yet been able to do so.

So we shall simply have to proceed to consider the matter and to vote on it as best we can.

Mr. MORSE. Mr. President, I wish to say, in addition, that the Senate is in the process of taking action on Senate bill 1313, as modified. The committee report, which includes both the majority report and the minority views on Senate bill 1313, is available to all Senators. Therefore, the parliamentary situation in regard to our consideration of this measure is identical to the parliamentary situation in regard to the consideration of many, many other bills by the Senate. In other words, the normal procedure is that the committee concerned submits its report; and amendments to the measure, as reported by the committee, are submitted on the floor of the Senate—amendments either to increase or to decrease, so to speak.

All the recommendations in connection with this subject that are now before the Senate call for cutbacks.

Therefore, the situation in regard to this bill is no different from that in regard to other measures which are brought up on the floor of the Senate, when amendments to them are submitted on the floor of the Senate.

Mr. ALLOTT. I agree that in that respect there is no difference between this situation and the situation when an amendment in the nature of a substitute is submitted on the floor of the Senate to some other bill under consideration by this body.

The only difference is that most bills can be understood after a brief amount of study, especially when one has been considering them previously. On the other hand, it is impossible to consider adequately and to understand the Senator's amendment—as I am sure he will agree—without considerable study.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the Senator from Ohio.

Mr. LAUSCHE. I recognize the sincerity of the Senator from Oregon in proposing that Senate bill 1313 be added to the longshoremen's bill. The Senator from Oregon knows that the Committee on Interstate and Foreign Commerce has been studying, for practically 4 months, the problems concerning the transportation industry, especially the railroad industry. In the committee's hearings, considerable testimony was taken concerning the plight of the railroads as a consequence of the burden the railroads have to bear in providing a retirement fund which, in many instances, provides benefits which by far exceed those provided by other funds.

Rather substantial testimony was given about hours of employment and conditions of payment, which in some instances provide a full day's pay for working only 1½ hours.

Mr. MORSE. Mr. President, if the Senator from Ohio will yield for just a moment, I wish to comment on a procedural matter.

I wish the Senator from Ohio to have time to present his views on this matter. However, we are operating under the provisions of a unanimous-consent agreement which limits the amount of time available. I need sufficient time to explain the amendment. In addition, I want the Senator from Ohio to have time in which to speak at the beginning of my remarks. Therefore, may we have an understanding that the time taken by the Senator from Ohio will be yielded from the time available to those who are in opposition to the bill?

Mr. JOHNSON of Texas. Yes. Mr. President, I yield to the Senator from Ohio whatever time he needs; and if he finds that he needs more time than I am able to yield to him, we shall try to have time yielded to him by others.

Mr. LAUSCHE. Mr. President, I should like to have the Senator from Texas hear what I have to say regarding what is before the Senate.

Mr. JOHNSON of Texas. Very well.

Mr. LAUSCHE. If this matter is to have proper attention it will require the careful scrutiny of all Senators while the discussion is in progress. We have the anomalous situation of Senators being told that the longshoremen's bill is to be considered, and the longshoremen's bill is not a matter of controversy that would cause a Senator to object to a consent agreement on the limitation of time. But here we have a situation where the railroad retirement bill is pulled in as an appendage to the longshoremen's bill, and the agreement on time is made to apply.

I frankly state to my colleagues that when the railroad retirement bill is passed upon there will not be adequate knowledge of its implications possessed by Senators to insure an intelligent casting of votes on the bill. The bill is far more complicated than the one on which we spent 2 days, and yet there is a consent agreement of 1 hour on the amendment, with the promise that additional time will be given, solely for the purpose of bringing it before the Senate in the last 48 hours of its session. I say this is a method of ramming a bill through.

I had a right to believe that when the consent agreement was made on the longshoremen's bill, there would not be tied to it, as a caboose, the railroad bill. I may want to vote for the retirement bill, but before I do so I would like to get complete enlightenment of its full implications.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the majority leader.

Mr. JOHNSON of Texas. I do not know how a Senator had a right to believe he would not be given that opportunity. All Senators were informed by a quorum call. It was explained in some detail, and the Senator from Colorado stated his understanding of what the situation would be. It was known by every Senator, who realized what was going on, that the bill was going to be offered as an amendment, and that time would be allotted to it. The selection of the bill itself was made by the minority leader. We offered the amendment last night to the renegotiation bill. The Senate does not sit idle and do nothing the last 48 hours of its session. And who is there to say it is going to be in session only 48 hours more, anyway?

Mr. LAUSCHE. I think the Senator from Texas will have to agree with me that many bills of lesser importance were pending before, and were passed by the Senate without consent agreements as to time for debate.

Mr. JOHNSON of Texas. I certainly agree. I agree there are many more that are going to be passed without consent agreements on time. I have had it indelibly impressed on me that some Senators do not want some bills passed at all, but I have an obligation to bring them before the Senate.

Mr. LAUSCHE. That is not the situation. My arguments are directed to the proposition that on this important bill there should not be a 1 hour or a 2 hour limitation.

Mr. JOHNSON of Texas. And any Senator of the 96 can so state and there will be no such agreement; but I cannot personally go and pack them into the Chamber. I had a quorum call. After conferring with the leadership, with the committee, with the authors of the amendment, with everybody I know who had any interest in it, an agreement was entered into. I see no reason why reasonable debate, if that is what is wanted, cannot be obtained. If a Senator wants delay, then we can delay, but what I want is to have a majority of the Senate have the right to express itself before an agreement is entered into.

If the Senator was present, he heard it; if he was not, I will tell him: The Senator from Colorado stated what the parliamentary situation would be if the railroad retirement bill was offered as an amendment, and made a rather specific statement concerning it. So every Senator had due notice upon it, and nothing was rammed through.

Mr. LAUSCHE. The Senator from Ohio suggests that the Senator from Colorado stated it was not until this morning that he learned about the proposal to offer the bill as an amendment.

Mr. JOHNSON of Texas. I think that is a correct statement. The Senator from Colorado will learn other things through the day. Last night we offered the railroad retirement proposal as an amendment to the renegotiation bill, because it was a House bill. That is the customary procedure in the last days of a session, when a House committee has spent months on a bill and has reported a bill and when a Senate committee has spent time on a bill and has reported it. We gave public notice to everybody. What happened? This morning the minority leader expressed the wish that the amendment not be offered to the renegotiation bill, but to another House bill. So, after conferring with the author of the bill which came over from the House, the one who is handling it in the Senate, and Members of both parties, we called a quorum. We proposed a unanimous-consent request.

I am not responsible if Senators will not come when a quorum is called, so each Senator present, who desires to do so, can discuss the proposed agreement.

The Senator from Colorado pointed out that we are to have a vote on the railroad retirement bill. The Senator from Oregon pointed out he had ample time to discuss it. Twice as much time was provided as the proponents wished. Twice as much time was provided as was originally proposed.

I know the Senator's position. If he wants additional time, we will get it for him. We are not going to get certain bills. We are going to call up the Renegotiation Act, the debt-limitation bill, and the mutual-security bill.

Mr. LAUSCHE. The Senator from Texas knows I am a member of the Interstate and Foreign Commerce Committee. He knows the committee spent 4 months on the retirement problem. The railroads begged for subsidies to such an extent that there was some inclination to start giving them subsidies. I opposed them. I opposed the extent of the loans proposed to be given. I want the railroads to be able to stand on their own feet, without the Government having to give subsidies to them.

Mr. JOHNSON of Texas. I point out that there was a report that the railroads thought they had the votes to beat the bill. So far as I am concerned, it is a matter for a majority of the Senate to determine. Both sides claim they have the votes to win—both those who wish to pass it, and those who wish to defeat it. It was the purpose of the majority leader, since the policy committee had cleared the bill, to bring it before the Senate by motion, so each Senator would have an opportunity to go on record.

If the Senator wants to go on record as supporting a bill that will make railroads more fiscally sound, he can do so. I have no objection. All I want is to see that a majority of Senators will have an opportunity to have their opinions reflected.

Mr. LAUSCHE. My purpose is to try to stop the mad march on giving subsidies to every segment of the economy.

Mr. JOHNSON of Texas. My purpose is to represent a majority of the Members of the Senate. So far as the Senator's stopping a mad march is concerned, it is a matter for him. I have no objection. I am sure that every Senator will agree with that general broad statement. Nobody wants to be mad. Nobody wants to have a mad march. There are some subsidies for railroads and for other segments of our economy.

We do have to face up to the problem, and each Senator can reflect his own viewpoint.

Mr. LAUSCHE. The votes have been gathered for or against the measure. I do not know which way the vote will go. I have spoken to no one about the matter. My knowledge of the subject has been gathered from the hearings we have had, and from the reports.

Mr. JOHNSON of Texas. When I made the motion to proceed to consider the Renegotiation Act extension last night, and when I stated last night that the railroad retirement bill would be offered as an amendment, I served notice on every Senator who would listen and every Senator, if he would not listen, who would read, that we intended to seek a unanimous-consent agreement. I followed that public notice, which was published on page 18936 of the RECORD, with the quorum call this morning. I gave notice of what was going to happen. We discussed it with all persons interested. We had debate on the matter before the agreement was entered into; the agreement then was unanimously entered into.

I say no criticism should properly be made, unless it is determined that the leader must personally notify each Senator at least three times. Twice ought to be sufficient.

Mr. LAUSCHE. That is not the situation at all, may I respectfully say to the leader. Last night I voted to table the bill on which there was so much controversy, because I anticipated the

important bills which are still pending before the Congress would be considered during this session.

Mr. JOHNSON of Texas. The bills will be considered. The Senator has announced this as one of the important bills. That was announced a week ago, when the policy committee met. Public notice was given in the RECORD that the committee had cleared this particular bill. Public notice was given that the committee had cleared other bills.

As a result of that public notice, there has been some delay. I have heard some Senators say we must delay so that we will not come to a vote on some bills. The Senator from Texas is going to try to permit each Member of the Senate to have his views reflected on a yea-and-nay vote on all the bills he has publicly announced the policy committee has cleared, if that is possible.

There is a bill in which the Senator from Michigan is interested. The Senator does not want to see the bill passed at this session. The Senator from Arkansas wants to see the bill passed during this session. My purpose is to have the bill considered, to let the Senator from Arkansas and the Senator from Michigan discuss it, and to let a majority prevail. I thought that was the democratic system.

Mr. LAUSCHE. I recognize the problem of the majority leader. He has my sympathy.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. LAUSCHE. But that does not cause me to lose sight of the fact that as to important bills there should not be this limitation of time of 1 hour.

Mr. JOHNSON of Texas. Very well.

Mr. LAUSCHE. While on less important bills, unlimited time is granted.

Mr. JOHNSON of Texas. Very well. If that is the position of the Senate and the course which the Senate wants to follow, so far as I am concerned, we can stay here and talk and talk and talk until January. Notice has been given as to this bill. The proponents of the bill thought a reasonable time was provided. All the opponents of the bill I could get to come to the Chamber to transact business thought it was a reasonable time. Every Member of the Senate thought it was a reasonable time, including the minority leader and including the Senator from Colorado. We adjusted the time. The original proposal called for less time. Each Senator present, after a quorum call, agreed to the proposal.

This procedure will be followed from time to time. The Senator from Ohio and others, on their own responsibility, can present their views and enter their objections. All I must do is try to present a schedule which is reasonable, which is fair, which does not delay, and which tries to get the public business transacted.

Mr. LAUSCHE. I hope the Senator from Texas does not imply that the junior Senator from Ohio talks and talks and talks on this floor.

Mr. JOHNSON of Texas. The Senator from Texas does not imply anything about the junior Senator from Ohio, but the Senator from Texas is a realist, and the Senator from Texas knows that if we expect to finish the public business in a reasonable time, and certainly if we expect to finish by Saturday night, it is going to be necessary to have some unanimous-consent agreements. The Senator has announced that. The Senator has served notice on all Senators. As to some bills, unanimous-consent agreements will be made. As to some bills, the agreements will not be made. When the agreements are not made, I have performed my responsibility by asking for them.

Mr. LAUSCHE. The junior Senator from Ohio has attempted, in the 20 months he has been in the Senate, to husband time. He has not talked; he has listened. He has attempted to speak when he thought he had something which was pertinent and worthy of being said.

Mr. JOHNSON of Texas. I have no disagreement with the statement of the Senator from Ohio.

The PRESIDING OFFICER. The Senator will suspend.

Mr. JOHNSON of Texas. Mr. President, I yield whatever time I may need, from the time on the bill.

The PRESIDING OFFICER. The Senator may proceed.

Mr. JOHNSON of Texas. I have no disagreement with the statement of the Senator from Ohio about himself and about his own economy. I have made no implication concerning the Senator. I am talking about the necessity for having an orderly procedure and unanimous-consent agreements if we are to conclude with the business we have cleared this week. We do not have to. A majority of Senators, I think, want to. I think usually a majority prevails. But the Senator from Texas does not want to.

Mr. LAUSCHE. I think the Senator from Texas will have to admit that the junior Senator from Ohio last night, in order to expedite the business of the Senate, with great reluctance, took the position on the bill he did assume.

Mr. JOHNSON of Texas. I would not have to admit it, because I do not have to do things, but I will say to the Senator I am delighted to admit it, and I want to commend the Senator from Ohio for his wisdom last night.

Mr. LAUSCHE. The word was current that unless something were done last night we would have been jammed. It was the purpose of the Senator, of course, not to have the Senate jammed.

Mr. JOHNSON of Texas. I think the Senator was correct in his position last night, and my vote will show that.

Mr. MORSE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. JOHNSON of Texas. Will the Senator yield to me for one more comment, and then I will be through?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. I want to ask the Senator from Ohio if he was present in the Chamber when the unanimous-consent agreement was entered into.

Mr. LAUSCHE. No, I was not present in the Chamber when the unanimous-consent agreement was entered into. In that respect I am much in the position in which the Senator from Oregon found himself one week ago, when he made the announcement he would object to any unanimous-consent agreements unless certain basic conditions were met.

Mr. MORSE. One of the conditions was a quorum call. There was a quorum call this morning.

Mr. JOHNSON of Texas. There was a quorum call.

Mr. LAUSCHE. The Senator from Ohio does not contemplate talking inordinately on the bill. I want to listen to what the committee members have to say pro and con on the item. I want to know on what I am going to vote before I cast my vote.

Mr. MORSE. I think the Senator from Ohio knows my personal fondness for him is such that when we disagree on a matter such as this it pains me, because I do not think the Senator from Ohio intends what might be interpreted as some implication in his remarks. I would like to get the matter cleared up.

I will point out to the Senator from Ohio that there is nothing out of the ordinary in the use of unanimous-consent agreements. The practice as to unanimous consent agreements, as a matter of policy in the Senate, is to adopt them in connection with major legislation, complicated legislation, highly detailed legislation. Most of the unanimous-consent agreements are made with respect to major pieces of proposed legislation, much more complicated than the bill presently under consideration, even though this bill is highly complicated. There is nothing new in the procedure we are following.

Secondly, I think adequate notice, as the majority leader said, has been given to every Member of the Senate. I, as chairman of the subcommittee, served notice day before yesterday, when I offered by substitute amendments, as to my course of action. The majority leader served notice last night as to his course of action.

The Senator has available to him the committee reports and the committee hearings.

The Senator mentioned the fact that the Committee on Interstate and Foreign Commerce had held hearings on the railroad situation for some 4 months or more.

My subcommittee has held hearings on this bill for more than a year. I do not know how a bill could possibly receive more careful and thorough attention than my subcommittee has given to this highly technical bill.

The subject matter is a recurring subject matter in the Senate. The former chairman of my subcommittee was the Senator from Massachusetts [Mr. KENNEDY]. His predecessor was the Senator from Illinois [Mr. DOUGLAS].

In 1956 we passed the legislation which gave rise to the need for some legislation this year, because the 1956 legislation left a deficit in the fund. It was understood that in this session of Congress we would enact legislation to take

care of that deficit. My amendment would do that. It would do some other things, which I shall explain in a moment, if I am permitted to proceed with the explanation.

I do not want the RECORD to stand with any implication that either the majority leader or the senior Senator from Oregon has followed any course of action with regard to this matter, which is not in accordance with the policy of the Senate, followed time and time again in connection with major legislation, and invariably followed in the closing days of each Congress.

If the Senator will look at the RECORD for the closing days of Congresses for the past 10 years, he will find that most of the major pieces of legislation handled in the last 10 days have been handled under unanimous-consent agreements.

We are not concealing from the Senator from Ohio all the facts he needs for an intelligent vote on the bill. We shall not have time to discuss it in detail in the debate. That is never done under unanimous-consent agreements in connection with major legislation. We place upon Senators' desks reading material which they can read as a supplement to the explanation of the bill, and then they can reach their own judgment.

The PRESIDING OFFICER. The hour of 11:30 o'clock having arrived, the Chair lays before the Senate the unfinished business.

EXTENSION OF RENEGOTIATION ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes.

Mr. MANSFIELD. Mr. President, the hour of 11:30 having arrived, 2 hours after the beginning of today's session, I ask unanimous consent that the business before the Senate be continued, and that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Senate resumed the consideration of the bill (H. R. 12728) to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable.

Mr. LAUSCHE. Mr. President, I should like to say one further word. I understand that for the past 10 years, or even longer, important bills have been tied together, and there has been a limitation of debate by unanimous consent. But I am reminded of what the Senator from North Carolina [Mr. ERVIN] said the other day, to the effect that there should be a constitutional amendment making all laws passed in the last 10 days of Congress invalid. It would do the country a great deal of good.

Mr. MORSE. There is no such law.

The PRESIDING OFFICER. The Chair wishes to make an announcement.

The Senator from Oregon has used 5 minutes of his own time, the remainder of the time having been allotted to the Senator from Ohio by the majority leader, on the bill.

Mr. MORSE. Mr. President, how much time have I remaining on my amendment?

The PRESIDING OFFICER. The Senator has 25 minutes remaining on his amendment.

PEREMPTORY CHALLENGES IN CIVIL CASES—CONFERENCE REPORT

Mr. MORSE. Mr. President, I understand that the Senator from Mississippi [Mr. EASTLAND] has a non-controversial conference report to submit. I ask unanimous consent that it may be considered at this time, without the time consumed running against the proponents or opponents of my amendment.

Mr. EASTLAND. If it requires any time, I shall withhold it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. EASTLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today, p. 19220.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JAVITS. Mr. President, may we have an explanation of the conference report?

Mr. EASTLAND. Mr. President, as the Senate passed the bill, it adopted an amendment offered by the Senator from Indiana [Mr. CAPEHART]. Under that amendment, if property were taken and the court found that the compensation was inadequate, the Government would be divested of title. That provision was eliminated in conference, and a provision was added which would force the Government, when property is taken, to deposit an adequate sum as compensation.

Mr. JAVITS. I thank my colleague.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. ALLOTT. Mr. President, has the Senator from Indiana been notified that the conference report would be considered at this time?

Mr. EASTLAND. He has already agreed to it; and the majority and minority leaders are in agreement.

Mr. ALLOTT. I merely wished to make inquiry for the sake of the RECORD.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. EASTLAND. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement on behalf of the managers on the part of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER ON H. R. 3368 IN BEHALF OF MANAGERS ON THE PART OF THE SENATE

Simply stated, the amendment permits a judicial review of the good faith of the Government estimate of just compensation for the land summarily acquired under the Declaration of Taking Act. It is believed elementary that the Government in all of its dealing should act with the most scrupulous good faith and that the good faith requirement is of special importance when ever the Government exercises its sovereign power of eminent domain.

It is recognized that each such case must of necessity be judged on its own merits, and that no single standard can be equitably applied to all such cases. For example, in cases where the Government through its sovereign power of eminent domain seizes property designed and constructed by agreement for Government use, normal appraisals based on the price a prudent buyer would pay cannot be used. The costs to the Government of similar property openly and competitively procured at the time of taking, as well as the value to the Government of the property condemned, is manifestly the fairest measure of just compensation, both to the Government and the owner.

Whereas, this measure is equitable in such cases, normal appraisals may be more equitable in other types of cases. It is never the function of the Department of Justice or any other branch of Government to exercise the great power of eminent domain to obtain property at confiscatory or even bargain prices. Rather, a bona fide effort should be made by all branches of Government concerned to fairly ascertain just compensation and protect equally the rights of the taxpayer and property owner, as well as the Government. The very nature of the determinations of estimates filed under this statute renders the judicial review thereof vital for the protection of the constitutional rights of the citizens of the United States.

It is also the intention of the conferees that this amendment will in no way affect the Government's power in quick taking of property under the Declaration of Taking Act, for the Government will in no way be divested or required to divest itself of title.

FORMER SHAREHOLDERS OF GOSHEN VENEER CO., INDIANA—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the Senator from Mississippi [Mr. EASTLAND], chairman of the Judiciary Committee, desires to submit another conference report. It is highly privileged. The Senator from Indiana [Mr. CAPEHART] is in the Chamber. The Senate passed one version of the bill and the House passed another. The figures in the House bill are much lower than those in the Senate bill. It is desired to accept the House version. The conferees have agreed. I ask unanimous consent that it may be in order at this time, without time being charged to either side, to call up that conference report and have action taken upon it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. EASTLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6282) for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6282) for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

JAMES O. EASTLAND,
OLIN D. JOHNSTON,
JOHN M. BUTLER,
Managers on the Part of the Senate.

THOMAS J. LANE,
HAROLD D. DONOHUE,
RICHARD H. POFF,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. CAPEHART. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

AMENDMENT OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Senate resumed the consideration of the bill (H. R. 12728) to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable.

Mr. MORSE. I believe I am a good enough parliamentarian to know the parliamentary situation in which I find myself. If I yield further I will not be able to complete an explanation of my amendment. Therefore, I will not yield further until I have completed my explanation. After that I shall be happy to yield.

I turn to part I of the Railroad Retirement Act:

1. All annuities (age and disability retirement, spouses', and survivors'), and pensions under the Railroad Retirement Act would be increased by 10 percent.

2. By reason of the increase in the factors for computing survivor annuities, the insurance lump sum would also be increased by 10 percent; but the original provision for providing an insurance lump sum in all cases, up to a maximum of $750, has been deleted.

In other words, we have reduced the cost of S. 1313 by eliminating this provision.

3. The residual lump sum would be increased to reflect the increase in the maximum creditable and taxable monthly compensation.

What is the residual lump sum? Consider the situation of a railroad worker who has contributed $3,000 in taxes to the fund. He dies after receiving benefits of, say, $1,000, leaving no one else entitled to benefits. Under the operation of the program his estate, or his designee would get $2,000, which is the residual lump sum stated in the bill. There has always been a provision for his estate to get what he actually had paid in over and above what would come to him and his family in benefits under the operation of the fund. So in my hypothetical case his estate would get the $2,000, which is the difference between the benefits paid and the amount he had paid into the fund.

4. An employee who was retired on an annuity by reason of disability, would not lose the annuity for any month in which he earned more than $100 in outside employment if his total earnings in the year, which includes such month, does not exceed $1,200; and if such earnings exceed $1,200, the annuitant would not lose more than one month's annuity for each $100 of such excess, treating the last $50 or more of such excess as $100.

Let me briefly explain this technical matter in this way. Under the pending amendment, if an annuitant should earn $125 a month, he would still be eligible for his payments, provided that his total amount for the year did not exceed $1,200. In other words, what we are changing here is the amount of money he can earn each month. The present amount is $100. He can now earn more than $100 a month and still be eligible under the fund, provided his total earning on the side for the year does not exceed the present ceiling of $1,200. In other words, we have not changed the annual earning ceiling.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. No; I announced I would not yield until I had completed my presentation, because I am pressed for time. I believe a complete presentation will make the matter clearer anyway.

5. Women railroad employees with less than 30 years of service, would be eligible for annuities at age 62 rather than age 65, but the annuity would be on a reduced basis. (Women with 30 years of service are now, and will continue to be, eligible for full retirement at age 60.)

All we have done, in principle, is to bring the Railroad Retirement Act into conformity with the provisions of the Social Security Act in regard to the payment of women at a reduced rate at the age of 62.

6. A spouse's annuity would be payable at age 62, rather than age 65, upon election of the spouse to receive such annuity on a reduced basis;

We bring that in line with social security.

7. The maximum creditable compensation under the act would be increased from $350 to $400 a month, effective with respect to compensation for service after December 1958.

That is a very important change from the standpoint of the soundness of the fund, because, of course, it means that taxes are going to be applied on a broader base and will bring in more money.

8. For survivor beneficiaries who work outside the United States the work limitations on benefits would be the same as are now provided for work in the United States.

That item simply covers the Canadian railroad situation. These workers belong to the same organization. Unless the same policies apply to workers on the American lines running through Canada as well as on the American lines in the United States, there will be a discriminatory factor which will cause great discontent, and the amendment simply brings them into line together.

Now I should like to say a few words on the Railroad Retirement Tax Act.

Let me stress why it is necessary to have some legislation. In 1956 we passed railroad retirement legislation, but we left the fund in a deficit. Congress knew it was leaving the fund in a deficit situation. There was no binding commitment, but the debates will show that there was a recognition on the part of Congress that, come this session of Congress, we would pass some legislation which would take care of the deficit. This proposal does that. I wish to make it clear that it does take care of the deficit created in 1956.

In order to provide funds for the proposed increases in benefits, and to take care of any present deficiency in the Railroad Retirement Account, the Railroad Retirement Tax Act would be amended as follows:

"1. The tax base would be increased from the present maximum of $350 a month to $400, effective with respect to compensation for service after December 1958.

"2. The tax rates on employers and employees would be increased from the present 6¼ percent of payroll on each side, up to $350 a month, to 6¾ percent of payroll on each side, up to $400 a month, effective with respect to compensation for service after December 1958 and before January 1, 1962; and to 7¼ percent thereafter."

This deals with the point the Senator from Arizona [Mr. GOLDWATER] made earlier this morning. He took a very firm position in committee, and many of us told him that we thought there was great merit to his position. However, under S. 1313, we postponed payment until January 1, 1960. The House provided for payment on January 1, 1959.

The compromise proposal between the House and the Senate version, which is contained in the present substitute, would be as follows:

The tax would be raised from the present 6¼ percent to 6¾ percent, effective January 1, 1959. By 1962, the bill would increase the rate from 6¾ percent to 7¼ percent.

I should also like to point out that in S. 1313 the Senate committee proposed a tax rate of 7½ percent. That rate would be necessary if all the benefits provided in S. 1313 had had to be paid. However, having reduced those benefits, we have also reduced the cost of the bill, and therefore it is possible to have a lower tax rate. In order to make the fund actuarially sound, the tax rate will be 7¼ percent effective January 1, 1962, but 6¾ percent beginning January 1, 1959.

I wish Senators to note this particularly, because I do not want anyone to misunderstand. The tax rate will make the fund actuarially sound, even though there will still be a 0.57 deficiency. As I said earlier, any figure of 1 or less is never considered a threat to the actuarial soundness of a fund such as this, because any fund of this size will always vary to some extent, depending upon the number of people who die in any given year. The unemployment compensation phase of it is a separate problem and the level of that separate fund will depend on the level of employment in the industry.

I call your attention, however, to the fact that the actuarial deficiency in the retirement fund under the substitute bill would be only 0.57 percent of payroll.

Third, the tax rates on employee representatives would be increased from the present 12½ percent of payroll, up to $350 a month, to 13½ percent of payroll, up to $400 a month, effective with respect to compensation for services after December 1958, and before January 1, 1962; and to 14½ percent thereafter.

Those increases of taxes on employees are necessarily to make this an actuarially sound fund. Do not ever forget in this debate that we are not talking about Government money. We are talking about contributions made by the railroads and their employees to the retirement fund. In all the collective bargaining negotiations between the brotherhoods and the railroads, do not forget that those collective bargaining relations are colored, and have been for years, by the fact that the workers and the companies have this financial stake in the railroad retirement fund. They consider it, of course, a part, really, of their assets, in relation to what will happen to them in old age.

Fourth, an additional increase in tax rates with respect to compensation paid for service beginning January 1, 1965, is provided, but such increase would be conditioned upon, and would be equal to, the number of percentage points, including fractional points, of the increase in the rate of social-security employment taxes, which, as now scheduled, would not be effective before 1965.

The reason for this proposed conditional increase is that if social-security taxes increase as scheduled, the retirement account will be charged correspondingly more under the financial interchange arrangement, and to the extent of such increases scheduled for 1965 and thereafter it is necessary to increase retirement taxes to the same extent on compensation paid after 1964 in order to continue on an actuarially sound basis.

Throughout the hearings during our consideration of the bill, we have tried to bring railroad retirement and social security into line, keeping in mind the differential which has always existed between the two. But when we have finished with the bill, the railroad retirement benefits and tax rates will continue to be higher. This differential has always existed between railroad retirement and social security.

Ah, it is said, why not make the two funds the same? We had simply better face up to the fact that for years the railroad workers of the country have received a different legislative treatment from that received by people under social security. Why? Because the railroad workers are engaged in a vital public utility, essential to the economy, essential to the defense of the Nation. They are bound by the Railway Labor Act of 1926, which greatly limits their use of economic action in labor disputes.

I should say, as I have studied the history of railroad legislation, that it was clearly in the minds of Congress in those early days, when they passed this special labor legislation, that certain benefits should be given to the railroad workers, if the workers in turn were to give up certain economic freedom which workers have in industries which are not public utilities or industries which are vested, as we say, with a public interest.

So it was asked at our committee hearings, and I have heard it asked by some of my colleagues in the Senate, Why not apply the same rules that are applied in automobile plants or in steel mills, or in other mass-production industries throughout the country? The vital difference is that the workers in those mills and plants are not subject to any such restrictions as exist, for example, in the Railroad Labor Act of 1926.

The last point I wish to make is this. Who among us will deny that Congress always has given certain preferential treatment to railroad workers?

They have led the way in making many labor reforms in this country, and in connection with a large amount of labor legislation.

Now I come to part III of the bill, the Railroad Unemployment Insurance Act. In order to improve the lot of the unemployed railroad workers, the Railroad Unemployment Insurance Act would be amended as follows. First, the daily benefit rate would be increased from 50 percent of compensation for the employee's last employment in a base year, to 60 percent of such compensation.

Second. The maximum daily benefit rate would be increased from $8.50 to $10.20.

Third. Sundays and holidays would be treated as days of unemployment for unemployment purposes.

Fourth. The number of days for which benefits may be paid in the first registration period in a benefit year would be 10—instead of 7—the same as in subsequent registration periods in the same benefit year.

Fifth. For a career railroad employee—one with at least 10 years of railroad service—who is out of work through no fault of his own, the bill would extend the period during which he may receive benefits. These extended periods would vary in length, depending, generally, on the length of the beneficiary's previous employment, so that an unemployed man with 10 but less than 15 years of service would receive an additional 13 weeks and an employee with 15 or more years of service would receive benefits for an additional 26 weeks. For employees with less than 10 years, the bill provides 13 weeks of benefits. But this is limited to those who after June 30, 1957, exhausted their rights to benefits, and only to registration periods beginning after June 19, 1958, and before April 1, 1959.

Let me summarize these unemployment insurance benefits by saying that the amendment in the nature of a substitute for S. 1313 cuts down the unemployment insurance benefits of S. 1313 by a little more than 50 percent. In other words, by the substitute amendment, we have reduced the cost to the railroads, so far as extending the periods for unemployment insurance benefits are concerned, by more than 50 percent. That is one reason, of course, why a saving can be made—in a sense, we can say they are savings—in the cost of the bill, because it is less beneficial to the railroad workers than is S. 1313.

Six. The minimum earnings in a base year which would qualify an employee for benefits in the benefit year would be increased from $400 to $500.

Seven. The maximum taxable earnings in a month would be increased from $350 to $400.

Eight. The contribution rate would be increased to 1½ percent of creditable compensation when the balance in the railroad unemployment insurance account would total $450 million or more; and this rate would be increased, by steps, to 3½ percent of such compensation when the balance in the account fell below $300 million.

I come now to my last point. What about costs? Senators ask, what will it cost? The Railroad Retirement Board has submitted to us figures on the cost.

The level of cost of the House provision on unemployment insurance and social security would be $200 million, which is 3.72 percent of the taxable payroll, which amounts to $55 million more than at present.

The bill adds a cost to the railroads of $85 million to the present cost, effective for the calendar year 1959. Under the substitute bill the railroads, in 1959, would have to pay $29 million in additional taxes under the Unemployment Insurance Act, and $56 million under the Retirement Act.

By 1962 the additional retirement tax will be $86 million.

Now as to the retirement figures. The net cost of benefits payable—not administrative cost—would be 17.14 percent of payroll. The tax rate under the bill, as specified, would amount to a level of 16.57 of payroll; leaving, as I have said before, an actuarial deficiency of 0.57 percent.

The level taxes the railroads would have to pay on an annual basis would amount to $145 million a year; that is the additional amount on a level basis.

All of the retirement figures do not take into account House bill 13549, the social-security bill, which was sent to the President recently. This measure would add to the present deficiency, but the Board does not have the exact figure available.

But I repeat that the additional cost to the railroads for 1959 will be $29 million for the unemployment-insurance amendments, and $56 million for the Railroad Retirement Act amendments—or a total of $85 million; and in 1962, an additional $30 million, for Railroad Retirement Act amendments, would be added to the cost to the railroads.

I close by saying that the issue I leave with the Senate is this: Does this measure represent a fair retirement program for the railroad employees and a fair unemployment-insurance program for the railroad employees? If the answer of Senators to that question is "Yes," then I respectfully say that all the arguments of the railroads—namely, that they cannot stand the cost—in my judgment do not constitute sufficient basis for voting against passage of this measure, because we have no right to ask the employees to subsidize the railroads, by means of having the employees receive less than a fair unemployment insurance and railroad retirement program.

If the railroads need more subsidy, then let us face that fact. The contribution the railroads make to the economy and to the defense of the country is such that we should give them a subsidy, if it is needed. I have never been afraid of the word "subsidy," if the payment of a subsidy is necessary in the protection of the public interest.

Only a short time ago the Senate provided subsidies for the railroads—I do not care how differently others may wish to describe that measure—by means of the Smathers bill, which is nothing less than a subsidy measure. If we did not go far enough in the Smathers bill, then, come January, we can go further.

But, Mr. President, as I said to Mr. Symes, the president of the Pennsylvania Railroad, when he was testifying before us in the subcommittee, I am perfectly willing to go further in helping defray the cost of the additional boxcars which are needed for the defense of the Nation. I do not believe the railroads should be expected to provide them; I think they should be provided by means of taxpayers' dollars.

So I close this opening statement by saying that I am offering the Senate a measure which provides a fair unemployment compensation program, and represents a fair adjustment between the original Senate bill and the House bill. I offer it to the Senate, and recommend that the Senate adopt my amendment in the nature of a substitute.

Mr. CLARK. Mr. President, will the Senator from Oregon yield one-half a minute to me?

Mr. MORSE. If I have time to yield.

Let me inquire how much time I have remaining.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The time available to the Senator from Oregon has expired.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Pennsylvania one-half a minute on the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for one-half minute.

Mr. CLARK. Mr. President, I appreciate my colleague's courtesy; I realize the lack of time, in view of the limitation under the unanimous-consent agreement.

Let me say that, although I am not an expert of this subject, I wish to commend the Senator from Oregon [Mr. MORSE] for his clear and lucid explanation of this measure. I wish to state that I am in complete agreement with his view. I shall not take further time.

Mr. MORSE. I thank the Senator from Pennsylvania.

Mr. COOPER. Mr. President, will the Senator from Texas yield time to me?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 1 minute.

Mr. COOPER. Mr. President, I am one of the sponsors of S. 1313, a bill to amend the Railroad Retirement Act. Also, I served as a member of the subcommittee of the Committee on Labor, which conducted hearings on the bill for almost a year. After the subcommittee hearings, the bill was reported by the subcommittee to the full committee, and again we had a thorough discussion of the bill.

The Senator from Oregon [Mr. MORSE] has explained in detail the amendment he has submitted. I believe he is correct in saying that the first question for the Senate to determine is whether the amendment he has submitted to the Railroad Retirement Act is a fair and a just one to the railway employees. I wish to state, on the basis of my participation in the hearings for over a year, that I believe the changes his amendment proposes are fair.

If the Senate agrees that the amendment is fair and just then there will be, in substance, only two questions before the Senate. Those questions are, first, what about the actuarial deficit in the railroad retirement fund and, second, what effect will the amendment have on the railroads?

The railroad retirement fund has a balance of approximately $3,600 million. The Senator from Oregon has said—and I believe he is correct—that the actuarial deficit is such that, over a period of years, it will have no real effect on the solvency of the railway retirement fund. Am I correct as to that?

Mr. MORSE. That is correct.

Mr. COOPER. Second, as to the cost to the railroads, I believe the Senator from Oregon has stated that the additional cost to the railroads in the first year would be $29 million.

Mr. MORSE. Twenty-nine million dollars.

Mr. COOPER. Twenty-nine million dollars for the additional unemployment insurance benefits?

Mr. MORSE. Yes; for the unemployment insurance benefits; and $56 million for the retirement benefits.

Mr. COOPER. Or a total of $85 million?

Mr. MORSE. That is correct; and an additional $30 million in 1962 to finance retirement benefits.

Mr. COOPER. I wish to say to the Senate that after a year and one-half of consideration in the Committee on Labor on S. 1313, a bill, which I joined in introducing, to amend and increase retirement and unemployment benefits to railway employees, I believe the amendment of the Senator from Oregon should be adopted. I will vote for it and for S. 1313 on final passage.

The PRESIDING OFFICER. The time yielded to the Senator from Kentucky has expired.

Mr. JOHNSON of Texas. Mr. President, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 minute.

Mr. JOHNSON of Texas. I wish to ask the Senator from Oregon some questions about the compromise proposal he has submitted.

First, I wish to point out that the majority policy committee cleared Senate bill 1313 by a unanimous vote; and notice was given to the Senate and to the country that a vote on that bill, or at least an attempt to have the bill brought to a vote in the Senate, could be expected.

I now understand that a compromise amendment in the nature of a substitute has been offered to Senate bill 1313, and that the compromise amendment would reduce the effect of the provisions of that bill.

Are the following statements correct: First, Senate bill 1313 provides that the railroad retirement taxes shall be 7½ percent; and the compromise will reduce them to 7¼ percent.

Mr. MORSE. Seven and one-fourth percent, but six and three-fourths percent as of January 1, 1959, and seven and one-fourth percent as of January 1, 1962.

Mr. JOHNSON of Texas. I understand.

The compromise is offered as an amendment to Senate bill 1313, which the majority policy committee cleared unanimously.

I come now to my second question. The 7½-percent rate provided by Senate bill 1313 would be effective January 1, 1960. The compromise provides that one-half of that impact shall be delayed for a period of 3 years, until January 1962. Is that correct?

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. Third, Senate bill 1313 provides for a liberalization of the insurance lump-sum benefit in the Railroad Retirement System. That is eliminated by the compromise, as I understand. Is that correct?

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. Fourth, the unemployment insurance tax rate provided by Senate bill 1313 is a maximum of 4 percent; that provided by the compromise is a maximum of 3½ percent. Is that correct?

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. Therefore, the total increase in this item is cut exactly in half. Is that correct?

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. Fifth, the extended unemployment insurance benefits provided by Senate bill 1313 are, by means of the compromise, reduced by exactly one-half. Is that correct?

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. Through the years, since the Congress has provided the Railroad Retirement System, does the Senator from Oregon know what the attitude of the railroads has been toward attempts to improve the Railroad Retirement Act and the benefits provided by that act to the workers?

Mr. MORSE. The argument of the Association of American Railroads always is that the railroads cannot afford it.

Mr. JOHNSON of Texas. In other words, their argument has been the same as the one we have heard them make year after year after year, whenever the Congress attempts to make a step in the right direction.

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. Such an attitude reminds me of the days when I was a secretary in the House of Representatives, and when, on the floor of the House, when the first social-security bill was being considered, I heard Members say that it was socialism.

Let me say that I supported the efforts to provide relief to the American railroads, and I am proud of the relief that I voted for them. No attempt was made to keep that bill from being brought up by way of motion. We allowed time for the consideration of that measure. We provided tax relief for the railroads. We have taken action on the requests the railroads have made.

The amendment in the nature of a substitute for Senate bill 1313 reduces the benefits provided by Senate bill 1313.

I wish to observe—and now I speak to the railroads, who know that I am their friend: I believe in free enterprise, and I believe in the railroad industry, although I do not think that industry has been quite as modern as it might have been. But the railroads must realize that we cannot look at this problem solely from their point of view. We must try to reach a solution which deals justly and fairly with all—the railroads and their employees.

Mr. MORSE. Mr. President, I appreciate the remarks of the Senator from Texas.

Mr. COTTON. Mr. President, I should like to have some time yielded to me.

Mr. JOHNSON of Texas. I yield one-half minute to the Senator from New Hampshire.

The PRESIDING OFFICER [Mr. COOPER in the chair]. The Senator from New Hampshire is recognized for one-half minute.

Mr. COTTON. Mr. President, the Senator from Oregon has, in response to the questions asked by the majority leader, stated the relationship which the pending amendment in the nature of a substitute bears to Senate bill 1313.

Can the Senator from Oregon indicate briefly how the cost of the amendment in the nature of a substitute compares with the cost of the House bill?

Mr. MORSE. The substitute bill is practically the House bill, save and except that the House committee recommended 7 percent and we recommended 10 percent increase in retirement benefits. The 10 percent has been retained, so far as that figure is concerned, but when we take into account the reduction of other benefits in the substitute, including the elimination of the provision for payment of the lump-sum insurance amount in all cases up to $750, I would say it would be reasonable to state that the cost of the 10 percent increase would be reduced from what it would have otherwise been.

Mr. COTTON. Am I correctly informed that the Senator from Oregon is saying the proposal is a reduction in the Senate bill in both benefits and costs; but is it a very slight reduction or increase as compared with the House bill?

Mr. MORSE. There is a reduction of the benefits contained in the Senate bill, but a slight increase of those contained in the House bill.

Mr. COTTON. As between the Senate and the House bill?

Mr. MORSE. Yes.

Mr. COTTON. I thank the Senator.

Mr. MORSE. I am prepared to yield the floor.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. May I ask what the status of the time is, and then may I ask the advice of the majority leader as to how to proceed with respect to the time allotted?

The PRESIDING OFFICER. The time allotted on the amendment has expired.

Mr. MORSE. How much time is left to the opposition?

The PRESIDING OFFICER. Ten minutes are left to the proponents and twenty-five minutes to the opponents.

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute on the bill to the Senator from Tennessee.

Mr. KEFAUVER. I thank the Senator. I first want to congratulate the Senator from Oregon on his explanation of a very complicated piece of proposed legislation. In the report a great deal is stated about the increased cost of living. Since the last time the railroad workers have had any increases in benefits, will the Senator explain how much increase in cost of living has been, to the best of his information?

Mr. MORSE. The 10 percent increase was adopted to take care of that increase in the cost of living, plus additional benefits. My recollection is that the cost of living increase was 7 percent. I think that is why the House fixed the amount at 7 percent.

Mr. KEFAUVER. In other words, what the Senator is saying is that the increase in benefits provided in the bill, in view of the fact that there may have to be a compromise to some extent in conference with the House, will just about represent the increase in the cost of living, as indicated by the Bureau of Labor Statistics reports, since the act was amended the last time. Is that correct?

Mr. MORSE. Frankly, I think 7 percent would take care of the increased cost of living, and the additional percentage granted in the Senate bill would take care of additional benefits which we think are long overdue.

Mr. KEFAUVER. Are some of the benefits delayed in their application? When do they become effective?

Mr. MORSE. I did not mention it in my speech, but we have taken away entirely retroactivity of increases in the retirement benefits under the Senate bill. There is no retroactivity under the Senate bill at all; the increases in retirement benefits will be effective next January.

Mr. KEFAUVER. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, will the Senator from Texas permit me to yield some time on the bill to the Senator from Ohio?

Mr. JOHNSON of Texas. How much time does the Senator desire?

Mr. LAUSCHE. Two or three minutes.

Mr. JOHNSON of Texas. I yield 3 minutes on the bill to the Senator from Ohio.

Mr. LAUSCHE. How are the unemployment benefits to be paid? On the basis of daily or weekly pay?

Mr. MORSE. On the basis of daily pay.

Mr. LAUSCHE. What is the daily unemployment benefit pay under the existing law?

Mr. MORSE. Eight dollars and fifty cents, and we raised it to $10.20.

Mr. LAUSCHE. That is, the increase is from $8.50 to $10.20 in unemployment benefits?

Mr. MORSE. Let me check those figures.

If the Senator will turn to page 34 of the committee report, where there is a table showing the present daily benefit starting at $3.50 and running to $8.50, those amounts have been changed, under the committee bill, so that the $8.50 becomes $10.20, and the other brackets therein shown have been changed proportionately.

Mr. LAUSCHE. That would be a $1.70 increase on a present base of $8.50, or a 20 percent increase?

Mr. MORSE. Yes; but it covers the $4,000 and over bracket.

Mr. LAUSCHE. The unemployed person who is getting $8.50 in the upper bracket has had his unemployment benefit increased by 20 percent, so far as the unemployment benefit is concerned.

Mr. MORSE. That is correct.

Mr. LAUSCHE. Something was said by the Senator from Oregon about Saturdays and Sundays. Will the Senator from Oregon tell me whether, under existing law, unemployment benefits are paid for Saturdays and Sundays?

Mr. MORSE. They are paid at the present time if they are preceded and followed by days of unemployment. Otherwise they are not.

Mr. LAUSCHE. What would the new bill do?

Mr. MORSE. The new bill would increase the number of days in a 14-day period. It will still be 10 days, but Sundays will be included in the calculation.

Mr. LAUSCHE. Under the present law Sundays are not included under certain conditions; but under the proposed new law they would be?

Mr. MORSE. They would be; but under the present law, they are included if they are immediately preceded and followed by unemployment. Let us suppose now that X worked on Saturday, but his unemployment started on Sunday and went on to Monday and Tuesday. Under our proposed law, his unemployment would start on Sunday. Under the old law, it would not, because it had not been immediately preceded by unemployment.

Mr. LAUSCHE. Can the Senator tell me what the average per day percentage increase is for all brackets of employees on unemployment compensation?

Mr. MORSE. I shall refer to my expert.

I do not think the Senator was present this morning when I asked permission to have one of the experts from the Railroad Retirement Board, who served with us for months on the committee, sit on the floor of the Senate to answer such technical questions as the Senator is now raising. None of us on the committee purport to have that information. But I have the answer now.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I assume responsibility for yielding 1 additional minute on the bill to the Senator.

The 20 percent the Senator from Ohio has picked out, applies to the upper bracket. We do not have the average worked out for which the Senator from Ohio has asked.

Mr. LAUSCHE. The Senator is not able to tell what the increase is percentagewise for the lower bracket employees?

Mr. MORSE. On page 34 of the report there is a table which is explained as follows:

> The benefits payable to any such employee for each such day of unemployment or sickness shall be the amount appearing in the following table in column II on the line on which, in column I, appears the compensation range containing his total compensation with respect to employment in his base year: [Column I—total compensation:

Column I—total compensation:	Column II Daily benefit rate
$400 to $499.99	$3.50
$500 to $749.99	4.00
$750 to $999.99	4.50
$1,000 to $1,299.99	5.00
$1,300 to $1,599.99	5.50
$1,600 to $1,999.99	6.00
$2,000 to $2,499.99	6.50
$2,500 to $2,999.99	7.00
$3,000 to $3,499.99	7.50
$3,500 to $3,999.99	8.00
$4,000 and over	8.50]

Column I—total compensation:

Column I—total compensation:	Column II Daily benefit rate
$500 to $699.99	$4.50
$700 to $999.99	5.00
$1,000 to $1,299.99	5.50
$1,300 to $1,599.99	6.00
$1,600 to $1,899.99	6.50
$1,900 to $2,199.99	7.00
$2,200 to $2,499.99	7.50
$2,500 to $2,799.99	8.00
$2,800 to $3,099.99	8.50
$3,100 to $3,499.99	9.00
$3,500 to $3,999.99	9.50
$4,000 and over	10.20

If the Senator will look down the revised column, below the first table, he will observe that the daily benefit rate would be $4.50.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. The $3.50 would become $4.50. The $4 would become $5. The figures in italic are the new figures. The rate goes to $10.20, from $8.50.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield another 2 minutes, please?

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator.

Mr. LAUSCHE. The employee who is now receiving $3.50 a day would be given $4.50, would he?

Mr. MORSE. The Senator is correct. The Senator will observe that there is a change in earnings which must be kept in mind. There is a change in the earnings level. The $400 to $499.99 under the old table would be changed to $500 to $699.99. We have increased the earnings on the basis of which the payments will be made.

Mr. LAUSCHE. That is, there has been an increase in the amount on which the employee and the railroad must contribute?

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. So there has been a liberalization, first, of the amount of the earnings covered; second, of the compensation paid; and, third, of the days for which payment can be received?

Mr. MORSE. The Senator is correct. Let me correct the RECORD in one regard. When we are dealing with unemployment insurance benefits we are dealing with contributions only from the carriers and not from the workers. The contributions for retirement benefits are 50–50, but contributions for unemployment insurance benefits are 100 percent employer contributions or carrier contributions.

Mr. LAUSCHE. The subject we have thus far been discussing must all be covered by contributions made by the employer and not at all by the employee?

Mr. MORSE. That has always been true of railroad unemployment compensation.

Mr. LAUSCHE. To summarize again, the increase would be 20 percent for the very highest paid employee. According to my calculations the increase would be more than 20 percent for the employees in the lower-paid categories.

Mr. MORSE. It would be, unless we take into account the modification of the additional total compensation.

Mr. LAUSCHE. Can the Senator tell me whether any other employment fund in the country in the last year has increased its benefits by 20 percent?

Mr. JOHNSON of Texas. Mr. President, while the Senator is consulting with regard to the question, may I have the attention of the acting minority leader?

In a colloquy a few minutes ago with the Senator from Ohio we consumed 30 minutes time. I wonder if we could ask that we be granted an additional 30 minutes time, to be equally divided, on the bill.

Mr. ALLOTT. Mr. President, I am not sure the time will be needed. I would be prepared to agree to the request at a later time. I do not think the time will be needed on the bill.

Mr. JOHNSON of Texas. I have a commitment to give the Senator from South Carolina [Mr. THURMOND] 15 minutes. I was under the impression that we were talking on the amendment, and that the Senator from Oregon had the floor. That was the case, but the time was charged against the bill.

Mr. ALLOTT. If time is needed later, I will not object.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. MORSE. The best answer I can give to the Senator from Ohio is that we do not know of any such plan, other than what Congress has already passed with regard to emergency unemployment insurance benefit provisions for the States. The States in cooperation with the Federal Government could extend the period for the payment of benefits. I am advised those would be tantamount to increases, if the States followed the provisions of the law we passed.

Mr. LAUSCHE. I must frankly confess that my mind was incapable of digesting the rather heavy material which was submitted in the Senator's talk. Obviously the Senator from Oregon has not completely digested it in his mind, because he has to seek the help of an actuarial expert.

Mr. MORSE. I will say to my friend from Ohio on that subject that if he and I lived with the problem for 10 years he and I would still be consulting the expert.

Mr. LAUSCHE. I could not, because of the rapidity with which the case was presented, digest it. I think it must be admitted one would have to read and study the analysis given in order to have an intelligent grasp of it.

Will the Senator repeat the highlights of the increases which will be granted in the benefits, in the nature of social security?

Mr. MORSE. In the nature of retirement?

Mr. LAUSCHE. I have in mind the increase in the daily unemployment compensation.

Mr. MORSE. First, on the retirement matter, the bill would provide for a 10-percent increase in retirement benefits for all employees; that is, the substitute would provide for that increase.

The PRESIDING OFFICER. (Mr. COOPER in the chair). The Senator will suspend. The Senate will be in order.

Senators will take their seats. Staff members will take their seats. Talk will cease around the sides of the Chamber and in the galleries, so that the Senator from Ohio will have an opportunity to question the Senator from Oregon and the Senator from Oregon will have an opportunity to explain the bill. Let there be order in the Chamber.

The Senator from Oregon may proceed.

Mr. MORSE. We are talking about retirement benefits.

Mr. LAUSCHE. The Senator is correct.

Mr. MORSE. We would increase the tax payments for both the employees and the employers from 6¼ percent as of now to 6¾ percent effective January 1, 1959.

We would increase that further to 7¼ percent January 1, 1962. That would be necessary to make the retirement fund actuarially sound within the 0.57 percent I have already explained.

Third, the base of $350 of monthly earnings would be increased to $400 of monthly earnings, which would mean the bringing in of more tax returns as a contribution to the fund in order to assure it would be actuarially sound.

We would eliminate entirely the provision which would increase the number of beneficiaries for the insurance lump sum benefit, in other words, the so-called funeral fund. The Senate bill would have provided as much as $750 to persons not entitled to such lump sum under present law. Mr. Schreiber points out that the present eligibility provisions for the insurance lump sum would remain unchanged.

Mr. LAUSCHE. If I may interrupt, on the subject of eliminating benefits, the funeral fund benefit would be eliminated, is that correct?

Mr. MORSE. The increase in the number of persons eligible for the funeral fund benefit is eliminated.

Mr. LAUSCHE. The increase?

Mr. MORSE. Yes.

Mr. LAUSCHE. In the hearings which were conducted testimony was given that under the benefit fund compensation was paid in maternity cases of women employees.

Mr. MORSE. That would not be changed. We have not changed that.

Mr. LAUSCHE. That would not be changed?

Mr. MORSE. We have not increased it.

Mr. LAUSCHE. It has not been increased?

Mr. MORSE. I give the Senator my word that to the best of my knowledge—and if I do not have some knowledge on the matter now it is only because it is pretty hard to drill it into my head—I have stated to the Senator every change from the basic law.

Mr. LAUSCHE. The base on which the percentage of contribution is calculated has been increased?

Mr. MORSE. That is correct.

Mr. LAUSCHE. And the percentage of contribution has been increased?

Mr. MORSE. That is correct.

Mr. LAUSCHE. The increases, both with respect to the employer and the employee, are contemplated to be adequate to place the fund in actuarial soundness, except that it is anticipated that there will be a deficit of 0.57.

Mr. MORSE. That is correct. Some such deficiency will be found in any retirement fund of any size, no matter what effort is made to keep it in balance, because it varies with the number of people who retire in any given period.

Mr. LAUSCHE. Will that deficit actuarially continue in existence after the time the maximum contribution period is reached, according to the bill?

Mr. MORSE. Yes, it will still continue. I point out to the Senator that the law itself requires a 3-year actuarial reanalysis; and if it reaches the point after 1962 where there is need for additional legislation, the Board will come back to Congress, as it always does. The present deficit is 3.20 percent. That was created in part by the 1956 amendments. There has been a reappraisal, and this legislation is necessary, in part, to take care of the deficit which was created in 1956. We all knew that we were creating a deficit in 1956. That question was fully discussed in Congress.

Mr. LAUSCHE. In 1956 the compensation was increased, and it was known that an actuarial deficit was created; also it was known that if such actuarial deficit continued, the fund would go defunct.

Mr. MORSE. That is correct.

Mr. LAUSCHE. But it was the purpose of the Congress in 1956 to allow the increase, and at a later time impose the additional burden of contributions. That is what we are doing now.

Mr. MORSE. That is correct.

Mr. LAUSCHE. Can the Senator tell me what is the contribution increase, percentagewise, which will begin in 1959? Is it 7½?

Mr. MORSE. No. It is 6¾ on January 1, 1959, and 7¼ on January 1, 1962.

Mr. LAUSCHE. Seven and a quarter is the maximum, which will be reached in 1962?

Mr. MORSE. That is correct.

Mr. LAUSCHE. Can the Senator give me a recitation of the dollar-wise increase in payments? If it is in the report, I can find it.

Mr. MORSE. The additional cost to the railroads for unemployment insurance would be $29 million for 1959. The additional cost in 1959 for retirement is $56 million, with an additional $30 million in 1962.

Mr. LAUSCHE. That would make a total of $85 million for 1959.

Mr. MORSE. That is correct.

Mr. LAUSCHE. Let us go to 1962, and get the figures.

Mr. MORSE. There would be a $30 million additional.

Mr. LAUSCHE. With that additional contribution, what would be the increase, dollar-wise, in benefits on retirement pay?

Mr. MORSE. Ten percent, whatever that figures out.

Mr. LAUSCHE. What is the maximum retirement pay now being received?

Mr. MORSE. The maximum is $185. The average is $119. The disability compensation is less. It is around $65.

Mr. LAUSCHE. The maximum is $185?

Mr. MORSE. Yes. I may say that we thrashed out this question in committee. The figures were discussed in committee. We insisted that the Board send someone to us who could discuss the subject with us. Mr. Schreiber came before the committee, and we cross-examined him at great length. I am satisfied. I hold in my hand the table which was furnished by the Board in response to our demand at the committee hearings. It sets forth the average retirement benefits, as follows: age 65 and over, $119; age 60 to 64, $113; total and permanent disability, average, $65. Then there are some occupational disabilities and spouse benefits. If the Senator desires to have me read them, I shall be glad to do so.

Mr. LAUSCHE. No.

Mr. MORSE. I am talking about the worker. The maximum for age 65 and over is $185, and the average is $119.

Mr. LAUSCHE. The average is $119, and the bill provides for a 10-percent increase.

Mr. MORSE. That is correct.

Mr. LAUSCHE. Is there any graduation of that 10 percent in future years?

Mr. MORSE. No. It is a blanket 10 percent.

Mr. LAUSCHE. I think that gives me the information I desire. I thank the Senator.

Mr. MORSE. I thank the Senator from Ohio for his patience with me. I have lived with these figures for so many months that it is very difficult to keep them straight, but I am sure that every statement I have made here today will be borne out by the record.

Mr. LAUSCHE. Let me ask one further question. Was the decision to make this increase of 20 percent in the unemployment pay for the highest paid employees, and more than 20 percent to the lower brackets, at all controverted? Was the wisdom of it questioned?

Mr. MORSE. Oh, yes. I do not think there is anything in the bill that was not controverted.

Mr. LAUSCHE. I think those are all the questions that I have. I thank the Senator.

Mr. MORSE. I yield the floor.

Mr. ALLOTT. Mr. President, I yield myself such time as may be necessary.

I realize that in the discussion of a subject of this type it is easy to inject into the discussion clements which are extraneous to the subject matter itself. I was sorry a while ago to see injected the extraneous argument in which the railroads were in effect depicted as a group which desired to prey upon their employees, because it has no place here.

I wish to make my own position clear. First, I have never worked for a railroad, I have never owned any stock in a railroad, I have never owned any bonds of any railroad, and do not anticipate doing so.

Second, I have spent as much time in the past 4 years talking with railroad employees and their representatives as I have spent talking with representatives of railroad management.

It is not easy to take the position which I feel in good conscience I must take. It is certainly not an easy political decision to make, if one looks at the issue from a political standpoint. Nevertheless, after a consideration of all the factors, I have felt that it was necessary for someone to state on the floor of the Senate what we are actually doing, and to say it without trying to raise any false strawmen to knock down, whether those strawmen be raised on behalf of the railroads themselves, or whether they be raised on behalf of the men who are employed by the railroads.

I have spoken previously about the situation in which we find ourselves, and I say here it is humanly impossible for anyone, including the Senator from Oregon [Mr. MORSE], to be sure of knowing what he is voting for here today. It is humanly impossible. Though this is not said in criticism of the Senator from Oregon, this lack of knowledge is displayed by the fact that it is necessary for him to have one of the counsel of the Railroad Retirement Board on the floor to advise constantly as to the effect of each question which is asked, because the subject is so complicated that only a person who spends his life with the subject can possibly even begin to answer those questions.

Therefore I find myself in the position of being able to say with respect to the Senator's amendment only that it probably is less burdensome and less onerous than S. 1313. When S. 1313 was reported to the Senate I joined with other Senators in certain minority views.

I believe at this time it is necessary to review the history of what has happened in the past 3 years. In 1956, in the 84th Congress, we had pending before us in the Committee on Labor and Public Welfare a proposal to amend the Railroad Retirement Act. I was a minority member of that committee. Control of the proposal was not under my jurisdiction. I cooperated in every respect to secure a determination regarding that proposed legislation, as I have as to all legislation which comes before us.

At the conclusion of the 84th Congress, within the last few days, if my recollection serves me right, it appeared that we would not be able to report a bill. What all the difficulties and the ramifications were I cannot say, but at that time the junior Senator from Massachusetts, who I see is now on the floor, was chairman of the Railroad Retirement Subcommittee. I know that he was having his troubles trying to get a bill which could be reported. My recollection is that representatives of both the railroads and the brotherhoods met with the junior Senator from Massachusetts and myself in the hallway outside the Labor Committee room, and there made a joint proposition to us, which was extended to the committee, that if we would raise the railroad retirement 10 percent, which was badly needed—and we were convinced it was needed—they would proceed immediately at the beginning of the next Congress to make the fund financially sound.

The Senator from Massachusetts acted in good faith, as did I. We told the other members of the subcommittee about this problem. We reported to the Senate a bill, which was passed, to raise the benefits 10 percent, and we told the United States Senate that what we were doing would run the fund into a deficit of roughly $85 million a year for part of a year, so that the beneficiaries could get their benefits, and that when we returned at the beginning of 1957, we would make the fund actuarially sound.

At that time, the representatives of both the brotherhoods and the railroads made us their pledge in word, and later confirmed by letters to the chairman of the committee that they would return in January of 1957, a year and a half ago, and make the fund sound.

My only real interest in the matter is to take care of the people for whom the fund was created. When we returned in 1957, a bill was introduced, which became S. 1313. There were many bills introduced.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. ALLOTT. I yield.

Mr. MORSE. I wish to make this statement in behalf of the Senator from Colorado in connection with the comment he has made, that he has been interested only in the people who are affected. Although he and I disagree on many parts of the bill, as long as the Senator from Kentucky [Mr. COOPER] is in the chair, I believe the RECORD should show that when we discovered that the bill in its present form did not benefit a certain group of people—my recollection is that between 7,000 and 10,000 people are involved—the Senator from Colorado said—and I quote him verbatim—"It is not right. We ought to do something about it. We ought to propose an amendment." The Senator said that he may have to be against the final bill, but, he said, "If we are going to have any bill at all, this amendment ought to be included in it."

The Senator from Colorado, the Senator from Kentucky, and the senior Senator from Oregon agreed upon an amendment. It was adopted and is contained in the pending bill. Therefore we can say to the group of people, from whom all of us have heard a great many times by correspondence, that we have protected their interests in the bill. I should like to have the Senator from Colorado get his full share of the credit for that result. It is in line with the statement he has made, that throughout the hearings he has said, "I am interested only in the effect it will have on the people involved." He deserves that this statement by me be made at this time.

Mr. ALLOTT. I thank the Senator for his kind remarks. I have served on no subcommittee in which the members of the subcommittee have worked harder than on the subcommittee which dealt with the pending bill. I do not know of any bill in connection with which members worked harder to get a bill to the floor, even though some disagreed with the philosophy the bill was taking. We agreed that we wanted to do something for the people.

What is the situation? First of all, S. 1313, which we are considering, raises the tax on the individual worker from 6¼ percent to 7½ percent. That is not too bad, in one way, if we can make the fund sound. If we were to levy a tax today of 7½ percent—I am speaking of the retirement fund now—upon the employer and 7½ percent upon the employee, we would make the fund sound.

However, we are not doing that. We did not do it in S. 1313, and we are not doing it here. What we are saying to these people is this: "We raised your benefits in 1956 by 10 percent. We ran the fund $75 million a year into the red for the remainder of 1956 and for 1957 and for 1958."

Mr. LAUSCHE. Mr. President, will the Senator be kind enough to repeat that last statement?

Mr. ALLOTT. I will be happy to repeat it. The statement I have just made is that by our action in 1956 we ran the fund into the red and have run it into the red up to this very moment in the amount of $75 million a year. Who is the fund for? It is for the employees. If we are to continue to operate the fund on a deficiency basis, we will get to the point at some time where the benefits will be paid from one place only, and that is from the United States Treasury.

Mr. MORSE. Mr. President, will the Senator yield at that point to call attention to a figure?

Mr. ALLOTT. I yield.

Mr. MORSE. The Senator referred to the deficit for 1956. From 1956 the deficit has increased, and today it is $170 million. The bill I have offered would eliminate that deficit.

Mr. LAUSCHE. One hundred and seventy million dollars as against a total fund of how much?

Mr. MORSE. I was about to say $3 billion, but I am informed it is $3,600,000,000.

Mr. LAUSCHE. Mr. President, will the Senator from Colorado yield for a question?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. Do I correctly understand that the increase in the retirement payments in 1956 was 10 percent?

Mr. ALLOTT. That is correct.

Mr. LAUSCHE. Will the bill give a minimum increase of 20 percent to the higher brackets, and in some instances 30 percent to the lower brackets?

Mr. MORSE. No. The Senator from Ohio is making the same mistake I have made over and over again in the last year. The 20 percent, about which he is speaking, deals with the unemployment insurance benefits. The 10-percent increase is straight across the board on retirement.

Mr. ALLOTT. The 10-percent increase is upon retirement. What the Senator from Ohio wants to know, I feel sure, is what it was in 1956.

Mr. LAUSCHE. On unemployment insurance. What was the percentage of increase in unemployment payments in 1956?

Mr. MORSE. None. The increase in 1956 was in retirement payments. As the Senator from Colorado has said, it was 10 percent.

Mr. ALLOTT. I wish to compare what is proposed in the bill with what is proposed by the amendment. Then I want to ascertain whether we are doing what is best for the fund and for the employees.

I should like, in introducing ourselves to that question, first to discuss the question which has been raised about the condition of the railroads.

I have no brief to hold, as I tried to explain a few moments ago, for the railroads as such. I have not now and I have never had any interest which would give me cause to hold a brief for them. But the railroads are a private business, and they can only pay their employees good wages and pay them retirement benefits if and when the railroads are profitable. The only other alternative is to let the railroads run themselves down to the place where the Government will have to subsidize them.

I have had this argument made to me: Congress this year removed the 3-percent tax on transportation. There is no reason why that amount of money should not go into the railroad retirement fund.

Of course, that is a silly, ridiculous argument. First, the railroads did not get the benefit of the 3-percent tax. Second, the only benefits which they get from the removal of the tax are, indirectly, by way of additional business which may come to the railroads.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MORSE. As the Senator from Colorado knows, I have always shared his point of view. I have never shared the point of view that the 3-percent transportation tax should now inure to the benefit of the railroad retirement fund.

Mr. ALLOTT. No; the Senator is correct in that statement. I will try to point out in a moment where the Senator from Oregon and I part ways.

Mr. LAUSCHE. I think it is proper for the RECORD to show clearly that the elimination of the 3-percent transportation tax inures to the benefit of the shippers, not of the railroads.

Mr. ALLOTT. My own personal opinion is that it will inure to the benefit of the general public, particularly of a great many farmers, more than it will result in any increase in freight. But that is another question.

It stands undisputed that the financial situation of some of the class I railroads, particularly in the eastern part of the Nation, is very precarious. S. 1313 would have imposed additional taxes of $185 million a year upon them. Yet for the first part of 1958 the net income of all class I railroads was only $72 million. In other words, S. 1313 will impose upon the railroads a burden which is about twice as much—I repeat: about twice as much—as the net income of all class I railroads in the United States for the first 5 months of this year.

Anyone who runs his own business, on the basis of the income and the outgo, even the housewife who has to run her household, knows that a time comes when we must quit kidding ourselves.

The question is, with respect to the railroad retirement fund, When are we going to quit kidding ourselves? The Senator from Oregon has just said that the total deficit in the railroad retirement fund is $175 million. Let me show what it is according to my information. Actuarially, the deficiency in S. 1313—

The PRESIDING OFFICER. The time of the Senator from Colorado has expired, if it includes the 14 minutes consumed by the Senator from Ohio.

Mr. ALLOTT. Mr. President, I did not yield myself 14 minutes; I yielded myself as much time as I needed.

Mr. THURMOND. Mr. President, I believe I have 15 minutes allocated to me. I will yield my time to the Senator from Colorado.

The PRESIDING OFFICER. Thirty minutes was allotted to each side on the amendment. If the 14 minutes used by the Senator from Ohio to propound a question to the Senator from Oregon was included, the 30 minutes of the Senator from Colorado has expired.

Mr. ALLOTT. I have control of the time on this side. I have yielded no time to any Senator except myself.

Mr. MORSE. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. MORSE. The Senator from South Carolina offered to yield time which has been allotted to him. I want the Senator from Colorado to have time. I suggest that the Senator from Colorado offer now the amendment he offered in committee, take time on that amendment, and then decide later whether he wants to withdraw the amendment.

Mr. ALLOTT. Mr. President, I send to the desk an amendment in the nature of a substitute and ask that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 2 (a) 3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"3. Individuals who will have attained the age of 60 and will have completed 30 years of service or, in the case of women, who will have attained the age of 62 and will have completed less than 30 years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age 65 when the annuity begins to accrue."

(b) Section 2 (g) of such act is amended by inserting after "wife under age 65" the following: "(other than a wife who is receiving such annuity by reason of an election under subsection (h))."

(c) Section 2 of such act is further amended by adding at the end thereof the following new subsection:

"(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue."

SEC. 2. (a) Section 3 (e) of such act is amended by striking out "his monthly compensation" and inserting in lieu thereof "110 percent of his monthly compensation."

(b) All widows' and widowers' insurance annuities which, in accordance with the proviso in section 5 (a) or section 5 (b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, shall be increased by 10 percent.

SEC. 3. (a) The amendments made by sections 1 and 2 shall be effective only with respect to annuities accruing for months after August 1958.

(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

PART II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. (a) Sections 3201 and 3221 of the Railroad Retirement Tax Act are each amended by striking out "6¼ percent" and inserting in lieu thereof "7.85 percent."

(b) Section 3211 of such act is amended by striking out "12½ percent" and inserting in lieu thereof "15.70 percent."

SEC. 202. The amendments made by section 201 shall be effective only with respect to compensation paid after June 30, 1959, for services rendered after such date.

Mr. MORSE. Mr. President, I ask unanimous consent that the Senator from Colorado be granted an extra 14 minutes because of the time consumed by the interruption of the Senator from Ohio.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, may we have a statement of the time situation?

The PRESIDING OFFICER. On the amendment offered by the Senator from Oregon, all time of the proponent, the Senator from Oregon, has expired. The Senator from Colorado has 14 minutes.

Mr. JOHNSON of Texas. Does any time remain on the bill?

Mr. ALLOTT. I will respond to that question. So far as I am concerned, I have yielded no time on the bill yet.

Mr. JOHNSON of Texas. Is the Senator from Colorado prepared to share 15 minutes on the bill? Our time was consumed in another colloquy.

Mr. ALLOTT. I assured the Senator from Texas that we would do that.

Mr. JOHNSON of Texas. Will the Senator yield me 15 minutes of his time on the bill?

Mr. ALLOTT. Yes.

Mr. JOHNSON of Texas. I reserve that time at the desk.

The PRESIDING OFFICER. The proponents have only 5 minutes remaining on the bill.

Mr. JOHNSON of Texas. But the Senator from Colorado has control of the time on the other side. Even though he may be opposed, he has arranged that the Democrats may control 15 minutes and the Republicans may control 15 minutes.

Mr. ALLOTT. Mr. President, when the interruption occurred, I was starting to discuss what S. 1313 would have done further to the railroad retirement fund. As the information was given to us, it would have created an actuarial deficit, or a red figure, 0.35, which is approximately $14 million a year.

Senate bill 1313, with the Morse amendment included, is estimated at 0.57, or approximately $32 million a year. Is that correct?

Mr. MORSE. That is correct.

Mr. ALLOTT. Very well.

Mr. President, this fund has been running into the red at the rate of $75 million a year. But now it is proposed that we not only not make the fund actuarially sound, but, instead, by means of the pending amendment, run the fund into the red to the extent of a total amount of $32 million a year. I simply cannot understand the thinking behind such a proposal.

Certainly the day will come when the railroad workers will want additional benefits. But in view of the way the pending measure is arranged, the workers will not be able to obtain those benefits unless they obtain them from the Treasury of the United States.

Certainly we wish the program to be a sound one. The workers not only will have to make the increased payments—the amendment provides for an increase, on January 1, to 6¾ percent, for both the railroads and the employees—but, under the pending proposal, the payments will have to be increased to 7¼ percent on January 1, 1962.

At the hearings, which we have held almost continuously during the last 4 years, I learned that the bad part about the proposal now before us is that actually, in order to make the fund sound, not only are the increases now proposed necessary, but when the social-security program is adjusted in 1965, each of the parties to the program we are now considering—both the railroads and their employees—will—each of them—have to increase their payments to 9 percent.

Therefore, Mr. President, is it any wonder why I have been slow to embrace such a proposal?

I have received many letters from railroad employees who apparently have gotten the idea that all they need to do is get Congress to pass a bill to provide for such a raise, and the raise will at once be received by them—that the matter is as simple as that. But when I replied to their letters, I told them what the new raises are to be and what the raises will cost them. Their replies, almost without exception, have been, "In that case, we don't want this; we can't stand such a raise."

Of course I am almost compelled to vote for the pending amendment, because it is not as bad as Senate bill 1313.

But I believe the time has come when we must answer both ourselves and the people.

Although many of my constituents who are railroad workers will feel disappointed at the stand which I feel I am forced to take on the pending measure, the day will surely come when they will thank me for taking steps to make this fund actuarily sound. I believe it is about time for us to do all we can to bring some sanity into this program.

So I cannot go along with the position taken by my friends on the other side of the aisle—namely, that the Government should subsidize this program. What in the world is the use of slaving for months and months—as the committee did, under the leadership of the distinguished junior Senator from Florida [Mr. SMATHERS]—in an effort to provide some relief for the railroads, and then, by means of the proposal before us today, vote the railroads into a worse position than the one they were in when the so-called Smathers bill was passed, earlier this year. Such a procedure makes no sense to me. I cannot understand how, under such a proposal, the eventual result could be anything except Government ownership of the railroads.

A few minutes ago the majority leader said, in substance, that the railroads always overstate their case. Well, Mr. President, let me say that I have been a lawyer too long not to know that when anyone tries to persuade someone else about a particular proposition, the advocate always overstates his case. Certainly that is true of both the representatives of the railroad brotherhoods and the representatives of the railroads themselves.

But there is no question that today we have an opportunity to bring this fund into balance or to push it farther from imbalance.

It has been stated that the recession will be only a short one; and that the railroads soon will be making money again, and that they can afford the program now proposed.

However, Mr. President, rather than take a chance on pushing one or more of the railroads into receivership, I prefer to have the proposed additional benefits postponed for 4 months—namely, until January 1, 1959, at the convening of the 86th Congress—instead of taking a chance on having to subsidize 5, 6, or 7 of the class I railroads.

Mr. President, the amendment I submitted in the committee would have brought this fund into balance. I wonder whether the Senator from Oregon will be willing to accept my amendment, which will put into effect immediately the taxes which are required if the fund is to be brought into balance. In other words, will he be willing to accept the amendment, which will immediately put into effect the 6¼-percent tax on the parties, which his proposal would put into effect on January 1, 1962, after the proposed benefits will have been in effect.

Mr. MORSE. Mr. President, I cannot accept the amendment proposed by the Senator from Colorado, and there are two reasons why I cannot accept it. The first reason is that the House proposal follows the tax structure I have provided in my substitute; and we must face the fact that if legislation in this field is to be enacted at this session, the Senate must keep the House proposal and the Senate proposal in complete agreement, especially at this late hour.

Second, I would not accept the amendment suggested by the Senator from Colorado because, as the Senator from Colorado knows, as the result of our discussion in the committee, I was convinced that some delay of the tax payment is very much to be desired, and I think that will be fair for the railroads.

The Senator from Colorado will also recall that the railroad president who testified at the hearings was opposed to the bill. But, in the course of my examination of him, he pointed out that if such a bill were to be enacted, he would hope there would be some deferment.

My amendment provides for a deferment.

Therefore, I cannot accept the amendment proposed by the Senator from Colorado.

Mr. ALLOTT. Mr. President, I hope the Senator from Oregon will, upon further reflection and consideration, agree to accept the amendment I have proposed. I realize that my amendment may not have been prepared with all the care which normally would be used, for we are overburdened with work as we approach the end of the session, and therefore it is necessary to act very hastily.

Certainly I wish my position to be clearly understood. I know this proposal would work a hardship on the railroads right now, but I sincerely believe that the Congress should immediately take steps to bring the fund into balance.

In about 3 years, I believe our railroad workers are going to find themselves in the position of having been hoaxed, because right now they are going to get another 10-percent increase, which will mean they will have had their benefits raised 20 percent in the last 2 years, if this proposal is passed. Then they will get a very slight increase in taxes on January 1. Then, in 1962, they will get another "slug" of taxes, but no increase in benefits. And in 1965, depending upon adjustments in social security, their taxes will go up to 9 percent. Let there be no mistake about what is going to happen. Let the record be spread out, let the record be set out and shown to these people, so they will know what the effect of this bill will be.

Mr. LAUSCHE. Mr. President, will the Senator yield a bit of time to me so I may put a question to the Senator from Oregon?

Mr. ALLOTT. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Colorado has 1 minute remaining.

Mr. ALLOTT. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. Is the Senator from Oregon of the opinion that under the present fiscal condition of the railroads, they are capable of absorbing this $85 million additional burden without laying off workers or without increasing their rates?

Mr. MORSE. I do not know about their having to increase rates, but the Interstate Commerce Commission was set up by the Congress to determine the rate needs of the railroads, and increase them when the railroads can show a good case. In my judgment, the argument that if we do this the railroads are going to lay off workers is a stereotyped argument. It is a fear argument. I do not accept it.

Mr. LAUSCHE. Is the Senator from Oregon of the opinion that the railroads are in such fiscal condition as to carry the increased load of $85 million? If they are not, how will they meet it?

Mr. MORSE. In my judgment, the railroads are in a fiscal position to do it.

It may be necessary for some of them to borrow money for a temporary period.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. The analysis we made of the fiscal data given to us by the railroads left the majority of the committee under the impression that the railroads were in a position to do it.

Mr. JOHNSON of Texas. Mr. President, I yield 2 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. If I understood the Senator from Oregon correctly, he said it makes no difference whether the railroads are or are not able to pay; this increase should be granted even though it becomes necessary for the Government to give the railroads, by way of subsidy, the money the railroads would need to finance the program.

Mr. MORSE. Or a rate increase, or whatever steps are necessary. I would say "Yes" to the question of the Senator from Ohio.

I go back to the great doctrine laid down by Brandeis in 1910, which has prevailed ever since as a basic tenet of American arbitration law in the field of wages. The question we should ask is, "What is a fair wage or fair retirement or fair unemployment compensation for the worker?" In other words, as Brandeis asked, "What is a wage of health and decency?" The same principle applies here. If we are satisfied the bill provides a fair, deserved, retirement or unemployment benefit program for the workers, it is my judgment we have no right to say to the workers, "You cannot get it. You have got to subsidize the railroads by taking less than is fair."

Our first responsibility in a field such as this is to provide fair treatment for the workers. Then if the railroads end up in a situation where they are in financial difficulty, let them go to the Interstate Commerce Commission. Let them bring another Smathers bill to the floor of the Senate. But let us not penalize the railroad worker.

Mr. LAUSCHE. That is, the first attempt at relief would be made before the Interstate Commerce Commission. If relief were not granted there, then the railroads would have to go to Congress and ask Congress to give them the money?

Mr. MORSE. They always have.

The PRESIDING OFFICER. All time on the amendment has expired. The yeas and nays have been ordered——

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum——

Mr. JOHNSON of Texas. Shall we first yield back the remaining time, before we have a quorum call?

Mr. ALLOTT. I have no time left.

The PRESIDING OFFICER. All time has expired on the Morse substitute.

Mr. JOHNSON of Texas. Does the Senator from Colorado want to yield back his time?

Mr. ALLOTT. I want to get a quorum call before we vote on the substitute.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Colorado will withhold his request for a quorum call, I should like to yield 1 minute to the Senator from South Carolina.

Mr. ALLOTT. I withhold my request.

Mr. THURMOND. Mr. President, I am confident that this bill is not in the best interest of the railroad workers or the railroads or the public. My individual minority views are expressed in the report. Instead of taking the time of the Senate to make an address on this subject, I ask unanimous consent to place my individual minority views on this subject in the RECORD at this point.

There being no objection, the individual minority views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL MINORITY VIEWS OF SENATOR STROM THURMOND

In 1956, Congress was presented with a bill to increase by an increment of 10 percent the benefits payable under railroad retirement for workers who were not already retired. There was no provision in that measure to provide the necessary financing for the increased benefits which were authorized. The committee which reported the bill, however, assured this body that, in the following session, a bill to provide the necessary financing would be reported and, further, that both the representatives of the railroad workers and the railroad management had agreed to support such legislation.

The bill before this body is, in substance, the proposal of the representatives of the railroad workers for financing the 1956 increase in benefits. It does contain that financing which was promised. It also contains an additional 10-percent increase in retirement benefits for both retired workers and those not yet retired, as well as increased benefits under unemployment compensation. Increased contributions to pay for the 1956 benefit increases, and for the increases in benefits included in this bill, are also provided.

Due to the inclusion of increased benefits, this bill is promoted as being in the supposed interest of the railroad workers. It is my opinion that rather than being in the workers' interest, this bill constitutes a drastic blow to the welfare of railroad workers throughout the Nation.

At the present time, railroad workers are contributing 6¼ percent of their first $350 monthly salary toward this retirement plan. Under this bill, their contribution rate will increase initially to 7½ percent on the first $400 of monthly earnings; it will subsequently increase again to a figure in excess of 9 percent on the first $400 of monthly earnings. In this inflationary period, it is extremely doubtful that the increased benefits can offset this dangerously high contribution rate.

The testimony before the committee indicates conclusively that, as a result of this bill, the increased cost to the railroads will cause considerable additional unemployment among railroad workers. The testimony shows that the railroads have already cut expenditures to the minimum by deferring major and minor repairs, by slashing capital expenditures, and, to some extent, by reducing the level of employment. The increase in cost imposed by this bill, according to the railroads' testimony, must necessarily be borne by a further reduction in employment.

Illustrative of this testimony is that of Mr. James M. Symes, president of the Pennsylvania Railroad Co. Mr. Symes testified that the Pennsylvania Railroad had operated in the red for 8 consecutive months beginning November 1957, with a total deficit in these months of approximately $28 million; and that July would also show a deficit of between $4 million and $5 million. Mr. Symes further testified that the accumulation of a 4 cents per hour increase on wages, effective on May 1, and an additional 8 cents an hour increase scheduled for November 1, would add $25 million to the Pennsylvania's normal annual wage bill. He then testified:

"If Senate bill 1313 is passed, it adds another $14 million to our annual payroll costs.

"If $40 million additional is added to our annual wage cost, on top of our present unsatisfactory showing, it can mean only one thing: additional unemployment, with accompanying deferred maintenance."

The Pennsylvania is one of the largest railroads. The situation is substantially the same with the smaller railroads. This is illustrated by the testimony of Mr. Glen P. Brock, president of the Gulf, Mobile & Ohio Railroad Co., which had a net income in the first 6 months of 1958 of $326,000. S. 1313, according to Mr. Brock's testimony, will add an estimated $1,163,000 labor cost for this railroad. In response to questions concerning increased unemployment as a result of this bill, Mr. Brock responded:

"Mr. BROCK. For each cent an hour on an annual basis, our cost is $200,000. Here we see in the neighborhood of 12 cents plus approximately 9. This is 21. That is $4,200,000. Our average employee receives $5,500 a year. We would have to reduce someplace between 600 and 1,000 employees.

"Senator THURMOND. If S. 1313 passes, do you mean to say that you would have to eliminate from your rolls, to cut off from your payroll between—how many? How many people did you say?

"Mr. BROCK. Up to 1,000, to make up this $3,00,006, of which only $1,162,000 is due to S. 1313. In other words, a third of a 1,000, or about 333 employees, would be riding on this bill.

"Senator THURMOND. So, over 300 men would lose their jobs if this bill passes, approximately; is that right?

"Mr. BROCK. That is correct."

The testimony further shows that additional costs imposed by this bill on the railroads will result in the bankruptcy of some carriers, and threaten others with insolvency. This testimony stands unrefuted. This bill will, therefore, assure either that the railroads most adversely affected will fail as a result of insolvency, thereby eliminating innumerable jobs, or, in the alternative, the Federal Government will be forced to use taxpayers' money to subsidize or nationalize the railroads, in which event the railroad workers stand a chance of losing their most effective weapon for their own welfare; to wit: collective bargaining.

I realize that there are some Members of this body who do not shrink from the thought of subsidizing the railroads with taxpayers' money. The chairman of the Railroad Retirement Subcommittee stated in the open hearings that he was willing to vote a subsidy for our rail carriers. I am not.

The committee has recognized the dire and perilous straits to which the railroads will be reduced financially by this bill, and this is evidenced by the fact that the effective date of the increased rates as to unemployment compensation is deferred by the bill until January 1, 1959, and the effective date of the increased rates as to retirement has been deferred until January 1, 1960. This tacit admission, through postponement, indicates that the committee, in recommending this bill, is reluctant to face the realities of what they here undertake. We cannot forever postpone the date of reckoning. The passage of this bill is not in the interest of the railroad workers, the public interest, or the interest of the railroads. It can only have a detrimental effect on all interests. The apparent political appeal of the bill is, also, illusory, for our railroad workers will be the first to feel the brunt of its disastrous effects.

STROM THURMOND.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I yield myself 3 minutes on the bill.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 3 minutes.

Mr. ALLOTT. I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. With respect to the amendment which I sent to the desk and withdrew, is it in order to offer the amendment at this time?

The PRESIDING OFFICER. The amendment would not be in order. The Morse substitute is an amendment of the second degree.

Mr. ALLOTT. May I inquire, would the amendment be in order after the vote upon the pending amendment?

The PRESIDING OFFICER. The Chair is not informed as to the language of the amendment. After a vote is taken it will be in order to offer an amendment.

If the Senator desires to offer his amendment now as a perfecting amendment to the original bill reported by the committee, it would take precedence over both substitutes.

Mr. ALLOTT. Mr. President, in view of the fact that I may not be able to offer the amendment at another time, I offer a perfecting amendment to the committee bill.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. It is proposed to insert at the proper place:

PART I.—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 2 (a) 3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"3. Individuals who will have attained the age of 60 and will have completed 30 years of service or, in the case of women, who will have attained the age of 62 and will have completed less than 30 years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age 65 when the annuity begins to accrue."

(b) Section 2 (g) of such act is amended by inserting after "wife under age 65" the following: "(other than a wife who is receiving such annuity by reason of an election under subsection (h))."

(c) Section 2 of such act is further amended by adding at the end thereof the following new subsection:

"(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue."

SEC. 2. (a) Section 3 (e) of such act is amended by striking out "his monthly compensation" and inserting in lieu thereof "110 percent of his monthly compensation."

(b) All widows' and widowers' insurance annuities which, in accordance with the proviso in section 5 (a) or section 5 (b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, shall be increased by 10 percent.

SEC. 3. (a) The amendments made by sections 1 and 2 shall be effective only with respect to annuities accruing for months after August 1958.

(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

PART II.—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. (a) Sections 3201 and 3221 of the Railroad Retirement Tax Act are each amended by striking out "6¼ percent" and inserting in lieu thereof "7.85 percent."

(b) Section 3211 of such act is amended by striking out "12½ percent" and inserting in lieu thereof "15.70 percent."

SEC. 202. The amendments made by section 201 shall be effective only with respect to compensation paid after June 30, 1959, for services rendered after such date.

Mr. ALLOTT. Mr. President, in view of the fact that most of the Members of the Senate are available, I now ask unanimous consent that the rules be suspended, if necessary, so that I may offer my amendment, which has just been read, after the Senate has voted upon the Morse substitute.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it will be in order for the amendment to be offered in the event the Morse substitute is agreed to.

Mr. ALLOTT. Mr. President, I yield myself 2 minutes while I have the attention of my colleagues.

I should like to point out, in conclusion, that the real principle at issue is whether we are going to fulfill our obligation of 2 years ago to place the fund in balance. The fund has been running $75 million a year out of balance and in the red because of the 1956 amendment to the act increasing benefits by 10 percent.

If the Morse proposal is adopted, the fund will continue to run $32 million a year in the red, on an actuarial deficit of 0.57. In other words, the fund will continue to run $32 million a year in the red.

Such a procedure can eventually lead only to the financing of the railroads or to the taking over of the railroads by the Federal Government. If, as the proponents say, the railroad position is going to improve so rapidly that they can take care of this matter, I say in view of the very complex nature of the amendment which was offered yesterday, the explanation of which became available this morning, the only thing for the Senate to do is put this off 4 months and then provide the additional benefits, after the situation has improved.

Mr. MORSE. Mr. President, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. MORSE. The Senator from Colorado speaks about a $32 million deficit. From the actuarial standpoint a 0.57 deficit, when we are considering a $3.6 billion fund, is extremely small. The advice I have received is that the 0.57 deficit presents no threat to the financial soundness of the system because in a fund so large one will always have either a deficit or a surplus, ranging between a 1 to a 0.1. A 0.57 deficit does not make the fund actuarially unsound.

May I say that we are confronted with a situation in which we have reason to adopt the substitute, in conformity with what the chairman of the House committee finds it possible to accept. The real issue is whether Congress will vote for a railroad retirement and unemployment compensation bill which a substantial majority of the Labor and Public Welfare Committee has decided is a fair bill and one which ought to be passed.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Oregon.

Mr. ALLOTT. Mr. President, I yield myself 30 seconds.

In order that there may be no misunderstanding about how I am going to vote, I want to say frankly that I am going to vote for the amendment as the lesser of evils. I would not want to mislead any of my colleagues as to what my intentions are, when I vote for the amendment. The final bill, I believe, should not be agreed to.

Mr. LAUSCHE. Mr. President, will the Senator from Colorado yield for a question?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. It is a fact, is it not, that the Morse amendment is less severe, in the fiscal burden which would be imposed upon the workers and the railroads, than is the original bill?

Mr. ALLOTT. That is correct.

Mr. LAUSCHE. The original bill would have imposed a financial burden of $185 million. The Morse amendment would impose a burden of $85 million on the railroads for the first year.

Mr. ALLOTT. That is correct.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senate will state it.

Mr. PASTORE. What is the parliamentary situation?

The PRESIDING OFFICER. The question is on agreeing to the modified amendment in the nature of a substitute, offered by the Senator from Oregon [Mr. MORSE]. All time for debate has expired. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CAPEHART (when his name was called). On this vote I have a pair with the Senator from Maine [Mr. PAYNE]. If he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Delaware [Mr.

FREAR], the Senator from Florida [Mr. HOLLAND] are absent on official business.

The Senator from Delaware [Mr. FREAR] is paired with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Delaware would vote "yea," and the Senator from Indiana would vote "nay."

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK] and the Senator from Florida [Mr. HOLLAND] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The pair of the Senator from Maine [Mr. PAYNE] has been previously announced.

On this vote, the Senator from Indiana [Mr. JENNER] is paired with the Senator from Delaware [Mr. FREAR]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Delaware would vote "yea."

The result was announced—yeas 80, nays 2, as follows:

YEAS—80

Aiken	Hayden	Mundt
Allott	Hennings	Murray
Anderson	Hickenlooper	Neuberger
Barrett	Hill	O'Mahoney
Beall	Hoblitzell	Pastore
Bennett	Humphrey	Potter
Bible	Jackson	Proxmire
Bridges	Javits	Purtell
Bush	Johnson, Tex.	Revercomb
Byrd	Johnston, S. C.	Robertson
Carroll	Jordan	Russell
Case, N. J.	Kefauver	Saltonstall
Case, S. Dak.	Kennedy	Schoeppel
Chavez	Kerr	Smathers
Church	Kuchel	Smith, Maine
Cooper	Langer	Sparkman
Cotton	Lausche	Stennis
Curtis	Long	Symington
Douglas	Magnuson	Talmadge
Dworshak	Malone	Thurmond
Eastland	Mansfield	Thye
Ellender	Martin, Iowa	Watkins
Ervin	McClellan	Wiley
Fulbright	McNamara	Williams
Goldwater	Monroney	Yarborough
Gore	Morse	Young
Green	Morton	

NAYS—2

Dirksen Knowland

NOT VOTING—14

Bricker	Flanders	Jenner
Butler	Frear	Martin, Pa.
Capehart	Holland	Payne
Carlson	Hruska	Smith, N. J.
Clark	Ives	

So Mr. MORSE's modified amendment in the nature of a substitute was agreed to.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the substitute amendment was adopted.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to table was agreed to.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Senator from Colorado has the right to offer his amendment if he desires to do so.

Mr. ALLOTT. I understand I have the right to offer my amendment at any time prior to the passage of the bill.

The PRESIDING OFFICER. The Senator is correct. The Senator from Nebraska is recognized for 5 minutes.

Mr. CURTIS. Mr. President, I am sure that all Senators are concerned about the needs and requirements of retired railroad workers and those about to be retired. What should be done for them must strike a balance on what the traffic can bear, what is just to the younger workers with respect to the amount they can pay, what, if anything, can be absorbed by the railroads, and what is fair to the users of the railroads, who are largely the shippers of freight.

Mr. President, may we have order?

Mr. MORSE. Mr. President, may we have order? I cannot hear the Senator.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senate will be in order. Senators who desire to converse will retire to the cloakroom. Attachés of the Senate who have no business on the floor will retire. The Senator from Nebraska may continue.

Mr. CURTIS. Mr. President, in determining what is just and right for the railroad worker, and how that fits in with the younger workers who pay the bill and the shipping public creates many problems which merit consideration. Some of these problems are of sufficient importance to lead us to conclude that we should not legislate on this subject in the closing days of the session of this Congress.

Congress will meet again in 4 months. Perhaps at that time we will know with a little more certainty than we know now what has been gained, if anything, as a result of the recent railroad legislation Congress passed to help that industry, and of course that industry is made up of the workers and the management.

The proposal before us is in two parts. The amendment which the Senate has adopted actually makes little change in the committee bill so far as the retirement portion is concerned. The benefits will be raised by 10 percent. I understand it does eliminate the lump sum survivor benefits. To that extent it is less costly upon the workers and management alike. It is also true that, so far as the amendment which has been adopted is concerned, the immediate tax raise is not as great as the committee bill provides. However, the costs of the program are not determined by the tax rates or the contribution rates. The costs are determined by the benefits which are paid and the collections. If they fall short in an early period, they create further problems at a later time. I believe I am correct in saying that at the present time the railroad worker who is paid the maximum amount now has deducted from his paycheck about $21.86 under the amendment which the Senate has adopted.

Mr. MORSE. Mr. President, will the Senator yield, on my time?

Mr. CURTIS. I yield.

Mr. MORSE. The Senator and I have cooperated on these railroad matters before. The Senator spoke about the effect of the bill on cost. The substitute would reduce the tax rate from 7½ percent, in the Senate bill, to a final 7¼ percent, with 6¾ percent on January 1, 1959.

It also raises the monthly base from $350 to $400, which results in the long run, in a substantial benefit to the fund.

Mr. CURTIS. I thank the Senator from Oregon. I am aware of the facts he has stated.

With that increase in the face of the proposed increase in taxes, we have this result:

A worker now drawing $350 or more a month is having a deduction of $21.88 made. It will be deducted on the first $400 hereafter, and in 1959 the deduction will be $27 a month. By 1962 it will be $30 a month.

We must keep in mind that in any retirement program we owe an obligation to the young, the old, the middle aged, and everyone else concerned. Perhaps the younger workers favor an increase in the amount of their deduction to $30. I do not know. But I believe many of the workers are supporting families. Many of them are attempting to educate their children. Many of them are buying homes. They are making contributions to worthwhile causes in the community. Every deduction from their paychecks is a grim reality in their households.

The PRESIDING OFFICER. The 5 minutes allotted to the Senator from Nebraska has expired.

Mr. ALLOTT. Mr. President, I yield the Senator 5 minutes on the bill.

Mr. CURTIS. Perhaps an increase for some of the older workers, under proper circumstances, is desirable and, no doubt, justified. But I do not like to see hasty action taken on the floor of the Senate in the closing hours of Congress. I firmly believe that the greatest thing we can do for retired persons or persons about to retire, whether they be railroad workers, schoolteachers, farmers, carpenters, or professional men, is to stop inflation. Inflation is the great fear of retired persons today. They fear that their retirement checks, their savings, or their life insurance annuities will not buy very much in later years. I believe Congress owes an obligation to such people in that regard. I do not believe we have met it. This and other proposed legislation definitely does not move in that direction.

The proposal before us will have some effect on the railroads. The fact that they are in serious financial trouble is one of the best known economic facts of life. If that is not true, why did Congress act as it did some weeks ago on a bill to provide relief for them?

My information is that the net working capital of the railroads, which amounted to $934 million at the end of

1955, has been reduced to $336 million by April 1958. The net working capital, on April 30, 1958, was equivalent to only about 2 weeks' cash requirements for operating expenses and taxes.

Some persons might suggest that the railroads absorb this increase or a part of it. Perhaps some railroads can, but there seems to be considerable doubt about that. What else can they do? They can raise rates, which means primarily to raise freight rates. But I believe great portions of our economy have had about all the freight raises they can take.

I come from an area which is right in the center of the United States. We are about as far from deep water transportation as one can get. What happens to the railroad industry means much to the interior of the country. It means much to the railroad workers. If the railroads cannot absorb this increase, and if it is not advisable to raise rates, what next?

There are those who express the fear that as this burden becomes greater, it can only result in a layoff of railroad workers and fewer jobs. On account of decreasing revenues and increasing operating costs already experienced, the railroads have found it necessary to reduce employment. The class I railroads reported for May 1958, 179,000 fewer workers than the total for May 1957, and 239,000 below the figure for May 1956.

Some of the executives who have opposed the bill predict that additional layoffs will be necessary.

In that connection, I have received a telegram from Mr. Russell L. Dearmont, president of the Missouri Pacific Railroad Co., which I ask unanimous consent to have printed at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ST. LOUIS, MO., *August 21, 1958.*

Hon. CARL T. CURTIS,
Senate Office Building,
Washington, D. C.:

I am greatly concerned at efforts being made to pass S. 1313, during the last few days of the current session. If this is done, many railroads, including my own, will face a very critical situation. Missouri-Pacific earnings for the first 7 months this year were more than $600,000, less than enough to cover interest and mandatory charges for the period. Currently there is no improvement in our carloadings. Under the terms of this bill, Missouri-Pacific annual taxes for railroad retirement and unemployment insurance would be increased $4,355,000. Such an increase in our tax burden would place us at a serious competitive disadvantage with other modes of transportation who would pay only one-third as much for social security and only one-fourth as much for unemployment insurance. It would require that we reduce our service and lay off at least 700 men. We operate in your good State and this action will therefore necessarily contribute to unemployment there and over our system generally. In view of the fact that the last real hearing on this bill was in the spring of 1957 and since that time the railroad picture has become much more critical, full and fair consideration of the matter should be undertaken before Congress acts. I will appreciate your careful consideration of this whole matter.

RUSSELL L. DEARMONT,
President, Missouri Pacific Railroad Co.

Mr. CURTIS. Mr. President, Mr. Dearmont states that it will be necessary for the Missouri Pacific Railroad to reduce its service and to lay off at least 700 more men. I do not know that he is accurate. Perhaps his fears are beyond the realities. But if a part of his fears were to come true, and men who are supporting families and are taking a vital part in the activities of the various communities are laid off, that is a matter worthy of our consideration in determining the question, At what level of retirement benefit do we reach that point of justice which is just to the younger worker, to the public, to the older workers, and to everybody else concerned?

The PRESIDING OFFICER. The 5 minutes allotted to the Senator from Nebraska has expired.

Mr. CURTIS. Mr. President, I suggest that this matter go over until Congress meets again. I do not believe these many difficult problems can be met in the manner in which we are trying to meet them today and tomorrow.

Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD a table of figures on employment and the number of persons on retirement pension rolls.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

National railroad industry figures, from the files of the Association of American Railroads:

Employee annuitants	346,369
Old railroad pensions	1,626
Wives and husbands annuitants	125,107
Aged widows and widowers	174,889
Widowed mothers	11,388
Children	43,056
Parents	1,091
Survivors	3,441
Total	706,967
Employees as of May 1958	836,504

One hundred and eighty thousand out of work in June 1958 as compared to the same month a year ago.

Mr. GOLDWATER. Mr. President, I yield myself 2 minutes on the bill.

When S. 1313 was reported by the Committee on Labor and Public Welfare, I did not go along with the majority in reporting it to the Senate. I joined with other members of the committee in expressing our dislike of the bill, mainly because the taxing period did not start until January 1960, which would have added greatly to the annual deficits in the fund.

The railroad retirement fund has been one of the soundest funds in the country for retired persons. I have repeatedly expressed my concern lest Congress do something which would injure rather than help the fund.

I believe the Morse amendment in the nature of a substitute, which has just been agreed to, makes the bill palatable. I can remove my objections to the original bill because of that amendment. I think the distinguished Senator from Oregon rendered the retired railroad workers and those who are about to retire a great service by offering the amendment. I wish we could have adopted an amendment like that in committee as the final bill.

I simply wanted to express my appreciation for the offering of the amendment, and to say that my objections have been pretty much removed by the amendment.

I intend to vote for the passage of the bill.

Mr. MORSE. Mr. President, I appreciate the Senator's statement concerning the present version of the bill. However, credit does not go to the Senator from Oregon nearly so much as it does to the Senator from Texas [Mr. JOHNSON], who came to me and explained the parliamentary situation which existed between the Senate and the House, and who asked me to work out an arrangement with Representative HARRIS, chairman of the House committee. That has been done. The result is the Morse substitute. I want the Senator from Texas to be given full credit for his leadership in this matter, too.

The PRESIDING OFFICER. The time the Senator from Oregon has yielded to himself has expired.

Mr. GOLDWATER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 1 minute.

Mr. GOLDWATER. I wish to take enough time to state that I agree with the Senator from Oregon.

I, too, wish to pay my respects and extend my praise to the Senator from Colorado [Mr. ALLOTT], who has worked long and diligently on the bill. I believe he knows as much about the subject as does any Member of either body; and I believe it is due to his perseverance and intelligent approach and dedicated service in connection with the problem that we have finally reached a measure which we can accept.

Mr. MORSE. Mr. President, I should like to pay tribute both to the Senator from Colorado [Mr. ALLOTT] and to all the other members of the subcommittee, all of whom have made very substantial contributions.

Mr. President, at this time I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, the Senator from Nebraska [Mr. CURTIS] spoke of the fact that the workers will have to take $27, and finally $30, out of their monthly checks, in order to pay for this program. However, I point out that they are already paying at the rate of 6¼ percent, which amounts to more than $20 out of each monthly check. Furthermore, the payments must be increased, in order to bring the fund into balance.

I respectfully point out that the Senator from Nebraska overlooked that point. The fund is now $170 million in the red, in part, because of the action the Congress took in 1956, without increasing the rate to make it possible to bring the fund into balance. So the picture is not as dark as the Senator from Nebraska has painted it.

Certainly we must increase the rate to some extent. The increase now proposed of one-half percent in 1959 will amount to 50 cents per $100 of income, up to $400 a month.

Mr. President, the railroad workers always have insisted on having a better retirement program than other groups have had, and the railroad workers always have been willing to pay for their program. I wish to state that an increase from 6¼ percent to 7¼ percent by January 1, 1962, is a most reasonable adjustment of this matter.

Last of all, Mr. President——

The PRESIDING OFFICER. The time the Senator from Oregon has yielded to himself has expired.

Mr. MORSE. Mr. President, I yield myself an additional one-half minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for an additional one-half minute.

Mr. MORSE. Mr. President, let us not forget that the spokesmen for the railroad workers are the ones who are urging that the Congress make this change. So when we vote for the change now proposed, I believe, we shall be voting in accordance with the desires of the railroad workers.

Mr. ALLOTT. Mr. President, I should like to be yielded 5 minutes on the bill.

Mr. GOLDWATER. Mr. President, I yield 5 minutes on the bill to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes on the bill.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry: How much time will then remain under my control?

The PRESIDING OFFICER. The Senator from Arizona will have 10 minutes remaining under his control, after the Senator from Colorado speaks for 5 minutes.

Mr. GOLDWATER. I thank the Chair.

Mr. ALLOTT. Mr. President, I shall be brief.

I wish that there shall be no doubt about my stand on this matter, and the reasons for my stand.

I believe the record shows clearly that all the members of the committee have done everything within their power to bring this bill to the floor of the Senate; and that if they had had their way, the bill would ave been before the Senate a year ago.

Now the time has come when we must ask ourselves whether we wish to continue deluding the railroad workers, or whether we wish to place the fund on a sound basis.

I repeat that the fund has been running into the red to the extent of $75 million a year; and if the pending amendment is adopted, the fund will still be running into the red—in the latter case, at the rate of $32 million a year.

A year ago, the Congress voted a 10-percent increase in connection with this fund. The measure now before the Senate calls for a further 10-percent increase. We must remember that both the workers and the railroads must pay for these increases. But I believe we are not facing our responsibilities and are not doing the job we should be doing, because, in my opinion, we are not being honest with ourselves.

Two years ago, the Congress voted to provide an increase in connection with this fund, but did not provide for increasing the taxes.

Now, by means of the pending proposal, the taxes imposed in connection with this program will not be increased until January 1, 1959, even though the existing deficit in the fund far exceeds $100 million.

Furthermore, the pending proposal would delude the workers again, because they will not have to pay the increased tax until 1959; and subsequently, in 1962, the tax will be increased to 7¼ percent. But the workers are not told that by the year 1965, they will have to pay at the rate of 9 percent or in the neighborhood of 9 percent. Furthermore, by that time benefits they will receive by means of this measure will have been used up. I predict that before then, the workers will be requesting further increases, in order to cover the increases in the cost of living which, in all probability, will occur before then.

Therefore, by the method now proposed, we shall be feeding the fires of inflation, in the case of this one field.

Under these circumstances, Mr. President, I shall have to vote against the pending amendment. I could not do otherwise. But I believe the time will certainly come when the railroad workers will say to me, "We thank you for the efforts you made to put the fund on a sound actuarial basis." Mr. President, that is what I am trying to do.

I state frankly that the amendment of the Senator from Oregon——

The PRESIDING OFFICER. The time yielded to the Senator from Colorado has expired.

Mr. ALLOTT. Mr. President, I should like to have a few minutes more yielded to me.

Mr. GOLDWATER. Mr. President, I yield 2 additional minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 additional minutes.

Mr. ALLOTT. I thank the Senator from Arizona.

Mr. President, as I was saying, I state frankly that the amendment of the Senator from Oregon is much more palatable than the bill previously before the Senate. But, even so, under this amendment the fund will be running into the red at the rate of $32 million a year, whereas in the past the fund has been running into the red at the rate of $75 million a year.

Mr. MORSE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, I have understood the views of the Senator from Colorado in respect to increasing the so-called deficit. However, I point out that the added cost will be insignificant, in that even though there may now be a 0.57 percent deficit, in 2 years we may find that the deficit is no longer 0.57, but is zero; or by that time there even might be a surplus.

When the fund is $3,600,000,000 and an actuarial deficit of only 0.57 exists, a fund of that size can swing back and forth between a deficit and a surplus, depending on how many die and how many retire, and depending on the number of the employees.

Although the allegation keeps coming up in debate that adoption of my substitute will result in the fund ending up with a $32 million a year deficit, that will not be the case for all years. A surplus may result. But as of the present time there would be a 0.57 deficit.

The PRESIDING OFFICER. The question is on agreeing to the Morse amendment, S. 1313, as amended by his substitute.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

Mr. ALLOTT. Mr. President, will the Senator withhold his request?

Mr. MORSE. Yes.

Mr. ALLOTT. I ask the acting minority leader, the Senator from Arizona [Mr. GOLDWATER], if he will yield me 1 minute for an insertion in the RECORD?

Mr. GOLDWATER. I yield 1 minute to the Senator from Colorado.

(Mr. ALLOTT made a statement, which appears elsewhere in the RECORD under the heading "A Salute to Civil Service Employees.")

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1411) to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees.

The message also announced that the House had passed a bill (H. R. 13856) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 7720. An act for the relief of Viola Belger;

H. R. 8381. An act to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes;

H. R. 9147. An act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes;

H. R. 11009. An act to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes;

H. R. 12207. An act for the relief of Mr. and Mrs. Alto Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols;

H. R. 12216. An act to designate the dam and reservoir to be constructed on the Cumberland River, near Carthage, Tenn., as the Cordell Hull Dam and Reservoir, and to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas;

H. R. 12303. An act to amend the Revised Organic Act of the Virgin Islands;

H. R. 12670. An act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, South Dakota, whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12883. An act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems;

H. R. 13549. An act to increase benefits under the Federal Old-Age, Survivors, and Disability Insurance System, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes;

H. J. Res. 653. Joint resolution for the relief of certain aliens; and

H. J. Res. 659. Joint resolution for the relief of certain aliens.

HOUSE BILL REFERRED

The bill (H. R. 13856) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

EXTENSION OF RENEGOTIATION ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McNAMARA. Mr. President, I ask for the yeas and nays on this vote.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the Morse amendment, S. 1313, as amended by his substitute. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll, and Mr. Aiken voted in the affirmative when his name was called.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER. The Senator from California.

Mr. JOHNSON of Texas. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The question is on agreeing to the Morse amendment, S. 1313, as amended by his substitute. The yeas and nays have been ordered.

Mr. JOHNSON of Texas. The question now is on final passage of S. 1313?

The PRESIDING OFFICER. No. The question is on the amendment, S. 1313, as amended by the Morse substitute, which would be exactly the same thing as the matter adopted by a vote of 80 to 2 a few minutes ago.

Mr. JOHNSON of Texas. Do I correctly understand the yeas and nays have been ordered on the Morse substitute?

The PRESIDING OFFICER. That was the action of the Senate.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded. Those who want a yea-and-nay vote should ask for it on final passage.

Mr. CASE of South Dakota. Mr. President, I object.

The PRESIDING OFFICER. Does the Senator from South Dakota object?

Mr. CASE of South Dakota. I do.

The PRESIDING OFFICER. The Senator from South Dakota objects.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. As I understood the situation earlier this morning, the present situation is that the Senator from Oregon [Mr. MORSE] offered S. 1313 as an amendment to the so-called Longshoremen's and Harbor Workers' Compensation Act, and then offered an amendment by way of a substitute. Is not the vote a vote upon the substitute which has been adopted as an amendment to the Longshoremen's and Harbor Workers' Compensation Act?

The PRESIDING OFFICER. The question now is on agreeing to the Morse amendment, as amended.

Mr. ALLOTT. Which is an amendment. The amendment offered was offered as an amendment to the Longshoremen's and Harbor Workers' Compensation Act, H. R. 12728.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nebraska will state his parliamentary inquiry.

Mr. CURTIS. Is the bill to amend the Longshoremen's and Harbor Workers' Compensation Act, H. R. 12728, now before the Senate?

The PRESIDING OFFICER. No.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Do I correctly understand that if we proceed to a yea-and-nay vote, as ordered by the Senate, what we will be doing will be voting on the Morse amendment, which is something we have already voted on?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. And there is objection to withdrawing the order for the yeas and nays?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE of South Dakota. Mr. President——

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Is it a correct statement that the Morse substitute reduced the figures in the original Morse bill, which had been offered as an amendment to the longshoremen's bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE of South Dakota. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Would a vote of "yea" definitely tie in the modified Morse proposal to the Longshoremen's bill and would a vote of "nay" eliminate it?

The PRESIDING OFFICER. The Senator is correct.

Mr. AIKEN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. AIKEN. Is not a rollcall in progress? My name was called, and I voted quite clearly.

The PRESIDING OFFICER. If the Senator has voted, no interruption of the yea and nay vote can be made.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. If the longshoremen's bill is not before the Senate, how can Senate bill 1313, as amended, be attached to it?

The PRESIDING OFFICER. A bill by that number is before the Senate, but not at the present time, on this vote.

Mr. CURTIS. That was not my inquiry. Is this vote intended to attach Senate bill 1313 as an amendment to the longshoremen's bill?

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that the parliamentary situation at the present time is as follows:

The question upon which the yeas and and nays have been ordered is on agreeing to the Morse amendment, namely, Senate bill 1313, as amended by the substitute of the Senator from Oregon. Subsequent to that vote, the parliamentary situation would then involve a vote on the committee amendment to the longshoremen's bill, as amended.

Mr. MORSE and Mr. ALLOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. If, by the yea and nay vote which is in process, or about to take place, the majority votes in favor of the Morse amendment, they will be voting to add the Morse amendment to the longshoremen's bill?

The PRESIDING OFFICER. The Senator from Oregon is correct.

Mr. ALLOTT. Mr. President, that was the question I wished to make clear.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AIKEN (when his name was called). Mr. President, I have already voted. I am not going to vote every time someone changes his mind. I have voted, and I insist upon it.

The PRESIDING OFFICER. The clerk has no record of the vote of the Senator from Vermont.

Mr. AIKEN. Then the clerk is mistaken, because I voted very clearly. I vote again. I vote "yea."

The PRESIDING OFFICER. The clerk will continue the call of the roll.

The rollcall was resumed.

Mr. CAPEHART (when his name was called). On this vote I have a pair with the Senator from Maine [Mr. PAYNE]. If present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], and the Senator from Florida [Mr. HOLLAND] are absent on official business.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from New Mexico would vote "yea" and the Senator from New Jersey would vote "nay."

The Senator from Florida [Mr. HOLLAND] is paired with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Florida would vote "yea" and the Senator from Indiana would vote "nay."

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The pair of the Senator from Maine [Mr. PAYNE] has been previously announced.

On this vote, the Senator from Indiana [Mr. JENNER] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Florida would vote "yea."

On this vote, the Senator from New Jersey [Mr. SMITH] is paired with the Senator from New Mexico [Mr. CHAVEZ]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from New Mexico would vote "yea."

The result was announced—yeas 68, nays 14, as follows:

YEAS—68

Aiken	Hill	Neuberger
Anderson	Hobiltzell	O'Mahoney
Barrett	Humphrey	Pastore
Beall	Jackson	Potter
Bible	Javits	Proxmire
Bridges	Johnson, Tex.	Purtell
Bush	Johnston, S. C.	Revercomb
Carroll	Jordan	Russell
Case, N. J.	Kefauver	Saltonstall
Church	Kennedy	Schoeppel
Clark	Kerr	Smathers
Cooper	Kuchel	Smith, Maine
Cotton	Langer	Sparkman
Douglas	Long	Stennis
Dworshak	Magnuson	Symington
Eastland	Malone	Talmadge
Ervin	Mansfield	Thye
Fulbright	McClellan	Watkins
Goldwater	McNamara	Wiley
Gore	Monroney	Williams
Green	Morse	Yarborough
Hayden	Mundt	Young
Hennings	Murray	

NAYS—14

Allott	Dirksen	Martin, Iowa
Bennett	Ellender	Morton
Byrd	Hickenlooper	Robertson
Case, S. Dak.	Knowland	Thurmond
Curtis	Lausche	

NOT VOTING—14

Bricker	Flanders	Jenner
Butler	Frear	Martin, Pa.
Capehart	Holland	Payne
Carlson	Hruska	Smith, N. J.
Chavez	Ives	

So Mr. MORSE's amendment was agreed to.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the amendment to the committee amendment was agreed to.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to table was agreed to.

Mr. MORSE. Mr. President, to clear up the parliamentary situation, am I correct in my understanding that the vote just taken results in the adoption of S. 1313 as an amendment of the committee amendment to the longshoremen's bill?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. Am I correct in my understanding that if the committee amendment to the longshoremen's bill shall be rejected, the Morse amendment will be rejected along with it?

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. Then, if the Morse amendment were to be added to the longshoremen's bill, it would be necessary to add it to the House version of the longshoremen's bill.

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. I wished to call that situation to the attention of the Senate. I shall bide my time and see what action the Senate takes on the committee amendment to the longshoremen's bill. I agree with the position of the Senator from Connecticut in regard to that bill, and have so notified him. But I want my colleagues to recognize the situation. I shall offer S. 1313 as an amendment to the House bill.

The PRESIDING OFFICER. The committee amendment, as amended by the Morse amendment, is open to further amendment.

Mr. PURTELL. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Connecticut proposes to amend the language proposed to be stricken by the committee, as follows:

On page 4, line 13, in both places where it appears, strike out "two-thirds" and insert "four-fifths."

The PRESIDING OFFICER. Senators will refrain from conversation. The Senate will be in order.

Mr. PURTELL. Mr. President, the bill as it came to us from the House provided that when an employer is assigned a cause of action and makes a recovery, he is entitled to retain one-third of the net proceeds plus a sum equal to the benefits he has paid. The amendment I have offered merely changes the figure from one-third to one-fifth, or 20 percent. The amendment was agreed to in committee.

Mr. KENNEDY. Mr. President, I accept the amendment offered by the Senator from Connecticut. It is a strengthening amendment.

Mr. PURTELL. I ask for a vote on the amendment.

Mr. LAUSCHE. Mr. President, will the Senator from Connecticut restate his explanation of the amendment?

Mr. PURTELL. As the House bill came to the Senate for consideration in committee, it provided that when an employer is assigned a cause of action and makes a recovery, he is entitled to retain one-third of the net proceeds. The amendment is in conformity with the thinking of the Senate committee, as will be noted when the Senator from Massachusetts [Mr. KENNEDY] makes a subsequent motion. The amendment reduces the amount from one-third to one-fifth.

The PRESIDING OFFICER. Does the opposition desire to yield back its time?

Mr. KENNEDY. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. PURTELL].

The amendment was agreed to.

Mr. KENNEDY. Mr. President, since the committee amendments to the bill were essentially technical in nature, and because of the necessity for expediting the passage of this important bill, I suggest that the Senate reject the committee substitute and adopt the bill as passed by the House, with the perfecting amendment of the Senator from Connecticut, which we have just accepted, and the amendment, as amended, of the Senator from Oregon, which the Senate has also accepted.

The PRESIDING OFFICER. (Mr. PASTORE in the chair). The question now is on agreeing to the committee amendment to the longshoremen's bill, as amended by the Morse substitute.

The committee amendment, as amended by the Morse substitute, was agreed to.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is the parliamentary situation now such that the Senate is about ready to vote on the passage of the longshoremen's bill in the House version? And if so, is S. 1313 with the Morse amendment a part of the House bill?

The PRESIDING OFFICER. Will the Senator from Oregon restate his parliamentary inquiry?

Mr. MORSE. First, is the Senate now in the position where it could be ready for a vote on the passage of the longshoremen's bill in the form of the House version?

The PRESIDING OFFICER. The answer is in the negative.

Mr. MORSE. Will the Presiding Officer please state what is the parliamentary situation?

The PRESIDING OFFICER. The committee amendment took the place of the House bill.

Mr. MORSE. And that included the Morse amendment, did it not?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. May I ask the Senator from Connecticut if he intends to propose any further modification in the longshoremen's bill?

Mr. PURTELL. The proposed further amendment was made by the Senator from Massachusetts, who reported the bill from the committee. I have no other amendment to offer.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. Has the Senate agreed to the amendment——

The PRESIDING OFFICER. The Senator from South Dakota will suspend until the Senate comes to order.

Will the Senator now restate his parliamentary inquiry?

Mr. CASE of South Dakota. Did not the Chair state that the Senate had agreed to the Purtell amendment as a perfecting amendment to the original House text of the bill H. R. 12728?

The PRESIDING OFFICER. That amendment was agreed to.

Mr. CASE of South Dakota. Might I ask whether the committee amendment, as amended by the Morse substitute, embraces the same change with regard to the two-thirds and the four-fifths as the Purtell amendment made?

The PRESIDING OFFICER. Will the Senator from South Dakota be patient while the Chair tries to restore order, so that the Chair might hear the Senator's parliamentary inquiry?

The Chair also desires the attention of the Parliamentarian.

Mr. MORSE. Mr. President, will the Senator from South Dakota yield for the purpose of a quorum call?

Mr. CASE of South Dakota. Yes.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PASTORE in the chair). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I move that the vote by which the committee amendment, as amended, was agreed to be reconsidered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

Mr. MORSE. Mr. President, I wish to advise the Senate that the interesting conversation we have had at the desk with the Parliamentarian causes us to propose the following parliamentary action: It would seem that this is the appropriate time for me to move that the text of Senate bill 1313, as amended, be added, as a new title, to House bill 12728, the House of Representatives longshoremen's bill. I so move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

Mr. CASE of South Dakota. Mr. President, as I understand the motion, if it is agreed to, we shall actually save time, for the effect of the motion will be to add to the text received by us from the House the language of the Morse substitute, which previously has been approved by the Senate, by means of a yea-and-nay vote.

Is that correct, Mr. President?

The PRESIDING OFFICER. That is correct.

Mr. CASE of South Dakota. Mr. President, it seems to me that that is a desirable means of expediting action, regardless of the effect on the final disposition of the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

The PRESIDING OFFICER. The question now comes on agreeing to the committee amendment, as amended.

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts will state it.

Mr. KENNEDY. It is my understanding that on this vote, a vote "No" will be to reject the Senate substitute and to pass the House bill, as amended by the Senate.

The PRESIDING OFFICER. Yes; a vote "No" will be in favor of restoring the House text, as amended.

Mr. KENNEDY. So a vote "No" would result——

The PRESIDING OFFICER. It would result in the course the Senator from Massachusetts desires to have taken.

Mr. MORSE. Mr. President, I wish to emphasize what the Senator from Massachusetts said a moment ago, namely, that those of us who are desirous of having the House of Representatives longshoremen's bill passed, with the text of Senate bill 1313, as amended, added to it as an amendment, will vote "no" on the question now pending. If a majority vote "no" on the pending question, then the Senate will be in a position to adopt the House version, as amended; and in that way the Senate will get rid of the Senate committee amendment version of the longshoremen's bill.

Is my understanding correct, Mr. President?

The PRESIDING OFFICER. The understanding of the Senator from Oregon is correct.

Mr. KENNEDY. Mr. President, the Senate committee version contained a number of technical amendments which are not of importance. In order to expedite the business of the Congress, it is suggested that, in order to make it possible for the Senate to act on the bill which has been passed by the House, Senators vote "no" on the pending question.

Mr. PURTELL. Mr. President, in view of the fact that the problem has been presented to us, let me state that if a majority vote "no," on the pending question, the Senate will then be in a position to take care of the matter it thought it took care of by means of the first vote.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment, as amended.

The amendment, as amended, was rejected.

The PRESIDING OFFICER. House bill 12728 is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill (H. R. 12728) pass?

Mr. McNAMARA. On this question, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. McNAMARA. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. McNAMARA. I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill pass? The

yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CAPEHART (when his name was called). On this vote I have a pair with the Senator from Maine [Mr. PAYNE]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR] and the Senator from Florida [Mr. HOLLAND] are absent on official business.

On this vote, the Senator from Florida [Mr. HOLLAND] is paired with the Senator from New Jersey [Mr. SMITH]. If present and voting the Senator from Florida would vote "yea" and the Senator from New Jersey would vote "nay."

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The pair of the Senator from Maine [Mr. PAYNE] has been previously announced.

On this vote, the Senator from New York [Mr. IVES] is paired with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from New York would vote "yea," and the Senator from Indiana would vote "nay."

On this vote, the Senator from New Jersey [Mr. SMITH] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from New Jersey would vote "nay," and the Senator from Florida would vote "yea."

If present and voting, the Senator from Ohio [Mr. BRICKER] would vote "yea."

The result was announced—yeas 71, nays 12, as follows:

YEAS—71

Aiken	Hennings	Murray
Anderson	Hill	Neuberger
Barrett	Hobitzell	O'Mahoney
Beall	Humphrey	Pastore
Bible	Jackson	Potter
Bridges	Javits	Proxmire
Bush	Johnson, Tex.	Purtell
Carroll	Johnston, S. C.	Revercomb
Case, N. J.	Jordan	Russell
Case, S. Dak.	Kefauver	Saltonstall
Chavez	Kennedy	Schoeppel
Church	Kerr	Smathers
Clark	Kuchel	Smith, Maine
Cooper	Langer	Sparkman
Cotton	Long	Stennis
Douglas	Magnuson	Symington
Dworshak	Malone	Talmadge
Eastland	Mansfield	Thye
Ervin	McClellan	Watkins
Fulbright	McNamara	Wiley
Goldwater	Monroney	Williams
Gore	Morse	Yarborough
Green	Morton	Young
Hayden	Mundt	

NAYS—12

Allott	Dirksen	Lausche
Bennett	Ellender	Martin, Iowa
Byrd	Hickenlooper	Robertson
Curtis	Knowland	Thurmond

NOT VOTING—13

Bricker	Frear	Martin, Pa.
Butler	Holland	Payne
Capehart	Hruska	Smith, N. J.
Carlson	Ives	
Flanders	Jenner	

So the bill (H. R. 12728) was passed.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Oregon to reconsider.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3712) to authorize appropriations for continuing the construction of the Rama Road in Nicaragua.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1864. An act to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes;

S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia; and

S. 3379. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 3942. An act for the relief of certain aliens distressed as the result of natural calamity in the Azores Islands, and for other purposes; and

S. 4039. An act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes.

NATIONAL DEFENSE EDUCATION ACT OF 1958—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 23, 1958, pp. 19597–19605, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, the conference report was signed by all the Senate conferees. With the exception of the scholarship provision, the bill is substantially the same as the bill which passed the Senate. The scholarship provision went out of the bill entirely.

The House had previously stricken the scholarship provision from the bill. When the provision was before the Senate, as we know, the provision as written into the bill by the Senate committee was very seriously changed by the Cooper amendment. The bargaining power of the Senate conferees was stripped. Therefore, without bargaining power and with the scholarship provision seriously damaged, the result was that the scholarship provision went out of the bill.

The loan provision provides that a student may receive a loan on the basis of ability and need, not to exceed $1,000. Over a period of time the student cannot borrow more than $5,000. The loan would be repaid over a 10-year period, beginning 1 year after the borrower left college, with an interest rate of 3 percent. Up to 50 percent of the loan could be forgiven if the borrower should teach in a public elementary or secondary school. The forgiveness feature would operate at 10 percent a year until 50 percent of the loan had been forgiven.

The language of the statute sets forth clearly the requirements which must be met before a student will be eligible for a loan, in these words:

Such a loan shall be made only to a student who (A) is in need of the amount of the loan to pursue a course of study at such institution, and (B) is capable, in the opinion of the institution, of maintaining good standing in such course of study, and (C) has been accepted for enrollment as a full-time student at such institution or, in the case of a student already attending such institution, is in good standing and in full-time attendance there either as an undergraduate or graduate student;

In other words, the loans shall go only to eligible students in institutions who are in need thereof. In the selection of students to receive loans from such student loan fund, special consideration will be given to (a) students with a superior academic background who express a desire to teach in elementary or secondary schools and (b) students whose academic background indicates a superior capacity or preparation in science, mathematics, engineering, or a modern foreign language.

The other provisions of the bill are substantially the same as those of the bill passed by the Senate.

TITLE III—FINANCIAL ASSISTANCE FOR THE PURCHASE OF SCIENCE TEACHING EQUIPMENT

The conference report would authorize $70 million, first, for making grants to State educational agencies for the purpose of acquiring laboratories and other special equipment, including audio-visual materials and equipment and printed materials, other than textbooks, suitable for use in public elementary and secondary schools to provide education in science, mathematics, or modern foreign language; and, second, for making loans to nonprofit elementary or secondary schools for the purchase of science teaching equipment.

Grants made to the States would be required to be matched on a dollar-for-dollar basis. Twelve percent of the appropriation would be reserved for making the above-mentioned loans to provide nonprofit elementary or secondary schools. These loans would be repaid over a period of up to 10 years. Five million dollars is authorized to be used for administration and for the expansion or improvement of supervisory or related services in public elementary and secondary schools in the fields of science, mathematics, or modern foreign language.

TITLE IV—NATIONAL DEFENSE FELLOWSHIPS

The conference report would authorize 1,000 fellowships the first year and 1,500 for each of the succeeding years for graduate students who are interested in teaching at the college or university level.

TITLE V—GUIDANCE, COUNSELING AND TESTING

The conference report authorizes $15 million a year for 4 years for making grants to State educational agencies, with matching by the States on a dollar-for-dollar basis after the first year, for a program directed at identifying outstanding students, advising them concerning courses, and encouraging them to attend college.

Six million dollars would be authorized for institutes for the training of guidance and counseling personnel.

TITLE VI—LANGUAGE DEVELOPMENT

The conference report authorizes the Commissioner to contract with institutions of higher education for the establishment and operation by them of centers for instruction in languages now rarely taught in the United States and for instruction in other fields to provide a full understanding of the areas in which such languages are commonly spoken.

The conference report authorizes foreign language institutes for advanced training, for individuals engaged in or preparing to engage in the teaching, or supervising or training of teachers, of any modern foreign language in elementary schools. Seven million two hundred and fifty thousand dollars would be authorized for each of the 4 years of this program.

TITLE VII—RESEARCH AND EXPERIMENTATION IN MORE EFFECTIVE UTILIZATION OF TELEVISION, RADIO, MOTION PICTURES, AND RELATED MEDIA FOR EDUCATIONAL PURPOSES

The conference report authorizes the appropriation of $3 million for fiscal 1959 and $5 million for each of the 3 succeeding years to enable the Commissioner to conduct, assist, and foster research and experimentation in the development and evaluation of projects involving new media of communication which proves of value to education at all levels.

TITLE VIII—AREA VOCATIONAL EDUCATION

The conference report amends the George-Barden Act by adding a new title III to it. Under this new title, $15 million is authorized to be appropriated each fiscal year to allow States and local areas to conduct less-than-college-grade courses designed to fit individuals for useful employment as technicians and skilled workers in occupations requiring scientific or technical knowledge.

TITLE IX—SCIENCE INFORMATION SERVICE

The conference report would direct the National Science Foundation to establish a Science Information Service. The Service will be responsible for providing for indexing, abstracting, translating, and other services leading to a more effective dissemination of scientific information. The Science Information Service would also undertake programs to develop new or improved methods, including mechanized systems, for making scientific information available.

The Senate bill authorized the appointment of a number of additional supergrade positions in the Office of Education. Both House and Senate conferees agreed that such positions should be authorized to enable the Commissioner of Education to hire highly competent men to administer the new programs authorized by this legislation. However, because of the parliamentary situation it was decided to leave this provision out of the conference report. This should not be taken to mean that the conferees believed that such additional positions will not be necessary.

Mr. ALLOTT. Mr. President, will the Senator yield for an observation?

Mr. HILL. Mr. President, I ask that I may be permitted to yield to the distinguished Senator from Colorado, who at the present time is the ranking minority member of the conference.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I wish to take this opportunity to say on the floor of the Senate what a great job I think the chairman of the committee did in the conference committee. We had three long, hard days of conference in an effort to reconcile not only differences between the House and Senate, but also differences among the House Members themselves, and differences among the Senate conferees. I believe that a great result has been accomplished.

What has happened, really, is a change in emphasis. The emphasis of the bill has shifted. We had thought that through the scholarships we could provide a real impetus to tougher and better curriculums, and better scholarship in our primary and secondary schools. In the bill as agreed to by the conferees, I think the emphasis has shifted a little more toward helping to produce better teachers, better schools, and better courses. I am not sure that in the long run emphasis on the other features may not be just as important.

I wished to pay my respects to the Senator from Alabama, who, during the 3 days of the conference, did a marvelous job. I believe we succeeded in retaining as much of the best part of the bill as we could possibly keep.

Mr. HILL. I thank the Senator from Colorado. The Senator from Colorado and the Senator from Alabama worked as teammates on the bill. We started as teammates on the very first day of the hearing. We spent many days in the hearings, and many days considering the bill in committee. Then we worked together closely on the floor. In the conferences committee the Senator from Colorado and the Senator from Alabama worked together. If any credit is due, the Senator from Colorado certainly shares in such credit.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WATKINS. What is the difference in total cost, as between the conference recommendation and the Senate bill?

Mr. HILL. Before I try to give a specific answer, let me say that this bill is a 4-year bill, but it has certain so-called "phasing-out" periods. Under the provisions of the bill embodied in the conference report, a young man may receive a loan the third year of the bill, to go on to college. If he receives it the third year of the bill, he will have a right to go beyond the fourth year, which is the basic period of the bill, in order that he may finish his college course. But without getting into the "phasing-out" period, I should say that the bill as originally passed by the Senate involved a cost for the 4-year period of $1,101,090,000. The bill embodied in the conference report involves a total cost of $887,090,000. In other words, the cost of the bill embodied in the conference report is at least $214 million less than the cost of the bill passed by the Senate.

However, there is one point I wish to emphasize, so that every Senator will know it. There is the so-called "phasing-out" period, and it is not possible to know what the phasing-out may cost.

There is another point which I wish to emphasize. So far the loans are calculated as a part of the cost; yet, the transactions being loans, we expect most of the money to be paid back, with 3 percent interest.

Mr. WATKINS. If they were all paid back, what would be the cost?

Mr. HILL. The loans for the 4-year period amount to $295 million. However, as I stated, a student, in the illustration which I use, who received his loan in the third year would be entitled to get his loan the fourth year of the bill, and he would be entitled to continue and finish his course. So in addition to the $295 million, some additional loan funds will be used. However, the purpose of the bill is that the loans shall be paid back unless the borrower should engage

in teaching in a public secondary or elementary school. In that case up to 50 percent of the loan would be forgiven.

Mr. WATKINS. The Senator mentioned the fact that there had been a shift in emphasis. What was that shift?

Mr. HILL. I believe that what our distinguished friend from Colorado [Mr. ALLOTT] had in mind—and he can speak better for himself than I can—was the shift from scholarships to loans. In the bill which we brought to the floor of the Senate we were seeking to challenge the youth of America, the boys and girls in our secondary and elementary schools, by offering an award or prize of a scholarship. This was not only to challenge the boys and girls, but to challenge the parents, the idea being that if we challenged the parents, they would not only encourage and stimulate their boys and girls, but would also do all they could to make sure that the schools to which their children went were a little better, and to provide more of the difficult courses in science, mathematics, and foreign languages.

There would also be a challenge to the school officials, who would want to see the graduates of their schools win as many awards and prizes as possible.

Mr. WATKINS. Would the help given under the terms of the bill be largely in the field of science and mathematics?

Mr. HILL. We provide an incentive for students who have the proper academic background. Let me read the Senator the exact language from section 204 (4) of the bill.

Under this section the agreement with the institution of higher education would:

(4) provide that in the selection of students to receive loans from such student loan fund special consideration shall be given to (A) students with a superior academic background who express a desire to teach in elementary or secondary schools, and (B) students whose academic background indicates a superior capacity or preparation in science, mathematics, engineering, or a modern foreign language.

Such students would receive special consideration. There might be more applicants than could be provided with loans. If there were not enough money to take care of all the applicants, those in the categories to which I have referred would receive special consideration.

Mr. WATKINS. I voted against the bill when it was before the Senate, but I believe that striking out the grants for scholarships probably has improved it. The Senator may not agree with that view. I believe, on the whole, that the emphasis is in the right place, on loans, and providing more and better teachers for science, mathematics, and the languages. I believe I could now vote for the bill.

Mr. HILL. Notwithstanding the great esteem in which I hold the Senator from Utah, I must say that I strongly and emphatically disagree with his opinion. I believe that the bill would be better if it had a strong scholarship provision such as was in the bill reported by the Senate committee.

The Senator from Utah asked a question to which the Senator from Colorado had previously addressed himself. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I thank the Senator from Alabama for yielding to me. I had previously commented on this subject.

With the striking of the scholarship feature, it has been found that the emphasis of the bill has shifted.

The emphasis which is left is highly desirable, and I believe most Senators will find this a very desirable bill.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. POTTER. The Senator from Alabama will recall that when the bill was before the Senate we had a colloquy as to whether junior colleges would be able to receive funds under title IV for laboratory equipment and things of that kind. The House had such a provision in its bill. It is my understanding that the conferees accepted that House provision. Is that correct?

Mr. HILL. The Senator's understanding is correct. The bill provides:

For purposes of sections 301 through 304, the term "secondary school" may include a public junior college as determined under State law.

I believe that is what the Senator from Michigan had in mind. I am very happy to say to him that that provision is in the bill.

Mr. POTTER. I wish to thank the Senator, because that provision will be of great benefit to States like Michigan. If the Senator would indulge me for one more minute, I should like to make a unanimous-consent request. I ask unanimous consent to have included in the record statements by me and others concerning industry's support of higher education, and I ask that the statements appear following the vote on the conference report.

Mr. HILL. I make the same request, that the material appear following the vote on the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the adoption of the conference report.

The yeas and nays were ordered.

Mr. LANGER. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield to the Senator from North Dakota.

Mr. LANGER. Under the provisions of the bill, how can a student borrow money?

Mr. HILL. He can borrow up to $1,000 a year.

Mr. LANGER. What are the mechanics involved? To whom does he apply?

Mr. HILL. He first must be admitted to an institution of higher education. He first must be admitted. When he is admitted to the institution, he makes application for a loan.

Mr. LANGER. Must he sign a note?

Mr. HILL. Of course, he promises to pay back the loan. He does not have to get an endorser, unless under the applicable State law his signature would not create a binding obligation, if that is what the Senator has in mind.

Mr. LANGER. He can get a loan of $1,000. That would be $4,000 in 4 years. Is that correct?

Mr. HILL. That is correct. Under the bill, if he takes a course which requires 5 years—some courses, such as engineering require another year—he can get $1,000 for that fifth year also. He can borrow up to $1,000 a year, based on his need, but not more than a total of $5,000.

Mr. LANGER. If the student applying is a minor, does anyone have to sign a note for him?

Mr. HILL. No; he signs his own note and may not be required to secure an endorser or to provide security unless he is a minor and his signature would not, under applicable State law, create a binding obligation.

Mr. LANGER. When must the note be repaid?

Mr. HILL. It is repaid over a 10-year period after he leaves college.

Mr. LANGER. I thank the Senator.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Kentucky.

Mr. COOPER. I, too, join with other Members of the Senate in recognition of the patient work of the distinguished Senator from Alabama in bringing the bill to final passage in the Senate. I voted to report the bill from the Committee on Labor and Public Welfare. I voted for it on passage in the Senate. Of course I shall vote for the conference report.

My purpose in rising is to direct attention to a statement which the distinguished Senator from Alabama made in his presentation of the conference report, and a statement which is attributed to him by the New York Times today. The statement attributed to the Senator is this: "The Cooper amendment on the floor of the Senate seriously damaged the scholarship bill and stripped the Senate conferees of their bargaining power with the House conferees."

I was not a member of the conference committee, and therefore I am not able to speak of the conference deliberation. However, having read the House debate at the time of the passage of the House bill, and having noted the firm position the House took, I differ with my distinguished friend. I doubt very much that there was any intention upon the part of the House or on the part of its conferees to accept any scholarship provisions.

If the House conferees were not willing to accept the amendment which I had offered in the Senate, and which had been accepted by the Senate, providing for scholarship grants of $250 a year, or a total of $1,000 in 4 years, plus—and I emphasize the plus because it always seems to be left out—plus the additional loan of $750 a year, or a total of $3,000 for 4 years, an amendment which would cost the Government between $80 million and $200 million less than the Senate committee version, I doubt very much that the House conferees would have accepted the more grandiose scholarship

provisions of the Senate committee—which the Senator favored.

I do not wish to go over old ground, but there has been some discussion of this subject, and I will take a minute or two to discuss the matter.

When the House considered the education bill, it struck out the scholarship title entirely. The Senate Committee on Labor and Public Welfare had the matter before it. There was a very thorough discussion of the scholarship title. My position has been consistent. I offered an amendment in committee that the fellowship section should be on a basis of 50 percent grants, and 50 percent loans. The committee unanimously accepted the amendment. I also offered an amendment in committee providing that the scholarship title, title II, should be based on 50 percent grants, and 50 percent loans. That was not accepted by the committee. Then, on the floor of the Senate I offered an amendment which provided $250 in grants a year and $750 in loans, which would make available $1,000 a year to a student receiving a scholarship award. The Senate accepted my amendment.

I should like to tell the Senate why I offered the amendment because I did not go into detail, on the floor of the Senate on the evening when the Senate considered the bill. I offered it, first, because I believe the inclusion of loans is more in conformity with the American tradition than a system of outright grants, up to $1,000. I believe it just that funds and the opportunity for education should be available for the deserving and, I might say, needier applicants, and that preference and emphasis should be in that direction, rather than in one which would provide thousand-dollar grants without regard to need.

I had other reasons. I believe the bill was loose in its scholarship provisions. There were no clear standards established for the determination of eligibility for scholarship awards. The decision in each case would be made by a commission appointed by the governor of the State. After an award had been made and a scholarship granted, the committee bill provided, the continuance of the grant for the succeeding 3 years would not be determined by the university or college which the student might attend, on his scholarship, but by the committee appointed by the State.

I believe these rather loose provisions, without requirement for high standards, and I believe a grant plus a loan would attract the more serious and deserving students. Students who really want to go to college, would be willing to take the loan provision, which could be made available to them.

I did not consider it at the time, but I later thought that the House, having taken a very strong position against grants, might be more favorably inclined to the amendment I offered. They were not. But I wanted to make the statement. I believe reasonable grants plus loans, are more in the American tradition than the award of large grants.

I believe this is a helpful bill. I believe it will help materially to overcome a serious deficiency in teachers in the universities, and in the high schools, as well. I hope it will result in an improvement in the curricula of the secondary schools.

Mr. HILL. I thank the Senator. I always am sorry when I find myself in disagreement with the distinguished Senator from Kentucky. The House did not have a yea-and-nay vote on the motion to strike out the scholarship provisions of the House bill. That was accomplished by a division, not by a yea-and-nay vote.

To be perfectly frank, I think the Senator's amendment seriously damaged the concept and the basis of the scholarship plan as embodied in the Senate committee bill. I think the amendment stripped the Senate conferees of bargaining power. When we go into a conference with the House, we cannot go stripped down. If we do, we cannot bargain, or get anything in return.

So far as the loan provision in the Senator's amendment is concerned, such a provision was already in the Senate committee bill, because that bill permitted any student who received a scholarship to apply for a loan under the loan provisions of the bill; and if he showed that he had need for the loan, there was no reason why he should not get the loan under the loan provision of the Senate bill.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. FULBRIGHT. The Senator from Alabama has rendered a great service to the country in getting the bill through conference. This is the first major bill for assistance to education which will actually have been enacted. The Senator from Alabama has sponsored many bills in the Senate, but I believe this is the first major bill of this nature.

Mr. HILL. The Senator from Arkansas and the Senator from Alabama have joined in the sponsorship of many bills.

Mr. FULBRIGHT. I compliment the Senator from Alabama for his success in this instance. He deserves great credit. I know he feels, as I feel, that this is not exactly the kind of bill we would have favored had we had our own way. We would have liked to provide assistance to education in general, and in a broader sense than is provided in this bill. Nevertheless, I am delighted that the bill has reached the point of acceptance.

I should like to ask the Senator 1 or 2 questions. On the subject of loans to students, are any restrictions placed on the nature of the studies which the students must undertake? Must they study science, for example?

Mr. HILL. No; there is no restriction as to the studies they may undertake. There is this provision, as I have said and wish to emphasize: In the making of loans, a preference is accorded students whose academic background indicates a superior capacity or preparation in science, mathematics, engineering, and modern foreign languages. In selecting the applicants for the loans, the students who are to benefit from the loans, those having such a background of preparation will receive special consideration. There is no restriction on which courses the borrower may select. It is entirely his own choice.

Mr. FULBRIGHT. Suppose two students apply, one of whom is an excellent student not specializing in science, the other a mediocre student. Would the mediocre student still be given preference to the one who is not specializing in science but is of a far better capacity?

Mr. HILL. That would depend. The Senator used the word "mediocre." Whether the student was mediocre would depend upon how well he had performed in the sciences, or mathematics, or engineering, or a modern foreign language. If the other student was brilliant and capable and showed far more capacity to serve our country, more particularly to serve in a position vital to the national defense, I would say such a student would be selected.

Mr. FULBRIGHT. I think it is important to show that the bill does not absolutely bar the student who is interested in a general liberal education.

Mr. HILL. When I opened the debate on the Senate bill, the bill which was under consideration by the Senate, I stated that the Federal Government from the very beginning had responsibility for the national defense and for the conduct of foreign affairs. Ten years ago, speaking on the Senate floor, I said America's first line of defense was the scientist's laboratory. I said foreign affairs were no longer foreign, and that what we were seeking to do was to meet our responsibility for defense, for the conduct of foreign affairs. Then I emphasized, too, that that did not mean that there was any depreciation of the need and necessity for the humanities and the other many important subjects. If America is to be strong, then we must strengthen the whole line. We must strengthen the whole front of education.

Mr. FULBRIGHT. I thank the Senator for that statement. I believe the Senator mentioned this subject, but I want to clarify it in my own mind. These loans may be paid off at the rate of 20 percent a year by anyone who enters the teaching profession. Is that correct?

Mr. HILL. He may pay off up to 50 percent of the loan over a period of time at the rate of 10 percent of the loan for each year of teaching. The Senator is correct.

Mr. FULBRIGHT. Twenty percent of half the loan.

Mr. HILL. The bill the committee reported to the Senate and the bill as it passed the Senate provided that the whole loan might be forgivable if the recipient taught for 5 years. However, the House bill had no provision with respect to forgiveness of the loans, and the conferees asked many questions about what their reception might be if they went back to the House with such a provision. So we had to compromise that problem and accommodate our views to theirs.

We came out of the conference with a report which embodies forgiveness of one-half of the loan provided the recipient of the loan teaches in a public elementary or secondary school.

Mr. FULBRIGHT. Does the report provide for grants to communities for the installation of equipment, or are they only for research?

Mr. HILL. The conference report in title VII provides for research and experimentation in more effective utilization of modern communication mediums for educational purposes.

Mr. FULBRIGHT. A research program.

Mr. HILL. Primarily experimental research, to assist and foster research and experimentation in the development of the entire area, including not only television, which is most important, but also the audiovisual medium.

Mr. FULBRIGHT. I have been asked by the authorities in my hometown about the possibility of getting television in the high school. Would this bill render consultation advice to those people?

Mr. HILL. I should say they could receive consultation and advice and have the benefit of the research and experimentation carried on.

Mr. MAGNUSON. Will the Senator yield before he leaves that subject?

Mr. HILL. I yield to the Senator from Washington.

Mr. MAGNUSON. The Senator from Alabama [Mr. HILL] knows the Senate passed a bill allowing grants-in-aid for educational TV. That bill was reported by the House committee last week, but unfortunately the House, I understand, was in such a position that the bill could not be taken up. We assure the Senator that when January comes, that subject will be the first order of business in our committee.

Mr. FULBRIGHT. I have one additional question. Will this measure have any effect on the quality of the curriculums in the schools? Does it provide for guidance and counseling of the schools in regard to their curriculums?

Mr. HILL. No. The guidance and counseling will apply to the individual students. We have such a program now; we have had it for many years under our vocational educational system. As the Senator from Arkansas knows, that program was first established in 1917. It is a partnership program with the Federal Government, the States and the local communities, all of which are sharing in the cost of the program. The guiding and counseling are for the purpose of helping the individual students ascertain their best talents, and then to study the courses which will best develop their talents and also will best serve the Nation.

Mr. FULBRIGHT. Will this measure have any effect upon the selection of the able students? To put the question another way, is it intended to help develop better methods of ascertaining which students are of superior capacity?

Mr. HILL. That certainly would be one result; yes.

Mr. FULBRIGHT. Will this measure provide assistance to the authorities in the schools?

Mr. HILL. In the States; yes.

Mr. FULBRIGHT. To locate and develop the best students?

Mr. HILL. Yes. The Senator from Arkansas has given much thought to this subject, and speaks with much authority on it; and I believe he will agree with me that one of our greatest problems is to locate the best students, and then, to stimulate, encourage, and challenge them to do their best to develop their talents to the maximum, always with the thought in mind of rendering the greatest possible service to the Nation.

Mr. FULBRIGHT. The Senator from Alabama is quite correct.

The problem of providing sufficient incentives to such students is in my opinion, a most serious one. I do not know that much can be done about it by means of this measure; but certainly that problem is of major concern to the whole country.

Mr. HILL. I say to my distinguished friend that that is the basic concept behind the scholarship program which was embodied in the bill the Senate committee reported to the Senate and also in the bill as passed by the Senate.

Mr. JAVITS. Mr. President, will the Senator from Alabama yield to me?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Alabama yield to the Senator from New York?

Mr. HILL. I yield.

Mr. JAVITS. Mr. President, I believe I would be derelict in the performance of my duty if I did not rise to utter a protest about the conference report, because it does not go nearly far enough in the direction of meeting the challenge the Russians have posed to us in the field of education.

The Congress has appropriated more than $40 billion for purposes of defense; and in that regard the Congress added to that appropriation bill $1 billion which the administration did not request.

But in connection with Congressional consideration of the education bill, suddenly the Congress becomes more parsimonious in dealing with a program which the country requires if it is to meet the Soviet challenge, not only in terms of defense and economic matters, but also in terms of cultural matters and as regards every other phase of activity in our lives.

I utter this protest because I believe the country should understand that the conference report will not foot the bill; and, next year, the Congress will have to take even greater steps in order to cover the ground it is not covering today.

Certainly provisions for scholarships are needed.

Mr. HILL. Mr. President, the Senator from New York introduced a scholarship bill which had many fine features.

Mr. JAVITS. I thank the Senator from Alabama. I may say that, together with my colleague from New York [Mr. IVES], the Senator from Kentucky [Mr. COOPER], the Senator from Maine [Mr. PAYNE], and the Senator from Maryland [Mr. BEALL], I introduced on March 27, 1957, the first student-loan act, the Education Loan Act of 1957 (S. 1727).

We polled 200 universities on that bill; and, uniformly, they replied, "Student loans are fine; but we also need scholarships, in order to get into college at least 50 percent of the meritorious high-school graduates who are not now coming to college. If Members of Congress really want to do what we say we want to do, we must take steps to enable at least 50 percent of the meritorious high-school students who are not now going to college to enter college."

So the omission of the scholarship provisions is a very serious one; and I hope we shall not give up in our efforts to obtain the enactment of such provisions, because they are very greatly needed. We must provide for the college administrator the opportunity for both student loans and scholarships.

Furthermore, I desire to point out that no Federal aid is being provided for school construction. We talk about attracting people to the teaching profession, but we give them second-rate schools in which to teach; and we deprive the States of the resources with which to provide adequate salaries in order to encourage the teachers to remain in the teaching profession.

So, Mr. President, let us understand that the conference report is only a beginning—in a very real sense. Let no Senator delude himself into thinking that when he votes for adoption of the conference report, he votes to meet the monumental challenge the Russians have posed to us.

The fair-haired boys are the ones who will go to college; but under the provisions of the conference report, not enough young Americans will go to college.

However, some of the very wisest provisions of the bill are those which provide aid for vocational education. I believe those provisions are very good, and will be very helpful.

I only add, Mr. President, that we must go forward in making provision for scholarships and for Federal aid to school construction, in addition to doing more to improve the student-aid program.

The bill I introduced, S. 1727, contained provisions for what I called an FHA-type educational program; it would have guaranteed the loans to be made to students by banks and savings-and-loan associations throughout the Nation. After all, a young American who is educated has a lifetime ahead of him, and his future constitutes just as good security as does a house on which an FHA mortgage loan is placed.

We should expand the program enormously. Even $260 million could be of real help to great numbers of students.

So I hope very much that the Senator from Alabama, with his great interest in this field, will move forward, at the next session, in terms of the enactment of provisions for an FHA-type program, as well as for enactment of the other programs.

I thank the Senator from Alabama very much indeed.

Mr. HILL. Mr. President, the distinguished Senator from New York knows—as a student of history—that seldom, in connection with the handling of a new piece of legislation, is it possible to provide in the original act for all that its authors wish to have provided by it. In other words, it is necessary to make a start, and then to build on it.

I may say that the senior Senator from Montana [Mr. MURRAY], the chairman of the Education Subcommittee, of the Committee on Labor and Public Welfare, is outstanding in his devotion to the cause of education. No Member of the Senate has been more devoted to that cause or has worked more in behalf of it or has made greater contributions to it than has the distinguished senior Senator from Montana.

I am certain that his subcommittee, as well as our full committee, will keep constantly in mind all that the distinguished Senator from New York has said this afternoon.

Mr. JAVITS. Mr. President, by way of conclusion, let me say to the Senator from Alabama that at no time in American history has a measure of the type we are advocating been enacted into law.

It is all very well for the distinguished ranking Democratic member of the Foreign Relations Committee and other members to say the Nation is falling behind and many of us are deeply conscious of these reverses, too; and that we are short on new ideas and are not measuring up to our responsibilities. But such comments are only effective as they move us to action.

The educational program we are advocating is one which will pay off. The issue we raise is whether the Government is helping with the education of the people, and whether the Government is providing sufficient funds to do that job. I merely wish to point that out.

Mr. HILL. Mr. President, no one regretted more than did I to see the Senate take the action it did when it adopted the Cooper amendment, the other evening, and then passed the bill, and thus very severely damaged the scholarship provision. I thought that provision went very much to the heart of the problem the Senator from New York has discussed.

Mr. JAVITS. Mr. President, I believe that the Senator from Kentucky [Mr. COOPER] and the Senator from Alabama [Mr. HILL] have debated that matter sufficiently; so I shall not get into that debate.

Mr. COOPER. Mr. President——

Mr. HILL. Mr. President, inasmuch as I mentioned the name of the Senator from Kentucky, I yield now to him.

Mr. COOPER. Mr. President, the Senate voted and accepted my amendment. So it became the Senate amendment, not just the Cooper amendment.

I stated my reasons when I offered the amendment; and I assume that when the Senate voted for the amendment, it accepted at least to some degree those reasons.

I return to my point; and I say—and say with respect for the Senator, it is my information—and I have heard this since the meeting of the conference committee—there never was any intention on the part of the House conferees to adopt the provisions for the scholarship program. Perhaps the Senate conferees should have insisted more strongly for the preservation of the scholarship concept which was provided in the bill by my amendment. I make that point.

At this time I should like to join my friend, the Senator from New York [Mr. JAVITS], in saying that the conference report is a good one. It makes a start, although it does not meet the educational needs of the country.

In these last days, we have heard critical speeches in the Senate—not only of foreign policy, but of the direction of thought in the Nation, the character of the people, and the culture of our people.

If there are defects in our life, I suggest there is a way in which a universal effort can be made by the Congress to raise the level. It is in the field of education. An effort should be made to lift the standards of curriculums in the elementary and high schools of our country. We cannot raise them. We cannot force local schools to do it. But, as I have suggested several times, if the President of the United States could appoint a commission of great scholars and educators, not to study the defects of our educational system, for they have been studied enough, but to meet with governors and the heads of the educational systems of the States, to work with them, to encourage them, to urge them to take the necessary steps to lift the standards of curriculums in the secondary schools, perhaps something might be accomplished.

And adequate financing is necessary to improve our school programs. We shall have to determine whether we are willing to aid the States in school construction and teachers' salaries, if we really mean to raise the standards of education in this country.

I have always supported and voted for such measures. I shall continue to do so. We have not met the greatest challenge of our Nation—that of education. We have not even approached it. I hope in the future we shall do what is necessary.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from New Hampshire.

Mr. COTTON. I should like to ask the Senator from Alabama a question. I have great confidence in the Senator. I think he is to be highly commended for the work he has done. What disturbs me about the conference report is that it seemed to me the important parts of the bill were the provisions under which Federal money would go to the individual student, and that the froth and the furbelows—although I do not mean that literally—consisted of provisions by which money would be channeled into State educational systems for various purposes—for guidance, counsel, and for various activities which the States can handle.

What I fear is that back from conference has come a bill which further reduces the heart of the bill—that is, the money going to the individual student—but which retains provisions for money being channeled into State educational systems.

Will the Senator give me his comments on that question?

Mr. HILL. As the Senator has heard me state, I regret the loss of the scholarship provision in the bill, but I wish to say to him that the great emphasis in the bill is still on the individual student. The loan program is devoted to the development of, and a challenge to and stimulus of, the individual student. The other programs to which the Senator from New Hampshire has referred have as their objective the development of the individual student to prepare him for service to the country.

Mr. COTTON. Approximately what proportion of the money provided in the bill will go to individual students, and what proportion will be channeled into the educational systems of the several States?

Mr. HILL. I could give the Senator a breakdown. For instance, there is a provision for grants, on a 50–50 matching basis, for the purpose of providing science equipment and audio-visual aids in high school. The purpose of such a program is not to help the particular school, but to help the student who is taking a course in physics, biology, or other science, so he may have the equipment to do his best work in that course.

Mr. COTTON. I recognize that the purpose is to help students in education. I appreciate the argument of the Senator. But to bring the matter down to brass tacks, what proportion of the money provided in the bill would go to the individual students—not to State educational systems for equipment, but to the individual students—in loans or otherwise, and what proportion would go to the State educational systems?

Mr. HILL. There is provision for loans which will go directly to the individual students. Funds, for instance, are provided for fellowships. That money goes to the individual students taking graduate courses, primarily for teaching purposes. That money goes to the individual.

Mr. COTTON. Would the Senator say 25 percent of the Federal money will go to individuals, or 35 percent?

Mr. HILL. I would not want to hazard a guess on figures. I would have to sit down and compute the matter, in order to give the Senator an intelligent answer. If he wants me to compute it and put it in the RECORD, I shall do so. I would not want to say the amount would be 25 percent without at least having had an opportunity to sit down and check the figures.

Mr. COTTON. I voted for the bill with some qualms. However, I feel the "guts" of the bill, if the Senator will pardon the expression, the language with respect to scholarships, is cut out, and I almost feel I must vote against the conference report. I hope to be reassured by the Senator from Alabama.

Mr. HILL. The intestinal fortitude in this bill is for the individual student.

Mr. COTTON. I will say to my friend that intestinal fortitude is fine, but I am asking about money.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. HILL. I am happy to yield to the Senator from Connecticut.

Mr. BUSH. If the Senator will kindly turn to page 20 of the report, I should like to ask him a question.

Mr. HILL. Yes.

Mr. BUSH. Under section 303, which appears on that page, subparagraph (3), on the fourth line of that subparagraph, words have been inserted in the bill the

Senate passed, reading "as determined by the State board for such State."

So that the subparagraph reads:

For the training of individuals designed to fit them for useful employment as highly skilled technicians in recognized occupations requiring scientific knowledge, as determined by the State board for such State, in fields necessary for the national defense.

The language "as determined by the State board for such State" was inserted in that section by the conferees. Will the Senator tell me why those words were put in there?

Mr. HILL. This language was worked out with the House conferees. The whole intent and purpose of the language is to train highly skilled technicians for the national defense. With reference to the added language, "as determined by the State board for such State," I think the Senator will agree with me we do not want someone in Washington to fix the curriculums in our schools, whether the schools be in Connecticut, Colorado, Alabama, or any other State. I am sure the Senator will agree with me that the curriculums should be fixed by the State authorities. However, subject to that restriction, the funds are to be used for the training of individuals designed to fit them for useful employment as highly skilled technicians in recognized occupations requiring scientific knowledge in fields necessary for the national defese.

Mr. BUSH. Will the Senator from Alabama assure me the purpose of that language is not designed to expand existing programs?

Mr. HILL. No; it is not designed to expand programs such as now exist for example in agriculture or home economics. It is designed to provide assistance to area vocational programs in recognized occupations requiring scientific or technical knowledge.

Mr. BUSH. There is no question about that?

Mr. HILL. There is no question about that.

Mr. BUSH. The only other question I have, if the Senator will permit me to ask it, relates to the same paragraph. After the words "highly skilled technicians" there were deleted from our draft of the bill the words "or semiprofessional personnel, which might be laboratory technicians. I wondered why that language was eliminated.

Mr. ALLOTT. Mr. President, will the Senator yield so I may answer that question?

Mr. HILL. I yield to the Senator from Colorado.

Mr. ALLOTT. I am sure the Senator from Connecticut is aware I was very much of the opinion the amendment should be offered.

Mr. BUSH. Indeed. The Senator was very helpful.

Mr. ALLOTT. I should like to answer the question in this way. First of all, this language is partly a compromise, as all language coming from a conference committee must be.

The item we wanted to get in the report was exactly what the Senator from Connecticut has in mind. We wanted to provide for highly skilled technicians. In other words, this is not to provide merely for training skilled workers in carpentry or lathe work. Actually, we want to train skilled technicians. The words "or semiprofessional personnel" were taken out. In the interim report of the President's Advisory Committee and in other places, these words were not used. Through common usage, "skilled technicians" has come to have a very specific meaning. It implies a skill and a technical ability above a high-school grade, with some scientific knowledge, instead of a simple manual dexterity. We want to bridge the gap between the skilled worker and the skilled scientist.

Does that answer the Senator's question?

Mr. BUSH. That answers my question and satisfies my mind.

I thank both distinguished Senators.

Mr. THURMOND. Mr. President, I rise to speak in opposition to the adoption of the conference report on H. R. 13247, a bill to provide Federal financial aid to education. Though I was and am opposed to Federal aid to education, since the States have never delegated the field of education to the Federal Government, I find an additional serious objection to the education bill agreed to by the Senate conferees.

The Senate conferees have agreed to accept certain provisions of the House bill which can have no other effect than to cause further deterioration of race relations, which have already been severely damaged. Mr. President, I refer to the provision in the House bill which has been agreed to by the Senate conferees and which provides that student loan funds shall be administered by institutions of higher education, instead of by State commissions as was provided in the Senate bill. Under the House provision Federal moneys would be allocated to public and private institutions of higher education, for the purpose of making educational loans to students in attendance at the institutions.

The House method of administration causes me grave concern, Mr. President, because the administration now in power—or any future administration—could deny loan funds to any educational institution which follows a policy of segregation. The denial could be very simply accomplished by an Executive order requiring the United States Commissioner of Education to withhold loan funds from any segregated institution. The same objective could be accomplished by the Commissioner of Education, himself, by means of an administrative regulation issued by him.

In the face of such an order, or administrative regulation, southern colleges would have to forego the benefits of the loan funds and likewise students in attendance at such colleges would have to forego the benefits of educational assistance loans. As a consequence, southern citizens would be taxed to establish loan funds which their children could not even use.

To say that such an Executive order or administrative regulation would never be issued does not allay my fears concerning this matter. I recall that statements of similar purport were made shortly prior to the dispatch of troops to Little Rock.

The fact is that there is nothing in the conference version of the bill, or in any Federal law, to prevent this administration, or any future administration, from denying loan funds to institutions which practice segregation. In view of the fact that political considerations outweigh good judgment in the councils of national administrations, it would be most unwise to adopt the proposed procedure regarding loan funds.

Mr. President, I do not charge that the loan fund administrative procedure has been purposely selected to bring about the consequences which I have described. Nonetheless, I would consider it a breach of faith with the people whom I represent, as well as a failure to meet my obligations to my Senate colleagues, if I did not point out the dangers which lie ahead if the administrative procedure agreed to by the Senate and House conferees is permitted to become law.

For these reasons, I feel that the Senate conferees should make a further effort to have the loan funds administered by State commissions, and, failing in that, should endeavor to have the loan fund title stricken from the bill altogether. Finally, Mr. President, I express my strongest and most sincere hope that the conference report will not be adopted.

Mr. HILL. Mr. President, I shall not delay the Senate, but I wish to say, as I have tried to emphasize before, that it is clear, it is definite, it is positive, and it is absolute that for a student to receive a loan under the bill the student must first have been accepted for enrollment in a college or must be in the college. In other words, the student is in before any question of eligibility for the loan arises.

The argument which the distinguished Senator from South Carolina has made could be made equally as well against the college housing program or against the Federal impacted area program. We passed a bill through the Senate within the last 30 days as to the latter program. I heard nothing from the Senator from South Carolina in the way of opposition to that bill. The argument could be made against that bill just as well as it is made against the education bill.

The argument the Senator from South Carolina has made could be made against the Vocational Education Act. Incidentally, it is interesting to recall that the basic Vocational Education Act, first passed in 1917, was fathered by the late Senator Ed Smith, of South Carolina. The act is known as the Smith-Hughes Act. That is the basic Vocational Education Act. One of the most important amendments to that act was the George-Barden Act, fathered by the late and beloved Senator whom we so much esteemed and revered, the late Senator George of Georgia. Every argument made this afternoon against the education bill could be made against the Smith-Hughes Act, against the George-Barden Act, and against the act which the Congress passed less than 30 days ago, the Federal Impacted Area Act.

The same argument could be made against the School Lunch Program Act.

The argument could be made against the great Land Grant College Act, which has meant so much to this country. Perhaps the greatest landmark in education, so far as the Federal Government is concerned, was the Morrill Act, and the many amendments enlarging, extending, and augmenting that act. The same argument made by the Senator from South Carolina this afternoon could be made against that act and against the many amendments to the act.

The same argument could be made against all the different research grants made by the Federal Government—research grants to Clemson College in South Carolina, research grants to the University of South Carolina, and research grants to many other institutions throughout the country, not only in agriculture but in medicine, medical research, and many other fields of activity.

The same argument could be made against the grants which are made by the Atomic Energy Commission. Many grants are made to colleges and educational institutions.

The same argument could be made against the National Science Foundation Act. We reported from the committee a few days ago an amendment to the National Science Foundation Act, which would strengthen and fortify the act in making some of the grants being made today to our colleges and educational institutions, but I heard no word of protest from the Senator from South Carolina, although the argument applied to that act as well as it might apply to this bill.

The same arguments might be made by the Senator from South Carolina against the Defense Department and its many programs providing scholarships for the strengthening of the national defense. The same arguments might be made with respect to many acts of Congress.

Seven or eight years ago I had a check made. Even at that time there were more than 125 acts of Congress providing some form of aid by the Federal Government to our schools and colleges, or to education. The argument of the Senator from South Carolina might well be made today against any of those acts.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HILL. I yield to my friend from Tennessee.

Mr. GORE. I deem it appropriate to say at this time that final passage of this bill, with which the security of the country is so identified, will stand as one of the great goals of accomplishment of one of the ablest and most distinguished Members of the Senate.

The senior Senator from Alabama has labored long and hard, but fruitfully. The conference report which the Senate is about to approve is the climactic act which will send to the President of the United States a far-reaching bill which will not only enrich the lives of many American boys and girls, but will add vastly to the strength and security of the United States, involved, as it is, in a cold-war contest in which progress in technological education is vital to the security, strength, and defense not only of America, but of the Free World.

I congratulate the able senior Senator from Alabama and recognize him as one of the great and fruitful Members of the United States Congress.

Mr. HILL. I thank my good friend. He has certainly proved his friendship this afternoon. I am deeply grateful to him for his most generous words. I appreciate them not only because they come from a friend, but even more particularly, because they come from one who, throughout his life, has been so devoted to the cause of education. No Member of this body has worked or fought harder to advance the cause of education than has the distinguished Senator from Tennessee.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HILL. I am glad to yield to the Senator from Texas.

Mr. YARBOROUGH. It has been a great privilege to serve on the Committee on Labor and Public Welfare, particularly on the Education Subcommittee with the distinguished senior Senator from Alabama.

Hearings were held lasting about 7½ weeks. The distinguished Senator from Alabama was patient. His inquiries were searching. He brought before the committee many American educators, outstanding leaders in the military field, college presidents, leading officials of the Association of Colleges, and representatives of every branch of the educational life of this country.

The evidence showed conclusively that we needed to do something about education in the United States. I do not remember a single witness who did not believe we should do something. They varied in the methods they would use. Some thought fellowship to be more important than scholarships. Many thought that direct grants to colleges for construction would be more important than scholarships. They varied only in the methods they would pursue to strengthen our educational system.

Writers in magazines and many leading newspapers in America, in commenting on the achievements of this Congress, state that the opportunity which this Congress had was to do something about education, and that our lack in that field, as a people, was greater than in any other branch of the great subjects on which we legislate.

Those writers pointed out that the realization last fall, with the launching of the satellites, that we needed to do something about education, had begun to lag. Public interest had begun to lag, and these writers pointed out that it was up to Congress to alert the American people.

We are making a timid step of less than $1 billion for a 4-year program, but it is the most advanced step since the Land Grant College Act of the 1860's. It is a long forward step.

I believe the country expects the Congress to do something to stimulate public education. It is done in this bill, in such a way as to preserve local control, and yet provide the impetus of a national surge.

In my own State there has been considerable sentiment against Federal aid to education; but when the Land Grant College Act was passed during the War Between the States, the first public State-supported institution of higher learning in my State which actually opened its doors to students was the Texas Agricultural and Mechanical College, which opened in 1871, under the Land Grant College Act.

Under the stimulus of that Federal aid, many other publicly supported colleges then opened their doors.

I hope that a similar result will be achieved this time. With a little Federal stimulus I hope we can produce a great deal of State and local action, in the cities, counties, and local school districts, as well as in the junior colleges.

This bill will stimulate learning. It will stimulate teaching. It will stimulate achievement. I regret that the provision for scholarships was eliminated; but we have left a provision for loans. A loan is a scholarship of a type. When I attended college we thought a scholarship was a loan. I call these loans loan-scholarships. They will stimulate a desire on the part of students to get a loan and go to college.

There are many different types of scholarships. Quite a number of colleges have athletic scholarships. Some colleges have as many as 200 band scholarships. The scholarships provided for in the bill are in the field of intellectual endeavor. The bill is a beginning, an incentive to scholarship in institutions of higher learning. I do not mean to intimate that such institutions lack scholarship, but this bill places the national stamp on it. Scholarship is what the Nation wants.

Again I thank the distinguished Senator from Alabama for his leadership in this field. Think what it will mean to the American people. He has had the patience and tact to draw together many distinguished witnesses before his committee, leaders in all branches of education from all over the country.

I believe that his unfailing courtesy to everyone enabled him to do more than any other person or combination of persons. He is responsible, more than anyone else, for the fact that such a bill is before the Senate. It is the result of the leadership of the distinguished senior Senator from Alabama.

Mr. HILL. I thank the distinguished Senator from Texas for his kind words. He has been a devoted member of the Senate Committee on Labor and Public Welfare. He made many fine contributions to the bill. He not only sat with us during the many long days of hearings and executive sessions of the committee, but he was one of the conferees on the bill. He was a most important member of the team which brings this bill to the floor of the Senate today.

I thank the Senator from Texas, and congratulate him for the many fine contributions he made to the bill.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HILL. I am delighted to yield to my colleague.

Mr. SPARKMAN. At this late hour I do not intend to take much of the time of the Senate, but I do wish to allow this

opportunity to pass without expressing my feeling of graitude for the great job which has been done under the able leadership of my senior colleague from Alabama in bringing to us, for the first time, in completed form, an education bill.

This is not a short-term accomplishment. I remember that 22 years ago, when I first ran for Congress, I had written on the back of my little campaign card a few planks. One of them was "Federal Aid for Education Without Federal Control."

When I came to Congress my colleague was here as the senior Member in the House of Representatives from my State. He became one of the leaders in the cause of Federal aid to education. He has not ceased to work for that purpose and has advocated it during the years which have passed since that time.

It was 12 years ago that there was first put through the Senate a Federal aid to education bill. That was followed a year later with another bill. However, this is the first time that a bill of this magnitude has cleared both Houses and is now about to become an act of Congress.

I agree with what the distinguished chairman, my colleague from Alabama, has said, that the bill certainly does not satisfy us. Probably it does not completely satisfy anyone. However, it is a great step forward. It is a great accomplishment, one which I believe will go far toward strengthening our country and securing our national welfare countrywide.

I wish to commend and congratulate my distinguished colleague, and those who have worked with him, for having accomplished this result.

Mr. HILL. Mr. President, I thank my distinguished colleague for his very kind and generous words. He and I have been closely associated together for a good many years, and through all those years we have worked in the closest cooperation and in the closest teamwork on behalf of the cause of education, in trying to do something for our schools and for our colleges and for our children. True education has had no more loyal and devoted friend than my colleague from Alabama.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Oregon.

Mr. MORSE. For 14 years I have worked in the Senate with the senior Senator from Alabama on education and health legislation. On our committee we know the Senator from Alabama as the leader in the Senate in both of those fields. Sometimes facetiously and good-naturedly, and always with a meaningful point, we refer to the Senator from Alabama in our committee either as Dr. HILL or Professor HILL. Those two titles pretty well label the standing he has in the Senate in his conscientious and able statesmanship in these fields.

The pending bill is the best bill we could get this year. It is not as good as some of us wanted. The chairman himself would have preferred a far better bill, could he have had one. However, the final result shows how right the chairman was through all our deliberations this year when he kept pointing out to us that the bill he sponsored in the first instance was probably even more than we could get from the House.

I want him and his colleagues on the committee to know that in January they can count on me to continue to work shoulder and shoulder with them for much-needed health and education legislation.

Mr. HILL. The distinguished Senator from Oregon is a real professor. He taught for many years and was the dean of the Oregon Law School. He brought to the Committee on Labor and Public Welfare a magnificent background of experience, with knowledge in the field of education. He was always working and fighting for the cause of education. He has made innumerable contributions to the cause. I express my appreciation and my thanks and my congratulations to him.

Mr. THURMOND. Mr. President, I wish to say a word in reply to the remarks of the distinguished Senator from Alabama. I agree that an Executive order could be issued cutting off Federal funds which are now going to impacted areas or into State programs of vocational education. However, the question I ask is why adopt another program—and this is a new program—which will give further opportunity for such an order to be issued.

Back in 1917 the vocational education program was born. It was born during the war as a temporary measure, to provide for the training of mechanics and other skilled people. Then finally it became a permanent law, and it has been on the statute books ever since. The new program provided by H. R. 13247 is more than a specialist program. It is a general program. It is the beginning—and I want to emphasize this to my colleagues—of general Federal aid to education. If that is what my colleagues want, then I presume they will vote for the conference report. If that is not what they want, I presume they will vote against the conference report.

The word "education" is not even mentioned in the United States Constitution. The field of education has never been delegated to the Federal Government. And, as all Senators know, the Federal Government has only those powers which are delegated to it by the Constitution.

Merely because in the past action has been taken which was contrary to the Constitution is no reason why we should go into another program, a new program, which also contravenes the Constitution. If any Senator can give me the authority for the Federal Government to go into the field of education, I should like to hear him express it. It has been mentioned that the program is designed to protect the national security and provide for national defense. Is it in the interest of national security? Is it tied to national defense? If this program were tied to national defense, I could understand how it might come within the authority delegated to Congress in the Constitution. However, there is no provision in the bill, so far as I know, which will require a student to take courses related to national defense. I believe the distinguished Senator from Arkansas asked that question of the Senator from Alabama and the Senator from Alabama stated that a student could take any course he selects. After a student obtains a loan, derived from Federal moneys, what reason is there to believe he will take courses in science or enginering or similar subjects which will promote national defense? He cannot be compelled to do so by the terms of the bill. The student could take a course in social welfare or in flower arranging, for example.

Furthermore, after he has finished his course, what requirement is there in the bill that he go into national defense work, either with the Government or with private research, or in any other way? I do not know of any provision in the bill which makes it a requirement for the recipient under the bill to serve in a capacity directly beneficial to the national defense.

Therefore, if a student is not required to take courses in science or engineering or other fields directly related to national defense, and if he can take any course he wishes to take, and is not required to apply his knowledge in some position in national defense, what right has the Federal Government to furnish money for his education?

As I said, education is not the responsibility of the Federal Government. Education is the responsibility of the school districts, in the first place, then of the counties, and finally of the States of this Nation. It is the responsibility of the local subdivisions of the States and the States themselves, and not of the Federal Government.

Unless the educational purposes are directly related to national defense, there is no reason for the Federal Government to enter this field or for us to appropriate money for that purpose. This new program is another wedge into existing educational systems which will eventually plunge the Federal Government into the general field of education. In my opinion such a result would be one of the worst things that could happen.

It has been said that there would be Federal aid without Federal control. How do we know that any day, even the day after the bill became law, the Office of Education will not issue a regulation or, that an Executive order will not be issued, providing that no Federal funds will henceforth go to impacted areas or to vocational schools which practice segregation?

In the first place, the Federal Government has no business in a field belonging to the States. In the second place, the program would jeopardize certain schools which will have to pay for the education of the children in other States beyond their boundaries.

Therefore, speaking for myself, I want to be on record as being opposed to the conference report.

Mr. HILL subsequently said: Mr. President, no one worked longer, harder, or more devotedly on the education bill, on which the Senate has just taken final action, by means of its approval of the conference report, than did the senior Senator from New Jersey [Mr. SMITH]. Unfortunately, and much to his regret, it was impossible for him to be present today.

Therefore, I ask unanimous consent to have printed in the body of the RECORD, immediately prior to the vote on the conference report, a statement in behalf of the conference report, as prepared by the Senator from New Jersey [Mr. SMITH].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMITH OF NEW JERSEY

I am deeply gratified that the Senate and House conferees have today agreed upon an education bill. I believe the bill will provide significant help in strengthening the American education system in the interests of national security.

Except for the omission of scholarships, the bill reported by the conference committee closely parallels the recommendations of the President. I sincerely regret that we were unable to obtain a limited scholarship program which would have given national recognition to intellectual achievement. However, I am convinced that the conference bill is a positive step toward meeting our most pressing educational needs.

The bill seeks to mobilize our potential resources of talented manpower more effectively through the establishment of several related programs, including:

1. A broad student-loan program to assure that all qualified students may obtain a higher education, and to reduce the number of able students who drop out of college due to financial hardship.

2. Grants to the States to strengthen mathematics, science, and foreign language instruction in the elementary and secondary schools.

3. A selective program of fellowships to reduce the critical shortage of college-level teachers.

4. Regular testing to identify the aptitudes of all secondary schoolchildren, and strengthened guidance and counseling programs to insure that students are encouraged to pursue their maximum intellectual development.

5. Institutes to strengthen the teaching of modern foreign languages, and centers of area studies to produce the trained personnel needed for overseas service in government and industry.

The bill also provides for research in the educational use of television and other audio-visual techniques, training of additional scientific technicians under the vocational education program, translation and dissemination of scientific information from abroad, and improvement of the collection of statistical data for the proper evaluation of our educational strengths and weaknesses.

The PRESIDING OFFICER (Mr. CLARK in the chair). The question is on agreeing to the conference report. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

On this vote, the Senator from New Mexico [Mr. ANDERSON] has a pair with the Senator from Delaware [Mr. FREAR]. If present and voting, the Senator from New Mexico would vote "yea" and the Senator from Delaware would vote "nay."

The Senator from Florida [Mr. HOLLAND] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Florida would vote "yea" and the Senator from Virginia would vote "nay."

I further announce that if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from New York [Mr. IVES] and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

On this vote, the Senator from Maine [Mr. PAYNE] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maine would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 66, nays 15, as follows:

YEAS—66

Aiken	Hennings	McNamara
Allott	Hickenlooper	Monroney
Barrett	Hill	Morse
Beall	Hobltzell	Morton
Bennett	Humphrey	Mundt
Bush	Jackson	Murray
Carroll	Javits	Neuberger
Case, N. J.	Johnson, Tex.	O'Mahoney
Case, S. Dak.	Johnston, S. C.	Pastore
Chavez	Jordan	Potter
Church	Kefauver	Proxmire
Clark	Kennedy	Purtell
Cooper	Kerr	Reverscomb
Cotton	Knowland	Saltonstall
Dirksen	Kuchel	Smith, Maine
Douglas	Langer	Sparkman
Ellender	Lausche	Symington
Ervin	Long	Thye
Fulbright	Magnuson	Watkins
Gore	Mansfield	Wiley
Green	Martin, Iowa	Yarborough
Hayden	McClellan	Young

NAYS—15

Bible	Dworshak	Schoeppel
Bridges	Eastland	Stennis
Byrd	Goldwater	Talmadge
Capehart	Malone	Thurmond
Curtis	Russell	Williams

NOT VOTING—15

Anderson	Frear	Martin, Pa.
Bricker	Holland	Payne
Butler	Hruska	Robertson
Carlson	Ives	Smathers
Flanders	Jenner	Smith, N. J.

So the report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. HILL. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. (Mr. CLARK in the chair). The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

EXHIBIT A

INDUSTRY SUPPORTS HIGHER EDUCATION

Russia's scientific achievements have awakened America to the need of training more scientists and engineers. Many programs have been suggested including Federal scholarships for gifted students in science and engineering.

I am impressed by the fact that so many of our leading corporations, foundations, and other groups have taken steps to assist worthy but needy students to develop their God-given talents.

Four years ago, the General Motors Corp. inaugurated a program of scholarships. Today there are more than 3,000 potential scientists and engineers who are pursuing scientific studies with General Motors' assistance. The General Motors scholarship program shows that American industry is meeting its obligation to provide the talent to meet its future needs.

I believe that a statement prepared by the General Motors Corp. on the operation of its scholarship program since its inauguration 4 years ago is of such interest that I ask unanimous consent that it may be printed at this point in the CONGRESSIONAL RECORD.

More than 3,000 potential scientists and engineers are in school with General Motors assistance now that GM's expanded program of aid to higher education has become fully operative, President Harlow H. Curtice said today.

"These GM scholars represent the highly skilled men and women of tomorrow who will push back the limitless frontiers of space, unlock the energy of the sun, and advance our technology for the benefit of man everywhere," he said.

Mr. Curtice took note of GM's contribution in the world race for technical skills in announcing the winners of 114 4-year college scholarships under the corporation's national scholarship plan.

These winners, all of them honor students, will join 302 others selected under another scholarship program—the GM college plan—at colleges and universities across the land where 1,200 GM scholarship holders from the previous 3 years already are preparing for their careers.

Almost 70 percent of all scholarship winners so far have indicated career choices in the scientific and engineering fields. This ratio has held steady or increased each year of the program. With a revolving total of 1,600 scholarship winners in college each year, the number in scientific and engineering fields should exceed 1,000 annually, Mr. Curtice said. Equally important are the remainder who have chosen careers in teaching, business and other professions.

In addition to the estimated 1,000 scholarship winners taking scientific and engineering courses, some 2,300 students are enrolled at General Motors Institute in Flint, Mich., which offers cooperative courses in engineering. General Motors has operated this school for 37 years.

"In the minds of all our scholarship winners and in the minds of tens of thousands like them at our colleges and universities lies the stake of the Free World," Mr. Curtice declared. "Never before in our history have we so desperately needed brain power. Our young people must be prepared to out-think and out-do their Soviet counterparts if we are to win the race of survival."

The scholarship winners announced today have already demonstrated some of this ability. More than half ranked first in their high school graduating classes, or were

straight A students. Another 40 edited school publications, many were outstanding athletes, and practically all were leaders in student government and their church organizations.

Their outstanding secondary school record is matched by the scholastic aptitude demonstrated by GM scholarship holders now in college. Based on the first 2 years of the program, one-third of the award winners are in the upper 5 percent of their classes, one-half in the upper 10 percent and four-fifths in the upper 25 percent.

GM scholarship winners under both the college and national plans receive $200 to $2,000 a year, depending upon each student's need. All private colleges and universities which have GM scholarship winners, get unrestricted annual grants-in-aid of $500 to $800 for each scholarship winner. Total cost of GM's program of support to higher education is more than $5 million a year.

The national plan winners, who are free to choose any accredited college they desire, were selected on the basis of national competitive examinations taken by more than 20,000 high school boys and girls in all 48 States, Hawaii, Puerto Rico, and the District of Columbia. Final selection from semifinalists was made by a panel of 16 distinguished educators at Princeton, N. J., on the basis of scholastic records and leadership qualities.

Three hundred and two additional scholarships under the college plan are awarded each year by a selected list of 180 colleges and universities. Student benefits are determined the same way under both programs. Students are free to choose their courses of study and are under no obligation of future employment by GM.

In addition to its scholarships plans, General Motors makes grants-in-aid to State and regional associations of colleges, the United Negro College Fund, and the National Fund for Medical Education which benefit 155 other colleges.

ESTABLISHMENT OF UNITED NATIONS FORCE

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House on Senate Concurrent Resolution 109.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the concurrent resolution (S. Con. Res. 109) to express the sense of the Congress on the establishment of the United Nations force, which were, to strike out all after the resolving clause and insert:

That it is the sense of the Congress that consideration should immediately be given by the General Assembly of the United Nations to the development, within its permanent structure, of such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

And to strike out the preamble.

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama that the Senate concur in the amendments of the House.

The motion was agreed to.

ADJUSTMENT IN ANNUITIES UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on Senate bill 3379.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3379) to provide for adjustments in the annuities under the Foreign Service retirement and disability system, which was, on page 3, after line 7, to insert:

SEC. 5. No annuity of a retired officer shall be increased under any section of this act in an amount in excess of $500 per annum. No annuity of a survivor annuitant shall be increased under any section of this Act in an amount in excess of $250 per annum.

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama that the Senate concur in the amendment of the House.

The motion was agreed to.

THE HOUSING BILL

Mr. SPARKMAN. Mr. President, I ask unanimous consent to introduce, out of order, a bill, which is introduced by me, on behalf of myself and the Senator from Arkansas [Mr. FULBRIGHT]; and I ask that the bill lie on the table.

The PRESIDING OFFICER. The bill will be received and lie on the table, as requested by the Senator from Alabama.

The bill (S. 4323) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, introduced by Mr. SPARKMAN (for himself and Mr. FULBRIGHT), was received, read the first time by its title, and ordered to lie on the table.

Mr. SPARKMAN. Mr. President, let me say that the bill is introduced in an effort to have a housing bill passed by Congress at this session. We have had numerous conferences. The bill I have introduced today is greatly pared down or reduced in the amounts provided, as compared with the provisions of the bill the Senate has passed. However, the substance of the bill I have introduced today is the same as the substance of the bill the Senate has passed.

A bill which in many respects provided for even more than did the bill the Senate passed lacked only 6 votes of obtaining a two-thirds vote in the House of Representatives.

It seems to me that the bill I have introduced this afternoon, modest though it is, is greatly needed in order to keep housing going until the next session of Congress convenes in January; and certainly this bill should be able to clear the barriers in both Houses.

It is my hope that it will be possible for us to submit this bill as an amendment to some House bill which comes before us, and then send the House bill, as thus amended, back to the House, and thus give the House membership an opportunity to determine whether a housing bill will be passed at this session of Congress.

Mr. CAPEHART. Mr. President, will the Senator from Alabama yield to me?

Mr. SPARKMAN. I yield.

Mr. CAPEHART. I have examined the bill the able Senator from Alabama has introduced. As he has said, the amounts provided by it are substantially less than those provided by the bill the Senate has passed; and those changes should, in my opinion, be sufficient to make this bill quite acceptable.

Mr. CASE of South Dakota. Mr. President, will the Senator from Alabama yield to me?

Mr. SPARKMAN. I yield.

Mr. CASE of South Dakota. How does the new bill deal with the acquisition of military housing?

Mr. SPARKMAN. The bill retains the language as it passed the Senate, with the exception of the suggestion which was made by the Senator from South Dakota that the appointment of the Commissioners be made by the court, rather than upon nomination by the parties concerned.

Mr. CASE of South Dakota. I have just examined the text of the bill as it is at the desk. I note the change is made that the parties to be appointed by the court, in case a commission is used, would be qualified disinterested persons. That is good. But in the military construction bill we used the word "may" instead of "shall." The language in the print as it is at the desk now uses the word "shall," which would be objectionable, and which would be contradictory to what the Senate provided in the military construction bill.

Would the Senator object to changing the word "shall" to "may"?

Mr. SPARKMAN. I would object. Of course, that is something which can be handled when the bill comes up, if it does come up, in the form of an amendment. I may point out to the Senator that the military construction bill as it passed the Senate had the word "shall" in it. It was in the conference that the word was changed to "may." I certainly objected to it, and I still object to it, because I think, as a matter of right, the person whose property is being taken ought to have that privilege.

We have examined the laws in connection with condemnation and other proceedings. We find in those cases it is a matter of right. I believe where the Government is told it can step in and take property away from people, the person from whom the property is being taken by the Government ought to have the right—not the discretion—to ask that the value of the property be fixed by a commission. I certainly would argue for that right; but it is something which can be handled when the proposed amendment is under discussion.

Mr. CASE of South Dakota. Of course, the Senator may introduce the bill in any form he wishes, but I think the court should not be told it must use commissioners. I would be in favor of

the Senator's proposal, but I do not think the court should be told that it must. If the bill comes up, I shall certainly express my opinions on the matter and try to develop that argument, which was persuasive in conference.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. GOLDWATER. It is difficult to hear in this Chamber today.

Did the Senator introduce his proposal as a new bill or as an amendment?

Mr. SPARKMAN. I introduced it as a bill, but I said I hoped to add it as an amendment to some bill from the House that comes to the Senate, in order that it might go back to the House and that the House might have an opportunity to vote on it.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Georgia.

Mr. RUSSELL. Do I understand correctly that the Senator's bill changes the formula for the acquisition of Wherry housing projects?

Mr. SPARKMAN. We simply restate the language contained in the housing bill which passed the Senate before the Armed Services Committee handled this matter. May I remind the Senator from Georgia that the military construction bill, as it passed the Senate, had the same provisions in it so far as concerns giving the persons the right to name the commissioners.

Mr. RUSSELL. That was the result of a clerical error which transpired in committee; but I had heard—and many rumors become rampant at this late date in the session—that the formula for fixing the valuation of Wherry housing units is altered in this bill.

Mr. SPARKMAN. I do not want to quibble, but when the Senator talks about altering, I point out that the Senate has agreed to the language in the housing bill as it passed the Senate. We are using the same language which was adopted by the Senate in that bill. It is true the wording is not the same, but if the Senator will read the debates in the CONGRESSIONAL RECORD when the military construction bill was under consideration, I think he will find that the able Senator from Mississippi [Mr. STENNIS] said these things would be taken into consideration, which simply meant that consideration shall be given to replacement value and fair depreciation.

So far as I know, that is the only place we depart from what the Senator has called the formula. The Senator from Mississippi [Mr. STENNIS], who was handling the military construction bill, which was passed, had said these would be factors taken into consideration, along with any other factors which might be controlling on a court, wherever the case was being tried.

Mr. RUSSELL. I dislike to appear in opposition to anything proposed by the distinguished Senator from Alabama, but it seems to me there is going to be a clash of opinion in the committees with respect to the Wherry housing projects.

Mr. SPARKMAN. If the Armed Services Committee would take over the Wherry housing jurisdiction, I think our committee would be pleased to get rid of it. But I remind the Senator Wherry housing started in the Banking and Currency Committee. The measure was introduced originally by Senator Wherry and Senator Maybank jointly. The Banking and Currency Committee referred it to the Armed Services Committee.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. What is before the Senate?

The PRESIDING OFFICER. The Senator from Alabama [Mr. SPARKMAN] has the floor.

Mr. SPARKMAN. The committees have joint jurisdiction. I would be glad to have the question of jurisdiction cleared as between the two committees. I have never liked Wherry housing. I did not like the proposition written into the law that gave the Armed Services Committee the right to take it over—in fact, ordered it to take it over. I have not liked it, but I do believe if we are going to take over the property, then adequate compensation ought to be paid to the owners of the projects.

Mr. RUSSELL. The owners have recourse to law. They are privileged to go before a jury and make their case.

Mr. SPARKMAN. And wait from 2 to 4 years to get compensation.

Mr. RUSSELL. The Government has to pay into the court the amount found owing to the owners.

Mr. President, I realize this bill cannot pass as a separate bill, and will have to be appended to some other measure; but for the time being, I object to the second reading of the bill today.

Mr. President, I hope the objection is noted.

The PRESIDING OFFICER. The objection will be noted.

Mr. RUSSELL. I objected to the second reading of the bill today. I want to make that clear for the record.

The PRESIDING OFFICER. The bill will go over for a second reading.

Mr. RUSSELL subsequently said: Mr. President, a few moments ago I objected to the second reading of the housing bill, introduced by the distinguished Senator from Alabama [Mr. SPARKMAN]. I have consulted with the Committee on Armed Services and members of the Committee on Banking and Currency. I wish to withdraw my objection.

Mr. LAUSCHE subsequently said: Mr. President, I have not had an opportunity to obtain an analysis of the bill. I do not know what it contains. On that basis, I object to the second reading of the bill.

The PRESIDING OFFICER. Objection is heard.

RELIEF OF CERTAIN ALIENS DISTRESSED AS THE RESULT OF NATURAL CALAMITY

Mr. EASTLAND. Mr. President, I ask that the Chair lay before the Senate the amendments of the House to S. 3942.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3942) for the relief of certain aliens distressed as the result of natural calamity in the Azores Islands, and for other purposes, which were, on page 1, line 4, after "issued" insert "(A)"; on page 1, line 6, after "act," insert "and (B) a number of special nonquota immigrant visas not to exceed the annual quota allocated under the Immigration and Nationality Act to the quota area of the Netherlands to aliens specified in section 3 of the act"; on page 1, line 6, strike out "immigrants," and insert "immigrants"; on page 1, line 7, strike out "and to their spouses and their" and insert "The spouse of any such alien and his"; on page 1, line 10, strike out "1953" and insert "1958"; on page 1, line 10, after "them" insert ", may be issued special nonquota immigrant visas notwithstanding the numerical limitations herein provided"; on page 1, line 11, after "under" insert "clause (A) of section 1 of"; on page 2, line 3, strike out "January 1, 1958" and insert "September 1, 1958"; on page 2, after line 5, insert:

SEC. 3. Visas authorized to be issued under clause (B) of section 1 of this act shall be issued only to nationals or citizens of the Netherlands who have been displaced from their usual place of abode in the Republic of Indonesia subsequent to January 1, 1949, and who were residing in continental Netherlands on the enactment date of this act.

On page 2, line 6, strike out "3" and insert "4"; on page 2, line 6, strike out "by" where it appears the first time and insert "to be issued under"; on page 2, after line 14, insert:

SEC. 5. Aliens receiving visas under clause (A) of this act shall be exempt from paying the fees prescribed in paragraphs (1) and (2) of section 281 of the Immigration and Nationality Act.

On page 2, line 15, strike out "4" and insert "6"; on page 2, line 19, strike out "5" and insert "1"; on page 2, line 20, strike out "December 31, 1959", and insert "June 30, 1960."

And to amend the title so as to read: "An act for the relief of certain distressed aliens."

Mr. EASTLAND. Mr. President, on August 6, 1958, the Senate passed S. 3942, to provide for the issuance of 1,500 special nonquota immigrant visas prior to December 31, 1959, to certain nationals of Portugal, and to their spouses and children, who have been displaced from their usual place of abode in the Azores Islands as a result of earthquakes and volcanic eruptions.

The House of Representatives passed S. 3942, with amendments, to provide for the issuance of an additional number of special nonquota immigrant visas not to exceed the annual quota allocated under the Immigration and Nationality Act to the quota area of the Netherlands to certain nationals or citizens of the Netherlands who have been displaced from their usual place of abode in the Republic of Indonesia subsequent to January 1, 1949, and who were residing in continental Netherlands on the enactment date of this act.

The bill was also amended to extend the cutoff date to June 30, 1960; to exempt the aliens receiving visas under this act from the payment of fees prescribed in the Immigration and Nationality Act; and to provide for the issuance of special nonquota visas to families of principal applicants without regard to the numerical limitation.

Under the bill as passed by the House of Representatives, approximately 4,500 principal applicants would be eligible to receive the special nonquota visas authorized to be issued under this act.

I move that the Senate concur in the House amendments to Senate bill 3942.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi. [Putting the question.]

Mr. JAVITS. Mr. President, I have some questions I should like to ask the Senator from Mississippi.

Mr. EASTLAND. Mr. President, may we have order, so I can hear the distinguished Senator?

The PRESIDING OFFICER. The Senator will suspend until there is order. Senators will please desist from talking or leave the Chamber.

Mr. HUMPHREY. Mr. President, I ask the Presiding Officer to have persons sit down in the Chamber, so we can hear what these bills are all about.

The PRESIDING OFFICER. Senators will please resume their seats or retire to the rear of the Chamber. The Senator will suspend until the Senate comes to order.

Mr. JAVITS. Mr. President, I ask what is contained in the House amendments?

Mr. EASTLAND. The House amendments add to the Netherlands quota 3,136 people of Dutch nationality. That includes the principal applicants plus their wives and children, people who were run out of Indonesia. Generally the people are technicians, professional people of Dutch blood who were run out of Indonesia.

The proposal is supported by the administration and by the State Department.

Mr. JAVITS. Mr. President, I had occasion, when the bill was before the Senate, to invite the attention of the Senate to the fact that it represented a preferential treatment for some people who were going to be admitted from the Azores. We have now added to that some people who are refugees from what were the Dutch East Indies.

Each of these objectives is desirable. At the same time, as I stated to the Senate at the time, one is informed that any effort to deal with general immigration problems by using the vehicle which is provided by the bill or by the conference report will result in killing the measure, which is desirable on its own. No person like myself, who is interested in the deep problems of people, is going to take that chance. I know it is not an idle threat. I am sure the result would actually occur. So I did not seek to make the bill or to make the conference report a vehicle for far more inclusive immigration action.

At the same time, it should be made clear that far more inclusive immigration action in the interest of the United States is urgently required. Therefore, when the Senator from Mississippi was gracious enough to tell me he was going to bring the matter up, I arranged to ask him some questions as to what we might expect in January of next year in respect of an opportunity to get some immigration legislation which is urgently required by the national interest. I should like to propound these questions.

The first matter to which I think we must direct our attention in all fairness is the situation of 200,000 refugees from behind the iron curtain who are nonresettled in Europe, who are the subject of a most comprehensive report issued by the Zellerbach Commission on the European refugee situation, sponsored by the International Rescue Committee.

Mr. EASTLAND. We gave them 14,000 members in the act which was passed last year. The administration is still filling that quota. The quota is not yet full.

I will tell the distinguished Senator I hope that in January the Immigration Subcommittee will go thoroughly into the question of immigration.

Mr. JAVITS. Will the committee go thoroughly into the question of these particular refugee escapees, covered by a very extensive report involving a very important factor in the cold war between us and the Soviet Union?

Mr. EASTLAND. Yes. We will go thoroughly into that matter.

Mr. JAVITS. With a sympathetic view toward trying to do something about it?

Mr. EASTLAND. With a view to attempting to do the right thing by all people.

Mr. JAVITS. With respect to the law we now have on the books, the Refugee Act as extended 2 years, which expires in July of 1959, as of July 28 last there were 12,524 applicants under the section of the law for the 14,556 visas available, and only 252 visas had been issued.

In short, we constantly stymie ourselves with a tremendously slow executive operation in this field.

Mr. EASTLAND. It is a slow executive operation. That is the fault of the Department of State and not of the law. I am going into the matter to see what can be done to speed the process up.

Mr. JAVITS. The second point of vital importance is the situation of some 70,000 to 80,000 people of the so-called fourth preference category. These are individuals who principally come from Italy and Greece, who have reached majority or are married, sons and daughters, brothers or sisters of United States citizens. In the particular cases of these two quotas, Italian and Greek, there cannot even be met the first, second, and third preferences. Hence there is a tremendous pileup of close relatives of United States citizens, 70,000 to 80,000, awaiting some action by the Congress. May we have some expression as to the intention of the committee on that subject?

Mr. EASTLAND. I will state, as chairman of the Immigration Subcommittee and of the Judiciary Committee, that I intend to go very carefully into that subject.

Mr. JAVITS. Again, with the idea of trying to do something about it?

Mr. EASTLAND. Surely.

Mr. JAVITS. Finally, Mr. President, I know the views of the Senator from Mississippi on the question of the quota system of the United States, but nevertheless a great many of us feel that maintaining, as we do, the 1920 census—3 censuses before the last—as the basis for establishing nationality quotas, which arbitrarily cuts off some 65,000 additional opportunities for worthy immigration into the United States, is simply wrong. The administration is against it. I think a great body of opinion in the country is against it.

May we ask the Senator from Mississippi whether he will afford a hearing early in the next session of Congress on the entire question of the quota system?

Mr. EASTLAND. Yes. I am going into the quota system. I want to be perfectly frank; the Senator from Mississippi is opposed to changing the quota system.

Mr. JAVITS. I understand.

Mr. EASTLAND. I am only one member of the Judiciary Committee, 1 of 15. This will be a decision the committee will have to make.

Mr. JAVITS. I will say, although the Senator is 1 of 15 members, I wish he were on our side.

Nonetheless, Mr. President, I appreciate the fact, and I take the Senator's word for the fact, that we will seriously have an opportunity to tackle these three matters.

Mr. EASTLAND. That is correct.

Mr. JAVITS. I thank the Senator, and I have no objection to the approval of the motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi [Mr. EASTLAND] that the Senate concur in the House amendments.

The motion was agreed to.

PROTECTION OF PRODUCERS AND CONSUMERS AGAINST MISBRANDING AND FALSE ADVERTISING OF FIBER CONTENT OF TEXTILE FIBER PRODUCTS—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 6, 8, 9, 12, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 7, 13, 17, 19, 20, 21, 22, and 23, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with amendments as follows:

On page 2, line 14, of the Senate engrossed amendments, strike out "(f)" and insert "(g)."

On page 2, line 17, of the Senate engrossed amendments, after the word "product" where it appears the second time insert a comma.

On page 2, line 19, of the Senate engrossed amendments, strike out the comma after "animal."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

On page 3, line 4, of the Senate engrossed amendments, strike out "(g)" and insert "(h)."

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

On page 3, line 15, of the Senate engrossed amendments, strike out "4 (g);" and insert "4 (h)."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "furniture, mattresses, and box springs."

And the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

On page 3, line 21, of the Senate engrossed amendments, after "under" insert a comma.

And the Senate agree to the same.

WARREN G. MAGNUSON,
MIKE MONRONEY,
ALAN BIBLE,
ANDREW F. SCHOEPPEL,
JOHN M. BUTLER,
Managers on the Part of the Senate.

OREN HARRIS,
JOHN BELL WILLIAMS,
PETER F. MACK, JR.
CHAS A. WOLVERTON,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. Mr. President, on this bill, the Senate conferees receded on amendments Nos. 1, 2, 3, 6, 8, 9, 12, and 15. The House conferees receded on amendments Nos. 4, 5, 7, 13, 16, 19, 20, 21, 22, and 23. The House also receded on amendments Nos. 10, 11, 14, 17, and 18, with amendments. These amendments are minor, and are to correct punctuation, properly designate subsections, or to clear the wording of parts of the bill.

Mr. President, section 12 of the legislation designates exemptions. Since there was so much interest in exemption No. 2, as agreed to by the conference, it will read "outer coverings of furniture, mattresses and box springs;". The conferees decided to use the descriptive term "outer coverings of furniture" rather than upholsteries for the simple reason that while upholsteries does include the coverings of furniture, it also includes draperies and curtains.

Exemption No. 6 has to do with floor coverings. So that the Senate will understand clearly the effect of the conference agreement, this exemption will now read "backings of, and paddings and cushions to be used under, floor coverings."

The bill as approved by the conferees is much the same as the bill your committee brought to the floor of the Senate plus the amendments made on the floor at the recommendation of the committee. We believe we have improved the bill. We believe that the bill will protect the consumer in purchasing household textile products and that it is essential and necessary legislation. I move that the Senate approve the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

TRAVEL EXPENSES OF CIVILIAN OFFICERS AND EMPLOYEES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1903) to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States, which were, on page 2, line 1, strike out "transportation for himself and" and insert "round trip travel for himself and transportation of", and on page 2, line 9, strike out "or serving the unexpired portion of his term."

Mr. JOHNSTON of South Carolina. Mr. President, S. 1903, a bill to amend the Administrative Expenses Act of 1946, relating to the travel expense of employees assigned to duty outside the continental United States, is at the desk with technical amendments approved by the House.

The House amendments in no way change the substance of the bill. Approval was suggested by the Bureau of the Budget and the Comptroller General and the amendments should, in my opinion, be accepted by the Senate.

Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

EFFECTIVE DATES OF COMPENSATION INCREASES FOR WAGE BOARD EMPLOYEES—CONFERENCE REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSTON of South Carolina. Mr. President, this measure is designed to establish a day certain for increases in compensation granted wage-board employees. The Senate version fixed the day as the beginning of the first pay period occurring on or after the 30th day, exclusive of Saturdays and Sundays, following the date on which the wage survey was first ordered.

The House version fixed the day as of the beginning of the first pay period occurring on or after the 45th day following the date on which the collection of data started.

The conference agreement accepted the 45 days contained in the House version, but provides that it shall be from the date the collection of data is officially ordered.

This is, in effect, a compromise between the Senate and the House versions.

The Senate accepted this compromise somewhat reluctantly. It did so without prejudice to further consideration of the problem at an early date, should it be found that agencies—particularly the Department of Defense—are not responding fully to the desire of Congress that wage-board surveys be conducted expeditiously and that increases resulting therefrom be put into effect promptly.

I move that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

NATIONAL CULTURAL CENTER IN DISTRICT OF COLUMBIA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3335), to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia which was, on page 6, after line 21, insert:

TERMINATION

SEC. 7. (a) This act shall cease to be effective, and all offices created by this act and all appointments made under this act shall terminate, if the Board of Regents of the Smithsonian Institution does not find that sufficient funds to construct the National Cultural Center have been received by the trustees of the National Cultural Center within 5 years after the date of enactment of this act.

(b) If the offices of trustees of the National Cultural Center terminate under the provisions of subsection (a), all funds and property (real and personal) accepted by the trustees of the National Cultural Center under section 5 (a), and income therefrom, shall vest in the Board of Regents of the Smithsonian Institution and shall be used by the Board of Regents of the Smithsonian Institution to carry out the purposes of the act entitled "An act to provide for the transfer of the Civil Service Commission building in the District of Columbia to the Smithsonian Institution to house certain art collections of the Smithsonian Institution," approved March 28, 1958, and for the acquisition of works of art to be housed in the building referred to in such act.

Mr. McNAMARA. Mr. President, the amendment of the House has been cleared by the leadership on both sides. It has the approval of everyone concerned; and the chairman of the Committee on Public Works [Mr. CHAVEZ] asked me to move that the Senate concur in the House amendment. I so move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to.

Mr. FULBRIGHT subsequently said: Mr. President, I wish to thank the Senator from Michigan for the very fine work he has done in handling H. R. 3335, with respect to which the Senate has just concurred in the House amendment. The Senator from Michigan has worked very hard on the bill, and I think it will provide a very great addition to the city of Washington and to the Nation. I thank the Senator from Michigan for all the work he did.

Mr. McNAMARA. I thank the Senator.

NATIONAL CAPITAL CENTER FOR THE PERFORMING ARTS

Mr. MONRONEY. Mr. President, I was unfortunately absent from the floor of the Senate at the time S. 3335, for the establishment of a National Capital Center for the Performing Arts, was passed. Because of my interest in the legislation and also in the tenants who will be displaced by the acquisition of the land required, I should like to ask the distinguished able manager of the bill on the floor, the distinguished Senator from Michigan [Mr. McNAMARA] 1 or 2 questions about it, which I hope will be considered as a part of the legislative history of the act.

As I understand, the bill provides that the National Capital Center for the Performing Arts shall be given a period of 5 years in which private individuals will raise the money for the establishment of the cultural center to be located in the Foggy Bottom area.

Mr. McNAMARA. The Senator from Oklahoma is absolutely correct about the 5-year period. However, I wish to point out that the Commission now has enough money on hand to purchase the slightly more than one acre which is privately held. The remainder of the property already belongs to the Government. Therefore the purchase may be made at any time.

Mr. MONRONEY. The point about which I was asking the Senator was whether the tenants having small businesses—I have reference to the historic gallery, the waxworks—will be permitted to continue in that location as a lessor from the Government until such time as the property is actually needed for the construction of the Cultural Arts Center.

Mr. McNAMARA. As I understood the action of the committee, it was that the tenants could remain until such time as the property was actually needed; and, of course, that would involve, as the Senator from Oklahoma points out, raising the necessary funds to proceed with the project. However, I would not encourage the tenants to rely too much on that, because there is an indication that the money will be raised rapidly.

But there is no reason in the world why the tenants should not remain there. They might become tenants of the United States Government and continue as such on a month-to-month basis.

Mr. MONRONEY. Until the contractors are ready to go to work, and the land is needed for the actual construction, the tenants would prefer to remain there, if the property were to remain idle, until such time as construction begins. If it is the opinion of the Senator from Michigan that that will be permitted under the bill, I deeply appreciate his courtesy in extending this information to me at this later time.

Mr. McNAMARA. That is definitely my understanding. I am sure the situation will continue in the manner in which the Senator has outlined.

Mr. MONRONEY. I thank the Senator from Michigan.

STATEMENT BY THE PRESIDENT REGARDING SUSPENSION OF ATOMIC AND HYDROGEN WEAPONS TESTING

Mr. HUMPHREY. Mr. President, the President of the United States has just issued a statement of the highest significance regarding a suspension of atomic and hydrogen weapons testing.

I ask unanimous consent that the statement be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

The United States welcomes the successful conclusion of the Geneva meeting of experts who have been considering whether and how nuclear weapons tests could be detected. Their conclusions indicate that, if there were an agreement to eliminate such tests, its effective supervision and enforcement would be technically possible.

This is a most important conclusion, the more so because it is concurred in by the experts of the Soviet Union. Progress in the field of disarmament agreements depends upon the ability to establish effective international controls and the willingness of the countries concerned to accept those controls. The fact therefore of an agreement on technical possibilities of inspection and control opens up a prospect of progress in the vitally important field of disarmament.

The United States, taking account of the Geneva conclusions, is prepared to proceed promptly to negotiate an agreement with other nations which have tested nuclear weapons for the suspension of nuclear weapons tests and the actual establishment of an international control system on the basis of the experts' report.

If this is accepted in principle by the other nations which have tested nuclear weapons, then in order to facilitate the detailed negotiations the United States is prepared, unless testing is resumed by the Soviet Union, to withhold further testing on its part of atomic and hydrogen weapons for a period of 1 year from the beginning of the negotiations.

As part of the agreement to be negotiated, and on a basis of reciprocity, the United States would be further prepared to suspend the testing of nuclear weapons on a year-by-year basis subject to a determination at the beginning of each year: (A) the agreed inspection system is installed and working effectively; and (B) satisfactory progress is being made in reaching agreement on and implementing major and substantial arms control measures such as the United States has long sought. The agreement should also deal with the problem of detonations for peaceful purposes, as distinct from weapons tests.

Our negotiators will be instructed and ready by October 31 this year to open negotiations with other similarly instructed negotiators.

As the United States has frequently made clear, the suspension of testing of atomic and hydrogen weapons is not, in itself, a measure of disarmament or a limitation of armament. An agreement in this respect is significant if it leads to other and more substantial agreements relating to limitation and reduction of fissionable material for weapons and to other essential phases of disarmament. It is in this hope that the United States makes this proposal.

Mr. HUMPHREY. I take this opportunity to congratulate the President for this new and constructive advance in American policy. The President has demonstrated genuine leadership on this issue and has given American disarmament policy new vitality and stature. The announcement of the cessation of nuclear-weapons testing comes at a most appropriate time.

On this occasion it seems to me, Mr. President, that the Senate, generally, and the Senate Subcommittee on Disarmament, in particular, have cause for a considerable amount of gratification. The Senate Disarmament Subcommittee has pioneered in the proposals which, today, have been accepted and promulgated by the White House.

It is not often that a legislative body or a legislative committee can play a significant role in initiating foreign policy. I believe that today's events demonstrate that the Senate subcommittee has done so on two significant issues: First, the separation from our complicated disarmament package of the issue of a safeguarded inspection of bomb tests; and, second, the emphasis on detailed preparations for the structure and functioning of an inspection system.

SEPARATION OF TEST ISSUE

On September 6, 1957, in its interim report on the Control and Reduction of Armaments, the Senate Subcommittee on Disarmament unanimously stated:

The subcommittee has concluded that a disarmament agreement must include measures to test the observance of its provisions. Measures for inspection, adequate to safeguard each separate disarmament proposal in the package may, however, when added together, be so extensive as to be impractical or unacceptable.

Two months later, on November 4, 1957, I wrote to President Eisenhower as follows:

I would like to suggest, Mr. President, that the United States, after consulting with its allies, declare its willingness to negotiate separately on a ban on nuclear-weapons tests for a 2-year period with the only condition being agreement on an effective inspection system with United Nations supervision to insure that the ban is being scrupulously observed.

It is my belief that such a proposal would be a safe and reasonable one. It would be a concrete step toward ending the arms race. It would also enable the people of this and other countries to learn more clearly whether the Soviet Union is truly ready to accept effective inspection. We cannot challenge the intentions of the Soviet Union on inspection unless we are in a position to negotiate on a test ban irrespective of the other measures in the Four Power disarmament proposal.

The importance of reaching an independent agreement on the suspension of tests apart from the other complications of our disarmament package has been stressed again and again.

Consequently, we have particular cause for rejoicing that the administration, after months of internal debate, has at last resolved the dispute in favor of the position we here in the Senate have espoused.

I note in this connection the following paragraph from the President's statement this afternoon:

The United States, taking account of the Geneva conclusions, is prepared to proceed promptly to negotiate an agreement with other nations which have tested nuclear weapons for the suspension of nuclear-weapons tests and the actual establishment of an international control system on the basis of the experts' report.

If this is accepted in principle by other nations which have tested nuclear weapons, then in order to facilitate the detailed negotiations the United States is prepared, unless testing is resumed by the Soviet Union, to withhold further testing on its part of atomic and hydrogen weapons for a period of 1 year from the beginning of the negotiations.

As part of the agreement to be negotiated, and on a basis of reciprocity, the United States would be further prepared to suspend the testing of nuclear weapons on a year-by-year basis subject to a determination at the beginning of each year: (A) the agreed inspection system is installed and working effectively; and (B) satisfactory progress is being made in reaching agreement on and implementing major and substantial arms-control measures such as the United States has long sought. The agreement should also deal with the problem of detonations for peaceful purposes, as distinct from weapons tests.

Our negotiators will be instructed and ready by October 31 this year to open negotiations with other similarly instructed negotiators.

The President deserves our highest commendation for this new policy position.

INSPECTION DETAILS

In its interim report of September 6, 1957, to which I have already referred, the Disarmament Subcommittee also stressed the critical importance of inspection. The report uses the following language:

The subcommittee has received to date few details from the executive branch on inspection provisions * * * The subcommittee strongly recommends that if inspection plans have not yet been prepared, an effort be made promptly by the executive branch to draw up blueprints for various types of inspection systems now under consideration.

Repeatedly during the intervening months, we have urged the administration to take the lead in initiating and participating in technical scientific talks on the feasibility of inspection. For instance, on February 4, 1958, I said on the Senate floor:

We should seek to determine what kind of inspection system the Soviet leaders envisage. Is it the type we agreed to in the Korean armistice? If it is, then we and the world should realize that the Soviets are trying to pull the wool over our eyes. The Korean inspection system, as we have since learned to our sorrow, was inadequate. Perhaps the Communists never intended it to work. However, if the Soviets have in mind another type of inspection system and are prepared to consider an inspection system which we believe is adequate, then we should know that too. Above all, when the Soviet indicates a willingness to accept inspection as a component part of a proposal for the cessation of nuclear testing then let us pursue the proposal to its most intimate and minute detail.

All these efforts, too, came to fruition when the United States technical experts sat down for talks on the inspection issue with other experts at Geneva last month.

I ask unanimous consent that the communique issued yesterday following the Geneva talks, and the statements by Dr. James B. Fisk, head of the United States delegation, and Professor Fedorov, head of the Soviet delegation, and Secretary General Hammarskjold, be printed at this point in the RECORD.

There being no objection, the communique was ordered to be printed in the RECORD, as follows:

COMMUNIQUE AND COMMENTS IN GENEVA

GENEVA, August 21.—Following are the texts of the communique issued by Dr. James B. Fisk, head of the United States delegation; and Dr. Yevgeny K. Federov, head of the Soviet delegation, and a message from Dag Hammarskjold, Secretary General of the United Nations:

COMMUNIQUE

"The conference of experts to study the possibility of detecting violations of a possible agreement on the suspension of nuclear tests, which began its work in the Palais des Nations at Geneva on July 1, concluded its work on August 21, 1958.

"The conference expressed its appreciation for the good offices of the Secretary General of the United Nations, carried out through his personal representative, Mr. [T. G.] Narayanan, and for the efficient services rendered by the United Nations secretariat staff attached to the conference.

"In the course of the work of the conference there was an exchange of opinions on the question of the various methods of detecting nuclear explosions.

"The conference came to the conclusion that the methods of detecting nuclear explosions available at the present time, viz: the method of collecting samples of radioactive debris, the method of recording seismic, acoustic and hydroacoustic waves, and the radio signal method, together with the use of on-site inspection of unidentified events which might be suspected of being nuclear explosions, make it possible, within certain specific limits, to detect and identify nuclear explosions, and it recommends the use of these methods in a control system.

"The conference noted that the combined use of the various methods considerably facilitates detection and identification of nuclear explosions."

Improvements are expected

"The conference of experts noted that the effectiveness of the methods considered will increase in course of time with improvement of measuring techniques and with study of the characteristics of natural phenomena which cause interference when explosions are detected.

"The conference has adopted an agreed conclusion regarding the technical equipment of the control system necessary for the detection and identification of nuclear explosions.

"The conference of experts reached the conclusion that it is technically feasible to set up, with certain capabilities and limitations, a workable and effective control system for the detection of violations of a possible agreement on the worldwide cessation of nuclear weapons tests.

"It was established in this connection that a network of control posts which were equipped with all the necessary apparatus appropriate to the various methods of detection of nuclear explosions should be disposed on continents and on islands, as well as on a few ships in oceans.

"The experts came to the conclusion that the control system should be under the direction of an international control organ which would ensure the coordination of the activities of the control system and the functioning of the system in such a way that it would satisfy the necessary technical requirements.

"On August 21, 1958, the conference of experts adopted a final report for consideration by governments. The report will be made public at a time to be determined by governments."

STATEMENT BY DR. FISK

"The conference of experts has completed its work. We on the Western side are gratified that the task set for this conference, which began its work 7 weeks ago, has been successfully accomplished.

"That task was to seek a common understanding of the technical problems, involved in the detection and identification of nuclear explosions.

"We have now reached such a common understanding, which is embodied in the report we have just agreed upon and which we are now transmitting to our governments.

"My colleagues and I are hopeful that this report, which carefully examines and sets forth the capabilities and limitations of present methods of detecting nuclear explosions, will prove helpful to all of our governments in their future consideration of this important subject.

"As scientists we have sought here to establish the facts pertinent to our subject, and to draw from them sound and logical conclusions regarding a system of control."

Many questions asked

"We have heard a large number of scientific presentations from many members of the conference, and we have asked many questions in order to understand and criticize the scientific accuracy of the matters being discussed.

"We have worked together in writing conclusions on each part of our work, as it was completed, and on the final report, seeking thereby to present to governments the scientific facts and the significant measure of agreement that we have been able to reach on a system of control.

"I speak for all of those on the Western side when I express our satisfaction at the friendly and cooperative working relationships which we have enjoyed with our colleagues on the other side of the table.

"In closing, I am anxious to express our warm appreciation and thanks to Ambassador [Pier] Spinelli [of the United Nations office in Geneva] and to the personal representative of the Secretary General, Mr. [T. G.] Narayanan, for his good offices, and to Miss [Constance] Rhodes, Mr. [Henri A.] Cornil and the rest of the secretariat of the United Nations who have assisted the conference, for the efficient services which they have rendered us over these weeks.

"We are likewise grateful to the Confederation of Switzerland and to the cantonal authorities of Geneva for permitting this conference to be held in such lovely and undisturbed surroundings.

STATEMENT BY PROFESSOR FEDOROV

"I should like to say a few words at this juncture on behalf of the delegation of the Soviet Union and on behalf of the delegations of Czechoslovakia, Poland, and Rumania.

"The prevention of war and the maintenance of a stable and permanent peace among the peoples is an extremely important problem and task of our time. The universal cessation of nuclear weapons tests will make a considerable, positive, and definite contribution to the solution of this problem.

"Bearing in mind the fact that the Soviet Union, as it is well known, has halted the testing of nuclear weapons, without awaiting any examination of the possibility of detecting tests of nuclear explosions, the Government of the Soviet Union and the Governments of Czechoslovakia, Poland, and Rumania, in order to accept the wishes of the Western powers which connected a decision on the universal cessation of nuclear tests with the technical possibilities of detecting nuclear explosions, instructed their experts to discuss together with the experts of the Western countries the question of the detection of nuclear explosions and the establishment of a corresponding control system.

Arguments are revealed

"We have spent considerable time in studying these matters and we have discussed, in this connection, a large number of scientific and technical questions. We have frequently had lengthy arguments and we have been very critical about the effectiveness and various limitations of one or another method. However, we have always arrived at agreed conclusions.

"We note with particular satisfaction that the spirit of mutual comprehension and cooperation was characteristic of our joint efforts from the beginning of the conference to its very successful end.

"What is the basic conclusion which can be drawn following the completion of our lengthy task? The conclusion is very simple and very clear.

"A nuclear explosion, including an explosion of small magnitude, can be detected, and the establishment of an effective control system which would make it possible to have an inspection and a checking of the maintenance of an agreement on the universal cessation of nuclear-weapons tests is a quite feasible undertaking and one which would not be particularly complicated.

"In certain instances the task of detecting and identifying nuclear explosions of small yields is relatively simple, in others, specific difficulties are involved.

"However, no matter where a possible violator attempted to conceal an atomic explosion—under the water, on the earth, and the cosmic space—100,000 kilometers (62,500 miles) from the earth—he will nowhere be guaranteed from exposure."

Moral factors omitted

"The means by which these problems are to be resolved is indicated in our proposals which we have adopted as technical experts, we have not discussed factors of a moral or social character.

"Nevertheless, these factors are of great significance, and in this connection we bear in mind the desire of the overwhelming majority of humanity today to prevent an atomic war and to support every means directed toward such an objective.

"We are convinced that no single government which will undertake a commitment to cease the testing of nuclear weapons will disregard such commitment and thus challenge the whole world.

"Our delegation has received numerous letters from many countries, among them letters from workers, businessmen, children, and housewives. All of these letters express the one common hope that the experts will work in such a manner that there may be no more nuclear weapons explosions and no more war.

"We are very happy to feel that our work has made a certain contribution, possibly a modest and limited one, toward the solution of this tremendous task which is the concern of all humanity.

"In conclusion, may I express, on behalf of the delegation of the Soviet Union, Poland, Czechoslovakia, and Rumania, our gratitude to the Government of Switzerland and to the authorities of the canton and city of Geneva for the hospitality and attention which they have bestowed on us.

"We also express our thanks to the director of the European office of the United Nations, Mr. Spinelli, and the representative of the Secretary General, Mr. Narayanan, for their cooperation and the assistance which they have given to the Conference in the course of its work. We are grateful also to the interpreters, the verbatim reporters, the typists, and all the other members of the secretariat of the United Nations who have given us their assistance.

"This concludes the work of our Conference. I should now like to call on Mr. Spinelli, director of the European office of the United Nations, who wishes to make a statement."

STATEMENT BY MR. HAMMARSKJOLD

"Now that your task is drawing to a successful close, I am very glad to have this opportunity of extending to all of you my personal congratulations on your solid accomplishment.

"It was, indeed, my hope, when I expected to be able to come to Geneva during the second half of July, to respond to your kind invitation to be present at your conference and share with you some of my thoughts on the problem on which you have been engaged, and which you have now so successfully resolved as far as its technical aspects are concerned. However, for reasons known to you, I could not undertake that trip.

"I have, nevertheless, kept myself regularly informed of the progress of your work through Mr. T. G. Narayanan, who has represented me at your conference as my personal representative.

"A controlled suspension of nuclear weapons tests represents one aspect—and an important aspect—of the disarmament problem as it is now pending before the United Nations. The whole question of disarmament has been a matter of continuing and increasing concern to us all."

Disarmament dent seen

"Your successful resolution of questions connected with the possibility of detecting violations of a possible agreement on the suspension of nuclear tests will, I have no doubt, be a signal contribution in making an effective dent in the hitherto rather intractable problem of disarmament.

"It will hereafter lie with the governments concerned and the United Nations to follow through the opening you have created. I have every hope that in due course they will, indeed, make the necessary constructive effort.

"I am looking forward to receiving from the governments concerned the report of your conference which I shall submit to the General Assembly and the Security Council.

"Finally, may I again convey my sense of deep gratification at your success, which I know has been achieved by the patient exercise of mutual good faith, willingness of each side to understand the other's point of view, and by an objective and scientific approach to the problems that have confronted you. By the manner in which you have done your work and by the results you have achieved, you have well served the central purpose of the United Nations and its charter."

Mr. HUMPHREY. I also ask unanimous consent, Mr. President, that an article by John W. Finney, "180 Sites Urged for Atomic Check," which appears in this morning's New York Times, be printed in the RECORD, at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE HUNDRED AND EIGHTY SITES URGED FOR ATOMIC CHECK—EAST-WEST EXPERTS CONCLUDE EFFECTIVE POLICE SYSTEM ON BAN IS POSSIBLE

(By John W. Finney)

GENEVA, August 21.—Western and Eastern scientists ended their technical talks today with the joint conclusion that an international ban on the testing of nuclear weapons could be policed effectively.

For monitoring any international agreement to suspend such tests, the scientists recommended a world detection system of about 180 stations situated on all the major land masses and oceans of the world.

The scientists agreed that such a detection network would not provide a foolproof guarantee against any violation of the agreement but would give a high degree of assurance that a clandestine atomic test anywhere in the world would be detected—from a small 1-kiloton explosion to the mighty hydrogen bomb.

RISK SEEN FOR VIOLATOR

In a still secret report, summarizing their conclusions, the scientists said their proposed detection system would "convince any violator of a nuclear test ban that he would run the risk of exposure, regardless of precautionary measures taken."

These scientific conclusions make up one of the few concrete agreements to emerge from 12 years of East-West disarmament negotiations. The agreement is the result of nearly 8 weeks of technical, nonpolitical discussions on the feasibility of detecting secret atomic tests.

As a result of this scientific-level accord it seems more likely than ever that the East and the West will take a "first step" toward disarmament by agreeing to suspend atomic tests under international control.

At the insistence of the United States, which first proposed the Geneva conference last spring, the scientific talks were carefully divorced from any commitment to enter into an atomic test ban. Western diplomats at the conference, however, are now privately conceding that the scientific agreement will almost inevitably lead to diplomatic negotiations on an atomic test suspension.

UNITED STATES QUESTIONS ANSWERED

The talks have served to answer United States questions about the feasibility of policing an atomic test ban. In turn, the Soviet Union has agreed in principle that such a test ban should be internationally supervised, including the establishment of control posts within the territory of Communist nations.

The diplomatic significance of the scientific accord was pointed up in a message sent to the conferees by Dag Hammarskjold, Secretary General of the United Nations, congratulating the scientists on their solid accomplishment. Mr. Hammarskjold wrote:

"Your successful resolution of questions connected with the possibility of detecting violations of a possible agreement on the suspension of nuclear tests will, I have no doubt, be a signal contribution in making an effective dent in the hitherto rather intractable problem of disarmament.

"It will hereafter lie with the governments concerned and the United Nations to follow through the opening you have created. I have every hope that in due course they will indeed make the necessary constructive effort."

A communique issued after today's final meeting said that the two sides had "reached the conclusion that it is technically possible to set up, with certain capabilities and limitations, a workable and effective control system for the detection of violations of a possible agreement on the worldwide cessation of nuclear-weapons tests."

For such a system the conferees recommended a network of control posts that would be equipped with various detection instruments and be "disposed on continents and on islands, as well as on a few ships in oceans," the communique went on.

The scientists recommended that four presently available detection methods be included in a control system: the collection of radioactive debris, the seismological recording of earth shock waves created by underground and near-surface explosions, the registration of acoustic air waves generated by above-surface explosions and hydroacoustic waves created by underwater explosions, and the detection of the electromagnetic radiation given off by above-surface explosions in the form of light and low-frequency radio waves.

A key point to emerge from the communiqué was that this detection network should be supplemented by "on-site inspection of unidentified events which might be suspected of being nuclear explosions."

Thus, for the first time the Soviet bloc specifically agreed to the necessity of mobility for inspection teams. Mobility has been a cardinal feature of United States inspection proposals on the ground that suspicious evidence might be detected by control posts that could be verified only by on-the-spot investigation.

LIMITATIONS ARE CONCEDED

In their communique, the scientists conceded there would be "certain specific limits" in the capabilities of such a control system to detect and identify nuclear explosions.

They said, however, that combined use of the various detection methods "considerably facilitates the detection and identification of nuclear explosions."

Furthermore, they said, the effectiveness of the detection methods would increase in time, with improvement of measuring techniques and more study of natural phenomena such as earthquakes, volcanic explosions, and meteorites, which could interfere with or confuse the detection of atomic explosions.

The scientists recommended that the control system be under the direction of "an international control organ." At the insistence of the western delegation, however, the details of such an international agency were left to any subsequent diplomatic negotiations.

As proposed by the scientists, any suspected violation detected by a control post would be reported to the headquarters of the international agency, which could send out inspection teams to make an on-the-spot investigation.

The detailed recommendations of the scientists were contained in a 40-page report, which was not made public immediately.

Conference sources disclosed, however, that the conclusion contained in the report was virtually paraphrased in a statement by Prof. Yevgeny K. Fedorov, head of the Soviet bloc delegation.

FEDOROV REMARKS QUOTED

The basic conclusion to be drawn from the talks is that "a nuclear explosion, including an explosion of small magnitude, can be detected, and the establishment of an effective control system * * * is a quite feasible undertaking and one which would not be particularly complicated," Professor Fedorov said. He added:

"In certain instances the task of detecting and identifying nuclear explosions of small yields is comparatively simple; in others, specific difficulties are involved.

"However, no matter where a possible violator attempted to conceal his atomic explosion—under the water, under the earth or in the cosmic space 100,000 kilometers (62,500 miles) from the earth—he will nowhere be guaranteed from exposure."

In the report the scientists were said to have recommended that a control system be made up of about 180 detection stations. The stations would be situated in all major land masses, including four in Antarctica, on oceanic islands, and in 10 ships at sea.

The stations would be situated 600 to 2,100 miles apart, according to the report. The stations would be spaced most closely in land areas, particularly in earthquake and volcanic regions. They would be farthest apart in the about 40 proposed oceanic island sites.

As proposed in the report, there would be 6 stations in Europe, 7 in Australia, 16 in Africa, 37 in Asia and 40 in North and South America.

Within the Asian land mass some stations obviously would have to be situated in Communist China, a point that is likely to complicate any future negotiations. However, in keeping with the nonpolitical nature of the talks the scientists discussed only general land areas rather than specific national territories for the location of the stations.

PLANES TO AID IN POLICING

The ground control posts would be supplemented by monitoring planes that would fly over international waters off the major land masses to pick up any radioactive debris from an atomic explosion.

Such a detection network would be designed to detect atomic explosions with a force of 1 kiloton—equal to 1,000 tons of TNT—and larger, conference sources disclosed.

The scientists were said to have agreed that this detection system would provide virtually complete assurance of detecting any atomic explosion of 1 kiloton or larger exploded above the surface to an altitude of about 10 miles.

They were said to have agreed that there was some chance that the control system would not detect very small explosions detonated deep underground or high in the air. They noted in their report, however, that on-the-site investigation would compensate to an extent for some of these detection uncertainties.

PROPAGANDA BARRAGE EXPECTED

The concluding statements by both sides gave a harbinger of the propaganda-loaded diplomatic exchange that is almost certain to follow between Moscow and Washington as they maneuver over entering into diplomatic negotiations.

In his statement, Professor Fedorov laid considerable emphasis on the "common hope" in the world that there would be no more nuclear tests. A test cessation would make a considerable contribution to the prevention of war, he remarked.

With contrasting avoidance of the underlying political issues, Dr. James B. Fisk, chairman of the western delegation, noted that the conference had successfully fulfilled its assigned task of reaching "a common understanding" of the technical problems involved in the detection of atomic explosions. He expressed hope that the conference's report on methods of detecting atomic explosions "will prove helpful to all of our governments in their future consideration of this important subject."

The conference was attended by scientists from the Soviet Union, Czechoslovakia, Poland, Rumania, the United States, Britain, Canada, and France.

Mr. HUMPHREY. Mr. President, the tremendously encouraging results of the Geneva Conference were appropriately recognized by the President in his statement this morning. I refer to the opening two paragraphs of that statement:

The United States welcomes the successful conclusion of the Geneva meeting of experts who have been considering whether and how nuclear weapons tests could be detected. Their conclusions indicate that, if there were an agreement to eliminate such tests, its effective supervision and enforcement would be technically possible.

This is a most important conclusion, the more so because it is concurred in by the experts of the Soviet Union. Progress in the field of disarmament agreements depends upon the ability to establish effective international controls and the willingness of the countries concerned to accept those controls. The fact therefore of an agreement on technical possibilities of inspection and control opens up a prospect of progress in the vitally important field of disarmament.

The Senate Subcommittee on Disarmament has persevered when others have doubted. We can only hope that future events will prove to be as auspicious as these Geneva beginnings.

TEST SUSPENSION AND DISARMAMENT

Finally, Mr. President, there is one point in this historic statement by the President where I must disagree slightly. The last paragraph of the President's message states that "the suspension of testing of atomic and hydrogen weapons is not, in itself, a measure of disarmament or a limitation of armament. An agreement in this respect is significant if it leads to other and more substantial agreements relating to limitation and reduction of fissionable material for weapons and to other essential phases of disarmament."

I agree with the President that a suspension of tests should and must lead to other disarmament measures, but I do not accept the idea that a suspension of nuclear weapons tests is insignificant as a disarmament measure.

In the preface of a staff study of the Disarmament Subcommittee, issued in June 1958, I said:

A suspension of nuclear weapons tests would constitute a meaningful disarmament measure.

The arms race of today is primarily a qualitative race. I would like again to quote from this same preface:

Each nation is attempting to develop the most destructive weapons, or the most precise weapons, or the weapons with the longest range, or weapons with some other special

quality. The quantity of armaments is important, but it is the constant improvement in quality, or even the development of entirely new weapons, which causes a nation to expend some of its best resources and energies in an effort to keep up to date.

Therefore, I repeat, a suspension of nuclear tests would be significant as a step toward a solution of the disarmament problem. It would greatly impede, if not prohibit, the development of new types of nuclear weapons; it would also prevent the development of nuclear weapons by any nation which has not already made the tests essential to proving new weapons.

In conclusion, Mr. President, I hope that the Nation will rise to congratulate our President for the statement he has made today, and will support his efforts to negotiate a truly effective and reliable system to control the suspension of nuclear weapons tests.

We now await acceptance of the President's offer on the part of the Soviet Union and the other countries concerned.

CONSOLIDATION INTO ONE ACT ALL LAWS ADMINISTERED BY VETERANS' ADMINISTRATION

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the amendment of the Senate to the bill (H. R. 9700) to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes, which were, on page 2 of the Senate engrossed amendment, in the matter following the center heading "Chapter 1—General", strike out "Dependent parents" and insert in lieu thereof the following "Dependent parents and dependent husbands"; on page 7 of the Senate engrossed amendment—

(1) Strike out "§ 102. Dependent parents" and insert in lieu thereof "§ 102. Dependent parents and dependent husbands"; (2) immediately after "(a)" in section 102 (a), insert "(1)"; (3) in section 102 (b)—

(A) strike out "(b)" and insert "(2)"; (B) after "denied" strike out "(1)" and insert "(A)";

(C) after "remarriage, or" strike out "(2)" and insert "(B)"; and (4) in section 102 (c), strike out "(c)" and insert "(3)"; and strike out "section" and insert in lieu thereof "subsection"; (5) add at the end of section 102 the following new subsection:

(b) For the purposes of this title (except chs. 19 and 33), (1) the term "wife" includes the husband of any female veteran if such husband is incapable of self-maintenance and is permanently incapable of self-support due to mental or physical disability; and (2) the term "widow" includes the widower of any female veteran if such widower is incapable of self-maintenance and was permanently incapable of self-support due to physical or mental disability at the time of the veteran's death.

On page 23 of the Senate engrossed amendment, in subsection (m) of section 314, immediately before "or has suffered blindness in both eyes" insert the following "or has suffered blindness in both eyes having only light perception,"; on page 40 of the Senate engrossed amendment, in paragraph (3) of section 501, strike out "Veteran" and insert "veteran"; on page 54 of the Senate engrossed amendment, in subsection (a) of section 624, strike out ", except that he may furnish necessary hospital care and medical services for service-connected disabilities incurred during a period of war to veterans who are citizens of the United States temporarily sojourning or residing abroad"; on page 55 of the Senate engrossed amendment, in section 631, (1) strike out "(a)"; and (2) strike out "If agreement is reached to modify the plan of assistance as provided for in paragraph (1) of section 632, the total of grants for 1958 up to July 1 may be as much as $1,000,000."; on page 56 of the Senate engrossed amendment, in paragraph (1) of section 632, strike out "must be entered into before July 1, 1958,"; on page 62 of the Senate engrossed amendment, in section 712, strike out "cansecutive" and insert in lieu thereof "consecutive"; on page 63 of the Senate engrossed amendment, in section 715 (1) strike out "or 621"; (2) strike out "$5" and insert in lieu thereof "$10"; and (3) strike out "Policies" and insert in lieu thereof "The total disability provision authorized under this section shall not be added to a policy containing the total disability coverage heretofore issued under section 602 (v) of the National Service Life Insurance Act of 1940, except upon surrender of such total disability coverage, proof of good health satisfactory to the Administrator, and payment of such extra premiums as the Administrator shall determine is required in such cases. Participating policies"; on page 68 of the Senate engrossed amendment, in subsection (b) of section 721, strike out "heretofore to hereafter" and insert in lieu thereof "heretofore or hereafter"; on page 71 of the Senate engrossed amendment, (1) in paragraph (2) of subsection (b) of section 722, strike out "paragraph (1)" and insert in lieu thereof "subsection (b) (1) of this section"; and (2) in paragraph (3) of subsection (b) of section 722, strike out "subsection (b)" and insert in lieu thereof "this subsection"; on page 72 of the Senate engrossed amendment, in subsection (a) of section 723, strike out all that follows "(4) such insurance" and insert in lieu thereof "and any total disability provision added thereto shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited to a revolving fund in the Treasury of the United States and the payments on such term insurance and any total disability provision added thereto shall be made directly from such fund. Appropriations to such fund are hereby authorized"; on page 88 of the Senate engrossed amendment, in subsection (a) of section 902, strike out "$150" and insert in lieu thereof "$250"; on page 88 of the Senate engrossed amendment, in subsection (a) of section 903, strike out "$150" and insert in lieu thereof "$250"; on page 92 of the Senate engrossed amendment, in section 1506, strike out "and prosthesis," and insert in lieu thereof "and prosthesis"; on page 93 of the Senate engrossed amendment, in section 1506, strike out "or prosthesis", and insert in lieu thereof "or prosthesis"; on page 93 of the Senate engrossed amendment, in section 1507, strike out "interest," and insert in lieu thereof "interest and"; on page 97 of the Senate engrossed amendment, in subsection (a) of section 1612, immediately at the end thereof insert "Notwithstanding the preceding sentence, any otherwise eligible veteran whom the Administrator determines to have been prevented from initiating a program of education or training under this chapter within the period prescribed by this subsection because he had not met the nature of discharge requirements of section 1601 (a) (2) (B) of this title before a change, correction, or modification of a discharge or dismissal made pursuant to section 1553 of title 10, the correction of the military records of the proper service department under section 1552 of title 10, or other corrective action by competent authority, shall be permitted to initiate a program of education or training under this chapter within 3 years after whichever is later, September 1, 1958, or the date his discharge or dismissal was so changed, corrected, or modified."; on page 98 of the Senate engrossed amendment, in section 1613, strike out all that follows "earlier" and insert in lieu thereof ", except that any veteran who is eligible to initiate a program of education or training by reason of the second sentence of section 1612 (a) of this title shall be permitted to pursue, subject to the other provisions of this chapter, such program for a period of not more than 5 years after the date of initiation thereof; but in no event shall education or training be afforded under this chapter after January 31, 1965."; on page 119 of the Senate engrossed amendment, in the table of contents below section 1669, immediately below "1736. Discontinuance of allowances." insert the following:

1737. Specialized vocational training courses.

On page 122 of the Senate engrossed amendment, in subsection (a) of section 1712, (1) strike out "(3) (A)" and insert in lieu thereof "(4) (A)"; and (2) strike out "(2) if he had not reached his twenty-third birthday on June" and insert in lieu thereof the following:

(2) if he has a mental or physical handicap, and the Administrator determines that his best interests will be served by pursuing a program of special restorative training or a specialized course of vocational training approved under section 1737 of this title, such period may begin before his eighteenth birthday, but not before his fourteenth birthday;

(3) if he had not reached his twenty-third birthday on June

On page 129 of the Senate engrossed amendment, in section 1735, strike out all of subsection (a) and insert in lieu thereof the following:

(a) An eligible person shall receive the benefits of this subchapter while enrolled in a course of education offered by an educational institution only if such course (1) is approved in accordance with the provisions of this section, or (2) is approved for the enrollment of the particular individual under the provisions of section 1737 of this title.

On page 129 of the Senate engrossed amendment immediately after section 1736, insert the following:

§ 1737. Specialized vocational training courses

Notwithstanding the provisions of subsections (b) and (c) of section 1735 of this title, the Administrator may approve a specialized course of vocational training leading to a predetermined vocational objective for the enrollment of an eligible person under this subchapter if he finds that such course, either alone or when combined with other courses, constitutes a program of education which is suitable for that person and is required because of a mental or physical handicap.

On page 161 of the Senate engrossed amendment, in the table of contents immediately above section 2101, strike out "2104. Administration of chapter." and insert in lieu thereof the following:

2104. Time limitations.
2105. Administration of chapter.

On page 163 of the Senate engrossed amendment, strike out "§ 2104. Administration of chapter" and insert in lieu thereof the following:

§ 2104. Time limitations

Any member of the Armed Forces entitled to mustering-out payment who was discharged or relieved from active service under honorable conditions before July 16, 1952, shall, if application therefor is made before July 17, 1959, be paid such mustering-out payment by the Secretary concerned beginning within one month after application has been received and approved. No member of the Armed Forces shall receive mustering-out payment under this chapter more than once, and such payment shall accrue and the amount thereof shall be computed as of the time of discharge for the purpose of effecting a permanent separation from the service or of ultimate relief from active service or, at the option of such member, for the purpose of enlistment, reenlistment, or appointment in a regular component of the Armed Forces.

§ 2105. Administration of chapter

On page 174 of the Senate engrossed amendment, in subsection (a) of section 3109, strike out "Seventy-sixth Congress,"; on page 217 of the Senate engrossed amendment, add at the end of section 5 the following new subsection:

(c) Amendments effective after August 18, 1958, made to any provision of law replaced by title 38, United States Code, shall, notwithstanding the repeal of such provision by section 14 of this Act, supersede the corresponding provisions of title 38, United States Code, to the extent that such amendments are inconsistent therewith.

On page 219 of the Senate engrossed amendment, in subsection (a) of section 12, (1) strike out "veteran who" and insert "veteran (1) who"; and (2) immediately before the period at the end of such subsection insert the following: ", or (2) whose discharge or dismissal is changed, corrected, or modified before February 1, 1965, pursuant to section 1552 or 1553 of title 10, United States Code, or by other corrective action by competent authority"; on pages 220, 221, and 222 of the Senate engrossed amendment, in subsections (c), (d), (e), (f), (g), (h), (i) (1), (l) (2), (j), (k), (m), (n), (o), (p), (r), (s) (1), (t), and (u) of section 13, strike out "title 38" each place it appears and insert in lieu thereof "title 38, United States Code"; on page 220 of the Senate engrossed amendment, in subsection (i) of section 13, immediately below paragraph (2), insert the following:

(3) (A) Subsection (g) of section 1511 of such Act is amended by striking out "title V of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 1011 et seq.)" and inserting in lieu thereof the following: "chapter 43 of title 38, United States Code".

(B) Subsection (b) of such section 1511 is amended by striking out "232 of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 942), a subsistence allowance under part VII or part VIII of Veterans Regulation Numbered 1 (a), as amended, or an educational assistance allowance under the War Orphans' Educational Assistance Act of 1956 (38 U. S. C. 1031 et seq.)" and inserting in lieu thereof "1632 of title 38, United States Code, a subsistence allowance under chapter 31 of such title 38 or under part VIII of Veterans Regulations Numbered 1 (a), or an educational assistance allowance under chapter 35 of such title 38".

(C) Subsection (i) of such section 1511 is amended by striking out "title IV of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 991 et seq.)" and inserting in lieu thereof "subchapter I of chapter 41 of title 38, United States Code."

On page 221 of the Senate engrossed amendment, in subsection (o) of section 13, (1) insert "(1)" immediately after "(o)"; and (2) insert immediately below such subsection the following new paragraphs:

(2) Paragraph (23) of such section 202 is amended by striking out "Classification Act of 1923, as amended, pursuant to Public Law 636, 79th Congress, approved August 7, 1946, as amended" and inserting in lieu thereof "Classification Act of 1949, pursuant to section 4202 of title 38, United States Code."

(3) Paragraph (25) of such section 202 is amended by striking out "section 14 (b) of Public Law 293, 79th Congress, approved January 3, 1946, as amended by Public Law 722, 80th Congress, approved June 19, 1948" and inserting in lieu thereof "section 4114 (b) of title 38, United States Code."

On page 222 of the Senate engrossed amendment, in subsection (v) of section 13, strike out paragraph (1) and insert in lieu thereof the following:

(1) By amending section 1441 by striking out "1115" and inserting in lieu thereof "415 (g)."

On page 224 of the Senate engrossed amendment, in subsection (x) of section 13, strike out "(x)" and insert in lieu thereof "(w)", and on page 233 of the Senate engrossed amendment, in section 14, immediately below paragraph (119), insert the following new paragraphs:

(120) Section 2 of the act of August 14, 1958 (Public Law 85-652).

(121) Section 2 of the act of August 18, 1958 (Public Law 85-674), except that such repeal shall not permit payment of the $250 burial allowance under sections 902 or 903 of title 38, United States Code, with respect to deaths occurring before August 19, 1958, as to which the amount authorized by the laws in effect on the date of death shall apply.

Mr. BYRD. Mr. President, this bill is a codification of the veterans' laws. The amendments made by the House are merely technical in nature.

I move that the Senate concur in the amendments of the House.

The motion was agreed to.

EXTENSION OF RENEGOTIATION ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes.

Mr. BYRD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 1, after the word "inserting", to insert "the"; at the beginning of line 3, to insert "Section 103 (b) of such act is amended by inserting 'the Administrator of the National Aeronautics and Space Administration,' after 'the Administrator of General Services' "; in line 6, after the word "The", to strike out "amendment" and insert "amendments"; and after line 13, to strike out:

SEC. 3. Judicial review of Tax Court decisions in renegotiation cases.

(a) In general: The second sentence of section 108 of such act (50 U. S. C., App. sec. 1218) is amended to read as follows: "Upon such filing such court shall have exclusive jurisdiction, by order, to determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency except that it may be reviewed as provided in subsections (a) and (c) of section 7482 of the Internal Revenue Code of 1954."

(b) Conforming amendment: The fourth sentence of such section 108 is amended by striking out "finally".

(c) Effective date: The amendments made by subsections (a) and (b) shall apply with respect to decisions rendered by the Tax Court of the United States after June 30, 1958.

Mr. CASE of South Dakota. Mr. President, first I ask that a statement by the distinguished Senator from Massachusetts [Mr. SALTONSTALL] be printed in the RECORD at this point. It is a statement explaining his vote with respect to the extension of the Renegotiation Act.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

Mr. President, I am supporting the pending measure to extend the Renegotiation Act because it is quite apparent that the Defense Department needs this continued authority in many instances. However, I have filed legislation separately as part of a bill calling for several changes in our procurement laws to exempt certain types of contracts from the renegotiation procedure. I have not offered the amendment which is contained in my procurement amendment bill, S. 4294, at this time inasmuch as the renegotiation exemptions proposed must be considered in context with the other suggestions embodied in S. 4294. I do wish to express, however, at this time my belief that certain types of contracts should be exempted from renegotiation procedures, notably incentive contracts.

I hope that the Senate will favorably consider these proposals as a part of a broader procurement reform measure, even though the basic act giving renegotiation authority is extended at this time.

Mr. CASE of South Dakota. Mr. President, I understand from an examination of the bill that the committee is reporting it with an amendment to strike out what was proposed as section 3, proposing the judicial review of tax-court decisions in renegotiation cases.

Mr. BYRD. That is correct.

Mr. CASE of South Dakota. I express the hope that when the bill goes to conference the Senate conferees will insist upon their position. The pending bill proposes to extend the Renegotiation Act for 6 months. In the Senate committee's report I note an excerpt from the report of the House Ways and Means Committee, giving the reason for not extending the act for more than 6 months. I quote from the Senate committee report, which quotes a paragraph from the report of the House Ways and Means Committee:

The bill limits the extension of renegotiation to a period of 6 months because it is the intention of your committee to undertake a broad review of the entire subject of renegotiation early in the next Congress. At that time consideration will be given to the scope, objectives, and procedures of renegotiation and to possible amendments including those proposed at the hearing on the present bill.

Mr. President, if the reason for granting a 6-months' extension is in order that the committees may undertake a broad review of the entire subject, it seems to me that it would be entirely inconsistent in this bill. It proposes something which would entirely revolutionize the concept and the procedure in connection with renegotiation cases.

If the purpose is to give time for a broad review, why should the bill propose to prejudge the question of appeal and review of decisions of the Tax Court? I think the Senate Committee on Finance is entirely sound in striking that provision from the bill. I would be disappointed if the Senate were to recede from that position in conference.

Mr. BYRD. Mr. President, let me say to the Senator from South Dakota, who is the father of the Renegotiation Act, that the reasons he has just given impelled the Senate Finance Committee to strike from the bill the right to take an appeal. So far as the chairman is concerned, the Senate conferees will certainly insist upon striking the provision providing for the right to take an appeal.

Mr. CASE of South Dakota. I do not wish to prolong the discussion, but if the Senator will indulge me for a few more observations, I will say that not only would the inclusion in this bill of the 6 months' extension prejudge the entire issue, but it would create a discriminatory situation by establishing an appellate right in respect of the cases which might happen to arise during the 6 months' extension. It would not establish it with respect to previous cases, unless we opened up the entire field of prior decisions. It would prejudge the situation so far as the future is concerned, by creating a discriminatory situation with respect to future cases.

To establish an appellate jurisdiction over the Tax Court on renegotiation reveals, it seems to me, a misunderstanding of what is involved. Normal judicial courts do not have the tax accountants, the engineers, and the standards for evaluating the various matters which enter into costs, which the Tax Court has. That is why the Tax Court was selected as the appellate court for reviewing decisions of the price adjustment boards. The use of renegotiation involves the exercise of judgment. Courts must be courts dealing with matters of record. There might be in evidence or there might not be in evidence previous decisions of renegotiation boards. A court could consider only those which were of record. I applaud and commend the Committee on Finance for pointing out the issue involved and for striking that provision from the bill. I certainly hope that in conference their wishes will prevail.

Mr. BYRD. The Senator from South Dakota has made a very strong argument. I feel certain that the conferees on the part of the Senate will insist on striking that provision.

An extension beyond the present limit has been requested by the President and recommended by the Defense Department because the defense expenditures of $39 billion for the fiscal year 1958 and $40.5 billion for the fiscal year 1959 are greater in amount than ever before in our peacetime history and because it is difficult to determine accurately the proper price of new and experimental weapons in the aircraft, missile, and space fields when the contracts are awarded. However, it is realized that the process of renegotiation while needed now is not satisfactory as a permanent part of our Federal law. The determination of excessive profits depends in the main upon the judgment of men rather than upon rules of law. The House bill extends the period through June 30, 1959. In the report of the House Ways and Means Committee, it is stated that—

The bill limits the extension of renegotiation to a period of 6 months because it is the intention of your committee to undertake a broad review of the entire subject of renegotiation early in the next Congress. At that time consideration will be given to the scope, objectives, and procedures of renegotiation and to possible amendments including those proposed at the hearing on the present bill.

The committee has made a technical amendment to the House bill to make it certain that the act will apply to the Administrator of the National Aeronautics and Space Administration, as well as the other agencies now covered. The only substantive amendment to the House bill made by the committee is the elimination of section 3, which provides a review by the United States Courts of Appeals of decisions of the Tax Court as to the determination of excessive profits. The right to appeal Tax Court decisions to the Courts of Appeals is now limited under the existing law to constitutional questions and questions of law. Because of problems which may be involved in reviewing determinations of excessive profits by the Courts of Appeals and the fact that the Joint Committee on Internal Revenue Taxation recommended in 1956 that no appeal should be allowed to the Courts of Appeals on the determination of excessive profits by the Tax Court, your committee believes that this subject should also be further considered in connection with the study to be made in the next Congress.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point a comprehensive statement of the views of the Committee on Finance as to why the appeals should not be included in the bill.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

OBJECTION TO HAVING UNITED STATES COURTS OF APPEALS REVIEW DETERMINATIONS OF EXCESSIVE PROFITS BY THE TAX COURT

The Joint Committee on Internal Revenue Taxation made a report to the Congress on renegotiation procedure on May 31, 1956, pursuant to section 6 of Public Law 216, approved August 3, 1955, and recommended that the present procedure for the determination of excessive profits by the Tax Court, with no appeal therefrom to the Court of Appeals, should be retained.

1. The determination of excessive profits involves an act of discretion. It was granted to the Tax Court because it is in the executive branch of the Government and has the power to exercise administrative determinations which are not of a judicial nature.

2. The renegotiation law gives jurisdiction to the Tax Court which is entirely independent of the Renegotiation Board, and thus affords the contractor an independent determination of excessive profits. The determination of the Tax Court is a de novo proceeding.

3. If jurisdiction is granted to the United States Courts of Appeals to determine excessive profits, there will be further delay in settling renegotiation cases, by at least 1 year, and more if the proceedings are protracted in the Courts of Appeals or if the case goes to the Supreme Court.

4. The Renegotiation Board as well as a contractor will have the right to appeal any adverse decision. This may delay final settlement of a renegotiation proceeding for at least 1 year—more if the case then goes to the Supreme Court.

5. Contractors in many cases employ public accountants for the renegotiation proceedings. These accountants (certified public accountants) are permitted to practice before the Tax Court. If the Renegotiation Board should file an appeal these contractors would have to engage legal counsel in all cases, or the contractor might select lawyers even in the Tax Court proceedings because of the right to appeal to the Courts of Appeals.

6. Granting the right to appeal at the present time places a premium on delay. Many contractors who have entered into voluntary settlements with the Renegotiation Board might not have done so had there been a right of appeal beyond the Tax Court. It is not now possible to reopen all of these proceedings.

7. If the right to appeal is granted, it is difficult to determine whether the Courts of Appeals could not exercise discretion in redetermining the amount of excessive profits rather than simply approving or disapproving the Tax Court's redetermination. The Courts of Appeals should not have discretionary power with respect to excessive profits but the appeal power as incorporated in the House bill could not safely be reworded without extensive study.

8. The right of appeal on the issue of excessive profits has not heretofore been approved by the Finance Committee. The Renegotiation Act of 1948 which was in force only for a limited period of time did contain a broad right of appeal approved by the Senate Appropriations Committee but no appeal was taken to the Courts of Appeals under that act. The 1948 act was superseded by the 1951 act which provided as in the case of other acts reported by the Senate Finance Committee that no appeal should lie beyond the Tax Court on the determination of excessive profits.

9. Granting the right to appeal on the question of excessive profits at this time would lend an air of permanency to the Renegotiation Act, which is only intended to be of a temporary nature because of the large volume of defense contracts.

10. If the right of appeal is to be granted, a study may disclose that such rights should be extended to cases falling under acts prior to the Renegotiation Act of 1951.

11. If the right of appeal is deleted now, pending further study, it will not be difficult to add it next session if that becomes desirable.

EXCHANGE OF LANDS AT ROCHESTER FISH-CULTURAL STATION, INDIANA

Mr. JOHNSON of Texas. Mr. President, my attention has been called to a bill to which there is no opposition. I therefore ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar 2549, H. R. 13475.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill H. R. 13475, to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana.

The PRESIDING OFFICER. Is there objection to present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. I ask unanimous consent to have printed in the RECORD at this point a brief explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to authorize the Department of the Interior to effect an exchange of lands at the Rochester, Ind., Fish Cultural Station. In exchange for 51.03 acres of cropland that is presently unused and for which there is no prospective use, the station would acquire 8 acres of land in front of the station and fronting on the highway, through which runs the canal supplying the hatchery with water. It was testified at the hearings before the House Committee on Merchant Marine and Fisheries that the Fish and Wildlife Service had sought the parcel involved for a number of years as a protection for its water supply but had been unable to reach any agreement with the city of Rochester, the owner. The present bill achieves the objective of obtaining the desired land at the expense of the transfer of unused acreage of approximately equal value, according to the Fish and Wildlife Service.

This legislation was unanimously approved by the House Merchant Marine and Fisheries Committee following public hearings, and passed the House without objection on August 15. It was the wholehearted support of the Senators from Indiana.

The favorable report from the Secretary of the Interior is set forth below for the information of the Senate. Attention is directed to the statement in that letter that—

"Before consummating this exchange (of land) we would have a further evaluation made of the properties in order to assure an exchange of properties that are of approximately equal value."

The testimony of Fish and Wildlife Service officials before the House committee was to the effect that the United States-held land was valued at $17,860, and the city-owned property was valued at $18,100.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1438. An act to amend section 544 of title 28, United States Code, relating to the bonds of United States marshals;

S. 1985. An act to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto;

S. 2114. An act to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for field sites, to undertake construction and improvement of buildings, and for other activities;

S. 3295. An act to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act;

S. 4085. An act to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes; and

S. 4096. An act to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole.

The message also announced that the House had passed the bill (S. 2719) to provide for the payment of bounties on dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3680) to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7450) to make the Policemen and Firemen's Retirement and Disability Act amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCMILLAN, Mr. DAVIS of Georgia, and Mr. BROYHILL were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10473) for the relief of Hipolito C. DeBaca.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 12126) to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes.

The message further announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 37. Concurrent resolution favoring Congressional recognition of the Baseball Hall of Fame, located at Cooperstown, N. Y.;

S. Con. Res. 102. Concurrent resolution accepting the statue of Dr. Florence Rena Sabin, to be placed in the Statuary Hall collection;

S. Con. Res. 103. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of the late Dr. Florence Rena Sabin and authorizing ceremonies on such occasion;

S. Con. Res. 111. Concurrent resolution to print the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations as a Senate document, with additional copies; and

S. Con. Res. 121. Concurrent resolution authorizing a change in the enrollment of the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert;

S. 3287. An act for the relief of Vivian D. Giesey;

S. 3818. An act for the relief of Vicenta Garcia y Puente;

S. 4249. An act to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose; and

S. J. Res. 135. Joint resolution providing for the construction of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

EXTENSION OF RENEGOTIATION ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. HUMPHREY. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. 3. Period for filing claims for credit or refund of overpayments of income tax resulting from renegotiation.

(a) Amendment of 1954 code: Section 6511 (d) (2) (A) of the Internal Revenue Code of 1954 (relating to special period of limitations with respect to net operating loss carrybacks) is amended by inserting before the period at the end of the first sentence thereof the following: ": except that if a net operating loss carryback is created by the elimination of excessive profits by a renegotiation (as defined in section 1481 (a) (1) (A)), the period shall not expire before September 1, 1959, or the expiration of the 12th month following the month in which the agreement or order for the elimination of such excessive profits becomes final, whichever is the later."

(b) Amendment of 1939 code: Section 322 (b) (6) of the Internal Revenue Code of 1939 (relating to special period of limitations with respect to net operating loss carrybacks) is amended by inserting before the period at the end of the first sentence thereof the following: ": except that if a net operating loss carryback is created by the elimination of excessive profits by a renegotiation (as defined in section 3806 (a) (1) (A)), the period shall not expire before September 1, 1959, or the expiration of the 12th month following the month in which the agreement or order for the elimination of such excessive profits becomes final, whichever is the later."

(c) Effective dates: The amendment made by subsection (a) shall apply with respect to claims for credit or refund resulting from the elimination of excessive profits by renegotiation to which section 6511 (d) (2) of the Internal Revenue Code of 1954 applies. The amendment made by subsection (b) shall apply with respect to claims for credit or refund resulting from the elimination of excessive profits by renegotiation to which section 322 (b) (6) of the Internal Revenue Code of 1939 applies, but only with respect to claims resulting from renegotiations of excessive profits received or accrued for taxable years ending after December 31, 1952.

Mr. HUMPHREY. The amendment has been discussed with the distinguished chairman of the Committee on Finance.

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order. Attachés of the Senate will please refrain from conversation. Members of the Senate who desire to converse will please retire to the cloakroom. The Senator from Minnesota may proceed.

Mr. HUMPHREY. I thank the Presiding Officer. The amendment has been discussed with the chairman of the Committee on Finance, and he has informed me that he believes it should come up as a separate piece of proposed legislation, not as an amendment to the pending bill. I have offered it as an amendment because the longer the matter is delayed the longer the possibility will exist that no settlement will be made on very justifiable claims. It involves many industries. An identical bill was passed in the other body. It is H. R. 13173, introduced by the majority leader of the other House, Mr. MCCORMACK.

As I understand, the administration has no opposition to the bill, according to Mr. Stam, counsel of the Committee on Finance. I believe the Treasury Department recognizes that the Internal Revenue Code should be amended to adjust an inequity which has grown out of an apparent inadvertence on the part of Congress at the time of the preparation and adoption of the Internal Revenue Code. The amendment is directed toward claims for refund which arise out of the renegotiation proceedings. There are plants in the State of Minnesota which are affected. I have a letter indicating the nature of one of the problems which have arisen as a result of the inequity in our present tax laws on the subject of renegotiation and the refunds which have accrued under such renegotiation. I shall read a paragraph from the letter from one company which is affected. It states:

> The allocation by the Board to X Co. of excessive profits of approximately $1,600,000 results in its having an operating loss for the year and consequently a net operating loss carryback to the year 1952. This would ordinarily give rise to a claim for refund for overpayment of tax in 1952, but by this late date, under existing law, the statute of limitations has run on the right to obtain such refund and the net operating loss carryback is worthless.

In other words, under present tax law there is what is called an operating loss carryback provision, which can be utilized to make adjustments when renegotiation board decisions have resulted in a substantial operating loss.

In this particular instance it means a difference in tax credit of many thousands of dollars for the one company I have mentioned. This is only one of many such instances. It is something which, it seems to me, should be corrected.

I know the argument can be made, "Well, let us do it next year." That may be a very good suggestion. But each year that we put off these matters we apply the old maxim: "Justice delayed is justice denied." It becomes ever more true.

So, since the other House has passed the bill, I believe unanimously, and since it was reported by the House Committee on Ways and Means unanimously, and there seems to be no adverse report on the part of the administration, the Bureau of the Budget, the Treasury, or the Internal Revenue Service, it seems to me it is desirable and proper to include this amendment in the bill before the Senate, the extension of the Renegotiation Act.

I feel certain there would be no objection in the House, because this is a House bill, which has been prepared in the form of an amendment to a Senate bill. Therefore, I ask that the amendment be adopted.

Mr. BYRD. I do not wish to prejudice the amendment offered by the Senator from Minnesota, but I hope he will not press too hard to place it in the bill. My objection is that the amendment is retroactive. It opens up closed cases. It goes back to 1953. If we go back to 1953 to open up such cases, then, it seems to me, we should go back to the beginning of the Renegotiation Act, which was about 1941. Why stop at 1953?

As a member of the Committee on Finance, I have always been very careful to consider any proposed retroactive legislation which will open up closed cases. If that is done in one case, it will have to be done in others. I can see no justification for going back to 1953, because the Renegotiation Act first became effective in 1941. Cases can be found in 1952, 1950, and 1945.

The Committee on Finance will be glad to give consideration to the proposed legislation when Congress next convenes, but I hope such a provision will not be included in the present bill. This is not a tax bill; it relates to the extending of the Renegotiation Act for a period of 6 months. I certainly am opposed to including a retroactive feature without full hearings having first been held by the committee.

Mr. HUMPHREY. Mr. President, I appreciate the views of the Senator from Virginia. I know he is sympathetic to the general purposes of this particular proposal. Rather than have the proposal prejudiced by an adverse vote, which I am afraid might result because of our great respect for the views of the Senator from Virginia on technical matters, I shall urge that the chairman of the committee give me assurance now that in the next Congress, with the reintroduction of this particular measure, prompt consideration will be given to it, consideration which, I trust, will result in favorable action.

Mr. BYRD. I shall be glad to give that assurance.

Mr. HUMPHREY. The Senator from Virginia gives me that assurance. On that basis, I withdraw my amendment. I appreciate the courtesy of the Senator from Virginia in giving me this assurance and consideration. I wanted to get the matter before the Senate, because I think we have a just case.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 11479) was ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I move that the Senate insist its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer [Mr. TALMADGE in the chair] appointed Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS conferees on the part of the Senate.

ESTATE OF A. A. ALEXANDER

Mr. KNOWLAND. Mr. President, at the request of, and after consultation with, the majority leader, I have been asked to move that the Senate proceed to the consideration of Calendar 2517, H. R. 9262, which is a private claim bill. The purpose of the proposed legislation is to pay the estate of A. A. Alexander the sum of $1,131.50 in settlement of all claims against the United States based on damage done to furniture and household goods belonging to the late A. A. Alexander when that property was shipped from the Territory of the Virgin Islands when Mr. Alexander resigned as Governor of the Territory.

The report of the committee shows that the Department of the Interior has written a letter concerning his claim. The Bureau of the Budget has no objection.

When the bill was called on the call of the calendar the other day, an objection was entered by the majority calendar committee. The Senator from Iowa [Mr. MARTIN] tells me that he has discussed the matter with the Senator from Pennsylvania [Mr. CLARK], who has no objection to having the matter taken up on motion. Therefore, I move that the Senate proceed to the consideration of Calendar 2517, H. R. 9262.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9262) for the relief of the estate of A. A. Alexander.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

EXPENDITURE OF FUNDS THROUGH GRANTS FOR SUPPORT OF SCIENTIFIC RESEARCH

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4039) to authorize the expenditure of funds through grants for support of scientific research, and for other purposes, which were, on page 1, line 4, strike out "engaged in making" and insert "authorized to enter into"; on page 2, line 13, strike out "Committee on Appropriations and to the Committees on Government Operations" and insert "appropriate committees", and on page 2, line 17, strike out "section 1" and insert "the first section."

Mr. HUMPHREY. Mr. President, I move that the Senate concur in the amendments of the House. They are technical in nature and in no way change the substance or purpose of the bill.

The PRESIDING OFFICER. The question is on concurring in the amendments of the House.

The amendments were concurred in.

AMENDMENT OF PACKERS AND STOCKYARDS ACT, 1921, AS AMENDED

Mr. O'MAHONEY. Mr. President, after consultation with the leaders on both sides, with the members of the Committee on the Judiciary, and with the distinguished Senator from Illinois [Mr. DIRKSEN], I move that the Senate proceed to the consideration of H. R. 9020.

The PRESIDING OFFICER (Mr. TALMADGE in the chair) laid before the Senate the bill (H. R. 9020) to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes, which was read twice by its title.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. O'MAHONEY. Mr. President, on May 15, the Senate passed a bill amending the Packers and Stockyards Act. The bill was introduced by the Senator from Utah [Mr. WATKINS] and myself. Hearings were held by the Committee on the Judiciary. After long consideration, the measure was passed by the Senate and sent to the House.

The House, however, did not act upon the Senate bill. The problem of amending the Packers and Stockyards Act was considered by both the Committee on the Judiciary and the Committee on Agriculture and Forestry. Indeed, I think the Committee on Interstate and Foreign Commerce also gave consideration to the measure. But instead of taking up the Senate bill and amending it, the House passed its own bill, H. R. 9020.

I have consulted, as I said, with the Senator from Illinois [Mr. DIRKSEN], the Senator from Utah [Mr. WATKINS], and the leadership on both sides. I am now prepared to ask that the Senate pass H. R. 9020.

The result of the debate, of the action of the Senate, and the consideration of the problem in the committees of both Houses will be an improvement in the present law. I think it would be a mistake to allow this Congress to adjourn without having taken action in the nature of progress as contained in the bill.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WATKINS. As a matter of fact, a part of the Senate bill, at least, is embodied in the House bill. I refer to the part with respect to chainstores.

Mr. O'MAHONEY. Yes. The loophole in the present law, by which chainstores escape regulation by the Federal Trade Commission on nonmeat products, is closed in the House bill.

Mr. WATKINS. At least that much progress will be made if the House bill shall be passed.

Mr. O'MAHONEY. That much progress will be made. The Federal Trade Commission is given authority to regulate oleomargarine, margarine, and the so-called hot pursuit amendment, as is provided by the House bill.

By that, it is meant that concurrent jurisdiction between the Federal Trade Commission and the Department of Agriculture is preserved. In one case, the Federal Trade Commission, before proceeding, will consult the Secretary of Agriculture; in the other case, the Secretary of Agriculture, before proceeding, will consult the Federal Trade Commission—so as to avoid duplication. This provision constitutes progress; and I believe the provision should be retained.

Mr. WATKINS. I should like to say that, although it constitutes progress, I hope that sometime we are able to have enacted into law the remaining provisions of the bill which was passed by the Senate. But we shall have to deal with them at some other time.

Mr. O'MAHONEY. Yes; at another session of Congress.

Mr. DIRKSEN. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Wyoming yield to the Senator from Illinois?

Mr. O'MAHONEY. I yield.

Mr. DIRKSEN. I think the bill provides for a rather agreeable division of jurisdiction between the Federal Trade Commission and the Department of Agriculture. I know the bill is acceptable to the House, and I know that the agencies concerned can well live with the provisions of the bill.

So I am agreeable to the request of the Senator from Wyoming that the bill be passed. After the bill is passed, if any weaknesses develop, or if, under the provisions of the bill, a satisfactory job is not done, I shall join him, next year, in proposing improvements in the program.

Mr. O'MAHONEY. Mr. President, the Senator from Illinois is very kind; and, naturally, what he has stated will be the purpose of the subcommittee in charge of the bill.

Mr. President, I call for the third reading and passage of the bill.

The PRESIDING OFFICER. If there is no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9020) was ordered to a third reading, read the third time, and passed.

AMENDMENT OF VIRGIN ISLANDS CORPORATION ACT—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 23, 1958, p. 19619.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. CURTIS. Mr. President, reserving the right to object—although I shall not object—may we have an explanation of the report?

Mr. JACKSON. Certainly.

Let me say that the report makes two changes in the bill as passed by the Senate.

The first change the report makes is in the provision voted by the Senate in regard to the saline water distillation plant to be built by the Virgin Islands Corporation. The Senate conferees agreed to delete specific reference to the power features of the saline water distillation plant to be built by the Virgin Islands Corporation. Such reference in the bill is unnecesary, because the Corporation has authority, under existing law, to construct and operate power facilities.

The other change pertains to the sale of the corporate assets. Under the Senate version, such sales of assets would have to be made at public auction. Under the conference report, such sales, when in a value exceeding $500, could be made at public auction or pursuant to sealed bids, after public advertisement in either case. Sales of assets amounting to less than $500 could be consummated without public auction or competitive bids. The word "property," as used in the conferees' version of the Senate amendment No. 2, refers to assets of the Corporation, not to products grown or produced in the Corporation's business.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question now is on agreeing to the report.

The report was agreed to.

AUTHORIZATION FOR SELECT COMMITTEE ON SMALL BUSINESS TO FILE TWO REPORTS DURING THE SINE DIE ADJOURNMENT

Mr. SMATHERS. Mr. President, on behalf of the Select Committee on Small Business, I ask unanimous consent that the committee be given authority to file two reports during the sine die adjournment of Congress. The first of these reports will be entitled "The Role of Small Business in Defense Missile Procurement"; the second will be entitled "Government Procurement—1958."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? Without objection, it is so ordered.

SECOND ANNUAL CONGRESS ON BETTER LIVING

Mr. SMATHERS. Mr. President, I should like to call attention to a unique event which will take place here in Washington next October, and which deserves advance recognition, since we shall not be in session at that time.

From October 6 through October 8, 100 housewives from the 48 States and Alaska will attend the second annual Congress on Better Living. This congress consists of women delegates who represent the families of America, and whose chief aim is to further the link between American industry and those families and their needs in the constant search for new and more universal ways of better living. The Congress on Better Living was developed from the pioneer effort convened in 1956 by the Federal Government's Housing and Home Finance Agency. The project is continuing under the sponsorship of McCall's magazine, who will maintain it as an annual public service.

Today, when all of us are deeply concerned with all efforts that strengthen our economic structure and advance the cause of efficient and progressive distribution of consumer goods, it is noteworthy that the Congress on Better Living already has done much to give manufacturers and retailers information on what their customers want. In addition, it has already inspired a most productive home building effort—the Congress on Better Living home certification program.

Those of us who are in Washington at that time will, I am sure, want to greet the charming representatives of our respective States who will come to Washington—as we do—to talk, to voice their views, and to get something done. More power to them and to the industries which help these women build and furnish the homes that are the source of our national leadership.

PROGRAM TO ALLEVIATE CONDITIONS OF UNEMPLOYMENT AND UNDEREMPLOYMENT IN CERTAIN DEPRESSED AREAS

Mr. DOUGLAS. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on Senate bill 3683.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3683) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas, which were, on page 2, line 24, strike out "'Commissioner'" and insert "'Commissioner')"; on page 5, line 25, strike out all after "States" over through and including "States)" in line 1, page 6; on page 7, line 25, strike out "in substantial" and insert "to any extent in"; on page 8, line 13, strike out "Except as provided in subsection (c), such" and insert "Such"; on page 9, line 6, strike out "section 12" and insert "section 11"; on page 9, strike out lines 19 through 22, inclusive, and insert:

(7) Such loans shall bear interest at a rate determined by the Secretary of the Treasury which shall not be greater than the current average yield on outstanding marketable obligations of the United States of comparable maturities as computed (in the case of any loan) at the end of the month preceding the month in which the loan is made, plus one-quarter of 1 percent per annum;

On page 11, strike out line 13 over through and including line 5, on page 12; on page 12, line 6, strike out "(d)" and insert "(c)"; on page 12, line 6, strike out "raised under section 9" and insert "appropriated under section 8"; on page 12, strike out line 14 over through and including line 17, on page 14; on page 14, line 19, strike out "SEC. 8." and insert "SEC. 7."; on page 16, lines 15 and 16, strike out "(including a loan under section 7 of this act)"; on page 16, after line 25, insert:

(e) No financial assistance shall be extended under this section with respect to any public facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State regulatory body, unless the State regulatory body determines that in the area to be served by the public facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it is prepared to undertake.

On page 17, strike out line 2 over through and including line 4, on page 18, and insert "SEC. 8. There is hereby authorized to be appropriated not to exceed $200 million to provide funds for loans under this act."; on page 18, line 6, strike out "SEC. 10." and insert "SEC. 9."; on page 18, line 23, strike out "SEC. 11." and insert "SEC. 10."; on page 19, line 3, strike out "may" and insert "shall"; on page 19, line 4, strike out all after "staff" down through and including "purpose" in line 7, and insert ", including persons whose services are procured under section 11 (10)"; on page 19, line 11, strike out "SEC. 12." and insert "SEC. 11."; on page 22, line 8, strike out "sections 6 and 7" and insert "section 6"; on page 23, line 10, strike out "SEC. 13." and insert "SEC. 12."; on page 24, line 5, strike out "SEC. 14" and insert "SEC. 13."; on page 24, line 12, after "municipality" insert "or part thereof"; on page 25, line 5, strike out "in substantial" and insert "to any extent in"; on page 26, line 8, strike out "act." " and insert "act."; on page 26, strike out lines 9 through 12, inclusive, and insert:

"(f) Not more than 10 per centum of the funds authorized for capital grants under section 103 after June 1, 1958, shall be available to provide financial assistance under this section."

On page 26, line 14, strike out "SEC. 15." and insert "SEC. 14."; on page 26, line 21, strike out "SEC. 16." and insert "SEC. 15."; on page 27, strike out line 22 over through and including line 13, on page 28.

On page 28, line 15, strike out "SEC. 18." and insert "SEC. 16."; on page 30, line 3, strike out "SEC. 19." and insert "SEC. 17."; on page 30, line 23, strike out "SEC. 20." and insert "SEC. 18."; on page 31, line 12, strike out "SEC. 21." and insert "SEC. 19."; on page 32, line 4, strike out "SEC. 22." and insert "SEC. 20."; on page 32, line 8, strike out "SEC. 23." and insert "SEC. 21."; and on page 32, after line 20, insert:

RECORDS AN AUDIT

SEC. 22. (a) Each recipient of assistance under section 6 or 7 of this act shall keep such records as the Commissioner shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Commissioner and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under section 6 or 7 of this act.

Mr. DOUGLAS. Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois that the Senate concur in the amendments of the House.

Mr. CURTIS. Mr. President, will the distinguished Senator from Illinois tell us what the amendments amount to?

Mr. DOUGLAS. Yes, I shall be glad to. This is the area redevelopment bill, which was passed by this body, and subsequently was passed by the House of Representatives with three major amendments.

In the first place, in accordance with the general policy of the House, the House amended the proposed industrial and rural area loan fund provisions, by providing instead for an authorization for the appropriation of funds to make such loans.

Second, the House deleted the Senate provision for a $100 million loan fund for public facilities to aid in attracting private enterprises to these areas.

Third, the House deleted a Senate provision for the payment of retraining payments to persons not entitled to unemployment compensation, but who are receiving training for new jobs.

The House also adopted an amendment prohibiting any public facility grant which would compete with an existing private utility; an amendment requiring that each recipient of assistance keep prescribed records, subject to review by the Commissioner and the Comptroller General; an amendment revising the wording in the provision in respect to plant relocation; an amendment eliminating the Senate limitation of 300 rural redevelopment counties——

Mr. CURTIS. Mr. President, if the distinguished Senator from Illinois will yield further, let me ask whether he proposes that the Senate concur in the amendments of the House.

Mr. DOUGLAS. That is correct; I do.

Mr. CURTIS. And that is all?

Mr. DOUGLAS. That is all.

Mr. CURTIS. And no other changes?

Mr. DOUGLAS. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may submit, for printing in the RECORD, a statement in explanation of the purpose of the bill and the changes made by the House amendments, and also a supplemental memorandum which analyzes the House changes in the measure in more detail.

There being no objection, the statement and memorandum were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOUGLAS

I know that all Senate sponsors and supporters of the area redevelopment bill, S. 3683, were gratified by the favorable action taken on last Friday by the House of Representatives on that bill.

This is another long step forward in our country's effort to restore economic strength and stability to the areas, both rural and industrial, that have long suffered from excessive unemployment and underemployment. It looks to the renewal of private enterprises in these areas under the stimulus of Government loans and technical assistance—enterprises which will give to these communities the work opportunities by which they seek to help themselves.

It is a further source of gratification to us that in its action on last Friday the House approved the major programs of assistance proposed in the Senate bill.

Significant changes were made in the bill by amendments in the other body, and I shall refer briefly to them in a moment. But I emphasize that after its careful study, the House of Representatives has placed its firm stamp of approval on the principal provisions of the area redevelopment bill: (a) The establishment of an area redevelopment administration; (b) the extension of assistance to both industrial and rural areas—carefully defined—suffering from chronic unemployment and underemployment; (c) loan programs for the establishment of new or expanded industries or commercial enterprises up to an aggregate of $100 million for industrial areas and $100 million for rural areas; (d) grants not to exceed $75 annually for public facilities that may help attract enterprises to such areas; (e) technical assistance and other general information to assist in redevelopment in such areas; (f) commercial redevelopment in such areas under the urban renewal program; (g) vocational training and retraining under existing programs; (h) a national advisory board; and (i) numerous protective provisions against abuses.

This brief summary is enough to show the high degree of agreement between the two bodies.

The major amendments of the House were as follows:

First, the House in accordance with its general insistence upon keeping the added check of the appropriation procedure upon such financing programs, amended the proposed industrial and rural area loan funds to an authorization for appropriations for funds for such loans;

Second, the House deleted the Senate provision (sec. 7) for a $100 million loan fund for public facilities to aid in attracting private enterprises to these areas;

Third, the House deleted a Senate provision (sec. 17) for the payment of retraining payments to persons not entitled to unemployment compensation, who are receiving training for a new job.

Other changes made by the House included: (a) a prohibition against any public facility grant that would compete with an existing private utility; (b) a requirement that each recipient of assistance keep prescribed records, subject to review by the Commissioner and the Comptroller General; (c) a revision of the wording in the provision in respect to plant relocation; (d) elimination of the Senate limitation of 300 rural redevelopment counties, of the appointment of local redevelopment committees, and of the specific employment of private firms for technical assistance; and (e) minor changes in the urban renewal part of the program.

With the Senate bill, as amended by the other body, now at the desk, we have before us the obvious decision whether to send the bill to conference, or to concur in the House amendments.

I have conferred with the principal sponsors of the bill on the committee, the Senator from Pennsylvania [Mr. CLARK], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Maine [Mr. PAYNE], as well as the majority leader, who has taken an active interest in this bill from the start, and it is the judgment and recommendation of us all that the Senate would do well to concur in the House amendments.

The principal reasons for this are two: First, as I have already stated, on the major, positive features the two bodies are in agreement; and second, in view of the shortness of time remaining in the session, and the inevitable procedural complexities in arranging a conference, it seems unwise to risk the loss of the very desirable, agreed upon programs in the last minute rush for adjournment.

In most respects I would have preferred the Senate provisions. But I point out that the House would have been very hard to move on the question of loans versus authorizations for appropriations in any event. And some of the House amendments like the requirements for recordkeeping, the prohibition against aiding public facilities that would compete with private utilities, and the revision on plant relocation are probably improvements.

In the eyes of those who have believed that the Senate bill went too far, indeed, the deletion of the $100-million public facilities loan program and of the retraining subsistence payments program may also be welcome changes.

Under all the circumstances, therefore, I hope that the Senate will concur in the House amendments, and that we may send the constructive measure on to the White House with our wholehearted blessing.

SUPPLEMENTAL MEMORANDUM, AUGUST 16, 1958—SUBJECT: REDEVELOPMENT BILL: COMPARISON OF VERSIONS PASSED BY SENATE AND HOUSE

S. 3683, the area redevelopment bill, passed the Senate on May 13, 1958. It was reported by the House Banking and Currency Committee on July 1, 1958. On August 15, 1958, it was passed by the House. A memorandum of August 7, 1958 (a copy of which is attached), contains the changes made by the House Banking and Currency Committee in the Senate version of the bill. All those

changes were adopted by the House. The House made three additional amendments:

I. BORROWING AUTHORITY

Section 9 of the Senate bill contained an authorization to borrow money from the Treasury for the loan programs under the act ($300 million under the Senate bill; $200 million under the House bill). This was changed by the House to an authorization for appropriations, and corresponding amendments made in other sections. (House bill, sec. 8, pp. 17–18, also pp. 9 and 12; see CONGRESSIONAL RECORD, August 15, 1958, p. 17894.)

II. RETRAINING SUBSISTENCE PAYMENTS

Section 17 of the Senate bill authorized the Secretary of Labor to enter into agreements with States to make weekly retraining payments to unemployed persons in redevelopment areas who are not entitled to unemployment compensation, up to a maximum of 13 weeks and up to the amount of average weekly employment compensation payable in that State. This section was deleted by the House. (House bill, sec. 16, pp. 28–29; see CONGRESSIONAL RECORD, August 15, 1958, p. 17896.)

III. RELOCATION OF PLANTS

Section 6 of the Senate bill, which provides for loans for industrial projects in industrial and rural redevelopment areas, contained a restriction on assistance to relocated plans. This provision was amended by the House as follows:

(Matter in brackets deleted; matter in italic inserted.)

"Such financial assistance shall not be extended for working capital, or to assist establishments relocating from one area to another when such assistance will result to *any extent* in [substantial] detriment to the area of original location by increasing unemployment."

A similar amendment was made to the comparable provision in the section relating to urban renewal. (House bill, sec. 6, pp. 7–8; sec. 13, p. 25; see CONGRESSIONAL RECORD, August 15, 1958, p. 17896.)

MEMORANDUM, AUGUST 7, 1958—SUBJECT: AREA REDEVELOPMENT ACT: COMPARISON OF VERSIONS PASSED BY SENATE AND REPORTED TO HOUSE

S. 3683, the area redevelopment bill, passed the Senate on May 13, 1958. It was reported by the House Banking and Currency Committee (H. Rept. 2099) on July 1, 1958. This memorandum lists the differences between the bill as it passed the Senate (the Senate bill) and as it was reported to the House (the House bill).

I. RURAL REDEVELOPMENT AREAS

The Senate bill placed a limit of 300 on the number of counties which could be included within designated rural redevelopment areas (sec. 5 (b), pp. 5–6).

The House bill eliminated this limitation (sec. 5 (b), pp. 5–6). (House amendment No. 2.)

II. LOCAL REDEVELOPMENT COMMITTEES

The Senate bill (sec. 6 (c), pp. 11–12) required that a local redevelopment committee be appointed for the purpose of approving applicants under section 6 for financial assistance, in any area where there is no agency or instrumentality of a State or political subdivision qualified to approve applicants for assistance.

The House bill deleted this provision (pp. 11–12). (House amendments Nos. 3, 6, and 7.)

III. LOANS FOR PUBLIC FACILITIES

The Senate bill (sec. 7, pp. 12–14) authorised lending to a State or political subdivision, an Indian tribe or an organization representing a redevelopment area to finance a public facility in the area; $100 million of the $300 million revolving fund (sec. 9, p. 17) was designated for this purpose.

The House bill eliminated the entire section (pp. 12–14) and reduced the revolving fund from $300 million to $200 million (p. 17). Section numbers and cross references were revised accordingly. (House amendments Nos. 4, 5, 8, 9, 10, 11, 13, 14, 15, 16, 17, 19, 20, 21, 22, and 26–34.)

IV. GRANTS FOR PUBLIC UTILITY FACILITIES

The House bill (sec. 7, p. 17) added to section 7, which authorizes grants for public utilities, a prohibition on such a grant for a public facility which would compete with an existing privately owned public utility subject to State regulation, unless the State regulatory body determines that there is need for an increase in services which the existing utility is not able to meet through its existing facilities or an expansion it is prepared to undertake.

The Senate bill contained no such provision in the section on grants for public facilities (sec. 8, pp. 14–16). (House amendment No. 12.)

V. TECHNICAL ASSISTANCE

The Senate bill (sec. 11, pp. 18–19) authorized technical assistance for redevelopment areas through members of the agency's staff or through the employment of private individuals, partnerships, firms, corporations or suitable institutions under contract.

The House bill (sec. 10, p. 19) eliminated this provision for employment of private individuals, etc., under contract, but added a cross-reference to the authority to hire experts and consultants by contract or appointment in section 11 (10) at page 23 of the House bill. (House amendment No. 18.)

VI. URBAN RENEWAL

The Senate bill amended title I of the Housing Act of 1949 by authorizing financial assistance under that act for a municipality within an industrial redevelopment area without regard to the predominantly residential requirement of the act (sec. 14, pp. 24–26). The Senate bill also provided that such financial assistance should be included within the 10 percent ceiling on projects in areas not clearly predominantly residential now contained in the act.

The House bill made two changes in this section:

First, the House bill made it clear that this assistance could be given if only a part of a municipality was in an industrial redevelopment area (sec. 13, p. 25). (House amendment No. 23.)

Second, the House bill provides that assistance under this provision is available only from funds authorized for capital grants after June 1, 1958, and only up to 10 percent of such funds, and eliminated the requirement that assistance under this bill must be taken into account in determining the aggregate amount available for the other nonresidential provisions (sec. 13, pp. 26–27). (House amendments Nos. 24 and 25.)

VII. REPORTS AND AUDIT

The House bill (sec. 23, pp. 33–34) requires each recipient of assistance under the loans (sec. 6) and grants (sec. 7) provisions to keep such records as may be prescribed by the Commission, relating to the assistance and the project assisted and provides that the Commissioner and Comptroller General shall have access to all records relating to assistance under sections 6 and 7.

The Senate bill did not contain such provisions. (House amendment No. 35.)

* * * * *

House Report No. 2099 contains at pages 16–17 a discussion of the changes made in the Senate bill by the House Banking and Currency Committee.

Mr. DOUGLAS. Mr. President, I move that the vote by which the Senate concurred in the amendments of the House be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which indicates in some detail the attitude in the past of the administration under President Eisenhower toward area redevelopment. I hope this statement will be on the desks of the President's advisers when the President considers whether he should sign the bill, because if the President does not sign the bill at this stage, he will go against the principles which he and his administration have been espousing for some years.

So I hope this statement will be shown to Mr. Sherman Adams and to the Director of the Bureau of the Budget and to all the other gentlemen who are assisting in making policy for this country.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT

In connection with the Senate passage of S. 3683, the Area Redevelopment Act, I should like to call the attention of the Senate to, and include in the RECORD, statements indicating President Eisenhower's support for legislation of this type.

Since the bill was first introduced on July 28, 1955, the Economic Report of the President has endorsed similar legislation every year.

Thus, as early as January 24, 1956, in the Economic Report of the President, transmitted to the Congress, the President stated his recommendation that Congress pass legislation to "establish an area assistance program for aiding communities experiencing substantial and persistent unemployment, and make technical assistance more broadly available to aid urban and rural communities in developing balanced and progressive economies."

Again, in the Economic Report of the President transmitted to the Congress dated January 23, 1957, the President again called upon Congress to "establish an Area Assistance Administration * * * and to enlarge the program of Federal aid to include loans and expanded technical assistance for areas of persistent unemployment."

Finally, in this year's Economic Report of the President, transmitted to Congress dated January 20, 1958, the President recommended that Congress "establish an Area Assistance Administration * * * to extend loans, research grants, and technical assistance in areas of persistent unemployment."

Beyond the recommendations contained in the Economic Reports, the President has several times expressed his recognition of the need for area redevelopment legislation in his press conferences and messages to Congress during the past few years. I should like to set forth in the RECORD the press reports of his views.

In a press conference on October 24, 1955, Dr. Arthur F. Burns, speaking for the President, stated that President Eisenhower expected to submit to Congress in January a "home point 4 program designed to help extend good times to those American communities depressed by chronic unemployment in the midst of general prosperity." I attach hereto copies of the articles appearing in the Washington Star and in the New York Times of October 25, 1955.

[From the New York Times of October 25, 1955]

EISENHOWER BACKS POINT 4 PROJECT FOR PARTS OF UNITED STATES—WILL ASK CONGRESS TO HELP DEPRESSED SECTIONS SHARE IN NATION'S PROSPERITY—GETS ECONOMIC REPORT—PRESIDENT ALSO HEARS LODGE ON U. N. DEVELOPMENTS—AGAIN STANDS UNAIDED

(By Russell Baker)

DENVER, October 24.—President Eisenhower will ask Congress next year for a domestic version of the point 4 technical assistance program to aid the Nation's chronically depressed areas.

The program will be designed to help scattered depressed sections share in the general prosperity through the cooperation of Federal, State, and local governments with private enterprise.

President Eisenhower gave it his strong approval today as a way of extending the good times to every section.

The program was outlined to him in a conference with Dr. Arthur F. Burns, Chairman of the Council of Economic Advisers, and Gabriel Hauge, the President's personal political adviser.

A third visitor today was Henry Cabot Lodge, Jr., United States Ambassador to the United Nations.

Mr. Lodge commented that the Soviet Union might accept eventually the President's proposal for an exchange of military blueprints and aerial inspection rights leading toward disarmament.

GOES BEYOND DULLES

The Ambassador said that he was optimistic concerning some real action on the program at this session of the United Nations.

He went slightly beyond John Foster Dulles, Secretary of State. At a news conference here last week, Mr. Dulles said only that he expected the Big Four foreign ministers to clear up misunderstandings about the President's program. The ministers meet at Geneva this week.

Mr. Lodge also reported on United Nations developments, including France's withdrawal from the General Assembly and the talks on disarmament. Part of the meeting took place while the President sat in a wheel chair on the sun deck outside his hospital room.

All the President's visitors today commented in glowing language on his physical appearance.

Medical bulletins from Fitzsimons Army Hospital continued to report progress in the President's recovery from his moderate coronary thrombosis, or clot formation in one of the arteries feeding blood to the heart.

Twice during the morning the President again stood up unassisted. Frequently during the day he sat on the edge of his bed with his legs dangling over the side. He stood yesterday for the first time since entering the hospital, but he has still not taken a step.

Dr. Burns outlined the assistance program in a half-hour hospital conference that included the state of the national economy, the farm-price dilemma and the recent drop in the stock market.

Dr. Burns said that the project would be included in the legislative program sent to Congress in January. It calls for a new Federal agency within one of the major departments.

It is "eminently reasonable," Dr. Burns said, "to assume that the new agency would come under the Department of Labor or the Department of Commerce.

NO MIRACLES EXPECTED

Dr. Burns said that he did not expect miracles from the program. But he said that it represented the Nation's first attempt to come to grips realistically in a practical way with small pockets of depression that persisted in scattered regions.

The Nation's economy is excellent, Dr. Burns reported. Although the stock market drop on the Monday following the President's heart attack was large, he said subsequent gains had made the overall drop in the last month a small one.

The President, according to Dr. Hauge, is intensely interested in measures by the Department of Agriculture to relieve disparity between farm and general income.

On Saturday, Ezra Taft Benson, the Secretary of Agriculture, will confer with the President. He is expected to outline the farm program that the administration will back in Congress.

Mr. Hauge indicated that this would not call for abandoning the flexible price-support program introduced by the administration. He suggested, instead, that the Department had been working on additions. It will not, he said, include any discredited ideas.

At a news conference, Dr. Burns likened the new program for aiding depressed areas to the point 4 program of technical assistance to underdeveloped nations.

It is an attempt to reclaim industrial communities that in spite of the good times we have been having, still have persistent unemployment and depression, he explained.

TYPICAL AREAS NOTED

Typical areas, he said, are several New England textile communities and Pennsylvania and West Virginia areas where the economy is built on coal.

Historically, such pockets of depression have existed even when the country was booming economically, Dr. Burns said. The Federal Government, however, never has attempted before to deal with them on a planned scale, he added.

The agency to be created, Dr. Burns said, will coordinate much aid and relief work now scattered throughout many agencies.

The economist reported that the President had expressed deep interest in this concept of extending the good times to lagging communities.

Dr. Burns noted that he had found the President well informed on the stock market dip and other matters. James C. Hagerty, White House press secretary, had reported a few days ago that the President had not seen a newspaper since he entered the hospital.

Today, however, Mr. Hagerty said that the President had been kept informed on the economic news by Sherman Adams, the assistant to the President.

This afternoon the President saw two visitors. They were L. M. Pexton, president of the Denver Union Stockyards, and B. G. Gordon, Denver contractor.

[From the Washington Star of October 25, 1955]

PRESIDENT TO ASK AID FOR JOBLESS COMMUNITIES

DENVER, October 25.—President Eisenhower plans to submit to Congress in January a home point 4 program designed to help extend good times to those American communities depressed by chronic unemployment in the midst of general prosperity.

The program, as outlined by Dr. Arthur F. Burns, Chairman of the President's Council of Economic Advisers, calls for Federal loans and technical planning assistance to help stimulate new economic development in such communities.

A new Government agency would be established within an existing department—probably Commerce or Labor—to coordinate the various Federal aid activities.

OUTLINES PROGRAM

Dr. Burns outlined the program to newsmen here yesterday after a conference with Mr. Eisenhower in the Fitzsimons Army Hospital room where he is making uncomplicated progress toward recovery from a heart attack.

Dr. Burns reported that the President not only gave his strong approval to general principles of the new program, but asked that work go forward promptly on some details that still need to be ironed out so that legislation needed to put it in effect can be proposed to Congress in January.

He said the program is designed to aid industrial communities, which still have substantial persistent unemployment in spite of the good times we have been having to help themselves out of depression.

As an example of such communities, he cited some textile towns in New England, hurt by southward movement of the industry, and some coal towns in Pennsylvania and West Virginia.

Dr. Burns said Mr. Eisenhower was keenly interested in trying to extend good times to one-industry communities in such spotty situations.

While he emphasized that "I can't promise too much" for the new program, he said he believes it "comes to grips realistically and in a practical way for the very first time with this problem that has been so recalcitrant in nature across the decades."

Under the principles he outlined, Federal loans would be made on a participating basis with local interests to help finance industrial development projects that have been worked out on a local level and which have won the approval of a State development commission.

Another important function of the proposed new agency, he said, would be to make certain that the chronically depressed communities get the technical assistance they need to develop programs for their own economic development.

Dr. Burns told a reporter he thought it would be fair to describe the proposals as a "home-front point 4 program."

He said it probably would be mentioned briefly in the President's state of the Union message to Congress, with the details to be spelled out in a special message submitted later.

Mr. DOUGLAS. Accordingly, the President did recommend action in his state of the Union message and in his budget message in 1956, and I attach hereto the New York Times report as to the recommendation in the budget message:

AREA REDEVELOPMENT

All of us are greatly concerned because certain chronic labor surplus areas are not sharing in our general prosperity. The primary responsibility for promoting the economic redevelopment of these areas rests with the local community and the States. However, I believe that the Federal Government should give much broader assistance than is possible under present law. Accordingly, the administration is recommending new legislation authorizing Federal loans and grants, in cooperation with the States, to assist communities suffering from substantial and persistent unemployment. Under this program the Secretary of Commerce would take the lead for the Federal Government utilizing also the facilities of the Department of Labor, the Housing and Home Finance Agency, and other interested agencies.

The President reaffirmed his support for passage of an area redevelopment

bill in his press conference of June 6, 1956, and I attach hereto the New York Times report of this conference appearing, as published on June 7, 1956:

Edward P. Morgan, of the American Broadcasting Co. Mr. President, another legislative item. Your administration has backed legislation for emergency help to the country's chronic depressed areas. However, that legislation is now still in the committees of both Houses, and it was not included on the White House list of important legislation last week.

Does this mean that you have downgraded the importance of the problem?

Answer. Not at all. I was putting things down that some of them weren't moving very well. Now, this one has been under consideration from a number of different ways, not only the bill itself, but in a—what do you call it? The mobilization—general mobilization bill that Arthur Flemming [Director, Office of Defense Mobilization] administers—through every number of kinds of bills, different bills, there is some help you can give through small-business bills and all the rest of them.

So just to name that one alone is really downgrading my interest in it, because my interest is much more than is contained just in that single bill.

Coming next to January 1957, the New York Times reports the President's recommendation again in his budget message of January 16 for legislation to authorize aids to communities in chronic economic distress. I attach a copy of the article on this budget message:

AREA REDEVELOPMENT—PROPOSED LEGISLATION

Despite continuing high levels of employment and income, pockets of unemployment persist in several areas. Legislation is again recommended to authorize the Secretary of Commerce, with the assistance of other appropriate agencies, to provide loans and other aids to communities which seem to be in chronic economic distress. This aid will help those communities in attempting to solve their basic problems.

The President reiterated his support for this kind of legislation in his most recent budget message, as reported in the New York Times of January 14, 1958:

I repeat my recommendation of last year for the prompt enactment of appropriate authority under which communities with basic problems of persistent unemployment can be assisted in their solution.

He has also informed his Republican supporters of his views in this area. As reported in the March 9, 1958, New York Times, the text of the President's letter to GOP chiefs includes the following:

A number of administration recommendations for new legislation which could be of great help in stimulating the economy are already pending before the Congress. Again I urge Congress to act promptly on such measures as: * * * (c) Special assistance to areas of high and persistent unemployment.

Again, as recently as May 28, 1958, the President reaffirmed his interest in this type of legislation in a press conference. I attach an excerpt from the New York Times article on this conference, as published on May 29:

John Herling, of Editors Syndicate: Mr. President, you will recall, sir, that you regretted the defeat last session of the bill for relief of chronically depressed areas. Now at this session such a bill, a combined operation of Senator PAUL DOUGLAS, Democrat, of Illinois, and Senator PAYNE, Republican, of Maine, a bipartisan thing, has already passed the Senate, but supporters of the bill are fearful that it may be blocked in the House. Now unless they feel, unless, they say, a strong push comes from the White House in time. Now would you comment on the importance of legislation providing a real program for depressed areas?

Answer. Well, of course, you know this, that time and again I have recommended Congressional action, to this, but I would like to point out, I am pushing a defense bill, I am pushing a foreign trade bill, I am—or reciprocal trade, I am pushing mutual security, I am pushing a lot of other programs, so I don't know whether I could just take time off and push here for a week or so in the one you are talking about. But I will do this. I will ask my people to see whether they want to analyze it or they will analyze it to see whether there is anything in it that would prevent me from doing so. I am in favor of the principle.

I think the foregoing suffices to show that President Eisenhower has had a rather continuous record of expressions of support for legislation to relieve the plight of pockets of persistent and chronic unemployment within our economy. Now that the Congress has seen fit to send to the White House the area redevelopment bill, S. 3683, I trust that this support will lead the President to sign the bill.

INCREASE IN MEMBERSHIP OF BOARD OF APPEALS OF PATENT OFFICE

Mr. O'MAHONEY. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1864.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1864) to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes, which was, on page 2, line 2, strike out all after "$20,000" down through and including "amended" in line 13.

Mr. O'MAHONEY. Mr. President, this bill was introduced in the Senate by the able Senator from Wisconsin [Mr. WILEY], on behalf of himself and myself.

The bill was passed by the Senate, and went to the House of Representatives. An amendment was adopted by the House; the amendment reduces the salaries provided for some of the officials of the Patent Office.

The Senator from Wisconsin [Mr. WILEY] and I and the other members of the Judiciary Committee are willing to accept that amendment.

Therefore, I move that the Senate concur in the amendment of the House.

Mr. CURTIS. What subject does the amendment cover? Does it cover only the salaries?

Mr. O'MAHONEY. Yes; only the salaries.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MR. AND MRS. CARMEN SCOPPETTUOLO

Mr. O'MAHONEY. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to House bill 4059.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. O'MAHONEY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CARROLL, Mr. HENNINGS, and Mr. WATKINS conferees on the part of the Senate.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2548, H. R. 2.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

Mr. WILEY. Mr. President, as I understand, the Senator from Montana has now moved that the Senate proceed to the consideration of H. R. 2. Is that correct?

Mr. MANSFIELD. Yes.

Mr. WILEY. When can we start with that argument?

Mr. MANSFIELD. I have not the slightest idea. I would say in about 15 minutes or a half hour.

Mr. WILEY. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana that the Senate proceed to the consideration of the bill.

The motion was agreed to; and the Senate proceeded to consider the bill.

AMENDMENT OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CURTIS. Mr. President, will the Senator from Louisiana tell us what is proposed to be done?

Mr. ELLENDER. Mr. President, after meeting with the House on four different occasions, the conferees unanimously agreed to the report that I am now presenting to the Senate. The extension, as will be recalled, was for 2 years under the Senate bill, and 1 year under the House bill. The compromise reached was for 1½ years. The amount of money which would be provided under title I by the bill was $3 billion for the 2-year period. Because of the fact that the period of time provided was reduced by a half year, the amount of money provided was reduced in proportion, that is, to $2¼ billion.

Two new uses were provided for foreign currencies by the Senate bill. The first was for the use of some of the funds for educational exchange activities under the Smith-Mundt Act.

The second was for colleges abroad which were built with American capital. That provision will affect such colleges as Roberts College in Baghdad, and American University in Beirut.

The House added three additional new uses for the funds. One of them was to provide additional funds for the erection and acquisition of buildings and lands abroad for the use of our Government. Another provision related to participation in trade fairs and related activities.

The third new use for the funds provided by the House amendment related to the interpretation of foreign technical works. All five of these new uses are included in the conference substitute.

The barter provision which was rejected by the Senate was incorporated almost verbatim in the House bill; but after quite a lot of discussion between the Senate and the House conferees, the conference agreed to a barter provision. I wish to say the barter provision does not materially change the present law. As a matter of fact, the existing law appears entirely adequate and the provision of the conference substitute leaves the authority to barter exactly as it is. It does not make any change in substance at all. So in order to be accommodating to the House, the Senate agreed to, really and truly, in my humble opinion, a re-enactment of the present barter provision. It does not broaden it in any manner which I can see. The Senate satisfied the House by accepting it.

Now I wish to say at this point that I strongly favor good hard barter where we dispose of surplus agricultural commodities which we otherwise would not dispose of and get full value in return. Any time that we can reduce our stores of surplus commodities in return for some material which we do not ourselves produce in adequate amounts and which can be stored and maintained in good condition at less cost than the commodities which it replaces, I am for it.

The Secretary of Agriculture has full authority under existing law and under the conference substitute to engage in such a barter program and I, for one, will be watching to see that he carries on an aggressive program to reduce our surpluses through barter wherever the opportunity presents itself. Of course, I am not for any barter transactions which do not reduce our stocks of commodities. I am not for any barter transactions where we could sell for dollars, where the bartered commodity would be shipped out of the United States for dollars in any event and the sole effect of the barter transaction is to put the dollars in the pockets of some one else instead of the Government.

Under the conference substitute the Secretary has complete authority to do everything necessary to reduce our surplus stocks through barter, and full responsibility to see that barter transactions do not simply divert dollars which the Government would have received to others.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. There has been considerable discusion about an effort being made to include in the bill provisions which would enable an exchange for diamonds under the barter provision. Has there been any such discussion in committee?

Mr. ELLENDER. There has been such discussion, but there is no prohibition against the Secretary bartering for industrial diamonds right now. The Secretary of Agriculture can do it if that is in the best interests of the United States. The law with respect to that matter has not been changed. It is still up to the Secretary of Agriculture as to whether or not to make exchanges of surplus commodities for minerals and other commodities of value.

Mr. LAUSCHE. Was there any special effort made to procure an amendment which might have been a direction to the Secretary of Agriculture as to a particular type of commodity or material which he might accept under the bartering program?

Mr. ELLENDER. I may say to the distinguished Senator we could not have handled any such matter in conference, because it was not a subject for the consideration of the conferees. We could not have done it had we desired to do it, because the subject matter was not in conference.

Mr. LAUSCHE. However, the law has not been changed at all? The barter provisions remain as they have been?

Mr. ELLENDER. The authority remains as now provided. There has been no substantive change, although the language has been changed somewhat.

There is one provision which we agreed to, relating to something which the Secretary has a right to do now. That is to permit the processing in this country, in our own facilities, of raw materials which come from abroad. However, the Secretary of Agriculture already has that power, I might say to the Senator. The House was desirous of putting new language in the bill, and we agreed to do so.

Mr. LAUSCHE. I thank the Senator.

PERIOD OF EXTENSION

Mr. ELLENDER. Mr. President, I have covered generally the results of the conference on this bill. I would now like to explain the provisions of the conference substitute in somewhat more detail. The Senate bill provided for a 2-year extension of titles I and II of Public Law 480, 83d Congress, which provide, respectively, for the sale of surplus commodities for foreign currency, and for the donation of such commodities to friendly countries for famine, other urgent relief and other purposes. The House amendment provided for only a 1-year extension. The conferees compromised on a 1½-year extension.

AMOUNT AUTHORIZED

Both bills provide additional authorization under title I of $1.5 billion per year. For a 1½-year extension, this would amount to $2¼ billion, and the conference substitute consequently provides for a $2¼ billion authorization.

NEW USES OF FOREIGN CURRENCIES

The Senate bill added two new uses for foreign currencies acquired under title I to those now provided by the law. One of these was for educational exchanges under title II of the Smith-Mundt Act. Another was for assistance to American sponsored schools abroad. The House amendment provided for both of these new uses and, in addition, provided for the acquisition of sites and buildings abroad for United States Government use, trade-fair participation and financing the analysis of foreign books and materials. The conference substitute includes all five of these new uses. The provision for trade-fair participation was modified slightly to provide specifically for participation in agricultural and horticultural fairs and related activities. The provision authorizing the use of foreign currencies to acquire sites and buildings includes a parenthetical clause that this is in addition to funds otherwise made available for such purposes. This clause has been included only because of the special provisions which govern expenditures under the Foreign Building Act, and the absence of the clause in any of the other subsections is not to be construed as placing any limitation on the other uses authorized.

APPROPRIATION ACT REQUIREMENT

Each of these new uses for foreign currencies was limited under the House amendment to the amount specified in appropriation acts and the conference substitute adopts this principle of the House amendment. It is not intended, however, that activities which may be carried out under existing provisions of the law would be subjected to this limitation by reason of the fact that they might also be carried out under the new provisions. For example, agricultural trade

fair promotional exhibit activities may be carried out under section 104 (a). These would continue to be financed out of section 104 (a) funds without the necessity of appropriation therefor. On the other hand, new types of activities authorized by section 104 (n) would be subject to the appropriation requirement.

COTTON AND COTTON PRODUCTS

The Senate bill provided that extra-long staple cotton and cotton products should be made available under title I of Public Law 480. The House amendment had no similar provision. The conference substitute contains this provision in a modified form, which limits the financing of the exportation of cotton products under title I to the financing of the estimated portion of the sales price attributable to the raw-cotton content of the product.

BARTER

The House amendment contained a barter provision substantially similar to a provision which the Senate had stricken from the bill. The conference substitute contains a barter provision which makes certain changes in language but no change in substance from existing law. The existing law provides that the Secretary shall enter into barter contracts whenever he has reason to believe that such contracts offer an opportunity to protect the funds and assets of the Commodity Credit Corporation. In lieu of this provision the conference substitute provides that the Secretary shall enter into barter contracts whenever he determines that such action is in the best interest of the United States. The conference substitute is, of course, somewhat broader than the existing provision in that it requires the Secretary not only to protect the assets of the Commodity Credit Corporation, but to protect all other interests of the United States as well. This does not represent a substantive change from the existing law, however, since, of course, as an officer of the United States the Secretary has the obligation in all cases of acting in the best interests of the United States.

The House amendment provided that in carrying out barters or exchanges no restriction should be placed on the countries of the Free World into which surplus agricultural commodities might be sold, except where the Secretary made a specific finding as to a particular transaction that such transaction would replace a cash sale for dollars. This would have imposed upon the Secretary the burden of establishing with respect to each transaction whether or not such transaction would replace a cash sale for dollars. At present the Department requires in the case of certain countries—and in general, these are the countries which normally pay dollars for their purchases—that the barter contractor must present evidence that the barter transaction will not result in the replacement of cash sales for dollars. The conference substitute provides that no restrictions shall be placed on the countries of the Free World into which surplus agricultural commodities may be sold, "except to the extent that the Secretary shall find necessary in order to take reasonable precautions to safeguard usual marketings of the United States and to assure that barters or exchanges under this act will not unduly disrupt world prices of agricultural commodities or replace cash sales for dollars." This language gives the Secretary fully as much authority as he now has to see that barters do not replace cash sales. Before entering into barter contracts providing for shipment of commodities to the so-called dollar countries or, in fact, to any countries, the Secretary may continue to require certificates of additionality or other evidence that such shipments will be in addition to sales which could be made for dollars. It is of no advantage to the Government to barter when the commodities will be exported for dollars in any event and the Secretary should not enter into any barters which are not to the advantage of the United States. On the other hand the Secretary should use barter wherever that action will result in additional exportations and be in the best interest of the United States. The provision of the conference substitute makes it clear that the Congress is interested in good hard barter, and that the Secretary should take whatever action is necessary to accomplish that objective.

The $500 million limitation on barter contained in the House amendment, which was also intended as a goal, is omitted from the conference substitute.

The House amendment specifically provided that barter contracts might be entered into for materials which result from the domestic processing of raw materials of foreign origin, or of domestic origin where the domestic processor agrees to import an equivalent amount of similar foreign material. The conference substitute provides that the Secretary may permit the domestic processing of raw materials of foreign origin. While not specifically stated in the existing law the Secretary now has that authority. This additional language therefore results in no substantive change in the law.

The House amendment struck from the existing law a provision stating that materials acquired through barter by the Commodity Credit Corporation should be considered assets of the Corporation, and that other agencies of the Government in purchasing such materials should purchase them from the Commodity Credit Corporation to the extent available in fulfillment of their requirements. This provision was considered as no longer being of any significance, since section 206 (a) of the Agricultural Act of 1956 provides for the transfer of such materials to the national stockpile or the supplemental stockpile unless acquired for other purposes; and section 5 of the Senate bill, which was adopted by the conference substitute, provides that no strategic or critical materials shall be acquired through barter, except for specified purposes or for transfer to such stockpiles. When transferred to such stockpiles, they may be released only under certain specified conditions. The conference substitute therefore adopts the House amendment in this regard.

As just stated, the conference substitute adopted section 5 of the Senate bill with respect to locking materials acquired through barter in the stockpiles.

DONATIONS

The House amendment provided authority for the donation of surplus commodities to trust territories and other areas under the jurisdiction or administration of the United States which are not now covered. The conference substitute adopts the substance of this provision, but has clarified the language and provided, in addition, authority for the Commodity Credit Corporation to purchase fats and oils for donation abroad.

MISCELLANEOUS

The House amendment required the President in negotiating agreements under title I of Public Law 480 to take reasonable precautions not to disrupt normal patterns of commercial trade with friendly countries. That is the present policy and the conference substitute therefore adopts the House language in this regard.

The House amendment contained language concerning grants under sections 104 (d) and (e) of Public Law 480 for cooperative non-self-liquidating projects for the development of human resources and skills. As originally proposed in the House, this provision was intended to exempt such grants from the appropriation process. However, as approved by the House it exempted them from the appropriation process only if appropriated for. The provision therefore had no significance, but put in question the President's authority to waive the necessity of appropriation in such case. This provision is therefore omitted from the conference substitute.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement prepared by the Senator from Mississippi [Mr. STENNIS]. He happens to be in an Appropriations Committee meeting at this time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS IN SUPPORT OF AGRICULTURAL TRADE AND DEVELOPMENT ACT (PUBLIC LAW 480), AUGUST 22, 1958

Mr. President, the adoption of the conference report extending the Agricultural Trade and Development Act for 1½ years will be another important step in rounding out our agricultural legislation for 1958. This legislation, known as Public Law 480, has led to the exportation of considerable quantities of surplus cotton, rice, dairy products, poultry, and other agricultural products over the last several years. I am especially glad that the Senate and the House conferees have agreed on the basic principles of this bill and hope that the conference report will be adopted and cleared for the President's signature at the earliest possible date.

I have through the years supported Public Law 480, because I believe that it is a desirable program, establishing sound trade relationships which will become even more important in future years.

It is my understanding that through the barter transaction we would acquire materials which would involve minimum loss due to deterioration and would involve minimum storage charges. This program accomplishes the greatest dollar return for our investment, by acquiring critical materials which cannot be adequately produced domestically. It in effect converts our surplus agricultural commodities into valuable items which may otherwise be in critical shortage in time of emergency.

The new provision requiring the Secretary of Agriculture to enter into bartering agreements where such agreements are clearly in the best interest of the United States is encouraging. Under present law, private trade in effecting bargaining agreements have had to sustain the burden of proof that such agreements would not be disruptive of normal trade channels. This provision has been particularly hard for private agencies and foreign governments to undertake. The new provision would require the Secretary of Agriculture to investigate the situation himself and make this determination. If the Secretary of Agriculture responds to this additional authority—and I am sure he will—he can encourage and strengthen our barter program. This method of trade has always appealed to me as a manner of disposing of our agricultural surpluses as well as increasing our emergency supply of critical materials which cannot be produced domestically.

Mr. President, another project which has had special appeal has been the use of foreign currencies for marketing development projects. A number of foreign countries have entered into this program and have even invested their own funds in carrying out advertising, research, and sales promotion programs. This is certainly a desirable approach to one of our foreign marketing problems, and I hope that greater emphasis will be given to use of these currencies for this and other similar programs.

Mr. President, this program has proved to be most helpful in disposing of surplus agricultural commodities in a sound business way, and I am hopeful that substantial savings of funds now appropriated for our foreign aid program can be realized through implementation of this program.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I wish to concur in the statement of the Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry. Although there has been some change in the language, the bill as it refers to the bartering of commodities will leave the law almost exactly as it is today. There was a drive put on to greatly broaden the bartering provisions. The Senate was insistent, among other things, that the assets of the United States be protected in any bartering transactions. We also insisted that bartering should not be permitted when such bartering would displace dollar sales. That was what was finally resolved last night.

I feel that in spite of the change in the language, the law will be interpreted exactly as it is now. There are those who feel that the Secretary could have bartered more during the last few months. The Secretary has bartered about $61 million worth of commodities since the 1st of January. There are those who feel the Secretary bartered altogether too much previous to this year, and I think they have some grounds for so believing. I believe the bartering was getting to the point where it was largely displacing dollar sales.

For practical purposes, the law relative to bartering will remain exactly as it is today.

Mr. LAUSCHE and Mr. THYE addressed the Chair.

Mr. ELLENDER. Mr. President, I yield to the Senator from Ohio, so that he may ask a question of the Senator from Vermont.

Mr. LAUSCHE. I am glad to hear the comments of the Senator from Vermont. I am sure the Senator from Louisiana feels that there are dangers in the bartering provisions of the bill. There will be many efforts made to eliminate cash sales or dollars sales and convert them into barter deals.

The reason I desire to ask a question is that word has come to me about terrific efforts which are to be made in the way of promoting barter deals in diamonds.

Mr. ELLENDER. Not only in diamonds, but in many metals, including bauxite and aluminum, which we have running out of our ears now.

Mr. AIKEN. Lead and zinc.

Mr. ELLENDER. Lead and zinc, and metals of that kind.

Mr. AIKEN. And many other commodities.

Mr. ELLENDER. I do not think the Senate need fear the changes made in the bill will in any manner change the past methods of dealing with the subject.

Mr. AIKEN. The fact is that if it were not required that the assets of the United States be protected, and if the barterers could go into dollar markets and sell at cut rates, they could do a very big business. The law, as we are asking the Senate to approve it, will not permit that to be done.

The Senator from Louisiana and I, as well as the Senator from Minnesota [Mr. THYE], are in full accord with the provisions of the bill and the intent of the language.

Mr. THYE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Minnesota.

Mr. THYE. I want to associate myself with the remarks of the distinguished Senator from Vermont. I am in accord with them.

I wish to commend the chairman of the committee, the Senator from Louisiana [Mr. ELLENDER], and the ranking Republican member of the committee, the Senator from Vermont [Mr. AIKEN], for having fought diligently throughout the winter and into the summer to bring forth a very constructive extension of Public Law 480.

We passed the bill last March. It is unfortunate this should have been a question before the Congress up until now, the 22d of August. I wish to associate myself with the remarks of the two senior members of the Senate Committee on Agriculture and Forestry. The bill provides primarily what was provided in the previous act, and what passed the Senate. It will continue to serve the purpose for which intended.

Mr. President, the law will continue to serve this Nation, to expand not only our Nation's industrial economy but most certainly the agricultural economy, by moving surpluses off our national markets.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. AIKEN. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. CURTIS. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nebraska [Mr. CURTIS] to lay on the table the motion of the Senator from Vermont [Mr. AIKEN] to reconsider.

The motion to lay on the table was agreed to.

Mr. THYE subsequently said: Mr. President, we have just approved an extension of Public Law 480.

It has been more than 5 months since the Senate originally passed the bill, on March 20, to extend provisions of this surplus disposal law. The bill we passed would have provided for an increase of $500 million in expenditure authorization for the fiscal year ending June 30, 1958.

This expenditure authorization was in addition to that provided for during the next 2 years.

The House of Representatives failed to act quickly and decisively.

That failure cost the farmers money. It caused the loss of the opportunity to move $500 million worth of surplus commodities from our national markets before June 30.

Again, let me emphasize that Senate action was taken on March 20—more than 5 months ago. Had the House acted likewise, had the House moved swiftly and efficiently, the farmers could have benefited to the extent of $500 million in April, May, and June.

It is as simple as that. The loss to the farmer can never be regained. Had we moved the $500 million worth of surplus farm products, our national farm markets would have reflected a much firmer tone this summer. This applies especially in the dairy field. We had many applications for surplus products which could not be accepted or approved because there was no money available when it was needed.

We must lay this failure directly before the House of Representatives. The facts bear this out completely, beyond the shadow of a doubt.

Public Law 480 has proven to be of great benefit to agriculture by developing expanded exports of farm products. In turn, the Nation's economy in general has been strengthened.

If we ever are permanently to resolve our economic farm problems, we must broaden the use of agricultural commodities. Our farmers are capable of producing more than we ourselves consume or wear. The new frontier is research and development.

If properly applied and carried through, research and development will lead on to many more uses for agricultural products. The record of the past is clear enough in this respect. Livestock has been improved. Varieties of hybrid seed have increased productivity

of our crops. Better management of soils has vastly increased the per-acre yield. Many acres are producing twice as many bushels of corn today as they produced when the land was first plowed from its virgin state.

All this is due to research and development in the production phase. We must do the same in the field of consumption and utilization of farm products themselves.

Conservation has been provided by the Soil Bank. This, of course, is highly desirable. It also creates an orderly method of laying acres idle, thereby lessening the number harvested. The conservation phase of the Soil Bank is sound. Future generations will have the assurance of productive land to till because of it.

The RECORD will show that I have fought long and hard to obtain for agriculture its rightful share of the Nation's economy. I have always maintained that we will not achieve a solution to our farm economic problems until we develop markets to absorb our surpluses and enact research and development legislation to broaden the use of farm products. Therefore, I have stood against any lowering of supports until this would be achieved.

I remember too clearly my personal experiences after World War I. In 1922, my wife and I obligated ourselves for high-priced machinery and dairy cows and started farming on our own. Then we experienced falling prices. Dairy cows we had paid hundreds of dollars for dropped to as low as $34. There were no acreage allotments then. There were no price supports of any kind. There were no incentive programs.

Yet, even then, we saw surpluses piling up in our Nation's warehouses. We knew of markets breaking daily until the price of oats was so low we could hardly afford to haul them to town. A bushel of corn gave a farmer more heat in the kitchen range than it would purchase in the form of coal or fuel oil. Most farmers were forced to their knees. Many were crushed flat by the depression. They lost everything they had toiled so long and so hard for. Elderly couples saw the work of a lifetime vanish.

Local merchants watched their credit accounts increase and become more delinquent by the day. Local banks were forced by the banking regulations to call their loans and to refuse renewals. Some banks had their doors closed because they were not able to liquidate real estate holdings.

Farm families denied themselves physical needs and comfort. Their eyes and their childrens' eyes were often neglected. The farmer could not afford the simple necessity of glasses. The teeth of both parents were neglected, too. Although it may seem a small matter today, many a father and mother went without dentures in order to pay necessary interest and taxes on their property.

Then Congress acted. The Commissioners' Act was passed in 1933. It appropriated funds for what was termed a commissioners' loan—a second mortgage to the Federal land bank. These were loans to stave off the ever-increasing farm foreclosures and sheriff sales. I lived through those years as a young farmer. My knowledge of that time does not come from reading books. I know from experience that it was a day-to-day existence.

In 1933, I was asked to assist the St. Paul Federal Land Bank in appraising farm loans. Applications were in such volume that their staff was not capable of handling them. In this appraisal work, I came in contact with hundreds of farm families throughout the Midwest. I made a record of their obligations and obtained histories of their struggles and sacrifices. I met them when they were faced with foreclosures.

We were able, through an act of Congress, to renew their hope by granting them loans through consolidating their bills, real-estate mortgages, back interest, and taxes. Oftentimes, the loans or mortgages being foreclosed represented but a small percentage of the true value of the farms. The wave of loan renewals by action of the commissioners' loan saved farms from foreclosure and permitted owners to stay in possession of their property.

Then various farm programs were developed to strengthen the farm economy. Surpluses which had accumulated in our warehouses, once a burden on the farm economy, became a blessing when our Nation was involved in World War II.

I have put forth this very brief history of agriculture legislation so that those who may have been critical of some of my actions will understand why I fought against a lowering of price supports for farm commodities. Price supports had to be maintained until we had provided legislative authorization on programs to absorb our surpluses through market developments on the one hand, and to reduce production of surpluses under the Soil Bank program on the other hand.

The number of acres harvested annually is being reduced under provisions of the long-range program of conservation reserve and under the yearly acreage reserve program. We might possibly make a mistake if we did not continue the acreage reserve part of the Soil Bank program. We should study this question carefully and, if the program is found to be a failure, we should then determine how it might be corrected and improved. We have a tremendous backlog of surplus commodities on hand and therefore it might be wiser to try improving the acreage reserve program than to simply abandon it.

We have taken another wise step in the course of this past year by enactment of S. 4100. This bill will greatly expand research and development in agriculture. It will broaden use of our agricultural products in the industrial field.

Public Law 480 was another administrative authorization that has served agriculture admirably. It afforded this Nation an opportunity to use surplus farm products in the international field. This has won for us friends among nations of the world where food shortages exist.

Many a child who was undernourished has been given a new lease on life because our surplus dairy products, for example, were made available under authorization of Public Law 480. I have had prepared a tabulation showing activities under Public Law 480, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

ACTIVITIES UNDER PUBLIC LAW 480

The total quantity and value of agricultural commodities contracted for under title I of Public Law 480 from the beginning of the programs through June 30, 1958, amounts to:

Wheat and wheat flour: 616.1 million bushels, valued at $1,732.1 million;

Feed grains: 161.9 million bushels, valued at $335.6 million;

Rice: 26.3 million hundredweight, valued at $288.8 million;

Cotton: 3.2 million bales, valued at $681.4 million;

Meat and dairy products: 353.8 million pounds, valued at $115.1 million;

Tobacco: 202.3 million pounds, valued at $142.3 million;

Fats and oils: 2,436.6 million pounds, valued at $391 million;

Miscellaneous commodities valued at $16.3 million;

For a grand total of $4,004.4 million.

Commodities approved for donation from the beginning of the period to June 30, 1958, are valued at $461.5 million.

Commodities donated include cheese, corn and corn meal, nonfat dry milk, and wheat and wheat flour.

In addition, a total of 813.5 million pounds of these commodities, valued at $110.4 million, were donated under title III of Public Law 480.

Commodities exported under barter contracts in the same period included approximately 210 million bushels of wheat, 232 million bushels of corn and feed grains, about 39 million hundredweight of grain sorghum, 35 million pounds of cottonseed oil, about 12 million pounds of wool, and 1½ million bales of cotton; for a total value of about $922.5 million.

Altogether a total of $5½ billion worth of agricultural commodities have been contracted for under Public Law 480.

Mr. THYE. Mr. President, beef and pork prices are firm today because we moved the lard and other fats and oils off national markets through the authorization of Public Law 480. I fought long and hard for legislation that would move our surplus commodities out of our national warehouses and storage bins into world-trade channels. I knew positively that until such time as we demonstrated we were finding a use or market for our surpluses we would be compelled to retain firm floors under our commodities and products in order to stabilize the farm economy. Surpluses will always destroy market prices. This has been demonstrated in the automobile business as well as in every other phase of merchandising.

Yes, Public Law 480 has been one of the most important legislative enactments of benefit to the farmer that Congress has acted on. The act was passed in 1954. It was actually 1955 before it became administratively effective. Up to June 30 of this year we had moved $4,451,500,000 of surplus agricultural commodities.

More than $600 million in applications from foreign countries for surplus farm commodities are now pending in the Department of Agriculture. Failure to carry through authorization of this act has already caused untold billions of dollars loss to the producers of our Nation.

Had the Congress acted and passed this act at the time the Senate passed it on March 20, more than $1,100,000,000 worth of surplus agricultural commodities would have been moved off the national markets this past summer which, without a question would have strengthened dairy and feed grain prices.

It is deplorable that the American farmer should have to suffer loss of income due to these surpluses left on the national market—surpluses which would have been moved if the Congress had acted early in the year.

President Eisenhower urged the enactment of the renewal of Public Law 480, and I urged such action also.

The Senate acted. The House failed to act.

Mr. President, on August 20, Secretary Benson issued a statement making specific reference to Public Law 480. I should like to read a short excerpt from the statement. Secretary Benson said:

I am much disturbed at the announcement last night by the Senate and House conferees on Public Law 480 that they were unable to reach agreement after a long session.

He continues:

I have earlier pointed out that due to the expiration of this act, we have been holding in abeyance more than $600 million in requests from friendly countries to purchase surplus farm products under Public Law 480. It is impossible to estimate the additional requests which would have been received had not the act expired.

This is a loss not only to our farmers but to the entire Nation.

Should the act not be extended by this Congress or should it be approved by Congress in an unacceptable form, we would certainly do the best we can to move our surpluses with the tools we have. But the magnitude of the loss of Public Law 480 is readily apparent when we consider that in the past 4 years we have programed $4 billion worth of surpluses under title I sales for foreign currencies.

Mr. President, I ask unanimous consent that the entire statement by the Secretary of Agriculture be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON

I am much disturbed at the announcement last night by the Senate and House conferees on Public Law 480 that they were unable to reach agreement after a long session.

This is extremely regrettable in view of the long and costly delay in extending this vital law which expired June 30. It would be most unfortunate if this valuable tool for the disposal of our surplus commodities in foreign markets were to be lost in the current rush to adjournment.

The tragedy of such a failure would be underscored by the fact that there is virtually unanimous agreement in Congress and elsewhere that this act has been most successful in helping to relieve one of our most serious agricultural problems.

We must now face the distinct possibility that in the midst of what appears to be the greatest harvest this Nation has ever known we will be further deprived of one of our greatest marketing aids.

I have earlier pointed out that due to the expiration of this act, we have been holding in abeyance more than $600 million in requests from friendly countries to purchase surplus farm products under Public Law 480. It is impossible to estimate the additional requests which would have been received had not the act expired.

This is a loss not only to our farmers but to the entire Nation.

Should the act not be extended by this Congress or should it be approved by Congress in an unacceptable form, we would certainly do the best we can to move our surpluses with the tools we have. But the magnitude of the loss of Public Law 480 is readily apparent when we consider that in the past 4 years we have programed $4 billion worth of surpluses under title I sales for foreign currencies.

It is my understanding that the major point of disagreement among the conferees (and possibly the only point at issue) is the barter provision of the House bill.

This provision is unfortunate. It ignores the basic concept of Commodity Credit Corporation operations to make maximum use of the normal channels of trade. It would cause the CCC to substitute barter for many cash sales and the result would be costly to the taxpayer and to CCC.

The Department is not opposed to barter on a sound basis. We negotiated $61.2 million worth of barter contracts in fiscal 1958. We intend to continue giving favorable consideration to sound barter proposals.

An alternate, simple, and acceptable solution to the present impasse would be a straight extension of 1 or 2 years of the old law.

It is my fervent hope that the conferees will meet and resolve this matter satisfactorily so that the bill may be signed into law and quickly put back into use.

Mr. AIKEN. Mr. President, I would not wish Congress to adjourn without calling attention to the valiant service which the senior Senator from Minnesota has given to the farm people, not only of his State, but also of the greater part of the country. I join with him in rejoicing that Congress has finally completed action looking to the extension of Public Law 480. I join him also in deploring the fact that we in Congress have dilly-dallied so long, waiting for action on the part of the other House, and that we have sustained enormous losses in connection with many farm commodities.

I do not know whether we have sustained a loss of a billion dollars, but certainly it has been an enormous amount of American farm products which have been lost since last March, from the standpoint of sales alone, when for all intents and purposes, the money which would have permitted the program to continue was exhausted. Of course there was a small amount remaining until July. Even after July two or three million dollars was left, which is being used to carry out commitments which had been made up to that time.

I wish to point out, too, that the senior Senator from Minnesota has not only been concerned with the extension of Public Law 480, but he has been concerned also with all programs which deal with promoting a prosperous agriculture in this country. I believe he introduced the original bill seeking the eradication of the brucellosis disease among dairy herds. I know he has been one of the early advocates of the school milk program and the use of milk for other purposes, including its use by our armed services.

He is working constantly for soil conservation programs and other programs to protect the soil and water resources which will be the heritage of those who will come after us. He has worked to improve seeds and to control diseases and insects with which our farms have been afflicted. I know he has been active in fields to provide more adequate and better farm credit programs. He has been a great friend of the farm cooperatives of this country, and has always advocated measures which will result in broadening markets for our farm commodities.

The people of the country, particularly the people of the North Central States, have been very fortunate to have a champion like the senior Senator from Minnesota, who is always in the front line fighting for their interests in the Senate.

Mr. THYE. I am indeed grateful to the distinguished Senator from Vermont. He is the senior Republican member of the Committee on Agriculture and Forestry, and served as its chairman when the Republicans were in control of the Congress. I am most grateful to him for his remarks, especially because of the high esteem in which the Senator from Vermont is held among agriculturally minded people, particularly those of the Midwest. He has often spoken and has often appeared on our programs out there, and the people of that area have always thought of him as sound and solid in his philosophy as the rocks of New England.

Mr. JOHNSTON of South Carolina subsequently said: Mr. President, as a member of the conference committee which worked out the compromises which resulted in this report on the Agricultural Trade and Development Act, I wish to make a statement regarding the compromises we reached in regard to one point of the bill.

In the conference report we have amended section 303 of the law and we have restated that it is the policy of the Congress for the United States to trade surplus agricultural commodities which are expensive to hold and store and which depreciate in value in exchange for foreign strategic and other materials which will be needed by the United States for national security, either in times of emergency or at such time that normal world market supplies become short.

In my opinion this barter section of the bill is one of the most important parts of the legislation. We are not only helping the foreign countries by bolstering their economies and their food supplies, one of the purposes of the bill, but we are also doing something to help our own people at home. In fact, it is the only section of the bill which really contains assistance for our own people. These critical materials which will be imported under the program will be stockpiled in this country after being processed here in the United States. The processing of these materials will give employment to now idle people and the

entire process will give our economy a badly needed help. The storage cost of such a program is small and the value of the commodities on hand will not diminish through the years. In fact, if world shortages should develop they will be of untold value to our Nation, not only in terms of dollars but also in terms of defense.

It should be pointed out that the Secretary of Agriculture and others in the administration brought a halt to the barter program through administrative action. The restating of this program into the law for the next 18 months is now a directive from the Congress that the program be reinstituted and continued.

Only in the event that the importations would be not to the benefit of the United States can the program be halted; and the burden of proof rests on the Secretary of Agriculture.

As a conferee, I supported the barter program for I believe it is in the best interest of this country. Indeed, it is probably more beneficial to us than other provisions of the law.

Mr. President, it should be pointed out that only commodities which meet the President's critical stockpile list approval can be imported through the program for stockpiling; and these stockpiles cannot be used to damage the domestic market in any way.

Mr. HUMPHREY subsequently said: Mr. President, I was absent from the Chamber at the moment when the conference report on Public Law 480 was approved by this body. I had intended to make some comments on the conference committee's deliberations and its understandings relating to this very important piece of legislation.

I am very much pleased with the extension of Public Law 480. As my colleagues know, I submitted the amendment, which the Senate adopted, to make the Public Law 480 program a 2-year program, instead of a 1-year program. The House voted to make it a 1-year program. In the conference committee, we resolved our differences by agreeing on an 18-month agreement. As was pointed out, our efforts to have a $3 billion, 2-year program were likewise compromised at $2,225 million. New uses were provided for the currencies which accumulate as a result of the sale of commodities under the title I provisions of Public Law 480. I am particularly pleased with those new uses, because they make possible a much more effective attack upon some of the great problems which confront mankind throughout the world.

For example, Public Law 480 uses of foreign currency will make possible an effective program against malaria, and also more generous contributions by our Government to the Department of Public Health facilities abroad. Furthermore, our program under Public Law 480 will make it possible for the foreign currencies accumulated to be used for trade fair and for agricultural and horticultural fair participation on the part of our Government. We also have provided for the use of foreign currencies in connection with such matters as the translation of scientific documents and the development of human resources and skills. These are what we call the non-self-liquidating projects, and they are not provided for under section 104 of the act.

Other uses for foreign currencies are outlined; but I highlight these, because I believe they are most important.

Mr. President, I also submitted an amendment which made possible the inclusion of edible vegetable oils under the terms of Public Law 480. That subject is referred to in the report of the managers on the part of the House. In other words, section 9, which includes a provision authorizing the Commodity Credit Corporation to purchase products of oilseeds and edible oils, fats and the products thereof, and to donate such commodities abroad.

I hope that the Department of Agriculture will utilize this authority, not only because such use will have a very constructive and healthy effect upon the American domestic market for these commodities, and not only because it will improve the price structure for edible oils and vegetable oils and fats, but also because one of the great food shortages throughout the world is in the field of oils and fats. Particularly is this true of vegetable oils. We shall have large quantities of vegetable oils, as a result of the expanded cotton acreage and soybean acreage. These vegetable oils are helpful to life itself.

So I hope the provisions which I have referred to will be used effectively and aggressively by the Department of Agriculture.

I believe this program is one of the truly good and sound programs of the Government. Public Law 480 not only is of benefit to agriculture—and in the past I have submitted to the Senate information which has revealed that the effect of Public Law 480 sales is to increase the prices of agricultural commodities in the United States—but, as I have also pointed out, this law has improved the sales, and has made possible additional economic assistance to underdeveloped countries.

I believe it is fair to say that in the absence of this program, much of the economic assistance we extend to the countries of Asia, Africa, and Latin America would be less effective or, in some cases, totally ineffective, but for the saving grace of the surplus foods we make available today.

A classic example is the free nation of India. The food we send to India is of vital importance to the economic development of that country. It is also of vital importance to the life of the Indian people.

Mr. President, I should like to state, for the RECORD, that I hope our Government will complete its present negotiations with India, both in respect to, first, the sale of wheat and cereal grains; and, second, in respect to barter, because India is perfectly willing to barter substantial quantities of manganese ore for wheat. India has manganese; and we have wheat. All we need is the will to consumate the deal. I hope those arrangements will be completed within the next few weeks. I inquired about this matter of the Department of Agriculture, and also of the Department of State, and was assured, as of yesterday, that the arrangements were in their final stages; that there would be a sale to India of United States surplus foods, under title I—namely, a sale for foreign currencies; and that there would also be a very substantial barter arrangement between the two countries, the exchange being one of manganese for wheat. That is good for India, and it is also good for the United States.

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Is it not true that the United States lacks adequate supplies of manganese, for use by our steel industry?

Mr. HUMPHREY. That is correct. The Senator from Illinois knows that much of the manganese the United States has obtained in the past has come from the Soviet Union or from Soviet-bloc countries.

Mr. DOUGLAS. Manganese is, of course, absolutely essential to our steel industry; and supplies of manganese which we obtain from India—a neutral country—result in tying closer together the United States and India, a result which certainly is highly desirable.

Mr. HUMPHREY. The Senator from Illinois is absolutely correct; that exchange is a connecting link, which exists as a result of the availability in the United States of large supplies of food.

The conference report on Public Law 480 involved only one difficulty in the course of the deliberations of the conference committee—namely, over the subject of barter.

One of the provisions of Public Law 480—it is section 303—is known as the barter section. The barter section is not new in our agricultural policy; in fact, it is provided for, among other provisions of law, in the charter of the Commodity Credit Corporation. In other words, the Commodity Credit Corporation is authorized—and, in fact, is directed—to engage in barter, when that is to the advantage of the United States and when it helps our economy and fulfills our basic national needs.

The report of the managers on the part of the House sets forth the true story of the action of the conference committee on the barter provisions. I should like to quote 1 or 2 sentences, because I subscribe fully to the interpretation which has been made by the House conferees in relation to the barter sections of Public Law 480 extension. The statement of the managers on the part of the House said, in part:

> The committee of conference • • • has reiterated and strengthened the directive of Congress to the Secretary of Agriculture to carry on a meaningful and substantial barter program.

I skip a few lines and quote again:

> In effect, the Congress has felt it necessary to tell the Secretary to carry on a program which is already the law.

The second paragraph reads:

> The language of the conference report (sec. 6 of the report) amends section 303 of Public Law 480 and reiterates the policy of Congress that it is to the benefit of the United States to exchange surplus agricultural commodities which deteriorate in value and are costly to store for strategic and other materials of a type which will be needed by the United States, either in time of emergency or in its normal economy as world supplies of these materials decrease. There are at least four other provisions of law in which a similar Congressional policy is enunciated.

The managers' statement continues:

> In reenacting section 303, the committee has broadened the base from which the President may select in designating those materials which are to be imported in exchange for surplus agricultural commodities. Most of the ore, metals, minerals, or other materials that might be taken will not deteriorate, can be stored at substantially less cost than agricultural commodities and by their presence within the United States will improve its national resources.

Another quotation which I think is highly significant, and I fully subscribe to this as one of the conferees and as one Senator who has held a considerable number of hearings on the whole subject matter of Public Law 480, and I quote now from the statement of the managers on the part of the House:

> When Public Law 480 was enacted, the Congress specifically stated in its legislative reports on that legislation that barter was to be a priority method of disposal. Until May 28, 1957, a successful barter program was in operation within the Department, but was brought to a practical stop through regulations issued by the Secretary establishing the so-called additionality requirements, placing upon prospective barter contractors the responsibility of proving that barter transactions would be over and above all possible cash sales.

This particular language, of course, really meant that the Department was putting the stop order upon barter sales.

One of the important changes made in the existing law by the amendment which was adopted in the conference and the agreement which we finally concluded is that it relieves the Secretary of the responsibility of making a finding that barter protections would protect the funds and assets of the Commodity Credit Corporation as a singular or priority requirement.

The Secretary merely has to find that barter is in the best interest of the Government of the United States. In other words, there must be a determination as to whether barter should be engaged in on a much broader basis than that merely the assets of the Commodity Credit Corporation are being properly protected.

The conferees stated very clearly that what we wanted to take place under barter was the kind of action which had taken place prior to May 1957—in other words, an effective, sensible, methodical barter program; not one of excess, but one in which we were moving ahead as a part of the total business of the Department of Agriculture.

Mr. President, the conferees specifically stated, in regard to the present requirement for additionality, that no restrictions should be placed on countries of the Free World to which our surplus agricultural commodities may be sold, except under certain conditions, and that was spelled out in the legislation, under which the Secretary must make specific findings.

In other words, under the language of the bill, the burden of proof has been shifted to the Secretary of Agriculture, and in following that authority he is required to follow substantially the same procedures as set out under title I of Public Law 480—procedures to protect normal markets; to see to it there is no dumping of agricultural commodities which will in any way jeopardize world prices; procedures to see that private channels of trade are used.

Mr. President, I want to underscore that Public Law 480 was not designed to involve merely government-to-government activities, but the use of private trade channels was to be emphasized.

I have said a number of times that the Commodity Credit Corporation is not to be a substitute for private business. It is not to supplant private business. The Commodity Credit Corporation was designed to supplement and assist private business, and it ought to limit its activities only to those areas where private business cannot undertake responsible private transactions.

I said earlier, after having read carefully pages 3, 4, and 5 of the statement on the part of the managers of the House, that I concur wholeheartedly in the statement of those managers.

I am hopeful there will be no misinterpretation. I have been assured, as have other Members of this body who were on the conference committee, that the Department of Agriculture is going to proceed with the program of barter. It is also going to proceed with the program of sales under title I. I hope it will proceed with a generous program of donations to the many charitable organizations, both religious and nonsectarian. That is a very important program, in terms of the needs of the people throughout the world, and in terms of our total foreign policy.

I am also hopeful that the market development procedures which are outlined and authorized in Public Law 480 legislation will be used. I am hopeful those market development provisions will be used, not only to develop markets for products which we now have, but for those which may come on the scene. For example, there is a program called Meals For Millions From America. It provides cheap nutrition and fine nutrition from food for people in many areas, emphasizing the use of the soybean. I hope markets will be made available for that kind of program.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. There is another program in regard to providing such nutrition, and that is the economical manufacture of fish flour, which work is being carried on by a distinguished resident of my State, who has a plant not only in Monticello, Ill., but also in New Bedford, Mass. The production of fish flour revolutionizes and improves the diet of people in the rice-eating countries, where there is not sufficient animal food for them.

Mr. HUMPHREY. I remember the Senator told us about it in the Senate some time ago. There is no doubt this is the kind of program which could be engaged in and which would be of great help to food deficit areas. Another such program is one which is called the Parboiled Wheat Program, which is a program for turning cereal grain into a product which is usable in areas of the world which are traditionally rice eating. All this is possible in terms of legislation now on our law books.

Mr. DOUGLAS. Does the Senator believe the bill is a strong direction to the Secretary of Agriculture to restore the excellent program which he killed by his administrative orders and regulations?

Mr. HUMPHREY. On barter?

Mr. DOUGLAS. On barter.

Mr. HUMPHREY. I surely do. The bill says to the Secretary that we want him to proceed, that barter is a type of program authorized by the Congress. Barter is not only authorized, but it is a program formalized in terms of action by the Congress. We want the Secretary to proceed on a constructive basis. No one is asking that the program for barter be other than constructive. We want it to be a part of the total program, and a very significant part of the total program.

Mr. DOUGLAS. Does the Senator think there is any prospect that the Secretary will carry out the law better than he carried out the past law?

Mr. HUMPHREY. One of the reasons we extended the law for 18 months was to review it again at that time. We wanted the entire matter to come before us again for action.

Mr. DOUGLAS. Has the Secretary not been sabotaging past acts?

Mr. HUMPHREY. I will say, so far as the program other than barter is concerned, it has operated very well.

Mr. DOUGLAS. I am referring to the barter part of the program.

Mr. HUMPHREY. The barter part has been given most unfair treatment after May 1957.

Mr. DOUGLAS. Does the Senator think the action we have taken will do away with the requirement that barter must be in addition to all other foreign trade programs?

Mr. HUMPHREY. Barter must be undertaken when it is in the interest of the United States. I am sure in the past barter has actually supplemented cash sales. The record is that as cash sales went up barter sales went up and as barter sales went up cash sales went up. As barter sales came down cash sales came down. This is not an "either/or" proposition; it is a matter of blending together. In some places the barter program is good. In some places the barter program does not work well. When there is a barter program which can work in some areas it ought to be used. When the products can be sold for cash of course we ought to sell for cash. When the products can be sold for soft currencies, we ought to sell them for soft currencies.

The main thing we must keep in mind is that we should do business. I will say, as I said earlier, we have not lost a nickel on barter. In fact, the Commodity Credit Corporation has made millions of dollars.

Mr. DOUGLAS. I can remember the days when the Senator from Minnesota was urging the barter program and the sales of farm products for soft currencies abroad, when the Department of Agriculture and the Department of State were opposing him at every step.

I believe the Senator deserves great credit for the persistence with which he has worked on the program and the degree of success which he has obtained. Certainly it is in the interests of the farmers of the United States to have a market for their products and to reduce the domestic surpluses which would otherwise overhang our markets. This is a fine contribution to good international relations, a process by which hungry people can be fed and by which trade can be put on a basis of self-respect.

Mr. HUMPHREY. I thank the Senator for his generous comments. I happen to believe, as the Senator from Illinois does, in the soundness of this program of using food as an effective instrument for foreign economic policy and as an expression of the concern and compassion of the American people for the less fortunate people around the world.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. CHURCH in the chair) laid before the Senate a message from the President of the United States submitting several nominations which were referred to the Committee on Armed Services.

(For nominations this day received, see end of Senate proceedings.)

ORDER FOR CALL OF THE CALENDAR ON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on tomorrow it be in order to have a call of the calendar, from the beginning.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIPARTISANSHIP IN FOREIGN POLICY

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "What Is Bipartisanship?" from the Minneapolis Morning Tribune of August 18, 1958.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT IS BIPARTISANSHIP?

Senator CAPEHART, of Indiana, complained in the Senate the other day about the foreign policy speeches of Senators FULBRIGHT, of Arkansas, and HUMPHREY, of Minnesota, on the grounds that at this time "it is dangerous to criticise our Nation and the steps our leadership takes."

He was concerned, CAPEHART said, because the Russians repeat to their people and to the world through their government-controlled press, radio and television every criticism our Senators and our Government officials make of our country.

Well, CAPEHART makes a novel approach, at least. What he really says is that we must put the best possible face on our relations with foreign countries—even if they are going badly—so that we don't give the Communists more ammunition for their propaganda machines. Carried to its ultimate, this would mean adhering to outmoded, outworn, and unsuccessful policies—even though they may be carrying us to ultimate defeat—in order to bottle up domestic criticism.

We agree with Senator HUMPHREY's rebuttal. The Minnesota Senator declared that "it is the patriotic duty of responsible citizens and Senators alike to discuss constructively, thoughtfully, and hopefully what our foreign policy can be and should be.

"In every country in the world, there has been at least some difference of opinion, not only as to our foreign policy but as to their own foreign policy," he continued. "Free people do at times disagree. The right to dissent is a privilege of a free society and at times a moral obligation.

"Bipartisanship does not mean being blind to reality," HUMPHREY went on. "Bipartisan ship does not mean slavish adherence to the folly and the mistakes of those who lead. Bipartisanship means at least constructive thought and contribution in an effort to design policies that are workable and effective, stronger and better."

Well said, Senator HUMPHREY.

As for providing fuel for the Communist propaganda machines, consider this quotation from CAPEHART himself:

"We moved ten or twelve thousand men into Lebanon at the request of the Lebanese Government under a law enacted by the Congress, under what is known as the Eisenhower doctrine. What is so unusual about it? I do not know. Perhaps we are going to establish a permanent base in Lebanon, as we have in England, West Germany, France, and other countries. Maybe we should have a permanent base there. I do not know. Maybe we will have one there. * * *"

And this at a time when the administration already had announced we will pull our troops out of Lebanon as soon as the Lebanese Government requests us to do so.

THE INTERPARLIAMENTARY UNION

Mr. MONRONEY. Mr. President, it is my conviction that the Interparliamentary Union, 69-year-old organization of members of the world's parliaments organized with the encouragement of President Grover Cleveland, is performing a very real service in this troubled world. In its conferences, the politicians of various countries who best know the attitudes and the moods of their people get together for discussions which illuminate the changing international scene. I feel that it is very important for the United States to give every support to this Nation's participation. In that connection, I ask unanimous consent to have printed in the RECORD, two recent editorials which show the interest that is developing in various parts of the country.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Austin (Tex.) Statesman of July 24, 1958]

RIO DE JANEIRO MEETING

With eyes of the Nation focused on developments in the Middle East, little attention has been given to the meeting in Rio de Janeiro of the 69-year-old Interparliamentary Union. Yet this conference of legislators from 54 nations, one from Texas, is certain to witness heated, and possibly influential, debate over the latest international crisis.

This is the view of Senators and Representatives willing to leave Washington during the adjournment rush to attend the meeting. Brazil picked the early date to accommodate the conference in its own Parliament, now in recess.

Eleven United States Congressmen are attending, among them TEXAS' sole entry, Representative W. R. POAGE, of Waco. Representative HENRY C. TALLE, Iowa Republican, heads the delegation.

This is less than half the number of Congressmen who attended the London conference last September or the 1956 meeting in Bangkok, which came at the height of the Hungarian crisis. Those in Rio expect to have their hands full countering the anticipated attacks from the Soviets on United States-British troop movements in the Middle East.

The Interparliamentary Union is without power, real or assumed. Its annual resolution, this year on foreign investment, atomic weapons tests, establishment of an international police force and other topics, are, like most such expressions of desirable goals, of no binding force or effect. Nonetheless it is a meeting of minds.

A number of United States legislators, including Senator MONRONEY and Representative BOGGS, consider United States participation vitally important in securing the the maximum extension of American influence in world affairs.

Though the meetings have been described as junkets, this is being hotly disputed. They mean a lot of hard work for the delegates.

[From the St. Louis (Mo.) Globe-Democrat of July 26, 1958]

WORLD LAWMAKERS TO RIO

Crowded out of news files by engrossing events of the Middle East, a week-long meeting began yesterday in Rio de Janeiro at which legislators from 54 nations of the world will discuss international problems and, if they can, adopt resolutions of mutual concern. This is a nonofficial gathering, but not without influence to global relations.

The group is the 69-year-old Interparliamentary Union, founded at Paris in 1889, by British and French leaders, with the encouragement of President Grover Cleveland. It has met 46 times since then and is credited with initiating two Hague Conferences. It is a nongovernmental organization of UNESCO.

Headed by Congressman HENRY O. TALLE, of Iowa, the United States delegation numbers 11 Representatives and Senators, including Senator MIKE MONRONEY who has attended most of these sessions since 1948. The union is, of course, without power. Its chief value is for the interchange of ideas, explanation of national roles, a better mutual understanding on parliamentary level among nations.

If the conference does not get bogged in East-West controversy, it may accomplish a good deal in assessing international issues. On its agenda are such resolutions as how best to handle foreign investment, atomic-weapons tests, and the creation of an international police force on a permanent basis.

Some in Washington disparage this annual trek of solons to some foreign capital as just another junket. It can be and often is much more. It would be shortsighted were an American delegation not to attend; Communist representation is always on hand.

Intelligent explanation of United States policy is important on every occasion of international gathering. These delegates are the lawmakers in their respective nations.

The parliaments of the world, at least outside the Red orbit, have enormous influence in their states. Better understanding, mutual help among such men, can have significant value for our role before the world, perhaps for a better peace.

PROPOSED BAN ON NUCLEAR TESTING

Mr. THYE. Mr. President, President Eisenhower is to be commended for his proposal for a 1-year ban on nuclear testing while negotiations for a system of inspection and enforcement are under way. This announcement should give assurance to national leaders and all people around the world who are worried about the effect of radioactive fallout on their children and on future generations. Our interest in the ending of testing and in disarmament is clearly shown. I am very hopeful these negotiations will lead to an inspection and enforcement system so that fear of further testing will be removed and that steps toward disarmament will be taken. Surely mankind, which has had the intelligence to develop weapons of such destructive capacity, can now proceed to an understanding whereby these weapons will not be used, but that our learning will be turned to peaceful pursuits.

SELF-EMPLOYED INDIVIDUAL RETIREMENT BENEFITS

Mr. PURTELL. Mr. President, recently when the Senate was debating H. R. 8381, providing for internal revenue technical changes, Senator POTTER offered an amendment incorporating the provisions of H. R. 10. As you know, H. R. 10, entitled the "Self-Employed Individual's Retirement Act of 1958," was passed by the House on July 29, 1958. This measure is more commonly known as the Jenkins-Keogh bill. A point of order was raised on the Senate floor and the resultant vote eliminated the Potter amendment as not germane to the bill under discussion. I voted against this point of order and, had I had an opportunity, I would have given my full support and vote in favor of the Potter amendment.

Mr. President, I can well understand the reluctance of many of my colleagues to vote on legislation of this nature which has not been considered by our Finance Committee. Ordinarily, I have the same reluctance, but in this instance we would have been voting on a measure which has been considered by the House Ways and Means Committee for the past several Congresses and which had been reported favorably by that committee on July 24 of this year. Therefore, in this instance I was willing to vote on a measure which had not been considered by our fine Senate Finance Committee, which is chaired by our outstandingly eminent senior Senator from Virginia.

I do not feel that I can improve upon the language in the House report which gives the reason and justification for this legislation. In this respect the report states that the bill "is intended to achieve greater equality of tax treatment between self-employed individuals and employees. Under present law the employees of a business can achieve this postponement of tax on retirement income savings if the employer pays into a qualified pension, profit-sharing, or stock bonus plan what he might otherwise have paid directly to the employees. These amounts can be placed in a tax-exempt pension trust or they can be paid as premiums on an annuity policy with a life-insurance company. In either case the business firm gets immediate deductions for amounts contributed to the plan and the employee is not taxable until he draws down his benefits under the plan. An employee is permitted to defer tax in this manner even though he may have a nonforfeitable right to the employer contribution under the plan.

"This tax deferment for an employee's interest in a pension, profit-sharing, or stock bonus plan has two important advantages. In the first place, it permits the employee to have a larger initial investment in retirement savings upon which more investment earnings may accumulate. In addition, most employees will be in lower tax brackets after retirement than they are during their productive years. The tax deferment under a qualified plan permits some income from the years in which an employee is likely to be subject to higher surtax rates to be taxed in the retirement years when he may be subject to much lower rates or even have unused personal exemptions.

"Your committee believes that it is unreasonable that self-employed persons should be precluded by law from obtaining equivalent tax treatment with respect to retirement savings to that available to employees under a qualified plan. Under present law the employer-proprietor and an employer-partner are precluded, except in very special circumstances, from participating in a qualified plan even though they may establish such a plan for their employees."

Mr. President, as you know, H. R. 10 would permit self-employed individuals to deduct, in computing adjusted gross income, the amount which has been paid as a premium on a restricted retirement policy or as a deposit in a restricted retirement trust fund. This deduction in most cases may not exceed $2,500 in any one taxable year and it may not exceed $50,000 during the lifetime of the self-employed individual.

I strongly feel that this self-employed retirement treatment is a needed and equitable adjunct to our present social security and other retirement programs. As Representative KEOGH has stated, "This amendment is the culmination of many years of hard work by, and on behalf of, an imposing and respectable list of national, State, and local professional parties and organizations of businessmen." Certainly the strong support of this measure is indicated by the following telegram which I received on August 12, 1958:

There being no objection, the telegram was ordered to be printed in the RECORD.

WASHINGTON, D. C., *August 12, 1958.*

Hon. WILLIAM A. PURTELL,
Senate Office Building,
Washington, D. C.:

We understand that H. R. 10 (Keogh bill) will be offered as amendment to a pending tax adjustment measure now before the Senate. Your constituents have told us you favor the bill—as does a substantial majority of the Senate.

We urge you to give further support to insure decisive victory for a bill which has been before Congress for nearly 10 years.

American Thrift Assembly for American Angus Association; American Association of Medical Clinics; American Association of Small Business; American Bar Association; American Brahman Breeders Association; American College of Radiology; American Dental Association; American Federation of Labor; American Hereford Association; American Hotel Association; American Institute of Architects; American Institute of Certified Public Accountants; American Institute of Chemists; American Medical Association; American National Cattlemen's Association; American Ophthalmological Society; American Optometric Association; American Patent Law Association; American Podiatry Association; American Society of Industrial Designers; American Society of Internal Medicine; American Veterinary Medical Association; American Woman's Society of C. P. A.'s; American Association of Consulting Chemists and Chemical Engineers, Inc.; Association of Consulting Management Engineers, Inc.; Association of Stock Exchange Firms; Authors League of America; Bureau of Salesmen's National Association; Conference of Actuaries in Public Practice; Engineers Joint Council; Investment Bankers Association of America; Maritime Law Association of the United States; Mobilehome tion of Chiropodists; National Association of Plumbing Contractors; Na-Dealers Association; National Associational Association of Real Estate Boards; National Association of Retail Druggists; National Association of Retail Meat and Food Dealers, Inc.; National Association of Tax Accountants; National Association of Women's and Children's Apparel Salesmen, Inc.; National Association of Women Lawyers; National Automobile Dealers Association; National Council of Salesmen's Organizations, Inc.; National Federation of Independent Business; National Food Brokers Association; National Funeral Directors Association; National Liquor Stores Association, Inc.; National Live Stock Tax Committee; National Medical Veterans Society; National Shorthand Reporters Association; National Society of Professional Engineers; National Society of Public Accountants; National Sugar Brokers Association; National Wholesale Furniture Salesmen's Association; Public Relations Society of America, Inc.

Mr. PURTELL. Mr. President, in conclusion, I express the great hope that both the House and Senate take favorable action on this matter early in the next Congress. It will have my full support.

FIFTY FACTS FOR FARMERS

Mr. MARTIN of Iowa. Mr. President, as the second session of the 85th Congress comes to a close, I present 50 facts for the consideration of the farmers of the Nation.

First. Peace has been preserved.

Second. Gross farm income reached a record high thus far in 1958. The $13.8 billion income the first half of 1958 was nearly 5 percent more than the previous record set in the first half of 1952.

Third. Net farm income has jumped nearly one-fourth. Farmers' realized net income of $13.3 billion during the first half of 1958 was 22 percent higher than during the same period the previous year.

Fourth. Income per person on farms is second highest on record. In 1957 it was $967 per person, exceeded only in 1951, during the Korean war.

Fifth. Prices are up. The postwar downtrend in prices which started in 1951 has been reversed. Prices received by farmers in March were 11 percent above those of a year ago and 15 percent above those of 2 years ago. Prices during the first half of 1958 averaged 8 percent above those of a year earlier.

Sixth. The spiraling inflation in farmers' costs is being slowed. During the period of 1939 to 1952, the index of prices paid by farmers—including interest, taxes, and wage rates—increased more than 100 percent. From January 1953, when this administration took office, to June 1958, the index rose only 7 percent.

Seventh. The value of property owned by farmers is at a record high—$187 billion.

Eighth. The net value of property owned by farmers is at a record high—$167 billion, after deducting debts.

Ninth. Farm land values are at a record high. Farmers, exhibiting a confidence in the future of farming, are paying more for land than ever before.

Tenth. Farm ownership is at a record high. Three-fourths of the Nation's farmers own their own farms today.

Eleventh. The farm family continues to dominate agriculture. Ninety-six percent of our farms and ranches are family operations, about the same percentage as 30 years ago.

Twelfth. Total debts of farmers are less than $11 for each $100 of their assets. Seven out of ten farmers have no mortgage debt. Of the mortgaged farms, four-fifths are mortgaged for less than 50 percent of the market value, and half for less than 30 percent.

Thirteenth. Farm foreclosures—near the record low—are extremely rare.

Fourteenth. A national work force of 65 million—near record proportions—and a record high income per worker is increasing the demand for food and fiber produced by farmers.

Fifteenth. Our fast-growing population adds nearly 3 million more American consumers for agricultural products each year.

Sixteenth. Exports of farm products, which set a record high of $4.7 billion during fiscal 1957, continued far above average during fiscal 1958. They totaled $4.1 billion—second highest on record.

Seventeenth. Price-depressing Government surpluses have been sold, where the law permitted program changes. An accumulation in 1954 of 1,186 million pounds of cottonseed oil has been sold. Grass and legume seed stocks have been sold and all Government-owned wool has been sold.

Eighteenth. The level of living on farms is the highest in history. This level is measured by the percentage of farms with electricity, telephones, water systems, central heating, electrical appliances, and automobiles, and the purchasing power of the average value of farm products sold or traded.

Nineteenth. Farms are better equipped and more highly mechanized than ever before. There are over a million more tractors, 40 percent more combines and cornpickers, and 700,000 more trucks owned by farmers than there were in 1950.

Twentieth. A record proportion of farms have electricity. More than 95 percent of all farms now have electricity, compared to 77 percent in 1950. Funds being loaned to REA systems are at record highs—more than $300 million in 1957 and $241 million in fiscal 1958.

Twenty-first. A record high proportion of farms have telephones. More than 55 percent of all farms now have telephones, compared with 38 percent in 1950. Funds being loaned through REA for rural telephones are at a record high—$89 million in fiscal 1958.

Twenty-second. Farm families are now covered by social security. Prior to 1954 the law did not protect them, but farmers past the age of 65 and their survivors now are eligible for old-age protection.

Twenty-third. The Farm Credit System—FCA—is now owned and managed by farmers. A revision in the law in 1954 made this possible, and a large proportion of Federal funds in the system have already been repaid.

Twenty-fourth. The rural development program to aid families on small and low income farms is progressing in 30 States. It is providing more jobs for underemployed farmers and members of farm families, increasing farm incomes, and the general welfare of those who get little or no help from price-support programs.

Twenty-fifth. More farm families are sharing in the benefits of the Nation's expanding economy.

About $1 out of every $3 of the farmers' income now comes from nonfarm sources.

About 30 percent of the farmers work as much as 100 days or more off the farm.

This is nearly double the percentage 15 years ago. Thus, a higher level of living is resulting from increased and diversified income and improved rural living.

Twenty-sixth. Ninety-one percent of the marketed farm products are produced by less than one-half of the farm families—2.1 million farms. These are primarily commercial family farms.

Twenty-seventh. Most of the Government's price-support expenditures for the 6 so-called basic crops go to less than 2 million of the larger and more mechanized farms.

Twenty-eighth. Basic crops (cotton, wheat, corn, tobacco, rice, peanuts) bring farmers about 24 percent of their income from marketings. Present Government price-support investment in basic crops is $6.1 billion. Total investment in inventories and support loans as of May 31, 1958, was $7.2 billion.

Twenty-ninth. Basic crops bring farmers 40 percent or more of their income in 11 States; North Carolina, 67 percent; Mississippi, 57 percent; Arkansas, 54 percent; South Carolina, 53 percent; Kentucky, 49 percent; Montana, 48 percent; Louisiana, 44 percent; Arizona, 45 percent; Texas, 42 percent; Tennessee, 42 percent; Kansas, 40 percent.

Thirtieth. Basic crops bring farmers 10 percent or less of their income in 15 States, and 15 percent or less of their income in 22 States: Up to 1 percent, Maine, New Hampshire, Vermont, Rhode Island; 2 to 5 percent, New York, Massachusetts, New Jersey, West Virginia, Nevada, Wisconsin; 6 to 10 percent, Pennsylvania, Delaware, Wyoming, Utah, Florida; 11 to 15 percent, California, Iowa, Michigan, Oregon, Colorado, Minnesota, Connecticut.

Thirty-first. 2.6 million farms—56 percent of all farms—sell only 9 percent of farm marketings. This contrasts with the 2.1 million farms which produce 91 percent of the market products. The 2.6 million farms are principally small-scale and low-income farms. They get little or no help from the multi-billion-dollar price supports for the six basic crops. The rural development program started in 1955 is designed to aid these families with the lowest incomes.

Thirty-second. Price increases have occurred primarily in farm products without price supports and free of controls. Markets for livestock, poultry products, fruits, and vegetables have expanded, and prices have been maintained or risen. In contrast, price-supported products have tended to lose markets, decline in price, and pile up surpluses in Government storage.

Thirty-third. Dairy income during the past year was the highest on record.

Thirty-fourth. Government-owned uncommitted stocks of dairy products have been sharply reduced since 1954:

Butter: From 466 million pounds to 85 million pounds on June 30, 1958.

Cheese: From 436 million pounds to 70 million pounds on June 30, 1958.

Nonfat milk solids: From 599 million pounds to 152 million pounds on June 30, 1958.

Thirty-fifth. Per-capita consumption of such high-protein, protective foods as meat, milk, and eggs, is substantially above prewar levels.

Year	Beef and veal	Pork	Poultry	Total meats and poultry	Eggs	Fluid milk and cream
	Pounds	*Pounds*	*Pounds*	*Pounds*	*Number*	*Pounds*
1940	62	72	17	157	314	331
1957	93	62	32	187	358	349

This trend is of major significance because livestock and livestock products account for 55 percent of farm income.

Thirty-sixth. More farmers have been helped to improve their farms or acquire larger ones through the loan programs. Farmers' Home Administration assisted farmers to the extent of $50.3 million in fiscal 1958, compared with $29.7 million in the last fiscal year of the preceding administration.

Thirty-seventh. Farmers benefited by the largest tax reduction in history, enacted by the Republican 83d Congress. Relief was received in faster tax write-offs on grain storage facilities and machinery, and deductions for the costs of certain soil-conservation practices.

Thirty-eighth. Completion of the St. Lawrence Seaway in the near future will reduce transportation costs on farm products and items farmers buy. This project has been pushed to completion by the administration after lying dormant for 30 years.

Thirty-ninth. Appropriations for agricultural extension and education increased $29,567,000 in the past 6 years. The increase during the preceding 4 years was only $1,350,000.

Fortieth. Agricultural research funds increased $58,789,000 in the past 6 years. The increase during the preceding 4 years was only $1,984,000.

Forty-first. The years of schooling for rural people has increased. Today's younger generation receives 10.5 years of education, compared to 8.5 years for their parents and 7.5 for their grandparents.

Forty-second. The Great Plains program, developed in 1955, is being pushed vigorously. Land classification in the more hazardous soil areas is being accelerated, and maps will be available to serve as a guide to proper land use. The agricultural conservation program encourages more than ever before proper land use and shares the cost of making needed adjustments.

Forty-third. Soil-conservation assistance and promotion of soil building have been expanded. The 1,750,000 cooperating farmers are making the greatest conservation accomplishments of all times.

Forty-fourth. New and expanded water-management programs have been put into effect. Under the Watershed Protection and Flood Prevention Act passed by the Republican 83d Congress, and other legislation, 900 local watershed groups in 47 States have applied to the Department for assistance. The SCS has authorized planning in 366 of these watersheds in 47 States.

Forty-fifth. New alltime highs have been set by timber cut from the national forests—over $115 million per year. At the same time forests have received more protection and are increasing in stands and tree growth for the future.

Forty-sixth. The use of farm products for schoolchildren and for poor and needy people is at a record high level. Children were served 1.9 billion school lunches in 1958, compared to 1 billion in 1951.

Forty-seventh. The use of farm products to aid friendly nations has been greatly expanded. Approximately 60 million people in 80 foreign countries are receiving food donated by the people of the United States. Under Public Law 480, credit and International Cooperation Administration programs, nearly $6 billion of surplus farm products have been moved into use to meet needs of friendly countries and strengthen their economies.

Forty-eighth. In a determined effort to reduce the price-depressing surpluses overhanging farmers' markets, the Eisenhower administration has disposed of recordbreaking amounts of Government-owned commodities:

1953	$520,000,000
1954	1,424,000,000
1955	2,115,000,000
1956	2,723,000,000
1957	4,206,000,000

Forty-ninth. Grain storage capacity owned by Commodity Credit Corporation has been greatly increased during the last several years:

	Bushels
1950	547,000,000
1952	543,000,000
1957	990,000,000

Fiftieth. To assist farmers in making the transition from wartime demands to peacetime markets and conditions, Federal expenditures for programs primarily to stabilize farm prices and income have been the largest ever:

1950	$487,000,000
1951	624,000,000
1952	308,000,000
1953	330,000,000
1954	963,000,000
1955	1,350,000,000
1956	1,936,000,000
1957	3,255,000,000

Overall production and consumption of most farm products are now more nearly in balance than at any time since the height of the Korean war.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 304) to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

LEGISLATIVE HISTORY OF COMMITTEE ON FOREIGN RELATIONS, 85TH CONGRESS

Mr. GREEN. Mr. President, at the end of each Congress, it is the practice of the Committee on Foreign Relations to make public a legislative history of the committee. Since the full history of the committee's work during the 85th Congress will not be available until some time after adjournment, I believe it will be useful to Members of the Senate to have now a brief summary of the work of the committee this Congress.

I wish to take this opportunity to record my sincere thanks to all the members of the Committee on Foreign Relations for the fine cooperation they have given me. Without their diligent and conscientious efforts, our heavy workload could not have been carried. I deeply appreciate the contribution the several members have made during consideration of measures pending before the committee and especially the nonpartisan spirit they have shown in their consideration of each important issue faced by the committee.

The Committee on Foreign Relations and its subcommittees met a gross total of 266 times during the 85th Congress. A total of 101 measures, not including treaties, were acted on. Of these, 64 passed the Senate, and the provisions of 21 others were contained in other measures passed by the Senate. On 16 measures, the committee deferred action.

Altogether, 28 bills and joint resolutions were enacted; and 30 Senate or concurrent resolutions were agreed to; and 17 treaties were approved. No treaties were rejected by the Senate.

In almost all instances, the Senate gave its approval to our work by voice votes or by very large majorities. The greatest number of votes cast against any measure reported by the Committee on Foreign Relations was when the Mutual Security Act of 1957 was passed by a vote of 57 for and only 25 against. Sixteen of the seventeen treaties acted on by the Senate were approved by unanimous votes, and the one remaining treaty, the Statute of the International Atomic Energy Agency, was approved by a vote of 67 to 19.

As a consequence of Senate action on these 17 treaties and the fact that the President requested the withdrawal of 10 treaties, the Committee on Foreign Relations will begin the 86th Congress with the smallest treaty docket of any postwar year.

The committee's work during the 85th Congress began with consideration of the problems in the Middle East. In March 1957, after 2 months of consideration, the Congress enacted the so-called Middle East doctrine. As the committee's work drew to a close, the situation in the Middle East was again under consideration. The Committee on Foreign Relations, in cooperation with the Department of State, arranged for all Members of the Senate, not only the members of the committee itself, to be briefed daily by officials of the Department of State—a unique procedure to keep Senators abreast of the rapidly changing situation in the Middle East.

During the 85th Congress, the committee also devoted much time to a searching review of the mutual security program. This study began in 1956, when the Senate created a Special Committee To Study the Foreign Aid Program. The information gained during that study and also during a study undertaken by a Subcommittee on Technical Assistance, was available for Members when they considered and approved the Mutual Security Acts of 1957 and 1958.

Among other important measures approved by the committee and the Senate during the 85th Congress were amendments to the act creating the St. Lawrence Seaway Development Corporation, the authorization of a payment to Denmark for Danish vessels, the amendments to the International Claims Settlement Act, and adjustments in the

United States contributions to various international organizations.

An unusually large number of nominations, totaling 2,908 were referred to the committee during the 85th Congress. Among these were the nominations of 66 Ambassadors and 20 high-ranking officers in the Department of State, and 50 nominations to other positions, such as those involved in our participation in the United Nations and other international organizations. One new committee procedure inaugurated during this Congress was to select by lot a number of the newly appointed Foreign Service officers, in order to examine their qualifications, and thereby to enable the committee to assure itself of the quality of young persons entering the Foreign Service.

Mr. President, in closing, I ask unanimous consent that a listing of the measures considered by the Committee on Foreign Relations during the 85th Congress be printed in the RECORD as part of my report.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

TREATIES ACTED ON

1. Protocol to the 1949 International Convention for the Northwest Atlantic Fisheries (Ex. F, 85–1; Ex. Rept. 1, 85–1): This protocol, between the United States and nine other governments, is designed to make it possible for the Commission, the representative body established under the 1949 convention, to hold its meetings outside North America, if it so desires. Approved May 13, 1957, by a vote of 82 to 0.

2. Protocol to the 1930 Convention for the Protection, Preservation, and Extension of the Sockeye Salmon Fisheries in the Fraser River System (Ex. C, 85–1; Ex. Rept. 2, 85–1): The purpose of this protocol, between the United States and Canada, is the establishment of a program to conserve the pink salmon of the Fraser River system coordinate with the program set up under the 1930 convention for sockeye salmon only. Approved June 6, 1957, by a vote of 85 to 0.

3. Statute of the International Atomic Energy Agency (Ex. I, 85–1; Ex. Rept. 3, 85–1): This statute, signed by the United States and 79 other nations, is designed to establish an International Atomic Energy Agency with responsibility for advancing the peaceful uses of atomic energy, and for developing methods for its application to industry, agriculture, and medicine for the benefit and general welfare of mankind. Approved, with an interpretation and understanding, June 18, 1957, by a vote of 67 to 19.

4. Agreement between the United States and Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol (Ex. H, 85–1; Ex. Rept. 4, 85–1): The agreement and protocol create a procedure under which the holders of certain dollar bonds issued prior to World War II by the Republic of Austria and by various municipalities, provinces, and companies in Austria, may establish the validity of their bonds. Approved July 2, 1957, by a vote of 78 to 0.

5. Treaty of Friendship, Commerce, and Navigation Between the United States and Korea (Ex. D, 85–1; Ex. Rept. 5, 85–1): The objective of this treaty is to protect the personal security, rights, and property of Americans in Korea and to facilitate their travel and business activities. Approved August 8, 1957, by a vote of 86 to 0.

6. Protocol Amending the International Sugar Agreement of 1953 (Ex. L, 85–1; Ex. Rept. 6, 85–1): The protocol revises export quotas on sugar as among exporting countries parties to the agreement of 1953, simplifies the administration of the quotas, and provides greater flexibility in their adjustment to changing market conditions. It also revises the price objectives of the agreement. Approved August 8, 1957, by a vote of 86 to 0.

7. Convention on Inter-American Cultural Relations (Ex. C, 84–2; Ex. Rept. 7, 85–1): This Convention, signed by the United States and all of the other American Republics except Costa Rica, is a revision of the Buenos Aires Convention of 1936. It is intended to promote the exchange of graduate students, teachers, professors, specialists, and other persons of equivalent qualifications among the American Republics, with a view to fostering a greater understanding of the peoples tnd institutions of countries belonging to the Organization of American States. Approved August 8, 1957, by a vote of 86–0.

8. Protocol to the 1946 International Convention for the Regulation of Whaling (Ex. E, 85–1; Ex Rept. 8, 85–1): The purpose of this protocol is to vest the International Whaling Commission established by the Convention for the regulation of whaling with additional powers so that it may effectively deal with a number of problems not anticipated when the Convention was negotiated. Approved August 8, 1957, by a vote of 86–0.

9. Amendment to the 1949 International Convention for the Safety of Life at Sea (Ex. M, 85–1; Ex. Rept. 9, 85–1): The purpose of the amendment is to remove from the Convention a prohibition against the use of infiatable life rafts on merchant and passenger vessels in international carriage. Approved August 8, 1957, by a vote of 86–0.

10. Interim Convention on Conservation of North Pacific Fur Seals (Ex. J, 85–1; Ex. Rept. 10, 85–1): This Convention, an interim agreement effective for a 6-year period, will serve to continue the prohibition now being observed by the four signatory governments (Canada, Japan, the Soviet Union, and the United States) with respect to pelagic sealing, and to provide a joint research program designed to accumulate sufficient factual data to prepare the ground work for a permanent arrangement among the parties to conserve the valuable fur seal herds of the North Pacific Ocean. Approved August 8, 1957, by a vote of 86–0.

11. Income Tax Convention with Austria (Ex. A, 85–1; Ex. Rept. 12, 85–1): This Convention for the avoidance of double taxation with respect to taxes on income follows the puttern of previous double taxation conventions into which the United States has entered. Approved August 8, 1957, by a vote of 86–0.

12. Income Tax Convention with Canada (Ex. B, 85–1; Ex. Rept. 12, 85–1): This Convention introduces certain modifications in the Income Tax Convention and protocol of March 4, 1942, as modified by the supplementary convention of June 12, 1950, between the United States and Canada. Approved August 8, 1957, by a vote of 86–0.

13. Income Tax Protocol with Japan (Ex. K, 85–1; Ex Rept. 12, 85–1): This protocol, which supplements the convention with Japan of April 16, 1954, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, provides for exemption of the Export-Import Banks of Japan and the United States from taxation on interest received from sources within the country of the other party. Approved August 8, 1957, by a vote of 86–0.

14. Income Tax Convention with Pakistan (Ex. N, 85–1; Ex. Rept. 1, 85–2): This Convention for the avoidance of double taxation with respect to taxes on income follows in simplified form the pattern of previous double taxation conventions in which the United States has entered. Approved July 9, 1958, by a vote of 84–0.

15. Income Tax Convention with Belgium (Ex. B, 85–2; Ex. Rept. 1, 85–2): This Convention which supplements the convention of October 28, 1948, makes certain changes in that convention to facilitate the extension of that convention to the Belgian Congo and Ruanda-Urundi. Approved July 9, 1958, by a vote of 84 to 0.

16. Income Tax Convention with the United Kingdom (Ex. C, 85–2; Ex. Rept. 1, 85–2): This Convention, in the form of a notification, extends the coverage of the 1945 convention with the United Kingdom to 20 British overseas territories. Approved July 9, 1958, by a vote of 84 to 0.

17. Income Tax Convention with the United Kingdom (Ex. A, 85–2; Ex. Rept. 2, 85–2): This Convention amends the 1945 convention with the United Kingdom so as to eliminate double taxation on royalty payments. Approved August 13, 1958, by a vote of 90 to 0.

BILLS AND JOINT RESOLUTIONS PASSED BY BOTH HOUSES

1. Mutual Security Act of 1957 (S. 2130, S. Rept. 417, passed Senate June 14, 1957, by a vote of 57–25; approved August 14, 1957, Public Law 85–141): This act extended the Mutual Security Program for another year and authorized $3.4 billion for various types of foreign aid.

2. Mutual Security Act of 1957 (H. R. 12181, S. Rept. 1627, passed Senate June 6, 1958 by a vote of 51–17; approved June 30, 1958, Public Law 85–477): The act extended the Mutual Security Program for another year and authorized $3,031,400,000 for various types of foreign aid.

3. The Middle East Resolution (H. J. Res. 117, S Rept. 70, passed Senate March 5, 1957, by a vote of 72–19; approved March 9, 1957, Public Law 85–7): This joint resolution authorized the President to undertake economic and military cooperation with nations in the general area of the Middle East in order to assist in the strengthening and defense of their independence.

4. Amendment of act creating Corregidor-Bataan Memorial Commission (S. 538, S. Rept. 721, passed Senate August 5, 1957, approved August 28, 1957, Public Law 85–179): This act will enable the present Executive Director of the commission to receive, for a period of not to exceed 5 years, retired pay as a retired military officer, and civilian compensation concurrently.

5. St. Lawrence Seaway Development Corporation (S. 1174 S. Rept. 525; passed Senate June 26, 1957; approved July 17, 1957, Public Law 85–108): This act served to clarify the general powers, increase the borrowings authority, and authorize the deferment of interest payments on borrowing of the St. Lawrence Seaway Development Corporation.

6. Bridge Across the Pigeon River (S. 1361, S. Rept. 522, passed Senate June 26, 1957; approved July 24, 1957, Public Law 85–113): This act revived and reenacted the act of May 29, 1945 authorizing, under certain conditions, the Department of Highways of the State of Minnesota to construct, maintain, and operate a free highway bridge and approaches thereto across the Pigeon River.

7. Claim of Christoffer Hannevig (S. J. Res. 64, S. Rept. 370, passed Senate June 10, 1957; approved June 27, 1957, Public Law 85–60): This act, in implementation of a 1948 convention between the United States and Norway, confers jurisdiction upon the Court of Claims to adjudicate the claim of Christoffer Hannevig, a national of Norway, against the United States based upon the requisition of certain alleged property interests of Mr. Hannevig by agencies of the United States Government during the First World War.

8. Buffalo and Fort Erie Public Bridge Authority (S. J. Res. 95, S. Rept. 720, passed Senate August 5, 1957; approved August 14, 1957, Public Law 85–145): This act granted the consent of Congress to an agreement or compact between the State of New York and the Government of Canada providing for the continued existence of the Buffalo and Fort Erie Public Bridge Authority.

9. Second World Metallurgical Congress (H. J. Res. 404, S. Rept. 863, passed Senate August 20, 1957, approved August 31, 1957, Public Law 85–247): This joint resolution provides for the recognition and endorsement of the Second World Metallurgical Congress, which, under the sponsorship of the American Society for Metals, will be held in Chicago, Ill., on November 2–8, 1957.

10. St. Lawrence Seaway Celebration (H. J. Res. 408, S. Rept. 864, passed Senate August 20, 1957, approved August 30, 1957, Public Law 85–228): This joint resolution authorized the President of the United States to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway Celebration to be held in Chicago, Ill., from January 1 to December 31, 1959, inclusive.

11. Conveyance of reversionary interest of United States in certain lands in Texas (H. R. 1983, S. Rept. 369, passed Senate May 22, 1957, approved May 31, 1957, Public Law 85–42): This act authorized the Secretary of State to take the action necessary to make possible an exchange of lands held by two school districts in Texas for other lands more suitable for school purposes.

12. Alaska International Rail and Highway Commission (H. R. 4271, S. Rept. 211, passed Senate April 12, 1957, approved April 20, 1957, Public Law 85–16): This act, in amending the act of August 1, 1956 (70 Stat. 888) added the Delegate from Alaska in the House of Representatives as a member of the Commission.

13. Disposal of certain lands to aliens (H. R. 8929, S. Rept. 862, passed Senate August 20, 1957, approved August 28, 1957, Public Law 85–201): By virtue of this act, the International Boundary and Water Commission, United States and Mexico, is given the same authority as other United States Government agencies to dispose of lands to aliens as well as to citizens of the United States.

14. Assistant Secretary of State for African Affairs (S. 1832, S. Rept 223, passed Senate April 12, 1957, approved July 18, 1958, Public Law 85–254): This bill would authorize the appointment of one additional Secretary of State to be designated as the Assistant Secretary of State for African Affairs.

15. Danish vessels (S. 2448, S. Rept. 572, passed Senate July 3, 1957, approved June 6, 1958, Public Law 35–450): This bill would authorize payment to the Government of Denmark in connection with the requisitioning in 1941 of 40 Danish vessels by the United States.

16. Interparliamentary Union (S. 2515, S. Rept. 600, passed Senate August 5, 1957, provisions included in H. R. 12181, approved June 30, 1958, Public Law 85–477): This bill would raise the ceiling established by Public Law 409, 80th Congress, on United States contributions to the Interparliamentary Union from $15,000 to $18,000.

17. Contributions to the International Labor Organization (S. J. Res. 73, S. Rept. 526, passed Senate June 27, 1957, provisions included in H. R. 12181, approved June 30, 1958, Public Law 85–477): This measure would increase the ceiling on the United States annual contribution to the International Labor Organization from $1,750,000 to $2 million.

18. Contributions to the International Council of Scientific Unions and its associated unions (S. J. Res. 85, S. Rept. 602, passed Senate August 5, 1957, approved August 14, 1958, Public Law 85–627): This joint resolution would raise the ceiling on United States contributions to the International Council of Scientific Unions from $9,000 annually to $65,000 annually.

19. Alaska International Rail and Highway Commission (S. 2933, S. Rept. 1840, passed Senate July 21, 1958, approved August 8, 1958, Public Law 85–601): This bill would extend the date for filing the report of the Commission and authorize increased appropriations for it.

20. Highway bridge between International Falls, Minn., and Canada (S. 3437, S. Rept. 1752, passed Senate July 21, 1958, approved August 8, 1958, Public Law 85–601): This bill authorized the State of Minnesota to construct, maintain, and operate a bridge between it and Canada.

21. International Claims Settlement Act Amendment (S. 3557, S. Rept. 1794, passed Senate July 9, 1958, Public Law 85–604): This bill amends the International Claims Settlement Act by adding a new title IV providing a Czechoslovakian Claims Fund out of which to compensate United States citizens whose property was nationalized or otherwise taken subsequent to World War II by the Government of Czechoslovakia.

22. Highway bridge between Lubec, Maine, and Campobello Island, N. B. (S. 3606, S. Rept. 1751, passed Senate July 1, 1958, approved July 28, 1958, Public Law 85–563): This bill revives and enacts the act authorizing the State Highway Commission of Maine to construct, maintain, and operate a free highway bridge between Lubec, Maine, and Campobello Island, N. B.

23. Corregidor Bataan Memorial Commission (H. R. 10069, S. Rept. 1807, passed Senate July 11, 1958, approved July 25, 1958, Public Law 85–556): This bill made permanent the Corregidor Bataan Memorial Commission, increased its authorized appropriations from $100,000 to $200,000 and made other changes in existing law.

24. Bridge across the Rio Grande (H. R. 12632, S. Rept. 2352, passed Senate August 15, 1958): This bill revived and enacted the bill authorizing Gus A. Guerra to construct, maintain, and operate a toll bridge across the Rio Grande at Rio Grande City, Tex.

25. Second Annual United States Trade Fair (H. J. Res. 509, S. Rept. 1343, passed Senate March 6, 1958, approved March 28, 1958, Public Law 85–360): This joint resolution authorized the President to invite the States of the United States and foreign countries to participate in the second Annual United States World Trade Fair, held in New York in 1958.

26. World-Science-Pan Pacific Exposition (S. 3580, S. Rept. 1721, passed Senate June 20, 1958): This bill provides for the participation of the United States Government in the World-Science-Pan Pacific Exposition.

27. Foreign Service Annuities (S. 3379, S. Rept. 2232, passed Senate August 11, 1958): This bill would authorize a 10-percent increase in Foreign Service annuities.

28. Foreign Decorations (S. 3195, S. Rept. 1439, passed Senate July 11, 1958): This bill would authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries.

SENATE RESOLUTIONS

1. United Nations Emergency Force (S. Res. 15, S. Rept. 613, agreed to by Senate August 8, 1957): This resolution expressed the sense of the Senate that a force similar in character to the United Nations Emergency Force created pursuant to resolutions of the United Nations General Assembly of November 3 and 4, 1946, now operating in the Middle East, should be made a permanent arm of the United Nations.

2. Special Committee to Study the Foreign Aid Program (S. Res. 35, S. Rept. 2, agreed to by Senate January 30, 1957): This resolution extended the special committee until June 30, 1957 and authorized $75,000 for the period February 1 to June 30, 1957. By S. Res. 141 (S. Rept. 485), which was agreed to by the Senate on June 25, 1957, the subcommittee was extended until January 31, 1958 to complete its study.

3. Additional clerical assistance (S. Res. 59, S. Rept. 96, agreed to by Senate January 30, 1957): This resolution authorized the Committee on Foreign Relations to employ two temporary additional clerical assistants.

4. Subcommittee on Technical Assistance Programs (S. Res. 60, S. Rept. 37, agreed to by Senate January 30, 1957): This resolution extended, from January 31 to February 28, 1957, the deadline for transmittal to the Senate of the final report of the subcommittee. A further extension until March 31, 1957 was subsequently made by S. Res. 99, which was agreed to by the Senate on February 20, 1957.

5. Subcommittee on Disarmament (S. Res. 61, S. Rept. 11, agreed to by Senate January 30, 1957): This resolution extended the subcommittee until June 30, 1957, and authorized $30,000 for the period February 1 to June 30, 1957. Further extensions were granted: (1) until August 31, 1957 (S. Res. 151, S. Rept. 534, agreed to by Senate June 26, 1957), with an authorization of $10,000; (2) until January 31, 1958 (S. Res. 192, S. Rept. 1044, agreed to by Senate August 26, 1957), with an authorization of $30,000, and (3) until July 31, 1958 (S. Res. 241, S. Rept. 1179, agreed to by Senate January 29, 1958) with an authorization of $34,000.

6. Additional committee funds (S. Res. 152, agreed to by Senate July 3, 1957): This resolution authorized an additional $10,000 to meet the expenses of the Committee on Foreign Relations. Additional increases were authorized: (1) $10,000 (S. Res. 272, agreed to by Senate March 17, 1958), and (2) $10,000 (S. Res. 326, agreed to by Senate, July 28, 1958).

7. Commonwealth Parliamentary Association (S. Res. 160, S. Rept. 604), agreed to by Senate August 5, 1957, and S. Res. 177, agreed to by Senate August 26, 1957): These resolutions, the latter of which served to amend the first in certain technical respects, authorized the Vice President to appoint 4 Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India, on the invitation of the Indian branch of the association, and $15,000 to meet the expenses incurred by the members of the delegation and its staff.

8. Additional professional and clerical assistance (S. Res. 240, agreed to by Senate, January 29, 1958): This resolution authorized the Committee on Foreign Relations to employ 2 additional professional staff members and 2 additional clerical assistants on a temporary basis.

9 Parliamentary activities (S. Res. 259, S. Rept. 1287, agreed to March 6, 1958): This resolution provided for assistance to Members of the Senate in the discharge of their responsibilities in connection with visiting foreign dignitaries and authorized $5,000 for expenses.

10. Alaskan salmon (S. Res. 263, S. Rept. 1291, agreed to by Senate March 6, 1958): This resolution favored negotiations with the Government of Japan for the protection of the Alaskan red salmon.

11 Printing resolutions (1) (S. Res. 281, agreed to by Senate April 22, 1958): This resolution authorized the printing of the committee print Recruitment and Training for the Foreign Service of the United States as a Senate document; (2) (S. Res. 325, agreed to by Senate July 28, 1958.) This resolution authorized the printing as a Senate document of the legislative history of the Committee on Foreign Relations for the 85th Congress.

12. Loop road linking Glacier Park and Waterton Lakes Park (S. Res. 298, S. Rept. 1750, agreed to by Senate July 1, 1958): This resolution requested that the Secretary of State bring to the attention of the appropriate officials of the Government of Canada

the deep interest of the Senate in the completion of the loop road linking the Glacier National Park in the United States and the Waterton Lakes National Park in Canada.

13. Greetings to Israel (S. Res. 294, agreed to by Senate April 23, 1958): The resolution extended the greetings of the Senate to the State of Israel upon its 10th anniversary.

14. Study of relations with the American Republics (S. Res. 330, S. Rept. 1841, agreed to by Senate July 31, 1958): This resolution directed the Foreign Relations Committee or any duly constituted subcommittee thereof to make a study of United States relations with the American Republics and authorized $150,000 therefor.

15. Study of disarmament (S. Res. 335, S. Rept. 1843, agreed to by Senate July 28, 1958): This resolution authorized the Committee on Foreign Relations to expend not to exceed $35,000 to carry out its responsibilities in the field of disarmament.

16. Foreign policy study (S. Res. 336, S. Rept. 1844, agreed to by Senate July 31, 1958): The resolution instructed the Committee on Foreign Relations to arrange for exhaustive studies to be made of the foreign policy of the United States at a cost of not to exceed $300,000.

17. Discussion between United States and Canadian legislators (S. Res. 359, S. Rept. 2231, agreed to by Senate August 8, 1958): This resolution recommended the establishment of an appropriate subcommittee by the Senate to explore with members of the Canadian Parliament the desirability of increased discussions between the legislators of Canada and the United States.

18. International Health and Medical Research Year (S. Res. 361, S. Rept 2233, agreed to by the Senate August 11, 1958): This resolution requested the President to extend, through the World Health Organization and other agencies, an invitation to the nations of the world to designate representatives to meet and discuss the feasibility of an International Health and Medical Research Year or alternative methods looking toward intensified international cooperation in the field of health.

19. Greetings to Ghana (S. Res. 111, agreed to by the Senate March 5, 1957): This resolution extended the greetings of the Senate to the Legislative Assembly of Ghana.

20. Death of Magsaysay (S. Res. 115, agreed to by the Senate March 18, 1957): This resolution expressed the sorrow of the Senate at the death of President Magsaysay of the Republic of the Philippines.

21. Greetings to Malaya (S. Res. 198, agreed to by the Senate August 30, 1957): The resolution extended the greetings of the Senate to the Legislative Assembly of Malaya.

CONCURRENT RESOLUTIONS

1. Printing of Technical Assistance Report (S. Con. Res. 24, no written report, passed Senate, April 12, 1957): This concurrent resolution authorized the printing of 2,500 additional copies of the final report of the Subcommittee on Technical Assistance Programs.

2. Printing of studies and reports of Special Committee to Study the Foreign Aid Program (S. Con. Res. 30, passed Senate June 5, 1957): This concurrent resolution authorized the printing of these publications as a Senate document with 8,000 for the use of the special committee.

3. Problems of Hungary (S. Con. Res. 35, S. Rept. 523, passed Senate June 26, 1957): This concurrent resolution expressed the sense of the Congress that the President, through the United States representatives to the United Nations at the forthcoming special reconvening of the General Assembly of the United Nations, should take every appropriate action toward the immediate consideration and adoption of the report of the United Nations Special Committee on the Problem of Hungary and toward the immediate consideration of other available information on the brutal action of the Soviet Union in Hungary.

4. Commonwealth Parliamentary Association Meeting (S. Con. Res. 36, S. Rept. 604, passed Senate August 5, 1957): This concurrent resolution would authorize the appointment of 4 Members of each House of Congress to attend as guests the meeting of the Commonwealth Parliamentary Association to be held in India, which is tentatively scheduled to begin at New Delhi on December 2, 1957, and would provide for the payment of expenses of the delegates.

5. Printing of committee hearings on the mutual security program for fiscal year 1958 (S. Con. Res. 45, no written report, passed Senate August 26, 1957): This concurrent resolution authorized the printing of 1,000 additional copies of these hearings.

6. Admission of Spain to NATO (H. Con. Res. 115, S. Rept. 212, passed Senate April 12 1957): This concurrent resolution expressed the sense of the Congress that the State Department should continue to use its good offices toward the end of achieving participation by Spain in the North Atlantic Treaty and as a member of the North Atlantic Treaty Organization.

7. Greetings to the West Indies (S. Con. Res. 77, S. Rept. 1435, passed Senate, April 16, 1958): This concurrent resolution extended the greetings of the Congress to the Federal Legislature of the West Indies.

8. Execution of Hungarian leaders (S. Con. Res. 94, S. Rept. 1797, passed Senate June 19, 1958; H. Con. Res. 343 passed Senate June 24, 1958): This concurrent resolution expressed the indignation of the Congress at the execution of certain leaders of the recent revolt in Hungary.

9. International Health and Medical Research Year (S. Con. Res. 99, S. Rept. 2233, passed Senate August 11, 1958): This concurrent resolution requested the President to extend, through the World Health Organization and other agencies, an invitation to the nations of the world to designate representatives to meet and discuss the feasibility of an International Health and Medical Research Year or alternative methods looking toward intensified international cooperation in the field of health.

10. Discussion between United States and Canadian legislators (S. Con. Res. 108, S. Rept. 2231, passed by Senate August 8, 1958): This resolution recommended the establishment of subcommittees of the Senate Foreign Relations and House Foreign Affairs Committees for the purpose of exploring with members of the Canadian Parliament, the desirability and feasibility of increased systematic discussion between legislators of the two countries on problems of common concern.

11. United Nations Force (S. Con. Res. 109, S. Rept. 1884, passed Senate, July 23, motion to reconsider tabled by Senate July 31, 1958, by a vote of 66–14). This concurrent resolution expressed the sense of the Congress that a force similar in character to the United Nations Emergency Force should be made a permanent arm of the United Nations.

12. Printing of Final Report of Disarmament Subcommittee (S. Con. Res. 111, passed Senate, August 18, 1958): This concurrent resolution authorized the printing of the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations as a Senate document.

BILLS AND JOINT RESOLUTIONS PASSED BY SENATE BUT NOT BY HOUSE

1. Transmission of Executive Agreements to the Senate (S. 603, S. Rept. 521, passed Senate June 25, 1957): This bill in general would require the Secretary of State to transmit to the Senate the text of any international agreement other than a treaty, to which the United States is a party.

2. Amendment of the International Claims Settlement Act of 1959, as amended (S. 979, S. Rept. 612, passed Senate August 5, 1957): This bill would extend the time for filing claims against the Governments of Bulgaria, Hungary, Rumania, Italy, and the Soviet Union under subchapter III of Public Law 285, 84th Congress, and would provide for the reduction of awards made under title III of Public Law 285 in certain cases where claimants received tax benefits from writing off war losses upon which their awards are based.

3. Implementation of the Geneva Red Cross Conventions (S. 1779, S. Rept. 772, passed Senate August 5, 1957): This bill would give effect to certain obligations which the United States assumed when it ratified the Geneva Conventions of 1949 for the protection of war victims (Exs. D, E, F, and G, 82–1).

4. Waiver of Collection of Certain Financial Assistance Loans (S. 747, S. Rept. 767, passed Senate August 5, 1957): This bill would permit the Secretary of State, with the approval of the Comptroller General of the United States, to evaluate and to cancel, in whole or in part, certain claims of the Government against citizens of the United States growing out of personal loans and other advances made to them in emergency situations abroad.

5. Assistant to the Secretary of State for Cultural Relations (S. 3112, S. Rept. 1932, passed Senate July 28, 1958): This bill would authorize the appointment of an assistant to the Secretary of State to be known as the Assistant for International Cultural Relations.

6. Relief of Mary F. C. Leute (S. 4214, S. Rept. 2352, passed Senate August 18, 1958): This bill provided relief for Mary F. C. Leute by authorizing the Secretary of State to grant her an annuity from the foreign service retirement fund.[1]

7. Highway compact between Minnesota and Manitoba (S. 3944, S. Rept. 2351, passed Senate August 18, 1958): This bill authorized the negotiation of a highway compact between Minnesota and Manitoba for the development of a highway to the northwest angle of Minnesota.[1]

Legislative record

Treaties:	
Held over from previous Congress	18
Submitted during 85th Congress, 1st and 2d sessions	18
Total pending during 85th Congress	36
Advice and consent given	17
Withdrawn	10
Still pending at end of 85th Congress	9
Bills and joint resolutions:	
Referred to the committee	97
Passed Senate	34
Provisions included in other laws	15
Indefinitely postponed	11
Still pending	37
Senate and concurrent resolutions:	
Referred to the committee	79
Passed Senate	30
Provisions included in other legislation	6
Indefinitely postponed	5
Still pending	38
Meetings:	
Full committee:	
Executive	115
Public	69
Total	184

[1] Likely to pass House before adjournment.

Legislative record—Continued

Meetings—Continued	
Subcommittees:	
Executive	44
Public	13
Total	57
Special committee to study the foreign aid program:	
Executive	2
Public	13
Total	15
Conference committees:	
Executive	10
Total meetings	266

Rollcall votes on foreign-policy measures

Protocol to the 1949 International Convention for the Northwest Atlantic Fisheries	82–0
Protocol to the 1930 Convention for the Protection, Preservation, and Extension of the Sockeye Salmon Fisheries in the Fraser River System	85–0
Statute of the International Atomic Energy Agency	67–19
Agreement and Protocol Regarding Certain Bonds of Austrian Issue	78–0
Treaty of Friendship, Commerce, and Navigation with Korea	86–0
Protocol Amending International Sugar Agreement of 1953	86–0
Convention on Inter-American Cultural Relations	86–0
Protocol to the 1946 International Convention for the Regulation of Whaling	86–0
Amendment to the 1949 International Convention for the Safety of Life at Sea	86–0
Interim Convention on Conservation of North Pacific Fur Seals	86–0
Income Tax Convention with Austria	86–0
Income Tax Convention with Canada	86–0
Income Tax Convention with Japan	86–0
Mutual Security Act of 1957	57–25
Middle East Resolution	72–19
Nomination of Scott McLeod to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ireland	60–20
Mutual Security Act of 1958	51–17
Expressing indignation at the execution of certain leaders of the recent revolt in Hungary	91–0
Income Tax Convention with Pakistan	84–0
Income Tax Convention with Belgium	84–0
Supplementary Income Tax Convention with the United Kingdom	84–0
Establishment of the United Nations Force	66–14
Supplementary Income Tax Convention with the United Kingdom	90–0
Nominations confirmed:	
Ambassadors and ministers	66
Department of State (including International Cooperation Administration)	20
NATO	1
United Nations	39
Advisory Commissions	8
Brussels Fair	1
United States Information Agency	1
Foreign Service	2772
Total	2908

ADDRESS BY SENATOR HUMPHREY TO NATIONAL CHRISTIAN EDUCATION CONFERENCE, PURDUE UNIVERSITY, LAFAYETTE, IND.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a speech I am going to deliver this evening by telephone to some 5,000 young people who are gathered together in the National Christian Education Conference at Purdue University.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SENATOR HUMPHREY PROPOSES WORKS FOR PEACE TO DETER GLOBAL WAR; ANNOUNCES TENTATIVE PROGRAM FOR WORLD HEALTH STUDY

(Excerpts from address prepared for delivery by Hon. HUBERT H. HUMPHREY (Democrat of Minnesota) at National Christian Education Conference, Purdue University, Lafayette, Ind., Friday, August 22, 1958—now scheduled for delivery via direct telephone line from District Room in Capitol).

This has been, and rightly so, a working conference.

Your many workshops have enabled you to become better "workers in the Lord's vineyard," better servants of God.

It is the theme of "work" and the "works for peace" which I want to discuss with you tonight.

In 10 days, Americans will be celebrating their annual Labor Day.

The weekend after this, you and your families will be enjoying the relaxation and recreation of the day which has been set aside to honor the laboring men and laboring women of our country.

Tonight, I should like, respectfully, to call you further unto a labor which is the most important in the world today: I call you, my friends, and your Government and mine unto labor to prevent a global Armageddon, unto labor to prevent a Communist-run world.

I call you unto labor which will, instead, speaking positively, makes ours a freer world, a happier world, a better world, a more peaceful world.

GUIDED MISSILES TO MANKIND'S HEARTS

Specifically, I call you yourselves to help create more guided missiles—but not more "Thors" and "Atlases" and "Polarises"—as important as they are to deter war.

I call you to create more guided missiles to the hearts of mankind.

I mean "Christian missiles" of love and friendship, such as you are already creating, but which you must still further increase in number and in effectiveness.

What are these "missiles of peace"?

They are both ancient, and modern devices, which have been used in part for 2,000 years—the weapons against mankind's real enemies.

They are the "weapons" used by the Teacher of Galilee and by His disciples and His followers to "clothe the naked, feed the hungry, heal the sick."

They are the "weapons" of great ideas, the weapons of love and devotion and self-sacrifice which can span vast space and time.

They are "weapons" which must be aimed, principally, among the third of the world which is underdeveloped, but not limited to that area. I mean the "weapons" against pain and suffering, ignorance and superstition and idolatry and illiteracy, hunger and malnutrition, disease and disability.

So, I earnestly call your Government and mine, just as you yourselves have already heard the call, to prove that we Americans are indeed "our brothers' keeper."

THE LAUNCHING PADS OF PEACE

Let us fire our peaceful weapons from the only kind of launching pads we really desire—the peaceful launching pads of our farms and our factories, our divinity schools and our normal schools and our land grant and other colleges and universities.

The moon is 230,000 miles away, and we would like to reach it with a missile, but we would like even more to reach the hearts of peoples in Latin America, in Asia, Africa, the Middle East and in Europe, itself.

We want to overcome misunderstanding, fear, envy, and want. Suffering and privation are vast.

The average life expectancy in south Asia is still only 33 years or so. Infant mortality is 50 percent and higher in much of the underdeveloped world. Per capita income is only $50 per year. To help relieve this enormous need is the challenge facing us.

Why us? Because it is we Americans who have the wherewithal to fulfill mankind's needs.

Because "every one to whom much is given, of him will much be required."

Because "if any man has this world's goods and sees his brother in need, yet closes his heart against him, how does God's love abide in him?"

To meet this challenge is truly the "labor of the Lord."

It is labor which parallels the fine educational work which you, yourselves, are already performing in the churches and church schools across the length and breadth of America.

"GO YE UNTO ALL THE WORLD"

I ask you now, however, to widen still further your scope, so that it encompasses the entire globe.

"Go ye unto all the world"—is now not simply an admonition; it is a dire necessity.

Either we Americans and our friends bring the gospel—the good news—of brotherhood, or our adversaries will bring the bad news, the Communist gospel—of hatred and destruction.

THE GREATEST CHALLENGE IN OUR HISTORY

Why do I say that your mission—all America's mission—is a dire necessity?

It is because this country faces what is, undoubtedly, the severest crisis of its history.

It is not just a crisis involving a military challenge; it involves an economic, a political, and ideological, a spiritual crisis, as well.

For proof of the challenge we face, you need only look at the disturbing headlines on this evening's newspapers. Read the crisis-ridden news dispatches from Beirut and from Amman; from Algeria, and from the Chinese mainland.

Much of this crisis is not even reflected in headlines. For some of the most serious developments in the world are those which are not blared over the radio or television.

I refer, for example, to the ceaselessly mounting stockpile of nuclear weapons and guided missiles in both the United States and Russia. I refer to the continuing buildup—on both sides—of the capability of extinguishing, in the event of an all-out conflict, most of the lives here in continental United States and in the Eurasian land mass of Russia.

What is our answer to this crisis?

Our answer must come, as I have indicated, in the form of deeds of peace, or, as we shall call it tonight, works of peace.

Behind these works there must be ideas—the ideas of inspired men and women who are carrying out God's will for peace.

NO WORDS WITHOUT DEEDS—PROMISE WITHOUT FULFILLMENT

"Works for peace" is not just my phrase. It is a phrase used, among others, by the President of the United States in his state of the Union message on January 9, 1958. His words were eloquent and encouraging when he spoke of cooperation for a better world.

But words without deeds can be barren, just as "faith without works" can be barren.

And the near tragedy has been that while our Chief Executive has spoken of works for peace, America has not sufficiently acted to bring into being these works of peace.

There has been promise, but small fulfillment; great expectations, but few results.

We are all familiar with the old saying, "What you do speaks so loudly that I cannot hear what you say."

Today, many of the peoples of the world might say to us of America: "What you don't do speaks so loudly that we cannot hear what you say."

It is our errors of omission, almost as much as our errors of commission, which serve to limit the effectiveness of what we say to the world.

FOUR TYPES OF PROGRAMS FOR PEACE

Now, let us be more specific.

What solid works of peace can you and I and our government perform?

Let me refer you to four specific works of peace in several areas:

1. Food for peace.
2. Health for peace.
3. Loans for peace.
4. Disarmament for peace.

FOOD FOR PEACE CAN BE A DECISIVE INFLUENCE

One of the most important jobs which we can better perform is to use food for peace.

Fortunately, we in America are blessed with the bounty of a highly productive agricultural economy.

Our vast supply of food is a blessing—a priceless asset to ourselves and to the world.

Yet, far too often, the efficiency of our farmers and the fruitfulness of our soil have been considered as if they represented a "curse."

Yet, it is ridiculous to be anything but grateful to God for the blessing of our crops.

THE GREAT VALUE OF PUBLIC LAW 480

In the year ending June 30, 1958, America exported $4 billion in agricultural products. Twenty-six percent of our exports during the last 4 years have been based on what is known as the Agricultural Trade Development and Assistance Act, or Public Law 480, of the 83d Congress.

Under this act, we use constructively for overseas aid purposes our so-called surplus agricultural commodities. Since July of 1954, there has been a grand total of $6.7 billion of programing of surplus agricultural commodities.

During these 4 years, I am glad to say, $1.3 billion have been donated for foreign and domestic relief through nonprofit voluntary agencies—churches and others—together with intergovernmental organizations.

In addition, we have negotiated agreements for the sale of agricultural commodities for foreign currency under what is known as title I of Public Law 480, for a total of $4 billion.

Time is not available to go into detail to describe all of the constructive uses to which these Public Law 480 amounts have been utilized. It is sufficient to say, however, that not only has our food fed the hungry, but it has been used to generate foreign currency and to develop new markets for our commercial foreign exports. It has been used to help create loans to expand local businesses, to exchange students and technicians, and for many other worthy purposes.

You might not think that such a constructive program would experience any difficulties in the Congress. But, unfortunately enough, we have had to battle for the very continuation of this essential program.

This is an ironic contrast which we frequently find in the Congress. For instance, strangely enough, within 1 day's brief session, the Senate unanimously approved a $40 billion defense appropriation bill.

Yet, it takes us far longer and many rollcalls to authorize mere fractions of that sum for constructive peaceful purposes.

IDEAS, NOT MACHINEGUNS, WILL WIN THE WORLD

The reason for that contrast is that the thinking of many people tends to lag behind reality.

The legislative and executive branches have developed the habit of massive overseas arms aid appropriations. Yet, events have long since proven the limitation of mere arms aid alone.

For example, we had armed the Iraqi army, but we had forgotten about the thoughts in the minds of the Iraqi officers and enlisted men. And within a few brief hours, the arms which we had given to help defend the Iraq monarchy had been used to overthrow that government.

We cannot win the battle for men's minds with machineguns and mortars. We can win it basically only with superior ideas.

"Food for Peace" is a superior idea.

Giving food generously represents the real America at work.

If we would win, we must be ourselves.

We must act ourselves.

We must fulfill our true nature.

We are not warmongers. We are not imperialists, as the Soviets picture us.

We are good Samaritans. We believe in helping people to help themselves. This is the soul of America.

STRENGTHENING HEALTH FOR PEACE

There are few fields in which we can perform more constructive works of peace than in the field of health.

During this session of Congress, which is now concluding, it has been my pleasure to help write into the law of the land four pieces of legislation which may contribute, if only in small part, to improving mankind's health.

For example, we wrote into the Mutual Security Act a declaration that the Congress states it to be the policy of our land to help further in the research task of eradicating mankind's diseases. The Congress declared it to be our goal to help find the answers to such major killing and crippling ailments as cancer and heart disease, together with other scourges.

Secondly, we wrote into that same act a new provision whereby the sales of American farm products overseas under Public Law 480 may be utilized henceforth for the purpose of translating scientific works and supporting scientific, including medical, research.

We enacted a separate resolution which took a cue from the current successful International Geophysical Year, in which 60 nations are cooperating in studying the earth, the waters, and the skies.

In this resolution the Senate invited the President to assemble representatives through the World Health Organization, and other means, so as to consider the possibility of setting aside an International Health and Medical Research Year sometime in the future.

PURPOSES OF NEW GOVERNMENT OPERATIONS COMMITTEE HEALTH STUDY

And then, on Monday of this week, the Senate approved a resolution under which the Senate Government Operations Committee will make a study of worldwide health activities.

We will look not only at America's health assistance, but at additional medical research work which might be performed overseas. It will be my pleasure to serve as chairman of this study, which will be made by the Subcommittee on Reorganization and International Organizations.

It is still too early to describe any detailed plans under this new study.

But, subject to the wishes of the subcommittee members, I may say that I, for one, feel that this subcommittee can serve as a significant stimulus toward better world health.

I, for one, propose to invite the great voluntary organizations of this land to assist us. I mean:

(a) The church groups—with their vital overseas medical aid programs.

(b) The professional groups, such as the American Medical Association, the American Nurses Association, the American Pharmaceutical Association, the American Dietary Association.

(c) The voluntary health groups, such as the American Heart Association, the American Cancer Society, the National Foundation (formerly the National Foundation for Infantile Paralysis), the Arthritis and Rheumatism Foundation.

(d) Other private foundations, such as the Ford Foundation, the Rockefeller Foundation, the Carnegie Foundation, the Near East Foundation.

We shall ask their best judgment concerning international medical research, assistance, and rehabilitation.

We will probably hold hearings and conferences in Washington, in Bethesda, Md. (the site of the famed National Institutes of Health) and in Geneva, Switzerland (home of the World Health Organization).

We will ask the great private pharmaceutical industry of America to come forth with its ideas and suggestions.

I may say that there are tens of millions of dollars of private drug supplies which are relatively surplus on the American market. Such drugs have been surpassed by newer developments. Yet they are perfectly usable and could be put to invaluable service in relieving foreign distress.

I would like to see a fleet of surplus American ships, carrying surplus American drugs, and with surplus jeeps, and trailers dispatched to the four corners of the world. I would like to see them visit the port cities of underdeveloped areas, with American doctors dispensing these healing medicines and thereafter, proceeding into the interior lands, as well.

This, to me, is a "work of peace."

LOW-INTEREST LOANS FOR PEACE ESSENTIAL

Still another area of "works for peace" is in the form of long-range economic loans to underdeveloped areas.

I need hardly remind you in detail that the Soviets have been making some of their most spectacular progress in the form of trade and aid agreements to underdeveloped areas. In Khrushchev's own words, he challenges us to a war—an economic war. He is determined to win that war.

In Indonesia, for example, Russia has made available $100 million in long-term credits. Our own level of credits have been at the level of $15 million. A similar disparity in aid could be cited in other underdeveloped countries.

Yet, we can ill afford to let the Soviet Union preempt the field of long-term, low-interest loans. It is far more important to us that the underdeveloped countries succeed with their various development programs than it is that we insist on acting like bankers, offering only short-term loans, and at a high interest level.

THE CHALLENGE OF INDIA

The vast subcontinent of India, is a particular case in point. Containing no less than 1 out of every 7 people on the face of this earth, India is now hard pressed trying to achieve even a scaled-down version of its second 5-year plan.

Even if it achieves all of its ambitious objectives under that plan, rising inflation and the increase in population may mean that after 5 years, it will have only about held its own in per-capita income and in job totals. Thus, it is having to race merely in order to stand still. Inevitably, it faces rising discontent among the Indian people.

How do we know there is discontent? The Communists have more than doubled their vote in the second parliamentary elections—reaching a figure of 12 million votes in all. Although the Communists have only 27 of 500 seats in the lower house, they represent the second strongest political party in India.

Of India's 14 States and 6 territories, the Communists now control 1 state—Kerala—and are the second strongest party in 2 other states—Andhra and West Bengal.

Kerala, I may point out, is, ironically, the state with the highest proportion of Christians in all of India.

But Kerala is ruled by a Communist bloc not because of Christian influence, but despite Christian influence. For Kerala is beset with acute unemployment, especially among intellectuals, together with all the other chronic problems of India.

Then, there is the contrast—Christianity and communism, religion and godlessness.

What do we propose to do about it?

We cannot ignore it. We cannot be indifferent. That would be neither in our Christian tradition nor in our enlightened self-interest.

India needs more aid—from the United States Development Loan Fund and from other means. It needs more power, more schools, more medicines, more of almost everything.

It needs works of peace which will help overcome the unfortunate distrust, which according to public opinion polls, many of her people feel toward us, because of our arms aid to Pakistan.

DISARMAMENT—STEP BY STEP—FOR PEACE

Finally, I should like to mention one other essential work of peace, perhaps the most essential of all.

I refer to the urgency of an imaginative new approach to find some way out of the present alarming deadlock over disarmament. I have consistently urged, as you may know, that we demonstrate more flexibility and resourcefulness in overcoming the present East-West impasse.

I have urged that, instead of rigidly insisting upon the total United States disarmament package and getting nowhere, that we break down that package into feasible units, one step at a time, and agree with the Russians, for example, on joint cessation of nuclear weapon testing with the safeguards of effective and workable inspection.

As in other diplomatic areas of contest, it is essential that we not be so rigid as to defeat our own purposes.

It would be one thing to concede to the Russians some crucial principle, or to give ground on some phase involving our very survival.

It is another thing to compromise on a less essential point which we may well afford to concede in order to secure at least partial agreement.

Let us not get into the Soviet's habit of saying "Nyet."

Too much is at stake for America to be dogmatic to the point of diplomatic futility.

When agreement is reached on one point, the stage is set for subsequent agreement.

Each new demonstration of teamwork makes further demonstrations possible.

CONTRIBUTING TO AN ATMOSPHERE OF PEACE

So, too, each successive work of peace has both a direct and an indirect effect. The direct effect is to feed the hungry, clothe the naked, and heal the sick. But the indirect effect is to create a climate of understanding and friendship; and to contribute to an atmosphere of peace.

Nowhere is such a climate and atmosphere more important than in the strained relations between the United States and the U. S. S. R.

There is such a wall of suspicion and of misunderstanding between us that anything which can be done to hurdle the wall and have our citizens work side by side with Russian citizens is to the good.

The more Russians and Americans can work fruitfully side by side, on common problems, the more they can increase the likelihood of an overall settlement of peace being achieved.

CONCLUSION

This, then, is my theme of works for peace. One might add to it a great many additional phases, such as schooling for peace.

For widespread illiteracy and the world's hunger for knowledge are two of mankind's greatest needs.

But in whatever the field, let our deeds match our words. Let fulfillment follow promise. Let great works embody great ideas.

Mr. HUMPHREY. Mr. President, I had hoped to be at Purdue University tonight. This group of young people represents what I call the leaders of today and tomorrow. I am going to address on the subject matter of Works for Peace.

A part of the works for peace I shall talk about is the use of American food and fiber, our great abundance of food and fiber, as an instrument of peace for human development.

I am happy tonight that I can open my remarks to the group, as I shall from the Committee Room of the District of Columbia Committee in the Capitol, by long-distance telephone, with a speaker in the great auditorium at Purdue University, by saying that Congress has extended, by our action tonight, Public Law 480 for another 18 months and that we have included new uses for the currencies accumulated, new uses for the money, which will result in relieving people from the terrible liabilities of illiteracy, hunger, and disease. This is a good program. I am happy to be associated with it.

ARMED SERVICES REDUCTION IN FORCE PROGRAM

Mr. THURMOND. Mr. President, many of us recall with dismay, and considerable distaste, the outstanding military event of last fall when Congressional adjournment signaled the beginning of the infamous reduction in force in the armed services, known as r. i. f.

With virtually no warning, and at the expense of national security, thousands of Reserve officers were discharged from their posts and sent home.

For the privilege of this shattering and disrupting cutback, which brought hardships and injustices to many fine patriots, the armed services squandered some 25 to 50 millions of dollars.

At least this price tag was attached to the r. i. f. operation. But there were additional costs. Morale of all the standing forces was shaken. The confidence in their Government was undermined in the hearts of thousands of military leaders of all ranks. Many young officers changed their minds and decided against a military career. Many retired officers viewed sorrowfully what had been wrought in institutions they loved. Wives and children of dedicated servicemen were disillusioned and embittered.

We all know what happened. We heard about it from the folks back home. We found that the taxpayers of the United States are not so eager to save a few dollars that they were willing to see this thing done to their fighting men. In short, the price in morale, faith, and good judgment was too high. As Bernard Baruch once observed, "we have no ambition to be the richest in the graveyard."

Called before the House Armed Services Committee to defend the r. i. f., the Assistant Secretary of Defense sorrowfully admitted that it did not make much sense.

Even while administration spokesmen explained, defended, or apologized for the r. i. f., which saved some few dollars, with equal vehemence they were asking for more than a half-billion dollars to raise the pay of all those remaining in the military. I supported the pay raise; but, had I been consulted about it, I would have been more eager to have insisted that we keep in the standing forces the trained, experienced Reserve officers who had demonstrated through 10 to 18 years of service their ability to perform in their military assignments.

I recall the tragedy of the r. i. f. at this time because the Congress is nearing adjournment.

With increasing regularity, we now hear reports and rumors that the Defense Department again is preparing to institute a r. i. f.

We had repeated promises, real and implied, that the services had enough of the r. i. f. disaster.

Yet, sad to relate, we know too well how little faith may be placed in such promises.

I was one of the many Members of Congress who, during this session, had looked forward to the opportunity of voting for an anti-r. i. f. bill. I appeared before the House Armed Services Committee last January to urge such legislation. The members of the House committee had intended to produce such legislation.

It is my understanding that such a bill was ready in the House committee at the beginning of this Congress. Dilatory tactics of the Department of Defense in reporting on such legislation precluded any action at this session of the Congress.

It is my understanding that both in the Senate and in the House the Armed Services Committees already are preparing to consider the r. i. f. problem at the very beginning of the next Congress in January. For a fact, I believe both such committees already have rather definite principles to which they will commit such legislative efforts.

In view of these facts, and in the light of the demonstrated folly of the 1957 r. i. f., it is to be hoped that the Department of Defense will defer any substantial reduction program for at least 6 months.

Any less consideration will be, in my opinion, an act of bad faith on the part of those in the administration responsible for such decision.

I believe I know something of the character and ability of the chairman and members of this body's Armed Services Committee. No committee of this Congress works more faithfully, more conscientiously, nor with a greater dedication than does that group of Senators. We all know, too, that this committee

seeks to carry out its duties in a nonpartisan manner, and, for a fact, partisanship has no part of its deliberations.

The members of that committee, from both sides of the aisle, surely will bring their good offices to bear upon the Secretary of Defense and the Bureau of the Budget, so that this Nation will not again witness the shame of this most obnoxious of military defeats—the r. i. f.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. KERR. Mr. President, bills similar to H. R. 2, passed by the House and reported to the Senate by the Committee on Public Works, have twice heretofore been passed by the Congress. On each of those occasions the bill was vetoed by the President of the United States. The bills were vetoed, as set forth in the President's veto message, because of the fact that the legislation had been objected to by our neighbors to the north in the Dominion of Canada.

Mr. President, I am happy to report to the Senate that the bill now before this body in its present form, with the limitations contained in it in the form of a statement of program, authorized by the representatives of the Department of Health, Education, and Welfare, and agreed to by the Metropolitan Sanitary District of Greater Chicago, whose agreement appears in the record and in the report, is not objected to by the administration. The Committee on Public Works received a communication from the State Department advising us that the bill, on the basis which I have described, was not only not objected to by the State Department but also was not objected to by our neighbor to the north, the Dominion of Canada.

Mr. President, the bill would authorize the temporary diversion of an additional 1,000 cubic feet of water per second from Lake Michigan, to be taken by the State of Illinois and the Metropolitan Sanitary District of Greater Chicago and diverted into the Illinois River and connecting channels, and thence of course to find its way into the Mississippi River.

The bill authorizes an experiment, an experiment earnestly sought by the people of the State of Illinois, the city of Chicago, and the Metropolitan Sanitary District of Greater Chicago.

In the opinion of the committee the authorization is justified on the basis, first, of the great need for this diversion by the metropolitan area of Chicago and its sanitary district, and on the basis that the diversion sought to be authorized under this proposed legislation would do no harm to anyone.

Honorable men have been in violent disagreement as to what would be the result of the diversion of this water. Men of good will and good conscience came before our committee and advised us that the diversion of an additional thousand cubic feet per second of water from Lake Michigan would cause irreparable damage to the Dominion of Canada, to other States adjacent to the Great Lakes, and to States adjacent to the St. Lawrence Waterway.

The committee was not persuaded that such damage would occur. Evidence before the committee by the Corps of Engineers of the United States Army verified that the normal season of rainfall and drought in the watershed of the Great Lakes produced a variance in the water level of the Great Lakes in excess of six feet. In other words, by the operation of the laws of nature, the waters of Lake Michigan, in the duration of the cycle from dry years to wet years, the water level would vary more than six feet in the period of time which represented the normal cycle between the dry years and the wet years. In fact, the evidence showed conclusively that the variance in the water level of the lake would amount to several feet in most usual years.

The further evidence before the committee was—and the report discloses it—that under the operation of the diversion which would be authorized by this legislation there would be no greater variance in the water level than three-eighths or one-half of an inch.

The Senator from Oklahoma probably heard more of the evidence on the proposed legislation than did any other member of the committee. I was astounded beyond my power of expression that men could be so concerned about such a minor operation. When we consider the fact that under the operation of the elements of nature, the water level on Lake Michigan is at times six and a half feet higher than at other times, how in the name of heaven could a change in that water level of three-eighths of an inch or half an inch for a period of 12 months adversely or lastingly affect anyone?

We were told, to begin with, that Canada vigorously opposed this operation; yet we learned that under the terms of an agreement with this country years ago Canada began the diversion of 5,000 acre-feet of water from a watershed north of Lake Superior into Lake Superior, and thence through the waterway to the St. Lawrence River.

We also learned that Lake Michigan is entirely within the jurisdictional area of the United States, that no part of it is within 30 miles or more of the border of the Dominion of Canada.

To cap the climax or, as Sanderson Pratt would have said in the great story by O'Henry, "Cap the vortex"—we learned that the Dominion of Canada had advised our State Department that it had no objection to legislation authorizing the diversion of an additional thousand cubic feet of water per second for a period of 1 year, as contemplated under the terms of the bill.

I invite attention to the fact that the proposed legislation authorizes, in specific language, a diversion for 3 years. However, the evidence before the committee by Mr. E. L. Richardson, Acting Secretary of the Department, set forth the manner in which the program would be operated if authorized under this bill, in language which makes it crystal clear that the extent of the diversion would be for 1 year, not 3 years.

The evidence of the representative of the Department before the committee showed that if H. R. 2 were enacted into law, the following program would be inaugurated and carried out:

The first phase would be a 6-month period of study to develop plans and a method of carrying out the experiment sought to be authorized by the proposed legislation, during which time there would be no additional diversion.

There would be a second phase of 12-month duration, in which the operation of the present diversion of water from the lake, which is limited to 1,500 cubic feet a second, would be carried out. That is, in order to arrive at the proper conclusion on the basis of the experiment herein authorized, after the Department had spent 6 months in making its plans and getting ready for the experiment, it would require 12 months in which to observe the observation of the program as it is now carried on.

Of course, inasmuch as the purpose would be to observe the operation of the present program, there would be no additional diversion under this bill during that 12-month period.

The third phase would involve a 12-month study under the conditions of the increased annual average diversion of 1,000 cubic feet per second duration for 1 year. In other words, it would be a year and a half after the bill became law before there would be the diversion of a single cubic foot of water over and above that now being diverted in accordance with law.

Then the diversion would be for a 12-month period, which, added to the 18-month period described, would make 2½ years of the 3-year period authorized under the bill. The witness then advised the committee that the fourth phase would be the 6 months required in which to prepare the final report to Congress, during which time there would be no additional diversion. In other words, if the bill is enacted into law, we have the evidence of the department which would be making the experiment that there would be only a 12-month diversion.

Then we have in the RECORD the obligation and commitment of the Metropolitan Sanitary District of Greater Chicago officially agreeing to that method of testing and carrying out the experiment authorized under the bill. Further, there is the report of the committee setting forth that this would be under the supervision of the Department of the Army, and setting forth that the passage of the bill is recommended by the committee with the distinct understanding and official declaration that under the authorization herein granted the diversion would be limited to 12 months of the 3-year period.

As I said a short time ago, the State Department has advised that they have no objection. They have provided us with a communication from the Dominion of Canada telling us that Canada has no objection to it. The Bureau of the Budget advises the committee that the administration has no objection to the program. The committee was convinced that the ends of justice could not be served without this experiment. It would resolve the controversy now raging in terms of speculation on the part of those who oppose the legislation. For that matter, it would either verify or refute the claim of the representatives of the Metropolitan Sanitary District of Greater Chicago, first, as to what their requirements are, and, second, what the benefits of such a program would be.

As I said a while ago, the program could hurt no one, unless it is held that in wounding men's pride one hurts them.

The opponents say it would cost from $400,000 to $900,000 a year in lost revenue by the creation of the power at Niagara. The evidence is that 60 to 80 thousand cubic feet per second are now bypassed in the electrical generating facility at Niagara because the generating facilities are not there. That is 60,000 to 80,000 cubic feet per second which are not now being used. How could the utilization of 1,000 cubic feet per second, to enable the experiment to be performed, damage anyone? While the fact is that the water now not being diverted is not being used to generate electricity, if diverted, in addition to carrying out the purposes of the experiment, the water would be used to generate electricity.

It is the duty of Congress to legislate for all the people. It has been my privilege, as a Member of the Senate, to help pass the authorization for the St. Lawrence Waterway and its gigantic development. It was done at the expense of all the taxpayers of the country, for the benefit of our country. However, primarily, it was for the benefit of that area of our country. It is a great area and a worthy area, adjacent to and dependent upon the development of the water resources of the St. Lawrence Waterway.

It was my privilege, as chairman of the Subcommittee on Rivers and Harbors of the Committee on Public Works, to fashion the legislation permitting the great State of New York, through its power authority, to build the Niagara hydroelectric generating project, now under construction. It was my privilege to sit for weeks in hearings and in the work of the committee in fashioning that legislation in order that the inherent right of the people of New York and adjacent areas to the benefit and development of the potentiality of that great hydroelectric power project might become a reality.

We have before us proposed legislation for another great area of our Nation, the metropolitan area of Chicago and the great State of Illinois. There have been times when the distinguished Senators from Illinois were looking elsewhere when Oklahoma needed their help. However, their State is entitled to the proposed legislation. That was the conclusion of the Committee on Public Works after extended hearings. That was the conclusion of the chairman of the Subcommittee on Rivers and Harbors. Speaking for that committee and for what I believe to be the rights of the people of a great State and of a great metropolitan area, and in the conviction that it can do no harm to any area, I urge the passage of the proposed legislation by the Senate.

There are so many who will be benefited, and are only a few, if any, who can receive any possible damage, from the proposed legislation, that in my judgment the preponderance of the equities calls in ringing terms for the approval of the pending bill by the Senate.

Mr. DOUGLAS. Mr. President, I wish to thank the senior Senator from Oklahoma for the very fair-minded treatment he has given to the proposal and for his complete mastery of the issues involved.

I suppose that no two Members of the Senate have clashed more frequently and at times more violently than have the senior Senator from Oklahoma and the senior Senator from Illinois. There was, therefore, no personal reason why the Senator from Oklahoma should support this bill except on the merits of the bill itself. It is at once both a great tribute to the Senator from Oklahoma and real evidence of the solid merit of the proposal, that the Senator from Oklahoma, after hearing evidence in years past and hearing evidence once again this year, has come to such a firm and favorable conclusion, and has analyzed the issues so thoroughly.

Our need in Illinois for this additional water is very real. Chicago up to 1930 diverted 10,000 cubic feet of water per second.

Then by an order of the Supreme Court this diversion was reduced to 1,500 cubic feet. The city of Chicago has fully and religiously obeyed this mandate of the Supreme Court. It has constructed sewage disposal works at a cost of more than $400 million. It has a sewage disposal plant which engineering magazines refer to as one of the seven modern engineering wonders of the world. Chicago has probably the most efficient system of sewage treatment of any city in the world—more efficient, indeed, than that of our beloved city to the north—Milwaukee.

But even the most efficient plant in the world cannot completely dispose of all the sewage which is given to it. We have a process of activating sludge, and we sell the sewage in bags, as the city of Milwaukee does, as fertilizer for lawns. But even in our most efficient systems there is a 10 percent residual which cannot be handled in this way, and which must be disposed of somehow.

The other cities on the Great Lakes have rivers which flow into the Great Lakes. Their residual is deposited in the lakes. Our beloved city to the north, which has an excellent city government, which sends fine Senators and Representatives to Congress, and which has a fine baseball team, deposits its effluvia in Lake Michigan, and we inherit it in Chicago.

But we do not want to return evil for evil. We love Milwaukee so much that we do not choose to deposit all our 10 percent residual in this fashion. We put it into our Illinois River, and the people of Illinois suffer for it. We take the burdens upon ourselves, instead of unloading them on others, which is what our neighbors to the north do.

But with a population of 5½ million, and with industrial waste equivalent to a population of about 3 million more, we really are handling the sewage equivalent of a population of 8½ million.

A 10 percent residual amounts to the equivalent of sewage for a population of 850,000. At present all the water we can have is 1,500 cubic feet a second. That does not provide sufficient oxygen to decompose the nitrogenous effluvia which is the residual from this process. If we could get 1,000 cubic feet in addition, then we would have sufficient oxygen for the process of decomposition to take place. The sanitary hazards to the people of Illinois would be greatly reduced. That is the fundamental reason why we want the extra water.

As the Senator from Oklahoma [Mr. KERR] has shown, Lake Michigan is purely a domestic waterway. The international boundary line, which is drawn in red on this map, is 30 or 40 miles east of the Straits of Mackinac, which comprise the northeastern limits of Lake Michigan. So Lake Michigan is a purely domestic waterway; and by a treaty with Canada in 1909, domestic waters were exempted from the provisions of that treaty. Secretary of State Elihu Root, in his speech describing that treaty, specifically said that Lake Michigan was exempted from the treaty. So, in fact, Canada really never had any legal case in this matter. But Canada has, in its statement to the Secretary of the Department of the State, declared that it has no objection to this added diversion of 1,000 cubic feet a second. So neither in law nor in fact will we be injuring our relationships with our great neighbor to the north.

I point out that in the past, in a period when the lake levels were rising, we permitted Canada to divert from Hudson Bay to Lake Superior, and hence to the general level of the lake, an additional 5,000 cubic feet a second. So in the exchange thus far, it is Canada which has gained, not we.

I was struck in the hearings by the fact that State after State among the Lake States wept tears for Canada. They spoke of how the additional 1,000 cubic feet a second would injure our relationships with Canada. I never before saw such touching solicitude displayed by any group. But I submit that all this is swept away now by the statement that Canada makes no objection to the added diversion of water.

Mr. NEUBERGER. Will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Oregon.

Mr. NEUBERGER. Will the Senator, at this particular point, permit me to ask unanimous consent to include in the RECORD my individual and concurring views which were published in the report

of the Senate Public Works Committee on H. R. 2? The reason I make the request is that the Senator from Illinois has just referred to the fact that Canada has no objection to the proposed diversion of 1,000 cubic feet for 1 year.

Mr. DOUGLAS. It was so stated by Assistant Secretary of State Macomber in a letter to Representative YATES.

Mr. NEUBERGER. The letter was also sent to me and is a part of my individual views. It reads, in part, as follows:

> The State Department understands that the Canadian Government has no objection to a 1-year temporary diversion of an additional 1,000 cubic feet of water per second from the Great Lakes system in Chicago.

As the Senator from Illinois [Mr. DOUGLAS] knows, we in the Northwest are very much concerned, and I believe properly so, about our relationships with Canada on the great Columbia River, which is one of the principal international waterways of the world. We stated that we would not agree to support the proposed diversion if our friends in Canada, who share with us not only the Great Lakes but also the Columbia River System, objected; and the determining factor in our viewpoint was the letter from Assistant Secretary of State Macomber, to which the distinguished Senator from Illinois [Mr. DOUGLAS] has just referred. That is why I thought it appropriate to set forth at this particular point that part of my individual concurring views which contains the letter that the Assistant Secretary of State wrote not only to Representative SIDNEY R. YATES, but also to me on this particular item.

Mr. DOUGLAS. I am very glad the Senator from Oregon has introduced that part of his concurring views, because I know he was sincerely disturbed as to whether the diversion of water from Lake Michigan would imperial the American claim to the use of the waters of the Columbia River, which rises in Canada and which gets a considerable portion of its flow from Canadian glaciers and from tributary streams.

Mr. NEUBERGER. Approximately 35 percent of the water of the Columbia River originates in the mountains of Canada. So the Senator from Illinois can see how profoundly important this matter is when we consider that the Columbia River carries down to the sea a volume of water, second only to "old man river" itself, the Mississippi.

Mr. DOUGLAS. I am glad the Senator realizes the truth of the matter. The Senator from Oregon, at great political risk to himself, has supported power developments on the Columbia River. He has done so because he feels such a development was in the interest of the Nation, and he is not inclined to take a sectional view on that matter.

Mr. NEUBERGER. I trust the enlightened viewpoint of the Senator from Illinois will continue.

Mr. DOUGLAS. It is encouraged by the attitude of the Senator from Oregon.

Mr. NEUBERGER. I should like to add one further point. The letter from Assistant Secretary of State Macomber was the determining factor, certainly with me, and I believe with other Senators in the Pacific Northwest—although, of course, I cannot speak for them as emphatically as I can for myself.

Mr. DOUGLAS. The Senator from Oregon is a tenacious battler not only for the national interest but also for the interests of his locality. It is fine to know that this proposal will not hurt the people of Oregon or the rest of the Pacific Northwest in the slightest degree.

I see my friends from the area of the other Great Lakes approaching. I see the distinguished junior Senator from Wisconsin [Mr. PROXMIRE] in the chair. I feel I am encompassed by a crowd of opponents, but I am very glad to yield first to the senior Senator from Wisconsin, whom I see striding toward me with blood in his eye.

Mr. WILEY. I must say that the Senator's manner of handing out what we in the Northwest call "bull" is about the best I have heard in a long time. While the Senator from Oregon [Mr. NEUBERGER] may be convinced of what he says is the law, I assume his mind is still open on the facts and the justice and the right.

Mr. NEUBERGER. What are these facts?

Mr. WILEY. I wish to ask one question. In a lawsuit there are facts, equities, and there is the law involved. I presume your letter related simply to that one point of what you think Canada's position is in the matter.

Mr. DOUGLAS. Does the Senator from Wisconsin wish to contest Canada's position?

Mr. WILEY. I told the Senator from Illinois at the hearings, and then he clutched at me verbally, so to speak, when I told him I telephoned Canada on this subject, and they told me they did not waive anything.

Mr. NEUBERGER. To whom in Canada did the Senator from Wisconsin talk?

Mr. WILEY. I shall be glad to explain that.

Mr. DOUGLAS. It is very interesting that the Senator from Wisconsin states he telephoned Canada.

Mr. WILEY. Yes.

Mr. DOUGLAS. There are 16 million people in Canada.

Mr. NEUBERGER. There are 17 million.

Mr. DOUGLAS. So I inquired to whom in Canada the Senator from Wisconsin telephoned, and he said he telephoned to a young lady in Ottawa. [Laughter.]

Mr. WILEY. Again the distinguished Senator is using air and force. I said my office telephoned, and talked to the Office of the Secretary of Foreign Affairs, and asked whether they had waived any rights. We also have in writing a statement to the effect that they have not waived any rights under the treaty.

At that point, I had to go to a meeting of the Judiciary Committee.

Then the Secretary's secretary came to the phone, and the question was asked again. She took the question to the Secretary of Foreign Affairs, and brought the answer back, "No."

Be that as it may, let me state that I heard the distinguished Senator from Oregon explain his position, based entirely upon what he thinks Canada's position is. I say we are going to discuss the facts, the equities, the rights and the law, not simply on the basis of Canada's position, but on the basis of American law; and I assume the Senate will pay attention to that, and will not be unduly influenced by the letter the Senator wrote.

Mr. NEUBERGER. I did not write any letter. The letter was written by the Assistant Secretary of State, William B. Macomber, Jr. It is upon the basis of that letter that we are assuming that Canada has no objection. I presume that we are entitled to make that assumption with some degree of accuracy; otherwise, our foreign affairs are in terrible shape. So we presume that when the Assistant Secretary of State writes to a Member of the Senate that Canada has no objection to the proposed diversion, he has some factual basis for making that statement.

Mr. WILEY. The Senator from Oregon wrote a letter to the chairman of the committee, did he not? I have a copy of it.

Mr. NEUBERGER. Originally, I wrote to the chairman of the committee a letter in which I said we were concerned if Canada objected, because we did not want to set a precedent which would lead to Canadian diversion of the waters of the Columbia River from installations in Oregon and Washington.

Mr. WILEY. Will the Senator answer my question. Is his mind foreclosed on the facts, the equities, and the law?

Mr. NEUBERGER. My mind is never foreclosed on any issue until the time comes to vote.

Mr. WILEY. That is what I wanted to know. I thank the Senator.

Mr. NEUBERGER. I said that, at least so far as Canada is concerned, we have to rely on the letter from the Department of State.

Mr. WILEY. We shall show the Senator a memoir that has bearing on this issue. But that will come later.

Mr. DOUGLAS. Mr. President, how ridiculous is the evidence adduced by the senior Senator from Wisconsin.

Mr. WILEY. To call a man ridiculous is no argument, Mr. President.

Mr. DOUGLAS. Mr. President, how ridiculous is the argument of the senior Senator from Wisconsin?

Mr. WILEY. That is not argument, either, it is a professional cliché. [Laughter.]

Mr. DOUGLAS. Well, Mr. President, how extraordinary is the argument, when, after the reading of a letter in which the State Department says Canada has no objection, the Senator from Wisconsin states that he telephoned to Canada, to the secretary to the secretary to the Secretary, who replied to him that their objections had not been withdrawn. Mr. President, if the case of the opponents of this diversion is no better than that, I am sure this measure will receive a unanimous vote of approval.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Yes, I shall be glad to yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. The Senator from Illinois made the statement that Lake Michigan is not at all within the boundaries of Canada.

Mr. DOUGLAS. It is a domestic waterway. The red line on the map shows the international boundary.

Mr. LAUSCHE. May I finish my question?

Mr. DOUGLAS. Certainly; I beg the Senator's pardon.

Mr. LAUSCHE. The Senator from Illinois stated that at its closest point, Lake Michigan is approximately 30 miles from the Canadian border.

Mr. DOUGLAS. I would say 40.

Mr. LAUSCHE. Approximately 40?

Mr. DOUGLAS. Yes, from the Straits of Mackinac.

Mr. LAUSCHE. I understand the Senator from Illinois to mean that since Lake Michigan is within the boundaries of the United States, we can do whatever we please with that water; and that although what we do may transgress on Canadian rights in the Great Lakes basin and along the St. Lawrence Seaway, Canada cannot complain? Do I correctly understand that to be the position of the Senator from Illinois?

Mr. DOUGLAS. I am simply saying that by the treaty of 1909, Lake Michigan is exempted from the provisions of that treaty; and on that point I have only to read from a declaration by Secretary of State Root, as follows:

> I have carefully guarded the terms of this treaty, in order not to include Lake Michigan.

Mr. LAUSCHE. But if the Senator from Illinois will read the agreement, he will find that any impairment of the level of the water in the Great Lakes Basin or any which causes substantial injury to navigation facilities, comes within the taboo imposed by the Dominion of Canada.

So let us return to the question: Does the Senator from Illinois take the position that the United States is allowed to do whatever it pleases with the rivers and lakes within its boundaries, regardless of the impact on Canadian waters and Canadian users?

Mr. DOUGLAS. Let me point out that the Chicago River is the only one, with the exception of the St. Lawrence, which flows out of the Great Lakes; all the other rivers feed the Great Lakes. The Chicago River is the only one which reverses the flow.

This matter was specifically guarded in the 1909 treaty. But the United States Supreme Court later reduced the amount to which Chicago was entitled. The Court reduced it from 10,000 cubic feet a second to 1,500 cubic feet a second; and we have loyally obeyed that order.

I say that this is a matter of national legislation. We are requesting from Congress an additional 1,000 cubic feet of water a second, and Canada has not interposed any objection.

Mr. LAUSCHE. Then does the Senator from Illinois take the position that the Dominion of Canada is allowed to divert, within Canada, waters which, if permitted to flow in their natural channel, would enter the Columbia River in the State of Washington?

Mr. DOUGLAS. I am not going to go into that question at all.

Mr. LAUSCHE. That is a significant question, because it involves international relations, and is the key to the problem confronting us.

So I wish to ask the question again: Does the Senator from Illinois take the position that Canada is allowed to divert the waters within the boundaries of the Dominion of Canada, and to detour them away from their natural flow into the United States?

Mr. DOUGLAS. That is an entirely different issue, and has nothing to do with this one.

Mr. LAUSCHE. If that is the position of the Senator from Illinois, I am willing to take it.

Mr. DOUGLAS. I may point out that in the late 1930's, Canada diverted 5,000 cubic feet of water a second from Hudson Bay into Lake Superior, and thereby added to the level of the Great Lakes. But the United States did not interpose objection, although at that time the lake level was in the period of the cyclical upswing.

Mr. WILEY. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Yes. First, let me say that if I have been unduly harsh upon the Senator from Wisconsin, I apologize.

Mr. WILEY. The Senator from Illinois could not be that way, because when he attempts to get funny, I try to get a little funny; that is the only difference. [Laughter.] When the Senator from Illinois puts on steam, I have a right to act in the same way.

Mr. DOUGLAS. Certainly.

Mr. WILEY. I wish to ask a question: Is it a fact that Congress previously conferred on the Secretary of War authority to regulate the diversion?

Mr. DOUGLAS. Well, subject to control by Congress itself.

Mr. WILEY. The only question I ask at this time is whether Congress in the past delegated to the Secretary of War the right to regulate diversion.

Mr. DOUGLAS. Simply to do the technical management and administration of the diversion, through the Corps of Army Engineers. That has been going on for a long time; and the Army Engineers have administered and managed the diversion, and also the cut from 10,000 cubic feet of water a second to 1,500 cubic feet of water a second; and they would administer any increase which the Congress might authorize. But the Corps of Army Engineers does not have legislative authority.

Mr. WILEY. The Congress has conferred authority upon the Secretary of War to regulate the diversion, provided he acts in reasonable relation to the purpose of his delegated authority, and not arbitrarily.

Is it a fact that a case is now pending in court, and that the State of Illinois, or the water district, has not made application to the court for this diversion—or perversion, if one wants to call it that?

Mr. DOUGLAS. I know we were granted authority last December to divert for a temporary period, not an additional 1,000 cubic feet a second, but 8,500 cubic feet a second. That lasted for 6 weeks. The Supreme Court granted it.

I also know the State of Wisconsin and other Lake States asked Chicago to follow their practice of dumping sewage back into the Lake, and the Supreme Court denied their application.

Mr. WILEY. Of course, that is not an answer to my question. That again is a little diversion on the part of the Senator from Illinois. If the Senator will answer the questions, we probably would clear up these issues.

Mr. DOUGLAS. What is the question of the Senator from Wisconsin?

Mr. WILEY. The first question is this: Is it a fact that from 1952 to 1957 Chicago has failed in its removal of solids, and that the percentage has gone from 91.1 to 80.6 percent? In other words, it is not efficient, and is not the whole problem one of getting rid of Chicago's sewage? Is that the whole problem?

Mr. DOUGLAS. No, that is not the whole problem. I would like to know what is the authority for the statement of the Senator from Wisconsin.

Mr. WILEY. I shall be glad to put it in the RECORD, because it comes from the metropolitan sanitary district of greater Chicago. It came in today.

Furthermore, the record shows clearly that Chicago has been guilty of failing to comply. The Senator has spoken of Milwaukee. We in Milwaukee remove up to 95 percent of sewage. Instead of putting the sewage back into the lake, we put back liquid that has been purified. Why cannot Chicago do the same thing, instead of taking water that belongs to all the Great Lakes States? That is one of the facts we shall argue in this case. I have in my hands the evidence, and I also have the worksheets, which were sent to me today. There is the evidence right there.

In 1952, the percentage of sewage removal was 91.1. In 1957 it was down to 80.6 percent. So far as concerns the removal of the material we have been talking about, the percentage has decreased from 93.6 to 85.6 percent. In other words, Chicago is not doing the job the Supreme Court told it it should do, in its decision.

Mr. DOUGLAS. I have not seen those figures before. In 1956, according to those figures, the percentage of treatment was 88 percent. I think probably 1957 may have witnessed a temporary slump. I also point out that Chicago is spending $150 million additional for sewage treatment. All we are asking for is a trial. I want to emphasize that. Let it be tried for a year.

Mr. WILEY. No; that is not all Chicago is asking for. It is asking the Government of the United States to furnish half of the expense of the experiment. Besides, Chicago is asking the Lake States to furnish their interest in the water. Chicago has a waterfront of

100 miles. The rest of the Lake States combined have a waterfront of about 3,000 miles.

Mr. DOUGLAS. Let us see to what degree the lake level would be lowered by the diversion of an additional 1,000 cubic feet a second. The Corps of Engineers studied that question for many years. It arrived at the conclusion, which the Senator from Oklahoma has stated, that if the additional diversion were carried on for 3 years, the lowering of the lake level of Lake Michigan and Lake Huron would be five-eighths of an inch. There would be no lowering of the level of Lake Superior. There would be some lowering of the level of Lake Erie and Lake Ontario by about three-eighths of an inch.

Now, those figures apply to a 3-year diversion. The diversion for 1 year, which is all we are asking for, which has been agreed to by the sanitary district and the Department of Health, Education, and Welfare, would manifestly reduce the level by only one-third of that amount, or one-eighth of an inch for Lake Erie and Lake Ontario and less than one-quarter of an inch for Lake Michigan and Lake Huron.

Think of it. All these States are up in arms over one-eighth or one-quarter of an inch lowering of the lake level.

As the Senator from Oklahoma pointed out, the lake levels are subject to cyclical ebbs and flows. I have lived on the shores of Lake Michigan for nearly 40 years. I have seen the level of the lake go up, then go down, then go up again. Now it is going down again. The average difference between high water and low water is something like 6 feet 3 inches. Sometimes it is more than that. That normally amounts to 75 inches, up and down. That is what causes the fluctuation. A lowering of only one-eighth of an inch would be caused by the additional diversion; but, nevertheless, the politicians from Wisconsin and the rest of those States will say, when the lake level starts to fall, "It is Chicago that is taking our water and causing the lake to fall." The lake level goes down 75 inches, and they point their finger south to the city of Chicago—to what they call the Wicked City—and say, "You are stealing our water. You are hurting our navigation." It is extraordinary.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. No. I want to finish.

Thirty years ago we had a mayor in the city of Chicago by the name of William Hale Thompson. He was not of my political party. I never supported him. But he always used to run for mayor. When he ran for mayor, he would run against King George of England. I remember at one of the great political rallies, in which he shouted, "If you elect me mayor of Chicago, I will bust King George on the snoot." That was sure-fire appeal. It got him votes, but it did not do much good for the reputation of the city of Chicago. We have been trying to live down that reputation ever since, with some success, but it still dogs us.

Now, our good friends to the north, when anything goes wrong, blame the city of Chicago. In Wisconsin the politicians run for office, not on a positive program, but against Chicago. [Laughter.] They have a fine mayor in Milwaukee, one of the really great mayors of this country; he is honest as the day is long and he has a fine police department. Their parks are excellent, and their streets are clean. But Milwaukee does not treat its sewage as well as Chicago does. I do not want to criticize mayor Frank Zeidler. I think he is really a fine man. But the mayor of Milwaukee makes speeches continually in which he alleges that Chicago is responsible for all Milwaukee's ills, and even the success of the Milwaukee Braves baseball team cannot assuage his feelings of injured pride. [Laughter.]

This subject has aroused a great deal of passion in Wisconsin. The people of Wisconsin look south, look at the city of Chicago, and say, "There is the source of all of our ills." This means that when a politician runs for office in Wisconsin, he finds it easy, just as William Hale Thompson found it easy to run against King George, to run against Chicago. The politicians point out the speed of that awful lowering of the lake level of one-eighth of an inch, or at most one-quarter of an inch, and how it is going to injure navigation and make it impossible for ships to operate in the harbor of Milwaukee.

This whole thing is really incredible. It is incredible that such fine, intelligent men as those who inhabit the States of Wisconsin and Ohio should be carried away by these delusions; but the truth of the matter is they do not know about this fluctuation in the lake level.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I will in a moment. I am in the midst of an oratorical flight, and I want to continue it. [Laughter.]

They forget the 75-inch cyclical fluctuation and concentrate attention on that one-quarter of an inch.

Mr. LAUSCHE. I did not understand the last words of the Senator.

Mr. DOUGLAS. I say, they ignore the 75-inch cyclical fluctuation and concentrate on the one-quarter inch. That is truly straining at a gnat and swallowing a camel.

Mr. LAUSCHE. If the Senator does not mind, I will get out of the corner he has me in. [Laughter.]

Mr. DOUGLAS. Very well.

Mr. LAUSCHE. Will the Senator from Illinois state whether it is the honest purpose of the city of Chicago to ask for only a one-year diversion and then to say, "That is the end"?

Mr. DOUGLAS. No.

Mr. LAUSCHE. What does Chicago hope to eventually get?

Mr. DOUGLAS. Chicago wants a test of one year, to be carefully appraised. Then the scientists, engineers, and the Congress can decide whether the program should be continued.

Mr. LAUSCHE. They can decide whether the program should become permanent?

Mr. DOUGLAS. We can decide that later. All we ask is a test. We are not afraid of the truth. We are not afraid of an examination. We are not afraid of a test.

Mr. LAUSCHE. Will the Senator from Illinois state what is the maximum period of diversion Chicago expects to ask for?

Mr. DOUGLAS. We do not know. We will ask only for what is correct.

Mr. LAUSCHE. For one year?

Mr. DOUGLAS. In this bill, only one year.

Mr. LAUSCHE. What later, after the bill is put into effect?

Mr. DOUGLAS. The Senator from Ohio and I have enjoyed each other socially, and I think the Senator knows one of my favorite hymns is the hymn of Cardinal Newman:

Lead, kindly Light, * * *
* * * * *
I do not ask to see
The distant scene, one step enough for me.

Mr. LAUSCHE. The Senator does not want to state what Chicago will ask for in the next bill?

Mr. DOUGLAS. All we ask is that the program be tested for a year and that the results be evaluated. If the results indicate that the experiment is against the interest of the United States and that there should not be any added diversion, we will not ask for it. If it seems to be in the interest of the United States and if there seems to be no real damage to anyone else, we will ask for it.

Mr. LAUSCHE. If the Senator takes the position that Chicago is asking for only a 1-year diversion——

Mr. DOUGLAS. At this time.

Mr. LAUSCHE. Will the Senator consent to an amendment to the bill which will specifically state that the diversion is for 1 year and not for 3 years, as set forth in the bill?

Mr. DOUGLAS. My good friend from Ohio knows that this is the last night, we hope, of the session. If an amendment is added to the bill, in view of the fact that we will adjourn almost immediately, it means the bill will be killed. I am not going to be mousetrapped by the Senator from Ohio in any such way as that.

Mr. LAUSCHE. The fact is that the bill provides for a 3-year diversion, but the Senator is stating a promise to divert only for 1 year.

Mr. DOUGLAS. That is laid down by the Department of Health, Education, and Welfare. The department says that is the way in which it will administer the legislation. Those terms have been accepted by the Metropolitan Sanitary District of Greater Chicago. This is an agreement which holds solemnly within the terms of the proposed legislation and is not contrary to any part of it.

Mr. LAUSCHE. The Senator from Illinois has had broad experience in the preparation of legislation. May I ask the Senator if he feels it is a sound method of legislating to declare one thing in a bill and then by a private agreement to vary the provisions in the bill.

Mr. DOUGLAS. The agreement is not contrary to the proposed legislation. The agreement will merely provide the basis for the study. As the bill says:

In order to provide a basis for a study of the effect of increased diversion of water from Lake Michigan * * * authority is hereby granted to the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the supervision and direction of the Secretary of the Army, to withdraw water from Lake Michigan, in addition to all domestic pumpage, at a rate providing a total annual average of not more than 2,500 cubic feet of water per second—

Mr. LAUSCHE. Let us read on. It says:

to flow into the Illinois Waterway during the 3-year period which begins on the date of enactment of this act.

Mr. DOUGLAS. The Senator is correct.

Mr. LAUSCHE. Then the bill does give a 3-year right to divert.

Mr. DOUGLAS. No, it does not. There is a 3-year test, not a 3-year diversion. The agreement which we have made with the Department of Health, Education, and Welfare specifically means the the diversion will occur for only 1 of those 3 years.

Mr. LAUSCHE. Does the Senator from Illinois feel that if the bill or a future bill provided for a permanent diversion, the Dominion of Canada would consent to it?

Mr. DOUGLAS. That problem can be faced in the future. All we are now asking is a test period of 1 year.

Mr. LAUSCHE. What is the Senator's position concerning what the position of Canada would be in the event of a permanent diversion?

Mr. DOUGLAS. I have not telephoned to any secretary of a secretary of a Secretary, and therefore I am not able to give an expert opinion, but I can say this proposal will not do any injury to Canada. It will do no injury to Canada. Canada has diverted into Lake Superior 5,000 cubic feet per second, which is 5 times as much as we are asking to take out of the Great Lakes.

Mr. LAUSCHE. Does the Senator feel that the inference must be drawn from the letter which was previously read that if the diversion were for more than 1 year Canada would object?

Mr. DOUGLAS. No, I do not draw any such inference.

Mr. LAUSCHE. In the opinion of the Senator from Illinois, why did Canada say, according to Mr. Macomber, "We have no objection to a 1-year diversion"?

Mr. DOUGLAS. They have no objection to a 1-year diversion. They might have no objection now to a 3-year diversion. At one time Canada did have an objection.

The Senator from Oklahoma, like Saul, saw a great light and was converted, and just so has Canada seen a great light and become converted. There is hope even for the Senators from Wisconsin and Ohio on this matter.

Mr. LAUSCHE. There may be some truth in that statement.

Mr. DOUGLAS. I hope there is. It is needed.

Mr. LAUSCHE. We may begin calling to our aid divine forces, and we probably would have to if our cause were as weak as the cause of Chicago. [Laughter.]

Mr. DOUGLAS. Mr. President, I think we have pursued this subject sufficiently. Unless other Senators wish to ask further questions, I shall be glad to yield the floor.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am always glad to yield to my beloved friend from North Dakota.

Mr. LANGER. The Senator knows that I came into the Chamber late.

Mr. DOUGLAS. Yes.

Mr. LANGER. I should like to ask a question. Does Chicago need this additional water for drinking purposes?

Mr. DOUGLAS. No. It needs the water in order to get added oxygen to handle the nitrogenous residual——

Mr. LANGER. The Senator can stop right there. I know exactly what he means.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to my good friend from Wisconsin, who had the advantage of being brought up in Illinois, but who has gone to that great State to the north. What is our loss is Winconsin's gain and we do not object to this diversion of talent.

Mr. PROXMIRE. I presume the Senator from Illinois has finished his positive presentation.

Mr. DOUGLAS. Yes.

Mr. PROXMIRE. First, I should like to ask the distinguished Senator from Illinois if, on the basis of the 758 pages of transcribed hearings, there is any basis for the contention that the diversion would safeguard or improve the health of the people of Chicago?

Mr. DOUGLAS. Yes; I think so.

Mr. PROXMIRE. Has any study been made by the Chicago Board of Health to support this assertion, or has any study been made by any other health agency in Chicago?

Mr. DOUGLAS. Studies have been made by the sanitary district.

Mr. PROXMIRE. I am talking about a health organization, a health agency, or a health bureau which has responsibility.

Mr. DOUGLAS. The Sanitary District of Chicago includes a number of suburbs. I may say that there is some health hazard for the downstate communities along the Illinois River. Of course, their drinking water is treated.

Mr. PROXMIRE. Is there any officer, official, or person in the Chicago Metropolitan Sanitary District, which controls sewage, who has a medical degree of any kind, or who is in any position to make an evaluation of the effect of effluent on health? If so, will the Senator please identify him?

Mr. DOUGLAS. We have the most eminent hydraulic engineer in the world, in the person of Horace Ramey.

Mr. PROXMIRE. I agree that Horace Ramey is a distinguished engineer. But if the distinguished Senator from Illinois were ill would he go to an engineer or to a doctor?

Mr. DOUGLAS. Does the Senator from Wisconsin need elaboration on the effect of effluent material on health? We are trying to disguise unpleasant realities with as disinfected verbiage as possible.

Mr. PROXMIRE. I appreciate that reply. I assume, then, that the answer is that no competent health authority has given any testimony to the effect that this diversion would have any influence whatsoever on the health of the people of Chicago. If such testimony has been given, I should be delighted to hear about it.

Mr. DOUGLAS. Water contains oxygen. By adding water, including oxygen, we would reduce the amount of solid matter which is now discharged, in an effort to reduce the health hazard to the people of Chicago and the people downstream.

Mr. PROXMIRE. That is an explanation, and a complete non sequitur.

The Senator from Illinois has described precisely what happens chemically, but he has given me no evidence whatsoever from any authority that this has any effect on the health of the people of Illinois, except his own assertion.

Mr. DOUGLAS. Common sense tells us the answer. It should be obvious even to the Senator.

Mr. PROXMIRE. It is not common sense that under those circumstances, with 768 pages of testimony from scores of witnesses, if there were a health hazard the excellent Senators and Representatives from Illinois, who have done such a fine job in presenting this case, would have called at least one qualified person to establish the health hazard?

Mr. DOUGLAS. We felt that is was so obvious that we did not need bacteriological testimony.

Mr. PROXMIRE. The Senator from Illinois is telling the Senator from Wisconsin that the Illinois State Board of Health, which is responsible for the health of the people of Illinois, has apparently never given any testimony on this subject or taken any position. It has never indicated that the health of the people of Illinois is affected by this practice. If so, when?

Mr. DOUGLAS. There is always a problem in a huge metropolitan center inside a State. We are very proud to be citizens of Illinois, but we do not believe that we must always go to the State for supporting evidence. As a matter of fact, the Illinois Sanitary Water Board does not have jurisdiction over the metropolitan sanitary district and similarly the city of Chicago, being smaller than the sanitary district, does not have jurisdiction over it.

May I point out that the Supreme Court has passed on this issue a number of times, and has held that the added flow was necessary, as it did last December.

Mr. PROXMIRE. Is the distinguished Senator from Illinois familiar with the statement of the special master appointed by the Supreme Court in 1941? He stated that there was no health hazard, that there was no health problem. He stated that the biochemical oxygen demand was far lower then, and, though the water was far more polluted, there was no health problem at that time, when the flow was the same.

Mr. DOUGLAS. That was in 1941. Since then the city of Chicago has had a tremendous growth.

Mr. PROXMIRE. Also the city of Chicago has made a considerable improvement in its sanitation facilities, which has greatly reduced the oxygen

deficiency of its water. Since 1941, Chicago has made a great improvement in the efficiency of its sanitation district thereby greatly reducing the oxygen deficiency of its water.

Mr. DOUGLAS. But we have also had an increased population growth, particularly in the suburbs, and that has increased the strain on the system.

Mr. PROXMIRE. That is correct. In fact, the improvement in the factor of pollution was about fourfold between 1941 and 1951, and the oxygen deficiency was reduced correspondingly. The population has increased greatly—possibly by 25, 35, or 40 percent; but on the basis of comparing the figures and facts, it is clear that the problem should have been far greater in 1941, when the efficiency of the sanitation district was so much lower.

Mr. DOUGLAS. Our motto is "Excelsior! Forever Onward." We are always trying to do better.

Mr. PROXMIRE. Neither the Chicago Board of Health, the Illinois State Board of Health, the Public Service Commission, nor any other health agency, nor any group of physicians, nor any single physician, has ever made a finding that there is a health problem as a result of the sewage situation in Chicago.

Mr. DOUGLAS. I point out to my good friend from Wisconsin that we are treating sewage for the equivalent of 8½ million people. We have a 10-percent effluent. That is equivalent to the effluent of 850,000 people. That is equivalent to the effluent of the whole city of Milwaukee. Is the Senator from Wisconsin ignorant of the fact that this creates a health problem?

Mr. PROXMIRE. I am not in the least ignorant of the fact. I have a detailed study of the Milwaukee Sanitation District, which I wish to call to the Senator's attention at a later time, which indicates how Milwaukee has been solving the problem. This is a problem facing every city.

Mr. DOUGLAS. Some from Wisconsin would have us solve it by making us dump our sewage into Lake Michigan. We decline to do so because we think too much of our friends from Milwaukee.

Mr. PROXMIRE. The position which the Senator from Illinois takes surprises me, because in my judgment he is the very wisest man I know. I say that without qualification. He is a splendid man, and a man of integrity.

Mr. DOUGLAS. My friend from Wisconsin is also a man of integrity and character, and of greater intelligence.

Mr. PROXMIRE. I am overwhelmed by the generosity of my distinguished friend from Illinois. The flattery of the distinguished Senator from Illinois has been so overwhelming that the Senator from Wisconsin has forgotten the point he was about to make, which was undoubtedly the purpose of the Senator from Illinois. [Laughter.]

Mr. DOUGLAS. I shall be glad to pause 10 seconds until the Senator from Wisconsin collects his thoughts.

Mr. PROXMIRE. The question I should like to ask the Senator from Illinois is this: In view of his frequent attacks on the Milwaukee practice of dumping into Lake Michigan, is he charging that this is a health menace?

Mr. DOUGLAS. I have for years suppressed this skeleton in the closet about Milwaukee. I have refused to mention it because I love Milwaukee so much. It was only after the senior Senator from Wisconsin [Mr. WILEY] delivered a fiery talk about Chicago and our failure to dispose of our sewage that I felt I had to unlock the closet and let the skeleton be seen.

Mr. PROXMIRE. If the Senator will permit——

Mr. DOUGLAS. Oh, I am not going to go into the health hazard. I merely say it is a dirty custom. [Laughter.] We in Chicago do not like it. However, in the interest of comity and out of our respect and affection for Wisconsin we have kept silent. But when we are abused, we have a right after years of silence to bring out the naked and unvarnished truth.

Mr. PROXMIRE. I take it my friend is not talking about the health hazard but the esthetic qualities of certain practices and the superstition that because the effluent is repulsive, it raises certain feelings in the minds of people. He is not discussing the health hazard involved, but is raising the point only because Wisconsin does discharge its effluent into the lake, to the detriment of the sensibilities of the people of Chicago.

Mr. DOUGLAS. We have tried to hush that up so that the people of Chicago would not get angry at the people of Milwaukee. While the people of Milwaukee and Wisconsin have been stirring up false passions against Chicago we have tried to keep the people of Chicago in a friendly frame of mind toward Milwaukee and Wisconsin. We have repeatedly turned the other cheek. But now we have the right to speak.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. WILEY. I should like to say to the Senator that he is 100 percent mistaken. We make milorganite out of the solids, and the liquids are returned 95 percent as water into the lake. We sell the milorganite for fertilizer.

Mr. DOUGLAS. So do we.

Mr. WILEY. I am asking the Senator not to make that kind of statement, because I have now given him the facts. If Chicago will do what Milwaukee has done, build a plant which will take care of the problem, instead of maintaining an inefficient plant, he will have the answer.

Mr. DOUGLAS. Engineering papers refer to the Chicago sewage disposal plant as the seventh engineering wonder of the world.

Mr. WILEY. They said that years ago. That praise is good as far as it goes. However, the Senator comes from a growing area, with more sewerage, and is not building more plants.

Mr. JOHNSON of Texas. Mr. President, I wonder whether the Senator from Illinois would yield to me so that I might make a motion to bring up the public debt limit bill.

Mr. DOUGLAS. I shall be glad to do so. I have not tried to hold the floor, but the barbed attacks from Wisconsin and Ohio have been so great——

Mr. WILEY. The Senator loves every minute of it.

Mr. DOUGLAS. That I have had to protect the fair name of my State and of my city.

I shall be glad to yield the floor outright.

Mr. JOHNSON of Texas. I should like to bring up the bill I have referred to.

Mr. DOUGLAS. I shall be glad to yield the floor.

Mr. PROXMIRE. I wonder if the Senator from Illinois would hold the floor for a few more minutes, so that I might ask him another question or two.

Mr. DOUGLAS. I shall be glad to return later. Lay on, Macduff. [Laughter.]

INCREASE IN PUBLIC DEBT LIMIT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending business may be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2454, H. R. 13580.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill, H. R.13580, to increase the public debt limit.

The PRESIDING OFFICER. Is there objection to present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 1, at the beginning of line 10, to strike out "$285,000,000,000" and insert "$283,000,000,000"; on page 2, after line 4, to strike out:

SEC. 2. During the period beginning on the date of the enactment of this act and ending on June 30, 1960, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended by the first section of this act, shall be temporarily increased by $3,000,000,000.

And after line 10, to strike out:

SEC. 3. The act entitled "An act to provide for a temporary increase in the public debt limit", approved February 26, 1958 (Public Law 85-336; 72 Stat. 27), is hereby repealed.

Mr. BYRD. Mr. President, the bill provides that the existing permanent debt limit be raised from $275 billion to $283 billion. The temporary increase under present law of $5 billion continues through June 30, 1959. Thus, the overall debt limit will be the $288 billion which the Secretary of the Treasury requested, but $5 billion of this will be temporary, as provided by existing law.

Mr. MORSE. Mr. President, will the Senator yield for one or two questions?

Mr. BYRD. I yield.

Mr. MORSE. Will the Senator from Virginia state for the record what the national debt was in 1953?

Mr. BYRD. I do not know exactly. I do not have the figure for 1953. It was very much less than it is today.

Mr. MORSE. Was it either $260 billion or $266 billion?

Mr. BYRD. The national debt limit now is $275 billion.

Mr. MORSE. In 1953, was it $259 billion or $260 billion?

Mr. BYRD. Somewhere in that neighborhood. What year did the Senator say?

Mr. MORSE. Nineteen hundred and fifty-three.

Mr. BYRD. I do not have that figure.

Mr. MORSE. Is it the opinion of the Senator from Virginia that it was in the neighborhood of $260 billion?

Mr. BYRD. It was approximately that.

Mr. MORSE. Would the Senator from Virginia supply the accurate figure for the record?

Mr. BYRD. Yes.

Mr. MORSE. Does the Senator from Virginia have the figure for the national debt as of now, 1958?

Mr. BYRD. The national debt now is about $275 billion, but the debt limit is about $280 billion.

Mr. MORSE. In 1953 it was in the neighborhood of $260 billion, and in 1958 it is in the neighborhood of $275 billion, is that correct?

Mr. BYRD. Yes. I will say to the Senator that there has been an increase in the deficit in the present year of $15 billion. Under the pending bill there would be a total debt limit of $288 billion.

Mr. MORSE. Has the United States been engaged in any major war since 1953?

Mr. BYRD. No. This is the largest debt limit which has ever been requested in peacetime history.

Mr. MORSE. It is the largest debt in the history of the country, is it not?

Mr. BYRD. Yes.

Mr. MORSE. Would the Senator say that under the Eisenhower administration our national debt has increased at least $15 billion?

Mr. BYRD. The debt limit has been increased that much if we include the next fiscal year.

Mr. MORSE. We have increased the debt limit in order to take care of the increase in the debt; is that not correct?

Mr. BYRD. I do not believe that the debt itself has increased that much. With the $12 billion deficit we expect in the next fiscal year, it would certainly be $15 billion.

Mr. MORSE. Does the Senator from Virginia recall the great soothing sedatives and promises of the Republican candidate in 1952 in regard to the national debt?

Mr. BYRD. Yes.

Mr. MORSE. Does the Senator recall the Republican candidate trying to give the American people the impression that if we would put him in the White House, the national debt would be reduced?

Mr. BYRD. I believe that is correct.

Mr. MORSE. I rest my case. [Laughter.]

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum I have prepared.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

The President's second request in 6 months to raise the Federal debt limit should be stern warning of the great fiscal danger confronting us.

The Free World is dependent upon the strength of America, and the strength of America depends upon solvent government and maintaining the value of our dollar.

If confidence in the American dollar is lost, the effect will be calamitous throughout the world. Further impairment of the dollar's value would be a disastrous blow to the international situation.

I have never seen such rapid deterioration in our fiscal affairs as we have experienced since the opening of Congress 7 months ago.

In January, we were told the Federal budget would be virtually balanced in the fiscal year ended June 30, and that there would be a surplus in the current fiscal year which began July 1. Now we are told deficits in both years will total $15 billion.

On February 26, Congress responded to the administration's request for a $5 billion increase in the debt limit temporary to June 30, 1959. Now, in July, there is another request. This is a double-decked request totaling $13 billion—$10 billion in permanent increase and $3 billion temporary until next July 1—bringing the debt limit up to $288 billion.

This is not all the reason for alarm. The Director of the Budget estimates expenditures in fiscal year 1960 will approach, if not exceed, $80 billion. This will mean another deficit next year of at least $10 billion. We have in immediate prospect a Federal debt approaching $300 billion.

Congress has not and should not deny national defense requirements, but failure throughout the Federal Government to plan for military emergencies has been astonishing. In the current situation there is and has been no inclination to eliminate nonessentials. Since 1954 Federal spending for strictly domestic-civilian programs has been increased by 60 percent, or more than $10 billion. This is virtually the equivalent of the estimated deficit in the current year.

We are increasing this category of expenditures in the current session of Congress at an amazing rate. While we are facing an era of continuing heavy deficits, new spending authorizations this year as they stand now exceed the budget requests by more than $5 billion.

Further reduction in the purchasing power of the dollar, which now is 48 cents by the 1939 index, is the certain result of the course we are pursuing.

Taxes are already so burdensome they approach diminishing returns. In certain areas they are practically confiscatory.

Continual increase in the Federal debt limit is the license for further inflation, with all its evil consequences.

Mr. PROXMIRE. Mr. President, before the bill is read the third time, I should like to state that I am opposed to any increase in the debt limit which is not accompanied by an increase in revenue through the closing of tax loopholes that give preferential treatment to some individuals and groups in our country.

I am sure that every member of this body knows my attitude toward the tax loopholes that leak revenue at a tremendous rate. I have introduced bills and amendments to tax bills to try to close many of them. I have supported the senior Senator from Illinois [Mr. DOUGLAS] in his valiant but so far futile effort to do the same.

My bills and amendments would have scaled down the percentage depletion allowance for oil and gas wells. They would have ended the preferential treatment given to receivers of income from dividends. They would have required the withholding of income tax from dividends and corporation interest. They would have stopped the taking of a deduction as a business expense for gifts and for money spent in an illegal gambling enterprise.

These bills and amendments would have resulted in a revenue gain of some $3 billion. They would have made it unnecessary to raise the debt limit by that amount.

Some time ago I introduced an amendment to the debt-limit bill which lumped these tax-loophole amendments together and reduced the debt limit allowed in the bill by $3 million—approximately what the amendments would recover in lost revenue.

I understand, of course, that the tax-loophole amendments are not germane to the debt-limit bill.

Mr. President, I am not going to argue this; the amendment is not germane in the narrow technical sense of legislative germaneness as it has evolved in the practice of the Senate. For that reason, I am not going to call up my amendment.

But, Mr. President, I have looked up the definition of "germane" in my dictionary. It means what I thought it meant when I introduced the amendment. "Germane" means "closely allied, appropriate, applying to the case in hand." Its synonyms are "relevant" and "pertinent."

It is hard for me to see, Mr. President, what could be more pertinent or relevant, what could be more closely allied with, what could be more applicable to the case in hand, than are revenue measures to an increase in the national debt limit. It is perfectly obvious that what makes it necessary to raise the debt limit is the failure to collect enough revenue to meet the expenditures of Government.

As I have said, I will not call up my amendment and debate its germaneness at this point in the life of the 85th Congress. But what I must do is to register a protest, as strong a protest as I can make, against the raising of the national debt limit the second time in this session of Congress when this body has repeatedly beaten down attempts to increase Government revenue by terminating unfair tax advantages.

More than that, I am deeply concerned about the size of the debt itself. I am concerned because it keeps getting larger, and as it does inflation eats deeper into the economic security of our people.

Since 1941, the debt limit has been raised 7 times and lowered 3 times. From

1941 it rose from $65 billion to $300 billion. After the war the ceiling was set at $275 billion, but it was temporarily increased in 1954, 1955, 1956, and 1958.

It was inevitable, of course, that increasing national debt should add enormously to inflationary pressures. The value of the dollar has shrunk steadily. If the 1938 dollar is considered to be worth 100 cents, the 1958 dollar is worth 48 cents. What it will be worth in 1959 is not certain, but what is sure is that it will be worth less. Since 1946 it has lost value in every single year except 1949 and 1955.

The cost of living has gone up, of course, as the value of the dollar has gone down. Even in recession the cost of living has steadily risen. Consumer prices rose 0.1 percent between May and June this year. The Consumer Price Index for June 1958, was 123.7, taking the period 1947–49 as 100. This was 2.9 percent higher than a year earlier.

Where is the American economy going? The official estimate is that the deficit for fiscal 1959 will be $12 billion. This is the highest peacetime deficit in the history of the Nation. It means, beyond a peradventure of a doubt, more inflation, more insecurity, more economic misery for people on fixed incomes. It means an even more desperate prospect for the unemployed.

Mr. President, there is a tragic process at work in our economy which is revealed, at some point on the circle, by almost any statistic we cite. We have to raise the debt limit because there is a deficit. We have a deficit because revenues are down. We have less revenue because there are many unemployed—5.4 million in June, 6.8 percent of the working force.

It is too late in this Congress to take that decisive action now. It is too late in this Congress to regain revenue for the Government by closing tax loopholes. It is too late, not because those actions would not help now, but because there is no disposition on the part of a majority in either House to take them. That is why I am not calling up my amendment—not because I lack confidence in its rightness but because I am sure that it would not pass.

Mr. President, I am going to vote against the amendment to increase the debt limit. Under the circumstances, I am sure that the debt limit must be increased. I cast my vote against the bill, nevertheless, as a protest against the continuation of tax advantages for our most advantaged people while the Nation swims against a tide of inflation and debt that threatens to engulf it.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MALONE obtained the floor.

Mr. BRIDGES. Mr. President, will the Senator from Nevada yield to me without losing his right to the floor?

Mr. MALONE. I yield.

REPORT OF AMERICAN BAR ASSOCIATION SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY, AND OBJECTIVES

Mr. BRIDGES. Mr. President, a friend in California has supplied me with a copy of the report just filed with the house of delegates of the American Bar Association by that association's special committee on Communist strategy, tactics, and objectives. Senators will recall that this is the outstanding committee which was formerly headed by the former Senator from Maryland and our former colleague, Herbert O'Conor, and which is now headed by Peter Campbell Brown, former Chairman of the Subversive Activities Control Board.

The report is an outstanding piece of work in its field. I believe I may have the first copy to reach Washington. So that I may share it with my colleagues, I ask unanimous consent that the report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL REPORT OF THE SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY, AND OBJECTIVES

PAUL REVERES ARE NOT ALWAYS HEEDED

A Night To Remember tells of the five iceberg warnings sent by wireless to the Titanic. When the sixth message, "Look out for icebergs," came in, the Titanic's operator wired back: "Shut up, I'm busy." Just 35 minutes later, the ship, whose captain had said "God Himself could not sink," was sinking.

The phrase "Remember Pearl Harbor" should remind us that we, people and leaders, were cocksure and complacent before the afternoon of December 7, 1941. The FBI had warned of frequent messages from the Japanese consulate at Hawaii to Tokyo telling of the presence and absence of American warships at Pearl Harbor. Dies committee reports of Japanese espionage by fishing vessels were ridiculed as headline hunting. Capt. Laurance Safford, who was recently awarded $100,000 by a grateful Congress for his World War II coding and decoding inventions, had decoded all the Japanese pre-Pearl Harbor war messages for his superiors. Yet, the attack came as a stunning surprise.

Most persons who are informed on communism think our country is now in greater danger than were the Titanic and Pearl Harbor. The thesis of J. Edgar Hoover's new book, Masters of Deceit, is:

"Communism is the major menace of our time. Today, it threatens the very existence of our western civilization." [1]

In his speech to the 1957 National Convention of the American Legion, Mr. Hoover warned:

"To dismiss lightly the existence of the subversive threat in the United States is to deliberately commit national suicide. In some quarters we are surely doing just that."

[1] P. vi.

On July 6, 1958, Prof. J. Sterling Livingston, a Pentagon consultant stated:

"The doctrine of preemptive war is definitely a part of Soviet strategy. The Russians plan as part of their strategy to strike a forestalling nuclear blow against their enemies." [2]

The lawyer-author of the Gaither report to the President on national security recently told our association:

"Our security is in unprecedented peril. • • • The ultimate objective of international communism is world domination, and the Soviet Union will pursue this objective ruthlessly and relentlessly, employing every possible political, economic, subversive, and military stratagem and tactic." [3]

I. COURT DECISIONS ON COMMUNISM

The 1953 midyear report of this committee praised the opinions of Chief Justice Stone in *Schneiderman* v. *United States* [4] and of Mr. Justice Jackson in *American Communications Association* v. *Douds* [5] for their conclusion, based on Communist documents, that the Communist Party, U. S. A. is not a political party but, to quote Mr. Justice Jackson: "Is a conspiratorial and revolutionary junta, organized to reach ends and to use methods which are incompatible with our constitutional system."

Similar statements were made by Chief Justice Hughes when, as Secretary of State, he refused to recognize the Communist Government of Russia, and by Chief Justice Vinson in his scholarly opinion upholding the convictions of the 11 top Communists under the Smith Act. [6]

In the last 2 years, the Supreme Court has decided the following 20 cases:

1. *Communist Party* v. *Subversive Activities Control Board.* The Court refused to uphold or pass on the constitutionality of the Subversive Activities Control Act of 1950, and delayed the effectiveness of the act.

2. *Pennsylvania* v. *Steve Nelson.* The Court held that it was unlawful for Pennsylvania to prosecute a Pennsylvania Communist Party leader under the Pennsylvania Sedition Act, and indicated that the anti-sedition laws of 42 States and of Alaska and Hawaii cannot be enforced.

3. *Yates* v. *United States.* The Court reversed two Federal courts and ruled that teaching and advocating forcible overthrow of our Government, even "with evil intent," was not punishable under the Smith Act as long as it was "divorced from any effort to instigate action to that end," and ordered 5 Communist Party leaders freed and new trials for another 9.

4. *Cole* v. *Young.* The Court reversed two Federal courts and held that, although the Summary Suspension Act of 1950 gave the Federal Government the right to dismiss employees "in the interest of the national security of the United States," it was not in the interest of the national security to dismiss an employee who contributed funds and services to a not-disputed subversive organization, unless that employee was in a "sensitive positions."

5. *Service* v. *Dulles.* The Court reversed two Federal courts which had refused to set aside the discharge of John Stewart Service by the State Department. The FBI had a recording of a conversation between Service and an editor of the pro-Communist magazine Amerasia, in the latter's hotel room in which Service spoke of military plans which were very secret.[7] Earlier the FBI had found

[2] St. Louis Post-Dispatch, July 6, 1958.
[3] American Bar Association Journal, May 1958, pp. 425–426.
[4] 320 U. S. 118, 170.
[5] 339 U. S. 382, 424.
[6] *Dennis* v. *United States* (341 U. S. 494.)
[7] United States Senate Committee Hearings on Charges of Disloyalty in the State Department, June 26, 1950, pp. 1391 ff., espec. 1404; cf. *United States* v. *Jaffe*, 98 F. Supp. 191, 194 (1951).

large numbers of secret and confidential State Department documents in the Amerasia office. The lower courts had followed the McCarran amendment which gave the Secretary of State absolute discretion to discharge any employee in the interests of the United States.

6. *Slochower* v. *Board of Education of New York.* The Court reversed the decisions of three New York courts and held it was unconstitutional to automatically discharge a teacher, in accordance with New York law, because he took the fifth amendment when asked about Communist activities. On petition for rehearing, the Court admitted that its opinion was in error in stating that Slochower was not aware that his claim of the fifth amendment would ipso facto result in his discharge; however, the Court denied rehearing.

7. *Sweezy* v. *New Hampshire.* The Court reversed the New Hampshire Supreme Court and held that the attorney general of New Hampshire was without authority to question Professor Sweezy, a lecturer at the State university, concerning a lecture and other suspected subversive activities. Questions which the Court said that Sweezy properly refused to answer included: "Did you advocate Marxism at that time?" and "Do you believe in communism?"

8. *United States* v. *Witkovich.* The Court decided that, under the Immigration and Nationality Act of 1952, which provides that any alien against whom there is a final order of deportation shall "give information under oath as to his nationality, circumstances, habits, associations, and activities, and such other information, whether or not related to the foregoing, as the Attorney General may deem fit and proper," the Attorney General did not have the right to ask Witkovich: "Since the order of deportation was entered in your case on June 25, 1953, have you attended any meetings of the Communist Party of the U. S. A.?"

9. *Schware* v. *Board of Examiners of New Mexico.* The Court reversed the decisions of the New Mexico Board of Bar Examiners and of the New Mexico Supreme Court which had said: "We believe one who has knowingly given his loyalties to the Communist Party for 6 or 7 years during a period of responsible adulthood is a person of questionable character." The Supreme Court ruled that "membership in the Communist Party during the 1930's cannot be said to raise substantial doubts about his present good moral character."

10. *Konigsberg* v. *State Bar of California.* The Court reversed the decisions of the California Committee of Bar Examiners and of the California Supreme Court and held that it was unconstitutional to deny a license to practice law to an applicant who refused to answer this question put by the bar committee: "Mr. Konigsberg, are you a Communist?" and a series of similar questions.

11. *Jencks* v. *United States.* The Court reversed two Federal courts and held that Jencks, who was convicted of filing a false non-Communist affidavit, must be given the contents of all confidential FBI reports which were made by any Government witness in the case even though Jencks "restricted his motions to a request for production of the reports to the trial judge for the judge's inspection and determination whether and to what extent the reports should be made available."

12. *Watkins* v. *United States.* The Court reversed the Federal District Court and six judges of the Court of Appeals of the District of Columbia, and held that the House Un-American Activities Committee could not require a witness who admitted "I freely cooperated with the Communist Party" to name his Communist associates, even though the witness did not invoke the fifth amendment. The Court said: "We remain unenlightened as to the subject to which the questions asked petitioner were pertinent." The Court did not question "the power of the Congress to inquire into and publicize corruption, maladministration, or inefficiency in agencies of the Government." The Court did question the right of Congress to inquire into and publicize communism and subversion, and suggested that this "involved a broad scale intrusion into the lives and affairs of private citizens."

13. *Raley, Stern, and Brown* v. *Ohio.* The Court reversed the Ohio Supreme Court and lower courts and set aside the conviction of three men who had refused to answer questions about Communist activities put to them by the Ohio Un-American Activities Commission.

14. *Flazer* v. *United States.* The Court reversed two Federal courts and set aside the conviction of Flazer of contempt for refusing to produce records of alleged Communist activities subpenaed by the Senate Internal Security Subcommittee.

15. *Sacher* v. *United States.* The Court reversed two Federal courts and set aside the conviction of Sacher of contempt for refusing to tell the Senate Internal Security Subcommittee whether he was "a member of the lawyers' section of the Communist Party." In the second Sacher appeal, the Court again reversed the court of appeals and said that this question was not pertinent to the subcommittee's investigation of Communist witness Matusow's recantation. The Court refused to hear any argument from the Government lawyers representing this Senate subcommittee.

16. *Yates* v. *United States.* In the second Yates appeal, the Court reversed two Federal courts and held that the refusal of Communist Party member Yates "to answer 11 questions about Communist membership of other persons" did not constitute 11 contempts. In the third Yates appeal, the Court reversed 2 Federal courts and held that Yates' contempt sentence of 1 year should be reduced to the 15 days already served for this contempt.

17. *Bonetti* v. *Rogers.* The Court reversed two Federal courts and held that, although the Internal Security Act of 1950 provides that any alien, who "at any time" after entering the United States shall have been a member of the Communist Party, is deportable, Bonetti, an alien who became a Communist after entering the United States, was not deportable because he had reentered after quitting the party. The dissenting judges charged that this construction reads "at any time" out of the act and the word "last" into the statute, and "cripples the effectiveness of the act."

18. *Consul General for Yugoslavia* v. *Andrew Artukovic.* The Court reversed two Federal courts and held that Artukovic, an anti-Communist refugee from Yugoslavia who is living with his wife and children in California, could not claim political asylum in America, but had to submit to an extradition hearing which would be based on Yugoslavia's political charges.

19. *Rockwell Kent* v. *Dulles.* The Court reversed two Federal courts and held that the State Department could not require every applicant for a passport to file a non-Communist affidavit.

20. *Dayton* v. *Dulles.* The Court reversed two Federal courts and held that the State Department had to give a passport to a research physicist whose passport application to accept a job in India had been denied for security reasons. The Secretary of State had found that Dayton had lived for 8 months with a Communist who "was involved in the espionage apparatus of Julius Rosenberg" and that Dayton was going to work in India with another Communist "who recently renounced his American citizenship."

In accordance with the resolution of the house of delegates and authorization of the board of governors, our committee—on the request of the State attorney for its cooperation—applied for and obtained permission to appear as amicus curiae in the appeal pending in the Supreme Court of Florida from the order of dismissal of the disciplinary proceedings against Leo Sheiner. Leo Sheiner had twice previously been ordered disbarred by the circuit court of Florida.

Our committee prepared and submitted a brief to the Supreme Court of Florida stating its views on the duty of the bar and of the courts to cleanse its ranks of an unfit member. The committee further stated its concept of an acceptable standard of fitness for attorneys and of the unfitness of any member of the bar who, in appropriate proceedings persists in refusal to answer pertinent questions concerning his activities in the Communist Party or Communist-dominated fronts on the ground that his answers to such questions concerning his activities might tend to incriminate him. It is inconceivable to us that an attorney and officer of the court may continue in good standing while he pleads self-incrimination in refusing to answer questions relating to subversive activities.

The brief pointed out that, in other walks of life, labor-union officials, teachers, Government employees, and employees of private industry, there had been set a standard under which the individual will be safeguarded in invoking the fifth amendment to inquiries which might tend to incriminate him, but by so doing he forfeits his position of trust and responsibility. The Sheiner case is very important to the bar as other States having such problem attorneys on their rolls have been awaiting the final decision in this matter.

The appeal was argued before the Supreme Court of Florida on February 8, 1958. Julius Applebaum, a member of our committee, argued as amicus curiae for this association. On July 24, 1958, the court issued an order on its own motion requesting further argument on September 5, 1958, and permitting supplemental briefs as to the application of three decisions, *Max Lerner* v. *Hugh J. Casey, et al.*; *Herman A. Beilan* v. *Board of Public Education, School District of Philadelphia*; and *Milton Knapp* v. *Mitchell D. Schweitzer, et al.*, rendered by the United States Supreme Court on June 30, 1958. Our committee is preparing such supplemental brief in behalf of the association and will participate in the reargument. Our committee is willing to appear in similar cases upon direction of the house of delegates or board of governors.

II. COMMUNIST TACTICS

Communist Russia has been called "a riddle wrapped in a mystery inside an enigma." This is true only for those who are ignorant of Communist writings. The Communists have set forth their master plan of world conquest even more forthrightly than did Hitler in Mein Kampf. The Communist manifesto said: "The Communists disdain to conceal their views and aims." [8] Communists have never deviated from the theory enunciated by Marx and the strategy devised by Lenin.

For those who want to understand communism, we prescribe, not a 15-day trip to Russia, but 15 days in a library studying the Communist conspiracy. The following quotations from Communist authorities are an accurate summary of Communist tactics, strategy, and objectives.

The Communist master plan for world conquest was stated by Lenin in these words:

"First, we will take Eastern Europe, then the masses of Asia, then we will encircle the United States, which will be the last bastion of capitalism. We will not have to attack. It will fall like an overripe fruit into our hands." [9]

[8] United States House Un-American Activities Committee, Strategy and Tactics of World Communism; sec. A, Marxist Classics, May 29, 1958, p. 71.
[9] Collected Works of Lenin, vol. 10, p. 172.

During the last 25 years, the United States has had 3,400 meetings with the Communists, including Teheran, Yalta, Potsdam, Panmunjom, and Geneva. The negotiators spoke 106 million words (700 volumes). All this talk led to 52 major agreements, and Soviet Russia has broken 50 of them. The Communists have followed Lenin's dictum about treaties and agreements:

"Promises are like pie crusts—made to be broken." [10]

During the last 3 years, the United States has met 73 times at Geneva with the Chinese Reds to negotiate the release of 450 American prisoners. Not one American serviceman has been accounted for or released. The Communists have followed Stalin's principle of diplomatic intercourse:

"Words must have no relation to action—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood." [11]

Marx and Engels stated this objective in the Communist manifesto:

"The theory of the Communists may be summed up in the single sentence: Abolition of private property." [12]

Lenin gave this command to Communists:

"We have to use any ruse, dodges, tricks, cunning, unlawful method, concealment, and veiling of the truth." [13]

On another occasion, Lenin added:

"As long as capitalism remains we cannot live in peace. In the end one or the other will triumph—a funeral requiem will be sung over the Soviet Republic or over world capitalism." [14]

On September 17, 1955, Nikita Khrushchev warned us:

"If anyone thinks that our smiles mean the abandonment of the teachings of Marx, Engels, and Lenin, he is deceiving himself cruelly. Those who expect this to happen might just as well wait for a shrimp to learn how to whistle." [15]

Khrushchev made this statement to western diplomats at a Moscow reception on November 18, 1956:

"If you don't like us, don't accept our invitations and don't invite us to come to see you. Whether you like it or not, history is on our side. We will bury you." [16]

Khrushchev appeared on our American television screens on June 2, 1957, and confidently told us:

"Your grandchildren will live under socialism."

William Z. Foster dedicated his book, The Twilight of World Capitalism, to his great-grandson, "who will live in a Communist United States."

The Communist philosophy of negotiation was stated in 1931 to the Lenin School of Political Warfare in Moscow by Dmitri Manuilski, a Soviet official and at one time the presiding officer of the U. N. Security Council:

"War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard-of concessions. The capitalistic countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist." [17]

Georgi Dimitrov advised the Lenin School of Political Warfare how to make use of innocents and dupes in these words:

"As Soviet power grows, there will be a greater aversion to Communist parties everywhere. So we must practice the techniques of withdrawal. Never appear in the foreground; let our friends do the work. We must always remember that one sympathizer is generally worth more than a dozen militant Communists. A university professor, who without being a party member lends himself to the interests of the Soviet Union, is worth more than a hundred men with party cards. A writer of reputation, or a retired general, are worth more than 500 poor devils who don't know any better than to get themselves beaten up by the police. Every man has his value, his merit. The writer who, without being a party member, defends the Soviet Union, the union leader who is outside our ranks but defends Soviet international policy, is worth more than a thousand party members." [18]

The key to Communist tactics is the dialectic. Just as the movements of the planets are predictable by astronomers, so are Communist movements predictable by those who have studied the dialectic. The dialectic is an instrument which gives the Communists complete freedom from normal and logical restraints. According to the dialectic, the Communist objective is never approached in a direct, persistent line. It is not even approached in a circuitous, winding pathway. The dialectic mode of progress consists of a series of advances and retreats. Communists do not wait for an opening; they create it.

Lenin described the dialectic as "one step forward, two steps backward." [19] The Communists go backward and forward to inevitable victory. The operation of the dialectic is like hammering a nail. It is a foolish man who brings down the hammer with a crashing blow and then continues to push. When that blow has spent itself, the entire direction of progress is reversed, and the goal is achieved through a series of backward-forward motions. According to the dialectic, even though heading away from the goal, you are still fulfilling the scientific method of approach; and therefore the reverse movement must be carried out with the same fervor and determination.

The closing of the Daily Worker was a dialectical maneuver. The Communist Party made a dialectical retreat in stopping publication of the leading party organ on January 13, 1958, under the subterfuge that it was in dire financial condition. In so doing, the Communist Party made a two-step advance. First, it strengthened the discipline of the party because, as J. Edgar Hoover has pointed out, the internal struggle for power resulted in a decisive victory for the pro-Soviet faction.[20] Secondly, the ousted editor of the Daily Worker, John Gates, now performs the function of a Tito within the United States. Gates is infinitely more valuable to communism lecturing at American colleges and universities than he ever was while with the Daily Worker. Gatesism promotes the apathy of the intellectuals under the theme: "Communism is dying out." The Communists aim to keep us complacent until the choice is annihilation or surrender, at which time they confidently expect us to submit to a negotiated surrender.

Also during this past year, the Communists went forward with the rocks and garbage grown at Vice President NIXON in South America; backward with the smiles of Menshikov; forward with the executions of Nagy and Maleter; backward by allowing Tito to make a few anti-Soviet statements; forward with the defeats of anti-Communists in Syria and Indonesia—all with the same unity of purpose that makes everything contribute to their plan of world conquest.

The major Communist tactics at the present time include the following:

1. Nullification of the Smith act and other anti-Communist legislation. FBI Director J. Edgar Hoover testified January 16, 1958, at a House hearing made public in May, that 49 of the 108 top Communists convicted by Federal juries under the Smith act have been set free by Supreme Court decisions.[21] Judge Richard H. Chambers of the United States Court of Appeals, in a decision releasing 11 of these top Communists, said that Supreme Court decisions have left the Smith Act, as to any further prosecution under it, a virtual shambles.

J. Edgar Hoover also testified that a top Communist functionary described the decision in the Smith Act case of June 17, 1957, as the greatest victory the Communist Party in America has ever received.[22] The Daily Worker summed up the Yates, Watkins and other cases of that same day in these words: "The curtain is closing on one of our worst periods." [23] The Sunday Worker of May 11, 1958, contains strong opposition to any legislation to overcome the Supreme Court's rulings on internal security.

Other anti-Communist laws which have been targets of the Communist Party and which are now nullified or weakened by the foregoing 20 cases are the Subversive Activities Control Act of 1950, the antisedition laws of 42 States, Alaska, and Hawaii, key security provisions of the Immigration and Nationality Act of 1952, and the Summary Suspension Act of 1950.

2. Muzzling the FBI and Congressional investigations. For years the Communist Party has poured out its most hysterical language against what the Reds call "the gestapo-like FBI," and Congressional inquisitions and witch hunts. This tactic has been so successful that it is now said that the Communists don't have to tell Congressional committees anything.

Judge Robert Morris, chief counsel for the Senate Internal Security Subcommittee for 6 years, said: "The power of the Congress to learn the underlying facts of the [Communist] conspiracy has been hamstrung" since the decision in the Watkins case.

In the first session of Congress since the Watkins decision the House Un-American Activities Committee conducted only one investigation and the Senate Internal Security Subcommittee held only one public hearing. On July 5, 1958, the press reported that Congressional investigations into the Communist conspiracy have reached an all-time low for the last two decades, although committee files are bulging with data on the conspiracy which are crying for exploration.

The experience of France, and particularly Germany, shows the danger of restricting legislative investigations.[24] Bismarck so feared the power of parliamentary investigation that he dissolved the Prussian Parliament when it attempted to assert its right of investigation. Historians agree that the lack of legislative investigation was the great-

[10] Ibid., vol. 9, pp. 290–291.
[11] HUAC, Marxist Classics, op. cit., p. 33.
[12] Ibid., p. 58.
[13] Hoover, Herbert, 40 Key Questions About Our Foreign Policy, Scarsdale, N. Y., Updegraff Press, 1952, p. 33.
[14] Idem.
[15] St. Louis Post-Dispatch, September 18, 1955.
[16] U. S. News & World Report, December 27, 1957, p. 32.
[17] Daily CONGRESSIONAL RECORD, May 31, 1955, p. A3764.
[18] HUAC, Annual Report, 1957, p. 2.
[19] HUAC, Marxist Classics, op. cit., p. 187.
[20] U. S. House Appropriations Subcommittee, hearings on the Department of Justice, January 16, 1958, p. 176.
[21] Ibid., p. 173.
[22] Ibid., p. 174.
[23] Editorial, June 19, 1957.
[24] Ehrmann, Henry W., the Duty of Disclosure in Parliamentary Investigations: A Comparative Study, 11 University of Chicago Law Review, 117–153, February 1944.

est single cause for the authorization of Imperial Germany. When the Weimar Republic was created, article 34 of the constitution granted the Reichstag the power "to appoint investigating committees." When the Reichstag attempted to exercise its constitutional right, the German Constitutional Court, in two key cases, narrowed the scope of parliamentary inquiry so considerably that the investigating powers of the Reichstag were inadequate to its tasks. As a result, the Reichstag never exposed the Nazi Party, or Hitler's purges, concentration camps, and secret police. The success of the Nazi conspiracy taught the German Supreme Court a lesson. On August 17, 1956, it handed down a scholarly 375-page opinion which outlawed all activities of the Communist conspiracy in West Germany.

3. Elimination of Federal and State security programs. This tactic has been completely successful in regard to nonsensitive positions, although evidence is abundant that the Communist conspiracy considers nonsensitive positions vitally important. Military security officers have caught Communist janitors collecting the contents of wastebaskets and Communist stenographers making an extra carbon copy of all documents and mailing them to their Communist superiors. The New York Times reported on July 11, 1958, that there are more than 300 Government employees dismissed or suspended as security risks who are due to be reinstated with back pay.

Everyone admits that Government employment is not a right but a privilege. Yet the effect of the Cole, Service, Slochower, and Sweezy decisions is to prevent Federal and State governments from withdrawing this privilege from those who associate with Communists or who are security risks.

On July 9, 1958, the legal chief of the State Department Passport Division testified in Congress that, as a result of the June 1958 decisions in the Kent and Dayton cases, the State Department has had to issue 77 passports to suspected subversives and has another 70 applications pending whose travel abroad will be against the security of the United States. He pleaded for early passage of the legislation submitted by President Eisenhower to overcome these decisions and to give the State Department authority to bar passports from persons whose travel abroad may be deemed injurious to American security.

Joseph Z. Kornfeder, one of the founders of the Communist Party U. S. A., who is now anti-Communist, testified that American passports are essential to Communist spying operations. These Supreme Court decisions, he testified, will save the Soviet Union time and money because it will no longer be necessary to forge American passports.

4. The peace offensive. On April 1, 1951, the House Un-American Activities Committee issued a report called "The Communist Peace Offensive: a Campaign to Disarm and Defeat the United States." This document showed in detail how intellectuals, professors, writers, and others who influence public opinion, were sucked into various Communist peace fronts. This report said: "The most dangerous hoax ever devised by the international Communist conspiracy is the current worldwide 'peace' offensive."

Today, under the slogans "peace" and "peaceful coexistence," we are witnessing a revival of this Communist peace offensive. The Czechs and Hungarians found that coexistence with communism is like getting into a cage with a hungry lion; after the lion has eaten the man, they lie down and coexist in peace. Peaceful coexistence means Communist conquest without war. In his February 1956 report to the 20th congress, Khrushchev asserted in Aesopian language that peaceful coexistence would lead to the victory of world communism.[25]

Dr. Fred C. Schwarz, in his testimony before the House Un-American Activities Committee, has accurately described what the Communists mean by peace: "Every act that contributes to the Communist conquest is a peaceful act. If they take a gun, they take a peaceful gun, containing a peaceful bullet, and kill you peacefully and put you in a peaceful grave. When the Chinese Communists murder millions, it is an act of peace. When the Russian tanks rolled into Budapest to butcher and destroy, it was glorious peace." This is what J. Edgar Hoover calls "semantic sabotage." We cannot negotiate with the Communists because they insist black is white and murder is peaceful coexistence.

5. Summit conferences. Four experts on communism testified before the United States House Un-American Activities Committee on April 30, 1958, that "the Kremlin looks upon a summit conference solely as another weapon in its program of global conquest." Dr. David J. Dallin, Dr. Anthony T. Bouscaren, Dr. James D. Atkinson, and Mr. Francis J. McNamara all declared that "in seeking an international conference, the purpose of the Soviet Union is not to negotiate peace but to disarm the West intellectually and psychologically." All four consultants were in agreement that another summit conference would constitute "a grave setback for the free world." [26] Other experts have said that a summit conference, in Red double-talk, means a "submit conference."

We must bear in mind that the Communists have the most deplorable record in all history for violation of solemn treaties,[27] and that it is the policy of Communists to promise anything and to perform nothing unless it serves their immediate ends. Just as a confirmed alcoholic is not cured by being invited to have one more drink, so a confirmed treatybreaker is not cured by being invited to sign a new treaty. The President is therefore right in demanding that Communists first demonstrate their good faith by complying with their prior agreements. Without such evidence of good faith, the conference becomes merely a Communist vehicle for propaganda purposes.

6. Cultural exchanges. Nikita Khrushchev's famous report of February 1956 lists cultural and business exchanges as one of those developments which will bring about the growing weakness of the United States and advance world socialism.[28] On June 2, 1957, Khrushchev appeared on American television screens and called for a wider exchange of cultural delegations. On December 22, 1957, the Communist Daily Worker declared that perhaps the best Christmas present Santa Claus will bring America will be the widespread cultural exchange of certain Americans with Soviet agents coming to this country.

On January 27, 1958, the United States signed a 2-year agreement with Soviet Russia for the exchange of persons in the cultural, scientific, technical, and educational fields. Matt Cvetic, former FBI undercover agent who worked with the Communists for 9 years, said: "Every single delegate from Russia or a satellite country with whom I ever came in contact myself, while posing as a Communist for the FBI, was either a member of the Soviet secret police or the Soviet espionage apparatus. The primary activity of every one of Moscow's cultural delegates while in this country is to promote the Communist world revolution." E. H. Cookridge, former British secret service agent and an authority on Soviet espionage, had this to say: "Every Soviet football team, every athlete competing at an international sport event, Soviet scientists attending a congress abroad, the Moscow Ballet performing in a western capital or a group of Soviet artists at a film festival are invariably accompanied by special agents of the Soviet secret police." Judge Robert Morris, who has spent the last 17 years intensively studying the Communist conspiracy, said: "In past years of the exchange, secret police have passed as farmers, ice skaters, clergymen, and scientists for the purpose of conducting espionage operations in this country."

We commend the Veterans of Foreign Wars for their brilliant evaluation of the program of cultural exchanges with Soviet Russia. The VFW said: "The United States is losing and Moscow is gaining through this program as it is now operated. * * * Moscow obviously wants only those exchanges and contacts which give its trusted agents an opportunity to mislead foreigners about the Soviet Union. * * * Moscow has also used the visitor-exchange program as a means of weakening United States security regulations." [29] We also commend AFL–CIO President George Meany for his statement on cultural exchanges: "No believer in the basic principles of free trade unionism could today conceivably desecrate these principles by undertaking to visit a country whose tyrannical leadership has for the 40 years of its existence been the avowed and uncompromising enemy of all human rights."

Cultural interchange with Soviet Russia is a one-way street. When Americans go to Russia, they speak only through interpreters, see only what the Communists want them to see and hear only Communist propaganda. For example, in the Ukraine, the Soviet Government built a children's playground over a mass grave of thousands of anti-Communists. Visitors to Russia, seeing only the surface, come home and report how kind Communists are to their children.

Ivan Pushkar, a Ukrainian imprisoned in slave labor camps in Siberia, testified before the House Select Committee on Communist Aggression[30] how the Russians would "stage these conducted tours for foreigners" with "ruse and fakery and fraud." Henry A. Wallace, in a frank article published in 1952, related that he did not realize during his tour of Soviet Russia how the Communists were making feverish efforts to hoodwink him. Wallace said it was only much later that he learned how a Communist slave labor camp had been transformed into a show city, with prisoners herded out of sight and watchtowers torn down, merely to deceive the American Vice President. Elinor Lipper verifies this in her book, Eleven Years in Soviet Prison Camps. As a prisoner in a slave camp visited by Wallace, she gives an inside account of how American tourists in Russia are deceived.

On the other hand, Communist visitors to the United States have been given access to our industrial and agricultural knowhow, as well as to some of our scientific and military installations. This knowledge has been used to strengthen the Communist dictatorship in areas where it is weakest, such as labor-saving devices and corn-hog production.

7. Recognition of Red China: Diplomatic recognition is essential to Communist subversion. The Communist espionage apparatus needs the diplomatic immunity of its embassies and consulates to set up spy

[25] HUAC, Marxist Classics, op. cit., pp. xxiv–xxv.
[26] What Is Behind the Soviet Proposal for a Summit Conference?
[27] U. S. Senate Internal Security Subcommittee, Soviet Political Agreements and Results, 1956.
[28] HUAC, Marxist Classics, op. cit., pp. xxiii–xxiv.
[29] Veterans of Foreign Wars, Guardpost for Freedom, December 1, 1957, and June 1, 1958.
[30] October 11, 1954.

centers. It needs the unbroken seal of the diplomatic pouch to transmit orders to its spies and couriers and to receive back their reports and microfilmed documents.

How the Red diplomatic apparatus functions is described in detail in the report of the Canadian Royal Commission [21] which investigated code clerk Igor Gouzenko's revelations, in the Report of the Australian Royal Commission [22] which investigated Embassy Secretary Vladimir Petrov's confession, and in the Senate Internal Security Subcommittee investigation of United States Communists working for the U. N.[23] conducted by Senator Herbert O'Conor, past chairman of this committee.

That Red China will model her tactics after the tactics of Soviet Russia is made clear by the statement of Premier Chou En-lai in the Communist magazine International Affairs:

"The great Communist Party of China, organized by progressive elements of the Chinese people, was founded and developed under the influence of the October Revolution, and was modeled on the Communist Party of the Soviet Union." [24]

8. Halt nuclear tests: The current Communist tactic to get an agreement with the West halting nuclear tests is similar to Soviet exploitation of the agreement made at Panmunjom not to rearm the North and South Koreans with jet planes and other modern weapons. The Soviets promptly violated this agreement. Then they violated its inspection clause by refusing to permit the neutral inspection team to inspect North Korean airfields.

Most experts agree that the net results of the suspension of nuclear tests would be that the United States would stop testing but that, within the vast, isolated Soviet land mass, there would be circumvention of the ban on testing.

The National Academy of Sciences, in a report on The Biological Effects of Atomic Radiation, said that the United States population is exposed to radiation from the natural background of cosmic rays, etc., of about 4.3 roentgens, and from medical and dental X-rays of about 3 roentgens. Nuclear weapons tests—if continued at the rate of the past 5 years would give a probable 30-year dose of about 0.1 roentgen. This is less than one would get from a radium dial on a wrist watch. This report was confirmed by a report to Parliament made by the Medical Research Council of Great Britain.[25]

9. East-West trade: Khrushchev's report of February 14, 1956, calls for East-West trade; [26] and this has been part of the Communist line for many years. Foreign trade, to a Communist country, is a means of waging cold war. It is a means of obtaining from the outside world the strategic materials with which it can arm itself for world conquest. Trading with the Communist bloc would be a psychological as well as a military defeat for the United States. The goods we might sell to the Communist bloc will be used against us just as the superb Rolls-Royce jet engines sold to Russia were used to power the Mig–15's against us in Korea.

In May 1958, Khrushchev sent an 8-page letter to President Eisenhower in which he brazenly suggested that the United States grant Soviet Russia long-term dollar credits in order to finance trade with the United States. We would not gain by trading our machinery for Soviet IOU's or even Russia's raw materials. The Senate report on the "Accessibility of Strategic and Critical Materials" issued July 9, 1954, shows that the Western Hemisphere contains all the 77 critical and strategic materials needed for military security. The answer to the propaganda for East-West trade is more North-South trade.

10. Propaganda: Communists are spending $3 billion a year on propaganda which is reaching every city and hamlet in our Nation. In one day, Communist propaganda coming through New York City alone fills three large warehouses, and not a single piece is labeled "Communist propaganda" as required by the Foreign Agents Registration Act. This propaganda comes not only from Russia, but also from Red China, from Iron Curtain countries, and from Western Europe. Much additional Red propaganda is published in the United States by Communist publishers.

The House Un-American Activities Committee recently reported: "Propaganda is part of a global program which ranks as one of the Kremlin's most important instruments of conquest." Henry Loomis, former Director of the Office of Research and Intelligence of the United States Information Agency, estimated that 25 million persons throughout the world are directly engaged in disseminating Communist propaganda.[27]

11. Humiliation: As a dialectical maneuver in between its peace offensive and its drive for a summit conference, the Kremlin uses the tactic of humiliation. This tactic had already been used by the Communists on American prisoners in Korea.

Communists masterminded insulting demonstrations all over South America against Vice President NIXON, which included spitting on him and the throwing of rocks and garbage. On July 18, 1958, a mob of 100,000 Communists gathered in front of the American Embassy in Moscow and threw ink bottles and stones which shattered most of the windows on the first five floors. All spring there was a wave of demonstrations against the American information agencies in various parts of the world, with burnings of the American libraries. This summer, there has been the series of kidnapings of American citizens: 9 United States soldiers held by East Germany, 9 United States airmen shot down in Armenia; and 47 civilians, sailors, and marines kidnaped in Cuba. In addition, there is an untold number of Americans who are being held captive in the Soviet Union. In an interview this summer, John Noble, one of the few captives who have been released, made this statement about American prisoners in Red slave-labor camps: "Every day the Russians taunted us—'If you had a Government in America, they'd get you out.'"

III. HINDSIGHT OR FORESIGHT?

On June 17, 1958, when the Soviet news agency, Taas, announced the executions of former Hungarian Premier Imre Nagy, Gen. Pal Maleter, and two other leaders of the anti-Communist rebellion of 1956, Western leaders expressed shock and dismay. General Maleter, the hero of the rebellion, was seized by the Soviets when he met with them under a flag of truce to negotiate the withdrawal of the Red army from Budapest. Nagy and his associates were executed, although they had received a written guaranty of safe conduct when they left their asylum in the Yugoslav Embassy.

To even the most elementary student of Communist history and tactics, these enormous acts of treachery came as no surprise. In March 1945, 16 top leaders of the Polish Government were invited to Moscow for negotiations and were promised on the word of honor of the Soviet Government, that they would have safe conduct. All 16 were arrested and then vanished. Nothing was heard of any of them until 10 years later, when the wife of General Leopold Okulicki was notified of his death 9 years before in a Soviet prison.[28] The perfect parallel between Soviet betrayal of safe-conduct pledges to the Poles in 1945 and to the Hungarians in 1958 should remind Western leaders of the old Indian maxim: "Pale face cheat red man once, shame on pale face. Pale face cheat red man twice, shame on red man." Since the Katyn Forest Massacre of 1943, it has been obvious that coexistence with communism is a contradiction in terms.

With each succeeding act of Soviet bad faith, many Western spokesmen express surprise. When anti-Communists reply, "You should have expected this," the politically naive make a common rejoinder: "That is mere hindsight; no one could have predicted that the Communists could be that bad." It is appropriate to point out that informed anti-Communists have always known and publicly stated that it is impossible to negotiate with international communism.

It was not hindsight, it was foresight when Secretary of State Bainbridge Colby said on August 10, 1920:

"The existing regime in Russia is based upon the negation of every principle of honor and good faith. • • • The responsible leaders of the regime have frequently and openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements. • • • Upon numerous occasions the responsible spokesmen of this power, and its official agencies, have declared that it is their understanding that the very existence of Bolshevism in Russia, the maintenance of their own rule, depends, and must continue to depend, upon the occurrence of revolutions in all other great civilized nations, including the United States, which will overthrow and destroy their governments and set up Bolshevist rule in their stead. They have made it quite plain that they intend to use every means, including, of course, diplomatic agencies, to promote such revolutionary movements in other countries. • • • We cannot recognize, hold official relations with, or give friendly reception to the agents of a government which is determined and bound to conspire against our institutions; whose diplomats will be the agitators of dangerous revolt; whose spokesmen say that they sign agreements with no intention of keeping them." [29]

It was not hindsight, but foresight when Secretary of State Charles Evans Hughes stated on March 21, 1923:

"We are just as anxious in this Department and in every branch of the administration as you can possibly be, to promote peace in the world, to get rid of hatred, to have a spirit of mutual understanding, but the world we desire is a world not threatened with the destructive propaganda of the Soviet authorities, and one in which there will be good faith and the recognition of obligations and a sound basis of international intercourse." [30]

It was not hindsight, it was foresight when Robert F. Kelley, Chief of the Division of Eastern European Affairs in the Department of State, wrote in a memorandum dated July 27, 1933:

"The fundamental obstacle in the way of the establishment with Russia of the relations usual between nations in diplomatic intercourse is the world revolutionary aims and practices of the rulers of that country. It is obvious that, so long as the Communist regime continues to carry on in other countries activities designed to bring about ultimately the overthrow of the government and institutions of these countries, the establishment of genuine friendly relations between Russia and those countries is out of the question." [31]

It was not hindsight, it was foresight when United States Ambassador to Moscow Laurence Steinhardt reported, on June 17, 1941:

"My observation of the psychology of the individuals who are conducting Soviet foreign policy has long since convinced me that they do not and cannot be induced to respond to the customary amenities, that it is not possible to create 'international good will' with them, that they will always sacrifice the future in favor of an immediate gain, and that they are not affected by ethical or moral considerations nor guided by the relationships which are customary between individuals of culture and breeding. Their psychology recognizes only firmness, power and force, and reflects primitive instincts and reactions entirely devoid of the restraints of civilization. I am of the opinion that they must be dealt with on this basis and on this basis alone." [32]

Former President Herbert Hoover predicted on June 29, 1941:

"The gargantuan jest of all history would be if we should give aid to Stalin in the war. • • • The result would be to spread communism over the world."

IV. CURRENT FALLACIES ABOUT COMMUNISM

So much misinformation is current about communism that it is appropriate to expose some of the major fallacies.

1. "Communism in the United States is dwindling in power because the party is dwindling in numbers." This popular belief shows a complete misunderstanding of Leninism. Lenin's great contribution to communism was his principle of the dedicated few. He coined the expression "the fewer, the better." He originated the party of professional revoluntionaries subject to military discipline. He rejected the idea of a popular party, and enunciated the principle that no one should be given party membership unless he was under discipline. This is how Lenin was able to establish communism with only 17 supporters and to take over Russia with only 40,000.

It is just as false to measure the strength of communism in the United States by comparing the small number of party members with the large number of non-Communists, as it would be to measure the seaworthiness of a ship by comparing the area of its holes with the area of its hull. A few strategically placed holes can sink the largest ship.

The real strength of communism in the United States is the number of non-Communist organizations and individuals who will collaborate with the Communists. For every Communist Party member, there may be 100 non-Communists who will do the work of the Communists.

The Communists now have 600 fronts. In addition they have "fronts in front of the fronts." Making use of their fellow travelers and dupes, plus their "united front tactic," the Communists boast they can have 50,000 letters on any issue sent to Capitol Hill or the White House inside of 72 hours.

2. "The Communist Party is just another political party." It has been indisputably established by the hearings of the Subversive Activities Control Board in 1951 and 1952, by 20 years of investigation by Congressional committees, and by the prior decisions of the Supreme Court in *Dennis* v. *United States* [33] and in *American Communications Association* v. *Douds*,[34] that the Communist Party U. S. A. is not just a minor political party like the Prohibition Party. In the Dennis case, Chief Justice Vinson rightly described the Communist Party as "a highly organized conspiracy, with rigidly disciplined members subject to call when the leaders, these petitioners, felt that the time had come for action."

Like an iceberg, eight-ninths of the Communist Party has always been underground. The crypto-Communists who carry no cards, and whose names appear on no party records, are the most dangerous Communists. Top Communist agents such as Klaus Fuchs, Guy Burgess, and Donald Maclean never marched in a May Day parade, never carried a hammer and sickle banner, never raised a clenched fist at a Red rally. They were effective agents because they were always underground conspirators, and never aboveground.

3. "Poverty breeds communism." This is the false "stomach" theory of communism. Communism is not a disease caused by an empty stomach; it is a disease of the mind and soul. Communism does not originate with the poor, the uneducated, the exploited, or the working class. Every major world Communist figure who became a Communist in a non-Communist country did so as a student intellectual, materialistic in philosophy and atheistic in faith. The list of important Communist agents who were well-fed student intellectuals includes Marx, Engels, Lenin, Stalin, Chou En-lai, Chou Teh, Mao Tse-tung, Ho Chi-minh, Alger Hiss, Harry Dexter White, Klaus Fuchs, Julius Rosenberg, Guy Burgess, and Donald Maclean. The Communist government of Kerala, democratically elected after the Hungarian revolt was crushed by Soviet troops, has 11 members; 9 are the sons of Indian aristocrats or intellectuals.

4. "The only alternative to peaceful coexistence is world war III with nuclear destruction of our cities." The Communists do not want to destroy us or our cities. A dead man is useless as a slave laborer. They want to take our cities intact as they captured Prague and the giant Skoda munitions works. They plan to capture America with native Communists, just as they took Czechoslovakia with Czechs, China with Chinese, Indochina with Indochinese, South Korea with Koreans, and almost took Spain with Spaniards.

The only alternative is not world war III. Another alternative is a declaration of independence for the satellites and oppressed peoples of Russia. The Kremlin would not embark upon a foreign war if it had or was threatened with a strong independence movement behind the Iron Curtain. The Kremlin remembers that communism came to power only because the Czar, and then the Kerensky government, insisted on forcing the people to fight a foreign war. The Kremlin remembers that in 1941 the Germans were welcomed as liberators, and were hard fought only after they failed to act as liberators.

V. SAFEGUARDING OUR REPUBLIC

1. Remedial legislation: In his testimony before a House Appropriations Subcommittee on January 16, 1958, J. Edgar Hoover said:

"Crime and subversion have become critical challenges due to the mounting success of criminal and subversive elements in employing loopholes, technicalities, and delays in the law to defeat the interests of justice." [35]

Hoover quoted a Federal judge who warned against "an unfortunate trend of judicial decisions • • • which strain and stretch to give the guilty not the same but vastly more protection than the law-abiding citizen." [36] In his speech to the national convention of the American Legion last fall, Hoover warned us:

"It would be the worst kind of folly to allow the spy and subversive immunity through technical rather than logical interpretation of the law, while they plot the destruction of our democratic form of government."

We urge that careful consideration be given to Congressional legislation or judicial construction which will:

1. Restore to Congressional committees the right to determine whether the questions asked of pro-Communist witnesses are pertinent.

2. Restore to Congressional committees the same freedom to investigate Communists and pro-Communists that these committees have always had to investigate businessmen and labor leaders.

3. Restore to the States the right to enforce their own antisubversive laws.

4. Restore to the Smith Act the provision which makes it a crime to teach or advocate the violent overthrow of the Government.

5. Restore to the Smith Act the meaning of "organize" which includes organizational work done after 1945, so that Communist organizers cannot hide behind the statute of limitations.

6. Restore to the executive branch the right to determine and to dismiss security risks in both sensitive and nonsensitive positions of the Government.

7. Restore to the States the right to set standards high enough to exclude from public employment and education those who refuse to testify about their Communist activities and associates.

8. Restore to the executive branch the right to question aliens awaiting deportation about subversive associates and contacts, and the right to deport aliens who are Communists at any time after entering the United States.

9. Restore to the executive branch the right to deny passports to those who refuse to sign a non-Communist affidavit.

10. Restore to the States the right to exclude from the practice of law those who have been members of the Communist conspiracy or who refuse to testify about Communist activities.

Although 8 years have elapsed since the passage of the Internal Security Act, the Communists have succeeded in preventing its enforcement and in blocking a final judicial determination of its constitutionality. The April 20, 1953, order of the Subversive Activities Control Board, issued after exhaustive hearings and backed by scholarly documentation, that the Communist Party, U. S. A., must comply with said act still awaits enforcement. We reassert the views stated in the brief we filed in the United States Supreme Court in support of this important legislation. If any part of this act violates the Constitution, the courts should so hold and Congress should pass new legislation or amend the old act to conform to constitutional requirements. If it is constitutional, the Communist Party and members should not have immunity from its security provisions during many years of protracted litigation."

2. Reevaluate the policy of recognition of Soviet Russia and its satellites: How diplomatic recognition can be used as a weapon in the cold war was well stated by House Majority Leader JOHN W. MCCORMACK on July 13, 1958, when he called for "a severance of diplomatic relations with Russia."

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[21] June 27, 1946.
[22] August 22, 1955.
[23] January 2, 1953.
[24] November 1957, p. 20.
[25] U. S. News & World Report, June 7, 1957, pp. 25–27.
[26] HUAC, Marxist Classics, op. cit., pp. xxiii–xxiv.
[27] Annual Report, 1957, p. 33.
[28] Mikolajczyk, Stanislaw, The Rape of Poland, New York, McGraw-Hill Book Co., 1948, pp. 111–112.
[29] U. S. Senate Internal Security Subcommittee, Second Report, March 22, 1954, p. 41.
[30] U. S. News & World Report, December 17, 1954, p. 128.
[31] Ibid., p. 130.
[32] Ibid., July 4, 1958, p. 72.
[33] 341 U. S. 494.
[34] 339 U. S. 382.
[35] Hearings on the Department of Justice, p. 174.
[36] Idem.
[37] Subversive Activities Control Board, Report, S. Doc. No. 41, 83d Cong., 1st sess., April 23, 1953.

Four American presidents refused to recognise the Communist Government of Russia, and it remained weak and ineffective so long as it was unrecognised. Communism began to spread through the world as soon as the United States extended diplomatic recognition in 1933, because, in violation of all international morality and even of the executive agreement by which recognition was extended, Soviet Russia used her embassies and consulates as centers of espionage, subversion, and propaganda.

In describing the recent case involving the Communist spy, Rudolf Ivanovich Abel, J. Edgar Hoover testified:

"I mention this case particularly, Mr. Chairman, because there are some people who think that the matter of Soviet espionage is a thing of the past and no longer exists in view of the theme of peaceful coexistence the Soviets continue to expound. Many of the incidents in the Abel case occurred in 1957." [46]

We must all realize that Communist governments use blackmail, counterfeiting, forgery, kidnaping, lying, mass murder, slavery, subversion, theft, and treaty-breaking as part of their official state policy. It is a matter of historical record that the Kremlin blackmailed the Allies into concessions during World War II by threatening to sign a separate peace with Hitler; that Communist governments have counterfeited American money and forged American passports; kidnaped American citizens and held them for ransom; kidnaped 28,000 Greek children in the cruelest mass abduction in modern history; murdered 11,000 Polish officers at Katyn Forest,[47] 6,112 American soldiers whom they captured in Korea,[48] and thousands of boys and girls in Hungary, forced millions of Polish, Latvian, Lithuanian, Estonian, Czech, Hungarian, and Ukrainian citizens to work as slave laborers in Siberia; stole 600 tons of gold bars worth $700 million from the Government of Spain in 1936; [49] destroyed by subversion the postwar Republics of Bulgaria, Czechoslovakia, Hungary, and Poland; and violated 50 of their last 52 treaties.

Nothing would slow down the Communist line more definitely than if the United States were to recognise the necessity of treating Soviet Russia as an outlaw and putting its Red agents in the same category. It would dry up the channels by which Soviet Russia spreads its propaganda, directs its espionage, and enforces its discipline on our citizens.

We invite serious attention to the speech of Richard L. Roudebush, commander in chief of the Veterans of Foreign Wars, to the national encampment of the VFW on August 30, 1957, in which he called on our Government to sever diplomatic relations with the Soviet Union.[50] Twenty-two State conventions of the American Legion have also endorsed withdrawal of recognition from Soviet Russia.

It has been claimed that our embassies in Communists countries have value as listening posts. Evidence is abundant that our embassies provide listening posts only for the Communists and not for Americans. American diplomats discovered a microphone had been hidden for years only a few feet from where our Ambassador to Moscow Joseph E. Davies dictated his top-secret reports to Washington. In the American legation in Communist Hungary, a microphone was discovered in the fireplace of the room where Cardinal Mindszenty resides. The Communists had a wire recorder on the legation roof.

We should, of course, continue to refuse recognition to Red China, and we should continue to press for the return of or a satisfactory accounting for the 450 American prisoners of war still held by Red China in violation of the Korean armistice agreement, as called for by House Resolution 292, unanimously passed by the House of Representatives on July 9, 1957.

3. Be prepared with a plan of action: One of the several lessons we learned from the Hungarian rebellion in October 1956, was that the West has no plan of action. The Voice of America, Radio Free Europe and promises of "liberation" by responsible American officials had kept alive the hope for freedom. But when the major breakthrough came in Hungary, we had no plan to help the freedom fighters. This aid did not need to be military, but it did need to be prompt. The Rev. Daniel A. Poling, editor of the Christian Herald, said in June 1958:

"There were 4 days when in the opinion [even] of Tito, recognition by the United States of the Nagy government would have saved the revolution. Nothing more than this was required. Red Russia waited until she knew we would not act—and then she came."

Similar lost opportunities to administer a fatal or crippling blow to world communism were the occasions of Stalin's death, and the Poznam and the East German rebellions. Each opportunity was muffed by the West because we had no plan.

Had our leaders understood the Communist dialectic, they would have known that we could have intervened to aid the Hungarian freedom fighters without running any risk of war with Russia. It would have been un-Marxian, an antidialectical for Soviet Russia to have fought the United States over the issue of freedom for Hungary. On the other hand, it was a dialectical advance for Soviet Russia to fight little Hungary, because—while going backward in world opinion over Hungary itself, it went forward in proving that the West will not heed anti-Communist pleas for help, and that Communist nations aid each other, but anti-Communists must fight alone.

4. Study communism: In 1937, Pope Pius XI asked a searching question about communism:

"How is it possible that such a system, long since rejected scientifically and now proved erroneous by experience, how is it, we ask, that such a system could spread so rapidly in all parts of the world?"

He answered his own question in these words: "The explanation lies in the fact that too few have been able to grasp the nature of communism."

Twenty-one years later, an additional 750 million human beings have been swept behind the Iron Curtain. But it is unfortunately still true that all too few people understand what communism is. Last year, our committee reported:

"The greatest asset the Communists have at the present time is not the hydrogen bomb, certainly not Soviet satellites, but world ignorance of their tactics, strategy and objectives."

When our enemy was Nazi Germany, our Government and military leaders studied every detail of the enemy and his strategy. One of the great generals of the European campaign was George S. Patton. Early in World War II, when the Germans were advancing, General Patton was asked one day if he wasn't discouraged. His answer was precise:

"I have studied the German for 40 years. I have read the memoirs of his great men. I have studied every detail of all his military campaigns. I have attended some of his staff courses. I know exactly how he will react under any given set of circumstances. He does not know what I will do. For this reason, when the time comes, I shall beat the hell out of him."

And this, he did.

We can no more save our Republic from communism merely by saying we are against communism, than parents can save their children from polio by fervently being against polio. To conquer any disease requires intelligent study to isolate the germ and discover the vaccine. As the number one killer in the world today, communism is a disease which merits our urgent study.

APPENDIX—RECOMMENDED READING

Books play a vitally important part in the history of government and economics. One need only mention Das Kapital, The Wealth of Nations, Uncle Tom's Cabin, and the Federalist Papers to be reminded that books have started wars, changed the economy of great nations, and established new governments.

A number of books published during the past year by some of the world's top experts on communism testify to the overriding importance of the Communist issue, and to the unhappy reality that the United States is losing the battle against international communism. A study of the following books and reports could halt the rising tide of world communism.

1. Congressional committee hearings and reports: For 20 years the House Un-American Activities Committee has been patiently investigating the Communist conspiracy. The reports of its hearings, and those of its Senate counterpart, the Internal Security Subcommittee, are an encyclopedia of information on this continuing conspiracy. The abuse which has been heaped upon these committees by the Communists and their fronts is itself an attestation of the value of these reports.

2. Masters of deceit: The Story of Communism in America and How To Fight It, by FBI Director J. Edgar Hoover (Henry Holt and Co., New York, 1958, $5). Mr. Hoover's preeminence as an authority on communism is unchallenged. This book provides us with a valuable primer on communism in the United States: its history, strategy, membership and future. He describes the day-to-day operations of the Communist Party, what goes on underground, and how discipline is enforced. He shatters many anti-anti-Communist arguments and shows why this is no time for complacency regarding internal subversion.

3. No Wonder We Are Losing, by Judge Robert Morris (The Bookmailer, New York, 1958, $2.50). Judge Morris has put into this book his personal record of 17 years' investigation of communism on behalf of the New York State Legislature, Naval Intelligence, and as chief counsel for the Senate Internal Security Subcommittee. Particularly important chapters concern the famous hearings on the Institute of Pacific Relations, communism's reach into education, and methods and rules of Congressional committees.

4. I Was a Slave in Russia, by John H. Noble (Devin-Adair Co., New York, 1958, $3.75). The author, an American citizen, was captured by the Russians just after V–E Day in 1945 and held prisoner for 9 years. In this book, he tells of his shocking experiences as a slave laborer in Siberia; of other Americans who are still there; and of the millions of political prisoners and how they are treated. This book is especially useful for those who believe in summit conferences and cultural exchanges with the Communists.

5. Communists Psychological Warfare: Consultation with Edward Hunter, by the United States House Un-American Activities Committee (U. S. Government Printing Office, March 13, 1958). In 25 pages of testimony under questioning by Staff Director Richard Arens, Edward Hunter gives a brilliant analysis of current Communist strategy and how it follows here the pattern so successful in Asia. A distinguished journalist, author, and expert on communism in the Far East, Mr. Hunter is the originator of the term "brainwashing." In this report, he warns that Communist psychological warfare is now winning such extensive victories in the United States that the Red bloc will not need to employ direct military force against us in order to win the total war which they are waging.

6. International Communism: Consultation with Dr. Fred C. Schwarz by the United States House Un-American Activities Committee (U. S. Government Printing Office, May 29, 1957). Dr. Schwarz is an Australian psychiatrist who is one of the world's top authorities on communism, particularly on the Communist mind. In this testimony, Dr. Schwarz gives his expert diagnosis, prognosis, and recommended treatment for the disease of communism. He shows how the first step in the Communist conquest of every country is the ideological conquest of the student mind.

7. A Guide to Anti-Communist Action, by Dr. Anthony T. Bouscaren (Henry Regnery Co., Chicago, 1958, $4). Dr. Bouscaren is the author of a number of authoritative works in the field of international Communist operations. He is a professor of political science at Marquette University, Milwaukee, Wis., and is currently teaching at the National War College, in Washington, D. C. This book provides specific answers to the question of how individual Americans can combat communism with knowledge and facts.

[46] Hearings on the Department of Justice, op cit., p. 178.

[47] U. S. House Katyn Forest Committee, Final Report, December 22, 1952.

[48] U. S. Senate Committee on Government Operations, Permanent Subcommittee on Investigations, Korean War Atrocities, January 11, 1954.

[49] National Republic, February 1958, p. 3.

[50] VFW, Guardpost for Freedom, October 1, 1957.

TRIBUTE TO SENATOR WILLIAM F. KNOWLAND, OF CALIFORNIA

Mr. BRIDGES. Mr. President, as we approach the close of the 2d session of the 85th Congress it is fitting to pay honor to those Senators who are retiring from this body.

I may be rightly accused of making the understatement of the year when I say there have been differences of opinion among the Members of the Senate. There have been differences of opinion between the Senator I rise to honor today and various other Members of the Senate. But I believe that practically all the Members of this body are of one opinion about the Senator of whom I speak today.

And that joint opinion is that BILL KNOWLAND is a man of moral soundness, honesty, and uprightness—in a word, he is a man of integrity.

That word integrity was used by nearly every speaker to describe BILL KNOWLAND when he announced last year his intention to retire from the Senate at the end of his term. It was used again by nearly every speaker on the occasion of BILL KNOWLAND's 50th birthday anniversary last June 26. Indeed, as the junior Senator from California [Mr. KUCHEL] said at that time, BILL KNOWLAND "may be called today Mr. Integrity."

INTEGRITY COUPLED WITH COURAGE AND VISION

In BILL KNOWLAND integrity is coupled with courage and vision. His intelligence enables him to grasp problems and find their solutions. His vision enables him to choose the solution which goes to the heart of the problem. Mere surface treatment is not enough for BILL KNOWLAND. His vision has deep roots. He has been a keen student of Government ever since he was a boy.

BILL KNOWLAND's integrity, and the courage he has shown to assert his convictions, not infrequently have placed him in conflict with the convictions of others. These conflicts have shown him to be a hard and outspoken fighter who placed the importance of the issue at conflict above any fear of unpopularity. This is the real test of courage in politics.

Some have said that BILL KNOWLAND has stood up to this test too well for his own good.

I do not subscribe to this.

I believe the American people admire men of such unselfish convictions.

I believe the American people need more men of such unselfish convictions.

I believe the American people will continue to reward such men.

I admit that there is a great danger for such men of outspoken and unselfish conviction in today's trend away from individual interest in politics in favor of organized pressure in politics. But I am convinced that in every individual American there is a deep respect for men like BILL KNOWLAND who will face such pressures unafraid, and who place the cause of individual freedom above any fear of political consequences. And I believe this respect from many individual Americans for individual leaders like BILL KNOWLAND will make itself known where it counts and to their mutual benefit.

A DEDICATED MAN

BILL KNOWLAND is leaving this body, but he is not leaving the cause of good government. He is constitutionally unable to do so. His dedication to the common good will not let him do so.

This dedication is the driving force in BILL KNOWLAND. From it comes his earnestness, his seriousness, his great capacity for work. This dedication has been evident throughout his 25 years of robust service to his State and country.

It was evident in his first elective office after his election as a member of the California State Assembly in 1933.

It was evident in 1934 when he went on to a 4-year term in California's Senate.

It was evident in 1938 when he became Republican national committeeman, and 2 years later when he became head of the committee's executive committee.

It was evident when he entered the Army as a private soon after the start of World War II, and when he won a commission the hard way, and wound up with a forward echelon in Normandy in July 1944.

FROM BATTLEFIELD TO FLOOR OF UNITED STATES SENATE

His ability and his sense of dedication won for him his appointment from the battlefield to the United States Senate in the summer of 1945. The story is well known how he learned of his appointment by reading a copy of Stars and Stripes. In 1953, he was elected majority leader and became minority leader in 1955.

Through all this service to his State and to his country, BILL KNOWLAND has shown his dedication to the common good. The rewards which have come to him and the honor paid him have been incidental, though I am sure they have been deeply appreciated by him.

I am sure that this dedication to the common good will continue to be evident throughout BILL KNOWLAND's life.

I am sure he will continue to be an energetic force for good government in whatever roles of service lie ahead for him.

In these future roles, I wish him success—for his sake, and for the sake of the people of California and of the whole Nation.

I shall miss BILL KNOWLAND's presence here. Mrs. Bridges and I extend our sincere wishes for a long and happy life.

TRIBUTE TO SENATOR IRVING M. IVES, OF NEW YORK

Mr. BRIDGES. Mr. President, as adjournment nears, I know that all of us regret the necessity for IRVING IVES' decision not to seek reelection. For each of us will sorely miss the companionship, the counsel, and the understanding of our good friend, the senior Senator from New York. I speak from personal knowledge as a colleague for 12 years. I know of his conformity for work, his sincerity and intelligence.

SIXTEEN YEARS IN NEW YORK STATE ASSEMBLY

His 16 years of experience in the New York State Assembly, followed by the 12 fruitful years he has spent here in Washington, gave him a knowledge and appreciation of the legislation process which made him one of the most effective and able Members of this body.

His career in the Senate began with important work in shaping legislation in the field of labor-management relations, a field in which he is acknowledged to be one of our Nation's leading students. As a freshman Senator in 1947, he played an extraordinary and important role in helping to shape the Taft-Hartley Act.

And in the present session of the Congress, his years of investigative activity have borne fruit in many ways, not the least of which has been his service as the able vice chairman of the Select Committee on Improper Activities in the Labor or Management Field.

BACKGROUND IN HIS HOME STATE

Senator IVES was already an expert on labor legislation when he came to Washington. He played a key role at Albany in the enactment of many of New York State's labor laws. As chairman of the joint legislative committee on industrial and labor conditions of the New York State Legislature, he was the author and sponsor of legislation creating the New York State Department of Commerce and the New York State School of Industrial and Labor Relations at Cornell University. He was appointed as the first dean of the School of Industrial and Labor Relations of Cornell University in 1945, serving in that capacity until he began his career here in the Senate.

He was also a pioneer in the field of civil-rights legislation. The enactment in 1945 of the Ives-Quinn law in New York State brought into existence the first legislation by any State to prohibit discrimination in employment because of

race, creed, color, national origin, or ancestry. And all of us here in the Senate are well aware of how his interest in civil rights has continued here in Washington. IRVING IVES has ever been in the forefront of the battle for such legislation on the national scene.

WORLD WAR I VETERAN

A veteran of World War I, Senator IVES has been a banker, insurance man, and educator—but first and foremost, he is a legislator, a man of conviction, honesty, and courage. He has served the citizens of New York most ably in the Senate. For example, passage of the Niagara power legislation last year was a landmark in that service.

Political experts have told me that he could have been reelected, but his health would not permit him to make the sort of campaign he would have wanted to make. And this is a source of real sorrow for all of us. I bid him and his charming wife well in their return to private life.

TRIBUTE TO SENATOR RALPH E. FLANDERS, OF VERMONT

Mr. BRIDGES. Mr. President, it is with mixed feelings that I address myself to a subject which I know is of interest to every Member of this body—the retirement this November of Senator RALPH E. FLANDERS, of Vermont.

I say my feelings are somewhat mixed because, on the one hand, I regret that he will be no longer associated with us in the Senate, and on the other hand, I envy his return to one of the loveliest sections in America.

RALPH E. FLANDERS was born in Barnet, Vt. His father came of a family so poor that he had to be "bound out" as a boy for a year at a time to farmers in need of help who were willing to support him.

But this distinguished Senator, who went to school 8 years and never attended any college, has been awarded 8 honorary degrees from leading American universities.

CONNECTION WITH NASHUA, N. H.

Senator FLANDERS spent his twenties in short periods of employment to gain experience under different conditions. The one which he looks back on with particular pleasure was a year and a half connection with a Canadian-French inventor which resulted in the design of a automatic paper-box machine which is still being made and still going strong in the city of Nashua, N. H. He soon wrote one book on gearing and became a national and even international authority on the subject.

At this attracted the attention of the Fellows Gear Shaper Co., in Springfield, Vt., which offered the future Senator a job which he gladly accepted.

After 2 years, an opening occurred in the Jones & Lamson Machine Co., in Springfield, and an unsuccessful machine which appeared to have great possibilities was turned over to RALPH FLANDERS for developing. This task engaged his attention for the next 4 or 5 years. He completely redesigned the machine, enlarged its field of usefulness, took out a number of patents on his improvements, and began its development as a main product of the company. At this time he was made manager of the company as a whole and, in 1939, succeeded to its presidency, which position he held until he went to Boston in 1944.

During World War II, RALPH FLANDERS was called to Washington to administer machine tool priorities, a job which he continued until it was well organized. Other Government assignments continued, including industry adviser to wartime OPA; special adviser to the Navy on the acceleration of torpedo production; and most important, membership in the Economic Stabilization Board.

PRESIDENT OF FEDERAL RESERVE BANK

In May 1944, Senator FLANDERS was honored by being elected to the presidency of the Federal Reserve Bank of Boston. His 2 years in this post gave him the opportunity to render a major service to all New England.

He was appointed United States Senator in November 1946, to fill the unexpired term of Senator Warren Austin. He was subsequently elected for the full term and was reelected in 1952.

Since joining this body he has served on numerous Senate committees, including the Banking and Currency, Rules, Post Office and Civil Service, Armed Services, Finance and the Joint Economic Committee.

He has sponsored, or cosponsored, nationally important legislation on such vital subjects as housing, labor relations, voluntary health insurance, United Nations emergency force, and disarmament resolutions.

I know I speak for every Member of the Senate when I express my sincere wish to RALPH and Mrs. Flanders that they enjoy to the utmost a happy retirement in the State which he loves.

Mr. President, I have previously expressed myself relative to the retirement from the Senate of the distinguished Senator from Indiana [Mr. JENNER], the distinguished Senator from New Jersey [Mr. SMITH], and the distinguished Senator from Pennsylvania [Mr. MARTIN].

Mr. JOHNSON of Texas. Mr. President, will the Senator from Nevada [Mr. MALONE] yield 2 or 3 minutes to the Senator from South Carolina, with the understanding that the Senator from Nevada will not lose the floor? The Senator from South Carolina was seeking recognition before the quorum call.

Mr. MALONE. I am glad to yield for that purpose.

INCREASE IN PUBLIC DEBT LIMIT

The Senate resumed the consideration of the bill (H. R. 13580) to increase the public debt limit.

Mr. THURMOND. Mr. President, I desire to go on record against the increase in the debt limit. In the spring of this year, Congress increased the debt limit from $275 billion to $280 billion. Now it is proposed to increase the debt limit $8 billion more, which will make the total $288 billion.

It is my firm opinion that if the United States is to remain a free country, we must remain strong militarily and strong economically. We cannot remain strong economically by continually increasing the debt.

It is my firm conviction that the administration must discontinue recommending programs which will plunge the Federal Government further into business in competition with private business and encourage greater spending on the part of the Federal Government.

I firmly believe that Congress must discontinue launching new programs of the kind which we launched here today for education, as to which the Federal Government has no jurisdiction under the Constitution, and also the foreign-aid programs involving the giving away or spending of several billion dollars. There are other such unnecessary programs which I could mention.

I think we must call a halt, and now is the time to do it. The only way we will stop spending is to stop increasing the debt limit. If we do not raise the debt limit, then we will be prohibited from going any further with our spending.

It is for these reasons that I wish to be recorded in opposition to any increase in the debt limit.

FREE LABOR AND ENLIGHTENED MANAGEMENT—NEW APPROACH TO OUR LATIN AMERICAN RELATIONSHIPS

Mr. MORSE. Mr. President, I ask unanimous consent that the Senator from Nevada [Mr. MALONE] may yield to me for the purpose of my making a brief statement, with the understanding that he will not lose his right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. MALONE. I yield for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, during the past 3 weeks, when I was preparing this speech, I did not know it would perform the function it is about to perform, namely, of providing a breath-catching period following forensic gestures in the Lake Michigan diversion debate. But after listening to that delightful debate, I see now that my speech will serve more than its original purpose.

I prepared this speech as chairman of the Latin America Subcommittee of the Foreign Relations Committee; it is the subcommittee which has been entrusted by the Senate with a study of Latin American relations. Copies of the speech have been in the press gallery for many hours. It is a major speech by me, as chairman of the Subcommittee on Latin American Problems. The title of the speech is "Free Labor and Enlightened Management—A New Approach to Our Latin American Relationships."

THE RUDE AWAKENING

Mr. President, now that the initial shock has passed, we can begin to develop some perspective on the trip to South America made by the Vice President of the United States.

We know that the incidents which marred that journey probably were started by, and certainly were exploited by Communists. Spitting upon a woman is a tactic fully in character with the executioners of Hungary.

But we also can begin to recognize that communism is not the whole story. It took the shock of the Nixon journey to stimulate more realistic and purposeful thought about Latin America in this country.

STRONG FRIENDSHIP WITH LATIN AMERICA ESSENTIAL TO UNITED STATES SECURITY

In our confidence that we and Latin America were "good neighbors," we allowed ourselves to become preoccupied with other areas and other problems. Certainly, we need not have ignored the significance of the fact that the Soviet bloc presses in upon Western Europe or the fact that the Middle and Far East are in a most turbulent state of political turmoil. Certainly, these facts are of critical importance to us. Nevertheless, we had only to refer to World War II to remind ourselves that Latin America also is critical to the United States in time of emergency. Within 1 year of Pearl Harbor, 11 of the Latin American countries declared war on our enemies. During the war, the United States imported from Latin American countries about 80 percent of their total copper output, 100 percent of their oil, and 75 percent of their lead and other strategic war materials.

Now, as then, Latin America is an area essential to the security of the United States whether we are aware of the region or forgetful of it. If peace is urgent for the United States, then it is essential to have "area policies" for peace. Latin America is one of the areas in which we require these policies. It is within this scope that the Subcommittee on American Republic Affairs will examine United States Government policies toward Latin America. These policies are based on many complex factors and it is not my purpose now to go into matters which the subcommittee, over the coming months, will study in great detail. What I should like to suggest today is that some of the most important factors in United States-Latin American relations may be primarily outside the scope of official United States Government action.

UNITED STATES CITIZENS IN LATIN AMERICA—EMISSARIES OF GOOD WILL AND UNDERSTANDING

To North Americans and Latin Americans alike, the word "neighbor" suggests a personal and not an official relationship. A neighbor is a friend, not an official envoy from some distant power. Who, then, is the average Latin American likely to use as his measure of United States good neighborliness—the occasional United States diplomat confined by necessity and custom to political circles in the capitol or the ever-present United States businessman and engineer who is everywhere that commerce is—in the remote oil fields, on the plantation, and at the mines? It is these men—the businessmen and the technicians who are physically the Latin's neighbor and in many cases his employer. Statistics alone indicate the importance of the nonofficial groups of our citizens in Latin America. There are only about 1,000 United States diplomats in Latin America as compared to 112,815 private United States citizens living in these countries. The opportunity and responsibility of the private citizen to contribute to his country's stature, therefore, is obviously very great.

I speak here not of personal diplomacy in social relations, important though this may be, but of the heavier responsibility that comes with the conduct of business relations. For it is in the world of business that the United States has its largest, most frequent, and most widespread contact with Latin America. Although the total number of United States companies operating in Latin America has never been officially estimated, investments in Latin America today run over $7.5 billion. This investment has increased 12.1 percent since 1950. These investments, moreover, are in industries that are crucial to the economic well-being of many a Latin American company. That is true, for example, of the oil industry in Venezuela, the copper industry in Peru, and the plantation industries of Central America.

BUSINESSMEN SYMBOLIZE THE UNITED STATES TO LATIN AMERICANS

Hence, the United States businessman, whether he wishes so or not, is the prime focus of Latin American eyes. His policies, most of which are beyond the scope of formal government-to-government relations, are in fact a major criterion by which the United States is measured. By way of an illustrative parallel, let us imagine, for a moment, that the United States steel and automobile industries were managed by foreign businessmen. We should then recognize how sensitive our politicians, our press, our labor leaders, our business leaders, our intellectuals, and students would be to every move and every policy of that management. Would we be any less quick than Latin America to see "exploitation" in that management? Would we be any less ready to listen to charges of "imperialism" raised by the extremists among us? Certainly the polices of that foreign management would be for millions of American workers a more real, personal, and tangible measure of that foreign government than anything done by its ambassador in Washington.

GROWTH OF THE TRADE UNION MOVEMENT IN LATIN AMERICA

In his role as employer, then, the United States businessman is a most real and personal representative of the United States to the single largest group of Latin Americans—the working people. The number of these people who are organized is growing daily.

Ten years ago, Latin American trade union membership was 3,765,000; today that figure is 12,019,000, an increase of 319 percent. The increase for some of the more highly industrialized countries is even more impressive. During this period the percentage increase in trade union membership in Argentina was 84 percent; for Brazil over 500 percent; and for Uruguay 432 percent.

The actual figures showing the increases over the 10-year period are these:

Argentina	500,000	4,200,000
Brazil	500,000	2,536,000
Uruguay	75,000	183,000

Even in Central America—the most agriculturally dependent area—the past 2 years has seen the formation of national unions in all countries.

THE POLITICAL IMPORTANCE OF THE LABOR MOVEMENT IN LATIN AMERICA

Because of this growth in numbers and in organization, the workers of Latin America are far more than just an economic group and their attitudes are far more than just a business problem. They must be regarded as a major force, in certain countries, the decisive force, in determining national political destinies.

In Argentina, in 1946, it was the workers who brought Peron to power. In Bolivia in 1952 it was the workers who by force of arms installed the present government. In 1958, a few months ago, it was the workers who were a powerful factor in overturning the dictators of Venezuela and Columbia.

This political potential of the worker to be manipulated in the quest for power has, of course, been of fundamental concern to the Communists since 1948 when Marx first issued his manifesto to the proletariat. Today in 1958 this Communist interest in labor is no less persistent.

GRAVE THREAT OF COMMUNIST DOMINATION OF SOUTH AMERICAN LABOR UNIONS

In Ecuador, the Communists control the national labor movement. In Uruguay and Chile the Communist-controlled unions outnumber those of the free trade union groups. In Argentina, Brazil, Peru, and many other Latin American countries Communist labor elements in certain key sectors of the economy are strong. If this were not enough—and we know that partial control is never enough for the Communists—their training of Latin American labor leaders is going on at a disturbing and almost incredible rate.

Latin American attendance at Communist-sponsored schools and gatherings held behind the Iron and Bamboo Curtains is indicated by the following: During the single year of 1957 a total of 168 persons representing 18 different delegations attended these various meetings, rallies, and schools. This constituted a sizable increase over 1956 when only 11 delegations representing 80 persons attended such labor gatherings behind the Iron Curtain. Those individuals who attend these labor gatherings and schools receive a thorough grounding in Communist principles, tactics, and action programs. Upon return to their respective countries their progress is closely followed through correspondence, visits from officials of the Communist international labor organizations, and regional meetings held under the auspices of the Latin American arm of the World Federation of Trade Unions, the Confederation de Trabajadores de America Latina.

Labor gatherings, rallies, and schools constitute only a part of the total Communist program. The World Conference of Teachers which was held in Warsaw during August of last year was attended by 10 country delegations from Latin America. This conference was sponsored by the Communist teachers organization. Even larger than these Communist mechanisms are the cultural, professional and front delegations, which do not fail to include Latin American representation. Perhaps it was recognition of these facts, the growth of the political potential of Latin American labor and of Communist interest therein, that brought Vice President NIXON to the conclusion that we in the United States "must take more of an interest in Latin American labor."

FREE UNITED STATES LABOR—MODEL FOR LATIN AMERICAN LABOR

For many years the American labor movement has taken a substantial interest in the trade unions of Latin America. Their programs are conducted through the various international labor organizations, some of which have been in existence 60 years, and are paid for by the dues of the 15 million trade unionists in the United States together with trade unionists from other areas of the world.

The purpose of these activities, as has been stated by President George Meany, of the AFL–CIO, is to "help our trade-union colleagues in other lands in their efforts to build free unions. We think it is absolutely essential for the freedom and economic health of these lands that they have strong free trade-union movements with full opportunity for genuine collective bargaining and decent working conditions."[1]

In Latin America these private labor activities go back to the 1920's. They were intensified in the post-war era and in 1948 it was largely under the leadership of the United States labor that the free trade unions of the Western Hemisphere split from the Communist international labor organizations and formed a new and democratic group of their own—the Inter-American Confederation of Workers. This organization was followed by the present Inter-American National Organization of Workers—ORIT—which was founded in January, 1951 as the Western Hemisphere branch of the International Confederation of Free Trade Unions—ICFTU. I think trade unionists everywhere may take justifiable pride in the fact that this hemispheric labor organization that they helped to found and support, today outnumbers the Communist international organization by 5,881,000 to 204,207, a ration of 29 to 1.

Other activities of United States Labor in Latin America have been educational and developmental in nature. For instance, in the case of Guatemala, the Communists dominated the labor movement until 1954, when the Communists were forced out of power. Until that time, there was an almost complete vacuum of leadership in trade union ranks. It was the United States unions, working through the hemispheric organizations, which sponsored the program to restore Guatemalan trade unionism under democratic leadership.

UNITED STATES LABOR STRENGTHENS BONDS OF FRIENDSHIP BETWEEN UNITED STATES AND LATIN AMERICA

One major effect of these programs has been to create a substantial bond of understanding and friendship between the Latin American and United States unions. It is an almost ironic coincidence that at the very time last April and May when the Vice President was in Latin America, an international labor delegation, including United States unionists, was also visiting the area. Instead of the hostile demonstrations that greeted the official representative of the United States, the labor delegation was warmly welcomed at the same airports by hundreds of Latin American workers. There is a lesson here, I think, in the meaning and effectiveness of people-to-people relationships. While these activities are undertaken by labor for labor's sake, they are also a substantial factor in building in Latin America a more complete and accurate picture of what we mean by the United States.

UNITED STATES BUSINESSMEN SHOULD DIRECT THEIR ACTIVITIES TOWARD BUILDING FRIENDSHIP WITH LATIN AMERICA

However much United States labor continues to build and expand its activities in Latin America, the fact remains that the greater opportunity and responsibility for creating good relations with Latin America lies with United States business. In its industrial relations, business wields much greater and more immediate economic power. The record of United States business in Latin America is, unfortunately, a mixed one.

There is no doubt that United States employers, generally speaking, pay better wages and create better working conditions than domestic employers in the countries to the south. According to the publication the National Association of Importers and Exporters of the Mexican Republic — in the June–July 1956 issue—for example, United States employers pay in the top 10 percent of the wage scale. In this respect United States business is in the vanguard of enlightened Latin American management.

However, the fact remains that some United States businessmen in Latin America still follow labor relations policies which are as outmoded and dangerous as the stereotyped thinking that classifies Latin America as the "banana republic" region or as a "backward area." These stereotypes, if they were ever true, gave rise to a form of paternalism in labor relations that is still too prevalent today. Some companies, even though they do pay good wages and create good working conditions, do so through the medium of a company union. They are surprised and injured to find that this device—a dying institution in the United States—is resented in the same fashion by ever-growing numbers of 20th-century Latin American labor leaders. Other companies, living in an even more distant and unreal era, are fighting a bitter, rear-guard action against all unionism. They treat all labor leaders, whether trained in Moscow or under the auspices of free and democratic labor groups, as subversive elements.

The important fact is that the leaders of genuine free labor organizations in Latin America are just as devoted to their countries and to the interests of working people as are their counterparts in the United States. Like them, however, they are determined to overthrow the era of paternalism in Latin America, as we began to do in this country in the 19th century.

SHORTSIGHTED BUSINESS PRACTICES HURT OUR LATIN AMERICAN RELATIONS

My purpose here is not to raise a specific labor dispute or to question a specific employer, whose central headquarters probably may not even be aware of the actions of its local manager. Rather, it is to raise the general question: Who wins by vicious, outdated antilabor tactics? Obviously, it is not the Latin American worker. He is aware, if some management is not, that the era of paternalism is past. If responsible unions do not lead him to victory over paternalism, he will seek elsewhere for the leadership to destroy this evil the next time.

It is not the companies that will win, since at best they can reckon only a short-term gain in outmoded labor practices preserved, a gain maintained in many cases at the very high money cost attached to union-busting tactics. Even if these companies succeed in breaking democratic unions, they will face the prospect of dealing across the bargaining table with some of the alumni of the Moscow trade-union schools whose course in economics is very simple: Since all United States business is "exploitation" and "imperialism" it must belong to the state. In such negotiations the issue at stake will not be only the manager's labor practices but perhaps his business itself.

Certainly, neither the Latin American or United States Government has anything to win by hollow victories over free-trade unions except crises. Too often, government is called upon, like the fire department, to intervene in the blaze of misunderstanding and ill will which stems from a breakdown in industrial relations, a breakdown which, in turn, spreads its evil until a major issue exists between nations.

The responsibility for a breakdown is, of course, not one sided. As in any joint effort, responsibility is required on all sides. The unions cannot make demands which go beyond the capacity of Latin American industry to sustain. Latin America is in a fierce and sometimes desperate competition with other areas of the world to sell its products at competitive prices. It is one of the hard facts of the open market that if the price is too high or does not produce a reasonable profit, the product will go unsold, the factory, mine, or plantation will close, and the workers' jobs will disappear.

FREE AND DEMOCRATIC LABOR UNIONS—A STABILIZING INFLUENCE IN LATIN AMERICA

Certain countries of Latin America, especially those with inflation, are also beset by an equally fierce and desperate competition between the cost-of-living and the income of its workers. Wage levels and living standards in certain countries are incredibly low, as anyone familiar with the Latin American scene knows only too well. Can one question the urgent human need that impels workers to seek a living wage? Can one dispute that a most urgent effort is needed, however complex this may be, to raise living standards in these countries? Can we not see where the quick, easy slogans of the extremist may be more appealing to desperate men and women who are compelled to work for a pittance than the realities of the industrial age or the financial complexities of the international market?

I believe there is encouraging evidence that the democratic labor leaders of Latin America are learning and accepting the difficult and responsible role which they must play. They must press for the legitimate and urgent needs of their members without resorting to the extremism which would bring their economic house down about their heads. In this respect they are following and indeed, as we have seen, learning from the American labor movement which for more than half a century has developed the techniques of modern trade unionism in the largest industrial society in the world.

As a case in point, I should like to call attention to a document that was written only 2 months ago by a group of 170 Latin American trade union leaders from 8 South American countries who attended a training seminar conducted by the free international labor organizations in Montevideo, Uruguay. This document expresses the conclusions of these Latin Americans as to what a trade union is and discusses at length the various technical aspects of bargaining, negotiation, and other matters of importance in labor relations. From the section which explains the various provisions of a model collective contract I should like to quote the following excerpts:

> One of the first clauses of the collective contract should establish that the employer recognizes the union as the representative of the workers and thereby recognizes the union demands as being those of the workers which they wish established in a collective contract.
>
> Another clause of the agreement is that which provides for the rights of the employer, since the workers already have rights and duties. What the employer desires principally is the high morale of his employees, continuous production during the term of the collective agreement, and the economic stability of his company which the workers should encourage in order to obtain more advantageous conditions in a new collective agreement.
>
> For this reason, mention is made in many collective agreements of the rights of the employer in addition to the rights of the worker, such as his management of the company, increased production by acquiring new machinery, the dismisal of workers who do not fulfill their obligations as described in the contract, and also the expectation of union cooperation in maintaining efficiency in the company which will eventually help both management and workers maintain their prosperity.

I think that such a contract is a model not only of aggressive trade unionism but of mature economic responsibility.

It is with this type of democratic trade union leader that United States management in Latin America can and must deal. It can deal with him because there is a responsibility on both sides, such as we have long been accustomed to in the United States. It must deal with him because if it does not, other are waiting to lead; others, who, as I have previously noted, may well have been schooled in a hostile country and in a hostile doctrine.

For too many years we have had too much misunderstanding with Latin America, as the Vice President's trip so painfully brought home. We, as well as the vast numbers of responsible Latin Americans, have heard too much of "exploitation" and "imperialism." Some of these attacks against the United States business are made by angry men simply because the United States is a large and powerful and foreign target, even though far more deserving objects of their anger can be found among the ranks of their native employers. But we must also recognize that there have been, and still are, too many cases where actions by shortsighted elements of United States business have provoked the charges against us.

I use the word "us" advisedly since the charges are not made against this particular company or that corporation, but against the United States as a whole. There may have been simpler days when it was possible to operate in Latin America solely on the thesis "business is business." But these simple days, all of us know, have long since fled before the specter of cold and hot wars. A businessman of any experience in Latin America must know that he and his company, whether they wish it or not, are taken to represent the United States; that international business is part and parcel of international politics, and that in addition to his responsibility to his company and its stockholders he carries an equally heavy responsibility to the Nation.

IMPROVEMENT OF OUR LATIN-AMERICAN RELATIONSHIPS THROUGH ENLIGHTENED INDUSTRIAL RELATIONS

I would suggest United States business use the initiative it applies in other matters to set its record straight with the Latin Americans. Those companies who do have modern industrial relations policies should be more aggressive in making these facts clearly and widely known. Truth is by far the most effective answer to the cries of "exploitation" and "imperialism."

Mr. President, in the last analysis, if American businessmen who are in South America set a good example of the operation of a free economy, in accordance with the principles of the free economy in the United States, that is the best answer to the Communists, because when American businessmen go to South America and really put into practice the system of free enterprise in the United States—including the inherent part of it which deals with collective bargaining—they give the best answer to the Communists in South America.

Those companies which cannot with equal candor expose their present industrial relations policies to searching public review should, as the first and essential step, change these policies to conform to the realities of modern industrial society. The Latin American public does search and does review these policies whether the companies like it or not, and the enemies of the United States make the most of the shortcomings they find.

There is, then, a need to interpret the rules of a "modern industrial society"—and for an interpretation which clearly, and unequivocally sets forth the guidelines within which American firms will conduct industrial relations in Latin America. These rules can, of course, only be general guidelines since labor legislation, customs, and economic and social conditions vary in Latin America from country to country. Nevertheless, guidelines can do much to eliminate the type of confusion which is evident today. I want to stress that I believe action on this front ought to be prompt because our Nation is damaged to the extent that we fail to act abroad in general accord with the progressive principles of industrial relations which we apply in the United States.

One thing is certain—just as the era of paternalism is passing, so has the era of intervention in Latin America already passed. While the United States Government will continue to give proper protection to its citizens and their interests abroad, this is not the 19th century. The United States Marines are an arm of the United States Government and not of the industrial relations departments of United States business in foreign lands. If United States management follows enlightened policies abroad, I believe that it will have no need for the Marines. On the contrary, it will have the cooperation of host countries in performing management's unique and truly creative role, that of expanding and improving a country's economy while insuring for itself an equitable and just return on its investment. But if short-sighted labor policies are pursued—given the explosive temper of the times—United States business management will bring down a torrent of hatred not only upon itself but upon all of us.

Both we and the Latin American countries alike have had enough of crises. We need durable policies which will build a true and lasting understanding between our peoples. While official policies are of great importance in this regard, there are many equally important areas of United States-Latin American relations that are in the hands of private citizens. I have spoken today at some length about one such area, that of industrial relations. I have done so because I believe that history will record as one of the major events of this era the emergence of industrial society in Latin America. In such an emergence, the conduct of United States business abroad can be crucial, both for Latin America and ourselves, since it has such a tremendous potential for leadership and an equally great potential to produce crises.

There are, of course, many other important areas where our private citizens can help to bring about a real understanding between the United States and Latin America. The field of education,

[1] From a talk delivered by George Meany, October 17, 1957, in San Francisco, Calif.

as evidenced by the activities of the Latin students during Mr. NIXON's trip, is an obvious and important one. The fields of medicine and agriculture, in which our private foundations as well as our Government has been very active, are among many others. Since I consider these areas of private cooperation and understanding to be of the greatest effectiveness and importance, I hope that the Subcommittee on American Republics Affairs will review most carefully how our official Government programs can properly assist and supplement these efforts.

Whatever Government programs and activities are undertaken abroad, they cannot do the whole job or take the place of the much larger efforts of thousands of our private citizens. In their individual fields—management, labor, education, medicine, agriculture and many others—these citizens are daily painting in the details of the portrait of the United States in Latin America. Since understanding of the United States is and must remain a prime national objective if there is to be a lasting peace, the responsibilities of these citizens, and their opportunities are very great. I hope and believe that they will be equal to the test.

Mr. President, I close with a plea that American businessmen, American investors, American engineers, American technicians—all Americans who live in South American or in Latin American countries—recognize that they are the most important ambassadors the people of the United States have in that part of the world. They have the responsibility and the obligation to carry into Latin America the American way of life. And any business practice, any labor practice, any economic practice that cannot be squared with the American way of life is a disservice to the American people in our relations with South America and Latin America.

Therefore, as my committee proceeds with a study, during the next 2-year period, of Latin American and American relations, I want to make it very clear tonight that, as chairman of the committee, I intend to be very much interested in seeing what kind of ambassadorial job American representatives and citizens, investors, businessmen, and technicians living in South America are doing for the American people, because I have a feeling we shall find much evidence of a need for a great improvement on the part of American businessmen in respect to their business practices in South America, if we are really to develop a good neighbor policy with our friends to the south of us.

APPLICABILITY OF POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY AMENDMENTS OF 1957 TO CERTAIN RETIRED POLICEMEN AND FIREMEN, AND THEIR WIDOWS, WIDOWERS, AND CHILDREN

Mr. BIBLE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H. R. 7450.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 7450) to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. PROXMIRE, and Mr. BEALL conferees on the part of the Senate.

INCREASE IN PUBLIC DEBT LIMIT

The Senate resumed the consideration of the bill (H. R. 13580) to increase the public debt limit.

THE DEBT LIMIT RISE—AND INFLATION ONE PART OF A PINCERS MOVEMENT TO DESTROY THIS NATION

Mr. MALONE. Mr. President, I opposed an increase in the debt limit ceiling in the Senate Finance Committee last year, and again early this year. When I asked that my vote be recorded I said to the committee, "This is only the beginning. Before the year is over they will be back for another debt limit rise." I did it for the reason that we are trying to support the world and trying to dominate the world.

We are going to send troops into any little buffer nation that is in trouble. We are going to give that country money. In this country we have come to believe that money is the end and the answer to every problem confronting the United States. Some day we shall run out of money. When we do, we shall look around, and nobody will be in sight. Taxes will have bled our own people white and the stamina of our Nation will be destroyed.

TWO POLITICAL PARTIES TODAY IDENTICAL

The people themselves cannot even know what the Congress of the United States and the executive branch have done to them in 24 years. Until lately they refused to believe it. It used to be that when a certain party was in power and something happened to the people, they voted against that party and put the other party in power. What is the use now of voting for the other party? The parties are exactly alike. There is not one iota of difference.

POLICIES THAT BUILT NATION REVERSED IN 1934

When did that change come about? It was in 1934 that the great change came over this Nation.

For 150 years, Mr. President, we built the standards of living in this country to a higher level than existed in any nation on earth. How? By imposing a duty, or a tariff, whichever one wishes to call it. Article I, section 8, calls it a duty—an excise. To do what? To make up the difference between the standard of living and wages in a foreign country and that in this country, on a product which is competitive. That is how we raised the standard of living of this country.

INFLATION PRICES UNITED STATES PRODUCTS OUT OF WORLD MARKET

As a result, this country became well established. We were running on our own power, when along came the change in policy in 1934. In 1933 we went off the gold standard. In a very short time, through inflation, we priced ourselves out of every market in the world. The only way a manufacturer in this country can sell his product is by having a tariff imposed to make up the difference between the cost of production in this country and the world price of any product.

FIRST CONGRESS IN 1789 ENACTED PROTECTIVE TARIFF

So in 1934 the whole policy of this Nation was changed. The first Tariff Act, which was enacted in 1789, was a protective tariff to make up the difference between the cost of doing business in this country and in the chief competing country, on a competitive product. Sometimes the tariff was adjusted awkwardly. Sometimes it was adjusted too high, sometimes too low; but the objective was always the same. When they missed the objective, the officials concerned lost their jobs, because an investment in this country was lost as a result.

TARIFFS BASED ON FAIR AND REASONABLE COMPETITORS UNTIL 1934

The best tariff law was enacted in 1930, when the Tariff Commission was established, as a agent of the Congress, to adjust flexible tariffs and flexible duties. To adjust them on what basis? On the basis of fair and reasonable competition, under section 336, relating to adjustment of costs.

The Tariff Commission adjusted the tariff on a flexible basis, to make up the difference between the wages paid and the cost of doing business in a foreign country and those in this country on each competitive product.

Every 10 days, or every year, or every 10 years, whenever the Tariff Commission had reason to believe that there was a change in the living standards of a nation, the Commission could consider readjusting a tariff on its own motion, at the request of the President or at the request of Congress. It could adjust the tariff to make up the difference. What did that mean? It meant taking the profit out of sweatshop labor throughout the world at the water's edge.

AMERICAN MARKET DIVIDED BY FOREIGN GATT MEMBERS SINCE 1947

Mr. President, this is the only market in the world that amounts to anything. It is the only market in the world that amounts to anything at Geneva. In 1947 the President of the United States put authority in the hands of the representatives of 36 other nations, this Nation making the 37th, sitting at Geneva, to complete the job of dividing the markets of America. We have no American markets. We are down on the ground. We are living on a war economy, Mr. President—$40 billion last year, $60 billion this coming year. The country is afraid to quit.

WAR ECONOMY CONTINUED TO HOLD UP STANDARD OF LIVING

We are afraid to quit, because when we do the people of this country will be unemployed and the investments will be gone. That is the way we are holding up the standard of living.

So what does the Congress do? The pincers movement can destroy this country. It contains several economic factors and political factors, but only one is presented to the Congress at a time. First we go off the gold standard and start inflation, deliberately. Next we have free trade, free imports with low-cost labor. We try to compete with foreign labor, although in America more is paid for industrial insurance and social security than is paid for wages in the foreign countries. We cannot compete. We know we cannot. Why does Congress vote for that? I do not know. Some day we will find out. That is the second thing.

FOREIGN AID PROGRAM LAUNCHED BEFORE START OF WORLD WAR II

Then, not content, we started even before World War II what we called lend-lease. Then we later called it the Marshall plan. First there was a $3¾ billion loan to England. That was to be the last. That was to settle everything. Then the great Marshall plan was to settle everything.

BRITAIN SET COST OF MARSHALL PLAN

What was the Marshall plan? General Marshall did not know. Marshall made a speech at Harvard, which had a little paragraph in it that we should help other nations get on their feet. I doubt if he knew the paragraph was in his speech, but it was known in London. The Prime Minister told us within 30 days how much it would cost. We were told it would cost $17 billion in 5 years. That is what it was to cost. That was to be the end of it. Everything was fine.

SENATOR PREDICTED IN 1948 GIVE-AWAY PROGRAM TO BE PERMANENT

Mr. President, I stood on the floor of the Senate in 1948 and said that once we started it would become permanent. That is in the RECORD. Of course the program has become permanent. The Secretary of State has said it must be permanent.

The present Secretary of State is not the first Secretary of State to say that. Mr. Acheson in 1948—and I will correct the RECORD if necessary—and his assistant, Mr. Willard Thorpe, said it. Mr. Acheson first said, in general purport, "It has become impossible to separate the regulation of the national economy and foreign trade."

ACHESON PROGRAM RUBBERSTAMPED BY DULLES

Then Willard Thorpe testified before the House Ways and Means Committee. What did he say? He testified to a 3-point program. First was the loan, the Marshall plan. Second was the statement that we should develop these countries, to hold them up until we could make free trade permanent. That was the 1934 trade agreements—reciprocal trade—which was the second point. Then there was the International Trade Organization. If Congress had passed that the program would have been permanent. Mr. Thorpe said, "They are inseparable."

FREE TRADE PROGRAM COPIED FROM KARL MARX

Mr. Dulles sat here as a Senator for a year and voted for everything Mr. Acheson brought in. When he failed of election as a Senator from New York he went to work for Acheson. He is the one who wrote the treaty with Japan, which is destroying the textile industry in this country, and everything that it touches.

Mr. Dulles has carried out every iota of the program Mr. Acheson and Mr. Thorpe advocated. Where did it come from? That came from the Marxist plan.

KARL MARX ADVOCATED FREE TRADE TO HASTEN REVOLUTION

Mr. Marx was not such a dumb fellow. He said, "I am for free trade." He said it in his speech in 1848 at Brussels, Belgium. As a coincidence, it was at a democratic meeting. He said, "I am for free trade, because it hastens the revolution." And on that basis, he said, "I am for free trade."

HISS, HARRY DEXTER WHITE, V. FRANK COE, SPEEDED PROGRAM

So we hear his successors in this country. Mr. Frank Coe—they spell it C-o-e—can be looked up. He is one of the finest traitors this country ever developed. Then along came Mr. Alger Hiss. Then along came Harry Dexter White. There were 5 or 6 of them. Harry Dexter White organized the International Monetary Fund. The International Monetary Fund was going to cure everything. It turned out that this group was about the finest group of traitors this country ever produced.

So what? So the Congress of the United States is following the plan of free imports, inflation, and billions to Europe and Asia. Is it not wonderful, Mr. President, that we can follow those men—now dead or discredited.

COLONIALISM DEFINED

So we are carrying on a program in Europe and Asia. We might call it "colonialism" under a different name. Colonialism died in World War II, when the airplane dominated the British fleet. The British fleet held colonialism for England, France, Belgium and the other smaller nations for 300 years, but when the airplane dominated the British fleet, colonialism died. Colonialism has ridden on its momentum since then.

I stood on the Senate floor in 1948, 11 years ago, and said, "Colonialism is dead. The people of the colonial nations are on the move. There will never be any more profit made from the colonial nations, because it will cost more to hold them in subjection than can be made from the trade they can provide."

There were 300 years of colonialism. What is colonialism? Colonialism is the domination by a stronger nation of the markets of a weaker nation. That is what we had, under England, but we declared our independence in 1776. We declared our independence from the interminable trade wars of old Europe.

Trade wars had been going on for a thousand years.

BIGGEST TRADE WAR IN HISTORY NOW THREATENED

The biggest trade war in the history of the world is threatened now. So we send Marines over. That is like sending a 10-year-old boy into a slum area to stop a fight. Nobody wants a fight, so they do not find any fight. Now the Marines are coming home, after being laughed at by the Middle East and by Russia.

RUSSIA SEEKING WARM-WATER PORTS TO BOTH MAJOR OCEANS

Why should Russia want a war? All Russia has wanted for 500 years is a warm water port in both oceans, and Russia has them. Have we forgotten that? The British fleet kept them from getting it for 300 years, but the fleet is gone. The fleet does not dare leave the harbor. Our fleet dares to leave, because we do not know any better, but if a fight started in the Mediterranean or on Formosa, the fleet would be on the bottom in 30 minutes, if it meant anything, if it were in the way—but it probably does not mean anything.

SENATOR RECALLS SERVICE IN TWO WARS

It was my good fortune, if one wishes to call it that, to see a couple of wars. I took a battery of field artillery to France in 1917 and 1918. The French .75 was a pretty good gun then, It is not good now.

In 1942, the Japs hit Dutch Harbor. I am the one the Senate Military Affairs Committee, now the Senate Armed Services Committee, sent in to make a report on Alaska, as their consultant. I made a report on Alaska. It was not pretty, Mr. President.

HOW MACARTHUR FOUGHT IN PACIFIC

In 1943 I was sent to the South Seas, with MacArthur. Do Senators know what MacArthur used to do with people like the Marines we sent over there? Japan had those islands barricaded and fortified until they were impenetrable. They were impenetrable by any land force. What did MacArthur do? He mapped out a program. I used to see him stand on the porch of his cabin at New Guinea and look toward the Philippines—just standing there looking like a statue—impatient, hardly able to wait. So when one of these little islands which was so fortified that we could not do anything with it was in the regular way, what did he do? He bypassed it, and let the defenders starve to death. That is what they did. Little wars.

LITTLE WARS BRING DEATH TO SOLDIERS WITHOUT VICTORY

What is a little war good for? A little war murders our soldiers. We murdered our soldiers in Korea. We would not let them win and we would not let them lose. We ran them up and down the snowy hillsides, and left them with their guts shot out.

ATOMIC SUBMARINES CAN SAFEGUARD NATION

Anyone who would do that should be impeached. What are we going to do in

these little wars? Are we going to get down to fighting with pocketknives because we are afraid to use what we have? Only 10 days ago we knew what was going to happen. We have known it for 2 or 3 years. One of our atomic submarines went under the North Pole. Then a second crossed the Pole under the Arctic ice. It traveled 5,000 miles under water and stopped only because it had reached its destination. It did not stop because it ran out of fuel. It did not stop because it was tired, or for any other reason than that it had reached its destination. Build 100 of them, 50, or 25 of them, or whatever we need, and leave them under the Arctic ice. All they would have to do would be to surface every 2 or 3 years and let the boys reenlist.

America could be destroyed by 30 or 40 submarines which do not have to stop for 2 years. We could destroy the nation which destroyed us; and the submarines would never have to come home. So let us build them.

FUTURE WARS TO BE FOUGHT IN THE AIR AND UNDER SEAS

The next war will be fought under the sea and in the air. I have been saying this for 10 or 12 years. I still believe it. It will not be fought with marines out on an island. It will not be fought with field artillery such as I had in France in 1917 and 1918. It will not be fought with flattops. A flattop can be sunk like a canoe by a submarine.

We need the Navy, but it must change. It will have a different duty. It must hunt submarines off the coast, at a distance of 1,000 to 1,500 miles. That is not done with jets. It is done with slow planes. There is a place for everyone, but times have changed.

MARCHING ARMIES NOW OBSOLETE

A foot army will be just as obsolete as a Civil War musket in the next war. There will be foot soldiers, but they will be trained parachute troops who can be set down anywhere and left for 2 hours, 2 weeks, or 2 years, and picked up when they have completed their mission. They will be commando trained.

The home guards will be commando-trained to protect defense installations and public utilities, but there will be no foot soldiers fooling around over the world. They are being laughed at. Thank God, we are bringing them home before we are laughed out of the country.

WORLD INSPECTION OF FOREIGN INDUSTRIES

When I first came here, I thought that I had to see all our star boarders, so I visited every nation in the world. It took me 8 years. I visited their industries. I watched them at work. I watched what they ate, what they wore, and how they got along.

An engineer is a dangerous man, because if he is allowed into a plant he may not know much about that particular industry, but he will soon know whether or not the man who operates the plant knows anything about it. He will know whether the workmen are satisfied. He will know what they eat and what they wear. He will know how long the plant is going to last, because his is the business of industrial reporting. He knows how to do it.

After I had visited all the star boarders in Asia and Europe I went behind the Iron Curtain and stayed for 2½ months. I know Khrushchev and Bulganin as well as one can know anyone he associates with for a few months. They are tough. Mr. Khrushchev is as tough as a boot; and he knows what he is doing.

SOVIET SATELLITES UNDER FOREIGN DOMINATION FOR CENTURIES

The State Department was continually saying, "They are not getting enough to eat. They cannot live. There will be a revolution." Therefore, in 1955, when I got ready to leave, this is what I said—let Senators put it down in their books. I said three things—in the first place, that Russia could make any area under her control, such as the Balkans, self-sufficient in everything necessary for war or peace, in a very reasonable time. I said there would be no successful revolt. Why? Because the Balkans have been between Turkey and Russia and Germany for a thousand years. They have never been truly free. They have always been dominated by some other country.

In the Socialist Republic where Stalin was born, the Georgian Republic, I saw the first women wearing lipstick. It is a little warmer in Georgia and the Armenian Republic. One must listen to those people to know what they are thinking about. One asks, "How are you getting along?" They grin and walk away. Finally they began to talk. They said, "Turkey is not going to attack us any more." That statement did not mean much until I looked into the situation. Turkey has overrun the Georgian Republic forty or fifty times in 100 years.

So perhaps the Georgians do not like Russia too well, but they know that if Turkey attacks them, Russia will destroy Turkey in 30 minutes. Turkey is not going into that area.

FORTY-YEAR TRADE WAR DESTROYED NATION HOLDING RUSSIA IN CHECK

We took care of Germany. In 1917, we entered a 40-year trade war between England and Germany, on England's side, and utterly destroyed the only nation that could hold Russia in check. We have done that twice. Now we wonder what we are going to do with Russia.

Let Germany grow enough, and she will tell us what to do with Russia. She will grow if we allow her to do so. The Germans are a peculiar race. They will fight and they will work. They are about the only nation left in Europe which will do that. Think that over. All we have to do is to let them alone for 3 or 4 years, and they will be able to whip any nation in Europe. England and France are never going to leave Germany, so they keep us there. They are afraid of her.

TREASURY SECRETARY ANDERSON LAUDED

Several witnesses appeared before the Senate Finance Committee, but the only one I paid very much attention to was Mr. Anderson, our Secretary of the Treasury, one of the finest men it has ever been my pleasure to know. I knew him almost intimately when he was Secretary of the Navy. He had more horse sense than anyone who has been Secretary of the Navy while I have been in the Senate, a period of 12 years.

He is the one who said, "There will be no more new defense industries on the Pacific coast. We are going to put them behind the secondary defense area—the Sierra Nevada Mountains."

SECONDARY DEFENSE AREA MECCA FOR NEW DEFENSE INDUSTRIES

That made considerable sense. We placed the Navy munitions stores behind the Sierra Nevada Mountains in 1928. At that time I was State engineer of Nevada. Senator Pittman and I, together with the then Governor of Nevada, thought of that idea. We said, "This is the secondary defense area. It is harder to get at than the area on the Pacific slope." So the munitions stores were placed behind the Sierra Nevada Mountains.

Those mountains range all the way from Canada to old Mexico. That is still a secondary defense area.

After Mr. Anderson had been Secretary of the Navy for 2 or 3 years, he was the cause of the announcement from the Armed Services Committee, to the effect that there will be no more new defense industries along the Pacific coast, where they can be destroyed by a well-placed shot fired from a submarine out in the Pacific.

COAST UNIVERSITIES GAINED EARLY LEAD IN ATOMIC ENERGY FIELD

In the University of Southern California and in Cal-Tech and at Stanford they are doing wonderful things. They have taken the lead in the atomic energy field since 1938. I remember that when I was making an industrial report on the 11 States, Alaska, Hawaii, and the Philippines I had a branch office in San Francisco, and I worked with those wonderful California people. That was as early as 1938. That is only 20 years ago. Those people have been in the vanguard of this development.

NEVADA UNIVERSITY PROGRAM OFFERS GREATER SAFEGUARD IN EVENT OF ENEMY COASTAL ATTACK

Recently we have been allocated a subcritical reactor for the University of Nevada. It will be located behind the Sierra Nevada Mountains. At the University of Nevada scientists are studying nuclear chemistry and nuclear physics, and they will build laboratories and machine shops, so that if there is ever a real threat on the Pacific coast, some of those brains can move back there. Perhaps that is not far enough back from the coast.

RAISE IN DEBT LIMIT ASKED ANNUALLY TO BOLSTER FOREIGN AID

At least it is a secondary defense area. The things we are doing in the name of national defense and spending billions of dollars for are the silliest things on earth today. We have sent over $70 billion to Europe and Asia since the close of World War II. There is not that much real money in the whole world. Every year, however, the bureaus come to us and say, "We are all making money." Every little while they come to us and ask for more money. Once a year, on the average, they ask for a raise in the debt limit. If a private business said it was making money, and the presiding officer was a member of the board of directors, about the second time they came for additional money, the presiding officer, I am sure, would ask, "Where is this money you are making?"

The answer is they are not making any money. If the American people ever wake up and are ever furnished the information as to what is being done with the money that is spent for mutual security—first it was called the Marshall plan, then ECA, and the name has been changed since then every year or two, and, of course, no information is available on it so far as the American taxpayers are concerned as to what is being done with all that money—if the American people ever wake up as to what is actually being done with all that money, they will move on Washington, and will not even wait for an election.

SECRETARY OF STATE PLAYING SANTA CLAUS TO WORLD WITH TAXPAYERS' MONEY

I believe that Mr. Anderson, the Secretary of the Treasury, is one of the finest men who has ever held a position in Government. He is honest and he has integrity. He is telling Congress the truth. What is the truth? We have a Secretary of State who is running all over the world promising money to everybody. Now we are proposing to dig water wells all over the Sahara Desert. What we do is buy the consent of these nations to sign treaties which they never intend to keep if the money stops coming.

What did the Secretary of the Treasury tell us. He said, "I am only a middleman. When the President asks for it and decides to spend it, and when Congress appropriates it, I must pay it out; that is all. All I am is a middleman."

I love him for it. I would do anything for him. We must stop this business somewhere. We cannot spend money all over the world. I believe there is only one way in which it will ever be stopped, and that is by the taxpayers when they finally catch up with us.

Mr. Brundage is a distinguished young man in charge of the budget. He is in the same position. All he can do is what he has told us. He said that he, too, was a hired hand. We are working with hired hands.

MILLIONS PROMISED TO MAKE SAHARA BLOOM LIKE ROSE, WHILE OUR OWN WEST FILLED WITH ARID WASTES

I said before that the man we ought to have testify before the Committee on Finance is Mr. Dulles. He is the man who is traveling all over the world. Every time he steps out of an airplane he promises several hundred million dollars to somebody.

Now we propose to solve the water problem in the Middle East. I am an engineer. I have been in the engineering business and was in it before I came to the Senate. I know something about water. At least I used to be paid for my knowledge. I have been all over the Middle East. I have seen the whole area. By the time we get enough water in the Sahara Desert to make the desert bloom like a rose—that is what we have promised to do—some of the taxpayers will say, "Why don't you get a little water for us in some of the arid areas in the United States?"

AMERICAN DROUGHT AREAS STARVE FOR FUNDS WHILE MILLIONS SPENT ON FOREIGN IRRIGATION

Arkansas would like to come under the Bureau of Reclamation, because a month or two of dry weather out there destroys the crops. However, it is said we cannot do it, because we do not have the money. We do not have money for projects like that. We do not have money for flood control in this country.

A bureau here in Washington, as to which not a Senator knows what its job is or what it is doing, can say that we will build a project in the Middle East, or a project in any other country, or a project in Asia or anywhere else. We do not even know what is being done. All we do is appropriate the money, and then raise the debt limit.

SENATOR'S INQUIRY OF SECRETARY ANDERSON REPRINTED

Mr. President, I ask unanimous consent to have printed in the RECORD at this point my cross-examination of the Secretary of the Treasury, Mr. Anderson, so that the taxpayers will have the information as to what this situation is all about.

That is from page 30 of the hearing before the Committee on Finance on H. R. 13580, an act to increase the public debt limit, dated August 15, 1958, to page 39, as indicated.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senator MALONE. Mr. Secretary, I do not have to state again in the record my high regard for you, and that you are being used as a middleman. The things that happen and cost money, about all the say you have in it is as one member of the Cabinet; is that not true?

Secretary ANDERSON. Yes, I would say that is true.

Senator MALONE. If you are overruled or whatever the ruling of the Cabinet or the President on policy that costs money, then your sole job is to pay the bills, is it not?

Secretary ANDERSON. Certainly the responsibility of the Treasury to meet the obligations of the Government exists.

Senator MALONE. Well, isn't that what you are for?

Secretary ANDERSON. Yes.

Senator MALONE. Therefore, you have very little to do with the policy that spends the money but when it—after it is committed, Congress appropriates it—then you just have to tell them how to get it, that is about it; is that correct?

Secretary ANDERSON. That is correct, sir.

Senator MALONE. So far as the people are concerned, I have been in many States in the last few months, the people are stunned, they are beyond reaction. It has been going on now 24 years, and they do not know what to do. I think the election, though, is going to be a very great disappointment to many of us. There are more than 250 depressed areas in the United States accounting for around 6 million unemployed.

There is a bill in the House to help depressed areas. If it passes it will cost you a little more money. We bring about these depressed areas ourselves.

The State Department has advocated this bill for 15 years, that we remake the industrial map of the United States and the depressed areas as a result of our imports, low-cost labor, then we have the money, the Government money to train workers for other jobs, these working men, and ship them somewhere else, and then make up as near as we can, maybe some help to the stockholders and to the people that we break with the policies.

That is just something that is coming up. Didn't our inflation start about 1933 and 1934? Didn't it really become accelerated—

Secretary ANDERSON. Senator, my recollection of the movement of the level of costs, prices during that era, is not sufficiently clear to be responsive.

Senator MALONE. Would you supply for the record some kind of a chart as to when this inflation of the dollar, the cheapening of the dollar, really became accelerated for the first time?

Secretary ANDERSON. We will certainly furnish what we have available to the Senator.

Senator MALONE. If you do not have it available, who do you think would have it?

Secretary ANDERSON. I am sure we have all the figures, Senator.

Senator MALONE. I am sure you do, too.

How much inflation has there been in the last 12 to 18 months, say, 2 years, to make it easy?

Secretary ANDERSON. According to our calculations, beginning January 1956, the purchasing power of the dollar, equated to the period 1947–49, I mean 1939, is equal to 100, I beg your pardon——

Senator ANDERSON. Say that again.

Secretary ANDERSON. 1939 equaled 100. The purchasing power of the dollar on January 1956, would be 51.8. On January 1957, it would be 50.3. On January 1958, it would be 48.6.

Senator MALONE. 48.6?

Secretary ANDERSON. In June of 1958, on the same basis, it would be 48.0.

Senator ANDERSON. Forty-eight what?

Secretary ANDERSON. 48.0.

Senator MALONE. Then even according to your figures there is a steadily increasing inflation?

Secretary ANDERSON. There has been a steady decline in purchasing power during this period.

Senator MALONE. Do you have any figures compared to 1933—the 1933 dollar compared to the 1939 dollar?

Secretary ANDERSON. I do not have them with me. I would be glad to get them for the Senator.

Senator MALONE. If you will, I would appreciate it.

(The information referred to is as follows:)

Consumer Price Index and purchasing power of the dollar

	Consumer Price Index (1947–49=100)	Purchasing power of the dollar [1] (calendar year 1939=100)
Year:		
1938	55.3	107.4
1939	59.4	100.0
1940	59.9	99.2
1941	62.9	94.4
1942	69.7	85.2
1943	74.0	80.3
1944	75.2	79.0
1945	76.9	77.2
1946	83.4	71.2
1947	95.5	62.2
1948	102.8	57.8
1949	101.8	58.3
1950	102.8	57.8
1951	111.0	53.5
1952	113.5	52.3
1953	114.4	51.9
1954	114.8	51.7
1955	114.5	51.9
1956	116.2	51.1
1957	120.2	49.4

[1] As measured by the BLS Consumer Price Index.

Consumer Price Index and purchasing power of the dollar—Continued

	Consumer Price Index (1947–49=100)	Purchasing power of the dollar (calendar year 1939=100)
Recent months:		
1956—January	114.6	51.8
April	114.9	51.7
July	117.0	50.8
October	117.7	50.5
1957—January	118.2	50.3
April	119.3	49.8
July	120.8	49.2
August	121.0	49.1
September	121.1	49.1
October	121.1	49.1
November	121.6	48.8
December	121.6	48.8
1958—January	122.3	48.6
February	122.5	48.5
March	123.3	48.2
April	123.5	48.1
May	123.6	48.1
June	123.7	48.0

Senator MALONE. Now, it depresses me to read the papers, and I brought them with me this morning on my way up and I took a little look at them. Who is it who makes these commitments all over the world that Congress then receives legislation to fulfill, and then you have the responsibility to get the money? Who is making these commitments all over the world, moneywise?

Secretary ANDERSON. Senator, I would assume that there are some commitments made by a variety of departments.

Senator MALONE. By what?

Secretary ANDERSON. By a variety of the departments of the Government, primarily in the——

Senator MALONE. Who are the principal ones?

Secretary ANDERSON. Primarily the State Department and the Defense Department.

Senator MALONE. The State Department is a spearhead. I think Mr. Dulles testified that he was the one who carried out the policy, discussed it with other members of the Cabinet, and then he was the one who went into the nations and promised the money and all. Who is it that promises these trade concessions; is that the Department of Commerce, or who is that?

Secretary ANDERSON. I think the State Department is the American representative, Senator.

Senator MALONE. I notice in the paper this morning, that "United States Aid Assures Canada on Trade."

"Chief of foreign commerce predicts easier customs in Toronto talk," and goes on to say, "The imposition of import limitations on Canadian oil, Mr. Macy said," Loring K. Macy. I crossed his trail once before on another matter. I think it was Mr. Loring K. Macy when we got a man by the name of Lee who was one of the finest traders we were able to find out of the Department of Commerce about 1948, and we had him up as a witness, but Mr. Macy said that they need not worry about this. It would not hurt Canada, our limitations on Canadian oil, he went on to say. The purport of the article is they need not worry, we would take care of everything.

We have in the Wall Street Journal, that great journal of New York, the bible, you know, the bible of economy, "United States Allies Ease Curbs on Trade with Red Nations.

"Weeks Doesn't Spell Out Items; Machine Tools, Oil Tankers Probably on List."

In my visit to Russia in 1955, I traveled 14,000 miles there in each of the Socialist Republics, as they call them, I found a good deal of machinery from Cincinnati and various places, but they were making a play then that they were limited to certain items. I had the list, I got it in Paris, but of course those items are reaching Russia and Communist China at the same time. Now they are coming out into the open, and I just thought it might be of interest to the committee that the nation that we are building up to fight us—that probably they need that machinery. If we are going to fight them, we will want to make it as fair as we can. We don't want to pick on any cripples.

What effect does it have, when the Federal Reserve Board raises the discount rate to 2 percent from 1¾ percent? What is the effect?

Secretary ANDERSON. Well, of course the effect will be that the area where it is applicable, which is the San Francisco area, that commercial banks borrowing from the Federal Reserve Bank will pay a quarter of 1 percent more interest.

Senator MALONE. What is the effect on the customer? I mean the ordinary guy out there in Wellington, Nev., or up in Vermont, who does not know anything about the Federal Reserve Board. He just wants to finance his business.

Secretary ANDERSON. It would be difficult for me to give an answer as to how quickly or whether the banks will transfer it.

Senator MALONE. What has it done for him? What is the effect of it?

Secretary ANDERSON. Well, obviously it is done with the idea of placing some measure of restraint upon borrowings as represented by the increase in the rediscount rate.

Senator MALONE. They have the ability to do that. How much of a leeway does the Federal Reserve Board have on the discount rate? How low could they go and how high could they go?

Secretary ANDERSON. There may be a limit as to how high they can go. I frankly am unaware of any limitation.

Senator MALONE. Could you furnish that for the record? You couldn't remember all about it.

Secretary ANDERSON. Yes.

(The information referred to is as follows:)

"The Federal Reserve Act provides that any Federal Reserve bank may establish from time to time, subject to review and determination by the Board of Governors of the Federal Reserve System, rates of discount to be charged by the Federal Reserve bank for each class of paper, which shall be fixed with a view of accommodating commerce and business. No mention is made of how high the rates could be set, but the rates are set with the view of accommodating commerce and business."

Secretary ANDERSON. The process, as the Senator knows, is normally for the board of directors of the respective banks in the Federal Reserve districts to make a recommendation to the Federal Reserve Board in Washington that the rate be increased, and the Board itself then——

Senator MALONE. As a restraint, then, on business.

Secretary ANDERSON. Well, as some restraint on the borrowings by commercial banks from the central banks.

Senator MALONE. Of course that means the customers, it is handed on to the customer.

Secretary ANDERSON. Ultimately it would have that effect.

Senator MALONE. Isn't that what it is for? If they are extending too much credit in the bay area and they want to slacken that up or they think they can stand that much interest, then they regulate it, isn't that the purpose of it?

Secretary ANDERSON. Yes. But I would say this is more of a signal, when the increase is up a quarter of 1 percent, that there is a belief on the part of the Board of Directors of the Federal Reserve Bank of San Francisco that there should be an added restraint on borrowings.

Senator MALONE. Yes.

Now then, a business that goes into business and they can pay 1 percent or whatever the discount rate is at the moment, or pay 2 percent, whatever it is, and they go into business on that basis and have to refinance on a higher rate, what effect does that have on a business?

Secretary ANDERSON. Well, I would assume that the Senator is meaning if you went into a business and calculated your return on one rate of interest——

Senator MALONE. Yes.

Secretary ANDERSON. And thereafter you were required to refinance at a higher rate of interest, that there would be a diminution of profit.

Senator MALONE. And maybe a disappearance of profit.

Secretary ANDERSON. Yes; I think——

Senator MALONE. And maybe a failure of business.

Secretary ANDERSON. I think one must keep in mind these interest payments are tax deductible and therefore the measure of the effect of it would be the necessary cost after taxes.

Senator MALONE. Which is very little these days at best, is that about right?

Secretary ANDERSON. Yes, sir.

Senator MALONE. Now, then, I see that the "U. S. Offers Prospects of Easing Water Lack if Arabs Accept Aid Plan. Officials Privately Talk of Help From the Atom, Scientists and American Capital."

American capital is what interests me. Who made that commitment?

Secretary ANDERSON. Senator, the only thing I can say on that subject is to refer the Senator to the speech the President made at the General Assembly, and other than that, I would not be in position to know any details about it.

Senator MALONE. Anyway, if they send this aid over there, all you have to do is pay the bill. You do not know anything about it; anyway, you are not responsible for it. You just pay the bill.

Secretary ANDERSON. Well, all the commitments or charges that are made by any of the Departments of Government ultimately find their way to the Treasury and we have to pay them.

Senator MALONE. You are ultimately the fall guy. You have to come up here and face the music. That is why we feel the way we do about you this morning. I have been in Arabia, been in a private plane, and flew all over in 1947. That is a pretty big order, to ease the water supply in Arabia. It sounds good on paper; a good deal like building the dam for Nasser on the Nile. I have been up the Nile, too. I suppose you have.

I see Mr. Dulles, according to the Wall Street Journal of August 15, that is today, "Dulles Battles at U. N. To Save Mid-East Program; Arabs Are Skeptical of Aid Plan," of furnishing water, I suppose. We used to fly a hundred miles there and just see a camel and a goat and a man and woman and a little boy or something, you know. We would be up there 700 feet high, and 50 or 60 miles further you would see another little unit. They milk the goat and make cheese out of it, they told me is how they live, and some dried dates. If you had a well every little bit, I suppose that is what they have in mind. The Arabs live there and they are skeptical.

These headlines bother me.

On curbing inflation——

Secretary ANDERSON. As I indicated before, Senator, this particular move of the Federal Reserve System is a signal toward a restraint on borrowing.

Senator MALONE. They think if they borrow to much money it might be more inflation?

Secretary ANDERSON. I think it should be said so far as I know there is very little borrowing at this moment by the commercial banks from the Federal Reserve. The free reserves have been relatively high in the country.

Senator MALONE. But in any case it is going to cost them a quarter percent more today than it did yesterday.

Secretary ANDERSON. When they borrow.

Senator MALONE. I see, too, "Tunisia Will Get United States, British Arms." Tunisia, is that the place which has been a colony of France for a good many years, where they have all that trouble in there?

Secretary ANDERSON. I think probably the Senator refers perhaps to Algeria.

Senator MALONE. Tunisia, it says. "Move To Strengthen Nation Against Algerian Rebels Approved by French."

Secretary ANDERSON. Tunisia, of course, is the country of which Mr. Bourguiba is President, and I think the Senator is probably referring in his question relative to France to the Algerian situation.

Senator MALONE. We have already given them the arms and the newspapers carried the story pretty liberally that the sidearms and arms they are using on the Algerians we have already furnished the French; that is true, is it not?

Now, we are furnishing arms to Tunisia to fight off the Algerians.

Secretary ANDERSON. I have not had the privilege of reading the article.

Senator MALONE. I understand that. You have to read them every morning to get as mad as I get.

I see that "Paris Sets Rules for Algeria Vote." They are going to vote on something that the French will let them have and they set the rules. That sounded very interesting.

The New York Times has an editorial this morning, "A New Hemispheric Policy."

"The announcement in Washington on Tuesday that the United States is now willing to join an Inter-American Development Institution has great significance for the hemisphere. Moreover, it is startling news, for it represents a basic change in thinking in the executive branch of the Government.

"This is one more important result of the shock administered to the Government by Vice President NIXON'S South American trip last May. Since then the President's brother, Milton Eisenhower, has made his swing around Central America and Secretary Dulles has visited Rio de Janeiro. Both returned with reports that seem to have reinforced the deductions from Mr. NIXON'S experience."

The upshot of the editorial is that we have a new bank coming up, is that right?

Secretary ANDERSON. The United States has indicated its willingness to engage in the establishment of an Inter-American financing institution.

Senator MALONE. What does that mean from our standpoint, who puts up the money?

Secretary ANDERSON. Well, certainly this country would be a participant.

Senator MALONE. Will put up the money?

Secretary ANDERSON. Would be a participant.

Senator MALONE. About like 1 horse and 1 rabbit.

Secretary ANDERSON. Senator, I do not know.

Senator MALONE. I do not want to force an answer because you are only one member of that Cabinet.

I see by the Washington Post that "Curbs Eased On Red Trade," and it goes on to say that "The United States yesterday announced changes in its export policy allowing subetantially more United States goods to go to Iron Curtain countries," which of course is very interesting. It has been going there ever since World War II. The committee here of Congress, of the Senate, uncovered the fact that they had been sending copper to Russia here during World War II, or in Korea, during Korea.

Wasn't Britain the first to recognize Red China? At least it led the way.

Secretary ANDERSON. You mean of the Western Powers? I do not know, my memory is not such that I can give it.

Senator MALONE. I will supply it for the record. It was. In my opinion, I said on the Senate floor at that time we had promised to follow them but we raised so much trouble over here they didn't do it at once.

Then the Post also says, "British, United States To Let Tunis Have Arms," and then, "Ike's Plan Stirs Ire in Mideast; Nehru Is Critical." Mr. Nehru, that great capitalist in New Delhi. I visited him about 4½ hours.

We got along fine because there was nothing that I told him that he had heard before.

Now, Mr. Secretary, I want to say to the chairman of our committee, the distinguished Senator from Virginia, I think we have the wrong man here this morning. I think I have read the headlines of only one morning, and every morning it will just scare every American who is asked to read the papers, either Dulles or somebody has promised more money or another bank we are going to finance or more free trade, I think we ought to have Mr. Dulles here before we pass on this thing just to find out what basis he is doing this on because our Secretary of the Treasury and we all agree I am sure, I am not telling anybody a thing, that we consider him one of the finest men in the Cabinet, all they do, it just filters down to him and down to him to take the rap and he is such a fine man he generally gets what he asks for and if we could get to the bottom of this and if we are getting Mr. Dulles, we are getting pretty close to it.

We did have another man doing this sort of thing at random and that was—who was the fellow who tried to take over Pennsylvania—Mr. Stassen. He was running wild 4 or 5 years. At least we have got it cut down to only one man now in all this business.

Mr. Stassen is a fine man, according to his lights, and has more energy than any human being I ever saw, but at least we have got it cut down to one man.

Don't you think, Mr. Secretary, it would be a good idea for this committee to hear Mr. Dulles to see just about how far we are going in the red?

Secretary ANDERSON. Frankly, Senator, I think that it would not add anything at this time to the calculations which we have made; any commitments that would be made would have to be made under existing appropriations or else they would have to be submitted to the Congress next year.

Senator MALONE. As our distinguished chairman has said, you have $70 billion as a backlog there. He can call on that, can't he?

Secretary ANDERSON. Yes, but the calculations which we have made take into consideration what we judge to be the expenditures.

Senator MALONE. Where is Mr. Dulles today?

Secretary ANDERSON. I do not know, sir, but I would assume in New York.

Senator MALONE. Is there anybody there that he could promise money to?

Secretary ANDERSON. I beg your pardon?

Senator MALONE. Is there anybody there meeting him that he could promise money to? Maybe we do not have the whole story yet.

Secretary ANDERSON. I am sure, sir, that the calculations with which we are concerned are those that take into account the reasonable expenditures which we expect out of existing appropriations between now and next June and I would think any other ones would have to be brought before the Congress.

Senator MALONE. If he promises more money between now and next June and he could take it out of that $70 billion, couldn't he, if he could get the debt limit raised high enough?

Secretary ANDERSON. It could only come out if it were appropriated for the purpose.

Senator MALONE. Well, I do not think—Mr. Chairman, I would like to ask you a question about this: We have a new slant on that $70 billion. I think you have been under the impression, at least I have gathered that, and I depend a lot on your statistics, that this $70 billion is there, as a backlog, it has really been authorized, it is really available any time the Appropriations Committee sets it up, would it not?

The CHAIRMAN. It is appropriated.

Senator MALONE. It is appropriated, and you do not have to do anything. All you have to do is spend it.

Secretary ANDERSON. Yes, that is correct, sir, but what we do in making the estimates which we submitted to the committee is determined from each of the departments of the Government their best judgment as to the rate at which the money is going to be spent.

Senator MALONE. That is true. But Mr. Dulles is unpredictable. All this in the last few days has been promised that I read you, it is in the current papers this morning. Now Mr. Dulles is the fellow who is doing this.

We got rid of Stassen under some condition, I do not remember why he quit, some reason, though, that he quit, and then he went to Pennsylvania, and they wouldn't turn the Treasury over to him so I guess he is going to work.

It is kind of hard on him to do that now. But Mr. Dulles has not gone to work yet. He is spending money. He is committing it all over the world, and when he goes into a place he has two things to buy these agreements with, and, Mr. Secretary, I have to tell you I have been in all these nations and I do not say I know all about them, but I know some of the people and they will sign anything as long as we pay for it with no idea of keeping it at all and I do not blame them.

So when he has the taxpayers' money, within the billions, to say to the Arabs, "Now if you will just keep quiet another year, and not cause us too much trouble, we will furnish the water for the Sahara Desert," that is quite a promise, but they might keep quiet for a year, if you show them a billion or two dollars. He has promised that.

Then he can also make further trade agreements and give more of the lifeblood of this Nation to buy agreements. All this was debated on the floor, all of it was asked Mr. Dulles and he said "Yes" to every one of them.

Senator DOUGLAS. Mr. Chairman——

Senator MALONE. I am going to finish, if you don't mind, and I do not interrupt you.

Senator DOUGLAS. I beg your pardon.

Senator MALONE. What I am getting at, Mr. Chairman, we just have the wrong man here. You know Congress is not going to turn this man down, he is just too fine a fellow for that, because he has come up here and said, "Now here are the commitments that the Secretary has made." He didn't mention it to the Secretary. But he is the fellow who is making them, "And I have got to meet the bills," and he is showing you unmistakable evidence he cannot match them, he cannot meet them unless you do this. So far as I am concerned, Mr. Chairman, it could be we could cancel Mr. Dulles' passport by Congressional act, and just not give him this $10 billion, and the first thing you know he would be doing this diplomacy on his own account instead of paying for it, and I am in favor of that, and I am not in favor of raising the debt limit.

The CHAIRMAN. I say the Judiciary Committee would have to cancel his passport.

Senator MALONE. That is all right. We might suggest it. We are acquainted with them.

I just want to make this further suggestion: We do not have the money, and it is just like the water in the sink, the more we appropriate to do this thing with and buy them, the less it is worth, and inflation is keeping pretty close tab on the appropriations above the amounts you collect, and you are bleeding the American public white. Our people in Nevada, you are getting over a hundred million dollars—a hundred million dollars from the State of Nevada, around a hundred million dollars in taxes, and there are only 300,000 people there, counting everybody. And they just cannot go much further. The mines are shut down on account of imports, titanium factories are shutting down on account of imports from Japan; 700 men laid off the other day, last 6 months, 1,400 of them in copper at Ely. Lincoln has about 1,500 men working in the whole county in mines, because we are a great tungsten and lead county; Humboldt County, 40 percent of taxable property wiped out. By what? By Mr. Dulles' making all these trips around and promising them to the Arabs and to the European countries, Asiatic countries, and giving it to them in order for them to sign his agreements which no one intends to keep.

When the tug is tightened, Europe is going to be neutral. I have said all I am going to say. I am going to vote against it, and I just love the Secretary of the Treasury, I just think he is one of the finest men I ever knew. It is not his fault. Some way, or another he has got to say "No," and he can say it if he doesn't have any money.

PINCERS PLAN DESTROYING NATION ECONOMICALLY AND POLITICALLY

Mr. MALONE. Mr. President, I stated earlier that there is a preconceived plan—I called it a pincers movement—to destroy this country economically and politically. There are several parts to the pincers plan, but only one part at a time is put before the United States Senate in a separate bill, and no mention is made of all of them.

So we argued in the committee, and then on the floor. Finally it is said, "The administration wants it. Perhaps it will not hurt us very much." So we pass it. But we do not realize that it fits into the entire pincers movement, with the pincers closing on the United States.

ABRAHAM LINCOLN'S WORDS OF WARNING NOTED

Abraham Lincoln had something to say about this at one time. This is what he said, in referring to what he regarded as a preconceived plan:

> We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen, and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly adapted to their respective places, and not a piece too many or too few—in such a case, we find it impossible not to believe that all worked upon a common plan or draft drawn up before the first blow was struck.

STATUS OF FORCES TREATY DENOUNCED

So we have inflation, preconceived free imports, preconceived billions of dollars to Europe, Asia, and nations in every other part of the world. Everything has been preconceived. We have a preconceived political plan; a preconceived Status of Forces Treaty, under which we utterly desert an American soldier when he leaves these shores. Whenever he commits a crime—and many soldiers do unknowingly, or because of the pressure—then he is tried under the laws of the nation in which the crime was committed.

For example, in the Middle East, where we plan to cure the drought, the water holes are several hundred miles apart. We are sending our soldiers over there. When one of them commits a crime, such as stealing a loaf of bread, under the laws of the foreign country his hand can be cut off.

"Oh, no," it is said, "they would not do that."

WHITE HOUSE DOMINATING LEGISLATIVE BRANCH IN DEFIANCE OF CONSTITUTION

Mr. President, this is a preconceived plan, a preconceived pincers movement, which Congress does not see, because only one thing at a time is put in front of us. For example, tonight, because we want to get home, we will vote for anything in order to get home. We have been treated here for 3 or 4 weeks like a bunch of schoolboys, sitting 12 to 14 hours a day. We have had no time to answer our mail. We have had no time to consider anything. But we must vote this way; we must vote that way. Why? The White House wants it.

I have never read anything in the Constitution of the United States which said that the White House—the executive department—was to run the legislative branch. When I went to school, in the grades, I memorized the Constitution of the United States. But I still do not remember anything in it which said that one branch of the Government was to dominate another. I was always taught that the Constitution provided for a separation of powers.

CREATORS OF CONSTITUTION PURPOSELY SEPARATED POWERS

What did those old hedgehogs, Washington, Franklin, Madison, and Hamilton, who wrote the Constitution, say about it? They had been pushed around by experts—kings, queens, and dictators—who attempted to regulate both the national economy and the foreign policy. They said to themselves, "That is not for us. It will never happen here." So they separated the powers. That was what they thought.

That policy was good for 150 years. But suddenly, in 1934, Congress joined together the regulation of the national economy and the fixing of foreign policy, and placed both in the hands of the executive, notwithstanding the fact that article I, section 8, of the Constitution says specifically—and it does not stutter—that Congress—the legislative branch—shall regulate the national economy and shall regulate foreign trade and shall adjust the duties, imposts, and excises which we now call tariffs.

CONGRESS, FLOUTING CONSTITUTION, TRANSFERRED POWERS TO EXECUTIVE

So Congress blithely transferred those powers to the Executive. Congress amended the Constitution without referring the question to the people.

What did George Washington say about such a practice. I will tell Senators what he said. These are not his exact words, but in substance this is what he said. He said if, in fact, the separation of powers is in any way wrong, amend the Constitution in the way set forth in that document. Do not evade it, because while in one case it might be for the good, it is the customary method by which free governments are destroyed.

That is what is being done to us tonight. The United States Government is being destroyed.

PLAN TO DIVIDE UNITED STATES MARKETS, WEALTH, WITH NATIONS OF WORLD PRECONCEIVED

Mr. President, speaking of the preconceived plan, there is little doubt that there is a preconceived plan to divide the wealth, the markets, and the cash of this Nation among the nations of the world, and to make us dependent upon foreign nations across major oceans for the critical minerals and materials without which we cannot fight a war or live in peace. Congress yesterday rejected a mineral bill which would have let the mines survive. That is all it would have done. No special legislation would have been needed if the Constitution of the United States had been let alone. But that was not done.

CONGRESS YIELDS TO PRESIDENT POWER TO REGULATE ECONOMY FOR 4 MORE YEARS

A few weeks ago we rushed madly to extend foreign aid for 4 years. For what? What did we extend? The power to regulate foreign trade and to set the duties, imposts, and excises, in effect to regulate the national economy. We gave that power to the President of the United States for another 4 years. He does not have to consider anybody. He does not have to consider or consult with a Representative or a Senator. He does not have to ask anybody about it.

When the agent of Congress, the Tariff Commission, is asked to determine what is the danger to an industry of the lowering of a tariff, the President of the United States can bypass the Commission without asking anybody.

Oh, yes; there is a provision that two-thirds of each House of Congress can stop the President from acting. But Senators know how much chance we have to get two-thirds of either House to stop the President from doing anything. Members of Congress are afraid the President might be against them in a reelection contest or something of that nature.

POOR AND RICH ALIKE TAXED TO BUY WORTHLESS TREATIES WITH FAITHLESS FOREIGN POWERS

Mr. President, we have tied everything together and have turned it over to the President of the United States. But that is only one part of the pincer movement. That is all it is. That is the Marxist angle. It is one part of the movement to divide the wealth of the United States. Through that act, there will be a division not only of the markets, but also of the capital of the United States. We are taxing the last little stenographer in San Diego until she is bled white. To do what? To buy a treaty with some foreign nation in Asia

or Europe, a nation which has no more intention of keeping faith with the treaty than the man in the moon. They will give us lipservice so long as we give them money. How are we going to get out of debt? For 24 years we have been giving them money.

We will give Mr. Tito, of Yugoslavia, $3 million. He is a little short of "dough." He is nodding in our direction for a little while, until after he gets the money.

FOREIGN-AID FUNDS FINANCING FOREIGN COLONIALISM

We buy arms, and then give money and arms to France to enable France to try to hold large parts of North Africa in colonial subjugation. Mr. President, I have said 50 times on the floor of the Senate that I have no objection to having any nation do whatever it may wish to do—whether it be France, England, or Belgium—even if it wishes to dominate another nation. That is its business. But when we are sending our funds and arms to those countries, we have a right to examine the situation and to see where it is headed.

I have stated where I think it is headed. I have said before that colonialism is dead; it cannot be continued.

In connection with this situation, Russia has the advantage, because Russia is opposed to colonialism for the other nations than herself. As a result, the little nations that want independence are friendly to Russia.

We have control of the oil in the Middle East. However, I wish to point out that it matters not how colonialism is exercised; it is still colonialism. So, Mr. President, as a result of that situation, we are being hurt.

MILITARY COSTS CUMULATIVE

The United States is living on a war economy. As I have previously stated, the Congress has voted appropriations in excess of $40 billion for military purposes for the current fiscal year; and, in the next fiscal year, no doubt the Congress will vote an additional $60 billion for the same purpose.

In that respect, we are like a "two-bottle man." Finally, he gets up to consuming two bottles a day. Then, some morning, he feels a little worse, so he takes an extra pint, to carry him over the next 24 hours.

That is similar to what we are doing; we are living off our economy, we are eating it up; and Congress does not have the guts to stop it.

INFLATION SEEDS SOWN IN 1933

In 1933, the United States followed Britain off the gold standard, and adopted a managed currency, which could only result in inflation and in pricing the United States industries and manufacturing companies out of the world markets.

Mr. President, do you know what the Chairman of the Federal Reserve Board told the Senate Finance Committee, which has under investigation the economy of the Nation? Incidentally, let me say that I hope the committee continues the investigation; I think it will be the biggest thing ever done in this country.

Under my questioning, the Chairman of the Federal Reserve Board said he could fix the margin for payments on purchases of securities on the stock exchange at 100 percent or 1 percent or nothing; and today he is doing that very thing. What effect does that have? It determines the flow of purchases of stock on the stock exchange.

FLOW OF PRINTED MONEY TURNED ON AND OFF LIKE WATER TAP

He testified—and his testimony is in the record, although I do not expect anyone else ever to read it—that he thinks business in the United States needs more money in circulation, either next year or 12 years from now, or if he thinks the country needs less money in circulation, he can arrange that; he has the power either to have more money printed, so to speak, or to reduce the amount of money in circulation. That is what he testified.

So, Mr. President, the stock exchange transactions no longer mean anything. In times past, if the stock exchange was permitted to operate without governmental control—whether the margin was 50 percent or 75 percent or 10 percent or 1 percent—at least it was a gage of the economy of the Nation, a gage as to who wished to buy what stock.

But it is a different situation when one man, the head of a board of 7 members, can say, "You must put up 1 percent margin or 75 percent margin". A short time ago he changed the margin requirement to 75 percent; and the result was that the stock market went down. Of course it did, because not many persons who wanted to buy stock could put up that much money.

MANAGED ECONOMY RUSE LIKE BLOWING ON THERMOMETER

It is like blowing on a thermometer. When the temperature outdoors is 10° below zero, if a person stands beside a thermometer, outdoors, and blows on the thermometer, soon the thermometer will register close to 80°, and then he will say, "Why, it is warm out here." The trouble is, Mr. President, he freezes to death while he is blowing on the thermometer.

So the economy of the Nation is being destroyed while those in Washington are self-satisfied and well fed.

WASHINGTON A SMALL BUT DIFFERENT AND DANGEROUS WORLD

Mr. President, the people of the United States are waking up—unfortunately for many persons. On the Potomac River there is a sound barrier, through which no public sentiment ever penetrates. If a Member of Congress is in Washington for 60 days and, during that period, does not return home, where the boys are working with their hands, and are bleeding them white, all in the effort to pay their taxes and be able to feed thir families; if a Member of Congress does not listen to them, he thinks that what he hears in Washington constitutes public sentiment. That is what happens to Members of Congress, who are entertained by ambassadors and many other fine, well-to-do people. All those people have plenty to eat and plenty to wear. It is a different world in Washington, and it is a dangerous world.

MULTI-BILLION-DOLLAR INCREASE IN DEBT LIMIT FOREBUNNER OF OTHER HIKES TO COME

The proposal before the Senate tonight will undoubtedly be passed by acclamation, for Senators are tired, and they are in a hurry to return home. Those who are weary and anxious to return home find it easy to ask, "What does another $8 billion increase in the debt ceiling amount to? After all, by spring the administration will be asking for still another increase in the debt limit."

All this request means, Mr. President, is that, once the requested authority is provided by Congress, it will be necessary to raise wages, pensions, and social security payments.

NINETEEN HUNDRED AND THIRTY-FOUR DOLLAR SHRINKS TO 33 CENTS AND STILL GOING DOWN

We should consider the value of the dollar in 1934. At that time it was worth 100 cents. But by 1948, it was worth only 48 cents. And in 1958, it is worth approximately 33 cents. So a man who was making $5 a day in 1934 must make $15 a day today, in order to be able to eat and to provide food for his family and to be able to send his children to school.

Now the Senate, by acclamation, is about to raise the ceiling on the debt limit by $8 billion; and undoubtedly that will be done without a record vote.

Mr. President, in the Senate Finance Committee, the only vote that is recorded is mine; but I assure Senators that mine is recorded. It was recorded there last spring, too; and I am proud of it.

All I say is that when what I predict occurs, I want my recorded vote to be examined.

Mr. President, I do not know how to keep Congress from spending this money, or how to prevent Mr. Dulles from spending $300 million every time his plane touches the ground—except to make it impossible for him to touch any money. [Laughter.]

PRESIDENT CAN NOW TRADE AWAY ANY INDUSTRY IN NATION TO FURTHER HIS FOREIGN POLICY

Never before in the history of the United States did the Government give the Secretary of State the right to buy the signature of a foreign country to a treaty. But today the President can trade a part or all of any industry, in order to further his foreign policy; and he does not have to ask Members of Congress who represent the 48 sovereign States; he does not have to ask Senators; he does not have to ask Members of the House of Representatives; he does not have to ask anyone. He can ignore the findings of the Tariff Commission, which determines what should be the tariff or duty, on the basis of fair and reasonable competition—in other words, on the difference between the factory wages and the cost of doing business and the taxes paid in this country and the comparable costs in each foreign country, in the case of each product. The latter is the system our country followed for 150 years. But today all that is utterly ignored.

CONGRESS BUYING BANKRUPTCY, NOT PEACE

So the Members of Congress tell their constituents, "We are buying peace." But, Mr. President, far from that, what we are actually buying is bankruptcy. A country that is bankrupt cannot whip anyone. The destruction of the United States economically will be the most dangerous kind of destruction; and the Members of Congress are voting for it every day.

UNITED STATES BEING "SOLD DOWN THE RIVER" THROUGH GATT

Mr. President, what do we have in Geneva today? In 1947 the President—not satisfied with having, entirely at his own choice and discretion, traded the United States down the river—doing so by means of his negotiations with foreign nations, in order to obtain their signatures to a treaty which no country except the United States intends to keep—organized what is called the General Agreement on Tariffs and Trade. Thirty-seven nations are signatories to that organization and to that method of doing business. The United States has but 1 vote among the total of 37. Thirty-six other nations, the foreign competitors of the United States, have their representatives sitting at Geneva, where they divide among themselves the remainder of our markets; and all that is done under laws passed by the Senate and the House of Representatives of the Congress of the United States.

"RECIPROCAL TRADE" A MYTH AS OTHER NATIONS BAR UNITED STATES GOODS

I cannot believe they understand what they are doing. Why this method of reciprocity? The two words "reciprocal trade" never occurred in the act in the beginning, and they are not there now. Of course, it is not reciprocal. Every other nation in the world has tariffs. Other nations have import permits. They have exchange permits. It is impossible to import into a foreign country a product which that country itself manufactures.

Do Senators have any idea what it costs to get an automobile into England—that great sponsor of free trade? It costs 55 percent of the cost of the automobile. Foreign companies cannot import automobiles into England. So American corporations own the companies which are making small cars. This may not be the time to go into that subject. It is a subject for another discussion.

TAXPAYERS' MONEY USED TO MAKE UP DIFFERENCE BETWEEN UNITED STATES COSTS AND WORLD PRICE

Mr. President, do you know what the whole plan spells? It means inflation. It means pricing ourselves out of every market in the world. We use the taxpayers' money to make up the difference between the cost of manufacturing a product in this country and the world price of that product. Free imports result in putting the American workingman and the American investor in direct competition with the low-cost, sweatshop labor of the world, where often the cost of wages paid in those countries does not amount to the cost of industrial insurance and social-security taxes paid in this country.

Our American corporations are going abroad in droves. Since World War II more than $50 billion have been invested in foreign countries. American corporations are going into those nations and establishing plants to furnish the market there, because it is the only way their products can be sold in those countries. Such a policy would result in putting American laboring men out of work and on the streets, except for the fact that we are operating on a war economy.

SQUANDERING OF TAXPAYERS' MONEY ON FOREIGN COUNTRIES UNCONSTITUTIONAL

The money of the American taxpayers is distributed all over the world. Nobody knows where it goes or what is done with the money. The officials who handle such money do not know, either.

So what have we done, Mr. President? We have departed entirely from the Constitution of the United States. Of course, it is in violation of the Constitution to distribute the money of American taxpayers all over the world. It is alleged that we are buying peace. Take a look at what we have bought in the past few months. That is all one has to look at. As time goes on there will be more evidence of what we are buying. We are buying bankruptcy.

NATION'S NEED IS STATESMEN TO STAND UP FOR AMERICA

We are headed toward a world government so fast that it should scare one to death. There is propaganda for it all over the United States. The question is asked, "What is Khrushchev going to do?" Khrushchev has this. Khrushchev has that. What is Khrushchev going to do? Who gives a damn what Khrushchev is going to do? Let us protect the United States of America. Let us keep ourselves in such a posture that we do not have to care what anybody else does. But we are not doing it. Khrushchev is as tough as a boot. I know him. He is for Russia. That is what Dulles does not understand. He does not understand how anybody can be for his own country. Mr. Khrushchev is for Russia, and Mr. Churchill is for England. What we need is to develop a few people who are for the United States of America—and quickly, too.

This country in the present century has gone to war three different times. Why? For two reasons. I remember the little old war I took a small part in, in which we used French 75's and a few other weapons. President Wilson stated that if Germany controlled Europe, we would be lost. He also stated that, of course, we had to protect nations across major oceans so that we would be able to get materials, without which we were helpless, and that we had no other place to get them. Both of those statements are as phony as a $3 bill.

When I used to get an opportunity to go to bed during that war, which was not often, but when we would settle down for a day or two, I used to wonder why the Germans were so dangerous to us across the ocean when they could not get across the English Channel. That was a pretty awkward question. It would take a pretty big bite to believe that allegation.

UNITED STATES CAN BE SELF-SUFFICIENT IN CRITICAL STRATEGIC MATERIALS

I did not know whether President Wilson was right about his statement relating to strategic and critical materials. I had to come to the United States Senate to find out. I made an industrial report on 11 Western States, Alaska, Hawaii, and the Philippine Islands, showing how we could be self-sufficient in strategic and critical materials.

I used to think that Congress was looking for the facts. I had to come to Congress to find out that is not so. But there are two reports I have made since I have been a Member of Congress. The Interior and Insular Affairs Committee made those reports. I recommend a reading of them to Senators and Representatives. One is a report on the accessibility of critical materials to the United States in wartime. The other report is a breakdown of the economy of each government, so it can be plainly seen how those countries trade, and how they manipulate the value of their currency in terms of the dollar. These reports are free.

SENATE REPORTS REFUTE THEORY MUST CROSS OCEANS TO OBTAIN DEFENSE MATERIALS

Only recently Dr. Eisenhower discovered South America, and the Vice President discovered South America. I recommend those two reports for study. The study repudiates the statements made by Mr. Wilson, Mr. Roosevelt, and Mr. Truman. It was said we had to protect nations across major oceans in order to get strategic and critical materials, without which we could not fight a war or live in peace. But that simply is not true.

The report was handed to some top officials in 1954, in the 83d Congress. No one has denied the proof of the document, and I will discredit anybody on the Senate floor who denies it. We do not have to have anything for war or peace that has to come through the Suez Canal. No longer is it said we have to have those materials for ourselves; now it is said we have to protect the supply of oil for Europe. It has come to that.

I first came to the Senate in 1947. As soon as I became a Member of Congress, I took off for Europe. I went into the Ruhr, where the coal mines and the steel mills are, and to Frankfurt, where the chemical industry is. I was earnest. My heart showed in my face. I just wanted to find out. I found out, all right.

EUROPEAN COAL OPERATIONS DESCRIBED

In 1947, if Senators will read the record, they will find it was said it wanted to increase production. I am here to tell Senators that they wanted to cut down production. And they did so. The coal mines are 2,000 feet down, with 4 shafts, with very fast lifts. About 1,500 or 2,000 feet back from the shaft was an automatic loader, with a 3½-ton truck, that I saw. It loaded automatically. Nobody touched it. It would go out, would go up, would dump and come back, and nobody would touch it.

The German workman was with me. He talked a little broken English. There the coal seam has about a 3- or 4-foot depth. The seams are not like ours, which are 7 or 8 feet.

A few yards away from where we were the loader had a 10- or 12-foot ceiling. I said, "Show me one of the new faces where you are mining." So we followed the mine shaft out to the new part of the mine. We got down on our knees, where it was finally 3 or 4 feet high. It was a wet mine. There was about an inch of water in it. We were crawling in the water. We got over to the place where he showed me a new 6-foot coal cutter, cutting the coal out. I had never seen a coal cutter before. We had no coal in our part of the country.

The coal was going down on a steel conveyor shaft. It was a shaker conveyor. The conveyor belts were 30 or 40 feet in length. The conveyor belt took the coal over to the next level and out to where the self-loader was. Nobody ever touched it. I said to this German worker, "I do not see anything wrong with your system. Out in Nevada, in the West, when we want to increase mining production we open up new faces, if we have them. You have them here. Why do you not open them up?" In his broken way he said, "We would like to, but the only factory in Germany that makes coal cutters is on the reparations list."

SENATOR PREDICTS ENGLAND AND FRANCE TO REMAIN IN OCCUPIED ZONES IN GERMANY

Senators can put that together. Take it one thing at a time. It is like a watch factory. We want to cut only 10 percent, but in the 10 percent we cut out the thing without which the watch will not work.

I could tell Senators much more about this subject. It does not sound good, but that is it.

I say to Senators that England and France will never move out of Germany. They are afraid of Germany politically, tradewise, and militarily. They are correct, too. They should be afraid, because the Germans will fight and they will work. We keep them down on the ground. We utterly destroyed them twice in our lifetime. It is the only nation which could hold Russia in check, and we will not let the Germans up.

REVIVED GERMANY WOULD CHECK RUSSIA

We hear that we are building up Germany. We are not building up Germany; we are holding Germany down. If we built her up for 3 years and turned them loose we could forget about Russia.

The plan we are following—the 3 or 4 things I have mentioned—constitutes what? It constitutes international socialism at its worst. I do not think there is a Socialist on the Senate floor, but we are voting for this plan. We are reducing the standard of living in America. One cannot live and pay the wages necessary without a war economy today.

If Mr. Khrushchev is half as smart as I think he is, it will not be long before somebody invites him over here. As I told Senators before, he is tough as a boot, and, believe me, he is for Russia. That is what kills us. We cannot understand anybody who is for his own country.

COEXISTENCE WITH RUSSIA WOULD BE FATAL TO ECONOMY

Khrushchev will walk up to our President and shake hands with him, if he is half as smart as I think he is, and he will say, "Mr. President, there is only one nation in the Western Hemisphere that can fight its way out of a paper bag; that is your Nation. There is only one nation in the Eastern Hemisphere that can fight its way out of a paper bag, and that is ours. Let us stop all this foolishness. You come over and take a look at our country and we will come over and take a look at yours. And we will quit this foolishness."

We could not accept that. We would be broke in 60 days. We would be economically destroyed. But Khrushchev would not be. Economic destruction is final in this business.

Let me tell Senators something further. If we have a severe depression now—and we are riding for one; do not make any mistake about it, since we are living on a war economy—we shall be in trouble. We have given all of our markets away and priced ourselves out of the world market. If we have a serious economic dip we shall see what will happen.

LOSS OF AMERICAN MARKET TO AMERICANS AMONG GRAVEST DANGERS

Let the workingmen and the American investors look around, and if they see they have lost the American market we shall be in trouble. We had that market for 150 years. Whenever we needed anything, it came in at our level of living standard. We had the American market. The American businessmen competed for the American market on an even basis. The Americans took the depressions in stride, because they had the American market. That is the only market in the world which amounts to anything.

If we let the workingmen and the businessmen wake up to a depression, with 10 million or 15 million on the street instead of 6 million, with 269 depressed areas, such as there are today, and if they look around to find they do not have the American market and have been priced out of the world market, do Senators know what might happen? We could easily wake up with the kind of government we think we are fighting. It would not take long.

AMERICAN CURRENCY NO LONGER STABLE

Mr. President, what do we have? We have no stable currency. We have no bottom to the currency. We have no top to the currency. We are simply printing currency whenever we need it. We are going to print $8 billion more because we say we need it.

We have divided up the American markets with the nations of the world. Soon we shall have nothing. We are taking the taxpayers' money every day of the year to spend throughout the world. If we handled a private business for 60 days as we have handled this business for 24 years the business would be destroyed. In a private business a private individual will go broke when his bank quits him, and the bank will quit him pretty quickly if he acts as we are acting in treating this Government. But a government is not broke until the money it prints has no value. We are riding for such a fall as fast as God Almighty will let us.

UNITED STATES GOLD SUPPLY DISAPPEARING

Mr. President, it might be well to mention tonight that we started in 1934 with more than $22 billion in the vaults which belonged to the United States. Tonight we have less than $5.7 billion to call our own. How did we get in that condition? The money we gave to the foreign nations, in greenbacks, can be used to buy gold. They can use that money for credit in the gold reserves, and they are doing it.

FOREIGN CLAIMS ON UNITED STATES GOLD PERIL RESERVES

When we work we earn a little old greenback, and we are not permitted to buy gold. We are not trusted with gold.

The previous Secretary of the Treasury, of whom I was very fond—I am now fond of him, too, for I think he is a good lawyer and a good businessman and is smart—was asked about this matter. I asked him about it. I said, "George, I am very fond of you. This thing is bigger than GEORGE MALONE or George Humphrey. Let us make a record." We took 3 days at it. He became a little impatient at times, and so did I. I said, "You can either answer or we can stay here until midnight; it is all right with me." So he answered.

Then Mr. Martin, who is the Chairman of the Federal Reserve Board, was asked about the subject. I asked him about it.

I said, "Mr. Martin, what would happen if all of these credits to foreign nations, some held by individuals, were transferred to foreign banks as could easily be done, and they were demanded? What would happen?"

DEPRESSION WARNING CITED

He said, "Payment could be refused if it became dangerous."

I said, "That is very interesting, but, Mr. Chairman, what would happen if we violated our long-established policy of paying trade balances in gold, if we suddenly said, 'We cannot do that.'? What would happen to the dollar on the international exchange?"

He said, "It would be very depressing."

I said, "What would happen to our economy?"

He said, "It could cause a very serious depression."

So we could refuse to do it and we would have a depression. The dollar would be depressed all over the world.

What is the answer? The answer is that if we continue to do it, within another 2 or 3 years we shall not have any gold at all that we can call our own.

RUSSIAN GOLD CIRCULATING IN EUROPE

The Secretary of the Treasury, Mr. Humphrey, testified to the same effect. He said, "They will not demand gold." I forget just the phrase he used. But, of course, that would not happen.

I have news for him. Russia is mining gold. It does not cost Russia $35 an ounce to mine gold. I saw some of

their gold mines. I had a map of the places I wanted to see in Russia. I remember the first 5-year plan they had in the late 1920's. I could have gone there myself then, but I was building a firm of engineers in Nevada and I could not go. Some of my friends did go. I know where the Russians built dams and mined gold. Finally, they let me go and see it.

Russia is putting its gold out through Europe, I do not think it is news to any Senator that England and the nations of Europe are trading with Russia and China, led by England. Almost every one of them recognizes Communist China. They expected us to follow, too. Trouble was caused here, and we did not do it. They are building us up, however, to recognize Red China.

UNITED STATES FOREIGN AID BUILDING PLANTS TO SUPPLY RUSSIA, RED CHINA

The point is the European nations are trading with Russia and with China. We have our heads in the clouds in this country. We are too "holier than thou" to do anything. All we do is to give them the money to build their plants. We give them our taxpayers' money to do a job. We raise our debt limit. If we pass the pending bill we will have raised the limit twice this year. Generally, it is only once a year. But when the Treasury representatives came before the Senate Finance Committee last spring we said, "Mr. Secretary, you are coming again before the Congress. Keep it up. That is all you have to do, and you will come again next spring for another debt limit rise."

Three or four organizations are encouraging investments abroad. They are the International Monetary Fund, the International Bank for Reconstruction and Development, and the International Finance Corporation. Now we are talking about organizing another bank. Every time one turns around there is another outlet for American money, encouraging American capital to move into Europe and to move into Asia. Why? For a long time it has been said we want to raise the standard of living of the workingmen all over the world.

FOREIGN INVESTMENT BUBBLE WILL BURST WHEN REASONABLE TARIFF RESUMES

I have news for the workingmen of America. If they want to raise the standard of living of those people, let them go back to the Constitution of the United States, and let the tariff represent the difference. Very quickly American corporations in these nations and the nations themselves will say to themselves, "The party is over. We cannot make any money on this low-cost labor because America has extended the tariff." We have the only market they want. So they will let their own wages go up and create a market at home. That is the way to help them. Then as they raise their standard of living the tariff will go down.

FREE TRADE HOLDS DOWN FOREIGN WAGES AND INCREASES FOREIGN PROFITS

We would have reverted to the 1930 act this year if we had not extended the so-called Reciprocal Trade Agreements Act. So long as foreign countries can operate under practically free trade conditions, they will hold wages down. They will take what the traffic will bear, and that will represent the profit. No wages will be raised in foreign countries when they can profit under the present tariff, because that would reduce the profit. We have the shoe on the wrong foot, Mr. President.

If we want to know what some of the States think about what we are doing, last year the President called a conference in Salt Lake City of the representatives of 10 Western States, thinking, of course, that everything we were doing in Washington would be approved. But at that regional conference, a Republican regional conference of representatives from 10 Western States, on May 3 and 4, 1957, what did they do? They passed a resolution asking that the 1934 trade agreement, which they laughingly called "reciprocal trade," be allowed to expire. We never heard anything more about the conference. That conference included the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming, and they unanimously passed a resolution urging the Congress of the United States to allow the 1934 Trade Agreements Act to expire in 1958, this year.

WESTERN REPUBLICANS DENOUNCE GATT TRADE ACT

Mr. President, on the 15th of May, I put the following resolution into the CONGRESSIONAL RECORD:

FOREIGN TRADE AND THE NATIONAL ECONOMY

Whereas 34 foreign, competitive nations are sitting in Geneva, Switzerland, regulating our foreign trade through multilateral trade agreements under the auspices of the General Agreements on Tariffs and Trade; and

Whereas this distribution of our foreign trade between such foreign competitive nations is being carried on under the 1934 Trade Agreements Act, as extended (so-called reciprocal trade); and

Whereas, under this act more than $30 billion of American capital has been invested in such foreign low wage standard of living nations to compete in American labor and investors in the textile, livestock, mining, crockery, glass, precision instrument, machine tool, chemical and electrochemical, and several hundred other fields: Therefore be it

Resolved, That the 10 State Republican regional conference, including the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming urge the Congress to resume its constitutional responsibility of regulating foreign trade and the national economy through the adjustment of the duties, imposts, and excises (art. I, sec. 8), through its agent, the Tariff Commission, and allow the 1934 Trade Agreements Act to expire in June 1958.

YOUNG REPUBLICANS DEMAND TARIFF LEGISLATION REVIEW

Mr. President, the Young Republican National Federation for 1957 and 1958 declared in a resolution:

IMMEDIATE REVIEW OF TARIFF LEGISLATION

We know that behind the shield of our collective defense arrangement, there must be growth and development or that shield will be a paper one. We support the administration in its advocacy of trade policies which promote the interchange of goods to mutual advantage. Under no condition, however, should such an interchange of goods be to the detriment of our American industrial, mining, processing and developing segments of the economy, ending with a resultant loss in operation and income to both employer and employee. Furthermore, we call for an immediate review of tariff legislation to bring relief to hard-hit American industries.

CONGRESS TO RETAIN CONTROL

We believe effective control over foreign trade and the trade agreements program should be retained in the Congress.

That is an expression from two organizations which should be heeded.

GEORGE WASHINGTON'S ADVICE ON FOREIGN FAVORS

I wish to quote from some prominent people who have had a part in the writing of our Constitution. George Washington was one of them. He said:

It is folly for one nation to look for disinterested favors from another. It must pay with a portion of its independence whatever it may accept under that character. It may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more.

He said, further:

There can be no greater error than to expect, or calculate upon real favors from nation to nation.

He also said:

Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice. It is our true policy to steer clear of permanent alliance with any portion of the foreign world.

PROTECTION OF AMERICA WILL DISPEL FEAR OF RUSSIA

George Washington never said we should not have allies in a fight. Every Senator on the floor knows that when a fight starts the people whose interests are common with ours will be allied with us, and the people whose interests are not common will be against us, no matter how much money we put up. We hear a great deal of propaganda about what Khrushchev is going to do. We are asked, "What is he going to do next?"

People are scared to death, at least theoretically. Who cares what Khrushchev is going to do? Let us get ready to take care of the United States of America.

Unless we have the guts to protect our own country and keep it free, the time becomes limited. Fear is being built up in the United States. We can make this hemisphere self-sufficient and produce all the things we need to fight a war or remain at peace. How long we will be able to do it, is something else.

AMERICA MUST MEET AIR AND UNDERSEAS CHALLENGE

We have been reading a great deal in the paper lately about Admiral Rickover. I have known Admiral Rickover for a great many years. I have visited his office. I visited him when he was designing the *Nautilus*. I went to Connecticut 4 years ago to see the launching of that submarine, when it was launched without an engine. That is the submarine that went under the North Pole.

How will we fight the next war? Will we fight it with Marines or with the Navy? We will fight the next war in the air and under the sea. That is how we are going to fight the next war. I do not care what plans are made. If we are not ready to meet the challenge, we will be whipped. That is what they are laying the groundwork for.

There is a great deal of subtle propaganda being put out to the effect that we must join Europe for our own protection, that we must accept a modification of our sovereignty and join a world government, for our own protection. No nation in Europe would be able to fight a war if we did not furnish the weapons. The Nevada Air Corps could whip any one of them.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. LAUSCHE. What air corps did the Senator say?

Mr. MALONE. The Nevada Air Corps. Does the Senator wish to debate the issue? I should be happy to do so.

FOREIGN AID FACTS DESIGNED TO PRESERVE COLONIAL SYSTEM

Some people say that the next war will be fought with foot soldiers, and that we will protect the colonial system with foot soldiers. Mr. President, those people will never submit. Those people are on the move. In 1948 I said on the floor of the Senate that those people would never submit. We debated the Atlantic Pact on the floor of the Senate, and I debated it with Senator Vandenberg. I said to him, "Senator, if we sign that Atlantic Pact, we are guaranteeing the integrity of the colonial system throughout the world."

He said, "Oh, no."

I said, "I will explain it to you."

We are guaranteeing to go to war if any of these nations go to war. How are they going to go to war? To preserve colonialism. Every man, woman and child in America knows it now.

RUSSIANS BUILDING OWN COLONIAL SYSTEM, OPPOSE THOSE OF OTHER NATIONS

That is how they got into war, so that we could rescue them, to protect their colonial system. We cannot protect it. That is why Russia is ahead of us. The Russians are laughing at us. We are trying to hold the colonial system together. The Russians are against anyone else holding a colonial system, even though they may have one of their own. They are against anyone else holding a colonial system, however. We are weakening ourselves economically and militarily in every way.

A prominent member of the military—I forget his name, and although it could be easily found, perhaps it should be forgotten—wrote an article for the Saturday Evening Post about what a great thing the foot soldiers were going to do in the next war. Someone asked me about it. He asked me what I thought about it. I said, "If he was paid for it, it is all right. However, you had better look out, when a great magazine will publish a thing like that. A man like that is supposed to know better."

We send our troops into Lebanon. That is like Russia putting its marines in Cuba. Mr. Bulganin asked me when I visited him in his office, "What would you do if we built an air base in Cuba?" I said to him, "We would bomb the hell out of it," and I grinned.

Of course, I do not know whether, with our present State Department, we would do anything like that.

GEORGE WASHINGTON'S VIEW ON FOREIGN SOURCES OF SUPPLY

Mr. President, George Washington further said:

Ought our country to remain dependent on foreign supply, precarious because liable to be interrupted? If the necessary article should in this mode cost more in time of peace, will not the security and independence thence form ample compensation?

Meaning, Mr. President, that the material can be gotten cheaper with labor which is paid 20 cents an hour or 50 cents a day, but we have a standard of living to maintain, and there are people who will say that the consumer is entitled to the lower price, meaning that wages should go down and the living standard should go down in this country to meet it.

CONSUMER GETS NO PERMANENT ADVANTAGE FROM LOW-COST IMPORTS

But I have news for those people. The consumer does not get the advantage of the lower price. When production in this country is destroyed, the price charged will be what the traffic will bear. The consumer will not get the advantage. Far from getting the advantage of any lower wages, they will pay whatever the traffic will bear.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. DWORSHAK. The United Press International today carried a dispatch listing 43 Republicans in the House and 6 in the Senate who did not support the President's program for the so-called foreign aid and the misnamed reciprocal trade program. The senior Senator from Nevada is listed as one of the six Republican Senators who probably will not receive the active support of the President, because the Senator from Nevada is not in the some political camp as the distinguished President of the United States.

I ask the Senator from Nevada whether he feels that when he took his oath of office, he had the determination, the courage, and the perseverance to reflect the views of his constituency in Nevada, or whether he thought he was obligated to heed the commands or suggestions of the Chief Executive?

LEGISLATURE NOT SUBORDINATE TO EXECUTIVE OR VICE VERSA

Mr. MALONE. I may say to the distinguished Senator from Idaho that I am very fond of the President of the United States. I consider him to be a personal friend of mine. If he were running for reelection tomorrow, I would be for him.

But nowhere in the Constitution of the United States do I find that after the President has been elected, and after I have been elected, or after the Senate Membership has been elected, or after the Membership of the House has been elected, the President must follow the lead of Congress, or vice versa.

I might relate something about what happened in 1956. I have had the habit of calling the White House about every 2 or 3 months. I have reason to believe I am welcome there, because apparently the next open date is mine, and I go down and talk to the President like a Dutch uncle. I know other persons, like Paul Hoffman, come in and rub me out. But that is all right. I do not hold that against anybody. The President is elected, as I am, and we have our own convictions.

However, in 1956, the President was running for office, but I was not running. One does not often quote what he says to the President of the United States, or what the President says in return. But this happened so long ago—in 1956—that I do not think I am breaching any confidences.

I said, after we had visited for awhile, "Mr. President, this is not the time to take up our differences in foreign trade and our billions to Europe, because if we do not get you reelected, how am I going to continue to argue with you?"

CONSCIENCE DICTATES VOTE

When we are elected to the office of Senator, which is the next highest office to the President of the United States, in my opinion, we think of the office, as the distinguished Senator from Idaho has suggested. We also have a conscience. If we believe something is not good for the United States, we do not vote for it.

If we do, we are not worthy of our oath of office.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. MALONE. I am happy to yield.

Mr. DWORSHAK. The senior Senator from Nevada, throughout his service in the Senate, has demonstrated his independence and his determination to reflect the thinking of the people whom he represents, in part, in this body. I ask the Senator whether there is any dominant sentiment in his State to continue a program which during the past decade has resulted in the channeling abroad of $70 billion of the American taxpayers' dollars, dollars which originally were intended to create good will and to create a bulwark for the economies of the free nations of the world.

The record today shows that the United States has fewer friends throughout the world because we have been showing discrimination in the distribution of our largesse. Actually, many nations in South America and elsewhere, which do not need this financial help, are critical of the United States. They point out that our dollars are being given to nations everywhere, while many of the friendly nations in South America are not receiving handouts.

Does the Senator believe the people of his State want a continuation of programs which are destroying the economic structure of the United States, and which obviously are not strengthening the free nations of the world?

Does the Senator from Nevada bow in subservience to the policies which obviously are not proving to be successful, or does he intend to keep faith with the people who elected him to the Senate by trying to build up the national defense and the preparedness of the United States to withstand Communist aggression, infiltration, and subversion?

Mr. MALONE. I think the United States should withstand aggression from any country, whether it is Russia, England, or any other nation.

LONDON DOMINATING UNITED STATES ECONOMIC FOREIGN POLICY

The United States now, economically and in political direction, is being dominated from London, which represents the colonial theory.

Mr. President, these are the closing hours of the 85th Congress.

In these closing hours, the Senate is being pressed to enact two closely and dangerously related bills.

One would appropriate $3,518,092,000 more taxpayers' dollars to hand over to foreign countries.

The other would increase our permanent debt limit by $3 billion to $283 billion, and add another $5 billion to that to set a so-called temporary debt limit of $288 billion.

Mr. President, in the opinion of the senior Senator from Nevada these two bills are part of a sinister pincers movement.

The purpose of this pincers is to squeeze the lifeblood out of the American economy and to further enslave the American taxpayer.

One arm of the pincers is foreign aid.

The other arm is interest-bearing Federal debt.

The taxpayer is caught between both.

The two arms are connected so that they work together.

The foreign-aid appropriations make it necessary to increase the Federal debt.

The higher the Federal debt, the greater the interest that the Federal Government must pay on it.

The taxpayer must pay out of his pocket every dollar that our Government gives to foreign nations.

The taxpayer must pay out of his pocket every dollar that goes to pay interest on the public debt.

The international WPA that we call foreign aid began in 1947.

It has now cost the American taxpayers $75,598,000,000.

These are direct costs.

During this same period we have been financing the world, the interest alone on the public debt has totaled $73,629,015,000.

This, too, must be paid by the American taxpayer.

Who gets the interest?

It is the big banks and corporations that can afford to invest in interest-bearing Government securities.

Who pays the interest?

The general taxpaying public.

The more billions the Government hands out in foreign aid the more money it has to borrow.

The more money it has to borrow the more it has to pay in interest, and the higher Congress must raise the debt limit.

The higher the debt limit and the higher the interest charges the less possibility is there of ever obtaining any reduction in corporate or individual income taxes.

The American taxpayer is forever caught between the pincers if Congress continues to vote for higher debt limits and foreign aid.

Today our Federal debt is greater than that of all the nations in the world that we are aiding with our dollars put together.

Last year during this debate I included a table showing the government debt of all the important nations this side of the Iron Curtain—27 of them including the United States.

The United States debt was then $280,800,000,000, about what it is now. The debt of all the other nations combined totaled only $153,738,000,000.

The United Kingdom which we have given $7,090,000,000 since the war, had a total debt of $74,200,000,000, or approximately one-fourth of ours.

France, which we have given $5,453,000,000 has a debt of only $16,229,000,000.

Germany, which we have given $3,887,000,000, has a debt of $5,024,000,000.

Italy, which we have given $2,874,000,000, had a debt of $7,233,000,000.

Japan, which we have given $2,502,000,000, had a debt of only $2,601,000,000.

Thailand, which we have given $117 million had a debt of only $353 million.

Burma has only received $23 million in foreign aid but then her total debt was only $140 million.

Pakistan has received $370 million in foreign aid; her total debt was $681 million.

The United States Federal debt, I repeat, is $280 billion and yet we are continually urged to contribute more and more billions each year to countries whose public debt is only a fraction of our own.

I ask unanimous consent, Mr. President, to have printed in the RECORD this list which was prepared last year by the New York Daily News of the debts of the leading nations of the non-Communist world, and regret that it has not been brought up to date. However, regardless of how extravagent or wasteful these nations might have been in the last 12 months, it would be impossible for any of them to approach the enormous Federal debt inflicted on our own taxpayers who are being required year after year to support them, as our star boarders.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Debts of the important nations of the world as translated into American dollars and presented in millions:

United States	280, 800
Australia	2, 930
Belgium-Luxembourg	6, 378
Brazil	1, 037
Burma	140
Canada	14, 546
Chile	74
Colombia	281
Denmark	1, 306
France	16, 229
Germany	5, 024
Greece	295
India	6, 408
Israel	506
Italy	7, 233
Japan	2, 601
Mexico	300
Netherlands	5, 422
Norway	1, 726
Pakistan	681
Philippines	452
Portugal	486
Sweden	2, 803
Thailand	353
Turkey	1, 158
United Kingdom	74, 200
Venezuela	10

This total does not include those minor nations of the world whose trivial debts (in current money talk) are in the millions—not billions.

Mr. MALONE. Mr. President, the interest alone on our present United States public debt is more than twice as great as the total debt itself in any year prior to 1918.

I ask unanimous consent, Mr. President, to have printed in the RECORD a table showing the public debt of the United States for each year of its history, and the per capita debt for each year in which such data is available, which includes that for each year subsequent to 1850.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public debt of the United States, 1791 to 1958

Year	Amount	Per capita	Interest
1791	$75, 463, 000		$2, 340, 437
1792	77, 228, 000		3, 201, 626
1793	80, 350, 000		2, 722, 242
1794	78, 427, 000		3, 490, 295
1795	80, 748, 000		3, 189, 151
1796	83, 762, 000		3, 195, 055
1797	82, 064, 000		3, 300, 043
1798	79, 229, 000		3, 053, 281
1799	78, 409, 000		3, 185, 288
1800	82, 976, 000	$15.63	3, 374, 705
1801	83, 038, 000		4, 412, 913
1802	80, 712, 000		4, 125, 039
1803	77, 055, 000		3, 848, 829
1804	86, 427, 000		4, 266, 563
1805	82, 312, 000		4, 148, 999
1806	75, 723, 000		3, 723, 498
1807	69, 218, 000		3, 369, 578
1808	65, 196, 000		3, 428, 153
1809	57, 023, 000		2, 966, 073
1810	53, 173, 000	7.24	2, 845, 428
1811	48, 005, 000		2, 465, 733
1812	45, 210, 000		2, 451, 273
1813	55, 963, 000		3, 599, 455
1814	81, 488, 000		4, 582, 239
1815	99, 834, 000		5, 745, 909
1816	127, 335, 000		7, 213, 259
1817	123, 492, 000		6, 289, 210
1818	103, 467, 000		6, 016, 447
1819	95, 529, 000		5, 152, 538
1820	91, 016, 000	9.44	5, 126, 097
1821	89, 987, 000		5, 087, 274
1822	93, 547, 000		5, 172, 578
1823	90, 876, 000		4, 922, 685
1824	90, 270, 000		4, 998, 562
1825	83, 788, 000		4, 366, 760
1826	81, 054, 000		3, 973, 481
1827	73, 987, 000		4, 486, 672
1828	67, 475, 000		3, 008, 901
1829	58, 421, 000		2, 542, 843
1830	48, 565, 000	3.77	1, 915, 533
1831	39, 123, 000		1, 283, 563
1832	24, 322, 000		772, 592
1833	7, 022, 000		303, 797
1834	4, 760, 000		202, 153
1835	38, 000		57, 863
1836	38, 000		
1837	337, 000		
1838	3, 308, 000		14, 997
1839	10, 434, 000		309, 834
1840	3, 573, 000	.21	174, 598
1841	5, 251, 000		294, 978
1842	13, 594, 000		773, 550
1843	32, 743, 000		623, 595
1844	23, 462, 000		1, 833, 887
1845	15, 925, 000		1, 040, 032
1846	15, 550, 000		842, 722
1847	38, 827, 000		1, 119, 215
1848	47, 045, 000		2, 390, 828
1849	63, 062, 000		3, 365, 578
1850	63, 453, 000	2.74	3, 782, 231
1851	68, 305, 000	2.85	3, 606, 721

Public debt of the United States, 1791 to 1958—Continued

Year	Amount	Per capita	Interest
1852	$66, 199, 000	$2.67	$4, 000, 298
1853	59, 803, 000	2.33	3, 685, 533
1854	42, 244, 000	1.59	3, 071, 017
1855	35, 588, 000	1.30	2, 314, 375
1856	31, 974, 000	1.13	1, 953, 822
1857	28, 701, 000	.99	1, 678, 265
1858	44, 913, 000	1.50	1, 567, 056
1859	58, 498, 000	1.91	2, 638, 464
1860	64, 844, 000	2.06	3, 177, 315
1861	90, 582, 000	2.80	4, 000, 174
1862	524, 178, 000	15.79	13, 190, 325
1863	1, 119, 774, 000	32.91	24, 729, 847
1864	1, 815, 831, 000	52.08	53, 685, 422
1865	2, 677, 929, 000	75.01	77, 397, 712
1866	2, 755, 764, 000	75.42	133, 067, 742
1867	2, 650, 168, 000	70.91	143, 781, 502
1868	2, 583, 446, 000	67.61	140, 424, 046
1869	2, 548, 111, 000	65.17	130, 694, 243
1870	2, 436, 453, 000	61.08	129, 235, 498
1871	2, 322, 052, 000	56.72	125, 576, 566
1872	2, 209, 991, 000	52.65	117, 357, 840
1873	2, 151, 210, 000	50.02	104, 750, 688
1874	2, 159, 933, 000	49.65	107, 119, 815
1875	2, 156, 277, 000	47.84	103, 093, 545
1876	2, 130, 846, 000	46.22	100, 243, 271
1877	2, 107, 760, 000	44.71	97, 124, 512
1878	2, 159, 418, 000	44.82	102, 501, 875
1879	2, 268, 913, 000	46.72	105, 327, 749
1880	2, 090, 909, 000	41.60	95, 757, 575
1881	2, 019, 286, 000	39.18	82, 508, 741
1882	1, 856, 916, 000	35.16	71, 077, 207
1883	1, 721, 959, 000	31.83	56, 166, 131
1884	1, 625, 307, 000	29.35	54, 578, 379
1885	1, 578, 551, 000	27.86	51, 386, 256
1886	1, 555, 660, 000	26.85	50, 580, 146
1887	1, 465, 485, 000	24.75	47, 741, 577
1888	1, 394, 632, 000	22.89	44, 715, 097
1889	1, 249, 471, 000	20.23	41, 001, 484
1890	1, 122, 397, 000	17.90	36, 009, 284
1891	1, 005, 807, 000	15.63	37, 547, 135
1892	968, 219, 000	14.74	23, 378, 116
1893	961, 432, 000	14.36	27, 264, 392
1894	1, 016, 998, 000	14.89	27, 841, 406
1895	1, 096, 913, 000	15.76	30, 978, 030
1896	1, 222, 729, 000	17.25	35, 295, 029
1897	1, 226, 794, 000	16.99	37, 791, 110
1898	1, 232, 743, 000	16.77	37, 565, 925
1899	1, 436, 701, 000	19.21	39, 896, 925
1900	1, 263, 417, 000	16.60	40, 165, 333
1901	1, 221, 572, 000	15.74	32, 342, 979
1902	1, 178, 031, 000	14.88	29, 108, 045
1903	1, 159, 406, 000	14.38	28, 556, 340
1904	1, 136, 259, 000	13.83	24, 646, 490
1905	1, 132, 357, 000	13.51	24, 590, 944
1906	1, 142, 527, 000	13.37	24, 368, 576
1907	1, 147, 178, 000	13.19	24, 481, 158
1908	1, 177, 690, 000	13.28	21, 426, 138
1909	1, 145, 315, 000	12.69	21, 845, 836
1910	1, 146, 940, 000	12.41	21, 342, 944
1911	1, 153, 985, 000	12.29	21, 311, 334
1912	1, 193, 829, 000	12.52	22, 616, 300
1913	1, 193, 048, 000	12.27	22, 899, 108
1914	1, 188, 525, 000	11.99	22, 963, 836
1915	1, 191, 264, 000	11.85	22, 902, 897
1916	1, 225, 146, 000	12.02	22, 930, 869
1917	2, 975, 619, 000	28.77	24, 742, 702
1918	12, 243, 629, 000	117.11	109, 743, 277
1919	25, 482, 034, 000	242.54	619, 215, 569
1920	24, 299, 321, 000	228.23	1, 020, 251, 622
1921	23, 977, 451, 000	220.91	999, 144, 731
1922	22, 963, 382, 000	208.65	991, 000, 759
1923	22, 349, 767, 000	199.64	1, 055, 923, 000
1924	21, 250, 813, 000	186.23	940, 902, 913
1925	20, 516, 194, 000	177.12	881, 806, 662
1926	19, 643, 216, 000	167.32	831, 037, 700
1927	18, 511, 907, 000	155.51	787, 010, 578
1928	17, 604, 293, 000	146.09	731, 764, 476
1929	16, 931, 088, 000	139.04	678, 330, 400
1930	16, 185, 310, 000	131.51	659, 347, 613
1931	16, 801, 291, 000	135.45	611, 359, 704
1932	19, 487, 002, 000	156.10	599, 276, 631
1933	22, 539, 673, 000	179.48	689, 365, 106
1934	27, 053, 141, 000	214.07	756, 617, 127
1935	28, 700, 883, 000	225.55	820, 920, 353
1936	33, 779, 545, 000	263.79	749, 396, 802
1937	36, 424, 614, 000	282.75	866, 384, 331
1938	37, 164, 740, 000	286.27	926, 290, 714
1939	40, 439, 532, 000	308.98	940, 539, 764
1940	42, 967, 531, 000	325.62	1, 040, 935, 607
1941	48, 961, 444, 000	367.97	1, 110, 592, 812
1942	72, 422, 445, 000	541.39	1, 200, 065, 336
1943	136, 696, 060, 000	1, 020.38	1, 806, 160, 306
1944	201, 003, 387, 000	1, 455.67	2, 698, 970, 806
1945	258, 682, 187, 000	1, 852.74	3, 616, 686, 048
1946	269, 422, 000, 000	1, 905.42	4, 721, 958, 000
1947	258, 256, 000, 000	1, 792.05	4, 957, 922, 000
1948	252, 292, 000, 000	1, 720.71	5, 211, 102, 000
1949	252, 770, 000, 000	1, 694.75	5, 339, 396, 000
1950	257, 357, 000, 000	1, 696.68	5, 749, 913, 000
1951	255, 222, 000, 000	1, 653.42	5, 612, 655, 000
1952	259, 105, 000, 000	1, 650.06	5, 859, 263, 000
1953	266, 071, 000, 000	1, 666.74	6, 503, 580, 000
1954	271, 260, 000, 000	1, 670.14	6, 382, 486, 000
1955	274, 374, 000, 000	1, 660.15	6, 370, 362, 000
1956	272, 651, 000, 000	1, 622.64	6, 786, 599, 000
1957	270, 634, 369, 846	1, 580.55	7, 244, 193, 496
1958	276, 444, 438, 345	1, 587.62	7, 611, 544, 091

Mr. MALONE. Mr. President, the above table is significant. It is worthy of study.

It will be noted that each war has increased the public debt during the war and also during a brief reconstruction period of 2 or 3 years following. This is the natural consequence of war.

Since our constitutional government was formed we have had seven wars. They were:

The War of 1812: from 1812 to 1815.

The Mexican War: from 1846 to 1848.

The Civil War: from 1861 to 1865.

The Spanish-American War: in 1898.

World War I: 1917 and 1918.

World War II: 1941 to 1945.

And the Korean war: 1950 to 1953.

The War of 1812 increased the public debt to $127,335,000, but after 1816 our Government wisely began to reduce the debt by economical and judicious administration and an increase in customs duties, then a principal source of revenue.

In 20 years they had the debt down to a mere token sum of $38,000 on which there was no interest charge of a sufficient amount to be noted in the records.

The Mexican War tripled the public debt from $15½ million in 1846 to $47,045,000 in 1848 and for 4 years after that war the public debt was between $63 million and $68 million. But it then declined annually to 1857 when the per capita debt was only 99 cents or less than a dollar.

The Civil War, with the second highest number of casualties in our history cost our Government less than the interest on our public debt tody, and after 1866 there was a continuous decline in the debt and in the interest charges until 1893, almost on the eve of the Spanish American War, which only increased the national debt by $200 million.

These were American wars fought in American interests.

Our international wars began in 1917 and for the first time in history our national debt zoomed to $3 billion. It reached approximately twelve and a quarter billion in 1918, and twenty-five billion in 1919. Many of these billions represented money borrowed from our taxpayers and given to our allies, but which our allies never paid back.

However, beginning in 1921, the debt was progressively reduced until the great depression. In 1930 it was only $16,185,000,000, and the interest charge was less than one-tenth what the interest on our public debt is today. The per capita debt was $131.50.

The national debt began to rise when the New Deal came in but even in 1941, when our preparedness program already was well underway, it had not yet reached $50 billion. In 1945 it was $258 billion; in 1946, $269 billion. Much of that debt, some $50 billion of it, was represented in the costs of financing our allies.

In 1947 and 1948 our public debt began to taper off in accordance with our historic pattern, but foreign aid expenditures of billions a year reversed that principle and tradition, and in consequence our debt now is the highest it has ever been in history and $22 billion higher than it was at the close of the war. The interest charges alone would have financed the Civil War.

This is an enormous debt. It represents, as the table shows, a debt of nearly $1,600 owed by every man, woman and child in the United States.

The Government of the United States has mortgaged not only our children but our children's children.

Why?

Primarily to bring security to foreign governments at the risk of losing our own security.

Many of these foreign governments are run by dictators, and several by Communist dictators; many others are run by Socialists and self-proclaimed neutrals who always side with the Communists in a showdown. Some of them are kingdoms? Some are sheikdoms, whatever that is. And scarcely any of them are republics or democracies.

Yet we are financing them at taxpayers' expense, increasing the national debt to do so, and burdening future American generations with oppressive taxation.

Not one of these countries, as the table I introduced early in my remarks shows, has a public debt remotely comparable to our own.

All of them put together do not have a public debt that comes within a hundred billion dollars of being what our own debt is.

Only three nations in the world have a public debt as large as the interest alone that we are paying on our own national debt.

And yet we have administration spokesmen weeping and moaning to us here on Capitol Hill because they only want to give away 3½ billion to these almost debt-free nations in the coming year.

Out of one side of their mouths they plead for us to give away more billions to foreigners.

Out of the other side of their mouths they plead with us to raise the debt limit so we can incur more debt to give more billions to foreigners.

Mr. President, on June 30, 1958, the council of State chambers of commerce issued a bulletin, headed: "What Price Foreign Aid in 1959."

Page 1 of that bulletin includes a table.

I ask unanimous consent that this table be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Foreign aid funds paid out during the post-war period from July 1, 1945, to June 30, 1957, and foreign aid funds available from July 1, 1957, to date [1]

	Million
Grants paid out July 1, 1945 to June 30, 1957	$50, 981
Grants unexpended as of June 30, 1957	6, 200
Funds provided for fiscal 1958:	
Grant appropriations	2, 300
Farm commodities for relief purposes	300
Total grants	59, 781

[1] Source: Office of Business Economics, U. S. Department of Commerce.

Foreign aid funds paid out during the post-war period from July 1, 1945, to June 30, 1957, and foreign aid funds available from July 1, 1957, to date—Continued

	Million
Less: Returns on grants to June 30, 1957	$1,724
Net aid in grants	58,057
Loans paid out July 1, 1945 to June 30, 1957	13,023
Grants converted to loans	2,257
Unexpended loan authority June 30, 1957	3,800
Funds provided for fiscal 1958:	
Loan appropriations	400
Foreign currencies from sale of farm commodities	600
Expanded loan authority of Export-Import Bank	2,000
Total loans	22,080
Less: Principal collected on loans to June 30, 1957	4,539
Net aid in loans	17,541
Total net aid	75,598

Mr. MALONE. Mr. President, the council of State chambers of commerce also prepared a table showing the net funds provided by the taxpayers of each State of the Union for foreign aid during the period of July 1, 1945 to June 30, 1958.

I ask unanimous consent that this table be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

State-by-State breakdown of post-World War II foreign-aid costs

	Federal tax burden, percentage	Net funds provided, July 1, 1945, to June 30, 1958
Alabama	0.93	$703,061,400
Arizona	.50	377,980,000
Arkansas	.44	332,631,200
California	10.51	7,945,340,800
Colorado	.89	672,822,200
Connecticut	2.25	1,700,955,000
Delaware	.61	461,147,800
Florida	2.08	1,572,438,400
Georgia	1.30	982,774,000
Idaho	.24	181,435,200
Illinois	7.11	5,375,017,800
Indiana	2.36	1,784,112,800
Iowa	1.11	839,137,800
Kansas	.94	710,621,200
Kentucky	1.08	816,458,400
Louisiana	1.17	884,495,600
Maine	.41	309,951,800
Maryland	1.80	1,436,362,000
Massachusetts	3.66	2,766,886,800
Michigan	5.01	3,787,450,800
Minnesota	1.62	1,224,667,600
Mississippi	.41	309,951,800
Missouri	2.39	1,806,792,200
Montana	.30	226,794,000
Nebraska	.60	453,588,000
Nevada	.20	151,196,000
New Hampshire	.32	241,913,600
New Jersey	4.20	3,175,116,000
New Mexico	.32	241,913,600
New York	13.93	10,530,801,400
North Carolina	1.36	1,028,132,800
North Dakota	.19	143,636,200
Ohio	6.18	4,671,956,400
Oklahoma	.91	687,941,800
Oregon	.91	687,941,800
Pennsylvania	7.14	5,397,667,200
Rhode Island	.58	438,468,400
South Carolina	.61	461,147,800
South Dakota	.20	151,196,000
Tennessee	1.13	854,257,400
Texas	4.23	3,197,755,400
Utah	.33	249,473,400
Vermont	.18	136,076,400
Virginia	1.68	1,270,046,400
Washington	1.53	1,156,649,400

State-by-State breakdown of post-World War II foreign-aid costs—Continued

	Federal tax burden, percentage	Net funds provided, July 1, 1945, to June 30, 1958
West Virginia	.73	$551,865,400
Wisconsin	2.05	1,549,758,000
Wyoming	.16	120,956,800
Alaska	.10	75,598,000
District of Columbia	.72	544,305,600
Hawaii	.29	219,234,200
Total	100.00	75,598,000,000

Mr. MALONE. Mr. President, 400 years ago the greatest and potentially the richest nation in the world was Spain.

Its monarchs possessed all of South and Central America, the southwestern portion of the United States, the southern half of Italy, Sicily, and Sardinia, the areas that now comprise the Netherlands and Belgium, and even Austria. Most of the world's gold supply and silver supply was in her hands. Then she collapsed.

A great English economist in 1698, Charles D'Avenant, wrote what is perhaps Spain's most appropriate obituary, as follows:

> Spain is a sufficient instance, what a weight of old debts are upon any country, and how they render present administration difficult and impotent. The chief branches of that kingdom's revenue are employed in payment of interest for money borrowed a hundred years ago; and that nourishment which should support the body politick, being diverted in another way, it becomes weak, and unable to resist accidents. When a people so involved come to be engaged in a foreign war 'tis quickly evident to their enemies that they are not much to be feared for their power, and to their friends, that they are not to be depended on for any help.

These large anticipations which began in 1588, and were continued from year to year, without any measures thought on to lessen the debt, have more contributed to sink the Spanish monarchy than all their other bad councils put together. And this has been all along the case of Spain, whose crown revenue is near as large as that of France, but so clogged and anticipated that upon any emergency, for want of money, they can neither find fleets or armies for their kingdom's defense.

Mr. President, foreign aid is nothing new. It has been extended to one or more of the empire-minded powers of Europe since 1914. It has helped hurl us into two foreign wars. It contributed in large measure to the 1929 depression. It has never brought us returns in either peace or friendship.

During World War I the United States financed 19 allies. Nine of these quondam allies are now behind the Iron Curtain controlled by Communists.

Before the entry of the United States into World War I the war in Europe was financed in large measure by New York banks. After America's entry the war was financed by the United States taxpayers and the loans made to these powers were ample to pay off the debts owing to the banks.

In World War I, prior to America's entry on April 6, 1917, great Britain's direct borrowings in the United States totaled $1,065,000,000. J. P. Morgan & Co. were the American bankers for the British Government.

France made her first war loan in the United States in September 1914, for $10 million, arranged through the National City Bank of New York.

In March 1915, a syndicate headed by J. P. Morgan & Co., placed a loan of $50 million in New York for the French Government.

France next obtained $250 million from a loan placed in New York in October 1915, by a syndicate headed by J. P. Morgan & Co.

In May 1916 France obtained a loan of $100 million in New York handled by an American foreign securities company which had a paid-in capital of only $10 million but sold $94,500,000 in 5-percent bonds.

In April 1917 France obtained a loan of $100 million through J. P. Morgan & Co.

France also arranged industrial or export credits in the sum of $45 million arranged by the Brown Bros. & Co., and $110 million arranged by Bonbright & Co., individually and in connection with the Guaranty Trust Co. and Bankers Trust Co.

In October 1916 the city of Paris arranged a loan of $50 million in New York. In November of the same year the city of Marseilles arranged a loan of $12 million, as did also the city of Lyons and the city of Bordeaux. All city loans were negotiated by Kuhn, Loeb & Co.

Russia, on September 1, 1917, owed the United States $279 million. She also owed Britain $2,766,000,000; France $762 million; Japan, $152 million, and Italy, $10 million.

Credits in behalf of Russia prior to American entry into the war included: $5 million, October 1914, National City Bank; $10 million, April 1915, National City Bank; $50 million, June 16, 1916, syndicate headed by the National City Bank, and $25 million, November 1916, handled by the same syndicate.

During World War I the United States financed allies and other nations in the sum of $10,578,509,000, principal only, exclusive of interest, in addition to financing its own military operations which entailed an increase in the national debt from $1,282,000,000 to $24,298,000,000. These loans were financed by proceeds from Liberty Loan sales.

The Liberty Loan Act provided that the Secretary of the Treasury was permitted to make loans only to foreign governments engaged in war with the enemies of the United States, and such authority was to cease upon the termination of the war between the United States and the Imperial German Government.

Loans were made to Armenia, Austria, Belgium, Czechoslovakia, Esthonia, Finland, France, Great Britain, Greece, Hungary, Italy, Latvia, Liberia, Lithuania, Nicaragua, Poland, Rumania, Russia, and Yugoslavia.

In direct contravention to the express wording of the Liberty Loan Act loans were made after the war had ended. The total of these postwar loans was $2,170,000,000, and included indirect loans to Germany via other governments who supplied Germany with products purchased with loans from the United States. Austria, also a former enemy, was also a beneficiary of this largesse.

The war debts were never paid. Principal plus interest owed the United States by foreign governments on indebtedness growing out of World War I, now approximates $18 billion.

Despite the fact that these debtor countries did not pay their debts to the United States for money obtained from American Liberty bond purchasers, United States banks throughout the period between World War I and World War II continued to make loans to these and other foreign governments.

Samuel Crowther in America Self-Contained lists the new loans to foreign countries from the years 1922 through 1931, as follows:

1922	$763,627,000
1923	420,597,000
1924	969,224,000
1925	1,076,466,000
1926	1,314,481,000
1927	1,574,225,000
1928	1,578,951,000
1929	948,230,000
1930	1,107,333,000
1931	419,835,000

Crowther observes:

> The foreign loans * * * did not help trade. The foreign loans were not made in order to help trade. They were not made to rehabilitate foreign nations. They were made, for the most part, simply so that the bankers might have a stock of quick moving goods.

Mr. President, the time came when the foreign countries which had welched on their debts to the United States Government began to welch also on their debts to the New York banks. That was the beginning of the great depression.

DEFENSE OF UNITED STATES MUST BE BASED IN NORTH AMERICA

Mr. President, if, 30 years ago, someone had said we would be afraid of any nation, that we would be afraid of our own shadow, that we would be divesting our own markets of the lifeblood of the American people, and would be dividing our markets among the other nations of the world, that person would have been put into an insane asylum.

Mr. President, principles do not change. It is true that we have to keep up with the rest of the world. But the principle of defense never has changed.

I have said before that the next war will be fought under the sea or in the air, but not on the ground, where I and many of my colleagues fought the First World War.

We must keep control of this situation; and we can do so. We can defend this hemisphere from North America, and can make it self-sufficient in case of war—just as Russia can do, so far as her part of the world is concerned.

NUCLEAR-POWERED SUBMARINES TO CHANGE COURSE OF WARFARE

Today, and everyone in this country will know it within 6 months, if we construct enough nuclear-powered submarines, such as the *Nautilus*, which recently went under the North Pole—and let me point out that I said, facetiously, 5 or 6 years ago, that such a submarine has to surface only every 2 or 3 years, just long enough to let the crew reenlist [laughter]—the method of war in the world will be changed. I do not know how many submarines of that type we need; but if we had any gumption, we would make a great many more of them. Once such submarines submerge, they cannot be located, for they do not use the old type of engine. Instead, they are run by nuclear fuels. In a matter of minutes—not hours—such submarine can surface and can throw bombs into Moscow or anywhere else their commanders wish.

If we had as many of those submarines as we need—and we should let those at the top of our national defense determine how many of them we need—then, if we had a certain number of them under the Arctic ice, they could destroy any nation that attempted to destroy us. Under those circumstances, if a potential attacker knew that was possible, he would never attack us.

Mr. DWORSHAK. Mr. President, will the Senator from Nevada yield to me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. MALONE. I am happy to yield.

Mr. DWORSHAK. The Senator from Nevada reads the newspaper press accounts of the President's press conferences and the statements released by the press-relations bureau of the White House. Does not the Senator from Nevada fear that whereas we should have solidarity within the United States, in order to face the threats that come from behind the Iron Curtain these inept statements from the White House probably will cause dissension and friction within the Nation, and actually will weaken the defense of our country? Although we have reliance upon missiles, planes, and nuclear-powered submarines, and although we have confidence that we are building up military defenses to reserve the security of the Nation, if there is lack of harmony or unity within the Nation, is not the responsibility for that in the White House, where these inept public-relations policies are initiated?

GOVERNMENT LACKING FORTITUDE

Mr. MALONE. I do not believe the responsibility is solely in the White House. Instead, it is right here in the Congress—in the Senate and in the House of Reresentatives. The Members of Congress are the ones who must develop the guts to stand on their feet and say what they believe. I have told the Senate what I believe, and within 6 months everyone will know it.

But, instead, our officials become frightened when Khrushchev and others make threats.

Furthermore, the United States has become the laughing stock of the world. Our Government does not even have the guts to insist upon the freeing of American citizens who are captured—for instance, when Americans were captured by Castro, and were kept in captivity in the mountains of Cuba. Mr. President, do you know what I would have done if I had been President at that time? I would have sent a radio message to Castro, "My friend, tomorrow morning, at 9 a. m., a passenger plane will land at the airport nearest your base. It will pick up our men whom you have made captive—either that, or, if you do not see that they are put aboard that plane, it will be followed by a fleet of our planes; and that will be the last anyone will ever hear of you."

Then those American citizens would have been freed at once.

But, instead, the policy our Government follows is a disgrace to the American people. Our Government does not have the guts that God gives to geese.

Mr. President, tonight I am saying things which everyone in the United States should know. I should not have to say them. All Members of Congress know them. All we need to do is stop and think. But no one stops to think, any more; we just follow, like a bunch of cattle.

Mr. JOHNSON of Texas. Mr. President, will my friend yield to me?

Mr. MALONE. I am delighted to yield.

Mr. JOHNSON of Texas. Mr. President, I had hoped the Senate would be able to take a yea-and-nay vote, tonight, on the pending bill. However, if the Senator from Nevada does not feel that he can join us in our desire to have the yeas and nays ordered, and to have that vote taken tonight, I wonder whether he will yield to me, in order to permit me to make a motion that the Senate adjourn. In that event, it would be impossible for us to conclude the session this week. However, I do not believe we should ask Senators to remain much longer this evening.

Mr. MALONE. I am very happy to yield for that purpose.

Mr. JOHNSON of Texas. Will the Senator from Nevada permit a vote to be taken tonight on the debt-limit-increase bill—with the understanding that consideration of the mutual security bill will not be resumed until tomorrow? Also, I should like to request the ordering of the yeas and nays, while most of the Members are in the Chamber. If we are able to dispose tonight of the bill to raise the debt ceiling, then the Senate could resume its consideration of the mutual security bill; and, on tomorrow, the Senator from Nevada could be recognized.

Mr. MALONE. Mr. President, it is impossible for me to turn down the request the Senator from Texas has made, because he has been so fine in his dealings with me during the entire session—in fact, during the entire time he has been the majority leader.

I must admit that I am just so aggravated and so angry—in fact, I was so angry that was one reason I ran for election to the Senate in 1946, the only job I ever ran for. But I am more angry now, because now the Republican organization is doing exactly what the Democratic organization has been doing for the last 25 years.

So, Mr. President, I promise to yield in 5 minutes.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Nevada yield to me now, long enough to permit me to request the yeas-and-nays on the question of the final vote on the debt-limit-increase bill—so that all Members may know what sort of vote will be taken on that question?

Mr. MALONE. Very well.

Mr. JOHNSON of Texas. Mr. President, on the question of the final passage of the bill, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Obviously there is a sufficient number; and the yeas and nays are ordered.

WASHINGTON QUOTED

Mr. MALONE. Mr. President, I wish to quote further from George Washington. He said:

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities. * * * It is our true policy to steer clear of permanent alliance with any portion of the foreign world.

Mr. President, George Washington never said our country should not have allies. Certainly, Mr. President, when any trouble develops, we shall have allies who are friendly to our point of view. But we do not need allies under a treaty which binds us to do things that our allies never will do—things in which they, themselves, do not believe.

JEFFERSON ADVOCATED ECONOMIC INDEPENDENCE

Mr. President, Thomas Jefferson said:

To be independent for the comforts of life we must fabricate them ourselves. The grand inquiry now is, shall we make our own comforts or go without them at the will of a foreign nation?

JAMES MADISON PLEDGES TO "BUY PEACE OF NONE"

James Madison said, in a message to the Bey of Algiers in August 1816:

The United States, whilst they wish for war with no one, will buy peace of none. It is a principle incorporated into the settled policy of America, that as peace is better than war, war is better than tribute.

JAMES MONROE'S VIEWS ON NATIONAL SELF SUFFICIENCY

James Monroe said:

It cannot be doubted that the more complete our internal resources and the less dependent we are on foreign powers for every national as well as domestic purpose the greater and more stable will be the public felicity.

James Monroe also said:

Possessing as we do all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent, the sudden event of war, unsought and unexpected, can not fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufacturers should be domestic, as its influence in that case instead of exhausting, as it may do in foreign hands, would be felt advantageously on agriculture and every other branch of industry. Equally important is it to provide at home a market for our raw materials, as by extending the competition it will enhance the price and protect the cultivator against the casualties incident to foreign markets.

"FEED OUR OWN," SAID ANDREW JACKSON

Andrew Jackson said:

We have been too long subject to the policy of the British merchants. It is time we should become a little more Americanized, and instead of feeding the paupers and laborers of England, feed our own, or else in a short time, by continuing our present policy, we shall all be rendered paupers ourselves.

Henry Clay said:

Let us no longer watch the nod of any European politician. Let us be real and true Americans and place ourselves at the head of the American system.

ABRAHAM LINCOLN'S ESTIMATE OF FOREIGN DANGERS

Abraham Lincoln said:

At what point, then, is the danger to be expected? I answer, if it ever reaches us, it must spring up among us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide.

Daniel Webster said:

Away then, once and forever, with the miserable policy which would bring the condition of the laborer in the United States to that of a laborer in Russia, or Sweden, in France or Germany, in Italy or Corsica. Instead of following these examples, let us hold up all our own, which all nations may well envy, and which, unhappily, in most parts of the earth, it is easier to envy than to imitate.

WORLD WAR I A TRADE WAR, SAID WOODROW WILSON

Woodrow Wilson said, in a speech on September 5, 1919:

The real reason that the war we have just finished took place was that Germany was afraid her commercial rivals were going to get the better of her, and the reason some nations went into the war against Germany was that they thought Germany would get the advantage of them. The seed of jealousy, the seed of deep-seated hatred, was hot, successful commercial and industrial rivalry. This war in its inception was a commercial and industrial war. It was not a political war.

HERBERT HOOVER'S SOUND ADVICE ON FOREIGN AND MILITARY POLICY

Herbert Hoover said:

The foundation of our national policies must be to preserve for the world this Western Hemisphere Gibraltar of western civilization. We can, without any measure of doubt, with our own air and naval forces, hold the Atlantic and Pacific Oceans. With one frontier on Britain (if she wishes to cooperate); the other on Japan, Formosa, and the Philippines, we could, after initial outlays for more Air and Navy equipment, greatly reduce our expenditures, balance our budget, and free ourselves from the dangers of inflation and economic degeneration.

Mr. Hoover also said:

We are not blind to the need to preserve western civilization on the Continent of Europe or to our cultural and religious ties to it. But the prime obligation of western continental Europe rests upon the nations of Europe. The test is whether they have the spiritual force, the will and acceptance of unity among them by their own volition. America cannot create their spiritual forces: We cannot buy them with money.

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD a statement with respect to the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEBT LIMIT

UNDER PRESENT LAW

As the law stands now the permanent statutory ceiling is $275 billion and, under an act signed last February 26, the limit was temporarily raised $5 billion until June 30, 1959.

In other words, under present law the limit is temporarily $280 billion until next June 30, and at that time it would revert to the permanent $275 billion ceiling.

UNDER HOUSE BILL

As this bill was passed by the House of Representatives, the present temporary $5 billion increase in effect is repealed; the permanent limit would be raised by $10 billion from $275 billion to $285 billion; and in addition there would be another $3 billion temporary increase expiring June 30, 1960.

In other words the limit would be $288 billion until June 30, 1960, and at that time it would come down to a new permanent limit of $285 billion.

UNDER SENATE BILL

Under the bill as reported by the Senate Finance Committee, and as it is now pending before the Senate, the permanent limit would be raised $8 billion from $275 billion to $283 billion, and the $5 billion temporary increase enacted last February would be unchanged, to remain effective until June 30, 1959.

In other words, under the bill now before the Senate with Finance Committee approval, the limit would be $288 billion until the end of this fiscal year, and at that time it would revert to a new permanent ceiling of $283 billion.

LEEWAY UNDER BILL

Requirement for the debt limit is measured principally by the operating leeway afforded. Leeway is provided by the combined amount of unused borrowing authority under the limit, and cash balances on hand at any given time.

On the basis of figures presented to the Finance Committee by the Secretary of the Treasury, and the outlook as he outlined it, provisions in the Senate bill would be ample. Members of Congress, and the public generally, need have no fear to the contrary.

The official estimates clearly show that under provisions of this bill the Federal Government can pay all of its bills on time, and in no period will it be operating on a leeway of less than $4.7 billion.

In fact, under the pending bill, there will be times during the current fiscal year when the leeway will be as high as $15.9 billion.

The semimonthly estimates of the leeway situation in fiscal year 1959, based on official figures submitted by the United States Treasury Department, are as follows:

Estimated leeway under proposed $288 billion statutory debt limit

[In billions]

Fiscal year 1959	Proposed $288 billion statutory debt limit	Estimated debt outstanding (subject to limit)	Leeway under $288 billion debt limit: Unused borrowing authority	Leeway under $288 billion debt limit: Estimated operating cash balance	Leeway under $288 billion debt limit: Total
1958					
Aug. 15	$288	$277.8	$10.2	$5.2	$15.4
Aug. 31	288	278.5	9.5	5.6	15.1
Sept. 15	288	276.3	11.7	2.2	13.9
Sept. 30	288	276.1	11.9	4.0	15.9
Oct. 15	288	280.2	7.8	5.5	13.3
Oct. 31	288	279.9	8.1	4.1	12.2
Nov. 15	288	279.6	8.4	3.0	11.4
Nov. 30	288	279.7	8.3	2.8	11.1
Dec. 15	288	282.0	6.0	2.9	8.9
Dec. 31	288	281.9	6.1	3.9	10.0
1959					
Jan. 15	288	285.1	2.9	5.7	8.6
Jan. 31	288	281.9	3.1	5.5	8.6
Feb. 15	288	283.7	4.3	3.4	7.7
Feb. 28	288	284.1	3.9	4.5	8.5
Mar. 15	288	283.7	4.3	2.8	7.1
Mar. 31	288	280.5	7.5	2.9	10.4
Apr. 15	288	283.7	4.3	4.2	8.5
Apr. 30	288	283.6	4.4	3.0	7.4
May 15	288	284.8	3.2	3.8	7.0
May 31	288	285.8	2.2	4.5	6.7
June 15	288	285.5	2.5	2.2	4.7
June 30	288	283.3	4.7	4.2	8.9

REQUIREMENT FOR REVIEW

In short, the administration requested a $288 billion limit until June 30, 1960, and the committee bill would grant the $288 billion limit until June 30, 1959.

The semimonthly leeway estimates clearly show the $288 billion is enough for the current fiscal year ending June 30, 1959.

The Treasury has not supplied figures on which we can base an estimate of the requirement for fiscal year 1960.

Congress will be back in session during the first few days in January 1959. That is only 4 months from now. At that time the new budget for fiscal year 1960 will be ready for presentation. There will be something by which to measure the requirements for debt limit requirements in that year, and there will be sufficient time for a more adequate estimate of the debt a year hence. The situation can and should be reviewed at that time.

RESTRAINT ON SPENDING

As the Senate knows, the present Secretary of the Treasury, as well as his predecessors of more recent years, are on record as to the advisability of a reasonably tight debt limit. Current expenditure authorization procedure is the reason for that.

Under this procedure we finance multiyear Federal programs and projects far in advance. As a result we have built up tremendous balances in prior year authorizations—appropriations, authority to spend out of debt receipts, contract authorization, etc., over which there is little annual expenditure control except debt limitation. In the current year total spending authorizations will be at least $150 billion.

In this connection, the people of this country are reassured that there is no more responsible committee in Congress than the Senate Finance Committee.

So long as it is fiscally possible, the committee will report legislation to protect the integrity of the Federal Government of the United States. And, so long as the money can be raised within our system, the Government's valid bills and debts will be paid—

and on time. It is the committee's job to see to that, as difficult as it is in these times.

The committee has determined that, under existing conditions, a reasonably tight debt ceiling properly administered by executive agencies, is the most constructive and effective remaining restraint on excessive Federal spending.

I cannot overlook this opportunity to compliment responsible officials of the Government for their action in this respect a year ago. Unfortunately their efforts were disgracefully misrepresented by some low-grade Federal officers and their associates. The principal offenders were in the Defense Department area working through friends and contractors.

SITUATION IS SERIOUS

Special interests—vested and otherwise—can no longer be tolerated. Every current indication and every word of new testimony is now building up a preponderance of evidence as to the seriousness of the situation confronting us.

When Congress convened in January we were told by the administration that the Federal budget would be virtually balanced in the last fiscal year and that there would be a surplus in this fiscal year.

Actually, there was a $2.8 billion deficit in the last fiscal year, ending June 30, and another deficit of $12 billion is anticipated in the present fiscal year.

The administration has asked for two debt ceiling increases in a period of 6 months, aggregating $13 billion, making the total debt limit $288 billion.

This unprecedented deterioration of our fiscal condition in a brief space of 6 months should shock every American into a realization of the perils that confront us.

The Budget Director anticipates an $80 billion expenditure budget this fiscal year. And this will continue: so that in 5 years it is predicted we will spend $400 billion. On the basis of the present revenue, there would be an accumulated deficit of $65 billion in the next 5-year period. The debt would then approach $350 billion.

It is evident that we have a runaway budget and little effort is being made by either the administration or Congress to control it.

The Secretary of the Treasury has intimated that he may have to ask for another debt ceiling increase when Congress convenes in January.

DEFICIT-DEBT-INFLATION

Over the past year the Senate Finance Committee has made a special study of the financial condition of the United States. Every competent witness has testified that continual Federal deficits and growing national debt are the principal factors in inflation.

The contention that inflation will balance the budget by increasing income which may be taxed is fallacious. Increased cost of goods and services purchased by the Government will consume most of the increase in revenue resulting from inflated income.

Deficit spending will promote serious inflation and, if continued, it will destroy more of the purchasing power of our present 48-cent dollar.

Unless we change our course, we are going to be in serious fiscal and economic trouble. When the American dollar goes down, the currency of the world will collapse. Drastic action will be necessary to prevent real disaster.

The security of the Free World—and that includes us—depends upon the strength of the United States, and the strength of the United States depends upon solvent government and maintaining the value of our money.

On the basis of constant 1939 index measurement, since that year the value of the American dollar has dropped from 100 cents to 48 cents. This year it dropped every month, January through June. There are indications that it dropped in July. And in August we already have the rise in the price of steel and aluminum.

Raising the debt limit formally licenses further inflation. We have been forced by Federal spending into raising the limit on a temporary basis since 1954. Now we are asked to do it both permanently and temporarily.

We are spending ourselves into the inevitable corner. By law we have ordered expenditures far beyond our income. The gun is at our heads. Under the circumstance, how can continuing deficits and mounting debt be avoided?

NONESSENTIAL FEDERAL EXPENDITURES

We need no crystal ball to see the budgetary shape of things to come. We need only to look at the nature and magnitude of the legislation we have been passing in this session of Congress.

To mention only some of it as passed by the Senate:

We have approved the $666 million temporary unemployment compensation act, the $125 million superliner construction bill, the $500 million transportation loan guaranty authority, and $1.5 billion in Federal pay raises.

We have approved legislation for an additional $2 billion in Export-Import Bank lending authority, $350 million for small business, and in the Senate we have passed 4 bills for housing and related projects authorizing a total of $26 billion in Federal cash and public credit.

Then, there were the $1.5 billion (Public Law 480) Agricultural Trade Development and Assistance Act amendments, the $1.5 billion school bill, the $500 million highway bill (in addition to the trust fund), and two resolutions for acceleration of public works which, in the kind of spending atmosphere we have generated, could run for $50 billion.

These certainly are not all, but they are samples of the kind of legislation we have been passing. New spending authorizations in this session of Congress, in their present status, exceed the President's request by upward of $10 billion.

It should be noted that much of this new spending authorization is outside of appropriation control. It should be noted also that the greater part of it is in strictly domestic-civilian categories.

Please note too that I have been speaking of new spending authorizations, much of which will be spent in future years. Only part of it will be spent in the current fiscal year.

The Senate may be surprised at the areas in which spending will be increased this year. In the hearing on this bill last Friday, Mr. Maurice Stans, Director of the Budget testified that:

1. The budget submitted in January estimated total spending at $73.9 billion; this is now revised to $79 billion, an increase of $5.1 billion.

2. The January spending estimates for national security, including military, stockpile, defense production, and atomic energy, totaled $42.8 billion; this is now revised to upward of $43.5 billion, an increase of about $700 million.

3. The January spending estimates for foreign aid and international affairs, including military assistance and economic aid, totaled $4.4 billion; this is now revised to $4.1 billion, a reduction of $300 million.

4. The January spending estimates for the remaining areas of Federal activity, which I choose to call domestic civilian, totaled

$26.8 billion; this is now revised to $31.6 billion, an increase of nearly $5 billion, or approximately 20 percent.

In short, more than 90 percent of the increased spending this year which has occasioned revision of estimates since January is for domestic-civilian programs and projects.

I submit that while some of this increased spending may be necessary and even urgent, most of it is excessive and nonessential, slipped in by the spenders under cover of sputnik and recession hysteria. Here is the spawning ground for the new inflation.

It is astonishing to note the number of honorable men in and out of Government who brush inflation lightly aside. But, I think in our conscience we know the evil we are doing.

The evils of inflation are endless. They are insidious. They have tremendous effects on the life of every individual. Ultimately they wreck business and Government. History is full of the fatalities of inflation.

I hope and believe the American public will awaken to—

What is stealing our savings;

What is robbing those on fixed incomes;

What is penalizing prudent people who believe in honest, sound financing;

What is reducing the purchasing power of our money;

What is eating away at our national security; and

What is the real threat to freedom in the world.

When this awakening occurs the Nation will be stirred to its depths and rise up against the evil in our traditional fashion. This cannot happen too soon.

This is the reason for the Finance Committee amendments to this bill, assuring as best we can a review of the situation again within the year.

The PRESIDING OFFICER (Mr. MORTON in the chair). The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered——

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CLARK in the chair). Without objection, it is so ordered.

The question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], and the Senator from Missouri [Mr. SYMINGTON], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from Colorado [Mr. ALLOTT], and the Senator from New Hampshire [Mr. BRIDGES] are detained on official business.

The Senator from Colorado [Mr. ALLOTT], the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from New York [Mr. IVES], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 57, nays 20, as follows:

YEAS—57

Aiken	Gore	McNamara
Anderson	Hayden	Monroney
Barrett	Hennings	Morton
Beall	Hickenlooper	Mundt
Bennett	Hill	Neuberger
Bible	Humphrey	Pastore
Bush	Jackson	Potter
Capehart	Javits	Purtell
Carroll	Johnson, Tex.	Revercomb
Case, N. J.	Kefauver	Saltonstall
Case, S. Dak.	Kennedy	Smathers
Chavez	Kerr	Smith, Maine
Church	Knowland	Sparkman
Clark	Kuchel	Stennis
Cooper	Long	Thye
Cotton	Magnuson	Watkins
Curtis	Mansfield	Wiley
Dirksen	Martin, Iowa	Yarborough
Douglas	McClellan	Young

NAYS—20

Byrd	Johnston, S. C.	Robertson
Dworshak	Jordan	Russell
Ellender	Langer	Schoeppel
Ervin	Lausche	Talmadge
Frear	Malone	Thurmond
Goldwater	Morse	Williams
Green	Proxmire	

NOT VOTING—19

Allott	Fulbright	Murray
Bricker	Hoblitzell	O'Mahoney
Bridges	Holland	Payne
Butler	Hruska	Smith, N. J.
Carlson	Ives	Symington
Eastland	Jenner	
Flanders	Martin, Pa.	

So the bill (H. R. 13580) was passed.

Mr. KNOWLAND. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from California to reconsider.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia.

Mr. RUSSELL. Mr. President, I desire to make a very brief statement that I had hoped to be able to make before the vote was taken as to why I voted in the negative on the pending bill. I realize the vital necessity of maintaining the credit of the United States, but those of us who have sought to keep expenditures within reason are confronted with a very grave dilemma in connection with this bill. If a majority of the Members of the Senate had voted as had the Senator from Georgia, there would have been no necessity for this bill. Instead of voting to increase the debt limit there would have been a reduction in the public debt, and I voted in the negative merely to express my protest against continually permitting Federal spending on so many useless projects, and particularly in the area of foreign aid.

MUTUAL SECURITY APPROPRIATIONS, 1959

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2258, H. R. 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

Mr. HAYDEN and Mr. DOUGLAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. DOUGLAS. I object, Mr. President.

The PRESIDING OFFICER. The objection is not in order. A motion has been presented. There has been no vote.

Mr. DOUGLAS. Mr. President, may I receive recognition?

The PRESIDING OFFICER. The Chair recognized the Senator from Arizona [Mr. HAYDEN]. The Chair will be happy to recognize the Senator from Illinois later.

Mr. HAYDEN. Mr. President, the mutual security appropriation bill which is now before the Senate appropriates $3,518,092,500 for assistance to countries receiving aid under this program. This is an increase of $440 million over the amount passed by the House of Representatives. The committee bill is $157,500,000 under the authorization act for mutual security and is $432 million less than the amount recommended for this program by the President in his original submission to the Congress last April.

The $440 million which has been added to the House bill in the committee consists of $280 million for the Development Loan Fund, $90 million for defense support, $55 million for the contingency fund, and $15 million for special assistance.

With the additional $280 million the development loan fund will have a total of $580 million for fiscal year 1959.

Mr. President, I ask unanimous consent that the table on page 2 of the committee report, which details the amount of the appropriation last year, the budget estimate for this year, and the amounts in the Senate and House bills, be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Mutual security appropriations, 1959

Item	Appropriations, 1958	Estimates, 1959	Authorization acts	Recommended in House bill, 1959	Senate Committee bill, 1959	Increase (+) or decrease (−), Senate bill compared with—			
						Appropriations, 1958	Estimates, 1959	Authorization acts	House bill, 1959
Military assistance	$1,878,800,000	$1,800,000,000	$1,605,000,000	$1,515,000,000	$1,515,000,000	−$363,800,000	−$285,000,000	−$90,000,000	
Defense support	725,000,000	835,000,000	810,000,000	700,000,000	790,000,000	+65,000,000	−45,000,000	−20,000,000	+$90,000,000
Development Loan Fund	300,000,000	625,000,000	625,000,000	300,000,000	580,000,000	+280,000,000	−45,000,000	−45,000,000	+280,000,000
Technical cooperation	142,000,000	171,500,000	171,500,000	171,500,000	171,500,000	+29,500,000			
Special assistance	225,000,000	212,000,000	202,500,000	185,000,000	200,000,000	−25,000,000	−12,000,000	−2,500,000	+15,000,000
Contingency fund		200,000,000	155,000,000	100,000,000	155,000,000	+155,000,000	−45,000,000		+55,000,000
Other programs	165,010,000	106,592,500	106,592,500	106,592,500	106,592,500	−58,417,500			
Total mutual security:									
Appropriation	2,708,760,000	3,950,092,500	3,675,592,500	3,078,092,500	3,518,092,500	+749,332,500	−432,000,000	−157,500,000	+440,000,000
Unobligated balance	667,050,000	(1)		(1 2)		−667,050,000			
Total	3,435,810,000	3,950,092,500	3,675,592,500	3,078,092,500	3,518,092,500	+82,282,500	−432,000,000	−157,500,000	+440,000,000

[1] Entire unobligated balance of President's fund for Asian economic development (no amount specified) to remain available through June 30, 1959.

[2] Entire unobligated balance of United Nations Relief and Works Agency (no amount specified) made available through June 30, 1959.

Mr. HAYDEN. Mr. President, the amount of the executive branch presentation by country is in many instances classified, and for that reason it is not possible to include in the committee report the amount of aid requested for each individual country. I have at my desk the presentation books prepared by the administration, and any Senator may examine the classified figures if he desires to do so.

Mr. President, I ask unanimous consent that the committee amendments to the bill be agreed to en bloc, that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. The motion before the Senate is to take up H. R. 13192. The Senate has not yet acted on that motion. The Senator from Illinois has requested recognition.

Mr. DOUGLAS. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. If the motion is agreed to, H. R. 2 would be laid aside in favor of the mutual-security bill.

The PRESIDING OFFICER. That is correct. That is the motion.

Mr. DOUGLAS. Mr. President, I know the majority leader made this motion in perfectly good faith, but once the mutual-security appropriation bill is before the Senate and passed, there is great danger of filibustering H. R. 2 to death. As I look around, I pick out various Members from adjoining States who are athletic opponents of H. R. 2. I see piles of documents on their desks. I am very fearful that if H. R. 2 is once laid aside in favor of mutual security, it will be dead. I trust our majority leader will keep the Senate in session until we get a vote one way or the other on H. R. 2.

Mr. JOHNSON of Texas. That will depend entirely on the Senate.

The only vote I wish to get now is a vote on the mutual security appropriation bill. The reason I want to get a vote on the bill as early as possible is that the independent offices appropriation bill will also come before the Senate shortly, and both bills will probably have to go to conference. I intend to bring up the diversion bill by motion. How long the Senate will debate it I do not know. It will depend on the pleasure of the Senate. Therefore, I cannot assure the Senator from Illinois.

Mr. DOUGLAS. Mr. President, once H. R. 2 is laid aside and the Senate takes up the appropriation bill, our athletic friends will talk H. R. 2 to death. I am trying to protect H. R. 2. I do not want to have it subjected to that fate, not believing in the filibuster.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LAUSCHE. If the bill is talked to death it will be for the good of the country. [Laughter.]

Mr. DOUGLAS. The statement of the Senator from Ohio indicates his frame of mind. It confirms my suspicion. I wonder if our able and distinguished majority leader would be willing to permit the Senate to come to a vote on this matter?

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOUGLAS. I believe that if our friends knew that the mutual security bill was outstanding, their oratorical onslaughts would be somewhat diminished.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to proceed to consider H. R. 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes (putting the question).

The motion was agreed to; and the Senate proceeded to consider the bill, H. R. 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Several Senators addressed the Chair.

Mr. JOHNSON of Texas obtained the floor.

Mr. JOHNSON of Texas. I yield first to the Senator from Arizona [Mr. HAYDEN], and then to the Senator from Oklahoma.

Mr. HAYDEN. I ask the Presiding Officer whether my request for unanimous consent that the committee amendments be agreed to en bloc was agreed to?

The PRESIDING OFFICER. The Chair asks the Senator from Arizona to restate his request.

Mr. HAYDEN. The request is to adopt all the committee amendments en bloc.

The PRESIDING OFFICER. Is there objection to agreeing to the committee amendments en bloc?

Mr. JAVITS. Mr. President, if the amendments are agreed to en bloc, will the bill be open to further amendment?

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. There is a parliamentary inquiry pending. The Senator from New York has addressed a parliamentary inquiry to the Chair, which has not yet been answered.

Mr. KNOWLAND. Mr. President, I understood that the Senator from Arizona asked that the amendments of the Committee on Appropriations be considered and agreed to en bloc, with the understanding that the bill be considered de novo and subject to amendment, and that no points of order are waived.

The PRESIDING OFFICER. Will the Senator from Arizona restate his request?

Mr. HAYDEN. I shall repeat it. I ask unanimous consent that the committee amendments to the bill be agreed to en bloc and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

Mr. JAVITS. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. If the order is entered, does it mean that we cannot then offer any amendment to the bill?

Mr. HAYDEN. Oh, no.

The PRESIDING OFFICER. The Chair is advised that if the request of the Senator from Arizona is agreed to, any amendment which any Senator desires to offer may be offered to the bill.

Mr. McCLELLAN. I thank the Chair.

The PRESIDING OFFICER. Any amendment which would be within the rules of the Senate.

RAISING THE DEBT LIMIT

Mr. LAUSCHE. Mr. President, I wish to state my position in respect to the vote I cast on raising the debt ceiling. I feel I have done everything possible to keep the debt down. I voted against what I believe to be unnecessary expenditures and unjustified invasion by the Federal Government of private enterprise, and to the assumption of functions by the Federal Government which have always been performed by local or State governments.

I voted for all the measures mentioned by the Senator from Wisconsin [Mr. PROXMIRE] to close leaks in the collection of taxes. It is for that reason that I voted against lifting the debt ceiling.

I do not subscribe to the idea of fixing a ceiling and then disregarding it and lifting it and spending far above it, and then with great indifference making the ceiling conform to extravagant spending.

Mr. President, I now turn to another subject.

The PRESIDING OFFICER. The Senator from Ohio has the floor.

THE OMNIBUS HOUSING BILL

Mr. LAUSCHE. Mr. President, I wish to withdraw my objection to the second reading of the omnibus housing bill. Previously I raised objection to it. I desire to withdraw it at this time.

Mr. GOLDWATER. Mr. President, due to the fact that the Senator from Ohio has withdrawn his objection to the second reading of the new housing bill, I object to the second reading of the housing bill.

MUTUAL SECURITY APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments en bloc, with the limitations proposed by the Senator from Arizona.

Without objection, the committee amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 2, line 2, after the word "of", to strike out "title I, chapter 1" and insert "chapter I."

On page 2, line 8, after "131 (b)", to strike out "$700,000,000" and insert "$790,000,000: *Provided*, That not less than $50,000,000 thereof, shall be available for Spain exclusive of technical cooperation."

On page 2, line 12, after "section 203," to strike out "$300,000,000" and insert "$580,000,000."

On page 2, line 23, after "section 400 (a)," to strike out "$185,000,000" and insert "$200,000,000."

On page 4, line 4, after "section 451 (b)," to strike out "$100,000,000" and insert "$155,000,000."

On page 5, line 12, after the word "exceed", to strike out "$1,000,000" and insert "$1,250,000."

At the top of page 7, to insert a new section, as follows:

SEC. 106. The appropriations and authority with respect thereto in this act shall be available from July 1, 1958, for the purposes provided in such appropriations and authority. All obligations incurred during the period between June 30, 1958, and the date of enactment of this act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms hereof.

On page 7, after line 7, to insert the following new section:

SEC. 107. None of the funds provided by this act nor any of the counterpart funds generated as a result of assistance under this act or any prior act shall be used to pay pensions, annuities, retirement pay, or adjusted service compensation for any persons heretofore or hereafter serving in the armed forces of any recipient country.

On page 7, after line 13, to insert the following new section:

SEC. 108. Not to exceed 50 percent of the foreign currencies heretofore generated in any country under section 402 of the Mutual Security Act of 1954, as amended, may, notwithstanding prior provisions of law, hereafter be used in accordance with the provisions of that section: *Provided*, That quarterly reports of the use of foreign currencies pursuant to this section shall be submitted to the Committees on Appropriations of the Senate and House of Representatives.

The PRESIDING OFFICER. The bill is open to further amendment.

RAISING THE DEBT LIMIT

Mr. GOLDWATER. I should like to explain my vote against raising the debt ceiling. I have been in business all my life, at least until I came to the Senate. When the credit of a business gets bad, it cannot get a bank to lend it any money. The United States Government is getting into the position where its credit is getting into bad shape. I believe the only way we can stop the ridiculous spending spree that Congress has entered upon is to say to the Federal Government, "There will be no more money for you. Start cutting your suit to fit the cloth." There will have to be an end to the wild, reckless, and ridiculous Federal spending, or there will be an end to the Federal Government.

I have voted consistently, since I have come to the Senate, to cut the budget by means of economizing, and I intend, as long as I am in the Senate, to continue that kind of voting.

Mr. MORSE. Mr. President, I wish to make a brief statement with regard to my vote against raising the debt ceiling, although my reasons may be different from those stated by other Senators.

I am not greatly concerned about an increase in the debt, if the increase is for purposes of eventually increasing the wealth of America.

We have been confronted by an administration which has opposed great self-liquidating and wealth-creating projects. We have been confronted with an administration which has been opposed, for example, to the building of great multipurpose dams which would repay to the Treasury many times their cost, and would conserve the natural resources of the country, and would in the long run increase the wealth of the country far beyond the construction costs of those particular projects.

I have no objection to increasing the debt of this country if it is for purposes which will promote the general welfare of the people of this country.

We are confronted with an administration which has taken a very reactionary line with regard to most pieces of general welfare and social welfare legislation which would accrue to the benefit of the American people.

We have been confronted with an administration which has participated in a handout program to wealthy and vested interests in the country. The administration has favored great corporations with tax loopholes. It has not followed a policy which would save for the American people on those expenditures in respect to which savings should be made. The administration promised in its campaign of 1952 that it would bring about great savings and reductions in the national debt. Year after year the administration has increased the national debt and increased the cost of living along with it.

Mr. President, I opposed increasing the national debt also because as a member of the Committee on Foreign Relations I have warned the Senate for several years of the great waste by the administration in the administration of the foreign aid program, particularly in the field of military aid. We have wasted hundreds and hundreds of millions of dollars in the life of this administration, which have totaled several billion dollars in this field, particularly with respect to military aid. We have an administration which in my judgment has given us an example of further waste, a waste of many millions of dollars, as the final accounting will show, occasioned by the sending of marines into Lebanon, where not a single marine should have been sent.

We have seen our country in recent days go through a face-saving process on behalf of the United States, when it is known that behind the scenes at the United Nations most of the members of the United Nations were against the policies we have followed in Lebanon by way of sending troops into that country.

Mr. President, we cannot make those mistakes without a cost of millions and millions of dollars. I do not propose to vote tonight to increase the debt ceiling for an administration which has wasted huge sums of American taxpayers' dollars during its life. It is about time for us to say to this administration, "We will give you no more."

MUTUAL SECURITY APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

Mr. ELLENDER. Mr. President, I call up my amendment designated 8-28-58-C and ask that it be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 6, it is proposed to strike out "$1,515,000,000" and insert in lieu thereof "$1,415,000,000."

Mr. ELLENDER. Mr. President, I understand that there will be no further votes tonight, and that this amendment will be the pending question for tomorrow.

Mr. MANSFIELD. The Senator from Alabama is correct.

ORDER FOR ADJOURNMENT UNTIL 10 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it adjourn until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

PROPOSED NATIONAL STANDARDS FOR STATE BILLBOARD REGULATION

Mr. NEUBERGER. Mr. President, my office continues to receive many inquiries about the progress toward carrying out the billboard-regulation provisions which were added by Congress this spring to the law authorizing our great new National System of Interstate Highways. The wide public interest in this question will undoubtedly be focused, in the weeks and months immediately ahead, on the proposed national standards which have been prepared by the Department of Commerce, and on the progress of plans in the different States for seeking State participation in the program and acceptance of these national standards.

To make available to the many interested persons some recent materials on this whole subject, I would like to place a series of items in the RECORD today. I shall not include the actual text of the national standards as proposed by the Department of Commerce, because I understand that they will appear in the Federal Register next Monday, August 25, and that the Department will welcome comments and suggestions thereon during the following 30 days, before the national standards will become official in their final form.

I ask unanimous consent to have printed in the RECORD, first, an exchange of correspondence between myself and Secretary of Commerce Sinclair Weeks on August 12, 1958, bearing upon testimony given by Secretary Weeks before the Senate Subcommittee on Public Roads on that date; a letter of August 18, 1958, from Secretary Weeks to me, transmitting the draft of the proposed national standards; press reports on these national standards from U. S. News & World Report for August 2, 1958, and Washington Daily News of August 22, 1958; a letter to the Secretary signed by the able junior Senator from California [Mr. KUCHEL] and me—as the Senate sponsors of the legislation finally adopted—in which we have made certain comments with respect to the provisions in the draft national standards governing "signs in the specific interest of the traveling public," which may be permitted by the States under the terms of the act.

Finally, I ask unanimous consent also to include in the CONGRESSIONAL RECORD an interesting editorial from the Portland Oregonian of August 17, 1958, commenting on the role which the issue of signboard regulation along our spectacular new Interstate Highway System—and the sterling leadership which the chairman of the Senate Subcommittee on Public Roads, the Senator from Tennessee [Mr. GORE], gave in this issue—apparently played in the recent primary election contest in the State which the chairman of the subcommittee does—and will—so ably help to represent in this body.

There being no objection, the correspondence, article, and editorial were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE OF PUBLIC WORKS,
August 12, 1958.

Hon. SINCLAIR WEEKS,
Secretary of Commerce,
Washington, D. C.

DEAR MR. SECRETARY: I regret that an executive session of another committee on which I serve made it impossible for me to attend the meeting of the Senate Subcommittee on Public roads this morning, at which you and the General Counsel of your Department, Mr. Frederick C. Nash, discussed the outlines of your forthcoming set of national standards for the regulation of roadside signboards along the new Interstate Highway System. However, I have reviewed some of the discussion which took place between you and Mr. Nash and members of the committee. As the original sponsor of this legislation, I have a number of questions which I would like to present to you in an effort to clarify some of the issues raised since I was unable to ask them in person at this morning's meeting.

First, I would like to express my appreciation for the obviously thoughtful and conscientious work which has been done by the responsible personnel of your Department, seeking to work out effective national standards under this new legislation. I am particularly pleased that you have apparently decided to accept the suggestion which I made in my Senate speech on May 13, for the installation by the States of informational boards for pedestrian-aised advertising on the safety rest areas along the interstate highways.

The following aspects of the program appear to require additional clarification:

(1) Questions were raised about the applicability of national standards within municipal areas and other areas zoned for industrial or commercial use under State law. If a municipality or other local governmental unit, in the exercise of its own zoning or police powers, chooses to impose regulations on signboards which meets or exceeds the national standards, is there any question but what an area so regulated may be included by the State within the mileage which may be covered by its statewide agreement with the Department of Commerce?

(2) Obviously, if State legislation exceeds the national standards to be promulgated by you, in imposing even more stringent regulations or even complete prohibition of billboards along interstate highways, that State would qualify for the Federal assistance provided under the new law. Will this fact be spelled out clearly in the statement of standards to be published by your department?

(3) The legislative debate on the bill explains that the mere local sale of brand-name national products—i. e., toothpaste or automobiles—by local dealers is not a local activity permitted advertising within 12 miles of the particular retail outlet. Will this fact be clearly stated in the national standards?

(4) While the law is fairly explicit about the types of signs to be covered by the standards and about their geographic coverage, it states little about the other necessary terms of the agreements. Upon careful analysis, is there any real question but that these agreements may legally contain provisions for the recovery of the Federal bonus payments, should the State at some future date decide to change its policies, and to abandon billboard regulations consistent with the national standards?

(5) I would like information on two additional matters which do not relate to the national standards but about which I have received repeated inquiries. In view of the remarks of President Eisenhower in signing the Federal-Aid Highway Act of 1958, to the effect that present billboard control provisions have certain shortcomings, does the administration contemplate asking for corrective amendatory legislation at the beginning of the next session of Congress? And what information can you give me about the nature of State legislation which may have been adopted or which may have been drafted for introduction in coming State legislative sessions?

Finally, let me express my approval of your statement that you intend to limit the size of permissible signs to something in the neighborhood of 50 or 60 square feet, rather than to permit the common 24-sheet billboards.

I shall look forward to having the answers to the questions I have asked as early as may be at all possible for you or your associates to provide them.

With good wishes,

Sincerely,

RICHARD L. NEUBERGER,
United States Senator.

THE SECRETARY OF COMMERCE,
Washington, D. C., August 12, 1958.

Hon. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR NEUBERGER: This is in reply to your letter of August 12, 1958, raising certain questions with regard to section 12 of the Federal-Aid Highway Act of 1958.

(1) The answer to this question is: No, an area regulated as you have described may be included by the State within the mileage which may be covered by its statewide agreement with the Department of Commerce. It could not be excluded from the application

of the national standards unless the State applied for the exclusion.

(2) It is our present feeling that if the State imposes more stringent regulations or even complete prohibition of billboards along the interstate highways, that State would qualify for the Federal assistance provided under the new law. However, we do not feel that the statute requires or even authorizes us to spell this fact out in the standards to be promulgated by the Secretary of Commerce. Accordingly, it is not our present plan to include anything in the standards on this subject.

(3) We are considering the insertion of the standards of something along the line you mention. This was discussed at the committee meeting this morning.

(4) We do not think that the law is specific on this subject. We are giving the matter careful study but have not reached any final decision yet as to exactly what the rights of the Federal Government would be under these circumstances. It does not seem to us that this subject is one that should properly be covered in the standards.

(5) The administration has not yet decided what, if any, corrective amendatory legislation should be requested at the beginning of the next session of Congress.

I really do not have much information to give you on the subject of State legislation. We believe that preparation of this legislation is largely dependent upon the promulgation of the national standards.

I appreciate very much your remarks concerning the work of the Department on this very difficult subject.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

THE SECRETARY OF COMMERCE,
Washington, D. C., August 18, 1958.

Hon. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR NEUBERGER: In accordance with the commitment I made during my appearance before the Senate Subcommittee on Public Roads on August 13, I enclose copy of national standards for the regulation of outdoor advertising signs, displays, and devices adjacent to the National System of Interstate and Defense Highways.

These proposed standards will be filed with the Federal Register on Monday, August 25. The procedure after publication in the Register involves a waiting period of 30 days during which interested parties will have an opportunity in writing to make known their views to the Secretary of Commerce.

If you have any comments either prior to filing with the Register or during the 30-day waiting period after publication, I should be very happy to have them and shall, of course, accord them every possible consideration consistent with the statutory responsibility imposed upon the Secretary of Commerce to set the standards.

Sincerely yours,

SINCLAIR WEEKS.

[From the U. S. News & World Report of August 22, 1958]

LITTLE BILLBOARDS FOR BIG HIGHWAYS—HERE'S THE PLAN

New Federal highways will not become "billboard alleys" if regulations by the Commerce Department are followed.

Ads will be restricted as to location, size, and number.

The restrictions apply to new sections of the Interstate Highway System.

States don't have to enforce the new rules. But they are offered a bonus if they do.

Billboards along thousands of miles of new highways across the country will be restricted by official rules soon to be issued by the Government. It is possible now to tell you what those rules will be.

The idea is to permit enough advertising to serve the motorist's convenience, but to avoid making the new highways "billboard alleys." States that comply with the regulations will be offered bonuses in Federal money toward the cost of building the interstate highways.

On a road where the rules are in effect, most of the advertising signs will be confined to spots called informational sites or rest stops. In each of these places, which will be within 12 miles of the next city or town, there will be one or more large panels, 13 by 25 feet, for advertising signs. On each panel there will be room for about 2 dozen signs, measuring about 3 by 4 feet, for the ads of local business such as motels, hotels, restaurants, and filling stations.

That is to be the rule for advertisers in cities and towns. Different rules will apply in areas where there are not enough advertisers to justify an "informational site." There, places of business within 12 miles of the highway will be permitted to put up signs adjacent to the right-of-way, but under these limitations:

No billboard may be placed within a scenic area or closer than 2 miles to an interchange—a connection with another highway or a town.

In a stretch between 2 miles and 5 miles from an interchange as many as 6 signs may be put up.

Farther than 5 miles from an interchange signs must be at least a mile apart.

All these signs will be much smaller than the standard highway billboard.

Then there will be general rules, applicable to all signs:

No flashing lights will be permitted.

No brand name will be allowed on a sign unless it is part of the name of the dealer's business. One exception: A filling station will be permitted to show its brand of gasoline so the motorist will know whether he can use his credit card.

There will be some important exemptions from the rules:

No restrictions on billboards will apply in sections of the interstate highways that follow the old, established rights-of-way where billboards previously have been permitted.

The rules will not cover portions of interstate roads that are within the corporate limits of cities and towns or areas adjacent to the highway that have been zoned for industrial or commercial use.

Nor will there be restrictions on signs advertising historical sites operated by nonprofit organizations.

Owners of property adjacent to interstate highways will be permitted to put up for sale or for lease signs.

Also, the regulations will apply only to roads in the Interstate Highway System. Along these highways the restrictions apply to adjacent land for a distance of 660 feet beyond the edge of the right-of-way on either side.

This, in general terms, is what the new rules, as now drafted by the Commerce Department, will provide. Changes in the completed draft, if any, probably will be minor. In the next few days the proposed regulations will be published in the Federal Register. After that, interested persons will have 30 days to offer proposed changes before the rules become final.

By complying with the billboard regulations the States will be entitled to an extra one-half of 1 percent in the Federal contribution toward the cost of new interstate highways. In time it is expected that the rules will be in force along vast stretches of the 41,000 miles of interstate roads.

[From the Washington Daily News of August 22, 1958]

TOUGH BILLBOARD RULES SET

(By Lowell Bridwell)

Fairly tough standards to control outdoor advertising along the Nation's 41,000-mile Interstate Highway System will be published next week.

Commerce Secretary Sinclair Weeks will allow 30 days for suggestions and comments. Soon afterward the standards will be adopted officially and the antibillboard program will be in business.

UP TO STATES

States can accept or reject the Federal standards. If they accept, they get a bonus of one-half of 1 percent of what it costs to build the interstate roads in their States. To most States, that's a tidy sum.

The standards call for construction of informational sites—little roadside parks built away from the main-traveled roadway. Motorists could get to these sign parks by access roads.

If there is a wide gap between informational sites, billboards can be erected along the road, but they must be within 12 miles of the business doing the advertising. They can't be closer to an interchange than 2 miles.

SIX SIGNS ONLY

There can't be more than 6 signs in the section 2 to 5 miles from an interchange, and there can't be more than an average of a sign a mile for the next 7 miles. No signs are permitted farther than 12 miles from an interchange.

Billboards erected outside informational sites can't be higher than 10 feet and no bigger than 60 square feet.

Neither moving parts nor flashing lights will be permitted on any billboards. Brand names can't be advertised unless they are part of the names of the outfits doing business, or unless they are of specific interest to the traveling public.

The signs erected within the informational sites can be only 12 square feet in size, and the whole collection of signs on any one billboard must be limited to 1 big sign 13 by 25 feet. They must be kept clean and in good repair.

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
August 21, 1958.

Hon. SINCLAIR WEEKS,
Secretary of Commerce,
Department of Commerce,
Washington, D. C.

DEAR MR. SECRETARY: Thank you for your letter of August 18, transmitting the draft of national standards of billboard regulation to members of the Committee on Public Works for study. We very much appreciate this opportunity to submit comments on the proposed standards prior to their publication in the Federal Register next Monday.

As sponsors for the final version of the amendment in the Senate Committee on Public Works which became section 122 of the law, we want to congratulate the draftsmen on your staff on the conscientious and careful manner in which they have dealt with the many difficult problems inherent in the law. No doubt, the proposed draft will attract suggestions for additions or changes, many of them mutually contradictory. We find ourselves in general agreement with most of the decisions which have been reached by you in preparing these standards, especially with the functional approach of providing "informational sites." Today, we are submitting only 2 suggestions with respect to 1 phase of the proposed standards. We are continuing to study other questions, about which we may comment later, before the standards become final.

(1) With respect to class 4 signs "in the specific interest of the traveling public" as defined on page 7 of your draft, we suggest that "outdoor sports, camping and recreational facilities" might be added as permissible information after "lodging" and "eating."

(2) Further, with respect to the same paragraph, we believe that the second sentence needs to express more strongly and precisely the distinction between brand or trade-name "advertising" which is not contemplated within the terms of class 4, and the information about access to services and products, including trade-name products, which class 4 does contemplate as being in the specific interest of travelers.

As background to this point, it is helpful to recall the policy considerations which brought this standard of class 4 into law.

The overall policy premise of the legislation is, of course, to keep to a minimum, signs whose major justification lies not in their value to the highway user, but in their commercial advertising value to the user of the sign. It is plain that the four classes of permissible signs are stated as carefully circumscribed exceptions from a general rule. Under this major premise, brand name and trademark product advertising as such was not to be permitted by the national standards. Brand names and marks would be permissible only to the extent that the availability of the identified product might be a significant part of the information which might be in the specific interest of highway users.

In the light of this policy background, it is obviously important that the standard for class 4 signs not open the back door to national brand-name advertising campaigns under the guise of giving the traveler information about a local outlet for the product or service in question. The present draft seems to us to contain that danger. It could be interpreted to permit, for instance, a standard national signboard prominently featuring the name of a brand of gasoline, tires, or other automotive products, with relatively little space given on the sign for a list of places within a 30-mile radius where the product may be obtained—whether or not information about the place or places so listed can impress themselves on the traveler's consciousness. The same brand-name sign could, apparently, be repeated again within a relatively short distance with a different list of outlets.

The final sentences of your draft section 5, on pages 7 and 8, need to be tightened so as to assure that class 4 signs will, in fact, be information rather than advertising, as those words are used in the statute. While the brand or trade name of a product—e. g., of the make of car the traveler is driving—may be one item of significant information for a driver looking for service, the name and location of the place offering that service is surely of at least equal significance. The standards should assure that class 4 signs give this equal significance to the information about the place in question as they do to identifying the product or service offered there.

While we prefer to leave to your expert draftsmen the phrasing of this requirement, 1 possible suggestion indicating our ideas would be to strike the last 2 words on page 7 and thereafter, and to substitute therefor "• • • unless, and only to the extent that, it may appear as one item of information contained in a sign for such a place, in order to identify or characterize the place itself or to identify the vehicle service, parts, accessories, fuels, oils, or lubricants offered at such a place."

As additional questions come to our attention concerning the proposed standards after their publication in the Federal Register, we shall be pleased to take advantage of the opportunity to submit further comments during the following 30-day period. In the meantime, we appreciate your attention to the above suggestions.

Sincerely,

THOMAS H. KUCHEL,
United States Senator.
RICHARD L. NEUBERGER,
United States Senator.

CIV——1207

[From the Portland Oregonian of August 17, 1958]

BILLBOARD ALLEY SETBACK

The decisive victory of Senator ALBERT GORE in Tennessee against the formidable opposition of the traditionalist wing of the Democratic Party was more than just a victory over racial intolerance. The Washington Post and Times Herald reports that Senator GORE's opponent, a three-time governor of the State, Prentice Cooper, had the support of the billboard industry to the tune of $300,000 worth of free roadside political advertising.

The billboard people, of course, were peeved because Senator GORE had led the fight to achieve reasonable regulation of outdoor advertising along the routes of the projected Interstate Highway System.

It is reasonable, therefore, to interpret Senator GORE's triumph as a victory, too, at least in part, for the idea that American motorists have a right to some esthetic return for the billions they will spend on the new freeways.

THE MALLORY CASE DECISION

Mr. LANGER. Mr. President, an editorial in the Washington Post entitled "Mallory Bill in Reverse," correctly states the proper view in this matter, a view which I strongly stated in my individual and minority views to the Mallory bill.

The editorial commented on the distinguished Senator from Kentucky, Mr. JOHN SHERMAN COOPER, in his question, "Why should any bill be passed if there is no difference between reasonable delay and without unnecessary delay?"

The distinguished Senator from Kentucky joined me and a few other distinguished Senators trying to create a record on the floor of the Senate showing that the Senate version of the Mallory bill was entirely unnecessary and in fact may lead to further confusion.

I ask unanimous consent that the editorial in the Washington Post be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MALLORY BILL IN REVERSE?

The Senate has put itself into the strange posture of legislating to save the Supreme Court from distortion of its opinions by the lower courts. The Senate Judiciary Committee's amended version of the Mallory bill was broadly commended by its sponsors as a means of upholding the Supreme Court's decision in the Mallory case last year. In the House the bill had been passed as a means of reversing the Court's Mallory ruling.

The Court had set Mallory free from a rape conviction because the police had detained him to extract a confession instead of arraigning him "without unnecessary delay," as commanded by the Federal Rules of Criminal Procedure. The House said in its bill that hereafter a confession otherwise valid shall not be thrown out simply because of delay in arraigning the accused. By a vote of 41 to 39 the Senate changed this to require that a confession otherwise valid shall not be held inadmissible because of "reasonable" delay in the arraignment—contending that this is what the Supreme Court meant in its Mallory ruling.

Senator COOPER asked, with unassailable logic, why, in that event, should any bill be passed? Sponsors of the measure replied that there is much confusion among lower Federal courts as to what the Mallory ruling means and a widespread feeling that "something should be done." This is far from being convincing. The Supreme Court has a way of straightening out lower courts which do not faithfully interpret its decisions, and even if it fails to do so promptly, Congress can hardly expect to reduce the confusion by a vague legislative declaration setting forth what it thinks the Supreme Court intended.

In these circumstances it is not surprising that the Senate and House conferees seem to be hopelessly deadlocked on the bill. We hope the Senate will stand fast against the House version to the last ditch. If this means failure of both bills, so much the better. The courts will then be free to iron out the problem, preferably through a new study of rule 5 (a) by a Supreme Court advisory committee.

TURTLE MOUNTAIN, N. DAK., CHOKECHERRY INDUSTRY

Mr. LANGER. Mr. President, I ask unanimous consent that an article published in the Minot Daily News, Minot, N. Dak., of August 16, 1958, relating to Turtle Mountain chokecherries industry be printed in the RECORD. This new industry will be of benefit to the Indians and non-Indians of that area according to Hon. John Hart, North Dakota Indians Affairs Commissioner, and Hon. Pat Gourneau, chairman of the Council of the Turtle Mountain Indian Reservation in North Dakota.

Mr. President, such new industries are consistent with the plan suggested by my bill S. 809, which is pending before the Senate. I will reintroduce this bill next year with the hope that the Indian Affairs Subcommittee will favorably report it to the Senate. Twenty distinguished Senators joined me on this important bill that will bring jobs to the Indians on Indian reservations through new industries being located in those areas. The entire community will be aided by the new influx of money through the new jobs created.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRYOUT FOR NEW INDUSTRY

(By Merrill Schalow)

A harvest of Turtle Mountain chokecherries is well advanced in the Dunseith and Belcourt areas, the first step in an experiment of Paul-Mark, Inc., of Fargo to develop a new North Dakota industry.

Should the experiment prove successful, it will mean a new source of income for people living in the Turtle Mountains.

Eli Dobervich, who heads the Fargo firm, believes he can find a market for chokecherry products if they can be produced on a competitive scale, and this particular fruit can be found in abundance in the Turtle Mountains each summer.

The hope of the company is to produce chokecherry preserves cheaply enough so that they can be placed side by side with other fruit preserves on the grocer's shelf at a price which will appeal to the consumer.

It is necessary to experiment with a batch of berries in order to find out if this is possible, and if present plans are carried out, the company will need an experimental batch of 2,000 gallons. If the juice is high enough, additional purchases will probably run as high as 10,000 gallons.

Success of the experiment can very well turn out to be a big item in the future economy of the region, Patrick Gourneau, chairman of the Turtle Mountain advisory committee, said.

Should the experimental batch come through with flying colors, there is every reason to believe that a steady market for the berries in the future is assured, Gourneau stated.

Two chokecherry receiving stations have been established in the area, one in Belcourt, the other in Dunseith. The company is paying 25 cents a gallon for the batch of experimental berries. If the venture is a success, there will very likely be an increase in the price next year, Gourneau said.

To insure the maximum return of juice per gallon to the company, the berries must be picked at the proper stage of ripeness. Dobervich was in the area to instruct the people when they should start picking.

Berries must also be picked clean and taken to market in the shortest possible time, and when it is necessary to hold berries over a day, they must be stored in a cool place.

To accomodate pickers, the receiving stations have designated 3 days of each week as purchasing days, and 4-gallon capacity picking containers are furnished free by the company and are available at the receiving stations.

People without land wishing to pick berries should get permission of the landowner before commencing the chore, Gourneau advised.

That the Turtle Mountain region is "loaded" with the fruit was proved last weekend when the Julius Peltier family of Dunseith picked 24 cans or 96 gallons.

In summing up the idea behind the venture, Gourneau said, "The berries bought here will be transported to Fargo. There they will be put through a pitting machine and the juice extracted. The juice in turn will be converted into jams and jellies and placed on the market. The company is confident that a waiting market can be found. The whole question hinges on the amount of juice a gallon of berries will produce. If results are satisfactory, we are in business every summer. If results are unsatisfactory, we can still chalk up the venture as a noble experiment.

"Again, if results are satisfactory, we can look forward to a bright future for native fruit. We have other fruit besides chokecherries. Experiments are also planned this year for cranberries and plums. If everything turns out well and we come to realize that native fruit is a resource worth preserving, we will surely lose the urge to set fires each spring which are so destructive not only to native wild fruit, but to wildlife as well."

FEDERAL SCHOLARSHIP AND LOAN BILL

Mr. NEUBERGER. Mr. President, because the Senate has today approved the conference report on the Federal scholarship and loan bill, I ask unanimous consent to have printed in the RECORD a thoughtful article by A. Robert Smith in the Pendleton East-Oregonian of August 15, 1958, which describes some of the benefits that will accrue to educational institutions in the State of Oregon under this legislation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOME FEDERAL AID FOR EDUCATION IS ASSURED

(By A. Robert Smith)

WASHINGTON.—Oregon's State and private institutions of higher learning would be eligible for about $500,000 to $700,000 annually in Federal funds to offer students in the form of loans, under legislation which passed the House last week and is pending in the Senate, Representative EDITH GREEN, Democrat, of Oregon, said she was informed.

The House and Senate bills are similar in most respects, except that the House ruled out giving scholarships to needy students and put the scholarship funds into the bill's student loan provisions.

Oregon colleges and universities would administer the loan funds pretty much as they see fit, determining who qualifies, as long as the students are needy and do satisfactory work. Each institution would be able to receive no more than $250,000 each year from the Government for loans. The institution itself would be required to provide matching funds so that the total loan fund would contain no more than 75 percent Federal funds, no less than 25 percent local funds.

The student who borrows money from the loan fund could obtain no more than $1,000 each year, no more than $5,000 for all his years in school. He would be required to repay the loan over a period of 11 years following graduation. While in school he would pay interest on the loan at 2 percent but need not pay any principle during that period. Following graduation, there would be a year of grace. Then for the next 10 years, the rate of interest would be 4 percent.

Each State's allotment under the amount authorized by the bill would be determined by the United States Office of Education by comparing the number of students enrolled in institutions of higher learning in the State compared to the number enrolled nationally.

The Senate version contains $40 million for this program the first year, which would give Oregon about $489,000 that year. The House, by lumping scholarship funds into the loan program, increased this first year figure to $47.5 million.

Then for the next 3 years, the Senate version calls for $60 million annually for loans. Oregon's share each year would be about $600,000 of that amount. But the House has increased the second-year figure to $75 million, of which Oregon would get close to $700,000, the Office of Education told Congresswoman GREEN.

The Senate is expected to pass the bill and retain the scholarship grants for needy students, which will throw the bill into a conference for some sort of compromise. The House knocked the scholarship authorization out by a standing vote, 109 to 78, on a motion by Representative WALTER JUDD, Republican, of Minnesota.

The Senate bill provides for $17.5 million in scholarships annually for 4 years. Needy students could obtain up to $500 annually in these grants, and the institution the student is attending could add up to $500 annually in addition to each student's scholarship.

The House-passed bill also contains authorization for 1,000 fellowships of $2,000 each to train college teachers; $60 million in grants to States for scientific teaching equipment, of which Oregon would be eligible for $619,000 a year; $15 million in grants to improve testing and guidance programs; $6 million for teacher-training institutes in the guidance field, among other things.

Mrs. GREEN, who was on the House Education Committee that drafted the bill, opposed deletion of the scholarship program but felt the resulting measure is a very good bill. It represented real progress, because this is the first time the House has ever passed a general education bill.

She said she thought the scholarship program was important because it would be a Congressional indication of the value we place on educational achievement. The scholarship would serve as sort of a prize. It would get students to work just a little bit harder. The scholarship is recognition of scholastic achievement. A loan is just recognition of financial need.

Representative CHARLES O. PORTER, Democrat, of Oregon, took the other position—that loans were more desirable than scholarships.

"I don't regard the prize aspect as very strong," said PORTER. "The student ought to be glad to get a loan. It's an investment in his future. After getting a degree, he will probably have a better job and be able to repay it. And this will mean that the money can then be used by someone else. It will also save the Government a lot of money."

When the Federal aid to education bill comes up in the Senate, an attempt may be made to add an amendment providing for a public school construction program. But Mrs. GREEN said, regretfully, that such a proposal would not gain House approval at this time, hence could not become law.

The Eisenhower administration has made no request for a school construction program this year. The administration has asked for a scholarship program, but of less than half the proportions provided by the Senate bill.

While details remain to be worked out between the two versions emerging from either Chamber, it appears almost certain that Federal aid will this year be launched for the benefit of college students and teachers, if not for teachers and buildings in the elementary and secondary school field of education.

INCREASE IN DEBT LIMIT

Mr. DOUGLAS. Mr. President, I do not wish to detain the Senate much longer, but there seems to be some misapprehension about the reason for the deficit of $15 billion in fiscal 1958–59, and the second request by the administration for an increase in the debt limit.

If the hearings before the Committee on Finance are read, it will be found that I questioned the Secretary of the Treasury very closely on the reason for the deficit. These are the facts. The deficit of approximately $3 billion for 1957–58 is due entirely to the failure of revenues to come up to expectations. There was a decline of $3 billion in revenue below the amount which was budgeted in January. The Secretary of the Treasury, upon being questioned, admitted that the fall in revenues was due to the recession. So the recession caused the deficit of $3 billion for the current year.

Five billion dollars of the projected deficit of $12 billion for the fiscal year 1958–59 is due to an increase in expenditures above the amount contemplated in the budget. But $7 billion of the projected deficit is due to the belief that revenues will fall below expectations; that the revenues will amount to $67 billion instead of $74 billion, as budgeted.

This means that of the deficit of $15 billion, $10 billion will be due to a fall in revenues, not to an increase in expenditures. The Secretary of the Treasury admitted that this fall in revenue was due to the recession. In other words, it is the recession which has primarily caused the deficit, which in turn has forced the Government to increase the debt limit.

I think that is very important to realize, because all the talk a few minutes ago was to the effect that it was an increase in expenditures which had caused the increase in the debt limit.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. I think that what the Senator from Illinois has said about the loss of revenue being caused by the recession is true. However, is it not also true that some of the fiscal policies which have been followed by the Government have not been conducive to creating a strong economy?

Mr. DOUGLAS. I quite agree.

Mr. MORSE. In the reasons which I gave, I tried to point out the kind of wasteful policy which has been followed in connection with some of the foreign-aid programs, and the wasteful policy which has been followed in connection with some of the tax loopholes which have accrued to the benefit of some of the vested interests in this country, which have not taken the tax savings and plowed them back into industry at all, but have frozen them and have stopped working them. This, in turn, has had a bad effect on the economy, and has produced less revenue for the economy, and has thus created, in part, the deficit.

Therefore, those who have been fighting for wealth-creating projects and fighting for the abolition of certain types of wasteful military expenditures, have tried to make a fight to strengthen the producing features of our economy.

Mr. DOUGLAS. The Senator from Oregon is correct.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ADDITIONAL REPORTS OF COMMITTEES

The following additional reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. J. Res. 179. Joint resolution to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake" (Rept. No. 2494).

By Mr. MAGNUSON, from the Committee on Appropriations, with amendments:

H. R. 13856. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 2495).

By Mr. JOHNSON of Texas, from the Committee on Armed Services, without amendment:

S. 4129. A bill to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico (Rept. No. 2496).

ADDITIONAL BILLS INTRODUCED

The following additional bills were introduced:

By Mr. SPARKMAN (for himself and Mr. FULBRIGHT):

S. 4323. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; read the first time by its title, and ordered to lie on the table.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 4324. A bill to provide for the termination of Federal supervision over the property of the Winnemucca Colony, Humboldt County, Nev., and the individual members thereof, and for other purposes; read twice by its title, and referred to the Committee on Interior and Insular Affairs.

By Mr. COOPER (for himself, Mr. BYRD, Mr. MORTON, and Mr. KEFAUVER):

S. 4325. A bill to authorize the coinage of 50-cent pieces commemorating the establishment of the Cumberland Gap National Historical Park; read twice by its title, and referred to the Committee on Banking and Currency.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO INDEPENDENT OFFICES APPROPRIATION BILL, 1959

Mr. BRIDGES (for himself and Mr. WILLIAMS) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of Rule XVI for the purpose of proposing to the bill (H. R. 13856), an act making appropriations for sundry executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, the following amendment, namely, at the end of the bill, add the following new section:

"SEC. —. The Congress hereby requests the President, from time to time during the fiscal year ending June 30, 1959, to review the expenditures programed by the executive branch for such fiscal year and to issue such directives to the Director of the Bureau of the Budget and other officials in the executive branch of the Government as may be necessary to achieve the maximum reduction in the expenditures of the executive branch during such fiscal year consistent with the objectives of maintaining essential Government services, providing adequately for the common defense, and fostering a healthy national economy; all with a view toward achieving an aggregate, of at least 2 percent on defense appropriations and at least 4 percent on other appropriations but not more than 10 percent on any one item, reduction in the expenditures programed by the executive branch as of July 1, 1958, for the fiscal year ending June 30, 1959. Nothing in this section shall be deemed to authorize executive action to decrease expenditures for interest on the public debt, veterans compensation, or pensions, Federal, and State cooperative benefit programs and expenditures from trust funds. A report of action taken under this chapter shall be contained in the 1960 budget."

Mr. BRIDGES (for himself and Mr. WILLIAMS) also submitted an amendment, intended to be proposed by them, jointly, to House bill 13856, making appropriations for sundry executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table, and to be printed.

(For text of amendment referred to, see the foregoing notice.)

APPOINTMENTS TO SPECIAL COMMITTEE TO PRESERVE HISTORIC SENATE DOCUMENTS, ETC.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Chair has been requested by the Vice President to announce the appointment by him, pursuant to Senate Resolution 318 of this Congress, of the following Senators to the special committee to study the feasibility and desirability of preserving selected documents, records, and memorabilia of the United States Senate having historical significance or value:

Senator CLINTON P. ANDERSON, of New Mexico.

Senator WALLACE F. BENNETT, of Utah.

Senator FRANCIS CASE of South Dakota.

Senator MIKE MANSFIELD, of Montana.

Senator HERMAN E. TALMADGE, of Georgia.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 22, 1958, he presented to the President of the United States the enrolled bill (S. 607) to provide retirement, clerical assistance, and free mailing privileges to former Presidents of the United States, and for other purposes.

ADJOURNMENT UNTIL 10 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 11 o'clock and 57 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Saturday, August 23, 1958, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 22, 1958:

IN THE NAVY

Vice Adm. Byron H. Hanlon, United States Navy, to be placed on the retired list in the grade of vice admiral under the provisions of title 10, United States Code, section 5233.

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. George C. Towner, United States Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him to have the grade, rank, pay and allowances of vice admiral while so serving.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 22, 1958:

COMPTROLLER OF CUSTOMS

Raymond L. Rhodes, of New Jersey, to be comptroller of customs with headquarters at New York, N. Y.

COLLECTOR OF CUSTOMS

Philip A. Hoghaug, of North Dakota, to be collector of customs for customs collection district No. 34, with headquarters at Pembina, N. Dak.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

To be representatives of the United States of America to the 10th session of the general conference of the United Nations Educational, Scientific, and Cultural Organization

Maxwell M. Rabb, of Massachusetts.
John W. Hanes, Jr., of Virginia.
Robert H. Hamlin, of Massachusetts.
George N. Shuster, of Connecticut.

To be alternate representatives of the United States of America to the 10th session of the general conference of the United Nations Educational, Scientific, and Cultural Organization

Anna L. Rose Hawkes, of Vermont.
Justus B. L. Lawrence, of New York.
William Albert Noyes, Jr., of New York.
John R. Richards, of Oregon.

UNITED STATES MARSHAL

Carlton G. Beall, of Maryland, to be United States marshal for the District of Columbia for a term of 4 years.

CALIFORNIA DEBRIS COMMISSION

Brig. Gen. Robert G. MacDonnell, United States Army (lieutenant colonel, Corps of Engineers), to be president and senior member of the California Debris Commission.

UNITED STATES ATTORNEYS

Leon P. Miller, of West Virginia, to be United States attorney for the Virgin Islands for a term of 4 years.

Howard W. Babcock, of Nevada, to be United States attorney for the district of Nevada for a term of 4 years.

UNITED STATES MARSHAL

Russel R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia for a term of 4 years.

POSTMASTERS

ARKANSAS

Bernard C. Werner, Clarksville.
Vernard R. Kerlin, Lockesburg.

CALIFORNIA

Agnes C. Richmond, Beverly Hills.

GEORGIA

John C. Cagle, Jasper.
Wiley K. Lindler, Sylvester.

ILLINOIS

William M. Toland, Browning.
Roy Guy Yates, Flora.
William C. Newton, Golconda.
Paul K. Koontz, Loraine.
Eugene S. McKee, Monmouth.
Carl J. L. Wessel, Rock Island.
Albert J. Rule, Thornton.
Walter W. Dimmick, West Frankfort.

INDIANA

Theodore P. Cordes, Sr., Seymour.

KENTUCKY

D. Hess Vest, Walton.

LOUISIANA

Hugh D. Wagner, Cameron.
Marie L. Haley, Luling.
John B. Richard, Scott.

MAINE

Stanley P. Dennett, Dixfield.

MARYLAND

John Landon Reeve, Monkton.

MASSACHUSETTS

Ephraim Martin, Boston.

MISSOURI

Louis Walter Meier, New Madrid.
Lawrence L. Poleski, St. Ann.

NORTH CAROLINA

Lexine G. McCarson, Balfour.
Earl W. Miller, Jr., Council.
Charles A. Brown, Efland.

Lala C. Shell, Elk Park.
Audrey H. Cashatt, Randleman.

PENNSYLVANIA

Clare F. Connell, Coraopolis.
Claude R. Coons, Covington.
Michael Richard O'Mahony, Mercer.

TENNESSEE

Keith L. Patterson, Friendsville.

TEXAS

Olen C. Thomas, Ralls.
William H. Summers, Trenton.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 22, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

I Kings 22: 43: *He turned not aside from doing that which was right in the eyes of the Lord.*

O Thou who art the source of all our blessings, we are pausing at this noon hour to turn our minds and hearts unto Thee in praise and petition.

May we now give ourselves in dedication and devotion to Thy holy will for this is the only return we can make for the many manifestations of Thy bountiful providence.

Grant that in these days of world crisis and confusion we may have the grace to pray even for our enemies who, in their blindness and brutality, are filling human life with so much fear and foreboding.

Show us how we may have a larger part in lifting men and nations into that higher spiritual unity where all antipathies and antagonisms are supplanted by friendship and fraternity.

Hear us in the name of the Captain of our salvation. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert; and

S. 3818. An act for the relief of Vicenta Garcia y Puente.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3368) entitled "An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6282) entitled "An act for the relief of the former shareholders and debenture noteholders of the Goshen Veneer Co., an Indiana corporation."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7710) entitled "An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) entitled "An act to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate numbered 36 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 135) entitled "Joint resolution providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses."

LEGISLATIVE PROCEDURE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that at any time during the remainder of the week it may be in order for the Speaker to declare recesses subject to the call of the Chair; to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII; and that reports from the Committee on Rules may be considered at any time, notwithstanding the provisions of clause 22 of rule XI.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I do not know that I would object to all features of the request made by the gentleman, but I do not know of any reason why unanimous consent should be given for the consideration of all conference reports on the same day on which they are reported. If the gentleman will exclude that, we might get somewhere.

Mr. ALBERT. Of course, it is the standard provision. We are making this request only to expedite the business of the House.

Mr. GROSS. I understand that, but it can be overly expedited, I will say to the gentleman.

Mr. ALBERT. It has been agreed to by the minority leader.

Mr. GROSS. Mr. Speaker, I object.

INDEPENDENT OFFICES APPROPRIATION BILL, 1959

Mr. THOMAS, from the Committee on Appropriations, reported the bill (H. R. 13856) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1959, and for other purposes (Report No. 2689), which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. VURSELL reserved all points of order on the bill.

FAIR AND WARMER NOW—BUT IN 500 GENERATIONS GLACIAL AGE?

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, in an article entitled "Fair and Warmer" the auther suggests that if the climatic curves of the past are extrapolated into the future, there is a better than 50–50 chance that we are still in a warm interglacial stage heading toward another glacial stage perhaps 10,000 to 15,000 years from now; the winters are actually getting cooler again, and should continued to average colder until about 1965; despite minor colder cycles, the general warming up should continue for at least 200 or 300 years in most of the lowland regions of the Northern Hemisphere.

Thus, for the United States, it is predicted that the next centuries are going tropical. Then comes ice with a glacial coat in 500 to 700 generations which is in 10,000 to 15,000 years. Perhaps by then man will have mastered the elements to his convenience, and even the globe.

Under leave to extend my remarks in the RECORD, I should like to include the article Fair and Warmer as it appeared in the May 2, 1958, issue of the Princeton Alumni Weekly.

In order that man may live to usher in other ages the challenge to life that confronts the generations ahead would appear to make our wise use of the nuclear age imperative. Such is a conclusion that one can draw from the article that follows:

FAIR AND WARMER

(By Erling Dorf)

Are the winters actually getting colder? Is it true that we are really still in a warm spell of a glacial age? Is the present trend toward generally fair and warmer or cloudy and colder? The answers to questions such as these can perhaps best be approached by getting a proper perspective through an understanding of the long-range climatic changes of the geologic past. Then into these broader patterns we may be able to fit the present short-range trends.

Most of us are quite accustomed to changeable weather. Daily, monthly, and seasonal weather changes belong to the short-term cycles in earth history. We are less apt, however, to be aware of the longer term cycles which we refer to as climatic changes rather than weather changes. Last winter's abnormally cold weather over most of the country was, paradoxically, quite normal in the swing of longer term climatic cycles. We are living, in fact, and again paradoxically, in a short cold spell which is part of a longer warm episode, which in turn is part of a still longer colder period. And what's more, this longer cold period extends into the past for perhaps as much as a million years.

With respect to the geologic past one might well ask how it is possible to reconstruct climates of remote ages extending back many millions of years. In principle the methods are quite simple. Using the present as the key to the past, the geologist applies the knowledge that in the modern world the great majority of plants, as well as many land animals, are rather narrowly restricted to definite climatic zones. This is particularly true of plants, which are more sensitive to climatic conditions than land animals and cannot migrate southward or burrow underground during the unfavorable season. There are no palms or breadfruit trees in the parks of New York City, Chicago, or St. Louis simply because the climate is too cold, or more specifically, the winters in these cities are too cold for these plants. They are at home only in the tropics and the subtropics. By inference, when plants such as these are found as fossils, they are indicators of warmer climates in the past. For the best climatic indicators, we may rely on such forms as palms, figs, breadfruit, peppers, acacias, and laurels to indicate warm subtropical to tropical conditions. On the other hand, an assemblage of poplars, maples, oaks, elms, and sycamores is typical of temperate climates. Further, vegetation dominated by Canadian spruce, larch, alpine fir, and birch would be indicative of colder, subarctic conditions. Assemblages such as these are widely known in rocks originally formed as muds, silts, and volcanic ash deposits of ancient lake bottoms and stream valleys. In addition to such specific climatic indicators, geologists may use the overall aspect of an assemblage of fossil plants in an ancient deposit to reconstruct past conditions. This is an even safer method than using climatic indicators alone. Individual plant species may give false impressions because of their occasional tolerance to conditions outside of the normal range of the group to which they belong. The magnolias, for example, extend northward as far as southern New York and Massachusetts, considerably north of the normal tropical habitat of this family; also the well known persimmon ranges north of its normally tropical family as far as northern New Jersey and Connecticut. Such anomalous forms if used alone would obviously give a false impression of the climatic conditions. In basing conclusions on the total assemblage, however, such species are easily recognized as being out of place and therefore not climatically significant.

In the use of fossil plants as clues to ancient climates we also find it possible to judge on the basis of certain anatomical features which vary according to the conditions of growth. Large, rounded, smooth-margined leaves dominate the forests of tropical and subtropical climates, for example, whereas smaller, lobed or toothed leaves are more characteristic of temperate climates. Thick-skinned leaves are typical of colder climates, whereas thinskinned leaves are typical of warmer climates. Since these features can also be observed in fossil plants, they have often served as confirmation of the conclusions based on climatic indicators or total assemblages.

It is further possible to use the fossil remains of climatically-sensitive animals in the rocks to help determine ancient climates. Corals, for example, more especially reef corals, are typical only of the warm, clear seas of the tropics and the subtropics. The microscopic foraminifers, which live in the oceans by the millions, are also reliable indicators of temperature conditions below sea level. Of large animals such forms as alligators, manatees, and tapirs indicate warmer climates, whereas reindeer, musk oxen, and walruses are more characteristic of colder climates.

In recent years another quite independent method of recognizing ancient climatic changes has been based on the discovery that in marine seashells oxygen isotopes occur in a proportion which is controlled by the temperature of the sea water. Thus in ancient fossilized shells the proportion of oxygen–18 to oxygen–16 can give us a clear indication of the temperature of the waters in which the shellfish lived.

Even the rocks themselves may give reliable clues regarding the climatic conditions under which they were formed. Certain types of lowland gravels, for example, are easily recognized as glacial deposits resulting from the extensive ice sheets which develop during episodes of intensely cold climates. Such cold glacial ages are now known to have occurred at least 3 times during the last 700 million years of the earth's history. Rocks of reddish color, on the other hand, are usually derived from red soils which originate only under the warm, humid conditions of the tropics or subtropics. Furthermore, peat and coal deposits point to humid, subtropical to warm temperate conditions during the past, even in such unlikely regions as Antarctica and Spitsbergen.

MAGNOLIAS IN ALASKA

What are some of the major conclusions based upon the researches on ancient climates? In the first place it seems clear that our present world climate is rather unusual and is basically a cold, glacial climate. It is further apparent that during more than two-thirds of the last 500 million years the earth's climates have been considerably warmer and more uniform than they are today. The last episode of this warm, nonglacial climate is believed to have occurred in the so-called Eocene epoch, roughly 40 to 50 million years ago. In the rocks of this age we find the fossilized remains of subtropical types of plants, including palms, cycads, and magnolias as far north as southeastern Alaska, western Oregon, and northern Wyoming. Central Alaska supported typically temperate forests, including oaks, hickories, elms, maples, and beeches. South American and West Indian types of tropical plants flourished in the Gulf States as far north as Tennessee, and warm-water alligators ranged as far north as Wyoming. During the same epoch forests of tropical Indo-Malayan aspect extended as far north as southern England. At this time there was apparently no icecap on Greenland, which instead supported a vegetation much like the modern forests of New Jersey and Pennsylvania. Fossils of this age from Grennell Land, only 8° from the North Pole, include pines, birches, spruce, and hazel—clearly a cold temperate assemblage quite different from the treeless Arctic tundra of the region today. There is no evidence that the equatorial regions, on the other hand, were any warmer during the Eocene epoch than they are today.

During the successive geologic epochs following the Eocene the fossil evidence in the Northern Hemisphere indicates a slowly cooling climate which forced the tropical and subtropical forests southward, replacing them gradually by temperate forests. The end result of this long period of cooling was what is known as the glacial age, which

began about a million years ago. By this time it had become so cold that the summers of Greenland, Labrador, and central Canada were no longer warm enough to melt away the winter snows. This eventually led to the development of thick lowland ice sheets which slowly spread to areas as far south as our northern United States. At this time forests which included the northern spruce, larch, and fir were driven as far south as Louisiana, south-central Texas, and northern Florida. Arctic musk oxen are known to have ranged as far south as California, Texas, and Mississippi. Walruses extended southward as far as Georgia, over a thousand miles south of their present home waters. Subarctic shellfish occur as far south as the center of the Gulf of Mexico and southern California. There were apparently four such glacial episodes separated by warmer interglacial stages during which the climate, as judged by both fossil plants and animals, became at least as warm as the climate of today.

THE LITTLE ICE AGE

At the present time we appear still to be in such an interglacial stage, about two-thirds of the way toward another glacial stage. Since the melting away of the last ice sheet from the North American mainland, the climate has varied from warmer to colder and back again with the last protracted warm spell occurring between A. D. 1000 and 1200. At this time the climate was somewhat warmer than today, enabling the Norsemen to grow crops and raise cattle and sheep in southwestern Greenland. It is also known that at about this time productive vineyards were common in southern England. Beginning in about 1600, however, the climate began to turn much colder so that glaciers advanced and even destroyed some of the villages in the valleys of the Alps. This cold episode, called the little ice age, lasted from about 1650 to about 1850, since which time there has been a generally warming trend.

What can be said of our present climatic trend? The records show that since 1900 the annual mean temperature of the entire United States has risen about 2½° F. Philadelphia's temperature has risen about 3° F. since 1880, and New Haven's about 2½° F. since 1870. Records from St. Louis, Kansas City, and Omaha indicate that the Middle West has also experienced a warming trend during the past 50 to 80 years. Aside from the land areas it is apparent that the oceanic realms have also been getting warmer, especially the Atlantic and the Arctic. In the Arctic regions, in fact, both the land and sea areas have been warming up more than the temperate areas. In Spitsbergen, for example, winter temperatures have moved up about 16° F. since 1910; this increase has changed the period of ice-free ports from roughly 3 months in 1910 to about 7 months in 1950.

Has this warming trend been uniform and worldwide? Here the answer is no. In most of the United States there seem to have been rather regular cyclic fluctuations from warmer to colder spells, each lasting a decade or so. At the present time we are in a decade somewhat colder than the last one which ended in 1955. The records also show that certain regions of the world have actually experienced a cooling trend during the time that the rest of the world was warming up. These regions include the west coast regions of North America and the Hudson Bay area.

The effects of the generally warming climate of the past century have been widespread and varied. Throughout the colder parts of the world, the great majority of existing glaciers and icecaps have been melting away at an increasingly rapid rate, especially since the midtwenties. As a consequence the rate of sea level rise has also been increasing, amounting to as much as a 6-inch rise during the last 25 years along the Atlantic coast of America. On land the tree line has slowly moved upward into the mountain uplands and poleward into the Arctic tundra, and the crop line in the Canadian prairies has moved northward between 50 and 100 miles as the result of the addition of as much as 10 days to the growing season. The warmer summers have even begun to kill off the birch trees over large areas in northern New England. Many kinds of birds, including the cardinal, the turkey vulture, and the blue-winged warbler, have extended their normal ranges farther northward in our Northern States. Even the warmth-loving opossum has been slowly moving farther north. Should the warming trend continue, there seems little doubt that both the physical and economic welfare of large parts of the world's population will be affected.

There is, of course, no sure way of forecasting whether or not the warming up will continue, despite the words of Byron that "The best prophet of the future is the past." Unfortunately predictions based on past performance of either weather or climate are notoriously even less reliable than predicting the future actions of people, race horses, or Princeton football teams. One can express an opinion on the probabilities, however, if the climatic curves are extrapolated into the future. These suggest to me that there is a better than 50–50 chance that: we are still in a warm interglacial stage heading toward another glacial stage perhaps ten to fifteen thousand years from now; the winters are actually getting colder again, and should continue to average colder until about 1965; despite minor colder cycles, the general warming up should continue for at least 200 or 300 years in most of the lowland regions of the Northern Hemisphere.

ADDITIONAL JUDGE, JUVENILE COURT OF THE DISTRICT OF COLUMBIA

Mr. O'HARA of Minnesota submitted the following conference report and statement on the bill (H. R. 7785) to provide for the appointment of an additional judge for the juvenile court of the District of Columbia:

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2690)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered (1), (2), (3), (4), and (5).

THOS. G. ABERNETHY,
JOHN DOWDY,
JOS. G. O'HARA,
JOHN J. ALLEN, JR.,
Managers on the Part of the House.
JOSEPH S. CLARK,
ALAN BIBLE,
J. K. JAVITS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill provided for the appointment of an additional judge for the Juvenile Court of the District of Columbia, and permitted the court to appoint its clerk and deputy clerk who would serve at the pleasure of the court.

The Senate amendments dealt with the residence requirements for the additional judge, the appointment of the court clerk and deputy clerk, and a requirement of quarterly reporting in the operation of the court.

The Senate recedes from its amendments.

THOS. G. ABERNETHY,
JOHN DOWDY,
JOS. G. O'HARA,
JOHN J. ALLEN, JR.,
Managers on the Part of the House.

HON. CHARLES A. HALLECK

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY. Mr. Speaker, the close of the session is always regarded with mixed emotions. This is, however, I think an unusual and I would say a most pleasant opportunity that I have because today marks the birthday of my good friend and colleague from Indiana, CHARLIE HALLECK. The Speaker has graciously permitted us to take this brief time in which to congratulate CHARLIE not only on his birthday but on his many years of fine service in this body.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Massachusetts.

Mr. MARTIN. I want to join the gentleman from Indiana [Mr. HARVEY] in congratulating CHARLIE HALLECK on his birthday. He has been one of our outstanding legislators, he has made a great record of accomplishments and we all wish him health and success.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Illinois.

Mr. ARENDS. I, too, want to join with other Members in congratulating CHARLIE HALLECK on his birthday. The gentleman from Indiana [Mr. HALLECK] is a warm and close friend of mine, a friendship developed over the years since 1935 when we both came to the House of Representatives. As Jack Benny says, we all get to be 39, but regardless of our age, age it seems to me is largely a matter of how we are thinking and the interest we take in what we are doing. With the blessing of the good Lord through good health, which CHARLIE enjoys, I know he will, in the years ahead, continue to do the splendid work he is so capable of performing.

He has been a party stalwart and has contributed a great deal to our deliberations.

I hope we shortly adjourn so he will have the opportunity to catch some of the uncaught fish which he so loves to do.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Indiana.

Mr. ADAIR. It is a pleasure to join in these friendly words of congratulation to our colleague from Indiana. We Hoosiers are proud of CHARLIE HALLECK and the record he has made. During the years I have been privileged to serve in the Congress CHARLIE has always been most helpful and cooperative. He has shown the ability to grasp quickly and accurately the content of legislative proposals. We certainly wish him many, many more years of public service.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Indiana.

Mr. BRAY. I think this is a fine precedent that we are setting here. Usually we do not say anything nice about a person here in Congress, that is, in the way of eulogies, until he is either retiring or dead. In this case CHARLIE HALLECK is neither retiring nor is he dead. In fact, we look forward to many more years of usefulness for CHARLIE here in this body.

I believe one reason we of the Indiana delegation have gotten on as well as we have and have been as friendly to each other as we have has been because of the fine leadership of CHARLIE HALLECK. I have known him since we were at the University of Indiana some years ago. I do not believe any person on either side of the aisle is a finer legislator, or more honest, conscientious, and capable in regard to those things in which he believes than CHARLIE HALLECK.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from New York.

Mr. KEATING. I want to join wholeheartedly in this tribute to CHARLIE HALLECK. I know of no Member of this body more deserving of these kudos than the distinguished gentleman from Indiana.

Through thick and thin, of course, CHARLIE HALLECK has always stood out as a beaconlight, a leader, a planner, and a parliamentarian in the Republican cause. But his unquestioned party loyalty has never blinded him to the needs of the Nation and the welfare of all the American people. He has performed ably and well in the cause of a strong, safe, secure, and peaceful America.

I look forward to many more years of service with CHARLIE. I hope to be here to celebrate his 80th birthday, in fact, and feel sure—from the looks of things now—that he will be here with us on that occasion.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Iowa.

Mr. HOEVEN. In behalf of the Republican Conference of the House of Representatives, I want to join in the tributes being paid to our very good friend CHARLIE HALLECK. We congratulate him on his birthday and wish him the best of everything in the years that lie ahead.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I desire to join the gentleman from Indiana in paying tribute to an outstanding Hoosier and one of the great Members of this House. I know I speak the sentiments of every Member of the Congress on this side of the aisle as well as on the Republican side when I say that we all wish him many happy returns of the day and long years of the distinguished type of service he has given this body and the country for so many years in the past. CHARLIE HALLECK is one of the most able and devoted men in public life today. An outstanding debater, a skillful legislator and great former majority leader, he is truly a distinguished and valuable Member of this House.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. BONNER. Mr. Speaker, I want to be permitted to take this opportunity to join the gentleman from Indiana [Mr. HARVEY] and friends on the other side of the aisle in paying due tribute to a distinguished American, a fine gentleman and one whom I greatly admire for his real ability and leadership, Mr. HALLECK. I do hope he enjoys many more happy birthdays, and for years continues his distinguished service in the Congress.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. THOMAS. Mr. Speaker, I, too, would like to say a few words about our very distinguished and lovable friend, CHARLIE HALLECK. Through the years we have all learned to love and admire CHARLIE. As a matter of fact, CHARLIE is pretty flexible at times with us over here. If we want a little help from the other side, we can always go to CHARLIE and CHARLIE usually responds and vice versa. Seriously, Mr. Speaker, CHARLIE is greatly admired and respected on both sides of the aisle. We wish nothing but the best for him and many, many more years of happiness.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. HARRIS. Mr. Speaker, I want to join in paying deserving and appropriate tribute to our distinguished colleague, the gentleman from Indiana [Mr. HALLECK] I think the expressions of regard and friendship of the Members of the House here today are an indication of the respect and appreciation for him as a man and as a colleague and as a public servant.

I am glad to join with the Indiana delegation and others today in wishing him many, many more years of valuable service in this body in the interest of the American people.

He is not only a distinguished American and a valuable and effective public servant, but a friend with a warm heart, accommodating, humble, and always willing to assist a colleague in any possible way.

I am glad to count him as my personal friend and, CHARLIE, I wish you many returns of this day and good hunting in Stuttgart, this fall.

Mr. RIEHLMAN. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. RIEHLMAN. Mr. Speaker, I would like to join with the rest of my colleagues in paying tribute to one of our distinguished Members, the gentleman from Indiana, CHARLIE HALLECK. Through the years that I have served in this body, CHARLIE has been a great help to me. He was one of the first men when I come here to give me advice and assistance. I want to join with the others in saying he is a great American, a great legislator, and he is certainly a great asset to this legislative body. I wish CHARLIE and his delightful family many more years of happiness together with many more years of service to our great country.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mrs. BOLTON. Mr. Speaker, in behalf of the distaff side of the House, I am happy to join with the Indiana delegation on this somewhat unusual occasion. We do not do this very often and I am particularly happy that it is for CHARLIE HALLECK that we are making this splendid exception. We, women, respect him. We honor him. We know what a hard worker he is, Mr. Speaker. As an ordinary Member of the House, I, too, want to join with all the rest of you wishing him many, many years more of the constructive, fine, and loyal work that he has done with such integrity and such honor.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. SPRINGER. Mr. Speaker, there is an old saying that a man is usually well thought of everywhere except in his own community. This is one saying that does not apply to my good friend, CHARLIE HALLECK. I know of no man in political life in Indiana who is better loved today than CHARLIE HALLECK. It was a pleasure a few years ago to speak in one of his local communities for his reelection. There I saw the outpouring of admiration there is in his District for his fine, outstanding qualities as a person and as a leader.

CHARLIE is one who through the years has not lost the zest for new approaches to the problems of America and the world. This constant youthfulness is one of his outstanding characteristics. CHARLIE will never see 40 again, but you would never know it from talking to him.

I join with all of my colleagues in the House in wishing him not only a happy birthday today, but also to extend my best wishes for many more happy birthdays with us here in the House.

Mr. DENTON. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. DENTON. Mr. Speaker, I have probably known CHARLIE HALLECK, longer than anyone in this body and while I have never agreed with him politically, I recognize him as a very able legislator and a good friend. I want to wish him many happy returns on his birthday.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. MORANO. Mr. Speaker, I want to join in this tribute to CHARLIE HALLECK. I was one of those who was fortunate enough to go to his District and make a speech for him during his last campaign. There in his District, in walking with and talking to his constituents, I found that he is loved by them as a great legislator, as a man of integrity and above all as a good family man, and you could see the warmth of the feeling and the high esteem in which CHARLIE HALLECK's constituents hold him. Happy birthday.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. CANNON. Mr. Speaker, I am not going to say anything about CHARLIE HALLECK. If there were any danger of losing him, I would be quite voluble, but knowing that CHARLIE like the rest of the poor is going to be with us always and agreeing with everyone who has spoken here today that he is absolutely indispensable, I will not consume any further time on CHARLIE except to say that it has been a great pleasure and privilege to work with him here all these years, under his domination, because he has dominated not only that side of the House but he has dominated this side of the House as well.

But, Mr. Speaker, I do want to express my deep personal regret at the retirement of the gentleman from Iowa [Mr. LECOMPTE]. I do not think we have had a finer man or more efficient legislator than Mr. LECOMPTE, since I have been here and I am sorry indeed that he is leaving us.

He is my near neighbor, he in southern Iowa and I in northern Missouri. There is only a State line between us, and he and I do not recognize even that faint line of demarcation. It has been a pleasure to work with him. He is a good neighbor, personally and officially, and I feel that we suffer an irreparable loss in his retirement from the House.

I wish him the vacation to which he is so richly entitled; and I join with his other colleagues in the House in wishing him Godspeed.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I join very heartily in this tribute to my good friend from Indiana, with whom I have served in the House for over 20 years. I have voted with him in support of much legislation in the House, and I have opposed him in many instances. No one can be associated with CHARLEY HALLECK, whether for him or against him, over a long period without coming to have a deep respect for his ability, his integrity, and his fearless support of those principles in which he believes.

I am proud to call him my good personal friend and congratulate him on his birthday.

GENERAL LEAVE TO EXTEND

Mr. HARVEY. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks regarding our colleague the gentleman from Indiana [Mr. HALLECK].

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY. Mr. Speaker, in conclusion, I promised CHARLIE I would not tell how old he is. I will only say that he is a little older than I.

Mr. BOLLING. Mr. Speaker, it gives me real pleasure to join my colleagues on both sides of the aisle in expressing congratulations and best wishes to our friend, the gentleman from Indiana [Mr. HALLECK] on this important day in his public life. It has been my good luck to know CHARLIE well, and I value his friendship highly. There is no tougher legislative fighter for a cause to which he is committed than the gentleman from Indiana, but he fights fair, and I honor him both for his fighting qualities and his fairness.

Mrs. HARDEN. Mr. Speaker, it is a pleasure and a privilege to join in paying tribute to one of America's great citizens—CHARLIE HALLECK, of Indiana. For nearly a quarter of a century in this body, CHARLIE HALLECK has fought hard and effectively for America and for the principles of Government which make our country unique in the world.

CHARLIE, a happy birthday to you today, along with my good wishes, not only for many, many more such days, but for many, many more years of effective, honorable service to our country.

Mr. EVINS. Mr. Speaker, I should like to join with my colleagues in extending congratulations to our distinguished friend, CHARLIE HALLECK, on his birthday. We all admire, esteem, and respect the gentleman from Indiana [Mr. HALLECK]. I was privileged to serve with him for several years as a member of the House Small Business Committee. Some years ago I was privileged to visit his District—the Wabash District—with members of a subcommittee of the House, and while there I learned at firsthand of the esteem and effection that the people of his constituency hold for him. So, Mr. Speaker, I, too, wish for Congressman HALLECK a very happy birthday and many more years of useful service.

Mr. RAYBURN. Mr. Speaker, I desire to join the friends of CHARLIE HALLECK on congratulating him on another birthday. It has been a great pleasure to serve in the House of Representatives with Mr. HALLECK throughout many years. I have found him cooperative, intelligent, and one who is devoted to the service of his country. His fine personality and his friendly ways have endeared him to every Member of the House. I wish for him many, many years of happy, useful life.

Mr. NIMTZ. Mr. Speaker, as the junior and youngest member of the Indiana delegation, I join the fellow members of the delegation and my colleagues here in saying happy birthday to the dean of the Indiana delegation.

As a student at Indiana University school of law in the late 1930's, I heard about CHARLES A. HALLECK, who was one of her distinguished graduates then serving here in the House. From those student days as the years rolled along, it came my privilege to know CHARLIE HALLECK. It is an honor to be a member of this State delegation, of which he is the senior. He is respected and admired everywhere.

It is Indiana's privilege to share him with the entire country, for his service here is not confined in his thinking and his actions to Indiana. His thoughts, his words, his actions are motivated here by what is best for the entire country.

I wish him a happy birthday and many, many more years of service here in this great representative body.

Mr. WILSON of Indiana. Mr. Speaker, I have served in this body for 18 consecutive years. CHARLIE HALLECK then was a mere youngster of 40 years of age when I came here.

He had been in the Congress several years then, and I regarded him as a man of whom the State of Indiana could be proud.

The years since then have proved that I was right. I have watched CHARLIE all that time, and I have admired the manner in which he faced issues and sought to keep our country on an even keel. Never have I been disappointed in him. Never have I felt disillusioned.

Today, on his 58th birthday, we pay tribute to him. He deserves it. He has been as fine a Congressman as this body ever had. He has been loyal to his party, to his friends, to his State, and to his country.

In Indiana we are very proud of CHARLIE HALLECK. We salute him on this anniversary. We want him to have many, many more of such anniversaries—and we hope he observes them in the capacity of a public servant, for the country needs men like him in public office always.

Mr. REED. Mr. Speaker, it is my wish to join with all of my colleagues in congratulating Congressman CHARLIE HALLECK on his birthday. His service in the Congress has been of the greatest value to the country.

I do not know of a more dynamic and persuasive speaker than he is whenever called upon to either support a bill in which he believes or to oppose one which he considers to be inimical to the best interests of the country. I may add that he was the first Member of Congress to visit my District and make one of his outstanding speeches.

It is my hope that he will enjoy many years of fine health, happiness, and prosperity.

INTERIM POWERS TO THE SPEAKER

Mr. ALBERT. Mr. Speaker, I renew my request made earlier today.

Mr. Speaker, I ask unanimous consent that at any time during the remainder of the week it may be in order for the Speaker to declare recesses subject to the call of the Chair; to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII; and that reports from the Committee on Rules may be considered at any time, notwithstanding the provisions of clause 22 of rule XI.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1959

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13856) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is a second demanded?

Mr. VURSELL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second is considered as ordered.

There was no objection.

Mr. THOMAS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the Subcommittee on Independent Offices brings back to the floor for the consideration of the membership the Independent Offices appropriation bill.

As you recall, the President vetoed the first bill and gave as his reason for doing so an item which the bill carried of $589 million for the civil service retirement fund. He objected to it because there was no budget estimate for it.

The law clearly requires the Civil Service Commission to submit that estimate each year, and they did; but the Bureau of the Budget, I think, gave them some bad advice. They disallowed it.

There was, of course, a continuing resolution that kept all agencies going until September 1, so there was an umbrella for the President to sit under until September 1. I hope that next year if we pass these continuing resolutions, as we do, that we will not invite an item veto by giving them an umbrella to stand under. We will just say: Until the specific appropriation bill is passed by the Senate and House and sent to the Executive, or until the Executive vetoes it.

So, Mr. Speaker, we bring back to you the identically same bill. Whatever the membership had in that bill it has in this bill, with the exception of two items. Let me repeat, what was in that bill before it was vetoed is in there now. In other words, all of your projects are in there with the exception of two items. One, we took out the figure of $589 million that the President objected to for the civil service retirement fund, and we put another item in there because it was within the jurisdiction of the committee in reference to the General Services Administration to be in conformity with your recent enactment covering a retirement fund for ex-Presidents, and so forth, of $100,000.

With that in there I humbly submit it to the membership, and ask them to suspend the rules and pass it. You have already passed it twice, and I do not see any occasion for speeches at this time.

Mr. YATES. Mr. Speaker, at the bottom of page 1 of the report there is this statement:

> The effect of statements of Congressional action on items contained in House Report No. 1543, Senate Report No. 1656, House Conference Report No. 2237, and other legislative history of H. R. 11574, are therefore equally applicable to the items contained in this bill.

I take it that this means that this bill incorporates the appropriations agreed upon by the House and Senate conferees and approved by the House and Senate in the Independent Offices appropriations bill for the fiscal year ending June 30, 1959, prior to the President's veto; is that right?

Mr. THOMAS. Yes.

Mr. YATES. Item 15 of the conference report in that bill recommended an appropriation of $39,915,000 for sites and planning expenses of public buildings projects. Among the projects approved in that item were the proposed Federal buildings and courthouse in Chicago, Ill. That project is carried over and included under that item in this bill; is that correct?

Mr. THOMAS. Yes, the gentleman is correct.

Mr. YATES. And those buildings, that is, the proposed Federal buildings and courthouse in Chicago, Ill., are included among the projects for which the sum of $39,915,000 is appropriated in the sites and planning item on page 10 in this bill?

Mr. THOMAS. That is correct.

Mr. YATES. I thank the chairman of the committee.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. It is not possible or advisable to amend this bill in any way, I presume, but may I say that the Veterans' Administration is going to be short of money in order to operate until January or February of next year. I think it was through a misunderstanding on both sides that the cut in this appropriation was made, but they will be obliged to dismiss administrative personnel and some in the field offices.

Mr. THOMAS. There was no official—and I use the word "official" as meaning there has been no request of the committee from the Bureau of the Budget or from the Veterans' Administration. I am not questioning the distinguished gentlewoman from Massachusetts, because I think she knows perhaps more about veterans' affairs than the remainder of us put together. But if there is any shortage, we will be glad to look into the matter in January.

Mrs. ROGERS of Massachusetts. I am afraid January will be too late. I think it was through misunderstanding that the money was not made available.

Mr. VURSELL. Mr. Speaker, this bill, as the gentleman from Texas told you, was passed by the House 2 or 3 times. I think that the $589 million that is being left out of this bill at the request of the President, and with the other $100,000 that is being added to implement the legislation that was passed here, this week, ought to meet the hearty approval of all of the Members. We have to be realistic about this matter. And I hope that the bill will be passed with a minimum of debate so that the matter at this late day in the session may be expedited.

This reduction of $589 million will ease the budget situation for fiscal 1959 by over one-half billion dollars and reduce the pressure national debt ceiling. It is good legislation.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, I just want to bring a problem to the attention of the House that concerns important programs of the Department of Health, Education, and Welfare and the Department of Labor. Since the last supplemental appropriation bill passed this House, the decision was made that no more such appropriations would be initiated by the House, and that any additional needs would have to be provided for in the bills still left for Senate action.

Since the House acted on the last supplemental bill we have passed legislation which requires appropriations, and under the rules it is impossible for me to offer these amendments to this bill, because this bill is being brought up under suspension of the rules. But, I will try to bring to the attention of House and the conferees who will serve either on this bill or the foreign-aid bill, depending on which bill the Senate prefers to attach some of these budget requests, the amounts necessary to carry out the vitally important legislation that we have passed.

I have in mind such bills as the recently enacted unemployment compensation bill for ex-servicemen. This provides that men discharged from the military service shall be entitled to unemployment compensation under State rules and regulations and enjoy the same types of benefits that the civilian employees both in private industry and the Federal Government now enjoy. I certainly hope we do not pass up making an appropriation for the men, many of whom give their lives in the course of the performance of their duty to our Nation. We should certainly appropriate what the President has requested for this program which is $66 million for payments and $4,410,000 for operating expenses.

Another piece of legislation is that amending the Longshoremen and Harbor Workers' Act which is designed to reduce the number of accidents and encourage safe working practices for employees of stevedoring, ship repair and related employments. This legislation would give the Secretary of Labor added responsibility and authority for reducing accidents in the highest accident frequency rate industry in the country. Again we ignore our responsibility if we do not provide, as a bare minimum, $225,000 so that this program can operate until next February when we can act on additional appropriations to provide for the rest of the fiscal year.

Another piece of legislation, one which has been the subject of much discussion, relates to the filing of plans and reports covering health, welfare, and pension plans. We have done much talking about employers and labor in the administration of such plans and we have spent a great deal of time and money

obtaining data and information to inform Congress of the need for this legislation which we have passed. To me it would be ridiculous not to appropriate the funds necessary to administer this legislation. A bare minimum, in my opinion, would be $75,000 to $100,000 which again would just be enough to cover expenses for about 6 months at which time the new Congress can provide funds for the rest of the fiscal year.

Another item about which there has been a great deal of confusion and which I would like to call to your attention is the manner in which the appropriation for the grants to States for unemployment compensation and employment service administration has been made. The distinguished gentleman from Wisconsin [Mr. LAIRD] and I discussed this at some length here in the House last Wednesday. This confusion, and undue restriction on the use of these funds, can be clarified very easily by the inclusion of language in an appropriation bill, or in the reports accompanying such a bill, which would not call for an additional dollar to be appropriated by this Congress but would establish, at a more realistic level, the point at which the contingency fund, included in appropriations already made, can become available.

These are some of the amendments for the Department of Labor which I would offer today if parliamentary procedure did not prevent it.

Then there are several very important programs in the Department of Health, Education, and Welfare that are in the same category. For instance, as things stand now there is not one cent in any appropriation bill to implement the National Defense Education Act.

The education bill, as reported by the conferees, authorizes appropriations in the first year, fiscal year 1959, of $182,800,000. The President has submitted a request for funds for grants and payments in the amount of $117,200,000. Since the conference report on the education bill contains provisions which are not covered by the President's request, the revised minimum requirements for the current fiscal year are estimated to be $133,700,000. This results from the fact that area vocational schools have been added to the program and the amounts for grants and loans for improving science, mathematics, and foreign language instruction have been increased in the bill as reported by the conferees. This amount, along with $2,100,000 for salaries and expenses would be sufficient to cover only the interim requirements for this program in order to make a beginning during the first crucial months following enactment. The full requirements of the program for this fiscal year can then be assessed when the 86th Congress convenes in January. At that time we can consider the supplemental needs of the Office of Education for the remainder of fiscal year 1959. Certainly the least we should do is to appropriate these amounts before this Congress adjourns.

H. R. 9822, which I introduced at the first of this session, provides for a White House conference on aging. This conference and similar conferences to be held by the States, will draw nationwide attention to the 35 million persons aged 45 to 64 and the 15 million persons who are 65 and over, many of whom have problems of employment discrimination and compulsory retirement, of inadequate incomes, ill health, poor housing, and severely limited opportunities to live lives of dignity, usefulness, and contentment.

This bill, which has now passed both Houses of Congress unanimously, will bring together older citizens and professionals concerned with their varied problems in conferences throughout the country for the purpose of formulating recommendations for action. An immediate appropriation of $270,000 will provide the authorized minimum of $5,000 to each State so that it can begin immediately to assign staff to work out preliminary plans for studies and for initiating conferences in a number of communities. This sum will not permit most States to complete the necessary preparations for the White House conference and to defray expenses of their delegates but will permit discussions to begin in communities far enough in advance so that wide participation and thorough deliberation by thousands of citizens groups can precede the State and national conferences.

The appropriation of $100,000 for salaries and expenses of administration will enable staff in HEW in the next 6 months to provide information and assistance to State officials in relation to the objectives of the conference, the mechanics of operations, the methods of organizing for this task at State and community levels. It will permit a first meeting of the advisory committee of professional and public members required in the legislation. The theme and general topics of the conferences can be agreed upon in these early months and the preparation of studies can be initiated which will supply basic data bearing on these problems. Again this is the minimum necessary just to carry out the intent of Congress until the 86th Congress can appropriate the funds necessary to carry out this legislation for the full year.

The last item I will discuss is grants for expansion of teaching in the education of mentally retarded children. This is authorized by a bill I introduced and which I am sure has the support of practically every Member of this Congress.

There are approximately 1 million mentally retarded children of school age in the country, all of whom need special education and training in special classrooms under teachers with particular training for this type of work. Only about 15 percent of these children are now so served. A shortage of trained special teachers and a shortage of facilities for training these teachers are considered to be the two most important obstacles to expansion of educational services for mentally retarded children. It is estimated that there are needed approximately 50,000 qualified teachers. A large number of the 10,000 teachers now teaching these special classes for the retarded are incompletely prepared for their tasks and are seeking additional college training in this specialty. Expansion of teaching training facilities depends on utilizing and increasing the small reservoir of well-qualified leadership presently available to staff our college and university programs of training teachers for this service. Because of the specialized nature of this personnel training, much of which is carried on at the graduate level, the States cannot expect to be entirely self-sufficient in meeting needs for special teachers. It is anticipated that as a result of this program all States will be benefited.

A deplorable situation exists now and it is unthinkable that the Congress, after authorizing this program which will go far in correcting this situation, would fail to carry it out promptly just because of technicalities in the parliamentary procedure.

The procedure of taking this bill up under suspension of the rules forecloses amendments to take care of these programs. However, as I mentioned earlier, it is still possible for the Senate to amend this bill to include the appropriations I have discussed. Such action, and subsequent concurrence by the House is, in my opinion, of utmost importance. These programs, which are all vital to our national welfare, will be delayed almost a full year and much ground will have been lost despite the splendid efforts of the Congress in passing this legislation. We have made commitments to the people of the country; we must not let them down by failing to make the necessary appropriations.

Mr. THOMAS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUSPENSION OF EMPLOYMENT OF CIVILIAN PERSONNEL

Mr. MURRAY. Mr. Speaker, I call up the conference report on the bill (S. 1411) to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2687)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1411) to amend the Act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States

in the interest of national security, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That the Act of August 26, 1950 (64 Stat. 476), is hereby amended to read as follows: 'That, notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), as amended (5 U. S. C. 652), or the provisions of any other law, the head of any department or agency of the United States Government may, in his absolute discretion and when deemed necessary in the interest of national security, suspend, without pay, any civilian officer or employee of the Government. To the extent that such agency head determines that the interests of the national safety and security permit, the employee concerned shall be notified of the reasons for his suspension and within thirty days after such notification any such person shall have an opportunity to submit any statements or affidavits to the official designated by the head of the agency concerned to show why he should be reinstated or restored to duty. The agency head concerned may, following such investigation and review as he deems necessary, terminate the employment of such suspended civilian officer or employee whenever he shall determine such termination necessary or advisable in the interest of the national security of the United States: *Provided*, That any employee having a permanent or indefinite appointment, and having completed his probationary or trial period, who is a citizen of the United States whose employment is suspended under the authority of this Act, shall be given after his suspension and before his employment is terminated under the authority of this Act, (1) a written statement within thirty days after his suspension of the charges against him, which shall be subject to amendment within thirty days thereafter and which shall be stated as specifically as security considerations permit; (2) an opportunity within thirty days thereafter (plus an additional thirty days if the charges are amended) to answer such charges and to submit affidavits; (3) a hearing, at the employee's request, by a duly constituted agency authority for this purpose; (4) a review of his case by the agency head, or some official designated by him, before a decision adverse to the employee is made final; and (5) a written statement of the decision of the agency head: *Provided further*, That any person whose employment is so suspended or terminated under the authority of this Act may, in the discretion of the agency head concerned, be reinstated or restored to duty, and if reinstated or restored, by action of the agency head under this proviso or pursuant to determination and decision of the Civil Service Commission under section 4, shall be allowed compensation for all or any part of the period of such suspension or termination in an amount not to exceed the difference between the amount such person would normally have earned during the period of such suspension or termination, at the rate he was receiving on the date of suspension or termination, as appropriate, and the interim net earnings of such person: *Provided further*, That nothing contained in this Act shall be deemed to require the suspension of any civilian officer or employee prior to hearing or termination: *Provided further*, That to the extent consistent with the interest of the national security in the light of the facts and circumstances of the particular case, the department or agency head concerned shall utilize, in lieu of other provisions of this Act or any Executive order issued under this Act, the provisions of section 6 of the Act of August 24, 1912 (Public Law 623, Eighty-third Congress), and section 14 of the Veterans' Preference Act of 1944 in connection with the suspension or termination of employment of any civilian officer or employee.

"'SEC. 2. Nothing contained in this Act shall impair the powers vested in the Atomic Energy Commission by the Atomic Energy Act of 1954 or the requirements of section 161 of such Act that adequate provision be made for administrative review of any determination to dismiss any employee of such Commission.

"'SEC. 3. As used in this Act, "national security" means all governmental activities of the United States Government involving the national safety and security, including but not limited to activities concerned with the protection of the United States from internal subversion or foreign aggression. All employees of any department or agency of the United States Government are deemed to be employed in an activity of the Government involving national security.

"'SEC. 4. It shall be the duty of the United States Civil Service Commission, upon the request of any employee, to review the decision, under this Act and under any Executive order issued pursuant to this Act, of the agency head concerned in the case of such employee with respect to the validity, truth, and merits of the charges made and with respect to the procedures followed. The Commission shall prepare a written opinion and decision in each such case containing its recommendations with respect to the decision of the agency head. The Commission shall transmit its opinion and decision to the agency head concerned for action in accordance therewith. The determination by the Commission of any question or other matter connected with such review shall be final and conclusive. If any member of the Commission does not concur in such opinion and decision, he may file a dissenting opinion.'

"SEC. 2. The amendment made by the first section of this Act to the Act of August 26, 1950, shall be effective with respect to any action or proceeding for suspension or termination of employment commenced prior to July 1, 1959, except that the provisions of section 4 of such Act of August 26, 1950, as contained in such amendment, shall not be effective with respect to any case in which any such termination of employment was effected prior to the date of enactment of this Act. Such Act of August 26, 1950, as in effect immediately prior to such date of enactment, shall be held and considered to remain in effect with respect to proceedings for suspension or termination of employment commenced subsequent to June 30, 1959."

And the House agree to the same.

TOM MURRAY,
JAMES H. MORRISON,
JAMES C. DAVIS,
EDWARD H. REES,
ROBERT J. CORBETT,
Managers on the Part of the House.

OLIN D. JOHNSTON,
THOS. E. MARTIN,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1411) to amend the Act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment which is a substitute for both the text of the Senate bill and the text provided by the House amendment and that the House agree to the same.

The Senate bill proposed a change in the provisions of the Act of August 26, 1950, which now require that the officer or employee concerned must be suspended without pay before he may receive a hearing, by providing, in effect, that in cases arising under such Act the officer or employee need not necessarily be suspended without pay pending a hearing but may be retained, in the discretion of the department or agency head, in the same or another position pending a hearing of his case.

The House amendment continued this provision of the Senate bill and, in addition, reenacted the existing provisions of the Act of August 26, 1950, so as to clarify its application to activities of the Federal Government and provide additional safeguards for the protection of officers and employees from arbitrary actions thereunder.

The conference substitute is the same as the House amendment except for the following change:

The conference substitute makes it clear that the provisions of the revised Act of August 26, 1950, as contained in the amendment made by the first section of the conference substitute will be effective with respect to any action or proceeding for suspension or termination of employment commenced prior to July 1, 1959, but that the provisions of section 4 of such act as contained in such amendment will not be effective with respect to any case in which any such termination of employment was effected prior to the date of enactment of the conference substitute. Section 2 of the conference substitute also provides that the Act of August 26, 1950, as in effect immediately prior to the date of enactment of the conference substitute, shall be held and considered to remain in effect with respect to proceedings for suspension or termination of employment commenced after June 30, 1959.

Under section 2 of the conference substitute it is intended that a Government department or agency may reopen any case disposed of under existing law, regardless of the outcome of such case, or may institute new proceedings in any such case. Any such reopened or new proceedings would be governed by the provisions of the Act of August 26, 1950, as contained in the conference substitute. However, it is not intended that proceedings heretofore completed under existing law and resulting in the termination of employment of the employees involved may be reopened by such employees for the purpose of having their cases disposed of under the new provisions.

This limitation on the effective period of this legislation is established with the understanding on the part of the committee of conference that this legislation as so limited will provide a statutory basis for the Government employee security programs pending the development of a permanent Government employee security program subsequent to the study and report of the Commission on Government Security (Sen. Doc. No. 64, 85th Cong., 1st sess.).

TOM MURRAY,
JAMES H. MORRISON,
JAMES C. DAVIS,
EDWARD H. REES,
ROBERT J. CORBETT,
Managers on the Part of the House.

Mr. MURRAY. Mr. Speaker, the legislation as it is presented in the conference report is the same as legislation which was passed by the House on July 10, 1958, except that the conference report limits the period for which the amendments to Public Law 733 made by this legislation will remain in effect. This limitation is until June 30, 1959. It is hoped that by that time legislation will have been submitted by the administration covering recommendations of the Wright Commission dealing with security problems as they relate to Federal employee security matters.

Public Law 733, which this legislation amends, will of course continue after June 30, 1959, the same as it is today unless amended by law. Public Law 733 is the basic legislation used as the authority for the present Federal Employee Security Program.

The amendments to this law are made necessary by a Supreme Court decision in the case of Cole against Young. This decision determined that Public Law 733 under Executive Order 10450 applied only to sensitive positions and that employees could not be separated as security risks in nonsensitive positions. This action by the Court in the view of one of its Justices, Justice Clark, and I quote "has stricken down the most effective weapon against subversive activity available to the Government." As a result of this Cole decision nearly 100 individuals have been restored to the rolls and been given back salary payments approximating one-half million dollars.

As I have indicated there is no basic change in the legislation as it passed the House except as to the limitation as to time. Although there were no changes in the basic principles of the bill as approved by the House a quick review of its provisions may be in order.

The bill provides that any suspended employee with a permanent or indefinite appointment, before his termination, shall be entitled to the following: First, a written statement of the charges against him; second, a reasonable opportunity to answer such charges; third, a hearing, at the employee's request, by a duly constituted agency authority; fourth, a review of the case by the agency head; and fifth, a written statement of the decision of the agency head.

As used in this legislation, "national security" means all governmental activities of the United States Government involving the national safety and security, including but not limited to activities concerned with the protection of the United States from internal subversion or foreign aggression. The bill further provides that all employees of any department or agency of the Government are deemed to be employed in an activity of the Government involving national security.

The bill provides that any person who is reinstated or restored to duty following a wrongful suspension or removal shall be allowed compensation for the period of time such person was not on the payroll in an amount not to exceed the difference between the pay such person would have earned had he remained in his position and the interim net earnings of such person.

The bill also provides for an appeal to the Civil Service Commission by any employee adversely affected under the legislation or under any Executive order issued pursuant thereto. The Commission, in considering such appeal shall review the validity and truth of the charges made and the procedures followed by the department or agency. Following a review of the appeal, the Commission shall prepare a written opinion and decision. The decision of the Commission shall be final and the agency head shall comply with such written opinion and decision.

I would like to commend the gentleman from Kansas [Mr. REES], who through the years, has worked unceasingly for the adoption of legislation such as this conference agreement presents, whereby for the first time we are saying in legislation that there is no room for Communists and fellow-travelers on the Federal payroll in any capacity.

I would like also to commend the Honorable FRANCIS WALTER, chairman of the House Un-American Activities Committee. It was his bill, H. R. 981, which formed the basic language of this legislation and which, together with amendments sponsored by Mr. REES, presents the bill in the form in which it is now before the House—that is, except for the time limitation of June 30, 1959.

The SPEAKER. The question is on the conference report.

Mr. WIER. Mr. Speaker, I want to inquire of the gentleman from Tennessee, is this the same bill that was passed putting all Federal employees under the so-called security program?

Mr. MURRAY. That is correct.

Mr. WIER. That is the bill S. 1614?

Mr. MURRAY. No, sir; it is S. 1411.

Mr. WIER. Are there any changes made?

Mr. MURRAY. There were no changes made in the bill as it passed the House except the conferees agreed that this would expire June 30 of next year instead of making it permanent.

Mr. WIER. Mr. Speaker, I want to raise my voice in opposition, anyway.

Mr. PORTER. Mr. Speaker, I hardly expect any words of mine at this hour of the 85th Congress to change a majority of the House with respect to S. 1411. However, I do want the record clear. This is a bad bill. It will not strengthen the security program of the Federal Government. There is no crying need for it, no emergency, no urgency. The administration does not want it enacted. It had no hearings at all in the other body. Why put this on the statute books? Why not wait until comprehensive hearings can be held next year and then enact a program?

If enacted, this bill will mean that our intelligence agencies will have to investigate millions of persons in nonsecurity positions. This will decrease their ability to investigate where investigation is really needed.

It will mean that each of the 65 agency heads becomes a law unto himself. He can use anything as the basis for dismissal on security grounds. He can throw everybody out and start again. Due process of law is not required. There are no standards, no criteria, no fair procedures. This being true, how can any effective review be made? And what does the Civil Service Commission know about appellate procedures and does it have time for this duty? It was my amendment adopted in committee that made the Civil Service Commission decision mandatory instead of merely advisory, a small improvement in that it allows us to hold the Civil Service Commission responsible for the final decision in each case appealed.

However, very few will appeal. What is the use? If the agency head calls you a security risk, you have had it, brother. Make no mistake about it. If you resist, you call attention to the charge and that would not help you when you try to make a living outside Government service. A person's reputation for loyalty or security deserves the protection of fair procedures, whether he works in or outside of the Government. This bill needlessly and recklessly denies Government workers that protection. The conference report should be rejected.

Mr. DENNISON. Mr. Speaker, as the Members know, I have had serious doubts as to the need for this measure, S. 1411. The hearings on this bill and the debate on the floor show that my interest has always been to secure full hearings before the House Post Office and Civil Service Committee as soon as possible so that a proper study can be made of all existing loyalty-security law, as well as of all proposed changes. When, several weeks ago, during the course of the general debate on this bill, the distinguished Chairman of the Committee, Mr. MURRAY, stated on the floor that this was stop-gap legislation and promised to hold hearings after the first of the year on the Wright Commission recommendations, I withdrew my objections and reluctantly lent my support to the measure. Of course the additional relief by way of appeal to persons subject to the law gave added virtue to the bill. I am pleased, therefore, that the conferees have agreed on a termination date of June 30, 1959 for the amendments contained in the bill and that the Chairman on the floor today has reiterated his pledge to hold hearings on a Government security program soon. This augurs well for a reconsideration of this entire field in the 86th Congress.

Mr. Speaker, I earnestly hope that when hearings do begin next year that full consideration will be given to a review of the entire loyalty security program and that reasonable and fair measures for the protection of our country can be adopted without sacrificing the legitimate and historical rights and privileges of private citizens who serve their Nation as Federal employees.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that I may extend my remarks at this point in the RECORD and that any other Members who desire to do so may have the same privilege.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EFFECTIVE DATES OF COMPENSATION INCREASES FOR WAGE BOARD EMPLOYEES

Mr. MURRAY submitted a conference report and statement on the bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees.

LUMP-SUM PAYMENT OF ANNUAL LEAVE OF DECEASED EMPLOYEES AND OTHER MATTERS

Mr. MURRAY submitted a conference report and statement on the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees.

EFFECTIVE DATES OF COMPENSATION INCREASES FOR WAGE BOARD EMPLOYEES

Mr. MURRAY. Mr. Speaker, I call up the conference report on the bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2691)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 25) entitled "An Act relating to effective dates of increases in compensation granted to wage board employees", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with the following changes: On page 2, lines 1 and 2 of the House engrossed amendment, strike out "formal collection of data for such wage survey is begun" and insert in lieu thereof "such wage survey was ordered to be made"; and

On page 4, lines 7 and 8 of the House engrossed amendment, strike out "for which the formal collection of data is begun prior to September 1, 1958" and insert in lieu thereof "which was ordered, prior to September 1, 1958, to be made".

And the House agree to the same.

TOM MURRAY,
JAMES H. MORRISON,
JAMES C. DAVIS,
EDWARD H. REES,
ROBERT J. CORBETT,
Managers on the Part of the House.

OLIN D. JOHNSTON,
DICK NEUBERGER,
RALPH YARBOROUGH,
THOS. E. MARTIN,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 25) entitled "An Act relating to effective dates of increases in compensation granted to wage board employees," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all after the enacting clause and inserted a substitute text.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment which makes two changes in the House amendment which are discussed below and that the House agree to the same.

The two changes are as follows:

First, the conference agreement provides that the effective date for an increase in compensation pursuant to a wage survey is the first day of the first pay period which begins on or after the forty-fifth day, excluding Saturdays and Sundays, following the date on which the wage survey was ordered to be made (rather than the date on which formal collection of data for the wage survey is begun, as provided by the House amendment).

In making this change with respect to the effective date of an increase in compensation pursuant to a wage survey, it is the intent of the committee of conference that the words "the date on which such wage survey was ordered to be made" mean that date on which the appropriate authority specifically authorizes or orders that the collection of data for wage determination purposes be commenced. It is not the intent of the committee that the above-quoted words be construed to mean, or to include in any way, any date on which those administrative functions, activities, preliminary work, or other preparatory steps, which are preliminary or necessary to the issuance of such authorization or order, are being carried on or are authorized or ordered to be carried on. Further, it is not the intent of the committee that the above-quoted words shall be construed to mean, or to include in any way, any date on which it is authorized or ordered that a wage survey or surveys is or are generally necessary.

Second, the conference substitute makes a change in section 4, pertaining to the applicability of the provisions of the conference substitute, in conformity with the first change made by the conference substitute.

It should be noted that, in connection with supplemental surveys, it is the intention of the committee of conference that, when a department or agency uses incomplete wage data collected in the normal course of business by the Bureau of Labor Statistics, the Bureau of Census, or other duly constituted and authorized data collecting agency of the Federal Government, and supplements such incomplete data with a wage survey of its own in a determination of wage adjustments, the provisions of paragraph (1) of the first section of the conference substitute shall apply.

TOM MURRAY,
JAMES H. MORRISON,
JAMES C. DAVIS,
EDWARD H. REES,
ROBERT J. CORBETT,
Managers on the Part of the House.

Mr. MURRAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MURRAY. Mr. Speaker, the provisions of bill S. 25 as presented in the conference report are the same as the provisions which were passed by the House except that the conference agreed to a minor change in the date on which the 45 days allowed for conducting a survey and issuing a new schedule of wage rates begins. The House version provided that this period begin on the date on which the actual data collection was commenced. The conference agreement provides that this date is the date on which a responsible official of the department or agency either authorizes or orders the collection of data.

The effective date provided by the House was also changed so as to bring it into conformity with this first change.

While there were no changes in the basic principles of the bill as approved by the House, a summary of the provisions may be in order for the purpose of refreshing the minds of the Members.

Under previous procedures and operations, a period of from 3 to 6 months was involved in the collection of data, the analysis of data, and the establishment of a new wage scale under wage board procedures. This unreasonable length of time resulted in the some 750,000 wage board employees receiving wage increases some 8 to 10 months after similar increases were granted to private industry. Bill S. 25 sets an effective date for the wage increases so as to eliminate this undue delay.

The bill provides that when an agency conducts its own wage surveys, any increases resulting therefrom shall be effective not more than 45 days after the collection of the necessary wage data is authorized or ordered. When the agency uses data collected by another department or agency, such increases are to be effective 20 days after the agency receives the necessary data. Testimony in hearings and discussions with officials of the executive branch indicate that these 45- and 20-day periods are reasonable and can be met if operations are well planned and effectively carried on.

The bill also provides that retroactive increases shall be granted only to the employees on the payroll on the effective date of the increase or to those employees who have retired during any retroactive period and to the estate of those employees who died during such retroactive period. This provision is comparable to the provisions which the Congress wrote into the recently enacted pay raise legislation.

The bill also provides that any change in the face value of the Federal group life insurance policies resulting from wage increases shall be effective on the date of issuance of the order granting such increases or the effective date of such increase, whichever occurs later.

This provision is also similar to the provision written into recently enacted pay legislation and prevents undue administrative difficulties which would result from a retroactive reevaluation of the policies.

The bill provides that it shall not apply to any increases in rates granted pursuant to a wage survey, the data collection for which was ordered prior to September 1, 1958.

I sincerely believe that the provisions of the bill as reported by the committee of conference are reasonable, workable, and to the interest of both the Government and the employees.

LUMP-SUM PAYMENT OF ANNUAL LEAVE OF DECEASED EMPLOYEES AND OTHER MATTERS

Mr. MURRAY. Mr. Speaker, I call up the conference report on the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman take some time to explain this bill.

Mr. MURRAY. I shall be glad to.

Mr. Speaker, the House-passed bill authorized lump-sum payment for accumulated annual leave up to 45 days for overseas employees. These employees presently may accumulate 45 days of annual leave, but in event of death or resignation lump sum payments for unused leave are limited to 30 days.

The second Senate amendment adds a section 3 to the bill, providing that an employee who transfers from the legislative branch to the postal field service may receive compensation at any steprate in the appropriate postal field service salary level which is not higher than his highest legislative employee salary. This will place transfers from the legislative branch to the postal field service on an equal basis with provisions, already made by law, relating to salary rates payable to employees who transfer from the legislative branch to the classified service, employees who transfer from the postal to the classified service, and employees who transfer between positions in the classified service or who are reinstated in the classified service.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2692)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7710) entitled "An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its amendment numbered 1.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same with an amendment as follows:

In Senate amendment numbered 2 as set forth in the Senate engrossed amendments strike out "Sec. 3." and insert in lieu thereof "Sec. 2.".

And the Senate agree to the same.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

OLIN D. JOHNSTON,
DICK NEUBERGER,
RALPH YARBOROUGH,
THOS. E. MARTIN,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7710) entitled "An Act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees", submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment postponed to May 1, 1959, the effective date of the increased "odd-size" penalty rate on mailings provided by the Postal Rate Increase Act, 1958, in order to prevent undue financial hardship on certain businesses, particularly the seed and nursery businesses which had previously received or ordered large supplies of "odd-size" catalogs. This amendment is elliminated for the reason that this matter is covered by other legislation. The Senate recedes.

Amendment No. 2: This amendment provides that any employee in the legislative branch of the Federal Government, whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives and who has completed two or more years of service as an employee of the type described above, may, upon his appointment to a position to which the Postal Field Service Compensation Act of 1955 applies, have his initial rate of compensation fixed at the minimum rate of the appropriate level of the applicable basic salary schedule or at any step of that level which does not exceed the highest previous rate of compensation received by him during service as a legislative employee as described above. This amendment corrects an omission in a similar provision contained in section 4 of the Act of May 29, 1958 (72 Stat. 151; Public Law 85-432) by covering those cases involving the appointment of certain legislative employees to positions in the postal field service. The House recedes with a technical amendment which redesignates a section number.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

NATIONAL CULTURAL CENTER

Mr. JONES of Alabama. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3335) to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia, as amended.

The Clerk read as follows:

Be it enacted, etc.—

SECTION 1. This act may be cited as the "National Cultural Center Act."

BOARD OF TRUSTEES

SEC. 2. (a) There is hereby established in the Smithsonian Institution a bureau, which shall be directed by a board to be known as the Trustees of the National Cultural Center (hereafter in this act referred to as the "Board"), whose duty it shall be to maintain and administer the National Cultural Center and site thereof and to execute such other functions as are vested in the Board by this act. The board shall be composed as follows: The Secretary of Health, Education, and Welfare, the Librarian of Congress, the Assistant Secretary of State for Public Affairs, the Chairman of the Commission of Fine Arts, the President of the Board of Commissioners of the District of Columbia, the Chairman of the District of Columbia Recreation Board, the Director of the National Park Service, the Commissioner of the United States Office of Education, the Secretary of the Smithsonian Institution, 3 Members of the Senate appointed by the President of the Senate and 3 Members of the House of Representatives appointed by the Speaker of the House of Representatives ex officio; and 15 general trustees, who shall be citizens of the United States, to be chosen as hereinafter provided.

(b) The general trustees shall be appointed by the President of the United States and the members of the first Board shall have terms expiring 3 at the end of 2 years, 3 at the end of 4 years, 3 at the end of 6 years, 3 at the end of 8 years, and 3 at the end of 10 years, after the date of enactment of this act. The term of office of each member of the Board subsequently appointed shall be 10 years except that a successor appointed to fill a vacancy occurring prior to the expiration of such term shall be appointed only for the remainder of such term.

(c) There shall be an Advisory Committee on the Arts composed of such members as the President may designate, to serve at the pleasure of the President. Persons appointed to the Advisory Committee on the Arts, including officers or employees of the United States, shall be persons who are recognized for their knowledge of, or experience or interest in, one or more of the arts in the fields covered by the National Cultural Center. The President shall designate the Chairman of the Advisory Committee on the Arts. In making such appointments the President shall give consideration to such recommendations as may from time to time be submitted to him by leading national organizations in the appropriate art fields. The Advisory Committee on the Arts shall advise and consult with the Board and make recommendations to the Board regarding existing and prospective cultural activities to be carried on in the National Cultural Center. The Advisory Committee on the Arts shall assist the Board in carrying out section 5 (a) of this act. Members of the Advisory Committee on the Arts shall serve without compensation, but each member of such Committee shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in connection with the work of such Committee.

NATIONAL CULTURAL CENTER

SEC. 3. The Board shall construct for the Smithsonian Institution, with funds raised by voluntary contributions, a building to be designated as the National Cultural Center on a site in the District of Columbia bounded by the Inner Loop Freeway on the east, the Theodore Roosevelt Bridge approaches on the south, Rock Creek Parkway on the west, New Hampshire Avenue and F Street on the north, which shall be selected for such purpose by the National Capital Planning Commission. The National Capital Planning Commission shall acquire by purchase, condemnation, or otherwise, lands necessary to provide for the National Cultural Center and related facilities. Such building shall be in accordance with plans and specifications approved by the Commission of Fine Arts.

DUTIES OF THE BOARD

SEC. 4. The Board shall—

(1) present classical and contemporary music, opera, drama, dance, and poetry from this and other countries,

(2) present lectures and other programs,

(3) develop programs for children and youth and the elderly (and for other age groups as well) in such arts designed specifically for their participation, education, and recreation, and

(4) provide facilities for other civic activities at the Cultural Center.

POWERS OF THE BOARD

SEC. 5. (a) The Board is authorized to solicit and accept for the Smithsonian Institution and to hold and administer gifts, bequests, or devises of money, securities, or other property of whatsoever character for the benefit of the National Cultural Center. Unless otherwise restricted by the terms of the gift, bequest, or devise, the Board is authorized to sell or exchange and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property composing trust funds given, bequeathed, or devised to or for the benefit of the National Cultural Center. The income as and when collected shall be placed in such depositaries as the Board shall determine and shall be subject to expenditure by the Board.

(b) The Board shall appoint and fix the compensation and duties of a director, an assistant director, and a secretary of the National Cultural Center and of such other officers and employees of the National Cultural Center as may be necessary for the efficient administration of the functions of the Board. The director, assistant director, and secretary shall be well qualified by experience and training to perform the duties of their office.

(c) The actions of the Board, including any payment made or directed to be made by it from any trust funds, shall not be subject to review by any officer or agency other than a court of law.

ADMINISTRATION

SEC. 6. (a) The Board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations, as it deems necessary for the administration of its functions under this act, including, among other matters, bylaws, rules, and regulations relating to the administration of its trust funds and the organization and procedure of the Board. The Board may function notwithstanding vacancies, and eight members of the Board shall constitute a quorum for the transaction of business.

(b) The Board shall have all the usual powers and obligations of a trustee in respect of all trust funds administered by it.

(c) The Board shall submit to the Smithsonian Institution an annual report of its operations under this act, including a detailed statement of all public and private moneys received and disbursed by it.

TERMINATION

SEC. 7. (a) This act shall cease to be effective, and all offices created by this act and all appointments made under this act shall terminate, if the Board of Regents of the Smithsonian Institution does not find that sufficient funds to construct the National Cultural Center have been received by the Trustees of the National Cultural Center within 5 years after the date of enactment of this act.

(b) If the offices of Trustees of the National Cultural Center terminate under the provisions of subsection (a), all funds and property (real and personal) accepted by the Trustees of the National Cultural Center under section 5 (a), and income therefrom, shall vest in the Board of Regents of the Smithsonian Institution and shall be used by the Board of Regents of the Smithsonian Institution to carry out the purposes of the act entitled "An act to provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Smithsonian Institution to house certain art collections of the Smithsonian Institution," approved March 28, 1958, and for the acquisition of works of art to be housed in the building referred to in such act.

The SPEAKER. Is a second demanded?

Mr. MACK of Washington. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. JONES of Alabama. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 190]

Anfuso	Frelinghuysen	McCulloch
Ashley	Friedel	Macdonald
Avery	George	Mason
Barden	Glenn	Miller, Calif.
Baring	Gordon	Miller, N. Y.
Bass, N. H.	Gregory	Mitchell
Baumhart	Griffiths	Morrison
Beamer	Hale	Moulder
Belcher	Hardy	Mumma
Bentley	Harrison, Nebr.	Osmers
Berry	Hays, Ark.	Philbin
Blitch	Healey	Pilcher
Boykin	Hibert	Powell
Brooks, La.	Henderson	Preston
Brownson	Herlong	Prouty
Buckley	Hess	Radwan
Burdick	Hill	Rivers
Christopher	Hillings	Robeson, Va.
Clevenger	Hoffman	Roosevelt
Coffin	Horan	Santangelo
Collier	Hosmer	Saylor
Colmer	Ikard	Scherer
Coudert	James	Scott, Pa.
Cunningham, Nebr.	Jenkins	Sheehan
	Jensen	Shuford
Davis, Tenn.	Johnson	Spence
Derounian	Jones, Mo.	Taylor
Dies	Kean	Teague, Tex.
Diggs	Kearney	Thompson, La.
Dixon	Kilburn	Van Zandt
Doyle	Krueger	Wainwright
Durham	Landrum	Williams, N. Y.
Eberharter	Latham	Winstead
Engle	LeCompte	Young
Farbstein	McCormack	Zelenko

The SPEAKER pro tempore (Mr. BOLAND in the chair). On this rollcall 321 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NATIONAL CULTURAL CENTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, enactment of the bill S. 3335 during this session of Congress has been specifically requested by the President of the United States. The bill has been endorsed by the Department of Interior, the Bureau of the Budget, the Board of Commissioners for the District of Columbia and the Commission on Fine Arts. It was passed in the other body by an overwhelming vote. Your House Committee on Public Works, after open hearings and committee discussion, recommends the bill to you with an amendment which is acceptable to its sponsors.

This legislation is designed to fill a long-felt deficiency in our Capital City. As President Eisenhower pointed out in his letter of August 1 to Chairman BUCKLEY:

> There has long been a need for more adequate facilities in the Nation's Capital for the presentation of the performing arts. An auditorium and other facilities such as are provided for in (this) pending legislation, established and supported by contributions from the public, would be a center of which the entire Nation could be proud. I hope that the Congress will complete action on this legislation during this session.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. Yes, I will gladly yield to the distinguished gentleman from Virginia.

Mr. SMITH of Virginia. I just wonder why there should be opposition to this bill. It does not cost the Government any money. They are going to have a magnificent structure here. The money is going to be raised by voluntary contribution and they will have a magnificent building here for the performing arts. It is very badly needed, and we get it free, and the only reason I can see why anybody would object to this bill is because is does not cost the Government any money.

Mr. WRIGHT. I certainly concur in what my colleague has said.

The bill would permit the construction, here in Washington, of a national cultural center. It would be financed—not by the Government—but by private funds donated by the public. The site would be provided by the United States, and this would be the only Federal expense involved. The committee amendment which we are recommending would require that, if sufficient funds for the erection of this center shall not have been raised from the public and received by the trustees within 5 years after enactment of this law, the act shall cease to be effective and the land be returned to the United States.

Alone among the major capitals of the world, Washington has no facilities suitable for the presentation of grand opera. There is no building in Washington which can accommodate the requirements of the more elaborate theatrical, ballet, and orchestral presentations which have enriched the lives and expanded the cultural horizons of the citizens of many much smaller cities both here in the United States and the world over. American musical and theatrical

companies play to enthusiastic overflow audiences in capitals throughout the world. Yet neither these American companies nor their counterparts from other lands can be invited to perform in Washington because we have here no appropriate accommodation for them.

This bill would establish within the Smithsonian Institution a Board of Trustees for the National Cultural Center. The Board would be composed of 15 specified Federal officials and 15 general trustees appointed by the President. It would be the duty of the Board to supervise and oversee the construction of the center with privately donated funds, to maintain and administer it, and to present programs of the performing arts—opera, popular musicals, ballet, and folk dancing, plays, lectures, and public meetings of all sorts. There also would be established an Advisory Committee on the Arts, selected by the President, to advise and consult with the Board and recommend appropriate activities to be conducted in the center.

The site proposed for the building is in what is known as Foggy Bottom almost due north of the Lincoln Memorial, in an area bounded by Rock Creek Parkway, New Hampshire Avenue, the Proposed Inner Loop Freeway and the authorized Theodore Roosevelt Bridge. This is the location which, after an exhaustive study of all possible sites, has been recommended by the Department of the Interior and the National Capital Planning Commission.

The reason, of course, why Congress must concern itself with meeting this critical need is that Congress serves as the governing body for this great city. In the typical American city, the local municipal government would handle a matter of this kind—and indeed many have. By the most recent accounting, there are some 382 other American cities which already enjoy such facilities as are proposed here. By our inaction, were we to turn a deaf ear to the President's request, we would be denying the residents of the Washington area the opportunity to have a resource they greatly desire and one to which the size and stature of this metropolitan area otherwise would certainly seem to entitle them.

But we probably would be doing more than that. For this is our National Capital. This city belongs to all Americans. When George Washington in 1789 commissioned Maj. Pierre L'Enfant to plan the Federal City he directed that it be planned as a cultural and civic center for the new United States. Our Capital City is in many respects a magnificent showpiece of our way of life. It is the window through which much of the world sees the United States. I am proud of its grandeur and its spacious beauty, its gracious buildings and monuments, its unsurpassed libraries and its splendid art galleries.

Yet here is one deficiency which is broadly acknowledged. The authorities agree that Washington needs a center for the performing arts. The public seems anxious to correct that deficiency by popular donation and by their continuing patronage. Many impressive figures in the financial and theatrical worlds have pledged their backing. The American Institute of Architects has offered its wholehearted cooperation without fee in designing the structures. The President has asked that we permit this planning to get underway without further delay by acting before this Congress adjourns. The other body has acted. They are waiting now only for the "green light" from us. Your committee recommends that we give it to them by suspending the rules and passing this bill today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. Does that include tap-dancing, toe dancing and can-can dancing?

Mr. WRIGHT. I presume it would include any of those performing arts. Perhaps even the Grand Ole Opry.

Let me say this in all sincerity, Mr. Speaker, and I think it is important. I suppose that I have done my share of demagoging. All of us like to portray ourselves as real, sure enough corn-fed, homegrown, log cabin boys. All of us have been just a bit guilty of that. In striking such a pose, it is always kind of easy to ridicule and poke fun at things of a cultural nature. I plead guilty to having done my share of it, but I think, Mr. Speaker, that we have reached a state of maturity in this Nation when that kind of attitude no longer becomes us. Sooner or later, we have to grow up and stop poking fun at things intellectual and cultural.

Mr. MACK of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Mr. Speaker, I want to concur in the statements made by the gentleman from Texas [Mr. WRIGHT] and especially those of the gentleman from Virginia [Mr. SMITH]. I honestly cannot see what is wrong with this bill—some feel it is in error—unless it is the fact that it is not costing the taxpayers of the United States a single penny. It is rather amusing to me that certain Members of Congress and certain members of our committee and other committees are opposing this legislation, and when we check their record we find they have voted consistently for foreign aid, or to build stadiums or cathedrals, and everything else, in foreign countries. Yet when we come back to the United States and have the opportunity to give the people of the United States the privilege of making a contribution toward a cultural center, they are prohibited.

The point is going to be raised, as it was in the committee, that we have no definite plans. I am hoping that every member of the committee has taken the time to read the plans which are headed, "A National Civic Auditorium and Cultural Center for the Citizens of the United States." It covers 95 pages. I have been in Congress only for the short period of 20 years, but I have never seen anyone submit to a committee of Congress of which I have been a member a specific plan any more elaborate, any more detailed than this one.

So I repeat, seemingly there is something wrong, according to the view of some there is something in error with this legislation, and that something is that it is not costing the American taxpayers a single penny.

I sincerely hope that we will give the opportunity to the people of the United States to contribute to this cultural center and that we shall pass this bill in this Congress, at least one bill that will not cost the taxpayers anything.

Mr. MACK of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, as one of the cosponsors of this legislation I rise in strong support of this bill for a national cultural center. It has been said that this will not cost the Government any money. No, it will not.

The people of the country should be pleased that the civic minded citizens of Washington, D. C. and of this country are taking on themselves the civic obligation to provide this cultural center for this great and growing city. There are such centers in many of our United States cities, and many more in every country of Europe. We in Pittsburgh are doing the same job at public expense. We are building an auditorium to take care of events of this type which we believe are necessary to our culture and civic growth.

This resolution is drawn in a manner similar to the Taft resolution, House Concurrent Resolution 44 of the 84th Congress, first session, under which 60 Senators sponsored such a bill for a Taft Memorial. The same type of provisions are generally in this bill as were in the Taft resolution. As you know, the Taft Foundation was given a year, when they came in with the plans for the very fine bell tower that is now just being finished over on the Senate side of the Capitol grounds. Those funds, too, were raised by voluntary contributions from people who had faith in the ideals of Senator Taft.

The fine, generous, and civic-minded citizens who have backed and sponsored this legislation have faith in the cultural ideals of this good country. I believe this Congress will give the good people of Washington, D. C., so many of whom are behind this legislation, the go ahead and the challenge to come up with the fine building that this will be. I heartily endorse this legislation and urge my friends in Congress to take this immense civic step forward for Washington, D. C., the Capital City of the United States.

There are some very instructive parallels between the legislation establishing the Taft Memorial Foundation and S. 3335 as amended providing for the National Cultural Center.

The Taft Memorial Act authorized the erection on the Capitol Grounds and the presentation to the Congress of the United States a memorial bell tower of appropriate design.

The land was clearly provided in this case, just as the legislation for the National Cultural Center provides that the Federal Government provide the land. My own resolution, cosponsored with Senator EDWARD MARTIN of Pennsylvania, provided the land for the fine Mellon

Memorial Fountain for Washington, D. C., at the intersection of Pennsylvania Avenue and Constitution Avenue, and the fountain was donated to the Capital by voluntary subscriptions at no cost to the United States Government. I look back with pride on the work and accomplishment in adding to the beauty of this wonderful friendly city to which I owe so much, and to my many local friends who are working so hard in this cause.

Section 2 of the Taft Memorial Act provides that the design and plans for the memorial shall be subject to the approval of the Architect of the Capitol with the advice of the Commission on Fine Arts.

The National Cultural Center legislation provides that the building shall be in accordance with plans and specifications approved by the Commission of Fine Arts.

Section 2 further provides—in the Taft Memorial Act, that "such memorial shall be erected without expense to the United States."

Section 3 of the National Cultural Center Act provides that the Board of Trustees "shall construct for the Smithsonian Institution, with funds raised by voluntary contributions, a building to be designated as the National Cultural Center."

So this is another exact parallel between the two measures.

There was a discussion in the committee and elsewhere about the plans for the National Cultural Center not being prepared and definite to the last degree.

Let us see what the Taft Memorial Act provides—in section 3 there is this language:

> The authority granted by the first section of this act shall cease to exist unless (a) within 1 year after the passage of this concurrent resolution the plans for such memorial have been presented for the approval of the Architect of the Capitol, and within 3 years after such approval the erection of such memorial has commenced, and (b) the Architect of the Capitol finds that, prior to the commencement of the erection of such memorial, sufficient funds are available to insure its completion.

Now, it seems to me that we have to be absolutely fair in these matters. We cannot give permission to the Taft Memorial Foundation to come in a year after passage of that act with plans for the memorial—and at the same time demand from the National Cultural Center sponsors that they have their plans spelled out to the nth degree before we will consider giving them a site.

We have to be consistent in these matters.

I need hardly say it is my personal conviction that the National Cultural Center is important from any point of view.

The National Cultural Center was amended in committee to provide that the money must be raised in 5 years. This is a strengthening feature, and again there is the parallel with the Taft Memorial Act.

Section 4 of the Taft Memorial Act reads as follows:

> SEC 4. After the completion of the memorial according to the approved plans and specifications, it shall be accepted on behalf of the people of the United States by the Congress and thereafter shall be maintained by the Congress as part of the Capitol Grounds.

The President of the United States in his letter, and I call your attention to the text which appears on page 4 of the report of the Committee on Public Works says this:

> An auditorium and other facilities such as are provided for in pending legislation, established and supported by contributions from the public, would be a center of which the entire Nation could be proud.

The National Cultural Center is expected to be self-supporting and undoubtedly will be self-supporting.

But in any event, I see no reason why the District of Columbia should not make a contribution to the National Cultural Center just as it does in the case of the National Zoo. Just as other cities contribute to their cultural activities.

But, finally, for the future I cannot see how we can in this body make a clear case against a Federal contribution when we have provided in the Taft Memorial Act that it shall be "maintained by the Congress as part of the Capitol Grounds."

Mr. JONES of Alabama. Mr. Speaker, I yield such time as he may desire to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Speaker, I am today introducing a bill. It is very simple. It provides that the Supreme Court of the United States, in reviewing a final judgment or decree of a State court, cannot take any action which would invalidate a State statute on the grounds of it being repugnant to the Constitution except by a unanimous decision of all of the Supreme Court Justices participating in the review.

In other words, the decision of the Supreme Court must be concurred in by all of the Justices before their decision is to be binding and a reversal of the State court.

I am alarmed at the recent great number of decisions by the Supreme Court declaring State statutes and State constitutional provisions unconstitutional by a 5 to 4 decision. Twenty-nine of these cases have been decided by the Supreme Court since 1950. In a little over 7 years, the Supreme Court has knocked down and held unconstitutional, by a sharply divided Court, State statutes or State constitutional provisions in 29 instances.

Apparently the majority of the High Court cares nothing about precedent but is foisting upon our people their own whims and ideas about social justice.

The day before yesterday, Wednesday, August 20, the chief justices of 10 States charged the United States Supreme Court with unrestrained policymaking. They voiced a strong plea for States rights in their report submitted to the Conference of Chief Justices. The 10 justices represented States both North and South and accused the Court of adopting the role of policymaker without proper judicial restraint.

The report pointed out that a number of the decisions by the Court, which wiped out and obliterated the rights of the States and the privileges of our people, were decisions of a divided Court, in most instances on a 5-to-4 division. Not only that, but this same committee of 10 chief justices of the supreme courts of the States called upon the Supreme Court of the United States to exercise one of the greatest of all judicial powers—the power of judicial self-restraint in differentiating between constitutional rights and powers on the one hand and local self-government on the other.

Surely, justice has come to a pretty pass in this country—here in a democracy—when a committee of State chief justices has to call upon the Supreme Court of the land to exercise restraint in rendering its decision. Never before in the history of a republican form of government has the judicial branch arrogated unto itself dictatorial power to declare policy, to amend the Constitution, and to enact laws.

If we are to survive, we must curb this dictatorial Court before they wreck our way of life and take from us the freedoms and liberties that have meant so much to the progress and growth of our great Nation.

Mr. JONES of Alabama. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Speaker, the National Confederation of American Ethnic Groups recently conducted a nationwide poll. Its purpose was to give affiliated groups the opportunity to name the issues the ethnic groups wish to support or oppose. Participating in the drive to find out what the ethnic groups think and want were 67 national organizations with chapters in the 48 States and a combined membership of more than 18 million.

Poll results indicate an awakening of the ethnic groups, with a strong tendency to strengthen and unify local, State, and nationwide ethnic organizations and to establish common goals within the framework of the national confederation.

Noteworthy, also, is the eagerness of the ethnic groups to engage in unified, concerted action in support of NCAEG objectives, thus enabling the groups to grow in service to themselves and the Nation.

The National Confederation of American Ethnic Groups is headed by Judge Blair F. Gunther, of the Pennsylvania Superior Appellate Court and board chairman of the Polish National Alliance. Paul M. Deac, veteran Washington newsman, is its executive vice president and director of activities. The broad base of NCAEG is reflected in the many nationwide groups of some 40 different nationality and religious backgrounds who have joined NCAEG from its inception here a year ago. Confederation national headquarters are located at 1761 R Street NW., Washington, D. C.

The issues listed in the poll questionnaire which I submit here along with poll results, have since been adopted as the national confederation's program of action.

PART 1.—*Questionnaire*

Question	Abstain	Yes	No
1. Both major parties soft-pedaled the issue of communism in the last presidential elections and presumably will continue to do so in this year's elections, despite the fact that the threat of communism has never been greater and the need to stop Communist imperialism and aggression more acute. Do you or members of your organization approve of such policies?	2		65
Would you vote for candidates who do not regard communism as a major issue?	1		66
2. Information and propaganda:			
Do you feel we need an effective counterpropaganda arm to combat and offset Soviet propaganda?		67	
Do you believe the United States Information Agency and Voice of America are doing an effective job in combating Soviet lies and making friends for America abroad?			67
Do you believe a joint Congressional committee should be created to look into the effectiveness, personnel competency, and present policies of the United States Information Agency and Voice of America?		67	
3. Do you believe the nationality groups should have a voice in the formulation of our country's national and foreign policies, meaning full and fair representation in the higher courts, in Congress, and on all policymaking bodies of Government?	3	63	1
4. Do you approve of the present administration's domestic and foreign policies? If you disapprove, please briefly state why	11	1	55
5. Do you believe men and women after 40 are too old to work?	1	1	65
If you do not think so, do you favor NCAEG support of legislation barring discrimination in hiring of men and women over 40?	2	59	6
6. Do you consider current unemployment compensation sufficient?	6	20	41
If not, do you favor NCAEG action to help restore jobless pay to adequate standards?	8	45	14
7. Would you vote for candidates at local, county, State and national levels who disregard or oppose the legitimate aspirations of nationality groups to assert themselves and thereby correct some of the injustices and abuses of which the nationality groups have been victim in the past?	2	3	62
8. Do you favor action to insure charity income tax deductibility on gift parcels, especially those destined to the needy behind the Iron or Bamboo Curtains?	5	53	9
9. Kennan proposals:			
Are you in favor of abandoning our position of strength in free Europe?	1	1	65
Are you in favor of a neutralized Germany?	5	1	61
10. Yugoslavia:			
Are you in favor of military aid to Yugoslavia?	5	7	55
Are you in favor of economic aid to Yugoslavia?	6	12	49
Are you in favor of discontinuing all aid to Yugoslavia?	7	48	12
11. Are you in favor of continuing aid to neutral countries?	5	37	25
12. Are you in favor of further appeasement and concession to the Soviet Union?			67
13. Do you favor withdrawing recognition of Chiang Kai-shek and recognizing Communist China?			67
14. Do you believe we as a nation should support the ideals of freedom and self-determination for all enslaved people?	1	66	
15. Do you favor adoption by United States of a strong and farsighted liberation policy?	1	65	1

PART 2.—*Tentative issues*

Issue	Abstain	Yes	No
1. Revise Immigration Act	2	58	7
Introduce in Congress an omnibus immigration and naturalization bill designed to wipe out iniquities of the McCarran-Walter Act, namely:			
a. Eliminate discriminatory and racist aspects of present quota system which favors Nordic peoples. Harsh, unfair aspects are exemplified in the yearly immigration quotas:			
Britain 65,361; France 3,069; Czechoslovakia 2,859			
Hungary 865; Greece 308; Yugoslavia 933			
Romania 289; Poland 6,488; Japan 92			
Germany 25,814; Norway 2,364; China 100			
Ireland 17,756; Italy 5,645			
b. Abolish second class citizenship—wipe out all distinction between native-born and naturalized citizens.			
c. Eliminate harsh penalties, e. g., deportation, for minor offenses committed 20 to 30 years ago or more.			
d. Apply unused Nordic quota numbers to desirable non-Nordic immigrants, mostly kin, irrespective of birthplace.			
2. Fight unemployment			
Seek adoption by administration and Congress of measures to effectively combat the current recession which has reached alarming proportions:	5	57	5
a. Introduction of measures guaranteeing adequate unemployment compensation.			
b. Institution of public-works projects in localities hard hit by unemployment.			
c. Reduction of personal income taxes.			
3. Foreign aid			
Reappraise all foreign aid, particularly as concerns aid to Communist dominated and neutral countries, with a view to eliminating waste and misuse of United States aid. (Up to date, only a fraction of such aid has reached the people. As a result, the rich have become richer and the poor poorer, thus defeating the basic humanitarian aim of United States aid.)	1	66	
4. Aid to Yugoslavia			
Reappraise United States policy toward Yugoslavia and other so-called National-Communist states.	2	51	14
5. Fourth dimensional warfare			
Urge United States adoption of fourth dimensional strategic warfare—weakening the Soviet empire from within.		67	
"Peaceful coexistence" in Communist dialectics means "conquest by subversion" and eventual absorption of the Free World in a world Communist state.			
Fourth dimensional warfare would enable United States to beat Soviets at their own game by turning peaceful coexistence into a two-way affair, namely, competitive subversion—thus weakening the Soviet empire from within.			
To accomplish this, the following prerequisites must be met:			
a. Mobilize American public opinion in full support of fourth dimentional warfare.			
b. Bring about abrogation of Yalta agreement. Reaffirmation of Atlantic Charter principles.			
c. Adopt a genuine and vigorous liberation policy covering not only the satellite nations, but all people enslaved by Communist tyranny and dictatorship, including Russia itself.			
6. Cold war			
Demand study of United States psychological warfare and information programs by joint Congressional committee or NCAEG components to determine causes for repeated United States failures in cold war.	1	66	
7. Nationality groups and cold-war effort			
Oppose abuse and discrimination practiced by United States Information Agency—Voice of America and other Government officials against professionally qualified nationality group candidates for Government jobs and demand that these objectionable practices be promptly and completely eliminated.	1	66	
8. Recognition in Government			
Urge appointment of qualified nationality group representatives to the higher courts, and to high-level Government advisory and policymaking bodies.	3	64	
9. Kennan proposals			
Condemn Kennan proposals, i. e., to abandon our position of strength in free Europe and to neutralize Germany.	1	65	1
10. Gaither report			
Demand full publication of Gaither report concerning the state of our national defense and security.	6	46	15
11. Foreign-language scholarships			
Ask for diversion of a percentage of multimillion science scholarship fund voted by Congress to creation of scholarships for study of foreign languages other than those usually taught in United States high schools and colleges.	2	60	5
Present United States position as the top world power coupled with growing needs of national security and psychological warfare make this a must.			
12. Foreign-language specialists			
Seek employment of competent linguists—writers, translators, interpreters and proofreaders—in various Government agencies where such help is needed.	1	65	1

Mr. JONES of Alabama. Mr. Speaker, I yield 5 minutes to the distinguished author of the bill, the gentleman who has done so very, very much by his legislative skill to bring this bill to the House today, the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I should like to pay tribute to those Members of this body and of the other House who have worked long and hard for this great project of a National Cultural Center.

To my colleague from Pennsylvania, CARROLL D. KEARNS, who has worked longer for this program than any Member of this House, I pay a special tribute. The gentleman from Pennsylvania introduced and cosponsored legislation for similar purposes with my predecessor Charles R. Howell, who shared this same great vision.

To the Senator from Arkansas [Mr. FULBRIGHT], who had the courage to join me in this venture, and the drive and imagination to enlist the sympathetic support of his colleagues, Senator ALEXANDER WILEY, and Senator CLINTON P. ANDERSON, as cosponsors, and the rest of his colleagues on June 20, 1958, when this measure passed the Senate unanimously, a special debt is owed by the citizens of our country. His contribution is, indeed, an historic one. This legislation is, I am confident, a further and important addition to Senator FULBRIGHT's contributions to cultural matters which began with the historic Fulbright Act of 1944.

I want to say how grateful I am for the bipartisan spirit which has supported this legislation and worked hard and faithfully for it at every step in the House.

I want the Members of this House to know that the ranking minority member of the House Public Works Committee, the gentleman from Ohio [Mr. MCGREGOR] not only sponsored this legislation but has been one of its most valuable and consistent supporters. Without his help, given generously and without stint to the chairman of the Public Buildings Subcommittee, the gentleman from Alabama [Mr. JONES], this legislation would not have had a chance of adoption.

There are enough and more honors for those who have contributed of their time and strength to this fight.

I would like to mention the other sponsors this afternoon, the gentlewoman from Ohio [Mrs. BOLTON], the gentleman from Pennsylvania [Mr. FULTON], the gentleman from Pennsylvania [Mr. SIMPSON], and the gentleman from Wisconsin [Mr. REUSS], each of whom deserve the enthusiastic support of their countrymen today, tomorrow, and at the voting booths in November.

There is the historic phrase in connection with the first telegraphed message, asked by Mr. Morse, "What hath God wrought?"

My dear friends and colleagues from both sides of this House, I feel impelled to ask this same question this afternoon, "What hath God wrought?" for this is an historic occasion which will grow in importance as time goes on.

I know all of us will look back to this moment, and be proud that we have contributed to the growth of our country in cultural matters.

No one has worked harder for this on the Democratic side of the aisle than the chairman of the Public Buildings Subcommittee, the gentleman from Alabama [Mr. JONES] and no one has shown a greater grasp of the vast potential of this measure than the gentleman from Texas [Mr. WRIGHT] whose magnificent statement we have just heard.

If this legislation proves anything, it is that Members of both parties can work together in harmony for the advancement of our country. The fine arts and education reflect the true status of our Nation, and make our civilization endure and flourish.

There is a rare unanimity of opinion in support of the National Cultural Center, extending from President Eisenhower and Vice President NIXON, the Board of Commissioners, District of Columbia, all the Federal and District Agencies, the Board of Trade, the General Federation of Women's Club, the National Federation of Music Clubs to the AFL–CIO.

We have the President's fine statement in the printed Report of the Committee on Public Works and referred to by our distinguished colleague, Mr. WRIGHT of Texas.

Some months ago, Vice President NIXON wrote me as follows:

> As you know, for some time I have been in favor of the development of such a center here in Washington. It would not only provide a much needed facility for the residents of this area, but more important, it would also serve as a symbol of the interest of our Nation and Government in the rich cultural traditions and experience of America.

The Wall Street Journal in a front-page story on May 15, 1958, declared that while Vice President NIXON and his entourage were running into angry mobs the New York Philharmonic Symphony on its South American tour at the same time was everywhere greeted with warmth and affection by cheering symphony fans.

It is important to note that upon his return the Vice President recommended that we send cultural groups to South America where the New York Philharmonic Symphony was received with such great ovations at the very time the Vice President was being abused and his life endangered. This is not art for art's sake, but a question of survival against a ruthless enemy which uses art as propaganda.

The legislation today calls for the Federal government to contribute some little-used land it owns in a public park area where no office buildings will be built. The Government to contribute the land just as it did to the Bell-Tower Memorial to Senator Taft.

The District of Columbia Board of Commissioners have offered to contribute an acre that is in private ownership, by the only device open to them—that is, that the land be purchased by the National Capital Planning Commission with Capper-Crampton funds, which the District will repay through ad valorem taxes raised in the District of Columbia.

Since the taxpayers here pay some $170 million in local, not Federal taxes—more than several states—and this tax money is allocated by the Congress it seems eminently fair that the District be allowed, as provided in S. 3335, to add its contribution to this National Cultural Center.

Compared to the $40 billions we appropriate each year for Defense and Government's contribution of six acres of land, acquired through the years at a cost of about $900,000 seems little enough for the contribution to the arts of peace.

Certainly, the arts of peace must be cultivated, too.

We fail to get our message of peace across, and we have failed in this very badly. Yet the cost of the arts of peace are infinitesimal compared to the cost of the arts of war.

Unfortunately, as many keen observers have pointed out, we are inclined to rely altogether too much on propaganda handouts, and informational media which fail to get across the story of our peaceful intentions. They will fail to get our story across as long as we fail to pay attention to the arts of peace at home—the arts, in other words, which other peoples regard as the very soul of a nation and a people.

COSTS OF OPERATION AND POSSIBLE REVENUE

I have had some figures developed as to costs of operation and possible revenue, which will be of interest to this body.

Pereira & Luckman, the coordinating architects, advise me, in a letter of August 9, 1958, that they checked the operating expenses in conjunction with a typical Broadway theater operation and have developed a figure of approximately $4,000 per week.

With a theater such as the National Theater in Washington, seating 1,800, and tickets averaging $3—experience showing that the prices which are normally higher than this are offset by those which are normally lower—there is realizable revenue of $43,200 at full or capacity houses. And try to get a ticket at any successful play in New York—you will find that you have to arrange for it months or weeks ahead.

I have been given figures by Wallace Harrison, architect of New York's Lincoln Center and many other great buildings, including the Rockefeller Center in New York City, both as to the Metropolitan Opera Co. and as adjusted to the proposed Lincoln Center. These are extremely enlightening and informative.

These are the richest and most plush music and theater operations in the entire world—much richer than those of any European state-supported theater and opera house. As a sponsor of this measure I can assure this House that nothing as rich and plush as the Metropolitan Opera House is contemplated in Washington, D. C.

The Metropolitan Opera House had a net deficit for the fiscal year ended May 31, 1955, of $214,005. As adjusted to the Lincoln Square Center with its more efficient operations there would be a net surplus of $156,751.

I am confident that the National Cultural Center can be managed so that it would be continuously in the black. I hope that the President will appoint the kind of men who can assure that it would be so run—men from the world of business, finance, labor, and industry, who can use their great experience to advantage.

But in this connection it may be as enlightening to Members of this body as it was to me to see what one of our most distinguished Members has to say on the matter of deficits in connection with the National Cultural Center.

I have here a photostat of a letter written by the gentleman from New Jersey [Mr. AUCHINCLOSS] to Mr. Gerson Nordlinger, Jr., a leading official of the National Symphony Orchestra, the Washington Opera Society, and the Washington Ballet.

The gentleman from New Jersey, a member of the Committee on Public Works, has this to say:

I am in favor of an appropriation amounting to as much as $200,000 in the District of Columbia budget in order to meet any operating deficit which might occur. Furthermore, I am convinced from experience that the gift money which is expected to be received for the construction of the center would be more easily obtained if such a prospectus were worked out.

Following are typical letters of support—from all sections of this great Nation—and Mr. AUCHINCLOSS' letter.

There also follows an estimate of the costs of operation of the National Cultural Center based upon a carefully drawn estimate—and compared with the expenses of the Metropolitan Opera Association—expenses which far exceed those expected in Washington.

I include also an explanation of the operation of the Capper-Cramton Act as it relates to this proposal:

IOWA FEDERATION OF MUSIC CLUBS,
Cedar Rapids, Iowa, July 7, 1958.

The Honorable W. R. HULL, Jr.,
House Office Building,
Washington, D. C.

DEAR SIR: The Iowa Federation of Music Clubs wishes to express their approval for the need of a National Cultural Center and we urge that the House Public Works Committee report out without change, the bipartisan bill S. 3335 and the companion bill H. R. 13017 for the Natural Cultural Center, which was passed unanimously by the Senate.

I have the honor to remain,
Very truly yours,
Mrs. MARGARET J. HEINRICH,
Chairman of Legislation,
Iowa Federation of Music Clubs.

NATIONAL FEDERATION OF MUSIC CLUBS,
Beloit, Wis., August 22, 1958.

Memo for Representative THOMPSON:
Subject: National Cultural Center.

In light of the gigantic appropriations for defense of our Nation, the cost of a National Cultural Center is negligible.

Peace will come to the world only through most effective communication and a true understanding of world needs and world problems.

Music and the arts are common denominators of emotions and should be promoted in every way possible so that they in turn will promote mutual understanding. A National Cultural Center, the first for our great Nation, would be a significant step in the right direction.

It is the opinion of the 600,000 members of the National Federation of Music Clubs that a National Cultural Center is an absolute must.

The membership of the federation has faith that the Members of the House will take the same fine, positive action as did the Senate June 20, and pass the Fulbright-Thompson proposal today, unanimously.

MARIE A. HURLEY,
National Legislation Chairman,
National Federation of Music Clubs.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 8, 1958.

Mr. GERSON NORDLINGER, Jr.,
Apartment 307 Woodley Park Towers,
Washington, D. C.

DEAR MR. NORDLINGER: I appreciate more than I can say your thoughtful and friendly letter of August 6 which I have just received and I am very pleased that you recognize my sincere desire to be of help in the project for establishing a Cultural Center in Washington.

Having had some experience in promotions of this kind, I am forced to the conclusion that under the present set-up this proposal is headed for trouble because it is not based on a sound businesslike foundation. A fair appraisal of not only the income to be derived from such a venture but also the expenses involved should be made and from such an appraisal it will be determined to a certain extent whether it will be profitable or not. I am in favor of an appropriation amounting to as much as $200,000 in the District of Columbia budget in order to meet any operating deficit which might occur. Furthermore I am convinced from experience that the gift money which is expected to be received for the construction of the center would be more easily obtained if such a prospectus were worked out. I am frank to say that I look with skepticism on the plan as proposed at present and hope that the proponents of this venture will proceed along more businesslike lines than they are now doing.

Thank you again for taking the time out to write such an encouraging letter and I assure you that I have always considered it a privilege to be of service to the people of Washington who have no vote but who are as fine citizens as can be found anywhere.

With kind regards, I am
Sincerely yours,
JAMES C. AUCHINCLOSS,
Member of Congress.

Gross annual revenue and expenses (estimated) of the National Cultural Center

Income from facility rentals:	
The Auditorium-Music Hall:	
Opera, touring	$28,500
Opera, resident	12,960
Ballet	37,800
Musicals, professional	162,000
Musicals, amateur	2,500
National Symphony	15,000
Touring Symphony	6,000
Recitals, professional	5,000
Festivals	2,500
Patriotic and religious	2,500
Conventions	12,500
Total revenue	298,510
The Theater:	
Plays, amateur	1,500
Recitals, professional	13,500
Recitals, amateur	3,750
Festivals	1,500
Forums and lectures	750
Civic group meetings	1,500
Conventions	11,250
Total revenue	33,750
Operating expenses:	
Stage department material	73,000
Repairs and maintenance	16,000
Electricity	7,000
Insurance	41,000
Contingencies	7,000
Total expenses	144,000

CAPPER-CRAMTON ACT OF JULY 20, 1930

1. Under the terms of the Capper-Cramton Act of July 29, 1930, the National Capital Planning Commission, for many years, has been acquiring the lands for the park, parkway and playground system of the District of Columbia. That act authorized appropriations totaling $16 million for these purposes, which funds are to be reimbursed by the District of Columbia as acquisitions are completed.

This operates as a loan, in fact, and the District of Columbia reimburses the National Capital Planning Commission out of the taxes paid by citizens of the District of Columbia. This amounts to nearly $180 million each year. There is no expense to the Federal Government for lands bought by the National Capital Planning Commission in the District of Columbia—and this is the case with the Foggy Bottom site planned for the National Cultural Center.

The Board of Commissioners, District of Columbia, and the Recreation Board also have approved the use of funds appropriated to the National Capital Planning Commission for the purpose of the National Cultural Center. If the lands in question are acquired by the Planning Commission, they immediately will become a part of the parkway system in the District of Columbia and under existing legislation can be made available for the purposes of the Cultural Center. (As explained to Public Buildings Subcommittee at hearings on August 5 by William E. Finley, director, National Capital Planning Commission.)

2. Mr. MCGREGOR. To reiterate your statement, the District will have to reimburse the Federal Government for land acquisition.

Mr. FINLEY. That is correct, sir.

Mr. MCGREGOR. Have you any money available for that purpose now?

Mr. FINLEY. Sir, the District Government sets aside a certain amount of money in its annual budget each year to reimburse the United States Government for lands purchased by our Commission for parks, parkways, and playgrounds. They have been setting it aside each year for almost 30 years.

3. There is 6.5 acres owned by Government. Additional land will be obtained by street closures, at no cost.

4. There is about 1 acre still in private ownership to be obtained by National Capital Planning Commission with use of Capper-Cramton Act funds.

Metropolitan Opera Association, Inc., statement of net surplus or (deficit) for the fiscal year ended May 31, 1955, adjusted to indicate effect of conducting same operations at proposed center and further adjusted to reflect 1956 operating conditions and wage and price levels

	Fiscal year ended May 31, 1955	Adjustments to indicate effect of conducting some operations at proposed center—1954–55 wage and price levels	As adjusted	Adjustments to indicate effect of 1956 conditions and wage and price levels on some operations	As adjusted
Income:					
Ticket sales	$2,816,795	$510,200	$3,326,995		$3,326,995
Broadcasting fees	165,000		165,000		165,000
Store and studio rents	133,417	(133,417)			
Auditorium rental	87,447	(87,447)			
Recording royalties	14,077		14,077	$56,000	70,077
Ballet school tuition (net)	15,764		15,764		15,764
Piano	18,000		18,000		18,000
Sherry catering	24,467	(24,467)			
Program	13,750		13,750		13,750
Libretto	8,680		8,680		8,680
Royalties, M. Lawrence picture	20,000		20,000		20,000
Other royalty income	1,399		1,399		1,399
Television	398		398		398
Checkroom	15,760	(15,760)			
Miscellaneous	1,042		1,042		1,042
Total income	3,335,996	249,109	3,585,105	56,000	3,641,105
Expenses:					
Salaries and wages:					
Singing artists, conductors, etc	767,766		767,766	38,800	806,566
Assistant conductors and orchestra	506,955		506,955	25,300	532,255
Chorus, ballet, and supers	391,331		391,331	20,200	411,531
Stagehands	298,195	(62,800)	235,395	9,800	245,195
Electrical department	121,992	(19,800)	112,192	9,500	121,692
Property department	115,260	(17,600)	97,660	11,700	109,360
Other stage departments	233,856		233,856	12,000	245,856
Superintendents, engineers, porters, matrons, etc	150,858	(150,858)			
Front of house	85,160	(85,160)			
Studios	31,479	(31,479)			
Stage department	12,421	(12,421)			
Box office	49,306		49,306		49,306
Executive and clerical	244,818		244,818	44,200	289,018
Total salaries and wages	3,019,408	(380,127)	2,639,281	171,500	2,810,781
Other operating expenses:					
Stage department material and expenses	218,482		218,482	80,500	298,982
Repairs and maintenance:					
Theater and storehouses	50,457	($50,457)			
Stage department	7,466	(7,466)			
Studio	10,515	(10,515)			
Electricity	21,884	(21,884)			
Transfer and cartage	137,157	(108,600)	28,557		28,557
Administrative and general	242,550		242,550	62,100	304,650
Insurance	41,995	(22,600)	19,395	8,000	27,395
Taxes	128,135	(33,200)	94,935		94,935
Interest	42,198	(42,198)			
Depreciation	59,405	(25,000)	34,405		34,405
Contingencies and special expenses	7,515		7,515		7,515
Rental charges, new center		263,300	263,300		263,300
Total other operating expenses	967,759	(58,620)	909,139	150,600	1,059,739
Total expenses	3,987,167	(438,747)	3,548,420	322,100	3,870,520
Profit or (loss) from New York operations	(651,171)	687,856	36,685	(266,100)	(229,415)
Net profit from tour	116,092		116,092	(51,000)	65,092
Net profit or (loss) from operations	(535,079)	687,856	152,777	(317,100)	(164,323)
Contributions:					
Metropolitan Opera Guild	78,491		78,491		78,491
National council	52,458		52,458		52,458
Special Arabella commitment	52,737		52,737		52,737
Fund drive	62,052		62,052		62,052
Berlioz concert	4,085		4,085		4,085
Appropriations from employees welfare fund	8,066		8,066		8,066
Annual giving (net)	57,231		57,231		57,231
Other contributions	6,954		5,954		5,954
Total contributions	321,074		321,074		321,074
Net surplus or (deficit)	(214,005)	687,856	473,851	(317,100)	156,751

[From the Washington Post and Times Herald of Sunday, August 17, 1958]

STILL SOME HURDLES, BUT LOWER ONES

(By Robert C. Albrook)

Congress works in mysterious ways its wonders to perform. Just when things seem hopelessly entangled in conflicts, conferences and confusion, the waters are miraculously calmed and a storm-tossed piece of legislation sails smoothly into harbor.

This, last week, was the case with the District Cultural Center project. Already approved by the Senate, it will come before the House with a strong endorsement from a seemingly enthusiastic Public Works Committee. Although a two-thirds vote will be needed for passage under suspension of the rules (a customary procedure this late in the session), sponsors are optimistic.

The chief credit probably should go to Representative FRANK THOMPSON, Jr., of New Jersey, the bill's sponsor, and his indefatigable aide, George Frain, who has worked assiduously on behalf of the District's art and music facilities for many years.

But their labors would have been in vain except for the support of President Eisenhower, Senator FULBRIGHT, who put the project through on his side of the Capitol, and Representatives JONES, MCGREGOR, MACK, DOOLEY, AUCHINCLOSS, and other members of the House Public Works Committee who have pushed the legislation along or indicated broad sympathy with its objectives.

AUCHINCLOSS, a veteran in District affairs on the Hill and the real father of the postwar home-rule movement, has some reservations about procedure. He would like to be assured that this privately financed project, to be built on publicly owned land in Foggy Bottom, will indeed be able to stand on its own feet, as its sponsors believe it will.

AUCHINCLOSS explained his position to fellow subcommittee members this way:

"I think the committee ought to go into this thing with its eyes open. I am not against culture. I think it is an excellent thing for the District of Columbia to have. I do think we ought to have some assurance, if they are to construct some kind of building, that we can have a look-see at it and have some kind of prospectus which will show whether they will be able to operate it at a profit without the necessity of coming to the local government, which is hard pressed for funds anyway, or to Uncle Sam."

But AUCHINCLOSS did not vote against the bill in committee, recording himself instead as present. And he went on to say: "I do not want to be in the role of trying to be in opposition in any way to the advancement of this kind of center. I think it is necessary and I think it a good thing for the community."

Representative MCGREGOR, however, was impressed—and so, apparently, were a majority of the committee—with the prospectus for the center worked up by the District Auditorium Commission, under a Congressional mandate, and presented to Congress in January 1957.

This $95,000 study appeared, a year ago, to have been wasted, and the project doomed, after Congress refused to endow the Commission with authority to select and acquire a site for the proposed center. The Commission wanted to buy a site in Foggy Bottom, parts of which were earmarked for other public and private projects.

But early this year, THOMPSON and FULBRIGHT proposed the new legislation, now before the House, which settles the site question by authorizing use of land, already mostly federally owned, also in Foggy Bottom but south of the tract favored by the Commission.

The new legislation also would provide for appointment of a new commission and for general supervision of the project by the Smithsonian Institution, all along the lines of the Mellon Gallery's creation.

The old Commission's report convinced the House committee, however, that all the advance planning that could reasonably be expected had been done and that this effort ought not to go down the drain. Said MCGREGOR of the Commission's prospectus: "I have never seen a prospectus as nearly complete as the one which has been presented in behalf of this legislation."

Representative DOOLEY seemed to bespeak general committee sentiment in noting: "I think there is so much public interest over the Nation in this cultural center that no doubt it will be a success financially. I used to be in that business, and I know money is available."

If the House approves the bill this week, the big job of raising $15 to $50 million and settling on detailed plans will be the next order of business, once a new commission is named.

Mr. THOMPSON of New Jersey. Mr. Speaker, the concept otherwise is the same. The need for the people of the United States, in their very own Capital City, to have such a facility is so evident, that any repetition would be unnecessary.

Mr. LANKFORD. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. LANKFORD. Mr. Speaker, I would like to take this opportunity to congratulate our colleague, the gentleman from New Jersey, on the splendid work that he has done in bringing this plan to fruition. It is something that has long been needed in our Nation's Capital. I think we all owe the gentleman from New Jersey [Mr. THOMPSON] a debt of gratitude for the splendid work he has done in this matter, and I am sure today the House will show its appreciation by overwhelmingly voting for this fine piece of legislation.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. SEELY-BROWN. Mr. Speaker, I want to make clear two points. First, this is not going to cost the taxpayers a cent; is that correct?

Mr. THOMPSON of New Jersey. Not one cent, that is correct.

Mr. SEELY-BROWN. In the second place, this will provide a cultural center not only for those living in this area, but it will provide a cultural center for Americans everywhere; is that not true?

Mr. THOMPSON of New Jersey. It will, indeed, this being the Capital City for 170 million people.

Mr. SEELY-BROWN. I certainly congratulate the gentleman for bringing this legislation before us.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Connecticut.

Mr. MORANO. I wish to congratulate the gentleman from New Jersey. One of the first things I did when I came to the Congress in 1951 was to introduce a bill to provide for a cultural center in the Nation's Capital. Is it not true that most countries overseas subsidize projects of this kind to improve their cultural attainments?

Mr. THOMPSON of New Jersey. It is, indeed, true. In this hemisphere the Government of Canada has undertaken a $50 million program. This is going to be a voluntary program just as in the case of the Taft Memorial and just as in the case of so many other great monuments to our people here.

Mr. MORANO. Is it not true that one of the reasons we do not attract the National Symphony Orchestra and the Metropolitan Opera Co. here in the Nation's Capital is because we do not have the accommodations to take care of them?

Mr. THOMPSON of New Jersey. There are no suitable facilities. The gentleman is quite correct.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. PELLY. I think this is a very meritorious project and I am very glad to support it.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. SIMPSON of Pennsylvania. I compliment the gentleman on the work he has done in connection with this cultural center and I associate myself with his efforts and urge that the House give as nearly unanimous support as it can to this legislation which is long overdue and highly desirable for the Nation's Capital.

Mr. THOMPSON of New Jersey. Mr. Speaker, in conclusion, as an example of the almost unanimous support for this cultural center, I would like to read and put into the RECORD a letter addressed to the Honorable WILLIAM HULL, of Missouri, from the Iowa Federation of Women's Clubs:

The Iowa Federation of Women's Clubs wishes to express their approval of the need for a cultural center.

That is what it says among other things. The National Federation of Women's Clubs which has more than 600,000 members is in favor of this, as are many other organizations. I would like in conclusion, Mr. Speaker, to express my profound gratification and appreciation on behalf of all who have worked so long on this matter, to the chairman of the subcommittee, the gentleman from Alabama [Mr. JONES], and to the full Committee on Public Works and those who have made this possible.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. YATES. Did I understand the gentleman correctly to say that the Iowa Federation of Women's Clubs are approving this bill?

Mr. THOMPSON of New Jersey. You understood the gentleman correctly, and the letter is signed by Mrs. Margaret J. Heinrich of the State of Iowa.

Mr. YATES. Are there other clubs in Iowa that approve the bill?

Mr. THOMPSON of New Jersey. I think one or two from Iowa did not approve, but the overwhelming concensus is in favor of the bill.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mrs. BOLTON. Mr. Speaker, I want to express my deep appreciation to the distinguished gentleman from New Jersey for the work done in this whole matter and also to the distinguished chairman of the subcommittee as well as to the members of the full committee. Some indication of the enthusiasm which a National Cultural Center in our Capital City would generate across the country can be seen from what has happened here in Washington since President Eisenhower's letter of endorsement was released.

S. 3335 was passed in the Senate without a dissenting vote. After long and considered hearings, the bill had been approved by the Subcommittee on Public Buildings and Grounds, by the National Capital Planning Commission, the Board of Commissioners of the District of Columbia, the Washington Board of Trade, the Bureau of the Budget and many other agencies and individuals, who testified before the Senate committee.

Along with many other beauty-loving Americans, I have long been aware of our lack of cultural facilities here in our National Capital.

In addition, my work on the Foreign Affairs Committee has brought me an increased realization of the importance of the arts in our foreign relations, and of the use other countries make of these in their foreign relations. I have asked myself and others the question: "Why is it that Washington should lack the needed facilities for the performing arts?"

The District of Columbia Auditorium Commission, headed by Mrs. Eugene Meyer, and which included a number of Members of Congress from both Houses, found that 382 American cities have cultural facilities. Americans as well as foreigners visiting Washington find it difficult to understand why our Capital City has no center for the arts, especially when they know that we have helped a number of European cities restore their great theaters and opera houses.

Feeling a definite sense of responsibility to my own people I joined with other Members in introducing a companion measure, H. R. 13193. It would seem exceedingly timely for us to demonstrate our recognition of the fact that beauty in all its phases is a vital human need.

Only recently the Congress passed, and the President signed, a bill for a second stadium to seat 50,000. Surely the need of an art center is one that cannot be gainsaid.

It is my earnest hope that this bill do pass.

Mr. THOMPSON of New Jersey. I thank the gentlewoman.

Mr. Speaker, I shall close my remarks with a tribute to the person who has worked longer and harder for this legislation than anyone else. Earlier, I said that the idea is not new; it originated, in fact, with George Washington, this Nation's first President. In his first inaugural message, General Washington called to the attention of the Congress the need for recognition of music and the arts. Since Washington's day the cultural center has been advocated by Jefferson, Madison, Truman, and, as Mr. WRIGHT stated, Eisenhower. The great amount of work necessary to bring us here today, however, was done by my able and devoted legislative assistant, George Frain. Mr. Frain has worked night and day for years, literally, to see the culmination of this great project. Words cannot express my appreciation and admiration of his work. My cosponsor in the other body, the great Senator from Arkansas [Mr. FULBRIGHT], has often paid similar tribute to George Frain. The art and music lovers of this Nation are indebted to Mr. Frain, as are all of us here today.

Mr. MACK of Washington. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. HYDE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HYDE. Mr. Speaker, I rise in enthusiastic support of the bill to establish a National Cultural Center in the Nation's Capital. The establishment of such a center is long overdue in this Nation. We have been negligent in proper recognition of the cultural arts; it is my hope that the House will give this bill a unanimous vote of approval. This is a fine example of the realization of social goals through private initiative. This project is being paid for by the voluntary subscriptions of the citizens of this country; we cannot deny them the benefit and joy of a National Cultural Center.

Mr. MACK of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I rise in support of S. 3335.

The most remarkable thing about this bill which came before the Public Works Committee is the fact that this group of people who are interested in providing a National Capital Cultural Center are willing to actually assume the burden of raising the funds to finance it. That is quite a distinctive approach to those of us in Congress who have been working on many projects involving the construction of buildings. It seems to me when people have the demonstrated initiative such as there is in this case to assume voluntarily the cost of construction of the National Cultural Center that we should respond to that initiative and encourage it and do everything we can to cooperate with them in bringing this building to a reality. This building will add to the beauty, the attractiveness, and the greatness of this Nation's Capital. We should pass this bill as presented to us.

Mr. MACK of Washington. Mr. Speaker, I yield such time as he may use to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, the need for this cultural center is apparent. It is in the national interest.

I join in supporting this measure and to warmly endorse the site which has been selected for the cultural center. Not only should the center itself afford adequate facilities for any fine arts performance but the site from every viewpoint offers the best advantages of accessibility, esthetic beauty, proximity to residential, business areas and hotels, good public transportation, restaurants, and parking facilities. My support is also based and conditioned on the provisions for financing through donations solicited for that purpose with the provision that if such funds are not forthcoming, the amount collected would go to the Smithsonian Institution.

Mr. MACK of Washington. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Speaker, I wish to express gratification at the commendation that has been extended to my colleague the gentleman from New Jersey [Mr. THOMPSON] for the effort he has put forth in this matter. It is well deserved. I am strongly in favor of this bill.

The bill is most worthy. It would fill a longfelt want in our National Capital. Cultural centers exist in practically every European capital. We have none. This Nation that leads in so many worthwhile activities is terribly delinquent in failing to provide a cultural center in this the greatest Capital in all the world. We should no longer delay in providing such a center.

A center of this kind will enable us to have presentations in cultural subjects such as music, art, drama, and all the other activities of a cultural character. The failure to have such a center, in my opinion, detracts from our national prestige.

Furthermore, it should not be overlooked that a cultural center, where representatives of foreign nations will participate in performances can be helpful in building understanding and good will between ourselves and the people of other nations.

I repeat the bill has a most worthy objective and should have the support of the House. And, in concluding, I would like to bring to the attention of the House that the establishment of the center, as provided for in this bill, will be at no cost to the Federal Government. The cost is to be met by voluntary contributions.

Mr. MACK of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Speaker, 12 years ago when I came to Congress we were about to build a monument in honor of the soldiers of World War II. That was before the Korean war. I suggested at that time that we had enough monuments around Washington for pigeons to roost upon, and I thought it would be very good to do something along a different line, perhaps a living memorial to members of our Armed Forces. I see my distinguished colleague, the chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], on the floor. He had a bill for this purpose pending in Congress before I was privileged to be a Member of this body.

We decided to build a cathedral of the arts, an opera house. I do not believe that any other Member of Congress has had the privilege I have had of conducting the United States Air Force Symphonic Band and Orchestra in many parts of the world. A year ago today I was in Tokyo, at the height of the Girard case, conducting before 50,000 people there. There was no incident even though a Member of the United States Congress was conducting—because music is an international language.

I want to give great credit to the gentleman from New Jersey [Mr. THOMPSON], also to his predecessor, former Congressman Charles Howell, and the others who have been working on this project for a long time.

The Capital of the Nation, Washington, D. C., should have a cultural center. It should be the cultural center of the United States of America; and, furthermore, I would like to see the greatest school system in the country functioning here in our Nation's Capital.

Let us make this Nation's Capital a world capital today, a cultural center, an educational center. The bill before us

today, if passed, will be a great step in that direction and I believe the people of the world will rise and say: "Well done, United States of America."

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. KEARNS. I yield to my colleague from New York.

Mr. CELLER. It is true you can never say anything mean in music, and it is good to have a music center in Washington where, I may say as a fellow musician, we can have grand opera, or opera comique, something we have lacked all these years.

Mr. KEARNS. Mr. Speaker, is not a melody always sweet?

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. KEARNS. I yield.

Mr. KEATING. While these kudos are being passed around about this fine piece of legislation, I would like to express my gratitude and that of my colleagues for the fine work done by the gentleman from Pennsylvania [Mr. KEARNS] to make this cultural center possible. We are glad to follow his leadership.

Mr. MACK of Washington. Mr. Speaker, I yield myself 5 minutes.

Mr. MACK of Washington. Mr. Speaker, my friend, the distinguished gentleman from New Jersey [Mr. AUCHINCLOSS], ranking minority member of the Subcommittee on Public Buildings, stayed here hour after hour all of this week for an opportunity to demand a second on this suspension. He wanted to explain this bill to the House and state why he opposes it. Mr. AUCHINCLOSS is unavoidably absent. He asked me to demand a second and to make this presentation to the House.

The gentleman from New Jersey [Mr. AUCHINCLOSS], as most of you know, is a very substantial and successful businessman. He has had great experience in business affairs. He has raised large sums of money for charitable and benevolent enterprises. Mr. AUCHINCLOSS has examined this legislation. He says there is not a bit of good business judgment in it. He [Mr. AUCHINCLOSS] is in favor of a cultural center, as am I, but this bill has been hastily drawn and contains provisions that will hinder, in our opinion, the establishment of a cultural center in the city of Washington rather than help it.

I ask unanimous consent to insert Mr. AUCHINCLOSS' statement in the RECORD immediately after my remarks.

Mr. Speaker, the bill before us proposes to establish a National Cultural Center in the Nation's Capital for the promotion and advancement of drama, poetry, music, opera, the dance and other performing arts. Sponsors of this legislation estimate that the cost not figuring the cost of the site, will be $15 million to $50 million plus. The word "plus," of course, means the sky is the limit.

The bill authorizes Congress to present as a gift to the cultural center 8.2 acres of land, now owned by the Federal Government. This land is estimated to have a present day value of $4 million to $5 million. In addition, the Federal Government will add $650,000 to the national debt and turn over this money to the Cultural Center Board to acquire by condemnation or otherwise an additional 1.2 acres of land.

I am not opposed to establishing a cultural center in the Capital or even to the Federal Government providing some funds for its accomplishment. However, before doing so I do think Congress should have some definite information as to what is being proposed. That information we do not have now.

Proponents of this legislation know definitely that 9.4 acres are required as a site. They say they do not know how many buildings or the nature of the buildings that will be required. They gave the committee no estimates as to whether the operation of the project, including the use of domestic artists and the importation of foreign artists for presentation in the center, would be a paying or a losing venture.

Proponents of the bill provided the committee no information as to anticipated expenditures for maintenance and operation and they did not provide the committee any estimate of expected revenues. No one, as far as I can ascertain, knows whether this will be a break even or a losing venture financially.

They did present an elaborate report on a previous study but said this is not the kind of project that is now wanted which would make the figures in it pretty much valueless.

If the project should prove financially and economically a money-losing venture who will pay the bill? The Federal Government will pay it, of course.

This bill in one of its provisions says the actions of the Board, which this legislation will create, will not be subject to review by any officers or agency of the Government except the courts. Proponents of this legislation say it will not cost the Federal Government a cent, that all the money is to be raised by donations.

The bill, however, provides that the Federal Government is to donate to the enterprise land valued at about $5 million and in addition loan the cultural center $650,000 of additional money. The loan is to be paid back at some future indefinite time.

Furthermore, the Federal Government is creating this new agency. It is giving it broad powers that are not subject to review by anyone except the courts. It can buy land, presumably contract debts and perhaps even float revenue bond issues to augment the monetary gifts it received. No one except the courts can review its actions.

The Cultural Center Board will be an agency created by Congress. If the venture loses money it will be the moral obligation of the Federal Government to make good any deficits.

I do not think the Congress should grant to any agency such broad powers without more careful study than this bill has had.

The members of our committee were refused an opportunity to suggest or offer any amendments to this bill. The Members of the House on the floor now are being denied an opportunity to offer any amendments to put safeguards into this legislation to protect the interests of the taxpayers.

The gentleman from New Jersey [Mr. THOMPSON], says the idea of a cultural center in the Nation's Capital has been under consideration ever since the George Washington administration. It has been proposed then off and on for 160 years.

We are told that creation of this cutural center is a great national emergency and that legislation creating it must be rushed through Congress without amendment and with only 40 minutes of debate. It is implied that it is now or never on this legislation. We are told that unless this bill is enacted speedily our Nation and the world will return to the dark ages. I do not believe this legislation is so desperate an emergency as it is painted.

All Mr. AUCHINCLOSS and I say is that this bill has not been adequately considered. We say there should be opportunity to put safeguards in it to protect the American taxpayer. We ask that action on this bill be deferred until January which is only 4 months away. If this is done I am certain we can obtain a far better bill than the one being rushed through Congress today in the expiring hours of this session.

Mr. MACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. AUCHINCLOSS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I arise in opposition to this bill not because I oppose the establishment of a cultural center here in the District of Columbia but because the plans as set forth in the hearings and the so-called prospectus are far from complete and entirely theoretical. There is nothing businesslike about them. May I enumerate:

First. There is disagreement about what kind of building or buildings shall be erected. The written prospectus calls for a building which includes a large hall seating 4,000 people; an opera house; a theater; and various small rooms for meetings and so forth. The proponents of the bill testifying before the committee stated their opposition to a large hall and the various proposed smaller rooms.

Second. There is no definite estimate about the cost of the buildings. Figures were suggested in the hearings of from fifteen million to fifty million dollars plus. I might observe that with inflation upon us, this cost estimate will probably increase considerably.

Third. There is no definite plan as to how this money is to be raised. It is stated that popular subscriptions will be secured but common sense dictates that contributions of any size will not be forthcoming unless it is decided what kind of a building will be required and more definitely what the program will be.

Fourth. In the prospectus the income is generously estimated to be $437,376 and this includes an income of $83,500 from the use of a great hall which is opposed by many. But no estimate of operating costs is submitted. Perhaps

this is because it is unknown just what sort of a project is being promoted. Furnishings and operating costs such as management, maintenance, insurance, gas, electricity, and water, are constant expenses, not to mention printing, publicity, and other inevitable costs. How can substantial contributions be expected unless an estimated balance sheet showing the expense of operating is submitted?

Fifth. There is no doubt in my mind that because of the way this proposition is being handled the District of Columbia and/or the Federal Government will be called upon to make an annual contribution to meet a deficit in operations. I would not object too much to that if an estimate were submitted as to how much such a contribution might be. That is the straightforward way of doing business.

Sixth. I object to the claim made by the proponents of this measure that this project does not cost the Government a cent. The facts are that appropriations amounting to $150,000 have already been made and spent in the study of this proposal and the Government is asked to donate land valued at something like $2 million on which to build the center. I don't object to either of these facts but I do object to the creation of the idea that this is of no expense to the Federal Government. Let us keep the record straight.

Mr. Speaker, I believe for the benefit of the proponents of this plan and in the interest of sound business principles that this project should be referred back for further study and consideration, so it may be determined what the eventual cost, if any, may be to the Federal Government.

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, many visitors from Europe come to my office here in the Capitol each year. Almost invariably, they speak of their admiration for Washington as one of the most beautiful cities of the world. Then they go on to express their amazement that it contains no cultural center for the performance of opera, ballet, music, and drama. Every provincial city, every grand ducal seat of France and Germany has its beautifully appointed home for the performing arts. I refuse to believe, Mr. Speaker, that what a Louis Napoleon or a Frederick the Great could do, the free people of the United States, by their own initiative, cannot do.

I hope that S. 3335 will overwhelmingly pass, and that the National Cultural Center will become a reality.

Mr. JONES of Alabama. Mr. Speaker, I yield myself 5 minutes.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Ohio.

Mr. VORYS. Mr. Speaker, I support this bill. Many, if not most, of the great capitals of the world have theaters built by the government and subsidize the drama, the opera, music, and the ballet. I do not feel we should follow this practice. On the other hand, I regret the lack of these cultural activities in our great Capital. This bill meets this situation in a truly American way, by making it possible for private citizens, for the people of the country, to create a cultural center on Government premises. I congratulate the sponsors of this legislation in Congress and in Washington; I particularly want to mention Mrs. Virginia Lorve Bacon, a great civic leader and widow of a distinguished American who served in this House. This bill provides the right way to go ahead with a national cultural center, the right place to locate it. Now is the right time to act on it.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Ohio.

Mr. McGREGOR. Mr. Speaker, I want to pay my compliments to the distinguished gentleman from Alabama. He has done an excellent job, and I hope he clears up somewhat of an error that seems to have gone around, emanating from my distinguished friend from Washington, that this is going to cost the Federal Government a considerable sum of money. I hope he will show us that the contributions that are going to be collected will pay $693,000 for the land that is now owned by the Federal Government.

Mr. JONES of Alabama. I thank the gentleman.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Speaker, I would like to compliment the gentleman personally as chairman of this committee that has given great deliberations to this problem, and I hope that this legislation will be passed unanimously. I would like to pay tribute, also, to the gentleman from Ohio [Mr. McGREGOR], on our side.

Mr. JONES of Alabama. I thank the gentleman.

Mr. Speaker, I regret that I have to ask the indulgence of the House to take time to explain the purpose of S. 3335. I thought that its intent was clear to all the Members. However, in view of some of the statements that have been previously made, I feel that it is incumbent on me to clarify just what the bill does.

First let me say to the Members of the House that the entire tract of land on which the cultural center will be built will occupy approximately 7½ acres. Government-owned land now totals approximately 6½ acres, leaving a balance of an acre to be acquired at an approximate cost of $625,000; $625,000 to acquire the remaining acre will come from funds available under the Capper-Cramton Act of 1930, under which the National Capitol Planning Commission has been acquiring lands in the District of Columbia. The Federal Government will be reimbursed by the District of Columbia for money used under the Capper-Cramton Act from District funds raised by ad valorem taxes.

If this measure fails today, the National Capital Planning Commission intends to acquire the site for a park. Thus you will not save anything by refusing to vote for this bill. Further, whether acquired for a park or a cultural site, this will not cost the Federal Government a cent—since the District of Columbia, as I have said, reimburses the United States for all funds used by it under the Capper-Cramton Act.

The committee believes that there is in the bill the most proven way of administering the affairs of a program such as this. The Smithsonian Institution, through its Board of Regents, has been most successful through the years in its operation. This Board will have supervisory control over the board of trustees set up under S. 3335. This bill has been carefully drawn and in the best legal manner possible. The President of the United States forwarded a letter to the chairman of the Public Works Committee urging approval of this project under the terms and conditions set forth in the bill before you today.

The committee felt it would be a wise policy to set a limitation on the period of time under which the board of trustees could exist and make solicitations. The commission is given 5 years in which to raise the amount of money necessary to construct this building. In the event that, at the expiration of 5 years, in the opinion of the Board of Regents of the Smithsonian Institution, there are not sufficient funds on hand to construct the center, the funds raised will be turned over to the Smithsonian Institution for use in its art collection.

I know of no better way to insure the success of a program of this type than the way we have provided for in this legislation. This is a bill that will not cost the Fedral taxpayers one red penny and which will provide a center that is badly needed to show to the world the American culture of which we are all so justly proud.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. THOMPSON of New Jersey. Is it not a fact that the precedent for such an amendment was established in the memorial to the late great Senator from Ohio, Senator Taft, when that act provided, without their having any plans, 1 year in which to provide plans and 3 years in which to construct the memorial?

I might point out to the House that following the completion of that magnificent structure, the Bell Tower, it shall be accepted, according to the bill, on behalf of the people of the United States, by the Congress, and thereafter maintained by the Congress. This bill provides no maintenance by the Congress.

Mr. JONES of Alabama. That is exactly right.

Mr. MACK of Washington. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, somebody mentioned earlier in this debate the Iowa Federation of Music Clubs, and their support of this measure. I am going to be very much interested to see how many thousands of dollars that organization contributes to the construction of this cultural center in Washington.

I am amazed to hear certain gentlemen say that this proposition is not costing the taxpayers anything. In the first place, it starts out by costing them 8 or 9 acres of valuable Government- and taxpayer-owned land in the District of Columbia. Do not forget that only a week or so ago Members voted to spend—I did not—$600,000 plus for about half a square of land adjacent to the new Senate Office Building. This was necessary, it was said, to add to the environment and atmosphere of the new Senate Office Building. If you do not think that land costs money around here, just go back and review that little transaction, and keep in mind that if this Government-owned land is given away for a cultural center it will not be available for the location of future Government buildings.

Now, why this cultural center? I read from the report of the committee:

> All Americans are proud of their National Capital, yet its cultural facilities are inferior to all leading European capitals, and numerous smaller European cities. • • • This lack of an adequate center for the arts in Washington detracts from our international prestige.

So apparently this legislation is designed to try to keep up with the bankrupt international Joneses. A Member of Congress was quoted in the local newspapers the other day as saying we were being criticized by inhabitants of the 80-some embassies in Washington because there is no so-called cultural center. My answer is that if these people do not like our culture, they know what to do about it. I would further say that if we had just a few of the billions of dollars that we have given to foreign free-loaders over the years we could build a cultural center every 15 feet in the District of Columbia, and have enough left over to take care of those 1,300 school children in the District of Columbia who are not going to get a chance at culture because they do not have the shoes to go to school regularly.

You talk about culture.

Then we find a provision in this bill that is very interesting. I do not believe I have seen it in any other bill of this nature that has come before Congress. It says this:

> The actions of the board, including any payment made or directed to be made by it to any trust funds, shall not be subject to review by any officer or agency other than a court of law.

What do you have to hide in this proposition, that only a court of law can review the expenditures?

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, briefly. The gentleman did not yield to me, if he remembers, but I will yield to him.

Mr. THOMPSON of New Jersey. I did not even notice the gentleman, or I would have yielded to him.

Nobody is trying to hide anything. No. 1: This is standard language. No. 2: They are trustees, and fiduciaries are under the control of the laws of the Federal Government, as are any other trustees.

Mr. GROSS. This provision ought to be amended. That is one of the troubles of bringing bills of this nature before the House under suspension of the rules which prohibits amendments by the Members.

Mr. MACK of Washington. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman and compliment him for his statement in opposition to this bill.

Mr. MACK of Washington. The gentleman from Ohio said the opponents of this legislation had been voting vast sums of money to build cultural centers and similar structures overseas. Has the gentleman from Iowa voted for those programs?

Mr. GROSS. No, and the gentleman from Washington has not voted for those programs.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield? The gentleman mentioned my name.

Mr. GROSS. I did not mention the gentleman's name.

Mr. McGREGOR. I wonder if the gentleman from Washington will not admit that he has been voting for foreign aid to build coliseums and racetracks and almost everything else in foreign countries, but now he is not willing to give the people of America the opportunity to have a cultural center.

Mr. MACK of Washington. My votes in this Congress have consistently been against foreign aid, as have the votes of the gentleman from Iowa and also the votes of the gentleman from Ohio.

Mr. GROSS. That is exactly right.

Make no mistake about it, this is a legislative blank check. It is on a par with the $24 million Freedom Shrine that the House very wisely turned down not so long ago. I do not think any Member of this House would want to stake his reputation on the statement here and now that all the money for the construction of this 25 to 50 million dollar cultural center is going to be raised from philanthropic sources.

Mr. THOMPSON of New Jersey. I would stake my reputation on it, for the record.

Mr. GROSS. I will be glad to remind the gentleman a few years from now of the fact that you came to Congress for help. In the first place, the Government is donating the land. You are getting a 5 to 6 million dollar contribution from the Government right now.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. WRIGHT. I assume the gentleman is familiar with the committee amendment we have included which provides that if the money is not raised in 5 years the act will be null and void.

Mr. GROSS. Yes, and I know how Congress operates. I know how some people come in with simple legislation that calls for contributions or matching funds, and if the money is not raised in full the cry goes up: "We have the project started now and we must have Federal funds to finish it." You have heard that refrain over and over again, and so have I.

No, this is a legislative blank check, and it ought to be turned down. I do not care how many cultural centers the people of Washington want to build on land they buy and with their own money. I want them to get off the backs of my taxpayers.

Mr. WILSON of California. Mr. Speaker, I urge the passage of this bill and note the justification for it is to be found in the widespread support found throughout the Washington community. This bill has the endorsement of individuals and organizations from all walks of life, and I believe that the site itself is most suitable for the purposes for which selected. I would like to note in this connection the fine work done by the Washington Board of Trade in urging not only the passage of the bill but the selection of the site which is provided in the bill.

Mr. PHILBIN. Mr. Speaker, during the rollcall on S. 3335, to provide for a National Capital Center of the Performing Arts, I will be unavoidably absent. Were I going to be present, I naturally would vote in favor of this meritorious legislation because I have long recognized the need of our Capital City for these facilities.

It has been obvious that Washington, which annually attracts thousands of visitors from all of our States and from abroad, has been under a serious handicap in not being able to provide a cultural center of this kind for the benefit of its own citizens and the visiting public. There is no question that the American public will gain from the good that such a center can bring about by developing and advancing the artistic, creative, and cultural talents of our people.

I am happy that the House in voting for S. 3335 will make it possible for the Nation's Capital to proceed with the establishment of such a badly needed public facility.

Mr. BROYHILL. Mr. Speaker, the project authorized by this legislation, S. 3335, is one of the finest and most desirable programs ever proposed for the Nation's Capital.

The program is not only desirable but should have the enthusiastic and overwhelming support of the membership of this House.

It should not be controversial even though I can appreciate the concern of some Members regarding the possible cost to the taxpayers of the Nation, however, this legislation should not cost the taxpayers 1 cent.

The question of cost was the single item that made this legislation controversial last year, at which time I spoke in opposition to it, and it was defeated by this House by an overwhelming majority.

Last year the legislation provided that the Federal Government would purchase several acres of land at a cost of several million dollars. This would not only have been costly to the taxpayers of the Nation but would have taken much valuable property off the tax rolls of the District of Columbia.

The legislation this year has eliminated this costly provision and is therefore in the form of a compromise from that which was originally proposed.

Since the cost factor has been eliminated and the fact that our Nation's Capital is the only principal city in the world without such a cultural center, I hope that this bill, S. 3335, will be overwhelmingly approved.

Mr. KEATING. Mr. Speaker, erection of the National Cultural Center will have national significance, since it will serve as a mecca and magnet for people from all over the country who visit the Nation's Capital.

There should be no question about the need for this building and about the soundness of the method under which it is to be constructed. Careful thought and planning has gone into all aspects of this project, and I commend all concerned for having worked out such a reasonable solution to the complex questions involved.

It should be noted that the land to be occupied by this structure is not now being used for any significant purposes, that the center will not be subsidized by the Federal Government, and that it will be self-supporting. We have a precedent for this project in the National Gallery of Art, which now houses a world famous collection of priceless works of art. Yet no Federal money was expended to construct that building.

We in the United States are justly proud of the accomplishments of our writers, actors, and related performers. We have a great history of achievement and success in these fields which is certain to be enhanced in the years ahead. One sure means for stimulating this growth in the performing arts is to provide proper places in which they can be performed. All over the country, drives and projects are going forward with this exact object in mind.

It is only fitting that the Nation's Capital should house a structure worthy of the great performing arts of the United States. That is exactly what will be provided by this legislation.

Special commendation is due to my colleague, the gentleman from Pennsylvania [Mr. KEARNS], and his dedicated coworkers in and out of Congress, who have worked so long and so hard to make the National Cultural Center a reality. Mrs. Robert Low Bacon and other tireless civic leaders have provided uncounted hours of hard work and planning to make this legislation possible. I congratulate all of them for a job well done, and urge every Member of this body to give their efforts an overwhelming vote of approval.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill, as amended?

The question was taken.

The SPEAKER. In the opinion of the Chair, two-thirds having voted in favor thereof, the rules are suspended and the bill is passed.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] A quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 261, nays 55, not voting 113, as follows:

[Roll No. 191]

YEAS—261

Abbitt	Fino	Miller, Md.
Adair	Fisher	Mills
Addonizio	Flood	Minshall
Albert	Fogarty	Montoya
Alexander	Forand	Morano
Allen, Calif.	Forrester	Morgan
Anderson, Mont.	Fountain	Morris
Arends	Frazier	Moss
Aspinall	Fulton	Multer
Ayres	Garmatz	Murray
Baldwin	Gary	Natcher
Barrett	Gathings	Nimtz
Bass, Tenn.	Gavin	Nix
Bates	Granahan	Norrell
Becker	Gray	O'Brien, Ill.
Beckworth	Green, Oreg.	O'Brien, N. Y.
Bennett, Fla.	Green, Pa.	O'Hara, Ill.
Bennett, Mich.	Griffin	O'Hara, Minn.
Betts	Gwinn	Ostertag
Blatnik	Hagen	Patman
Boggs	Halleck	Patterson
Boland	Harden	Pelly
Boiling	Harris	Perkins
Bolton	Harrison, Va.	Pfost
Bonner	Harvey	Pillion
Boyle	Haskell	Poage
Bray	Hays, Ohio	Poff
Breeding	Heselton	Polk
Broomfield	Hoeven	Porter
Brown, Ga.	Holland	Price
Brown, Mo.	Holmes	Quie
Brown, Ohio	Holt	Rabaut
Broyhill	Horan	Rains
Burleson	Huddleston	Ray
Byrd	Hull	Reece, Tenn.
Byrne, Ill.	Hyde	Rees, Kans.
Byrne, Pa.	Jackson	Reuss
Canfield	Jarman	Rhodes, Ariz.
Carnahan	Jennings	Rhodes, Pa.
Carrigg	Jonas	Riehlman
Celler	Jones, Ala.	Roberts
Chamberlain	Judd	Robison, N. Y.
Chelf	Karsten	Robsion, Ky.
Chenoweth	Kearns	Rodino
Chiperfield	Keating	Rogers, Colo.
Christopher	Kee	Rogers, Fla.
Church	Kelly, N. Y.	Rogers, Mass.
Clark	Kilday	Rogers, Tex.
Coad	Kilgore	Rooney
Cooley	King	Rutherford
Corbett	Kirwan	Sadlak
Cramer	Kluczynski	St. George
Cretella	Knox	Saund
Cunningham, Iowa	Knutson	Schenck
Curtin	Krueger	Seely-Brown
Curtis, Mass.	Lafore	Selden
Curtis, Mo.	Lane	Sieminski
Dague	Lankford	Sikes
Dawson, Ill.	Lennon	Simpson, Ill.
Delaney	Lesinski	Simpson, Pa.
Dellay	Libonati	Sisk
Dennison	Loser	Smith, Miss.
Dent	McCarthy	Smith, Va.
Denton	McDonough	Springer
Devereux	McFall	Staggers
Dingell	McGovern	Stauffer
Dixon	McGregor	Steed
Donohue	McMillan	Sullivan
Dooley	Machrowicz	Talle
Dorn, N. Y.	Mack, Ill.	Teague, Calif.
Dwyer	Madden	Teller
Eberharter	Magnuson	Tewes
Edmondson	Mahon	Thomas
Elliott	Mailliard	Thompson, N. J.
Everett	Marshall	Thomson, Wyo.
Evins	Martin	Thornberry
Fallon	Matthews	Tollefson
Fascell	May	Trimble
Feighan	Meader	Tuck
Fenton	Merrow	Udall
	Metcalf	Ullman
	Michel	Vinson
	Miller, Clif.	Vorys
	Wier	Wolverton
	Wigglesworth	Wright
	Willis	Yates
	Wilson, Calif.	Younger
	Wilson, Ind.	Zablocki
	Withrow	

NAYS—55

Abernethy	Dowdy	O'Konski
Alger	Flynt	Passman
Allen, Ill.	Ford	Reed
Andersen, H. Carl	Grant	Riley
Andrews	Gross	Schwengel
Ashmore	Gubser	Scott, N. C.
Baker	Haley	Scrivner
Bosch	Hemphill	Scudder
Bow	Hiestand	Siler
Brooks, Tex.	Johansen	Smith, Calif.
Budge	Kitchin	Smith, Kans.
Bush	Laird	Taber
Byrnes, Wis.	Lipscomb	Utt
Cannon	McIntosh	Van Pelt
Cederberg	Mack, Wash.	Weaver
Davis, Ga.	Miller, Nebr.	Wharton
Dawson, Utah	Moore	Whitten
Dorn, S. C.	Nicholson	Williams, Miss.
	Norblad	

NOT VOTING—113

Anfuso	Glenn	Miller, N. Y.
Ashley	Gordon	Mitchell
Auchincloss	Gregory	Morrison
Avery	Griffiths	Moulder
Bailey	Hale	Mumma
Barden	Hardy	Neal
Baring	Harrison, Nebr.	O'Neill
Bass, N. H.	Hays, Ark.	Osmers
Baumhart	Healey	Philbin
Beamer	Hébert	Pilcher
Belcher	Henderson	Powell
Bentley	Herlong	Preston
Berry	Hess	Prouty
Blitch	Hill	Radwan
Boykin	Hillings	Rivers
Brooks, La.	Hoffman	Robeson, Va.
Brownson	Holifield	Roosevelt
Buckley	Holtzman	Santangelo
Burdick	Hosmer	Saylor
Clevenger	Ikard	Scherer
Coffin	James	Scott, Pa.
Collier	Jenkins	Sheehan
Colmer	Jensen	Shelley
Coudert	Johnson	Sheppard
Cunningham, Nebr.	Jones, Mo.	Shuford
Davis, Tenn.	Kean	Spence
Derounian	Kearney	Taylor
Dies	Keogh	Teague, Tex.
Diggs	Kilburn	Thompson, La.
Dollinger	Landrum	Thompson, Tex.
Doyle	Latham	Vanik
Durham	LeCompte	Van Zandt
Engle	McCormack	Vursell
Farbstein	McCulloch	Wainwright
Frelinghuysen	McIntire	Williams, N. Y.
Friedel	Macdonald	Winstead
George	Mason	Young
	Miller, Calif.	Zelenko

So (two-thirds having voted in favor thereof) the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Glenn.

Mr. Thompson of Louisiana with Mr. Baumhart.

Mr. Morrison of Louisiana with Mr. Frelinghuysen.

Mr. Brooks of Louisiana with Mr. Clevenger.

Mr. Keogh with Mr. Henderson.

Mr. Anfuso with Mr. Taylor.

Mr. Buckley with Mr. Van Zandt.

Mr. Dollinger with Mr. Hoffman.

Mr. Healey with Mr. Auchincloss.

Mr. Farbstein with Mr. Kean.

Mr. Santangelo with Mr. Beamer.

Mr. Zelenko with Mr. Collier.

Mr. Friedel with Mr. Derounian.

Mrs. Blitch with Mr. George.

Mr. Landrum with Mr. Hess.

Mr. Pilcher with Mr. Sheehan.

Mr. Preston with Mr. Scherer.

Mr. Mitchell with Mr. Scott of Pennsylvania.

Mr. Roosevelt with Mr. Cunningham of Nebraska.

Mr. Engle with Mr. Brownson.

Mr. Doyle with Mr. Avery.

Mr. Shelley with Mr. Bentley.

Mr. Sheppard with Mr. Kilburn.

Mr. Vanik with Mr. Bass of New Hampshire.
Mr. Coffin with Mr. Osmers.
Mr. Colmer with Mr. McIntire.
Mr. Winstead with Mr. Coudert.
Mr. Baring with Mr. Harrison of Nebraska.
Mr. Bailey with Mr. Hillings.
Mr. Ashley with Mr. Hosmer.
Mr. Rivers with Mr. Saylor.
Mr. Boykin with Mr. Latham.
Mr. Robeson of Virginia with Mr. Mason.
Mr. Hardy with Mr. Prouty.
Mrs. Griffiths with Mr. James.
Mr. Miller of California with Mr. Miller of New York.
Mr. O'Neill with Mr. McCulloch.
Mr. Macdonald with Mr. Mumma.
Mr. Moulder with Mr. Neal.
Mr. Hays of Arkansas with Mr. Radwan.
Mr. Herlong with Mr. Kearney.
Mr. Holifield with Mr. Berry.
Mr. Holtzman with Mr. Wainwright.
Mr. Johnson with Mr. Jensen.
Mr. Philbin with Mr. Hale.
Mr. Young with Mr. Hill.
Mr. Teague of Texas with Mr. Belcher.
Mr. Diggs with Mr. Williams of New York.
Mr. Dies with Mr. Vursell.
Mr. Gordon with Mr. LeCompte.
Mr. Durham with Mr. Jenkins.
Mr. Gregory with Mr. Burdick.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the bill just passed, S. 3335.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOR THE RELIEF OF CERTAIN DISTRESSED ALIENS

Mr. WALTER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3942) for the relief of certain aliens distressed as the result of natural calamity in the Azores Islands, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That, notwithstanding the provisions of any other law, there are hereby authorized to be issued (A) 1,500 special nonquota immigrant visas to aliens, specified in section 2 of this act, and (B) a number of special nonquota immigrant visas not to exceed the annual quota allocated under the Immigration and Nationality Act to the quota area of the Netherlands to aliens specified in section 3 of this act seeking to enter the United States as immigrants. The spouse of any such alien and his unmarried sons or daughters under 21 years of age, including stepsons or stepdaughters, and sons or daughters adopted prior to July 1, 1958, if accompanying them, may be issued special nonquota immigrant visas notwithstanding the numerical limitations herein provided.

SEC. 2. Visas authorized to be issued under clause (A) of section 1 of this act shall be issued only to nationals or citizens of Portugal who, because of natural calamity in the Azores Islands subsequent to September 1, 1957, are out of their usual place of abode in such islands and unable to return thereto, and who are in urgent need of assistance for the essentials of life.

SEC. 3. Visas authorized to be issued under clause (B) of section 1 of this act shall be issued only to nationals or citizens of the Netherlands who have been displaced from their usual place of abode in the Republic of Indonesia subsequent to January 1, 1949, and who were residing in continental Netherlands on the enactment date of this act.

SEC. 4. Visas authorized to be issued under this act may be issued by consular officers as defined in the Immigration and Nationality Act in accordance with the provisions of section 221 of that act: *Provided*, That each such alien is found to be eligible to be issued an immigrant visa and to be admitted to the United States under the provisions of the Immigration and Nationality Act: *Provided further*, That a quota number is not available to such alien at the time of his application for a visa.

SEC. 5. Aliens receiving visas under clause (A) of section 1 of this act shall be exempt from paying the fees prescribed in paragraphs (1) and (2) of section 281 of the Immigration and Nationality Act.

SEC. 6. Except as otherwise specifically provided in this act, the definitions contained in section 101 (a) and (b) of the Immigration and Nationality Act shall apply in the administration of this act.

SEC. 7. No special nonquota immigrant visa shall be issued under this act after June 30, 1960.

Amend the title so as to read: "An act for the relief of certain distressed aliens."

The SPEAKER. Is a second demanded?

Mr. KEATING. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WALTER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the legislation under consideration is designed to meet two emergency situations that exist in the world today and require action based on humanitarian grounds. One was caused by a series of earthquakes in the Azores Islands where 25,000 people lost their homes and their belongings. They were taken to adjacent islands when the island on which they lived sustained great damage, or—in one instance—sunk in the sea. It is proposed under the first clause of this bill to make possible the immigration to the United States of 1,500 of these 25,000 homeless people and their immediate families.

The second clause of the bill provides for the admission of Dutch expellees who were driven out from Indonesia to the Netherlands. Since 1945 approximately 290,000 Dutch citizens have returned, or have been forced to go to the Netherlands from what used to be the Dutch East Indies.

The importance of this legislation lies in the fact that its enactment will enable your representatives at the next meeting of the Intergovernmental Committee for European Migration to point out to the rest of the world that the United States is willing to make an attempt to find settlement possibilities for these people without disturbing the economy of the United States. By being able to make these representations to the other 26 member nations of ICEM, I am certain we will obtain their participation in the efforts being made in order to find larger settlement opportunities for people affected by these emergencies.

Mr. KEATING. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, this provides for the immigration of 3,100 foreigners, Dutch and Portuguese. Is that correct?

Mr. WALTER. Portuguese natives and Dutch nationals.

Mr. GROSS. Does the gentleman have any idea how many adults there are covered in this bill?

Mr. WALTER. The total number of heads of families, who of course are adults, is stated in the bill. May I point out to the gentleman from Iowa that the total number of aliens authorized to be admitted annually under the quotas set forth in the Walter-McCarran Act will in no wise be reached through the enactment of this legislation.

Mr. GROSS. What does this bill do to the labor market in this country?

Mr. WALTER. It could not do anything to the labor market. May I point out to the gentleman that these people will be easily absorbed. Let me speak now of those formerly living in the Azores. These people are for the most part relatives of people in this country, and they will go to some of the New England States and to California. Their number cannot affect the labor market in the United States and they would not be given admission unless it were guaranteed that they will not become public charges. As to the Dutch people, I can assure the gentleman that this country will gain some of the finest, sturdiest, most loyal, and highly skilled immigrants.

Mr. GROSS. I am a little perplexed at some of the things we do here. We are now taking in some Dutch nationals. I am not opposed to that, particularly, or to the Portuguese. But I noted in the paper, I think it was yesterday morning, that we are now not only giving arms to Sukarno in Indonesia but flying the arms down there with Air Force planes. If I remember correctly, it was Sukarno who drove the Dutch out of Indonesia.

Mr. WALTER. I was disturbed by that news, too, because I am thoroughly convinced that Mr. Sukarno has been flirting with the Communist Chinese and the Russians so long that if any more of these Dutch people remain in the Dutch East Indies they may not be able to leave at all. The people we are talking about now are the victims of those very people to whom the gentleman has just referred.

Mr. GROSS. It seems a little incongruous that we should be giving arms to the people, Sukarno in this instance, who are driving the Dutch out of the East Indies, and then turn around and taking these displaced persons in.

Mr. KEATING. Mr. Speaker, I yield myself 2 minutes.

Mr. KEATING. Mr. Speaker, S. 3942, as introduced and as it was referred to the Committee on the Judiciary, provided for the issuance of 1,500 special nonquota immigrant visas to Portugese nationals and citizens left homeless by the terrible earthquakes and volcanic eruptions that shook the Azores in September 1957.

The committee amended the bill so as to extend a helping and friendly hand

to another group of fine people forced to flee their homes in the face of political and economic tyranny. The amendment would grant visas to 3,136 citizens and nationals of the Netherlands, and their dependents, who have been driven out of their homes of long standing in Indonesia and are now living under crowded conditions in Holland.

The new Government of the Republic of Indonesia has expelled indirectly almost 220,000 people of Dutch nationality. They have been forced to leave behind all their money and all their possessions. These people have had to search for a place to live and work in the small but valiant nation of Holland.

America has always been a haven of refuge for those who have suffered calamities, as have these brave Dutch and Portugese. Enactment of this bill will be in keeping with our tradition of willing, generous, and friendly assistance to those who are not as fortunate as we. And our Nation stands to gain by the eventual acquisition of over 5,000 upstanding and loyal American citizens.

I urge every Member to lend his support to this act of friendship and assistance.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. I for one am grateful that the committee has taken care of a few people from the Azores. They do not carry arms, they are not fighting with anybody. They make excellent citizens, particularly in my State, anyway, and I think my State probably has more of these Portugese than any other State in the Union.

They are a credit to America. Here is an opportunity to take care of some of these people.

Mr. KEATING. I appreciate the remarks of the gentleman from Massachusetts. I know of his interest in this legislation over a long period of time.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MARTIN. Mr. Speaker, during the present year, one of the Azores Islands, the island of Fayal, has been visited by recurring earthquakes and volcanic activity. Hundreds of homes have been destroyed. More than 5,000 people have been evacuated from the island. Most of its 25,000 people have flocked to Horta, Fayal's principal seaport, desperately seeking means of escape to other islands.

These islands are a part of Portugal, which is one of the closest friends of the United States in the family of free nations. The islands are strategically located and are an essential part of our own national defenses. We have airbases in the Azores and have always enjoyed excellent relations with her people.

The bill we have before us would admit to America 1,500 of these stricken people who have been left homeless and impoverished by the natural disasters which have struck them this year. Many of these unfortunate people are close relatives of American citizens of Portuguese extraction, who would welcome them to our shores and aid them after their arrival. I strongly urge the passage of this bill. It is a humane action in the interest of one of our country's closest overseas friends. Enactment of the bill will strengthen the close ties and the bonds of friendship which exist between the United States and Portugal. It will also be another demonstration to the world that the great heart of America is ready and willing to assist the people of a nation which has earned our friendship and help.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. PATTERSON. Mr. Speaker, I think this is a worthy piece of legislation. Coming from an area, as I do, where we have a great many good, fine Portuguese people, I want to say right here and now that they certainly have made wonderful citizens and have made a great many contributions not only to our community but to the entire manufacturing industry of this country.

Mr. Speaker, I can well sympathize with the victims of the earthquake and volcanic eruptions which took place in the Azores Islands in 1957 and 1958. The people in my Congressional District in Connecticut suffered terribly from two successive devastating floods in 1955. The havoc wrought by these disasters cost the lives of 77 people and property damage of $200 million in my District. Our sympathy goes out to all who have suffered from natural calamities, and I think it would be a great humanitarian act on the part of this Congress to offer shelter in the land of plenty to the destitute victims of the earthquake and volcanic eruptions in the Azores Islands. I urge the enactment of the pending measure providing immigration relief to the natural disaster victims and also those seeking political refuge.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MORANO. Mr. Speaker, I rise to support S. 3942. This is a good bill. It is a humanitarian measure designed to relieve suffering and hardship. It provides for the issuance of 1,500 special nonquota immigrant visas to Portuguese nationals, as well as 3,136 nonquota visas to Dutch nationals who were displaced from Indonesia.

The Portuguese nationals were made homeless by the tragic earthquakes and volcanic eruptions in the Azores in 1957. I favor this legislation, Mr. Speaker, because it carries out the traditional position of the United States to aid and welcome distressed peoples, and, at the same time, permit relatives of the Portuguese and Dutch nationals here in the United States to sponsor and provide for them to come to the United States.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. BATES. Mr. Speaker, like the other gentlemen from Massachusetts, I have many Portuguese people in my District. They are good citizens. They are God-fearing, church-going individuals who are a credit to any community. I want to commend the committee for bringing forth such a meritorious piece of legislation.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CRETELLA. Mr. Speaker, I am proud to be a member of the great Judiciary Committee which reported out favorably S. 3942, for the relief of certain distressed aliens, which is applicable to the Portuguese inhabitants of the Azores Islands, as well as others from the Republic of Indonesia.

Many of these people have been driven from their homes on the island of Fayal in the Azores because of the tragedy which has struck them by continuous earthquakes. They have no place to go and I think it is a humanitarian act on our part to welcome these proud people to our shores under this bill.

The chairman of the Subcommittee on Immigration and its members worked diligently and sympathetically to bring this bill to the floor and they are to be commended. Certainly in times of distress and fear it is our duty to open our shores to those of foreign lands in situations such as the Portuguese have experienced. I support this legislation and hope that it passes overwhelmingly. There are many Portuguese in my District, and I know this legislation will aid them in bringing their families together.

Mr. SISK. Mr. Speaker, I wish to commend the Judiciary Committee and especially the gentleman from Pennsylvania [Mr. WALTER] for his expeditious handling of S. 3942. This is a humanitarian measure and truly indicates the generosity of the American people to open their doors to sincere people seeking a new home. The people from the Azores have come to this country from time to time over a period of a great many years and have made outstanding citizens and contributed greatly to the economic and cultural well-being of our country. The same can be said, Mr. Speaker, for the Dutch and the Indonesians, who will be permitted to come to this country under this legislation. I wholeheartedly support it and hope the bill will be overwhelmingly passed.

Mr. McFALL. Mr. Speaker, I rise in support of S. 3942, which would provide nonquota visas for Portuguese refugees of the island of Fayal in the Azores, who were made homeless by the recent volcanic eruption on that island.

In the District which I represent in California are a great many families of Portuguese extraction. These people have earned the reputation as fine, law-abiding, hard-working citizens, who contribute a great deal to the economy of the District, as well as being good neighbors of which we all can be proud.

Many of these refugees from the Azores have relatives living in this country. A number in the 11th District of California have expressed their willingness and desire to assist these unfortunate people in their time of need.

I can well understand their deep concern for their overseas brethren. I am exceedingly anxious to help alleviate the unfortunate conditions which now afflict

them due to the loss of their homes and lifelong possessions.

This Nation has acted in previous instances to assist persons similarly afflicted. Only recently we passed laws allowing admission to the United States of Hungarian refugees, who had been crushed and driven from their homes by ruthless Soviet tyranny.

This legislation would authorize the issuance of 1,500 special nonquota immigrant visas to Portuguese aliens, their wives and unmarried sons and daughters under 21 years of age, including stepsons or stepdaughters, if accompanying them to this country.

Such visas would be issued only to nationals or citizens of Portugal who, because of the natural calamity in the Azores Islands, are out of their usual places of abode, unable to return to their homes, and who are in urgent need of assistance for the essentials of life.

It is by no means a blanket authority for immigration to this country.

The bill would permit United States consular officers abroad to issue visas to these people when found eligible under the provisions of the Immigration and Nationality Act.

I urge this body to exercise compassion and good judgment in adopting this legislation, which has already won the approval of the Senate.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CHELF. Mr. Speaker, aside from being a humanitarian proposition, these Dutch are good people. They are of a type that we should and do welcome here in the United States. They are our kind of folks and they make excellent citizens. In other words, these folks are skilled specialists of the type that are needed here.

Mr. WALTER. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. PHILBIN] who is the author of one of the original bills on this subject.

Mr. PHILBIN. Mr. Speaker, since I have already addressed the House in behalf of this meritorious bill, I will be brief in my remarks.

This bill was passed by the other body and for that reason, in order to expedite action in the House, was reported out of the committee rather than my companion bill, H. R. 13627, or Mr. FOGARTY's bill, H. R. 13124, Mr. FORAND's bill, H. R. 12796, or Mr. HAGEN's bill, H. R. 13315, all of which were pending before the committee.

The desperate need for this legislation arises from a recent great, destructive, natural disaster caused by long-continued, severe earthquakes accompanying the sustained eruption of the volcano of Pico Gorda, which for a long period belched forth smoke, fumes, ashes, and lava upon the homes of more than 5,000 helpless victims on the island of Fayal in the Azores.

The stricken area had to be evacuated by these thousands of people fleeing from the fury of the poisonous fumes, suffocating smoke, and molten lava spreading over the countryside.

Most of the population of Fayal poured into Horta, the main seaport, seeking means of escape to other islands. The Portuguese Navy and hundreds of small fishing boats carried thousands of women, children, and aged and helpless people to adjacent islands in the vicinity where they might take temporary refuge from the natural holocaust.

This tragic event was the occasion for great suffering and hardship for these bewildered, unfortunate people, who were compelled to flee their homes, leaving their meager belongings behind them, and who are now homeless and dependent on charitable assistance, support, food, clothing, and shelter from relief agencies.

These people are thus displaced from their homes and native hearths, are escapees from a great disaster and refugees in other places where they are unable to support themselves and cannot find any means of providing livelihood for their families.

This bill permits admission to this country of a small, limited number of these afflicted people. There are precedents for this action, and these people are especially deserving, not only because they are pitiable victims of natural tragedy, but also because they are a good, loyal, God-fearing people whose kinsfolk and relatives in this country are among our very best citizens.

I have many Portuguese people in my District, and there are many of them who are residing in my great State. These people are of highest quality as loyal citizens. They are a noble component of our great American amalgam of citizenship—devoted, industrious, and patriotic in war and peace.

In the name of humanity, and in the interests of justice and equity, I ask compassion and help for this afflicted group and most earnestly urge my esteemed colleagues to pass this worthy bill.

This bill contains ample safeguards controlling the screening of the proposed refugees, and we may be assured that no unworthy persons will be admitted under its provisions and operation.

I can testify from my own experience that the Congress will never regret, but will always be proud, that it authorized the admission of these outstanding, loyal people to the United States. When encouragement, humane assistance, and opportunity take the place of a trembling earth and a searing lava covering their lands and homes, extinguishing their life's work and humble possessions, these people, like their fellow countrymen before them, will embrace their adopted country with love, devotion, and unswerving loyalty. Let us pass this bill by a smashing, and emphatic vote.

Mr. HAGEN. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. HAGEN. Mr. Speaker, I wish to commend the chairman of the subcommittee who has so expeditiously and efficiently produced the bill before you. I am the author of a House bill which is identical with S. 3942, to permit the nonquota entry into the United States of a maximum of 1,500 families from the Azores Islands who are distressed by reason of a series of natural calamities.

The calamities I refer to are the volcanic eruptions near the island of Fayal in the Azores which commenced on September 27, 1957, accompanied by earthquakes. Subsequent repetitions occurred on November 4, 6, and 18, and December 18, 1957, and March 18, 1958. Following introduction of my bill a further eruption of Capelinhos volcano occurred on August 18, 1958. These eruptions and earthquakes were accompanied by extensive property damage on the nearly island which destroyed the livelihood of numerous residents of such island and created the necessity for this legislation. One thousand five hundred is estimated to be a reasonable number to afford relief. It should be noted that the Azores Islands are extremely beautiful islands, but they are definitely overpopulated in terms of the resources available compared to the number of persons resident thereon. I am advised that they fall within the Portuguese quota and that that quota only amounts to 428 persons annually.

This country's immigration policy contemplates overquota admissions where it can be demonstrated that first, an emergency need for such relief exists; second, the aliens affected are, as a group, of an assimilable and compatible character; third, their admission into the United States will not jeopardize internal security and may prospectively enhance the national interest and national welfare; and fourth, such temporary immigration programs will be beneficial to the conduct of this Nation's foreign relations.

It would be my considered judgment that the Portuguese admissions provided for by this bill meet all of these tests in a superlative fashion. As I have indicated, the disaster has occurred and the first criterion is therefore met. The meeting of the other criteria involves the character of our relationships with the Portuguese Government and the quality of the people who will be admitted.

We have enjoyed extremely friendly relationships with the Portuguese Government. During World War II and since that time they have permitted us the use of the Azores Islands as an intermediate point in the long air journey across the Atlantic. The quality of the Portuguese people is beyond question. I can attest personally to this fact because I have large numbers of people in my District who are either immigrants from the Azores Islands or the descendants of such immigrants. Almost without exception they are persons of extremely good character and accomplishment. They subscribe to the principles of our Government and economic institutions. They are industrious. They have a love of learning. They conform generally to all of the ideals of our society. I know that this act of humanity which we are about to undertake will be well received not only in those areas of this country which have an interest in matters of this kind but also in the Republic of Portugal.

Parenthetically, I should state that the natural disaster which occasions this aspect of this legislation was extremely well-reported in a recent issue of the National Geographic Magazine.

I am certain that the same considerations apply with respect to the admissions of Dutch people from the Indonesian area referred to in section 3 of the Senate bill as amended by the House Committee of the Judiciary. I will leave discussion of this aspect of the bill to persons more qualified than I to deal with such distress situation which is outside the scope of the bill, H. R. 13315, which I introduced. I would respectfully urge immediate passage of this legislation without any substantial argument or dissent.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. BOLAND. Mr. Speaker, I support and will vote for this bill sponsored by the distinguished junior Senator from Rhode Island, Senator JOHN O. PASTORE, and the distinguished junior Senator from my State of Massachusetts, Senator JOHN F. KENNEDY. This legislation will make available 1,500 special nonquota immigrant visas for issuance to certain distressed aliens in the Azores Islands.

These people of Portuguese descent were made homeless when the volcano of Pico Gorda erupted on the island of Fayal in the Azores and caused almost continuous earthquakes and destruction.

Many of these tragedy victims have relatives in New England communities who can assist them and offer them new hope in starting life over again in America. These New Englanders of Portuguese extraction have been good and loyal citizens of the United States and have contributed greatly to American culture. Their Portuguese relatives who have suffered so much since their homes were destroyed in the Azores will make equal contributions to our great country if we pass this bill and allow them to come to our shores.

Mr. Speaker, unfortunately this is the only bill that will come before us in this session of Congress to allow immigrants to enter the United States. I had hoped that in this 2d session of the 85th Congress that the Immigration and Nationality Act would be amended. Bills which were filed by myself, H. R. 93 and H. R. 4086, and bills filed by many other Members of this House and Members of the Senate provided for a much more realistic approach to the present problem. For instance, under the present act only 438 quota immigrants can be admitted annually to the United States from Portugal, only 308 from Greece, only 5,645 from Italy, and only 6,488 from Poland. Why? Because the quotas are based on the 1920 census. Section 201 (a) of Public Law 414, 82d Congress, authorizes one-sixth of 1 percent of the 1920 census of Americans of foreign extraction as the basis for the issuance of immigrant visas. The lowest quota is 100, but southern European countries such as Portugal, Italy, and Greece have very low quotas because there were very few Americans in 1920, comparatively speaking, who were descendants of the Portuguese, the Italians, and the Greeks.

Mr. Speaker, I hope the 86th Congress will face the immigration problem realistically. The act needs to be amended and the national quotas must be based on the 1950 census, not the 1920 census.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. LANE. Mr. Speaker, I rise in support of this bill. I supported it in the Committee on the Judiciary, and I am hopeful that it will be approved by the House without any undue delay.

The purpose of this bill, Mr. Speaker, is to authorize the issuance of 1,500 special nonquota immigrant visas to certain citizens of Portugal who have been displaced from their homes in the Azores Islands as a result of earthquakes and volcanic eruptions, which have occurred on several occasions this year. These acts of nature have destroyed hundreds of homes and more than 5,000 people have been evacuated from the islands. These people are desperately seeking means of escape to other islands, and the number amounts to almost 25,000 people. As we know them, they are good, kindly, sincere, and upstanding people, many of whom have their relations in our United States and are our best citizens.

Under the provisions of this bill, out of these thousands that have been made homeless through no fault of their own and with no haven of refuge, we will admit 1,500 hoping that other countries will take a selfsame interest and admit the rest of these immigrants to their countries.

I am satisfied in my own mind that the admission of 1,500 of these special nonquota immigrants will not interfere in the least bit in the economy of this country, since I know that their countless relations and friends will provide homes and adequately support them. I sincerely hope that the opportunity will be presented to allow them to establish themselves here in the United States since they deserve a helping hand from the people of this Nation.

As I stated previously, as a member of the House Committee on the Judiciary, I favored this legislation, and I join with my colleagues on the committee with the hope that the House will support this legislation.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FOGARTY. Mr. Speaker, it is most gratifying to see that the Congress of the United States has acted promptly on the legislation under which a helping hand will be extended to a sizable group of the people of the Azores Islands who have suffered fear and destruction of their property caused by the series of volcanic eruptions that took place in the Azores Islands between September 1957 and March 1958.

Congress has once more taken humanitarian action where such action was most needed. But, the Congress has actually done more than to open the doors to the United States for a hardy group of Portuguese islanders. In acting on the immigration bill permitting the entry of 1,500 families from the Azores Islands, the Congress has actually recognized the exceptionally high qualities of character, the resourcefulness, patriotism, and civic qualities of the Americans of Portuguese descent, many of whom live in the States of Rhode Island and Massachusetts.

The immigration program authorized by the Congress will extend until June 30, 1960, and it is, therefore, of prime importance that friends and relatives of the immigrants from the Azores Islands whose entry has now been authorized, endeavor without delay to find for the new arrivals suitable places to live so that they will quickly become a part and parcel of the splendid community of the Americans of Portuguese descent in this country.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FORAND] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FORAND. Mr. Speaker, the people of the Fayal Islands, in the Azores, have been seriously affected by a series of earthquakes that have taken many lives, left thousands homeless, separated families, and scattered the members of these families to various parts of Portugal in search of shelter.

Many are homeless and penniless. Their future is a most discouraging one.

Many of these displaced persons have relatives and friends in my home State of Rhode Island who are not only willing, but anxious, to provide them with a home and a future.

I am glad that, despite the fact that President Eisenhower has turned down my request that he use his emergency powers to permit some of these people to come to the United States, Congress is taking steps by the enactment of this bill to allow 1,500 of these people to come here to join their loved ones.

I introduced in the House early last June, a bill, H. R. 12796, but as the Senate has acted on Senator PASTORE's bill first, I am glad to support this bill and urge all my colleagues to vote for it.

Enactment of this legislation will not only show to the world that we in America are ever ready and willing to help people in need, but it is, above all, a humanitarian act.

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

The title of the bill was amended to read: "A bill for the relief of certain distressed aliens."

GRANTS FOR SUPPORT OF SCIENTIFIC RESEARCH

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4039) to authorize the expenditure of funds through grants for support of scientific research, and for other purposes, as amended.

The Clerk read the bill as follows:

Be it enacted, etc., That the head of each agency of the Federal Government, authorized to enter into contracts for basic scientific research at nonprofit institutions of higher education, or at nonprofit organizations whose primary purpose is the conduct of scientific research, is hereby authorized, where it is deemed to be in furtherance of the objectives of the agency, to make grants to such institutions or organizations for the support of such basic scientific research.

SEC. 2. Authority to make grants or contracts for the conduct of basic or applied scientific research at nonprofit institutions of higher education, or at nonprofit organizations whose primary purpose is the conduct of scientific research, shall include discretionary authority, where it is deemed to be in furtherance of the objectives of the agency, to vest in such institutions or organizations, without further obligation to the Government, or on such other terms and conditions as the agency deems appropriate, title to equipment purchased with such grant or contract funds.

SEC. 3. Each agency or department of the Federal Government exercising authority granted by this act shall make an annual report on or before June 30th of each year to the appropriate committees of both Houses of Congress. Such report shall set forth therein, for the preceding year, the number of grants made pursuant to the authority provided in the first section of this act, the dollar amount of such grants, and the institutions in which title to equipment was vested pursuant to section 2 of this act.

The SPEAKER. Is a second demanded? If not, the Chair will put the question.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, the purpose of this legislation is to authorize any Federal agency, which is now authorized to enter into contracts for the conduct of basic research, to make grants for these same purposes. Thus, the agencies could proceed in their discretion by contract or grant to meet the needs of individual situations. Grants or contracts would be made for basic scientific research at nonprofit institutions of higher education or to nonprofit organizations whose primary purpose is the conduct of scientific research.

In addition, the legislation would authorize these agencies to vest in such institutions or organizations, on such terms or conditions as the agency deems appropriate, title to equipment purchased with such grant or contract funds.

The Subcommittee on Health and Science held hearings on this legislation, in the course of which testimony was received from Departments of Defense and Agriculture, the National Science Foundation, and the Atomic Energy Commission. It was pointed out that in many instances grants for the purpose of scientific research are more appropriate than contracts and that the equipment purchased with grant or contract funds is frequently so specialized that it is of no value to the Federal Government, but could fill a very useful function if left with the research institutions or organizations. It was stressed that the cost of bookkeeping to the Federal Government in many instances exceeded the value of such property to the Federal Government. Each of the agency witnesses testifying stressed that this authority would be used only where transfer of title to the equipment would not involve any additional cost to the Government and under these circumstances the committee feels that this legislation would further scientific research programs in which the Federal Government and educational institutions are interested.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PATENT OFFICE BOARD OF APPEALS

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1864) to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) the first sentence of the first paragraph of section 3 of title 35 of the United States Code is amended by striking out the word "nine" and inserting in lieu thereof the words "not more than fifteen."

(b) Such section is amended by inserting therein, immediately after the first paragraph thereof, the following new paragraph:

"The annual rate of compensation of the Commissioner shall be $20,000."

SEC. 2. Section 7 of title 35 of the United States Code is amended by adding at the end thereof the following new sentence: "Such designated examiners-in-chief may be compensated at the established rate for the positions in which they are temporarily serving: *Provided*, That at the end of the period for which designated their rate of compensation shall be adjusted to what it would have been had such designation not been made."

The SPEAKER. Is a second demanded?

Mr. KEATING. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. WILLIS. Mr. Speaker, this bill authorizes an increase from "nine" to "not more than fifteen" in the membership of the Board of Appeals of the Patent Office. It also provides a salary increase for the Commissioner of Patents.

The Patent Office, of course, is one of the real business offices of the Government. In that office there are some 1,000 examiners of patents who process as much as 7,000 patents per year.

This bill would increase the membership of the Board of Appeals to "not more than fifteen" in order that they may be enabled more expeditiously to examine and pass upon the patents channeled to them by these thousand examiners.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand this bill is not approved by the Department of Commerce?

Mr. WILLIS. Initially there was some frowning on it, but it has been cleared.

Mr. GROSS. Does it provide any supergrade jobs?

Mr. WILLIS. No. The bill as amended deletes that. I might say it satisfies the House Committee on Post Office and Civil Service.

Mr. GROSS. I thank the gentleman.

Mr. KEATING. Mr. Speaker, I yield myself 5 minutes.

Mr. KEATING. Mr. Speaker, S. 1864 will give much-needed relief to the Board of Appeals of the Patent Office. At the present time this Board is laboring under a backlog of over 7,000 pending cases. The result is that in some instances it requires several years to process patent applications. This period of delay is inexcusable and must be alleviated.

There is no evidence that this delay is due to inefficiency on the part of the present members of the Board of Appeals or the Commissioner of Patents. On the contrary, the statistics show that they have labored hard to dispose of a steadily increasing number of appeals. In the last fiscal year, for example, they disposed of almost 1,000 more cases than were disposed of in fiscal 1950. Even so, the backlog continues to mount.

S. 1864 would increase the number of members on the Board of Appeals from 9 to not more than 15. It would also increase the compensation of the Commissioner to $20,000 per year.

This bill has the strong support of the Secretary of Commerce, the Commissioner of Patents and the entire patent bar. I know of no opposition to it from any responsible source.

I am satisfied with the bill in its present form and urge its favorable consideration by the House.

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, this legislation (S. 1864) provides for an increase in the membership of the Board of Appeals of the Patent Office and an increase in salaries for certain officers and employees.

The witnesses in support of this legislation gave pertinent testimony as to the necessity of these changes—Robert C. Watson, United States Commissioner of Patents; Leo P. McCann, Chairman, United States Board of Patent Appeals; and Sam W. Kinsley, Personnel Director, United States Patent Office. These expert witnesses averred that the legislation would be beneficial both to business and industry and would result in speeding the final determination of the matters on the appeal calendar. A substantial increase in the salary features will attract competent and experienced personnel—as well as interest candidates to the lesser classifications for the pursuit of a career. The loss of trained personnel on raids by industry and law firms have resulted from low salaries in the upper bracket positions.

The freedom of selection of top experts by the Director will be the direct result of these increases.

The increase of the Board from 9 to 15 members will facilitate the work to the point that the present backlog of cases, appeals pending, amount to 2,000 workload and at the current end 5,000 case workload—either awaiting hearing or decisions. There are 2,000 other cases which are not ready for hearing or decision. Thus nearly 8,000 cases presently represent workload. So we can realize the great importance of the Bureau of Patents as a functioning unit of government. There were 77,000 applications for patents this year. These applications are assigned to one of the 67 examining divisions, consisting of a principal examiner, an assistant and a considerable number of examiner assistants who study the nature of disclosure of the applications, making searches to ascertain whether or not the applicant's contribution to arts is sufficiently important to warrant the issue of a patent.

The issues resulting between the applicant and the examiner through a series of hearings and attempts by amendments to satisfy the objections or determinations of the examiner. Upon his final rejection of the application—an appellate procedure has been provided.

An appeal may be taken to the Board of Appeals. It is the only appellant tribunal of the entire Patent Office upon the question of patentability of inventions.

The examiners and assistant examiners are ex officio members of the Board but seldom function to decide cases—although in important cases they do.

The Commissioner appoints the members of the Board of Appeals when vacancies occur (he actually recommends the individual to the Secretary of Commerce). The Secretary of Commerce recommends to the President in the usual manner. The President issues a certificate to the permanent members of the Board of Appeals, (now number 9 members) as his appointees. As well as the Commissioner and Assistant Commissioner.

The designated members as referred to in this bill are those of primary grade or higher who are assigned to the Board for duty from time to time as needed. There are 10 such designated presently, who are sitting with the 9 regular members to handle the heavy influx of appeals.

The 8,000 appeals now pending are a real challenge.

Members, three in number, sit as a panel, hearing both oral and written argument. The panel studies the brief and arguments, rendering its decision. No more than one designated member can sit on a panel. One writes the decision—speaks with the second, then submits to the third person on the panel. This takes a great deal of time with much detail and extended delays. They have the last word—appeals are then taken to the Court of Customs and Patent Appeals and by suit de nova can be taken to the District Court of the United States for the District of Columbia.

This is a difficult work and the reputation of the Board must enjoy the highest reputation for personal integrity and judicial honesty in an office of first importance in the economy of the Nation. It enjoys the highest kind of confidences and secrets. The finest legal minds of international reputation practice before this tribunal.

Delay of final decision generally for 4 years, holds up plans for the building up of a new industry or the expansion of facilities for added production—meaning new employment not only to those in the parent industry but the related trades—including building industries, raw material and transportation expansion for added services.

The correspondence that I received from outstanding lawyers specializing in this field of law have been most revealing as to the need of this legislation. Listed strongly for this legislation were the law firm of Attorneys Merriam, Lorch & Smith, of Chicago Ill.; the Patent Law Association of Chicago, John A. Marzall president; also attorneys, firm of Olson, Mecklenburger, von Holst, Pendleton & Neuman, of the Chicago bar.

The present determination of Appeals Board decisions averages 3,000 cases per year. Some appeals are withdrawn or the appellant and the examiner arrive at a decision, not requiring a decision.

In 1957, 2,500 cases were dismissed and 2,800 were decided. In 1956, 3,400 were dismissed and 2,300 were decided.

If each group of 3 panels determine about 500 case appeals per year, an average 1,000 cases would be decided by the increase of 2 panels—increase from 9 to 15.

These men require a high degree of administrative, legal, scientific—that is, engineering—ability and skill. These attributes must be combined in the talents of one individual. The salaries are important, especially in a system where the individual has reached the high position as member of the Board. These salaries are fixed in accordance with the Position Classification Act of 1949, a salary bill which covers the normal career in civil service salary—not an executive employee's salary. This bill will give prestige and security to those in the system to seek a career in the Patent Office. It will alleviate the problems of employment caused by applicants who accept employment with the specific intention of leaving after a period of training.

This bill gives the opportunity in the Patent Office to men, well trained, to remain in the service of the Government, aspiring to a career of honor with justice, with opportunity for his family to live with dignity and a feeling of enjoying a position of security.

Now—after training them—we lose them, but these higher salaries under the Classification Act will now be under the Commissioner to fix the annual rates of basic compensation for examiners in chief, subject to the approval of the Department of Commerce and of the Civil Service Commission.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AUTHORIZING APPROPRIATIONS FOR CONTINUING CONSTRUCTION OF THE RAMA ROAD IN NICARAGUA

Mr. FALLON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3712) to authorize appropriations for continuing the construction of the Rama Road in Nicaragua.

The Clerk read as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated to the Department of State, in addition to the sums heretofore authorized, the sum of $4 million, to be available until expended, for discharging the United States obligations under the applicable agreement with the Government of Nicaragua: *Provided*, That the survey and construction work shall be under the general supervision of the Secretary of Commerce: *Provided further*, That funds appropriated pursuant to this authorization shall not be available for expenditure except under the conditions set forth in section 5 of the Federal-Aid Highway Act of 1952 (66 Stat. 160), with respect to the authorization contained in that section.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

Mr. FALLON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FALLON. Mr. Speaker, this bill authorizes an additional $4 million for the completion of the Rama Road which is being constructed from San Bonita to Rama. Under executive agreement, this work was started back in 1944, but due to the increased cost of materials and construction, it will cost $16 million instead of the estimated $12 million. There is remaining to be completed 40 miles, of which out of the prior authorizations they have the necessary funds to complete 20, and the $4 million that is requested here today will complete the remaining 20 miles and construct a large bridge.

We had before the Committee on Public Works representatives of the Bureau of Roads who informed us of the necessity for the $4 million to complete the road due to the additional cost of material and labor. The committee also had representatives of the Department of State who told us of the necessity to complete this road so that we live up to an agreement we made with Nicaragua. They also pointed out that at this time it is necessary that we keep the agreement because of the good will that is so

necessary with our neighbors to the south.

Mr. Speaker, it was thought by the members of the committee that this legislation is necessary at this time and will do a very big job in public relations and good will.

Mr. GROSS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I take this time to ask the gentleman from Maryland [Mr. FALLON] a question or two.

Was this bill reported unanimously by the gentleman's committee?

Mr. FALLON. There was 1 vote recorded against it. I think the vote was 30 to 1.

Mr. GROSS. Have we not had a similar bill before us year after year, and in amounts of $4 million or $5 million, and has it not been stated on the floor each time that would be the end of this request?

Mr. FALLON. I do not think in this case, I will say to the gentleman. The estimated cost at the beginning was in the neighborhood of $12 million. What we have done is to give it to them piecemeal over a period of years. Now we are at a stage where it can be completed within the next 2 years. But, it is necessary, due to the increased cost of materials and labor, to get the additional money.

Mr. GROSS. Will the gentleman please state again what this road has cost us so far?

Mr. FALLON. So far there has been authorized $12 million, of which I think $11 million has been expended for work under contract.

Mr. GROSS. Does that include the $4 million here authorized?

Mr. FALLON. No. The $4 million would be additional, making the total completion cost $16 million.

Mr. GROSS. What does the gentleman think this road is going to cost in the end?

Mr. FALLON. As far as I am concerned, $16 million.

Mr. GROSS. That will be the end? This authorization of $4 million will be the end?

Mr. FALLON. So far as I am concerned, yes.

Mr. GROSS. Does the gentleman think that will be the position of his committee; the majority of his committee?

Mr. FALLON. I think, according to the testimony before our committee, this will be the final cost to the United States.

Mr. GROSS. One more question. Where does this road begin and where does it end?

Mr. FALLON. It begins at San Benito and runs to Rama, 156 miles.

Mr. GROSS. Does it serve any real, useful purpose?

Mr. FALLON. It does to the country of Nicaragua.

Mr. GROSS. Well, how much of an area of Nicaragua does it serve?

Mr. FALLON. Well, it serves a large portion of Nicaragua.

Mr. GROSS. Does it connect with any other road?

Mr. FALLON. It connects with the harbor and also the Inter-American Highway which comes to Managua, just a few short miles away.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I think we should make it plain on the RECORD here that it is the intention of this House to complete this Rama Road so that if anything unexpected comes up it will be taken into consideration by the gentleman from Maryland in the coming years, is not that the case?

Mr. FALLON. That is the case.

Mr. FULTON. They are making adequate progress, and it is not only for the benefit of Nacaragua but for the security and the safety of the United States to have this country opened up and become a part of the whole North American Continent. At the present time you cannot even get access to the east from these areas, is that not correct?

Mr. FALLON. Yes.

Mr. FULTON. So that with a connection with the Pan-American Highway as well as the sea, it gives us an opportunity, through our security forces, to make transportation available where it is not now available and to have greater security for the American people, does it not?

Mr. FALLON. I agree with the gentleman.

Mr. GROSS. It would be just fine if we could build a road in every country in the world, I am sure, but I just do not think that the Treasury is going to stand that kind of a drain eternally and forever.

Mr. FALLON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BALDWIN]

Mr. BALDWIN. Mr. Speaker, this matter came before the House Committee on Public Works, and we listened carefully to the testimony that was given before us. Originally diplomatic commitments were made during World War II by this Government to the Government of Nicaragua that this road would be built by the United States. The road is now built to about three-quarters of the total distance. If it were left at this point, it would have no significance. If it is completed, then it will be a connection between tidewater on the Caribbean Sea and the capital through the completion of the Rama Road and the Inter-American Highway, which will provide a basic cross continental route through Nicaragua by road. If we believe in complying with our diplomatic commitments, we have no alternative except to complete it, and for that reason the Committee on Public Works was nearly unanimous in feeling that we must complete this road and therefore comply with our commitments. From the evidence developed in the last 6 months in South and Central America, this is no time for the United States to fall down on its commitments to those countries.

Mr. FALLON. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, this bill takes my mind back 60 years ago when, as a boy in Nicaragua, I was told, and it was believed, that on the eastern coast of Nicaragua was tremendous wealth in mines, in timbers, and other resources. And, in all that time, from Rama and Bluefields and that region on the eastern coast of the country there has been no transportation except in recent years by air.

The opening up of this road from Rama will provide a new and rich future for Nicaragua and for all Central America. I can imagine no greater contribution we could make to the warming and intensifying of our relations with the Latin Americans than the quick completion of the Rama Road.

The SPEAKER. The question is, will the House suspend the rules and pass the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

Mr. MORGAN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3379) to provide for adjustments in the annuities under the Foreign Service retirement and disability system, as amended.

The Clerk read as follows:

Be it enacted, etc., That (a) the annuity of each retired officer who on August 1, 1958, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or before January 31, 1958, shall be increased by 10 percent.

(b) The annuity otherwise payable from the Foreign Service Retirement and Disability Fund to—

(1) each survivor annuitant who, on August 1, 1958, is receiving or entitled to receive an annuity based on service which terminated on or before January 31, 1958, and

(2) each person granted an annuity in accordance with section 5 of the act of May 1, 1956 (70 Stat. 125), shall be increased by 10 percent.

(c) The increases provided by subsections (a) and (b) of this section shall become effective on the first day of the second calendar month following enactment of this act.

SEC. 2. The annuity of each retired officer who, on or after August 1, 1958, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or after February 1, 1958, shall be increased effective on the first day of the second calendar month following enactment of this act or on the commencing date of annuity, whichever is later, in accordance with the following schedule:

If annuity commences between:	*Annuity increase (percent)*
Feb. 1, 1958, and June 30, 1959	8
July 1, 1959, and June 30, 1960	6
July 1, 1960, and June 30, 1961	4
July 1, 1961, and June 30, 1962	2

SEC. 3. The annuity of any survivor annuitant who, on or after August 1, 1958, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or after February 1, 1958, shall be increased effective on the first day of the second calendar month following enactment of this act or on the commencing date of annuity, whichever is later, in accordance with the following schedule:

If annuity commences between:	*Annuity increase (percent)*
Feb. 1, 1958, and June 30, 1959	8
July 1, 1959, and June 30, 1960	6
July 1, 1960, and June 30, 1961	4
July 1, 1961, and June 30, 1962	2

SEC. 4. No increase provided by this act shall be computed on any additional annuity purchased with voluntary contributions pursuant to the provisions of section 881 of the Foreign Service Act of 1946, as amended.

SEC. 5. No annuity of a retired officer shall be increased under any section of this act in an amount in excess of $500 per annum. No annuity of a survivor annuitant shall be increased under any section of this act in an amount in excess of $250 per annum.

The SPEAKER. Is a second demanded?

Mr. VORYS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

Mr. MORGAN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the purpose of H. R. 13715 is to do for retired Foreign Service officers and their widows what Congress did earlier this year for retired civil servants. When the bill to increase civil service annuities was before the House, the report accompanying that bill stated that its provisions were "moderate, fair, and reasonable" and that the increase provided by the legislation would give some benefit to those "whose incomes in many instances are inadequate to maintain the decent standard of living which retired employees of the Government are entitled." I cannot think of any more compelling arguments for this bill than those offered by the Post Office and Civil Service Committee.

Foreign Service officers are covered by a separate retirement system and are not included in the provisions voted earlier by the Congress.

When the Foreign Service annuity increase bill came to the Committee on Foreign Affairs, it contained no limitation on the annuity increase. The committee has amended the bill to include limitations in annuity increases identical to those set for the civil servants, namely, a maximum of $500 for retired officers and for a widow a maximum of $250 per annum.

There are additional and compelling factors in the case of Foreign Service personnel that warrant our consideration. Most of the officers have spent their working life abroad. Many of the posts in which they serve were, and still are, hardship posts. Often the climate is unhealthful and health standards are minimal and educational facilities are lacking or deficient. Until 2 years ago the officer had to bear the heavy costs of education for his children that, in this country, are available in every community.

I could mention other problems faced by our Foreign Service personnel. But I think I have said enough to indicate that members of the Foreign Service have unusual expenses. Although Congress in recent years has improved the conditions of employment, the individuals who will benefit from the provisions of this bill served at a time when these improvements were lacking and salaries very small. Hence they have had little opportunity to save up for their declining days.

Section I covers 540 officers and widows. The cost is estimated at slightly more than $200,000 a year and, of course, will drop as these individuals die. For the next 5 years individuals who move from the active rolls to the retired rolls will receive a percentage increase that diminishes progressively. This is because the longer they stay in an active status, the more they will benefit from the 10-percent-salary increase voted earlier this year.

The money to pay the increased cost will come from the Foreign Service retirement and disability fund to which active officers pay a percentage of their salary. The latest report available to the committee shows that the fund had $22.5 million in June 1957. The increases voted by this bill will not add an undue drain on the fund.

I hope the Congress will give these people the small measure of consideration they so well deserve.

Mr. VORYS. Mr. Speaker, I join our chairman in support of this bill. I regret that our colleague, the author of the bill, the gentleman from Michigan [Mr. BENTLEY], himself a former Foreign Service officer, is unable to be present, but he has left here remarks which I ask unanimous consent to have inserted at the conclusion of my own remarks.

These retired Foreign Service officers are in a precarious condition because of the same rise in the cost of living which has affected our retired civil-service employees.

However, we felt that the cost of living affected these two groups equally and, therefore, we put in similar limitations on the amounts to those placed in the civil-service retirement bill. These Foreign Service people have served our country well overseas, they have not had a chance to acquire homes here and to make money here in preparation for retirement. So they are a class that is particularly deserving of consideration and I hope this bill will be passed promptly.

Mr. VORYS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BENTLEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENTLEY. Mr. Speaker, this is a simple bill. Its purpose is to give to retired Foreign Service officers and their widows—all of whom were drawing annuities on or before January 31, 1958—a 10-percent increase in those annuities, provided, however, that the increase for retired officers does not exceed $500 and, for widows, $250. The percentage of the increase and the ceiling limiting the dollar amount of the increase are identical to the provisions of Public Law 85-465, the recently enacted law covering civil-service annuitants.

The law dealing with retired civil servants also included a provision that the increases voted would not be payable after July 1, 1960, unless Congress appropriated money to the civil-service retirement fund to cover the increases.

My bill does not contain this provision. In the first place, the estimated cost of the Foreign Service annuity increase is about $200,000. This sum can be borne by the Foreign Service retirement fund. That fund is in relatively better condition than is the civil-service retirement fund. Second, proposed changes in the Foreign Service Act which the Congress will consider next year will increase the employee's contribution from 5 to 6½ percent. Therefore, I see no reason for a limitation similar to that in the recent civil-service annuity increase law.

Some may argue that Foreign Service salaries are high. I will admit that today they are quite good, and so are allowances. But those who will benefit from this bill are individuals who served when salaries were inadequate and allowances were either inadequate or nonexistent. The opportunity to set aside any savings for retirement was small indeed. This bill will provide a small measure of relief without an undue strain on the Treasury or the retirement fund.

The SPEAKER pro tempore (Mr. WALTER). The question is, Will the House suspend the rules and pass the bill S. 3379, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill (H. R. 13715) was laid on the table.

WORLD SCIENCE-PAN PACIFIC EXPOSITION

Mr. MORGAN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3680) to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That the President, through an executive department or independent agency designated by him, shall cooperate with the Washington State World Fair Commission with respect to, and determine the extent to which the United States shall be a participant and an exhibitor at, the World Science-Pan Pacific Exposition (hereafter in this act referred to as the "exposition") which is being held at Seattle, Wash., in 1961. The purpose of such exposition are to—

(1) commemorate the centennial of the physical fixing of the boundary line between the United States of America and Canada,

(2) depict the role of science in modern civilization, and

(3) exhibit the varied cultures of the Nations of the Pacific Rim.

The President is authorized, by proclamation or in such other manner as he may deem proper, to invite the several States of the Union and foreign countries to take part in the exposition: *Provided*, That no Communist de facto government holding any people

of the Pacific Rim in subjugation be invited to participate.

SEC. 2. There shall be in the designated department or independent agency a Commissioner for the exposition who shall be appointed by the President by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $17,500 per annum. The head of the designated department or independent agency shall prescribe the duties of the Commissioner and may delegate such powers and duties to him as are deemed advisable in order to carry out this act.

SEC. 3. In carrying out the provisions of this act, the head of the designated department or independent agency may—

(1) appoint, without regard to the civil-service laws and the Classification Act of 1949, such persons as he deems to be necessary to carry out the provisions of this act, except that no person appointed under this paragraph shall receive compensation from the United States at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties;

(2) enter into such contracts as may be necessary to provide for United States participation in the exposition;

(3) erect such buildings and other structures as may be necessary for United States participation in the exposition, on land owned by the State of Washington or by any local government of such State or any political subdivision or instrumentality of either: *Provided*, That all laborers and mechanics employed by contractors or subcontractors in the performance of work on such buildings and other structures shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Bacon-Davis Act, as amended (40 U. S. C., sec. 276a–276a–5);

(4) purchase books of reference, newspapers, and periodicals;

(5) incur such other expenses as may be necessary to carry out the purposes of this act; and

(6) accept any gifts, loans, donations, or devices to be used in carrying out the provisions of this act.

SEC. 4. The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the head of the designated department or independent agency with respect to United States participation in the exposition, and

(2) to make available to the head of the designated department or independent agency, from time to time, on a reimbursable basis, such personnel as may be necessary to assist the designated department or independent agency in carrying out its functions under this act.

SEC. 5. (a) The President shall report to the Congress during the first regular session of Congress which begins after the date of enactment of this act with respect to (1) the most effective manner of representation of the United States at the exposition, taking into account the avoidance of undue competition among governments, and (2) the amount of appropriations which are necessary to accomplish such representation.

(b) The President shall report to the Congress within 6 months after the date of the official close of the exposition on the activities of the Federal Government pursuant to this act, including a detailed statement of expenditures. Upon transmission of such report to the Congress, all appointments made under this act shall terminate.

SEC. 6. After the close of the exposition, all property purchased or erected with funds provided pursuant to this act shall be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, and other applicable Federal laws relating to the disposition of excess and surplus property.

SEC. 7. There are hereby authorized to be appropriated not to exceed $125,000 to carry out the provisions of this act.

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second in order that we may have a discussion of this bill.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. MAGNUSON], one of the authors of the bill.

Mr. MAGNUSON. Mr. Speaker, this is a relatively simple bill, a Senate bill, as you know. It was introduced in this body by the gentleman from Washington [Mr. PELLY] and by me.

The bill provides basically for a study of the extent to which the Federal Government should participate in the World Fair, otherwise known as the World Science-Pan Pacific Exposition, which will be held at Seattle beginning in 1961.

The State of Washington and the city of Seattle already have put up $15 million. To let you know we are serious about this World Fair, we have set aside 76 acres, most of them in the downtown area of Seattle, in which to hold the fair.

There is great interest in the scientific world in this country in an exposition of this type. Many of the scientists, and I may say the top scientists of this country, have been feeling for some time that there should be an exposition in which the advances in science could be portrayed. It was decided that the Seattle World Fair would lay emphasis on this along with emphasis on the bond between this country and the other countries around the Pacific rim.

When the San Francisco and New York World Fairs were held a Federal commission was appointed of several members to make a study exactly such as we suggest here. This bill is not quite so ambitious as that. We are asking only for the appointment of a single commissioner at a salary of $17,500 a year, to serve for this relatively brief period until the fair. He will work under one of the established agencies of the Government, probably the Department of Commerce.

The function of this Commissioner will be to make a study to determine the extent to which the Federal Government should participate in the Seattle World Fair and, I may say, participate in the fair in the way of exhibiting at the fair, and perhaps to some small extent to participate financially.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Can the gentleman assure the House that there is no intention on behalf of the gentleman's State or any other agency, or the Federal Government to invite to participate in this fair any de facto governments not recognized by the United States of America, such as Red China, northern Korea or northern Vietnam, or any other government on the Pacific rim that is a Communist government holding subject peoples under control?

Mr. MAGNUSON. The Committee on Foreign Affairs, as the gentleman knows, wrote into the bill a prohibition against inviting exhibits by any of these de facto Communist governments.

Mr. FULTON. That was my amendment which put a limitation on the power of the President to invite these governments. My question goes further. There is no intention by the gentleman's home State or any other agency to invite such countries; is there?

Mr. MAGNUSON. There is not. I have discussed the amendment with the management of the fair and they have said there is no objection to the amendment and no intention of issuing invitations to such countries.

Mr. FULTON. I thank the gentleman very much. I will support the bill then.

Mr. MAGNUSON. Mr. Speaker, just one further word in explanation of this bill. This carries an authorization of $125,000 to cover the cost of this survey which will be made before the next Congress adjourns and a report will be made back to the next Congress. I hope the bill will be approved. It is very important to us and we are very proud of our plan to have this world's fair.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, earlier this week the House adopted the motion of the gentleman from Ohio [Mr. BOW] to permit the United States Information Agency to construct facilities for broadcasting messages behind the Iron Curtain and into the Soviet Union, Africa, and the Middle East.

By the same token, the purpose of a World Science-Pan Pacific Exposition to be held in Seattle in 1961 is to send messages all over the world with the truth about the United States.

As the gentleman from California [Mr. SAUND] pointed out so eloquently during debate on the Bow motion, what this Nation needs in the world now is to use some of our supersalesmanship. American gold will not buy friends abroad; but America can do a good public-relations job with other nations free of artificial propaganda by exchanging information and ideas. Washington State's World Fair in 1961 is timed to demonstrate world cooperation in peaceful scientific research through reporting on the Geophysical Year and creating closer cultural, economic, and social ties with other nations. Also it would commemorate 100 years of peace with a 3,200-mile border between the United States and Canada—underscoring the absence of any unfriendly curtain.

At this fair, foreign and domestic exhibitors will be displaying accomplishments in the peaceful fields for better living and utilization of resources. When they come to America, visitors from foreign lands will have an opportunity to see power and reclamation projects of the Pacific Northwest where arid deserts were transformed into rich, fertile food-producing acres capable of feeding hundreds of thousands of hungry people.

The original Senate bill had provisions which followed the precedents of past fairs such as the San Francisco Fair and the one in New York. However, the House Foreign Affairs Committee, as I understand, thought that before any Federal commitments were made a survey should be undertaken. Therefore the House committee reported a bill authorizing a study at a cost not exceeding $125,000. The printed report, let me emphasize, makes it absolutely clear that there is no "open-end" authorization. Any further funds would have to be authorized after evaluating the report provided for in this legislation.

Mr. Speaker, most strongly I call for the passage of this bill. Fifteen million dollars have been provided by Washington State and the local authorities for this fair. Seventy acres close to downtown Seattle are in process of being acquired under condemnation. Those responsible for putting on the fair are proceeding in a most thorough way. After the study provided by this measure is completed, however, Congress can decide about United States participation and if it is in the best interests of the country. I am confident it will so decide.

After all, estimates indicate the Federal Government would receive back $800,000 in admission taxes alone. But that question must be decided later. Now the point is, shall we invest $125,000 in an endeavor for peace and plenty in the world? I urge an "aye" vote.

Mr. MACK of Washington. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. MACK of Washington. Mr. Speaker, I wish to associate myself with the splendid statement made by the gentleman from Washington, and also by Congressman MAGNUSON of our State.

The Federal Government historically has taken part in expositions all over the world and should in the planned Seattle one. Most of the cost of the capital investment in this world exposition is being made by the citizens of Seattle and of Washington State. They have shown their good faith in promotion of the exposition dedicated to the advancement of science. It seems to me most proper that the Federal Government should spend the small sum provided in this bill to make a study as to what extent the National Government will participate in this fine educational and inspirational event.

Mr. GROSS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I would like to ask the chairman of the Foreign Affairs Committee, or someone interested in this bill, how much this is likely to cost the Federal Government over and above the $125,000 authorized in the bill?

Mr. MORGAN. The total cost, of course, cannot be determined until the full study is made, but I imagine it would be a substantial amount.

Mr. GROSS. Substantial, did the gentleman say?

Mr. MORGAN. Yes; that is right.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PELLY. I think the idea can best be explained by the fact that this fair is to be patterned on the San Francisco Fair and the New York Fair, that is, providing for the participation by the Federal Government; but certainly there is no commitment here except $125,000. Any further participation by the Government would have to be determined by the Congress itself.

Mr. GROSS. But the bill provides for buildings and other structures.

Mr. PELLY. I may say that the report clearly indicates that there is no intent to commit the Federal Government. The report is very clear that the authorization is limited to $125,000 and any further participation would have to be authorized by the Congress.

Mr. GROSS. I believe the gentleman mentioned certain payments, that the Government would be repaid from admissions.

Mr. PELLY. It would certainly receive the excise taxes on admissions. That would represent a substantial recovery to the Government.

Mr. GROSS. I thought the Government was going to get some direct cut on admissions that would be applied against the expense of the Government, but the gentleman is talking in terms of tax on admissions.

Mr. PELLY. The existing tax on admissions would go into the Treasury. But it is not on that basis certainly that I would recommend the bill to the gentleman or that they would get their money's worth back. I think the greatest return the Government could receive would be the good will of other nations throughout the world which would participate. The Federal Government should be invited to participate.

Mr. MAGNUSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. MAGNUSON. I would like to say to the gentleman that it is impossible at this point to make any intelligent estimate of the cost to the Federal Government. The purpose of the survey which is authorized by this bill is to determine how far the Government wishes to participate in this fair. The Commissioner will come back with a report and the Congress will decide on the basis of that report how extensively it wants the Federal Government to participate in the way of exhibits or in the matter perhaps of a building in which to house the Federal exhibits, or any other financial contribution the Commissioner might recommend.

Mr. GROSS. Does the gentleman expect that the Federal Government will be asked to erect a building or buildings?

Mr. MAGNUSON. The bill contains authorization for the erection of Federal buildings.

Mr. GROSS. Did the gentleman say that some $15 million has already been raised?

Mr. MAGNUSON. Yes. The State of Washington has appropriated $7,500,000 and the city of Seattle has appropriated $7,500,000 for the purpose of acquiring a site and making preparations for this world fair.

Mr. GROSS. I am glad to know there is in this project an immediate sense of fiscal responsibility. The House has just passed a bill authorizing the building of a cultural center here in Washington and not a dime has been raised in preparation for it.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. JUDD. I would like to make it clear that the Federal Government is given no authority in this legislation to make commitments for anything beyond $125,000.

Mr. GROSS. I understand, but that is a good deal like some other things that get started, they just grow, and grow, and grow.

Mr. JUDD. I realize it is always possible to take a second step after you have taken a first one, and a third one after that; it is also possible not to take those steps. My point at this time is that this bill does not give any permission to promise to erect any building or incur any obligation beyond $125,000.

Mr. GROSS. It is a good deal like the start of the foreign aid program, if you remember that, do you?

Mr. JUDD. Yes, I certainly do.

Mr. GROSS. And you know what it is today, do you not?

Mr. JUDD. Yes, I believe it has been the most successful expenditure of money of a comparable amount that we have ever made from the standpoint of ensuring the survival of this country and the peace of the world.

Mr. GROSS. I could not disagree with the gentleman from Minnesota more than in that statement.

Mr. Speaker, I yield back the balance of my time.

Mr. MORGAN. Mr. Speaker, I have no further requests for time.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, the World Science Pan-Pacific Exposition is going to be held in Seattle, Wash., in 1961. It will be a large exposition and the State of Washington and the city of Seattle have already put up $15 million to finance it. The administration of the exposition is in the hands of the Washington State World Fair Commission.

The Washington State World Fair Commission desires that the Federal Government participate in this important exposition which is to be held 3 years from now. In the judgment of the Committee on Foreign Affairs and of the executive branch of the Government it is desirable that the Federal Government should participate in the Seattle fair. A fair of this magnitude and nature should be effective in promoting good will and understanding among peoples. This is particularly true because the nations of the Pacific rim are expected to participate and our relations with the countries in this part of the world are

of direct importance to us in the United States.

I want to make clear that this resolution does not relate to whether or not there shall be an international fair in Seattle in 1961 nor does it provide that the United States shall direct or administer such fair. All that is involved in this resolution is authority for the United States to participate in the exposition, the control of which and most of the financing of which will rest with the State of Washington and the city of Seattle.

The ultimate decision as to the nature of Federal participation in the Seattle fair and the amount of money to be spent by the Federal Government for such participation will be made by the United States Congress. Action on this bill does not involve the final decision on these matters. The purpose of this bill is to make it possible for the proper Federal officials to work with the Washington State World Fair Commission in preparing a plan for United States participation in the Seattle fair and, on the basis of this planning, to submit recommendations to the next sesssion of Congress. The recommendation as to what the United States should do in connection with the exposition and how much expenditure of Federal funds should be made will be submitted to the Bureau of the Budget for its consideration and the Congress will have the final say in the matter.

The Bureau of the Budget raised a number of rather important objections to S. 3680 as it passed the Senate. The bill in the form in which it was referred to the Committee on Foreign Affairs provided for a commission of 16 members, a majority of whom were either members of the Cabinet or major independent agencies of the Government. It authorized the appointment of a commissioner at a salary of $20,000 per year and of two deputies at salaries of $17,500 each.

The Committee on Foreign Affairs was inclined to agree with the Bureau of the Budget that the bill in this form provided a larger and more expensive administrative structure than was necessary. We sought the advice of the Bureau of the Budget as to how the bill should be modified so as to provide the necessary authority and personnel so that the Federal Government could work with the Washington State World Fair Commission but at the same time without being larger or more costly than necessary. The bill reported by the Foreign Affairs Committee has the approval of the Bureau of the Budget and, I am informed, is satisfactory to the Seattle exposition authorities. The bill authorizes an appropriation of $125,000 and it is the understanding of the committee that such funds as are appropriated subject to this authorization will be used only to pay expenses necessary for the commissioner to operate and for the various Federal agencies to cooperate in preparing plans and recommendations for submission to the next session of Congress.

It seems to me that it is desirable that this bill be passed so that such planning can go forward. The determination as to the extent of Federal participation in the Seattle exposition or the amount of money to be appropriated should be made after plans and recommendations have been formulated and submitted to the Congress. It is my understanding that there will be an exposition in Seattle whether Congress takes favorable action on this bill or not. Congress should not decide against United States participation until it has had an opportunity to judge intelligently just what advantages such participation may bring to the United States as well as what the cost may be. At the next session of the Congress we will have an opportunity to make the necessary evaluation and take final action. I hope that the bill as amended and reported by the Committee on Foreign Affairs will pass.

Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill S. 3680 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INVESTIGATION AND ERADICATION OF THE PREDATORY DOGFISH SHARK

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2719) to provide for the payment of bounties on dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to prosecute, for a period of not to exceed 4 years from the date of approval of this act, investigations of the abundance and distribution of dogfish sharks, experiments to develop control measures, and a vigorous program for the elimination and eradication or development of economic uses of dogfish shark populations.

SEC. 2. In carrying out the foregoing purposes and objectives the Secretary of the Interior is authorized to cooperate with the official conservation agencies of the States bordering on the Pacific coast, with the commercial fishing industry, and with other governmental or private agencies, organizations, or individuals having jurisdiction over or an interest in the fisheries of the Pacific coast.

SEC. 3. There is authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary not to exceed $95,000 per annum to carry out the purposes and objectives of this act.

Amend the title so as to read: "An act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast, and for other purposes."

The SPEAKER pro tempore (Mr. WALTER). Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Washington.

Mr. TOLLEFSON. Mr. Speaker, I yield myself such time as I might require.

Mr. Speaker, this bill carries a Senate number and also carries a Senate title; however, when the bill came to our committee we struck out all of the provisions of the Senate bill and rewrote it.

The Senate bill provided for bounties as a means of doing away with the dogfish shark which are infesting the waters of the Pacific Coast, particularly the north Pacific waters. In testimony before our committee the Fish and Wildlife people opposed the idea of bounties as being unworkable from an administrative point of view and pointed to an experience that had been had by the Canadian Government some years ago. The Canadians tried the bounty sytaem for a year and found it did not work from an administrative point of view. So the House committee, following the suggestion of the Fish and Wildlife Bureau, rewrote the bill and provided that the Department of the Interior conduct for a 4-year period a research program designed to do away with and eradicate the dogfish shark. The bill limits the amount of funds that may be expended for this purpose to $95,000 per year.

Mr. Speaker, the dogfish shark has increased in terrific numbers in recent years to the point where the fishermen seeking to catch other species of fish, particularly salmon, are unable to do so by reason of the dogfish sharks. When the fishermen go to known grounds and cast out their nets, instead of getting salmon or other species, they get large numbers of the dogfish shark. For instance, one fisherman dropped his nets into the water and pulled in 30,000 pounds of dogfish sharks.

Mr. Speaker, this bill is essential for the preservation of other species of fish. Something must be done to eliminate the dogfish shark.

Mr. CRETELLA. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Connecticut.

Mr. CRETELLA. I should like to ask the chairman of the committee or someone on the committee a question. We on the east coast are bothered terrifically by the starfish which have been destroying the oysters on the east coast. There was a report furnished by the Department of Commerce suggesting some legislation, and it was my understanding that this starfish bill was also going to be considered by the Senate in connection with the dogfish shark bill.

Can anyone on the committee tell the House what has happened to the legislation dealing with starfish eradication on the east coast?

Mr. TOLLEFSON. I may say to the gentleman that as far as the committee is concerned, it was simply a matter of time. I may further say to the gentleman that I was one of those who favored and supported the starfish bill. I understand that the starfish creates a terrible

problem in the New England area. The only reason the committee did not take the matter up was not because of opposition to the bill but due to lack of time.

Mr. CRETELLA. A report was filed by the Department of Commerce some time ago. I wrote to the committee and asked for consideration of my bill. Legislation was introduced by other Members as well as myself from the east coast.

Mr. TOLLEFSON. I appreciate that fact, and, again, all I can say is that our schedule was terrifically heavy the past few months, and we did not get to it, as well as other pending measures. May I say further to the gentleman, in talking to those Members who spoke to me about the starfish problem, I said I would do everything I personally could to get favorable action on the measure should it be introduced in the next Congress.

Mr. CRETELLA. And that applies to the other members of the committee as well?

Mr. TOLLEFSON. I do not know of any member of the committee that is opposed to it. If they are, they have not said anything to me. But, I do not want to commit individual membefs.

Mr. CRETELLA. I thank the gentleman.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. WESTLAND].

Mr. WESTLAND. Mr. Speaker, I support S. 2719 which in its original form was similar to the bill I introduced, H. R. 13612 and which provided payment of bounties on dogfish. Although I support this bill, I regret that the Committee on Merchant Marine and Fisheries changed the legislation so that these bounties will not be paid.

The bill as reported by the committee is a step toward control of this predator, but it is not the positive approach that I asked for. If in 4 years the Department of Interior can find a commercial use for dogfish shark, the intent of my legislation will be accomplished.

Dogfish shark is a serious problem for the commercial fishermen and sports fishermen of my District in the State of Washington. In fact, this predator affects the fishing industry from as far away as California and Alaska. I offered my bill because I believed it was a practical method of controlling this shark which consumes up to 20 times its own weight annually.

My bill would have encouraged fishermen to take dogfish commercially, thus the balance of nature that once existed would be reestablished. This legislation also would have authorized the Secretary of Interior to pay a bounty of $10 a ton for unlivered dogfish or 10 cents a pound for dogfish shark livers.

A conservative estimate of the total weight of these fish exceeds 1 million tons. This means that our fishing industry stands to lose as much as 20 million tons of salmon, bottom fish, and crab each year to this predator. This seems to me a situation that could eventually lead to even more severe losses than have been noted in the past. Now is the time to take positive steps to end this menace.

Before 1949, as much as 135 million pounds of dogfish were landed annually by fishermen who sold them for their liver, a source of vitamin A. This catch held these fish in check, but in 1950 the market for dogfish livers became virtually nonexistent because of low-priced synthetic vitamin A compounds. Since then the dogfish population has greatly increased in numbers.

Commercial fishermen report they have lost their costly gear because of the difficulty of hauling overloaded nets filled with dogfish into their boats. Even in cases where the nets were taken aboard, there is much damage because of the abrasive nature of the skin of dogfish.

This pest also affects the sports fishing industry of my District. Thousands of fishermen visit the area annually to troll and mooch for salmon. Hundreds of boathouse and resort owners owe their livelihood to sports fishermen who depend on them for bait, accommodations, boats, food, and tackle. These fishermen will not return to areas where dogfish shark have depleted the salmon run.

Mr. Speaker, I sincerely hope this body will cast a favorable vote for S. 2719 which is a start toward positive action in the best interest of our commercial and sports fishermen and will pave the way toward saving one of our most valuable national assets, the salmon runs of the Pacific.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. NORBLAD].

Mr. NORBLAD. Mr. Speaker, I am very much in favor of this legislation and hope it passes. It had been my hope that the original bill providing for bounties might have been approved by the Merchant Marine and Fisheries Committee, but since that was not the case, I in turn favor this substitute measure.

Dogfish sharks are very definitely a menace to fisheries along the Pacific Coast. Many fishermen have told me of catching dogfish sharks and finding that there were actually pieces of salmon or other fish in their stomachs, so it is obvious that they have been damaging our commercial fisheries.

Prior to the war, these sharks were caught in large numbers and the liver used to make vitamins but synthetics were discovered and, since fishery of the dogfish shark has ceased, that has caused them to multiply in great numbers. I feel that this research program will be an answer to exactly what should be done in the future to control them.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, I simply want to say that there are times when only the Federal Government can help. The Great Lakes were infested with lamprey eels. We did what we could but lost all our trout. Thanks to Federal assistance and a newly developed chemical the lampreys are being eradicated. The success of these efforts makes it possible for us to start redeveloping our trout. I trust this legislation will be passed and that the investigation will be made.

Mr. TOLLEFSON. I thank the gentlewoman. The authorization for that program came out of our committee, and I am happy that the program is working.

Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, this is needed legislation and legislation that will repay manyfold the money invested in it.

Dogfish shark have increased enormously in the waters of the north Pacific along the Oregon and Washington coast. These sharks live upon young salmon, other fish, and upon young crab. Each shark eats many times its own weight in fish each year.

If the numbers of these dogshark can be decreased, food fish weighing millions of pounds will be preserved for taking by sports and commercial fishermen.

This bill merely asks for $95,000 each year for 3 years for scientific study of ways and means for destroying dogfish shark. Studies like this have been made in other fields and resulted in beneficial methods of destroying predators. I hope the bill will be approved by the House.

Mr. TOLLEFSON. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I do not intend to take the full 5 minutes, but I think that everyone should understand that dogfish sharks apparently infest and are propagated in every sea in the world; that there is probably no place where dogfish shark are not to be found. This bill will provide for the expenditure of $380,000, which is not exactly lettuce, over the next 4 years for the purpose of research.

It is my belief that dogfish shark have already been researched sufficiently. There is one of the finest institutes of fisheries at the Washington State University; they have researched these dogfish; they have been researched backward and forward. I am sure the only way we will ever get rid of dogfish shark is not by spending money for research but hire trawlers to take them out. I do not think the passage of this bill with an expenditure of $380,000 is going to accomplish any real purpose except to add people to the payroll.

Mr. BONNER. Mr. Speaker, when this bill first came to the Committee on Merchant Marine and Fisheries it was a bounty or subsidy bill for the eradication of these dogfish shark. The Members of the House will notice the amendment written by the committee is just what the gentleman from Iowa [Mr. GROSS] was discussing. We took the bounty off and inserted language on page 2 that it should be a control measure, a control program. It is similar to the program that the gentlewoman from Ohio was discussing on the Great Lakes with respect to the lamprey eel. We passed a bill to control the lamprey eel, and there has been successful development along that line.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Iowa.

Mr. GROSS. The lamprey eel is found in the Great Lakes—it may be found in certain other places—but these dogfish shark are found in every ocean and every sea in the world. It is a far different problem.

Mr. BONNER. That is true, but there is a greater infestation of them in this area than elsewhere.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I ask unanimous consent to revise and extend my marks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, for a long time I have been active in seeking some solution to the problem of dogfish. Frankly I had introduced legislation to offer a bounty of $10 a ton for dogfish carcasses and 10 cents a pound for livers, but the House Merchant Marine and Fisheries Committee, I regret to say, felt a research bill would be better. The bounty idea was a temporary stopgap measure to reduce the number of these pests of the sea until research could come up with some better solution. However, the Fish and Wildlife Service prefers research and if we cannot have the bounty measure, I certainly believe this research bill has merit and strongly support it.

Many persons familiar with my interest in eliminating this predator have asked for information about the dogfish. The Seattle Times of August 17, 1958, carried an informative article on this major fisheries headache written by Donald H. Clark. Let me quote from it:

The one fish in Puget Sound without a single friend in the world—above or below water—is the dogfish. Scientists call the species squalus acanthias; others know it as grayfish or mud shark. Fishermen have a number of not-so-polite names for dogfish.

This underwater marauder, enemy of all marine life, grabs lures intended for game fish, swallow fish hooks, snarls lines, breaks nets, eats herring and other valuable bait fish, gobbles young crabs, and makes a hobby of being a first-class villain.

Because the dogfish hasn't been fished commercially for some 14 or 15 years, the species is multiplying dangerously, both in Puget Sound and in the coastal waters of Washington State.

Dogfish are torpedo shaped. They have large mouths, muddy complexions, rasplike hides, nasty dispositions, and quite a few equally obnoxious relatives.

Male dogfish grow to a maximum length of about 4 feet and to a weight of 8 pounds. Females, more deadly and disagreeable than the males, attain lengths up to 5 feet and weights up to 20 pounds.

Dogfish eat herring, hake, salmon, cod, anchovies, ratfish, flatfish, and rockfish. They eat shad, sculpin, sand lances, porgy, krill, crab, shrimp, octopus, and squid. They eat clams, snails, worms, jellyfish, and sea anemones. They also eat various marine plants and quite a lot of mud. Dogfish don't eat whales, but they would if they could.

One hundred and sixteen of these insatiable pests recently were taken from one herring trap in Quilcene Bay. Several dogfish that got into a herring trap in British Columbia, ate herring until they actually floated and couldn't submerge.

Squalus is no Johnny-come-lately in Puget Sound. He was here when the first pioneers arrived, and probably had been around for centuries before. He will be here for many more centuries unless drastic control measures are devised. Although they now are worthless, dogfish were of considerable value to Indians before white men came to this area.

The newspaper article also explains the basic cause of the problem:

When a vitamin craze swept the country shortly before the Second World War, chemists found that dogfish livers were loaded with vitamin A. Thousands of fishermen went after dogfish with otter trawls and setlines.

Production of dogfish livers reached 320,000 pounds in 1940, jumped to 2,350,000 pounds in 1941, slacked off slightly the following year, and reached a peak of 2,794,000 pounds in 1943. In that year, the dogfish catch netted Puget Sound fishermen $1,290,000. Prices topped 54 cents a pound for livers.

The boom subsided abruptly when two industrial chemists, one in Switzerland and one in Holland, discovered methods of manufacturing vitamin A by synthesis. The discovery killed Puget Sound's fish-liver business. Prices collapsed and dogfish roamed the saltchuck undisturbed.

Year by year since synthetic vitamins took over, the dogfish population has expanded, to the consternation of fishermen and sportsmen.

George Walker, of Seattle, recently gave up salmon fishing when he caught 37 dogfish in 1 hour but no salmon. Other sports fishermen go from place to place, hoping to find a bit of Puget Sound which is not infested with dogfish.

Wear and tear on nets by worthless dogfish plague commercial fishermen. An optimistic fish merchant who tried to sell dogfish to the public as "grayfish," found no takers.

As I said earlier I favor the bounty plan to reduce the number of these predators, but since we cannot obtain that means of solution, I urge passage of this bill for research. This is a problem of Federal waters and the Federal Government has responsibility, so let us pass this legislation.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill (S. 2719) as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "An act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast, and for other purposes."

A motion to reconsider was laid on the table.

FISHERIES LOAN FUND

Mr. BONNER. Mr. Speaker, I ask unanimous consent that when the list of suspensions has been completed, the bill S. 3295 may be added to that list.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. CELLER. Mr. Speaker, reserving the right to object, will the gentleman tell us what that bill is.

Mr. BONNER. It is a bill that was on the list of suspensions. It was taken off but it has now been cleared. It is a bill to add $10 million to the loan fund for fisheries. There has been no money lost in this program. The present amount expires in about October. The program has been successful, and there are now about $4 million in applications. The moneys will run out unless the bill is passed in this session of Congress.

Mr. MARTIN. Mr. Speaker, further reserving the right to object, and I shall not object, I understand this has been cleared on this side, that it is agreeable to have the bill reinstated. It was through an error that it was stricken from the list, and the Members on this side are perfectly willing to have it reinstated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

COMPENSATION OF MEMBERS OF BOARD OF PAROLE

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4096), to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole.

The Clerk read as follows:

Be it enacted, etc., That section 4201 of title 18, United States Code, is amended by deleting the second sentence thereof and substituting in lieu thereof the following sentence: The annual rate of basic compensation of each member of the Board shall be $17,500.

The SPEAKER pro tempore. Is a second demanded?

Mr. KEATING. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

Mr. KEATING. Mr. Speaker, this is a bill recommended by the Department of Justice with the concurrence of the Bureau of the Budget to increase the compensation of the members of the United States Board of Parole.

The Board of Parole is a quasi-judicial administrative agency within the Justice Department. It has 8 members appointed by the President for 6-year terms. Appointees to the Board, in order to qualify, must be specially trained and experienced in such fields as medicine, law, penology, sociology, and psychology.

Members of the Board are called upon to assume the heavy responsibility of passing on the parole status of around 24,000 Federal offenders in 29 Federal prisons. Each year members conduct more than 11,000 hearings on applications for parole. In addition, the Board performs various reviewing and supervisory functions.

At the present the most any member is paid in salary is $13,970. Commensurate with his duties and responsibilities, and in comparison with the compensation paid members of comparable boards and commissions, this amount is clearly inadequate.

For this reason the Justice Department has recommended an annual basic salary of $19,000. The other body reduced that figure to $17,500, and that is the figure agreed to by the House Committee on the Judiciary.

Mr. Speaker, the members of the Board of Parole have proved that they are deserving of this increase in salary to bring them in line with other Government servants rendering comparable services, and I therefore urge the enactment of this measure.

Mr. CELLER. Mr. Speaker, this bill has been recommended by the Department of Justice and the Bureau of the Budget. There is no objection from any source. It was the unanimous opinion of the members of the committee that it should be adopted. I hope it will be.

Mr. KEATING. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, will the gentleman from New York answer a question or two? I have heard a report that because the increase in salary was reduced from $19,000 to $17,500 we might expect a bill here next year to increase the salary to $20,000. Has the gentleman heard that report? Would the gentleman be in favor of another increase for these people next year to $20,000?

Mr. KEATING. I would always try to review every situation on its merits. I have not heard any such rumor. The gentleman must recognize that rumors fly thick and fast at this time of the session.

Mr. GROSS. I do.

Mr. KEATING. I have heard of no indication that it is intended to ask for a further increase beyond this.

Mr. GROSS. I would hope that these people would not be back next year for another increase, in view of the fact that this increase in the annual salary is well above $3,000. This bill does not provide for any supergrades in this agency?

Mr. KEATING. No. I would not expect they would be back next year, but, of course, I have no control over that.

Mr. GROSS. I think the legislation is all right. I think these people are entitled to an increase in pay to bring them more nearly in line with the salaries paid other commissioners.

Mr. KEATING. I commend the gentleman on his attitude.

Mr. CELLER. Mr Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, I rise to support this bill that was thoroughly considered by our Committee on the Judiciary. This bill increases the salaries of the members of the Board of Parole from $13,970 to $17,500. This is in keeping with the program of Congress for modernization of Federal salary schedules for Federal Boards and Commissions.

In 1956 Congress passed the Federal Executive Pay Act providing substantial salary increases for some 21 boards and commissions of the Federal Government. The Board of Parole was not included in that act and therefore received no salary increase at that time. This bill will reduce the inequity in the existing salary differential between the Board and comparable Federal agencies.

The jurisdiction of the Board of Parole, consisting of 8 members, extends to the 29 Federal penal institutions throughout the United States. The members spend approximately 35 percent of their time in travel and personally conduct over 11,000 hearings per year on applications for parole. Including short term cases of less than a year, reconsiderations of cases on institutional progress reports as well as conducting review hearings on petitions from attorneys, relatives, and others, the Board makes over 20,000 decisions a year. It has approximately 7,000 parolees and releasees residing in their home communities under its jurisdiction.

This legislation was sponsored by the Department of Justice and has the approval of the Bureau of the Budget.

I hope that this bill will have the unanimous approval of the House.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MILITARY CONSTRUCTION APPROPRIATION BILL, 1959

Mr. ANDREWS. Mr. Speaker, on behalf of the gentleman from California [Mr. SHEPPARD], I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report and statement on the bill H. R. 13489, the Military Construction Appropriation bill for 1959.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

NATIONAL BUREAU OF STANDARDS

Mr. WILLIAMS of Mississippi. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2114) to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for field sites, to undertake construction and improvement of buildings, and for other activities.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to establish the National Bureau of Standards," approved March 3, 1901, as amended, is amended by adding the following sections:

"SEC. 13. To the extent that funds are specifically appropriated therefor, the Secretary of Commerce is authorized to acquire land for such field sites as are necessary for the proper and efficient conduct of the activities authorized herein.

"SEC. 14. Within the limits of funds which are appropriated for the National Bureau of Standards, the Secretary of Commerce is authorized to undertake such construction of buildings and other facilities and to make such improvements to existing buildings, grounds, and other facilities occupied or used by the National Bureau of Standards as are necessary for the proper and efficient conduct of the activities authorized herein: *Provided*, That no improvement shall be made nor shall any building be constructed under this authority at a cost in excess of $40,000 unless specific provision is made therefor in the appropriation concerned.

"SEC. 15. In the performance of the functions of the National Bureau of Standards the Secretary of Commerce is authorized to undertake the following activities: (a) The purchase, repair, and cleaning of uniforms for guards; (b) the repair and alteration of buildings and other plant facilities; (c) the rental of field sites and laboratory, office, and warehouse space; (d) the purchase of reprints from technical journals or other periodicals and the payment of page charges for the publication of research papers and reports in such journals; (e) the furnishing of food and shelter without repayment therefor to employees of the Government at Arctic and Antarctic stations; (f) for the conduct of observations on radio propagation phenomena in the Arctic or Antarctic regions, the appointment of employees at base rates established by the Secretary of Commerce which shall not exceed such maximum rates as may be specified from time to time in the appropriation concerned, and without regard to the civil service and classification laws and titles II and III of the Federal Employees Pay Act of 1945; and (g) the erection on leased property of specialized facilities and working and living quarters when the Secretary of Commerce determines that this will best serve the interests of the Government."

SEC. 2. Such act is further amended in section 11, paragraph (a) by striking out the word "therein" and substituting therefor the word "herein."

SEC. 3. The act entitled "An act to provide authority for certain functions and activities in the Department of Commerce and for other purposes" approved July 21, 1950, is hereby repealed in its entirety.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, S. 2114 would amend the Organic Act of the National Bureau of Standards so as to authorize the National Bureau of Standards to acquire land for field sites to be used in connection with its radio propagation research programs. The Bureau would have to request specific appropriations for such purchases. Another purpose of the bill is to increase from $25,000 to $40,000 the present limitation on the construction of facilities without having to obtain specific appropriation therefor. Other provisions of the bill are: To incorporate the provisions of Public Law 618, 81st Congress into the Organic Act of the National Bureau of Standards; authorize certain construction on leased properties; and to correct a minor error in a recently enacted amendment to the organic act. This legislation does not expand the functions of the National Bureau of Standards. A more detailed statement on this bill is set forth in House report 2635 to accompany S. 2114.

The SPEAKER. Is a second demanded?

If not, the question is, will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BONDS OF UNITED STATES MARSHALS

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1438) to amend section 544 of title 28, United States Code, relating to the bonds of United States marshals.

The Clerk read as follows:

Be it enacted, etc., That subsections (a) and (b) of section 544 of title 28, United States Code, are amended to read as follows:

(a) Every United States marshal, including any marshal appointed to serve during a vacancy, shall be bonded in the sum of $20,000 for the faithful performance of duty by himself and his deputies during his continuance in office and by his deputies after his death until his successor is appointed and qualifies.

(b) The Attorney General may require the United States marshal for the southern district of New York to be bonded in a sum not exceeding $75,000 and any other United States marshal to be bonded in a sum not exceeding $40,000.

The SPEAKER. Is a second demanded?

Mr. KEATING. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this is a very simple bill. It is the result of an executive communication received from the Department of Justice. In a word, it provides for the filing of a single bond by the Government to cover all marshals at a substantial saving of money instead of having a separate bond for each marshal in each district court throughout the Nation. It is as simple as that. Considerable moneys will be saved and it has been recommended that we adopt this amendment to the code by the Department of Justice.

Mr. KEATING. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, it will be refreshing to the Members to know that this is an economy measure.

S. 1438 would eliminate the requirement imposed by section 544 of title 28, United States Code, that bonds of United States marshals be approved by a judge of the district court for which the marshal is appointed, and filed and recorded in the office of the clerk. That section also requires that before he enters the duties of his office a bond be posted for the faithful performance of the marshal's duty.

There is no longer any need for the approval of the marshal's bond by the district judge, since rather than posting personal collateral, corporate surety bonds are now furnished instead. Under present law it is impossible to include marshals' bonds in group purchase plans authorized by the act of August 9, 1955, which provided for blanket bonds covering various Federal officials. Enactment of S. 1438 would make it possible to purchase a single bond to cover all United States marshals. This would result in substantial savings to the Government which now pays the premium on all individual bonds covering these officers.

Mr. Speaker, I urge that this measure, which has the approval and recommendation of the Department of Justice, receive the support of every Member of this body.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL AIR MUSEUM

Mr. JONES of Alabama. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1935) to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Regents of the Smithsonian Institution are hereby authorized and directed to prepare plans, including drawings and specifications for the construction of a suitable building for a National Air Museum (with requisite equipment, approaches, architectural landscape treatment of the grounds, and connections with public utilities and the Federal heating system) for the use of the Smithsonian Institution, to be located on that part of reservation which is bounded by Fourth Street Southwest on the east, Seventh Street Southwest on the west, Independence Avenue on the south, and Jefferson Drive on the north, title to which is in the United States.

SEC. 2. That the exact location of the building on the site shall be approved by the National Capital Planning Commission, and the design shall be approved by the Commission of Fine Arts.

SEC. 3. That the preparation of said drawings and specifications, and all work incidental thereto shall be under the supervision of the administrator of the General Services Administration in accordance with provisions of the Public Buildings Act of May 25, 1926, as amended.

SEC. 4. That there are hereby authorized to be appropriated to the Regents of the Smithsonian Institution such sums as may be necessary to carry out the provisions of this act: *Provided*, That appropriations for this purpose, except such part as may be necessary for the incidental expenses of the Regents of the Smithsonian Institution in connection with this project, shall be transferred to the General Services Administration for the performance of the work.

The SPEAKER. Is a second demanded?

Mr. HYDE. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the purpose of this bill is to authorize and direct the Regents of the Smithsonian Institution to prepare plans and specifications under the supervision of the Administrator of the General Services Administration for the construction of a suitable building and all necessary appurtenances for the use of the Smithsonian Institution as a National Air Museum. This bill, Mr. Speaker, was reported out of the Committee on Public Works unanimously. The bill is in keeping with Public Law 722, approved August 12, 1946, which authorizes the establishment of a National Air Museum within the Smithsonian Institution and which created an advisory board to the Board of Regents and the procurement and display of objects of interest to aviation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. How much is this going to cost?

Mr. JONES of Alabama. There is not going to be any additional cost. This is merely to authorize a plan and study of a building to be specifically constructed for the purpose of displaying articles that have been given to the Smithsonian such as the airplane, the *Spirit of St. Louis*, and other items of great interest to the aviation world and to the public generally.

Mr. GROSS. This is comparable to the cultural center in Foggy Bottom and we will get the bill for that at some later time?

Mr. JONES of Alabama. No, this is going to be at the cost of the Federal Government. The project discussed earlier today is being carried on at the cost of the subscribers or the patrons of that project.

Mr. HYDE. Mr. Speaker, I yield myself 5 minutes.

Mr. HYDE. Mr. Speaker, I appear in opposition to this bill.

I am not opposed to the establishment of an air museum. I do submit however, that an air museum can better be established and set up at a considerable savings in cost to the taxpayers.

I have introduced a bill which provided for the Air Museum to be placed in what is known as the old Pension Office Building here in Washington. Those of us who sponsored the use of that building for the purpose of an air museum submit, as I have suggested, that we can save the Government the sum of $40 million by using an already adequate building for this purpose.

It has the added advantage of preserving one of Washington's most notable buildings, and of completing the renovation of Judiciary Square here in the District of Columbia.

This old Pension Office Building, as many of you perhaps know, was the scene of many of the inaugural balls in years past. It is a building with a great tradition and history here in the Nation's Capital. Some object that it is not a beautiful building; others disagree. It is an adequate building by virtue of the nature of its construction, adequate for an air museum.

Then the proposal to use the Pension Office Building instead of spending some forty-odd million for a new one has the added advantage of preserving the Mall site upon which this Air Museum will be built under the pending proposal. This site is opposite the present Mellon Gallery. My proposal would save this site for uses more in keeping with the character of the Mall.

There are a great many people in the Nation's Capital who are seriously concerned with the building on the Mall opposite the Mellon Art Gallery of the structure for the purpose of an air museum. As a matter of fact, as was pointed out by Mr. David Finley, Chairman of the Fine Arts Commission, the site upon which they propose to put this Air Museum is the last site available for an air museum on the Mall, which many people who are interested in this subject feel is more in keeping with the character of the location than the Air Museum would be.

So, Mr. Speaker, as far as I am concerned, and others in this area for whom I speak, we are not opposing an air museum; we are heartily in accord with the necessity and the wisdom of establishing an adequate air museum. Our opposition simply is based on two grounds: First, we can save money by using the already available and adequate building for that purpose; and those of you who are familiar with the Pension Office Building will know that the inside height of the building is such that it can adequately accommodate the planes they wish to store in an air museum. Second, and probably just as important to those who are concerned with the cultural aspects of the Nation's Capital, it will preserve the Mall site property for purposes more in keeping with the area.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I would like to associate myself with the views of the gentleman from Maryland and ask him, if he has not already stated the figure, whether he give us an estimate of the difference between the cost of converting the Pension Office Building and the cost of the new building.

Mr. HYDE. Those who have talked to me about this project have estimated that by using the Pension Office Building for this purpose instead of erecting a new building on the Mall, the saving would be in excess of $40 million.

Mr. JOHANSEN. If the gentleman will yield further, that is a more substantial saving than was claimed for the bill just passed, I will say to the gentleman.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Have we plans now for another big building on the Mall to take care of the things that we have buried and lost?

Mr. HYDE. I do not know of any present or existing plans for any building on the Mall other than for the purposes here indicated in this museum bill now before us. As I said a moment ago, the chairman of the Fine Arts Commission says this particular site is the last available one for an art museum in that area.

Mr. NICHOLSON. Two or 3 years ago we passed a bill here authorizing a building to take care of all the things that cannot be put on exhibition now.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. JONES of Alabama. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. McGREGOR].

Mr. McGREGOR. Mr. Speaker, I am certainly in accord with the statement made by the gentleman from Alabama, chairman of our subcommittee. We had hearings on this particular bill, and my distinguished friend from Maryland was the only one who appeared in opposition to the legislation. He was not opposed to the principle of the bill but he was opposed to the legislation and the location. I certainly pay my respects to him for taking care of his great State and his district which he represents so well, but some of the rest of us have to look after the balance of the United States.

I call your attention to the fact that there was not a single person appearing in opposition to the location of this particular museum. Dr. Carmichael—I am sure we all have a high regard for him—appeared in behalf of the present location; G. E. Graf, Acting Secretary of the Smithsonian Institution, appeared on behalf of the location; the General Services Administration, by Franklin G. Floete, appeared in behalf of the particular location; David E. Finley, Chairman, Fine Arts Commission, appeared before our committee in behalf of the particular location; James H. Douglas, Department of the Air Force, Office of the Secretary, appeared in behalf of the particular location; Harland Bartholomew, Chairman of the National Capital Planning Commission, appeared on behalf of this particular location.

Now, Mr. Speaker, it would be grand if we could satisfy everyone, but with all the witnesses who appeared before our committee, we had only one objection to the location.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Maryland.

Mr. HYDE. Can the gentleman tell me from the committee records to whom notices were sent of this hearing?

Mr. McGREGOR. I cannot. The gentleman knows that I do not have the committee records before me, but I am certain the gentleman from Maryland received a notice, because he was at the committee meeting.

Mr. HYDE. The gentleman from Maryland happened to be at the committee meeting on another bill and did not know this particular bill was before the committee at the time. It was by luck and happenstance that I was there.

Mr. McGREGOR. I am sure the gentleman from Maryland knows I am a member of the minority side and we do not get notices when the meetings are held. But I do know, and I challenge the gentleman from Maryland to dispute this fact, that he was the only one who appeared in opposition to this location.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. HYDE. Mr. Speaker, I yield the gentleman one additional minute. The fact that only a certain number of people appeared before the committee is no indication that there is no opposition to it if those who are opposed to it do not get notice of the hearing. I do not know what the gentleman is attempting to prove by that statement.

Mr. McGREGOR. I am of the opinion that when the Smithsonian Institution is represented, the General Services Administration is represented, the Commission of Fine Arts is represented, the Department of the Air Force is represented, and the National Capital Planning Commission is represented, and they were all in accord with this location, that that is a rather important fact.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. The gentleman will recall the question was propounded to Dr. Carmichael, secretary of the Board of Regents, whether or not this bill would be suitable for a building for the display of airplanes, and he said it would be totally and completely inadequate.

Mr. McGREGOR. I agree with the gentleman.

Mr. HYDE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. WILSON].

Mr. WILSON of California. Mr. Speaker, I just want to say a word briefly in behalf of this legislation. The United States has a great history in aviation, and I think it is a crying shame that such famous airplanes as the *Spirit of St. Louis* and the early Wright brothers flier are so inadequately displayed down at the Smithsonian. I know that there are dozens of other airplanes with a background of history that are tucked away in garages and hangars around the country. I think the country owes it to the aviation industry to adequately display these relics of our past and as indications of our future in aviation, and I urge a vote on this legislation.

Mr. HYDE. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. LANKFORD].

Mr. LANKFORD. Mr. Speaker, I, like my colleague from Maryland, am completely in accord with the idea behind this legislation. Unfortunately, it is brought up under suspension of the rules and we have no opportunity to amend it.

Mr. Speaker, the only thing in this bill I object to is the site. The gentleman from Ohio [Mr. McGREGOR], has made much of the fact that only one person appeared in opposition to the site. I would like to remind the gentleman that I introduced a bill proposing another site, and I had not the slightest idea that any hearings were ever being held on it. I would also like to point out to the gentleman from Ohio that Mr. Finley, chairman of the Commission on Fine Arts, qualified his endorsement of this bill to a certain extent, saying that there should be further study. And, if the gentleman

from Ohio will read the report put out by the committee, he will find that letter in there.

I am only objecting to the site. My colleague from Maryland has covered the objectionable points quite thoroughly in his objection to the bill, and I shall not go into that. I feel that there are many sites that should be considered and which have not been considered that would be much more apropos for this type of building. I earnestly suggest, inasumoh as it has been authorized for some 10 or 12 years, that there is no great hurry to pass this bill now, but let us give it some more study.

I am strongly in favor of the establishment of an air museum and have introduced legislation calling for the location of the museum at College Park Airport. The College Park Field has often been termed the Cradle of Aviation. Founded in 1908, it was the location of the first military airbase in the world and the first airmail service in the United States originated from there. I am not opposed to S. 1985 purely because College Park was not selected as the site. I was not, however, given an opportunity to testify on behalf of my bill, and it is my understanding that the committee accepted the statement by the Smithsonian Institution that over 20 other sites were considered in detail by the Board of Regents of the Institution. I strongly doubt that any other site was given detailed consideration. From the very beginning, I have heard only one site proposed by the Smithsonian and other interested agencies and that site is the one on the Mall.

The suggestion made by my colleague the gentleman from Maryland [Mr. HYDE] that consideration be given to the utilization of the Pension Building as an air museum is certainly entitled to serious consideration. I have been unable to determine what the estimated costs are for the erection of this museum and I note that S. 1985 contains no ceiling limitation. There is no question that if the Pension Building were suitable, the saving to the taxpayers would run into the millions.

In the near future, many of the activities of the Bolling Air Force Base will be transferred to Andrews. This is still another site that could well lend itself to the erection of a National Air Museum. It is my understanding that if the museum is erected on the Mall that it will be impossible to build a structure adequate in size for the showing of our present aviation collection, not to mention a display of vehicles of space which are making news today and will assuredly be making news tomorrow. Are we here in Congress to be asked to appropriate money for an additional building? There is nothing urgent about the matter today. Not only should the subject of suitable sites be explored more fully but careful consideration should be given to the ultimate cost of the museum and we should attempt to establish a structure that will not only be adequate for today's needs but for the needs of the future.

Mr. JONES of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, my interest in this measure is threefold. In the first place, I am a Regent of the Smithsonian Institution, and it is the Congress that gave the Smithsonian Institution the responsibility for planning the location and erection of an air museum.

Second, I am an early Navy aviator, No. 73. Third, I was Ohio's first director of aeronautics back 29 years ago, and I am interested in the great gift of Ohio's Wright brothers to civilization, the airplane, and to see its history properly preserved and presented. Now, I understand that there has been a suggestion made by people in Maryland that we put this thing out in College Park in Maryland. The Smithsonian Board of Regents, the various commissions and committees involved considered all these various sites before they decided on this site on the Mall. When this suggestion of the Pension Building came up in committee, one member—I shall not give his name, but he was thoroughly familiar with the building and the city—said "I would not wish that building on my worst enemy for a purpose like this." What we want to do, what the Congress wants to do, is to provide a location for this great historic contribution to the culture and the civilization of the world down on the Mall; that is where it is put by this bill; where millions of children can go through it while they are going through the great series of Smithsonian museums and institutions which the Congress has located along the Mall. This building should be erected where the National Planning Commission, after considering all of these other suggestions, wants it to be placed. I hope the bill will be passed.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Who is going to have the responsibility as to the type of building that is to be built? Will it be in conformity with other buildings on the Mall or one of these modern things?

Mr. VORYS. The Smithsonian Institution Board of Regents will, no doubt, make recommendations to the Congress, and they will, no doubt, create a building commission similar to the one that is building the Smithsonian building for which the first shovelful of dirt down on 12th Street and Constitution was dug today. I can assure my colleague that the architecture will conform appropriately with the other buildings on the Mall.

Mr. HYDE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I take this time to direct a question to the gentleman in charge of the bill. First, am I correct in my understanding that if this legislation is passed, it starts the inevitable chain of events that leads to the construction of this building?

Mr. JONES of Alabama. That is the hope of the authors of the bill. If it were not expected to build it, there would be no need for this legislation.

Mr. JOHANSEN. Has there been opportunity given either to the Board of Trade or the Federal City Council to express their sentiments on this proposal as to the site?

Mr. JONES of Alabama. I have not heard any objection nor has there been any communication to the Committee on Public Works in disagreement with the site, except that of the gentleman from Maryland [Mr. HYDE].

Mr. JOHANSEN. May I say to the gentleman that his answer is not completely responsive to my question. Have their views at any time been solicited?

Mr. JONES of Alabama. I may say to the gentleman from Michigan that there was wide notoriety or notice given to the fact that the Committee on Public Works was going to hold hearings and that the bill was scheduled for consideration. I do not know how diligent some Members have been or are in ascertaining whether or not hearings are going to be held on bills before a committee.

Mr. JOHANSEN. Am I correct—and I am not saying this critically—that the answer to my question is that their views on this proposed legislation have not been specifically solicited?

Mr. JONES of Alabama. I would say they have not been specifically solicited. There are a great number of organizations in the District of Columbia, and by their very nature people from those organizations testify before committees on bills in which they are interested. The Board of Regents has proven throughout the years that it could deal satisfactorily with this problem.

Mr. JOHANSEN. Can the gentleman say how soon it is hoped to start construction?

Mr. JONES of Alabama. This bill does not authorize construction. It only authorizes the preparation of plans and specifications for construction. So I could not begin to tell the gentleman when this building would be started.

Mr. VORYS. Mr. Speaker, will the gentleman from Alabama yield to me?

Mr. JONES of Alabama. I yield to the gentleman from Ohio.

Mr. VORYS. If anybody thinks that this is the start of the Air Museum idea he is all wrong. The Air Museum was created by legislation years ago and responsibility for carrying forward the planning was given to the Smithsonian Institution.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING APPROPRIATION FOR PAN AMERICAN GAMES IN CHICAGO, ILL.

Mr. MORGAN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13343), to authorize the appropriation of $500,000 to be spent for the purpose of the Pan American games to be held in Chicago, Ill.

The Clerk read as follows:

Be it enacted, etc., That it is hereby authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, the sum of $500,000 for the Third Pan American games (1959). The said appropriation shall be available for the purpose of promoting and insuring the success of the Pan American games to be held at Chicago, Ill., and shall be expended in the discretion of the organization sponsoring said games, subject to such audit as may be prescribed by the Comptroller General of the United States.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the author of the bill, the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, this is a bill which will promote friendly relations with our neighbors and our friends in Canada, and in South and Central America. These are not the first Pan American games to be held. These will be the third.

The first Pan American games were held in Buenos Aires in 1951. The second games were held in Mexico City in 1955. We participated in each of those events, together with our other neighbors on this hemisphere. There were more than 18,000 athletes who participated in each of those celebrations. It is anticipated that there will be more than 2,000 who will participate in the games to be held in the city of Chicago in August of 1959.

I need not tell this House the necessity of promoting good relations with our neighbors in Central and South America. The recent visit of the Vice President to South America bears eloquent testimony to that need. The more recent visit of the President's brother, Milton Eisenhower, to Central America and his report upon his return that our relations needed bettering among the countries of this hemisphere is ample proof to that effect, again.

Then I read from a newspaper article which appeared in the Chicago Sun-Times of August 11 by the eminent columnist, William S. White, on the Latin-American summit. He says:

> Our relationship with Latin America is no longer merely unsatisfactory. It is now highly dangerous. And at a time when we may be driven back to a dependence on this hemisphere, a situation we have never known before.
>
> Such unpleasant factors as these underlie the hurried arrangements being made for a so-called summit conference of the 21 American presidents.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield.

Mr. BROWN of Ohio. Are these games that are now scheduled at Chicago a postponement of the games that were originally scheduled for Cleveland, Ohio?

Mr. YATES. These are the same games that were originally scheduled for Cleveland, Ohio, and from which the city of Cleveland withdrew 2 years ago.

Mr. BROWN of Ohio. What is the amount involved in this bill?

Mr. YATES. Where the city of Cleveland requested $5 million for the purpose of constructing a permanent installation, the amount requested in this bill is one-tenth of that amount, $500,000, for the purpose of carrying on some of the expenses of the games.

Mr. BROWN of Ohio. The gentleman will recall that the legislation for Cleveland, if my memory serves me correctly, passed the Senate but was defeated in the House and had the opposition of the Ohio delegation in the House because of the feeling on the part of the Ohio delegation that we should not spend $5 million of the money of the American people for the holding of these games; instead, that the financing of these games should be, as all of our other games have been financed, by popular subscription from the people themselves rather than from the taxpayers.

Mr. YATES. I would agree with the gentleman that this is a most desirable objective if it can be attained. We in the United States of course raise the amount of money with which we send our athletes to the Olympic games, by popular subscription. I do not know whether or not that practice is pursued in all the other countries of the world, but I do know that the purpose of the appropriation which is requested in this bill is as follows: Part of it will be used for the purpose of transporting the personnel, such as the athletes, who cannot afford to come here and whose countries cannot afford to raise the money for their transportation. Another part of the appropriation will be used to house and to feed the athletes while they are in Chicago. The countries themselves will raise a part of that money.

Mr. BROWN of Ohio. Does not the gentleman think it would be more effective as far as making friends in South America is concerned if the American people themselves furnish the money by voluntary contributions to meet these expenses than if the money were taken from the Treasury of the United States? I would be perfectly willing to contribute to such a fund, but I hesitate to vote for a bill that would say to my taxpaying public back home, "You have to pay for a thing that should be done by voluntary contribution."

Mr. YATES. I respect the gentleman's opinions and I would join him in making a contribution myself for this purpose because I think this is a highly desirable celebration. There need be no argument to any Member of this House nor to any other American of the value of athletic competition in stimulating friendship and in promoting good will.

This is a going institution at the present time. The city of Chicago, I may say to the gentleman, already has started and is going to raise more than $2 million in furtherance of this objective. Our schools, our stadiums, our baseball parks, our amphitheaters all will be thrown open for the purpose of holding these games.

Mr. BROWN of Ohio. Is the money in Chicago being raised by public subscription or through taxation?

Mr. YATES. I would say both, by both public subscription and by local taxation. The city of Chicago is going to do its utmost to make this an unforgettable event for our visitors from other countries in the hemisphere.

Mr. BROWN of Ohio. It just seems to me, sir, that we do not get much credit in foreign countries for that which we give to them out of our Federal Treasury; or at least I will say we do not get the sort of credit that it seems to me normally should be given when we make these gifts of our own volition in order to help the people of other countries and to show our good will toward them.

Mr. YATES. I may say to the gentleman that the past has proved his statement to be correct. But, I would say further, with respect to athletic competition for athletes who cannot come here because of inability to raise funds, I think the American taxpayers would be willing to contribute a portion of what they have paid in taxes to help to make this occasion a most memorable one. I may say, too, that the authorization in this bill is a first step in this respect. The amount requested will go to the Committee on Appropriations and while this is the outside or the maximum amount which may be the subject of appropriation, it may very well be substantially less. The Committee on Appropriations will go over the amount requested at its meetings next year.

Mr. BROWN of Ohio. Are you fearful that this may establish a precedent which will haunt us in the future?

Mr. YATES. May I say to the gentleman that a precedent has already been established in connection with the Olympic games in California where the Congress voted $4 million, or $3½ million for a permanent installation and $500,000 for the operating expenses of those games.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. GROSS. Mr. Speaker, just to keep the record straight, I opposed the appropriation for the Pan American games that were scheduled to have been held in Cleveland: I opposed the $4 million or $5 million appropriation for the Winter Olympic games in California, and I am opposed to this digging into the Treasury for more money for this purpose. I am convinced that there is a bottom to the Treasury of the United States. We are dealing here as we were in those other instances with the taxpayers' money. There is no money in the Treasury of the United States that does not come from the taxpayers. This is not our money; it is the taxpayers' money that you are playing with and there ought to be an end to this sort of thing. The distinguished gentleman from Illinois [Mr. YATES] talks about

how necessary this is to our relations with the Central American countries and so on and so forth. He mentioned the fact that Mr. Milton Eisenhower had been down to the Central American countries. Sure, he went there and he was accompanied by the checkbooks of every so-called lending agency that we have. I do not know what the bill is going to be for that and I am sure the gentleman does not know either.

Mr. Speaker, it seems to me we have already been very liberal in the matter of handing out money to a lot of these foreign countries, and it is time to call a halt.

This bill will provide half a million dollars for the Pan-American games in Chicago, and it is my understanding that about $300,000 of this amount will be used to pay the transportation and other expenses of bringing these foreign athletes to Chicago and taking care of their upkeep while there. If those governments, those countries cannot pick up the small amount of money to send their athletes to the United States, then I think we can do without them. I know no reason why we should pay their transportation and upkeep. I think we have done enough when we provide the facilities for them to compete when they get here.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. YATES. They will pay part of their transportation. The athletes of many of the countries will probably have their way completely paid. I assume, for example, that the athletes representing the Dominion of Canada in these games will have their way completely paid. But many of the countries that are going to participate in these games are small countries such as Trinidad, the Dutch West Indies, and other small places, who might find it difficult to pay all the expenses of sending their athletes to these Pan-American games. I think it is very important that we extend the hand of friendship at this time and make it possible for all to compete.

Mr. GROSS. The House just passed a bill providing another $4 million for the Rama Road down in Nicaragua, running the total for that purpose up to $16 million.

We are called upon time after time at each session of the Congress to appropriate money for the benefit of foreign countries on the grounds that we must encourage friendly feeling on their part toward us.

Mr. YATES. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. Certainly I yield, if the gentleman can provide a reason for this kind of expenditure.

Mr. YATES. Does not the gentleman agree with me that this is one of the best ways to build good relations with our neighbors to the north and with our neighbors to the south who are closest to us? If we are to have any kind of defense posture in this hemisphere it must be a hemispheric defense, and how better can that be solidified than by such acts of friendship?

Mr. GROSS. Why not a little reciprocity once in a while?

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. JOHANSEN. I wonder if the gentleman would not agree that we had better be concerned with building up some good will toward ourselves, the Members of Congress, on the part of the American taxpayers?

Mr. GROSS. I certainly agree with the gentleman.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to my colleague from Iowa.

Mr. SCHWENGEL. I would like to take this moment to tell this body that I am very much in opposition to this bill, because I think this is a bad precedent. In our country sports have been self-supporting. We do not support any of the national games by Government subsidies, football or baseball. I think the bill rests on a bad base. I oppose the bill.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I would like very much to say just a word about the whole position of the United States relative to the Pan American games. I did know very intimately the whole message of these particular Pan American games, and I was very disappointed that Ohio was unable to take the attitude we all felt she should take in the matter. Now Chicago has taken that attitude and has asked for $500,000 for what to me is one of the very important things that we can do in a small matter. When anyone says this is not for ourselves, it is so much for ourselves that it really is a shame to oppose it.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Speaker, I yield myself 3 additional minutes.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield.

Mrs. BOLTON. I am very anxious that the membership should understand the deep meaning that there is in these games. This provides an opportunity for the youth of the north and the south to come in contact with each other. This is a wonderful way to build friendships. We are going to find that without friends we will be in a very bad way.

There is no better way to do this, and I certainly hope the House will pass the pending bill.

Mr. GROSS. I must respectfully and regretfully disagree with the gentlewoman from Ohio when she minimizes $500,000.

Mrs. BOLTON. I did not minimize it. I think it is the best expenditure we can make.

Mr. GROSS. The gentlewoman referred to it as only $500,000.

Mrs. BOLTON. The gentleman referred to $4 million.

Mr. GROSS. I was not for the four or five million dollars, and I do not minimize a half million dollars. That is still a lot of money out where I come from.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. YATES. Does the gentleman not agree that interchange of peoples in this type of legislation is the best people-to-people diplomacy we can get?

Mr. GROSS. No, I do not agree with that. I just cannot figure out where this sort of thing is going to end. I mentioned yesterday that the United States Treasury is confronted, as of now—today—with the refinancing of approximately $120 billion of securities that will be due or become payable in the next 12 months. Within the next 5 years the United States Treasury will be called upon to refinance all but $58 billion, or approximately that, of the total of $277 billion of national debt presently outstanding, a herculean refinancing job.

The people are not rushing out to buy Government bonds today. Where does the Government propose to sell these bonds and what rate of interest will it have to pay to get the people back into the Government securities market? Yet, you come in here with spending measure after spending measure, totally oblivious of the condition of the United States Treasury. When Secretary Humphrey resigned he made a public statement in which he said he inherited a "mess" and he was leaving a "mess."

Somewhere along the line somebody is going to have to give some evidence of fiscal sanity in this country, and I do not know of any better place to start than now.

Mr. YATES. May I repeat to the gentleman that this $500,000 is merely an authorization. The amount that will be spent will actually be checked by the Committee on Appropriations and justification for the expenditures will have to be made. For all that I know at the present time the budget has not been clearly made up and it may not amount to nearly that sum.

Mr. MORGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I wish to commend the gentlewoman from Ohio [Mrs. BOLTON]. No one in Congress feels more for the peoples of the world than does the gentlewoman from Ohio. She has expressed eloquently, I think, the sentiment of all of us who serve as members of the Committee on Foreign Affairs.

What we are attempting to do or planning to do next year is to bring in all the athletes of Latin America to Chicago, the singers, the writers, the people who have the best brains and the culture. We plan to have in Chicago next summer all of our Latin-American neighbors. This is a service for all the Americas, and I think it will result in bringing closer to us than ever before in the minds and the hearts of the people of Latin America the people of our own United States, and I want to commend the gentlewoman from Ohio [Mrs. BOLTON] for taking the position she does.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I would like to point out to the House that support for this measure was unanimous and completely bipartisan in our Foreign Affairs Committee. I want to say that it is not very often that Chicago comes in and asks for cooperation of this kind, and I sometimes wonder whether the moderateness of this request has not perhaps in itself tended to provoke more discussion than if we had come in and asked for $5 million. We ask for only $500,000 to bring to the great Midwest—the heart of America, the home of happy and great Americans whose roots are to be found all over the world—athletes and other representatives from Latin America in order that we may exchange knowledge of each other and of each other's ways, and to produce the kind of understanding that is envisioned in this bill. This is a very small amount to ask, and Chicago will proudly carry the major load. I would point out to the gentleman from Illinois and the gentleman from Iowa that I also always guard the Federal purse strings tightly, and rightly so.

Mr. O'HARA of Illinois. I thank the gentlewoman from Illinois and wish to remark that under the leadership of TOM O'BRIEN and of Mrs. CHURCH, the Chicago delegation has marched in a true spirit of bipartisanship in dealing with the problems of the Middle West.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Speaker, I wish to associate myself with the remarks made by the distinguished gentleman from Illinois [Mr. O'HARA] and the distinguished gentlewoman from Illinois [Mrs. CHURCH]. This is the best way, in my mind, to develop a good neighborly policy. It is the best way to develop a people-to-people neighborliness that will result in making friends for the United States. Certainly, the trip to South America by the Vice President demonstrated that we need friends in that area. Now, bringing some athletes into the city of Chicago will do more, in my opinion, than trips by very prominent officials of this Government going into South America. By bringing athletes from those countries, who are well known in those countries, to Chicago will, in my opinion, do more than sending prominent officials from the United States to Latin America. This is only $500,000. This is only an authorization. It has to be examined again by the Committee on Appropriations. If it cannot be justified, the Committee on Appropriations can cut it and allow only that money that can be justified.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, this bill authorizes an appropriation of $500,000 to meet a small part of the costs which will be incurred in bringing to Chicago 2,000 young athletes from the countries of this hemisphere to take part in the Pan American games a year from now.

It seems to me that there can be no question but that it will be a great thing for the United States to have 2,000 young men and women from nearly all of the countries to the south of us come to Chicago where they can become better acquainted with us and where we will have an opportunity to get to know them better. Certainly a gathering of this kind will make a worthwhile contribution to our foreign policy.

There are those who say that the United States is not known or understood by the average citizen in Central and South America. I am certain that there are many people in all of the countries of these areas to whom the United States is a land with motives and actions which are difficult to understand. It has been demonstrated many times that athletic ability is exceedingly democratic in its incidence. Certainly no class, race or political party has any preeminence in this field.

Two thousand young athletes of both sexes selected only upon their demonstrated preeminence in competitive sport would assure that a most representative cross section of background and opinion would come here. Certainly, the impressions that they carry back home would be most informative. I am sure all of us believe that if our neighbors could know the truth about us, this would be more effective than any propaganda which could be devised.

I believe that for the modest expenditure which this resolution authorizes the benefits will be very great. I hope that the resolution will be passed by an overwhelming majority.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, a couple of days ago we were expressing our disappointment over the failures, in some respects, of our information program around the world. It is equally appropriate at this time to speak of our successes. There is nothing that America can do more to make friends and influence people around the world, nothing that will bring more good returns, than to demonstrate in our own land the codes of good sportsmanship. Effective democratic government depends most not on the ability to win; it depends most on the ability to try one's level best to win, and then if one loses, to accept defeat without bitterness against the person who beats you, and to cooperate in the decision of the majority, working together for the good of the country—until the next contest, the next race.

A major reason why some peoples have failed at democracy is because they have not learned how to lose and still play ball. When someone loses, he feels he has to organize a coup or another party or a splinter group. Nothing America can do more to win people to the real fundamentals of democracy than to show the kind of good sportsmanship that participation in these games in Chicago will demonstrate. We ought to approve this resolution.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. BYRNE].

Mr. BYRNE of Illinois. Mr. Speaker, as one who was born, raised, and educated in the city of Chicago, I would like to associate myself with the gentleman from Illinois [Mr. YATES] and the gentlewoman from Illinois [Mrs. CHURCH] in the remarks they have made.

Also, I have confidence in my native city, in her ability to raise funds and to act as host to any big sporting event.

In conclusion, Mr. Speaker, may I say that we do a great job in all sports. Chicago is the only city in the United States of America with two major league ball clubs.

The SPEAKER. The question is, will the House suspend the rules and pass the bill?

The question was taken; and the Speaker announced that in his opinion two-thirds had voted in favor thereof.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 244, nays 64, not voting 122, as follows:

[Roll No. 192]

YEAS—244

Abbitt	Christopher	Harrison, Va.
Abernethy	Church	Harvey
Adair	Clark	Haskell
Addonizio	Coad	Hays, Ohio
Albert	Cooley	Hoeven
Allen, Calif.	Corbett	Holifield
Allen, Ill.	Cramer	Holland
Andersen, H. Carl	Cretella	Holmes
	Cunningham, Iowa	Holt
Anderson, Mont.	Curtin	Horan
Andrews	Dague	Huddleston
Arends	Dawson, Ill.	Hull
Aspinall	Dawson, Utah	Hyde
Ayres	Delaney	Jarman
Bailey	Dent	Jennings
Baker	Denton	Jones, Ala.
Baldwin	Devereux	Judd
Barrett	Dingell	Karsten
Bass, Tenn.	Dixon	Kearns
Bates	Donohue	Keating
Beckworth	Dooley	Kee
Bennett, Fla.	Dorn, N. Y.	Kelley, N. Y.
Bennett, Mich.	Dorn, S. C.	Kilday
Blatnik	Dwyer	Kilgore
Boggs	Eberharter	King
Boland	Edmondson	Kirwan
Bolling	Elliott	Kitchin
Bolton	Everett	Kluczynski
Bonner	Evins	Lafore
Bosch	Fallon	Lane
Boyle	Fascell	Lankford
Breeding	Feighan	Lesinski
Brooks, Tex.	Fenton	Libonati
Broomfield	Fino	Loser
Brown, Ga.	Flood	McCarthy
Brown, Mo.	Fogarty	McDonough
Broyhill	Forand	McFall
Burleson	Forrester	McGovern
Bush	Frazier	McMillan
Byrd	Fulton	Machrowicz
Byrne, Ill.	Garmatz	Mack, Ill.
Byrne, Pa.	Gary	Mack, Wash.
Canfield	Gathings	Madden
Cannon	Gavin	Magnuson
Carnahan	Granahan	Mahon
Carrigg	Gray	Mailliard
Celler	Green, Oreg.	Marshall
Chamberlain	Green, Pa.	Martin
Chelf	Gubser	Matthews
Chenoweth	Hagen	May
Chiperfield	Harris	Meader
		Merrow

Metcalf	Price	Staggers
Miller, Md.	Quie	Steed
Mills	Rabaut	Sullivan
Montoya	Rains	Talle
Morano	Reece, Tenn.	Teague, Calif.
Morgan	Reuss	Teller
Morris	Rhodes, Ariz.	Tewes
Moss	Rhodes, Pa.	Thomas
Multer	Riley	Thompson, N. J.
Murray	Roberts	Thompson, Tex.
Natcher	Robsion, Ky.	Thornberry
Nicholson	Rodino	Trimble
Nimtz	Rogers, Colo.	Tuck
Nix	Rogers, Fla.	Udall
Norblad	Rogers, Mass.	Ullman
Norrell	Rogers, Tex.	Vinson
O'Brien, Ill.	Rooney	Vorys
O'Brien, N. Y.	Rutherford	Walter
O'Hara, Ill.	Sadlak	Whitener
O'Hara, Minn.	Saund	Wier
Ostertag	Saylor	Wigglesworth
Passman	Scudder	Williams, Miss.
Patman	Seely-Brown	Wilson, Calif.
Patterson	Selden	Withrow
Pelly	Shuford	Wolverton
Perkins	Sieminski	Wright
Pfost	Simpson, Ill.	Yates
Philbin	Sisk	Younger
Poff	Smith, Miss.	Zablocki
Polk	Smith, Va.	
Porter	Springer	

NAYS—64

Alexander	Harden	Richlman
Alger	Hemphill	Robison, N. Y.
Ashmore	Hesselton	St. George
Betts	Hiestand	Schenck
Bow	Jackson	Schwengel
Bray	Johansen	Scott, N. C.
Brown, Ohio	Jonas	Scrivner
Budge	Knox	Siler
Byrnes, Wis.	Krueger	Smith, Calif.
Cederberg	Laird	Smith, Kans.
Curtis, Mass.	Lipscomhe	Stauffer
Curtis, Mo.	McGregor	Taber
Davis, Ga.	McIntosh	Thomson, Wyo.
Dennison	Miller, Nebr.	Tollefson
Dowdy	Minshall	Utt
Flynt	Moore	Van Pelt
Ford	O'Konski	Weaver
Fountain	Pillion	Westland
Grant	Ponge	Wharton
Griffin	Ray	Wilson, Ind.
Gross	Reed	
Haley	Rees, Kans.	

NOT VOTING—122

Anfuso	Gordon	Miller, N. Y.
Ashley	Gregory	Mitchell
Auchincloss	Griffiths	Morrison
Avery	Gwinn	Moulder
Barden	Hale	Mumma
Baring	Halleck	Neal
Bass, N. H.	Hardy	O'Neill
Baumhart	Harrison, Nebr.	Osmers
Beamer	Hays, Ark.	Pilcher
Becker	Healey	Powell
Belcher	Hébert	Preston
Bentley	Henderson	Prouty
Berry	Herlong	Radwan
Blitch	Hess	Rivers
Boykin	Hill	Robeson, Va.
Brooks, La.	Hillings	Roosevelt
Brownson	Hoffman	Santangelo
Buckley	Holtzman	Scherer
Burdick	Hosmer	Scott, Pa.
Clevenger	Ikard	Sheehan
Coffin	James	Shelley
Collier	Jenkins	Sheppard
Colmer	Jensen	Sikes
Coudert	Johnson	Simpson, Pa.
Cunningham, Nebr.	Jones, Mo.	Spence
Davis, Tenn.	Kean	Taylor
Delray	Kearney	Teague, Tex.
Derounian	Keogh	Thompson, La.
Dies	Kilburn	Vanik
Diggs	Knutson	Van Zandt
Dollinger	Landrum	Vursell
Doyle	Latham	Wainwright
Durham	LeCompte	Watts
Engle	Lennon	Whitten
Farbstein	McCormack	Widnall
Fisher	McCulloch	Williams, N. Y.
Frelinghuysen	McIntire	Willis
Friedel	Macdonald	Winstead
George	Mason	Young
Glenn	Michel	Zelenko
	Miller, Calif.	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Glenn.

Mr. Thompson of Louisiana with Mr. Baumhart.

Mr. Morrison with Mr. Frelinghuysen.

Mr. Brooks of Louisiana with Mr. Clevenger.

Mr. Keogh with Mr. Henderson.

Mr. Anfuso with Mr. Taylor.

Mr. Holtzman with Mr. Van Zandt.

Mr. Buckley with Mr. Hoffman.

Mr. Dollinger with Mr. Auchincloss.

Mr. Healey with Mr. Kean.

Mr. Farbstein with Mr. Beamer.

Mr. Santangelo with Mr. Collier.

Mr. Zelenko with Mr. Derounian.

Mr. Friedel with Mr. George.

Mrs. Blitch with Mr. Hess.

Mr. Landrum with Mr. Sheehan.

Mr. Pilcher with Mr. Scherer.

Mr. Preston with Mr. Scott of Pennsylvania.

Mr. Roosevelt with Mr. Cunningham of Nebraska.

Mr. Engle with Mr. Brownson.

Mr. Doyle with Mr. Avery.

Mr. Shelley with Mr. Bentley.

Mr. Sheppard with Mr. Kilburn.

Mr. Vanik with Mr. Bass of New Hampshire.

Mr. Coffin with Mr. Osmers.

Mr. Colmer with Mr. McIntire.

Mr. Winstead with Mr. Coudert.

Mr. Baring with Mr. Harrison of Nebraska.

Mr. Sikes with Mr. Hillings.

Mr. Ashley with Mr. Hosmer.

Mr. Herlong with Mr. Widnall.

Mr. Rivers with Mr. Latham.

Mr. Boykin with Mr. Mason.

Mr. Robeson of Virginia with Mr. Prouty.

Mr. Hardy with Mr. James.

Mrs. Griffiths with Mr. Miller of New York.

Mr. Miller of California with Mr. McCulloch.

Mr. O'Neill with Mr. Wainwright.

Mr. Macdonald with Mr. Belcher.

Mr. Moulder with Mr. Williams of New York.

Mr. Hays of Arkansas with Mr. Simpson of Pennsylvania.

Mr. Whitten with Mr. Neal.

Mr. Johnson of Wisconsin with Mr. Munima.

Mrs. Knutson with Mr. LeCompte.

Mr. Young with Mr. Radwan.

Mr. Teague of Texas with Mr. Hill.

Mr. Diggs with Mr. Kearney.

Mr. Dies with Mr. James.

Mr. Gordon with Mr. Halleck.

Mr. Durham with Mr. Gwinn.

Mr. Gregory with Mr. Hale.

Mr. Watts with Mr. Jenkins.

Mr. Willis with Mr. Vursell.

Mr. Lennon with Mr. Burdick.

Mr. Delray with Mr. Michel.

Mr. Mitchell with Mr. Jensen.

Mr. McMILLAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

AMENDING FISH AND WILDLIFE ACT OF 1956 TO INCREASE AUTHORIZATION FOR FISHERIES LOAN FUND

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3295) to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act.

The Clerk read as follows:

Be it enacted, etc., That subsection (c) of section 4 of the Fish and Wildlife Act of 1956 (70 Stat. 1121) is amended by striking out "$10,000,000" and inserting in lieu thereof "$20,000,000."

The SPEAKER. Is a second demanded? If not, the question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed at this point in the RECORD; and also that such other Members as may be interested in the bill may have the privilege of extending their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, the purpose of the bill is to authorize an increase in the present fisheries loan fund from $10 million to $20 million. The present fund was authorized in 1957 as a source of loans for fishermen who could not otherwise obtain them. To date it has made over $6 million in loans and has pending applications for an additional $6,600,000. At the present rate of processing of loans it is anticipated that the present fund will be exhausted by the beginning of October.

Experience to date has been favorable, with $377,000 in default, of which it is expected that $250,000 will be collected shortly. It is believed that in order to maintain a revolving fund the full amount of $20 million will be required and that the fund will then be on a self-sustaining basis. The use of this money has enabled a number of fishermen to remain in business who would have otherwise been forced out, and the poor credit rating of the industry makes imperative a source of money other than commercial credit. Experience to date indicates that with the fund increased pursuant to this bill, possible losses will be more than offset by interest accretions and that the original fund can be kept intact.

Mr. BATES. Mr. Speaker, I rise in support of this bill which has already passed the Senate and which is endorsed by the Bureau of Commercial Fisheries.

The experience under this program has been excellent. The interest accruing to the funds from outstanding loans is considerably in excess of defaults. Within the next 30 days the loans to be processed will exceed the obligational authority.

On many occasions I have brought to the attention of the House and the Merchant Marine and Fisheries Committee the unfortunate plight of this distressed industry. It is my intention during the early days of the next session to introduce legislation which will tend to offset the effects of present legislation which is detrimental to the fishing industry of the United States.

I am grateful for the action which the committee has taken on this measure. In line with the suggestion of the President that root solutions be provided for the ground fish industry, I trust that speedy and effective action will be taken by the committee on the new bill in January.

Mr. LANE. Mr. Speaker, first I wish to congratulate the Committee on Merchant Marine and Fisheries for reporting this bill to the House so that we may have an opportunity to vote on this important bill that seeks to increase the authorization for the fisheries loan fund. As stated by the chairman of the committee, Mr. BONNER, this bill will increase the loan fund from that amount set in 1957, which was $10 million, to $20 million, since it is anticipated that the fund will be exhausted in October of this year. From the experience in this program so far there is a great deal of interest on the part of the fishermen for these loans, due to the fact that new capital is mandatory and for the reason that these borrowers have encountered difficulty obtaining financial assistance through commercial channels. Mr. Speaker, this is not a grant, it is no giveaway, it is merely an authorization to increase the loan fund that will be lent to those fishermen that may qualify under the rules and regulations. This industry needs our help, these men who risk their lives on these fishing boats in our coastal waters are sincere, conscientious, industrious, and hard-working people.

They merely ask for a loan to tide them over the rough and slow periods of business. The money will be repaid, no doubt, with interest, and your Government will lose nothing. In my opinion the establishment of the Fisheries Loan Fund was one of the finest pieces of legislation passed by the Congress, because it reaches out a helping hand to fishermen in this industry that have been hurt severely due for the most part to our reciprocal trade program. I, too, wish to join with my colleagues that are supporting this measure with the hope that this bill will have the unanimous support of the House today.

ATOMIC ICEBREAKER: PRESIDENTIAL VETO OF H. R. 9196

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, on August 12, 1958, the President vetoed H. R. 9196, to authorize the construction of a nuclear-powered icebreaking vessel for operation by the United States Coast Guard, and for other purposes.

Immediately after the objections of the President were spread at large upon the Journal, a motion was made and agreed to that the bill and the message be referred to the Committee on Merchant Marine and Fisheries and ordered to be printed.

This legislation was the subject of the fullest and most careful consideration by the committee during extensive hearings held earlier this year.

The Defense Department initially submitted a written report recommending against enactment. Upon analysis, the testimony of the Department of Defense witnesses refuted the original negative report, particularly when the committee agreed that it was not intended that this project interfere with or impede naval projects having higher priority. Moreover, while the Commandant of the Coast Guard testified that existing specific missions of the Coast Guard do not show a current need for additional icebreakers, he believed that the testimony before the committee disclosed an overall present national need for an atomic icebreaker.

In my opinion, the hearings conclusively established the desirability of this authorizing legislation and that the need for such a vessel transcends the individual requirements of the Navy and the Coast Guard and their specific missions as presently prescribed. The existence of such a ship, specially designed and fitted out as a laboratory, would enable this country to overcome its present great disadvantage in regard to the strategic and commercial potentialities of the Arctic and Antarctic. Failure to recognize the importance of matching Russian capabilities in the scientific fields in the polar seas is myopic to say the least.

Moreover, the hearings also strongly indicated that the use of atomic icebreakers in support of governmental polar projects, particularly in the Antarctic, would result in net savings—not additional costs—because of their greater efficiency and flexibility under the special conditions in those areas. Even if it were true that such a vessel were not needed at this time, no one who has any knowledge of the subject can deny that such a project must be undertaken and need will exist, if not now, then certainly in the very near future. This is a project that will take a minimum of 3 years from the time the initial appropriation is approved. Delay now will mean greater eventual cost in money, and no one knows how much more in precious time.

The veto message states that "placing the construction of an icebreaker arbitrarily ahead of high priority projects in the Coast Guard program would be most unwise." There is nothing in the bill, nor was there any intent expressed in the hearings or in the report, that this matter be placed ahead of any projects, in the Coast Guard or elsewhere, having higher priority. Unfortunately, there are no high priority projects in the Coast Guard program. But in my opinion, based upon years of intimate knowledge of Coast Guard affairs, its problems and its needs, this project is the highest priority of many important projects which should be in the Coast Guard's program. This important agency has been suffering continuing neglect in recent years and is failing to keep abreast of current developments due in large part to inadequate or obsolescent equipment handed down from the other services.

The construction of other types of nuclear powered vessels, particularly submarines, certainly generates a requirement for a nuclear powered icebreaker. The operation of submarines under the Arctic ice, as exemplified by the recent magnificent feats of the *Nautilus* and the *Skate*, has proven successful to a degree that future use of this avenue of traffic will require fully capable surface support in war or peace. None of our aging existing fleet of icebreakers has the required degree of capability.

I think it is well at this point to call to mind the cost in money and lives resulting in World War II from our failure to heed the warning and advice of those who with foresight and knowledge urged such projects as the fortification of Guam and the charting of the Aleutians. Their opponents felt that the areas were too remote and the projects too expensive.

For these and other reasons fully set out in our report to the House, I am deeply disappointed that this authorization measure should have been vetoed with apparent disregard of the hearings and the committee report. While I might not quarrel with an Executive decision to withhold a request for funds because of fiscal stress, I strongly take exception to the action taken in this veto and the accompanying message as applied to this carefully considered authorization measure, which was overwhelmingly approved by both Houses.

In the stress and pressure of these closing days of Congress, the committee chose not to attempt to override the President's veto even though I believe that the great majority of the committee was as disappointed as I.

There follow the principal findings and conclusions upon which the committee urged the enactment of this legislation.

First. Since World War II the United States has increasing interests and commitments in both the Arctic and Antarctic regions of a military, commercial, and scientific nature. For example, the vast distant early warning system was built and supplied in large part through the employment of surface vessels with icebreaker escort. The new multimillion dollar ballistic missiles early warning system must be built and supplied in the same way. Large mineral deposits have been discovered and are being exploited in Labrador and other areas. Oceanographic and environmental studies of the frozen seas are being conducted in the Antarctic as well as the Arctic.

Second. Existing law requires the Coast Guard to develop, establish, maintain, and operate, with due regard to the requirements of national defense, aids to maritime navigation, icebreaking facilities, and rescue facilities for the promotion of safety on and over the high seas and waters subject to the jurisdiction of the United States. Modern icebreakers are needed to carry out the Coast Guard's responsibilities in the Great Lakes and many port areas of the country, and to maintain itself in a state of readiness to function as a specialized service in the Navy in time of war.

Third. The Department of Defense advised that since 1954 there have been insufficient United States icebreakers to

carry out all tasks desired. No reduction in the need for icebreakers is foreseen. There is no substitute for the performance of the functions of an icebreaker.

Fourth. Of the 9 specially designed icebreaking vessels in the United States operated by the Navy and the Coast Guard, only 1 is of postwar design, built with bipolar characteristics, that is, with capability of operating in both the Antarctic and Arctic areas. The other 8 were designed prior to World War II, and their average age is about 14 years. They are, thus, not only inadequate in number, but obsolescent in design and condition.

Fifth. Despite our need for additional icebreakers and the obsolescence of our existing vessels, it will take at least 3 years, and probably more, from the time appropriations are made available to the time a new prototype can be constructed and delivered.

Sixth. The limited endurance of conventionally powered icebreakers greatly reduces their efficiency and effectiveness for prolonged operations in the polar areas. This defect can be overcome with a modern icebreaker powered by atomic energy.

Seventh. The design of an atomic-powered icebreaker will give it not only practically unlimited cruising range and endurance, but enable it to be used to carry cargo, such as fuel, to supply, without the aid of other vessels, land or ice bases otherwise difficult to reach.

Eighth. Such a ship, fitted out as a laboratory, could serve as a base of operations for extended scientific studies, especially of an oceanographic and environmental nature. Testimony and recent reports disclose that the United States is far behind in scientific research and development in the Arctic and Antarctic.

Ninth. The advanced state of Arctic research and scientific knowledge by the Russians and the fact that they have an atomic icebreaker nearly ready to go into operation in the Arctic cannot be minimized. As one expert testified:

> We now realize in our thinking that the U. S. S. R. does not lie either to the east or to the west of North America. It lies to the north of North America.

Tenth. In view of the trend toward the application of atomic power to merchant ships and the responsibilities of the Coast Guard relative to design and construction standards of merchant ships, it is important that the Coast Guard gain practical working knowledge of atomic propulsion as quickly and as thoroughly as possible.

Eleventh. Recent developments indicate expanded commercial shipping operations in the Arctic in the near future, with consequent need for effective and adequate icebreaker support. An atomic-powered icebreaker would be capable of greatly lengthening the navigation season and assuring greater efficiency and safety of such commercial operations.

Twelfth. Depending upon the exact characteristics to be built into the proposed vessel, it is estimated that a fully modern, atomic-powered, icebreaker with multipurpose capability and having bipolar characteristics would cost between $40 and $60 million. The great advantages of the application of atomic energy to an icebreaker offsets the cost differential over a conventionally powered vessel more than in any other type of noncombatant vessel in the present state of development of this source of power. In fact, when all factors are taken into account the support of operations such as those required in the Antarctic by an atomic icebreaker would result in net savings against support by conventionally powered vessels.

Thirteenth. The Atomic Energy Commission recommended favorable consideration of the bill because of (a) the greater endurance and efficiency of an atomic-powered icebreaker, (b) the material contribution such a project would make to the advancement of reactor technology and (c) the fact that the utilization of a nuclear-power plant would afford an excellent opportunity to demonstrate a peaceful use of atomic energy in a practical application.

Fourteenth. According to the Atomic Energy Commission, neither the provisions of the bill as reported, nor the carrying out of the project, will impair or interfere with other high priority atomic programs.

Fifteenth. In view of the multipurpose uses which can be made of the proposed vessel for noncombatant operation and the historic mission of the Coast Guard in peace and war, that agency is the appropriate one to operate the vessel.

Sixteenth. The Navy and the Coast Guard work together very closely, and the vessel would be readily available to the Navy for high priority tasks requiring its use.

Seventeenth. The testimony fully supported the need for the earilest possible construction of the icebreaker which would be authorized by this bill.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY submitted the following conference report and statement on the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954:

CONFERENCE REPORT (H. REPT. No. 2694)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954, with a recommendation that it do pass, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That section 101 of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, 83rd Cong.), is amended by striking out the semicolon at the end of paragraph (a) thereof and adding 'or normal patterns of commercial trade with friendly countries;'.

"SEC. 2. Section 103 (b) of such Act is amended to read as follows:

"'(b) Agreements shall not be entered into under this title during the period beginning July 1, 1958, and ending December 31, 1959, which will call for appropriations to reimburse the Commodity Credit Corporation, pursuant to subsection (a) of this section, in amounts in excess of $2,250,000,000, plus any amount by which agreements entered into in prior fiscal years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior fiscal years by this Act as in effect during such fiscal years.'

"SEC. 3. (a) Section 104 of such Act is amended by inserting before the period at the end of the first sentence of paragraph (h) thereof the following: 'and for the financing in such amounts as may be specified from time to time in appropriation acts of programs for the interchange of persons under title II of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1446)'.

"(b) Section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is further amended by substituting a semicolon for the period at the end of paragraph (k) and adding the following new paragraphs:

"'(l) For the acquisition by purchase, lease, rental or otherwise, of sites and buildings and grounds abroad, for United States Government use including offices, residence quarters, community and other facilities, and for construction, repair, alteration and furnishing of such buildings and facilities: *Provided*, That foreign currencies shall be available for the purposes of this subsection (in addition to funds otherwise made available for such purposes) in such amounts as may be specified from time to time in appropriation acts;

"'(m) For financing in such amounts as may be specified from time to time in appropriation acts (A) trade fair participation and related activities authorized by section 3 of the International Cultural Exchange and Trade Fair Participation Act of 1956 (22 U. S. C. 1992), and (B) agricultural and horticultural fair participation and related activities;

"'(n) For financing under the direction of the Librarian of Congress, in consultation with the National Science Foundation and other interested agencies, in such amounts as may be specified from time to time in appropriation acts, (1) programs outside the United States for the analysis and evaluation of foreign books, periodicals, and other materials to determine whether they would provide information of technical or scientific significance in the United States and whether such books, periodicals, and other materials are of cultural or educational significance; (2) the registry, indexing, binding, reproduction, cataloging, abstracting, translating, and dissemination of books, periodicals, and related materials determined to have such significance; and (3) the acquisition of such books, periodicals, and other materials and the deposit thereof in libraries and research centers in the United States specializing in the areas to which they relate;

"'(o) For providing assistance, in such amounts as may be specified from time to time in appropriation acts, by grant or otherwise, in the expansion or operation in foreign countries of established schools, colleges, or universities founded or sponsored by citizens of the United States, for the purpose of enabling such educational institutions to carry on programs of vocational, professional, scientific, technological, or general education; and in the supporting of workshops in American studies or American educational techniques, and supporting chairs in American studies:'."

"SEC. 4. Section 109 of such Act is amended by striking out 'June 30, 1958' and inserting in lieu thereof 'December 31, 1959.'

"SEC. 5. Section 204 of such Act is amended by striking out 'June 30, 1958' and inserting in lieu thereof 'December 31, 1959.'

"SEC. 6. Section 303 of the Agricultural Trade Development and Assistance Act of 1954 is amended to read as follows:

"'SEC. 303. The Secretary shall, whenever he determines that such action is in the best interest of the United States, and to the maximum extent practicable, barter or exchange agricultural commodities owned by the Commodity Credit Corporation for (a) such strategic or other materials of which the United States does not domestically produce its requirements and which entail less risk of loss through deterioration or substantially less storage charges as the President may designate, or (b) materials, goods, or equipment required in connection with foreign economic and military aid and assistance programs, or (c) materials or equipment required in substantial quantities for offshore construction programs. He is hereby directed to use every practicable means, in cooperation with other Government agencies, to arrange and make, through private channels, such barters or exchanges or to utilize the authority conferred on him by section 4 (h) of the Commodity Credit Corporation Charter Act, as amended, to make such barters or exchanges. In carrying out barters or exchanges authorized by this section, no restrictions shall be placed on the countries of the Free World into which surplus agricultural commodities may be sold, except to the extent that the Secretary shall find necessary in order to take reasonable precautions to safeguard usual marketings of the United States and to assure that barters or exchanges under this act will not unduly disrupt world prices of agricultural commodities or replace cash sales for dollars. The Secretary may permit the domestic processing of raw materials of foreign origin. The Secretary shall endeavor to cooperate with other exporting countries in preserving normal patterns of commercial trade with respect to commodities covered by formal multilateral international marketing agreements to which the United States is a party. Agencies of the United States Government procuring such materials, goods, or equipment are hereby directed to cooperate with the Secretary in the disposal of surplus agricultural commodities by means of barter or exchange. The Secretary is also directed to assist, through such means as are available to him, farmers' cooperatives in effecting exchange of agricultural commodities in their possession for strategic materials.'

"SEC. 7. Section 206 (a) of the Agricultural Act of 1956 is amended by inserting before the period at the end thereof a semicolon and the following: 'but no strategic or critical material shall be acquired by the Commodity Credit Corporation as a result of such barter or exchange except for such national stockpile, for such supplemental stockpile, for foreign economic or military aid or assistance programs, or for offshore construction programs'.

"SEC. 8. In carrying out the provisions of the Agricultural Trade Development and Assistance Act of 1954, as amended, extra long staple cotton shall be made available for sale pursuant to the provisions of title I of the Act in the same manner as upland cotton or any other surplus agricultural commodity is made available, and products manufactured from upland or long staple cotton shall be made available for sale pursuant to the provisions of title I of the Act as long as cotton is in surplus supply, and no discriminatory or other conditions shall be imposed which will prevent or tend to interfere with their sale or availability for sale under the Act: *Provided*, That that portion of the sales price of such products which is financed as a sale for foreign currency under title I of the Act shall be limited to the estimated portion of the sales price of such products attributable to the raw cotton content of such products.

"SEC. 9. Notwithstanding any other provision of law (1) those areas under the jurisdiction or administration of the United States are authorized to receive from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus commodities as may be available pursuant to clause (2) of Section 32 of the Act of August 24, 1935, as amended (7 U. S. C. 612c), and Section 416 of the Agricultural Act of 1949, as amended (7 U. S. C. 1431); and (2) the Commodity Credit Corporation is authorized to purchase products of oil seeds, and edible oils and fats and the products thereof in such form as may be needed for donation abroad as provided in the following sentence. Any such commodities or products if purchased shall be donated to nonprofit voluntary agencies registered with the Department of State, other appropriate agencies of the Federal Government or international organizations for use in the assistance of needy persons outside the United States. Commodity Credit Corporation may incur such additional costs with respect to such oil as it is authorized to incur with respect to food commodities disposed of under Section 416 of the Agricultural Act of 1949."

And the House agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
VICTOR L. ANFUSO,
WILLIAM S. HILL,
CHARLES B. HOEVEN,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
JAMES O. EASTLAND,
HUBERT H. HUMPHREY,
GEORGE D. AIKEN,
MILTON R. YOUNG,
EDWARD J. THYE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference of the two Houses on the amendment of the House to the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The House amendment struck out all after the enacting clause of the Senate bill and substituted language which was basically title I of H. R. 12954 as reported by the committee. The House amendment was much more comprehensive than the Senate bill and contained numerous provisions, including several authorizing additional uses of foreign currencies and a provision with respect to augmented barter, which were not included in the Senate bill.

In general, the substitute amendment agreed on by the conferees follows the provisions of the House amendment. Except for minor and clarifying amendments, the differences between the House amendment and the substitute agreed upon by the conferees are as follows:

PERIOD OF EXTENSION

The Senate bill extended titles I and II of the act for 2 years. The House bill extended these titles for 1 year. The conference amendment reported herewith extends titles I and II of the act for 1½ years, until December 31, 1959. Both House and Senate bills provided for operations under title I at the rate of not more than $1.5 billion per year, and this rate of operation is retained in the conference report.

STRATEGIC AND CRITICAL MATERIALS

Section 5 of the Senate bill (sec. 7 of the conference report) was not in the House bill. It prohibits the acquisition of strategic or critical material by barter or exchange except for the national stockpile, the supplemental stockpile, for foreign economic or military aid or assistance programs, or for offshore construction programs.

LONG-STAPLE COTTON AND COTTON PRODUCTS

Section 6 of the Senate bill (sec. 8 of the conference report) was not in the House amendment. As agreed to by the conferees, it provides that extra-long-staple cotton shall be made available for sale under title I of the act in the same manner as upland cotton or any other surplus agricultural commodity and that products manufactured from upland or long-staple cotton shall be made available for sale under title I but that only that portion of the sales price of such products which is attributable to the raw cotton content of the product shall be eligible for financing under title I as a sale for foreign currency.

ADDITIONAL USES OF FOREIGN CURRENCY

Sections 3, 4, 5, and 8 of the House amendment, providing additional uses of foreign currencies accruing from sales under title I, have been retained without substantive change as section 3 of the conference substitute. The provision authorizing use of foreign currencies for trade fair participation has been slightly amended to make clear that the authorization covers also agricultural and horticultural fair participation and related activities. These provisions retain the language requiring appropriation of foreign currencies for these additional uses, which appeared in the House amendment.

RELIEF PROGRAMS

Section 6 of the House amendment, authorizing the President to extend relief and related programs to any area under the jurisdiction or administration of the United States, such as the Pacific Trust Islands or the Ryukyus, has been amended by the adoption of alternative language suggested by the Department of Agriculture. It is the understanding of the committee that title I now applies to these areas. The substance of the provision remains the same. This section, appearing as section 9 in the conference report, also includes a provision authorizing the Commodity Credit Corporation to purchase products of oilseeds and edible oils and fats and the products thereof and to donate such commodities abroad.

MALARIA ERADICATION, PUBLIC HEALTH, AND RELATED USES

Section 7 of the House amendment has been eliminated from the conference report for technical reasons and because the committee on conference understands that the authority for use of foreign currencies which was spelled out in that amendment already exists. The committee of conference was in complete agreement, however, on the objectives of this section and emphasizes its view that more liberal use should be made of the authority now existing in section 104 of the act for financing nonself-liquidating projects for the development of human resources and skills. Experience has demonstrated that many such constructive projects, for example, in education, malaria eradication, and public health, are not suitable for financing on a loan basis. We are convinced that there are frequently cases of this sort where use of foreign currency sales proceeds on a grant basis can serve a higher priority development need than would be possible through their use on a loan basis. The conference committee deemed the application

of section 1415 of the Supplemental Appropriation Act, 1953, to grants in such instances to be inappropriate and urges the President to make more liberal use of his authorities under this act than has been the case in the past.

BARTER

The committee of conference, in including in the conference report a provision with respect to barter, has reiterated and strengthened the directive of Congress to the Secretary of Agriculture to carry on a meaningful and substantial barter program. There was no provision with respect to barter in the Senate bill. The Department of Agriculture vigorously opposed the inclusion of any provision relating to barter either in the House amendment or in the conference report. The fact that such a provision is included in the conference report, therefore, is a clear indication of the dissatisfaction of the House and of the conference committee with the manner in which the Secretary has executed his responsibilities to conduct a barter program during the past 15 months. In effect, the Congress has felt it necessary to tell the Secretary to carry on a program which is already the law.

The language of the conference report (sec. 6 of the report) amends section 303 of Public Law 480 and reiterates the policy of Congress that it is to the benefit of the United States to exchange surplus agricultural commodities which deteriorate in value and are costly to store for strategic and other materials of a type which will be needed by the United States, either in time of emergency or in its normal economy as world supplies of these materials decrease. There are at least four other provisions of law in which a similar Congressional policy is enunciated.

In reenacting section 303, the committee has broadened the base from which the President may select in designating those materials which are to be imported in exchange for surplus agricultural commodities. Most of the ore, metals, minerals, or other materials that might be taken will not deteriorate, can be stored at substantially less cost than agricultural commodities and by their presence within the United States will improve its national resources.

When Public Law 480 was enacted, the Congress specifically stated in its legislative reports on that legislation that barter was to be a priority method of disposal. Until May 28, 1957, a successful barter program was in operation within the Department, but was brought to a practical stop through regulations issued by the Secretary establishing the so-called "additionality requirements," placing upon prospective barter contractors the responsibility of proving that barter transactions would be over and above all possible cash sales.

The effect of this action was to give sales for foreign currency under title I of the act priority over disposal of surpluses by barter. During the fiscal year just passed, the Secretary has made agreements to sell surpluses for foreign currencies to at least 12 countries into which he refuses to let surplus commodities move under barter transactions without proof of "additionality," although he is required by section 101 (a) of this act to determine that sales under title I will be in addition to usual marketings of the United States before approving any such sale.

The details of the barter provisions included in this conference report are relatively unimportant. Congress is not so much concerned with the administrative details of the Secretary's operations as that he should carry on an aggressive and effective barter program. Had he been doing so, there would have been no need for any barter legislation in this bill.

One of the important changes made in existing law by the amendment reported herewith is that it relieves the Secretary of the responsibility of making a finding that barter transactions would protect the funds and assets of the Commodity Credit Corporation. Instead, the Congress has made the policy decision that barter is in the best interests of the country as a whole and intends and directs that the barter program be carried out substantially as it was prior to May 1957.

Prior to that time the Secretary had properly interpreted the language of the existing statute that barter as directed by Congress does protect the funds and assets of the Commodity Credit Corporation. Under that interpretation, approximately $350 million of surplus commodities were exchanged annually for strategic and other valuable materials. Having determined to bring that highly successful program to a halt, the Secretary suddenly decided that the language in the statute directed him to make a determination as to whether or not barter did protect the funds and assets of the Corporation. It was on the basis of this legalistic maneuver that the Secretary brought the program to a halt in May 1957.

The language of the amendment reported herewith eliminates the provision which has given the Secretary this trouble and replaces it with a directive that he shall conduct barter operations "to the maximum extent practicable" and "whenever he determines that such action is in the best interest of the United States." We would remind the Secretary that Congress has on several occasions and in several different statutes indicated that the exchange of surplus agricultural commodities for strategic and other materials of permanent value is in the best interests of the United States and indicates by its reenactment and amendment of section 303 of Public Law 480 that it does not consider a program such as he has been carrying out since May 1957 to be a satisfactory expression of that policy.

The deletion of the language pertaining to the protection of assets was specifically designed to remove the legal base which permitted the Secretary to require so-called certificates of additionality to be furnished by contractors to establish that any sale through barter would be in addition to normal cash sales. Nor is anything in this bill to be construed to permit the requiring of such certificates of additionality.

The conferees were well aware of the testimony given before the committees of both Houses of Congress by the Department of Agriculture designed to show that their assets were not being protected because of the alleged replacement of cash sales by barter sales. At no time was competent evidence given to support these statements. Representative grain and cotton exporters testified that barter transactions do not displace dollar transactions, in fact, in normal trade practice they were handled in precisely the same way, and that barter transactions had many times made possible the sale of additional commodities for cash.

The conferees were also aware of the fact that the data furnished the Congress by the Department of Agriculture showed that as barter transactions increased so did cash sales, and that as barter transactions decreased, there was a resulting decrease in cash sales.

The House amendment contained a limitation of $500 million on the amount of barter the Secretary could engage in in any 1 year. This has been removed from the bill agreed to by the conferees. This is a clear indication on the part of the conference committee that it did not want any such dollar limitation on the authority of the Secretary to exchange essentially valueless surpluses for materials of lasting value.

The conferees also took notice of the fact that under existing law some of the Federal agencies had not cooperated to the fullest extent with the Commodity Credit Corporation in arranging barters. It therefore restated the requirement in the law that other governmental agencies cooperate with the Secretary in arranging, through private channels, barters or exchanges. However, this language does not mean that the Secretary may restrict the barter program in order to protect or conform with other programs of other Government agencies.

The conferees specifically stated in regard to the present requirements for additionality that no restrictions should be placed on the countries of the Free World into which surplus agricultural commodities may be sold excepting under certain conditions, spelled out in the legislation, where the Secretary must make specific findings.

In the past the burden of proof as to additionality has been on the contractors in relation to each contract proposed by them. Under the language of the bill, that burden of proof has been shifted to the Secretary and, in exercising that authority, he is required to follow substantially the same procedures as are followed in title I of Public Law 480. However, it should be noted that the safeguarding of usual marketings is limited to the safeguarding of usual marketings of the United States. It is not intended that the usual marketings of other nations shall be a basis of consideration in the approval of a barter transaction.

Furthermore, in the exceptions granted to the Secretary, he is required to assure that a particular barter transaction will not unduly disturb world prices of agricultural commodities. The conferees were aware that prior to May 28, 1957, barter contractors were offering nominal discounts in order to dispose of the commodities abroad. These discounts normally were around 1 to 2 percent. Following the May 28 directive, the requirements of the additionality program were so stringent and the movement of commodities so difficult that discounts of from 8 to 10 percent were reported. This bill contemplates that a discount of a few percent will not unduly disturb the world prices and not be the basis for establishing restrictions. If a discount is reported above this reasonable rate, the Secretary should take appropriate precautions and action to guard against the disturbing effect of such a large discount.

The Secretary was also directed to assure that a barter sale does not replace a cash sale for American dollars. The burden of proof is on the Secretary to establish that the barter deal does in fact replace a cash sale for American dollars. If such a finding is made, it is the intention of the conferees that the particular barter transaction should be rejected.

The conferees are also aware of the problem having to do with the exporting of wheat from Canada and other friendly nations. Accordingly, it has directed the Secretary to endeavor to cooperate with these countries with respect to commodities governed by formal, multilateral international marketing agreements to which the United States is a party. As a practical thing, the international wheat agreements are the only ones affected by this language and even though it might temporarily reduce by some 40 percent the ability of the United States to dispose of wheat through barter, it was the sense of the conferees that mutually agreeable plans should be worked out with Canada and other signatories of appropriate agreements.

Furthermore, the conferees have recognized the economic and security factors in accepting domestically processed materials in lieu of ore. While the present law is silent on the subject, for a long time barter contracts were made for domestically processed materials. For some reason this program was stopped. It was the sense of the conferees that American labor and management should be permitted to participate in the barter program. Accordingly the bill specifically authorizes the Secretary to permit the processing of foreign ores by domestic processors. The House provision that alloys produced from domestic ores could be taken was eliminated from the bill.

As we have stated above, the substantive changes in the law, while significant, are not nearly as significant as the fundamental fact that the Congress has felt it necessary to enact legislation to require performance of a program which it has previously established by law. This bill is designed to reinstate a barter program of at least the magnitude followed prior to the restrictive regulations issued by the Secretary of Agriculture. Not only will the assets and resources of our country be improved through this program, but there will be substantial savings in storage and depreciation costs, and the value of the materials taken in exchange for the commodities will increase as world supplies diminish.

HAROLD D. COOLEY,
W. R. POAGE,
VICTOR L. ANFUSO,
WILLIAM S. HILL,
CHARLES B. HOEVEN,
Managers on the Part of the House.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (S. 3420) to extend and amend the Agricultural Trade Development and Assistance Act of 1954.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, in considering the conference report on S. 3420 dealing with the operations of Public Law 480, I feel it necessary to call the attention of the House to certain problems which this bill was designed to correct. In most conferences in which I have participated over my years in the Congress, Members have genuinely tried to reach reasonable agreements on the matters in conference. In this case, however, the spirit of compromise was lacking and the House conferees found themselves dealing indirectly with representatives of the Secretary of Agriculture, who arrogantly and continuously opposed any language which would require the Secretary to carry out the many laws enacted concerning the so-called barter of surplus agricultural commodities. Threats of a veto, innuendo, and many unusual tactics were used throughout the conference.

I firmly believe but for the fact that the bill contained certain items involving title I which were desired by the Secretary, no agreement would ever have been reached. Finally, however, the House position that new and stronger law was required prevailed and the modified version I have submitted to you was the result. It requires the Secretary to reinstate a barter program similar to the one in operation prior to the decision of the Secretary to change the law by his administrative action. It eliminates the principle of additionality which was the device used to practically kill the program and, excepting for certain leeway involving Canada, it stops the practice of protecting the exports of other countries at the expense of our own exports.

However, in view of the past record of the Secretary in ignoring the law on this subject and because I suspect he will endeavor to find loopholes in this law, I am taking certain steps designed to assure that the law will be followed. I have directed the committee staff to establish a system which will enable us to be kept advised of progress under the laws dealing with barter. I have also directed our Subcommittee on Foreign Agricultural Operations to conduct hearings and studies under our responsibility for legislative oversight. Mr. POAGE, the subcommittee chairman, has already started such hearings.

This program of exchanging costly to store and deteriorating agricultural commodities for needed strategic or other materials that are cheaper to store and do not deteriorate is an excellent one for our country. It is also the law. The personal desires of a few in the executive branch of our Government will not be permitted to retard or destroy it.

There is one other matter, Mr. Speaker, which I think may not have been covered adequately in the conference report. The conferees approved the House provision authorizing use of foreign currencies generated under title I for financing United States participation in trade fair and related activities, but amended it to make it clear that the definition of fairs is to include agricultural and horticultural fairs and related activities. This authority is different from and in addition to any authority which the law now contains for participation in trade fairs and similar activities as a part of agricultural market development activities of the Department of Agriculture under section 104 (a) of the act, and the restrictions as to use of funds applicable to the new provision included in the conference report are not applicable to operations under section 104 (a).

DISASTER AREA RELIEF

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 304) to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HOEVEN. Mr. Speaker, reserving th right to object, will the gentleman from North Carolina please explain the bill and the amendment?

Mr. COOLEY. Well, I will give a very brief explanation of the bill. The bill provides for State participation in relief, for such temporary relief as may be provided in the event of disasters in the country. The Senate bill provided that the States' participation would be to the extent of not less than 25 percent or more than 50 percent, and the House amendment provides that the participation shall be not in excess of 10 per centum, as the Secretary of Agriculture shall determine to be equitable of that part of the cost, including transportation of such feed or seed which is not paid by the recipients thereof.

Mr. HOEVEN. It is my understanding that this bill is now acceptable to the Committee on Agriculture of the House and it will be acceptable to the other body.

Mr. COOLEY. I will say to the House that we have informally conferred with the members of the Senate Agriculture Committee, and we have every reason to believe that if this bill passes today it will be acceptable to the Senate and will be enacted.

Mr. HOEVEN. May I say further that this is a bill that is desired by the administration and there is no objection on our side.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, no feed for livestock or seed for planting shall be furnished to farmers, ranchers, or stockmen pursuant to Public Law 875, 81st Congress (42 U. S. C. 1955 and the following); Public Law 115, 83d Congress, 1st session; Public Law 357, 83d Congress, 2d session; Public Law 480, 83d Congress, 2d session; or pursuant to any other law as a disaster relief measure, unless, in addition to such administrative costs as may be assumed by the State, the State in which such feed or seed is furnished agrees to contribute such percentage, not less than 25 nor more than 50, as the Secretary of Agriculture shall determine to be equitable of that part of the cost, including transportation, of such feed or seed which is not paid for by the recipients thereof.

With the following committee amendments:

Page 1, line 3, after the comma, insert "after June 30, 1959."

Page 2, line 4, strike out "not less than 25 nor more than 50," and insert "not in excess of 10 per centum."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PEREMPTORY CHALLENGES

Mr. CELLER. Mr. Speaker, I call up the conference report on the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the District Courts to allow additional peremptory challenges in civil cases to multiple

plaintiffs as well as multiple defendants, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2678)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"SEC. 2. (a) The first section of the Act entitled 'An Act to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain', approved February 26, 1931 (46 Stat. 1421; 40 U. S. C. 258a), is amended by adding at the end of the second paragraph the following new paragraphs:

"'If, upon application of any party in interest made within 30 days of the filing of the declaration of taking or within 30 days from the date of the enactment of this Act, the judge finds the action of the acquiring authority in arriving at the amount of the estimated compensation to have been fraudulent, or not in good faith, the judge shall fix the estimated value of the just compensation for the land taken and require the acquiring authority to deposit with the court the amount of compensation so determined.

"'Whenever the judge finds the action of the acquiring authority in arriving at the amount of the estimated compensation to have been fraudulent or not in good faith, the acquiring authority shall not be entitled to the rents, issues and profits of the land during the period between the filing of the declaration of taking and the deposit with the court of the just compensation fixed by the judge of the court.

"'The declaration of taking, the amount of the deposit, and any other matters arising out of the proceedings herein involved shall not be admissible in evidence in any case.

"'(b) The amendment made by this section shall be applicable with respect to any condemnation proceedings under which final adjudication of just compensation has not been made on the date of enactment of this Act.'"

And agree to the same.

EMANUEL CELLER,
FRANCIS E. WALTER,
LESTER HOLTZMAN,
KENNETH B. KEATING,
WILLIAM C. CRAMER,
Managers on the Part of the House.

JAMES O. EASTLAND,
ESTES KEFAUVER,
EVERETT M. DIRKSEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to bill (H. R. 3368) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

This amendment, as agreed to by the conferees of both Houses, is to require, under the Declaration of Taking Act, that the administrative estimate of just compensation be in good faith, fair, and honest. It will permit a Federal judge, in instances where the judge finds the declaration of taking was not made in good faith, to fix the estimated value himself, and require the acquiring authority to deposit with the court the estimated compensation as determined by the court.

In addition, where the court finds that the action of the acquiring authority, in arriving at the amount of the estimated compensation to have been fraudulent or not in good faith, the acquiring authority will not be entitled to the rents, issues, and profits of the land during the period between the filing of the declaration of taking and the deposit with the court of the just compensation fixed by the court.

The amendment further provides that the proceedings herein involved shall not be admissible in evidence in any case. This includes the case brought for the purpose of assessing the value of the land involved in the condemnation proceedings.

This act applies to future condemnation proceedings as well as to proceedings presently pending which have not reached final adjudication and it sets up a 30-day limitation with respect to both future and pending cases for the purposes of petitioning to the court by the party in interest to test the question of fraudulency and good faith.

Simply stated, the amendment permits a judicial review of the good faith of the Government estimate of just compensation for the land summarily acquired under the Declaration of Taking Act. It is believed elementary that the Government in all of its dealings should act with the most scrupulous good faith and that the good-faith requirement is of special importance whenever the Government exercises its sovereign power of eminent domain.

It is also the intention of the conferees that this amendment will in no way affect the Government's power in quick taking of property under the Declaration of Taking Act for the Government will in no way be divested or be required to divest itself of title.

EMANUEL CELLER,
FRANCIS E. WALTER,
LESTER HOLTZMAN,
KENNETH B. KEATING,
WILLIAM C. CRAMER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVINS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EVINS. Mr. Speaker, as I understand this amendment it simply permits a judicial review of the good faith of the Government estimate of just compensation for the land summarily acquired under the Declaration of Taking Act. It is believed elementary that the Government in all of its dealing should act with the most scrupulous good faith and that the good faith requirement is of special importance whenever the Government exercises its sovereign power of eminent domain.

It is recognized that each such case must of necessity be judged on its own merits, and that no single standard can be equitably applied to all cases. For example, in cases where the Government through its sovereign power of eminent domain seizes property designed and constructed by agreement for Government use, normal appraisals based on the price a prudent buyer would pay cannot be used. The costs to the Government of similar property openly and competitively procured at the time of taking, as well as the value to the Government of the property condemned, is manifestly the fairest measure of just compensation, both to the Government and the owner.

Whereas, this measure is equitable in such cases, normal appraisals may be more equitable in other types of cases. It should never be the function of the Department of Justice or any other branch of Government to exercise the great power of eminent domain to obtain property at confiscatory prices. Rather, a bona fide effort should be made by all branches of Government concerned to fairly ascertain just compensation and protect equally the rights of the taxpayer and property owner, as well as the Government. The nature of the determinations of estimates filed under this statute renders the judicial review thereof vital for the protection of the constitutional rights of the citizens of the Untied States.

TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Mr. HARRIS submitted the following conference report and statement on the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2695)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 6, 8, 9, 12, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 7, 13, 17, 19, 20, 21, 22, and 23, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with amendments as follows: On page 2, line 14, of the Senate engrossed amendments, strike out "(f)" and insert "(g)."

On page 2, line 17, of the Senate engrossed amendments, after the word "product" where it appears the second time insert a comma.

On page 2, line 19, of the Senate engrossed amendments, strike out the comma after "animal"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: On page 3, line 4, of the Senate engrossed amendments, strike out "(g)" and insert "(h)"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: On page 3, line 15, of the Senate engrossed amendments, strike out "4 (g);" and insert "4 (h)"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following "furniture, mattresses, and box springs"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: On page 3, line 21, of the Senate engrossed amendments, after "under" insert a comma; and the Senate agree to the same.

OREN HARRIS,
JOHN BELL WILLIAMS,
PETER F. MACK, JR.,
CHAS. A. WOLVERTON,
Managers on the Part of the House.

WARREN G. MAGNUSON,
MIKE MONRONEY,
ALAN BIBLE,
ANDREW F. SCHOEPPEL,
JOHN M. BUTLER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate receded from its amendments Nos. 1, 2, 3, 6, 8, 9, 12, and 15.

The following Senate amendments are technical, clarifying, and conforming changes: Nos. 13, 14, 17, and 20. The House recedes with respect to these amendments.

Amendment No. 4: Section 3 (d) of the bill as it passed the House provided, in paragraph (5), that section 3 should not apply to any textile fiber product until such product had been "produced in the form intended for sale or delivery to, or for use by, the ultimate consumer." This Senate amendment inserted the words "by the manufacturer or processor" after the word "produced". This change recognizes the fact that the manufacturer or processor of the article is normally the person who will produce the article in the form intended for sale or delivery to, or for use by, the ultimate consumer. The House recedes.

Amendment No. 5: Section 4 (b) of the bill as it passed the House provided that a textile fiber product shall be misbranded unless stamped, tagged, or labeled so as to show certain information. Paragraph (1) of subsection (b) required the inclusion of information as to the constituent fiber or combination of fibers in the product, designating with equal prominence each natural or manufactured fiber in the product by its generic name in the order of predominance by the weight thereof if the weight of such fiber is 5 percent or more of the total fiber weight of the product. This Senate amendment added a proviso that (exclusive of permissible ornamentation) any fiber or group of fibers present in an amount of 5 percent or less by weight of the total fiber content shall not be designated by the generic name or the trademark of such fiber or fibers but shall be designated only as "other fiber" or "other fibers," as the case may be. In actual legal effect the Senate provision appeared to add nothing to what was already provided by paragraph (2) of subsection (b), but certain persons or classes of persons affected by the provision were interested in having it included at this point. The House recedes.

Amendment No. 7: Section 4 (c) of the bill as it passed the House provided that a textile fiber product shall be considered to be falsely or deceptively advertised if any disclosure or implication of fiber content is made in any written advertisement used in connection with the sale of such product, unless such advertisement contains certain specified information. This Senate amendment modified that part of the subsection dealing with the information which the advertisement would have to contain. While the language is different from the language of the bill as the House passed it, there appears to be no difference in substance. The House recedes.

Amendment No. 10: This Senate amendment provides that a textile fiber product shall be considered to be falsely or deceptively advertised if the name or symbol of any fur-bearing animal is used in the advertisement of such product, unless such product or the part thereof in connection with which the name or symbol of a fur-bearing animal is used is a fur or fur product within the meaning of the Fur Products Labeling Act. If the textile fiber product contains the hair or fiber of a fur-bearing animal, the name of such animal, in conjunction with the word "fiber," "hair," or "blend" may be used. The House recedes with certain necessary technical changes.

Amendment No. 11: This Senate amendment provided that a textile fiber product shall be misbranded if it is used as stuffing in any upholstered product, mattress, or cushion after having been previously used as stuffing in any other upholstered product, mattress, or cushion, unless the upholstered product, mattress, or cushion, containing the reused stuffing is labeled indicating that it contains reused stuffing. The House recedes with a technical amendment.

Amendments Nos. 16, 18, 19, 21, and 22 amend section 12 (a) of the act, which enumerates the textile fiber products not subject to the provisions of the act.

Amendments Nos. 15, 16, and 17: These amendments were made to the House provision exempting "outer coverings of furniture" from the act. As modified by the Senate the provision would have exempted "upholsteries and outer coverings of mattresses and box springs." As a result of the action of the committee of conference the exemption will embrace "outer coverings of furniture, mattresses, and box springs."

Amendment No. 18: This Senate amendment provided for the exemption of paddings or cushions to be used under floor coverings. The House recedes with a technical amendment.

Amendment No. 19: This Senate amendment provided for the exemption of handicraft threads. The House recedes.

Amendment No. 21: This Senate amendment provided for the exemption of textile fiber products which are subject to the labeling requirements of the Federal Food, Drug, and Cosmetic Act of 1938, as amended. The House recedes.

Amendment No. 22: This Senate amendment provided for the exemption of catamenial devices, adhesive tapes and adhesive sheets, cleaning cloths impregnated with chemicals, and diapers. The House recedes.

Amendment No. 23: The bill as passed by the House provided in section 12 (a) that certain of the exemptions listed should not be applicable if any representation as to fiber content of the article is made in any advertisement, label, or other means of identification. One class of article to which this limitation applied was sewing thread. This Senate amendment made the limitation inapplicable in the case of sewing thread. The House recedes.

OREN HARRIS,
JOHN BELL WILLIAMS,
PETER F. MACK, JR.,
CHAS. A. WOLVERTON,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GOSHEN VENEER CO.

Mr. LANE submitted a conference report and statement on the bill (H. R. 6282) for the relief of the former shareholders and debenture noteholders of the Goshen Veneer Co., an Indiana corporation.

HIPOLITO C. DE BACA

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 10473) for the relief of Hipolito C. DeBaca, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, after "act" insert "No benefits, except hospital and medical expenses actually incurred, shall accrue by reason of the enactment of this act for any period prior to the date of its enactment."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. KEATING. Mr. Speaker, reserving the right to object, will the gentleman state the nature of the amendment?

Mr. LANE. This is a bill that waives the statute of limitations against a former employee of the Rehabilitation Agency in Las Vegas, N. Mex., to file a claim with the Employees Compensation Commission. This amendment

merely states that there will be no benefit accrual by reason of the enactment of this act for any period prior to the date of its enactment except for medical and hospital expenses.

Mr. KEATING. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EDUCATION OF MENTALLY RETARDED CHILDREN

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13840) to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island.

Mr. HOLT. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. FOGARTY. Bills identical with this bill were introduced by several Members of the House a couple of years ago. It passed the Senate unanimously in April or May of this year. There were some objections to the Senate bill by the chairman of the Committee on Education and Labor, the gentlemen from North Carolina [Mr. BARDEN]. Those objections have been met in this bill. I talked with him by telephone this morning and told him of the pending action, and he assented. I have talked to the ranking member of the committee on the gentleman's side, the gentleman from New York [Mr. GWINN], and to other Members on this side.

The bill provides for grants up to $1 million a year to be made to public institutions for the training of teachers to teach mentally retarded children. There are about 1 million mentally retarded children of school age and only about 15 percent of them are getting the schooling they need at this time. This bill would help these institutions to give the teachers of these mentally retarded children the specialized training and the teaching facilities that are needed now.

Mr. HOLT. I thank the gentleman. It is my hope that the bill will be improved next year. I voted against it in the committee.

Mr. Speaker, I withdraw my reservation of objection.

Mr. FOGARTY. I thank the gentleman.

Mr. Speaker, while this bill carries my name, there is no one Member who can claim full credit for this legislation. Time is not sufficient to give individual recognition to all who have helped. However, I certainly could not in good conscience offer this bill to the House today without giving recognition to the basic work and continued efforts of the distinguished gentleman from South Dakota [Mr. MCGOVERN] in getting his companion bill through the committee, and also the very effective work of the influential gentleman from Connecticut [Mr. MAY] with the leadership. If it were not for their efforts it would not have been possible to bring this bill before the House today.

For a good many years I have had a deep interest in programs which would improve the health, welfare, and education of those persons in the Nation who are handicapped. A few years ago my attention was drawn to the serious problem of those with mental retardation. Many such individuals are themselves neglected and their families are in distress because of lack of understanding of their problem, and because of inadequate facilities to help them. Yet it is known that large numbers of mentally retarded individuals could become contributing citizens and well-adjusted members of their families and communities if care and education are given to them at the right time.

Within the last few years the Congress has repeatedly taken action to aid in developing and strengthening in the Nation a balanced program for the mentally retarded, including services in health, welfare, rehabilitation, and education. As you know, I have strongly supported such action in the belief that it would encourage and stimulate the development of well-rounded services and hasten the acceptance of the mentally retarded into the community.

Today I would like to point to a gap in our program of aid. I refer to the serious problem of inadequate personnel to conduct programs of special education for the Nation's approximately 1 million school-age children with varying degrees of mental retardation.

It is my understanding that the goals of a good educational program for exceptional children or for special education include at least the following three major parts: First, the search for knowledge through research which will form a basis for improving special education programs; second, the need for extending and improving the schools and classes in local communities; and third, the development of more and better qualified teaching personnel.

The conduct of research and extension of school programs are both dependent upon the availability of well-qualified educators with specialization in the field of mental retardation, and yet, according to the Office of Education, only about 10,000 or 15,000 teachers would be needed if all of the mentally retarded children were to have suitable specialized educational opportunity.

The Congress recognized the need for research in education on such basic matters as the characteristics of mentally retarded school-age children, methods of teaching them, and factors in the school program which make for adjustment in the family and community.

In 1957, as you will recall, I took the initiative in the Appropriations Committee to request that $675,000 in the Office of Education appropriation for cooperative research be set aside for mental retardation. Many of you know that leaders in the education of exceptional children in colleges and universities and State education agencies had already identified urgent problems needing research, and that request was very promptly made for the funds. As a result, the Office of Education made a beginning by entering into contracts with State educational agencies, and colleges and universities widely spread throughout the Nation for 42 studies during the fiscal year 1957. Since that time 11 others have been brought under contract. Judging from the reports, the stimulating effect of this new program has already been felt throughout the country.

While the research studies under the provisions of Public Law 531 explore a wide range of topics, in general they cover, first, definition and identification of the mentally retarded; second, learning characteristics and responses of mentally retarded children; third, language and communication difficulties and certain physical limitations as they relate to the learning of children classified as mentally retarded; fourth, teaching methods and procedures; fifth, effects of different types of school organizations; sixth, miscellaneous other problems, such as the rural isolated child or the effect of the school program on the postschool adjustment of the mentally retarded child.

This legislation will aid in preparing highly qualified leadership personnel at the doctoral and master's levels in the education of the metally retarded. Persons prepared under the provisions of this legislation would qualify to, first, direct college and university programs for the preparation of teachers of the mentally retarded; two, direct and supervise programs for mentally retarded children in local school systems, and in State departments of education; and three, conduct research in the education of the mentally retarded. This proposed legislation would supplement the provisions of Public Law 531, 83d Congress, and in no way overlap with the provisions of that law.

According to data collected by the Office of Education, there may be as many as 15 colleges and universities with some facilities to immediately conduct doctoral programs in the education of the mentally retarded. All of these need strengthening either by additional staff or facilities in order to accommodate as many candidates for advanced degrees as are needed for the Nation's educational program. It would also make it possible to develop some new centers in colleges and universities in regions where opportunities do not exist for advanced training in the education of the mentally retarded.

According to an Office of Education study, in 1953–54 there were 40 colleges in the Nation offering some opportunities for the preparation of teachers of the mentally retarded. However, the same 40 colleges reported only 28 instructors devoting full time to the preparation of teachers of the mentally retarded; 64 staff members were also giving "part time" to instruction of this program. Relatively few of the colleges and universities—perhaps 15 appeared to have the facilities to conduct doctoral programs in this field. Many of the others seemed to be inadequately staffed and otherwise ill equipped even for the training of undergraduate students in this area. The same colleges reported—in 1953—the granting of only 4 doctoral degrees and 130 master's degrees in the field of mental retardation. While the situation has improved somewhat since the Office of Education study was made, additional information from a more limited survey revealed the situation is currently almost as critical as it was in 1953–54.

It appears that there is need for the development of some new centers. Of the 15 colleges and universities which now seem to be prepared to initiate or expand doctoral programs, 11 are in either the Northeast or the Middle West. There are 2 in the South, 1 in the Southwest, and 1 to serve the Rocky Mountain States and the Northwest.

The ultimate goal of all our efforts is to give education and care to children and youth so they will be as well prepared for adult life as possible. The basic objective of this legislation is to provide traineeships at the graduate level which would be financially adequate to attract promising individuals who would then become the directors of college and university programs, of local school programs, and of research studies. It appears that this is the best contribution the Federal Government could make to alleviate the shortage of manpower in the education of the mentally retarded.

This legislation will hasten the time, in my judgment, when the State and local school systems and the institutions of higher learning will be in a position to provide the teachers needed by these children.

Mr. TOLLEFSON. Mr. Speaker, I rise in support of H. R. 13840, a bill to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State agencies.

In the years I have been privileged to serve in this great body, Congress has enacted many worthwhile measures. However, few, if any, have been more worthwhile than the pending proposal. I urge the House to approve it overwhelmingly.

The bill authorizes the expenditure of up to $1 million annually to train teachers to teach mentally retarded children. Teaching these children requires specialized training, as anyone can understand. There is so much that can and needs to be done in this field that we ought not hesitate for a moment to do it. In every community in our country there are these children who need our help. Let us give it to them.

Mr. MCGOVERN. Mr. Speaker, as the author of this legislation designed to assist America's mentally retarded children, I am most pleased that the House has agreed to its passage. I have believed for a long time that the one group most entitled to assistance from the Government is that which includes our handicapped and practically helpless children who, through no fault of their own, have a mental deficiency.

Approximately 1 million of these little children live in the United States. Only a small fraction of them are now given the kind of specialized educational training that they so desperately need.

This bill will help break the bottlenecks that stand in the road of a truly effective program for mentally retarded children. It will do so by strengthening the teaching facilities of our institutions of higher learning, and by offering fellowships to those persons desiring to prepare themselves for work in this vitally important field.

I know that mothers and fathers, as well as interested persons all over this Nation, will rejoice in the wise action of the Congress in putting this modest program into action.

Mr. MAY. Mr. Speaker, having had a companion bill in on this legislation for some time, plus my great interest in improving the scope of teaching of mentally retarded children, I support this bill 100 percent.

The gentleman from Rhode Island [Mr. FOGARTY] and myself have worked quite diligently in a true bipartisan way during the past few weeks to promote Mentally Retarded Children's Week, and in the past 3 days specifically to get approval of this bill. We have received excellent cooperation from both sides of the aisle, from the leadership and others so that this vital legislation could pass unanimously.

May I add also that my distinguished colleague from Connecticut, Senator PURTELL has cooperated since passing a similar measure in the other body. Senator PURTELL should be greatly commended for his leadership in this vital field.

I merely want to conclude that this bill be passed at once.

Mrs. SULLIVAN. Mr. Speaker, I am delighted to join the distinguished gentleman from Rhode Island (Mr. FOGARTY) in urging the unanimous approval of the House in the passage of H. R. 13840, the bill to encourage expansion of teaching in the education of mentally retarded children. I congratulate the gentleman for once again finding an effective way to pioneer new ground in social welfare legislation.

Mr. FOGARTY has accomplished such great things for the health and welfare of the American people as chairman of the Subcommittee on Appropriations for the Departments of Labor and of Health, Education and Welfare that every American is, and always will be, in his debt. He deserves the further thanks now of all who are interested in the welfare of handicapped children, for, as a result of his skill in working out the difficult parliamentary machinery for getting this bill before the House today, we will finally have the opportunity, I hope, to enact legislation in this field after years of unsuccessful effort.

THOUSANDS OF TEACHERS NEEDED

The legislation before us will make possible the training of many additional teachers with the necessary temperament and ability to help the hundreds of thousands of mentally retarded children in our country to live useful lives. According to information prepared for me last year by the Legislative Reference Service of the Library of Congress, about 2 percent of all school age children are probably in the mentally retarded category. Although many colleges and universities now offer specialized courses for teachers in this field, an estimated 42,000 more teachers are needed just in this one specialized field alone.

So this bill, providing for grants to nonprofit institutions of higher education to set up courses in this field, or expand them, and also providing for fellowships and traineeships for teachers or supervisors of teachers of the mentally retarded, will be most helpful. Of course, the $1 million a year for 10 years authorized by the measure will not go too far, but it is, at least, a start.

Mr. Speaker, ever since the original bill on this subject was introduced in the Senate some years ago, I have been intensely interested in the objective of this legislation. As a matter of fact, correspondence which I have received over the last 3 or 4 years on the mentally retarded bill—similar to the one we are now passing—stimulated my interest in the whole range of problems in connection with the education of all categories of exceptional children—gifted and handicapped alike. This interest resulted in my introduction on the last day of the first session of this Congress of the bill H. R. 9591, which has received widespread support among educators in the field of exceptional children.

NO ACTION ON H. R. 9591

I want to use this opportunity today, Mr. Speaker, to explain why no action of any kind has been taken on H. R. 9591 in this session. This is an appropriate point for such a report, since H. R. 9591, the Exceptional Children Education Assistance Act, would have provided under its terms for all types of exceptional children the type of benefits which are made available in the field of mentally retarded children by this bill now before us.

I discussed this proposal at great length under a special order in the House on August 28, 1957, and the extensive reference material compiled for me by the Legislative Reference Service is all included—about 20 pages of material appearing in the CONGRESSIONAL RECORD, which was published September 19, 1957. I know that researchers in the field of special education who will be reading the proceedings on the passage of the bill before us today will also be interested in the voluminous background material on all phases of the problem of special education for exceptional children which I placed in the RECORD a year ago.

ROCKY ROAD FOR EDUCATION BILLS

Now as to why nothing was done this year on H. R. 9591. I think a quick review of the fate of all the educational bills in this session gives us the key to the answer. In addition, however, some groups in the educational field, particularly those interested in the problem of doing something for mentally retarded children, asked me not to press forward on H. R. 9591 this year for fear it might in some way interfere with or handicap the passage of the kind of legislation we are considering right now.

That by itself would not have deterred me from discussing H. R. 9591 with the appropriate committee of the House or urging incorporation of this bill into H. R. 9591. I think that when Congress is asked to pioneer in a new area, it does not do much good from a strategic standpoint to be timid about it. If there is opposition to a concept, it will continue no matter how the details of its proposed operation are weakened by offers to compromise. So I do not think it would have hurt this bill on the mentally retarded.

No, Mr. Speaker; what deterred me from pressing for action this year on H. R. 9591 was the on-again, off-again, up-the-hill-and-down-the-hill course of all bills in this session involving Federal aid to education. I know of no legislative issue which has run as rocky a course this year.

Fresh after the sputniks, we were going to have all sorts of elaborate educational assistance programs to catch up with the Soviets, to turn out engineers, scientists, teachers of science, and so forth. We have now passed a much-weakened education bill—one which will help many needy students to finance their education on a loan basis and will encourage many, perhaps, to go into teaching. And the colleges will get some help from it. But it is by no means the kind of bill we were talking last January about passing—one which would have had a tremendous scholarship program as part of it.

NO ADMINISTRATION LEADERSHIP OR DRIVE

I blame no one for this, least of all the committees of Congress which had jurisdiction in this field. It has been a most confusing session in many respects, and the confusion which has marked our consideration of education bills is not too much different from that which marked legislation on defense, foreign aid, the recession, housing, to name just a few. National leadership has been so badly lacking that Congress has had to do the planning as well as the legislating—has had to try to think out and develop national policy. This, of course, is primarily the job of the President and his advisers.

But because of the controversy and infighting and the administration's backing and filling on educational issues generally, I know that it took all of the time and effort of the Subcommittees on Education of the Committee on Education and Labor just to work out the details of the one big educational assistance bill. No hearings were scheduled or held on any of the bills such as mine dealing with specialized education for exceptional children. To seek such hearings this year under the atmosphere which prevailed would have been less than useless.

MENTALLY RETARDED BILL ONLY A START

But now, on the last few days of this session, we are making a tiny bit of headway, at least, in this field by the consideration under unanimous consent of the bill introduced only yesterday by Mr. FOGARTY dealing with the problem of educating teachers for the mentally retarded. These are most remarkable circumstances under which the bill is brought before us, and, as I said, it is a tribute to the parliamentary skill of Mr. FOGARTY that we are getting this opportunity today to consider it. I hope that we can still achieve Senate agreement in the remaining hours of the session on this much-modified bill. Since the Senate has twice passed much stronger bills in this same area, I am sure that we can get concurrence.

But, Mr. Speaker, the point I am anxious to make is that this bill to help train teachers for mentally retarded children is and must be regarded as only a start in this field. There is such a great need for teachers for all categories of exceptional children—the crippled, the speech handicapped, the deaf, the hard-of-hearing, the blind, the children with serious visual defects, children who have serious health problems due to heart disease, epilepsy, or other debilitating conditions, those who are maladjusted or seriously disturbed including the institutionalized delinquent—the whole range of handicapped youngsters who need specialized educational help, plus, at the other extreme, the outstandingly gifted children who also need specialized teaching in order to realize their potentials.

H. R. 9591 TO BE REINTRODUCED

Because all of these children need educational help similar to the kind we are beginning to provide for mentally retarded children under this bill now before us, I intend, Mr. Speaker, to reintroduce H. R. 9591 with appropriate revisions next year and to press for action early in the new Congress. The first ground has been cleared for such legislation. The trail has been blazed. Now we must press forward to do what must be done for millions of American children who need—who must have—specialized educational opportunities.

Mr. FOGARTY, in his remarks, noted that some 40 colleges in 1953–54 were offering courses in the teaching of the mentally retarded but that only 28 instructors in all were devoting full time to this work, while perhaps only 15 colleges appeared to have facilities to conduct doctoral programs in this field. A similar situation prevails in connection with the special courses necessary to train teachers of other categories of exceptional children.

COLLEGES HAVE ALREADY DONE MUCH

On the other hand, a great deal has been done and is being done by the colleges in this field, as shown by the compilation made for me by the Legislative Reference Service of the colleges and universities on a State-by-State basis having programs for the preparation of teachers of exceptional children. The compilation, for the academic year 1954, showing the areas of exceptionality covered by each school, is as follows:

Colleges and universities having programs for the preparation of teachers of exceptional children, academic year 1954

State	Institution	Special education program
Alabama	University of Alabama	Speech correction.
	Birmingham, Southern College.	Speech and hearing.
Arizona	University of Arizona	Speech correction, speech and hearing.
Arkansas	University of Arkansas	Speech correction.
	Arkansas State College	Deaf.
California	Chico State College	Speech correction, speech and hearing.
	College of the Pacific	Speech correction, speech and hearing, socially maladjusted.
	Fresno State College	Speech correction.
	Los Angeles State College	Deaf, mentally retarded, speech correction, speech and hearing.
	Occidental College	Speech correction.
	San Diego State College	Mentally retarded, speech correction.
	San Francisco State College.	Blind, crippled, deaf, hard of hearing, mentally retarded, partially seeing, socially maladjusted, speech correction, blind and partially seeing, deaf and hard of hearing, and others.
	San Jose State College	Speech correction, speech and hearing.
	Stanford University	Do.
	University of California at Berkeley.	Mentally retarded, socially maladjusted, mentally retarded and socially maladjusted.
	University of California at Los Angeles.	Speech correction.
	University of California at Santa Barbara.	Do.
	University of Southern California.	Deaf, hard of hearing, speech correction.
	Whittier College	Speech correction.
Colorado	University of Denver	Mentally retarded, speech correction, speech and hearing.
Florida	Florida State University	Mentally retarded, speech correction, speech and hearing, overall.
	University of Florida	Mentally retarded, speech correction, speech correction and hearing, overall.
	University of Miami	Speech correction.
Georgia	University of Georgia	Do.
Illinois	Bradley University	Do.
	College of St. Francis	Do.
	Eastern Illinois State College.	Do.
	Elmhurst College	Do.
	Illinois State Normal University.	Crippled, deaf, hard-of-hearing, mentally retarded, partially seeing, socially maladjusted, special health problem, speech correction, overall.
	Northern Illinois State Teachers College.	Speech correction.
	Northwestern University	Speech correction, hearing.
	Rockford College	Do.
	Southern Illinois	Mentally retarded, speech correction, hearing.
	University of Chicago	Socially maladjusted, speech correction.
	University of Illinois	Deaf, mentally retarded, speech correction.
Indiana	Ball State Teachers College.	Speech correction, hearing.
	Indiana State Teachers College.	Mentally retarded, speech correction, hearing.
	Indiana University	Speech correction, hearing.
	Purdue University	Do.

Colleges and universities having programs for the preparation of teachers of exceptional children, academic year 1954—Continued

State	Institution	Special education program
Iowa	Grinnell College	Speech correction.
	State University of Iowa	Crippled, speech correction, hearing.
Kansas	Fort Hays Kansas State College.	Speech correction.
	Kansas State Teachers College.	Mentally retarded, socially maladjusted, speech correction.
	Municipal University of Wichita.	Speech correction, hearing, deaf, crippled, hard-of-hearing.
	University of Kansas	Deaf, hard-of-hearing, mentally retarded, socially maladjusted, speech correction.
Kentucky	University of Kentucky	Speech correction, hearing.
Louisiana	Louisiana State University.	Speech correction.
Maryland	University of Maryland	Speech correction, hearing.
Massachusetts	Boston University	Blind, speech correction, hearing.
	Emerson University	Speech correction, hearing.
	Smith College	Deaf.
Michigan	Michigan State Normal College.	Crippled, deaf, mentally retarded, partially seeing, speech correction.
	Wayne University	Crippled, deaf, hard-of-hearing, mentally retarded, partially seeing, socially maladjusted, special health problem, speech correction, others.
	Western Michigan College of Education.	Speech correction, hearing.
Minnesota	University of Minnesota	Crippled, mentally retarded, speech correction, hearing, others.
Mississippi	Mississippi Southern College.	Do.
	University of Mississippi	Speech correction, hearing.
Missouri	Central Missouri College	Speech correction.
	St. Louis University	Do.
	Southwest Missouri College.	Do.
	University of Missouri	Speech correction, crippled.
	Washington University	Deaf, hard-of-hearing, speech correction.
Nebraska	University of Nebraska	Speech correction, hearing.
New Jersey	New Jersey State Teachers College.	Mentally retarded, speech correction, hearing, others.
New York	Brooklyn College	Mentally retarded, speech correction.
	City College of the City of New York.	Mentally retarded.
	Hunter College of the City of New York.	Blind, crippled, deaf, gifted, partially seeing, special health problems, others.
	New York University	Mentally retarded.
	Queens College of the City of New York.	Speech correction, hearing.
	State University of New York College for Teachers at Buffalo.	Crippled, mentally retarded, speech correction, partially seeing, others.
	State University of New York Teachers College at Geneseo	Mentally retarded, speech correction.
	Syracuse University	Crippled, deaf, mentally retarded, partially seeing, speech correction, hearing, others.
	Teachers College of Columbia University.	Deaf, hard-of-hearing, mentally retarded, partially seeing, crippled, special health problems, others.
North Carolina	Eastern Carolina College	Speech correction.
North Dakota	State Teachers College	Do.
	University of North Dakota.	Speech correction, hearing.
Ohio	Bowling Green State University.	Do.
	Kent State University	Mentally retarded, speech correction, deaf, hard-of-hearing.
	Ohio State University	Mentally retarded, speech correction, hearing, others.
	Ohio University	Speech correction, hearing.
	Western Reserve University.	Speech correction, deaf, hard-of-hearing.
Oklahoma	University of Oklahoma	Mentally retarded.
	University of Tulsa	Speech correction, hearing.
	Oklahoma College for Women.	Deaf.
Pennsylvania	Franklin and Marshall College.	Speech correction, hearing.
	Marywood College	Mentally retarded.
	Mount Mercy College	Speech correction.
	Pennsylvania State University.	Gifted, mentally retarded, speech correction, hearing.
	State Teachers College, Bloomsburg.	Mentally retarded, speech correction, hearing.
	State Teachers College, California.	Mentally retarded, speech correction.
	Temple University	Speech correction.
	University of Pittsburgh	Deaf, mentally retarded, speech correction, hearing.
South Dakota	University of South Dakota.	Speech correction, hearing, others.
Tennessee	George Peabody College for Teachers.	Mentally retarded, speech correction, hearing, others.
	University of Tennessee	Deaf, others.
	Vanderbilt University	Speech correction, hearing.
Texas	North Texas State College	Speech correction.
	Southern Methodist University.	Do.
	Southwest Texas State Teachers College.	Crippled, mentally retarded, speech correction.
	Texas State College for Women.	Speech correction.
	University of Houston	Mentally retarded, speech correction, hearing.
	University of Texas	Mentally retarded, speech correction, hearing, others.
Utah	University of Utah	Speech correction, deaf, hard-of-hearing.
Virginia	University of Virginia	Speech correction, hearing.
Washington	University of Washington	Do.
Wisconsin	Marquette University	Speech correction.
	University of Wisconsin	Do.
	Wisconsin State College	Mentally retarded, speech correction, deaf, hard-of-hearing, others.
Wyoming	University of Wyoming	Speech correction.
District of Columbia.	Catholic University of America.	Do.
	Gallaudet College	Deaf.
	George Washington University.	Speech correction.

TEXT AND OUTLINE OF H. R. 9591

Mr. Speaker, in view of the fact that this is the only time in this session that I have discussed H. R. 9591 in the House—for the reasons I outlined above—and in view of the widespread interest this bill has generated in the educational field, I know many Members have received letters about H. R. 9591 from educators in their districts, I submit at this point an outline of H. R. 9591 made at the time I introduced the bill on Friday, August 30, 1957. I also include a press release based on an address which I made on this bill last year before the National Association for Retarded Children meeting at the time in St. Louis.

The remarks which I made a year ago in introducing H. R. 9591, including the bill's text, are as follows:

H. R. 9591, BY MRS. SULLIVAN—THE EXCEPTIONAL CHILDREN EDUCATIONAL ASSISTANCE ACT

(Extension of remarks of Hon. LEONOR K. SULLIVAN, of Missouri, in the House of Representatives, Friday, August 30, 1957)

Mrs. SULLIVAN. Mr. Speaker, several days ago, in a special order during proceedings of the House, I outlined a bill which I was preparing to introduce before adjournment designed to stimulate and assist the training of urgently needed teachers for instructing so-called exceptional children; that is, the gifted and also those children with physical, mental, or emotional handicaps. I have today introduced the bill, and it is numbered H. R. 9591.

H. R. 9591, as its title states, is a bill to provide for the establishment of a special $18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a $2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children.

The preamble of the bill states:

"The Congress believes that the American promise of equality of opportunity extends to every child within our country, no matter what his gifts, his capacity, or his handicaps, whether he is handicapped by defects of speech, of sight, or of hearing, or crippling disease or condition, whether his adjustment to society is made difficult by emotional or mental disorders, or whether, on the other hand, he is endowed with outstandingly brilliant gifts of mind and of spirit. All such exceptional children require special educational guidance for development of their total educational potential.

"The Congress finds that the educational problems presented by such exceptional children are of national concern, and that there is an acute national shortage of, and urgent national need for, individuals professionally qualified to teach such children, to supervise the teachers of such children, to train such teachers and supervisors, and to conduct research into the problems relating to the education of exceptional children.

"While the Congress recognizes that the primary responsibility for meeting these problems lies with the States and local communities, national interest in the training of self-reliant and useful citizens demands that the Federal Government assist and encourage and stimulate the initiation of adequate programs in the States to meet these problems.

"Therefore, this act provides, on a temporary, 7-year basis, a program to further the training of teachers, supervisors of teachers, and researchers in special education for exceptional children, and to encourage and assist public and nonprofit institutions of higher education to expand their training work in these fields."

DEFINITION OF "EXCEPTIONAL CHILDREN"

Mr. Speaker, among the definitions carried in H. R. 9591, covering various phases of the program this bill would authorize, is the definition of the children it is specifically

intended to help—"exceptional children"—as follows:

"The term 'exceptional children' means those children determined in accordance with regulations issued by the Commissioner (United States Commissioner of Education) to present special educational problems, such as (a) children who are unusually intelligent or gifted; (b) children who are mentally retarded; (c) children who are deaf or hard of hearing; (d) children who are blind or have serious visual impairments; (e) children who have serious health problems due to heart disease, epilepsy, or other debilitating conditions; (f) children who suffer from speech impediments; (g) children who are crippled (including those who have cerebral palsy); and (h) children who are maladjusted emotionally and socially, including the institutional delinquent."

Under the bill, Mr. Speaker, fellowships or scholarships would be authorized, with such stipends as the Commissioner should determine, totaling $500,000 for the remainder of this current fiscal year ending next June 30; $1,500,000 for the 1959 fiscal year; $2,500,000 for the 1960 fiscal year; and then $3,500,000 a year for fiscal years 1961, 1962, 1963, and 1964, when the temporary 7-year grant program would end. Thus, $18,500,000 would go to individuals for tuition, other scholastic expenses, living expenses and such other stipends as the Commissioner should provide. The idea, as I said in outlining the plan originally, is to make it worthwhile for experienced teachers to go back to college to take this advanced training, without feeling they were making a difficult financial sacrifice.

SECTION ON GRANTS

In addition to the grants to individuals, $2,500,000 would be authorized altogether—not a year, but over the 7 years—for grants to public and nonprofit institutions, making a total of $21 million for the entire program.

The language of this section of the bill on grants, section 5, is as follows:

"GRANTS BY THE COMMISSIONER

"SEC. 5. (a) The Commissioner is authorized to award scholarships and fellowships, with such stipends as he may determine, to individuals for the purpose of taking advanced training, at institutions selected by the recipients, for stated periods of time, in order to engage in employment as teachers of exceptional children, or to train or supervise teachers in this field, or engage in research in the teaching of exceptional children: *Provided*, That, in his discretion, the Commissioner, in order to accomplish the objectives of this act, may also make these awards for study at the undergraduate level.

"(b) The Commissioner is also authorized to make grants to public and nonprofit institutions of higher education to construct, install, improve, or expand specialized facilities and equipment in connection with courses of instruction for persons preparing to engage in employment as teachers of exceptional children, or to train such teachers, or to supervise such teachers, or to engage in research in special education for exceptional children; or to train such teachers, and to conduct research into the problems relating to the education of exceptional children: *Provided*, That the Commissioner, in his discretion, may also make grants to establish specialized courses in this field in such institutions.

"(c) The amount of scholarship and fellowship grants made in any fiscal year to residents of a State under section 5 (a) shall not exceed, in the aggregate, an amount which bears the same ratio to the total funds appropriated under authority of section 4 (a) for such fiscal year as the school-age population of such State bears to the total school-age population of all the States.

"(d) Payments of grants pursuant to this act may be made by the Commissioner from time to time, on such conditions as the Commissioner may determine, including conditions requiring public and other nonprofit institutions to make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require to carry out his functions under this act, and conditions requiring compliance with such provisions as the Commissioner may from time to time find necessary to assure the correctness and verification of such reports.

"(e) The Commissioner shall consult with an advisory committee as described in section 6 (a) which shall assist him in determining the areas and priorities of need in the award of these grants, and in setting the standards for the granting of such fellowships, scholarships, and grants."

TEXT OF BILL

Mr. Speaker, the full text of H. R. 9591 is as follows:

"[85th Cong., 1st sess., in the House of Representatives, August 30, 1957, Mrs. SULLIVAN introduced the following bill; which was referred to the Committee on Education and Labor]

"H. R. 9591

"A bill to provide for the establishment of a special $18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a $2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children

"*Be it enacted, etc.*—

"SHORT TITLE

"This act may be cited as the 'Exceptional Children Educational Assistance Act.'

"FINDINGS AND PURPOSE OF ACT

"SEC. 2. The Congress believes that the American promise of equality of opportunity extends to every child within our country, no matter what his gifts, his capacity or his handicaps, whether he is handicapped by defects of speech, of sight, or of hearing, or crippling disease or condition, whether his adjustment to society is made difficult by emotional or mental disorders, or whether, on the other hand, he is endowed with outstandingly brilliant gifts of mind and of spirit. All such exceptional children require special educational guidance for development of their total educational potential.

"The Congress finds that the educational problems presented by such exceptional children are of national concern, and that there is an acute national shortage of, and urgent national need for, individuals professionally qualified to teach such children, to supervise the teachers of such children, to train such teachers and supervisors, and to conduct research into the problems relating to the education of exceptional children.

"While the Congress recognizes that the primary responsibility for meeting these problems lies with the States and local communities, national interest in the training of self-reliant and useful citizens demands that the Federal Government assist and encourage and stimulate the initiation of adequate programs in the States to meet these problems.

"Therefore, this act provides, on a temporary, 7-year basis, a program to further the training of teachers, supervisors of teachers, and researchers in special education for exceptional children and to encourage and assist public and nonprofit institutions of higher education to expand their training work in these fields.

"DEFINITIONS

"SEC. 3. As used in this act—

"(1) The term 'State' means a State, Alaska, Hawaii, the District of Columbia, and the Commonwealth of Puerto Rico;

"(2) The term 'Commissioner' means the United States Commissioner of Education;

"(3) The term 'school-age population' means that part of the population which is between the ages of 5 and 17, both inclusive, determined by the Commissioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce;

"(4) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools in a State, or, if there is no such agency or officer, an agency or officer designated by the governor or by State law;

"(5) The term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(6) The term 'exceptional children' means those children determined in accordance with regulations issued by the Commissioner to present special educational problems, such as (a) children who are unusually intelligent or gifted; (b) children who are mentally retarded; (c) children who are deaf or hard of hearing; (d) children who are blind or have serious visual impairments; (e) children who have serious health problems due to heart disease, epilepsy, or other debilitating conditions; (f) children who suffer from speech impediment; (g) children who are crippled (including those who have cerebral palsy); and (h) children who are maladjusted emotionally and socially, including the institutionalized delinquent.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 4. (a) There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1958; $1,500,000 for the fiscal year ending June 30, 1959; $2,500,000 for the fiscal year ending June 30, 1960; $3,500,000 for the fiscal year ending June 30, 1961; $3,500,000 for the fiscal year ending June 30, 1962; $3,500,000 for the fiscal year ending June 30, 1963; and $3,500,000 for the fiscal year ending June 30, 1964; for grants to individuals for scholarships and fellowships in accordance with the provisions of section 5 (a) of this act.

"(b) There is also authorized the sum of $2,500,000 to be expended during the existence of this program in the form of grants to public and nonprofit institutions in accordance with the provisions of section 5 (b) of this act.

"GRANTS BY THE COMMISSIONER

"SEC. 5. (a) The Commissioner is authorized to award scholarships and fellowships, with such stipends as he may determine, to individuals for the purpose of taking advanced training at institutions selected by the recipients, for stated periods of time, in order to engage in employment as teachers of exceptional children, or to train or supervise teachers in this field, or engage in research in the teaching of exceptional children: *Provided*, That, in his discretion, the Commissioner, in order to accomplish the objectives of this act, may also make these awards for study at the undergraduate level.

"(b) The Commissioner is also authorized to make grants to public and nonprofit institutions of higher education to construct, install, improve, or expand specialized facilities and equipment in connection with courses of instruction for persons preparing to engage in employment as teachers of exceptional children, or to train such teachers, or to supervise such teachers, or to engage in research in special education for exceptional children: *Provided*, That the Commissioner, in his discretion may also make grants to establish specialized courses in this field in such institutions.

"(c) The amount of scholarship and fellowship grants made in any fiscal year to residents of a State under section 5 (a) shall not exceed, in the aggregate, an amount which bears the same ratio to the total funds appropriated under authority of section 4 (a) for such fiscal year as the school age population of such State bears to the total school age population of all the States.

"(d) Payments of grants pursuant to this act may be made by the Commissioner from time to time, on such conditions as the Commissioner may determine, including conditions requiring public and other nonprofit institutions to make such reports, in such form, and containing such information as the Commissioner may from time to time find necessary to assure the correctness and verification of such reports.

"(e) The Commissioner shall consult with an advisory committee as described in section 6 (a) which shall assist him in determining the areas and priorities of need in the award of these grants, and in setting the standards for the granting of such fellowships, scholarships, and grants.

"ADVISORY COMMITTEE AND ADVISORY PANELS

"SEC. 6. (a) The Commissioner shall appoint an advisory committee of not more than eight persons who shall be conversant with the overall educational needs of exceptional children and who shall assist the Commissioner in developing general policies under this act. The Commissioner shall be ex officio a member of this committee and shall act as chairman thereof.

"(b) The Commissioner is also authorized from time to time to establish advisory panels of specialists in special education for any of the categories of exceptional children enumerated in this act. Each such panel shall consist of not less than five persons, who shall meet at the call of the Commissioner.

"DELEGATION OF FUNCTIONS

"SEC. 7. The Commissioner may delegate to any officer or employee of the Office of Education any of his functions under this act except the making of regulations.

"PUBLICIZING AVAILABILITY OF GRANTS

"SEC. 8. The Commissioner shall take such steps as are practicable to publicize to the fullest extent possible the availability of fellowships, scholarships, and grants under this act among teachers and prospective teachers, and among all colleges and universities offering accredited courses of study leading to advanced degrees in nursery, kindergarten, elementary, or secondary education.

"COOPERATION WITH STATES

"SEC. 9. In the administration of this act, the Commissioner shall consult and advise with the various State educational agencies to determine the extent of need for teachers of exceptional children in the respective States and to keep the State educational agencies fully informed of all developments under this program in order to encourage them to establish special programs or special classes for exceptional children. In this connection, the Commissioner shall advise the State educational agencies of the names and home addresses of all individuals from their respective States who have received fellowships, scholarships, or grants for training in the field of education of exceptional children, and the particular field of study each is pursuing, so that the respective State educational agencies can then take appropriate steps to seek to attract such persons to positions in their home States in order to utilize the advanced education and skills which they have acquired under this program: *Provided*, That no individual receiving a scholarship, fellowship, or grant for advanced study under this act shall be required, as a condition of such scholarship or fellowship or grant, to promise to take employment subsequently in any State."

The press release referred to, Mr. Speaker, now follows:

CONGRESSWOMAN SULLIVAN CITES URGENT NEED FOR 75,000 SPECIALLY TRAINED TEACHERS FOR EXCEPTIONAL CHILDREN

ST. LOUIS, October 12.—United States Representative LEONOR K. SULLIVAN, Democrat, of Missouri, said tonight the Nation urgently needs at least 4 times as many teachers for exceptional children as the estimated 25,000 professionally trained persons now serving in this specialized field. She wants the Federal Government to pioneer the way to help the States and universities meet this need.

Mrs. SULLIVAN is the author of a bill (H. R. 9591) to establish a 7-year Federal program of fellowships and grants totaling $21 million to encourage experienced teachers to take—and more universities to offer—advanced professional training in teaching exceptional children. Educators include in the term "exceptional" mentally gifted children and also the mentally retarded, the physically handicapped, and the emotionally maladjusted.

Speaking at the concluding dinner meeting of a 4-day convention of the National Association for Retarded Children in the Coronado Hotel here, the St. Louis Congresswoman reported there were perhaps 6 million American children of school age in the exceptional categories, "each having a serious educational problem not being reached and not being met in the average school."

While exceptional children do not in all cases need special classes, they do need specialized teaching techniques, she declared, and such help is not generally available because of the extreme shortage of qualified, professionally trained teachers in these fields.

EXCEPTIONAL CHILD LOST IN AVERAGE CLASSROOM

As a consequence, Mrs. SULLIVAN added, these children "are not receiving and are not enjoying their educational birthright." Many handicapped children are not in any school, and most of the other exceptional children, including the gifted, are lost souls in the average classroom, she said, calling this a tragic waste of human resources.

Noting that most of the persons in her audience were concerned with this issue primarily from the standpoint of the needs of mentally retarded children, Mrs. SULLIVAN pointed out that the basic problem in training and educating the retarded child—the shortage of qualified teachers and specialized facilities—is shared by all of the millions of children of school age "with visual defects or speech impediments or hearing impairment, the emotionally maladjusted, the undervitalized, the crippled, the whole group of exceptional children, including the gifted child, too."

The best chance of helping the retarded child, therefore, she added, is through a unified approach which will enlist the support of all of the groups working with various types of exceptional children, since all share many of the same educational problems.

ATTRACTING MORE TEACHERS TO FIELD

Reporting on the current need for at least 100,000 specially trained teachers in a field where only about 25,000 are now serving, Congresswoman SULLIVAN said:

"The best teachers of exceptional children are those who are, first of all, good teachers; then, secondly, who are trained in the special skills of teaching the exceptional child. So we must get the outstanding, experienced teacher to go back and take the special training she needs in this work. And the way to achieve that is to make it worth her while through fellowships which are generous enough so that she is not called upon to make a great financial sacrifice."

Mrs. SULLIVAN'S bill, which she introduced in the final hours of the last session of Congress as a basis for discussion among interested groups prior to the start of the new session next January, provides for a total of $18,500,000 in direct grants to individual teachers or prospective teachers over the next 7 years to enable them to take special training—primarily at the graduate level—in the education of exceptional children. An additional $2,500,000 could be allocated during that 7-year period to colleges and universities for equipment, facilities, or other expenses in expanding or initiating specialized courses in methods of teaching such children.

FELLOWSHIPS AWARDED ON STATE POPULATION BASIS

The awards to individuals would be allocated among applicants on a strict State-by-State formula based on school-age populations. This restriction would not apply, however, on grants to colleges and universities. The teachers receiving the fellowships or scholarships, furthermore, would be free to study at any college or university offering accredited courses in these fields, and would not be required to go back to their home States to teach afterward, but their own States would be urged to seek to attract these teachers back home to teach or serve as supervisors.

The actual amounts of the awards to individuals and institutions and the successful applicants would be determined by the United States Commissioner of Education with the help of an advisory committee of eight persons conversant with the educational needs of exceptional children.

Acknowledging that with the limited Federal funds it provides her bill could not by itself "solve the teacher shortage in this field," Mrs. SULLIVAN nevertheless added:

"But I think it could pioneer the way, stir up professional interest among teachers in going into this field, encourage more of the States to establish special teaching arrangements and facilities for exceptional children, and—most important of all—train those who in turn can establish the necessary courses in our colleges and universities so that every school of education eventually offers good courses in teaching exceptional children."

MANY COLLEGES NOW OFFER SPECIAL COURSES

According to figures inserted in the CONGRESSIONAL RECORD by Mrs. SULLIVAN at the time she introduced her bill, about 133 American colleges and universities were offering specialized courses in 1954 in one or more fields of exceptionality, mostly in techniques of teaching children with speech or hearing defects, but including 2 schools offering courses in teaching the gifted, a dozen or so in each category offering courses in teaching blind or partially seeing, maladjusted, or crippled children, and about 40 offering courses in teaching the retarded.

Now serving her third term in Congress, Mrs. SULLIVAN is best known in the House for her work on consumer issues and those affecting the average urban family. She took the lead in passage by Congress this year of the new law to require for the first time compulsory Federal inspection of poultry for wholesomeness; she is cosponsor with Congressman JAMES J. DELANEY, of New York, of the leading bills now pending in the House to revise and drastically tighten Federal controls over the use of insufficiently tested chemical additives in food and cosmetics; she was the "angry voice" in the House 3 years which precipitated the Federal Trade Commission inquiry into the "fake shortage" of coffee which had sent prices doubling; and she has been continuously active and vocal in fighting increases in living costs.

Mrs. SULLIVAN has also been the leading Congressional advocate of a food-stamp plan

for distribution of surplus food to needy Americans and nearly succeeded this year in writing it into the agriculture bill by amendment from the House floor despite bitter opposition from the Secretary of Agriculture. Among her committee assignments is membership on the Housing Subcommitee of the Committee on Banking and Currency.

H. R. 9591 BASED ON YEAR'S STUDY

Her bill for fellowships for teachers and grants to universities in the exceptional children field grew out of a year's study on the problem beginning with correspondence from some of her constituents who are parents of retarded children, followed by discussions with educators in this and other fields of exceptional children, plus extensive research work by the Legislative Reference Service of the Library of Congress. Much of this background and research material was inserted in the CONGRESSIONAL RECORD by Mrs. SULLIVAN at the close of the recent session.

At that time, too, she pointed to the precedents for this type of Federal educational assistance, outlining the work of the United States Government's National Science Foundation in granting fellowships to scientists for advanced study, and to high school science and mathematics teachers; the United States Public Health Service program in providing traineeships to graduate nurses for advanced training, and to physicians and medical technicians and others for advanced work in physical rehabilitation skills.

In her talk before the National Association for Retarded Children, Mrs. SULLIVAN discussed the various federally aided research programs now under way through the United States Office of Education, the Public Health Service, and the Children's Bureau of the Department of Health, Education, and Welfare into the problems of training or educating retarded children. She also cited the work of the Office of Vocational Rehabilitation of the same Department in helping mentally retarded individuals at or near the age of employability learn specialized occupational skills.

"But the urgent need is to do more—much, much more—to help these people at the nursery school, kindergarten, and elementary school levels," Mrs. SULLIVAN told the convention audience. "As you all know, the biggest need is for trained teachers—dedicated, devoted, warmhearted, but above all skilled teachers—who can reach the retarded child, or the cerebral palsied, or the crippled, or all of these exceptional children needing specialized educational techniques to bring out their full potential—teachers who can reach such a child and help him find the way to a good life."

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Education is authorized to make grants to public or other nonprofit institutions of higher learning to assist them in providing training of professional personnel to conduct training of teachers in fields related to education of mentally retarded children. Such grants may be used by such institutions to assist in covering the cost of courses of training or study for such personnel and for establishing and maintaining fellowships, with such stipends as may be determined by the Commissioner of Education.

SEC. 2. The Commissioner of Education is also authorized to make grants to State educational agencies to assist them in establishing and maintaining, directly or through grants to public or other nonprofit institutions of higher learning, fellowships or traineeships for training personnel engaged or preparing to engage in employment as teachers of mentally retarded children or as supervisors of such teachers.

SEC. 3. Payments of grants pursuant to this act may be made by the Commissioner of Education from time to time, in advance or by way of reimbursement, on such conditions as the Commissioner may determine. Such payments shall not exceed $1 million for any one fiscal year.

SEC. 4. Each State educational agency and each public or other nonprofit institution of higher education which receives a grant under this act during a fiscal year shall after the end of such fiscal year submit a report to the Commissioner of Education. Such report shall contain a detailed financial statement showing the purposes for which the funds granted under this act were expended.

SEC. 5. For purposes of this act—

(a) The term "nonprofit institution" means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(b) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for State supervision of public elementary and secondary schools in the State.

SEC. 6. The Commissioner of Education is authorized to delegate any of his functions under this act, except the making of regulations, to any officer or employee of the Office of Education.

SEC. 7. This act shall continue in effect until a date 10 years after the date of the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may be allowed to extend their remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

SALINE WATER PROGRAM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution—Senate Concurrent Resolution 121—authorizing a change in the enrollment of the joint resolution—Senate Joint Resolution 135—providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

The Clerk read the title of the concurrent resolution.

The Clerk read the concurrent resolution as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, to strike out, in the language agreed to by the conferees on House amendment numbered 15, in the second sentence beginning with the word "Unobligated", the numeral "1956" and in lieu thereof insert "1952."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

A motion to reconsider was laid on the table.

ATTACHMENT AND GARNISHMENT OF WAGES, DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1913) to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, will the gentleman explain the bill so the House can be acquainted with the rather drastic change in the debtor situation in the District of Columbia?

Mr. McMILLAN. Mr. Speaker, under existing law in the District of Columbia a judgment creditor may issue an attachment of a debtor's wages called a garnishment, which garnishment requires that the employer withhold all of the debtor's wages until it can be judicially determined how much of the attached wages should be turned over to the creditor.

Under existing law if an exemption is claimed the debtor is required to file a written claim of exemption which claim is set down for a hearing in open court at which the debtor must be present. During the time this hearing is pending the entire wages are still held up.

The exemption provided for under present law is unworkable and economically unsound in that the majority of defendants never take advantage of it and it promotes a coercive influence on defendants due to the holdup of the defendant's salary until the litigation is determined.

There are approximately 3,500 cases of garnishment heard before the municipal court of the District of Columbia every month.

The purpose of H. R. 7035 is to provide a 10 percent lien and continuing levy upon the gross wages due or to become due to the judgment debtor. This percentage attachment is to continue as a lien against the wages of an employee until the judgment, interest, and costs are fully paid. In the event more than 1 attachment is filed against the same employer for money due to the same employee, the writs so filed will take priority as of the time they are received by the United States marshal and only 1 levy can be made at any one time until the attachment having priority is satisfied.

The bill also provides a penalty to an employer in that he would be liable to a judgment if he willfully failed to pay the creditor the percentage provided for in this act. Such liability is limited to the amount of the wages due the employee upon a pay period, and provides that the employer would be liable to a judgment of 10 percent of the gross wages due if he inadvertently or otherwise not willfully failed to pay the judgment creditor the percent prescribed. This loss cannot be passed on to the employee.

The provisions of this bill shall be effective as to wages, salaries, and commissions of an employee-judgment debtor on or after the date of the enactment of this act.

A subcommittee of the House District Committee held hearings on H. R. 7035 on May 13, 1957, and May 27, 1957. At the time the hearings were held the chief judge of the municipal court of the District of Columbia appeared, and other judges of the municipal court, the Corporation Counsel for the District of Columbia, the president of the District of Columbia Bar Association, and many other interested public citizens who testified in favor of this bill. There were a number of individuals who appeared and testified in opposition to H. R. 7035 or any other bill which would amend the law relating to attachment or garnishment on wages, salaries, and commissions in the District of Columbia. It might be well to point out that all of these persons who testified against amending the present law were all representatives of various businesses who have extended credit in a reckless manner to the very individuals who were always brought into court with these proceedings.

Mr. MULTER. Mr. Speaker, the District of Columbia law affecting garnishees, that is attachment of wages for the payment of debt, is obsolete and it has long been in need of modernization.

The bill as passed by the other body, S. 1913, and called up in the House today, is an improvement on the existing statute.

After careful comparison thereof, however, with H. R. 7035, I am convinced that the House version more nearly accomplishes the aims and intent of the Congress than does the Senate version. Either version is a tremendous improvement upon existing law. I do hope, however, that the House version will prevail, and that, when the 86th Congress convenes, the District Committee will again conduct hearings with reference to this important matter and further improve the statute.

A good summary of the situation was written by the Honorable Milton S. Kronheim, Jr., who has been a municipal court judge for the District of Columbia since 1949. His remarks were printed in the spring 1958 issue of the Personal Finance Law Quarterly Report. I set it forth in full as follows:

A JUDGE TAKES A CRITICAL LOOK AT THE DISTRICT OF COLUMBIA GARNISHMENT LAW

(By Judge Milton S. Kronheim, Jr.)

I have been asked to discuss garnishments. It seems to me that the subject divides itself into three questions:

1. Are garnishments a problem?

2. If so, whose problem?

3. What can or should be done?

Now frequently when we are listening to some speaker, or reading the words of some writer, the thought occurs, Who is this fellow? How did he get that way? So I think I should say that from 1934 to 1947 I was the credit manager of a medium-sized wholesale concern—and that I was the claims attorney for the Dun & Bradstreet agency from 1938 to 1942.

That was the background I took with me to the bench in 1949. I found on the docket tens of thousands of cases revolving around credit. It was impossible not to notice that most defendants had no capital, very little income, and in many cases a poor past credit record. And the necessarily implied question is, "How did these people get credit?"

ONE THOUSAND A WEEK

It seems to me that the answer to this question is that an average of 1,000 garnishments a week issue from our court each week. Under our statute, an employer cannot pay the employee when he receives a garnishment. This is very harsh indeed; not a week goes by that I do not receive an anguished communication from some wage earner whose pay is held up (I refer such a person to Legal Aid). Of course we have exemptions—but these must be claimed subject to a hearing, and during the delay, the defendant's wages are still held.

Without belaboring the point, in my opinion, there is a problem.

My second question is, whose problem is it?

Well, I must confess, I am impressed by the wretched condition of some of these debtors. The court has them, in every condition of poverty—wrapped in burlap, or blind, or a father cooking over a hot plate for five children while the mother is in a mental institution. This is no mere rhetoric, but a factual report greatly diminished. But in spite of this judicial aspect, I do not think the cure, if there is one, is a court problem. It arises in the course of doing business under the law; the only function of the courts is to find the facts and apply the law.

LEGISLATIVE PROBLEM, TOO

It is a business problem; and it is a legislative problem. Now as to the legislature, I have said as much in public hearings. The people most affected are poor, naive moneywise, and in the District of Columbia they have no vote. It's easy to see why Congress, which legislates for the District, is not under any pressure to give this garnishment situation the attention which I think is demanded. The only group remaining is the business community; and I think the credit grantor is the most involved. It seems to me that it is their problem.

So, 1. We have a problem.

2. It is a business problem.

The third question is what can be done? What should be done?

Well, again it seems to me that something can be done. In the other branches of the court we deal with sin, or incapacity—things arising out of the moral code or the nature of man. In the granting of credit, or in the execution of garnishments, we're dealing merely with a recent business and legal creation. I feel that creditors cannot ignore the plain challenge to do their clear duty.

I suggest to your committee four avenues of approach for further suggestion to the Congress:

1. A lawsuit should not be available to collect on credit not given in accordance with ordinary business standards.

Now I'm talking to lawyers and businessmen: I don't have to point out that every day millions of people are given credit on the time-honored basis of cash, character, or capacity. Where none of these are present credit is not given in good faith. It's that simple.

Recently a friend of mine (I have two friends) who runs an automobile agency told me of having received a garnishment on one of his people who is paid $45 a week. The garnishment was for $874. When my friend asked the judgment creditor how a $45-a-week man with a family could be given that much credit, the answer was, "That's my business."

I submit that is an accurate answer—and it carries with it another question—Should the law court collect on his business?

So much for good faith—it was introduced in 1949 as a bill and again in 1950, and 1956—but while considered briefly by some legislators, has died, although I should say for the sake of accuracy that the latest bill is still technically pending.

2. My second suggestion would be to investigate the New York law which provides that only one garnishment is good at a time—and that only to the extent of 10% of the debtor's income. This has worked in New York. It also is presently pending as legislation.

3. My third suggestion is that garnishments be abolished. There are four States presently in which no wage garnishment is allowed; one of these is Texas. Has this affected the Texas economy? I suggest that creditors calculate how much of their accounts are collected by this misery spreading process. I dare say that the sum percentagewise is negligible. This, too, is pending legislation.

4. My fourth suggestion would call for a real contribution on the part of credit grantors—a real step forward. How much credit is reasonable? If it is obviously unreasonable to credit a $35 domestic with a $476 television, and it is reasonable to sell her a $19 radio then people who are in business should be able to tell where reasonableness begins and ends.

My final suggestion is that of the municipal court of appeals of the District of Columbia. In the McIver case they said, "distressing cases of overcharging and overselling are often encountered, but we know of no remedy under existing law except that of education of the buying public."

If that is the only feasible solution—and I have been told forcibly that it is—then I hope credit grantors will forgive me if I tell them that it is their task to do it.

Mr. MILLER of Nebraska. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted etc.—That the act entitled "An act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is amended by inserting after section 1104 thereof a new section as follows:

"SEC. 1104A. ATTACHMENT OF WAGES.—(a) Notwithstanding any other provision of this chapter, where an attachment is levied upon wages due a judgment debtor from an employer-garnishee, such attachment shall become a lien and a continuing levy upon the gross wages due or to become due to the judgment debtor for the amount specified in the attachment to the extent of (1) 10 percent of so much of the gross wages as does not exceed $500 due or to become due to the judgment debtor from the employer-garnishee for the pay period or periods ending in any calendar month, plus (2) 50 percent of so much of the gross wages as exceeds $500 due or to become due to the judgment debtor from the employer-garnishee for the pay period or periods ending in any calendar month. Such levy shall be a continuing levy until the judgment, interest, and costs thereof are fully satisfied and

paid, but in no event shall the payments in satisfaction of such execution reduce the amount payable to the judgment debtor to less than $50 per week and in no event shall moneys be withheld, by the employer-garnishee from the judgment debtor, in amounts greater than those prescribed by this section. Only one attachment upon the wages of a judgment debtor shall be satisfied at one time. Where more than one attachment is issued upon the wages of the same judgment debtor and served upon the same employer-garnishee, the attachment first delivered to the marshal shall have priority, and all subsequent attachments shall be satisfied in the order of priority set forth in section 452 of this act.

"(b) It shall be the duty and responsibility of any employer upon whom an attachment is served, and who at such time is indebted for wages to an employee who is the judgment debtor named in such attachment, or who becomes so indebted to such judgment debtor in the future and while such attachment remains a lien upon such indebtedness, to withhold and pay over to the judgment creditor, or his legal representative, within 15 days after the close of the last pay period of the judgment debtor ending in each calendar month, that percentage of the gross wages payable to the judgment debtor for the pay period or periods ending in such calendar month to which the judgment creditor is entitled under the terms of this section until such attachment is wholly satisfied. Any payments made by an employer-garnishee in conformity with this subsection shall be a discharge of the liability of the employer to the judgment debtor to the extent of such payments. Not more than 10 percent of the gross wages payable to the judgment debtor for any pay period ending in any calendar months shall be withheld and paid over by the employer-garnishee under this subsection until the total amount of gross wages paid or payable to the judgment debtor for all pay periods ending in such calendar month equals $500.

"(c) It shall be the duty and responsibility of the judgment creditor (1) to file with the clerk of the court, every 3 months after the serving of an attachment, a receipt showing the amount received and the balance due under the attachment as of the date of filing, and (2) to file a final accounting with the court and to obtain a vacation of the attachment within 20 days after the attachment has been satisfied. If the judgment creditor fails to file any of the receipts or the final accounting prescribed in this subsection, any interested party may move the court to compel the defaulting judgment creditor to appear in court and make an accounting forthwith. The court may, in its discretion, enter judgment for any damages suffered by, and tax costs in favor of, the party filing the motion to compel the accounting.

"(d) If the employer-garnishee willfully fails to pay to the judgment creditor the percentage prescribed in this section of the wages which become payable to the judgment debtor for any pay period, judgment shall be entered against him for the whole amount of the judgment creditor's judgment and costs, and execution shall be had thereon, except that in no event shall judgment be entered against the employer-garnishee in an amount greater than the gross wages which became payable to the judgment debtor for the pay period or periods with respect to which the employer-garnishee willfully failed to pay to the judgment creditor the percentage prescribed in this section. If the employer-garnishee fails, but not willfully, to pay to the judgment creditor the percentage prescribed in this section of the wages which become payable to the judgment debtor for any pay period, judgment shall be entered against him for an amount equal to the percentage with respect to which such failure occurs. The judgment debtor shall not be liable to the employer-garnishee for any amount for which judgment is entered against the employer-garnishee under this subsection.

"(e) If a judgment debtor resigns or is dismissed from his employment while an attachment upon his wages is wholly or partly unsatisfied, and he is subsequent reinstated or reemployed by the same employer, such attachment shall lapse and no further deduction shall be made thereon unless such reinstatement or reemployment occurs within 90 days after such resignation or dismissal.

"(f) For purposes of this section, the term 'wages' means—

"(1) wages, salary, commissions, or other remuneration for services performed by an employee for his employer, including any such remuneration measured partly or wholly by percentages or share of profits, or by other sums based upon work done or results produced, whether or not the employee is given a drawing account, and

"(2) any drawing account made available to an employee by his employer.

Such term does not include any amount paid or payable to an employee who is not a resident of the District of Columbia as remuneration for services performed within the District of Columbia, if the period for which the employee is engaged by the employer to perform such services within the District of Columbia is less than 15 consecutive days duration; and any such amount shall be subject to attachment without regard to this section.

"(g) The percent limitations prescribed by subsection (a) of this section shall not apply in the case of execution upon a judgment, order, or decree of any court of the District of Columbia for the payment of any sum for the support or maintenance of a person's wife, or former wife, or children, and any such execution, judgment, order, or decree shall, in the discretion of the court, have priority over any other execution which is subject to the provisions of this section.

"(h) No attachment issued by the municipal court for the District of Columbia upon a judgment of such court duly docketed in the United States District Court for the District of Columbia, and levied within 6 years from the date of such judgment upon the wages due or to become due to the judgment debtor from the employer-garnishee, shall lapse or become invalid prior to complete satisfaction solely by reason of the expiration of the period of limitation set forth in section 4 (c) of the act of April 1, 1942 (56 Stat. 193; D. C. Code 11–755)."

SEC. 2. Subsection (b) of section 1089 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended (D. C. Code 15–304), is amended by adding at the end thereof the following: "This subsection shall not apply with respect to an attachment upon wages to which section 1104A of this act applies."

SEC. 3. Section 1098 of such act, as amended (D. C. Code 15–312), is amended by striking out "If" and inserting in lieu thereof "Subject to the provisions of section 1104A of this act, if."

SEC. 4. Section 1107 of such act, as amended (D. C. Code 15–403), is amended—

(a) by striking out "earnings, salary" each place it appears in subsection (a) and (b) and inserting in lieu thereof "earnings (other than wages, as defined in section 1104A)"; and

(b) by striking out "salaries," in the proviso in subsection (a).

SEC. 5. (a) Section 456 of such act, as amended (D. C. Code 16–312), is amended by adding at the end thereof a new subsection as follows:

"(c) In any case in which the cause of action arises in the District of Columbia or in which judgment is sought in the District of Columbia on a judgment secured outside of the District of Columbia, an attachment which is issued under section 445 of this act solely on the ground that the defendant is not a resident of the District, and which is levied upon the wages (as defined in sec. 1104A (f)) due to or become due to the defendant from his employer, shall be subject to the provisions of section 1104A of this act, except that the employer-garnishee shall pay over the wages withheld pursuant to such section only pursuant to the order of the court which has jurisdiction of the case. In applying the provisions of such section to any such attachment, the term 'judgment debtor' as used in such section shall be considered to refer to the defendant in the case in which such attachment is issued; and the term 'judgment creditor' shall be considered to refer to the plaintiff in such case."

(b) Subsection (b) of such section 456 is amended by striking out "wages" and inserting in lieu thereof "earnings."

SEC. 6. The amendments made by this act shall apply only with respect to attachments upon wages (as defined in section 1104A (f) of this act) which are issued on or after 60 days from the date of the enactment of this act.

Mr. McMILLAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McMILLAN: Strike out all after the enacting clause and insert the provisions of the bill H. R. 7035, as follows:

Be it enacted, etc., That (a) section 456 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended (D. C. Code 16–312) is amended by redesignating subsection (b) as subsection (c), and by inserting after subsection (a) a new subsection as follows:

"(b) (1) Where an attachment is levied upon wages, salary, or commissions due a judgment debtor from the employer-garnishee, such attachment shall become a lien and a continuing levy upon the gross wages, salary, or commissions due or to become due to the judgment debtor for the amount specified in the attachment, to the extent of 10 percent of the gross wages, salary, or commissions for each pay period. Such levy shall be a continuing levy until the judgment, interest, and costs thereof are fully satisfied and paid. Only one attachment upon the wages, salary, or commissions of a judgment debtor shall be satisfied at one time. Where more than one attachment is issued upon the wages, salary, or commissions of the same judgment debtor and served upon the same employer-garnishee, they shall be satisfied in the order of priority set forth in section 452 of this act.

"(2) It shall be the duty of any employer upon whom an attachment is served, and who at such time is indebted to an employee who is the judgment debtor named in such attachment for wages, salary, or commissions, or who becomes so indebted to such judgment debtor in the future and while such attachment remains a lien upon such indebtedness, to pay over to the judgment creditor, or his legal representative, once each calendar month, that percentage of the gross wages, salary, or commissions payable to the judgment debtor during such calendar month to which the judgment creditor is entitled under the terms of this subsection until such attachment is wholly satisfied. Any payments so made by an employer-garnishee hereunder shall be a discharge of the liability of the employer to the employee-judgment debtor to the extent of such payments.

"(3) If the employer-garnishee willfully fails to pay to the judgment creditor the percentage described in this subsection, judgment shall be entered against him for the whole amount of the judgment creditor's judgment, and costs, and execution shall be had thereon, except that in no event shall judgment be entered against the employer-garnishee in an amount greater than the gross wages, salary, or commissions that became payable to the employee-judgment debtor for the pay period or periods with respect to which the employer-garnishee willfully failed to pay to the judgment creditor the percentage prescribed in this subsection.

"(4) If a judgment debtor resigns or is dismissed from his employment while an attachment upon his wages, salary, or commissions is wholly or partly unsatisfied, and he is subsequently reinstated or reemployed by the same employer, such attachment shall lapse and no further deduction shall be made thereon unless such reinstatement or reemployment occurs within 90 days after such resignation or dismissal.

"(5) Wages, salary, and commissions payable to an employee-judgment debtor shall include any compensation measured partly or wholly by percentages or share of profits or by other sums based upon work done or results produced, whether or not the employee-judgment debtor is given a drawing account; and, for the purposes of this subsection, such compensation and any such drawing account shall be deemed to be wages."

(b) Subsection (c) of such section 456 (as redesignated by subsection (a) of this section) is amended by striking out "wages" and inserting in lieu thereof "earnings."

SEC. 2. Subsection (b) of section 1089 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended (D. C. Code 15–304), is amended by adding at the end thereof the following: "This subsection shall not apply with respect to an attachment upon the wages, salary, or commissions of an employee-judgment debtor to which subsection (b) of section 456 of this act applies."

SEC. 3. Section 1098 of such act, as amended (D. C. Code 15–312), is amended by striking out "If" and inserting in lieu thereof "Subject to the provisions of subsection (b) of section 456 of this act, if."

SEC. 4. Section 1107 of such act, as amended (D. C. Code 15–403), is amended—

(a) by striking out "earnings, salary" each place it appears in subsections (a) and (b) and inserting in lieu thereof "earnings (other than wages, salary, and commissions)"; and

(b) by striking out "salaries," in the proviso in subsection (a).

SEC. 5. The amendments made by this act shall apply with respect to attachments upon the wages, salary, and commissions of an employee-judgment debtor which are issued on or after the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 7035) was laid on the table.

MAKING POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT AMENDMENT OF 1957 APPLICABLE TO RETIRED FORMER MEMBERS OF METROPOLITAN POLICE FORCE, ET AL.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7450) an act to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children, with amendments of the Senate thereto, disagree to the Senate amendments and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. KEARNS. Mr. Speaker, reserving the right to object; was this not reported out of the committee unanimously?

Mr. McMILLAN. That is correct. It was passed by the House a year ago and the other body has just passed the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? (After a pause.) The Chair hears none and appoints the following conferees: Messrs. McMILLAN, DAVIS of Georgia, and BROYHILL.

GENERAL LEAVE TO EXTEND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROVIDING FURTHER PROTECTION AGAINST THE INTRODUCTION AND DISSEMINATION OF LIVESTOCK DISEASES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12126) an act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes, together with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Line 7, after "amended" insert "(1)."

Line 9, after "animals," " insert "; and (2) by inserting before the period at the end thereof a colon and the following: '*Provided*, That wild ruminants or swine may be imported from any such country upon such conditions, including post entry conditions, to be prescribed in import permits or in regulations, as the Secretary may impose for the purpose of preventing the dissemination of said diseases into or within the United States: *And provided further*, That the subsequent distribution, maintenance, and exhibition of such animals in the United States shall be limited to zoological parks approved by said Secretary as meeting such standards as he may by regulation prescribe for the purpose of preventing the dissemination of said diseases into or within the United States. The Secretary may at any time seize and dispose of any such animals which are not handled in accordance with the conditions imposed by him or which are distributed to or maintained or exhibited at any place in the United States which is not then an approved zoological park, in such manner as he deems necessary for said purpose.'"

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CALL OF THE CONSENT CALENDAR AND PRIVATE CALENDAR TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on tomorrow it may be in order for the Speaker to direct the call of the Consent Calendar and the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ACCEPTING STATUE OF DR. FLORENCE RENA SABIN

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution—Senate Concurrent Resolution 102—accepting the statue of Dr. Florence Rena Sabin, to be placed in the Statuary Hall collection, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of Dr. Florence Rena Sabin, presented by the State of Colorado, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the United States be tendered such State for the contribution of the statue of one of its most eminent citizens, illustrious for her work in the field of medicine; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Colorado.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CEREMONIES IN ROTUNDA—DR. FLORENCE RENA SABIN

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution—Senate Concurrent Resolution 103—to place temporarily in the rotunda of the Capitol a statue of the late Dr. Florence Rena Sabin and authorizing ceremonies on such occasion, and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

Resolved by the Senate (the House of Representatives concurring), That the State of Colorado is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late Dr. Florence Rena Sabin, of Colorado, and to hold ceremonies in the rotunda on such occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REPEALING CERTAIN PROVISIONS OF LAW RELATING TO MESSENGERS FOR COMMITTEE ON WAYS AND MEANS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13861) a bill to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That (a) the provisions of House Resolution 42 of the 80th Congress relating to messengers for the Committee on Ways and Means of the House of Representatives which were made permanent law by section 105 of the Legislative Branch Appropriation Act, 1948, are hereby repealed.

(b) The provisions of House Resolution 45 of the 81st Congress relating to messengers for the Committee on Ways and Means of the House of Representatives which were made permanent law by section 105 of the Legislative Branch Appropriation Act, 1950, are hereby repealed.

(c) The provisions of House Resolution 118 and House Resolution 486 of the 83d Congress relating to messengers for the Committee on Ways and Means of the House of Representatives which were made permanent law by section 103 of the Legislative Appropriation Act, 1955, are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

FAVORING CONGRESSIONAL RECOGNITION OF BASEBALL HALL OF FAME

Mr. BURLESON. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution—Senate Concurrent Resolution 37— favoring Congressional recognition of the Baseball Hall of Fame, located at Cooperstown, N. Y.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MORANO. Mr. Speaker, reserving the right to object; is this Senate resolution the same as the House Concurrent Resolution 213 which was introduced by our distinguished colleage from New York [Mr. KEARNEY].

Mr. BURLESON. That is correct.

Mr. MORANO. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate concurrent resolution as follows:

Whereas baseball is universally recognized as the American national sport, a sport that in the more than 100 years of its existence has captured the imagination and zeal of most of our youth and has spread to other lands; and

Whereas millions of Americans have participated either as players or spectators in countless school, college, community, or professional leagues since Abner Doubleday conceived the first game of "town ball" in 1839 in Cooperstown, N. Y.; and

Whereas modern American baseball teams have achieved wide acclaim in exhibition tours in foreign lands and have been generally accepted as among our finest good will ambassadors abroad; and

Whereas baseball epitomizes our highest ideals of sportsmanship and fair play; and

Whereas there was established in 1938 at Cooperstown, near the site of the first game, the Baseball Hall of Fame; and

Whereas the Baseball Hall of Fame is the shrine of the game's immortals whose exploits are there preserved for the inspiration of future generations: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby recognizes the Baseball Hall of Fame at Cooperstown, N. Y., as a memorial to individuals who have made outstanding contributions to the sport of baseball and as a fitting and valuable institution for the collection and preservation of famous tokens and other evidences and data relating to our national game.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING ACT OF MAY 17, 1954 (68 STAT. 98)

Mr. BURLESON. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 4085) to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of May 17, 1954 (68 Stat. 98), entitled "An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes" is hereby amended by striking sections 4 and 5 therefrom and inserting in lieu thereof the following:

"SEC. 4. There is hereby authorized to be appropriated not to exceed $17,250,000 to carry out the purposes of this act: *Provided*, That funds authorized to be appropriated by this act shall be expended by the United States for construction of the memorial in the ratio of $3 of Federal funds for each $1 of money contributed hereafter by the city of St. Louis or other non-Federal source for purposes of the memorial, and for such purposes the Secretary is authorized to accept from the said city or other non-Federal sources, and to utilize for purposes of this act, any money so contributed: *Provided further*, That the value of any land hereafter contributed by the city of St. Louis shall be excluded from the computation of the city's share."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRINTING OF FINAL REPORT OF SUBCOMMITTEE ON DISARMAMENT OF SENATE COMMITTEE ON FOREIGN RELATIONS

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (S. Con. Res. 111) to print the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations as a Senate document, with additional copies, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the final report of the Subcommittee on Disarmament of the Committee on Foreign Relations, under authority of S. Res. 241, agreed to January 29, 1958, shall be printed as a Senate document, with illustrations, and that 2,000 additional copies shall be printed for use of the Committee on Foreign Relations.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF COMPILATION OF SOCIAL SECURITY LAWS

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution (H. Res. 693) providing for printing as a House document the Compilation of Social Security Laws and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the compilation of social security laws, prepared by the Social Security Administration for the use of the Committee on Ways and Means, be printed as a House document; and that 4,000 additional copies be printed, of which 3,000 shall be for the use of the Committee on Ways and Means, 300 copies shall be for the use of the Senate Committee on Finance, and 700 copies shall be for the use of the House document room.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF COMMITTEE ACTIVITY REPORTS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, with reference to the printing of committee activity reports for the session, I wish to remind the chairmen of all committees that the Joint Committee on Printing has very properly ruled that the printing of such reports both as committee prints and in the RECORD is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the RECORD since the Government Printing Office will be directed not to print them both ways.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 13678. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 12728. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 469) entitled "An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13247) entitled "An act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs, and for other purposes."

JOHN W. McCABE

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, 39 years ago last June 1; that is, June 1, 1919, a young fellow came here to the House of Representatives as an employee. He was brought here by a great Member of this body who represented a considerable part of the district which it is now a privilege to represent, the Honorable Will R. Wood, who was chairman of the Committee on Appropriations.

The person to whom I refer is John W. McCabe. John has served here through these years capably and efficiently, helpful to all of us, one of the finest persons it has ever been my privilege to know.

NOW HE IS RETIRING

On May 24, 1956, the gentleman from Indiana [Mr. MADDEN], who represents now the First District which at that time was part of the district I now represent, and the home town area of John McCabe, and I spoke of his service and his great work here in the House of Representatives.

So, Mr. Speaker, without taking further time at this point I ask unanimous consent to revise and extend my remarks, and to include in my remarks the observations I made at that time.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

(The matter referred to follows:)

Mr. Speaker, I want to commend the gentleman from the great First District of Indiana for the splendid and well-deserved things he has said in commendation of Johnny McCabe. I know I speak for myself, and I am sure I speak for every Member on our side of the aisle, when I say to Johnny that we have appreciated through the years the splendid service he has given us, always of assistance, always ready and willing to be helpful not only to the Members on our side of the aisle but to Members on the other side of the aisle.

The gentleman from Indiana referred to the great Will R. Wood, who was my predecessor here in the House. Since coming here I have found many of the tracks of Will R. Wood. He did many things that were helpful to the Congress and to the country. I am absolutely sure one of the finer things he did was to bring John McCabe down here.

I was elected first to the Congress when there were not very many Republicans serving in the House. I came down here on February 5, 1935, to be sworn in after a special election. To say that I was a pretty green hand is probably the understatement of the year. But I found one person around here who knew enough about what was going on and about the operations of the House of Representatives to be of real assistance to me. That person was John McCabe. So I am happy on this occasion to say that of him, in his presence among those of us who have been so happy to have him here with us.

No employee has demonstrated a greater sense of pride in the privilege of serving his Government and none has been more loyal or more faithful in the discharge of his duties.

Although John is a native and resident of the First District of Indiana I know that he counts many friends among the folks of the Second District.

As he approaches this milestone of service, certainly we wish him the best of everything in the years to come and express the fond hope that he shall continue to be with us here on the floor for a long, long time.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. MADDEN. As the gentleman from Indiana [Mr. HALLECK] stated, 2 years ago several Members paid tribute to Johnny McCabe when he commemorated his 37th year as an employee of the House. At that time I told the Members of the great record that Johnny McCabe has made through the years as a citizen of Whiting in the Calumet region of Indiana.

Years ago Johnny McCabe was the assistant to John Killigrew, the Republican county chairman in my District. I am certainly happy that Johnny is not back there now as an assistant county Republican chairman, as our party would not want to compete against his political strategy. I hope Johnnie enjoys many years of good health and happiness in his retirement. With all his friends and reputation, I hope that he does not decide to run for Congress on the Republican ticket if he becomes bored with the life of a retired gentleman.

Johnnie was a delegate or a convention official at all Republican national conventions since 1912. Speaker RAYBURN, CARL VINSON, and DAN REED are the only Members remaining who were here when Johnny started to work in the House of Representatives.

Everybody who knows Johnny McCabe back over almost half a century of political activity in my District honors him and realizes that he has done a great work for his district and country as an employee in the House of Representatives. I know that every Member of this House joins with the gentleman from Indiana [Mr. HALLECK] and myself in paying tribute to Johnny upon his retirement.

Mr. HALLECK. I thank the gentleman from Indiana. I should have stated at the outset that Johnny is retiring at the end of this year, hence this occasion to speak of him.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Massachusetts.

Mr. MARTIN. Mr. Speaker, when Congress assembles next January one of our beloved figures will be missing. In 39 years he has been a faithful and devoted House employee, cheering all with his pleasant smile and faithful service. He served efficiently at my Republican National Convention where he was a popular figure. We all will miss Johnny and wish him well for the future.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD on Johnny McCabe.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

Mr. NIMTZ. Mr. Speaker, I join the dean of the Indiana delegation and the other Members of the House in paying tribute to one of Indiana's distinguished citizens, John W. McCabe, upon his retirement as an employee of this body. Although I have known Johnny, as he is so affectionately called, only since my arrival here in January 1957, it is my understanding that he has served faithfully the membership of this House since 1919.

I can easily understand why he is so highly regarded by all who serve here. He is friendly, he is loyal, and he is always on the job. If you want something done, you do not have to look for Johnny, because you know he is always on the floor. Also, he is reliable, if you ask Johnny to do something, you know it will be done.

I, too, wish my good friend, John McCabe, many years of health and happiness. We shall be happy to have him back home again in Indiana.

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from Indiana [Mr. HALLECK], in paying tribute to the long and faithful service of Johnny McCabe. I have never known a more sincere and courteous person. He has been cooperative with and helpful to me ever since I have been a Member of this House. I admire him greatly. I shall miss him in this Chamber. I wish him many years of happiness in his retirement.

Mr. HOEVEN. Mr. Speaker, I join in paying a well-deserved tribute to Johnny McCabe who has so well served the Republican minority—the House of Representatives, for the past 39 years. Now that he has decided to retire I wish for him the best of everything in the years that lie ahead. I am personally grateful to him for the many acts of kindness

he has performed in my behalf throughout my service as a Member of the House. May the Lord richly bless him always.

Mr. WOLVERTON. Mr. Speaker, I have learned with regret that Johnny McCabe has decided, because of his health, to retire from the service of this House.

For 39 years Johnny, as he has been known to all the Members, has served faithfully and well. Always obliging. No task was ever too irksome. His one desire was to be helpful. His disposition was always pleasant and shedding sunshine and happiness to all about him. I wish for him many more years of happiness.

Mr. SCUDDER. Mr. Speaker, it is a great pleasure for me to hear the very fine things said today about Johnny McCabe.

He has been a most loyal and helpful public servant—always willing to assist, to extend a favor and to procure information whenever asked. His attention to duty by being on the job is not surpassed by any staff member that it has been my pleasure to work with.

I trust that you, Johnny, have a most enjoyable retirement and that you live many, many years to enjoy the fruits of your labors. May you enjoy good health and reap a rich harvest for the sincere devotion that you have given to your job.

Mr. CHENOWETH. Mr. Speaker, I want to join the other members who have spoken about Johnny McCabe. Johnny told me some time ago that he intended to retire at the end of this Congress, and I was indeed sorry to learn of his plans to leave the House, where he has served so faithfully for so many years.

I have great affection for Johnny McCabe and he has been a real friend over the years I have served in the House. He has given me every possible assistance, and has extended courtesies far too numerous to mention. I have tried to thank him for what he has done, but I am indeed happy to have this opportunity to again express my sincere gratitude and appreciation. His friendship has meant a great deal to me and the House will never be the same without him.

I hope Johnny enjoys the retirement which he so richly deserves. I want to wish him good health and much happiness for many years to come. It has been a privilege to know you, Johnny, and I have greatly enjoyed my association with you.

Mr. RAYBURN. Mr. Speaker, Johnnie McCabe has been a faithful and efficient member of the House staff. He has been courteous and kind, and we will miss him very much.

Mrs. HARDEN. Mr. Speaker, I wish to join in the tribute to Johnnie McCabe. It has been a privilege and a pleasure for me to have known Johnnie and I wish him many happy years of retirement. Thirty-nine years of service to this House is a record few have equalled and certainly few have exceeded. Yet that is the period of service which Johnnie McCabe has given to this body, and given cheerfully and well.

As a fellow Hoosier, I wish him happiness, good health, and a long life. We shall all miss him.

Mr. HORAN. Mr. Speaker, I want to join in paying homage to Johnnie McCabe who is retiring after a long tenure of service here. Johnnie has always been a real help to me. And, I feel it should not go unmentioned that I appreciated his sharing his daily Washington News with me as well as many other Members. Every good wish to Johnnie for happiness and well-being in his retirement.

Mr. McGREGOR. Mr. Speaker, I want to join with the other Members of Congress in paying respect to one of those who is nearly a permanent fixture of this legislative hall.

I am referring to Johnny McCabe. I join with his many friends in wishing him Godspeed in the years ahead. I wish him the fullest enjoyment of all the pleasures that he so richly deserves for his many years of service.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I wish to join in this tribute to Johnnie McCabe because, believe it or not, we have been personal friends since 1912 when we were both pages in the Republican National Convention of that year. Of course, Johnnie is much older than I, more experienced and more able.

I do join with the Indiana delegation, and with the full membership of this House, in wishing him Godspeed in the years ahead. We hope he will enjoy health, happiness, contentment, and prosperity for the rest of his days.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I thank the gentleman from Indiana for yielding to me.

I have known John McCabe for a number of years, as a matter of fact since 1938, when I was a small boy. He was then Chief Page on the minority side. It is due to his great help and his guidance that I came to learn a good deal of what I know today about the Congress of the United States.

I would like to join in paying tribute to Johnnie McCabe, who is one of the finest individuals we have in this country. He is a small man physically, but his heart, his courage, his integrity, and his generosity are as large as the Capitol Building itself. I am proud to have known him. I wish him well. I say on behalf of myself and on behalf of all the young men he helped to train, to bring up in this world, that he has been a wonderful influence over the years. We will miss the Chief.

May God bless you, Johnnie, and may you have many, many years of happiness and may your friends always be able to come to you for good advice.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Speaker, there is one phase of Johnnie's life I know very few Members of this body are aware of. During the Korean war in 1952 he went over there with our Committee on Armed Services and spent a week on the front when General Van Fleet was there. He had a fatigue suit on and he did everything every Member of Congress did, walking up and down the hills, but he was always Johnnie as we know him on the floor.

God bless you from here on in.

Mr. REED. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from New York.

Mr. REED. Johnnie McCabe and I entered the Congress at the same time, which will give you some idea of his age. He has been a marvelous public servant, he has been a true friend to me and very helpful in many ways.

I wish him well as he retires from this body, and I hope he will return frequently to see us.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. Mr. Speaker, I am certain that I express the sincere sentiments of the Members of this House when I say to Johnnie that all of us wish that the future will bring you contentment, happiness and good health.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, 24 years ago when I came to this Congress I wanted to know who every Member was and who every employee was. I asked, "Who is Johnnie McCabe?" They said, "He is the fellow that does something for everybody and for every person who asks him to do something."

He was the jack of all trades, so to speak, but a man who was a friend to each and every Member who came to this Congress. I shall never forget the many, many things he did to help me when I started in my service to the people of this country.

Johnnie, we wish you the best of luck, peace and contentment as you go on through life. And come back and see us. You are always welcome.

Mr. HALLECK. Mr. Speaker, I yield to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, I appreciate the opportunity the gentleman from Indiana is giving to us today. As for Johnny McCabe, although a native of Indiana, we in California have something in common with him because he lived in California for a number of years, and the first thing he told me when I came here was he thought a great deal of California, which endeared him very much to me. He was always available for any information or any service that we might request of him. We are going to miss him around here, and we hope he will enjoy many years of health and happiness.

Mr. HALLECK. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, Johnny McCabe is one of the finest characters I have ever known. No task has ever been too great for him, and no task has ever been too small. He regards every Member as a person that should be helped. I always have liked the word "service." He always gave service on every activity in the Capitol. He kept his mind on every piece of legislation. He watched every departmental matter affecting the Congress of the United States. I wish him the greatest happiness in his retirement. We will all be thinking of him and wishing him good luck, and many, many thanks to him for work superbly done.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

RETIREMENT OF JOSEPH P. O'HARA

Mr. H. CARL ANDERSEN. Mr. Speaker, I am sure we all want to join in wishing our colleague, the Honorable JOSEPH O'HARA, from the Second District of Minnesota, the best of everything as he goes into retirement from the Congress at the end of this year.

I do so with mixed emotions. Naturally, I am pleased that he goes into voluntary and not involuntary retirement. So often we are denied expressions of regard as many of our beloved colleagues are taken from us by death, or political defeat after the Congress has adjourned and consequently we do not have the opportunity to tell them personally how much we have enjoyed their company, and how much they will be missed in the Halls of Congress.

JOE O'HARA came to Washington in the 77th Congress during my second term in office. I knew and respected him as a man of unquestioned integrity and unusual ability from his very first days here, and his reputation has become enhanced during the entire period of his service.

In our State they often refer to people of Scandinavian descent as "Minnesota Irish." Here, in the person of JOSEPH PATRICK O'HARA, we have an all-American Irishman, who does honor to his American citizenship and his national heritage.

His Congressional District adjoins mine and I naturally know many of his constituents. On occasion, I have campaigned some of his neighbors who had strayed across the District line. In addition, I am honored to count among my own constituents one of his fine sons and his splendid family. From my years of association with his neighbors I can bear witness to the fact that I have never heard one word of criticism relative to his personal or official conduct. His constituents and mine respect and admire Mr. O'HARA.

JOE O'HARA has been an outstanding Congressman. The House of Representatives, with its time-honored traditions and history of great men, has been honored by his distinguished presence. He has dedicated himself as completely to the service of his people and his Nation as any man I have known. He has demonstrated over and over again his understanding of the problems of others and his readiness to be helpful. He has shown by deed and by example the depth of his Christian principles and beliefs. He has chalked high his mark of devotion to duty, and only men of great stature can hope to equal the record he has left.

I am in my 20th year of service in the Congress, Mr. Speaker, and I recall no voluntary retirement in recent years with the exception of Clifford Hope of Kansas which has been more deeply regretted by me personally. I shall miss greatly my good friend JOE O'HARA and his lovely wife. My office staff asked me to join them in this expression and also to say how much we shall miss the fine people in his office. The cooperation between our two offices has left nothing to be desired.

As our distinguished colleague from the Second District of Minnesota prepares for retirement and returns to the practice of law, I am privileged to be among those here today in wishing him the best of everything. I hope he will come back often to visit with us.

I now yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, it is a sad day for all in this House, and especially those of us from Minnesota, who have known and loved JOE O'HARA all these years, to have him retire. It is a sad day for the Congress and for the country. Because JOSEPH O'HARA, in my opinion, after working closely with him here for 16 years, is one of the most valuable public servants in this body. Certainly he is one of the ablest; certainly he is one of the hardest working and conscientious. And certainly he has another quality which many people who are able and hard working do not have in so superlative a degree; he is second to none in political courage. It is relatively easy to stand up with physical courage against machineguns on the battlefield; but all of us here know that it is a great deal harder to have the courage of one's convictions in the face of political pressures from powerful organized groups to which we may ourselves belong, or from dear friends who sincerely believe that we are wrong.

In all the years I have been here I have never heard one person among those, either here or at home in Minnesota, who disagreed with him on various issues, ever speak of him except in terms of highest respect for his honesty, his integrity, and his courage. They admire him all the more because no one ever heard him utter an unkind or a demogogic word or make a bid for votes by concealing or departing from his point of view.

JOE O'HARA is a man who is solid, strong, and steady in physical makeup. His mental, emotional, and moral makeup are of the same type—solid, steady, deliberate, and dependable. Not only is this true of his work as a Congressman, but of his character as a man and as a friend.

The greatest tribute that can ever be paid to anybody is the tribute paid by those who know him best. Those who have known JOE longest and best, perhaps even better than we do, are the people of his District. And I want to point out this fact, because I think it is unique. JOE is an Irishman in a District that is overwhelmingly Scandinavian and German. He is an active, devout Roman Catholic, in a District and in a State that are predominantly Protestant. And yet, for nine terms, the people of the Second District of Minnesota have returned him to Congress, always with large majorities. They would do it again if he would let them. That is the finest possible tribute I think that could be paid to any man—and a tribute to the quality of the people who have given it.

Mr. Speaker, we are sorry to lose him from the Congress, of course. But we are consoled by the knowledge that he and Mrs. O'Hara will be freed from at least the strains and stresses of this public position and can have some time for themselves and the families of their three fine sons. We know that JOE will always be available for his country's service if it should need his advice, his experience, and his help.

We shall miss the O'Haras sorely, but we extend to them our good wishes and ask God's blessing on them wherever they may be in a long and happy retirement.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to the distinguished minority leader, Mr. MARTIN.

Mr. MARTIN. Mr. Speaker, may I join the gentleman from Minnesota and his colleagues in expressing my deep personal regret at the termination of the service of JOE O'HARA. He has served very nearly 20 years. He has served with credit and distinction. He has been one of the really solid Members of the House, a rugged American with only one purpose in mind, and that was to serve his country and his State to the best of his ability and according to the dictates of his own conscience.

We shall miss JOE O'HARA. We always miss a big man and a good man. I wish for him and his family all happiness in the future.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. MARSHALL].

Mr. MARSHALL. Mr. Speaker, our colleague, JOSEPH P. O'HARA, has chosen not to return to the Congress. It has been a real privilege to serve with JOE in the House of Representatives. As a member of the Minnesota delegation, I have conferred with him many times. He has always given me his honest opinion as a friend.

I have always found JOE to be fair. Whenever we have discussed issues he has respected my viewpoint as well as his own and has weighed his answers. He is not given to snap judgments, but once his decision is made the path is clear.

We have cast our votes differently on a number of occasions. For my part, I have never questioned that JOE voted

his honest convictions as his conscience dictated. It has been said many times in this Chamber that honest men may have differences of opinion. This is part of the greatness of our country and the very basis on which our legislative process rests.

JOE O'HARA will be remembered in the Congress not only for his legislative efforts but for the esteem in which he is held by his colleagues. Minnesota is indeed losing a faithful spokesman and a real public servant in his departure from the Washington scene.

Those of us who want to return his friendship hope for him the best of everything. We hope that he and his family, of which he is immensely proud, enjoy the years ahead. We know that he will now have more time to spend in my District where fishing is good and relaxation is easy. Who can tell, JOE may want to indulge in a little politicking since this is an interest that cannot be denied. We want you to know, JOE, that you are always welcome in our District. Knowing, however, your loyalty to the Republican Party, we may have difficulty in making a convert.

I sincerely hope that the gentleman from Minnesota will continue his active interest in community affairs and in the political arena. He will always be welcome as both a friend and adversary because we know that he will always be both friendly and fair in political debate. JOE O'HARA is a great Minnesotan and a great American and in every sense, a real gentleman. Minnesotans of all political faiths are proud of him and join in saying thanks for a task well done.

Mr. H. CARL ANDERSEN. Mr. Speaker, had Mr. O'HARA chosen to remain in the House he would next year have been the ranking member of the great Committee on Interstate and Foreign Commerce. I now yield to the chairman of that committee, the gentleman from Arkansas [Mr. HARRIS].

JOSEPH PATRICK O'HARA

Mr. HARRIS. Mr. Chairman, to know JOE O'HARA is to respect and love him. I suppose I have been as closely associated with JOE in 18 years of our service in the Congress as any other Member on either side of the aisle. He is my friend. We are devoted friends from our association and years of service in this Congress.

So it is with mixed feelings, Mr. Speaker, that I come to the end of this session of the Congress and suddenly realize that the service of someone we have worked with so closely and understood and who understood us in the important matters we are called upon to consider in the Congress of the United States will be terminated and we will no longer have the privilege of the association.

I am going to miss JOE personally. We came here together in 1941. As I said at a little luncheon our committee had for JOE and Mr. WOLVERTON, a few days ago, JOE O'HARA is going to be missed in this Congress as much as any other Member who is leaving us.

The rugged individualism in JOE makes one respect him. He is frank, honest, sincere, and unafraid, fearless in every move. The country as well as his own District in the great State of Minnesota has benefited by his service during all of these years. We can ill afford to lose such a man of conviction as JOE O'HARA.

When JOE told me he had decided to retire, it was just after the Easter recess, he said he had tried to contact me and advise me about it before he made the announcement. I told him had I had the opportunity I would have protested, and I would, seriously. I know, however, that he and Mrs. O'Hara, and his fine children and grandchildren, are going to enjoy some relaxation from the problems, troubles, and tribulations we wrestle with here every day and that we wrestle with back home when we are not in session.

JOE, I am personally going to miss you. From the depths of my heart, I regret to see you go. No one has had more and tougher arguments with you than I, but you have always been the foursquare sharpshooter that stands up face to face and battles out the issues.

So it is, Mr. Speaker, I arise to pay tribute to JOSEPH PATRICK O'HARA and to join the host of his many friends in expressing regret in his decision not to seek reelection and the loss which this means to the House of his helpful and constructive leadership in the passage of worthwhile legislation.

It is from a personal affection with which I speak as well as from the associations which I have had with JOE O'HARA during these years in the House. He and I both came to Washington with the 77th Congress. He and I both started our service as members of the Interstate and Foreign Commerce Committee with the 75th Congress. He and I both have served for many years as members of the Committee on the District of Columbia.

During this period, accordingly, I have been in a peculiar position to observe his pride in participating in, and in authorship of, legislation on behalf of the public welfare. JOE O'HARA has been the author of much legislation relating to the District of Columbia which has become law, including the Corporation Code and laws pertaining to the courts. He has been the author of many bills in the fields of transportation, public health, and interstate commerce including significant legislation in the fields of fur labeling and the labeling and regulation of foods and drugs.

During the years I have served with him on these committees I have come to a high appreciation of his trustworthy service on behalf of the public and of his calm approach to matters of vital concern to our people. He has always exhibited a commendable zealousness in protecting our constitutional safeguards and the right of individuals to be heard or seek redress through our judicial processes. The legislation which has emanated from our committees, accordingly, and from the Congress, is the better for his having participated so attentively and exactingly in its consideration.

We have heard about the so-called Minnesota Irish, who usually trace their ancestry to one of the Scandinavian countries. But in JOE O'HARA we have a real Irishman from Minnesota. He has the warm personality, the ready wit, and the sparkling good humor we expect in the Irish. As befits a good Irishman, he is a man of deep religious convictions. He loves his family. He has the steadfast integrity and the uprightness of character needed to make a good family man.

JOE O'HARA is a man who makes friends easily. He does not treat friendship lightly. To be his friend is a great honor and a distinct privilege. He is a man who will meet you more than half way. You can depend on him.

As he has confided to his friends, in leaving Congress he is going back to his first love, the practice of law. To that first love, he will take the great ability and unbounded energy he has shown as a Member of this House and in his committee work. We are going to miss him, but we all wish him the best of luck and know that he will serve his first love well, as he has served us and the country well.

So, again, it is with mixed feeling I cannot help, JOE, that since we have been so closely associated on the 2 committees during the past 18 years, coming up together each on our own side to the top of the committee, and with it the greater responsibilities of such a position—I cannot help but feel that I am going to miss you tremendously. But to you and Mrs. O'Hara and to the rest of the family go my good wishes and Godspeed.

Mr. H. CARL ANDERSEN. Thank you, OREN, for the splendid tribute to my colleague.

Now, Mr. Speaker, I yield to the distinguished gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, it was with the most sincere and deepest regret that I learned JOE O'HARA had decided to retire from this body. I am quite sure he would be with us here for a long, long time if he wanted to be here.

I served for years on the Committee on Interstate and Foreign Commerce, and possibly by reason of that fact I had a little closer association with JOE than some Members, although I am very sure there is not one of us who has not been closely associated with him. I came to know him and respect him.

As I have served in his body, I have thought time and again about the attributes that make for greatness in this body—what are the characteristics that we look for in the man or woman who serves here and who comes to the top in what certainly is a great reservoir of manpower? Many have spoken already of the attributes we know JOE O'HARA possesses and has used through the years, his integrity, his honesty, his knowledge of the things that have come before us, his willingness to work. Many others could be mentioned, and many of them have been. But, from my experience with him, I think one attribute stands out, and it certainly is a very worthwhile thing here in service in this body, and that is JOE O'HARA's courage. I have not always agreed with him—generally, I have, on the problems that have been before us. But JOE O'HARA had the courage to stand for his convictions when he believed he was right. Yet, with all of that,

he was willing to play on the team to do his part when team play was advisable. I want to comend him for that and to say to him, particularly have I appreciated that willingness on his part when from time to time I have had some of the responsibility for the management of affairs in the House of Representatives. So, JOE, good luck and best wishes, and we hope to be seeing you right along.

Mr. H. CARL ANDERSEN. Thank you, CHARLIE.

Mr. Speaker, I yield to our colleague, the gentleman from South Carolina [Mr. MCMILLAN].

Mr. MCMILLAN. Mr. Speaker, I certainly cannot let this occasion go by without saying a few words about our good friend, JOE O'HARA. He came to the Congress in the same year that I did. We have served on the same committee since that time. I do not know of any man in the Congress who has given of his time more generously to any worthwhile problem that has come up in this Congress for the benefit of the District of Columbia in the committee on which we serve together.

Mr. H. CARL ANDERSEN. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Speaker, I want to add my tribute to one whom I consider to be the finest gentleman I have had the opportunity to serve with in the Congress. As one of the younger men here, I hope in the coming years if I reach the time when I desire to retire, that I can leave the kind of record behind me that JOE O'HARA is leaving today—a record of real statesmanship—the record of a real gentleman and one who has treated his colleagues with fairness in every way.

You know, JOE represents a lot of good old Scandinavian Swedes, and I happen to be a Swede. I not only want to pay tribute to JOE O'HARA, but I also want to pay tribute to the Swedes of Minnesota who over these years have had the sound judgment to send this great Irishman to Washington. I would like to say to him that I think he should change his name to "O'Harris."

Mr. H. CARL ANDERSEN. I thank the gentleman. I might say, Mr. Speaker, that if I were as sure of reelection to Congress as Mr. O'HARA would be this year had he chosen to remain, I would feel considerably more at ease today than I do facing the general election date.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, many have said that they view JOE's leaving Congress with regret. I view it with sadness, not particularly regret, because JOE O'HARA has deserved by his record of service in this Congress the right to these days of retirement that are coming to him and the happiness we hope he may receive from them.

The sadness comes to me because we will not see JOE O'HARA here every day. All of us will miss him in his retirement. Since I have been in Congress he has been of great help to me in many matters, although he and I have not always seen eye to eye, as was the case with Mr. HALLECK, but I have always admired the things he stood for and his solid principles and convictions. He is one of God's great noblemen. We shall all miss him, but we wish him well in his retirement that is so well deserved from his service to the Nation.

Mr. H. CARL ANDERSEN. I thank the gentleman from Ohio.

Might I say just this one word further before I yield to other Members? Were it not for the assistance which the wife of our esteemed colleague has given him throughout the years in her encouragement and in her efforts toward helping him, JOE O'HARA would never have attained the high position he holds today. I, for one, not only will miss JOE but will also miss his fine wife and family when they leave this city of Washington.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, the closing days of the Congress are always sad days to me, because they bring with them the retirement of so many old friends and so many fine Members of the House of Representatives in retirement from public service.

I had the pleasure of serving with JOE O'HARA on the great Committee on Interstate and Foreign Commerce for a great many years. There I learned not only to respect him but also to admire him for the qualities of mind and character which he displayed.

As has been said here today, he has been a legislator not only of ability but also of great courage. He has stood for those things in which he believed. He has voted his convictions on the floor of this House. He has represented his people honestly, honorably, and well.

Each and every one of us I am sure joins with his other friends in Minnesota and elsewhere in extending to him our best wishes for a long life and a satisfying one as he leaves us.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the minority whip, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join our colleagues from Minnesota in their expression of regret over the decision of our friend, JOSEPH P. O'HARA, to retire from Congress.

Several years ago I served with JOE O'HARA on the Select Committee To Investigate Lobbying Activities. I learned then that he was a man of courage, composure, and keen judgment. The pressures that beset those who served on that committee did not divert JOE O'HARA from his steadfast course. JOE is a kind, friendly, and courteous person. Yet he is a fighter, but a fighter who fights fair.

JOE has truly been one of the rocks of the House—a great and valuable Member. We can ill afford to lose him. We wish him health, happiness, and Godspeed in the years ahead.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Connecticut.

Mr. PATTERSON. Mr. Speaker, I, too, want to take this opportunity to wish my old friend, JOE O'HARA, the very best in the years ahead for him during his retirement.

When I first came to Congress JOE O'HARA was one of the first Members I met. I can well remember the wonderful speeches that he delivered on St. Patrick's Day. I was really impressed on first meeting Mr. O'HARA, and certainly when I delved into his record and found out he was a great attorney before coming to this wonderful body, I knew then why he was such a good legislator while serving here.

In conclusion, Mr. Speaker, I want to say not only to JOE O'HARA but to this entire body that we are losing a great friend, the State of Minnesota is certainly losing one of her greatest legislators; but as time goes on, I am sure that the State of Minnesota will receive some of his advice and counsel as a seasoned legislator in this body.

So, to JOE O'HARA and his very wonderful wife, I extend the best wishes of the people of the Fifth Congressional District of Connecticut.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman. I want to pay my respects to a great American. I concur in all the good things that have been said about JOE O'HARA. I served with him on the Committee on Interstate and Foreign Commerce for about 7 years, and I regard him as a high type, wholesome man. I feel, and firmly believe, that America is losing a great statesman. I have not always agreed with him, but I am certain that he has always voted his convictions in this Congress.

JOE, I say to you, may fortune be kind to you, may the face of God shine on you and travel with you for the rest of your life.

Mr. MCDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from California.

Mr. MCDONOUGH. Mr. Speaker, I want to join with the others who have paid tribute to one of the great Members of this body.

The thing that I admired most about JOE O'HARA in my association with him was his legal mind. I think as a Representative in this body he was a man of great capacity insofar as the law is concerned. I never consulted him on any subject that he did not have a logical answer to, an answer to the problem I was seeking. We are going to miss him. As a matter of fact, I do not consider this ceremony the end of anything as far as JOE O'HARA is concerned. I think it is just the beginning of a period in his life when he is going to enjoy the freedom, the independence, and liberty he has been denied as a public servant. He will become a private citizen and then have the opportunity to write to his Congressman and complain about the way the Government is running. He

will be able to go here and there wherever he pleases without the thought of his constituents worrying about where he is going.

I wish him well and trust that he may have many years of health and happiness to enjoy his retirement.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to the gentleman from Iowa [Mr. TALLE].

Mr. TALLE. Mr. Speaker, a good many years ago when I met JOSEPH P. O'HARA, I was introduced to him by the late Representative Harold Knutson, of Minnesota. I remember what Representative Knutson said that day: "You are now making the acquaintance of one of the ablest lawyers in the North Star State, and he will distinguish himself as a Congressman." That firm prophecy has indeed come true.

It has been a joy for me to sit side by side with JOE O'HARA in one of the committees of the Congress. I have learned that what Members who have spoken ahead of me have said is most certainly true about his legal and legislative ability. In addition, some members of my immediate family are his constituents, and as relatives will, we talk about political matters. Every report I have had about Congressman O'HARA from members of my own family and other people as well has been favorable.

So, at this time I want to say that Mrs. Talle, other members of my immediate family, and the people of my District join with me in expressing gratitude to Mr. O'HARA for his distinguished service and wish for him and his family great joy and happiness. I do that also in the name of the State of Iowa where he was born.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. RAYBURN. Mr. Speaker, it was a pleasure to serve with a man of the type and character of JOE O'HARA. He has been honest, farseeing, and has had a passion for serving his country. We will miss him greatly and wish for him many, many years of good life and service to his community and his country.

Mr. WOLVERTON. Mr. Speaker, it has been a pleasure and a privilege to have been an associate of JOSEPH O'HARA, a distinguished Representative from the great State of Minnesota.

He has rendered a high quality of service to the Congressional District he has so long represented and to the people of the entire country.

He is a man of strong and sterling character. Always conscientious in the performance of his duty, he could never be swerved from what he considered right no matter what influences were brought to bear.

His work on the Committee on Interstate and Foreign Commerce has been outstanding. His judgment has been sound and always helpful. He will be greatly missed by his colleagues on the committee and in the House.

I extend to him and his wife my best wishes for an enjoyable retirement that he has decided upon voluntarily. I trust they will have many, many more years of happiness.

Mr. SCUDDER. Mr. Speaker, it is nice to attend and hear the fine compliments that have been bestowed upon my good friend and colleague, JOE O'HARA.

JOE was one of the first men I met when I came to Congress and on many occasions I have consulted with him on important legislation emanating from his committee. Socially, JOE is one of the most likable and genial men I have ever met. I have always been a great believer that every man should be the master of his soul and know when to get in and when to get out of positions of great responsibility. I wish for you, JOE, a most pleasurable and satisfactory retirement knowing that you will always have keen remembrances and the affections of your many associations here in the Congress of the United States. I extend to you every good wish for a full and happy retirement.

During the trying times of the last few years, we have had a most stalwart and effective leader on the Interstate and Foreign Commerce Committee in the person of CHARLES A. WOLVERTON. He has followed closely the work of this most important committee, and his speeches regarding the hearings and his recommendations as to the proper procedure for Congress to take has been a light of leadership which many of his colleagues have followed. His great insight has caused him to make sound recommendations for the welfare and benefit of our national economy. I have appreciated his guidance, and I wish for you, CHARLIE, good health, continued good friends, and a good retirement.

The Interstate and Foreign Commerce Committee is losing another hard-working member in the person of JOHN HESELTON. He has been a conscientious and diligent member of the committee, formulating his opinions on the legislation being considered after thorough and unbiased study of all phases of the subject matter. His colleagues will miss his inquiring mind and his constituents will miss a man who has consistently worked for their welfare and best interests. My best wishes go to you, JOHN, for good health and happiness in your retirement and future endeavors.

Mr. GROSS. Mr. Speaker, with so many of my colleagues I join in expressing real regret that the Honorable JOSEPH O'HARA has decided not to seek reelection.

When I first came to Congress in 1949, I quickly came to know and admire JOE O'HARA as a man of rare courage. Once he determined his position on a legislative matter he was immovable. This is not to say that he could not give and take in the spirit of fair compromise. It is to say that he did not yield to blandishment or political expediency.

I shall miss this Minnesota neighbor, and wish for him many years of health and happiness in his retirement.

Mr. RHODES of Pennsylvania. Mr. Speaker, in the 2 years that I served on the House Interstate and Foreign Commerce Committee, I had the great pleasure and privilege of working with the distinguished gentleman from Minnesota [Mr. O'HARA].

We get to know each other best in working together in committees. In my 10 years in the House I learned to know and respect JOE for his deep and sincere convictions and for his gentlemanly conduct in his work as a Member of Congress.

As a member of the Commerce Committee I more fully recognized his ability, knowledge, charm, and good character. His leaving will be a big loss to the committee and to the Nation. I join with my colleagues in paying my personal tribute to the gentleman from Minnesota and wishing him well in his retirement. May he enjoy good health and a long and happy retired life.

Mr. SIMPSON of Illinois. Mr. Speaker, as the ranking minority member of the District of Columbia Committee, I wish to state that I personally regret the voluntary retirement of JOE O'HARA very much. If those living within the confines of the District do not have similar regrets, I think they should.

JOE served as the ranking minority member of two subcommittees: Judiciary and Fiscal Affairs. Both very important. He gave his time and energy to these two committees. He gave time when he should have been looking after his health instead. He served in a thankless task, but which must be done by someone.

Again, I say those living in the District should appreciate his services, which, in my opinion, were always the best.

Mr. Speaker, this is a cold league. When a Member retires, is defeated, or called by death, he is very quickly forgotten. This possibly is as it should be, the House having had probably 10,000 Members.

A Member of this body for any reason wishing to retire, and return to a normal life with his family, should be commended for so doing. Only time will tell whether a person belongs to the ages.

JOE and Mrs. O'Hara are entitled to all the good and fine things this life can offer. They deserve it. They have, I would say, slaved for it. JOE O'HARA has been an outstanding veteran of World War I. He has been an outstanding family man and proud of it. For 18 years he has been a fine Member of Congress, and even longer than that a fine public servant without a blemish.

He and Mrs. O'Hara are now entitled to go south in the winter and a little further north in Minnesota in the summer. I hope he catches so many Minnesota fish that the State will be compelled to restock the lakes and streams. What greater wish could be bestowed, under this regrettable situation of JOSEPH PATRICK O'HARA'S retiring. Even his alma mater, Notre Dame, will regret his retirement. The Inns of Court, London, England, should take due notice.

Joe and Mrs. O'Hara, along with the other Members of this body, I wish you to enjoy life to the fullest extent, play as hard as you worked. If you find retirement and loafing overdone, come back. Come back as a lobbyist, registered or

otherwise. I am certain you will be listened to.

Mr. HOEVEN. Mr. Speaker, JOE O'HARA is my Congressional neighbor. His District—Minnesota and mine—Iowa, partly adjoin each other and therefore we have had much in common. I regret that JOE is retiring from the Congress. He has been a very valuable Member of the House and the least I can say is that he has served well his day and generation as a faithful public servant. May the Lord's richest blessings be with him in the years that lie ahead.

Mr. WITHROW. Mr. Speaker, after having served the Ninth Minnesota District for 18 years, I understand that my good friend and colleague, the Honorable JOSEPH P. O'HARA, is to retire voluntarily at the end of the 85th Congress. During most of that time I have had the honor and pleasure of serving with him.

We in the Congress who know him and served with him will miss his presence a great deal. As for me, I received a great deal of benefit from his advice and counsel.

He has always been devoted to our country and its free institutions and has always manifested deep concern for the happiness and welfare of the people. In serving in this honorable body, he has shown an exceptional ability, a real knowledge of human nature, of generosity, of courage, and above all loyalty to his family and friends.

The time that I have served in Congress has been made easier for me by reason of my acquaintance with JOSEPH P. O'HARA. His friends, and there are many of them, wish him many years of the happiness he so richly deserves. I am pleased that he is enjoying the best of health.

Mr. VAN PELT. Mr. Speaker, I am happy to have this opportunity to join with the Minnesota delegation, as well as our colleagues, in paying tribute to JOE O'HARA. I came to know our friend, JOE, as he is so commonly called by his host of friends, when I came to Congress 8 years ago.

I have had a deep appreciation for the work that he has done in the House of Representatives and have often found the opportunity to seek his counsel.

In a lighter vein, I have been associated socially with our colleague and his family, and while we will miss him here in the House of Representatives, I can only wish for Mrs. O'Hara and him many pleasant days ahead and will look forward to having him visit us frequently here in the House.

Mr. MEADER. Mr. Speaker, I want to join my colleagues in paying tribute to the record of public service of JOE O'HARA, of Minnesota.

His work on the Interstate and Foreign Commerce Committee and District of Columbia Committee has been outstanding. He is diligent and forceful and has applied sound principles of good government in advocating or opposing legislation.

His retirement from the House of Representatives will deprive us of his valuable legislative services in the fields in which he has become an expert. But even more, we will miss JOE as a friend. His joviality and his sense of humor have won the affection of his colleagues, and I know we all wish him every success in his future endeavors.

Mr. BRAY. Mr. Speaker, I became acquainted with JOE O'HARA shortly after I came to Congress in 1951. I learned to respect him very early, and that respect has grown throughout the years. I consulted him often on matters. I have learned to place a very high value on his judgment. JOE O'HARA is one of those rare individuals that has strong views, yet he was always kind and tolerant of the views of those with whom he disagreed. He was always unwavering and steadfast in his beliefs in the dignity of the individual as opposed to Government regimentation.

JOE O'HARA has been a great legislator; if he had turned to the judiciary instead of legislative, he would have been one of our Nation's greatest judges. We will miss him in Congress, as he is the type of man that is most difficult to replace. JOE, we wish to say that you have done a great job in Washington. We trust that your future life will be full of success and happiness.

Mr. MCMILLAN. Mr. Speaker, one of the finest things that has happened to me since I have been a Member of Congress is that I have had the pleasure of serving with a man like JOE O'HARA. The Congress can ill afford to lose many good men of JOE'S caliber. I believe that JOE comes as near voting his own convictions on every piece of legislation that comes to the floor of the House for consideration as any man that has ever served as a Member of this great legislative body.

I sincerely regret to learn that JOE has decided to retire as a Member of the United States Congress, however, I hope that he will now be able to do some of the things that he has been denied during the past 20 years.

JOE and I were freshmen here together and we have joined hands in fighting some rather tough battles during World War II and the readjustment years since the war. I know that it will be difficult for the State of Minnesota or any other State to send a man here who could fill JOE O'HARA'S shoes; and, even though we are from different political parties, we certainly see eye to eye on at least 90 percent of the problems facing this country at the present time and all legislation that has been considered on the floor of the Housing during the past 20 years.

I wish for JOE and his family good health and happiness and trust they will visit my State and my District when he decides to do some traveling.

Mr. PHILBIN. Mr. Speaker, JOE O'HARA is an American of the highest order and a public servant of great ability, integrity, and fidelity.

His life and illustrous career are replete with outstanding achievements and patriotic contributions. From famous Notre Dame, where he was an all-American football star, to the Halls of Congress, he has demonstrated those attributes of character, ability, and determination that mark him indelibly as a noble Christian gentleman and a leading American statesman.

JOE O'HARA is made of stern stuff. He cannot be swerved from his chosen course; he will never surrender his deep convictions; he always strives, and is willing to fight, for what he believes in conscience to be right and just and in the public interest.

An accomplished and penetrating legal mind, this great son of Notre Dame and the splendid State of Minnesota has admirably and effectively contributed time and time again to the deliberations and accomplishments of the Congress.

Ready of wit, precise, forceful, and apt of speech, strong and convincing in his argumentation, JOE O'HARA is an extremely valuable Member of the House, respected, admired, and loved by all his colleagues, and universally esteemed for his strict adherence to principle and conviction.

He is not committed to dogmatism, however, and his mind is broad, flexible, logical, and fair.

In his veins courses the warm, pulsating blood of the Celt, and his heart responds instantly and generously to the human and humane facets of any question or problem before him for decision.

Truly, he deeply believes in and practices in his daily life and tasks the fatherhood of God and the brotherhood of man.

The Congress cannot afford to lose men possessed of the strength, zeal, and Americanism of JOE O'HARA. His service here has been magnificent, and I deeply regret his voluntary departure from his high place in our ranks.

But he will long remain in our hearts, and his people and the Nation will long remember with grateful appreciation his unselfish contributions to the common good of the Nation.

To him and his family I tender hearty congratulations upon his outstanding Congressional service, and I wish for him and them in the years ahead good health, good fortune, and good blessings of peace and happiness in all their endeavors. May happy tidings always attend JOE O'HARA and his family.

Mr. AUCHINCLOSS. Mr. Speaker, I got to know and appreciate JOE O'HARA, the gentleman from Minnesota, through our mutual service on the District of Columbia Committee. Blunt and to the point, he went to the heart of any question under consideration, and he never tolerated specious argument or demagoguery. His heart is a heart of gold, big and sympathetic, and he has the capacity of making warm friends. The Congress needs men of his capabilities and unfortunately they do not appear often on the scene.

I wish him good health, prosperity, and happiness in the days to come, and I hope his friends may see something of him from time to time.

Mr. HORAN. Mr. Speaker, along with my colleagues, I want to be on record as one of those who loved JOE O'HARA. No more solid, no more honest, no more devoted, no more pleasant man ever served in this Congress. Many things have been said about JOE O'HARA, who was a friend of all of us, and I just want

to add my best wishes for every happiness in the future for JOE and his lovely wife.

Mr. FLYNT. Mr. Speaker, I join in this tribute to the distinguished gentleman from Minnesota, Hon. JOSEPH P. O'HARA, who is voluntarily retiring from Congress at the end of this session. I would like to associate myself with all of the fine things which have been said about him and to express, within the capacity of words to do so, the feelings of respect, admiration, and friendship which I hold for him.

During my service in Congress, I have served with him on the Committee on Interstate and Foreign Commerce, and in addition I have served with him on two subcommittees. I have come to know him intimately and well; and, the better I have come to know him, the more I have admired and respected him, because I learned of his devotion to duty and his dedication to public service.

His services as a Member of the House of Representatives will be missed, because he has rendered truly valuable service not only to the people of his District but to the people of our Nation as well. He is a man of great courage, of great ability, and has proven himself to be an honorable and able Member of Congress.

While we regret that he decided to leave Congress and reenter private life, we respect his decision. We wish for him many more years of good health and happiness, and we extend to him and to his family our very best wishes in the years which lie ahead.

Mr. SCHWENGEL. Mr. Speaker, along with my colleagues, I want to participate in an expression of appreciation for my colleague, JOSEPH P. O'HARA.

When a man has served in nine consecutive Congresses, his contemporaries in both Houses have had ample opportunity to assess his true worth. If there is one man in this Chamber—or, for that matter, in that at the other end of the Capitol—of whom it is eminently safe to assert that he represents the very highest type of legislator, that man is JOSEPH PATRICK O'HARA. In the 18 years since he has lived and worked in our midst, he has been a lesson to us all in his selfless and conscientious devotion to duty and the discharge of the responsibilities of his high office. It gives me peculiar pride to offer him tribute here, for he was born in Tipton, Iowa, situated in the District I have the honor to represent. So that I have, as it were, a certain family pride in him, both as a man and as a legislator. The splendid record he leaves behind him here is, after all, the most eloquent testimony which could be adduced in praise of his long and brillant public career.

It is no disparagement of his merits as a great public servant that his educational background so eminently fitted him to become a Member of this body. His legal education, which was pursued at the Inns of Court in London and at Notre Dame University in this country, constituted a magnificent preparation for a parliamentary career to which was added a long and arduous practical application in trial work. Admitted to practice in the Federal courts of Minnesota and North Dakota, he served as county attorney for McLeod County, Minn., from 1935–38, and was admitted to practice before the United States Supreme Court. He served for 27 months in World War I, including duty in the AEF. He was elected to the 77th Congress and has been with us ever since. He was described here the other day by his Minnesota colleague, Mr. JUDD, as "a man who is solid, strong, and steady in physical makeup. His mental, emotional, and moral makeup are of the same type—solid, steady, deliberate, and dependable."

Not only—

As Mr. JUDD rightly observed—

is this true of his work as a Congressman but of his character as a man and as a friend.

I think that observation by my friend from Minnesota is profoundly true, and I make haste to associate myself with it.

Long will Mr. O'HARA be remembered for his solid and constructive work in framing legislation and in arduous committee investigations. To cite a few examples, his labors in the fields of transportation, public health, and interstate and foreign commerce have long been preeminent and have brought him national and international fame. The District of Columbia has him to thank for much wise and constructive legislation. He is the author of the District Corporation Code and measures pertaining to District laws.

What a pity such a man should feel it necessary to lay down the burdens of a public career. Speaking of laws, one is tempted to add that there should be a law against that. We may take some comfort, however, albeit vicarious, in that his own State and community can henceforth enjoy the benefit of his sage and varied experience as a lawyer and a national legislator. It will be a rich field to reap from.

May many long and sunny years stretch before our old and esteemed friend and colleague as he retires from the ardors of public service in the full and proud consciousness of work well and truly performed.

Mr. McGREGOR. Mr. Speaker, I want to join with my colleagues in paying respect to the Honorable JOSEPH P. O'HARA, of Minnesota, who is voluntarily retiring from this great legislative Hall.

JOE, as he is affectionately known, and I have been personal friends for many years. He has a great record as a gentleman and a public official. His family has every right to be proud of his accomplishments. JOE has been most sincere in his endeavor to be of service, not only to his constituency but to his country as well.

So, JOE O'HARA, to you and yours, go my best wishes and may you have many years to enjoy the privileges which should be yours.

Mr. SIKES. Mr. Speaker, I would like to pay tribute to the Honorable JOSEPH P. O'HARA, of Minnesota, who has chosen to retire voluntarily from the House of Representatives and return to the private practice of law. I am sure I express the sentiments of his colleagues, both Republican and Democratic, when I say that he will be greatly missed.

Congressman O'HARA's service has been outstanding, especially in the field of interstate and foreign commerce. He has served long and arduously as a member of the important Interstate and Foreign Commerce Committee and he will be hard to replace.

Since coming to Washington as a Member of the 77th Congress, Congressman O'HARA's record of achievements has overwhelmingly inspired the voters of his District to return him to each succeeding Congress. His record is an enviable one, and he will be missed when the Congress convenes in January of 1959.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, at this stage it is very hard to say anything that has not already been said. But, as an honorary member of the Order of the North Star, I have a great feeling of kinship for Minnesotans and certainly for my friend, JOE O'HARA. I have served with him on the Committee on Interstate and Foreign Commerce now for 8 years, and I have never found JOE O'HARA to be anything but upright and honest and determined in his position. I have never found him to be unfair. I think that when he leaves this Congress Minnesota will sustain a great loss; not only will Minnesota sustain a great loss, but the Nation as well. I wish for him and his lovely wife and many grandchildren many, many years of happiness and joy.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, as a Representative from the neighboring State of Wisconsin, we in the Midwest have many meetings together. As a new Member of Congress, the Member that impressed me the most in our first Midwest delegation meeting was JOE O'HARA and the statement he made at that meeting. His advice to me as a young Member of the Congress 6 years ago was indeed most helpful. He is a Congressman with good judgment, with great courage, and with the highest integrity. JOE O'HARA is a real friend and a true gentleman.

Mr. H. CARL ANDERSEN. Mr. Speaker, at this time I yield the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Speaker, since I have become a Member of Congress I have known JOE O'HARA. I have great respect and admiration and love for him. The high praise that has been heaped upon him by his colleagues here, not only from the State of Minnesota but other Members of the House, is fully merited, fully deserved. In addition to knowing JOE O'HARA as a legislator I have come to know the O'Haras socially. His lovely wife and Mrs. Morano have become fast friends. So we both are going to miss them. But as a Member of Congress from the great and beautiful State of Connecticut, I hereby extend an invitation to Mrs. O'Hara and JOE to come to Connecticut and spend some time with us. Mrs. Morano joins me in this invitation.

In the meantime, our prayers go with them for good health and happiness and a well-deserved retirement in Minnesota.

Mr. H. CARL ANDERSEN. Mr. Speaker, for quite a few years now there have been two O'Haras in the House of Representatives, and I now yield to the distinguished gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I owe a very deep debt to the gentleman from Minnesota [Mr. O'HARA]. When I came to the Congress mine was an easy path because JOE O'HARA in his service here had made the name "O'HARA" an honored one. If I were in any difficulty I had only to remark that I was Congressman O'HARA and every door was opened to me because they thought there was only one Congressman O'HARA and that it must have been the gentleman from Minnesota.

He has been so close to me, he has been so dear to me. Having the same name, some of his telephone messages would come to me. I remember once they were waiting for me at the White House. It was a very important conference and I said, "I guess you want JOE O'HARA," and they said, "Of course, we do."

So I have sort of lived in the reflection of the reputation of JOE O'HARA, and I have come to love him in a very, very large measure.

I say to JOE that we had a common ancestor, that old Milesian king back in Ireland, thousands and thousands of years ago. And I say further to you, you are the noblest and finest of his descendants.

Mr. H. CARL ANDERSEN. And one further comment; these two gentlemen named O'HARA own the two strongest, the two most stentorian voices in the House of Representatives.

Mr. Speaker, I yield at this time to the gentleman from Ohio [Mr. SCHENCK].

Mr. SCHENCK. Mr. Speaker, it was my privilege to become a member of the Committee on Interstate and Foreign Commerce 6 years ago. I have greatly enjoyed that service and have been very grateful for the opportunity to serve on that committee.

We are particularly unfortunate this year in that three of our very valuable members on our side of the committee are retiring voluntarily, Mr. WOLVERTON, Mr. O'HARA, and Mr. HESELTON.

I have come to know JOE O'HARA and to respect him greatly, because he has always been ready to give me help, advice, and information, which I have often needed. JOE O'HARA is completely objective in his thinking. He never looks at issues from a selfish viewpoint. He retains his objectivity to a most unusual degree. I shall miss JOE O'HARA. We had some fun together as fellow patients at the Bethesda hospital for a little while. JOE had a major operation, and mine was not so serious.

We have enjoyed our work together, and I wish him and Mrs. O'Hara every good thing in the years ahead.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to the gentlewoman from Illinois [Mrs. CHURCH].

Mrs. CHURCH. Mr. Speaker, I could not sit here at a time when the Members of Congress were trying to express their appreciation of Mr. O'HARA without adding a word about the personal sadness I shall feel when the roll is called next year. Mr. O'HARA is one of those who, when I first came here, met with me in the office of Lawrence Smith together with a goodly group of those who knew what they stood for and who never failed to say so.

When I heard hat he would no longer be back, I thought to myself that when measures would come up which to our minds were basically unsound, such as surely too large an appropriation, or measures going in directions for which this country has not seemed to Mr. O'HARA historically to stand, at such times I would miss that strong, firm, quiet "No." It never failed to come from the gentleman from Minnesota.

I hope that in that respect at least his District will have the courage and the good judgment to send someone who will share his courage and his convictions.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to my colleague, the gentleman from Minnesota [Mr. McCARTHY].

Mr. McCARTHY. Mr. Speaker, I am honored to join with my colleagues in paying tribute to my fellow Minnesotan, JOE O'HARA.

I have often disagreed with the gentleman's position on political issues, but never questioned his integrity or courage, nor doubted that he had given careful and thorough study to the questions in dispute. JOE O'HARA was consistent. He disagreed with Democrats, he disagreed with Republicans.

Abraham Lincoln's statement that a political party or a politician who advocates one year what he opposed the year before, or who opposes one year what he advocated the year before cannot command respect, has no application to JOE O'HARA. Unless there was significant change in forces and factors JOE O'HARA was consistent. He stood firm.

My best wishes go to him and to his wife and family for many happy years together.

Mr. H. CARL ANDERSEN. Mr. Speaker, I yield to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I have a special personal reason for wanting to join in this tribute to JOSEPH O'HARA. Very early in the 4-year period I was privileged to be associated with my distinguished predecessor, Congressman Paul Shafer, I first became acquainted with Mr. O'HARA. He was 1 of 3 or 4 Members of the House that I met at that early time. One of them, of course, was the incomparable Dewey Short, one was the late Congressman Frank Fellows, and another was our friend from the other side of the aisle, the gentleman from South Carolina [Mr. RIVERS].

From the outset of my acquaintance with Mr. O'HARA I regarded him as exemplifying the finest qualities of a Member of Congress and of a devoted public servant. The impression that I formed of him before my own service in Congress began has been confirmed many times over in the 4 years I have been privileged to serve in this House. He combines the qualities of great ability, of courage, of independence, and a kindliness and respect for his colleagues, that are most admirable.

If I may resort again to a phrase that I used in the course of discussion of a controversial issue yesterday, I do congratulate JOE O'HARA on the fact that, as Benjamin Franklin said, having served so long and ably in the ranks of the servants he has now elected to restore himself to the ranks of the rulers. I wish to Mr. O'HARA and Mrs. O'Hara every good thing in life.

Mr. H. CARL ANDERSEN. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Speaker, I certainly want to join with all these fine colleagues of our good friend, Mr. O'HARA of Minnesota, in paying tribute to the man, and certainly well deserved tributes. As all of you know, it is very dangerous for a man in this Congress to undertake to speak for the entire delegation of his State without first clearing it with every Member, and certainly that would be true of Texas. But, when you say nice things about a fellow like JOE O'HARA, I have no qualms or quibbleations about speaking for the entire delegation of Texas in paying tribute to a great man and a great American and in saying ditto to the many nice things that have been said about this great fellow. I realize they are only a few of the things that ought to be said about him and his great contribution to our country and to our way of life.

Mr. H. CARL ANDERSEN. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Speaker, I wish to join with my colleagues in paying tribute to one of my best friends, the distinguished gentleman from Minnesota. Like my colleagues, I deeply regret his leaving the Congress because certainly it will be a loss to the House of Representatives and to the District which he has represented so well for so many years. It has been my privilege to serve with him on the Committee on Interstate and Foreign Commerce for the last 12 years. During that time his kindly and friendly advice and his words of wisdom have always been helpful to me. I have not always agreed with him, but in retrospect I am sure he has been right more often than I. To say that JOE has the courage of his convictions is a gross understatement. Time after time on issues before our committee he has stood alone. He would do so on the House floor if the question involved was basic and fundamental from his point of view. The course of least resistance is to be with the majority. That philosophy never appealed to JOE O'HARA. I think the most pleasurable moments of his entire Congressional career were the times that he stood with the minority.

If I were to sum up his sterling qualities in one short sentence I would do it in this way. "Beneath a gruff exterior lies one of the biggest hearts and the most genial and kindly personality ever given to any man."

I want to join with my colleagues in wishing him the best of luck and good health in the years ahead and the same to his sweet, gracious, and charming wife.

Mr. H. CARL ANDERSEN. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, unfortunately in the use of the English language after you have used a superlative, you cannot go any higher. But in speaking about JOE, you can use all of the superlatives without your tongue in cheek.

We shall miss him on the committee; I shall personally miss his advice, his counsel, his wisdom in the deliberations of our committee, and in addition his genial spirit in a social way.

Although I am not sure of it, I feel rather confident that JOE will be around these parts for probably some time.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Speaker, one of the incalculable and immeasurable compensations that accrued to me as a result of my service in this House is the privilege of working with and being a friend to JOE O'HARA.

I am sure every Member of this body who knows JOE will agree with me when I say that he is the embodiment of all the qualities of statesmanship.

It has been my privilege to work rather closely with Mr. O'HARA as a member of the Committee on Interstate and Foreign Commerce, as a member of the Committee on the District of Columbia, and more recently and perhaps more closely in recent months as a member of the much publicized Committee on Legislative Oversight. Not once in the many years I have worked with Mr. O'HARA have I seen him raise a party or a partisan question. He has a record of diligence, energy, and ability, and he is a very valued member of those committees.

JOE O'HARA's departure from this body will create a void that will never be quite filled. We shall always remember him for his courage, his ability, and his integrity, and a great devotion to the ideals of the American system of government.

I hope JOE will return to visit us often, and that my office, so long as I am in Congress, will always be on his list to visit.

We wish JOE O'HARA and his family the very best of health and happiness for many years to come.

Mr. H. CARL ANDERSEN. I thank the gentleman.

Mr. RAY. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from New York.

Mr. RAY. Mr. Speaker, I shall not try to add to the list of good qualities which have been testified to here this afternoon, but I do want to carry my testimonial some years back of the dates that have been mentioned.

After World War I, three of us youngsters started a law office in Minneapolis. Two or 3 years later JOE O'HARA, just out of law school, came to our office and became the first clerk that we had. Of course he had no compensation at that time, but we quickly learned the qualities of JOE O'HARA.

It gave me a good deal of pleasure after election to this body in 1952, to reverse that field, and call on JOE, I being the freshman and he having some experience behind him, for advice and counsel in this field which was new to me.

I know that he is going to be successful in whatever he does. I want to add my congratulations and best wishes to him and to his family.

Mr. H. CARL ANDERSEN. I thank the gentleman from New York.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Speaker, as one of the comparatively new Members of this body it gives me a mixed feeling in joining in this expression of regret that JOE O'HARA has decided to retire.

No Member of this body was a greater help to me when I first came here. JOE's kindness and thoughtfulness are such that endear him to everyone with whom he comes in contact. Of course, I suppose I have a special soft spot for the Irish, having married one.

I understand JOE is contemplating remaining in this area and becoming a member of the local bar association, of which I have the honor to be a member.

If JOE decides to do that and carries through that idea, may I be the first member of the bar to welcome him and say that Minnesota's loss will be the Nation's Capital's gain.

So I pay this tribute to JOE with mixed feeling, and may I say to him and to his lovely wife, may the best of God's blessings be with you in the years to come.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, there is always a certain sadness when any class begins to break up, whether it be college, high school or in this honorable body. I have that feeling today when JOE O'HARA is retiring.

We came to Congress together as members of the 77th class. With the retirement of JOE O'HARA and BILL HILL at the end of this session, that class will be badly broken up.

I feel his leaving us very keenly. I well recall my first day as a Member of this body. I attended a reception given by the gentlewoman from Massachusetts, Mrs. ROGERS. There I met JOE O'HARA for the first time. I have loved him ever since. I found him to be friendly and kindly that evening, and since that time I have found that he is a man of ability as well as at all times a kindly, friendly, and generous individual.

During the 18 years he has gained in stature like the pines of the State of Minnesota, and has always been as sturdy.

We will miss him very much as he leaves us. JOE, may you have the best of everything in your retirement, and then some.

Mr. H. CARL ANDERSEN. Mr. Speaker, the gentleman has mentioned something unusual about our colleague. That is Mr. O'HARA's determination and his courageous stand on many issues. I want to say that we people of Danish ancestry are supposed to be stubborn, but I will have to yield in this instance to my good friend, JOE O'HARA.

Mr. CHENOWETH. Mr. Speaker, will gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Mr. Speaker, like the distinguished gentleman from Iowa, who just spoke, I was also a member of the 77th class. I came to the House with JOE O'HARA, and we took our oaths of office together on January 3, 1941. I liked Joe the first time I saw him. Over the years I have formed a great respect and admiration for his integrity and ability. JOE is a delightful person to know, and our friendship has meant a great deal to me.

One of my first recollections of JOE O'HARA was a reception he and our former colleague, Dick Gale, also from Minnesota, gave in JOE's office for the Members of the 77th Congress. JOE was anxious to establish closer bonds of fellowship among our group. His affable personality enables him to make friends and keep them.

I am sorry to see JOE leave Congress. Certainly we need men like him in public life today. JOE is independent and fearless, and never hesitates to do what he thinks is right, and for the best interests of the country. JOE is going to be missed by his many friends, and we wish him well in whatever he does.

I had the great pleasure of serving on the House Interstate and Foreign Commerce Committee with JOE. I know of his vast knowledge of the matters coming before that important committee, and the respect which he commands from every witness who appears before the committee.

I consider JOE O'HARA one of the most able Members of this House.

When JOE came to the Congress he was first assigned to the House Judiciary Committee. His outstanding reputation as a leader of the bar was immediately recognized. It is my opinion that JOE is one of the most able lawyers of the country, and I am sure there will be a great demand for his services if he should return to the practice of law.

JOE has added further luster to his brilliant career by his service in this body. I personally feel that his voluntary retirement is an irreparable loss, not alone to his District and to the State of Minnesota, but to the entire Nation.

I want to wish JOE O'HARA much happiness, good health and continued success for many years to come.

Mr. H. CARL ANDERSEN. Mr. Speaker, to conclude this tribute to my colleague from Minnesota, I would like to yield to the gentleman from Minnesota [Mr. QUIE] at this time.

Mr. QUIE. Mr. Speaker, as we have listened this afternoon to the tributes that the colleagues of Congressman JOE O'HARA paid him, we realize the respect that his colleagues have for him, the great work that he has done, and the great service he has rendered to the people of the Second District of Minnesota. This great respect that his colleagues have for him is felt very deeply by the people of the Second District of Minnesota. These people love and admire Congressman O'HARA.

They admired him because he has always spoken out forthrightly for what he believes. He has shown leadership, and he has told them unequivocally for what he stood. He led the way, and usually their opinions coincided with his. They listened to him because they knew he had given the matter great thought and would give an opinion based on sound reason. But, the main reason they loved and respected him so much is this: He loved the people himself. I have not known Congressman O'HARA very long, but I do know this about him, that when he is back in his District, he knows these people, knows them by name, and have sincere consideration for their well-being. He was able to talk to them and talk about exactly what affected them, and they knew that he had been thinking of them and serving them well here in the Congress. Whether of his political philosophy or of the opposite political philosophy, they still loved and respected him. This feeling spread out from his District into my District. When I was running for election this last winter, many times the question would come up "Well, what would you do on this issue" and "What would you do on that issue" and "What would be your stand on this," and many people who knew him in the First District said, "Well, when you get down there to Washington, just contact JOE O'HARA and get his advice on that." And, it finally got to be that when people asked me, I said, "Well, I will contact JOE O'HARA when I get down there and find out what it is all about."

I think another reason why the people of the first District learned to love and respect Congressman O'HARA, just like they do in the Second District, is because my predecessor, Congressman Andresen, was a close and dear friend of Congressman O'HARA. During the many years they served together here in the Congress, they shared their experiences and opinions and came many times to the common decision of what was the best for the country.

And, as we look at the work he has done and the stand he has taken, we can just listen to him when he answered the rollcall here, and know that he is a man of conviction. You can tell by the sound of his "aye" or his "no" that here is a man who knows what he is doing and votes with forthright conviction.

So, as we bid Congressman JOSEPH P. O'HARA farewell, as he retires from Congress, we hope he will come back and visit us often, and give us advice on tough questions that he has studied for years. This is a Congressman who will truly be missed next year.

With that, the people of the First District and myself pay tribute to Congressman O'HARA, and we only hope that the Congress can carry on as he has in the past, believing in the well being of the people and in as sound a philosophy as he does for what is the best thing for the country.

EXTENSION OF REMARKS BY COMMITTEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the chairmen of all committees of the House may at any time between now and the last issue of the RECORD extend their remarks in the CONGRESSIONAL RECORD explaining the activities of their respective committees during the 85th Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR MAJORITY LEADER TO EXTEND HIS REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent, on behalf of the gentleman from Massachusetts, the majority leader, Mr. MCCORMACK, that he may extend his remarks at any time until the last issue of the CONGRESSIONAL RECORD of this session of the Congress on the activities and the accomplishments of the 85th Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

S. 3754—GRAZING BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DINGELL. Mr. Speaker, I had previously asked that S. 3754 be passed over. The reason for my request was that the bill had a provision in subsection 1 (g) compensating owners of grazing permits on public land for the termination of their permits.

The law has consistently been that grazing permits are the barest kind of licenses and constitute no possessory interest in the Federal domain whatsoever. I have withdrawn my objections to this bill upon the express acknowledgment of proponents of the bill that subsection 1 (g) of S. 3754, now before us, does not constitute a recognition that grazing permits on public land are a possessory interest but rather are mere licenses terminable at the will of the Government. Because of the special circumstances involved in S. 3754 I feel it is equitable that provision should be made for a small compensation to holders of these grazing permits in the McCracken Mesa area.

Grazing upon public lands is a privilege given to individuals or groups through a permit, license, or lease. Grazing, as a privilege, is distinguished from a right, title, interest, or estate.

Grazing permittees, licensees, or lessees should recognize that any investments they make in the manner of improvements on public lands is without thought of compensation should the privilege be terminated.

While withdrawing opposition to this measure as worded, due to unusual and peculiar circumstances involved in the proposed land transfer and Indian claims therein, conservationists hold to the principle that grazing is a privilege rather than a right and trust nothing in subsection (g) of S. 3754 can be construed as meaning otherwise.

My views are prompted by a letter which I received from the United States Department of Interior over the signature of Mr. Hatfield Chilson, Under Secretary of the Interior, setting forth substantially the same view and pointing out that S. 3754 does not constitute a general policy of compensating grazers on public land devoted to use not consistent with the previous grazing activity. I ask unanimous consent that the letter referred to be incorporated into the CONGRESSIONAL RECORD at this point:

There being no objection the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., August 21, 1958.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D. C.

DEAR MR. DINGELL: You have requested our comments regarding a question raised with respect to subsection 1 (g) of S. 3754, a Senate amendment to the bill as introduced which relates to compensation to the holders of grazing permits whose activities are displaced by the transfer to the Navaho Tribe of Indians of the lands involved. The question raised, we are advised, is whether the Department regards subsection 1 (g) as comprehending a general policy of compensating grazers when public land is devoted to another use not consistent with grazing activity.

As you are aware, the United States is seeking to acquire title to lands of the Navaho Indians that will be inundated when waters are impounded behind the Glen Canyon Dam, now under construction. The Indian lands involved comprise the dam site and a substantial portion of the reservoir area of the Glen Canyon development. S. 3754 would provide for exchange of the Navaho Indian lands for other lands in the McCracken Mesa area which are now utilized for grazing purposes.

Ordinarily, the Government would not acquire dam site and reservoir lands by an exchange process. It would acquire those lands directly from the owner by a negotiated sale or by condemnation proceedings, or, if the lands to be inundated are public lands it would, under the authority of the Federal reclamation laws, withdraw the lands from entry and thus—as is provided under the Taylor Grazing Act—terminate any outstanding grazing permits. The process of acquiring reservoir lands in the instant case by exchange is therefore an unusual one and comes about because of the Indian ownership of the lands required for the Glen Canyon project.

The Department wishes to make it entirely clear that, should the Congress adopt the language contained in subsection 1 (g) of S. 3754, now pending in the House, such action would be regarded as dealing only with the special circumstances existing in the case at hand, and that it does not regard the provision as establishing a general policy or precedent. In this connection, it should be noted that in our report on S. 3754 to the Chairman of the Senate Committee on Interior and Insular Affairs, we stated:

"On the other hand, while the displacement is, relatively speaking, small, nevertheless, the Congress may wish to consider the possibility of extending to the stockmen directly affected the principle of compensation now embodied in the provisions of title 43, United States Code, section 315q. While, as is well known, a grazing permit confers no right, title, interest, or estate in the public lands (43 U. S. C., sec. 315b), special equities justifying compensation might be thought to exist where, as here, the parties affected had no reason to anticipate they were establishing their activities in an area that would be affected by a reservoir project. Such action would place the burden of cost upon the reservoir project which will benefit from the exchange rather than upon the individuals now operating in the McCracken Mesa area."

As we have noted above, by the exchange process proposed in S. 3754, the McCracken Mesa lands, which are not physically affected by the Glen Canyon project would in effect be devoted to reservoir purposes, a possibility which no user of the mesa area could have anticipated when establishing his use. This peculiar situation was considered as distinguishing the instant case from the usual circumstances in which public lands devoted to grazing purposes are—under the express terms of the Taylor Grazing Act—made subject to reclassification and devotion to any higher use for which those lands may be suited.

For the foregoing reasons, the Department of the Interior would regard adoption by the Congress of subsection 1 (g) as reflecting only the fact that the Congress in this instance considers special equities to exist by reason of the lack of physical relationship of the McCracken Mesa area to the Glen Canyon Reservoir. Such action would, in our view, be consistent with the principle of compensation embodied in the act of July 9, 1942 (56 Stat. 654; 43 U. S. C., sec 315q) referred to in the quoted paragraph above.

Sincerely,

HATFIELD CHILSON,
Under Secretary of the Interior.

PUBLIC SCHOOLS IN VIRGINIA

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, yesterday, the Governor of Virginia, the Honorable J. Lindsay Almond, Jr., in his usual courageous manner, declared again the policy of Virginia to resist usurpation of authority and to operate public schools of Virginia in accordance with the laws and constitution of Virginia.

The Governor declared in a forthright manner that there would be no integration in Virginia's schools nor will Virginians tolerate the patrolling of the schools of Virginia by Federal paratroopers with fixed bayonets. I stand foursquare with the Governor and commend him for his determination to preserve the rights and privileges of our people and to resist with all the power at his command the dictatorial, arbitrary, unconstitutional attempt by the Chief Executive and the Supreme Court to wipe out the States and to take over the operation of the schools.

We in Virginia will not sit idly by and voluntarily give up our constitutional rights. We are going to see this thing through. We are going to operate our schools in the future as we have in the past.

I notice from the press that in one of the counties that is now under the gun they have formed a committee with the so-called purpose of keeping the public schools open. The officials of that organization are apparently trying to get the Governor and the local school board to keep the schools open regardless of what might happen about integration. Whether intentional or otherwise, they are contacting and conferring with the wrong people. The Governor is not going to close the schools. The school board is not going to close the schools. If the schools are closed, they will be closed by the NAACP and the Federal courts. If this so-called keep-the-schools-open organization really wanted to keep the schools open they would be consulting with and talking to the NAACP and the Negro parents who apparently are intent upon having the schools integrated. I say their efforts are directed in the wrong direction and if they really want to keep the schools open they should about-face and pursue and put their efforts in the right channel.

Mr. Speaker, under leave to extend my remarks, I desire to include the news release dealing with the Honorable J. Lindsay Almond's press conference in Richmond on yesterday, Thursday, August 21, 1958.

NO ENFORCED INTEGRATION IN VIRGINIA, ALMOND SAYS

Governor Almond yesterday declared bluntly "there will be no enforced integration" in Virginia public schools.

The Governor's statement at his regular press conference was made as Virginia faces what could be a critical showdown on its policy of "massive resistance" to integrated schools.

Public-school systems in Norfolk, Arlington, and Charlottesville have been ordered by Federal courts to desegregate next month.

Speaking in sharply precise terms, Almond said he was "convinced that mixing races in the public schools will destroy the process of education."

ASKS PUBLIC SUPPORT

He called on the public to support him and the General Assembly in a policy of no integration in the public schools.

Almond's remarks were prompted by a news-conference question concerning President Eisenhower's statement Wednesday that it was the solemn duty of all Americans to comply with the decisions of the Supreme Court.

The Governor spoke in serious and measured tones almost without pause for several minutes.

"I've read the account of the President's statement," he said, "and saw him on television. The matter is exactly where it was before it got started.

"It is a State matter • • • it is our responsibility to work it out to the best of our ability.

"I am convinced that the mixing of races in the public schools will destroy the process of education—we've already seen that in other areas."

ACUTE SITUATION

The situation in Virginia, the Governor said, is even more acute than in many areas, and "our concern is the preservation of education so that all the children of Virginia will have the best educational facilities and opportunities the State can afford.

"This cannot be done through the mixing of the races in the schools, and there will be no enforced integration in Virginia," the Governor said.

Obviously, referring to the use of Federal troops to enforce Federal court integration orders at Little Rock, Ark., and President Eisenhower's statement implying that troops may be used again, Almond said that if troops are sent into Virginia they will patrol empty schoolhouses.

GOVERNMENT BY CONSTITUTION

The State's massive resistance laws automatically close schools where pupils of more than one race are enrolled. At another point in the statement Almond said:

"The problem can't be solved in an atmosphere of troop patrols and pressure under this drive • • • this urge for forcing down the throats of the people what they can not and will not accept because they feel that it is unconstitutional."

The Governor said, "The Court's usurpation of the functions of the Constitution has caused people to realize they themselves must insist on Government as ordained by the Constitution, and not by what some Swedish sociologist has written • • • who knew nothing of our customs, traditions and way of life, and who openly expressed his contempt for the Constitution of the United States."

His reference apparently was to a study of the Negro in America entitled "An American Dilemma," by Gunnar Myrdal. The study was cited in the Supreme Court's desegregation decree.

Virginia's position, Almond said, was not defiance of the Federal courts, but dedication to the Constitution.

"I have no spirit of defiance," he said, "but the obligation to uphold the United States Constitution is of just as much concern to the governor of a sovereign State as it is to the President.

"It is my deep conviction," the Governor said, "that the Supreme Court's desegregation decision is in violation of the Constitution • • • my obligation is just as strong as it ever was. My obligation to uphold law and order is a matter on my conscience, a matter that I will diligently observe."

NO MEETING PLANNED

In response to another question concerning suggestions that he meet with President Eisenhower to discuss the State's integration problems, Almond indicated he would not welcome such a meeting.

"I do not invite the suggestion and no one has made such a suggestion that I recall," he said.

"This is a State matter as far as I'm concerned • • • a matter for me to work out as best I can under laws passed by the General Assembly • • • I know of no agency that can change those laws with the exception of the General Assembly in response to the will of the people of Virginia.

"I call on the people of Virginia to stand with the Governor of Virginia and with the General Assembly to preserve (Virginia's) right to function as a sovereign State. It is my conviction that is the only course for Virginia to pursue," he said.

"The State of Virginia and the localities of Virginia cannot operate mixed schools and will not operate mixed schools."

Almond stressed that he intended no disrespect to President Eisenhower or to the Federal courts, but there was no other course for Virginia to follow.

"We have our problem • • • a problem which entails sacrifice," he said. "It's just a question of whether the people are willing to stand up to it."

HON. CHET HOLIFIELD'S COMMENTS ON THE PRESIDENT'S STATEMENT ON CESSATION OF THE NUCLEAR BOMB TESTING

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I was pleased with the President's statement today in regard to the conclusion of the Geneva experts who have declared that it is scientifically and technically possible to detect nuclear weapons tests providing the Nations involved in testing are willing to cooperate in the establishment of properly manned and equipped detection stations placed on all the major land masses of the world.

I further approve of the President's statement that the United States is prepared to withhold further testing, on its part, of atomic and hydrogen weapons for a period of 1 year from the beginning of negotiations, unless testing is resumed by the Soviet Union.

The agreement is contingent upon two major factors:

First. The system of detection stations is installed and works effectively; and

Second. Satisfactory progress is being made in reaching agreement on implementing major and substantial arms control measures such as the United States has long sought.

The further factor, of secondary importance, is the requirement that the agreement would also deal with the problems of detonating—for peaceful purposes as distinct from weapons tests detonations. The President states that we will be ready to start negotiations by October 31 of this year. I wish to consider these 2 major factors and 1 minor factor separately.

In reference to the first factor, I believe that if the nuclear nations cooperate in good faith, we could install most of the stations which it is necessary to install for detection purposes, within 1 to 2 years. This could only be done, however, by a completely coordinated and cooperative effort of the nuclear nations working on the basis of utmost urgency. It would contemplate, in my opinion, a minimum of 200 detection stations, with a possible maximum of 600 stations. The difference in numbers would depend upon the floor of detection as represented by the size of the weapons detonated. In other words, the smaller the weapon to be detected, the more stations we would need with shorter distances between stations.

Any lack of good faith, any type of political obstruction, any period of undue delay in negotiation as to terms and conditions of implementation, or any failure to realize the urgency of starting immediate location and construction of detection stations could, in my opinion, jeopardize the consummation of an agreement and would destroy the hopes of humanity for the establishment of a realistic program of test cessation.

Now I wish to direct my remarks toward the second factor. I am gravely troubled by the inclusion of the principle stated in the second factor. In the first place, the statement is unclear and is susceptible of different interpretations. If the principle stated in the first factor is made contingent upon the satisfaction of the all-embracive principle referred to in first factor, then I have little hope for the completion of a nuclear testing cessation agreement.

While the principle stated in the second factor is important and represents the reaching of an agreement on complete disarmament measures for both nuclear and conventional weapons of war, we know how difficult the achievement of this goal may be. It is a goal which certainly should be pursued and negotiations should run concurrently with the negotiations for nuclear bomb test cessation. But, the principle outlined in the first factor should not be jeopardized in the future, as it has been in the past, by the inclusion of what seems to be, at this time at least, an unobtainable goal.

The problem of nuclear detonation for peaceful purposes, as distinct from weapons tests, is a relatively simple problem to solve. The utilization of nuclear material to create harbors, or to blast passageways through the earth and mountains, could be accomplished by full and honest international participation and observation by accredited scientists and engineers from both the Communist and the Free World. If such frank and honest cooperation and participation was carried out, no accusation of selfish gain to either side could be made. Unless such an honest arrangement is made, either side could charge the other side with cheating and claim that the tests were made for testing weapon principles and not for peaceful purposes.

It is only natural that the U. S. S. R. and the United States, with its ally, Great Britain, will be approaching these negotiations with suspicion of each side's motives. Any attempt—on the part of either side—to obtain propaganda advantage or clandestine advancement in nuclear weapon technology will doom the negotiations to failure.

Any attempt to delay unduly the negotiation process will be dangerous for time is the essence of either a moratorium or a negotiating period. Extensive delay in the negotiation process, or in starting the construction of scientific detection and inspection stations with a complement of scientific and engineering personnel satisfactory to both sides will doom the whole program to failure.

Both sides have scientists and engineers that are highly qualified in the field the Geneva experts studied. Neither side can outsmart the other. The first retreat from honest and urgent negotiations and action will, in itself, bring the program of weapon test cessation to an immediate stop.

There is no problem facing mankind today so important as the problem of survival in this age of nuclear weapons. There is no mission more important for man to perform. There is no challenge greater to the spirit and the brain of man than the challenge to insure the lives of the world's people. It is to be hoped that in this hour, when statesmanship is so grievously needed, that men will rise in the U. S. S. R., the United States, and Great Britain, who can solve the problem, who can perform the mission and who can meet this great challenge which faces humanity, if it is to survive.

TRAGIC DULLES POLICY NULLIFIES PROGRESS IN NUCLEAR WEAPONS TEST CESSATION

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, today, August 22, 1958, the President issued an important statement regarding the willingness of our Nation to start negotiations on October 31, 1958, with Soviet and British representatives to obtain a cessation of nuclear weapons tests.

The President makes, in general, what appears to be a frank and open statement, looking toward an international agreement. A close study, however, of his statement raises some doubts as to the clearness of its meaning. I refer specifically to (b). Parenthesis b places as a condition of the annual determination to suspend the testing of nuclear weapons, what has been heretofore called the one package disarmament requirement. Before nuclear testing can be suspended satisfactory progress is being made in reaching agreement on and implementing major and substantial arms control measures such as the United States has long sought. If this does not include the whole field of conventional arms, men, and materiel, as well as the tie-in of continued plutonium and uranium 235 production, then I do not understand the language. If it does include this wide field of disarmament controversy, then it foredooms to failure any chance of taking the first step outlined in parenthesis a.

I regret that I must state that the inclusion of the "one package" requirement as a contingency for nuclear weapon test cessation on a step-by-step basis casts a reflection on the sincerity of the President's statement. It seems to be a tragic continuation of the futile and abortive Dulles philosophy which has failed to establish, in world opinion, our sincerity in the search for world peace.

It is this fatal lack of vision, this holding back, this being dragged into the future which is killing our influence throughout the world.

When, in the name of God and the preservation of humanity from nuclear suicide, will we ever learn to lead instead of reluctantly follow world opinion?

When will we punch instead of timidly counterpunch?

When will we be wise enough to propose a wise and realistic program and follow through with wide open eyes which see and meet each danger as we advance into the future step by step?

I do not ask nor advocate naive trust of Soviet promises. I do not advocate any reliance on promises or trust of written agreements. I advocate agreements which proceed step by step, resting on proven, tested guaranties of compliance.

If we proceed in this manner there is no risk to us. Failure of compliance by any party to the agreement would constitute an immediate notice of abrogation of the agreement. Such a failure in compliance would demonstrate to the world the sincerity or duplicity of the offending party.

Just as long as we fail to lead with bravery and honesty in the field of international policy, just that long will we fail to meet the challenge of Soviet intransigence and duplicity. Just that long will we continue to lose our influence in the United Nations.

Two years ago, on October 29, 1956, Adlai Stevenson proposed to stop the explosion of big hydrogen bombs. He excluded small weapons. He made his proposal contingent upon Soviet concurrent cessation and the installation of scientific detection stations. The President and the Vice President took to the airwaves and TV broadcasts and berated Mr. Stevenson in violent language. They cast aspersions on his intelligence and his patriotism.

But, 2 years later they have caught up with the Stevenson vision. They now reluctantly are being forced by world opinion to accept the principle of nuclear weapon test cessation.

The position which Adlai Stevenson took on the dangers of radio active fallout from weapon testing has now been sustained by the world's scientists. Reports from the House and Senate Special Committee on Radioactive Fallout—Joint Committee on Atomic Energy—reports from the National Academy of Science, reports from the International Commission on Radiological Protection and reports of the British Academy of Science all sustain his fears and prophecies and the world opinion now demands that the United States retreat from the rigid position of Adm. Lewis Strauss, Dr. Edward Teller, President Eisenhower, Secretary of State Dulles, and Vice President Richard Nixon.

Mr. Speaker, in order that the reader may know today the text of Adlai Stevenson's speech of October 29, 1956, I ask unanimous consent to have it printed as an appendix to my remarks.

H-BOMB MEMORANDUM

(By Adlai E. Stevenson)

The President issued several memorandums in support of his statement calling for the continuance of exploding large H-bombs.

I will take up the major points included in these memorandums in some detail.

The administration has attached to the President's statement a chronology of disarmament negotiations since the Second World War. In his statement, the President refers to the fact that in the past 2 years alone, the Soviet Union has rejected no less than 14 American proposals on disarmament.

The reason that the administration's efforts to obtain general disarmament have all foundered has been the Soviet rejection of a system of adequate inspection. Yet, as this record shows, the administration has repeatedly refused the opportunity to take a concrete step toward disarmament in the one area where inspection is automatic—the explosion of large nuclear weapons.

Moreover, this chronology omits the fact that on September 6, 1955, the President's Special Assistant for Disarmament informed the United Nations Disarmament Subcommittee that the United States would offer no alternative arms-control program other than the so-called open-skies formula—a plan originally proposed by the Truman administration. Thus no progress whatever has been made toward disarmament by the Eisenhower administration. Indeed, the President reported to Congress on July 15, 1955, that no one has been able to devise a better plan than the Baruch plan of 1946.

We are thus stalled on dead center by the rigidity of the Eisenhower administration's approach to the problem of disarmament.

Nevertheless, the President remains, as he says, "hopeful that * * * the reality of significant disarmament will come to pass." That hope is, of course, shared by all Americans.

But no one who knows the facts is very hopeful that the Soviet Union will agree to a system of adequate on-the-spot inspection within the foreseeable future. For any system of on-the-spot inspection would require a repudiation of that secrecy which is indispensable to the Communist tyranny that governs the Soviet Union.

The President, it appears, offers no solution to the disarmament stalemate. For so long as this stalemate persists, what can we expect of the future?

With no restrictions upon the testing of nuclear and thermonuclear weapons, the atomic monopoly is now possessed by three nations—the United States, the Soviet Union, and Great Britain.

Mr. Stassen, President Eisenhower's disarmament advisor, said 5 months ago that within a year the secret of making the hydrogen bomb would spread all around the world.

Once this occurs, once other industrialized nations—such as France, Japan, Argentina, Czechoslovakia, Eastern Germany, India, or even Communist China—begin to make and explode nuclear and thermonuclear bombs, the threat to peace will be immensely multiplied. So long as the H-bomb remains a monopoly of the three nations which now possess it, a continued military standoff may insure a long period in which such bombs are not used as instruments of war. But once the possession of these bombs spreads to other countries, which is unlikely for technical reasons if testing is prohibited, the danger of their aggressive utilization will have increased many fold. When that day comes, an irresponsible dictator, a maniac, another Hitler, might well detonate the world.

Once the bomb is possessed by countries in addition to the present three, the problem of its control will have become infinitely more difficult. Few nations will willingly remain have-not atomic nations when their neighbors possess the means to destroy them. And once the bomb is in the possession of a number of nations all wantonly shooting poison into the atmosphere, the danger of impairing or destroying human life through bomb explosions is enormously increased.

With a sense of urgency impelled by these considerations, I proposed a halt to the tests of large hydrogen weapons. Under that proposal, the stopping of these tests would have the following results:

1. It would greatly delay if not render it impossible for any nation not now producing bombs to make such bombs. This point the President's statement wholly ignores.

2. It would end or greatly diminish the rate of cumulative pollution of the atmosphere that is a real and present danger to the health of men, women and children now living—as well as to future generations.

3. It would break the disarmament stalemate that now exists. It would be a concrete step toward ending the arms race in the one area where headway can be made because we can detect violations at once.

The administration's statement either ignores or distorts these propositions.

It completely ignores the practical certainty that if testing is not stopped the atomic "have not" nations will possess the bomb within a short time. It denies categorically that H-bomb testing presents perils to the health of humanity.

It implies that for the United States to enter into an agreement for the discontinuance of H-bomb tests would jeopardize our superiority in these weapons and would endanger our national security.

To support its position, the administration marshals a confusion of omissions and misstatements, as the following point-by-point analysis of the key points of the white paper makes clear.

ANALYSIS

President's memorandum: "Three: In the light of these facts, your Government has kept enlarging its stockpile of nuclear weapons, and has continued development and testing of the most advanced nuclear weapons. The power of these weapons to deter aggression and to guard world peace could be lost if we failed to hold our superiority in these weapons."

The President's memorandum is misleading in implying that we must necessarily continue to explode nuclear weapons in order to maintain our superiority in those weapons. To the extent the United States, by agreeing to stop large H-bomb explosions, would affect its progress in the development of nuclear weapons, the Soviet Union would also affect its own progress. To the extent that the Soviet Union could continue the research and development of all such weapons short of testing, the United States would also continue such research and development. To the extent that we have superiority—or as it is expressed elsewhere in the President's statement, a commanding lead—we would safeguard that superiority, that lead, by reducing the charges of a Russian technical breakthrough that might assist them to close the gap.

I repeat again that an agreement to end explosions of large H-bombs should not apply to the testing of smaller nuclear weapons; the United States, as well as other powers, would be free to go forward with such tests.

President's memorandum: "Four: The continuance of the present rate of H-bomb testing—by the most sober and responsible scientific judgment—does not imperil the health of humanity. On the amount of radioactive fallout, including strontium 90, resulting from tests, the most authoritative judgment is that of the independent National Academy of Sciences. It reported last June, following a study of 150 scientists of the first rank, that the radiation exposures from all weapons tests to date—and from continuing tests at the same rate—is, and would be, only a small fraction of the exposure that individuals receive from natural sources and from medical X-rays during their lives."

Many outstanding scientists vigorously disagree. Scientists emphasize that no one knows with certainty whether the present rate of H-bomb testing will or will not produce significant damage to millions of people alive today. This is true especially of children; as they mature the calcium that goes into building up their bones will be contaminated with the fallout of strontium 90 from H-bomb tests.

On this subject, the National Academy of Science reported in June 1956: "How much radiation will produce a given result, how much can be done to counteract the deleterious effects, these are largely unsolved problems."

Thomas E. Murray, a member of the Atomic Energy Commission, has stated: "We know that there is a limit to the amount of this strontium that the human body can absorb without harmful effects. Beyond that limit, danger lies, and even death."

The problem has been to fix the limit. It is still an unsolved problem.

The International Commission on Radiological Protection and the British Medical Council warn that the danger level for radioactive strontium should be set not at the level used by the Atomic Energy Commission but at one-tenth that level.

Obviously, the President's statement greatly exaggerates the degree of certainty that is possible on the basis of present scientific knowledge. In addition, in relating its comments to the present rate of H-bomb testing, it gives a wholly false picture of the danger from strontium 90 fallout. The report of the National Academy's Committee on pathological effects of atomic radiation, which is the basis for the National Academy's comments on this subject, was prepared in January of this year and its findings are already out of date. Since that time the nuclear monopoly enjoyed by the United States and the Soviet Union is now shared with the United Kingdom—and, as has been earlier pointed out, there is every prospect that within a relatively short time other nations will be producing nuclear weapons.

The Federation of American Scientists Radiation Hazard Committee declared on October 25, "Certain areas of the world may have already passed the danger point in strontium 90 saturation." The committee said Atomic Energy Commissioner Willard F. Libby, official AEC spokesman on fallout hazards, has been "very optimistic" in his estimates of the danger to mankind from radioactive fallout.

On Thursday of last week, members of the AEC research project at the University of Rochester Medical Center in New York declared President Eisenhower's defense of further H-bomb tests was confused and represented an oversimplification of the facts of life on the fallout.

Nineteen scientists, including William F. Meuman, top researcher of the AEC's project at the University Medical Center, specifically took issue with the fallout references President Eisenhower made last Tuesday night in his defense of further H-bomb tests.

The President said the National Academy of Sciences' June radiation report declares: "That the radiation exposure from all weapons tests to date—and from continuing tests at the same rate—is, and would be, only a small fraction of the exposure that individuals receive from natural sources and from medical X-rays during their lives."

Actually, the Rochester scientists declared: "The National Academy of Sciences' report does not say that the levels likely to be reached, if bomb testing continues, are safe * * * there is good reason to fear that they may not be safe." The FAS Radiation Hazards Committee report, issued in Boston, declared: "It may well be true that in certain areas of the world, the strontium 90 hazard has already passed the danger point, to say nothing of the additional production of this material in further tests." The report said strontium 90, which seeps into the human bone, produces blood changes and can lead to cancer, has been steadily descending upon the earth since the H-bomb test began. The scientists said the strontium 90 concentration is greatest in the soil where calcium is scarcest and the human system, instead of absorbing calcium into the bones, then absorbs the strontium 90.

The FAS group cited Commissioner Libby's own speech in illustrating that certain areas in Wales have strontium 90 concentrations 50 times greater than the worldwide average. It reasoned that Libby's maximum permissible level of strontium 90 intake while still safe for people in other parts of the world, might be exceedingly critical for low-calcium soil areas like Wales. The scientists also criticized Dr. Libby for basing his standards for permissible dosage on occupational exposure, as in the case of an X-ray technician, rather than the prolonged exposure, which people suffer in having radiation in the soil all around them. The FAS group further said that fallout safety levels are being based on the limited experience of humans with radium poisoning and a comparison of this with strontium 90 effects on experimental animals. The scientists pointed to a report by the British Medical Council declaring children's growing tissues are particularly radiosensitive and so could not tolerate the same maximum permissible dose level Libby has allotted to humans in general.

The FAS committee also said recent administration references to a National Academy of Sciences report on radiation have persistently referred to the genetics section of the report and glossed over the report's pathological section. It is the pathological section which warns against the strontium 90 hazard caused by H-bomb tests.

And in Pasadena, A. H. Sturtevant, California Institute of Technology geneticist, and one of the scientists who had signed the National Academy of Sciences report on genetic effects from radiation declared: "The danger from radioactive strontium in fallout is greater than the information available to the committee led us to suppose." Sturtevant recommended that his committee's conclusions on fallout dangers be revised upward.

Under these circumstances, to issue reassuring statements on the dangers of strontium 90 on the assumption of a continuance of the present rate of H-bomb testing is irresponsible. It is tantamount to a public health officer stating that the population of a city need take no precautions against a smallpox epidemic since, for the moment, no more than three cases had appeared, when there was a practical certainty that, if precautions were not promptly taken, the disease would spread to many times that number. And, as a distinguished newspaper columnist pointed out the other day, it casts the United States in a suspicious light by its neighbors. It is like adding a little arsenic to your neighbor's coffee each day, but assuring him that it isn't enough to kill him.

But apart from the fact that the rate of testing will certainly increase, the administration's optimism is misleading for another reason—the supposition that strontium 90 is absorbed uniformly among human beings. This is not true. From the Atomic Energy Commission's own measurements, the people of certain areas where the soil is low in calcium are absorbing a concentration of strontium 90 that is 5 times above the average. Even if further tests were discontinued people in those areas would be subjected to radiation from strontium 90 that would exceed by several times their absorption from natural sources.

I repeat that the President's memorandum fails entirely to point out that when it compares the dangers of radioactive fallout from H-bomb tests to the exposure from medical X-rays or from natural sources, it is basing its assertion exclusively on a report of the National Academy's Committee on Genetic Effects of Atomic Radiation. This has nothing to do with the really serious danger—the pathological damage from strontium 90 fallout. The President's memorandum leaves out the most important point: pathological damage.

Scientists agree that the genetic damage from bomb-tests is of relatively minor concern compared with the pathological damage from strontium 90, which, as has been previously pointed out, is assimilated into the bones, particularly of children, and which can produce blood changes and cause blood cancer.

In attempting to minimize the hazards of the effects of radioactive fallout by comparing them to an individual's exposure to medical X-rays, the author of the report even neglects to mention that the National Academy regards the extent of X-ray exposure as itself a possible danger, in fact, in the same chapter of its report, the Committee on Genetic Effects makes specific recommendations for reducing the medical use of X-rays.

The President's memorandum: "Six: There is radioactive fallout, including strontium 90, from the testing of all nuclear weapons, of whatever size * * * thus, the idea that we can stop sending this dangerous material into the air—by concentrating upon small fission weapons—is based upon apparent unwareness of the facts."

This statement is completely irrelevant. It can be regarded only as a deliberate effort to mislead. The fact is that the amount of radioactive fallout from a single large explosion has been and can be as much as that from 1,000 smaller bombs of the Hiroshima size. Essentially all the strontium 90 in the stratosphere comes from H-bombs.

President's memorandum: "Seven: With reference to the Soviet Union: Its sympathy with the idea of stopping H-bomb tests is indisputable. This idea merely reflects the Soviet Union's repeated insistence, ever since discussion of the Baruch plan in 1946, that all plans for disarmament be based on simply voluntary agreements. Now, as always, this formula allows for no safeguards, no control, no inspection." As to the assertion that an agreement to stop H-bomb tests would allow for no safeguards, no control, no inspection the President again disregards the key fact that violations of such an agreement can no more be hidden than an earthquake.

President's memorandum: "Eight: A simple agreement to stop H-bomb tests cannot be regarded as automatically self-enforcing on the unverified assumption that such tests can instantly and surely be detected."

This statement is amplified as follows in paragraph 22 of the memorandum that accompanies the white paper: "While the system of long-range detection or monitoring is believed to be as effective as it can be made in the present state of scientific knowledge, it cannot insure the detection of every test irrespective of size, location or type and composition of the weapon tested."

I repeat again for the dozenth time that I have never proposed the prohibition of tests of other than large H-bombs. President Eisenhower himself stated categorically on October 5: "Tests of large weapons by any nation, may be detected when they occur." The President repeated this statement in substance in his October 23 paper. Therefore, there is no difference of view as to the detectability of the kind of bomb included in my proposal.

We will know if the Russians explode a big H-bomb, and the world will know it too.

VETERANS' ADMINISTRATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I do not know how many of you in the House or how many in the other body knew that in the bill, that contained money for the civil service retirement fund and as a result of which the bill was vetoed by the President, there was a cut which was agreed to apparently by both the Senate and the House. I do not know how reluctantly it was agreed to, but anyway it was agreed to. It would put a freeze on some positions in the Veterans' Administration here in Washington and in the field offices.

Mr. Speaker, it seems an outrageous thing with all we are doing in every direction, the avalanche of money that is pouring out of the Congress these recent weeks, not to give greater consideration to the veterans who have kept and are keeping our country free.

THANKS TO MEN AND WOMEN OF ALL SERVICES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to give my thanks to the brave crew of the *Nautilus* that took that dangerous trip under ice at the North Pole. Those men stayed submerged for hours and hours and hours and indeed had a very dangerous assignment.

Then I would give my deep thanks to the marines who went into Lebanon. I saw Chet Huntley's very fine description of their work. On Comment I saw his very fine television presentation and heard his very fine description of the carrier *Essex* which covered our men as they went into Lebanon. You can see the danger the pilots were under as they took off and landed on the deck of that carrier.

I want to pay tribute also to our paratroopers who did such wonderful work in the operations in Lebanon and in that eastern area.

There were three men from my own District in these various activities. I give thanks to them and give thanks again and again and again to the men of all services who are working for us all the time, many of them giving their health and strength and many of them putting their lives in jeopardy, because their operations are dangerous, in fact, extremely dangerous.

REAR ADM. CARL F. ESPE, UNITED STATES NAVY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am delighted that we are to have the privilege of the leadership of Rear Adm. Carl F. Espe, United States Navy, as commander of the 1st Naval District. He and his lovely wife are delightful. I want the House to know of his remarkable record during his service in the United States Navy.

A native of Pittsburgh, Pa., Carl Frederick Espe graduated from the Naval Academy with the class of 1922. He subsequently had service afloat until the summer of 1929 in the battleships *Pennsylvania* and *Mississippi* and the destroyers *Mervine* and *Chase*. After duty as an instructor in seamanship and mathematics at the Naval Academy, he joined the cruiser *Detroit* in June 1931 and 2 years later was assigned his first command, the minesweeper *Bobolink*.

Returning to the Naval Academy in 1934, he had a year's assignment in the executive department, followed by 3 months' service as aide and flag lieutenant to commander, Cruiser Division 6, and further staff duty as aide and flag secretary to commander, aircraft, base force. After duty as executive officer of the newly commissioned destroyer *Perkins*, he had instruction at the Army Industrial College, Washington, D. C., and in 1939 was assigned to the Washington Navy Yard. He put the destroyer *O'Brien* in commission the next year and commanded her until December 13, 1941, shortly after the United States entered World War II.

His war service included duty as navigator of the U. S. S. *Ranger*, as aide to the Vice Chief of Naval Operations, Navy Department, and as Commander, Destroyer Squadron 46 and Destroyer Division 91. For outstanding service in the Southwest Pacific area, including the Philippine Islands, he was awarded the Silver Star Medal, the Legion of Merit and Gold Star in lieu of a second similar award with combat "V," and the Bronze Star Medal also with "V." For exceptionally meritorious service in the planning department of the staff of the Commander in Chief, United States Pacific Fleet, January–December 1945, he received a Gold Star in lieu of the third Legion of Merit.

Following the cessation of hostilities his duties ashore included service in the Naval Intelligence organization as head of the Operational Intelligence Branch; Assistant Director of the Naval Intelligence Division and Director of that Division and as a student at the Naval War College. These assignments were interspersed with duty afloat in command of Destroyer Flotilla 1, Amphibious Groups 3 and 1—the latter operating in the Korean area of hostilities—and Amphibious Force, Pacific Fleet. In January 1958 he was designated commandant of the First Naval District with headquarters in Boston, Mass. He assumed command as commandant, First Naval District, on May 12, 1958.

Admiral and Mrs. Espe will reside at Quarters "G," Boston Naval Shipyard.

I include the following information with my remarks:

ADM. CARL FREDERICK ESPE, UNITED STATES NAVY

PERSONAL DATA

Born: April 15, 1900, Pittsburgh, Pa.

Parents: Charles and Susan Espe, both now deceased.

Wife's maiden name and date of marriage: Hilda Saunder Crowley of Baltimore, Md., June 17, 1947.

Children: None.

Official home address: In care of Mrs. Hugh L. Porter, 8518 Perry Highway, Pittsburgh 37, Pa.

Education: Allegheny High School, Allegheny County, Pa.; United States Naval Academy, Annapolis, Md. (bachelor of science, 1922); Army Industrial College, Washington, D. C. (1938–1939); Naval War College, Newport, R. I. (advanced course, 1949).

PROMOTIONS

Appointed midshipman, July 11, 1918.
Commissioned ensign, United States Navy, June 3, 1922.
Lieutenant (junior grade), United States Navy, June 3, 1925.
Lieutenant, United States Navy, July 3, 1928.
Lieutenant commander, United States Navy, August 1, 1937.
Commander, United States Navy, January 2, 1942.
Captain, United States Navy, August 7, 1947.
Rear admiral, United States Navy, April 1, 1949.
Vice admiral, United States Navy, (T) from April 13, 1956, to April 11, 1958.

MEDALS AND AWARDS

Silver Star Medal.
Legion of Merit with Combat "V."
Gold Star in lieu of Second Legion of Merit with Combat "V."
Gold Star in lieu of Third Legion of Merit.
Bronze Star Medal with Combat "V."
Victory Medal (World War I).
American Defense Service Medal, Fleet Clasp.
American Campaign Medal.
World War II Victory Medal.
Navy Occupation Service Medal, Asia Clasp.
National Defense Service Medal.
Korean Service Medal.
United Nations Service Medal.
Philippine Liberation Ribbon.
Asiatic-Pacific Campaign Medal.

CITATIONS

Silver Star Medal: "For conspicuous gallantry and intrepidity as commander destroyer sound screen of a carrier task group in action against enemy Japanese forces during the assault on Makin, Tarawa, and Apamama in the Gilbert Islands, from November 10 to 27, 1943. Through his exceptional directive ability and his comprehensive understanding of each tactical situation, Captain Espe effectively deployed ships of the sound screen to provide protection for the task group operating in enemy submarine-infested waters. By his personal valor, inspiring leadership, and daring initiative, Captain Espe contributed materially to the success of our assault forces in that vital theater of war."

Legion of Merit: "For exceptionally meritorious conduct * * * as commander of a destroyer squadron during action against enemy Japanese forces on Truk, February 16 and 17, 1944, and during raids on the Saipan-Tinian area on February 21 and 22, 1944. With the units of his squadron subjected to

continuous day and night torpedo and bombing attacks, Captain Espe directed the ships under his command in assisting in the destruction of two hostile planes and, maintaining a protective position for the carriers, enabled the task group to proceed to the initial launching point and carry out a damaging air attack against enemy shipping, aircraft, and shore installations on these strategically important islands."

Gold Star in lieu of a second Legion of Merit: "For exceptionally meritorious conduct * * * as commanding officer of Destroyer Squadron 46, and as screen commander of Task Group 38.1, during operations against enemy Japanese forces in the Pacific war area, from August 24 to October 30, 1944. Skillfully maneuvering the screen throughout the attacks on Palau, Formosa, and the Philippine Islands, Captain Espe contributed greatly to the protection of the task group while operating in enemy waters under heavy aerial attack and constant submarine threat and, by prompt decisive action, rendered effective service many times in the rescue of pilots."

Gold Star in lieu of the third Legion of Merit: "For * * * outstanding service * * * as a member of a planning board in the plans division of the staff of the commander in chief, United States Pacific Fleet and Pacific Ocean areas, in connection with operations against enemy Japanese forces from January 13 to September 1, 1945. Utilizing his thorough knowledge of naval and military operations, Captain Espe assisted in preparing plans for the capture and occupation of the Japanese Empire and adjacent locations for the opening and maintenance of a sea route for allied vessels and for operations subsequent to the surrender of the Japanese. By his professional ability and devotion to duty, he contributed materially to the success of our Armed Forces in the Pacific war area."

Bronze Star Medal: "For meritorious achievement as commander, Destroyer Squadron 46, attached to Task Group 58.1, in action against enemy Japanese forces in the Western Pacific area, from June 6 to August 8, 1944. After the Japanese carrier airpower was destroyed and the Japanese fleet heavily damaged and driven to home waters, Captain Espe led his ships in rescuing personnel from a large number of carrier planes which had been forced to land in the water. Later he participated in the bombardments of Iwo Jima, Guam, and Chichi Jima, destroying hostile installations and on the night of August 4, assisted in intercepting the remnants of a Japanese convoy by demolishing on AK and a DD."

CHRONOLOGICAL TRANSCRIPT OF NAVAL SERVICE

July 1922-August 1922, U. S. S. *Argonne*.
September 1922, receiving ship, San Francisco, Calif.
September 1922–July 1924, U. S. S. *Pennsylvania*.
July 1924–August 1924, U. S. S. *Mervine*.
August 1924–April 1927, U. S. S. *Chase*.
April 1927–May 1929, U. S. S. *Mississippi*.
May 1929–May 1931, Naval Academy, Annapolis, Md. (instructor).
May 1931–June 1933, U. S. S. *Detroit*.
June 1933–June 1934, U. S. S. *Bobolink* (commanding officer).
June 1934–March 1935, Naval Academy, Annapolis (executive department).
March 1955–June 1935, staff, commander cruiser division 6 (aide and flag lieutenant).
June 1935–June 1936, staff, commander aircraft, base force (aide and flag secretary).
June 1936–September 1936, Puget Sound (Wash.) Navy Yard for fitting out duty in the U. S. S. *Perkins*.
September 1936–July 1938, U. S. S. *Perkins* (executive officer).
July 1938–September 1938, Office of the Chief of Naval Operations, Navy Department, Washington, D. C.
September 1938–June 1939, Army Industrial College, Washington, D. C. (instructor).
June 1939–December 1939, Navy Yard, Washington, D. C.
December 1939–March 1940, Boston (Mass.) Navy Yard for fitting out the U. S. S. *O'Brien*.
March 1940–December 1941, U. S. S. *O'Brien* (commanding officer).
December 1941–April 1942, U. S. S. *Ranger* (navigator).
April 1942–June 1943, aide Vice Chief of Naval Operations, Navy Department.
June 1943–December 1944, commander, destroyer squadron 46, additional duty as commander, destroyer division 91.
December 1944–December 1945, staff, Commander in Chief, United States Pacific Fleet.
December 1945–July 1948, Office of Chief of Naval Operations, Navy Department (head, Operational Intelligence Branch).
July 1948–January 1949, commander, destroyer flotilla 1.
January 1949–June 1949, Naval War College, Newport, R. I. (instruction).
June 1949–August 1951, Office of the Chief of Naval Operations, Navy Department (Deputy Director of Naval Intelligence—title changed to Assistant Director of Naval Intelligence).
August 1951–October 1951, commander, amphibious group 3.
October 1951–October 1952, commander, amphibious group 1.
October 1952–May 1956, Office of the Chief of Naval Operations, Navy Department (Director of Naval Intelligence—title changed to Assistant Chief of Naval Operations, Intelligence and Director of Naval Intelligence).
July 1956–May 1958, commander, amphibious force, United States, Pacific.
May 12, 1958, commandant, First Naval District, with headquarters in Boston, Mass.

THE HONORABLE GEORGE H. CHRISTOPHER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to congratulate a great hero, the gentleman from Missouri, a great statesman, a great Member of Congress, Mr. CHRISTOPHER. Today he is walking with an artificial prosthetic appliance. He lost his leg some little time ago, but he is walking again. I congratulate him.

We are lucky to have in the House such a fine individual and I know full well what I am saying because I serve with him as a member of the Committee on Veterans' Affairs. More power and good luck to him.

Mr. CHRISTOPHER. I thank the gentlewoman from Massachusetts.

HON. DAVID B. WILLIAMS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Judge David B. Williams was born in Boston, Mass., January 7, 1919. He attended the elementary schools there and was graduated from high school at Newburyport, Mass. His educational training was furthered at Harvard College, where he received his bachelor of arts degree. He received his bachelor of laws degree from Boston University Law School.

He saw service in the Armed Forces of the United States from April 1942 to March 1946 as a member of the United States Air Force, where he was the recipient of the Air Force Commendation Ribbon.

Back in public life he served as clerk of the courts, city solicitor, legislator, Governor's councilor, and was appointed to the judiciary in 1954, where he now serves.

Judge Williams resides in Concord, Mass., with his wife, Gloria, and two children, Deborah and Gregory. He is a member of the Elks, Lions, Masons, Odd Fellows, and numerous other civic and professional organizations.

He is life member of Minute Man Chapter, which he organized. He has served as chapter adjutant and treasurer, department commander of the DAV in Massachusetts, and in 1956 at the DAV national convention in San Antonio, Tex., was elected fourth national junior vice commander. He is now serving as chairman of the national finance committee and imperial bench rat, NOTR.

His warm and engaging personality, his unquestioned integrity and ability, is enhanced by an active interest in the DAV and a sincere concern for his fellow veteran. These attributes are among those which make Judge David B. Williams a natural choice for national commander of the Disabled American Veterans.

DELEGATE BARTLETT AND ALASKAN STATEHOOD

Mr. KING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING. Mr. Speaker, all of us who did our bit to bring about statehood for Alaska are proud that it is about to be accomplished. No doubt the people of Alaska will ratify statehood by an overwhelming vote in the forthcoming referendum, and Alaska will become in fact our 49th State by Presidential proclamation before the end of the year.

I am concerned, however, over the lack of credit that has been given to the man whose tireless persistence and dedication, over a period of many years, contributed so materially to achieving the support for statehood in the House of Representatives that made the admission of Alaska possible.

I refer to the distinguished Delegate from Alaska, the Honorable E. L. "BOB" BARTLETT, who is now serving his seventh term here with us.

I believe that no Member of this House will dispute my statement that had it not been for Mr. BARTLETT's sterling work—his total dedication to the cause of statehood—his refusal to acknowledge defeat even when prospects seemed darkest—Alaska statehood still would be far in the future.

Delegate BARTLETT never sought publicity for himself. He sought it for Alaska, and had remarkable success in obtaining it. His characteristic personal modesty, which we in this House know so well, perhaps has made it easier for certain late arrivals in the statehood movement in behalf of Alaska to claim credit that we know rightfully belongs to Delegate BARTLETT. Some of the articles I have read in magazines and newspapers recently concerning Alaska statehood undertake to glamorize other individuals in the Alaska picture to such a degree that an uninformed reader might well be left unaware of Mr. BARTLETT's great contribution.

Members of this body are well aware of the marvels of the press agentry in these times. We see strange and wonderful manifestations of that art, but I think others here share my bewilderment at reading that statehood for Alaska was brought about by this or that individual, when many of us who cast the votes that admitted Alaska had not even met those referred to, much less having been persuaded by them.

Of course many people in the Congress and outside it helped to bring about statehood for Alaska. The author of the bill, the gentleman from New York [Mr. O'BRIEN], was an outstandingly able and effective advocate for the cause to which he so unselfishly dedicated his time and efforts, and justly has earned a place in history. But I know he would be the first to acknowledge that his task would have been almost impossible but for the reservoir of good will toward Alaska and the solid support for statehood that Delegate BARTLETT's own efforts had achieved over a period of many years in this House.

Delegate BARTLETT is indeed the father of Alaska statehood. It shall be a monument to him for all time to come. We who have served with him here shall never forget his dedication to the cause in which he so deeply believed. We congratulate him on its accomplishment and wish him all success in his future service to his beloved State and the Nation.

U. S. S. "ENTERPRISE"

The SPEAKER pro tempore [Mr. BOGGS]. Under previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, today, the United States of America is placing a gallant fighting ship on a scrap pile. This is comparable to placing one of our national heroes in potter's field. There will be no people around mourning the fate of this once proud mistress of the sea. There will only be the hissing sound of the acetylene torches and the thumping of the scrap metal presses tearing her asunder—a feat which the sea and air power of the Japanese failed to accomplish. This is a glaring example of the stunted memory of the American people. This symbol of naval air power that performed so gallantly in turning defeat into victory should have been preserved as a national monument.

There never was a ship the Japanese tried harder to sink than the U. S. S. *Enterprise*. Six times the wishful Nipponese announced she had been sunk and six times the *Enterprise* suffered structural damage from enemy hits and near misses during World War II, but she still sailed on.

Only 22 years ago, on October 3, 1936, she was launched. To those who loved the *Enterprise* and served on her, it is hard to see her headed for the scrap heap.

Words quoted as the ship slid down the ways into the water were prophetic. A line from Othello has been fulfilled in her career:

> May she also say with just pride: "I have done the State some service."

Indeed it is hard to measure the worth of the *Enterprise*. Statistics are cold. They tell little of the drive for victory, the fighting hearts of the men who ran the ship and flew the airplanes, the triumphs over near disasters.

Winner of 20 battle stars during World War II in the Pacific, the *Enterprise* shot down 911 Japanese planes, sank 71 ships, and damaged 192 more. She steamed more than 275,000 miles during the war. Her magnificent record included participation in every major battle of the Pacific except the Battle of the Coral Sea.

Commissioned May 12, 1938, CV–6 was the seventh Navy ship to bear the name *Enterprise*. The CV–6 was a giant in contrast to her predecessors. The aircraft carrier had a displacement of almost 20,000 tons, a length of 825 feet, and a maximum breadth of 109 feet. She had been built at an approximate cost of $19 million.

By the time America was plunged into World War II, the *Enterprise* was part of the Pacific Fleet. On November 28, 1941, as flagship of Task Force 8 the *Enterprise* left Pearl Harbor. In addition to Air Group 6, she carried 12 VMF–211 aircraft for delivery to the new airfield on Wake Island. The same day the commanding officer issued battle order No. 1, the first sentence of which read:

> The *Enterprise* is now operating under war conditions.

On December 4, the planes were launched at a point about 175 miles north of Wake to fly to the island, and the task force retired toward Pearl Harbor.

The *Enterprise* was originally scheduled to arrive on December 6, but heavy weather forced the task force commander to slacken speed, and revise his ETA to December 7. At dawn on December 7, the force was some 200 miles from the island of Oahu. A small group of Dauntless scout-bombers from VS–6 were launched for the flight to Pearl.

Shortly afterward one of the pilots of these planes was heard to exclaim over the radio:

> Please don't shoot, this is an American plane.

Then another pilot radioed to the ship:

> Pearl Harbor is being attacked by enemy planes. Maybe Jap planes.

From fleet headquarters came confirmation from Adm. P. N. L. Bellinger: Air raid, Pearl Harbor. This is no drill.

The *Enterprise* hoisted her battle flag and launched aircraft to seek out the carriers from which the Japanese planes had taken off. The results of this search were negative, but on December 10, she sank the Japanese submarine I–170 that had scouted the Hawaiian Islands in connection with the Pearl Harbor attack. It was the first Japanese combatant ship sunk by United States forces. First blood for the *Enterprise*.

Less than 2 months later, on February 1, the *Enterprise* and her sister ship, the *Yorktown*, constituted the carrier striking power in the force that launched the first American offensive operations in the Pacific.

The *Enterprise*, Admiral Halsey's flagship, was the core of a task force which made an attack on Wake on February 24, and one on Marcus on March 4. To hit Marcus, the *Enterprise* was within 1,000 miles of Japan.

In April the *Enterprise* and several other screening ships acted as escorts for the U. S. S. *Hornet* in company with TF–16 to effect the first American offensive against the Japanese homeland. On the flight deck of the *Hornet* were 16 B–25's of the 17th AAF Air Group under the command of Lt. Col. James H. Doolittle. On April 18, 1942, these aircraft gave Tokyo its first aerial attack of the war.

At the Battle of Midway, June 4–6, 1942, the United States Navy airpower aboard the *Enterprise*, the *Hornet*, and the *Yorktown* and based ashore at Midway, and United States Marine Corps and United States Army airpower also based at Midway inflicted a telling defeat upon the enemy force. Japanese forces went down for a count of 4 carriers, 1 heavy cruiser, and 258 aircraft. All ships were sunk by carrier aircraft of the United States Navy.

Misled by position reports, the first carrier strikes had difficulty locating the Japanese carriers. In this predicament, Commander Air Group 6 of the *Enterprise*, estimating that the enemy might have reversed course, decided to turn north. According to Commander in Chief, Pacific, this was one of the most important decisions of the battle and one that had decisive results. Commander Air Group 6 found the enemy just as its carriers were about to launch an all-out attack against Midway and the United States task force. Those Japanese planes never left the deck of their carriers.

The *Enterprise* planes were in at the kill of all four carriers and the heavy cruiser sunk at Midway. The American victory in this action wrested the initiative from the Japanese and was one of the decisive battles of the entire war.

In the invasion of the Solomons and in repelling recapture the *Enterprise* played a prominent and effective role. Despite tremendous poundings, the "Big E" came through again and again. She supported the landings, August 7–9, participated in the Battle of the Eastern Solomons, August 23–25, and took part

in the Battle of Santa Cruz Islands, October 26–27. She fought in the Battle for Guadalcanal, November 12–15, in which she assisted in sinking 89,000 tons of war and cargo ships—2 battleships, 1 heavy cruiser, 3 destroyers, and 11 cargo ships. The last Guadalcanal engagement occurred January 29–30, 1943, the Battle of Rennell Island, and the *Enterprise* was there.

During the first part of 1943, the *Enterprise* continued its battle career as flagship of Commander Task Force 16. When the big carrier reached Pearl Harbor May 8, it was honored as the only carrier to fight through the entire first year of the war. Four United States carriers had been sunk in action: The *Lexington* in the Coral Sea, the *Wasp* in the South Pacific, the *Yorktown* at Midway, and the *Hornet* in the Battle of Santa Cruz. The *Enterprise* stood a long vigil as the only carrier in the South Pacific since the *Saratoga* was under repair and the *Ranger* was operating in the Atlantic. She became the first aircraft carrier to win the Presidential unit citation.

From July 20 to October 31, 1943, the "Big E" was back at Bremerton for needed repairs. But before the year was out she was with Task Force 50 ready to participate in the Gilbert Island occupation November 18–24.

When the Japanese, finding that their bombers were no match for a Hellcat screen, began sending in medium bombers after dark, the *Enterprise* met the challenge. On the night of November 26, a team of two Hellcats and one Avenger, led by Lt. Comdr. E. H.—"Butch" O'Hare went into action. It was the first aerial battle of its type, and it so disrupted enemy attack that it was credited with saving the task group from damage. The *Enterprise* at once put fighter operations on a round-the-clock basis.

The *Enterprise* participated in the Marshalls campaign January 29–February 22, 1944. In the raid on Truk, February 17–18, VT–10 of the *Enterprise* made the first night bombing attack in the history of the United States Navy. Pilots made 25 runs, scored 13 direct hits, 3 near misses, and 2 hits on islets mistaken for ships. Naval Historian S. E. Morison says:

> This night bombing run resulted in about one-third of the total damage to shipping effected by the entire carrier force.

Total tonnage sunk in the 2-day attack was about 200,000 tons.

In March, the *Enterprise* provided air cover for the occupation of Emirau, and on March 30–April 1, as part of Task Force 58, made strikes on the western Carolines. The "Big E" also supported landings of southwest Pacific forces at Hollandia.

Early June found the *Enterprise* engaged in the Mariana Islands. On June 11, she launched her planes against Saipan. The *Enterprise*'s share in the destruction of enemy forces included 3 ships sunk, 2 damaged, and 39 planes destroyed.

In support of the occupation of Palau, the *Enterprise* and her task force operated in the Volcano and Bonin Islands August 31–September 1, then moved south to make preliminary strikes on Palau, Yap, and Ulithi on September 10, and remained to support the landings on Peleliu September 15 and operations ashore until the 18th.

From then on action was taken in support of the Leyte landings in which the carrier conducted preliminary strikes on Formosa, the Ryukyus, and northern Luzon—October 10–15. She supported the landing—October 20—participated in the battle for Leyte Gulf—October 24–26—and continued support of the Leyte occupation throughout October and November.

The *Enterprise* had the distinction of being the only carrier in action against all three of the widely scattered Japanese forces in this operation. "Big E" planes hit the southern, central, and northern forces in succession.

Early the first morning, her planes delivered an attack on the Japanese force in the Sulu Sea, damaging two battleships and a heavy cruiser. That afternoon her bombers blasted the battleship *Musashi*, one of the world's largest battleships, in the Sibuyan Sea. She was sunk by aerial attack alone. The next day, October 25, the *Enterprise* participated in an all-day battle against a Japanese carrier force, assisting in the sinking of 4 carriers, 1 light cruiser, and 2 DD's.

As 1945 operations opened, the *Enterprise* was a night carrier. With the U. S. S. *Independence*, she made up the first night carrier division in the United States Navy. Operations of the task force were in support of the landings at Lingayen Gulf and were marked by operations in the South China Sea from January 10 to 19. The force ranged south to attack shipping and various other targets as far down as Saigon.

In February, the *Enterprise* participated in the first carrier strikes on Tokyo after which she moved southward to support the assault and capture of Iwo Jima from February 19 to March 8. Ten days later she went back to Japan with Task Force 58 attacking targets on Kyushu as a preliminary to the Okinawa campaign. The next day she joined Task Group 58.2 covering the severely damaged *Franklin's* return to Ulithi.

The *Enterprise* returned to Okinawa support on April 8 and was hit by two kamikazes on April 11. She retired to Ulithi, but returned on May 11 to the fray. On May 14 she was hit again by suicide planes and retired. This was the last action for the U. S. S. *Enterprise*.

The Navy has not forgotten the *Enterprise*. Her name will be perpetuated by the magnificent nuclear carrier now under construction. This aircraft carrier will join others which are now protecting the interests of free people throughout the world. It is important to note that nothing in modern warfare has changed to lessen the importance of the aircraft carrier since the *Enterprise* was fighting in World War II. We need the flexible airpower of these mobile airfields. They can support our land forces and allies anywhere in the world, just as they supported the landing in Lebanon. There are many areas in the world where land-based aircraft cannot accomplish this mission. We must therefore maintain strong modern naval air striking power in both oceans at all times. We must not permit this power to deteriorate.

HONORABLE KARL M. LECOMPTE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 30 minutes.

Mr. SCHWENGEL. Mr. Speaker, when I asked for this special order the other day I did not know the plan of another colleague from Iowa to do the same thing. Because he is my senior and is a very able and popular Member, and probably more qualified because of his acquaintance with the man to whom I propose to pay tribute, I yield to him at this time.

Mr. Speaker, I yield to the gentleman from Iowa [Mr. TALLE].

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa [Mr. TALLE].

Mr. TALLE. Mr. Speaker, I asked for this special order so that members of the Iowa delegation and other Members, too, might have opportunity to pay tribute to a distinguished legislator, who is retiring voluntarily from service in the Congress. The gentleman is KARL M. LECOMPTE, of Corydon, Iowa, who for 20 years has served in the House of Representatives from my State.

Mr. LECOMPTE and I came here as freshmen 20 years ago.

As every Member of this Chamber knows, there is no finer endorsement than for the people of a Congressional District to reaffirm their confidences in a man for 10 consecutive terms. Congressman LECOMPTE has served his constituents ably and loyally during these 20 years. His contributions to the people of his District, the State of Iowa, and the Nation have been many and great. His reward should be commensurate.

He is not retiring to inactivity. He is returning to his hometown of Corydon to what he likes to call his "first love"—his newspaper. He will continue to exert leadership through his work in this field.

KARL LECOMPTE has many friends. He is kind and generous—thoughtful and considerate. One gets to know a colleague intimately through 20 years of close association. I can say that I know him to be a man of his word—a man who cherishes his friends—and a man of honor.

I know that others are eager to pay tribute to Mr. LECOMPTE, therefore, Mr. Speaker, before yielding time, I ask unanimous consent that Members may have opportunity to extend their remarks in line with the purpose of this special order.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. TALLE. Mr. Speaker, now I yield, and you understand why, first to the members of my own delegation. I yield

to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM of Iowa. Mr. Speaker, my heart is sad to think that KARL LECOMPTE is quitting Congress. It will be a great loss to the Nation and to this body not to have him here. He has been a tower of strength throughout the years. I first became acquainted with KARL in 1933 when I was a freshman member of the Iowa Legislature. Some of the senior members or previous members of that body were honored by the then membership. KARL LECOMPTE was at that meeting. I liked him upon first meeting him and I have never forgotten the friendly attitude that he displayed at that gathering. I next met him here on this floor when I came to this body 2 years after KARL did. Throughout the years of our service together in this body, he was always a great help to me. Many, many times I went to him for advice. It was always freely and gladly given. Also it was advice that was valuable to me as a Member. He was a man who could always be depended upon. He was always the same, just as the gentleman who was honored a little while ago, Mr. O'HARA, was always the same. It seems to me together they grew in stature in this body. They became strong and could not be shaken, either one of them, by any whim and certainly KARL LECOMPTE could not be swayed from his purpose. I liked his attitude and his approach to legislative matters. We often sat together in this Chamber and talked about legislation. Although frequently we did not agree, he was always friendly and never held anything personally against anyone for differing with him.

But, I especially liked KARL LECOMPTE'S attitude in that he was progressive; he was always for the regular order. He believed in going forward. I well recall many times he said to me when in doubt about a bill, "Well, PAUL, I have discovered it is well to follow the committee if you are not otherwise well informed on a piece of legislation." He said, "The members of these committees know what they are doing. They have studied the background of this piece of legislation and you are safe in following the committee because the committees are constructive. They know more about it than anyone else." That piece of advice given to me by KARL many times during our services together has been of great value to me. I think of KARL as a progressive American, one who believes in going forward and being with the majority and being constructive. He never said a destructive word to my knowledge about any piece of legislation. He was that kind of an individual. If he was a member of an organization, he was for the organization and he so carried his work forward here in this body in that attitude. In addition to that, he was kindly and friendly at all times. He was a man of ability. He studied hard and he was interested in his people. I think of KARL as being a man in love with his wife and two organizations. First, comes the love that he has for his wife. Then, the love for the people of his own State and District; and then his love for this body and every Member of it. I can pay no greater tribute to anyone than to say that of him. In KARL'S retirement I wish him and his lovely wife, Dorothy, the best of everything. I know we will see them again frequently. They will be with us in our thoughts. His ideas and his thoughts will never leave this Chamber because he has been a true legislator, a true American, and a true citizen of the State of Iowa.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, KARL LECOMPTE is one of several fine outstanding Members of this body who have chosen this year to retire.

Those of us who have known KARL and worked with him here will miss him greatly. I shall miss him particularly because of my association with him on the Committee on House Administration. I have served there with him for a number of years. I know how conscientious he has been in the performance of his duties which have had to do quite closely with the affairs of the House of Representatives.

I think I might, without undertaking to add too many words, say this of KARL LECOMPTE: He was a strong, courageous person, standing by his convictions, ready to take a stand, a gentle person who could be strong in competition, but, with it all, he never hurt anyone. To my mind that is a tribute of which anyone can be proud; and certainly I can say as much of my good friend, KARL LECOMPTE. I am just sorry that he will not continue to be among us.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, it is with high personal regard for a personal friend and colleague that I wish to join with my colleagues to pay tribute to a distinguished and able Member of this House, the Honorable KARL LECOMPTE, who has announced his retirement from public office at the conclusion of the 85th Congress. While it has been my privilege to serve with this distinguished Member for only 4 years, I have learned to respect him as much or more as any Member of this House. I should like to note also, that even though it was not my privilege to be here during the major portion of his service, I knew of his distinguished record and service through the news channels and through a personal association of many of his friends who always spoke so highly of him. When I was first elected, many of my friends reminded me of the great opportunity I would have of serving with an outstanding State delegation. And almost without exception my friends told me that I would enjoy serving with KARL LECOMPTE, that he would be helpful to me in getting acquainted with my new opportunity of service, that he would stand ready to counsel and advise me on problems that would confront me and that I could rely on his judgment.

Mr. Speaker, I should like to say publicly today that I have not been disappointed in any way. He has, so far as my relationship with him is concerned, measured up even better than my friends predicted.

Because of my high regard and deep appreciation for the many courtesies he has extended to me personally, and for the many ways in which he has gone out of his way to be helpful to every Member of Congress when he had the opportunity, that I take this opportunity to pay tribute to him today.

KARL LECOMPTE was elected to the United States House of Representatives in November 1938, from what was then the Fifth Congressional District of Iowa—now the Fourth. There is no test of a man's ability in any department of public life more severe than service in the National House of Representatives What a man gains in this Chamber he gains by sheer force of his own integrity, ability, and devotion to duty, and if he loses and falls back he must expect no mercy. It is an area in which the strongest survive. KARL LECOMPTE has stood the test through 20 years of service to his fellow Iowans. He has been reelected in nine successive elections.

A native of Corydon, Iowa, Congressman LECOMPTE was born May 25, 1887, son of Charles Francis and Hannah Miles LeCompte. He attended public schools and graduated from the Corydon High School. He then entered the State University of Iowa, from which he was graduated with the degree of bachelor of arts in 1909. He served his country in World War I.

KARL'S father, Charles F. LeCompte, had come to Iowa in 1865 and was instrumental in establishing the Corydon Times-Republican in Wayne County, Iowa. Charles LeCompte was in the newspaper business in Iowa for more than half a century. It was from this background of family interest in Iowa journalism that KARL began his career of public service after college graduation in Corydon with the Times-Republican. He served as publisher and editor of this newspaper for many, many years. I believe I am correct in stating that the Times-Republican is the oldest newspaper in Wayne County, Iowa.

KARL LECOMPTE was never a candidate for public office until 1916, when he ran for the Iowa State Senate. He was elected to the 37th and 38th general assemblies. It is reported he was the youngest member in the Iowa Senate during the 37th general assembly.

KARL'S vital interest in his native Iowa prompted his activity as a member of the Iowa Territorial Centennial Committee. During his service in Washington, D. C., Iowa's centennial, celebrated in 1946, received KARL'S able support and active attention. He sponsored legislation in Congress to authorize the coinage of 100,000 50-cent pieces commemorating the Iowa centennial.

When the members of the Iowa delegation spoke on the floor of this House concerning the achievements of the State, during the centennial celebration, Mr. LECOMPTE mentioned particularly the history of the schools and churches of our State. I should like to quote for you several paragraphs from this speech, which I believe will remind you once again of the sterling qualities that are possessed by KARL LECOMPTE. I quote as follows:

Bringing Bibles and schoolbooks along with their plows and axes, pioneers of the great State of Iowa might glory in a job well begun if they could know, as we celebrate today the first 100 years of statehood, of the high place Iowa has achieved in the educational and spiritual progress of this Nation.

Iowa takes great pride in her well-earned reputation as a great agricultural State; however, her greatest pride is her children, for whose character, health, and education she has given much time, thought, and attention.

In the century of Iowa's statehood, Iowa has maintained the spiritual and educational ideals of her pioneer forefathers—upholding freedom of speech and press, freedom of religion, the right to work and save, and the peaceful pursuits of happiness. The State continues as a place where the humble as well as the proud, the poor as well as the rich meet on common ground; this democratic ideal is well expressed in the motto of this State: "Our liberties we prize and our rights we will maintain."

Yes, Iowa men and women of the past 100 years have written glorious chapters in the history of this Republic; and in this next century of its continued progress, the fight will go on for the finer things of life in the devotion of its citizens to the ideal good.

Representative LECOMPTE has devoted his life to the fight for the finer things of life. He has been devoted to the welfare of all the people of Iowa. For all he has done, the people of Iowa, the Iowa delegation, Congress, and the people of the United States, owe him a great debt of gratitude.

It is not always easy for a Member from a State somewhat removed from our Nation's Capital to sit at his desk on the Hill and keep thoroughly in mind what is best for all the people of his District. KARL LECOMPTE has never failed to keep the welfare of his constituents in the forefront in his Congressional activities.

At the same time, he has shown sympathetic understanding of the problems which confront Members from other States. He has been and will always be a friend to all.

Because of his fine personal virtues, his ability to get along with his colleagues, his generous and considerate attitude toward the other fellow, his tolerance and high respect for the other man's viewpoint, his friendly and engaging personality and his complete devotion to public welfare, I should like to dub him, "A Congressman's Congressman." He has, in my opinion, earned that title as much or more than any man I have ever known that has served in this great body.

KARL has been a member of the Foreign Affairs Committee since 1953 and served on two subcommittees of that committee: International Organizations and Movements and the Subcommittee on Europe. Members of the committee have indicated to me that he has always taken a leading part in shaping the key legislation that came before that committee. He was completely devoted to the idea of keeping the affairs of this committee out of partisan politics, having uppermost in his mind what was best for his country and for human kind. The work of this committee necessitated having a number of official study missions. The record shows that he served with great distinction on those missions and made a special contribution on the study mission to the Australian Commonwealth Jubilee. While by comparison to his long service in Congress, he was a comparatively new member of this committee, yet he carried a special place of high respect on the committee because of his long years of service in Congress. His colleagues respected him highly. He never lost his temper, was always completely objective in his approach to any propositions that presented themselves to the committee. Members of the committee and the staff have told me that he will be greatly missed and that it will be very difficult to find anyone to fill adequately the vacancy caused by his decision to not be a candidate for reelection.

The testimony of members of the House Administration Committee, of which he was a very able member, would be almost a duplication of what those who served on the Foreign Affairs Committee have given, to which I have already referred, except that much more could be said because his service there has been over a much longer period. Because the work of this committee concerns the welfare of each of our offices each Member should be and I am sure is very grateful for the sympathetic interest he has given to those things that make it possible for our offices to serve our constituency more effectively.

Mr. Speaker, perhaps no one can speak for Congressmen any better than those who work for him. In the case of this distinguished Member we are eulogizing, it happens that an employee has worked for him during his entire service in Congress and this morning when I talked to Margaret Welch, his secretary for 20 years, and told her about my plans to pay tribute to her Congressman today, she made substantially this statement to me:

In most instances the old saying that no man is a hero to his valet would apply as well in the case of his secretary, but an exception to the rule is Representative LECOMPTE, who is admired and respected by every member of his staff.

One gets to know a Member of Congress extremely well working with and for him 8 hours a day for 20 years, and in the case of Mr. LECOMPTE, it can truly be said that he is an ideal employer, devoted to public service.

Mr. LECOMPTE has so many attributes it would be difficult to name all of them, but perhaps his consideration for others would head the list, and he is just as thoughtful of those working for him as he is of his many good friends and constituents.

His greatest enjoyment is helping his constituents; yet he is so self-effacing that when he is praised for some accomplishment he invariably deprecates his own efforts in the matter and insists that the credit should go to a member of his staff.

He is 71 years of age, but his optimism and faith in our American form of government have kept him young.

What a fine tribute from one who knows him so well.

Mr. Speaker, his vital interest in the history of Iowa led to his election to the Iowa Historical Society. He also holds membership in Sigma Delta Kappa, the Ancient Free and Accepted Masons, the Benevolent and Protective Order of Elks, and the Knights of Pythias.

The people of Iowa, the Congress, and our country will miss that fine spirit of cooperation which quietly but effectively helped us make progress as a nation in so many ways.

To the Republican Party KARL LECOMPTE has given his unfailing loyalty. He possesses the sterling qualities of a true American first, and a loyal party man second.

I am sure that every Member of this House will join me also in extending best wishes to his loving and devoted wife, Dorothy LeCompte, who in her charming manner made a host of friends in Washington who will miss her greatly. Her tireless work for and with the many charitable organizations in this community is indicative of her unselfish and devoted interest in the finer things of life. She was always very active in the affairs of the Congressional Club, where she will be missed indeed, and everyone, I am sure, joins me in the hope that she, with her honorable and distinguished husband will return periodically and join us in some of the festive activities in the future.

All who knew these fine people, I am sure, will want to join me to extend best wishes for good health and many years of happiness as they retire to their home in Corydon. Let us remember this fact—we can always learn something from the other fellow's experience. And as we thing of KARL LECOMPTE, we must be reminded that we cannot hope to accomplish much in this forum unless we have the confidence and respect of our colleagues.

Mr. SMITH of Mississippi. Mr. Speaker, I want to express my deep regret upon the retirement from the Congress of the Honorable KARL LECOMPTE. It has been my privilege to serve for 4 years with him on the Committee on House Administration where he has been the ranking minority member. In addition, I have had the honor of twice serving with him as a delegate to the NATO Parliamentary Conference. KARL LECOMPTE has been an outstanding Representative, devoted to the best interests of his country, acting freely without regard to political consequences.

Let me express the hope that in his retirement, Mr. LECOMPTE and his lovely wife will always find the best in life.

Mr. COAD. Mr. Speaker, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Iowa.

Mr. COAD. Mr. Speaker, I am grateful for this opportunity to rise and pay tribute to a fellow colleague from Iowa, the Honorable KARL M. LECOMPTE. I did not know KARL before coming to this House 2 years ago except by reputation. Since my coming to this body I have come to know KARL and have felt that he was truly a friend even though we are not of the same political faith. KARL LECOMPTE is an American who has attemped to serve his country to the best

of his ability. He is noted in Iowa for being resourceful in observing the needs of the people he represents—and this is always important in serving in this high office. KARL rose, during his tenure in this House, to become the chairman of the great House Committee on Administration. In many ways Mr. LECOMPTE will have made his mark upon the pages of the annals of the history of this Nation. I will miss KARL in this House as will all who knew him well and who served with him. But I also wish for KARL and Mrs. LeCompte everything good as they leave the Washington scene to return to their native State to reenter the newspaper business. This is for them to be a retirement but it is obvious that it will be an active one. Again I say, I wish them well and Godspeed.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, for 12 years I have had the pleasure and privilege of serving with KARL LECOMPTE on the House Administration Committee. In addition, I serve with him on the Committee on Foreign Affairs.

KARL was chairman of the House Administration Committee when I came to Congress. He was kind and considerate of me when I was a freshman Congressman, and through these years has been a devoted friend.

We have worked together very closely. When I was the ranking minority member of our committee in the 83d Congress, KARL LECOMPTE always advised and conferred with me in all things concerning the activities of our committee. Likewise, when I was honored with the chairman's position beginning with the 84th and to the present, he has been most helpful and wholly cooperative. His advice has been sought and valued. Not only that, his record previously made, was an inspiration and a challenge to follow.

KARL LECOMPTE is a gentleman and a friend whom I hold in fondest esteem; and a devoted public servant. I wish for him and his lovely wife Dorothy, the best of all good things—happiness, health, and contentment.

Mr. CARNAHAN. Mr. Speaker, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Missouri.

Mr. CARNAHAN. Mr. Speaker, we regret that our distinguished colleague, KARL LECOMPTE, is leaving this body after 20 years of service.

He has served with great distinction as chairman of the House Administration Committee in the 80th and 83d Congresses. His role as ranking minority leader on the same committee has been equally distinctive.

KARL LECOMPTE has been a member of the Committee on Foreign Affairs for the past 6 years, and a member of the Subcommittee on International Organizations and Movements. As a committee member he has diligently served in the best interests of the Nation. His service in Congress has been more than a job, it has been a responsibility of the highest order.

Before joining the Committee on Foreign Affairs, KARL and I were delegates on a special mission to Australia to attend the Australian Commonwealth Jubilee in Canberra, Australia. It was on this trip that I got to know KARL as an amiable traveling companion and friend.

KARL LECOMPTE has a great wealth of understanding and tolerance and a pleasant sense of humor. All these attributes are serviceable here. For, despite all the pressures and hectic activity on the Hill, he always maintains a sound perspective on the overall requirements and responsibilities of the Congress.

We are going to miss the friendly companionship, the good commonsense, and the inspiration for better service which KARL LECOMPTE provides. We are especially going to miss his wise counsel around the table of the Foreign Affairs Committee. Our very best wishes and sincere affection go with him. We hope he will continue to have a very fruitful and rewarding life among the friends and neighbors whom he represented in such outstanding fashion in Congress for all of these years.

Mr. TALLE. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, when I first came to the Congress KARL LECOMPTE was among the first Members I met. Having been born in the State of Nebraska, bordering Iowa on the west, and representing a District in Minnesota bordering Iowa on the north, naturally we from the same part of the country had much in common and were brought together frequently. I always admired and had warm personal regard for KARL. But in part because he is a very unassuming person and does not push himself forward as the cartoonists would have you think all politicians do, I did not get to know him real well until he joined the Committee on Foreign Affairs 6 years ago. During these years I have had the privilege of sitting two seats from him through the many weeks and months of that committee's deliberations. He was always faithful in attendance, always participating actively in the discussions. You find KARL LECOMPTE is a stronger man, an abler man, a more dedicated man, the more you get to know him. He has a great capacity to give himself in loyal friendship to all with whom he is associated. He has an unusual degree of affection and loyalty to the State of Iowa and to the people of his District. He has that same sort of affectionate loyalty to his alma mater, Grinnell College, in his District. He never missed an opportunity to call to our attention the achievements of some fellow alumnus. And like all persons who give themselves generously, he calls out a like response from others. The more you see KARL LECOMPTE at work, quiet, studious, thorough, kindly, helpful, completely dependable, the greater your own regard and affection for him. He is a genial individual. He enjoys life and people. I know he has greatly enjoyed all his years here. He enjoyed the trips abroad, such as the gentleman from Missouri has spoken of. He made friends everywhere.

We shall miss him very greatly in the Congress. And, he will miss the Congress. But we know he goes back to Iowa to the people he loves, and we wish for him and his lovely and devoted wife, Mrs. LeCompte, many years of useful, a bit more relaxed and a very happy retirement.

Mr. TALLE. Mr. Speaker, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, too many of our experienced Members are leaving this great body this year. We on the Committee on Foreign Affairs are going to miss KARL LECOMPTE keenly. Quiet but deeply interested, he played a real part in our deliberations. I am happy to have this opportunity to wish him and his charming wife much joy and constructive living in the years to come.

Mr. TALLE. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I say amen to all that has been said about my colleague and my next door neighbor for many years on the seventh floor of the New House Office Building, Mr. LECOMPTE of Iowa. While visiting there, I often met his lovely wife; a wonderful individual. He was very fine and she was very fine. We will miss them terribly.

Mr. TALLE. Mr. Speaker, I yield to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, it was not only my privilege and honor to serve with my colleague, Mr. LECOMPTE, here in the House, one of the most distinguished Members of this body, but it was also the good fortune of Mrs. Younger and myself to be associated with Mr. and Mrs. LeCompte socially. We appreciated both of them immensely. We have never met a couple that we admired more, a couple that we will miss more after retiring from this body than the LeComptes. Both have earned retirement because of their wonderful service to the people, not only of Iowa, but the people of the United States. May they live long and enjoy the fruits of their labors.

Mr. TALLE. Mr. Speaker, I yield to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Speaker, it was my privilege to meet KARL LECOMPTE when I first came here 10 years ago, because I was assigned to the Committee on House Administration of which he was the ranking minority member. I do not think I have ever known a more helpful or more kindly person in my life. I have served on that committee when he was chairman of it. He served on the NATO parliamentary committee, of which I have been chairman since its inception, so that I have served with him both as chairman and when he was chairman of the committee.

In both instances I found that he would go out of his way to be helpful. On the NATO committee he was always present at the delegation meetings, at the plenary sessions, at the committee sessions, and was extremely helpful to those of us on the American delegation.

In addition, I have had the privilege of being invited to his home, and he and Mrs. LeCompte have come to our home. My wife and I think they are the kind of people it has been a privilege for us to know. We shall certainly miss them when they go back to Iowa.

I join their many friends and colleagues in wishing for them the best of everything, and a long, happy, and useful retirement.

Mr. TALLE. Mr. Speaker, I yield to the chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, for the past 20 years our distinguished colleague, KARL LECOMPTE, has served his country and his District as a devoted public servant.

He was first elected to the 76th Congress in 1938. In 1953 he joined the Committee on Foreign Affairs and has served with great distinction. In the work in the committee he devoted himself vigorously to the task of solving some of the most pressing problems confronting the Nation.

KARL LECOMPTE is a man of the highest integrity who has stood firmly by his principles. He is consistent in his views and has won the respect, admiration, and affection of all who know him. His sincerity of purpose and friendliness of nature compel deep respect and enduring affection.

The people of Iowa are rightfully proud of his achievements in the past 20 years as a Member of this body. His sincere friendliness and cheerfulness will be missed by many of the Members.

The Foreign Affairs Committee is losing one of its most valuable members. His diligence, wisdom, and leadership will be missed. We are sorry to see him leave, but I am sure he carries with him the best wishes of every member of the Foreign Affairs Committee and of the House of Representatives.

Mr. TALLE. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SAUND. I have had the privilege to serve with Congressman KARL LECOMPTE on the Committee on Foreign Affairs. My service on the committee was made more pleasant because of the association with KARL. He has been a kind friend and good counselor with me. I shall miss him keenly. I shall always know him as a beloved friend.

Mr. FASCELL. Mr. Speaker, Mr. and Mrs. LeCompte were among the first people I met when I came to Washington several years ago. My wife and I were fortunate to enjoy their company many times.

In Congress I was fortunate to serve on the Committee on Foreign Affairs with KARL LECOMPTE. It was during this period that I learned why our colleague has had such a long and outstanding public career.

He is patient and understanding; he is always cheerful in attitude and cooperative. He is firm in his convictions, conscientious in his work and reflects a strong sense of responsibility for the people he so ably represented.

We shall miss him very much. I am happy to join in this well deserved tribute and to extend to him and his wife every best wish.

Mr. HOEVEN. Mr. Speaker, my very good friend and colleague from Iowa, Hon. KARL M. LECOMPTE, is voluntarily retiring from Congress at the end of this year.

KARL is completing 20 years of distinguished service in the House of Representatives. He was chairman of the Committee on House Administration in 80th and 83d Congresses. In addition, he was a valuable member of the Committee on Foreign Affairs. He has represented the Iowa Republican Members of the House on the important Committee on Committees for many years. He has also served on the important Republican policy committee.

KARL is a man of wide experience, having been a newspaper publisher for many years and also a member of the Iowa State Senate for 4 years. Always attentive to his legislative duties, KARL has consistently voted for the best interests of his constituents. His reelection to the Congress for 10 consecutive terms by the people of his District is the best evidence of that fact.

It has been a real privilege and a genuine pleasure to have been so closely associated with Congressman LECOMPTE throughout the years. I have welcomed his wise counsel and advice. Being from the same State, we of course had much in common, and I shall always consider him to be one of my closest and devoted friends. I wish him the best of everything as he returns to his home town of Corydon, Iowa, where he and his lovely wife, Dorothy, have built a new home. KARL will continue with his newspaper work, and I am sure that his editorials will reflect his usual sound thinking and Americanism at all times. Mrs. Hoeven and I wish the LeComptes the best of everything as they leave Washington for good old Iowa.

Mr. TALLE. Mr. Speaker, I yield to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Speaker, as a result of the decision of our colleague, KARL LECOMPTE, to retire at the end of his present term, the Congress is losing one of its most able Members, and the people of the State of Iowa are losing an outstanding Representative.

For the past 4 years I have had the privilege of serving with KARL LECOMPTE on the Committee on Foreign Affairs. I can say without hesitation that he will be sorely missed by the membership of that committee.

I join KARL LECOMPTE'S host of friends and admirers in wishing him and his lovely wife many future years of happiness and good health.

Mr. ZABLOCKI. Mr. Speaker, it is with mixed emotions that I join my colleagues in expressing my regrets on the voluntary retirement from Congress of our distinguished friend and colleague from Iowa, the Honorable KARL M. LECOMPTE.

It was a pleasure and privilege to serve with Mr. LECOMPTE on the Foreign Affairs Committee and to have the opportunity of working closely with him. Even before that time, I long admired Mr. LECOMPTE and greatly respected him for his integrity, soundness of judgment, and devotion to legislative work. Needless to say, Mr. LECOMPTE, the Foreign Affairs Committee will intensely miss your sound and sage counsel. The committee can ill afford to lose you at the very time five other members of the committee have also decided to retire: namely, Chairman GORDON, Mr. BYRD, Mr. VORYS, Mr. RADWAN, and Mr. PROUTY.

May you and Mrs. LeCompte, together with your family and friends enjoy a long and happy future. May God's choicest blessings be showered upon you and yours.

Mr. GROSS. Mr. Speaker, I greatly regret that our colleague, the Honorable KARL M. LECOMPTE has elected to retire from Congress. I shall miss his companionship and the opportunity to discuss many of the issues with which we are confronted.

On the other hand, I know that he will find great happiness and relaxation in a return to the publication of his newspaper and in the new home which has just been completed.

Mrs. Gross joins me in the sincere hope that KARL and his good wife, Dorothy, as they embark upon their retirement may have many years of health and happiness which they so well deserve.

Mr. RHODES of Pennsylvania. Mr. Speaker, I am pleased to join my colleagues in honoring the distinguished gentleman from Iowa [Mr. LECOMPTE].

As former chairman and ranking Republican member of the House Administration Committee, he has rendered many years of able and valuable service.

It was a privilege to serve with him on that committee for the past 2 years. It gave me the pleasure and the opportunity to get to know KARL better. My association with him has been most pleasant. He is indeed a man of great ability, courage, and integrity.

His courtesy, friendliness, and cooperative spirit have endeared him to me as I know it has to all who have had the pleasure of knowing and working with him.

To KARL and his wife I extend sincere wishes for good health and good fortune and many years of a most pleasant and happy retired life.

Mr. ROGERS of Florida. Mr. Speaker, before I was elected to represent the Sixth District of Florida, I knew Congressman KARL M. LECOMPTE and his lovely wife, Dorothy. He was a valued friend of my father, Dwight L. Rogers. They not only lived in the same hotel here in Washington, but served in the Congress together. Although it has not been my privilege to have been here during the major portion of his service in the Congress, I do count it an honor to have at least been here during part of the time he has served. I have found

his advice and counsel helpful at all times, and I feel it has been a privilege for me to have continued the warm friendship between the Rogers and the LeComptes.

I extend my best wishes for continued happiness to Congressman LECOMPTE and his fine family.

Mr. JENSEN. Mr. Speaker, I heartily concur in all the compliments that have been paid to our colleague, the gentleman from Iowa, KARL LECOMPTE, who was elected to the Congress on the same day in 1938 as was I.

To know KARL as I know him is to respect him, and admire his high qualities, not only as a statesman of the highest order, but also as a gentleman; honest in all his dealings with his fellow man, and a true friend and patriot.

KARL told me how very difficult he found it not to be a candidate again, but finally he decided to retire after his long service of 20 years here in the Congress. Congressman LECOMPTE served his people well and with great distinction, always doing that which in his heart he felt was best for them and their children, not only for today but for the future. We can ill afford to lose such a man in the Halls of Congress.

However, he leaves his duties here with the very best wishes of his multitude of friends. All that is enjoyable and pleasing and good in life is my personal wish for those dear friends, Karl and Dorothy LeCompte.

Mr. SIKES. Mr. Speaker, even though our party affiliation has placed us on opposite sides of the aisle in the House of Representatives, I would like to join my colleagues in wishing the Honorable KARL M. LECOMPTE, of Iowa, much happiness and success upon his retirement.

Congressman LECOMPTE will be long remembered for his fine service as a member of the Foreign Affairs Committee, House Administration Committee, Joint Committee on Printing, and Joint Committee of the Library. His keen ability and his knowledge of Government fitted him admirably to serve on the above-named committees.

KARL LECOMPTE served in the Senate of the State of Iowa from 1917 to 1921 and came to Washington as a member of the 76th Congress. His outstanding record of accomplishments will always be a guiding light to future Representatives of Iowa's Fourth District.

Mr. McGREGOR. Mr. Speaker, I want to join with my good friends from the great Iowa delegation in paying tribute to one of its members, the Honorable KARL M. LECOMPTE. KARL is voluntarily retiring, and he and his gracious wife have every reason to be proud of his fine record.

He has done an excellent job and our best wishes go out to both him and his wife in their retirement.

Mr. TALLE. Mr. Speaker, as chairman of the Iowa Republican delegation in the House, I want to express appreciation to everyone who has participated in paying these fine tributes to my dear friend, KARL LECOMPTE. I know that he and his lovely wife will be deeply touched by the sentiments expressed here today.

VOICE OF THE VETERAN

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, from North Dakota, in 1937, there came to Washington a World War I veteran. His trip was for the purpose of completing a change of station. He was leaving a successful period of employment as veterans service commissioner in his native State. He was moving to Washington to become associated with the national rehabilitation program of the American Legion as a claims worker.

The veteran making the trip was T. O. Kraabel. In his new station he repeated the successful experience of previous years in serving the veterans of North Dakota. The group to be dealt with was national, rather than statewide, in scope; but the responsibility was basically unchanged. Torger O. Kraabel, "T. O." to countless friends, proved, by his consecrated service to veterans, that he had the capacity to deal with the American Legion's national rehabilitation program, and so he became its director in 1941.

In 1958, "T. O." has reached the chronological age which calls for his retirement as director of that program. Actually, those who know him, hold to the belief that retirement for "T. O." is a fiction. In mind, in body, and certainly in spirit this is a period in "T. O.'s" life when he will be able to use his fine capacity and great experience in continuing to help others.

It is interesting to note the background of this man who was honored in February 1958 at the annual national conference of the American Legion's National Rehabilitation Commission and American Legion service officers from all over the Nation. At that time, he was presented with a book of letters expressing the thanks and good wishes of many who recalled their experiences in their association with him and his work; he was praised by those who introduced him to the conference banquet guests; he was given a formal expression of thanks in a beautiful silver set; and he received a gift of cash.

Luther College, in Decorah, Iowa, where he received his bachelor of arts degree in 1915, recognized his standing as an alumnus, and granted an honorary doctor of humanities in 1954. It is perhaps significant that in service in the American expeditionary force in World War I, he was one of that select few who were chosen to serve as official couriers, and that in such service he was assigned to the American Peace Commission. For "T. O." is essentially a peaceful man, given to exercising his talents with a tolerance that has become one of his hallmarks.

From the millions of World War II and Korean conflict veterans who were helped by the benefits provided by the GI bill of rights, there has come no formal expression of thanks to "T. O." for his work in securing adoption of that monumental piece of veterans legislation; but his persevering labors to plan, to secure passage of that legislation, and to see that it was properly administered, are indelibly stamped in the record. As the wartime director of the national rehabilitation program, in a period when the American Legion was operating under the manpower shortages then known in many areas, his was the coordinating mind which channeled American Legion efforts to a successful conclusion.

In family life, "T. O." has been happy. He and his wife, Charlotte, and their daughter, Elizabeth, now grown to young womanhood, have moved pleasantly and quietly among a small group of friends in their social activities. His devotion to the religion of his Norwegian ancestors is shown by his activity in Grace Evangelical Lutheran Church in Washington. He was treasurer of that congregation in 1949.

BIOGRAPHICAL SKETCH OF T. O. KRAABEL, CONSULTANT TO THE DIRECTOR, NATIONAL REHABILITATION COMMISSION, THE AMERICIAN LEGION

Army number 2162289; registrant, Traill County, N. Dak.; born Clifford, N. Dak., August 27, 1893, of Norwegian-American parents; occupation, student; inducted at Hillsboro, N. Dak., on September 6, 1917. Sent to Camp Dodge, Iowa. Served in Company I, 352d Infantry, to October 2, 1918; Army Candidates School, Langres, France, to November 17, 1918; personnel office, 331st Infantry, to December 14, 1918; Company I, 352d Infantry, to discharge. Grades, Private, first class, January 8, 1918; corporal, February 26, 1918; sergeant, May 20, 1918; overseas from August 3, 1918, to August 17, 1919. Discharged on April 4, 1919, to accept commission; commissioned second lieutenant infantry, on April 5, 1919; assigned to postal express, AEF, to April 6, 1919; attached to the American Peace Commission as official courier. In this capacity, served in Belgium, Holland, Switzerland, Italy, Austria, Czechoslovakia, Poland, and Germany. Discharged at Camp Dodge, Iowa, August 23, 1919, as a second lieutenant.

Education: Public schools, Clifford, N. Dak.; Bruflat Academy, Portland, N. Dak.; Luther College, Decorah, Iowa, bachelor of arts, 1915; University of North Dakota Law School, 1916–17; doctor of laws, Luther College, June 1950.

Occupation: Cashier, Farmers State Bank, Security State Bank, Lawton, N. Dak., February 1920 to December. Finance officer, veterans' bureau, Fargo, N. Dak., January 1915 to April 1927. Veterans' service commissioner, State of North Dakota, April 1927 to June 1937. Claims representative, national rehabilitation committee, the American Legion, Washington, D. C., July 1937 to December 1958. Executive secretary, national rehabilitation commission, the American Legion, January 1939 to April 1941. Acting director, national rehabilitation commission, April 1941 to September 1941. Director, October 1941 to January 8, 1958.

Organizations: Member, Gilbert C. Grafton Post 2, the American Legion, Fargo, N. Dak. Voiture 240, 40 & 8, N. Dak. Life member, Sigma Nu fraternity. Army-Navy Club, Washington, D. C. Area D vice chairman, national rehabilitation committee, the American Legion, 1934–36. National vice chairman, National Rehabilitation Committee, 1936–37. Grace Evangelical Lutheran Church, Washington, D. C., financial secretary, 1940–41 and 1957; member church council, 1940–43, 1946–49, and 1956–57; treasurer, 1949.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 9020. An act to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes;

H. R. 9262. An act for the relief of the estate of A. A. Alexander;

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Ind.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 4059) entitled: "An act for the relief of Mr. and Mrs. Carmen Scoppettuolo," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CARROLL, Mr. HENNINGS, and Mr. WATKINS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills and a concurrent resolution of the Senate of the following titles:

S. 1864. An act to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes;

S. 1903. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States;

S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia;

S. 3379. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system;

S. 3942. An act for the relief of certain aliens distressed as the result of natural calamity in the Azores Islands, and for other purposes;

S. 4039. An act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes; and

S. Con. Res. 109. Concurrent resolution to express the sense of the Congress on the establishment of the United Nations force.

The message also announced that the Senate agrees to the amendments of the House to Senate amendments to the bill (H. R. 9700) entitled "An act to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12226) entitled "An act to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 25) entitled "An act relating to effective dates of increases in compensation granted to wage board employees."

ISSUING OF PASSPORTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. SELDEN] is recognized for 30 minutes.

Mr. SELDEN. Mr. Speaker, I have asked for this time in order to discuss pending legislation that I believe is extremely important to the security of the United States.

The United States Supreme Court on June 16, 1958, handed down the decisions of Kent against Dulles and Dayton against Dulles, Docket Nos. 481 and 621, which held in effect that there is no law in being at the present time which authorizes the Secretary of State to deny passports to Communists or Communist supporters. As a result of those decisions, there are no means available to the Secretary of State to deny passports to persons wishing to go overseas to engage in activities harmful to the United States, such as espionage, subversion of foreign governments, and propaganda.

H. R. 13760, which I introduced, is intended to fill the gap that has resulted from the Supreme Court's decisions of June 16.

Section 5 of the bill clearly sets forth a Congressional finding that the international Communist movement is dedicated to weakening and ultimately dominating the United States; that it constitutes a clear, present, and continuing danger to the security of the United States; and that its agents and supporters use passports to promote the objectives of international communism. For these reasons the bill provides that passports may be denied, and I repeat, may be denied, by the Secretary of State to three categories of persons:

First. A member or former member of the Communist Party.

Second. An individual who is affiliated with the Communist Party.

Third. An individual who knowingly engages or has engaged since 1948 in activities intended to further the international Communist movement.

In all three categories, however, the Secretary of State must make an affirmative showing that the activities or presence of the person abroad would be harmful to the security of the United States.

Despite what you have heard or what you may hear, the rights of the individual are safeguarded under the terms of this legislation. There is clear provision in section 5 for an administrative hearing. Similarly, there is a provision for judicial review in the district courts of the United States. These provisions are intended to insure that no Secretary of State arbitrarily infringes on the rights of citizens and to insure that the requirements of due process of law shall be met.

The Committee on Foreign Affairs gave careful and detailed consideration to this legislation. No less than 10 different bills were on the committee calendar. Furthermore, the bill which we reported underwent a thorough and searching analysis which resulted in the amendments adopted by the committee.

I think I should point out here that H. R. 13760 was reported by the committee without a dissenting vote.

President Eisenhower has urged the passage of legislation that would effectively plug the loophole left by the Supreme Court's decisions of June 16, 1958. In his message of July 7 of this year to the Congress the President said:

I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger. I hope the Congress will move promptly toward its enactment.

Since the President's message of July 7, the number of applicants who the State Department believes would fall into the category covered by this legislation has increased from 60 to 386. Should this measure fail to pass before Congress adjourns, there are indications that the number of applicants will continue to increase and that it will be necessary, under the Court's decisions of June 16, for the Department of State to issue passports to those persons before Congress reconvenes in January.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I am happy to yield to the gentleman from Ohio.

Mr. VORYS. I want to join with the gentleman in his expressions as to the urgency of this matter. As the gentleman and others know, I am retiring from the Congress this year and I had looked forward, after finishing the big bills in our committee, to coasting down the home stretch. But, then I read that Presidential message, which the gentleman has just quoted and which I want to repeat, in which the President said:

I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger.

When I read that I urged our committee at least to look into the matter to find out whether there were grounds for such a statement. At a hearing over a month ago in our committee, we were then told that there were over 60 applications pending on which the files contained information of Communist activities when the Supreme Court decided this case on June 16 and that the State Department had no grounds any more for denying passports to such persons. We were told over a month ago that 70 new applications of the same kind had come in. As the gentleman has said, we were told last

week that that 70 has jumped to 386 such applications that have come in. Here are the names of some of those 60 that immediately had to receive their passports because they were pending at the time of the court's decision: Paul Robeson, Anna Louis Strong, both recent visitors to Moscow; Anita and Henry Wilcox, and Harry Bridges.

Our committee was presented with a very long and elaborate bill, dealing with a great many passport problems—problems which still persist. It occurred to me that the time situation was such that there would be no chance to act on such a bill. So I determined to see whether we could not get up a short bill that would put the finger in the dike, that would at least plug this one place so that those who are active in the Communist movement could be prevented from going abroad. I worked with my friend, the gentleman from Alabama [Mr. SELDEN], who is now addressing us, and with officials of the Department and with other Members of the Congress, and we tried the thing in a series of bills. Now this is said to be a highly controversial matter. I think the gentleman will agree that when our committee started on this in the first of its 5 or 6 hearings on the bill, the committee was certainly not of one mind. But, to me, a thing that should be considered by this House is that that committee brought out this bill without a dissenting vote and there are expressions in the committee report from those who have filed supplemental views with which I could join and with which the gentleman could join. So that we have reduced this to the bare minimum that will enable our Government to prevent these people, and not merely Communists, because the fact that a person is a Communist does not mean that he will not get a passport, but prevent those persons tied into the Communist movement whose presence abroad would be harmful to our security, from receiving passports. This bill merely prevents such people from going abroad, but surrounds all applicants with safeguards to prevent arbitrary action by our Government.

I think it should be pointed out that travel by American Communists abroad is essential to the furtherance of their conspiracy to overthrow our Government. Personal contact among international Communist leaders is vital to their activities. Strategy plans, subversive activities, and arrangements for the flow of cash and information in support of the Communist conspiracy are obviously facilitated by personal contact. Written messages, whether by open mail or diplomatic pouch, are no substitute for secret personal meetings.

Under the Walter-McCarran Act, the entry of alien Communists into the United States was prevented. Enactment of this bill would block the other end of this two-way street by helping to prevent the departure of American Communists operators from the United States.

If this bill were enacted, the fact that passports are not presently required by American law for travel to other Western Hemisphere countries would not destroy this Government's power to impede the travel of Communists within the Western Hemisphere because almost all of South America and much of Central America cannot be visited without a passport, owing to the legel requirements in those areas. Moreover, American Communists who legally can go to Mexico without a passport but who then take off from there for Prague would be subject to criminal prosecution unless they apply for and obtain a United States passport.

The fact that the travel of Communists to Mexico and Canada cannot presently be prevented through passport controls is no argument for not attempting to prevent their travel to other and more important foreign areas.

And late as the hour is today and late as the hour is in this session, because of the extreme urgency of this situation as pointed out by our President and as agreed to by those devoted members of our committee who have studied this problem so carefully, I still have great hope that action can be taken. It is almost unbelievable that any one person would take the awful responsibility of blocking consideration of this bill.

I want to say one more thing in conclusion considering the original divergence of views in our committee, in view of the fact that there were many on that committee who are anxious to preserve the right of travel, just as anxious as is the Supreme Court, it is to me a tribute to the statesmanship of our committee that we were able to work out this bill without a dissenting vote. It seems to me that this should be impressive with our colleagues, the fact that it was done without a dissenting vote, the fact that it was done at all; therefore, I hope that this will not have proven to be on my part and on the committee's part a lost labor of love, but that it may prove an effective labor, even though the time is short, by enacting this bill into law.

I thank the gentleman.

Mr. SELDEN. I thank the gentleman from Ohio who did yeoman work in perfecting and bringing this legislation before the committee. I, too, hope that his efforts will not be just a lost labor of love.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Florida.

Mr. FASCELL. I would like to emphasize the fact that here we are in the closing days of the last session of this Congress and are presented with a rather unusual procedure in handling what I think everyone will agree is a vital piece of legislation.

All of us would rather see it handled in the ordinary normal course of business. Obviously at this time that is impossible. We would like to take the opportunity to hammer out here, as we did in committee, all possible ideas in connection with the legislation. Obviously, that is not now possible.

I think the record ought to be clear, however, that the situation that gave rise to this problem occurred as late as June 16 of this year; that the President's message came down on July 7; that it was after that date that a bill was first introduced and that immediately, as the gentleman from Ohio said, a great deal of effort and work went into trying to reconcile the various differences of opinion and ideas on trying to do something on this issue. As a result we find ourselves finally at this point with a bill which came out of the Foreign Affairs Committee unanimously.

There are those who will disagree with what has been done and would rather have something else done. I think, however, that basically and fundamentally all ideas on this subject were presented to our committee or were brought up in the committee at one time or another during the consideration of this bill. I think the gentleman will agree with that statement.

There are those who would impose absolutely no restrictions or limitations hatsoever on the issuance of a passport by the United States of America. To those people this legislation cannot possibly be an answer, nor can there be a compromise which would suit them. If they feel constrained, therefore, at this point to take the position that this legislation is unreasonable, that is a philosophy or position to which they are personally entitled.

In my view, the restriction upon this right as presented in this bill is as reasonable, as justifiable, as logic and reason can make it.

There are those who would want to write with great particularity into the legislation the procedure by which an individual who would be involved in this shall protect his rights. Perhaps that can be done, I do not know. Every possible avenue certainly has been explored and discussed, and I, for one, have not seen the language which would prescribe with particularity the things that some folks are talking about. I believe the language in the bill at this late date to meet the emergency which confronts us, through no one's fault in particular, is as reasonable and logical as this committee and this Congress can make it at this time.

I join with the gentleman and urge the passage of the legislation and hope that under the procedure by which it will be considered this House will have an opportunity to consider and pass upon the legislation, recognizing full well that there are those who might not agree in all particulars on all four squares with the legislation. In the hope, however, of plugging the gap, we ought to pass the legislation.

Mr. SELDEN. I thank the gentleman from Florida who has worked tirelessly and effectively in securing committee approval of H. R. 13760.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Ohio.

Mr. VORYS. I think it should be made clear that this legislation is not intended to reverse the Supreme Court. The legislation is intended to fill the gap that the Supreme Court found was lacking in our law. The Supreme Court definitely found that Congress had not acted in this field. They held that existing law was not sufficient.

What we are doing is not to get around the Supreme Court but to propose a law that will fill the gap the Supreme Court said was lacking; that is, give statutory authority to the Secretary of State to bar these individuals.

We talk about the right to travel freely as being a part of our liberty. Well, our right to travel freely is regulated and denied here in the United States every day, not by the Secretary of State, not even by a policeman, but by an electric traffic light. If you run through that red light and do not stop when it says "Stop," you may go to jail. We have various traffic devices, we have regulations as to drivers' licenses, enacted for what purpose? To interfere with an individual's right to travel, in the interest of the public safety. That is what this bill proposes in this deadly struggle we are having with worldwide communism: individuals, where the necessary findings have been made, can have their travel abroad interfered with, in the interest of the safety of the rest of us. A passport has been described by the Court as "carrying the implication of extending the bearer diplomatic protection." We are not going to give them that kind of protection in travel when the public safety, when the security of the United States is endangered by their travel.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Speaker, I want to commend the gentleman from Alabama and also the other members of the committee, including particularly the gentleman from Ohio [Mr. VORYS], who have labored so long and I think productively in this very difficult field with its admittedly unclear borderlines. We ought to make it plain that the bill does not deny to any American citizen the right to travel; rather, it recognizes that while the citizen has such a right, he does not have in exercising that right, any right to require that this Government assist him in that travel if it can demonstrate in hearings and in the courts that the travel will be harmful to the very security of the Nation.

The right to travel does not give any right to have the Government endanger its own survival by issuing him a passport that will give him special assistance, protection, and privileges around the world. We have no business to be facilitating anything that we can demonstrate is injurious to our country.

Another point ought to be made with respect to this legislation. Some people fear that citizens may be denied passports because of their views or associations. This legislation very carefully steers clear of that. The key word in it on this point is activities, the passport can be denied by the Secretary of State only if it can be demonstrated that the individual has—

knowingly engaged since 1948 in activities intended to further the international Communist movement—

Or that his—

activities or presence abroad would be harmful to the security of the United States.

This does not interfere with anybody's views or anybodys' right to associate with whom he pleases. It does not convict anybody of guilt by association. It merely says that where the individual's presence or activities abroad would be harmful, the Government may in its own defense deny him a passport—after hearings and with the right to appeal.

The bill, as was pointed out by the gentleman from Florida, is not complete or perfect. It cannot possibly stop all these individuals from getting passports; but it will stop many. The very fact that since the Supreme Court's decision in June, so many of them have emerged from wherever they have been, and suddenly applied for passports, knowing the Secretary cannot now refuse, indicates that a lot have been stopped from applying by the previous interpretation that the Secretary of State had the authority to deny. Once it is established by this legislation that he has the necessary authority, under these very careful safeguards, I think you will find that many of the most dangerous among them will not be pressing for passports, because that would lead to revelation of the activities in which they have been engaged.

Mr. Speaker, I cannot believe that the Congress wants to go home with our Government stripped bare of any authority in law to defend itself against these dangerous agents and couriers of a conspiracy that is resourceful and tireless in its efforts to destroy this republic. I join in hoping that even at this late date a means will be found to take action upon this genuinely vital measure.

Mr. SELDEN. I thank my collegue from Minnesota.

Mr. FASCELL. Mr. Speaker, if the gentleman will yield further, the gentleman agrees that the matter of this legislation was considered not in any sense of fear but in a sense of urgency based on the realities which this country faces in the international Communist conspiracy.

Mr. SELDEN. The gentleman is quite correct.

Mr. FASCELL. Would not the gentleman further agree with me that what we should emphasize, is the fact that this is permissive authority?

Mr. SELDEN. That is correct. The Secretary of State is authorized but not required under the terms of H. R. 13760.

Mr. FASCELL. To be exercised in the sound discretion of the Secretary of State at times and in such manners as he thinks will be in the best interest of the United States within the framework prescribed by the legislation.

Mr. SELDEN. It is very definitely permissive legislation and is limited to the several specific categories that I listed earlier.

Mr. JUDD. Mr. Speaker, if the gentleman will yield further, is it not also obvious that the Secretary of State is not going to withhold a passport from any citizen unless he is very sure that he has a case that will stand up when it is tested in the courts? Therefore it is certain that there will not be reckless use of this permissive authority, because the courts would upset him and that would redound to his discredit rather than to the benefit of the country?

Mr. FASCELL. Is it not correct that a person must knowingly engage in Communist activities under the terms of H. R. 13760?

Mr. SELDEN. That is correct. It is stated very definitely in the bill that a person must knowingly engage in activities intended to further the international Communist movement.

Mr. FASCELL. And which are found to be against the best interests of the United States; is that correct?

Mr. SELDEN. The bill states:

As to whom it is determined that his or her activities or presence abroad would under the findings made in section 5 be harmful to the security of the United States.

Mr. Speaker, in closing I would like to point out that H. R. 13760, the bill the committee has reported, is much more restricted than the legislation that was originally requested by the administration. Yet, it grants the necessary authority to the Secretary of State and, at the same time, provides adequate safeguards to the rights of the individual.

Mr. Speaker, I recognize the extreme difficulty that the leadership encounters during the closing days of a Congress in deciding upon the legislation that must be considered before adjournment. At the same time, I am hopeful that Congress will not adjourn before H. R. 13760 has been carefully considered.

APPEALS COUNCIL OF THE SOCIAL SECURITY ADMINISTRATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. ZABLOCKI] is recognized for 10 minutes.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, this morning I appeared before the Appeals Council of the Social Security Administration, Department of Health, Education, and Welfare, on behalf of a constituent appealing an unfavorable decision on her total disability pension claim.

I had an opportunity to learn firsthand the difficult job the members of the Appeals Council have in determining equitable adjudications in disability cases. I came away convinced more than ever that the language "substantial gainful activity" must be more clearly defined.

The Chairman of the Appeals Council, Mr. Joseph E. McElvain, and the other members present, Mr. Bernard D. Levinson and Mr. Henry W. Sullivan, were most courteous, understanding, sympathetic, and sincere. These gentlemen, as well as the district managers and the regional referees who handle these cases have to judge them on the basis of the

data and facts presented to them—which, very often, are misleading or do not give the true picture of the situation. There is no doubt in my mind that these officials are trying to do a conscientious job, but I fear that at times worthy cases receive unfavorable consideration, and there is prolonged delay before a decision is reached. These delays are no doubt caused by the difficulties encountered in interpreting the meaning of the law, and by the shortage of adequate help.

I would like at this time to call to the attention of my colleagues the case of Miss Charlotte Winewski, of Milwaukee, better entitled "How Dead Must You Be?" It may seem like a melodrama script and a tear jerker. Mr. Speaker, under permission granted I included the entire file on this case, including correspondence from Miss Winewski and reports from the Social Security Administration. I am sure my colleagues will find this case history not only interesting reading, but will also find that it stresses the necessity for Congress and the Social Security Administration to define just what is meant by "substantial gainful activity."

HOW DEAD MUST YOU BE?

Miss Charlotte Winewski was born in 1907 and was employed as a head bookkeeper until 1945, when she became unable to work any longer because of rheumatoid arthritis. She was taken ill in 1938, when she was bedridden for 6 months. She recovered partly and was able to work most of the time until 1945. Then both legs gave way, and since then she has been getting steadily worse.

On September 19, 1955, Miss Winewski filed an application for disability benefits with the Social Security Administration. The application was denied.

Miss Winewski first contacted me on October 21, 1957. Her rheumatoid arthritis condition at that time was placed by her physician at 90 percent disabling. She was and is in terrific pain at all times. Every joint in her body has been affected except the right elbow. Both hands are deformed and there are two fingers on each hand which cannot be used because there is no strength in them. She is a touch typist but she is reduced to pecking out her work with one finger of each hand, because her wrists are useless. The back of her head and the shoulders are also affected.

Miss Winewski has been doing a small amount of bookkeeping at her home for a business concern or individuals who bring the material to her house and call for it. Most of what she earns is used to pay for the expensive medicines she has to have. These have been costing her from $400 to $800 every year since 1948. I was amazed to learn that she managed to perform seasonal employment at an average annual salary of $1,400 in spite of her condition. I felt that Miss Winewski's case was a worthy one and urged that an appeal should be made from the decision by the Social Security Administration which denied her disability benefits.

On October 23, I wrote as follows:

OCTOBER 23, 1957.

Re Miss Charlotte Winewski, 387–10–1910, File No. 14: DO: RC.

Mr. R. W. HUGHES,
District Manager, Social Security Administration, 2609 West Oklahoma Avenue, Milwaukee, Wis.

DEAR MR. HUGHES: My attention has recently been called to the above-named person's claim for disability benefits which was apparently disapproved by your Administration.

From the information submitted to me, it appears that Miss Winewski has been severely disabled with rheumatoid arthritis which has prevented her from following steady, gainful employment. She has been working periodically, on a seasonable basis, as a bookkeeper and accountant. Her recent earnings, however, are completely inadequate to provide for her needs.

In view of the circumstances of this case, I would appreciate your cooperation in reviewing this file to see what further consideration may be given to Miss Winewski's claim. It would appear to me that this lady has been unable to pursue "substantial gainful employment" within the meaning of the law, inasmuch as she has been reportedly unable to do a substantial amount of work and earn a fair and decent living.

With best wishes, I am

Yours sincerely,

CLEMENT J. ZABLOCKI,
Member of Congress.

A similar letter was written to the Director of the Social Security Administration. The replies received follow:

MILWAUKEE, WIS., *October 25, 1957.*

Re Charlotte Winewski, 387–10–1910.

Hon. CLEMENT J. ZABLOCKI,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN ZABLOCKI: Miss Winewski filed an application for the disability freeze on September 19, 1955 and at that time we obtained detailed information regarding the extent of services she performed in connection with her business. Her claim was denied and she submitted additional medical evidence together with a request for reconsideration. Upon reconsideration it was determined that the original determination was in accordance with the provisions of the law and a period of disability could not be established for her.

To qualify for a period of disability, the impairment must so severely affect her overall ability that she is prevented from doing, not only her usual work, but also any other type of substantial gainful activity. A decision was made that the evidence of record indicates that Miss Winewski is able to engage in substantial gainful activity in spite of her arthritic condition.

If Miss Winewski does not agree with our determination, she can request that a hearing be held on her application. She was advised of this procedure, but to date has not contacted us.

Thank you for your interest in this case.

Sincerely yours,

R. W. HUGHES,
District Manager.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,

Hon. CLEMENT J. ZABLOCKI,
House of Representatives,
Washington, D. C.

DEAR MR. ZABLOCKI: Your letter of October 23, 1957, requests further consideration of a claim filed by Miss Charlotte Winewski, 3477 South 13th Street, Milwaukee, Wis.

We have reexamined Miss Winewski's records and affirmed the denial of her application for disability insurance benefits because we find that the work she has done since at least 1951, despite an arthritic condition, demonstrated an ability to do substantial gainful work. This finding is supported by her own statements of services which are reasonably commensurate with her previous experience and annual earnings.

To qualify for benefits under the disability provisions of the Social Security Act, an individual must be unable to engage in any substantial gainful activity because of a severe impairment which can be expected to be of long-continued and indefinite duration. The impairment must prevent her from doing not only her usual work but also any other type of substantial gainful work.

The phrase "substantial gainful activity" as taken from the law relates to the individual's ability to perform work with some regularity in employment or self-employment for remuneratoin or profit. The controlling factor is the individual's capacity for gainful work. In determining whether an individual has the capacity, we examine her educational background and her experience and training, to discover the work potential and adaptability which may remain even after impairment.

In reporting self-employment since 1951, Miss Winewski's earnings averaged approximately $1,400 a year as compared to a previously reported 8-year average of $1,576 as wages received for bookkeeping work. The major part of her income since 1951 was earned during the seasonal income-tax period when she completed income-tax returns. The remainder was earned for a limited but steady amount of bookkeeping work she has done and is continuing. It appears that her small earnings during the later part of each year are due to lack of such suitable work. She has otherwise demonstrated in the early part of each year her ability and capacity to do a substantial amount of work, when it is available.

Miss Winewski has been advised that the denial of her application has been affirmed on reconsideration. She has also been informed of her right to request a hearing before a referee of the Social Security Administration. If she has any questions in this regard, the representatives in the district office at 2609 West Oklahoma Avenue, Milwaukee, Wis., will glad to help her if she will call or write to that office.

Sincerely yours,

VICTOR CHRISTGAU, *Director.*

On October 31, Miss Winewski wrote to me as follows:

MILWAUKEE, WIS., *October 31, 1957.*

The Honorable CLEMENT J. ZABLOCKI,
Milwaukee, Wis.

DEAR SIR: I have your letter of October 23, 1957, and wish to thank you for all the help you are giving me in trying to establish my claim for disability benefits under the Social Security Act.

With the help of Mr. Hughes, of the South Side office of the Social Security Board, I filed a request for a hearing to be held on my application on the grounds that after payment of my medical expenses, the balance of my earnings were not enough to comprise substantial gainful activity.

My application for a freeze of my account was made over 2 years ago and all this time it's been kicked around, back and forth, and each letter I received seemed to raise some new point of objection. Now I am told that it might be a year before I am granted a hearing and, no doubt, another year before a decision is reached. Mr. ZABLOCKI, I need these benefits now, not when I'm dead and buried. You would almost think I was asking for charity. I'm asking for something

that I feel I am rightfully entitled to inasmuch as I contributed to the fund from the very first day the social security law was enforced back in 1936 to the present time. My condition is steadily getting worse and from all indications I may not even be able to do that tax work.

Mr. ZABLOCKI, is there anything at all you can do to help me get this hearing as soon as possible?

Whatever you can do on my behalf will be sincerely appreciated.

Respectfully yours,

CHARLOTTE WINEWSKI.

I immediately contacted the Social Security Administration authorities advising them that I had personally interviewed the claimant and believed her case warranted expeditious consideration. I pointed out that Miss Winewski is seriously afflicted with arthritis and that after payment of her medical expenses the balance of her earnings were not enough to comprise substantial gainful activity.

On November 9, I received the following letter from the social security district office:

MILWAUKEE, WIS., *November 9, 1957.*

Re Charlotte Winewski, 387–10–1910.

Hon. CLEMENT J. ZABLOCKI,
Member of Congress,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN ZABLOCKI: Early last week we had a very nice talk with Miss Winewski concerning the denial of her application for the disability freeze. At that time we also assisted her in applying for cash disability benefits which would be potentially payable beginning with December 1957 when she attains age 50. We also prepared her request for a hearing before a referee of the Social Security Administration.

The case will first be reviewed in our Division of Disability Operations at Baltimore to see if a decision in her favor might now be justified. If the denial is sustained she would then be scheduled for a hearing before a referee. She expressed a desire to appear in person before the referee and we believe that this was a wise decision on her part.

Miss Winewski is certainly deserving of sympathy and from all indications has struggled against her handicap with exceptional fortitude and determination. We feel, as you do, that an early date for the hearing would be quite desirable. However, the schedule is completely out of our control here in the district office and would depend on the backlog of similar requests with which the referee might be confronted. It's our understanding that referees generally have been facing a very heavy backlog of disability hearing requests, so it's rather difficult to be encouraging about the likelihood of her case being heard in the very near future. We did the best we could to give a complete account of our observations concerning the effect of her crippling arthritic condition and would hope that the information recently submitted would improve her prospects for a favorable decision.

In order that our Division of Disability Operations and the referee may be fully informed of your concern, we have forwarded your letter of November 6 to be associated with the request for hearing.

Your interest in the case of Miss Winewski is greatly appreciated.

Sincerely yours,

R. W. HUGHES,
District Manager.

On December 9, Miss Winewski wrote:

MILWAUKEE, WIS., *December 9, 1957.*

Hon. CLEMENT J. ZABLOCKI,
House of Representatives,
Washington, D. C.

DEAR MR. ZABLOCKI: I wish to acknowledge your letters of November 8 and 12 and December 2, 1957, and wish to extend my sincere thanks and express my deep gratitude for the help you are giving me in trying to obtain social security disability benefits. I know you are a very busy person and faced with problems graver and of much more importance than mine; therefore, I am doubly appreciative of the time and effort you spend on my behalf.

From present indications, unless, of course, the medical profession comes up with a new miracle wonder drug very soon, I won't be able to continue doing the income-tax work as the pain in my hands, wrists, arms, and back of my neck and head is so severe and continuous that I just can't concentrate on what I'm doing.

I hope the hearing is granted very soon and thank you again for trying to obtain it for me as quickly as possible.

Sincerely yours,

CHARLOTTE WINEWSKI.

I continued in my efforts to obtain an early hearing on her case and finally the hearing was held on April 29, 1958, in Milwaukee. The referee's decision follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

REFEREE'S DECISION

In the case of Charlotte Winewski, 387–10–1910, case No. C–3165, claim for period of disability.

The above-entitled matter is before the undersigned referee because of a request for hearing filed by Charlotte Winewski, the applicant herein, who disagrees with a determination of the Bureau of Old-Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare, that she is not entitled to the establishmeint of a period of disability under the provisions of title II of the Social Security Act. The hearing was held on April 29, 1958, in Milwaukee, Wis., and the applicant appeared in her own behalf.

On September 19, 1955, the applicant filed an application to establish a period of disability beginning June 23, 1945, alleging that since that time she has been unable to engage in substantial work because of rheumatoid arthritis. The Bureau, however, denied her application on the ground that she had not met all the requirements of the act to establish a period of disability, and so notified the applicant by letter dated October 22, 1956. Upon reconsideration the Bureau affirmed its initial determination and notified the applicant by letter dated October 16, 1957, that in spite of her arthritic condition her earnings demonstrated her ability to engage in substantial gainful activity.

The Social Security Act authorizes the establishment of a period of disability, upon application, if certain conditions have been fulfilled. The disability must have begun before age 65 and must have lasted continuously for at least 6 full calendar months. The disability must have begun at a time when the individual met certain insured-status requirements, that is, when 20 of the 40 last quarters and 6 of the last 13 quarters were quarters of coverage, and must still be in existence at the time of filing application. The term "disability" is defined in section 216 (i) to mean inability to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment which could be expected to be of long-continued and indefinite duration (or result in death), or blindness. Section 216 (i) also provides than an individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.

The applicant, who was born in 1907 and who has had a high-school education as well as certain business courses in addition, was employed as a head bookkeeper until 1945, when she states that she became unable to work any longer because of rheumatoid arthritis. Her wage record shows regular earnings up to the middle of 1945, rising from $1,252 in 1938 to $2,851 in 1944.

The applicant testified that she was first taken ill in 1938, when she was bedridden for 6 months. After that she came out of it partly and was able to work most of the time until 1945. Then both legs gave way, and since then she has been getting steadily worse. She states that there is terrific pain at all times and she has to take 6 to 8 aspirins a day as well as metacortin. Every joint in the body is affected except the right elbow. In her legs, it affects her toes, her ankles, her knees and her thighs, formerly her hips also. Both hands are deformed and there are two fingers on each hand which cannot be used because there is no strength in them. She is a touch typist but she is reduced to pecking out her work with one finger of each hand, because her wriste are useless. The back of the head and the shoulders are also affected. She lists the various remedies she has tried as follows:

Chiropractor, 8 months; curative workshop; St. Lukes, therapy; blood transfusions; short wave; cosmic wave; gold; cortisone; metacortin; aralen; iron; vitamins; nutralite; juices; teas; baths every day; hot towel applications; butazolidin; terramycin.

A representative of the Bureau reported in September 1955 that when he saw her in her home she moved about very slowly and apparently painfully, using a cane. She did not walk erect but was noticeably bent over. Her condition now, as observable at the hearing, was at least as bad as this, and probably worse. She was unable to walk alone the few steps from her seat at the hearing table to the elevator, and had to be assisted by a friend who accompanied her. It took the assistance of two people to get her out of her chair.

The applicant further testified that she never leaves the house. She came to the hearing in a taxicab with the help of the friend, and she says that on New Year's Day she was carried by some friends to their house, but otherwise she has not been out. She lives alone and looks after her own needs, but when she moves about she has to lean on things and she is able to do very little. However, she has refused to take to a wheelchair because she feels she would have to stay there and would get stiffer and if a remedy for her disease were discovered she might not be able to take advantage of it.

She has been doing a small amount of bookkeeping at home for a business concern or individual who brings the material to her house and calls for it. Except during the period from the first of the year until income tax returns are due, this occupies only about 7 hours a month, and she receives from $15 to $25 a month for it. (From June 1956 until early in 1957 she had three of these accounts and was paid $40 a month, but both together only required about 9 hours in a month. Since then, the two remaining have been paying her $27 a month.) She says that in 1946 and 1947 she must have earned less than $600, because she did not file an income tax return. Her records

show that she has earned the following amounts since then:

Year	Total	January–March
1948	$709.00	(1)
1949	759.00	(1)
1950	869.75	(1)
1951	1,236.00	(1)
1952	1,356.00	$1,131
1953	1,423.00	1,198
1954	1,333.00	1,333
		January–April
1955	1,488.00	$1,257
1956	[2] 1,097.00	852
1957	[3] 829.00	(1)

[1] Not shown.
[2] 1st 8 months.
[3] 1st 10 months.

In her testimony she stated that her net earnings for 1957 were $1,076.

All of this except the small monthly payments from the regular clients mentioned is earned from income-tax work. However, in 1957 she says she turned down a good portion of the tax work because she was too sick to answer the door, and in 1958 she did not do any. She says that she does this work because she has to pay for the expensive medicines she has to use—cortisone formerly and now metacortin. These have been costing her from $400 to $800 every year since 1948. She claims that what she has earned is only 20 percent or 25 percent of what she could have earned if she were in a normal condition—that she would make $800 a month, since such work averages about $6 an hour and even more in the last year or two.

As to her method of working the applicant states:

"It is impossible for me to estimate the number of hours spent on these earnings. These earnings were for filing of income-tax work I did. I probably spent 12 hours working 1 day, probably none the next and 1 or 2 hours the third day. There are days, due to my illness that my hands and wrists are in such pain that I cannot use them, so, therefore, I do as much as I can on the days that the pain isn't so great."

An attorney who has known the applicant since the early 1950's testified that he knows of people who have given her bookkeeping work whether they needed it or not in order to supply her with a means of living, and that he himself has given her translations to do from Polish. People also take her papers to be notarized. The attorney states that she was crippled and showing signs of advanced arthritis when he first knew her, though probably not as bad as now.

In October 1945 the applicant was referred to the Curative Workshop of Milwaukee by her physician (Dr. Regan), who had prescribed parafin baths to both knees. Since then she has had other treatments, but the only clinical reports in evidence are from the arthritis specialist who has been treating her ever since December 1948 for rheumatoid arthritis. He states that she was bedridden for 6 months in 1938 and then became ambulatory, but that in June 1945 she became unable to work. His report (exhibit 16) continues:

"At the present time she is scarcely able to walk, having to use a support in order to ambulate. There is not only involvment of the hips, knees, ankles, and toes, but all the joints of the upper extremities as well. She has been under my care in the past, at Columbia Hospital, and has also spent 2 years in the out-patient department of St. Luke's Hospital in Milwaukee under care of Dr. Welch on a rehabilitation program.

"In the past 10 years she has had all of the usual methods of treatment of rheumatoid disease, including hospital rest, all forms of physiotherapy, rehabilitation, gold injections, vitamin, iron, butazolodin, terramycin, aralen, cortisone which was discontinued because of depression, replaced by meticorten, salicylates, deep-heat therapy, and transfusions.

"She has shown throughout a tenacity and determination to remain independent and has carried out all medical suggestions conscientiously. There are few patients with rheumatoid disease as advanced and extensive as that which Miss Winewski has, who would not be confined to the wheelchair and bed at the present time."

In his report (exhibit 6) made in September 1955 this doctor states that there is impairment of all peripheral joints in both upper and lower extremities as well as the shoulders and hips; that the sedimentation rate is 97 in 1 hour; that X-rays show loss of joint space, bone erosion and demineralization. His diagnosis is rheumatoid arthritis, stage IV, active. In a later report in June 1957 (exhibit 7) he states that X-rays show joint destruction and demineralization, and a typical diffuse rheumatoid involvement except in the right elbow, with contractures, visible deformities, and muscle atrophies about the involved joints.

One look at the applicant would convince anybody that she is completely disabled—hopelessly crippled—at the present time. Dr. Borman's reports confirm from a medical viewpoint that this is so. She has had the disease since 1938 and as long ago as that it was so bad that she was bedridden for 6 months. Almost every joint is affected, and the result is almost complete limitation of motion. In 1945 she had to quit her employment entirely by reason of her malady and she has never been able to return to it.

If this were all, it would not be difficult to conclude that from 1945 on she was unable to engage in any substantial gainful activity. In 1946, however, she begins to do bookkeeping work at home, on a limited scale, with the surprising result that from 1951 to 1955 she is able to earn from $1,300 to $1,500 every year, and over $1,000 right up to this year.

What does this mean? That she has recovered, or that she was never disabled—or does it mean something else? The referee believes that according to any reasonable standard and within the meaning of the disability provisions of the Social Security Act she was still and has been at all time in fact unable to engage in any substantial gainful activity and that 9 people out of 10 in her condition would have given up the struggle. By heroic effort, however, she has managed to perform from 7 to 9 hours of work every month and in the first 3 months of the year to force herself to a burst of exertion for this limited time sufficient to earn the necessary money to supply herself with medicine for the rest of the year. The referee feels with regret that his words would be inadequate to convey to others the impression he received and has retained of this courageous woman. He can only say that he is convinced that if the worse came to the worst she would still go down fighting.

It is true that the total sum derived from this effort has been about as much as she was earning by regular employment back in 1938. But obviously this means that her real earnings are only half what they were then, and she has testified that she could earn $6 or more an hour if she were well. Certainly the $25 or $27 a month which she earns regularly is not substantial. If she could go on throughout the year earning as much as she does in the first 3 or 4 months it might be necessary to hold that in spite of her impairment she had proved that she was not completely disabled. But from what she has testified and from what he saw of her the referee does not believe that she could undertake to do what she does in the first months of the year if it were not for the rest that she knows is coming after the hectic income tax period exertion is over. What she does do must be at a terrific cost to herself because she testified that if she uses the fingers for a quarter or half an hour the pain expands and is so bad she has to stop. For that reason she is never able to guarantee when she will get work out.

The referee finds that the applicant's inability to engage in substantial gainful activity by reason of her physical impairment began in June 1945 when she was forced to stop working. Accordingly, it is the decision of the referee that the applicant is entitled to the establishment of a period of disability based upon her application filed on September 19, 1955.

TENCH T. MARYO,
Referee.

Mr. Speaker, the referee decided the applicant was entitled to the establishment of a period of disability based upon her application filed on September 19, 1955. Miss Winewski was naturally pleased, and wrote:

I am very happy and relieved now that the whole thing is settled and have you to thank for having this taken care of so well and fast, and will always be grateful to you for all your help. These benefits will surely be of great help, but, believe me, Mr. ZABLOCKI, I would gladly exchange them for good health.

But that was not the conclusion of this case. On August 12, Miss Winewski wrote to me again, as follows:

MILWAUKEE, WIS., *August 12, 1958.*
Hon. CLEMENT J. ZABLOCKI,
New House Office Building, Room 1512, Washington, D. C.

DEAR MR. ZABLOCKI: Here I thought my claim was finally settled and I had been waiting for a statement showing computation of my benefits, etc., and instead I got the enclosed letter informing me that the appeals council has decided to review Mr. Maryo's decision.

Mr. ZABLOCKI, I can't take much more of this. I filed application for a disability freeze September 19, 1955, and since then it's been one thing after another, objection upon objection, correspondence upon correspondence, favorable and unfavorable. How much longer will this go on?

Even though I am tempted to, I just can't give up now. I have too much at stake right now to take any chances of having Mr. Maryo's decision reversed. In a desperate attempt to prevent this from happening, I have written a letter to the appeals council which I am herewith sending you. Would you please read this letter and make whatever necessary changes or additions you feel that are required and return it to me. I am holding up the mailing of this letter until I hear from you, as at this point I can't afford to make any costly blunders.

This whole thing has been so vague and confusing. I feel as if I'm fighting a duel with the Government, only the Government refuses to give me a weapon with which to defend myself.

In the letter to the appeals council you will notice I stated I would ask you to appear for me at the review. Is this possible? I know you are a very busy man and engaged in matters of much more importance than mine, but I thought I would just ask anyway. If this is impossible, is there someone you know in Washington, an attorney, perhaps, who would be willing to represent me? It would make me feel better if I knew I would be represented at the review.

I don't know if you have a copy of Mr. Maryo's decision so, in order to save time, I am enclosing same. This, together with the enclosed copy of the letter to the appeals council, I believe, would cover all the vital facts pertaining to my claim.

Please let me hear from you as soon as possible.

Sincere thanks for all your help and advice and with best wishes,

Sincerely yours,
CHARLOTTE WINEWSKI.

I then immediately contacted the chairman of the appeals council and the correspondence follows:

AUGUST 14, 1958.
Re Miss Charlotte Winewski, 387–10–1910, case C–3165.
Mr. JOSEPH E. MCELVAIN,
Chairman, Office of Appeals Council, Social Security Administration, Washington, D. C.

DEAR MR. MCELVAIN: This is with reference to our conversation yesterday concerning the case of Miss Charlotte Winewski.

I want to express my appreciation to you for responding to my call and for coming to the office to discuss this case, despite your oral advice to my Secretary that an interview between us at this time would serve no good purpose, because the decision is up to the panel. Further, I realize that it would be imposition upon your duties, if you responded to all of the calls of Members of Congress who have been contacted by claimants appealing their cases.

However, when a Representative feels that there has been a miscarriage of justice, or there appears to be a lack of understanding in a particular case, I am sure you will agree that it is his prerogative to consult you for his own benefit, and for that of the Social Security Administration, in order to clarify the questions in his mind.

Since our discussion, I have had an opportunity to review Miss Winewski's correspondence, and I find that she had not sent a letter to the appeals council in reply to the notice of August 6—but that she contemplated a reply—which you will undoubtedly receive in the near future.

I will appreciate receiving from you the information which you advised you would forward to me, that is, the memorandum containing the reasons for the appeals council's decision to review the referee's decision on Miss Winewski's claim. With this information, I will be in a better position to obtain the necessary data to present her case to the appeals council.

Thanking you again for your courtesy and cooperation in this matter, and with best wishes, I am,

Yours sincerely,
CLEMENT J. ZABLOCKI,
Member of Congress.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE,
Washington, D. C., August 14, 1958.
Re Miss Charlotte Winewski, account No. 387–10–1910.
Hon. CLEMENT J. ZABLOCKI,
House of Representatives, Washington, D. C.

DEAR MR. ZABLOCKI: Pursuant to your oral request of August 13, 1958, for further explanation of the reason for the action of the appeals council in deciding to review the referee's decision in the case of Miss Charlotte Winewski of Milwaukee, Wis., I submit the following:

We decided to review the referee's decision because of (1) the lack of substantial medical evidence as to her condition on March 31, 1947, when she last met the earnings test and (2) her earnings record in self-employment in the 1951–56 period which raises a question as to her having a sufficiently severe impairment on March 31, 1947.

In order to qualify for a period of disability under the provisions of section 216 (i) of the Social Security Act, as amended, it is necessary that a claimant be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long continued and indefinite duration, provided that at the date she becomes so disabled, she meets the earnings requirements as set forth in the act.

Miss Winewski met the earnings requirements through the quarter ending March 31, 1947. Thereafter, the records of this department show no further earnings reported until 1951.

Although Miss Winewski alleged that she first became unable to work because of her impairment in June 1945, and the history in the case shows that she was suffering from rheumatoid arthritis at that time, there is no evidence of record to show the degree of involvement, deformity, or limitation of motion of the joints at that time. The earliest medical evidence of record was furnished by a physician who first treated Miss Winewski on December 17, 1948. In a report dated September 22, 1955, he says that her condition has gradually worsened.

Miss Winewski's work experience includes many years as a bookkeeper, and although the referee's decision held that she was unable to follow any substantial gainful activity after 1945, her earnings record shows substantial earnings in self-employment for the years 1951, 1952, 1954, 1955, and 1956. This would, of course, be indicative of the ability to engage in substantial gainful activity.

It appears that Miss Winewski's condition has deteriorated to a point where a period of disability can be established as beginning at a date subsequent to the date she alleged, and if she meets the earnings requirements at such date by reason of her self-employment in the 1951–56 period, favorable action may still be taken on her claim. You may be assured that this possibility will not be overlooked in our review of this case.

Your interest in this matter is appreciated.

Sincerely yours,
JOSEPH E. MCELVAIN, *Chairman.*

This brings me to date. This morning I represented Miss Winewski at the hearing, because I knew it was physically impossible for her to appear on her own behalf. The board members were most cooperative and understanding—and we are anxiously awaiting the final determination on this case. But in the meantime, I am sure all my colleagues will agree that the Congress and the Department of Health, Education, and Welfare, Social Security Division, should define "substantial gainful activity." I was advised that the Department in the very near future will issue a memorandum containing information and possible definition of the term "substantial gainful activity." This action should tend to promote uniformity of interpretation.

But I cannot help wonder whether it will still give the answer to the question: How dead must you be?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CUNNINGHAM of Nebraska (at the request of Mr. ARENDS), for Friday and Saturday this week, on account of official business.

To Mr. VINSON, for an indefinite period of time, on account of official business.

To Mr. BARING (at the request of Mr. BOGGS), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program, and any special orders heretofore entered, was granted to:

Mr. SELDEN, for 30 minutes, today.

Mr. MARTIN (at the request of Mrs. ROGERS of Massachusetts), for 60 minutes, on tomorrow.

Mr. ZABLOCKI, for 10 minutes, today, and to include certain letters.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROGERS of Texas in two instances.

Mr. HALEY.

Mr. EVINS and to include extraneous matter.

Mr. MOORE (at the request of Mr. QUIE) in six instances and to include extraneous matter.

(At the request of Mr. BALDWIN, the following Members and to include extraneous matter:)

Mr. UTT.

Mr. SAYLOR.

Mr. THOMPSON of New Jersey (at the request of Mr. COAD) and to include extraneous matter.

(At the request of Mr. ALBERT, the following, and to include extraneous matter:)

Mr. EDMONDSON.

Mr. MACDONALD.

Mr. MULTER.

Mr. FLYNT.

Mr. BURLESON in two instances.

Mr. AYRES.

Mr. MORGAN.

Mr. MILLS.

Mr. BONNER.

Mr. SPENCE.

Mr. ENGLE.

Mr. CELLER.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 8381. An act to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes;

H. R. 7720. An act for the relief of Viola Belger;

H. R. 9147. An act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes;

H. R. 11009. An act to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes;

H. R. 12207. An act for the relief of Mr. and Mrs. Alto Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols;

H. R. 12216. An act to designate the dam and reservoir to be constructed on the Cumberland River, near Carthage, Tenn., as the

Cordell Hull Dam and Reservoir, and to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas;

H. R. 12303. An act to amend the Revised Organic Act of the Virgin Islands;

H. R. 12670. An act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12883. An act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems;

H. R. 13549. An act to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the Trust Funds of such System, and otherwise improve such System; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes;

H. J. Res. 653. Joint resolution for the relief of certain aliens; and

H. J. Res. 659. Joint resolution for the relief of certain aliens.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 607. An act to provide retirement, clerical assistance, and free mailing privileges to former Presidents of the United States, and for other purposes;

S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert;

S. 3287. An act for the relief of Vivian D. Giesey;

S. 3818. An act for the relief of Vicenta Garcia y Puente;

S. 4249. An act to authorize a program for the conservation, restoration, and management of the rare Hawaiian nene goose; and

S. J. Res. 135. Joint resolution providing for the construction of demonstration plants for the production from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House, of the following titles:

H. R. 1493. An act for the relief of Lt. Col. Charles A. Holshouser;

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 2269. An act for the relief of Truck and Axle Manufacturing Co.;

H. R. 4991. An act for the relief of Waldo Miller;

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 5584. An act for the relief of Mrs. Maude L. Smith;

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory orders;

H. R. 6595. An act for the relief of Markus H. Teitel;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzger;

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7499. An act for the relief of the Cooper Tire and Rubber Co.;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes;

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service;

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957;

H. R. 9822. An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging, and for other purposes;

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes;

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12365. An act for the relief of the estate of Suck Pil Ra;

H. R. 12632. An act authorizing Gus A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12663. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Anneliese Ottolenghi;

H. R. 13132. An act to amend the District of Columbia Teachers' Salary Act of 1955;

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes;

H. R. 13559. An act to amend the War Orphans' Educational Assistance Act of 1956 to permit the Administrator of Veterans' Affairs to make payments with respect to special restorative training, or specialized courses of vocational training, for younger persons than those with respect to whom the Administrator may now make such payments, and for other purposes;

H. J. Res. 557. An act to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission;

H. J. Res. 630. An act to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the Southwest area in the District of Columbia;

H. J. Res. 654. An act requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways; and

H. J. Res. 661. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. COAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 7 minutes p. m.), under its previous order, the House adjourned until tomorrow, Saturday, August 23, 1958, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2256. A letter from the Assistant Secretary of the Interior, relative to stating that an adequate soil survey and land classification of the land in the Paonia project, Colorado, has been completed as a part of the investigation required in the formulation of a definite plan for project development, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

2257. A letter from the Secretary of Agriculture, transmitting the annual report of the Secretary of Agriculture on the orderly liquidation of commodities held by the Commodity Credit Corporation and on programs to expand agricultural markets, pursuant to Public Law 540, 84th Congress; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Appropriations. H. R. 13856. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes; without amendment (Rept. No. 2689). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'HARA of Minnesota: Committee of conference. H. R. 7785. A bill to provide for the appointment of an additional judge for the juvenile court of the District of Columbia (Rept. No. 2690). Ordered to be printed.

Mr. MURRAY: Committee of conference. S. 25. An act relating to effective dates of increases in compensation granted to wage board employees (Rept. No. 2691). Ordered to be printed.

Mr. MURRAY: Committee of conference. H. R. 7710. A bill to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees (Rept. No. 2692). Ordered to be printed.

Mr. MOSS: Committee on Interstate and Foreign Commerce. H. R. 4305. A bill to recognize the Ryan-Hemet Airport as a public airport for the purposes of the Federal Airport Act, and to provide for reimbursement for damage to such airport in accordance with such act; with amendment (Rept. No. 2693). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee of conference. S. 3420. An act to extend and amend the Agricultural Trade Development and Assistance Act of 1954 (Rept. No. 2694). Ordered to be printed.

Mr. HARRIS: Committee of conference. H. R. 469. A bill to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes (Rept. No. 2695). Ordered to be printed.

Mr. LANE: Committee of conference. H. R. 6282. A bill for the relief of the former shareholders and debenture noteholders of the Goshen Veneer Co., an Indiana corporation (Rept. No. 2696). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 102. Concurrent resolution accepting the statue of Dr. Florence Rena Sabin, to be placed in the Statuary Hall collection; without amendment (Rept. No. 2697). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 103. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of the late Dr. Florence Rena Sabin and authorizing ceremonies on such occasion; without amendment (Rept. No. 2698). Ordered to be printed.

Mr. SHEPPARD: Committee of conference. H. R. 13489. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 2699). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. THOMAS:

H. R. 13856. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes.

By Mr. ABBITT:

H. R. 13857. A bill to provide that the Supreme Court may invalidate a State statute only by unanimous decision of the Justices participating; to the Committee on the Judiciary.

By Mr. ANDERSON of Montana:

H. R. 13858. A bill to authorize the rehabilitation of the Sherburne Lake Dam and outlet works, Milk River project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PRICE:

H. R. 13859. A bill to provide for promotion of economic and social development in the Ryukyu Islands; to the Committee on Armed Services.

By Mr. TEAGUE of California:

H. R. 13860. A bill to provide for an averaging taxable income; to the Committee on Ways and Means.

By Mr. BURLESON:

H. R. 13861. A bill to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives; to the Committee on House Administration.

By Mr. BROOKS of Louisiana:

H. R. 13862. A bill to establish an additional naval district, consisting of eastern Texas, Arkansas, and northern Louisiana; to the Committee on Armed Services.

By Mr. BURNS of Hawaii:

H. R. 13863. A bill to provide for promotion of economic and social development in the Ryukyu Islands; to the Committee on Armed Services.

By Mr. RHODES of Pennsylvania:

H. Res. 694. Resolution authorizing the printing as a House document of the committee print entitled "How To Obtain Financing Under the Small Business Investment Act of 1958," and providing for additional copies; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL:

H. R. 13864. A bill for the relief of Pasquale Marrone; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 13865. A bill for the relief of Alice K. Rush; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 13866. A bill for the relief of Maria Jesualda Reis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

735. Mr. CARNAHAN presented a resolution adopted by the Missouri Department of the Veterans of World War I, United States of America, at its State convention May 17 and 18, 1958, held in West Plains, Mo., that the Congress of the United States is hereby respectfully requested and urged to promptly grant an age pension to the Veterans of World War I, by passing H. R. 2201 at this session of Congress, which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Imports of Japanese Textiles

EXTENSION OF REMARKS
OF
HON. JOHN J. FLYNT, JR.
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. FLYNT. Mr. Speaker, some time ago when we were debating the extension of the Reciprocal Trade Agreements Act, a great many Members of the House raised serious questions about increasing textile imports from Japan. I particularly raised the question of velveteen imports, because one of the largest velveteen manufacturing plants in the United States was located in my District and had to cease operations of its velveteen production because it could not compete with similar velveteen being produced in Japan by labor which received an average of 17 cents per hour wages.

When we raised these questions and referred to what had already happened and then wondered what would continue to happen, we were assured by the administration spokesmen and by other advocates of the bill then before the House that Japan had imposed upon itself a voluntary quota restriction system which would keep Japanese textile imports to the United States at a moderate figure.

Mr. Speaker, on yesterday I read a news item in the Charlotte (N. C.) Observer, issue of August 19, 1958, which reads as follows:

JAP GOODS REACH UNITED STATES VIA AFRICA

WASHINGTON.—Secretary of Commerce Weeks said Monday 86,000 yards of Japanese velveteens were brought to this country recently on a South African ship.

He informed Representative WILLIAM JENNINGS BRYAN DORN, Democrat, of South Carolina, the shipment, valued at $56,000 was placed in a bonded warehouse August 1. DORN had asked Weeks to investigate reported shipments of Japanese goods by way of South Africa.

"The goods in question have not entered the economy of the United States," Weeks wrote. "Goods entered into a bonded warehouse may be withdrawn for reexport or may be entered for consumption into the United States at a later time. * * *

"As matters now stand, since these cotton goods have not been entered for consumption, we are not in a position to say that this case involves an unauthorized transshipment from Japan or a violation of the Japanese voluntary program."

There is no denial that the 86,000 yards of Japanese velveteen mentioned in this item were imported to the United States. The statement by the Secretary of Commerce that "The goods in question have not entered the economy of the United States" is both ridiculous and absurd. One cannot believe that the Secretary of Commerce is so naive as to believe that this shipment of velveteens will be brought into the United States, stored in a bonded warehouse and then reshipped or reexported to another country.

Some of us wonder if the purpose is not to bring it into the United States,

store it temporarily and then withdraw it after the Congress adjourns. In fact, if the Congress had adjourned at the normally expected time, around August 1, these goods might have been placed on the open market for sale, distribution, and consumption in the United States without ever being stored and bonded.

I am taking the Secretary of Commerce at his word that the goods in question have not entered the economy of the United States. I am also assuming that he is dealing in whole truths and not half-truths by leaving the inference that these goods will not enter the economy of the United States in violation of the voluntary agreement concerning Japanese textile imports.

I, therefore, have written the Secretary of Commerce making additional inquiry on this 86,000-yard lot of Japanese velveteens, and on the 15th day of each month from now on I expect to write him and ask him the status of this shipment.

I sincerely hope that he has not resorted to attempted deception and that he will see to it that these goods do not enter the economy of the United States and that they are promptly transshipped from this country to their "original" destination.

Changing Imports Program

EXTENSION OF REMARKS
OF
HON. OMAR BURLESON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. BURLESON. Mr. Speaker, some administration officials have made it clear they have no intention of heeding Congressional advice to make changes in the voluntary import program. Calling the program remarkably successful, Assistant Commerce Secretary Frederick H. Mueller said:

One of the things we should feel comfortable about is that we have a voluntary program that can be changed overnight, instead of a mandatory legislative program. This is particularly good in this time of unrest in the Middle East.

That statement is particularly disquieting in the face of recommendations from some quarters that the voluntary program be scrapped altogether if the new Middle East crisis materializes.

Presumably these people believe that denial of Middle East oil would create the need for importing more crude oil into the United States—exactly what happened during the Suez debacle.

One of the arguments used for long-term extension of the Trade Agreements Act is that stability is necessary in planning imports. Yet the voluntary program for oil imports is commended because it can be changed overnight.

Mueller concedes the voluntary program has no ready answer for requests of some 54 newcomers asking import rights for about 363,000 barrels a day of crude oil into districts XI–IV.

He expresses as a personal belief that some weight should be given to the people who have invested in foreign oil. Meanwhile he saw fit to attack in rather bitter terms the IPAA history of opposing unrestrained oil imports, saying they have cried wolf too often to be taken seriously.

If the administration officials don't take heed of the new Congressional mandate—

Said one independent—

it looks like we are headed for Government control over oil similar to that of FPC control over gas. This voluntary guise is a farce, of course, which can only serve to vest Federal officials with more and more powers to decide day-to-day issues, like who gets a quota and how much. As long as the thing works exactly the opposite of what it should, penalizing not the importers of excessive oil but rather those who can't have imports, the backlog of requests is going to grow—and with it Federal bureaus regulating our business. Yet because they call it voluntary that is supposed to be preferable to a positive system for regulating imports.

Tobacco Taxes

EXTENSION OF REMARKS
OF
HON. HARRY FLOOD BYRD
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, August 22, 1958

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter written to Senator PAUL H. DOUGLAS from James P. Richards, the president and executive director of the Tobacco Institute, Barr Building, Washington, D. C.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE TOBACCO INSTITUTE, INC.,
Washington, D. C., August 19, 1958.
The Honorable PAUL A. DOUGLAS,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: On page 274 of the printed hearings before the Committee on Finance, on H. R. 7125, you are quoted as follows:

"Senator DOUGLAS. I think the Senator from Indiana raised a very important question yesterday when he asked why you could not have the tax at the time of sale, rather than prior to the time of sale or any stated period.

"I have checked with the staff, and subject to their check, I think that all of the manufacturers' excise taxes that I know of, at least, are levied at the time of sale. That is true of automobiles, true of tires which we heard about yesterday, of durable consumer goods, and of tobacco.

"Why is not this a sound principle for distilled spirits as well?"

When H. R. 7125 was before the Senate for consideration on August 11, 1958, the following colloquy took place between you and Senator LONG (p. 16861):

"Mr. DOUGLAS. Mr. President, will the Senator yield?

"Mr. LONG. I yield.

"Mr. DOUGLAS. Is it not important in this connection to compare the excise taxes on whisky with the excise taxes of other manufactured products? We collect about $11 billion a year in all excise taxes. Is it not true that with the single exception of whisky, those taxes are levied when the manufacturer, or in 1 or 2 cases the retailer, actually sells the product?

"Mr. LONG. The Senator is entirely correct.

"Mr. DOUGLAS. That is, the taxes are not collected in advance of the sale. That is true of tobacco. It is true of beer. It is true of a wide variety of products. But is it not also true that with respect to whisky, the tax is levied at the time it is taken out of the bonded warehouse? If it is less than 8 years old, it is levied, irrespective of how long it has been kept in the warehouse, once it leaves the warehouse. If the American distiller produces whisky which is 10, 12, or 14 years old and he keeps it in the warehouse, he has to pay the tax at the end of 8 years, even though he does not sell it for 2, 4, or 6 years later? Is that not true?

"Mr. LONG. Yes.

"Mr. DOUGLAS. He has to carry the interest charges and the factory's loss, and so forth, during this time.

"Mr. LONG. The Senator is entirely correct.

"Mr. DOUGLAS. The present provision is really intended to put the taxation of whisky on parallel terms with the taxation of all other manufacturers' excise taxes; namely, that the tax is collected at the time of sale and not at some artificial cutoff date."

Knowing that you will welcome clarification of a possible misunderstanding, I am taking the liberty of pointing out that the payment of Federal excise taxes on tobacco products actually occurs prior to manufacture, which, in many cases, is as much as 45 days prior to the actual sale of the products.

Although the Internal Revenue regulations governing the payment of the tax provide for the incidence of the tax liability upon removal from the bonded premises, the tax stamps, which in most cases serve as a closure for tobacco packages, are purchased prior to manufacture and are affixed at the time of packaging.

This old-fashioned method of collecting the tax, i. e., through the sale of stamps, has resulted in an ever-increasing burden to our industry. It is estimated that tobacco manufacturers have, at all times, in excess of $150 million tied up in tax prepayment, which makes necessary the borrowing of funds or use of their resources to purchase the required Federal tax stamps before the taxed merchandise is sold. Payers of excise taxes imposed subsequent to the levy on tobacco products have been provided more modern and efficient business procedures of tax accounting by return, without the use of stamps. Unlike tobacco manufacturers, these payers of excise taxes are permitted to make tax payment on the last day of the month following the month in which tax liability is incurred and to file a quarterly return.

By the Internal Revenue Code of 1954, Congress sought to end this discrimination against the tobacco manufacturers by provision in section 5703 (a), subchapter A, chapter 52, for the payment of tobacco excise taxes by return, as other excise taxes are paid. You will recall, I am sure, that the act gave the Secretary of the Treasury power to promulgate regulations to carry out the intent of Congress so expressed. To date, no such regulations have been promulgated by the Secretary and thus the intent of the act to establish the return system for the tobacco industry has not been effected.

In H. R. 7125, which you and your colleagues on the Senate Finance Committee recently had under consideration, there was a provision directing the Secretary of the Treasury to provide a 7-day return period for the payment of tobacco excise taxes. Because such a short period as 7 days would provide little real relief for manufacturers of cigarettes, the Tobacco Institute, Inc., submitted to the Senate Finance Committee a statement in support of an amendment to H. R. 7125 which would afford more equitable treatment to tobacco manufacturers by placing them on the same basis as most other payers of excise taxes.

Although the conferees on the part of the House and the Senate agreed to strike out the 7-day provision from the bill, we look forward to more favorable consideration by the 86th Congress and we respectfully seek your support of our efforts in behalf of more equitable treatment in the payment of tobacco excise taxes at that time.

I remember very pleasantly our association from time to time when I was a Member of the House and I hope that our paths will soon cross again.

With best personal regards, I am
Sincerely,

JAMES P. RICHARDS,
President and Executive Director.

Farm Outlook—Best in Years

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MOORE. Mr. Speaker, I have been carefully following the rise and fall of the price quotations for farm products, and it is with satisfaction that I note the outlook for our Nation's farmers this harvest time is the best in years. Not only are the prices for farm commodities better in most instances, but most of the huge surpluses have been reduced and thus lessen any threat to the profits which our farmers can expect to reap for their toil in tilling the fertile soil of our great country.

This is most heartwarming to me, because I have long been an admirer of Secretary of Agriculture Ezra Taft Benson, and have supported his recommendations by voting for the sound farm programs which he has proposed to Congress. The Benson philosophy of freeing the farmers from Government regulation and returning to a sound agricultural policy where prices are dictated in the market place and not by Federal bureaucrats has certainly paid dividends. Those who formerly scoffed at Benson and asked for his scalp are now singing his praises and he is the most sought after for speaking engagements of any member of the President's Cabinet.

Although my farming experience is somewhat limited, I have always had a profound respect for our farmers. Because of the nature of the terrain in the First District of West Virginia, we do not have any farms, and the principal sources of income are derived from mining and manufacturing.

The number of farms in the First District is rather small, but our farmers are aggressive and obtain the maximum production from the limited acreage which they have. Dairy production and livestock is the major source of farm income in this area, but we also produce some of the finest apples and other orchard crops found in the Nation.

During my tenure in office, I have come to rely very strongly on the recommendations of the American Farm Bureau as to the agricultural program which is best suited to meet the needs of the people of our State and the Nation as a whole. I confer and correspond regularly with officials of the Farm Bureau here in Washington, and at both the State and local levels in West Virginia. I can certainly commend this organization for the realistic approach which they have taken to the farm problems, and the zeal with which they encourage the farmers of America to learn to provide for their own needs rather than depending upon Government subsidies as a cure-all. The job of a Congressman would be lightened tremendously if other so-called lobbying and pressure groups in Washington had as sound a program and asked for as little Federal help as that advocated by representatives and members of the American Farm Bureau.

During this past session, my office has been responsible for helping and assisting a number of our farmers in obtaining loans for the purchase of homes and farms under the program administered by the Farm Home Administration. I have also personally helped farmers in applying for soil conservation assistance and in connection with placing lands under the Soil Bank conservation reserve program. We have also been able to supply the farmers in the First Congressional District with copies of the annual Agriculture Yearbook and have mailed a great number of farm bulletins to both farmers and housewives.

The 1958 Agriculture Yearbook entitled "Land" will be available for distribution about October 1 and I will be happy to send a copy to any farmer or agricultural student as long as my limited supply lasts. Also, I will forward on request a complete list of all farm bulletins which are available for free distribution, and will furnish general information regarding any of the programs administered by the Agriculture Department or other agencies of Government which might affect the farmers and livestock men in my District. These services are available to all simply by addressing a letter or postcard to my office.

Mr. Speaker, in conclusion I would like to include in the RECORD an editorial taken from the August 23, 1958 issue of the Wheeling Intelligencer, Wheeling, W. Va. This editorial, entitled "Out of the Doghouse," is a resounding tribute to Secretary of Agriculture Ezra Taft Benson, and I wholeheartedly subscribe to the thoughts expressed therein.

The editorial follows:

OUT OF THE DOGHOUSE

Capitulation of the once-powerful farm bloc on the issue of price supports furnishes further evidence of the growing stature of Agriculture Secretary Benson. And this, in turn, is in large measure a reflection of improved conditions on the farm.

As finally accepted by the Senate and sent to the White House, this new farm legislation, which heads off drastic cutbacks in acreage allotments for cotton and rice and removes planting controls for corn, also lowers price support floors for major crops from 75 to 65 percent of parity. Farm bloc representatives wanted the acreage revisions, but sought higher rather than lower price supports.

Thus Mr. Benson forges another step ahead in his objective of removing the Government gradually from the field of farm management, of returning American agriculture to an enterprise producing for the market rather than for storage. That the resistance he received was little more than token and that the men who do the farming showed little interest in high price guaranties should have occasioned no surprise. The American farmer is enjoying greater prosperity today than has been the case for a long time and just as they once blamed Benson for all of their ills, farmers are beginning to credit him with at least partial responsibility for their current blessings. The Department of Agriculture's July report shows that these blessings are many. The overall farm net income, this report discloses, was at the rate of $13.3 billion during the first half of 1958, a 22-percent gain over the like period last year. Moreover, farm assets are at an all-time high, $186 billion, farmers have less than $11 in debts for each $100 of assets, farm ownership is at a record high, only 1 farm in 3 has a mortgage, the standard of living on American farms is the highest on record and 96 percent of our farms and ranches still are family owned.

One other statistic is worthy of note. The buildup of farm surpluses has been reversed, Government investment in farm products acquired in the price-support program having dropped 20 percent during the past year and a half.

So it would appear that a farm program fought every inch of the way by farm bloc politicians has resulted both in reversing the surplus buildup and bringing greater prosperity to American agriculture, a development which has transformed a man once considered the Republican Party's worst liability into one of its most valuable assets.

S. B. (Bess) Owens

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. ROGERS of Texas. Mr. Speaker, I rise to perform my sad duty in advising the Congress of the recent passing of my good friend and counselor, S. B.—Bess—Owens of Wellington, Tex. The city of Wellington, the county of Collingsworth, and indeed all of Texas mourns the passing of this great American.

Few communities in the world have the good fortune of such men as was Bess Owens and it is impossible to think of Wellington without thinking of him. He was a moving factor in the area and the surrounding territory and contributed so very much to the development and progress of that section of the State.

Bess Owens was a farmer, a native Texan, and had lived in Collingsworth County some 40 years. His service to all persons who came in contact with him were many and his lifetime was a wonderful example of helpfulness to others. Perhaps his greatest professional gift was his interest and service to the lifeblood of the area, agriculture, in which his vision and perception were excellent.

The finest gift he possessed, however, was the capacity to give of himself for others and he exercised it in full measure. He was truly an outstanding man among outstanding people. His greatness will become more apparent each day and his contributions to mankind will live forever. His friendship, which was my good fortune, will always be one of my most cherished treasures.

I feel sure that all the Members will want to join me in tendering deep sympathy to Mrs. Owens and to the host of friends who, with me, mourn his passing.

Multiple Sclerosis Hope Chest

EXTENSION OF REMARKS
OF
HON. J. GLENN BEALL
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Friday, August 22, 1958

Mr. BEALL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement of mine concerning the 1958 multiple sclerosis hope chest.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BEALL

Worthy endeavors have been made in the Nation's Capital recently in behalf of the 1958 multiple sclerosis hope chest. The Washington, D. C., area chapter of the National Multiple Sclerosis Society has performed a needed and important community service in spearheading a drive to aid victims of multiple sclerosis, a progressive crippling disease of the central nervous system which strikes at random through our population and is no respecter of sex, occupation, or previous state of health.

Under direction of Vice Adm. H. R. Thurber, United States Navy (ret.), the annual fund-raising campaign was assisted by 12,000 marchers who generously agreed to canvass their neighborhoods throughout metropolitan Washington. Many constructive efforts were lent to this cause, not the least of which was the special benefit sponsored by Mrs. Ethel M. Fistere, president of the Connecticut Avenue Association and director of the Arthur Murray studios in this area. Mrs. Fistere organized a ball which was televised from the Shoreham Hotel on the evening of June 15, a highlight of which was the award made to Mr. Jack Cooke as national multiple sclerosis father of the year. Support was rallied to help find the cause of multiple sclerosis which affects over a quarter of a million young adults in this country and which, I understand, currently afflicts some 2,600 patients and suspected cases in this community. Those who are interested in receiving information about multiple sclerosis may contact the local office of the Multiple Sclerosis Society at the LaSalle Apartment Hotel, 1028 Connecticut Avenue NW., Washington, D. C.

It has been of interest to me to note that Mrs. Fistere was in the forefront of this humanitarian endeavor. She is not a stranger to worthy causes. As a past president of the local Soroptomist International, Mrs. Fistere provided leadership for many of that organization's charitable activities. This year she is serving as the first woman president of the Connecticut Avenue Association, a group composed of nearly 100 shops, banks, churches, and various business establishments. The association has received acclaim for its outstanding civic contributions to the Red Cross blood donor campaigns, the United Givers Fund, the Hungarian Relief drive, the Round-the-World Children's Christmas Party it has sponsored, and many others.

Vice Admiral Thurber and his many dedicated helpers in the hope chest campaign are striving earnestly to find the cause and cure of a dread disease.

Senate Passes, House Committee Acts, but Rules Committee Blocks TVA Self-Financing Bill

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. EVINS. Mr. Speaker, with all the actions taken by the Congress, which is soon to adjourn, one of the bills which the Congress failed to enact is the measure to permit the Tennessee Valley Authority to issue revenue bonds to provide for financing needed facilities to this great Government agency.

As the Members are aware, the Senate passed such a measure by a bipartisan vote of 61 for and 20 against. The House Public Works Committee favorably reported two bills in this area, one identical with the Senate-passed measure. However, the Rules Committee failed to grant a rule for the consideration of the bill and the House was thus denied an opportunity to work its will on this legislation.

This is a good bill and should be enacted early in the next session of the Congress.

The simple facts are that such a bill will: First, do away with the need for Federal appropriations to finance normal TVA growth needs. Second. The measure would also require the TVA to make large cash payments into the United States Treasury—larger than now called for. Third. This legislation would maintain Congressional control over TVA and place definite restrictions upon TVA service area—the measure would reduce and not increase the area which could now receive TVA power. Fourth. The bill, which the House was not permitted to act upon, puts a reasonable ceiling on the amount of bonds which could be issued and gives the Congress power to disapprove new projects. I repeat, the legislation is needed. It is a good bill and a fair bill which should have been considered and enacted into law.

By failing to act, the Congress was denied consideration of legislation in this field affecting future power needs of six million people who live in the area. With no appropriations being provided, certainly the Congress should let these six million people have an opportunity to vote bonds. I should add, the bonds would be "gilded edge," paid off, and liquidated. This too is not a novel or new proposition, as TVA has issued bonds in the past and they have all been paid off and liquidated.

The failure to act on this legislation is one of the shortcomings of an otherwise great, constructive and productive session of the Congress.

In this connection, Mr. Speaker, I ask unanimous consent to have included with my remarks a statement by our distinguished Speaker, SAM RAYBURN, which appeared recently in the Nashville Tennessean.

The article follows:

TVA OFFICIALS FAIL IN SELF-FINANCE PLEA

KNOXVILLE.—TVA board members have returned to Knoxville from a weekend visit to Washington with no hopes for self-financing bill action this year.

The board members could not be reached for comment yesterday but it was learned they were unsuccessful in their efforts to see President Eisenhower to make a final plea for the bill.

All three of the board members, Gen. Herbert D. Vogel, Arnold R. Jones, and Dr. Frank Welch, were appointed by the President.

All had endorsed the House Public Works Committee's version of the self-financing bill, which remains locked in the house rules committee.

At Washington Monday, Representative CLIFFORD DAVIS, of Memphis, chief strategist of the House TVA bloc, said he will resign from Congress if the bill does not pass at the next session.

DAVIS, whose chairmanship of the Rivers and Harbor Subcommittee of the House Public Works Committee led to his selection as chief sponsor of the bill, said the drive for the bill will begin early in the next session.

Speaker SAM RAYBURN, Democrat of Texas, told reporters in his daily news conference yesterday he hopes to get the bill passed early in the next Congress.

"I am hoping to get it up early next year," he said. "It is a good bill and I am strong for it."

"I think that CLIFF DAVIS (Representative CLIFFORD DAVIS, Tennessee Democrat) did a fine job in getting the bill out of the Public Works Committee. I hope he reports the same bill next year, and that we pass it," RAYBURN said.

DAVIS said:

"If we don't pass it next time, I'll resign from the House," according to a Chattanooga Times report.

The opinion of TVA directors that the bill is dead for the present session was supported yesterday by Clyde Ellis, executive secretary of the National Rural Electric Cooperatives Association.

Ellis, one of the national leaders in the drive for the TVA bill, said he probably will discuss his ideas of strategy for the next session when he makes a speech in Tennessee, Thursday night.

Fair Trade Laws

EXTENSION OF REMARKS
OF
HON. WILLIAM E. PROXMIRE
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Friday, August 22, 1958

Mr. PROXMIRE. Mr. President, on July 21 I appeared before the Senate Committee on Interstate and Foreign Commerce in behalf of S. 3850, the fair trade bill, which I have the honor to cosponsor with the junior Senator from Minnesota [Mr. HUMPHREY]. On the same day, I received unanimous consent to have my statement to the committee printed in the RECORD. Before the committee, I submitted two tables in evidence of my contention that it is possible to have fair margins for retailers, fair prices for consumers, and also flexible pricing with fair trade enforcement. These tables were made a part of the committee's record, but were not available at the time my statement was printed in the RECORD. In order to make this record complete, I ask unanimous consent that these tables be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I.—*House brand gasoline prices by quarters*

[In cents]

Date	Newark, N. J.			Philadelphia, Pa.			Wilmington, Del.			Baltimore, Md.			55-city average		
	Dealer price	Dealer margin	Retail price excluding tax	Dealer price	Dealer margin	Retail price excluding tax	Dealer price	Dealer margin	Retail price excluding tax	Dealer price	Dealer margin	Retail price excluding tax	Dealer price	Dealer margin	Retail price excluding tax
1953—July 1	15.9	5.3	21.2	16.1	4.8	20.9	16.1	5.9	22.0	15.8	5.7	21.5	16.55	5.52	22.07
Oct. 1	15.9	5.8	21.7	16.1	4.8	20.9	16.1	5.9	22.0	15.8	5.6	21.4	16.54	5.47	22.01
1954—Jan. 1	14.4	5.5	19.9	15.6	5.3	21.9	15.6	6.4	22.0	15.3	6.3	21.6	16.34	5.62	21.97
Apr. 1	13.55	2.25	15.9	15.4	6.5	21.9	15.4	6.6	22.0	14.6	6.9	21.5	16.24	5.36	21.60
July 1	13.9	3.0	16.9	15.4	5.5	20.9	15.4	6.6	22.0	14.6	6.9	21.5	16.05	5.53	21.58
Oct. 1	13.9	3.0	16.9	15.3	4.3	19.9	15.7	6.8	22.5	15.4	6.4	21.8	16.20	5.12	21.32
1955—Jan. 1	14.9	2.0	16.9	14.9	5.0	19.9	15.7	6.8	22.5	15.4	6.3	21.7	15.91	5.35	21.26
Apr. 1	14.9	3.0	17.9	15.3	4.6	19.9	15.7	6.8	22.5	14.9	6.8	21.7	16.24	5.18	21.42
July 1	11.4	3.5	14.9	12.9	6.0	18.9	15.7	6.8	22.5	14.0	7.7	21.7	16.33	5.11	21.44
Oct. 1	15.0	1.9	16.9	14.5	2.4	16.9	15.9	6.0	21.9	15.4	4.5	19.9	16.26	5.17	21.43
1956—Jan. 1	14.5	2.4	16.9	15.0	4.9	19.9	15.9	6.0	21.9	15.4	4.5	19.9	16.33	5.32	21.64
Apr. 1 [1]	13.5	3.4	16.9	14.5	3.4	17.9	15.9	6.0	21.9	15.4	6.1	21.5	16.42	5.01	21.43
July 1	14.9	5.0	19.9	15.3	4.6	19.9	16.1	5.8	21.9	15.7	6.5	22.2	16.34	5.44	21.78
Oct. 1	14.9	5.0	19.9	14.6	4.3	18.9	16.1	4.8	20.9	15.7	6.5	22.2	16.40	5.34	21.74
1957—Jan. 1	14.9	5.0	19.9	15.3	4.6	19.9	15.6	5.3	20.9	15.7	6.5	22.2	16.21	5.28	21.49
Apr. 1	15.9	5.0	20.9	14.6	5.3	19.9	16.6	4.3	20.9	16.7	6.5	23.2	16.68	5.32	21.95
July 1	16.1	5.8	21.9	14.0	3.9	17.9	14.7	5.2	19.9	16.9	6.3	23.2	16.65	5.54	22.19
Oct. 1	15.9	5.0	20.9	14.6	4.3	18.9	14.5	4.4	18.9	16.3	6.1	22.4	16.21	5.21	21.42
1958—Jan. 1	14.4	4.5	18.9	12.9	4.0	16.9	13.4	4.5	17.9	16.0	5.9	21.9	16.55	5.16	21.71
Apr. 1	15.2	4.7	19.9	15.2	4.7	19.9	15.2	4.7	19.9	15.3	5.6	20.9	16.39	5.19	21.58
June 1	14.2	4.7	18.9	14.2	4.7	19.9	15.7	4.2	19.9	15.3	5.6	20.9	16.07	5.36	21.43

[1] Esso established fair trade prices Apr. 20, 1956.

NOTE.—This table shows how fair trade laws can promote low prices while preventing unfair competition.

Source: Before July 1, 1956: Department of Statistics, American Petroleum Institute. Starting July 1, 1956: National Petroleum News.

TABLE II.—*New Jersey gasoline price changes during fair trade (excluding 7¢ tax)*

[In cents]

After fair trade	Tank-wagon price to dealer	Service station price
Apr. 30, 1956	14.9	19.9
Jan. 10, 1957	15.9	20.9
June 26, 1957	16.1	21.1
July 30, 1957	15.9	20.9
Oct. 2, 1957	14.9	19.9
Dec. 6, 1957	[1] 14.9	18.9
Mar. 1, 1958	15.2	19.9
May 8, 1958	14.2	18.9
June 20, 1958	13.2	17.9

[1] Less ½ cent voluntary.

NOTE.—This table shows how fair-trade laws can promote price flexibility while preventing unfair competition.

Hon. Al Ullman

EXTENSION OF REMARKS
OF
HON. JAMES A. HALEY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. HALEY. Mr. Speaker, as chairman of the Indian Affairs Subcommittee that has handled the Klamath Indian termination problem, I want to pay tribute to a Congressman who has quietly and effectively rendered a great service to his State and the Nation.

Congressman AL ULLMAN, of Oregon, who joined this committee as a freshman in this Congress, is the man who is responsible more than anyone else in the Congress of the United States for the successful conclusion of the important Klamath Indian legislation that was passed last week and is now before the President for signature. The bill that was enacted was introduced at Congressman ULLMAN's request last January. It had few friends and was given virtually no chance of enactment. Yet, due to Congressman ULLMAN's diligent efforts, his persistence and personal influence, the impossible was accomplished and the bill passed not only the committee, but was overwhelmingly approved in the House of Representatives. Many of us who are very much opposed to Federal acquisition of additional lands have gone along with this program because we have been convinced that there is no other immediate equitable solution.

Congressman ULLMAN has never sought the spotlight on this problem. He is not the kind of man that seeks headlines or publicity. It is for this reason that I want the people of his Second Congressional District in Oregon to know that without his dedicated efforts there would be no solution to the Klamath problem today.

It was my privilege to visit Congressman ULLMAN's Congressional District last fall and stop at the Klamath Indian Reservation. Congressman ULLMAN, Congressman SHUFORD, and I spent 2 days there. We made an intensive trip through the reservation—we discussed the problems with community leaders and with others intimately familiar with the problems. This has been one of the most difficult and perplexing matters to come before the committee for many years. The fact that we have arrived at an equitable solution to the problem is a great tribute to a fine Congressman. It is my hope that the citizens of Oregon's Second District will give AL ULLMAN the credit that is due him and will keep him here in Congress where he is rendering such important service to his District and the Nation.

Today in Congress, by Joseph McCaffrey

EXTENSION OF REMARKS
OF
HON. WILLIAM H. AYRES
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. AYRES. Mr. Speaker, every day during this session a distinguished radio commentator, Joseph McCaffrey, has been heard in Washington covering the workings of Congress. This program entitled "Today in Congress" was sponsored as a public service by the Independent Airlines Association and I should like to emphasize that it really was an outstanding public service. Mr. McCaffrey's reporting and presentation was of the most accurate and outstanding order in the tradition of the finest journalism to which the public is entitled.

Mr. McCaffrey's program was particularly distinguished by its fairness and impartiality. In covering a body whose lifeblood is controversy every side of the issue was scrupulously reported without prejudice and, what is more, in a lively, and interesting manner.

What made the McCaffrey program outstanding was the fact that it not only dealt with the major headline events

but really covered the workings of the Congress and gave time to many vital and constructive efforts here on the Hill even though they were not of the sensational and headline catching variety. This made for a sort of oral CONGRESSIONAL RECORD from which you could get a comprehensive picture of the workings of the House and Senate, the committees, the personalities, the human interests and the humor which only an observer and commentator of the greatest talent could capture and compress into a 15-minute broadcast.

I know that I do not speak just for myself when I say that the program was a most valuable service and that I certainly hope it will be back on the air just as soon as the Congress reconvenes.

The So-Called States Rights Bill

EXTENSION OF REMARKS
OF
HON. ALBERT GORE
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Friday, August 22, 1958

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter which I have today dispatched to Mr. Tom J. Hitch, president of the Tennessee Farm Bureau Federation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Mr. TOM J. HITCH,
President, Tennessee Farm Bureau,
Columbia, Tenn.

DEAR TOM: I thank you for your telegram regarding the so-called States rights bill. Though other pending bills could be described by the term "States rights," I take it that you refer to H. R. 3, since it is the most publicized of the several States rights bills.

It appears to me basically sound for Congress to proceed to protect its legislative prerogatives from undue encroachment by the judiciary through court construction of legislative intent, if general application is confined to future legislation. This is particularly true with respect to the doctrine of preemption. I am prepared to support the substance of H. R. 3 with respect to legislation enacted hereafter. This was the recommendation of the United States Senate Judiciary Committee.

The retroactive provision of H. R. 3 appears unsound. The more this provision and its effect were analyzed and debated, the more unsound it appeared, and the less support it had in the Senate. I think it would be quite unwise and unsettling to pass a seemingly simple bill which deals retroactively with all existing law.

Evidence has been presented to show, for instance, that H. R. 3 would unsettle existing law in such diverse fields as interstate commerce, the marketing of farm products, the inspection of food products, drugs and chemicals under Federal and State pure food and drug laws, and the like. The Attorney General of the United States has strongly recommended against H. R. 3, stating it would raise many legal questions. Other eminent authorities have suggested that the retroactive provision of this bill, if enacted, would create more problems than it would settle.

Yesterday, I voted against recommittal of the Bridges bill. This, too, was a so-called States rights bill. I supported it because it dealt specifically and carefully with the doctrine of preemption on the question of sedition.

I did not wish to see this sound measure recommitted and killed because an unsound amendment to it had been proposed but not adopted. With further consideration, it may even have been possible to amend the amendment into acceptable form.

I am prepared, as I have said, to support a general rule of construction, such as proposed by H. R. 3, with respect to future legislation, but cannot at this time vote to apply it retroactively when the consequences are entirely uncertain but surely far reaching. This would be like leaping backward in the dark.

I appreciate having the benefit of your views on this and other subjects.

Sincerely yours,

ALBERT GORE.

The Federal Trade Commission Does Not Have and Will Not Request the Necessary Funds To Act Against the Gigantic Fraud of Fictitious Pricing

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. THOMPSON of New Jersey. Mr. Speaker, the Federal Trade Commission is now participating in the false advertising it is supposed to prosecute. I refer specifically to the press release of the Federal Trade Commission on August 22, 1958, in which it announced the Commission intends to act against the gigantic fraud of fictitious pricing. It proposes to adopt an 8-point advertising guide to eliminate fraudulent pricing on an industrywide basis. This is so much window-dressing. The Commission knows, the Congress knows, and the public should know, that the guides cannot be enforced because there is no money for their enforcement. The plain truth is that the Commission does not have and will not request of Congress or the Bureau of the Budget the money to enforce the guides for the benefit of the public.

The real deception is that the announcement lulls the purchaser into restful submission to shameless lying by industry concerning the value of offered products, "Regular $50 value, now only $25," when in truth the product has never sold for $50 and many times has not sold for more than $17.50. Under these circumstances, the Commission announcement is another license to dishonest advertisers to continue defrauding the working man, the pensioner, and social-security client, and the poor in desperate need of honest bargains.

I raised this matter once before in an attempt to stir action to protect the buying public. I mentioned then, and I repeat, that the best hope of preventing these practices is the Trade Commission's Bureau of Consultation. It was pointed out then that an additional $100 000 should be added to the pending appropriation in order that advertising guides could be used to eliminate fictitious pricing. If this money is provided, the voluntary and industry-cooperation methods of the Bureau of Consultation, supported by prosecution of violators, could be used to stamp out this cheating. Instead of accenting the industrywide approach to the problem, the Commission now proposes to launch a piecemeal attack on individual violators without adequate administration or policing of industry guides.

The Commission's present effectiveness in the battle of fictitious pricing can be deduced from its own press release. It alleges that 30 percent, or approximately 71 cases, of its 235 issued orders in the past year dealt with fictitious prices. You can find that many comparative pricing claims in any Sunday edition of the newspapers in Washington, D. C., without looking to advertising in such States as New York, New Jersey, Pennsylvania, Illinois, California, or Ohio.

Congress should look again at the operation of the Federal Trade Commission with respect to its efficacy in protecting the buying public. Minus an interference in its normal processes by another branch of the Government, the Commission is doing a creditable job within a limited sphere. But the limitation is self-imposed and its power is not fully used to protect the ultimate consumers of goods.

There is little or no effort being made to mobilize the honest advertisers and the voluntary business organizations, such as the better business bureaus and the Advertising Federation of America, behind a nationwide concerted drive against fraudulent pricing. What has been done constructively so far has been done by the Bureau of Consultation. That bureau's effectiveness has been limited by reluctance to provide it with adequate funds for administration of voluntary clean-up programs and advertising guides for entire industries.

The press release also states that it will make no difference whether advertising guides are issued to the Commission staff or to industry, the effect will be the same. It seems obvious that unless all members of an industry are bound by an industry guide, no member will consider himself bound. Individual violators will be subjected to prosecution while their competitors continue fraudulent pricing practices. The eventual benefit sought for the working man, the social-security pensioner, the small-income family, will be lost and forgotten in the shuffling papers of the Trade Commission.

I am thoroughly in favor of the advertising guides. I am in favor of their use to protect the ultimate consumer. But I am deeply concerned by the Commission's reluctance to adopt adequate measures for administration and enforcement of the guides. There must be a proper presentation of the facts to Congress and the public on the damaging effects of fictitious pricing, and there must be an allocation of sufficient funds and personnel for effective administration of the guides. Until this is done, the Federal Trade Commission is substituting words for action and is falsely representing its services to the public.

Congressman Moore To Tour District

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MOORE. Mr. Speaker, as this session of Congress draws to a close, we all are looking forward to an opportunity to return to our respective States and visit and talk with the people whom we have the honor to represent here in the Congress.

Inasmuch as the First Congressional District of West Virginia is only an hour's time from Washington by modern air travel, I have made every effort to spend as much time as possible, in my district, even while the Congress was in session. This has permitted me to better help and assist the people in my district and has given me a better-than-average knowledge of conditions in West Virginia and how the folks back home feel on particular legislative issues. Also, throughout the session, I have maintained an office in the district to better serve my constituents, and I have made a great many personal appearances and speeches in the seven counties which I represent.

However, the limited time which I have been able to spend in my district has not permitted me to travel about as much as I would like, and to talk with persons who have problems on which I, as their Congressman, might be of assistance. Consequently, I am looking forward to adjournment as a time when I might visit each community and hold regular office hours during which time persons might drop in to say hello or to sit down and discuss specific problems.

In preparation for these annual visits in each community, I have made arrangements for office space in various courthouses, post offices, and other civic buildings where it will be convenient to meet and privately discuss problems with individuals, who might want to see me. The following schedule has been arranged and in each instance the time shown is local time in the particular community:

Monday, September 22, Hancock County: 10 a. m. to 12 noon, City Building, Chester; 1:30 to 4:30 p. m., courthouse, New Cumberland.

Wednesday, September 24, Hancock County: 9:30 a. m. to 4:30 p. m., post office building, Weirton.

Thursday, September 25, Brooke County: 9:30 a. m. to 4:30 p. m., courthouse, Wellsburg.

Friday, September 26, Ohio County: 9:30 a. m. to 4:30 p. m., post office building, Wheeling.

Monday, September 29, Marshall County: 9:30 a. m. to 5 p. m., courthouse, Moundsville.

Wednesday, October 1, Taylor County: 9:30 a. m. to 4:30 p. m., post office building, Grafton.

Thursday, October 2, Marion County: 9:30 a. m. to 5 p. m., courthouse, Fairmount.

Tuesday, October 7, Wetzel County: 9:30 a. m. to 12 noon, courthouse, New Martinsville; 1:30 to 4:30 p. m., city hall, Pine Grove.

Wednesday, October 8, Wetzel and Marshall Counties: 9:30 a. m. to 12 noon, city hall, Cameron; 1 to 4 p. m., city hall, Hundred.

Thursday, October 9, Marion County: 9:30 a. m. to 12 noon, post office, Farmington; 1:30 to 4:30 p. m., city hall, Rivesville.

These visits in the various cities and towns are as informal as we can possibly make them, and workers, businessmen, and housewives are urged to drop by for a chat. No appointments are necessary and all persons are welcome to come as "they are" to see and visit with their Congressman. I hope the tour this year will be as successful as it was last year when we had several hundred people each day stop by our "mobile" office to let me know their feelings on various matters.

In addition, I would like to mention that my District office, located in the Mercantile Bank Building in Moundsville, is open 6 days a week to serve the residents of the First Congressional District. When I am out of the office on official business, there is always a competent member of my staff available to answer questions or assist persons with their problems. I always welcome having my friends call upon me whenever my services might be of particular assistance.

Charles A. Fisk

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. ROGERS of Texas. Mr. Speaker, it is with sorrow I advise this honorable body of the passing of my good friend, Mr. Charles A. Fisk, of Amarillo, Tex. Many Members of the Congress were personally acquainted with Charlie Fisk who was one of the giants of Texas and indeed, of America. His contribution to the progress, growth, and development of Amarillo and the Panhandle of Texas is unequalled and his magnificent influence and guiding hand was evident for more than a half century.

Mr. Fisk's occupation will be noted in history books as a banker, in which profession he was instrumental in establishing the Amarillo Bank & Trust Co., where he served as an officer for 29 years. His great contribution will be remembered and evidenced forever, however, as a builder of institutions which serve the welfare of the community for generations. The account of his worthwhile civic and philanthropic contributions to Amarillo, the Panhandle, the State of Texas, and to the Nation is unending. More, he was a builder of men and his life, and those he touched, magnified the fundamental principles which go to make for greatness. Considerable of his success has been attributed to his love for people and the fact that he possessed an avid memory for names, faces, and incidents. He enjoyed a rare sense of humor and always had time to swap jokes with visitors to his home or office.

Along with untold others, I count his friendship my good fortune and rich experience. I mourn his passing today but I rejoice always in the example of his life and the indelible stamp he made for posterity in the Panhandle of Texas. To his widow, his daughter, and his son, I extend my sincere sympathy in which I know this body joins me.

Voluntary Program "Enforcement"

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. EDMONDSON. Mr. Speaker, does the "buy American" directive really have any teeth, as a means of assuring importing-company compliance with the voluntary imports program?

The brief filed by Government lawyers in answer to the complaint of Eastern States Petroleum and Chemical Corp., against the "buy American" provision and the whole voluntary program, points out that (1) a noncomplying importer is forbidden to sell to the United States Government only those products made from crude oil imported in excess of the company's quota, (2) the company is barred from selling these products only in the United States, and (3) the company may obtain in-quota crude from any other importer and sell products made therefrom to the Government. As the brief points out, products made from crude in excess of the quota also can freely be sold to non-Government purchasers.

Said the Government brief:

Plaintiff * * * is free to import as much oil as it chooses. It is free to sell any such oil to any non-Government purchaser. It is free to make contracts for the sale of petroleum products to the Government, and is free to deliver thereunder any products except those made in whole or in part from crude which appellant itself or others have imported in noncompliance with this program. Thus, plaintiff can obtain crude from any other complying producer or importer and deliver to the Government products made therefrom. Furthermore, since the Executive order applies only to purchases within the United States, plaintiff can sell its products made from its noncomplying crude to Government installations abroad.

Meanwhile, some small refiners and other importers who do not sell products to the Government, and are thereby not affected even remotely by the so-called enforcement machinery, are watching what happens to Delta Refining Co. of Memphis. That company, according to Administrator Carson, is importing crude without a quota. It not only began importing before its quota became effective, but is reportedly exceeding that quota by a hundred percent.

If the Eastern States suit does not knock out the enforcement machinery altogether, and nothing is done to change the voluntary program, a number of other importers are expected to begin disregarding the quota, since there is no penalty attached for those who are not trying to sell the product to the military.

Robert E. Howe

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. SAYLOR. Mr. Speaker, in addition to his constituents, a Congressman meets thousands of people each year, and many of them he comes to know well. Of all the people I have come to know during my 9 years in Congress one of them stands out clearly in my mind as one of the finest men I have ever known. He is Bob Howe, director of Labor's Nonpartisan League.

Bob Howe is one of those rare individuals who inspires confidence in the people that meet and get to know him. He has a warm, rich sense of humor and a deep understanding of people and their problems. He goes about his business in a quiet but confident manner and leaves with everyone a feeling of warm affection, as well as respect. He knows what he is talking about, means what he says, and his word is always as good as gold. Bob has fine, genuine friendly qualities that people sense when they meet him, and come to know without any question of doubt as time goes on.

Robert E. Howe was born in What Cheer, Iowa, in 1894, into an English mining family—his father came to the United States as a boy—but spent most of his boyhood years in mining camps and towns in Montana and Illinois. In 1910 he joined the UMWA as a summertime trapper at the Oak Ridge mine near Johnston City, Ill.

Leaving high school after 2 years, he attended business college for a year and then, in 1914, went to work as a flagger in Old Ben Coal Corp.'s No. 8 mine at West Frankfort, Ill. His father, who belonged to the United Mine Workers' Association until he became a mule boss, was motor boss for many years at Old Ben No. 8 and, Bob recalls, this circumstance was not always conducive to family harmony during working hours. He spent 25 years at the No. 8 mine during which time he became a motorman, acquired mine examiner papers—but never worked at it—and served in practically the whole gamut of offices in local 959, from toolkeeper to pit committeeman and president.

In 1939, Hugh White, then vice president and now president of district 12, delegated Bob Howe for a special legislative mission in Washington to work for the passage of a mine safety bill under Earl Houck, United Mine Workers' Association legal director. Bob had no previous lobbying experience, but he knew something about mine safety and he had a persuasive manner. His baptismal experience in the Congressional arena was disquieting and at times unnerving, but he did not lose any Senators in this initial try. The safety bill passed the Senate but failed in the House. Bob went back to the mine after Congress adjourned and was recalled to Washington several times during the next year or two to work on other legislative matters, including the Guffey coal bill. The mine safety bill, setting up the Federal inspection system, finally passed in 1941.

In 1940 John T. Jones was made director of the reorganized Labor's Nonpartisan League and Howe became a full-time staff member.

Upon the death of John T. Jones in 1955, the international executive board of the United Mine Workers Association appointed Bob Howe to succeed him as director of Labor's Nonpartisan League, and he is doing a fine job.

Bob Howe has never lost touch with the men that he worked with for so many years in the mines and whose troubles and pains as well as joys and happiness he shared. His basic concern is, and I am sure always will be, for those men and their families. I consider it a privilege and an honor to have known and worked with him. I know that hundreds of my colleagues here on Capitol Hill, as well as thousands of people out in the coal mine areas, join me in this expression of deep affection and genuine respect for Bob.

A Change of Policy for the Better

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MULTER. Mr. Speaker, since I have not hesitated to call the Federal Reserve Board to task when they were doing something which I thought was wrong, I think it is appropriate that I give them a pat on the back when they do something which I think is right.

On June 30, 1958, I wrote the Chairman of the Board a letter as follows:

JUNE 30, 1958.

Hon. WILLIAM MCC. MARTIN, JR.,
Chairman, Board of Governors,
Federal Reserve System,
Washington, D. C.

DEAR MR. CHAIRMAN: During the course of the hearings on the problems of small-business financing in April of this year, Chairman PATMAN raised the question about the occupancy of a part of Federal Reserve bank premises by the American Bankers Association.

I am now advised that the New York State Bankers Association occupies a portion of the Federal Reserve bank premises at 33 Liberty Street, New York City, and the Maryland State Bankers Association occupies a portion of the premises of the Federal Reserve bank building in Baltimore, Md.

It is also my understanding that the letterheads of these various associations carry the name of the association and under it, as the address of the association, the address "Federal Reserve Bank Building."

I will appreciate your advising me whether or not the Federal Reserve Board intends to discontinue this practice of renting space to bankers' associations and, if so, when the policy will be implemented.

With kindest regards, I am,

Sincerely,

ABRAHAM J. MULTER.

I am pleased to direct our colleagues' attention to the fact that on August 14, 1958, the Chairman of the Board wrote me as follows:

AUGUST 14, 1958.

Hon. ABRAHAM J. MULTER,
House of Representatives,
Washington, D. C.

DEAR MR. MULTER: This is in further reference to your letter of June 30 regarding rental of space in Federal Reserve bank buildings to bankers associations. As you were advised in my letter of July 8, the Board's views would be communicated to you as soon as a review of the matter had been completed.

The facts are these. The New York State Bankers Association has been a tenant of the Federal Reserve Bank of New York since 1930. The association was accepted as a tenant because the Reserve bank felt that discussion of matters of mutual interest to the Reserve bank and commercial banks would be facilitated by such an arrangement.

The Board recognizes the reasons which prompted the Federal Reserve bank to enter into the arrangement, but after review has come to the conclusion that it should be discontinued.

The situation at the Baltimore branch is quiet different. The use of space there arises solely from the fact that the present executive manager of the Baltimore Clearinghouse also serves as secretary of the Maryland Bankers Association and is permitted by the clearinghouse to perform his bankers association duties in the quarters which the clearinghouse rents from the Baltimore branch. The branch has no lease or other direct arrangement with the bankers association.

In this case also, the Board has come to the conclusion that the arrangement whereby the bankers association occupies space in the Federal Reserve branch building should be discontinued.

Accordingly, the Board has initiated steps to terminate the arrangements as soon as that can reasonably be done.

Sincerely yours,

WM. MCC. MARTIN, JR.

I think it was a mistake in the first instance to permit private banking associations to occupy space in Government buildings. It is particularly bad when the associations' letterheads made it appear that they were part of the Federal Reserve System, a wholly Government-owned institution.

I congratulate the Federal Reserve Board for having changed its policy as indicated by its Chairman's letter.

Gustavus Vasa Fox

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MACDONALD. Mr. Speaker, Alaska has waited patiently for many years to become a member of our family of States. On July 7, 1958, President Eisenhower signed Public Law 85-508 which permitted Alaska to become the 49th State of the United States of America. People throughout the world have heralded this act of granting statehood for Alaska as dramatic proof of the dynamic characteristics of democracy in America.

It would be impossible to enumerate all the persons who assisted in the passage of this legislation. But I think it would be a mistake, indeed, if I did not call attention to a man who did as much as anyone, at least, in laying the groundwork for this historic event.

I refer to Gustavus Vasa Fox, Assistant Secretary of the Navy during the Civil War years, who was born on June 13, 1821, in Saugus, Mass., which I am privileged to represent here in Congress. The son of Dr. Jesse and Olivia (Flint) Fox, he received his academic training at Phillips Academy in Andover, where I was pleased to follow in his footsteps. He received an appointment to the United States Naval Academy at Annapolis, and graduated in 1841. Fox served as an officer in the United States Navy for the next 15 years. He served in the Mediterranean area, and with the Coast Guard for a time, and had special assignments of commanding the United States mail steamships, *Ohio* and *George Law*. During the Mexican War, Fox was busy transporting troops to Vera Cruz. In 1852, Midshipman Fox was promoted to the rank of lieutenant, and in 1856 he resigned his commission in favor of entering the business world. Shortly after resigning, he married Virginia Woodbury, the daughter of Judge Levi Woodbury of New Hampshire, and became affiliated with the Bay State Mills in Lawrence, Mass.

Immediately preceding the outbreak of the Civil War, General Winifield Scott was anxious to send provisions and relief to Fort Sumter in the Charleston Harbor. Montgomery Blair, the Postmaster General, and a relative of Fox by marriage, recommended that Scott confer with Fox about the matter. Summoned to Washington in February 1861, Fox unveiled his elaborate plan to provide Fort Sumter with supplies and relief. President Buchanan rejected the plan but in March, shortly after his inauguration, President Lincoln authorized Fox to initiate his plan which the President hoped would bring relief to the garrison in time. Fox, a volunteer with no military status in the United States Navy at this particular time, set out from New York on April 9 with an impressive naval squadron, composed of 4 battleships, 3 steam tugs, and the steamer *Baltic* which he commanded. He arrived at the Charleston Harbor 3 days later, on the morning of April 12, and witnessed the bombardment of Fort Sumter. His plan, through no fault of his own, was turned from almost complete success into heartbreaking defeat. Having been forced to evacuate the garrison, Major Anderson, the commanding officer, and 70 men were taken on board the *Baltic* by Fox and brought back to New York. President Abraham Lincoln, writing personally to Fox concerning the failure of his mission, commented:

I most cheerfuly and truly declare that the failure of the undertaking has not lowered you a particle, while the qualities you developed in the effort have greatly heightened you in my estimation.

For a daring and dangerous enterprise of a similar character you would today be the man of all my acquaintances whom I would select.

In May 1861, Fox was appointed Chief Clerk of the Department of the Navy, under Secretary Gideon Welles, and a few months later, in August, he was appointed Assistant Secretary of the Navy when that position was created.

Serving as the right-hand man of Secretary Welles, Fox applied much diligence and exerted all the energy at his command to improve the efficiency and fighting power of the Navy. For his many labors and efforts, Fox has been given credit for his contribution to the naval strategy which evolved during the Civil War. When Fox resigned from the Department after the great conflict, Secretary Welles had the following to say:

I regret to lose him from the Department, where, notwithstanding some peculiarities which have caused dissatisfaction with a few, he is of almost unvaluable service, and he has in him a great amount of labor. He has a combination of nautical intelligence and commonsense such as can hardly be found in another, and we have worked together with entire harmony, never in a single instance having had a misunderstanding. I have usually found his opinions sensible and sound. When I have had occasion to overrule his opinions, he has acquiesced with a readiness and deference which won my regard. His place I cannot make good in some respects.

In April 1866, an attempted assassination on Czar Alexander II of Russia occurred which prompted the adoption of a Congressional resolution expressing the sentiment that the American people were happy that the Czar's life had been spared. President Johnson on this occasion selected Gustavus Fox to deliver this public expression to the Czar.

Fox left the United States in May 1866, taking passage on a monitor, the *Miantonomoh*, to demonstrate that this type of vessel was a seaworthy carrier. The Fox entourage on reaching Russia was received with great cordiality by the Czar and his court. Many gifts and memorials commemorating the occasion were presented to Fox and the members of his party. The mementos given the American envoy now form the Fox collection in the United States National Museum; they were presented to the museum by Mrs. Fox.

Fox returned to the United States in December 1866, after touring Europe, and settled in Lowell, Mass., where he became an executive with the Middlesex Mills. While living in Lowell, he was visited in 1871 by the Grand Duke Alexis, third son of the Emperor. A few years later, Fox became affiliated with the firm of R. Mudge, Sawter & Co., in Boston. He died shortly thereafter, on October 29, 1883, in New York City.

It should be pointed out that in his obituary the Boston Evening Transcript of October 30, 1883, reported that:

Captain Fox might have obtained from the United States Government an admiral's commission, had he not declined to ask for it, but accepted the special mission to Russia as the sole reward for his valuable services. One result of his visit to Russia was the purchase of the Territory of Alaska by the United States Government. In the negotiations concerning this purchase Mr. Fox took an active interest after his return from Russia.

Mr. Speaker, it is a great pleasure for me to be able to call to the attention of my colleagues, the life and characteristics of a man, who, I like to think, is typical of the District I am privileged to represent.

Coal and Manpower—West Virginia's Most Precious Assets

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MOORE. Mr. Speaker, ofttimes various Congressmen are accused, or credited as the case might be, of championing a particular cause. If there has been any cause which I have boosted to the exclusion of others during my tenure in Congress, it has been that of coal and those who mine it, because it is the lifeblood of my District and our great State of West Virginia. I have had a particular interest in the coal miners and the coal production of the Mountain State for a great many years. Members of my immediate family have long been connected with the coal fields of our State. As a youth, I can recall many discussions about the conditions in the coal mines because it was a barometer as to whether a number of my friends would eat beans or steak. The individual prosperity of every family in West Virginia can be fairly well gaged by the rise or fall in the price of coal and the number of tons produced in a particular year. Coal is to West Virginia, what corn and wheat is to the Plains States, and as cotton is to the Southern States. We live and breathe and literally eat or starve according to the fluctuations in the coal market.

Why is coal production so important to West Virginia? One need look no further than the statistics of the annual production of bituminous coal in the United States to gain the answer to this question. In 1957, the latest year for which statistics are available, West Virginia produced nearly a third of the entire coal mined in this country, the exact figure being 31.63 percent, or 155 million tons out of a total of 490 million tons of coal produced in the Nation. There were 228,163 men employed in the bituminous coal industry in the United States last year, and of these workers, 71,996 were West Virginians.

Consequently, as the Congressman from the First Congressional District, I

have determinedly battled for legislation and governmental policies which will be beneficial and helpful to the coal miners and producers not only in West Virginia, but throughout the Nation. During this past session of Congress, I have introduced and supported several bills which would restrict and control the amount of residual fuel oil permitted to enter the United States from abroad and which over the years has consistently cut into the markets for West Virginia coal and caused unemployment in our State. I have also introduced a bill encouraging research to find new and additional uses and markets for the coal which we produce.

On the other hand, I have vigorously opposed public-power bills such as that which would permit further expansion of the Tennessee Valley Authority which has cost the American taxpayers billions of dollars and destroyed markets for West Virginia coal and robbed us of many industries which would have located in our State except for the cheap power of TVA. These industries would have burned West Virginia coal if they had located in our State. In addition, I have encouraged Government agencies and private industries to utilize more coal for heating and production, and have devoted considerable attention to the West Virginia coal-by-wire theme, which has created a unique partnership between our coal producers and private power companies which utilize coal to produce electric power for our homes and industries.

During this session of Congress, I have actively supported bills which would benefit West Virginia miners. I also took a leading role in helping to enact legislation extending unemployment compensation benefits received by idled coal workers from 26 to 39 weeks. Along with other Congressmen, I helped to defeat the antilabor Kennedy-Ives bill which was rightfully and vigorously opposed by union leaders such as John L. Lewis and by the membership of the United Mine Workers, which has done such a magnificent job in improving the working conditions, wages, and employment opportunities for the coal miners of West Virginia and throughout the Nation. Mr. Speaker, I would like to pause here and pay my deep respect to the leader of this great union, John L. Lewis. He has and is doing a tremendous job for the coal miners of my District and State. He has, by example, set a pattern I would like other labor leaders to follow.

Through personal negotiation and letter writing, I have encouraged and urged the State Department and the International Cooperation Administration to help seek new foreign outlets for coal produced in West Virginia, and have insisted that the "buy American" clause be inserted in all legislation or contracts which might in any way affect the mining and purchase of coal produced in the United States. I have helped to block several bills and some international bartering agreements which would have adversely caused harm to our domestic economy.

My experiences as the Congressman from the First Congressional District of West Virginia has at times been frustrating, but I have never laid down the gantlet insofar as the battle for serving the best interests of the people of West Virginia is concerned. I have especially felt rewarded in regard to my efforts to assist the coal miners and coal producers of the Mountain State. Nothing warms the heart of a Congressman so much as a letter of appreciation and I have received my share of thank-you notes from grateful coal miners and other citizens, all of whom are interested in seeing the coal economy of West Virginia continue to prosper in the years ahead.

I can assure the people in my District that I will continue to lend my best efforts to serve their needs and to help the coal industry prosper and thrive, so long as I have the honor to act as their Representative in the Congress of the United States.

Trinity Project Power Facilities

EXTENSION OF REMARKS
OF
HON. JAMES B. UTT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 22, 1958

Mr. UTT. Mr. Speaker, the majority of the House Committee on Interior and Insular Affairs have taken action on the Trinity partnership in spite of the obstacles thrown in their paths by the chairman of the committee.

Seventeen of the 31 members of the committee have signed a statement which has been sent to the Secretary of the Interior, to the Bureau of the Budget and to the House and Senate Appropriations Committees.

In this statement the majority of the committee urged "that the Secretary of the Interior not request funds, and the Appropriations Committees not approve funds for the Trinity project power facilities until such time as the Congress has had ample opportunity to carefully consider and act on this legislation."

This action was necessary because the chairman of the committee simply refused to let Trinity partnership legislation be acted on by the committee—this in spite of the promises which he made to other members and to me.

When Congress authorized the Trinity project, it specifically directed the Secretary of the Interior to study the proposition of selling the Trinity falling water to a non-Federal agency and let this agency build the Trinity power facilities—and advise Congress of the results of his studies and his recommendations.

The Secretary did what Congress directed him to do. He invited the non-Federal agencies in California to come up with proposals to buy Trinity falling water. Only the Pacific Gas & Electric Co. submitted a proposal. The Secretary studied this proposal and submitted his recommendations to the Congress.

On June 9, 1955, when the Trinity authorization bill was being considered on the House floor, the chairman promised to "hear" the partnership proposal on its "merits." He also referred to the almost unanimous endorsement of the project. The chairman knew at the time that without the provision directing the Secretary to report on a partnership proposal this support would not have been present and without it Trinity project authorization would not have been approved by his committee or passed by the Congress.

So the chairman did what suited his purpose at the time. But when it came time to deliver on his promises he resorted to various tactics to prevent a committee vote on the partnership proposal.

Assuming that the chairman intended to make good on his promises of June 1955 and subsequently, I announced that I intended to ask for a vote to make the partnership bill the pending order of business before the committee. But before I could do so the chairman began to maneuver. He let it be known that through additional hearings and other delaying tactics he intended to keep the bill before the committee indefinitely and thereby bar action by the committee on any other pending bills during this session.

He was thus willing to bottle up all other legislation pending before the committee including the saline water conversion bill—a bill in which he professed much interest. I decided to defer action on the partnership bill in order to expedite passage of other important bills, some of which had already passed the Senate.

Hearings on the partnership legislation were completed last February. If the chairman had any intentions of keeping faith with his prior commitments he would have himself called up the bill for committee action. He didn't have the votes to kill it so he resorted to these tactics.

I and other members of the committee have bent over backward to accommodate the chairman. He pleaded with me and other members of the committee to please not call up the bill for action until after the June primary, even though he should have disposed of the matter long before that. In order to accommodate him and be eminently fair we agreed on condition that he agree to a definite date for action.

Faced with this and because it suited his purposes for the moment, he agreed to consider the bill June 11.

Then what happened? The Democratic leadership of the House called the House into session at 10 the morning of June 11 and as a result the committee did not meet that morning. But did the chairman act in good faith and set another date? He did not and he has not to this date, but instead has resorted to all sorts of parliamentary maneuvers to prevent committee action.

But if he and other Federal power advocates think they are going to win by default and force Federal construction of Trinity power facilities by delaying tactics—I can say they are mistaken. The majority of the committee want an opportunity to act on this proposal which they themselves directed the Secretary to submit.

But then the majority of the committee are not dictated to by the Federal-or-nothing policy of certain Sacramento interests who want more below-cost power for the Sacramento Municipal Utility District. They want more cheap power to the few at the expense of the many. Apparently to them the customers of this free-loading district represent all the people. Well they do not to me. I want the benefits of Trinity partnership to flow to all the electric consumers; all the water users and all the taxpayers. But then, I am not a stooge of the Federal-or-nothing Sacramento interests.

Testimony before our committee revealed that the Sacramento Municipal Utility District—SMUD—now has a 40-year contract with the Department of Interior for the purchase of over two-thirds of the firm power capacity of the entire Central Valley project. Congress has already appropriated over $800 million for this project. When Congress authorized the Central Valley project, it specifically provided that power revenues were to be used to financially aid and assist the water features of the Central Valley project. Trinity is now an integral part of the Central Valley project. If the Federal Government constructs the power facilities at Trinity, power revenues will be used to financially aid and assist the Sacramento Municipal District. They cannot aid and assist the water features as required by law simply because the power would be sold to SMUD at less than its cost of production.

Testimony before the committee revealed that power from Federal Trinity plants would cost between 7.3 and 8.9 mills per kilowatt-hour to produce. Yet the great bulk of the power would go to SMUD at less than 5 mills per kilowatt-hour. SMUD uses about 1 billion kilowatt-hours per year and the difference between 5 mills and 8 mills is 3 mills, so 3 mills times 1 billion kilowatt-hours is $3 million which the water users of Central Valley project, the Federal taxpayers and all other Americans are going to have to put up so that SMUD can have another block of the low-cost power.

Contrast this with the results of partnership development which is embodied in my bill and similar bills by Congressmen HUBERT SCUDDER and CHARLES GUBSER, both from California.

If the Pacific Gas & Electric Co., instead of the Federal Government, builds the power facilities, the company, not the Federal taxpayer, will put up the $60 million cost. Under partnership the Trinity power facilities will not be a drain on the water users and the taxpayers for the benefit of SMUD but instead a surplus of over $175 million over the repayment period will accrue which can be used to financially aid and assist the water features of Central Valley project as required in the authorization act. Further, Federal tax payments of over $80 million would be paid by the company which could be used for other needed water development and reclamation projects in California and elsewhere in the Nation. In addition, State and local governments would receive some $60 million in taxes from partnership—nothing from all Federal.

So you have $60 million saving in capital cost plus $175 million surplus available to water features plus $80 million in Federal tax payments, plus $60 million in State and local tax payments, which add up to $375 million advantage of partnership over all-Federal Trinity. This is more than the cost of the San Luis project. We should consider this when San Luis comes before the committee next year.

Yet even in the face of all of these facts, the chairman has seen fit to bottle up this legislation in the House Interior Committee. We have his own words for this. He was quoted in the California press: "It (the partnership proposal) is still before a subcommittee—in the basement, that is—and I am going to try to keep it there."

Faced as we are with a $12 billion deficit and the necessity of again increasing our national debt ceiling, it seems to me that it behooves the Congress and its committees to act wherever and whenever possible to hold down all Federal costs and Federal appropriations of taxpayers' money.

Certainly we should not be advocating the expenditure of Federal dollars when a non-Federal agency is willing to undertake a task such as Trinity partnership and under proper Government controls and regulations.

Mr. Speaker, I am appending hereto a copy of the petition to the Secretary of Interior as follows:

We, the undersigned, representing the majority of the members of the Committee on Interior and Insular Affairs of the House of Representatives, have carefully considered the testimony on H. R. 6997, H. R. 7407, and H. R. 10005, which are identical bills to provide for the joint development of the water-power resources of the Trinity River division, Central Valley project, California, by the United States and Pacific Gas & Electric Co., to reduce expenditures of the United States, to increase revenues of the United States, to encourage the most widespread use of the power generated at the lowest possible rates to consumers consistent with sound business principles, and for other purposes.

The Congress, when it passed the Trinity Authorization Act (Public Law 386, 84th Cong., 1st sess.), directed the Secretary of the Interior to report to Congress the results of his studies and his recommendations with respect to joint development of the Trinity power facilities. The results of the Secretary's studies and his recommendations are embodied in these bills.

Since there does not remain sufficient time in this, the 2d session of the 85th Congress, to further consider and act on this legislation, we urge that the Secretary of the Interior not request funds, and the Appropriations Committees not approve funds for the Trinity project power facilities until such time as the Congress has had ample opportunity to carefully consider and act on this legislation.

A copy of this statement is being forwarded to the Secretary of the Interior and to the House and Senate Appropriations Committees.

A. L. MILLER, JOHN P. SAYLOR, JOHN R. PILLION, CRAIG HOSMER, J. ERNEST WHARTON, WILLIAM A. DAWSON, E. Y. BERRY, JOHN J. RHODES, JAMES B. UTT, KEITH THOMSON, JACK WESTLAND, PHIL WEAVER, HAROLD R. COLLIER, J. EDGAR CHENOWETH, WALTER S. BARING, JAMES A. HALEY, GEORGE A. SHUFORD.

Statement Concerning the Activities of the Committee on Merchant Marine and Fisheries, House of Representatives, 85th Congress

EXTENSION OF REMARKS
OF
HON. HERBERT C. BONNER
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 22, 1958

Mr. BONNER. Mr. Speaker, once again I report with a great deal of pleasure and pride the accomplishments of the Committee on Merchant Marine and Fisheries as this Congress comes to an end. The privilege of serving in the chairmanship of this important committee for consecutive terms has made possible the highest degree of continuity of policy and programing. I feel that our record has been a most constructive one. It has been a period of accomplishment that equals any in the history of the committee.

During the first session there were a total of 92 meetings of the full committee and its subcommittees. Forty-nine pieces of legislation considered by the committe became law.

During the second session, there were 90 meetings of the full committee and its subcommittees, and, 31 measures reported from the committee in the second session have been approved by the President.

Major legislation reported by the committee during this Congress included authorization of two superliner passenger vessels for operation in the Atlantic and Pacific Oceans; the Federal Boating Act of 1958; the Maritime Academy Act of 1958, relating to the State maritime academies; several bills amending and strengthening title XI of the Merchant Marine Act of 1936 governing mortgage insurance on privately financed loans for the construction of vessels; temporary extension of the use of dual-rate systems by steamship conferences; bills designed to improve the safety of navigation in the Great Lakes in anticipation of the opening of the St. Lawrence Seaway, and others providing needed clarification in the navigation rules generally; amendment to the Migratory Bird Hunting Stamp Act to assure an adequate minimum of wildlife lands under public control to meet the requirements of the ever growing army of sportsmen of the country for hunting areas; the Fish and Wildlife Coordination Act providing for more effective integration of a fish and wildlife conservation program with Federal water resources developments; implementation of the 1955 treaty with the Republic of Panama; and licensing of ocean freight forwarders.

In one most important matter I was greatly surprised and deeply disappointed that a bill to authorize the construction of an atomic-powered icebreaking vessel for operation by the Coast Guard was vetoed in the closing days of the session, after having overwhelmingly passed both Houses of the Congress, on the basis of exhaustive

hearings demonstrating an immediate overall national need for such a vessel for use in the Arctic and the Antarctic.

During the two sessions of this Congress the committee has launched and carried through a number of important inquiries pursuant to special investigative authority or in accordance with section 135 of the Legislative Reorganization Act of 1946.

In this Congress, as in the 84th, we decided that great value could be rendered to the committee by starting off our program with a series of hearings concerning the functions and workings of the several administrative agencies under the committee's jurisdiction.

Following the organization of the committee, extensive hearings were held in Washington studying the operations of: First, the Maritime Administration and merchant marine problems generally; second, Fish and Wildlife Service, with particular regard to a report on the progress of the Fish and Wildlife Reorganization Act; and third, current problems of the United States Coast Guard.

This type of general review has been found to be most helpful in the orientation of the Members to the important work of the committee. In these cases, we were involved with review of the operation of existing legislation or the activities of the agencies, but not with any new legislation. Such hearings were strictly informative in nature, and provided much useful background for the Members to enable them better to appraise legislation concerning the agencies involved. Moreover, we were able to determine the effectiveness of the administration of recently passed legislation.

Four standing subcommittees were established: They are: First, Subcommittee on Merchant Marine, HERBERT C. BONNER, of North Carolina, chairman; second, Subcommittee on Fisheries and Wildlife Conservation, FRANK W. BOYKIN, of Alabama, chairman; third, Subcommittee on Coast Guard, Coast and Geodetic Survey and Navigation, EDWARD A. GARMATZ, of Maryland, chairman; and fourth, Subcommittee on the Panama Canal, LEONOR K. (Mrs. JOHN B.) SULLIVAN, of Missouri, chairman.

In large part, these subcommittees handled the work of the committee in its four principal phases. In view of the general interest, however, in a number of cases hearings were held by the full committee, irrespective of the subject.

In the following analysis, legislation and investigations are set forth in terms of the four major categories of the committee's jurisdiction, rather than by the work of the individual subcommittees.

Speaking generally, many matters considered from initial stage during the first session were carried through to enactment into public law. On the other hand, there were others of complexity and broad interest that were started in the first session of the 85th Congress, but not carried to final action until the second session.

MERCHANT MARINE

During the past Congress, it became apparent that special study and inquiry should be made into various aspects of the exercise of policies relating to our maritime laws. Early in this Congress it was announced that full investigation and hearings would be made into policies relative to maintenance and management of the national-defense reserve fleet, approval of transfers of American ships to foreign registry, and the trade-in of vessels to the Government for allowance of credit toward new construction. These subjects are intimately related to each other and to our national maritime policy as laid down in the Merchant Marine Act of 1936, which calls for the development and maintenance of an adequate and well-balanced American-flag merchant marine for the dual purpose of serving our waterborne commerce and our defense. Accordingly, during March, April, and May of 1957, an extensive series of hearings was held to determine whether existing administrative policies were consistent with the intent of Congress in regard to the merchant marine and whether need existed for additional legislation.

Concern over whether or not our merchant marine is being maintained at levels sufficient to meet mobilization requirements has been highlighted in recent years by requests for legislation to help build up a reserve of older usable tankers for national defense, as well as to encourage the construction of newer, larger, and faster tankers for American-flag operation. Although legislation was enacted to make special provisions for allowance of credit toward newly constructed tankers in return for trade-in of older ones, it apparently did not accomplish its intended purpose, for we still found ourselves with no standby reserve of tankers. The trade-in questions are not confined to tankers, but are also closely related to the problems of replacement of the dry-cargo segment of our fleet, which should be accomplished over the next 10 years in order to keep it up to date. We were interested in the operation of a so-called trade-out-and-build policy adopted by the Maritime Administration, whereunder a large number of usable vessels, particularly tankers, had been approved for transfer to foreign registry, subject to certain specific conditions relative to the flag to which transfer was made, and agreement by the transferring owner to build new tonnage in American shipyards. This very policy, which seemed to hold promise by putting much-needed work in the shipyards, appeared inconsistent with other policies relative to the reserve fleets, whereby obsolete or badly damaged vessels, vastly inferior to many of those being transferred, were required to be maintained for eventual mobilization use. In at least one case specific charges of violations of the law, or, at least, very careless administration, were alleged.

After very full hearings on these subjects, with extensive testimony taken from high officials of the Department of Commerce, Federal Maritime Administration, and Department of Defense, the committee found itself still uncertain as to the present thinking at the top level of Government concerning merchant marine policy in defense planning and the problems of coordination of policy between the Department of Commerce and the Department of Defense.

In an attempt to clarify these matters, the committee called on the Secretary of the Navy and the Secretary of Commerce to appear in person to resolve the doubts and confusion created by the testimony of officials of their respective departments. In their testimony, the departmental Secretaries assured the committee that the need for a merchant marine for defense purposes, in the light of current strategic concepts, was under full and careful review by the highest councils of Government, including the National Security Council. Subsequently, we were advised that after study the Defense Mobilization Board had concluded that an adequate merchant marine is essential for defense purposes, and that a continuing need for a modern, adequate, and well-balanced United States merchant marine fleet has been affirmed as the policy of the administration.

As to the more detailed aspects of Maritime Administration implementation of its programs and policies, the hearings disclosed the need for continuing surveillance in order to be sure that the law continues to be adequate to meet the complex problems of modern ocean transportation. Much study was given to transactions under the so-called trade-out-and-build program involving a group of companies generally referred to as the Onassis interests. The committee's inquiry into the details of these transactions disclosed weaknesses in the Government's contractual position. After these weaknesses had been brought out in the hearings, the Maritime Administration took further steps to protect the Government's interests in the event of default in the construction of new vessels for American-flag operation, in return for approval of transfer to foreign registry of older vessels.

Notwithstanding assurances by the Maritime Administration that the proposed new vessels would definitely be built in accordance with agreements entered into pursuant to the trade-out-and-build program, serious doubts and weaknesses began to appear during the first half of this year. The contractors announced that they were going to default on their agreements to build some 190,000 tons of new tankers, in return for approval of foreign transfer of some 14 existing vessels. Investigation by a special subcommittee disclosed deplorable administrative deficiencies within the Maritime Administration, and in the opinion of the committee, in the Department of Justice as well. As a result of this investigation Maritime Administration has indicated that it is tightening up on its requirements in cases where trade-out agreements are to be made.

Another matter of considerable importance arose early in the first session of the Congress when, despite the dangerously low level of activity in American shipyards and the great need for new construction to overcome mobilization deficiencies in all types of vessels, the shipbuilding industry was confronted by a serious shortage of shipbuilding steel.

Extensive staff investigation was carried out in preparation for hearings, but, happily, the situation eased, and it became apparent that the problem would soon be resolved. Accordingly, no further committee action was taken on the matter.

During World War II, there was a tremendous buildup of Government-owned port facilities in the United States. Following the war, the Department of Defense continued to operate the military terminals on a large-scale basis for the handling of the many varieties of Government cargoes being shipped overseas in support of foreign bases and our occupation forces. When the shipment of military cargoes leveled off, subsequent to the Korean war, commercial facilities were experiencing a serious loss of business in certain areas as the result of competition from Government terminal operations. As a result of complaints by commercial terminal operators, legislation was introduced in the first session to require that all Government agencies transship unclassified equipment, materials, and commodities over publicly or privately owned commercial marine terminal facilities so as to insure a fair and reasonable participation of such facilities in the handling of Government cargoes by geographic areas.

The problem was recognized as being a serious one, and full hearings were held in the spring of 1957. However, in view of the difficulties and dangers involved in the enactment of legislation which might be unduly inflexible to the detriment of essential military missions, hearings were recessed and final action deferred for further review of the situation in the second session, in the hopes that it might be satisfactorily settled in the interim. On June 25, 1958, the committee adopted an interim report recommending to the Secretary of Defense that the Government practices and procedures be further reviewed and modified with the objective of shipping all cargo possible through commercial terminal facilities. In taking this action our intent was to make it clear that we consider the subject as still open, with legislation in prospect, if the Department of Defense fails to comply with the general administration policy and its own directives regarding Government competition with private enterprise.

Other merchant marine matters of significance in the first session were passage of a bill to permit Great Lakes shipyards to compete on an equal basis with those on the east, gulf, and west coasts for new construction under the Merchant Marine Act of 1936; and a bill to extend the time limit of an act approved in the 84th Congress for the sale of certain war-built vessels for operation on essential trade routes 3 and 4 from the Atlantic coast to Cuba and Mexico.

In this Congress, as for several terms in the past, it has been necessary to report legislation to make exception to our traditional coastwise laws to permit Canadian vessels to serve certain areas in Alaska not served by American-flag vessels.

Following the tragic and disastrous collision of the two popular trans-Atlantic passenger liners, the motor vessel *Stockholm* and the steamship *Andrea Doria* on July 26, 1956, the committee was authorized and directed in the 84th Congress to investigate and report on matters relating to safety of life at sea in the light of this great maritime casualty. As previously reported, a staff of the best available experts made a report, with recommendations, at the end of that Congress with regard to future courses of action which appeared necessary or desirable to prevent such occurrences in the future. Our committee has felt a continuing responsibility in this field and, therefore, held hearings in both sessions of this Congress to ascertain progress made by the appropriate administrative agencies to prepare for an international conference at the earliest practicable date to discuss the problems disclosed in the investigation.

On the basis of these very helpful hearings, it appears that our cognizant Federal agencies are, for the most part, proceeding with all reasonable dispatch, except in the field of communications.

The departmental agencies and the industry are well along toward agreement on an agenda and on the United States' position on the many complex matters which must be considered if we are to develop safety standards consistent with the increasing traffic and higher-speed ships on the seas. The committee intends to continue to follow this important subject closely.

About a month prior to the opening of the second session, the Federal Maritime Administrator advised of proposals to sell the four reserve shipyards and the Maritime Training Station in laid-up status at Alameda, Calif., which had been maintained in standby status since World War II. Inasmuch as the reserve shipyards at Vancouver, Wash.; at both Richmond and Alameda, Calif.; and also the training station at Alameda had been inspected by ranking committee members during the recess, the Administrator was requested to withhold final action in these matters until a hearing could be held after the Congress reconvened. On the basis of hearings, the committee did not feel that an adequate case was made for disposing of the reserve shipbuilding facilities. On the other hand, the committee concurred in the Administrator's proposal with regard to declaring the Alameda training station excess to the Government's needs, and so advised him.

In the case of matters such as the reserve shipyards, involving vast investment of Government funds and serious questions of mobilization readiness, as well as impact on existing commercial facilities, it is hoped that the Administrator will continue his past practice of giving advance notice of major actions.

Beyond question, the most important and urgently needed single piece of legislation considered by the committee affecting the American merchant marine and its role in our national security was the bill—H. R. 11451—to authorize the construction and sale by the Federal Maritime Board of a superliner passenger vessel equivalent to the *United States* and a superliner passenger vessel for operation in the Pacific Ocean.

In the past several years the United States has been suffering from a serious deficiency in its mobilization base due to the lack of large, safe, modern passenger vessels for immediate conversion to troopships in time of emergency. There is also a great and growing demand for an increase in the passenger-carrying segment of the American merchant marine. Construction of these ships under the law enacted in this Congress will enable this country to meet deficiencies in shipping services which are presently inadequately served by American-flag ships.

The Atlantic superliner will replace the aging steamship *America* and provide additional capacity for the North Atlantic with a sister ship to the steamship *United States*, and the Pacific ship will augment the trans-Pacific service rendered by the steamships *President Wilson* and *Cleveland* in a trade which is rapidly growing. The bill was found necessary because the Merchant Marine Act of 1936 is not entirely adequate to assure the construction of vessels in the superliner category, involving highly complex questions of construction-subsidy determination, differentiation between commercial and defense features, American versus foreign construction and safety standards, determination of special governmental assistance received by competing foreign passenger ships and other matters of opinion subject to a wide variation of viewpoints. Failure of the former Maritime Commission to recognize the inadequacy of existing law resulted in lengthy controversy over the contracts for the construction of the steamship *United States* and two other superliners after World War II.

The 1936 act anticipated the need for superliners, but did not attempt to prescribe the precise legislative provisions necessary to assure their construction. Accordingly, after full study and lengthy hearings, it was found that, in order to make it possible for an American operator to secure an economic return in accordance with the parity principle of the act, it was necessary that the imponderables and ambiguities encounted when the steamships *United States*, *Constitution*, and *Independence* were constructed be resolved through special legislation. This bill, by establishing special pricing provisions based upon the special characteristics of each of the ships authorized, clarifies those matters that were the source of the previous controversy, and at the same time fully protects the interest of the Government.

The implementation of this essential legislation is urgent, and it is regrettable that funds were not made available in this session so as to advance as far as possible these major projects which of necessity will require several years to complete.

The need for large surface vessels for defense purposes and the growing demand by the public for water transportation over the ocean points to the importance of continued study of passenger shipping. Proposals calling for large, fast, one-class, or tourist-class vessels have been made, and will merit careful analysis in the future, if supported by

reliable traffic estimates and other elements of economic feasibility.

This Congress saw the enactment of an important change in the 1936 act which should aid materially both the American subsidized operator and the Government. By permitting operators to invest up to 50 percent of their statutory reserve funds in common stocks and other "growth" securities, such funds will have a chance to appreciate with the inflationary forces that have contributed to the greatly increased costs of shipbuilding. The existing law which requires reserve funds for replacement purposes to be deposited in interest-bearing securities, such as Government bonds, has been found to be unrealistic in recent years. Under the new law investments will be made through approved trustees in a manner similar to that followed by colleges, universities, pension funds, and so forth.

Further to aid in financing of ship construction, a most important measure was considered, which would implement the so-called "pledge of faith" clause in the Mortgage Insurance Act, so that in the event of default by a mortgagor, the Government will be able to immediately make good under its guaranty. While the record has been excellent with regard to both direct loans by the Government and Government-guaranteed loans, private lenders point to the possibility that in the event of a default a long and costly wait for repayment is possible under present law. They say that enactment of this legislation will make it possible for ship operators to finance new construction through private channels at costs approximating the costs of direct Government financing. Under these circumstances a greater portion of the investing public will develop confidence in our merchant marine program.

Another instance of legislation to perfect title XI of the 1936 act, in the interest of reducing financing costs and encouraging the use of guaranteed private financing, passed the House too late to be enacted into law this year. This bill would allow operators with replacement obligations the opportunity to finance a given ship without a mortgage with the right to place a mortgage, guaranteed by the Government, at a later date to finance a subsequent ship in its program. The additional flexibility created by this change in the law would allow an operator to take advantage of fluctuations in the money market which could result in very significant savings. The bill will undoubtedly be reconsidered in the next Congress.

Another meritorious bill, to include floating drydocks within the coverage of the guaranteed mortgage insurance law, passed the House but did not become law in this session. It is desirable that we provide for the availability of drydock and ship repair facilities adequate to service the very large new tankers and ore carriers that are becoming so important both to our economy and our defense. The subject should receive further careful consideration.

The problems and needs of domestic shipping impel us to realize that aid to, and preservation of, this segment of our merchant marine is of great significance. Moreover, changes in economic development urge reconsideration or modification of traditional concepts.

In this connection, a bill to permit foreign-flag vessels to transport lumber from Savannah, Ga. to Puerto Rico was carefully considered by the committee, even though it was not reported to the House. But the questions raised by the problems of that one important southeastern port, suffering from the discontinuance of American-flag service in the noncontiguous trade, raises many others equally applicable to other ports in similar trade. The Maritime Administrator was urged to make a special study of the situation and report back to the committee in the next Congress with his suggestions as to possible courses of corrective action.

Other bills affecting the domestic trade would: First, H. R. 9833, allow foreign controlled American corporations limited rights with regard to the ownership and operations of nonpropelled barges and self-propelled vessels of not more than 500 gross tons; and second, H. R. 12125, authorize intercoastal carriers to modernize their administrative procedures by allowing the use of short-form bills of lading and other shipping documents in lieu of the present cumbersome and inefficient long-form documents.

As the result of a recent Supreme Court decision, which cast grave doubts on certain aspects of the longstanding international steamship conference system, the committee favorably considered interim legislation to provide a reasonable time for thorough study of the operation of such conferences and their practices, the first in 44 years. Although temporary in nature, this is most important legislation. In many quarters it is generally felt that the dual-rate contract arrangement used by many steamship conferences is the basis for stability in overseas shipping, an industry subject to great fluctuations of supply and demand. The committee's study on this and other aspects of the conference system is already under way. The termination date of the legislation, June 30, 1960, will make possible a comprehensive review of the regulatory aspects of our international ocean trade in the light of today's conditions.

Maritime education was the subject of several bills. One, providing for more effective Government participation in assistance to State maritime academies, has become law. Others, providing in one case for civilian status for personnel at Kings Point, the Merchant Marine Academy, and in another case to establish and maintain the United States Maritime Service as a uniformed service, were heard, but in view of the conflicts involved were not acted upon by the committee in this session.

Matters involved in these instances point to the need of special study of maritime education, not only at Kings Point, but the State academies and the Coast Guard Academy as well.

Following upon its comprehensive investigation of ocean freight forwarders in the 84th Congress, legislation to provide for regulation of this important segment of the merchant marine was reported to and passed by the House in the 2d session.

FISHERIES AND WILDLIFE CONSERVATION

Within the sphere of its jurisdiction over fisheries—commercial and sport—and wildlife conservation, the activities of the committee ranged from consideration and action upon bills affecting control over the salmon and related fisheries in the Northwest United States and the Territory of Alaska, to protection of the rights of fishermen in the Caribbean Sea and Pacific Ocean involved in international conflicts concerning the seaward boundaries of countries in those areas. These particular matters were amendments to or developments of legislation previously enacted.

In the 84th Congress, legislation was enacted to effect a reorganization of the Fish and Wildlife Service of the Department of the Interior to establish an Assistant Secretaryship within the Department and to separate the commercial fisheries jurisdiction from that of sport fisheries and wildlife.

It seems that departmental reorganization plans sometimes afford vistas of expansion to some who are charged with their effectuation. Accordingly, the committee conducted its own independent survey of the Washington and regional offices to observe whether or not the reorganization was being carried out in the most efficient manner possible. The new Assistant Secretary of the Interior for Fisheries and Wildlife was fully cooperative. I, personally, want to take this opportunity to compliment Assistant Secretary Ross A. Leffler for the conscientious and efficient manner in which this difficult change of organization was accomplished, despite considerable pressure from other sources.

A measure which had been introduced in previous Congresses to prevent the extinction of the Key deer, a vanishing species inhabiting the Florida Keys, was considered anew. In the light of improvements made in the former proposals regarding the establishment of refuge and sanctuary areas, the new bill was favorably reported by the committee and passed by the Congress.

In view of the demands made in recent years by different localities for fish hatcheries for commercial and game fish, your committee considered the problem of national planning in a hearing with the Fish and Wildlife Service represented.

The major effort of the committee in the field of wildlife legislation involved the perennial problem of means of acquiring fast vanishing lands suitable for use as migratory bird refuges. With the relentless advance of civilization, the marshy areas adjacent to waterways have been progressively converted to industrial use. There is little reason to believe that the trend will be reversed.

In view of the fact that the hunting of waterfowl is a sport in which millions of our citizens participate, and upon the continuance of which another large number make their livelihood in supplying the needs of the hunters, the danger of a decline in the numbers of birds because of decreased living space presents a disturbing prospect.

As early as 1934 it was recognized that increased efforts were needed to provide habitat, and in that year there was enacted legislation requiring those hunting migratory birds to purchase a so-called duck stamp to affix to their hunting licenses. Although the law permitted the use of funds thus collected to be used for purposes other than acquisition of wildlife land, the hunters were led to believe that the fund would be devoted to that purpose. Again, in 1949, when the price of the stamp was increased from $1 to $2, the hunters were assured that the money was needed for refuges. Over the years by far the greater part of the fund has been used for purposes other than land acquisition, and the problem of securing sufficient land has become more acute.

During the present Congress, bills were introduced to increase the stamp price to $3, with the hope that the increased revenue would permit acceleration of the purchase program. Assistant Secretary of the Interior Leffler, recognizing the need, proposed legislation that would earmark virtually all of the duck-stamp money for land acquisition, and the committee and the Congress, with the enthusiastic support of all sportsmen's organizations, proceeded to enact this proposal into law.

Of great importance to the sportsmen of America was the amendment of the Coordination Act, whereby fish and wildlife needs must be considered in connection with flood-control projects of the Army engineers, the Bureau of Reclamation, and the Department of Agriculture. Heretofore, the Fish and Wildlife Service has not been required to be consulted with respect to ameliorating the effect of manmade changes on the face of nature upon wildlife values. Consequently, its efforts probably were not as successful as they might otherwise have been in this field. Now, as a result of this legislation, the experience and knowledge of the Fish and Wildlife Service must be considered while projects are in the planning state. In the future, greater protection can be afforded fish and wildlife, together with a probable saving in expense.

Other legislation gave recognition to the dangers to fish and wildlife inherent in the use of more lethal insecticides and pesticides as adjuncts to agriculture. During the past several years, there have come from the laboratories of the country many toxic compounds which have proven their great effectiveness in controlling the pests that damage crops, but which have also appeared to have as great a damaging effect on wildlife. Too little is known of their immediate and long-range effect, and much research will be required to learn. The bill enacted into law during this Congress authorizes the Secretary of the Interior to make a start on acquiring that knowledge.

The constantly increasing population of the world with the increasing pressure upon available food supply makes necessary the constant acquisition of knowledge of means of augmenting available sources so that they can be utilized if need arises. As a part of the program, the committee held hearings on a proposal to utilize ricefields in the South, during the period of time when they must be flooded, for the production of a crop of edible fish. As a result of the hearings, the committee reported out a bill, which is now law, to conduct studies with a view to securing knowledge that would not only provide a new source of essential foods, but would also augment the productivity of a considerable area of land in the ricegrowing region.

The committee also considered and acted upon a number of other proposals concerning the fisheries and wildlife, involving problems of the commercial fisheries, predator control, and conservation of wildlife.

COAST GUARD, COAST AND GEODETIC SURVEY AND NAVIGATION

A good part of the committee's most important and significant activity was in the area covered by this heading.

Foremost among the subjects relating to Coast Guard jurisdiction was the report of the committee's comprehensive study of recreational boating safety—House Report No. 378—filed in the House April 18, 1957. The report analyzed the complete record of the nationwide hearings held on all phases of this subject during the 2d session of the 84th Congress. The report, containing recommendations for (a) Federal legislation, (b) administrative action by the Secretary of the Treasury, and (c) cooperative action by the States, was followed by proposed legislation reflecting the majority opinion of boating enthusiasts testifying to the need for additional boating regulation in the interest of safety and common sense in this fastest growing of all American sports.

A preliminary hearing was had on this bill in July 1957, with testimony limited to the views of the Coast Guard so all interested could be fully prepared to testify with such views in mind when the bill was further considered in the second session. At the conclusion of this preliminary hearing, the committee took the unprecedented step of urging that the Council of State Governments review the proposed legislation and make recommendations and suggestions for its amendment so as to effectuate the fullest possible cooperation between the States and the Federal Government in a field of growing concern and responsibility to both. Throughout the recess following the end of the first session members of the staff of the committee and officers of the Coast Guard worked closely with a special subcommittee of the Council of State Governments in a thorough review of the committee bill and the drafting of a model State law intended to fit in with the proposed Federal revision of the boating laws. In my opinion, this unusual exercise in Federal-State cooperation has been highly successful. The problem received further intensive consideration by the Congress in the second session when revised legislation, conforming closely to the views of the Council of State Governments and the suggestions of the Coast Guard, was introduced.

After due notice to all interested parties, full hearings were held on the clean bill, H. R. 11078, on March 18, 20, and 21, 1958.

Notwithstanding the thorough study and extensive hearings conducted by the committee during the preceding 2 years, small but vocal opposition manifested itself after the bill had been reported to the House. Although delayed by parliamentary maneuvers of the opposition, the bill passed the House with minor amendments, and only 29 votes against. Subsequently, the House concurred in a Senate amendment and the bill has since been enacted into law.

Of a different character, but of outstanding importance in the national interest, was a bill to authorize the construction of a nuclear-powered icebreaking vessel for operation by the United States Coast Guard. Although not in the program of either the Department of the Navy or the Coast Guard, the thorough hearings held by the committee conclusively established the desirability of this authorizing legislation and demonstrated that the urgent need for such a vessel transcends the individual requirements of the Navy and the Coast Guard and their specific missions as presently prescribed. The existence of such a ship, specially designed and fitted out as a laboratory, would enable this country to overcome its present great disadvantage in regard to the strategic and commercial potentialities of the Arctic and Antarctic. Therefore, I was deeply disappointed that this authorizing measure should have been vetoed with apparent disregard of the hearings and the committee report. The increasing emphasis on the need for polar capabilities in the scientific and transportation fields, as highlighted by the dramatic exploits of the nuclear submarines *Nautilus* and *Skate*, makes it imperative that legislation of this type be again introduced in the new Congress.

Legislation that was considered and became law in the first session included an increase in the authorization—enacted in the preceding Congress—for the construction of two sorely needed surveying ships for the Coast and Geodetic Survey; amendments to laws relating to the retirement pay and status of members of the former Lighthouse Service, and Coast Guard Reserve, and Coast Guard warrant officers; and a bill to modernize the laws relating to the endorsement of masters on vessel documents.

The regulations proposed by the Coast Guard to implement Public Law 519, 84th Congress, providing for the inspection and certification of certain small vessels carrying more than six passengers for hire, came under heavy attack from many quarters. Accordingly, after careful consideration, the law was amended to delay its effective date for an additional 6 months to allow more time for operators to comply with its requirements and suggest reasonable changes in the regulations.

A problem of increasing importance, as the opening of the St. Lawrence Seaway to deep-draft overseas shipping becomes imminent, is the matter of compulsory pilotage. Under present law, American and Canadian ships operating within the lakes are required to have officers qualified to navigate the lakes. On the other hand, there is no requirement whatsoever applicable to foreign-flag vessels, or even American-flag ships navigating United States waters under registry. The number of foreign vessels navigating the Great Lakes is increasing. Collisions have occurred involving foreign vessels, and upon completion of the Seaway there will be a substantial increase in the number of both foreign and United States registered vessels navigating the Great Lakes. In view of the imperative need that qualified pilots on such vessels be required by law, the committee considered legislation to this end, and it passed the House as reported. Inasmuch as it did not clear the Senate in this Congress, this is a subject that should be given high priority for reconsideration in the next Congress.

Other important legislation of a more localized nature included amendments to the navigation and inspection laws which would (a) except from the vessel-inspection requirements for a limited period of time certain small vessels providing essential service to small outports in southeastern Alaska; (b) amend the vessel-admeasurement laws relating to water-ballast spaces to meet a special problem among the small vessels serving the offshore drilling rigs in the Gulf of Mexico; (c) clarify the application of navigation rules for the Great Lakes and their connecting and tributary waters; (d) amend and bring into conformity the statutes and rules governing lights for vessels towing or being overtaken; and (e) authorize the Secretary of the Treasury to prescribe day signals for certain vessels.

PANAMA CANAL

In the field of activity touching the Panama Canal, its operations, and administration, the committee was confronted with the necessity of acting on legislation to implement the new treaty made with the Republic of Panama in 1955 covering the transfer of some $24 million of land and buildings to the Republic. Authorization of the transfer was favorably acted upon.

Present calculations indicate that the canal is reaching a probable saturation point within the next 12 to 15 years. In view of the time required to locate, plan, and construct improvements on the existing canal or additional transisthmian facilities, the committee recruited a special technical staff to serve as a Broad of Consultants, expert in engineering and transportation, to evaluate existing data to determine the proper location, type, and extent of additional means for transit between the Atlantic and Pacific Oceans in the region of Central America. The Board's work commenced at the end of the year 1957 and is expected to continue throughout the greater part of next year.

As a part of the continuing effort to keep the canal abreast of traffic and ship size requirements, the Panama Canal Company has initiated a program of short-range improvements involving widening and deepening parts of the canal and installation of lighting to permit night operation. The committee's staff of experts examined the Company's proposals on the ground, and have submitted to the committee a report on their observations concerning the program. Their work is continuing and on the completion of their study of the available engineering data, and possible further field examination, it is anticipated that definitive recommendations will be forthcoming concerning future development of trans-isthmian transit facilities.

The standing subcommittee on the Panama Canal concluded 1957 with a visit to the canal and a first-hand observation of the facilities and current problems.

This Congress has seen substantial continued development in our merchant marine and other fields under the committee's jurisdiction. I pledge my continued and full support to carry out and advance all of the objectives of the Committee on Merchant Marine and Fisheries.

In closing, I would like to take this opportunity to express my heartfelt thanks to all of the members of the committee and its staff who have labored hard and devotedly to bring about the substantial and constructive achievements of this Congress.

Post Office Legislation and Benefits for Postal Workers

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MOORE. Mr. Speaker, at the conclusion of the 85th Congress, I want to take a moment to thank and pay my respects to the many postal workers in my District who have so faithfully performed their duties over the years, even though, in many instances, their salaries were far below that being paid to workers with less responsible positions in private industry.

It is with a sense of satisfaction that after a long, hard battle, we were able to enact legislation granting a long-overdue pay increase to these devoted public servants. I am happy to have been in the forefront of the battle to obtain this salary raise and was one of the first to introduce such legislation during the 1st session of the 85th Congress, and to sign the discharge petition to get the bill out of committee. It was most unfortunate that the President saw fit to veto the first postal pay bill passed by Congress. But, in the second bill, we were able to make the salary raise retroactive to last January, and this certainly helped to soften the blow of the veto.

The 85th Congress was the most productive in many years insofar as legislation benefiting postal employees was concerned. In addition to the salary-increase bill, there were several other major bills which will have a long-range effect upon the Post Office Department and its more than one-half million employees. A major victory was achieved when the postal rate-increase bill was finally enacted. This measure will help to place the Post Office Department upon a more financially secure basis and make each class of mail pay a fair share of the cost of operating the United States mail system.

Another important measure enacted by Congress, and of which I was a joint sponsor, was the bill which increased by 10 percent the benefits paid to the more than 300,000 civil service and postal retirees and survivors. Certainly those who have to live on pensions and fixed incomes in these days of high prices know and appreciate how much this increase in benefits means to our senior civil servants, and the dependents of those who died while in the civil service of our country.

Rural carriers also obtained additional benefits under Public Law 85–399. This law increased the equipment maintenance allowance for rural carriers from 9 to 10 cents per mile, or a minimum of $3.50 per day, whichever is greater. It also authorized the payment of an additional allowance not in excess of $2.50 per day to carriers serving heavily patronized routes.

Every postal clerk or carrier who has received a complaint from a patron concerning the receipt of obscene mail should be pleased with Public Law 85–796, which strengthens the penalties and prosecution procedures for use against persons who mail obscene and crime-inciting matter. This bill was reported out of the House Judiciary Committee, of which I am a member, and it gave me a great deal of satisfaction to have helped enact this legislation which will eliminate much of the filth and hate mail that today flows through our Nation's post offices.

There were a great many other minor bills enacted which will inure to the benefit of postal employees. These bills dealt with such diverse subjects as fees for undeliverable mail; establishment of postal stations at military bases and other locations; withdrawal of contributions from the civil service retirement fund; sureties and disbursing procedures; and technical changes in connection with promotions to prevent inequities.

I will be happy to furnish postal workers with copies of the above laws or with an analysis as to how these new legislative acts may affect them personally. It is my hope that I will be able to again personally meet many of my friends in the postal service when I make a complete tour of the District after adjournment. In a number of the communities, I will be holding office hours in the Post Office Building for the purpose of discussing problems with persons who may need my assistance in connection with some Federal matter. Consequently, I hope to obtain the personal reaction of the post office employees as to the effectiveness with which this past Congress has dealt with the problems of this agency of our Government.

One other observation which I would like to make, deals with what can be expected next session of Congress regarding post office employees. I predict that the yearly battle for pay raises will soon become a thing of the past, and that Federal employees can shortly look forward to having their salaries pegged to the cost of living index which has worked satisfactorily for so many industrial employees. A Presidential study has just been completed by a steering committee headed by Labor Under Secretary James T. O'Connell, and this report recommends that salaries of postal employees be geared to comparable industrial rates and that regular annual adjustments be provided without necessity for Congressional legislation. I'll be interested in hearing the reaction of our postal employees to this plan which would seem to present a much more sensible approach to the ever existing problem of the wage-price spiral.

Work of the Committee on Foreign Affairs

EXTENSION OF REMARKS
OF
HON. THOMAS E. MORGAN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MORGAN. Mr. Speaker, customarily at the end of each session of Congress the chairman of the Committee on Foreign Affairs submits for the CONGRESSIONAL RECORD a stewardship report on the committee's work. The purpose is to make available a digest of the principal measures which have come before the committee. Last year the report was submitted by the chairman, Hon. THOMAS S. GORDON. The ill health that is forcing Congressman GORDON to relinquish his Congressional seat this fall has also compelled him during the past months to forego his work as chairman. This is a matter of deep regret to all of us who have served with him. We shall miss the kind and gentle qualities that have been among his characteristics. In addition to our chairman, the committee is also losing the services of five other members. JOHN VORYS is ending 20 years of service that has been marked by devotion and distinction. He has always presented his views with vigor and clarity. Personally I shall miss him. Our colleagues, the gentlemen from West Virginia [Mr. BYRD] and from Vermont [Mr. PROUTY] are seeking another office. The experience they gained on the committee should serve them well in their new offices. The gentleman from Iowa [Mr. LECOMPTE] is bringing to a close a long and distinguished service in the House. The gentleman from New York [Mr. RADWAN] has decided to withdraw from public office to recover his health. To each of them I express my appreciation for their cooperation in my task as acting chairman and add my good wishes for their personal happiness.

The 85th Congress has been one of the busiest for the committee and its subcommittees. The full committee had a total of 158 meetings. More significant were the increased activities of the 8 subcommittees which held 123 meetings. I am aware that the Committee on Foreign Affairs is sometimes accused of secrecy in its work. Any fairminded person will recognize, I am sure, that the committee must receive much material of a highly classified nature if its judgments and decisions are to be based upon facts. At the same time, Chairman GORDON and I have constantly pressed upon the executive branch the importance of declassifying as much of this material as possible in order that the public could have as much information as is consistent with national security. The result of this pressure is reflected in the increased number of pages of printed hearings produced by the committee in this Congress. Final figures show that 7,013 pages of printed hearings have come from our committee the last 2 years. Almost half of these, 3,318 pages to be exact, cover the mutual security program hearings held in 1957 and in 1958. A perusal of the 1958 hearings will show that security deletions are relatively few and that there is a considerable body of information on the extent, the strength, and the weakness of our foreign-aid program. The committee believes that this approach has resulted in a much better understanding of the program, not only in the Congress but throughout the country.

Almost 200 bills and joint resolutions have been referred to the committee of which nearly half were duplicates. The committee considered 60 of these measures. Of 33 bills and joint resolutions reported out by the committee, 28 have been enacted into law. In addition, 14 resolutions on various subjects received Congressional approval.

The crisis in the Middle East that led to the landing of our troops in Lebanon was of grave concern, not only to the committee but to the entire membership of the House. To keep the House as fully informed as possible, arrangements were made with the Department of State to provide daily briefings. These meetings were open only to Members of the House. It was understood by those attending that the information they received would be treated as classified information. After a ranking officer of the Department gave a résumé of the latest developments, Members of the House interrogated the witness. At several meetings, more than 40 Members of the House appeared. So far as I can gather Members of the House welcomed the opportunity to get a firsthand account of a very critical and fast-moving situation. From the point of view of the Department, it was possible to gather quickly Congressional reaction to these serious events. In retrospect I think this has been a very worthwhile project which I hope will be repeated if the occasion again warrants it.

In the CONGRESSIONAL RECORD, volume 103, part 12, page 16859, Chairman GORDON gave the House a digest of the measures handled by the committee during the 1st session of the 85th Congress. At this point I would like to insert a digest of the measures handled during the second session.

MEASURES ENACTED INTO LAW

MUTUAL SECURITY ACT OF 1958

This act extended the Mutual Security Act of 1954 for another year. The executive branch had requested an authorization of $3,297,900,000. The committee recommended $2,958,900,000, an amount which the House authorized. The authorization enacted into law was for $3,031,400,000, a sum $72,500,000 above the House authorization and $72,500,000 below the Senate figure.

The committee initiated significant changes in the title headings of the act in order to place military assistance in a separate chapter and defense support under the economic chapter. These changes were intended to make clear that defense support, although necessary for military needs, was, nevertheless, economic assistance. Special assistance and the contingency fund were put into a new chapter because each could include both military and economic assistance. The House accepted the committee's changes. The Senate also accepted the change with one modification. Special assistance was removed from the same chapter as the contingency fund and put into the chapter headed "Economic Assistance." This change conforms to the executive branch definition that special assistance is regarded as economic assistance necessary to achieve political, economic, or other objectives in countries where no assistance is provided in support of significant military forces, or in situations where assistance cannot be appropriately rendered as technical assistance or from the Development Loan Fund. The contingency fund, unlike special assistance, may be used for both military and nonmilitary assistance; approved June 30, 1958, Public 85–477.

PAYMENT TO THE GOVERNMENT OF DENMARK

This bill authorizes an appropriation of $5,296,302 to the $35,432,350 already paid to the Danish shipowners for the 40 Danish ships that were requisitioned by the United States in 1941.

The additional payment is necessitated by the fact that the procedures followed when the ships were first requisitioned established a legal situation under which the owners of the vessels could not receive full compensation in the terms of the original understanding between the Danish Ambassador and the Department of State; approved June 6, 1958, Public Law 85–450.

APPOINTMENT OF AN ADDITIONAL ASSISTANT SECRETARY OF STATE FOR AFRICAN AFFAIRS

The bill amends the act of May 26, 1949, as amended, by increasing the number of Assistant Secretaries of State from 10 to 11. It also increases the number of such Assistant Secretaries in the Federal Executive Pay Act of 1956.

The additional Assistant Secretary will permit the establishment of a Bureau of African Affairs headed by an Assistant Secretary. This new post is intended to enable the Department of State to give adequate recognition to the growing importance of our relations with Africa.

The salary authorized in the Federal Executive Pay Act of 1956 for an Assistant Secretary is $20,000. A request for the position is included in the Department's fiscal year 1959 appropriation request; approved July 18, 1958, Public Law 85–524.

AMENDMENT TO THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949 (CZECHOSLOVAKIAN CLAIMS)

This bill amends the International Claims Settlement Act of 1949, as amended, by providing for the payment of claims by American citizens against Czechoslovakia, based upon

the nationalization or other taking of American-owned property in Czechoslovakia on or after January 1, 1945. Authority to administer the claims provided for is given to the Foreign Claims Settlement Commission. Payment in full would be made on all claims of $1,000 or less. Those in excess of $1,000 would receive payment of $1,000 on account, with the balance to be prorated equally among all award holders; approved August 8, 1958, Public Law 85–604.

AUTHORIZING CERTAIN RETIRED PERSONNEL OF THE UNITED STATES GOVERNMENT TO ACCEPT AND WEAR DECORATIONS, PRESENTS, AND OTHER THINGS TENDERED THEM BY FOREIGN COUNTRIES

The bill authorizes certain retired personnel of the United States Government to accept and wear such decorations, orders, medals, emblems, presents, and other things as have been tendered them by certain foreign countries which are being held for such individuals by the Department of State; approved August 27, 1958, Private Law 85–704.

FOREIGN SERVICE ANNUITIES

The bill provides a 10-percent increase in annuities to retired Foreign Service personnel and to their widows. In the case of retired officers the increase is limited to a maximum of $500 per annum and, in the case of widows, to $250 per annum. This would confer on those individuals who come under the Foreign Service retirement and disability system the same increase as was given retired civil-service annuitants under Public Law 85–465 approved June 25, 1958. The entire cost of all the annuity increases will be paid from the Foreign Service retirement and disability fund; approved September 2, 1958, Public Law 85–882.

PARTICIPATION IN THE WORLD SCIENCE-PAN PACIFIC EXPOSITION

This bill provides for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961. The bill further authorizes the President to cooperate with the Washington State World Fair Commission and to determine the extent to which the United States shall be a participant and exhibitor at the exposition. Although the bill authorizes an appropriation of not to exceed $125,000, it is anticipated that United States participation in the exposition will require additional authorizations and appropriations.

The bill requires that the President report to the Congress during its first regular session after the enactment of this legislation with respect to the most effective manner of representation of the United States and the amount of appropriations which will be necessary to accomplish such representation; approved September 2, 1958, Public Law 85–880.

HIGHWAY COMPACT BETWEEN MINNESOTA AND MANITOBA, CANADA

The bill authorizes the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the construction of a highway through the northwest angle of Minnesota. This area is separated from the rest of the State by the Lake of the Woods and the construction of this highway will provide access to the area through Manitoba. No expenditure of Federal funds is anticipated; however, it is possible that Federal highway funds may be used within the State of Minnesota for this purpose; approved September 2, 1958, Public Law 85–887.

CORREGIDOR BATAAN MEMORIAL COMMISSION

The bill amends the act of August 5, 1953, creating the Corregidor Bataan Memorial Commission by making clear that the Commission is not limited to a life span of 4 years; rather that the individual commissioners, of whom there are 9, are appointed for 4-year terms. The bill also amends existing law by deleting the authorization for $100,000 and substitutes the sum of $200,000. The increased authorization, against which the Commission intends to request an appropriation of $46,000 for next year, will be sufficient for the Commission to continue its operations for another 2 years; approved July 25, 1958, Public Law 85–556.

RELIEF OF MARY F. C. LEUTE

The bill is for the relief of the widow of an American, Joseph Henry Leute, who was serving in the consular service at the time of his death abroad in 1909. There was no law under which his widow could receive any benefits. The bill provides that Mr. Leute shall be deemed to have been a participant under the Foreign Service retirement and disability system, thereby making his widow eligible for consideration for benefits. This bill in itself will not give her any money, but will make it possible for the Secretary of State to consider her financial situation in order to determine whether she is in actual need and without other adequate means of support. If the Secretary so determines, he may then extend to her a maximum of $100 per month payable from the Foreign Service retirement and disability fund; approved September 2, 1958, Private Law 85–784.

UNITED STATES CONTRIBUTIONS TO THE INTERNATIONAL COUNCIL OF SCIENTIFIC UNIONS

This resolution authorizes an increase in United States contributions to the International Council of Scientific Unions and its associated unions from $9,000 to $65,000 annually. The funds made available under this authorization are to pay the dues assessed against the United States as a result of its membership. Appropriations under this authorization are included each year in the appropriation for the Department of State; approved August 14, 1958, Public Law 85–627.

INVITATION TO INTERNATIONAL CIVIL AVIATION ORGANIZATION TO HOLD THE 12TH SESSION OF ITS ASSEMBLY IN THE UNITED STATES

The resolution authorizes an appropriation of $200,000 to enable the United States to extend an invitation to the International Civil Aviation Organization to hold the 12th session of its assembly in the United States in 1959. The appropriation made pursuant to this authorization will be used to defray costs over and above those which are ordinarily incurred in holding a session at the Organization's headquarters and which are shared on a pro rata basis by all the member nations; approved June 4, 1958, Public Law 85–448.

PARTICIPATION IN THE SECOND ANNUAL UNITED STATES WORLD TRADE FAIR

This resolution authorizes the President to invite the States of the Union and foreign countries to participate in the Second Annual United States World Trade Fair to be held in New York City from May 7 to 17, 1958; approved March 28, 1958, Public Law 85–360.

FOURTH INTERNATIONAL AUTOMATION CONGRESS AND EXPOSITION

The resolution authorizes the President to invite the States of the Union and foreign countries to participate in the Fourth International Automation Congress and Exposition to be held in New York City from June 9 to 13, 1958; approved April 11, 1958, Public Law 85–374.

PARTICIPATION IN THE CALIFORNIA INTERNATIONAL TRADE FAIR AND INDUSTRIAL EXPOSITION

This resolution authorizes and requests the President to invite by proclamation, or in such other manner as he may deem proper, the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959; approved September 2, 1958, Public Law 85–924.

CONSTRUCTION OF BRIDGES ACROSS INTERNATIONAL BOUNDARIES

The following are authorizations for the construction, maintenance, and operation of bridges over the rivers and the places specified, to supply facilities needed for the flow of international transportation. No expenditure of funds by the United States is involved:

Bridge across the Rainy River at International Falls, Minn.; approved July 28, 1958, Public Law 85–566.

Bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada; approved July 28, 1958, Public Law 85–563.

Bridge across the Rio Grande, at or near Rio Grande City, Tex.; approved August 28, 1958, Public Law 85–841.

Concurrent and House Resolutions Adopted

ESTABLISHMENT OF PLANS FOR THE PEACEFUL EXPLORATION OF OUTER SPACE, HOUSE CONCURRENT RESOLUTION 332

The resolution requests the President to enter into international agreements concerning the joint exploration of outer space, the advancement of scientific development relating thereto, and declares the support of the Congress for the prohibition of the use of outer space for military purposes.

Passed House June 2, 1958, under suspension of the rules; passed Senate July 23, 1958, by voice vote.

EXPRESSING INDIGNATION AT THE EXECUTION OF CERTAIN LEADERS OF THE REVOLT IN HUNGARY, HOUSE CONCURRENT RESOLUTION 343

This resolution expresses the sense of Congress that the President express through the organs of the United Nations and through all other appropriate channels, the deep sense of indignation of the United States at the act of barbarism and perfidy of the Government of the Soviet Union and its instrument for the suppression of the independence of Hungary, the Hungarian Communist regime, and expresses the sense of the Congress that the President express the sympathy of the people of the United States for the people of Hunugary on the occasion of this new expression of their ordeal of political oppression and terror.

Passed House June 19, 1958; unanimous-consent proceedings; passed Senate June 24, 1958, by voice vote.

ESTABLISHMENT OF A UNITED NATIONS FORCE, SENATE CONCURRENT RESOLUTION 109

The resolution expresses the sense of the Congress that consideration should immediately be given by the General Assembly of the United Nations to the development, within its permanent structure, of such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

Passed Senate July 23, 1958; passed House, amended, August 21, 1958, under suspension of the rules, by vote of 299 yeas to 20 nays; Senate concurred in House amendments, August 22, 1958.

EXTENDING GREETINGS TO THE FEDERAL LEGISLATURE OF THE WEST INDIES, SENATE CONCURRENT RESOLUTION 77

This resolution conveys the greetings of Congress to the Federal Legislature of the West Indies on the occasion of the inauguration of the first Federal Legislature and reaffirms the friendship of the United States for the people of the West Indies.

Passed Senate April 16, 1958; passed House April 17, 1958, unanimous-consent proceedings.

PAN AMERICAN DAY CELEBRATION, HOUSE RESOLUTION 528

The resolution designates April 14, 1958, for the celebration of Pan American Day and extends most cordial greetings of the House of Representatives to the representative bodies of each of the other American Republics on this occasion.

Passed House April 15, 1958, unanimous-consent proceedings, without reference to committee.

EXTENDING CONGRATULATIONS TO THE STATE OF ISRAEL ON THE 10TH ANNIVERSARY OF ITS ESTABLISHMENT, HOUSE RESOLUTION 546

This resolution extends to the people of Israel the congratulations and good wishes of the House of Representatives on the occasion of the 10th anniversary of the establishment of the State of Israel and the best wishes of the House of Representatives for continued progress and success.

Passed House, April 23, 1958, unanimous consent proceedings, without reference to committee.

Measures Passed by House but Not Finally Acted Upon in Senate

DENIAL OF PASSPORTS, H. R. 13760

The bill is to protect the security of the United States by authorizing the Secretary of State to deny passports to persons who are members of the Communist Party or affiliates of the Communist Party and to persons who, since 1948, have knowingly engaged in activities intended to further the international Communist movement, provided that it is shown that their activities or presence abroad would be harmful to the United States under the Congressional findings of fact contained in section 5 of the bill, which section finds that the international Communist movement is dedicated to the ultimate domination of the United States; that it is a clear, present, and continuing danger to the United States; and that, in view of its use of passports as a means to promote the conspiracy, the issuance of passports to supporters of the international Communist movement should be denied.

Passed House, amended, August 23, 1958, unanimous consent proceedings, by voice vote.

PAN AMERICAN GAMES TO BE HELD IN CHICAGO, ILL., H. R. 13343

The bill authorizes an appropriation of $500,000 for the purpose of promoting and insuring the success of the Pan American Games to be held at Chicago, Ill., August 27 through September 7, 1959.

Passed House August 22, 1958, under suspension of the rules, by vote of 244 yeas to 64 nays.

Measures Reported but Not Favorably Acted Upon in House

EVALUATION AND WAIVER OF WARTIME LOANS TO CERTAIN AMERICAN CITIZENS, H. R. 10568

The bill authorizes the Secretary of State to evaluate in dollars certain financial assistance loans expressed in foreign currencies arising as a result of World War II. When World War II started in the Far East the Department of State used a fund made available to it for emergencies in the Diplomatic and Consular Service to assist Americans who found themselves in a difficult financial position. Through the availability of this special fund repatriation expenses of some Americans were advanced. In setting up this fund, Congress had made clear that advances from it were to be treated as loans for which the recipient would sign a non-interest-bearing promissory note. There are approximately 20,000 promissory notes outstanding in 2,000 different accounts for loans made in foreign currency. The bill would authorize the Department of State to convert these fiat currencies into realistic dollar values, and if the Department cannot collect the converted amounts it will turn the account over to the General Accounting Office to attempt collection. Should it be determined that a debt is uncollectible, the Secretary of State, at the discretion of the Comptroller General, can waive collection of all or part of the money owed the Government.

Reported to House, July 17, 1958.

GRANTING THE CONSENT OF CONGRESS TO A GREAT LAKES BASIN COMPACT, S. 1418

The purpose of the bill is to grant the consent of Congress, with certain limiting qualifications, to the creation of a Great Lakes Commission by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. The Commission's powers include the gathering and publication of information; making recommendations with respect to the orderly and balanced development, use, and conservation of the water resources of the Great Lakes Basin; considering the means of improving fisheries and navigation; recommending legislation to the States; and cooperating with the United States Government and other public bodies. The only cost to the Federal Government would be that of the salary of the Federal representative to the Commission, which shall not exceed $15,000 per annum.

Reported to House, August 13, 1958.

New Aid for Business and Professional Men

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MOORE. Mr. Speaker, too often in our haste to please and enact legislation which is beneficial to the labor element in our country, we forget there would be no jobs for the great masses of our people, were it not for the genius and capital provided by the business and professional men in our great Nation. I make this statement in no way to belittle or to take away one whit of credit from the skilled laboring men who through their toil have made our standard of living the greatest on the earth, and our productive capacity the envy of every other nation. These remarks are made out of respect for the basic principles on which our free-economy system is founded, and in deference to those men, whose farreaching vision and courage to invest their lives and resources, has created a better world for all of us who must toil for our daily bread.

Here in these Halls of Congress, and more often in the many bureaus and agencies of Government, we come close to strangling the very life out of the goose that lays the golden egg—the business and professional men of America. Through endless, and often senseless, laws and regulations we hamper and impede the productive capacity of our industries and businesses. If you have talked to a small-business man lately, then you will be familiar with the story which I hear repeatedly in my travels throughout my District. The average man engaged in business has to spend far too much of his time rendering reports and supplying countless statistical data and information to Federal, State, and local regulatory agencies. If these reports do not overwhelm him, the filing and payment of the ever-increasing myriad of corporation, partnership, and personal taxes, may often cause him to wonder why he ever went into business for himself.

Fortunately, I believe Congress has awakened to the reality of the situation and is taking action to lift part of this burden off the backs of our business people. Likewise, I hope measures might be taken by the various agencies of Government to simplify and wherever possible eliminate unnecessary reports and regulations which hamper and burden the small businesses throughout the Nation.

I am happy that I have had an opportunity to serve as a member of the House Select Committee on Small Business during this past session of Congress. It has given me a better opportunity to study and gain a firsthand knowledge of the problems which exist in the field of business and finance. It has provided me with a keener appreciation for the businessmen I know and meet and helps me to better discuss their problems. It has impelled me to introduce and support legislation which will help alleviate the problems which exist and to improve the economic climate so that more businesses may thrive and flourish.

CHANGES EFFECTED BY THIS CONGRESS

Several important legislative steps were taken by the 85th Congress to help lighten the load on business. I was a joint sponsor of a bill which has now become Public Law 85–866, that reduces some of the tax burden on small businesses. This legislation contains four major provisions:

First. Faster tax writeoffs on new equipment in the first year after its purchase.

Second. Extension from 2 to 3 years of the time for which a loss may be applied against previous income to gain a retroactive tax refund.

Third. Ten years instead of 15 months in which to pay estate taxes on a business held by a few persons.

Fourth. An increase from $60,000 to $100,000 on the amount of earnings that may be retained for expansion instead of being distributed, and thus lessening the tax burden.

Public Law 85–536, established the Small Business Administration as a permanent Government agency and increased the lending authority to better help small businesses obtain badly needed equity capital. This law increases the ceiling on individual loans which the Small Business Administration may grant from $250,000 to $350,000 and reduces the interest rate charged on such loans from 6 to 5½ percent.

Another legislative measure which should prove beneficial to small business is Public Law 85–699. This law authorizes the appropriation of $250 million to SBA for the purpose of furnishing long-term equity capital to small business. These funds will not go directly to individual business concerns but will be allocated to small-business investment companies which in turn must lend such funds only to small businesses which can qualify. In effect, this law creates special lending institutions tailored to meet the needs of small businesses which have not

been able to obtain adequate financing through present banking and loan companies.

Still another Congressional act which should aid many small businesses, especially those who produce goods for sale, is Public Law 85–800. This law revises the Federal purchasing and procurement procedures to insure that small-business concerns in our country get a larger share of the contracts made by the United States Government for the purchase of goods and services.

Taken as a whole, this Congress has made considerable progress in recognizing the problems of small-business men and professional people, but there is still much room for improvement. For instance, one very important measure enacted by the House, died in the Senate in the rush for adjournment. This was H. R. 10, commonly referred to as the Jenkins-Keogh bill, which would have granted some special tax relief to professional men and other self-employed persons who presently are not adequately covered by social security. This legislation, if approved, would have permitted self-employed persons who qualified to take a tax deduction up to 10 percent of their income, but not in excess of $2,500 in any one taxable year, provided such funds were invested in special retirement funds or annuities. I am hopeful the 86th Congress will take early action to approve this bill so that the retirement needs of many of our small-business men and professional people may be provided for in a better manner.

Any business or professional man who would like additional information on any of the new laws which I have briefly discussed, may obtain a complete analysis of such legislation by writing to my Washington office. Likewise anyone interested in obtaining assistance in connection with loans or Government contracts may obtain such information either from my office or by contacting the Small Business Administration branch offices which serve the First Congressional District. For those businessmen located in the northern Panhandle of West Virginia, the SBA branch office in the Fulton Building, 107 Sixth Street, Pittsburgh, Pa., is the nearest. There is also a branch office of the SBA located in the Embleton Building, 922 Quarrier Street, Charleston, to serve the needs of small business located in other areas of West Virginia.

Report of the Committee on House Administration for the 85th Congress

EXTENSION OF REMARKS
OF
HON. OMAR BURLESON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. BURLESON. Mr. Speaker, it is with pleasure that I submit herewith a résumé of the activities of the Committee on House Administration during the 85th Congress. The committee has been very active throughout the Congress, and I feel that a great deal has been accomplished in the field over which the committee has jurisdiction.

A breakdown of the activities of the committee is furnished according to regular and special subcommittees. I believe this is the most understandable method of setting forth the activities of the Committee on House Administration.

SUBCOMMITTEE ON ACCOUNTS

Subsequent to the action of the House in authorizing certain studies and investigations to be conducted by various committees, the Subcommittee on Accounts held hearings on all resolutions providing funds for this purpose. In each case the amount recommended by the Committee on House Administration was approved by the House. The list of committees, showing the amounts requested and the amounts approved, is as follows:

Committee	Amount requested	Amount approved
Agriculture	$50,000	$50,000
Armed Services	280,000	225,000
Banking and Currency	205,000	190,000
Campaign Expenditures (select committee)	30,000	30,000
District of Columbia	10,000	7,000
Education and Labor	150,000	125,000
Foreign Affairs	75,000	75,000
Government Operations	1,352,000	1,175,000
House Administration	170,000	170,000
Interior and Insular Affairs	60,000	57,500
Interstate and Foreign Commerce	410,000	410,000
Judiciary	425,000	365,000
Merchant Marine and Fisheries	75,000	75,000
Outer Space (select committee)	225,000	185,000
Post Office and Civil Service	50,000	50,000
Public Works	160,000	160,000
Small Business (select committee)	493,000	443,000
Un-American Activities	635,000	632,000
Veterans' Affairs	110,000	110,000
Ways and Means	250,000	250,000
Total	5,185,000	4,784,500

In the 2d session of the 85th Congress the Committee on House Administration sent a questionnaire to each Member of the House of Representatives, inviting comments and opinions on many items of proposed legislation directly affecting the efficient administration of Members' offices. Responses to the questionnaire proved valuable to the committee in considering and reporting legislation. Some of the more important subjects on which Members' opinions were sought are as follows:

First. Allowances: (a) Stationery, (b) postage, (c) telephone and telegraph, (d) electrical and mechanical office equipment, (e) mileage, (f) District office expense, (g) District office rent.

Second. Congressional employees: (a) Maximum number of employees in Members' offices, (b) need for administrative assistants, (c) salaries of employees, (d) computation of basic and gross salaries, (e) dual salaries, (f) mileage for Congressional employees.

Third. Vouchers: (a) Should expenditure of counterpart funds be publicized? (b) per diem for Members and employees, (c) per diem for witnesses.

Fourth. Administrative services: (a) Folding room, (b) document room, (c) central mimeographing room and service, (d) pages, (e) personnel office.

Fifth. Parking.

Sixth. Printing.

Seventh. Cafeteria and restaurants.

Eighth. Moving sidewalk or conveyor belt between Capitol and House Office Buildings.

The following legislation, considered and reported by the Committee on House Administration, is intended to make more efficient the administration of the offices of Members of the House of Representatives:

OFFICE EXPENSES

H. R. 790—Public Law 85–54—authorizes Members of the House of Representatives to be reimbursed for official office expenses incurred not only in their Congressional Districts, but also those incurred any place outside the District of Columbia.

RENTAL OF OFFICE SPACE

H. R. 9282—Public Law 85–301—authorizes each Member to have not to exceed two offices in his district, the total rental for which shall not exceed $1,200 per annum.

POSTAGE ALLOWANCE

House Resolution 399, approved August 22, 1957, increased the Members' allowance for air mail and special delivery postage to $300 per annum, effective at the beginning of the fiscal year, July 1, 1957.

H. R. 13688—Public Law 85–778—increased the postage allowance to $400 per annum, effective at the beginning of the 1st session of the 86th Congress; and amended the existing law to provide that the allowance become available at the beginning of each regular session of Congress, commencing with the 86th Congress—the effective date had previously been the beginning of each fiscal year, July 1.

TELEGRAPH AND TELEPHONE ALLOWANCE

H. R. 9406—Public Law 85–289—authorized that each Member's allowance for telephone and telegraph service be computed on a biennial rather than an annual basis, thus enabling a Member to utilize any unused portion of his allowance during the second session of any Congress—6,000 minutes allowed for a 2-year period instead of 3,000 minutes for each year.

A resolution was considered by the committee on August 6, 1958, but was not reported to the House, providing an additional 600 minutes for long-distance telephone service for the remainder of the 85th Congress.

STATIONERY ALLOWANCE

House Resolution 628 authorized an additional stationery allowance of $600 for each Member of the House of Representatives for the 2d session of the 85th Congress.

By administrative action of the Committee on House Administration, Members of the House were notified on August 13, 1958, that they would be permitted to charge to their stationery allowance any expense incurred in printing services performed by the majority and minority printing clerks under rules and regulations agreed upon by the Committee on House Administration and the Clerk of the House.

ADMINISTRATIVE ASSISTANT

H. R. 12601, approved by the committee on May 28, 1958, and reported to the House June 5, 1958, provided for an administrative assistant to each Member of the House. The bill remained on the House Calendar when Congress adjourned, the Rules Committee having failed to grant a rule for its consideration.

INSURING FUNDS OF SERGEANT AT ARMS

House Resolution 144 authorized the Sergeant at Arms of the House to protect the funds of his office by purchasing insurance in the amount necessary to protect such funds against loss.

WITHHOLDING FUNDS FROM EMPLOYEES' SALARIES

H. R. 12521—Public Law 85–492—authorized the Clerk to withhold certain amounts from employees' salaries when such employees are indebted to the House of Representatives.

PAGES

Hearings were held on May 6, 1957, on the following bills which would provide a method for the appointment, housing, education, and supervision of Congressional pages: House Resolution 19, House Resolution 62, H. R. 4612, H. R. 9120, H. R. 10698, and H. R. 11046.

BOND PROGRAM—PAYROLL DEDUCTION

As the result of an excellent response to a letter addressed to all employees of the House by the Committee on House Administration, the committee authorized the House Disbursing Office to proceed with a United States savings bond payroll deduction plan, effective July 1, 1958, under certain regulations approved by the committee.

LEGISLATION ADJUSTING SALARIES AND PERSONNEL

The committee reported favorably to the House 15 resolutions increasing either salaries or personnel in committees and offices of the House.

Of 107 items of legislation referred to the Subcommittee on Accounts, definite action was taken on 74. Of those on which the committee did not act, 12 were providing funds for studies or investigations which had not been authorized by the House.

COUNTERPART FUNDS

In accordance with the provisions of the Mutual Security Act of 1943, as amended, the Committee on House Administration receives reports from all committees of the House on the use of counterpart funds. At regular intervals the chairman of the Committee on House Administration has released to the press the total amount of expenditure of counterpart funds of each committee of the House.

GROUP HOSPITALIZATION

Since the 82d Congress the Committee on House Administration, through its staff, has handled the quarterly collection of premiums for approximately 1,500 Members and employees of the House of Representatives.

SUBCOMMITTEE ON ELECTIONS, HON. ROBERT T. ASHMORE, CHAIRMAN

The principal activity of the Subcommittee on Elections in the 85th Congress consisted of contested election cases. In the first session, 5 committee meetings were held and in the second session, 30 meetings were held, making a total of 35 committee meetings on contested election cases—for the study and investigation of the Hatch Act, pursuant to House Resolution 406, 85th Congress, 1st session, see Special Subcommittee To Study Restrictions on Political Activity.

In the contested election case of James I. Dolliver against Merwin Coad, Sixth Congressional District of Iowa, the subcommittee conducted three meetings, one of which was to hear the oral arguments of the parties concerned. House Document No. 53, dated January 16, 1957, a petition filed by Mr. Coad, was considered in committee and it was determined that no contest existed by virtue of the fact that no valid notice of intention to contest has been filed as contemplated by the Revised Statutes of the United States, title II, chapter 8, section 105, governing contested election cases. This decision of the subcommittee was approved by the full Committee on House Administration and, subsequently the chairman submitted a resolution for action by the House of Representatives. House Resolution 230—Report No. 343—was agreed to by the House April 11, 1957, 85th Congress, 1st session.

In the contested election case of Steven V. Carter against Karl M. LeCompte, Fourth Congressional District of Iowa, the Subcommittee on Elections held 9 meetings—2 during the first session and 7 during the second session. The committee considered House Document No. 153, dated April 17, 1957, relative to three motions, contained in the document, submitted by the attorney for the contestant. The subcommittee denied the three motions contained in the document; it was agreed that a request be made to each of the county auditors in the Fourth Congressional District of Iowa, to hold the ballots and election material intact until the case was finally resolved by the Congress. Two full-day sessions were held, hearing both the principals and the attorneys of the interested parties in oral argument. Subcommittee met with the full Committee on House Administration, referring the action taken which was that Karl M. LeCompte was duly elected as Representative from the Fourth Congressional District of Iowa. The chairman submitted a resolution for action by the House of Representatives. The committee report was filed and approved by the House on April 22, 1958. House Resolution 533—Report No. 1626—was agreed to by the House on June 17, 1958.

In connection with the special election held to fill a vacancy in the First Congressional District of Minnesota, two meetings were held. Eugene P. Foley, Democratic candidate, requested the Subcommittee on Elections to recount the votes, alleging numerous errors in the counting of the ballots. The unofficial tabulation of the vote was 87,965—Mr. Foley receiving 43,655 and the Republican candidate, Albert Quie receiving 44,310—a total plurality of 655. This plurality was less than three-fourths of 1 percent of the total vote cast; and under the laws of Minnesota, there is no provision for a recount of an election for Members of Congress. The subcommittee met on this matter and concluded that the chairman and two members should make an on-the-spot investigation. The investigation was made in the First Congressional District of Minnesota, and upon its completion, the three-man committee reported to the subcommittee that there was no need for a recount because of insufficient evidence to justify a recount and that the application for a recount be denied. The subcommittee concurred in the findings, and since the decision was a negative one, no report to the full committee or to the House was required, and hence no formal report was made.

The contested election case of James C. Oliver against Robert Hale, First Congressional District of Maine, involved 21 meetings. This case was before the committee on the basis of a plurality of 29 votes in favor of the contestee, Mr. Hale. The total number of votes was 116,027—Mr. Hale receiving 58,028 and Mr. Oliver receiving 57,999. The subcommittee heard the oral arguments of the parties concerned, and had before it for consideration the evidence submitted in the record of testimony and the prepared briefs of the contestant and contestee. Upon completion of the examination of the disputed ballots, the subcommittee concluded that Robert Hale won the election by a plurality of 111 votes and that he was duly elected as Representative from the First Congressional District of Maine. The subcommittee submitted its decision and final report to the full Committee on House Administration which unanimously confirmed the subcommittee's action. The Chairman, Mr. ASHMORE, submitted a resolution, declaring Mr. Hale was entitled to his seat, to the House for final action. House Resolution No. 676—Report No. 2482—was agreed to by the House on August 6, 1958.

Oral arguments of the parties on each contested election case, heard before the Subcommittee on Elections, are on record in printed form and are available for distribution.

Fourteen identical or similar bills making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers were referred to the subcommittee but no formal action was had.

Nineteen other items of legislation referred to the subcommittee, but on which no formal action was had, pertained to amending certain provisions of the laws relating to the prevention of pernicious political activities, amending the Federal Corrupt Practices Act, establishing preferential primary elections for the nomination of candidates for the office of President, and other bills relating to elections and voting.

Two hearings were held pursuant to H. R. 1167 and 433, identical bills, establishing a Commission to study certain aspects of the restrictions on political activities imposed under sections 9, 12, and 15 of the act commonly referred to as the Hatch Political Activities Act. Following the hearings, a resolution—House Resolution 406— was introduced by the chairman, ROBERT T. ASHMORE, which was agreed to by the House on

August 22, 1957, authorized the Committee on House Administration, or any subcommittee thereof, to make an investigation and study of the operations and enforcement of the Act to Prevent Pernicious Political Activities, the Federal Corrupt Practices Act, and other Federal elections laws. Pursuant thereto, the Subcommittee on Elections met in committee, establishing a Special Subcommittee to Study Restriction on Political Activity in order to carry out the provisions of the resolution.

SUBCOMMITTEE ON PRINTING

Most of the activity in the Subcommittee on Printing during the 85th Congress was concerned with the printing of various studies and documents of general interest to the public.

There were 75 House resolutions referred to the subcommittee. Of the 75 resolutions, 59 were approved and 2 withdrawn.

There were 18 Senate resolutions referred to the Printing Subcommittee, all of which were approved by the committee and reported to the House of Representatives by the full committee.

It is expected that the publication entitled "Our Capitol," which was authorized to be reprinted during the 2d session of the 85th Congress, will be available for distribution to Members of the House before the end of this year.

SUBCOMMITTEE ON LIBRARY, DISPOSITION OF EXECUTIVE PAPERS AND ENROLLED BILLS

During the 85th Congress, a total of 86 bills and resolutions were referred to the subcommittee and a total of 4 hearings were held on separate items of legislation; namely House Joint Resolutions 233, 465, H. R. 2575 and 7813.

House Joint Resolution 233, dated February 14, 1957, encouraging and fostering the cooperation of private and State historical commissions in preserving important documents was considered in a committee hearing on June 5, 1957. A similar bill, Senate Concurrent Resolution 31, was referred to the committee, and was approved in lieu of House Joint Resolution 233. This resolution passed the House August 22, 1957.

A meeting on April 8, 1957, was held to consider H. R. 2574, providing for the erection of a suitable memorial in Newport News to honor certain individuals who have served in the United States Armed Forces. This legislation failed to win subcommittee approval and, therefore, was not reported.

In connection with H. R. 7813, which was referred to the subcommittee, May 28, 1957, the subcommittee heard witnesses on the subject to organize and microfilm the papers of the Presidents of the United States, the principal witness being former President Harry S Truman. This legislation was reported out of committee to the House of Representatives for action. It passed both Houses and became Public Law 85–147.

Legislation designating the rose as the United States national floral emblem, House Joint Resolution 465, was referred on February 26, 1958, and was considered by the subcommittee on June 30, 1958. The committee did not act upon this legislation, hence no formal report was made.

Hearings on House Joint Resolution 233, House Joint Resolution 465, and H. R. 7813 have been printed and are available for distribution.

House Joint Resolution 677, introduced by the Honorable JOHN MCCORMACK on August 15, 1958, to reserve a site in the District of Columbia for a memorial to Franklin Delano Roosevelt, was referred to the subcommittee, but was not brought before the committee for consideration during this session due to the inability to obtain appropriate departmental reports prior to adjournment of the second session of Congress.

Legislation referred to the Committee on House Administration for disposition under the subcommittee, reported out of committee and passed by the House is as follows:

House Joint Resolution 23—Public Law 85–8—appointing Arthur Compton as Smithsonian regent.

House Joint Resolution 202—Public Law 85–9—appointing J. N. Brown as Smithsonian regent.

House Joint Resolution 279—Public Law 85–20—authorizing the procurement of an oil portrait and marble bust of the late Chief Justice Fred M. Vinson.

House Joint Resolution 345—Public Law 85–20—authorizing the erection of a memorial to the dead of the Second Infantry Division, World War II and the Korean conflict on public grounds in the city of Washington, D. C.

House Joint Resolution 451—Public Law 85–403—authorizing the 101st Airborne Division Association to erect a memorial in the District of Columbia.

H. R. 7234—Public Law 85–53—fixing the responsibilities of certifying officers and disbursing officer of the Library of Congress.

H. R. 7813—Public Law 85–147—organizing and microfilming the papers of Presidents of the United States in the collections of the Library of Congress.

Four other House bills were referred to the committee for which Senate bills on the same subject were considered in lieu thereof; namely, House Joint Resolution 233—Senate Concurrent Resolution 31, passed August 22, 1957; H. R. 4002—S. 1984 passed Senate March 20, 1958, now Public Law 85–357; H. R. 9145—S. 1984, passed Senate March 20, 1958, now Public Law 85–357; and H. R. 8228—S. 2434, passed Senate August 22, 1957, now Public Law 85–308.

Twelve Senate bills and Senate concurrent resolutions or Senate joint resolutions referred to the subcommittee were reported out of the subcommittee to the House for action, that is, Senate Concurrent Resolutions 31, 37, 64, 65, 80, 81, 102, 103; Senate Joint Resolution 103; and S. 2434, S. 1984, S. 4085. These bills and resolutions passed both Houses, with the exception of Senate Joint Resolution 103 which was not passed by the House.

Relative to the function of the subcommittee devoted to the processing of the disposal of executive papers, the Archivist of the United States submitted 32 reports for consideration. The subcommittee reviewed the reports and approved the 32 reports as submitted.

There were 1,096 bills originating in the House of Representatives and ultimately passed the Senate, examined for accurate enrollment, and presented to the President. The chairman, Hon. OMAR BURLESON, Committee on House Administration notified the House of such presentation.

During the first session, the members of the Library Subcommittee, who are also members of the Joint Committee on the Library, met on July 18, 1957, with the joint committee to hear testimony from the Librarian of Congress, Mr. L. Quincy Mumford, and other Library officials, on the matter of codifying the many statutes affecting the Library of Congress.

The Librarian, Mr. Mumford, and Dr. Ernest Griffith, Director of the Legislative Reference Service, also appeared before the committee during the second session of the 85th Congress. Dr. Griffith presented in memorandum form his personal suggestions and recommendations concerning the administration and operations of the Legislative Reference Service.

This memorandum, entitled "A Memorandum on Its Achievements, Problems, and Potential, With Recommendations for Its Improvement," has been printed and is available for distribution as a committee print.

SPECIAL SUBCOMMITTEE ON ELECTRICAL AND MECHANICAL OFFICE EQUIPMENT

The equipment program for the House of Representatives has become well stabilized which required little activity on the part of this subcommittee during the 85th Congress. There were two principal changes in the list of equipment approved for purchase on Capitol Hill: First, the addition of several models of photo-duplication machines, and second, the addition of several models of portable dictation machines.

SPECIAL SUBCOMMITTEE TO STUDY FEDERAL PRINTING AND PAPERWORK, HON. WAYNE L. HAYS, CHAIRMAN

The Subcommittee To Study Federal Printing and Paperwork, of the Committee on House Administration, authorized pursuant to House Resolution 128 of the 85th Congress, continued its work in a number of phases of the overall study, with emphasis on the following:

Revision of laws relating to depository libraries: Based on the views expressed by outstanding library authorities in the United States which were developed by subcommittee hearings held in key cities, namely: Chicago, San Francisco, New Orleans, and Boston in October 1957 on the bill H. R. 9186, a new bill—H. R. 11042—was introduced by Chairman WAYNE L. HAYS on February 27, 1958. Thereafter, on the basis of views expressed by 21 Government departments and agencies, which were supplemented by hearings held in Washington, D. C., a clean bill—H. R. 13140—was introduced by Chairman HAYS, which was reported to the House by the committee as House Report No. 2136, on July 9, 1958, and passed without opposition on July 21, 1958. The chairman and Members of the Senate Committee on Rules and Administration, to which the bill was subsequently referred, acknowledged its merits and importance but expressed regret that it was received too late for Senate action to be taken in the 85th Congress.

Procurement and supply of paper: Information developed through a staff study of the procurement and supply of paper and hearings on this subject, which were conducted during the first session of the 85th Congress, was carefully analyzed. This data, together with related information developed during the second session of the 85th Congress, convinced members of the subcommittee that there is unwarranted overlapping activity and unnecessary expense in the procurement and supply of paper. The report which the subcommittee will file subsequent to adjournment will set forth proposals for the correction of these conditions.

Forms management: Information was obtained from the Bureau of the Budget as to what administrative measures had been taken by that agency to reduce the paperwork burden represented by approximately 150 specific targets enumerated in the Hoover Commission Task Force Report on Paperwork Management. The information which has been received is in process of evaluation to determine what, if any, legislative action is indicated to be necessary to attain further reductions in paperwork.

Report on United States Government printing facilities: Much information and data have been developed and analyzed for use in connection with the report on United States Government printing facilities, including duplicating and reproduction, which will be filed subsequent to adjournment in accordance with authority given on August 6, 1958. The chairman of the Joint Committee on Printing cooperated with the work of the subcommittee by making records and reports in that office available to provide supplemental information. This comprehensive report will include a detailed analysis of findings and recommendations for improvement of those conditions which do not appear to best serve present day conditions and consequently result in needless expense and duplication.

SPECIAL SUBCOMMITTEE TO STUDY RESTRICTIONS ON POLITICAL ACTIVITY, HON. ROBERT T. ASHMORE, CHAIRMAN

In the preliminary stages on the study and investigation of the Hatch Act, basic materials were accumulated, such as, former public laws, Executive orders, and civil-service rules and regulations administered by the Civil Service Commission, and other data on the legislative history of the Hatch Act. Letters were prepared and forwarded to budget officers or comptroller offices under the governor of each State, requesting information on State and local employees, paid in part from Federal grants who would be subject to section 12 of the Hach Act. Letters were also sent to each secretary of state of the 48 States requesting their views and opinions as to whether or not they felt that the Federal Government should by legislation, such as section 12, regulate the conduct of State and local employees and whether his State has a so-called little Hatch Act. An edition of their State election laws was also requested. A letter, enclosing a questionnaire and a prepared pamphlet explaining section 9 and the amendment of the 1940 Hatch Act, section 12, was sent to some 3,000 mayors and city managers of cities with a population of 5,000 to 10,000.

In addition to the hearings held on H. R. 1167 and H. R. 433 during the 1st session of the 85th Congress, two hearings on political restrictions of the Hatch Act were held during the 2d session.

Hearings on H. R. 1167 and H. R. 433 and the hearings held on political restrictions have been printed and are available for distribution.

During the course of the study and investigation of the Hatch Act, the subcommittee heard various persons informally and answered numerous inquiries concerning the political restrictions imposed on both Federal and State employees, including employees of the District of Columbia government.

The special subcommittee will complete its study and investigation on the restrictions of political activities by the end of the 85th Congress, and a report will be filed with the Office of the Clerk of the House of Representatives, as authorized by House Resolution 406.

Record of the Activities of the Committee on the Judiciary, 85th Congress

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. CELLER. Mr. Speaker, a review of activities of the Committee on the Judiciary of the House of Representatives, 85th Congress, reveals the major role which the committee has played in the legislative history of this Congress. This is evidenced not only by the number of legislative proposals considered by the committee, but by the very nature of the legislative proposals themselves. Major legislation enacted into law which was considered by this committee includes, among others, the first civil rights legislation enacted in almost 80 years; the first revision of the Immigration and Nationality Act since 1952; a number of public laws dealing with Federal judicial practice and procedures, both civil and criminal.

Out of the total of 14,013 measures introduced in the House of Representatives during the 85th Congress, 5,577 were referred to the Judiciary Committee, thus the Judiciary Committee handled 39.8 percent of the legislative work of the House of Representatives. Of the legislation processed by this committee, 96 legislative proposals were enacted into public law. This was accomplished through the work of the 5 regular subcommittees and 4 special subcommittees. During the course of the Congress the full committee held 59 executive sessions.

This committee, in addition to the public legislation, handled approximately 4,802 private bills. These private bills included 3,739 immigration matters, and 1,063 claims against the Government. Thus thousands of persons were the beneficiaries of the private legislation enacted into law.

In addition to the processing of legislative proposals, the committee issued several special reports covering the operations of the various subcommittees. A list of these reports is attached to the individual reports of the subcommittees which are herein set forth.

Throughout the Congress this committee received the utmost cooperation and devotion of the individual members, together with its staff. It was the teamwork of this combination that has made possible this outstanding legislative record.

SUBCOMMITTEE NO. 1—ACTIVITIES IN THE 85TH CONGRESS

Subcommittee No. 1 (general jurisdiction over judiciary bills as assigned; special jurisdiction over immigration and nationality) had 107 public bills referred to it for action, and held 53 meetings.

During the first session of the 85th Congress, extensive studies and inquiries conducted in the United States and abroad led to the preparation of public legislation incorporated in H. R. 8123 and S. 2792, which were enacted in law on September 11, 1958 (Public Law 85–316). This legislation contains several amendments to the Immigration and Nationality Act, as well as related provisions affecting the entry of highly skilled aliens, relatives of United States citizens and aliens lawfully residing in the United States, and the entry of a defined class of refugees. An interim report on the administration of Public Law 85–316 was prepared by Subcommittee No. 1 and inserted in the CONGRESSIONAL RECORD, dated August 21, 1958 (pp. 18996–18997).

Public hearings were held by Subcommittee No. 1 on May 23, 1957, on the bills: H. R. 1011, by Representative WILSON of California and H. R. 44552, by Representative SAUND—both bills proposing the curtailment of the crossing of international borders by juveniles. Subcommittee No. 1 decided not to take action on this legislation.

On January 27 and January 30, 1958, hearings were held by Subcommittee No. 1 on 7 bills: H. R. 2542, H. R. 3033, H. R. 3498, H. R. 3663, H. R. 6239, H. R. 7829, and H. R. 10353, proposing to amend title 18 of the United States Code relating to the mailing of obscene or crime-inciting matter, venue, and related purposes. The bill, H. R. 6239, was reported to the House with amendments and it passed the House on May 19, 1958. After a conference on amendments proposed by the Senate, that legislation was enacted into law on August 28, 1958 (Public Law 85–796).

Subcommittee No. 1 concluded during the 85th Congress its work on legislation proposing the establishment of a commission to study problems in the field of international legal practices and procedures. In the 84th Congress, this legislation passed the House but was not acted upon by the Senate prior to adjournment. A similar bill introduced in the 85th Congress, H. R. 4642, was again acted upon by the House, passed the Senate, and was enacted into law on September 2, 1958 (Public Law 85–906).

Studies and investigations relating to the admission of the refugees from the Hungarian revolution conducted by Subcommittee No. 1 since November 17, 1956, have culminated in the enactment on July 25, 1958, of Public Law 85–559 (H. R. 11033), under which the Attorney General of the United States is authorized to adjust the status of the Hungarian refugees admitted under parole pursuant to section 212 (d) (5) of the Immigration and Nationality Act. The adjustment of status to that of an immigrant

admitted for permanent residence extends, under that law, retroactively to the date of the refugee's arrival in the United States.

On July 10, 1958, Subcommittee No. 1 held hearings on H. R. 13311, a bill amending the Immigration and Nationality Act by the addition of provisions regulating the judicial review of orders of deportation and exclusion of aliens. The bill, amended by Subcommittee No. 1, passed the House on August 12, 1958, under suspension of rules, but the Committee on the Judiciary of the Senate did not report this legislation prior to adjournment.

The bill, H. R. 11874, under which the Attorney General of the United States is authorized to create the record of lawful admission for permanent residence in the case of aliens who had their residence in the United States continuously since their entry prior to June 28, 1940, was enacted into law on August 8, 1958 (Public Law 85–616). That statute exempts from its benefits certain aliens inadmissible to the United States under parts of section 212 (a) of the Immigration and Nationality Act insofar as they relate to highly undesirable persons.

The bill, H. R. 13378, proposing to facilitate the naturalization of alien spouses and children of a defined class of clergymen and missionaries, was enacted into law on August 20, 1958 (Public Law 85–697), bringing the naturalization privileges of the class of aliens therein defined in accord with such privileges granted alien spouses and children of foreign-service personnel, American businessmen residing abroad, etc.

H. R. 13451, a bill to amend section 245 of the Immigration and Nationality Act and for other purposes, was enacted into law on August 21, 1958 (Public Law 85–700). Under this legislation, the Attorney General of the United States is authorized to adjust the status of an alien temporarily in the United States, pursuant to a lawful admission, to that of an immigrant admitted for permanent residence without the necessity of such applicant leaving the United States and returning in order to make an additional entry.

Public Law 85–700 also grants nonquota status to a limited number of highly skilled immigrants, in whose behalf petitions for first preference status under the respective quota, were approved by the Attorney General of the United States prior to July 1, 1958.

Subcommittee No. 1 recommended favorably to the House the enactment of S. 3942, with amendments, designed to admit to the United States a specified number of Portuguese and Dutch nationals displaced from their permanent place of abode following a national calamity in the former instance and political and economic pressures in the latter. This legislation was enacted on September 2, 1958 (Public Law 85–892).

Continuing its permanent supervision of laws within its jurisdiction, Subcommittee No. 1 has published the following reports containing findings and recommendations arrived at pursuant to the investigations: House Report 67, Spanish sheepherders; House Report 203, ICEM and land resettlement; House Report 780, Japanese agricultural workers; House Report 1368, immigration problems on the southeastern sea border.

Action by Subcommittee No. 1 in the field of private legislation is reflected in the following table:

House bills:	
Private laws:	
Individual bills	63
House bills incorporated in 58 House joint resolutions which became private law	557
Pending in Senate:	
Individual bills	5
Bills incorporated in one House joint resolution	8
House bills—Continued	
Adverse action by Senate:	
Individual bills	1
Bills deleted from House joint resolutions	51
Recommitted	1
Tabled	770
Tabled, Senate bills passed in lieu	50
Deferred	48
Pending	1,589
Total	3,143
House joint resolutions:	
Private laws (joint resolutions—referred to above—incorporating individual bills)	58
Private laws (joint resolutions granting relief to 205 persons who were not subjects of individual bills)	3
Pending in Senate	1
Not acted upon	2
Total	64
House concurrent resolutions:	
Confirming the findings of the Attorney General in cases submitted to the Congress under the provisions of sec. 6 of the Refugee Relief Act of 1953, as amended (of the 1,905 applications considered by the committee, 1,521 were included in 3 concurrent resolutions, 26 were withdrawn, 346 were not approved, 9 were approved on resolutions in the 84th Congress, and relief was granted in 3 cases under other provisions of law)	3
Confirming the findings of the Attorney General in cases submitted to the Congress under the provisions of section 4 of the Displaced Persons Act of 1948, as amended (92 applications considered—79 included in the concurrent resolution—3 withdrawn by the Attorney General and 5 held for further investigation)	1
Not considered	1
Total	5
Private laws	302
Included in one bill by House Amendment	3
Recommitted	4
Tabled	117
Deferred	74
Pending	18
Total	518
Senate concurrent resolutions:	
Confirming the findings of the Attorney General under the provisions of the Immigration Act of 1917, as amended, and under the provisions of section 244 (a) (5) of the Immigration and Nationality Act (of the 647 applications considered, 611 were included in the above resolutions. Five were withdrawn by the Attorney General, fourteen were not approved, and seventeen were held for further investigation)	6
Withdrawing suspension of deportation cases (pursuant to section 246 (a) of the Immigration and Nationality Act)	3
Total	9

85TH CONGRESS, SUBCOMMITTEE NO. 2, GENERAL JURISDICTION OVER JUDICIARY BILLS, AS ASSIGNED SPECIAL JURISDICTION OVER CLAIMS

During the 85th Congress the subcommittee conducted hearings on 46 different days. These covered public as well as private claims measures.

Consideration was given to a total of 639 bills and resolutions.

The subcommittee considered two bills, H. R. 105 and H. R. 8439, which concerned the problem of the forfeiture of bonds posted by refugees who originally entered the United States as nonimmigrants and then adjusted their status to that of immigrants admitted for permanent residence. A hearing was held on H. R. 105 in the first session of the 85th Congress, and based on the testimony adduced at that hearing, H. R. 8439 was introduced as a substitute bill. H. R. 8439 provided authority for the Attorney General to cancel any departure bond posted pursuant to the applicable immigration law in behalf of any refugee who entered as a nonimmigrant after May 6, 1945, and prior to July 1, 1953, and subsequently had his immigration status adjusted to that of an alien admitted for permanent residence. The bill further provided for a refund in those instances where the proceeds of the bond had already been paid into the Treasury. The bill passed both Houses of Congress, and became Public Law 85–727.

The subcommittee considered several bills relating to statutory provisions concerning claims handled by the Armed Forces. Two of the bills recommended by the Treasury Department and approved by the subcommittee, H. R. 3820 and H. R. 4370, provided for an amendment to title 14 of the United States Code relating to the Coast Guard. H. R. 3820 provided for the amendment of section 490 so that the Secretary of the Treasury would have the same authority to settle claims of the military and civilian personnel of the Coast Guard as is now possessed by the Secretaries of the military departments with respect to their personnel. H. R. 4370 would have amended section 645 of the same title so that its provisions would conform to those of section 2733 of title 10 of the United States Code relating to similar claims for damage to property, personal injury, or death which are asserted against the Army, Navy, or Air Force. These two bills were reported by the committee and passed the House. In the Senate the two bills were combined in that H. R. 3820 was amended to include the provisions of H. R. 4370. H. R. 3820 passed the Senate in that form, and the House agreed to the Senate amendments. The bill became Public Law 85–738.

Another bill concerning claims handled by the military departments, H. R. 1061, would have granted additional power to the Secretaries of those departments to settle certain claims. That bill passed the House and Senate, but was the subject of a pocket veto.

H. R. 9022 provided for an increase in the authority of the Secretaries of the military departments to settle claims based on the noncombatant activities of the services, as set forth in section 2733 of title 10 of the United States Code, from $1,000 to $5,000. The section was further amended to permit the payment of the amount limited in that section in partial payment of meritorious claims in those cases where the amount of the claim exceeds the amount so payable. This bill became Public Law 85–729.

H. R. 10425 had as its purpose the amendment of section 2734 of title 10 of the United States Code so that the Secretary of the Treasury would have the same authority to settle claims arising in foreign countries incident to noncombatant activities of the Coast Guard as is now possessed by the Secretaries of the military departments incident to noncombatant activities under their jurisdiction. This bill was reported by the committee and passed the House, but no action was taken by the Senate prior to adjournment.

H. R. 9371 and H. R. 12212 concerned the validation of certain payments made by the military departments. H. R. 9371 had as its purpose the validation of payments by the Army and Air Force to the Military Sea Transport Service for the transportation of

household goods of servicemen to Hawaii in connection with the change of station to an area where dependents were not permitted to accompany such members of the services. That bill became Public Law 85–814. H. R. 12212 granted employees assigned to the Golcuk Navy Yard, Izmet, Turkey, in the period from November 23, 1955, to April 30, 1957, a release from any liability to refund any erroneous overpayments of per diem resulting from administrative error, and provided for the payment of any funds withheld because of such overpayments. This bill became Public Law 85–907.

A number of bills granting relief to States or political subdivisions within States were referred to the subcommittee. Among the bills recommended favorably was H. R. 7636, authorizing the conveyance of a site of land to Florida for a State road department shortwave radio tower upon the payment of a fair value for the land conveyed. This bill became Public Law 85–293. H. R. 1942 provided for the payment of the amount due the Sergeant Bluff Consolidated School District of Iowa for the tuition of children of Air Force personnel, and became Public Law 85–140. S. 807, providing for the payment of $193,392 to the Jackson School Township of Indiana in exchange for the conveyance of the school building and land which was necessitated by proximity of the school to an airfield, became Public Law 85–291. H. R. 4804 provided for the payment of $73,242 to the Newington School District of Newington, N. H., in full satisfaction of its claims against the United States for costs to be incurred in relocating an elementary school because of the noise and danger of aircraft using the Pease Air Force Base. The payment was conditioned on the transfer of the school property to the Government. That bill became Public Law 85–727. H. R. 3261, providing for the payment of $6,028 to the Oceanside-Libby Union School District, San Diego County, Calif., in settlement of the district's claims against the Government for the refund of an equal amount which it paid in order to obtain the consent of the United States to a grant of an easement by the school district to California for highway purposes, became Public Law 85–555. H. R. 7384, which became Public Law 85–248, authorized the payment of $12,000 to the town of Medicine Lake, Mont., in settlement of its claims for damages to its municipal water supply as the result of the activities of the Fish and Wildlife Service. Payment to the State of New York in settlement of its claims for a refund of employment tax erroneously made under the Federal Contributions Act in connection with the operation of a housing project was provided for in H. R. 7738, which became Public Law 85–809.

A bill providing for the payment of $581,721.91 to the State of Washington for the replacement of a road previously located on land taken for use by the United States, H. R. 2224, was considered and passed by the Congress, but was the subject of a pocket veto.

Public Law 85–255 authorized the payment of amounts due certain commissioned officers during the years 1932, 1933, and 1934 for advancement in rank which were not paid because of the application of the Economy Act of 1932. That law resulted from the enactment of H. R. 293, originally considered by the subcommittee.

H. R. 3366 had the effect of validating the receipt of the compensation, including meals and living quarters in kind, received by individuals who were placed in an active duty status while serving as interns or resident physicians in non-Federal hospitals. This bill was reported by the committee, passed both Houses, and became Public Law 85–869.

The Secretary of the Army recommended a bill which was introduced as H. R. 5810, which provided for the reimbursement to the tribal council of the Cheyenne River Sioux Reservation for expenses incurred in negotiations relating to an agreement between the United States and the tribal council. Payment as provided for in the bill was in accordance with the provisions of the agreement set out in the act of September 3, 1954 (68 Stat. 1191). The bill became Public Law 85–274.

House Joint Resolution 185 authorized the reference to the Court of Claims of a claim asserted against the United States by Norway. This reference was in line with an agreement previously entered into between the two countries, and the bill became Public Law 85–60.

The settlement of a group of claims arising as the result of the crash of an airplane at Worcester, Mass., on July 18, 1957, was provided for in H. R. 8868. The bill passed both Houses of Congress and became Public Law 85–760.

H. R. 11406, which had as its purpose the removal of the statutory limitation of $1,000 in section 2733 of title 10 of the code so as to permit the settlement of claims arising from the accidental release of a bomb near Mars Bluff, S. C., was reported by the committee and passed the House, but no action was taken in the Senate prior to adjournment.

The Secretary of the Army reported to the Congress the amounts equitably due claimants who filed claims pursuant to the act of August 13, 1954, relating to flooding and damage from fluctuations of the water level of the Lake of the Woods. H. R. 10805 authorized the payment of the amounts so reported, and the bill became Public Law 85–621.

The subcommittee considered a bill (H. R. 10874) which authorized the payment of $137,997.64 and interest fixed as provided in the bill to the city of Fort Myers, Fla., and a payment of $209,538.99 and interest to Lee County, Fla., in reimbursement of valid expenditures made in connection with the contemplated establishment of an Air Force weapons center. The committee reported the bill providing for payments in those amounts, and at the time of floor consideration an identical Senate bill (S. 3314) was substituted. The latter bill became Public Law 85–546.

The subcommittee favorably recommended H. R. 13571 to the full committee. This bill would provide for the payment of $12,828.35 to the city of Madeira Beach, Fla., in settlement of the city's claims against the United States for the construction of concrete groins for erosion control of 500 feet of property principally on land adjacent to the beach house of the Veterans' Administration. The bill was reported and passed the House, but no action was taken in the Senate prior to adjournment.

The subcommittee held an extensive hearing on H. R. 6681, a bill to make the Federal tort claims provisions of title 28 of the United States Code the exclusive remedy for persons injured or damaged in accidents involving Government drivers. This bill remained pending in the subcommittee at the end of the Congress.

The following tabulation indicates the workload of this subcommittee in connection with claims against the Government:

Referred to subcommittee:	
Private, House bills	973
Private, House joint resolutions	3
Private, House resolutions	17
Private, Senate bills	70
Total	1,063
Public, House bills	69
Public, House joint resolutions	1
Public, House resolutions	2
Public, Senate bills	4
Total	76
Total	1,139
Reported to committee:	
Private, House bills	436
Private, House resolutions	14
Private, Senate bills	54
Total	504
Public, House bills	24
Public, House joint resolutions	1
Public, House resolutions	1
Public, Senate bills	3
Total	29
Total	533
Reported to House:	
Private, House bills	427
Private, House resolutions	14
Private, Senate bills	52
Total	493
Public, House bills	23
Public, House joint resolutions	1
Public, House resolutions	1
Public, Senate bills	3
Total	28
Total	521
Passed House:	
Private, House bills	425
Private, House resolutions	14
Private, Senate bills	55
Total	494
Public, House bills	22
Public, House joint resolutions	1
Public, House resolutions	1
Public, Senate bills	4
Total	28
Total	522
Private House bills, adversely reported	81
Private, Senate bills, adversely reported	3
Public, House bills, adversely reported	11
Public, Senate bills, adversely reported	1
Total	96
Pending in Senate:	
Private, House bills	117
Public, House bills	3
Total	120
Private laws enacted	289
Public laws enacted	23
Bills vetoed:	
Private	34
Public	1
Total	35
Claims settled administratively	16

In addition to the public bills relating to claims referred to the subcommittee by reason of its special jurisdiction over claims, 22 public bills of a general nature were referred to the subcommittee. These bills concerned such subjects as the War Contractors Relief Act, a Commission on the Office of the President, and a proposed extension of the bonding requirements of contractors with the Government to cover contractor obligations to States resulting from public-works contracts. The subcommittee heard testimony on H. R. 6609, a bill to amend the War Contractors Relief Act and adversely reported it to the full committee. A hearing was held on two bills, H. R. 8808 and H. R. 9374, proposing an extension of the bond requirements now existing as to

contractors with the Government for public-works projects. These bills proposed that the contractors be required to furnish bonds to insure the payment of State obligations arising from the performance of the Federal contracts. The subcommittee made an adverse recommendation to the full committee, and the bills were tabled by the full committee.

Number of general public bills referred to the subcommittee	22
Number of hearings held	2
Number of general public bills reported to the full committee	3

SUBCOMMITTEE NO. 3—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER PATENTS, TRADEMARKS, COPYRIGHTS, AND REVISION OF THE LAWS—GENERAL STATEMENT

The work of this subcommittee is divided generally into three channels. It processes all general legislation bills assigned to it; it handles all legislation relating to patent, trademarks, and copyright laws and in addition it has jurisdiction over the revision of the laws, classifiying all laws of a general and permanent nature as they are enacted into the 50 titles which comprise the United States Code.

In all, 146 bills were referred for processing. Ninety-nine bills were handled in the first session of the 85th Congress and are not discussed here, since they are covered in an earlier report made at the end of the first session of this Congress. During the second session, in addition to handling bills carried over from the first session, the subcommittee processed 43 new bills. These include such subjects as diversity of citizenship, appellate procedure, Patent Office fees, interstate compacts, Federal sentencing procedures, disclosure of Government information, habeas corpus, and Patent Office matters.

The following statement points up the functions of the subcommittee and highlights some of the legislation processed by it.

GENERAL LEGISLATION

In order to reduce the current heavy workload of the Federal courts and to help in eliminating the great backlog of cases now pending on the court calendars, the subcommittee acted upon H. R. 11102, which increases from $3,000 to $10,000 the monetary jurisdiction of the Federal courts and which restricts the use of the Federal courts to corporations by declaring them citizens of those States where they have their principal places of business. This legislation became Public Law 85–554 and should have widespread effect in reducing our congested Federal court calendars.

Important legislation upon which the subcommittee took favorable action relates to abbreviated records on appeals, H. R. 6788. This bill will permit the several courts of appeals to adopt rules authorizing the abbreviation of the transcript and other parts of the record made before Federal agencies when the orders of those agencies are reviewed by the courts of appeals. In many instances much of the record before such agencies is not relevant to the questions actually raised on appeal. This legislation (Public Law 85–791), in permitting an abbreviated record to be transmitted, should result in substantial savings of time and money to the Government without interfering with appellate rights.

A bill which became law in the last session of Congress but bears mentioning is H. R. 7915 (S. 2377, Public Law 85–269) which authorizes Federal courts, after a witness has testified, to require the Government to submit prior statements and records of the witness in its possession for the court's inspection for the purpose of turning relevant material over to defendants who seek to impeach the credibility of the witness. This legislation, popularly referred to as "preserving the FBI and other Government files" resulted from the Supreme Court decision in the case of *Jencks* v. *U. S.* (353 U. S. 657).

The subcommittee, after exhaustive study, approved a bill on Federal sentencing procedures, House Joint Resolution 424 (Public Law 85–752), which sets up additional procedures for judges to use in the sentencing of prisoners convicted of Federal crimes. In addition the bill provides for the development of a policy on uniform sentencing by authorizing meetings of judges, prosecutors, etc., from time to time to discuss the present wide disparity in Federal sentences. It is felt that this legislation, containing flexible sentencing procedures, will greatly advance the rehabilitation of prisoners generally.

Recent bombings of schools, synagogues, and public buildings in Southern States and in certain other sections of the country caused the subcommittee to study the possibility of Federal legislation making it a Federal offense to import, transport, possess, or use explosives in order that the FBI and other Government law-enforcement agencies can be brought in immediately to investigate these outrageous occurrences. Because it was late in the Congress, the subcommittee decided to take no action at this time. Two bills were introduced as a result of the hearings, H. R. 13797 and H. R. 13813, containing modifications of the earlier bills. It was decided to obtain the views of the Attorney General and interested agencies on these latter bills in order that action could be secured early in the next Congress.

The subcommittee handles interstate compact legislation, and considered and approved H. R. 7153 which gives the consent of Congress to a compact between the States of Oregon and Washington, establishing a boundary between those States (Public Law 85–575).

In addition, the subcommittee approved other bills, one relating to venue in tax refund suits by corporations, Public Law 85–920, legislation affecting the interest of Indians with respect to civil and criminal jurisdiction over Indian country in Alaska, Public Law 85–615, legislation making the Federal Probation Act applicable to the United States District Court for the District of Columbia, Public Law 85–643, another bill to preserve markers and to punish trespassing on Indian reservations, H. R. 7240, legislation affecting split sentences, Public Law 85–741, lis pendens, Public Law 85–689, interlocutory appeals, Public Law 85–919, a bill providing for the design of the United States flag in view of the probable addition of new States, H. R. 13552, legislation affecting the annual rate of compensation of members of the Board of Parole, Public Law 85–928, bills which would permit district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants (vetoed September 2, 1958), and a bill which would authorize the use of certified mail in summoning jurors, Public Law 85–259, among other proposals.

PATENTS, TRADEMARKS, AND COPYRIGHTS

The subcommittee considered S. 1864 which should go a long way toward reducing the tremendous backlog of cases in the Patent Office and makes possible salary increases for certain of its employees. The Patent Office recently increased the number of assistant examiners from 640 to over a thousand. To handle the annual appeals (between 6 and 7 thousand) its Board of Appeals is in urgent need of an increase in its membership. This legislation, which became Public Law 85–933, authorizes an increase of 6 members to the present Board of 9.

Like the Patent Office, the Trademark Office is in great need of appelate procedures to properly take care of trademark applications. The instant legislation, Public Law 85–609, authorizes a Trademark Trial and Appeal Board which will greatly facilitate the processing of applications and free the Assistant Commissioner from much of this burdensome task for other much-needed administrative work.

The subcommittee also reaffirmed its favorable position on and reported H. R. 7181 which raises generally patent and trademark fees. It is estimated that these fees will offset the Patent Office expenses by 70 percent. The subcommittee also approved H. R. 8419 which relates to actions for infringements of copyrights by the United States.

REVISION OF THE LAWS—CLASSIFICATIONS OF LAWS TO CODES

The primary function of the subcommittee with respect to revision of the laws—the classification of the public laws to appropriate titles of the United States Code and District of Columbia Code—has been carried on since the beginning of the Congress. There have been 936 public laws, comprising almost 2,500 pages in the Statutes at Large, that have to be examined carefully for this purpose. At the time of adjournment sine die on August 24, 1958, there were more than 200 bills awaiting approval by the President, and which will be classified during the recess.

The laws of the first session were incorporated in supplement V of the United States Code, consisting of 3 volumes, aggregating 4,224 pages, and in supplement VI of the District of Columbia Code, consisting of 2 volumes, aggregating 690 pages. The laws of the second session will be incorporated in a new edition of the United States Code and in a seventh supplement of the District of Columbia Code. Also, with respect to the District of Columbia Code, all the decisions of the Federal courts involving provisions of that code have been studied and annotations have been prepared for insertion in appropriate places in the code. This has required the study of 5 volumes of the United States Reports, 11 volumes of the Federal Reports, 11 volumes of the Federal Supplement, and 11 volumes of the Atlantic Reports.

PREPARATION OF CODE SUPPLEMENTS AND NEW EDITION

The preparation of printer's copy for supplement V of the United States Code required about 6,200 sheets and 13,000 cards. The Government Printing Office furnished about 4,400 galleys of proof, which had to be read and corrected, as well as final proofs consisting of more than 4,200 pages.

At the beginning of the second session work was commenced in preparing printer's copy for a new edition of the United States Code. At the time of adjournment sine die more than 10,000 sheets and 17,000 cards, comprising the first 28 titles of the code, had been delivered to the Government Printing Office and 5,400 galleys of proof have been received. As soon as the balance of the laws are classified delivery of copy to the Printing Office will be resumed. It is expected that the new edition will comprise 9 volumes.

In all the work on the new edition and supplements of the United States Code the committee has had the benefit of the excellent services of the West Publishing Co. and the Edward Thompson Co., lawbook publishers.

The preparation of printer's copy for supplement VI of the District of Columbia Code required about 2,000 sheets and 2,800 cards, and work is progressing on the copy for supplement VII.

In editing new editions and supplements the entire code is studied carefully with the view of making improvements and useful notes and tables.

ENACTMENT OF TITLES INTO LAW

In its program of making the codes more useful the subcommittee has continued its attention to the preparation of bills to enact

into law particular titles. At the beginning of this Congress thirteen titles of the United States Code had been enacted into law as part of this program. Two of those titles—title 10, armed services, and title 32, National Guard—which were enacted at the end of the 84th Congress, had been pending for more than a year after having been reported to the House by this committee. As a result they did not contain the pertinent laws that were enacted during that period. Early in this Congress a bill that had been prepared through the joint efforts of the Department of Defense and this subcommittee was introduced to bring up to date these two titles. The bill was reported favorably by this Committee on July 30, 1957, and finally became Public Law 85–861 on September 2, 1958. The bill and report were both extremely voluminous—the slip law itself aggregating more than 130 pages.

Several years ago the subcommittee prepared a bill to enact into law Title 23, Highways. This bill was not acted upon because of the consideration of the Federal Highway program involving numerous substantive changes in law. During the second session of this Congress, however, the House Committee on Public Works was prepared to report a bill consolidating all the highway laws. By cooperation between that committee and this subcommittee the consolidation bill was redrafted as an enactment of title 23, and became Public Law 85–767. Similarly, the subcommittee's early draft of a bill to enact into law title 38, pensions and veterans' benefits, was not acted upon, and during the second session of this Congress, through cooperation between this subcommittee and the House Committee on Veterans' Affairs and the Senate Committee on Finance a bill consolidating the veterans' laws was redrafted as an enactment of title 38, and became Public Law 85–857.

As a result, there are now 15 titles of the United States Code enacted into law.

A bill to enact into law title 39, the postal service, was drafted in conjunction with the office of the General Counsel of the Post Office Department. It was reported by this committee and passed the House but was not acted upon in the Senate.

For the past 2 years the subcommittee has been cooperating with the Office of General Counsel of the Civil Service Commission in drafting a bill to enact into law title 5, relating to government affairs and employees. It is hoped that a bill will be ready for introduction before the end of the first session of the 86th Congress.

Bills to enact into law other titles of the code are in varying stages of development.

With respect to the District of Columbia Codes, 2 bills have been drafted to enact into law part II, civil procedure, comprising titles 11–17, and part IV, criminal law and procedure, comprising titles 22–24. It is hoped that these bills will be ready for introduction early in the next Congress.

COOPERATION WITH OTHER COMMITTEES AND AGENCIES

Throughout the year the subcommittee's law-revision counsel maintains a system of cooperating with other committees of the Congress and with the other two branches of Government. Innumerable inquiries regarding the proposed classification of laws are answered and assistance given in connection with the drafting of bills, particularly those affecting titles of the code that have been enacted into law.

Bills referred	146
Bills on which hearings were held	86
Bills favorably reported to full committee	46
Bills reported to House	44
Bills passed House	40
Senate bills processed	5
Bills pending in Senate	9
Bills which became public law	21
Bills vetoed	1

SUBCOMMITTEE NO. 4—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER BANKRUPTCY AND REORGANIZATION

During the 85th Congress, Subcommittee No. 4 held hearings and reported a number of bills improving the substance and administration of the bankruptcy law. Five of these bills were enacted into public law. These include H. R. 13, which provides for certain technical changes in proceedings under chapter XI, Arrangements, and H. R. 5811, which eliminates one of the notices now required in straight bankruptcy proceedings and thereby results in a substantial saving of money.

In the area of railroad reorganization, the subcommittee favorably reported two bills which have both become law. The first of these is H. R. 982, which provides that a former lessor whose properties are being operated under section 77 (c) (6) of the Bankruptcy Act would have the same right as other carriers to receive a division of revenue accruing from operations over its lines in accordance with the criteria fixed by section 15 (6) of the Interstate Commerce Act. The second is H. R. 12217, which authorizes the Interstate Commerce Commission to order compliance with certain lawful orders of State regulatory bodies where the reorganization court or the trustees have not complied with those orders. The purpose of this law is to prevent an impasse in reorganization from adversely affecting public convenience and safety.

Impelled by the reequipment financing problems of the airlines, the subcommittee favorably reported H. R. 7671, making chapter X proceedings inapplicable insofar as they affect title and the right to repossess aircraft and aircraft equipment.

In addition to these bills, Subcommittee No. 4 acted favorably upon several other bankruptcy bills. H. R. 106 would give bankruptcy courts jurisdiction to determine the effect of a discharge. At present, with some exceptions, bankruptcy courts are determining only the right to a discharge. H. R. 12802 would limit the priority and nondischargeability of taxes to 3 years preceding bankruptcy. Under present law, both priority and nondischargeability are unlimited. H. R. 12115 would amend chapter XIII—Wage Earners Plans—by removing the present $5,000 limitation on eligibility. These bills passed the House but were not acted upon by the Senate.

The subcommittee also held comprehensive hearings on H. R. 5195, dealing with the difficult problem of circuity of liens embodied in section 67 (c) of the Bankruptcy Act. However, the full committee took no action on the subcommittee's recommendation relating to this bill.

The subcommittee considered a number of bills concerning the administration of the judicial system. Two of these were enacted into public law. They are H. R. 10154, which authorizes the judicial conference of the United States to participate in the rulemaking process in an advisory capacity. The second was H. R. 3370, which increases mileage and subsistence allowances of grand and petit jurors. Two other bills, H. R. 3046, providing for the transfer of cases between district courts and the Court of Claims, and H. R. 3816, relating to the appointment of secretaries and law clerks by district judges, were favorably reported by the subcommittee and passed the House but were not acted upon in the Senate. The subcommittee also considered H. R. 3365, providing for jury commissions in United States district courts, and H. R. 3815, relating to bailiffs in the district courts. The subcommittee adversely reported the latter and took no action on the former.

Subcommittee No. 4 held hearings on a number of bills which would amend the Federal Criminal Code. Among them were bills extending Federal criminal jurisdiction to assaults and homicides on certain Federal officers and employees not presently covered. The subcommittee ordered these bills adversely reported. A hearing was also held on a bill providing criminal penalties and an injunctive remedy for certain false advertising or misuse of names indicating the various exchange services of the Armed Forces. No action was taken on this bill by the subcommittee. A bill to define the place at which certain offenses against the income tax laws take place was acted upon favorably by the subcommittee and has become law.

A variety of other bills were also acted upon. Legislation providing war risk hazard and workmen's compensation benefits for employees of Federal contractors and for direct-hire Federal employees at overseas installations which had previously been temporary was enacted into permanent law. Similarly, the authority which had been granted by annual extensions of title II of the First War Powers Act relating to amendments and modifications of defense contracts was also enacted into permanent law effective during periods of national emergency.

In addition to the legislation already discussed, a very large number of holiday, celebration, and incorporation bills were referred to Subcommittee No. 4. Most significant of the actions relating to these bills was the establishment of a Civil War Centennial Commemoration Commission, a Lincoln Sesquicentennial Commission, and a Hudson-Champlain Celebration Commission.

In respect to incorporations, the subcommittee favorably reported five incorporation bills, all of which subsequently became law. These were the Veterans of World War I, the Military Order of the Purple Heart, the Congressional Medal of Honor Society, the National Memorial of the Jewish War Veterans, and the Blinded Veterans' Association.

A number of bills to authorize a specific version of the Star Spangled Banner were referred to the subcommittee. Extensive hearings were held on each of these proposals but the committee decided to take no action at this time.

Number of public bills referred to subcommittee	289
Number of public bills on which hearings were held	92
Number of public bills reported to full committee	205
Number of reports filed	39
Number of public bills passed House	44
Number of public bills pending in the Senate	5
Number of Senate bills disposed of	7
Number of public bills approved by the President	34

At the beginning of the 85th Congress, Subcommittee No. 4 was composed of Messrs. James B. Frazier, Jr., chairman, and Robert T. Ashmore, John Dowdy, John M. Robsion, Jr., F. Jay Nimtz, and Russell W. Keeney. Subsequently, Mr. H. Allen Smith, of California, succeeded Mr. Keeney upon the latter's death. Mr. E. L. Forrester succeeded Mr. Frazier as chairman upon Mr. Frazier's transfer to the Ways and Means Committee. Mr. Whitener succeeded Mr. Ashmore upon Mr. Ashmore's transfer to Subcommittee No. 2 of this committee.

SUBCOMMITTEE NO. 5—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER ANTITRUST MATTERS

This subcommittee exercised jurisdiction over a variety of subjects with specialization over bills concerning antitrust problems and the Federal judicial system. Under its general jurisdiction, the subcommittee considered several bills relating to the improvement of the Federal judicial system. Approximately 75 bills were introduced creating new Federal judgeships, both district and circuit,

as well as providing for new judicial districts and new judicial divisions. After hearings on all of these bills, the subcommittee reported an omnibus judgeship bill, which bill was pending before the Rules Committee at the adjournment of this Congress.

However, other bills relating to the administration of the Federal judicial system were enacted into law. Among these bills were bills providing for a roster of senior judges; providing for membership by district judges in the Judicial Conference of the United States; a bill to provide for the appointment of a temporary judge when a disabled judge eligible to retire fails to do so; for the retirement of chief judges of circuit and district courts, as chief judges, upon reaching the age of 70; a bill declaring the Court of Customs and Patent Appeals to be a constitutional court; and a bill providing for a new system of bonding United States marshals. Another bill providing for an increase of subsistence allowances of Federal judges passed the House, but failed of enactment in the Senate.

This subcommittee also devoted considerable time to the consideration of over 70 bills relating to various civil-rights proposals. During the first session, it conducted several days of hearings on these bills, which constituted over 1,000 printed pages. As a result of its consideration and deliberation of the civil-rights question, the bill H. R. 6127 was enacted into law. During the second session, the subcommittee again considered several bills dealing with the question of civil rights. It conducted 2 days of hearings, but no further action was taken during that session.

During the 85th Congress, the subcommittee had referred to it 264 bills and conducted hearings on 184 measures. It disposed of a total of 156 bills, of which 14 were reported to the House by the full committee, 10 of which were enacted into public law.

Number of bills referred to Subcommittee No. 5	264
Hearings conducted	184
Number of bills reported to full committee	156
Number of bills reported to House	14
Number of bills enacted into public law	10

SUBCOMMITTEE NO. 5—RECORD OF ACTIVITIES, 2D SESSION, 85TH CONGRESS, ANTITRUST JURISDICTION-LEGISLATIVE

In May the Judiciary Committee completed it consideration of the professional team sports bill, H. R. 10378, which the Antitrust Subcommittee had recommended to clarify contradictory Supreme Court decisions on the applicability of the antitrust laws to the business of organized professional team sports' exhibitions. In its bill, the subcommittee had recommended that only those activities reasonably necessary for continuation of organized professional team sports of baseball, football, basketball, and hockey, be granted an exemption from the antitrust laws.

The Judiciary Committee amended H. R. 10378 so as to include a specific provision to permit reasonably necessary regulation of broadcasts and telecasts of sports events, and, on May 13, 1958, reported the bill with the recommendation that it be passed—House Report No. 1720. During the debate, on June 24, the House eliminated the reasonably necessary test by substituting a new bill for the bill that had been recommended by the Judiciary Committee. In the Senate, the Subcommittee on Antitrust and Monopoly, after hearings, voted on August 1, 1958 to table all organized professional team sports bills.

On July 16 and 17 the Antitrust Subcommittee held hearings on a series of identical bills which would amend section 2 (a) of the Clayton Act so as to provide for mandatory functional discounts—H. R. 10304, H. R. 10305, H. R. 10644, H. R. 10999, and H. R. 11409. These bills would make it unlawful for a seller to fail to grant to true wholesalers a discount from the prices the seller charged on sales to any other type of customer.

During the hearings the subcommittee received testimony from the sponsors of the bills, representatives of the Federal Trade Commission and the Department of Justice, spokesmen for the National Association of Tobacco Distributors, National Candy Wholesalers Association, Inc., National Frozen Food Distributors Association, and the National Oil Jobbers Council, as well as a number of proprietors of small business establishments.

On August 6, 1958 the subcommittee held hearings on H. R. 10243, H. R. 10251 and H. R. 13357. These bills would amend the Clayton Act so as to provide that section 3 of the Robinson-Patman Act shall be an antitrust law as that term is defined in the Clayton Act.

These bills resulted from an opinion on January 20, 1958 of the United States Supreme Court in two private antitrust cases, *Nashville Milk Company* v. *Carnation Milk Company* and *Safeway Stores, Inc.* v. *Vance*. In those cases the Supreme Court ruled that private treble damage actions under the antitrust laws could not be maintained to collect damages for violations of section 3 of the Robinson-Patman Act. The Supreme Court based its decision on the conclusion that Congress, in enacting the Robinson-Patman Act, did not intend to make section 3 of that act an antitrust law.

ANTITRUST JURISDICTION—INVESTIGATIONS

During the second session the subcommittee completed public hearings in its investigation of the consent decree program of the Department of Justice that had commenced on April 3, 1957. In its investigation, the subcommittee sought to ascertain how effective the disposition of civil antitrust cases by consent decree has been in antitrust enforcement, to eliminate the conditions that caused the Government to institute antitrust proceedings in the first instance, and to restore competition to the industries concerned.

For the consent decree investigation, the Department of Justice prepared and submitted to the subcommittee extensive information about general problems involved in consent settlements. In the hearings, in addition, the subcommittee received testimony from representatives of the Department of Justice with respect to the scope of the Antitrust Division's consent settlement program, the procedures used when decrees are negotiated, and the policy considerations that are involved in the determination to accept a decree.

To supplement this general survey of the Antitrust Division's program, the subcommittee examined two particular consent decrees in detail. For these case studies, the subcommittee selected the decrees entered in the oil pipeline industry, *United States* v. *The Atlantic Refining Company* (Civil Action No. 14060, District of Columbia, December 23, 1941), and the telephone industry, *United States* v. *Western Electric Company and American Telephone and Telegraph Company*, district court, New Jersey, January 24, 1956. The A. T. & T. decree afforded the subcommittee an opportunity for a detailed examination of the procedures and policy considerations involved in negotiating a consent decree in major antitrust litigation. The oil pipeline decree, which had been in effect 16 years, in addition to negotiation problems, delineated the Antitrust Division's procedures and enforcement problems that arise when a consent decree's provisions become the standard for an entire industry.

OIL PIPELINE DECREE

The oil pipeline consent decree was a settlement of the general antitrust program in the oil industry, started in 1940 to eliminate at one time all of the restraints that affected oil industry, from the producer to the ultimate consumer. The Antitrust Division's general oil industry program was contained in four separate proceedings instituted on September 30, 1940. One of these cases, brought under the Sherman Act, was popularly called the Mother Hubbard case and encompassed every phase of operations in the petroleum industry. The other three companion cases were under the Elkins and Interstate Commerce Acts and were concerned with the transportation issues that were involved in the Mother Hubbard case.

The violations of the Elkins Act and the Interstate Commerce Act were alleged to be elements of an unlawful conspiracy among the major oil companies to secure control over the domestic petroleum industry. Control by the major oil companies over common-carrier pipelines allegedly was an essential element in the majors' monopolization of the oil industry.

The alleged violations of the Elkins Act and Interstate Commerce Act involved rebates from common-carrier pipelines, in the form of dividend payments, to the major oil companies that owned and used the pipelines. The dividends paid by the pipeline, in part, were derived from the transportation tariffs paid to the pipeline by the major oil company, its shipper-owner. The Department of Justice contended in its complaints that these rebates, which varied from a low of 34 percent annual return on capital stock investment to, in one instance, a 6,200 percent average annual rate of return * * * amounted to exorbitant returns upon the capital stock in the common-carrier pipelines.

None of the cases involved in the Department of Justice's 1940 general program in the oil industry came to trial. As a result of the crises which preceded World War II, the Government decided military requirements necessitated a pipeline from the Texas fields to the east coast. Counsel for the pipelines testified before the subcommittee that the major oil companies would not agree to cooperate in the construction of such a pipeline unless the Government, in a consent decree, would declare that those activities which were attacked in its antitrust program in the oil industry did not violate the antitrust laws. This condition, insisted upon by the industry as a requirement for construction of the national defense pipeline, contributed to the Justice Department's agreement to the pipeline consent decree on December 23, 1941, in settlement of the pipeline rebate issues.

The pipeline consent decree permits the shipper-owner of a common-carrier pipeline to receive dividends or payments from the pipelines which do not exceed 7 percent of the value of the pipeline's property. According to the Justice Department, the purpose of the consent decree was to insure that the oil companies, that at the same time were owners and shippers on common-carrier pipelines, did not receive dividends derived from transportation charges that would amount to more than a 7-percent return on their investments in the pipeline company. The decree, however, provides that the basis for the 7-percent return would be the valuation of a common carrier's property as made by the Interstate Commerce Commission.

In essence, the pipeline consent decree prohibits 52 oil pipeline common carriers from paying back to their major oil company owners, in the guise of earnings and in violation of the rebate provisions of the Interstate Commerce and Elkins Acts, transportation charges which the oil company shipper-owners have paid to the pipelines.

Hearings on the oil pipeline consent decree were held during the recess, on October 21, 22, 23, and 24, 1957, during which 14 witnesses testified. The subcommittee heard testimony from representatives of the Justice Department Antitrust Division, the Interstate Commerce Commission, the American Petroleum Institute, and Service Pipe Line Co. The subcommittee also heard the testimony of the Secretary, in 1941, for the industry committee that negotiated the decree.

The subcommittee's investigation of this consent decree disclosed that the Antitrust Division's record of enforcement was such that in the 16 years that had elapsed between entry of the decree and the start of the subcommittee's investigation, no court proceeding had been instituted to clarify or enforce the decree's provisions.

After the subcommittee announced its public hearings on September 19, 1957, however, the Department of Justice, on October 11, 1957, brought four cases under the decree.

During the hearings, representatives of the Antitrust Division testified that from the very beginning the Department had notice that there had been repeated violations of the decree but took no action. As early as February 22, 1944, the Attorney General advised Congress that a number of the defendant companies had violated the decree's provisions, and that he was preparing to take appropriate action. The subcommittee's investigation also disclosed that at least three full-scale FBI investigations had been conducted to ascertain compliance with the provisions of the decree. Each of these FBI investigations had disclosed activities which were the basis of Antitrust Division staff recommendations for court orders to enforce the decree.

The four cases filed on October 11, 1957, demonstrate the wide range of questionable activities under this decree. One case involves the practice of a number of oil companies to compute dividends to the shipper-owner on the basis of property that is obtained by loans from outside parties. Throughout the history of the decree the Antitrust Division had advised the oil industry that inclusion of debt owed to outsiders in the valuation base was not permissible under the decree.

Inclusion in the valuation base of debts owed by the pipelines to outside parties permits the oil companies to inflate the dividends allowable to the parent company. In the case of the Arapahoe Pipe Line Co., for instance, this practice enabled the shipper-owner to realize a 72.7-percent return in 1956 on its capital stock investments.

The subcommittee's investigation disclosed a number of other questionable activities under the decree. The Department of Justice testified that these activities include: false reports to the Attorney General; failure to adhere to accounting practices required by the decree; failure to file reports; and the maintenance of separate records and accounts for reports to the stockholders as distinguished from reports to the Attorney General.

The subcommittee ascertained that these practices, coupled with an absence of court clarification of the decree, had the result that in 1956 the shipper-owners' return on their investments in oil pipelines still remained exorbitant. For example, in 1956 Service Pipe Line paid to its parent, Standard Oil Company of Indiana, dividends which amounted to a 41.3 percent return on its capital stock investment; Texas Pipe Line Co. paid dividends to the Texas Co. that amounted to a 69.2 percent return; and the Great Lakes Pipe Line paid to its shipper-owners dividends that amounted to a 300 percent return on their capital stock investment.

Efforts of the Department of Justice to enforce this decree are now in litigation.

A. T. & T. DECREE

The consent decree in the A. T. & T. case was signed on January 24, 1956, and terminated litigation that had commenced on January 14, 1949. The Government's complaint charged that Western Electric Co. and American Telephone & Telegraph Co., in violation of the Sherman Act, had monopolized the manufacture, distribution, and sale of telephones, telephone apparatus, equipment, material, and supplies. This monopolization resulted from the fact that A. T. & T.'s wholly owned subsidiary, Western Electric, manufactured and sold more than 90 percent of all telephones and telephone equipment sold in the United States, and that a substantial part of the remaining 10 percent was produced under the direct control of Western Electric.

According to the complaint, Western owned and operated more than 98 percent of the facilities used in United States long-distance telephone service, and owned or controlled operating companies which furnished approximately 85 percent of all local service in the United States. The operating companies, as well as the long lines department purchased substantially all of their equipment from Western Electric.

The Government alleged in its complaint that the situation created by the closed market in the Bell System operating companies bought, as well as the closed market in which the Western Electric Co. sold, had been used by A. T. & T. to delay the introduction into the Bell System of improvements in the art of telephony in order that maximum rates might be secured from existing equipment, even though less expensive and more efficient equipment was available.

When he instituted the case, the Attorney General announced that its chief purpose was to restore competition in the manufacture and sale of telephone equipment. This purpose was to be achieved by separating Western from A. T. & T. and dissolving Western into three competing manufacturing concerns. Additional relief would have required A. T. & T. and its operating companies to buy telephone equipment only under competitive bidding, and Western Electric to dispose of its 50 percent stock ownership in Bell Telephone Laboratories.

The relief obtained in the consent decree fell far short of the relief requested in the Government's complaint. Under the decree Western Electric continues to be a wholly owned subsidiary of A. T. & T. and continues to own 50 percent stock ownership in the Bell Laboratories. Nor, under the decree, are A. T. & T. and its operating companies required to buy telephone equipment on the basis of competitive bidding.

As a result of the decree, A. T. & T. continues to own and operate more than 98 percent of the facilities used in long-distance telephone service in the United States and owns and controls operating companies furnishing approximately 85 percent of all local telephone service in the United States. Western continues its relationship with the Bell System and is in a position to sell more than 90 percent of all telephones, telephone apparatus, and equipment sold in the United States.

The consent decree is based on the theory that it is legal under the antitrust laws for Western's manufacturing activities to remain a part of the Bell System and for Western to manufacture the equipment the system uses in furnishing communications services that are subject to Federal and State regulation. Western's manufacturing activities are permitted to remain as part of the Bell System on the ground that Western is indirectly subject to regulation.

The primary relief obtained by the Government in the decree relates to A. T. & T. and Western's patents. The decree requires that licenses be granted to any applicant for all existing and future patents of the Bell System. Patents issued prior to the date of the decree are required to be licensed royalty-free. Patents issued subsequent to the date of the decree are to be licensed at reasonable royalties.

In order to obtain a license under the Bell System patents, however, the decree provides that the applicant, if requested by A. T. & T., must grant back to A. T. & T. or Western licenses, at reasonable royalties, for any of its own patents that cover equipment useful in furnishing common-carrier communications services. The decree, however, has no provision that requires the Bell System to open its markets to any manufacturer that may be licensed under its patents. The decree assures to Western unfettered control to the markets that comprise the Bell System.

The subcommittee sought to ascertain the reasons for the wide disparity between the relief asked for in the Government's complaint and the relief it obtained in the consent decree.

The subcommittee held 17 days of hearings in its investigation of the negotiations and the effects of the A. T. & T. consent decree. The 20 witnesses who testified included representatives of the Departments of Justice and Defense, Federal Communications Commission, former employees of the Department of Justice familiar with the litigation, and representatives from A. T. & T., Western Electric, and Bell Telephone Laboratories.

During the hearings, the subcommittee probed deeply into all of the transactions between the Government and the defendants relating to the attempts to settle this major antitrust case by consent.

During the hearings, the former general counsel for A. T. & T. testified that he met with Attorney General Brownell, for example, in June 1953 at White Sulphur Springs. During this meeting methods for disposition of the A. T. & T. case were discussed. In the course of the discussion, Mr. Brownell suggested that A. T. & T. could examine into the Bell System's current business practices in order to see what could be enjoined without damage to the system. Such practices could then be submitted to the Antitrust Division as a basis for a consent decree. Following this conversation with Mr. Brownell, the A. T. & T. organization initiated negotiations looking toward a consent disposition of the case rather than disposition by the Government's dismissal of its complaint.

The subcommittee's investigation underscored A. T. & T.'s influence on the relationship of the Department of Defense to the Department of Justice with respect to this antitrust litigation. At the request of Secretary of Defense Wilson, for example, A. T. & T.'s executives prepared the memorandum and reports which developed the decisions of the Department of Defense. A. T. & T. executives on duty in the Department of Defense prepared some of the communications from the Secretary of Defense to the Department of Justice with regard to the case. In addition, the General Counsel of the Department of Defense, Mr. Brucker, accepted representations made to him by representatives of A. T. & T. without challenge, and with no independent investigation urged Assistant Attorney General Barnes to act in this litigation in a manner proposed by A. T. & T.

A report on the subcommittee's consent decree investigation is now in preparation.

TIEKEN INVESTIGATION

In addition to antitrust problems, the subcommittee was delegated authority to examine into a matter that involved several other aspects of the Judiciary Committee's jurisdiction; namely, the administration of the Department of Justice, conflicts-of-interest legislation, and impeachment of Federal officials. Pursuant to this authority, the subcommittee conducted an investigation into the operations of the office of the United States Attorney for the northern district of Illinois, Mr. Robert Tieken.

Early in the session the subcommittee had received complaints that Mr. Tieken had abused the powers of his office and had failed to comply with regulations of the Department of Justice that establish the procedures for the Attorney General's supervision of United States attorneys' activities.

In addition, these complaints indicated that Mr. Tieken, in the conduct of his office, may have violated the Canons of Ethics and possibly the conflict-of-interest statutes.

In view of the gravity of these allegations, the subcommittee first heard Mr. Tieken in executive session on March 20, 1958. At the conclusion of this executive session the subcommittee decided further investigation was warranted. As a result, the subcommittee, on April 21, 1958, prepared and submitted an investigative report to the Attorney General.

When it became apparent that the Department of Justice was not going to act upon the subcommittee's April 21 recommendations, public hearings were scheduled and held on June 11, 12, 13, 16, and 17, 18, 19, and 23, 1958.

During the hearings, the subcommittee developed all the facts surrounding Mr. Tieken's alleged misconduct. Particular attention was given to the circumstances involved in Mr. Tieken's issuance of Federal grand jury subpenas for four Illinois State officials who were involved in condemnation suits over his property. In addition to the circumstances involved in Mr. Tieken's condemnation cases, the subcommittee also inquired fully into Mr. Tieken's conduct involved in (1) publication of pending matters, (2) use of grand juries to conduct "fishing expeditions," (3) the conduct of investigations without prior authority from the Attorney General, and (4) his failure to disqualify himself from matters in which he had a personal interest.

The subcommittee's report, dated August 7, 1958, on its investigation of Mr. Tieken was released on August 27, 1958.

STAFF REPORTS

During this session the subcommittee published two reports prepared by the subcommittee staff. Early in the first session, the subcommittee had directed the staff to undertake a comprehensive analysis of the Federal conflict of interest legislation, as well as an analysis of the rules and regulations promulgated by the departments and agencies to implement these ethical standards. This study will be the basis for comprehensive legislative proposals designed to eliminate the criticisms that have developed as to the application and enforcement of the conflict of interest laws.

Parts I and II of the staff report entitled "Federal Conflict of Interest Legislation," was published on March 1, 1958. Part I reviews six existing conflict of interest enactments, and exemptions therefrom, and presents a proposed revision and consolidation. Part II presents proposed revisions of certain related sections of existing law dealing with bribery.

The balance of the staff study, which consists of five parts in all, is now under preparation. The additional sections will include the following: Part III, proposals for further legislation in the area of Federal Government employment ethics; part IV, analysis of individual agency regulations that are designed to implement employment ethics; and part V, a proposed overall code of Government employment ethics.

The second report of the staff consists of a revision of the Subcommittee's 1950 publication entitled "The Antitrust Laws: A Basis for Economic Freedom." This revision will collate to date all of the amendments to the basic antitrust legislation, and will include all related statutes.

Since 1950, the subcommittee has had a constant demand for copies of this publication from educational institutions and business organizations. The up-to-date compilation of these laws in the subcommittee's document will be of material assistance to the Congress in its consideration of antitrust matters in addition to its recognized value to students, educational institutions, and business organizations.

PUBLICATIONS, 85TH CONGRESS

Reports: The Television Broadcasting Industry, June 24, 1957, House Report No. 607; Airlines, February 4, 1958, House Report No. 1328; Federal Conflict of Interest Legislation, March 1, 1958; Organized Professional Team Sports, May 13, 1958, House Report No. 1720; Premerger Notification, May 26, 1957, House Report No. 486; Conduct in Office of Robert Tieken, August 7, 1958.

Hearings: Premerger Notification, serial No. 2, 1957, H. R. 264, H. R. 2143, and H. R. 7698; Organized Professional Team Sports, serial No. 8, 1957, H. R. 5307, H. R. 5319, H. R. 5383, H. R. 6877, H. R. 8023, H. R. 8124, and H. R. 10378; Consent Decree Program of the Department of Justice: Oil Pipelines, serial No. 9, part I, two volumes, 1958; A. T. & T., serial No. 9, part II, three volumes, 1958; Functional Discounts, serial No. 21; Joint Meat Packers Hearings, 1957.

SPECIAL SUBCOMMITTEE ON ADMINISTRATIVE PROCEDURE

Twelve bills were referred to the Special Subcommittee on Administrative Procedure. These cover problems such as pay for hearing examiners, legal career service, admission to practice before Federal agencies, etc. Several comprehensive bills, notably H. R. 3350, dealing with all of these topics were referred to the subcommittee and information and departmental reports were compiled and analyzed. The subcommittee is composed of FRANCIS E. WALTER, chairman; ROBERT T. ASHMORE; DEWITT S. HYDE; F. JAY NIMTZ, and JOSEPH MONTOYA.

SPECIAL SUBCOMMITTEE TO STUDY SUPREME COURT DECISIONS

This subcommittee was established by the Judiciary Committee and was authorized to conduct an inquiry and make findings and recommendations, legislative or otherwise, with reference to those questions raised by certain decisions of the Supreme Court, rendered during the October term 1956, which affect powers of Congress to investigate Federal laws relating to subversive activities and the enforcement of Federal criminal laws. The subcommittee was originally composed of Messrs. Edwin E. Willis, chairman, Byron G. Rogers, Earl Chudoff, William C. Cramer, and Arch A. Moore, Jr. Upon the resignation of Mr. Chudoff from the Congress at the end of the first session, Mr. Lester Holtzman was designated to succeed the vacancy on this subcommittee. The subcommittee selected the following decisions for its consideration and study: *Andrew R. Mallory, Petitioner* v. *United States of America; Clinton E. Jencks, Petitioner* v. *United States of America; Shirley Kremen, Samuel Irving Coleman, and Sidney Steinberg, Petitioners* v. *United States of America; Oleta O'Connor Yates, Henry Steinberg, Loretta Starvus Stack, et al., Petitioners* v. *United States of America; William Schneiderman, Petitioner* v. *United States of America; Al Richmond and Philip Marshall Connelly, Petitioners* v. *United States of America; John T. Watkins, Petitioner* v. *United States of America; Paul M. Sweezy, Appellant* v. *State of New Hampshire, by Louis C. Wyman, Attorney General; Raphael Konigsberg, Petitioner* v. *the State Bar of California and the Committee of Bar Examiners of the State Bar of California; Delvaille H. Theard, Petitioner* v. *United States of America; Rudolph Schware, Petitioner* v. *Board of Bar Examiners of the State of New Mexico.*

The subcommittee initiated hearings during the first session of the 85th Congress which continued during the second session of the Congress on the decision rendered by the Supreme Court in the case of *Andrew R. Mallory* v. *United States of America.* During these hearings, witnesses who represented Federal and local law-enforcement authorities, as well as representatives of bar associations, were heard.

Upon completion of the hearings, the subcommittee recommended to the full committee a legislative proposal designed to overrule the decision of the Supreme Court in the Mallory case. Thereafter the full committee approved the recommendation of the subcommittee and directed the subcommittee chairman to introduce a bill embodying the legislative proposal of the subcommittee. That bill, H. R. 11477, was subsequently ordered reported by the full committee and passed the House of Representatives. It passed the Senate in an amended version and became the subject of a conference. The House adopted the conference report but that report failed Senate passage on a point of order.

The subcommittee also took up one phase of the decision of the Supreme Court in the case of *Oleta O'Connor Yates, et al* v. *United States of America.* The particular phase with which the committee was concerned was the definition of the term "organize" as contained in the Smith Act and as interpreted by the Court in this particular decision. After a hearing on this subject, the subcommittee recommended to the full committee a legislative proposal designed to redefine the word "organize" as used in the Smith Act. This recommendation was embodied in the bill, H. R. 13272, which the committee ordered favorably reported to the House of Representatives. It passed the House of Representatives but there was no Senate action on the matter.

SPECIAL SUBCOMMITTEE ON STUDY OF PRESIDENTIAL INABILITY

The Special Subcommittee on the Study of Presidential Inability is composed of Messrs. EMANUEL CELLER, chairman, FRANCIS E. WALTER, JACK B. BROOKS, KENNETH B. KEATING, and WILLIAM M. MCCULLOCH. This subcommittee was originally formed in the 84th Congress. Since that time it has conducted an exhaustive study of this subject including hearings in which the views of eminent political scientists and leading constitutional lawyers were presented. In addition to those hearings, the subcommittee published a document setting forth replies to a detailed questionnaire on the problem which had been circulated throughout the country to experts in this particular field.

During the first session of the 85th Congress an additional hearing was held by the subcommittee, at which time the Attorney General testified. In addition, the subcommittee published a document which was an analysis of the replies to the questionnaire and hearings held on the subject during the 84th Congress.

A number of bills were introduced concerning this problem, all of which were referred to the subcommittee. After considerable deliberation and consideration, the subcommittee reported four bills to the full committee. These proposals were considered by the full committee which recommended that they be referred back to the subcommittee for further study and consideration. These matters were still pending before the subcommittee on the adjournment of the 85th Congress.

SPECIAL SUBCOMMITTEE ON THE OPERATION OF SUBMERGED LANDS LEGISLATION

The Special Subcommittee on the Operation of Submerged Lands Legislation was instituted under the authority granted to the Committee on the Judiciary to conduct studies and investigations, including the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Act. The subcommittee is composed of Messrs. EDWIN E. WILLIS, chairman; WILLIAM M. TUCK; JAMES B. FRAZIER, JR.; KENNETH B. KEATING; and PATRICK J. HILLINGS. When Mr. JAMES B. FRAZIER, JR., resigned from the Judiciary Committee, he was succeeded as a member of this special subcommittee by Mr. ROBERT T. ASHMORE.

The purpose of the special subcommittee is to conduct a study and analysis of the problems arising from the operation and administration of those laws. The need for such a study was predicated upon a preliminary survey conducted by the staff of the Committee on the Judiciary as well as other studies conducted by agencies outside of the Government. Such preliminary studies have pointed up many and varied problems arising out of the operation and administration of the existing law. Examples of such problems are the question of double jeopardy in criminal law over violations committed in the area of the outer Continental Shelf; the peculiar problem of contract law resulting from the drilling and building operations in the same area. Also, there are serious questions of workmen's compensation as well as problems in the field of insurance such as the type of underwriters and of policies. Of course, there are many others.

Therefore, the special subcommittee undertook the task of gathering sufficient facts and knowledge from the time and experience of operation under the existing laws in order that a conclusion might be reached as to what, if anything, should be done in the way of amendatory legislation to the existing law. It is believed that sufficient time has passed in which to garner experience in the administration and operation of these laws so that whatever improvements may be necessary will be in the best interests of all the parties involved, including the Government of the United States.

Following the adjournment of the first session of the 85th Congress the subcommittee conducted a field inspection in the Gulf of Mexico of actual off-shore drilling operations. The members of the subcommittee and its staff visited both the on-shore and off-shore installations which included interviews with the working personnel in the field. The entire off-shore drilling operation was studied. Following this field inspection, the subcommittee then conducted 3 full days of hearings in New Orleans, La. During these hearings experts in every phase of the operation conducted in off-shore drilling were heard.

During the second session of the 85th Congress the subcommittee was able to recommend to other standing committees of the Congress certain amendments to pending legislation affecting the submerged lands operation. In both instances the subcommittee's recommendations were accepted by the other standing committees and embodied in the legislative proposals then under consideration by those committees.

Accomplishments of the House Committee on Interior and Insular Affairs During the 85th Congress

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ENGLE. Mr. Speaker, my service as chairman of the Interior and Insular Affairs Committee will end with the present Congress. It has been a great honor and experience for me to have served as chairman of this committee in the 84th and 85th Congresses and to have been associated and worked with the membership of this committee on both sides, not only during my 4 years as chairman but during the 15 years I have been a member of the Interior and Insular Affairs Committee and its predecessor, the Public Lands Committee. And so, as the active portion of this session comes to a close, I want to express my sincere appreciation and thanks to the members of the committee and to its staff for their cooperation and assistance and for their conscientious, diligent attention to the committee's work and activities. It has been the cooperation and diligence of all Members that has made the 84th and 85th Congresses productive in the fields of responsibility of the Interior and Insular Affairs Committee.

As Members are aware, the broad responsibility of the House Committee on Interior and Insular Affairs involves considering, reporting on, and helping to secure enactment of legislative measures providing for the maximum utilization, management, and conservation of the natural resources—and, in a very real sense, important segments of the human resources—of the United States, its Territories, and possessions; legislative matters involving the Government and administration of our Territories and other offshore areas; and legislation affecting the Indians, Indian tribes, trust lands, and claims of the Indians, Aleuts, and Eskimos of the United States and Alaska.

I especially want to pay tribute to the subcommittee chairmen and to the ranking minority member of the committee, all of whom served with me both in the 84th and 85th Congresses. But for the energy and leadership of Chairman WAYNE N. ASPINALL, Irrigation and Reclamation Subcommittee; Chairman LEO W. O'BRIEN, Territorial and Insular Affairs Subcommittee; Chairman WALTER ROGERS, Mines and Mining Subcommittee; Chairman GRACIE PFOST, Public Lands Subcommittee; and Chairman JAMES A. HALEY, Indian Affairs Subcommittee, and the continuing cooperation and counsel of Dr. A. L. MILLER, of Nebraska, our committee would have been unable to perform its mission.

I want also to express my appreciation to the committee's professional and clerical staff. The members of the staff set a high standard of performance in committee activities and service to Members during all the 4 years I served as chairman. Without their help the committee's legislative and administrative workload could not have been met.

Now, with respect to the committee's performance during the 85th Congress, I am summarizing the committee's major accomplishments. The bare statistics do not tell the qualitative story but they do help to show in convenient form the quantity of work that was given the Interior and Insular Affairs Committee to do, the immense amount of time that it and its members spent on these matters, and the amount of its output. The story that lies behind these figures is told somewhat more fully by the summary of the major measures that were considered which I will give a little later and will be told still more fully in the committee print on the accomplishments of the committee that is being prepared and will be available for all to read who will.

Our full committee held 66 meetings during the 85th Congress—31 during the 1st session and 35 during the 2d. The Subcommittee on Irrigation and Reclamation held 76 meetings in Washington and special subcommittees held 2 days of field hearings at El Centro, Calif., and Devils Lake, N. Dak., on matters of concern to the regular subcommittee. The Subcommittee on Territorial and Insular Affairs had 47 meetings in Washington. The Subcommittee on Mines and Mining met 18 times in Washington and a special Subcommittee on Coal Research sat 8 days in Pennsylvania, Virginia, Oklahoma, Colorado, and Washington, D. C. The Public Lands Subcommittee met 51 times in Washington and special subcommittees on the administration of the Small Tracts Act, on forest fire control, and on Everglades National Park met 6 times for hearings in the field. And the Subcommittee on Indian Affairs met 46 times in Washington, with 7 days of field hearings by special subcommittees at Palm Springs and Blythe, Calif., Fort Hall, Idaho, and the Crow Indian Reservation in Montana. We have had, in short, a grand total of 329 committee and subcommittee meetings, not counting other days spent in the field by these bodies, by individual members, and by members of the staff on official business viewing premises and interviewing persons on problems of concern to the committee.

A total of 865 measures were referred to the committee. These were introduced by 196 Members of Congress, the Delegates from Alaska and Hawaii, and the Resident Commissioner for Puerto Rico. Some were of nationwide or broad regional significance; others were of concern to one or another of 50 distinct jurisdictions—44 States, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and Guam.

Of the 865 measures referred to the committee, 218—representing a total of 420 out of those so referred—were reported to the House, 193—representing a total of 353 out of those so referred—became law, and 2 were concurrent resolutions which received the approval of both Houses. Eleven were pending on the floor of the House when the 2d session of the 85th Congress ended, 9 were then pending in the Senate, and 1 was in conference. Two were vetoed by the President, 1 was defeated on the floor of the House, and 1 was ordered recommitted by the House.

The distribution among the subcommittees of the bills referred to the committee and of those reported and enacted is as follows:

Subcommittee	Referred	Reported [1]		Enacted [1]	
Irrigation	166	35	(77)	33	(68)
Territories	137	51	(77)	42	(59)
Mines	99	11	(38)	8	(18)
Public Lands	301	75	(151)	[2] 68	(135)
Indian Affairs	162	46	(77)	42	(73)

[1] The figures in parentheses indicate the total number of bills referred which are represented by those reported or enacted, as the case may be.
[2] Includes 2 concurrent resolutions adopted by both Houses.

I cannot single out for special mention all of the important bills which our committee handled and which were enacted.

Certainly, though, there is little room for disagreement about the significance of the Alaska Statehood Act, Public Law 85–508; the Military Public Lands Withdrawal Act, Public Law 85–337; the act creating a National Outdoor Recreation Resources Review Commission, Public Law 85–470; the act extending the Federal saline water conversion program to include the building of demonstration plants, Public Law 85–883; the act settling the boundaries of Everglades National Park, Public Law 85–482; the modification of the Klamath Indian Termination Act to assure the maintenance of the Klamath Forest on a basis which will yield a continuous supply of timber in perpetuity, Public Law 85–731; the act authorizing annual payments under reclamation repayment contracts to be adjusted to changing economic conditions, Public Law 85–611; and the act permitting the public land States to select, in certain instances, mineral lands in lieu of the school lands granted to them, Public Law 85–771. These and many others are described below.

There were other important bills which we handled but which did not become law, some because of lack of time, others because of their controversial nature. The time spent in hearing and considering these measures was not wasted either on the part of the committee or on the part of the witnesses who appeared before it. The record that was made will be valuable if, as seems likely, the subjects are taken up again next Congress, and this is so whether the committee's or the Congress' reaction to the testimony presented was generally favorable or otherwise. I refer to such bills as those to authorize the San Luis unit of the Central Valley project, to admit Hawaii to statehood, to create a Coal Research and Development Commission, to provide relief for the depressed minerals industry, to provide Federal assistance in the construction of the Nebraska midstate reclamation project, to create the Chesapeake and Ohio Canal National Historical Park, to authorize the Fryingpan-Arkansas reclamation project, and to create a national wilderness system within our forests, parks, and Indian reservations.

Before turning to the details of our work, I must add that the committee did not confine itself to legislation alone. Its investigation of the Federal water rights claims made in the Santa Margarita suit, pending in the Federal courts in southern California, and its special hearings and reports on the conduct of the saline water research program, on Indian relocation and industrial programs, on forest-fire control in southern California, on the problems of the coal industry, and the importance of a coal research and development program, and on illegal diversions from the Colorado River and the related problem of squatters on Federal lands in that area, are all worth mentioning. So, too, is the preparation of a two-volume compilation of Central Valley project documents—the first of which has already been printed and the second of which will appear shortly—under the editorship of the chairman of the committee assisted by, successively, Mr. Eugene Eaton and Mr. Phil Dickinson. Finally, the committee handled a number of reports made by the Department of the Interior to the Congress under the Small Reclamation Projects Act of 1956 and the Rehabilitation and Betterment Act of 1949.

Let me now turn to a more detailed description of the jurisdiction of, and the work accomplished by, our committee, taking these matters up subcommittee by subcommittee:

IRRIGATION AND RECLAMATION

The Irrigation and Reclamation Subcommittee has jurisdiction over legislation relating to the Federal reclamation program which operates principally in the 17 Western States, legislation relating to multiple-purpose development of the Nation's water resources, and legislation involving the Nation's water and power policies and the saline water research program. The Irrigation and Reclamation Subcommittee also is responsible for examining and recommending committee action on proposals admitted under the Small Reclamation Projects Act and Rehabilitation and Betterment Act.

Most of the matters with which the subcommittee dealt during the 85th Congress fall into one or another of the following categories: First, legislation supplementing and amending general reclamation law, including the establishment of new policies; second, legislation to authorize new reclamation projects and to modify presently authorized projects; third, legislation pertaining to problems specific to individual existing projects or irrigation districts; fourth, legislation relating to compacts on interstate streams; fifth, legislation relating to the saline water research program; sixth, proposals under the Small Projects Act and Rehabilitation and Betterment Act.

As noted above, 166 bills and resolutions were referred to the Irrigation and Reclamation Subcommittee. Of this number, 35 were reported by the subcommittee and the full Interior and Insular Affairs Committee and 33 were enacted. The subcommittee and the full committee also approved 6 small projects and the findings of the Department of the Interior on 7 rehabilitation and betterment projects.

GENERAL RECLAMATION LAW

Four measures were enacted amending and supplementing general reclamation law:

An amendment to the Small Reclamation Projects Act permitted the small projects program to get under way—Public Law 85–47. The amendment modified the authorizing procedure for small projects to meet objections of the President to certain language in the original act.

Another measure enacted extends for 3 years the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws and grant deferments of construction charge payments in special hardship cases—Public Law 85–156.

The Reclamation Project Act of 1939 was amended to permit the Secretary of the Interior to include a variable repayment plan in existing and proposed repayment contracts under the Federal reclamation law, including contracts under the Water Conservation and Utilization Act and contracts for the storage of water and for the use of stored water made pursuant to the Flood Control Act of 1944—Public Law 85–611. The new act permits the use of variable formulas based on economic factors and tailored to individual project requirements whereby the annual payments required of water users will reflect more completely than is now possible their ability to pay.

The fourth measure authorizes the Secretary of the Interior to reimburse landowners and tenants for expenses, losses, or damages incurred in moving themselves, their families, and their possessions, when such moves are occasioned by the acquisition of land for developments under the jurisdiction of the Secretary of the Interior—Public Law 85–433.

PROJECT AUTHORIZATION

Seven measures were enacted authorizing new reclamation projects or modifying, presently authorized projects:

The San Angelo reclamation project, Texas, is a $32.2 million multiple-purpose project for irrigation, municipal and industrial water supply, flood control, protection and enhancement of fish and wildlife, and recreation—Public Law 85–152.

The $9.7 million greater Wenatchee division of the Chief Joseph project, Washington, provides for the irrigation of about 8,660 acres of land lying along the Columbia River in Chelan and Douglas Counties—Public Law 85–393.

The Mercedes division of the lower Rio Grande River rehabilitation project, Texas, is a $10.1 million project for rehabilitation of the irrigation works of the Hidalgo and Cameron Counties Water Control and Improvement District No. 9, serving an area of 68,000 acres—Public Law 85–370.

The $2.75 million Pecos River Basin water conservation project in Texas and New Mexico, will salvage an annual average of 26,500 acre-feet of water now being consumed nonbeneficially and will provide salinity alleviation works to eliminate considerable inflow of mineralized water into the Pecos River—Public Law 85–333.

The modified plan for the Washoe project, Nevada and California, calls for development of a reservoir site on Prosser Creek for fish and wildlife and flood control at an additional cost of about $3 million—Public Law 85–706.

The modified plan of development for the Glendo unit of the Missouri River Basin project calls for inclusion of the $700,000 Gray Reef Dam and Reservoir on the North Platte River to regulate the water releases from Alcova Dam in Wyoming—Public Law 85–695.

Legislation relating to the Red Willow unit of the Missouri River Basin project approves the feasibility report of the Secretary of the Interior on that unit in Nebraska and thereby permits the initiation of construction subject to the appropriation of funds therefor—Public Law 85–783.

SPECIFIC PROJECT PROBLEMS

Seventeen measures were enacted of concern to individual irrigation districts or affecting individual existing projects:

The Coulee Dam Community Act provides for disposal of certain Federal property in the Coulee Dam and Grand Coulee areas and provides assistance in the establishment of Coulee Dam as a municipality incorporated under the laws of the State of Washington—Public Law 85–240. The Boulder City Community Act serves the same purpose with respect to that Federal municipality in Nevada—Public Law 85–900.

Five acts relating to repayment by irrigation districts authorize the Secretary of the Interior to enter repayment contracts or amendatory repayment contracts with the Northport Irrigation District, Nebraska—Public Law 85–123; the Mirage Flats Irrigation District, Nebraska—Public Law 85–160; the Heart Mountain Irrigation District, Wyoming—Public Law 85–33 and Public Law 85–889; the Arch-Hurley Conservancy District, New Mexico—Public Law 85–663; and the Casper-Alcova Irrigation District, Wyoming—Public Law 85–283.

The Columbia Basin Project Act was amended by raising the limits on the amount of land owned by an individual or a family to which water may be delivered to 1 or more farm units comprising not more than 160 acres in the case of an individual or 320 acres for a family—Public Law 85–264.

Two other measures relating to the excess land provisions of the Federal reclamation laws permit the establishment of irrigated farms on the East Bench unit of the Missouri River Basin project and the Seedskadee project, Wyoming, that will be of a size sufficient to provide an adequate family living—Public Law 85–112 and Public Law 85–797. In the case of the East Bench unit the new acreage limitation is in terms of 160 acres or the equivalent of 130 acres of class 1 land, whichever is larger. In the case of the Seedskadee project the limitation is in terms of the equivalent of 160 acres of class 1 land.

In addition to the above, laws were enacted directing the Secretary to conduct detailed studies and render a report on possible water service from the Central Valley project to Santa Clara, San Benito, Santa Cruz and Monterey Counties, California—Public Law 85–784; authorizing the construction of certain drainage works for the benefit of the Yuma Irrigation District, Ariz.—Public Law 85–389; declaring Hungry Horse Dam, Mont., to be a Federal reclamation project—Public Law 85–428; authorizing credit in lieu of cash to be given the Salt River Valley Water Users' Association and the Salt River Project Agricultural Improvement and Power District in return for property owned by them in Phoenix, Ariz., and needed by the Government for a new Federal building—Public Law 85–437; and providing for the naming of a structure and a reservoir of the Solano project, California—Public Law 85–481 and Public Law 85–485.

INTERSTATE COMPACTS

Four measures were enacted relating to interstate compacts. Two of these give Congressional consent to the Klamath River compact between the States of California and Oregon—Public Law 85–222 and to the Bear River compact entered into by the States of Idaho, Utah, and Wyoming—Public Law 85–348. Another gives Congressional consent to the negotiation of a Little Missouri River compact by the States of Montana, North Dakota, South Dakota, and Wyoming—Public Law 85–184. The last amends a previous act granting the consent of Congress to the negotiation of compacts by the States of the Niobrara River Basin by granting a 3-year extension for the negotiations—Public Law 85–427.

SALINE WATER PROGRAM

Legislation was enacted authorizing the construction of not less than five experimental demonstration plants for the conversion of sea water and brackish water to water suitable for municipal, industrial, agricultural, and other beneficial uses—Public Law 85–883. Three of the five required demonstration plants will be designed for the conversion of sea water and two for the treatment of brackish water. The sea water conversion plants will be located on the west coast, east coast, and gulf coast. One of the brackish water treatment plants will be located in the Northern Great Plains area and one in the arid regions of the Southwest.

A special hearing was also held during the first session on progress being made by the Department of the Interior under the Saline Water Act of 1952.

SMALL RECLAMATION PROJECTS AND REHABILITATION AND BETTERMENT PROJECTS

The committee adopted resolutions approving the loan applications under the Small Reclamation Projects Act of the Cameron County Water Improvement District of Harlingen, Tex.; the South Davis County Water Improvement District, Utah; the Bountiful Water Subconservancy District, Utah; the Walker River Irrigation District, Nevada; the Goleta County Water District, California; and the Roosevelt Water Conservation District, Arizona.

The committee also approved the Secretary's findings with respect to repayment on seven rehabilitation and betterment projects.

OTHER LEGISLATION CONSIDERED

Bills to authorize the Fryingpan-Arkansas project, Colorado, and the San Luis unit of the Central Valley project, California, were favorably reported by the Interior and Insular Affairs Committee but were not enacted.

In addition, there were eight measures or groups of measures which the committee gave consideration to or held hearings on but did not report. One of these, the Hells Canyon legislation, was defeated in committee. Committee consideration and action on three other measures relating to new Federal reclamation projects—Burns Creek, Idaho; Spokane Valley, Wash.; and Garrison diversion unit, North Dakota—was never completed. Another measure on which there were hearings but no final action provided for a loan and grant covering the construction of the midstate reclamation project in Nebraska. The others related to joint development of the power facilities of the Trinity River division, Central Valley project, California; a study of the best means of eliminating hazards connected with the Klamath project, Oregon; and the transfer to local districts of title to irrigation distribution systems.

MISCELLANEOUS

In addition to the above, hearings were held on the Federal suit against the Fallbrook Public Utility District, California, and others. The principal purpose of the hearings was to ascertain what water-rights claims are being advanced on behalf of the United States and the necessity for joinder in the suit of thousands of defendants.

TERRITORIAL AND INSULAR AFFAIRS

The jurisdiction of the Subcommittee on Territorial and Insular Affairs extends to Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, and other insular possessions of the United States.

One hundred and thirty-seven measures were referred to the Subcommittee on Territorial and Insular Affairs during the 85th Congress. Of these, 51 were reported and 42 became law.

ALASKA

By all odds the most important piece of legislation reported by the subcommittee and the full committee was the Alaska statehood bill—Public Law 85–508.

In addition to the statehood bill, 15 measures relating to Alaska became law:

Title to lands beneath tidal waters offshore of surveyed townsites was granted to Alaska by Public Law 85–303, which also extended the Submerged Lands Act of 1953 to lands lying seaward of these lands.

The Legislature of Alaska was given general authority to utilize 90 percent of the proceeds from Government coal mines in Alaska, and the share of the proceeds from local operations under the Mineral Leasing Act which Alaska is entitled to receive was increased from 37½ percent to 90 percent—Public Law 85–88. Another act provided for the leasing by the Secretary of the Interior of lands beneath nontidal navigable lakes and streams in Alaska under the Mineral Leasing Act of 1920—Public Law 85–505.

Earlier laws were amended to permit the public lands in Alaska containing coal, oil, or gas to be entered and utilized for homesites, headquarters sites, or trade and manufacturing purposes, with a reservation to the United States of all rights to the minerals—Public Law 85–725.

Two laws concerning mining in the Chilkat River area were enacted. The first added 320 acres to the Klukwan Reservation and authorized the Chilkat Indian village, with the approval of the Secretary of the Interior to lease the lands of the enlarged reservation for mining purposes—Public Law 85–271. The second enlarges an earlier statute to permit mining of all metals—not only precious metals as previously provided—in certain parts of the Chilkat River—Public Law 85–662.

Four acts provided for the conveyance of small tracts of land to Alaska—Public Law 85–11; the city of Anchorage—Public Law 85–265; the city of Ketchikan—

Public Law 85–753; and removed a cloud on title to certain other land—Private Law 85–287.

An amendment to the Alaska Public Works Act of 1949 clarified the authority of the Secretary of the Interior to convey federally owned land utilized in construction of public works—Public Law 85–233.

The act of May 5, 1956, authorizing the Secretary of the Interior to construct campground, parking areas, and other public recreational facilities in Alaska, was amended to provide specific authority for him to convey the lands and facilities in question to the Territory and its subdivisions—Public Law 85–225.

Earlier law relating to the refunding operations of municipalities and public utility districts was amended to apply to school districts, to cover outstanding general obligation bonds, to permit the issuance of revenue bonds for refunding purposes, and to permit the proceeds of refunding operations to be used to pay redemption premiums—Public Law 85–675.

Public Law 85–16 provides that the Delegate from Alaska shall be 1 of the 13 members of the Alaska International Rail and Highway Commission. Public Law 85–601 extends the life of the Commission to March 1, 1960, increases its authorized appropriations from $75,000 to $300,000, and adds officials of the Province of Alberta to those with whom the Commission may cooperate.

HAWAII

Eighteen bills concerning the Territory of Hawaii were enacted:

Four of these have to do with general governmental matters. One provides for an annual meeting of the Territorial legislature—Public Law 85–690. One repeals a requirement that the President be furnished semiannually with copies of the legislature's executive proceedings—Public Law 85–714. Two others concern the Hawaii civil service—Public Law 85–650—and election of employee representatives to the board of trustees of the retirement system—Public Law 85–793.

Nine bills were enacted dealing with such varied land matters as the permissible period for leasing public lands—Public Law 85–803; the interest rate on right-of-purchase leases—Public Law 85–711; removal of restrictions on patented lands—Public Law 85–694; land exchanges—Public Law 85–713 and Public Law 85–718; transfer of lands to the University of Hawaii—Public Law 85–719; the granting of fee patents to lands held under certificates of occupation—Public Law 85–720; the sale of lands to and their exchange with tidal wave sufferers—Public Law 85–834; and the status of certain offshore reef lands—Public Law 85–677.

Three measures amended provisions of the Hawaiian Homes Commission Act, 1920, relating to the utilization of the home-loan fund—Public Law 85–708; the period of tax exemption—Public Law 85–710; and the use of Homes Commission land for post offices and other public improvements—Public Law 85–733.

The computation of the permissible indebtedness of the Territory was changed by excluding therefrom bonds issued to finance veterans' home and farm mortgages—Public Law 85–691.

Foundation was laid for development of a joint civil-military airfield complex at Honolulu by the provisions of Public Law 85–534.

VIRGIN ISLANDS

Five laws concerning the Virgin Islands were enacted, as follows:

The 1954 Organic Act was revised to provide that no political or religious test shall be required for holding a Territorial office; to extend the Territorial legislature's jurisdiction to all rightful subjects of legislation instead of all subjects of local application; to modify the salary of the Comptroller of the Virgin Islands, and to provide for appeals from his decisions and for payment of his and of his assistants' salaries by the United States; to provide that criminal cases should be tried by jury if demanded either by the defendant or by the Government; and to permit revenue bonds to be issued by the Territory for projects, authorized by an act of the legislature, which will, in the legislature's judgment, promote the public interest by economic development of the Virgin Islands—Public Law 85–851.

The organic act was also revised to provide that members of any board, authority, or commission established by the laws of the Virgin Islands and having quasi-judicial functions shall be appointed by the Governor with the advice and consent of the legislature if local legislation so requires—Public Law 85–224.

The life of the Virgin Islands Corporation charter was extended to June 30, 1969, and its authorized activities were enlarged to include construction of facilities for producing potable water from salt or brackish water—Public Law 85–913. The same act also provided for transfer to the Corporation of the Navy Department's power-generating facilities at St. Thomas.

Legislation was enacted directing the Virgin Islands Corporation to convey two tracts of land no longer needed by it to the Government of the Virgin Islands—Public Law 85–712.

Public Law 85–404 removed the limitations on the amounts authorized to be appropriated for capital improvements and administration of the Virgin Islands National Park which were written into the original legislation.

GUAM

Two public laws affecting Guam were enacted:

The first concerns the collection of income taxes on Guam. It reiterates and enlarges on the previous text of section 31 of the Organic Act of Guam, declares that the income taxes imposed by virtue of the act shall be deemed to be a Territorial income tax, provides for the administration of the tax by the Governor of Guam, and ratifies and confirms income-tax assessments and collections made between 1951 and the date of the act—Public Law 85–688.

The second amends the Organic Act of Guam to increase the salary of the judge of the district court of Guam, to lengthen the term of his office, to extend the jurisdiction of the court to cover all causes arising under the Federal Constitution, laws, and treaties, to set up a three-judge appellate division in the district court, and to provide for the temporary assignment to the district court of judges from other Federal courts—Public Law 85–444.

MISCELLANEOUS

Legislation extending the authority of the Secretary of the Interior to carry on in Antarctica and the Trust Territory of the Pacific Islands the same geological and biological surveys, mapping, and similar activities that he is authorized to carry on in the United States and its Territories was enacted—Public Law 85–743.

OTHER LEGISLATION CONSIDERED

Chief among the Territorial bills considered but not enacted were those to grant statehood to Hawaii. Others included bills to provide for the construction of a geophysical institute at the University of Hawaii, to increase the compensation fo members of the legislature, to lower the voting age of its citizens to 20, to govern interim appointments by the Governor of Hawaii, to provide for the granting of corporate charters by the Alaska Legislature, to provide for land grants to Alaska—three separate measures—to authorize the Secretary of the Navy to acquire certain lands on Guam, and to create an Antarctic Commission.

MINES AND MINING

The Subcommittee on Mines and Mining has jurisdiction over mining interests generally, mineral resources of the public lands, mineral land laws, mining schools and experimental stations, and conservation of petroleum on the public lands and of the United States radium supply.

Of the 99 measures referred to the subcommittee, 11 were reported and 8 were enacted. In addition, hearings were held on several other matters of concern to the mining industry. A special Subcommittee on Coal Research concluded a coal study which commenced in the 84th Congress.

ENACTED LEGISLATION

An act directing the Secretary of the Interior to establish and maintain a program to encourage the long-range exploration of mineral deposits in the United States, its Territories, and possessions by private enterprise became law—Public Law 85–701. The program contemplated will be similar to the one heretofore administered by the Defense Minerals Exploration Administration and financed under the Defense Production Act. This earlier program ended on June 30, 1958.

Two amendments to the Mineral Leasing Act were adopted.

The act was amended by removing the State acreage limitation—5,120 acres—on phosphate leases, thus permitting the leasing of 10,420 acres of Federal phosphate-bearing lands without regard to State boundaries—Public Law 85–122.

The land which any person or group may hold under Federal coal leases or permits within any one State was increased from 5,120 acres to 10,240, with

provision for the granting of cancelable leases or permits for an additional 5,120 acres in certain cases—Public Law 85–608.

Three changes were made in the mining claim laws:

Geological, geochemical, and geophysical surveys may now be used for the fulfillment of annual assessment work requirements, subject to certain conditions and limitations—Public Law 85–876.

The end of the period for performing annual assessment work on unpatented mining claims was changed from July 1 to September 1—Public Law 85–736.

The time during which annual assessment work may be performed on unpatented mining claims the locations of which were based upon the discovery of uraniferous lignite was extended for 1 year—that is, until July 1, 1958—Public Law 85–68.

Two minor measures relating to individual oil and gas leases were also enacted—Public Law 85–618 and Private Law 85–165.

OTHER LEGISLATION CONSIDERED

A bill providing for a 1-year extension that is, through 1959, of the domestic fluorspar and asbestos purchase programs established under the act of July 19, 1956, was vetoed by the President on the ground that it would defeat the objectives of the stabilization program for acid-grade fluorspar contained in the general mineral stabilization legislation then before the Congress.

The latter legislation, represented by 21 bills, provided for the purchase of 150,000 tons of domestic copper over a 1-year period, stabilization payments over a 5-year period to domestic producers of lead, zinc, acid-grade fluorspar, and tungsten, and incentive payments over a 5-year period to domestic producers of chromite, beryl, and columbium-tantalum. The legislation was drafted and offered by the administration as the only acceptable means for alleviating the acute distress of certain domestic mining industries, for preserving productive capacity expected to be needed in the future, and for assistance in the development of competitive domestic mining industries in chromite, beryl, and columbium-tantalum. The total possible cost of the program was estimated to be $458 million. The bill reported was defeated in the House.

A bill, 1 of 14 on the subject, providing for the establishment of a 3-member Coal Research and Development Commission as an independent agency, was reported by the committee. The purpose of the legislation was to provide a means whereby a substantial improvement in the economic position of the coal industry could be achieved. The basic provisions of the legislation were similar to those recommended by the special Subcommittee on Coal Research. This subcommittee, under the chairmanship of the Honorable Ed Edmondson, continued during the 1st session the series of hearings it began in the 84th Congress and concluded its study on the need and possibilities of a research and development program for the coal industry of the United States. The findings and recommendations of the subcommittee are contained in House Report No. 1263.

MISCELLANEOUS

The Subcommittee on Mines and Mining held hearings in 1957 on the administration and operation of the multiple-use mining law, which relates, among other things, to title uncertainties and surface rights on unpatented mining claims.

PUBLIC LANDS

The Public Lands Subcommittee has responsibility for measures relating to the utilization, conservation, and development of more than 459 million acres of public lands in the United States and Alaska, more than 24 million acres embraced within some 180 units of the national park system, and nearly 160 million acres of land within national forests created from the public domain.

A total of 301 measures were referred to this subcommittee during the 85th Congress, of which 75 were reported and 66 were enacted. In addition, two concurrent resolutions were adopted by both Houses of Congress. The measures enacted or adopted are summarized below under three principal headings: (a) public lands and related matters, (b) recreation, parks, and cemeteries, and (c) national forests.

PUBLIC LANDS AND RELATED MATTERS

Four bills of general application were enacted:

The Military Land Withdrawals Act accomplishes two principal purposes: (a) it provides that no area or areas embracing more than 5,000 acres of public-domain land shall be set aside for the exclusive use of any single defense project or facility unless the withdrawal, reservation, or restriction of the land has been approved by an act of Congress; (b) it makes applicable within any military reservation in the United States, Alaska, and Hawaii the hunting and fishing laws of the State or Territory in which the reservation is located—Public Law 85–337.

As a supplement to the committee's action on this measure, the chairman of the committee sent letters to the Secretaries of the Interior and Agriculture calling attention to the overall problems of large-scale withdrawals of lands from use and development under the public land laws and requesting that such withdrawals or reservations not covered by the bill be reported to the committee and that approval thereof be withheld pending committee study and advice.

Two sections of the Revised Statutes were amended to permit the States, when selecting public-domain lands in lieu of the school lands granted to them at the time of their admission to the Union but later found to be unavailable, to choose mineral lands if the lands originally granted are of that character—Public Law 85–771. If the lands selected are on the known structure of an oil or gas field, they may be acquired only if the original lands are on such a structure. And if the lands selected are subject to a mineral lease or permit, they may be acquired only if all the lands subject to the lease or permit are acquired and if none of the lands are in a producing or producible status.

A third act permits desert-land entries to be made on disconnected tracts of public lands which, though they are not contiguous, are sufficiently close to each other to be managed as a single farm unit—Public Law 85–641.

Permissible uses of land grants made to the States for erection of public buildings and of the proceeds derived from such grants were extended to the reconstruction, improvement, and equipment of such buildings and to debt service on bonds issued for these purposes—Public Law 85–411. Before the enactment of this act, special legislation had been enacted covering substantially the same subject with respect to North Dakota, South Dakota, Montana, and Washington—Public Law 85–6; Idaho—Public Law 85–84; and Wyoming—Public Law 85–97.

Nine bills relating to conveyances of land to specific States and municipalities were enacted: Arizona—Public Law 85–812; Council Bluffs, Iowa—Public Law 85–304; Kentucky—Public Law 85–676; Nevada—Public Law 85–193 and Public Law 85–339; Henderson, Nev.—Public Law 85–776; Salem, Oreg.—Public Law 85–528; Spearfish, S. Dak.—Public Law 85–35; and Utah—Public Law 85–631.

Another eight measures provided for conveyances to private parties, usually at fair market value, or for clearing up title defects in prior transactions.

In the railroad right-of-way field, there were five enactments. The most important declared forfeited all of the right-of-way in California granted to the Atlantic & Pacific Railroad Co. in 1866 but not presently occupied by railroad facilities—Public Law 85–571. The other four validated conveyances by railroads of small tracts of land within their rights-of-way.

Two other enacted bills cleared title to certain lands in Montana which were devised to the United States subject to conditions precluding acceptance of the devise—Public Law 85–36; and deleted from the New Mexico-Arizona Enabling Act certain provisions which operated to restrict the degree of discretion those States may exercise in the handling of funds derived from the lands granted to them—Public Law 85–180.

RECREATION, PARKS, AND CEMETERIES

Two bills of general applicability in this field were enacted:

Establishment of a 15-man bipartisan Outdoor Recreation Resources Review Commission to study the amount, kind, quality, and location of the outdoor recreation resources which the American people will need by 1976 and 2000 and to recommend the measures that should be taken to meet these requirements was provided for—Public Law 85–470. The act also provides for the appointment by the Commission of a 25-member advisory council representing State agencies, industrial interests, local governments, and the like, plus additional members from Federal agencies with a direct interest in the outdoor recreation field. The Commission is to make its final report and recommendations by September 1, 1961. The act authorizes the appropriation of $2,500,000 to carry out its purposes.

The maximum period for which concessionaires' leases may be granted in the national parks was increased from 20 years to 30—Public Law 85-434. It is expected that this increase will assist the concessionaires in obtaining from institutional investors the long-term credit they need to improve and expand their facilities for public accommodation and recreation in the parks.

Five measures providing for the creation, enlargement, or improvement of national parks and monuments were enacted:

Modification of the boundaries of Everglades National Park, Fla., to include approximately 197,000 acres of land and water which are not now owned by the United States and to exclude about 65,000 acres which the Government already owns was provided for—Public Law 85-482. The area to be included is valuable for its mangrove swamps and is important for the protection of both resident and migratory birds and of the fisheries off the Florida coast. The acquisition will also be useful for the development of a western entrance to the park. The act authorizes an appropriation of $2 million to carry out its purposes.

Fort Clatsop, the most important site on the Pacific coast associated with the Lewis and Clark expedition, was established as a national memorial—Public Law 85-435. It will contain not more than 125 acres and a donated replica of the fort. Land acquisition is estimated to cost $30,000 and development and repairs $255,000.

The Secretary of the Interior was authorized to accept Grant's Tomb in New York City as a gift and to administer it as a national memorial—Public Law 85-669.

Provision was made for the establishment of a national monument of about 700 acres within the Grand Portage Indian Reservation—Public Law 85-910. The Grand Portage—a 9-mile trail—was highly important in the fur trade of early American history, in the exploration and colonization of the Northwest, and in relations with Canada. This land, plus an area known as the Northwest Company site and the site of Fort Charlotte, will be included in the monument. Approximately 400 acres of Indian tribal lands will be donated to the Government. The remainder of the necessary lands will be acquired at an estimated cost of about $15,000. Development costs for the monument are estimated at $300,000.

The Petrified Forest National Monument, established in 1906 and since enlarged to include the Rainbow Forest area and the Painted Desert, will become a national park after certain inholdings are eliminated—Public Law 85-358). The park will include about 240 acres more than the monument.

Two measures were enacted relating to Independence National Park, Philadelphia, establishment of which was authorized in 1948. The first authorizes the appropriation of $7,250,000 to be expended by June 30, 1963, for its development and improvement—Public Law 85-764). This act also authorizes the acquisition of properties adjacent to Christ Church and their inclusion in the park. The second act provides for the acquisition of a narrow strip of land adjacent to the Deshler-Morris House in the park—Public Law 85-702.

Land acquisitions in connection with existing national parks and monuments were provided for in seven more acts: The most important was the authorization for acquisition of approximately 1,200 acres at or near El Portal, just outside the Arch Rock entrance to Yosemite National Park, to be used as an administrative site for the park and related purposes—Public Law 85-922. The cost will be in the neighborhood of $300,000. The new site is not made a part of the park but will be under the jurisdiction of the Secretary of the Interior. The other six relate to Cowpens National Battlefield site, South Carolina—Public Law 85-547—1 acre; Fort Frederica National Monument, Ga.—Public Law 85-401—150 acres including the Bloody Marsh Battle area, and two buffer tracts within the monument; Gloria Dei—Old Swedes—Church National Historic Site, Pennsylvania—Public Law 85-709—7 acres; Isle Royale National Park, Mich.—Public Law 85-647—3 acres in Houghton, Mich., to be added to administrative site; Montana National Bison Range—Public Law 85-622—400 acres for a display pasture; and Whitman National Monument, Wash.—Public Law 85-388—50 acres.

Eight bills providing for land exchanges in or adjacent to established national parks, monuments, and cemeteries became law. These relate to Death Valley National Monument, Calif.—Public Law 85-498; Great Smoky Mountains National Park, N. C., and Tenn.—Public Law 85-407; Gunnison National Monument, Colo.—Public Law 85-891; Hot Springs National Park, Ark.—Public Law 85-679; Natchez Trace Parkway, Miss.—Public Law 85-746; Olympic National Park, Wash.—Public Law 85-456; Shiloh National Military Park, Tenn.—Public Law 85-406; and Vicksburg National Military Park, Miss.—Public Law 85-667. Of these, that relating to the Natchez Trace Parkway is the most interesting. It provides for relocation of portions of the parkway at the expense of Pearl River Water Supply District and exchange of parkway lands and roadway for new lands of approximately equal value. The Shiloh National Military Park Act is also interesting in that it is intended to facilitate the relocation of two public roads that now cross the park to the edge of the park.

MISCELLANEOUS

A number of miscellaneous subjects were covered by another eight measures within the present category. They are, in brief House Concurrent Resolution 91, declaring it to be the sense of Congress that the Altar of the Nation, in the Cathedral of the Pines, Rindge, N. H., "has been dedicated to the glory of God as a memorial to all American war dead;" Public Law 85-343, retroceding to the State of Montana concurrent police jurisdiction over the Blackfeet Highway; Public Law 85-5 and Public Law 85-499, extending the time for completion by the Boston National Historic Sites Commission of its work under the joint resolution of June 16, 1955; Public Law 85-828, increasing by $200,000 the amount authorized to be appropriated to assist in completion of the International Peace Garden, United States-Canada; Public Law 85-658, amending the act of August 11, 1955, to permit use of funds donated and appropriated thereunder for development of certain properties in New York City; Senate Concurrent Resolution 32, recognizing the National Cowboy Hall of Fame and Museum, Oklahoma City, "as a memorial to individuals who have made outstanding contributions in the opening and development of the West;" and Public Law 85-41, permitting the use of a certain portion of the Springfield Confederate Cemetery, Springfield, Mo., as a part of the Springfield National Cemetery.

NATIONAL FORESTS

Bills relating to the national forests were enacted as follows:

Approximately 15,700 acres of Palisades reclamation project land were transferred to the Caribou and Targhee National Forests without prejudice to continued use of such of the lands as are needed for the reclamation project—Public Law 85-651. The transfer will facilitate development of the recreational potentialities at and near Palisades Reservoir.

Deduction of 10 acres from the Sequoia National Park and their addition to the Sequoia National Game Refuge of the Sequoia National Forest was authorized—Public Law 85-648. A land exchange between Sequoia National Forest and Kings Canyon National Park was also provided for—Public Law 85-666.

The period for effecting an exchange of private timber rights held by the McCloud River Lumber Co. in Shasta National Forest for national forest timber of equal value was extended by 2 years—Public Law 85-116. The lands to be acquired by the Government by the exchange arrangement are valuable for recreation.

The boundaries of the Siskiyou National Forest were extended to include a strip of land along the Rogue and Illinois Rivers—Public Law 85-833. Somewhat over 20,000 acres are involved. The land which will be added to the forest pursuant to this act is reported to have unique scenic and recreational values.

OTHER LEGISLATION CONSIDERED

In addition to the above, consideration was given by the Subcommittee on Public Lands to 16 other measures and their companions which failed to become law. Extended hearings were held on a series of bills designed to create a National Wilderness Preservation System within the national forests, parks, and wildlife refuges, and on Indian reservations. In these bills, a wilderness is defined as an area where the earth and its community of life are untrammeled by man, where man himself is a member of the natural community who visits but does not remain and whose travels leave only trails. Extended hearings were also held on bills to establish the Chesapeake and Ohio National Historical Park in Maryland containing not more than 15,000 acres. These latter bills were reported to the full committee.

A bill to permit the National Freedom Shrine Commission to erect a monument near Washington, D. C., to freedom of speech, religion, the press, assembly, and petition was reported to the House but recommitted. Another bill to authorize acquisition of the site of Fort Pemberton, Miss., and to provide for its administration as a facility of the Vicksburg National Historic Park passed both Houses but was pocket vetoed by the President.

Other matters considered were bills to quitclaim the United States interest in certain lands in California—hearings; to validate conveyance of a strip of railroad right-of-way in California—ordered reported; to convey certain Federal lands on the University of Maryland campus to the State—passed House; to provide for burial in Gettysburg National Military Park of the last survivors of the Union and Confederate Armies—tabled; to create a national cemetery in De Soto County, Fla—hearings; to authorize the burial of Mrs. Frank O. Taafel in the Zachary Taylor National Cemetery—tabled; to provide for the establishment of Fort Jackson, Ala., as a national monument—hearings; to provide for acquisition with appropriated funds of land at the Antietam battlefield site, Maryland—referred to subcommittee after having been reported to full committee; to designate St. Ann's Churchyard, New York City, as a national historic site—passed House; to request completion by the Secretary of the Interior of his report on the potential Point Reyes national seashore recreational area, California—reported to House; to direct investigation of the Wheeler Peak-Lehman Caves area, Nevada, as possible national park—reported to House; and to provide that owners of private property within Federal areas may be taxed by State and local bodies—hearings.

MISCELLANEOUS

Hearings were held by special subcommittees on administration of the Small Tracts Act, on forest-fire control in southern California, and on problems of squatters on public lands along the lower Colorado River and illegal diversions of water therefrom.

INDIAN AFFAIRS

The jurisdiction of the Subcommittee on Indian Affairs includes the relations between the United States and Indian tribes, the care, education, and management of Indians, claims payable out of Indian funds, and the care and allotment of Indian lands. Its responsibility extends to the approximately 434,000 Indians, Aleuts, and Eskimos of the United States and Alaska and to Indian landholdings and reservations which are subject to varying degrees of Federal control and total approximately 52 million acres in 28 States and Alaska.

One hundred and sixty-two measures were referred to the Subcommittee on Indian Affairs during the 85th Congress. Of these, 46 were reported and 42 were enacted.

GENERAL

Seven measures not confined to any one tribe or group of Indians were enacted:

A portion of section 2103 of the Revised Statutes requiring that contracts with Indian tribes be executed before a judge of a court of record was repealed—Public Law 85-770.

The prohibition contained in title 18, United States Code, section 1157, against disposition of livestock purchased for Indians by the United States without the consent of the local superintendent was repealed—Public Law 85-86. The earlier law no longer served a useful purpose since few outstanding loans are not protected by adequate mortgage security.

An earlier law authorizing the Secretary of the Interior to convey lands no longer needed for Federal Indian school purposes to local governmental agencies was amended to provide that, upon continuing breach of the conditions of the conveyance and failure of the Secretary of the Interior to declare forfeiture, the Indians affected may petition the local Federal district court to do so—Public Law 85-31.

Teachers in Indian Bureau schools are now given 30 working days' leave each calendar year for attendance at educational meetings—Public Law 85-89.

The General Services Administration was authorized to transfer surplus Federal property in the vicinity of the McNary Dam townsite, Oregon, and Pickstown, S. Dak., to Indian tribes for industrial purposes—Public Law 85-186.

The Secretary of the Interior was directed to convey 70 acres of land to the State of North Dakota for the use and benefit of the North Dakota State School of Science. In return the School of Science will provide tuition to 10 Indian students each year for 10 years—Public Law 85-205.

Public Law 85-420 restores to tribal ownership 70,200 acres of lands on 5 Indian reservations, viz, Klamath River, Calif.; Coeur d'Alene, Idaho; Crow, Mont.; Fort Peck, Mont.; and Spokane, Wash. The restored acreages are undisposed-of remnants that were ceded to the United States by the listed tribes.

TERMINATION PROBLEMS

Implementation of the program for terminating Federal control over various Indian tribes and the solution of problems arising from previous legislation along these lines involved five measures that were enacted:

Indian rancherias in California were the subject of two enactments. One provides for the distribution of lands, minerals, water rights, and improvements on 41 such rancherias—Public Law 85-671. The principal groups involved are of Pomo, Maidu, Me-wok, and Mono stock. The act affects 1,390 Indians residing on 7,617 acres of trust lands. Each of the 41 rancherias involved adopted and filed a resolution with Congress requesting that legislation to terminate Federal control over the lands be enacted. Indian water rights will continue for 15 years unaffected by the termination of Federal supervision; thereafter they will be within the jurisdiction of the State of California with a priority, however, dating from the time when they were established.

The other act provides for the transfer of approximately 100 acres of land of the Coyote Valley Indian Rancheria to the Secretary of the Army for use in connection with the Coyote Valley Dam—Public Law 85-91. Acquisition of this land by the Corps of Engineers terminates Federal supervision over the rancheria and over those Indians who were living there and do not also have restricted holdings elsewhere.

The Klamath Termination Act was amended in a number of respects by Public Law 85-132. Those of greatest importance are (a) authorization for appropriation of $550,000 to assist the tribe in preparing for termination of Federal supervision; (b) deferment of the final termination date for 18 months; (c) provision that sales of tribal property should not be made before adjournment of the 85th Congress; and (d) clarification and modification of the procedure to be followed in handling guardianship and competency cases. The Termination Act was further modified by Public Law 85-731 which provides for a review of the appraisals of the real property assets of the Klamath Tribe theretofore made under the Termination Act, requires private purchasers of the various forest units which are to be sold to agree to manage them in perpetuity "as far as practicable according to sustained-yield procedures so as to furnish a continuous supply of timber," provides for Federal acquisition of such of the Klamath Forest units as are not retained by the tribe or purchased by private parties, provides for Federal acquisition of the Klamath marsh as a wildlife refuge, and extends the final termination date to August 13, 1961.

The Menominee Termination Act of 1954 was amended by postponing the final termination date to Decembre 31, 1960—Public Law 85-486. This act also authorized the appropriation of Federal funds equal to expenses incurred for the termination program prior to the date of enactment and, in addition, one-half of such expenses incurred thereafter, or the sum of $275,000, whichever is the less.

RESERVOIR LAND ACQUISITIONS

Five measures were enacted providing for payments to the tribes concerned—the Crows of Montana, the Navahos of Arizona and Utah, and the Sioux of North and South Dakota—for lands taken or needed by the Corps of Engineers and the Bureau of Reclamation for reservoir and allied purposes:

Payment of $2½ million to the Crow Tribe for the transfer to the United States of the Indian tribal interest in the Yellowtail damsite and in a portion of the right-of-way for Yellowtail Reservoir on the Crow Indian Reservation in Montana is provided for in Public Law 85-523. This law also provides that the tribe may bring suit within 3 years for additional compensation if it believes $2,500,000 to be too little.

Acquisition of title to 53,000 acres of Navaho land needed for the Glen Canyon Dam and Reservoir project, including its

permanent operating headquarters at Page, Ariz., is provided for in Public Law 85–868. In exchange for these lands the Navaho Tribe will receive trust title to an area of equal acreage of land in southern Utah abutting the reservation.

The Standing Rock Sioux Indians will be paid $1,953,040 as just compensation for lands taken for Oahe Reservoir on the Missouri River in South Dakota—Public Law 85–915. This act also authorizes the payment of $3,299,153 for all other claims of the tribe and individual Indians connected with the same taking and $6,960,000 for a rehabilitation program. The act contains a number of other provisions of benefit to the Standing Rock Sioux.

The Lower Brule Sioux Tribe will be paid $967,523 in final settlement of all claims arising out of the construction of Fort Randall Dam and Reservoir on the Missouri River in South Dakota—Public Law 85–923. The dam gates were closed on July 21, 1952, and the land in question has been flooded for several years. The act contains a number of other provisions of benefit to the tribe and its members.

Payment of $1,395,812 to the Crow Creek Sioux Tribe of South Dakota in final settlement of all claims arising out of the construction of Fort Randall Dam and Reservoir was authorized—Public Law 85–916. As noted above, the gates of Fort Randall Dam were closed on July 21, 1952, and the land in question has been flooded for several years. This act contains a number of other provisions of benefit to the tribe and its members.

INDIAN PUBLIC WORKS

Construction by the United States of an irrigation distribution system and drainage works for 11,000 acres of restricted lands on the Torres-Martinez, Augustine, and Cabazon Reservations in the Coachella Valley, Calif., is authorized by Public Law 85–801. This project will entail an expenditure of $2 million in reimbursable Federal funds. Operation and maintenance will be undertaken by the Coachella Valley Water Users' Association, within the boundaries of which the Indian lands lie.

The Navajo-Hopi Rehabilitation Act of 1950 was amended to provide an additional $20 million for construction and improvement of roads on the Navajo and Hopi Indian Reservations—Public Law 85–740. This additional sum will be used to bring some 1,000 miles of road on the mineral-rich areas of the reservations up to secondary road standards.

INDIAN LAND MATTERS

A number of measures, in addition to those mentioned above under the heading "Payment for Reservoir Sites," deal with various aspects of Indian lands. The most important of these provides for judicial determination of the respective rights and interests of the Hopis and Navajos in lands set aside by the Executive order of December 16, 1882—Public Law 85–547. Following the court decision the boundary between the two reservations will be readjusted. The law also provides that each tribe may sell, buy, or exchange any lands within its reservation with the approval of the Secretary of the Interior.

Three others provide for disposition of 49 acres of tribal land on the Catawba Indian Reservation, S. C.—Public Law 85–34; for the transfer of 32,000 acres of public and Chippewa Indian lands to the State of Minnesota at their appraised value, less liens assessed against the land under the act of May 20, 1908—Public Law 85–387; for the conveyance of about 1 acre of land in Wisconsin held in trust for the Lac du Flambeau Band of Chippewas to the diocese of Superior for church purposes and about 22 acres to the town of Flambeau for cemetery purposes—Public Law 85–396; and for the leasing by the Papago Tribe, Arizona, with the approval of the Secretary of the Interior, of approximately 2,400 acres of land to the National Science Foundation for an astronomical observatory—Public Law 85–816.

Another 3 acts authorize the conveyance of 2 acres of land, together with the improvements located thereon, to the Lummi Tribe of Washington for use as a community recreation center—Public Law 85–612; provide for the exchange of 2 tracts of land—about 15 acres each—on or near the Makah Reservation, Wash., between the United States and the local school district—Public Law 85–188; and convey 3 acres of land and certain improvements to the Makah Tribe—Public Law 85–758.

All rights, except mineral rights, which the Crow Tribe has in 4,900 acres of land within the Huntley reclamation project, Montana, were terminated by Public Law 85–628. This act also provides for transferring to the credit of the Crow Tribe a sum equal to the net revenues collected by the United States from leases on the ceded lands between 1904 and 1958 with interest thereon and for the future administration of the surface rights by the Secretary of the Interior in accordance with public land and reclamation laws and of the subsurface rights under the laws applicable to Indian trust lands.

Public Law 85–780 restores to the Shoshone and Arapaho Tribes of the Wind River Reservation, Wyo., title to the minerals, including oil and gas, which was extinguished by law in 1953 and provides for future administration under the Tribal Mineral Leasing Act of 1938.

MISCELLANEOUS

Other Indian subjects covered by 85th Congress legislation were as follows: preparation of a roll of members of the Otoe and Missouria Tribe, Oklahoma, and per capita distribution of approximately $1,150,000 awarded to members of the tribe by the Indian Claims Commission—Public Law 85–395; revision of the roll of the Eastern Band of Cherokee Indians of North Carolina—Public Law 85–154; extension of the law providing for the tribal government of the Osage Indians of Oklahoma to January 1, 1984—Public Law 85–192; clarification of the status of land added to the Rocky Boy's Reservation in Montana in 1947 by explicitly limiting it to Chippewa Crees—Public Law 85–773; authorization of a $100 per capita payment to members of the Red Lake Band of Chippewa Indians, Minnesota, from proceeds from the sale of their timber, provision for future per capita payments without further Congressional authorization, and repeal of an existing law which provides that the Secretary may employ personnel for the timber operations only with the consent of the tribal council—Public Law 85–794; amendment of earlier legislation concerning allotment of lands on the Fort Belknap Reservation in Montana to make homestead lands explicitly subject to alienation by the allottees—Public Law 85–605; provision that an earlier act requiring a reduction in Federal payments to the Klamath County School Board for the education of Indian children as a means of recouping Federal expenditures for the construction and improvement of school facilities is no longer effective—Public Law 85–72; naming 30 Pine Ridge Sioux Indians to whom payments—$3,500 in each case except 2—are to be made for loss of land and incidental expenses resulting from the establishment of the Pine Ridge aerial gunnery range, S. Dak., in 1942—Public Law 85–878; transferring to the Crow Creek Sioux Tribe, without compensation, title to a number of buildings on the site of the old Fort Thompson, S. Dak., Indian agency acquired by the Corps of Engineers during the construction of Fort Randall Dam and Reservoir and reimbursing the tribe for payments it made for certain of the improvements—Public Law 85–860; removal of the bar of an earlier statute of limitations to permit payment of claims amounting to $11,934 to be made to 169 Sioux Indians for losses incurred during wars with the United States over 80 years ago—Public Law 85–195; and changes in the law governing the handling of trust funds of the Shoshone and Arapaho Indians of the Wind River Reservation in Wyoming in various respects, including directions that a $7,500 grant be made from the Shoshone trust funds for emergency and educational loans, that 85 percent of the trust fund receipts be paid per capita in monthly installments, and that per capita payments be not subject to ordinary liens or claims—Public Law 85–610.

OTHER LEGISLATION CONSIDERED

At the close of the 2d session of the 85th Congress, a bill providing for the elimination of 3,900 acres of land from the Cheyenne and Arapaho subagency reservation, Oklahoma, was in conference between the two Houses. Three others—one relating to the conveyance of certain ceded lands on the Huntley reclamation project, Montana, to the Huntley School District; another providing for the addition of lands to the Summit Lake Reservation, Nev.; and the third dealing with mineral rights on the Crow Reservation, Mont.—had passed the Senate and been reported by the Committee on Interior and Insular Affairs, but no action was taken on them by the House.

Hearings had been held on 5 other bills—1 ratifying conveyance of Crow Tribe allotted lands in violation of acreage restrictions; another providing for the transfer to irrigation districts of the operation and maintenance of Indian irrigation and power project works; a third authorizing compromise of debts of Indians and their tribal organizations; a fourth repealing a 1946 act providing for preparation of a roll of the Yakima Indian Reservation; and a fifth extending the period during which the Secretary of the Interior may lease Colorado Indian reservation lands. No further action was taken on these five bills.

SPECIAL STUDIES

Special subcommittees held hearings on the Fort Hall Reservation, Idaho, on problems relating to land use and economic conditions there and at Palm Springs, Calif., on equalization of land allotments on the Agua Caliente Reservation. A committee report entitled "Indian Relocation and Industrial Development Programs" was prepared and printed on the basis of field investigations by members of the committee and its staff.

Summary of Legislation Considered by the Committee on Banking and Currency, 85th Congress

EXTENSION OF REMARKS
OF
HON. BRENT SPENCE
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. SPENCE. Mr. Speaker, during the 85th Congress the House Banking and Currency Committee acted on a number of bills of vital importance to the national economy. One of these bills established a new program to provide new sources of long-term credit for small-business concerns, by encouraging the formation of privately owned small business investment companies. In the field of housing, bills were enacted to stimulate production of housing generally and to extend and improve existing programs for slum clearance and urban renewal, farm housing, college housing, military housing, and low-rent public housing. Another of the committee's bills completely rewrote the Small Business Act to make the Small Business Administration a permanent agency and strengthen its powers to assist small business. The committee also acted to expand or extend existing programs to maintain production essential for national defense, to help finance exports of the products of American industries and farms, and to maintain controls needed to regulate exports of materials in short supply and trade with Iron Curtain countries. These and other bills considered by the committee are described more fully below.

LAWS ENACTED, FIRST SESSION

EXPORT-IMPORT BANK EXTENSION, PUBLIC LAW 85–55—HOUSE REPORT 221, H. R. 4136

Following a precedent established in 1945 and continued in 1951, the committee acted early in the 85th Congress to extend the life of the Export-Import Bank for 5 years, through June 30, 1963. This extension was provided for in H. R. 4136, reported by the committee on March 25. The bill passed the House on April 9 and the Senate on June 5, and became law on June 17.

The Export-Import Bank is an agency of the United States established in 1934 to assist in the financing of exports and imports between the United States and foreign countries. Most credits of the bank finance the export of United States manufactured or agricultural products, or services. To a limited extent imports into the United States are also financed, but generally financing from commercial banks and other private sources is available for this purpose. A provision of the charter of the bank expresses the intent of Congress that the bank should encourage and not compete with private capital and throughout the years the relationship between the bank and private lenders has been most harmonious.

Many of the development projects abroad for which the bank assists in financing exports of American goods and services require considerable time for completion. In order that the development of projects of this type may proceed on an even-flow basis the committee has deemed it wise to act well in advance of the scheduled expiration date of the bank's lending authority. The 5-year extensions of the agency allow operations to proceed without interruption but at the same time automatically bring the agency up for review by the committee at periodic intervals.

INTERIM AUTHORIZATION FOR FEDERAL NATIONAL MORTGAGE ASSOCIATION, PUBLIC LAW 85–10—HOUSE REPORT 51, HOUSE JOINT RESOLUTION 209

As the mortgage market tightened in late 1956, offerings of FHA and VA mortgages for purchase by FNMA under its secondary market operations sharply increased, with the result that FNMA had neared the limt of its funds in early 1957. In response to urgent requests for action to permit FNMA to borrow more funds for its secondary market operations, the committee on February 7 reported out a joint resolution increasing this authority by $500 million. This was a stopgap measure, designed to meet FNMA's immediate needs, pending more deliberate consideration of long-term needs. It became law on March 27, 1957.

As enacted, the measure included, in additon to the $500 million increase for secondary market operations, an increase of $50 million for FNMA's special assistance purchases of cooperative housing mortgages and a technical amendment concerning limits of FHA-insured mortgages on multifamily projects in urban renewal areas.

Under FNMA's Charter Act, it may borrow up to 10 times its capital and surplus to obtain funds for its secondary market operations; in early 1957, this worked out at about $1.1 billion. The resolution increased FNMA's capital stock held by the Treasury by $50 million; under the 10-to-1 formula this resulted in an increase of $500 million in borrowing authority, raising the limit to $1.7 billion. While most of FNMA's borrowing takes the form of obligations sold to the general public, it also has authority—subject to the overall 10-to-1 limit—to borrow from the Treasury; an increase of $350 million—to $1,350 million—was made in this authority. In return for the stock it received in FNMA, Treasury canceled $50 million of FNMA notes it held. These amounts were raised again later in the session by the Housing Act of 1957, discussed below.

Section 305 (e) of the National Housing Act authorizes FNMA to purchase cooperative housing mortgages insured by FHA under section 213 of that act. Public Law 85–10 raised the maximum amount of these mortgages which FNMA may hold under section 203 (e) by $50 million—from $50 million to $100 million—and correspondingly increased the limit per State from $5 million to $10 million. These amounts were raised again later in the session by the Housing Act of 1957, discussed below.

Section 3 of Public Law 85–10 makes a technical change in the method of computing the maximum amounts for FHA-insured mortgages on multifamily housing projects in urban renewal areas under section 220 of the National Housing Act. Under section 220, FHA may increase the mortgage limit by $1,000 per room in high-cost areas; the technical amendment makes it clear that this increase is allowable for projects which average less than 4 rooms per family unit.

EXTENSION OF VOLUNTARY HOME MORTGAGE CREDIT PROGRAM, PUBLIC LAW 85–66—NO HOUSE REPORT, SENATE JOINT RESOLUTION 115

The general housing bill (H. R. 6659, discussed below) as reported by the committee contained a provision extending the life of the voluntary home mortgage credit program, which was due to expire June 30, 1957. This program facilitates the flow of private funds for housing credit into remote areas and small communities. Requests for home loans are referred by VHMCP personnel to those lenders considered most able and willing to approve such loans. When it became apparent that action on H. R. 6659 could not be completed by June 30, the Senate and House on June 27 passed Senate Joint Resolution 115, extending the program through August 15, 1957. The measure was signed by the President on June 29.

HOUSING ACT OF 1957, PUBLIC LAW 85–104—HOUSE REPORTS 315 AND 659, H. R. 6659

The Housing Act of 1957, enacted on July 12, 1957, was designed to assist recovery from a serious slump in housing; restore a sound home-building industry; and achieve other important housing objectives. It contained six titles.

Title I dealt with FHA insurance programs.

Title II related to the operations of the Federal National Mortgage Association.

Title III concerned the slum clearance and urban renewal programs.

Title IV dealt with the low-rent public housing program and provided for the disposition of several federally owned war housing projects.

Title V extended and amended the military housing program and also amended the purchase price formula used in the acquisition of Wherry projects through negotiation.

Title VI continued and expanded the college-housing program, continued the

voluntary home mortgage credit program, established a new 2-year program of farm housing research, provided for the exchange of data with foreign nations relating to housing and urban planning and development, directed the FHA Commissioner and the Administrator of Veterans' Affairs to set reasonable ceilings on discounts permitted in connection with Government-insured or guaranteed loans, and expanded the authority of the Housing and Home Finance Agency to make urban planning grants.

TITLE I. FHA INSURANCE PROGRAMS

The act increased the permissible maximum loan-to-value ratios on mortgages insured by FHA under its regular sales housing program, thereby permitting lower downpayments for home buyers. It raised the maximum amount of a mortgage which may be insured by FHA under section 203 to 97 percent of the first $10,000 of appraised value of property, plus 85 percent of the next $6,000 of appraised value, and 70 percent of such value in excess of $16,000. Existing dollar ceilings—for example, $20,000 in the case of a 1- or 2-family home—were unchanged. The maximum loan-to-value ratio was increased again by the Emergency Housing Act of 1958, discussed below.

Prior to the 1957 amendment the maximum loan-to-value ratios were 95 percent of the first $9,000 of value and 75 percent of the appraised value in excess of $9,000—except that the President could increase the figure of $9,000 to $10,000.

Where the mortgagor is not the occupant of section 203 housing—as in the case of a builder-mortgagor—the mortgage continues to be limited to a maximum of 85 percent of the mortgage amount available for owner-occupants.

The act also lowered downpayments for section 203 (i), which is designed to encourage low-cost housing in suburban and outlying areas. The minimum downpayment was reduced from 5 to 3 percent.

The law also increased the permissible maximum mortgage under section 203 (i) from $6,650 to $8,000.

The law also lowered the downpayments for urban renewal sales housing under section 220, to conform to the minimum downpayments permitted under the section 203 program.

The section 222 servicemen's mortgage insurance program was also modified so as to permit downpayments lower than 5 percent wherever such lower downpayments would be permitted under the revised downpayment schedule for FHA's section 203 program.

The law required the FHA Commissioner, before putting the lower downpayments into effect, to make a finding that such action was in the public interest, taking into consideration possible effects on the economy and also the availability or lack of credit for GI loans guaranteed by the Veterans' Administration. On August 6, 1957, the lower downpayments permitted by the act for the various FHA programs were made effective by regulation.

Others provisions relating to the FHA insurance programs: The act amended the FHA title I home improvement loan program to make payments of loss to the lender incontestable after 2 years from the date the claim was certified for payment, in the absence of fraud or misrepresentation, unless the Government demands repayment within the 2-year period.

The section 207 rental housing program was amended to permit a high cost area allowance of $1,000 per room regardless of the number of rooms per unit.

The program for rental housing for elderly persons under section 207 was amended to permit a maximum mortgage of up to $8,400 per unit for elevator-type projects. The act also made it clear that units in section 207 projects for the elderly can be designed for and occupied by single elderly persons.

The act also amended the National Housing Act to require that in cases where replacement cost instead of value is used as a basis for mortgage insurance, the FHA shall furnish the applicant with its estimate of replacement cost instead of the estimate of value which it furnishes to the buyer in other cases.

Title I also contained a number of technical provisions relating to debentures, insurance premiums, transfer of moneys among FHA insurance funds, and other phases of FHA operations. It also repealed two obsolete provisions.

TITLE II. FEDERAL NATIONAL MORTGAGE ASSOCIATION—SECONDARY MARKET OPERATIONS

The law amended the provision governing the amount of FNMA stock which a mortgage seller must purchase under FNMA's regular secondary market operations. Under prior law FNMA could increase without limit the amount of the required stock purchase, the only restriction being that it could not be less than 1 percent of the mortgage amount. The 1957 act established the maximum stock purchase requirement at 2 percent and retained the minimum of 1 percent.

The act provided additional funds for FNMA's regular secondary market operation. By increasing FNMA's capitalization by $65 million, FNMA's borrowing authority was increased by $650 million, since under the law FNMA may borrow up to 10 times its capital and surplus. The increased borrowing authority brought FNMA's total mortgage purchase authority to approximately $2.4 billion. A corresponding increase was made in the amount of FNMA obligations which may be purchased by the United States Treasury.

FNMA special assistance functions: Under its special assistance program FNMA provides financing support on favorable terms for especially deserving FHA programs such as military housing, urban renewal housing, and cooperative housing.

The act required that until August 8, 1958, FNMA purchases of mortgages under its special assistance functions must be at par. Under prior law FNMA was required to purchase at 99 or more.

With respect to the fees and charges which FNMA may make in connection with special assistance mortgages, the act placed a limit of 1½ percent of the unpaid principal amount. Not more than half of such fees and charges may be collected at the time of commitment. Previous law contained no limit on such fees and charges.

The act increased the authorization for FNMA purchases of mortgages designated by the President for special assistance. The new authorization of $450 million for the purchase of whole mortgages supplanted the previous authorizations of: First, $200 million for the purchase of whole mortgages, and second, $100 million for the purchase of 20 percent immediate participations in mortgages. The President has designated as eligible for special assistance, mortgages covering disaster housing, housing in Guam and Alaska, Wherry military housing, housing for the elderly, and urban renewal housing.

Additional FNMA support for cooperative housing was provided by an increase from $100 million to $200 million in the authority of FNMA to purchase FHA section 213 cooperative housing mortgages under its special assistance functions. The former $10 million limitation on outstanding purchases per State was increased to $20 million. Under the amendment $50 million of the total authorization was reserved for cooperatives certified by the Federal Housing Commissioner to be consumer cooperatives. Of the commitments in any one State, not more than $15 million may be outstanding at any time for cooperatives which are not consumer cooperatives.

The authorizations for FNMA purchases of FHA title VIII military housing mortgages was increased from $200 million to $450 million, of which 7.5 percent was reserved for purchases of mortgages insured under section 809. Section 809 mortgages finance sales of housing for essential civilians at military research and development centers.

The authorizations for FNMA purchases under its special assistance programs were raised again by the Emergency Housing Act of 1958, discussed below.

TITLE III. SLUM CLEARANCE AND URBAN RENEWAL

The authority of the Housing and Home Finance Agency to make capital grants under the title I program for slum clearance and urban renewal was increased by $350 million. Under this program the Federal Government makes grants to local communities up to two-thirds of the cost of slum-clearance and urban-renewal projects.

The act also provided an alternative formula for calculating the Federal capital grants, the use of which is optional with the community. In place of the two-thirds Federal to one-third local grant formula for a project, the local public agency can have, if it so elects, the benefit of a three-fourths Federal to one-fourth local grant formula, if the community bears all expenses of planning, surveys, legal services, and administrative costs. In effect, under the alternative formula, the Federal Government pays a higher percentage of a reduced project cost. The purpose of the alternative formula was to make it possible to

eliminate review and discussion at the Federal level of survey and planning costs and project administrative costs.

The act also increased from 10 percent to 12½ percent the proportion of the capital grant authorization available to any one State.

In order to relieve both the local public agencies and the Federal Government of a considerable burden of paperwork, the act authorized the Housing and Home Finance Administrator to permit local public agencies to make relocation payments in fixed amounts—not exceeding the present $100 limit—to individuals and families without the necessity of investigating the actual costs incurred in each case.

The maximum allowance for paying the relocation expenses of individual businesses displaced by slum-clearance operations was raised from $2,000 to $2,500.

The definition of "urban renewal plan" was amended to permit a local community to indicate in a submission separate from the urban renewal plan, the relationship between the urban renewal plan and the overall local planning objectives. The previous definition required that this relationship be indicated in the urban renewal plan itself.

Another amendment extended to slum-clearance projects under the 1949 act a provision—previously applicable only to urban renewal projects under the 1954 act—whereby the estimated costs of facilities offered as noncash grants-in-aid can be deemed actual costs for certain purposes. This avoided delay and resulting expense in winding up an urban renewal project where the facilities offered as noncash grants-in-aid are still under construction and the actual costs thereof cannot be known until completion.

The act also provided that, where the local housing agency is also acting as the local public agency for the purposes of slum clearance and urban renewal, the local housing agency may include in its administration building sufficient facilities for the administration of its slum clearance and urban renewal functions. In such cases an economic rent shall be charged for such facilities as are used for urban renewal functions. The rent shall be paid from funds derived from sources other than low-rent public housing projects administered by the local housing agency.

TITLE IV. PUBLIC HOUSING

Low-rent housing: The act permitted certain exemptions from income for the purpose of determining eligibility for both initial and continued occupancy. The amendment permitted families seeking admission to public housing an exemption from their annual income of $100 for each minor (other than the head of the family and his spouse) and each adult dependent member of the family with no income, and up to $600 of the income of each member of the family other than the principal wage earner. For continued occupancy, exemptions were permitted of either $100 or all or part of the income of each minor in the family—other than the head of the family and his spouse—and $100 for each adult dependent member having no income, and up to $600 of the income of any other member of the family other than the principal wage earner. Exemptions under prior law were—for admission, $100 for each minor; and for continued occupancy, $100 for each minor or all or any part of the income of each minor.

The permissible cost limits of low-rent public housing were raised from $1,750 to $2,000 per room for regular units, and from $2,250 to $2,500 per room for units for elderly persons.

Another amendment required that every contract for Federal assistance to low-rent public housing projects shall require that the plans, drawings, and specifications follow the principle of modular measure in every case deemed feasible by the local housing agency.

Disposition of war housing projects: The act contained the following provisions affecting the disposition of war housing projects: First, it extended until December 1, 1957, the time in which war housing project Conn-6029 may be sold to the Housing Authority of Wethersfield, Conn., pursuant to the provisions of the Housing Act of 1954; Second, it directed the Housing and Home Finance Administrator to dispose of housing project Nev-26021, to the Housing Authority of Las Vegas, Nev.; Third, it directed the Housing and Home Finance Administrator to convey two Lanham war housing projects—La-16011 and La-16012—to the State of Louisiana; Fourth, it directed the Administrator to sell to the city of Layton, Utah, a war housing project known as Verdeland Park—Utah-42015.

TITLE V. MILITARY HOUSING

The title VIII military housing program was extended by the act for 1 additional year, through June 30, 1959.

The act made the statutory maximum average of $16,500 per family unit for housing under the title VIII program applicable to each project rather than each mortgage. Since financing for a large project generally requires separate mortgages for the various areas of the project, and the mortgages in some of these areas may range somewhat higher than the $16,500 family-unit average limitation—although the family-unit average of all project mortgages does not exceed that limit—this section permits greater flexibility in project planning and financing.

The act changed the formula used in determining the purchase price of Wherry Act housing acquired by the military services through negotiation. It substituted for the allowance for physical depreciation, previously included in determining such price, an allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition.

TITLE VI. MISCELLANEOUS

College housing loan program: The act increased the college housing loan authorization by $175 million—from $750 million to $925 million.

Eligibility under the program was extended to include: First, any public or nonprofit hospital operating a school of nursing beyond the level of high school, or approved for internships by recognized authority, and, second, any agency, public authority or other instrumentality of any State established to provide or finance housing or other educational facilities for students or faculty of any nonprofit public educational institution offering at least a 2-year program acceptable for full credit toward a baccalaureate degree.

A $25 million ceiling was placed on the amount of loans which may be outstanding to hospitals for housing for nurses and interns.

Voluntary home mortgage credit program: The voluntary home mortgage credit program was extended by the act until July 31, 1959. Under previous law the program would have expired on August 15, 1957.

Farm housing research: The act authorized a new program of farm housing research designed to assist in the improvement of farm housing by developing data and information on, first, the adequacy of existing farm housing, second, farm housing needs, third, problems in purchasing, constructing, or improving farm housing, fourth, the interrelation of farm housing problems and problems of urban and suburban housing, and fifth, any other matters bearing upon adequate farm housing.

The research, study, and analysis must be conducted by land-grant colleges financed with grants made to them by the Housing and Home Finance Administrator.

The Administrator's authority to make grants to land-grant colleges expires June 30, 1959, and the total amount of such grants cannot exceed $300,000 during either of the fiscal years ending June 30, 1958, or June 30, 1959. Appropriations were authorized to be made to carry out the program.

Exchange of data: The Housing and Home Finance Administrator was directed to exchange data relating to housing and urban planning and development with other nations where the exchange is deemed by him to be beneficial to the programs of the Housing and Home Finance Agency.

Discount control: Under the act the Federal Housing Commissioner and the Administrator of Veterans' Affairs were directed to fix reasonable limits on the charges, fees, and discounts imposed upon the builder, seller, or purchaser, in connection with the financing of the construction or sale of housing covered by an FHA or VA mortgage. This provision was repealed by the Emergency Housing Act of 1958, discussed below.

Urban planning grants: The act extended eligibility for section 701 planning grants to, first, official governmental planning agencies for areas threatened with rapid urbanization as a result of the establishment or rapid and substantial expansion of a Federal installation, and second, State planning agencies, to be used for the provision of planning assistance to such areas.

SALE OF PROJECTS IN ALEXANDRIA, LA., HOUSE REPORT 220, H. R. 8603

This bill, providing for the conveyance of two Lanham Act projects to the State

of Louisiana, was reported by the committee on March 25, and passed the House on April 1. The Senate did not act on this bill, but it did include substantially the same provisions as an amendment to the general housing bill, and the proposal was enacted into law as section 402 (c) of the Housing Act of 1957, discussed above.

SALE OF PROJECTS IN DECATUR, ILL., PUBLIC LAW 85-234—NO HOUSE REPORT, S. 2460

This act provides for the conveyance of two Lanham Act projects in Decatur, Ill., to the city of Decatur or its housing authority, for $260,000, on condition that the projects will be demolished within 5 years. The bill passed the Senate on August 21; passed the House August 23; and was approved by the President on August 30, 1957.

INCREASE IN SBA LOAN AUTHORITY, PUBLIC LAW 85-4—HOUSE REPORT 3, S. 637

The first hearing of the committee during 1957 was held January 23, on legislation to increase the Small Business Administration's authority to make loans to small businesses. At the close of 1956, SBA's outstanding business loans and commitments had reached $137 million, just $13 million short of the statutory limit of $150 million then in effect. Since applications for such loans were being approved at the rate of about $13 million a month, prompt action was required to prevent a sudden interruption in SBA's lending program. Accordingly, the committee on January 28 reported out H. R. 3109, which provided for an increase of $80 million in the business loan authorization; this was the amount estimated to be sufficient to permit operations through July 31, 1957, the expiration date then provided in the statute. On January 29 the Senate passed S. 637, providing for an increase of $65 million. On January 31, the House passed S. 637, with an amendment substituting the provisions of H. R. 3109. The Senate agreed to the House amendment the following day, and on February 11 the bill became Public Law 85-4. As enacted, it raised SBA's business loan authority by $80 million, from $150 million to $230 million.

REVISION OF SMALL BUSINESS ACT, HOUSE REPORT 555, H. R. 7963

Under the Small Business Act of 1953, as in effect at the beginning of the 85th Congress, the Small Business Administration was scheduled to expire on July 31, 1957. On May 14, 1957, the committee began hearings on legislation to extend this expiration date and revise the Small Business Act, as a result of which the committee on June 13 reported to the House a bill, H. R. 7963, which completely rewrites the Small Business Act, making various changes in the interest of promoting a more vigorous and efficient program of assistance to small business. The bill passed the House on June 25, 1957, but it did not become law until the second session of the Congress. See the discussion of the bill below, under Laws Enacted, Second Session.

EXTENSION OF SMALL BUSINESS ACT, PUBLIC LAW 85-126—NO HOUSE REPORT, S. 2504

When it became apparent that the Senate could not act on H. R. 7963—discussed above—in the first session, the Senate passed S. 2504, a bill extending the Small Business Act for 1 year, through July 31, 1958, and increasing its authority to make loans to small business by $75 million, to $305 million. The House passed the bill on August 2, and it became law on August 3—effective retroactively, as of July 31.

LAWS ENACTED, SECOND SESSION

DEFENSE PRODUCTION ACT EXTENSION, PUBLIC LAW 85-471—HOUSE REPORT 1873, H. R. 10969

This act extends for 2 additional years, through June 30, 1960, the remaining powers of the President under the Defense Production Act of 1950. These include power to establish priorities for defense contracts, limited power to allocate materials for defense purposes; authority to guarantee loans made in connection with defense contracts; authority to make loans and purchases to build up our defense capacity and assure adequate supplies of defense materials; authority for businessmen to cooperate voluntarily in meeting defense needs without violating antitrust laws; and provision for establishment of a reserve of trained executives to fill Government positions in time of mobilization.

The maintenance of a strong and flexible defense program requires that current military and atomic-energy programs proceed without interruption and that a broad and diversified mobilization base be established which will reflect new requirements resulting from changes in technology and strategy. The authorities provided in the Defense Production Act are essential to meet those objectives. Some of these powers are needed now to maintain production schedules on missiles and other defense contracts; others are needed for longer range preparedness programs; and other powers must be maintained in readiness for possible future emergencies.

The extension legislation passed the House on June 16, and the Senate on June 23. It was approved by the President on June 28, 1958.

EXPORT CONTROL ACT EXTENSION, PUBLIC LAW 85-466—HOUSE REPORT 1487, S. 3093

This act extends the Export Control Act of 1949 for a further period of 2 years to June 30, 1960. That act, which is administered by the Secretary of Commerce, authorizes the regulation of exports to the extent necessary, first, to protect the domestic economy from excessive drain of scarce commodities, second, to safeguard the national security insofar as it might be adversely affected by exports of strategic commodities, and, third, to further our foreign policy. The need to control exports in the interest of national security will probably continue for the foreseeable future. It is clear that this country must continue to take special precautions to see that United States goods of strategic significance do not go unchecked to the troubled spots of the world.

Noting that the Commerce Department's Supplemental Report on Iron and Steel Scrap of February 21, 1958, predicted that withdrawals of heavy melting grades from the scrap reservoir would exceed the additions to the reservoir during the next decade, the committee, in its report on this legislation, urged the Department to continue to exercise surveillance over the rate of withdrawal of the heavy melting grades from the scrap reserve.

This act passed the Senate on April 22; passed the House on June 16; and was approved June 25, 1958.

EXPORT-IMPORT BANK; INCREASE IN LENDING AUTHORITY, PUBLIC LAW 85-424—HOUSE REPORT 1450, S. 3149

This act, approved May 22, 1958, increases the lending authority of the Export-Import Bank of Washington from $5 billion to $7 billion and also provides an increase of the same amount in the authority of the bank to borrow funds from the Secretary of the Treasury. If the limitations on lending and borrowing authorities of the bank had not been increased it would have been compelled to restrict its activities sharply with a consequent adverse effect upon the export of American products to the Free World.

The bank, which began operations in 1934, assists in financing and facilitating trade between the United States and foreign countries.

Loans authorized during the bank's history total approximately $9 billion, through the end of 1957. Of this sum $1.5 billion have been partially provided by private sources or have been canceled as a result of sales being made for cash or due to the failure of the American manufacturers or contractors to obtain the desired contracts.

The bank actually paid out over $6 billion in this same period.

Of the $6 billion actually disbursed, an even 50 percent, or $3 billion have been repaid. This represents loans paid in full plus semiannual payments received on outstanding loans.

The bank has received total income of $867 million. Over 40 percent of the income went back to the United States Treasury in two ways: Interest paid on all loans from the Treasury; and dividends paid to the Treasury on capital stock at an annual rate of $22.5 million.

The Export-Import Bank has had a highly successful record of operations, has played a vital role in assisting our friends in the Free World on a mutually profitable basis and has made a substantial contribution to our domestic economy. Its loans are used to pay for orders placed in the United States in such fields as electrical equipment, railroads, mining, farm products, and manufacturing machinery. Based on the bank's past record, this extension of its borrowing and lending authority will result in profit for the Government as well as profits and jobs for our domestic economy.

EMERGENCY HOUSING ACT, PUBLIC LAW 85-364—NO HOUSE REPORT, S. 3418

This act, effective April 1, 1958, was enacted as part of the antirecession legislative program. In the spring the Nation was experiencing a serious economic decline and the number of unemployed climbed above 5 million. The act was designed to encourage and expedite the construction and financing of a substantial number of new housing units.

Primary emphasis was placed on expanding and amending existing programs which could best provide immediate economic relief. To achieve this objective, the act substantially reduced the required downpayments under the FHA program, added $1.5 billion to the special assistance program of the Federal National Mortgage Association, provided additional funds for the VA direct loan program, provided for an increase in the interest rate on GI loans and title VIII military housing loans, and removed the discount controls which had been placed upon GI and FHA mortgages in the Housing Act of 1957.

The act reduced the required downpayments under section 203 and section 220 of the National Housing Act. Under prior law, FHA-insured sales housing mortgages could not exceed 97 percent of the first $10,000 of FHA-appraised value—or of replacement cost in the case of certain programs—85 percent of the next $6,000; and 70 percent of the remaining appraised value. Under the act, the 97 percent ratio now applies to the first $13,500 of appraised value—or replacement cost—rather than to the first $10,000, and the 85 percent ratio is applied to the next $2,500, rather than to the next $6,000. This increase in the maximum mortgage ratio has the corresponding effect of decreasing minimum downpayment. Existing dollar ceilings on these mortgages—for example, $20,000 for a 1- or 2-family home—were unchanged.

The law increases from $450 million to $950 million the Federal National Mortgage Association's special assistance fund made available to the President for the purchase of home mortgages which are not otherwise marketable, and for the purchase of home mortgages generally as a means of aiding and maintaining the stability of a high level national economy.

The law provided a special $1 billion fund under FNMA's special assistance program for commitments and purchases of FHA and GI mortgages on new homes where the loan does not exceed $13,500 in original principal amount.

An additional $25 million was provided for the purchase by FNMA of military rental housing mortgages insured by FHA under section 803 and $25 million for the purchase of section 809 sales housing mortgages at military research and development centers. The same section also increases the permissive interest rate ceiling on FHA section 803 military housing mortgages from 4 percent to 4½ percent.

The act amended the GI loan program, administered by the Veterans' Administration with the following provisions:

First. The maximum interest rate for both guaranteed and direct loans was increased from 4½ percent to 4¾ percent, with the proviso, however, that the rate established must be at least one-half percent below the rate established by the FHA Commissioner for FHA loans under section 203 (b) (5) of the National Housing Act.

Second. The GI loan program (both for guaranteed and direct loans) was extended for World War II veterans for 2 years until July 25, 1960.

Third. An additional $150 million was provided for the direct loan program during each of the fiscal years 1959 and 1960, and $50 million for the final quarter of fiscal year 1958.

Fourth. The maximum loan permitted under the direct loan program was increased from $10,000 to $13,500.

Fifth. The VA was authorized to reserve direct loan funds for 3 months under commitments to builders for a 2-percent fee. The VA may make construction advances up to an amount equal to cost of land, plus 80 percent of the value of improvements.

Sixth. The VA was required to adopt procedures to speed up the processing of direct loan applications.

The final section of the act repealed section 605 of the Housing Act of 1957 which required the Commissioner of the FHA and the Administrator of the VA to regulate discounts on FHA-insured and VA-guaranteed loans.

INCREASE IN FHA MORTGAGE INSURANCE AUTHORIZATION, PUBLIC LAW 85-442—HOUSE REPORT 1767, SENATE JOINT RESOLUTION 171

This act, effective June 4, 1958, increased by $4 billion the amount of mortgages the FHA is authorized to insure under section 217 of the National Housing Act. Section 217 contains the mortgage insurance authorization for all FHA programs, except the title I home repair and improvement program and the title VIII armed services housing program. The latter two programs have separate authorizations.

Because of the stimulating effects of the Emergency Housing Act signed into law on April 1, 1958, and because of a general improvement in the flow of mortgage funds into the housing market, FHA mortgage insurance activity jumped spectacularly with the onset of the spring building season.

As a result it became clear that FHA would reach its maximum authorization by the end of May, and would be forced to stop issuing commitments, unless its insurance authority was increased.

The bill as reported by the Committee on Banking and Currency would have povided an emergency $1 billion increase in FHA's insurance authority, since it was contemplated that whatever further authorization was necessary would be included in the general housing bill to be considered later in the session. However, the resolution passed by the Senate called for a $4 billion increase, and that figure was adopted by the House.

PROJECT IN JUNEAU, ALASKA, PUBLIC LAW 85-359—HOUSE REPORT NO. 1441, S. 2042

This act, approved March 28, 1958, authorized the conveyance of a fee simple title to the lands underlying war housing project Alaska-5003, at Juneau, Alaska. The legislation was needed to facilitate the sale of the project under provisions of the Lanham Act.

PROJECT IN HOONAH, ALASKA, PUBLIC LAW 85-806—HOUSE REPORT NO. 2348, S. 2594

This act, approved August 28, 1958, transferred property rights and powers with respect to a housing project at Hoonah, Alaska, from the Housing and Home Finance Agency to the Department of the Interior, so as to permit the Bureau of Indian Affairs to work out a solution to various problems that have arisen in connection with the sale of the project to the Hoonah Indian Association.

RICKOVER MEDAL, PUBLIC LAW 85-826—NO HOUSE REPORT, SENATE JOINT RESOLUTION 201

This resolution, approved August 28, 1958, would authorize the chairman of the Joint Committee on Atomic Energy, on behalf of the Congress, to present to Rear Adm. Hyman George Rickover, United States Navy, an appropriate gold medal. This medal is to be conferred on Admiral Rickover for his achievements in successfully directing the development and construction of the world's first nuclear-power reactor devoted exclusively to the production of electricity.

The resolution also directs the Secretary of the Treasury to have duplicates in bronze of such medal to be coined and sold. The proceeds of such sales will be used to reimburse the Treasury for the cost of coining and selling the duplicates.

SBA DISASTER LOANS IN AREAS SUFFERING FROM EXCESSIVE RAINFALL, PUBLIC LAW 85-335—HOUSE REPORT 1333, S. 2920

This act broadened the disaster loan authority of SBA to permit SBA to make disaster loans to small business in areas affected by excessive rainfall. Previously a 1955 amendment to the SBA Act gave the Administrator authority to make a disaster loan to small-business concerns in an area "where a drought is occurring." The 1958 amendment also modified that authority so that disaster loan eligibility will not have to cease at the moment the drought is broken. As modified the SBA law now provides that a disaster loan may be made to a small-business concern in an area "affected by a drought or excessive rainfall." The law, of course, requires that appropriate determination be made by the Administrator and the President or the Secretary of Agriculture to insure that the liberal assistance provided is made available only in areas which may properly be considered as suffering major hardships from these conditions.

Disaster loans bear a maximum interest rate of 3 percent—for the Administration's share of a loan—and can have terms up to 20 years. Since a disaster loan is intended as a rehabilitation measure, more liberal credit standards are applied to their consideration than would be prudent for the agency's business loans. This act was approved February 22, 1958.

SMALL BUSINESS ACT, PUBLIC LAW 85-536—HOUSE REPORTS 555 AND 2135, H. R. 7963

This act, approved July 18, 1958, completely rewrites the Small Business Act of 1953, making various changes in the interest of promoting a more vigorous and efficient program of assistance to small-business concerns. The principal changes embodied in the act are first, to make the Small Business Administration a permanent agency, second, to increase the revolving fund authorization for loans to small business from $305 million to $500 million, third, to increase the maximum amount of the SBA share of a business loan from $250,000 to

$350,000 and fourth, to reduce the maximum interest rate from 6 percent to 5½ percent on direct SBA business loans and on SBA's share of such loans made in participation with private lenders and to eliminate the ceiling on the interest rate on the private lenders' share.

The act also makes several important changes concerning SBA's assistance in obtaining a fair share of Government procurement contracts for small-business concerns. It requires that SBA's definition of "small business" for procurement purposes, as well as for loan purposes, take into proper account differing characteristics of various industries to the extent the definition is based on number of employees. The act also makes clear that the policy of insuring that a fair proportion of Government purchases being placed with small-business concerns applies to all types of Government contracts. In addition, it requires that any dispute between SBA and a contracting agency as to the propriety of awards to small-business concerns shall be submitted to the head of the department or agency concerned.

The provisions of the act relating to procurement contracts are also extended to cover sales of Government property, so that small-business concerns may be assured a fair proportion of awards when the Government is selling property, as well as when it is purchasing goods or services.

Two changes are made in the "pool loan" program, under which a group of small-business concerns may form a corporation and obtain a loan from SBA up to $250,000 times the number of concerns in the group. Before its revision, the act authorized such loans where the corporation is formed to establish facilities "to produce or secure raw materials or supplies." Under the new act, such loans may be made to obtain raw materials, equipment, inventories, or supplies for the concerns in the pool, as well as to establish facilities for that purpose, and such loans may also be made to finance research and development for the members of the pool.

Another new provision of the act will assist small-business concerns in obtaining Government contracts for research and development and in obtaining the benefits of research and development performed by larger firms under Government contracts or at Government expense.

SBA's disaster loan program was strengthened by new provisions authorizing SBA to pay transportation expenses of personnel hired on a temporary basis to deal with the disaster, and to accept gratuitous services and facilities from public and private agencies and groups in connection with disaster loans, and another new provision exempting disaster loans made by national banks in participation with SBA from the restrictions that normally apply to real-estate loans by such banks.

The new act also makes SBA's security interest in property subordinate to State and local tax liens on such property in any case where this result would follow under State law if the interest were held by a party other than the United States.

Finally, a number of new provisions are included to facilitate the administration of the act, such as provisions permitting SBA to use services of other Government agencies on a nonreimbursable basis, to hire employees on a temporary or intermittent basis, and to require other Government agencies to cooperate and consult with SBA in formulating policies affecting small business.

The bill passed the House June 25, 1957; passed the Senate with amendments on July 1, 1958; and became law on July 18, 1958.

SMALL BUSINESS INVESTMENT ACT OF 1958, PUBLIC LAW 85-699—HOUSE REPORTS 2060 AND 2492, S. 3651

The Small Business Investment Act establishes a new program to provide equity and long-term loan funds to small-business concerns through the mediums of privately owned and operated small-business investment companies and State and local development companies.

The act establishes a Small Business Investment Administration within the Small Business Administration, to be headed by a Deputy Administrator. The powers conferred by the act upon the Small Business Administrator will be exercised through the new Deputy Administrator.

Appropriations of not to exceed $250 million are authorized for loans by SBA under the act. These include SBA purchases of subordinated debentures of small-business investment companies, as well as other SBA loans to such companies, and SBA loans under title V of the act to State and local development companies.

The new small-business investment companies will be chartered by the States, except in those States where such companies cannot be chartered under State law and operate in accordance with the purpose of the act. In such a State, SBA is authorized to charter small-business investment companies until July 1, 1961. Provision is also made for converting State-chartered investment companies and State development companies into SBA chartered small-business investment companies in such States. To obtain the benefits of the act, a State-chartered company must be chartered expressly for the purpose of operating under the act, and must be approved by SBA. In granting such approval, as well as in issuing charters, SBA will consider the need for small-business financing in the proposed area of operation, the character of the management of the company, the number of small-business investment companies previously organized, and the volume of their operations.

The act requires that each small-business investment company have not less than $300,000 of paid-in capital and surplus. SBA can provide half of this in the form of subordinated debentures. The Administration can also lend additional funds up to 50 percent of the company's capital and surplus under such terms as it fixes. In addition such companies may borrow additional funds from private sources under regulations prescribed by SBA.

Small-business investment companies operating under the act may provide equity-type capital to small-business concerns through the purchase of convertible debentures with terms and interest rates fixed by the companies with SBA approval. Whenever an investment company provides capital to a small-business concern through the purchase of convertible debentures, the concern is required to purchase stock in the investment company in an amount equaling from 2 to 5 percent of the amount of the capital provided; the exact percentage will be established by SBA regulation. Small-business investment companies may also make loans for terms up to 20 years to small-business concerns, and may extend the maturity of any such loan for an additional 10 years for orderly liquidation purposes. Without SBA approval, the aggregate securities and obligations of a small-business concern held by an investment company cannot exceed 20 percent of the latter's capital and surplus. Small-business investment companies operating under the act are exempt from the provision in the Investment Company Act of 1940 which limits borrowings to one-third of assets; and they are eligible for discretionary exemptions for their securities under the Securities Act of 1933 and Trust Indenture Act of 1939.

The act also provides authority for SBA to make loans to State development companies to stimulate and supplement the flow of private equity capital and long-term loan funds to small-business concerns. Funds so advanced cannot exceed the company's borrowings from other sources. SBA may also make loans to State and local development companies, to assist identifiable small-business concerns in connection with plant construction, conversion, or expansion, up to $250,000 for each concern. The authority to make such loans to local development companies expires June 30, 1961.

The act repeals section 13b of the Federal Reserve Act—which authorized working-capital loans to business concerns by Federal Reserve banks—and provides that amounts repaid to the United States by those banks as a result of such repeal shall be used to finance a new program of grants for studies, research, and counseling for small businesses under the Small Business Act. Under this program, grants would be limited to $40,000, and not more than one grant could be made in any one State in any one year.

Although not included in this act, tax provisions which should prove most helpful in increasing the amount of private funds available to the investment companies operating under this act have been included in Public Law 85-866, Technical Amendments Act of 1958. These tax incentives allow investors in small-business investment companies an ordinary, rather than capital deduction for any losses resulting from such investment. They will also allow investment companies to receive a similar tax deduction for any loss on the convertible debentures or stock of small-business concerns they may acquire; plus a 100 percent dividends received deduction.

The act passed the Senate on June 9, 1958; passed the House with amendments on July 23; and was approved by the President and became law on August 21, 1958.

TREASURY SALES OF SECURITIES TO FEDERAL RESERVE, PUBLIC LAW 85-476—HOUSE REPORT 1880, H. R. 12566

This act extends until June 30, 1960, the authority of the Federal Reserve banks to purchase securities directly from the Treasury in amounts totaling not more than $5 billion outstanding at any one time.

Prior to 1935 Federal Reserve banks could purchase Government obligations either in the market or directly from the Treasury. The Banking Act of 1935, however, required that all purchases of Government securities by Federal Reserve banks be made in the open market. In 1942 the authority of the Federal Reserve banks to purchase securities directly from the Treasury was restored, but a limit of $5 billion was placed on the amount outstanding at any one time. The $5 billion authority was granted initially only through 1944, but the Congress has extended it from time to time so as to provide continuous limited direct borrowing authority ever since.

The primary purpose of this direct borrowing authority is to help the Treasury and the Federal Reserve System work together in minimizing the disturbing effects on the economy of short-run peaks in Treasury cash receipts and disbursements, particularly around the time of quarterly income-tax payments. This act was approved June 30, 1958.

BILLS REPORTED BUT NOT ENACTED

SAVINGS AND LOAN HOLDING COMPANIES, HOUSE REPORT 176, H. R. 4135

Passed the House March 21, 1957, but was not acted on by the Senate, although similar provisions were included in S. 1451 as passed the Senate.

In 1955 the committee reported out a bill, H. R. 6627, designed to regulate holding companies in the field of commercial banking. It was subsequently enacted into law and became the Bank Holding Company Act of 1956. Shortly after the committee had reported that bill, a new holding company was formed in the savings and loan field. In view of the potential problems that could develop from a holding company movement in the savings and loan field the committee decided to take action before these problems assumed the complex status that had been encountered in dealing with the holding company problem in the commercial banking field. Accordingly, the committee on March 1, 1957, reported H. R. 4135, to protect against the encroachment of holding companies in the savings and loan field.

H. R. 4135 as reported by the committee and passed by the House prohibits any holding company from acquiring control of two or more savings and loan associations if the savings accounts in the associations are insured by the Federal Savings and Loan Insurance Corporation. The bill also denies FSLIC insurance to any uninsured savings and loan association if it is controlled by a holding company which also controls an insured savings and loan association. The bill prohibits any insured savings and loan association controlled by a holding company from making any loan to the holding company or any of its subsidiaries. The bill does not have any retroactive effect as it would not require an existing holding company—and there are only a few—to divest itself of an insured association it now controls. However, it does prohibit an existing holding company from acquiring control of any additional insured association after enactment of the act.

COMMUNITY FACILITIES, HOUSE REPORT 1859, S. 3497

Passed the Senate April 16, 1958; House defeated rule for its consideration August 1, 1958.

During the latter part of 1957, it became apparent that the tempo of our economy was slackening; by the spring of 1958 more than 5 million people were unemployed. S. 3497 was passed by the Senate and favorably reported to the House by the Banking and Currency Committee with the objective of reducing the ranks of the unemployed while helping local communities provide needed waterworks, sewage systems, and other facilities.

The bill would have broadened the existing public facility loan program, which was established in 1955. Under the present program, the Federal Government makes loans to communities of 50,000 population and under, to finance public-works projects, if financing is not otherwise available on reasonable terms. A $100 million revolving fund is provided for these loans. The interest rates are fixed by the administration and vary from time to time; the current rate for 30-year obligations is 4 percent for general obligation bonds and 4⅜ percent for revenue bonds.

S. 3497, as reported to the House, would have expanded this program by making $2 billion—of which $400 million would have been a revolving fund—available for such loans to all communities regardless of population, and would have reduced the interest rate by making it conform to the average rate paid by the Government on all outstanding obligations—this would have worked out at 2⅝ percent at the time the bill was reported. The bill would also have extended such loans to cover nonprofit hospitals and lengthened the maximum term to 50 years; and would have made Federal loans available if not otherwise available on "equally favorable" terms—as compared with "reasonable" terms, which is the requirement of the law now.

The bill also would have authorized an additional $50 million for planning advances under section 702 of the Housing Act of 1954. The section 702 program was established to provide a shelf of planned public works which could be placed under construction quickly.

The bill passed the Senate April 16, 1958, and was reported to the House June 6. On August 1, 1958, a resolution providing for consideration of the bill was defeated in the House by a rollcall vote of 187 to 173.

THE HOUSING ACT OF 1958, HOUSE REPORT 2359, S. 4035

The bill was called up under suspension of the rules on August 18, 1958, but failed to obtain the necessary two-thirds, the vote being 251 for and 134 against.

As reported by the committee, S. 4035 was a general housing bill with several important objectives. One prime purpose was to stimulate additional construction activity to combat the recession. A second major objective was to achieve better housing generally, improve present programs designed to combat slums and blight, and provide special assistance to meritorious housing programs such as military housing, college housing, cooperative housing, and the veterans' home loan program.

Title I would have broadened FHA programs. The regular FHA section 203 sales program would have been changed to reduce required down payments and lengthen loan maturities; facilitate trade-in financing; and broaden the section 203 (i) program to encourage low-cost housing outside of built-up areas. Other FHA programs would have been changed to encourage more rental housing construction and cooperative housing construction to alleviate the acute shortage of such housing in urban centers. The section 221 relocation housing program—a vital part of urban renewal and slum clearance—would have been strengthened by raising the mortgage ceiling to make the sales program more workable in many areas, and by establishing a new section 221 rental housing program. The section 222 program for servicemen would have been changed by increasing the mortgage ceiling and extending the program to cover low-cost sales housing in outlying areas under section 203 (i). The bill would also have set up a new FHA program to insure mortgages on proprietary—that is profit-run—nursing homes.

Title II would have established a program of Federal loans to permit nonprofit corporations to build housing for the elderly. These loans would have carried an interest rate of 3¼ percent under present conditions, with maturities up to 50 years. Appropriations of $100 million would have been authorized for such loans.

Title III related to the Federal National Mortgage Association. It would have extended through August 7, 1959, the requirement that FNMA pay par for mortgages it buys under its special assistance program; reduced FNMA's commitment and purchase fees for such mortgages; authorized the President to make $500 million additional available for FNMA purchases of FHA and VA loans up to $13,500 under the antirecession authority provided in the Emergency Housing Act; extended the so-called standby commitment to cover existing homes; authorized FNMA to make loans on pledged FHA and VA mortgages; and increased from $15,000 to $17,500 the limit that generally applies to FNMA mortgage purchases.

Title IV would have authorized capital grants of $500 million a year for 2 years for slum clearance and urban renewal, and would have made a number of

changes in the urban renewal program. These would have broadened eligibility for relocation payments, increased the amounts of such payments, made an increased portion of urban renewal grants available for redeveloping industrial and commercial areas, and made other changes to achieve more efficient operation.

Title V would have provided $400 million additional for college housing loans, of which $50 million would have been reserved for "other educational facilities" such as cafeterias and student centers and $50 million would have been reserved for housing for nurses and interns. The bill would have provided a new program of loans to educational institutions for the construction or rehabilitation of classrooms, laboratories, and related fixed facilities and initial utilities necessary or appropriate for the instruction of students, the administration of the institutions, or the conduct of varied research activities. Appropriations of $250 million would have been authorized for such loans. A further amendment would have made nonprofit student housing cooperatives eligible under the college housing program.

Title VI would have extended the armed services housing mortgage insurance program for 1 additional year—June 30, 1959, to June 30, 1960. It also contained provisions to facilitate the acquisition by the military of Wherry housing, and also section 207 rental housing projects, under certain conditions. A further amendment would have required that time and a half be paid for overtime on projects financed under section 803. Another amendment would have made it clear that under the Wherry acquisition program the Secretary of Defense could assume the existing mortgage when acquiring the property or acquire the property subject to the mortgage.

Title VII of the bill would have established a new mortgage-insurance program to encourage lower downpayment loans outside of the FHA and VA programs. It would have created a Home Mortgage Guarantee Corporation, under the jurisdiction of the Federal Home Loan Bank Board, to write this insurance. The insurance would have covered the top 20 percent of the loan, subject to a requirement that the lender bear 10 percent of any loss. Loans of up to 90 percent of the value of the home, but not more than $25,000 would have been eligible for insurance. The initial capital for the new corporation would have been provided by the 11 Federal Home Loan Banks, through a $20 million stock subscription. The Corporation would have charged premiums for the insurance to cover expenses and build up reserves.

Title VIII would have given discretionary authority to the FHA Commissioner to help prevent foreclosure in cases where the borrower becomes unemployed. One amendment would have permitted defaulted interest payments to be included in the FHA debentures instead of in the certificate of claim as under present procedure. Another provision would have authorized the Commissioner to acquire the mortgage in return for debentures paid to the lender to prevent foreclosure in cases where the lender would be unwilling or unable to exercise forebearance.

Title IX related to veterans' housing. It would have provided an additional $150 million for direct home loans to veterans. It would also have removed the requirement that the maximum interest rate on VA-guaranteed and direct loans shall be one-half of 1 percent below the maximum interest rate on FHA section 203 loans.

Another provision would have added to the list of supervised lenders whose loans are guaranteed by VA on an automatic basis all certified agents of any Federal agency which are acceptable to the Veterans' Administration. The bill also provided that downpayments or deposits made by veterans on purchases of homes in a project of five or more units shall be placed in a special trust fund until the date of settlement, and authorized the Administrator of Veterans' Affairs to suspend from participation in the veterans' loan-guaranty program any builder, owner, or sponsor who has been similarly suspended from participation in an FHA program.

Title X would have provided a new program under title V of the Housing Act of 1949 for the insurance of loans to provide housing for migratory farm labor. Another amendment would have extended existing authorizations for low-rent public housing for 1 additional year. Another amendment would have extended the farm housing research program for 3 additional years and authorized appropriations of $100,000 a year during such additional period. Other amendments concerned the sale of housing financed under title IX of the National Housing Act which had been acquired by FHA, funds for surveys of public works planning, hospital construction under the Defense Housing and Community Facilities and Services Act of 1951, and the disposal of additional war housing projects.

AREA REDEVELOPMENT ACT, H. R. 2099, S. 3683

This bill passed the Senate on May 13, 1958, and passed the House with amendments on August 22. When the President refused to sign it, it failed to become law.

The Area Redevelopment Act would have established a new program to help build new employment opportunities in industrial areas suffering from chronic unemployment, and in rural areas with heavy concentrations of low-income farm families.

The act provides for an Area Redevelopment Administration, headed by an area redevelopment commissioner, as a constituent agency of the Housing and Home Finance Agency. The Commissioner would be responsible for designating the areas to be assisted under the act. These would be designated as industrial redevelopment areas or rural redevelopment areas. He would be required to designate as an industrial redevelopment area any area which has suffered from unemployment of 6 percent or more for 18 of the preceding 24 months, or 9 percent or more for 15 of the preceding 18 months, or 12 percent or more for the preceding 12 months. He would have discretionary authority to designate as an industrial area any area which has suffered 15 percent unemployment for the preceding 6 months, if the cause is not temporary, or any other area which has suffered substantial and persistent unemployment for an extended period of time. The areas eligible for designation as rural redevelopment areas would be those with the largest number and percentage of low-income families, plus substantial and persistent unemployment or underemployment.

Appropriations of $200 million would be authorized for revolving funds for redevelopment loans; $100 million for industrial redevelopment areas and $100 million for rural redevelopment areas. These loans would be to help finance industrial plants. They could cover the purchase or development of land and facilities—inculding machinery and equipment—construction of new buildings, rehabilitation of empty buildings, or alteration of existing buildings. Applicants for such loans would have to be approved by a State or local agency directly concerned with the economic development of the locality, and the project would have to conform with an overall program for the economic development of the area. The Federal loan could not exceed 65 percent of the project cost, and there would have to be reasonable assurance of repayment. The maximum term would be 40 years—with a possible extension of 10 years—and the interest rate would be fixed under a formula which adds one-fourth of 1 percent to the current average yield on longterm marketable Government obligations—this worked out at 3⅜ percent when the bill was passed.

The act also would authorize appropriations of $75 million annually for grants to provide public facilities in redevelopment areas. Such a grant would be authorized only if it will fill a pressing need in the area and there is little probability the project can be undertaken without the grant. The applicant must contribute to the cost in proportion to its ability to do so. In addition, the Commissioner must find that the project will provide more than a temporary alleviation of unemployment or underemployment and will tend to improve the opportunities for successfully establishing or expanding industrial or commercial plants or facilities in the area.

The Commissioner could provide technical assistance to redevelopment areas to help them evaluate their needs and develop their potentialities for growth. Appropriations of $4,500,000 annually would be authorized for this purpose. The Commissioner would also be required to furnish such areas with any information or advice obtainable from the various Government agencies which may help provide greater employment opportunities, and to furnish the Government procurement offices with a list of firms in redevelopment areas that desire Government contracts.

For industrial redevelopment areas, the act would waive certain of the normal requirements of the slum clearance and urban renewal program, so that financial assistance may be extended under this program to clear sites in these areas for industrial and commercial development. Up to 10 percent of the funds authorized for the slum clearance and urban renewal program after June 1, 1958, would be available for this purpose.

The act also would amend section 701 of the Housing Act of 1954 to make planning grants under that section available to counties and municipalities located in industrial redevelopment areas, even though they exceed the 25,000 population limit that normally applies. These grants are for surveys, land-use studies, and other planning work—excluding plans for specific public works.

The act also provides that the Secretary of Labor shall determine the vocational training needs of unemployed individuals in redevelopment areas, and cooperate with Federal, State, and local officials in charge of existing vocational training programs to make sure their facilities and services are fully available to such individuals. If the Secretary of Labor finds a need for additional facilities or services and so advises the Secretary of Health, Education, and Welfare, additional Federal assistance for this purpose would be authorized, including financial assistance, to be furnished through the Commissioner of Education in the Department of Health, Education, and Welfare.

The act contains safeguards against pirating of industries. Section 6 (a) provides that no redevelopment loan shall be made to assist establishments relocating from one area to another when such assistance will result to any extent in detriment to the area of original location by increasing unemployment. The same provision is included in section 13, with respect to the use of financial assistance under the slum clearance and urban renewal program.

Summary of the Record and Accomplishments of the Committee on Ways and Means During the 85th Congress

EXTENSION OF REMARKS
OF
HON. WILBUR D. MILLS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. MILLS. Mr. Speaker, in accordance with established custom and also in specific response to the letter of August 4, of our distinguished majority leader, the Honorable JOHN W. MCCORMACK, I am pleased to take this means and opportunity to set forth a brief summary report on the record and accomplishments of the Committee on Ways and Means during the 85th Congress.

The Committee on Ways and Means has just completed one of the most active, intensive and productive periods of work in its entire history. The committee has thoroughly considered the extremely large volume of legislation referred to it and has taken action on both major and minor bills in each and every field of its broad jurisdiction. The legislation which has been accorded favorable consideration by the committee is sound, responsible, and beneficial to the American people. While members of the committee individually, including myself, may have differed over particular bills on occasion, every member of the committee has applied himself with great diligence and conscientiousness to the extraordinarily heavy workload confronting us with the result that I can truthfully and with sincerity say that the record of the Committee on Ways and Means for the 85th Congress was not only an outstanding one but I believe will compare favorably with the record of any of this committee's predecessors. At a later point in this summary I will present not only a brief digest of the legislative measures which have received favorable consideration by the committee during this Congress but I shall also present detailed statistics on the work and activity of the committee which I believe Members of this body and the public generally will find both interesting and highly revealing. However, before doing so, I wish to express a personal comment at this point relative to the high degree of cooperation which I have received as chairman of the committee.

As Members of the House know, a very difficult task devolved upon me with the unfortunate passing of our late esteemed colleague and chairman of the committee, the Honorable Jere Cooper, just before the opening of this session of the Congress. As the new chairman of the committee, this task was made much easier for me by the exceptionally fine cooperation which I have received from my colleagues on the committee and I wish to express to them my sincere and grateful appreciation for their assistance and helpfulness. The normally very heavy workload of the committee during the session now drawing to a close was enhanced by the fact that consideration of certain major legislative measures had been deferred until this session, other measures relating to termination dates had to be brought to completion and acted upon during this session, and by the further fact that the other body did not act on several major matters until very late in this session. My colleagues on the committee have pursued their heavy responsibilities with energy and with great ability, with the result that the record of this committee is truly an enviable one.

In this connection, it is worth emphasizing here that the nature of the measures falling within the jurisdiction of the Committee on Ways and Means is such that this committee must always proceed with the utmost caution, responsibility, and prudence. Taxes, tariffs, social security, and fiscal legislation are matters which intimately and personally affect the lives of every American, and in all these areas our committee must act with the highest degree of responsibility bearing in mind that these are sensitive and vital areas of action. Also, in each of these areas the committee must always bear in mind not only the immediate effect of measures upon which it may take favorable action but it must also consider the long-term effect and impact of the measure and the relationship which the precedent which it will set will have to other proposals which will be made in the future.

As is clear from the table which I shall set forth below, and as will be even more fully demonstrated from the legislative digests later on, the committee has taken action in every field of its jurisdiction on a broad front during this Congress. A bird's-eye view of some of the major measures acted upon by your committee is indicative of the diligence and conscientiousness with which the committee has approached its heavy responsibilities. The committee favorably reported, the House and Senate passed, and the President signed, the Excise Tax Technical Changes Act of 1958, a bill of over 430 pages, which is the first technical revision of our excise tax structure since 1932, when many of our present excise taxes were first adopted; it has favorably reported the Technical Amendments Act of 1958, a bill of some 270 pages, and over 100 sections, which passed both the House and the Senate and is now public law, the purpose of which is to correct unintended benefits and hardships and thus close many actual and potential loopholes in our income and estate tax laws; it has favorably reported, and there has been signed into law, the Trade Agreements Extension Act of 1958, a major legislative enactment which extends the President's authority in the vital field of international trade for an additional 4 years; it has favorably acted upon, and there has been signed into law, the first revision of the Antidumping Act for many years; it favorably reported, the House and Senate passed and the President signed, the Social Security Act Amendments of 1958, a major social security bill, which strengthens the financial basis of the social security system, provides increased benefits for all social security recipients, strengthens and improves the benefit structure, and improves other titles of the act; it has twice favorably reported and there have been signed into law, at the request of the administration, measures to extend the so-called Korean corporate and excise taxes for an additional temporary period of time; it favorably reported, and there has been signed into law, a bill to provide for an emergency extension of Federal unemployment compensation benefits; it favorably reported a bill which was signed into law to make it possible for our citizens to receive a higher interest rate on their investments in United States savings bonds; it favorably reported a bill which has become public law to extend for an additional period of time the provisions of the Renegotiation Act; it has acted to empower the Government to further control the manufacture of narcotic drugs; it has acted on bills, at the request of the administration, to increase the public debt limit so as to protect the fiscal integrity of the Government; and it has acted upon a very broad variety of measures of lesser importance in all fields of its jurisdiction.

As was pointed out in the report which summarized the activities of the committee during the first session of this

Congress, the subcommittees of the Committee on Ways and Means undertook and completed a series of studies during the first session which laid the groundwork for a considerable amount of the action taken by the full committee during the second session of this Congress. These subcommittees, which were established at the beginning of this Congress are three in number and operated in the three major fields of the committee's jurisdiction.

The membership of the subcommittees is as follows:

Subcommittee on Foreign Trade Policy: Hon. HALE BOGGS, chairman; Hon. CECIL R. KING; Hon. BURR P. HARRISON; Hon. EUGENE J. MCCARTHY; Hon. THADDEUS M. MACHROWICZ; Hon. DANIEL A. REED; Hon. JOHN W. BYRNES; Hon. ANTONI N. SADLAK; Hon. THOMAS B. CURTIS.

Subcommittee on Excise Taxes: Hon. AIME J. FORAND, chairman; Hon. HERMAN P. EBERHARTER; Hon. EUGENE J. KEOGH; Hon. FRANK M. KARSTEN; Hon. A. S. HERLONG, Jr.; Hon. THOMAS A. JENKINS; Hon. NOAH M. MASON; Hon. HAL HOLMES.

Subcommittee on Internal Revenue Taxation: Hon. WILBUR D. MILLS, chairman; Hon. NOBLE J. GREGORY; Hon. THOMAS J. O'BRIEN; Hon. FRANK IKARD; Hon. RICHARD M. SIMPSON; Hon. ROBERT W. KEAN; Hon. HOWARD H. BAKER.

These subcommittees are to be commended on the meritorious activities and studies which were undertaken and completed by them which was of material assistance to the full committee during the session of this Congress now drawing to a close.

I. STATISTICS ON COMMITTEE ACTIVITY

To indicate the intense activity of the committee from January 1957 to date, there have been some 200 meetings of the full Committee on Ways and Means, and 48 meetings of the 3 subcommittees, for a total of 248 meetings during the 85th Congress. The full committee met 61 times in executive session during the first session, and 62 times in executive session during the session just completed, in addition to the meetings of the subcommittees and meetings concerning public hearings. The hearings of the full committee and the subcommittees are contained in some 16 volumes covering over 10,000 pages of testimony. These hearings also contain, in addition to the testimony of some 1,057 witnesses who personally appeared before the committee, the statements and expressions of views of hundreds of additional individuals and organizations on the subjects under consideration. Included among the major hearings during this Congress were extensive hearings on general revenue revision, extension of the President's authority under the reciprocal trade agreements legislation, hearings on all titles of the Social Security Act, hearings specifically on unemployment compensation, on the Antidumping Act, and on a series of other subjects within the jurisdiction of the committee.

There follows a complete table which shows all the subjects upon which public hearings were conducted by the committee, along with the number of witnesses who actually appeared personally before the committee and the number of days devoted to each such hearing:

TABLE I.—*Public hearings, Committee on Ways and Means and subcommittees thereof, 85th Cong.*

Subject	Date	Total number of witnesses	Total number of pages	Days
Tax Extension Act	Feb. 6, 1957	2	31	1
Interest rate of United States savings bonds	Feb. 21, 1957	4	40	1
Antidumping Act	July 29-31, 1957	9	430	3
Import excise tax on lead and zinc	Aug. 1-2, 1957	70	555	2
Withholding of city taxes	Aug. 27, 1957	14	82	1
General revenue revision	Jan. 7-Feb. 7, 1958	355	3,588	24
Public debt limit	Jan. 17, 1958	3	56	1
Reciprocal trade agreements	Feb. 17-Mar. 25, 1958	282	2,935	27
Import of newsprint	Mar. 27, 1958	3	20	1
Unemployment compensation	Mar. 28-Apr. 1, 1958	52	389	3
Social security	June 16-30, 1958	192	1,205	11
Renegotiation Act extension	July 29, 1958	13	240	1
Public debt limit	July 30, 1958	3	40	1
Total		1,092	9,420	77
Subcommittee on Internal Revenue Taxation: Changeover of depreciation method	Mar. 12, 1957	5	50	1
Subcommittee on Foreign Trade Policy: Panel Discussion	Dec. 2-13, 1957	50	865	10
Grand total		1,057	10,335	88

There were referred to the committee during the 85th Congress a total of 2,078 bills and resolutions, by far the largest number which have been referred to the committee in its entire history. Despite this extraordinary heavy volume of legislation referred to the committee, as further indicative of the committee's intense work, the committee favorably reported to the House a total of 105 bills and resolutions, of which 98 have passed the House of Representatives, 71 have passed the Senate, and 71 were signed into public law. These reported measures cover all fields and facets of the committee's jurisdiction. During the course of this Congress the committee has considered practically every bill which has been referred to it, either specifically or in terms of the subject matter covered by the bill. I have had a check made and find that more bills were reported by the committee during this Congress than in any Congress during the past 20 years.

There follow tables showing the above and also showing the status, by major category of subject matter, of legislation referred to the committee and legislation upon which favorable action was taken:

TABLE II.—*Legislation referred to Committee on Ways and Means, 85th Cong. (Jan. 3, 1957, through Aug. 22, 1958)*

Total number of bills referred to the Committee on Ways and Means 1st and 2d sess. through Aug. 22, 1958	2,050
Total number of House joint resolutions referred	17
Total number of House concurrent resolutions referred	5
Total number of House resolutions referred	4
Total number of Senate bills referred	2
Total	2,078

	Total number of tax bills	Total number of tariff bills	Total number of social security bills	Total number of miscellaneous bills	Grand total
House bills	1,170	346	511	23	2,050
House joint resolutions	12	3		2	17
House concurrent resolutions	4			1	5
House resolutions	1	3			4
Senate bills	2				2
Total	1,189	352	511	26	2,078

TABLE III.—*Status of legislation, Committee on Ways and Means, 85th Cong.*

	House bills	House joint resolutions	Senate bills	Total
Reported by Ways and Means	101	3	1	105
Passed House	94	3	1	98
Reported in Senate	68	3	1	72
Passed by Senate	67	3	1	71
Public law	67	3	1	71

	Tax bills	Tariff bills	Social security bills	Miscellaneous bills	Total
Reported by Ways and Means	41	42	18	4	105
Passed House	26	41	17	4	98
Reported in Senate	19	36	14	3	72
Passed Senate	19	35	14	3	71
Public law	19	35	14	3	71

TABLE IV.—*Number of bills and resolutions reported by the Committee on Ways and Means from the 75th through the 85th Congs., 1937 through 1958*

Congress:	
75th, 1937–38	33
76th, 1939–40	25
77th, 1941–42	35
78th, 1943–44	29
79th, 1945–46	27
80th, 1947–48	62
81st, 1949–50	55
82d, 1951–52	65
83d, 1953–54	52
84th, 1955–56	99
85th, 1957–58	105

II. BRIEF DESCRIPTION OF LEGISLATION ON WHICH FAVORABLE ACTION WAS TAKEN

A. TAX LEGISLATION

1. MAJOR TAX BILLS

Before summarizing the tax legislation favorably reported during this Congress by the Committee on Ways and Means, it would be useful to comment briefly on the response of our existing ability-to-pay tax system to the sharp recession which was felt in the first part of 1958. When the magnitude of this recession was realized, there were numerous recommendations for general tax reduction legislation. While only the future can actually tell us whether or not these recommendations were wise, it is worthwhile to point out that our tax system itself showed a very considerable flexibility in the face of the business decline. The President's budget document in January which was developed without consideration of the recession situation, anticipated Federal revenues for fiscal year 1960 in the neighborhood of $74½ billion. At the present time the Treasury is anticipating budget receipts in fiscal year 1960 of $67 billion. This decline of $7½ billion means that this much more money will be left in the hands of the public. It will be available for private expenditure, and it will be one factor in whatever recovery we may experience over the next 12 months. The decline in tax revenues is to a very small extent the result of specific legislation enacted during the current year. It is primarily the response of a tax system based on ability to pay to a sudden decline in that ability. I simply want to take note of this situation at the same time that the fact is recorded that the committee did not recommend for enactment any of the proposals for general tax reduction that were advanced during the early months of 1958.

During the 85th Congress the Committee on Ways and Means favorably reported 7 pieces of major tax legislation. Two of these were the Tax Rate Extension Act and the Excise Tax Technical Changes Act which passed the House during the first session. The remaining 5 major tax bills were passed by the House during the 2d session of the 85th Congress, although 1 had been reported by the Committee on Ways and Means during the 1st session. Of the 7 bills, 6, in substance, have been enacted into law. These include the Korean rate extension bills in both the first and second sessions, a bill dealing with the temporary formula for taxing life insurance companies, the excise tax revision bill, the income tax revision bill, and the small business tax adjustment bill, which was included in the income tax revision bill. The remaining major bill dealing with the treatment of retirement programs for the self-employed has been passed by the House and is awaiting action by the Senate.

Including both major and minor tax legislation, the Committee on Ways and Means during the 85th Congress took favorable action on 41 bills designed to amend the tax laws in various respects. Of the 34 bills not included in the category of major legislation above, 14 have been signed into public law and 29 have passed the House.

A brief description of the major bills in the tax field follows:

EXCISE TAX TECHNICAL CHANGES ACT OF 1958

The Excise Tax Technical Changes Act of 1958, H. R. 7125, was a comprehensive technical revision bill in the excise tax field. The conference report on this bill was accepted by the Senate on August 15 of this year. The bill was approved by the President on September 2, 1958, and is Public Law 85–859. This bill represents the culmination of 3 years' work. The major part of this work was done by the Subcommittee on Excise Taxation. The full Committee on Ways and Means took action on the bill in the spring of 1957. The bill passed the House on June 20, 1957.

The bill as finally passed deals for the most part with technical and administrative problems in the excise-tax field. Generally it is designed to reduce complexity of administration and competitive inequalities. Title 2 of the bill, for example, involves a very extensive revision of the sections of the Internal Revenue Code dealing with the taxes on distilled spirits, wines, beer, tobacco products, and firearms. Since the objective of many of these provisions is regulatory, it is highly desirable that they should operate in a way to protect the revenue and at the same time involve a minimum of unnecessary compliance problems for manufacturers, retailers, and wholesalers. Another feature of the bill is a general revision of the rules defining the tax base for the manufacturers sales tax where the manufacturer also makes sales at retail. Unless the tax base here is defined as the manufacturer's price component of the final price, this manufacturer would be at a competitive disadvantage. Illustrative of the other technical provisions of the bill were revisions of the reporting requirements with respect to various tax-free sales and a rather comprehensive revision of the rules dealing with the documentary stamp tax on property transfers. In a large number of areas, the bill defines more precisely than present law what is a taxable article. Revisions of this nature were made in connection with the retail taxes on jewelry and luggage and various manufacturers excise taxes.

The bill was not designed primarily to reduce excise taxes but several tax reductions provided in the final bill should be noted. The present exemption from the admissions tax of tickets selling at 90 cents or less was revised to avoid the notch problem of the suddenly high tax on tickets just over 90 cents. The new provision allows an exemption from tax for the first $1 paid for any admission. Another significant reduction was the granting of exemption from a large number of manufacturers and retail excise taxes for nonprofit educational organizations. This will eliminate the discrimination in the present law whereby public schools are able to buy various articles and services tax free while private schools must pay the tax. An additional tax exemption is the removal of the tax on club dues for certain nonprofit community swimming pools and skating rinks.

TECHNICAL AMENDMENTS ACT OF 1958

A second major tax bill reported by the Committee on Ways and Means was H. R. 8381, the Technical Amendments Act of 1958. This bill was reported by the Committee on Ways and Means on July 9, 1957, passed the House in January 1958, the conference report on this bill was accepted by the House and Senate on August 15 of this year. The bill was approved by the President on September 2, 1958, and is Public Law 85–866. This bill was concerned primarily with correcting unintended tax benefits and hardships in income, estate, and gift taxes, some of which arose as a result of the major tax revision enacted in 1954, as well as those carried over unchanged from the 1939 code. This bill was the culmination of several years of work, first by the Subcommittee on Internal Revenue Taxation and then by the full committee.

For the most part the various provisions of the Internal Revenue Code represent a definite policy of the Congress on the question of how various business transactions should be treated. The bill, H. R. 8381, dealt with unintended benefits and hardships in the sense that it did not represent to any great extent a revision of the general policy or philosophy of the Congress with respect to the treatment of various kinds of transactions. It was concerned with situations where the language of the statute gave rise in practice to results that were not intended in the original policy. In certain areas, for example, the Congress had provided specified exceptions to loophole-closing provisions in order to accommodate ordinary business practices. It turned out in practice that some of these ordinary practices could be utilized in achieving a purpose that the Congress had sought to prevent. It became necessary then to redefine the dividing line between tax avoidance devices to be prevented and ordinary business practices that should not be encumbered with complicated tax requirements. This was the nature of provisions included in the bill dealing with such things as the depreciation of improvements on leased property, amortization of bond premium by dealers in tax-exempt securities, and the taxation of "call" proceeds on bonds originally issued at a discount.

In other respects it turned out in operation that detailed provisions of our tax laws have involved the application of some penalty provision in the case of legitimate business transactions. For this reason the bill provides new rules with respect to such things as collapsible

corporations, reinvestment of proceeds from the seizure or condemnation of property, and the investments of funds of pension trusts, designed to facilitate legitimate business operations.

In still other respects the bill revises the operation of the tax law in areas where it was unnecessarily complicated such as in the definition of property for purposes of computing the depletion allowances.

SMALL BUSINESS TAX ADJUSTMENT

A particularly important piece of legislation reported by the Ways and Means Committee this year was H. R. 13382, providing certain tax changes that were of importance to small business. The language of this bill, slightly modified by the Senate Finance Committee, was added on the floor of the Senate to the technical amendments bill, H. R. 8381, and was finally passed by the Congress in that form—Public Law 85–866. Two provisions of the technical amendments bill itself were of particular importance to small business so it will be useful to discuss the small business provisions en bloc.

The small business tax revision bill contained five principal provisions designed to assist small business.

First, the bill provided ordinary loss treatment—up to $25,000 or $50,000 a year in the case of a husband and wife filing a joint return—where the original holder of small-business stock sells it at a loss, subject to the qualifying conditions contained in the bill.

Second, the 2-year net operating loss carryback is extended under the bill to a 3-year carryback. The carryback of losses to the third prior year should result in refunds of taxes in the year of the loss when the taxpayer most needs the funds, rather than in a subsequent profit year.

Third, the bill permits businesses to write off 20 percent of the cost of their depreciable, tangible personal property—both new and used—in the year of acquisition, subject to the conditions contained in the bill.

Fourth, the bill increases from $60,000 to $100,000 the minimum accumulated earnings credit representing amounts which a business can accumulate over a period of years without the possibility of imposition of accumulated earnings tax.

Finally, the bill provides that where the estate of a decedent consists largely of an interest in a closely held business, the estate is to have up to 10 years for payment of the Federal estate tax.

The small-business provisions that were part of the technical amendments bill included permission for certain small corporations to be taxed in a manner similar to the taxation of partnerships and certain tax advantages for small business investment companies.

KOREAN TAX RATE EXTENSIONS—REPEAL OF TAX ON TRANSPORTATION OF PROPERTY

In both the 1st and 2d sessions of the 85th Congress, at the request of the administration, the Committee on Ways and Means took steps to extend for another year the 52-percent corporate income tax rate and certain excise tax rates on automobiles, distilled spirits, cigarettes, wine and beer, known as the Korean tax rates.

In the rate extension bill in the 2d session of the 85th Congress, there was included a provision repealing the tax on the transportation of freight including the special taxes on the transportation of coal and the transportation of oil by pipeline—Public Law 85–475. This particular excise tax on the transportation of property has been more widely criticized than any excise tax since it discriminated against areas of the country removed from the centers of population, and against companies too small to afford their own truck fleets, and it was generally regressive in its impact. This repeal involved a revenue loss in the fiscal year 1960 of approximately $450 million.

MISCELLANEOUS

In January of 1958 the Ways and Means Committee reported, and the House passed, H. R. 10021, that would extend for another year the system of taxing the income of life-insurance companies that was provided in 1955—Public Law 85–345. Hearings on the subject of life insurance company taxation beginning November 17 will be held by the Subcommittee on Internal Revenue Taxation.

H. R. 10, a bill to provide that self-employed individuals may exclude from taxable income amounts set aside in certain approved investment plans, in trusts or in insurance polices for the purpose of providing retirement income was reported and passed by the House. No action has been taken by the Senate on this bill.

H. R. 5551, as reported by the committee, would have permitted the deduction from gross income of a limited amount of railroad retirement tax paid by railroad employees. The bill was not reached on the House schedule prior to adjournment.

2. MINOR TAX BILLS

In addition to the major tax bills discussed above, there were a number of less comprehensive but important bills reported by the Committee on Ways and Means during the 85th Congress amending the tax laws, which are summarized below:

H. R. 17, by Mr. FORAND; passed House August 5, 1957: As amended by the committee in reporting this bill favorably to the House, it would reduce from 20 to 10 percent the tax imposed with respect to roof gardens, cabarets, and similar establishments. Testimony and statistics presented to the committee indicated that the discriminatorily high rate of the cabaret tax—almost all other ad valorem excise taxes do not exceed the rate of 10 percent—is a significant contributing factor to the existing serious decline in the level of employment of musicians and other entertainers. An estimated revenue loss of $21 million is anticipated from enactment of this legislation. The bill passed the House as reported by the committee.

H. R. 232, by Mr. IKARD; Public Law 85–165, signed August 26, 1957: This bill provides that a taxpayer who receives or accrues an award in a civil action for breach of contract, or breach of fiduciary duty, and so forth, may spread the amount of the award over the period during which it would have been received, except for the breach, if this results in a lesser tax than would result from including the entire award in gross income of the current year. Under existing law, averaging of certain receipts, such as those from back pay, and so forth, is permitted, but in the case of a breach of contract, and so forth, the injured party may receive a judicial award for the loss of income which would ordinarily be received over a period of years but is required to include the amount of the total award in gross income for the year in which the award is received. It follows that this frequently results in a substantially higher tax than would be imposed if the taxpayer had received the equivalent income spread over the period in which the breach occurred. Provision is also made for the allowance of all credits or deductions the taxpayer would have received had he received the income in the absence of a breach of contract or fiduciary relationship, and so forth. The Senate amended the bill by adding a provision which severely restricts the authority of the Office of Defense Mobilization to issue certificates for rapid amortization of emergency facilities. Under the provisions of the amendment, certificates for 5-year amortization can be issued after August 22, 1957, only for new or specialized defense facilities, as therein defined, and for research and development facilities for defense. The authority to issue these certificates is terminated completely after December 31, 1959.

H. R. 731, by Mr. KEOCH; passed House August 15, 1958: This bill provides relief in the case of amounts left by an estate to United States charities where there is a foreign or State death tax imposed upon the transfer to charity. This is accomplished by allowing a deduction for estate-tax purposes for foreign death taxes imposed and paid on charitable bequests if, first, the property on which the tax is imposed is situated in the foreign country and included in the gross estate of a citizen or resident of the United States, and, second, if the decrease in estate tax resulting from the deduction inures solely to the benefit of public, charitable, or religious transferees or if the entire Federal estate tax is to be equitably apportioned among all of the transferees of the decedent which received property included in the gross estate. Where this deduction is allowed, no credit against the estate tax is to be available for the foreign taxes which are deducted. The provision is effective with respect to the estates of decedents dying after the date of enactment.

H. R. 2391, by Mr. BAKER; passed House August 16, 1957: This bill would allow a deduction to taxpayers for percentage depletion on income from sand and gravel extracted from navigable waters, if the taxpayer extracts the sand and gravel under a permit from or with the permission of the United States. The deduction is to be available for taxable years beginning after December 31, 1956. Under present law, there is a 5-percent allowance for depletion of sand and gravel deposits, but the Internal Revenue

Service has ruled that this deduction is not available to taxpayers who dredge sand and gravel from the bed of a navigable river under a permit from the Federal Government on the basis that such taxpayers do not have an economic interest in the deposit.

H. R. 4952, by Mr. SIMPSON; passed House August 16, 1957: This bill amends the foreign tax credit provisions of both the 1939 and the 1954 code by providing that a United States recipient of a royalty for the use of copyrights, patents, and other similar properties derived from sources within the United Kingdom is to be deemed, for foreign tax credit purposes, to have paid any income, war profits, or excess-profits taxes paid to the United Kingdom with respect to such royalty, provided the recipient elects to include in its gross income the amount of such United Kingdom tax. Under the tax laws of the United Kingdom, royalties and dividends paid by British corporations are treated as advance payments of the tax of the shareholder or royalty recipient. Where recipients of such dividends or royalties are subject to the income taxes imposed by the United Kingdom, they are taxed on the gross amounts of the dividends or royalties and are considered to have paid the tax on the dividends or royalties previously collected from the payer of the dividend, and so forth. The United States Supreme Court did not accept this concept as to who was the taxpayer of this British tax where the United States citizens or residents were involved. To prevent double taxation, a tax convention was entered into with the United Kingdom for taxable years beginning on or after January 1, 1945, which provides that British corporate taxes on dividends paid to United States shareholders are considered to have been paid by the shareholder. This convention overcomes the effect of the United States Supreme Court decisions and allows a foreign tax credit for the taxes paid. The same convention provides that royalties paid by a British corporation to a United States recipient are not subject to the British corporate tax unless the recipient has a permanent business establishment in the United Kingdom. However, where a United States royalty recipient has a permanent business establishment in the United Kingdom, no relief from double taxation is available under the income-tax convention and, as a result, royalties are reduced by British corporate taxes and the royalty recipient is not entitled to a foreign tax credit as a result of the United States Supreme Court decisions. This bill gives United States royalty recipients who have permanent business establishments in the United Kingdom the same relief accorded to dividend recipients under the income-tax convention.

The provisions of this bill are embodied in section 111 of H. R. 8381—Public Law 85–866.

H. R. 5520, by Mr. COOPER; Public Law 85–17, signed April 20, 1957: This bill, as passed by the House, increases the maximum permissible interest rate on savings bonds and certificates held to maturity from 3 percent to 3½ percent a year. It also authorized the Secretary of the Treasury to increase the yield on savings bonds and certificates with an issue date of February 1, 1957, or later, as well authorizing him to increase the maximum interest rate on series E savings bonds maturing on February 1, 1957, or later, which the holder retains for an extension period of not more than 10 years beyond maturity, with certain restrictions. The need for this legislation was based on the fact that since May 1, 1952, when the Treasury Department raised the investment yield on savings bonds held to maturity to the maximum permitted by statute, this rate has necessarily remained stationary. However, the rates of return on most other forms of investment had risen sharply since that time placing savings bonds in a relatively unfavorable position. Thus, the effect of this bill was to permit the Treasury Department to restore the competitive position of savings bonds with other comparable forms of saving without causing any significant change in the present distribution of investments. The Senate amended the bill so as to reduce the maximum permissible interest rate from 3½ percent contained in the House-passed bill to 3.26 percent and it is this rate which became public law. This legislation was introduced at the request of the administration.

H. R. 5551, by Mr. MCCARTHY; reported to House July 30, 1958: This bill, as introduced, would exclude from taxable income, taxes imposed upon employees under the social-security, railroad retirement, and civil-service retirement systems. The bill, as reported to the House by the committee, was amended so as to permit the deduction from gross income, for Federal income-tax purposes, of a limited amount of railroad retirement tax paid by railroad employees. The amount of the deduction would be limited to an amount by which the railroad retirement tax exceeds 3 percent but may not exceed in any case $200 per year. The deduction is only allowable with respect to wages paid to railroad employees after June 30, 1959, for services after that date. The maximum tax benefit to a railroad employee who earns at least $4,200 at the first bracket income-tax rate of 20 percent would be $27.30 per year.

H. R 5658, by Mr. FORAND; passed House July 31, 1957: This bill removes aromatic cachous from the application of the 10-percent excise tax on toilet preparations. The committee believed that aromatic cachous should not be taxed as toilet preparations since they are more nearly like mouthwashes and candied mints than like the externally applied toilet preparations to which the tax applies. The tax also places them at a competitive disadvantage with nontaxed articles purchased for similar use. In addition, they are usually sold in candy stores, and so forth, and other shops which do not handle other articles subject to the toilet-preparations tax.

H. R. 5804, by Mr. BENTLEY; passed House August 15, 1958: This bill extends 2 years after 1954 a provision of the 1939 code relating to persons who have been mentally incompetent since September 30, 1947, and who remain so until the date of their death. The bill also provides that any powers such persons have at the date of their death to change beneficiaries of a certain type of trust they have created are not to result in such property being included in their gross estate for estate-tax purposes. Under existing law, a decedent's gross estate includes all trust property in which he has a discretionary power even if the decedent was mentally incompetent 3 months or more before December 31, 1947, and continued to be so to the date of his death, so long as the date of his death is after August 16, 1954.

H. R. 5938, by Mr. KING; Public Law 85–318, signed February 11, 1958: This bill deals with the application of the marital deduction in the case of decedents who were adjudged incompetent before April 2, 1948, and were not restored to competency before their death. Under the provisions of the 1939 code, a marital deduction is provided for estate-tax purposes with respect to interests in property passing to a surviving husband or wife, but where the spouse's interest is terminable or may fail to pass to the spouse, the marital deduction is available only if the termination of the interest or the failure of the interest to pass occurs within the 6 months immediately after the decedent's death, or as the result of a common disaster resulting in the death of both husband and wife. This bill adds another exception in the case of terminable interests passing to a surviving spouse where the event which could terminate the interest becomes impossible of occurrence within 6 months of the decedent's death. This exception is available only in the case of decedents adjudged incompetent before April 2, 1948, who were not restored to competency before their death. April 2, 1948, represents the effective date of the act originally providing the marital deduction.

H. R. 6745, by Mr. EBERHARTER; reported to the House February 13, 1958: This bill provides for the withholding by the Federal Government from wages of Federal employees of income taxes imposed by certain municipalities if the municipality has a population according to the most recent decennial census of 75,000 or more. Existing law provides for the withholding by the Federal Government of State or Territorial taxes collected through withholding. This bill represents a further extension of that provision since, like the State and Territorial governments, the cities have cooperated with the Federal Government with respect to fiscal matters generally and also withhold Federal income taxes from compensation paid their employees. The bill restricts this withholding to cities with populations of 75,000 or more in order to limit the administrative burden being assumed by the Federal Government.

H. R. 7628, by Mr. MASON; reported to the House August 29, 1957: This bill provides for the extension of involuntary conversion tax treatment to property which is disposed of as a result of civil antitrust proceedings instituted by the Attorney General under the Sherman

Act or the Clayton Act where none of the defendants in the civil action have been named as defendants in criminal proceedings because of the acts complained of in the civil action. As in the case of other involuntary conversions, any proceeds received from the property sold or otherwise disposed of solely as a result of certain specified antitrust proceedings are not to result in taxable gain to the extent the taxpayer replaces the property converted with other property similar or related in service or use to the property so converted, or purchases stock in the acquisition or control of a corporation owning such other property. The newly acquired property, however, must be a type of reinvestment which is in accord with the terms of the consent agreement or court decree.

H. R. 7670, by Mr. EBERHARTER; passed House August 15, 1958: This bill provides that income-tax exemption is not to be denied a social club simply because it is also a benevolent life-insurance association of a purely local character—which are themselves tax exempt. It had been brought to the attention of the committee that there are some organizations which carry on the activities of both a social club and a benevolent life-insurance association. In such cases, present law prohibits tax exemption of the organization as a social club. The bill provides that no part of the income of the club which is attributable to its operations as a benevolent life-insurance association can be used for the recreational, pleasure, or other nonprofitable purposes for which the club is also organized. It also provides that no club dues tax will be assessed with respect to amounts paid by the members which are attributable to its activities as a benevolent life-insurance association.

H. R. 7762, by Mr. JONAS; Public Law 85–319, approved February 11, 1958: As reported by the Committee on Ways and Means, this bill, which became law without further amendment, makes applicable to taxable years ending in 1954 a rule dealing with personal holding company income. The rule, which provides that personal holding company income does not include rents for the use of property of a corporation where the lessee uses the property in the operation of a bona fide commercial, industrial, or mining enterprise, was made applicable to years beginning after December 31, 1953, and ending after August 16, 1954, in the Internal Revenue Code of 1954, and equivalent treatment provided in the 1939 code was extended by Public Law 370 of the 84th Congress to taxable years ending before January 1, 1954. Through an oversight, this law was not made applicable to years ending after December 31, 1953, which were not covered by the 1954 code. The bill H. R. 7762 was designed to correct this oversight.

H. R. 7954, by Mr. COOPER; Public Law 85–74, approved June 29, 1957: This bill amended section 4263 (e) of the Internal Revenue Code to set the mileage rate limit at 2.5 cents per mile on fares eligible for the exemption from tax on transportation of persons provided for service personnel traveling in uniform of the United States at their own expense while on official leave. The legislation was made necessary by the increase in rail tariffs which became effective July 1, 1957, and would have rendered the existing exemption from tax for such travel ineffectual if the mileage rate limit were not raised. The committee felt the continuance of this tax relief to be highly desirable. The bill became law without amendment.

H. R. 8102, by Mr. CURTIS of Missouri; reported to House July 31, 1957: As reported by the committee, this bill would provide substantially the same tax treatment for real estate investment trusts as present law provides for regulated investment companies, with the tax treatment provided being limited to what are clearly passive real estate investments—as contrasted to active operation of businesses involving real estate. This would have the effect of eliminating the corporate tax on certain real estate investment trusts which distribute substantially all of their earnings to shareholders, the distributed earnings thus being taxed only to the shareholders. The committee was of the opinion that equality of tax treatment between the beneficiaries of real estate investment trusts and the shareholders of regulated investment companies is desirable, since in both cases the methods of investment constitute pooling arrangements whereby small investors can secure advantages normally available only to those with larger resources. It was also believed desirable to remove, as much as possible, taxation as a factor in determining the size of investments in stocks and securities on the one hand and real estate equities on the other, particularly at a time when there is a nationwide shortage of private capital and mortgage money for individual homes, office buildings, factories, and so forth. Although the provisions of this bill were adopted as an amendment to another bill in the Senate, H. R. 8381, the provision was deleted in conference.

H. R. 8216, by Mr. COOPER; Public Law 85–323, approved February 11, 1958: This bill provided that refunds of alcohol and tobacco taxes cannot be made to persons who have not borne the burden of the tax or cannot show that they have paid the refund over to the person who has borne the ultimate burden of the tax. These provisions already existed in most cases with regard to manufacturers and retailers excise taxes. Until recently there appeared to be no special need for these restrictions in the case of alcohol and tobacco taxes, but recent developments have made desirable their enactment in order to prevent the unjust enrichment of taxpayers who have shifted the burden of the tax to someone else. Adoption of this legislation was urged by the Treasury Department. Amendments were adopted in the Senate relating to the effective date.

H. R. 8268, by Mr. MCCORMACK; Public Law 85–367, signed April 7, 1958: This bill redefines the term "unrelated business taxable income" contained in the 1954 code so as to accord the same tax treatment for income distributed with respect to limited partnership interests held by certain testamentary charitable trusts as is presently accorded income derived from dividends received by such trusts. The bill, as amended by the committee, excludes from the definition of unrelated business taxable income the income derived from a limited partnership interest only to the extent that the income attributable to such interest is actually distributed. The bill provides limitations which assure that the new exclusion will apply only to passive income derived from a limited partnership interest and then only to the extent that such income is distributed by the trust to charitable organizations. Additional limitations are provided to assure that the exclusion will be reduced to the extent that the charitable trust makes a capital distribution to the partnership from amounts distributed to the trust by the partnership.

H. R. 8560, by Mr. MCCARTHY; passed House July 31, 1957: This bill would remove the manufacturers' excise tax on children's phonograph records selling for 25 cents or less. At the present time the tax on phonograph records applies to all such records, regardless of price or purpose for which sold. The committee was advised that records selling for 25 cents or less are primarily designed for children. It has already been provided by law that the excise tax on sporting goods shall not apply to specific sizes or types or articles used predominantly by children, and the committee concluded that a similar provision should apply in the case of phonograph records. The anticipated revenue loss was estimated to be negligible.

H. R. 8628, Mr. SADLAK; passed House July 31, 1957: The purpose of this bill is to permit a taxpayer to make appropriate adjustment in his last-in and first-out LIFO inventories for abnormal conditions induced by wartime shortages without requiring such taxpayer to take such adjustments into account with respect to his Korean war excess-profits tax liability. The amendment proposed by this bill is necessitated by the interrelationship between the section of the 1954 code relating to involuntary liquidations of last-in first-out LIFO inventories and a section of the 1939 code relating to an excess-profits tax base for the 1950 excess profits tax, which may operate to deprive taxpayers of the relief which was intended to be afforded to them upon the replacement of an involuntarily liquidated LIFO inventory or to deny them the use of the special average base period net income provided by the 1950 Excess-Profits Tax Act. Thus by the provisions of this bill the average base period net income of companies preserving defense capacity and increasing capacity for manufacturing peacetime products from certain strategic and critical metals would not be reduced because of subsequent expenses for the replacement of liquidated inventory.

H. R. 8794, by Mr. CURTIS of Missouri; Public Law 85–380, approved April 16, 1958: This bill exempted from the excise tax on admissions certain musical performances conducted by nonprofit civic or community associations. This is accomplished by substituting the words "musical performances" for the word "concerts" in the language of the already existing law providing exemptions from admissions tax for performances by symphony orchestras, bands, and so forth, thus making possible the exemption from tax of musical comedies and reviews conducted by such nonprofit associations. The committee felt there was no justification in exempting, for example, a light opera but subjecting to tax a musical comedy or review presented by the same organization at its next performance. This bill was amended in the Senate to: First, provide an exemption from admissions tax in the case of athletic games or exhibitions between school teams where the proceeds are divided between the educational institutions involved and hospitals for crippled children; and, second, provide an exemption for such games or exhibitions where the proceeds inure to tax-exempt organizations operated for the purpose of benefiting retarded children. The House accepted the Senate amendments.

H. R. 8865, by Mr. COOPER; Public Law 85–321, approved February 11, 1958: This bill was designed to secure greater compliance with present law on the part of employers and others in paying over to the Government trust fund withheld tax moneys such as income, social security and retailers taxes. It provides, in general, for penalties to insure that employers who withhold income or social security taxes or who collect excise taxes shall pay such moneys into the Treasury. The committee was advised that as of December 31, 1956, the delinquent withheld income and social security taxes alone amounted to $279 million. This legislation was designed to prevent further occurrence of this kind of delinquency. The bill became law as reported by the Committee on Ways and Means.

H. R. 8881, by Mr. REED; passed House August 16, 1957: This bill amends the marital deduction provisions of the 1939 code to conform them with the more realistic rules of the 1954 code with respect to certain property left in a life estate with a power of appointment between 1948 and 1954. The provisions of both the 1939 code and the 1954 code provide a marital deduction in computing the gross estate of a decedent if the decedent's surviving spouse has a right to the income of the property forming the basis of the gift for life, with a general power of appointment. Unlike the 1954 code, the 1939 code required that in such cases the property be placed in trust. Because of doubt as to what constituted a trust under the laws of the various States, it was not clear that a legal life estate qualifies as a trust in all jurisdictions. It was also not clear when, where property was placed in trust and the surviving spouse given an interest in and power of appointment over part of the property, the interest given constituted a transfer in trust qualifying for the marital deduction. For these reasons, a section was incorporated in the 1954 code to provide that property in a legal life estate, as well as property in trust, qualifies for the marital deduction, and also that a right to income coupled with a general power of appointment over a part of the property forming the basis of the gift, qualifies for the marital deduction. The rules provided in the 1954 code are, by the provisions of this bill, incorporated in the 1939 code.

A provision similar to H. R. 8881 is embodied in section 99 of H. R. 8381—Public Law 85–866.

H. R. 8887, by Mr. FORAND; passed House September 16, 1957: Under the provisions of the 1939 code a deduction is provided in computing estate tax, as distinguished from a credit, for the value of property left to a decedent within 5 years of his death if such property had been taxed as a part of the estate of the donor-decedent or had been subject to gift tax. Because of difficulties presented by the interrelationship of certain sections of the 1939 code no deduction for prior-taxed property was allowed to the extent that property in question exceeded 50 percent of the decedent's estate and had been acquired from the decedent's spouse. As a result, double taxation resulted where more than 50 percent of the decedent's estate was acquired from his spouse, because no marital deduction had been allowed to the extent of the excess over 50 percent. To eliminate this double taxation, a section of the 1954 code provided a credit, which was later extended to estates of decedents dying after December 31, 1951, and before August 16, 1954, by Public Law 417, 84th Congress. This bill would extend the treatment provided by Public Law 417 to the estates of decedents dying after December 31, 1949, by making the credit available where the deaths of the husband and wife occurred within 3 years of each other but after December 31, 1947, and by providing that, where the deaths of the husband and wife occurred more than 2 years apart, the credit for prior estate taxes would be 80 percent instead of 100 percent.

H. R. 8960, by Mr. KEOGH; passed House August 16, 1957: This bill would exclude from the definition of personal holding income for tax purposes the income from certain music royalties received by publishing corporations. The exclusion would be available only where other personal holding company income does not constitute more than 5 percent of the gross income of the company, and only if the copyright royalties constitute 50 percent or more of the gross income. Recent trends have shifted the source of income of music publishing companies from the sale of sheet music to royalty income. Substantial expenses for advertising and promotion are usually necessary in order to secure the success of musical compositions. In general, the publishing companies are operating companies, rather than passive in nature, and should not be subject to the personal holding company tax because of this shift in source of income. The bill contains safeguarding provisions.

H. R. 9035, by Mr. SIMPSON of Pennsylvania; Public Law 85–320, signed February 11, 1958: This bill amends the 1954 code so as to provide substantially the same treatment for stock options held by an employee at the time of his death as was previously provided in the case of stock options exercised by the employee prior to his death. Generally, the bill provides that where an option is held by an employee at the time of his death, it will receive a stepped-up basis for determining gain or loss for purposes of the income tax. The new basis of the option provided by this measure will reflect the spread between the option price and the value of the stock at the date of the death of the employee or the optional valuation date. The law prior to the enactment of this bill failed to provide such a stepped-up basis for options held and unexercised at the date of the employee's death. This legislation removed this inequity.

H. R. 9049, by Mr. BOGGS; passed House August 16, 1957: This bill permits pension trusts under certain conditions to purchase unsecured debentures of the employer. The provisions of existing law denied income tax exemption to employee pension, profit-sharing, and stock-bonus trusts—among other tax-exempt organizations—unless any loans made to employers are adequately secured. This limitation worked a hardship on unincorporated stock brokerage firms, which are prohibited under other provisions of law from pledging any of their registered securities as collateral for employee-trust loans. In many cases the assets of the brokerage firm consist almost entirely of assets falling in these restricted categories. Thus these firms find it difficult to borrow funds from their employees' pension, profit-sharing and stock-bonus trusts, even though this is advantageous to the employees' trusts. This legislation was designed, with adequate safeguarding provisions, to rectify this discrimination. The provisions of this bill were incorporated, in substance, in the Technical Amendments Act of 1958—H. R. 8381, Public Law 85–866—in the Senate and were in that bill as it was approved by the President.

H. R. 9057, by Mr. HERLONG; reported to House August 21, 1957: This bill, as reported by the Committee on Ways and Means, would provide 5-year amortization treatment for housing facilities constructed for migrant farmworkers. The committee decided upon this action because of the serious shortage of existing housing facilities for such farmworkers and their families, as well as the inadequacy of the facilities that are in existence, and because it is believed preferable that this shortage be made up by construction by private industry rather than by the Government. Similar treatment has been accorded in the past for the construction of other types of facilities where shortages existed.

H. R. 10239, by Mr. KEOGH; passed House August 15, 1958: As reported by the committee, this bill would suspend through June 30, 1960, the 3 cents per pound tax imposed on the first domestic processing of palm oil, palm kernel oil, and fatty acids or salts derived therefrom. This action was taken to restore the competitive balance between these oils and coconut and babassu oils, the first domestic processing tax on coconut oil having been suspended by Public Law 85–235—approved August 30, 1957—and no processing tax being imposed on babassu oil. Palm oil and palm kernel

oil are used for the same general purposes as coconut and babassu oils and the action of last year placed them at a competitive disadvantage.

H. R. 13130, by Mr. MILLS; Public Law 85–517, approved July 11, 1958: This bill extended for 2 years, to July 11, 1960, the existing authority of the Secretary of the Treasury to authorize transfers of distilled spirits between plants and warehouses where it is deemed desirable for national defense. The committee was advised that termination of these provisions would have a disrupting effect upon industry operations and create administrative problems for the Government; moreover, while part of the authority under this provision is not being used at the present time, need for such authority could arise on short notice in the case of a national defense emergency. This legislation, which was enacted into law without amendment, was approved by the Treasury Department.

H. R. 13173, by Mr. MCCORMACK; passed House August 8, 1958: As reported by the Committee on Ways and Means, this bill provides that the period of limitations for filing a claim for credit or refund of overpayment of taxes where a net operating loss carryback results from the elimination of excessive profits by renegotiation is not to expire before the 12th month after the month in which the agreement or order for the elimination of the excessive profits becomes final. The committee was advised that, while the period for filing a claim in most cases provides adequate time, there is a type of case where the taxpayer may not be in a position to know that he is eligible for a credit or refund before the expiration of the period of limitations. In such cases, this has the result of the Government, through renegotiation, taking money away from the taxpayer on one hand, and even though this decreases his tax liability, denying him an opportunity to obtain a credit or refund. The committee believed this to be unfair and unintended. As reported by the committee, the bill would apply only in cases where it was the renegotiation which made the renegotiated year a loss year.

B. GENERAL FISCAL, AND OTHER LEGISLATION

1. DEBT LIMIT

In the field of general fiscal legislation, the Committee on Ways and Means twice during 1958, at the request of the administration, raised the debt limit of the United States. In January of 1958 the committee reported the bill, H. R. 9955, which provided that the permanent $275 billion debt ceiling would be raised temporarily by $5 billion—to $280 billion, effective through July 1959. This action was taken on the basis of the administration's estimates in the January budget that the budget would be approximately balanced in fiscal years 1958 and 1959. The purpose of the debt ceiling increase enacted at that time was to assure the Treasury of an adequate margin of working balance to deal with the irregular flow of revenues into the Treasury during the year and to provide additional borrowing capacity for flexible debt management. At the time this temporary increase in the debt ceiling was enacted, the Treasury was within $1 billion of the permanent debt ceiling and was operating with an imprudently low cash balance.

The sharp turndown of tax collections and the increase of expenditures in the first half of 1958 made it clear that instead of a balanced budget for the fiscal year 1959 there would be a very substantial deficit which has been estimated close to $12 billion. In view of this situation, the committee reported H. R. 13580, which further raised the debt ceiling. As reported by the committee, this bill raised the permanent debt ceiling from $275 billion to $285 billion, and in addition provided that until June 1960 the debt ceiling would be temporarily increased by $3 billion, $288 billion. The bill, as acted on in the Senate, provided that the existing permanent debt limit be raised from $275 billion to $283 billion. The temporary increase under present law of $5 billion continues through June 30, 1959. The House concurred in the Senate amendments. The bill was approved by the President on September 2, 1958 and is Public Law 85–912.

2. RENEGOTIATION ACT

The committee reported H. R. 11749, to extend the renegotiation authority under the Renegotiation Act of 1951 for a 6-month period, to June 30, 1959, as well as to provide 2 substantive amendments to the renegotiation law which were recommended by the administration. The President has requested, and the Department of Defense has recommended, the extension of renegotiation. Defense expenditures are greater in amount than ever before in peacetime history, and past production and cost experience in the manufacture of new and experimental weapons in the aircraft, missile, and space fields are not necessarily satisfactory for setting proper prices and avoiding excessive profits. These factors make the continuation of renegotiations expedient. The committee limited the continuation to 6 months because it intends to undertake a broad review of the entire subject of renegotiation early in the next Congress. The two substantive amendments provide for, first, the addition of the National Aeronautics and Space Administration to the departments whose contracts are subject to the provisions of the renegotiation law; and second, the judicial review of decisions of the Tax Court in renegotiation cases in the court of appeals. This second amendment was stricken from the bill by the Senate Finance Committee. The House concurred in the Senate amendments. The bill was approved by the President on September 6, 1958, and is Public Law 85–930.

3. INTEREST RATE ON SAVINGS BONDS

During the first session, the committee favorably reported H. R. 5520, which was designed to increase the maximum permissible interest rate on savings bonds and savings certificates. The Secretary of the Treasury, under the bill, was given discretionary authority to raise the interest rate on series E savings bonds, maturing on February 1, 1957, or later which the holder retained for an extension period of not more than 10 years beyond their maturity dates, from 3 percent to 3.26 percent. This bill was approved by the President on April 20, 1957, and as a consequence the interest rate on savings bonds has been increased. This legislation was and is quite important to the millions of individuals who purchase and hold series E savings bonds and will permit our individual citizens to continue to participate in this vitally important savings program at a rate of interest commensurate with that which is paid on other forms of similar investments.

C. CUSTOMS AND TARIFF LEGISLATION

1. MAJOR BILLS

During the 2d session of the 85th Congress the Committee on Ways and Means considered and took action on a number of bills relating to customs and tariff matters. The principal measure in this area was H. R. 12591, the Trade Agreements Extension Act of 1958. The Trade Agreements Act has, since 1934, been the principal instrument of United States foreign trade policy and the measure under which the tariff system of the United States has been modified in consideration of elimination of certain trade barriers of foreign countries. The last extension of the trade agreements legislation took place in 1955 and was for a period of 3 years. The extension this year was the 11th one in the history of the trade-agreements program and is regarded as the most critical extension thus far. Because of the immense responsibility imposed upon the Committee on Ways and Means in connection with this legislation the committee held extensive hearings which provided an opportunity for all interested individuals and organizations who desired to be heard to appear before the committee. In addition the committee spent several consecutive weeks in a study of the legislation and its perfection in executive session. As a result the legislation was approved by the House by a vote of 317 to 98. The bill as passed by the House was modified by the Senate and the difference between the two versions were resolved in conference. The conference report was agreed to by both Houses. As approved by the Congress the legislation contains the following important provisions:

First. It provides for an extension until July 1, 1962, of the President's authority to enter into trade agreements. This is the longest extension in the history of the trade-agreements program. The extension for a 4-year period was designed to make possible the negotiation of a trade agreement with the European Common Market and free trade area countries.

Second. The President was authorized to negotiate reductions in duties by 1 of 3 alternatives: (a) a reduction by 20 percent; (b) reduction by 2 percentage points; and (c) a reduction to a rate of 50 percent ad valorem. The legislation specified that any of the reductions made must go into effect in stages and within a 4-year period immediately after the expiration of the 4-year period within which the President may negotiate trade agreements. The authority provided under this extension was greater than that provided for in the 1955 extension act.

Third. The national security provisions were completely rewritten by the committee to define the standards that should apply in its application and to provide procedures. Additional standards and procedural refinements were added by the Senate and incorporated in the bill.

Fourth. The escape clause provisions in the existing legislation were modified in several respects. A procedure was established whereby the Congress can by the adoption of a concurrent resolution requiring a two-thirds vote of both Houses, under privileged status, override Presidential disapproval of the Tariff Commission's recommendation. In addition the period of time within which the Commission is obliged to complete its escape clause investigations was reduced from 9 months to 6 months. Another modification of the escape clause provision provided that with respect to items bound on the free list and which have been the subject of a successful escape clause application, the President may impose a duty not to exceed 50 percent ad valorem.

Fifth. The peril point provision was also modified in several respects. The time allotted to the Tariff Commission to make its peril point investigations was increased from 120 days to 6 months. The peril point procedure was also modified to provide that in those instances in which the Commission finds under the peril point that an existing rate of duty is inadequate to prevent serious injury, an escape clause investigation should be instituted without delay.

The above are the principal provisions of the Trade Agreements Extension Act of 1958. They provide for an effective continuation of the trade agreements program while at the same time perfecting the safeguarding provisions of the law in a manner consistent with the basic principles of the trade agreements program.

The bill amending the Antidumping Act of 1921 as amended, H. R. 6006, which passed the House in the 1st session of the 85th Congress, and which was more fully described in the report of activities of the 1st session, was passed by the Senate during the 2d session. The Senate adopted two amedments relating to the determination of injury by the Tariff Commission and the House concurred in one of these amendments which provides that if the Tariff Commission is evenly divided as to whether its determination as to injury shall be in the affirmative or in the negative, that that shall constitute an affirmative determination. The bill so modified was approved by both Houses.

The Subcommittee on Foreign Trade Policy of the committee, under the chairmanship of the Honorable HALE BOGGS, continued its studies during the adjournment period of the 1st session and into the 2d session. The subcommittee collected and published a 1,157-page compendium of papers contributed by approximately 60 experts in the field of foreign trade policy, and covering a wide range of issues. In December 1957 the subcommittee held 2 weeks of panel discussions on the subject matter of the compendium and published the record of these deliberations.

2. MINOR BILLS

In addition to foregoing major measures, the committee favorably reported a number of bills on customs and tariff matters, which, while for the most part of a relatively minor nature, all will contribute to the fostering of good will and in varying degrees will be of assistance to the citizenry of our country and to our domestic industries.

First, there were several bills reported by the committee, most of which were enacted into law, which provide for the exemption from or suspension, either temporary or permanent, of duties on the importation of various types and categories of materials. These included:

H. R. 38, by Mr. BYRNES of Wisconsin; Public Law 85–257, approved September 2, 1957:

This bill, which was enacted into law without amendment, provides for the temporary free importation—until March 31, 1960—of casein or lactarene, and mixtures of which either is the component material of chief value. Useful as a raw material to the domestic coated-paper industry, and to the domestic building-supply industry in the production of water-resistant glue, the various executive departments brought out evidence indicating that the elimination of duty on this item probably would result in a reduction in price of imported casein to the domestic consumer without injury to the domestic production industry—which consists almost entirely of edible casein whereas imports consist almost entirely of inedible casein—and in the long run would be of general economic benefit as well as eventual benefit to the domestic industry.

H. R. 274, by Mr. KEATING; passed House August 15, 1958: This bill was reported unanimously to the House on August 8, 1958, and provides for the temporary free entry of religious sceneramas and other articles imported for exhibition by religious societies or institutions. Under the bill, articles so entered would have to be exported or destroyed under customs supervision within a maximum period of 3 years, or the importer would be liable to liquidated damages under the terms of his bond.

H. R. 776, by Mr. MACHROWICZ; Public Law 85–379, approved April 16, 1958: As it became public law, this bill provides for the temporary free importation of automobiles and parts of automobiles when intended solely for show purposes. Section 308 of the Tariff Act provides for the free importation of various categories of articles not intended for sale or for sale on approval, under bond conditioned upon their exportation within certain time limitations. As reported by the Committee on Ways and Means, automobiles and automobile parts would have been included in this section of the Tariff Act under the same safeguarding provisions applicable to the other categories already contained therein; however, as the Senate Finance Committee amended the bill and as it became public law, a time limit of 6 months on any one shipment is provided, and the privilege is also conditioned upon substantially reciprocal privileges being allowed by the exporting country in respect of similar imports to such country from the United States.

H. R. 1126, by Mr. FASCELL; Public Law 85–410, approved May 16, 1958: This bill, which became public law in the form in which it was reported by the committee, was designed to eliminate the difficulty previously encountered with regard to the dutiable status of imported old and obsolete revolvers and muzzle-loading pistols. The bill included on the duty-free list all firearms of obsolete ignition, incapable of using a fixed cartridge or fixed shotgun shell. The committee was advised that all types of obsolete firearms are equally sought by gun collectors as a hobby and for their historical significance, and it appeared to be inconsistent that some should be imported duty free while others were subjected to duty. The committee was also advised that the subject articles would not be competitive with current models.

H. R. 2151, by Mr. HARRISON of Virginia; Public Law 85–418, approved May 19, 1958: This bill, as reported by the committee, would have suspended the import duties on certain coarse wools imported under bond for use in the manufacture of rugs and carpets, and certain other products, for a period of 3 years. The committee was advised that this legislation was needed in order to enable the domestic carpet industry to obtain added supplies of imported coarse wools at competitive world prices so it could compete more successfully with foreign producers of carpets in the American market. The Senate Finance Committee, however, amended the bill to provide that the suspension of duties would end at the close of June 30, 1960, a period of slightly over 2 years. The Senate committee also amended the bill to provide an extension of time to January 1, 1959—from March 1, 1958—for the submission of the report of the United States Tariff Commission on its comprehensive study of tariff classification laws pursuant to section 101 of the Customs Simplification Act of 1954, as amended. This extension of time has been requested by the Chairman of the United States Tariff Commission. The House accepted the amendments of the Senate.

H. R. 2783, by Mr. BENTLEY; reported in Senate April 28, 1958: The committee bill would have transferred amorphous graphite or plumbago, crude or refined from the dutiable list to the free list, for tariff purposes. The committee was advised that the United States has long been dependent on imports for nearly all of its requirements of natural amorphous graphite and that it is among the materials listed as strategic and critical for stockpiling purposes by the Federal Government. The Senate Finance Committee amended the bill to provide a temporary period of free importation—to June 30, 1960—in reporting the bill to the Senate.

H. R. 2842, by Mr. VAN PELT; Public Law 85–235, approved August 30, 1957: As reported by the committee, this bill provided for a 3-year suspension of duty on imports of tanning material extracts. The Senate Finance Committee reported the House bill without amendment, but a provision was added on the Senate floor which suspended to June 30, 1960, the 3-cent processing tax on coconut oil. The Senate amendment was accepted by the House.

H. R. 4686, by Mr. MCCARTHY; Public Law 85–87, approved April 25, 1957; and H. R. 10015, by Mr. MCCARTHY; Public Law 85–453, approved June 11, 1958: These two bills were enacted to continue temporarily the suspension of duties on metal scrap, the first to June 30, 1958, the second to June 30, 1959. The exclusions from the application of the suspension of duties already existing in the law were continued in both bills, and the Senate Finance Committee added a further provision to H. R. 10015—which the House accepted—that primary or virgin nonferrous metal in pig, ingot, or billet form, would not be included in the duty-free provisions of the bill. The committee was informed by the executive branch that the types of metal scrap affected by this legislation are in short supply, and in some cases imports of metal scrap represent important sources of the metals involved.

H. R. 5005, by Mr. BOGGS; Public Law 85–378, approved April 16, 1958: As this bill became law, it provides for a 2-year suspension of duties on the importation of crude chicory and a 2-year reduction in duty on ground or otherwise prepared chickory to 2 cents per pound. The House bill would have provided a permanent rate of 2 cents per pound on ground or otherwise prepared chicory. The Committee on Ways and Means was advised that this legislation would be of material assistance to domestic producers of ground chicory, as well as being of benefit to American consumers of chicory.

H. R. 5208, by Mr. PATMAN; Public Law 85–417, approved May 16, 1958: As reported by the Committee on Ways and Means, and as it became public law, this bill provides that harpsichords and clavichords and parts thereof shall be dutiable at the rate applicable to pianos or parts thereof, on a permanent basis. The committee was advised, in favorable and informative departmental reports on this legislation, that domestic production of these instruments is limited and that while information is lacking as to the extent of imports, such imports are very small, and that enactment of this legislation would provide a means of making it easier for larger numbers of persons in the United States to obtain them.

H. R. 5924, by Mr. COOPER; Public Law 85–211, approved August 28, 1957: This bill, which became law without amendment, was designed to provide for the importation of advertising materials, samples, and advertising films so as to implement an international convention. The convention was dated at Geneva, November 7, 1952, signed on behalf of the United States May 28, 1953, and was ratified in the Senate on February 22, 1956. While enactment of this legislation did not involve important changes in the tariff treatment of the imports involved, it was necessary to bring such tariff treatment precisely into accord with that contemplated by the convention.

H. R. 5944, by Mr. MAGNUSON; passed House August 15, 1958: This bill provides for the addition to the free list of tourist literature issued by certain groups, relating chiefly to places or travel facilities outside the United States. The purpose and effect of the legislation is to simplify the tariff treatment of tourist literature and to extend the present duty-free treatment to a broader class of such literature. Safeguarding provisions against abuse are provided for by law.

H. R. 6304, by Mr. COOPER; Public Law 85–30, approved May 14, 1957: As reported by the Committee on Ways and Means, this bill, which was introduced at the request of the Department of Defense, would have made permanent the existing temporary privilege of free importation of gifts from members of the Armed Forces of the United States on duty abroad. This privilege has been provided continuously since 1942, through periodic renewals, and is limited to shipments of bona fide gifts not exceeding $50 in value. The committee was advised that there is a very definite morale factor embodied in this legislation, and that it is most important to servicemen on duty overseas to be able to send small gifts and souvenirs to their families and friends at home; subjecting such gifts to duty would hamper this practice. Adequate safeguarding provisions exist in the law and through appropriate administrative regulations. The Senate Finance Committee amended the bill to provide a temporary extension of this privilege for 2 years, to July 1, 1959. The House agreed to the Senate amendments, and in this form it became public law.

H. R. 6894, by Mr. KARSTEN; Public Law 85–808, approved August 28, 1958: As reported by the Committee on Ways and Means, this bill would amend the Tariff Act of 1930 to provide a rate of duty of 4 cents per pound on all unmanufactured mica and would transfer to the free list mica films and splittings not cut or stamped to dimensions. The committee was advised that the changes contemplated by this legislation would have no adverse effects on the domestic mining industry. This bill was amended in the Senate Finance Committee, but was later recommitted to that committee and reported back to the Senate without amendment.

H. R. 7004, by Mr. JENKINS; Public Law 85–696, approved August 20, 1958: This bill, as reported by the Committee on Ways and Means, provides that imported handles, wholly or in chief value of wood, to be used in the manufacture of paint rollers, will be dutiable at the rate applicable to paintbrush handles of wood. The committee was advised that the Department of Commerce knew of no commercial reason for the existing disparity of tariff treatment between paintbrush handles of wood and paint-roller handles, although they are used for the same purpose, and, further, that there is no information to indicate that putting them both on the same duty level would be detrimental to domestic wood manufacturers.

H. R. 7096, by Mr. JENKINS; Public Law 85–284, approved September 4, 1957: As reported to the House, this bill would have transferred dressed or manufactured istle or tampico from the dutiable to the free list of the Tariff Act of 1930, placing it in the same category as istle or tampico fiber not dressed or manufactured in any manner. The committee was informed that there is no significant domestic production of dressed fiber, that such fibers are in short supply, and that prices have been rising with resulting increases in cost of production and price of finished product. This legislation, therefore, would reduce the burden on domestic users. The bill was amended in the Senate to limit the free importation privilege to 3 years, as a testing period and without prejudice in case future extensions are deemed advisable. A provision was also adopted in the Senate to permit the free importation of a beta-ray spectrometer for the use of Stanford University in the field of research. A further amendment was adopted in the Senate to place certain wool yarns on the free list. The Senate amendments were accepted by the House.

H. R. 7363, by Mr. HÉBERT; passed House March 20, 1958: As reported by the committee, this bill reduces to 5 cents per pound the import duty on eviscerated pigeons. This legislation would place imports of such pigeons on a duty level with eviscerated chickens.

H. R. 7454, by Mr. EBERHARTER; Public Law 85–458, approved June 13, 1958: As this bill was reported by the committee, it provides for the free importation by colleges and universities of sound recordings and film to be used by them in certain nonprofit radio and television broadcasts. The Senate Finance Committee removed from the bill the limitation that the society or institution making the broadcasts must own or operate the radio or television station involved, but retained the restriction on exposed or developed picture film and added a limitation on that item of 2 years as the period of free importation. These amendments were accepted by the House.

H. R. 7516, by Mr. BURDICK; Public Law 85–408, approved May 16, 1958: This bill amended the Tariff Act of 1930 so as to permit the importation free of duty of religious vestments and regalia for presentation without charge to a church or to certain religious educational or charitable organizations. The law already provided for the free importation of such articles when ordered by the institutions themselves; this bill merely extended the privilege so as to make possible the free importation of such articles when ordered for presentation to these institutions as gifts.

H. R. 8933, by Mr. SADLAK; reported to House August 13, 1957: This bill would transfer from the dutiable to the free list handmade and machine handmade paper. The committee was advised that there is presently no domestic commercial production of this type of product, the annual consumption in the United States being satisfied entirely by imports. The recent increases in costs of manufacture have threatened to reduce the already specialized and dispersed market; elimination of the tariff would help to ease the burden of increasing cost and prices.

H. R. 9509, by Mr. MCCARTHY; passed House February 27, 1958: This bill, as amended by the committee, would add iconostases to the list of religious articles for which free entry is already provided in paragraph 1774 of the Tariff Act, and would extend the application of this paragraph to cemeteries, schools, orphanages, and similar nonprofit activities operated by associations organized for religious purposes, as well as providing that parts, appurtenances or adjuncts of any of the articles for which free entry is already provided, whether physically joined thereto or not, may be entered free of duty.

H. R. 9917, by Mr. KING: Public Law 85–415, approved May 16, 1958: This legislation continued for 2 years, to July 16, 1960, the suspension of duties on, first, alumina when imported for use in producing aluminum; second, crude bauxite; and third, calcined bauxite. The executive departments reported favorably on this legislation, and the committee was advised that reimposition of a duty would put United States producers of aluminum at a competitive disadvantage.

H. R. 10112, by Mr. FORAND; Public Law 85–397, approved May 9, 1958: This bill was enacted to make permanent the existing temporary duty-free treatment of guar seed. The committee concluded that guar seed should be placed permanently on the free list because it is not produced in any quantity in the United States and because this action would be of assistance to those industries which must import the product for their use.

H. R. 10277, by Mr. IKARD; Public Law 85–645, approved August 14, 1958: As reported by the committee, this bill provided for a reduction in the minimum width specification for standard newsprint paper in rolls from 15 to 13 inches. This legislation was considered desirable because of the changed requirements of newspapers in the United States, there being a trend toward the use of narrower width paper, and in view of the traditional disposition under the Tariff Act to accord duty-free treatment to newsprint paper. The bill was reported after consideration of testimony received during public hearings held on the subject. The Senate Finance Committee amended the bill by adding two provisions, one clarifying and establishing as law the present Bureau of Customs classifications of rayon and other synthetic textiles, and the other providing for the temporary free importation of certain extracts of eucalyptus whether or not used chiefly for tanning purposes. Present law provided for the temporary free entry of such extracts for tanning purposes. These amendments were accepted by the House.

H. R. 10792, by Mr. REED; Public Law 85–416, approved May 16, 1958: This legislation continues for 2 years, to August 7, 1960, the suspension of duty on copying lathes used for making rough or finished shoe lasts. This is a highly specialized and expensive type of machinery used by the shoe-manufacturing industry which can only be obtained from foreign sources. The bill became law without amendment.

H. R. 11407, by Mr. MILLS; Public Law 85–398, approved May 9, 1958: This bill, which became law without amendment, was reported by the committee to extend for 2 years, to July 1, 1960, the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders. Enactment of this legislation, which has been extended from time to time over a period of years, makes possible the avoidance of undue administrative burdens upon persons evacuated to the United States, and constitutes an important morale factor and inducement to overseas service. Safeguarding provisions against abuse of this privilege are provided by law.

H. R. 13076, by Mr. OSTERTAG; passed House August 13, 1958: This bill provides for the free entry of certain chapel bells imported for the use of the Abelard Reynolds School No. 42 in Rochester, N. Y. The committee was advised that these bells are not manufactured in the United States, would be used for the musical training and appreciation of students at the school, and would remain the property of the school.

TRADE-FAIR BILLS

Following the long-established policy of Congress to facilitate participation of foreign countries in international expositions held in the United States by permitting articles intended for display at such expositions to be entered free of import duties and charges, the following bills were favorably reported by the Committee on Ways and Means and enacted into law during the 85th Congress to permit articles imported into this country for the purpose of exhibition at such fairs and expositions to be admitted without payment of tariff, subject to the usual safeguarding regulations of the Secretary of the Treasury:

H. R. 4803, by Mr. MASON: The Chicagoland Commerce and Industry Exposition, June 28–July 14, 1957.

H. R. 8705, by Mr. O'BRIEN of Illinois: The St. Lawrence seaway celebration, January 1–December 31, 1959.

H. R. 9655, by Mrs. GREEN of Oregon: The Oregon State Centennial Exposition and International Trade Fair, June 10–September 20, 1959.

H. R. 10242, by Mr. O'BRIEN of Illinois: The Chicago International Fair and Exposition, July 1959.

H. R. 11019, by Mr. ROBSION of Kentucky: The Kentucky State Fair, September 4–13, 1958, and—Senate amendment—the International Trade Exhibition at St. Paul, Minn., May 7–18, 1958.

H. R. 11889, by Mr. MCCARTHY: The Minnesota State Fair and Centennial Exposition, August 23–September 1, 1958. This bill was amended by the Senate Finance Committee adding a provision to permit residents of the United States to bring into the United States for temporary periods automobiles rented abroad without being required to pay duty or to post a bond. The Senate amendment was accepted by the House.

House Joint Resolution 126, by Mr. PELLY: The Washington State Sixth International Trade Fair, May 17–26, 1957.

House Joint Resolution 439, by Mr. PELLY: The Washington State Seventh International Trade Fair, April 11–20, 1958.

House Joint Resolution 556, by Mr. MCDONOUGH: The California International Trade Fair and Industrial Exposition, April 1–12, 1959.

In addition to the bills listed above in the general field of foreign trade and tariff legislation, there were other bills reported by the Committee on Ways and Means during the 85th Congress, of a minor nature or of limited application, to clarify, simplify, or strengthen the customs and tariff provisions of law. These were:

H. R. 9291, by Mr. SADLAK; Public Law 85–454, approved June 11, 1958: This bill was designed to close certain loopholes in the existing tariff structure regarding rubber-soled footwear. The legislation was considered necessary because of the possibility, under the existing law, of avoidance of the import duty, which was imposed specifically for the protection of the domestic rubber-soled footwear industry, by foreign producers through manipulation of products. The effective date was changed in the Senate to September 1, 1958, and the House accepted this amendment.

H. R. 9919, by Mr. MACHROWICZ; Public Law 85–673, approved August 18, 1958: This bill amends the customs drawback law by extending the privilege of substitution to all classes of merchandise used in the manufacture or production of articles for exportation. The Department of State strongly endorsed this legislation as one of a number of desirable measures to simplify United States customs procedures. The privilege extended was already applicable to sugar, metal, and various other items, and in favorable reports from other Departments on this legislation, it was pointed out that these provisions have been successful in those cases.

H. R. 9923, by Mr. PELLY; Public Law 85–414, approved May 16, 1958: This legislation, which became law as reported by the Committee on Ways and Means, amended the Tariff Act so as to allow the temporary free exportation under bond for exportation of articles to be repaired, altered or otherwise processed. Safeguarding provisions and certain limitations are provided. The committee was advised by the Department of Commerce that the proposed legislation, without changing the tariff position, would eliminate the existing tieup of money and delays involved in these procedures.

D. SOCIAL SECURITY LEGISLATION

1. MAJOR SOCIAL SECURITY AMENDMENTS

The major action taken by the Committee on Ways and Means during the 85th Congress in the broad field of social security was drafting and favorably reporting of H. R. 13549, the Social Security Amendments of 1958—Public Law

85–840, approved August 28, 1959. While a number of minor, but nonetheless important, social security bills were acted upon by the committee during the 85th Congress, H. R. 13549 was a major undertaking and involved substantial and extensive changes in the Social Security Act. This bill followed over 2 weeks of public hearings on all titles of the Social Security Act, and approximately 2 weeks of consideration in executive session of the proposals made during the course of the public hearings.

The Social Security Amendments of 1958, in general, accomplished several major objectives. First, this legislation will substantially improve the financial soundness of the social security system; second, it provides for an increase in social security benefits by 7 percent, with a minimum of $3; third, it makes significant improvements in the benefit structure by extending and improving the protection of the program and facilitating the program administration; and, finally, it removes certain inequities in the old-age and survivors insurance program, and provides a new and improved formula for grants-in-aid to the States for public assistance to the aged, disabled, and blind needy individuals, as well as aid to dependent children.

Among the more important changes made by the bill were: An increase in the tax rates on employers and employees of one-fourth of 1 percent effective January 1, 1959, and a stepped-up schedule on the tax-rate increases already contained in the law, so that the full statutory rate will now become effective by 1969 instead of by 1975; an increase in the wage base from $4,200 to $4,800; an increase in benefits, as indicated above, of 7 percent with a minimum of $3; removal of the so-called offset provision concerning disability benefits; provision of benefits for dependents of totally disabled individuals, paralleling the benefits now available to dependents of OASI benefits; extension of coverage to certain additional groups of individuals; improvement of and liberalizing of certain of the qualifying provisions concerning specific categories, such as, adopted children, widows, employees of nonprofit organizations, State and local groups, and, finally, a new variable formula for use with respect to public assistance titles of the Social Security Act, in addition to the creation of two advisory councils—child welfare services and public assistance financing—to make recommendations and submit reports to the Congress.

2. OTHER SOCIAL SECURITY BILLS

In addition to the Social Security Amendments of 1958, H. R. 13549, there were numerous bills reported by the committee which constituted revisions of the social security law, some major revisions relating to the unemployment compensation laws and others, relating to the old-age and survivors and disability insurance as well as the public assistance titles, of perhaps a minor nature, but nonetheless important to the groups affected.

UNEMPLOYMENT COMPENSATION

H. R. 8888, by Mr. KEAN; passed House August 16, 1957: This bill would extend the protection of the unemployment insurance system to certain groups of workers to whom it is not now available. These groups include employees of certain Federal instrumentalities neither wholly nor partially owned by the United States, now exempted by reason of a general tax exemption; employees on American aircraft while outside the United States, or of organizations operated primarily for carrying on a trade or business for profit even though all the profits are payable to certain nonprofit organizations, and it extends the program of unemployment compensation for Federal employees to employees of partially owned Federal instrumentalities.

H. R. 11630, by Mr. MILLS; Public Law 85–848, approved August 28, 1958: Enactment of this legislation will provide a permanent unemployment compensation program for ex-servicemen similar to that now existing for civilian employees of the Federal Government. Benefits would be paid in accordance with State unemployment insurance law provisions, and financed by Federal appropriations. The benefits provided by the Veterans Readjustment Assistance Act of 1952 will cease for everyone at the end of January 1960, under present law, and in any case they are available only to individuals who entered military service before February 1, 1955. The administration recommended this approach as a permanent program for meeting the post-service unemployment compensation needs of ex-servicemen. The bill passed the House and Senate without amendment.

H. R. 11908, by Mr. FORAND; passed House August 8, 1958: The effect of this bill would be to provide that in determining the eligibility of Federal employees for unemployment compensation their accrued annual leave shall be treated in accordance with State laws. Under present law, no compensation may be paid to a Federal employee during a period subsequent to separation from Federal service when he is being paid for accrued annual leave. The committee was of the opinion that there is no inconsistency in the payment of both unemployment compensation and a sum for accrued annual leave to the same person for the same period of time, as the concept of insurance, unemployment, and maintenance of purchasing power are not involved with respect to the matter of annual leave. The bill would place the Federal worker in the position of being treated in exactly the same manner as workers in private industry who receive similar annual leave payments upon separation, by making the award of unemployment compensation depend upon the provisions of the appropriate State law.

H. R. 12065, by Mr. MILLS; Public law 85–441, approved June 4, 1958: This bill was reported favorably by the committee on April 23, 1958, at a time when unemployment was abnormally high and unemployment insurance benefit rights were being exhausted at a rapid rate. The bill as reported provided authorization for temporary unemployment benefits for individuals whose benefits rights become exhausted, and for individuals who had been in employment not covered under unemployment insurance. These benefits, under the committee bill, would have been financed by a grant from the general funds of the Federal Treasury. The bill, however, was amended on the floor of the House to delete the provisions for payment of benefits to workers who were in employment not covered under existing State laws, and further to provide that the benefits paid would ultimately be restored to the Treasury. As the bill became law, the States are given an option to accept or reject its provisions, and the amount of additional temporary unemployment compensation to an unemployed individual equals 50 percent of the total amount payable to him under the State law pursuant to which he exhausted his benefits. The bill as passed by the House was recommended by the administration.

OLD-AGE AND SURVIVORS AND DISABILITY INSURANCE

H. R. 1944, by Mr. KEAN; Public Law 85–238, approved August 30, 1957: As reported by the Committee on Ways and Means, this bill permits social-security benefits to be paid to the alien survivors, residing outside the United States, of members of the uniformed services who die as the result of service-connected disabilities. There are approximately 20,000 aliens enlisted in the Armed Forces, many of whose families reside outside the United States, the largest single group consisting of Philippine nationals. Although they enlisted with the understanding that they would be entitled to all the rights and benefits that accrue to members of the Armed Forces, and although they have no alternative but to make contributions to the social-security system, a large proportion of their alien survivors living outside the United States were prohibited by the operation of a provision in the 1956 social-security amendments from receiving survivor benefits. The Defense Department urged enactment of this legislation, to keep faith with these aliens serving in the Armed Forces. The provision was made retroactive to January 1, 1957, the date members of the uniformed services were brought under social security on a contributory basis. An amendment to the bill was adopted on the Senate floor which amended the provisions relating to the "living-with" requirements for purposes of widows, widowers, wives, and husbands benefits under OASI. The amendment was accepted by the House.

H. R. 4770, by Mr. EBERHARTER; Union Calendar; failed of passage August 5, 1957: As this bill was reported by the committee, it would amend title II of the Social Security Act to make possible the coverage under OASI of policemen and firemen in positions covered by retirement systems in all States, under the same provisions existing in present law for policemen and firemen in the States which already have such coverage. As in the case of all other State and local employees who are members of a retirement system, such coverage could be obtained only through agreements between the States and the Department of HEW, and would be conditioned upon a favorable referendum vote by the retirement-system group.

H. R. 5411 by Mr. KEAN; Public Law 85–798, approved August 28, 1958: As reported to the House, this bill would reinstate rights to mother's insurance benefits that were terminated by remarriage in the case of a widow or former wife divorced whose new husband dies before she can qualify as his widow for OASI purposes. The 1956 social security amendments made a provision for reinstatement to widows' benefits rights in similar situations, but did not provide similar protection in the case of mothers' benefits. The Senate Finance Committee amended the bill to add a provision permitting any instrumentality of two or more States to obtain social security coverage, under its agreement, for those of its employees who are in policemen's or firemen's positions covered by a retirement system and who desire coverage. The Committee on Ways and Means had approved a similar provision as a part of the Social Security Amendments of 1958—H. R. 13549. The bill was further amended on the Senate floor to provide that the State of Washington be added to the list of States permitted to obtain social security coverage for policemen and firemen in positions covered by a retirement system. The amendments of the Senate were accepted by the House.

H. R. 6191, by Mr. COOPER; Public Law 85–109, approved July 17, 1957: As reported to the House, this bill provided, first, for a 1-year—to July 1, 1958—extension of the period within which application may be filed to establish a period of disability without being subject to the limitation that a period of disability cannot begin more than a year before the application is filed; and, second, that social-security benefits will not be reduced on account of disability compensation received from Veterans' Administration as a result of service-connected disability. The committee also requested, in its report on this bill, that the Department of Health, Education, and Welfare report back to it by March 1, 1958, on the extent to which individuals filing applications for disability-insurance benefits after December of 1957 may have lost benefits by reason of not having applied earlier. Although the Senate Finance Committee removed the second provision from the bill, it was restored on the Senate floor and became law as passed by the House.

H. R. 7570, by Mr. KEAN; Public Law 85–785, approved August 27, 1958: This legislation provides coverage for certain employees of tax-exempt organizations which erroneously, but in good faith, failed to file the required waiver certificate in time to provide such coverage. The Senate Finance Committee made certain technical amendments to the bill which were recommended by the Department of HEW to more adequately meet the objective of the bill. The Senate amendments were accepted by the House.

H. R. 8599, by Mr. KEAN; Public Law 85–786, approved August 28, 1958: The purpose of this legislation is to provide a more satisfactory method of dealing with sick-leave payments to public employees who are past retirement age. This is accomplished by providing that the exception from wages made by section 209 (i) of the Social Security Act is not applicable to payments to State or local employees for periods after the employee reaches retirement age in which he renders no services. At the recommendation of the Department of Health, Education, and Welfare, the Senate Finance Committee narrowed somewhat the language of the bill in order to make it apply only to State and local government sick-leave payments, which is the effect required to meet the problem. The House accepted the Senate amendments.

H. R. 8753, by Mr. COOPER; Public Law 85–227, approved August 30, 1957: As reported by the Committee on Ways and Means, this bill would have amended title II of the Social Security Act to include the States of California, Connecticut, and Rhode Island under the existing provisions of law permitting certain specified States to divide a retirement system into two parts and provide social-security coverage for the part consisting of the positions of those employees who desire such coverage. The committee recognized that legislation applying only to certain States has disadvantages, but believes that the provision should, for the time being at least, be extended only to those States expressly requesting it. The Senate Finance Committee amended the bill to also include Minnesota in the States to which such provisions would be applicable, and also amended the bill to provide that the coverage agreements or modifications entered into prior to 1960—rather than 1959 as in the House bill—could be made effective with respect to services performed any time after December 31, 1955. The bill became law as amended by the Senate.

H. R. 8755, by Mr. COOPER; Public Law 85–226, approved August 30, 1957: As reported by the Committee on Ways and Means, this bill amended title II of the Social Security Act to permit any instrumentality of two or more States to obtain social-security coverage under its agreement separately for those of its employees who are covered by a retirement system and who desire such coverage. The bill was amended in the Senate substituting a retroactive coverage provision of more general application, and adding Alabama, Georgia, Maryland, New York, Tennessee, and the Territory of Hawaii to the list of States which may obtain social-security coverage for policemen and firemen in positions covered by a retirement system. The Senate amendments were accepted by the House.

H. R. 8821, by Mr. EBERHARTER; Public Law 85–229, approved August 30, 1957: This legislation was enacted to facilitate the provision of OASI coverage for State and local employees under certain retirement systems. Under the law before enactment of this bill, after a retirement system—in those States where provision for division has been made—has been divided between those members who desire coverage and those who do not, a referendum was required among those indicating a desire for coverage before such coverage could be effected. This bill made possible their coverage without the necessity of a subsequent referendum, provided certain safeguards are followed in the process of dividing the system into two parts. The committee bill was enacted without amendment.

H. R. 8892, by Mr. HARRISON of Virginia; Public Law 85–239, approved August 30, 1957: The Committee reported this bill to amend the Internal Revenue Code so as to extend the time within which a minister may elect coverage as a self-employed individual for social security purposes. The extension provided was for 2 years, in general through April 15, 1959. The bill also provided, for tax purposes as well as for OASI benefit purposes, that remuneration paid in 1955 and 1956 to ministers, erroneously though in good faith reported as wages by certain nonprofit organizations, should be treated as remuneration for employment instead of net earnings from self-employment. A provision was added to the bill in the Senate providing that a minister, in computing his earnings from his ministry for social security purposes—but not for income tax purposes—shall include the value of the meals and lodging furnished to him for the convenience of his employer, and the rental value of the parsonage furnished to him. This applies both in determining the amount of social security contributions to be made and eligibility for and amount of benefits to be paid. The House agreed to the Senate amendments.

H. R. 9829, by Mr. PATMAN; passed House August 8, 1958: This legislation was reported by the committee to provide an additional period of time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school-district employees. The 1956 amendments provided for the coverage under OASI for certain of such employees in eight specified States and the Territory of Hawaii without a referendum and as a group separate from the professional employees who are in positions under the same retirement system. The provision, however, was not in effect long enough for at least some of the States to secure the desired coverage before it expired. In order that the objectives of the legislation may be accomplished, this legislation was approved by the committee to provide an additional period, to January 1, 1960, for this coverage to be obtained.

H. R. 11346, by Mr. MCCORMACK; Public Law 85–787, approved August 27, 1958: As reported by the Committee on Ways and Means, this bill added Massachusetts to the States permitted to divide a retirement system into two parts and provide social-security coverage for the part consisting of the positions of those employees who desire such coverage. The bill was amended in the Senate to also include the State of Vermont in this group of States. A further amendment was adopted in the Senate making provision for those persons who did not

choose coverage under a divided retirement system to be given an additional opportunity to elect such coverage. A similar provision had been included by the Ways and Means Committee in the social security amendments of 1958—H. R. 13549—and the Senate amendments to H. R. 11346 were accepted by the House.

PUBLIC ASSISTANCE

H. R. 3035, by Mr. EBERHARTER; Public Law 85–26, approved April 25, 1957: This bill, as reported by the Committee on Ways and Means, provided for an extension from June 30, 1957, to June 30, 1959, of the provisions contained in the Social Security Act amendments of 1950 relating to the approval by the Secretary of HEW of certain State plans for aid to the blind. Although the provisions are applicable to any State, in actuality only the States of Missouri and Pennsylvania are involved. These States continue to require this legislation if they are to continue to receive Federal funds for their aid to the blind programs, even in those instances where there is full conformity to the Federal requirements for eligibility for such funds. This is due to the type of dual program for aid to the blind in existence in these States, and enactment of this legislation afforded additional time for the Department of HEW and the States involved to study this situation.

H. R. 7238, by Mr. MCCORMACK; Public Law 85–110, approved July 17, 1957: As reported to the House by the committee, this bill amended the public-assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care. The legislation was designed to correct an unintended result stemming from the public-assistance medical care provisions of the 1956 amendments to the Social Security Act. Amendments were adopted in the Senate which provided a different approach to the problem, and the Senate Finance Committee in its report stated that the amended bill would accomplish the desired result at less expense. The bill was further amended on the Senate floor to add Alabama to the list of States which may secure social-security coverage for policemen and firemen in positions covered by a retirement system. In conference, the House receded.

E. NARCOTICS LEGISLATION

The Committee on Ways and Means also took favorable action during the first session of the Congress on a bill, H. R. 9028, covering another important area of the committee's jurisdiction, namely, the field of control of narcotic drugs. While this legislation was technically tax legislation, or constituted an amendment to the Internal Revenue Code, from a substantive point of view it appropriately can be considered to be an additional different field of jurisdiction. This legislation was designed to give full effect to treaty obligations of the United States to limit exclusively to medical and scientific purposes the manufacture of narcotic drugs and to require that such manufacture be restricted to persons and premises that have been licensed for the purpose. It was also designed to amend the Narcotic Drugs Import and Export Act to bring the regulation of exports in conformity with current treaty obligations, and to permit the importation and exportation of certain narcotic drugs for scientific research purposes. This action of the committee during the first session thus further supplemented the important action taken by the committee and the Congress during the last Congress with regard to control of the illicit trafficking in drugs and the prevention of insidious and heinous crimes resulting from the use of such drugs. This legislation is considered, therefore, to be quite important in protecting the welfare of our citizens and in promoting the general interest.

F. MISCELLANEOUS

There were several bills reported by the committee during this Congress which do not fall within the field of taxes, social security, or foreign trade and tariffs. Among these are:

H. R. 12489, by Mr. MILLS; Public Law 85–823, approved August 28, 1958: This legislation, which was enacted into law without amendment, amends the Highway Revenue Act of 1956 to extend the time to January 3, 1961, for submission by the Secretary of Commerce of the final report on the highway cost allocation study. Interim progress reports are required under the bill on March 1, 1959, and March 1, 1960. This legislation was requested by the Commerce Department. It was pointed out that the test-road project in connection with the highway program will not be completed until late in 1958, and results of the test studies would not be available in time for the final report unless the date for its submission were postponed.

S. 2006, by Senator HILL; Public Law 85–881, approved September 2, 1958: This legislation, which was recommended by the Department of Defense, relieves the Surgeons General of the Army and Navy of certain duties imposed on them by the Internal Revenue Code with respect to the regulatory taxes on adulterated butter and filled cheese, and by the Public Health Service Act with respect to the licensing of establishments in the preparation of certain biological products. These provisions are obsolete, and the committee was advised that no justification exists for their continuation. The Department of Health, Education, and Welfare is in a position to adequately safeguard the interest of the public in these respects, and it appears to be inappropriate for the military departments to be charged with this responsibility.

H. R. 9028, by Mr. KARSTEN; passed House August 22, 1957: As reported by the Committee on Ways and Means, this legislation was designed to give full effect to treaty obligations of the United States to limit exclusively to medical and scientific purposes the manufacture of narcotic drugs and to require that such manufacture be restricted to persons and premises that have been licensed for the purpose. It also amends the Narcotic Drugs Import and Export Act to bring the regulation of exports in conformity with current treaty obligations, and to permit the importation and exportation of certain narcotic drugs for scientific research purposes.

A Report on Veterans' Legislation and Benefits

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 22, 1958

Mr. MOORE. Mr. Speaker, as a combat-wounded veteran of World War II, I have always taken a keen interest in the problems of our former servicemen, and have actively supported legislation which is beneficial to the veterans of our Nation. Letters received from individual veterans or from veterans' organizations always receive priority treatment in my Congressional office. It is my belief that men who have fought and bled for the preservation of our national ideals, and the wives and dependents of those who gave their lives in the service of our country, should be accorded the best possible representation. Therefore, although not a member of the Veterans' Affairs Committee, I have introduced several bills and actively supported legislation introduced by other Members which would protect and increase the benefits of those who have served their Nation in time of war.

During this past week, I was advised that the Secretary of Defense has recommended the favorable consideration of H. R. 12783, a bill which I introduced to authorize the military services to provide Congressional Medal of Honor holders with appropriate uniforms and insignia. The lateness of this session will prevent approval of this bill by the 85th Congress, but I am hopeful the Armed Services Committee will report this bill early next January.

There is no present authority for furnishing uniforms to Congressional Medal of Honor holders who are no longer members of the armed services. These outstanding individuals are often called upon to address private and public groups and appear in various ceremonies where they represent the services of which they are a part. An excellent example of this is the recent interment of the unknowns of World War II and the Korean conflict at Arlington National Cemetery. Providing uniforms to these honored veterans would help pay the country's debt of gratitude for outstanding service and preclude embarrassment to the individuals and to the United States Government when an appearance in uniform is requested.

Many worthy bills of interest and benefit to veterans were enacted during this past session. Following is a brief résumé of these bills which have now become public laws:

COMPENSATION AND PENSIONS

Public Law 85–168, effective October 1, 1957, increased rates of compensation for service-connected disabilities by a minimum of 10 percent and up to 24 percent for total disability.

Public Law 85–425, effective July 1, 1958, increased the pensions for widows of Spanish-American War Veterans from $54.18 to $65; and if they were married at the time the veteran was in service, the pension was increased from $67.73 to $75. Widows of veterans of the Mexican War, Indian Wars, and the Civil War also received increased pensions. Widows of Confederate soldiers of the Civil War were for the first time made eligible for pensions.

Public Law 85–840 amended the Social Security Act in one very important respect concerning veterans now receiving non-service-connected pensions. Previously, under the social security law, veterans having non-service-connected disabilities could not draw full benefits from both social security and the Veterans' Administration. For instance, if a veteran under 65 years of age was drawing $66.15 for a non-service-connected disability, and also was eligible for $90 social security benefits because of total disability, then the social security payment was reduced by the $66.15 so that he could not receive more than a total of $90 from these two Government agencies. I am happy to report this inequity has now been eliminated and non-service-connected veterans who are totally disabled may now draw complete benefits from both the Veterans' Administration and the Social Security Administration. I urged and fought hard to have this discrimination eliminated.

VETERANS' HOUSING

Public Law 85–364 authorized $150 million for direct GI loans for each of the fiscal years 1959 and 1960. It also increased the maximum amount of such loans from $10,000 to $13,500.

Veterans' legislation has been very effective in the past in providing better housing for our ex-servicemen. But in recent years, due to administrative difficulties and tight-money policies, it has been difficult to obtain a GI loan from local lending institutions which can obtain higher interest rates on conventional loans. There is a definite need for more money to provide direct loans to worthy veterans who want and need more adequate housing.

HOSPITALIZATION AND HEALTH BENEFITS

Public Law 85–468 was a general appropriations bill and provided $5 billion for the various veterans programs, of which $717.2 million will be used to provide hospitalization. Although this may seem like a huge sum, there are still many veterans who are denied hospitalization because of lack of sufficient bed space, and this is especially true in connection with nonservice mental cases.

Public Law 85–678 amends the National Service Life Insurance Act to provide increased disability-income protection.

Public Law 85–782 increases by $150 a month compensation paid to severely disabled service-connected veterans who require an aide or attendant while they are not hospitalized at Government expense.

Public Law 85–674 increases the burial allowance from $150 to $250.

EDUCATION AND INSURANCE BENEFITS

Public Law 85–871 authorizes the Veterans' Administration to provide certain specialized vocational training for retarded children who are eligible for training under the War Orphans' Educational Assistance Act.

Public Law 85–807 extends GI educational benefits to servicemen who have received less-than-honorable discharges which were later corrected to honorable conditions.

Public Law 85–896 extends three new options to section 621 policyholders—insurance issued between April 25, 1951, and December 31, 1956.

OTHER VETERANS' LEGISLATION

In addition to the bills enumerated above, there were several miscellaneous bills and resolutions approved relating to minor or administrative and technical changes in veterans' benefits. There were also 10 bills which were approved by the House but which were not acted upon by the Senate prior to adjournment.

Shortly after the adjournment of Congress, I will have available for distribution a complete analysis and summary of all veterans' legislation reported and acted upon by the 85th Congress. I will be happy to send a copy of this publication to anyone desiring this information as long as the limited supply lasts. In the meantime, I will welcome letters and suggestions from the veterans in my District, and will continue to render prompt and efficient service on any case referred to my office for assistance.

SENATE

SATURDAY, AUGUST 23, 1958

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in this shrine of each patriot's devotion, for toiling months the few out of the millions have been allowed by Thee to be servants of the Nation in a tense and tortured time when the earth has been plowed with violence, when brave fighters for freedom have been met and subdued by the bayonets of tyrants, and when wars and rumors of war have vexed the world.

In such a day, Thou hast summoned us to strengthen the bulwarks of liberty and to mobilize the might of freedom against malignant, rampant evil bent on enslaving all peoples.

Now that the sands of this session of deliberations have almost run out, we acknowledge that at best we have been but unprofitable servants.

Now unto Thy holy keeping we commit ourselves and the Nation, as on the last page of another national volume is about to be inscribed, "What we have written, we have written."

Wilt Thou bless and strengthen all that here has been worthily done, as the Members of this body have followed flickering lights in these dark and confusing times? Pardon and overrule what has been done unworthily, left undone, or done amiss. And in Thy great mercy, grant us peace—peace in our own hearts, peace in this dear land, and peace in all the earth, now and evermore. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 22, 1958, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13840. An act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; and

H. R. 13861. An act to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the calendar will be stated.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Joseph C. Satterthwaite, of Michigan, to be an Assistant Secretary of State.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

BOARD OF PAROLE

The Chief Clerk read the nomination of Edward J. Donovan, of New York, to be a member of the Board of Parole for the term expiring September 30, 1962.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Paul Kearney, of Oregon, to be United States marshal for the district of Oregon for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF DEFENSE

The Chief Clerk read the nomination of John Nichol Irwin II, of New York, to be an Assistant Secretary of Defense.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF THE ARMY

The Chief Clerk read the nomination of Hugh M. Milton II, of New Mexico, to be Under Secretary of the Army.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

OFFICE OF DEFENSE AND CIVILIAN MOBILIZATION

The Chief Clerk read the nomination of J. Roy Price, of New York, to be an Assistant Director of the Office of Defense and Civilian Mobilization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Kenneth T. Downs, of the District of Columbia, to be an Assistant Director of the Office of Defense and Civilian Mobilization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NOMINATIONS IN THE ARMY, AIR FORCE, NAVY, AND MARINE CORPS, PLACED ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read sundry nominations in the Army, the Air Force, the Navy, and the Marine Corps, which previously had been placed on the Vice President's desk.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that all these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that statements made during the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF LABOR, AND PROPOSED PROVISION FOR TREASURY DEPARTMENT (S. Doc. No. 119)

A communication from the President of the United States, transmitting a proposed supplemental appropriation in the amount of $500,000 for the Department of Labor, and a proposed provision for the Treasury Department, for the fiscal year 1959 (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORT ON LIQUIDATION OF COMMODITIES HELD BY COMMODITY CREDIT CORPORATION

A letter from the Secretary of Agriculture, transmitting, pursuant to law a report on orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation and the expansion of markets for surplus agricultural commodities, dated August 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

CERTIFICATION OF ADEQUATE SOIL SURVEY AND LAND CLASSIFICATION, PAONIA PROJECT, COLORADO

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Paonia Project, Colorado, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON CLAIMS FOR DAMAGE CAUSED BY NAVAL VESSELS

A letter from the Assistant Secretary of the Navy (Financial Management), transmitting, pursuant to law, a report on claims for damage caused by naval vessels, during fiscal year 1958 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Fourth Guam Legislature; to the Committee on Interior and Insular Affairs:

"Resolution 6

"Resolution relative to respectfully requesting Congress of the United States to amend the Organic Act of Guam so as to provide that the legislature may override with finality the veto of the Governor of Guam

"Be it resolved by the Legislature of the Territory of Guam—

"Whereas under section 19 of the Organic Act of Guam, Public Law 630, 81st Congress, chapter 512, the Legislature of Guam is empowered to override the veto of the Governor of Guam on any bill presented to him only in limited fashion because of the provision contained in such section that upon such override by the legislature the bill is transmitted to the President of the United States, who is empowered to uphold the veto of the Governor, the wishes of the legislature to the contrary notwithstanding; and

"Whereas in the history of the Territory of Guam since the date of said Organic Act there has never been an occasion when the President of the United States has refused to uphold the veto of the Governor of Guam, thereby in effect nullifying the power of the legislature to override the veto of the Governor; and

"Whereas the prerogative of legislative bodies to override the veto of the chief executive officer is within the traditional power of almost all legislative bodies within the American framework of representative government; and

"Whereas the local autonomy granted by virtue of said Organic Act is narrowly limited if, as the history of Guam indicates, the veto of an appointed governor cannot be overridden by the elected representatives of the people of Guam: Now, therefore, be it

"Resolved, That the Congress of the United States be and it is hereby respectfully requested and memorialized to amend the Organic Act of Guam to permit the legislature to effectively override the veto of the Governor of Guam; and be it further

"Resolved, That in considering such amendment, the Congress bear in mind that the Legislature of Guam is willing to accept a very limited right to so override executive vetoes, even to the extent of requiring a three-fourths or even four-fifths vote by the legislature, since it is the desire of the people of Guam to override the veto of their appointed Governor only when the opinion of their elected representatives is practically unanimous on the desirability of such action; and be it further

"Resolved, That the Speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the Senate, the Speaker of the House of Representatives, the chairmen of the Interior and Insular Affairs Committees of the Senate and House, and to the Governor of Guam."

A resolution adopted by the National Medical and Dental Association and the National Advocates Society, at Chicago, Ill., reaffirming their loyalty to the country and its democratic principles, and so forth; to the Committee on the Judiciary.

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY" (S. REPT. NO. 2497)

Mr. ERVIN. Mr. President, on behalf of the Senate Committee on Armed Services, I submit a report of the Subcommittee on the Operation of Article VII of the Status of Forces Agreement, which report of the subcommittee has been fully approved by the full committee. I ask that the report be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from North Carolina.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE:

S. 4326. A bill to amend the Budget and Accounting Act of 1921 to provide for a budget which will more clearly reflect the financial condition of the Government by distinguishing between capital and noncapital type expenditures; to the Committee on Government Operations.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 4327. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. MALONE:

S. 4328. A bill to repeal the withholding of income tax at source on wages; to the Committee on Finance.

(See the remarks of Mr. MALONE when he introduced the above bill, which appear under a separate heading.)

By Mr. POTTER:

S. J. Res. 202. Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Gen. John J. Pershing; to the Committee on the Judiciary.

AMENDMENT OF BUDGET AND ACCOUNTING ACT OF 1921

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to amend the Budget and Accounting Act of 1921 to provide for a budget which will more clearly reflect the financial condition of the Government by distinguishing between capital and noncapital type expenditures, and request that the bill be appropriately referred. In connection with the introduction of the bill, I desire to speak, in order to explain this measure. I ask unanimous consent that at this time I may proceed for 5 minutes to present my explanation of the bill, which I am introducing in the closing hours of the session, not for the purpose of having the bill passed at this session, but in order that both the bill and the speech which I shall make on it today will be available for consideration at the next session.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the Senator from Oregon is recognized for 5 minutes.

The bill (S. 4326) to amend the Budget and Accounting Act of 1921 to provide for a budget which will more clearly reflect the financial condition of the Government by distinguishing between capital and noncapital type expenditures, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. MORSE. Mr. President, for many years, I have expressed on the floor of the Senate and elsewhere my interest in capital budgeting. Briefly, capital budgeting would list separately the capital investments and the operating expenses of the Federal Government.

I think there is much confusion in the country—and in Congress, too—when the budget is under consideration as to just what the money is going for; there is confusion as to how much of it goes to finance projects that will repay themselves over a period of years, how much goes to dead-loss items such as military defense which are nonetheless vital, and how much goes to the daily operation of those services we, as a people, have asked our Government to provide.

A capital budget would, in my judgment, go a long way in clarifying the objectives of these expenditures. I have, therefore, conferred with the Library of Congress about the works available on capital budgeting. I asked the Library to furnish me with an analysis of current budgeting procedures and some of their shortcomings and irregularities. I also asked for a study of the requirements of capital budgeting. I offer, as a result, a speech today based in large part upon the work of the Library of Congress.

Of course, I take full responsibility for it because the Library only followed my instructions in preparing the material. Moreover, I have changed it somewhat for purposes of this speech. It represents only my views, but much of the scholarly work was done for me by the Library.

BUDGET FORM AND CONGRESSIONAL CONTROL OF FEDERAL FINANCES

The budget document originally was developed to improve the method of stating estimates of money needed for Federal activities. The improved statement would enable Congress better to judge needs for appropriations.

The pursuit of that purpose has continued in legislation relating to budget and accounting procedures and in modifications by the Budget Bureau of the form of the document.

The form of the budget should be adapted to helping Congress relate annual action to continuing purposes, in appropriating money for Federal use. The purposes guiding action on appropriations have included: First, economy and efficiency in operation of departments and agencies; second, meeting defense emergencies and general economic emergencies, and other movements of less than emergency magnitude in employment, income and prices; and, third, helping local governments, enterprises, and individuals, to realize aims which the Congress considers valuable.

The first of these purposes—economy and efficiency in operation—is a necessary subject of inquiry by the Congress. But it remains a matter of management into which the Congress may inquire, yet not a matter that will take first rank in determining the size of appropriations granted.

The great changes in amount of money appropriated have been responses to defense and economic problems of great magnitude. I stress this point. National and international events and needs have dictated the tremendous increases in outlays of the past decades. These problems and needs continue to be ever-present and ever-changing, and the present statutory responsibilities of the Congress towards them assure that they will continue to dominate the consideration of estimates of appropriations.

It is time we reconsidered the question, Are the contents and the form of the budget document adapted to giving first rank to the purposes of adjusting appropriations action to the major economic and defense developments, and assistance toward an equitable position for all the classes, enterprises and communities of the Nation?

A brief review of the developing form of the budget will indicate that in past generations the major purposes have been served, that some changes have given the appearance of economy, and that appropriations for some similar activities are so lacking in uniformity as to make the budget misleading. I think such a review will also indicate that some further changes in the budget are required to help the Congress determine the proper amount of appropriations for various programs, and for all programs together. The point considered here is whether the budget ought to be reshaped to make a dual budget distinguishing capital and operating expenditures, or whether modifications in line with recent evolution would make the document sufficiently informative about capital expenditure programs. The discussion is intended as an argument of the matter rather than as a statement of the considerations supporting a decision.

DEVELOPMENT OF FORM OF THE BUDGET

The most significant change in the form of the budget document has been the consolidation of many separate appropriation items, usually for organizational units, into a few items each of which covers a program. Accompanying this development are descriptions of programs undertaken, with statistical data to justify the proposed requests for money. Another significant change has been the inclusion of information on Government corporations in summary tables of budget totals, and of detailed data within the text of the budget. In budgets presented during the formative years of the more important corporations, the information was exhibited in annexes to the budget or was excluded from budget totals and from any presentation in the budget. The inclusion of the corporations and of other activities which involve investment of Government

funds, rather than operating expenditures of funds, distinguishes the Budget of the United States from the dual budgets—capital and operating—of some foreign governments as well as business, some municipalities, and States.

When all of these expenditures—operating, investment, trust fund—are summarized in one total figure, the budget apparently can be related easily to economic problems, in ways that were more tedious or impossible with earlier budget forms. It should be seen that some of the changes may give an appearance of greater economy in budgetary expenditures. When operations are conducted through the form of a corporation, budgetary expenditures are not expenditures after deducting applicable receipts; if conducted by a department, the budget would show the whole amount of expenditures—such as the whole amount of loans disbursed—without deduction of receipts—such as interest and loan repayments. The establishment of trust funds also reduces apparent expenditures by several billions per year, taking them entirely out of the category of budgetary expenditures.

Year-to-year comparisons of expenditures may give a false impression of economy unless such differences are taken into account.

The magnitude of Federal programs is obscured by quotation of net expenditure figures alone. When a program is self-supporting, measurement of its impact requires the use of gross as well as the net expenditure figures, and other measurements of activity. The data are available, but not in one place. It is necessary to read various budget summary tables as well as the exhibits supporting the appropriation requests, and some of the special analyses following the main body of the budget.

The investment programs have been presented in the budget in the forms customary in business financial accounting. Financial accounting similar to that of private business has been extended to intragovernmental buying and selling, and cost accounting also has been introduced.

BUDGETING OF INVESTMENT PROGRAMS AND BUSINESS-TYPE ACCOUNTING

These developments should be considered with respect to their influence on the budget document. Do they make it more adequate and appropriate to the needs of the Congress in controlling the expenditure of Federal money? Consider first the inclusion of the investment programs in the budget, and second the use of business-type statements and other applications of business accounting principles.

Investment programs are included in the same Federal budget with programs that involve principally operating expenses. The combination of capital outlay and current expense is one set of estimates and one set of expenditures accounts is contrary to business accounting practices. It is contrary also to the emphasis on the businesslike aspects of the investment programs, an emphasis that appears both in financial reports and in the statutory requirement of a commercial type audit of the activities. The financing of investment programs—long-term lending and public construction—is not uniform. Nor are business operations of the current production and sale type financed uniformly.

The authorization of money for many of the investment programs takes the form that would fit possible proposals of a capital budget. The money is authorized not through appropriations but as authority to incur obligations and to make expenditures from borrowed money—borrowed from the Treasury, from the public, or old notes canceled to restore borrowing authority. The budget does not summarize these in a separate place in detail by organizational unit. It is necessary to use Treasury reports for that information. The public debt receipts financing form is used for REA, TVA, and several others, but not for Reclamation nor for the Engineer Corps construction. This possible first step toward a capital budget—a special method of authorizing expenditures—therefore has not been taken uniformly. It gives more leeway as to time of expenditure, and thus is the exact opposite of the accrued expenditure limitation legislation of this session of Congress. It is not always part of a revolving fund. It is used for some short-term operations, the largest of which is the CCC, but not for others, such as industrial funds.

A lack of uniformity is to be found in Government enterprise accounts as to recording of major receipt items, such as repayments of money loaned. Receipts appear sometimes as offsets to gross expenditures, as for the Army industrial fund; expansion of defense production; Export-Import Bank; St. Lawrence Seaway Development Corporation; Small Business Administration; TVA; United States Information Agency informational media guarantee fund; General Services Administration general supply fund, buildings management fund, and so forth; HHFA; Upper Colorado River Basin fund; and various others. The Government corporation and the revolving fund may place their receipts with the Treasury, but not in the Treasury, and the receipts are available for expenditure on the program without appropriation by the Congress. But in other enterprises, such as the REA and the Farmers Home Administration, receipts—for example, repayments of loans—are stated only in statistical tables, so that authorizations and reported expenditures are on a gross basis. The corporation's receipts are available for its use; the departmental enterprise receipts go into the Treasury and are not available for the use of the enterprise. The enterprise can use only money authorized by an appropriation act—which includes expenditures from public debt receipts.

Thus neither statutory requirements nor budget form make uniform distinctions according to the length of capital outlay, or even the occurrence of capital outlay, in providing the funds for Federal activities; nor does the budget treat uniformly the enterprises that require repayments of funds expended. They are not summarized separately from the enterprises not requiring repayments. Tabulations showing gross and net budget expenditures further obscure this difference.

Presumably a budget which made the fundamental business distinction between current and capital expenditures would require uniformity of financing according to the nature of the program.

Aside from the distinction which business accounting principles would require, the fundamental purpose of informing Congress is not now being met. It is not possible, without detailed and skilled accounting work, to relate the appropriations request for each enterprise to the basic figures of Government surplus and deficit.

When receipts are counted as offsets to expenditures, budgetary authorizations and expenditures are net; when receipts are not counted as offsets, authorizations and expenditures are gross. The appropriations required for the same amount of lending are larger in the second than in the first instance. The appropriations and expenditures figures are also affected by the method of handling receipts. But the contribution of the activity to the Government's surplus or deficit is unaffected by the difference in presentation of the receipts figures. However, in the budget tables summarizing receipts and in the receipts tabulations of the Daily Treasury Statement, the receipts on account of REA, and so forth, are not stated separately, so that the net expenditures and the contribution to the Federal surplus or deficit are not exhibited.

An erroneous impression of the added Federal debt resulting from REA and similar programs is likely to be obtained. The fact that the expenditures will be repaid, thus not adding permanently to the debt, is obscured by the method of reporting their finances.

The lack of uniformity in presenting data on loan repayments and interest receipts reflects differences of the legal form in which the activities are conducted.

In favor of uniformity of organization and separate budgeting are these arguments:

First. The receipts of payment or of repayment would be disclosed uniformly instead of being undisclosed or inconsistently disclosed.

Second. Uniform organization of loan, construction, and other businesslike activities in revolving fund form would enable comparisons to be made of the cost to the taxpayer of each of the activities, both in budget summary tables, and from the appropriations data for each.

Third. Uniform organization and financing would facilitate comparisons among activities with respect to the gross additions they make to Federal and other assets, and to the liabilities of others to the Federal Government.

In opposition to uniform organization of all so-called business-type activities are these arguments:

First. Many different purposes are pursued in activities now organized as revolving funds, corporations, and regular departmental offices. Some of the funds are for management purposes,

some of the agencies are for public purposes where repayment and gain or loss considerations are minor or irrelevant, and lending or building are matters of policy rather than of market demand. Uniform organization as revolving funds would reduce congressional control over finances where policy considerations rather than gain or loss should dominate.

Second. Differences in the period over which loans are extended, or between supplying materials and constructing dams; and differences in appropriate arrangements regarding repayments, would make misleading the reports obtained from diverse activities cast into one organizational pattern conforming to business accounting concepts. If repayments of loans which had been made at low price levels were related to new loan disbursements of a year that followed a period of increasing prices for structures and equipment, experience under the program would appear unfavorable even though all repayment contracts had been fulfilled.

Third. The distinction between capital and current expenses does not require uniformity of organization.

Although these are the arguments offered on both sides of the budget question, I am of the personal opinion that the business of the Government—the business of the American people—should be conducted on a businesslike basis.

We need a national budget that is uniform and informative. Such a budget need not contain any more information than the present document, but the information would be presented more directly and in one place. I would include both working capital and long-term capital activities. Such a budget would be a capital budget, and it is that proposal that I ask Congress to consider.

CAPITAL BUDGET AN EXTENSION OF RECENT BUDGET DEVELOPMENTS

A capital budget would require extension of the business accounting principles which are only occasionally found in the present budget. It could not be prepared unless accounts reflecting the valuation of assets were to be developed. Estimates of real and personal property held by each agency of the Government have been developed, but real property accounts are rare in the budget. Related depreciation accounts have been developed for a few agencies, for example, TVA and GSA.

The financial statements of revolving funds ordinarily are not complete; many of the funds are only working capital funds. They are a device for management and accounting for operations similar to those conducted by private business, but, unlike a private business, the entities are not proprietorships and therefore not directed toward the increase of net assets. Net assets and profit and loss statements cannot be prepared without development of accounts for real property and equipment, showing both cost and changes in valuation as through depreciation.

Depreciation accounts are essentially measurements of an amount of costs that ought to be recovered from sales in each accounting period. When a salable product is not the goal of the activity and the Government is not intent on avoiding any net cost, depreciation accounts cannot perform their usual function. They measure an imputed cost, not current expenses which require financing. But if developed, they might be put to another use, to indicate when retirement and replacement of buildings and other assets will need to be considered.

Profit and loss estimates are used for CCC to determine the extent of capital impairment resulting from program operations. The amount of the impairment is restored or forgiven by the Congress so that the borrowing power and thus the lending power of the CCC remains undiminished.

A capital budget that is concerned with financial capital would require governmentwide development of profit and loss information.

Conceivably, however, a capital budget could be concerned not only with the measurement of the Government's capital, but also with capital as an increase in the productive power of the economic system. I think this is the key to the idea of the fully productive economy the Government is pledged to promote in the Employment Act of 1946.

Some of the information in the accounts developed with business accounting titles can assist in appraising the impact of Federal programs on the productive power of the economic system. Recent budgets have begun to measure the cost of Government activities, that is, the amount of work performed and materials used. This is supplementary to the usual information about the amount of funds obligated for a program. The difference between costs and obligations, as reconciling statements make plain, is a difference in the year to which the financial data refer.

Emphasis on costs may provide measurement of additions to assets in the year when they are built. Less desirable is the possibility that emphasis on costs will divert attention from aspects of Federal programs which are of first importance in times of economic change.

Whether cost and accrued expenditure figures measure the additions to productive capacity which result from Federal programs, depends on the object classifications used in presenting the data on costs.

The present classifications, and the organization of the textual and tabular materials in the budget, make it easier to obtain an overall view of the volume of only the broad classes of assets such as lenders' claims, public works, commodities, and equipment. A more detailed idea can be obtained only by reading the text of the budget plus the appended special analyses plus, in some cases, the justifications presented to the appropriations committees. The last of these do not become available in time to be of any real service to Members of Congress who are not on the appropriations committees.

While the text of the budget document and the special analyses appended to it disclose most of the details of the Government's capital expenditures, they do not have the effect of budgeting capital expenditures. They cannot be used to determine in detail what the Congress is authorizing for each program involving capital expenditures. The reason is that the text and the special analyses do not contain the same information, and that the two cannot be reconciled completely without an amount of strictly accounting work that would leave no time for reflection and further investigation.

Solution to the problem of providing usable information on assets would require an object classification that would disclose them, and then either a separate budget for investment and other programs involving additions to capital, or else including within the text of the budget the new information plus all that now appears in the special analyses. The former, I think, is more businesslike, more in conformity with usual accounting practices, although the latter would facilitate getting an overall view of the budget for economic analysis.

SHOULD DATA REFER TO COSTS, EXPENDITURES, OR OBLIGATIONS?

Aside from the arrangement of the material, is it stated on the basis that is most appropriate to Congressional action on economic problems? The emphasis is on accounting for work done—costs incurred—or of work paid for (expenditures). These are not adequate for analysis of the impact of Federal programs, as they also are not adequate for analysis of the position of a business or of the position of all businesses.

And they are totally inadequate for determining the desirability of new capital investment on the basis of our national needs.

HOW SHOULD CAPITAL BE DEFINED?

The problem then is to define capital and development expenditures. In the present budget, they are not identical. Capital outlays include loans and purchases of physical assets; other developmental expeditures are not considered capital. The definition of capital apparently turns on the length of life of the asset—whether it is a loan or is a physical asset.

Definition of developmental expenditures is not consistent with accounting or tax definitions of capital. But it is consistent with a definition of capital as additions to the longer term productive resources of the Nation. The basis of improvement in productivity is technological knowledge. Physical assets only embody technical knowledge. Expenditures which have the purpose of making substantial contributions to technological knowledge and to productive physical assets should be counted as capital, as they now are counted as developmental expenditures. Expenditures for development of knowledge should be marked as capital expenditures in the text of the budget and in an overall summary.

Expenditures for physical capital should indicate the purposes for which the expenditures are made, or for which costs are incurred, or for which orders are placed. The purposes include adding to the productivity of the shipbuilding industry, the agricultural industries, mining industries, electrical industry,

and others; to aid an industry to maintain profits as is done for local housing projects; to provide the construction required for water or highway transport, and so on. The exhibits should indicate how much of the expenditures are for purchase of land and existing facilities, how much for new construction, how much for administration, operation, maintenance and repair, and so forth. The information relating to additions to Federal assets should describe the productivity of the assets, their probable disposability, and the likelihood of profit or loss from them. The estimated life of the assets should be indicated in the original request for funds, and depreciation accounts of course need to be maintained where the useful life of the asset and the possibility of recovering its cost justify such accounts.

The practice now followed in the special analysis of public works, of indicating the eventual total cost of the program currently authorized and under construction, should be followed in all presentations regarding capital assets.

Capital assets would be distinguished in expenditure accounts and in balance sheets which ought to be prepared for individual agencies and departments, and in an overall balance sheet for all of the Government. Valuation accounts ought to be exhibited as offsets to the appropriate asset accounts. The kinds of valuation accounts that are desirable are a matter for debate. Probably depreciation should be computed only for assets that are put to some businesslike use. For similar assets used in programs that do not involve lending or any other operation yielding a monetary return, some sort of memorandum indicating the extent of deterioration and obsolescence may be desirable. But where the recovery of cost of a building is irrelevant to the financing of a program, the computation of depreciation is unnecessary.

Capital assets—and I stress this—should include only the productive assets. Military items which are built to be destroyed and are subject to very high rates of obsolescence should not be included in capital assets if the accounts are to measure additions to the productive power of the economic system.

Difference in the useful life of assets is the basis for separating capital from current expenses in accounting. In an enterprise conducted for profit the distinction between capital and current expenses guides the charging of cost against revenues in the years in which revenues are derived from the costs. The distinction is necessary in arranging the financial plan for the budget of the private enterprise. An obvious rule for separating capital and current charges is between assets with an expected useful life of 1 year and those with more than 1 year of useful life. This obvious rule is not always adopted in private accounting, nor is uniform adoption desirable. George May stated with respect to fixed assets that "A fixed property expense is one the benefit of which is expected to extend over a number of accounting periods; what number is a question to which no uniform answer can be given." The statement is understood to mean that the minimum number of years over which the benefit is yielded in order that a property may be classified as fixed, is uncertain. If a uniform rule were sought, it probably would require that the average useful life of the property be about 5 years.

The purpose of the business accounts for property is not to measure the life of the assets, but to charge the cost of them either against revenues in determining profit, or against accumulated income—surplus—of the enterprise.

The Federal Government does not face the necessity of recovering its payments for assets except as policy requires recovery. And policy may be oriented toward any of several purposes. Whether the assets are for Federal use, or are acquired by private persons with Government loans or aid payments, the length of their life need not influence the choice between taxes and borrowing and use of receipts from prior loans, by which the Government finances their construction or acquisition. Some public works, as well as loans, are productive of income, and repayment can be made to the Government. But the Government is not dependent on these repayments for its capacity to continue in operation or to continue to build public works or make loans. The Federal Government has the power to create money as well as to levy taxes. A 40-year loan therefore would not necessitate Federal borrowing for 40 years; and consequently does not need to be carried as a capital item in any Federal accounts by reason of its financing. The way the Government raises the money should depend on the needs the economic system has for more money or for restrictions on the money supply and income; and these considerations will overrule any artificial rules which might be set up relating to the financing of particular loans or Federal assets.

Capital assets should be distinguished not so much as a guide to methods of financing particular programs, but as a means of obtaining information about the contribution of the Government to the growth of the economic system.

The length of useful life of assets which are to be reported in the budget as capital assets perhaps could be stated in legislation, in order to bring uniformity among agencies and to accumulate significant information. Because of the large amount of repairs and maintenance on assets of short useful life, the minimum average life expectancy perhaps ought to be at least 5 years before an asset is counted as adding significantly to the stock of productive equipment. A further consideration is that agencies making working capital loans may extend credit for 5 years; economy in reporting would be gained by automatically ruling out their activities.

I think the greatest contribution to a better understanding of the assets owned by the American people and the desirability of expanding their productive quality would be a Federal capital budget.

It would demonstrate that funds—taxpayers' funds—spent by Congress for a dam or other project has value. It would total up what our people really own by way of property. I know that it would add up to billions and billions of dollars.

But even more important is the guide it would provide to the future.

We saw in this session of Congress a fumbling but necessary effort to ward off depression. It was done by expanding—at least in Senate-passed legislation—housing, roadbuilding, and community facility construction. But at no time was the Congress aware of the overall effect of these measures taken together. We took them up one at a time. We did not know exactly what the effect of each would be alone upon the economy, nor of all taken together.

A capital budget would make our problems much simpler. We would have a clearer idea of how to expand Federal public-work programs to meet the needs of the domestic economy. And our people would know that the money so expended was not on make-work projects.

The bill I am introducing at this time is only the most tentative proposal. I am not at all certain about the definition of "capital item" it contains. Perhaps the life of the item should be fixed; I hope that introduction of the bill will bring forth some expert advice on this point. Neither am I certain that the definition should be confined by law to those operations which yield income in the form of fees or charges. I put that in the bill only as a proposed definition.

I offer it in the hope that it will draw comment and suggestions between now and the opening of the 86th Congress from the people who have explored this critical field of Government finance.

Mr. President, I ask unanimous consent that the bill may be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) section 2 of the Budget and Accounting Act, 1921, as amended (31 U. S. C. 2), is amended by adding at the end thereof the following new paragraphs:

"The term 'current operations' when used in relation to the budget refers to all activities of any branch, department, agency, or instrumentality of the Government other than those involving the acquisition, operation, administration, or disposal of capital items.

"The term 'capital item' means any operation of any branch, department, agency, or instrumentality of the Government—

"(a) which will, as determined by the President upon advice furnished by the Director—

"(i) yield income in the form of fees or charges paid by the public for the use of certain facilities provided by such branch, department, agency, or instrumentality;

"(ii) involve the furnishing by such branch, department, agency, or instrumentality, under lease, or other contract, of real property or facilities to a Federal, State, or local governmental agency for a stipulated rental or other charge resulting in revenue sufficient to cover the cost of administering such property or facility and all principal and interest charges thereon;

"(iii) involve the holding and servicing by such branch, department, agency, or instrumentality, of revenue producing assets; or

"(iv) involve the acquisition of assets by such branch, department, agency, or instrumentality, for resale under specified conditions or circumstances; and

"(b) for which there has been approved by the President, for submission to the Congress, a definite plan for—

"(1) the issuance of securities of the United States, or of an agency or instrumentality thereof, for the designated purpose of obtaining the capital funds required for such operation; and

"(2) the repayment within a prescribed period of time of the principal amount of the funds so obtained, the interest payable upon such securities, and the costs involved in the administration of such operation from income derived from such operation, from annual appropriations to be made by the Congress chargeable to current operations of the Government, or from both such sources."

(b) (1) Section 201 of such act is amended by striking out so much of the second sentence thereof as precedes paragraph (a) and inserting in lieu thereof the following:

"The budget shall be transmitted in a form which separates receipts and expenditures for the various major categories of Government activities as follows:

"Part I—Current operations; cash items.

"Part II—Current operations; noncash items.

"Part III—Capital items.

"Part IV—Trust account operations.

"Part V—Debt operations.

"Part VI—Grand summary.

"There shall be set forth in the budget in such part or parts thereof, and in such form and detail, as the President may determine."

(2) Such section is further amended (A) by redesignating paragraphs (d) through (j) as paragraphs (e) through (k) respectively, and (B) by inserting after paragraph (c) a new paragraph as follows:

"(d) A summary statement of (1) the actual cash receipts and cash disbursements of the Treasury for the last completed fiscal year, and (2) the estimated cash receipts and cash disbursements of the Treasury for the fiscal year in progress, but such statement shall not include receipts and expenditures for capital items."

(c) The amendments made by this section shall be effective with respect to each budget transmitted to the Congress pursuant to section 201 of the Budget and Accounting Act, 1921, as amended, after the date of enactment of this act.

PROHIBITION OF CERTAIN ACTS INVOLVING IMPORTATION, TRANSPORTATION, POSSESSION, OR USE OF EXPLOSIVES

Mr. KENNEDY. Mr. President, on May 28, I called the attention of the Senate to the repeated defiance of law and authority evidenced by a series of bombings in which homes, churches and schools had been damaged. Since then there have been two additional bombings. In all, there have been 47 instances of such outrageous conduct.

It appears that this defiance of law and order is part of an interstate conspiracy, for the bombings follow a discernible pattern, and they seem to be directed at those of our citizens who have expressed their constitutional right to free speech, freedom to assemble, freedom of religion, and freedom to vote. In some instances there have been only a vague connection between the object of the attack and civil rights, but by telephone calls and other devices, the attackers have indicated that the explosions were designed as threats.

Regardless of the divergent views many of us may express upon civil rights, I know that all Members of this body and all citizens condemn this use of force and violence. The various State authorities have been unable to take effective action because of the interstate character of the offense. The Federal Government has indicated that it lacks authority to investigate until it can prove the interstate nature of the offense.

Although it is late in the session, and it is apparent that no action will be taken in this area before adjournment, I believe it would serve a useful purpose to consider what legislation would be appropriate to curb these criminal elements. I therefore introduce, for appropriate reference, a bill which, if enacted, will prohibit certain acts involving the importation, transportation, possession or use of explosives for these purposes. I hope that hearings may be held on this bill next year when I will introduce it again.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4327) to prohibit certain acts involving the importation, transportation, possession, or use of explosives, introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on the Judiciary.

RELIEF OF CERTAIN CIVILIAN EMPLOYEES OF THE NAVY

Mr. JOHNSON of Texas. Mr. President, I am sending to the desk, and sometime later today I expect to call up, H. R. 12212, for the relief of certain civilian employees of the Navy, some 16 individuals who performed service in connection with our program of aiding Turkey.

The minority leader has made this request. The House bill and the report will be on the desk, if any Senator desires to examine them.

The VICE PRESIDENT. The bill will be received; and will lie on the desk.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. YARBOROUGH:

Address delivered by him at Fort Worth, Tex., on August 3, 1958, at the annual Texas Department Encampment of the American Legion.

By Mr. SMATHERS:

Statement by him relating to the enforcement of Coast Guard regulations.

By Mr. JAVITS:

Report by him to the people of the State of New York, 85th Congress, autumn 1958.

By Mr. LANGER:

Statement prepared by him on work of World Tape Pals, Inc., and World Tapes for Education.

THE FACTS ABOUT OUR RELATIVE DEFENSE STRENGTH

Mr. SYMINGTON. Mr. President, it was not my purpose to talk again, at this session, on the subject of national defense. After reading the RECORD of day before yesterday, however, I believe some clarification is necessary.

As pointed out the same day by the distinguished junior Senator from Arkansas [Mr. FULBRIGHT], in one of his outstanding speeches on our foreign relations, the military segment of our overall security problem is but one of many. In effect, in normal times it is but an extension of our foreign policy.

Nevertheless, it is a vitally important segment, because no foreign policy, however wise in concept it may be, can succeed against the Sino-Soviets unless that policy is backed up by adequate strength.

The record shows that in their relations with foreign nations, the Communists respect only power.

That is my premise. Therefore, the people must have all the truth about our relative military strength vis-a-vis that of the Communists which will not help the possible enemy.

Consequently, I make the following observations:

First, in the debate Thursday there was an effort to show that mistakes were made before this administration took over. That is true. Mistakes were made prior to that time—and Korea proved it.

If in the Thursday debate any Member was attempting to tell the people this country is ahead in medium-range ballistic missiles, that is not correct. The Russians are well ahead of us.

If the implication was that this country is ahead in long-range ballistic missiles, that also is incorrect.

In this latter field, the Russians are at least 2 years ahead of the United States.

If there was implication that our submarine strength is equal, or almost equal, to that of the Russians, that is not correct.

If there was implication this Nation is not seriously deficient in airlift for both its ground armies—that is, the Army as well as the Marines—that is incorrect.

As the Senator from Arkansas [Mr. FULBRIGHT] pointed out, we have now reached the point where criticism results in the accusation that we are selling the country short.

This is a new line—a guilty-conscience line, now blended with the line that this country is well ahead.

A figure of 130 ICBM's was referred to by one Senator—and the assertion made that the United States had programs for producing more than 130 intercontinental ballistic missiles by 1962.

That is not correct—and it is very, very dangerous to our national security to assert that it is correct.

If the implication was that the missile program is now being run on a crash basis, based on what in business is normally considered a crash program, that is not correct.

If the implication was that we will soon have even one operational Polaris submarine, that is not correct.

The statement that the production rate on the Atlas intercontinental ballistic missile is rising is not correct. Obviously this could not be true, because to date this Nation has never made an operational ICBM.

The statement that the Russians are only a few months ahead in the intercontinental ballistic missile field is not correct.

The implication that under present programs the Soviets are not increasing their lead in the ICBM field is incorrect.

With respect to the reduction in previous estimated production of the longest range Soviet bombers—mentioned several times in the debate—that is true; the reason for the policy change being either their tremendous strides in the missile field, or their interest in a new bomber comparable to our interest in a new bomber.

But the Soviets still have many thousands more military jet aircraft than we do—including more bombers.

To me, the most unfortunate aspect of the presentations of August 21 is the fact there was a comparison of what this country could do, but does not plan to do—as against the best estimates of what the Russians are actually doing.

Mr. President, on the floor of the Senate July 21, 1954, in a talk entitled "The Intercontinental Ballistic Missile," I made the following statement:

Mr. President, have we now reached a period in America's history when we are even afraid to admit that danger exists, let alone face it?

Has our national spirit quailed to the point where we want our public officials to shield their eyes from unpleasant truth?

In the twilight of Greece's glory, the flabby citizens of Athens stoned messengers who brought them news of danger.

Have we Americans become so complacent amid our luxuries and pleasures that our leaders have become afraid of being punished if they point out what sacrifices are necessary to perpetuate our freedom?

If we are to survive in this dangerous world, the people must know the brutal truth about the growing military strength of the Communists.

In recent months, in what at times would almost seem a deliberate effort to confuse, we have been regaled with speculation about various new weapons and superweapons, atomic and nonatomic.

All possible means of delivering these new weapons have been analyzed and advocated—from old-fashioned cannon to satellite missiles.

It is important not to be distracted by unrestrained fancy—rather to isolate and examine what is known beyond all doubt.

That statement was true then. It is even more true today.

As this Congress adjourns, there are many things of which we cannot be certain, just as we did not know, when we adjourned last year, that the optimistic claims for our military policies would be blasted in a few weeks by the launching of the first sputnik.

Of one thing we can be very sure, however; namely, under our present plans and programs, the Sino-Soviet empire will be militarily stronger next January vis-a-vis the strength of the United States than it is today.

If we are not willing to face up to the facts, and thereupon act in recognition of those facts, this situation can only get worse instead of better.

In that connection, Mr. President, I ask unanimous consent that an editorial in the Washington Post of yesterday, August 22, entitled "File and Forget?" be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FILE AND FORGET?

President Eisenhower says that he considers American defenses adequate and more powerful than ever before. By the way, what ever happened to the Gaither report?

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. COOPER in the chair). Does the Senator from Missouri yield?

Mr. SYMINGTON. I have several other matters I should like to place in the RECORD, but I shall be glad to yield to the Senator from Pennsylvania if he wishes to comment on my recent remarks.

Mr. CLARK. I hope this clear and forthright statement by the distinguished Senator from Missouri will receive the attention in the press and across the Nation which it deserves. There has been a great deal of nonsensical talk about the state of our national defense, both on and off the floor of the Senate, in recent days. The Senator from Missouri is a man who has devoted his whole career in public life to our national defense, first in the executive department, and now, more lately, during 6 years in the Senate. He knows what he is talking about, and I hope the country will listen to him.

Mr. SYMINGTON. I thank my able and distinguished friend from Pennsylvania, whose continuing interest in our national security shall be a stimulus to all of us.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. MORSE. If we were not in the closing day of the session, I would speak at great length in answer to the speech made 2 days ago by the Senator from Massachusetts [Mr. SALTONSTALL]. I simply want the RECORD to show I consider the speech of the senior Senator from Massachusetts [Mr. SALTONSTALL] thoroughly unsound and, in my opinion, a speech that cannot stand careful analysis in view of the failure of this administration to give to the American people the defense protection they are entitled to.

I am delighted to have heard the Senator from Missouri [Mr. SYMINGTON] make his remarks this morning, because once again he has presented forewarnings to the American people, to which they had better give heed. In my judgment, everything he has said this morning is an effective rebuttal to much of the Saltonstall speech. But come next January, a group of us on this side of the aisle will continue to make clear to the American people that they have not been protected in their national defense needs by the Eisenhower administration.

Mr. SYMINGTON. I thank my able and distinguished colleague from Oregon, who is an authority in this field.

As we all know, the Rockefeller report recommended that we do a great deal more. Actually, we are doing less, particularly when we consider the decreasing value of the dollar, as we should to get a measure of actual effort. The Gaither report, so far as we know, recommended that we do much more. Actually, we are doing a great deal less. The Johns Hopkins study, as well as the report by the Committee for Economic Development, also recommended that we do more. Yet, we are doing much less.

I appreciate what my colleagues have said on this vital matter this morning.

INDICTMENT OF THE UNITED STATES SUPREME COURT

Mr. TALMADGE. Mr. President, the Association of State Supreme Court Justices is meeting this week in California. These are the highest judicial officers of the respective States and have had many combined years of judicial experience. Their committee on Federal-State relations has submitted a report that is the most severe indictment of the United States Supreme Court within the annals of American history. These judicial officers, who should know better than any other persons in America, have stated that our Supreme Court has entered upon legislation rather than judicial interpretation. Their report should be read by every American citizen.

I point out that of the nine Justices submitting this report, seven were from States outside the South, including the chief justices of Massachusetts, New York, Michigan, Wisconsin, Oregon, Minnesota, and Maryland. These justices can hardly be charged with southern bias.

David Lawrence, in his column in the Washington Star, dated August 22, 1958, has written a strong commentary on this report. I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SUPREME COURT IS REBUKED—TEN STATE CHIEF JUSTICES' CRITICISM OF LEGISLATIVE TREND IS CITED

(By David Lawrence)

The chief justices of the highest court in each of nine States—seven of them in the North—have just issued the most penetrating criticism of the decisions of the Supreme Court of the United States that has emanated from any source in recent years. They were joined by one associate justice.

Coming as it does at the very time when the Senate and the House here have been debating whether to pass laws to restrict the jurisdiction of the Supreme Court and in some instances to reverse some of the points on which the Court has erroneously interpreted the intent of Congress, the wording of the document is of more than passing interest.

The report of the committee on State-Federal relationships was made public at Pasadena, California, where the annual meetings of the Conference of Chief Justices and

of the American Bar Association are being held. The chief justices of Massachusetts, New York State, Michigan, Wisconsin, Oregon, Minnesota and Maryland can hardly be charged with a "southern bias." Indeed, the report of the chief justices did not mention the segregation issue at all but dealt solely with the abuse of the rights of the States by the Supreme Court of the United States. The document says in part:

"We are now concerned specifically with the effect of judicial decisions upon the relations between the Federal Government and the State governments. Here we think that the over-all tendency of decisions of the Supreme Court over the last 25 years or more has been to press the extension of Federal power and to press it rapidly.

"There have been, of course, and still are very considerable differences within the Court on these matters, and there has been quite recently a growing recognition of the fact that our Government is still a Federal Government and that the historic line which experience seems to justify between matters primarily of national concern and matters primarily of local concern should not be hastily or lightly obliterated. A number of Justices have repeatedly demonstrated their awareness of problems of federalism and and their recognition that federalism is still a living part of our system of government. • • •

"We believe that, in the fields with which we are concerned and as to which we feel entitled to speak, the Supreme Court too often has tended to adopt the role of policy-maker without proper judicial restraint. We feel this is particularly the case in both of the great fields we have discussed—namely, the extent and extension of the Federal power, and the supervision of State action by the Supreme Court by virtue of the 14th amendment. In the light of the immense power of the Supreme Court and its practical nonreviewability in most instances, no more important obligation rests upon it, in our view, than that of careful moderation in the exercise of its policy-making role.

"We are not alone in our view that the Court, in many cases arising under the 14th amendment, has assumed what seem to us primarily legislative powers. See Judge Learned Hand on the Bill of Rights. We do not believe that either the framers of the original Constitution or the possibly somewhat less gifted draftsmen of the 14th amendment ever contemplated that the Supreme Court would or should, have the almost unlimited policy-making powers which it now exercises.

"It is strange, indeed, to reflect that, under a Constitution which provides for a system of checks and balances and of distribution of power between National and State Governments, one branch of one government—the Supreme Court—should attain the immense and, in many respects, dominant power which it now wields. • • •

"It has long been an American boast that we have a government of laws and not of men. We believe that any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast. We find first that, in constitutional cases, unanimous decisions are comparative rarities and that multiple opinions, concurring or dissenting, are common occurrences.

"We find next that divisions in result on a 5-to-4 basis are quite frequent. We find further that, on some occasions, a majority of the Court cannot be mustered in support of any one opinion and that the result of a given case may come from the divergent views of individual Justices who happen to unite on one outcome or the other of the case before the Court.

"It seems strange that, under a constitutional doctrine which requires all others to recognize the Supreme Court's rulings on constitutional questions as binding adjudications of the meaning and application of the Constitution, the Court itself has so frequently overturned its own decisions thereon, after the lapse of periods varying from 1 year to 75, or even 95 years. • • •

"The Constitution expressly sets up its own procedures for amendment, slow or cumbersome though they may be. If reasonable certainty and stability do not attach to a written constitution, is it a constitution or is it a sham?

"These frequent differences and occasional overrulings of prior decisions in constitutional cases cause us grave concern as to whether individual views as to what is wise or desirable do not unconsciously override a more dispassionate consideration of what is or is not constitutionally warranted. • • •

"It is our earnest hope which we respectfully express, that that great Court exercise to the full its power of judicial self-restraint by adhering firmly to its tremendous, strictly judicial powers and by eschewing, so far as possible, the exercise of essentially legislative powers when it is called upon to decide questions involving the validity of State action, whether it deems such action wise or unwise."

The 10 justices declare, moreover, that at times the Supreme Court Justices seem to manifest an impatience with the slow workings of our Federal system and an unwillingness to wait for Congress to make clear its intention to exercise the powers conferred upon it by the Constitution.

The report says also that the Supreme Court seems to be impatient with the slow processes of amending the Constitution which that instrument provides, and that it should be adhering to the limitations of judicial power, instead of merely giving effect to what it may deem desirable.

This is a scathing rebuke of the present Supreme Court, though the criticism does go back in some instances to previous personnel as well. There can be no doubt that many men of the highest judicial experience in America have begun to question whether the attitude of the present Court isn't really legislative instead of judicial.

RESOLUTION OF MISSOURI DEPARTMENT OF VETERANS OF WORLD WAR I

Mr. SYMINGTON. Mr. President, at the request of officials of the Missouri Department of the Veterans of World War I, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a copy of a resolution adopted by the department at its State convention, May 18, West Plains, Mo.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the veterans of World War I, United States of America, are in need of economic aid for an American standard of living; and,

Whereas all war veterans groups, since the Revolutionary War, have been granted an age pension, establishing a 100-percent precedent for an age pension for war veterans for almost 200 years; and

Whereas the public charities and the Veterans' Administration has utterly failed to aid destitute old veterans of World War I, as evidenced by the veteran of World War I, who jumped from a 17 story window, last year in New York City because he was destitute and had been refused food and shelter by public charity and the Veterans' Administration; and

Whereas an age pension by H. R. 2201, will create a cash buying power in every Congressional District in the Nation, thereby aiding small business and stop the recession, and save the Nation from the danger of communism: Therefore be it

Resolved, by the Missouri Department of the Veterans of World War I, United States of America, Inc., at its annual convention, held in West Plains, Mo., May 17 and 18, 1958, That the Congress of the United States, is hereby respectfully requested and urged to promptly grant an age pension to the veterans of World War I, by passing H. R. 2201, at this session of Congress; and be it further

Resolved, That copies hereof be mailed to Members of Congress, asking their aid in helping their needy old war veterans who saved the Nation 40 years ago.

B. E. KOEGER,
Commander.
H. L. BRATTON,
Adjutant.

AN END TO NUCLEAR TESTS?

Mr. SYMINGTON. Mr. President, a thoughtful and constructive editorial appears this morning in the New York Times, entitled "An End to Nuclear Tests?"

I respectfully commend its contents to the interest of my colleagues, and ask unanimous consent that it appear at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 23, 1958]

AN END TO NUCLEAR TESTS?

The President's statement yesterday offering a beginning toward the ending of nuclear tests must be welcome to the great majority of Americans and, indeed, to all humanity. Speaking so soon after the successful conclusion of the Geneva technical talks on means of detecting nuclear tests, the President yesterday successfully met the challenge which the heartening cooperation of Eastern and Western scientists in Geneva had posed.

There are, we know, patriotic and devoted Americans in Washington who are uneasy about the President's decision. It is natural that officers in the Pentagon should want more tests to improve and refine nuclear weapons. A similar feeling is understandable in the Atomic Energy Commission. We can understand, too, those in Congress who, justifiably suspicious of the Soviet Union, wonder if the President's statement has not opened the way for our falling into a Soviet trap.

Nevertheless, we believe the President has done the right thing. He has chosen a course which for the moment at least walks successfully the narrow path between gullible acceptance of Soviet words on one side and on the other side callous—and politically stupid—disregard of the fear of millions of human beings. By his statement yesterday he has now put the Soviet Government in a position where it must put up or shut up, where it must agree to his reasonable offer in a reasonable time or take upon itself responsibility for resumption of atomic tests.

Whether justified or not—and it is an issue on which there is still much disagreement among scientists—millions of human beings have been and are afraid of the near and long term consequences of continued nuclear weapons tests. By playing upon that fear the Soviet Union and its allies have been able to win important propaganda advantages, posing as the opponents of continued nuclear tests and depicting us as mad imperialists determined to continue such tests regardless of consequences.

Our refusal to fall victims to the worst of this Soviet propaganda finally forced Moscow to send its scientists to work out a suitable method of enforcing a ban on future tests. We now offer to implement such a ban, provided such implementation is accompanied by progress toward actual disarmament, and the President's statement yesterday correctly stressed that ending the tests is not in itself a disarmament step. If the Russians refuse to meet our reasonable conditions we can, however reluctantly, resume testing. It is up to them.

AN UNDER SECRETARY OF STATE FOR LATIN AMERICAN AFFAIRS

Mr. SYMINGTON. Mr. President, on Wednesday, August 20, there appeared an editorial in Diario Las Americas, Miami, Fla., entitled "An Undersecretary of State for Latin American Affairs."

Mr. President, as world conditions now develop, it would appear of utmost importance that we give fullest consideration to our friends and neighbors in this hemisphere. This editorial, representing as it does some of the thinking of the junior Senator from Florida [Mr. SMATHERS], would appear to offer a unique and constructive approach to the problem.

Inasmuch as it is presented by one in the Senate who knows at least as much about this part of the world as any of our colleagues, I believe it to be of interest to all other Senators, and therefore ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Miami (Fla.) Diario Las Americas of Wednesday, August 20, 1958]

AN UNDER SECRETARY OF STATE FOR LATIN AMERICAN AFFAIRS

Senator GEORGE SMATHERS, of Florida, has submitted to the consideration of the Senate in Washington the idea of elevating to the category of Under Secretariat of State the regional offices which, within the Department of State, are in charge of the relations and affairs of the United States with the 20 Latin American Republics.

The proposal of the distinguished Florida Senator is of marked importance for inter-American relations and, if approved and adopted, will bring excellent results for the United States in her policies toward the above-mentioned Republics.

At present, the Assistant Secretary of State for Latin American Affairs and his immediate collaborators, all of them well prepared and enthusiastic Pan Americanists, have multiple limitations of political and administrative order in the discharge of their functions, limitations that would disappear, at least in part, with the creation of the Under Secretariat for Latin American Affairs, since these matters would be then within a higher category and could be resolved more promptly, or consulted in a more direct form with the White House, simplifying procedures when necessary.

In order that inter-American policies of the United States acquire more importance and increase in achievement, it is necessary that in the mind of the Federal Government a conviction exists that something substantial must be done to give new impulse to the foreign relations of this great country with her allies in this hemisphere. Without doubt, the proposed Under Secretariat, which logically would have adequate political support, would help immensely to that accelerated advance that inter-American relations require on the part of the United States.

Because of well-known reasons, the inter-American relations are at present having difficult moments of trial, which it is to be hoped will be resolved for the benefit of the prestige of the inter-American system and, besides, for the benefit of the world prestige of the United States. The 21 Republics of America must do everything in their power to strengthen the bonds which unite them, and each of the Foreign Offices, not only in Washington, are under the obligation of revitalizing their policies of inter-American reapproachment and cooperation, so that the solidarity of all the 21 Republics becomes a functional reality of reciprocal convenience.

A PROPHECY ON AGRICULTURE

Mr. SYMINGTON. Mr. President, the Congress has now passed a farm bill. This bill is of some immediate advantage to a few farmers, but of no permanent advantage whatever to nearly all farmers.

The American farmer faces problems even more serious than those of recent years, years in which the farmer's economic situation has steadily deteriorated.

Because it would appear that we may now be planning disaster, and because there may still be time to avoid it, herewith is presented an analysis of what is facing the feed-grain-livestock segment of our farm economy.

I have had business experience, and some agricultural experience in a cattle breeding operation. But my knowledge of the overall problems of agriculture was far from extensive when I came to the Senate.

Agriculture means much to my State, however. Missouri ranks among the top few States in farm cash receipts. Therefore, I sought membership on the Senate Agriculture and Forestry Committee; and have now served on that committee for over 2 years.

During these years I have come to realize that, in effect, operating a farm is but another private business, with its problems of inventory, of surplus, of profit and loss, of merchandising policy, and so forth; and although it does have its own peculiar problems, as does any other business, basically the reasons behind the success or failure of a farm are comparable to the reasons behind the success or failure of any bank or other private business corporation.

Well operated, a farm can succeed, provided it gets support reasonably comparable to that granted other segments of the economy.

Without that support, few agricultural undertakings can succeed over the long pull, regardless of their efficiency.

This is a serious matter, not only to the millions who now live on our farms, but also to the Nation as a whole. Unless the agriculture policies characteristic of this administration are altered, there is grave danger that agriculture will ultimately drag down the rest of our economy.

Mr. President, over a year ago I became alarmed at the continued build-up of feed-grain stocks held by the Commodity Credit Corporation.

Many others in the Senate shared my concern, and joined with me in passing a resolution on May 8, 1957, requesting the Secretary of Agriculture to conduct a thorough study of possible methods of improving the feed-grain price-support program.

The Secretary of Agriculture responded with a report on July 15, 1957. This report, among other things, said:

> The evidence is convincing that we should move in the direction of more freedom for our farmers to produce, unfettered by allotments determined by rigid formulas • • • the Government should adjust its farm programs in a manner designed to remove the constant infringements on farmer decisions.
>
> Therefore, it is herewith recommended that the price of corn be supported in the same manner as prices of other feed grains (0–90 percent of parity at the discretion of the Secretary without acreage allotments).

Elsewhere in the report the statement is made that under such a feed-grain program, prices would be expected to stabilize at about 60 percent of parity.

The Secretary's report also stated:

> And there would be the possibility that slightly lower livestock prices might result. However, net incomes of livestock producers might be as high, or almost as high, as under current support programs.

After that report was written, in the fall of 1957 this Nation harvested by far the largest crop of feed grains on record. As a result, next October 1 we shall have a record addition to surplus stocks.

The large crop in 1957 was produced in spite of the fact that several million feed-grain acres were made idle by the Soil Bank program.

The Department of Agriculture's August crop report indicates that the total feed-grain crop will establish a new record again this year. This record level is in spite of our now having 6.6 million corn acres in the Soil Bank; and also several million acres of cropland in the conservation reserve.

This year, as has been the case for the last several years, we shall have a production of feed grains which will be 5 to 10 percent greater than what is needed for domestic utilization and normal shipments abroad.

Mr. President, when we were discussing S. 4071, which incorporated the recommendations of the Secretary of Agriculture with respect to the corn program, I protested that the corn provisions were wholly inadequate and unrealistic.

Because of concern for the economic welfare of the producers of feed grains and livestock, I have had an analysis made of the probable supplies and prices of feed grains and livestock if the present trend toward Government abandonment of the farmer were carried to the ultimate by Secretary Benson and his aides.

Marketings of feed grains and livestock products account for 60 to 65 percent of the dollar value of all farm marketings.

At the present time, because of a combination of factors, meat animal producers are enjoying a more favorable level of prices and income than they have had for several years.

But they know, and we know, that this is because they have been sending fewer, rather than more, animals to market, while feed grains continue to pile up in the Government warehouses and storage bins of the Commodity Credit Corporation.

Our studies conclude that feed grain prices would drop quickly to 40 to 50 percent of parity if all price supports were removed and unlimited production permitted. This would be followed by a similar, but somewhat slower, decline in livestock prices.

Let us remember that on October 1 we will have a carryover of feed grains equal to two-thirds of a normal crop of corn.

Let us remember also that in spite of acreage allotments, 3 years of Soil Bank programs, and 4 years of foreign disposal programs under Public Law 480, we shall have record wheat stocks on hand at the end of this marketing year.

Moreover, it is not realistic to consider the effects of the removal of price support for feed grains in the next few years without allowing for either increased feeding of wheat, or increased production of feed grains on additional acreages diverted from wheat production.

I am advised by those most familiar with feed grain and livestock statistics that, after allowing for increased feeding of wheat up to 100 million to 150 million bushels a year, and allowing for an orderly reduction of feed grain stocks to about one-third of current levels over a period of, say, 6 or 7 years, we might expect total feed utilization by livestock producers to increase about 20 percent under completely uncontrolled market conditions.

If part of our tremendous wheat stock is utilized in this fashion—that is, for feed—corn prices will be forced down to 75 to 80 cents per bushel.

That would mean corn prices at 40 to 50 percent of parity. Of course, the prices of other feed grains would likewise be depressed.

If feed-grain supplies and prices sank to these levels, it is probable that broiler production would thereupon expand 40 to 50 percent, turkey production 20 to 30 percent, and egg production 10 to 20 percent.

It is also fair to assume that milk production would then be increased by 5 to 10 percent, due, in part, to the low prices for other livestock products.

Beef production, in all probability, would go up 10 to 15 percent. Hog production, which responds more promptly to increases in the supplies of feed grains, would probably increase by 25 to 35 percent.

With livestock production increasing to these higher levels, even though our population is increasing, livestock producers would receive even lower prices and lower incomes.

Those few poultry producers who in the next few years may be able to expand their broiler or turkey output rapidly and in substantial amounts may look forward to slightly higher incomes. In the absence of any Government cooperation in feed grains, however, most poultry producers would not share in this situation.

Other livestock producers would realize lower incomes. Hog producers, under such a market policy, with a 25- to 35-percent larger volume of marketings, could expect prices to average $10 to $12 per 100 pounds.

Consequently, the gross value of their sales, including the sale of the increased production, would be only 75 to 80 percent of the 1956–57 levels.

These are, indeed, dismal statistics. Based on the best information available, however, they are realistic and, therefore, need to be given careful consideration by all who are interested in the future of the family farmer.

The Department of Agriculture publishes information on farm costs; also returns on commercial, family operated, farms in different parts of the United States.

Information of this type is available for four different types of commercial, family operated farms, typical of those in northern Missouri and in the Corn Belt.

First are the hog-dairy farms in the Midwest, which receive about one-third of their income from the sale of dairy products. Another one-third is from the sale of hogs, and the remainder comes from the sale of cull dairy animals, poultry, eggs, and various other miscellaneous products.

In 1956–57 this type of farm had cash receipts of about $10,600 per farm.

If production of feed grains and livestock were expanded on Midwest hog-dairy farms over, say, the next 5 to 7 years in line with the estimated national totals under completely uncontrolled market conditions; and if prices declined as indicated earlier, hog-dairy farmers would receive about $1,000, or some 10 percent, less income each year than they received in 1956–57.

Production expenses would be higher for the larger volume of output; therefore it is estimated that net farm income would be at least 25 percent lower than in 1956–57.

Second are the hog-beef raising farms, typical of much of Missouri and the southern Corn Belt. They receive about half of their cash income from the sale of hogs, one-fourth from the sale of beef cattle, and the remainder from the sale of miscellaneous products.

In 1956–57, the average cash receipts for these farms were about $6,750.

Without any Government cooperation in feed grains and livestock products, cash receipts on these farms would drop about $600, or 9 percent.

That is not the whole story, however. With the increased expenses incident to the larger volume of production, it is estimated that net farm income would decrease by at least 20 percent.

Hog-beef fattening farms are also common in northern Missouri and other parts of the Corn Belt.

The average farm of this type purchased about $5,000 of feeder cattle and pigs for fattening in 1956–57, and had cash receipts of about $18,000.

In the next 5 to 7 years, in the absence of production adjustment or a price-support program, the average farm of this type might expect a decrease in cash receipts of $500 to $1,000. The critical result, however, would be the expected reduction of 20 percent in net income because of increased expenses associated with their larger livestock production.

On the more level lands in the corn belt, which would include many farms in northwest Missouri, cash grain farming is characteristic. These farms tend to be above average in size, and are highly productive.

In 1956–57, their average cash receipts were $13,800. In the absence of any Government cooperation, they might expect a reduction of $3,000 in cash receipts; and therefore a reduction in net income of 40 percent or more.

These statistics form a dismal picture for the future if present policies continue—from the point of view of both the farmers themselves and the country as a whole.

The United States is already producing excess supplies of feed grains. Furthermore, acre yields are increasing at a rate equal to, or greater than, the rate of our population increase.

To compound the problem, year to year increased efficiency in livestock feeding about equals our rate of population increase.

In other words, if we are going to utilize our expanding feed-grain production through livestock, we must immediately jump our rate of feeding more than 10 percent. Then we must continue to increase it on a yearly basis about twice the rate of population growth.

In other words, if we are to avoid piling up an even greater surplus of feed grains, livestock output must be expanded at about twice the rate of the population increase.

Few people realize how rapidly livestock producers have already increased their output. In the last 20 years, livestock farmers have been producing meat, milk, eggs, and poultry at a rate which permitted consumers to increase their consumption of animal protein from 1 to 1½ percent per year.

As illustration, consumers' diets now contain about 30 percent more animal protein per capita than in 1935–39.

Increases in per capita supplies have been greater in meat and poultry than in dairy products and eggs.

As compared to 20 years ago, consumers are now eating 36 percent more animal protein from meats, poultry, and fish on a per capita basis. That is 15 percent more than 10 years ago.

If feed production continues to expand as expected in the absence of any adjustment program, and this increase is channeled into livestock production, during the next few years per capita supplies of meat and poultry will increase another 10 to 15 percent.

There will also be an increase in eggs and dairy products.

At the present time, domestic consumers receive two-thirds of their proteins from animal products—about 64 grams of animal protein per capita per day.

If the increased supplies of animal protein are to be channeled through domestic consumption, meat and poultry prices can only decline sharply.

Under these conditions, more total dollars would be spent for increased supplies of meat and poultry. But after deducting the marketing charges on the increased volume, farmers would actually receive less money for their increased production.

It is estimated that, for the next 6 to 7 years, a 10-percent increase in per capita supplies of meats and poultry would mean 10 percent fewer dollars than all livestock producers received in 1956–57.

These are the economic facts of life.

The effect of these facts will, of course, vary to some degree in light of possible changes in consumer habits, distribution of per capita income, and fluctuations in the rates of inflation or deflation. However, they do reveal the projected seriousness of the farmer's relative position.

In summary therefore, according to agricultural specialists in the Department of Agriculture and the Legislative Reference Service of the Library of Congress, the ultimate effects of unlimited production with only a theoretical price or income supporting program would mean:

First. Feed grain prices at less than 50 percent of parity.

Second. Hog prices at $10 to $12 per hundredweight.

Third. Sharply reduced prices for other livestock products.

Fourth. Substantially less net income for feed grain-livestock producers.

My purpose in presenting this analysis is to point out to all farmers, and particularly to feed grain and livestock farmers, what they can expect if the present course of agricultural policy is pursued.

Fortunately, there are other alternatives if farmers decide they do not want to continue in the present direction.

The three I have in mind would be:

First. Producers may, through cooperative effort, with or without Government assistance, develop an adjustment program which would maintain production at levels commensurate with demand; and at reasonable prices.

Second. A program could be developed which would provide for supplementary distribution programs, both at home and abroad, thereby diverting a portion of the total livestock production into consumption outside of normal commercial channels. Technicians indicate that, for each $100 million of meats diverted from commercial markets, farm income is increased by at least $125 million. As example, Public Law 480 could be expanded to include significant quantities of meat and poultry.

Third. A compensatory payment program could be adopted, which would allow prices to seek their normal level in the market place, and at the same time would give the farmer a reasonable chance for a fair return for his products.

Any one or a combination of these three alternatives would be preferable to the present program.

However, it is not my purpose, at this time, to suggest the adoption of a specific feed grain-livestock program. Rather, this is an effort to present a factual analysis, with various alternative actions, regarding the serious problems facing this important segment of agriculture.

In this way farmers may be informed, and therefore will be able to choose the course they believe best.

Once given the facts and the opportunity to choose, I believe farmers will work out a program that will bring to them returns reasonably comparable to those received in other segments of the economy.

APPLICATIONS FOR WRITS OF HABEAS CORPUS

Mr. MORSE. Mr. President, I wish to introduce into the RECORD a series of items on H. R. 8361. I assure the Senate that if I am allowed to speak uninterrupted I will be within the time limit, if we add up the 3 minutes for each item.

Mr. President, I want to place myself on record as being opposed to enactment of H. R. 8361, and I should like to state briefly some of the reasons for my opposition to the bill.

This bill, as I understand it, would restrict the present use of the writ of habeas corpus in Federal courts and would limit the opportunity now afforded a prisoner convicted in a State court to seek a review in a Federal court.

When this bill first came to my attention, it immediately aroused my interest because it deals with the writ so vitally important in our judicial processes, the writ of habeas corpus. I sought to obtain copies of the hearings held on the bill, in order to learn more about it and to learn the arguments for and against its various provisions. I was surprised to learn that no hearings have been held on the bill or even the general subject covered by it during the course of the entire 85th Congress, and that the latest hearings on the subject matter took place more than 3 years ago in the other body. Under these circumstances, it was shocking to me to learn that the Members of this body were being asked to consider and act upon this bill now in such a hurried fashion and in the closing hours of the session. A matter as vital to our judicial system and our machinery of justice as the writ of habeas corpus is far too important to tamper with without the most careful consideration and a complete weighing of all the pros and cons.

Without question the writ of habeas corpus is one of the most important instruments the individual has in our society to protect himself against possible tyranny and injustice. The late Zachariah Chafee, one of this country's greatest authorities on civil liberties and rights, after a lifetime of study, reached the conclusion that the writ of habeas corpus was the most important of all the writs available to the individual in our judicial system to protect his rights and his freedom.

Since the writ of habeas corpus is so vital and indispensable to the protection of individual rights in our society, no action should be taken to limit or restrict its use in any way without the most serious consideration and careful scrutiny. I do not think that adequate consideration has been given to the present bill and for this reason, I am unalterably opposed to its enactment at this time.

But, Mr. President, my objections to this bill do not stop there.

Turning to the provisions of the bill itself, H. R. 8361 would limit authority of the Federal courts to issue writs of habeas corpus to those applications which present substantial Federal constitutional questions, first, which was not theretofore raised and determined; second, which there was no fair and adequate opportunity theretofore to raise and have determined; and third, which cannot thereafter be raised and determined in a proceeding in the State court, by an order or judgment subject to review by the Supreme Court of the United States on writ of certiorari. What this boils down to is that the proposed bill says that a State prisoner should have but one chance before the Federal courts to vindicate his constitutional rights, and that having had the opportunity to petition the Supreme Court for a review of his conviction in the State court, the prisoner should not have a second chance by habeas corpus.

Let me digress to say, Mr. President, that if a defendant had a poor lawyer who overlooked some constitutional right in the case of the first petition, he would forever be estopped from raising a question as to violation of his constitutional rights. Since when, I ask, have we reached a point in the United States when the protection of one's constitutional rights is going to depend upon the competency of a lawyer one hires in the first instance? The courts in this country for decades have made clear that it will be the court which will protect constitutional rights, irrespective of the competency of the lawyer who first represents the defendant in a case.

Therefore, Mr. President, I could not think of voting for a bill which seeks to close a door to a free man or woman in this country, who may happen to be a defendant in a case, to raising at the last step, if necessary, before a Federal court, a claim that his or her constitutional rights have been violated.

The bill further provides that an order denying an application for a writ of habeas corpus by a person in custody pursuant to a judgment of a State court shall be reviewable only on a writ of certiorari by the Supreme Court of the United States.

But, this procedure overlooks or entirely disregards the fact that denial of a petition for certiorari to review a State conviction does not mean that the petitioner has ever had a full review by the Supreme Court. In the leading habeas corpus case of *Brown* v. *Allen* (344 U. S. 443 (1953)), the Supreme Court pointed out that "the denial of a writ of certiorari imports no expression of opinion upon the merits of the case" because "a denial of certiorari means only that, for one reason or another which is seldom disclosed, and not infrequently for conflicting reasons which may have nothing

to do with the merits and certainly may have nothing to do with any view of the merits taken by a majority of the Court, there were not 4 members of the Court who thought the case should be heard." Thus the denial of certiorari is in no way an adjudication on the merits, and in making the denial of certiorari the conclusive adjudication of a petitioner's constitutional rights in the Federal courts the pending bill would in effect deny him even one fair hearing in the Federal courts.

Mr. President, I do not believe that even the proponents of the legislation intend that it should result in such a harsh denial of judicial review.

At this point, I ask unanimous consent to have printed in the RECORD a statement prepared by the Industrial Union Department of the AFL–CIO last July 8 which was sent to Senator OLIN D. JOHNSTON, chairman of the Subcommittee on Improvements in Judicial Machinery, opposing passage of H. R. 8361. This statement, in my opinion, ably expresses and amplifies the objection to the proposed legislation which I have just made.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Hon. OLIN D. JOHNSTON,
Chairman, Subcommittee on Improvements in Judicial Machinery, Committee on the Judiciary, United States Senate, Washington, D. C.

DEAR SENATOR JOHNSTON: There is pending before your subcommittee H. R. 8361, a bill recently approved by the House, which is designed to deprive the Federal courts of the authority they have exercised for nearly 100 years to determine by writ of habeas corpus whether persons imprisoned pursuant to State proceedings have been denied their constitutional rights.

The undersigned direct your attention to the enclosed memorandum on the pending bill, which demonstrates that there has been no showing of need for elimination of this traditional habeas corpus remedy in the Federal courts; that, on the contrary, the existence of the habeas corpus remedy has promoted greater solicitude in State proceedings for observance of constitutional guaranties and on occasion, where those constitutional guaranties have been evaded, has even saved the lives of persons unjustly convicted; and that by eliminating the time-honored habeas corpus remedy, the bill would deny persons imprisoned pursuant to State proceedings any effective hearing in any Federal court for the vindication of their Federal rights.

If your committee is considering taking any action on the pending bill, we request full public hearings at which we may express our most serious opposition to legislation depriving Federal courts of the habeas corpus power which serves as a foremost Federal safeguard of the constitutional rights of our citizens.

Sincerely yours,

ARTHUR GOLDBERG,
Industrial Union Department, AFL–CIO.

THE PROPOSAL TO DENY STATE PRISONERS THE PROTECTION OF THE FEDERAL WRIT OF HABEAS CORPUS

For some years there have been pending in Congress bills which would deprive Federal courts of jurisdiction to review applications for habeas corpus by persons in custody pursuant to a judgment of a State court except on a ground which presents a substantial Federal constitutional question (1) which was not theretofore raised and determined, (2) which there was no fair and adequate opportunity theretofore to raise and have determined. Proponents of this measure explain its effect in the following terms: "If the question has been raised and decided in the State court, that should end the matter. If the prisoner wishes a review, he should seek certiorari from the Supreme Court."[1]

The gist of the argument of the proponents is that a State prisoner should have but one chance before the Federal courts to vindicate his constitutional rights, and that having had the opportunity to petition the Supreme Court for a review of his conviction in the State court, the prisoner should not have a second chance by habeas corpus. But the proponents disregard the fact that denial of a petition for certiorari to review a State conviction does not mean that the petitioner has ever had a full review by the Supreme Court. The pending bill would thus deprive him of even one full and fair hearing in the Federal courts for the vindication of his Federal rights.

I. THE PROPOSED LEGISLATION WOULD DENY STATE PRISONERS A SINGLE FAIR HEARING IN THE FEDERAL COURTS

Proponents of the pending bill claim that if a prisoner has been denied a review of his case by the Supreme Court when he had opportunity to apply for a writ of certiorari from his State conviction, he has had his fair day in the Federal courts for the vindication of his constitutional rights. But this is plainly incorrect, as the Supreme Court itself took pains to point out 5 years ago in its decision in *Brown* v. *Allen* (344 U. S. 443, 488–514). There the Court reemphasized its traditional stricture (at pp. 491–492) that the denial of a writ of certiorari imports no expression of opinion upon the merits of the case, because a denial of certiorari mean only that, for one reason or another which is seldom disclosed, and not infrequently for conflicting reasons which may have nothing to do with the merits and certainly may have nothing to do with any view of the merits taken by a majority of the Court, there were not four members of the Court who thought the case should be heard. Thus the denial of certiorari is in no way an adjudication on the merits, and proponents of the pending bill who would make the denial of certiorari the conclusive adjudication of a petitioner's constitutional rights in the Federal courts would in effect deny him even one fair hearing in the Federal courts.

Furthermore, to limit recourse to Federal courts to the certiorari procedure may necessarily deny a petitioner any opportunity for Federal redress of his constitutional rights because of the inadequacy of the State record upon which his contentions are based. In *Brown* v. *Allen*, *supra* (at pp. 492–494), the Court analyzed the cases challenging State convictions by certiorari to demonstrate that in many of these cases it denied certiorari review simply because of the inadequacy of the record for the decision of the constitutional question:

"To treat denials of certiorari in cases in which applications for habeas corpus are subsequently made in effect as adjudications here, presupposes, at the least, that such 'determinations' are based on records of litigation in which issues are more or less carefully shaped by competent lawyers, as is after all true of the ordinary flow of certiorari cases. Such an assumption is shown to be wholly baseless by the study of the 126 certiorari files on which this opinion is based. It is also an assumption that falsifies the picture of the habeas corpus problems facing the district judge.

"These petitions for certiorari are rarely drawn by lawyers; some are almost unintelligible and certainly do not present a clear statement of issues necessary for our understanding, in view of the pressure of the Court's work. The certified records we have in the run of certiorari cases to assist understanding are almost unknown in this field. Indeed, the number of cases in which most of the papers necessary to prove what happened in the State proceedings are not filed is striking. Whether there has been an adjudication or simply a perfunctory denial of a claim below is rarely ascertainable. Seldom do we have enough on which to base a solid conclusion as to the adequacy of the State adjudication. Even if we are told something about a trial of the claims the applicant asserts, we almost never have a transcript of these proceedings to assist us in determining whether the trial was adequate. Equally unsatisfactory as a means for evaluating the State proceedings is the filing of opinions; in less than one-fourth of the cases is more than a perfunctory order of the State courts filed. We would have to have very different records and to alter our consideration of these cases radically if a denial could fairly be deemed to be an undisclosed decision on the merits."

Thus Supreme Court denial of certiorari review of a conviction in a State court may mean no more than that for reasons beyond the control of the prisoner the record is insufficient at that stage for an adequate Supreme Court review. Indeed, in *Sheffield* v. *La.* (348 U. S. 850), in the absence of a transcript of the trial the Court denied certiorari to review a State conviction and death sentence, but the Court went out of its way to point out that its decision was "without prejudice to petitioner to apply to the appropriate United States district court for a writ of habeas corpus."

At least one American citizen unjustly convicted is alive today because of the habeas corpus remedy which the pending bill would abolish. In 1952, one Camilo Leyra was convicted of murder notwithstanding his contentions regarding coercion in the obtaining of his confession, and sentenced to die (304 N. Y. 463, 106 NE 2d 673 (1952)). The Supreme Court denied certiorari (345 U. S. 918), thus refusing to review the case at that juncture. Subsequently Leyra sought a review of his conviction by means of the writ of habeas corpus in the Federal courts. This time the Supreme Court reviewed the case, concluded that his confession was invalid and reversed his conviction (*Leyra* v. *Deane*, 347 U. S. 556). Thereafter Leyra was tried again but his conviction was reversed by the New York Court of Appeals which found that "the prosecution has produced not a single trustworthy bit of affirmative, independent evidence connecting defendant with the crime * * *" (1 N. Y. 2d 199, 210, 134 NE 2d 475), and in April 1956. Leyra was finally freed.

Mr. Leyra's case gives dramatic illustration to the fact that the pending legislation would deny State prisoners even one fair hearing in the Federal courts for the vindication of their constitutional rights. Clearly, for Mr. Leyra as for every other defendant who seeks review in the Supreme Court from his State conviction, often on the basis of inadequate or nonexistent records, habeas corpus is an indispensable remedy. Habeas corpus saved Leyra's life, if it did no more than save one life in a decade or a century, the writ would serve an indispensable function in the vindication of the Federal Constitution and the right of the innocent to life and liberty.

II. NO ADEQUATE REASON HAS BEEN PRESENTED FOR THE ABOLITION OF THE HISTORIC CONSTITUTIONAL SAFEGUARD OF THE GREAT WRIT

The theory of the pending legislation has been vigorously criticized by the late Judge

[1] Hearings on H. R. 5649 before Subcommittee No. 3 of the Committee on the Judiciary, House of Representatives, 84th Cong., 1st sess., pp. 7–8.

Jerome Frank[3] and by Circuit Judge Denman.[4] The Supreme Court itself has vigorously rejected the idea that Federal courts are "authorized to deny an application for habeas corpus merely because the issues may have been considered by this court in denying a petition for certiorari."[5] Recently Justice Walter V. Schaefer of the Supreme Court of Illinois, the State from which the largest volume of habeas corpus petitions is filed by State prisoners, has added his voice to the opposition.[6] Judge Schaefer points out that the habeas corpus relief which the present bill seeks to abolish has not only provided an indispensable safeguard in the Federal courts not available by any other means, but that it has tended to assure a higher standard of care in the State courts themselves. Judge Schaefer concludes that "The existence of the Federal remedy has stimulated the State courts to devise post-conviction procedures. That stimulus should not now be removed."[6]

As against the safeguard provided by the habeas corpus remedy in the Federal courts and as against the salutary effect of this remedy upon State postconviction procedures, there is no showing that it has caused any undue burden upon the Federal courts since it was first enacted in 1867, nor that the pending legislation would actually diminish the number of cases arising under the habeas corpus provision. Thus during the year ending in June 1956, in all the Federal courts there were only 710 habeas corpus cases filed involving attacks on State imprisonment. In the previous year there were 660. The latest time-study report of the Administrative Office of the United States Courts showed that these habeas corpus cases represent less than one-half of 1 percent of the time of the district courts. Indeed, of the cases filed, ordinarily only about 5 percent ever reach the hearing stage. Under these circumstances it certainly cannot be said that this vital and time-honored remedy has placed any serious burden on the Federal courts sufficient to warrant its abolition.

Nor would enactment of the pending legislation diminish the number of habeas corpus cases initiated to review State imprisonment for State prisoners would undoubtedly continue to seek habeas corpus in the Federal courts. Many of the cases in this area involve denial of fundamental rights such as the right to counsel[7] or to a fair grand or petit[8] jury. Under the pending legislation if there has not been a "fair and adequate opportunity" to raise these issues in the State proceedings, habeas corpus is still an available remedy. Thus the passage of the pending legislation may actually create a greater burden upon the Federal courts, which will have the additional problem of deciding in which cases the petitioner had a "fair and adequate opportunity" to raise his constitutional contentions in State proceedings and in which he did not.

Finally, there are ambiguities in the pending measure which may give rise to voluminous and time-consuming litigation. Thus, for some unexplained reason the measure limits all Federal habeas corpus applications to those involving a substantial Federal constitutional question. There are important areas where State imprisonment does not raise any Federal constitutional question but is nevertheless invalid because in conflict with Federal statutes (see, e. g., *Pennsylvania* v. *Nelson* (359 U. S. 497); *Boske* v. *Comingore* (177 U. S. 459)). Why nonconstitutional Federal questions have been removed from the protection of the habeas corpus writ, and whether or not purposefully so, is unexplained.

Furthermore, the pending measure is a restriction on the jurisdiction of "a justice of the Supreme Court" rather than the Supreme Court itself. If this is an intentional emission, it would appear to impose upon the Supreme Court an unprecedented and possibly unconstitutional[9] flood of original applications for habeas corpus.

In sum, the pending measure does not appear to promise any reduction in the negligible burden imposed on Federal courts since 1867 by the habeas corpus jurisdiction to examine into detention of State prisoners. If anything, the legislation is likely to create an additional volume of complicated and time-consuming litigation in the Federal courts.

CONCLUSION

As the Supreme Court has recently stated:

"The uniqueness of habeas corpus in the procedural armory of our law cannot be too often emphasized. It differs from all other remedies in that it is available to bring into question the legality of a person's restraint and to require justification for such detention. It is not the boasting of empty rhetoric that has treated the writ of habeas corpus as the basic safeguard of freedom in the Anglo-American world. The great writ of habeas corpus has been for centuries esteemed the best and only sufficient defense of personal freedom."

Habeas corpus to review imprisonment by State authorities was granted to the Federal courts almost 100 years ago to safeguard the statutory and constitutional rights created shortly after the end of the Civil War. Unfortunately, the great civil rights then established in the Constitution and safeguards by the habeas corpus statute have not yet been secured to all American citizens. In many quarters there are practices which deprive citizens of their constitutional rights in the State criminal process. (See, e. g., *Kubanka* v. *Louisiana*, Supreme Court, October term, 1957, No. 550, decided May 27, 1958.)

We live in a time of greatly increased tensions, especially as concerns the effort to secure to all our citizens the equal protection of the law; some States have recently made use of their criminal processes for the very purpose of denying equality and equal protection to Negroes and those who support their cause. (See, e. g., *NAACP* v. *Alabama* and *Scull* v. *Virginia*, Nos. 91 and 929, Supreme Court, October Term, 1957.) This is certainly no time to abolish the protections of the great writ.

It may be that there are means other than habeas corpus to safeguard to every person convicted in a State criminal proceeding his right to a fair day in Federal court for vindication of his Federal rights. But the pending measure does not safeguard that one fair hearing; rather, it abolishes it altogether. If there is any compelling reason why Federal courts should no longer vindicate Federal constitutional rights, none has been advanced in support of the pending legislation. It is absolutely essential that public hearings be had and that Congress demand a compelling showing of need before it curtails the time-honored writ by which citizens may secure their freedom from unlawful and unconstitutional deprivation of life or liberty.

Mr. MORSE. Mr. President, one of the chief arguments made by the proponents of the bill is that under the present law dealing with writs of habeas corpus the Federal courts are being flooded with applications for such writs. The present bill is advanced as a plug for the hole in the dike. The truth of the matter is, however, that this bill, if enacted, will not prevent State prisoners from filing such applications, even though the applications might be acted upon unfavorably. The courts will still carry whatever burden they carry today. Instead of lessening the burden on the Federal courts, the bill would have just the opposite effect. For, in addition to deciding whether the bill stated a meritorious complaint, the courts will be confronted with the additional burden of deciding whether or not there has been a "fair and adequate opportunity" in the State courts to raise the issue complained of in the application.

And even if the bill did prove a plug in the dike insofar as the Federal district courts are concerned, H. R. 8361 would result in swamping an already overburdened Supreme Court with requests to review denials of writs by the lower courts. What possible justification is there for overloading the Supreme Court to make it a little bit easier on the lower Federal courts?

Mr. President, it is a primary responsibility of the United States courts to pass upon the Federal constitutional aspects of State action, regardless of what the views of the State courts may be. I do not think we should encourage our Federal courts to abdicate this responsibility. After all, constitutional rights have little meaning if we take away the means by which those rights historically have been enforced and protected.

Finally, Mr. President, I should like to point out that H. R. 8361 may well be unconstitutional. Article I, section 9, clause 2 of the Federal Constitution provides that "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." This provision is a limitation on the Congress as well as everyone else. Passage of H. R. 8361 would amount not only to a suspension of the writ, but an out-and-out denial of it in some cases. I shudder, Mr. President, over the headlong rush to enact legislation of such doubtful constitutionality, especially when there have been no public hearings on it and no opportunity to adequately consider whether it is constitutional or not.

Mr. President, even admitting that from time to time there has been some abuse of the writ of habeas corpus, such abuse does not alarm me. I consider it to be just another one of the necessary prices we pay to live in a democratic society. It is the price of trying to accord constitutional due process to every person, both guilty and innocent. I do not condemn prisoners for taking advantage of every legal means available to secure their freedom and their life. The desire to live and the desire to be free are two of the most compelling instincts of living creatures. Our Nation has long been known for its fairness and its humanity to those accused of breaking its laws. I do not think that restricting the historical writ of habeas corpus in order to

[3] See Hearings, *op. cit. supra*, n. 1, pp. 16–17.
[4] See statements filed with Senate Judiciary Committee in April and May 1956.
[5] *Brown* v. *Allen*, 344 U. S. 443, 496.
[6] See Schaefer, "Federalism and State Criminal Procedure." 70 Harv. L. Rev. 1.
[6] 70 Harv. L. Rev. at p. 24.
[7] See *Wade* v. *Maye*, 334 U. S. 672.
[8] See *Ex parte Hawk*, 321 U. S. 114.
[9] See art. III of the Constitution; *Mooney* v. *Holohan*, 294 U. S. 103.

make it easier for the courts is in keeping with that tradition.

Mr. President, I offer for the RECORD a series of statements and exhibits in opposition to H. R. 8361. I want this material contained in the RECORD, because thus far in this session of Congress the RECORD has been filled with what I consider to be unsound and fallacious material in support of the bill. In these closing hours I want the RECORD to contain what I consider to be unanswerable legal arguments against the bill, on which there have been no hearings in the Senate committee, but which reached the Senate calendar.

If it had not been for a group of us, and the wonderful cooperation extended to us by the majority leader, the danger was great that the bill might have been called up for a vote in the Senate; but had it been, or if it is still to be called up for a vote in the Senate in the closing hours of this debate, I assure the people of this country who have written to us urging protection of their habeas corpus rights that we will stand on the frontline in the debate for as long as may be necessary to stop this kind of invasion of constitutional rights and personal rights of the free men and women of this country.

I pledge that the senior Senator from Oregon will fight this bill until he drops, or until the people of the country can become aware as to what is involved in this attempt to encroach upon one of the most precious safeguards of liberty in our whole democracy, namely, the writ of habeas corpus.

In support of my position, I now ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a statement on this question by the American Civil Liberties Union.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF AMERICAN CIVIL LIBERTIES UNION OPPOSING H. R. 8361

My name is Irving Ferman. I speak on behalf of the American Civil Liberties Union as director of the Washington, D. C., office. The union is a private, nonpartisan organization, interested in the promotion of the Bill of Rights. It has interested itself for over 30 years in the protection of civil liberties of our citizens.

The union wishes to express its firm opposition to H. R. 8361.

When the framers of our Constitution wrote clause 2 to section 9 of article 1, they took for granted that the Federal courts would always provide a ready forum for those seeking the writ which is the greatest safeguard to our personal liberty embodied in the common law.

We feel that H. R. 8361 violates this intention of our Founding Fathers.

Indeed, in this very real sense, this proposal would violate clause 2 of our Constitution, by further limiting a prisoner access to Federal Courts on a writ of habeas corpus solely because the State courts have ruled against him.

Likewise, the provision making applications renewable only on writs of certiorari is objectionable. In a recent case, Rice versus Sioux City, the Supreme Court held that it acts on certiorari only in cases of great public interest. So, if this proposal is enacted into law, we could be faced with a situation where a violation of constitutional rights of grave concern to the individual, but not to the public, would go unremedied despite the guaranty of habeas corpus. This would be a shocking derogation of the privilege of habeas corpus, the most fundamental element of due process of law embodied in our Anglo-American tradition.

This bill is the result of recommendations of sorely pressed Federal judges whose courts have been flooded with habeas corpus petitions. We appreciate this concern. Indeed, our own organization is flooded with such applications with the request that we assist, as well as by requests from prisoners that we undertake to supply counsel to begin such actions. Since we ourselves turn down a goodly number of the requests for such aid and spend an inordinate amount of time in examining the papers submitted to us, we understand the concern of many judges.

The proposal before this committee will not cure this evil. Desperate men in our prisons will continue to file such petitions in undiminished vigor and with undiminished frequency. Nothing, of course, should prevent an individual from filing a petition for a writ of habeas corpus.

Of course, H. R. 8361 would give additional grounds for denying such petitions, but, nonetheless, the courts would still be under the duty of examining each petition to see whether the requirements of the proposal have been complied with. Added to this additional work for the judges would be involved, in all probability, litigation on whether the application was barred by the proposed legislation. On the other hand, in the absence of such legislation, the application itself might well have been disposed of with much less litigation and difficulty, on the merits.

In addition, an examination of the proposal before this committee poses questions which would result in burdensome litigation. First, subsection B refers to cases when a Supreme Court Justice or a circuit judge shall entertain an application for a writ of habeas corpus. But at the present time, there is no provision of law under which an individual Justice or a circuit judge may, in any event, entertain such an application. The application itself must be made to the district court; the circuit court will only hear an appeal from its disposition; no individual Justice of the Supreme Court or the circuit court may, in any event, entertain such an application. While the Supreme Court as a whole may entertain an original motion for a writ, in practice the Court has used its discretion to deny such writs and require that petitioners exhaust other judicial remedies first. But this section of the bill may lead many to think that the Congress has conferred power on individual justices and judges of the higher Federal courts to individually entertain writs of habeas corpus. Doubtless much litigation will result on this question. And whatever such litigation settles, there would doubtless be many prisoners unskilled in the law who would constantly be harassing individual judges for writs of habeas corpus.

Another confusion is caused by the last paragraph of the bill which makes an order denying an application for a writ of habeas corpus in those cases reviewable only on petition for writ of certiorari to the Supreme Court. Surely this is not meant to mean that a person denied the writ may appeal only to the Supreme Court, and that he cannot take an appeal to a United States court of appeals. But doubtless there will be litigation to establish this question, too. If, indeed, it is intended that the court of appeals be bypassed, this would seem to be an improper denial of the right to appeal. For the Supreme Court's failure to review on certiorari is discretionary; there may be many cases in which an incorrect district court decision would be set aside by a court of appeals but with which the United States Supreme Court would not intervene. Hence, to single out the class of persons in State custody and to deprive them of their right to appeal to a court of appeals, would be unjust. It would permit an erroneous decision of a lower court to stand, thus violating the equal protection of the law clause, since it arbitrarily discriminates against a particular class of persons, without any reasonable basis.

Even more litigation may be compelled by the requirement that a Federal court cannot entertain a habeas corpus application unless there was no fair and adequate opportunity theretofore to raise and have determined a Federal constitutional question. There would inevitably be serious questions as to what opportunities are fair and adequate. If a State court denied a habeas corpus motion without opinion, can it be told whether there was fair and adequate opportunity. If the section means that even the United States Supreme Court cannot on certiorari consider the Federal constitutional question, if there was a fair and adequate opportunity to raise it and determine it in the State courts, does this not debar the Supreme Court of its historic function of being the supreme authority on questions involving the United States Constitution and improperly delegate that power to a State court?

It seems to us that there are two alternatives to this legislation which would preserve constitutional rights and yet help ameliorate the unconscionable burden presently placed upon Federal courts. (1) If the State courts themselves more readily granted hearings on habeas corpus writs, there would be a better and clearer record for the Supreme Court to review on certiorari. If the Supreme Court then agreed to review such cases, the matter could be terminated then and there, without further recourse to the Federal courts. Similarly, if the State courts were more generous in granting hearings, doubtless many cases might be resolved upon the facts, so that, unless the findings seemed to be grossly against the evidence, the lower Federal courts would not have to hold any hearings or make any new findings, but could speedily and quickly deny the writ of habeas corpus, if in law it should be denied. (2) The other method of removing the burden from the lower Federal courts would be by Congress encouraging the United States Supreme Court to grant review when the matter first comes up through the State courts. Any such encouragement would be good from another point of view, in that lower Federal courts are understandably reluctant to interfere with judgments of the highest State courts, which poses in turn the danger of their leaning over backwards to uphold State court decisions. Conversely, it seems more appropriate, if there is to be interference with a State judgment, for such interference to come from the Supreme Court of the United States rather than from an inferior Federal court. At the present time Congress has confined review on habeas corpus cases to the discretionary method of certiorari. The result is that there may well be a violation of constitutional rights in a case but the Supreme Court will not review it unless it involves an important public question. To encourage the Supreme Court to take these cases when they first come through the State courts, it would seem appropriate to change the method of review to appeal. This suggestion, if adopted, would ease the task of lower Federal courts by allowing them to attach some significance to denial of review, recourse to the lower Federal courts would be deterred to some extent, and full constitutional rights preserved nonetheless.

We submit, in conclusion, that this committee report unfavorably on H. R. 5649 because it is confusing, vague, and derogates from the most fundamental guaranty of habeas corpus.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed

in the RECORD at this point a telegram which has been received from professors in various law schools, including Yale, Columbia, University of Pennsylvania, University of Chicago, Harvard, and the University of Texas, in opposition to the bill.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

AUGUST 13, 1958.

HON. LYNDON JOHNSON,
Senate Office Building,
Washington, D. C.:

As law teachers we are profoundly concerned at the action of the Senate Judiciary Committee in endorsing, without holding hearing, the habeas corpus bill which would so drastically curtail vital and historic segment of Federal jurisdiction. There have been no House committee hearings on the proposal other than those in 1955, and there have never been any Senate committee hearings to insure full and thoughtful committee inquiry into the fairness of the proposed legislation and into its impact on judicial administration, including particularly the work of the Supreme Court, we urge that the bill be returned to the Judiciary Committee for hearing. We are satisfied that any legitimate grievance with the present scope of Federal habeas corpus for State prisoners can be rectified without making such substantial inroads on Federal rights as the present bill entails.

Dean Jefferson B. Fordham, University of Pennsylvania; Dean Eugene V. Rostow, Yale; Professors Boris I. Bittker, Yale; Ralph S. Brown, Jr., Yale; Richard C. Conelly, Yale; Caleb Foote, University of Pennsylvania; Paul Freund, Harvard; Gerald Gunther, Columbia; Philip B. Kurland, University of Chicago; Monrad G. Paulsen, Columbia; Louis H. Pollak, Yale; Curtis R. Reitz, University of Pennsylvania; Albert M. Sacks, Harvard; Herbert Wechsler, Columbia; John B. Weinstein, Columbia; Harry R. Wellington, Yale; Charles A. Wright, University of Texas.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I have received from Prof. Louis H. Pollak, of Yale University, along with a copy of a telegram which sets forth the views of other professors of law in opposition to the bill.

There being no objection, the letter and telegram were ordered to be printed in the RECORD, as follows:

YALE UNIVERSITY LAW SCHOOL,
New Haven, Conn., August 14, 1958.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MORSE: For your information I am sending you a copy of a telegram sent to Senator LYNDON JOHNSON on August 12, with reference to the pending habeas corpus bill.

Sincerely,

LOUIS H. POLLAK.

AUGUST 12, 1958.

HON. LYNDON JOHNSON,
Senate Office Building,
Washington, D.C.:

As law teachers we are profoundly concerned at the action of the Senate Judiciary Committee in endorsing, without holding hearings, the habeas corpus bill which would so drastically curtail a vital and historic segment of Federal jurisdiction. There have been no House committee hearings on the proposal other than those in 1955 and there have never been any Senate committee hearings. To insure full and thoughtful committee inquiry into the fairness of the proposed legislation and into its impact on judicial administration, including particularly the work of the Supreme Court, we urge that the bill be returned to the Judiciary Committee for hearings. We are satisfied that any legitimate grievance with the present scope of Federal habeas corpus for State prisoners can be rectified without making such substantial inroads on Federal rights as the present bill entails.

Jefferson B. Fordham, Eugene V. Rostow, Boris I. Bittker, Richard C. Donnelly, Ralph S. Brown, Jr., Caleb Foote, Paul Freund, Gerald Gunther, Philip B. Kurland, Monrad G. Paulsen, Louis H. Pollak, Curtis R. Reitz, Albert M. Sacks, Herbert Wechsler, Jack B. Weinstein, Harry H. Wellington, Charles A. Wright.

Mr. MORSE. Mr. President, on the west coast there lived for many years a great judicial officer who has served the people of our circuit and the people of the United States in a most able fashion. I refer to the great Judge William Denman, who retired from the bench on July 3, 1957.

He is a keen scholar of judicial procedures. He is a keen scholar of the whole field of habeas corpus. There was received from him, under date of February 14, 1956, when there was an early attempt to undermine the protection of the writ of habeas corpus, a long memorandum, scholarly in nature, which I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

UNITED STATES COURT OF APPEALS,
NINTH JUDICIAL CIRCUIT, UNITED STATES POST OFFICE AND COURTHOUSE,
San Francisco, Calif., February 14, 1956.

Re H. R. 5649, depriving the Negro of the right to seek habeas corpus in the United States district courts.

Hon. HARLEY M. KILGORE,
Chairman, Judiciary Committee of the United States Senate, Senate Office Building, Washington, D. C.

DEAR MR. CHAIRMAN: I have advocated this bill as a member of the Judicial Conference of the United States—which drew and recommended it—and elsewhere. I now withdraw from that position and urge its defeat or amendment in the Senate for the following reasons:

The Conference drafted the bill and recommended it for enactment on September 23, 1954, after the anti-Negro segregation decision of *Brown* v. *Board of Education* (347 U. S. 483) on May 17, 1954. In these 4 months the revolt of the South against the Brown decision had not become apparent, the Emmett Till case had not been decided, and the climax of anti-Negro hatred had not been reached in the violence of the people of Alabama over the district court's order for admission of Autherine Lucy to that State university.

What H. R. 5649 does to the Negro is to take from him the right to apply for habeas corpus in any Federal court. In the Southern States it means that the questions of fact in such cases will be decided by a State judge elected by people in the passion shown in the Lucy case.

When the case from the State court finally reaches the Supreme Court that Court will have no power to reverse what in nearly all cases will be certain, namely, an anti-Negro judgment based on conflicting white and Negro testimony.

This means that H. R. 5649 should be defeated or amended to accomplish its main purpose which is to stop the abuses in repetitious applications for writs of habeas corpus by State felons. Such an amendment should give the applicant the right to make but one application except in the unusual circumstances provided for in 28 U. S. C. 2255 for Federal convicts. Unlike section 2255, the single application should be made to the Federal district court instead of to the State court trying the case.

Very faithfully yours,

WILLIAM DENMAN,
Chief Judge.

STATEMENT FOR THE STANDING SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY BY JUDGE WILLIAM DENMAN, CHIEF JUDGE, UNITED STATES COURT OF APPEALS, NINTH JUDICIAL CIRCUIT

I am William Denman, Chief Judge of the Ninth Judicial Circuit, and a member of the Judicial Conference of the United States. I am pleased to give a statement of my views for the subcommittee for improvements in judicial machinery in connection with its consideration of H. R. 5649 providing: "An act to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court.

"*Be it enacted, etc.*, That section 2254 of title 28, United States Code is amended by placing '(a)' before the present language of the section and adding thereto subsection '(b)' as follows:

"'(b) A Justice of the Supreme Court, a circuit judge, or a district court or judge (but not the Supreme Court) shall entertain an application for a writ of habeas corpus in behalf of a person in custody pursuant to a judgment of a State court, only on a ground which presents a substantial Federal constitutional question (1) which was not theretofore raised and determined, (2) which there was no fair and adequate opportunity theretofore to raise and have determined, and (3) which cannot thereafter be raised and determined in a proceeding in the State court, by an order or judgment subject to review by the Supreme Court of the United States on writ of certiorari.

"'An order denying an application for a writ of habeas corpus by a person in custody pursuant to a judgment of a State court shall be reviewable only on a writ of certiorari by the Supreme Court of the United States. The petition for the writ of certiorari shall be filed within 30 days after the entry of such order.'"

The omission of the Supreme Court, supra, leaves it the only Federal body which can consider applications for the writ of habeas corpus, it being so required by title 28, United States Code, section 2241 (a) which provides:

"Writs of habeas corpus may be granted by the Supreme Court, any Justice thereof, the district courts, and any circuit judge within their respective jurisdictions."

My statement has to do with the highly undesirable and generally unrecognized consequences of H. R. 5649 and with an alternative which would meet the problems sought to be remedied by that bill without its inherent dangers.

(A) THE BURDEN ON THE SUPREME COURT

A staggering burden will be imposed on the United States Supreme Court if Congress designates it as the only Federal court available to a State prisoner applying for a writ of habeas corpus. There is no reason to suppose that State prisoners would direct substantially fewer applications to the Supreme Court under the proposed bill than they presently direct to the district courts of the 11 circuits. There were 597 applications

made to the district courts by State prisoners in the fiscal year 1954.[1] In fiscal year 1955, the number had risen to 660.[2]

All nine Justices of the Supreme Court would have to examine each application to determine whether it alleged a prima facie infringement of constitutional rights. Then, as the law would stand if H. R. 5649 were enacted, in every case where the State prisoner's application made out a prima facie case the Supreme Court would have to hold a hearing, or make use of the other devices now available to the district courts,[3] to determine the facts.

Hearing witnesses, considering documentary evidence, and making findings of fact undoubtedly would take a great deal of time. It must be recognized that the responsibility of factfinding could not be delegated to a master or referee since title 28, United States Code, section 2243 now provides, in part, that the—

"Court [entertaining an application for a writ of habeas corpus] shall summarily hear and determine the facts, and dispose of the matter as law and justice require."[4]

Thus the net result of placing the burden of State prisoners' original applications on the Supreme Court would be to detract from that Court's ability to handle the appellate cases coming to it by appeal and certiorari. The Supreme Court would have to give such applications prompt attention.[5] To accomplish this, it would have to either give less time to each case or grant certiorari in fewer cases of public importance.

(B) IN EFFECT THE ACT DESTROYS THE EFFECTIVENESS OF THE HISTORIC CIVIL WAR HABEAS CORPUS AMENDMENT OF 1867

As the Supreme Court is now constituted its heavier work requires a 4-months' adjournment during which it can study matters to come before it for consideration. During this adjournment period no right to apply for habeas corpus would exist, thus giving the historic right an existence of but two-thirds of the year.

Even assuming the Supreme Court were never to adjourn, the factor of distance would mean that a right to make application to the Supreme Court for habeas corpus would not adequately guard individual freedoms. As previously pointed out, the hearing would have to be before the Supreme Court itself. This would require an applicant, say in Seattle, Wash., in San Diego, Calif., in Bangor, Maine, or in Miami, Fla., not only to file his application in Washington, D. C., but to go there himself[6] and bring his witnesses if the Supreme Court granted him a hearing.

An applicant would have to persuade witnesses to travel such a distance to appear. The necessary travel would increase the burden on a court-appointed attorney, the typical counsel in a habeas corpus case, with the consequence that even fewer lawyers would be willing to accept such assignments. Time-consuming distances would lead to even greater delays before hearings could be held than exist under the present law.

Moreover, distance would make it much more difficult for a prisoner condemned to die to present his application after State remedies had been exhausted. This is illustrated by *Thomas* v. *Duffy* (191 F. 2d 360 (Cir. 9, 1951), a case which I considered. I was advised by telephone at my home at 8:30 in the morning by the warden of San Quentin Penitentiary that a petition for a stay of execution, based on an application for a writ of habeas corpus, would be filed in my office by the time I reached it. I arrived there at 9, read the petition, and stayed the execution from 10 o'clock to 11 and then from 11 to 12, and then I granted the petition and ordered the execution stayed indefinitely. The application for habeas corpus was later heard. Under the proposed law the prisoner would have been executed at 10 o'clock that morning unless his petition for the stay and the application for the writ could have reached Washington, a decision made, and a stay issued and communicated to the warden by that time.

(C) RACIAL DENIAL OF JUSTICE IN CONFINING APPLICATIONS FOR THE WRIT OF HABEAS CORPUS TO STATE COURTS

It may be suggested that the State prisoners of all races and in all States should be deprived of any right to apply to a life term Federal judge for a writ of habeas corpus. Reliance on the elected State court system to protect the Federal constitutional rights of State prisoners and would not adequately protect those freedoms in many cases. In every habeas corpus case where a violation of due process is alleged, some court must determine first what happened and then apply a constitutional standard to the facts as found.[7] For example, in a case where a Negro prisoner alleged that his confession was coerced by smashing in his nose and closing his eyes an elected court must first determine whether the State police officer so treated the prisoner and it must then consider whether such conduct violated the guaranties of due process.

The proposed bill gives the United States Supreme Court full opportunity to reverse a State court when it misconceives the constitutional standard which was applicable. However, under this bill the responsibility for determining the facts of the case would rest almost entirely with the elected State trial judge who initially considered the application.

Unlike Federal judges who are appointed for life, most State judges are elected for fairly short terms.[8] Officials are elected to make them responsive to the will of the electorate. Unfortunately, those who elect trial judges in some States today, as in the past, have a prejudice against particular racial minority groups and would deny members of these groups their Federal constitutional rights in many situations.[9]

The present habeas corpus legislation was passed in 1867 to assure members of one such minority group the protection of their newly won rights by the independent Federal judiciary. During the 76 years between the adoption of the Fifth amendment and the Fourteenth the Negro could not seek any remedy in the courts for wrongs done him as he was a slave. The Civil War changed this. For 89 years the Federal district courts have considered the claims of those imprisoned in their districts that the State government had deprived them of life, liberty, or property without due process of law.

The events of the past year violently demonstrate that protection of the Negro's Federal constitutional rights by the independent Federal judiciary is still needed. During this time we have seen the mood of many individuals who live in our Southern States. One need only list what has happened in the Autherine Lucy case in Alabama, the recent acquittal of white men charged with the murder and kidnaping of a Negro in the Emmett Till case in Mississippi, and the defiance of the Supreme Court's decree ending segregation in public schools.

We know that the slavery of the Negro existed in the Southern States for over a century and a half after it had been abolished in the Christian nations of Europe. To justify this to themselves, Southerners taught their children and clergymen preached to their congregations and parishes the racial inferiority and necessary servility of the Negro race. Such beliefs are deeply and passionately held by a great percentage of the voters in many areas of the Southern States today. As a consequence, efforts to gain racial equality have stirred resentment.

It seems to me extremely unlikely that a State trial judge who decided a habeas corpus case in favor of a Negro in which, for example, there was divided evidence on a question of whether the Negro had been tortured into the confession of a crime of violence against a white man, would be reelected to his office.

The same would be true of a judge who decided in a habeas corpus case that the Negro's attorney had combined with the white prosecutor to procure a conviction, *Betts* v. *Brady* (316 U. S. 455 (1942)), or a judge who decided that the trial in which a Negro was convicted was dominated by a mob demanding a verdict of guilty. *Moore* v. *Dempsey* (261 U. S. 86 (1923)).

I am not reflecting on the courageous State judges who would treat these cases with the same detachment as a lifetime Federal judge not subject to the disapproval of the voters. What I am asking you to consider is the pressure to which an elected State judge would be subjected. All men are not courageous in such a situation.

We Californians are in no "holier than thou" position as shown by our history. You have heard the phrase "A Chinaman's chance." That was applied to the chance the Chinese had in their litigation against the white man before an elected State judge in the period when the Chinese were pouring into California prior to the passage of the Chinese exclusion bill in 1882. Chinese were as casually stoned, bludgeoned and killed as Negroes are shot today for persuading other Negroes to register to vote. The elected judges of California reduced the rights of these immigrants to a "Chinaman's chance" in response to this statewide bias.

This antioriental feeling is not entirely a matter of history in my State. One only need remember the reaction of many Californians to the Americans of Japanese ancestry living among them at the beginning of World War II.[10] Only a few months ago

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[1] Director of Administration, Office of U. S. Courts, Annual Report for fiscal year 1955, p. A–15 (1955).

[2] Ibid.

[3] See e. g., 28 U. S. C. §§ 2245–2249; *Brown* v. *Allen*, 344 U. S. 443 (1953).

[4] The Supreme Court has so construed section 2243, *Holiday* v. *Johnson*, 313 U. S. 342 (1941); *United States* v. *Hayman*, 342 U. S. 205, 213 n. 16 (1952).

[5] 28 U. S. C. sec. 2243 provides: "A court • • • entertaining an application for a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted.

"When the writ or order is returned a day shall be set for hearing, not more than 5 days after the return unless for good cause additional time is allowed."

[6] Distance would present a problem to State prison officials who would have to transport an applicant who had been granted a hearing to Washington, D. C.

[7] See the opinion of Mr. Justice Frankfurter in *Brown* v. *Allen*, 344 U. S. 443 (1953).

[8] In all the Southern States but Florida the trial judges are elected. Alabama Const., art. 6, sec. 152; Arkansas Const., art 7, secs. 19, 29; Georgia Const., art VI, sec. III; Louisiana Const., art 7, sec. 33; Mississippi Const., art. 6, sec. 153; North Carolina Const., art. IV, sec. 21; South Carolina, art. 5, sec. 13; Tennessee Const., art 6, sec. 4; Texas Const., art. 5, secs. 7, 15; Virginia Const., art. VI, sec. 99; West Virginia Const., art. VIII, sec. 10. In Florida he is appointed by the Governor and confirmed by the senate. Fla. Const., art. 5, sec. 8.

In California the trial judge is also elected. Calif. Const., art. 6, sec. 6.

[9] See discussion in *Romero* v. *Weakley*, 226 F. 2d 399 (Cir. 9, 1955), a case arising in California.

[10] This racially prejudiced reaction is set out in detail in Ten Broek, Barnhart, and Matson, Prejudice, War and the Constitution (1954).

an Olympic champion diver and doctor, who was an American of Korean descent, had great difficulty in buying a home in California.

You also know the phrase, "A good Indian is a dead Indian." When I was 15 years of age I shot duck with an aged hunter upon whom I used the phrase. He replied, "Oh, we made a lot of good ones. We were camped in the lower Sacramento Valley in 1843 and missed two horses. We then went over and killed every man, woman, and child that we could find in the Indian village nearby."

Some of the Indians escaped and buried the bodies. They were dug up 2 years ago with their smashed skulls and smashed chest bones, men, women, and children. Even today in the Far Western States one hears this phrase, "A good Indian is a dead Indian."

We cannot forget that in California we also have Americans of Mexican descent, another minority too often subjected to the effects of prejudice.

Similar attitudes exist throughout the United States to some degree. Only the spark of a crime of violence between white and nonwhite is needed to bring pressure to bear on the courts from the whites seeking revenge. Elected State judges would be required to stand up to that pressure. Not all will be able to do so.

Some may reply that the Supreme Court has the power to review the case on certiorari. However, appellate review of findings of fact is necessarily limited to determining whether there is evidence to support such findings.

An example may illustrate the point: Suppose a case like *Brown* v. *Mississippi* (297 U. S. 278 (1936)), where confessions were extorted from Negroes by torture. Suppose in a State habeas corpus proceeding a Negro condemned to death for first degree murder testifies that to obtain the confession on which his conviction was based, his face was beaten by State officers. This testimony is supported by that of a Negro doctor who treated the prisoner's torn face, and that of another Negro who testifies that he was with the prisoner when he was arrested, that at that time his face was untouched, and that he witnessed the beating which stopped only when the prisoner confessed. Suppose that opposed to this is the testimony of two white witnesses, the arresting police officer and one of his friends. They testify that the Negro's face was injured before the arrest, and that the Negro calmly made his confession under no duress.

A southern trial judge, near election time, finds that there was no beating. Under such circumstances that decision would be final. It would be impossible to say that the decision was not supported by evidence unless the United States Supreme Court were to radically broaden its scope of review in habeas corpus cases and hold a trial de novo.

It should be noted that the Committee of the Conference of the Chief Justices of the State Courts sought no such elimination of all Federal power to consider applications for writs of habeas corpus. On the contrary, it sought an amendment to title 28, United States Code, section 2254, making it read as follows:

"An applicant shall not be deemed to have exhausted the remedies available in the courts of the State, within the meaning of this section, if he has the right under the law of the State to raise, by any available procedure, the question presented (June 25, 1948 c. 646, 62 stat. 967). Such application shall not be granted by any district court or circuit judge unless it further appears that the prisoner has sought review of the State proceedings in the Supreme Court and unless the Supreme Court shall have denied relief and shall have expressly reserved to the prisoner the right to apply for habeas corpus to a district court or circuit judge solely upon the issues presented to the Supreme Court for review.[1]

I must admit that at the meeting of the Judicial Conference of the United States in the week of March 12, I raised some of my objections to the abandonment of the historic writ of 1867 at a time when racial feelings in one section of the country are inflamed. I proposed two amendments, but my motions were defeated, my vote being the only one in the affirmative.

(D) THE SIMPLE REMEDY TO AVOID REPETITIOUS APPLICATIONS OF STATE PRISONERS BY GIVING THEM THE SINGLE FEDERAL APPLICATION, PROVIDED FOR FEDERAL PRISONERS UNDER TITLE 28, UNITED STATES CODE, SECTION 2255

Prior to the adoption of section 2255, the Federal prisoners had the same right to husband their contentions and to repetitious applications that now exist for the State prisoners, and the same very large number of applications were filed. This situation was remedied by section 2255, making the single adverse decision res judicata.

The following statute amending title 28, United States Code, section 2254 would accomplish substantially the same result:

"An act to amend section 2254 of title 28 of the United States Code by relieving the courts of the multiplicity or applications for writs of habeas corpus by persons in custody pursuant to the judgments of the State courts.

"*Be it enacted, etc.,* That section 2254 of title 28, United States Code, is amended by adding thereto the following paragraphs:

"'The decision of the district court upon the application shall be res judicata of all issues of law and fact existing at the time of its filing, save those of fact then concealed from the knowledge of the applicant.

"'An order denying an application for a writ of habeas corpus by a person in custody pursuant to a judgment of a State court or an order denying relief if such a writ be granted shall be reviewable only on a writ of certiorari issued by the Supreme Court of the United States. The petition for the writ of certiorari shall be filed within 30 days of the entry of such an order.'"[2]

I strongly urge that you give full consideration to such a bill.

Mr. MORSE. Mr. President, when one reads the analysis of Judge Denman, one has an understanding as to why the senior Senator from Oregon has taken the position he has assumed on the floor of the Senate today, in opposition to the attempt, which was on its way, to undermine the rights of the American people to full protection under the historic habeas corpus writ.

Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief description of H. R. 8361, taken from the House report; also a legal analysis of the bill.

There being no objection, the description and analysis were ordered to be printed in the RECORD, as follows:

BRIEF DESCRIPTION OF H. R. 8361, TAKEN FROM HOUSE REPORT

Until recent years a judgment of a court, having jurisdiction of the parties and the subject matter, was binding everywhere until reversed on appeal by usual appellate procedures, or on writ of error.

A person imprisoned under the judgment of a court could be released on habeas corpus, only on a showing that the court was without jurisdiction to render it. However, recent decisions of the Supreme Court hold, in effect, that even though a court may have had jurisdiction at the inception of a case, it may lose jurisdiction as the result of the violation of a defendant's constitutional rights in the course of the proceedings, and that a person imprisoned under its judgment may seek relief through the writ of habeas corpus and establish the violation of such constitutional rights by evidence outside of the record made in the case.

These decisions led to the frequent use and abuse of the writ of habeas corpus by prisoners after conviction for crime. The matter was the subject of investigation by the Judicial Conference of the United States and, upon its recommendation, provisions were inserted, in 1948, in title 28, United States Code.

Section 2254 was directed at the abuse arising from applications by prisoners convicted in State courts who seek to have their convictions reviewed in the lower Federal courts.

This section, however, has not been effective in preventing the abuse because of the interpretation and construction placed on it by the Supreme Court in *Brown* v. *Allen* (344 U. S. 443) wherein the Court held that such a prisoner, after exhausting State court remedies, could, by filing a petition before a Federal district court judge, have the State court proceedings reviewed even where the judgment of conviction had been affirmed by the highest court of the State and certiorari had been denied by the Supreme Court of the United States.

PROVISIONS OF BILL

Under the instant bill, an application for writ of habeas corpus on behalf of a person imprisoned under the judgment of a State court may be entertained by a Federal court or judge only if it meets all three of the following conditions:

1. The question must be one which was not theretofore raised and determined in the State court proceeding.

2. Even if the question has not been theretofore raised and determined, it must appear that the prisoner had not had fair and adequate opportunity to raise and have his question determined.

3. Even if the question has not been raised and determined, and even if the prisoner has not had fair and adequate opportunity to have it determined, it must appear that it is a question which cannot thereafter be raised and determined in the State court by an order or judgment subject to review by the Supreme Court of the United States on writ of certiorari.

MEMORANDUM—H. R. 8361: FEDERAL HABEAS CORPUS FOR STATE PRISONERS

H. R. 8361, passed by the House of Representatives on March 18, is intended to meet three major criticisms of present Federal habeas corpus practice in regard to State prisoners. Those criticisms are that the jurisdiction, as exercised, puts a heavy burden on the Federal courts; that it causes unwarranted delays in the execution of State capital sentences, and that it affronts proper Federal-State relations.

The Department of Justice has recognized the need for corrective legislation. During the 84th Congress a bill identical to H. R. 8361 was endorsed. (H. Rept. 1293, 85th Cong., pp. 5–6.) However, further study of this complex problem has led the Department to the conclusion that in its present form H. R. 8361 will not remedy the existing evils in the habeas corpus practice as effectively as possible and may in some instances cause new difficulties, and that a modified version of corrective legislation would more adequately deal with the problem.

There now exist a number of restrictions on the exercise of Federal habeas corpus jurisdiction for prisoners in custody pursuant to the judgment of a State court. No Federal court may grant the writ unless the prisoner has exhausted all remedies available in the State courts. (28 U. S. C. 2254.) Such exhaustion of remedies must usually include a petition for certiorari in the Supreme Court of the United States. (*Darr* v. *Burford*, 339 U. S. 200.) If the prisoner had an adequate State remedy but waived it, he is foreclosed from Federal habeas corpus. (*Daniels* v. *Allen*, 344 U. S. 443, 482–7.) The Federal court need not reexamine findings of fact previously made by the State courts unless there was a vital flaw in the State proceeding. (*Brown* v. *Allen*, 344 U. S. 443.) The court need not entertain the application if the legality of the prisoner's detention has been determined previously in a Federal habeas corpus proceeding, unless the application presents a new ground not before considered. (28 U. S. C. 2244.) No appeal by the prisoner from a decision on a State prisoner's application for Federal habeas corpus may be taken unless a certificate of probable cause is issued. (28 U. S. C. 2253).

The proposed legislation would add to these restrictions the further rule that the writ may issue on behalf of a State prisoner only on a Federal constitutional ground which (1) has not been raised and determined, (2) there was no fair and adequate opportunity to have determined, and (3) cannot thereafter be determined in a State court proceeding subject to review on certiorari in the Supreme Court. The proposed legislation further provides that an order denying an application for the writ be reviewable not in the courts of appeals but only on certiorari in the Supreme Court.

The purposes of the legislation relate to the three areas of criticism of present habeas corpus practice as to State prisoners.

First, Federal district judges have repeatedly complained of the burden put on their time. (H. Rept., p. 2.) The strongest objection is to successive petitions filed by the same prisoner. (See H. Rept., pp. 13–20.) This practice is made possible by the present provision of title 28, United States Code, section 2244 requiring the Federal court to consider any new ground raised by a State prisoner; applicants assert a new constitutional ground in each successive application. The proposed legislation attempts to deal with this problem of the time burden on district judges by further narrowing Federal habeas corpus jurisdiction, as specified in paragraph 1 of the bill.

Second, there has been general criticism of the use of Federal habeas corpus to delay execution of State capital sentences. Again, the chief problem appears to be the filing of successive petitions by the same prisoner, each purporting to raise a new Federal constitutional ground on which to challenge the conviction. Appeal is sought from successive denials of the writ, and the execution is repeatedly stayed pending determination of the appeals. The provision of the proposed legislation limiting review of decisions to petitions for certiorari in the Supreme Court is intended to meet this problem of delay in capital sentences. (Rept., pp. 3–4.)

Third, the practice of lower Federal courts passing on the constitutional validity of convictions previously affirmed by the higher State courts has been critised as an affront to State dignity and a strain on Federal-State relations. The theory of H. R. 8361 is that, in any State which provides adequate means to test the constitutionality of a conviction, the only Federal review of the asserted Federal rights should be in the Supreme Court of the United States. (H. Rept., p. 2.)

A department study of habeas corpus practice in the lower Federal courts, of recent Supreme Court decisions and of relevant statistics suggests a number of shortcomings in the proposed legislation.

1. The legislation would probably have no significant effect in reducing the burden of the State habeas corpus jurisdiction on the Federal district courts.

At present, under the rule of *Brown* v. *Allen*, supra, the district courts may rely on the State court record in passing on a State prisoner's habeas corpus application unless there is a vital flaw in the State proceeding. As a result, most of the applications are denied after a mere reading of the moving papers. During 3 recent years the district courts held factual hearings on only 83 of some 1,993 applications. (Reports of the administrative office of the United States courts.) Only 0.4 percent of district court time is devoted to State habeas corpus cases. (Time study by the administrative office.)

The objection, then, runs not so much to the few cases requiring hearings but to the preponderant number of entirely worthless applications, many of them repetitive. The proposed legislation attempts to meet this problem by requiring the applicant to show that he had not had and does not have adequate means to have his constitutional question determined in the State courts.

But under the proposed legislation State prisoners could be expected to file in the Federal district courts about the same number of habeas corpus petitions as at present. The more informed and ingenious could easily assert that they had not had a fair opportunity to test their claims in the State courts. The petitions now filed indicate that prisoners by and large have been wont to make exaggerated claims, and it would not be too difficult to draft a petition appearing to meet the new requirements.

The district courts would still have to examine each petition to determine whether in fact it did meet the new jurisdictional standards. And this would not always be a simple question. Whether a petitioner has had a fair and adequate opportunity could be an arguable point. And it may be equally hard for the district court to discover whether the ground asserted has actually been determined by the State courts. This is so because the higher courts seldom write opinions in these cases. (Among the in forma pauperis petitions filed in the Supreme Court from State court decisions, fewer than one-fourth of the decisions below consist of more than a perfunctory order.) *Brown* v. *Allen*, *supra* (334 U. S. at 494.) In the end the district courts would certainly find the preponderant majority of the applications without merit, as is the case now, but there is likely to be no appreciable reduction in the work of passing upon the papers.

2. The legislation may have important effects, not so far considered, upon Supreme Court practice.

It is a truism that denial of certiorari by the Supreme Court implies no decision on the merits of the case. Especially is this so in the typical petition for review in a State criminal case. Most of these petitions are filed in forma pauperis, are poorly drafted, and are submitted in single typewritten or even handwritten copies. Justice Frankfurter's opinion in *Brown* v. *Allen* (344 U. S. 443, 493, 494) discussed the nature of these petitions in some detail:

These petitions for certiorari are rarely drawn by lawyers; some are almost unintelligible and certainly do not present a clear statement of issues necessary for our understanding, in view of the pressure of the Court's work. The certified records we have in the run of certiorari cases to assist understanding are almost unknown in this field.

Whether there has been an adjudication or simply a perfunctory denial of a claim below is rarely ascertainable. Seldom do we have enough on which to base a solid conclusion as to the adequacy of the State adjudication.

* * * * * *

We would have to have very different records and to alter our consideration of these cases radically if a denial could fairly be deemed to be an undisclosed decision on the merits.

The Supreme Court at present handles about 350 such petitions per term. It does not have the time for disposition of so many cases on the merits, nor does the Court have the facilities to examine the often obscure facts in these cases. As the law now stands, the Court can deny certiorari, where the facts are unclear, with the knowledge that a prisoner is free to seek habeas corpus in a Federal forum better equipped to find the facts, the district court.

Under the proposed legislation a denial of certiorari is intended to be the final Federal review of a State prisoner's constitutional claim. But the Supreme Court cannot be expected to base such a final decision on the unclear, inadequate records now available to the Court in many State criminal cases involving attempted relief by collateral attack or some postconviction remedey. Hence it appears likely that the Court would have to establish new procedures to handle these cases. Several alternatives are possible. The Court could appoint lawyers to investigate the facts as to each doubtful petition and make recommendations. It could grant certiorari and remand to a special master or possibly a Federal district court to hold factual hearings and report findings back to the Supreme Court. Or it could remand to the State courts with instructions to file findings of fact and conclusions of law which could be reviewed intelligently.

These alternative procedures all present obvious difficulties. Any of them would take additional time of the Supreme Court, whose caseload is already extremely heavy. And all run the risk of affronting State feelings just as much as present Federal habeas corpus practice.

Finally, all those habeas corpus applications which the proposed legislation would require lower Federal courts to deny could be filed directly in the Supreme Court for its consideration on the merits, further impinging upon the time which that Court should devote to more important cases.

3. The legislation may have the unintended effect of multiplying meritless appeals of habeas corpus decisions and increasing delays.

At present title 28, United States Code, section 2253, provides that the final order of a district court in a State habeas corpus case is subject to review, on appeal, by the court of appeals for the appropriate circuit, but only if a certificate of probable cause is issued. The proposed legislation, in limiting review to certiorari in the Supreme Court, makes no mention of this existing provision. Hence, it would appear to eliminate the requirement of a certificate of probable cause for review.

During the fiscal year 1956, the Federal district courts handled some 710 habeas corpus cases involving State prisoners. But during the same year there were only 50 appeals of such cases to the courts of appeals. (Report of the administrative office.) Many appeals evidently were cut off by the requirement of probable cause. In the absence of this requirement, many more State prisoners will undoubtedly seek review of adverse district court decisions by the only available method under the proposed legislation—certiorari in the Supreme Court. As indicated above, delays and difficulties in the disposition of these petitions can be anticipated. And the proposed legislation would not deal directly with the primary

[1] Hearings before subcommittee No. 3 of the Committee on the Judiciary on H. R. 5649, 84th Cong., 1st sess., page 94 (1955).

[2] Such a bill would also require amendment of section 2253 of title 28, United States Code, to eliminate appeals to the courts of appeal and the certificate of probable cause procedure.

cause of delay in executing capital sentences—the right of State prisoners to bring successive Federal habeas corpus petitions on asserted new grounds.

The conclusion of the Department, after study, is that an alternative approach would more effectively achieve the three chief purposes of H. R. 8361: To reduce the workload of the Federal courts, to end excessive delay in the execution of State capital sentences, and to ease Federal-State friction resulting from the habeas corpus jurisdiction.

This alternative legislation would have three main provisions. They can be summarized as follows:

1. Require a State prisoner to raise in his first petition for Federal habeas corpus all grounds which he can then raise.

The most prominent abuse in present habeas corpus practice would appear to be the filing of repeated petitions by the same prisoner. This is made possible by the provision of title 28, United States Code, section 2244, requiring the Court to consider the petition if a ground not previously raised in the Federal courts is presented. The burden on the Federal courts, and the delays in execution of State sentences, could be sharply reduced simply by amending this section to provide that a Federal court need not entertain a State prisoner's application unless it raised grounds which had not previously been decided in a Federal habeas corpus proceeding and which the prisoner could not have raised in an earlier proceeding.

2. Provide that a Federal court shall not grant a hearing on a State prisoner's application for habeas corpus unless the State record fails to provide an adequate basis for determining the merits of the claim.

Since the decision in *Brown* v. *Allen*, supra, most district courts have disposed of State prisoners' applications by reviewing the State record, without holding a factual hearing. Such hearings are a possible source of Federal-State friction and of delay, and it would seem desirable to codify and amplify this rule by statute. The legislation could provide that a Federal court might order a hearing on a State prisoner's habeas corpus application only after reviewing the available State records and finding that they provided an inadequate basis for determining the merits of the claim.

3. Provide that no State prisoner may be released on Federal habeas corpus except with the approval of the Supreme Court.

It is the deep feeling of many that decisions of the higher State courts should not be upset in the Federal judicial system except by the Supreme Court. There is a direct way to accomplish this end without requiring the Supreme Court, as discussed above, to deal with large numbers of factually unclear petitions for review. This is to provide that the respondent in any such habeas corpus proceeding (the State or its official) may have review of a final decision in favor of the prisoner by appeal to the court of appeals, and then (if necessary) by direct appeal to the Supreme Court rather than certiorari, and to provide that the order granting the writ shall not become effective unless and until it has been affirmed by the Supreme Court. Such a provision would require the Supreme Court to decide on the merits not the whole gamut of in forma pauperis State cases, but only those few cases in which petitioners have been successful in the court of appeals. The Federal district courts would be able to get the facts when necessary but would not have independent authority to order release of a State prisoner; neither would the court of appeals have such authority. The State would be protected not only by the normal review in the court of appeals but by appeal as of right to the Supreme Court.

The attached draft of a revised bill incorporates these three provisions.

A BILL TO AMEND TITLE 28 OF THE UNITED STATES CODE IN REFERENCE TO APPLICATIONS FOR WRITS OF HABEAS CORPUS BY PERSONS IN CUSTODY PURSUANT TO THE JUDGMENT OF A STATE COURT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

1. That section 2244 of title 28, United States Code, is amended by striking therefrom the phrase "presents no new ground not theretofore presented and determined," and inserting in place of that language the phrase "fails to present a new ground which could not reasonably have been presented and determined on the prior application,";

2. That section 2253 of title 28, United States Code, is amended by adding at the end thereof a new paragraph as follows:

"In a habeas corpus proceeding in behalf of a person in custody pursuant to the judgment of a State court, any decision by a Justice of the Supreme Court, a court of appeals, a circuit judge, or a district court or judge which orders the release from custody of that person shall be stayed pending appeal by the respondent, and process ordering such release shall not issue unless and until the Supreme Court has affirmed that decision or the respondent has failed to appeal within the time allowed. The respondent in a habeas corpus proceeding in behalf of a person in custody pursuant to the judgment of a State court shall have a right of appeal without a certificate of probable cause to the court of appeals, from such a decision by a circuit judge or a district court or judge, and to the Supreme Court, from such a decision by a court of appeals or a Justice of the Supreme Court, and in each case the appeal time shall be 30 days.";

3. That section 2254 of title 28, United States Code, is amended by placing "(a)" before the present language of the section and adding thereto subsection "(b)" as follows:

"(b) An application for a writ of habeas corpus in behalf of a person in custody pursuant to the judgment of a State court shall be denied without hearing if the records of State proceedings made available to the judge, court, or justice considering the application demonstrate that the petitioner's claim is without merit."

RESOLUTIONS ADOPTED BY THIRD ANNUAL CONVENTION OF OREGON STATE LABOR COUNCIL, AFL–CIO

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks a series of resolutions adopted by the Third Annual Convention of the Oregon State Labor Council, AFL–CIO, held recently in Roseburg, Oreg.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

AUGUST 15, 1958.

OREGON CONGRESSIONAL DELEGATION: Complying with the instructions of the Third Annual Convention of the Oregon State Labor Council, AFL–CIO, the attached resolutions are being forwarded to you for study.

Very truly yours,

J. T. MARR,
Oregon State Labor Council, AFL–CIO.

RESOLUTION 14

Whereas although the Pacific Northwest is currently enjoying a surplus of power but at the same time is unable to attract industry in relation to that surplus because it is temporary; and

Whereas the Pacific Northwest has undergone two power shortages in recent years; and

Whereas Pacific Northwest Senators have introduced a bill providing for a regional power corporation which, in their opinion, is the best available method for improving the financing and administration of the region's power program to assure a more adequate, low-cost and long-range power supply, and at the same time to assist sound development of water resources: Now, therefore be it

Resolved, That the Oregon State Labor Council, AFL–CIO, assembled in convention at Roseburg, Oreg., August 4–8, 1958, endorse the regional corporation principle; and be it further

Resolved, That the Oregon State Labor Council urge Congress to give early consideration to an attempt to solve the power problem of the Pacific Northwest; and be it further

Resolved, That a copy of this resolution be sent to the entire Oregon Congressional delegation.

RESOLUTION 28

Whereas an amendment enacted in 1949 excludes from the protection of the Fair Labor Standards Act of 1938 employees of forestry and logging operations in which not more than 12 employees are employed; and

Whereas even major lumber producing employers in the western lumber industry are now exploiting their employees, through the amendment, by contracting their logging operations to small groups of 12 or less employees; and

Whereas this results in eliminating from the protection of the Fair Labor Standards Act of 1938 approximately one-third of all the employees of a major western industry; and

Whereas this leads to longer hours at lower wages and to increased unemployment in a basic western industry already afflicted with serious unemployment and economic insecurity; and

Whereas this exemption encourages unfair competition to fair logging operators who try to maintain fair wages, hours, and safe working conditions: Therefore be it

Resolved, That the State Labor Council, AFL–CIO go on record supporting legislation providing for fair labor standards for employees in operations of 12 or less employees.

RESOLUTION 31

Whereas there are 51.9 million acres of tree planting area remaining to be seeded in the United States; and

Whereas planting so far has been too slow in view of the projected demands for timber and the need to get presently understocked areas into production and to keep them producing; and

Whereas planting offers an effective way to restore some nonstocked lands to productivity, to improve stocking some poorly stocked land, and to shorten the lapse of time waiting for natural regeneration; and

Whereas diseases cause 22 percent of the growing stock mortality and 56 percent of the growth loss, representing 45 percent of the impact on total national growth; and

Whereas the impacts of many of the diseases can be materially lessened through corrective silvicultural measures; and

Whereas insects kill 28 percent of the growing stock and 10 percent of the national growth in the West the percentage figures are much higher; and

Whereas insect control can be hastened through artificial propagation and by modifying timber stands so as to make conditions less suitable for insect attack; and

Whereas the watershed protection services being performed by our forests are below par; and

Whereas such devices as terraces, contour trenches, water spreaders, diversion ditches, and check dams must be installed in order

to control erosion and encourage infiltration of water into the soil; and

Whereas about 300 million acres of forest land could be used for additional recreation purposes to meet great increase in future population; and

Whereas very little is being done to interest young men to work in the lumber industry; and

Whereas young men without higher education opportunities are finding it increasingly difficult to get jobs; and

Whereas social delinquency and crime are on the increase among young unemployed men during this recession period: Therefore be it

Resolved, That this 13th annual convention of District Council No. 9 go on record in support of a proposition to institute a setup similar to the old Civilian Conservation Corps; and be it further

Resolved, That we call upon the international union and the national AFL–CIO to recommend to the United States Congress legislation toward this end; and be it finally

Resolved, That the program be designed to provide forest improvement, thinning, tree planting, gathering forest seed, fighting forest fires, building access roads and truck trails, doing general research into better silvaculture methods, developing additional recreation facilities, improving wild life reserves and grazing areas, and building watersheds.

RESOLUTION 38

Whereas the Interstate Commerce Commission has scheduled a hearing for August 18 in San Francisco, on the case designated as Investigation and Suspension Docket No. 3933—Lumber-California & Oregon to California and Arizona; and

Whereas this case involves the question of modification or adjustment of present rates on lumber shipments from Oregon to California and Arizona points primarily; and

Whereas the matter of rates applied to the shipment of lumber from Oregon is of vital concern directly to the lumber industry of Oregon and to the workers in the industry and indirectly to the economy of the State; and

Whereas many interested Oregon parties may not be able to participate in the hearing if it is to be confined to San Francisco, but who would be able to contribute their views and opinions if a part of the hearing were scheduled to be held in Oregon: Therefore be it

Resolved, That the Oregon State Labor Council go on record requesting that a part of the hearing on ICC Docket No. 3933 be held at a central location in Oregon; and be it further

Resolved, That the Honorable HOWARD FREAS, chairman of the Interstate Commerce Commission, Washington, D. C., be advised of this urgent request; and be it finally

Resolved, That copies of this resolution be sent to the Congressional delegation from Oregon.

RESOLUTION 43

Whereas the continuing greatness and prosperity of any people or nation is primarily dependent on the health and virility of each succeeding generation; and

Whereas in a world of fierce competition among nations we in America can no longer afford to be profligate in our attitude toward the younger generation, since none of our children are expendable; and

Whereas nearly all of the Western nations recognize this priceless resource by providing a family allowance that cares for the bare minimum of needs to rear a child free from malnutrition, exposure, and disease, thus assuring a healthy and virile new generation capable of supporting an ever-increasing load of elders; and

Whereas the family allowance is tax money returned to the family mother with instructions that it be used only for the benefit of the child, and has proved successful in all countries where it is now employed; and

Whereas it is not only the privilege, but the duty of organized labor to lead in social improvements in the same manner, and with the same daring as used by Samuel Gompers when he sponsored public schools: Therefore be it

Resolved, That we favor a family allowance for the United States similar to that now in effect in Canada and other Western countries; and be it further

Resolved, That the Oregon delegation be invited to sponsor such legislation in the Congress of the United States and work for its enactment.

RESOLUTION 45

Whereas the Oregon State Industrial Accident Commission recognizes services rendered by licensed, qualified chiropractors, covering treatment resulting from injuries on the job; and

Whereas most health and welfare programs established through unions and employers recognize and provide for such services; and

Whereas under the present law the Veterans' Administration is not permitted to furnish such services for those disabled veterans who are eligible for and desirous of such services: Now, therefore, be it

Resolved, That this 41st semiannual convention of the Oregon State Building and Construction Trades Council, convening at Roseburg, Oreg., August 2 and 3, go on record in favor of the enactment of such laws which would permit the Veterans' Administration to furnish the services of licensed, qualified chiropractors for those disabled veterans who are eligible for and desirous of such services; and be it further

Resolved, That copies of this resolution be sent to our representatives in Congress, seeking such legislation; and be it further

Resolved, That such Federal legislation include a provision for those States whose requirements for chiropractic licensure provide for 2 academic years of preprofessional education at the college level, and 4 academic years of professional education, with a minimum of 4,000 hours; and be it further

Resolved, That this resolution be introduced by the Building Trades Council at the third annual convention of the Oregon State Labor Council, AFL–CIO, convening at the Indian Theater, Roseburg, Oreg., August 4, requesting they take similar action.

RESOLUTION 58

Whereas contract negotiations of Portland Newspaper Guild Local No. 164, AFL–CIO, representing reporters, photographers, editors, artists, and circulation office workers with the Oregon Journal and the Oregonian are hobbled by refusal of the firm to disclose detailed policies on health, welfare, and pension programs; and

Whereas threat of a strike of the two Portland newspapers is growing nearer, posing the chance of shutdown of newspaper community services affecting the State of Oregon: Therefore be it

Resolved, That the Oregon State Labor Council, AFL–CIO, at its annual convention convened in August 1958, does hereby go on record endorsing Federal legislation such as proposed in 1 of the 2 measures recommended by the Senate McClellan committee which provides for public reporting of employer and union health, welfare, and pension programs in detail, and that the secretary so inform Members of the United States House of Representatives from Oregon and the House Labor Committee where the measure is pending.

RESOLUTION 62

Whereas this Nation's 6 million unemployed and millions more of part-time workers are in dire need of jobs; and

Whereas the basic economic and human right is to have a job at adequate wages to keep the worker and his family in good health; and

Whereas these unemployed workers want jobs and not doles; and

Whereas when private enterprise cannot absorb these workers in industry, then it becomes the duty of the Federal Government to create public-works programs such as the building of schools, hospitals, dams, roads, reforestation, etc., thus creating jobs that will enable the worker and his family to live: Therefore, be it

Resolved, That this Oregon convention of the AFL–CIO go on record favoring Federal works projects to absorb the unemployed workers; and be it further

Resolved, That this Oregon convention of the AFL–CIO instruct our secretary to send a letter to President Eisenhower pointing out the need of these Federal projects; and be it finally

Resolved, That our secretary send letters to our Congressional delegation asking them to press for same.

RESOLUTION 64

Whereas 2,000 American scientists, including Dr. Linus Pauling and Dr. Ralph Lapp, one of the fathers of the first A-bomb, and Adlai Stevenson have warned President Eisenhower and the American people on the horrible consequences of further nuclear testing; and

Whereas Dr. Albert Schweitzer and Senator WAYNE MORSE have stated that further contamination of the atmosphere will cause thousands of people to die of leukemia and bone cancers; and

Whereas West German scientists protested further tests noting a 350 percent increase in deformity of newborn babies; and

Whereas the Soviet Union has won a propaganda round by their cessation of nuclear tests but we can win the next round by ceasing our tests and calling for the cessation of all further testing: Therefore, be it

Resolved, That this Oregon convention of the AFL–CIO show that we are people of commonsense and good will and join in this great humanitarian drive in calling for the cessation of further nuclear testing; and be it further

Resolved, That the State secretary send a letter to President Eisenhower informing him of our stand; and be it finally

Resolved, That the State secretary send a letter to Senator WAYNE MORSE for his courageous stand in this matter.

RESOLUTION 72

Whereas many residents of the metropolitan area of Portland, including the city of Vancouver, Wash., must by necessity use the interstate bridge each day traveling to and from their places of employment; and

Whereas the present plans of the State Highway Commission call for a toll to be assessed to each user; and

Whereas this causes undue hardship and economic loss to users who must cross the State line for employment: Be it

Resolved, That the Oregon State Labor Council use its good offices in an effort to have the new interstate bridge be included in the Federal highway-building program.

RESOLUTION 77

Whereas we believe that democracy means full participation by all of the people in the functions of government including political campaigns; and

Whereas the extravagant cost of political campaigns makes it exceedingly hard for a

man of integrity to win public office without owing favors to special interests which have financed his campaign; and

Whereas the trend in recent years is to sell a candidate to the public as one would sell soap or toothpaste by saturation advertising, and

Whereas during the 1956 national campaign 5 families in the United States contributed more to candidates or parties than the 15 million members of organized labor: Therefore be it

Resolved, That in order to stimulate more widespread participation and interest in political campaigns we call for legislation to provide by law: That each taxpayer may deduct any amount not to exceed $10 from his income tax when his return is accompanied by a receipt, or receipts, for contributions to any party, measure, candidate, or political organization; and be it further

Resolved, That copies of this resolution be sent to our delegation in Congress with a request for favorable action; and be it further

Resolved, That the executive board of the Oregon State Labor Council, AFL–CIO, cause such legislation to be introduced at the next session of the Oregon Legislature.

RESOLUTION 83

Whereas the need for a trans-Columbia bridge on highway 101 at Astoria grows daily as traffic on this vital north and south highway increases; and

Whereas when completed highway 101 will take part of the traffic load currently on highways 97 and 99 thus improving traffic conditions on all 3 highways; and

Whereas surveys have been made, plans have been drawn, hearings held by the army engineers, and all that remains is the proper financing of the project: Now, therefore, be it

Resolved, The Oregon State Labor Council, AFL–CIO, do go on record as supporting this project and urge the legislatures of the States of Oregon and Washington to pass legislation appropriating money to build this trans-Columbia bridge at Astoria thus completing the final link of Highway 101.

THE GOVERNMENT'S LOYALTY AND SECURITY PROGRAM

Mr. MORSE. Mr. President, I have received letters from the League of Women Voters, of Corvallis, Oreg., in opposition to Senate bill 1411. I ask unanimous consent that those letters, together with a memorandum which the League of Women Voters prepared in opposition to the bill, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letters and memorandum were ordered to be printed in the RECORD, as follows:

THE LEAGUE OF WOMEN VOTERS
OF CORVALLIS,
Corvallis, Oreg., July 21, 1958.

Hon. WAYNE MORSE,
United States Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Corvallis League members are disturbed over the provisions in S. 1411 because they depart so completely from the original S. 1411 which passed the Senate last August. We believe that the substitution of Representative WALTER's H. R. 981 for the provisions of the original bill propose what league members considered untenable during their study of the Government's loyalty and security program.

This legislation is not needed inasmuch as our present laws can be used to bar Communists from Government employment. Summary suspension and dismissals in the interest of national security can be accomplished in the case of any Federal employee occupying a sensitive position; nonsensitive positions can be handled under the standard civil-service procedures. We believe this legislation will bring about unnecessary and administratively confusing reextension of the security program to cover nonsensitive positions.

We understand that the Department of Justice has suggested that it would be well to defer legislation in this area until the executive has completed its study of the recommendations of the Commission on Government Security. League members would like to suggest that the Senate not pass S. 1411 at this session, but wait until a better measure can be submitted following the findings of the executive department.

Sincerely yours,

Mrs. JOHN W. WOLFE,
President, Corvallis League of Women Voters.

THE LEAGUE OF WOMEN VOTERS
OF CORVALLIS,
Corvallis, Oreg., April 7, 1958.

Hon. WAYNE MORSE,
United States Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: The Corvallis League of Women Voters is opposed to passage of House bill No. S. 1411, as amended. If this bill is passed and referred to a conference committee or to the Senate Post Office and Civil Service Committee, we would appreciate very much your conveying our opposition to the appropriate committee.

After a 4-year study, the League of Women Voters of the United States went on record as believing that the Federal loyalty-security programs should be modified so as to provide the greatest possible protection for the individual. In announcing the league position, our national president, Mrs. John G. Lee, said on January 17, 1958:

"In the interest of strengthening national security and maintaining our traditional concepts of freedom, the League of Women Voters of the United States believes that the Federal loyalty-security programs should be modified so as to:

1. Limit the coverage to sensitive positions and provide for more realistic classification of information;

2. Institute more uniform procedures in the administration of the programs;

3. Apply a commonsense standard in judging the individual; and

4. Develop procedures which will provide the greatest possible protection to the individual."

Corvallis League members were pleased to note that this statement from our national office stated very clearly the consensus reached by Corvallis League members at the conclusion of our study nearly a year ago.

As you can see, the bill as amended by the House is clearly in conflict with the league position. We feel that this legislation, rather than simplifying and improving the program is only another stopgap measure which further complicates its already haphazard condition.

It appears that the bill was developed under pressure of time without thorough enough consideration of the President's Commission and the Citizens' Advisory Committee report of last spring. We feel it would be a waste of time and approximate cost of $733,000 which was spent on this study. Thus it would seem foolish to pass this inadequate legislation at this time.

It is our hope that a more thorough consideration of the already existing recommendations would bring about the needed changes for a more adequate total loyalty-security program.

Sincerely yours,

Mrs. JOHN W. WOLFE,
President, Corvallis League of Women Voters.

MEMORANDUM—LEGISLATIVE HISTORY OF S. 1411, 85TH CONGRESS

S. 1411, entitled "A bill to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security" was introduced by Senator JOHNSTON (by request) on February 27, 1957. The bill provided that nothing in the act of August 26, 1950 (Public Law 733, 81st Cong.), "shall be deemed to require the suspension of any civilian officer or employee prior to hearing or termination."

The bill was referred to a subcommittee of the Senate Post Office and Civil Service Committee. A hearing was held on May 29, 1957 (not printed as yet) and favorable testimony was received from the Department of Justice, Civil Service Commission, and representatives of employee groups. There was no adverse testimony, according to the committee report.

S. 1411 was unanimously reported to the Senate without amendment on July 19, 1957. (S. Rept. No. 686, 85th Cong., 1st sess., Calendar No. 707.)

On call of the calendar on August 8, 1957, the Senate considered the bill. Senator JOHNSTON gave a brief explanation of its purpose, and the bill was passed without objection and without amendment.

On August 9, 1957, the bill was referred to the House Committee on Post Office and Civil Service. No hearings were held on the bill, and it was reported to the House with a committee amendment on August 20, 1957. (H. Rept. No. 1201, 85th Cong., 1st sess., Union Calendar No. 474.)

The House committee amendment was in the nature of a substitute for the text of the original S. 1411, and was actually the text of H. R. 981, a bill introduced by Representative WALTER on January 3, 1957.

H. R. 981, entitled "a bill to protect the national security of the United States by permitting the summary suspension of employment, and dismissal, of civilian officers and employees of the Government, and for other purposes," was the subject of hearings by the Post Office and Civil Service Committee on July 16, 17, 19, and 23, 1957.

The House considered the amended S. 1411 on July 10, 1958. During the debate, two amendments were offered by Representatives ROOSEVELT and CHURCH, and were adopted. (ROOSEVELT's amendment: "On page 2, line 9 of the bill, strike out the words 'and welfare.'" Mrs. CHURCH's amendment: "On page 5, line 8, after 'truth' insert 'and merit.'") An amendment was offered by Representative PORTER ("On page 3, line 6, after the word 'hearing' insert 'conducted in accordance with due process of law, and'") but this was rejected.

The bill was passed with the committee amendments as well as two House amendments on July 10, 1958.

The amended bill was referred to the Senate Post Office and Civil Service Committee, and a hearing was conducted on the House version on July 16, 1958. (Hearings not printed.) Adverse testimony was given by representatives of employee groups. A representative of the Civil Service Commission recommended amendment of the bill. Letters from the Department of Defense and the Department of Justice commenting on the bill have been received by the Senate Committee. These recommend deferment of S. 1411.

The Senate requested a conference on the bill on July 29, 1958, and the House agreed on July 30. Members of the conference were Senators JOHNSTON, CHURCH, CLARK, MARTIN of Iowa, and MORTON; and Representatives MURRAY, MORRISON, DAVIS of Georgia, REES of Kansas, and CORBETT. A conference report was filed on August 21, 1958 (H. Rept. 2687, 85th Cong., 2d sess.) which was signed by all of the House conferees, and by Senators JOHNSTON, MARTIN, and MORTON. The report recommends that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment.

The amendment proposed by the conferees would become section 2 of the House-passed S. 1411; it reads as follows:

"SEC. 2. The amendment made by the first section of this act to the act of August 26, 1950, shall be effective with respect to any action or proceeding for suspension or termination of employment commenced prior to July 1, 1959, except that the provisions of section 4 of such act of August 26, 1950, as contained in such amendment, shall not be effective with respect to any case in which any such termination of employment was effected prior to the date of enactment of this act. Such act of August 26, 1950, as in effect immediately prior to such date of enactment, shall be held and considered to remain in effect with respect to proceedings for suspension or termination of employment commenced subsequent to June 30, 1959."

JULY 11, 1958.

MEMORANDUM

To: Charles H. Slayman, Jr., chief counsel and staff director, Subcommittee on Constitutional Rights.

From: M. MacNaughton.

Subject: House debate on S. 1411, concerning the Federal employees security program.

S. 1411, as amended in the House Post Office and Civil Service Subcommittee, was passed by the House late Thursday, July 10, 1958. The vote was 295 for the bill, 46 against it.

Listed below are (1) the 3 amendments offered during the House debate, 2 of which were accepted; and (2) a very brief résumé of the major arguments which the opponents of the bill made during the debate.

AMENDMENTS ADOPTED ON FLOOR

1. By ROOSEVELT (p. 2, line 9 of the bill): "To strike out the words 'and welfare.'"

The bill had provided that "To the extent that such agency head determines that the interests of the national safety, security, and welfare permit, the employee concerned shall be notified of the reasons for his suspension."

2. By Mrs. CHURCH (p. 5, line 8 of the bill): After "truth" insert "and merit."

This amendment would insure that the Civil Service Commission could review the decision of an agency head with respect to the validity, truth, and merit of the charges made and with respect to the procedure followed.

(Proponents argued that the Church amendment was unnecessary since the words "validity" and "truth" implied "merit," and that, under the same words in the Veteran's Preference Act an appeal is heard de novo. HOLIFIELD, an opponent of the bill, pointed out that under the Administrative Procedure Act there have been many cases where the merits of the case itself were not considered on appeal.)

AMENDMENTS REJECTED ON THE FLOOR

By PORTER (p. 3, line 6 of the bill): "After the word 'hearing' insert 'conducted in accordance with due process of law, and.'".

This amendment would have provided that the agency-level hearing have all the requirements of due process. This, by PORTER's definition, meant production of evidence against the person charged, the right to cross-examine the witnesses, and the right to counsel.

In meeting this amendment, proponents of the bill raised the question of giving agency heads authority to determine whether there should be disclosure of FBI files (p. 12198). They also cited the Baily case in connection with the procedural rights which an employee does not have at a hearing pertaining to his job.

BRIEF LIST OF ARGUMENTS MADE AGAINST THE BILL ON THE FLOOR

Other laws

1. HOLIFIELD. There are already 2 laws on the books, dealing with employment of subversives: (1) Public Law 831, the Subversive Activities Control Act of 1950, which provides that it is unlawful for anyone to accept employment with the Government who is a member of a Communist, a Communist-front, or any type of organization that has been declared to be subversive; and (2) Public Law 252, the Hatch Act, section 9 (a) (1) which makes it unlawful for any person employed in any capacity by any agency of the Federal Government to have membership in any political party which advocates the overthrow of the constitutional form of government to have employment with the Federal Government.

No right to appeal

2. DOLLINGER. There is no assurance that a person would have the right to appeal to the courts from the decision of the Civil Service Commission (which the bill makes final).

YATES. The only ground for appeal to the courts would be the constitutionality of the law.

Vague terms

3. YATES. There is no precise definition of the term "security risk."

No necessity

4. PORTER. There is no necessity for such a law, and no emergency as was described at the time the bill was introduced in 1957.

HOLIFIELD. Cases in the committee report do not prove the need for the law.

No due process

5. PORTER. There is no due process of law in the hearing procedures.

CHURCH. Merits of a case would not be considered on appeal.

Not temporary legislation

6. DENNISON. This is not temporary legislation. At the time of the hearings in 1957, it was said that WALTER's bill, H. R. 981, was stop-gap legislation, a temporary measure to take care of the security situation until Congress acted on the recommendation of the Wright Commission.

No real support from executive department

7. Both the Civil Service Commission and, as of July 10, 1958, the Justice Department, recommend deferment of the bill until the executive department completes its study of the Wright report.

This list of arguments is not complete, but it does include the major ones made by opponents of S. 1411 (as amended, by inclusion of H. R. 981, the Walter bill, at the House committee stage of S. 1411's legislative history).

THE OMNIBUS HOUSING BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the second reading of Senate bill 4323.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

A bill (S. 4323) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; read the first time by its title, and ordered to lie on the table, was read the second time by title.

The PRESIDING OFFICER. Without objection, the bill will lie on the table. Is there objection?

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS. Is this the bill with respect to which the Senator from Arizona [Mr. GOLDWATER] objected to the second reading last night?

Mr. MANSFIELD. That is correct; and the reason for asking for a second reading of the housing bill is that I am informed by the Parliamentarian that this is in order during the morning hour, and should be done at this time.

Mr. WILLIAMS. I have no objection personally, but I did not know whether we should check with the Senator from Arizona, if unanimous consent is required. Cannot the request be withheld until we can get in touch with the Senator from Arizona?

Mr. MANSFIELD. Mr. President, may we have a ruling by the Chair on this question?

The PRESIDING OFFICER. Will the Senator from Delaware state his parliamentary inquiry?

Mr. WILLIAMS. If unanimous consent is required for a second reading of the bill, I wish to protect the rights of the Senator from Arizona in connection with the objection. He is not present at this time. I should like to reserve the right to object until he can be consulted. If unanimous consent is not required, I shall not object.

The PRESIDING OFFICER. The Chair rules that the second reading can be made without unanimous consent. The rule so provides.

Mr. WILLIAMS. Then I have no objection.

LEGACY FROM THEODORE ROOSEVELT

Mr. MORSE. Mr. President, may I say facetiously and good naturedly that, from time to time I am confronted by the wholly erroneous charge that I do not like Republicans. This is a source of deep disturbance to me because some of my political mentors have been great Republicans. They were men like Teddy Roosevelt, fighting Bob LaFollette, and George Norris. I only wish that we had today in the Republican Party men of similar stature and vision. If we had, on many of the rollcall votes of the session just concluding, I am confident that they would have been shoulder to shoulder with some of us in an effort to turn high principle into solid legislation in the public interest.

I make these remarks, Mr. President, by way of introduction of a series of articles published in the August issue of the National Union Farmer. These articles, entitled "T. R.: He Knew Farm Problems, T. R.: He Started Public Power, and T. R.: He Boosted Co-ops," should be required reading for our friends on the other side of the aisle. It is in an effort to be helpful to them in reminding them of the glorious political heritage that is in their political background that I ask unanimous consent that these articles to which I have alluded be printed in the RECORD at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

T. R.: HE KNEW FARM PROBLEMS

For a city-bred man, Theodore Roosevelt showed an extraordinary understanding of the problems of the farmer and of country-dwellers in general. And he went to bat for the farmers many times.

This is an example of his remarkable "empathy," or capacity to put himself in the other fellow's place. It governed his actions throughout the Presidency. His time in the White House was marked by events of extraordinary value to rural people.

One was the formation of the National Farmers Union, which sprang out of farming conditions that T. R. cleary saw as intolerable.

Second was the Country Life Commission, which he created and which did extraordinary work in throwing more light upon rural conditions than had been afforded before. The Commission's report, and Roosevelt's accompanying message to Congress, reads even today like a charter of better conditions for farm dwellers.

This Commission was created in August, 1908. To celebrate its half-centennial a modern Country Life committee headed by Roy C. Buck, of Pennsylvania State College, is working to organize another such commission to report on farm life, and to make recommendations as of 1958–59. This, like its predecessor, would be authorized by Congress and would report to Congress.

STARTED FARM CHANCES

Many of T. R.'s acts and utterances on farm policy, as in other fields, laid the groundwork for even more decisive action later by his great cousin, Franklin Delano Roosevelt. But he was always his own best spokesman, and often sounds as if speaking today. The story is best told by his own message to Congress transmitting the report of the Commission he created, because, as he said, "the social and economic institutions of the open country are not keeping pace with the development of the Nation as a whole."

"I warn my countrymen that the great recent progress made in city life is not a full measure of our civilization; for our civilization rests at bottom on the wholesomeness, the attractiveness, and the completeness as well as the prosperity, of life in the country.

"• • • The Commission has tried to help the farmers to see clearly their own problem and see it whole; to distinguish clearly between what the Government can do and what the farmers must do for themselves; and it wishes to bring not only the farmers but the Nation as a whole to realize that the growing of crops, though an essential part, is only a part of country life.

"Crop growing is the essential foundation, but it is no less essential that the farmer shall get an adequate return for what he grows; and it is no less essential—indeed it is literally vital—that he and his wife and children shall lead the right kind of life.

"The Commission pointed out, and I concur, that the most important help the Government • • • can give is to show the people how to go about these tasks of organization, education, and communication, with the best and quickest results."

T. R.: HE STARTED PUBLIC POWER

If George Norris and Franklin Delano Roosevelt were father and uncle respectively of the Tennessee Valley Authority, the world's greatest example of public resource management, then Theodore Roosevelt might be called its grandfather.

For if T. R. had not vetoed what its sponsor plaintively called a "small local act" in March of 1903, the heart of what later became TVA would have been irrevocably given away—so there would have been no power site or powerplant to build the great Federal project around.

The bill would have granted N. F. Thompson and associates a perpetual free franchise to build a powerplant on the Tennessee River at Muscle Shoals, Ala., at a site improved by the Army engineers for navigation.

For years, as the new science-industry of electric power developed, it had been customary for Congress to give away such sites to the first comers—to promoters who in effect followed the Army engineers around like cats, or who spotted natural falls or rapids where a powerplant could be built.

There was as yet no effective rate regulation. So if you could get a nice valuable power site for free, and sell the power back to the people (who had owned the site) for all the traffic would bear, you'd have it made.

NO PUBLIC ENTERPRISE THEN

The very thought that the public might develop such sites for its own service was abhorrent to private enterprise of the time. Already the power companies were rapidly forming into the great private collective later to be known as the power trust.

Scores of sites were quietly given away before the public learned what was going on. On this March 4 of 1903, Mr. Richardson, the Alabama Representative, plaintively observed that this bill "protects the interest of the Government as much as any such bill that ever passed the House." This was true—exactly as much.

Roosevelt's veto therefore contained assertions that, though they seem commonplace today, were startling then. He said:

"The recent development of waterpower to the production of electricity for use at considerable distances has revealed an element of substantial value • • • wherever the Government has constructed a lock and dam for purposes of navigation. It does not seem right or just that this element of local value be given away to private individuals of the vicinage, and at the same time the people of the whole country should be taxed for the improvement."

T. R. BOOSTED PUBLIC INTEREST

T. R. advocated a new policy by which values added by "the advance in electrical science" should not be given away, but disposed of "in such a way as to conserve the public interest."

The earlier Roosevelt pursued this policy with vigor and widened it. Even then, the best waterpower sites in the United States were in the western mountains, still largely owned by the United States Government.

With Gifford Pinchot, next to T. R. himself the great champion of conservation of natural resources, hundreds of possible waterpower sites were reserved for the people in the national forests and on the "public domain." Governors of some Western States, working for private power interests, said that under western water law the States own the water. Pinchot conceded the point, but pointed out that the Federal Government owns the stream banks, and that it would be difficult to build a power dam without using the banks.

Neither T. R. nor Pinchot conceived, at the time, of a policy by which the Federal Government itself would build and operate the power facilities on a nonprofit basis for the benefit of the people. Their thinking did not, as yet, go that far.

But they insisted that the people should retain ownership; and that the license to build power facilities should be for a limited time and for a fee, just as the Government was beginning to sell timber, and to charge fees for the grazing rights on the public domain and in the national forests. These, too, had formerly been free to all comers.

POWER IGNORED AT FIRST

In fact it was only the development of Federal reclamation under the act of 1902 (with T. R. riding herd) that more or less forced their hand here. The first concept of reclamation was that the settlers should be able to pay for the Federal improvements out of crop incomes. The power potential was disregarded—a few small powerplants were built for construction purposes, then, in effect, given away, usually to the project settlers.

But the two great conservators soon saw the potentialities of power, always salable in a growing new country, to help pay for these projects. So in 1905 the Reclamation Service put into operation its first powerplant, a 1,000-kilowatt generator in a cave on the Salt River project near Phoenix.

Soon thereafter, and with T. R.'s hearty approval, Congress established the preference clause by which power from such Federal projects goes first to nonprofit public distributors—like city systems, and farmers' REA's.

This principle in particular is now threatened by T. R.'s own political party. When it turns all power rights on a Federal project over to a private power company—the so-called partnership policy by which the Government builds the nonprofitable parts and a private company reaps the profit—the company is, of course, not bound by the preference clause, and the clause vanishes.

T. R. VETOED GIVEAWAYS

Meanwhile, back in Washington the nationwide struggle was still going on as to who should get the benefit from power developed on the Nation's rivers. T. R. vetoed bill after giveaway bill.

In 1908, the Inland Waterways Commission which he himself had advocated, and which is a landmark in national development, reported to him. In sending the report to Congress, which had financed the study, T. R. said:

"The material wealth and natural resources of the country related to waterways are being steadily absorbed by great monopolies. Among these monopolies, as the report of the commission points out, there is no other which threatens, or has ever threatened, such intolerable interference with the daily life of the people as the consolidation of companies controlling waterpower.

"I call your special attention to the attempt of the power corporations, through bills introduced at the present session, to escape from the possibility of Government regulation in the interests of the people. These bills are intended to enable the corporations to take possession in perpetuity of national forest lands for the purposes of their business, where and as they please, wholly without compensation to the people."

However, the attempts to induce Congress to give away valuable water powers went on without ceasing. Many were mere get-rich-quick speculations. That is, a group would get Congress to grant it a valuable site, and would then sell the site to the highest bidder.

TAFT DUMPS T. R. POLICIES

T. R. dealt with this in April 1908, when he vetoed a bill giving away the waterpower of the Rainy River in Minnesota:

"We are now at the beginning of great development in waterpower. Its use • • • is entering more and more largely into every element of the daily life of the people. Already the evils of monopoly are becoming manifest. • • • The present policy pursued in making these grants is unwise in giving away the property of the people in the flowing waters to individuals and organizations practically unknown, and granting in perpetuity these valuable privileges. • • • In some cases the grantees apparently have little or no financial or other ability to utilize the gift, and have sought it merely because it could be had for the asking."

He quoted this message in his last and most trenchant on the subject, the James River veto delivered January 15, 1909. This was just 7 weeks before he handed over these and similar policies to his chosen successor, William Howard Taft, to carry out. And Taft promptly carried them out to the trash can.

"Believing that the National Government has this power (i. e., to regulate other uses of the rivers subsidiary to navigation) I am convinced that this power ought to be exercised. The people of the country are threatened by a monopoly far more powerful, because in far closer touch with their domestic and industrial life, than anything known to our experience. • • • To give away, without conditions, this, one of the greatest of our resources, would be an act of folly. If we are guilty of it, our children will be forced to pay an annual return upon a capitalization based upon the highest prices which 'the traffic will bear.'"

T. R. GETS INDIGNANT

"They will find themselves face to face with powerful interests intrenched behind the doctrine of 'vested rights' and strengthened by every defense which money can buy, and the ingenuity of able corporation lawyers can devise. Long before that time they may, and very probably will have, become a consolidated interest controlled from the great financial centers, dictating the terms upon which the citizen can conduct his business or earn his livelihood, and not amenable to the wholesome check of local opinion."

T. R. was not yet done with this subject, however. Upon his return from Africa and Europe in 1910 he received a hero's welcome, but found that his chosen successor had discarded most of T. R.'s policies in the resource field, and had fired many of the people upon whom T. R. had depended.

He contained his indignation for awhile, but eventually it burst out. The issues had changed somewhat. The great power combines were by now arguing that the States should control the water powers from Federal lands. In a speech delivered at Denver on August 28, 1910—48 years to the day before the forthcoming great western water-and-power meeting to convene there in his honor—T. R. exclaimed:

STATE CONTROL COMES UP

"We should make it our duty to see that hereafter power sites are kept under control of the General Government for the use of the people as a whole, in a way that shall encourage development of the waterpower, but which shall not create a monopoly or permit the development to be antisocial, to be in any respect hostile to the public good.

"The Nation alone has the power to do this effectively, and it is for this reason that you will find those corporations which wish to gain improper advantage and be freed from official control on the part of the public, doing all they can to substitute State for national action.

"There is something fairly comic about the appeal made by many of these people in favor of State control, when you consider that the great corporations seeking these water power privileges in any given State are at least as apt to be owned outside the State as within it. • • • If we are foolish enough to grant their requests, we shall have ourselves to blame when we wake up and find that we have permitted another privilege to entrench itself, and another portion of what should be kept for the public good to be turned over to individuals for the purpose of private enrichment."

There is a sad ironic aftermath, and a glorious aftermath, to the story.

The ironic aftermath: The present administration quickly resumed the policy of giving away power sites, including the West's last big one, that at Hells Canyon on the Snake River in Idaho. Doubly ironic it is that this site was one of those specifically reserved for the people by T. R. and Gifford Pinchot a half century ago.

SAME FORCES AT WORK TODAY

A smaller irony is that whereas the giveaway was characterized by the administration as "partnership with local interests" the Idaho Power Co. is domiciled in Maine where it holds its annual meetings. Idaho Power Co. fits in every particular T. R.'s characterization of a "great corporation • • • owned outside the State."

The glorious aftermath is that without the physical foundation T. R. provided in keeping the Muscle Shoals site in the hands of the people by his 1903 veto, the Tennessee Valley Authority would have been impossible; as would much of the western reclamation program without his executive encouragement.

The Tennessee Valley Authority has turned out to be the world's foremost and most successful experiment in developing a whole river basin for the good of man. On the power side alone, it now furnishes more than 10 million kilowatts, three-fifths of it for the national defense, and, with all net proceeds going back into the Treasury, will ultimately even moneywise, be one of the best investments the United States has ever made on behalf of its people.

It is probable that increased income taxes paid to the United States Government from the prosperity of the Tennessee Basin resulting from TVA have already more than repaid the total costs of this gigantic enterprise, "democracy on the march" as former Director David E. Lilienthal has called it.

The Bureau of Reclamation powerplants furnish more than 5 million kilowatts, have a net income of more than $40 million yearly, and have contributed greatly to the growth of the West, and hence to the United States Treasury. Here a direct accounting has been made. The total of all net power revenues returned to the Treasury through 1957 is $359 million. Total such revenues for the next 50 years could be more than $2 billion.

Further, the total cost of Federal reclamation through 1957 was just under $3 billion, while the Bureau says that Federal tax revenues from reclamation areas since 1940 alone total $3.2 billion, or more than the whole cost of the program.

T. R.: HE BOOSTED CO-OPS

In 1915 Theodore Roosevelt wrote about an Indiana woman who found a note in some potatoes saying that the farmer got 60 cents a bushel for them, and how much did she pay? She wrote him, $4 a bushel.

In 1958 a Congressional committee was told in New York City that the New York housewife pays 29 cents a head for lettuce which brought the California grower 5.5 cents—15 cents of the sales price, or 52 percent, was added right in New York City.

Thus the farmers seem to have about held their own in 43 years. T. R. advocated, as always, that farmers form cooperatives to sell their products rather than State operation (as was just beginning in North Dakota) but he said: "There are things so important for farmers, that the Government must do them directly if no one else can."

He added: "A single farmer today is no match for the corporations • • • and business enterprises with which he must deal. Organized into cooperative associations, however, the farmers' power would be enormously increased."

He described how European farmers' cooperatives sell direct to consumers' cooperatives in the cities; and he described some early cooperative efforts in America, including farmers' credit unions.

He declared that cooperation is "the spirit both practical and lofty, deferential both to commonsense and to idealism, considerate of both one's own needs and of those of one's fellows, in which we should approach the problems of our farming population—and all our other problems also."

This spirit of course led to the creation of the numerous farmer cooperatives of today under the banner of the Farmers Union and other farm organizations. These include the REA which has brought electricity to the farms to relieve both what T. R. called the gray and sterile drudgery of the farm life, and to bring "Willie Wiredhand" to the farmers' own aid.

One can imagine "Teddy's" eyes snapping with delight, and his strong teeth displayed in a joyous grin, at the story of REA as originated under his distant cousin.

GAINS FOR FARMERS UNDER T. R.

Some events of Theodore Roosevelt's Presidency important to agriculture:

1902: The Farmers Union and the Society of Equity were formed.

1902: The Pure-Butter Act was passed.

1902: A reorganization of the Department of Agriculture created the Bureau of Soils, Forestry, Chemistry, and Plant Industry.

1903: First effective hog-cholera serum.

1905: Animal Quarantine Act approved.

1905: The national forests were transferred to the Department of Agriculture.

1905: The insect-pest law was approved.

1906: Pure Food and Drugs Act passed with jurisdiction in Department of Agriculture.

1907: The Meat Inspection Act passed.

1908: T. R. organized the Country Life Commission.

T. R. ON THOSE COLD AND TIMID SOULS

It is not the critic who counts; not the man who points out how the strong man stumbled, or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again, because there is no effort without error and shortcoming; who does actually strive to do the deeds; who knows the great enthusiasm, the great devotion, spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat. (Theodore Roosevelt.)

More briefly, T. R. once wrote: "I would never have gotten anywhere, if I had not been willing to make mistakes."

THE WORK OF THE NATIONAL INSTITUTES OF HEALTH

Mr. MANSFIELD. Mr. President, one of the proudest series of votes I have cast during my 16 years as a Member of Congress has been in behalf of the National Institutes of Health at Bethesda, Md. It is one of the outstanding institutions not only in this country, but also in the whole world. There go people with little hope. While some of them do not come out whole again, many of them are given the necessary benefits to allow them to live as useful citizens.

An esteemed and faithful employee of the Capitol, Mr. Ben Schwartz and his wife, have two boys, one aged 4 and one 5, who were born with holes in the inner chambers of their hearts. Last year,

Howard Schwartz, 5, underwent an operation at the National Institutes of Health. That operation was successful. Next week his brother, Richard, aged 4, goes to the same institution for a similar operation.

The fact that children like these have an opportunity to go to the National Institutes of Health and receive treatment is a tribute to the outstanding foresight, energy, and ability of the distinguished senior Senator from Alabama [Mr. HILL], who has done so much in the field of research and who has consistently supported larger appropriations for this particular institution. I certainly hope that Richard Schwartz will have a successful operation, too, as did his brother Howard. I wish to express my deep appreciation to the distinguished Senator from Alabama and to all the Members of Congress, as well as to the administrations of this and past years, all of whom have done so much to keep this wonderful institution in operation.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HILL. I thank the distinguished Senator for his very kind remarks. However, the program has been advanced in Congress by the teamwork of many, particularly those who have served on the subcommittee of the Committee on Appropriations which handles these funds.

While the Senator speaks so kindly of those of us who have supported the works and who have worked and fought for these funds, I would pay my tribute to the wonderful men and women at the National Institutes of Health who in their dedicated lives give of themselves that this great work for the health of the people may go forward.

Mr. MANSFIELD. I would express to the Senator from Alabama the fact that there are many Mr. and Mrs. Ben Schwartzes in our country who are indebted to the Senator for his energy, his ability and his enthusiasm in behalf of this program.

I ask unanimous consent that there may be printed in the RECORD at this point an article on this subject published in the Washington Post of yesterday.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SECOND BROTHER FACES RARE OPERATION

(By George Clifford)

Richard Schwartz, 4, of 520 Maple Road, Morningside, who has had company on his previous trips to the National Institutes of Health, will be alone when surgeons there cut into his chest next week.

Richard, and his brother, Howard, 5, were both born with holes in the inner chambers of their hearts, and had been together on previous trips to the NIH.

Howard was operated on last October and doctors now say he is completely recovered. Only a yoke shaped scar on his chest—left by the 64 stitches needed to close the incision—remain to remind him of the condition that would have spelled an early death a few years ago.

"Now it's Ricky's turn to be operated on," his father said. "He has been treated before, but it will take this operation to cure him."

DOUBLED UP

"The nurses told me that was the only time in the history of the NIH that they had two boys in one bed. They would put Ricky and Howard in separate beds, and come back to find them together again. It was strictly against the rules, but the nurses couldn't stop them."

The heart defect is not inherited and finding brothers with this type of ailment is one of the rarest things in the world, the father said.

Mr. Schwartz, a Capitol employee, was once a sports announcer for radio station WGAY, and his voice seldom betrays the worry he feels about the upcoming surgery.

CONFIDENCE

"I have nothing but confidence in the doctors," he said, "and Dr. Andrew Morrow, the heart clinic's chief surgeon, told me the machine they use to keep the heart beating during the operation has been greatly improved since Howard's operation.

"But on an operation like this, you're always worried."

The operation will be complicated by the fact that Ricky has type AB negative blood, the world's rarest. "But the Red Cross said it will give us the blood for the operation," Mr. Schwartz said.

The brothers have been spending the hours before Ricky goes to the NIH together—mostly riding Ricky's new tricycle.

"The doctors told us to treat Ricky as a normal child," Mr. Schwartz said. "We've done just that. But he tires faster than other children. He should be better soon, though."

"The operation isn't so bad," Howard said. "But I want to go with Ricky."

CRITICISM OF WHITE HOUSE PRACTICES WITH RESPECT TO THE GRANTING OF INTERVIEWS

Mr. MORSE. Mr. President, I have received a copy of a letter which Mr. Larsten D. Farrar sent to Mr. James Hagerty, Press Secretary to the President, in which Mr. Farrar makes certain criticisms of the White House in regard to what he believes to be discriminatory policies practiced by the White House in respect to some newspapermen. I ask unanimous consent that the copy of the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *August 18, 1958.*

JAMES C. HAGERTY,
Press Secretary to the President,
The White House,
Washington, D. C.

DEAR MR. HAGERTY: Sincere thanks to you and Mr. Eisenhower for your letter of August 12, in which you state that "when the President took office in 1953 it was necessary for him to adopt a policy of not contributing to individual publications, just as he does not grant exclusive interviews. I feel sure you will understand."

To tell you the truth, Jim, old pal, I don't understand at all.

If you want to know why I don't understand, just take a glance at Parade, issue of August 17, 1958, which was being advertised in the Washington Post and Times Herald on the same day I received your letter. This issue of Parade, in case you don't read it, contains a contribution by the President, on an exclusive basis, to an individual publication, and, in the judgment of anyone who knows how to add 2 and 2, undoubtedly would be classified as an exclusive interview.

I might add that in 1955, while I was writing a book Washington Lowdown, I wrote to Mr. Eisenhower asking him not for an exclusive interview but merely for a chance to tell him some facts I had learned about him in order to give him the chance to refute the facts, if he chose to do so. At that time, you replied in the same vein—i. e., that the President never granted exclusive interviews. Within 2 weeks, in that year, I picked up a national magazine on whose front cover were these words: "Exclusive Interview With President Eisenhower." Indeed, at that time, Mr. Donovan, who wrote a book, Eisenhower: The Inside Story, was doing research in the White House, according to statements made later by his publisher and never contradicted by any White House spokesman. Needless to say, it, like the Parade article, amounted to a snow job—better known as a press agent's piece.

Do not think that this instance, or many other similar instances which might be gathered to show the extreme inconsistency of Mr. Eisenhower and those around him, perturbs me. I learned long since never to be perturbed, or to lose my sense of humor, over the antics of the typical promising United States politician, or his sycophants. But I am writing this down merely so it will be a part of the record, if anyone is ever interested in getting to the full truth of how the Republicans acted during the last term they ever held the White House during the 20th century.

If you will pardon me for giving you advice, what you should answer honest people, who write in sincere vein, as I did, who are looking for straightforward and honest answers from their public servants, is this:

"No, we do not grant interviews to anyone unless he is on our payroll, unless the publication is owned by our Ambassador to Great Britain, or unless we know from experience that he can be trusted to give a very favorably slanted story about our great President and all his flunkies and everything they have done, even if it is wrong, since they have been in office."

This, I submit, would get you far more friends—among intelligent people—than the rather contradictory policies you now are pursuing. Of course, it is not necessary that you take my advice, but it is offered only in candor and good spirits.

Sincerely,

LARSTEN D. FARRAR.

EDUCATION OF MENTALLY RETARDED CHILDREN

Mr. HILL. Mr. President, on August 21, 1957, a year ago, the Senate passed a bill, which was introduced by me, to encourage expansion of teaching in the education of mentally retarded children. The bill was sent to the House. Instead of the House of Representatives taking up and considering the Senate bill and passing the Senate bill, with such amendment as it might see fit to add to it, it proceeded to pass a House bill, H. R. 13840. The House bill is similar to the bill which the Senate passed. I might say that the Senate passed its bill unanimously after it had been unanimously reported by the Committee on Labor and Public Welfare.

I ask unanimous consent that the Senate proceed to the consideration of H. R. 13840.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 13840) to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

MUTUAL SECURITY

Mr. MANSFIELD. Mr. President, the Mutual Security Act exemplifies the difficulty which confronts any Member of the Senate in trying to act conscientiously in the field of foreign policy. This is not a new measure which we are considering today. We have approved many aid bills over the years. We have voted billions upon billions of dollars for their support. Yet, each time this legislation is before us—and increasingly in recent years—I find, as I am sure other Members have found, that I can support it only with many misgivings.

Those of us who have spent countless hours in committee in the study of foreign aid programs have an appreciation not only of their worth but of their weaknesses. Year in and year out, we have pounded away at the shortcomings which produce the weaknesses in this program. We have seen some of them corrected. Yet, Mr. President, other shortcomings remain. We know that they remain and that they threaten the worth of the aid programs. We know, too, that these shortcomings can be corrected only by firm leadership and dedicated day-to-day efforts to improve the concepts and execution of the program—a leadership and effort which must come largely from the administration. If it is not forthcoming, however, what alternatives do we, as Members of the Senate, have? The time comes to vote. We can vote "no" and, if enough of us do, in this fashion put an end not only to the shortcomings but to the entire program. In so doing, however, we shall have acted against the admonitions of the President. We shall have ignored his warnings as to the vital necessity of this program to the Nation. In so doing, we shall override our own knowledge of the constructive contribution which the program, if properly administered, is capable of making to the welfare of the United States; indeed, the constructive contribution which it must make.

In these circumstances, we give the benefit of the doubt to the programs. We vote its continuance, with misgivings. It seems to me, Mr. President, that we can justify this course to our conscience, only if, at the same time, we renew our determination to improve this instrumentality of foreign policy. Indeed, we must exert ourselves for this purpose until the weaknesses are eliminated, until the wheat is separated from the chaff, until the administration brings this program more into line with today's realities and needs, until the foreign aid program brings a return, in terms of the Nation's welfare, that is commensurate with its cost.

What is true of the mutual security program is true also of other aspects of foreign policy. A gap exists between what we do and what we believe ought to be done. That is true, not only in the Middle East, but in Latin America, in Asia and elsewhere. As in the case of the foreign aid program, however, here too there is the same burning issue—the same question of alternatives for the Senate. Shall we acquiesce in or reject the foreign policy of the Nation as conceived and administered by the President and the Secretary of State? Shall we, in the Senate, cooperate with them or break in opposition to them? The second course can never be ruled out in a free society. To every Senator is reserved the right to make that choice and only the peoples whom he represents are qualified, in the last analysis, to pass judgment on his choice.

But, Mr. President, while recognizing this right, we cannot fail to recognize, too, that in this country, the Congress—the Senate—cannot substitute for the President and the executive branch in matters of foreign policy. It seems to me that this leaves only one door open, if we are to function at all in foreign policy. That is the course of responsible cooperation with the executive branch. We can live with this course in honesty, this course of general support of the executive branch in foreign policy, however, only if at the same time we act to improve that policy. We must, as individual Members and as a body concentrate on closing the gap—as far as it is in our power to do so—the gap between what is done and what we believe ought to be done in foreign policy. We must try to end the lag between when the Nation acts and when it ought to act in foreign policy. In short, Mr. President, in the Senate we can no more refrain, in good conscience, from responsible and constructive criticism of foreign policy than we can attempt to administer that policy. And, occasionally, Mr. President, we can even give a positive impetus to those who are responsible for its administration.

If we weigh the record of the Senate of the 85th Congress beginning with the penetrating debate on the Eisenhower doctrine in January 1957, it is, in my opinion, a record for which no apologies are necessary. The Senate made constructive contributions to the Eisenhower doctrine, to the foreign-aid program, and to many other measures which were before us. Individual Members advanced constructive ideas, some of which have already found their way into foreign policy and others of which will inevitably follow that pattern. I believe Members on both sides of the aisle will agree that the work of the distinguished majority leader [Mr. JOHNSON] in bringing about the creation of a civilian space agency may, in the long run, be the single act for which this Congress is remembered in decades to come.

As I noted earlier, Mr. President, many of us can support the appropriations bill for the Mutual Security Act which is now before us only with grave misgivings, and in the same fashion, many Members of the Senate are deeply concerned with other aspects of foreign policy. There is only one answer to this concern. Whatever the constitution of this body in the next Congress, the Senate must recognize, as this Senate has recognized, the ultimate responsibility of the President in foreign relations. It must refuse, however, as the Senate has refused, to accept soothing assurances from the executive branch in place of facts. It must refuse, as this Senate has refused, to abdicate its obligation to deliberate and to act on the dictates of its deliberations. It must refuse, as this Senate has refused, to lay aside constructive criticism in order to put on the false face of a bipartisanship which fools no one but the people of the United States. It must continue to probe, as this Senate has probed, honestly, patiently and responsibly for weaknesses in every aspect of foreign policy and its conduct. It must press boldly, as this Senate has pressed, for the changes which will help eliminate these weaknesses. In matters of foreign policy, in short, the next Senate must act, as I believe this Senate has acted, in an independent but responsible fashion, in a fashion which is worthy of the trust of the peoples of the States represented herein and in the highest interests of the Nation.

OLD AGE—A BURDEN OR A BLESSING?

Mr. WILEY. Mr. President, I have had forwarded to me today an article entitled "The Problem of Our Old People," written by George Todt, of California. One paragraph caused me to reminisce about certain experiences I have had concerning so-called elderly persons. One paragraph of the article reads:

I asked mother what she thought about the situation. "Jobs are what the older people want, not handouts," she told me. "I'm fortunate in being able to do something useful in my advanced years, and I feel exactly 20 years younger than I would if I wasn't working." And she looks it, too. This proud little pioneer mother of mine has never yielded to the numerous requests Irene and I have both made of her to retire. Once she pointed out to me a classic example which I have never forgotten.

A few months ago, I talked to a friend of mine who had plenty of money and who had retired from business. He said he was going out to his cottage and take life easy. He did. But 6 months later he was ill. He went to a doctor. The doctor said, "There is nothing wrong with you. You need to go to work." So although he had sold his business, my friend took up another line of work, and regained his health immediately.

I know other persons who have gotten into a rut in their work. It might be the work of a Senator; it might be the work of a businessman; it might be the work of a professional man, or one engaged in any other line of work. Such a person, when he stops his work, has no other resource.

In conjunction with what we have done for the benefit of elderly persons, I think the editorial also brings up the thought that man has a mind; and that as he works in his profession, he can also develop an avocation.

I know one man who has told me, "I am having lots of fun now. I am going

back and am rereading James Fenimore Cooper's books, which I read as a boy. Then I am doing a little painting on the side." He did not have to do those things.

But there is a larger class of elderly persons who have not had the ability to accumulate a reserve. We should be particularly interested in developing opportunities in their communities to enable them to do useful work and to earn a little additional money.

One physician told me that he learned that keeping elderly persons occupied reduced the percentage of sick people in the community.

If an elderly person once begins to think that all he has to do is lean back; that he is no good any more; such an attitude immediately affects his physical being and causes detrimental effects.

Mr. President, I ask unanimous consent that the article by Mr. Todt be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROBLEM OF OUR OLD PEOPLE

(By George Todt)

"It would be well to remember that a sufficient income is, more often than not, the sole difference between the elderly and the aged"—(R. M. Wend, D. D. S.).

Should old age be a burden or a blessing?

This was a question posed in the July issue of Family Circle, which belonged to my 70-years-young mother, and which she asked me to read.

The article dealt with the varied reaction of the readers of the magazine to A Cursory Glance at Old Age, in February issue written by 83-year-old Mrs. Marion Woodruff. The thought-provoking views of this lady were centered about the theme: That medical science is doing a disservice in prolonging the lives of certain old people—those who, due to physical and mental deterioration, are helpless, hopeless, and senile.

Mrs. Woodruff did not advocate euthanasia—"mercy killing" as it is sometimes called. In the words of the Family Circle editor, "nothing was further from her thoughts." Her protest was against the practice of keeping alive, through use of new drugs and other treatment, those suffering old people whose minds and bodies have disintegrated beyond all hope of recovery or desire to live.

The article described problems of the countless old people who suffer from bitter loneliness, chronic ill health, boredom, loss of one or more faculties, relocation in an old-age home, or bewilderment at limitations brought by the accumulation of years.

The chief value of Mrs. Woodruff's work, it seems to me, lay in the fact that it aroused a tremendous reaction clear across the Nation with nearly everybody conceding that not only was the article thought-provoking but that solving old-age problems is a responsibility we all share.

In a day when so-called social planners beg increased reliance upon big government and the welfare state, I think it is time we went to work with a vengeance to treat the problems of the aged with intelligence, affection, and warm humanitarianism—not with the cold, impersonal, and compulsory practices that befit the concept of Marxist socialism.

Unfortunately, we already have much of the latter in our national fabric by this time, although many do not know or understand it—since the Marxism is always generously labeled with high-sounding terminology which sounds anything except un-American, which it is. But that is another story which we will discuss at some future date.

As for the immediate problem of the aged—which is a pressing problem which will double its numerical components within the next 15–20 years—it should appear readily to the most cursory inspection that we have not had the right approach to this matter in the past. Our philosophy has been wrong. There is an increasing tendency to retire people from their vocations and work at an ever-earlier age. One must almost compulsorily retire at 60 and it is hard for many capable and skilled persons to get jobs after 40 these days.

"Many of the ills of the aged," said Dr. Frank H. Krusen, M. D., recently before Congress, "are the direct result of the inferior role in which this group has been placed. Their experience, wisdom, and know-how are being wasted and the resulting lack of meaningful activity has led to emotional frustration and physical breakdown.

"This is a trend which has numerous dangerous implications. Basically the problem calls for aggressive leadership at the family and community level to help bring these millions of potentially useful citizens back to their rightful place in society and to give their lives purpose and dignity."

I asked mother what she thought about the situation. "Jobs are what the older people want, not handouts," she told me. "I'm fortunate in being able to do something useful in my advanced years, and I feel exactly 20 years younger than I would if I wasn't working." And she looks it, too. This proud little pioneer mother of mine has never yielded to the numerous requests Irene and I have both made of her to retire. Once she pointed out to me a classic example which I have never forgotten.

"Look at the finest automobile in Los Angeles," she said. "Run it a little bit every day and it will last you for many years if you take care of it. But what if you had to go away suddenly and inadvertently left it on the street over a long period of time? Say several months, or even a year? What would that fine automobile look like after that? Tires rotted, motor rusted, paint gone—why it wouldn't even run, I suppose. And all this after merely being retired and just resting for a few months without any work to do. Well, is the human body any different? I don't think so—and for this reason I don't want to retire as long as I can hold a job down. Working is the key to living. People just go to seed when they don't have work to do or a real purpose in life. Don't you agree with me?"

And stay active she does, too. Every morning she marches off proudly to her work in a downtown office, and she can afford to hold her head up high. Fortunately for her—and I only wish all her contemporaries were blessed with this kind of knowledge—she is just as useful a member of society as any other working members of her family. Not long ago, when my Irene was ill and had to go to the hospital for a week, mother stepped into the breach and ran the house, too. What a woman—70 years young. And who could be more useful in her twilight years than she?

ICELANDIC FISHERIES CONTROVERSY

Mr. JAVITS. Mr. President, an international controversy concerning the Icelandic fisheries is now in progress. When I was in London last week, in connection with the meeting of the NATO parliamentarians, I as the representative of the United States delegation participated in a conference of one of its sections consisting of a subcommittee of representatives from Iceland, Norway, Canada, and the United States. The subcommittee adopted a resolution urging that action be taken by the North Atlantic Treaty Organization Council to settle the dispute.

I speak this morning because the deadline of September 1, which has been set by the Icelandic Government, is approaching rapidly, and much is being printed in the Icelandic and British newspapers about the conflict between British trawlers, escorted by British gunboats, and Icelandic trawlers.

The essence of the dispute is the assertion by Iceland of exclusive rights to fish off the 12 mile limit around Iceland, and the contesting of that right, or the assertion of that right, by the Government of the United Kingdom and other European governments.

The matter of juridical decision is one which has been very long debated, and probably is impossible of settlement within the short compass of time which is available now. But a practical economic settlement is entirely possible, because the real nub of the question is that Iceland's staff of life is literally its fishing industry and the economic stability of this country is of great interest to Great Britain and other nations.

Therefore, I urge that Paul Henry Spaak, Secretary General of the NATO organization, who holds a position equivalent in NATO to that of Dag Hammarskjold in the United Nations, should personally undertake to mediate this question on the economic level, and that our Government—and I have so communicated my views to the Secretary of State—should back Mr. Spaak in this effort, and also in such cooperation as may be needed to bring about a settlement which will be fair to the economy of Iceland, so seriously affected by the situation.

There is a dire alternative: Communists are very active in Iceland. Iceland is the seat of a United States defense base. Our troops are in Iceland. It is a supremely important outpost of the Free World in the North Atlantic. I think it is fair to say that it is indispensable to the defense activity of the North Atlantic Treaty Organization.

Accordingly, as time is short, and this is probably the last day the Senate will meet, I again call attention to the work which was done in London and urge upon the NATO Council the designation of Paul Henry Spaak to act as personal mediator, in order to settle this very vexing Iceland fisheries dispute. I emphasize: Settle it upon the economic level.

Mr. President, in that respect, I ask unanimous consent to have printed at this point in my remarks a resolution adopted in London by the subcommittee of which I have the honor to be a member, together with a statement reporting the consideration of this problem.

There being no objection, the resolution and statement were ordered to be printed in the RECORD, as follows:

FISHERIES DISPUTE—RESOLUTION OF THE AD HOC SUBCOMMITTEE OF THE ECONOMIC SECTION OF THE GENERAL AFFAIRS COMMITTEE

Resolved by an ad hoc subcommittee of the Economic Section of the General Affairs Committee of the NATO Parliamentarians' Conference consisting of Mr. B. Grondal (Iceland), Mr. H. Seip (Norway), Mr. H. Macquarrie (Canada), and Senator J. K. Javits (United States of America, in the chair) as follows:

Whereas the economic development of the members of NATO must properly enjoy a high priority in the consideration of all questions of economic aid for development by individual members of NATO; and

Whereas a serious economic problem now faces Iceland in respect of the exercise of fishing rights off its coasts, as well as other interested NATO nations fishing in northern waters; and

Whereas there is dispute with other nations as to the geographical limits of such rights; and

Whereas the juridical questions involved are not susceptible of immediate solution within the time available since the Government of Iceland has announced that the effective date of the new offshore limits for fishing off Iceland will be September 1, 1958.

The subcommittee expressed concern at the possible threat to the harmonious relations between some members of the North Atlantic Alliance which will exist for as long as no solution acceptable to the interested NATO countries actively fishing in northern waters is achieved.

For this reason, welcomed the present discussions taking place on the problem within the North Atlantic Council.

Expressed the view that the urgency of the situation requires the governments of the interested NATO countries to regard as a matter of high priority a settlement of the question as an economic problem.

Resolved, therefore, that members of the standing committee and delegations of the NATO Parliamentarians' Conference be asked immediately to urge the governments of their countries to take all possible expeditious action to bring about a prompt, fair, and realistic solution.

FISHERIES DISPUTE—STATEMENT OF NATO PARLIAMENTARIANS' ECONOMIC SUBCOMMITTEE

After the meeting of Parliamentary Economic Rapporteurs, members of the Economic Section of the General Affairs Committee of the NATO Parliamentarians' Conference, in London at 10, Carlton House Terrace, on August 14 and 15, 1958, a subcommittee under the chairmanship of Senator J. K. JAVITS (United States), met to consider the Icelandic fishing limits dispute.

The subcommittee expressed concern at the continuing threat to harmonious relations between some members of the North Atlantic Alliance, until such time as a solution acceptable to the interested NATO countries actively fishing in northern waters is achieved; welcomed the present discussions taking place on the problem within the North Atlantic Council and expressed the view that the urgency of the situation required the governments of the interested NATO countries to regard as a matter of high priority a settlement of the question as an economic problem.

The subcommittee's views have been conveyed to the President and members of the North Atlantic Council. Members of the Standing Committee (the Executive Committee) of the NATO Parliamentarians' Conference have been requested to urge the governments of their countries to take all possible expeditious action to bring about a prompt, fair, and realistic solution to the problem.

VISITS BY "NAUTILUS" AND "SKATE" TO CERTAIN FOREIGN COUNTRIES

Mr. JAVITS. Mr. President, the press tells us this morning that both Denmark and the United Kingdom have waved away our atomic submarines—Denmark has barred the *Skate*, and the United Kingdom has kept the *Nautilus* from docking at ports in populous areas. At the same time there is the firm assertion by the United States Government that both of these submarines are safe, in terms of being free from any nuclear hazard.

Mr. President, I believe that the coordination between ourselves and our NATO allies and the European countries who are so very friendly to us should be closer than that, and that under those circumstances a degree of self-restraint should be exercised by the Governments of Denmark and the United Kingdom, in order to endeavor, without public announcement, to settle with the United States any differences of opinion in regard to nuclear radiation hazards.

I respectfully submit to them—because they are our close friends—that it makes a very poor impression upon the whole world if nations so closely related to the United States as are Denmark and the United Kingdom express doubts about an American scientific achievement of such momentous magnitude and triumph, both in terms of maritime achievement and scientific skill, as the development of the submarines *Skate* and *Nautilus*, which so recently have sailed under the North Pole. These two vessels constitute triumphs for our country; and I believe that before their accomplishments are jeopardized by such close allies, they certainly should clear the matter with the United States, and should not make this subject a matter of public announcement.

So, Mr. President, I hope that both we and they will profit from this little lesson, in terms of better public relations, rather than worse public relations, as regards the whole world, including our friends and allies, and also the Communist countries.

Mr. President, I turn now to another subject.

The PRESIDING OFFICER. The Senator from New York is recognized.

UNITED STATES ANNOUNCEMENT REGARDING SUSPENSION OF NUCLEAR TESTING

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an editorial entitled "An End to Nuclear Tests?" which was published in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN END TO NUCLEAR TESTS?

The President's statement yesterday offering a beginning toward the ending of nuclear tests must be welcome to the great majority of Americans and, indeed, to all humanity. Speaking so soon after the successful conclusion of the Geneva technical talks on means of detecting nuclear tests, the President yesterday successfully met the challenge which the heartening cooperation of Eastern and Western scientists in Geneva had posed.

There are, we know, patriotic and devoted Americans in Washington who are uneasy about the President's decision. It is natural that officers in the Pentagon should want more tests to improve and refine nuclear weapons. A similar feeling is understandable in the Atomic Energy Commission. We can understand, too, those in Congress who, justifiably suspicious of the Soviet Union, wonder if the President's statement has not opened the way for our falling into a Soviet trap.

Nevertheless, we believe the President has done the right thing. He has chosen a course which for the moment at least walks successfully the narrow path between gullible acceptance of Soviet words on one side and on the other side callous—and politically stupid—disregard of the fears of millions of human beings. By his statement yesterday he has now put the Soviet Government in a position where it must put up or shut up, where it must agree to his reasonable offer in a reasonable time or take upon itself responsibility for resumption of atomic tests.

Whether justified or not—and it is an issue on which there is still much disagreement among scientists—millions of human beings have been and are afraid of the near and long term consequences of continued nuclear weapons tests. By playing upon that fear the Soviet Union and its allies have been able to win important propaganda advantages, posing as the opponents of continued nuclear tests and depicting us as mad imperialists determined to continue such tests regardless of consequences.

Our refusal to fall victims to the worst of this Soviet propaganda finally forced Moscow to send its scientists to work out a suitable method of enforcing a ban on future tests. We now offer to implement such a ban, provided such implementation is accompanied by progress toward actual disarmament, and the President's statement yesterday correctly stressed that ending the tests is not in itself a disarmament step. If the Russians refuse to meet our reasonable conditions we can, however reluctantly, resume testing. It is up to them.

Mr. JAVITS. Mr. President, in connection with the editorial, I should like to state that what the President has done represents the most auspicious moment in postwar history for a first step toward disarmament with effective controls. This step is signaled by the United States announcement that it is asking the Soviet Union to negotiate for the suspension of nuclear testing.

Our country's determination to find a true scientific basis for an agreement to end nuclear testing is clearly evident. The whole world now awaits with deep consciousness of its historic significance the demonstration of the U. S. S. R.'s real willingness to agree, both in regard to nuclear testing and in regard to true disarmament.

I call this matter to the attention of the Senate because I believe it demonstrates one very fundamental point, namely, that when the United States is sincere and when the United States shows to the rest of the world that quality, our Nation is at its greatest, for our sincerity is really our unique national attribute.

The United States has said, all along, that it wishes to have nuclear testing ended, providing there is some promise of actual achievement of that objective, and provided the effort in that direction is soundly based in terms of scientific findings. Now, as soon as there is a sound basis, bottomed on scientific findings, as the result of the meeting at Geneva, the United States is prompt to come forward with this proposal, thus

laying at rest all the calumnies which have been directed against us—for instance, such statements as the ones that we are looking for wars or that we are bloodthirsty tyrants, or all the other nonsense that one hears on the Moscow or other Communist-controlled radio.

I sincerely submit that when the President spoke on yesterday, he was actually bespeaking both his own sentiments and those in the hearts of the American people.

Mr. MORSE. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. MORSE. The Senator from New York and I may disagree on the time schedule; but I wish to join him in hailing the action the President took yesterday. I think it is long overdue, but I am glad that a record has finally been written in support of suspension of nuclear tests.

In 1956, I campaigned on this issue, as one of the major issues of my campaign. That issue was supposed to be one of the issues which would result in my defeat. But the people of my State gave their answer—quite clearly, I think—on this issue.

In 1956, I discussed the scientific evidence which then was being presented to us by the scientists of the country—in fact, it had been presented as early as 1954, and I made it clear that, from the standpoint of moral principles, the United States should stop the testing of nuclear weapons. I made that issue a major issue of my campaign. The presidential candidate of our party in 1956 likewise made that issue an issue of his campaign.

I agree with the Senator from New York that at this time, in view of the President's statement of yesterday, partisanship should be out the window and we should stand before the world urging—not only in the interest of world security, but also in the interest of world health—that there be an end of nuclear testing on the part of all nations. It seems to me it now constitutes one of the tests—which is put squarely up to the Russians—as to whether they are acting in good faith in regard to the matter of cessation of nuclear tests.

Mr. JAVITS. Mr. President, I appreciate my colleague's concurrence in my remarks; but I would be less than frank if I did not point out that I thoroughly believe in the conditions the President has attached, namely, that there must be an effective system of detection and control, and also that it must be a step in the direction of disarmament.

I hope the other countries of the world realize that, and also realize its essentiality in terms of the Free World.

Mr. President, I turn now to another subject.

The PRESIDING OFFICER. The Senator from New York is recognized.

TRIBUTES TO SIX RETIRING MEMBERS OF THE NEW YORK REPUBLICAN DELEGATION IN THE HOUSE OF REPRESENTATIVES

Mr. JAVITS. Mr. President, I should like to pay tribute to six retiring members of the New York Republican delegation in the House of Representatives, all of whom have served their country and the Congress in the highest sense of duty and good conscience. They are Representatives COUDERT, GWINN, KEARNEY, WILLIAMS, RADWAN, and LATHAM.

Mr. President, I pay my tribute to them as fine Americans, outstanding citizens of the State of New York, and men who have done their best to serve their country to the best of their ability, and have served it with honor.

I ask unanimous consent that a brief biography of each of them be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the biographies were ordered to be printed in the RECORD, as follows:

Six New York Congressmen retiring. All six are Republicans.

1. FREDERIC RENE COUDERT, Jr., 17th District. World War I, served in France. Born in New York City. Bachelor of arts from Columbia University, 1918; bachelor of laws, 1922. New York lawyers committee against Jones Act (prohibition law), chairman, 1929. State senator, 1939–46. Chairman of Rapp-Coudert Joint Legislative Subcommittee to Investigate Public Education in City of New York. Elected to 80th and succeeding Congresses. Member of House Appropriations Committee.

2. RALPH W. GWINN, 27th District. Born in Indiana, 1884. Graduated from DePauw University and Columbia. Religious leader (Reformed Church). Former president of National Republican Club. Author of articles on politics, agriculture, and religious education. Elected to 79th Congress and thereafter to succeeding Congresses.

3. BERNARD W. (PAT) KEARNEY, 32d District. Born in Ithaca, 1889. Graduated Union University and Albany Law School. Served in many battles in France in World War I. (Enlisted as private in New York National Guard in 1909; retired as major general in 1940.) Medals: French Legion of Honor, Croix de Guerre, Commander, Legion of Honor (Philippines). Elected to 78th Congress and thereafter. Coauthor of GI bill of rights and gave it that name. (Commander in chief of VFW, 1936. Also commander of American Legion in Fulton County for four terms. Recent citation by VFW.)

4. WILLIAM R. WILLIAMS, 34th District. Born in Brookfield, N. Y. Occupation, farmer. State legislature, 1935–43. Sheriff of Oneida County, 1943–51. Elected to 82d Congress and thereafter. Served on Agriculture Committee and subcommittees.

5. EDMUND P. RADWAN, 41st District. Born in Buffalo, 1911. Graduated University of Buffalo Law School. Before that, Canesius College. Lived in Buffalo all his life. Practicing attorney. State senate from 1945 to 1950. Active in veterans' organizations. Elected to 82d Congress and thereafter. On Foreign Affairs Committee.

6. HENRY J. LATHAM, Fourth District. Born in Brooklyn, 1908. St. John's College and Brooklyn Law School of St. Lawrence University; bachelor and master's degrees in law. New York State Assembly, 1941–42. United States Navy, served in Atlantic and Pacific war theaters. Commander in United States Navy Reserve. Elected to 79th Congress and thereafter to succeeding Congresses. Member of Rules Committee.

RESPONSIBILITIES OF SURGEONS GENERAL OF ARMY AND NAVY OUTSIDE DEPARTMENT OF DEFENSE

Mr. HILL. Mr. President, on August 5, 1957, more than 1 year ago, the Senate passed an act to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense. These responsibilities were given to the Surgeons General before there was a Food and Drug Administration and before there were certain investigative bodies on the part of the Department of Agriculture and other departments of the Government.

At this time, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 2006.

The PRESIDING OFFICER (Mr. MORTON in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2006) to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense, which was, to strike out all after the enacting clause and insert:

That (a) section 4818 of the Internal Revenue Code of 1954 (relating to administrative decisions in respect to adulterated butter) is amended—

(1) by striking out "(a) TAXABILITY.—"; and

(2) by striking out subsections (b) and (c) thereof.

(b) (1) Section 4835 of the Internal Revenue Code of 1954 (relating to administrative decisions in respect of filled cheese) is repealed.

(2) The table of sections for subpart A of part II of subchapter C of chapter 39 of the Internal Revenue Code of 1954 is amended by striking out

"Sec. 4835. Administrative decisions."

(c) Paragraph (2) of section 7303 of the Internal Revenue Code of 1954 (providing for forfeiture of certain property) is repealed.

SEC. 2. Section 351 (d) of the Public Health Service Act (58 Stat. 702; 42 U. S. C., sec. 262 (d)) is amended by striking out "regulations made jointly by the Surgeon General, the Surgeon General of the Army, and the Surgeon General of the Navy, and approved by the Administrator," and inserting in lieu thereof "regulations,".

Mr. HILL. Mr. President, the House has added to the bill an amendment which is entirely acceptable to the Department of Health, Education, and Welfare, the Department of Defense, the Treasury Department, and all the other departments.

Therefore, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

MISSILE DEVELOPMENT

Mr. SPARKMAN. Mr. President, the remarks I wish to make are in no way designed to detract from the work of any branch of the armed services. All of them, I feel sure, are doing their best as they see it.

On Thursday my distinguished colleague from Massachusetts [Mr. SALTONSTALL], presented a list of military achievements which he cited as the hard facts of our defense posture. One of the achievements he named was the Bomarc, which the senior Senator from Massachusetts described as "a deadly defensive missile which has been fired with incredible accuracy."

It is not my purpose to take issue with this statement, but rather to fill a void which exists in the information presented by the senior Senator from Massachusetts. Through inadvertance, I feel sure, my distinguished colleague from Massachusetts failed to mention as a major element of our defense structure, the only operational land-based air-defense missile we have in our arsenal—the Army's Nike family of anti-aircraft weapons.

Nike-Hercules, the second generation of the Nike air-defense weapons, is the most lethal and most advanced air-defense weapon in the hands of our forces today. We have no other operational weapon which approaches its lethality, accuracy, range, or reliability. The growth potential of the Nike-Hercules is unrivaled, and has been proved beyond question. The next generation of Nike missiles—the Nike-Zeus is in the hardware-development stage. It is the only anti-ICBM missile in our arsenal which is beyond the drawing board. Its developers are certain of its success.

Without intending to take issue at this time with what the distinguished senior Senator from Massachusetts has said about our defense posture, I believe it is in order to clarify our capabilities in the field of air defense. Therefore, it is necessary, I feel, to point out the operational effectiveness of Nike-Hercules and its proven growth potential. On the other hand, the Bomarc missile is, in fact, an unmanned interceptor. It is not operational, and its reliability is discouragingly low—something on the order of 25 percent of the proven reliability of the Nike-Hercules. Its altitude range is distinctly limited. Thus far, approximately $1 billion has been spent on the Bomarc program, and, I repeat, it is not yet operational. This is more than twice the amount which has been spent to date on the development of the Nike family and the land-based Talos.

Mr. President, I should like to conclude these remarks by calling attention to the essential and fundamental part which has been played in the development of the Nike missile family, the Redstone, the Jupiter, and, as a matter of plain fact, the general development of our missiles by the great missile team at the Army Ballistics Missile Agency in Huntsville, Ala. The experience and know-how of this group of experts in Alabama is unmatched elsewhere in this Nation. It is to this group we owe what success we have made in the field of earth satellites, and to them we should in all logic look for greater and greater developments.

AMENDMENT OF DISTRICT OF COLUMBIA PUBLIC SCHOOL FOOD SERVICES ACT

Mr. MORSE. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to the bill (S. 1764) to amend the District of Columbia Public School Food Services Act.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1764) to amend the District of Columbia Public School Food Services Act, which was, on page 1, line 10, after "cost" insert ": *Provided*, That such reimbursement shall be made only in cases where such lunches are served to children of families who are recipients of public assistance granted by the government of the District of Columbia."

Mr. MORSE. Mr. President, I hope that the Senate will concur in the amendment which has been made by the House of Representatives to S. 1764, a bill passed by this body on August 23, 1957, in order that the measure may be sent for Presidential signature. I state the unanimous opinion of the District of Columbia Committee.

The amendment of the House provides that reimbursement for lunches served in accordance with section 9 of the National School Lunch Act shall be made only to children from families receiving public assistance.

It does not limit the serving of free lunches or lunches at reduced cost to other children determined by the school authorities to be unable to pay for lunches. The limitation, I repeat, Mr. President, is upon the reimbursement that can be claimed, not upon the provision of school lunches to those who are in need.

The amended version, I am informed, is acceptable to the school authorities.

Mr. President, the amendment of the House is acceptable. I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

MUTUAL SECURITY APPROPRIATIONS, 1959

The PRESIDING OFFICER. Is there further morning business? If not, the Chair lays before the Senate the unfinished business——

Mr. KNOWLAND. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. The Chair is making inquiry as to whether there is any further morning business. If not, the Chair will lay before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Has there been an agreement to have a call of the calendar following conclusion of morning business?

The PRESIDING OFFICER. The order was to have a call of the calendar sometime during the day. No definite hour was set.

The pending question is amendment lettered C, offered by the Senator from Louisiana [Mr. ELLENDER].

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JAVITS in the chair). Without objection, it is so ordered.

CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order to call the calendar at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and without objection, it is so ordered. The clerk will state the first measure on the calendar.

RESOLUTIONS AND BILLS PASSED OVER

The resolution (S. Res. 24) to amend rule XIV of the Standing Rules of the Senate, was announced as first in order.

Mr. TALMADGE. Mr. President, I ask that Calendar No. 69 (S. Res. 24) to amend rule XIV of the Standing Rules of the Senate;

Calendar No. 131 (S. Con. Res. 20) authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce;

Calendar No. 249 (S. 1164) to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes;

Calendar No. 264 (S. 1639) to provide for the suspension of the vesting of alien property and the liquidation of vested property, under the Trading With the Enemy Act;

Calendar No. 415 (S. 931) to provide for the reorganization of the safety functions of the Federal Government and for other purposes;

Calendar No. 585 (S. 2150) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes;

Calendar No. 722 (S. 1168) to amend the Securities and Exchange Act, as amended;

Calendar No. 726 (S. Res. 118) to amend rule XXVI so as to require committee reports proposing legislation or ratification of treaties, involving expenditure of public funds, to show the estimated costs thereof;

Calendar No. 861 (S. 1483) to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries;

Calendar No. 1074 (S. 984) conferring jurisdiction on the court of claims to make certain findings with respect to the amount of compensation to which certain independent ore producers are equitably entitled for uranium supplied by them to the United States during the period May 1, 1943, to August 5, 1945,

and to provide for payment of the amounts so determined;

Calendar No. 1153 (H. R. 7168) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes;

Calendar No. 1183 (S. J. Res. 80) proposing an amendment to the Constitution of the United States relative to equal rights for men and women;

Calendar No. 1198 (S. 50) to provide for the admission of the State of Hawaii into the Union;

Calendar No. 1298 (S. 5) to amend the Federal Property and Administrative Services Act of 1949, as amended, to prevent the allocation of procurement contracts to certain designated geographical areas, and for other purposes;

Calendar No. 1337 (S. 213) to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law;

Calendar No. 1343 (S. 3039) amending the Agricultural Trade and Assistance Act of 1954, as amended;

Calendar No. 1392 (S. 3441) to provide for a minimum acreage allotment for corn and other purposes;

Calendar No. 1393 (S. 3408) to amend the Agricultural Adjustment Act of 1938, as amended, so as to provide that cotton acreage allotments for the States for 1958 and subsequent years shall be no less than in 1956, and for other purposes;

Calendar No. 1486 (S. 2861) to extend for an additional 4-year period the provisions of the National Wool Act of 1954;

Calendar No. 1499 (S. Con. Res. 62) to request the President to use his best efforts to bring about a meeting of representative citizens from all the North Atlantic Treaty Organization nations to examine ways to promote greater cooperation among those nations;

Calendar No. 1518 (H. R. 2783) to amend the Tariff Act of 1930, to provide for the free importation of amorphous graphite;

Calendar No. 1534 (S. Res. 17) to amend section 2 of rule XXII of the Standing Rules of the Senate;

Calendar No. 1616 (S. 2646) to limit the appellate jurisdiction of the Supreme Court in certain cases;

Calendar No. 1644 (S. 3862) to establish certain provisions with respect to the removal and the terms of office of the members of certain regulatory agencies;

Calendar No. 1647 (S. J. Res. 16) to establish a joint committee to investigate the gold-mining industry; and

Calendar No. 1672 (S. 3918) to authorize the sale of nonessential vessels of the merchant marine national defense reserve fleet be passed over.

The PRESIDING OFFICER. The bills and resolutions will be passed over.

The bill (S. 3560) to authorize the construction of a courthouse and a Federal office building in Memphis, Tenn., and for other purposes, was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 83) to refer to the Court of Claims the bill (S. 819) for the relief of Mary A. Ford, was announced as next in order.

Mr. CLARK. Mr. President, I ask that Calendar No. 1990 (S. Res. 83) to refer to the Court of Claims the bill (S. 819) for the relief of Mary A. Ford;

Calendar No. 2009 (S. 3290) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals;

Calendar No. 2056 (S. 11) to amend the Robinson-Patman Act with reference to equality of opportunity;

Calendar No. 2063 (H. R. 1435) for the relief of John I. Strong;

Calendar No. 2086 (S. 3185) to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Permit Act;

Calendar No. 2091 (H. R. 6995) to amend Public Law 883, 84th Congress, to provide for the conveyance of certain additional property of the United States to the city of Roseburg, Oreg., and for other purposes;

Calendar No. 2104 (S. 4146) providing for payments as incentives for the production of certain strategic and critical minerals, and for other purposes;

Calendar No. 2109 (S. 237) to regulate the interstate transportation of lobsters, and to define the term "lobster" for the purpose of the Federal Food, Drug, and Cosmetic Act;

Calendar No. 2139 (S. 4162) to further amend the Defense Production Act of 1950, as amended;

Calendar No. 2146 (S. Res. 353) opposing the suspension of deportation of James Chin Lee;

Calendar No. 2241 (S. 2142) to amend section 8 (e) of the Agricultural Adjustment Act, to provide for the extension of the restrictions on imported citrus fruits, sliced figs, dried figs, and fig paste;

Calendar No. 2258 (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes;

Calendar No. 2280 (H. R. 8361) to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus for persons in custody pursuant to the judgment of a State court;

Calendar No. 2282 (S. 337) to establish rules of interpretation governing questions of the effects of acts of Congress on State laws;

Calendar No. 2386 (S. 4091) to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia;

Calendar No. 2387 (S. 3229) to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes;

Calendar No. 2394 (S. 2373) for the relief of Janet R. Parker;

Calendar No. 2400 (S. 3626) to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes;

Calendar No. 2411 (S. 411) to amend the Trading With the Enemy Act, as amended;

Calendar No. 2427 (S. 2020) to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act;

Calendar No. 2428 (S. 1313) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act so as to provide increases in benefits and for other purposes; and

Calendar No. 2479 (S. 1870) to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines be passed over.

The PRESIDING OFFICER. The bills and resolutions will be passed over.

BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety was announced as next in order.

Mr. WILLIAMS. Mr. President, I have an amendment at the desk on this bill, which has been cleared with the committee. I should like to have the amendment considered.

Mr. TALMADGE. Mr. President, inasmuch as the distinguished chairman of the Committee on Labor and Public Welfare is not presently on the floor, I ask that the bill go to the foot of the calendar, to be considered after arrival of the chairman of the committee.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

MRS. BOYD DINEHART AND RICHARD REAMS

The bill (H. R. 1803) for the relief of Mrs. Boyd Dinehart and Richard Reams was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6789) to provide for reasonable notice of applications to the United States Courts of Appeals for interlocutory relief against the orders of certain administrative agencies was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

PETER JAMES O'BRIEN

The bill (H. R. 4073) for the relief of Peter James O'Brien was considered, ordered to a third reading, read the third time, and passed.

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I wrote to the senior Senator from Mississippi [Mr. EASTLAND] in reference to this bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *April 18, 1958.*

Hon. JAMES O. EASTLAND,
Chairman, Senate Committee on the Judiciary, United States Senate, Washington, D. C.

DEAR JIM: It has been brought to my attention that there is pending before your committee H. R. 4073 for the relief of a Peter James O'Brien.

I will call your particular attention to the comments of the House Committee on Judiciary in the report accompanying this bill, pointing out that Mr. O'Brien should be granted relief as provided for in H. R. 4073 in spite of the adverse reports of the VA and the Department of Labor.

Favorable action on this bill by your committee will be very much appreciated.

My kindest regards,

Sincerely yours,

EDWARD J. THYE,
United States Senator.

BILLS PASSED OVER

The bill (H. R. 8496) for the relief of William H. Pearlmutter was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 11817) for the relief of Adele M. Parker was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3193) for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

CALIFORNIA INTERNATIONAL TRADE FAIR AND INDUSTRIAL EXPOSITION, LOS ANGELES, CALIF.

The joint resolution (H. J. Res. 658) authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959, was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN REAL PROPERTY, EL PASO, TEX.

The bill (H. R. 11456) to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

WILLIAM FRANKLIN ROLLINS

The bill (H. R. 1684) for the relief of William Franklin Rollins was considered, ordered to a third reading, read the third time, and passed.

W. G. HOLLOMON AND MRS. HOLLOMON

The Senate proceeded to consider the bill (H. R. 8759) for the relief of W. G. Hollomon and Mrs. W. G. Hollomon.

Mr. BARRETT. Mr. President, may we have an explanation of the bill?

Mr. TALMADGE. I shall be delighted to give an explanation.

The purpose of the proposed legislation is to pay the sum of $3,189.15 to Mr. and Mrs. G. W. Hollomon, in full settlement of all claims against the United States. Such sum represents compensation for personal injuries sustained as a result of being shot by United States soldiers in their place of business at Brooklyn, Ga., on September 2, 1956.

The statement of facts contained in House Report No. 1907 is as follows:

It appears that two soldiers attached to the Army at Fort Benning, Ga., entered the place of business of W. G. Hollomon, at which time Mr. Hollomon and his wife were present and undertook to perpetrate a robbery by violence and force, and in the process of such robbery, one of the soldiers began shooting and Mr. Hollomon returned the fire, even though he had been shot three times and received serious injuries from which he has never fully recovered. The soldier, Kirchner, was killed in the exchange of gunfire.

The Department of the Army opposed the enactment of the bill stating that the guns used by the soldiers were not property of the Government and there is no legal liability to pay for their action. However, the Congress has passed and the President has signed many bills into law under such circumstances. The Department in its report states that under these conditions Private Law 201, 81st Congress, and Private Law 1013, 81st Congress, were enacted, but in these cases the Army had a more direct relationship to the crime in that the weapons utilized were Government property. Your committee is of the opinion that this is not a proper defense and it makes no difference as to the ownership of the weapons used in the attack. They were nevertheless soldiers of the United States Army.

Listed below are private laws enacted by the Congress which are of similar nature.

Private Laws 264, 78th Congress, 90 of the 78th, 388 of the 79th, 40 of the 80th, 98 of the 80th, 190 of the 81st, 201 of the 81st, 706 of the 82d, and many more too numerous to list. Mr. Hollomon lost a sum of money in the robbery, but your committee has not allowed this loss. Also, Mr. Hollomon being postmaster could file for compensation under the Employees' Compensation Act. Therefore, a provision has been made in the bill to bar him from receiving compensation from this source at any future date.

The report dated September 12, 1957, from the Department of the Army to the chairman gives in detail the history of the proposed legislation. In view of the many bills enacted of similiar nature, your committee disagrees with the recommendation and recommends favorable consideration of the bill as amended.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my friend from Wyoming.

Mr. BARRETT. Can the Senator tell me whether or not these servicemen were on duty at the time, and in uniform?

Mr. TALMADGE. No, they were not in uniform, but because they disguised their identities by wearing civilian clothes does not alter the fact that they were soldiers. A soldier is a soldier 24 hours a day regardless of the apparel he may be wearing at a given time.

I would also point out to the Senator that at this session of the Congress we have enacted legislation to pay the private claim of a conductor of a railroad who was assaulted and attacked by a soldier while he was aboard the train. So the situations are quite parallel.

I would also point out that I know Mr. Hollomon and his wife. They are good citizens of the rural community of Brooklyn, Ga., which is located on the very outskirts of Fort Benning, Ga., where soldiers come and go at will.

I believe that this claim has a great deal of merit, and I hope the Senator from Wyoming can approve passage of the bill.

Mr. BARRETT. I thank the distinguished Senator. I withdraw my reservation.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 8759?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

MRS. MINNIE PERREIRA

The bill (H. R. 9258) for the relief of Mrs. Minnie Perreira was considered, ordered to a third reading, read the third time, and passed.

JOHN F. SHEEHAN

The Senate proceeded to consider the bill (S. 3545) for the relief of John F. Sheehan, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 5, after the word "of", where it appears the second time, to strike out "$1,115" and insert "$1,415", so as to make the bill read:

Be it enacted, etc., That John F. Sheehan of Westwood, Mass., is hereby relieved of all liability for payment to the United States of the sum of $1,415, representing overpayments of per diem which he received as an employee of the Department of the Navy while he was assigned to duty at the Golcuk Navy Yard, Ismet, Turkey, such overpayments having been made as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any

money in the Treasury not otherwise appropriated, to the said John F. Sheehan, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL FUNDS FOR THE COMMITTEE ON ARMED SERVICES

The resolution (S. Res. 386) to provide additional funds for the Committee on Armed Services was considered and agreed to, as follows:

Resolved, That the Committee on Armed Services, or the Military Construction Subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to military construction.

SEC. 2. For the purpose of this resolution the committee, from September 1, 1958, to January 31, 1959, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis such personnel as may be necessary; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $12,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADMINISTRATIVE SITE FOR YOSEMITE NATIONAL PARK, CALIF.

The bill (H. R. 12281) to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

PROMOTION OF CERTAIN PERSONS WHO PARTICIPATED IN THE DEFENSE OF THE PHILIPPINES

The bill (S. 2765) to provide for the promotion of certain persons who participated in the defense of the Philippines was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretaries of the military departments concerned shall convene boards of officers to recommend for promotion or advancement on the retired list to the next higher grade (1) any member on active duty and (2) any member or former member who is on a retired list and entitled to retired or retirement pay, who—

(1) participated in the defense of the Philippine Islands while in active service at any time after December 6, 1941, and before May 8, 1942, prior to which date General Jonathan M. Wainwright surrendered all the forces under his command;

(2) was incarcerated while so serving; and

(3) was not promoted or advanced on a retired list at any time after he was so incarcerated.

If not promoted to a higher grade while on active duty, a member on active duty who is so recommended shall, if nominated by the President and confirmed by the Senate, after his relief from active duty or after being placed on a retired list with entitlement to retired or retirement pay, be advanced to the grade concerned. A member or former member who is on a retired list and entitled to retired or retirement pay who is so recommended for advancement shall, if nominated by the President and confirmed by the Senate, be advanced on the retired list to the grade concerned.

SEC. 2. A member who is advanced to a higher grade under this act may be ordered to active duty under any provision of law which authorized his being ordered to active duty in either the grade to which advanced under this act or in the grade which he held at the time of that advancement. While on active duty he is entitled to the pay and allowances of the grade in which ordered to active duty.

SEC. 3. The retired, retirement, or equivalent pay to which an officer advanced in grade under this act is entitled is not increased by that advancement.

ROGER P. AMES

The bill (H. R. 7544) to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames was considered, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF ADJUTANT GENERAL OF PUERTO RICO

The bill (S. 4129) to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico was announced as next in order.

The PRESIDING OFFICER laid before the Senate a bill coming over from the House (H. R. 13666) to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico which was read twice by title.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 4129 is indefinitely postponed.

EDWARD ARTHUR PATTERSON LAKE

The joint resolution (S. J. Res. 179) to designate the lake to be formed by the water impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota shall hereafter be known as "Edward Arthur Patterson Lake," and any law, regulation, document or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of "Edward Arthur Patterson Lake."

BILL PASSED OVER

The bill (H. R. 13856) making appropriations for sundry executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CLARK. Mr. President, that is an appropriation bill, and is not properly calendar business. It should be passed over.

The PRESIDING OFFICER. The bill will be passed over.

PROHIBITION OF USE OF UNTESTED ADDITIVES IN FOOD

The PRESIDING OFFICER. Calendar No. 2487, House bill 13254, was passed to the foot of the calendar. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety.

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This bill, which is the result of some 6 years of very intensive hearings held by the House Committee on Interstate and Foreign Commerce, was reported unanimously by that committee to the House, passed the House without dissent and has been unanimously reported by the Committee on Labor and Public Welfare.

The bill has as its objective the correction of two deficiencies in the existing laws under which we undertake to assure the safety of the foods sold to the people of the United States.

In the first place, this legislation would require the processor of foodstuffs who proposes to add to the food any new chemical additive to first prove that the proposed addition will be safe. Under present law the burden of proving any particular additive poisonous or deleterious to humans lies with the Food and Drug Administration. Sometimes a chemical may be added to foodstuffs and used for a considerable period of time before anyone begins to suspect that it may be having ill effects. When and if suspicion has been aroused, more time passes before the Food and Drug Administration can schedule it for investigation. The scientists of our Food and Drug Administration then undertake investigatory procedures involving testing the chemical additives on small animals. This may take 2 years or even longer. In the meantime, millions of people may be eating the foodstuffs containing the perhaps seriously deleterious additive. An overwhelming percentage of America's food processors of course have voluntarily undertaken to thoroughly test any additives before using them. This bill would require that all processors do so and that no new additives be used without their safety having first been established. The burden of proof is placed where it belongs: Not on the Government, but on the concern which intends to add the chemical to our food.

The second change in existing law would permit American industry to promote new technological developments in food handling calculated to make foods more tasteful and appetizing, to enable them to be kept longer, or to otherwise improve them, through the use of additives now proscribed under a blanket provision of existing law. This legislation, which has the approval of the Food and Drug Administration, would permit the use of additives at safe levels in order to advance our food technology.

I have said that the bill before us passed the House unanimously. I have also pointed out that it has the support of the Food and Drug Administration, which is charged by law with responsibility for protecting the public's health with respect to the foods it eats. I am happy, Mr. President, to be able to also announce that our records indicate that this measure now has the overwhelming support of the major industrial and business concerns which would be affected by it. Its prompt passage is urged not only by the Administration and the committee but by such business groups as:

"National Canners Association; National Dairy Products Corp., Kraft Foods Division; Grocery Manufacturers of America; Millers National Federation; American Bakers Association; Manufacturing Chemists Association; and the Dairy Industry Committee, speaking for: the American Butter Institute; the American Dairy Milk Institute; the Evaporated Milk Association; the International Association of Ice Cream Manufacturers; the Milk Industry Foundation; the National Cheese Institute; and the National Creameries Association.

The bill will further strengthen the administration of the Pure Food and Drug Act and the protection afforded the American people by that act.

Mr. President, I note the presence of the distinguished senior Senator from Montana, Mr. MURRAY. He is a former chairman of the Senate Committee on Labor and Public Welfare and is always greatly interested in the strengthening of the Pure Food and Drug Act. We owe much to him and his able and devoted leadership.

Questions were raised concerning the interpretation of two words in the bill. The questions were taken up with the Department of Health, Education, and Welfare. Following is a letter from the Department giving its interpretation of those words:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, August 20, 1958.

Hon. LISTER HILL,
Chairman, Committee on Labor, and Public Welfare, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: Two questions have arisen about the correct interpretation and the legislative intent of section 2 of H. R. 13254, referred to as the "Food Additives Amendment of 1958." Those questions, and the viewpoints of this Department and of the Food and Drug Administration, are as follows:

1. Does the word "substance," as used in that section, include a food or food component consisting of two or more ingredients? Our interpretation is in the affirmative.

2. Do the words "common use," as used in that section, include a wide use of such a substance by many consumers, even though such a substance may have been used by only a single manufacturer of food or food components? Again our answer is in the affirmative.

We would greatly appreciate it if you would place this letter in the CONGRESSIONAL RECORD in connection with the presentation of the bill for Senate consideration.

Sincerely yours,
ELLIOTT L. RICHARDSON,
Assistant Secretary.

I would add that the term "otherwise affecting the characteristics of any food" refers to an effect not generally recognized as safe among experts qualified by scientific training and experience to evaluate the safety of food additives; but innocuous effects of packaging, such as protection from dirt, retarding moisture loss, preserving shape, providing convenience in use, handling and storage, and the like, would not be covered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments, on page 15, after line 5, to insert a new section, as follows:

SEC. 8. The annual rate of basic compensation of the Commissioner of Food and Drugs shall be $20,000.

And after line 7, to insert a new section, as follows:

SEC. 9. Section 208 (g) of the Public Health Service Act, as amended (42 U. S. C. 210 (g)), is amended by striking out the phrase "in the professional and scientific service" and inserting in lieu thereof the phrase "in the professional, scientific, and executive service" and by striking out the phrase "of specially qualified scientific or professional personnel" and inserting in lieu thereof "of specially qualified scientific, professional, and administrative personnel."

Mr. HILL. Mr. President, I ask that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. On page 2, line 21, after the word "Act," it is proposed to insert the following: ", the Poultry Products Inspection Act (21 U. S. C. 451 and the following)."

On page 15, line 3, after the words "pursuant to," it is proposed to insert the following: "the Poultry Products Inspection Act (21 U. S. C. 451 and the following) or."

Mr. HILL. Mr. President, let me say to the distinguished Senator from Delaware that these are very fine amendments. The Department of Agriculture favors the amendments. The Department of Health, Education, and Welfare has no objection to them. I hope the amendments may be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Delaware.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement which I have prepared in connection with my amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAMS IN CONNECTION WITH AMENDMENT TO H. R. 13254, AS REPORTED BY THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE WITH AMENDMENTS

The bill as reported by the Committee on Labor and Public Welfare, as indicated by the provisions of section 2 and section 7 relating to the Meat Inspection Act, is not intended, as indicated by the committee report on page 9, to affect the jurisdiction of the Department of Agriculture under the Meat Inspection Act. Apparently through an oversight similar reference is not made in the bill to the Poultry Products Inspection Act, which was enacted during the last session of this Congress, dealing with a mandatory inspection program for poultry. This omission of reference to this act may have been due to the language of section 16 of the Poultry Products Inspection Act which indicates clearly the Congressional intent with respect to the scope and nature of the jurisdiction of the Secretary of Agriculture under that act. However, in order to make it abundantly clear that, as in the case of the Meat Inspection Act, it is not the intention of the Congress in passing this bill to in any way affect the scope or nature of the jurisdiction of the Department of Agriculture under the Poultry Products Inspection Act, I am offering an amendment which will include in the bill references to the Poultry Products Inspection Act similar to those made to the Meat Inspection Act.

ORDER OF BUSINESS

The PRESIDING OFFICER. That concludes the calendar.

Mr. MORSE. Mr. President, will the Chair advise the Senator from Oregon where the call of the calendar was started?

The PRESIDING OFFICER. The call started at the beginning, but all the order numbers up to 1684 were objected to; also order numbers 1990 to 2479 were objected to, and were passed over.

The call was resumed with order No. 2487, a bill which was passed to the foot of the calendar when it was called, and which has just now been passed.

Mr. MORSE. Was any action taken on Calendar 2091, House bill 6995?

The PRESIDING OFFICER. It was passed over with a group of bills en bloc.

Mr. MORSE. What action was taken with regard to Calendar 2427, Senate bill 2020?

The PRESIDING OFFICER. It was passed over with a group of bills en bloc.

AMENDMENT OF RAILROAD RETIREMENT ACT AND RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. MORSE. Mr. President, would it be out of order for me to make a brief statement in connection with Calendar No. 2427, Senate bill 2020?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MORSE. Mr. President, I invite the attention of Senators to Calendar No. 2427, Senate bill 2020, a bill to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act. I hope it can be considered some time before adjournment. I should like to tell the Senate why, and I should like to have the attention of the Senator from Kentucky [Mr. COOPER], who is familiar with the bill, as is the Senator from Alabama [Mr. HILL], who is also a member of our committee, and the Senator from Michigan [Mr. MCNAMARA]. They are the only members of the Committee on Labor and Public Welfare whom I see present in the chamber. I call upon them to check the statement I am about to make to the Senate.

This is a technical bill. It is a bill which seeks to bring to an end the jurisdictional conflict between the Railroad Retirement Board and the Social Security Board in connection with so-called freeze disability cases, disability cases where the person disabled worked for a time for a railroad, then for a time did not work for the railroad, and became disabled. Who will have jurisdiction? Will the jurisdiction be had by the Railroad Retirement Board or by the Social Security Board? The interesting thing is that the pattern of settling these cases by way of disability allowance is the same whether the cases are handled by the Railroad Retirement Board or by the Social Security Board. We all know, however, that in governmental departments there develops a desire to hold on to whatever any given agency thinks comes within its jurisdiction, and not yield jurisdiction to another agency in what it thinks is an encroachment in the field of jurisdiction. That is the problem which confronted us in the Committee on Labor and Public Welfare and in our subcommittee.

Therefore we said to both agencies: "Get your heads together. Stop bothering us with this kind of administrative detail." There is no reason in the world why these two agencies should not sit down and decide how they are going to solve this little jurisdictional conflict. The result was that we received a letter some time later which advised us that they had gotten their heads together. We took their agreement, and it is now in the form of S. 2020.

I wish to be completely accurate, and therefore state that subsequent to the submission of the joint agreement between these two agencies, someone in the Social Security Administration had a second thought, and wanted a further modification made. We took the position it was too late. We said they had worked out a fair agreement in the first place and we had accepted it, and we were going to stand on that acceptance.

Mr. President, we should not go into another year without passing this technical bill. We should pass it now. If it does not work out to the satisfaction of both agencies, they can come back to us. However, I will tell Senators what the result will be if Congress makes this administrative decision based upon the joint understanding which the agencies have reached. It will mean that both agencies will adjust to it and we will hear nothing further about it. If we keep the bill on the calender, and adjourn with it on the calendar, we will keep the fires of dispute and disagreement between these two great agencies burning. The time has come to squelch them.

I hope at some time today we will bring up S. 2020, for not more than a minute's debate, and get it behind us, and get it to the House and get it voted on, so that the Committee on Labor and Public Welfare, come January, can devote its time to more important matters than to have these agencies come before the committee and wash their jurisdictional linen in front of us. That is my plea. I can say no more. I ask my chairman, the Senator from Alabama [Mr. HILL] and the Senator from Kentucky [Mr. COOPER] and other members of the committee if I have said anything that is not in accord with the facts.

Mr. JOHNSON of Texas. Mr. President, if we can pass the bill in a minute, I ask unanimous consent that we proceed to its consideration.

Mr. MORSE. I have made my case.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2020) to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments on page 2, line 1, after the word "subsection", to strike out "and all purposes of title II of the Social Security Act"; in line 18, after the word "year", to strike out *"Provided,* That no such period of disability shall be deemed to have begun if the employee died before July 1, 1955:"; in line 21, after the word *"Provided"*, to strike out *"further"*; on page 3, line 3, after the word "July", to strike out "1957" and insert "1958", after the amendment just above stated, to strike out *"And provided"* and insert *"Provided further"*; in line 11, after the word "act", to strike out "For purposes of section 5 (k) (2) of this act, any determination by the Board of a period of disability for an employee shall be considered a determination of such a period for such employee by the Secretary of Health, Education, and Welfare under section 216 (i) of the Social Security Act, and for such purposes section 222 (b) of the Social Security Act shall not apply with respect to any individual whose period of disability is determined by the Board under this paragraph" and insert "An application filed with the Board pursuant to this paragraph shall be deemed filed as of the same date also with the Secretary of Health, Education, and Welfare for the purpose of determining a 'period of disability' under section 216 (i) of the Social Security Act"; on page 7, line 17, after the word "sentence", to strike out "after" and insert "beginning with"; on page 9, after line 13, to strike out:

Section 5 (k) (1) of such act is amended by striking out "for the purposes of sections 203 and 216 (i) (3) of that act" and inserting in lieu thereof "for the purposes of section 203 and, with respect to an employee who will have completed less than 10 years of service, section 216 (i) (3) of that act."

At the beginning of line 20, to strike out "(f)" and insert "(e)"; on page 10, line 9, after the word "act", to strike out "where such determination would otherwise result in a denial, or a decrease in the amount, of monthly or lump sum benefits under either the Railroad Retirement Act or the Social Security Act)"; at the beginning of line 13, to strike out "(g)" and insert "(f)"; at the beginning of line 20, to strike out "(h)" and insert "(g)"; on page 11, at the beginning of line 3, to strike out "(i)" and insert "(h)"; at the beginning of line 11, to strike out "(j)" and insert "(i)"; on page 12, line 7, after the word "is", to strike out "amended—"; after line 7, to strike out:

(1) by inserting before the period at the end of the first sentence a comma and the following: "including expenses, tuition, and salaries of employees of the Board who are designated by the Board to attend courses of instruction or training at institutions (whether or not such courses are conducted by the United States), not exceeding 240 class hours in any one calendar year for any one such employee."; and

At the beginning of line 16, to strike out "(2)"; on page 13, line 12, after the word "and", to strike out "2 (j)" and insert "2 (i)"; on line 15, after the word "sections", to strike out "2 (h)" and insert "2 (g)"; at the beginning of line 16, to strike out "2 (i)" and insert "(2 (h)"; in line 22, after the word "by", to strike out "sections 1 (b) and 2 (c)" and insert "section 1 (b)"; on page 14, line 7, after the word "and", to strike out "2 (g)" and insert "2 (f)"; in line 10, after the word "sections", to strike out "2 (f)" and insert "2 (e)"; on page 16, line 15, after the numeral "11", to strike out "(a)"; after line 23, to strike out:

(b) Section 11 (c) of such act is amended by inserting after "when authorized by the Board" the following: "and expenses, tuition, and salaries of employees designated by the Board to attend courses of instruction or training at institutions (whether or not such courses are conducted by the United States), not exceeding 240 class hours in any one calendar year for any one such employee."

On page 17, line 16, to strike out "1957" and insert "1958"; in line 19, after the numerals "30", to strike out "1957" and insert "1958"; and after line 22, to insert:

PART III—AMENDMENTS TO THE SOCIAL SECURITY ACT

SEC. 301. Section 202 (t) of the Social Security Act is amended by changing the period at the end of paragraph (4) thereof to a comma and inserting thereafter the word "or" and the following:

"(E) the individual on whose employment such benefit is based had been in service covered by the Railroad Retirment Act which was treated as employment covered by this act pursuant to the provisions of section 5 (k) (1) of the Railroad Retirement Act."

SEC. 302. The amendments made by section 301 of this act shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after December 1956, and with respect to lump-sum death payments under such section 202 in the case of deaths occurring after December 1956.

So as to make the bill read:

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 3 (c) of the Railroad Retirement Act of 1937 is amended by adding at the end thereof the following new sentence: "If the 'monthly compensation' computed under this subsection is not a multiple of $1, it shall be rounded to the next lower multiple of $1."

(b) Section 3 (e) of such act is amended by inserting at the end thereof the following new paragraph:

"For the purposes of this subsection, the Board shall have the same authority to determine a 'period of disability' within the meaning of section 216 (i) of the Social Security Act, with respect to any employee who will have filed application therefor and (i) have completed 10 years of service or (ii) have been awarded an annuity, as the Secretary of Health, Education, and Welfare would have to determine such a period under such section 216 (i) if the employee met the requirements of clauses (A) and (B) of paragraph (3) of such section, considering for purposes of such determination that all his service as an employee after 1936 constitutes 'employment' within the meaning of title II of the Social Security Act and determining his quarters of coverage for such purposes by presuming his compensation in a calendar year to have been paid in equal proportions with respect to all months in which he will have been in service as an employee in such calendar year: *Provided,* That an application for an annuity filed with the Board on the basis of disability shall be deemed to be an application to determine such a period of disability, and such an application filed with the Board on or before the date of the enactment of this paragraph shall, for purposes of this subsection and section 216 (i) (4) of the Social Security Act, be deemed filed after December 1954 and before July 1958: *Provided further,* That, notwithstanding any other provision of law, the Board shall have the authority to make such determination on the basis of the records in its possession or evidence otherwise obtained by it, and a determination by the Board with respect to any employee concerning such a 'period of disability' shall be deemed a final decision of the Board determining the rights of persons under this act for purposes of section 11 of this act. An application filed with the Board pursuant to this paragraph shall be deemed filed as of the same date also with the Secretary of Health, Education, and Welfare for the purpose of determining a 'period of disability' under section 216 (i) of the Social Security Act."

(c) Section 3 (f) of such act is amended to read as follows:

"(f) (1) Annuities under section 2 (a) which will have become due an individual but will not have been paid at the time of such individual's death shall be payable to the person, if any, who is determined by the Board to be such individual's widow or widower and to have been living with such individual at the time of such individual's death and who will not have died before receiving payment of such annuities. If there be no such widow or widower, such annuities shall be payable to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of such individual, and to the extent that he or they will not have been reimbursed under section 5 (f) (1) for having paid such expenses. If there be no person or persons so entitled, or if the total of such annuities exceeds the amount payable under this paragraph to such person or persons, such total, or the remainder thereof, as the case may be, shall be paid to the children, grandchildren, parents, or brothers and sisters of the deceased individual in the same manner as if such unpaid annuities were a lump sum payable under section 5 (f) (2).

"(2) Insurance annuities under section 5 which will have become due a survivor of an employee but will not have been paid at the time of such survivor's death shall be payable to the person, if any, who is determined by the Board to be such employee's widow or widower and to have been living with such employee at the time of the employee's death and who will not have died before receiving payment of such annuities. If there be no such widow or widower, such annuities shall be payable to the children, grandchildren, parents, or brothers and sisters of the deceased employee in the same manner as if such unpaid annuities were a lump sum payable under section 5 (f) (2).

"(3) Annuities under section 2 (e) which will have become due a spouse of an individual but which will not have been paid at the time of such spouse's death shall be payable to the individual from whose employment such spouse's annuity derived and who will not have died before receiving payment of such annuities. If there be no such individual, such annuities shall be paid as provided in the last two sentences of paragraph (1) of this subsection as if such annuities were annuities due under section 2 (a) to an individual but unpaid at the time of such individual's death.

"(4) Applications for accrued and unpaid annuities provided for in paragraphs (1), (2), and (3) of this subsection shall be filed prior to the expiration of 2 years after the death of the person to whom such annuities were originally due.

"(5) For the purposes of this subsection and paragraphs (1) and (2) of section 5 (f) of this act, a widow or widower of an individual shall be deemed to have been living with the individual at the time of the individual's death if the applicable conditions set forth in section 216 (h) (2) or (3) of the Social Security Act are fulfilled.

"(6) If there is no person to whom all or any part of the annuity payments described in paragraph (1), (2), or (3) can be made, such payments or part thereof shall escheat to the credit of the railroad retirement account."

(d) Section 3 (h) of such act is amended by striking out "$2.50" and inserting in lieu thereof "$5."

(e) Section 3 of such act is further amended by adding at the end thereof the following new subsection:

"(i) If the amount of any annuity computed under this section, or under section 2 or section 5, is not a multiple of $0.10, it shall be raised to the next higher multiple of $0.10."

SEC. 2. (a) Section 5 (f) (1) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out the first three sentences and inserting in lieu thereof the following: "Upon the death, after the month in which this act is enacted, of a completely or partially insured employee who will have died leaving no widow, widower, child, or parent who would on proper application therefor be entitled to receive an annuity under this section for the month in which such death occurred, a lump sum of 10 times the employee's basic amount shall be paid to the person, if any, who is determined by the Board to be the widow or widower of the deceased employee and to have been living with such employee at the time of such employee's death and who will not have died before receiving payment of such lump sum. If there be no such widow or widower, such lump sum shall be paid to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of such deceased employee.";

(2) by striking out "widow, widower, child, or parent" in the fourth sentence and inserting in lieu thereof "widow or widower"; and

(3) by striking out all of the fourth sentence beginning with "a payment to any then surviving widow" and inserting in lieu thereof the following: "a payment equal to the amount by which such lump sum exceeds such annuities so accrued after such deductions shall then nevertheless be made under this paragraph to the person (or, if more than one, in equal shares to the persons) first named in the following order of preference: the widow, widower, child, or parent of the employee then entitled to a survivor annuity under this section."

(b) Section 5 (f) (2) of such act is amended by striking out "to the person or persons in the order provided in paragraph (1) of this subsection, or in the absence of such person or persons, to his or her estate, a lump sum" and by inserting in lieu thereof the following: "to the following person (or, if more than one, in equal shares to the persons) whose relationship to the deceased employee will have been determined by the Board and who will not have died before receiving payment of the lump sum provided for in this paragraph:

"(i) the widow or widower of the deceased employee who was living with such employee at the time of such employee's death; or

"(ii) if there be no such widow or widower, to any child or children of such employee; or

"(iii) if there be no such widow, widower, or child, to any grandchild or grandchildren of such employee; or

"(iv) if there be no such widow, widower, child, or grandchild, to any parent or parents of such employee; or

"(v) if there be no such widow, widower, child, grandchild, or parent, to any brother or sister of such employee; or

"(vi) if there be no such widow, widower, child, grandchild, parent, brother, or sister, to the estate of such employee,

a lump sum."

(c) The first sentence of section 5 (h) or such act is amended by striking out "prior to" and inserting in lieu thereof "after."

(d) Section 5 (i) (3) of such act is amended (1) by inserting "and" after the semicolon in subparagraph (1); (2) by striking out all of subparagraph (ii) after "Title II of the Social Security Act" and inserting in lieu thereof a period; and (3) by striking out subparagraphs (iii) and (iv).

(e) Section 5 (k) (3) of such act is amended—

(1) by inserting in the first sentence after "service" the following: ", of determinations under section 3 (e) of this act, or section 216 (i) of the Social Security act, of periods of disability within the meaning of such section 216 (i),";

(2) by inserting in the first sentence after "this section" the following: ", section 3 (e) of this act,"; and

(3) by inserting in the second sentence after "therein" the following: "(except in the case of a determination of disability under section 216 (i) of the Social Security Act)."

(f) Section 5 (l) (6) of such act is amended by striking out the parenthetical phrases in the first and second sentences and by inserting at the end thereof the following

sentence: "Wages, as defined in this paragraph, shall be credited for the purposes of this section in the manner and to the extent credited for corresponding purposes of title II of the Social Security Act."

(g) Section 5 (l) (7) (ii) of such act is amended by striking out "40 or more quarters of coverage" and inserting in lieu thereof the following: "either will have had 40 or more quarters of coverage or would be fully insured under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined in that Act."

(h) Section 5 (l) (8) of such Act is amended (1) by striking out "will have had (i)" and inserting in lieu thereof "(i) will have had," (2) by inserting "either will have had" after "(ii)," and (3) by inserting before the final period a comma and the following: "or would be currently insured under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined in that act."

(i) Section 5 (l) (9) of such act is amended—

(1) by striking out "quarter in which he will have died" each place it appears in clauses (A) and (B) and by inserting in lieu thereof "employee's closing date";

(2) by striking out the last proviso; and

(3) by inserting after the first sentence the following new sentence: "An employee's 'closing date' shall mean (A) the first day of the first calendar year in which such employee both had attained age 65 and was completely insured; or (B) the first day of the calendar year in which such employee died; or (C) the first day of the calendar year following the year in which such employee died, whichever would produce the highest 'average monthly remuneration' as defined in the preceding sentence. If the amount of the 'average monthly remuneration' as computed under this paragraph is not a multiple of $1, it shall be rounded to the next lower multiple of $1."

SEC. 3. Section 10 (b) (4) of the Railroad Retirement Act of 1937 is amended by inserting after the third sentence the following new sentence: "For purposes of its administration of this act or the Railroad Unemployment Insurance Act, or both, the Board may hereafter place, without regard to the numerical limitations contained in section 505 of the Classification Act of 1949, as amended, 4 positions in grade GS–16 of the General Schedule established by that act, 4 positions in grade GS–17 of such schedule, and 1 position in grade GS–18 of such schedule.

SEC. 4. Section 13 of the Railroad Retirement Act of 1937 is amended (1) by inserting "(a)" after "Sec. 13."; (2) by inserting ", or both" before the final period, and (3) by adding at the end thereof the following new subsection:

"(b) All fines and penalties imposed by a court pursuant to this act shall be paid to the court and be remitted from time to time by order of the judge to the Treasury of the United States to be credited to the Railroad Retirement Account."

SEC. 5. (a) The amendments made by sections 1 (a), 1 (d), 1 (e), and 2 (i) shall be effective with respect to annuities awarded under the Railroad Retirement Act of 1937 on or after the date of the enactment of this act.

(b) The amendments made by sections 2 (g) and 2 (h) shall be effective (1) with respect to deaths occurring on or after the date of the enactment of this act and (2) with respect to any death occurring before such date if none of the survivors of the deceased individual became entitled before such date to monthly benefits, by reason of the individual's death, under title II of the Social Security Act.

(c) The amendments made by section 1 (b) shall be effective with respect to determinations of periods of disability, within the meaning of section 216 (i) of the Social Security Act, made on or after the date of the enactment of this act.

(d) The amendments made by sections 1 (c), 2 (a), and 2 (b) shall be effective with respect to deaths occurring in months after the month in which this act is enacted.

(e) The amendments made by sections 2 (c), 2 (d), and 2 (f) shall be effective with respect to annuities accruing for months after the month in which this act is enacted.

(f) The amendments made by sections 2 (e) and 3 shall be effective on the date of the enactment of this act.

(g) The amendment made by clause (3) of section 4 shall be effective with respect to offenses committed on or after the date of the enactment of this act; and the other amendments made by section 4 shall be effective with respect to fines and penalties imposed on or after such date.

PART II—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 201. (a) (1) The second proviso in section 1 (k) of the Railroad Unemployment Insurance Act is amended by striking out "second" and inserting in lieu thereof "first", and by striking out "first" and inserting in lieu thereof "second."

(2) The second paragraph of such section 1 (k) is amended by striking out "one dollar" and inserting in lieu thereof "three dollars."

(b) Section 1 (q) of such act is amended by inserting before the period at the end thereof the following: "in the unemployment trust fund."

SEC. 202. Section 4 (a–1) (ii) of the Railroad Unemployment Insurance Act is amended by striking out all that follows "sickness compensation law" and precedes the first proviso and by inserting in lieu thereof the following: "other than this act, or any other social-insurance payments under any law."

SEC. 203. Section 8 (a) of the Railroad Unemployment Insurance Act is amended by inserting before the period at the end thereof a semicolon and the following: "and in determining such balance as of September 30 of any year, the balance to the credit of the railroad unemployment insurance administration fund as of the close of business on such date shall be deemed to be a part of the balance to the credit of such account."

SEC. 204. (a) Section 904 (a) of the Social Security Act is amended by inserting after "the railroad unemployment insurance account" the following: "or the railroad unemployment insurance administration fund."

(b) Section 904 (e) of the Social Security Act is amended by striking out "and the railroad unemployment insurance account" and inserting in lieu thereof the following: ", the railroad unemployment insurance account, and the railroad unemployment insurance administration fund."

(c) Section 904 (f) of the Social Security Act is amended by striking out "fund as the Railroad Retirement Board" and all that follows and by inserting in lieu thereof the following: "railroad unemployment insurance account for the payment of benefits, and out of the railroad unemployment insurance administration fund for the payment of administrative expenses, as the Railroad Retirement Board may duly certify, not exceeding the amount standing to the credit of such account or such fund, as the case may be, at the time of such payment."

SEC. 205. (a) Section 11 of the Railroad Unemployment Insurance Act is amended by striking out the first sentence and the first two words of the second sentence, and by inserting in lieu thereof the following: "The Secretary of the Treasury shall maintain in the unemployment trust fund established pursuant to section 904 of the Social Security Act an account to be known as the railroad unemployment insurance administration fund. This unemployment insurance administration fund."

SEC. 206. The second paragraph of section 12 (l) of the Railroad Unemployment Insurance Act is amended by striking out "Classification Act of 1923, except that the Board may fix the salary of a director of unemployment insurance at $10,000 per annum" and inserting in lieu thereof the following: "Classification Act of 1949, as amended."

SEC. 207. (a) The amendments made by section 201 (a) shall be effective with respect to registration periods in benefit years after the benefit year ending on June 30, 1958.

(b) The amendments made by section 202 shall be effective with respect to days in benefit years after the benefit year ending on June 30, 1958.

(c) The remaining amendments made by this part shall be effective, except as otherwise indicated therein, on the date of the enactment of this act.

PART III—AMENDMENTS TO THE SOCIAL SECURITY ACT

SEC. 301. Section 202 (t) of the Social Security Act is amended by changing the period at the end of paragraph (4) thereof to a comma and inserting thereafter the word "or" and the following:

"(E) the individual on whose employment such benefit is based had been in service covered by the Railroad Retirement Act which was treated as employment covered by this act pursuant to the provisions of section 5 (k) (1) of the Railroad Retirement Act."

SEC. 302. The amendments made by section 301 of this act shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after December 1956, and with respect to lump-sum death payments under such section 202 in the case of deaths occurring after December 1956.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

Mr. JOHNSON of Texas. We have had a statement on the bill, which has been approved by both sides. I would suggest that we pass the bill and return to the consideration of the Mutual Security Appropriation bill, which is a very important bill, and which will have to go to conference.

Mr. MORSE. Mr. President, there are certain typographical errors in the bill. I have prepared an amendment, and I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, line 23, it is proposed to substitute single quotes for the double quotes.

On page 5, in line 13, substitute "payable" for "payble."

On page 10, in line 12, restore the closing parenthesis.

On page 16, line 15, restore "(a)" where it appears the second time, and strike "(a)" where it appears the first time.

On page 18, after line 13, insert the following: Amend the title so as to read: "A bill to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Social Security Act."

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Oregon.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENT OF BOUNTIES ON DOGFISH SHARKS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2719) to provide for the payment of bounties on dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast, which were, to strike out all after the enacting clause and insert:

That the Secretary of the Interior is hereby authorized and directed to prosecute, for a period of not to exceed 4 years from the date of approval of this act, investigations of the abundance and distribution of dogfish sharks, experiments to develop control measures, and a vigorous program for the elimination and eradication or development of economic uses of dogfish shark populations.

SEC. 2. In carrying out the foregoing purposes and objectives the Secretary of the Interior is authorized to cooperate with the official conservation agencies of the States bordering on the Pacific coast, with the commercial fishing industry, and with other governmental or private agencies, organizations, or individuals having jurisdiction over or an interest in the fisheries of the Pacific coast.

SEC. 3. There is authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary not to exceed $95,000 per annum to carry out the purposes and objectives of this act.

And to amend the title so as to read: "An act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast, and for other purposes."

Mr. MAGNUSON. Mr. President, before moving to concur in the House amendments, I wish to say that I am disappointed that the House has removed from the bill the provisions which would authorize the payment of bounties for the eradication of dogfish sharks and substituted provisions for a research program. While I am heartily in favor of the research program, there is immediate and pressing need for a concrete program to eradicate this very real menace to our Pacific fisheries. However, in view of the imminent adjournment of the Congress manifestly it is not practical to go to conference on this legislation. I sincerely hope that the language of the bill as amended by the House is sufficiently broad to permit the Fish and Wildlife Service to institute a modest program of control and eradication in the immediate future. The Assistant Secretary of the Interior for Fish and Wildlife, the Honorable Ross Leffler, has been doing a remarkable job and has been most sympathetic to the needs of our fishermen. I am confident he will do his utmost to institute a positive control program at the earliest possible date.

Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

THE REA PROGRAM

Mr. CURTIS. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a speech prepared by my distinguished colleague from Nebraska [Mr. HRUSKA].

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HRUSKA

The REA program has been strongly supported by the Eisenhower administration and has been greatly improved under him. The program has made giant and solid strides in the past 5 years.

It is to be grestly deplored that these last 2 or 3 election years have been marked by vigorous efforts to thrust the REA program into partisan politics. These efforts have been made within the Halls of Congress as well as out in the field by political enemies of the administration.

This is unfortunate, because when Old Man Politics comes on the scene the one who suffers is the ultimate consumer and the rural electric system which delivers and sells the power he uses on the farm.

Since the attacks have been made by those opposed to the Eisenhower administration, let us review the record of the past 5 years to see whether there has been any crippling, strangling, or emasculating, or whether, on the contrary, the spirit and the declared purposes of the REA, as enacted by Congress, have been greatly advanced in their progress.

CAPITAL NEEDS HAVE BEEN MET

Loans approved (in millions for fiscal years ending June 30 in each case)

1954	$167
1955	167
1956	189
1957	300
1958 (estimate)	242

Carryover including electrification and telephone. (Funds available but not used as of June 30 of each year.)

	Million
1954	$55
1955	61
1956	94
1957	60
1958 (estimate)	176

Sometimes budget estimates, which are prepared more than a year in advance of the first day of a fiscal year, are not in line with needs as they actually arise. This happened in 1957, when there was a bulge unforeseen by anyone. When it became clear that applications would exhaust the available loan funds, action was quickly recommended to add $200 million in loan authorization. This recommendation was by the REA Administrator, the Department of Agriculture, the Bureau of the Budget, and by President Eisenhower. Congress promptly acted to grant the additional loan authority.

During this 5-year period, no instance was shown where uncertainty of loan funds has led to a slowdown in new construction.

Also, during those 5 years, procedures for loan applications were modernized and streamlined. It now takes less paperwork and less time to get a loan processed than it did before. This has made it possible to hold the backlog of applications down to a minimum.

POWER SUPPLY NEEDS

America has witnessed a gigantic increased demand for power these past 5 years. There never has been anything like it. It has made itself felt in the REA also. Result: A greater part of REA loans has gone for generation and transmission than ever before.

In 1953, about 16.5 percent of total loans went for this purpose.

In 1957, it was 40.6 percent.

This shows strong support for an indispensable part of the REA program.

COST OF WHOLESALE POWER TO REA

REA-financed electric system .78 cents per kilowatt-hour in fiscal year 1953.

In fiscal year 1957, they paid .71 cents. A reduction of nearly 10 percent in wholesale cost was made during a period when almost every field in business and industry witnessed sharp and substantial increased costs.

WHAT ABOUT THE RURAL CONSUMER?

His costs per kilowatt-hour have been cut about 14 percent—and from 2.92 cents in 1953, to 2.51 cents in 1957.

The farmer has found electricity to be his least expensive hired man, and yet one of his most reliable and hardworking. So he has increased his use of it. Its average monthly use by consumers on REA-financed rural electric systems rose from 250 million kilowatt-hours in 1953, to 364 million kilowatt-hours in 1958.

REA systems finances vastly strengthened

	1953	1957	Increase
Sales in kilowatt-hours	11,800,000	19,600,000	7,800,000
Sales in dollars	$363,000,000	$529,000,000	$166,000,000
Net worth	$161,000,000	$365,000,000	$204,000,000
Number of customers	3,858,396	4,361,896	403,500
Miles of energized line	1,244,545	1,382,737	138,192

PAYMENT RECORD

The payment record is a source of pride for those in managing and using REA service, 1953 and 1957.

Principal payment: $43 million, 1953—$74 million, 1957.

Interest payments: $23 million, 1953—$41 million, 1957.

Delinquent borrowers: 1953, 45—1957, 6.

Amount delinquent: 1953, $718,000; and in 1957, $123,000.

Prepayments March 31, 1958, were $127 million.

RURAL TELEPHONE PROGRAM

This has been developing well. In calendar 1953, loans totaled $50 million. In 1957, this total was $76 million. A total of $100 million of loans is expected in 1958.

The telephone part of REA has also been fully and strongly supported toward its goal of modern, dependable dial telephone service to link rural America to the rest of the Nation. These benefits are now enjoyed by 1 million such users.

REA IN NEBRASKA

My State shares the proud record recounted in this statement.

In 1935, when REA began, Nebraska had 9,544, or 7 percent of its farms electrified. As of January 1, 1958, there are 94,850, or over 94 percent of its farms electrified.

There has been approved for borrowing $155.2 million. Of this, $134.4 million has been advanced to borrowers.

There are in operation 57,152 miles of line serving 97,892 rural customers, mostly farms. As soon as current construction is completed, there will be 60,353 miles of line to serve 106,648 rural customers, mostly farms.

In 1949, Nebraska farmers consumed an average of 184 kilowatt-hours a month per farm. In 1958, this average was 358 kilowatt-hours.

As of January 1958, REA borrowers in Nebraska paid back $16.2 million in principal, $11.9 million in interest, plus $5.1 million ahead of schedule. No borrower was currently delinquent.

NEBRASKA REA TELEPHONE PROGRAM

There have been approved for borrowing $3.6 million. Of this, $1.6 million have been advanced to borrowers.

There are in operation an estimated 3,059 miles of line. As soon as current construction is completed, there will be 1,571 new subscribers and 6,584 subscribers which include servers. Six exchanges have been changed over to full dial operation.

SUMMARY

Mr. President, this record is an outstanding one. It shows competent and able management of farmers and rural area businessmen in charge of these REA systems and those who use the power made and distributed by them. It testifies to their dedication and loyalty to the declared objectives of the program as enacted by Congress.

It shows something more, Mr. President. This record proves a strong, active, and sympathetic support of the program by the present administration throughout. It is a continuation of consistent, nonpartisan policy and support in Congress and from successive national administrations.

It is fervently hoped that it will be kept that way, and that efforts to degrade it to a level of vicious ward politics will be stealthily and firmly rejected by the real friends of this program.

EDITORIAL REACTION TO SENATE PASSAGE OF SO-CALLED NO-SURRENDER AMENDMENT

Mr. NEUBERGER. Mr. President, on August 15 the Senate voted, by a margin of 88 to 2, for an amendment to the Supplemental Appropriations bill which forbade the use of any funds to reimburse a person or corporation which might study any plans for the surrender of the United States Government.

This amendment, while seemingly plausible and patriotic, has been quite thoroughly criticized and assailed by some of the most thoughtful and informed newspapers in the United States. So that the record of this episode may be complete, I believe that a representative cross-section of some of these editorials should appear in the pages of the CONGRESSIONAL RECORD.

I am particularly gratified that the press of my own State of Oregon has not been stampeded over a substantially inaccurate newspaper report concerning so-called surrender studies. Our State has a deserved reputation for being level-headed and calm in times of emotionalism and excitement over public issues of this type.

I think this is once again demonstrated by the editorial reaction in Oregon in this instance. I ask unanimous consent to have printed in the body of the RECORD a column by former Gov. Charles A. Sprague, publisher of the Salem, Oreg., Statesman, of August 17, 1958; and editorials in the Oregonian of Portland of August 18, and August 21; the Portland Oreg., Journal of August 11, the Astorian Budget, of Astoria, of August 18; Eugene Register-Guard, of Eugene, of August 18; St. Louis Post-Dispatch, of St. Louis, of August 16; the Washington Post of August 16; Worcester Daily Telegram, of Worcester, of August 16; Louisville Courier-Journal, of Louisville, of August 18; and the Lewiston Morning Tribune, of Lewiston, Idaho, of August 17.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Salem (Oreg.) Oregon Statesman of August 17, 1958]

IT SEEMS TO ME

(By Charles A. Sprague)

The furor in Washington which arose over reports that the Defense Department had authorized studies over conditions of possible surrender in event of war showed more of emotional response than mature good sense.

The President sought to allay the uproar by branding talk about surrender as nonsense. Through Press Secretary Hagerty, he called the matter "too ridiculous for comment."

This didn't satisfy the Senators, however. RUSSELL, chairman of the Armed Services Committee, offered an amendment to the military appropriations bill to forbid use of Government funds to pay for any surrender study. In a burst of patriotic fervor the motion carried, 88 to 2, the lone dissenters being COOPER, of Kentucky, and NEUBERGER, of Oregon.

Adoption of this resolution will suspend any Defense Department spending on a surrender study; but it will not erase the possibility of such a development in event the United States is crushed in some massive nuclear blow.

In theory, Americans may agree it were better to die than to live under Communist tyranny; but how would survivors react after H-bombs dropping mysteriously out of the skies had laid waste the cities, demoralized transportation, and communications, spread radioactive waste through the countryside?

It is not unpatriotic to study the survival potential of the country, in which the psychological response of the people is a prime factor. Such studies have been made by the private individuals—one of them was briefly reviewed in the article in the St. Louis Post-Dispatch by its military critic, Brig. Gen. Thomas R. Phillips, which made the stir in Washington.

If the Defense Department has not studied our defense capabilities, including the limits to which organized warfare can be sustained, and the possible subsequent eventualities, it has been delinquent.

Part of the military schooling consists of studies in how to conduct retreats. It isn't that generals or colonels plan for retreats, but they know enough military history to know that retreats may be forced, and that skill in retirement of forces is essential, either to secure ground or for reorganization preliminary to a fresh attack.

At Gettysburg, General Meade detailed a staff officer to prepare a plan of retreat for use if it became necessary. It wasn't, and he should have hnd his man preparing a plan for a counterattack and crushing the army of General Lee, but it was not unpatriotic to prepare for a possible retreat. General Burnside made a very skillful retreat after his repulse at Fredericksburg.

So, in the present stage of weapons development, those responsible for the Nation's defense have to study the whole spectrum of possibilities, though their major attention must be devoted to erasing the possibility of national defeat or surrender.

Here is the problem our military leaders face. To quote Kisainger, Nuclear Weapons and Foreign Policy:

"As for the United States, our strategic problem is complicated by the fact that we have explicitly rejected surprise attack as an instrument of policy."

That exposes us to such an attack from some less scrupulous enemy. Since the advent of the atom bomb and long-range bombers, the advantage in warfare has shifted greatly to the nation which strikes the first blow; and this is magnified by the still newer types of weapons such as long-range missiles. We have been told often that by a careful selection of targets our national life could be completely demoralized within a matter of hours if such an attack were launched and if our defenses proved inadequate. Our reliance has been first on a strategic air force operating from dispersed bases capable of immediate retaliation, on an extensive warning system and on improved fighter planes and antiaircraft missiles. Our exposure is nonetheless grave.

[From the Portland Oregonian of August 18, 1958]

WASHINGTON DOG DAYS

August days are warm and humid in Washington, D. C., and the closing days of a Congressional session are always a bit maddening. Perhaps this is the explanation for the wave of summer hysteria that swept the Capital last week as the result of a report that the Pentagon was studying surrender plans.

It mattered not that an investigation stemming from the White House itself proved the rumor to be false in most of its details. Congress dignified the scare by rushing through a rider on an appropriation bill unctuously proclaiming that no Congressional appropriation should ever go to any functionary so lacking in good, red American blood as to make plans for surrender.

Too bad some patriot of the legislative Chambers did not think to make it retroactive. To have suggested, for example, that Gen. Jonathan Wainwright should be docked for the Corregidor capitulation or that there was something wicked in Gen. Robert E. Lee's mission to Appomattox Courthouse would have shown the whole business up for just what President Eisenhower called it, nonsense.

[From the Portland Oregonian of August 21, 1958]

PHONY SURRENDER ISSUE

The mystery which remains after the emotional and utterly pointless debate in the United States Senate on national surrender is whether or not the initial report which touched it off had any substance of truth.

This was a news feature story in the St. Louis Post-Dispatch (reprinted in the Oregonian Saturday as background information) which related that Rand Corp., an Air Force-supported foundation of scientists, technicians, and educators, was studying, among other potentialities, the situation which would confront the United States should a major portion of its population and military power be knocked out by atomic missiles. In short, at what point the United States would be forced to surrender.

President Eisenhower denied categorically that any public funds had ever been spent to study "how or when the United States might surrender," and that any funds would be so spent. He said the whole matter (presumably including the Senate resolution and debate along with the study) was too ridiculous for further comment.

Some reporters, including Joseph Alsop, stated, however, that the study had been made. There was no public confirmation from the Air Force or Rand.

From what we know of the activities of Rand—which is not very much—we would say it is not only possible but probable that somewhere in its research and planning it has considered carefully the circumstances which could make surrender or complete annihilation the alternatives. This can be projected in terms of surprise attack, numbers of missiles delivered by an enemy, civilian and military targets and known factors of radioactive destruction. Anyone can do it as a paper exercise.

But to refer to this as a study of how and when the Nation would surrender—as if the problem were real rather than imaginative—projects a note of hysteria into the Senate Chamber which is almost incredible.

The solemn resolution by Senator RUSSELL of Georgia, a hardheaded man with long experience in military matters, forbids the use of Federal funds "to pay any person, firm, or corporation * * * to conduct a study or to plan when and how or in what circumstances the Government of the United States should surrender this country and its people to any foreign power."

After the President's statement, Senator after Senator arose to assert that he did not think anyone was making a plan to surrender the country. Yet 88 Senators voted for the resolution several of them called frivolous or without substance. Senator WATKINS of Utah, laid it on the line. Said he:

"Because there may be some implication raised, if I vote against it, that I am in favor of working out plans for a surrender, I have decided to vote for it, even though I do not think it is at all necessary."

This appeared to be the typical attitude of political timidity among the Senators—with the notable exception of Senator JOHN SHERMAN COOPER (Kentucky Republican), and Senator RICHARD L. NEUBERGER (Oregon Democrat). These were the lonely dissenters.

Senator COOPER's statement made clear what most of his colleagues chose to ignore: That such a resolution was, in effect, an accusation by the legislative branch that the executive branch—in this case, the Air Force—was secretly and treasonably preparing a plan to surrender the Nation. A portion of Senator NEUBERGER's statement also caustically criticized Senate action expressing lack of confidence in the President and the Joint Chiefs of Staff.

But the Senators who had a Roman holiday on this synthetic issue would not approach the heart of the matter. Was the report true? If Rand is making such a study, does it involve requirements for defense, or plans to surrender under certain conditions? There is no question in our mind that the study is directed toward survival and victory, not surrender. But the Senate would not take the time to find out the facts. It would not vote to send the resolution to Senator RUSSELL's Committee on Armed Services for a hearing to determine the truth. The Senate's action in adopting such a resolution was disgraceful.

[From the Oregon Journal of August 16, 1958]

UNDUE NERVOUSNESS IN WASHINGTON

This is a fantastic age, but it need not be made more fantastic by our United States Senate engaging in a rather "wild" discussion of a study made on the "possibilities" in a "possible" nuclear war.

The debate, or whatever it was, was triggered by a report made by the Rand Corp., a private nonprofit research organization, which resulted in a book entitled, "Strategic Surrender," by Paul Kecskemeti.

The Senate vote not to spend any money on any study of plans for a "surrender" seemed hardly necessary and a little hysterical.

There seems to be considerable confusion about the book and some hasty conclusions made without study. The book primarily deals with possibilities and probabilities in the case of a surprise nuclear attack on the United States—the casualties, the power of retaliation and the resources to sustain ourselves. It's an "iffy" sort of thing that defense planners must always consider, provided it is based upon a reasonable gathering of facts.

Why some Members of the Senate should get so excited about it when there have been many similar studies and estimates would indicate an undue nervousness possibly brought on by the summer heat in Washington.

The facts are grim enough and we need to face up to them. But for heaven's sake, let's not have a "nervous Nellie" approach to them on the floor of the Senate.

[From the Astorian Budget of August 18, 1958]

IT SHOULD BE STUDIED

The Congressional fuss over a news story that said the Pentagon people were studying plans for possible surrender by the United States seems pretty silly.

The administration has denied that any such study has been made, and the fuss has subsided.

But why shouldn't the Pentagon's military planners consider the possibility of surrender? These planners should study all possible military contingencies, and certainly there exists the possibility that the United States could be atom-bombed or hydrogen-bombed to the point of military impotence.

It's a contingency no one likes to think about, but should we hide our heads in the sand and refuse to face the possibility that such a horrible alternative might some time occur?

A frank facing up to the possibility of military defeat and what it could imply might be good for the whole country. It might help to shake us out of some of our complacency.

[From the Eugene Register Guard of August 18, 1958]

SURRENDER TALK ON A DULL SUMMER DAY

Congress, we have read, is eager to go home. Thus, we are puzzled over the arm-waving demonstration of silly season politics about American surrender in case of a war. Senators BRIDGES and RUSSELL (silliness can be bipartisan) profess great indignation over reports that the Pentagon has been contemplating surrender. The White House denies such a thing is so. The Pentagon says very little. Apparently it all started when the Senators learned that the Rand Corp., an independent, nonprofit organization which does research in national defense matters, turned out a document called Strategic Surrender, the Politics of Victory and Defeat. That was enough for Senator BRIDGES, who said, "The people who concurred in this (study) in the Defense Department ought to be fired." And it was enough for Senator RUSSELL, who trumpeted that the vast majority of Americans would prefer death to surrender.

The Senator's views, aimed probably at the folks back home, suggest that in war there are only two choices—absolute victory or absolute defeat. They rule out the possibilities of fighting another day. Once upon a time, the Germans knew better. By the summer of 1918 Western Europe was pretty badly messed up. Belgium and France were badly damaged, Germany was not. By the fall of that year it was plain to Generals Hindenburg and Ludendorff that Germany could not win the war. An armistice was arranged and Germany was not destroyed. The German strategists traded a limited defeat for a limited Allied victory. It was a cynical move, but war is a cynical business. Twenty years later Germany, building on what the wise old generals had salvaged, was ready to try again. Only this time a madman headed the Government. There was no plan for strategic surrender. Germany was ground into the ashes.

Senators BRIDGES and RUSSELL are lawyers. Presumably in courts of law they have fought with all the power they had in the interests of their clients. They fought to win and believed they'd win. Yet in the back of their minds, we daresay, was the possibility of defeat. So they watched carefully, noting each possibility of getting an appeal, should they need it. That they were preparing themselves to fight a new battle another day in another court did not mean they were faint of heart. It meant only that they were shrewd and determined to win in the long run.

If war comes, it may not come at the time we're ready nor on the ground we'd choose. It would be cowardly, dull of wit, and mighty poor strategy to insist on going down in some sort of glory if a possibility for survival and victory could be found. War is no athletic encounter. The rules of sportsmanship do not apply. It is not enough to play the game. The object is to win; the motto, "It matters not how you play the game; it's whether you win or lose." If you can't win, don't play. Wait until circumstances favor you, until you've got the enemy outgeneraled, outgunned, and preferably taken by surprise.

One of the glorious chapters in World War II is the British defeat at Dunkirk. The British did not fight to the last man. They got out and let the Germans have the place. But in so doing they lived to fight another day and to win. One wonders if the irate American Senators would have preferred to have the 335,000 troops at Dunkirk stay on and fight.

In the tragic circumstance that we should be hopelessly in danger of annihilation, our going down in glorious defeat would leave the whole planet—and possibly even greater realms—under the domination of people who do not value the things we value, who would destroy all that free men have treasured over the centuries. Sometimes it is cowardly to die. But to live to fight another day is to live up to one's obligations. Strategic surrender does not mean giving up forever and ever. It is a means of regaining the initiative.

In its brief statement on the matter, the Pentagon pointed out what sophomore students of military science all know. That one must study, in military planning, all the possibilities, including those unlikely to arise. It would be foolish to do otherwise.

[From the St. Louis Post-Dispatch of August 16, 1958]

THE SENATE AGAINST SURRENDER

The Senate has voted, 88 to 2, to deny the use of public funds for any study of plans for surrender in a future war. President Eisenhower says no such study has been or will be made anyway. So everybody seems to be agreed that war plans ought not to include surrender plans.

An air of unreality, almost of hysteria, has pervaded the whole controversy. Partisan motives complicated the issue, and inflated it far beyond the proportions of common sense.

The one firmly established fact is that a book was written called Strategic Surrender, by Paul Kecskemeti, of the Rand Corp., embodying the results of a study for the Air Force. The book was published this spring by Stanford University Press. It is a theoretical and historical survey of surrender in warfare—of surrender as a strategic and a political concept; of the French surrender in 1940, the Italian in 1943, the German and Japanese surrenders in 1945; of the consequences and alleged fallacies of the allied doctrine of unconditional surrender in World War II; and, finally, 13 pages on "surrender in future strategy."

Was there anything reprehensible about the Air Force commissioning such a study? One might argue that it was something of an academic boondoggle. What business does the Air Force have spending public funds on what the author calls "a problem in political theory"? But to treat the project as a sinister evidence of the beginning of "appeasement," as one Senator put it, is drawing a mighty long bow.

There is a world of difference between a theoretical study of surrender by either party to a war, and a study of plans for surrender by the United States. The Kecskemeti book clearly falls in the first category. Yet most of the Senate controversy assumed that the second category was involved.

It can be argued that war planning ought to include consideration of all contingencies, and that the planners ought to know what conditions impel a surrender in order to prevent those conditions from arising. This is a complicated question of military technique on which many civilians will hold no firm opinion. But surely it is a misconception in any case to argue that, because a theoretical study of surrender was made with Air Force funds, therefore somebody in the Defense establishment must be contemplating surrender in a future war. Surely it is a misconception to say that a study of the subject proved that our defenses are pitifully weak and defeatism is taking root among the very men who are responsible for defense.

Yet these false inferences were the starting point for the Senate's incredible wrangle. The wrangle brought very little credit to either side.

[From the Washington Post of Saturday, August 16, 1958]

SURRENDER TO NONSENSE

With a flamboyant show of patriotism, the Senate has worked itself into an altogether silly lather over the question of surrender. President Eisenhower looked little better in the hasty disavowal that his administration would ever even consider the conditions which might lead to surrender in war.

Such flag waving is all fine to impress the audience, but it is no contribution to intelligent discussion. In the first place, the Senators and the President seem to have misconceived altogether the purpose of this particular study, which certainly was not to advocate surrender. In the second place, surely it is or ought to be the business of military and political planners to envisage all possibilities, including the possibility that this country might lose a nuclear war. This is not defeatism; it is prudence.

No one can really predict what would happen if, as the result of nuclear attack, this country suffered 100 million casualties. Would there be the will to continue the fight, even though the result might be to wipe out all the remainder of humanity everywhere? It is a nice question, and a far deeper question than considerations of individual bravery or national confidence.

The question becomes the more complicated because of the prevalent semantic confusion over victory and surrender in the nuclear and missile age. Although it certainly would be possible to lose a nuclear war, in any wholesale exchange of nuclear destruction no one could really win. The only way to win such a nuclear war is to prevent it in the first place. And this is the task not merely of an adequate military deterrent to limited war as well as big war, but also of flexible diplomatic and economic policies. The irate refusal even to consider the horrid word "surrender" unfortunately adds very little to understanding of how to avoid the circumstances that might bring such a tragedy about.

[From the Worcester (Mass.) Daily Telegram of August 16, 1958]

THE UPROAR OVER "SURRENDER"

President Eisenhower is reported to have been upset by the rumor that the Pentagon, in connection with possible nuclear war, had been studying theoretical situations in which the United States might have to surrender.

This isn't a very happy subject for study, nor is a military paper on the surrender question likely to be a popular document. But defeat and surrender are just as much the realities of warfare as victory and its policies are. The responsibilities of military planning require objective views of every reality.

This becomes particularly true in the context of nuclear war, which carries the threat of sudden and extensive destruction of military forces, war production facilities, and civilian populations. The potential horror is such, in fact, that one wonders whether any side in future war could actually be a victor, in the old meaning of the word.

But the Pentagon, charged with national defense in a world situation where nuclear weapons are one of the brutal facts of life, has no choice. We must be ready to defend ourselves, even in a war that made no sense. So there is every reason for contemplating all of the contingencies. If the idea of national disaster is disturbing, we must accept the idea of being disturbed. The only alternative is greater effort toward eliminating the possibility of war, if we can.

It can properly be hoped, however, that while the Pentagon is weighing all the possibilities, the Russians are doing the same thing.

[From the Courier-Journal of August 18, 1958]

TRULY ROUSING VOTE FOR NO SURRENDER

The United States Senate likes to hear itself called the greatest deliberative body in the world. But it acted like an hysterical flock of adolescents in voting, 88 to 2, to forbid any Federal employee to study plans for the surrender of this Government.

JOHN SHERMAN COOPER was given praise for courage by Senators who agreed with his strictures against such foolishness—but who went ahead to vote with a majority that obviously could be depended on to give a similar rousing endorsement to motherhood and the flag. Only Oregon's NEUBERGER stood with the sensible Kentuckian.

The real issues in this foolishness are discussed by Joseph Alsop on this page today. It is a pity that "the greatest deliberative body in the world" did not turn its attention instead to the grimness of the prospect outlined by Senator KENNEDY. But we'll grant the Senate majority one thing—they might not have confused their constituents, but we'll bank on it the Kremlin is puzzled.

[From the Lewiston (Idaho) Morning Tribune of August 17, 1958]

THE "GREAT DEBATE" ABOUT SURRENDER

President Eisenhower, it seems, has had the last word—or certainly what ought to be the last word—on the "great debate" that has rocked the Senate the last few days. It wasn't a debate, actually, although that's what the news reports have been calling it, because everyone was on the affirmative side of the question. Nor was it great, exactly, because the thing blew up as suddenly as a summer storm, and now, after 3 short days, has practically blown away. Nevertheless, there was a fearful hullabaloo, and "great debate" is as good a term as any to apply to the Senate's commotion over our Government's studying the question of surrendering in an atomic war.

"All this talk about surrender is nonsense," the President said in a formal statement issued in the evident hope of putting an end to the noise and giving himself and the Senate a chance to get back to work.

And nonsense it was. It was one of the silliest pieces of business to come out of Washington in many years.

The fuss began after Senator STUART SYMINGTON (Democrat of Missouri) inserted a newspaper story in the CONGRESSIONAL RECORD to the effect that a study was being made for the Defense Department as to when the United States should surrender in an all-out nuclear attack. The story was spotted by three Republican Senators, WILLIAM KNOWLAND of California, STYLES BRIDGES of New Hampshire and EVERETT DIRKSEN of Illinois. Sniffing treason, they rushed to the White House. They came back, describing the President as hopping mad and turning the Pentagon upside down to get to the bottom of the matter.

That did it. Defense Secretary Neil McElroy and his deputy, confirming the terrible truth of the report, hastened to reassure the Senators that the study was "only theoretical," that no surrender was imminent. But it was too late. Senator RICHARD B. RUSSELL (Democrat of Georgia), "shocked beyond expression," recovered in time to record his conviction that Americans will die rather than surrender. Senator BRIDGES was on his feet, crying for the heads of those who had ordered the study. And so it went, for 2 days. Senator LEVERETT SALTONSTALL (Republican of Massachusetts) sought to steady the boat with the suggestion that it was only the possibility of Russian surrender that was under study, but his words were lost in the storm. Someone drew up a bill to forbid the use of funds at any time for a study of surrender possibilities, and the Senate passed it in short order. The President, to make doubly certain, assured the Nation that, even if the Senate hadn't passed the bill, no funds under his administration would be spent for such a purpose.

No doubt the Russians, to say nothing of the rest of the world got a whale of a laugh out of the episode. Well, a little kidding won't hurt us, and the thing will be forgotten in a week. Before the matter is completely forgotten, however, it is worth recording that, if anyone was most to blame for this rumpus, it was the very man who suffered the most embarrassment from it: President Eisenhower himself. As a former military commander, and a highly successful one at that, he should have known far better.

It is surprising that the President should have allowed himself to be stampeded when the three Republican Senators came to him with the report about the surrender study. It is so surprising, in fact, that one wonders whether it was not some unidentified White House spokesman, and not the President, who got so hopping mad about the study. For the President, as a former military commander, could hardly have forgotten the military lesson that preparedness is the first prerequisite for victory; that preparedness involves the study of all possible exigencies, and that these exigencies range all the way from total victory to total defeat. He could hardly have forgotten that among the Nation's battle plans (and all nations have them) there must be plans which provide for disaster, which lay down policy guidelines for military commanders who may have to confront the question of surrender. Surely he could not have allowed himself to forget—as most of the Senate seemed to have forgotten—the elementary distinction between studying the question of surrender and actually planning to surrender.

If the President has forgotten all this then we are in poor hands indeed, for it could well mean that our military security is based on little more than patriotism and pipedreams. If, as seems more likely, this is just another case of the President being caught asleep at the switch or out of the office, we can at least breathe easily and enjoy the joke on him, for that has happened many times before, and doubtless it will happen many times again.

In the meantime, the surrender study will be filed away for a while. In a week or a month it will be taken down again, dusted off, given a new name and perhaps a new director. With the great debate just a painful memory, the study will quietly pick up where it left off. And quite rightly so.—S. H. D.

THE WRIT OF HABEAS CORPUS

Mr. LANGER. Mr. President, H. R. 8361, known as the habeas corpus bill,

was voted out of the Senate Judiciary Committee. This bill is now pending before the Senate.

It is interesting to note a recent article in the New York Times dated August 16, 1958, in which 15 professors and 2 deans of law schools have urged the Senate majority leader, Senator LYNDON B. JOHNSON, to block the measure on the habeas corpus bill. It is nice to know that such eminent scholars in the law have agreed with my position before the Senate Judiciary Committee, where I voted against the bill being reported favorably.

I ask unanimous consent that the above-mentioned article from the New York Times entitled "Law professors assail new bill" be printed at this point in the CONGRESSIONAL RECORD.

There being no objection the article was ordered to be printed in the RECORD, as follows:

LAW PROFESSORS ASSAIL NEW BILL—15 TEACHERS AND 2 DEANS BID JOHNSON BLOCK MEASURE ON HABEAS CORPUS

WASHINGTON, August 15.—Seventeen law school professors and deans have wired Senator LYNDON B. JOHNSON asking him to put off action on a bill restricting the right of Federal courts to issue writs of habeas corpus.

The bill, already passed by the House, was voted out of the Senate Judiciary Committee recently without hearings. It may be called to the Senate floor momentarily.

The measure would largely forbid use of habeas corpus by the lower Federal courts to order the release of State prisoners because their convictions violated the Federal Constitution. The courts would retain this power as to Federal prisoners.

"We are profoundly concerned," the telegram to the Texas Democrat, who is Senate majority leader, said, "at the action of the Senate Judiciary Committee in endorsing, without holding hearing, the habeas corpus bill which would drastically curtail so vital and historic a segment of Federal jurisdiction."

The telegram urged that the bill be returned to the Judiciary Committee for hearings on the impact of the proposed legislation on judicial administration, particularly on the work of the Supreme Court.

"We are satisfied that any legitimate grievance with the present scope of Federal habeas corpus for State prisoners can be rectified without making such substantial inroads on Federal rights," the telegram concluded.

The bill has been approved by the Judicial Conference of the United States and the Justice Department. But some judges are understood to have developed reservations about it, especially about the possibility that many cases now handled by the lower courts will pour into the Supreme Court.

The signers of the telegrams included Deans Jefferson B. Fordham of the University of Pennsylvania Law School and Eugene V. Rostow of Yale Law School.

The law school professors who signed were Paul and Albert M. Sachs of Harvard, Boris I. Bittker, Ralph S. Brown, Jr., Richard C. Conelly, Louis H. Pollak, and Harry R. Wellington of Yale, Gerald Gunther, Monrad G. Paulsen, Herbert Wechsler and John B. Weinstein of Columbia, Philip B. Kurland of Chicago, Caleb Foote and Curtis R. Reitz of Pennsylvania and Charles A. Wright of Texas.

A TRIBUTE TO THE LEADERSHIP AND THE MEMBERS OF THE 85TH CONGRESS

Mr. WILEY. Mr. President, in these, the closing hours of the 85th Congress, I should like to say just a few words with regard to the record of the Congress itself.

In so speaking, I should like to pay tribute to the spirit of sportsmanship and parliamentary cooperation which has characterized these 2 years.

I am well aware of the fact that the members of the 2 great political parties will tend to differ in their interpretations as to the overall record of legislation during 1957 and 1958.

Republicans and Democrats will disagree as to individual elements of that record, and as to degree of cooperation with the national administration of President Eisenhower.

COOPERATION AMONG 531 INDIVIDUALISTS

I do not think any Member of the Congress will disagree with this statement: Once more the legislative branch of our Government has demonstrated the remarkable parliamentary process at work. Once more we have seen how 531 individualists can work together and come up with a solid body of accomplishments.

As I look down the list of legislation which we have written, I see instance after instance where, by the process of compromise, so-called "impossible" bills have been written into law.

Critics have moaned that the reciprocal trade agreements bill was allegedly doomed. Yet a fine bill has now been signed by the President.

Analysts had bewailed the possibilities of an effective mutual security authorization and appropriation bill being written.

Yet here again we see that, despite certain imperfections, by and large, the mutual security program will be enabled to continue on an effective basis.

Look down the list of other bills, and you will see the same remarkable record. You will see subjects fraught with controversy, subjects on which there were all sorts of predictions that Congress would never be able to come to agreement—yet, subjects on which Congress not only did come to agreement, but wrote most constructive legislation.

I cite, for example, the streamlining of the Defense Establishment. I cite the National Defense Education Act which will strengthen American education. I cite the Alaskan statehood bill, the bill creating a new National Space Agency—and many other measures, including the social security bill and the various tax bills.

So far as I am concerned, many of these bills have serious shortcomings. They are a long way from perfect.

There are many bills which I would like to have seen enacted into law which have not been passed.

CHECKS AND BALANCES WITHIN CONGRESS

But almost any Member of Congress might give a similar reaction.

After all, when you are dealing with 2 Chambers, 2 political parties, more than 3 dozen individual Senate and House joint committees, individual wings and factions within the 2 parties, strong-minded chairman of various committees and strong-willed memberships, as well—when we are dealing with all of these many variables, you cannot expect that all of the results will suit any one man's taste.

There is a dynamic system of checks and balances within the Congress, just as there is a system of checks and balances within the United States Government as a whole, and within our overall economy.

The legislative branch is not a perfect working mechanism. It frequently acts slower on some subjects, or faster on other subjects, than we might prefer. But the fact is that it is the mirror of America; it is the symbol of the changing views of a changing nation.

Partisans will disagree as to whether this 85th Congress could have achieved more had it been under Republican leadership rather than Democratic leadership. Partisans will disagree so far as to which party should best be in control of the 86th Congress.

As a Republican, I cannot help but feel special pride and special interest in my own party.

TRIBUTE TO BOTH PARTIES LEADERSHIP

But, I would be among the very first to say that the distinguished majority leader of the Senate, Mr. JOHNSON, the distinguished Speaker of the House, Mr. RAYBURN, are not only great patriots, but great leaders—not simply of their own party, but of the Congress and of the American people as a whole.

They are masters of the parliamentary process, masters of the art of legislative give and take, of sound-principled compromise in the public interest.

And I believe that even the most partisan of my Democratic colleagues would agree that the Republican Party has been fortunate, as I have indicated previously, that it has had the services of the great Senator from California, Mr. KNOWLAND, and the beloved former Speaker of the House, and now its minority leader, Mr. MARTIN. These two gentlemen symbolize, as well, the very best that the United States Congress offers in the way of not only legislative craftsmanship, but dedicated public service.

Critics, then, may on occasion condemn the legislative branch on some specific issue. But what they cannot in justice refute is the fact that the Congress of the United States is a magnificent symbol of representative government. The Congress of the United States represents one of the great hopes of mankind. It has not let those hopes down. It has proven worthy of its responsibilities to the American people.

All of these remarks, I should like to point out, bear not simply upon this 85th Congress, but rather upon the record of preceding Congresses, as well: the Republican 83d and 80th Congresses, for example.

Legislative government, whatever its problems, is the symbol and the hope of freedom everywhere.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1913) to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions

of judgment debtors, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13489) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 7 to the bill, and concurred therein, that the House receded from its disagreement to the amendments of the Senate numbered 2, 3, 10, and 12 to the bill, and concurred therein, each with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendment of the Senate numbered 4 to the bill.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes; and

H. R. 13580. An act to increase the public debt limit.

The message also announced that the House had passed a bill (H. R. 13343) to authorize the appropriation of $500,000 to be spent for the purpose of the Pan American Games to be held in Chicago, Ill., in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.;

H. R. 1061. An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other laws;

H. R. 1494. An act for the relief of the Southwest Research Institute;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

H. R. 4642. An act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure;

H. R. 7710. An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees;

H. R. 7860. An act to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range.";

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes;

H. R. 9617. An act relating to venue in tax refund suits by corporations;

H. R. 9950 An act for the relief of D. A. Whitaker and others;

H. R. 11668. An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended;

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes;

H. R. 12808. An act to amend the Federal-Aid Highway Act of 1956 and 1958 by advancing the date for submission of the revised estimate of cost of computing the Interstate System and to extend the approval of such estimate for an additional year;

H. R. 12858. An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority for the fiscal year ending June 30, 1959, and for other purposes; and

H. J. Res. 635. Joint Resolution for the relief of certain aliens.

HOUSE BILL REFERRED

The bill (H. R. 13343) to authorize the appropriation of $500,000 to be spent for the purpose of the Pan American games to be held in Chicago, Ill., was read twice by its title and referred to the Committee on Foreign Relations.

MUTUAL SECURITY APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13192) making appropriations for Mutual Security for the fiscal year ending June 30, 1959, and for other purposes.

TIGHT MONEY

Mr. LONG. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared on the subject Tight Money.

There being no objection, the statement was ordered to be printed in the RECORD.

STATEMENT BY SENATOR LONG

On August 30 of last year I made here a rather extensive analysis of economic conditions in the United States. I attempted to portray objectively what had been happening during the preceding 9 months. I attempted to forecast, within the limits of human fallibility, what then seemed to be in prospect.

I was not happy about what had already happened. I was even less happy about what it seemed to me was going to happen. I find no pleasure in the fact that the forecast which I then made has so substantially come to pass.

I shall not undertake at this time to tax the Senate with so extensive an analysis as I made almost a year ago. There is no need. My remarks at that time dealt with what I thought was going to happen, which required a lot of analysis. What has now already happened can be stated more categorically and more quickly.

A year ago I attributed our economic difficulties, then in process, in large measure to what I called the economically unsound and socially unjust policies of the Federal Reserve Board. The term "the tight money policy" has provided an apt tag for these policies.

After some relaxation of these tight money policies during the early months of this year we are now witnessing a return to these same policies. They were demonstrably wrong a year ago. They are still wrong, and they are still economically unsound and socially unjust.

To be sure, the Federal Reserve Board has made some rather spectacular and rather well advertised shifts in its policies since a year ago. When the recession, which the Board did not foresee and which it helped to generate, descended upon us in full force, the Board took some feeble steps from a so-called anti-inflationary policy to a so-called antideflationary policy. These were inadequate, although the very limited economic recovery which we have thus far experienced has been made the occasion for great paeans of praise of the Federal Reserve Board.

Far more important, the Reserve Board most recently has been taking various steps in the direction of the reactivation of the tight money policy. And again we hear the paeans of praise. But I maintain that these steps are, if anything, even more misdirected and even more dangerous than the tight money steps against which I protested a year ago—and in fact even a year and a half ago. They are endangering an economic recovery which is much too slow.

In order to get to the heart of this matter, we must look at the forest and not just at the trees. The tight money policy is wrong not only in detail. It is wrong not only in a particular stage of recession or recovery. In its recent and current applications, the tight money policy is fundamentally wrong throughout.

The reasons why it is fundamentally wrong are two-fold:

First, it is not geared to those two factors which should be our most basic economic purposes as a Nation, namely, economic progress and economic justice. It subordinates and even sacrifices these two basic purposes, in its sole preoccupation with price stability and the prevention of inflation.

Secondly, the tight money policy would be wrong even if its scale of values were not wrong, because it produces more inflation rather than less inflation.

The tight money policy, in its practical effects, does not make a choice between economic progress or social justice and price stability. In its practical effects, it defeats all of these objectives at one and the same time, because the managers of this policy have not understood that all of these objectives are interrelated, and that damage to one of them does damage to them all.

From early 1957, when the Senate Finance Committee first commenced to concern itself with the tight money policy, and especially in my address here a year ago, I have been challenging the tight money policy on all of these grounds. On grounds of economic or social justice, I have maintained that the tight money policy rationed income and credit in the wrong direction, thus favoring those who are strong at the expense of those who are weak.

It has favored the large financial institutions, which lend money at higher interest costs, at the expense of the weaker elements in the economy, who have had to borrow the money at the higher interest costs. These weaker elements have included the small-business man, the farmer, the home owner, and the average family purchasing durable goods on time. In support of these statements I refer to pages 1402–1405 of the 1957 hearings before the Finance Committee and the CONGRESSIONAL RECORD, volume 103, part 12, pages 16726–16728.

On grounds of economic progress which means economic growth for the economy as a whole in real terms, I have maintained that the tight money policy repressed such growth, and must ultimately bring on a substantial economic recession. It repressed this growth because, bearing so heavily upon the consumer, it aggravated the tendency of consumption to run behind our increasing ability to produce.

This was the main cause of the recession through which we have been passing. But until the recession came, the tight money policy did little to check the investment boom running ahead of consumption, because the predominant investors were not primarily dependent upon outside capital. They financed their investment mainly through internal earnings, or mainly through the price structure. In this connection I would refer to pages 1335, 1338, and 1341 of the 1957 hearings before the Committee on Finance.

On grounds relating to price stability, I have maintained that the tight money policy would accelerate inflation, until it succeeded in producing so large a downturn in production and employment that the temporary price stability thus achieved would not be worth the cost. The tight money policy contributed to inflation for the very simple reason that rising interest costs, like other rising costs not supported by rising productivity, were tacked on to prices, and pushed prices upward.

Thus, in all aspects, the tight-money policy has served to increase the imbalances within our economy which brought on the recession, instead of to correct them. Of course, after the arrival of the recession, the investment boom collapsed, and aggravated the recession. It always happens that way. This is not to the credit of the tight-money policy; it is a mere demonstration of the damage done by the tight-money policy.

On the ground of the sound management of public finance and of the national debt, I have maintained that the tight-money policy would further unbalance the Federal budget and further enlarge the national debt, for the very plain and simple reason that bad economic policies throughout the Nation cannot produce salutary results in public finance or debt management.

In the interest of relative brevity, I shall not detail today, as I did a year ago, the economic or social injustice of the tight-money policy. It is obvious that unwarranted and unmerited unemploymnt is about the most serious form of economic and social injustice. By the middle of this year, or for the first half of this year as a whole, unemployment seasonally adjusted, was more than 50 percent higher than in 1957 as a whole, and about twice as high as a sound minimum level. While the economic recession has hurt practically everybody, it is too obvious for argument that recessions or depressions hurt those most who can least afford to be hurt—especially when, as in this case, the recession is accompanied by an acceleration of price inflation.

But let us concentrate upon the other major aspects of what has been happening, and is still happening. In early 1957, and a year ago, I stressed that the tight money policy was a prime factor in producing throughout the whole economy a very slow rate of real economic progress or growth.

I pointed out that, during several years under the tight-money policy, our average annual rate of economic growth had been only about 2 percent, contrasted with the 4 to 5 percent annually that we need to absorb our growing labor force and our advancing technology. I pointed out that this repressed rate of economic growth had already cost us scores of billions of dollars in lost production, and had already resulted in several million man-years of excessive unemployment.

More important, I pointed out that this repression of needed economic growth must necessarily result, if not corrected, in a serious economic recession. My views in that connection were reflected in pages 1335–1345 of the 1957 hearings.

It is hard for me to state correctly to the Senate the position which the representatives of the Federal Reserve Board took, with respect to my criticism, early last year or in the middle of last year.

Some of their testimony last year seemed to indicate that they were impervious to the fact that a serious recession was just around the corner. Other parts of their testimony seemed to take the position that they were perfectly willing to risk this recession or even to expedite it, since the only cogent explanation which they could make of the price inflation was what they called the great and unparalleled prosperity of the country. It does not really make much difference which of these two viewpoints we ascribe to the Federal Reserve Board, because both of them were palpably wrong.

Now, what has happened, in brief, since I spoke on this subject a year ago? I must use the most recent available figures. Comparing July 1958 with July 1957, unemployment is up about 80 percent. Industrial production is down about 9 percent.

Comparing first quarter 1958 with first quarter 1957 in uniform 1957 prices—the very slightly improved second quarter 1958 figures are not yet fully available—total national production was down 4.5 percent; total national income, down 5.2 percent; total wages and salaries, down 3.5 percent; residential nonfarm construction, down 2.1 percent; gross private domestic investment, down 19.7 percent; and corporate profits (including inventory adjustment), down 23.3 percent.

I come next to an examination of whether this contrived and serious recession furthered the cause of curbing inflation. The Federal Reserve Board took the position early last year, and in the middle of last year, that the inflation was being caused by excessive demand pressing against our productive capabilities. The Board maintained that the tight money policy, by restraining this total demand, would restrain inflation.

Along with some other members of the Senate Finance Committee, I pointed out, on those occasions, that most of the major factors in our economy were already slack, and that obviously there was a deficiency rather than an excess of total demand. We pointed out that the inflation then in process was not because the real economy was advancing too rapidly, but rather because it was already advancing too slowly. To fortify this position, we made comparisons of price trends and other trends over a long span of years.

These comparisons demonstrated conclusively that, aside from the economic problems of wartime mobilization and reconversion, a low and inadequate rate of economic growth brought more price inflation than an adequate rate of economic growth. In short, we challenged the whole central thesis of the Federal Reserve Board, and we forecast that its policies would not only translate an inadequate rate of economic growth into an absolute recession, but would also bring more price inflation.

This is precisely what has happened. During the period from September 1956 to September 1957, when the tight money policy and other similar policies held the real annual growth rate of the economy down to the extremely low figure of 1.7 percent, consumer prices nonetheless rose 3.4 percent, and wholesale prices rose 2.2 percent. During the recessionary period from September 1957 through March 1958, while the economy as a whole was declining at a real annual rate of 10 percent, consumer prices rose at an annual rate of 3.6 percent, and wholesale prices rose at an annual rate of 2.9 percent.

Let us carry this price picture a bit further, to show what has been happening when we include the period during which, some say, we are recovering well from the recession. During the 9 months from September 1957 through June 1958, consumer food prices rose 3.9 percent, or at an annual rate of about 5.2 percent.

Prices have also risen, or are about to rise seriously, in key industrial sectors. The recession in these sectors really commenced very early in 1957. Yet, from January 1957 through June 1958, steel prices have risen about 1.5 percent, and the further steel prices announced in July may bring this up to about 5 percent.

From January 1957 through June 1958, prices in the seriously depressed automobile industry rose almost 3 percent; and in the seriously hurt electrical machinery industry, prices rose about 4.5 percent. These price increases occurred when production in these three key industries was declining 33 percent, 42.5 percent, and 19 percent, respectively.

The following table demonstrates that we had much greater expansion of our economy and less inflation during the 1948–53 period before the advent of the tight money policies:

Price inflation compared with other economic trends

[Annual rates of change, in percent]

Period	Consumer prices	Wholesale prices	Industrial prices	Gross national product (1957 prices)	Civilian employment	Industrial production
	High overall growth period					
1948–53	+2.2	+1.2	+2.1	+4.8	+1.0	+5.5
	Period of practically static economy					
September 1956 to September 1957	+3.4	+2.2	+2.4	[1] +1.7	−0.2	0
	Basic recessionary period					
September 1957 to March 1958	+3.6	+2.9	−0.5	[2] −10.0	−3.2	−22.2
	From basic start of recession to date					
September 1957 to June 1958	+2.7	+1.3	−0.7	[3] −6.7	−1.6	−12.8

[1] 3d quarter 1956 to 3d quarter 1957.
[2] 3d quarter 1957 to 1st quarter 1958, at annual rate.
[3] 3d quarter 1957 to 2d quarter 1958, at annual rate.

What clearer proof do we want, that the striking of hammer blows against our whole economy with tight money and high interest rates when manpower and machinery are not being fully utilized cannot and does not restrain price inflation?

Now let us look where we are today, and where we seem to be going. Instead of making my own forecast, I shall try to summarize the average forecasts of the most competent acknowledged experts, inside and outside of the Government. They say that we are now moving out of the recession, but very slowly. They say that the rate of real economic growth during the next couple of years or so is likely to be very low, even from the recessionary base where we now are. They say that it is likely to be early 1961, before we get back to the early 1957 level of total national production in real terms.

This obviously would mean, by early 1961, that we would really be 4 years behind, because our economy needs to grow 4–5 percent a year to hold its own, and should grow much faster than that from a recessionary base. It follows from these forecasts, and the forecasters so acknowledge, that the level of chronic unemployment is going to remain very high for a long time. They say that it may well be higher in early 1959 than in 1958.

Certainly it is an understatement to say that the economic situation now is less favorable than in early 1957. Yet the Federal Reserve Board, today and recently, is reverting in substantial measure to its earlier tight-money policies.

Again, the Board is mistaking an entirely unsatisfactory fundamental economic situation, on the low side, for an overall inflationary boom. Again, the Board is attempting to place a brake rather than an accelerator upon the economy as a whole. Again, the Board has been confusing a stock market boom with fundamental economic conditions, and seeking to improve these fundamental conditions by fiddling around with margin requirements on the stock exchange. I am not prepared to say that the recent lift in margin requirements was undesirable; it may well have been desirable, but it certainly was not anything fundamental. Again, the rediscount rate has been raised in one of the Federal Reserve System areas, and it is said that the other areas will follow suit.

Even more broadly, the Federal Reserve Board is still failing to attempt any reconciliation between the fundamental requirements for economic growth and progress, and for reducing unemployment to tolerable levels, and the objective of price stability. Once again, the Board is wholeheartedly committed to the insupportable thesis that we cannot at one and the same time achieve a healthy and growing economy and price stability.

We are told that the tight money policy has succeeded in producing some price stability in recent months. This may be so, but only at the cost of a very serious recession from which we have by no means recovered. And we are now told, in attempted justification of the revival of the tight money policy, that a revival of inflation threatens us long before we recover fully from the recession or resume a satisfactory rate of economic growth.

Is this not the best possible proof that the tight money policy offers no formula for combining a healthy economy with price stability? Is this not the best possible proof that the Federal Reserve Board is again willing to do damage to the whole economy, in another vain effort to check price inflation through the wrong methods? Is this not why more and more responsible analysts are now warning us that we must find some other road to price stability?

Where can the continuation of these policies lead us? Must we resign ourselves eternally to high unemployment and price inflation at the same time? Must we resign ourselves eternally to the loss of more than $50 billion a year in potential production, in the misguided belief that scarcity rather than abundance will bring us price stability?

Must we sacrifice the social security expansion that we need, the public works that we need, the housing that our people need, the national defense improvement that we need—all on the ground that we cannot afford them, or cannot afford them except at the cost of too much inflation—when the truth is that we are not affording them only because the Federal Reserve Board type of thinking does not realize that the fundamental source of what we can really afford is the power of our economy to grow and to increase production? Must so many millions of our people continue to live in poverty, and so many others be denied their full measure of economic progress, while they pay the double costs of inflation and economic stagnation?

I did not believe that we needed to suffer these double liabilities a year ago, and I do not believe it now.

I turn, finally, to the effect of these erroneous national policies upon the Federal budget and the management of the national debt. In early January of this year, the executive branch of the Government was predicting a small surplus for fiscal 1959.

More recently and now, the executive branch of the Government has been predicting a fiscal 1959 deficit, ranging from $8 to $13 billion. What has produced this great changeover in so short a period of time? Some small part of it may be due to the increases in Federal spending for national defense and other purposes, although it may well be argued that, but for these increases and their stimulatory effect upon the general economy, our general economic situation and therefore the Federal budgetary situation would be even less fortunate than they now are. Most of this immense changeover in the Federal budgetary situation is not due to the increased spending. It is due rather to the fact that the revenue side of the picture has changed, and it has changed solely because the overall economic forecasters are less optimistic and more realistic today than they were in January.

All of this only demonstrates the obvious proposition that, under current world and domestic conditions which necessitate a very high level of Federal spending, the only way to maintain a tolerable balance in the Federal budget is to draw upon our potentials for real economic growth instead of repressing these potentials. This vast changeover in the Federal budgetary picture is truly exhibit No. 1 in the collapse of the economic and financial policies which the Federal Reserve Board and the Treasury, in cooperation, so proudly paraded before the Senate Finance Committee last year.

To demonstrate the amount of increases in interest and the effect on the annual charge against the national debt I prepared the following two tables:

Trends in various interest charges, 1950 to date

[Index numbers, 1950=100]

	U. S. Government securities		State and local government bonds	Corporate bonds	Bank rates on short-term business loans, 19 large cities
	9- to 12-month issues	3- to 5-year issues			
1950	100.0	100.0	100.0	100.0	100.0
September 1955	169.8	181.3	139.2	115.7	120.6
September 1957	319.0	262.0	200.5	155.2	178.9
May 1958	96.0	150.0	160.8	139.9	[1] 154.4
July 1958	106.3	160.3	167.5	140.6	

[1] June 1958. May and July not available.

Interest charges on the public debt, 1952 to July 1958

	Interest-bearing public debt (in millions)	Computed annual interest rate (percent)	Annual rate in millions		
			Computed annual interest charge	1952 interest rates applied to debt level	Excess due to increased interest rate
1952 (end of fiscal year)	$256,863	2.329	$5,981	$5,981	
September 1955	274,879	2.402	6,601	6,405	$196
July 1958	273,910	2.632	7,209	6,382	827

The debt management story completes the picture. The vast changeover in the Federal budgetary outlook is necessitating a lifting of the ceiling on the national debt. This is not all. Just as last year, the Federal Reserve policies were and very recently have been playing havoc with the management of the national debt. The bonds or obligations of the United States Government, which should be the least speculative of all investments held by the general public and by our financial institutions, have been made instead among the most speculative of investment media. Not long ago, the yields on bonds were falling and the prices on bonds were rising, and dabblers in these bonds were reaping a rich harvest. In the final analysis, this harvest can be only at the expense of the people and the taxpayer, because at any given level of total national product, the gain of some must represent the loss of others.

Still more recently the bond yields have been rising, and the bond prices have been falling. A sharp, unpredictable, and irregular swing of bond prices and yields in either direction confounds the whole problem of debt management, leads to correlative irrationalities in the stock market as the relative yields of bonds and stock change rapidly, and thus contributes to the bedevilment of our economic policies no less than our debt management policies.

In April of this year, the Chairman of the Federal Reserve Board and some of his assistants were again before the Senate Finance Committee. I shall not now review their testimony in detail, although there will be occasion to do so at a later time. There is just one point that I want to mention.

Early in his testimony this year, the Chairman of the Federal Reserve Board said that "The current recession is a reaction to both the investment boom and the inflation which accompanied it. The growth of business capital spending beginning in early 1955 was at a rate that was unsustainable. An economy with a long-run upward growth trend of about 3 or 4 percent per year cannot sustain for long an increase in business investment of about 10 percent per year in real terms, such as we experienced in 1955–56."

I agree with this phase of the analysis by the Chairman of the Federal Reserve Board, but I also marvel at it. For last year before the Senate Finance Committee, I pressed without success upon the Chairman, and also upon the Secretary of the Treasury, the point that the investment boom in the expansion of productive facilities was racing far ahead of the expansion of consumption.

I pointed out that this was one of the central causes of the slow-down in the whole economy; that it was leading us inevitably toward a recession; and that we should slow down investment and speed up a consumption, so that the economy could get back into the balance and thus resume a satisfactory rate of growth.

But all last year before the Senate Finance Committee, the Chairman of the Federal Reserve Board and the Secretary of the Treasury insisted that the inflationary trouble was due primarily to excessive consumption. We had a great deal of discussion on this subject.

The Chairman of the Federal Reserve Board and the Secretary of the Treasury were then arguing that the tight money policy would fight inflation by increasing savings. When I pointed out that an increase in savings through this method would merely restrain consumption further, and also that the increase in savings would either flow into still more investment and thus exaggerate the investment boom at the expense of consumption, or in the alternative that the increase in savings would quickly result in more unemployment if the savings became frozen and were not used at all. I could get no satisfactory response from the FRB Chairman or the Secretary.

I am glad that, by April 1958, the FRB Chairman had partially revised his analysis of the past, to make it more nearly correct than it was last year. But the action of the Federal Reserve Board is more important than the testimony of its members, and in this I can see no fundamental change.

I am still hopeful that those of us who have been calling attention to these matters will have more influence in the future than in the past. We can and must have economic progress and price stability at one and the same time. We must get closer to the fundamentals of our economic problems, and recognize more fully the true conditions of economic strength.

Monetary and financial policies are necessary, but they are merely means to an end. The substitution of the mere juggling of monetary and financial policies for programs directed toward full employment and full production in a growing economy, and toward the real building of our national wealth, can never be successful. We cannot succeed by failing to profit from experience, or by repeating by rote the errors of the past.

I shall continue to make this case from time to time, because I believe that it is valid and in the best interests of the country.

SO-CALLED MUTUAL SECURITY—AMERICAN TAXPAYERS' MONEY TO BUILD FOREIGN PLANTS TO COMPETE WITH AMERICAN WORKINGMEN AND INVESTORS

Mr. MALONE. Mr. President, this is a bill to give $3,518,092,500 to foreigners—call it three and a half billion.

The money we are being asked to appropriate today to aid foreigners in foreign lands would provide $13,078,408 for every distressed area in the United States—$13 million plus for every area.

Some of these areas embrace two or more cities so there are more distressed cities than there are distressed areas.

The money we are being asked to give away to foreign countries would provide $10,473,330 for each distressed city in America if divided equally among them—nearly ten and a half million.

CONGRESS PASSES OUT BILLIONS TO FOREIGNERS; SNUBS AMERICANS

It would give every State of the Union that has distressed areas in it more than $105,000,000 if used to aid American instead of foreigners.

Mr. President, today Congress seems to have a fanatical passion for helping foreigners and kicking Americans in the teeth.

Only yesterday the House killed a bill that would have provided a mere $150 million this year and $77 million in each of the next 4 years to aid our national security, our general economy, and our distressed mining areas by stockpiling critical and strategic metals; namely, copper, lead, zinc, fluorspar, and tungsten.

Mr. President, it will be remembered that the State Department from the beginning, not under Mr. Dulles, but under Mr. Dean Acheson, realized full well what this foreigners-first program would do to employment and investments in the United States. They have, almost from the beginning of the program, proposed legislation to assess the taxpayers further to get the money needed to train unemployed workingmen for different occupations and to pay their fare to another area and job. I suppose a miner or a textile worker or a steel worker or a crockery worker would be taught how to make watches. The only trouble with that idea is that the watch business has also been substantially reduced. Also, some money would be included in the bill to reimburse stockholders in corporations and individuals whose businesses were destroyed through the remaking of the industrial map of the United States, meaning industries or products deliberately traded to further a foreign policy.

PRESIDENT HAS POWER TO TRADE AWAY ONE INDUSTRY FOR FOREIGN POLICY

Under the recent extension of the Trade Agreements Act for 4 years, there is no check on the President, except that by a two-thirds vote by each House of Congress against what he has done, he can be stopped after he has done it. The President, under the 1934 Trade Agreement Act as extended, has full power to trade any industry in the United States or any product in the United States to a foreign nation to further his foreign policy. He can buy the foreign nation's signature to a treaty to further his foreign policy.

Since 1934, when the trade-agreements program was inaugurated, a Secretary of State, for the first time in the history of the United States, can trade an industry to a foreign nation and can give away billions of dollars to buy a signature to a treaty.

CONSTITUTION SEPARATED FOREIGN FROM DOMESTIC POLICY

The Constitution of the United States specifically forbids such a transaction. The Constitution deliberately and pointedly separates the regulation of the national economy from the fixing of foreign policy. Article I, section 8, fixes in the legislative branch the regulation of the national economy. Article II, section 2, fixes in the executive branch the matter of establishing foreign policy.

CONGRESS IGNORED CONSTITUTION WHEN SUBORDINATED DOMESTIC ECONOMY TO FOREIGN GAINS

But a later Congress, in 1934, in its wisdom tied the two policies together without first having amended the Constitution. The Constitution was violated. It was known full well that if such a proposal were put before the people of the United States for a vote, the proponents of the amendment would be ridiculed and probably impeached. At least, they would be defeated for reelection for having made the suggestion.

But so long as no amendment to the Constitution has not been offered, the members of the Government can make their nice speeches.

We have tried to get the President to protect our industries, but he has refused to do so. The legislative branch—the Senate and House of Representatives—knows full well that it has a responsibility to do the job.

AID DENIED UNITED STATES MINERS WHILE MILLIONS IN AID SUBSIDIES HEAPED ON FOREIGN COMPETITORS

American aid for Americans—as the miners' bill—was defeated in the House by a vote of 182 to 159. I wonder what the vote on the miners' bill would have been had it been designed to assist the miners of foreign countries. We do not have to conjecture about that. That is what the bill before us will do. It will do a thousand other things which will aid foreign nations to develop their mines and assist their miners, whose products will be shipped to the United States under a virtually free trade policy.

We are pouring millions upon millions of dollars into foreign countries to be used in producing foreign copper, foreign zinc, foreign lead, foreign fluorspar, and foreign tungsten.

GOVERNMENT LOBBIES FOR FOREIGN PRODUCERS WHILE DOMESTIC INDUSTRIES, WORKERS, SACRIFICED

Had the bill defeated yesterday been to aid foreign metal mines, I suspect the State Department would have been on the Hill lobbying for it in full force, just as it is lobbying for the bill now under consideration.

The only difference is that the minerals bill was to help domestic producers, while the mutual security appropriation bill will help foreign producers. Probably the great Eric Johnston would be propagandizing for it throughout the country.

HOLLYWOOD UNEMPLOYED PROTEST FOREIGN FILMS WHILE SPOKESMAN ERIC JOHNSTON PLUMPS FOR GREATER IMPORTS AID

By the way, I have just received a letter from the motion picture photographers in Hollywood, protesting the importation of foreign films. I have not answered it yet. I did not have the heart to tell them that their own Eric Johnston was here with a thousand people, propagandizing and trying to bluff Congress and scare Congress—as they did—into voting for a free trade bill, which will permit foreign films to come into the United States at a time when many persons are unemployed in Hollywood. But I will answer that letter. I will probably send them a copy of this speech.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the letter from International Photographers of the Motion Picture Industries, local 659, Hollywood, Calif. The letter is dated August 14, 1958.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL PHOTOGRAPHERS OF THE MOTION PICTURE INDUSTRIES,
Hollywood, Calif., August 14, 1958.

Senator GEORGE W. MALONE,
United States Senate,
Washington, D. C.

DEAR SENATOR MALONE: We seek to enlist your services for the purpose of obtaining a Congressional investigation on the reasons why motion pictures are being made abroad to a greater and greater extent, thus lessening the employment opportunities of so many thousands of people in the city of Los Angeles, and to a degree in the city of New York. It is our belief that there are certain conditions which can be attributed to this situation. We feel that only through a proper Congressional investigation can these facts be brought out into the open. Once this is done, I feel certain that appropriate legislation can then be proposed to correct this evil.

To further explain the case I am taking the opportunity of acquainting you with myself and the thinking of so many of us.

I am the business representative of local 659, International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, which consists of 1,100 photographers, primarily male and of which 925 are employed in the city of Los Angeles. I am the official spokesman of the aforementioned and to a degree all others besides the members of our organization who are now being plagued with the foreign film-production problems. These people I speak about generally render services in the city and county of Los Angeles.

We currently find ourselves faced with a drastic unemployment problem. A receding box office hardly explains away the case as some pictures gross tremendous sums and others do not do so well. Management as a whole is not the most efficient on the top level. Nevertheless, motion pictures have a place in our sphere of life and if the number of pictures customarily made are continued to be made in this country we would be enjoying a fairly healthy condition.

Employment was at its highest about a year ago. Since then there has been a noticeable decrease in the making of motion pictures for television as well as for theatrical release. As to the number of television pictures being less, that can be explained by the fact that a retrenchment has been taking place in the industry which reflects itself in the advertising budgets and again is reflected in a tightening up by the ad agencies. Some networks have encouraged the making of pictures in foreign lands for television release to sponsor American products so that they can be sold on the American market. As it is, this has not been our most serious problem. The television medium is also suffering from the fact that advertisers are searching for a better way to market products other than the present use of established style. Possibly we may see the introduction of some new ideas and production will then become accelerated in this country. However, tax advantages and subsidies could eventually bring us irreparable damages.

As to the theatrical motion-picture market, the unemployment situation can be attributed to the production of American-financed and controlled films in foreign lands.

To us this trend is increasing with a more positive attitude. As for the reasons, it is obvious that so much can be written off as expenses. Furthermore, labor of all kinds, be it common labor, extras, or technicians, cost so much less than it would in the American market.

England offers the Eady plan under which one-third of production costs are subsidized by the Government. Moreover, certain stars and producers are forming corporations in Italy and Switzerland which acquire an interest in these pictures and which corporations serve to accumulate all of the foreign revenue. In turn the star acquires a considerable fortune from this foreign corporation which is then used to produce further pictures in foreign lands. The foreign corporation I refer to always retains the European rights to any picture, and what we call the American negative or American rights come back to this country. Without a doubt the yield from the American negative rights gives the star, producer, or director, more than their salary and what is made by the foreign corporation is untaxable income that just keeps on increasing. Thus you have it—why the trend is to make pictures out of the country.

Loyalty to this country and the regard for human dignity of the American craftsmen has become a theory no longer applicable because of those whose efforts are directed to acquire wealth through selfish means.

Certain people of this country would lead you to believe that it is a mistaken concept to live in a free country, take its benefits and support it in every way possible. When we look back upon those who gave their lives and those who were fortunate enough to return we wonder whether their mission in life was meaningful.

I have concluded that the only answer to this problem is for you to initiate this Congressional investigation in behalf of our constituents so that the entire subject may be fully explored.

Only through your help can a brighter future be found for the thousands of people in our community.

Only through your help can faith be resuscitated within those who have given their all to pioneer an industry.

Only through your help can this community whose allied industries have likewise suffered retrenchment be stabilized and continue in business.

Only through your help in initiating this investigation can a means be found to correct the evil practices which have hurt some and will destroy others.

We are earnestly calling upon you to put into work the necessary machinery to bring this matter before Congress.

Respectfully yours,

HERBERT ALLEN,
Business Representative.

Mr. MALONE. Mr. President, this is the letter with a teardrop and a drop of blood on every paragraph. The letter begs for protection, so that the members of this group can find work in Hollywood, although their very good friend, Eric Johnston, who has brought hundreds of people to Washington, favors free trade. But now the members of this group are unable to find work.

EVERYTHING ASKED FOR FOREIGN COUNTRIES PASSED BY CONGRESS; LITTLE PASSED ASKED FOR AMERICANS

Had the minerals bill been a bill to assist the mining industry of foreign countries we would have had our internationalist commentators and columnists praising it to the skies. Then it would have passed. Of course it would have passed.

Congress has passed everything which has been asked for by foreign countries for the past 24 years, especially the last 12 years, since World War II.

Only a few weeks ago, the House passed overwhelmingly the foreign aid appropriation bill which is before the Senate today.

The miners' bill was only a little old American bill. It offered nothing for foreigners. It was only for Americans. So the House defeated it. The bill simply would have enabled the miners to eat for another 2 or 3 years; to keep their mines open; to keep the American mining industry a going concern. That is all the bill provided.

DISTRESS IN AMERICA GROWS WHILE CONGRESS VOTES BILLIONS FOR OUTSIDE WORLD

Mr. President, the time is coming—and it will come soon—when the people of the United States will demand legislation for Americans, not for foreigners. The American people are sick of supporting nations and colonies throughout the world, while the number of unemployed and the number of distressed areas in our own Nation mounts monthly.

When, last June, the foreign aid authorization bill was first debated this year in the Senate, I reported that the United States now had 243 distressed areas. This was 56 more distressed areas than there were in March, 129 more than there were in January, and 206 more than there were 5 years ago.

In July, when the Trade Agreements Act was being debated, I reported that during the month of June, 16 more distressed areas had been added, bringing the total to 259, and I listed them by States.

FOREIGN AID, FREE TRADE, TWIN ACTS AGAINST AMERICANS

The Trade Agreements Act is merely another form of foreign aid. Its purpose is to stimulate foreign prosperity and production by giving foreign producers a free market in America at the

expense of American workers and investors. It is a bill for foreigners and against Americans. So is the so-called mutual-security bill, which, if it were honestly labeled, would be simply the foreign subsidy bill. It is really a third part of the international socialist theory of the division of wealth. That is what it is.

Mr. President, I may say in passing that no Senator, Representative, or anyone else can consistently oppose free immigration if he is for free foreign trade and free imports. The only difference is that free immigration brings the foreigners from every nation at will.

FREE TRADE TO LEAD TO FREE IMMIGRATION

Free trade and free imports bring the products of the cheap foreign labor into the United States at will. I am not so sure that free immigration would not be an improvement, because at least the immigrants would come under the domination or the influence of Americans and get some ideas of higher living standards. But when they live in a foreign country having low wages and low living standards, American investments in Europe and Asia are used to employ cheap labor and American machinery and know-how, and the foreign products are then sent to the United States without the payment of any duty or tariff and are sold for whatever the traffic will bear. Perhaps that is worse than free immigration. But free immigration will come if we keep up this pattern of one world, one government, and world government; when, as some people advocate openly, we modify the sovereignty of this Nation and join with 75 or 80 other nations, each having one vote. That is what it is coming to; and each of them will have one vote, as in the case of the United Nations. Mr. President, what do you think will happen to the United States then? Then the United States will be taxed according to its ability to pay.

FREE TRADE THE DIRECT, FOREIGN AID THE INDIRECT CAUSE OF AMERICA'S DISTRESSED AREAS

So, Mr. President, like the Trade Agreements Act, the so-called mutual security bill is for foreigners and against Americans.

Mr. President, recently we have noticed that plans have been made to make the desert of the Middle East bloom like the rose and to finance the Arab nations. That work is proposed to be done by nations all over the world—although by means of agreements which no one but the United States will keep.

The Trade Agreements Act and the gates it has opened to floods of low-cost, low-wage imports from low-living-standard nations are the primary cause of our distressed areas.

The foreign-aid program, which has financed foreign companies in the production of this deluge of goods to flood our markets, is a secondary cause of our distressed areas.

Each month, the number of distressed areas and the number of States in which American distressed areas are located continue to mount. The State Department expects that; it expects the redistribution and reorganization of the industrial map of the United States, which has been going on for the last 24 years.

Mr. President, how can any private investments be made in any business in the United States when the potential investors know that either the Chief Executive or the Geneva trade organization can trade off any American business tomorrow, and the company concerned will not know anything about what has been done to it until it finds that it is unable to sell its goods.

AMERICAN BUSINESS SOLD OUT TO FOREIGN TRADERS WHILE CONGRESS GIVES LIPSERVICE TO UNITED STATES INDUSTRIES

Mr. President, the Members of Congress are giving lipservice to American industries, but only after they allow imports from cheap-labor countries and countries with low taxes to enter the United States. Then the Congress votes some sort of sop for the American businesses, in an effort to make them believe that Congress favors them.

But, Mr. President, no business in the United States should have to ask a Member of Congress for anything, except perhaps a small publication or two that may be available to all persons in the United States.

But now, at Geneva, the General Agreements on Tariffs and Trade makes the tariffs. The 37 nations which belong to that organization make the tariffs; but the United States has only 1 vote in that connection. So the other 36 competitive nations continue to complete the job of dividing among themselves the markets of the United States; and the businessmen of the United States are not able to do anything about it. They used to have Senators and Members of the House of Representatives who would act to protect them; that was the case during the first 150 years of the life of this country. But now, all that has been changed.

Today, pressure is exerted from the White House, the State Department, and from Hollywood, by means of Eric Johnston, Paul Hoffman, and all the rest of their ilk, in an attempt to pressure the Members of Congress into permitting Geneva to continue dictating our economy. And then, Mr. President, of all things, some out-of-work movie actors ask me to help them. It would be better for them to ask Eric Johnston to help them.

DISTRESSED AREA TOTAL REACHES 269; INCLUDES 334 CITIES IN 35 STATES

The July report on the distressed areas in the United States is just out. It lists 269 distressed areas, containing 334 cities, and located in 35 States of the Union—36, if we include Alaska. Some of these areas, as I stated before, embrace several cities.

For example, Los Angeles and Long Beach, which were added to the distressed areas list last month, are listed as one area, although they are separate cities. Minneapolis and St. Paul are in the same area, as are Duluth and Superior, although they are in different States. Albany, Schenectady, and Troy are also included in one area; so are Utica and Rome; so are Wheeling, W. Va., and Steubenville, Ohio. It is one way the Department of Labor has to reduce the number of distressed areas.

The Department of Labor distinguishes between what it calls major areas and what it calls smaller areas, although some fair sized cities are in the latter.

LABOR DEPARTMENT'S DISTRESSED AREA CRITERIA

For the so-called major areas they have six classifications, A, B, C, D, E, F. Cities go into the distressed-area class when they hit the "D" classification. The "A" classification is for cities where there is a labor shortage. There are no "A" cities left in the United States and there has not been for a year.

The "B" classification is for cities in which "job opportunities for local workers are slightly in excess of job seekers." There are no longer any class "B" cities either.

The "C" classification is for cities in which job seekers are slightly in excess of job openings, or, in other words, where there is 3 to 5.9 percent unemployment. These are not considered distressed areas where unemployment is less than 6 percent. Of the 149 major areas listed by the Department of Labor in July there were 60 "C" areas, leaving 89 distressed major areas in different degrees of distress.

An area or city with 6 to 8.9 percent of it workers jobless is a "D" area; one with 9 to 11.9 jobless is an "E" area, and one with 12 percent or more out of work and unable to find jobs is an "F" area.

In July there were 49 "D" areas, 19 "E" areas, and 21 "F" areas. A year ago there were only 16 "D" cities included in the major areas, 7 "E" cities, and 1 "F" city.

The smaller areas, so-called, are not broken down into A, B, C, D, E, and F classifications. They are listed simply as "areas of substantial labor surplus, which means they are areas of substantial unemployment. Unemployment is considered substantial when 6 percent or higher of the workers cannot find employment because there are no jobs to be had.

NATION'S UNEMPLOYED VICTIMS OF FREE TRADE

Mr. President, I am certain that an unemployed worker in a so-called smaller area is just as hungry and despairing as the jobless wage-earner in a major area, possibly more so because his opportunities of finding some form of gainful employment are more limited in a small city than in a large city.

I know that in distressed areas like Butte, Mont.; Jasper, Ala.; Okmulgee and Henryetta, Okla.; Joplin, Mo.; and Richlands-Bluefield, Va., where mining is a dominant industry, there are few if any jobs that an unemployed miner can hope to turn to.

There are more than 5 million employed now in the United States. Free trade has destroyed their job opportunities. Foreign aid has subsidized sweatshop foreign labor which has driven them out of the labor market, and as they suffer, we here in the Senate contemplate adding to their distress and

misery by voting another $3.5 billion subsidy to increase their misery through foreign competition.

NATION'S 269 DISTRESSED AREAS LISTED

I now list the distressed areas named in the July report of the Department of Labor, Bureau of Employment Security:

Alabama: Major areas: Birmingham, Mobile. Smaller areas: Anniston, Florence-Sheffield, Gadsen, Jasper, Talladega. Total: 7 areas, 8 cities.

Alaska: Smaller area, Anchorage. Total, 1.

California: Major area, Los Angeles-Long Beach. Smaller areas: Eureka, Ukiah. Total, 3 areas, 4 cities.

Colorado: Smaller area, Pueblo. Total, 1.

Connecticut: Major areas: Bridgeport, New Britain, New Haven, Waterbury. Smaller areas: Ansonia, Bristol, Danbury, Danielson, Meriden, Middletown, Norwich, Thompsonville, Torrington, Willimantic. Total, 14.

Georgia: Major area, Columbus. Smaller areas: La Grange, Toccoa. Total, 3.

Illinois: Major areas: Chicago, Joliet, Peoria. Smaller areas: Canton, Centralia, Decatur, Harrisburg, Herrin-Murphysboro-West Frankfort, La Salle, Litchfield, Mount Carmel-Olney, Mount Vernon, Springfield, Woodstock. Total, 14 areas, 16 cities.

Indiana: Major areas: Evansville, Fort Wayne, Indianapolis, South Bend, Terre Haute. Smaller areas: Anderson, Connersville, Lafayette, Marion, Michigan City-La Porte, Muncie, New Castle, Richmond, Vincennes. Total, 14 areas, 15 cities.

Iowa: Smaller area, Ottumwa. Total, 1.

Kansas: Smaller areas: Coffeyville-Independence-Parsons, Pittsburg. Total, 2 areas, 4 cities.

Kentucky: Major area, Louisville. Smaller areas: Corbin, Frankfort, Hazard, Madisonville, Middlesboro-Harlan, Morehead-Grayson, Owensboro, Paducah, Paintsville-Prestonburg, Pikeville-Williamson. Total, 11 area, 15 cities.

Maine: Major area, Portland. Smaller areas: Biddeford-Sanford, Lewistown. Total, 3 areas, 4 cities.

Maryland: Major area, Baltimore. Smaller area, Cumberland. Total, 2 areas.

Massachusetts: Major areas: Brockton, Fall River, Lawrence, Lowell, New Bedford, Springfield-Holyoke, Worcester. Smaller areas: Fitchburg, Greenfield, Haverhill, Marlboro, Milford, Newburyport, North Adams, Pittsfield, Southbridge-Webster, Taunton, Ware. Total, 18 areas, 20 cities.

Michigan: Major areas: Battle Creek, Detroit, Flint, Grand Rapids, Lansing, Muskegon, Saginaw. Smaller areas: Adrian, Ann Arbor-Ypsilanti, Bay City, Benton Harbor, Escanaba, Ionia-Belding-Greenville, Iron Mountain, Jackson, Marquette, Monroe, Owosso, Port Huron. Total, 19 areas, 22 cities.

Minnesota: Major areas: Duluth-Superior, Minneapolis-St. Paul. Total, 2 areas, 4 cities.

Mississippi: Smaller area, Greenville. Total, one.

Missouri: Major areas: Kansas City, St. Louis. Smaller areas: Cape Girardeau, Flat River-De Soto-Festus, Joplin. Total, 5 areas, 7 cities.

Montana: Smaller areas: Butte, Great Falls, Kalispell. Total, 3 areas.

Nebraska: Smaller area: Lincoln. Total, one.

New Jersey: Major areas: Atlantic City, Newark, Paterson, Perth Amboy, Trenton. Smaller areas: Bridgeton, Long Branch, Morristown-Dover, Plainfield-Somerville. Total, 9 areas, 11 cities.

New York: Major areas: Albany-Schenectady-Troy, Buffalo, New York City, Syracuse, Utica-Rome. Smaller areas: Amsterdam, Auburn, Batavia, Elmira, Glens Falls-Hudson Falls, Gloversville, Jamestown-Dunkirk, Newburgh-Middletown-Beacon, Oneida, Oneonta, Watertown. Total, 16 areas, 23 cities.

North Carolina: Major areas: Asheville, Durham, Greensboro-High Point. Smaller areas: Fayetteville, Kinston, Morganton, Mount Airy, Rockingham-Hamlet, Rocky Mount, Rutherfordton-Forest City, Shelby-Kings Mountain, Thomasville-Lexington, Waynesville. Total, 13 areas, 18 cities.

Ohio: Major areas: Akron, Canton, Cleveland, Dayton, Hamilton-Middleton, Lorain-Elyria, Toledo, Youngstown. Smaller areas: Ashtabula-Conneaut, Athens-Logan-Nelsonville, Cambridge, Defiance, East Liverpool-Salem, Findlay-Tiffin-Fostoria, Kent-Ravenna, Kenton, Lima, Mansfield, Marietta, Marion, New Philadelphia-Dover, Portsmouth, Chillicothe, St. Marys, Sandusky-Fremont, Springfield, Zanesville. Total, 26 areas, 38 cities.

Oklahoma: Smaller areas: McAlester, Okmulgee-Henryetta. Total, 2 areas, 3 cities.

Oregon: Major area: Portland. Smaller areas: Albany, Coos Bay, Eugene, Pendleton, Roseburg. Total, 6 areas.

Pennsylvania: Major areas: Allentown-Bethlehem, Altoona, Erie, Johnstown, Philadelphia, Pittsburgh, Reading, Scranton, Wilkes-Barre-Hazleton, York. Smaller areas: Berwick-Bloomsburg, Butler, Clearfield-Dubois, Lewistown, Lock Haven, New Castle, Pottsville, Sayre-Athens-Towanda, Sunbury-Shamokin-Mount Carmel, Uniontown-Connellsville. Total, 20 areas, 29 cities.

Rhode Island: Major area, Providence. Smaller area, Newport. Total, two.

Tennessee: Major areas: Chattanooga, Knoxville, Memphis. Smaller areas: Bristol-Johnson City-Kingsport, Lafollette-Jellico-Tazewell. Total, 5 areas, 9 cities.

Texas: Major areas: Beaumont-Port Arthur, Corpus Christi, Fort Worth, Houston. Smaller areas: Laredo, Texarkana. Total, 6 areas, 7 cities.

Utah: Smaller area, Provo. Total, one.

Vermont: Smaller areas: Burlington, Springfield. Total, two.

Virginia: Major area, Roanoke. Smaller areas: Big Stone Gap-Appalachia, Radford-Pulaski, Richlands-Bluefield. Total, 4 areas, 7 cities.

Washington: Major areas: Spokane, Tacoma. Smaller areas: Aberdeen, Anacortes, Bellingham, Bremerton, Everett, Olympia, Port Angeles. Total, nine areas.

West Virginia: Major areas: Charleston, Huntington-Ashland, Wheeling-Steubenville. Smaller areas: Beckley, Bluefield, Clarksburg, Fairmont, Logan, Martinsburg, Morgantown, Parkersburg, Point Pleasant-Gallipolis, Ronceverte-White Sulphur Springs, Welch. Total, 14 areas, 18 cities.

Wisconsin: Major areas: Kenosha, Milwaukee, Racine. Smaller areas: Beaver Dam, Beloit, La Crosse, Lake Geneva-Whitewater, Watertown. Total, 8 areas, 9 cities.

NO RELIEF IN SIGHT FOR DISTRESSED AREAS

Mr. President, in each of these areas and cities that I have listed above there is serious unemployment. Not only that but, according to the Department of Labor's criteria before an area or city is listed current unemployment is expected to continue for at least the next four months. In other words no immediate or early relief is in sight.

On the basis of the record which this Congress has achieved, unemployment will grow instead of diminish.

We have passed a Trade Agreements Act to bring in more low-wage foreign goods and products and destroy more American jobs.

Many of these job-destroying imports were financed by foreign aid.

It is now proposed to give foreigners another $3½ billion to finance more foreign products for foreigners to pour into our markets through the free trade sleeve, destroying still more American investments and American jobs.

Many nations have been destroyed by substituting imported foreign goods for domestic products—Rome, Venice, Spain, and Portugal are good examples—but ours is the first government where the taxpayer has been compelled to finance his own destruction, and that is what we are doing through foreign aid.

VOTE FOR FOREIGN AID A VOTE TO CREATE MORE DISTRESSED AREAS

A vote for this bill today is a vote to aid foreigners at the expense of America's security and economy. It is a vote to increase more distressed areas in the United States.

A vote against this bill is a vote to aid America, its taxpayers, its industries, and its wage earners.

Our taxpayers are going broke, our industries are closing down, and our wage earners are going jobless.

I intend to vote against this bill to aid foreigners.

Voting against this foreign aid bill, I will aid Americans, which I consider the first obligation of every Member of this body.

FOREIGN NATIONS LOOK TO DAY WHEN ALL UNITED STATES A DISTRESSED AREA DRAINED OF MONEY

Mr. President, all these records are kept by Bureau officials. Any Bureau official can keep records. There is an old saying, Mr. President, as you know, that "figures don't lie, but liars will figure." By regrouping and by every other known subterfuge, unemployment in the depressed areas of the Nation is misrepresented and minimized. The only trouble is that once the United States runs out of money, "Uncle" has no uncle; no one else has been so generous. Many of the other nations are looking forward to the time when the United States will run out of money.

Mr. President, a reading of the newspaper dispatches is enough to discourage anyone. In the New York Journal-American for August 22, I noticed an article entitled "Dag Plans Swift Recall of Troops."

The reference is to the Secretary-General of the United Nations, Dag Hammarskjold. Mr. President, for whom is he working? I will guarantee that he is not working for the United States of America.

I shall read part of the article:

Dag Hammarskjold mapped plans today for speeding the withdrawal of Anglo-American troops from Jordan and Lebanon after the unanimous approval in the U. N. Assembly of an all-Arab resolution for keeping peace in the Middle East.

Mr. President, we sent our troops into Lebanon. Just imagine how the people of the United States would feel if Russia sent troops into Cuba.

EDITORIAL DECRIES "IDEALISTIC IMPERIALISM"

Mr. President, the Wall Street Journal is a great newspaper that is entirely in favor of free trade. Therefore, it is quite natural, as a result of the "funny money" policy the Wall Street Journal advocates—although others call it inflation—that we find published in that newspaper an editorial with the heading, "The Fixer for the World."

Mr. President, sometimes even the Wall Street Journal publishes a fairly sensible editorial, perhaps after it has a lapse of memory, or something of the sort, in regard to its regular policy.

I read from the editorial:

It might be useful for the administration and the Congress to take note of some remarks made the other day by Dr. Henry M. Wriston of Brown University, and George V. Allen, head of the United States Information Agency and the Voice of America.

Mr. President, the United States Information Service is a great organization. The only thing it cannot find out is what is going on in Europe and Asia. Outside of that, it is a very valuable organization, especially for reporting on tea parties.

I read further from the editorial in the Wall Street Journal:

While these gentlemen spoke at different places and on different subjects, what each of them had to say is closely related to one basic phase of our foreign policy that deserves the most critical examination.

Dr. Wriston, who 4 years ago headed a committee to advise Secretary Dulles on State Department personnel problems, offered in New York some advice on other Department matters. The United States, he said, should beware of a policy of idealistic imperialism.

EFFORTS TO REPLACE BRITAIN IN EMPIRE ROLE WITLESS

I do not know whether it is idealistic or not, but it is another form of imperialism. The only thing is we are doing it for other nations. We say we have taken the place of Great Britain. Great Britain's fleet was destroyed when the airplane dominated the British fleet. The fleet has not been out of the harbor since, and never will be again. So it is said we have taken the place of Great Britain. I point out that the way we have taken the place of Great Britain is the way a spendthrift would take the place of a frugal man.

Great Britain never lost a dollar on a foreign nation in its colonial business. It received dollar for dollar, and made a profit on it. It dominated the markets of the smaller nations, as it did our own country until 1776, when we got fed up with it and were the first to break away. Now we are trying to hold her and other colonial nations in our power by taking Great Britain's place. We protect the empires of colonial nations by furnishing them arms, so they could fight to hold their colonial empires. However, when we take over an area, we put out money. It is a loss every time we turn around. No money comes to us. No loans are returned. It means no trade for us, as it meant for Great Britain under the empire preferential trade policy.

I read further from the editorial:

"The United States," he said, "should beware of a policy of idealistic imperialism." This he defined as the notion that anything that's wrong anywhere in the world, it's up to us to fix it.

UNCLE SAM BEATS ROLE OF "MR. FIXIT"

In other words, we must pay a nation to sign a treaty it never intends to keep.

The editorial continues:

The United States, Dr. Wriston argued, has a moral commitment to let the other fellow alone to work out his own scheme of government. We would be ready to advise—if asked—to cooperate, to work through the United Nations. Beyond that, we should not interfere whether we like this ruler or that kind of government.

Well, the United States, whether under Republicans or Democrats, has long suffered an itch to make over the world in its own likeness, and that brings us to the remarks of Mr. Allen, whose Voice of America is our most voluble tool in seeking to impress upon others the image of America. Mr. Allen said in Washington that he is perfectly willing to have the Voice of America monitored by the United Nations.

That creates an interesting problem, to be sure, for there are two views on the reasons why we have a Voice of America. One is that the Voice is supposed to mirror America. The other is that it is supposed to be an out-and-out propaganda arm in the cold war.

I ask unanimous consent that the editorial appear in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FIXER FOR THE WORLD

It might be useful for the administration and the Congress to take note of some remarks made the other day by Dr. Henry M. Wriston of Brown University and George V. Allen, head of the United States Information Agency and the Voice of America. While these gentlemen spoke at different places and on different subjects, what each of them had to say is closely related to one basic phase of our foreign policy that deserves the most critical examination.

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That creates an interesting problem, to be sure, for there are two views on the reasons why we have a Voice of America. One is that the Voice is supposed to mirror America. The other is that it is supposed to be an out-and-out propaganda arm in the cold war. We know of no other reasons offered for its existence. The question now is whether the Voice can serve either purpose if it is monitored by U. N. censorship, for the monitors are likely to see to it that the broadcasts are in a mirror of what the U. N. wants the world to find in America. That gives even less reason for the existence of the Voice.

Still, the Voice and the United States Information Agency, costly, controversial, and dubious of value as their critics think them, are, like foreign aid only an outgrowth of our propensity to right all the wrongs of the world.

For the fact is that if we had enough sense to abandon the notion that it is our duty to be the fixer for the world we would have much less use for foreign aid and none at all for Government propaganda.

UNITED STATES ARMS FLOWN TO REBELLION-TORN INDONESIA

Mr. President, I read another headline from a newspaper under the dateline of August 19. I may say, Mr. President, I get discouraged reading such dispatches. All one has to do is pick up any newspaper and he will read them. This headline reads, "United States Arms Go to Indonesia in Hush Pact."

The dispatch reads in part:

The United States announced today that it was flying internal security arms to the neutralist Indonesian Government under a secret agreement signed in that country's capital last Wednesday.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES ARMS GO TO INDONESIA IN HUSH PACT

WASHINGTON, August 19.—The United States announced today that it was flying internal security arms to the neutralist Indonesian Government under a secret agreement signed in that country's capital last Wednesday.

The action marked an apparent softening in the United States attitude toward the government of President Sukarno now that the Indonesian rebellion has been virtually stamped out. The United States previously refused to sell arms to Indonesia.

SHIPPED BY PLANE

A State Department spokesman said the shipments, by the United States Air Force Globemasters, consisted of small arms, trucks, jeeps, communications equipment, and similar items needed by the army for internal security operations.

Indonesia will pay for the equipment either in dollars or Indonesian currency. The Department said Indonesia promised that the arms would be used only for internal security and self-defense, in accordance with United Nations principles.

Department press officer, Joseph W. Reap sidestepped a reply when asked if the agreement had any connection with new Red Chinese threats in the Formosa area.

SENATOR RECALLS VISIT TO SUKARNO IN INDONESIA

Mr. MALONE. Mr. President, I visited Indonesia in 1948. The Dutch Government had complete control at that time. Sukarno had his rebel army in another part of the island. I asked permission—and did not get it—to see Sukarno and meet with his outlaw cabinet. So before daylight one morning I arrived at the airport, knowing that a plane was leaving, stepped on the plane, and went to see Sukarno. I found him to be a very interesting young fellow. He had a very attractive and intelligent wife, who was helping him at every turn. Of course,

he married 2 or 3 more women. Nevertheless, he was fighting the Dutch and the Communists at the same time. In time, he took over control.

UNITED STATES SHOULD MIND AMERICA'S BUSINESS FIRST, NOT THAT OF FOREIGN COUNTRIES

We do not have any idea of what is going on in Indonesia or what government we should choose to help us. What business is it of ours to furnish arms to Indonesia? What business is it of ours to furnish arms to France so she may hold north Africa in colonial subjugation? Our Government sent marines into Lebanon. Why? Because, it was said, we have to protect the oil supply to Europe. This country became involved in three wars because it was said we had to have strategic materials located across major oceans.

I take pride in two reports which I directed and which came out of the Committee on Interior and Insular Affairs. The first one was Senate Report 1627, 83d Congress. It was shown conclusively that the Western Hemisphere can be made self-sufficient in everything we need in war or peace. The other report was Senate Document 83, 84th Congress, which broke down the economic structure and entity of 42 nations, and showed exactly how they handled their internal affairs.

I have visited every nation in the Western Hemisphere, as I have every nation in the world. I thought I had to see our star boarders first. I went behind the Iron Curtain, stayed there 2½ months, and traveled 14,000 miles in Russia, and saw every one of the Soviet Republics and saw many of their industries.

ARMS SUPPLIER OF THE WORLD: UNITED STATES NOW DISTRIBUTING ATOM POWER

This country is picking out governments and dictators all over the world that it thinks it should support and to which it should furnish arms. Those arms, like those which are going to Indonesia, will be turned against us when the time comes.

I have another headline from the Wall Street Journal of August 21, 1958, reading, "House Sends President Bill To Assist Europe Develop Atomic Power. Program Calls for United States to Provide $100 Million to 6 Nations in Next 10 Years." It reads in part:

Congress endorsed a long-range program of United States financial aid for peacetime atomic power development in Europe.

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of Thursday, August 21, 1958]

HOUSE SENDS PRESIDENT BILL TO ASSIST EUROPE DEVELOP ATOMIC POWER—PROGRAM CALLS FOR UNITED STATES TO PROVIDE $100 MILLION TO 6 NATIONS IN NEXT 10 YEARS

WASHINGTON.—Congress endorsed a long-range program of United States financial aid for peacetime atomic power development in Europe.

Under the measure sent to the President by a voice vote in the House yesterday, this country would provide a total of $100 million to the 6-nation European Atomic Energy Community during the next 10 years to help finance 6 nuclear reactors.

The Senate on Tuesday ratified an agreement already worked out between the United States and the six nations—Belgium, Luxembourg, the Netherlands, France, West Germany, and Italy.

An initial $3 million is authorized in the legislation for the present fiscal year for research and development. The so-called Euratom nations would match the United States grant that would total $100 million over a 10-year period.

By 1963, the projects are expected to produce a million kilowatts of nuclear-generated electricity. Private utilities in the European countries would built, operate, and own the plants.

Mr. MALONE. Mr. President, I am trying to point out where the money is going. Of course, no one knows where all the money is going. I do not believe even the CIA, the great organization handled by Mr. Dulles' brother, could ever find out where all the money is going. At least, if they can they do not tell anybody. The Representatives and Senators cannot find out.

NATIONS ENRICHED BY UNITED STATES BOUNTY BEG FOR MORE

Another editorial from the Wall Street Journal of August 21 is entitled "Incidental Ironies From All Over."

They made two mistakes, or at least two lapses of memory from their general policy in a few days. The editorial reads in part:

If the following notations seem puzzlingly unrelated, don't blame us:

Lebanon plans to send Uncle Sam a bill for $100 million in foreign aid. The money will be spent, it says here, for immediate financial support and reconstruction and also for long-range development of the country.

Indonesia, which a few months back was bitterly accusing Uncle Sam of aiding and abetting the rebels there, now is praising Uncle Sam for selling the Loyalists military equipment.

Pakistan's Finance Minister complains in a foreign aid review report that the millions Pakistan gets don't go far enough. The reasons: Uncle Sam makes Pakistan spend some of the money in the United States, and United States things cost more; United States aid experts cost Pakistan an average of $2,520 a month and some of them aren't up to their jobs; some of the Pakistani projects get stalled because Pakistani experts and Uncle Sam's experts don't get along.

I have met these experts all over the world, Mr. President, and I will say now that most of them could not hold a job as an office boy in an engineering firm in this country. They are out of the country because they cannot get jobs here, most of them. There are some good men.

Mr. President, I ask unanimous consent that the rest of the editorial be printed in the RECORD at this point.

NEHRU AGAINST EVERYTHING AMERICAN BUT AMERICAN DOLLAR AID

There being no objection, the remainder of the editorial was ordered to be printed in the RECORD, as follows:

India, Prime Minister Nehru says in a speech in New Delhi, is opposed to all but 1 of the 6 points suggested by President Eisenhower as a basis for a Middle East settlement. The single point Mr. Nehru supports is, as you may have guessed, Uncle Sam's foreign aid.

Well, puzzling or not, the notations aren't at all unrelated. The ironies from all over stem from a common cause: Kind Uncle Sam's mission to take on his shoulders the responsibilities of everybody all over.

Mr. MALONE. This is a very interesting dispatch. We have given hundreds of millions of dollars to Germany. In the hearings before the Senate Committee on Finance, as to the economic structure and welfare of this Nation, it was brought out under my cross-examination that Germany had loaned $100 million to the World Bank at 4 percent interest. The money, of course, we had previously given Germany. It was a very fine round robin and a good way to make money, if one can do it.

The dispatch says in part:

A total of 60 million deutschemarks, about $15 million, will be diverted from the Marshall plan counterpart funds. The export credit fund will be increased to 260 million deutschemarks by subsequent advances from the same source and to about 500 million marks by the recourse to the private capital market.

GERMANY PLANS OWN FOREIGN-AID PROGRAM WITH UNITED STATES DOLLARS: OBJECT, EXTENDED CREDIT

In other words, they take our funds through the counterpart funds and loan them to foreign nations in order to extend their credit.

The first paragraph of the dispatch is:

BONN, GERMANY, August 16.—The foreign-aid program, designed to pump substantially more of the West German capital goods into underdeveloped countries, is in a final stage of preparation.

It is a very interesting dispatch, Mr. President.

While we are discussing the matter of counterpart funds, which is a very interesting subject, I have with me a copy of a document entitled "United States Owned or Controlled Local Currencies Related to the Mutual Security Program." This is worldwide. It says in part:

There are three principal categories of foreign currencies, owned or controlled by the United States, which are related to operations under the mutual-security program.

COUNTERPART FUNDS A HOAX ON PUBLIC

We understand, of course, the mutual-security program. The counterpart funds were created to fool everybody. This system even fools the Government which appropriates the money for it. At least, no one in the Senate or in the Congress seems to know much about it.

I read further:

Counterpart is the local currency sales proceeds or commensurate value of United States commodity assistance furnished under the mutual-security program. With the exception of such amounts up to 10 percent as are set aside for use by the United States for administrative and other purposes—

That is for use in the foreign country, not in our country—

it belongs to the aid recipient country and is deposited in a special account to be used for programs agreed to by the United States in carrying out the purposes of the Mutual Security Act.

In other words, a certain amount of the funds is converted to counterpart funds, and 90 percent of that is spent in the foreign country. The counterpart funds indicate perhaps we get something out of it, but the remaining 10 percent is spent for administrative purposes in the foreign country. That is 100 percent, if I add it up correctly.

As of last June 30, deposits of such currencies on hand amounted to $980 million, of which all but $363 million had been committed.

COUNTERPART FUND STATUS SHOWN

Mr. President, I shall not take the time of the Senate to read this very interesting and informative document, but I ask unanimous consent to have the statement printed in the RECORD at this point as a part of my remarks, including a table showing the status of local currency funds (counterpart) in thousands of dollars and also a table entitled "Analysis of Availabilities of MSP-Administered Local Currencies by Country and Source of Currency—Worldwide Summary by Country Groups and by Types of Currency—Actual as of June 30, 1957 and Estimated Through June 30, 1959."

There being no objection, the statement and tables were ordered to be printed in the RECORD, as follows:

UNITED STATES-OWNED OR CONTROLLED CURRENCIES RELATED TO THE MUTUAL SECURITY PROGRAM

A. CATEGORIES OF LOCAL CURRENCIES

There are three principal categories of foreign currencies, owned or controlled by the United States, which are related to operations under the mutual-security program.

Counterpart is the local currency sales proceeds or commensurate value of United States commodity assistance furnished under the mutual-security program. With the exception of such amounts up to 10 percent as are set aside for use by the United States for administrative and other purposes, it belongs to the aid recipient country and is deposited in a special account to be used for programs agreed to by the United States in carrying out the purposes of the Mutual Security Act. As of last June 30, deposits of such currencies on hand amounted to $980 million, of which all but $363 million had been committed.

The second category is the proceeds from the sales of surplus agricultural commodities under authority of section 402 and its predecessor, section 550, of the Mutual Security Act. These currencies are owned by the United States. Under the terms of the sales agreements, they are available only for the purposes of the Mutual Security Act and are usually available only for use in the country in which generated. However, in some instances, these sales proceeds are available for purchase of goods and services for use in the mutual-security programs in other countries. With the exception of this latter type, called "triangular" currency, sections 402 and 550 currencies are similar in many respects to the counterpart discussed above. The chief difference is ownership. In substance there is little difference, since both kinds of currencies are used for the benefit of the host government and for purposes outlined in the Mutual Security Act. In both categories there is a lag of about a year between the obligation of the mutual security dollar and the deposit of local currency. This timelag is required to place commodity orders, receive shipments, and place the items in normal trade channels. Thus, currency programed for use in fiscal year 1959 consists largely of currency generated from fiscal year 1958 dollars. As of last June 30, sections 402 and 550 deposits on hand amounted to $809 million, of which all but $216 million had been obligated.

The third type of local currencies available to ICA and defense for purposes related to the mutual-security program are those available under certain provisions of Public Law 480, the Agricultural Trade Development and Assistance Act. These provisions are those authorizing the use of local currency sales proceeds for the common defense (subsection 104 (c)), for grants for economic development (subsection 104 (e)), and for loans for economic development (subsection 104 (g)). These currencies are owned by the United States and are generated by the sale of surplus agricultural commodities to foreign countries under the provisions of Public Law 480. Public Law 480 currencies differ from the two categories discussed earlier in that (1) they were not generated by mutual security activities with the result that they are not all available within mutual security countries, and (2) currencies under 104 (g), the largest account, are available only for loans, not for grants. In addition, a very limited quantity of Public Law 480 currencies is available under subsection 104 (d) for procurement of goods and services for export to other friendly countries. As of last June 30, deposits on hand earmarked for use under these 4 provisions amounted to $367.7 million. Of this total $645.9 million had not yet been obligated.

B. THE USEFULNESS OF SUCH CURRENCIES IN THE MUTUAL-SECURITY PROGRAM

There are three important considerations relative to these local currencies which indicate their limitations as well as their value in the conduct of the mutual-security program.

First. Local currency cannot be used to provide additional physical resources for use in the country in which it is generated, because it cannot be used to import goods and services into that country. A country's own currency, far from being a resource to that country, is a claim against its existing resources. It is to the country the same as a checkbook is to an individual bank account; writing more checks does not create more resources in the bank. Neither does expanding currency supply make more resources available in the country. Additional economic resources can be brought into these countries only by using dollars or other convertible currencies which can be used for imports. Thus, because the furtherance of mutual security objectives requires that the United States make new resources available to a cooperating country, local currency previously generated in that country cannot further such objectives by meeting this requirement for new resources. By the same token, the use by the United States of local currencies to export goods and services for mutual security purposes in other countries would, in effect, take back the assistance originally given.

Second. On the other hand, the device of generating local currencies and setting them aside helps in assuring cooperation of the host country in the mutual-security program and in directing the use of the physical resources available in the country. In many of the less developed countries, it is the most effective and practical method of making available budgetary resources that ordinarily in a developed economy would be created by taxation and government borrowing.

In other countries, however, this local currency is of little or no current value to mutual security objectives. Some countries have no need for the local currencies generated by United States programs, although they did and still may need the dollar commodities which generated such local currencies. The purpose and the timing of the use of local currencies depend on the monetary situation of the country as well as the economic condition of the country. Where inflation threatens or already exists, unrestrained use of such funds would be contrary to the objectives of helping in maintaining or building up the economy of the aid-recipient country. In some instances, although it might be a service to the country to make its own currency available to it, there are important reasons why the country would rather obtain the currency through its own internal methods rather than to borrow such currency from the United States, which would entail obligations of repayment of both principal and interest and of maintaining the value of such repayments against a decline in the value of its currency. This may in some cases inhibit the usefulness of currency which is available only for loans.

Third. To the extent that United States assistance constitutes an element in an annual understanding with a country, not only the dollar assistance but the local currency proceeds from that assistance are considered as the United States contribution for that year. Therefore, even though the local currency proceeds from 1 year's program may still be available for use in the next year, they cannot be considered as part of a second year's understanding. In other words, you cannot count the same dollar twice even though it changes form in the process of being used.

In several of the countries receiving the largest amounts of economic assistance, the basic need for the appropriated dollars is to assure a flow of goods and services into the economy in order to serve such purposes as combating inflation or helping to build, or supply raw materials for, productive facilities. This group would include, among others, Korea, Taiwan, Pakistan, Turkey, Greece, and Spain. In these countries if a substantial backlog of uncommitted or unobligated local currency existed (which in most of these countries it does not) it could not be used to meet the requirement in fiscal year 1959 for a continued flow of goods and services into the country. The currency resulting from this flow of goods and services is frequently useful to the full achievement of our objectives. But it cannot achieve the purposes of new appropriated dollars. It is the second step in a single transaction, begun at an earlier time, and cannot be used in lieu of the first (or dollar) step in the transaction which must be started in fiscal year 1959.

These three factors lead to the conclusion that the generation and availability of local currencies, both under MSP and Public Law 480, are in some cases useful in improving the use of resources available to these countries but cannot be substituted for the external resources needed by the country. To furnish such resources requires foreign exchange supplied by our aid dollar.

C. AN EXCEPTION: "TRIANGULAR" CURRENCIES

An exception to the above discussion on the usefulness of local currency is a limited amount of currency which can be used to procure goods and services for use in mutual-security program in third countries. The largest amount of this currency was generated under section 402. These generations do not reduce the need for MSP dollar appropriations since the surplus commodities must be purchased with these funds. The dollars which purchased the agricultural commodities are charged against the dollar program of the country which will receive the benefits from such currency. The generated currencies are in

effect a part of the pipeline from earlier appropriations and have been taken into account in making the request for dollar appropriations for fiscal year 1959.

D. VALUE AND AVAILABILITIES OF LOCAL CURRENCIES

Great difficulty is encountered in producing global tables involving inconvertible currencies in dollar equivalent values which are at all realistic. Deposits in the various accounts discussed herein are made at agreed rates, which may vary from agreement to agreement, depending on the nature of the transaction. While every effort is made to negotiate agreements at the most favorable possible rates, provision is seldom made to cover devaluation after the foreign currencies have been deposited and before they have been expended. The dollar equivalent figures used in the attached tables are shown at agreement rates which in many instances do not reflect the true current value. In total, this results in stating a dollar value considerably in excess of the actual market value.

A substantial portion of the accumulations of local currencies is in countries for which no economic aid other than technical cooperation is proposed under the Mutual Security Act. While the major portion of such accumulations are in Public Law 480 currencies, some accumulations of counterpart exist in countries for which no defense support or special assistance program is proposed for fiscal year 1959.

A substantial portion of present counterpart currency accumulations results from the fact that, in certain cases, it has been agreed with the host government not to release such currencies into foreign economies. In such cases, while a dollar equivalent value can be assigned to these frozen currencies, they have no program value since they cannot be used at present. Approximately $341.7 million of the unprogramed balances as of June 30, 1959, are in this nonusable category.

To clarify the above points and reflect their importance, the following table shows the major accumulations of MSP-related foreign currencies by country and source. It will be noted that, of the estimated total unobligated balances of $778 million as of June 30, 1959, $117.2 million is in countries not scheduled to receive defense support or special assistance in fiscal year 1959, and $341.7 million is estimated to be unavailable for program purposes because it has been frozen, leaving unprogramed only $319.1 million of usable currencies in countries scheduled to receive defense support or special assistance.

There are also attached four tables showing the cumulative status of United States-owned or controlled local currencies as of the end of fiscal years 1957, 1958, and 1959.

In developing programs to be carried out in the various countries under the mutual-security program, all existing and potential local currency assets are taken into account. A reference to the individual country tables will show the planned uses of these currencies. The country tables show the amounts planned for obligation for military and economic purposes in the country. The economic uses are distributed by field of activity and individual project.

COUNTERPART AND UNITED STATES-OWNED LOCAL CURRENCY IN EUROPEAN COUNTRIES NOT PROGRAMED TO RECEIVE DEFENSE SUPPORT, SPECIAL ASSISTANCE OR TECHNICAL COOPERATION IN FISCAL YEAR 1959

Counterpart and United States-owned local currencies that have been derived from prior year dollar aid and surplus commodity sales programs are not totally expended in some European countries no longer receiving mutual-security program economic assistance. Local currency proceeds are also being generated currently from sales of surplus agricultural products under mutual-security program (sec. 402) and Public Law 480 title I program in these nonaid countries.

COUNTERPART

No unexpended balances are expected to remain in the counterpart accounts for any of the nonaid European countries after June 30, 1959.

All of the equivalent $9.4 billion in counterpart generated and deposited since 1948 in nonaid countries is expected to be committed to agreed purposes by the end of fiscal year 1958, except for $28.1 million in Austria. An equivalent of $33.3 million will remain unexpended on June 30, 1958, representing the total of unexpended balances in Austria, Ireland, and the United Kingdom.

The unexpended balance in Austria includes repayments of loans made under the Zablocki amendment and a small amount of counterpart that have never been programed. An overall counterpart settlement is being negotiated with the Austrian Government which will cover the foregoing unprogramed amount and all funds now programed to revolving loan accounts. However, the final settlement is not expected to be reached before fiscal year 1959 because of the internal political situation in Austria. The use of the unexpended balance shown for Ireland as of the end of fiscal year 1958 has already been agreed for financing an agricultural institute and funds can be withdrawn in fiscal year 1959 or as soon as current discussions on details are completed. A small balance of $550,000 worth of sterling is being retained unexpended in the United Kingdom counterpart account into fiscal year 1959 in case any refund actions should arise from audit of old dollar obligations.

MUTUAL-SECURITY PROGRAM UNITED STATES-OWNED LOCAL CURRENCIES

Of the total mutual-security program United States-owned local currencies derived from the sale of surplus agricultural products under section 402 and section 550, about 10 percent was allocated to the Department of Defense for offshore procurement, about 35 percent was made available for host country uses, slightly more than 50 percent was set aside for financing purchases of commodities in the host country for use in third countries, and the remaining 3 percent consists of section 550 funds programed for French and British DOT's, Somalia, and other uses. Local currencies earmarked for specific third country programs have been taken into account in estimating new dollar requirements for those programs. By the end of fiscal year 1959, all mutual-security programs United States-owned local currency is expected to be fully obligated but unexpended balances of $2.6 million will remain in Italy for offshore procurement, as well as $300,000 in Somalia and $354,000 in the British DOT's.

The unobligated and unexpended balance in the United Kingdom at the end of fiscal year 1958 consists largely of section 402 sterling originally intended for United States use for offshore procurement for third countries, administered by the Department of Defense, and section 402 sterling which ICA is holding for host country military use subject to direction from the Department of Defense. The original programing of these funds is under review and is in the process of adjustment in the light of current military requirements. These accounts are expected to be closed out in fiscal year 1959.

About 95 percent of the section 550 funds programed for the British DOT's is expected to be expended by the end of fiscal year 1959. The rate of expenditure has been relatively slow because of a lag in the DOT development plans with which the prior year local currency projects are associated, but the territories are now moving ahead with these projects and expenditures will be accelerated in fiscal years 1958 and 1959. The rate of expenditures is also expected to improve in Somalia.

PUBLIC LAW 480, TITLE I PROGRAM

Public Law 480, title I sales agreements totaling a market value equivalent of $263.9 million were negotiated during fiscal year 1955–57 with 9 nonaid countries in Europe. Under these agreements a total of $119.7 million was reserved for United States uses. Most of the remaining $144.2 million was earmarked for loans to the countries purchasing the surplus commodities to promote multilateral trade and economic development, the remainder or $26.5 million being reserved for financing procurement of goods and services for use in programs in third countries. Generally, the Budget Bureau apportions "third country" currency only in exchange for appropriated dollars.

Except in the case of Finland, all ICA-administered local currency generated and deposited under the foregoing programs is expected to be obligated by the end of fiscal year 1958. All deposited funds are expected to be expended by June 30, 1959, except in Finland and Portugal.

An obstacle to rapid programing of available funds in Finland has been the limited types and amounts of goods that can be supplied by Finland at world market price and that are needed in the underdeveloped areas. A Presidential determination has been made to loan the remaining balance to Finland for economic development under section 104 (g).

In the case of Portugal, all the Public Law 480, title I local currency generated and deposited was fully obligated by June 30, 1957, for loans to the Portuguese National Development Fund to construct food storage facilities. However, actual construction is not scheduled to begin until January 1958, and will extend beyond fiscal year 1959. Approximately 60 percent of the funds deposited, although fully obligated, will remain unexpended on June 30, 1959.

Expenditure of funds will be fully completed in Italy by the end of fiscal year 1959. The lag in fiscal year 1958 reflects the nature of Italian governmental procedures that necessitate passage of authorizing legislation for each separate use. Similarly, in Austria the Public Law 480 funds obligated for loans to Austrian industry are not disbursed until loan applications are processed and approved.

OTHER CURRENCIES (COAL PROCUREMENT FUND)

Sales of United States surplus coal, generating a total equivalent of $17.3 million in local currency, were made in fiscal 1955, to six European countries not now receiving mutual-security program economic assistance. Only in Denmark is there expected to be any unexpended balance of local currency remaining on June 30, 1958 or 1959.

Reduction in the amount of this unexpended kroner balance is dependent on the availability of Danish export goods of suitable types and at competitive prices, as needed for United States aid programs in underdeveloped countries. The Danish coal procurement fund is expected to be 80 percent obligated by the end of fiscal year 1958 and fully obligated by the end of fiscal year 1959; but about 35 percent will remain unexpended at the end of fiscal year 1959 because of the length of time required for delivery on some of the capital goods being procured.

Status of local currency funds (counterpart)

[In thousands of dollars]

Area and country	Cumulative June 30, 1957 (actual)				Area and country	Cumulative June 30, 1957 (actual)			
	Potential generation	Deposits	Commitments	Expenditures		Potential generation	Deposits	Commitments	Expenditures
Europe:					Near East and South Asia—Con.				
Austria	$41,850	841,850	686,881	689,870	Iran	148,426	132,612	142,426	131,486
Belgium-Luxembourg	31,604	31,604	31,604	31,900	Israel	121,260	121,260	120,968	120,968
Denmark	227,057	227,057	227,057	227,057	Jordan	5,199	5,199	5,199	5,121
France	3,241,300	3,241,300	3,240,900	3,240,818	Lebanon	2,500			
Germany, Federal Republic (including Berlin) [1]	1,158,459	1,154,300	1,158,459	1,135,400	Pakistan	147,321	74,137	33,775	33,775
Iceland [1]	28,163	29,300	16,500	16,500	Turkey	452,057	342,832	305,474	342,832
Ireland	17,300	17,300	17,300	5,000	Total, Near East and South Asia	1,642,891	1,444,063	1,200,810	1,167,180
Italy	1,452,031	1,452,000	1,450,700	1,374,938					
Netherlands	855,600	855,600	855,600	800,761	Far East:				
Norway	367,050	366,300	366,300	362,702	Burma	8,000	7,157	6,879	6,879
Portugal	23,500	23,400	22,800	22,800	Cambodia	95,852	73,196	89,005	68,230
Spain	157,356	82,645	121,708	65,383	China (Taiwan)	501,267	[2] 384,225	361,405	351,411
Trieste	35,300	35,300	35,300	35,100	Indonesia	31,555	27,226	8,793	8,793
United Kingdom	2,426,900	2,426,900	2,426,900	2,426,350	Korea	[3] 525,650	[4] 465,319	440,633	283,558
Yugoslavia	263,986	251,416	255,574	224,717	Laos	120,148	98,385	120,148	96,322
Total, Europe	11,127,458	11,036,272	10,905,583	10,658,586	Philippines	106,404	81,156	81,156	75,976
					Thailand	76,780	50,766	53,970	39,617
Africa:					Vietnam	539,955	[5] 579,917	628,152	[6] 524,779
Libya					Total, Far East	2,405,711	1,776,437	1,790,141	1,455,565
Morocco									
Tunisia	5,300				Latin America: Bolivia [4]	19,800	3,588	2,368	865
Total, Africa	5,300				Total, Latin America	19,800	3,588	2,368	865
Near East and South Asia:									
Egypt	2,105				Grand total	15,201,160	14,262,360	13,898,902	13,282,198
Greece	770,023	770,023	532,968	532,968					

[1] Includes counterpart loan repayments.
[2] Includes $12,293,000 not available for program purposes.
[3] Includes following amounts not available for program purposes; fiscal year 1957, $339,699,000.
[4] Includes following amounts not available for program purposes; fiscal year 1957, $92,901,000.
[5] Includes deposits of $56,971,000 and expenditures of $31,546,000 from the Government of Vietnam to finance its contribution to military budget.
[6] Includes deposits from stabilization account.

Analysis of availabilities of MSP-administered local currencies by country and source of currency—Worldwide summary, by country groups and by types of currency—Actual as of June 30, 1957, and estimated through June 30, 1959

[In thousands of dollars equivalent]

	Status as of June 30, 1957				Fiscal year 1958				Fiscal year 1959			
	Unexpended deposits	Deduct unliquidated obligations	Unobligated or uncommitted deposits	Not available for use (frozen)[1]	Estimated new deposits	Estimated obligations or commitments	Estimated unobligated or uncommitted deposits, June 30, 1958	Not available for use (frozen)[1]	Estimated new deposits	Estimated obligations or commitments	Estimated unobligated or uncommitted deposits, June 30, 1959	Not available for use (frozen)[1]
Countries programed to receive defense support or special assistance in fiscal year 1959	1,349,232	527,117	822,115	276,761	1,358,385	1,480,011	700,489	261,785	1,240,341	1,279,991	660,839	341,705
MSP (United States owned)	181,941	49,668	132,273		240,776	253,732	119,317		158,842	201,796	76,363	
Counterpart	678,139	459,960	218,189	276,761	791,594	755,780	253,994	261,785	832,694	687,940	398,748	341,705
Public Law 480	464,174	17,499	446,675		320,958	467,502	300,131		248,805	371,255	177,681	
Other (country-owned)	24,978		24,978		5,057	2,988	27,047			19,000	8,047	
Countries programed to receive only technical cooperation in fiscal year 1959	175,731	21,641	154,090		306,744	296,660	164,144		148,665	236,678	76,131	
MSP (United States-owned)	38,953	19,899	19,054		38,909	20,975	36,988		856	19,846	17,998	
Counterpart					2,500	2,500						
Public Law 480	136,030	1,622	134,408		264,328	271,580	127,156		147,259	216,282	58,133	
Other (country-owned)	748	120	628		1,007	1,605			550	550		
Countries not programed to receive defense support, special assistance, or technical cooperation in fiscal year 1959	469,424	193,619	275,805	111,947	100,230	311,448	64,587		41,800	80,744	25,643	
MSP (United States-owned)	88,490	24,040	64,450		30,475	81,301	13,624		32,800	43,947	2,477	
Counterpart	302,023	156,754	145,269	111,947	881	118,051	28,099			28,099		
Public Law 480	72,501	7,807	64,784		68,874	111,492	22,166		9,000	8,000	23,166	
Other (country-owned)	6,320	5,018	1,302			604	698			698		
Undistributed Public Law 480 availability for countries not receiving defense support or special assistance in fiscal year 1959					6,100	3,000	3,100		38,800	26,300	15,400	
Grand total	1,994,387	742,377	1,252,010	388,708	1,771,459	2,091,149	932,320	261,785	1,469,606	1,623,713	778,013	341,705
MSP (United States-owned)	309,384	93,607	215,777		310,160	356,008	169,929		192,498	265,589	96,838	
Counterpart	980,162	616,704	363,458	388,708	794,975	876,340	282,093	261,785	832,694	715,039	398,748	341,705
Public Law 480	672,705	26,928	645,887		660,260	853,574	452,553		443,664	621,837	274,380	
Other (country-owned)	32,046	5,138	26,908		6,064	5,227	27,745		550	20,248	8,047	

[1] The figures in this column represent a portion of the preceding column ("Unobligated or Uncommitted deposits"). Amounts represent those portions of balances on which formal or informal agreements with the host government have been reached that no releases are to be made for the indefinite future. Many other cases exist, not set forth in this column, where portions of the unobligated deposits are being withheld from programing on a temporary or indefinite basis in order to avoid harmful inflationary effects.

EXHIBIT B

International Cooperation Administration—Balance of special counterpart account as of Dec. 31, 1957

Country	Currency	Units of currency	Special counterpart account (dollar equivalent)
Countries currently receiving economic assistance:			
Bolivia	Bolivianos	518,742,266	$60,565
Burma	Kyats	1,336,590	279,908
Cambodia	Riels	26,439,680	2,488,188
China	New Taiwan dollars	534,999,847	21,594,740
Germany	Deutschemarks	76,472,189	18,198,998
Greece	Drachmae	3,680,368,514	122,678,950
Haiti	Gourdes	1,250,000	250,000
Iceland	Kronur	192,696,279	17,807,309
Indonesia	Rupiah	365,720,322	13,347,457
Iran	Rials	382,692,762	5,002,520
Israel	Pounds	197	59
Jordan	Dinars	658	1,849
Korea	Hwan	94,385,390,455	188,770,781
Laos	Kips	21,365,141	611,291
Pakistan	Rupees	265,948,469	64,750,997
Philippines	Pesos	8,773,127	4,377,808
Spain	Pesetas	1,053,113,030	25,074,120
Thailand	Baht	400,725,097	19,173,445
Turkey	Liras	69,441,566	21,943,416
Vietnam	Vietnam piasters	1,351,287,866	$38,228,229
Yugoslavia	Dinars	8,208,306,379	13,680,561
Subtotal			572,311,291
Countries not currently receiving economic assistance:			
Austria	Schillings	1,086,391,417	41,784,285
Belgium-Luxembourg	Francs	20,304,926	405,926
France	do	180,004,230	402,391
Ireland	Pounds	3,569,121	10,062,620
Italy	Lire	51,434,407,277	82,295,052
Netherlands	Guilders	8,943,200	2,350,061
Norway	Kroner	606,470	97,754
Portugal	Escudos	19,142,471	665,825
United Kingdom	Pounds	196,519	552,499
Subtotal			138,645,453
Grand total			710,956,744

Prepared by Office of the Controller, ACC/PRB, Feb. 28, 1958.

COST OF LIVING IN UNITED STATES HITS ALL-TIME PEAK

Mr. MALONE. Mr. President, I should like to comment at this time on a dispatch from United Press International which says in part:

The cost of living climbed to an all-time high in July, setting a record for the 21st time in the past 23 months, the Government reported yesterday.

It set a record for the 21st time in 23 months. Those are monthly reports.

The Labor Department's consumer price index rose by one-fifth of 1 percent, to 123.9 percent of the 1947–49 price average. The rise was caused chiefly by increases in the cost of transportation, some foods and medical care.

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COST OF LIVING RISES BY TWO-TENTHS PERCENT, SETTING 21ST NEW HIGH IN 23 MONTHS

(By Edward Cowan)

The cost of living climbed to an all-time high in July, setting a record for the 21st time in the past 23 months, the Government reported yesterday.

The Labor Department's consumer price index rose by one-fifth of 1 percent, to 123.9 percent of the 1947–49 price average. The rise was caused chiefly by increases in the cost of transportation, some foods, and medical care.

However, Ewan Clague, Commissioner of labor statistics, held out hopes that living costs would level off soon. He foresaw a period of price stability that would persist for 6 months, maybe a year.

The index last month was 2.6 percent above that of July 1957.

The latest rise in consumer prices brought wage increases of 1 to 4 cents an hour for some 500,000 workers whose pay scales are pegged to the Government's price index.

The Labor Department also reported that the weekly take-home pay of a factory worker with three dependents average $75.88 last month, compared with $75.55 in June.

The Department said the biggest factor in last month's increase in consumer prices was a 1-percent boost in transportation costs. The increase stemmed from a jump in used-car prices and an increase in gasoline prices as price wars ended in several cities.

Five cities also boosted transit fares.

The Department's report showed that food prices rose one-tenth of 1 percent last month, with increases in pork, eggs and milk more than offsetting seasonal declines in fresh fruits and vegetables. Average food prices in July were 3.7 percent above a year ago.

[Food prices in the Washington area went up one-half of 1 percent. This brought the food price index to a peak of 123.4, or 3.4 percent higher than a year ago.

[Prices of fruits and vegetables led the upswing with an increase of 1 percent. Meat, poultry, and fish were 0.8 percent higher, mainly as a result of a 2.6 percent rise in pork prices. Dairy products increased 0.7 percent.

[Center-cut pork chops reached a record of $1.05 a pound, while the average price of bacon went from 85 to 87 cents a pound and ham jumped a penny to 71 cents a pound.

[Food is the only major item in the consumer index which was priced in Washington during July. A complete index of August prices is being tabulated.]

TRAINMEN PROTEST COST OF LIVING RISE

Mr. MALONE. A memorandum was furnished me yesterday from the Brotherhood of Railroad Trainmen. The source of the information is Mr. Homer, of the Labor Bureau of the Middle West. The memorandum reads as follows:

MEMO TO SENATOR MALONE

Cost of living rise from January 1956 to July 1958: January 1956, 114.6 percent; July 1958, 123.9 percent; percentage of increase, 8.1 percent.

Source of information: Mr. Homer, of Labor Bureau of Middle West.

COST OF LIVING INCREASES SHRINK FIXED INCOMES, PENSIONS

Yesterday the Senate amended a bill by including the railroad brotherhood pension adjustment, which amounted to 7½ percent. About 2 years ago or a little more, there was an adjustment. The present appropriations amount to $3½ billion which brings the total to more than $70 billion since World War II. That means that it is almost impossible to keep wages, pensions, disability compensation for veterans, and other items up to date. Just about every year or two we have to increase them, simply because, if we do not, the boys cannot eat.

Here is a dispatch from the New York Times of August 20, 1958. It is headed "Britain Will Ease India's Debt Load. Other Nations To Be Asked To Join in Loan Cut Talk in Washington Monday."

That is current. The dispatch reads in part as follows:

LONDON, August 19.—Britain is planning to help India out of her present economic difficulties.

Where does she get the money to help anyone out of any difficulties? Out of the many billions of dollars we have given England. It is said that was because of a dollar shortage. Of course, Senators know what a dollar shortage is. If not, I shall outline it for the RECORD.

FOREIGN NATIONS CREATE FICTION OF A DOLLAR SHORTAGE TO GRAB MORE UNITED STATES AID

An individual can have a dollar shortage only by spending more each month or each year than his income. You and I probably have known what that kind of dollar shortage means. But a nation can have a dollar shortage in another way. A nation can have a dollar shortage by spending more than it earns each month or each year, but it can also have a dollar shortage by setting the price of its currency, in terms of the dollar, higher than the market price, and no one will pay it but the Congress of the United States, which does not understand it.

So we have been making up the dollar shortage; and Britain can give aid to anyone. She gives aid to many other nations in situations in which she can control the trade. If we investigate such transactions, we find that trade is involved.

I read further:

This was leaked authoritatively today—

"Leaked"—that is a good word—

but there has been no official comment on the extent or form the aid will take.

These are secret treaties. They are not made in such a manner that Congress can know where the money which we give to England and the other nations is going.

BRITISH TRADE WITH COMMUNISTS BRISK SINCE WORLD WAR II

Let me say at this point that England and all the nations of Europe have been trading with Russia continuously since World War II. They were the first to recognize Communist China, followed by almost every other nation of Europe, and they traded with Communist China up through the Korean war. It was uncovered by a Congressional committee that England was sending Russia copper wire. That is copper in any man's language. Copper can be melted, and made into many things.

That was only a part of the story. I made a trip to the Balkans. First I was in Paris, France, then in Geneva, then in Czechoslovakia, Austria, Hungary, Yugoslavia, Rumania, and Bulgaria before I went into Russia. We are helping Austria out of her troubles by shipping her materials. It is all right to ship materials to Austria. But I have news for Senators. Any time Russia wanted any of the materials, they were never unloaded in Austria. We know it. If we did not, we ought to disband our information agency.

UNITED STATES ARMS "SALES" TO FOREIGN COUNTRIES REALLY GIFTS

Here is another dispatch, from the New York Times of August 20, 1958. It is headed "Indonesians Hail United States Arms Sales."

When we sell anything to them, Senators can make up their minds that we are giving it to them. We will get their money, but it goes into counterpart funds. What are they? Ninety percent is spent in the country, and 10 percent for administrative purposes, in the country. One hundred percent of the fund is spent in the country. None comes back here. That is what an American taxpayer does not understand. The counterpart funds were invented to evade an explanation to the American taxpayer as to what is done with his money.

YUGOSLAVIA'S TITO WORKING "BOTH SIDES OF STREET"

Then there is the great Mr. Tito, of Yugoslavia. I have been in Yugoslavia. It is a great country. They have some fine horses there. I saw some of those great horses, which are brought to this country for exhibition and show purposes. They are wonderful.

They also have some pretty good industries there. But Tito knows how to work both sides of the street.

It is said that we are to give them $300 million, because Tito is again wavering with regard to Russia. Perhaps he is a little short of money—a dollar shortage, as Senators will understand. When he gets that money, he will then have another conference with Mr. Khrushchev. Mr. Khrushchev is a smart, intelligent man, tougher than a boot, and he is for Russia. That is what Mr. Dulles cannot understand. He has just met someone who is for his own country. Mr. Churchill is for England. What we had better do is to develop some men in our foreign service or in executive provisions who are for our country.

BRITAIN TAKING ACTION TO AID AILING COTTON MILLS WHILE UNITED STATES PERMITTING ITS INDUSTRY TO DIE

Here is another interesting dispatch. It is headed "Britain Acts To Aid Ailing Cotton Mills." It is from the New York Times of August 21. It is from Manchester, England, where many of the mills are located. It reads in part as follows:

Sir David Eccles, president of the board of trade—

That is a good organization, too. Its members understand what they are doing. The board of trade understands just exactly what is accomplished by shading tariffs, and what an import permit or an exchange permit means in terms of forcing industries to build plants in their own country. We have not yet learned what the shading of a tariff means. The shading of a tariff can influence the location of a plant so as to make a profit, or take the profit out of it, if it is not located in that country. That is exactly what is done.

Sir David Eccles, president of the board of trade—

And I respect the board of trade. I met some of the members when I was there—

said today he was fully conscious of the serious difficulties that confront the British cotton industry.

The Manchester Cotton Association has expressed grave concern about the contraction in industry and called on the government to take immediate and positive action.

RETURN TO FAIR AND REASONABLE TARIFF WOULD REVIVE SICK UNITED STATES INDUSTRIES

Our cotton textile industry is under quite a strain, but I have not noticed any positive action yet. All we need to do is to turn to the Constitution of the United States. With respect to textiles, machine tools, crockery, and 5,000 other products, let the old policy inaugurated in 1789, under the Constitution, operate. Let the tariff represent the difference between the effective wages and the cost of doing business in this country, as compared with similar costs in the chief competing countries with respect to a particular product. With a flexible tariff, the tariff goes down as the living standard of other nations goes up. If they ever learn to live as we do, free trade will be automatic. I am for that kind of free trade, while we are helping them.

TEXTILE JAPANESE TEXTILE FLOOD ENCOURAGED BY TRADE ACT EXTENSION

Just recently we have passed a bill extending the free importation of textiles from Japan, where they pay 20 cents an hour to their labor. Of course the State Department was able to get Japan to restrain itself a little while until we had renewed the act, and to allow our industries to live for another 6 months. It is a great thing when we must be under the domination of Japan, which we had destroyed completely only a few years ago, because they got a little too rambunctious in other parts of the world. We are riding for that again, in case anyone has not heard about it. Probably the next time they will join Russia. That would be a tough combination to beat.

DEBT LIMIT DISCUSSED

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator if he voted last night to increase the debt limit.

Mr. MALONE. I did not understand the Senator.

Mr. JOHNSTON of South Carolina. Did the Senator vote to increase the debt limit?

Mr. MALONE. Did I vote for it? I did not. I never voted for it.

Mr. JOHNSTON of South Carolina. Neither did I. I believe if a few more of the Members of the Senate voted as the Senator and I voted, we would not have to increase the debt limit.

Mr. MALONE. We had a surprising 20 Senators voting with us. If we had held off on it for another week or so, we could have beaten it. We could have held it off.

Mr. JOHNSTON of South Carolina. If we could cut down a little bit on expenditures, we would not have to raise the debt limit.

Mr. MALONE. It is nothing more than blackmail all over the world. That is all it is.

Mr. JOHNSTON of South Carolina. We would not have to raise the debt limit if we could cut down on the $60 billion we give away, plus interest.

Mr. MALONE. It is past $75 billion, for the information of the distinguished Senator from South Carolina. The interest on it alone is much more than the national debt was a few years ago. That is only what we have given away.

Mr. JOHNSTON of South Carolina. It is 4 or 5 times what it cost to run the entire Government in 1911.

PINCERS TO DESTROY NATION BEGAN CLOSING 24 YEARS AGO

Mr. MALONE. That is correct. There is a pincers movement on to destroy the Nation. It started 24 years ago. It started when we went off the gold standard and we priced ourselves out of every market in the world through deliberate inflation. Then we distributed the wealth of this country. We extract billions of dollars from the little taxpayers of this country. Even a stenographer who gets $150 or $200 a month has to pay $20 or $30 of her money in taxes.

Mr. JOHNSTON of South Carolina. Is it not true that we have built up the foreign production in the field of textiles, and also in the field of agriculture, in which we have large surpluses, and we have been teaching foreign people how to grow wheat and how to grow cotton and tobacco, and we have spent billions of dollars teaching them how to grow these things, and then they have taken the markets away from us? Is that not true?

Mr. MALONE. It is not only true, but we are encouraging Americans to use cheap labor and to take our machinery and know-how to foreign countries so that the job can be done.

Mr. JOHNSTON of South Carolina. How many millions of dollars did we give to Japan to rehabilitate its textile industry?

ACHESON-DULLES TREATY WITH JAPAN RECALLED

Mr. MALONE. It has been $750 million a year. The peace treaty was worked out by Mr. Dulles, when he was working for Mr. Acheson. Of course Mr. Dulles was once appointed as a member of this body, but when that term ran out he was not elected to the Senate by the people of New York. So he worked with Mr. Acheson, and he made the treaty with Japan for Mr. Acheson. I was so aggravated with what he did in San Francisco I took the floor for 20 or 30 minutes. That speech has been reprinted many times. It predicted what would happen, and that is exactly what did happen.

JAPAN NOW MEMBER OF GATT WITH VOTE EQUAL TO THAT OF UNITED STATES

We took the Japanese in at Geneva. They are in Geneva as one of the 37-member countries. They have 1 vote, just as we have 1 vote. They are helping to divide the markets of the United States among the nations of the world. Twenty-five thousand products are affected.

I have read a news article, datelined at Jakarta. It reads:

Foreign Minister Subandrio summoned United States Ambassador Howard Jones today to express Indonesian anxiety over the arrival of United States Marines in Singapore.

Japanese newspapers issued fresh warnings against American intervention.

I suppose as long as it is necessary for us to have Marines and a Navy, we have to send them somewhere.

Let me tell Senators that the next time we start a little war and murder those kids, the way we did in Korea—that is what Mr. Truman did when he would not let them win and would not let them lose, and those kids were murdered going up and down those snowy hillsides—if another President starts that again, the American people will not take it. They will not stand for it.

EXPANDED FLEET OF SUBMARINES NEEDED TO SAFEGUARD AMERICA

All we need do is to keep up with the new inventions we have. We have sent two nuclear submarines to the North Pole, and they travel 5,000 miles without stopping. They stopped only when they had reached their destination. We have about five of those submarines now. Perhaps we ought to have a hundred of them. I do not know how many we should have. However, we can put 20 or 30 of them under the Arctice ice, and they are good for years, so far as supplies are concerned.

If any nation were to try to destroy us, it would be destroyed completely by those submarines. The next war will be fought under the seas and in the air. It is not going to be fought with marines, or with artillery on the ground, the kind I had in France in 1917 and 1918. That kind of warfare is through and gone. It takes us a long time to catch up. If we have the planes and the submarines to do this job, we can destroy any nation long after it has destroyed us. No nation will try to do it as long as they know we can destroy them. Of course I do not know about that, judging by the way we are handling things now.

SENATOR IN 1947 AND 1948 FORECAST THREATS TO PEACE

I dislike to go back for anything, but I have before me a reprint of my debates in 1947 and 1948. I said then:

Mr. President, the peace and safety of this Nation is seriously threatened at this moment through the complete absence of a definite foreign policy telling our own people and the nations of the world what we consider will threaten our ultimate peace and safety—and the complete absence of a military organization spearheaded by an Air Corps to enforce our pronouncement.

The atomic submarines have come along since then, and we are ahead of everybody else in that field. If only we will stay that way.

We have no basic international policy.

ABSENCE OF BASIC FOREIGN POLICY NOTED BY SENATE 10 YEARS AGO

I said that in 1948 on the floor of the Senate:

We have no basic international policy, having definitely ignored the 125-year-old Monroe Doctrine under which we had announced to the world in 1823 that we intended to protect the integrity of the nations, which we at that time considered necessary for our own ultimate safety—naming the area to be protected.

In its place has been substituted a hodgepodge of Executive orders and gifts of large sums of money to foreign nations, founded upon no principle at all and with no consistent thought as to where such actions might lead us in foreign entanglements.

EXCERPTS OF 1948 SPEECHES CITED

Mr. President, I ask unanimous consent to have printed in the RECORD at this point marked excerpts from my speeches on the floor of the Senate in 1948. I have marked pages 5 and 6, 12, 13, 14, and 16.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

TRADE AGREEMENTS BETWEEN MARSHALL PLAN COUNTRIES AND EASTERN EUROPE

We have already reported the fact (CONGRESSIONAL RECORD, March 4 and 5) that England and Belgium have trade agreements with Russia and are shipping steel and products made of steel to Communist Russia.

Further investigation reveals that France has a trade agreement with Russia and trade agreements with seven other countries in eastern Europe which are dominated by Communist Russia. These seven other countries are Bulgaria, Finland, Hungary, Poland, Rumania, Czechoslovakia, and Yugoslavia.

All of this simply amounts to a manufactured in transit rate from our country to Russia and her satellite countries—which corresponds to our shipments of scrap iron and oil to Japan almost up to Pearl Harbor and World War II.

Appendix I shows the date these agreements were entered into and the expiration date of the agreements.

Although the Netherlands do not have a trade agreement with Russia itself, they do have trade agreements with seven countries which are dominated by Communist Russia entirely, plus Austria and Eastern Germany, which are partially dominated by Russia.

The seven Communist-dominated countries with which the Netherlands has trade agreements are as follows: Bulgaria, Finland, Hungary, Poland, Rumania, Yugoslavia, and Czechoslovakia.

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Mr. MALONE. Mr. President, the peace and safety of this Nation is seriously threatened at this moment through the complete absence of a definite foreign policy telling our own people and the nations of the world what we consider will threaten our ultimate peace and safety—and the complete absence of a military organization spearheaded by an Air Corps to enforce our pronouncement.

INTERNATIONAL POLICY

We have no basic international policy, having definitely ignored the 125-year-old Monroe Doctrine under which we had announced to the world in 1823 that we intended to protect the integrity of the nations which we at that time considered necessary for our own ultimate safety—naming the areas to be protected.

In its place has been substituted a hodgepodge of Executive orders and gifts of large sums of money to foreign nations, founded upon no principle at all and with no consistent thought as to where such actions might lead us in foreign entanglements.

BASIC SUBJECT NEVER DISCUSSED WITH THE AMERICAN PEOPLE

The basic subject of international policy has never been discussed with the American people, through two World Wars and now the Marshall plan.

The basic subject at issue is now—and was in 1823 when the Monroe Doctrine was established—what nations in the European and Middle East areas including Asia and the South Seas is it necessary for us to currently protect for our own ultimate safety. Until this decision is made no plan to make it effective can be intelligently discussed.

When that issue is decided and the nations named whose integrity we must currently protect for our own ultimate safety—then we have the 125-year-old precedent for announcing to the world and to our own people that if the integrity of these nations is threatened in a manner to disturb the friendly and established trade relations, through infiltration or military attack, it will be considered an overt act against the United States.

This pronouncement by President Monroe 125 years ago, later became known as the Monroe Doctrine.

Mr. WHERRY. Mr. President, will the Senator yield?

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STRATEGIC AND CRITICAL MINERALS AND MATERIALS

Mr. President, I wish to note that on page 2201 of the RECORD of yesterday a misprint appears in the next to the last paragraph. It should read "$120 billion" instead of "$150 billion," relative to strategic minerals and materials.

I desire to discuss further the hope expressed yesterday that the United States would gain something in return for the money which it is to extend to Europe through the Marshall plan legislation.

The statement made here during this debate yesterday that it is contemplated by the Foreign Relations Committee that we should get strategic and critical minerals and materials in return for that part of our money listed as loans—in other words be repaid through minerals and materials from the 16 Marshall plan countries, which includes the Empire of Great Britain, France, the Netherlands, and Belgium—could leave a terrific impact on the raw materials and processed products produced in this country.

I point out to the Senate of the United States that the $17 billion we are now loaning and giving the 16 Marshall plan countries under the bill which is now under discussion could shut down every mining and textile enterprise in the United States for a

period of more than 4 years, if the 16 nations banded together and furnished us such minerals and textile raw materials free of any charge whatever, since the total strategic and critical mineral production and such textile raw materials in this country totals approximately $4.3 billion annually.

Obviously they are not going to give us such minerals and materials without charge since they must pay their labor, pay their own taxes, and pay for the raw materials, except such part as we might furnish them free of charge. So the best they could possibly do, looking at it realistically, would be to give us the profit on their production of such raw materials and manufactured goods in their own countries and assuming a net profit of 5 percent for all such were paid, which is reasonable, I point out that 5 percent of the total amount would be $215 million annually, and that this amount divided into $17 billion would require 80 years to repay. This could close the strategic mineral production and the textile raw-material production for a period of more than 80 years on the present rate of production.

Mr. President, none of these things is likely or even possible since anyone in business must keep a part of the profit in whatever country he resides. It is simply a delusion presented to the American people without thinking the problem through, leaving not only our people confused but, I fear, some of our own officials.

I point out that we here on the Senate floor could be, according to this line of reasoning, inaugurating a policy of appropriating Government money to buy foreign raw materials and manufactured goods to replace our own production. Where do we think we are heading in adopting such a policy? The first thing we know, there would be no taxable property left in the United States or incomes from which to collect taxes to furnish such appropriations. It is the road to bankruptcy, and not a very long road at that.

Mr. President, to continue from where I halted last evening when the Senate recessed, let me say that, in my opinion, it is impossible to consider the feeding of hungry people, the stopping of communism, and the rehabilitation of industry all in one breath or in one paragraph. We only confuse ourselves. The result is that we mix our emotions with the facts, and become unwilling victims of the greatest propaganda machine ever established in Washington. In any intelligent discussion of the subject we must take them one at a time:

First. Feeding the hungry people of Europe or of any other area is a matter of charity and must be so considered apart from other considerations. The Congress of the United States has appropriated nearly $1,500,000,000 during the past 12 months for that purpose alone, and has appropriated nearly $24 billion and handed it to the nations of the world without hope of repayment since the close of World War II in 1945.

The last appropriation of $597 million is expected to carry on until March of this year.

Second. Stopping communism and protecting the integrity of the nations throughout the European and Asiatic areas that we decide, after full discussion and study, we must currently protect for our own ultimate safety, is a matter of our own integrity and frankness with our own citizens and with the people of the world.

In President Monroe's pronouncement on December 1, 1823, he left the door open to extend the doctrine when and if conditions changed, when he said:

"To this we have adhered and shall continue to adhere, provided no change shall occur, which in the judgment of the competent authorities of this Government, shall make a corresponding change, on the part of the United States, indispensable to their security."

The entire matter could now be reviewed in the light of experience gained through two world wars in our generation, and what additional areas and nations of the world we must now currently protect for our own ultimate safety, considering the improvements in the methods of waging defensive and offensive war.

If it should be decided that a threat to the integrity of any member nation of the United Nations by any other nation would constitute a threat to our ultimate safety, then President Monroe's exact words could be utilized in announcing the extension of the Monroe Doctrine, leaving out any reference to this hemisphere, to say in effect to the world and to the American people: "We owe it therefore to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system, as dangerous to our peace and safety."

We should then build at once a military force spearheaded by an air corps that would bear silent evidence to all concerned that we were ready and able to enforce the extended doctrine, just as we have enforced the original Monroe Doctrine for 125 years. It is my opinion that we would, through this procedure, usher in another era of peace comparable to that following the original announcement of the Monroe Doctrine in 1823.

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Mr. MALONE. Mr. President, so long as the question has been raised I should like to comment on it briefly. In the first place, I will say that I had quite a lengthy conference, and a very interesting one, with Sir Stafford Cripps, who seems to be the dominating influence in the economy of England. From my conference with him, and with Mr. Monnet in France, and with others, I have no reason to suppose that there is any difference between the ideologies embraced by them.

Let us consider the production of coal. The Senator from Massachusetts says that the production of coal in England has increased. The United States at this time, Mr. President, is shipping coal to Newcastle, at least such shipments were being made until very recently. In the fourth reader we read, as an example of something impossible to happen, the carrying of coals to Newcastle. It has happened. We are doing just that. We are giving the coal to England. No one, I believe, is naive enough to believe that we will be paid for it. We are paying from $20 to $22 a ton for the coal we shipped to Newcastle, when coal can be produced in England for 8 or 9 dollars a ton; what is really needed is some West Virginia miners. We could double their wages and make money on the deal.

Before the war England exported more than 40 million tons of coal annually. Beginning with the war and until 1948 England did not export a ton of coal, and if she is exporting coal at this moment it is a very small amount. England, along with Germany, furnished to the rest of Europe largely the coal needed there. When I was in England I went down into some of the coal mines with Mr. Collins, who was at that time in charge of the English coal mines. When I went to France someone there said facetiously—but I did not consider the remarks very facetious—that the English people did not produce enough coal to keep themselves warm, so they were placed in charge of the Ruhr coal mines. I found that to be literally true.

Sir Stafford Crippe was very frank with me, and said directly, with a slightly hostile note, probably thinking I would not entirely agree with him, that the steel industry was next on the program of nationalism, and he had told me not 5 minutes before that Britain had to have the Marshall-plan money.

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Mr. MALONE. Mr. President, I must agree with my distinguished colleague from Nebraska that this loosely drawn bill may involve every industry in the United States. I want to say, since reciprocal-trade agreements have been mentioned, that the reciprocal-trade plan is a selective free-trade act. As a result of the operation of the selective free-trade acts—selective by the State Department, which is supposed to handle foreign affairs and not domestic affairs, just as one example—and it can happen with respect to any industry—90 percent of the mines in the United States have been shut down; 2,400 mines in California have been cut down to 350. In Nevada the proportion is about the same, and perhaps throughout the country. Based upon the record, I am convinced that that is what would happen. If the textile industry were treated as the mineral industry has been treated—and it could be done at any time—the Senator from Massachusetts, Mr. Lodge, might be very much interested. If he were here, I would make a further remark with regard to that, but I see he has left the floor.

Further to consider the matters which have been raised and in order to clear them up, I note that in the European recovery program prepared by the State Department, the United Kingdom intends to import iron and steel, finished, crude, or semifinished, pig iron, scrap, and iron ore through 1948 and 1949. The finished product amounts to 1,204,000 tons; the crude and semifinished to 944,000 tons, I could continue to read from the report, but that report is evidence in itself.

I point out to the Senate that we are now, and for some time have been, exporting from 6 million to 8 million tons of steel annually. I shall cover that a little further along in my address and point out how we might stop some of that importation by a simple change in Executive orders, allowing that amount to be added to the German production.

An agreement was signed between the United Kingdom and the Union of Soviet Socialist Republics in Moscow, December 27, 1947, and I wish to give a short summary of that trade and payment agreement.

"From the U. S. S. R. to the United Kingdom, out of the 1947 harvest, for delivery during a period of 8 months from February 1, 1948, to September 30, 1948, inclusive, 450,000 metric tons of barley, 200,000 metric tons of maize, and 100,000 metric tons of oats."

For the benefit of my colleague from Nebraska, Mr. Wherry, maize is a sort of Kaffir corn, as it is called in Nebraska.

I point out further that Russia got paid for the amount of grain referred to perhaps from some of the money furnished under the Marshall plan.

From the United Kingdom to Russia there were shipped:

"Light rails with fishplates, bolts, and nuts for narrow-gage railways; 25,000 English long tons (including not less than 10,000 English long tons from new production and the balance from the United Kingdom military surpluses)."

Mr. MALONE. Mr. President, I recommend for interesting reading the debate on the ICA and the Marshall plan as of the dates of my addresses.

DEBATES OF 1948 PORTEND REARMING OF RUSSIA THROUGH INDIRECT FOREIGN AID

In the reprint of my debates of 1949, pages 109 and 123 of the reprint in the United States Senate, March 30 and 31 and April 1, 4, 6, 7, and 21, 1949, I said, when we started that debate, that we

were on the way to arming Russia for world war III. I intend to show that we are arming Russia for a third world war through money and supplies furnished to 16 European nations under MSA or so-called mutual security and that the recipient nations are shipping everything from locomotives to ship engines to Russia and Russian satellite countries.

These supplies are largely produced with materials and money furnished by the United States through the ECA.

Mr. President, I ask unanimous consent to have printed in the RECORD the excerpts I have marked on pages 109, 110, 112, 123, 124, and 125.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

ARMING RUSSIA—WORLD WAR III

I intend to show that we are arming Russia for the third world war through money and supplies furnished the 16 European nations under the ECA—and that the recipient nations are shipping everything from locomotives to jet engines to Russia and Russian satellite countries. These supplies are largely produced with the raw material and money furnished by the United States through ECA.

* * * * *

PRIVATE INVESTMENT GUARANTEED

American companies are now moving into European countries to utilize European low-wage living standard labor—and not only furnish the foreign market, but will include a large sector of the American market—with commodities which will displace American workers at home.

The President of the United States has gone so far as to propose that such foreign investments by American companies be guaranteed by the United States—with the inevitable result that their products will flood American markets and throw millions of our workers out of employment.

He is doing this at a time when we already have 4 million men unemployed—and 9½ million workers on part-time jobs—and that estimate of unemployed men does not include the thousands of railroad men on the extra board—waiting for the callboy to knock at the door.

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SPHERES OF INFLUENCE

Mr. MALONE. Mr. President, I intend to show that the United Nations is being bypassed in a series of administration moves and financial manipulations, and that the world is being swiftly divided into spheres of influence between the United States and Russia. Last year the Marshall plan, now known as ECA, was authorized and financed by the Congress for 1 year. At almost the same time the 1934 Trade Agreements Act was extended for 1 year—and there was considerable discussion of bringing to the Senate the charter of the International Trade Organization Treaty, which originated several years ago shortly after the International Monetary Fund, but its consideration was postponed. It is duly signed by the 54 nations and has been signed for over 1 year, yet it is withheld from the Congress until such time as the first two parts of the program have been adopted by the Congress, because it is the final rivet in the free-trade program.

THREE-PART FREE-TRADE PROGRAM—CONSIDER TOGETHER

The fact that the 1934 Trade Agreements Act was extended for only 1 year, so its consideration would also coincide with the date when the ECA, the Marshall plan, would again be before this body, and the time of consideration of the International Trade Organization Treaty before the Senate, was not an accident. The State Department program had always encouraged bringing each of the three-part free-trade scheme before Congress—each as a great emergency in its own right.

They were, however, timed to come before the Senate at approximately the same date this year because the three are indelibly linked together.

The Marshall plan, now known as the ECA, the 1934 Trade Agreements Act, and the International Trade Organization treaty form a three-part economic legislative program designed to distribute the wealth and the markets of this Nation throughout the world, and to adopt the free-trade principle as the definite and settled policy of this Nation. That is, put the low-cost Asiatic and European labor in direct competition with the American workers on an even basis.

This three-part free-trade program is designed to undermine the basic economic structure of this country, with the one objective of dividing our wealth and leveling our high-wage living standard with the low-wage living standards of such Asiatic and European nations.

The provisions of each part of the three-part free-trade program include:

First. The ECA appropriations are admittedly established to make up the trade-balance deficits of the European nations with hard-currency nations in cash each year. Our chief export is cash.

Second. Extend for 3 years the 1934 Trade Agreements Act, under which the State Department has adopted a selective free-trade principle, to divide the markets of this Nation with foreign nations, on the theory that, to the extent that we divide our markets with them, their trade-balance deficits will decrease.

Third. Adoption of the International Trade Organization Treaty, including ultimately 58 nations with 58 votes, in which we will have 1 vote—the same as Siam or Lithuania—and this organization is designed to meet once each year and add up the remaining production and markets of the world and divide them between the nations of the world eventually on a basis of population, thus making free trade the permanent and accepted policy of this Nation.

The first step of the three-part program, that of making up the trade-balance deficits of the European nations in cash each year through ECA, began rather modestly with scattered gift loans to the European nations, leading up to UNRRA—then to the gift loan of $3,750 million to England in 1946—and then to the $17 billion program which is soon to be followed by the Truman global recovery program.

The second step inaugurated through the 1934 Trade Agreements Act, currently known as reciprocal trade, under which the State Department has adopted the selective free-trade principle, is to be extended for 3 years at this session of Congress and the principle later to be made permanent through the adoption of the International Trade Organization treaty.

The phrase "reciprocal trade" does not occur in the 1934 Trade Agreements Act—it is simply a catch phrase to sell free trade to the American people cloaked with the more involved and less understandable phraseology.

The third and final step of this very clever three-phase program—to divide the markets and to distribute the wealth of this Nation throughout the world—is the adoption of the presently proposed International Trade Organization under which the selective free-trade principle will be made permanent and become the settled policy of this Nation.

Mr. KEM. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I yield to the Senator from Missouri.

Mr. KEM. I am very much interested in what the Senator from Nevada is saying. I wonder just where the Bank for International Settlement, which was agreed on at Bretton Woods, fits into this picture. As I understand, the Government of the United States invested the sum of $6 billion under the Bretton Woods agreement, and Bretton Woods seems to have been largely forgotten. Like most of the predecessors of the Marshall plan, it seems to be unhonored and unsung, and also forgotten. I ask the Senator just where Bretton Woods fits into this picture he is drawing for us.

Mr. MALONE. Mr. President, every one of these organizations—the International Fund, the Bretton Woods agreement, the organizations of different character each in its turn, UNRRA, the British loan—all have come along each to be a complete answer, "This is all we will ever have to do. This will put every nation on its feet." Each has faded out like the mist before the sun, and there is always another proposition to take its place—to gift-loan. I do not suppose anyone is naive enough, least of all a United States Senator, to believe that any of the money we have put out under any of these organizations and ideas will ever be returned to the United States Treasury. Yet we go for each in its turn, as a cure-all.

Now we have ECA, the Marshall plan, under which money is being furnished to the participating nations. As I said in the beginning of my address, I intend to prove we are arming Russia with this money and materials, just as we did Japan for 5 years prior to Pearl Harbor. In other words, it is just another matter of manufacturing and processing the raw materials purchased with money from the United States Treasury—everything from engines to locomotives, and sending them along to Russia, or her satellite nations.

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Mr. MALONE. Mr. President, yesterday when I delayed completing my statement in order that the Senate might recess until today, I had submitted an amendment, which the Senators will find in the RECORD.

FREE TRADE AGAINST AMERICAN WORKINGMEN

I stated at that time that I would attempt to show that this administration is giving lipservice to labor through proposed legislation while pulling the jobs out from under their feet through this 3-phase, free-trade program. That program consists—first, of making up the trade balance deficits of the ECA or Marshall plan nations with hard-currency nations in cash each year. Our chief export is cash.

Second, the extension for 3 years of the 1934 Trade Agreements Act, which is erroneously referred to as the Reciprocal Trade Agreements Act. There is, of course, nothing reciprocal included in the 1934 Trade Agreements Act. It does not operate that way, and that is not the effect. The phrase does not occur in the act itself, but it was a trick phrase invented to sell free trade to the American people, and on that basis the State Department has adopted a selective free-trade policy, beginning 10 years or more ago, selecting a few industries at a time in the beginning. Now, however, nearly all the industries have come under the hammer, and practically all the import fees or tariffs are below the critical point representing the differential in cost of production of an article in this country and the cost of production in the country where the chief competition is located.

There are very few, if any, products that cannot be produced at a lower cost in some foreign nation and shipped into this country, as compared with the cost of the same article produced here without any protection.

The third part of the three-phase free-trade program is the International Trade Organization, which will come along later. Heretofore it has been soft-pedaled so far, waiting for the passage of the first two parts of the program. It is the third part of the three-phase program, and the most dangerous part of all since the ECA Act, including the appropriation, and the extension for 3 years of the 1934 Trade Agreements Act can be terminated. But when the International Trade Organization Act is adopted to make permanent the free-trade policy of this Nation, there is no retreat.

What is the International Trade Organization Treaty? It includes 58 nations. Fifty-four have already signed, and the others will sign, as they have nothing to lose. They can only gain. There will be 58 nations, with 58 votes; we shall have exactly the same vote as Lithuania or Siam. The representatives of those nations are supposed to meet once each year in conference and add up the remaining production and markets of the world and divide them between the nations of the world eventually on the basis of population, thus making free trade the permanent and accepted policy of this Nation. That, Mr. President, will be the last of the workingman of America, as we know the standard of living of this country.

THE WORKERS AND FREE TRADE

Mr. President, maybe the workers do not know it, but while labor legislation is being promised them the three-part free-trade program which will flood this Nation with cheap labor products is being promoted by the same administration. I recommended that they take a careful look into this matter and decide how far they are willing to go in letting the goods produced by low-cost foreign labor come into this country.

It is a long-range program dominated by low-living standard foreign nations to divide the American market. Doctrinaire tariff cutting, if persisted in, will swell the flood of incoming cheap labor goods and the standard of living here will go down just as certainly as night follows day.

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EUROPEAN-ASIATIC CHEAP LABOR

Mr. MALONE. While our dollars are helping to build up the competitive industries of Western Europe, we are blithely going ahead and increasing their chance to invade the United States market by further reducing our tariff structure. Mayhew, from England, let the cat out of the bag when he said that Britain's economic recovery is virtually complete. That is the purport of this article. Yet, Mr. President, we are talking about appropriating another $5 billion to increase their productive capacity. In the meantime, socialization is going ahead at a rapid pace in the ECA countries. The Bank of England, transportation, communication, the coal mines, the electrical industry, and steel production are now being nationalized, and 20 or more industries are being examined as to their suitability for nationalization.

Churchill has claimed that the United States dollars are keeping the labor movement in power in England. That is the same Mr. Churchill who is in our town today, and is almost at this moment making one of his very excellent speeches. I am very fond of him—and only wish he were taking care of our best interests, as he is trying to care for the best interests of his homeland. While on this side we are doing everything possible, by reducing tariffs and import fees, to increase the competitive advantage enjoyed by the low-labor-cost countries in our markets, and to displace the American worker through the importation of the products of European and Asiastic cheap labor.

But that is not all, Mr. President. Many years ago American manufacturers began to migrate, so as to get around the trade restrictions in foreign countries. The purpose then was to enable American manufacturers to get inside an otherwise forbidden market. Now the migration has recommenced, but this time with a very different motive. Today the migration of American manufacturers to foreign countries is for the purpose of taking advantage of the lower-paid foreign labor and the lowered American import fees and tariffs. In other words, American manufacturers are establishing themselves abroad, where they use cheap labor to make goods to ship back into the United States. Not only is it their purpose to be able to sell their goods in the foreign markets, as was formerly their intention; but they also intend to ship their foreign-made goods into our country, and that is possible because of the lowering of United States tariffs and import duties, which now constitute no protection whatever to American workers. In fact, they now have been lowered below the critical point of making up the differential of cost between the cost of production by American labor and the cost of production by the low-wage foreign labor.

The result has been that American manufacturers are using the goods they manufacture in foreign countries with the aid of foreign labor, to supply the market in the United States, just as formerly they sent their goods from the United States into the markets of foreign countries.

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FREE TRADE—FREE IMMIGRATION

Let me say here and now that I see no difference in effect between allowing such foreign-made products to come into the United States free of duty or import fee, or under a duty lower than the critical point which makes up for the difference between the cost of production in the United States and the cost of foreign manufacture—in short, allowing the products of foreign labor to come into the United States and displace the products of American labor—and allowing free immigration of such low-cost labor—the effect upon American labor is exactly the same—idle men.

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AMERICAN KNOW-HOW

Mr. MALONE. I am very glad the Senator has brought up that particular point, because the stereotyped answer for 40 years, of all economic theorists, has been, "Of course, with our improved methods and techniques and know-how, we have nothing to fear from foreign cheap labor." But, Mr. President, today I want to inform the Senate of the United States that the very latest machinery and technical know-how and assembly-line methods are available to Mr. Jim Rand, in Scotland, where he is manufacturing typewriters; and to Mr. Ford, in England, where he is manufacturing automobiles; and, similarly, the latest American methods and techniques will be available to any other foreign factories. So, as of today, the only differences in costs between United States manufacture and foreign manufacture are the differences in wage-living standards and in efficiency.

Mr. KEM. I wish to ask the Senator if the requisite dollars for that purpose are made available now because the Marshall-aid plan is furnishing wheat and other commodities customarily imported by those countries. In other words, under these circumstances they do not have to pay in dollars for the wheat and the other imports they are receiving under the Marshall-aid plan, so they have dollars available for the purpose of purchasing the latest American machinery and technical equipment, and thus will be able to compete with American manufacturers and workmen. Is that correct?

SOURCE OF FOREIGN IMPORTS

Mr. MALONE. I think that is entirely true. In fact, the situation is practically reversed from what it formerly was. In other words, in former times because of the protection we provided, our high-wage-living-standard labor was producing in the United States commodities for both the United States market and the foreign markets, for the foreign nations were buying from us what they needed to buy. It is well understood that no nation or individual ever purchases anything from any particular nation or person if he can get it somewhere else cheaper. Consequently, so long as we protected our workers and were able to produce commodities which they needed, and which they themselves were not then able to produce, we were selling those commodities abroad. But now not only are we ruining our market abroad, but we are taking jobs away from labor in the United States, by permitting such importations from abroad; for instance, the importation by the Ford automobile company of English-made Fords, to be sold in the United States; and also the importation of chinaware, watch movements, and other commodities made by American manufacturers in foreign factories or by foreign manufacturers with our machinery and technique.

Mr. President, the time will come when the jobless auto worker in Detroit will begin asking questions about British-made Ford cars rolling through Grand Circus Park, with its owner wearing a suit of clothes made of foreign cloth.

The time will come soon when unemployed American workers will ask questions about washing machines and vacuum cleaners made by manufacturers abroad. I suggest that the workers of this country take this unpleasant prospect under consideration right now.

REASONS FOR TRADE AGREEMENTS

Periodically over the years since 1934 several reasons for the trade-agreements program, one part of the three-part free-trade program, has been advanced to the Congress. In 1934, it was to cure the depression. In 1937, it was to obtain world peace through increased trade. Through increased world trade, we were going to have world peace. We all remember how that turned out. In 1943, the plea was "Don't rock the boat." In 1948, it was to permit the United States to dump its surpluses abroad. In 1949, it is to permit foreign countries to dump in the United States the surpluses they do not yet have.

But we are preparing their machinery and their labor to send their surpluses back to the United States without any import fee or protection for the worker of any kind necessary to make up the differential in the cost of production. That is the latest reason why we must extend the 1934 Trade Agreements Act for an additional 3 years.

STATE DEPARTMENT PROGRAM

The State Department itself has recently admitted the interrelationship of its three-part economic program. Willard L. Thorp, Assistant Secretary of State, in his testimony before the Ways and Means Committee on extension of Trade Agreements Act, January 24, 1949, said—I quote:

"The trade-agreements program is an integral part of our overall program for world economic recovery.

"The European recovery program extends immediate assistance on a short-term basis to put the European countries back on their feet. As a part of this program we have asked them, and they have agreed, to follow certain fundamental policies. The basic principle of the European recovery program, as stated in the OEEC"—

That is the organization of the 16 Marshall-plan or ECA countries—

"As stated in the OEEC programs and as reaffirmed in the bilateral agreements between the participating countries and ourselves, they will increase production, put their financial houses in order, and expand

their trade with each other and with the rest of the world.

"So far as the United States has it in its power to do so, it must support and encourage these three objectives. They are fundamentals of economic recovery.

"Obviously we cannot urge countries to adopt policies directed toward economic health if we do not pursue the same objectives ourselves."

Mr. DONNELL. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Missouri for a question?

Mr. MALONE. I am happy to yield to the Senator from Missouri.

Mr. DONNELL. Does the Senator think that what he has read from Mr. Thorp's observations fits in with that sentence of the proposed North Atlantic Pact which reads:

"The signatories to the pact will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them."

NO UNITED STATES OF EUROPE

Mr. MALONE. I may say in answer to the question of the Senator from Missouri, I think the actions of the European countries in entirely forgetting a plan for a United States of Europe, entirely forgetting all cooperation among themselves, and now reaching out for our markets and our money, constitute in effect a very great deviation from the spirit not only of the North Atlantic Pact but of all other agreements they have made with us.

THREE-PRONGED PINCERS DESTROYING ECONOMY

Mr. MALONE. Mr. President, I have long discussed in the Senate the base of our monetary system. Of course, all these things are a part of the pincers movement to destroy. First there is deliberate inflation. Second, free imports of goods produced by cheap labor. Third, the export of the taxpayers' money.

I have 2 bills in the Senate, 1 to provide for a free market for gold, to see what it would be worth, so that we could deal in the free market, with gold as the base of our currency.

FACTS AND FANCIES ABOUT GOLD AND SILVER

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Gold Today," written by Rene Leon, one of the outstanding experts on the subject of money exchange.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOLD TODAY

Why does our Treasury buy gold? Surely not because gold is money, for we are forbidden to own gold, let alone use it as a medium of exchange. Do we use gold as a settler of international payments balances? Only fractionally for, were it otherwise, we would not be called upon to extend foreign loans, credits, grants-in-aid, etc., to balance other countries' deficits in their international payments positions often caused by their own economic mismanagement.

We are constantly reminded from abroad that, as the richest Nation we have the obligation to come to the aid of the needy and underdeveloped countries of the world. But how rich are we? What is the sum of our Federal, State, and municipal debts which, when added to our private obligations far exceed our national income? And is one rich who earns a dollar and owes two? The true index of our financial condition is the status of our dollar which daily loses value.

Why do we buy gold at all? Is it because some still believe the myth that gold has been money from time immemorial? This, of course, is not supported by the facts for, with the exception of less than one century, gold throughout history has been but the hoard of the very few rich. The money of the masses was always silver. For instance: The pound Sterling was 1 pound of silver 0.925 fine. The French word for money always was, and still is, "argent-silver." The Spaniards have two words for money, in Spain it is "dinero," a word unrelated to gold, while in Latin America it is "plata," Spanish for silver.

The gold standard has had but a very short life. England renounced bimetallism and adopted the single gold standard in 1816. Germany followed suit in 1872, the Latin Union and the United States joined the movement a year later. The consequent demonetization of silver, by destroying the gold equivalence which bimetallism had created, reduced the metallic reserves required by the system of credit which is now universal and whose phenomenal growth continues to be speeded by the development of communications and transport. As a result, gold today constitutes but the pinpoint of an inverted pyramid of currency and credit and its monetary usefulness has dissolved despite all attempts to restore it. From the gold coin standard we've gone to the gold exchange standard, then the gold bullion standard, finally the International Monetary Fund, an utter failure recently turned into another lending agency—as though we needed still another lending agency. One has but to glance in any newspaper at what the International Monetary Fund facetiously calls the official rates of exchange followed by the free currency rates which, though often called black-market rates actually represent a truer picture of real exchange value. Not so the official or pegged rates which all circumvent who can. The sooner we scrap the International Monetary Fund, and rid ourselves of the army of bureaucrats needed to enforce its regulations, the sooner we shall face realities and act accordingly.

There is another angle of approach to the problem of gold, and a most important one. Because of the Communist threat to the Free World, we taxpayers are called upon to contribute vast sums for armament. Defense expenditures listed in the Federal Budget constitute the largest item of all. But there exists an unlisted item, invisible to the taxpayer's naked eye, which adds heavily to his burden. Despite its obviousness the existence of this item appears unsuspected by our authorities, for no sign of it whatsoever can be traced to our Treasury. That item is the "foreign aid" we extend to Russia: Under the terms of the International Monetary Fund, Harry Dexter White's legacy to the country he betrayed, the Treasury is obligated to buy gold at $35 per fine ounce regardless of origin. Russia is far too intelligently managed to look upon gold as anything but a commodity. She publishes no figures of her gold production or consumption. She is known to be the second, if not the first, largest gold-producing nation, while through slave labor, she certainly is the lowest cost producer. We know the extent of her gold exports to free nations but she throws no light on the amounts she uses for economic and political penetration in many lands. Her success in penetration would suggest that gold in no mean volume is used to open doors and keep them open. Russia does not ship gold directly to the United States; she ships it to England, to Switzerland, and to other countries which, in turn, affix their own seals on the yellow bars which then become acceptable to our Treasury. That is how we buy gold regardless of origin. That is how, through our $35 price guaranty, we give "foreign aid" to Russia and then bewail the disastrous impact of our economy of Russia's growing international trade.

The scantiness of the stocks of gold in monetary use has been the basis for loud and repeated demands for an advance in its guaranteed fixed price by the United States. The favored argument, emanating principally from the gold producers, is that the price of gold should be "adjusted" to the price level of other commodities. Disregarded is the fact that the prices of commodities are determined by supply and demand while the price of gold is arbitrarily and uneconomically fixed. But, assuming that we were senseless enough to yield to this propaganda, who would profit by our action? To a very small extent the marginal producers such as Canada, Mexico, Peru, Australia. But the real gains would go to Russia and to South Africa which, together, are responsible for an overwhelming proportion of total world production. Rating South Africa's role as a contributor to the general world economy, we find that this small country's chief exports, gold and diamonds, are strictly nonessentials. The case of Russia is totally different. Sworn enemy of the Free World Russia is a threat to its peace and well-being. Hence to promote her inroads into the free nations is as disastrous as it is senseless.

Like all other commodities gold belongs in the free market. Instead of worrying about our recent losses of gold "reserves" we should encourage this movement and let any nation willing to pay for it have our share of this near useless commodity. Our Treasury can then buy or sell gold only when, if, and as it suits our interests, not otherwise. Only 30 percent of world gold production goes to industry; what proportion of the balance goes to hoarders everywhere is problematical. Suffice to say that, without Uncle Sam's minimum price guaranty, hoarding will assume a different outlook. Today it is expensive in that it entails the paralyzation of the capital involved plus the cost of storage; if to these is added the speculative risk, heretofore unexisting, of a lack of minimum price guaranty, we may well see gold selling below its cost of production.

It is time we adapted our monetary and exchange policies to present day conditions, deciding whether balance or fixity bring about true stability. We do welcome the balance resulting from supply and demand in our commodity and security markets; why, then, not extend this sound principle to our foreign commerce which is but a fraction of our total trade. Or shall we continue, through pegged exchange rates, to readjust our own price level to that of other countries in disregard of wage and cost differentials? Free exchanges alone can bring balance in international payments positions permitting us in time to do away with tariffs, quotas, subsidies and controls of every kind.

Another problem which requires solution is that of our lack of control over the circulation of United States currency notes outside our borders. For these were created to serve as mediums of exchange for the people of the United States, not as the tools of alien hoarders and tax-evaders nor, least of all, as instruments for the promotion of the trade of the enemies of our country. Neither Russia's ruble nor Red China's "people's yuan" has any market outside the Communist orbit hence, in addition to Russia's gold, they make use of our notes. In the Paris, Zurich and other free markets the greatest demand for our notes originates from Russian and Chinese agents, and this demand is far greater than generally realized. Self-protection demands that we recognize the power of our dollar and so regulate its movements as to serve the best interests of our country.

An absurd belief is gaining currency among many, namely, that Russia's large and growing gold production may result in her establishing a gold convertible ruble thus threatening the West's preponderance as the world's financial centers. In Russia there exists no banking system outside the State's own institution. Her past manipulation of the ruble—1 for 10 on the last occasion—is not likely to instill confidence in the ruble as an international medium of exchange, nor is a ruble bill of exchange likely to be accepted by any but those held in Russian bondage. Moscow is very far from becoming a leading discount center.

In conclusion it should be borne in mind that gold has nothing whatsoever to do with the value of our dollar. That value is determined solely by the fiscal and credit policy of our Government and by the international payments position of our country.

RENÉ LÉON.

PRINCETON, *July 4, 1958.*

RUN ON UNITED STATES GOLD SUPPLY EXPOSED

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Why Market Is Rising—Look at Our Gold Policy," written by Leslie Gould, financial editor, and published in the New York Journal-American of July 23, 1958.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY MARKET IS RISING—LOOK AT OUR GOLD POLICY

Rene Leon, who has forgotten more about foreign exchange than some of our experts will ever know, writes from Princeton:

"To your collection of opinions as to why the market is headed higher you might add the following:

"To me, at least, it is plain as day that there is a flight from the dollar.

"Proof thereof is found in:

"1. Loss of gold.

"2. Weakness in Government securities.

"3. Strength in equities (common stocks)."

WE'RE HELPING RUSSIA

"The bankruptcy of our foreign policy is in parity with that of our monetary policy. Instead of attacking Russia where it will hurt—in her gold and in her ruble—we promote her trade and mourn our own loss of business.

"Instead of exulting over our dollar with the pride of children, we should recognize its (the dollar's) strength and so control it to serve our country first and last."

The United States is again losing gold—the third such "run" on the dollar since the war. From the high point in February, the gold loss exceeds $1½ billion. In February the Treasury's gold holdings were $22,784,000,000. Latest figures put the total at $21,283,000,000.

The United States Treasury lost nearly $3 billion—$2.9 billion to be exact—from September 1949, after the British devalued the pound, through 1950, when the Korean war broke out. When the United States was spending so heavily on the military around the world from August 1952 to April 1955, the United States Treasury lost $1.7 billion.

PRESSURE TO BOOST PRICE

In the current run, the British have been the heaviest withdrawers of gold, but other countries are also getting into the act. There is pressure for the United States to advance its gold buying price from the present arbitrary $35 an ounce.

The chief benefactor in any rise in the United States official gold buying price would be the Communists. Russia is one of the world's biggest gold producers. Thanks to the United States floor of $35 an ounce under the gold market, the Communists have been able to finance with gold their international intrigue—such as that currently in the Middle East—and their trade war, now so hot in Latin America.

SHOULD END FIXED PRICE

The way to meet this Russian threat and at the same time keep the United States Treasury from being played for a sucker by the gold speculators is to end the fixed buying price and permit a free gold market. Then, the law of supply and demand would make the price. This would also serve as a check on squandering American politicians.

AMERICAN INVESTMENTS IN BRITAIN NOW EXCEED $1.2 BILLION

Mr. MALONE. Mr. President, I desire to read a paragraph from a very interesting document called British Record, issued by the British Information Services, the issue of August 6, 1958. On page 3, the paragraph reads:

A recent study shows that investment by United States business interests in British manufacturing industry now exceeds $1,200,000,000 and that it has been increasing at the rate of 10 percent a year. At present, more than 300 branch subsidiaries of United States corporations and jointly financed Anglo-American concerns give employment to close on 350,000 people in Britain.

DOLLAR LOSS TO BRITAIN INCREASES UNITED STATES UNEMPLOYMENT ROLLS

Mr. President, that contributes to our unemployment of approximately 6 million persons. I have previously said several times in the Senate that the British are experts in foreign exchange and trade control. They know exactly the effect of a shaded tariff, an import permit, an exchange permit, and just how to force industries to build plants in their countries to get the market there.

We talk about reciprocal trade. That is a phrase which has never been included in the act, but which has been extended for 4 years. It never was intended to be reciprocal. None of the agreements which are made under that act are reciprocal or being kept by foreign nations. In the provisions of the GATT charter, under which the operations in Geneva take place, there is a specific provision that the nations do not need to keep their trade agreements so long as they can show that they are short of dollars with which to make their payments. They can do that until all the wealth of this country, its markets and its cash, has been distributed equally among them.

GATT INTERNATIONAL SOCIALISM

Mr. President, it is an international socialist scheme. That is all it is.

I want to refer briefly to hearings going on at this time in the investigation of the financial condition of the United States. They were started last fall by the Committee on Finance, in the 1st session of the 85th Congress. Now they will continue into another year. They could develop into one of the most important hearings and one of the most important reports which has ever been made in the history of the Nation, if the hearings are followed through to completion.

UNITED STATES FINANCING ITS OWN FOREIGN COMPETITION

Mr. President, it is not only the loss of our gold which should concern us. I have gone into this before on the Senate floor. We have been giving the foreign countries folding money also under the Marshall plan, ECA, and Mutual Security. They take the money and do three things with it. They build up foreign-dollar balances, for which gold can be demanded under our policy. They buy the dictators of the foreign nations, and the foreign nations themselves. They use American machinery and American know-how, so that foreigners can compete with American working men and the investors of our own country. So we not only price ourselves out of their markets; we distribute our own markets among them, and then finance our own competition.

Mr. President, I intend to vote against the bill to aid foreigners to usurp our markets. No one objects to domestic competition on a fair and reasonable competitive basis. We always encouraged American competition. For nearly 150 years Americans prior to 1934 had been competing with Americans for American markets, with a tariff representing roughly, ever since 1789, a duty to make up the difference in the wage standard of living and the cost of doing business in this Nation and in the chief competing nation on each product. That duty has been lowered as a foreign country has raised its standard of living so that it has reached our approximate standard of living, and free trade then is automatic and immediate.

AMERICAN POLICY OF NEARLY 150 YEARS REVERSED BY TRADE ACT

It had always been the policy of the Government to enable Americans, those just getting out of school and those who are older, who are seeking to make a few dollars, to enable them to go into business, if they could find a product which they thought, in their judgment, they could make to compete with other Americans; and then to get enough money to back them in their deal or in their business, if their judgment proved correct. If it was not, they went out of business.

That is the way we did business for nearly 150 years. Americans knew that all they had to do was to be sure they could compete with other Americans. Congress for a long time had a policy of protection up to the difference in cost. It was an equalization of costs. The 1930 Tariff Act was an equalization of costs. Section 336 provides for the equalization of the costs of production. The Tariff Commission is directed in the 1930 act to hold hearings when, in its judgment, it is necessary, or upon request of the President or Congress or a consumer or a producer, and to readjust the tariff to equal the production cost difference.

But that authority was usurped or sidetracked by the 1934 Trade Agreements Act, laughingly called Reciprocal Trade Act. This meant, of course, simply a division of our markets with the rest of the world.

UNITED STATES DEFEATED JAPAN, THEN FINANCED IT TO COMPETE AGAINST UNITED STATES WORKERS

The United States Department of Commerce, in "Foreign Grants and Credits" for December 1957, the latest

publication so far received, gives the total of grants and credits to Japan since World War II as $2,444,000,000, of which grants have totaled $2,230,000,000, credits $214,000,000, and of loans to Japan, $1,056,677,000, of which $679,000,000 were by the Export-Import Bank.

The United Kingdom, France, West Germany, and Italy are the only countries which have received more aid than Japan.

Japan has jeopardized and is jeopardizing the American textile industry, our farm industry, and many other industries because of the 20- and 22-cent-an-hour labor which prevails in Japan. Japan is using our machinery and our American investments in those plants. Her plants are using cheap labor, while they laugh at the workingmen and investors of the United States.

But the great philanthropists of Japan agreed that they would let our textile industry live another 6 months by reducing their shipments into the American markets, until after we have extended the free imports bill for another 4 years.

UNITED STATES TAXPAYERS FINANCING GLUT OF JAPANESE TEXTILES IN UNITED STATES MARKET THROUGH EXPORT-IMPORT BANK

Now I think it will be another story. But imagine the effect on our cotton textile industry of such imports from Japan.

Mr. President, the Export-Import Bank had as of December 31, 1957 advanced Japan $679,125,121.105. The last Export-Import Bank credit prior to that date was $115 million for the purchase of cotton. Of course, Mr. President, further grants and credits have been advanced since then and the cotton is sold to Japan for a lower price than the price the textile mills in the United States have to pay. The $115 million loan was the largest Export-Import Bank loan during the last half of 1957, during which the bank loaned $353 million to 23 other foreign countries.

BREAKDOWN OF EXPORT-IMPORT LOANS TO JAPAN

Samuel C. Waugh, president of the Export-Import Bank, in an article published in the Journal of Commerce, February 28, 1957, gave the following breakdown of loans up to that time to Japan:

During the year 1956 the bank approved its sixth annual credit to finance the export of United States cotton to Japan, a $60 million loan. The 5 previous cotton loans to Japan have totaled $260 million, 4 of which have been paid in full, both principal and interest. * * * The bank also authorized credits in Japan this past year for $34 million for the development of electric power projects as well as $16.5 million for the purchase of United States jet commercial aircraft as these come off the production lines in 1959 and 1960. The credits for electrical power expansion are enabling Japanese companies to expand their generating capacity with United States equipment in order to meet the shortage of electrical energy that has prevailed since the end of World War II, and is expected to continue through 1961.

In addition to the $115 million line of credit given to Japan in the latter half of 1957, the Export-Import Bank signed a $60 million loan agreement with the Bank of Japan, to finance cotton purchases during the crop year beginning August 1, 1957.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a release of September 28, 1957, by the Export-Import Bank.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

The Export-Import Bank of Washington has signed a $60 million loan agreement with the Bank of Japan to finance purchases of cotton in the United States during the crop year beginning August 1, 1957.

The agreement was signed at the bank September 27 by T. Fujisawa, New York representative of the Bank of Japan, and Samuel C. Waugh, President of the Export-Import Bank.

The credit was authorized by the Board of Directors in June together with a $115 million line of credit, also in favor of the Bank of Japan, to finance United States agricultural commodities, including cotton, to be purchased by Japanese importers.

It is anticipated that the line of credit made available under the agreement signed September 27 will be used subsequently to the $115 million commodity loan.

Under the two credits approximately $110 million will be used by Japan to finance the importation of cotton. Purchases and shipments of cotton financed are to be made in the customary manner with orders being placed by the Japanese purchasers, or their agents, with United States shippers.

FOREIGN AID STIMULUS MAKES JAPAN TOP SHIPBUILDER OF THE WORLD

Mr. MALONE. Mr. President, much of the military assistance proposed in this bill will go to Japan, our former enemy, and Guam, our friend. Much of it will go to stimulate Japan's industry, including not only its textile industry but its shipbuilding industry, now the greatest in the world.

In a publication titled "The Mutual Security Program—Fiscal Year 1959—A Summary Presentation," issued jointly by the Department of State, Department of Defense, and International Cooperation Administration, it states:

Military assistance: The fiscal year 1959 program provides for continued military assistance to Cambodia, Japan, Korea, Laos, the Philippines, the Republic of China, Thailand, and Vietnam * * * as in recent years, the bulk of this aid will be provided to Korea, Taiwan, and Japan.

Technical cooperation: Under technical cooperation programs assistance is being given in eight countries of the Far East in the form of training and demonstration activities; in Japan, assistance is being given to a special productivity program.

JAPAN WORLD'S GREATEST SHIPBUILDER TWO CONSECUTIVE YEARS

Japan in 1956 and again in 1957 built more ships than any other country in the world.

The United States has dropped to seventh place in ship construction, with Britain, Germany, Italy following Japan in leadership in that order.

About two-thirds of Japan's shipbuilding was to supply other countries, including the United States.

United States firms have on order in foreign countries at the present time 158 tankers of approximately 7,254,416 dead weight tons; 4 huge ore carriers of 159,000 dead weight tons and 10 dry cargo carriers of 79,650,000 dead weight tons. These orders are for the most part distributed between Japan, Germany, the United Kingdom, and Sweden. Some very large tankers are being built in Japanese yards for American firms.

These are private American firms not receiving Government aid or operating differential subsidies from the United States Government, which refuses such aid or subsidies to foreign built ships. But then only 15½ percent of United States shipping is being subsidized.

Mr. President, I ask unanimous consent to have printed in the RECORD a London dispatch of January 22, 1958, published in the New York Journal of Commerce under the heading "Japan Yards Widen Lead in Ship Work."

There being no objection, the news article was ordered to be printed in the RECORD, as follows:

JAPAN YARDS WIDEN LEAD IN SHIP WORK

LONDON.—Japanese shipbuilders wound up 1957 with a firm grip on the world production lead they captured a year earlier.

Lloyd's Register returns showed that Japan launched 124 ships totaling 699,366 tons in the last quarter, bringing the year's total to 2,424,000 tons.

This was 678,000 tons more than in 1956, the year Japan ousted Britain from her traditional place at the top.

British launchings this year amounted to 1,407,000 tons, 24,000 tons more than in 1956.

Detailed figures for the last 3 months of 1957 revealed that Britain launched 71 ships of 453,940 tons. British ships completed—fitted out after launching—totaled 72 vessels of 341,131 tons.

Japanese completions during the quarter were 136 ships of 599,348 tons.

In third place again was West Germany, with 114 ships of 357,376 tons launched and 406,116 tons completed. Germany's completion figure was thus higher than Britain's, but it is the launching total which is usually taken as the index of output.

The Lloyd's return showed that at the end of December there were 1,681 ships of 9,947,977 tons under construction throughout the world. Over half this tonnage consisted of oil tankers, with Britain building the largest number.

The survey covers every shipbuilding country except Soviet Russia and Red China, and covers ships of 100 given tons and over.

The breakdown by countries showed an overall 341 ships (2,345,408 tons) under construction in Britain, mostly for home registration.

Japan was building 161 ships (1,589,280 tons) with about two-thirds of the tonnage for export. German shipyards were working on 223 ships (928,087 tons), well over half for export.

Italy was high on the list of countries building for export. Of the 928,087 tons being constructed, 585,764 tons were for registration abroad.

The United States came seventh in the quarterly output tables with 10 ships of 102,866 tons launched and 11 ships of 70,771 tons completed.

STEPSTONES TO NATIONAL DESTRUCTION BLUEPRINTED

Mr. MALONE. Mr. President, again I wish to call to the attention of this distinguished body the fact that not only is it about to vote on a proposed gift of $3,500,000,000 to foreign nations, but such action will be an additional arm of the pincers movement.

I ask the Senate to stop and think of the various steps which have been taken: Deliberate inflation; going off the gold standard in 1933—following England, of

course; deliberately pricing ourselves out of every foreign market in the world; free imports, with no equalization between the costs of production in the United States and those in other nations which have lower wage-living standards; then the gifts of cash, which we are discussing today; then, without discussing all its implications, a political pincers movement.

NATION'S CITIZENS BEING TAKEN ON ROLLER-COASTER RIDE TOWARD WORLD GOVERNMENT

Mr. President, one of the arms of that political pincers is the Status of Forces Treaty, by which we utterly desert every GI who leaves our shores; if he commits a crime in another nation, he is tried under that nation's laws.

So we are moving toward world government; and we are moving toward it so rapidly that it should scare almost to death everyone in the Senate and everyone else in the United States. Some may favor world government, but I do not.

So, Mr. President, I shall vote against the pending bill.

PARTICIPATION IN WORLD SCIENCE-PAN PACIFIC EXPOSITION

Mr. MAGNUSON. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 3680.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3680) to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the President, through an executive department or independent agency designated by him, shall cooperate with the Washington State World Fair Commission with respect to, and determine the extent to which the United States shall be a participant and an exhibitor at, the World Science-Pan Pacific Exposition (hereafter in this act referred to as the "exposition") which is being held at Seattle, Wash., in 1961. The purposes of such exposition are to—

(1) commemorate the centennial of the physical fixing of the boundary line between the United States of America and Canada,

(2) depict the role of science in modern civilization, and

(3) exhibit the varied cultures of the nations of the Pacific Rim.

The President is authorized, by proclamation or in such other manner as he may deem proper, to invite the several States of the Union and foreign countries to take part in the exposition: *Provided*, That no Communist de facto government holding any people of the Pacific Rim in subjugation be invited to participate.

SEC. 2. There shall be in the designated department or independent agency a Commissioner for the exposition who shall be appointed by the President by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $17,500 per annum. The head of the designated department or independent agency shall prescribe the duties of the Commissioner and may delegate such powers and duties to him as are deemed advisable in order to carry out this act.

SEC. 3. In carrying out the provisions of this act, the head of the designated department or independent agency may—

(1) appoint, without regard to the civil-service laws and the Classification Act of 1949, such persons as he deems to be necessary to carry out the provisions of this act, except that no person appointed under this paragraph shall receive compensation from the United States at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties;

(2) enter into such contracts as may be necessary to provide for United States participation in the exposition;

(3) erect such buildings and other structures as may be necessary for United States participation in the exposition, on land owned by the State of Washington or by any local government of such State or any political subdivision or instrumentality of either: *Provided*, That all laborers and mechanics employed by contractors or subcontractors in the performance of work on such buildings and other structures shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Bacon-Davis Act, as amended (40 U. S. C., sec. 276a–276a–5);

(4) purchase books of reference, newspapers, and periodicals;

(5) incur such other expenses as may be necessary to carry out the purposes of this act; and

(6) accept any gifts, loans, donations, or devices to be used in carrying out the provisions of this act.

SEC. 4. The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the head of the designated department or independent agency with respect to United States participation in the exposition, and

(2) to make available to the head of the designated department or independent agency, from time to time, on a reimbursable basis, such personnel as may be necessary to assist the designated department or independent agency in carrying out its functions under this act.

SEC. 5. (a) The President shall report to the Congress during the first regular session of Congress which begins after the date of enactment of this act with respect to (1) the most effective manner of representation of the United States at the exposition, taking into account the avoidance of undue competition among governments, and (2) the amount of appropriations which are necessary to accomplish such representation.

(b) The President shall report to the Congress within 6 months after the date of the official close of the exposition on the activities of the Federal Government pursuant to this act, including a detailed statement of expenditures. Upon transmission of such report to the Congress, all appointments made under this act shall terminate.

SEC. 6. After the close of the exposition, all property purchased or erected with funds provided pursuant to this act shall be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, and other applicable Federal laws relating to the disposition of excess and surplus property.

SEC. 7. There are hereby authorized to be appropriated not to exceed $125,000 to carry out the provisions of this act.

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS DURING THE 85TH CONGRESS

Mr. CHAVEZ. Mr. President, I have prepared a statement on the activities on the Committee on Public Works during the 85th Congress. In order to save time, I ask unanimous consent that the statement be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS DURING THE 85TH CONGRESS

Under the provisions of the Legislative Reorganization Act, the Committee on Public Works of the United States Senate has jurisdiction over legislation relating to flood control, improvement of rivers and harbors, public buildings, public roads, waterpower, bridges over navigable waterways, pollution control of navigable waters, and public reservations and parks in the District of Columbia.

Since the beginning of the 85th Congress, 273 measures were referred to the Committee. The committee approved 131 bills, of which 34 were included in Public Law 500 (the Omnibus River and Harbor-Flood Control Act), 54 bills have been signed into law, with 14 bills passed by both Houses and awaiting approval of the President. Committee resolutions for review of previous reports for flood-control and river and harbor studies were adopted in a total number of 100, and the Corps of Engineers will report to the committee on these studies, after completion.

Under provisions of Public Law 1018, 84th Congress, which amends the Watershed Protection and Flood Control Act, the Committee on Public Works approved projects which provide more than 4,000 acre-feet of total capacity in any one plan. The Committee on Public Works approved 13 such projects.

Legislation which is of national interest is discussed briefly as follows:

FEDERAL-AID HIGHWAY ACT

It has been 2 years since the passage of the Federal-Aid Highway Act of 1956. Since

Fiscal year	1956 act		1958 act		Total (billions)
	Federal	State	Federal	State	
Interstate:					
1959	$2,000,000,000	$200,000,000	$300,000,000	$20,000,000	$2.42
1960	2,200,000,000	220,000,000	300,000,000	30,000,000	2.75
1961	2,200,000,000	220,000,000	300,000,000	30,000,000	2.75
Total					7.92
Primary, secondary and urban:					
1959	875,000,000	875,000,000	400,000,000	200,000,000	2.35
1960			900,000,000	900,000,000	1.80
1961			925,000,000	925,000,000	1.85
Total					6.00

July 1, 1956 and through June 30, 1958, total funds including Federal and State in the amount of $6.965 billion have been obligated for improvements on the Interstate Highway System and on the primary, secondary, and urban roads. Of this amount, $3.184 billion represents obligations of Federal funds and $320 million of State funds for improvements on the Interstate System and $1.801 billion represents obligations of Federal funds and $1.661 billion of State funds for improvements on the primary, secondary and urban systems. According to the schedule as set up by the Bureau of Public Roads, the obligations to July 1, 1958, have exceeded by about 5 percent the total obligations anticipated.

The 1958 Federal-Aid Highway Act provides additional authorization for fiscal year 1959 of $200 million which in addition to the $2 billion previously authorized provides $2.2 billion for fiscal year 1959. The act also provides an authorization of $2.5 billion for fiscal 1960 for the Interstate System and a similar amount for fiscal year 1961, thereby providing for the 3 years a total of $7.2 billion authorization and with the States matching share the total for the 3 years would amount to $7.92 billion.

The 1958 act provides an authorization of $400 million for the primary, secondary, and urban programs which is in addition to the $875 million provided for in the 1956 act. In addition, the 1958 act authorizes $900 million for fiscal year 1960 and $925 million for fiscal year 1961 making a total authorization of $3.1 billion Federal funds and adding the required State contribution, there would be available a total of $6 billion.

The 1958 act directs that the authorizations for fiscal year 1959 be apportioned immediately upon enactment of the act and those apportionments have been made. In addition, $115 million was authorized for use by the States in lieu of a portion of the State matching share of projects financed under the $400 million authorization for the primary, secondary, and urban program. This amount is to be deducted from any apportionment made for fiscal years 1961 and 1962.

To insure prompt action in utilizing funds and to aid in reducing unemployment we specified in the 1958 act that the $400 million would be available only for work placed under contract or work commenced prior to December 1, 1958, for completion prior to December 1, 1959. The ratio of participation for these particular funds was changed from 50–50 to two-thirds Federal and one-third State.

As pointed out above, the 1958 act revises the fiscal year 1960 authorization for the Interstate System from $2.2 billion to $2.5 billion and a similar amount for fiscal year 1961. Authorization for the primary, secondary, and urban programs for fiscal years 1960 and 1961 was provided in the amount of $900 million and $925 million, respectively.

In the 1958 act, we made it possible for apportionments for fiscal year 1960 to be made immediately instead of deferring apportionments to the latter part of the year.

I am informed that over 1,000 project contracts have been awarded for construction on the Interstate System and over 8,000 construction contracts have been awarded for the primary, secondary, and urban system.

It has been estimated that about 70 percent of the total funds available for the Interstate System represent funds which would be available for contract work. The balance of 30 percent would represent costs of rights-of-way and preliminary engineering. I am also informed that about 85 percent of the total funds for the primary, secondary, and urban system would be available for contract work. The other 15 percent would be used for rights-of-way and preliminary engineering.

The preceding table indicates the authorizations of Federal funds for fiscal years 1959, 1960, and 1961 and the total amount when the States matching share is included.

In addition, the following funds were authorized by the 1958 Highway Act for fiscal years 1959, 1960, and 1961:

Forest highways	$71,000,000
Forest development roads	65,000,000
Park roads and trails	36,000,000
Parkways	32,000,000
Indian roads	24,000,000
Public lands roads	7,000,000
Total	235,000,000

RIVERS AND HARBORS AND FLOOD CONTROL

The committee approved a comprehensive rivers and harbors, beach erosion control, and flood control bill to carry forward these important programs for development and improvement of the rivers and harbors of our Nation, for protection of our citizens against the ravages of floodwaters, and for the general development of the Nation's water resources. Additional authorizations are believed necessary at this time to continue the unified basin water resources developments now in progress, to round out basin programs where changing conditions have shown the necessity for extensions or modifications, and to provide for individual projects found to be necessary and justified. Completion of these projects will contribute materially to the economic well-being of the Nation.

The rivers and harbors and flood control program has produced a fine system of inland waterways and harbors on our seacoasts and Great Lakes and the flood control program has more than justified its cost by returning in benefits more than $3 for each $1 invested.

Hydroelectric power which is an important product of the multiple-purpose program is of great value to our country with a total capacity now in excess of 7.6 million kilowatts.

The committee has reported 3 rivers and harbors and flood control bills in the past 3 years. Two of these were vetoed because of the contention of the President that certain projects should not have been included which did not reflect the substantial benefits which would result to the beneficiaries and because in certain cases reports of the agencies had not been reviewed by the President. However, in spite of these setbacks, our committee proceeded in the perfecting of the bill which is now public law, and which has authorized projects as shown in the following tabulation.

Summary of projects in 1958 Flood Control Act

[Cost of new work]

TITLE I. RIVERS AND HARBORS	
53 navigation projects	$178,814,000
14 beach-erosion control projects	11,627,700
1 eradication of water hyacinths	4,725,000
1 upper Fox River, Wis.	300,000
1 Calumet-Sag project, Illinois	9,884,000
1 Illinois and Mississippi canal	2,000,000
Total, title I	202,350,700
TITLE II. FLOOD CONTROL	
67 new projects or project modifications	$495,289,800
12 increased basin authorizations	608,300,000
1 Oroville Dam, Calif.	[1] 50,000,000
1 Missouri River Basin, Department of the Interior	200,000,000
Total, title II	1,353,589,800
Grand total	1,555,940,500

[1] Estimated cost by the Bureau of the Budget.

A major contribution to the encouragement of the development of municipal and industrial water supply by the Corps of Engineers and the Bureau of Reclamation is contained in title 3 of the 1958 Flood Control Act which is entitled "Water Supply Act of 1958." This language contained in title 3 will greatly assist State and local agencies in planning cooperatively with the Federal Government their future municipal and industrial water supply needs.

WATERSHED PROTECTION AND FLOOD PREVENTION

The Senate Public Works Committee amended the Watershed Protection and Flood Prevention Act (Public Law 566, 83d Cong.) in the 84th Congress. The amendment became Public Law 1018 of the 84th Congress. The principal amendments extended the authority of the Soil Conservation Service to construct reservoirs with total capacity of 25,000 acre-feet. This provision plus others incorporated in Public Law 1018 provided an opportunity for development of most reservoir sites to their full potential capacity which improved flood storage capacity, irrigation water storage capacity and capacity for municipal and industrial water supplies.

The amendment to Public Law 566 provided that the Senate Public Works Committee would have the responsibility for approving plans involving any single structure of more than 4,000 acre-feet of total capacity.

There follows a list of those projects which were acted on during the 85th Congress by the Senate Public Works Committee.

Resolutions approving projects under Watershed Protection and Flood Prevention Act

[Public Law 566, 83d Cong., and Public Law 1018, 84th Cong.]

Project	Cost		
	Federal Public Law 566	Other	Total
Sandy Creek watershed, Oklahoma	$1,549,139	$1,717,251	$3,266,390
Sulphur Creek watershed, Texas	1,050,555	213,961	1,264,520
Alamo Arroyo watershed, Texas	652,865	11,994	664,859
Diablo Arroyo watershed, Texas	425,808	16,920	442,728
Upper Bayou Nezpique watershed, Louisiana	662,861	1,656,150	2,319,011
Elm River watershed, North Dakota	858,780	740,002	1,598,782
Mud River watershed, Kentucky	1,539,096	5,603,529	5,143,525
Tramperos Creek watershed, New Mexico	325,733	148,994	472,727
Dry Devils River and Lowrey Draw, Tex.	1,662,349	485,978	2,148,327
Upper Lake Fork Creek, Tex.	1,386,400	1,023,506	2,409,906
Lower Willow Creek, Mont.	292,100	465,010	757,110
Whitegrass-Waterhole Creek, Okla.	542,306	732,098	1,274,404
Little Schuylkill River, Pa.	1,937,388	321,934	2,259,322
Total	12,889,290	11,137,327	24,021,017

SENATE BILL 2261 TO AMEND AND EXTEND PUBLIC BUILDINGS PURCHASE CONTRACT ACT OF 1954 (LEASE-PURCHASE)

On June 27, 1957, Senate bill 2261 was reported to the Senate, with a large number of the members of the Public Works Committee sponsoring the bill. This bill passed the Senate on July 3, 1957, and was referred to the House Public Works Committee. The House Committee suggested an approach which would provide for direct appropriations rather than a lease-purchase route and at the end of the Congress no action had been taken to perfect legislation which would provide for a continuing and orderly program of public building construction which is very essential to our country. It is anticipated that in the next Congress consideration will be given to legislation which will provide the executive agencies with the basis for studying and recommending public building construction.

SENATE RESOLUTIONS 148, 281 AND 248

A great deal of time was spent by the Senate Public Works Committee in consideration of Senate Resolution 148 and Senate Resolution 281, which were perfected for the purpose of outlining to the executive agencies concerned with water resources development projects, the type of information which both the Public Works and Interior and Insular Affairs Committees would like to have contained in reports submitted in connection with the projects for Congressional approval.

Considerable time was also spent by the Committee in working on Senate Resolution 248, which has to do with the relationship of river and related water resources development programs of the United States, Soviet Russia and Red China.

OTHER LEGISLATION

In addition to the activities of the Committee on Public Works relating to bills of national interest, we dealt with several which, although of sectional or regional interest, drew national interest because of their great importance. These bills are discussed briefly as follows:

DEVELOPMENT OF POWER AT NIAGARA FALLS, N. Y.

The resolution of various controversies with respect to the development of this tremendous hydroelectric power potential was finally accomplished after several unsuccessful attempts. There was no controversy as to the most desirable engineering plan, but there was great controversy as to who should develop this power. Finally, the problem was resolved by authorizing the Power Authority of the State of New York to construct the necessary works.

The Power Authority of the State of New York proposals contemplate a project with a total installed capacity of 2,190,000 kilowatts. Of this, 1,800,000 kilowatts will constitute firm power on a 17-hour basis. This development will be interconnected with the St. Lawrence project with a total firm capacity during a 17-hour day period amounting to 2 million kilowatts.

The law provides that the Federal Power Commission shall issue a license to the Power Authority of the State of New York, requiring that 50 percent of the power developed at Niagara Falls be made available at the lowest rates reasonably possible to public bodies and nonprofit cooperatives within economic transmission distances. The law provides flexible arrangements so that if preference power is sold to the utility companies withdrawal can be made upon reasonable notice and fair terms. The law also provides that a reasonable portion of the power subject to the preference provisions should be made available to neighboring States within reasonable economic transmission distances in an amount not to exceed 20 percent of that power subject to the preference provisions.

I am informed that the New York Power Authority is proceeding quite rapidly in the development of this important hydroelectric power development, and that it will utilize the United States portion of the Niagara River water which was made possible by the 1950 treaty between the United States and Canada.

TENNESSEE VALLEY AUTHORITY ACT

The Senate Committee on Public Works studied the problem of providing authority for the TVA to finance additional power-generating capacity to supply the growth for defense installations and other demands in the area. TVA is the sole supplier of power for an area of about 80,000 square miles in which over 5 million people live and work. The bill which was reported by the Committee on Public Works (S. 1869) passed the Senate, however, no action has been taken by the House on this matter.

Senate bill 1164 which is designed to allow a better basis for evaluation of fish and wildlife benefits and to permit the use of recreational values in computing such benefits to multiple-purpose reservoirs was given a great deal of consideration by the Subcommittee on Rivers and Harbors and Flood Control and was reported to the Senate. However, no action has been taken on this bill during this Congress. However, it is anticipated that studies and hearings will be continued in another session or in the next Congress to effect this type of legislation.

I have only discussed a few of the major pieces of legislation which have been before the Senate Public Works Committee. Each piece of legislation required careful consideration and a large amount of work by the committee, and at this point I would like to include in the RECORD a summary of the bills handled by the committee which have become law, those which have passed both the Senate and House and those which have passed the Senate only.

Summary of activities of the Committee on Public Works, U. S. Senate, 85th Cong.

Public Law	Date approved	Title of bill	Estimated cost
3	Jan. 25, 1957	S. 466—Amend Public Law 954, President's Advisory Commission on Presidential Office Space	0
23	Apr. 23, 1957	S. 1582—Merrimack River flood control compact	0
85	July 10, 1957	S. 1430—Increased allowance for office building for Senate	$2,846,000
93	....do	S. 1428—Furniture and so forth for additional Senate Office Building	Indefinite
95	....do	S. 1429—Enlarging and remodeling suites in existing Senate Office Building	Indefinite
106	July 17, 1957	S. 1054—Toll bridge, Rainy River, Baudette, Minn.	0
130	Aug. 17, 1957	S. 2217—Authorizing Secretary of Army to sell lands at McNary lock and dam project, Oregon and Washington, to port of Walla Walla, Wash.	0
138	Aug. 14, 1957	H. R. 3077—Designate lake created by Jim Woodruff Dam as Lake Seminole	0
146	....do	H. R. 3995—Authorizing utilization of storage space in Lake Texoma for water supply for Sherman, Tex.	0
148	Aug. 16, 1957	S. 2441—Rates of tolls on bridge across Missouri River near Rulo, Nebr.	0
159	Aug. 21, 1957	S. 2406—Authorizing construction of improvement in Niagara River for power and other purposes	[1] Indefinite
169	Aug. 28, 1957	S. 620—Transferring ownership to Allegany County, Md., of bridge loaned to county by Bureau of Public Roads	0
178	....do	S. 1823—Authorizing conveyance of Bunker Hill Island to Commonwealth of Kentucky for park purposes	25,000
221	Aug. 30, 1957	S. 1826—Amending act providing for bridge across Bear Creek, Lovel Point, Md.	0
230	....do	H. R. 2580—Increase storage capacity of Whitney Dam and Reservoir	0
233	....do	S. 2535—Amending Alaska Public Works Act	[1] Indefinite
242	Aug. 31, 1957	S. 2693—Amending act concerning appropriations for construction, repair, etc., of certain public works on rivers and harbors, etc.	0
245	....do	S. 268—Provide Secretary Army return certain mineral interests in land acquired by him for flood control purposes to former owners of land	0
294	Sept. 4, 1957	S. 1520—Amend act providing for disposal of Federally-owned property at obsolescent canalized waterways, etc.	112,500
327	Feb. 15, 1958	H. R. 3770—Rename the Strawn Dam and Reservoir in Kansas as John Redmond Dam and Reservoir	0
329	....do	H. R. 6660—Name William Bacon Oliver lock and dam on Black Warrior River, Ala.	0
357	Mar. 26, 1958	S. 1964—Transferring of certain art collections of Smithsonian to Civil Service Commission	0
363	....do	H. R. 9653—Naming Walter F. George lock and dam, Chattahoochee River	0
381	Apr. 16, 1958	H. R. 9821 (S. 3414)—Amend Federal-Aid Road Act	(2)
429	May 29, 1958	S. 728—Authorizing space for additional Senate Office Building	950,000
452	June 6, 1958	H. R. 7840—Authorizing additional funds for Inter-American Highway	10,000,000
480	July 2, 1958	H. R. 4260—Authorizing Chief of Engineers to publish certain bulletins and publications	Indefinite
484	....do	H. R. 2548—Authorizing payment for wells near New Cumberland Dam project, Ohio	35,000
490	....do	H. R. 12613—Naming Thomas J. O'Brien lock and dam	0
494	....do	H. R. 4983—Authorizing rentals, Lake Greeson Reservoir, Narrows Dam	0
496	....do	H. R. 12052—Naming J. Percy Priest Dam and Reservoir	0
500	July 3, 1958	S. 3010—Authorizing certain works on certain rivers and harbors for navigation, etc.	1,555,940,500
502	June 3, 1958	H. R. 5033—Bridge across Mississippi River	0
504	....do	H. J. Res. 332—Lake Champlain Bridge Commission	0
512	July 11, 1958	H. R. 11861—Bridge across Mississippi River, Ill.	0
518	....do	H. R. 11936—Tolls of bridge across Missouri River, Brownsville, Nebr.	0
522	July 15, 1958	H. J. Res. 633—Naming Lake O'the Pines, Tex.	0
526	July 18, 1958	S. 2904—Compact between Connecticut and Massachusetts for flood control	Indefinite
535	....do	S. 2100—Amend Public Buildings Act of 1926	0
542	....do	S. 2108—Amend Public Buildings Act of 1949	0
562	July 28, 1958	S. 1785—Naming Lake Techida, N. Dak.	660,000
591	Aug. 6, 1958	S. 495—Authorizing property for Senate	0
592	....do	H. R. 855—Naming Howard A. Hanson Dam, Wash.	0
597	....do	H. R. 10426—Amend Federal-Aid Highway Act of 1956 to increase period construction commences on rights-of-ways	

[1] To be developed by New York Power Authority.

[2] Increases over 1956 act: Federal $3,260,000,000; State $2,115,000,000.

Summary of activities of the Committee on Public Works, U. S. Senate, 85th Cong.—Continued

Public Law	Date approved	Title of bill	Estimated cost
598	Aug. 6, 1958	H. R. 11305—Authorizing funds for 1961 meeting of Permanent International Association of Navigation Congresses	$180,000
607	Aug. 8, 1958	H. R. 7808—Tolls on bridge across Mississippi River near Jefferson Barracks, Mo	0
629	Aug. 14, 1958	Bridge across Mississippi River, Rock Island, Ill	0
636	do	Crisfield Harbor, Md	0
640	do	S. 2158—Procedure for altering certain bridges over navigable waters	10,000
643	do	S. 3833—Providing for survey of Coosawatchie and Broad Rivers in South Carolina, vicinity Dawson Landing	0
646	do	H. R. 13209—Albeni Falls Reservoir, Idaho, adjustments	1,420,000
665	do	S. 2793—Conveyance of pumping station of Intracoastal Waterway System at Louisiana	
Private law			
531	do	S. 3053—Relief of Nettie L. Richard, etc	Indefinite
*341	Aug. 7, 1957	H. R. 8576 (S. 2531)—Conveyance of lands within Old Hickory lock and dam project, Cumberland, Tenn., to Boy Scouts of America	

Reported by Committee on Public Works and passed Senate and House

Bill No.	Title	Estimated cost
S. 497	Authorizing work on rivers and harbors for navigation, flood control, etc	Vetoed
S. Con. Res. 7	Print for committee certain data on the Arkansas, White-Red River Basins and water resources of New England-New York region	Indefinite
H. R. 6701	Tennessee River Basin water pollution control compact	0
H. R. 4142	City of Clinton Bridge Commission (H. R. 4142 passed in lieu of S. 1061 in Senate)	0
S. Con. Res. 68	Acceleration of civil construction programs for which appropriations have been made	Indefinite
S. 4021	To establish study commission on certain river basins	Indefinite
S. 4206	Establishing U. S. Study Commission on Neches, Trinity, Brazos, Colorado, etc., River Basins	0
H. R. 12216	Naming Cordell Hull Dam and Reservoir	0
H. R. 12808	Amend Federal-Aid Highway Act of 1958	$20,000
H. R. 8160	Tensaw River, Ala	15,000
H. R. 13342	Parish Line Canal, La	300,000
H. R. 11697	New York Harbor and Hampton Roads Harbor, prevention of harmful deposits	0
H. R. 13500	Disposal of federally owned property of the Hanson Co. and Houma Canals, La	0
H. R. 12776	Codifying and enacting into law title 23 of the United States Code, entitled "Highways"	0
H. R. 8652	Rescind authorization for Waldo Lake tunnel	6,550,000
H. R. 12883	Capitol Power Plant improvements	Indefinite
H. J. Res. 654	Recommendations for reimbursement to States for certain highways on the Interstate System	0
S. 3776	To extend time for collection of tolls to amortize cost including reasonable interest and financing cost of construction of bridge across Missouri River, Miami, Mo	Indefinite
S. 3335	National Capital Center of Performing Arts	4,000,000
S. 3712	Rama Road in Nicaragua	Indefinite
S. 1985	National Air Museum	Indefinite

Reported by committees and passed Senate

Bill No.	Title	Estimated cost
S. Res. 34	Additional help for Committee on Public Works	Indefinite
S. J. Res. 50	Relocation of Ferry County, Wash., highway by Department of the Interior	$10,000
S. 1869	Amend Tennessee Valley Authority Act of 1933	0
S. 2117	Direct Secretary of Army to transfer certain buildings to Crow Creek Sioux Indian Tribe	6,000
S. 2228	Amend sec. 5 of Flood Control Act of 1941	0
S. 2201	Amend Public Buildings Purchase Contract Act of 1954 and Post Office Department Property Act of 1954	Indefinite
S. Res. 148	Prescribe procedures and contents for reports to Senate by executive agencies (land and water resources)	Indefinite
S. Res. 213	Additional help for Committee on Public Works	Indefinite
S. Res. 248	Investigate relationships of river and related water-resource development programs	0
S. 3524	McAlpine locks and dam (name designation)	0
S. 3571	Provide for equal treatment of all State-owned hydroelectric projects with respect to taking over of such projects by United States	0
S. 3975	Fireproof annex building for Government Printing Office	1,658,000
S. 4179	Tahchevah Creek project California	6,992,000
S. 4192	Trinity River, Tex	0
H. R. 11456	Authorizing exchange of certain real property to the city of El Paso, Tex	0
S. J. Res. 179	Designating lake formed by Dickinson Dam on Heart River in North Dakota as the Edward Arthur Patterson Lake	0

TRIBUTES TO SENATOR FLANDERS

Mr. CASE of South Dakota. Mr. President, I desire to say a few words in appreciation of the services of the junior Senator from Vermont [Mr. FLANDERS]. Senator FLANDERS has announced that he is retiring from the Senate at the conclusion of this term.

It has been my privilege to serve with Senator FLANDERS on the Committee on Armed Services. I have been with him on some of the trips when we visited missile-development plants. Until I was with him at some of the informal briefings which were held at those plants, I never realized the wealth of imagination and the understanding of intricate scientific developments and engineering problems that the Senator from Vermont has.

I had known that in our questioning of representatives of the Defense Department, he had always shown a great alertness to problems of that nature. But until one sees him in action on one of these inspection trips, one does not fully realize the capacity of this man.

We shall miss Senator FLANDERS in the committee. The whole Nation will miss his valiant service on the committee, and also his dedicated service as a Member of the Senate as a whole.

I know it is a matter of regret to all of us that in these closing days of the session, Senator FLANDERS has been obliged to be absent, due to the illness of his wife.

To Senator FLANDERS and to Mrs. Flanders, I desire to express my affection, and my hopes that Mrs. Flanders may soon be restored to health, and that they may enjoy together the rest and release from daily duties which will come with the adjournment of the session.

Mr. WILEY. Mr. President, I am very happy to have this opportunity to join in the tribute to Senator FLANDERS.

During the years of his service, Senator FLANDERS has been a good friend. He is of a philosophical turn of mind, although in the past he has been a very successful businessman. He and his dear wife have been very close friends of practically every Member of the Senate. I have enjoyed his discourses, although I have not agreed with him at times. As I have said before, that again is the privilege of being an American. We can be friendly, even though we may not go to the same church or may not have the same political or economic philosophy. With Senator FLANDERS, at least, I feel I can say he is a man of integrity, a man of ability, a man of fine Christian ideals. So we wish him and his dear wife many more years of health and happiness.

DIVERSION OF WATER FROM LAKE MICHIGAN

Mr. WILEY. Mr. President, I wish to submit some thoughts on House bill 2, which contemplates the diversion of water from Lake Michigan into the Illinois Waterway.

First. The bill provides that the Metropolitan Sanitary District of Greater Chicago increase by 1,000 cubic feet per second its take from Lake Michigan. It wants to be able in dry weather to take a flow of 5,000 cubic feet per second and, in wet weather, take nothing.

Second. There is pending in the Supreme Court an action in relation to requiring the sanitary district to return the domestic pumpage to the lake. This bill would do away with the issue before the Court.

Third. The lake level is down 7 feet now. When you realize that water had been continuously taken and none given by Chicago, this dangerous lowering of the lakes—impairing cargo-transporting capacity—clearly shows the necessity for no more diversion.

Fourth. This is, in effect, a bill to subsidize Chicago's disposal of sewage by authorizing it to drain away water to another watershed. The precedent of this bill would be followed by other lake cities until the Great Lakes no longer would be the wonderful waterway we planned and spent millions to improve.

Fifth. The bill is not required in the slightest for navigation purposes. There will be no necessity again for an order such as the United States Supreme Court's justifiable temporary order which permitted the emergency diversion in 1956. Congress is appropriating funds for building a reservoir dam for storage on the Mississippi River.

Sixth. The Congress should not condone the action of the Department of State in attempting to pressure one of our greatest friends—Canada—to withhold opposition from legislation injurious to our good neighbor. I am particularly distressed that the Department of State would do such a thing on behalf of a special interest in a particular State. The Department of State referred the Canadians to a past favor and then arbitrarily asked that the Canadian Government refrain from interposing objection to H. R. 2. This is like holding a gun at the head of a friend.

Nevertheless, Canada has expressed its objection, but in the most diplomatic and polite form. It has gone easy in expressing its objection, but it was objecting, nevertheless. A reading of the Canadian Aide-Memoire of January 6, 1958 makes that clear.

Seventh. In its closing hours, the Senate should not be diverted from pressing national and international problems to debate Chicago's sewage problem. That is Illinois' own State and local problem which I am sure it can solve as other States and cities have done, if they will spend enough of local tax income to do so. The waters of the Great Lakes—liquid gold to the bordering communities, States, and sections—is their precious joint possession.

Eighth. Chicago's problem is not a navigation problem, such as Congress is authorized and accustomed to handle.

The bill would still authorize a 3-year diversion. The Senate Public Works Committee did not amend it to conform to the 1-year diversion which the testimony of Chicago witnesses stated would be sufficient. Therefore, he urged that the bill be tabled or returned to committee for amendment.

MUTUAL SECURITY APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13192) making appropriations for Mutual Security for the fiscal year ending June 30, 1959, and for other purposes.

Mr. CASE of South Dakota. Mr. President, may I be recognized, or does the Senator from Texas have the floor?

The PRESIDING OFFICER (Mr. CLARK in the chair). The present occupant of the chair, having just taken the chair, is informed that the Senator from Texas has the floor.

Mr. CASE of South Dakota. I want to direct the attention of the chairman of the Appropriations Committee to a particular part of the bill, to which I may wish to make a point of order.

Mr. JOHNSON of Texas. Mr. President, I yield for that purpose, with the understanding that I do not lose the floor.

Mr. CASE of South Dakota. Section 108, which appears on page 7 of the bill, reads:

> Not to exceed 50 percent of the foreign currencies heretofore generated in any country under section 402 of the Mutual Security Act of 1954, as amended, may, notwithstanding prior provisions of law, hereafter be used in accordance with the provisions of that section: *Provided*, That quarterly reports of the use of foreign currencies pursuant to this section shall be submitted to the Committees on Appropriations of the Senate and House of Representatives.

It occurs to me that on its face that is legislation in an appropriation bill. I would be inclined to make a point of order against it. I wondered what was the reason for the Appropriations Committee's concluding that the paragraph should be placed in the bill.

Mr. HAYDEN. There is not any question that it is legislation. We thought it was advantageous for us to use foreign currencies where we have them, rather than American dollars.

Mr. CASE of South Dakota. Would those funds be used for the same purposes that appropriated dollars would be used for?

Mr. HAYDEN. Yes.

Mr. CASE of South Dakota. That seems desirable. What I feared was that it might provide for some new expenditures which would be beyond the control of Congress.

Mr. HAYDEN. That was not the understanding at all. The purpose simply was that where we had foreign currencies available in a certain country funds could be used for assistance to that country.

Mr. CASE of South Dakota. It has been generally my feeling that we ought to tighten the use of foreign currencies. We do not count them as dollars in our computations, because they are not now taken directly out of the Treasury; but I have a feeling there should be a full-fledged review of the amounts of the foreign currencies, and that Congress should more directly watch them. In fact, in a previous bill I proposed that those currencies be placed in the Treasury, and that the currencies be appropriated from the Treasury, as we appropriate dollars.

Mr. HAYDEN. I have a statement I can place in the RECORD with regard to the matter. The statement relates to currencies in Austria, Belgium, Germany, Italy, and Yugoslavia where assistance will be authorized under the amendment. I shall read from the part of the statement which pertains to Yugoslavia:

> Since by mutual agreement Yugoslavia is no longer receiving military assistance or defense support aid, it is not now desired to use available balances of Yugoslavian local currency, which were generated by defense support appropriations, in furtherance of military objectives. Under the proposed amendment, the dinars would be used for mutually agreed upon economic development unconnected with military objectives but within the purposes of the Mutual Security program. It would be in the best interests of the United States that these dinars do not remain unused but that they be used in directions favorable to United States policies.

Mr. CASE of South Dakota. I agree with every word the Senator has said. I think what is done is desirable. I think it is desirable that the Yugoslav dinars which are "on ice," so to speak, and not being used, be utilized for purposes that would advance the policies of the United States.

Mr. HAYDEN. That is the distinct understanding we have with respect to all these currencies.

Mr. CASE of South Dakota. In general, would these foreign currencies be used to save dollars, or would they represent an increase or an augmentation of an appropriation?

Mr. HAYDEN. After listening to the testimony before the committee, my understanding was that the currencies would be used instead of dollars. Otherwise, if we wanted to get things done, if we did not utilize the foreign currencies, we would be asked to use our own money.

Mr. CASE of South Dakota. With that explanation, I shall not make a point of order; but I will be interested in examining the quarterly reports provided for in that paragraph of the bill.

Mr. HAYDEN. We thought it was highly desirable to have quarterly reports provided, so there would not be long lapses in providing Congress with information as to what was being done.

Mr. CASE of South Dakota. I trust the staff of the Appropriations Committee will examine the reports as they come in, and keep the members of the Appropriations Committee, as well as Members of the Senate, advised if something seems to be wasteful or profligate.

Mr. HAYDEN. The staff will be glad to inform Senators.

Mr. JOHNSON of Texas. Mr. President, I yield the floor so my friend from Louisiana may be recognized.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. Mr. President, before I go into a discussion of the pending bill, I must say it seems almost incredible to me that the Senate, in the dying hours of this session, should consider, in a matter of hours, this most important bill. I would like to point out to Senators that this measure would saddle every man, woman, and child in this Nation of ours with a burden of a little over $20.

The bill, if adopted as presented by the Senate Appropriations Committee, will entail the expenditure of over $3½ billion. That huge sum, Mr. President, would be sufficient to cover complete costs, of almost one-half of all the Corps of Engineers public works projects which this Congress has authorized in the last 40 years.

Senators will know the difficulties which confront us in our attempts to obtain sufficient funds to carry on public works which are vital to the stability and economy of our Nation. Senators know the difficulty we encounter in having the Bureau of the Budget provide sufficient funds to take care of worthy reclamation, flood control, and navigation projects—projects, Mr. President, the neglect of which will doubtless weaken our economy as long as they remain unfinished.

I have been advocating ever since I have been a Member of the Senate, for the past 22 years, that we spend an amount sufficient to preserve our precious natural resources, topsoil, and water. Yet in the space of less than 12 hours, if the Congress adjourns as is proposed, there will be an expenditure authorized of a sum which would complete. I repeat, of half the authorized public works projects which have been approved by Congress in the last 40 years.

No opposition to passage of this giant foreign giveaway program is put forward from the administration. But when the matter of expenditures to protect and preserve our own national resources is under consideration, there is much hullabaloo raised.

Mr. President, for several years I have endeavored to prevail upon the Congress to restore a rule of reason in the expenditure of public funds, particularly in respect to our foreign-aid programs under their various forms and names.

I respectfully refer Senators to Senate Document No. 78 of the 85th Congress, 2d session, for a short history of these programs.

I have spent considerable time during each Congressional recess visiting countries all over the world in an effort to learn firsthand how these programs have worked and how they have affected our foreign policy. During the past 3 years I have advocated a comprehensive review and revision of our foreign policy, particularly as it has been guided by our many aid programs.

In this connection, I am pleased to see that President Eisenhower himself has called for a new look at our foreign-aid program.

In his recent speech before the United Nations, the President mentioned the possibility of creating a loan fund, which would be used to help the Arab countries help themselves.

As I have reminded Senators many times in the past, this basic program of making loans—not grants—to nations to help them help themselves was the original basis of the Marshall plan.

Yet, we all know how far afield of this original concept the Marshall plan has strayed.

Therefore, while I applaud President Eisenhower in his move to find some new approach with which we can solve the pressing Middle East problem, I am still somewhat suspicious.

Ringing statements from the podium of the United Nations are one thing. Actual accomplishments along this line are another.

I will want to take a long, hard look at such a program to make sure that none of our dreamy-eyed planners of the State Department who believe that the more money we give away, the more friends we will have, ever have the slightest opportunity to get their give-away hands on this program.

I, personally, would like to see the loans secured by revenues of these countries to whom we extend the loans. I think it would be good business if sizable loans to Middle East countries, for instance, could be secured by the oil revenues of those countries.

In other words, I would not object to seeing Uncle Sam take the role of banker. But I do oppose him being a sucker.

I should also like to see that such a program would be carried out on a completely businesslike approach, and that for every American dollar we loan we ultimately will be returned other American dollars—and not the currency of the country receiving the loan, which too often is subject to suspicious fluctuations in value.

I also note that President Eisenhower has suggested that this Arab development fund be open to all nations to contribute. Before I make up my mind on such a program I would like the answer to this question:

Is this to be another United Nations Relief and Rehabilitation Administration, into which the United States puts the vast majority of the funds, but the Soviet Union takes all the credit?

I remind Senators that of the $3.66 billion spent by UNRRA to aid the war-ravaged peoples of Europe, the United Kingdom and the United States contributed a total of 97 percent. Yet, as we all remember, the Soviet Union took the opportunity to claim credit for furnishing this aid to the peoples of Eastern Europe.

If the United States is to put up the money, then in my judgment any such program should be administered by this country and subject to the review of the Congress.

Today, as the Senate once again debates foreign aid appropriations, I believe it is important that we remember these things. In addition, I believe it is important that we preface our action here today with sober consideration of what the now-called mutual security program, the successor of a series of such programs, has accomplished, where it has failed, and where its defects lie.

Our country cannot afford, either economically, or strategically, to continue the pursuit of outmoded and unworkable policies—particularly in this day and time when militant world communism perches like a vulture on the ramparts of despotism and awaits the opportunity to feed and grow fat upon our mistakes.

Unfortunately, our foreign policies thus far have supplied a varied and nourishing diet for Communist ambitions. Our mistakes have been too many; our shortcomings have been too obvious. The men in the Kremlin have scored victory after victory, particularly in the propaganda field, and they threaten to score more—victories which, I respectfully submit, have been more or less handed to our cold war opponents on a silver platter.

The issue before the Senate today, as it has been for the past several years, is simple, yet basic: will we continue to lend our endorsement and support to an unimaginative and unrealistic foreign policy based almost solely upon dollar disbursements, or shall we attempt to restore America's prestige and regain freedom's leadership in the cold war?

That, bluntly speaking, is the decision the Senate faces today.

Thus, the Senate now has an opportunity to place itself on record as opposing dollar diplomacy as the basic tool of American foreign policy.

We have the solemn duty of serving notice on the President, charged under the Constitution with guiding our Nation in foreign policy matters, that as he calls for a new concept of foreign aid to the Middle East so must he call for the same new look all over the world.

Under these circumstances, Mr. President, I would be unfaithful to the trust reposed in me by the people of my State, if I blindly acquiesced in the pleas that this bill be approved without change. I would be derelict in my responsibilities if I, in effect, gave another vote of confidence to a policy which events abundantly show has failed, and failed miserably.

In evaluating the failure of foreign aid, Mr. President, it is first necessary for us to see and understand how the present program began, how it has grown, and what it now embraces.

Nineteen hundred and forty-seven was a fateful year in our history. The wartime alliance between the Soviet Union and the Western Allies had fallen apart. The expansionist desires of the Communist system were forcing the West into an untenable position.

Wisely, I believe, the decision was made that Western Europe must be preserved for freedom. Following that decision, the Congress—after considerable study—overwhelmingly endorsed the Marshall plan.

The first official statement of what was to become the Marshall plan was made on May 8, 1947, by then Under Secretary of State Dean Acheson, substituting for President Truman as a speaker before the Delta Council at Cleveland, Miss.

He outlined a five-point program implementing American international political and economic policies. He mentioned the relief and reconstruction measures already undertaken by the United States and he added:

> As great as is our supply of commodities and service to the world during the current year, it is still far short of what the people of the world need if they are to eat enough to maintain their physical strength and at the same time carry on essential measures of reconstruction and become self-supporting.

But it remained until June 5, 1947, for Secretary of State George Marshall, speaking at commencement exercises at Harvard University, to outline the ideals which would develop into the plan that was to bear his name.

In discussing the plight that a war-ravaged Europe found itself in on that spring day, Marshall said:

> It is logical that the United States should do whatever it is able to do to assist in the return of normal economic health in the world, without which there can be no political stability and no assured peace. Our policy is directed not against any country or doctrine, but against hunger, poverty, desperation and chaos.
>
> Its purpose should be the revival of a working economy in the world so as to permit the emergency of political and social conditions in which free institutions can exist. Such assistance, I am convinced, must not be on a piecemeal basis as various crises develop. Any assistance that this Government may render in the future should provide a cure rather than a mere palliative.

Marshall continued—

> It would be neither fitting nor efficacious for this Government to undertake to draw up unilaterally a program designed to place Europe on its feet economically. This is the business of the Europeans. The initiative, I think, must come from Europe.

Thus was born the American concept of the Marshall plan—that the United States would be willing to aid any nation if that nation shows that it desires to help itself.

This, I respectfully submit, is the same concept that President Eisenhower has endorsed in his speech before the United Nations. It now appears, Mr. President, that we have run the full circle. Our noble objectives of the late 1940's, after having been strewn in wasteful amounts all over the world, have now come home again. Let us also hope that sanity is also coming home again.

President Eisenhower in his United Nations speech also returned to another concept of the original Marshall plan—the inherent American dislike of becoming involved in another nation's internal affairs.

President Eisenhower said, and I quote:

> I hope it is clear that I am not suggesting a position of leadership for my own country in the work of creating such an institution (for development of the Arab countries). If this institution is to be a success, the function of leadership must belong to the Arab states themselves.

General Marshall, in a statement before a joint session of the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs more than 11 years prior to President Eisenhower's statement, likewise pointed out:

> Loans should be made to cover imports of capital equipment and raw materials which will directly produce the means of repayment and where such repayment can reasonably be expected.
>
> At the same time, every encouragement should be given to early initiation of private financing so as to eliminate as far as possible the necessity for direct assistance from the United States Government. * * * It is obvious that the basic responsibility for European recovery rests on the European countries themselves. However, this Government must have assurance that the aid it provides is effectively utilized for the achievement of European recovery as rapidly as possible.

Following Secretary Marshall's speech at Harvard, the Foreign Secretaries of Britain and France opened talks in Paris dealing with raw materials, tariffs, currency, and priorities of aid. The meeting was broken off in order to invite Russian Foreign Secretary Molotov.

A Big Three meeting was set for June 23, at which Molotov opened Russian opposition to the United States plan, and Russia vetoed any concerted action by the three Foreign Ministers.

As a consequence, Foreign Secretaries Bevan of England and Bidault of France issued a joint communique inviting 22 additional European nations to meet in Paris on July 12 to consider a recovery plan.

When the meeting opened, 16 nations were represented—Austria, Belgium, Denmark, France, Greece, Iceland, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Sweden, Switzerland, Turkey, and the United Kingdom.

The Conference created a general overall committee, known as Committee for European Economic Cooperation (CEEC), which later would be expanded to the Organization for European Economic Cooperation (OEEC), which on September 22, submitted its recovery plan to the United States.

The 16 participating nations, keeping in mind the then dominant thought in American foreign-aid policy that only nations that helped themselves would be granted aid from this country, outlined production targets for a 4-year period, which was then considered as all the time necessary to reestablish the economic solidarity of Europe.

The report to the United States also listed proposed measures for coordinated action to achieve the production targets providing for a freer flow of goods and labor and a fuller use of their own resources.

The group estimated that Western Europe's dollar deficit—that amount of money they would need to purchase needed goods from the United States above and beyond their current capacity for purchase—would amount to some $22 billion over the 4-year period.

This, then, was the amount of aid being requested by the CEEC, as the amount needed to put Europe back on its buying feet within a 4-year period.

In the meantime, a number of committees had been named, both by the President and by the House of Representatives, to study the concept of the United States furnishing aid in great quantities to Europe.

One report, named after its chairman, the Honorable W. Averell Harriman, discussed the principles under which aid could be given to the countries of Europe.

Some items from this report make interesting reading in the accumulated light of 10 years of giveaways since they were written:

> We believe that the future of Western Europe lies very much in its own hands. * * * Such aid being supplied from outside Europe must be viewed not as a means of supporting Europe, but as spark which can fire the engine.

The report also contains this item which, apparently, seems to have been forgotten:

> For all its resources, the United States is no limitless cornucopia. The population of this country represents something less than 7 percent of the population of the world.

Nevertheless, the committee report recommended that the United States enter into a program of aid for Europe, and estimated that it would cost the United States approximately $5.75 billion for the first year of a 4-year program as outlined by the report of the CEEC.

In addition, the Harriman Committee report said total cost for the program would be between $12 billion and $17 billion, depending upon a number of factors.

However, the committee report added:

> But the committee cannot emphasize too strongly that any aid extended to Europe must be on a year-to-year basis. It must be subject to constant, vigilant review by Congress.

While the various committees, including those appointed by President Truman, as well as those of the Senate and House of Representatives, continued their studies of the possibility of a long-range aid to Europe plan, the Department of State, in cooperation with other agencies of the Government, began a review of the CEEC's report.

On the basis of all investigations, as well as the State Department's findings, President Truman presented his recommendations to the Congress for a long-range program of aid to Europe, by the United States for a period of approximately 4 years and a total cost of $19 billion.

In April of 1948, the Congress passed the Economic Cooperation Act to furnish the means for covering essential import needs of the participating countries for commodities and equipment which could not be financed by their own efforts and to support the measures of self and mutual help on the part of the participating countries necessary to achieve true economic recovery.

At the outset, the Marshall plan envisioned the United States priming the pump of a gushing outpour of production which in turn would enable Europe to recover its economic stability. In addition, the Marshall plan originally envisioned the lending of money to aid European countries to get these factories back into production.

The United States was willing to foot this bill if it would bring back into proper

balance one of the world's most important centers—Europe.

Mr. President, I say as I have said many times in the past, I have no regret for having voted for the original concept of the Marshall plan. I supported it, and I supported every item that was requested during the first 4 years of the program, in order to carry out the plan in its original form.

From this opening concept of the Marshall plan whereby the United States would furnish aid, it appears now that the United States has been saddled with the entire burden. In fact, in just 3 years' time, the Marshall plan itself was transformed from a helping hand to a heaping hand.

But the job had been done.

The report from the officials of the ERP at the end of 1950 pointed out:

The industrial production of Western Europe had by that time greatly exceeded prewar levels, and agricultural production had almost completely recovered from the damage of a world war.

The dollar deficit in the balance of payments of all the 18 countries participating in the recovery program had been reduced from $7 billion in 1947 to less than $2 billion in 1950.

Trade among the participating countries had more than doubled.

With the exception of only 3 nations—Italy, Belgium, and Germany—there was virtually full employment.

Rationing of almost all consumer items had been abolished and recourse to black market for the necessities of life had been virtually eliminated.

In addition, we found that the Organization for European Economic Cooperation was providing the general direction to the recovery program on a new basis of cooperation. A new economic union was being forged between Belgium, the Netherlands, and Luxembourg which would shortly show the way for even greater union and dissolution of trade barriers.

At this time the plan was, indeed, working in Europe. This, probably, was America's high point. Waste, no doubt there was, but the United States had accomplished its aim—to reestablish a tottering European economy upon solid legs of trade and credit.

Yet, America then seemed hypnotized by the sound and sight of its own success. The panacea of a good dosing of American dollars had worked wonders upon the feeble, almost infirm body of Europe.

So, the next move, naturally, was to try this wonder drug—dollar diplomacy—upon the rest of the world.

As the emphasis of assistance changed, the volume of aid continued. War in Korea provided further excuses for more United States expenditures in that area. In addition, motivated by foreign policy expediencies, our Nation added other countries to the aid list.

The North Atlantic Treaty Organization was created, amid hullabaloo and fanfare. American troops were to remain in Europe, in order to provide a small, but important, part of a vaunted shield against aggression to blunt and repel any armed attack from the East. Reinforced by token forces from other United Nations member-countries, American troops in Korea fought the hordes of Red China to a standstill, after completely destroying what had been a well-armed North Korean Army.

During the early 1950's, America was concerned with many things—the bloody battlefields of Korea; the almost insatiable demands of Western Europe for more and ever more aid, and, finally, those potential trouble spots scattered about the globe where the State Department sought to preserve the status quo with foreign aid funds. Yet, while America's attention was concerned thusly, ominous events were taking place in other parts of the world.

There was war in Indochina.

There were constant threats of conflict in the Near East, where rising Arab nationalism was threatening an area vital to Western Europe's industry.

Algeria and all of North Africa threatened to burst into flames.

Latin America showed signs of dissatisfaction with a good neighbor policy which was by this time little more than a fancy name and without real substance.

Into this situation stepped a new national administration, elected on a platform which promised that the United States was to take the offensive in world affairs.

Chiang Kai-shek was to be unleashed. The 7th Fleet was to be removed from the Straits of Formosa.

Captive nations were to be encouraged to throw off the yoke of Communist domination.

Foreign policy was to be completely changed. The so-called policy of containment was to be discarded, and the Nation was promised a new, streamlined and effective foreign policy.

None of these promises have been fulfilled.

The Seventh Fleet was removed, but Chiang Kai-shek remains holed upon his island fortress, with one eye upon the mainland, and both hands in the American Treasury.

Poland and Hungary have been torn by revolution, but still remain under Communist bondage.

Foreign policy has not been changed or modified. We are still on the defensive. As a matter of fact, American prestige abroad has sunk to an all-time low, and we are finding difficulty mustering enough votes in the General Assembly of the United Nations to even maintain a semblance of world respect.

In brief, Mr. President, world leadership is quickly passing from our hands, by default.

Allies which should be standing at our sides, helping us carry the Free World's burden, continue to free-load at our expense.

Neutral nations, which we have hoped to win over to the cause of freedom, openly pit the United States against the Soviet Union in order to make the most advantageous deal possible—in order to get as much assistance from both sides as they can.

In brief, Mr. President, despite vast and far-reaching changes in the world situation, we are continuing today to pursue a foreign policy originally devised over a decade ago. In addition, insofar as foreign aid is concerned, the original Marshall plan has been changed, expanded, and extended to practically every country in the world.

Foreign aid is being used as a poor substitute for a foreign policy. The United States has sought to cure with a flood of dollars festering wounds which require, instead, the soothing medication of understanding and reasonable assistance.

I do not intend to burden the Senate with a long and repetitive recitation of how and why our present policy has failed, and will continue to fail. The facts are abundantly available to all who desire to look and see for themselves.

Suffice it to say that evaluated even under the most charitable conditions, these facts demonstrate that adoption of the bill which is now pending before the Senate will do more to injure the United States than help us.

Foreign aid, as we now understand it, is the crutch which has supported this administration for too many years. I do not mean to say that this administration is without any variations on the foreign-aid theme.

One good example is the so-called Eisenhower doctrine, which was the first attempt at solution of the Middle East problems.

Instead of approaching the then impending crisis in the Middle East in a realistic manner by facing up to the basic issue involved, that is, the Arab-Israeli conflict, the administration has followed its usual pattern of instituting a policy based, first, upon the use of dollars in an effort to soothe international ills, with the promise that if dollars failed to do the job, military force would be applied.

Events of recent weeks demonstrate the failure of dollar diplomacy in the Middle East. They also show clearly that the alternative—that is, the use of troops—is equally as devoid of concrete results.

We must remember that the motivating force in this troubled spot is Arab nationalism. If we fail to grasp the true significance of this movement, we will do nothing but further widen the chasm that now exists between us and the Arab people.

Mr. President, I warn Senators that the fiasco which confronts us in the Middle East as the result of our barren policy there threatens to grow and expand to other areas. The sorry patchwork of dollar bills which Secretary Dulles and President Eisenhower have pasted over each and every trouble spot in the world today threatens to fall apart. We will face many other crises as a result of these policies unless they are changed.

The Senate has before it a golden opportunity to serve notice on this administration, as well as on our so-called western European allies, that Uncle Sam is sick and tired of giving, giving, giving, and getting little in return. The time has come for us to serve notice on Western Europe that we are no longer going

to be a soft touch. We have an opportunity to put the administration on notice that a second-rate policy based upon outmoded concepts, stereotyped ideas, and pious platitudes will no longer serve, despite the fancy pronouncements of high powered propagandists.

Is it too much, Mr. President, to urge Senators to look behind the sugar-coated generalities in which the foreign-aid program is clothed before voting on this bill? I do not believe it is.

Then, let us proceed to do so.

First, let us lay at rest the notion that the $3.5 billion which this measure would appropriate will purchase us security, friendship, or respect.

Of the $3.5 billion carried in the pending measure, approximately $1.5 billion or more than one-third is for so-called military aid.

I know that many Senators have heard it proclaimed time and time again, that by providing these funds, the United States is increasing the defensive strength of the Free World to such an extent that our own burdens are reduced. We are told, "reduce this amount, and we will have to increase draft calls."

This is downright asinine.

The record abundantly shows that we cannot depend upon the token armies we are creating in the many underdeveloped countries of the world for even token assistance in stamping out brush-fire wars. As a matter of fact, one of the countries which we have helped considerably—Iraq—by the way, to the extent of $50 million in military aid—only recently used the arms we have supplied to overthrow the Government we supported in the past. A cornerstone of the Baghdad Pact has crumbled, and Uncle Sam has had to step in and pick up the pieces.

American troops are in Lebanon to forestall the possible success of an armed revolt there—a contingency, which, I might add, is not covered by the terms of the vaunted Eisenhower doctrine.

We have also been bombarded with the statement that for every $1 the United States spends for foreign military aid, our European allies put up $5.

That statement, Mr. President, is a fraud, pure and simple.

In order to attain that ratio the eager-beaver planners in the State Department and the International Cooperation Administration have totaled the defense budgets of all NATO countries, placed that total beside the military aid we are extending, and come up with grand and glorious, sacred and sanctified, ratio of 5 to 1.

Why does not the executive branch tell the whole story?

If the total defense expenditures of all European countries is to be the basis for calculating overall defense effort, then should not our total defense expenditure also be counted?

Of course it should.

But it is not.

Why?

Because if we count the $40 billion per year we are spending upon domestic defense in computing the comparative ratio of spending by the United States and our allies, it becomes all too clear that the ratio cited by the executive branch mathematicians is cockeyed—the ratio shows that Uncle Sam is spending better than $3 to each $1 our so-called European allies are spending for defense. All the 5-to-1 ratio really means is that in addition to supporting our own military establishments, we are paying from 20 to as much as 40 percent of the military budgets of our so-called allies.

Mr. President, as I shall point out later in my remarks, the pending bill contains an item of more than $300 million for countries of Western Europe that we have already nursed back to economic health, and which today enjoy a degree of prosperity far greater than they have ever enjoyed before. Yet in the pending bill we provide for further aid to them, and that aid would be in the form of borrowed dollars. Just think of it, Mr. President. On yesterday the Senate passed a bill to increase the debt limit by $8 billion, in anticipation of a gross debt of $288 billion. Thus we are going further into debt so that one can continue to give aid to countries that no longer actually need that aid.

The truth of the matter is, Mr. President, that the entire foreign-aid program has become huge, unwieldy, and submerged in pious and false propaganda. It is well-nigh impossible to obtain the true facts as to how this program operates, much less to disseminate them to the American people.

Mr. President, I have before me, and I also have in my desk, much data which I should like to reveal to the American people. But I am unable to do so, because the material is stamped "secret."

Mr. President, why should this data be stamped "secret?" It is stamped "secret" because the administration's policy is not to let one country know what another country receives. In other words, today our foreign aid is based not on need, but on which squeals the loudest, so to speak.

It makes my blood boil to see, for instance, that in addition to our own military research and development expenditures of about $6.5 billion a year, the pending bill calls for the expenditure of $40 million to defray nearly half of NATO's research and development program.

In the light of the huge amounts of money we have provided in the years past to Western Europe, would it be asking too much to suggest that our so-called allies there make their research available to us?

And there is the matter of facilities assistance, for which the sum of about $20 million is carried in this bill. Facilities assistance, involves United States money to build, in Europe arms factories, to produce weapons for arming European troops.

Since Europe's recovery has been achieved, since Europe is financially sound, and economically strong, would it be asking too much of our friends there to request that they build their own factories to manufacture their own weapons of war? Of course if that were done, France could not sell as many automobiles in the United States as she has been, nor could the United Kingdom; but I doubt seriously that the unemployed automobile workers in Detroit would break into tears at that thought.

In addition to these amounts, there is in this bill a sizable item for offshore procurement. That sum, Mr. President, would be used to supply our NATO allies with weapons for which we have already paid part of the development costs, and which are to be manufactured in factories we have already helped to build.

Since NATO has already cut back tremendously on her troop strength, I do not think it would be asking too much to request our so-called partners to pay for their own arms. Of course, that might work some hardship upon the French troops who are using United States weapons in fighting Algerian nationalists. But I think it could be done.

And what about other parts of the world? What about the backward, struggling countries upon whom we impose the burden of large armies, equipped with already antiquated weapons—armies which, I submit, would be about as useful to us as though we created a popgun corps to defend the city of Washington against our own armed might.

The high-powered justifiers, who cry great crocodile tears before the Appropriations Committee, and who predict dire consequences unless every penny asked for is appropriated, throw up their hands and scream at the very thought of reducing aid to those countries. They say: "Senators, if you do that, who will take care of brush-fire wars?" The answer to that question is obvious. Brush-fire wars would be taken care of by the same troops who are going to take care of them anyway—United States GI's and marines. The Defense Department has already admitted that the token armies created in many countries are not capable of even slowing down, much less halting, any act of armed aggression.

That admission took the form of a special Army Corps, created only a few months ago, to deal with brush-fire wars. Senators may have read in the newspapers of the creation of the STRAC; if they have not, I ask unanimous consent that a newspaper article which describes that Army Corps be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of May 24, 1958]

THE NEW ARMY CORPS—STRATEGIC FORCE BELIEVED DEFICIENT IN POWER TO WAGE A LIMITED WAR

(By Hanson W. Baldwin)

WASHINGTON, May 23.—The belated announcement this week of the organization of a Strategic Army Corps stems from weakness rather than strength.

The mission of STRAC, as announced officially, is to "meet the initial requirements of limited war or to provide initial reenforcements in a general war." Despite this ambitious goal, many senior Army officers agree that the Army's ability to fight a conventional war continues to be weakened as the Nation concentrates on space rockets and nuclear weapons.

The grouping of four Army divisions in STRAC into what the Department of Defense said was to be a "mobile combat ready force—operationally ready on a moment's notice"—represents a devout hope rather

than an accomplished fact, in the opinion of experts.

The so-called corps has actually been in loose existence for 2 to 3 years. Its four divisions have been more tightly identified and tabbed in the last 3 months. Actually, the corps is largely a paper grouping—the assignment to a corps organization of divisions that have been in existence and that already had been earmarked as part of the Army's strategic reserve in the zone of the interior, the Continental United States.

THE DIVISIONS EARMARKED

Four divisions have been earmarked for STRAC; the 82d and 101st Airborne and the 1st and 4th Infantry Divisions. A corps headquarters, also long in existence—the XVIII Airborne Corps at Fort Bragg—has been designated as the command echelon.

Of the four divisons, only the 101st, which furnished the troops that were recently sent to the Caribbean, probably meets STRAC's mission of operationally ready on a moment's notice, and fulfills its slogan—"skilled, tough, ready around the clock."

Some senior officers contend that the 82d Airborne is also ready, but this division still contains a number of relatively green men. Two of its battle groups are scheduled to be rotated to Germany to be replaced by two battle groups now assigned to the 11th Airborne Division.

The other divisions in the corps have so many green men and—in common with the rest of the Army—experience so large a personnel turnover that they are engaged in a virtually continuous training cycle—particularly pronounced during the summer.

Experienced officers, therefore, regard very large elements of STRAC as more closely approximating training units, rather than combat-ready forces.

THE STUMBLING BLOCKS

Several factors militate against the achievement of true combat readiness by STRAC. The first and most important is the present budgetary ceiling on Army manpower and dollars. Other stumbling blocks are the Army's extensive overseas commitments, which require units in this country to act largely as replacement training units for divisions overseas; the unending training cycle for inductees, volunteers, reserve personnel and Regulars and the legal obligation of the Army to induct large numbers of hard-to-train lowest-mental-category men.

The present difficulties may further increase when the Army's gyroscope operation—its program of rotating units to overseas duties—shifts fully from divisions, as the unit of rotation, to battle groups. This plan will break up tactical units that have trained together and have a common battle tradition—like the famous 1st Division—and will disperse some of their component parts to other parent units with a possible consequent impairment of unit pride and morale.

PICTURE OF UNREADINESS

The STRAC divisions, like all the rest in the Army, have as yet limited and incomplete amounts of the new equipment designed to arm the new so-called Pentomic or five-sided divisions. The Pentomic divisions, designed to have an ability to fight either nuclear or nonnuclear battles, are as yet in a state of betwixt and between; they do not have sufficient new weapons to make them combat effective on a nuclear battlefield and yet their capability to fight conventional war has been severely reduced.

What makes this rather bleak picture of unreadiness worse is the limited amount of air transport and amphibious lift available to rush the nation's fire brigade to the site of threatened conflagrations.

Two airborne battle groups were alerted in Germany last week for possible service in the Middle East if requested by the Lebanese Government. But there were not enough air transports in Germany to fly them there; the planes had to be flown from this country to Germany, with a consequent loss of time.

Similarly the Venezuela riots against Vice President RICHARD M. NIXON revealed the dangerous extent to which the Army had been stripped down in the Caribbean-Panama area.

A PAPER CORPS

Today, there is only one infantry battle group in the Canal Zone, and some military men fear that United States garrison forces in the zone have been thinned down to such an extent that the canal could not be protected effectively against local riots or dangers. Yet quick reenforcement of the Caribbean area by major forces of divisional size or larger would be possibly only if all presently available military air transport facilities were earmarked solely for this task at the expense of other vital jobs.

Thus STRAC today is more a paper corps that demonstrates the Army's interest in the problem of limited war than a really ready force. The public announcement this week of a force that has long been in existence unfortunately adds nothing to the combat readiness of the Nation.

Mr. ELLENDER. Remember, Mr. President, that article refers to the creation of a United States armed force, which will have the special duty of fighting brush-fire wars. However, let us also remember that the main justification advanced by the administration for the expenditure of the military assistance funds in this bill is to create armies in those countries which would take care of such situations.

In other words, Mr. President, even our military leaders have recognized the futility of trying to equip popgun armies in small and backward countries to a point where those forces could be of any use in turning back an act of armed aggression. During the recent hearings on our unprecedented peacetime budget for our armed services, the Senate Appropriations Committee got almost complete details about this new striking force.

I do not mean to say there is not room in our foreign-aid plans for a modest program of military assistance designed to make it possible for countries which are desirous of doing so to protect themselves against internal subversion. On the contrary, that would be a laudable objective.

It would not, however, require the expenditure of $1.5 billion a year, nor would it involve fastening an unbearable military burden upon the economies of young and struggling nations.

Actually, Mr. President, there is no need for all the military-aid money carried in this bill, despite the cries of anguish which arise from the executive branch when efforts are made to reduce those funds. The record shows that since 1950, approximately 10 percent of the funds appropriated by Congress for military assistance has either lapsed or been transferred to other appropriations. This, of itself, should demonstrate that, despite consistent reductions in aid funds below budget requests, the Congress has, on the whole, still been giving the foreign-aid administrators more money than they could use.

I refer Senators to page 100 of the hearings now on their desks, where there appears a table which shows the transfers out of military assistance appropriations, fiscal years 1950–57. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Detail of transfers out of military assistance appropriations, fiscal years 1950–57

[In millions]

Year	Amount transferred	Country or program	Transferred to—	Authority	Amount lapsed and returned to Treasury
Fiscal year 1952	$300.0	United Kingdom	Economic and technical assistance, Europe, sec. 101 (a) (2).	Sec. 101 (b) Public Law 165 (82d) as amended	
	100.0	France	do	do	
	78.2	Greece, Turkey, and Yugoslavia.	do	do	
Total	478.2				
Fiscal year 1953	125.0	France, Yugoslavia, and Berlin.	Economic and technical assistance, Europe, sec. 101 (a) (2).	Sec. 101 (b) Public Law 165 (82d) as amended	$118.2
Fiscal year 1954	75.0	Coal-steel Community loan	Mutual defense financing, sec. 101 (a) (2)	do	18.7
Fiscal year 1955	20.0	Egypt	Development assistance, Near East area, sec. 201 (a) (1).	Sec. 501, Public Law 665 (83d)	175.5
	20.0	Iran	do	do	
	34.9	Pakistan	Defense support, Near East area and South Asia, sec. 131 (b) (2).	do	
	1.3	Guatemala	Development assistance, Latin America, sec. 201 (a) (3).	do	
	.7	Haiti	do	do	

Detail of transfers out of military assistance appropriations, fiscal years 1950–57—Continued

[In millions]

Year	Amount transferred	Country or program	Transferred to—	Authority	Amount lapsed and returned to Treasury
Fiscal year 1955	$15.5	Italy	Defense support, Europe, sec. 131 (b) (1)	Sec. 501, Public Law 665 (83d)	
	4.8	Yugoslavia	do	do	
	15.5	Spain	do	do	
	1.2	East Europe—Danube flood relief.	do	do	
	261.3	Indochina (unliquidated obligations).	Southeast Asia and Western Pacific, sec. 121	Sec. 121, Public Law 665 (83d)	
Total	376.2				
Fiscal year 1956	6.0	Pakistan	Defense support, Asia, sec. 131 (c) (3)	Sec. 501, Public Law 665	$14.0
Fiscal year 1957	.0				14.2
Transfers	1,060.4				638.6
Add return to Treasury.	638.6				
Grand total	1,699.0				

Mr. ELLENDER. Mr. President, I wish to say that the pending amendment, which I have submitted and sent to the desk, would cut $100 million from the over $1½ billion recommended for military assistance by both the House and the Senate committees.

The pipeline for military-assistance appropriation at the beginning of the fiscal year 1959 will carry the program for a little more than a 2-year period, based on expenditures of $2.2 billion.

Consider these figures, Mr. President:

[In billions]

Unexpended balance July 1, 1958	$3.359
House allowance	1.515
Total	4.874

At this point, it might be appropriate for me to discuss what our striped-pants administartors have named "defense support."

Mr. President, somehow, somewhere, someone got the idea that defense support has something to do with our own defense. It has become more or less a sacred cow.

Let us take a look at some of the projects which have been undertaken with defense support money, and let us see just how closely tied to defense these projects really are.

I hold in my hand Senate Document 31, 85th Congress, 1st session, entitled, "Report on Overseas Operations of the United States Government." The document contains examples of foreign aid defense support expenditures. These are not my own data. They were obtained from ICA records during one of my many investigations of the program conducted in Korea.

Transportation branch. Project title: Rehabilitation of Seoul and Pusan streetcar system.

The amount expended during the year I visited there was almost $200,000.

This is defense-support money.

I read another example of defense support:

Transportation branch. Project title: Procurement of coal tar pitch.

Benefits: Coal tar pitch and petroleum coke on this project will be used in production of coal briquets for the KNR, utilizing coal production in Korea.

Not only have we rehabilitated the railroads in Korea, and not only have we rehabilitated all of the steam-generating plants that produce electricity for the use of the people on that peninsula, but we have also spent millions of dollars for rebuilding dams to generate electricity from falling water, under the guise of defense support. We are today in the process of expending a good part of $42 million for the erection of a single dam in the northern part of South Korea.

The same comment applies to Formosa. One could almost jump across that little island. Yet our Government is spending millions of dollars, in the name of defense support, to construct and erect projects which are used, not to furnish electricity for the military, not to assist soldiers, but to generate electricity so that the Chinese Government can sell the power to the inhabitants of Taiwan. All of these projects are justified in the name of defense support. I say defense support is just another name for economic aid, and the facts bear me out.

One would imagine, Mr. President, that since Formosa and South Korea have both increased their food and industrial production tremendously, compared to a few years ago, that United States aid would be decreasing.

We are not curtailing assistance to those countries. We are increasing it. There seems to be no end to this giveaway program. There will be no end to it if we continue simply to follow the advice of the horde of job holders this Government has all over the world—those who are administering this giveaway program—those who are its stanchest advocates and principal exponents.

Let me point out, Mr. President, that Congress does not depend upon the recipient country to make an adequate justification so that it might receive aid. Instead it depends upon the advice of Americans who are serving as paid administrators of the programs in various countries. If the countries we assist cannot make an adequate case for aid then they turn to these jobholders, who receive handsome salaries and who are supposed to represent America, to make the case for them.

I could go on and cite many examples of out and out economic aid being given in the defense support, just so these jobholders can keep their comfortable and well-paid positions.

Let me turn now to some of the public works projects.

Here is an item, "Rehabilitation of Suwon National Prison, fiscal year 1955. Building construction and equipment."

We are building jails under the guise of defense support. I would like to point out to Senators that I visited a tire plant built under the defense-support program in Korea. It is being operated by a person who obtained it for a price of little or nothing. Yet in the name of defense support, the American taxpayers are now furnishing the money for its operation. The justification furnished the Senate Appropriation Committee are the magic words "defense support" for the ROK army in South Korea.

All of this money listed in defense support for South Korea has been used and is being used to rehabilitate that country. It is not part of a defense program. It is purely economic aid.

I turn to another example under the heading "Manufacturing and Processing." We have spent money to build four flour mills in Korea. It sounds ridiculous, but it is true. There is little wheat produced in Korea. As a matter of fact, the South Koreans are generally rice eaters. They live mostly on a diet of rice and fish and have done so for centuries.

What was the justification for the four flour mills? The aid was given in the name of defense support, and was justified by ICA spokesmen on the basis that South Koreans could be taught to eat bread, and this would enable them to export their rice.

Can anyone imagine United States officials supporting such a program, much less conceiving it, when in this country we are presently producing 40 percent more rice than we need and must export it to the Far East? Yet we are assisting a country, in the name of defense support, to become an economic competitor in the exporting of rice. In addition, we have built flour mills in

Korea, when little or no wheat is produced in that country.

Mr. President, I note another defense support item—book publishing. This is something else we have undertaken in the name of defense support. Perhaps it is a necessary program, but I make the point that defense support, as the people of this country understand it, is assistance to soldiers—to clothe them, to feed them, and to arm them. Yet we find that defense support funds are not used for that purpose. This money is used to develop the economies of the various foreign countries on our aid list.

I do not want to take the time of the Senate to list all of these programs, but I ask unanimous consent to have printed in the RECORD at this point some examples of how the money is being used—not to maintain armies, as some American people believe—not to sustain an Army of 20 or 30 divisions—but to aid the economies of foreign nations.

There being no objection, the illustrations were ordered to be printed in the RECORD, as follows:

TRANSPORTATION BRANCH

1. Project title: Rehabilitation of Seoul and Pusan streetcar system (rectifiers). Type: Transportation. Location: Seoul and Pusan.

2. Benefits: Provides 2 new rectifiers 1 each for Seoul and Pusan streetcar systems. This will replace one war damaged rectifier in Seoul and provide an additional rectifier for Pusan to allow for extension of the street railway system in this overcrowded city.

3. Estimated total cost: $210,000.

4. United States contribution in percent: 85 percent; fiscal year 1955, dollar, $178,500.

5. Local contribution in percent: 15 percent, fiscal year 1955, cash contribution, $31,500.

6. Engineering costs: $2,000 (local) (included in local labor costs).

7. Status: PA issued. Bids received and evaluated. Contract will be concluded by OSROK in near future.

8. Estimated completion date: July 31, 1956.

PUBLIC WORKS

1. Project title: Rehabilitation of Suwon National Prison, fiscal year 1955. Type: Building construction and equipment. Location: Suwon, Korea.

2. Benefits: Provides quarters for 800 additional inmates, utilities, mess, and shops for personnel rehabilitation through vocational training.

3. Estimated total cost: $1,350,000.

4. United States contribution: 68.55 percent, fiscal year 1955, (a) dollar, $300,000; (b) counterpart, $625,000.

5. Local contribution: 31.45 percent, fiscal year 1955, (a) labor, $117,000; (b) domestic materials, $308,000.

6. Engineering costs: $13,500, included in local labor costs.

7. Status: Preliminary drawings completed. Invitations are being sent out to bidders.

8. Estimated completion date: December 1957.

MANUFACTURING AND PROCESSING

1. Project title: Auto tire plant. Type: Manufacture of rubber tires and tubes. Location: Pusan, Korea.

2. Benefits: Rubber tires and tubes are essential to the operation of civilian and military motor vehicles in Korea. The production of such commodities in Korea will save considerable foreign exchange and will thus contribute to the establishment of an economy of self-support.

3. Estimated total cost: $635,000 (estimate).

MANUFACTURING AND PROCESSING

1. Project title: Flour mill No. 1. Type: Food processing. Location: Pusan, Korea.

2. Benefits: Expansion of flour milling facilities in South Korea enables Korea to take advantage of a differential price in wheat as compared to rice. It also accelerates a desirable trend away from such a great reliance on rice. Substitution of wheat for rice in the diet makes for a better use of Korean uplands where wheat may be grown to greater advantage than rice. This resulting expansion of agricultural output as well as the use of foreign wheat makes additional rice available for export. The milling industry thus makes a considerable contribution to the establishment of a self-supporting economy in Korea.

3. Estimated total cost: $765,000 (estimate).

4. United States contribution in percent: 85 percent:

	Fiscal year 1955	Fiscal year 1956
(a) Dollar	$280,000	
(b) Counterpart		$250,000

5. Local contribution in percent: 15 percent:

	Fiscal year 1955	Fiscal year 1956
Amount	$70,000	$45,000

6. Engineering costs: None. (See remarks.)

7. Status: Under construction.

8. Estimated completion date: May 1956. Remarks: The project made no separate provision for engineering expenses. Any required engineering on the purchased equipment was included in the purchase price. The end user is responsible for all local engineering.

MANUFACTURING AND PROCESSING

1. Project title: Flour mill No. 2. Type: Food processing. Location: Seoul, Korea.

2. Benefits: Expansion of flour milling facilities in South Korea enables Korea to take advantage of a differential price in wheat as compared to rice. It also accelerates a desirable trend away from such a great reliance on rice. Substitution of wheat for rice in the diet makes for a better use of Korean uplands where wheat may be grown to greater advantage than rice. This resulting expansion of agricultural output as well as the use of foreign wheat makes additional rice available for export. The milling industry thus makes a considerable contribution to the establishment of a self-supporting economy in Korea.

3. Estimated total cost: $270,000 (estimate).

4. United States contribution in percent, 63 percent:

	Fiscal year 1955	Fiscal year 1956
(a) Dollar	$120,000	
(b) Counterpart		$50,000

5. Local contribution in percent, 37 percent:

	Fiscal year 1955	Fiscal year 1956
Amount	$80,000	$20,000

MANUFACTURING AND PROCESSING

1. Project title: Haptong book printing plant. Type: Book publishing. Location: Seoul, Korea.

2. Benefits: Korea is deficient in printing plants for the printing of necessary scientific and general educational books. This plant will provide much-needed facilities in this field.

3. Estimated total cost: $475,000.

4. United States contribution in percent, 79 percent.

	Fiscal year 1955	Fiscal year 1956
(a) Dollar	$200,000	
(b) Counterpart		$175,000

5. Local contribution in percent, 21 percent:

	Fiscal year 1955	Fiscal year 1956
Amount	$75,000	$25,000

6. Engineering costs: 0. (Included in local labor costs.)

7. Status: Contract negotiations are being conducted.

8. Estimated completion date: March 1956. Remarks: The project made no separate provision for engineering expenses. Any required engineering on the purchased equipment was included in the purchase price. The end user is responsible for all local engineering.

Mr. ELLENDER. Mr. President, I return to the proposition that I have never seriously objected to assisting Formosa or South Korea to some extent. I will say to the Senate it was my privilege to visit Formosa on 4 occasions and to visit South Korea on 5 occasions. I have never seen such progress. We have rebuilt those areas of the world to the extent that the people of these countries are better off than they have ever been before.

We are now being called upon to put borrowed American dollars into the economies of those areas, to further projects which our own administrators are advocating. Our administrators in those two areas, Mr. President, are suggesting the expenditure of millions of dollars in order to try to balance agriculture with industry, when there is nothing to work with. My good friend from Idaho [Mr. DWORSHAK] on one occasion traveled with me to South Korea and Formosa. In those areas, Mr. President, I submit that it is impossible to develop industries, since there is very little in the way of natural resources to work with.

When one speaks of balancing industry with agriculture, when there is nothing to work with, I say it would be money foolishly spent. We do not have the money to spare. The money proposed to be spent must be collected from all the people, such as those in the galleries, who pay income taxes. I am sure few of our people escape burdensome income taxes.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. DWORSHAK. The Senator from Louisiana mentioned the trip I enjoyed making with him to Asia in the fall of 1956. I should like to reiterate what I have said on many occasions. Because of the diligence and persistence of the Senator from Louisiana, who has acquainted himself with the program of so-called mutual aid in many countries of the world, the Senator has been able to render exceptionally outstanding service to the Senate and particularly to the Committee on Appropriations, of which he and I are members, by helping to clarify some of the problems and by helping to solve many of the problems.

If I have been able to reach any conclusion as a result of the trips I have made—and I think the most important trip was the one in 1956—it is that I have been greatly concerned that the beneficiaries of these programs, in the various countries where hundreds of millions of dollars of American taxpayers' money have been expended, have a complete lack of appreciation of the programs in effect and the contributions being made by the United States in the effort to bulwark their economic conditions and build up their military establishments.

I should like to ask the Senator from Louisiana if he has any particular opinion or view as to the reason for our inability over the past decade to make friends, to retain friends, and to obtain proper recognition for the money which has been spent and for the efforts which have been made by the United States in pursuing these various programs.

Mr. ELLENDER. Mr. President, it is my considered judgment that nations are not different from individuals. One can have the best neighbor in the world living next to him, but if he permits his neighbor to borrow from him and the neighbor fails to pay it back, it is easy to see what will happen. We have been donating vast sums of money to people around the world only to make these foreign nations dependent upon us. It seems that we cannot break away from this program. There seems to be no end to it. If we were to stop or curtail some of the programs which we now have, let us say, in South Vietnam, we would immediately incur the disfavor of the Vietnamese, although today that part of the world is much better off than it has ever been, because of our aid. They would simply look to us to continue those programs ad infinitum.

The great difficulty, I will say to my good friend from Idaho, is simply that instead of entering into these programs slowly and letting the people help themselves, we go to these countries and tell the people what to do. We say to them, "If you do thus and so you can be in the same position as we. Your economy can grow and become equivalent to ours overnight." We make these people very ambitious. But when these people reach a certain point they cannot continue further because they lack the natural resources, education, and know-how. Then they must call upon us. If we fail to respond, the friendship which was created simply fades away and the seeds of communism have been planted.

Mr. DWORSHAK. Mr. President, will the Senator yield for one additional question?

Mr. ELLENDER. I yield.

Mr. DWORSHAK. There have been indications during the past year or two that Paul Hoffman and other self-appointed spokesmen for the program have indicated the likelihood that we ought to continue for another 5 years, 10 years, or indefinitely, a program involving several billion dollars annually. Does the Senator from Louisiana feel that a great disservice is being rendered to the beneficiary countries, in that they are being led to believe that there is no end to the program, that all they have to do is continue with various kinds of projects, to accept our largesse, to carry on notwithstanding the fact that what was originally envisioned by the program may have been accomplished, merely because so many officials or spokesmen representing the administration are creating the impression, whether justifiably or not that they may expect the program to continue indefinitely? What is the Senator's reaction to that question?

Mr. ELLENDER. Mr. President, that is the gospel which is being spread by our administrators. The great difficulty to my mind is that our program administrators in the various countries simply make the native people believe that money grows on trees in the United States. When one tells the leaders of these countries, "The money we have been letting you have is borrowed money," they do not believe it. I have heard many of them say, "Senator, I cannot believe that. Do you mean to tell me the money we get from the United States is borrowed money?" They simply will not believe it.

An Englishman I talked to in Beirut told me we could blame only ourselves for creating that idea in the minds of the people we are trying to assist. If we had done as General Marshall originally suggested, namely, try to help people to help themselves, we would have gotten somewhere. But today people all over the world are so dependent on us that they will not be able to move without us. If we stop or attempt to slow down the program, they become angry at us.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. ERVIN. I was struck by the similarity between the replies of the Senator from Louisiana to the questions of the Senator from Idaho and the expression by Shakespeare:

> Neither a borrower nor a lender be;
> For loan oft loses both itself and friend,
> And borrowing dulls the edge of husbandry.

That has been proved time after time, in connection with the foreign-aid programs.

Mr. ELLENDER. There is no doubt about it. We have made the people of many of the countries we have assisted dependent upon us. They take the position, "What is the use of our doing this, that, or the other? We will get it from good old Uncle Sam."

I have always been for a program of technical assistance. I think that is one of the greatest programs upon which we have ever embarked. It is a program to help backward people; to give them the simple tools with which to work with what they have. We can teach them almost overnight how to use those tools, although it took us generation to learn. A program of that kind is beneficial, but, I repeat, it should be carried out by the people of those countries themselves. It should not be carried out by pouring in vast sums of money to build hospitals and schools and other things. When we do that, they say, "What is the good of a hospital? We have no doctors." Then we have to go there and educate doctors for them. If we build a school to teach farming in an advanced stage, far beyond their capability, they say, "What is the use of doing that? We expect you to send teachers in order to teach our teachers how to teach our farmers."

To my mind it is silly for us to attempt to put a highly complex operation into a backward country. These people must be taught to crawl before they can walk, to walk before they can run.

The way these programs have been operating is silly. They have been very costly. We seem to have made little progress in actually helping those people. We could have spent a third of the amount which has been spent in many of those countries, and obtained more results simply by following the path of prudence and not overeager ambition.

Now, Mr. President, I would like to return to my discussion of the item "defense support" in the pending bill.

Of course, the eager-beaver administrators have an answer for my objections to this category. They say that because we impose military burdens upon countries far beyond their capacity to maintain, we must provide economic aid, in the form of defense support, in order to take up the slack.

The answer to that is obvious, and twofold.

In the first place, if we did not go in and impose useless military burdens upon those countries, defense support could, for all practical purposes, be considerably reduced and in some areas eliminated. In other words, Mr. President, we find ourselves in a vicious circle.

We impose military burdens on tiny countries far beyond their capacity to carry alone. Thus, in order to entice them, or compel them—take your choice—into bearing these burdens, we must provide economic aid and defense support.

Yet the fact remains, that, if we had sense enough to recognize that the armies we are building in those countries are, for all practical purposes ineffective, then not only could we save much money in outright military aid, but we could save substantial amounts in defense support, as well.

As I said yesterday, I have two amendments for consideration by the Senate today. The first is to reduce military aid by $100 million. The other is to reduce defense support by $50 million. When I offer the individual amendments, I shall cite figures showing the amount on hand

and the amount spent in the past on each of these two categories.

In addition, although the planners made much of the argument that military aid and defense support go hand in hand, we are confronted with an anomaly in the pending bill. Last year, military aid was $1.8 billion; defense support was $749.8 million. Defense support was 41 percent of military assistance.

Of the 2 amendments which I have submitted, 1 would cut military assistance, as I have stated, by $100 million; and the other would cut defense support by $50 million, which would maintain the ratio of defense support to military aid as is contained in the bill now under consideration.

The pending bill calls for $1.5 billion in military aid, and $790 million in defense support. This year defense support is more than 52 percent of military assistance.

Thus, on the basis of elementary mathematics, even if the full $1.5 billion were appropriated for military aid, only $621 million in defense support—or the 41 percent used last year—should be required in order to support a military program of that magnitude.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to my colleague from Louisiana.

Mr. LONG. Has there not been alarming evidence that a great portion of the defense support money has been handled in such a way that foreign rulers and other foreign politicians, as well as those who do business with them, pocketed a large amount of the defense support money, both in the way they handled the exchange of currencies and the way they overpriced the articles being purchased, and in the buying and selling of articles involving defense support money?

Mr. ELLENDER. I will say to my distinguished colleague there is no doubt about that. I pointed out that very thing in the summary of my many reports on overseas operations of the United States Government, which are now on file with the Senate Appropriations Committee.

There is no doubt in my mind that many of the so-called foreign-aid programs, particularly the economic program, whether it be called defense support or any other name, have benefited most those who have needed help the least. Let us take a case like Iran, which is a country rich in oil and other natural resources. That nation seems to be incapable of forcing its people to pay their proper share of taxes. If the people who are able to pay taxes in Iran were to pay the same amount, proportionately, that we pay, there would be no need of our giving any assistance to the poor people in Iran. Iran is rich in resources, and could use these resources to assist its poor people. The trouble is, however, that the aid we have given to those countries has been used by the rich classes to further improve their own position. As long as our aid continues in this manner, the people who most need help will not get the benefit.

Mr. LONG. The Senator knows that there have been cases—and this has been admitted by the administration—when foreign countries have overvalued their money, as compared with our money, to the extent of 3 to 1. Then the politicians in those countries would take our commodities and do business with them with their friends in such a way that two-thirds of our money would be pocketed by certain politicians and friends of politicians, and one-third of the money would eventually go to defense support. Then, as has been said, the big stealing starts.

Mr. ELLENDER. We have had cases of that type in Laos, where it is a known fact that some of the bankers have obtained dollars based on a rate of exchange of 35 kip to $1. Then these same bankers took the dollars to Hong Kong and obtained kip at the rate of 100 to 1. Of course a good deal of this has been stopped but I am sure some other device will be discovered to enable the thieves to continue getting richer while the poor in Laos continue to suffer because our aid is directed to the wrong people.

Mr. LONG. Can the Senator say with certainty that these examples have been stopped? My impression is that they have not stopped. In one country, Laos, the Government has refused to let us see what is happening to our money, and we have refused temporarily to send any more money. That does not mean that the practice has been stopped. The Government has refused to let us see what is happening to our money. We are at an impasse. The administrators will not give them any more money temporarily, and the Government still refuses to let us see what happened to the money.

Mr. ELLENDER. Members of the Appropriations Committee were told during this session of Congress that some of this abuse has been corrected. Our people have been working on it, and as we have been told they have succeeded in stopping it. That does not mean that it will not be continued. We must keep a close watch on such programs. The minute we turn our backs, these manipulators will resort to the same practice.

Mr. President, this defense-support program, as it is currently administered also provides us with an excellent example of the very aimlessness and lack of direction of the so-called mutual-security program.

Last year, spokesmen from International Cooperation Administration came before the Congress and in glowing terms outlined a program of defense support to 15 countries, which would cost a total of $725 million.

But looking over last year's actual records, we find that somewhere and somehow this program changed its shape so that a total of $749,810,000 was expended in 12 countries.

That means that the program cost almost $25 million more than what Congress approved, and that, in addition, this aid went to only 12 nations, and not the 15 mentioned by ICA in attempting to justify the program.

Mr. President, as I said before, this is a graphic example of how the Congress has turned over—without a whimper—the purse strings of our Nation to the misty-minded bureaucrats who want to pour the hard-earned wealth of this Nation all over the world without a thought to the welfare of the people who have fought and earned this wealth, the American taxpayer.

For this year, fiscal 1959, the Senate Appropriations Committee, in the pending bill, has recommended the appropriation of $790 million for defense support to the same 12 countries.

Thus we see that instead of the program tapering off, it is on the increase. Last year I pointed out that we spent $750 million on this program. This year we are being asked to provide $790 million.

The PRESIDING OFFICER. The Senate will be in order.

Mr. ELLENDER. How are we to be sure that this is the program that will actually be followed? What will we find out next year if the Congress should be so unwise as to now approve this entire amount?

To my mind, this is just one more element of proof that insofar as the so-called mutual-security program is concerned, we are throwing prudence to the winds.

This brings us to consideration of the Development Loan Fund.

Mr. President, if any kind of a foreign aid program can be justified, it is the establishment of various loan funds—be it the Development Loan Fund, or this new fund President Eisenhower has suggested to aid in the development of the Arab countries.

Senators will recall that earlier in my remarks I quoted from the recommendations offered by General Marshall, when he first suggested the Marshall plan. The pertinent portion of the remarks reads as follows:

> Loans should be made to cover imports of capital equipment and raw materials which will directly produce the means of repayment and where such repayment can reasonably be expected.
>
> At the same time, every encouragement should be given to early initiation of private financing so as to eliminate as far as possible the necessity for direct assistance from the United States Government.

It is my considered judgment—and I think history bears me out—that if we had followed General Marshall's advice 10 years ago, we would not be in the boat we find ourselves today.

Now, 10 years after the program was started, the executive branch has finally come back to life and decided that the principle of loans, not handouts, is the correct one to follow in extending economic aid. I applaud the executive branch for that decision.

For that reason, I shall not attempt to reduce the committee recommendations of $580 million for the Development Loan Fund. The unfortunate aspect of this new approach is that we may have difficulty in creating a revolving fund for use in all underdeveloped countries since the loans are repayable in soft currencies. My guess is that Congress will be called upon for more and more cash to replenish the capital of the fund.

In other words, Mr. President, Congress has been led to believe that this is a "revolving fund." It has been justified to us on the basis that the crying need of most underdeveloped countries is for American dollars.

However, repayment of loans made from the fund need not be in dollars; as a matter of fact, the testimony before the legislative and appropriations committees of both Houses of Congress offers ample proof that there will be little if any effort made to obtain repayment in dollars.

Under these circumstances, since loans must be in dollars but repayments will be in soft currencies, the fund will never revolve. One witness testifying before the House Appropriations Committee indicated that the development-loan program could last for a generation or longer.

Thus, I fear that we will wake up to the fact sometime that we will be bound to continue to appropriate dollars in order to maintain the Development Loan Fund's capital, since it will not be replenished by loan repayments in soft currencies.

This is the same fear I voiced earlier about any new development fund being set up for the Middle East countries.

I regret to inform the Senate, also Mr. President, that the Loan Fund's policy at this time is to confine the use of repayments to the country where the loan was made. In other words, if we lend dollars to country X, country X repays that loan in her own currency. However, instead of using those repayments where we might be able to gain some benefit, such as in country Y, for example, they must be used in country X.

The net result of this approach will be to pile up local currencies all over the world, which are deposited to our credit, but which we cannot use.

Experience should have amply demonstrated the futility of such an approach. Tables in the House hearings on this year's foreign-aid bill show that the United States already owns some $1.8 billion in local currencies, derived from prior-year foreign-aid programs, from Public Law 480, and other sources.

In a number of instances that currency cannot be used by us even to pay for day-to-day expenses of our Government operations in those countries. It just accumulates until its existence becomes more than our money-hungry planners can stand. Senators well remember that only a few weeks ago, I opposed a barefaced attempt to raid the special counterpart account by making it possible for those funds to be used without regard to existing law.

The funds at which the legislative change was directed had accrued to our credit in Austria. They were just lying there; they could not be used. They provided a tempting tidbit to anxious and eager administrators desirous of getting their hands on a little more money.

Under the circumstances, Mr. President, I approach the loan fund idea with fear and trepidation, but, as I have stated, I am compelled to more or less endorse it because it holds out the only prospect of our obtaining some return, no matter how small, on any further foreign-aid expenditures the Congress may provide. However, I warn Senators that they must not regard the Development Loan Fund as a bright and shining hope. The factors I have already enumerated emphasize the dangers in the fund as it is now proposed to be operated. If, in addition to these, it is remembered that the fund is now incorporated, then the cause for apprehension becomes more acute.

I, for one, do not want to see this program turn into an international RFC, but today it has the earmarks of becoming just that.

I must warn the Senate that the rats have been in the corncrib already. The Development Loan Fund already shows signs of being raided by the big-shot bureaucrats who administer the program.

Senators will recall that the purpose of the Development Loan Fund is to make needed capital available to underdeveloped countries on a loan basis when those countries are unable to obtain loans from other sources, such as the World Bank, the Export-Import Bank, and others.

Yet, testimony before the Appropriations Committee—meeting in executive session—shows that at least one country which does not meet those criteria is going to get a loan from the fund.

Another thing which the record shows is that many of the countries into which we dump billions of dollars do not need to make applications for loan funds. I believe that these funds should be used in order to assist countries which are really and truly underdeveloped.

I wish I could refer Senators to the exact testimony, but the record before the Appropriations Committee has been heavily censored; almost every scrap of information which might be of use to the public, and to the Senate, in properly evaluating this program has been deleted. It is all "secret."

At any rate, I urge Senators to keep a close eye on this fund. It should not be used to assist countries that have already received a bountiful share of our generosity. If we turn our backs, it will be raped, just as the philosophy behind the original Marshall plan has been torn and shredded by the would-be empire builders in the executive branch.

Here, as in other areas of the program, our administrators want to go "all out" in demonstrating to the world that Uncle Sam has an inexhaustible source of dollars, that we are going to cover the globe with a layer of greenbacks. This approach may be easier than making intelligent foreign policy decisions, but it is the primary reason why we are losing the cold war, battle by battle, day by day.

I might add that the administration keeps demanding more "flexibility" in despensing foreign aid funds. Goodness knows, Mr. President, this bill is already about as flexible as any piece of legislation can be and still stay within the constitutional requirement that no legislative power be delegated to the executive branch.

There is no requirement in the bill that the programs submitted to either the Foreign Relations Committee or the Appropriations Committee be carried out as justified. Country-by-country breakdowns which have been furnished by the State Department and the International Cooperation Administration in so-called "justification" of the measure are purely "illustrative." The bill before us does not appropriate funds on a country by country basis. Thus, within the general appropriation headings of this legislation, the administrators have almost 100 percent flexibility.

In addition, there are specific "slush funds" which can be used for any purposes the administrators may desire—for military aid, economic aid, or for any other purpose, with no strings attached.

For instance, the "special assistance" category can be used for economic aid just as the executive branch sees fit. The House provided $185 million for this purpose. The Senate Appropriations Committee, acting in a spirit of complete generosity, raised this to $200 million dollars.

Then, there is the contingency fund. This is a "slush fund" if one ever existed. As I recall, not only can the administrators use this amount as they desire, but a portion of it need not even be accounted for—no vouchers for that portion need be provided.

The House cut this amount to $100 million, but, again, the Senate committee has raised the House amount and has recommended $155 million.

Of course, the plea is made: "Do you not trust the President? Do you not think he would use this authority wisely?"

That begs the question, I must respectfully submit. The President, as a practical matter, does not make the decisions in this area. Someone else makes those decisions for him, and while I might trust the President, I certainly do not see any point or purpose in handing $155 million to some anonymous bureaucrat to do with as he may please.

In this regard, Mr. President, it should be recalled that the administration is once again engaging in the old shell game with the Congress, insofar as these categories of aid are concerned. This year, as in years past, the bureaucrats once again are proving that the administrative hand is quicker than the Congressional eye.

During fiscal 1958, a grand total of $225 million was provided for both special assistance and the contingency fund. This amount was deemed sufficient to provide for special categories of economic aid, and also to take care of any unforeseen contingencies which might arise. Actually, Mr. President, as I have already pointed out, the Chief Executive already has an abundance of discretion to deal with such situations.

Now, for fiscal 1959, the foreign-aid planners have split the 1958 fiscal year special assistance and contingency fund. Where there was 1 fund, we now have 2 funds.

Each, of course, has its separate appropriation. For special assistance this bill carries $200 million and for contingencies, $155 million. Thus, in this bill, there is a total amount of $355 million

to provide assistance to areas where $225 million was deemed sufficient last year.

In other words, again I wish to point out that, instead of tapering off the program, every year we are increasing it.

Is it the Senate's wish to perpetuate conditions which bring us into disrepute, and which actually handicap the attainment of what should be our objectives?

Senators should go into the field, and see how our foreign-aid program actually operates, if they desire specific proof of the damage it is doing to us. In Iraq, for example, where we have spent much money—both for military aid and for economic aid—the very conditions which we created had, I believe, much to do with the revolt there.

How can Senators expect the masses to be grateful to the United States, when in most instances the aid money we provide makes the rich richer, but extends no appreciable benefit to the poor or the hungry? Senators must see for themselves such conditions, as I saw them in country after country, the rich living in big houses, enjoying the best of everything, while millions go hungry in the streets or, at best, live on the very edge of starvation.

Senators should see some of the great work we have done in increasing agricultural production on lands owned by wealthy landlords. The progress has been marvelous; but those who till the land do not obtain any benefit. On the contrary, the landowner's profits merely grow larger while the poor remain poor, and the hungry still starve.

In his recent speech, President Eisenhower said that one of the objectives of his new Middle East plan would be a concentrated effort to bring aid to the people who really need help—the starving masses.

Mr. President, again I respectfully submit that what is good for the Middle East is good for the entire world. If there is a realization on the part of the President that our present wasteful aid program in the Middle East is not getting through to the masses of people in that area, then surely there must soon dawn on him the realization that the same situation must exist in other parts of the world.

I applaud the President's statement, but I should also like to point out that nothing has been changed by his speech; the old giveaway program still continues in all its shameful waste.

Of course, it will be said that three countries, which formerly obtained their share of this largess from defense support, have been transferred from that category into the special assistance category. This might be a plausible argument if the defense support had been reduced proportionately. But, as I have already stated, the amount of defense support for the fiscal year 1959 has been increased over the amount of defense support for the fiscal year 1958.

This factor, coupled with the double-up and catch-up techniques used to obtain more money for special assistance and the contingency fund, emphasizes the wizardry and sleight-of-hand which some of our giveaway artists possess.

Mr. President, I have already spoken at length, and I do not intend to take up much more of the time of the Senate by going into the details of this proposed legislation.

A splendid case can be made, on purely reasonable and logical grounds, for the making of sizable cuts in this program.

Why, in the name of common sense, we should continue blithely to appropriate vast sums of money to maintain a program which has not been effective, is beyond my comprehension, and is beyond the comprehension of most of the American people.

For example, Mr. President, in 1952, I visited Liberia, where we were maintaining a rather large technical-aid program. At that time, I complained that what the fishermen of Liberia needed, for instance, were fewer theoretical fishery surveys, and more nets with which to catch the fish they knew were there.

On page 1508 of the hearings held by the House Appropriations Committee on the 1959 foreign-aid appropriation bill is found the official ICA comment on my recommendation. Here is what ICA said:

> Following investigations of deep-sea fishing conditions by ICA and U. N. experts, a Liberian businessman entered the sea fish business. He has been highly successful.

In other words, Mr. President, our expenditures for fishery surveys in Liberia seem to have redounded to the benefit of one individual businessman who has made much money. No wonder the masses of the people frequently do not know of American aid. And, when they do, they often believe that we are desirous of making the rich even richer, instead of bettering the lot of the common man.

Let me give the Senate just one more example of how this program operates.

In 1956, and again in 1957, I filed with the Committee on Appropriations reports—which were available to all Senators—covering my inspection of foreign-aid programs in a number of countries. Copies of these reports were also sent to the State Department, to the foreign-aid administration, to the Defense Department, and to other interested agencies of government.

In those reports, I criticized our aid program to Afghanistan, particularly our ambitious scheme to build airports in that tiny country, to train pilots to fly airplanes for an Afghan airline, and to provide aircraft for the airline.

Some interesting things about that airline transaction are now coming to light.

For instance, on page 737 of the House hearings, Mr. John O. Bell, regional director, Office of Near East and South Asia Operations, stated with reference to Afghanistan:

> We have provided assistance to the airfield development, also for the purchase of equipment, and we have been providing technical assistance for a contract with some Pan American people for technical services.

In other words, it now develops that Pan American World Airways has the technical assistance contract—for which our Government pays—to extend technical aid to that Afghan airline.

Mr. President, guess who owns 49 percent of that Afghan airline company stock.

Pan American World Airways does, of course. Here, again, I quote from page 737 of the House hearings, with reference to the Afghan airline:

> Mr. ANDREWS. Who owns the airline company?
>
> Mr. BELL. Forty-nine percent is owned by Pan American, and the balance is private and public Afghanistan capital. In other words, 51 percent represents private and public Afghanistan capital, and 49 percent Pan American.

Since the majority interest is split among public and private capital, Mr. President, it would seem to me that Pan American World Airways actually controls an airline company to which Pan American extends technical assistance under a contract with ICA.

It is things such as that, Mr. President, that have given foreign aid such a bad name abroad, and are injuring our Government in its efforts to obtain from the common people—the people we are actually trying to help—sympathy and understanding for our point of view.

At this point, it might also be well for me to mention, for the record, that according to biographical data provided in the House hearings, the present ICA administrator, Mr. James Hopkins Smith, served for 3 years—1946 to 1949—as vice president of Pan American World Airways in charge of the Atlantic division—Europe, Middle East and India. I refer to page 58 of the House hearings.

The facts are there for all to see, but they are ignored. Certainly, they are never admitted by those who demand continued enactment of so-called mutual security legislation.

If Senators desire to vote to continue the program as now constituted, they are free to do so. For my own part, I will not vote for one dime for foreign aid as we now know it.

I refuse to be a party to creating in backward countries conditions which provide fertile grounds for Communist agitators. Anywhere we find vast wealth and abysmal poverty existing side by side, with Uncle Sam helping to line the pockets of the rich, we can expect international communism to gain a foothold and to make progress.

I refuse to pay tribute to oil-rich potentates of the Middle East, in an effort to keep them on our side, while their people remain hungry, diseased, ill fed, and ill clad. I am opposed to the use of American dollars to provide a platform from which Red agitators can denounce our way of life, our foreign-policy objectives, and frequently turn those words into actions.

I am sick and tired of having our country pour millions of dollars into country after country, on the premise that we are "buying" security, when all we are doing is casting intolerable burdens upon young nations which are striving for dignity and independence.

If what we hope to achieve with this so-called mutual security program is to strengthen Free-World defense and to obtain the respect and friendship of other nations, we should stop attempting to stand astride the world, brandishing a checkbook in one hand and a hydrogen bomb in the other.

We will not win the war for men's minds by demanding that they either take our dollars and respect us or suffer the threat of atomic extermination.

Mr. President, let us be realistic.

Freedom exists in the world today not by virtue of the billions upon billions of dollars we have lavished throughout the world, but upon American military strength and the strength of our own economy.

If we continue to rely upon a foreign policy based upon useless dollar gifts, not only will we actually encourage dislike for us and our objectives, but we run the terrible risk of so burdening our own economy that we will be unable to meet future challenges. I remind the Senators of the action we took yesterday in raising the debt limit to $288 billion.

All of us know, or have heard, that during this fiscal year our Government will probably sustain a deficit of from $10 billion to as much as $13 billion. Anyone with common sense knows that we cannot keep our economy strong if we continue to pile debt upon debt. It is becoming very clear that we do not have to get into a war to destroy ourselves. If we simply destroy American initiative by overtaxation we will succeed in accomplishing what the Communist could never accomplish on the field of battle.

I should like to refer Senators to the recent hearings held, wherein our Secretary of the Treasury, Mr. Anderson intimated that if this country goes into the red as much as is anticipated, taxes will have to be increased. This situation does not make sense to me. We are still spending money to assist our so-called friends across the sea, while they are in a position not only to cut their taxes, but to reduce their armies. Yet, there is a distinct possibility that we may have to increase our taxes to continue giving this aid. It does not add up.

If that happens, freedom is doomed, and the Red tide of communism is going to engulf the world.

I plead today for reason, Mr. President. I beg Senators to wake up and recognize what they are doing to the cause they seek to further, the injury which this bill will work upon that cause, by continuing to blindly, haphazardly vote billions upon billions to finance a program which is not working, and which is actually dangerous.

It now remains for us to carefully study the record of this past policy and decide whether or not we wish to continue down the road we have been following.

When the original program was enacted into law, the people of the United States were advised that it was merely temporary, that the United States would simply extend a helping economic hand to peoples in need, so that the threat of their being taken over by a Communist form of government could be averted.

Through this medium of foreign aid, we were told that if we could rehabilitate nations in need through a short-range program, then they could thereafter provide for themselves, and assist us in carrying the burden. But, Mr. President, as I have just indicated, and as I will demonstrate later, we have spent billions of dollars in Western Europe. Those countries are in better financial shape than they have ever been in their history. Yet, we are still carrying from 38 to 40 percent of the cost of their military budgets, aside from our own. That is the kind of help we are getting from them, notwithstanding the amount of money we have been spending in those countries.

We were even told that by granting aid we could make these needy countries strong ones, ready to stand by our side if the worst were to come.

Paul Hoffman, Administrator of the Economic Cooperation Administration, in testimony before the Committee on Appropriations of the Senate on June 8, 1949, said:

Listen to this, Senators. This is Paul Hoffman speaking:

> This economy cannot go on indefinitely spending $15 billion or more a year for military defense.

That was Paul Hoffman speaking only 7 years ago. He said we could not go on spending $15 billion a year for defense without courting disaster, yet now our defense budget has reached the astronomical total of over $40 billion per year. Instead of getting better, the situation seems to be getting worse, Mr. President, despite the extension of foreign aid far beyond the recommendation of ECA.

Let me quote further from Mr. Hoffman:

> The surest way I know of to reduce the danger of war so that we may reduce our Military Establishment is to carry on the recovery program, to the point where a free and self-sustaining and unified Europe is able to play its full role in cooperation with the United States and other free countries in maintaining the peace and prosperity of the world.

I remind Senators, that was Mr. Paul Hoffman speaking, 7 years ago.

At the same hearing, Mr. Hoffman also predicted that by 1952 European industrial production would be at 125 percent of prewar production, and that such an accomplishment would signal the end of ECA in Europe.

I read from the hearing:

> Senator CORDON. Now, Mr. Hoffman, let us assume success at the end of 1952. Let us assume that your target, which I believe is 130 percent of prewar production, has been achieved at that time.
>
> Mr. HOFFMAN. I think it goes a little less than that; I think it is about 125 percent, Senator.

The Senate should be advised that the industrial production of Europe today is not 125 percent or 130 percent of prewar, but it is over 166 percent of prewar production. Despite this, it seems impossible to convince planners that our aid to this area should cease.

We are now supporting our own military establishment. We are also paying for some 38 to 40 percent of the military budgets of Western European countries. In addition we are carrying the whole load in practically all of Southeast Asia, Formosa, and South Korea.

In this very bill there is an item of $12 million to pay for logistical support of the few token foreign forces in South Korea. These token forces amount to about 5,600 troops. Is it not shameful that we are maintaining over 2½ divisions of our own troops in South Korea, with all the other United Nations furnishing only 5,600 soldiers, and in addition, good old Uncle Sam must furnish the money to feed those token troops? I think it is ridiculous. But I say as I have said many times in the past, as long as we permit other nations to lean on us, they are going to continue to do so.

The American taxpayer has put a substantial amount of money into foreign aid. Let us see what he has received for his dollars today.

The North Atlantic Treaty Organization was to be the bulwark against any possible Communist military strike into the West. As originally proposed, it was to be composed of 66 divisions, of which 6 were to be United States troops.

Today, the paper strength of NATO is 30 divisions—both active and reserve. Of the 12 active divisions, in Western Europe, 5½ are staffed by the United States troops. The seven remaining active divisions are European.

I do not include the nations of Turkey and Greece in the statement, but I am speaking only of the area of Western Europe, as where we have spent, as I shall show in a moment, billions of dollars.

England has seen its taxes cut, while personal earnings are rising. Yet, England, too, still leans upon the United States.

France, another of our wartime partners, continues to ask for aid even though French industry is at a higher level than in prewar days. In effect, the United States is being asked to pay for France's pursuit of a colonialistic policy and negotiations are now in progress for further aid to France to bolster her economy.

In the Middle East we see our aid poured into the laps of the very wealthy, with little seeping through to the people we intend to aid. We also find the United States helping to maintain the economies of countries in which the wealthy pay comparatively low taxes.

In Southeast Asia the United States is bidding dollars against rubles to win allies away from the Communists.

From the high point reached by the Marshall plan, the people of the United States have seen the wealth of this country poured into other lands with almost complete abandonment, with little if any long-range results.

It now remains to take a new look at our foreign policy.

We must determine if we can continue this almost indiscriminate spending of money with declining results.

I am satisfied, Mr. President, an objective appraisal will reveal that we cannot.

Mr. President, as I said previously, the pending amendment would cut $100 million from the military assistance program. We can do that easily, Mr. President, without endangering the program in any manner. As I pointed out, there will be sufficient money, if we cut this item by $100 million, to carry this program until September of 1960.

Let us not continue to burden the underdeveloped countries all over the world with armies they cannot possibly sustain. That is what we are doing. The more we do that, of course, the more so-called defense support will be needed.

Mr. President, I have submitted two amendments. One provides a cut of $100 million from military assistance. The other provides a cut of $50 million from defense support. These 2 amendments, if adopted, will keep the 2 funds in balance, as they have been in the past.

Mr. President, in addition to all the direct aid we are now being asked to make available to these countries, there is also a Public Law 480 program through which we assist our friends by furnishing to them millions of dollars in goods and commodities. For instance, in those countries already getting defense support—and I ask Senators to pay particular attention—for 1959 we are providing $135 million in surplus goods, under Public Law 480.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me so that I may propound a unanimous-consent request?

Mr. ELLENDER. I yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Louisiana may yield to me for the purpose of suggesting the absence of a quorum without losing his right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF INDEPENDENT OFFICES APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that, notwithstanding the provisions of section 139 (a) of the Reorganization Act, which requires appropriation bills to be reported 3 days before they are taken up, there be an order to take up the independent offices appropriation bill today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 3028) for the relief of Laszlo Cseri, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11382) to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6282) for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 3571. An act for the relief of Boris F. Navratil; and

H. R. 10495. An act to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bill and joint resolution of the House:

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety; and

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens.

The message also announced that the House had passed a joint resolution (H. J. Res. 704) establishing that the first session of the 86th Congress convene at noon on Wednesday, January 7, 1959, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

H. R. 9700. An act to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes; and

H. J. Res. 648. Joint resolution providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln.

MUTUAL SECURITY APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The pending amendment is the Ellender amendment lettered "C."

Mr. JOHNSON of Texas. May we have the yeas and nays ordered on that amendment?

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, I am informed that the Senator from Mississippi [Mr. STENNIS] desires to make a brief statement, lasting perhaps 5 minutes. The Senator from Louisiana wishes to make a brief statement. The Senator from Illinois [Mr. DIRKSEN] will reply, and I hope there may be a yea-and-nay vote on the pending amendment.

The Senator from Louisiana has another amendment which he expects to offer immediately, and we would like to have the yeas and nays ordered on it. We shall request the yeas and nays as soon as he offers it. If Members will cooperate by remaining in the Chamber, we expect to vote shortly on the pending amendment, and when the next amendment is offered, I have agreed to ask for a yea-and-nay vote on it.

The PRESIDING OFFICER. Does the Senator from Louisiana retain the floor?

Mr. ELLENDER. Yes.

Mr. O'MAHONEY. Mr. President, I was detained this morning from attendance in the Chamber, but I entered the Chamber on several occasions and observed that many other Senators were as busy as I was outside the Chamber. Therefore, I did not have the opportunity to get the full purport of the amendment which the Senator from Louisiana offered.

I wish also to make some inquiry of him with respect to some evidence which I find in the committee report. I am sure this can be illuminated by the statements of the Senator.

For example, on page 4 of the Senate committee report, I find a statement with respect to the defense support which is provided for in the pending bill.

I am aware, from personal conference with the Senator, and from his testimony before a joint committee representing both the Public Works Committee and the Committee on Interior and Insular Affairs, that he has visited a great part of the world in his endeavors to find out what is being done in foreign nations, in the way of their own activities, and by way of expenditure of American funds.

I find on page 4 the statement that the Bureau of the Budget made a request for $835 million for defense support. This, of course, is a request transmitted in the name of the President. The appropriation for 1958 was $725 million, according to the committee report. There is a table on page 2. So the estimate submitted by the President was $110 million more than the entire expenditure for defense support in 1958.

The House of Representatives reduced this amount to $700 million. That was $25 million less than the appropriation in 1958. However, it has been increased by the Senate committee by $90 million, to $790 million. Does the Senator know why that increase was recommended by the Senate committee?

Mr. ELLENDER. The Senate committee tried to approach a bit closer to the authorization; $810 million request was authorized to be appropriated.

Mr. O'MAHONEY. The authorization act provided for——

Mr. ELLENDER. Eight hundred and thirty-five million dollars.

Mr. O'MAHONEY. No, the authorization act provided for $810 million. So the estimate submitted by the President was $25 million above the authorization, but the amount reported by the House committee was $110 million below the authorization act, and $125 million below the estimate. However, the House recommended $700 million, and the Senate committee has recommended $790 million, which, of course, is not only $90 million more than the amount in the House bill, but it is more than the appropriation for 1958. What is the explanation for that increase?

Mr. ELLENDER. I do not know. I have been trying to taper off this assistance. I pointed out in my main address a moment ago that although the authorization for defense support last year was $725 million, there was transferred from the military assistance fund some $24 million which brought the defense support total to $749 million. I sought to point out during my main speech that notwithstanding the increase last year, over and above the amount appropriated by transfer, with 3 countries less than were supposed to have been taken care of last year, this year we have provided almost $50 million more money. That is my reason for offering an amendment to reduce the amount to $740 million.

Mr. O'MAHONEY. Does the Senator's amendment relate to defense support?

Mr. ELLENDER. My second amendment relates to defense support. Despite a proposed reduction of $50 million, it would still provide for defense support in an amount that is $15 million more than was appropriated last year.

Mr. O'MAHONEY. Knowing the diligence of the Senator from Louisiana in visiting foreign countries, I should like to read to him a paragraph from the committee report on page 4. After reciting that the Budget Bureau had made a request for $835 million, and pointing out that $45 million was for Europe, $195 million for the Near East and South Asia, and $595 million for the Far East, I find these words:

> The amounts for individual countries are classified. The countries included are: Spain, Greece, Iran, Turkey, Pakistan, Cambodia, Korea, Laos, Philippines, Taiwan, Thailand, and Vietnam.

The Senator from Louisiana has visited Indonesia and he has visited Taiwan, and he has visted Vietnam.

Mr. ELLENDER. Yes.

Mr. O'MAHONEY. I have heard reports from persons who claim to have been there, and they have told me that the employees of the United States, who are spending this money, are living in homes and palaces of the upper classes in Indonesia and are thereby earning the enmity of the common people of those lands. Is there any basis for that statement?

Mr. ELLENDER. There is no question but that our employees live in the best homes available in Taiwan, in Indonesia, in South Vietnam, and, in fact, all over the world. The Senator remembers that last year there was a burning of our Information Service Center in Taiwan.

Mr. O'MAHONEY. Yes.

Mr. ELLENDER. I believe that a great deal of the enmity which develops comes from the fact that people who represent us forget that they are living in Taiwan or another foreign country. Instead they want to enjoy the use of the finest automobiles and live in the finest homes just as if they were at home. They must remember that they are representatives of the United States in a foreign country and must live according to the style and customs of that country. I have no doubt that that is a great cause of that feeling of enmity to which the Senator has referred.

Mr. O'MAHONEY. Do they give the impression that they are the emissaries of freedom, or do they give the impression that they represent the ruling classes?

Mr. ELLENDER. They are not, in my judgment, very good ambassadors of good will insofar as our country is concerned. There are exceptions, of course. Some employees are a credit to our country, but I must sadly admit that, in my opinion, the vast majority are not.

Mr. O'MAHONEY. What was the reaction among the people, as the Senator observed it?

Mr. ELLENDER. They do not like it. I am talking about the common people of these countries themselves. We have had criticisms of our people from natives of foreign countries because of the way of living maintained by these representatives. I also remember on several occasions getting this reaction from some people: That we advised them they should have certain kinds of hospitals and health centers. We built samples of those facilities. Yet, we found that if we built in one area and not in another area, we created dissatisfaction. In other words, we advocated the establishment of facilities far beyond the economy of those countries to maintain. We are getting ourselves into a great deal of trouble in doing that, because we are trying to build in these relatively backward countries complex and modern facilities in use in this country.

Mr. O'MAHONEY. Mr. President, let me call to the Senator's attention a sentence in the report, just before the list of 12 countries. The report says: "The amounts for individual countries are classified." Does that mean that we are not able to advise the people of the United States the amount of money which will be taken from our revenues to be spent under the circumstances the Senator has described?

Mr. ELLENDER. The Senator is correct. I have complained about that on many occasions. The reason given is that our representatives do not want the people in Indonesia, for instance, to know what the people in South Vietnam are getting. They do not want the people in South Vietnam to know what the people in Taiwan are getting, for fear of arousing jealousies. The funds are not being distributed on the basis of need, but on the basis of who gets what as compared with his neighbors.

When I was in Thailand in 1956 I saw some editorials in which the complaint was made that Thailand was getting only $25 million, whereas South Vietnam was getting much more. The question was asked: Why is not Thailand treated like the other country?

Mr. O'MAHONEY. Does the Senator believe that there is any reason, within the objectives for which this country is struggling, namely, the establishment throughout the world of free governments, why the people of the United States should not know what is being done over there, and why the people of those countries should not know what their governments are doing?

Mr. ELLENDER. Our people should know. They have a right to know. That has been my position throughout. Yet, for one reason or another, these figures are classified.

Mr. O'MAHONEY. Who classified them?

Mr. ELLENDER. ICA or the State Department.

Mr. O'MAHONEY. Has the President classified them?

Mr. ELLENDER. I do not know. I presume so. Those agencies represent the President.

Mr. O'MAHONEY. Was any inquiry made at the hearings as to who classified them?

Mr. ELLENDER. I have no information on who classified them.

Mr. O'MAHONEY. Does the Senator agree with me that what the people of the United States should do, in leading the world to freedom, ought to be done on the table so that everybody could see it?

Mr. ELLENDER. When we render aid to country A, we should make it known to the people who pay for this aid. Why it should be kept secret is beyond my comprehension. I believe the practice developed in the Middle East. I have often heard it said that the only excuse for helping Lebanon was that we were helping Israel. That was the excuse given. The fear was that if it were revealed how much money we were spending in Jordan or how much money

we were spending in Israel, or how much money we were spending in Iraq, jealousy would develop among the countries, and more trouble would evolve than if we kept the figure secret. However, the countries do find it out.

Mr. O'MAHONEY. They all find out except the people of America.

Mr. ELLENDER. That is right.

Mr. O'MAHONEY. I know the Senator has been on his feet for a long time, and I appreciate his answering my questions. His answers have been very helpful to me. I shall not burden him further.

Mr. ELLENDER. I thank the Senator.

Mr. STENNIS. Mr. President, I wish first to commend the distinguished Senator from Louisiana for a very fine and factual statement, a splendid, logical argument with reference to the bill, and for his very fine down-to-earth, practical, and arduous work from year to year in connection with this subject matter. He gives the Appropriations Committee more practical down-to-earth and factual information, as it really exists at the ground level, than anyone else.

I wish briefly to mention my growing concern, which I believe is also the growing concern of people throughout the Nation, with respect to increasing the programs and increasing the appropriations.

At a time when we are blithely going along with a $12 billion to $14 billion deficit in the current fiscal year, the Secretary of Defense tells us of the possibility of a $60 billion to $70 billion military budget within the next few years. That would be the amount of the appropriations for the military alone for each year. We are voting larger and larger appropriations.

However, at the same time we are actually voting on tax reductions. Just a few days ago the Senate Committee on Appropriations was discussing the Supplemental Appropriation bill carrying $3.8 billion. It finished its work at about 6 o'clock in the afternoon. When we came on the Senate floor there was in progress very active and vigorous debate concerning tax reductions.

The pending amendment at that time, which had some chance to be adopted, would have provided for at least a $3 billion tax reduction. We are told that the approximately $4 billion in the bill is necessary for our national survival. Anything which is necessary for the survival of a nation or to save it or its people certainly deserves the making of sacrifice and retrenchments elsewhere. But where is there a move to save and reduce appropriations for other agencies of the Government or other programs in the Government, in order to provide the $4 billion which is alleged to be necessary for our survival? I do not find it. Where is the recommendation to tap some other source of revenue to obtain this money? I have not found that in Congress. I have not found it in the executive branch of the Government.

I do not speak in personalities when I ask: Where is the effort on the part of those who sponsored the bill to do something toward reducing expenses somewhere else, in order to provide the money for this program; or if not that, to provide the increased taxes with which to pay for it? There simply is not any leadership in that direction.

We are blindly going along, merely borrowing the money, and passing the debt on to someone else, rather than to ourselves, thereby, at the same time, cheapening and decreasing the value of the dollar and, therefore, the savings of the people.

So I say it is time for a halt; time for a reappraisal; time to look for the real, positive kind of leadership. If such a program is necessary, then we must have the kind of leadership which will make us endure the hardships necessary to meet these problems. But we are simply not taking those steps now. When we fail to do so, we are misleading the people of the United States. I think the people are correct in assuming—and they do assume—that if the money is necessary, and if the other funds of the Government are necessary, then we will measure up to the courage and responsibility not simply of appropriating to meet these obligations, but also to make certain that the funds are provided.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield briefly; I do not have too much time.

Mr. LAUSCHE. I shall not interrupt the Senator, then; I wanted to make some comments about what he has said.

Mr. STENNIS. I thank the Senator, I have almost finished.

There are others who know more about the operation of the bill than I do. But I at one time supported measures such as this, until I was made a member of the Committee on Appropriations and learned more about how, unfortunately, these funds are spent. I am fully convinced, even though I think we have to have some program rather than turn our back on all these activities, that the bill provides far more money than is actually needed, certainly until the program has been greatly revised.

I think it is another part and another step in our own unfortunate policy of sending more guns and more ammunition all over the world, sending money all over the world, trying to patch up the cracks and stop the leaks, rather than devising a new program which will really meet the situation.

The aid part of the program has now reached the point where it is simply a question of outbidding Russia; that we must do this or that because Russia is doing it. It is the overwhelming nonsense of having such a policy as that which convinces me that the program cannot possibly be successful and, in addition, will bring us untold trouble and unheard-of problems.

I am happy to support the very modest amendment of the Senator from Louisiana, not only with respect to the military funds for guns, but also for the so-called military support. I feel certain in my own mind that these amendments should go far beyond what they propose.

Mr. LAUSCHE. Mr. President, I am in substantial agreement with the thoughts expressed by the Senator from Mississippi. Last night, after the Senate voted to increase the debt ceiling from $280 billion to $283 billion, when I got home I began to ponder the significance of what we did. With lightness of attitude, we increased the ceiling $8 billion. We thought that was the solution of our problem. Many of the citizens of the country, reading about it, probably feel that is the solution. Yet, upon reflection, I cannot help thinking that all we did was temporarily to make possible the printing of a lot of bonds to pay the deficit which was created by Congress in the national fiscal status.

I pondered the fact, as expressed by the Senator from Mississippi, that my bequest to posterity has been a program of spending, on my part, and a burden of paying the debt by those who will follow.

Last night, expressions were made about the lifting of the debt ceiling. Out of a combination of several expressions, in my judgment, came the truth. Those who have voted for every spending measure should have gladly supported the increase in the debt ceiling. They should have said, "Yes; I have been for spending, and I will bequeath to my children the responsibility of paying the taxes which will liquidate the debt."

I think that in the next session of Congress there should be two primary objectives: First, to avoid in the maximum degree the spendings which are not indispensable; second, to plug the leaks in the tax collections. That was the composite thought which was expressed on the floor last night.

Our country is in danger. If my home were in danger of being consumed by fire, my spending would be in the direction of stopping the conflagration. I would not be out spending money on many things which could wait. But that is not what we are doing in the Senate. We are spending, of course, to the extent that we believe is necessary for the national defense. But that spending becomes backbreaking, because accompanying it we are doing much spending which could wait.

Mr. President, some newspapermen should search the records of this Congress and should study the arguments made in regard to each spending bill. Everyone of those bills was supported by the appealing argument, "The life of the Nation is dependent upon this proposal." I doubt that Senators will find a single one of the money-spending bills that was not supported by the argument, "Unless this money is provided by the Congress, the Nation will fail."

Mr. President, if the Nation fails, it will be because of the backbreaking burden of being militarily strong, while at the same time giving no heed to retrenchment in things which are not indispensable, and giving no heed to the plugging of the tax leaks and to the effort to collect taxes where their collection is justified.

Last night, some true revelations were made. I heard some statements regarding fixing the responsibility for the $288 billion public debt. I think that responsibility lies equally upon the administration and the Congress. The President has vetoed many bills. He should have vetoed many more; and the Congress should have passed many less bills involving unjustified spending.

My commendations go to the Senator from Mississippi [Mr. STENNIS].

However, I must say to the Senator from Louisiana [Mr. ELLENDER] that, for myself, I will give heed to the President's words, as set forth on the second page of the transcript of the evidence—namely, that the funds provided in this mutual aid bill are needed for the defense of our country.

I would prefer to err in the direction of voting against other expenditures, rather than to err in the direction of voting against the expenditures proposed by means of the pending bill.

Mr. DIRKSEN. Mr. President, let me say to the distinguished Senator from Ohio [Mr. LAUSCHE] that, if my memory serves me correctly, it was just 40 years ago this month that I was on the western front, in World War I, as a soldier. Since that time, at least a score or more of nations have gone down the drain, and have lost their identity. So far as I know, they did not lose their identity because of overspending. Instead, they lost their identity because they could not defend themselves.

At the moment, we are dealing with a proposal to cut by $100 million the amount the Senate and the House have already agreed upon. The President requested $1,800,000,000. In the authorization bill, the Congress made a cut—a substantial one—of $195 million. The House made a cut of $90 million more.

The Senate has accepted that figure; the House provided for $1,515,000,000, and the Senate has agreed to the $1,515,000,000.

Now the Senator from Louisiana proposes a reduction of an additional $100 million. He does not specify where the reduction should be made; he proposes a meat-ax cut, and nothing more.

Senators can take their choice. On the one hand, we have the President; on the other hand, we have the Senator from Louisiana [Mr. ELLENDER].

On the one hand, we have the Security Council; on the other hand, we have the Senator from Louisiana.

On the one hand, we have the Joint Chiefs of Staff; on the other hand, we have the Senator from Louisiana.

On the one hand, we have the Secretary of Defense; on the other hand, we have the Senator from Louisiana.

As for me, the choice is quite a simple one to make. I intend to vote for the amount on which we have already agreed, because I think it is an irreducible minimum; and, even then, it may not be enough.

We cannot expect countries to deliver their young men to the perimeter of freedom without putting weapons into their hands. In many cases, these countries do not have the capacity to produce the necessary weapons. I have been over that trail several times in Asia, and a good many times in Europe, the Middle East, and Latin America.

I wish to make a confession—and I believe it applies to everyone who has visited those countries: One cannot visit a foreign country for 48 hours, and then, when he comes away, truly be an expert on the subject, because, at very best, in the course of such a visit one can obtain only a very superficial estimate of the entire problem.

If we go along with the amendment proposed by the Senator from Louisiana, then, among other things, it will be impossible to carry on the kind of forward planning which should be done in connection with a program that is worldwide in scope. Adoption of the pending amendment would make it virtually impossible to do the job which should be done in modernizing some of the outmoded weapons we have provided, some of which date back to World War II, and are hopelessly out of date in 1958 and 1959.

The amounts provided by the bill as it now stands are the least we can provide. These amounts have been carefully calculated.

Would we be justified at this point in making an additional cut of $100 million, without assigned a specific reason for the cut?

O Mr. President, I am familiar with all the statements which have been made in an attempt to justify the proposed adoption of the pending amendment. But the judgment of those who have labored month in and month out on these figures is certainly to be trusted more than is the judgment arrived at on the basis of testimony hurriedly taken. I regret that, because of the scheme of things, we cannot devote more time to this subject.

I recognize that the distinguished Senator from Louisiana [Mr. ELLENDER] has performed a notable and a noble service. But the question is one of judgment.

On one side, we find the Commander in Chief, the Joint Chiefs of Staff, the Department of Defense, the International Cooperation Administration, the Security Council, and all the rest; on the other side, we find the Senator from Louisiana [Mr. ELLENDER]. I prefer to rely on the judgment of the Commander in Chief, the Department of Defense, and the others who share their view in regard to a matter which, after all, affects the defense of the Nation.

Mr. KNOWLAND. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Illinois yield to the Senator from California?

Mr. DIRKSEN. I yield to the distinguished minority leader.

Mr. KNOWLAND. Mr. President, I wish to support the position by the Senator from Illinois [Mr. DIRKSEN].

As he has pointed out, in connection with the pending amendment, the amount reported by the Senate Appropriations Committee is precisely the same as the amount provided in the bill as it was passed by the House of Representatives. That amount had already been reduced to the danger point, in view of the Joint Chiefs of Staff and the Defense Department.

Mr. President, in order that Senators may make no mistake about the matter, I read now a dispatch which came over the wire service only a short time ago:

> Communist Chinese shore batteries poured a massive barrage of 55,000 to 60,000 high-explosive shells on the Nationalist Chinese southern group of Quemoy Islands tonight.

Mr. President, I know of nothing which would give more encouragement to the Communist Chinese to move against Free China, Korea, and Southeast Asia than the receipt of word that today the Senate of the United States—in the face of the tense situation which exists in that part of the world—reduced by $100 million the amount of the appropriation for this item, which deals with military assistance to nations with which we are allied in mutual-security pacts.

Therefore, Mr. President, I hope the amendment submitted by the Senator from Louisiana will be rejected:

Mr. THYE. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. THYE. Mr. President, much as I think of the distinguished Senator from Louisiana [Mr. ELLENDER]—who is one of the hardest working members of the Appropriations Committee—I believe that in this instance the Senator from Louisiana has taken an incorrect position.

Therefore, Mr. President, I shall support the view of the distinguished minority leader [Mr. KNOWLAND] and of the distinguished Senator from Illinois [Mr. DIRKSEN], who believe that the Senate should support the amount agreed to in connection with the authorization bill, which amount is provided in the pending bill.

Mr. President, in connection with this question, we must also consider the fact that the House is ready to adjourn. Under the circumstances, I do not know how a conference could be obtained with the House.

For that reason, in addition to the real necessity for the fund set forth in the pending bill, I urge that the amount provided by the bill, as reported by the committee to the Senate, be approved, and that the amendment submitted by the Senator from Louisiana [Mr. ELLENDER] be rejected.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. CHAVEZ. Mr. President, I, too, am a member of the Appropriations Committee; and I, too, took an oath of office, as a Member of this body, just as did the loyal and patriotic Senators who are opposing the amendment which has been submitted by the Senator from Louisiana [Mr. ELLENDER].

I know the history of the amendment of the Senator from Louisiana. The committee previously acted on it, and the committee did not regard it as a sacred thing. The amendment was proposed in the committee; and the members of the committee were not unanimous in their attitude on it; among the committee members, there were differences of opinion.

The motion of the Senator from Louisiana was defeated by a majority

of only one of those attending the committee meeting. So I do not see any reason whatsoever to take the Senator from Louisiana to task because he dares to come on the floor of the Senate and offer an amendment which was lost in committee by only one vote.

I am willing—and I think the people of the United States are willing—to go the limit to feed people who are hungry. But I know there are people by the millions in the United States who do not want to provide guns to France so they will kill Algerians in North Africa, or to provide guns to anyone else so he may kill. That is the only difference. Some of us think we should go as far as we can to feed hungry people, but not to give guns to people in order that they may kill. That is the whole question involved.

It is my purpose, as a member of the committee, to support the amendment of the Senator from Louisiana.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I do not wish to detain the Senate more than a few minutes. I merely desire to make it plain that, on a program which was to last 4 years, in which expenditures were to be $18 billion, we have, through June 30, 1957, actually spent $60 billion. The estimates, through June 1958, show that there will be added to that amount by that time $3½ billion, making a total expenditure, through June 30, 1958, of $63,592,571,000 on foreign aid.

Mr. President, I wish to say to the Senate that besides the appropriations we are now being asked to make, there is still an unexpended balance of $5,466,338,000. In other words, the amount we have already spent, plus the amount appropriated, plus that unspent balance, aggregates $69,058,909,000 for foreign aid, through June 30, 1958.

Mr. President, I ask unanimous consent that the table I have in my hand be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Net U. S. Government foreign grants and credits since July 1, 1945

[In thousands of dollars]

	Obligations
Military through June 30, 1957	20,057,267
Economic and other (including Public Law 480) through June 30, 1957	39,940,304
Grand total	59,997,571

Net U. S. Government foreign grants and credits since July 1, 1945—Continued

[In thousands of dollars]

	Obligations
Through June 30, 1957	59,997,571
Estimated expenditures, fiscal year 1958	3,595,000
Total through June 30, 1958	63,592,571
Unexpended at June 30, 1958	5,466,338
Total aid through June 30, 1958	69,058,909

Source: Office of Business Economics, Department of Commerce. Data through June 30, 1958, unavailable. However Treasury reports mutual security program military expenditures for fiscal year 1958 at $2,176 million and nonmilitary as $1,419 million.

Mr. ELLENDER. For the military assistance program, the one we are now talking about, there is now on hand an estimated unexpended balance, as of June 30 of this year, of $3,568,157,000. That money is there and available to be spent.

Even if my amendment prevails, there will be added $1,415,000,000, to that amount which will make in excess of $5 billion available to be spent in the military program during the current fiscal year.

The amount we are being asked to appropriate provides many millions more to be spent on our so-called NATO friends in Western Europe, countries whose industrial capacity has been increased more than 166 percent over prewar.

Mr. President, it strikes me that most of these countries are well able to take care of themselves. Why should we give assistance to Belgium? I wish I could state the amount. The amount is in this statement, but I am precluded from stating it because it is a secret figure. We are called upon to give borrowed money to a little country like Belgium, which is able to take care of itself, in order to assist them.

Mr. President, I repeat, if the amendment which I have presented is agreed to, the military program will not suffer. Those administering the program will still have in excess of $5 billion to spend. I ask, I plead, that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. EASTLAND], and the Senator from Florida [Mr. HOLLAND] are absent on official business.

On this vote the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting the Senator from Mississippi [Mr. EASTLAND] would vote "yea" and the Senator from Florida [Mr. HOLLAND] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS is absent because of illness in his family.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from New York [Mr. IVES], and the Senator from New Jersey [Mr. SMITH] would each vote "nay."

The pair of the Senator from New Hampshire [Mr. BRIDGES] has been previously announced.

On this vote, the Senator from Indiana [Mr. JENNER] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Maine would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from West Virginia [Mr. HOBLITZELL]. If present and voting, the Senator from Nebraska [Mr. HRUSKA] would vote "yea," and the Senator from West Virginia [Mr. HOBLITZELL] would vote "nay."

The result was announced—yeas 36, nays, 45, not voting 15, as follows:

YEAS—36

Anderson	Frear	McClellan
Bible	Fulbright	Morse
Byrd	Hill	O'Mahoney
Case, S. Dak.	Johnston, S. C.	Proxmire
Chavez	Jordan	Robertson
Church	Kefauver	Russell
Cooper	Kerr	Sparkman
Cotton	Langer	Stennis
Curtis	Long	Talmadge
Dworshak	Magnuson	Thurmond
Ellender	Malone	Williams
Ervin	Mansfield	Yarborough

NAYS—45

Aiken	Hayden	Mundt
Allott	Hennings	Murray
Barrett	Hickenlooper	Neuberger
Beall	Humphrey	Pastore
Bennett	Jackson	Potter
Bush	Javits	Purtell
Capehart	Johnson, Tex.	Revercomb
Carroll	Kennedy	Saltonstall
Case, N. J.	Knowland	Schoeppel
Clark	Kuchel	Smathers
Dirksen	Lausche	Smith, Maine
Douglas	Martin, Iowa	Symington
Goldwater	McNamara	Thye
Gore	Monroney	Watkins
Green	Morton	Wiley

NOT VOTING—15

Bricker	Flanders	Jenner
Bridges	Hoblitzell	Martin, Pa.
Butler	Holland	Payne
Carlson	Hruska	Smith, N. J.
Eastland	Ives	Young

So Mr. ELLENDER's amendment was rejected.

Mr. KNOWLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. ELLENDER. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is designated "8–20–58–B."

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 2, line 8, it is proposed to strike out "$790,000,000" and insert in lieu thereof "$740,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays ordered on the amendment?

The yeas and nays were ordered.

Mr. LANGER. Mr. President, I have always voted against foreign aid since I have been in the Senate. I have prepared a statement which I ask unanimous consent to have printed in the body of the RECORD following the remarks of my distinguished friend from Louisiana [Mr. ELLENDER].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LANGER

It is sometimes easy to understand why the American people may have lost complete confidence in the Department of State, and sometimes in the Congress itself. It is in measures like this Mutual Security Act where it sometimes seems we do not seem to know, or care, what happens.

In the course of the debate on this appropriation bill, we shall hear just a few arguments. The arguments will revolve around the program of the President, the necessity of doing this in a Free World, or the call of economy.

The Committee on Appropriations considered this bill for the most part in executive sessions. About the only thing the American people had opportunity to hear were the threats by the President against any cuts in his foreign aid requests, and of a special session unless we do exactly as he asks. I would be willing to have a special session on this bill alone in order that we might air it to the United States and to the world.

The secrecy is largely the fault of the Department of State. I can say this advisedly because it also happens frequently before the Committee of Foreign Relations, of which I am a member. Truthfully, the Department of State plainly and frankly doesn't want one country to know what another is receiving in economic or military assistance, or why it receives it. The net result is that not only is the whole program, and its effect, kept from those we try to help, but even the American people do not know what they are paying out billions for. I put this question to the people of my State, and it was defeated 3 to 1.

I think the whole thing should be thrown right out into the open, and the Members of the Congress should openly fight for or against what they really believe. I think it vital that each country know exactly what and why another country gets certain financial assistance and certain programs, and more importantly, that the American people know, too.

The opinions of those sitting right above the clock, and who sell their opinions for a nickel or a dime ought not to supply the nerve or the fear in the Members of the Senate. The newspaper editors of the United States of North Dakota have never worried me, or caused me to swerve from what I thought I ought to do. I have never hesitated to tell them freely and frankly—that is the truth as I see it.

It does not surprise me to see that Time, Life and Fortune hastened to smear the entire membership of the Congress in connection with the Adams-Goldfine situation in an effort to erase any ashes from the office of the President and the administration. I don't know why so many Republican Members of the Congress concern themselves over their failure to be able to personally contact the White House. They can read Time or Life any week and get the official White House policy. If any of us voted according to the dictates of Henry Luce, he wouldn't get many votes either. I can only suggest that any man who controls news media like Time or Life, can hardly be impartial in the field of foreign affairs. By the same token, if you read the New York Times only, within 4 weeks you wouldn't know what was going on in these United States.

Mr. President, it is my reluctant duty to call attention to the fact that we have before us a bill appropriating money from the United States taxpayers which contains one item for which there has been no justification or question. It is the item continuing the $120 million credit program to Venezuela for strictly military equipment.

This credit, most lavish of all in the hemisphere, was begun in 1956, and has continued each year, limited only to $25 million in any one year. Mr. President, since you were down there in your role of Vice President of the United States and harvested the greatest insults heaped upon America in my memory, you are aware of the fact there has been a complete change of government in Venezuela since 1956, and not for the best either, I might suggest. I should imagine someone would have wanted to reappraise the entire program.

It is my understanding that no one from the Department of State testified during the executive hearings of the Appropriations Committee on whether or not the program should be dropped or canceled. The Department of State never raised the question, and I am reliably advised it never raised the question in Venezuela. I was informed no member of the Appropriations Committee raised any question either. So here we have a $25 million a year item for a country which has not said if it wants it, based upon no justifications for this year, and continued with a governmental structure which no longer exists, and probably for a purpose which no longer exists. I say we are careless about this mutual security bill; that we do not know what is in it. I do not lay this blame to the Appropriations Committee, because after all the committee is there to hear requests from the President and to make inquiries into those requests.

But, I should imagine that the Congress would have cared enough about the Venezuelan incident to rip out everything in the bill for Venezuela and simply start all over again on a new course with that country and in light of the new government.

There were a number of outraged speeches in the Congress to withdraw mutual security funds from the Dominican Republic when some movie actress chose to use the mutual security debate and her appearance in a Washington nightspot as a means of some good personal publicity, whether accidental or planned, because of a gift. But, when Mrs. Nixon is spit upon, when the Vice President of the United States and the Presiding Officer of the United States Senate is insulted, we don't even bother to ask questions about that appropriation. Neither did any of those crusading editors, who compete for prizes for what they can dig out of some corner that was overlooked.

Do we know, Mr. President, if this Venezuelan Government wants, or should have, the credit program for military equipment. The last purpose for which it went to my knowledge was for cargo aircraft for the Air Force.

While on the subject of Venezuela, Mr. President, let me point out that for some 8 years the former President of Venezuela, R. Betancourt, languished in the United States in exile, and while under our protection fomented unrest in the hemisphere. There were no outcries he be returned to Venezuela to be strung up by his heels. It may be remembered that it was General Marcos Perez Jimenez who headed the junta which ousted Betancourt and the Communists. It is not surprising that today Venezuela is demanding the return of General Jimenez. I am inclined to resist any and all efforts to return him to Betancourt, or to interfere with his asylum in the United States. It is curious to note that Betancourt's brother is the registered agent here for the Cuban rebels.

I have pointed out some carelessness, Mr. President, and I now believe it our duty, the duty of the Committee on Appropriations, to move to strike out Venezuela from the bill. This will make sense in this hemisphere and in the world; it will uphold the dignity and honor of the presiding office of the United States Senate, and cause other nations to reappraise their attitudes and their cooperation.

Loans and assistance alone, Mr. President, will not create the favorable conditions which we have set our sights upon in this mutual security program. If they did, then with this, most lavish of all in the hemisphere, the Vice President would have been met with flower strewn paths and honor rather than spit and vilification. With mercy, we need firmness, and we need complete understanding and objective.

Unless there is some personal planning and objective put into this mutual security program, there is a far more simple and just as sense-making way to appropriate the American taxpayers' funds.

Each country can provide facts on its economy, its needs, and its problems. The information can be fed into a State Department Univac, watched over by three Members of the Congress, and out of this machine will come a methodical but indifferent calculation of what each country ought to have. But, Mr. President, we cannot be indifferent in something as expensive and vital as this. The Senate must show Venezuela's ruling government officials and her party leaders, and must show the world, that the Senate is not indifferent.

THE NATO SCIENCE PROGRAM

Mr. JACKSON. Mr. President, we are finally making practical progress in programs to improve the development and utilization of scientific and technical talent in the NATO community. The Mutual Security Appropriation Act before us will be the general source of funds for the initial support of the NATO science program, including two projects which are of special concern to me.

These two projects are the NATO-wide fellowship-scholarship program and the advanced-study institutes program.

Mr. President, on November 20, 1956, at the Second Conference of Members of Parliament from the NATO countries, I proposed the setting up of a special committee on scientific and technical personnel to make recommendations on

how NATO countries might more effectively develop their potential scientific and technical talent. I ask unanimous consent that the text of that resolution be inserted at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SECOND CONFERENCE OF MEMBERS OF PARLIAMENT FROM THE NATO COUNTRIES—RESOLUTION PROPOSED BY SENATOR HENRY M. JACKSON (UNITED STATES OF AMERICA). ADOPTED AT THE FINAL SESSION OF THE CONFERENCE

Whereas the parties to the North Atlantic Treaty have agreed "separately and jointly, by means of continuous and effective self-help and mutual aid" to "maintain and develop their individual and collective capacity to resist armed attack" and to "encourage economic collaboration between any or all of them";

Whereas the capacity of NATO to resist armed attack and to continue that economic growth which is the cornerstone of its freedom depends in large part upon the development and use of its existing and potential scientific and technological talent; and

Whereas there is evidence that members of NATO may not have directed sufficient energy either (a) toward the maximum utilization of existing scientific and technological talent, or (b) toward the development of new talent: Now, therefore, be it

Resolved, That this Second Conference of Members of Parliament from the NATO countries:

1. Establishes a Special Committee on Scientific and Technical Personnel to consist of one representative from each state participating in this Conference;

2. Requests such Special Committee, the Chairman of which shall be designated by the President of the NATO Parliamentary Conference, to submit to the next session such findings and recommendations as it deems appropriate with respect to:

(a) The present situation with respect to the training of scientific and technological personnel in the NATO countries;

(b) The relationship between NATO utilization of its existing potential resources in this field and the utilization of similar resources by the Soviet bloc;

(c) The development of resources of scientific and technological personnel sufficient to enable the NATO countries to maintain their individual and collective capacities to resist armed attack and to continue their economic growth essential to their strength and well-being.

3. Requests the parliaments of states members of NATO, as well as the executive agencies of those states, to assist the special committee created by this resolution in its study.

Mr. JACKSON. Appointed chairman of the Parliamentary Committee on Scientific and Technical Personnel, I undertook to prepare a report in accordance with the resolution. In preparing that report I had the full cooperation of the executive branch and the advice and support of a distinguished group of American scientists, educators, and industrialists. The advisory group was composed of the following members: Dr. Detlev W. Bronk, president, National Academy of Science; Dr. Richard Courant, director, Institute of Mathematical Sciences, New York University; Dr. David Griggs, professor of geophysics, Institute of Geophysics, University of California, Los Angeles; Mr. Eric Johnston, president, Motion Picture Association, Chairman of the International Development Advisory Board; Dr. J. R. Killian, Jr., then president, Massachusetts Institute of Technology; Mr. Kenneth Mansfield, assistant to the general manager, nuclear division, Combustion Engineering, Inc.; Dr. Maria Geoppert Mayer, professor of nuclear physics, the Enrico Fermi Institute for Nuclear Studies, University of Chicago; Dr. Rubin F. Mettler, program director, Air Force IRBM program at the Ramo-Wooldridge Corp., Los Angeles, Calif.; Dr. Howard A. Meyerhoff, Executive Director, Scientific Manpower Commission; Mr. David Sarnoff, chairman of the board, Radio Corporation of America; Dr. Edward Teller, then associate director, radiation laboratory, University of California, Berkeley; Dr. John A. Wheeler, professor of physics, Palmer Physical Laboratory, Princeton University.

Dr. Wheeler served as chairman and Mr. Mansfield as secretary of the advisory group.

Thanks to the help of this distinguished Advisory Committee, as well as advice from members of the international NATO Committee, I filed a report with the Third NATO Parliamentarians' Conference in November 1957 entitled "Trained Manpower for Freedom." That report, with a few amendments, was unanimously adopted by the Conference.

In that connection special recognition should be given to the excellent work of four of my distinguished colleagues at the Conference, Senator GREEN, Senator KUCHEL, Representative CORBETT, and Representative FRANK SMITH.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD major portions of that final report.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

TRAINED MANPOWER FOR FREEDOM—EXTRACTS FROM THE REPORT BY THE COMMITTEE ON THE PROVISION OF SCIENTIFIC AND TECHNICAL PERSONNEL IN THE NATO COUNTRIES

THE PROBLEM

The member states of NATO confront a genuine crisis in the form of serious shortages of skilled scientific and technical manpower.

This shortage is due above all to the scientific revolution through which the world is now passing.

Useful atomic power automation, and the thousand and one other practical applications of the scientific discoveries of the past 50 years can raise standards of life throughout the world to a new plateau.

At the same time, this revolution has immensely complicated the problem of resisting military aggression. The NATO community must be able to defend itself against ballistic missiles, nuclear bombs, and an entire panoply of other new weapons systems.

The scientific revolution has created an unprecedented demand for qualified scientists and engineers. Only with more trained managerial and technical brainpower can NATO take full advantage of the new opportunities for industrial progress and economic well-being. More and better skills will also be needed if the Atlantic nations are to continue their historic role of the chief exporters of science and technology to the underdeveloped areas of the world.

The need for more skilled personnel is underlined by the Soviet military and educational effort. Scientific manpower is being graduated in the Soviet Union at a present per capita rate approximately twice that of the NATO community as a whole. Russia now turns out more scientifically trained people than any western nation, and is accelerating the output at a higher rate than any nation. Furthermore, Soviet instruction is of high quality.

The fact that the Soviet Union was the first to launch an earth satellite is proof enough of their great technical competence.

One fact requires emphasis, however. NATO would need more trained manpower even if there were no Soviet Union and no defense effort. The root causes of the shortage are long term in nature. They stem from the scientific revolution itself, and its technological consequences.

To realize the full promise of the scientific revolution NATO must solve a triple problem. There is the problem of quantity—how to increase the total number of qualified scientists and engineers. There is the problem of quality—how to discover and nurture the truly exceptional talents, the Maxwells, the Fermis, and the Bohrs of coming generations. There is the problem of utilization—how to employ our technical brainpower in the most efficient manner.

ENDS AND MEANS

The long-term goal should be this: No barriers to the development of talent. Nothing is more precious. It is the greatest resource of the State and of the free world community. It should be sought out and nurtured.

Every qualified young person within the NATO community who wishes for a career in science and engineering should be encouraged to try for one, and should be able to secure the necessary education. Yet today in all NATO countries, countless young people with marked ability for scientific and engineering careers end their education with the secondary school.

In many cases, students do not have the money needed to complete their education. In other cases the incentive to go further is absent. In some countries artifical social barriers hold back students of great native ability.

A similar need for more open doors to opportunity, of course, exists in the humanities and the social sciences. This report, however, is confined to the problem of scientific manpower.

The goal of "no barriers to talent" may not be reached for decades, or even generations. Before the goal is reached a whole new public philosophy toward science and technology may be required. Far more than they are today, the teaching and practice of science and engineering must come to be regarded as among the greatest human callings.

We should never lose sight of the long-term goal. Meanwhile, however, we confront the immediate problem—how to take additional practical steps to remedy the manpower storage.

Governments can do much to help, but by no means all. Over the long run, it is the people themselves who will decide the success or failure of corrective measures. It is the people themselves, as parents, who must take major responsibility in encouraging gifted young persons to follow careers in science and engineering. Over and above all else, it is the people themselves, and not their governments, who must create a social climate in which intellectual exploration is recognized as a great odyssey of the human spirit.

We should not exaggerate the potential contribution of cooperative international measures. International agencies cannot assume the primary responsibility for official action in this crisis; that must be accepted by national governments.

Without exception, the member states have begun remedial programs. In each country, the problem has a different specific form. Some countries particularly lack technicians. In others, basic science is relatively strong, and applied technology comparatively weak. In still others, women graduates in science find difficulty in securing appropriate employment; in yet others, educational facilities in the form of inadequate laboratories are the greatest single obstacle to progress. Most NATO countries report a shortage of science teachers in secondary schools and universities.

In almost all the NATO countries there are numbers of qualified scientists who could be utilized more effectively than at present.

It is important that national programs be supplemented and assisted by cooperative international actions. However, the resources available to the North Atlantic Treaty Organization are limited. They should not be dissipated on projects, however meritorious, of secondary importance. Our practical problem is to get the maximum benefit out of these resources.

Ideally, NATO activities should be catalytic in nature. That is, they should aim at initiating chain reactions which extend over the broadest possible scientific and technological front.

By the same token, we believe that the resources available to NATO should primarily be used to support and broaden the work of existing schools, research centers, and agencies in this field, rather than to create wholly new institutions.

Therefore, this report makes the following recommendations:

PART I

Recommendations

1. An Atlantic community talent development program: It is recommended that there now be established a NATO-sponsored and NATO-financed talent development program, designed to produce annually at least 500 doctoral degree holders with research experience in the fields of maximum importance for the defense and economic well-being of the NATO community.

Certain disciplines are today of overriding importance for the future of the NATO community—both for strengthening our military defenses and for promoting technological progress. Among these fields are applied mathematics, aero and fluid dynamics, basic electronics, nuclear physics, solid state physics, physical chemistry, and metallurgy.

Last year, American universities awarded a total of less than 450 doctors of philosophy in these fields. The number of comparable degrees granted in Europe was apparently considerably smaller.

A relatively small number of additional trained people of outstanding talent in these disciplines could have the catalytic effect which we deem so important.

Three obstacles now exist:

(1) Too few qualified instructors;

(2) Too many students with great potential leaving school before receiving advanced training; and

(3) Inadequate laboratory facilities in the schools.

An Atlantic community talent development program should be designed to produce annually 500 doctoral degree holders in the fields of greatest importance for the defense and welfare of the NATO community. The doctoral degree, as used here, would require 2 or 3 years of research work, a thesis and an examination on the thesis.

Such a program would give financial assistance to students, in the form of fellowships, and to universities in which the fellows enrolled, in the form of special development grants to help improve teaching facilities. Atlantic Community fellows could be selected through a NATO-wide competition patterned after the Rhodes scholarship plan. Regional nominating boards might be established in each country, and final awards would be made by a NATO-wide group.

It might be desirable to establish two types of fellowships. One would be granted at the equivalent of the American freshman year in college and would be renewable annually until the fellowship holder received his doctorate. The other would be awarded at the level equivalent to the first year in an American graduate school, and would also be renewable. Each type of fellowship program might be geared to produce 250 doctors of philosophy annually.

The awards might range from $500 to $3,000 annually for each fellow, depending on his age and training.

Fellowships granted to students coming directly from high school would presumably pay less than those for more advanced students. Younger students would also presumably be left as free as possible in their choice of scientific fields.

At the same time that each fellowship was awarded, a special development grant would be made to the university in which the student enrolled. Depending upon the cost of facilities and instruction and the field chosen, such grants to universities might range from $1,000 to $4,000 per each fellow enrolled.

Since the manpower shortage problem is most acute in Europe, the large majority of the fellowships should be awarded to European students, for use primarily in European universities.

Atlantic Community fellows, other factors being equal, would choose to study at the leading European center for their particular discipline. The grant to the university associated with each fellowship would enable the institution to strengthen its facilities and improve its faculty still further. In time, this program could encourage the development of truly outstanding centers in each of the fields to which the program is applicable.

We estimate that this talent development program, in full operation, would cost a total of between $8 million and $10 million annually.

At the very outset, this program would probably be financed very largely by contributions from NATO itself and from the member governments. However, industry and privately endowed foundations could also be encouraged to make grants.

2. An awards program for teachers and students in secondary schools: It is recommended that NATO sponsor and finance an annual awards program in mathematics or science for outstanding secondary school students, together with their instructors.

Many authorities maintain that the root cure of the scientific manpower problem lies in attracting more qualified students into mathematics and science at the level of the United States high school. One important way of accomplishing this is through raising the quality of instruction, since behind every good student there is a good teacher.

In order to give both teachers and students in the secondary schools an additional incentive for effort and excellence, it is proposed that NATO sponsor an annual competition, which would give monetary awards to outstanding students, together with their instructors.

For example: An annual mathematics competition could be established. Students of a designated age level would take national examinations of uniform difficulty. Those scoring highest nationally would then be eligible to compete for grand prizes in a NATO-wide contest. Five thousand prizes of $300 each would be provided, together with perhaps 100 grand prizes of $1,000 each for the overall NATO competition. Each prize would be divided between the student and his teacher, with perhaps one-half going to the teacher or possibly to the school. The total cost of such a program would approximate $1,600,000 annually. This NATO-wide mathematics awards program is considered a minimal one. We would hope that each of the 15 members of NATO would follow through with its own program of awards.

Such a NATO-wide competition could be applied in other fields, for example, in physics, and awards could be granted for general attainment in the sciences. Whatever specific form the competition took, certainly for relatively modest outlays of money, it should help to raise the level of instruction and study in our secondary schools.

It may also be desirable to develop other positive means to stimulate interest in science at the high-school level. For example, book prizes long have been a feature of many secondary schools with high traditions of training. Members of NATO might experiment with student award programs which take the form of a distribution of outstanding monographs on science.

3. Summer study institutes: It is recommended that immediate steps be taken to increase the number and variety of summer study institutes within the NATO community, in order to extend the influence of outstanding scholarly talent in fields now hampered by a shortage of teachers.

The summer study institute has been an important postwar educational development both in North America and in Europe. More than 100 institutes concerned with mathematics, the sciences, and engineering have been held this year in the United States, 96 of which were supported by the National Science Foundation. Two typical European summer study institutes are those at Les Houches in France and Varenna in Italy. The former, sponsored by the University of Grenoble and the French Ministry of Education, offers summer seminars in modern physics. The latter, sponsored by the Italian Physical Society, the Ministry of Education, and Italian industry, holds summer seminars in different fields of physics each year.

Summer institutes serve different purposes. One gives advanced training to graduate students in specific disciplines; another brings together mature research scholars for a summer-long seminar in particular scientific problem areas; yet another offers refresher courses in science or mathematics to secondary school or college teachers.

Unlike more ambitious undertakings, the institutes are relatively easy to establish. They focus on one problem area; their enrollments are limited; they are held at places where study and recreation can be combined; they attract a more international student body and faculty than is customary for an ordinary graduate center; they are administered by existing organizations; they meet during the academic vacation period when university instructors are free of their normal duties.

Several additional institutes should be established, both in North America and Europe, by the summer of 1958, and the number of institutes could be increased in succeeding years. Nuclear engineering, applied mathematics, solid state physics, agriculture, fisheries, and medicine are natural fields of study for such existing and new institutes. These institutes would be staffed and attended by professors, research workers, and highly qualified young students from throughout NATO and other European countries.

Summer institutes might also be held (1) in the learning and teaching of mathematics, for secondary school and university teachers; (2) in methods of acquainting young people with the world of science, for public opinion

leaders in NATO countries, and (3) in managerial techniques, for key personnel in industry, education and government.

It should be possible to rely chiefly on existing institutions in setting up the summer programs. Qualified centers would be invited to submit proposals for summer study programs, and these proposals would be evaluated on the basis of the competence of the proposed teaching staff and the adequacy of the available facilities. Also, the institutes could be administered by existing centers, for example, under the general sponsorship of the National Science Foundation or the Academy of Sciences in the United States, and by their counterpart organizations in the other NATO countries.

Since many outstanding younger students would find it financially difficult to attend summer institutes, consideration should be given to a scholarship program, with modest stipends, for predoctoral students. Funds for such scholarships might come, in part at least, from nongovernmental sources.

The idea of a European-wide center of postgraduate studies—internationally staffed and financed and drawing to it the finest students in Europe—has long excited the imagination of scholars on the Continent.

In time, it may be practical and desirable to establish a postgraduate school, which could constitute a NATO center for advanced technology. Such a center might evolve organically from less ambitious NATO-sponsored activities in the manpower field. Several years of preparatory planning, however, would probably be necessary.

At present, it seems best to place primary emphasis on programs along the lines of those proposed in this report, which would strengthen existing centers of study. It is estimated that $100,000 would be a sound initial NATO contribution for the summer institute program. This fund would be supplemented by funds from private foundations and other sources and would permit the immediate planning of at least two key institutes in the summer of 1958.

4. International exchanges of scientific and technical personnel: It is recommended that NATO member states expand their international exchange-of-persons programs involving scientists and engineers and advanced students, and in this connection, enter into agreements to mutually recognize equivalent degrees.

The value of this program has already been fully demonstrated. A vastly stepped-up program is now required.

Personnel exchanges and foreign visits are generally designed to serve an educational purpose in the broad sense. They may serve to familiarize the technically trained visitor with new discoveries and techniques which may then be applied more widely. In the narrower academic sense, many thousands of students from NATO countries receive their scientific and, especially, technological training outside their home country.

Under present Government programs the exchange of civilian scientific and technical personnel among NATO countries is relatively small. Personnel in the humanities, the social sciences, and art, predominate.

Expanded programs of exchange of scientists and engineers would have the immediate advantage of improving the usefulness of persons already recruited for scientific work.

For example, it is suggested that particular attention be given to expanding exchanges for post-doctoral students who are just beginning their careers. This is a critical period when many excellent people are lost to their chosen field. Stimulating contact with the best experience abroad could help open their eyes to the importance of the contribution they may be able to make.

The exchange-of-persons programs will be aided if prompt steps can be taken by NATO countries to recognize equivalent degrees.

5. Cooperative project research under NATO sponsorship: It is recommended that NATO sponsor and finance additional important cooperative training and research projects which particularly lend themselves to international action.

Seven years ago the NATO-sponsored and NATO-financed Advisory Group for Aeronautical Research and Development (AGARD) was established to invigorate the study of aerodynamic theory within the NATO community. Leading scientists and engineers from all the NATO countries participate in the organization and technical panels of AGARD. Its next general conference will attract 400 to 500 representatives from throughout NATO. Following an AGARD recommendation, a training center for experimental aerodynamics was established in Brussels. This center, supported directly by NATO, brings together outstanding teachers and graduate students from the entire NATO community, and it has functioned with outstanding success.

The precedent of the aerodynamic training center should now be extended to other training and research problems when it can clearly be shown by scientific opinion that cooperative international action is appropriate. A long-term program of cooperative meteorology research, under contract to NATO, is an example of a project deserving further consideration.

In a few fields, it might be necessary to establish new training centers. Wherever possible, however, such NATO contract support should be given to established all-European study centers in fields relevant to military defense and economic progress, as leaders in such fields of study come forward with concrete and outstanding proposals.

6. A European-wide Employment Clearing House: It is recommended that a European-wide employment clearing house for scientists and engineers be established.

One of the most serious practical problems faced today is equating the supply of scientific skills with the demand for these skills. In the highly industrialized parts of the NATO Community, demand for highly trained technical manpower exceeds supply. But in other areas, there is underemployment or actual unemployment for scientists and engineers, particularly those just finishing their training.

One obvious way to help remedy this situation is through a European-wide scientific and engineering employment clearing house. The employment rosters of American scientific societies offer a precedent for such a clearing house.

The goal would be to assemble in one register, and at one place, a list of employment opportunities available throughout Europe, together with a list of qualified applicants for such positions.

Once such a register was prepared, and kept current, industry, the universities, research centers, and technical personnel would, beyond question, find it of great usefulness.

7. The role of industry: It is recommended that industry give a greater support to academic institutions by making scientists and engineers in its employ available for teaching and assignments in secondary schools and universities, and by helping sponsor and staff summer teaching and research institutes.

There has been a traditional barrier between science in the university and science in industry. The campus has been the home of pure research, with industry the home of applied research and technology. Commonly, there has been little commingling between the two.

In a few countries, this traditional barrier is now breaking down. For instance, more than one-half of the advanced-degree holders in science and engineering in the United States are today working in industry. In a few countries industry is now lending schools heavy support through contracts for on-campus research, and grants for new professorial chairs, additional facilities, and scholarships and fellowships. In return, schools are giving industry much needed assistance through such means as consulting services.

This exchange between the schools and industry is mutually profitable, and is much to be encouraged.

Industrial companies could make a regular practice of granting sabbatical leaves to selected scientists and engineers in their employ, and loaning them for full-time teaching assignments in colleges, universities and secondary schools. Further, industry could immediately help sponsor and staff summer teaching and research institutes.

8. Maintenance of national remedial manpower programs: It is recommended that the member governments be invited by the NATO Council to maintain appropriate programs for remedying the manpower problem on the national level.

Toward this end they should be invited to do the following:

(a) wherever possible encourage and stimulate higher standards of scientific training;

(b) initiate, expand and continue their studies of scientifically and technically trained manpower, with particular reference to numbers, employment, utilization, and their future needs;

(c) request their appropriate educational authorities currently to review the adequacy of their educational facilities for providing scientific training, especially in view of the growth of populations and of the demand for education on the part of large numbers of people, and annually (or at some other frequent and regular interval) hereafter to prepare for NATO a report on progress made in this field;

(d) request their appropriate educational authorities to determine whether enough time is now devoted to the study of mathematics and science at the high school level;

(e) examine the supply and training of teachers in technical fields; and

(f) give wide public currency to their findings.

9. An informed public opinion: It is recommended that the NATO Parliamentary Conference, the NATO Council, the member governments, and all nongovernmental bodies concerned, maintain a continuing and vigorous program to focus public attention on the necessity of remedying the manpower shortage problem.

A successful long-term program for remedying manpower shortages must rest on wide-spread popular support. The problem will not be solved until there is a far greater public awareness of the problem's dimensions and importance.

The NATO Parliamentary Conference can itself help focus attention on the manpower problem. The Conference is composed of elective officials from the member states—legislators who are in daily touch with their constituents, and who are responsible for inviting the attention of their electorates to questions of great consequence.

There are certain practical steps the NATO Parliamentary Conference can now take:

(a) the problem of scientific and technical personnel should be given a prominent place on the agenda of each annual meeting of the Parliamentary Conference;

(b) the Special Committee on Scientific and Technical Personnel should be made a permanent and continuing body of the Conference; and

(c) The Conference should sponsor an annual stocktaking report on this entire problem. This report might be prepared in cooperation with the Organization for European Economic Cooperation and other organizations active in this field. Such a report prepared in a nontechnical and readily understandable format, would be a periodic review of progress made and problems yet unsolved in raising the quantity and quality of technical manpower. Efforts should then be made to give these annual reports the widest possible circulation.

10. Administrative questions: The problem of how best to coordinate scientific manpower activities sponsored or encouraged by NATO is difficult and important.

Obviously, these programs would have to be administered with extreme flexibility. We take it for granted that national educational authorities would be closely consulted throughout, and that due regard would be given to the particular problems of specific member states.

We doubt that NATO, as such, should be directly involved in the day-to-day administration of these matters.

The possibility of contracting out the administrative direction and coordination of these activites to some already existing academic or research organization has been carefully explored with leading authorities both in Europe and America. These inquiries have indicated that there is probably no existing organization which could assume these duties.

The best way to proceed may be to establish an Atlantic Community Foundation. The governing board of the foundation would be composed of two eminent representatives of each of the NATO countries, possibly nominated by the appropriate national academies or scientific societies. The governing board, which could meet semiannually or quarterly, would elect a chairman, who would in turn appoint a full-time executive director plus a small administrative staff.

The foundation could work under contract to NATO, and it might also receive funds directly from member governments and from nongovernmental sources.

The foundation might find it desirable to establish its headquarters at some already existing European university or research center of outstanding reputation.

The executive director of the foundation should be selected on the assumption that his drive and good sense could be the determining factor in implementing an effective scientific manpower program in the NATO Community.

A draft administrative budget for the Atlantic Community Foundation should be developed for presentation to the meeting of the NATO Council on December 16.

PART II

Recommendations

1. A NATO Defense Missile Training Center: It is recommended that a NATO Defense Missile Training Center be established immediately.

Today, some of the member states are relatively familiar with the complex planning and operational problems which will be posed by the integration of defensive missiles into the NATO armed forces. Other members of our community, however, now have little acquaintance with these same problems.

A common minimum level of familiarity with these armaments is needed by our entire community. To secure this, a long, and intensive, and systematic training program will be necessary.

We, therefore, propose that a NATO Defense Missile Training Center now be established, for the purpose of handling this problem on a NATO-wide basis.

The first aim of the center would be to give NATO engineers and technicians, and armed forces members, a better understanding of the elementary practical problems involved in the use of missiles.

Once this foundation were laid, the center might develop means for the testing of missiles employed on a NATO-wide basis. A NATO-sponsored missile training and testing range could be established, where practical experience in the use of operational missiles could be gained.

Still later, at this or other centers, basic research programs might be sponsored in scientific areas relevant to the technology of missiles and missile countermeasures. Such programs would aim at utilizing more effectively and broadly the skills of our community's scientists.

2. A North Atlantic Institute for Defense Studies: It is recommended that a North Atlantic Institute for Defense Studies (AIDS) be immediately established.

It is today more and more recognized by military leaders that effective defense planning cannot be improvised, nor done on an intuitive basis. Today, almost any specific defense mission can in theory be performed by a wide variety of different weapons systems. There is no quick and easy way to determine which of these many systems can do the job most effectively. In this missile era, ambitious programs of operational research, employing very complex and advanced scientific and mathematical techniques are required, more than ever before, to secure rational and objective answers within an acceptable time period.

Recognizing this, some of the NATO member states have established defense study centers which aim at bringing the techniques of modern science to bear on such problems. The Rand Corporation, which works under contract to the United States Air Force, is an example. Commonly, such study groups include on their staffs mathematicians, physicists, economists, and representatives of other fields of science. Commonly, also, such groups work under contract to the military but, nevertheless, possess a high degree of autonomy.

Based on experience to date, this type of defense study center performs an indispensable role in sound military planning. The need for such scientific analyses should grow progressively greater as weapons systems and defense problems become more complex.

No counterpart of such a group now exists on a NATO-wide basis. We therefore believe that a North Atlantic Institute for Defense Studies (AIDS), which could be made responsible to SHAPE, should be established immediately.

Mr. JACKSON. Mr. President, the Parliamentarians' Conference directed its standing committee to submit this report to the North Atlantic Council urging that it be brought to the attention of the December heads of government meeting.

On December 16, Secretary Dulles announced that the United States (a) was prepared to participate in, and contribute to an annual talent development program for 500 predoctoral and postdoctoral scientific fellowships, and (b) would assist in an expanded program of summer study institutes in Europe.

On December 19, 1957, the heads of governments meeting in Paris formally charged the new NATO Science Committee with responsibility for making specific recommendations on the valuable proposals put forward by the NATO Parliamentarians' Conference.

Since that time the NATO Science Committee has considered our report and at its July 9–11, 1958, meeting, agreed to recommend that the North Atlantic Council approve a fellowship-scholarship and summer institutes program along the general lines of the Parliamentarians' Conference recommendations.

The Department of State has informed me that these two programs are the only elements of the NATO science program sufficiently advanced at this time to require a specific decision as to financial contributions by the United States. I am further informed that the United States has conditionally pledged to contribute a maximum of $575,000 toward meeting the initial cost of these two projects.

It is the declared intention of the Department of State to recommend that this money be drawn from the contingency fund which is authorized by section 451 (b) of the Mutual Security Act of 1954, as amended. I have been assured that no difficulty with this procedure is anticipated since the contingency fund can properly be used to cover needs generally foreseen, the precise cost of which could not be estimated at the time of presentation to Congress.

In this connection I ask unanimous consent to have printed in the RECORD at this point a letter dated July 25, 1958, from Mr. William B. Macomber, Jr., Assistant Secretary of State.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, July 25, 1958.

The Honorable HENRY M. JACKSON,
United States Senate.

DEAR SENATOR JACKSON: Your letter of July 21, concerning the NATO science program, refers to my letter of June 26 to Senator GREEN, and asks for additional information as to financing. As I indicated to Senator GREEN, a firm decision as to a United States contribution could not be made before the Science Committee had a chance to study working party proposals with respect to fellowship and summer institutes programs. The United States representative was authorized to support these proposals fully, however, and I am glad to inform you that the committee agreed at its July 9–11 meeting to recommend that the North Atlantic Council approve them without substantial change, subject to one reservation on the institutes program.

As agreed by the Science Committee, the fellowship program would cost $1 million for the first year, and the United States representative was authorized to offer 50 percent of the total funds required, subject to availability of funds and subject to the willingness of other governments also to make proportionate commitments for their shares.

A similar offer was made with respect to the proposed summer institutes program (renamed Advanced Study Institutes program), which would cost $150,000 for the first year of operation. The committee agreed to recommend Council approval of this program, subject to a United Kingdom reservation which the United Kingdom representative was fairly certain would be lifted.

These are the only elements of the NATO program sufficiently advanced at this time to call for a specific decision as to a United States contribution, but assuming Council approval, the United States is conditionally pledged as stated above to contribute a maximum of $575,000 toward meeting the cost of these two projects. The general source of these funds would be the Mutual Security Appropriations Act, 1959. The exact source is not yet definitely decided, but it is our present intention to recommend

that the contingency fund be used, which is authorized by section 451 (b) of the Mutual Security Act of 1954, as amended. I would anticipate no difficulty with this procedure, in view of the fact that the contingency fund may properly be used to meet needs generally foreseen, but the cost of which could not be predicted with precision at the time of the Congressional presentation.

The exact amount of fiscal year 1959 funds to be contributed is not yet certain, since no decision has been reached as to the handling of the advance made NATO from fiscal year 1958 funds. It was clearly understood that this advance would be taken into account when the United States considered a subsequent contribution. Of the total $100,000 advance, $25,000 was made available to the NATO science adviser to meet immediate needs. The balance of $75,000 is available, but has not as yet been drawn, and may be deducted from our contribution to the fellowship-institutes programs or used for other approved projects for which a financing need is apparent before the two larger projects actually get under way.

In any case, as far as the United States is concerned, we foresee no financial problem inhibiting the development of the NATO science program. The two key projects to which your letter refers will presumably go to the Council for decision in the near future, and the United States representative there will be prepared to support them fully.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Mr. JACKSON. Mr. President, on July 30 the NATO Council meeting in Paris agreed in principle to both the fellowship-scholarship program and the advanced studies institutes program.

The NATO Council also agreed to discuss detailed financial plans at its first meeting in October.

Meanwhile, Dr. Ramsey, NATO science adviser, has given assurances that sufficient funds are on hand to continue the basic planning for implementation of the two programs.

I am hoping by the time the NATO Parliamentarians' Conference convenes in November this year, that the fellowship-scholarship program, and the advanced-studies institutes program will have passed out of the planning stage into reality. The funds we will be voting here today can contribute to that end.

At best, however, we are only at the beginning of a full-scale NATO science program.

I believe the people of the Atlantic Community will make the needed effort for survival if their enthusiasms are engaged in great undertakings—if they feel they are building something—not simply defending something.

Improving the state of science is such a common cause, if we will only make it so. Through better science, free people can advance not only their security, but their prosperity as well.

Common scientific and technical programs within the NATO alliance will not only promote the security and welfare of the Atlantic Community. They will also assure a greater reservoir of brains and know-how for technical cooperation in Asia and Africa.

I trust this country will continue to develop and initiate bold projects to help the entire NATO Community implement a broad program of scientific and technical cooperation.

STATE OF THE NATION'S FINANCES

Mr. MUNDT. Mr. President, last evening the senior Senator from New Hampshire [Mr. BRIDGES] had intended delivering an address in connection with the state of the Nation's finances and also to make certain recommendations.

Because of the lateness of the hour and the desirability of obtaining a vote on the debt limit bill, Senator BRIDGES decided to forego his address.

However, I obtained a copy and, because of its significance, I ask unanimous consent to have it inserted in the body of the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. President, on January 13, 1958, Congress received the President's budget for fiscal year 1959 which contemplated a half-billion-dollar surplus.

At the time I said that was too thin a margin for comfort. I said the surplus could easily become a deficit unless Congress held tight rein on the public purse.

Events have confirmed my worst fears.

Today, just 7 months after the budget was submitted, the Congress is no longer confronted with a surplus. We now face an entirely different and alarming situation. Instead of a slim surplus, there looms the prospect of a budget deficit of $12 billion.

HOW THE FISCAL PICTURE WORSENED

How in the short span of 7 months could the Nation's fiscal picture worsen so radically?

Part of the answer is sputnik.

Part of the answer is near panic inspired by a dip in the economy, which led to a rash of spending proposals in Congress.

Part of the answer is declining revenues as a direct result of the dip in the economy.

Part of the answer is enactment by this Congress of many new programs and expansion of many programs—all pointing to expenditure of large sums out of the National Treasury.

Add all these factors together and we learn why the Federal budget has mushroomed beyond all reasonableness and proportion. What is worse, I fear our red ink problems are only beginning.

In my estimation, the full impact of the downturn in the Nation's economy has not yet been felt on Federal receipts.

Further, in my considered judgment, the upturn in Government spending is just beginning.

TESTIMONY OF BUDGET BUREAU ILLUMINATING

Mr. President, the recent testimony of the Director of the Bureau of the Budget, Mr. Maurice Stans, is very illuminating. Speaking to the Members of the House Ways and Means Committee, Mr. Stans documented the higher spending outlook. I should like to quote from page 15 of the hearings, July 30, this portion of Mr. Stans' remarks:

"1. Defense. On the basis of administration recommendations for additional authorizations and the civilian and military pay raises, spending for military functions may be about five hundred to seven hundred million dollars more than the budget estimates. This is in addition to the $500 million for defense contingencies included in the budget.

"2. Pay raises. The cost of pay increases enacted for postal and classified employees exceed the total amount included in the budget and the expenditure impact of the retroactive provisions has come largely in fiscal 1959. Outside the Department of Defense, the extra cost is about $400 million.

"3. Agriculture. The exceptionally large wheat crop and other factors such as changes in the outlook and programs for exports will increase the cost of agriculture programs by perhaps as much as $1.5 billion over the original estimate.

"4. Housing. The housing legislation already enacted will lead to increases of about $1 billion in spending for mortgage purchases and direct housing loans to veterans. Other housing legislation is pending in Congress which would add still more to budget estimates.

"5. Unemployment benefits. The temporary program of advances to States for supplemental unemployment benefits to those workers who have exhausted their regular benefits, together with increases over the original estimates for the regular programs of unemployment compensation to veterans and former Federal employees and the grants to States for administering unemployment compensation and employment offices, are estimated to add more than $600 million.

"6. Other increases. Expenditures for numerous other programs are being increased. A special payment of $589 million to the civil service retirement fund is pending before the Congress. The postage rate increases fall short of the President's recommendations. Construction programs of the Corps of Engineers and the Department of the Interior have been accelerated. The new agencies for space activities and for civilian aviation will have larger programs than their predecessors. The administration recommended an authorization increase for atomic-energy programs, and the action to date in Congress has raised that. The overall effect of all these various changes will be an increase of roughly $1½ billion.

"7. Reductions. The only significant decrease from the January estimates is for interest on the public debt, because of lower interest rates. There is pending in Congress the possibility of appropriation reductions of $500 million in military construction and an indefinite amount for mutual-security programs; however, the effect of such reductions on 1959 expenditures would be considerably less than the cut in appropriations that may eventually be made.

"These seven categories I have reviewed add to a total increase of between $4.5 billion and $5 billion to the budget. You will notice that I have not included any allowance for pending legislation such as the community facilities loans bill passed by the Senate. If this and other proposals now pending are enacted, the budget could be increased by another $1 billion or more.

"If we take $5 billion as the total presently estimated increase over the budget, expenditures in fiscal 1959 will be $79 billion. Thus, if we use this $67 billion revenue estimate of the Treasury and of the staff of the Joint Committee on Internal Revenue Taxation, we would have a budget deficit of $12 billion."

Mr. President, when Government spends more than it receives in income, as it is doing now, it makes up the deficit by borrowing—as the Government is also doing now. We all know this fact, but it never hurts to remind ourselves of this dangerous procedure.

Deficit spending plus borrowing spells inflation and more inflation. Any hope of tax relief goes out the window.

Because of the adverse spending outlook, the Congress earlier this year raised the present $275 billion debt limit temporarily to $280 billion. Now Congress is about to complete action on a bill to raise the permanent statutory debt ceiling to $285 billion, plus an additional temporary hike to $288 billion until June 30, 1959. I wouldn't be surprised if we have to raise it again next year.

Under the proposed debt ceiling the Government will be able to borrow an additional $10 billion without violating Federal statute. Such fantastic debt will merely violate all the laws of reason, common sense, and sound money.

ACCENTUATING OUR PRESENT DILEMMA

By raising the debt limit, we give legal sanction to deficit spending. What is more basic, however, is that the Congress itself is daily passing legislation to increase Federal spending, accentuating our present dilemma.

Mr. President, we all agree the survival of this Republic as a free and independent federation of States is first on our priority list. There is abroad in the world a massive threat to our way of life. Modern weapons place our home soil in jeopardy. Spending for the necessities of defense for survival is increasing. We are in a period of sharply rising military costs. Where our very existence is at stake, we would not want our defense program to suffer for lack of funds.

The fact is, however, the greatest increase in rate of Federal spending is for nonmilitary, or civilian, purposes. Domestic civilian spending in 1954 totaled $19 billion. For fiscal year 1958, it totaled $29 billion. It will probably exceed $30 billion in fiscal year 1959 and may hit $35 billion in 1960.

So far as I can see, Federal spending is on a booming upswing, with no relief in sight.

What this Congress and the past few Congresses have done is to fill the tank with high-octane fuel and at the same time remove the brakes.

EIGHTY-FIFTH CONGRESS PLACED NO DAMPER ON INFLATION

Except for some reductions in a few appropriations measures, this Congress has not attempted to put any kind of damper on the fires of inflation.

On the contrary, this Congress has heaped live coals on embers which have been smoldering all these months during the so-called recession.

Some of the new programs inaugurated or under consideration this year by Congress will have small initial costs in fiscal year 1959. Of course, this is an argument advanced to obtain enactment. But, as these programs—housing, area development, minerals stabilization, and so on—gather momentum, costs will begin to rise sharply. Future budgets are going to be burdened with heavy spending for programs over which neither the Congress nor the executive branch will have much control.

This is primarily because Congress continues to write legislation which bypasses our appropriations committees.

Congress continues to write laws with matching-fund provisions which commit future Congresses to honor them no matter what the state of the Nation's finances at the time.

Congress continues to write laws which have inflationary features built into them.

Already this session of Congress has authorized spending of almost $4 billion by the public debt transaction method and has under consideration more than $1 billion additional, including the minerals stabilization bill and the national defense education bill.

For the most part, approval of expenditures under public debt financing is a perfunctory action to honor commitments already made by Government agencies. Real spending control by the President, as well as by the Congress, is virtually nil.

The power of the purse which Congress once prized and cherished and guarded as a real control over the Nation's fiscal affairs is now only a feeble shadow, with little substance.

Just 2 or 3 years ago, there was a glimmer of hope that Federal taxes might be cut. With this Congress that hope has evaporated in my opinion, at least for the foreseeable future.

The American people today are caught in a squeeze between rising prices and higher taxes. The cost of living continues to climb. State and local taxes mount steadily upward and there is every likelihood Federal taxes of one kind or another—income taxes, social security taxes, gasoline taxes—will go up also. By whatever name, these are all taxes, and they come out of the income of taxpayers.

Mr. President, it is very late in our history to try to remedy the appalling situation the country faces: Continuing inflation, declining buying power of our dollar, and an ever-increasing drain on the Federal Treasury.

ONLY HOPE IT IS NOT TOO LATE

I only hope it is not too late. The shores of history are strewn with the wreckage of governments that failed to heed such elementary rules of fiscal behavior as: "Don't spend more than your income," and "Don't undertake commitments that will overburden the Treasury as years go by."

Yet, in justification for the many spending proposals, we are told: "This is what the American people want, need, and demand."

Mr. President, I submit the American people want, need, and demand a stable cost of living, a firm dollar, and a reversal of the high tax trend.

WHAT AMERICANS MUST BE TOLD

It is about time the Congress had the collective courage to tell the American people: "You can't have everything."

Some desirable activities will have to give way to those of greater urgency. The American people will have to curb their appetite for Federal services.

A RECOMMENDATION

Mr. President, it is not my purpose just to criticize. I have a concrete proposal to offer today.

I urge the Senate, on convening next January, to establish a Select Committee on Federal Finances and Budget which would look into the many aspects of Federal finance, such as public-debt transactions, social security and highway trust funding, direct borrowing from the Treasury, contingent liabilities, and so on.

Each Congress deals in piecemeal fashion with the legislative program. The nearest Congress comes to having a comprehensive plan before it is in the President's budget. That in itself is inadequate to give a picture of the financial condition of the Government because an increasing number of programs are beyond the purview of the budget.

The select committee would study our fiscal dilemma and report back to the Senate by March 31, 1959. The report would contain an analysis of the current state of the Nation's finances and the fiscal outlook, together with any appropriate recommendations.

As I conceive the task of the committee, it would gather all pertinent data on the potential extent of direct borrowing from the Treasury, for example, as well as the actual extent. In other words, the committee studies would be sufficiently broad so that the committee could advise the Senate on the outlook for several years hence. Let us at least know where we are, fiscally speaking, and where existing statutory programs would lead us for the next few years.

FISCAL MAGNA CARTA

I would hope the committee would come up with a kind of fiscal Magna Carta—a charter of freedom for the American taxpayer from the financial chains that bind us.

Surely, a nation that can split the atom can find ways and means to reduce the cost of government.

America is the inspiration of the world. If we were to fail—whether through military defeat or financial collapse—the world would be plunged into an era of despair and hopelessness.

It could happen.

It won't happen if we start right now to set our fiscal house in order.

Mr. President, I urge the Senate to support a proposal I have made today as a necessary step toward fiscal solvency. Coupled with a strong national defense, fiscal solvency would go a long way toward insuring our survival.

TEXTILE MISBRANDING

Mr. JAVITS. Mr. President, if I may have the attention of the Senator from Washington [Mr. MAGNUSON], I ask unanimous consent that the colloquy I shall have with the Senator from Washington may appear in the permanent RECORD in connection with the conference report on H. R. 469.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I have had a number of telegrams in protest against the conference report because it is said it would seriously interfere with the marketing to consumers of textile fiber products. I therefore would like to ask the chairman of the committee these two questions.

In section 12 of the bill, H. R. 469, as it was agreed to in conference, the Federal Trade Commission is allowed to exclude from the provisions of the act other textile products. Does the Senator construe that to mean all textile products coming under the bill other than those exempted by section 12 (a)?

Mr. MAGNUSON. That would be my interpretation, and I believe that was the intent of Congress in the passage of the bill.

Mr. JAVITS. In view of the right of the Commission to exclude from the provisions of the act a complete textile fiber product, does the Senator believe it may also exclude from the provisions of the act yarn or fiber which is part of the fiber textile product?

Mr. MAGNUSON. I would think that it would, and I wish to say to the Senator from New York that the Senator from Washington in the Committee on Interstate and Foreign Commerce would be the first to insist that the Federal Trade Commission in the administration of this act follow the intent of the Congress and be equitable in its provisions and applications.

Mr. JAVITS. They would be requested to make it practical?

Mr. MAGNUSON. They would make it practical rather than just picking the provisions of the act to pieces.

Mr. JAVITS. Rather than throwing the rule book.

Mr. MAGNUSON. Yes.

Mr. JAVITS. I thank the Senator.

MUTUAL SECURITY APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, the Senator from Louisiana will make a brief statement in regard to his amendment. The Senator from California [Mr. KNOWLAND] will make a brief reply. If Senators will remain in the Chamber, I hope we can expedite action on the bill. It must go before the

Rules Committee of the House to have a rule adopted before it is acted upon by the House, and we are very desirous of getting it over there.

Mr. MAGNUSON. Mr. President, I am going to vote for a substantial and adequate amount of foreign aid. But I am beginning to have serious misgivings about Formosa in the administration of the funds allocated to this area.

It is no longer a fiction but a fact that Chiang Ching-Kuo, son of the Generalissimo, is the strong man and wields more power behind the scenes in Formosa than is realized. The power that he wields far transcends the nominal posts he holds in the Nationalist Chinese Government. The police and security forces of Formosa seem to be virtually under his control. The fact that the American Embassy and USIA offices in Taipei were wrecked on May 24, 1957, by Chinese rioters was because the man who had the power to deter the attacks apparently did not do much about it.

The humiliation of the American flag, insult to its Government officials, and the destruction of American properties began their ignominious course in a supposedly friendly country, Nationalist China, whose government owes its very life to the support given by the United States Government.

As I understand that Chiang Ching-Kuo was trained and indoctrinated in Russia for many years; therefore, one cannot help but wonder what is his real intention and where his loyalty lies. In light of this we certainly should not squander away our aid into the hands of someone in whom we do not have full confidence. I am very glad to see that the Congress of the United States has adopted an amendment concerning the Chinese Nationalist Government to this effect, in which we frowned upon the idea of using some of this money for pensions and some of the things it is being used for in Formosa. It shows that probably I am not the only one who entertains these views. I believe that next year, when the appropriation bill is before us, we had better take a long look, not as to the policy of giving money to Formosa or to the Nationalist Government, but to the way it is being administered over there. I believe it calls for some searching inquiry.

Mr. ELLENDER. Mr. President, the pending amendment would cut $50 million from the defense support program. I wish to point out to the Senate that last year, for fiscal 1958 the amount that was appropriated for defense support for the use of 15 countries was $689 million. In addition to that, we reappropriated unexpended balances of $36 million, for a total of $725 million of new and old money.

In addition to that, Mr. President, there was transferred from the military, $24,810,000, which gave, for defense support alone, to the 15 countries, $749,810,000. Although the request was made for 15 countries, as a matter of fact, the money was used by only 12 countries. In addition to this sum, in this year's budget we have provided two special accounts. Last year we had a special assistance fund which provided $225 million. This year that amount is $200 million.

We also have the so-called emergency contingency fund, which is in addition to the fund we had last year, and it amounts to $155 million, so that this bill already provides the President with $355 million for use in any way the President sees fit. He can use that amount for economic aid, for military aid, or for both.

My amendment merely cuts back the defense support sum to about what it was last year. If my amendment is adopted, with the appropriation that was made last year, of new money and old money, plus the $24 million which was transferred, the fund will be short only $9 million.

Mr. President, let me point out to the Senate that we have already made available $5,196,179,000 in military aid to the countries to which we are now giving assistance by way of defense support. For economic assistance, we have already made available to these countries, $5,856,840,000. These very countries, which have received so bountifully from us in the past, will be the recipients of the $790 million which the bill provides, plus a large portion of the $355 million which the President can use as he sees fit.

I believe we are driving these programs into the ground. Instead of tapering them off, we are increasing them from year to year. It is time to call a halt.

I wish to read a short statement which was made by my good and eloquent friend the Senator from Illinois [Mr. DIRKSEN]. He stated his views on economic aid on August 31, 1951, while the economic aid program was before the Senate. At that time my good friend from Illinois was trying to cut that program considerably. This is what he had to say as the third reason which he advanced:

> The third reason which I advance in favor of the adoption of my amendment is that I think the time has come to liquidate.

This was in 1951, when we had spent less than $17 billion. Today, as I pointed out, we have spent in excess of $63 billion, plus $6 billion of unexpended funds, for a total of almost $70 billion. Yet my good friend from Illinois, who is now championing the cause of the administration, said back in 1951:

> This plan was intended as a 4-year plan, and we should now set liquidation in motion. Congress intended, when the plan was adopted, that there should be a termination date.

That was the Senator from Illinois [Mr. DIRKSEN] speaking in 1951. I continue:

> If this program continues, I think we shall tend to develop in the world a kind of complex whereby these countries will become perpetual pensioners.

Mr. President, I am in full agreement with my good friend from Illinois. When he made that statement, we had spent less than $17 billion on foreign aid. Now we have appropriated for that purpose almost $70 billion. I should like to know what the Senator from Illinois thinks about the program now.

I quote further from his statement in the CONGRESSIONAL RECORD, volume 97, part 8, page 10877:

> Mr. President, I wonder whether it is possible finally to develop a pensioner complex in the world if we are so free and easy with our funds, and if we long pursue the mania which we have pursued in previous years.
>
> Furthermore, there is a possibility, it seems to me, that if this program continues too long with a very substantial amount of money, ultimately we shall reach the point where new plans will be set up; and before we get through, they will become more or less perpetual.

Mr. President, that is what is happening now. I continue to read:

> I saw the statement by Mr. Foster and some of his associates in the ECA not so long ago. They now have an idea that perhaps they have not quite met their objective in one sphere, namely, that the aid which has been tendered has not reached down to the grassroots.
>
> In the period of time when I was sojourning in and doing some official work in Europe and elsewhere, I developed considerable fan mail, and today I get correspondence from there. Those who write to me point out the same thing. My answer is, What have they done with the $11 billion which was made available under the Marshall plan, if after more than 3½ years of endeavor they say that in one particular they have failed, namely, they did not get down to the grassroots?

Mr. President, I was in error. I said the amount was $17 billion, but it was only $11 billion which had been spent at the time the Senator from Illinois made his speech. I continue:

> That seems to me to be rather strange, indeed. Perhaps there is something to it; but that should be all the more reason why the program should be cut off before we undertake a new work and make this a permanent endeavor.

Mr. President, I have been reading from a speech made on August 31, 1951, by my good friend from Illinois, who has been championing the foreign aid cause so eloquently. I could cite more of his speech; but because of the lack of time, I ask unanimous consent that the extracts I have marked in the speech of the distinguished Senator from Illinois be printed at this point in the RECORD.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

> Let me point out that the amendment is sponsored by 16 Members of the Senate. It would reduce economic aid, insofar as Europe is concerned, by $500 million. I have not sought to cut aid under the other titles of the bill, and there is a reason for it.
>
> As I indicated, I could assign perhaps a score of reasons for agreeing to the amendment, but I shall content myself with stating only a few of them. I believe that if anyone goes to the trouble of examining the supporting data in connection with the bill he will discover that there is still a good-sized amount of money left in the bill available for expenditure over and above that which is included in the bill, namely, some unexpended balances.
>
> Mr. President, the second reason which I advance in favor of the adoption of my amendment is that if the economic aid had not been successful by this time, there would have to be some real and sustained doubt as to whether belaboring it with further funds would make it successful in the future.

> The third reason which I advance in favor of the adoption of my amendment is that I think the time has come to liquidate. This plan was intended as a 4-year plan, and we should now set liquidation in motion. Congress intended, when the plan was adopted, that there should be a termination date. If this program continues, I think we shall tend to develop in the world a kind of complex whereby these countries will become perpetual pensioners.
>
> Mr. President, I wonder whether it is possible finally to develop a pensioner complex in the world if we are so free and easy with our funds and if we long pursue the mania which we have pursued in previous years.
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> That seems to me to be rather strange, indeed. Perhaps there is something to it; but that should be all the more reason why the program should be cut off before we undertake a new work and make this a permanent endeavor.
>
> What have they done in all these years? Has there been a sense of urgency over there? Why did they not get busy with the money we have made available up to this time? Where is the evidence that they are going to get their armament plants started? If something is necessary, I am sure that the line between economic and military aid is such that, if it properly comes within the sphere of defense, it will offer no difficulty.
>
> The next reason I would assign is that with an agency like this, which operates in the foreign field, sooner or later peculiar personnel, in the sense that they have a peculiar viewpoint, finally get into it, and that situation makes me very unhappy. I do not charge the whole ECA operation with being filled with people who do not express the American viewpoint. I am sure that Mr. Foster is a typical American, but there are others who get into it.
>
> Within the past few days, I see that Thomas C. Blaisdell, Jr., has been sent abroad at $50 a day for the purpose of sitting on a board which will allocate strategic materials between the foreign countries. Who is Mr. Blaisdell? He was in the Department of Commerce. He is the man, it will be remembered, who defended William Remington. I am not going to put the finger on Mr. Blaisdell. I simply say that I do not like his viewpoint. When a man defends Mr. Remington, after the testimony which was available to Congress, he does not quite measure up to my requirements, at least, of one who articulates and expresses the kind of viewpoint I want to see disseminated abroad. Either Mr. Remington was a knave or he was a fool—a man who had a Dartmouth education, who could sit on a stool in a drugstore in Washington, and testify before the committee, and say, naively, "Well, maybe my guard was down," as he talked to Mrs. Bentley. It seems to me to be a waste of money and of confidence to have a man like that in the service, and then, when his defender comes along, and his boss, I do not want him in it, either. I do not say he is a bad person. I simply say he is not "for my money." And I do not think he is for the taxpayers' money in this country.
>
> Another reason why I think this $500 million reduction should be approved by the Senate is that I believe the time has come to set ourselves against the crisis cry. It seems to me—and I say this to my old friend from Kansas [Mr. CARLSON], with whom I served for 10 years in the House—there was not a month when we were not confronted with some social or political crisis in all the years since 1933.
>
> Mr. President, the Senate was in session until 6 minutes before midnight last night, and I stayed long enough to get the tenor of a great many of the addresses. With what passion, with what fervor, it was said that this money must be furnished, that it is world-shaking in its import.
>
> It is strange that the crisis is advanced and presented to us just about the time when it becomes necessary to vote for money. It is strange that the crisis cry suddenly hits the blue just about the time of a political campaign.
>
> Well, Mr. President, I have become a little punch drunk because of the crises about which I so frequently hear; I am becoming a little wearied about so much guesswork and some of the false assurances that this is the road to peace, or that is the road to peace; that here lies the road to stability; that there is the avenue to salvation. When it is all over, suddenly we come up with a great sense of frustration and a burden of futility, because it was not the road after all.
>
> Mr. President, I am becoming increasingly concerned about the solvency of America because, if it fails, the whole world will fail. In England, France, Germany, and Austria leaders used to take me by the lapel and say, "In God's name, let nothing happen to the solvency of America because, if it fails, all fails, and the hope and the light of the world will go out." I think I could refresh myself from the notebooks I carry and name many names of leaders who saw that the hope of the world lay in the solvency of America.
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> Let me say to my friend from Kansas that I wonder if there is a finite mind under the canopy of heaven that can grasp the astronomical figures with which we deal today. I served for 12 years on the Appropriations Committee of the House, but I have no adequate concept of what a billion dollars is. How can we express it? We can express it in terms of the number of youngsters who can be educated or the number of schoolhouses that we can build for a million dollars apiece, but it is still in the stratosphere.
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> • • • • •
>
> I suppose so. I remember addressing a meeting sometime last year. I confessed the complete inadequacy of my mind to sense how much a billion dollars was. I received a letter from an old man who said, "I will tell you what a billion dollars is. Look at your watch; look at the second hand as that hand goes around every second, every minute, every hour, every day, every night, every week, every month, every year, and in 33 years the second hand will have ticked a billion times."
>
> How much is a billion? I do not know, and I do not believe anyone in this body or in Government has a conception of what a billion dollars really is. I do know that it is painful and anguishing to sweat it out of the American people, and the time has come to have some regard for them and for the solvency of our economy as we put larger and larger burdens upon them. But we must not be deluded and taken down some fallacious avenue of emotionalism of which we have heard so much. It seems to me that giveaway has become a mania. It is astonishing, I say to my friend from Vermont, what a strange passion has grown up in the country that the checkbook is a cure for every problem, foreign and domestic. I do not share that idea, because the progress we have made so far does not support and justify that kind of a theory.
>
> If there were a sense of urgency on the part of the people in Europe it would be another thing. Senators have gone over there and have returned, and I have talked with some of them. Many of our people go abroad, but they cannot sense in the air the emotion of urgency, that there is some great, almost indefinable danger in Europe today. They do not sense it. For that reason, the people over there are not so given to the program as we are in this country. If the situation is as dangerous as we are led to believe it is, it is time they awakened and that there be a more lively interest on their part. First of all, this is their show. America will survive, in my judgment. The day I embrace the defeatist gospel and say that the life of America hangs in the balance, the situation will have to be much worse than it is at this time. I do not believe that defeatism is worthy of one who has been generously led and who has received the beneficences of this country.
>
> Mr. President, another reason I assign for the cut proposed by the amendment is that when it is made it will leave substantially the same amount that ECA asked for, had there been no particular tie-in between their activities and the military program in Europe.
>
> I read from page 23 of the report of the committee:
>
> "The Administrator for Economic Cooperation, Mr. Foster, indicated in his testimony before the joint committee that the job of the Marshall plan in Europe as originally contemplated was virtually complete. The Deputy Administrator, Mr. Bissell, testified that if the Western European countries had not found it essential to build up their defensive strength, the Economic Cooperation Administration would have requested $672 million for aid to Western Europe for this year, primarily to prevent serious economic deterioration such as would carry with it the threat of Communist internal subversion in countries of great strategic importance."
>
> Mr. President, we have a $257 billion debt. It will grow larger, I have no doubt, in the face of the expenditures which are contemplated. The backing behind our currency is not of such a kind as would make us as happy as we would be if we could say that there was 100 percent gold backing behind it, as can be said for Venezuela. Yet our country, with its budget now in the $80 billion bracket, with a huge debt, and a tremendous deficit looming in the days ahead, is now going to make money available to South America. Is this wise?
>
> Mr. DIRKSEN. Mr. President, I shall now conclude. I have taken too much of the Senate's time already. I wish to refresh the minds of Senators respecting the set of figures placed in the RECORD last night by the Senator from California [Mr. KNOWLAND] just before adjournment. The figures are rather interesting. In order to maintain the necessary classification the figures are set forth for various countries on the alphabetical basis instead of by countries. In the first place the Senator from California pointed out that the United States defense effort calls for 68.1 percent of the total budget. Compared with the 68.1 percent which the United States is putting into the

defense effort, country A is putting in 45 percent of its total budget.

Country B is putting in 32.2 percent.
Country C is putting in 27.4 percent.
Country D is putting in 26.2 percent.
Country E is putting in 22.7 percent.
Country F is putting in 22.4 percent.
Country G is putting in 17.1 percent.

Someone in the State Department raised the query as to whether that was a fair basis for comparison. He said the comparison should be made on the basis of gross national income. Well, that is also set forth by the Senator from California. He said that in the year 1951 the United States Government was putting into defense 14.1 percent of the gross national income. He said it is expected, of course, that for the current fiscal year that amount will be raised perhaps as high as 20 percent of gross national income because of our expenditures in the defense field. I cite as authority for that no less a person than the Honorable Charles Wilson, the Mobilizer, who appeared before the Senate Committee on Banking and Currency only yesterday morning. He indicated that by late 1952 we would probably reach the 20 percent level. What about the other countries? Country A, 8.3 percent; country B, 9.3 percent; country C, 8.8 percent; country D, 2.3 percent; country E, 8.4 percent; country F, 4.7 percent; country G, 4.1 percent; country H, 2.7 percent; and country I, 5.7 percent.

Is it quite fair? I think the time has come when there must be a more tangible and persuasive manifestation of will and spirit on the part of those who have been the recipients of American largess. Until that time I think, among other things, that we have a responsibility to think about the self-preservation of America and to think about the inordinate burden which is being pressed upon our own compassionate and humble people.

For that reason, and for the other reasons which I have assigned, I hope this amendment begets the favor of a majority of the Senate, so that we can say to the country, "We are interested in the fiscal problem, and we are going to give attention to it. Here is some tangible evidence of our interest."

Mr. President, I yield the floor.

How will the purposes of the amendment be achieved? They will be achieved by sending our dollars to the Western European countries and also sending there certain persons from the United States to study competition there and to hold jobs there while they are making those studies. When all that is done—and it will take a long time—it is said that then productivity will be encouraged. How will it be encouraged, Mr. President? It will be encouraged by showing those countries how to manufacture shoes, tractors, Coca-Cola, and almost anything else as cheaply and efficiently by assembly-line methods as they are manufactured in the United States.

O Mr. President, it is wonderful. That is why the proponents of this plan say they are interested in an expanding economy; that is what they have in mind in this respect.

O Mr. President, this is a honey. We shall send over there several regiments, before we get through, to deal in the internal affairs of some 18 countries there and to expand their economies and to tie up their economies with every manner of social reform.

This plan will make the ECA permanent; we shall be in it up to our necks; we shall never get out of it, and we shall be making permanent pensioners by the millions. When that is done, the solvency of the United States of America will be sunk.

Mr. President, let me refer further to the press release which was issued from New York City on July 26. It was stated that "to formulate this program the administration has ventured into some daring ideas of economic policy."

I will say they are daring; and the word will be spelled with a capital D before they get through.

In the press release it is further said that "a policy of novel assistance is contemplated."

Mr. President, is that not grand? If that plan goes into effect, Senators should telephone the folks in their home States and should tell them to get ready to go to any one of those countries in Europe, to proceed to participate in that novel drive to make it possible, under the concealment of general language which those who sponsor this plan have had in mind for months, for the ECA finally to proceed to capture for those countries every market in the world, with our help.

My friend from Connecticut has a great solicitude for union labor. So have I, Mr. President. However, I wonder to what extent we shall aid union labor when those who favor this proposal succeed in building up the program in such a way as to make sure that every market in the world will go glimmering, so far as our people are concerned, and thereby diminish and sharply reduce the standard of living in our country.

O Mr. President, this amendment is grand. I like nothing better than this. I wish I were the Administrator, for I believe that under language of this kind I could proceed to take over at least 18 countries in the world.

Mr. ELLENDER. Mr. President, although the item under discussion is labeled "defense support," it is nothing more than economic aid. What I do not like is that we have given until it hurts. Instead of tapering aid amounts off as the economies of recipient countries improve, we seem to increase the amount. This does not add up—it does not make any sense.

Mr. President, I hope the Senate will vote for this amendment and save a measly $50 million.

Mr. KNOWLAND. Mr. President, the fact is that the defense support funds go to the countries with which we have mutual assistance pacts and where we have obligations for the common defense.

In the estimates presented by the President, which have been examined by the National Security Council, by the Joint Chiefs of Staff, by the Department of Defense, and by the mutual aid authorities, the recommendation for defense support was $835 million.

When the authorization bill passed the 2 Houses of Congress, that amount had been cut to $810 million.

The amount which was recommended by the Committee on Appropriations was $790 million.

In the testimony before the committee, at page 163 of the hearings, Assistant Secretary of Defense Mansfield D. Sprague, who I think all members of the committee recognize as one of the ablest officials we have in this field, with great knowledge of the problems which confront us in the matter of mutual assistance, had this to say relative to the defense support program:

> This is particularly so in the case of the defense support program which goes primarily to key countries on the periphery of the Sino-Soviet bloc, such as Turkey, Pakistan, Vietnam, Taiwan, and Korea. Serious cutbacks in defense support will cause such countries to lag dangerously in the military effort required by their strategic location. Reductions in defense support below the amount of the authorization will, therefore, have a direct and adverse effect on our collective security.

The problem of maintaining freedom in the world is not a bargain counter matter. We have seen what has happened in the instances when we have let down the guards of the Free World. Communism moved into Korea. It has attempted to move into other areas of the world.

The particular item under consideration relates to some of the stoutest allies we have: To Turkey, for example, which stood by our side and sent divisions clear around the world, when very few nations were standing with us in the Korean war. It relates to the little Republic of Korea, which today is maintaining an armed force of some 600,000, in order to maintain that part of the world against the possible encroachment of Communist China, which once attempted to move down into the Korean Peninsula. The item maintains a force of some half million on the island of Taiwan, in the Republic of China. That force certainly is a deterrent to communism moving into southeast Asia.

The very nations which would be most adversely affected are the nations which we have urged to maintain strong defenses in the periphery along the Soviet-Sino borders, in order to help maintain the freedom of this Nation. The divisions of our allies can be maintained in those areas at a cost which is much less than the cost of maintaining American divisions in those countries.

I think it would be the height of folly at this time to make the proposed reduction in the defense support items for the countries which bear so heavy a burden and are looking down the throats of the Soviet Union and Communist China.

Mr. ELLENDER. Mr. President, it is true that the information which the Senator from California has given comes from the military, but it all emanates from the eager beavers we have abroad, those job holders who make up the budget. These amounts are not even submitted to the host countries—they are made up by our own people.

For instance, the economy of Korea has progressed to the extent where it is now better than it has ever been. Why should it not be? We have spent in Korea, for economic aid alone, in the last 5 years, $1,174,485,000. Korea is a country which has made progress. But instead of tapering off our program of assistance to Korea we have increased it considerably. I am not permitted to tell the Senate the amount.

The Senator from California mentioned Pakistan. In Pakistan we have spent $267,625,000. This measure provides quite a sum more to help Pakistan. That is being done notwithstanding the opposition of India and Afghanistan to our assistance to Pakistan.

Mr. President, this money does not do the job that my good friend the Senator from California states it does. I can state frankly and candidly that this sum of money can easily be trimmed. If it is, no one will miss the amount that is eliminated, because the amount we are now providing gives those countries the same amount they received last year. Today their situation is improving. Their economies are much better. They are producing more.

As I said awhile ago, it seems to me that the more we help their economies, the more we improve them and improve them and improve them, the more money they demand and the more money we send them.

I am getting sick and tired of doing that, particularly when the money we use for this program is borrowed.

Therefore, Mr. President, I hope the amendment will be agreed to.

Mr. DIRKSEN. Mr. President, this money goes to 12 countries on the periphery of the Red bloc. In six of those countries, we have major bases today.

I make only one other statement for the RECORD: My friend, the Senator from Louisiana [Mr. ELLENDER], has honored me by inserting in the RECORD a speech I made 7 years ago. All I can say is that in my life I find that I must either grow or die. I am glad that I have grown a little in the last 7 years.

The PRESIDING OFFICER (Mr. CLARK in the chair). The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I should like to make a final point. Cambodia has given representation to the Reds. I am not permitted to say what funds the United States is giving to Cambodia. But our country has already made available to Cambodia more than $120 million. The pending bill provides—I wish I could tell the Senate and the American people the exact amount—a large sum of money.

Mr. RUSSELL. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. RUSSELL. I am afraid that my good friend, the Senator from Louisiana, has overlooked the Cambodian army. Just think of what we have obtained for these funds.

Mr. President, it is indeed a very sad thing to contemplate that this program has become a permanent part of our Government. I know of no way by which we shall ever get rid of this foreign-assistance program. In times past, I undertook to point out that when we have an entrenched bureaucracy which makes up its own budget estimates and requests, it almost becomes permanent.

In addition, we now have the vested interest in the foreign-aid program by those who sell their goods to the agencies which purchase them for delivery abroad. A great many of them are powerful interests in this country. They have reached the stage where they obtain much more in the way of profits from the goods they sell to the foreign-aid program than the amount of the taxes they have to pay to support it. So in this way, they are protected. But by virtue of that vested interest, the average taxpayer is being saddled in perpetuity with the cost of a program which the Congress should begin to pare down.

But the recipients have received it for so long that they think we cannot reduce it; they say that if we reduce it, we shall lose our friends.

Thus we see the vested interest of a bureaucracy which makes up its own budget estimates, and has no one to argue against them, when it presents to the Congress its budget estimates; the vested interests who produce everything from magazines to tanks, and therefore support the program, in the political arena, with all their powerful means of communication; and, then, the vested interests on the part of the recipients, who now tell us, "If you reduce it by one dime, we will leave you."

Mr. President, I am sad when I contemplate increasing this program over that allowed last year. If the program is increased, the day when that is done will be a tragic one for the taxpayers of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BARRETT (when his name was called). On this vote I have a pair with the distinguished junior Senator from Maine [Mr. PAYNE]. If the Senator from Maine were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. COOPER (when his name was called). On this vote, I have a pair with the senior Senator from New Jersey [Mr. SMITH]. If the Senator from New Jersey were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. GOLDWATER (when his name was called). On this vote, I have a pair with the distinguished junior Senator from West Virginia [Mr. HOBLITZELL]. If the Senator from West Virginia were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. YOUNG (when his name was called). On this vote, I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If the Senator from New Hampshire were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The roll call was concluded.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Florida [Mr. HOLLAND], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND] would vote "yea."

On this vote, the Senator from Texas [Mr. YARBOROUGH] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Texas [Mr. YARBOROUGH] would vote "yea," and the Senator from Florida [Mr. HOLLAND] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

If present and voting, the Senator from Nebraska [Mr. HRUSKA], and the Senator from Indiana [Mr. JENNER] would each vote "yea."

The respective pairs of the Senator from New Hampshire [Mr. BRIDGES], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] have previously been announced.

On this vote, the Senator from Ohio [Mr. BRICKER] is paired with the Senator from New York [Mr. IVES]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 36, nays 41, not voting 19, as follows:

YEAS—36

Anderson	Johnston, S. C.	Mundt
Bible	Jordan	O'Mahoney
Byrd	Kefauver	Proxmire
Case, S. Dak.	Kerr	Revercomb
Chavez	Langer	Robertson
Curtis	Long	Russell
Dworshak	Magnuson	Schoeppel
Ellender	Malone	Sparkman
Ervin	Mansfield	Stennis
Frear	McClellan	Talmadge
Fulbright	Monroney	Thurmond
Hill	Morse	Williams

NAYS—41

Aiken	Green	Morton
Allott	Hayden	Murray
Beall	Hennings	Neuberger
Bennett	Hickenlooper	Pastore
Bush	Humphrey	Potter
Capehart	Jackson	Purtell
Carroll	Javits	Saltonstall
Case, N. J.	Johnson, Tex.	Smathers
Church	Kennedy	Smith, Maine
Clark	Knowland	Symington
Cotton	Kuchel	Thye
Dirksen	Lausche	Watkins
Douglas	Martin, Iowa	Wiley
Gore	McNamara	

NOT VOTING—19

Barrett	Flanders	Martin, Pa.
Bricker	Goldwater	Payne
Bridges	Hoblitzell	Smith, N. J.
Butler	Holland	Yarborough
Carlson	Hruska	Young
Cooper	Ives	
Eastland	Jenner	

So Mr. ELLENDER's amendment was rejected.

Mr. BARRETT. Mr. President, I was paired against the amendment proposed by the distinguished Senator from Louisiana, to cut $100 million from the funds provided for military assistance in the bill. I would much prefer to make grants to such countries as Turkey and Korea, in order to permit them to maintain their forces in the field to contain the onslaught of the forces of communism rather than to send our boys to do that job.

Mr. President, I voted for the amendment to cut $50 million from the item for defense support, more properly

known as economic aid. In view of the fact that this country is obliged to borrow a good many billion dollars to conduct the annual operations of the Government, I am constrained to vote against the bill.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments, and the third reading of the bill.

The CHIEF CLERK. H. R. 13192——

Mr. WATKINS. Mr. President, is this the third reading of the bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. WATKINS. I have a statement I wish to make before the third reading.

Mr. JOHNSON of Texas. Mr. President, if the Senator will permit me, I move to reconsider the vote by which the amendment was rejected.

Mr. KNOWLAND. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Utah has been recognized. The bill has not been read the third time.

Mr. WATKINS. Mr. President, I intend to discuss my proposed amendment to H. R. 13192.

This amendment would authorize the President to use appropriations under the mutual-security program and other such funds as are necessary in order to negotiate and carry out agreements with foreign nations, in order to alleviate economic hardships experienced by workers in foreign countries whose production will be adversely affected by action hereafter taken under section 7 of the Trade Agreements Extension Act of 1951, as amended. That is the escape-clause provision. It has to do with the minerals program, and it was defeated in the House 2 days ago.

In addition, the amendment I have prepared would increase the special assistance fund by $2,500,000, to its authorization limit of $202,500,000.

The Senate Appropriations Committee already has proposed increasing the contingent fund to its authorized limit of $155 million. That is provided under another discretionary fund. The use of these two funds is discretionary with the President.

Furthermore, the act specifically authorized the President to utilize these funds to "promote political or economic stability." I point out that political and economic stability are highly important objectives of the program. Hence the use of the funds for that purpose is a very legitimate use of mutual security appropriations.

Two recent developments prompted me to bring up my amendment at this time:

First, Congress recently passed the Trade Agreements Extension Act of 1958, which increased the effectiveness of escape-clause action for essential domestic industries adversely affected by foreign imports.

This action, together with the platform pledges of both parties, indicates that a more vigorous use will be made of this escape hatch for domestic industries.

Industries which are threatened by foreign importations should be interested in what I am saying and in the proposal I am making.

These industries now are being undercut and destroyed by competition from foreign firms which do not have to meet the same level of wages, taxes, and other business costs imposed upon American businesses.

Second. For many years now, the free-traders have been asserting that it would be far cheaper to subsidize the losses of domestic firms rather than to impose restrictive tariffs and import quotas.

But we have just had an object lesson in what happens when this solution is assayed.

The administration came forward with a proposal for a subsidy program for certain domestic minerals as an alternative to tariff-import quota relief for the major industry involved, lead and zinc mining.

Mr. President, I find it difficult to compete with other Senators who are talking.

Mr. SYMINGTON. Mr. President, may we have order? Some of us are interested in what the Senator is saying.

The PRESIDING OFFICER. The Senate is not in order. The Senate will be in order.

The Senator may proceed.

Mr. WATKINS. I do not intend to speak for long, I will say, but I think what I have to say is very important.

This program would have cost only $75 million a year for 5 years through 1962, when it was expected that the increased domestic and foreign consumption would have stabilized the minerals market.

Many of us who supported this measure did so reluctantly, because we have felt, and still feel, that the tariff route is preferable to subsidies. But the lead-zinc industry has been depressed for 8 years, and it had gone the full route of tariff investigations on two occasions, with unanimous recommendations of the Tariff Commission that escape-clause relief be provided.

In view of these circumstances, the Senate voted overwhelming support—70 to 12—for passage of this measure, and it seemed that relief was, at long last, in sight.

However, as we well know, our colleagues in the House have just harpooned this measure with a 23-vote margin, and it appears quite definite that effective relief via this alternative route cannot be provided this session.

Under these circumstances, it appears that the President has no alternative other than to invoke tariff increases and import quotas for lead and zinc under the escape clause of the Trade Agreements Act, as recommended in a still-pending action of the Tariff Commission. And I and many other Members of Congress from minerals-producing States have importuned him to take such action.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the letter I sent to the President immediately after the vote in the House.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 22, 1958.

THE PRESIDENT,
The White House,
Washington, D. C.

MY DEAR MR. PRESIDENT: I have just been advised that the House of Representatives defeated the minerals stabilization bill. This will be sad news to the thousands of workers and their families throughout the United States who have been out of work for a considerable length of time because of the depressed prices in the minerals market, and most specifically in the lead-zinc field. They had been hoping and praying that Congress would act favorably upon this bill. Many of these unemployed workers reside in my State of Utah. The defeat of this measure also will be sad news to the hundreds of thousands of stockholders in the companies which operate lead and zinc mines and other minerals in the United States. And it should be sad news to all those who are interested in keeping the economy of America strong and prepared for any emergency.

Although stockpiles of lead and zinc and some other minerals are plentiful for defense purposes, still the economy of this country cannot afford to be without a vigorous and prosperous mining industry. They certainly could obtain a stranglehold on the economy of this country if our mines are closed to the extent that we are wholly dependent upon foreign sources of supply.

Personally, I want to express my very sincere appreciation for the loyal, and the most part effective, work of Secretary Fred Seaton and other members of the administration who have strongly supported the defeated bill. You, of course, were the inspiration for this particular type of legislation, because, as you expressed it, you thought it in the best interests of the United States to give relief particularly to our lead and zinc mining industry by way of a stabilization program rather than through the methods recommended by the Tariff Commission. Members of Congress from the States of the Union where these metals are produced were all vigilant and energetic in supporting the bill, but all the effort put forth was of no avail, even though we won a more or less spectacular victory in the Senate.

Now we come to the only source of relief open to us, and that is to follow the method set forth in the Reciprocal Trade Act as it was recently amended. After an exhaustive hearing, the Tariff Commission has made its recommendation, and you have the power to put into effect an effective program for assisting the lead and zinc industry. I need not review, Mr. President, the pledges of both the Democrat and Republican Parties with respect to the escape clause provision of the Reciprocal Trade Act, nor your assurances that this act would be faithfully and expeditiously enforced.

I very reluctantly agreed with you and Secretary Seaton that we should try this other method, but since it has failed after an honest, faithful effort to make it succeed, I now appeal to you in behalf of the thousands of miners who are out of work to use the full powers given you under the amended Reciprocal Trade Agreements Act to give this industry the protection it needs in order for it to be in successful operation again.

I am sure you will agree with me that after the long delay incident to the contest to secure relief by legislative act, no time should be lost now in using your powers to relieve this mining industry. You have before you the recommendations of the Tariff Commission, and under the amended act you have additional power to grant relief. I earnestly hope you will act expeditiously to put into effect such measures as will be effective to put this industry on its feet again. It has been my conviction all along that our mutual aid program should be used to relieve the lead-zinc mining industry in any of the countries that might be affected by an increase in tariffs and the imposition of quotas. Our friendly allies in this hemisphere who are the producers of lead and zinc could be helped in the event their industries are seriously damaged by the imposition of tariffs and quotas if quotas should be a part of the remedy.

When the mutual security bill comes before the Senate I intend to offer an amendment to specifically authorize you to use some of the funds voted under this program to aid countries which might be dangerously damaged by any remedy which you might impose to help our lead and zinc industries. I am enclosing copy of an amendment I had prepared to offer to the reciprocal trade extension bill when it was before the Senate.

In conclusion, Mr. President, may I say that I have appreciated the position you took and your sincerity and honest conviction in urging a stabilization program rather than follow the recommendations of the Tariff Commission. But since our efforts have failed, I now have every confidence that you will act in accordance with the pledge of the Republican Party at its San Francisco convention in 1956.

With all good wishes, I am,
Cordially yours,
ARTHUR V. WATKINS.

Mr. WATKINS. Mr. President, relief for the other minerals involved apparently will have to await legislative action next session, because in no other case is an escape clause decision pending.

This amendment will not obviate the necessity for the President to take escape clause action for a domestic industry facing ruin from foreign imports. It merely will make it possible for the President to take such action whenever he deems it necessary, then to go beyond the authority in the Trade Agreement Act and soften the economic blow of the escape clause action through the mutual security program. Certainly such action to aid our friends and stave off Communist efforts to take advantage of the situation is within the purview of this act.

The President's action under this authority would be discretionary, just as it is under much of the existing mutual security program. However, it could involve such cushioning measures as these:

First. Negotiations to advance a loan for an adversely affected country to build a new industrial facility to produce goods that are not ruinously competitive with American domestic industries.

Second. Provision of assistance to build processing facilities so that a friendly producer could ship refined metals to other markets.

Third. Provision of shipping to enable a friendly producer to sell goods to more distant markets.

I have not had time to work out specific, acceptable recommendations for action to counter the effects of escape clause action, but our State Department staff, which helps foreign countries invade our markets, certainly is ingenious enough to solve this problem. The major limitation, at present, would be a lack of funds under the 1959 program, because the President really needs more money for these two funds than the Congress has authorized.

However, I feel sure that if a well-considered and reasonable program is worked out between now and January under this authorization, the new Congress will be amenable to providing adequate funds under a supplemental appropriation. Furthermore, it should be considered that before such funds are needed, escape clause action would increase tariff rates, thereby providing some offsetting revenues.

If this program is carried through, we will be taking constructive action in support of friendly trade relations that no other country, to my knowledge, has put into practice.

Most other countries apply tariffs, quotas, and other import control devices to protect their domestic industries, with little regard for the effect such action may have on other countries, friendly or hostile.

Moreover, I believe it is true that no other country has gone so far as we have since 1934 in opening our market to foreign competitors.

Now, if the Congress passes this amendment, we will be saying, in effect, to our foreign friends: "We intend to apply the escape clause effectively and expeditiously in defense of our essential domestic industries, just as you protect your industries, but we are going farther than any other nation we know of, and will do what we can to cushion the economic blow which you may suffer from this action."

I believe that such a policy would be respected and appreciated by our foreign friends.

And it most certainly would be appreciated by our depressed domestic industries which cannot hope to compete with low-cost foreign competitors.

Furthermore, if our foreign friends complain strongly about our application of the escape clause, we need merely remind them that our failure to save domestic industries from ruin by foreign imports could mean the eventual death of our trade agreement program and the imposition of tariffs and import controls which would make the Smoot-Hawley tariff seem weak by comparison. This is no threat; it is just a realistic appraisal of the situation.

In suggesting this amendment, I am making a constructive effort to save our present trade program without sacrificing our essential domestic industries or alienating our friends in these difficult times. The President has a most difficult and challenging task to promote good international relations and to administer the foreign trade program. I sincerely hope that my colleagues will support the policy involved in this proposal, offered purely on my own initiative, to help the President adequately utilize the more effective escape-clause tool which the 85th Congress has just given to him.

Mr. President, I invite attention to the Mutual Security Act of 1954, as amended by the present Congress.

The amendment I propose is, on page 2, line 23, strike out "200,000,000;" and insert in lieu thereof "202,500,000:" and then add the following language:

Provided, That the President is authorized and requested to use such funds as are necessary in order to negotiate and carry out agreements with foreign nations in order to alleviate economic hardships experienced by workers in foreign countries whose production is adversely affected by action hereafter taken under section 7 of the Trade Agreements Extension Act of 1951, as amended (escape clause provision);

That is the escape clause provision.

On page 4, line 5, immediately before the semicolon, it is proposed to insert the following: ": *Provided*, That the President is authorized and requested to use such funds as are necessary in order to negotiate and carry out agreements with foreign nations in order to alleviate economic hardships experienced by workers in foreign countries whose production is adversely affected by action hereafter taken under section 7 of the Trade Agreements Extension Act of 1951, as amended—escape clause provision."

The reason I am making this proposal is that since the mineral stabilization bill has been defeated, and since the States in which these industries are located have done everything in their power to get an alternative program, other than going the tariff route, and have failed, I am assuming that the President of the United States will now proceed to carry out the recommendations of the Tariff Commission with respect to lead and zinc.

I am assuming also that he was acting in good faith—and I am sure he was—when he said, in effect, that it would be dangerous, in some of our neighboring Republics in this hemisphere, if we were to adopt a tariff, rather than to use the subsidized-mineral bill which we had before us, and which received such a large vote in the Senate.

In order to carry out the program without damaging those people and making it possible for the President to have at hand a remedy to take care of that sort of situation, should it arise with any friendly nations, he should have authority, if he does not already have it, to do that sort of thing.

I have checked with the distinguished chairman of the Appropriations Committee [Mr. HAYDEN]. My attention has been called—and we had already investigated it—to title IV, "Special Assistance and Other Programs," contained in the Mutual Security Act of 1954, as we amended it this year. That provision reads as follows:

SEC. 400. Special assistance: (a) There is hereby authorized to be appropriated to the President for the fiscal year 1959 not to exceed $202,500,000 for use on such terms and conditions as he may specify for assistance designed to maintain or promote political or economic stability.

That is precisely the thing the President may be confronted with if he goes the tariff route and puts into effect tariff provisions without any quotas.

If we find that kind of situation developing through the American Republics which produce lead and zinc, he apparently has the authority—that is the question which has been raised; and I wish to be sure that he has the authority—to deal with that possibility. I wish to direct attention to the possibility, so as to make it easier for the country to support the President, and for the President to take that kind of action.

Before I ask the chairman some questions, I invite attention to another section of the Mutual Security Act, namely, chapter III, section 451, under the heading "Contingency Fund."

SEC. 451. President's Special Authority and Contingent Fund—(a) Of the funds made available for use under this Act, not to exceed $150,000,000, in addition to the funds authorized for use under this subsection by subsection (b) of this section, may be used in any fiscal year, without regard to the requirements of this Act or any other act for which such funds are authorized by this Act or any act appropriating funds for use under this Act, in furtherance of any of the purposes of such Acts, when the President determines that such use is important to the security of the United States.

That gives him an additional fund of $150 million, provided there is that much unused in the other funds. I think the record shows that there are many millions more than that still available. As I understand, the present bill, in the first section, provides for $200 million in the special assistance fund. Is that correct?

Mr. HAYDEN. That is correct. Let me point out to the Senator, first, that so far as his amendment is concerned, it could not be entertained in connection with this bill because both paragraphs are legislative in character. They would change existing laws and could not be included. Second, with respect to what he has read in regard to existing law, the President now undoubtedly has rather wide discretion with respect to what he considers to be assistance designed to maintain or promote political or economical stability. Will the Senator read that section once more?

Mr. WATKINS. The section reads as follows:

Section 400. Special assistance—(a) There is hereby authorized to be appropriated to the President for the fiscal year 1959 not to exceed $202,500,000 for use on such terms and conditions as he may specify for assistance designed to maintain or promote political or economic stability.

Mr. HAYDEN. It would be a question in the judgment of the President as to what he should do with the money we propose to appropriate in the bill now, and if he should decide to take action under proper legal advice, which I have no doubt he would get, to promote the interests of the United States, he could take that action. That is my judgment.

Mr. WATKINS. Without mentioning any particular Republic, if he found, for example that X Republic in the Western Hemisphere was a producer of lead and zinc, and that should he impose the tariff recommendations of the Commission that nation would be seriously damaged and its political and economic stability upset, he would be within the law, it seems to me, if he made the finding that he could then use funds authorized under section 4 of the bill.

Mr. HAYDEN. That would be a matter within his discretion.

Mr. WATKINS. Also with respect to section 451, which authorizes up to $150 million of other funds, he could do the same thing, could he not?

Mr. HAYDEN. That view appears to me to be perfectly clear from a reading of the law.

Mr. WATKINS. What I was trying to do was to make abundantly clear the extent of his authority. I was in some doubt when I prepared this amendment whether he had the authority, and I did not know to which bill I might propose that amendment.

Mr. HAYDEN. The President will not come to ask me what I think he ought to do, but undoubtedly he will ask the Attorney General and others who can properly advise him. But, so far as I am concerned, it seems to me he has the necessary authority.

Mr. WATKINS. That has to do also with the other section pertaining to the $202 million?

Mr. HAYDEN. That is right. It applies to both sections.

Mr. WATKINS. I wanted to make that understanding clear, so the President may be able to examine the legislative history for the action I believe he will take in carrying out the provisions of the law.

Mr. LAUSCHE. Mr. President, will the Senator yield so that I may ask a question?

Mr. WATKINS. I yield.

Mr. LAUSCHE. Is there any question in the minds of members of the committee with respect to the answer just given?

Mr. HAYDEN. This is the first time I have heard the question asked. If some action taken by the United States adversely affected the economy of another country, the language of the amendment appears to be broad enough to enable the President to do something about it. What he would do and the steps he might take to do it I have no idea.

Mr. LAUSCHE. Has the Senator heard any expression of opinion to the contrary by any of the members of the committee?

Mr. HAYDEN. No. This is the first time I have heard the subject mentioned.

Mr. WATKINS. I have read the record of the committee and I believe it is a fair statement that the President would have the right to use funds authorized under section 400 of the Mutual Security Act as amended this year. He would also have the right to use $155 million under section 451.

Mr. HAYDEN. He is clearly given broad discretion under that legislation.

Mr. WATKINS. I wanted to make that position abundantly clear. I have heard nothing to the contrary. I appreciate the help and assistance I am getting from the coaches on the side.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. WATKINS. I have not offered the amendment.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JAVITS. Mr. President, I have waited until the third reading of the bill to make the observations I wish to make at this time. I was detained and could not make them heretofore. I wish to make my position precise, for the benefit of the leadership and those who will be conducting the conference on the part of the Senate.

Speaking for myself, and I believe a number of other Senators in the Chamber, we have deep convictions about the Development Loan Fund. We felt that the Development Loan Fund was too low to serve the national interest of the United States. I had filed an amendment to raise it to $825 million. The distinguished Senator from Pennsylvania had filed an amendment to raise it to $625 million. I deeply believe the Appropriations Committee went as far as it felt it could go in terms of the temper of the most of the Members of the Senate in fixing the figure at $580 million. I believe that is a fair figure in view of the fact that the administration asked for only $625 million, whereas it should have asked, based upon the testimony of Douglas Dillon himself, for $825 million. But it did not. That is its mistake.

In any event, considering what the Appropriations Committee faced, I believe it handled the matter very fairly. The problem will arise in conference, and I did not think it was fair, knowing the tough kind of conference that the conferees will have and that the leadership will have to face in coming to a final conclusion, to refrain from emphasizing the vital importance of this Development Loan Fund in the whole national security interest of the country.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I shall not detain the Senate for more than 2 minutes.

I would like also for the RECORD to indicate I had pending at the desk an amendment which I did not call up. That amendment would have restored to this appropriation bill the full amount in every category which had been contained in the authorization bill. It is my deep conviction that we are making a mistake in this body and that a mistake will be made in the other body of Congress in not giving the President of the United States every cent he requested for the military assistance defense effort, development loan fund, and special assistance authorization.

The time is long past when we can concern ourselves with whether or not this is a permanent part of our national policy. It is. It is necessary to our national security. We have the combined judgment of all the executive departments of the Government in this matter. I think we should pay attention to it.

Mr. COOPER. Will the Senator yield?

Mr. JAVITS. I yield to my colleague from Kentucky [Mr. COOPER].

Mr. COOPER. I join with the Senator from New York. I voted to reduce military aid by $100 million a few minutes ago. I believe that is the first vote I have cast to reduce an appropriation for mutual aid. I did so in the firm conviction there is a great challenge to this country at this time and in the years ahead with respect to our willingness to provide a large measure of economic assistance to countries which are struggling to maintain their independence and raise the standards of living of their people. I earnestly hope that the Development Loan Fund will be maintained, and I hope that next year the amount which the President asked for last year, $800 million, will be made available.

Mr. JAVITS. I yield to my colleague from Missouri.

Mr. SYMINGTON. Mr. President——

Mr. JAVITS. Does the Senator from Missouri wish me to yield?

The PRESIDING OFFICER. The Senator from Missouri is seeking recognition in his own right.

Mr. JAVITS. Mr. President, Mr. Douglas Dillon, Deputy Under Secretary of State for Economic Affairs, testified the $625 million request for the Development Loan Fund was at most no more than the barest minimum. That $625 million represents an aggregate—if we do appropriate what was asked—of $925 million for the whole economic development loan activity of the United States, taking it with the $300 million appropriated last year. Now we are actually giving them $880 million if this bill passes.

Mr. President, we talk a great deal in this Chamber about competition with the Soviet Union, and we have appropriated over $40 billion for military defense this year in respect to that competition.

The Soviet Union is not quite as tight as we are in terms of economic defense—although we are a great deal richer than they are—because they know what it means. They have spent an average of $600 million a year. To give the Senate an example of the relationship of their programs to ours, in two countries in the Middle East—Syria and Egypt—during the last 3 years the Soviet Union has given in economic aid, $449 million. Our total economic aid program for the whole Middle East, in the same 3-year period, was approximately $480 million. Theirs was for only 2 countries; ours for the whole area.

I heard the distinguished senior Senator from Louisiana ask the question: Where are we going to get the money? It is a fact that the budget of the United States is large and that our national debt is increasing. However, the situation is the same as you encounter in the running of any business. It is not what we spend, but what we have. The fact is that in 1946 the national debt was 136 percent of our national income. It was more than one-third larger than the national income. In June 1957, the national debt was three-fourths of the national income. In short, our position in that 11-year period improved very materially, and the United States is not bleeding itself white in order to do the job that needs to be done.

There is a tremendous deficiency of private investment capital in the underdeveloped areas where the Development Loan Fund could be used. United States direct private investment in the less developed countries of Asia, Africa, and the Middle East averaged only $119 million a year during the 3 years 1954 through 1956. I am referring to the testimony of Douglas Dillon, Deputy Under Secretary of State for Economic Affairs, when he testified before the Committee on Foreign Relations.

In short, Mr. President, there is a real insufficiency of capital in this area.

I believe that by now no one needs to be convinced of the importance of the people in those undeveloped areas—countries like India, Thailand, and Burma. And, if they do not see hope, in that enormous area, they will not be on our side, because the Communists are willing not only to expend the propaganda ideology, but also the hard cash to win them over.

One other fact which Mr. Dillon gave us was that the Development Loan Fund will have received applications deserving serious consideration in the amount of $3.3 billion by June 30, 1959. By that date the aggregate amount which will have been made available to meet those requests will be $880 million, if the present bill is passed.

We have heard some very long speeches by people on the proposition that we could and should save some money. I deeply feel that if we save money on this item we will be putting in jeopardy the national interest of the United States. I say that because we can make all the speeches in the world we want to on the subject that we are better than the Soviet Union, and that we ought to beat them at their own game. The hard fact is that in this case we must either put up or shut up.

Mr. President, in conclusion I should like to read some lines from a very wise man, Paul-Henri Spaak, Secretary General of the North Atlantic Treaty Organization. This is what he said on the very subject we are discussing today:

Peaceful coexistence means a life and death struggle between the Communist system on the one hand, and the way of life and political, economic, and social structure known as Western civilization on the other. It must be realized that this struggle will be carried into all fields, though it will be fiercest in the economic field, and is a challenge which must be accepted.

Mr. President, Khrushchev has said he declares war on us in the peaceful field of trade. Unless we appropriate the full amount of $580 million, which is specified in the bill, then we shall be inviting disaster in respect of that challenge. Dictators always tell us what they propose to do. The trouble with us is that we do not listen. I strongly urge that we listen now.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared stating why I am in favor of the passage of the pending bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

The Senate Appropriations Committee has added $440 million to the mutual security appropriations bill passed by the House. Although this brings the total appropriation to more than 3½ billion, it is still substantially smaller than the amount which the administration has determined to be necessary. The amount which would be appropriated under the committee bill is therefore a very small amount in the light of the program regarded as necessary by the President.

Most of the funds which the committee has restored will go to carry out our programs for economic development abroad. Mr. President, much has been said and written about these schemes, and their usefulness has been debated in all quarters. Generally criticism of them runs along the line that they have not bought allegiance to us, they have not resulted in democratic governments, the funds have been wasted through poor administration by our officials, or have been swallowed up by corrupt governments.

To some degree, although I think it is a small one, all of these things are true. But have we ever appropriated money for any program the administration of which was certain to be perfect, the results of which were plainly foreseeable, or the objectives of which were realized exactly as they were visualized? If there is conjecture and chance in appropriating this money, we are dealing with the rule—not the exception. But although the possibility of our receiving value for these funds is more remote than is usual, we must recognize that the catastrophes which we seek to avert are more imminent. It should not surprise us that the insurance is more expensive when that risk, if it occurs, is likely to be more costly.

The proposition has often been put to us that many countries in the world are so poor that their entire income must be spent upon subsistence items. They cannot lay enough aside to begin to accumulate those basic capital resources which are necessary for development of an expanding economy. To one who has traveled, this proposition is strikingly true. The question which confronts this body is whether the continuation of such conditions is in our national interest.

Let me first speak in long-range terms. The President of the United States said to the United Nations last week, "We are living in a time when the whole world has become alive to the possibilities of modernizing their societies. Material progress should not be an overriding objective in itself; but it is an important condition for achieving higher human, cultural and spiritual objectives." Mr. President, we cannot expect anyone to strive for these objectives nor can we expect ideas which are friendly to our own to grow in the sort of climate which prevails in some underdeveloped countries. There is the most intimate connection between economic and social conditions and the national policies which spring from them. Our way of life and the conceptions which are fundamental to it have developed in an atmosphere relatively free of the misery and poverty which prevail in much of the world today. To the extent that we can foster such an atmosphere abroad—an atmosphere of economic progress and freedom—we will be laying a groundwork for the growth of ideals that are in harmony with our own.

But even if this objective is too distant to strive for, there are other pressing considerations which demand passage of this bill and which are easily justified on national security grounds.

For better or worse, economic warfare has become the order of the day, and the Russians have picked up the weapon which we have introduced to the world. I read from time to time of Russian moves in this field—buying surplus products from countries which will otherwise suffer severe depressions, supplying arms where we have refused to do so, sending in swarms of technical advisers and military experts who subvert and proselytize. Economic aid has become, as the use of force was in the 19th century, the accepted method of filling a power vacuum. It is difficult for us to maintain the balance of power without it, particularly in view of our unwillingness to resort to force in other than extreme circumstances, and our rejection of subversion as an instrument of national policy.

Providing military aid is simply not enough, Mr. President. Many countries upon whose support and good will we depend will not accept such aid, or if they will, are not greatly influenced by it. A loan is often a more effective way of gaining confidence than the supply of a destroyer or a jet aircraft. And we should recognize that our position in foreign countries is much better assured in the event of a change of government, if our links are economic rather than military. The former much more easily endures a change of regime.

In conclusion, I cannot too strongly urge the passage of this bill in the form reported by the committee. The amount appropriated will be the very minimum upon which our foreign operations can proceed with effectiveness. To provide less would be to put ourselves in the most unnecessary danger.

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a statement which I have prepared on the pending bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AN END TO THE FOREIGN AID GIVEAWAY

(By Senator SCHOEPPEL)

The United States began providing emergency economic help to Europe right after World War II. Surely no one dreamed back in 1945 that 13 years later we would still be giving away money at the rate of $3 billion a year for foreign aid. How is it possible that free people have let themselves be talked into this monstrous giveaway that has cost them nearly $60 billion, or about $350 for every American citizen?

Foreign aid started out as a way of helping a prostrate Europe back on its feet after the destruction wrought by the Second World War. It was only supposed to last a few years and for the most part, it was to be given to our wartime allies. But instead of coming to an end, this European-centered "emergency" aid has become a permanent drain on the American economy. It has been enlarged so that we now provide both economic and military help all over the world. We are trying to industrialize all the underdeveloped areas that are not under Soviet rule; we are trying to arm both the nations of Western Europe and any others that are allied with us in the struggle against the Soviet military drive for world domination. I say we must call a halt to this spending of your tax dollars and my tax dollars in every case where it is not clearly in the interests of America's own security. How can we cut down? First, we must look at what has already been done and see what we can learn from these past successes and failures. Then, we have got to take a long, cold look at what foreign-aid activities can do for us today and the best way in which it can do the job. I am convinced that the end result will be a greatly reduced drain on the American pocketbook, more defense for the dollar, and greater respect abroad for the United States.

The Marshall plan that put Europe back on its feet after the Second World War was to last from 1948 to 1952, but after only 2 years it had increased European productivity beyond the 1938 figures. At the end of its allotted 4 years, industrial output was 40 percent above prewar levels and agricultural production was up 15 percent beyond the prewar level.

If the Marshall plan was successful, it was because it had a practical goal. The job was to repair European industry and agriculture that had been destroyed and help establish new factories and farms. Since Europe was already highly industrialized it was feasible for American dollars to do the job when they were added to Europe's own funds and manpower resources.

It was because Europe and America worked together. It was because we were helping nations that, for the most part, had been our wartime allies, rather than trying to buy new friends by gifts of money. Despite the fact that many American servicemen gave their lives in World War II and this country spent billions of dollars, our allies suffered more severely from the war than did the United States. The cities of Europe were subjected to heavy bombing, a high percentage of allied servicemen were killed, and much of the farmland and industrial plants were damaged. In a sense, the Marshall plan recognized these facts. We were helping our allies who had fared so much worse than we had fared in the common struggle against Nazi Germany.

It was successful because the aid was appropriate to the requirements of the individual countries. Delegates from the European nations and the United States sat down together and carefully planned just what American aid was needed in each country to supplement the domestic resources. There was no "monument building," or expensive projects that serve only to increase the prestige of the local political figures. There was undoubtedly some waste, for there would have to be some in such a gigantic program.

Finally, I believe we must recognize that the Marshall plan was not designed to make democracies out of states that had never before experienced a democratic way of life. The countries of Western Europe had long since fought the battles for democratic freedom. We were merely helping democratic governments to maintain themselves in the face of terrible economic and political dislocation that provided an opening for local Communist Parties to make a successful appeal to the poorer factory workers and some tired intellectuals.

We embarked on the great giveaway of economic aid to the world at the same time we began the shift in Europe from emergency economic help to military aid. Our experience with the Marshall plan should have taught America a lesson about economic assistance. It should have taught us the criteria for a successful program of foreign aid. But alas, this did not happen. So often programs which are meritorious have a way of extending far beyond the limit of their usefulness. Bureaucratic empires are built, vested interests establish profitable foothoies which they are reluctant to relinquish. Propaganda barrages obscure in a fog of slogans the true nature of the operation.

When we set out to industrialize the underdeveloped areas of the world, we have set ourselves a goal that is beyond the limits of what we can reasonably expect to accomplish even with the billions of American dollars that have been spent and that we are continuing to spend in these countries. We have given billions to governments and peoples for economic development when they have demonstrated neither the capacity nor the incentive to set their own courses toward economic development. We have poured our aid into countries that are not our allies and even into some that spent their time attacking American foreign policy. The aid which we have supplied has often been quite unnecessary in terms of the actual requirements for economic development in the particular country. This has increased the waste and inefficiency that characterize the administration of our current economic assistance program. It is also clear that we have sometimes provided economic assistance to the less-developed countries in the vain belief that our money can buy democracy in these lands that have had little if any experience with the democratic way of life. These are not the only problems that pervade our massive programs of economic assistance. But they are problems that would not be with us if we had only taken the trouble to learn the lessons of success and failure from our experience with the Marshall plan.

We are naive if we think the American aid dollars can make any substantial contribution to the hundreds of billions that will be needed to turn poverty-stricken, disease-ridden, agricultural countries like India into modern industrial nations. Clearly it is not feasible for the American economy to provide sufficient assistance to raise the income of 400 million Indians to that of Europeans, to say nothing of Americans. I mention India only because it is such an outstanding example. But, approximately the same situation exists in the other nations of Asia and Africa. The only way United States economic grants could dent the surface of the problem of economic development in these countries is to increase our appropriations several times over and continue to give this volume of assistance for several generations. I believe this is more than the American people will stomach.

The United States does not have the responsibility for making such enormous sacrifices to modernize the economics of Asia and Africa. And it is foolish for us to give our money away in the attempt to reach such an impossible goal. These funds can serve a more useful purpose elsewhere. Perhaps we might even be sensible enough to reduce the present tax burden in America. Or would that be asking too much?

The European aid program should have taught us to help only those who are willing to help themselves. Europe took the lead in its own reconstruction. This is not the case in many of the countries of Asia and Africa. We seem almost to be urging money upon them. And in some cases we won't even make the local government draw up a carefully worked out plan for development. Nor do we require that the government put a substantial portion of its own income into development projects. It is notorious that the oil-rich feudal monarchs of the Middle East who receive American economic assistance have consistently held back from putting their own money into programs for economic development. It's so much easier to get it from Uncle Sam who seems determined to come in and modernize their country for them. Now, I don't mean to imply this is true everywhere that we give economic aid today. Indeed, there has been a revolution of rising expectations throughout the underdeveloped parts of the world, but this doesn't mean the people are willing to set before themselves the goal of a higher standard of living and then make the sacrifices necessary to save and invest in their own future economic development. It is a waste of hard-earned American dollars to provide economic aid where the people are not willing first of all to help themselves. We helped Europe help herself until she got back on her feet. But we aren't going to give money to Asia and Africa forever and especially not when many of the countries there don't save what money they do have to help themselves.

Despite all these roadblocks to a successful aid program, the record shows that we have often provided one kind of economic aid when in fact, the country needed something quite different. We have tended to make economic development mean industrialization always and everywhere. It is foolishness for us to give away billions of dollars to build steel mills, hydroelectric plants, and superhighways in places that have no industries to use the steel and the electric power and few automobiles to travel on the paved highways. Now it is popular to justify the foreign aid expenditures on the theory after all we are assisting our own economy; that by giving billions of dollars, we are in reality making money; that it is a profitable venture for American industry, American agriculture, American shipping, American banking, etc. This in my opinion is nonsense.

As I view the trends in the American agricultural situation, the textile industry, the lumbering industry, the steel industry, the automobile industry, the mining industry and a host of other vital segments of our economy, I am becoming more and more convinced that unless an end is put to this wasteful mismanaged, scoop-shovel, give-away foreign aid program, we will have serious economic dislocations in this country.

I do not wish to destroy the standard of living of the American working people. I do not wish to reduce to a common denominator the free Americans with that of peoples all over the world. I do not want the American workingman riding to work on a bicycle as his foreign counterpart in many areas of the world does today. I do not want American labor competing with those who work for 20 cents an hour with no retirement, no sick leave, no vacations, no social-security benefits, no opportunity to own their own homes, worship in their own church, or raise their children in accordance with the dictates of their conscience. I inherited from my forebears, who struggled hard in Kansas, an opportunity which, so long as I am in a position to do so, I shall fight to transmit to those who follow us.

I assure you that I shall never vote for any program which guarantees full employment in New Delhi, Rangoon, Paris, and Rome if it also promises unemployment and bread lines in Topeka and Wichita. Perhaps this is a selfish nationalistic point of view. If it is, I plead guilty. Any other position insofar as I am concerned is a form of national suicide.

I cannot subscribe to the theory that providing economic aid to the less-developed countries will cause them to become democracies rather than totalitarian states. This is something I would have expected Karl Marx to say. I would not expect to hear it from an American.

I do not believe that a country chooses Western democracy or Soviet communism on the basis of whether it receives more economic help from the United States or from the Soviet Union. Yet there are those in our country who act as though they are afraid Khrushchev will get ahead of us and give away more money than we do. Is that possible? Maybe. But, so far, the Soviets have given very little money to anyone. Most of the much-touted Soviet economic aid is in the form of trade credits and not outright gifts. Moreover, while the Sino-Soviet bloc has committed itself to about $1.9 billion of aid, they have actually delivered only about one-fifth of the economic assistance parts of their promised aid. Perhaps they expect the countries they help to turn into Communist states. I don't know, but there is little evidence to suggest that President Nasser of Egypt wants any part of communism in his country. Nasser has been wined and dined by the Soviets and has received the largest single slice of Russian economic and military aid, but he has consistently followed the strategy of trying to play off the Soviets against the Free World and get the most he can from both parties.

It is ironic that in the face of such claims that our economic grants to the less-developed lands will help to guarantee the success of democratic governments, there is strong evidence to suggest just the opposite.

I have tried to show you why we have failed so miserably. We have failed primarily because we have expected economic aid to do things that it was inherently impossible for it to do. It is a failure because it is not vital to the interests of the United States to give economic grants to the underdeveloped areas for long-term development and therefore represents a net loss of billions of dollars to this country. It is a failure because it has nurtured contempt for the United States around the world. We have come to be regarded as a soft touch, as nervous, jittery, and unsure of ourselves before the challenges presented by the Soviet Union.

If we are ever going to stop the giveaway and put this country's foreign-aid program on a sensible basis, we will have to call a halt to all grants of economic aid and make sure that our military aid goes to only those nations whose defense is clearly in the interests of American security. The American people will want to give help to foreign peoples in case of disasters like floods and earthquakes and fires, but we must not give money for the economic development of other countries unless it is on a sensible loan basis. This is a waste of our tax dollars unless we use some commonsense in this respect. It is an insult to the self-respecting peoples of other nations to put them on an American dole. I believe the entire foreign-aid program needs an overhauling. There is no question that some military assistance is needed.

As the Senator from Kansas, I must accept the recommendations of our military authorities when they request funds for the defense of the Free World. However, I know that under the blanket of national defense which to me is a sacred obligation some very strange creatures are being hidden. It seems to me that a group of global do-gooders are trying to provide bathtubs and two televisions for everyone in Timbuctoo, and many other impractical ventures. Now you may think I am intending to be facetious. Far from it—far from it. Some of the things which we have done in foreign countries under the guise of foreign aid would make the Mad Hatter of Alice in Wonderland look like Solomon.

The time has come, therefore, when we must revise our entire approach to this most difficult subject. The sad record indicates that our generosity, if it is generosity, certainly has not won friends or influenced any people. It has not helped us either here or abroad. We have let the entre program become a "Sacred Cow." Anyone who dares to criticize it calls down upon his head the wrath of every leftwing outfit and one world outfit throughout the Nation.

So be it. I have opposed the program as it is now constituted. If it continues in its present form, I shall continue in opposition. If it is revised and becomes selective—if it becomes a program which furnishes needed military assistance to those who are on our side, and which eliminates unnecessary and wasteful economic assistance, if the management is put on a businesslike basis and the bureaucratic morass is eliminated, I shall then support those phases of such a program that seem most likely to achieve that which we all desire; namely, freedom and security throughout the world.

Mr. SCHOEPPEL. Mr. President, I am including in my remarks a statement of economic aid by the United States as printed in the New York Times under date of May 23, 1958. This clearly shows the staggering sums we have spent and contemplate continuing to spend, as follows:

ECONOMIC AID BY UNITED STATES

WASHINGTON, May 23.—Following is a table showing how much economic aid has been committed to foreign countries by the United States in the years ended June 30, 1956, and June 30, 1957, and how much is contemplated in the year ending June 30, 1958. Military aid figures are not available on this basis.

The table was prepared by the International Cooperation Administration for a House Appropriations Subcommittee. As announced, but unsigned, $75 million Development Loan Fund loan for India has been added to the ICA figures for the current year.

Country	Year ended June 30, 1956	Year ended June 30, 1957	Year ending June 30, 1958 (estimated)
Afghanistan	$18,300,000	$14,391,000	$5,800,000
Argentina	84,000	----	350,000
Bolivia	25,400,000	23,300,000	20,100,000
Brazil	3,604,000	4,512,000	4,700,000
Burma	----	----	12,700,000
Cambodia	45,100,000	34,300,000	26,000,000
Ceylon	5,000,000	6,083,000	1,400,000
Chile	2,174,000	2,486,000	2,500,000
Colombia	1,323,000	1,156,000	1,290,000
Costa Rica	907,000	994,000	1,000,000
Cuba	471,000	569,000	570,000
Dominican Republic	265,000	156,000	190,000
Ecuador	1,660,000	1,809,000	1,880,000
Egypt	2,623,000	686,000	----
El Salvador	934,000	1,069,000	1,000,000
Ethiopia	2,923,000	9,600,000	Classified
Ghana	----	360,000	500,000
Greece	26,800,000	25,700,000	15,700,000
Guatemala	18,176,000	17,518,000	12,400,000
Haiti	6,361,000	2,126,000	Classified
Honduras	1,156,000	1,224,000	1,350,000
Iceland	----	8,462,000	5,100,000
India	60,400,000	66,700,000	81,300,000
Indonesia	11,100,000	11,700,000	21,300,000
Iran	65,500,000	51,600,000	26,600,000
Iraq	2,277,000	3,640,000	2,200,000
Israel	23,984,000	26,847,000	9,000,000
Japan	900,000	2,300,000	2,500,000
Jordan	7,500,000	21,200,000	21,700,000
Korea	326,900,000	305,700,000	220,600,000
Laos	48,700,000	44,500,000	Classified
Lebanon	7,800,000	12,100,000	2,700,000
Liberia	1,752,000	1,716,000	2,000,000
Libya	7,520,000	19,280,000	12,400,000
Mexico	705,000	888,000	680,000
Morocco	----	20,067,000	Classified
Nepal	1,958,000	4,247,000	4,065,000
Nicaragua	756,000	681,000	900,000
Pakistan	106,700,000	98,700,000	55,800,000
Panama	1,096,000	1,023,000	1,170,000
Paraguay	1,801,000	1,530,000	1,480,000
Peru	2,819,000	2,594,000	2,880,000
Philippines	29,100,000	33,900,000	19,000,000
Saudi Arabia	----	22,000	25,000,000
Somalia	80,000	1,387,000	650,000
Spain	58,426,000	60,999,000	58,150,000
Taiwan	73,300,000	83,700,000	80,000,000
Thailand	34,500,000	34,500,000	24,000,000
Tunisia	----	8,499,000	Classified
Turkey	107,800,000	58,800,000	74,500,000
Uruguay	154,000	254,000	200,000
Vietnam	195,700,000	269,400,000	179,200,000
Venezuela	150,000	135,000	170,000
West Berlin	17,278,000	11,406,000	11,170,000
Yugoslavia	29,803,000	14,992,000	11,750,000

Mr. SYMINGTON. Mr. President, I shall vote for the bill, because the Commander in Chief assures us that the money involved is essential to the security of the United States.

Especially for one reason, however, I do so with reluctance.

That reluctance is because it is hard for me to support foreign industry and development to the tune of billions of dollars, while at the same time we sit idly by and watch American mineral industries go down the drain.

This Congress has utterly failed to provide any kind of aid for the copper, lead, zinc, acid-grade fluorspar and tungsten industries of this Nation. In addition,

the President so far has failed to use such remedies as are available.

We have been told time and time again that a healthy, efficient operating domestic mining industry is a necessary and vital component of the mobilization base.

Actually, there was no need to be told this. The conclusion that a healthy mining industry is important, not only to the economic welfare, but also to the national security, is inescapable.

Thousands of miners, particularly in the lead and zinc industry, are idle.

Their fellow workers still employed are working at reduced work weeks and reduced pay.

This idleness is a burden upon their communities; and also upon the unemployment insurance and welfare funds.

This idleness also is reflected in reduced income-tax revenue, both at State and national level; and this includes the companies which have laid these workers off, as well as the workers themselves.

Therefore, to repeat, it is with reluctance that I vote to provide these billions for foreign aid—some of which will assist in the development of foreign mineral resources—when at the same time we are treating our American miners and domestic industries in such shabby fashion.

Mr. KEFAUVER. Mr. President, I compliment the Senator from Missouri not only upon his statement on the bill proper, but also upon his concern for certain mineral industries and the employees who are out of work.

My own State of Tennessee has a copper industry and a zinc industry. I know they are largely closed down and that many employees are out of work. I had hoped that the minerals stockpile bill, which the Senate passed, would give some relief. Undoubtedly it would have given some relief, but it has not been given clearance by the Committee on Rules of the House. Is that a correct statement?

My SYMINGTON. I believe that is correct.

Mr. KEFAUVER. Does the Senator from Missouri know whether there is any possibility of getting action on the mineral stockpile bill at this session?

Mr. SYMINGTON. I do not.

Mr. KEFAUVER. I certainly hope that this bill might be reconsidered in the House, or that the program might be cut down, if necessary, because some relief is very necessary.

Mr. SYMINGTON. I thank my able and distinguished colleague for his kind remarks. It has become more and more evident that the United States cannot eat its cake and have it too.

Mr. RUSSELL. Mr. President, inasmuch as a yea-and-nay vote will not be had on the bill, I desire to state that I shall vote in the negative—against the bill. I do so without reluctance, and on one of the few occasions I can do so, on a vote on an important measure, without having any doubt.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from the President of the United States in connection with the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, August 4, 1958.

The Honorable LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.

DEAR LYNDON: As you know from our many conversations on the subject, the cuts in the mutual security appropriations have troubled me a great deal. The carefully planned program I submitted last February was cut by almost $275 million in the authorizing legislation recently enacted by the Congress. The appropriation bill recently voted by the House of Representatives was further reduced by nearly $600 million from this already reduced amount.

I am advised of your view that the Senate is likely to restore only $440 million of the House cut. Of this $440 million, I understand that $90 million would be for defense support, $15 million for special assistance, $55 million for contingencies, and $280 million for the Development Loan Fund. I have two reactions: First, that it falls short of the authorization by $157.5 million, and is that much too low; second, that, at our calculated rate of expenditures, it would at least bridge the adjournment period without forcing program changes that would unduly increase our risks. Thereafter, unless world conditions should improve, I would expect to request additional funds to meet the cost of our required programs. On this basis a $440 million restoration would enable us to carry on our calculated programs until Congress returns.

It is, of course, the duty of Congress ultimately to determine how much this program requires. But before that decision is reached my duty is equally clear—to emphasize the utter gravity of the House cuts. The restoration of these funds is of the utmost importance to ourselves and to friendly nations throughout the world. I hope you will use this letter, to the degree you deem advisable, throughout the Senate, for in this matter the stakes for America are no less than crucial.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. KNOWLAND subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD immediately preceding the vote on the mutual-aid bill a statement by the distinguished senior Senator from New Jersey [Mr. SMITH] who was unavoidably absent.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMITH OF NEW JERSEY

It is a great regret to me that circumstances have prevented my being present on the floor of the Senate while the mutual-security appropriation bill is being considered.

It has been my sincere hope that the Senate would have been in a position to restore the full amount of the authorization as passed by both the House and Senate. I have some apprehension that anything less than that may make the final figure suffer some further reductions in conference. In spite of the foregoing, if I were present, I would vote for the report of the Senate Appropriations Committee recommending a restoration of the $440 million, and I feel the wisest course is to stand solidly for this with the hope and expectation that in our negotiations with the House and with the strong feeling on the part of the President, the final figure after conference will be substantially this amount.

The PRESIDING OFFICER. The question now is on the passage of the bill.

The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 13192) was passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. SALTONSTALL, Mr. KNOWLAND, Mr. THYE, and Mr. DIRKSEN conferees on the part of the Senate.

Mr. CURTIS. Mr. President, I was unaware that a yea-and-nay vote would not be taken on the bill. I wish the RECORD to show that I voted against the passage of the mutual security bill.

Mr. COOPER. Mr. President, I desire to have the RECORD show that I voted for the passage of the mutual security bill. I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR COOPER

Today, I have voted for the amendment offered by the senior Senator from Louisiana [Mr. ELLENDER] to reduce the appropriation for military assistance by $100 million below the $1,515,000,000 recommended by the Senate Committee on Appropriations. Later, by pairing with the senior Senator from New Jersey [Mr. SMITH], I expressed my support for his amendment to reduce the appropriations for defense support by $50 million below the $790 million recommended by the committee. Both of these items deal with growing military assistance, military equipment or funds to other countries, 12 to 15 in number.

I voted to reduce the appropriation, because I believe our program of assistance is too heavily weighted on the side of military assistance, and too small on the side of economic assistance.

The total appropriated by the bill is $3,518,092,500; $2,305,000,000 is allocated for military assistance to other countries. Conceivably, nearly all of the remaining $1,213,092,500 could be used for economic assistance, but it is not likely that it will be. Actually, $580 million is appropriated to the redevelopment loan fund for economic assistance, compared to the budget request of $625 million, and still short by $245 million of the amount the President asked for, and thought necessary for, the fiscal years 1957 and 1958.

Mr. President, countries in Asia, Africa, the Middle East, and our neighbors in Latin America, who have chosen democratic institutions and hold democratic value, are struggling against almost insuperable handicaps to build their economies and improve the standards of living of their peoples. Their chance to remain free and independent, for some countries, could depend on the ability of their governments to provide a better standard of living for their people.

These countries cannot advance unless they secure foreign exchange to purchase needed capital equipment, materials, and even food.

The Soviet Union recognizes that these countries are in the throes of an economic revolution. Khrushchev has declared that the Soviet Union is at war with the United States in this field of economic aid and trade, and they are at work, in the Middle East area. And now Russia is making gestures toward our neighbors in Latin America. I believe that Russia should help carry a part of the burden of economic assistance. It had done nothing during the Stalin years, while we gave our assistances freely to the newly independent countries of the world.

But now, we cannot withdraw from this field, or we will find ourselves isolated from the majority of the peoples of the world.

The honorable John Foster Dulles, Secretary of State, Under Secretary of State, Douglas Dillon, and indeed the President have spoken of the imperative necessity to provide funds for the Development Loan Fund, from it loans can be made in an orderly fashion, and in a way, which preserving the self-respect of other nations, will promote better relations between the United States and other countries.

I believe our effort in this direction is still inadequate, and that we are placing a disproportionate emphasis on military assistance as compared to the Development Loan Fund.

These facts, in addition to the tremendous deficit which we will have this year, occasioned in chief by our national military budget of over $41 billion, lead me to believe that $100 million could be cut from military assistance to other countries.

The amendment having failed, I will vote for the mutual security bill as I have in the past, for it is an element of our national security—and our responsibility in the world.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, with reference to the mutual security appropriation, two exhibits relating to the Development Loan Fund.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

Announcements of loans by the Development Loan Fund to Aug. 4, 1958

Country	Amount	Date of notification	Purpose	Country	Amount	Date of notification	Purpose
Honduras	$5,000,000	May 9, 1958	Road construction.	India	$75,000,000	May 21, 1958	Import and purchase of equipment.
Taiwan	3,200,000	May 16, 1958	Taiwan Railway Administration.	Greece	12,000,000	June 20, 1958	Construction of fertilizer plant.
Turkey	10,000,000	....do....	Industrial development.	Thailand	1,750,000	....do....	Purchase of dredge.
Taiwan	2,500,000	....do....	Asia Cement Corp.	Paraguay	2,500,000	....do....	Equipment for building gravel road.
Ceylon	750,000	....do....	Purchase of diesel-powered coaches.				
Taiwan	666,000	....do....	Fishing industry.	Pakistan	4,200,000	....do....	Economic development purposes.
Ceylon	1,600,000	....do....	Irrigation and land development.	Do	40,000,000	July 3, 1958	Assistance for 7-year program.
Do	900,000	....do....	Road improvement and expansion.				
Pakistan	5,800,000	....do....	Water supply and sewage disposal.	Total to Aug. 4, 1958	180,886,000		
Israel	15,000,000	May 20, 1958	Import of equipment and materials.				

Development Loan Fund

Loan recipient	Nature of loan	Interest rate	Terms of repayment of principal
Government of Honduras: $5,000,000.	To assist in financing local currency costs of road construction.	3¼ percent per annum, payable semiannually.	40 successive semiannual installments; payments of principal and interest to be made in Honduran lempiras.
Taiwan Railway Administration of Government of Republic of China: $3,200,000.	To assist in improving and expanding locomotive and traffic control facilities in Taiwan railway system.	....do....	22 successive semiannual installments; payments of principal and interest to be made in new Taiwan dollars.
Industrial Development Bank of Turkey: $10,000,000.	To assist the Industrial Development Bank in financing loans to meet foreign exchange costs of private industrial development in Turkey.	5 percent per annum, payable semiannually.	20 successive semiannual installments; payments of principal and interest to be made in Turkish liras.
Asia Cement Corporation of Taiwan: $2,500,000.	To assist in expanding the cement production facilities of this privately owned corporation in order to meet an increasing demand.	5½ percent per annum, payable semiannually.	14 successive semiannual installments; payments of principal and interest to be made in new Taiwan dollars.
Land Bank of Taiwan: $666,000....	To assist the Land Bank in making loans to private individuals and organizations for improvement and expansion of the fishing industry in Taiwan.	5 percent per annum, payable semiannually.	9 successive semiannual installments; payments of principal and interest to be made in new Taiwan dollars.
Government of Ceylon: $1,600,000.	To assist in financing the purchase and import of equipment and materials for irrigation and land development and for rehabilitation of flood-damaged reservoirs.	3½ percent per annum, payable semiannually.	40 successive semiannual installments; payments of principal and interest to be made in Ceylonese rupees.
Government of Ceylon: $900,000..	To assist in financing the expansion and improvement of roads in connection with Ceylon's 6-year road program and, initially, the rehabilitation of roads severely damaged by recent floods.	....do....	20 successive semiannual installments; payments of principal and interest to be made in Ceylonese rupees.
Government of Pakistan: $5,500,000.	To assist in financing the import of equipment and materials for use in the construction of a water supply and sewage disposal system for the city of Karachi.	....do....	60 successive semiannual installments; payments of principal and interest to be made in Pakistani rupees.
Government of Israel: $15,000,000..	To assist in financing the import of equipment and materials for economic development.	5¼ percent per annum, payable semiannually.	30 successive semiannual installments; payments of principal and interest to be made in Israel pounds.
Government of India: $75,000,000..	To assist in financing the purchase and importation of equipment, components, and materials for the expansion of transportation and selected industries in India.	3½ percent per annum, payable semiannually, on railroad portion of loan ($40 million); 5¼ percent per annum, payable annually, on balance of loan.	40 successive semiannual installments on railroad portion of loan; 30 successive semiannual installments on balance of loan; payments of principal and interest to be made in Indian rupees.
Government of Greece: $12,000,000.	To assist in financing the construction of a nitrogenous fertilizer plant.	5¼ percent per annum, payable semiannually.	24 successive semiannual installments; payments of principal and interest to be made in Greek drachmas.

Mr. JAVITS. Mr. President, I desire to have the record show that I voted for the passage of the mutual security bill.

Mr. LANGER. Mr. President, I desire the record to show that on the voice vote, I voted against the passage of the mutual security bill.

RELIEF OF CERTAIN EMPLOYEES OF THE DEPARTMENT OF THE NAVY

Mr. JOHNSON of Texas. Mr. President, H. R. 12212, for the relief of certain employees of the Navy, is now at the desk. The bill which is identical to S. 4184, introduced by the senior Senator from Maine [Mrs. SMITH], would relieve any Navy Department employee who was assigned to the Golcuk navy yard in Turkey during the period from November 23, 1955, to April 30, 1957, of any liability to refund any overpayment of per diem paid as the result of administrative error. The bill further provides for the payment of any funds withheld because of these overpayments.

Three private bills directed toward the same situation have passed the Senate. Approval of this bill would obviate the necessity for consideration by the committee and the Senate of an additional 13 private bills.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the bill.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 12212) for the relief of certain employees of the Department of the Navy, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the persons covered by the bill come from Maine, Massachusetts, New York, Pennsylvania, California, and South Carolina.

Sixteen persons, in all, are involved.

The amount in question, according to the Navy Department, is $11,015.30.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to the proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

CONVERSION OR EXCHANGE OF TERM INSURANCE ISSUED UNDER NATIONAL SERVICE LIFE INSURANCE ACT

The PRESIDING OFFICER (Mr. TALMADGE in the chair) laid before the Senate the amendments of the House of Representatives to the amendments of the Senate to the bill (H. R. 11382) to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act, and for other purposes, which were to strike out all after the enacting clause, and insert:

That, effective as of January 1, 1959, section 723 of title 38, United States Code, is amended as follows:

(1) Subsection (b) is redesignated as subsection (c).

(2) Insert the following new subsection immediately after subsection (a):

"(b) Any term insurance heretofore issued under section 621 of the National Service Life Insurance Act of 1940, may be converted to a permanent plan of insurance or exchanged for a policy of limited convertible 5-year level premium term insurance issued under this subsection. Insurance issued under this subsection shall be issued upon the same terms and conditions as are contained in the standard policies of national service life insurance, except (1) after September 1, 1960, limited convertible term insurance may not be issued or renewed on the term plan after the insured's 50th birthday; (2) the premium rates for such limited convertible term or permanent plan insurance shall be based on table X-18 (1950-54 Intercompany Table of Mortality), and interest at the rate of 2½ percent per annum; (3) all settlements on policies involving annuities on insurance issued under this subsection shall be calculated on the basis of the annuity table for 1949, and interest at the rate of 2½ percent per annum; (4) all cash, loan, paid up, and extended values, and, except as otherwise provided in this subsection, all other calculations in connection with insurance issued under this subsection shall be based on table X-18 (1950-54 Intercompany Table of Mortality), and interest at the rate of 2½ percent per annum; (5) insurance and any total disability provision added thereto issued under this subsection shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited directly to the revolving fund referred to in subsection (a) and payments on such insurance and any total disability provision added thereto shall be made directly from such fund."

(3) The second sentence of the subsection redesignated by paragraph (1) as subsection (c) is amended to read as follows: "The rate of interest on such obligations shall be fixed by the Secretary of the Treasury at a rate equal to the rate of interest, computed as of the end of the month preceding the date of issue of such obligations, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt that are not due or callable until after the expiration of 5 years from the date of original issue; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such obligations shall be the multiple of one-eighth of 1 percent nearest such average rate."

And to amend the title, so as to read: "An act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act of 1940, and for other purposes."

Mr. BYRD. Mr. President, this is a veterans' bill. I move that the Senate concur in the amendments of the House of Representatives to the amendments of the Senate.

The amendments were agreed to.

TRIBUTE TO SENATOR MANSFIELD

Mr. GORE. Mr. President, as the hour for adjournment of the 85th Congress is almost reached, I wish to express my deep appreciation for the able, conscientious, fruitful leadership of the distinguished junior Senator from Montana, MICHAEL J. MANSFIELD, Democratic whip of the United States Senate. The great productive record of this Congress is in no small part the result of the patience, the understanding, the fellowship, and the foresight that have characterized his leadership.

A tall man among his colleagues, MIKE MANSFIELD can see when the vision of others is blurred, can lead where others can only follow, shows courage when the example of courage is priceless.

In the vital field of world affairs, the voice of the junior Senator from Montana has been clear and constant in support of realism and action. In the field of national security, his course has been one of strength and firmness. In dealing with the myriad problems of our domestic economy, his record is one of understanding, sympathy, and identity with the public interest.

It is a joy and an opportunity to serve with a representative of the people so great as the junior Senator from Montana.

LET CONGRESS DO IT

Mr. POTTER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a most excellent article entitled, "Let Congress Do It," which appeared in the August 18 issue of Broadcasting Telecasting Magazine. This fine magazine has rendered a real public service in publishing an article which deals with a subject of vital importance to all the people of our Nation—the spectrum—one of the Nation's great natural resources.

Senate Joint Resolution 106 which I introduced contemplated establishment of a Commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government. Such an investigation is urgently needed in the public interest. As the article points out, the allocations problem cannot be swept under the rug. It is more than regrettable that the House did not act favorably on my resolution.

The investigation which my resolution contemplated cannot be delayed much longer. If it is, the job that ultimately must be done will become increasingly more difficult, the problems more complex.

Although I had suggested establishment of a Commission to conduct the necessary investigation, I hold no particularly strong feelings as to what vehicle might be used to accomplish the desired results—if as the article suggests, activation of a Joint Congressional Committee on Spectrum Utilization and Allocation would be a better approach, I would most certainly support such a proposal. In my judgment Congress must promptly face up to its responsibility in the area of frequency allocations. Failure to do so will only compound the near chaotic situation that exists today in this vital field.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET CONGRESS DO IT

The death of the Potter resolution at this session of Congress contributes nothing to solution of the dilemma over frequency allocations and the imminent danger both to existing television and FM allocations through threatened Government (military) invasion of their domain.

The Potter bill was killed because broadcasters felt, in their battle for self-preservation, that they had no alternative. The White House-OCDM amendments entailed too great a risk in the waning days of the session. More had to be known about the reason for the shift in emphasis from military to broadcast use of the spectrum.

If there had been time prior to the rush for adjournment, the Potter measure might have been reamended to satisfy all sides. But even the Congressional leadership itself got delayed misgivings after it discovered that the proposed five-man Commission would probably be dominated by the executive branch, whereas the licensing responsibility belongs to Congress.

The need for a full-scale spectrum analysis is urgent. It has existed for decades—before TV or FM became factors and before the widespread industrial demands for frequencies. The President assigns space to the Government, without regard to or action by the FCC. And the FCC assigns what's left to non-Government users. This is an untenable situation perhaps without parallel in any other regulatory field. There is need for unified control of the spectrum. That can come about only through well-reasoned legislation.

The original Potter intent was to have the high-level Commission his resolution would create undertake an analysis of Government use of the spectrum. To be proved or disproved are persistent charges that the military is not effectively using the substantial space allotted to it.

Are frequencies being kept in the deep freeze against the day they might be needed? If so, couldn't they be used commercially except for certain tests or exercises? Do new combat techniques require the preemption of additional VHF space, including that occupied by lower band TV and by FM? Is it essential to cloak in secrecy all military allocations, even to the extent of barring the information from officials having top security clearance?

In a national emergency no one can challenge the right of the military to preempt any resource needed in the defense of the Nation. Today, despite tensions, no such emergency exists.

But the allocations problem cannot be swept under the rug. Broadcasters should not have to live in dire fear of military usurpation of their assignments. Maximum utilization, in the interests of conservation and efficiency, must be made of the spectrum. Some 58 percent of existing VHF TV assignments are on channels 2-6. One network has 41 percent of its affiliations in this band. All of the 550 FM assignments are in the VHF area upon which the military is said to have designs. The FCC's hands are tied as long as there's divided authority, with the military refusing to show its hand.

Congress, in the first and last instance, is the arbiter. It has the licensing authority which it delegates to the FCC, except for Government use. It wrote the law dividing the authority more than 30 years ago. Then only the long and medium waves were usable, an infinitestimal portion of the existing usable spectrum.

Congress must consider the problem anew at the next session. It must know exactly where it is going. Congress has established joint committees to handle important problems; atomic energy and defense production are recent examples. Why not a Joint Committee on Spectrum Utilization and Allocations? It would be bipartisan. It could have an expert staff to evaluate uses now being made, appraise new techniques, and determine whether in fact vast expansion of service would not be possible.

The spectrum is one of the Nation's great natural resources. It cannot be used to maximum efficiency for the benefit of all the people if a substantial part of it is concealed in military security. The responsibility, both as to military and nonmilitary use, belongs to Congress. We believe the logical answer, in the national public interest, is in the activation of a Joint Committee on Spectrum Utilization and Allocations at the next session of Congress.

PRESERVATION OF ROCK CREEK PARK

Mr. MURRAY. Mr. President, for the last 6 years highway authorities have been striving to put Highway 240 down Rock Creek Park, making this beautiful recreation area a speedway.

I have authored legislation to prevent the park from becoming such a speedway into downtown Washington. I did not press the measure because those who would violate the park apparently abandoned their efforts to get around existing laws, and because Federal and District officials have vigorously defended the park from encroachment by the bulldozers. The Secretary of the Interior, the National Park Service, the city park authorities, the National Capital Planning Commission, and President McLaughlin of the Commissioners for the District of Columbia, all have appeared determined to save this beautiful area.

Now, just before we are to adjourn, comes the announcement in the press that Maryland highway officials are acquiring right-of-way to build Highway 240 from the circumferential highway in Rock Creek Park to a point just east of Wisconsin Avenue at East-West Highway. Doing this would constitute flagrant violation of an agreement between Maryland authorities and the National Capital Planning Commission. The agreement was entered into at the time consent was given to build the circumferential from Wisconsin Avenue across Rock Creek Park to Forest Glen and Georgia Avenue. That agreement forbids the extension of the southeast leg of Highway 240 beyond its intersection with the circumferential at Wisconsin Avenue.

If the southeast leg is built to Rock Creek Park at East-West Highway it will flaunt the agreement. It will pour a glut of traffic onto East-West Highway and thereby make resistance much more difficult to carrying Route 240 southward through the park. Those who want to put the highway in the park know this. They seem determined to force their way regardless of cost in dollars or in honor.

I want to give notice that I intend to press a measure at the opening of the next Congress which will forbid the use of the park for a highway regardless of any treacherous efforts which may be made to force the highway into the park while Congress is away.

There are other ways to accommodate traffic needs than the proposed extension of Route 240 to East-West Highway. There are less costly ways. I trust that Federal and local agencies will continue to oppose the proposal vigorously and prevent any progress with respect to it until Congress is back. Then we can lend whatever help is needed to preserve the greatest and most unique park in any city in all the world.

MINERALS STABILIZATION LEGISLATION

Mr. MURRAY. Mr. President, the House of Representatives—as it had the right to do—killed S. 4036, the minerals stabilization bill.

The vote was impressive, being 159 for and 182 against the measure.

In contrast, the Senate has passed S. 4036 by the overwhelming vote of 70 to 12.

Examination of Wednesday's RECORD shows that only 46 Republican Congressmen voted in favor of the measure; 106 Republicans voted against.

Mr. President, the overwhelming Republican vote against this piece of legislation constituted a revolt against the leadership of the President.

The original draft of the bill was sent to the Congress by Secretary of the Interior Fred A. Seaton with the knowledge of and by the direction of the President of the United States.

On numerous occasions since, publicly and in meetings with his party's Congressional leaders, President Eisenhower has described S. 4036 as must legislation and urged its enactment.

Since submission of the proposed legislation to the Congress, Secretary Seaton and his staff have worked, in season and out, day and night, for its passage.

The bill had the active support of the State Department and the Department of Commerce. Under Secretaries of both Departments testified before the committee, calling for enactment.

It was good legislation, carefully designed and considered, to keep alive and productive some of our basic minerals industries so as to protect and preserve the national security.

In this connection, I quote Representative WALTER ROGERS, manager of the bill on the floor of the House, as he closed the debate. Representative ROGERS stated:

A vote for this bill is a vote for America.

Early this week Secretary Seaton addressed a letter to all Republican Members of Congress, in which he advised them, and I quote from his letter:

Without this legislation domestic industries producing these commodities would face an uncertain future, to say the least. The capacity of these industries will be needed for our foreseeable future requirements in peacetime and in a national emergency, should one arise. To replace this capacity in the future would require many times the expenditures necessary to maintain it today.

Mr. President, I am at a loss to understand why the vast majority of his party in the House revolted against the President in this matter so vital to the security of the Nation.

I have read the arguments of the revolters and find them without even the color of validity, just as I find invalid the arguments presented in opposition by the 76 Members of my own party who voted against the bill.

Thousands of idle miners throughout the land can be proud, as I am, that the majority of Democrats in the House voted for the bill, uninfluenced by the fact that it carried the administration label.

I also point with pride to the fact that Montana's two Congressmen, LEE METCALF and LEROY ANDERSON, stood shouder to shoulder with me and Senator MIKE MANSFIELD in support of S. 4036.

But, Mr. President, pride in the voting record of a group of Congressmen does not put food in the kitchens of idle miners and their families.

As things stand today, only the President of the United States can put food in the kitchens of idle miners and their families.

The Office of Defense Mobilization has informed us that there is ample room in the national stockpile for the 150,000 tons of copper which would have been purchased by the Government under the authorization in the bill.

The President has held up approving the Tariff Commission recommendations to increase tariffs for lead and zinc on the assumption that S. 4036 would pass the Congress. He also vetoed the bill which would have extended for a year Public Law 733 on the same assumption.

The question now is, Mr. President, what the administration will do to salvage the mining industry of this country. The President can, and should, put the Tariff Commission recommendations for lead and zinc into effect immediately. He has ample authority under existing law to purchase the copper and to put into effect additional programs for fluorspar and tungsten if he wishes to do so.

As S. 4036 was lost largely due to lack of Republican support in the House of Representatives, he should take immediate administrative action to rectify the situation.

TRIBUTE TO SENATOR MORSE

Mr. MURRAY. Mr. President, the York, Pa., Gazette and Daily recently paid a well-deserved tribute to the senior Senator from Oregon, our colleague WAYNE MORSE.

The newspaper is in agreement with the Senator that food, medicine, schools, factories, and the means of producing goods are more important weapons for peace than arms. Arms may be necessary for defense against the common enemy of free governments, but the hearts and minds of people in the disadvantaged nations of the world can best be won by assisting them in improving their living standards.

I ask unanimous consent to have inserted in the RECORD the editorial from the York, Pa., newspaper.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATOR MORSE

Although his name is seldom mentioned in any listing of outstanding leaders of the Democratic Party, it is possible that the qualities of Senator WAYNE MORSE of Oregon entitle him to a very high ranking among American politicians. One of the things about Mr. MORSE which is particularly striking, in our opinion, is the intelligent attention he gives to international affairs, the area wherein so many of our leaders are weak and, apparently, unambitious as far as basic facts are concerned.

Senator MORSE has the rare faculty, one can judge from his political behavior, of recognizing what is really important to the American people in the great international issues of the day. His recent letter to his Oregon constituents on the subject of Africa and Asia, for example, a report of which was carried not long ago in this newspaper, contained sensible and detailed recommendations for a revised foreign policy toward the so-called uncommitted and underdeveloped nations of Asia and Africa.

Mr. MORSE pointed out that the present policy of regarding these sectors from a predominantly strategic point of view, leading us to seek bases of military operation and to offer arms and weapons to governments, was mistaken. He said that the peoples of Asia and Africa see no advantage in accepting arms when what they want and need is help toward a better life. They need food, medicine, schools, factories, and the means and techniques of producing the goods of life rather than bombs and bullets, Mr. MORSE declared.

His remarks, moreover, were not the consequence of observation from afar. He headed the United States Senate delegation to the Commonwealth Parliamentary Conference in New Delhi, India, where he met and talked with leaders of the Asian and African nations, among them Prime Minister Nehru of India. Of Mr. Nehru, Senator MORSE said:

"The masses of Asia and Africa are following the views of Prime Minister Nehru of India in preference to the views of the Government leaders of Great Britain and the United States. Make no mistake about it. Nehru's emphasis on the strengthening of the political rights of the individual and his economic standards has a wide appeal in the underdeveloped countries. They see in Nehru and his 5-year economic plan for India a world leader who not only speaks a political philosophy of peace and humanitarian idealism, but who also offers a specific program for the economic betterment of the mass poverty of Asia and Africa. They refer to Nehru's program as the best possible offensive against communism."

On another major international issue, that of testing of nuclear weapons, Mr. MORSE was, as far as we know, the only Senator to offer a resolution in the Senate calling upon our Government to do everything possible to find ways of ceasing the tests pending definitive reports on the worldwide danger of radiation poisoning.

It seems to us that at a period when the need for high-minded leadership in the United States is so great, and when the caliber of most persons in public life leaves much to be desired, the Democratic Party and the American people would do well not to overlook the capacities of Senator MORSE.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2020. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Social Security Act;

S. 2117. An act directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe;

S. 2469. An act for the relief of Dr. Brant Bonner;

S. 3142. An act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the Act of June 24, 1948 (62 Stat. 644), and for other purposes;

S. 3503. An act for the relief of Marie Inette Konomos;

S. 3741. An act to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests;

S. 3754. An act to provide for the exchange of lands between the United States and the Navaho Tribe, and for other purposes;

S. 3915. An act for the relief of Chiyoko Yoshimoto;

S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State;

S. 4032. An act for the relief of Mercede Svaldi;

S. 4088. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution;

S. 4113. An act for the relief of Harold Pangelinan; and

S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute.

The message also announced that the House had passed the bill (S. 2039) to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. GARY, Mr. ROONEY, Mr. NATCHER, Mr. DENTON, Mr. ALEXANDER, Mr. ANDREWS, Mr. CANNON, Mr. TABER, Mr. WIGGLESWORTH, Mr. FORD, and Mr. MILLER of Maryland were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13262. An act to amend the Federal Crop Insurance Act; and

H. R. 13760. An act to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 3368. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H. R. 6282. An act for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation;

H. R. 9262. An act for the relief of the estate of A. A. Alexander;

H. R. 10473. An act for the relief of Nipolito C. DeBaca;

H. R. 12126. An act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes;

H. R. 12226. An act to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes;

H. R. 13247. An act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs, and for other purposes;

H. R. 13450. An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana;

H. R. 13580. An act to increase the public-debt limit; and

H. R. 13678. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.

INDEPENDENT OFFICES APPROPRIATIONS, 1959

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of H. R. 13856, Calendar 2562, the independent offices appropriation bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 13856) making appropriations for sundry executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 13856) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. MAGNUSON. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Washington; I wish to retain the floor.

Mr. MAGNUSON. Mr. President, this is the independent offices appropriation bill for 1959, to replace the bill vetoed by the President on August 4.

In titles I, II, and III of the bill, the amounts for the 16 agencies and 10 corporation activities are identical with the amounts agreed to in conference on the vetoed bill (H. R. 11574), with 2 exceptions: The payment of $589 million to the civil service retirement and disability fund is deleted; and $100,000 was added by the House to the General Services Administration, to provide for the monetary allowance to former Presidents, together with staff and office space, and for pensions to widows of former Presidents, as authorized this week in Senate bill 607.

The total in the bill for independent offices is $5,993,404,900; and the total in the vetoed bill was $6,582,304,900.

In title IV of the bill, the committee has recommended additional supplemental estimates for several departments and agencies, in the amount of $110,052,000, as compared to estimates totaling $244,210,000. Most of these requests were supplemental estimates, sent to the House, as well as to the Senate, and are authorized by legislation passed this week. In considering these estimates, the committee determined which items are urgently needed and which items can be deferred until the next Congress, and recommended a scaling down of the estimates accordingly. It was necessary for the items to be handled in this manner, because the House committee had determined that no other appropriation bills would be initiated.

One of these items is for inpatient care in the Veterans' Administration in the amount of $1,802,000, to offset the lack of reimbursements, due to payments not being made by insurance companies on the basis of court decisions.

I defer to other subcommittee chairmen, to have them explain the items with which they are more familiar.

The amounts I have stated are those which will have to be maintained.

The several chairmen of the other subcommittees of the Appropriations Committee sat in on the deliberations on yesterday. Although these items technically are not part of the independent offices appropriation bill—for they belong in the appropriation bills for the other departments—yet it is necessary, under the circumstances, that the items be considered at this time, in connection with this measure.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; and that the bill, as thus amended, be then considered, for the purpose of amendment, as original text, provided that any point of order against any amendment shall not be deemed to have been waived by the adoption of this proposed agreement.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection? Without objection, it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 46, after line 11, to insert:

"TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS

INDEPENDENT OFFICES"

On page 46, after line 14, to insert:

"SOUTH CAROLINA-GEORGIA-ALABAMA-FLORIDA AND TEXAS WATER STUDY COMMISSIONS

"For necessary expenses of the United States Water Study Commission for South Carolina-Georgia-Alabama-Florida, $50,000, and for the United States Water Study Commission for Texas, $50,000: *Provided*, That these appropriations shall be effective only upon enactment into law of S. 4021 and H. R. 12216."

On page 46, after line 22, to insert:

"VETERANS' ADMINISTRATION

"Inpatient care

"For an additional amount for 'Inpatient care', $1,802,000."

At the top of page 47, to insert:

"DEPARTMENT OF LABOR

"Bureau of Employment Security

"Unemployment Compensation for Veterans and Federal Employees

"Appropriations for the current fiscal year for 'Unemployment compensation for veterans,' and for 'Unemployment compensation for Federal employees,' are hereby merged into a single account to be known as 'Unemployment compensation for veterans and Federal employees'."

On page 47, after line 9, to insert:

"DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

"Office of Education

"DEFENSE EDUCATIONAL ACTIVITIES

"For grants and payments under the National Defense Education Act of 1958, $53,300,000 of which $8,000,000 shall be for capital contributions to student loan funds; $25,000,000 for grants to States and loans to nonprofit private schools for science, mathematics, and modern language teaching facilities and $1,800,000 for grants to States for supervisory and other services; $5,000,000 for grants to States for area vocational education programs; and $7,200,000 for grants to States for testing, guidance, and counseling: *Provided*, That this paragraph shall be effective only upon enactment into law of H. R. 13247, 85th Congress."

At the top of page 48, to insert:

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses,' $750,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H. R. 13247, 85th Congress."

On page 48, after line 5, to insert:

"OFFICE OF THE SECRETARY

"White House Council on Aging

"For necessary expenses in carrying out the provisions of the White House Conference on Aging Act, including services as authorized by section 15 of the act of August 2, 1946, as amended (5 U. S. C. 55a), $100,000."

On page 48, after line 11, to insert:

"TREASURY DEPARTMENT

"Bureau of the Mint

"Salaries and Expenses

"Not to exceed $2,500 of the appropriation granted under this head for the fiscal year 1959 shall be available for the purposes of section 1 of the joint resolution (S. J. Res. 201), authorizing the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy."

At the top of page 49, to insert:

"POST OFFICE DEPARTMENT

"(Out of postal funds)

"Transportation

"For additional amounts for 'transportation,' fiscal year 1957, $23,000,000, and fiscal year 1958, $31,000,000."

Mr. MAGNUSON. Mr. President, at this time I shall be very glad to yield to any Senator who wishes to ask questions.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KEFAUVER. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

The PRESIDING OFFICER. Does the Senator from Washington desire to retain the floor?

Mr. MAGNUSON. I shall hold the floor, in order to yield to any Senator who wishes to ask questions about the independent offices portion of the bill. The chairmen of the other subcommittees are here, and will be glad to answer questions about the items with which they are concerned which were added to the bill.

Mr. President, at this time I yield to the Senator from Tennessee.

Mr. KEFAUVER. As I understand, all the amendments in the bill—except the appropriation item for the civil service retirement fund—which were in the other bill when it was passed by the Congress and was sent to the President, have been retained.

Mr. MAGNUSON. Yes, they have been retained.

For the information of the Senators from Tennessee, let me state that the long-needed item for planning the Federal building in Memphis is included in the bill.

Mr. KEFAUVER. I appreciate that. My colleague [Mr. GORE] and I are very much interested in it.

Mr. MONRONEY. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. MONRONEY. As I understand, in the deficiency bill which was passed by the Senate last week, $7 million-plus was restored to the civil-defense funds, so that the obligations of the Government under Public Law 606, on a matching basis, could be paid to the administrative help, teachers, and trainers, for civil defense. I understand this amount was eliminated in the conference, and was not agreed to in connection with the deficiency bill.

I understand that the pending bill also provides appropriations for civil defense; but I am unable to find any portion of

that fund which is earmarked for the application the Congress already has pledged itself to make—but without any funds to carry it out.

Mr. MAGNUSON. That is correct; no funds are included in this bill for that particular portion of the civil-defense program, because the law was passed after we had considered the original independent offices appropriation bill.

Mr. HUMPHREY. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. HUMPHREY. In the supplemental bill on which the Senate acted, as the bill went to the conference, there was in it a proviso that the $3 million which was provided in the independent offices bill was to be carried over, for purposes of the new public law which was passed in July.

Mr. MAGNUSON. That is correct, and the Senator from Minnesota was one of the sponsors of the amendment.

For some reason, the House conferees decided to eliminate it. It was to be available from the 1958 portion. It is not in the 1959 budget.

I am not familiar with what the conferees on the supplemental bill did; I was not one of the conferees. I hoped the amount would be retained; but it was not.

Mr. HUMPHREY. Are we to understand that this bill does not provide any funds for civil defense?

Mr. MAGNUSON. The bill does provide funds for civil defense; it provides $38,500,000.

Mr. HUMPHREY. Does the bill provide any amount for the purpose of implementing Public Law 606?

Mr. MAGNUSON. No; nothing specifically for that purpose.

Mr. HUMPHREY. Will funds for that purpose be available?

Mr. MAGNUSON. Well, a specific authorization for that would have to be had.

Mr. MONRONEY. Would it not be in order for the Congress to legislate at this time on that point? As I understand from the distinguished Senator from Massachusetts [Mr. SALTONSTALL], there was a cut in some of the funds which were included for other purposes, although those funds would not thus be used, in order to make possible the use of approximately $7 million which was urgently needed if the tens of thousands of people on which we must rely in the case of a national catastrophe are to be properly trained and maintained in a ready organization for civil defense.

Mr. SALTONSTALL. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. I was a member of the conference committee. The conferees on the part of the House would not accept a specific appropriation for Federal contributions. But $3 million is available from previous years.

I would suggest to the Senator from Minnesota [Mr. HUMPHREY] and to the Senator from Oklahoma [Mr. MONRONEY] that they leave that available as it is, and permit the Director—if he cares to do so—to make it available for the Federal contributions.

Mr. HUMPHREY. Can he do so?

Mr. SALTONSTALL. Yes, he can; as I understand; it is available for the uses of civil defense.

But if we tried to earmark it for that, we would run into difficulties, and it would be put out. I am confident of that.

Mr. HUMPHREY. Are the Senator from Oklahoma [Mr. MONRONEY] and I to understand from this colloquy that it is the understanding of the chairman of the Independent Offices Subcommittee [Mr. MONRONEY] and also the understanding of the distinguished Senator from Massachusetts [Mr. SALTONSTALL], who is one of the ranking minority members of Appropriations Committee itself, that the $3 million, which is a carryover from 1958, can be used for the purposes of Public Law 606, for the Federal contributions aspect of that law?

Mr. SALTONSTALL. It is my understanding it can be used for the purpose of civilian defense if the Director wants to use it for that purpose.

Mr. DIRKSEN. The money is not available for matching purposes for the States.

Mr. SALTONSTALL. It is available for use.

Mr. MONRONEY. In other words, we would have to pay 100 cents on the dollar.

Mr. DIRKSEN. Yes.

Mr. MONRONEY. Can we not ask permission to have it apply to Public Law 606, and thus have the $3 million do $6 million worth of work?

Mr. MAGNUSON. The bill is open to amendment. Provision for civilian defense is a part of the appropriation bill. If the Senate sees fit to put the matching funds provision in the bill, as it did in the supplemental appropriation bill, it can do so.

Personally, I think it should be done. The House has been adamant about this matter. This bill is a new version of a vetoed bill, which leaves the amount the same, with the exception of the two items I have mentioned.

I point out, however, that if the Senate puts an amendment such as this in the bill, it will have to go back to conference with the House, and the House has been almost adamant about the fact that we should not go to conference with this bill.

Mr. HUMPHREY. Why cannot the House accept our amendment?

Mr. MAGNUSON. It can if it wishes to.

Mr. HUMPHREY. It seems to me the House ought to be accepting something. My experience in conferences has been that when we go to conference, the House gets what it wants.

Mr. MAGNUSON. I have had that experience myself.

Mr. HUMPHREY. The Senator from Washington has had more experience than I have had in that respect. Possibly he is immune to this sort of treatment. I must say my tender political skin seems to smart when, after a conference with our beloved brethren in the other House, we come out with less than what we thought was desirable, and much less than we thought should be provided.

Mr. MAGNUSON. The House comes out whole; we come out a little "skinned down."

Mr. MONRONEY. Is it not a fact that having an amendment containing a provision making available the $3 million plus the $3 million matching money from the States, would provide $6 million payroll funds for teachers and others in the administrative functions of the State defense agencies?

Mr. MAGNUSON. If that is done; yes.

Mr. MONRONEY. But if we do not put such an amendment in the bill, we shall not be adding a cent to the bill making those funds available under Public Law 606. If nothing more than the $3 million were added, so that we would receive only $3 million worth of work, the House would be obstinate and not mindful of its task of watching the expenditures of the Treasury, if it turned down an amendment which, if adopted, would result in obtaining $6 million worth of work for an expenditure of $3 million in funds, rather than insist on paying $3 million, all in Federal money, for the work.

Mr. SALTONSTALL. I wish to say, respectfully, to the chairman of the committee and my colleagues, that I am just as much interested in this matter as they are; but it has been called to my attention that we agreed, in a conference on the supplemental appropriation bill, to strike out this amendment, after long hours of discussion.

Mr. RUSSELL. The conferees refused to recede on this amendment, and we made the House conferees take it back for a separate vote, and it was voted down in the House.

Mr. SALTONSTALL. It would be very difficult for the Senate conferees to have the amendment considered again.

Mr. MAGNUSON. In the report on the supplemental appropriation bill we stated we were perfectly amenable, and Congress would at least be susceptible, to a sympathetic consideration of the matter, if and when the civil-defense agencies came forward with their plans.

Mr. MONRONEY. New money was added in the deficiency bill, with other totals changed.

Mr. MAGNUSON. That is correct.

Mr. MONRONEY. We are not making a request for new money. We are merely trying to save the Government $3 million by providing for $3 million in matching funds, which would be available if the funds could be provided for under a one-line amendment in the bill.

Mr. MAGNUSON. That would be true if the $3 million as provided in the bill were used for that purpose, but I want to be frank. I do not think the $3 million will be used for that purpose. I think the agency will wait 3 or 4 months to see what plans the States bring in under the law enacted with respect to matching funds for civil defense.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MAGNUSON. Yes.

Mr. RUSSELL. It so happens I was in the conference on the supplemental appropriation bill. I think we all ought

to have full knowledge of what transpired. I would be one of the last to defend action taken by the House which conflicts with the collective views of the Senate; but in this case the Senate had proposed $4 million for matching funds of States, cities, and counties for the employment of personnel in the Civilian Defense Agency. The House refused to accept that amendment in conference. The Senate refused to recede. The House then took it back for a separate vote. The House insisted on its provision. We were prepared to go back and propose conferring further. I am not sure about the figures, the clerks of the committee will know the accurate figures; however, as I recall, the House agreed to allow $2½ million. We insisted on our position in the Senate for the second time. It went back to the House, and the House allowed $2½ million, or it may have been $2 million.

Mr. MAGNUSON. Two and one-half million for salaries and expenses.

Mr. RUSSELL. I am sure of this; we allowed $2½ million. I think it was amendment No. 23. The House allowed $2½ million for payments to States, cities, and counties to match payments for personnel. We accepted that. After the House voted on it twice and the Senate voted on it twice, and we had agreed to it, I apprehend the bill would hit a considerable snag if the Senate increased the amount of $2½ million, because it was voted on twice in each body.

Mr. MAGNUSON. The $2½ million was for salaries and expenses.

Mr. HUMPHREY. I did not understand that was the action on the supplemental bill. I am appreciative to the Senator for this information. I understood the amount was well over $2 million for emergency costs, and $2 million for equipment and supplies, and nothing for Public Law 606 contributions.

Mr. RUSSELL. The Senator is in error. It was either $2 million or $2½ million.

Mr. MAGNUSON. For salaries and expenses, which could be used for that purpose.

Mr. HUMPHREY. I know there are problems connected with this bill, and that the leader wants to get the bill over to the other body, and I am for that. Will the Independent Offices Appropriation Subcommittee look with favor upon a supplemental or deficiency request on this item in January?

Mr. MAGNUSON. Speaking for myself personally, I think we should. I think it is going to be a good program when the plans are received from the States. That is stated in the report. We passed the law. I think we ought to follow it up.

Mr. RUSSELL. Mr. President, I am in error. I want to correct it now. I am advised by the clerk who worked on the supplemental bill that the $2½ million was for salaries and administration. I was definitely of the opinion that it was for Federal contributions. It turned out the House, having voted twice on it, did not allow anything for that purpose.

Mr. HUMPHREY. I regret that this is the case, but I am also a realist about the problem the bill faces and the time element involved. I recall the distinguished chairman of the Committee on Appropriations, the senior Senator from Arizona [Mr. HAYDEN] told me the other day he would look with favor upon a legitimate, reasonable request relating to the purposes of Public Law 606. On that basis, with the assurances we have had from the chairman of the subcommittee, the chairman of the committee, and the ranking members of the committee I would say to my good friend from Oklahoma, who is such a great tower of strength in the effort to build our civil defense program, we ought to permit the bill to go on its way.

Mr. JOHNSON of Texas. Mr. President, I appreciate the attitude of my friends from Oklahoma and Minnesota. The Senate committee was forced to add a few amendments, I would say of a rather minor nature. Those amendments have been reviewed by the chairman of the Senate Appropriations Committee with the chairman of the committee in the other body. I have the feeling that if the Senate should add any further amendments to the bill all we would do is require that the bill go to conference. Then we would have to spend some time in conference, which would delay the adjournment that we hope to have by this evening.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Montana.

Mr. MANSFIELD. For the third time, I should like to ask the chairman of the subcommittee on appropriations dealing with the independent offices. What is the status of the upgrading of manganese in the Butte, Mont., area, and especially in the domestic mining plant in Butte, Mont.?

Mr. MAGNUSON. The $3 million is still in the bill. That would make the Butte operation eligible. The Senator from Montana, who has been so diligent about this matter, and I have been in contact with the Office of Defense Mobilization. We are hopeful the agency will carry out the intent of Congress in relation to the $3 million, and Butte would be eligible. I think there would be a top priority. I hope the agency will not drag its heels, because I think this makes common sense.

Mr. MANSFIELD. I appreciate what the distinguished Senator from Washington has said. What he said is in fact the view of the ranking Republican member of the committee, the Senator from Illinois [Mr. DIRKSEN].

Mr. MAGNUSON. The Senator is correct.

Mr. MANSFIELD. I thank the Senator.

Mr. MAGNUSON. Mr. President, that is all I have to say on the independent offices portion of the bill. As I stated previously, there are some urgent matters which were added because of the fact that this bill is the last appropriation bill. I think those matters involve definite obligations of the Congress to appropriate money by reason of legislation which we have passed recently.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILLIAMS. Mr. President, on behalf of myself, the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from South Carolina [Mr. THURMOND], the Senator from Colorado [Mr. ALLOTT], the Senator from Arizona [Mr. GOLDWATER], the Senators from Connecticut [Mr. BUSH and Mr. PURTELL], the Senators from Nebraska [Mr. HRUSKA and Mr. CURTIS], the Senator from Wyoming [Mr. BARRETT], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from South Dakota [Mr. MUNDT], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Michigan [Mr. POTTER], call up my amendment identified as 8–22–58–B.

Mr. President, I will not take long to explain the amendment.

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS. Mr. President, I have promised not to take long in explaining the amendment, but in order that the Members may be on notice that there will be a vote, I ask for the yeas and nays on the amendment.

Mr. RUSSELL. Mr. President, may we ask that the amendment be read before action on the request for the yeas and nays? I think the Senate is entitled to know what is in the amendment.

Mr. WILLIAMS. Surely.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. . The Congress hereby requests the President, from time to time during the fiscal year ending June 30, 1959, to review the expenditures programed by the executive branch for such fiscal year and to issue such directives to the Director of the Bureau of the Budget and other officials in the executive branch of the Government as may be necessary to achieve the maximum reduction in the expenditures of the executive branch during such fiscal year consistent with the objectives of maintaining essential Government services, providing adequately for the common defense, and fostering a healthy national economy; all with a view toward achieving an aggregate of at least 2 percent on defense appropriations and at least 4 percent on other appropriations but not more than 10 percent on any one item, reduction in the expenditures programed by the executive branch as of July 1, 1958, for the fiscal year ending June 30, 1959. Nothing in this section shall be deemed to authorize executive action to decrease expenditures for interest on the public debt, veterans' compensation, or pensions, Federal and State cooperative benefit programs, and expenditures from trust funds. A report of action taken under this chapter shall be contained in the 1960 budget.

Mr. HAYDEN. Mr. President, I make a point of order. The amendment is legislation on an appropriation bill, and is therefore subject to a point of order.

The PRESIDING OFFICER. The Senator from Arizona makes the point of order that the amendment is legislation and is subject to a point of order.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. It will require a two-thirds vote to suspend the rule.

Mr. WILLIAMS. Mr. President, I accept the fact that the amendment is legislation. The Senator from New Hampshire [Mr. BRIDGES] and I filed notice in this regard. I ask for the yeas and nays on a vote to suspend the rule.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. WILLIAMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS. Mr. President, I renew my request for the yeas and nays on my motion to suspend the rules.

The PRESIDING OFFICER. The yeas and nays are requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, inflation is still a number one threat in America. It is not only a serious threat, but it is one the solution of which has not been met either by the legislative or the executive branch.

Today, instead of tackling this problem we are being asked to merely raise our debt ceiling further, thereby to enable us to finance our deficit spending schemes and further postpone the day of reckoning.

H. R. 13580, which was passed by the Senate yesterday, calls for an increase in our public debt by another $8 billion. This is the second proposed increase this year.

The need for this increase is based upon the prospect of a $12 billion deficit for the current fiscal year. This deficit comes on top of a $3 billion deficit for last year. This is serious, and the sooner Congress recognizes the inflationary aspects of this situation the better.

The only real way to deal effectively with this situation is to cut spending or face the inevitable result of higher taxes. Therefore, I am joining Senator BRIDGES and others in introducing an amendment to this bill which would authorize a 4 percent reduction in the expenditures of every Government agency except military below that amount which has been appropriated for fiscal 1959, and a 2 percent reduction in our military appropriations. This still leaves the military appropriation higher than requested by the Defense Department or the budget.

Under this amendment the cuts would not be mandatory. However this is an expression of opinion on the part of the Congress that it is our recommendation the funds should be rolled back. This is comparable to the action Congress took in 1950, at which time we passed a similar resolution to ask for a cutback in the appropriations.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from South Dakota.

Mr. MUNDT. I understand that the cut would not be compulsory. This would be an expression on the part of the Senate that we believe, in looking at the overall budget, the executive agencies and the various departments should be able to tighten their belts and squeeze out a little water and make some reductions. We have set as a goal the hope the reduction might be 4 percent on civilian matters and 2 percent on military matters. Is that correct?

Mr. WILLIAMS. That is correct. As I explained, we have a precedent for this. We took this same action in 1950.

This week, when Mr. Stans, the Director of the Bureau of the Budget, testified before the Senate Committee on Finance, I asked him a direct question as to whether he would recommend such an amendment be adopted to an appropriation bill, and I will read his reply into the RECORD at this point.

I asked:

Would you say it would be advisable for us to make a broad, as an amendment to the final appropriations bill, cut across the board in the overall total, with discretionary authority in the administration as to how to apply it in various departments?

It has been done before.

Mr. Stans said:

As I recall, it was done in 1950 with respect to the 1951 budget.

If the Congress undertook to do that, I personally not only would encourage it, but would do my best to see that it was properly applied.

Mr. President, the adoption of our amendment should result in a savings of around $2 billion in next year's budget.

This reduction would not apply to expenditures for interest on the public debt, veterans' compensation or pensions, Federal and State cooperative benefit programs or expenditures from trust funds. It would apply to all other departments and agencies of Government.

As these appropriation bills were considered many of us tried to reduce the amounts, but were unsuccessful. This is our last chance.

It should be pointed out that this is not the first time such procedure has been taken to cut appropriations. In 1950, Congress took similar action. As I have stated, only last week when testifying before the Senate Finance Committee, Mr. Stans, the Director of the Budget, endorsed such an approach as being the most feasible manner in which to make an overall cut. He went further and told our committee that in his opinion such action, in the face of the present inflationary threat, was not only in order but necessary.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. WILLIAMS. I yield.

Mr. MUNDT. The amendment also provides, as I understand it, that at the end of the fiscal year there would be a report to the Congress as to what the agencies and departments have been able to do as to carrying out the legislative hope. Is that a correct understanding?

Mr. WILLIAMS. That is correct. In the colloquy with Mr. Stans, we pointed out that there could be some withholding of spending on programs which have been authorized recently to combat the threat of recession. Now we have the renewed threat of inflation. Mr. Stans said he did not think we in Congress should criticize the executive branch for spending after we had appropriated the money unless we now go on record as being in favor of these cuts. Many of us have tried, unsuccessfully, to cut these appropriations. This is another and perhaps our last chance this year to curtail expenditures. Congress should go on record and express itself either for or against these expenditures and take its share of the responsibility.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. MUNDT. There are at least two reasons—perhaps three—why we might hope that progress could be made in the direction of the goal set out in the amendment.

First. The recession with which we were wrestling in the early part of the year has subsided in many areas, and has been alleviated in all.

Second. There is reason to believe that the rising cost of living scale which has been indicated by the index figures month after month is about to reach a plateau. So the increased costs which we anticipated when some of the bills were passed will not necessarily follow.

Third. World conditions are more stabilized than they were at the time some of these measures were passed.

There is nothing mandatory about the amendment. It simply expresses the hope that various agencies and departments will make these curtailments. It seems to me that some agencies would respond to the appeal so as to have a good scorecard when they make their report to Congress. I shall support the amendment.

Mr. RUSSELL. Mr. President, any effort at economy is laudable, but 2 or 3 questions arise in my mind with respect to this amendment.

We all know that the Congress and the President do not always see eye to eye with respect to appropriations which are made. We have an example of it today. The Congress did not give the President as much as he wanted in the foreign aid appropriation. We gave him more than he said he wanted in the defense appropriations.

Would not the effect of this amendment be to give the President a sort of item veto, so that he could take all the saving out of some fund which Congress may have thought was essential to be provided, while maintaining those with respect to which Congress had to reduce the amount which the President had requested?

Mr. WILLIAMS. No. It would give the President certain discretionary authority. However, on page 2, line 5, there is the limitation that not more than 10 percent reduction on any one item in the expenditures programed by the executive branch may be made.

We do not propose to repeal appropriations or authorizations. We are merely suspending and delaying the spending on projects which can be postponed or abandoned. That is the only way to reduce spending.

The only other alternative would be for Congress to review all the appropriation bills and make specific cuts. This we were unable to do even when the bills passed. As the Senator from Georgia knows, we were unable to do it at the time we passed the appropriation bills. I know that he tried to reduce these appropriations on many occasions. He pointed out last night when we passed the debt ceiling bill, that Congress had failed to control expenditures and said then that some action was needed. He reviewed the record, showing where we had failed to roll back appropriations to what we conceived might be a more realistic level, in line with our ability to spend.

As the Senator from Georgia points out, there is a certain amount of discretionary authority being given to the President under this amendment, but we did this in 1950. The Senator from New Hampshire [Mr. BRIDGES] and I and other Senators who were studying the subject could conceive of no other way which would be fair, other than to go over all the bills, and spell out the specific items. That would be impossible. This does give to the executive branch instructions to reduce expenditures and pledges to them our full support.

Mr. RUSSELL. The purpose is worthy, but I greatly fear the effect of the amendment. Let me cite one illustration.

There has been a controversy between the Congress and the executive branch as to the size of the National Guard for 1959. The Executive had requested that the guard be reduced to 360,000, which was a reduction of exactly 10 percent. Congress said, "No; we are going to maintain the size of the guard at the present level. We will maintain it at 400,000."

Under this amendment, the authority of the Congress to maintain the National Guard at 400,000 could be specifically thwarted, because, by the 10-percent reduction which the President might make, he could throw the National Guard back to where he wanted it originally. All the effort we have exerted to try to maintain the National Guard would go for naught, and we would immediately give the President the instrument to annul our action in seeking to maintain the National Guard at a strength of 400,000.

Mr. WILLIAMS. I supported the position the Senator speaks about, and would be just as much concerned as he is if we were jeopardizing the National Guard. But I insist this amendment does not do that. Even without the adoption of this amendment, the President could withhold spending, and do exactly what we are talking about. All we do under this amendment is give our approval and pledge of support.

Mr. RUSSELL. Oh, yes.

Mr. WILLIAMS. This was done in 1950, when the Korean war broke out President Truman—and I supported him in it—blocked many appropriations of Congress, and suspended further expenditures until after the Korean war was over.

The President has discretionary authority now. This amendment would give him the necessary moral support of Congress. With our endorsement these cuts can and would be made. It is not quite fair for us to appropriate $80 billion to spend the next year, and then go back home and say, "The executive branch is throwing away money," when we ourselves were not willing to answer the rollcall and say, "Let us cut it back."

This amendment places the responsibility in the Congress, where it belongs. I think we should accept it. We did the same thing before, in 1950, and I think our country faces an equally serious crisis today.

The administration's requests to Congress through the Budget Bureau have been substantially increased by our action in nearly every instance.

Billions above budgetary requests have been appropriated by this Congress, and most of it has been justified as antideflationary measures.

We should not go home without rescinding some of this especially in the light of the renewed inflationary threat.

Mr. RUSSELL. Mr. President, I wish the amendment could have that effect, but, as the Senator has correctly stated, the President can now withhold the expenditure of appropriations. However, this amendment would be an invitation to him to withhold the expenditure of funds for purposes in which the Congress was interested and had appropriated more money than the President had asked for, while spending every dime of the appropriations which had been allowed, with respect to which Congress had given the full amount of the budget estimate by a very small majority vote.

In effect, I believe that the amendment would enable the President to exercise item vetoes with respect to certain items on which the views of the Chief Executive and the Congress are in conflict.

Mr. CURTIS. Mr. President, I am aware that this is not as good a way to reduce expenditures as though we had cut the appropriations when they were reported; but the time for doing that has passed.

Over a period of years an idea along this line has been proposed. It is workable. It would do no lasting harm. I sincerely hope the Senate will adopt the amendment.

I do not wish to occupy the floor at any length, because of the lateness of the hour on this closing day of Congress, but I urge the adoption of the amendment offered by the distinguished Senator from Delaware and others, including my colleague from Nebraska.

Mr. JAVITS. Mr. President, this is obviously an attractive amendment at first impression but I agree with the Senator from Georgia [Mr. RUSSELL] as to its effect and therefore believe it unwise. I think it would lead us into a very serious trap, especially in times of grave concern for the national security like this. When we place a fixed fiscal roof over ourselves in certain categories with percentages when we face the problems which we face in the world, we are making a tense resolution underwriting the concern of those who say that we put a price tag on everything—even security—that we are not worried about national security, but only about costs.

I feel I must vote "nay" on this particular amendment.

Mr. WILLIAMS. Mr. President, I respect the position of the Senator from New York, and I am not questioning his sincerity in voting against the amendment. But in my opinion it is just as important to protect the security of the American economy as it is to protect the security of the world. I believe that the adoption of this amendment, if it were properly applied—and I do not believe we should vote for it unless we fully intend that the executive branch shall place it in operation—would result in a saving of between $1½ billion and $2 billion in next year's budget.

This is the minimum step we should take in the face of a $12-billion deficit for this current fiscal year.

Mr. HICKENLOOPER. I believe this is an excellent approach. I wish to have my name added to the amendment as a cosponsor. I congratulate the Senator.

Mr. WILLIAMS. I thank the Senator.

Mr. DWORSHAK and Mr. COTTON addressed the Chair.

Mr. HICKENLOOPER. I believe that the adoption of the amendment is a means of placing discretionary authority in the hands of the President more strongly than it is there already, by way of encouragement. We must remember that the amounts which Congress has voted are substantially in excess of the budget requests called for. This is an excellent way to encourage the use of discretion on the part of the President, and I am happy to join the Senator in cosponsoring the amendment. I hope the amendment will be adopted.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. COTTON. I merely wish to take the opportunity to express my own appreciation to the Senator from Delaware for offering his amendment. It is an amendment on which the senior Senator from New Hampshire [Mr. BRIDGES] has spent a great deal of time and thought. As the Senator from Delaware knows, the senior Senator from New Hampshire feels very strongly about this subject. From his many years of experience on the Committee on Appropriations and as chairman of that committee, he feels very strongly that it is perfectly feasible to adopt such an amendment. He is unavoidably absent from the Senate tonight, but he wished to make sure that the Senator from Delaware understood that the amendment had his very careful attention and that, from his experience on the Committee on Appropriations, he feels it is a very practical and feasible way to hold down expenditures.

Mr. WILLIAMS. I thank the Senator for his support. It is true that the distinguished Senator from New Hampshire not only is in favor of the amendment but he drafted the amendment in cooperation with the Bureau of the Budget with respect to the language. He would have presented the amendment himself had he been here, but in his absence I have taken over that task.

Mr. BUSH. Mr. President, I commend the Senator from Delaware very highly for presenting the amendment, to which

I have also added my name as a cosponsor. I believe the amendment points up the need for an item veto. It also shows the need for a single appropriation bill. We have now come to the end of the session, and we find the only recourse we have, after all the appropriating has been done, is to adopt an amendment like this. I hope the Senate will adopt the amendment offered by the distinguished Senator from Delaware.

Mr. WILLIAMS. I thank the Senator from Connecticut.

Mr. DWORSHAK. Mr. President, as a member of the Committee on Appropriations I have consistently sought to cut appropriations and to economize wherever possible. However, I was one of those in committee who favored increases in our national budget to provide additional jet bombers and Polaris submarines, because I believe regardless of deficits or economies, and the need to economize, we should give top priority to national defense as we face Communist aggression and the many problems we face around the world.

I believe also that efforts have been made quite successfully throughout this session of Congress to attach the label of national defense to every conceivable spending program which had no justifiable reason to be adopted.

On the basis of national preparedness I believe we can give all the consideration to necessary spending, even if it is in excess of budget requests, but at the same time we must curtail all other programs which we can possibly curtail, and in that way cut down the potential deficit.

I should like to point out to the Senator from Delaware—and I am sure he is aware of the situation—that we have more than 2½ million civilian employees in the Federal Government, and that the payroll currently is almost $1 billion a month, which is approximately the size of the anticipated deficit. On that basis we could cut by at least 10 percent, if not more, the number of the employees, as the Senator from Virginia has frequently pointed out. We could probably save a billion dollars, if not a billion and a half dollars by cutting out unnecessary employees in the civilian branch of our Government. On that basis I think we can justifiably contend that we could have greater economy and greater efficiency in the operations of the Federal Government without jeopardizing in any way the need of giving top priority to the national defense budget.

Mr. WILLIAMS. I appreciate the remarks of the Senator.

I, too, have complete confidence in the President in applying the cuts where they could be made without jeopardizing our national defense or security. I am in favor of giving the item veto power to the President, and its adoption would certainly help cut unnecessary expenditures. We will not really meet this problem or be able to cut unnecessary expenditures until we do give the President that authority. In the meantime we can adopt this amendment. It is an effort to achieve some degree of financial stability in our country.

Mr. PURTELL. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. PURTELL. I am very much pleased to be a cosponsor of the amendment. I believe we should emphasize and reemphasize that it is not a mandatory provision.

Mr. WILLIAMS. That is correct. However, it would have the effect of reducing expenditures.

Mr. PURTELL. It is a discretionary provision. We should take into consideration the fact that certain actions were taken in Congress earlier this year to meet conditions which have changed since we took the actions. Is that not correct?

Mr. WILLIAMS. That is correct.

Mr. PURTELL. The amendment would permit the President to use discretionary power to cut those expenditures in connection with which conditions have changed.

Mr. WILLIAMS. That is correct. It would be an expression of our support for the President in reducing next year's expenditures by nearly $2 billion.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. BARRETT. At the outset I should like to commend the distinguished Senator from Delaware and the distinguished senior Senator from New Hampshire for their wisdom in offering the amendment at this stage of the session. It seems to me that Congress has forgotten the ardent support most Members had for cutting appropriations a year ago.

Today it seems to me that in view of the deficit which has been piled up, not only for fiscal 1958, but for fiscal 1959 also, inflation is our major problem in this country. Deficits certainly feed the fires of inflation. I hope the Senate will adopt the amendment and give the President discretionary authority to cut the appropriations wherever they can be cut.

Mr. WILLIAMS. I thank the Senator for his support.

I emphasize that our amendment does not affect those expenditures such as interest, VA compensation, pensions, and so forth, the rates of which are fixed by law. Also, we leave certain discretionary authority with the President and the heads of each agency as to how they can best apply these cuts in each respective agency.

In the face of a $12 billion deficit for the next fiscal year, it is imperative that this minimum reduction of $2 billion be made.

Every Member of Congress knows that many of the increases in appropriations this year were made and defended as antirecession measures. The popular theme was spend—spend and borrow the difference—with the result that our appropriations for fiscal 1959 reached an alltime high for peacetime spending.

Our $12 billion deficit for fiscal 1959 represents more than the total expenditures on all Government operations for any of the New Deal years prior to World War II. In not a single year between 1933 and 1940 did total Government expenditures reach the $12 billion figure which now represents only next year's estimated deficit.

Our financial situation in America faces a crisis. Unless the stability of our Government is guaranteed, Government bonds will lose their popularity as the soundest investment.

Either we have to cut down spending—raise taxes—or face ruinous inflation.

Let us not forget the important lessons of history. More governments have failed as the result of reckless extravagance and disastrous inflation than ever were destroyed by armies. The historian Gibbons tells us that the great Roman Empire fell not as a result of the invasion of the armies from without, but as a result of the moral decay of its public officials and the people, accompanied by waste and extravagance on the part of the Government and the ruinous inflation resulting therefrom.

Some of the great powers of today are in serious financial difficulty as a result of the destruction of their currency through ruinous inflation. That must not happen in America.

Nobody wants to raise taxes and, apparently, not enough want to stop spending. But let us stop kidding the American people. This present fiscal policy of having our Government spend a billion dollars per month above its income cannot be defended and it has to stop.

The inflationary effects of our failure to deal with this huge prospective deficit can be disastrous. Already, more than one-half of the value of the American dollar has been destroyed during the past 20 years. That means that in 20 years, one-half the purchasing value of every savings account, every pension fund and every Government bond has been destroyed by this erosion of the American dollar.

Today, we are confronted with another round of deficit spending and another spiral of inflation which will only further depreciate our currency.

Only last week, the Federal Reserve System, recognizing this threat, raised the discount rate from 1¾ percent to 2 percent and in so doing clearly indicated the step was being taken to check the threat of another round of inflation. Their action was described as a method of applying the brakes. Yet, we are applying the brakes without first taking our foot off the accelerator. Let us cut down on the gas, or Government spending, and we would not need so much to use our brakes.

Heavy Government spending and huge Federal deficits are the basic causes of inflation. Large deficits and heavy Government expenditures represent extra gas being poured into our economy for the purpose of accelerating the boom.

We are now confronted with the situation where we are pouring these billions into our economy through the various antirecession proposals for the avowed purpose of accelerating our economy, and at the same time we find the Federal Reserve Board raising interest rates as a method of applying the brakes to check these inflationary threats; and there is even some talk of reestablishing price and wage controls. This is just as ridiculous, and it will be just as destructive, as it would be for a man speeding down the highway at 70 miles an hour to step on the accelerator at the same time he was applying the brakes in an effort to bring his car under control.

America is a great country. It is our responsibility to keep it rich and strong both morally and physically as well as financially. But we can only do this by each of us doing his part.

First. We, as public officials, must stop promising everything to every pressure group for the sole purpose of getting ourselves reelected or for the purpose of perpetuating our political party in power; and,

Second. Each of us, in our individual capacity as State or local officials, as business, farmer, or labor groups, or as just average citizens, must stop trying to unload on the Federal Government all those responsibilities which we once recognized as our own.

Let us not overlook the fact that the interest alone on our national debt today is more than the total cost of all Government operational expenditures in any peacetime year prior to 1938.

The addition of the $12 billion deficit for the next 12 months to our national debt, without any foreseeable method of paying it, means not only are we saddling the future generations with this extra $12 billion debt but also that it will cost them another $360 million per year in extra interest charges to service this extra debt over the years to come.

Think of it. It will cost our children and grandchildren an extra $1 million per day just to pay the interest on this $12 billion deficit which we propose to add to the national debt next year.

It is argued that our huge national debt is the inevitable result of war. However, I point out that over one-third of our $280 billion debt is not the result of war, but the result of peacetime deficit spending. In the past 28 years, our Government has lived within its income only 4 times.

Our estimated deficit for fiscal 1959 added to our last year's deficit will more than cancel out the total of all the accumulated surpluses in the only 4 years of the past 28 in which we did have a balanced budget.

I strongly urge that Congress face this problem and adopt this amendment, thereby making this minimum cut in next year's expenditures by the $2½ billion as proposed.

Unless some such action is taken to deal with this prospective $12 billion deficit, the 85th Congress will go down in the RECORD as the most "financially irresponsible Congress in American history."

To those who are not concerned over this threat of inflation and say, "It can't happen in America," I say, "It is happening."

We are already well advanced toward that road where Government deficits are looked upon as just something to be expected or something that, if ignored, the evil will pass away.

As public officials we apparently neither have the will to cut expenditures nor the courage to levy the necessary tax to meet expenses. I ask this question, "If we don't do it now, when are we going to meet this challenge?"

It is time that we re-establish both in the mind of every Member of Congress and in the mind of every member of the executive branch that sound Jeffersonian principle:

> I place economy among the first and most important virtues, and public debt as the greatest of dangers to pursue our independence. • • • The same prudence which in private life would forbid our paying our money for unexplained projects, forbids it in the disposition of public money. (Thomas Jefferson.)

Mr. President, I think the adoption of this amendment is very clearly in the best interests of the American economy. I repeat what I said earlier: There is nothing mandatory, but it is an expression on the part of every Senator voting that we will support the executive branch if it will make these cuts, even though it hurts some of our own pet projects, and if properly applied the saving would be around $2 billion.

Mr. THYE. Mr. President, as a member of the Committee on Appropriations, I may say that the question was before the committee and was thoroughly discussed at various times. It is definitely legislation upon an appropriation bill. It will be necessary to suspend the rule. It is a rider.

We have heard many discussions on the floor about improper procedure when we endeavor to suspend the rule to attach a legislative rider to an appropriation bill. That is one procedure to which I object.

But my specific objection is that if such an amendment were adopted, it would have a bad effect, to which I shall not be a party, namely, it would place in the hands of the President the discretion to make economies in the reserve operations of the defense, in the National Guard, or elsewhere. I shall not impose such restrictions upon the President or demand of him that he use his discretion to make a reduction of that kind.

The committee has endeavored, in every phase of its consideration of the military appropriation, to reduce items as they came to us from the different units of the Department of Defense, as well as from the Bureau of the Budget. To the best of our judgment, what we as members of the committee have recommended to the Senate and to Congress, has been the minimum which we could determine after many weeks and months of hearings, during which we developed the facts concerning our military needs.

I do not favor accepting, at the last minute, a proposal of this kind, which would say to the President, "You must make a reduction, percentagewise, from the total sum appropriated. Where you apply it will be at your discretion."

I will not agree to imposing such a burden and responsibility on the President. I have endeavored at every step of the hearings before the Committee on Appropriations, using my best judgment, after all facts had been given to us, to recommend and to vote for the sum of money which I thought was the wisest amount to appropriate.

Therefore, I shall have to oppose the amendment for two specific reasons. First, it will be necessary to suspend the rule, and I will not agree to that. Second, we have done our best to report the proper amount in the military appropriation. I will not say, after I voted in committee, that I did wrong, and that I am now asking the President to use his judgment to reduce what I thought was proper, when I voted for the sum contained in the appropriation bill.

Therefore, I have to oppose the amendment, even though I know my friend, the distinguished Senator from Delaware, is one of the ablest Members of this body. He possibly is one of the greatest financiers in the Senate, in that he can analyze any item relating to an appropriation or items relating to funds. He is one of the ablest members of the Committee on Finance. There is nothing about legislative procedure with which he is not familiar.

I know that he is acting on behalf of the distinguished Senator from New Hampshire [Mr. BRIDGES], the senior ranking member of the Committee on Appropriations, in offering the amendment, because the Senator from New Hampshire is unable to be on the floor at this time.

I hope the amendment will be rejected. It is not a good amendment to be placed upon the bill at this time.

Mr. WILLIAMS. Again I emphasize that this would not be the first time the rule had been suspended for the adoption of such an amendment. We did it in 1950, when President Truman was in the White House. If I recall correctly, both the Senator from Minnesota and I supported the amendment at that time. I have just as much confidence in President Eisenhower as I had in President Truman. If we want to reduce expenditures this is our last chance.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. JAVITS. I have a high regard for the Senator from Delaware and the Senator from New Hampshire. I would not wish my remarks before to indicate anything to the contrary. I respect their sincerity and skill, and wisdom as they see it in what they propose. I should like to ask the Senator from Delaware this question, however.

As we all know, ceilings tend to become floors. The amendment really specifies certain percentages as objectives for the President. In addition, I call the attention of the Senate to the fact that certain categories of expenditures are not the type in which to make reductions. They are set forth in the next to the last paragraph—interest on the debt, veterans' compensation, Federal and State cooperative benefit programs, and so on.

In view of the volition which we all have, and the confidence in the President which we have, certainly on this side of the aisle, I wonder if we will not establish what we think are floors, but which will really become ceilings on reductions in the whole budget-making process, and therefore frustrate the whole design of the amendment.

Mr. WILLIAMS. I think this is the proper way to cut appropriations. It is now our only way. That opinion is shared by Mr. Stans, the Director of the Budget, who has endorsed the principle of this amendment.

I have complete confidence in the President. I am certain that he will properly administer the proposed cuts. Certainly there will be no cuts in the interest on the debt. That is a fixed payment. So are the payments for veterans' compensation, pensions, and certain other payments fixed by law.

This is not only a proper amendment but it is exactly what we did in 1950, when confronted with a deficit of a small fraction of that confronting us today.

Mr. JAVITS. Would the Senator say that the condition of the world, in terms of national security, does or does not indicate the need to retain flexibility in fiscal affairs, a flexibility of which the amendment tends to deprive us?

Mr. WILLIAMS. This does not unduly restrict the President. I think the amendment would tend to improve our fiscal condition, as did a similar amendment in 1950. We were then confronted with a deficit of $1,500,000,000. Today, when we are spending at the rate of $1 billion a month over and above the amount which is being taken in, I as one Member of Congress think we should, before we go home, give some indication of our concern about these expenditures and serve notice that we intend to reduce them.

Let us not forget that we have completely ignored the administration's recommendations in many instances by appropriating billions above their requested needs. Such extravagance by Congress cannot be defended in the face of a $12 billion deficit. This amendment should be adopted.

Mr. JAVITS. If we made a material reduction in the number of unemployed—there are now approximately five million—the gross national product and the national income of the United States would far overtake the deficit, and trade policies and development policies will help us to do that.

Our real problem is that we reef in our sails when we ought to be sailing commensurately with the modern situation and our great opportunities.

Mr. SALTONSTALL. Mr. President, I shall vote against the suspension of the rule. I shall do so, as a member of the Committee on Appropriations, for a very practical reason. The bill has once been vetoed. It is back in the same form. The committees of the Senate and the House have agreed to 4 or 5 additional amendments, which the House has agreed to accept.

If we suspend the rule and attach this amendment—with the substance of which I agree in great part—we shall simply tie up the bill and will not be able to proceed to finish the business of the Senate tonight.

I hope the Senate will not vote to suspend the rule.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. JOHNSON of Texas. I wholly concur in what the Senator from Massachusetts has said. I think the proposed course would be bad policy and bad practice. If this amendment were adopted, I believe we would do nothing but delay the Senate.

So I hope the Senate will not vote in favor of the motion to suspend the rule.

Mr. MAGNUSON. Mr. President, I wish to speak for only a minute on this matter.

There are other reasons why the amendment should not be added to the bill. First of all, I doubt very much that the amendment is constitutional. The Constitution provides that the President shall either sign a bill or shall return it to the Congress; the President is not given the power of an item veto.

Furthermore, the amendment would say, in effect, that the Appropriations Committee would be 90 percent correct and 10 percent wrong, no matter what it might do, and that thus the President could eliminate the 10 percent.

Furthermore, the Congress is trying to adjourn sine die tonight; but if the rule is suspended and if the amendment is agreed to, and if the Congress then adjourns sine die, it might just as well turn over the government to the Bureau of the Budget. In that event, what would happen to the National Guard or the Rural Electrification Administration, to post office projects, to the Federal building's under General Services Administration, and to other important projects? In such cases, no matter what the Congress might have provided, the Director of the Bureau of the Budget could select any post office project—for instance that he did not like, and could say, "This is out."

This amendment would not lead to economy. Instead, it would lead to more tugs of war and more political manipulations—and more so than any other piece of legislation the Congress could pass.

If the Congress is responsible for the appropriations it makes, this power should remain in the Congress, not in the Bureau of the Budget.

The Bureau of the Budget submits its budget estimates to Congress. The Congress assumes that the Bureau of the Budget has carefully examined the estimates, and then tells the Congress what it thinks it needs or what it thinks should be spent.

This amendment, if agreed to, would only give more political power to enable some persons to juggle around the appropriation items that Congress already had voted. In addition, the amendment is unconstitutional, because, in practical effect, it amounts to a provision for an item veto.

Mr. President, if the Senate wishes to adopt the amendment, after suspending the rule, it can do so. But at this time, the Members of Congress are looking forward to returning to their homes. If the process this amendment involves were begun, the Members of Congress would, upon their return home, stay home, and never would have to return to Washington, for then they would have permitted the Bureau of the Budget to run the Government, and Congress would have nothing to say about these matters.

Mr. President, I have known the Bureau of the Budget to be wrong on many, many occasions.

Furthermore, at the present time the President can withhold appropriated funds from expenditure; that has been done on many occasions. But when that action is taken, it is subject to public opinion. Believe me, Mr. President, when that is done, a State or district that is hurt will immediately let that fact be known to the Senators from the State and to the Representatives from the district concerned.

Talk about making promises, in order to be reelected. Mr. President, what do my colleagues think this proposal is? In effect, this proposal says that no one in Washington, other than the Bureau of the Budget, knows anything about economy.

In all the appropriation bills this year—with rare exceptions, and they are exceptions which we felt were urgent necessities—the appropriations made were within the Budget estimates. Congress has not been spending money wildly—as some may charge. The administration has requested all these appropriation items.

But now it is proposed, on behalf of the administration and the Bureau of the Budget, "Well, we didn't mean it, boys. So let us take back 10 percent."

If the proposed action were taken, then, Mr. President, when the Appropriations Committees met—once such a provision had been enacted into law—if an appropriation item of $1 million were needed, the Appropriations Committees would have to recommend the appropriation of $1,100,000, so as to make sure that the $1 million which the committees were convinced was needed would actually be made available.

Furthermore, the proposed amendment should be handled by the Finance Committee, of which the Senator from Delaware [Mr. WILLIAMS] is a member; and the Finance Committee should hold hearings on the amendment.

In addition, the amendment would establish an unheard of precedent; and the amendment also would be unconstitutional.

Mr. President, I hope the motion to suspend the rule will be rejected.

Mr. MORSE. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. MORSE. I wish to associate myself with the remarks of the Senator from Washington, particularly his reference to the effect of the amendment, when he said it would increase the power of the Bureau of the Budget.

Certainly we should be restricting the power of the Bureau of the Budget, not enlarging it, because I believe too much power already has been delegated to the Bureau of the Budget.

I believe the amendment is nothing but a disguised attempt to delegate legislative power; and the Senator from Washington and I know that Congress does not have that power.

If I were to place a label on the amendment, I would label it the Sherman

Adams amendment [laughter], for the amendment would entrench further a man who should be out of the White House, not in it, because he has already demonstrated his betrayal of the public trust and the fact that he is unfit for public service.

But by means of the amendment, in my judgment, he would be given even more power over the fiscal affairs of the Government.

The PRESIDING OFFICER. The question is on agreeing to the motion to suspend the rule, in order that the amendment proposed by the Senator from Delaware [Mr. WILLIAMS], on behalf of himself and other Senators, may be entertained.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES] and the senior Senator from Nebraska [Mr. HRUSKA]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that, if present and voting, the Senator from Florida [Mr. HOLLAND] and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

On this vote, the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from West Virginia [Mr. HOBLITZELL] and the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senators from West Virginia and North Dakota would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The Senator from West Virginia [Mr. REVERCOMB] and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The pair of the Senator from New Hampshire [Mr. BRIDGES] and of the Senator from Nebraska [Mr. HRUSKA] has been previously announced.

On this vote the Senator from West Virginia [Mr. HOBLITZELL] and the Senator from North Dakota [Mr. YOUNG] are paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from West Virginia and the Senator from North Dakota would each vote "yea," and the Senator from Massachusetts would vote "nay."

The result was announced—yeas 30, nays 45, not voting 21, as follows:

YEAS—30

Aiken	Dworshak	Morton
Allott	Goldwater	Mundt
Barrett	Hickenlooper	Potter
Bennett	Knowland	Purtell
Bush	Kuchel	Schoeppel
Capehart	Langer	Smith, Maine
Case, S. Dak.	Lausche	Thurmond
Cotton	Malone	Watkins
Curtis	Martin, Iowa	Wiley
Dirksen	Martin, Pa.	Williams

NAYS—45

Anderson	Hennings	Monroney
Beall	Hill	Morse
Bible	Humphrey	Murray
Carroll	Jackson	Neuberger
Case, N. J.	Javits	O'Mahoney
Church	Johnson, Tex.	Pastore
Clark	Johnston, S. C.	Proxmire
Cooper	Jordan	Robertson
Douglas	Kefauver	Russell
Ellender	Kerr	Smathers
Ervin	Long	Sparkman
Fulbright	Magnuson	Stennis
Gore	Mansfield	Symington
Green	McClellan	Talmadge
Hayden	McNamara	Thye

NOT VOTING—21

Bricker	Flanders	Kennedy
Bridges	Frear	Payne
Butler	Hoblitzell	Revercomb
Byrd	Holland	Saltonstall
Carlson	Hruska	Smith, N. J.
Chavez	Ives	Yarborough
Eastland	Jenner	Young

The PRESIDING OFFICER. Two-thirds of the Senators present not having voted in the affirmative, the motion to suspend the rule is rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the motion to suspend the rule failed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, there is a clerical error on page 48 of the bill. The item is for the necessary expenses in carrying out the provisions of the White House Conference on Aging. The title reads "Council." On page 48, line 7, I move to strike out the word "Council" and to insert in lieu thereof the word "Conference."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. ALLOTT. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 47, between lines 9 and 10, it is proposed to insert the following:

BUREAU OF LABOR STANDARDS

Salaries and Expenses

For an additional amount for "Salaries and expenses," including performance of safety functions of the Secretary under the Longshoremen's and Harbor Workers' Compensation Act, as amended; performance of functions vested in the Secretary by section 8 (b) and (c) of the Welfare and Pension Plans Disclosure Act, 1958; and rental of office space in the District of Columbia; $300,000.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The Senate will be in order. Senators will take their seats, and refrain from conversation. It is impossible for the Senator to be heard in the Chamber.

The Senator from Colorado may proceed.

Mr. ALLOTT. Mr. President, the amendment which I offer is for the purpose of obtaining an appropriation of $300,000 to start work on two of the pieces of legislation which the Congress has enacted. The first is the Longshoremen's and Harbor Workers' Compensation Act, and the second is the Welfare and Pension Plans Disclosure Act.

Many Members of the Senate will recall that I was not particularly enthusiastic about the form of the Welfare and Pension Plans Disclosure Act, which was enacted, but I bow to the will of the Senate and I bow to the will of the other body as it has been expressed in the enactment of the legislation.

I supported the Longshoremen's and Harbor Workers' Compensation Act. I thought the other act was a very picayunish and weak attempt to deal with a very serious subject.

According to the terms of the Welfare and Pension Plans Disclosure Act, all businesses must begin filing reports with the Department of Labor the first of the year. We must get started with the work. We have to take care of the matter. We have to provide for the work.

The amendment has been discussed with the senior Senator from Arizona, and I understand the amendment is not acceptable to the Senator. Nevertheless, I feel the amendment should be acted upon favorably at this time.

Mr. HAYDEN. Mr. President, this matter was considered by the committee. Our information was that in the regular appropriation $1.4 million was available, and we thought the Department could get along until January without additional money.

Mr. ALLOTT It is my understanding that the Department will have no money until January, until the Congress meets and appropriates money, to handle these two acts.

Mr. HAYDEN. That is not our understanding. In any event, the committee saw fit, after consideration, not to undertake the provision of additional funds. The committee felt the matter could very well go over until January.

Mr. ALLOTT. I have stated my understanding, Mr. President. That is the only personal information I have on it. If we can spend days, weeks, and years passing these acts, it is time we started to appropriate money to implement them.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield.

Mr. MORTON. Has the Longshoremen's and Harbor Workers' Compensation Act been passed?

Mr. ALLOTT. That is the longshoremen's safety legislation we considered.

Mr. MORTON. That is not the act we amended last night?

Mr. ALLOTT. Yes; that is the one.

Mr. MORTON. Did the House pass the bill without our amendment? I do not see how that act could have been passed.

Mr. ALLOTT. I cannot be certain what the situation is in the House. The situation, with respect to the other matter, is that the Welfare and Pension Plans Disclosure Act will be the law, if the President signs it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. ALLOTT]. (Putting the question.)

Mr. ALLOTT. Mr. President, I respectfully request, and ask unanimous consent, that the Chair restate the question, because it is very obvious that with the confusion in the Senate, when the Chair asked for the "ayes" one Senator answered in the negative. It was obvious that the confusion was such that the question was not understood.

I ask unanimous consent that the question may be repropounded.

The PRESIDING OFFICER. Without objection, the Chair will put the question again.

The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was rejected.

Mr. POTTER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 47, after line 2, it is proposed to insert the following:

GRANTS TO STATES FOR UNEMPLOYMENT COMPENSATION AND EMPLOYMENT SERVICE ADMINISTRATION

Funds appropriated under this head for the current fiscal year shall be available for basic grants or allocations for each State based on a weekly average of State-insured unemployment of 2,200,000 and contingency funds provided thereunder for unemployment compensation increased claims loads shall be available for workload increases in excess of those upon which each such basic grant or allocation was made.

Mr. POTTER. Mr. President, the purpose of my amendment is to make clear the workloads which the State employment security agencies are expected to perform in 1959. The amount of the appropriation will remain the same as was approved by the conferees and subsequently by the House and the Senate, $325,600,000. This $325,600,000 is divided between a basic appropriation of $301,400,000 and a contingency fund of $24,200,000. The basic amount of $301,400,000 is to take care of known workloads at cost levels prevailing when allocations are made to the States.

The problem to which this amendment is addressed arises from the fact that the report of the conferees requires the State employment security agencies to process the workloads associated with insured unemployment averaging 2,500,000 per week for $301,400,000 in 1959.

In acting on the regular Labor, Health, Education, and Welfare appropriation bill for 1959, the Congress approved a base appropriation of $295 million to process workloads at an insured unemployment averaging only 2 million per week. Also, in 1958, when insured unemployment averaged 2,200,000 per week the State employment security agencies expanded $295 million. To perform the same workload in 1959 will require an additional $6,400,000 because of certain mandatory cost increases, including the cost of the increased postage rates recently approved by the Congress.

Department of Labor officials have informed me that the only way in which claims to unemployed workers were paid promptly in most cases in 1958 was by diverting staff from the employment service and other necessary functions. When unemployment is as high as it is it does not make sense to me to take staff away from job placement activities. More job placement work needs to be done.

If the action of the conferees is not changed the State employment security agencies will have to do the same work as they did in 1958 with 4,000 fewer people. Under such circumstances Congress will have no one to blame but itself if there is an increase in erroneous unemployment-insurance payments. The present amendment will correct this inequity.

I urge that the amendment be approved.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. PASTORE. I wish to say to the Senator from Michigan that I associate myself with everything he has said. I think he is proposing a good amendment, which is basically sound. Unless this amendment is adopted 4,000 people will have to be discharged, in offices which are already overtaxed and overburdened with a number of cases far beyond the estimates made by the Department of Labor at the time the quota was set and the allocation was made.

I further assure the Senator that the question was fully discussed before the committee. The proposal was put to a vote, which resulted in a tie, and therefore it did not carry.

I will support the Senator from Michigan in every way I can in connection with his amendment, because of its basic soundness. However, at this moment I think we are fighting a losing cause.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. JOHNSON of Texas. I concur in what the Senator from Rhode Island has said. I supported the amendment in the committee. I feel that it is a worthy amendment. Many Members felt that there should be more testimony before the amendment was placed in the bill. I sharply differed with their viewpoint, but I realize that we had to go along after the amendment was voted down.

Mr. HAYDEN. Mr. President, we are faced with a very serious situation. I am quite sure that the House would not accept this amendment if it were sent over, particularly in view of the fact that it is subject to a point of order. It would change existing law. That would make it doubly sure that the House would not accept it. My advice to our friend is that we shall have to let it go, without action.

Mr. POTTER. Mr. President, I hope the Senate will accept the amendment. If the House is adamant, I know that nothing can be done. However, I do know that many Members of the House are familiar with what this amendment would do. All States would be affected equally by the amendment, and I think the action of the House has been based more upon misinformation than upon any attempt to study the program.

Mr. HAYDEN. Mr. President, unfortunately the amendment would make a change in the law. For that reason it is subject to a point of order, and for that additional reason I am sure the House would not accept it. Under those circumstances I am afraid we shall have to drop the amendment.

Mr. NEUBERGER. Mr. President, I should like to make a brief comment on the amendment offered by the Senator from Michigan. I am not a member of the Appropriations Committee, as are the distinguished chairman of the committee, the Senator from Rhode Island, and the Senator from Michigan. I cannot comment on it with the familiarity with which they can discuss it, but I support the general purposes of the Senator's amendment. I come from a State which, unfortunately, has had a very high degree of unemployment in recent years because of prices in the lumber industry. Had I been a member of the Appropriations Committee I would have voted to support the amendment.

Mr. POTTER. I thank the Senator. I know the views of the distinguished chairman of our Appropriations Committee, who also supported the provisions of the amendment. I had hoped that we might adopt the amendment and that it might go to conference, with the understanding that the conferees on the part of the Senate would do the best they could.

Mr. HAYDEN. The bill is not going to conference. It will be sent back to the House. Clearly, inasmuch as the amendment provides that money appropriated for one purpose shall be available for something else, it is subject to a point of order, and I shall be compelled to make the point of order.

Mr. MAGNUSON. Mr. President, I think we are all sympathetic toward the objectives of the amendment.

Mr. HAYDEN. Surely we are.

Mr. MAGNUSON. The quota was based on an unemployment roll of 2,200,000.

Mr. POTTER. That is correct.

Mr. MAGNUSON. I hold in my hand the morning newspaper. The Department of Labor says the figure is 2,200,000.

Mr. POTTER. That is correct.

Mr. MAGNUSON. If the Department of Labor is wrong, we need more money. However, the allotment is based upon that figure.

I think we can handle the situation. We cannot go to conference. If we were to go to conference on this question, we might arrive at some adjustment. We are hopeful that the agency will get along. If it does not, we shall be the first to see that funds are made available. All we can do is to follow the estimates of the Department of Labor.

Mr. POTTER. The Department of Labor based its estimates on a figure of 2,200,000.

Mr. MAGNUSON. That is what it says this morning.

Mr. POTTER. But the conference report is based upon 2,500,000.

Mr. MAGNUSON. The figure stated this morning is 2,282,000. I am sure that is not typical of the situation in Detroit.

Mr. POTTER. I hope the situation will improve. I recognize the parliamentary situation we are in at the present time, and I hope the colloquy we have engaged in will serve as an impetus when Congress reconvenes in January for action on our part.

Mr. PASTORE. Mr. President, I have a breakdown showing what this means State by State. I ask unanimous consent that it be inserted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

GRANTS TO STATES APPROPRIATION, FISCAL YEAR 1959, ESTIMATED DISTRIBUTION OF POSITIONS TO BE ELIMINATED BY STATE

Region I:	
Connecticut	80
Maine	20
Massachusetts	160
New Hampshire	20
Rhode Island	44
Vermont	12
Region II:	
New Jersey	180
New York	508
Puerto Rico	20
Virgin Islands	-----
Region III:	
Delaware	8
District of Columbia	24
Maryland	76
North Carolina	68
Pennsylvania	344
Virginia	36
West Virginia	36
Region IV:	
Alabama	64
Florida	76
Georgia	52
Mississippi	32
South Carolina	40
Tennessee	64
Region V:	
Kentucky	56
Michigan	216
Ohio	212
Region VI:	
Illinois	204
Indiana	84
Minnesota	56
Wisconsin	56
Region VII:	
Iowa	36
Kansas	32
Missouri	76
Nebraska	16
North Dakota	12
South Dakota	8
Region VIII:	
Arkansas	44
Louisiana	44
Oklahoma	44
Texas	172
Region IX:	
Colorado	32
Montana	16
New Mexico	16
Utah	24
Wyoming	8
Region X:	
Arizona	36
California	372
Hawaii	12
Nevada	12
Region XI:	
Alaska	8
Idaho	20
Oregon	44
Washington	68
Total	4,000

Mr. HAYDEN. Mr. President, I must make the point of order that the amendment changes existing law.

The PRESIDING OFFICER. The Senator from Arizona makes a point of order against the amendment. The Chair has examined the amendment. It is the ruling of the Chair that it is legislation on an appropriation bill, and therefore subject to a point of order. The Chair sustains the point of order.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 13856) was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to table was agreed to.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of H. R. 2.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill.

MESSENGERS FOR THE COMMITTEE ON WAYS AND MEANS OF THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of H. R. 13861.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 13861), to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Texas. Mr. President, the bill was passed yesterday by the House of Representatives. It affects the position of messengers with the Ways and Means Committee of the House, and makes the messengers members of the committee staff as such. It does not create any new positions. It is a matter which relates entirely to the House of Representatives. In view of the comity which exists between the two Houses of Congress, I ask that the Senate approve the measure at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 13861) was considered, ordered to a third reading, read the third time, and passed.

TOLEY'S CHARTER BOATS, INC., AND OTHERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 3193.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 3193) for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a statement explaining the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay Toley's Charter Boats, Inc., the sum of $37.65, and to pay Toley Engebretsen and Harvey Homlar, of Salerno, Fla., the sum of $3,227.10. The payment of such sums represents a refund of taxes paid pursuant to section 3469 of the Internal Revenue Code of 1939 (relating to tax on the transportation of persons).

STATEMENT

Section 3469 of the Internal Revenue Code of 1939 was amended by the Revenue Act of 1951, so as to make clear that the tax on the transportation of persons did not apply to amounts paid for transportation by boat for the purpose of fishing from such boat. Under the amendment no further returns relating to such transportation were required. This amendment of the Internal Revenue

Code did not provide for refund of taxes previously paid. On March 31, 1953, the United States District Court for the Northern District of Florida (110 F. Supp., Fla., 892) held that the transportation tax did not apply to fares paid prior to November 1, 1951, for fishing parties and that, therefore, the tax was legally assessed and collected.

The records of the Internal Revenue Service indicate that the sums involved in this bill represent taxes which were paid with respect to charges made for the charter of fishing boats by the partnership of Toley Engebretson and Harvey Homlar for the period from February 1945, through July 1951, and by Toley's Charter Boats, Inc., for the months of August, September, and October 1951. The last payment was made by the partnership on August 1, 1951, and the last payment was made by the corporation on November 5, 1951. No further returns were required because of the amendment of the Internal Revenue Code by the Internal Revenue Act of 1951.

On November 15, 1955, the district director at Jacksonville, Fla., received claims for refund from the taxpayers for the amounts involved in this bill. On September 28, 1956, letters were sent to these taxpayers advising them that the 4-year statute of limitation on credits or refunds provided by section 3313 of the 1939 code had expired prior to the date the claims were filed and that no consideration would be given to the claims.

The Department of the Treasury in its report on this legislation states that it is not in favor of the enactment of the bill, citing the expiration of the statute of limitations as the reason for the unfavorable recommendation.

The committee, however believes that the legislation should be approved. It is clear as a result of the decision of the United States district court that the Government has received moneys to which it was not entitled under the general provisions of the internal-revenue laws. It is also clear that by the time this decision was rendered the claimants' opportunity to file claim for refund had expired. These facts taken together lead the committee to believe that the claim is meritorious and that it should be favorably considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 3193) was considered, ordered to a third reading, read the third time, and passed.

ARTHUR LeROY BROWN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 165) for the relief of Arthur LeRoy Brown, which was to strike out all after the enacting clause and insert:

That, notwithstanding any statute of limitations or lapse of time, the jurisdiction conferred upon the United States District Court for the Southern District of Mississippi by subsection (b) of section 1346, title 28, United States Code, is hereby extended to a civil action, which may be commenced not later than 1 year after the enactment of this act, asserting any claim or claims of Arthur LeRoy Brown, of Purvis, Miss., against the United States for money damages arising out of personal injuries and property damage sustained by him in an accident which occurred near Camp Shelby, Miss., on February 26, 1942, between a United States Army vehicle and a vehicle owned and operated by the said Arthur LeRoy Brown.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the House amendment to S. 165.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

WILLIAM F. PELTIER

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2146) for the relief of William F. Peltier, which were in lines 3 and 4, strike out "the act of October 20, 1951 (65 Stat. 574)" and insert "title 7 of the Veterans' Benefits Act of 1957 (71 Stat. 115)", and in lines 8 and 9, strike out "for the benefits of such act prior to October 20, 1956" and insert "for the benefit within the time limit prescribed in section 705 of title 7 of the Veterans' Benefits Act of 1957: *Provided*, That the said William F. Peltier shall file an application for such benefits within one year of the effective date of this act."

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

PORTSMOUTH, R. I.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2836) for the relief of the town of Portsmouth, R. I., which were, on page 1, lines 6 and 7, strike out "the amount due such town from the Public Housing Administration as"; and on page 1, line 11, strike out all after "Act" down through and including "thereof" in line 1, page 2.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

LASZLO CSERI

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3028) for the relief of Laszlo Cseri, which were, on page 2, line 1, strike out all after "Act" down through and including "Act" in line 4; on page 2, after line 4, insert:

SEC. 2. Notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Dorothy Margarethe Hadjisky, Maria Miceli, and Francesco Riso may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 3. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

And to amend the title so as to read: "An act for the relief of Laszlo Cseri, Dorothy Margarethe Hadjisky, Maria Miceli, and Francesco Riso."

Mr. JOHNSON of Texas. Mr. President, on August 14, 1958, the Senate passed S. 3028, to waive the excluding provision of existing law relating to one afflicted with feeblemindedness in behalf of the minor beneficiary. The House of Representatives has passed S. 3028, with amendments to include the beneficiaries of 3 individual similar Senate bills, S. 3814, S. 3950, and S. 4061, which also passed the Senate and were referred to the Committee on the Judiciary of the House of Representatives, on August 14, 1958. The beneficiaries of these bills are either the spouses or children of United States citizens or lawful resident aliens, and the House of Representatives, because of the lateness of the session, has grouped them together to insure passage prior to adjournment so as to prevent further separation of the families involved.

I move that the Senate concur in the House amendments to S. 3028.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

REQUIREMENT FOR PERFORMANCE OF CERTAIN LABOR ON MINING CLAIMS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2039) to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor, which was, to strike out all after the enacting clause, and insert:

That the term "labor", as used in the third sentence of section 2324 of the Revised Statutes (30 U. S. C. 28), shall include, without being limited to, geological, geochemical and geophysical surveys conducted by qualified experts and verified by a detailed report filed in the county office in which the claim is located which sets forth fully (a) the location of the work performed in relation to the point of discovery and boundaries of the claim, (b) the nature, extent, and cost thereof, (c) the basic findings therefrom, and (d) the name, address, and professional background of the person or persons conducting the work. Such surveys, however, may not be applied as labor for more than 2 consecutive years or for more than a total of 5 years on any one mining claim, and each such survey shall be nonrepetitive of any previous survey on the same claim.

SEC. 2. As used in this act—

(a) The term "geological surveys" means surveys on the ground for mineral deposits by the proper application of the principles and techniques of the science of geology as they relate to the search for and discovery of mineral deposits;

(b) The term "geochemical surveys" means surveys on the ground for mineral deposits by the proper application of the principles and techniques of the science of chemistry as they relate to the search for and discovery of mineral deposits;

(c) The term "geophysical surveys" means surveys on the ground for mineral deposits through the employment of generally recognized equipment and methods for measuring physical differences between rock types or discontinuities in geological formations;

(d) The term "qualified expert" means an individual qualified by education or experience to conduct geological, geochemical or geophysical surveys, as the case may be.

Mr. BIBLE. Mr. President, this matter has been cleared by the chairman of the Interior and Insular Affairs Committee, and has also been cleared on the minority side. I move that the Senate concur in the amendments of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

TRIBUTE TO SENATOR JOHNSON OF TEXAS AND SENATOR MANSFIELD OF MONTANA

Mr. BIBLE. Mr. President, very soon we will have finished up our work and the Senate can adjourn. We will melt away in every direction. I am reminded of what happens when a glob of mercury is dropped—little bits of that quicksilver scatter to the four winds, and only God can get it back together. Once the Members of this Congress separate, we are like that mercurial globule, as we will never be again together as we are today. This makes me sad, as it has been an interesting time, with not a dull man or woman in the Senate.

I cannot leave here without trying to express a deep and personal feeling. As Shakespeare put it in Henry IV, I have a "dear and true industrious friend." He is probably the most impatient of us all, as being in a hurry is, I think, one of the tributes he pays to life. Nevertheless, I would like to express for myself, and I am certain it is shared by many others, our genuine gratitude and respect for the magnificent job he has done as majority leader of the United States Senate.

LYNDON JOHNSON will be the first to protest, to tell us he can do nothing by himself, and any glory of accomplishment during this hectic 85th Congress should be shared among each and every Member of the Senate and the House. In this humility, my friend is right, as it took 20 separate mules to pull the wagon trains across the western deserts in the days when 20-mule teams were all we had to do the heavy pulling I might point out to him that we have replaced the power used in pulling, but the great trains of today still have to have a driver; and behind the robots of tomorrow there will always be some skillful hand and experienced mind to guide them, even if just to push the buttons.

I am sure LYNDON JOHNSON will be with us for many, many years; and, believe me, I would be less hopeful for the future if I did not feel that way. His wisdom, his experience, his capacity for work, and his devotion to this country are ingredients sorely needed in any recipes for the future of this troubled world.

Among these outstanding Americans on both sides of the aisle, LYNDON JOHNSON stands out as one of the most effective leaders of our era. He is dedicated to his responsibilities, so much so that even those who sit beside him, on occasion rebel because he drives so hard, because he sometimes gets tough, and because he is forceful. LYNDON has acquired such skill and mastery of leadership that he amazes even those of us who think we know him. In every way he has become an artist. He loves the work he does, and he has acquired perfection in the manner he performs that work. This would seem to be the ultimate to any man, and a blessing to those for whom such man would do his work. I only hope the people of this country realize what he represents. He is indeed that rare man who has so much to give, and so little to get. To me, this makes him a statesman.

In my judgment, our majority leader has been particularly magnificent in his courage, his strength of conviction, his willingness to work and fight, and his rare quality of having time to think things through, without "holding up the game." He deserves loyalty—and he gets it. He needs a fine staff—and he has it. He faced a grim battle—and he won it. He merits our respect—and we give it.

Now I hope he enjoys a long and restful vacation—because he needs it—and so do we all.

Now, Mr. President, no leader can operate effectively without a loyal and conscientious staff. It is doubly fortunate, Mr. President, that in having an outstanding leader we also have the benefit of his fine staff. I have particular reference to Bobby Baker, the secretary for the majority, a young man who has that rare gift of getting things done with a minimum of time and a maximum of efficiency. I like to refer to Bobby Baker as LYNDON, Junior, an accolade he well deserves. Bobby Baker, in turn has the benefit of an extremely able assistant in the person of Jay McDonnell, whom we all know and like for his devotion to the many tasks at hand and his sparkling Irish disposition. No two men have been more cooperative and helpful than our Secretary of the Senate Felton "Skeeter" Johnston and our Sergeant at Arms Joe Duke, and I would be amiss if I did not say thanks. Time forbids me from listing by name all of the many fine people we are fortunate to have with us, Mr. President, so I would like to pay tribute to them en bloc.

Mr. President, in expressing my feelings on our excellent leadership, it is only natural to pay deserved tribute to our tireless majority whip, the distinguished junior Senator from Montana, MIKE MANSFIELD, the able, amiable right hand of the leader, has performed yeoman's service in the leader's absence and has constantly impressed his colleagues with his broad grasp of legislative problems. I will never forget his unstinting support of the Minerals Stabilization bill when that measure was under debate and I happened to be acting as floor manager. Drawing from his vast knowledge gained first as a hardrock miner and later as a mining engineer, MIKE MANSFIELD's contributions to the progress of that legislation in the Senate will long be remembered by those who have the interests of our country's mining at heart. A man of great versatility, Senator MANSFIELD is equally at home in the field of international relations and his great understanding of foreign policy was rewarded by his appointment by the President of the United States as a delegate to the United Nations Assembly. Quite apart from his accomplishments as an outstanding lawmaker is the pleasant, easy-going, friendly man who manages to get so much done with so little fuss and fanfare. His trademark is his pipe and he has done more for that particular type of smoking equipment that any man since Sherlock Holmes. It is a genuine pleasure, Mr. President, for me to add the name of MIKE MANSFIELD to that illustrious roll of Senate leaders who constantly work for a better Nation in a better world.

SENATOR MARTIN OF PENNSYLVANIA

Mr. MUNDT. Mr. President, I note the presence in the Chamber of the Senator from Pennsylvania (Mr. MARTIN). When felicitations were being extended to him yesterday I was necessarily absent from the floor. I should like to associate myself with the tributes which have been expressed to the senior Senator from Pennsylvania. I wish for him a long life of happiness full of recognition as one of the great gentlemen of the Senate and one of the great soldiers of our country. He carries with him from the Senate the best wishes of every Member of the Senate.

It was my pleasure to be his seatmate for a time in the rear of the Chamber. I learned much from his willingness to share his knowledge with those who know so much less than he does. All of us extend to him and his lovely wife our very best wishes for a long life.

MR. AND MRS. CARMEN SCOPPETTUOLO—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SOLUTION OF TEXAS WATER PROBLEM

Mr. JOHNSON of Texas. Mr. President, tremendous advances in reaching

a solution to the Texas water problem were made during the second session of the 85th Congress.

A total of $28,993,000 was appropriated for work on 38 water development and conservation projects in Texas.

A joint report, entitled "Water Developments and Potentialities of the State of Texas," was prepared by the State Board of Water Engineers, the Corps of Engineers, the Bureau of Reclamation, and the Soil Conservation Service. This document outlined the necessary mechanics for interagency cooperation for a unified Texas water program.

Legislation providing for establishment of a study commission on the river basins of Texas was passed.

Money was authorized for the construction of five experimental plants for the conversion of salt and brackish water into fresh water.

The 38 projects for which appropriations were voted during this session of Congress represent sound investments for the future. The study commission we have established provides the framework for an integrated and cooperative investigation and survey of the Neches, Trinity, Brazos, Colorado, Guadalupe, San Antonio, San Jacinto, and Nueces River Basins.

It should be pointed out that this commission respects the concept that basic leadership in the field of water must come from the grassroots. It will be dominated by State-level people. It will in no way authorize the Bureau of the Budget to withhold approval of funds for projects in Texas already authorized on the basis that surveys have not yet been completed.

The advantages of such a study commission have been demonstrated in other States. In 1949, I was cosponsor of similar legislation calling for a study of the Arkansas, Red, and White Rivers. The obvious benefits from this approach led to a Presidential directive in 1951 to set up a similar study for seven New England States.

Legislation authorizing construction of the water-conversion plants is of major importance not only to Texas but to the Nation and to the world. President Eisenhower in his address before the United Nations General Assembly on August 14 pointed out that new horizons are opening and amazing progress is being made in the desalting of water.

These experimental plants represent a significant advance in achieving economical means of desalting seawater in the coastal areas and treating brackish water in the interior.

In Texas we have 370 miles of coastal area and 3,826 square miles of inland water area. Successful and economical conversion of sea and brackish waters is essential. The fresh-water problem is getting more serious all the time, and the five new water-conversion plants will represent the first major progress we have made toward reaching a solution.

The importance of these programs cannot be underestimated. But neither can we afford to underestimate the extreme urgency of the water problem in Texas. We are 20 years behind in seeking solutions. Water use in Texas has increased 24 times since 1940. Expanding industry, swelling metropolitan populations, increased agricultural irrigation have resulted in sharp increases in water consumption—and further increases in consumption are ahead.

Texas is green again. Heavy rains this year and last have provided major breaks in the 11-year drought. But we cannot permit the comforting picture of lush pasturelands over the State to lull us into beautiful thoughts about the future. Substantial progress has been made from a legislative standpoint. But we must continue to work for necessary programs.

Weather experts predict a recurrence of the Texas drought—even though heavy rains in the spring of 1957 and 1958 gave us much relief. University of Texas meteorologists expect that we will once again suffer the pangs of public and private thirst within the next 15 or 20 years.

We must go forward now so that we will be prepared for the future.

NINETIETH BIRTHDAY ANNIVERSARY OF FORMER VICE PRESIDENT JOHN NANCE GARNER ON NOVEMBER 22, 1958

Mr. JOHNSON of Texas. Mr. President, as we enter the closing days of this session, I call attention to an approaching anniversary of a great American who once presided over this body.

On November 22, 1958, John Nance Garner, former Vice President of the United States, and former President of the Senate, will celebrate his 90th birthday, and it is an event which will find Texans and Americans everywhere wishing him well.

Jack Garner was a master legislative craftsman. He combined a penetrating knowledge of political reality with a firm determination to advance the best interests of his country. That combination was brought to bear in both branches of the Congress.

Mr. Garner of Uvalde is a living legend who will serve as a source of inspiration to Texans for generations to come. I know that we all join in wishing him well.

POSTMASTERS—MONTANA AND COLORADO

Mr. MANSFIELD. Mr. President, I should like to ask the distinguished Senator from South Carolina, the Chairman of the Committee on Post Office and Civil Service, a question. I have contacted the Senator on several occasions relative to a vacancy in the Anaconda, Mont., postmastership. I wonder if anything is going to be done at the present time to fill the vacancy.

Mr. JOHNSTON of South Carolina. Mr. President. The junior Senator from Montana [Mr. MANSFIELD] was kind enough to advise me a short while ago that he intended to ask me about the confirmation of the postmaster at Anaconda, Mont. Since he advised me to that effect, I have looked into the matter. I find that the nomination has not been confirmed because the committee has a number of substantial objections which it is looking into. This cannot be done fully and satisfactorily overnight. It requires a certain amount of time. I do wish the Senator to know, however, that the committee is proceeding as expeditiously as time and facilities permit and that when the investigation has been completed, the committee will then be in a position to consider the nomination properly.

Mr. MANSFIELD. I thank the Senator.

Mr. ALLOTT. Mr. President, while we are on this subject I should like to make inquiry about a postmastership for Colorado Springs, which has been under committee consideration for some months now. A statement has been filed with the committee by both Senators from Colorado to the effect that the appointment is satisfactory to them, yet the committee has not acted upon the nomination.

Mr. JOHNSTON of South Carolina. I think the Senator will find the same is true in that particular case as is true with respect to the Montana case.

Mr. ALLOTT. May I ask the Senator, are we entitled to have a copy of the objections which have been filed?

Mr. JOHNSTON of South Carolina. The Senator can go to the committee and get them.

Mr. ALLOTT. We have not been able to get them. For that reason I formally request them.

Mr. JOHNSTON of South Carolina. I wish the Senator had approached me on the subject. This is the first time I have known anything about the matter. The truth of the entire matter is that we have had to handle about 2,000 postmaster appointments. I cannot carry all the information in my mind.

Mr. ALLOTT. The situation is that the postmastership has been pending for many months. Both the junior Senator from Colorado and the senior Senator from Colorado have in writing requested approval of the appointment, yet we have not been able to get the committee to report.

Mr. JOHNSTON of South Carolina. We have several cases which perhaps are in the same position.

Mr. ALLOTT. Surely they have not been pending 5 or 6 months.

Mr. JOHNSTON of South Carolina. I think the committee members will say that has been true.

Mr. ALLOTT. Have the other nominations been pending 5 or 6 months?

Mr. MANSFIELD. The one with which I am concerned has been pending longer than that.

Mr. JOHNSTON of South Carolina. Some of them have been pending longer than that and some for less time.

Mr. ALLOTT. I have the Senator's assurance that if I make inquiry of the committee I will receive a copy of every objection which has been filed with respect to the appointment?

Mr. JOHNSTON of South Carolina. The Senator can go to the committee and get the information. I will authorize that.

Mr. ALLOTT. I am happy to hear that, because so far I have not been able to find out why the appointment has not been acted upon.

Mr. JOHNSTON of South Carolina. I will say again, I wish the Senator had approached me on the subject, or asked some member of the committee to approach me. This is the first I have heard about the particular postmaster appointment.

Mr. ALLOTT. I think the Senator will recall that I spoke to him about the matter some 2 or 3 months ago, and I have not heard anything about it since.

HAILSTORM LOSS AT LEMMON, S. DAK.

Mr. CASE of South Dakota. Mr. President, a few days ago there was quite a run of water at Lemmon, S. Dak., which was accompanied by a large amount of hail. Because of reports of extensive damage, I wrote to one of my friends at Lemmon, Mr. Carney O. Peterson, cashier of the Bank of Lemmon, and asked him if there was any way in which the losses required the interest of the Federal Government.

I have received from Mr. Peterson a letter which is so characteristic of the spirit of the people in Perkins County that I wish to read it into the RECORD:

BANK OF LEMMON,
Lemmon, S. Dak., July 16, 1958.

Hon. FRANCIS CASE,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR FRANCIS: We wish to thank you very kindly for thinking of us relative to our hail loss which is the worst we have had in many years, but true to West River spirit, we are not asking for any assistance from outside sources. Everyone is going about repairing or having repaired the buildings and soon the hail damage will only be history.

The crops suffered, some being total loss but again no one is crying over what has happened. We just buckled up our belt a little tighter and maybe next year we will have a good crop without hail.

I believe the total loss will run over a million dollars for our area. No buildings in our city escaped. We are very fortunate that no lives were lost.

Yours sincerely,
CARNEY O. PETERSON.

I thought the letter exhibited a good Western spirit, and might be a welcome contribution in connection with what we are called upon to do, these days, in the name of the Federal Government.

Mr. President——

The PRESIDING OFFICER. The Senator from South Dakota.

DEATH ON THE HIGHWAY

Mr. CASE of South Dakota. Mr. President, I should like to read a newspayer account of a tragic automobile accident. The account was written by Tom Ingvalson, a student at the South Dakota School of Mines and Technology, who happened to drive by the scene of an accident near Hill City. Tom wrote the following article, which was published in the Rapid City Journal:

EYEWITNESSES: VIEWERS STUNNED AT ACCIDENT SITE

(By Tom Ingvalson)

I saw death's hand at work on the highway yesterday and it was a picture that will remain engraved on my memory for the rest of my life.

It was midafternoon and I was returning from Sylvan Lake when I came to the railway underpass south of Hill City. Several people were milling around and I stopped to see what had happened.

A 1950 Plymouth apparently had missed the curve north of the underpass and struck cement supports underneath. The people around me were quiet and subdued. I could feel the shocked sympathy in them, it didn't take any words.

Several of the car's occupants were still seated or pinned in the badly damaged car. They were either dead or unconscious. An elderly lady was sitting on the grass nearby and appeared to be the only person not rendered unconscious by the crash. She was calling for someone in an incoherent manner.

One little girl was taken into the home of a nearby resident. A passing motorist took charge at the accident scene. He held onlookers back and cautioned them against smoking in the area. The smell of gas fumes was strong. There seemed to be little the spectators could do. A truck driver sent some people into Hill City for a doctor.

People came and they looked and they drove away. Most likely they drove safely and cautiously. For the first few miles, anyway.

I think that is a very telling report of the accident, and provides a moral or lesson which might well be considered by everyone, these days, when highway safety is a matter of national concern.

LEGISLATION TO PROMOTE THE USE OF ATOMIC ENERGY

Mr. ANDERSON. Mr. President, the evaluation of the work done by a Congress sometimes must await the passage of time. In some ways, this is true of the 85th Congress, now drawing to a close. However, there are other ways in which it may be possible to evaluate now some of the accomplishments of this session. One of these aspects is atomic energy.

The adjournment of the 85th Congress will bring to 4 the number of years which have passed since the Atomic Energy Act of 1954 was written. Momentous things have transpired since then. It is not my purpose today to review the whole of those 4 years—years in which the Democratic leadership of Congress has recognized and responded to the civilian and military nuclear requirements.

In the course of these undertakings, the Congress fulfilled all requests from the executive department. In others, the Democratic leadership either instituted brandnew programs, or expanded very significantly proposals originating in the Atomic Energy Commission. In so doing, the Congress frequently encountered determined opposition from the Bureau of the Budget as well as some segments of private industry.

The United States atomic energy program, which in the beginning was very small and wholly military, has grown through the years to include many civilian and peacetime applications. In the process of growth, the usefulness of atomic energy has increased many times. We have learned as the program advanced that nuclear energy cannot be confined to weapons. Further, an atomic energy program of any consequence cannot be confined to the shores of the continental United States. This is a force which demands utilization throughout the world—and perhaps throughout the universe.

So although the evolutionary steps of the atomic energy program have been great in the past, the 85th Congress brought progress which, in my opinion, forever changes the nature of the program. Although these changes are not as spectacular as the explosion of an H-bomb, nor as tangible as the launching of the *Nautilus*, they are nevertheless fundamental and powerful. They are the foundations for the future.

I refer particularly to the fact that during the 85th Congress, under the guidance of a Democratic majority, the whole of the atomic energy program in the United States was broadened to reach for the first time beyond our shores and become international in character and purpose, both as to peacetime applications and as to weapons.

Further, through a study on outer space propulsion by nuclear energy, the Joint Committee on Atomic Energy may have so altered the concept of the atomic energy program that it eventually may reach out to the nearby planets—and further.

And to guarantee that we have knowledge with which to follow up this broadened program, the Joint Committee wrote into legislation provisions for a vastly broadened basic research program which would give us answers to fundamental questions of atomic power reactor design and operation, the riddles of nuclear propulsion, and the very nature of the forces which bind atoms one to another.

All told, the Joint Committee received 58 bills and resolutions for consideration during the 85th Congress. In addition, hearings were held on various topics of national and international interest. An example of the latter might be the hearings on radioactive fallout held during June of 1957. They contributed the first definitive record of the pattern of worldwide and local fallout and established a proper forum from which outstanding geneticists and physicists and scientists were able to present their views on the effects of nuclear weapons testing. This is a subject which affects every organism on earth.

Mr. President, I desire at this time to summarize the major accomplishments of the Joint Committee on Atomic Energy and the House and Senate during both sessions of the 85th Congress. And I think credit for their performance should be divided equally insofar as possible between the Houses and between the respective political parties. However, overall responsibility for the performance of the Congress on any program lies with the majority party and its leadership. Thus, to Majority Leader LYNDON JOHNSON of the Senate and Speaker SAM RAYBURN of the House goes much of the credit for the very significant record established by the 85th Congress in the field of atomic energy.

There are committee in the Congress which receive great numbers of bills during a session, depending upon their nature and upon the nature of the subjects they handle. Literally hundreds of private bills are handled by the respective judiciary committees for example. But in a field as specialized, as new and, in many respects, as secret as atomic energy, there is no similar quantity of legislation to be considered.

I do not mean to imply that the Joint Committee lacks work. We are indeed very busy with our workload which, by its very nature, requires the most careful scrutiny and consideration. Thus, Mr. President, I do not intend to relate any long list of achievements, even if it were possible. I am listing instead the major accomplishments.

The atomic-energy program has three major duties to the American people: weapons, power, peaceful pursuits. Each category also has its foreign phase.

First. Under the weapons program, the Joint Committee met every request from the President and also contributed its own ideas. Naturally it is not possible to detail all developments in this field, but it is possible to say without breaching security that the Joint Committee heard testimony on all phases of our atomic-weapons program and as a result recommended that greater emphasis be placed upon the development of a family of small nuclear weapons.

To support the development of small weapons, the Joint Committee determined—after repeated and detailed interviews with the military—that provision for greater domestic plutonium production should be provided in the fiscal 1959 authorization bill. This provision was included in the act sent to the President for signature.

Other weapons applications of atomic energy were evaluated by the Joint Committee and from these evaluations recommendations were formulated. Among them was the strong appeal that the Atomic Energy Commission push with all possible vigor studies into nuclear rocket propulsion.

The Joint Committee also approved after serious consideration legislation authorizing the exchange of military atomic information with our allies in the North Atlantic Treaty Organization.

Second. The power reactor program did not produce the degree of agreement within the committee or within the Congress characteristic of the weapons program. However, with the inclusion of the various reactor design studies in the authorization bills, the domestic program gained a base upon which to project a long-term program. These studies will furnish the information necessary to the power reactor construction program which will be undertaken by the Government if private industry either does not desire or cannot afford to proceed.

Euratom will provide the foreign reactor program in this category.

Third. Other peaceful atomic pursuits include the operating authorization for the Atomic Energy Commission's Division of Biology and Medicine, its radioisotopes program and basic research activities. In the category, also, might be the Community Facilities Act which permits the AEC to conduct the affairs of its atomic laboratory communities.

Under this heading also might fall the International Atomic Energy Agency and such mileposts as the hearings on fallout, the problems of the uranium mining industry, and outer space propulsion.

SUMMARY OF ATOMIC ENERGY ACTIVITY DURING THE 85TH CONGRESS

INTERNATIONAL

The following authorizations were approved:

1. United States participation in the International Atomic Energy Agency.

2. Exchange with allies of classified information and materials, including weapons. (NATO bill.)

3. Euratom participation. It was not possible nor desirable to attempt to cover in the limited time available to the Joint Committee the entire list of Euratom arrangements and authorize the entire program. It was possible, however, to approve the international arrangement and part of the cooperative program.

REACTOR HAZARD INSURANCE

1. Legislation was enacted authorizing the Government to underwrite up to certain amounts the indemnity available from private companies to operators of power and research reactors. Statutory status was provided for Advisory Committee on Reactor Safeguards.

POWER REACTOR DEVELOPMENT

1. Expenditure of millions authorized for design studies on plutonium, gas-cooled, and plutonium-recycle reactors.

2. Destroyer reactor plant at West Milton, N. Y. authorized.

3. Provision included in Atomic Energy Commission facility authorization bill for construction at a cost of $120 million of a plutonium-production reactor to which will be added, at a cost of $25 million, facilities which will make it convertible to the generation of power at a subsequent date upon further authorization and appropriations by the Congress.

LONG RANGE POWER PROGRAM

The Joint Committee and its staff held informal discussions with the Atomic Energy Commission on the outline of a long-term atomic power program which would be issued in the form of a separate report by the Joint Committee. It is believed that the committee and the Commission are relatively close to agreement on this long-term program. It is possible the report may be issued by the end of this session.

BASIC RESEARCH

Following the annual hearings on the State, growth and development of the atomic-energy program, the Joint Committee wrote into the 1959 authorization bill provisions for a basic research program in atomic energy vastly greater than that proposed by the administration. Included are accelerated studies into the control of the thermonuclear reactor for power (Project Sherwood) and for nuclear propulsion (Project Rover and Project Pluto) and a score of research projects including construction of several accelerators. Extensive hearings were held on basic research in the atomic-energy field and these hearings are being printed, together with a summary analysis of the hearings. These hearings are of great interest in the atomic-energy field and provide the basis for the committee recommendations in the authorization bill on physical research projects. Also authorized were detailed design studies for promising power reactor types.

URANIUM MINING INDUSTRY PROBLEMS

Domestic uranium ore production and milling capacity reached the point during 1957 where, in combination with imports which the United States is obligated by contract to accept, all weapons and peacetime demands could be met, once programed mills were built.

As a consequence, the Government had to decide whether to continue its past policies of stimulating unlimited uranium ore discovery and mining or to curtail capacity to meet actual demand.

The Government chose the latter course last October and the uranium mining industry immediately protested that it had not received adequate notice and that the decision was working undue hardship. As a consequence, the Joint Committee early in the year conducted hearings aimed at determining the impact of the cutoff order. The AEC was requested to furnish the Joint Committee a report on a field survey of hardship cases.

As a result, the Atomic Energy Commission in April announced a modified cutback program which eased considerably the impact on small miners and also provided mills for mining areas which otherwise would have had no market for their ores.

This development, though it required no legislative action by the joint committee, did have significant consequences in the domestic uranium mining industry. I think it represents one of the mileposts of the 85th Congress with respect to the atomic energy program. It also represented the first time in the AEC history when the raw materials program had undergone a thorough and searching inquiry by the Congress. If the outlook in the uranium mining industry has been stabilized since last October, and I believe it has, the stability is due in large measure to the steps taken by the joint committee during the 85th Congress.

NUCLEAR PROPULSION FOR OUTER SPACE

The first Congressional hearings on the possibilities of utilizing nuclear power to propel space vehicles were held by the Joint Committee on Atomic Energy. The hearings, which were printed, show clearly that any long-range exploration in space will require engines of such size and sustained output that atomic energy now appears to be the only possible propellant.

In addition to emphasizing the desirability of research on nuclear rocket engines, the hearings served to solidify the recognition among drafters of space propulsion legislation that atomic energy be afforded a significant role in any agency directed to explore outer space on a manned and round-trip basis.

PROGRESS OF RECLAMATION IN THE 85TH CONGRESS

Mr. ANDERSON. Mr. President, within the next few hours the 85th Congress will adjourn. When that hour arrives, the record of the 85th Congress will have become history. It will be a record based upon the legislation enacted and the policies and programs initiated, emphasized and enunciated by the political parties, the various committees and individual Senators.

I desire at this time to call the attention of Senators—and the attention of the public—to the record established by the 85th Congress in recognizing and responding to the national need for certain programs with respect to the conservation and development of domestic water resources, recreation resources, the reclaiming of wastelands and the generation of hydroelectric energy.

In some respects, the 85th Congress is lacking in what might be termed eye-catching reclamation enactments due, in part, to the fact that it encountered in the administration several eye-catching frustrations.

An illustration of the problem might be the introduction and passage in the Senate against administration protests of the Hells Canyon Dam authorizing legislation. The bill was defeated in the House.

In almost every other aspect, however, the record of the 85th Congress and particularly the Senate is one of steady and comprehensive progress toward the goal of greater speed and more consistent efforts to meet the reclamation needs of the 17 Western States.

The Senate adopted early in the closing session of the 85th Congress a resolution calling for an accelerated construction program for currently-authorized and ready-to-go reclamation projects. The accelerated program proposed would have just about doubled the program recommended by the administration.

Following the adoption of this resolution, the administration acceded to the principle sufficiently to recommend inclusion in the fiscal year 1959 construction program a few previously bypassed projects.

Thus, the reclamation program fared rather well in the Senate. I think there is a clear recognition among Senators as to the reason why reclamation has had such success during this Congress. That reason is Democratic leadership, and especially the foresight, the planning, the ability, and enthusiasm of the Democratic Majority Leader LYNDON JOHNSON. Without his warm support, the outstanding reclamation record of the 85th Congress might otherwise have been dismal.

Let me cite first the record of reclamation legislation handled by the Subcommittee on Irrigation and Reclamation of the Senate Committee on Interior and Insular Affairs. I am chairman of the subcommittee. After that I will mention briefly the work of the Senate Interior Committee with reference to the saline water program and the Outdoor Recreation Resources Review Commission.

THE RECLAMATION PROGRAM

The Senate Committee on Interior and Insular Affairs during the 85th Congress considered more than 100 bills, resolutions, and special actions relating to the reclamation program, including irrigation, hydroelectric power, and procedural legislation.

Virtually every one of these measures was handled by the Subcommittee on Irrigation and Reclamation, with the able and sympathetic cooperation of the chairman of the full committee, Senator JAMES E. MURRAY, of Montana.

Authorization of new projects recommended by the committee and passed by the Senate included the following in addition to saline water, Senate Joint Resolution 135:

Hells Canyon, Idaho-Oregon, to produce more than a million kilowatts of hydroelectric power from the Snake River, a tributary of the Columbia. Defeated in the House.

Fryingpan-Arkansas, a $160-million irrigation and multiple-purpose development in Colorado. Pending in House.

San Angelo multiple-purpose project, Texas, to cost $32,220,000 for flood control, municipal water, and irrigation.

Pecos River resolution to protect waters vital to New Mexico and Texas in the McMillen Delta area, another important type of legislation.

Burns Creek project on the Snake River in Idaho, to produce 90,000 kilowatts of power and cost $44,240,000.

Greater Wenatchee division, Chief Joseph project, Washington, for irrigation.

UPPER COLORADO RIVER DEVELOPMENT

In the 84th Congress, the Senate passed and the House agreed to the billion dollar Upper Colorado River development. As a followup to this authorization, the Senate committee has under consideration a bill to authorize the Navaho Indian irrigation and San Juan Chama diversion projects in New Mexico to cost $221 million.

The impetus given by the demand for an accelerated reclamation construction program produced these further results with respect to the Colorado River storage project:

First. An additional budget estimate was submitted to speed up construction of the multiple-purpose Glen Canyon Dam in Arizona, the key structure and cash register of the Colorado River storage project on which initial contracts had been awarded.

Second. Reversal of the administration's opposition to starting actual construction of Navaho Dam in New Mexico and a budget estimate of $7 million to get a contract under way.

Third. Speedup of awarding construction contract for Flaming Gorge Dam, Utah-Wyo.

The three major storage dams of the Upper Colorado River project are now under construction contracts, and actual work is under way.

CALIFORNIA'S SAN LUIS PROJECT

Another project under active consideration is authorization of the San Luis unit, Central Valley project, California, to irrigate 400,000 acres and cost approximately $300 million. There still may be time to enact this legislation this session.

GARRISON DIVERSION UNIT

Another major development under consideration is the first stage of the Garrison diversion unit of the Missouri River Basin project in North Dakota to divert water stored at Garrison to irrigate more than half a million acres. The first stage would cost $250 million.

ACCELERATION OF RECLAMATION CONSTRUCTION

The chairman of the Irrigation-Reclamation Subcommittee initiated a program for the acceleration of construction of authorized reclamation projects, of which there is a backlog of more than $3 billion. Soon after this move was initiated, the Eisenhower administration sent to the Congress supplemental budget estimates increasing its recommendations for appropriations for fiscal year 1959 by nearly 50 percent.

The committee pressed for further acceleration and the Senate unanimously agreed to Senate Resolution 299 urging an increase in reclamation construction by 100 percent, including not less than 20 new starts of reclamation projects. This proposal ran head on into the Eisenhower administration's opposition to any new starts.

The Senate Appropriations Committee under the able leadership of Senator HAYDEN went along with the acceleration of the reclamation program to a substantial extent and fought valiantly for increases and new starts in conference with the House committee.

SMALL RECLAMATION PROJECTS

The committee initiated legislation to implement the Small Reclamation Projects Act of 1956 under which loans are made without interest for the development or rehabilitation of non-Federal irrigation districts. The President had objected to the degree of Congressional participation in the program provided in the original act and his objection was met by an amendment.

However, it was not until February 7, 1958, that the Interior Department sent up the first development approval under the Small Projects Act. This was the application of the Cameron County Water District of Texas—Harlingen Division—for a loan of $4,600,000, which was promptly approved by our committee.

Since then four additional small project loans have been approved by the committee. They are:

South Davis County Water Improvement District, Utah.

Bountiful Water Sub-Conservancy District, Utah.

Walker River Irrigation District, Nev.

Goleta County Water District, Calif.

REHABILITATION AND BETTERMENT LOANS

The committee is also charged with responsibility for approving loans for the rehabilitation and betterment of existing reclamation projects. Eight loans have been approved during the 85th Congress for this purpose.

RUSSIAN PROGRESS IN WATER DEVELOPMENT

Jointly with the Committee on Public Works, the Interior and Insular Affairs Committee held hearings on the progress Soviet Russia is making in water developments. Senate Resolution 248 reported by the two committees directs the bodies to continue their surveillance of the progress Soviet Russia is making in hydroelectric power, irrigation, and related developments.

TWO GREAT FORWARD STEPS

The committee took a great forward step in behalf of reclamation in holding hearings on and reporting favorably Senate Resolution 148, to improve procedures and contents of reports to Congress on proposed reclamation projects. The resolution was recommended jointly with the Committee on Public Works and was agreed to by the Senate over the surreptitious opposition of high Eisenhower administration factions.

Two major project authorizations concluded the committee's reclamation program for the session. These were:

S. 3648, to authorize the Navaho Indian Irrigation and San Juan-Chama diversion projects in New Mexico. More than

half of the population of the State, including the Navaho Indians, will be benefited by the development for irrigation, domestic, municipal, and industrial water supplies. As passed by the Senate, S. 3648 is agreeable to Texas interests.

S. 1887, to authorize the extension of the Central Valley Reclamation project in California to include the San Luis unit to irrigate half a million acres of highly productive land in the San Joaquin Valley that is threatened by receding underground water supplies. An olive branch is held out to the State of California to participate so as to pave the way for a joint venture that would make the San Luis Reservoir a feature of California's State water plan.

Here are two outstanding instances of aggressive plans for cooperation with reclamation States.

SALINE WATER PROGRAM

Mr. President, a review of the accomplishments of the Senate during the 85th Congress would be incomplete if it failed to mention the work of the Senate Interior Committee in holding hearings on and reporting favorably Senate Joint Resolution 135, a proposal to demonstrate with production-size plants the economic and operating feasibility of saline water conversion processes.

This legislation was introduced by a Democrat but it quickly drew the support of two Senate Republicans, and when it was ready to be reported, a second Senate Democrat received permission to add his name as a sponsor. I am referring to the very able majority leader, LYNDON JOHNSON.

The majority leader, recognizing the increasing importance to the United States of the early development of economic saline water conversion processes, did more than add his name as a sponsor. He expressed his strong desire that the measure pass the Senate. Subsequently, and without debate, the measure was adopted, embodying the principles and provisions developed in the hearings.

Now why is this legislation important? Anyone who has had opportunity to read the transcript of the hearings is well prepared to answer that question. However, for the benefit of those who have not had opportunity to read the hearings, and because I believe it is virtually impossible to lay too much emphasis on the need for further development of our saline and brackish water resources, I wish to state once again—briefly—why so many Members of the Senate, and the Democratic Senate leadership, attach so much importance to this joint resolution.

The United States is becoming increasingly dependent upon an ample supply of fresh water. Studies by a large industrial firm show that roughly 1,500 gallons of fresh water are required daily for every man, woman, and child in the United States. That figure rises every day, as our population rises.

Obviously, each of us does not drink that much water every day, but we do manage personally to dispose of about 40 gallons per day. The remainder of our huge daily per capita consumption of fresh water goes into the making of steel and other industrial products, into the food and textile industries, into the chemical and refining industries, and into the production—through irrigation—of the food we eat.

Nature blessed the United States with a large supply of clean, fresh water. The immense industrial and agricultural wealth of the country has been a direct result of our fortunate water supply.

But even such a continent as North America does not have uniform water distribution. There are desert areas and areas which, although water in plentiful, are blighted by the fact that the water is brackish or otherwise unfit for drinking or for irrigation. So the demand for water in these areas is never met; use does not increase because the ceiling on population and industry has been reached, a ceiling placed there by water.

Currently afflicted is the southern part of California. Because of its climate and easy access, southern California has attracted an ever-growing population. Los Angeles each year adds to its water demand the equivalent population of a Salt Lake City, Utah, an El Paso, Tex., or an Albuquerque, N. Mex.

At the other end of California, 40 million acre-feet of good fresh water annually flows unused into the sea. Southern California has met its thirst in part in the past by transporting overland the waters of the Colorado River. Because water from this river is limited and because it flows through other water-short regions, the demand for Colorado River water always is greater than the supply. As demand grew, so did the arguments over who was entitled to the greater share of the flow. The courts have been asked to adjudicate the rights of Arizona and California in this dispute and the Congress has heard many arguments on the same and similar disputes.

Recently California drew up a master water plan which contemplates diversion southward of some of the abundant and unused waters of its northern section. The cost is estimated at more than $11 billion, a price so high that serious thought is being turned toward the Pacific as a source of water. The key to the use of this water—which would remove forever the water ceiling now placed upon southern California and the disputes over Colorado River water—lies in the early development of saline water conversion processes.

Recognizing this possibility—and also the needs of inland brackish water areas—the Democratic leadership of the Senate acted vigorously and with foresight to meet the need.

There is no doubt whatever that the United States is rapidly outgrowing its water supply—despite conscientious efforts to store and use all available natural supplies. Total consumption is expected to equal total runoff by 1980. Such consumption will require utilization of some waters not now considered fit for beneficial use. After 1980, we must turn to other sources—the saline and brackish waters—to meet our expanding needs.

Men always have sought ways to convert the unlimited waters of the seas into fresh water. Almost without exception, the methods devised have been too expensive for use on a large scale.

However, during recent months great strides have been made in the steam-distillation and ionic-membrane conversion processes for the beneficial treatment of both sea and brackish waters. The processes have been under study 5 years following the adoption in 1952—by a Democratic Congress—of the Saline Waters Act.

The time has come to demonstrate—and to test on a production scale—the work of the past 5 years. The time has come to put into deeds the faith and foresight of Democrats who initiated the saline water program.

I am happy to report that the adoption by the Senate of Senate Joint Resolution 135 was a manifestation of the leadership the Democrats are exercising in this field—and are prepared to continue to exercise.

If Senate Joint Resolution 135 is enacted, it will permit the construction of five demonstration plants at a total construction cost of $10 million. The plants are to be located as follows: One on the east or gulf coast, one on the west coast, one inland in the northern Great Plains, one in the Southwest, and one in the Virgin Islands.

It is my hope and belief that this program, encompassing as it does a study of the water needs of water-short areas, will lead to an easing of the pressures between Arizona and California, Upper and Lower Colorado Basins, Los Angeles and northern California, and all other localities afflicted with water disputes.

RECREATION RESOURCES REVIEW PROGRAM

Since World War II, phenomenal increases have taken place each year in the use of our outdoor recreation facilities. Last year nearly 50 million visitors were counted in the national forests, more than 50 million visitors in national parks and more than 183 million visitors in the State parks. There were over 25 million licensed fishermen and hunters, and millions of boating enthusiasts, using our streams and lakes. These numbers are increasing every year.

Contributing to this growth are population growth, higher incomes, shorter working hours, improved transportation, more and better highways, better automobiles, and safer and faster air service. These factors enable more people to reach our national parks and monuments, our national forests, lakes, and ocean shores more easily and to have more time to enjoy the many benefits of America's outdoors.

Outdoor recreation is basic. It is essential to physical and mental well being. The Democratic leadership in Congress has been quick to recognize that this kind of recreation should be encouraged and increased. Likewise, Democrats in Congress have recognized that presently available recreation areas and facilities are inadequate to meet the growing need.

The Government has some temporary 5- and 10-year programs going for improvement of our park areas. These programs are good as far as they go. However, programs of this type are at best stopgap programs. We are so far behind now in providing public recreation areas and facilities that work done under these short-term programs, even if completed could not furnish adequate recreational opportunities for all our people today. Even now we find long waiting lines at some of our park entrances and it is impossible for all desiring to go camping to find room in approved areas of our forests. Can you imagine what the situation would be in the year 2000 unless something is done? The waiting lines at such places as Yellowstone National Park would then become so long that hundreds of families hoping to visit such wonders could never pass through the gates.

The Democrats in the Senate have recognized the need for action to provide recreation for the present and future generations and so legislation was introduced and enacted into law to answer this demand during the 85th Congress. Here is how it happened:

In 1957 it became evident that the time was ripe for the introduction of legislation to provide for a complete national review of our outdoor recreation resources. It was my good fortune to be the principal sponsor of Senate bill 846 to set up a commission for that purpose. One of the Commission's duties will be to evaluate outdoor recreation resources and opportunities, and to make recommendations for a long-range program. I was greatly pleased to have a number of my colleagues from both sides of the aisle to join me in this task. The able majority leader of the Senate was quick to recognize the importance of the proposal and when it was reported to the Senate and he scheduled the bill at the appropriate place to insure early passage.

It is gratifying to me to know that this legislation has now become Public Law 85–470. We are hopeful that the President will complete appointment of the Commission authorized under the bill at an early date. The Senate members of the Commission have been appointed and as one of the Democratic members of the Commission, I hope for early organization of the Commission program.

To the best of my knowledge this is the first time in the history of our country that Congress has established a firm policy to assure present and future generations such quality and quantity of outdoor recreation as is necessary and desirable in the light of our national heritage.

REPORT ON ACTIVITIES OF 2D SESSION, 85TH CONGRESS

Mr. JOHNSON of Texas. Mr. President, it has been customary for many years for the majority and the minority leaders to end the session with a report on the year's activities.

I have never looked upon this report as simply a summary of the work of the majority or the minority. I look upon it as a report upon the whole Senate, the Senate that belongs to all the people of the United States, regardless of their partison affiliations.

This Senate has been a body deeply aware of the obligations to all the people. It has been creative and constructive. It has emphasized the substantial rather than the trivial. It has sought achievement rather than discord.

And it has been one of the most nonpartisan Congresses in many years.

As an American, I received a great deal of personal satisfaction the other day from looking over some of the votes by which major bills were passed in this Senate. The votes were very revealing.

We created a new agency to launch America's venture into outer space by a unanimous vote. We passed the emergency housing act by a unanimous vote. We approved the reorganization of the Defense Department by a unanimous vote.

And when we came to final approval of the Reciprocal Trade Agreements Act, 36 Members of the majority and 36 Members of the minority stood together to permit that measure to become law.

That has been the pattern of this session, and it is a pattern which has enabled us to pass so much legislation for the benefit of our people.

I do not think the success or failure of any Congress can be measured in terms of individual or partisan viewpoints. The Congress is a success to the extent that it can make progress in reconciling the differences and transacting the business of the American people.

This Senate is composed of 96 Members. Each has his own individual viewpoint and each is capable of expressing it forcefully.

The fact that votes were nonpartisan did not mean that any Member sacrificed his principles or yielded on his convictions. What it did mean was that the Senate gave the highest priority to doing the job that had to be done.

Any legislative body will be paralyzed if each member insists that no bill pass unless it carries every single one of his views. But it is not necessary for an honorable man to take such a course.

The needs of the Nation require that business be transacted responsibly, forcefully, and prudently. This can be done if we concentrate upon our points of agreements and arrive at a collective judgment.

I suppose there are two ways in which a Congress can conduct itself. One is to look at the next election as the objective of legislation. The other is to regard the last election as the expression of the will of the American people on what should be done.

The first view would create issues; the second view would resolve issues. By any test, I believe that this is a Senate which has tried to resolve issues rather than to create them.

This session started just as it had become apparent that the United States was confronted with the greatest menace to freedom in all history. That menace was embodied in the high degree of technical proficiency which the Communist world had acquired. The facts were gathered for the Senate by the Senate Preparedness Subcommittee.

That group, of which I had the honor to be chairman, made 17 recommendations. The recommendations had the solid backing of both majority and minority Members.

The Senate, to the limit of its constitutional responsibilities, has acted to support all of the recommendations.

We have granted authority to reorganize the structure of the Defense Department. We have provided the authority for a freer exchange of scientific information between the nations of the Free World. We have voted incentives to retain trained personnel in the military services.

And we have provided all of the funds—and even more funds—that the executive agencies said they could use to carry out the other recommendations.

The Senate was not content with merely issuing a report. It followed through on that report and took every conceivable step to strengthen the defenses of this country.

In the long view of history, possibly the most important step that we took during this session was to establish an agency to guide America's effort in the exploration of outer space.

Just 1 year ago this would have seemed like a page out of a Jules Verne novel. The idea that men were about to burst loose from the atmosphere and venture into the heavens beyond was strictly within the realm of science fiction.

Our complacency on this score was rudely shattered when the Russians lofted into the skies a satellite—the first manmade object ever to be placed in orbit around the earth.

We investigated. We discovered to our shock that we had left the field of outer space to a few sporadic developments by individual scientists and to a few coordinated efforts by the military to develop weapons. It was not enough.

Our scientists have placed in our hands keys to open a whole universe. For centuries to come, the exploration of outer space will dominate the minds and lives of men just as the exploration of the Western Hemisphere dominated the course of the 16th, 17th and 18th centuries.

As the leader of the Free World we had an obligation to engage in that exploration not just from the military standpoint but to shape the exploration in the image of freedom.

Outer space will be explored. It will become the domain of free men or of men whose minds are enslaved. Either we meet our responsibilities or abdicate to the totalitarians the dimension which will shape the lives of the coming generations.

The responsibility was recognized by Congress—that body which has the obligation of determining the policies of our Nation. It was not only recognized, it was acted upon. Out of that recognition, and in cooperation with the executive agencies, grew the new space agency, our hope for the future.

It is a strange universe into which we are venturing. We have less idea of our destination than did Columbus when he set sail to the west with a few primitive instruments and some charts drawn entirely from imagination.

But we know already the tremendous potentialities of outer space. We know

that men will pioneer the heavens just as LaSalle and Cadillac pioneered the tremendous regions of the north.

We know there will be a Coronado who will search the planets for the fabled seven cities of Cibola. We know that a DeSoto will explore the spaceways that lead to the stars.

We know that daring men, adventuresome men, men of vision and courage will brave the hazards of outer space just as our pioneer ancestors braved the dangers of the western plains.

There is, however, a difference.

When the Western hemisphere was opened to exploration, small groups of men could form companies for the venture. A group of merchants in London could put together the money for a ship and provisions. A duke in Spain could pawn a few jewels and finance a flotilla.

But the exploration of outer space will require a national effort. We hope it will not be just a national effort but a world effort.

One of the finest actions of this Congress was its clear expression that the exploration of outer space should be a joint venture by all members of the United Nations.

This is a true road to lasting peace. Men who work together to launch great and daring enterprises are men who can live together in harmony and in mutual understanding.

To this end, this Congress established the National Aeronautics and Space Administration and expressed its unmistakable will that this agency should be an instrument of peace and not of war.

I think that all of us realize that the major issue before the country and before the world today is peace. Beside that overriding need, all other problems and all other disputes fade into insignificance.

I am proud of this Congress because it took the steps that it felt were necessary to promote the goal we must all reach. And that goal will not be reached unless our Nation is strong—not just strong in a military sense but strong in moral fiber; in dedication to the ideals of the free way of life; in determination to lead the people of this world along the paths of individual dignity and integrity.

The adjournment bells will soon ring and the 85th Congress will become another chapter in the annals of our legislative history. We will go home to our people—the people whose interests we are here to represent.

But the issues which tear unceasingly at the vitals of this tortured world will not go home. There will be no rest for the men and the women who must handle—on a day-to-day basis—the problems and the worries and the burdens of conducting the policies of these United States.

Most of us know that there is no end in sight to the strife that has torn this world into three camps—the forces of freedom, the forces of communism, and the forces that are uncommitted and which regard with skepticism the other two camps.

The United Nations has just adjourned, after deliberating over the problems of one of the most strife-ridden parts of the world—the Middle East. A crisis was quieted. But all that happened was that an illness which had been acute has been reduced to a stage where it is only chronic.

We have heard, on the Senate floor, proposals and suggestions advanced by some of the most learned men of our times. Those proposals and those suggestions have stimulated all of us to thought and to a prayerful desire for action.

There is only one way in which to determine the merits of a proposal. That is to try it out. The test of action is the most compelling and the most convincing.

As we go back to our people, we must think about the future. We must try to draw from them strength and ideas, because America will not rise or fall on the concepts of one man, and one man alone.

I believe that any group of reasonably intelligent men could sit down and devise a program that would solve the problems of the Middle East or any other of the troubled nations of the world. We know our objectives, and we know what best serves the interests of our country.

It is to the interests of the United States that the nations of the world be free.

It is to the interests of the United States that the nations of the world be prosperous.

It is to the interests of the United States that nations be able to choose their own destiny after reasonable discussion.

We seek to hold no other people in subjugation. We seek no advantage from the misery and suffering of others.

Our country was built upon the basic belief that prosperity feeds upon prosperity, just as misery feeds upon misery.

But the difficulty that we have is that no program can serve any good purpose unless it can be carried into effect. And it seems to me that this is the basic weakness of our finest proposals.

As a nation, we know that our people are better served if misery and degradation can be eliminated from this world. But forces which feed upon misery and degradation have been unleashed.

Ambitious dictators have discovered that the forces of poverty and the dynamics of misery are excellent vehicles to power and prestige. They do not wish to put an end to poverty and degradation, because by doing so they would eliminate the very forces which have swept them into power.

All of us have, in the course of our lives, met those who prefer the issue to the achievement; who insist that all progress must be made at one leap, because secretly they desire that there be no progress at all.

The men who create the problems are men who do not want to have them solved. That is the heart of the issue which confronts us in this world.

No dispute can be settled unless both parties to the dispute have some desire to end it. And no fight will come to a conclusion if one of the parties has no compulsion to be reasonable.

In this respect, we have failed in our policy toward the rest of the world. We have failed because we have not as yet reached the hearts and souls of the people who alone can stop the dictators with a mad desire for domination.

Even the most absolute of dictators must have a degree of popular support. A country will not fall to subversion and infiltration unless the people have a feeling of receptiveness to the aggressor.

We are in trouble in the Middle East because the people in the countries that are still independent do not feel a kinship of any kind with our ideals and our goals. We have given them no adequate reason why they should resist the growing power of a 20th century Pharaoh.

At the end of World War II we devised the Marshall plan, one of the great concepts of history. It was a program which had force because it held out hope to countries that were shattered and to people who were poor.

The Marshall plan had strength.

The Marshall plan had logic.

The Marshall plan worked.

But it worked only because of the efforts of men and women who could reach into the hearts of the people of Western Europe and convince them of America's sincerity.

We are now dealing in areas of the world where our historical ties are not so close. We are dealing with people who speak alien tongues and who have inherited customs and traditions from civilizations even older than our own.

We have not reached those people. We have not convinced them of our earnest desire that they, as well as we, enjoy the life of plenty that has been opened up to society by the science and the technology and the industrialization of the Western World.

They have known the Western World in the past only in terms of administrators who came to oppress and soldiers who came to suppress. Their contact with Western civilization has been the contact of a slave to a master.

They were suspicious, and they cannot be blamed. They have had no opportunity to explore our true desires and our real intentions.

A weird turn of history has made a brutal tyranny appear as a liberator, and a nation of freedom appear as an imperialist.

We are not going to solve this problem by the kind of advertising that sells soap or the kind of slogans that win a campaign in a city ward. The techniques of mass merchandising are not the techniques of mass friendship.

The more fruitful road has been explored by men like the junior Senator from Arkansas, [Mr. FULBRIGHT]. I sometimes think that the student exchange program which bears his name has done more to maintain the prestige and the security of these United States than have all of the weapons that have been built and all of the soldiers that have been trained since World War II.

Somehow, we must rest the security of this country upon the appeal of people to people. Propaganda will not do the job, because that is a game at which we always lose. The only propaganda that will serve our needs is that of the honorable appeal of Americans to the people of other lands.

I am not, in this statement, digressing from my basic theme. The achievements of this Congress are well recognized, and need little restatement from me.

But we must look forward to the next Congress, and the Congress after that. And there is no problem that should dominate our thoughts—and the thoughts of all other agencies of government—more than that of reaching the souls of the rest of mankind.

Every informed man knows that if the world of the uncommitted enters the Soviet orbit, we will be overwhelmed. Every informed man also knows that if the world of the uncommitted can maintain its independence and grow in prosperity, our way of life will be saved.

The uncommitted people care little about abstract political philosophies. Most of them are ground down in poverty, degraded by centuries of oppression, hungry and ragged and ravaged.

They have seen a backward nation in the course of 40 years progress from the horse-drawn sled to the sputnik. This has set them to wondering whether communism may not, after all, be a better way of life.

They are determined to enjoy the benefits of modern civilization—the food, the clothing, the housing. They will follow whichever course holds forth those benefits—communism or the Free World.

We in this country can argue and dispute over many things. We can fight about issues both trivial and great, and our land will still survive, because we have mastered the art of finding a solution to a disagreement without exterminating those who advocate the losing side of the argument.

But if we allow the rest of the world to remain in poverty and ignorance, our days are numbered. And the first and most important step is to smash through the barriers that have been erected by those who feed off poverty and ignorance.

Mr. President, this has been a Congress which conducted itself in the finest traditions of American Government. It was calm and deliberate. It sought to eliminate rather than to create strife. It tried to unify, rather than divide, our people.

I believe this is the real mood of the American people. I believe this Congress rose to great heights because the American people are ready to rise to great heights.

The political institutions of the Nation are never better than the people who comprise that Nation. In a sense, I suppose it can be said that the credit for this Congress should be shared, not only by its Members, but by all the people of the United States.

I am placing in the RECORD a list of some of our most important achievements. I shall not bother to read that list now, because it speaks for itself.

At this point I merely wish to thank all of my colleagues, not just as a Senator, and not just as the majority leader, but simply as an American who is proud of the way he has been served by this Congress.

CLINICAL EVALUATION OF THE EFFECT OF CERTAIN CIGARETTES

Mr. LANGER. Mr. President, I send to the desk a letter and statement on a clinical evaluation regarding the effects of the smoking of a certain kind of cigarettes. The statement was prepared by Dr. Murrill M. Szucs, of Youngstown, Ohio. For the information of the Senate, I ask that the letter and statement be printed in the body of the RECORD.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

MURRILL M. SZUCS, M. D., F. C. C. P.,
Youngstown, Ohio, August 12, 1958.

To Whom It May Concern:

The enclosed clinical evaluation tests on Diplomat cigarettes were done at Out-Patient Clinic, 822 Dollar Bank Building, Youngstown, Ohio; Out-Patient Clinic, St. Elizabeth Hospital, Youngstown, Ohio; Out-Patient Clinic, New Bedford, Pa.; and Perrysville Out-Patient Clinic, Perrysville, Pa.

Sincerely,

M. M. SZUCS, M. D.

CLINICAL EVALUATION IN 52 CASES AND WITH 26 CONTROL CASES OF CIGARETTES CALLED DIPLOMAT, MANUFACTURED BY NORTH AMERICAN CIGARETTE MANUFACTURERS, INC.

The advent of the use of tobacco—its chief alkaloid is nicotine—has no therapeutic importance, but there is considerable scientific and toxicological interest. Much has been written by investigators, especially by the United States Public Health Department, concerning the irritating effects of tobacco, particularly cigarettes, and its relation to lung cancer.

The chief importance of nicotine is in its habitual use in the form of tobacco as an enjoyment poison, as a stabilizer and lubricator. Tobacco habit: It is smoked, chewed, snuffed, or rubbed on the gums for tranquilizing and stabilizing effect on the psychic and emotional functions. Tobacco smoke contains other toxic constituents, as pyridine, nitrogenous bases, violatile acids, tar, phenol substances, furfural, acroleine, and glycerol. These counter irritants used by chronic smokers cause especially local irritation of the respiratory tract, digestive and intestinal disturbances, functual cardiac arrythmia, depression of various parts of the central nervous system, neuralgias, and more rarely impairment of vision.

Habitual users experience a certain pleasure, which appears to resolve itself into a calming and stabilizing effect on the nervous equilibrium. The effects of smoking—whether cigarette, cigar, or pipe—is in the smoke which constitutes the nicotine and basic irritants as tar, pyridine, nitrogenous bases, volatile acids, furfural, phenols, and glycerol. These irritants in the smoke constitute the local effects of smoking, which causes constant irritation to the mucous membrane of the mouth, throat, and pharynx which directly leads to smokers' respiratory syndrome, as chronic pharyngitis, trachial wheezing, bronchial dyspnea, cough and chest pains, hoarseness, and a tendency to respiratory infections.

The irritants of cigarettes as tar, pyridine, nitrogenous bases, volatile acids, phenol, furfural, and glycerol are chiefly responsible for these effects as edema of vocal chords, which in turn leads to edematous fibrosis, bronchitis, and continued chronic irritations by these toxic irritants cause chronic inflammation of the bronchus. Long, continued irritations by these irritants, especially tar, phenol, nitrogenous bases, volatile acids, pyridine, etc., probably favors development of cancer of the air passages in disposed individuals.

Lung cancer, incidentally, appears to have increased markedly. The lung is now the leading site of fatal cancer in males especially, because of the constituents of the cigarettes as paper, tar, phenols, nitrogenous bases, pyridine, furfural and glycerol, and not due to the nicotine content of a cigarette. Pipe and cigar smoking do not appear to produce the effect unless smoke is inhaled.

CHEMICAL COMPOSITION OF TOBACCO

Nicotine percentage of American brands of cigarettes:

	Average Nicotine (percent)
Domestic	2.5
Blends	1.5 –2.5
Oriental	1.25–1.5
West Indies	.9 –1.4
De-Nicotinized	.9 –1.4
Diplomat	1.0 –1.2

Nicotine content of tobacco smoke varies with the moisture content at the time of smoking. With cigarettes all nicotine may pass into smoke without oxidation or decomposition.

The prime constituents of cigarettes are paper, nicotine varying from 0.5 percent to 8 percent; the average cigarette contains 1.5 percent nicotine. In addition, tobacco contains pyridine and other nitrogenous bases, volatile acids, tar and phenol substances, furfural, acroleine and glycerol. These substances together with nicotine contribute to the irritation of mucous membrane, nasopharyngeal and bronchial irritation. These irritations on mucous membranes, nasopharyngeal and broncial from tobacco smoking other than nicotine are the principal irritants.

The physiochemical action of nicotine is on the autonomic system, consisting of first primary transient stimulation and followed by a secondary depressive action on all sympathetic and parasympathetic ganglia. The peripheral action of nicotine is a curae-like action, first mild vasodilation followed by a stronger and more lasting vasoconstriction of skin by marked fall in skin temperature. Vasoconstriction action on blood vessels causes a rise in systolic and diastolic blood pressure, especially in malignant hypertensive types of individuals.

In the gastro-intestinal tract, nicotine's action is primarily stimulation of salivary and bronchial secretions, followed a short time later by an inhibition. Smoking produces nausea, emesis, and violent diarrhea followed by constipation. The emetic action is mainly central—the intestinal action is mostly peripheral. Smoking does effect emptying time of the stomach and increased gastric acidity.

The standard brand cigarette has an effect on respiratory action, small doses produce brief stimulation followed by temporary apneic inhibition with toxic doses. The circulatory effects by nicotine, tars, phenol, etc., of standard brand cigarettes are complex, which include the carotid sinus, cardio-acrtic reflexes, direct action on the vagus and vasomotor centers, causing stimulation and later paralysis of the vagus, stellate, vasomotor, splenic ganglia, and direct action on the cardiac and vascular muscle; together result in initial slowing of the pulse, then acceleration of the heart and rise of blood pressure, with a definite fall in blood pressure later, also causing heart arrythmias, extrasystoli, etc. The principal physiochemical action of cigarettes, especially standard brands, is stimulation with prolonged vasoconstriction of vessels, anemia, lowered hemoglobin, drop in skin temperatures, and changes in oscillometric readings causing

circulatory insufficiency. Tissue oxidation is checked by effects chiefly on lactic and pyuric acid. Skeletal muscle action causes fibrillation of muscle fibers which could go into toxic contraction.

The upper respiratory effect as reported before due to smoking of standard brand cigarettes increased the congestion in the mucous membrane of the throat, mouth, and bronchus, with increased cough and susceptible to upper respiratory infection. The constant irritation increases the tendency to carciogenic action from standard brand cigarettes, while on Diplomat cigarettes and cigars most irritants have been removed, and as a result ear, nose, and throat men have reported that much of the irritations to the mouth, pharynx, bronchus, and cough have stopped. The mucous membrane examination by specialists revealed very little or no mucous membrane irrigation from smoking Diplomat cigarettes and cigars. Therefore, definitely the carciogenic action was diminished, and the tendency of upper respiratory infection was also diminished in these individuals.

The principal physiochemical changes caused by cigarettes are not by the nicotine content, but by the irritants contained in the tobacco, such as pyridine, nitrogenous bases, volatile acids, tar, phenol substances, furfural, acroleine, and glycerol. These irritating substances are all found in standard brand cigarettes, while the Diplomat cigarette furnished by the North American Cigarette Manufacturers, Inc., has by a special process eliminated the greater part of these counterirritants and neutralized the nicotine content. This is verified by the clinical study done on 52 cases, which did not show any or very minor changes as was observed by standard brand cigarettes.

The types of cases studied with Diplomat cigarettes were:

Vascular cases	10
Heart cases	10
Hypertensive cases	8
Duodenal ulcer cases	7
Arthritis cases	5
Liver insufficient cases	6
Upper respiratory cases	6

In all these cases the physiochemical changes by Diplomat cigarettes were minimal or negligible, as stimulation, irritation and vasoconstriction, anemia, lowered hemoglobin, muscular cramps, etc.; while by the standard brand control cases, the physiochemical changes were definitely seen as stimulation, prolonged vasoconstriction, anemia, gastrointestinal upset, muscle cramps due to circulatory disturbances caused by anemia, lowered hemoglobin and vasoconstriction of blood vessels. This also caused definite rise in systolic and diastolic blood pressures due to the vasoconstrictive action of the constituents of the standard brand cigarettes.

The physiological and clinical changes seen in the 52 cases were definite because very little from normal was observed, while standard brand cigarettes did give a profound irritability to vasoconstrictions, etc.

SUMMARY

There is a definite health advantage in smoking Diplomat cigarettes treated by this special method which removes most of the counterirritants causing the physiochemical changes in a smoker's body. The improvement will still be greater when the paper wrapping around cigarettes is replaced by tobacco, as there is counterirritation also from burning paper and from the filters attached to some standard brand cigarettes.

There is very little nicotine absorbed by individuals even by inhaling, and this is not the chief clinical irritant; but those other counterirritants as pyridine, nitrogenous bases, volatile acids, tar, phenol substances, furfural, acroleine, and glycerol plus paper wrapper and filters are the chief irritating substances of a cigarette. These are eliminated in the new Diplomat cigarette, manufactured by the North American Cigarette Manufacturers, Inc.

Our results in this small series are very gratifying and we hope to continue to further study its effects over a longer period of time in the individuals.

Types of cases—52 cases studied

	Cases
1. Peripheral vascular disease:	
a. Diabetic arteriosclerotic	6
b. Burger's disease	2
c. Raynaud's disease	2
Total	10
2. Heart cases:	
a. Old coronary artery (more than one attack)	7
b. Angina pectoris, mild type	3
Total	10
3. Hypertensive cardio vascular diseases:	
a. Malignant hypertension	4
b. Moderate hypertension	4
Total	8
4. Duodenal ulcer cases	7
5. Arthritis cases:	
a. Rheumatoid	3
b. Osteoarthritis knees	2
Total	5
6. Liver insufficiency cases:	
a. Chronic gall bladder	3
b. Hepatitis	3
Total	6
7. Upper respiratory cases:	
a. Chronic smokers of other brands	3
b. Infectious type	3
Total	6

Control cases—26

1. Peripheral vascular on other standard brands	5
2. Duodenal ulcer cases on standard brands	6
3. Heart cases, chronic coronary on standard brands	5
4. Hypertensive cases, on standard brands	3
5. Arthritis cases on standard brands	2
6. Upper respiratory cases, on standard brands	5

Laboratory studies done on all cases: C. B. C.; B. U. N.; B. S. P.; E. C. G., transaminase; throat cultures; skin temperatures; gastric acid study; oscillometric studies and X-rays, as needed; five cigarette tests on standard and Diplomat cigarettes.

These procedures were all done before tests on controlled and other cases. In some cases, tests were repeated in ½- to 2-hour intervals as was necessary when doing the 5 cigarette tests in peripheral vascular diseases and old coronary cases and duodenal ulcer cases.

Fifty-two cases studied with laboratory procedures before, after, and during with cigarette "A" or Diplomat, no changes were noted in peripheral vascular cases, nor on skin temperatures, oscillometric and blood studies.

In the heart cases there was also given the 5 cigarette test with standard brands 1 day and Diplomat the next day. These all showed definite E. C. G. changes, C. B. C., skin temperatures, and oscillometric changes on standard brands, but no changes on Diplomat.

In the duodenal ulcer cases no adverse effects were noted while smoking Diplomat, but on standard brands there were some acidity changes and gastric pains.

In the hypertensive cases on standard brands there were definite C. B. C. changes, elevation of systolic and sometimes diastolic pressure took place in all cases, with vasoconstriction as seen on skin temperature and oscillometric readings. With Diplomat, no changes were observed in C. B. C. and no elevation of blood pressure or changes in skin temperature on oscillometric readings or vasoconstriction.

In arthritis cases, changes appeared on standard brands as C. B. C., vasoconstriction as observed on skin temperature and oscillometric readings.

In liver insufficiency cases, no changes were observed on C. B. C. or B. S. P., transaminase, skin temperature or oscillometric readings, while on standard brands all changes appeared.

In upper respiratory cases, throat and cough irritations were diminished on Diplomat and C. B. C., etc., were within normal range; while on standard brand cigarettes, cases showed congested mucous membrane of throat, cough persisted, and changes in C. B. C., were noted.

As noted on the graph of the 25 control cases studied using Diplomat cigarettes compared to standard or domestic brands.

The individuals smoking the standard brand cigarettes produced inadequate blood flow; in turn, this would facilitate oxygen dissociation with increase in tissue acidity. This taking place would cause increased pulse rate, rise in blood pressure and cardiac irregularity further causing slowing of the pulse, lowering of the blood pressure and continued cardiac irregularity with ensuing precordial pain.

These conditions mentioned above did not occur on individuals smoking Diplomat cigarettes. The skin, subcutaneous and muscle temperatures did not fall. The pulse remained constant without a rise or fall; also the heart beat remained constant. The electrocardiogram remained unchanged showing no cardiac irregularities in rhythm or rate.

M. M. SZUCS, B. S., M. D., F. C. C. P.

GEORGE E. KETCHUM

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives in regard to Senate bill 3321 for the relief of George E. Ketchum.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3321) for the relief of George E. Ketchum, which was, on page 2, line 1, after "*Provided,*" insert "That payment made under this act shall not be subject to any right of subrogation or claim for reimbursement in whole or in part under any contract of insurance, and no payment made hereunder shall absolve any insurer of any obligation under any such contract: *And provided further,*".

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the amendment of the House to Senate bill 3321.

The motion was agreed to.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. McNAMARA. Mr. President, do I understand correctly that H. R. 2 is now the pending business?

The PRESIDING OFFICER. The Senator from Michigan is correct.

Mr. WILEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILEY. Mr. President, at the suggestion of the majority leader, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS]. The Chair recognizes the Senator from Michigan.

Mr. McNAMARA. Mr. President, as I understand, the business before the Senate is H. R. 2.

The PRESIDING OFFICER. The Senator is correct. The question is on agreeing to the amendment offered by the Senator from Illinois to that bill.

Mr. McNAMARA. Mr. President, I oppose the passage of this bill in its present form for many reasons. H. R. 2, if it becomes law, will constitute, in my opinion, a wholly unwarranted taking of waters belonging to all of the Great Lakes States solely to assist the city of Chicago, Ill., in solving its sewage problem, a problem incidentally which it has failed to solve in the past 70 years because of inexcusable procrastination, inaction, and delay on the part of the city of Chicago.

H. R. 2 is not new legislation by any means. It differs but slightly from H. R. 3220 enacted in the 83d Congress and vetoed by President Eisenhower and H. R. 3300, enacted in the 84th Congress, which was also vetoed by the President. All 3 would authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, to withdraw water from Lake Michigan at a rate of not more than 2,500 cubic feet per second—in addition to all domestic pumpage—for a period of 3 years. H. R. 2 differs from the two previous measures only in that the name of the Chicago Sanitary District as set forth in H. R. 3220 and H. R. 3300 has been changed in H. R. 2 to the Metropolitan Sanitary District of Greater Chicago.

There is nothing new about this question of diversion of waters of Lake Michigan. This question has been before our courts for many years. In fact a case is now pending in our Supreme Court on this same issue.

Diversion of the waters from Lake Michigan by the city of Chicago goes back to the beginning of this century when Chicago conceived a plan to dispose of its raw sewage by cutting a canal from the upper end of the Chicago River—which up until that time flowed into Lake Michigan—through a hilly area south of Chicago. This hilly area constituted a natural boundary between the Great Lakes Basin, and the Mississippi River Basin. The canal, a narrow body of water about 36 miles long reversed the flow of the Chicago River so that instead of flowing into Lake Michigan it flowed southwesterly through the canal thence into the Des Plaines River, thence into the Illinois, and finally into the Mississippi.

H. R. 2 would authorize a diversion of 2,500 cubic feet per second from Lake Michigan into the Illinois Waterway for a period of 3 years. Two thousand five hundred cubic feet does not sound like very much, but the average person usually thinks of water as a liquid, and he measures liquids by liquid measure. Furthermore, the number of cubic feet is spelled out "per second." My curiosity was aroused so I computed the number of gallons involved and I found it would actually amount to about 600 billion gallons in 1 year. The bill also provides that this diversion shall be "in addition to all domestic pumpage." Domestic pumpage now is being carried on at the rate of 1,800 cubic feet per second. Reducing this to gallons it amounts to nearly 400 billion gallons for 1 year. Multiply this by 3 for the 3-year period and we find ourselves in the realm of higher mathematics. So this is quite a flow of water, although it does not sound like very much as we read it in the bill.

Mr. President, my concern is primarily because of the adverse effect this bill would have on all of the people of my State of Michigan. They are strongly opposed to this proposed diversion. We in the Great Lakes States fear this foot-in-the-door approach. To us it is simply another version of the camel and the Arab's tent. If a 2,500-cubic-foot diversion for 3 years is now enacted, then another 5,000 will probably be sought in another few years, and so on. It is undisputed that this diversion would lower the levels of all of the Great Lakes except Lake Superior. A hydrograph prepared by the Corps of Engineers conclusively shows that the lake levels in Lake Superior, Lake Michigan, Lake Huron, and Lake St. Clair have been steadily dropping since 1952. Senate hearings in 1956 brought out that the level of Lake Michigan had dropped 2½ feet since the 1952 level, in the 4½-year period from 1952 to July 1956.

Mr. AIKEN. Mr. President, will the Senator from Michigan yield to me, provided it is understood that in yielding to me, he will not lose the floor?

Mr. McNAMARA. Mr. President, I am willing to yield under those conditions—with the understanding that in yielding to the Senator from Vermont, I shall not lose the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. AIKEN. Mr. President, I am greatly disturbed over the type of discussion which is taking place in regard to the Chicago diversion bill, so-called. We are in one of the most critical periods of world history. A cold war is being waged everywhere, with tension high in foreign countries, even in the Western Hemisphere. This afternoon the mutual security bill, which calls for many agreements with foreign countries, was passed. We already have agreements with other countries all over the world. While we are considering these agreements, and are talking about more agreements, it seems incredible that here on the Senate floor, supposedly intelligent Members of this body would stand up and deliberately talk about violating a treaty with another country.

Perhaps some of us take Canada for granted; but I do not believe Canada takes for granted the treaty we made with her 49 years ago. I believe Canada takes it seriously. In that treaty each country wishes to have the right to its own water resources, and neither country is permitted to divert its own tributary waters in any way which would affect adversely the boundary waters between the two.

Yet, here last night we engaged, and tonight we are engaging, in a very dangerous discussion when we talk of diverting the waters of Lake Michigan in such a manner as to adversely affect the water resources of Canada.

I have heard it said that Canada is willing that we shall do this. I do not believe that for a moment, and I have read every communication which we have had from the Canadians over the last few years. I can find nowhere in those communications a statement that Canada agrees or consents to our adversely affecting any part of her water resources. Certainly it does not appear to me that the Canadians consented in any way, and knowing Canadians as I do, I know they were not born yesterday. I know they are people of good judgment, and appreciate what belongs to them, and intend to keep it. I cannot for a minute believe they would agree to let the city of Chicago take her resources without any recompense whatsoever. Perhaps the Canadians would be willing to make a "deal." It may be that for a consideration they would permit 5,000 second-feet of water to go down the Chicago River during the low-water period. I do not believe they would, but perhaps they would.

Perhaps they would say, "Let us have the headwaters of the Columbia River." Certainly if we diverted part of their water resources down the Mississippi River, we would have no right to protest if they diverted the headwaters of the Columbia. But assuming they are willing to make a deal of that nature, then it should be done in an orderly manner, perhaps by an abrogation of the treaty which we have with them. We should not do it in a highhanded manner, just by an act of Congress. I do not believe we should take resources from one State and give them to another State by an act of Congress, either. I believe the Supreme Court came to that conclusion, too, not many years ago.

But if there is any trade with Canada, let it be made in an orderly manner, and in the form of a notice of desire to abrogate the treaty which we have with the Canadians. Let us not be highhanded.

As we deliberate here tonight, I cannot help but thinking of the impact on the rest of the world when Members of the Senate talk about friendships and then advocate taking resources from one of their best friends, Canada. I think we all agree Canada is that. What would be the effect on the Arab States and the Latin American States? Would they not

be justified in saying, "What is the use of making any agreement with the United States if they are not going to observe their agreements?" That question disturbs me more than do the other aspects of this measure.

Of course, I believe it is silly for Congress to promote stream pollution clean-up and sewage-disposal programs and at the same time say to our second largest city, "We did not mean you. You do not have to have sewage disposal like that provided by the small cities and towns. You can go ahead and pollute the streams, if you want to. That is something that is of a domestic nature."

I rose particularly to point out the bad effect this discussion can have on other countries. I do not think we should even talk about violating a treaty with another country, particularly a country which has given us no justification whatever to even think of abrogating that treaty, which I suppose we could do by serving a notice at a certain time. I am more concerned over that fact than I am over the fact that the bill would divert 5,000 second-feet of water, during a low-water period, from the St. Lawrence River. I do not know exactly what it would cost the State of New York, the Province of Ontario, the Province of Quebec, or the New England States which receive St. Lawrence power. There is a difference of opinion. Certainly, hundreds of millions of kilowatt-hours would be lost, and the financial loss would run into millions of dollars.

The Province of Ontario estimates it may lose, as a result, 200 million kilowatt-hours per year based on existing plants. The Army engineers have made an estimate below that figure, 140 million or 150 million kilowatts. The Power Authority of the State of New York estimate is much higher than that of the Army Engineers. But it represents a loss only to existing plants.

I may point out that after the St. Lawrence River leaves American soil it enters the Province of Quebec, where there exist sites for the development of tremendous amounts of power, which have not been developed yet. I think the amount estimated is 2 or 3 million kilowatts. So the future development of the Province of Quebec would be affected.

I do not know about the effect on navigation on the lake. I understand if the water level were lowered during a dry season, navigation would be seriously affected, and this country's investment in the St. Lawrence Seaway would suffer a great loss. I do not know about that aspect of the problem, because I am not engineer enough to know. I simply know what I have been told. I simply say that to openly discuss, on the floor of the Senate, or to advocate, violation of a treaty with a friendly country, is something that ought not to occur.

Mr. McNAMARA. I want to thank the Senator for his very fine comment. I think the allegation has been made over and over again by the proponents of the bill that Canada has agreed to the proposal. I agree with the Senator from Vermont. I have seen no evidence of that in the record at any point.

I think the concern of the Senator from Vermont about violation of the treaty is well justified. That justification applies, furthermore, to the point the Senator has made that there seems to be a national program on the part of conservationists and allied groups for the elimination of stream pollution. By passage of the bill we would, in effect, be authorizing the second largest city in the United States to go ahead with such a program as this and add to stream pollution.

I shall be glad to yield further.

Mr. AIKEN. I am simply going to reiterate that if there is to be any diversion of Canadian water, it should be arranged for by an agreement between the two countries and it should become a codicil—I am never quite sure of the proper word to use—to the existing treaty. Such action should not be taken simply by an act of Congress.

Mr. McNAMARA. Again I thank the distinguished Senator.

Mr. AIKEN. I will also say that in this aid memoire, the latest document from the Canadian Government, the last line reads:

All rights under the provisions of the Boundary Waters Treaty of 1909 are specifically reserved.

That language means the Canadians do not willingly give up a pint of that water so that Chicago may put more sewage into the river which flows to the south.

Mr. McNAMARA. The statement seems to justify the Senator's position very well.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McNAMARA. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, the Senator from Vermont has touched upon a very vital aspect concerning the subject which we are discussing. Several weeks ago one of the supreme dignitaries of Canada spoke at a Virginia university. I received a copy of his talk. The copy is in my office. I regret I do not have it with me, so that I could have it included in the RECORD.

There is one thing he said which stands out in my mind. He said it with a bit of regret and reluctance. It was, in general: "You are advocating the thought of a brotherhood of pan-American nations. We take you at your word, yet your deeds, as to things which are happening, are not in conformity with the words which you express."

His mind was directed primarily toward the disposition of our surplus grains.

I agree with the Senator from Vermont that on the floor of the Senate tonight we are discussing a proposal to violate an agreement with the Dominion of Canada. It is said that Canada has consented to a 1-year diversion. My query is, What would Canada say if we asked Canada to consent to a 3-year diversion? What would Canada say if we asked Canada to consent to a permanent diversion?

The Senator from Vermont is absolutely correct when he says that in his mind Canada cannot and will not subscribe to a diversion of this type.

The Senator from Oregon [Mr. NEUBERGER] is the present Presiding Officer. Would the Senator state that Oregon would subscribe to a diversion of the Columbia headwaters if Canada contemplated doing so?

In regard to the 1,000 cubic feet of diversion, provided by the bill——

Mr. AIKEN. Five thousand cubic feet.

Mr. LAUSCHE. There is 1,000 cubic feet provided in the bill, but it can accumulate to 5,000 cubic feet.

Mr. AIKEN. May I point out that there is a maximum of 5,000 feet during the dry weather season, the low-water period, and that would mean 5,000 cubic feet of water taken from the St. Lawrence, at a time when needed the most.

On page 2 of the bill, at line 12, it says the maximum direct diversion from Lake Michigan shall not at any time exceed a flow of 5,000 cubic feet per second.

I forget how much that diversion amounts to in horsepower. I figured the amount out 2 years ago, when the bill was under consideration. There is a tremendous amount of electricity which would be lost at a time when needed.

May I say to the Senator that what concerns me the most and makes me feel so keenly about the matter tonight is that a month ago the Senate authorized the Committee on Foreign Relations to appoint a subcommittee to explore methods of arranging a better understanding between the members of the Canadian Parliament and the Members of the United States Congress. The chairman of the Committee on Foreign Relations, who is sitting with us tonight, appointed a committee. I am very proud to say the chairman appointed me to be a member of the committee.

The committee has directed me to go to Ottawa next month to meet with Canadian officials to discuss methods of a closer relationship between the Canadian Parliament and the United States Congress.

Can anyone imagine how cheap I would feel if I had to go to Canada to say, "The United States Congress has just voted to take part of your resources without asking you whether you like it or getting your consent?" Can Senators imagine what position that would put me in? I do not relish the trip if I have to go under those circumstances. I would not want to go to any country immediately after the United States Congress had voted to preempt some of the resources of that country.

Mr. LAUSCHE. The Senator from Vermont mentioned that the Columbia River has been the subject of discussion as to diversion. The talk has been about a quantity of 20,000 cubic feet to be diverted from the Columbia River headwaters. Let us assume that the Congress should say, "We will take the 1,000 feet at a minimum and 5,000 cubic feet at a maximum for Chicago." Let us assume we take a unilateral action affecting Canada. My query is, would not Canada be justified at a later date in saying, "You acted unilaterally in the

Great Lakes Basin. Why shall we not do so in the Columbia River Basin?"

Mr. AIKEN. There is no reason in the world why the Canadians should not divert the headwaters of the Columbia River without even consulting us if we divert water from the Great Lakes without a proper agreement with the Canadians.

Mr. LAUSCHE. I am very grateful to the Senator from Michigan for yielding.

Mr. McNAMARA. I appreciate the Senator's remarks.

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. McNAMARA. I am glad to yield to my distinguished colleague from Wisconsin for a question.

Mr. WILEY. I should like to have the attention of the distinguished Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. I shall be happy to pay attention.

Mr. WILEY. The other night when we got into such a friendly contest the Senator from Illinois in a rather sarcastic way suggested I had been talking to some girl in Canada.

Mr. DOUGLAS. Is that not true?

Mr. WILEY. Please. I hope the Senator will stop the habit of butting in. Let me finish, and then the Senator can butt in. Let me relate the story. I think the Senator wants the truth.

Mr. DOUGLAS. Yes; I do.

Mr. WILEY. I called Mr. Smith, the Minister of External Affairs. Mr. Smith was either in the Parliament or in conference. I was called to the judiciary room. Harrison Cleveland, the head of the American section of the Canadian Department of External Affairs, came to the telephone. A series of questions was put to him, and the questions and answers were taken down in shorthand.

I want to say that Mr. Cleveland is the head of the Canadian side of the External Joint Commission. One of the questions put to him was, "Has Canada agreed to the diversion?" And he answered "No." That was taken down by Mrs. Cato in my office.

I am interjecting this because it is apropos of what the distinguished Senator spoke about.

Mr. DOUGLAS. Who was the young lady to whom the Senator telephoned?

Mr. WILEY. The Senator is as confused as ever.

Mr. DOUGLAS. The Senator from Wisconsin said he called up a young lady in Ottawa. Who was she?

Mr. WILEY. I said that I telephoned Mr. Smith, the Minister of External Affairs. Then this young lady came to the telephone, and I asked for the Minister——

Mr. DOUGLAS. What was her name?

Mr. WILEY. Just a moment. She came to the telephone, and I asked for the Minister. She said, "I will see if he is busy."

Then I had to go to the Judiciary Committee, and the person who came to the telephone was not Mr. Smith, but Harrison Cleveland, head of the American section of the Canadian Department of External Affairs, directly under Mr. Smith, Minister of External Affairs. Among other questions that were put to him was the question, Has Canada agreed to the diversion?

Mr. DOUGLAS. Did the Senator himself hear that?

Mr. WILEY. No.

Mr. DOUGLAS. When messages are relayed from person to person to person, they are frequently distorted.

Mr. WILEY. The Senator is speaking about his own experience.

Mr. DOUGLAS. No. That is the experience of mankind.

Mr. WILEY. The Senator is good at distortions. He ought to be practical enough, as a former school teacher, to realize what actually happened. Because I had to go to the Judiciary Committee, my secretary waited until someone came to the telephone. Who was that someone? Harrison Cleveland, who was the head of the American section of the Canadian Department of External Affairs, directly under Mr. Smith, the Minister of External Affairs. That question was asked.

I place this information in the RECORD because the other day the Senator from Illinois put on a little circus stunt, and confused everyone in the gallery by walking back and forth and saying that I had talked to a little girl. I have observed that the Senator from Illinois does not object to that himself. But this time I was not talking to a little girl.

Mr. DOUGLAS. Mr. President, will the Senator yield for a minute?

Mr. WILEY. I am happy to yield.

Mr. McNAMARA. Mr. President, I have the floor.

Mr. DOUGLAS. The Senator from Wisconsin asked me to listen to him. I have done so. I wonder if I may have the courtesy of an opportunity to make reply.

I intend to keep out while this filibuster is going on, and not take any part in it, because I well know the plans to talk this bill to death.

Permit me to quote from page 5 of the report. I read from a letter to Representative SIDNEY R. YATES from the Assistant Secretary of the Department of State, William B. Macomber, Jr.:

DEAR MR. YATES: This is in reply to your inquiry regarding the Canadian position on the proposed Chicago diversion project. The State Department understands that the Canadian Government has no objection to a 1-year temporary diversion of an additional 1,000 cubic feet of water per second from the Great Lakes system at Chicago.

Mr. WILEY. Did the Senator say 1 year?

Mr. DOUGLAS. Yes.

Mr. WILEY. That is a good thing to remember.

Mr. McNAMARA. Mr. President, I have the floor. I think this has gone far enough.

Mr. LAUSCHE. Mr. President, will the Senator permit me——

Mr. McNAMARA. No. I wish to talk a little about the alleged filibuster. I will not permit anything until I get the record straight.

Mr. LAUSCHE. Is the Senator from Illinois circulating a cloture petition?

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). The Senate will be in order. The rules of the Senate provide that the Senators who wish to address the Senate shall first address the Chair. That rule will be enforced.

Mr. McNAMARA. Mr. President, I resent very much the implication on the part of the Senator from Illinois that I am participating in a filibuster. That is a most unjust charge. I do not understand why anyone should accuse me of engaging in a filibuster at this stage of the Congress. I deeply resent it.

This shows the weakness of the position of the people of Chicago. Their case has no merit. I do not know how far one can go in being ridiculous; but when a Senator resorts to such tactics as accusing me of engaging in a filibuster when this question has been before the Senate for only 24 hours, and I am the first speaker in opposition, and have talked for about 20 minutes, that is a ridiculous charge.

Mr. President, I shall continue from the point where I was interrupted.

This drop has already increased considerably the cost of dredging the connecting channels of the Great Lakes and the St. Lawrence Seaway. I previously pointed out the drop between 1952 and 1956. These connecting channels are being dredged to a 27-foot depth and in many cases the dredging is being carried on through almost solid rock at a tremendous expense to the United States Government. It would seem foolhardy on one hand to continue with this costly dredging of these connecting channels on the Great Lakes Waterway and the St. Lawrence Seaway and at the same time to lower the lake levels of the Great Lakes thereby necessitating even more and costly dredging of the connecting channels between the Lakes.

Mr. President, we are presented with a new concept of legislative procedure, legislation by committee report.

We were told in our Committee on Public Works that we should pass H. R. 2 in its present form providing for a 2,500-cubic-foot diversion for a 3-year period, but that we do not really mean it because what we really mean is that it will only be for a 1-year period because the Sanitary District of Chicago will only take the water for 1 year. We are told that the sanitary district has made this commitment in the form of a letter to the Public Works Committee. And the commitment is in our committee report. I submit that this is a new high in legislative achievement.

While I am not a lawyer I am aware of the legal proposition that where the terms of a statute are clear and unequivocal, the courts will give to the language of the statute its plain and ordinary meaning and when we say in a bill that there will be a diversion for 3 years I assume that any reasonable person would conclude that 3 years are what we meant. It seems highly irregular and highly illogical to require a person reading 3 years in a statute to go to a committee report to find out that Congress actually only meant 1 year. I have proposed an amendment to H. R. 2

so that the bill will read the way the Senate Public Works Committee says that it should be read. Notwithstanding my submitting this amendment I am not in favor of the bill as it now reads nor will I be favor of it if my amendment is adopted. I simply feel that the bill should so read that any person with a moderate amount of intelligence can determine from reading the bill itself what the proposal is. There are many other faults with the bill, all of them based on supposed commitments by the Chicago Sanitary District to the Public Works Committee. For example, the sanitary district says that the Secretary of the Army's report will not be made until 3 years after the enactment of this measure, yet the bill itself, as it now reads, requires a report from the Secretary of the Army within 2½ years after such enactment.

To summarize, this proposed study cannot be justified on the theory that it would assist in navigation on the Chicago Sanitary District Canal and the lower Illinois River and part of the Mississippi.

The proposed increased diversion in H. R. 2 would adversely affect navigation and Canadian and New York power projects on the St. Lawrence. Moreover, Canada now proposes a diversion of a portion of the headwaters of the Columbia River in the Pacific Northwest and if we go ahead with this Chicago diversion without Canada's consent we will have established a precedent which may preclude us from objecting to a Canadian proposed diversion in the Northwest.

It would also adversely affect the constitutional right of citizens of the Lake States to enjoy their God-given blessings in the form of waters of the Great Lakes and the tributaries thereto. It will result in a tremendous loss of shipping on the Great Lakes in addition to injuries to navigation.

Furthermore, Chicago has no legal, moral, or constitutional right to a single drop of water from Lake Michigan. As pointed out, the Chicago River originally flowed into Lake Michigan until its course was reversed by action of the city of Chicago in digging a canal, thereby causing the water of the Chicago River to flow southward into the Mississippi.

Moreover, Chicago's remedy lies with the Supreme Court of the United States, which authorized its present 1,500-cubic-feet-per-second diversion in addition to domestic pumpage. Chicago has gone to the Court time after time to secure additional diversion and it has on several occasions secured additional diversions by an appropriate plea to the Supreme Court. She should seek the same forum now. While the diversion will unquestionably aid Chicago in solving its sewage problem, Chicago has had nearly 70 years to resolve that problem and she is in no worse a fix now than any of her sister cities of the Middle West, who, for reasons of health, have been forced to construct suitable sewage-disposal plants.

I have gone into this matter at some length because I feel very strongly about this bill. Practically every community in our State has voiced opposition to this measure. H. R. 2 is bad legislation. It should be defeated.

Mr. President, I call up my amendment, identified as "8–18–58–H."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 9, it is proposed to strike out "3-year" and insert in lieu thereof "1-year."

Mr. POTTER. Mr. President, I wish to commend my distinguished colleague for his very excellent statement and the outstanding minority views on the bill.

He well knows, as do other Senators from the Great Lakes States, that we are discussing a measure affecting not only the Great Lakes States, but also the Provinces of Canada. Yet we find that only the Senators from Illinois, from the Great Lakes area, the region which would be affected, are supporting the measure. All the other Senators from the other Great Lakes States are opposing it, for the very reason I have given. I know of no other instance in connection with proposed legislation when Congress was asked to legislate in behalf of one State to the detriment of adjoining States.

As my distinguished colleague has so well pointed out, this matter has always been subject to court adjudication. Yet it is now being brought into Congress, even though the case has been decided many times by the courts. The problem arises from the fact that the city of Chicago has never complied with the court order. We are asked to take up a problem which rightly belongs to the city of Chicago.

I was interested in the comment of my distinguished colleague with respect to what might happen. Canada has opposed this kind of legislation in the past. I am confident from the report of the distinguished Senator from Wisconsin that Canada still opposes it. If we insist on enacting this kind of legislation, certainly Canada will be in a position as the Senator has mentioned, to divert the headwaters of the Columbia River.

We have had great concern with respect to Canada's intention to impose tolls on the Welland Canal. We have always considered the Welland Canal as a part of the connecting channels, just as we consider the Sault Ste. Marie locks and the Detroit River as connecting channels. We are spending more than $100 million in improving our connecting channels, and Congress has voted money for that purpose.

It has always been our opinion that the connecting channels should be toll-free. We do not charge tolls on our connecting channels. Now Canada, by statute, has decided to apply toll charges on the Welland Canal. It puts the United States in an awkward position with respect to protesting against the imposition of tolls on the Welland Canal, when we through Congress would divert the waters which partly belong to Canada. It pulls the rug from under the position of our Government in dealing with Canada on the imposition of toll charges.

I commend my colleague for his work in this field and for his address this evening, and particularly for his excellent minority views.

Mr. McNAMARA. I thank the Senator for his contribution and his cooperation in this matter.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. WILEY. I was interested in reading the report from the House. All the way through the House committee report stated it wanted 3 years, not a split up period, and the House wanted the water to run for 3 years.

Then what happened? They did not amend the bill, to provide for 1 year. They passed the bill and sent it to the Senate. Then they took it up with the Executive Office of the President and the Bureau of the Budget. I have the letter before me from the Bureau of the Budget, signed by Mr. Robert W. Jones, Assistant Director. Among other things in that letter, Mr. Jones states:

However, it is considered that such legislation need authorize an additional diversion of 1,000 cubic feet per second for 1 year only since a year should be devoted to a more definite study of present sanitary conditions in the waterway and up to a year will be required to write a report.

Mr. President, that is a very significant statement, because that is not what the report of the committee says. The committee wants 3 years. Then they changed it a bit. I read further from the letter:

The Department of State has now completed discussions with the Canadian Government on the proposed increased diversion. No formal indication has been received from the Government of Canada that there would be any change in its position on this legislation. However, it is believed that the more limited authority discussed above would be less objectionable to Canada than the proposed 3-year diversion.

Then Mr. Jones says:

In the event that the Congress were to determine that a study of this matter is justified, the Bureau of the Budget would not object to legislation which would limit the period of an additional diversion to 1 year and provide for an equal sharing of the cost of the study by the sanitary district and the Federal Government.

I have read those statements to show the process of reasoning. I remember so well when the distinguished Senator from Oklahoma [Mr. KERR] presided at the hearings—and he was a very good presiding officer—when the point came up that they were asking for 1 year instead of 3 years for the drawing of the water. He called attention to the fact that the bill itself provided for 3 years.

Then it was that someone got the idea that Congress ought to pass a law, definite and certain, which would provide for a 3-year taking of water. Then they decided with a clear statement like that, there could be made another statement which could affect a definite, clear, and unambiguous law. So they came forth with the idea, as was said by the Senator from Illinois the other night, that they wanted 6 months to get ready. Then they wanted 12 months to draw water. Then they wanted another 12 or 18 months to prepare a report. The bill provides for a continuous flow of water for 3 years. That is the purpose of the

amendment the Senator from Michigan has offered.

Mr. McNAMARA. That is the purpose.

Mr. WILEY. Certainly in justice the amendment should be considered as full context. Mr. President, I suggest the absence of a quorum.

Mr. McNAMARA. I do not yield for that purpose at this time. I yielded to the distinguished Senator for another purpose. I did not yield for that purpose.

Mr. WILEY. Mr. President, I ask unanimous consent to have the entire letter, from which I have read, placed in the RECORD at this point.

Mr. McNAMARA. I yield to the Senator for that purpose.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 2, 1958.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate,
Washington, D. C.

My DEAR MR. CHAIRMAN: This is in further reply to your request for the views of the Bureau of the Budget on S. 1123, a bill "to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes."

We have previously advised your committee that the Bureau of the Budget would recommend that action on this legislation be deferred. In our letter we called attention to certain unresolved problems, and stated that we would comment further at a later date. While our questions are not yet fully answered, it is believed that some additional comment may be helpful to your committee in your further consideration of this legislation.

It would appear that there are basically two alternative methods of attacking the problems of sanitary conditions in the Illinois Waterway. The method contemplated by S. 1123 is dilution by means of an additional diversion of water from Lake Michigan. The method discussed in a report dated April 29, 1957, from the Department of Health, Education, and Welfare is additional treatment measures by means of chlorination and aeration. Both methods could increase the supply of dissolved oxygen in the waterway to the same extent.

The cost of an additional diversion, the dilution method, has been estimated in terms of economic losses to navigation and hydroelectric power in the report of the Chief of Engineers submitted to the Congress on February 13, 1957, and printed as Senate Document No. 28. In that report losses to navigation from a permanent diversion of an additional 1,000 cubic feet per second were estimated at $240,000 annually, and losses to hydroelectric power in the United States and Ontario were estimated at $708,000 annually. These estimates are admittedly conservative since they do not evaluate losses to hydroelectric powerplants in Quebec, to Canadian fleet commerce, or to future commerce on the Great Lakes resulting from the St. Lawrence Seaway development.

The cost of the second method, additional treatment measures by the Metropolitan Sanitary District of Greater Chicago, is estimated in the enclosed report of the Department of Health, Education, and Welfare, dated April 29, 1957, to be between $750,000 and $1,500,000 annually with an initial investment in that same range. The estimates of the Metropolitan Sanitary District are not significantly different, as indicated in its report of June 21, 1957, a copy of which is enclosed. This is attested to by a further report from the Public Health Service, dated July 17, 1957, a copy of which is also enclosed. Thus, it would appear that the cost of these two alternative methods of improving sanitary conditions in the Illinois Waterway and the benefits which would result from them are about equal. It is recognized that all of the facts about these two alternatives have not yet been determined with complete accuracy. For this reason your committee may wish to consider legislation authorizing a study by the Department of Health, Education, and Welfare in cooperation with the Metropolitan Sanitary District of Greater Chicago of the benefits from the two alternative methods for improving sanitary conditions in the Illinois Waterway and of the costs of additional treatment measures. However, it is considered that such legislation need authorize an additional diversion of 1,000 cubic feet per second for 1 year only since a year should be devoted to a more definitive study of present sanitary conditions in the waterway and up to a year will be required to write a report. In addition, because of the purpose and character of the study, it is believed that its cost should be shared by the sanitary district and the Federal Government.

The Department of State has now completed discussions with the Canadian Government on the proposed increased diversion. No formal indication has been received from the Government of Canada that there would be any change in its position on this legislation. However, it is believed that the more limited authority discussed above would be less objectionable to Canada than the proposed 3-year diversion.

In the event that the Congress were to determine that a study of this matter is justified, the Bureau of the Budget would not object to legislation which would limit the period of an additional diversion to 1 year and provide for an equal sharing of the cost of the study by the sanitary district and the Federal Government.

Sincerely yours,

ROGER W. JONES,
Assistant Director.

Mr. McNAMARA. The Senator mentioned a communication from the Bureau of the Budget. I suppose it is merely coincidental, but the gentleman who sent it happens to come from Chicago. I am sure he is an estimable man. I cast no aspersions on him. But sometimes our thinking is affected by such things.

Mr. President, I have received a telegram from Hon. Averell Harriman, Governor of the State of New York, which I shall read:

ALBANY, N. Y., *August 18, 1958.*

Hon. PAT MCNAMARA,
Senate Office Building,
Washington, D. C.:

It is a matter of utmost importance to the people of the State of New York, and the 50 million residents of the Great Lakes Basin, that the Senate not, repeat, not approve H. R. 2, providing for the diversion of further waters from Lake Michigan to the Chicago Sanitary System.

The measure before the Senate would permit diversion of as much as 5,000 cubic feet per second at any one time. This diversion will take place at times of low water and its effect will be experienced at the hydroelectric installations at Niagara at precisely the moment when the regular flow is lowest. The firm capacity of hydroelectric plants is of course determined by the amount of water available at the driest time of the year. Under this bill our plants will be affected when they can least afford it. The enactment of the measure would cost the consumers of Niagara and St. Lawrence power a minimum of 75 million over the period of the New York State Power Authority license. In addition the enactment of the measure would jeopardize the entire navigation system of the St. Lawrence Seaway. The vast construction program now underway is predicated on the maintenance during the navigation season of a level between 244 and 248 on Lake Ontario. If diversion of water at Chicago is permitted under the terms of the measure before the Senate it will be most difficult, if not indeed impossible, to maintain the level of Lake Ontario at 244 during periods of low water on the Great Lakes.

It is unthinkable that this special legislation should be approved in the face of the State opposition and compelling arguments of every State in the Great Lakes Basin save the one beneficiary. The Congress, having approved the development of Niagara power and the St. Lawrence Seaway on which vast sums are being expended, would now be approving a measure that would gravely jeopardize the investment in both these projects.

I ask your urgent consideration of this matter which may seem of small concern, but which is in fact an issue of vast implication.

Best regards.

AVERELL HARRIMAN.

Mr. McNAMARA. Mr. President, the pending question is on agreeing to an amendment which would do what obviously should be done—namely, spell out what the proponents of the pending bill say they wish to have provided for, namely, a diversion for 1 year.

Their proposal has been presented to the Senate as a 1-year proposition; and the report indicates that it is for 1 year. But the language of the bill itself states that it is for 3 years.

My amendment will correct the language of the bill, so as to bring the bill into conformity with the views of those on the other side of the question.

Under the circumstances, I think the floor managers of the bill certainly should accept the amendment. I now ask whether they will accept it for the Senate.

Mr. DOUGLAS. Is the Senator from Michigan addressing his question to me?

Mr. McNAMARA. I do not know who is the floor manager for the bill. I assume the floor manager to be the chairman of the subcommittee, acting for the committee. However, I may be in error about that.

Mr. KERR. Mr. President——

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Does the Senator from Michigan yield to the Senator from Oklahoma?

Mr. McNAMARA. I am happy to yield for the purpose indicated.

Mr. KERR. Mr. President, there is no Member of the Senate whose request would have more influence with me; and nothing would give me greater pleasure than to comply with any wish the distinguished Senator from Michigan has in regard to either this matter or any other.

However, I must remind my good friend, the Senator from Michigan, that the practical effect of granting his request would be to extinguish whatever

remote possibility might remain to have this bill enacted by this Congress.

The pending measure is House bill 2, which has been passed by the House of Representatives. The bill came to the Senate, was referred to the Committee on Public Works, and has been reported, without amendment, by that committee to the Senate.

I am advised that, for all practical purposes, the House of Representatives has wound up its part of this Congress; that at this moment it is in recess; and that it has no thought of engaging in further legislative proceedings.

So I know that my good friend, the Senator from Michigan, is aware of the fact that in asking the managers of the bill to accept an amendment which would compel the return of the bill to the House of Representatives, for action by it, he is, in reality, requesting that the bill be killed.

Inasmuch as I very much favor the bill, much as I should like to cooperate with my good friend, the Senator from Michigan, I must state that he has asked something which it is not within my power to grant.

Mr. McNAMARA. Mr. President, I desire to thank the distinguished floor manager of the bill for his courtesy. I believe he has explained a situation which is quite apparent to all of us.

The proposed legislation, which in some form or other has been before the Congress for many, many years—perhaps for 50 years, should not be here. The bill, according to the language used in it, provides for a 3-year period. Canada has made some reference to the fact that she would not have much objection or would not raise objection, although Canada did not say that directly; it was said through an Assistant Secretary of Foreign Affairs I believe. But Canada was making reference to a 1-year term. However, the pending bill calls for a 3-year period. Certainly the 3-year period could not be "sold," under any circumstances, to Canada.

We are told that it is too late in the session for the House to act on any amendment. In that case, Mr. President, what manner of legislation would Senators now have us engage in? Of course it is too late for the House to consider an amendment; and, in all reason, it is too late for this measure to be acted on by the Senate, under the circumstances.

I submit that this matter comes before the Senate at much too late an hour—at a time when any amendment the Senate might adopt could not be considered by the House of Representatives.

Mr. President, I shall have to insist upon my amendment.

At this time I relinquish the floor, and hope that other Senators will pursue this matter.

Mr. KERR. Before the Senator from Michigan relinquishes the floor, will he yield to me?

Mr. McNAMARA. I am happy to yield.

Mr. KERR. Mr. President, I should like to put the RECORD straight on 1 or 2 matters which have been referred to by several Senators, if I may have the permission of the distinguished Senator from Michigan to proceed at this time.

Mr. McNAMARA. I shall be happy to have the Senator from Oklahoma proceed, if I may be permitted to relinquish the floor, and to have the Senator from Oklahoma recognized in his own right for the few minutes that he has indicated he desires to proceed—if that will be satisfactory to him.

Mr. KERR. Yes, indeed.

Mr. McNAMARA. Incidentally, I wish to leave the Chamber, to get something to eat. [Laughter.]

Mr. KERR. I think that is a very profound and fundamental statement, and gives a valid picture of a legitimate need on the part of my good friend. And I wish to say to him that inasmuch as I have already performed that little operation for myself, I can well understand his desire to do so. [Laughter.]

Mr. McNAMARA. I thank the Senator from Oklahoma.

Mr. KERR. Mr. President, there has been considerable debate this evening about a treaty between the United States of America and the Dominion of Canada. In my opinion, the debate has been engaged in by men who are unfamiliar with what is in the treaty. The distinguished Senator from Vermont [Mr. AIKEN] talked about this measure as being a proposal for the diversion of Canadian waters. Nothing could be more inaccurate than that statement.

The Senator from Vermont [Mr. AIKEN] is here. I shall make a statement; and if it is in error, I should like to have him interrupt me and correct me. I make the statement that, in my judgment, the Senator from Vermont has not read the treaty to which he has referred.

I make the statement, without much fear of contradiction, that the Senator from Wisconsin [Mr. WILEY], who discussed this treaty at great length, has not read it.

I make the statement, without much fear of contradiction, that the distinguished Senator from Ohio [Mr. LAUSCHE], who spoke previously about the treaty, has not read it.

Mr. LAUSCHE. I rise to challenge the statement of the Senator from Oklahoma [Mr. KERR].

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. KERR. If I may do so without losing the floor, I shall be glad to yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. I merely wish to say to the Senator from Oklahoma that the Senator from Ohio has read the treaty.

The Senator from Ohio has likewise read the communication sent by the Dominion of Canada to the United States Government, stating that Canada would not countenance a diversion of the water contemplated in a 3-year period.

Mr. KERR. The treaty said that?

Mr. LAUSCHE. The Senator from Ohio said—and I am standing quite close to the Senator from Oklahoma—that he has read the letters that were sent to him by the officials of the Dominion of Canada to the Department of State on March 10, 1954, August 24, 1954, and February 13, 1956, respectively, protesting the diversion of water as contemplated in the bills that were pending at that time.

Mr. KERR. Mr. President, the statement the Senator from Oklahoma made was that, in his judgment, the Senator from Ohio had not read the treaty—not the private correspondence with public officials in Canada. I repeat that in my judgment the Senator from Ohio has not read the treaty to which he referred.

Mr. LAUSCHE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. KERR. I yield.

Mr. LAUSCHE. The Senator from Ohio understands distinctly that the officials of the Dominion of Canada have quoted the provisions of the treaty in the 3 communications which I have mentioned, that under the treaty of 1909, I believe it is, the parties bound themselves to the effect that neither one of them, neither the United States nor the Dominion of Canada, would divert waters to an extent that would cause substantial injury to the navigational facilities on one or the other side of the boundary.

Mr. KERR. Could the Senator, who has read the treaty and seems to be so familiar with it, advise the Senate of the provision in the treaty with respect to the settlement of any question or matter of difference arising between the high contracting parties?

Mr. LAUSCHE. I——

Mr. KERR. I yield only for the purpose of propounding a question to the Senator, if I may do so without losing the right to the floor.

Mr. LAUSCHE. Mr. President, the Senator from Oklahoma asked me whether I had read the treaty.

Mr. KERR. No; I did not ask whether the Senator had read the treaty. I insist upon a response to the question I asked him. In view of the fact that the Senator said he has read the treaty and is familiar with it, I ask the Senator if he will tell the Senate—if I may ask the question and make that request without losing the floor—the provision in the treaty setting forth the manner of settlement of any matters of differences arising between the high contracting parties. I yield to him for the purpose of answering that question.

The PRESIDING OFFICER. Without objection, the Senator from Ohio may respond to the inquiry of the Senator from Oklahoma without losing the floor.

Mr. LAUSCHE. The Senator from Ohio will read the parts of the treaty that are essentially pertinent to the question being discussed and contemplated by the amendment of the Senator from Michigan.

Mr. KERR. I do not yield for that purpose.

The PRESIDING OFFICER. The Senator from Oklahoma declines to yield for that purpose.

Mr. LAUSCHE. The Senator from Oklahoma would like to have me to speak only in the manner that would be acceptable to his wishes, but much as the Senator from Ohio respects the Senator from Oklahoma, he must insist that he be given an opportunity to express his own views, even though they are in conflict with those of the Senator from Oklahoma.

Mr. KERR. Mr. President, that illustrates and proves the statement that I made. The Senator, in my judgment, has not read the treaty. He does not know what is in the treaty. I asked him a question about it, and he begins a diversion, not of water, but of thought. I am sure if he knew what this treaty provided with reference to the specified manner for the settlement of differences in controversy, he would have said so without saying that his right to express his opinions was being infringed. I did not ask him for an opinion. He said he had read the treaty. He said he knew what was in it. I asked him a simple question about one of the most important features in it, and from the look on his face it came as a shock and surprise; in my judgment he had never heard about it.

If he has, if I may be permitted to do so, I now request that I may yield to him to answer the question. What is the provision in the treaty as to how the matter shall be settled if differences arise between the parties?

Mr. LAUSCHE. The issue that is before the Senate is whether the United States Government has authority to divert waters out of Lake Michigan without the consent of Canada, and if the Senator from Oklahoma will permit me, I shall read the provisions of the treaty on which I rely.

Mr. KERR. Mr. President, I do not yield for that purpose. [Laughter.]

I ask that I be permitted to ask the Senator another simple question with respect to the treaty, if he is willing for me to do so, without my losing the floor.

The PRESIDING OFFICER. The Chair desires to say, for the information of the Senate, something that every Member knows, and that is that when a Senator has the floor, under the Rules of the Senate he may yield to another Senator only for the purpose of asking a question, unless there is unanimous consent.

Mr. AIKEN and Mr. WILEY addressed the Chair.

Mr. KERR. I remind the Presiding Officer that I asked for unanimous consent.

The PRESIDING OFFICER. The Chair understands. The Chair was about to say that the Senator from Oklahoma had made the request, the Chair had propounded the question as to whether unanimous consent was given, and it was given on several occasions; but the Chair wanted it clearly understood what the rules are.

The Senator from Oklahoma has the floor.

Mr. KERR. I now again ask unanimous consent that I may propound a question to the Senator from Ohio with reference to another provision in the treaty, without my losing the floor.

Mr. AIKEN. Mr. President——

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma that he may interrogate the Senator from Ohio? No objection is heard. The Senator from Oklahoma may ask his question.

Mr. AIKEN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KERR. I thank the Senator from Vermont. I do not yield to him for any speech.

Mr. AIKEN. Mr. President, I rise to a point of personal privilege.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield for that purpose?

Mr. KERR. If I may do so without losing the right to the floor if, and if the time of yielding does not exceed 5 minutes.

The PRESIDING OFFICER. The Rules of the Senate provide that the Senator having the floor may yield only for a question; but by unanimous consent, of course, a Senator may yield for another purpose.

Mr. KERR. I do not ask unanimous consent for any special privilege for the Senator from Vermont, much as I would like to do so.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. KERR. Mr. President, I thought it was quite interesting that the distinguished Senator from Vermont objected to a procedure by unanimous consent.

Mr. AIKEN. Apparently the Senator from Oklahoma does not want the question answered.

Mr. KERR. It was a little unusual. I sat in my seat while the distinguished Senator from Michigan had the floor. I must say there was as near to a three-ringed circus going on on this floor as I have seen in my lifetime, and I have paid admissions to a few circuses, and I have been to the Dallas Fair twice. [Laughter.] No Senator objected to that informal discussion, because either a contribution was being made to the subject before the Senate or gratification on the part of Senators to be heard was being had by them.

Yet when I asked unanimous consent to propound a question to the distinguished Senator from Ohio, the Senator from Vermont, who had been violating the Rules of the Senate this afternoon with impunity and without objection on my part, exercised his right and privilege, which he is certainly entitled to do, if he so desires, to become technical with the Senator from Oklahoma. It is interesting and illuminating with reference to the attitude of the Senator from Vermont.

I was about to ask the Senator from Ohio if he knew how long the term of the treaty was. I was about to ask the Senator if he knew of the provision in the treaty whereby it could be brought to an end, and under what circumstances.

If the Senator from Vermont can answer that question I will yield to him for a question in the form of whether a certain statement expresses the facts with reference to what is in the treaty.

I believe some Senators do not know what is in this treaty. From what some Senators have said, I do not think they have ever seen the treaty. I believe some Senators do not know who negotiated the treaty. Some may not even know who are the contracting parties. [Laughter.]

There has been talk on the floor of the Senate to the effect that "We are discussing a proposal to violate an agreement with Canada. We are being asked to provide for a diversion of Canadian waters."

Mr. President, since those statements are not accurate, I indulge the presumption on a friendly and sincere basis that the statements were made by reason of a lack of knowledge rather than by reason of an intent to mislead the Senate.

Mr. President, I should like to read to the Senate what the man who negotiated the treaty said. The treaty was negotiated for the United States Government by Mr. Elihu Root. Mr. Root not only knew what he was doing, but he was able to remember it after he did it, and he was able in an articulate manner to express and put down what had been done so that people could understand. That would be quite a diversion in the present atmosphere and environment. [Laughter.]

I should like to read what Mr. Elihu Root said in an appearance before the Senate Committee on Foreign Relations at the time the treaty was under consideration for ratification. I wonder if the Senator from Ohio knows that the Senate, when it ratified the treaty, adopted an amendment to the treaty which was later accepted by the other contracting party.

For the benefit of Senators who have been making statements, I will tell the Senate who made this treaty. This treaty was made between the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India. That is who made this treaty. [Laughter.]

I am reminded of the fellow who went off to school and came home. His old man sent him to a spelling bee. The old man found out the next morning that the boy had misspelled a word, and when the boy told him what the word was the old man said, "No wonder you can't spell it; you can't even pronounce it."

There has been talk about a treaty, yet some Senators did not even know who were the parties to the treaty, for how long it was to run, how it could be terminated, how it could be changed, and what the provision in it is with reference to how differences between the contracting parties may be settled.

Men who speak on their responsibility as United States Senators should not indulge in such wishful thinking and operation.

I am reminded of a current song, or of a song which was current not long ago:

Oh, the wayward wind is a restless wind,
A restless wind that yearns to wander.
And I was born the next of kin—
The next of kin to the wayward wind.

I shall read what Mr. Elihu Root said. I think the men who talk about the treaty ought to listen, because information and facts never hurt anybody.

The treaty starts by defining the boundary waters as "the waters from main shore to main shore of the lakes and rivers and connecting waterways or the portions thereof along which the international boundary between the United States and the Dominion of Canada passes, including all bays, arms, and inlets thereof, but not including tributary waters which in their natural channels would flow into such lakes, rivers and waterways, or waters flowing from such lakes, rivers, and waterways."

The waters of Lake Michigan are as clearly and completely excluded from the treaty as both national sovereignty and solemn declaration can make them. The waters of Lake Michigan are not a part of the boundary waters between our country and the Dominion of Canada. Those waters are not even part of the boundary waters between this country and Ireland or India. One of the parties to the treaty was His Majesty the King of the United Kingdom. That is who made the treaty; the King of the United Kingdom of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India. Canada is not even mentioned. [Laughter.] Canada came in under the provision of "whom it may concern." [Laughter.]

There is no part of Lake Michigan which is any nearer the borders of Canada than the statements of the Senators to whom I have referred have been to the question before the Senate. I think the nearest distance is 35 miles, Mr. President. That is how far it is from the nearest part of Lake Michigan to Canada.

I live in the valley of the Arkansas River. It flows into the mighty Mississippi, and from there into the Gulf of Mexico, where its waters mingle with the waters of the Gulf Stream, which, through a natural phenomenon the explanation of which I do not know, find their way across the Atlantic, where, Mr. President, the gentle zephyrs which cross it warm the Emerald Isle, that great island of Britain; also Normandy.

Under this treaty the waters of the Arkansas River, which eventually affect the waters of the Gulf Stream, which help to control the climate of Great Britain, which is a signatory to this treaty, are just as much under the jurisdiction of the treaty as are the waters of Lake Michigan.

Mr. President, I have studied this treaty. I am not a stranger to it. I am not shocked when men ask me questions about it.

Let me tell the Senate what Mr. Elihu Root said. I wonder if he knew as much about it, inasmuch as he is the man who helped to write it and who agreed to it, as men who have never seen it.

The treaty begins with a definition of the boundary waters involved. I think that was appropriate. If the negotiators were to make a treaty with reference to those waters, they should be defined. After all, when a treaty is made about something it should be defined. It must start somewhere and end somewhere, or it may start in North Dakota and wind up in New Mexico. Elihu Root says:

> The treaty starts with defining the boundary waters as the waters from main shore to main shore of the lakes, rivers, and connecting waterways, or the portions thereof along which the international boundary between the United States and the Dominion of Canada passes, including all bays, arms, and inlets thereof, but not including tributary waters which, in their natural channels, would flow into such lakes, rivers, and waterways, or waters flowing from such lakes, rivers, and waterways.

Specifically excluding the waters of Lake Michigan.

To make it crystal clear, Mr. Elihu Root, who was a careful man, then told the Foreign Relations Committee this:

> I have carefully guarded the terms of this treaty in order not to include Lake Michigan, and in order not to involve Senator Cullen's constituents in the drainage canal in the treaty in any way.

The distinguished Senator from Wisconsin [Mr. WILEY] has been chairman of the Foreign Relations Committee of the Senate. He is one of the finest men I know. He is a great Christian gentleman, and I have a great affection for him. He has been chairman of the Foreign Relations Committee. He knows who Elihu Root was. He was of his party—or at least a party which had the same name as the one to which the Senator from Wisconsin belongs.

The Senator from Wisconsin understands the solemnity of a statement by a Secretary of State of the Republican Party to a Foreign Relations Committee in a Republican Congress and Republican Senate. I commend to the Senator from Wisconsin the statement of Mr. Elihu Root on this question. Mr. Elihu Root said—and I quote again:

> I have carefully guarded the terms of this treaty in order not to include Lake Michigan, and in order not to involve Senator Cullen's constituents in the drainage canal in the treaty in any way.

For the sake of my uninformed friend—I mean my good friend from Ohio—article X provides that—

> Any questions or matters of difference arising between the high contracting parties involving the rights, obligations, or interests of the United States or of the Dominion of Canada, either in relation to each other or to their respective inhabitants, may be referred for decision to the International Joint Commission by the consent of the two parties.

The question before the Senate is very simple. The Sanitary District of the city of Chicago wants the right to divert a thousand cubic feet of water per second for 1 year from Lake Michigan into the operation of its sanitary canal and navigable waterway.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. KERR. I yield for a question.

Mr. WILEY. Did not the Senator leave out one very important clause of the treaty?

Mr. KERR. I say to my good friend that—I am sure, to his great surprise—there are 14 articles to the treaty, and a resolution of the United States, which became a part of it. So the Senator knows that the Senator from Oklahoma knows he has not read all the treaty. I am surprised that the Senator from Wisconsin did not know that. If he had been remotely familiar with this treaty he would have known that I had not read 5 percent of it. However, what I have read, I have read accurately.

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. KERR. When I have paid my respects to the first question.

Mr. WILEY. Let the Senator tell the truth about it, then.

Mr. KERR. If the Senator is getting around to the point where he wants to be devoted to the truth, I am delighted.

I say to him, in relation to the other question which he asked me—and I do not blame him for rushing from the first question to another without giving me time to respond to it—I must insist, in the due and courteous relationship between Senators, especially those who have such high regard, esteem, and respect for each other as do the Senator from Wisconsin and the Senator from Oklahoma, that once a question has been addressed by one Senator who asks another Senator to yield for that purpose, the Senator to whom the question is addressed should respond to the question. I do that only on the basis of my right, and not on the basis of being granted the privilege by the Senator from Wisconsin.

As I said, the Senator from Wisconsin knows that, since this treaty is as long as it is, and since it has 14 articles and a resolution adopted by the United States and accepted by the other contracting party, the brief excerpts I have read from it do not constitute the entire treaty. But I say to my good friend that I did not lift anything from context to color its meaning. I read a sufficient amount of any part which I quoted to make its purport clear. I say to the Senator that, as I have read the treaty—and I say to him that I have read all of the treaty—there is nothing in it that would destroy the effectiveness or the significance of the language I have read to him.

As I was about to say, this is a very simple question. Shall this Congress permit the Sanitary District of Chicago to divert a thousand acre-feet of water per second for 1 year——

Mr. DOUGLAS. A thousand cubic feet.

Mr. KERR. A thousand cubic feet of water per second—to be diverted for 1 year, to carry out an experiment to determine, first, how much benefit it will be to the people of Chicago; and second, what damage, if any, will be done to others.

I say to the champions of Canada that the Dominion of Canada does not object to this request. I say to those who would read a message from the Bureau of the Budget and from the State Department in 1952 and 1954 and 1956, that they would do well for themselves, for their own information, if they would read the communications from those sources which were delivered in 1958. I say that because those who objected in 1954 and 1956 now approve. The proposed legislation would do no harm to anyone. The problem of the city of Chicago is great. Its need is great. The city asks for permission from others who would not be damaged by permitting this diversion.

I say to the distinguished Senator from Wisconsin that in my judgment, if his interpretation of the treaty is right—which God forbid and facts disprove—and if I understand the remark that he made on the floor of the Senate last night, he believes the great city of Milwaukee, and not the city of Chicago, is the offender. I do not choose between Milwaukee and Chicago. I ask only to help to do that which would benefit one and do no harm to the other. I should like to read from the RECORD a statement made last night by the Senator from Wisconsin [Mr. WILEY]. The Senator was speaking about Milwaukee. I believe he was referring to the distinguished Senator from Illinois [Mr. DOUGLAS]. He said:

> We in Milwaukee remove up to 95 percent of the sewage. Instead of putting the sewage back into the lake, we put back the liquid which has been purified.

Mr. President, I gather two or three things from that statement. First, I take it that they are putting the effluent from their sewage plants back into the lake. That is inherent in the language. If I am in error in that statement, I ask unanimous consent that I may yield to the Senator from Wisconsin to correct me.

Mr. WILEY. I shall be happy to respond.

Mr. KERR. I ask only unanimous consent that I may yield to the Senator to correct me if my statement that the effluent of the Milwaukee sewage disposal plants is returned to Lake Michigan is in error.

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Is there objection to the request of the Senator from Oklahoma? The Chair hears none. The Senator from Wisconsin may respond to the invitation.

Mr. KERR. To the question.

Mr. WILEY. I believe that when a Senator asks a question, the one who is asked the question has the right to answer it the way he believes it should be answered, and not the way the questioner thinks it should be answered.

Mr. KERR. Anyone has the right to answer a question in any way he wishes provided he answers it correctly.

I asked the Senator a question. Since he does not care to cooperate, or is not willing, I withdraw my request, and say again to the Senate that, on the basis of the Senator's statement, the sewage disposal plants of Milwaukee return their effluent to Lake Michigan.

Mr. WILEY. Mr. President, was the Senator's request granted?

Mr. KERR. I withdrew it.

Mr. WILEY. I should like to know who is in the chair.

Mr. KERR. The chair is occupied by the distinguished Senator from Wyoming [Mr. O'MAHONEY].

Mr. WILEY. I should like to know.

The PRESIDING OFFICER. The Senator from Oklahoma asked unanimous consent that the Senator from Wisconsin be permitted to answer his question. The consent was granted, because there was no objection. Before the Senator from Wisconsin could reply, the Senator from Oklahoma withdrew his request. [Laughter.]

Mr. KERR. Mr. President——

Mr. WILEY. The Senator from Oklahoma is in good form tonight.

Mr. KERR. If it were not for the fact that at this moment the Senate is occupied by numerous Senators and the gallery by numerous people who witnessed what took place, I presume to make a correction in the statement of my friend who occupies the chair. However great my esteem, respect, and affection for the occupant of the chair, and however complete my knowledge that witnesses by the hundreds know just as well what happened, as does the occupant of the chair, I will not seek to make a correction in the statement of the Presiding Officer.

The PRESIDING OFFICER. The Chair is very grateful to the Senator from Oklahoma. [Laughter.]

Mr. KERR. I said a while ago that on the basis of the record, the Milwaukee sewage disposal plants return the effluent to Lake Michigan. There is this statement in the RECORD by the Senator from Wisconsin: "We remove up to 95 percent of the sewage." I do not know how many people there are in the Milwaukee Sanitary District—and I shall not ask the Senator from Wisconsin [laughter]—but it is big enough to entice out there the Brooklyn Dodgers from the greater metropolitan area of New York, and big enough to have the people who go to their ball games set a new record for major league baseball attendance. Therefore, I am not doing violence to truth or accuracy by indulging the presumption that there must be upward of 500,000, 600,000, 800,000, 900,000, to 1 million people living out there.

The Senator from Wisconsin said they remove up to 95 percent of the sewage. I merely wish to say that if I lived in a community below there, which would be dependent on the effluent for its water supply, I would want to know how near up to 95 percent was removed. [Laughter.]

Then he said, "Instead of putting the sewage back into the lake, we put back the liquid that has been purified."

I should like to know what kind of animal, producing that sewage, can operate in such a way that up to 95 percent of the sewage has been eliminated from the total bulk of the entire amount and be thereby purified. If there are a million people living there, and if even 5 percent of them are producing sewage which is not removed from the effluent, I say the distinguished Senator from Wisconsin has an imagination beyond that which I possess to indulge the assumption that with that amount remaining in the liquid, the liquid has been purified. However, anyone who can read into the treaty words which are not there, a meaning which does not exist, and prohibitions without foundations, I presume should have no trouble in indulging in the thought that the removal of up to 95 percent purifies the liquid. He said up to 95 percent. That is between 1 percent and 95 percent. That means it was also down to 1 percent. That is the spread—1 to 95. He did not say "We eliminate 95 percent of it." He said, "We eliminate up to 95 percent."

That reminds me of what the farmers are getting under the Benson parity formula, which provides a support program up to 90 percent, with which he has not been within speaking distance since he got into office.

Mr. President, if they do return the sewage waters to Lake Michigan—and that statement is in the RECORD; and if it does have a minimum of 5 percent of unpurified sewage; and if the waters of Lake Michigan are under this treaty; then I say to the distinguished senior Senator from Wisconsin that his great city is violating the treaty.

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. KERR. For a question.

Mr. WILEY. Did I not say last night that 95 percent of the solids were put into milorganite fertilizer; and that the other 5 percent, which is liquids, is returned to the lakes substantially as clear as lake water, and with approximately 95 percent of its polluting material removed?

Mr. KERR. I will answer the Senator's question. I read from the RECORD on page 19127. The Senator, who quotes things, ought to look at the RECORD. He has it before him. I challenge him to tell the Senate if I have not quoted his words.

Mr. WILEY. Did I not read from the authoritative telegram exactly what I said?

Mr. KERR. I understood the telegram which the Senator read from was from the Sanitary District of Chicago.

Mr. WILEY. Not on this subject. This is that one. If the Senator wants to discuss that subject, I shall be glad to discuss it, too, with him.

Mr. KERR. I now answer the Senator's question. On page 19127, in the middle of the last column, about half way down, I find this language:

> Mr. WILEY—
>
> And for his information, I say to him that that is the way the RECORD identifies the speaker. The presumption is indulged that the words following "Mr. WILEY" were the words of the Senator from Wisconsin. This is what he said:
>
> I shall be glad to put it in the RECORD, because it comes from the Metropolitan Sanitary District of Greater Chicago. It came in today.

Mr. WILEY. That is the other quotation we discussed.

Mr. KERR. Was that what the Senator said?

Mr. WILEY. That is down in Chicago.

Mr. KERR. No; it is in this RECORD. [Laughter.]

Mr. WILEY. I am glad the Senator from Oklahoma can see it. [Laughter.]

Mr. KERR. I continue to read what the Senator from Wisconsin said:

Furthermore, the RECORD shows clearly that Chicago has been guilty of failing to comply. The Senator has spoken of Milwaukee.

I was not in the Chamber at that time, but from the RECORD I take it that the Senator was referring to the Senator from Illinois [Mr. DOUGLAS]; and we cannot tell from the RECORD anything except that they were on friendly terms.

Mr. WILEY. Read on, Macduff.

Mr. KERR. I wonder what he is quoting now. [Laughter.] I thought he had been quoting the treaty. But who knows whether it was Hamlet or Midsummer Night's Dream?

But accuracy compels me to return to the RECORD as printed and as being the words of the Senator from Wisconsin. He said:

We in Milwaukee remove up to 95 percent of sewage. Instead of putting the sewage back into the lake, we put back liquid that has been purified.

That is what the Senator said.

Mr. WILEY. Read the rest of it.

Mr. KERR. The night is not long enough for me to read the rest of what the Senator said. [Laughter.]

Mr. WILEY. I did not think the Senator was growing weak.

Mr. KERR. I am saying to the distinguished Senator from Wisconsin and to this great body these things: If this treaty applies to Lake Michigan, if the waters of Lake Michigan are included in those referred to as boundary waters; and if the statement the Senator made about the effluent from the Sanitary District of Milwaukee is correct then they are in violation of this treaty and of article III, which, in part, reads:

The foregoing provions are not intended to limit or interfere with the existing rights of the Government of the United States on the one side and the Government of the Dominion of Canada on the other, to undertake and carry on governmental works in boundary waters for the deepening of channels, the construction of breakwaters, the improvement of harbors, and other governmental works for the benefit of commerce and navigation, provided that such works are wholly on its own side of the line and do not materially affect the level or flow of the boundary waters on the other, nor are such provisions intended to interfere with the ordinary use of such waters for domestic and sanitary purposes.

Article IV reads, in part:

It is further agreed that the waters herein defined as boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other.

So if these are boundary waters—which they are not—and nothing which the Senator from Wisconsin can say can make them so—but if they are, then the operation of the sewage facilities of the city of Milwaukee violates the treaty, because Milwaukee is putting sewage into the waters of Lake Michigan which has somewhere between 5 and 100 percent of the original sewage yet remaining in it. That is not calculated to fail to pollute the waters, even of Lake Michigan.

As I said before, Mr. President, the question before the Senate is very simple: Shall we do that which benefits one of the great cities of the world, and harms no one?

Often in the treaty there occur provisions in which we find the language, "operations that do not materially affect the level of the water."

On the basis of the testimony of the Army engineers, the ordinary fluctuation of the water level of Lake Michigan is 6½ feet in the periods of dry years and wet years, and somewhat less than that over 12 months. It goes up and down. The level is from 6 to 6½ feet higher at times than it is at other times.

The PRESIDING OFFICER. The Chair admonishes those who are on the floor and those who are in the galleries that conversation should cease during the debate.

The Senator from Oklahoma may proceed.

Mr. KERR. In a situation in which God in His infinite wisdom, through the operation of the laws of nature, produces a condition in which the normal level of the lake is as much as 6½ feet more at certain times than at others, who would seriously contend that a proposal to do that which would affect the level of the lake to the extent of somewhere between three-eighths of an inch and one-half inch would constitute an operation which would materially affect the level or flow of the water?

Even if the waters of Lake Michigan were under the treaty, which they are not; even if the Dominion of Canada were objecting, which she is not; even if the action sought were carried out; who would seriously say that an operation which for 12 months would affect the level of water in that lake less than one-half of 1 inch would violate a commitment to refrain from doing that which would materially affect the level of the water?

That is the bill before us, in simple terms. Honorable and sincere men say, "Yes, but the bill provides for a diversion for 3 years."

I am reminded of the old Dutchman who was looking for his horse. He got home after about 90 days. His wife asked him, "How did you get along?"

The old fellow replied, "I looked for the horse for 90 days; when I find him, I find him in 30 seconds." [Laughter.]

The bill does provide for a diversion for 3 years. But the evidence of the department of the Government under which the system will operate is that there would not be more than 12 months' diversion.

The Sanitary District of Chicago puts its statement in the record and says that it agrees to limiting the diversion to 12 months.

The committee which brings the bill to the floor says the bill is recommended on the basis that the diversion will be limited to 12 months. Mr. President, we are men of good will. Who will say that those solemn declarations are meaningless and have no significance? Who will say that the Department of Health, Education, and Welfare is attempting to deceive the Senate?

Is it said that the solemn obligation, signed by the Sanitary District of Chicago, namely, that it would do everything to comply with the 12-month diversion, and no more, is without significance, and is intended to mislead?

Is it said that the Senate Committee on Public Works has done a useless and a senseless thing in including in the report the statement that the bill is recommended in reliance on those solemn declarations and commitments?

Mr. President, those who would so describe the situation can neither be serious nor of a mind that Senators who read this RECORD and listen to this debate will not believe what we say and what the Department of Health, Education, and Welfare has said and what the Sanitary District of Chicago has said and what the Senate Committee on Public Works has said.

So the matter is just that simple. We are in the closing days of this Congress. But this question is not a new one. The Senate has passed this bill twice before. This matter has been debated almost as much as has the wearing apparel of certain members of the executive branch of the Government. [Laughter.] The provisions and matters affected by the bill are well known.

No one is trying to slip up on someone's blind side—although, after listening to the debate, I am not sure but that one is available if it were sought. [Laughter.]

We seek only the acquiescence and approval by the Senate of a bill which has been passed by the House of Representatives, has been reported, without amendment, by the Senate committee to the Senate, and whose only chance of becoming law depends upon having the Senate pass the bill without amendment.

Mr. PROXMIRE obtained the floor.

Mr. McNAMARA. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I ask unanimous consent, Mr. President, that I may yield to the Senator from Michigan, with the understanding that I shall not thereby lose the floor.

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Without objection, it is so ordered.

Mr. PROXMIRE. Very well; I yield.

Mr. McNAMARA. Regardless of the statements about letters or communications from various authorities, I wish to call attention to the fact that the language on which the Senate is asked to pass at this time—as is clearly apparent from reading line 9, on page 2—makes no reference whatever to 1 year; the reference is only to a 3-year period.

I repeat that it is unfortunate that we do not have time to change the proposed legislation, so as to bring it into line with the statements which have been made.

If this matter is to be continued before the courts of the land—and I assume that it is, for at the present time it is in the Supreme Court—the Supreme Court will be more concerned, I am sure, although I am not an attorney, and am not familiar with the law; I speak only as a layman—with legislation passed by the Senate than with any communications or letters from any drainage district or any other governmental agency.

The pending bill is what the Senate is asked to pass upon. The pending bill does not provide for 1 year; it definitely provides for 3 years. It is now too late to amend the bill. I have stated the situation which now confronts us. I have stated that the pending amendment would change the language of the bill, so as to bring it into conformity with the request of everyone concerned—namely, for a period of 1 year.

Therefore, Mr. President, the amendment should be adopted by the Senate.

Mr. DIRKSEN. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the junior Senator from Illinois, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. PROXMIRE. Very well; I yield.

Mr. DIRKSEN. I wish to respond to the Senator from Michigan. If the bill is returned to the House, obviously the bill will be lost, and no action will be taken on it at this session.

In my judgment, this is an imperative situation, which has been in existence for nearly 70 years. It involves the health of hundreds of thousands of people.

If anyone will take the trouble to examine the report, he will find that the Sanitary District has already formalized what it is willing to do; and it is so recited in the report, over the signature of the president, in a formal resolution.

In addition, not even one pint of water could be taken out of the lake, except under the jurisdiction and control of the Corps of Army Engineers.

Finally, they have agreed with the Department of Health, Education, and Welfare to accept the proposal which was made by that agency.

I do not know what more would be wanted under the circumstances, because that makes the whole case clear, in that it shows that, although this program is one for 3 years, there are to be 18 months of study, then a year of diversion, and then 6 months of study and recommendations. So that arrangement cuts down by two-thirds the original request which was before the 84th Congress, and also was before the 83d Congress.

I do not know what else they can do.

Inasmuch as this matter involves the health of a great many persons, I believe it merits the consideration of the Senate.

In the committee, I pointed out that, in the current year, the United States is spending $29 million on the control of malaria in all corners of the earth. Last year, the expenditure was $28 million. Is it wrong for us to request this for our own people, when only a moderate amount of money will be lost, in terms of possible power losses?

I do not think this is too much to ask.

We have dealt with the peoples of other areas of the world who have been beset with tropical diseases and all other manner of diseases. But when we make a reasonable request here, we are met with what looks like a filibuster.

But, Mr. President, I submit this is an imperative matter, which involves the health of people.

Mr. AIKEN. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I shall yield in a moment.

First, Mr. President, I should like to state that if this is a filibuster, it has been conducted by the proponents of the bill, for I would estimate that the proponents of the bill, those who want the bill passed by the Senate, have used approximately 90 percent of the time in which the bill has been debated. The opponents of the bill have yet to obtain the floor.

I wish to make a few references—which may take a few minutes—to the treaty and to other matters.

But certainly it is not proper for any Senator to say that those of us on this side are filibustering.

In a moment, I shall be glad to yield to my friend, the Senator from Vermont [Mr. AIKEN].

Therefore, Mr. President, I ask unanimous consent that I may yield 3 minutes to the Senator from Vermont, without thereby losing my right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object, let me inquire whether the Senator from Wisconsin will include in his request an allowance for me.

Mr. PROXMIRE. Mr. President, I shall be delighted to yield to the Senator from New York for 4 minutes, because I know he has an important statement to make on the bill, and has been looking forward all evening to making the statement. Therefore, I amend my request accordingly.

The PRESIDING OFFICER. Is there objection to the amended request of the junior Senator from Wisconsin? The Chair hears none; and it is so ordered.

Mr. AIKEN. Mr. President, since the statement has been made, here on the floor, that the Senator from Vermont and other Senators have not read the treaty between the United States and Canada, I wish to state that I have read it, not once, but many times. In fact, I read that treaty every time the proponents of this legislation undertake to preempt from the Great Lakes and from the St. Lawrence River waters that do not belong to them.

When the Senator from Oklahoma rose to speak, I did not know but that he might have some facts in his possession with which I was not familiar. However, when he stated that the Dodgers moved from Brooklyn to Milwaukee, I knew we were definitely safe from any barrage of facts.

The PRESIDING OFFICER. The Senator from New York is yielded the floor for 4 minutes.

Mr. JAVITS. Mr. President, the interests of the State of New York in this controversy are of very long standing. I had the honor of submitting a statement on the subject before the distinguished chairman of the subcommittee, the Senator from Oklahoma [Mr. KERR], not so very long ago, and also dealt with the matter when I was attorney general of New York, because New York is one of the parties to the litigation in the United States Supreme Court.

The State of New York has just invested considerable of its interest in power production on the St. Lawrence and at Niagara and there is a very deep feeling in the State on this question. The Power Commission of the State of New York feels strongly and has represented in its memorandums before the subcommittee that this diversion will have a material effect on the power production of New York. Here I am in an area which is uniquely the area of my colleague from Oklahoma, and I must report what our people report to me in the most authoritative way.

This is a matter which I must, in all honesty to my State, represent to the Senate. The power commission is in opposition, and the Governor and the whole governmental organization of our State is in opposition.

There has been a long-standing policy in opposition to this diversion by the State of New York. I am familiar with the Supreme Court proceedings, and I feel perhaps some little contribution to the resolution of this matter may be made by reference to those proceedings.

There has been a very long history of those proceedings, and on previous occasions, the Court, when appealed to, has made accommodation for the peculiar and special problems of the city of Chicago.

Stripped of all of the very colorful discussion which has been going on in the Senate for some time, it seems to me if there is a forum for relief, that would be a very, very important argument against the kind of relief which is sought in this bill.

I respectfully submit that the Supreme Court, and the decree, which has been modified from time to time, offers a forum for relief in which there can be a trial of the issues, as there has been before.

It has one other advantage. Let us assume the issues were actually tried before the subcommittee, and then went to the full Committee on Public Works, which brought in a report. Congress is in no position to continue to keep pace with the facts. A court is. So the use of court machinery for the very same purpose which is sought to be served in this legislation seems to me to be much more opposite to justice in the case for all parties concerned, the Great Lakes States, as well as the city of Chicago.

Mr. President, I would be less than frank if I did not say a great city like Chicago has our sympathy, because we have enormous problems in the city of New York, and the city of Buffalo, too. That is why I emphasize there is a way out, and the Supreme Court decree has been used before, and continues to present the right way out.

This bill again brings before the Congress a problem which it has considered before on a number of occasions and on which it has twice passed legislation subsequently vetoed by the President.

The bill also brings before the Congress a matter which has been before the Supreme Court for more than 25 years. The Court has issued a number of decrees balancing the interests of the many States involved and, as to which the Court retains jurisdiction to act further when such additional action would be required.

The Chicago Sanitary District, after submitting itself to the Court for decisions on this issue and accepting the decisions of the Court when they were favorable, has now again come to Congress for relief which the Court would not grant after considering the interests of all the parties. I seriously question such an approach, particularly in a field covered by such old, established, and basic common-law rules of property as exist in the field of riparian rights.

The long history of conflict with respect to the diversion of water at Chicago should make it clear to all that it cannot be settled by forcing upon the States on one side the solution framed and desired by the parties on the other.

I believe that the present relationships among the interested States established under the decrees of the Supreme Court offer the most equitable balance of interests which can now be achieved. These decrees do not grant to the parties on either side everything they want, but have balanced the legal rights of the Great Lakes States with the admittedly serious sanitary problems of Chicago. Under the present situation the Court could accomplish everything provided for under this bill, including the additional diversion for the purposes of study, should it be demonstrated to the Court that such additional study is really required. I am also convinced that the Department of the Army and the Department of Health, Education, and Welfare could participate in such a study without additional legislation if diversion for study purposes is permitted by the Supreme Court.

If the State of Illinois desires to submit the equity of the city of Chicago in a sympathetic way to the other States, it might invite the other Great Lakes States to convene a little summit conference of governors in order to lay these equities before them and the people of their States.

It is suggested in the committee report on this bill that the Chicago district wishes to divert the additional water for only 1 year during the 3-year period provided for by the bill, and that the tests which would be undertaken offer a new contribution to the problem. This suggestion could well be made to the governors of the other States at a conference of the type I suggest, in order to elicit their reactions to the proposal. Our governors have never been unwilling to discuss the problems of a neighboring State; they are, however, duty bound to protect the property rights and the investments of their States and their citizens.

I believe that to leave this matter with the Supreme Court to examine the equity of the claims of the Chicago Sanitary District would be the best approach for Chicago and for the State governments which have vital interests of power, navigation, and riparian rights involved in this problem. In any case, the Chicago district and Illinois can continue to lay their arguments and equities before the people of their neighboring States in the traditional American way to solve difficulties between the people of different States.

In short, the Supreme Court decree is a safety valve, a way in which justice can be done juridically. I believe the presentation of the equities of the case to the other States also is another avenue which can be used by the Chicago Sanitary District.

We in New York State believe that is the right approach. For those reasons, the State as a whole—I say "we" advisedly, not just myself—have taken a position against the bill.

SENATOR JOHNSON OF TEXAS, MAJORITY LEADER

Mr. FULBRIGHT. Mr. President, will the Senator yield for an insertion?

Mr. PROXMIRE. I yield, provided I do not lose the floor.

Mr. FULBRIGHT. Mr. President, all of us in this Chamber who observe the distinguished Senator from Texas day after day know what a great leader he is. However, it is gratifying, it is encouraging, to find that other discriminating observers also recognize the real merits of our majority leader.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article from the Sunday Times of London.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES DEMOCRATS' POLICY PAYS—SUCCESS BY MODERATION

(By Henry Brandon, representative of the Sunday Times)

WASHINGTON.—The most curious aspect of the session of Congress which is about to end is that while President Eisenhower secured the passage of most of the legislation he asked for, it is the leader of the Democratic majority in the Senate, Senator LYNDON JOHNSON of Texas, who gets most credit for it.

This is not unreasonable. Mr. Eisenhower certainly has gained prestige from his program, his intervention in Lebanon and his address to the United Nations General Assembly, but it is Senator JOHNSON who has emerged as a most astute and powerful politician, not only in the Democratic Party, but in Washington generally.

He has not a creative mind but he is undoubtedly the cleverest parliamentarian in Congress today. He is something of a statesman in his own right and would like to be a kingmaker for the 1960 Presidential elections.

STRUGGLE AVOIDED

Last autumn, everybody expected a bitter struggle between the President and a Congress dominated by the opposition party. But Mr. JOHNSON decided against it. He thought it was better for the inner unity of the Democratic Party and for its standing in the country to exude moderation.

Congress gave the President a 4-year extension of the Reciprocal Trade Act, reorganization of the Defense Department, and extension of unemployment compensation. It agreed to Alaska becoming a State and to sharing atomic secrets with Britain. The Senate saved the foreign-aid bill from being seriously crippled.

Some appropriation requests were even increased above the President's requests. And there was complete cooperation between Democrats and Republicans in staving off a tax cut, which has proved to be sound politics.

WORRIED ABOUT UNITY

Why was Senator JOHNSON so eager to build a record of moderation instead of exposing the President's political weakness? One reason was that he is profoundly worried about the future of the unity of the Democratic Party and wanted to place himself at its helm as a great moderator.

The expectation is that the Democrats will make substantial gains in the autumn elections and that this new blood will be of strong liberal vintage. He is afraid that these liberals will force southerners on to the defensive, especially on the civil-rights issue, or try to dispense with them altogether as Mr. Truman almost did in 1948.

Mr. JOHNSON, in this session, tried to prove that the Democrats can have a united stand as long as it is moderate and that it could, nevertheless, have a great attraction for voters. He is out to disprove that southerners, as northern liberals say, are ballast to the party and that it can regain leadership only if it can make sure of the Negro and labor vote.

The Republicans will have little ammunition for the autumn election campaign. They are bitter and scared now that authoritative word has been passed out from the White House that the President will keep Mr. Sherman Adams at his side.

They are worried that even foreign affairs may turn against them, though the beginning of the withdrawal of marines from Lebanon and Mr. Eisenhower's well-received speech before the United Nations may offset the feeling that the administration has bungled in the Middle East.

What the Republicans are hoping for is that the public continues to be indifferent, that it has not formed any real convictions and that, therefore, Democratic achievements will not weigh so heavily. Senator JOHNSON, on the other hand, has assumed that Mr. Eisenhower's influence and popularity has largely withered away, that it was not so important to fight him destructively as to establish a constructive record for the Democratic Party.

MUTUAL SECURITY

Mr. O'MAHONEY. Will the Senator yield for two insertions?

Mr. PROXMIRE. I yield, provided I do not lose the floor.

Mr. O'MAHONEY. Mr. President, because of a House-Senate conference today, I was unable to speak upon the Mutual Security Appropriation bill. I therefore ask unanimous consent that my statement may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE UNITED STATES IS LIVING BEYOND ITS MEANS AND CANNOT SUCCESSFULLY SUPPORT THE WORLD ON DEFICIT SPENDING

The United States is living beyond its means. This solemn fact should be printed in red letters on the front page of every newspaper in the country. It should be broadcast every hour, on the hour, from every radio and television station in America.

For, if Congress allows these extraordinary expenditures to continue, the country will not only be unable to support the world, it may be unable to support itself.

DEBT LIMIT INCREASED TWICE THIS YEAR

I say the Nation is living beyond its means and I make this statement not as a critic of the administration but as a Senator of

the United States who has read the testimony of the Secretary of the Treasury, Robert B. Anderson, before the Finance Committee on August 15 last. Twice within this year Secretary Anderson acknowledged that he has appeared before the committees of Congress to ask for an increase of the statutory limit on the public debt. These are his words: "I appeared before this committee last January to urge the enactment of a bill to provide a temporary increase of $5 billion in the statutory limit on the public debt. The bill was enacted and approved on February 26, 1958, and provides a temporary increase from $275 billion to $280 billion until June 30, 1959."

Last night this Senate, in response to the President's second request on July 28, passed the bill increasing the permanent (not the temporary) debt limit to $283 billion, so that the overall debt limit, now that this bill has been agreed to by the House, will be $288 billion.

Although $5 billion of this will be temporary through June 30, 1959, nevertheless at this moment the new debt limit for this fiscal year is fixed at the figure requested by the President, namely $288 billion. Twice in 1 year, because we have been spending more money than we can raise by taxation, we have authorized the Treasury Department to borrow $10 billion more than the $275 billion ceiling of last January. Thus it is clear that we are living beyond our means.

Secretary Anderson has explained the reason so that nobody need be in doubt. He told the Finance Committee a week ago yesterday that the Treasury could "no longer operate with a $5 billion temporary extension of the $275 billion limit because we cannot look forward to a debt of $275 billion or less on June 30, 1959. The estimated deficit will result in the public debt outstanding on June 30, 1959, of nearly $285 billion."

CUT IN MUTUAL-SECURITY FUNDS COULD REDUCE DEFICIT

The mutual-security program offers an opportunity for economy by which this deficit can be at least partially reduced. Condemned as it is by the General Accounting Office as wasteful and ineffective in many of its aspects, Congress must think twice, indeed should think a dozen times, before further risking the substance of this country in programs, particularly of military expenditure, in foreign countries over which Congress can and does exercise little, if any, control. If we would lead the world to freedom it must be by husbanding our own resources instead of wasting them in enterprises we cannot supervise. The appropriations in the mutual-security program are made to the President in name, but the expenditure of these moneys is made by subordinate employees here and abroad whose activities are actually beyond our control.

OUR INCOME LAGS BEHIND EXPENDITURES

Secretary Anderson made it clear that ever since 1954 public-debt obligations were being issued by the Treasury Department "in excess of the permanent debt limit." The Department was hoping that the excess expenditures could be repaid from tax collections prior to the expiration of the temporary debt limit, Secretary Anderson said, but then added "in the situation we now face that is not the case." In other words, it is the testimony of Secretary of the Treasury Anderson to the committee, to the Congress, and to the country that tax collections now foreseeable are not enough to pay the expenditures we are currently making.

ANOTHER DEBT LIMIT INCREASE LOOMS

The country doesn't know it, but Secretary Anderson knows it, and he told the Finance Committee on August 15 that "we should bear in mind that at current rates of expenditure the Treasury is spending approximately $1,500,000,000 on every 5 working days." Then he added, "With increased expenditures contemplated for next year these expenditures would increase. It would appear that the only sound course at the present time is to permanently increase the statutory limit to $285 billion." Then he added that a further increase of $3 billion was desirable to provide a margin for contingencies.

CONTINGENCIES ARE PROVIDED FOR IN FOREIGN SPENDING

Let it be remembered that in the mutual security bill before us there is a contingency fund for expenditure by the President of $155 million, whereas there was no such appropriation in the mutual security appropriation bill for 1958. The only explanation of this contingency fund for mutual security contained in the President's request or the report of the committee is that it is intended to meet situations "which can be foreseen but without certainty as to the amount which may be necessary," as well as to contingencies which cannot be foreseen.

The contingencies which face the Treasury are more important to the people of America and to the people of the world than the contingencies for which provision is made in the mutual security bill. This I say, because it must be apparent to anybody who is willing to look at the facts, that the decline in our revenues is actually a threat to our survival.

REVENUE IS DROPPING

Don't take it from me. Take it from Secretary Anderson. This is what he told the Finance Committee: "Now the deficit which has occurred at the end of this fiscal year is essentially brought about by a decline in revenues.

"In January we estimated there would be $72.4 billion of revenue. The revenues which have been collected thus far are $69.1 billion. • • • Now the deficit which is anticipated for fiscal 1959 is represented generally by a decline of $7 billion in estimated revenue receipts, and about $5 billion in increased expenditures over the budget estimates." All this was apparent last fall when the recession began. Profits were declining. The economic situation was worsening and yet, when the President's budget was submitted in January, despite all the warnings, an increase in revenues was predicted. Secretary Anderson has acknowledged that an increase of $3 billion in tax receipts, as compared to the previous year, was predicted. And so the deficit of not less than $2.8 billion was apparent at the end of fiscal 1958, and a deficit of $12 billion is now predicted for the end of 1959.

WE PAY FOR FOREIGN AID WITH DEFICIT SPENDING

In the light of this huge deficit predicted by the Secretary of the Treasury, we are asked to support a mutual security bill which increases the appropriation for fiscal 1959 by more than $749 million over the appropriation for fiscal 1958. Does anybody doubt that deficit spending is inflationary? Secretary Anderson acknowledges that it is. This is what he told the Finance Committee a week ago yesterday. "A deficit is certainly on the inflationary side, and a continuation of deficits would be more inflationary than a single deficit."

With clear insight into the gravity of the fiscal situation in which we find ourselves, Secretary Anderson then said: "I think what this country has got to realize is that it must pay its bills, and that whatever is required we must not allow either inflation or deflation in this country to run a ruinous course."

OUR EXPENSES CLIMB

Does anybody doubt that the effects of inflation are with us? Yesterday the Bureau of Labor Statistics in the United States Department of Labor, under Secretary Mitchell, issued a statement on the Consumer Price Index for July 1958. That's last month. "Consumer prices," it said, "in United States cities, increased 0.2 percent by the end of July 1958." This included higher prices for transportation, food, and medical care. This is acknowledged by the Department of Labor to be an increase of 2.6 percent above that of July last year. It is 23.9 percent above the average for the years 1947–49.

DEFENSE SUPPORT INCREASES

It is clear, therefore, that as we deal with this mutual security appropriation; namely, a total of $3,518,092,500 as reported by the committee, we are dealing with an increased expenditure of almost three-fourths of a billion dollars, and an examination of the details of this expenditure reveals extraordinary and appalling facts. For example, we are asked to appropriate $790 million for defense support. Although this is $45 million under the estimates submitted by the President, it is $65 million above the appropriations for 1958 and is $90 million above the House appropriation. The money will be expended in 12 different countries: Spain, Greece, Iran, Turkey, Pakistan, Cambodia, Korea, Laos, Philippines, Taiwan, Thailand, and Vietnam. The amounts which these countries will receive individually, however, is classified. The people of the United States are denied knowledge of where, when or how the money from an empty treasury will be expended for defense support abroad.

The last appropriation bill for mutual security provided $300 million for the Development Loan Fund. The President asked for $625 million, more than twice what was used a year ago. The House recommended $300 million. The Senate committee has increased this by $280 million.

WE GUARANTEE INVESTMENTS ABROAD

In appraising this appropriation we must take into consideration the fact that under the terms of the mutual assistance program this country, with its deficit of $2.8 billion for fiscal 1958 and its estimated deficit of $12 billion for fiscal 1959, will be guaranteeing to United States investors abroad that the currency they receive in foreign countries can be converted into dollars. More than that, the program is to guarantee that the United States will compensate these investors against any losses due to expropriation, and finally against losses due to war damage. As of September 30 last the total guaranties outstanding amounted to more than $176 million.

CONGRESS IS BYPASSED IN LOAN PROGRAM

Let us not forget that the United States is living beyond its means. We have that on the word of the Secretary of the Treasury. How then can we undertake to extend these guaranties for payment in dollars for a program which Secretary Dulles himself testified would involve a great risk? His statement will be found on page 5 of the Foreign Relations Committee hearings of May 22, 1957, when Secretary Dulles explained the development loan program. He not only acknowledged that the Fund involves a great risk, but he said that the proposal to provide an initial appropriation and borrowing was a "new approach" which "we contemplate requires that we get away from annual authorizations or appropriations." Here is a plain assertion by the Secretary of State that he wants to be bothered no longer with securing authorizations or annual appropriations from the Congress of the United States which, under the Constitution, is the custodian of the funds belonging to the people. Mr. Dulles would like to spend these funds in lump sums without detailed explanation. As a matter of fact, when the mutual security law was passed a year ago, it was clearly provided that the report of the manager of the fund should be made only after the consummation of a transaction and not before the financing operation was undertaken.

SUCH SPENDING RESULTS IN INFLATION

Appropriating money to be expended in such a manner is only an invitation to continued inflation. It is easy to report from the testimony of the Department of Defense that the cost of building and operating the weapons of defense is constantly increasing. Only last March Assistant Secretary of Defense W. J. McNeil, addressing various business groups, described the expensive impact of technological progress on the defense budget. For example, he said: "With one or two exceptions there is hardly a production model aircraft on the Air Force's 1959 procurement list that was included in the 1955 program. All the fighters and bombers proposed for 1959 procurement will be capable of supersonic speeds and the employment of guided missiles and nuclear weapons. Of the $1.5 billion of aircraft, engines, and aeronautical equipment the Navy expects to buy in 1959, about 80 percent will go for models which were not being bought in production quantities only 3 years ago. In 1959 over 40 percent of the Army procurement will be for missiles and related equipment, compared with approximately 10 percent in 1955."

PACKERS AND STOCKYARDS ACT

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that a statement I had prepared with respect to the Packers and Stockyards Act, as amended by H. R. 9020, may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR JOSEPH C. O'MAHONEY

PACKERS AND STOCKYARDS ACT, AS AMENDED BY H. R. 9020, IS AN IMPROVEMENT OVER PRESENT LAW

Yesterday, on my motion, the Senate considered and passed the bill H. R. 9020, which amended the Packers and Stockyards Act and the Federal Trade Commission Act. Time did not permit an extended debate on the important issues raised in this bill. However, I could not permit the 85th Congress to come to a close without making a more detailed explanation of the reasons which impelled us to adopt the meatpacking bill passed by the House on August 12, 1958.

HELD HEARINGS ON REASONS FOR PRODUCERS' SHRINKING SHARE OF CONSUMER DOLLAR

This legislation is the culmination of hearings which I began in May 1956 when I was acting chairman of the Antitrust and Monopoly Subcommittee. At that time, the precarious economic condition of farmers and livestock producers made it abundantly clear that effective legislation was needed to curb practices which reduced their share of the national income. Farm income in the United States had been declining. During the period 1947 to 1956 farmers' cash receipts from the sale of livestock and livestock products declined from $16.5 billion to $16.3 billion. In this same period farm animal slaughter increased significantly. While prices received by the livestock producer declined 29 percent from 1947 to 1956, the retail cost of meat and meat products to the consumer declined only 5 percent. It was apparent that the spread between the price received by the producer and the price received by the retailer had widened, with the processer receiving the benefits of lower livestock prices. The hearings which we conducted at that time to discover the reasons farmers and livestock producers were receiving an increasingly smaller share of the consumer dollar immediately disclosed the basic inadequacies of the Packers and Stockyards Act and the complete failure of the Department of Agriculture to enforce this act in such a way as to produce the maximum benefits to livestock producers, meatpackers and the consuming public.

SENATE BILLS INTRODUCED TO STRENGTHEN PACKERS ACT

We quickly discovered that the large national food chains had found loopholes in the Packers and Stockyards Act whereby they were able, through various devices, to qualify as meatpackers and, thus, completely escape from the supervisory authority of the Federal Trade Commission. Senator WATKINS and I introduced separate bills in the 84th Congress, designed to plug this loophole in the law and to transfer jurisdiction over meatpackers from the Department of Agriculture to the Federal Trade Commission.

In the 85th Congress, Senator WATKINS and I joined in sponsoring the bill S. 1356, which, after long hearings and considerable study, and after some modification by the Committee on Agriculture, was ultimately adopted by this body on May 15 of this year. From its inception, the bill has received the active and enthusiastic support of certain small independent meatpacking companies who were suffering from the monopolistic practices of their large meatpacking competitors. Substantial groups representing livestock producers came forward in support of the bill. The National Wool Growers Association, the National Milk Producers Association, and the National Farmers Union, which speak for producers in many States, were vocal in their support. A substantial number of State organizations rallied behind the bill, including the Wyoming Stock Growers Association, the Utah and Idaho Wool Growers Associations, and the Utah Cattlemen's Association. Similar strong support was voiced by important segments of the food industry, including wholesale grocers, milk producers, food brokers, independent businessmen, consumer, supply, and service cooperatives, candy wholesalers, dry goods distributors, and the fishing industry.

HOUSE BILL ACCEPTED BY SENATE

In my opinion, S. 1356 represented the best solution possible to the difficult problem of properly dividing jurisdiction over meatpacking activities between the Department of Agriculture and the Federal Trade Commission. However, the Committee on Agriculture in the House of Representatives reported out the bill H. R. 9020, subsequently passed by the House, which retained in the Department of Agriculture more jurisdiction over meatpackers than the bill adopted by the Senate. I have consistently expressed my preference for the meatpacking bill which was approved by the Senate. However, in the closing days of the Congress, it became apparent that because of the press of time it would not be possible to obtain a conference between the two Houses in an effort to obtain legislation similar to that endorsed by the Senate. Under the circumstances, I felt that we could not afford to lose the benefits of all our efforts in the past 2½ years by permitting the Congress to adjourn without obtaining some legislation in this vital area. Accordingly, I discussed this measure with the other sponsors and supporters of the bill in the Senate, and with the leaders on both sides of the aisle, and we concluded that we should ask the Senate to give favorable consideration to H. R. 9020.

BILL PLUGS TWO GAPING LOOPHOLES

It has long been my experience in the legislative field that we make progress one step at a time. While I am certainly not in complete sympathy with the House bill, I recognize full well that it accomplishes many of the important objectives we sought to achieve when we first began our study of this problem. I feel it is a long step forward in the direction of more effective antitrust enforcement. The bill completely closes the loophole in the Packers and Stockyards Act whereby large national food chains have successfully escaped Federal Trade Commission surveillance. This feature of the bill in itself is sufficient to justify its passage by the Congress at this time. With all the principal national food chains now qualifying as packers, and others rapidly gathering themselves under the protective umbrella of the Packers and Stockyards Act, the position of the independent retail and wholesale grocer throughout the United States was becoming increasingly perilous. The anguished cries of these independent businessmen asking the Congress to subject their bigger national competitors to uniform standards of trade practices oblige the Congress to act now.

The great number of groups and organizations who have worked so diligently with the Senate committees in their efforts to enact needed legislation can take much comfort in realizing that their efforts have not been in vain and that legislation has been adopted which rectifies many of the grave situations about which they complained. Since the enactment of the Packers and Stockyards Act of 1921, all activities of the meat packers, no matter how remote from their meatpacking activities, were under the exclusive jurisdiction of the Department of Agriculture. H. R. 9020 carefully limits jurisdiction of the Secretary of Agriculture over the activities of meat packers insofar as it relates to livestock, meats, meat food products, livestock products in unmanufactured form, poultry or poultry products. The bill restores complete jurisdiction to the Federal Trade Commission to regulate the nonmeat activities of the large meat packers, such as the production and sale of pharmaceuticals, sporting goods, leather in various forms, and such unrelated items as salt, fertilizers, and ice cream confections.

The hearings conducted by the Senate Antitrust and Monopoly Subcommittee laid bare the glaring inadequacies of the Packers and Stockyards Act and the failure of the Secretary of Agriculture to enforce the act against meatpackers. Because of the threat by this subcommittee of more stringent regulation, the large meatpackers through the American Meat Institute, were forced to recommend changes in the existing law, and accordingly they agreed to the proposal permitting the Federal Trade Commission to have jurisdiction over their nonmeat activities.

The bill corrects another grievous defect in the law which permitted manufacturers of oleomargarine to avoid Federal Trade Commission jurisdiction under the Oleomargarine Act. H. R. 9020 restores jurisdiction to the Federal Trade Commission over transactions in oleomargarine. In addition, the bill makes clear that retail sales of meat, meat-food products, livestock products in unmanufactured form, and poultry products remain within the jurisdiction of the Federal Trade Commission.

"HOT PURSUIT" PROVISION INCLUDED

The Department of Agriculture in testimony before the Antitrust and Monopoly Subcommittee conceded that it had been lax in enforcing the unfair-trade practice provisions of the Packers and Stockyards Act against meatpackers. The Department has now given its support to the so-called hot-pursuit provision contained in H. R. 9020, which permits the Federal Trade Commission, for the purpose of perfecting its jurisdiction at the retail level, to pursue its investigation against meatpackers back to the wholesale level, provided the Agriculture Department does not have pending an investigation of, or a proceeding for, the prevention of a violation of the Packers and Stockyards Act involving the same subject matter. Conversely, H. R. 9020 permits the Department of Agriculture to proceed in a similar manner against meatpackers down to the retail level if necessary to perfect its jurisdiction over wholesale transactions. In order to determine whether the enforcement activities of either agency are being frustrated by the other, the bill provides that both the Secretary of Agriculture and the Federal Trade Commission shall include in their respective annual reports information with respect to their administration of the hot-pursuit provisions.

PROCEDURE IS EXPERIMENT

It is apparent that this procedure has certain definite weaknesses. Nevertheless, support of this provision is an acknowledgement by the Department of Agriculture that there is an area in the meatpacking field where there is need for antitrust enforcement by the Federal Trade Commission. In approving this procedure we recognized that this was an experiment, the success of which could be determined only after a trial and error period. Senator DIRKSEN stated on the floor yesterday that after the bill is passed, if any weaknesses develop, or if under the provisions of the bill a satisfactory job is not done, he will join with me next year in proposing improvements in the program.

AGRICULTURE DEPARTMENT TO HAVE ENFORCEMENT UNIT

In an effort to ensure effective enforcement of the new law, the bill provides that the Secretary of Agriculture shall maintain within the Department of Agriculture a separate enforcement unit to administer and enforce title II of this act. Small independent meatpackers can take much comfort from the fact that their testimony concerning the failure of Agriculture to police the activities of the large meatpackers has resulted in legislation which requires the Department of Agriculture to set up a separate enforcement unit for the enforcement of title II of the Packers and Stockyards Act.

AUTHORITY OF AGRICULTURE SECRETARY BROADENED

Furthermore, section 2 of the act, which has had active support in both the Senate and House committees, strengthens the authority of the Secretary of Agriculture over stockyards under title III of the Packers and Stockyards Act by permitting him to control livestock transactions at auction yards and county buying points and by removing from the definition of stockyards the 20,000 square feet requirement. In this and other ways the Secretary of Agriculture is authorized to correct practices involving livestock transactions which now are escaping regulation.

By the passage of this act we have given the Department of Agriculture all the tools which it has requested and which it has felt necessary in order to police effectively the unfair trade practices of the large national meatpackers. With the cooperation of the Department of Agriculture the Federal Trade Commission too will have an area of responsibility for dealing with meatpacker problems. The Congress will maintain a careful scrutiny to determine whether the Agriculture Department has fulfilled its trust. The Antitrust and Monopoly Subcommittee will continue its vigilant examination of meatpacking activities to ensure that large meatpackers comply with the same standards of trade practice required of all other industries.

REVIEW OF THE 85TH CONGRESS BY SENATOR THYE

Mr. THYE. Mr. President, as the time for the adjournment of the 85th Congress draws near, I think we should take a look at our work to compare it with past performances and to have it serve as a guide for the future. In my estimation, this Congress has accomplished as much during the past 7 months as any session I can remember. It has been a constructive Congress. The record of its achievement will stand high for years to come.

The Senate has been very fortunate in having majority and minority leaders of extreme ability and distinction—Senator LYNDON B. JOHNSON and Senator WILLIAM F. KNOWLAND. Senator JOHNSON has demonstrated a fine spirit of cooperation. He is a reasonable man. His course has been set by the principle of what is best for the country and not what is best for any one group or faction. He has been a great coordinator, showing a rare ability to bring together diverse interests and working out acceptable and positive agreements. In all my experience and contact with this great Texan, I have never felt that he had anything but the best interests of the Nation at heart.

Senator KNOWLAND has never failed to stand up for the little man—the small-business man or the man who represents a minority interest or a little-recognized group. KNOWLAND has a vast comprehension of the legislative process. His knowledge is awe-inspiring, and he has worked honestly and four-square for our country. I sincerely believe that Senator KNOWLAND is one of the most dedicated men in the Senate today, a man who has brought honor and stature to a great State. The Senate will suffer a great loss when Senator KNOWLAND retires.

Both of these men represent the very finest in positive, brilliant leadership. It has been an honor to serve in the Senate if only because of the opportunity to associate and learn from these men.

I pay tribute to all members of the staff on the Senate floor, including the pages, and also the members of the staffs of the many committees who serve the Senate.

I would, of course, like to go on and commend each Senator who has been a part of the 85th Congress, but my purpose is merely to point to the highlights of this session in very short form. These include the admission of the Territory of Alaska as our 49th State, the creation of a new Space Agency, the creation of a Federal Aviation Agency to coordinate all air flight activities in the interest of air safety, the extension of the Reciprocal Trade Agreements Act, the reorganization of the Defense Department, and the strengthening of mutual security.

A few of the other key legislative achievements include the increase of social-security benefits, tax relief for small business, salary increases for postal and classified Government employees and many other constructive and worthwhile laws.

Legislation has been passed embodying the provisions of bills I introduced to continue the operations of Public Law 480, the extension of the school milk program, equity financing for small-business concerns, tax relief for small business, continuation of the brucellosis-control program, to provide citizenship for alien orphans adopted by missionaries, to provide for expanded research into the industrial uses of agricultural products, to facilitate prosecution of those who use the United States mails for distribution of obscene literature, to pay unemployment compensation to discharged servicemen.

I am particularly appreciative of the action taken to make the Small Business Administration a permanent agency. I was the author of legislation which established this agency in 1953, and I have continued since that time to urge that the agency be made permanent.

Of particular interest to the State of Minnesota is the passage of my proposal to transfer certain Federal drainage lands to the State. Toward the end of this session we enacted a companion bill to my proposal to establish a Grand Portage National Monument in Minnesota, and Congress has consented to a compact between Minnesota and the province of Manitoba concerning an international highway to the Northwest Angle. During this session we have also provided funds for planning the Bethel Airbase at Bethel, Minn. Flood-control funds have been provided for projects at Mankato, St. Paul, and Lost River. Funds also have been provided for commencing work on the Minnesota River navigation project. Provision has also been made for the settlement of the so-called Lake of the Woods flood damage claims. The dollar limitation on the authority of the Secretary of the Navy to settle air-crash claims has been raised so that most claims arising out of last year's Memorial Day plane crash in Minneapolis can now be settled administratively.

There is so much more to say. Now we should let these achievements speak for themselves. We will let the record speak for itself. It is a good record. It has been a good Congress.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. PROXMIRE. Mr. President, the Senate of the United States and the almost full galleries have been regaled and entertained by a magnificent speech delivered by the Senator from Oklahoma.

Probably no one in America can give a more amusing speech than the great Senator from Oklahoma. However, I think any kind of analysis of the speech of the Senator from Oklahoma would make it necessary to classify the great speech as a diversion from the point. I think I can prove that statement.

I think I can prove that the bill under consideration is a bill which would do provable damage to the property of people who live in other States. The bill under consideration simply cannot be justified as a health measure, which is the only possible justification to be put forward for the bill.

Mr. President, before I discuss the merits of the bill I should like to point out the peculiar circumstances under which similar bills have always come before the Senate.

A bill similar to this was brought before the Senate in 1954. The date the bill was considered in 1954 was August 20. The bill was taken up by motion on adjournment night, about 30 minutes before adjournment. The bill was rushed through the Senate, and was passed by a voice vote. There was little opportunity for opponents to make a fight on the bill, because of course the Senate was about to adjourn.

This kind of bill is not the earth-shaking kind we usually consider at adjournment. Therefore, the bill moved along rapidly and was passed.

The PRESIDING OFFICER. (Mr. PASTORE in the chair). The Senator will suspend. Will those who desire to engage in conversation retire to the cloakrooms? The Chair will insist that the speaker be heard. The Senate will be in order.

The Senator from Wisconsin has the floor and the Senator may proceed.

Mr. PROXMIRE. Mr. President, a similar bill was again taken up for consideration in 1956. Again there was a motion to consider the bill on the very last night of the session. That is quite a coincidence. At that time the opponents made a strong fight and did the best they could. Of course, the opponents were overwhelmed, because of the fact that the Senate was about to adjourn. The opponents did not have a chance to put into the RECORD a real case against the bill, which they could have put into the RECORD if there had been more time. The result was that the bill was passed, by a fairly close vote. There was no opportunity to discuss the bill in detail.

This bill, I will say, has implications which are very complicated. It requires an extended discussion before the provisions of the bill can be fully understood and before one can prove the fact that the bill would do discernible damage and provable damage. It takes time to establish clearly the fact that the bill cannot be justified, based upon the purpose argued by the proponents of the bill.

Mr. President, I should like to invite the attention of the Senate to another point. There were hearings on the bill in the Senate. There were extensive hearings, the transcript of which covers 768 transcribed pages. I hold a copy of the hearings in my hand. These hearings have not been printed, although galley sheets have been run and are available for a few Senators who are on the committee or who have a special interest and have asked for them.

Contrary to the procedure with respect to most bills which come before the Senate, there is no opportunity for Senators to have copies of the hearings placed conveniently before them on their desks so that they can study the hearings.

Mr. President, any Senator who studies these 768 pages of hearings, who reads the hearings carefully in an objective way, having no personal reason on the basis of the interest of his State to support the bill, will come to the conclusion, I am convinced, that the bill should be opposed and should be defeated.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Washington for 3 minutes without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1959

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to the amendments of the Senate to the independent offices appropriation bill.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 13856, which was read as follows:

In the HOUSE OF REPRESENTATIVES, U. S.
August 23, 1958.

Resolved, That the House agrees to the amendments of the Senate Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12 to the bill (H. R. 13856) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, and concur therein; and that the House agrees to the amendment of the Senate No. 8 to the bill, with the following amendments:

Strike out "$53,300,000" and insert in lieu thereof "$40,000,000."

Strike out "$8,000,000" and insert in lieu thereof "$6,000,000."

Strike out $25,000,000" and insert in lieu thereof "$19,000,000."

Strike out "$1,800,000" and insert in lieu thereof "$1,350,000."

Strike out "$5,000,000" and insert in lieu thereof "$3,750,000."

Strike out "$7,200,000" and insert in lieu lieu thereof "$5,400,000."

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendment No. 8.

I will state briefly that the House accepted the independent offices appropriation bill in toto, with the exception of the one item for the Department of Health, Education, and Welfare. The Senate put in an item of $53.3 million, and the House reduced it to $40 million, with appropriate reductions down the line on the grants for science and mathematics and other sections of the bill. That was the only change.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. JAVITS. Does the item cover an appropriation for the new defense education setup?

Mr. MAGNUSON. Yes.

Mr. JAVITS. What does the amendment do to the capability for operating under that provision?

Mr. MAGNUSON. The Senator from Alabama has informed me that probably this amount will be sufficient for operations until the Congress reconvenes in January. In January or February we will have the program well underway. This should be a sufficient amount.

We would have liked to provide a little more, but I think the House was quite generous. The House had no opportunity to consider this item. The House had to take our word for the matter.

Mr. JAVITS. The Senator from Alabama feels we can do the job until the Congress returns?

Mr. MAGNUSON. The Senator feels we can live with this amount.

Mr. JAVITS. The Senator feels we can live with this amount until Congress reconvenes?

Mr. MAGNUSON. Yes.

Mr. President, I ask unanimous consent to have printed in the RECORD a comparative statement of action taken on H. R. 11574 and H. R. 13856 with appropriations for 1958, and estimates and amounts recommended for 1959.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Comparative statement of action taken on H. R. 11574 and H. R. 13856 with appropriations for 1958, and estimates and amounts recommended for 1959

TITLE I

Item	Appropriations, 1958	Budget estimates, 1959 [1]	Recommended in H. R. 11574 for 1959 (vetoed)	Recommended in House and Senate bills for 1959 and finally approved H. R. 13856
INDEPENDENT OFFICES				
CIVIL SERVICE COMMISSION				
Salaries and expenses	$18,300,000	$18,420,000	$18,200,000	$18,200,000
Investigations of United States citizens for employment by international organizations	491,800	383,000	350,000	350,000
Payment to civil service retirement and disability fund			880,000,000	
Annuities, Panama Canal construction employees and Lighthouse Service widows	2,391,000	2,328,000	2,200,000	2,300,000
Administrative expenses, Federal employees life insurance fund	(123,800)	(123,800)	(123,800)	(123,800)
Total, Civil Service Commission	21,182,800	21,131,000	609,850,000	20,850,000

[1] Does not include supplemental amounts considered in the Supplemental Appropriation Act, 1959.

[2] Including $2,915,000 in S. Doc. 89 for consolidation of delegated functions.

Comparative statement of action taken on H. R. 11574 and H. R. 13856 with appropriations for 1958, and estimates and amounts recommended for 1959—Continued

TITLE I—Continued

Item	Appropriations, 1958	Budget estimates, 1959 [1]	Recommended in H. R. 11574 for 1959 (vetoed)	Recommended in House and Senate bills for 1959 and finally approved H. R. 13856
INDEPENDENT OFFICES—Continued				
FEDERAL CIVIL DEFENSE ADMINISTRATION				
Operations	$17,000,000	[2] $22,315,000	$18,500,000	$18,500,000
Emergency supplies and equipment	3,300,000	18,000,000	18,000,000	18,000,000
Research and development	2,000,000	4,400,000	2,000,000	2,000,000
Federal contributions	17,000,000			
Total, Federal Civil Defense Administration	39,300,000	44,715,000	38,500,000	38,500,000
FUNDS APPROPRIATED TO THE PRESIDENT				
Disaster relief	25,000,000			
FEDERAL COMMUNICATIONS COMMISSION				
Salaries and expenses	8,365,000	8,950,000	8,900,000	8,900,000
FEDERAL POWER COMMISSION				
Salaries and expenses	5,666,000	6,385,000	6,385,000	6,385,000
FEDERAL TRADE COMMISSION				
Salaries and expenses	5,950,000	6,025,000	5,975,000	5,975,000
GENERAL ACCOUNTING OFFICE				
Salaries and expenses	36,050,000	38,300,000	37,000,000	37,000,000
GENERAL SERVICES ADMINISTRATION				
Operating expenses, Public Buildings Service	132,689,000	138,500,000	136,539,000	136,539,000
Repair and improvement, federally owned buildings	65,000,000	50,000,000	75,000,000	75,000,000
Sites and expenses, public buildings projects	20,000,000	20,000,000	39,915,000	39,915,000
Construction, public buildings projects	2,125,000		152,810,000	152,810,000
Payments, public buildings purchase contracts	1,331,100	1,265,000	310,900	310,900
Construction, Federal office building numbered 6, Washington, D. C			14,000,000	14,000,000
Construction, United States Court of Claims and Federal office building, Washington, D. C		1,200,000	1,200,000	1,200,000
Construction, United States Mission Building, New York, N. Y		3,975,000	3,750,000	3,750,000
Hospital facilities in the District of Columbia	2,000,000			
Operating expenses, Federal Supply Service	[3] 3,360,000	[4] 3,615,000	[4] 3,400,000	[4] 3,400,000
Expenses, supply distribution	17,765,000	19,500,000	18,765,000	18,765,000
General supply fund	12,500,000	15,000,000	6,250,000	6,250,000
Operating expenses, National Archives and Records Service	7,293,000	7,850,000	7,443,000	7,443,000
Operating expenses, Transportation and Public Utilities Service	1,590,000	2,000,000	1,850,000	1,850,000
Strategic and critical materials		70,000,000	3,000,000	3,000,000
Salaries and expenses, Office of Administrator	260,000	200,000	200,000	300,000
Administrative operations fund (limitation)	(10,530,000)	(11,100,000)	(11,043,000)	(11,043,000)
Total, General Services Administration	265,913,100	332,905,000	464,492,900	464,592,900
HOUSING AND HOME FINANCE AGENCY				
Office of the Administrator:				
Salaries and expenses	7,380,000	8,850,000	8,000,000	8,000,000
Urban planning grants	1,275,000	3,500,000	3,250,000	3,250,000
Farm housing research	75,000			
Reserve of planned public works (payment to revolving fund)	5,000,000	8,500,000	7,000,000	7,000,000
Capital grants for slum clearance and urban renewal		50,000,000	50,000,000	50,000,000
Total, Office of the Administrator	13,730,000	70,850,000	68,250,000	68,250,000
Public Housing Administration:				
Annual contributions	[5] 98,900,000	114,000,000	107,500,000	107,500,000
Administrative expenses	11,440,000	12,200,000	11,800,000	11,800,000
Total, Public Housing Administration	110,340,000	126,200,000	119,300,000	119,300,000
Total, Housing and Home Finance Agency	124,070,000	197,050,000	187,550,000	187,550,000
INTERSTATE COMMERCE COMMISSION				
Salaries and expenses	16,750,000	17,500,000	17,000,000	17,000,000
NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS				
Salaries and expenses	74,720,000	80,480,000	78,100,000	78,100,000
Construction and equipment	41,200,000	26,220,000	23,000,000	23,000,000
Total, National Advisory Committee for Aeronautics	115,920,000	106,700,000	101,100,000	101,100,000
NATIONAL CAPITAL HOUSING AUTHORITY				
Operation and maintenance of properties	38,000	45,500	38,000	38,000
NATIONAL SCIENCE FOUNDATION				
Salaries and expenses	49,750,000	140,000,000	130,000,000	130,000,000
International Geophysical Year	2,000,000			
Total, National Science Foundation	51,750,000	140,000,000	130,000,000	130,000,000
RENEGOTIATION BOARD				
Salaries and expenses	3,000,000	2,900,000	2,850,000	2,850,000
SECURITIES AND EXCHANGE COMMISSION				
Salaries and expenses	6,700,000	7,100,000	7,100,000	7,100,000
SELECTIVE SERVICE SYSTEM				
Salaries and expenses	27,000,000	28,000,000	27,500,000	27,500,000
VETERANS' ADMINISTRATION				
General operating expenses	161,374,000	149,382,000	147,500,000	147,500,000
Medical administration and miscellaneous operating expenses	21,763,400	21,481,000	26,000,000	26,000,000
Inpatient care	[6] 710,378,000	[7] 708,902,000	715,465,000	715,465,000
Outpatient care	79,000,000	75,796,000	75,399,000	75,399,000

[1] And $1,600,000 from proceeds of surplus personal property disposal.
[2] And $1,865,000 from proceeds of surplus personal property disposal.
[3] Includes $3,900,000 pending in Supplemental Appropriation Act, 1959.
[4] And in addition $6,656,000 from reimbursements.
[5] Including $1,802,000 in S. Doc. 94.

Comparative statement of action taken on H. R. 11574 and H. R. 13856 with appropriations for 1958, and estimates and amounts recommended for 1959—Continued

TITLE I—Continued

Item	Appropriations, 1958	Budget estimates, 1959	Recommended in H. R. 11574 for 1959 (vetoed)	Recommended in House and Senate bills for 1959 and finally approved H. R. 13856
INDEPENDENT OFFICES—Continued				
VETERANS ADMINISTRATION—continued				
Maintenance and operation of supply depots	$1, 827, 800	$2, 136, 000	$2, 055, 000	$2, 055, 000
Compensation and pensions	3, 082, 250, 000	3, 232, 000, 000	3, 200, 000, 000	3, 200, 000, 000
Readjustment benefits	814, 047, 000	717, 960, 000	700, 000, 000	700, 000, 000
Veterans insurance and indemnities		51, 100, 000	51, 100, 000	51, 100, 000
Grants to the Republic of the Philippines	1, 570, 562	1, 250, 000	1, 250, 000	1, 250, 000
Construction of hospital and domiciliary facilities	42, 500, 000	9, 145, 000	19, 295, 000	19, 295, 000
Major alterations, improvements, and repairs	2, 028, 000			
Military and naval insurance	4, 275, 000			
National service life insurance	7, 800, 000			
Servicemen's indemnities	92, 127, 500			
Service-disabled veterans insurance fund	1, 500, 000			
Total, Veterans' Administration	4, 972, 230, 562	4, 969, 354, 000	4, 938, 695, 000	4, 938, 695, 000
Total, title I	5, 714, 905, 462	5, 927, 090, 500	6, 582, 304, 000	5, 993, 404, 900

TITLE II—CORPORATIONS ADMINISTRATIVE EXPENSES

[Limitations on amounts of corporate funds to be expended]

Corporation or agency	Authorizations, 1958	Budget estimates, 1959	Recommended in H. R. 11574	Recommended in bill for 1959
Federal Home Loan Bank Board	$1, 250, 000	$1, 600, 000	$1, 600, 000	$1, 600, 000
Federal Savings and Loan Insurance Corporation	675, 000	720, 000	720, 000	720, 000
General Services Administration:				
Abaca fiber program	47, 000	47, 000	47, 000	47, 000
Federal Facilities Corporation	50, 000	50, 000	25, 000	25, 000
Reconstruction Finance Corporation Liquidation Fund	800, 000	54, 000	50, 000	50, 000
Housing and Home Finance Agency:				
College housing loans	1, 357, 000	1, 675, 000	1, 675, 000	1, 675, 000
Public facility loans	400, 000	1 750, 000	400, 000	400, 000
Revolving fund (liquidating programs)	1, 110, 000	673, 000	600, 000	600, 000
Federal National Mortgage Association	4, 750, 000	4, 750, 000	4, 750, 000	4, 750, 000
Federal Housing Administration	7, 200, 000	7, 400, 000	7, 300, 000	7, 300, 000
Public Housing Administration	2 12, 420, 000	2 12, 700, 000	2 12, 258, 000	2 12, 258, 000
Total, administrative expenses	17, 709, 000	17, 719, 000	17, 167, 000	17, 167, 000

1 Includes $200,000 in S. Doc. 94.

2 Includes funds available by appropriation in title I and by transfer from the revolving fund (liquidating programs), and is not included in totals to avoid duplication.

TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS

S. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Amounts approved by House and agreed to by Senate
	INDEPENDENT OFFICES				
	SOUTH CAROLINA-GEORGIA-ALABAMA-FLORIDA AND TEXAS				
-------	Water Study Commissions			$100, 000	$100, 000
	VETERANS' ADMINISTRATION				
S. 94	Inpatient care			1, 802, 000	1, 802, 000
	Total, Independent Offices			1, 902, 000	1, 902, 000
	DEPARTMENT OF LABOR				
	BUREAU OF LABOR STANDARDS				
-------	Salaries and expenses	$500, 000			
	BUREAU OF EMPLOYMENT SECURITY				
S. 117	Salaries and expenses	110, 000			
S. 117	Grants to States for unemployment compensation and employment service administrative	4, 300, 000			
S. 117	Unemployment compensation for veterans and Federal employees	1 65, 000, 000		Language	Language
	Total, Department of Labor	70, 910, 000			
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	OFFICE OF EDUCATION				
S. 117	Defense educational activities	117, 200, 000		53, 300, 000	40, 000, 000
S. 117	Salaries and expenses	2, 100, 000		750, 000	750, 000
	OFFICE OF THE SECRETARY				
-------	White House Conference on Aging			100, 000	100, 000
	Total, Department of Health, Education, and Welfare	119, 300, 000		54, 150, 000	40, 850, 000

1 And $10,700,000 to be derived by transfer.

Comparative statement of action taken on H. R. 11574 and H. R. 13856 with appropriations for 1958, and estimates and amounts recommended for 1959—Continued

TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS—Continued

S. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Amounts approved by House and agreed to by Senate
	TREASURY DEPARTMENT				
	BUREAU OF THE MINT				
-------	Salaries and expenses	(1)		(1)	(1)
	POST OFFICE DEPARTMENT				
	(Out of postal funds)				
S. 117	Transportation (1957 and 1958)	$54, 000, 000		$54, 000, 000	$54, 000, 000
	Total, title IV	244, 210, 000		110, 052, 000	96, 752, 000

RECAPITULATION

Title I	$5, 927, 090, 500	$5, 993, 404, 900	$5, 993, 404, 900	$5, 993, 404, 900
Title IV	244, 210, 000		110, 052, 000	96, 752, 000
Total, all titles	6, 171, 270, 500	5, 993, 404, 900	6, 103, 456, 900	6, 090, 156, 900

1 Language authorizing use of $2,500 for medal for Rear Admiral Rickover.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. PROXMIRE. Mr. President, what is the purpose of the bill? I shall read a very brief part of the bill, which I think will establish the stated purpose of the bill. The bill states:

To authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

It is said a study is to be made. Let me read what the study is supposed to provide:

The effect of increased diversion of water from Lake Michigan upon the Illinois Waterway and the degree of improvement in such waterway caused thereby, the effect of such increased diversion upon commerce among the several States and navigation on the Great Lakes and the Illinois Waterway, and the extent to which such increased diversion may affect the level of Lake Michigan.

Mr. President, that latter phrase is simply window dressing. All anyone has to do to establish that fact is to examine the hearings. The fact is that there is no intention whatsoever to study the effect of this diversion upon commerce among the several States and navigation on the Great Lakes. The only purpose is to study the effect of this diversion on sanitation, for the city of Chicago and the Metropolitan Sanitary District of Greater Chicago.

Mr. President, I can establish that fact by reading from the hearings, on page 100 of the transcribed hearings, the statement prepared by the Department of Health, Education, and Welfare, which was put into the RECORD by the Honorable THOMAS J. O'BRIEN, House of Representatives, as follows:

This investigation would accurately measure changes in sanitary water quality that would result from experimental increased diversion from Lake Michigan to the Illinois Waterway authorized in H. R. 2 and would indicate how these changes might affect uses of the waterway.

Using such indexes as dissolved oxygen, intestinal bacteria, fertilizing and other chemical values, and several forms of aquatic life, calculations may be made concerning the pollution assimilation capacities of critical reaches of the waterway. Various combinations of climatic conditions, pollution loads, and flow regimes will be used. The data obtained will be valuable in efficiently adjusting diversion flows to sanitary requirements.

This is the procedure:

In order to evaluate changes induced by increased diversion, it is necessary to have reliable information on water quality under past and current waterway operating conditions. Much valuable data are now available in the files of the Metropolitan Sanitary District of Greater Chicago and have been reviewed by the Public Health Service. While these data are quite comprehensive insofar as showing certain chemical characteristics of the water, they do not sufficiently portray important biological conditions of the stream and their effects upon necessary water uses. Such information, together with additional chemical and physical determinations, will have to be obtained by routine monitoring and special field studies to provide a thorough evaluation of water quality.

The study goes on to point out that samples will be taken for a distance of 169 miles in the Illinois Waterway between Peoria and Lake Michigan. There is no reference to a study of the effect of the diversion on commerce on the Great Lakes. That section of the bill is simply ignored in the study that will take place under the bill. I believe that is important, because the distinguished junior Senator from Illinois [Mr. DIRKSEN] made the point earlier tonight that health was the real justification for the bill, the health of the people of Chicago, and I believe that a reading of the study would indicate that indeed health is the only justification for that kind of study.

Obviously by studying the chemical content of the water one can tell very little, probably nothing, about the navigation even in the Illinois Waterway, and I believe I can establish to the satisfaction of the Senate a little later that the diversion will in no way improve the navigational aspects of the Illinois Waterway.

Health is the only possible justification for the study. I believe I can establish that this study cannot be justified on the basis of improving or assisting the health of the people of Chicago.

Last night I engaged in a colloquy with my highly respected friend from Illinois, the senior Senator from Illinois [Mr. DOUGLAS], and in the course of that colloquy I asked the distinguished Senator from Illinois whether there was any study by the Chicago Board of Health, the Illinois Board of Health, the Public Health Service, or by any health agency or group of physicians of this problem, or whether the problem had even been established on the basis of any kind of health study, and the answers of the distinguished Senator from Illinois are in the CONGRESSIONAL RECORD. I invite the attention of Senators to the answers. The answers were in the negative in every single case.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from Illinois [Mr. DOUGLAS] for a question without losing my right to the floor.

Mr. DOUGLAS. Is it not correct that the RECORD shows that the reply of the senior Senator from Illinois was that by

the terms of the proposed legislation the Illinois Sanitary Water Control Board would have no authority whatsoever over the Metropolitan Sanitary District of Chicago, and therefore it could not make such a study?

Secondly, the city of Chicago is only one of the governmental bodies included in the Metropolitan Sanitary District, and therefore could not make such a study. The only body that could make such a study was the Metropolitan Sanitary District itself, and it is that body which is here asking for relief for the people and the industries of the Metropolitan District of Chicago.

Mr. PROXMIRE. The distinguished Senator from Illinois, as usual, makes the best possible situation out of a most unfortunate case. I have in my hand a volume of some 1,200 pages entitled "The Chicago, Cook County, Health Survey." This study was made by a group of eminent medical doctors, eminent health authorities. Let me read some of the names: K. E. Miller, M. D., Medical Director, United States Public Health Service; Robert H. Flinn, M. D., senior surgeon, United States Public Health Service, Acting Director of Survey; William F. Petersen, M. D., Chicago Medical Society, and a long list of prominent outstanding health authorities, including the nationally known Dr. Herman Bundesen, who has been a leader in the Chicago Board of Health for many years.

The revelations in this study with respect to the health aspects of Chicago's water supply, as far as the Sanitation District is concerned, indicate that there is a great deal of work which the Sanitation District should do before it comes to the Congress of the United States and asks for more diversion from Lake Michigan. Later tonight—I hope I shall have time tonight—I will call to the attention of the Senate the recommendations which have been made with regard to the action that the Sanitary District should take before asking for additional diversion from Lake Michigan. I shall be delighted to give those recommendations to the distinguished Senator from Illinois [Mr. DOUGLAS].

Mr. President, the distinguished Senator from Illinois was unable to give me——

Mr. DOUGLAS. Will the Senator yield for a question?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Illinois for a question without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Is it not correct that the report to which the Senator refers was made in 1947?

Mr. PROXMIRE. The report was made in 1947. It was published in 1949. Since that time there have been some changes. However, since that time the efficiency of the Metropolitan Sanitary District first improved rather greatly, and then the efficiency deteriorated considerably. A number of the recommendations made by the eminent physicians who engaged in that study have not been carried out. They should be carried out before the Congress gives Chicago or the representatives of Chicago what they are asking for. I do not state that as my opinion as a Senator representing Wisconsin; I say that is the recommendation of the outstanding health authorities in Chicago itself.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois for a question without losing my right to the floor.

The PRESIDING OFFICER. The Senator does not require unanimous consent to yield for a question.

Mr. PROXMIRE. Mr. President, I wish to protect my right to the floor when I yield for a question.

The PRESIDING OFFICER. The Senator needs unanimous consent only when he yields for some other purpose.

Mr. PROXMIRE. I understand it is my responsibility to protect my rights. If no question is asked, it is my responsibility to protect my right to the floor.

Mr. DOUGLAS. Does the Senator yield for a question?

Mr. PROXMIRE. I yield to the Senator from Illinois for a question.

Mr. DOUGLAS. Is it not true that in the 11 years which have passed since this report was made the Metropolitan District of Chicago has grown greatly in population and in industry, and that the problems today are more difficult than the problems which we had to face then?

Mr. PROXMIRE. The answer is that since the report was made the health situation has improved greatly in Chicago. The health problem is not now as serious as it was. It is true that the population has increased. It is true that industry has increased. However, the fact is the Sanitary District has helped to solve that problem, and while no health problem existed to an extent that would warrant Chicago in coming to the Congress of the United States and asking for assistance at that time, the situation is even less persuasive now.

I would like to point out that there are no figures available in the 768 pages of the hearings in 3 years of trying to secure passage of this bill from anyone, qualified or unqualified, to show that a single death or even a single illness during the past 20 years was the result of inadequate diversion. There is no attempt to prove that.

I hold in my hand the report which I received today from the Public Health Service. This report shows illnesses from typhoid and amoebic dysentery in 1956 and 1957 in the 4 or 5 great cities of this country. I refer to the cities of New York, Chicago, Los Angeles, Philadelphia and Detroit. On a per capita basis, the situation is better in Chicago than in any of the other four cities.

The situation is also established by the Metropolitan Sanitary District itself in a publication which has come out within the past several months, I believe, in which they say on page 7 of their publication:

> The Metropolitan Sanitary District of Greater Chicago was destined to make the city one of the healthiest metropolises in the world.

Then they go on, at page 38 of the study to say:

> Their work in the past has helped make this one of the healthiest major population centers in the world; their work in the future could help make this the largest, wealthiest and most productive community on earth.

I shall establish, furthermore, that there are reasons—good, solid, sensible, economic reasons—why Chicago wants this diversion. They have nothing to do with health. They relate to water power, rather than health considerations. It has everything to do with the fact that they can handle the sanitation problem more economically under the proposal before us, from their standpoint, although from the standpoint of the Nation, it would be far more expensive.

That is a serious charge, and I shall establish it to the satisfaction of any prudent and objective person.

Last night we established the fact that the sanitation facilities 20 years ago, 15 years ago, and 10 years ago discharged a far greater absolute amount of oxygen-deficient effluent, as well as 4 times the proportion of BOD without any established health menace. Since that time there has been a considerable improvement in the quality of the effluent which goes into the Illinois Waterway. There has been an improvement to the point where the situation now is far better than it was 20 or 15 or 10 years ago. At that time there was no serious health problem in Chicago.

In 1941, when the BOD measure of pollution was more than four times greater than it is at the present time, the special master appointed by the Supreme Court found that there was no serious health problem. That is a matter which has been established and which has not been challenged in the hearings. Certainly, anyone has had ample opportunity to do so over the past 3 years.

I should like to come now to something which is even more serious. The fact is that equivalent purification—that is what Chicago and its representatives are seeking to secure—can be provided, according to the Public Health Service, in a memorandum dated April 8, 1957, by any one of four processes which would give similar water quality with respect to absorbed oxygen. The Public Health Service says that water characteristics other than low absorbed oxygen have not been a significant pollution problem in the Illinois Waterway.

These are the four choices which the Public Health Service has said Chicago has available to it, if it decides to use any of these measures, which would make diversion of Lake Michigan water unnecessary, and which would solve the sanitation problem which the city has confronting it.

The first is:

> 1. Measures to keep to an absolute minimum the amount of untreated sewage discharged to streams or into sewers during storms.

I have been talking with authorities in the Public Health Service, and they tell me that there is no question that this method would help immensely to

reduce the pollution problem in Chicago. It is a matter of dollars and cents. Every community, and certainly every industrial city in America, has the problem of handling its sewage. It is a matter of doing the job and spending money to provide the facilities. It is a matter of dollars and cents. It is a matter of taxes.

I shall show in a moment that the city of Chicago is well able to pay these taxes, in fact far better than other cities, including the city I am proud to represent.

That is one choice.

The second choice, according to the Public Health Service is this:

> 2. Significant reduction of hydraulic and organic wasteload placed upon the treatment facilities by a program of industrial waste control at the source.

The State of Wisconsin has gone to a great deal of trouble to establish by statute the requirement that our industries treat their waste before it pollutes the streams of the State. That is something we have done at great risk, because it has discouraged industry from moving into Wisconsin. As a member of the State legislature I well recall the battle we had to keep the streams free of pollution and the battle we had when industries threatened to leave the State. I would not be surprised if some of the industries have located in other places than Wisconsin because of our determination to keep the streams free of pollution and to force industries to treat their waste before expelling it into the streams. I have a detailed study of the job that has been done by Wisconsin. I am very proud of it. It is one of the best jobs that has been done in the country. We are not the only State that has done it. It has been done elsewhere, and it could be done in Chicago.

I should like to read from a professional opinion on industrial waste treatment by Kenneth S. Watson, executive secretary-engineer of the West Virginia Water Commission, at the Fourth Industrial Waste Conference, at Purdue University in 1948.

Mr. Watson had this to say:

> The water commission feels that the solution of industrial waste problems is the direct responsibility of each plant. This philosophy has been adopted because the technical men in the industries and the available consultants are completely familiar with plant processes and wastes and are better qualified to devise recovery and treatment methods than anyone else. The staff of the commission is available, however, to supply every aid possible in the form of effluent and stream specifications, orientation in the technique of sanitary-chemical analyses, counsel with reference to the general principles of treatment, and coordination of the statewide pollution control program to insure just interpretation of effluent requirements to all industries.

At this time, I do not wish to say more, because I believe I have established the point. At a later time, if it is desired, I shall establish it more clearly.

Chicago, itself, could solve this problem very easily and simply by adopting a city ordinance which would require industrial plants to do what industrial plants must do in Wisconsin and elsewhere, namely, treat their effluent before it is expelled, in a way which will give it enough oxygen so that it does not exhaust the regular amount of oxygen.

That was the second proposal that was made by the Public Health Service. It is a matter of dollars and cents. It can be done easily by the city of Chicago, just as it has been done by the people of Wisconsin and the people of other States.

The third choice is—and I know this is likely to be controversial, and I would expect an argument on it—

> 3. Use of chemicals, such as chlorine, to reduce the decomposable dissolved and suspended solids that remain even in well-treated effluents.

This is something that can be accomplished. Again it is a matter of cost. According to the cost estimates of the Public Health Service, it would cost in the neighborhood of a million and a half dollars, or less. With a budget of something like $20 or $22 million a year, it is obvious that this is not a large increase in the burden on the Metropolitan Sanitation District of Chicago. To nail this down, I should like to call attention to the fact that the people of Chicago must pay 30 cents a hundred in their taxes for sanitation. The proposal of the Public Health Service would increase this amount by a penny or two per hundred of valuation. It would be a modest increase, one that they could afford.

The most practical and most useful of all methods is the fourth method:

> 4. Treatment by aeration or other means of the sewage water in the waterway below the point of sewage discharge.

This method of aeration is one which is extremely promising because its process is so scientific, and, as I said before, it has been established by the Public Health Service that the real problem in the Illinois Waterway is water-quality characteristics other than low absorbed oxygen.

This is a method of putting oxygen into the water precisely where it is needed, by blowing it or diffusing it in. Engineers assure me that this can be done. They assure me that it can be done very economically. They can do it, as I understand, on the basis of about $1,500,000 to $2 million to begin with, and then at a cost of $250,000 a year.

The city of Chicago itself could solve this problem. This fact is established in a memorandum issued by the Department of Health, Education, and Welfare, dated July 12, 1957, in which the Department discussed these alternatives very thoroughly. They point out the cost and emphasize that the first cost of the aeration would be $2 million, and the annual cost $250,000. It can be done by a very interesting method.

What happens is that after the effluent is put into the waterway, it begins to decompose and exhausts the oxygen of the waterway. When it reaches a point about a mile or 2 miles or 3 miles from where it goes in, the oxygen deficiency is at its greatest. Consequently, at this point oxygen can be put into the waterway, and the water cleansed. As has been established before, and as I have read several times, the primary problem of the Illinois Waterway is low oxygen content.

In that connection, I shall make another spectacular point in just a minute. But before I make that point I should like to say that when a city asks to divert water, it seems to me that one of the questions which might be asked is whether that city is a provident user of water, to begin with.

I ask any Senator to mention any city in the country which uses as much water per person for domestic purposes as Chicago uses.

Chicago uses far more water per person than does Philadelphia, Cleveland, or New York; 30 percent more than Los Angeles and Milwaukee; 100 percent more than San Francisco or Baltimore.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois for a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Is not that true because the city of Chicago has higher standards of cleanliness than do the inhabitants of other cities?

Mr. PROXMIRE. I say to my good friend from Illinois that the city of Chicago certainly has high standards of cleanliness. I take my hat off to them. They have a clean-minded senior Senator and a clean-minded junior Senator. However, the people of Milwaukee and the people of New York are able to keep just as clean, and we have just as clean people, as the Senator knows, with the use of far less water.

I call the attention of my good friend from Illinois to a statement which has been prepared by his distinguished compatriots in Chicago, outstanding doctors and health authorities whom I mentioned earlier. I quote what they say:

> The average daily per capita consumption of water in Chicago in 1945 was 262.8 gallons. The 1930 average daily per capita consumption of 301.9 gallons was the highest value recorded in any year by the city of Chicago. Comparing the standing of Chicago with other large cities in the United States, it is seen that the daily per capita consumption is nearly twice that in the other cities. The average daily per capita consumption in communities outside of Chicago supplied by the Chicago Waterworks in 1945 was 151.3 gallons. The water users in these communities are 100 percent metered. Such differences are excessive and warrant careful engineering study.

In other words, if meters are installed in the stores and flats, the use of water is reduced. Without meters, the use of water is increased sixfold.

I call the attention of the Senate to the fact that Chicago has less metering than any other comparable city. I have the percentage of metering in other outstanding cities in the country.

Hackensack, N. J., with a population of about 30,000, has 100 percent-metering. San Diego, Calif., has 100 percent metering. Miami, Fla., has 100 percent metering. Atlanta, Ga., has 100 percent metering. Indianapolis, Ind., has 100 percent metering. Minneapolis, Minn.,

has 100 percent metering. Cincinnati, Ohio, has 100 percent metering. Columbus, Ohio, has 100 percent metering.

How can Senators who represent States in which those cities are located vote for a diversion of water to Chicago, which does damage to other States, when their States have metering; which results in no inconvenience and a reduction in expense to their citizens; which results in a conservation of water; while Chicago is so extravagant that its people use twice as much water as other cities, and only 36.7 percent of its water users are metered?

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield to me, with the understanding that he will not thereby lose his right to the floor?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Pennsylvania for——

Mr. CLARK. For 3 minutes?

Mr. PROXMIRE. I ask unanimous consent that I may yield for 3 minutes to the distinguished junior Senator from Pennsylvania [Mr. CLARK], without losing my right to the floor.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Is there objection? Without objection, it is so ordered; and the Senator from Pennsylvania is recognized for 3 minutes.

Mr. CLARK. Mr. President, I should like to state briefly my reasons for opposing the pending bill.

First, the increased diversion will inevitably lower the level of all of the Great Lakes except Lake Superior; and even though this decrease would measure less than an inch on Pennsylvania's shore on Lake Erie, there would be measurable damage to the shipping interests of the Commonwealth which gage ship-bottom clearance at the Great Lakes locks and sills in fractions of inches.

Second, there is no sound reason why the Congress of the United States should permit one State to take advantage of its unique natural position on the edge of two great watersheds, to process municipal sewage more cheaply by diverting waters of one watershed from their natural course and into the other, at the expense of the navigation and power interests in all other States on the same and all lower levels on the Great Lakes and in our great and friendly neighbor to the north, Canada. In this connection, I submit that it is idle to attempt to justify this bill in terms of the need for further studies of the effects of the increased diversion, as set forth in section 2 of the bill. In the 58 years in which this diversion has been flowing continuously, but at different rates of flow, its effects have been studied exhaustively, in all conceivable aspects; and no convincing proof has been submitted to indicate that further studies are needed.

Third, the sanctioning of this increased diversion without full Canadian approval would set an extremely bad precedent in international law, which would unquestionably be used against us in the sensitive and vital negotiations which our Government is engaged in with Canada concerning the development of the Columbia River Basin in our own Northwest.

Mr. President, I know that Canada has stated that she is not actively and formally objecting to the proposed diversion. However, it is my view—although I may be in error—that this is because, a little later, Canada hopes to be able to control the headwaters of rivers which flow from Canada into our Northwest, and to be able to control them in a way which, in my judgment, would be of considerable detriment to United States citizens on the United States side of the border.

Mr. President, the Governor of Pennsylvania, the Honorable George Leader, has written to me a letter in which he requests me to call these matters to the attention of my colleagues. I ask unanimous consent that the letter from Governor Leader to me be printed at this point in the RECORD, in connection with my remarks.

The PRESIDING OFFICER. Without objection——

Mr. LAUSCHE. Mr. President, will the Senator from Pennsylvania be so kind as to read the letter into the RECORD?

Mr. CLARK. Mr. President, my friend, the distinguished junior Senator from Ohio, has requested that I read the letter to the Senate.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the distinguished junior Senator from Pennsylvania may read the letter to the Senate, without my losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered; and the Senator from Pennsylvania may proceed.

Mr. CLARK. Mr. President, let me say, parenthetically, to my good friend, the Senator from Ohio [Mr. LAUSCHE], that we in Pennsylvania do not object to a little informality in letters; and thus it is that the letter which I am about to read is addressed "Dear JOE." [Laughter.]

The letter is dated June 6, 1958; and the text reads as follows:

I wish to call to your attention the very serious adverse effects upon Pennsylvania of Senate bill 1123.

That bill is practically identical with the bill now under consideration by this body.

I read further from the letter:

This bill would permit the Metropolitan Sanitary District of Chicago, Ill., to divert out of the Great Lakes 2,500 cubic feet per second of water for a period of 3 years. At the present time, the Metropolitan Sanitary District diverts 3,500 cubic feet per second from the Great Lakes Basin pursuant to a decree of the United States Supreme Court.

The additional diversion which would be authorized by this bill would lower the level of Lake Erie 1½ to 2 inches. While this may appear to be but a slight matter, it would affect adversely all riparian landowners and seriously interfere with the operations of the port of Erie. Much effort and funds have been expended to maintain a deep channel at this port. The lowering of the lake level vitiates this work.

Moreover, the lowering of the lake level would result in a loss of 1 to 1½ million tons of shipping each year for each inch by which the lake level is lowered. The Great Lakes barges, which carry so much of the commerce of this region, are loaded to the nearest inch. Consequently, the maintenance of lake levels is of utmost importance to the shipping industry and the commerce of the Great Lakes area.

The lowering of the lake level also affects the power potential at Niagara. Since a large section of Pennsylvania will be among the preferred users when the hydroelectric power is developed, this potential loss of cheap power also affects Pennsylvania adversely.

The diversion of water, one of our most precious natural resources, out of its watershed area in order to benefit some other area constitutes a new and dangerous principle of law. The companion bill to Senate bill 1123 has already passed the House.

That is the bill the Senate is considering at this time.

The PRESIDING OFFICER. The 3 minutes yielded to the Senator from Pennsylvania have expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield 1 additional minute to the Senator from Pennsylvania without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the Senator from Pennsylvania is recognized for 1 additional minute.

Mr. CLARK. Mr. President, the remainder of the letter addressed to me by the Governor of Pennsylvania reads as follows:

No Representative from Pennsylvania appeared to protest the bill. I urge that you vote against this measure and protest its passage.

With kindest personal regards, I am,
Sincerely yours,

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is the Senate operating under a unanimous-consent agreement?

The PRESIDING OFFICER. No.

Mr. CLARK. Mr. President, I ask unanimous consent that the entire letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 6, 1958.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D. C.

DEAR JOE: I wish to call to your attention the very serious adverse effects upon Pennsylvania of Senate bill 1123. This bill would permit the Metropolitan Sanitary District of Chicago, Ill., to divert out of the Great Lakes, 2,500 cubic feet per second of water for a period of 3 years. At the present time, the Metropolitan Sanitary District diverts 3,500 cubic feet per second from the Great Lakes Basin pursuant to a decree of the United States Supreme Court.

The additional diversion which would be authorized by this bill would lower the level of Lake Erie 1½ to 2 inches. While this may appear to be but a slight matter, it would affect adversely all riparian landowners and seriously interfere with the operations of the Port of Erie. Much effort and funds have been expended to maintain a deep channel at this port. The lowering of the lake level vitiates this work.

Moreover, the lowering of the lake level would result in a loss of one to one and one-half million tons of shipping each year for each inch by which the lake level is lowered. The Great Lakes barges, which carry so much of the commerce of this region, are loaded to the nearest inch. Consequently, the maintenance of lake levels is of utmost importance to the shipping industry and the commerce of the Great Lakes area.

The lowering of the lake level also affects the power potential at Niagara. Since a large section of Pennsylvania will be among the preferred users when the hydroelectric power is developed, this potential loss of cheap power also affects Pennsylvania adversely.

The diversion of water, one of our most precious natural resources, out of its watershed area in order to benefit some other area constitutes a new and dangerous principle of law. The companion bill to Senate bill 1123 has already passed the House. No representative from Pennsylvania appeared to protest the bill. I urge that you vote against this measure and protest its passage.

With kindest personal regards, I am,
Sincerely yours,

Mr. CLARK. Mr. President, I should like to say that we in Pennsylvania have had a rather unhappy experience with the diversion of our natural water rights. In Pennsylvania, we have the Delaware River. New York, with the approval of the Supreme Court, has taken an enormous gallonage out of the Delaware River, to provide water for the city of New York.

I see on the floor at this time my distinguished friend, the Senator from Oklahoma. Last year, he and I and our friend, the Senator from Ohio, had a rather spirited argument about how much of the power from the Niagara project should go to the electric cooperatives in New York, Ohio, and Pennsylvania.

I hope that, as a result, there will not follow—as seemed to me then to be likely; and, in all good humor, I say that it seems now to be likely—an unfortunate precedent in respect to preventing water from flowing where it wants to flow, to the detriment of the owners of the riparian rights.

For that reason, I support my friend, the Senator from Wisconsin [Mr. PROXMIRE] in his opposition to the pending bill.

Mr. PROXMIRE. I thank the distinguished Senator from Pennsylvania for his excellent statement.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3728) to incorporate the Big Brothers of America.

The message also announced that the House agreed to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12 to the bill (H. R. 13856), making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, and concur therein; and that the House agreed to the amendment of the Senate numbered 8 to the bill, with the following amendments:

Strike out "$53,300,000" and insert in lieu thereof "$40,000,000."

Strike out "$8,000,000" and insert in lieu thereof "$6,000,000."

Strike out "$25,000,000" and insert in lieu thereof "$19,000,000."

Strike out "$1,800,000" and insert in lieu thereof "$1,350,000."

Strike out "$5,000,000" and insert in lieu thereof "$3,750,000."

And strike out "$7,200,000" and insert in lieu thereof "$5,400,000."

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo.

The message also announced that the House had passed a joint resolution (H. J. Res. 546) designating the week of November 21–27, 1958, as National Farm-City Week, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 469. An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes;

H. R. 1684. An act for the relief of William Franklin Rollins;

H. R. 3571. An act for the relief of Boris F. Navratil;

H. R. 4073. An act for the relief of Peter James O'Brien;

H. R. 8943. An act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code;

H. R. 9258. An act for the relief of Mrs. Minnie Perreira;

H. R. 10495. An act to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city; and

H. R. 13861. An act to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives.

CONVENING OF THE 1ST SESSION OF THE 86TH CONGRESS

Mr. JOHNSON of Texas. Mr. President——

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the distinguished majority leader, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I send to the desk a joint resolution, for which I request immediate consideration.

The PRESIDING OFFICER. The joint resolution will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 704) establishing that the 1st session of the 86th Congress convene at noon on Wednesday, January 7, 1959.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the joint resolution?

Mr. DOUGLAS. Mr. President, reserving the right to object, let me ask whether this constitutes a motion for the adjournment of this session of Congress.

Mr. JOHNSON of Texas. No; the joint resolution provides only the convening date for the 1st session of the 86th Congress, next January.

Mr. DOUGLAS. Is this an indication of how coming events cast their shadows before?

Mr. JOHNSON of Texas. That is correct.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the joint resolution?

There being no objection, the joint resolution (H. J. Res. 704) was considered, ordered to a third reading, read the third time, and passed.

DESIGNATION OF THE WEEK OF NOVEMBER 21–27, 1958, AS NATIONAL FARM-CITY WEEK

Mr. ELLENDER. Mr. President, will the Senator from Wisconsin yield 2 minutes to me?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield 2 minutes to the Senator from Louisiana, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I ask that the Chair lay before the Senate House Joint Resolution 546.

The PRESIDING OFFICER laid before the Senate the joint resolution (H. J. Res. 546) designating the week of November 21–27, 1958, as National Farm-City Week, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ELLENDER. Mr. President, I have consulted the majority leader and the minority leader about taking up the resolution. A similar resolution has been adopted each year for the past 2 years.

I move its adoption.

The PRESIDING OFFICER. The joint resolution is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution (H. J. Res. 546) was ordered to a third reading, read the third time, and passed.

SUMMARY OF WORK OF SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL. Mr. President, will the Senator from Wisconsin yield to me, with the understanding that he does not lose the floor?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Alabama with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the work of the

Senate Committee on Labor and Public Welfare during this session of Congress.

There being no objection, the summary was ordered to be printed in the RECORD.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, the distinguished senior Senator from Wisconsin [Mr. WILEY], my colleague, has been doing a wonderful job. He has procured from the Sanitary District of Greater Chicago a report that gives an answer to how Chicago can solve its problem without diversion. The report points out that between 1952 and 1957 the percentage of biochemical oxygen removed declined from 93.6 percent to 85.6 percent.

The best way to understand the matter, which admittedly is difficult to explain in terms of arithmetic, is that the remainder that was not removed in 1952 was 6.4. The remainder that was not removed in 1957 was 14.4.

In other words, there has been more than a doubling of the material. There has been about 110 percent increase in unpurified sewage between 1952 and 1957. Admittedly the problems of the sanitary district are very great. Undoubtedly the population has increased between 1952 and 1957.

MILITARY CONSTRUCTION APPROPRIATION BILL, 1959—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a unanimous consent request?

Mr. PROXMIRE. I yield to the Senator from Texas, if I may do so without losing my right to the floor.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from Wisconsin be permitted to yield to the Senator from New Mexico [Mr. CHAVEZ] for the purpose of submitting the conference report on the military construction bill (H. R. 13489), with the understanding that at the conclusion of action on that conference report, the Senator from Wisconsin will be recognized.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from New Mexico is recognized.

Mr. CHAVEZ. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13489) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes.

I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today, p. 19589, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CHAVEZ. Mr. President, I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. RUSSELL. Mr. President, I desire to make a very brief observation with respect to this report. I did not feel I could conscientiously, as a conferee, sign the report. That feeling grew out of the fact that in my opinion the Senate was compelled to yield on a number of items that are most vital to our defense effort. The Senate was able to secure only about $130 million out of some $500 million, nearly all of which were purchases by the Department of Defense, in the conference report.

It might not have been as sad as it was to yield no greater an amount than that if the items the Senate secured had been of the highest priority; but the House conferees were adamant with respect to a large number of items not only for which there were budget estimates, but which the Department of Defense had stated were of the very highest priority.

I do not, of course, blame my colleagues on the conference for finally signing this report. I was present at enough of the conference to realize the atmosphere which obtained and the difficulties which confronted them. But I do wish to express my regret that the Senate was compelled to yield on items of the very highest priority, because I feel it will be detrimental to our overall efforts to secure this country against any contingency.

Mr. CHAVEZ. Mr. President, with reference to what the Senator from Georgia has stated, I agree with him completely. I shall have a short statement inserted in the RECORD. The last paragraph is to the effect that the Senate conferees were not happy with the bill, but the House conferees were firm in opposition to nearly all requests for restoration.

That, in total, details the Senate conferees' position on the bill.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. CHAVEZ. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives with reference to certain amendments of the Senate to H. R. 13489.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 13489, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 23, 1958.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7 to the bill (H. R. 13489) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes, and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 2 to said bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$6,250,000."

That the House recede from its disagreement to the amendment of the Senate numbered 3 to said bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$295,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 10 to said bill, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

"SEC. 612. No part of the funds provided in this act shall be used for purchase of land or land easements in excess of 110 percent of the value as determined by the Corps of Engineers or the Bureau of Yards and Docks, except: (a) where there is a determination of value by a Federal court, (b) purchases negotiated by the Attorney General or his designee, and (c) where the estimated value is less than $25,000."

That the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

"SEC. 614. Such appropriations of the Department of Defense, available for obligation during the current fiscal year, as may be designated by the Secretary of Defense shall be available for the purposes of section 1 of the act approved April 3, 1958 (72 Stat. 78): *Provided*, That any such appropriations so utilized shall be accounted for under the limitation established by section 4 of said act."

That the House insist upon its disagreement to the amendment of the Senate numbered 4.

Mr. CHAVEZ. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 2, 3, 10, and 12, and that the Senate recede from its amendment numbered 4.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

Mr. CHAVEZ. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared with reference to the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHAVEZ

The conference agreement you have before you appropriates $1,353,850,000 for military construction for the Department of Defense. This compares with $1,720,115,000 as provided by the Senate and $1,218,815,000 as provided by the House. The conference figures do not include $5.5 million for one project which was in disagreement. The funding program for the individual items contains similar reductions.

In submitting the conference report on this bill, I do so most reluctantly. The House made large-scale reductions in both the funding program and the cash appropriations. The Senate, as you will recall, made substantial restoration. In conference we found the House members adamant in regard to practically all items. Your Senate conferees labored long and arduously, presenting all the facts regarding the necessity for these requested programs. In some few items, the House yielded. In most, they remained firm. It was only after prolonged debate that a majority of the Senate conferees agreed to sign the conference report you have before you.

You will find in the House Report No. 2699 a list of the Senate restorations which remain in the bill. These, coupled with the items which the House originally provided, less a few unauthorized projects deleted in the Senate, comprise the items still in the bill.

I might mention 1 or 2 items of special note. The House provided no new appropriations for Army Reserve and National Guard construction. The Senate added $28,330,000 for such construction. The House conferees refused to appropriate more than $6,250,000, which is the amount in the report before you.

For the Titan program, the House reduced the request by $90,000,000. The Senate restored this amount. The House refused to go above $70,000,000 in restorations.

Nearly all the departmental requests for barracks, bachelor officer quarters, hospitals, messes, family housing, and like items, which the Senate restored, the House refused to accept.

Your Senate conferees were not happy with the bill, but they faced firm opposition to nearly all requests for restoration.

Mr. CHAVEZ. Mr. President, I also ask unanimous consent that a tabular summary of the appropriations action on the bill be included as a part of my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Appropriations summary: H. R. 13489, the military construction appropriation bill for fiscal year 1959

Item	Budget estimate	House bill	Senate bill	Conference report
Office of Secretary of Defense:				
Advanced Research Projects Agency	[1] ($50,000,000)	[1] ($50,000,000)	[1] ($50,000,000)	[1] ($50,000,000)
Interservice activities:				
Loran stations	20,000,000	20,000,000	20,000,000	20,000,000
Department of the Army:				
Military construction, Army	340,900,000	214,564,000	327,847,000	230,000,000
Military construction, Army Reserve components			28,330,000	6,250,000
Department of the Navy:				
Military construction, Navy	369,253,000	274,751,000	351,343,000	295,000,000
Military construction, Naval Reserves	8,000,000	8,000,000	8,000,000	8,000,000
Department of the Air Force:				
Military construction, Air Force	991,900,000	687,350,000	974,995,000	785,000,000
Military construction, Air Force Reserve components	9,600,000	[2] 14,150,000		
Military construction, Air National Guard	(9,600,000)		9,600,000	9,600,000
Total	1,730,653,000	1,218,815,000	1,720,115,000	1,353,850,000

[1] To be derived by transfer from existing OSD funds available to ARPA.
[2] Includes $4,550,000 in the budget estimates for Air Force Reserve and $9,600,000 for the Air National Guard.

Mr. COTTON. Mr. President, it is a source of very keen disappointment to me and to my colleague from New Hampshire [Mr. BRIDGES] that the appropriation for the Cold Weather Research Laboratory at Hanover, N. H., was deleted from the bill in conference.

I wish to express my appreciation, however, to the Senate conferees—including my colleague, the senior Senator from New Hampshire [Mr. BRIDGES] for doing their utmost to keep this appropriation item in the bill.

As a matter of record, I wish the situation regarding this appropriation item to be set forth in the RECORD, for the future.

For more than 4 years, it has been the endeavor of the Defense Department to construct a Cold Weather Research Laboratory at Hanover, N. H. The site was selected after long consideration. Heretofore, five Cold Weather Research Laboratories had been located in various parts of the country. It was determined to consolidate them at one suitable location.

The site for this one was selected because the weather conditions at that spot are ideal for the purpose of experiments incident to the work; also because of the fact that Dartmouth College, which is situated at Hanover, has been making experiments in this field for a long period of time, and has the best library on cold-weather conditions and experiments in existence in the country; and also because Dartmouth College was donating the land to the Department of Defense, for use in connection with construction of the laboratory.

Finally, after 4 years, in last year's appropriation bill an appropriation item for the construction of the laboratory was included. But because of improper estimates and changing conditions, the amount included was not sufficient. So an additional sum was recommended by the Bureau of the Budget this year, passed by the Senate, and included in the bill.

Unfortunately, the conferees on the part of the House were adamant in opposition to this project; and it is not included in the conference report.

I am sincerely appreciative of the attempts of our Senate conferees; and I hope this item will be provided for next year. Mr. President, the two great nation that bestride the world today—Soviet Russia and the United States of America—meet at the Arctic Circle. The Arctic Circle thus becomes the new frontier for our country. The Cold Weather Laboratory is a focal point in the defense of this Nation.

Although I regret this failure, I take some comfort—although it is cold comfort [laughter]—in the fact that the failure was due to the action of the House of Representatives, and that the Senate conferees did their very best to have this item included in the bill.

I wish this statement to appear in the RECORD, because we do not intend to give up our endeavor to have this necessary facility constructed.

ACCOMPLISHMENTS OF SENATE COMMITTEES

Mr. JOHNSON of Texas. Mr. President, we are on the eve of the adjournment of one of the most creative and constructive Congresses in many years.

By any reasonable standard of judgment, this Congress has one of the most productive records in many years.

A productive record is not an accident. It doesn't happen simply because a turn of the wheel brings up the lucky number.

A productive record means days and nights of exhausting work. It means careful attention to detail.

And in the Congress of the United States, it means committee work of the very highest caliber.

The issues which confront us are complex and grow increasingly so with each passing year. It would not be possible for the Congress of the United States to approach any issue with confidence unless we had unbounded confidence in our committees.

No legislation could be debated fruitfully on this floor without the work of the men who had devoted time and care to the intricate details. Since we must consider so many bills, we can be assured that we understand them only when they have been scrutinized carefully in advance.

In this Senate, we have had committees in whom we could have unbounded confidence. They have conducted themselves prudently, carefully, and effectively. Without them our record would have been poor indeed.

Frequently I have been asked what is the formula for legislative success. The answer is simple. It is, good committee work.

I have requested the chairman of each committee to summarize the outstanding activities of this session. They have replied in written form, and I ask unanimous consent that their replies be printed in the RECORD as a part of my remarks, so the Senate and the Nation may know the deep debt of gratitude that we owe to these men.

There being no objection the communications were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR: Attached is a list of bills and resolutions reported to the Senate during this session of the 85th Congress, as requested by a staff member of the Majority Policy Committee.

With kindest personal regards, I am,
Sincerely yours,

ALLEN J. ELLENDER,
Chairman.

UNITED STATES SENATE, COMMITTEE ON AGRICULTURE AND FORESTRY

Attached is a list of all bills approved by the Senate Committee on Agriculture and Forestry during the second session of the 85th Congress.

The committee reported 56 bills and 19 have been enacted into law. In addition one Senate measure was rejected by the Senate and one vetoed by the President.

LIST OF MEASURES FAVORABLY REPORTED TO THE SENATE BY THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY, 85TH CONGRESS, 2D SESSION

Senate bills and joint resolutions

S. 666, to remove wheat for seeding purposes which has been treated with poisonous substances from the "unfit for human consumption" category for the purposes of section 22 of the Agricultural Adjustment Act of 1933. March 20, 1958, reported to Senate, with an amendment (S. Rept. 1406). Indefinitely postponed and H. R. 11581 passed Senate in lieu thereof on August 11, 1958. (See H. Rept. 2295.)

S. 1436, to amend section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended, to provide for administration of farm programs by democratically elected farmer committeemen. May 29, 1958, reported to Senate, with an amendment. (S. Rept. 1646.)

S. 1939, to amend the Federal Seed Act of August 9, 1939 (53 Stat. 1275), as amended. August 1, 1958, approved. (Public Law 85–581.)

S. 2142, to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported citrus fruits, and to sliced figs, dried figs, and fig paste. August 5, 1958, reported to Senate, with amendments. (S. Rept. 2191.)

S. 2444, to authorize cooperative associations of producers to bargain with purchasers singly or in groups and for other purposes. July 15, 1958, passed Senate, with amendments.

S. 2861, to extend for an additional 4-year period the provisions of the National Wool Act of 1954. April 21, 1958, reported to Senate, with an amendment. (S. Rept. 1460.)

S. 2937, to provide equitable treatment for producers participating in the soil bank program on the basis of incorrect information furnished by the Government. May 16, 1958, approved. (Public Law 85–413.)

S. 3039, amending the Agricultural Trade and Assistance Act of 1954, as amended. February 26, 1958, reported to Senate, with amendments. (S. Rept. 1323.)

S. 3076, to amend section 12 of the act of May 29, 1884, relating to research on foot-and-mouth disease and other animal diseases. July 31, 1958, approved. (Public Law 85–573.)

S. 3120, to exempt the production of durum wheat in the Tulelake area, Modoc and Siskiyou Counties, Calif., from the acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. May 1, 1958, approved. (Public Law 85–390.)

S. 3248, to authorize the Secretary of Agriculture to exchange lands comprising the Pleasant Grove Administrative Site, Uinta National Forest, Utah, and for other purposes. July 21, 1958, passed Senate.

S. 3333, to facilitate the insurance of loans under title I of the Bankhead-Jones Farm Tenant Act, as amended, and the act of August 28, 1937, as amended (relating to the conservation of water resources), and for other purposes. August 11, 1958, passed Senate.

S. 3341, to extend the Armed Forces dairy products program for 3 years. March 3, 1958, passed Senate.

S. 3342, to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools. July 1, 1958, approved. (Public Law 85–478.)

S. 3343, to extend the accelerated brucellosis control program under section 204 (e) of the Agricultural Act of 1954 for 2 additional years. March 3, 1958, passed Senate.

S. 3385, to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments. March 11, 1958, reported to Senate, with an amendment. (S. Rept. 1372.)

S. 3406, to amend the Agricultural Adjustment Act of 1938, as amended, with respect to wheat acreage history. April 4, 1958, H. R. 11088 approved. (Public Law 85–366.)

S. 3408, to amend the Agricultural Adjustment Act of 1938, as amended, so as to provide that cotton-acreage allotments for the States for 1958 and subsequent years shall be no less than in 1956, and for other purposes. March 11, 1958, reported to Senate, with amendments. (S. Rept. 1371.)

S. 3420, to extend and amend the Agricultural Trade Development and Assistance Act of 1954. March 20, 1958, passed Senate, with amendments.

S. 3439, providing for the reconveyance to Salt Lake City, Utah, of the Forest Service fire warehouse lot in that city. July 21, 1958, passed Senate, with amendments.

S. 3441, to provide for a minimum acreage allotment for corn and other purposes. March 10, 1958, reported to Senate. (S. Rept. 1370.)

S. 3478, to insure the maintenance of an adequate supply of anti-hog-cholera serum and hog-cholera virus. July 31, 1958, approved. (Public Law 85–574.)

S. 1356, to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts or practices and other unlawful restraints in commerce by certain persons engaged in commerce in meat and meat products, and for other purposes. May 15, 1958, passed Senate, with an amendment.

S. 3741, to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests. July 21, 1958, passed Senate, with an amendment.

S. 3858, authorizing Commodity Credit Corporation to purchase flour and cornmeal and donating same for certain domestic and foreign purposes. August 5, 1958, reported to Senate. (S. Rept. 2196.)

S. 3861, to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government. May 21, 1958, passed Senate.

S. 3890, to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes. June 11, 1958, H. R. 12602 approved. (Public Law 85–456.)

S. 4071, to provide more effective price, production adjustment, and marketing programs for various agricultural commodities. June 28, 1958, reported to Senate. (S. Rept. 1766.) Further current action. July 25. Passed Senate with amendments.

S. 4100, to provide for the increased use of agricultural products for industrial purposes. July 2, 1958, reported to Senate. (S. Rept. 1795.)

S. 4151, to amend the Agricultural Adjustment Act of 1938, as amended, so as to establish uniform provisions for transfer of acreage allotments. August 11, 1958, passed Senate, with an amendment.

S. J. Res. 162, to stay any reduction in support prices or acreage allotments until Congress can make appropriate changes in the price support and acreage allotment laws. March 31, 1958, vetoed. (S. Doc. 85.)

S. J. Res. 163, to stay any reduction in support prices for dairy products until Congress can make appropriate provision for such support prices. March 13, 1958, rejected by Senate.

S. J. Res. 181, extending for 60 days the special milk program. June 26, 1958, passed Senate, with an amendment.

S. J. Res. 334, to study matters pertaining to tobacco marketing practices. August 4, 1958, reported to Senate. (S. Rept. 2163.) August 6, 1958, agreed to by Senate.

House bills and joint resolutions

H. R. 6765, to provide for reports on the acreage planted to cotton, to repeal the prohibitions against cotton acreage reports based on farmers' planting intentions, and for other purposes. May 29, 1958, approved. (Public Law 85–430.)

H. R. 8490, to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments. June 4, 1958, approved. (Public Law 85–443.)

H. R. 8308, to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes. July 29, 1958, passed Senate, with amendments. August 13, 1958, House agreed to Senate amendments.

H. R. 5497, to amend the Watershed Protection and Flood Prevention Act. May 26, 1958, reported to Senate. (S. Rept. 1630.)

H. R. 10843, to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments. April 7, 1958, approved. (Public Law 85–369.)

H. R. 376, to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges. July 1, 1958, passed Senate, with an amendment. Senate and House agreed to compromise. Reported August 15, 1958.

H. R. 7953, to facilitate and simplify the work of the Forest Service, and for other purposes. June 20, 1958, approved. (Public Law 85–464.)

H. R. 11058, to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments. July 2, 1958, approved. (Public Law 85–489.)

H. R. 11424, to extend the authority of the Secretary of Agriculture to extend special livestock loans, and for other purposes. July 11, 1958, approved. (Public Law 85–516.)

H. R. 11399, relating to price support for the 1958 and subsequent crops of extra long staple cotton. July 2, 1958, approved. (Public Law 85–497.)

H. R. 12164, to permit use of Federal surplus foods in nonprofit summer camps for children. July 2, 1958, approved. (Public Law 85–483.)

H. R. 6542, to authorize the Secretary of Agriculture to convey certain lands in the State of Wyoming to the town of Dayton, Wyo. August 11, 1958, passed Senate. Approved August 18, 1958. (Public Law 669.)

H. R. 10321, to authorize the Secretary of Agriculture to exchange lands comprising a portion of the Estes Park administrative site, Roosevelt National Forest, Colo., and for other purposes. July 28, 1958, approved. (Public Law 85–567.)

H. R. 11253, to authorize the Secretary of Agriculture to exchange land and improvements with the city of Redding, Shasta County, Calif., and for other purposes. July 28, 1958, approved. (Public Law 85–565.)

H. R. 11800, to authorize the Secretary of Agriculture to convey a certain parcel of land and buildings thereon to the city of Clifton, N. J., August 11, 1958, passed Senate.

H. R. 12161, to provide for the establishment of townsites, and for other purposes. July 31, 1958, approved. (P. L. 85–569.)

H. R. 12224, to amend the Agricultural Adjustment Act of 1938, as amended, with respect to acreage allotments for peanuts. August 11, 1958, passed Senate.

H. R. 12840, to amend the Agricultural Adjustment Act of 1938. August 11, 1958, passed Senate.

H. R. 8481, to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii. August 18, 1958, passed Senate.

H. R. 12494, to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes. August 18, 1958, passed Senate.

H. Con. Res. 295, favoring the establishment of a Hall of Fame for Agriculture. August 11, 1958, passed Senate.

H. R. 12126, to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes. August 4, 1958, reported to Senate, with amendments. (S. Rept. 2186.)

UNITED STATES SENATE,
COMMITTEE ON ARMED SERVICES,
August 16, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader, United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: In compliance with your request, this letter summarizes the legislative action of the Committee on Armed Services during the 2d session of the 85th Congress. The four measures of perhaps greatest significance are these:

1. H. R. 11470, the military pay bill, now Public Law 85–422. This act substantially increases the compensation of members of the Armed Forces in an attempt to attract and retain career personnel of the desired qualifications. In a congressionally modified form, it incorporates recommendations of the Defense Advisory Committee on Professional and Technical Compensation, familiarly known as the Cordiner Committee.

2. H. R. 12541, the Department of Defense Reorganization Act of 1958, now Public Law 85–599. This measure clarifies and strengthens the authority of the Secretary of Defense but preserves the constitutional role of the Congress respecting the Armed Forces. It encourages greater emphasis on research and development. It clarifies the organization and authority of unified commands and permits the establishment of a new chain of command to unified commands.

3. H. R. 13015, an act that provides more than $1.6 billion in construction authorization for the active forces and $57 million in construction authorization for Reserve components. The authorization provides operational, training, and support facilities.

4. H. R. 9739, the supplemental military construction authorization, now Public Law 85–325. This bill provided more than $500 million in military construction authorization, including among other things, initial authorization for a ballistic missile detection system.

During the current session, the committee considered and reported 51 other measures, of which 32 were legislative proposals of the Department of Defense. Details on these bills are available in the committee.

I hope that this letter is responsive to your request.

Sincerely,

DICK RUSSELL.

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader, United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: The 1958 activities of the Senate Committee on Banking and Currency may be summarized as follows:

1. S. 3149, which provides an increase of $2 billion in the lending authority of the Export-Import Bank of Washington, will substantially assist international development and promote the sale of United States capital goods abroad.

2. Senate Resolution 264: This measure promotes study of establishment of an International Development Association as an affiliate of the International Bank for Reconstruction and Development. Its purpose is to explore the possibilities of a new source of international development loans for underdeveloped nations. It contemplates loans for longer periods of time at lower rates of interest, repayable partly in local currencies, from a separate fund for subordinate loans to supplement the World Bank's lending activities.

3. S. 3418, an emergency housing bill designed to help more families achieve home ownership and at the same time stimulate the national economy. This was done by lowering downpayments on FHA single-family housing, extending the GI housing program for 2 years, and providing full FNMA support for FHA and VA home mortgages of less than $13,500. Recent increases in the number of housing starts, which has stiffened the economy against further large declines, has often been credited to this program.

4. Senate Joint Resolution 171, which provides an increase of $4 billion in the mortgage insuring authority of the FHA, keeping the program in operation.

5. S. 3497. This measure called for a $1 billion community facilities loan program to help localities proceed with needed public works with long-term loans available at a low rate of interest. Unfortunately, the bill has not been passed by the House of Representatives.

6. S. 4035, the Housing Act of 1958, which provided (a) a long term slum clearance and urban renewal program, (b) a more constructive approach to public housing, (c) promotion of construction of badly needed rental housing, (d) promotion of housing for the elderly, (e) extension and broadening of the college housing loan program, and (f) FHA insurance for mortgages on nursing homes. At the moment the fate of this measure in the House is still doubtful.

7. S. 3323, Defense Production Act amendments of 1958, which extended standby allocations authority and strategic materials stockpiling.

8. S. 3683, an area redevelopment bill providing economic aids to low-income areas or those hit by severe and prolonged unemployment.

9. H. R. 7963, a measure to extend and make permanent the Small Business Administration, which provides loans to small businesses.

10. S. 3651, legislation creating a Small Business Investment Company Administration under the SBA, to provide equity-type capital for small businesses. The new program provides tax and loan incentives to the formation of investment companies, loans to State and local development companies, and a fund for management counseling.

The committee also reported S. 2920, providing additional small business disaster loans; S. 3093, extending the Export Control Act; H. R. 12586, extending Federal Reserve Board authority to make direct purchase of United States obligations; S. 4162, providing new defense production borrowing authority; and Senate Joint Resolution 201, providing for a medal for Rear Admiral Rickover.

In all there were 63 Senate bills, 2 House bills, 3 Senate joint resolutions, 5 Senate resolutions, and 1 Senate concurrent resolution referred to the committee during the second session. In addition, the committee reported favorably to the Senate seven nominations to positions in the executive branch, which the Senate confirmed.

Sincerely yours,

J. W. FULBRIGHT, *Chairman.*

UNITED STATES SENATE,
COMMITTEE ON THE DISTRICT OF COLUMBIA,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: In compliance with your telephone request of August 16, 1958, I am happy to submit a report of activities of the Committee on the District of Columbia during the 85th Congress, 2d session. This report includes actions of the committee through today.

Cordially,

ALAN BIBLE.

REPORT OF ACTIVITIES OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA, 85TH CONGRESS, 2D SESSION

The Committee on the District of Columbia received for consideration in the 85th Congress, 2d session, the following:

Thirty-eight Senate bills, seventeen House bills, four Senate joint resolutions, one Senate concurrent resolution, two House joint resolutions, six nominations; grand total, 68.

Hearings were held by subcommittees on 34 Senate bills, 7 House bills, 2 Senate joint resolutions, and 1 House joint resolution. The full committee held hearings on four nominations.

The full committee met seven times.

Of the 26 Senate bills reported to the Senate, 22 were passed by the Senate and 3 were indefinitely postponed and companion House bills were considered and passed in lieu thereof. One bill, having passed the Senate, was recalled and is awaiting reconsideration. Of the 18 House bills reported to the Senate, 16 were passed by the Senate. One Senate joint resolution was reported and passed by the Senate, and two House joint resolutions were reported, one of which was passed by the Senate. Five nominations were reported favorably by the committee, and action was deferred by the committee on one nomination.

As of this date, 2 Senate bills, 2 House bills, and 1 House joint resolution are pending on the Senate calendar.

Conference committees were appointed on 4 bills and 4 conference committee meetings were held. As of this date, the Senate has acted favorably on three conference reports.

A field trip of an investigatory nature was made in connection with legislation pertaining to salary increases for school teachers.

The following is a statistical summary of committee action:

Status of bills, acts, resolutions and nominations received by the committee during the 2d sess. of the 85th Cong.

Number of bills, acts, resolutions, and nominations referred to committee	68
Number of bills, acts, resolutions, and nominations reported to Senate	36
Number of bills, acts, and resolutions in process (hearings held)	1
Number of bills, acts, and resolutions disposed of through consolidation with other Senate bills or House acts	1
Number of bills, acts, and resolutions indefinitely postponed within committee	15
Number of bills, acts, and resolutions awaiting initial action	[1]15

[1] 11 of these bills, acts, and resolutions were received after July 1, 1958.

Number of bills, acts, and resolutions received during the 1st sess. of the 85th Cong. upon which the committee has acted during the 2d sess.

Senate bills reported favorably	10
House acts reported favorably	7
Senate bills in process	1
House acts in process	0
Senate bills postponed indefinitely	14
House acts postponed indefinitely	1

The following is a list, by title and number, of (1) all bills, acts, and resolutions passed by the Senate during the 2d session of the 85th Congress, and (2) acts approved by the House in the 2d session which had passed the Senate in the 1st session. Those that became law are indicated by the public or private law number.

S. 105, to exempt from taxation certain property of the National Association of Colored Women's Clubs, Inc. Private Law 85–496.

S. 532, to revise and modernize the fish and game laws of the District of Columbia. (At the White House.)

S. 969, to prescribe the weight to be given to evidence of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor. Public Law 85–338.

S. 1040, to amend the acts known as the Life Insurance Act, approved June 19, 1934, and the Fire and Casualty Act, approved October 9, 1940, so as to bring related sections of law applicable to the business of life insurance into conformity with corresponding sections applicable to the business of fire and casualty insurance. Public Law 85–334.

S. 1041, to amend the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1911, and for other purposes," approved May 18, 1910, so as to allow the use of illustrations in annual District reports.

S. 1706, To amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended, so as to authorize the Commissioners to establish a fund to defray the cost of procuring, handling, and mailing municipal publications and to make advanced payments to Federal agencies for supplies or work. Public Law 85–491.

S. 1708, to amend the act entitled "An act relating to children born out of wedlock," approved January 11, 1951, so as to provide that when previously unwed parents of an illegitimate child have married subsequent to the birth of the child, the paternity of the child may be acknowledged by the husband in an affidavit sworn to before a judge or clerk of a court of record, or before an officer of the Armed Forces authorized to administer oaths, or before any person duly authorized to administer oaths. Public Law 85–382.

S. 1764, to amend the District of Columbia Public School Food Services Act, so as to authorize payment from appropriated funds of the cost of free school lunches.

S. 1841, to authorize the District of Columbia Board of Education to employ retired teachers as substitute teachers in the public schools of the District of Columbia. Public Law 85–385.

S. 1843, to amend the act entitled "An act to create a recreation board for the District of Columbia, to define its duties, and for other purposes," approved April 29, 1942, so as to permit the recreation board to allow night differential to be paid to certain of its employees for unscheduled work. Public Law 85–383.

S. 1846, to provide for the District of Columbia an appointed governor and lieutenant governor, and an elected legislative assembly and nonvoting delegate to the House of Representatives, and for other purposes.

S. 1908, to amend the District of Columbia Hospital Center Act in order to extend the time and increase the authorization for appropriations for the purposes of such act, and to provide that grants under such act may be made to certain organizations organized to construct and operate hospital facilities in the District of Columbia. Public Law 85–328.

S. 2419, to amend the District of Columbia Unemployment Compensation Act and for other purposes, so as to make possible a variety of desired administrative changes in the application and operation of the Unemployment Compensation Act in the District of Columbia. Public Law 85–557.

S. 2725, to exempt from taxation certain property of the National Council of Negro Women, Inc., in the District of Columbia. Private Law 85–388.

S. 2728, to amend the act entitled "An act to authorize the District of Columbia Government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950, so as to more adequately meet the needs of the District of Columbia in respect to planning, training, and preparation for civil defense in case of attack, and for the exercise of emergency powers after an attack or in case a major disaster should occur in the District.

S. 3057, to amend the District of Columbia Teachers' Salary Act of 1955, so as to increase the salaries of the Superintendent of Schools and the Board of Commissioners to $19,000 per annum. Public Law 85–552.

S. 3058, to amend the act regulating the bringing of actions for damages against the District of Columbia, approved February 28, 1933.

S. 3059, to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended.

S. 3243, to permit certain foreign students to attend the District of Columbia Teachers College on the same basis as a resident of the District of Columbia. Public Law 85–384.

S. 3259, to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), as the same are amended, to provide for an increase in the authorization for funds to be granted for the construction of hospital facilities in the District of Columbia, so as to increase the authorization of funds for construction of hospital facilities for Columbia Hospital for Women and Lying-in-Asylum and Georgetown Medical Center. (At the White House.)

S. 3493, to amend the District of Columbia Unemployment Compensation Act of 1935, as amended, so as to permit voluntary payments upon the part of employers into the unemployment compensation fund to protect experience ratings previously earned, raise the maximum benefit payment from $30 per week to $48 per week; extend the duration of benefit payments from 26 weeks to 34 weeks; and replace the present variable 4- to 9-week disqualification provisions with a straight 6-week disqualification provision with no cancellation of benefits.

S. 3510, to amend the act entitled "An act relating to the levying and collecting of taxes and assessments, and for other purposes," approved June 25, 1938, so as to permit District of Columbia officials to use registered or certified mail in notifying property owners of special assessments for public improvements.

S. 3827, to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended, so as to authorize the Commissioners to use moneys in the fund established by section 7 of the Motor Vehicle Parking Facility Act to alleviate a traffic situation resulting from the presence of a parking facility or to improve or widen a street. (At the White House.)

S. 3941, to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954, and for other purposes, so as to improve administration under the act, to remove inequities stemming from its operation, to clarify certain of its provisions, to remove a provision limiting the amount of insurance to be carried by taxicabs, and to make minor adjustments in the language of the act.

S. 3970, to facilitate the acquisition of real property under the District of Columbia Alley Dwelling Act.

S. 4153, to authorize the delivery of sewage from Virginia into the sewerage system of the District of Columbia and the treatment of such sewage, and for other purposes. (At the White House.)

S. J. Res. 167, directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the construction of a heliport within the District of Columbia.

H. J. Res. 582, to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the Middle Atlantic Shrine Association meeting of A. A. O. N. M. S. in September 1958, to authorize the granting of certain permits to Almas Temple Shrine Activities, Inc., on the occasion of such meetings, and for other purposes. Public Law 85–551.

H. R. 3486, to provide that the Uniform Simultaneous Death Act shall apply in the District of Columbia. Public Law 85–356.

H. R. 3778, to amend the act of May 29, 1930, with respect to the stream valley parks in Maryland, so as to vest certain discretion in the National Capital Planning Commission, upon agreement with the Maryland National Capital Park and Planning Commission, to increase the authorization provided under section 1 (b) of such act, for the acquisition of lands in the State of Maryland. (At the White House.)

H. R. 6306, to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes.", so as to increase the authorization for the construction of two 4-lane bridges across the Potomac River. Public Law 85–501.

H. R. 7300, to amend section 15 of the District of Columbia Alcoholic Beverage Control Act so as to permit the continued operation of a licensed business when the zoning is changed to a more restricted zoning classification. Public Law 85–423.

H. R. 7349, to amend the act regulating the business of executing bonds for compensation in criminal cases in the District of Columbia, so as to provide that the United States District Court for the District of Columbia, instead of the criminal divisions of such court, shall have jurisdiction to make rules prescribing the qualifications of persons engaging in the bonding business. Public Law 85–537.

H. R. 7450, to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children.

H. R. 7452, to provide for the designation of holidays for the officers and employees of the government of the District of Columbia for pay and leave purposes, and for other purposes. Public Law 85–533.

H. R. 7568, to amend the District of Columbia Police and Firemen's Salary Act of 1953 to provide that service in the grade of inspector and the grade of private in the Fire Department of the District of Columbia shall be deemed to be service in the same grade for the purpose of longevity increases. Public Law 85–421.

H. R. 7785, to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia.

H. R. 7863, to amend the District of Columbia Alcoholic Beverage Control Act, so as to provide for the payment of alcoholic beverage control taxes on wine by a reporting or affidavit method in lieu of the present tax-stamp method. Public Law 85–558.

H. R. 9271, to authorize the National Society of the Sons of the American Revolution to use certain real estate in the District of Columbia as the national headquarters of such society. Private Law 85–369.

H. R. 9285, to amend the charter of St. Thomas' Literary Society, so as to remove from existing law the $500,000 limitation on the value of the property that the society may hold at any one time and to remove from the charter that portion of the existing law which holds the individual corporators liable for all debts of the society. Public Law 85–541.

H. R. 9304, to amend section 12 of the act approved September 1, 1916, as amended, so as to change the effective date for increased rate of deduction under the Police and Firemen Retirement and Disability Act amendments of 1957. (At the White House.)

H. R. 12356, to amend the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," approved August 30, 1954, so as to authorize and direct the Commissioners to construct, maintain, and operate a low-level bridge to be known as the Theodore Roosevelt Bridge, over the Potomac River. Public Law 85–446.

H. R. 12377, to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City. Public Law 85–451.

H. R. 12643, to amend the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia,' to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942, as amended, so as to permit each judge, the clerk and each deputy clerk of the Municipal Court of Appeals to administer oaths and affirmations and take acknowledgements. Public Law 85–539.

H. R. 13218, to enact a certain provision now included in the District of Columbia Appropriation Act, 1958, so as to authorize the Commissioners to use District-owned vehicles for transportation of children of employees of the District of Columbia government residing at Children's Center between Children's Center and Laurel, Md. (At the White House.)

H. R. 13531, to amend the act of June 29, 1938, as amended, to increase the insurance coverage required to be carried by cabs for hire in the District of Columbia for the protection of passengers and others, and for other purposes. (At the White House.)

H. R. 12162, to amend the District of Columbia Stadium Act of 1957 to require the stadium to be constructed substantially in accordance with certain plans, to provide for a contract with the United States with respect to the site of such stadium, and for other purposes. Public Law 85–561.

H. R. 13088, to fix and regulate the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, of the United States Park Police, and of the White House Police, and for other purposes. Public Law 85–584.

H. R. 13132, to amend the District of Columbia Teachers' Salary Act of 1955, so as to increase the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia.

The following is a list of nominations confirmed by the Senate in the 2d session of the 85th Congress:

Harold A. Kertz, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia for the remainder of the term expiring June 30, 1959.

Andrew McCaughrin Hood, of the District of Columbia, to be an associate judge of the Municipal Court of Appeals for the District of Columbia for a term of 10 years.

Richard R. Atkinson for reappointment as a member of the District of Columbia Redevelopment Land Agency for a term of 5 years, effective on and after March 4, 1958.

George E. C. Hayes, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia for a term of 3 years expiring June 30, 1961.

Robert E. McLaughlin for reappointment as Commissioner of the District of Columbia for a term of 3 years and until his successor is appointed and qualified.

UNITED STATES SENATE

MAJOR ACCOMPLISHMENTS OF COMMITTEE ON FINANCE, 85TH CONGRESS, 2D SESSION

UNEMPLOYMENT COMPENSATION

H. R. 11630, providing a permanent unemployment compensation program for exservicemen on the same basis as benefits are now provided former Federal civilian employees. In effect, an exservicemen's tour of duty in the Armed Forces would be treated in the same manner as if he had been employed by a private employer in his State or by the Federal Government in a civilian capacity. (Awaiting President's signature.)

H. R. 12065, enables an unemployed individual who has exhausted his unemployment compensation rights under the laws of his State to be covered for an additional period equal to 50 percent of maximum number of weeks previously available (overall average of about 13 weeks). This made immediate relief available to 2,650,000 persons who had exhausted their benefits after June 30, 1957. (Public Law 85–441, June 4, 1958.)

SOCIAL SECURITY

H. R. 5411, liberalizes existing law to enable a widow who loses mother's old-age and survivors insurance benefits because of remarriage to continue to receive such benefits if her husband dies within 1 year of such marriage. Also provides for coverage of policemen and firemen who are employees of joint instrumentalities (context of S. 3386) as well as the State of Washington. (Awaiting the President's signature.)

H. R. 7570, to facilitate social security coverage of certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage. (Awaiting President's signature.)

H. R. 8599, provides inclusion of sick leave in definition of wages for purposes of State agreements under the Social Security Act. (Awaiting President's signature.)

H. R. 8865, strengthens existing law provisions on collection of taxes withheld by employer from employee's salary by providing penalties for failure to comply. (Public Law 85–321, February 11, 1958.)

H. R. 11346, permitting Massachusetts and Vermont to divide their retirement systems into 2 parts so as to obtain social security coverage for those employees who so desire it; and affords an additional opportunity for obtaining social security coverage to individuals who were included in the group of persons not desiring coverage. (Awaiting President's signature.)

H. R. 13549. This bill made many worthwhile amendments to existing social-security law which will grant relief to our elderly and disabled citizens. A brief analysis of the major changes follows:

Increases in benefits and earnings base

First. Increases benefit amounts for all beneficiaries—those now on the rolls and those who will come on in the future—by about 7 percent, with an increase of at least $3 in the amount payable to the retired worker. Increases the maximum on total benefits payable to a family from $200 to $254. Benefit increases will be effective for January 1959. The increased benefits will be reflected in checks received February 3, 1959:

Second. Increases, effective in 1959, the maximum amount of annual earnings taxable and creditable toward benefits from $4,200 to $4,800.

Tax rate

Increases the scheduled rates in the law by one-fourth of 1 percent each for employees and employers, and three-eighths of 1 percent for the self-employed, above the rates now scheduled and provide for the scheduled increase in the rates to take place every 3 years instead of every 5 years.

Disability

First. Provide benefits for wives, dependent husbands, and children of disability insurance beneficiaries like those now provided for dependents of old-age insurance beneficiaries. Sets forth requirements for entitlement and amends appropriate provisions in present law to apply to such benefits.

Second. Eliminates the disability benefits offset provision for disability insurance benefits and childhood disability benefits.

Third. Liberalizes the eligibility requirements by eliminating the provision requiring the disabled worker to have 6 quarters of coverage out of the last 13 calendar quarters before disablement.

Fourth. Postpones for 3 years the June 30, 1958, deadline for filing fully retroactive disability freeze applications.

Benefits for dependents

First. Where a person over age 18 is the child of a deceased or retired insured worker and has been disabled since before age 18, provides for the payment of benefits to the child without requiring proof, as required under present law, that he has been dependent upon the worker for one-half of his support. The change would make the requirement for the disabled adult child the same as for the child under age 18.

Second. Provides benefits for the dependent parent of a deceased worker even though there is a widow or child of the worker who is, or may become, eligible for benefits. Benefits payable to other survivors of a worker in the month of enactment will not be decreased if a parent comes on the rolls.

Third. Removes the 3-year adoption requirement for the child of a retired worker.

Retirement test

First. Provides that a person will not lose a benefit under the retirement test for any month in which he has not earned wages in excess of $100—rather than $80 as under present law—provided he does not perform substantial services in self-employment in that month.

Second. Drops the requirement that a person who is not entitled to receive benefits during a year because he is working and who has in fact not received any benefits nevertheless must file an annual report of his earnings under the retirement test.

Coverage

The bill modifies the existing law to facilitate the social-security coverage of employees of nonprofit organizations and certain State and local government workers.

Public assistance

The bill would change the formula determining the Federal share of assistance payments to provide an average maximum on

State expenditures for assistance in which there can be Federal sharing including assistance in the form of medical care and as money payments, and make a portion of the Federal contribution related to the per capita income of the States.

The maximum amount of payment to the aged, blind, and disabled persons in which the Federal Government will participate was increased from $60 to $65, thereby enabling the States to increase benefit payments under these public assistance programs. The effective date of increases in the Federal share of payments will be October 1, 1958.

The bill extends the benefits of the four public-assistance programs to Guam with a dollar limitation on the total Federal grants of $400,000.

The dollar limitation on total Federal grant to Puerto Rico is increased from $5,312,500 to $6,500,000 and to Virign Islands from $200,000 to $300,000.

Blind programs—Missouri and Pennsylvania

Special provisions regarding State blind programs in Pennsylvania and Missouri would be extended from June 30, 1959, to June 30, 1961.

Maternal and child welfare

The authorization for maternal and child health would be increased from $16.5 million to $21.5 million, the authorization for crippled children services from $15 million to $20 million, and the authorization for child welfare services from $12 million to $17 million. These increases would raise the total authorized for the 3 programs from $43.5 million to $58.5 million.

VETERANS

H. R. 1140, allows reservists, enlisted and officers, of the uniformed services (approximately 18,000) to waive a portion of their retired pay in order to draw compensation from the Veterans' Administration. Public Law 85-376, April 11, 1958.

H. R. 358, increases the monthly rates of pension payable to widows of deceased veterans of the Spanish-American War, Civil War, Indian Wars, and Mexican War to $75 for those widows who were married to the veteran during his service period and to $65 for those widows who married the veteran since his war period (were receiving $54.18 and $67.73 respectively) and provides pensions to veterans and widows of veterans of the Confederate Army who served during the Civil War. Public Law 85-425, May 23, 1958.

H. R. 10461, increases the special rate of compensation for blind veterans from $309 monthly to $359 monthly. Public Law 85-652, August 14, 1958.

H. R. 8322, extends dependent's or survivor's benefits to the husband or widower of the female veteran if he is totally and permanently disabled and thus dependent on his wife. Public Law 85-655, August 14, 1958.

H. R. 11801, increase the veterans burial allowance from $150 to $250. Public Law 85-674, August 18, 1958.

H. R. 11577, modifies the National Service Life Insurance Act to provide greater disability benefits for servicemen by allowing them to increase from $5 to $10 per month for each $1,000 national service life insurance in force the amount of total disability income benefits which may be purchased. Public Law 85-678, August 18, 1958.

H. R. 9700, another major achievement of the Committee on Finance was enactment of this bill which consolidated and codified all of the existing veterans laws. In integrating these laws into one comprehensive act, the committee was able to simplify the language in many instances which will be of invaluable assistance to all veterans. (Awaiting final action.)

H. R. 11382, to facilitate the conversion of national service life insurance term insurance and also provide a 1-year period during which veterans may obtain a national service life insurance policy. (Awaiting House concurrence of Senate amendment.)

H. R. 9680, provides that an additional aid and attendance allowance of $150 per month shall be paid to certain service-connected severely disabled or paralyzed veterans during periods in which they are not hospitalized at Government expense. This bill will enable many of these veterans to live with their families instead of being confined in the hospital. (Awaiting signature of President.)

TARIFF

For the free importation of items for use and display in trade fairs and expositions to be held in the States of Washington, Oregon, California, Kentucky, Minnesota, and for the Chicago International Fair. (H. R. 11880, H. R. 9655, H. R. 10242, H. J. Res. 439, H. J. Res. 556, and H. R. 11019.)

A suspension of the duty for the periods named on the following products: Crude chicory (with compensatory rate on ground or prepared chicory) for 2 years; personal and household effects brought in under Government orders, for 2 years; certain alumina and bauxite, for 2 years until July 16, 1960; certain lathes used for turning shoe lasts, for 2 years; certain coarse (carpet type) wools, 2 years, until June 30, 1960; metal scrap, continuation of present suspension for 1 year, until June 30, 1959, with amendment eliminating nonferrous materials. (H. R. 11407, H. R. 9917, H. R. 2151, and H. R. 10015.)

Provided for the free importation of: Automobiles and parts for show purposes only, 6 months time limit; guar seed; religious vestments and regalia presented to religious or charitable organizations; old-style pistols and revolvers not using fixed ammunition; sound recordings and slides or transparencies for use in certain nonprofit radio and television broadcasts and films for such use, but a 2-year time limit was placed on the latter; certain mica and mica films and splittings; newsprint, to a minimum of 13 inches rather than the 15-inch present minimum, with an amendment insuring the continued free entry of certain tanning extracts (myrobalan). (H. R. 776, H. R. 10112, H. R. 7516, H. R. 1126, H. R. 7454, H. R. 10277, and H. R. 6894.)

Provided changes in rates of duty as follows: Harpsichords and clavichords to have the same tariff rate as pianos; paint roller handles to have the same tariff rate as paint brush handles. (H. R. 5208 and H. R. 7004.)

Provided clarification and definition of tariff classifications as follows: Certain types of footwear, clearer definition for import purposes; clarified definite import classification for certain manmade fibers (nylon, orlon, etc.). (H. R. 9291 and amendment to H. R. 10277.)

Provided for temporary free importation of certain items for certain purposes: Articles to be repaired, altered, or processed within defined limitation; automobiles rented abroad and driven into the United States as a part of the foreign trip by United States citizens. (H. R. 9923 and amendment to H. R. 11889.)

Extended the privilege of substitution, for the purpose of drawback after reexportation to all classes of merchandise. (H. R. 9919.)

Adopted amendment which clarified, simplified, and speeded up the operation of the Antidumping Act of 1921. (H. R. 6006.)

Adopted, after extensive hearings and executive sessions, the Trade Agreements Extension Act of 1958. Provided for additional authority for the President to enter into trade agreements and further reduce tariffs. Provided strengthening amendments to escape clause, peril point section, and to the section on national security, as well as other additions to the present act tending to give added assurance to those who might be affected by the act. (H. R. 12391.)

In order to provide adequate information for possible future action which may be desirable to aid and assist domestic industries the Finance Committee instituted, by committee resolution, Tariff Commission investigations on tungsten, mercury, iron ore, clothespins, and carpet wool.

PUBLIC DEBT

H. R. 9955, provides a $5 billion increase in public debt limit for temporary period up to June 30, 1959 (advocated by the administration). Public Law 85-336.

H. R. 13580, increases the permanent public debt ceiling by $8 billion (from $275 billion to $283 billion). Reported by the Committee on Finance, August 15, 1958.

TAX BILLS ENACTED INTO LAW

H. R. 5038, makes the marital deduction for estate tax purposes available with respect to certain decedents who were adjudged incompetent before April 2, 1948. Public Law 85-316.

H. R. 7762, adjusts existing law in respect to use of corporation property by a share holder. Public Law 85-319.

H. R. 9035, removes inequity in existing law by providing a new basis for a restricted stock option at the date of the employee's death. Public Law 85-320.

H. R. 8216, the bill was designed to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax. Public Law 85-323.

H. R. 10021, this bill continued for another year the 1955 tax formula for life insurance companies. Public Law 85-345.

H. R. 8268, to accord same tax treatment for income distributed with respect to limited-partnership interests held by certain testamentary charitable trusts that is presently accorded income derived from dividends received by such trusts. Public Law 85-367.

H. R. 8794, to provide exemptions from the admissions tax for athletic games between teams composed of students from elementary or secondary schools or colleges: (1) where the gross proceeds are divided between the schools or colleges involved and hospitals for crippled children and (2) where the proceeds inure to an exempt educational, charitable, or religious organization operated exclusively for the purpose of aiding and advancing retarded children. Public Law 85-380.

H. R. 12695, 1-year extension of present corporate income tax and existing excise tax rates on distilled spirits, tobacco and automobiles (recommended by the administration). (A Senate floor amendment was added to this bill repealing the 3 percent excise tax on transportation of property.) Public Law 85-475.

TAX BILLS AWAITING FINAL ACTION

H. R. 11794, 6-month extension of the Renegotiation Act. (Awaiting action of Senate.)

H. R. 7125, this voluminous 450-page measure is a comprehensive revision of the technical and administrative provisions of the Internal Revenue Code relating to Federal excise taxes. In addition to numerous changes in virtually all classes of the miscellaneous excise taxes, the provisions relating to the communications and documentary stamp taxes, and the important credit and refund provisions have been entirely rewritten. Some of the changes were: (1) Exemption for nonprofit educational organizations from the retailers, manufacturers, communications, and transportation of persons taxes; (2) the exemption for admissions not in excess of 90 cents was revised to provide an exemption of the first dollar of any admission (whether or not the total charge is in excess of $1); (3) an exemption was provided for most admissions where the proceeds inure exclusively to an organization

organized and operated exclusively to provide scholarships and fellowships for study above the secondary school level; (4) excise tax exemption of admissions to nonprofit community swimming pools and skating rinks; and (5) the bill provides a general technical revision of the distilled spirits provisions and also the occupational-tax provisions relating to wholesale and retail dealers in alcoholic beverages. (Awaiting Presidential action.)

H. R. 8881, the Committee on Finance spent 6 months in its consideration of this particular bill. At least 48 additional Senate bills and about 30 or more House measures were considered in conjunction therewith. It is a major step in the elimination of substantive unintended benefits and hardships in the existing income, estate, and gift tax provisions and also removes many technical errors and ambiguities in the tax statutes.

H. R. 13969, the small-business tax relief bill, as approved by the Committee on Finance, was incorporated in H. R. 8381 by Senate floor action. This measure provided for ordinary-loss treatment of losses up to $25,000 a year per taxpayer, a 2-year carryback of business losses, and allows up to 20 percent of the cost of tangible personal property of a small business to be written off in the year of acquisition. (Awaiting Presidential action.)

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: It is my understanding that you have requested a report from the Committee on Foreign Relations listing its major accomplishments during the 2d session of the 85th Congress.

The staff of the committee has prepared the enclosed statement for your information.

Sincerely yours,

THEODORE FRANCIS GREEN,
Chairman.

MAJOR ACCOMPLISHMENTS OF THE SENATE FOREIGN RELATIONS COMMITTEE, 85TH CONGRESS, 2D SESSION

1. Mutual Security Act of 1958: H. R. 12181, to amend further the Mutual Security Act of 1954, as amended and for other purposes. Approved June 30, 1958. Public Law 85-477.

2. Double taxation conventions: Pakistan (Ex. N, 85-1), advice and consent given, July 9, 1958 (84-0); Belgium (Ex. B, 85-2), advice and consent given, July 9, 1958 (84-0); United Kingdom (Ex. C, 85-2), advice and consent given, July 9, 1958 (84-0); United Kingdom (Ex. A, 85-2), advice and consent given, August 13, 1958 (90-0).

3. Payment for Danish vessels: S. 3448, to authorize a payment to the Government of Denmark. Approved, June 6, 1958. Public Law 85-450.

4. Czechoslovak claims: S. 3557, to amend the International Claims Settlement Act of 1949, as amended. Approved, August 8, 1958, Public Law 85-604.

5. International Labor Organization contributions: S. J. Res. 73, to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor. Passed Senate June 27, 1957. Provisions included in Public Law 85-477, the Mutual Security Act of 1958.

6. Contributions to the International Council of Scientific Unions: S. J. Res. 85, to amend the act of Congress approved August 7, 1935 concerning United States contributions to the International Council of Scientific Unions and certain associated unions. Approved, August 14, 1958. Public Law 85-627.

7. Interparliamentary Union contributions: S. 2515, to amend the act of June 28, 1940, entitled "An act to authorize participation by the United States in the Interparliamentary Union." Passed Senate, August 5, 1957. Provisions included in Public Law 85-477, the Mutual Security Act of 1958.

8. Acceptance of foreign decorations: S. 3195, to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries. Passed Senate, July 11, 1958.

9. Return of treaties in accordance with Presidential requests: The return of the following treaties was requested by the President on April 22, 1958 and they were ordered returned on June 19, 1958: Conciliation Treaty with the Philippines (Ex. C, 80-1); ILO Convention No. 70 (Ex. T, 80-1); Inter-American Copyright Convention (Ex. HH, 80-1); ILO Convention No. 63 (Ex. G, 81-1); ILO Convention No. 88 (Ex. B, 82-1); Understanding to ILO Convention No. 63 (Ex. H, 82-1); ILO Conventions Nos. 91, 92, and 98 (Ex. J, K, and L, 82-1).

10. Additional Assistant Secretary of State: S. 1632, to authorize the appointment of one additional Assistant Secretary of State. Approved, July 18, 1958. Public Law 85-524.

11. Alaska International Rail and Highway Commission: S. 2933, to extend the life of the Alaska International Rail and Highway Commission and to increase its authorization. Approved, August 8, 1958. Public Law 85-601.

12. Assistant to the Secretary of State: S. 3112, to provide for the appointment of an assistant to the Secretary of State to be known as the Assistant for International Cultural Relations. Passed Senate, July 28, 1958.

13. Foreign Service annuities: S. 3379, to provide for adjustments in the annuities under the Foreign Service retirement and disability system. Passed Senate, August 11, 1958.

14. Hungary: S. Con. Res. 94, H. Con. Res. 349, expressing indignation at the execution of certain leaders of the recent revolt in Hungary. Passed Senate and House, June 19, 1958.

15. United Nations force: S. Con. Res. 109, H. Con. Res. 373, to express the sense of the Congress on the establishment of a United Nations force. Passed Senate July 23, 1958.

16. Foreign policy study: S. Res. 336, to authorize a study of United States foreign policy. Passed Senate, July 31, 1958.

17. Latin American study: S. Res. 330, authorizing a study of United States Relations with the American Republics. Passed Senate, July 31, 1958.

18. Alaskan salmon: S. Res. 263, favoring negotiations with the Government of Japan for the protection of the Alaskan red salmon fisheries. Passed Senate, August 8, 1958.

19. Canadian relations: S. Res. 359, concerning increased systematic discussions between legislators of Canada and the United States. Passed Senate, August 8, 1958.

Sundry bridge and highway bills.

Sundry endorsements of expositions and fairs.

Greetings to various nations.

UNITED STATES SENATE,
COMMITTEE ON
GOVERNMENT OPERATIONS,
August 18, 1958.

Hon. LYNDON JOHNSON,
Majority Leader, United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: In accordance with your request, I am attaching a brief outline of the legislative action taken by the Senate Committee on Government Operations during the 85th Congress.

As you will note, the report has been broken down to show action taken on administration proposals as distinguished from general legislation reported by the committee.

Trusting this is the information desired, and with kind regards, I am,

JOHN L. MCCLELLAN,
Chairman.

LEGISLATIVE ACTION, SENATE COMMITTEE ON GOVERNMENT OPERATIONS, 85TH CONGRESS

ADMINISTRATION PROPOSALS

Legislation requested by the President

1. Reorganization Plan No. 1 of 1958, to consolidate the Federal Civil Defense Administration with the Office of Defense Mobilization in the Executive Office of the President. Plan became effective on July 1, 1958.

2. S. 1791, extension of date on which reorganization plans may be submitted to Congress to June 1, 1959. Public Law 85-286, September 4, 1957.

3. S. 434 (H. R. 8002), to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations. Passed Senate June 5, 1957. H. R. 8002 substituted in House; passed Senate, amended, July 31, 1958; House agreed to Senate amendments, August 14, 1958.

4. S. 4059, to amend Reorganization Plan No. 1 of 1958 in order to change the name of the office established under such plan. Passed Senate August 4, 1958. Passed House August 12, 1958.

Department of the Treasury

1. S. 1799, to facilitate the payment of Government checks, and for other purposes. Public Law 85-183, August 28, 1957.

Department of Justice

1. S. 1538, to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes. Passed Senate, March 3, 1958; Senator HUMPHREY requested reconsideration of passage March 24, returned to Senate Calendar March 25, 1958, under motions for reconsideration.

Department of Commerce

1. S. 1941, to authorize the payment by the Bureau of Public Roads of transportation and subsistence costs to temporary employees on direct Federal highway projects. Public Law 85-143, August 14, 1957.

Government Printing Office

1. S. 4010, to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, and for other purposes. Passed Senate August 4, 1958. Pending before House Committee on Government Operations.

National Science Foundation

1. S. 4039, to authorize the expenditure of funds through grants for support of scientific research, and for other purposes. Passed Senate August 4, 1958. Reported in House August 15, 1958. To be called up under suspension of rules, August 18, 1958.

United States Civil Service Commission

1. H. R. 11133, to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes. (Scientists and engineers.) Passed House June 26, 1958. Passed Senate August 11, 1958, amended. House agreed to Senate amendments August 14, 1958.

General Services Administration

1. S. 1535, to amend the Federal Property and Administrative Services Act of 1949 to

authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years. Passed Senate June 6, 1957. Pending before House Committee on Government Operations.

2. H. R. 5110 (S. 1036; S. 1536), to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes. (Transfer of records to National Archives.) Public Law 85–51, June 13, 1957.

3. S. 2224, to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property. Public Law 85–486, July 2, 1958.

4. S. 2231 to amend section 203 (c) of the Federal Property and Administrative Services Act of 1949 to permit the exercise of options contained in certain leases of Government property. Passed Senate March 3 1958. Pending before House Committee on Government Operations.

5. S. 2283, to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes. (Administrative operations fund.) Passed Senate March 3, 1958. Pending before House Committee on Government Operations.

6. S. 2533, to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for a period not exceeding 15 years, and for other purposes. Public Law 85–493, July 2, 1958.

7. H. R. 8795 (S. 2631), to amend section 507 and subsection 602 (a) of the Federal Property and Administrative Services Act of 1949, as amended. (Franklin D. Roosevelt Library.) Public Law 85–341, March 15, 1958.

8. S. 2752, to amend section 207 of the Federal Property and Administrative Services Act of 1949 so as to modify and improve the procedure for submission to the Attorney General of certain proposed surplus property disposals for his advice as to whether such disposals would be inconsistent with the antitrust laws. Passed Senate March 3, 1958; passed House with amendments, July 7, 1958. Senate agreed to House amendments, August 6, 1958.

9. S. 3140, to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for training of employees. Superseded by S. 385, Public Law 85–507, July 7, 1958.

10. S. 3141, to authorize acquisitions by the Administrator of General Services of certain land and improvements thereon located within the area of New York Avenue and F Street, and 17th and 18th Streets NW., in the District of Columbia. Passed Senate June 25, 1958. Pending before House Committee on Public Works.

11. S. 3142, to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes. Passed Senate June 23, 1958. Pending before House Committee on Government Operations.

12. S. 3224, to improve opportunities for small business concerns to obtain a fair proportion of Government purchase and contracts, to facilitate procurement of property and services by the Government, and for other purposes. Passed Senate August 14, 1958. Passed the House, August 15, 1958.

13. S. 3873, to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds. Passed Senate June 23, 1958. Reported favorably in the House of Representatives, August 7, 1958.

GENERAL LEGISLATION

1. S. 5, to amend the Federal Property and Administrative Services Act of 1949, as amended, to prevent the allocation of procurement contracts to certain designated geographical areas, and for other purposes. Reported February 10, 1958. Senate Calendar, Order No. 1298.

2. S. 6, to eliminate claims of immunity from State and local taxes based on contracts with the United States or its agencies or instrumentalities. Passed Senate March 4, 1958. Pending before House Committee on Ways and Means.

3. S. 931, to provide for the reorganization of the safety functions of the Federal Government, and for other purposes. Reported June 5, 1957. Senate Calendar, Order 415.

4. S. 1141, to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903. Public Law 85–81, July 3, 1957.

5. S. 1408, to provide allowances for transportation of house trailers to civilian employees of the United States who are transferred from one official station to another. Public Law 85–326, February 12, 1958.

6. S. 1585, to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States. Passed Senate April 4, 1957. Pending before House Committee on Rules.

7. S. 3126, to create a Department of Science and Technology; to establish National Institutes of Scientific Research; to authorize a program of Federal loans and loan insurance for college or university education in the physical or biological sciences, mathematics, or engineering; to authorize the establishment of scientific programs outside of the United States; and for other purposes. Rereferred to Senate Special Committee on Space and Astronautics, April 25, 1958.

8. S. 3677, to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments. Public Law 85–579, August 1, 1958.

9. S. Res. 347, authorizing a study of worldwide health activities. Reported by Committee on Government Operations, August 4, 1958; by Committee on Rules and Administration, August 13, 1958. Senate Calendar Order No. 2414.

The committee also reported 20 bills and joint resolutions providing for the transfer of Federal surplus property, title clearance, etc., of which 15 became law, with 4 pending before the House Committee on Government Operations. One bill, H. R. 6995, on Senate Calendar, Order No. 2091.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader,
United States Senate,
Washington, D. C.

DEAR LYNDON: Knowing of your interest in the committee's activities, I should like to provide you with some information with respect to our accomplishments during the second session. In some 70 hearings and meetings our committee considered in excess of 130 Senate bills, 75 of which were reported to the Senate. Eighty-three House bills were referred, and 79 of these were reported to the Senate. In my judgment, of the bills reported, the following were of particular significance:

INDIAN AFFAIRS SUBCOMMITTEE

S. 3051, amending the Klamath Termination Act of 1954, solved a most complex Indian termination problem.

H. R. 6322, amending the act terminating Federal supervision over the Menominee Tribe of Wisconsin.

H. R. 2824, terminating some 40 Indian rancherias in California.

IRRIGATION AND RECLAMATION SUBCOMMITTEE

S. 3684, authorizing the San Juan-Chama irrigation project in New Mexico and S. 1887, authorizing the San Luis unit of the Central Valley project in California. These latter two measures provide for the irrigation of nearly three-quarters of a million acres of land and provide industrial and municipal water supplies. The total cost of the two projects is in excess of a half-billion dollars.

The committee approved the first six loan proposals submitted by the Department of the Interior under the Small Projects Act. In addition, six rehabilitation and betterment loans to reclamation projects were approved by the committee as recommended by the Department. The small projects and rehabilitation and betterment loans approved total some $20 million.

S. J. Res. 135, saline water program, sponsored by Senator ANDERSON, an epochal approach to national and international water problems in the Middle East and elsewhere.

MINERALS SUBCOMMITTEE

S. 3186, extending for 1 year the Government's purchase program for tungsten, asbestos, fluorspar, and columbium-tantalum.

S. 3817, providing a program for the development of the mineral resources of the United States by making available financial assistance as a means of encouraging exploration for domestic minerals.

S. 4036, providing a program for the purchase by the Government of fixed quantities of domestically produced copper, lead, zinc, acid-grade fluorspar, and tungsten as a means of stabilizing the market prices of these selected minerals.

TERRITORIES SUBCOMMITTEE

H. R. 8054, providing for the leasing of oil and gas deposits of land beneath navigable waters in the Territory of Alaska which clears the way for the current oil boom in Alaska, thus facilitating the 200 to 300 million dollar investment expected to be made in Alaska by oil companies in the next few years.

I think you will appreciate that the committee and its members have been most active in treating of their legislative workload this year. I think we have reason to be proud of our accomplishments.

Sincerely yours,
JAMES E. MURRAY, *Chairman.*

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
August 39, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader, United States Senate,
Washington, D. C.

DEAR SENATOR: As per your request, this is a short résumé of the legislation which the Interstate and Foreign Commerce Committee has handled during the 2d session of the 85th Congress.

While perhaps I should not single out one piece of legislation as more important than other bills, still the Transportation Act of 1958, the Federal Aviation Act of 1958, and the Educational Television Act can certainly be considered as among the very important bills this committee has handled.

Briefly the Transportation Act of 1958 authorizes the Interstate Commerce Commission to guarantee loans from private sources up to $500 million to the railroads, repayable in 15 years; modernizes many of the laws affecting railroad operation including transportation of exempt commodities, discontinuance of railroad trains that cause loss to the owning railroads, while protecting State rights; and clarifies the decision of the Supreme Court in the Brooks Transportation case.

After some shocking air accidents, your committee brought to the floor, and the Senate approved, a bill completely revamping the agencies of our Government that handled the air transportation and air traffic of our Nation.

The bill, among other things, would regulate all air traffic in the United States, both civil and military.

Another very important bill was sponsored by Senator BRICKER and myself to provide $1 million for each State and Territory, on a matching basis, to set up statewide educational television systems. Many channels are reserved for this purpose, but because of lack of funds, are today unused. We believe this legislation, which has widespread support from our educational leaders, will expedite the use of these channels to meet our growing educational needs.

Among the many bills reported and passed by the Senate were the authorization of 2 superliners, 1 to operate on the east coast and the other on the west coast of the United States; the authorization for a Commission to Study the Federal Utilization of Radio and Television Frequencies; the extension of the Federal Airport Act; legislation requiring automobile manufacturers to label new cars so that purchasers would be protected; a stopgap bill to continue in effect for 2 years the dual rate system of vessel conference agreements so as to provide time for the Congress to study the impact of a Supreme Court decision; and a bill to guarantee funds to cover Government-insured vessel mortgages.

I might say with reference to the Airport Extension Act that the country is facing a serious problem in that our airlines will shortly be operating commercial jet airliners while the development of adequate airports to handle them is lagging. As you know, in the early days of this administration funds for the airports were seriously curtailed. While the development of fast and large aircraft continued, the expansion of landing areas could not keep pace. This problem, together with the need for a single agency to control and regulate air travel, took considerable time of your committee.

We spent a great deal of time on the resources of our Nation represented by our fisheries and our wildlife areas. We increased the revolving fund provided in the Fisheries Act of 1956 from $10 million to $20 million. We reported other legislation that would provide guaranteed loans for updating processing plants and the fishing fleet. We had legislation that would protect our lobster fishermen from foreign imports and we provided for a Fisheries Extension Service for the general good of the industry. We reported legislation that would aid in the eradication of predators that cause great damage to our fishing industry. We authorized a study of the effect of insecticides on wildlife and we were successful on legislation that would increase the cost of duck stamps from $2 to $3 so that these funds could be used in increased land procurement for protection of wild fowl and we approved, and the Senate passed, legislation to develop the commercial production of fish on flooded lands in rotation with rice crops.

Besides the legislation we handled, the committee engaged in a study of the Military Transportation Services, radio and television channel allocations, automobile insurance, textile industry problems, and the transportation industry problems.

With respect to textiles, we also reported a bill designed to protect and inform the ultimate consumer in his purchases of textile fiber products used or intended to be used in household textile articles. Incidentally, this bill defines household textile articles as articles of wearing apparel, costumes and accessories, draperies, floor coverings, furnishings, bedding, and other textile goods of a type customarily used in a household regardless of where used in fact.

This bill is in the tradition of the Wool Labeling Act of 1939 and the Fur Products Labeling Act of 1951, and is based on the same underlying principle that while the Government should not set quality standards, the purchaser should be protected by disclosure of basic information about the composition of items not ascertainable by sight or touch. Of course, wool and fur products remain under their respective acts.

We also reported, and the Senate passed, a major safety measure that would promote boating safety on our navigable waters, return to the States jurisdiction over such waters if the States enacted enabling legislation, and make uniform the boating laws of the country.

I am afraid if I continue this letter will be too lengthy for your purposes, but the foregoing are the highlights of the session. Following is a statistical table as of August 18, 1958, indicating the workload of the committee.

I take this opportunity to thank you on behalf of myself and of the committee for the excellent and thoughtful leadership you have given us during this session.

Accomplishments of the Senate Committee on Interstate and Foreign Commerce, 85th Cong., as of Aug. 18, 1958

Number of bills (Senate and House), and resolutions referred to committee	308
Number of bills reported by committee	109
Number of bills passed by Senate	102
Number of Senate bills pending in House committees	15
Number of Senate bills reported by House committees	31
Number of Senate bills passed House	38
Number of conference reports filed in House	8
Number of meetings of conference committees	14
Number of bills signed by President	54
Number of bills vetoed by President	1
Number of routine nominations referred to committee and confirmed	1,080
Number of major nominations referred to committee and confirmed	29
Number of executive meetings of full committee and subcommittees	54
Number of open hearings conducted by full committee	80
Number of days of open hearings conducted by subcommittees:	
Aviation Subcommittee	19
Communications Subcommittee	13
Merchant Marine and Fisheries Subcommittee	9
Surface Transportation Subcommittee	37
Automobile Marketing Practices Subcommittee	8
Special Subcommittee to Make a Study of the Operation of the Military Air Transport Service (MATS) and the Military Sea Transportation Service (MSTS)	4
Special Subcommittee to Study Textile Industry	3
Subcommittee on S. 86	2
Subcommittee on S. 1483	2
Subcommittee on S. 1552	1
Subcommittee on S. 3850	2
Total number of days of subcommittee hearings	100
Printed pages of public hearings	9,962
Unprinted pages of public hearings	6,129
Number of witness appearances before the committee	1,085

Sincerely yours,
WARREN G. MAGNUSON, *Chairman.*

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
August 20, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader, United States Senate, Washington, D. C.

DEAR SENATOR JOHNSON: The Senate Committee on the Judiciary during the 2d session of the 85th Congress has, to date, reported a total of 596 general and private bills.

Major general bills reported by the committee during the second session include the following:

H. J. Res. 424, Federal sentencing bill (to improve the administration of justice by authorizing the establishment of institutions and joint councils on sentencing, and to provide additional methods of sentencing).

H. R. 11477, to provide for a statutory rule of evidence for the admissibility of statements and confessions in criminal proceedings in Federal courts (Mallory).

S. 337, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws.

S. 2646, to limit the appellate jurisdiction of the Supreme Court in certain cases.

S. 654, to amend title 18, United States Code, to authorise the enforcement of State statutes prescribing criminal penalties for subversive activities.

H. R. 11033., recording the admission of certain Hungarian refugees. Provides for the adjustment of status of refugees from the Hungarian revolution who were paroled into the United States.

S. 411, providing for the payment of American war damage claims and the return of vested assets to United States citizens.

H. R. 11102, amending the jurisdiction of district courts in civil actions with regard to the amount in controversy and diversity of citizenship.

S. 11, to amend the Robinson-Patman Act with reference to equality of opportunity.

H. R. 8361, to amend section 2254 of title 28 of United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court.

S. 1356, to amend the antitrust laws in regard to commerce in meat and meat products.

H. R. 7168, to prescribe policy and procedure in connection with construction contracts made by executive agencies.

H. R. 13, to amend the Bankruptcy Act to revise chapter 11.

Other significant general bills reported by the committee during the second session include the following:

S. 3275, to provide for the representation of indigent defendants in criminal cases in the district courts of the United States (public defender).

H. R. 10154, to empower the Judicial Conference to study and recommend changes in, and additions to, the Rules of Practice and Procedure in the Federal Courts.

S. 3874, to amend section 4083 of title 18, United States Code relating to penitentiary imprisonment and to provide that a prisoner convicted of an offense punishable by imprisonment for more than 1 year be sentenced to 1 year or less, may be confined in a penitentiary when such confinement is deemed desirable.

H. R. 7260, to amend title 18, United States Code, so as to permit confinement in jail-type institutions or treatment-type institutions in connection with the grant of probation on a one-count indictment.

H. R. 982, to amend section 77 (c) (8) of the Bankruptcy Act, in regard to railroads in reorganization.

H. R. 7261, making the Federal Probation Act applicable to the District of Columbia.

S. 1963, to increase the punishment for giving false information concerning the destruction of aircraft.

S. 1489, to amend title 28 with respect to fees of United States marshals.

S. 1498, to amend title 28, United States Code, relating to bonds of United States marshals.

S. 163, extending the time for filing claims by former prisoners of war under section 15 of the War Claims Act of 1948.

H. R. 11874, recording the lawful admission for permanent residence of certain aliens who entered the United States prior to June 28, 1940.

H. R. 12378, facilitating the naturalization of adopted children and spouses of certain United States citizens performing religious duties abroad.

H. R. 12451, amending section 245 of the Immigration and Nationality Act. Provides for the adjustment of status of certain aliens without leaving the United States and grants nonquota status to certain aliens with approved first-preference petitions.

S. 3009, special naturalization benefits for Korean war veterans.

S. 3653, Immigration and Naturalization Service training school. Provides for acquisition of sites and construction of buildings.

S. 3942, certain aliens; provides for 1,500 nonquota immigrant visas for people in the Azores Islands distressed as the result of natural calamity.

S. 1416, granting the consent and approval of Congress to a Great Lakes Basin compact, and for related purposes.

S. 1864, to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office, and for other purposes.

H. R. 7153, giving the consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States.

H. R. 985, to provide that chief judges of circuit and district courts shall cease to serve as such upon reaching the age of 75. (Amended to substitute the age limit of 70 years for 75 years.)

H. R. 8943, to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code.

H. R. 11549, to provide for the preparation of a proposed revision of the Canal Zone Code, together with appropriate ancillary material.

H. R. 7306, to amend title 28 of the United States Code to provide that notice of an action with respect to real property pending before a United States district court must be recorded in certain instances in order to provide constructive notice of such action.

S. 3967, granting the consent and approval of Congress to the Tennessee-Tombigbee waterway development compact.

H. R. 8252, to amend section 3237 of title 18 of the United States Code to define the place at which certain offenses against the income-tax laws take place.

H. R. 8826, to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office.

H. R. 7866, to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals.

H. R. 12292, to amend subsections (b), (c), and (d) of section 294 of title 28, United States Code, relating to the assignment of retired judges to active duty. Committee amendment made this bill a part of the reported bill on H. R. 7866.

S. 1870, to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines.

H. R. 2767–S. 921, to clarify the scope of the authority of heads of executive departments to withhold information (amending section 161 of the Revised Statutes (5 U. S. C. 22)).

H. R. 1061, to authorize military departments to settle certain claims not cognizable under any other law.

H. R. 6789, to provide for reasonable notice of applications to United States courts of appeals for interlocutory relief against orders of certain administrative agencies.

H. R. 6788, to authorize abbreviation of the record on review or enforcement of orders of administrative agencies by the courts of appeals.

H. R. 4642, to establish a Commission and Advisory Committee on International Rules of Judicial Procedure.

H. R. 9022, to authorize the Secretaries of the military departments to settle certain claims and partially pay others.

H. R. 6238, to provide for opportunity to appeal interlocutory orders of district courts.

S. 3875, to permit taxation of costs against the United States in tax refund suits brought against district directors of Internal Revenue.

H. R. 9617, defining venue in tax refund suits by corporations.

S. 4169, to authorize participation by the United States in the International Criminal Police Organization.

H. R. 12894, to authorize the making, amendment, and modification of contracts to facilitate the national defense.

S. 721, to amend section 11 of the Clayton Act to provide for the more expeditious enforcement of cease and desist orders issued thereunder, and for other purposes.

S. 1615, to prohibit the removal to district courts of the United States of actions commenced in State courts under State workmen's compensation laws.

H. R. 9989, to provide for the presentation of a medal to the Sons of Union Veterans of the Civil War.

With kindest regards, I am,

Sincerely,

JAMES O. EASTLAND, *Chairman.*

UNITED STATES SENATE,
COMMITTEE ON LABOR AND PUBLIC WELFARE,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
Chairman, Democratic Policy Committee, United States Senate, Washington, D. C.

MY DEAR SENATOR JOHNSON: In response to your request, I am happy to submit herewith a list of bills, resolutions, and nominations reported to the Senate by the Committee on Labor and Public Welfare during the second session of the 85th Congress.

The committee reported 29 bills during the present session, as follows: 3 education bills, including the national defense education bill, and extension of federally impacted areas legislation; 8 health bills, chief among which were extension of the Hospital Survey and Construction Act for 5 years, extension of the Health Research Facilities Act for 3 years, and legislation to forbid the use of inadequately tested food additives; 9 bills affecting labor, notably, employee welfare and pension plans legislation, labor-management reporting and disclosure legislation, and Railroad Retirement Act amendments; 8 veterans bills, including a major proposal for unemployment compensation for peacetime veterans; and a bill providing for a White House Conference on the Aging.

The committee also reported 3 resolutions and 18 major nominations, as well as hundreds of routine Public Health Service nominations and promotions. Nominations were approved for appointments in the Department of Labor, the Federal Coal Mine Safety Board of Review, the National Labor Relations Board, the National Mediation Board, the National Science Foundation, the Railroad Retirement Board, and the Public Health Service.

Among the major legislative proposals approved by the committee in this session, six were outstanding, either with respect to their importance to the American people, or with respect to the amount of time and effort devoted to them by the committee, or both.

EDUCATION

The first of these to be considered was the national defense education bill, reported under No. S. 4237. When Congress convened in January, a large number of Senators introduced legislation designed to strengthen America's educational system in the face of the challenge of Soviet scientific and educational achievements.

During January, February, and March, the full Committee on Labor and Public Welfare held exhaustive hearings and received testimony from more than 90 witnesses, including some of the Nation's most eminent scientists and educators.

After lengthy executive consideration, the committee reported a bill S. 4237, which was a compromise between the bill introduced by Senator SMITH of New Jersey and 10 other Senators on behalf of the administration, and the bill introduced by me and 26 other Senators. This bill, which passed the Senate early on August 14, 1958, by a vote of 62–26, establishes a 4-year program estimated to cost approximately $1.5 billion.

In reporting S. 4237, the National Defense Education Act of 1958, to the Senate, the committee approved a coordinated program for strengthening the national defense through an interrelated set of proposals designed to assist State, local, and private effort to develop America's brainpower for defense, by stimulating students, teachers, parents, and school authorities to seek the highest possible attainment in learning. The program includes scholarships, student loans, laboratory equipment, institutes for teachers, graduate fellowships, aid to States for guidance and counseling services, centers for language development, research and experimentation in the use of television and other modern communications for education, area vocational schools, and a science information service.

HEALTH

Of the eight bills in the field of health reported by the committee this session, three are of major importance to the public. The first of these, is H. R. 12628 (Hill-Burton extension). This bill would extend for 5 years the life of the Hospital Survey and Construction Act which has proved so helpful in making available hospital and other health facilities throughout our Nation, and particularly in those areas which were completely lacking in such essentials for the provision of modern medical care.

The second bill reported by the committee which is of major importance to our people is H. R. 12876 (health research facilities). This bill, which will do much to speed research into the causes and cures of diseases which cripple and kill mankind, extends by 3 years the life of that act under which the Federal Government makes available $30 million a year to be used on a matching basis to help construct and equip the laboratories and other facilities needed by those scientists who are dedicating their efforts in attempts to eradicate disease.

The third bill, H. R. 13254 (food additives), would bring about a major change in those laws, administered by the Food and Drug Administration, designed to protect the American people from the addition to food products of additives which might be injurious to health. Whereas, under present law, any processor is free to add to our foodstuffs any newly discovered chemical, and can continue to use such an additive in foods until the Food and Drug Administration has been able to establish scientific proof that it is deleterious to health (which sometimes takes years), because of this bill food processors will not be permitted to add such substances to food until they have been able to prove, scientifically, that they are safe.

LABOR

Following intensive investigation by a special subcommittee of the Committee on Labor and Public Welfare during the latter part of the 83d and all of the 84th Congresses, bills were introduced designed to safeguard employee welfare and pension plans.

The committee held hearings on these bills during the first session of the present Congress, and in the second session, reported S. 2888, a bill providing for the reporting and disclosure of information about pension, health, and welfare funds. This bill, which was passed unanimously by the Senate, provided that administrators of all types of plans should make reports to their beneficiaries and to the Secretary of Labor, would grant the Secretary of Labor broad investigatory and limited police power, and imposed stiff criminal penalties for embezzlement, insurance kickbacks, and falsification of reports.

During this session, the committee expended great effort on union financial and administrative practices and labor-management relations. During 16 days of hearings, the Subcommittee on Labor compiled a massive record of testimony on 44 bills dealing with these subjects. It reported a bill, S. 3974, which provides for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, seeks to prevent abuses in the administration of trusteeships by labor organizations, provides standards for the election of officers of labor organizations, and amends the Taft-Hartley Act in a number of respects.

Attached hereto is a list of these and all other bills reported by the committee during the second session of the 85th Congress by number and short title.

With kindest regards and best wishes, I am,

Very sincerely,

LISTER HILL,
Chairman.

BILLS REPORTED BY THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, 85TH CONGRESS, 2D SESSION

EDUCATION

S. 4237 (National Defense Education Act of 1958): To strengthen the national defense, advance the cause of peace, and effect the intellectual eminence of the United States, etc.

H. R. 11378 (federally impacted areas): To amend Public Laws 815 and 874, 81st Congress, to make permanent programs providing financial assistance in the construction and operation of schools in areas affected by Federal activities, etc.

S. 3268 (National Science Foundation Act): To amend the National Science Foundation Act of 1950, as amended, and for other purposes.

HEALTH

H. R. 12636 (Hill-Burton extension): To amend title VI of the Public Health Service Act to extend for an additional 5-year period the Hospital Survey and Construction Act.

H. R. 12876 (extension of Health Research Facilities Act): To extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes.

H. R. 12694 (Hill-Burton loans): To authorize loans for the construction of hospitals and other facilities under title VI of the Public Health Service Act.

H. R. 13254 (food additives): To protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety.

H. R. 11414 (aid to schools of public health): To amend section 314 (c) of the Public Health Service Act, so as to authorize the Surgeon General to make certain grants-in-aid for provision in public of nonprofit accredited schools of public health, etc.

S. 3727 (Surgeon General's functions): To amend the Public Health Service Act, as amended, so as to clarify the functions and responsibilities of the Surgeon General with respect to international health activities, etc.

S. 3694 (Indian sanitary facilities): To amend the act of August 5, 1954 (68 Stat. 674), and for other purposes.

S. 3626 (Freedmen's Hospital): To establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes.

LABOR

S. 3974 (labor-management reporting and disclosure): To provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, and so forth.

S. 2888 (welfare and pension plans): To provide for registration, reporting, and disclosure of employee welfare and pension benefit plans.

S. 1313 (railroad retirement): To amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.

S. 3290 (coal mine safety): To amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals.

S. 3486 (safety program for longshoremen): To amend section 41 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide a system of safety rules, regulations, and safety inspection and training, and for other purposes.

S. 2020 (railroad retirement technical amendments): To amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act.

H. R. 12140 (war risk hazard): To amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war risk hazard and from employment, and so forth.

H. R. 12728 (longshoremen's compensation): To amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable.

H. R. 12967 (minimum wage review): To amend the Fair Labor Standards Act of 1938, with respect to the frequency review of minimum wage rates established in Puerto Rico and the Virgin Islands.

VETERANS

S. 3710 (unemployment compensation): To extend, until such time as compulsory military service under the laws of the United States is terminated, the provisions of title IV of the Veterans' Readjustment Assistance Act of 1952 to veterans who entered active service in the Armed Forces after January 31, 1955.

S. 4031 (veterans education): To amend section 223 of the Veterans' Readjustment Assistance Act of 1952, as amended, relating to change of educational or training program by an eligible veteran.

S. 4213 (veterans vocational rehabilitation): To afford vocational rehabilitation to certain veterans in need thereof to overcome the handicap of a disability rated 30 percent or more incurred in or aggravated by active service subsequent to January 31, 1955.

H. R. 6906 (hospitalization in the Philippines): To authorize modification and extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans.

H. R. 7251 (veterans' education in Panama and the Philippines): To amend the definition of the term "State" in the Veterans' Readjustment Assistance Act and the War Orphans' Educational Assistance Act, etc.

H. R. 9369 (refunds to veterans): To authorize refunds by the Veterans' Administration of amounts collected from former servicemen by the Government pursuant to guaranty of life-insurance premiums under the original Soldiers' and Sailors' Civil Relief Act of 1940.

H. R. 13559 (handicapped war orphans): To amend the War Orphans Educational Assistance Act of 1956 to authorize the enrollment of a handicapped eligible person in a specialized course of educational training, and at age 14.

AGING

H. R. 9822 (White House Conference on Aging): To provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, etc.

UNITED STATES SENATE,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
August 18, 1958.

Hon. LYNDON JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR: The Committee on Post Office and Civil Service, during the 2d session of the 85th Congress, carried and completed an unusually heavy workload. This was true not only because of the complexity of the issues involved in some of the major measures acted upon, but because of the large number of measures considered.

The major measures acted upon which became public law are:

1. Public Law 85–426, Postal Policy Act of 1958:

This measure accomplished three major objectives: First, it established for the first time in history a policy for the operation of the postal service; second, it completely revamped postage rates for the first time in years; and third, it accorded postal employees a justified and long overdue adjustment in compensation.

2. Public Law 85–462, Federal Employees Salary Increase Act of 1958: This measure accorded employees in the executive, legislative, and judicial branches of the Government an adjustment in compensation comparable to that given postal employees under Public Law 426.

3. Public Law 85–465, adjustment in retirement benefits: This measure adjusted the benefits of over a quarter of a million former employees, or the survivors of former employees, on the civil service retirement rolls.

4. Public Law 85–507, Government Employees Training Act: This measure provided for the first time authority for the Government to establish, on an overall basis, suitable training programs for its employees, necessary to keep par with advancements in science, medicine, and other similar and important fields.

5. Public Law 85–399, equipment allowances for rural carriers: This measure adjusts the equipment allowance for rural carriers and establishes, for the first time, a minimum allowance.

6. Public Law 85–550, to implement treaty with Panama: This measure implements item 1 of a memorandum of understandings attached to the treaty of January 25, 1955, between the Government of the United States and the Government of the Republic of Panama.

Among the minor measures acted upon which became public law are:

1. Public Law 85-368: Relating to contracts for postal stations.

2. Public Law 85-371: Revising the laws relating to the handling of short paid and undeliverable mail.

3. Public Law 85-372: Granting permanent authority to the Postmaster General to establish postal stations at camps of our Armed Forces.

4. Public Law 85-377: Giving authority and funds to the Civil Service Commission to take over certain employee beneficial associations.

5. Public Law 85-392: Revising the laws relating to the advertisements of rural routes.

6. Public Law 85-432: This measure corrects certain inequities with respect to step and longevity increases of postal employees.

7. Public Law 85-525: This measure extends overtime pay rates to certain employees required to work after completion of regularly established tours of duty.

8. Public Law 85-560: This measure provides for additional charges to reflect certain costs in the handling of business reply mail.

In addition to the measures so far enacted into law, there are in the process of enactment or on the President's desk awaiting action, 16 measures—both of a major and minor nature.

With kind regards, I am,

Sincerely yours,

OLIN D. JOHNSTON.

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: In compliance with your request, a short summary of the major accomplishments of the Committee on Public Works during the 2d session of the 85th Congress is as follows:

During this session there were 124 measures referred to the committee, of which 59 were enacted into law as separate bills or included in other bills. The committee approved 8 small watershed projects of the Department of Agriculture, and authorized 43 surveys of navigation and flood-control projects, by committee resolution. Hearings were held for a total of 41 days. Five nominations were considered by the committee and reported favorably to the Senate. There were 10 bills approving changing names of civil works projects, and 7 minor bridge bills.

Public Law 357: Authorizing the transfer of the Civil Service Commission Building to the Smithsonian Institution to house certain art collections of the Smithsonian Institution.

Public Law 361: The Federal-Aid Highway Act of 1958. Amends the Federal-Aid Highway Act to provide the following authorizations:

An additional amount of $400 million for fiscal year 1959 for the regular Federal-aid systems, to be expended on a two-thirds Federal, one-third State basis, and $115 million for advances to the States for matching their share up to two-thirds of the amount.

Nine hundred million dollars for fiscal year 1960 for the regular Federal-aid systems, the ABC roads, and $925 million for fiscal year 1961 for those systems.

Forest highways: $5 million for fiscal year 1959, $33 million for fiscal year 1960, and $33 million for fiscal year 1961.

Forest development roads and trails: $5 million for fiscal year 1959, $30 million for fiscal year 1960, and $30 million for fiscal year 1961.

National park roads: $18 million for fiscal year 1960, and $18 million for fiscal year 1961.

Indian reservation roads: $12 million for fiscal year 1960, and $12 million for fiscal year 1961.

Parkways: $16 million for fiscal year 1960, and $16 million for fiscal year 1961.

Public lands highways: $1 million for fiscal year 1959, $3 million for fiscal year 1960, and $3 million for fiscal year 1961.

Interstate System: Increase the authorization for fiscal year 1959 from $2.0 billion to $2.2 billion; for fiscal year 1960 from $2.2 billion to $2.5 billion; and for fiscal year 1960 from $2.2 billion to $2.5 billion; and approved the estimates of cost for completing the Interstate System submitted by the Secretary of Commerce as a basis for making the apportionment to the States for fiscal year 1960.

Established a national policy for control of the use of and improvement of areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system.

Signs would be limited to certain types, and where a State agrees to control their erection, the Federal share would be increased by one-half of 1 percent.

Public Law 429: Authorize acquisition of a portion of the property in square 724 in the District of Columbia for the purpose of extension of the United States Capitol Grounds, and for use of the United States Senate. Estimated cost $950,000.

Public Law 452: Authorize the appropriation of an additional amount of $10 million for completion of paving for the Inter-American Highway through the Central American Republics to the Canal Zone.

Public Law 500: The Omnibus River and Harbor Flood Control Act of 1958. Authorized the construction of 139 individual projects in 44 States, Alaska, Hawaii, and Puerto Rico, and increased basin authorizations in 13 river basins, as follows:

Types of projects	Number of projects	Estimated cost
Flood control	68	$545,579,000
Basin authorizations	13	808,300,000
Rivers and harbors	57	190,723,000
Beach erosion control	14	111,627,700
Total	152	1,556,230,500

In addition, the act authorized 62 surveys for flood control and navigation in 29 States.

The act also provided authority for the Corps of Engineers and the Bureau of Reclamation to include storage for immediate and future water supply in Federal navigation, flood control, irrigation, or multiple-purpose projects on a basis which will permit the Federal Government and local interests to share equitably in the benefits of multiple-purpose construction, and that storage may be included in any reservoir project surveyed, planned, constructed, or to be planned, surveyed, and/or constructed by these agencies.

Public Law 526: Granting the consent and approval of Congress to a compact between the States of Connecticut and Massachusetts relative to a flood-control compact for the Thames River Basin.

Public Law 591: Authorize acquisition of most of the remaining property in square 725 in the District of Columbia, and the construction thereon of additional facilities for the United States Senate. Estimated cost $650,000.

Public Law 597: Amend the Federal-Aid Highway Act of 1956 to increase the period of time construction must commence on rights-of-way acquired for such purposes from 5 to 7 years.

Public Law 665: To authorize conveyance of a pumping station and other facilities of the Gulf Intracoastal Waterway to the local drainage district, to relieve the Federal Government of responsibility for maintenance and operation. Estimated cost $1,420,000.

S. 497: Omnibus river and harbor-flood control bill. Action completed thereon, vetoed by the President. Public Law 500 enacted in lieu thereof. Passed Senate April 2, 1958, vetoed April 15, 1958.

H. R. 6701: Granting the consent and approval of Congress to the Tennessee River Basin water pollution control compact, with authority for any of seven Tennessee Basin States to enter into agreement relative to the storage and use of water pollution abatement purposes, provisions for enforcement, assignment of responsibilities, and protection of rights of the United States in the area. Passed Senate July 28, 1958.

Senate Concurrent Resolution 68: Stating the consensus of the United States Senate favoring the acceleration of civil construction programs for public works for which appropriations have been made. Passed Senate March 12, 1958, and passed House March 19, 1958.

S. 4021: To authorize the establishment of a United States Study Commission which would be responsible for the preparation of integrated and cooperative investigations, studies, and surveys of land and water resources in the southeastern portion of the United States. The area encompassed by the study includes that portion of the southeast drainage basins which would be bounded on the northeast by the Savannah River Basin, on the south by the St. Marys-Nassau River Basin, and on the west by the Perdido-Escambia River Basin system. Passed Senate August 1, 1958.

S. 1985: Authorizing the preparation of plans and specifications for the National Air Museum under the Board of Regents for the Smithsonian Institution, to be located on the south side of the Mall opposite the National Gallery of Art, be in keeping with that building, and be prepared by the General Services Administration, the location approved by the National Capital Planning Commission, and the design approved by the Commission of Fine Arts. Passed Senate June 26, 1958.

Senate Resolution 248: Declaring the sense of the Senate that the Committees on Interior and Insular Affairs and Public Works continue the joint study of relationship of river and related water resource development programs of United States, Soviet Russia, and Red China, and submit their findings and recommendations of ways and means to accelerate the development and utilization of the natural resources of the United States. Agreed to by Senate July 28, 1958.

S. 3335: To establish in the Smithsonian Institution a Board of Trustees of the National Cultural Center, composed of 15 specified Federal officials, members ex officio and 15 general trustees appointed by the President, to cause to be constructed for the Institution, with funds raised by voluntary contributions, a building to be designated as the National Cultural Center on a site in the District of Columbia, bounded by Rock Creek Parkway, New Hampshire Avenue, the proposed Inner Loop Freeway, and the approaches to the authorized Theodore Roosevelt Bridge. The Board would present programs of the performing arts, lectures, and provide facilities for other civic activities. The lands for the National Cultural Center and related activities would be acquired by the National Capital Planning Commission, with plans and specifications for the building approved by the Commission of Fine Arts. Passed Senate June 20, 1958.

S. 3712: Authorizes the appropriation of $4 million to remain available until expended, for completion of the survey and construction of the Rama Road in Nicaragua, under the provisions of section 5 of the Federal-Aid Highway Act of 1952. Passed Senate July 28, 1958.

S. 3975: To provide for the construction of a fireproof annex building for the use of the Government Printing Office adjacent to the present building, with heating, lighting, one floor air conditioned, for storage of paper and publications. Estimated cost $6,500,000. Passed Senate June 26, 1958.

H. R. 12776: To revise, codify, and enact into law, title 23 of the United States Code entitled "Highways." A revision and restatement of all highway laws since 1916 into one act, for simplification and easier use. Passed Senate August 5, 1958.

S. 4192: To authorize construction of the Bardwell Reservoir on Waxahachie Creek, Tex., for flood control and water conservation, at a total cost of $6,992,000, with local contribution of $1,888,000, leaving Federal cost of $5,104,000. Benefit-cost ratio of 1.10. Passed Senate August 15, 1958.

S. 4179: To authorize construction of the Tahchevah Creek flood-control project, at Palm Springs, Calif., at an estimated Federal cost of $1,658,000, and local contribution of 5.8 percent, or $102,000. Benefit-cost ratio 1.18. Passed Senate August 18, 1958.

S. 4266: To authorize the establishment of a United States Study Commission which would be responsible for the preparation of integrated and cooperative investigations, studies, and surveys of land and water resources in that part of the State of Texas which would be bounded on the northeast by the Neches River Basin and on the south and west by the Nueces and Colorado River Basins. Passed Senate August 15, 1958. Included as amendment to H. R. 12216 on August 18, 1958.

H. R. 11697: To amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the Harbor of New York, to extend the application of that act to the Harbors of Hampton Roads and Baltimore. Estimated annual cost $300,000. Passed Senate August 18, 1958.

H. R. 12808: To extend approval of the estimate of cost of completing the Interstate Highway System in each State, transmitted to Congress on January 7, 1958, by the Secretary of Commerce, as the basis for making apportionment of $2.5 billion of the Federal funds for fiscal year 1961, and for advancing the date for submission of a revised estimate of cost for completing the Interstate System from January 12, 1962, to January 12, 1961. Passed Senate August 18, 1958.

H. R. 2: To authorize the diversion of an additional 1,000 cubic feet per second of water from Lake Michigan into the Illinois Waterway through the Chicago Sanitary Canal. Reported to the Senate August 19, 1958.

S. 2883: To amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905. Reported to Senate March 7, 1958. Defeated in Senate August 14, 1958.

S. 3560: Authorizing construction of a courthouse and a Federal office building at Memphis, Tenn., at an estimated cost of $20 million. Reported to Senate June 4, 1958.

H. R. 12883: Providing for certain improvements relating to the Capitol powerplant and its distribution systems. Estimated cost $6,550,000. Reported to Senate and passed August 18, 1958.

All in all, I believe that the Committee on Public Works has had one of the most constructive sessions ever. The committee has worked hard and diligently. I have received the utmost cooperation from the members and the subcommittee chairmen. Our programs have contributed much to the economy of the Nation and to the benefits of our citizens.

Sincerely yours,

DENNIS CHAVEZ,
Chairman, Committee on Public Works.

UNITED STATES SENATE, COMMITTEE ON RULES AND ADMINISTRATION,
August 18, 1958.

Hon. LYNDON B. JOHNSON,
Majority Leader, United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: As the Congress again approaches adjournment, I desire to make this brief report on the work of the Committee on Rules and Administration. During this 2d session of the 85th Congress, 130 items of proposed legislation were referred to or originated in the Committee on Rules and Administration for consideration. Of that number, 106 measures were actually reported to the Senate, frequently accompanied by amendments reflecting modifications made pursuant to the committee's studies. Of the remaining 21 items—5 were indefinitely postponed because of collateral action making their further consideration unnecessary, 1 was rejected, and 15 remain under review.

During the current session, and based on extensive prior hearings, the Committee on Rules and Administration reported Senate Resolution 17, to amend section 2 of Rule XXII of the Standing Rules of the Senate, and filed a comprehensive statement on the proposed amendments, together with individual views. The committee also reported Senate Resolution 327, agreed to by the Senate on July 24, 1958, which established the new Standing Committee of the Senate, known as the Committee on Aeronautical and Space Sciences.

By adjournment, it is expected that the Senate will have authorized additional funds for Senate committee activities in the amount of $4,164,250. Of this amount, the Senate has already approved $4,100,500; the balance of $63,750, being represented by four resolutions pending on the Senate Calendar at this writing. The above total financial authorization represents many individual requests contained in resolutions which have been, in turn, analyzed and appraised by the committee before Senate consideration.

In addition to its plenary legislative agenda, the Committee on Rules and Administration also dealt with an unusually large number of policy problems and matters of general business which required more than cursory treatment and decision to effect efficient management of Senate administration. One of the committee's most challenging current projects is the utilization of space available to Senators and Senate activities attendant upon the occupancy of the New Senate Office Building and the extension of the east front of the Capitol.

As chairman of the Committee on Rules and Administration, I am indebted to my colleagues on the committee who have contributed generously of their time and talents to make the above record possible. I am also grateful to the committee's most competent staff on whom the committee has heavily relied for counsel and support.

Thanking you for the confidence and cooperation which you have always extended toward the endeavors of the Committee on Rules and Administration, and with kind regards, as always.

Yours sincerely,

THOMAS C. HENNINGS, JR.,
Chairman.

MAJOR ACCOMPLISHMENTS OF THE JOINT COMMITTEE ON ATOMIC ENERGY IN THE 85TH CONGRESS, 2D SESSION

The Joint Committee on Atomic Energy can list some solid accomplishments—legislative and otherwise—during the 2d session of the 85th Congress. The Joint Committee is unique in that it is the only committee in Congress comprised of representatives of both bodies which has legislative responsibilities.

Aside from its legislative and investigative work, the committee has traditionally carried on other major activities, including active participation in formulation of policies governing our atomic-energy program and informational activities designed to create better public understanding of this program.

The major accomplishments of the Joint Committee during the 2d session of the 85th Congress may be summarized as follows:

First, the committee, after lengthy hearings, reported out a bill to facilitate the exchange of information and materials with our allies in the field of nuclear weapons development. The bill was enacted into law on June 30, 1958, and approved by the President on July 2, 1958 (Public Law 85-479). Immediately thereafter the President submitted a proposed agreement for cooperation with the United Kingdom, and hearings have been held by the Joint Committee on it. The committee has submitted a report to Congress in support of the agreement.

Second, the committee has reported out an AEC facility authorization bill of some $386,679,000 to provide new construction for the atomic-energy program. The bill also includes provisions concerning the atomic-power program and Congressional review of proposed cooperative power projects with nongovernmental organizations. This bill passed the Senate on July 15, 1958, and was approved by the President on August 4, 1958 (Public Law 85-590).

In addition to the annual fiscal authorization legislation, increases in previous authorizations were approved by the Congress. AEC's fiscal 1958 authorization was increased in the amount of $35 million for the construction of a land prototype destroyer nuclear propulsion plant to be constructed at West Milton, N. Y. The bill passed the Senate on May 7, 1958, and was approved May 16, 1958 (Public Law 85-412).

An increase in fiscal 1958 authorization in the amount of $9,406,000 for the particle accelerator program, plus a further increase in fiscal 1958 authorization of the $2,250,000 for project Sherwood passed the Senate on July 2, 1958, and was approved on July 15, 1958 (Public Law 85-519).

Third, the committee and its staff have held informal discussions with the AEC on the development of a long-term atomic-power program statement. A staff study, reflecting the substance of these informal discussions will be issued shortly by the committee as a basis for further discussions next session on the long-term aspects of the atomic-power program.

Fourth, the committee held extensive hearings last February on basic research in the atomic-energy field. Copies of these hearings, together with a report by the Research and Development Subcommittee, are being distributed to Members of Congress, the scientific community and the general public to provide detailed information on basic research work as it is actually being carried on in our laboratories and universities. These hearings are of great interest in the atomic-energy field and provided the basis for the committee's recommendations in the authorization bill to increase the present level of support of projects under the AEC physical research program.

Fifth, the committee has acted favorably upon two bills providing legislative authority for the United States to cooperate with the six nations of the European Atomic Energy Community in a joint program of atomic power development. The goal of this program is to produce 1 million kilowatts of electric power through nuclear energy in Europe by 1963. The Middle East crisis has given urgency to the need for providing atomic power assistance to Europe as a means of offsetting dependence on Middle East oil.

One measure approved by the committee is a brief statement of intent in the form of a concurrent resolution and the other is

a bill to authorize American participation in the program, including funds for research and development and fuel element guarantees. These two measures were approved by the Senate on August 18, 1958.

Sixth, other bills reported out by the committee during the second session includes indemnity legislation exempting State universities and other educational institutions from provisions of last year's Indemnity Act providing for governmental indemnity against reactor hazards. This bill was passed by the Senate on August 5, 1958. Another bill was reported out providing indemnity for the atomic merchant ship *Savannah*. This measure was approved by the Senate on July 28, 1958, and by the President on August 8, 1958 (Public Law 85-602).

Finally, the committee has reported out the AEC omnibus bill, containing certain provisions including long-term contract authority which the AEC considers to be necessary for its program. This bill was enacted on August 5, 1958, and approved by the President on August 19, 1958 (Public Law 85-681).

In addition, the committee held extensive hearings on the raw materials program concerned with the AEC announcement of the limitation of mill capacity. As a result of the committee's review of the suject, the Commission increased its requirements to the satisfaction of the raw materials industry.

PRINTING AS A SENATE DOCUMENT LEGISLATIVE RECORD OF 2D SESSION OF 85TH CONGRESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a statement and accompanying legislative review of the legislative record of the 2d session of the 85th Congress be printed in today's RECORD, and that the same material, with suitable revisions and extensions, be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the statement and review were ordered to be printed in the RECORD, as follows:

SUMMARY OF THE LEGISLATIVE RECORD, 85TH CONGRESS, 2D SESSION, JANUARY 7, 1958, TO AUGUST 24, 1958

Statement by the Honorable LYNDON B. JOHNSON, United States Senator from TEXAS, together with digests of legislation passed by the Senate

MAJOR LEGISLATIVE ACTIONS 85TH CONGRESS, 2D SESSION (PASSED BOTH HOUSES AS OF AUGUST 23, 1958)

National Defense and Internal Security

1. Reorganization of the Department of Defense.
2. Authorized $54.6 million for expansion of missile bases and warning systems and created ARPA.
3. Authorized $386 million for AEC construction and expansion.
4. Authorized atomic powered destroyer.
5. Military Compensation Act.

International Affairs

1. Authorized $3.03 billion for mutual security program.
2. Reciprocal Trade Act.
3. Authorized exchange of mutually essential atomic information and materials with allies.
4. Increased lending authority of Export-Import Bank by $2 billion.
5. Adjustment of status of 30,000 Hungarian escapees.
6. Resolution relating to the establishment of an international plan for the peaceful exploration of outer space.

Governmental Organization

1. National Aeronautics and Space Act of 1958.
2. Admitted Alaska as a State to the Union.
3. Classification Act employees increase.
4. Authorized training of Government employees in outside schools.
5. Increased the jurisdictional amount required for civil suits in Federal courts.
6. Passed Freedom of Information Act.
7. Adopted act providing for improved budgetary procedures.
8. Federal Aviation Act.

National Economy

1. Emergency $1.8 billion Housing Act.
2. Increased $4 billion authorization for FHA mortgage insurance.
3. Authorized $5.5 billion for highway construction, including $1.8 billion additional to create jobs and expedite work.
4. Provided optionally to States, for repayment in 5 years, up to 15 weeks additional unemployment compensation.
5. Authorized Federal guarantee of railroad loans up to $700 million.
6. Increased postal rates and postal pay.
7. Authorized advanced purchases of supplies and equipment from fiscal year 1959 appropriations to stimulate business.
8. Broadened lending authority of Small Business Administration.
9. Small Business Administration made permanent, its lending authority increased and interest rates reduced.
10. Authorized construction and sale by Maritime Board of two passenger superliners.
11. Small Business Investment Act.
12. Small Business tax relief.
13. Extend the Renegotiation Act.

Agriculture

1. Barred reduction of 1958 farm price supports below 1957 level and barred cuts in acreage allotments for 2 years. (Vetoed.)
2. Extended soil conservation program for 4 years.
3. Extended Agricultural Trade Development and Assistance Act for sales of surpluses abroad.
4. Agricultural Act of 1958.

Natural Resources

1. Authorize $1.5 billion for flood control, rivers and harbors.
2. Extended program for critical material exploration.

Social Security, Health and Welfare

1. Extended for 3 years special school milk program with authorization of $75 million annual expenditure.
2. Authorized $1 million grants-in-aid to train public health specialists, technicians and administrators.
3. Increased civil-service annuities.
4. Extended for 3 years the Hill-Burton Hospital Survey and Construction Act.
5. Authorized the largest expenditures in history for medical research—$294,383,000, which exceeded the budget estimate of $211,183,000 by $83,200,000. The amounts provided for the various research activities as compared with the budget estimates are:

[In millions of dollars]

Activity	Budget	Appropriation	Increase
General Research	$17.742	$28.974	$11.232
Cancer	55.923	75.268	19.343
Mental Health	37.697	52.419	14.712
Heart	34.712	45.613	10.901
Dental	6.293	7.420	1.127
Arthritis	20.592	31.215	10.623
Allergy	17.497	24.071	6.574
Neurology	20.727	29.403	8.676

6. Extended Federal assistance programs for school construction in areas affected by Federal activities.
7. Required reporting and full disclosure of employee welfare and pension funds.
8. National defense education bill.
9. Area Redevelopment Act.
10. Authorized grants to expand teaching in the education of mentally retarded children.
11. Authorized agencies of the United States to make grants to support scientific research.
12. Enacted Food Additives Act.

DIGEST OF LEGISLATION PASSED BY THE SENATE OF THE UNITED STATES DURING THE 2D SESSION OF THE 85TH CONGRESS (CONVENED JANUARY 7, 1958, ADJOURNED AUGUST 24, 1958)

Agriculture

Price Supports and Acreage Allotments

S. J. Res. 162:

This resolution would have barred reductions in price support for 1958 and in acreage allotments for 1958 and 1959 for all basic commodities except tobacco (which is covered by other legislation).

It was the intent of Congress to prevent the drop in price supports Secretary of Agriculture Benson scheduled for the 1958 crops, some effective on April 1, 1958. Presidential veto March 31, 1958.

Farmer Committeemen

S. 1436:

This measure amends section 8 (b) of the Soil Conservation and Domestic Allotment Act to provide for the democratic election of farmer-committeemen to local and county committees. Members of State committees are to be appointed by the Secretary, but 1 member, if the State committee is composed of 3 farmers, or 2 members, if the State committee is composed of 5 farmers, are to be appointed from nominees chosen at an election by the members of the county committee.

Passed Senate August 8, 1958.

Soil Bank—Equity for Producers

S. 2937:

This measures authorizes the Secretary of Agriculture to compensate producers for hardships suffered under the 1956 Soil Bank program as a result of incorrect information furnished by county committees. The 1956 program was put into effect hurriedly after the Agricultural Act of 1956 was approved, and certain mistakes occurred.

As a result of these mistakes, some producers have suffered hardships due to being given erroneous information by county committees or due to the failure of county committees to properly inform them as to program requirements.

Public Law 85-413, approved May 16, 1958.

Insurance of Loans Under Bankhead-Jones Farm Tenant Act

S. 3333:

This bill amends the Bankhead-Jones Farm Tenant Act and the Water Facilities Act, so as to facilitate the making and insuring of loans by the Secretary of Agriculture for the acquisition, enlargement, or improvement of farms and the conservation of soil and water resources thereon, make such loans more attractive to investors, make the program self-supporting to a greater degree, facilitate the refinancing of such loans on an uninsured basis and make such insured loans eligible for investment for certain banks. It will accomplish these objectives by—

(1) Authorizing the conversion of direct loans into insured loans;

(2) Authorizing limited use of the mortgage insurance fund in making loans, if they can and will be converted to insured loans without undue delay;

(3) Authorizing the Secretary of Agriculture to receive a larger share of the interest payments on loans sold on an insured basis than he receives under existing law on insured loans;

(4) Authorizing the sale of any loan as an uninsured loan with the written consent of the borrower, or without such consent when the borrower has failed to comply with his agreement to refinance from another source when it is possible to do so at the prevailing rate;

(5) Giving the Secretary of the Treasury discretion to fix the interest rate on borrowings from the Treasury for use of the mortgage insurance fund, taking into consideration the "current average market yields of outstanding marketable obligations of the United States" having comparable maturities (such interest rate is now fixed by law at "the average rate of interest * * * borne by all interest-bearing obligations of the United States * * *; and

(6) Amending the National Bank Act to permit a national bank to loan as much as 25 percent (instead of 10 percent) of its capital and surplus to 1 individual in the case of loans insured by the Secretary of Agriculture under the Bankhead-Jones Farm Tenant Act or the Water Facilities Act.

Public Law 85-748, approved August 25, 1958.

Agriculture Armed Forces Dairy Products Program—Extension

S. 3341:

This measure extends the Armed Forces dairy products program for 3 years until December 31, 1961. In addition, it extends the benefits of this program to the Coast Guard and the Merchant Marine Academy.

The authority for the program is contained in section 202 of the Agricultural Act of 1949, which requires the Commodity Credit Corporation to make dairy products acquired through price-support operations available to (1) the Administrator of Veterans' Affairs to supplement the ration in VA hospitals, and (2) the Secretary of the Army to supplement the ration of the Army, Navy, and Air Force and the ration of Defense Department hospitals. Similar provision is made for supplementing the ration of the Coast Guard and the Merchant Marine Academy.

Passed Senate by voice vote March 3, 1958.

Agriculture Special School Milk Program—Extension

S. 3342:

This measure extends the special school milk program for 3 years to June 30, 1961. The present authority for this program is contained in the Agricultural Act of 1949. In order to recognize the primary purpose of the program as improved nutrition for schoolchildren, the extension is by separate legislation and not amendatory of the 1949 act.

This measure specifies that amounts expended under either the original or the extended program shall not be considered as amount expended for price support purposes.

This program includes all schoolchildren, all nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similiar nonprofit institutions devoted to the care and training of underprivileged children.

Pulic Law 85-478, approved July 1, 1958.

Brucellosis Eradication Program—Extension

S. 3343: This measure extends the accelerated brucellosis eradication program for 2 years until June 30, 1960. This program is provided for by the Agricultural Act of 1954, which authorizes the transfer of $20 million of Commodity Credit Corporation funds annually to the appropriation available for brucellosis eradication to accelerate the program through (1) increasing indemnities; (2) increasing the number of indemnities; and (3) defraying additional administrative expenses.

Passed Senate by voice vote March 3, 1958.

Agricultural Trade Development Act—Extension

S. 3420: This measure extends for 2 years, through June 30, 1960, the Agricultural Trade Development and Assistance Act. Increases from $4 billion to $4.5 billion in fiscal 1958, to $6 billion in fiscal 1959, and $7.5 billion in fiscal 1960 the amount of surplus agricultural commodities which may be sold for foreign currencies to friendly nations.

Enlarges the uses which may be agreed upon for the foreign currencies acquired under title I to include the educational exchange of agricultural leaders, labor leaders, journalists, and civil leaders; and assistance to schools and workshops. Prohibits discriminatory treatment of extra long staple cotton under Public Law 480.

Passed Senate by voice vote March 20, 1958.

Noxious-Plant Control—Federal Lands

S. 3861:

This measure provides for the application of State weed-control plans to Federal lands. It authorizes the State commissioner of agriculture to destroy noxious plants on Federal lands if the agency having jurisdiction of the lands consent, and has not already complied with the requirements of the program. Requires the Federal Government to reimburse a State upon presentation of an itemized account of the expenses incurred as a result of complying with the program.

Passed Senate May 21, 1958.

S. 4071. Agricultural Act of 1958

This measure provides more effective price, production adjustment, and marketing programs for various agricultural commodities.

The bill provides for:

Cotton: 1. A program for upland cotton for 1959 and 1960 under which producers can elect to take a 40-percent increase in their acreage allotments coupled with a 15-percent-of-parity reduction in price support. Price support for those choosing higher support will be by purchase only, and Commodity Credit Corporation would be required to sell cotton at not less than 110 percent of the lower support.

2. Upland cotton price support after 1960 at 90 percent of the average market price of Middling 1-inch cotton for the preceding 3 years, but not less than 30 cents per pound or 60 percent of parity, whichever is higher.

3. Minimum upland cotton marketing quotas after 1960 adequate to assure a stable supply to meet world needs, but not less than the larger of (a) domestic consumption and exports less 1 million bales or (b) 10 million bales.

4. A minimum national upland cotton-acreage allotment of 16 million acres.

5. A new formula for computing national marketing quotas for extra-long-staple cotton after 1960, designed to minimize the effect of carryover.

6. Use of a 3-year adjusted yield instead of a 5-year yield in converting the national marketing quota to a national acreage allotment.

7. Permanent extension of the small farm cotton-allotment provisions of existing law with amendments to (a) increase the national reserve to meet States' needs for acreage to establish minimum farm allotments to 310,000 acres; (b) increase the minimum farm allotment to 10 acres or the 1958 allotment, whichever is smaller; and (c) permit estimation of States' needs after 1959 to save the cost of making a trial allotment to determine such needs.

8. Allotment of such further acreage as may be necessary to increase each farm-acreage allotment to the prescribed minimum, with provision that no part of the additional acreage allotted to States, counties, or farms by reasons of provisions relating to minimum allotment shall be counted in computing their respective allotments.

9. Use of the previous year's allotment as a base in making allotments, if it will facilitate effective administration.

10. Retention of surrendered cotton acreage in the county so long as any cotton farm desires it.

11. Use of Middling 1-inch instead of Middling seven-eighths as the standard grade after 1960.

12. Effective August 1, 1961, increase of minimum prices for Commodity Credit Corporation sales of cotton for unrestricted use to 115 percent of the current support price plus reasonable carrying charge; and exemption from this requirement of a quantity equal to that by which the national marketing quota is less than domestic consumption and exports.

13. Express preservation of the cotton export sales program provided for by section 203 of the Agricultural Act of 1956.

14. Purchase by Commodity Credit during 1959 and 1960 marketing years of an amount of cottonseed and soybean oil equal to the amount of increase in such oil production by reason of the production of cotton on increased acreage allotted to farmers; and the donation of oil so purchased for use to aid needy persons outside the United States.

Corn and Feed Grains: 1. Discontinuance of corn-acreage allotments and the commercial corn-producing area.

2. Price support for corn at 90 percent of the 3-year average price, but not less than $1.10 per bushel or 60 percent of parity, whichever is higher.

3. Price supports for oats, rye, barley, and grain sorghums at fair and reasonable levels in relation to corn, but not less than 60 percent of parity.

4. Repeal of the provision for a different corn-support level in the noncommercial area.

Rice: 1. Permanent extension of the present minimum national and State acreage allotments.

2. Price support for 1959 and 1960 at between 75 and 90 percent of parity without regard to the supply percentage.

3. Price support, beginning in 1961, at 90 percent of the 3-year average price, but not less than $4 per hundredweight or 60 percent of parity, whichever is higher.

4. Review of farm-acreage allotment for 1959 crop, if farmer dissatisfied.

Wool: 1. Extension of National Wool Act of 1954 to March 31, 1963.

2. Ceiling of 85 percent of parity on support price, beginning with 1959, if Secretary determines that expenditures by the Commodity Credit Corporation for payments to producers will exceed the 70 percent of gross receipts of specific duties specified in section 705 of the Wool Act as a limitation on appropriations.

Public Law 480: 1. Agreements for sale of surplus agricultural commodities for foreign currencies in each fiscal year up to $1.5 billion plus any amount by which agreements entered into in prior fiscal years, beginning with fiscal year 1958, will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized.

2. Use of foreign currencies for financing interchange of persons programs, and for expanding and operating in foreign countries of schools to carry on vocational, professional, scientific, technological, or general education programs and to support workshops in American studies or educational techniques or chairs in American studies.

3. Extension of authority to enter into transactions until June 30, 1960.

4. Limitation of authority of Commodity Credit Corporation to acquire strategic or critical materials by barter or exchange to acquisitions for national and supplemental stockpiles, foreign assistance, and offshore construction programs.

5. Making available for sale of extra-long-staple cotton in same manner as any other surplus agricultural commodity is made available, and making available for sale of products from upland or long-staple cotton as long as cotton is in surplus supply.

(For complete information on S. 4071, see Vote Nos. 142–148.)

Industrial Uses of Agricultural Products

S. 4100: This measure:

1. Declares the need for developing new and improved uses for farm products and that public and private research agencies and others should be used for an all-out attack on the development of new and improved uses and new and extended markets and outlets for farm products and byproducts.

2. Establishes in the Department of Agriculture, the Agricultural Research and Industrial Administration with the duty to coordinate and expedite efforts to develop, through research, new industrial uses, and increased use under existing processes, of agricultural products; to develop new replacement crops; and to reduce the stock of commodities owned by the Commodity Credit Corporation.

3. Authorizes the new agency to provide graduate scholarships and fellowships and for this purpose to make grants to individuals.

Passed Senate July 29, 1958.

Uniform Provisions for Transfer of Acreage Allotments

S. 4151:

This measure amends the Agricultural Adjustment Act of 1938 to substitute a provision treating all commodities alike for the existing varying sections providing for the transfer of acreage allotments for cotton, peanuts, rice, tobacco, and wheat in cases where farms are acquired by agencies having the right of eminent domain. A uniform provision will be more equitable, easier to administer, and better understood by farmers. It is particularly needed at this time in view of the lands being acquired under the highway program.

Passed the Senate August 11, 1958.

Mexican Farm Labor

S. 4232:

Extends the Mexican farm labor program for 1 year until June 30, 1960. Under that program the Secretary of Labor recruits agricultural workers from Mexico pursuant to an agreement with the Republic of Mexico and subject to conditions designed to protect the rights of both foreign and domestic workers.

Passed the Senate August 14, 1958.

Study of Tobacco Marketing Practices

Senate Resolution 334:

Authorizes the Committee on Agriculture and Forestry to make a complete study of all matters pertaining to tobacco marketing practice related to loose and tied tobacco in order to determine why tobacco farmers receive a price differential for tying tobacco in some States and not in others, and requires a report by January 31, 1959.

Passed Senate, August 6, 1958.

Onion Futures

H. R. 376:

This measure provides that no contract for the sale of onions for future delivery shall be made on or subject to the rules of any board of trade. A violation is made a misdemeanor subject to fine.

Public Law 85–839, approved August 28, 1958.

Cotton Acreage Reports

H. R. 6765:

This measure changes the existing law relating to cotton-acreage reports by—

Basing the July cotton-acreage report on planted acreage instead of acreage in cultivation;

Advancing the second cotton-acreage report from September 1 to August 1, the beginning of the marketing year; and

Permitting the Department of Agriculture to report on farmers' intentions to plant cotton by removing the present prohibition.

Public Law 85–430, approved May 29, 1958.

Forest Service Administration

H. R. 7953:

This measure is designed to facilitate and simplify the work of the Forest Service by:

Raising the limitation from $50 to $2,500 on reimbursment to owners of equipment rented under verbal agreement for damages occurring while in use by the Forest Service.

Authorizing contracts with private parties to train, work, and care for Government-owned pack stock held in reserve for fire-emergency purposes.

Permitting reimbursement to employees for casualty damages to personal effects occurring at places of temporary storage while the employees are engaged in connection with these casualities.

Authorizing the Government to pay for transporting employees' automobiles between points in Alaska, in connection with transfer of official stations.

Permitting the Government to pay the cost of notifying employees in isolated locations of serious illness or death of close relatives, and the cost of transporting these employees to the nearest public transportation.

Permitting the transfer to States of fire-lookout towers and other improvements for fire control no longer needed by the Forest Service.

Broadening existing authority to pay for telephone calls for official use in private residences.

Permitting money received from forfeitures, judgments, or settlements to be used to carry out the work made necessary by the action which led to the forfeiture, judgment, or settlement.

Permitting payment of costs of publishing technical articles in scientific publications.

Increasing the amount available for purchase of administrative sites from $25,000 to $50,000 a year.

Public Law 85–464, approved June 20, 1958.

Humane Slaughter of Livestock and Poultry

H. R. 8308:

The measure:

1. Declares it to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

2. Defines as humane slaughter, (a) the rendering of the animal insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective before being shackled, thrown, cast, or cut; or (b) slaughter in accordance with religious requirements of the Jewish faith or any other religious faith which prescribes a method where the animal loses consciousness by anemia of the brain through the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

3. Forbids after June 30, 1960, except in period of national emergency, the procurement by any agency of the United States of livestock products produced in the plant of a slaughterer using methods not approved by the Secretary of Agriculture as humane.

4. Authorizes Secretary of Agriculture to conduct research into the development of humane methods.

5. Authorizes Secretary to designate, on or before March 1, 1959, methods conforming to the policy of the bill but permits him to designate methods not in conformity with the policy if he deems it more effective.

6. Authorizes the establishment of an Advisory Committee.

7. Preserves the religious freedom of any person or group against abridgment and exempts from the terms of the bill retail slaughter of livestock and the handling and preparation of livestock for slaughter. Retail slaughter is defined as slaughter in accordance with religious practices as set forth in section 2 (b).

Public Law 85–765, approved August 27, 1958.

Rice Acreage Allotments

H. R. 8490:

This bill makes several technical changes in the rice acreage allotment law to improve the administration of the program by—

Restricting old producer allotments in any State to those with production history in that State;

Preventing a producer or a farm from becoming an old producer or farm by planting rice without an allotment;

Preventing a producer from becoming an old producer by reason of engaging in production jointly with another who was entitled to the allotment and received the entire production history on the allotment;

Permitting the Secretary of Agriculture to divide a State into two areas and make allotments on a producer basis in one area and on a farm basis in the other area;

Providing for pooling allotments of lands acquired by agencies having the right of eminent domain, and using the pooled allotments to establish allotments for other farms owned or acquired by the former owners of the lands.

Increasing the marketing penalty to 65 percent of parity; and

Providing for terminating previous quotas whenever current quotas are terminated.

Public Law 85–443, approved June 4, 1958.

Soil Bank Contracts

H. R. 10843:

This measure permits farmers in 38 counties designated in 1958 as commercial corn areas to remain eligible for Soil Bank payments even if they did not comply with their new acreage allotment requirements.

It further provides that if there is an acreage reserve program in 1959, the same exemptions will apply for counties added in 1959, except to be eligible, participants must sign up for the acreage reserve before January 1, 1959.

Public Law 85–369, approved April 7, 1958.

Tobacco Acreage Allotments

H. R. 11058:

This measure amends the Agricultural Adjustment Act of 1938 to provide that in the event a second crop of tobacco is harvested for marketing from the same acreage, the allotment next established for the farm shall be reduced by an amount equivalent to the acreage from which more than one crop of tobacco was grown and harvested.

Public Law 85–489, approved July 2, 1958.

Agriculture Wheat Acreage History

H. R. 11066:

This measure is designed to prevent any farm from losing acreage history by reason of overplanting its allotment in 1958. It will prevent any State, county, or farm from losing acreage history by reason of the overplanting of any farm allotment in 1959 or any subsequent year if the farm marketing excess is delivered to the Secretary or stored to avoid penalty.

Under Public Law 203, approved on August 28, 1957, Congress provided that acreage planted in excess allotments would not count as history toward future allotments; however, by the time this information was conveyed to farmers many had already planted their wheat crops. By changing the rules

without adequate notice, the existing law imposed an excessive penalty or would compel the farmers to plow up acreage already planted which would result in loss to them.

Public Law 85–366, approved April 4, 1958.

Long Staple Cotton—Price Support

H. R. 11399:

This measure establishes the price support level for extra long staple cotton at not more than 75 percent of parity nor less than 60 percent of parity. At present, this commodity is supported at 75 percent of parity.

Extra long staple cotton is a specialized commodity which is produced in this country in only relatively small quantities and in a limited area. Its natural competitors are similar cotton imported from a few foreign areas and certain synthetic fibers.

It is the belief of the producers that a support level of not more than 75 percent will provide them an adequate return, and will maintain the market position achieved through a highly successful promotion campaign.

Public Law 85–497, approved July 2, 1958.

Special Livestock Loans

H. R. 11424:

This measure extends for 2 years, through July 14, 1961, the authority of the Secretary of Agriculture to extend or make supplementary advances in connection with special livestock loans which have been made under existing law providing for various types of disaster and emergency loans.

This bill affects only the authority of the Secretary to make supplemental advances or renewals of existing loans in order to more effectively protect the Government's interest. It does not authorize new loans.

Public Law 85–516, approved July 11, 1958.

Poisonous Seed Wheat

H. R. 11581:

This measure seeks to plug a loophole in the import laws whereby foreign countries can treat wheat with poisonous substances to prevent diseases, label it "unfit for human consumption" and pay an import duty of 5 cents per bushel instead of 21. The bill requires that wheat for seed purposes which has been treated to make it unfit for human consumption be classified as "wheat" rather than "wheat unfit for human consumption."

Vetoed August 20, 1958.

Nonprofit Summer Camps—Surplus Foods

H. R. 12164:

This measure clarifies existing law relating to the authority of the Secretary of Agriculture to donate surplus food commodities to nonprofit children's summer camps. Under existing provision of law, nonprofit school-lunch programs are eligible to receive surplus food commodities and the Department of Agriculture has been following the general policy that nonprofit summer camps are an extension of the school activity and should likewise be eligible to receive surplus foods.

This bill clarifies this provision of law so as to leave no doubt that summer camps for children, operated on a nonprofit basis, have the same eligibility to receive surplus foods as do nonprofit school-lunch programs.

Public Law 85–483, approved July 2, 1958.

Peanut Acreage Allotments

H. R. 12224:

This measure makes two minor changes in the peanut marketing quota law. Production of peanuts without an allotment will not affect the farm's status as new or old. Present provision permitting any farm to harvest up to 1 acre for nuts without penalty will not be applicable if the producers share in peanuts produced on any other farm.

Public Law 85–717, approved August 21, 1958.

Farm Acreage Allotment

H. R. 12602:

This measure permits the transfer of 1958 cotton acreage allotments in disaster areas from farms, on which they cannot be timely planted or replanted, to farms in the same or adjoining counties on which the same producers are engaged in cotton production. It would be effective only in counties where a substantial number of farms were affected, and transfers could be made only if authorized by the Secretary of Agriculture.

Many cotton farms are now under water so they either cannot be planted, or having been planted, cannot be replanted. These farmers, as a result, will lose their principal cash crop for 1958. This bill provides a means whereby they might obtain some relief if they were able to make arrangements to plant their crops on lands not under water.

Public Law 85–456, approved June 11, 1958.

Tobacco Allotments

H. R. 12840:

Authorizes the Department of Agriculture to combine allotments for Virginia fire-cured and Virginia sun-cured tobacco on any farms having allotments for both types.

Public Law, 85–705, approved August 21, 1958.

Flour and Cornmeal

H. R. 13268:

Authorizes the Commodity Credit Corporation to purchase flour and cornmeal and to donate it under flour and cornmeal donation programs.

Public Law 85–683, approved August 19, 1958.

Hall of Fame for Agriculture

House Concurrent Resolution 295:

The purpose of this concurrent resolution is to encourage efforts which are being made by private citizens to establish a Hall of Fame for Agriculture. Some of the most distinguished agricultural leaders of the country have been enlisted in the efforts to establish a hall of fame to commemorate and keep alive the great contributions which agriculture has made to the greatness and prosperity of the United States.

Passed the Senate August 11, 1958.

District of Columbia

Heliport—Study

Senate Joint Resolution 167:

This resolution authorizes the Commissioners of the District of Columbia to make a study of all factors involved in the construction of a heliport within the District, including recommendations of a site.

Passed Senate May 7, 1958.

District of Columbia—Fish and Game Laws

S. 532:

This measure authorizes the Board of Commissioners of the District of Columbia to promulgate appropriate regulations to revise and modernize the fish and game laws of the District.

Public Law 85–730, approved August 23, 1958.

District of Columbia—Commissioners—Additional Powers

S. 1706:

This measure grants additional powers to the Commissioners of the District of Columbia to authorize them to:

Purchase, sell, and to give to certain persons, institutions, and governmental agencies, both municipal and Federal, at the discretion of the Commissioners or their designated agent, copies of various municipal regulations;

Make advance payments to Federal agencies for supplies to be furnished or work to be performed in accordance with agreements between the Commissioners and agencies;

Empower the Commissioners to authorize the several departments, establishments, bureaus, and offices of the government of the District of Columbia to place orders with other agencies of the District, and to make payment for such orders either in advance or on a reimbursement basis.

Public Law 85–491, approved July 2, 1958.

Substitute Teachers

S. 1841:

This measure authorizes the District of Columbia Board of Education to employ retired teachers as substitute teachers.

Difficulty has been experienced by the schools in maintaining a sufficient list of substitute teachers in the District. An average of 131 substitute teachers are used daily in the District of Columbia public schools.

The act provides that the retirement annuities of such substitute teachers will not be interrupted by becoming employed in this capacity.

Public Law 85–385, approved April 24, 1958.

District of Columbia Recreational Board

S. 1843:

This measure permits the Recreation Board of the District of Columbia to prescribe rules and regulations governing the payment of night differential for nonregularly scheduled work of its employees who are subject to the Classification Act of 1949.

Public Law 85–383, approved April 23, 1958.

District of Columbia Compensation Act Amendment

S. 2419:

This measure makes possible a variety of desired administrative changes in the application and operation of the Unemployment Compensation Act in the District of Columbia.

Among the changes accomplished are:

Exempts from the operation of the act persons employed by Members of Congress.

Wages unpaid solely because of a court order appointing a fiduciary would be considered paid when due.

Stops the running of interest upon unpaid contributions when these nonpayments result from bankruptcy receivership or probate court proceedings.

Permits a 15-day grace period before the invocation of penalty provisions for late filing of reports or payment of contributions.

Public Law 85–557, approved July 25, 1958.

District of Columbia—National Council of Negro Women, Inc.

S. 2725:

This measure exempts from taxation property owned and occupied by the National Council of Negro Women, Inc., located at 1318 Vermont Avenue NW., Washington, D. C. This exemption applies so long as the property is owned and occupied by the National Council and is not used for commercial purposes.

The National Council was incorporated in the District of Columbia on June 26, 1936, and is a charitable and volunteer organization. It is a coordinating body of 22 national affiliates and some 90 local and junior councils, having a total membership of 850,000 women throughout the United States. The headquarters serve both the national and local activities of the organization.

Private Law 85–388, approved April 23, 1958.

Civil Defense—District of Columbia

S. 2728:

This measure makes a number of clarifying amendments to the 1950 act setting up an Office of Civil Defense for the District of Columbia.

Passed the Senate August 14, 1958.

District of Columbia—Teachers' Salary Act, Amendment

S. 3057:

This measure increases the salary of the Superintendent of Schools of the District of

Columbia to $22,000 a year. A study of the salaries paid the superintendents of schools in 18 cities of the United States having a population of more than 500,000 currently places Washington, D. C. in 18th place in terms of salary paid to its Superintendent of Schools.

Public Law 85-552, approved July 25, 1958.

Damage Actions

S. 3058:

Under existing law there is no right of action against the District of Columbia for unliquidated damages to persons or property unless the claimant within 6 months after the injury or damage was sustained gives notice in writing to the Commissioners of the approximate time, place, cause, and circumstances of the injury or damage, except that a report in writing by the Metropolitan Police Department is regarded as sufficient notice.

This measure changes the time for giving notice of unliquidated damages to person or property from 6 months to 60 days. This is similar to provisions in statutes of 15 of the States.

In the event injury or damage is caused by snow or ice, or both, the notice must be given within 10 days after the injury or damage was sustained, with a proviso that if by reason of physical or mental incapacity, the person injured fails to give such notice within such 10-day period, the claimant, under this measure, may give notice within 10 days after the incapacity has been removed.

This measure omits proviso in existing law, that a report in writing by the Metropolitan Police Department in regular course of duty shall be regarded as sufficient notice.

Provision is made that this act shall apply to all actions for unliquidated damages to person or property brought against the District of Columbia against unreasonable claims for damages and at the same time offer adequate protection to the rights of individuals.

Passed Senate June 9, 1958.

District of Columbia—Unsafe Buildings

S. 3059:

This measure amends the act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings. The Commissioners are authorized to require that unsafe structures be vacated under penalty of $300 fine or imprisonment of not to exceed 30 days after 5 days' notice to repair or take corrective action has been given, or immediately if the danger is imminent.

Establishes time limits and changes the present method for assessment and collection of costs for repairs made by the District upon unsafe structures, including changes in the "grace period," during which interest does not run, from 90 days to 60 days, and changes the rate of interest from 10 percent a year to one-half of 1 percent a month.

Permits administrative changes in the methods of serving notice upon the owners of property to simplify and standardize the procedures.

Passed Senate March 17, 1958.

District of Columbia—Teachers College—Foreign Students

S. 3243:

This measure permits a total of 25 foreign students who are in the United States on valid unexpired student visas to attend the District of Columbia Teachers College without the payment of tuition. By granting this permission, there is created a special exception from present law which prohibits the use of District of Columbia appropriations for the free tuition of pupils who are not residents of the District.

Public Law 85-384, approved April 23, 1958.

District of Columbia—Uniform Simultaneous Death Act

H. R. 3486:

This measure is designed to enact for the District of Columbia the Uniform Simultaneous Death Act. It will provide the District with an orderly plan for the distribution of estates which are dependent upon survivorship, where there has been a common disaster and insufficient evidence as to survivorship. Similar acts have been adopted in 39 of the 48 States.

Public Law 85-356, approved March 28, 1958.

Levying and Collecting of Taxes and Assessments, District of Columbia

S. 3510:

The purpose of this measure is to enable the notice of special assessments for public improvements to be served either by registered mail or by personal service, and thereby give the government of the District of Columbia an alternative method of service not present in existing legislation.

Passed the Senate, August 11, 1958.

Delivery of Sewage from Virginia to the Sewerage System of the District of Columbia

S. 4153:

This measure authorizes the Commissioners of the District of Columbia, from time to time, to enter into and renew agreements, for such periods as they deem advisable, with the proper authorities of the State of Virginia, to provide for the drainage of sewage originating in Virginia into the sewerage system of the District of Columbia for treatment and disposal. The bill provides further that the Virginia authorities shall pay all or part of the cost of construction and maintenance facilities necessary as determined in the individual agreements.

Public Law 85-703, approved August 21, 1958.

Stream Valley Parks in Maryland

H. R. 3778:

The first section of the act approved May 29, 1930, as amended, authorizes the appropriation of $7,500,000 for the development of the George Washington Memorial Parkway outside of the District of Columbia, and authorizes $1,500,000 for the extension of Rock Creek Park into Maryland. H. R. 3778 amends this section of the act so as to authorize the National Capital Planning Commission and the Maryland-National Capital Park and Planning Commission, by agreement, to use funds authorized for the George Washington Memorial Parkway for the extension of Rock Creek Park.

Public Law 85-707, approved August 21, 1958.

Potomac River Bridges

H. R. 6306:

This measure amends the act of 1946 which authorized the construction of two 4-lane bridges across the Potomac River to replace the bridge known as the 14th Street or Highway Bridge. The cost in 1946 was estimated to be approximately $7 million; however, the extremely rapid inflationary cost of heavy construction has resulted in the final cost of the first of the two bridges amounting to about $6,800,000, or substantially the amount authorized by Congress for both bridges.

Present plans call for the construction of the second of the two authorized spans, at a cost, together with approaches, of approximately $9,200,000. To complete this work, this measure increases the authorization to $16 million to take care of the second bridge.

Public Law 85-501, approved July 3, 1958.

Federal Probation Act

H. R. 7261:

This measure makes the Federal Probation Act applicable to the United States District Court for the District of Columbia, as approved by the Judicial Conference of the United States.

Public Law 85-463, approved June 20, 1958.

Criminal Cases—Executing Bonds

H. R. 7349:

This legislation amends the act of March 3, 1933, which regulates the business of executing bonds for compensation in criminal cases in the District of Columbia to accomplish the following purposes:

To remove the obsolete and substitute the current name of the various courts.

To give the United States District Court for the District of Columbia jurisdiction to make rules prescribing the qualifications of persons engaged in the bonding business.

Public Law 85-537, approved July 8, 1958.

EXTENSION OF POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT AMENDMENTS

H. R. 7450:

The purpose of this act is to extend to widows and children of policemen and firemen who were retired prior to the effective date contained in Public Law 85-157, which was October 1, 1956, the same survivorship benefits as accrue to the survivors of policemen and firemen who are covered under that act.

Passed Senate August 14, 1958.

DISTRICT GOVERNMENT EMPLOYEES

H. R. 7452:

This measure permits the employees of the District Government to be placed on an equal footing with employees of the Federal Government so far as the designation of holidays for pay and leave purposes is concerned. The Commissioners are authorized to prescribe regulations similar to those which relate to Federal employees.

Public Law 85-533, approved July 18, 1958.

District of Columbia—Police and Firemen—Wages

H. R. 7568:

This measure amends the District of Columbia Police and Firemen's Salary Act to provide that service as an inspector and a private in the Fire Department of the District of Columbia is to be considered as service in the same grade for the purpose of longevity increases.

Under existing law the pay of an inspector in the Fire Department is $184 more than the pay of a private, and provides for longevity increases of $129 for each 5-year period of continuous service completed in a grade. As a result of the narrow spread between the pay of a private and the pay of an inspector, a private who has completed one 5-year period of service entitling him to $129 in longevity pay, upon promotion to inspector, receives an increase of $55 a year but loses the credit he has toward his next 5-year longevity period.

This measure permits each private promoted to the grade of inspector to receive the $184 increase and, in addition, he may include his time in the grade of private in determining his longevity pay as an inspector.

Public Law 85-421, approved May 19, 1958.

Juvenile Court—Additional Judge

H. R. 7785:

This measure provides for the appointment of an additional judge for the Juvenile Court of the District of Columbia. The workload of the court has increased from a total number of 9,069 cases in 1951 to 17,916 cases in 1957. Up to the present, this workload has been carried on by one judge.

The new judge must be a member of the bar of the District of Columbia for at least 5 years immediately preceding appointment, a resident of the District of Columbia or of the metropolitan area surrounding the District, and must have a knowledge of social

problems and procedures and an understanding of child psychology.

The salary will be $18,000 a year.

Passed Senate April 22, 1958.

St. Thomas Literary Society

H. R. 9285:

This measure amends the charter of St. Thomas' Literary Society to:

Add the purpose of religion to the purposes of charity and education contained in the present law;

Remove from existing law the $500,000 limitation on the value of the property that the society may hold at any one time; and

Remove from the charter that portion of the existing law which holds the individual corporators liable for all debts of the society.

Public Law 85-541, approved July 18, 1958.

Military Construction, Supplemental

H. R. 9739:

This measure provides a supplemental authorization for construction and related activities for the Department of the Air Force within and without the United States, to support the acceleration of certain key offensive and defensive weapon systems. It will stimulate business activity and employment. The need for acceleration became increasingly apparent during formulation of the fiscal year 1959 budget, and was clarified by the dramatic evidence of Soviet capabilities in long-range missiles and satellites.

The precise subjects covered by this legislation are of a highly classified nature and, in the interest of national security, it is not possible to deal with all specific aspects. The overall authorization for the Air Force is $549,670,000 to support the following programs:

Semiautomatic ground environment (SAGE)	$29,670,000
Ballistic missile detection system	189,000,000
Ballistic missiles	112,400,000
Alert and dispersal of strategic forces	218,600,000
Total	549,670,000

Public Law, 85-325, approved February 12, 1958.

Additional Airport for the National Capital

H. R. 12311:

In 1950, Congress authorized the construction of an additional public airport in or near the District of Columbia. The 1950 act authorized to be appropriated the sum of $14 million "for the purpose of carrying out the provisions of this act." The act further stated: "There are hereby authorized to be appropriated from year to year such sums as may be necessary for the proper development, improvement, maintenance," etc.

Recently a site has been selected and the Government is proceeding as rapidly as possible with plans for construction. However, a question has arisen whether the $14 million mentioned in the 1950 act constitutes a limitation on the total expenditures authorized for the airport, or merely a limitation on the amount of funds to be initially expended.

This measure removes any possible doubt on the point involved and, should additional funds be needed, the request will not be subject to a point of order.

Public Law 85-511, approved July 11, 1958.

Potomac River Bridge

H. R. 12356:

This measure establishes a more satisfactory location for the bridge over the Potomac to be known as the Theodore Roosevelt Bridge. From the location authorized by the act of August 30, 1954, this bill moves the bridge upstream some 800 feet from that point contemplated in the existing statute.

This six-lane low-level bridge is to be constructed from a point north of and in the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, and will cross the south end of Theodore Roosevelt Island, or the island known as Small Island, or portions of both.

Public Law 85-446, approved June 4, 1958.

District of Columbia Public Works

H. R. 12377:

This measure authorizes a program of construction to meet capital needs of the government of the District of Columbia. The program includes projects relating to education, health, welfare, public safety, recreation and other general government activities.

Two methods are provided to assist the District in financing the program. First, the bill authorizes loans to be made to the District by the United States Treasury in amounts up to $75 million, such loans to bear interest at rates which are equivalent to the cost of money to the Treasury. The loans are to be repaid over a 30-year period, beginning with the second fiscal year after the loans are received by the District. Expenditures of funds raised by such loans would be authorized on an appropriation basis from year to year. Secondly the bill amends the District of Columbia Revenue Act of 1947 so that the annual payment by the Federal Government toward the expenses of the government of the District of Columbia would be increased by $9 million from the present authorization of $23 million, payable to the general fund.

Public Law 85-451, approved June 6, 1958.

Transportation of Schoolchildren

H. R. 13218:

The purpose of the measure is to authorize the Commissioners of the District of Columbia to permit District-owned vehicles to be used for the transportation of the children of District employees residing at the Children's Center, between the reservation and Laurel, Md., in order that the children may attend school.

Public Law 85-670, approved August 18, 1958.

Increased the Insurance Coverage for Cabs in the District of Columbia

H. R. 13531:

This measure makes the following major changes in existing law with respect to insurance on cabs in the District of Columbia:

(1) The required amount of liability insurance is increased from the present $5,000, $10,000, and $1,000 to $10,000, $20,000 and $5,000.

(2) The scope of the coverage is increased to cover any use of the vehicle, by any person, any place within the United States, if the person required by the act to be insured, is liable under the law of the place where the cause of action arose.

(3) Sections 7, 8, 11, 12, 13, 14, and 15 of the Safety Responsibility Act are made applicable to taxicabs to establish with certainty that taxi drivers are subject to the same penalties for not reporting accidents that are applicable to other drivers and to the same service of process requirements.

(4) Authority is given the Public Utilities Commission to inquire into and to revoke the authority of anyone to operate as a self-insurer if it finds such self-insurer does not have sufficient financial capacity.

(5) The legislation provides that the liability of the insurance carrier shall be absolute whenever injury or damage covered by such insurance occurs. The effect of this is to deprive the insurance company of any policy defenses.

Public Law 85-792, approved August 28, 1958.

Education

Merchant Marine Officers—Education

S. 1728:

This measure provides assistance to State and Territorial maritime academies or colleges by:

1. Authorizing the Department of Commerce to make contracts for annual payments with each academy or college for periods up to 4 years, but keeping the actual appropriations on an annual basis.

2. Providing an increase in the level of assistance up to $75,000 a year, or $25,000 if the institution does not meet the requirement regarding admission of out-of-state students.

3. Providing subsistence allowances for cadets at a rate not in excess of $600 per academic year per student.

4. Authorizing the Secretary of Commerce to loan and keep in repair suitable vessels for training purposes.

Public Law 85-672, approved August 18, 1958.

Educational television

S. 2119: To expedite the use of television in our public schools, colleges, and adult training programs, this measure authorizes the Commissioner of Education to make small grants-in-aid to organizations or States that qualify under the provisions of the Federal Communications Act.

To qualify the State or organization must:

1. Pay the operation and maintenance expense of these facilities.

2. Agree that the operation of these facilities will be under the control of:

(a) State agencies or officers primarily responsible for State supervision of public elementary and secondary schools; or

(b) A nonprofit foundation, corporation, or association organized primarily to engage in, or encourage educational television broadcasting;

(c) The State educational television commission appointed by the governor; or

(d) A State college, university or teachers' college.

3. Agree that these facilities will be used only for educational purposes.

Grants may be made to more than one organization but the total of the grants in one State cannot exceed $1 million. Grants will cover acquisition and installation of apparatus necessary for television broadcasting, including closed circuit television, or the improvement of television broadcasting but does not include construction or repair of structures to house the apparatus.

Passed Senate May 29, 1958.

Education—NACA—Graduate School

H. R. 6744:

This measure increases the limitation on the amount that the National Advisory Committee for Aeronautics may spend in continuing the salaries of its professional employees while they attend graduate schools in order to increase the value of their services to the Government. The limitation is now $100,000 a year and this act changes the dollar limitation to 2 percent of the total annual salaries of the NACA professional personnel.

During the past 8 years the NACA has granted leave for university graduate study and research in science and engineering to more than 600 different professional employees. Most of the grants of leave were for cumulative periods of a few weeks each, a few were for longer periods, and in half of the cases the employees supplemented their official leave with leave without pay for 50 percent of the period involved. Eighty percent of the persons under the program now are granted graduate leave of a few hours a day to take specialized graduate study at universities near NACA laboratories. This practice has made it possible to increase the number of trained employees with a minimum of interruption to research work.

Public Law 85-349, approved March 17, 1958.

School Construction

H. R. 11378:

This measure amends Public Law 815 and Public Law 874, 81st Congress, to make permanent the programs for financial assistance in the construction and operation of schools in areas affected by Federal activities insofar

as such programs relate to children of persons who reside and work on Federal property, and to extend such programs until June 30, 1961, insofar as they relate to other children.

Public Law 85-620, approved August 12, 1958.

Federal employees

Employee Training

S. 385:

This measure, in recognition of the Hoover recommendations as well as Congress' own interest, authorizes the training of Federal employees at public or private facilities. Training is an essential element in all personnel programs, so Congress, for the first time, has passed legislaton to:

Provide general statutory authority for employee training required to further Federal programs;

Make it possible for all agencies to use whatever facilities can best and most economically serve their training needs;

Provide the President a management tool essential to efficient operation of the departments and agencies;

Establish a central point of responsibility for and control of employee training programs; and

Consolidate a variety of exiting training authorities of limited scope and applicability.

The Government departments are enthusiastic in support of the measure and have agreed that the small cost could be absorbed by each agency and department.

Public Law 85-507, approved July 7, 1958.

Annuity Increase

S. 72:

This measure provides a 10 percent increase to each retired employee or Member of Congress, who, on August 1, 1958, is receiving or is entitled to receive an annuity based on service which terminated prior to October 1, 1956. No retiree, by reason of the 10 percent increase, may receive a total increase in excess of $500 a year.

Gives a survivor a 10 percent increase, but the total increase may not exceed $250 a year.

Provides a limited annuity, not to exceed $750 a year, to certain unremarried widows and widowers of employees and retired employees who died prior to February 29, 1948, either while still in the service or after having retired from the service after having performed at least 10 years of creditable service. To qualify for an annuity the unremarried widow or widower must have been married to the former employee for not less than 5 years. In addition, the widow or widower must not be entitled to any other annuity under the Retirement Act based on the service of the deceased employee. The amount of the annuity for a widow or widower of an employee with at least 10 years' service who died prior to February 29, 1948, either in service or after retirement, will be equal to one-half of the annuity which the employee was receiving on the date of his death if retired, or if he died in service will be one-half of the rate he would have been receiving if retired for disability on such date after making full deposit to the retirement fund. The annuity will cease on the death or remarriage of the widow or widower.

Fixes the effective date of the increase as August 1, 1958, or on the first day of the month in which the application for such annuity is received in the Civil Service Commission, whichever occurs later.

Provides that the increases shall be paid out of the Civil Service Retirement and Disability Fund until June 30, 1960, after which they will not be paid unless financed by appropriations.

Gives a limited number of former employees, who were automatically separated by reason of age prior to October 1, 1956, but who had a sufficient amount of annual leave to their credit to keep them on the rolls until that date, an election as to whether they receive the increase provided by this bill or an increase provided by the October 1, 1956 amendments.

Public Law 85-465, approved June 26, 1958.

Classified Employees Pay Act

S. 734:

This measure provides an across-the-board increase of 10 percent for all employees whose pay is fixed under the Classification Act, or is related thereto. Thus, in addition to the classified employees, this measure includes the Division of Medicine and Surgery in the Veterans' Administration, the Foreign Service and related functions of the Department of State, agencies such as the Atomic Energy Commission and the Tennessee Valley Authority whose rates of pay are fixed by administration action, employees in the judicial branch, and legislative employees.

The across-the-board 10 percent applies to all grades through GS-18, including postal inspectors, and scientific and professional positions.

Provides for 292 additional supergrades and 307 additional scientific and professional positions, thus making a total of 599 new positions.

Provides 10 percent for legislative and judicial employees. The 10-percent legislative raise as applied to personal offices is at the discretion of the Members of Congress. Raises the ceiling of the administrative assistant and top committee position to $16,300 and provides for 1 such position in each committee and 2 at $15,700.

Insurance increase deemed effective on date of enactment.

Retroactive to first pay period following January 1, 1958.

Public Law 85-462, approved June 20, 1958.

Readjustment of Retirement Benefits

S. 1732:

Authorizes equitable readjustment of the retirement benefits of certain individuals on the emergency officers' retired list.

Public Law 85-587, approved August 1, 1958.

Group Life Insurance

S. 2127:

This measure amends the Federal Employees' Group Life Insurance Act of 1954 to modify both the rate and the extent of the reduction that is made in the face value of a policy when the insured reaches 65.

Present law provides for a monthly reduction of 2 percent commencing with the first month after age 65 until the policy has been reduced to 25 percent of its face value. This amendment cuts the rate of reduction to 1 percent a month and, also, ceases reducing entirely when the value of the policy has been reduced to 50 percent.

To meet the additional costs, the bill raises the premiums by 10½ cents per thousand each pay period. Seven cents of this amount will be passed on to the employees and 3½ cents to the Government.

Existing law provides that an employee's insurance is continued upon retirement provided the employee has 15 years or more service. This requirement is reduced to 12 years in order to extend the benefit on a more realistic basis.

Passed Senate April 22, 1958.

Foreign Service Annuities

S. 3379:

This measure gives Foreign Service annuitants the same 10 percent increase in their retirement benefits which was recently given to civil service annuitants.

Passed the Senate, August 11, 1958.

Foreign Department of Defense Schools

S. 3460:

This measure withdraws positions of teachers in schools operated by the Department of Defense in foreign countries from coverage under the Classification Act, and authorizes the Secretary of Defense to prescribe regulations governing such positions and fixing the rates of compensation.

Passed the Senate August 4, 1958.

Post Office Employees

S 3564:

This measure grants Civil Service Retirement credit for certain post office rural carrier service by employees whom the Post Office Department intended to convert to war service indefinite status pursuant to executive order but who were not converted because of administrative error.

Public Law 85-627, approved August 26, 1958.

Federal Employees International Organizations

S. 4004:

This measure encourages and authorizes details and transfers of Federal employees for service with international organizations.

Public Law 85-795, approved August 28, 1958.

Board of Parole

S. 4096:

Increase salary of members of the Board of Parole to $17,500 per year.

Passed the Senate, August 11, 1958.

Retirement Benefits for Reserve Components

H. R. 781:

Extends to certain persons in Reserve components who performed active Federal service during Korean hostilities Reserve retirement benefits.

Public Law 85-704, approved August 21, 1958.

Chief Judge of Federal Courts—Retirement

H. R. 985:

This legislation is designed to relieve chief judges of the circuit and district courts from their administrative duties upon reaching the age of 70 so they may devote their entire time to the lawwork of the courts instead of administrative details.

The act also provides that a person must have served in a judicial capacity in either a circuit or district court for a year before he can become a chief judge. The act exempts from the provisions of the act any district having two judges in regular active service so long as the incumbent chief judge on the date of enactment continues to hold the position.

Public Law 85-593, approved August 6, 1958.

Clarification of Downgrading Provisions

H. R. 1168:

The purpose of the measure is to remove inequities that have been found to exist in a limited number of instances wherein employees' positions are reduced in grade through no fault of theirs, but who, because of the restrictive language of the law, have been denied the protection and benefits intended to be provided under the law.

Public Law 85-737, approved August 23, 1958.

Coast Guard Personnel

H. R. 3820:

This measure confers upon the Secretary of the Treasury with respect to the settlement of claims of members of the Coast Guard the same authority which the Secretary of Defense has with respect to military and civilian personnel in that Department.

Public Law 85-738, approved August 23, 1958.

Civil Service Retirement

H. R. 4640:

This measure amends the Civil Service Retirement Act by authorizing any present or former employee or member to be paid his voluntary contribution account provided application is made to the Commission before receipt of any additional annuity. A withdrawer may deposit additional amount if he becomes subject to the act after a separation from service of more than 3 calendar days.

Public Law 85-661, approved August 14, 1958.

Postal Employees Pay Raise

H. R. 5836:

This measure grants a permanent increase of 7½ percent for all employees under the Postal Field Service Schedule, except those in PFS-20. In addition to the permanent increase, employees in salary levels PFS-1 through PFS-6 will receive a 3-year temporary cost-of-living increase of 2½ percent, and 1½ percent for those in PFS-7. Comparable increases are provided for rural carriers and fourth-class postmasters.

Increases are retroactive to January 1, 1958.

Public Law 85-426, approved May 27, 1958.

Accumulated Annual Leave

H. R. 7710:

The measure authorizes the lump-sum payment of all accumulated and current accrued annual leave of deceased employees.

It also provides that a legislative employee who has completed 2 or more years of service as an employee and who takes employment in a position governed by the Postal Field Service Compensation Act of 1955, may receive compensation at any step of the basic salary schedule applicable to the position which does not exceed the highest previous rate of compensation received by him in the legislative branch.

Public Law 85-914, approved September 2, 1958.

Panama Canal Teachers

H. R. 7734:

Exempts certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries.

Public Law 85-613, approved August 8, 1958.

Uniformed Services Transportation Allowances

H. R. 7902:

This measure provides authority to pay to members of the uniformed services, who could not select a home of record within the required 1-year period because of hospitalization and medical treatment, travel and transportation allowances.

Public Law 85-576, approved July 31, 1958.

Postal Employees-Longevity Step Increases

H. R. 7930:

To correct certain inequities, this measure provides that all new appointments in the postal field service be made at the minimum rate of the appropriate grade. In the case of a transfer from one position to another, however, the basic compensation of the employee is to be governed by regulations of the Civil Service Commission. It also provides that when employees move to the executive branch from the legislative or judicial branches, their service will be treated the same as other Federal employees under the Civil Service Commission's regulations.

Public Law 85-432, approved May 29, 1958.

Retirement Benefits of Members of Congress

H. R. 8606:

This measure amends the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected Members of Congress so as to make the survivor provisions applicable in the event the Member dies after completing at least 5 years of civilian service. Under previous legislation the provisions became applicable only after 5 years of Member service.

Public Law 85-772, approved August 27, 1958.

Retired Pay

H. R. 9673:

The purpose of this act is to restore the retirement pay of persons dropped from the retired rolls pursuant to section 1161 of title 10, United States Code, after December 31, 1954, and before the date of enactment of this act.

Public Law 85-754, approved August 25, 1958.

Civilian Employees, Compensation Claims

H. R. 10504:

This bill provides a solution to a problem that exists in connection with adjudicating claims for death or disability benefits by employees of nonappropriated fund instrumentalities of the Armed Forces.

Existing law requires nonappropriated fund instrumentalities to provide their employees with insurance covering death and disability suffered while engaged in the performance of official duties. The law, however, provides that these employees shall not be considered as employees of the United States for purposes of the Federal Employees Compensation Act. Ordinarily in these circumstances, these claims would be adjudicated by the State compensation commissions but the State commissions have declined jurisdiction on the ground that these are Federal employees.

Under this measure, the problem is solved by providing for adjudication of the claims of these employees by judicial tribunals established by the Secretary of Labor under the Longshoremen's and Harbor Workers' Compensation Act.

Public Law 85-578, approved July 18, 1958.

Federal Employees, Travel Costs

H. R. 11133:

This measure provides authority to the Federal Government to pay travel and moving expenses of prospective employees reporting to their first duty station for employment in positions determined to be in shortage categories on the same basis as payments to regular civilian employees upon transfer of official station or on original appointment to an overseas post.

Public Law 85-749, approved August 25, 1958.

Federal Employees, Military Pay Increase

H. R. 11470:

This measure increases the military pay by $576.4 million for approximately 2,592,000 persons. Included are 1,682,000 active duty personnel; 700,000 reserve personnel on inactive duty; and 210,000 retired personnel. Also included are officers of the Public Health Service and the Coast and Geodetic Survey. The raise is a minimum increase of 6 percent in basic pay for most personnel with over 2 years' service.

The basic objective of this act is to establish a career force for the military service. To achieve this objective, the bill makes the following changes in existing law:

Establishes 2 new officer grades, O-9 and O-10, and 2 new enlisted grades, E-8 and E-9, and provides graduated increases which result in the highest increases being granted to those in the upper officer and enlisted grades.

Provides two new alternative proficiency pay systems designed to attract and retain highly qualified enlisted members.

Establishes for the first time on a permissive basis a special responsibility pay for a limited percentage of officers who hold critical positions.

Provides an added incentive for achievement by eliminating longevity increases beyond normal promotion points.

Establishes a special longevity pay scale for officers who had 4 or more active duty years as an enlisted man.

Sets basic pay at $1,875 a month for:

(a) Chiefs of Staff of Army and Air Force;

(b) Chief of Naval Operations;

(c) Commandant of Marine Corps;

(d) Chairman of Joint Chiefs of Staff.

For retired personnel: Provides an increase of 6 percent for most personnel retired prior to effective date of this bill. Authorizes vice admirals and lieutenant generals, now retired, to compute their pay on basis of an additional $100 a month basic pay plus the approved 6 percent increase. Authorizes 4-star generals and admirals to compute their retirement pay on an additional $200 a month plus the 6 percent increase.

Effective date of act: June 1, 1958.

Public Law 85-422, approved May 20, 1958.

Naval and Marine Corps Transfers

H. R. 11504:

This measure extends to Naval and Marine Corps enlisted career reservists, who complete at least 20 years of active service, the same retirement benefits for which regular enlisted personnel of these services are eligible.

Public Law 85-583, approved August 1, 1958.

Naval Aviation Cadets

H. R. 11626:

This measure changes service requirements so as to require a naval aviation cadet to agree to serve as a commissioned officer for at least 3 years after completion of aviation training.

Public Law 85-578, approved July 31, 1958.

Employment of Regular Navy Officers on Shore Duty

H. R. 11636:

This measure repeals the requirement that the determination by the Secretary of the Navy that the employment of an officer of the regular Navy on shore duty is required by the public interest be stated in the officer's order to shore duty.

Public Law 85-588, approved August 1, 1958.

Firearms Permits

H. R. 11700:

This measure authorizes the carrying of firearms or other weapons by civilian personnel of the Department of Defense engaged in investigative or law-enforcement work in accordance with regulations prescribed by the Secretary of Defense.

Public Law 85-577, approved July 31, 1958.

District of Columbia Police and Firemen's Salary

H. R. 13088:

This measure provides for an overall increase in salaries of 13.8 percent for the members of the Metropolitan Police force and the Fire Department of the District of Columbia. It provides for a starting salary of $4,800 per annum for a private; 2 annual increases of $200 each and 1 of $240; a biennial increase of $280 each; 3 longevity increases of $280 each at 4-year intervals; and a maximum salary of $6,840 after 19 years of service.

Public Law 85-584, approved August 1, 1958.

District of Columbia Teachers' Salaries

H. R. 13132:

This measure provides for an increase in teachers' salaries of 14 percent.

Public Law 85-838, approved August 28, 1958.

Longevity Credit for Service in the Panama Canal Zone Postal Service

H. R. 13404:

The purpose of this measure is to correct an inequity in the postal field service by granting longevity credit to employees in the postal field service in the States for service performed by them in the Panama Canal Zone postal service.

Public Law 85-751, approved August 25, 1958.

Antirecession—Advance Procurement

House Joint Resolution 588:

This measure is designed to stimulate business activity and employment by permitting civilian agencies of the Government to advance their procurement of supplies, materials, and equipment budgeted for the next fiscal year.

This action will not increase Government purchases but will accelerate them and make funds available in 1958 for items which normally would not be ordered until after the

beginning of the new fiscal year on July 1 next.

This resolution authorizes, during the remainder of fiscal year 1958, the use of up to 50 percent of the amounts included in the 1959 budget estimates for supplies and materials and equipment for the departments and agencies in the executive branch, including the District of Columbia, except those for military functions of the Department of Defense and the mutual-security program.

It is estimated that a total of $195 million will be obligated and a total of $54,300,000 will be expended during the next 90 days.

Public Law 85-386, approved April 24, 1958.

Finance, commerce, industry

Unfair Trade Practices in Meatpacking Industry

S. 1356:

This measure is designed to prevent unfair trade practices, and other lawful restraints in interstate commerce by persons engaged in wholesaling or distributing meats, meat products, and nonmeat food and nonfood products.

The unfair trade practices it is designed to prevent are those which fall short of a Sherman Act violation, and thus do not come under the jurisdiction of the Department of Justice.

To accomplish this objective, it amends the Packers and Stockyards Act and the acts administered by the Federal Trade Commission to give:

Department of Agriculture exclusive jurisdiction over all livestock and poultry in interstate commerce, including transactions at posted yards and elsewhere.

Federal Trade Commission exclusive jurisdiction over retail sales of meat and nonmeat products in interstate commerce; and over wholesale operations of nonmeat products.

Joint jurisdiction (to both agencies for a 3-year period) over meats, meat food products, livestock products in unmanufactured form, and poultry products after they have been prepared in form for distribution.

Passed Senate May 15, 1958.

Small Business Disaster Loans

S. 2920:

This measure is designed to enable the Small Business Administration to make disaster loans to small businesses in areas which are affected by excessive rainfall. Existing law authorizes disaster loans in areas where homes and businesses have been damaged or destroyed by floods or other natural disasters. The law also authorizes loans to small businesses suffering economic injury in areas where a drought is occurring.

This legislation changes existing laws in two ways. The first change recognizes that existing law is too restrictive in its treatment of disasters resulting from drought. Present language limits eligibility to an area where a drought is occurring. This amendment permits disaster loans in areas affected by a drought regardless of whether the drought has been broken.

The second change adds the situation of excessive rainfall to the disastrous conditions which may create a need for disaster loans to small businesses.

Public Law 85-335, approved February 22, 1958.

Fishery Extension Service

S. 2973:

This measure authorizes the Secretary of Interior, through the Fish and Wildlife Service, to inaugurate a fishing extension service in connection with public and nonprofit private universities or with agencies of the States, Territories, and possessions. Cooperative work will consist of giving instruction to persons interested in commercial fishing, giving information through demonstrations and publications, and aiding the printing, preparation, and distribution of information.

Passed the Senate August 4, 1958.

Export Control Act—Extension

S. 3093:

This measure extends the Export Control Act of 1949 for a period of 2 years from its present termination date of June 30, 1958. This act, which is administered by the Secretary of Commerce by delegation from the President, authorizes regulation of exports on the basis of standards relating to national security, foreign policy, and domestic shortages.

The act of 1949 authorizes the President to prohibit or curtail the exportation from the United States, its Territories, or possessions of any articles, materials, or supplies, including technical data. Rules and regulations may be issued, which may apply to financing, transporting, or other servicing of exports, to the extent necessary to achieve effective enforcement.

The act directs the agency exercising the authority to seek information and advice from executive departments and independent agencies concerned in the exports; to use private competitive trade channels as far as practicable; and to consult with all branches of the trade concerned. A fine and imprisonment are provided for violations of the act, or of any regulations, orders, or licenses under it.

Public Law 85-466, approved June 25, 1958.

Export-Import Bank—Increased Lending Authority

S. 3149:

This measure increases the lending authority of the Export-Import Bank of Washington from the present $5 billion to $7 billion; it makes a corresponding increase in the bank's authority to borrow from the United States Treasury. The principal function of the bank is to aid in financing and facilitating exports and the exchange of commodities between the United States and foreign countries.

Public Law 85-424, approved May 22, 1958.

Tungsten Production Extension

S. 3166:

This measure extends for 1 year, or until December 31, 1959, the Department of Interior's production and purchase program of asbestos and fluorspar.

Public Law 733 of the 84th Congress authorized the purchase of certain materials, in specified quantities and at specified prices, to maintain the production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States.

Purchases under the act were to cease whenever specified quantities had been delivered. The program was late in getting under way and, as a result, producers of asbestos and fluorspar were unable to complete deliveries by December 31, 1958. This extension will permit those deliveries to be made.

Vetoed August 12, 1958.

Opportunities for Small Business Concerns To Obtain Government Contracts

S-3224:

The purpose of this measure is to further amend the Federal Property and Administrative Services Act of 1949; section 3709 of the Revised Statutes; the codified Armed Services Procurement Act of 1947; and the Copeland (Anti-Kickback) Act, which contain the basic authority of law with respect to the procurement of supplies and services by the departments and agencies of the Government. The bill increases from $1,000 (in some agencies $500) to $2,500 the present open-market limitations for procurement without formal advertising by the executive, legislative, and judicial branches of the Government.

The bill would improve several aspects of procurement procedure of Government agencies through the promotion of greater uniformity and simplicity, in the interest of the Government and of business particularly of small business.

Public Law 85-800, approved August 28, 1958.

Small Business Investment Act of 1958

S. 3651:

The purpose of this measure is to provide assistance in an area where neither Government nor private institutions can now offer assistance. Commercial banks are not in the business of providing equity capital to small businesses nor are they prepared, in most instances, to offer long-term credit to these businesses. And while the Small Business Administration is authorized to make loans of a maximum 10-year duration, with a possible 10-year extension, it cannot under law go further toward meeting the real long-term requirements of small businesses, and it cannot provide equity capital in any case.

This measure establishes in the Small Business Administration an Investment Division. The Division to be separated from Small Business Administration's other operations, will have a three-fold function:

First. To charter (unless charter can be obtained under State law), regulate, and examine small-business investment companies.

Second. To lend funds to those companies.

Third. To lend funds to State and local development companies.

The investment companies will be organized by 10 or more persons, under charters granted by either the States or the SBA. They must have, as capital and surplus, $300,000 before they commence business; half of that may be invested by the SBA. The SBA may also loan these companies funds up to one-half of their capital and surplus, an as encouragement to their speedy and effective growth. The companies will then be in a position to provide equity capital through the purchase of convertible debenture bonds, to small businesses, and to make 30-year loans. The small businesses receiving equity capital from investment companies will be required to purchase stock in the companies, in an amount equaling from 2 percent to 5 percent of the capital received. In this way, private ownership of the companies will be realized.

Public Law 85-699, approved August 21, 1958.

Civil Construction Acceleration

Senate Concurrent Resolution 68:

This resolution, introduced by 66 Senators, declared as the sense of Congress that all civil construction programs for which funds have been appropriated should be accelerated to the greatest extent practicable. The resolution has three major objectives:

1. To reduce unemployment;

2. To place our productive facilities into more usefulness;

3. To permit earlier completion of these projects.

The resolution also expresses to the President and the executive agencies the commendation of Congress for such action as they have taken to accelerate these programs.

This resolution is one of a series of legislative measures that Congress enacted in an effort to stem the tide of an economic recession. In the field of public works, there is a large backlog of authorized projects available. At the time of enactment of this resolution, there was an unexpended balance of approximately $4 billion in appropriations that have been made for these projects.

Senate adopted March 12, 1958, by vote of 93 to 1; passed House March 19, 1958.

Military Construction Acceleration

Senate Concurrent Resolution 69:

This resolution, another in a series of antirecession measures, declares as the sense of Congress that all military construction projects needed to support the Nation's Armed Forces, and for which funds have been appropriated, should be accelerated to the greatest practicable extent.

The acceleration of these projects has a threefold objective:

1. To reduce unemployment;

2. To strengthen our national defense posture;

3. To provide fuller use of our productive facilities.

The resolution also expressed to the President and the executive agencies the commendation of Congress for any action they have taken to accelerate these programs.

Senate adopted by vote of 76 to 1 on March 14, 1958; passed House March 19, 1958.

Reclamation Acceleration

Senate Resolution 299:

This resolution calls for accelerated Federal reclamation spending by adding 20 new projects and increasing funds for 20 projects already under way. The resolution recommends an appropriation of $330 million for fiscal 1959, which is about a 50 percent increase over the estimates submitted by the Bureau of the Budget.

The primary objective of the resolution is to alleviate acute unemployment in the West and in industrial areas where materials and equipment are manufactured. Another objective is to provide urgently needed water supplies required for the western population and economy. Acceleration will also help in permanently strengthening the Nation's economy.

Senate adopted May 6, 1958.

Amendment of Bankruptcy Act

H. R. 13:

This measure amends chapter XI of the Bankruptcy Act to permit a permission for an arrangement to be filed without being accompanied by a plan of arrangement. It also allows the court to modify a plan after it has been confirmed if it becomes unworkable.

Public Law 85-732, approved August 23, 1958.

Automobile Imports

H. R. 776:

This measure provides that foreign automobiles imported for show purposes may enter the United States duty-free if they are to be used only for show purposes. Cars or parts remaining longer than 6 months will be subject to duty and cars, even for show purposes, imported on a temporary basis will be required to pay duty unless the country of origin provides similar free treatment for cars made in the United States which are sent abroad for show purposes.

Public Law 85-379, approved April 16, 1958.

Bankruptcy Act—Amendment

H. R. 982:

This measure amends paragraph (6) of section 77 (c) of the Bankruptcy Act to afford a former lessor, whose properties are being operated for its account under the provisions of that paragraph, a remedy under the Interstate Commerce Act. Paragraph 6 now provides that if a lease of a line of railroad is rejected, and the lessee, with the judge's approval, elects no longer to operate the leased line, the lessor shall begin operation of the line at a time to be fixed by the judge. However, if the judge finds, after hearing, that operation by the lessor would be impracticable and contrary to the public interest, it then becomes the lessee's duty to continue operation of the line until abandonment is authorized by the Commission but, in such event, the operations are conducted by the lessee for the account of the lessor.

Thus, under this measure, the Interstate Commerce Commission may fix a reasonable and equitable division of rates where a railroad lease is rejected under the provisions of the Bankruptcy Act and one of the parties to the lease is ordered by the judge to operate the line.

Public Law 85-515, approved July 11, 1958.

Chicory—Import Duty Suspension

H. R. 5005:

This measure suspends for a period of 2 years the duty on crude chicory, except endive, and provides for a new rate of 2 cents a pound for the same temporary period. At the end of the suspension the duty on ground or prepared chicory will be restored to 2½ cents a pound.

Public Law 85-378, approved April 16, 1958.

Pistols and Revolvers

H. R. 1126:

This measure adds pistols and revolvers (and parts thereof) to the list of articles in a duty-free status.

Public Law 85-410, approved May 16, 1958.

Import Duties on Wool

H. R. 2151:

This measure suspends until June 30, 1960, the import duties on coarse wool used in the manufacture of rugs and carpets. It is believed this suspension will enable the domestic producers to obtain these wools at competitive world prices.

Public Law 85-418, approved May 19, 1958.

Duty on Harpsichords and Clavichords

H. R. 5208:

This measure provides that harpsichords and clavichords (and parts thereof) are to pay the same rates of duty applicable to pianos.

Public Law 85-417, approved May 16, 1958.

Estate Tax Amendment

H. R. 5938:

Under the 1939 Internal Revenue Code, a marital deduction is available for estate-tax purposes relating to interests in property passing to a surviving husband or wife; however, where the spouse's interest in the property may terminate, or where the interest may fail to pass to the spouse, the marital deduction is available only if the termination of the interest or the failure of the interest in property to pass to the surviving spouse may occur only within the 6 months immediately after the decedent's death, or as the result of a common disaster resulting in the death of both the husband and wife.

This measure adds another exception whereby another type of terminable interest will be eligible for marital deduction. It provides that marital deduction will be available in the case of terminable interests passing to a surviving spouse where the event which could terminate the interest becomes impossible of occurrence within 6 months of the decedent's death. This exception will be available under the bill only in the case of decedents adjudged incompetent before April 2, 1948, the effective date of the act providing the marital deduction, who were not restored to competency before their death. This provision is effective relating to decedents dying after April 2, 1948.

Public Law 85-318, approved February 11, 1958.

Imports—Antidumping

H. R. 6006:

This measure is designed to speed and tighten administrative procedures of the antidumping law protecting American producers from unfair foreign competition. The bill provides that if the Tariff Commission fails to act within 3 months after a complaint against certain imports, or if the Commission's vote was evenly divided, import duties will be imposed.

Public Law 85-630, approved August 14, 1958.

Tariffs

H. R. 7004:

Makes handles made wholly or in chief value of wood imported for use in the manufacture of paint rollers dutiable at the rate applicable to wooden paintbrush handles.

Public Law 85-696, approved August 20, 1958.

Sound Recording and Film

H. R. 7454:

This measure provides that sound recordings, slides, and transparencies may enter the United States duty-free if imported by societies or institutions established for religious, philosophical, educational, scientific or literary purposes.

Provides for a 2-year suspension of duties on exposed or developed picture film imported for the arts, science, or education through broadcasting on a nonprofit basis over a television station owned or operated by the importing organization.

Public Law 85-458, approved June 13, 1958.

Religious Regalia—Importation

H. R. 7516:

Permits duty-free entry of religious investments and regalia for presentation without charge to a church or to certain religious, educational, or charitable organizations.

Public Law 85-408, approved May 16, 1958.

Small Business—Permanent Agency

H. R. 7693:

This measure amends the Small Business Act of 1953, as amended and makes the following major changes in existing law:

It removes the time limit on the life of the Small Business Administration, and makes the agency a permanent part of the Federal establishment;

It increases the revolving fund for business loans by $295 million;

It raises the maximum loan limit for business loans from $250,000 to $350,000;

It directs the Small Business Administration to assist small firms in obtaining Government research and development contracts; and

It lowers the maximum interest rate to 5½ percent from 6.

The measure declares as the policy of Congress to insure that a fair proportion of the total sales of Government property be made to small-business concerns. Liberalizes the provisions calling for assistance to small businesses in the field of procurement to make them applicable on a peacetime basis. Establishes procedures for keeping small businesses informed of proposed disposals of Government property, and for arranging such disposals, wherever practicable, in a way which will enable small businesses to engage effectively in bidding for the property.

It also provides that the Treasury may extend its RFC loans up to 10 years, and subordinates Small Business Administration claims against small businesses to State and local tax liens when the law of the State so provides.

Public Law 85-536, approved July 18, 1958.

Refunds—Alcohol and Tobacco Taxes

H. R. 8216:

Amends the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax.

The new section (6423) added by this measure provides that 1 of 2 basic conditions must be met before any refund (or other allowance of a claim) of an alcohol (except occupational taxes) or tobacco tax can be made. This provision will not apply to claims for drawbacks; for credits or refunds where a commodity is withdrawn from the market, returned to bond, or lost or destroyed; or for amounts claimed where a commodity has been lost where a suit has been filed before June 15, 1957.

This provision is to be effective with respect to credits or refunds allowed or made on or after May 1, 1958.

Public Law 85-323, approved February 11, 1958.

Unrelated Business Taxable Income

H. R. 8268:

This measure revises the definition of the term "unrelated business taxable income" contained in the 1954 code. The general effect of this revision is to provide the same tax treatment for income distributed relating to limited-partnership interests held by certain testamentary charitable trusts that

is presently given income derived from dividends received by these trusts.

This excludes from the definition of unrelated business taxable income the income derived from a limited-partnership interest only to the extent that the income attributable to such interest is actually distributed. Provision to be effective with respect to taxable years of trusts beginning after December 31, 1955.

Public Law 85-367, approved April 7, 1958.

Admissions Tax—Exemption

H. R. 8794:

This measure provides exemptions from the admissions tax for athletic games between teams composed of students from elementary or secondary schools or colleges where (1) the gross proceeds are divided between the schools and colleges involved and hospitals for crippled children and (2) the proceeds inure to an exempt educational, charitable, or religious organization operated exclusively for the purpose of aiding and advancing retarded children.

Public Law 85-380, approved April 16, 1958.

Administration of Certain Collected Taxes

H. R. 8865:

This measure secures greater compliance with present law on the part of employers and others in paying over to the Government trust fund moneys withheld from employees or collected from customers. It provides that where an employer in the future is required to collect and pay over income or social-security taxes withheld from an employee, or where a person in the future is required to collect and pay over excise taxes on facilities or services (admissions, club dues, communications, transportation), and he fails to do so, he can by a notification from the Internal Revenue Service be instructed to collect such taxes and deposit them in a special trust account for the United States Government.

Persons failing to comply with this provision (unless excepted) will be guilty of a misdemeanor and, upon conviction, will be fined not more than $5,000, or imprisoned not more than 1 year, or both.

The exceptions apply to those cases where the failure was due to reasonable doubt as to the requirements under law, or where the lack of compliance was due to factors beyond the individual's control.

Public Law 85-321, approved February 11, 1958.

Restricted Stock Options

H. R. 9035:

This measure amends the restricted stock option provision of the Internal Revenue Code of 1954. In general, it provides substantially the same treatment where one of these options is held by an employee at the time of his death and is exercised by his estate as is presently available where the option is exercised prior to the employee's death. Where an option is held by an employee at the time of his death, it receives a new basis for purposes of determining gain or loss with respect to the income tax. This new basis reflects the spread between the option price and the value of the stock at the date of death (or optional valuation date).

Any amount presently taxable as ordinary income at the time of the sale of the stock by the estate or heir, however, still is to be taxable and, as under present law, a deduction is to be allowed at the time of reporting of this income for any estate tax paid with respect to the decedent which is attributable to this income. The principal change made is that any appreciation in value of the stock in which the option is granted, between the time of the granting of the option and the death of the employee (or optional valuation date), no longer is to result in a taxable gain at the time of the sale of the stock by the estate or heir.

The changes are effective with respect to employees dying after December 31, 1956, in the case of taxable years ending after that date.

Public Law 85-320, approved February 11, 1958.

Footwear—Imports

H. R. 9291:

This measure closes certain loopholes in the tariff laws through which foreign producers have continued to avoid an import duty imposed specifically for the protection of domestic rubber-soled footwear industry.

H. R. 6466 of the 83d Congress, which became Public Law 479, was an effort to prevent avoidance of the tariff duties on certain footwear products by foreign producers by redefining the footwear products concerned. Since enactment of this law, foreign producers have devised still further means of avoiding the duties intended to be imposed.

This bill adds an alternative test to the present chief value of rubber. It adds to the chief value of the entire upper test, the alternative test of "composed in greater area of the outer surface." Thus, if the outer surface of the upper is predominantly rubber, the shoe will be classified for purpose of tariff as having an upper made of rubber.

The effective date of the amendment is delayed to give the President a period during which to negotiate such trade agreements as may be necessary as a result of the amendment. The amendment will go into force on a date to be specified by the President to the Secretary of the Treasury, and in any event not later than September 1, 1958.

Public Law 85-454, approved June 11, 1958.

Alumina and Bauxite Duty

H. R. 9917:

This measure continues for 2 years, until July 16, 1960, the suspension of duty on alumina when imported for use in producing aluminum, crude bauxite (not refined or otherwise advanced in condition in any manner), and calcined bauxite.

Alumina is a product used to produce aluminum, and the bulk of the alumina consumed in the United States is used for that purpose. Bauxite is a mineral used in producing alumina, abrasives, chemicals, refractionary and miscellaneous products, and is vital to the domestic industries such as the aluminum, steel, and chemical industries.

Domestic sources of bauxite are inadequate for our aluminum industry, and Canada, our principal competitor in the production of primary aluminum, allows bauxite ore and concentrates to enter duty free. Consequently, the reimposition of a United States duty on crude and concentrated bauxite and alumina would put the United States aluminum producers at a competitive disadvantage.

Public Law 85-415, approved May 16, 1958.

Tariffs

H. R. 9919:

This measure amends the custom drawback law by making applicable the substitute provision, which is now applicable to drawback on certain items, to all items. Under existing law the refund of duties may be obtained in certain cases not only where the imported material is used in the manufacture of goods exported from the United States but also where domestic materials of the same kind and quality have been substituted for imported materials in the goods manufactured for export. The substitution privilege for drawback purposes is made applicable to all classes of merchandise.

Public Law 85-673, approved August 18, 1958.

Imported Articles—Processing

H. R. 9923:

Provides for free entry of articles to be repaired or altered or processed including processes resulting in articles manufactured in the United States except alcoholic beverages.

It is believed this will prove advantageous by increasing the opportunity for a producer to bring in foreign materials for embodiment in goods being prepared solely for export, inasmuch as it would make unnecessary the payment of duty and later filing for drawback. Without changing the tariff position, it simply eliminates the attendant tieup of money and delays involved in such procedures.

Public Law 85-414, approved May 16, 1958.

Finance, Commerce, Industry Public Debt Limit—Temporary Increase

H. R. 9955:

This measure provides for a temporary increase of $5 billion in the Federal debt limit, thus raising the ceiling from $275 billion to $280 billion from the date of enactment to June 30, 1959. The need for the temporary increase was based on (1) the fact that cash balances have been running distressingly low; (2) that there is need for more flexibility for more efficient and economical management of the debt; and (3) that even if the budget were balanced, there would still be large seasonable fluctuations in receipts which make operations under the $275 billion limitation most difficult.

Public Law 85-336, approved February 26, 1958.

Metal Scrap—Duty Suspension

H. R. 10015:

This measure continues for 1 year the suspension of duties on metal scrap. The bill provides, however, that primary or virgin nonferrous metal in pig, ingot, or billet form, which is commercially usable in direct manufacturing without modification, is not included in the duty-free provisions.

Public Law 85-453, approved June 11, 1958.

Finance, Commerce, Industry Life-Insurance Tax

H. R. 10021:

This measure provides that the 1955 formula for taxing income of life insurance companies shall also apply to the taxable years beginning in 1957 until permanent legislation can be enacted.

Under the 1955 formula, a life insurance company is taxed at regular corporate rates on a portion of its net investment income. Net investment income is the gross income from investments, less investment expenses, including such items as taxes and depreciation on rented real estate. Investment income includes not only interest, dividends, and rents, but also royalties, income from negotiation or termination of leases and mortgages and other income from the operation of a business, such as a farm acquired after foreclosure of a mortgage. Under this formula (1955) the net investment income is reduced by a deduction equal to, first, 87½ percent of the first $1 million and, second, 85 percent of any remaining balance.

Enactment of this stopgap measure was required, otherwise a formula adopted in 1942 (and not in effect since 1948) would have come into operation. This 1942 formula was abandoned because it was found to be inequitable and, in some years, yielded no revenue from the life insurance operations of the companies.

Public Law 85-345, approved March 17, 1958.

Guar Seed—Free Duty

H. R. 10112:

Makes permanent the existing privilege of free importation of guar seed. This seed, which is not produced in any quantity in the United States, is used to produce a gum which is utilized by the paper and textile industries, certain food and pharmaceutical industries, any other industries, including uranium mining.

Public Law 85-397, approved May 9, 1958.

Newsprint Paper

H. R. 10277:

Reduces from 15 to 13 inches the minimum width of paper in rolls which may be imported into the United States free of duty as standard newsprint paper.

Public Law 85-645, approved August 14, 1958.

Suspension of Duty on Shoe Lathes

H. R. 10792:

This measure extends to August 7, 1960, the existing suspension of duties on copying lathes used to make rough or finished lasts from models capable of producing more than one size shoe from a single size model.

Public Law 85-416, approved May 16, 1958.

Defense Production Act Extension

H. R. 10969:

This measure provides for extending the remaining powers of the Defense Production Act for an additional 2 years, through June 30, 1960.

There are only three titles of the Defense Production Act still having the force of law.

The first has to do with priorities and allocations. They are designed to insure prompt performance of procurement contracts let by the Department of Defense and the Atomic Energy Commission through the use of preference ratings for orders.

Title III of the act provides financial devices to increase productive capacity and supply. This includes authority for the Federal Reserve Board V-loan program under which private bank loans to defense contractors are guaranteed in whole or in part by contracting agencies. This title also contains the authority for loans and procurement contracts for essential productive facilities and materials, making use of a revolving fund of $2.1 billion. Few new loans and new purchase programs are being undertaken at present, but there is considerable activity under earlier commitments. These provisions may, however, become important in connection with defense measures resulting from nuclear and space programs.

Title 7, which is extended by this measure, contains a number of administrative provisions, the most important of which deals with the authority for voluntary agreements providing for antitrust immunity and for the use of w. o. c.'s (without compensation) and the new executive reserve, with exemptions from the conflict-of-interest statutes.

Public Law 85-471, approved June 28, 1958.

Household Effects—Importation

H. R. 11407:

This measure extends to July 1, 1960, the free entry of personal and household effects of any person returning to the United States under Government orders.

This duty-free privilege avoids undue administrative burdens upon persons evacuated to the United States, and is an important morale and inducement factor in overseas service.

Public Law 85-398, approved May 9, 1958.

The Virgin Islands Corporation Act (63 Stat. 350)

H. R. 12226:

The Virgin Islands Corporation is a wholly owned Government corporation, created by the act of June 30, 1949 (48 U. S. C. 1407), as successor to the Virgin Islands Company incorporated in 1934. The Corporation has succession until June 30, 1959, unless dissolved sooner by act of Congress. The major revenue-producing activities during the fiscal year 1957 were the growing of sugarcane, the manufacturing of raw sugar, the management of certain Navy property in the islands, the generation and distribution of electric power, and the operation of a loan program. In addition, the Corporation is engaged in non-revenue-producing activities to promote, through economic development, the general welfare of the inhabitants of the Virgin Islands.

Failure to extend the corporate life of the Corporation would cause a relief problem in the Virgin Islands and would imperil a substantial investment of the Federal Government. This measure extends the life of the Corporation to June 30, 1969.

Public Law 85-913, approved September 2, 1958.

Federal Reserve Banks

H. R. 12586:

This measure extends for 2 years, until June 30, 1960, the present authority of the Federal Reserve banks to purchase securities directly from the Treasury in amounts up to $5 billion outstanding at any one time.

This authority supplies a two-way street in that within the same limitations, the Federal Reserve banks may sell these obligations directly to the United States.

Under the statute, the Board of Governors of the Federal Reserve System must include in its annual report to Congress detailed information about these direct purchases from or sales to the United States by Federal Reserve banks.

This direct purchase authority of the Federal Reserve banks is important to the Treasury because it can be used to smooth out the effects on the money market of short-run peaks in the Government's cash receipts and disbursements.

Public Law 85-476, approved June 30, 1958.

Corporate and Excise Tax Extension

H. R. 12695:

This measure provides for 1-year extension (to July 1, 1959) of the present corporate income-tax rate of 52 percent, and also provides for 1-year extension (to July 1, 1959) of the existing excise-tax rates on distilled spirits, beer, wine, cigarettes, passenger automobiles, and automobile parts and accessories.

It repeals, effective August 1, 1958, the tax on the transportation of property, including the tax on coal and on the transportation of oil by pipeline.

Public Law 85-475, approved June 30, 1958.

International Development Association Study

Senate Resolution 264:

Expresses the sense of the Senate that a prompt study should be made.

Recommends that the objectives of the study should include:

1. Providing long-term loans available at a reasonable interest rate and repayable in whole or in part in local currencies to supplement the International Bank.

2. Facilitating as to such loans, the use of local and other foreign currencies, including those available to the United States from sale of agricultural surpluses and other programs.

3. Insuring that development funds can be made available by a process which would encourage multilateral contributions.

Passed the Senate, July 23, 1958.

Tax Protocol with United Kingdom

Executive A:

The protocol amends the convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed April 16, 1945, as twice previously modified, in the following particulars:

1. Royalties paid from the use of copyrights, patents, designs, secret processes and formulas, trademarks and like property, and derived from sources within the United States by a resident of the United Kingdom, who is subject to the United Kingdom tax on such royalties, shall be exempt from United States tax if the United Kingdom resident is not engaged in business in the United States through a permanent establishment, or if he is so engaged, the royalties are not directly associated with the business or carried on through the permanent establishment. An identical exemption is provided for a United States resident with respect to royalties from sources within the United Kingdom.

2. Subject to sections 901 to 905 of the Internal Revenue Code as of January 1, 1956, the United Kingdom tax will be allowed as a credit against the United States tax. If the recipient of a dividend from a United Kingdom corporation includes in his gross income for United States income-tax purposes the amount of the United Kingdom tax, he will be deemed to have paid the United Kingdom tax on the dividend. Likewise, if a recipient of a royalty includes in his gross income for United States income-tax purposes the amount of the United Kingdom tax, he will be deemed to have paid the United Kingdom tax legally deduced from the royalties by or through the person who paid the tax.

Ratified by the Senate, August 13, 1958.

Foreign relations

Glacier National Park Loop Road

Senate Resolution 293:

This resolution requests that the Secretary of State bring to the attention of the appropriate officials of the Government of Canada the deep interest of the Senate in the completion of the loop road linking the Glacier National Park in the United States and the Waterton Lakes National Park in Canada.

Glacier National Park in the United States adjoins Waterton Lakes National Park in Canada. Construction of 3 missing links, totaling approximately 34 miles, will provide a loop road approximately 130 miles long joining the 2 parks. Traffic between them now moves over a single road on their eastern side. Completion of the loop will join them, also, on the west.

Senate adopted unanimously July 1, 1958.

Study of Relations With American Republics

Senate Resolution 330:

This resolution authorizes the Committee on Foreign Relations to make a full and complete study of United States relations with the American Republics.

Passed the Senate July 31, 1958.

Study of Problems of World Disarmament

Senate Resolution 335:

Authorizes the Committee on Foreign Relations to make a full and continuing study of the problems of world disarmament.

Passed Senate July 28, 1958.

Foreign Policy Study

Senate Resolution 336:

This resolution authorizes the Committee on Foreign Relations to make a full and complete study of United States foreign policy. The committee is directed to address its attention to:

(a) The concepts which govern United States foreign relations and the policies by which these concepts are pursued.

(b) The present state of the relations of the United States with principal nations and geographic areas.

(c) The administration and coordination of policies and programs by the State Department and other governmental agencies engaged in activities abroad.

(d) The relationship of other Government policies and activities and private activity which influence United States relations with the rest of the world.

Passed Senate July 31, 1958.

Mutual Security Authorization Act

H. R. 12181.

This measure authorizes a total appropriation of $3.03 billion to continue for another year the programs under mutual security. Of this amount, $1.6 billion is for military assistance and $810 million for defense support.

It incorporates the Development Loan Fund under a Board of Directors consisting of the Under Secretary of State for Economic Affairs as Chairman, the Director of

the International Cooperation Administration, the Chairman of the Board of Directors of the Export-Import Bank, the Managing Director of the Fund, and the United States Executive Director of the International Bank for Reconstruction and Development.

This measure also:

Authorizes $20 million for contributions to the United Nations fund for special projects and technical assistance program.

Prohibits, with certain exceptions, the use of either dollars or counterpart funds to retire debts of foreign governments.

Covers certain employees of the mutual security program, with disability, and death benefits and compensation during internment by an enemy, and compensation for injury or death resulting from war-risk hazards.

Requires review of Western Hemisphere defense plans annually.

Provides for a study, under the direction of the President, by certain Government agencies of the relation of the program to American private enterprise and the American economy, to make recommendations to prevent any possible adverse effects, with special reference to areas of substantial labor surplus, and to further the role of American private enterprise in promoting our foreign policy.

Prohibits officers and employees of United States from accepting compensation or other benefits from foreign governments; except an officer may accept an office from a foreign government.

Creates post of Under Secretary of State for Economic Affairs.

Following is a complete breakdown of the authorization for fiscal 1959:

[In thousands of dollars]

	Administration request	House amounts	Senate amendment	Conference agreement
Sec. 103 (a). Military assistance	1,800,000	1,640,000	2,400,000	1,605,000
Sec. 131 (b). Defense support	835,000	775,000		810,000
Sec. 304. Bilateral technical cooperation	142,000	150,000	150,000	150,000
Sec. 306 (a). United Nations technical cooperation	20,000	20,000	20,000	20,000
Sec. 306 (b). OAS technical cooperation	1,500	1,500	1,500	1,500
Sec. 400 (a). Special assistance	212,000	185,000	212,000	202,500
Sec. 405 (c). U. N. High Commissioner for Refugees	1,200	1,200	1,200	1,200
Sec. 405 (d). Escapees	8,600	8,600	8,600	8,600
Sec. 406. U. N. Children's Fund	11,000	11,000	11,000	11,000
Sec. 407. Palestine refugees	25,000	25,000	25,000	25,000
Sec. 408. NATO civilian expenses				
Sec. 409 (c). Ocean freight	2,100	2,100	2,100	2,100
Sec. 410. Control Act expenses	1,000	1,000	1,000	1,000
Sec. 411 (b). ICA administrative expenses	33,000	33,000	33,000	33,000
Sec. 419 (a). Atoms for Peace	5,500	5,500	5,500	5,500
Sec. 451 (b). Contingency fund	200,000	100,000	200,000	155,000
Total	3,297,900	2,958,900	3,068,900	3,031,400

Public Law 85-477; approved June 30, 1958.

Foreign Relations Protection of Alaskan Red Salmon Fisheries

Senate Resolution 263:

The Senate, by unanimous vote, adopted this resolution urging the Secretary of State and other appropriate officials of the United States to initiate negotiations immediately with the Government of Japan for the purpose of further effectuating the 1952 treaty between the United States, Canada, and Japan, in which the Japanese Government agreed to abstain from fishing stocks of salmon in the North Pacific east of a line tentatively set at longitude 175° W. This undertaking was accompanied by an obligation assumed by the United States and Canada to carry out necessary conservation measures for the salmon stocks in specified areas east of this line.

Indications are that there is a depletion of Alaskan salmon resources resulting from intensified Japanese fishing activity upon red-salmon stocks of North American origin in the North Pacific fisheries area.

Senate adopted March 6, 1958 by voice vote.

International Development Association

Senate Resolution 264:

This resolution expresses the sense of the Senate that prompt study should be given by the National Advisory Council on International Monetary and Financial Problems with respect to the establishment of an International Development Association in cooperation with the International Bank for Reconstruction and Development.

Passed Senate July 23, 1958.

Greetings to Israel

Senate Resolution 294:

The Senate unanimously adopted Senate Resolution 294 extending the greetings of the Senate to the State of Israel upon its 10th anniversary as an independent nation on April 24.

Adopted April 23, 1958.

United States-Canada Relations

Senate Resolution 359:

Authorizes the Senate Committee on Foreign Relations to establish a subcommittee to explore with appropriate officials of the United States Government and with members of the Canadian Parliament the desirability and feasibility of increased systematic discussion between legislators of the two countries on problems of common concern.

Adopted in Senate, August 8, 1958.

West Indies—Greetings

Senate Concurrent Resolution 77:

This resolution, adopted unanimously by Congress, extends the greetings of the Congress of the United States to the Federal Legislature of the West Indies on the occasion of its first convening.

The Federation of the West Indies, made up of British possessions, came into being on January 3, 1958, with the investiture of Governor General Lord Hailes. Elections for the lower house of the Federal legislature were held on March 25, 1958, in Jamaica, Barbadoes, Trinidad and Tobago, Grenada, Dominica, St. Vincent, St. Lucia, Antigua, Barbuda, St. Christopher, Nevis and Anquilla, and Montserrat. Members of the upper house were appointed by the Governor General in consultation with political leaders in the islands. The Federal legislature will be officially convened for the first time at Port of Spain, Trinidad, on April 22, 1958, under the auspices of Princess Margaret of Great Britain.

Senate adopted April 16; House, April 17, 1958.

Hungarian Revolt—Executions

House Concurrent Resolution 343:

This resolution expresses indignation at the secret trial and execution in Rumania of Imre Nagy, former Prime Minister of Hungary, and his colleagues, Pal Maleter, Miklos Gimes, and Joszef Szilagyi.

In the fall of 1956, Premier Nagy, led a Government which, supported by uprisings of the Hungarian people, sought to lighten the oppressive Communist dictatorship which had been clamped upon Hungary by the Soviet Union. During the uprisings, Soviet military forces were sent into Budapest and other strategic locations and, as a result, thousands of Hungarian patriots perished and tens of thousands were forced to flee the country.

On November 8, 1956, the U. N. General Assembly, by a vote of 50 to 8, condemned the Soviet intervention in Hungary. The Soviet military command in Hungary, ignored the U. N. resolution, forced the Nagy government out of office and replaced it with a puppet regime under Janes Kadar. Premier Nagy sought refuge in the Yugoslav Embassy in Budapest. Lured by promises of sanctuary, Premier Nagy was seized by agents of the Kadar government, and held incommunicado in Rumania. It has now become known that Premier Nagy and his colleagues were tried and executed in secret.

This resolution calls upon the President to join with other nations in expressing revulsion of this atrocious act of political reprisal, and again expresses the sympathy of the American people for the people of Hungary still under Soviet repression.

Adopted by a unanimous vote of the Senate June 24, 1958; adopted by House, June 19, 1958.

United States-Canada Relations

Senate Concurrent Resolution 108:

Authorizes the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs to establish a subcommittee to jointly explore with appropriate officials of the United States Government and with members of the Canadian Parliament the desirability and feasibility of increased systematic discussion between legislators of the two countries on problems of common concern.

Adopted in Senate, August 8, 1958.

United Nations Forces

Senate Concurrent Resolution 109:

This resolution expresses that it is the sense of the Congress that a force similar to the United Nations emergency force should be set up as a permanent arm of the United Nations, to be composed of units and volunteers from members of the Security Council, with its equipment and expenses to be provided for in the regular budget of the United Nations.

Passed Senate July 23, 1958.

Exploration of Outer Space

House Concurrent Resolution 332:

This resolution expresses the sense of the Congress that the United States should strive for an international agreement banning the use of outer space for military purposes; that it should seek an international agreement providing for joint exploration of outer space and establishing a method by which disputes as to outer space will be solved by legal, peaceful methods; and that the United States should press for an international agreement for joint cooperation in the advancement of scientific developments flowing from the exploration of outer space.

Passed Senate July 23, 1958.

World Science-Pan Pacific Exposition

S. 3680:

This measure provides for United States participation in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961. It establishes a United States World Science-Pan Pacific Exposition Commission, provides for the appointment of a Commissioner and two Assistant Commissioners, and authorizes the necessary appropriations for effective participation by the United States.

The exposition is to commemorate the centennial of the physical fixing of the boundary line between the United States and Canada, to depict the role of science in modern civilization, and to exhibit the varied cultures of the nations of the Pacific rim.

The Commission is to be composed of 16 persons: the heads of 10 departments and agencies—State, Commerce, Defense; Health, Education, and Welfare; Smithsonian Institute, National Science Foundation, Atomic Energy Commission, National Advisory Committee for Aeronautics, Interdepartmental Committee on Scientific Research and Development, National Academy of Sciences; and 3 Members of the House appointed by the Speaker and 3 Members of the Senate appointed by the President of the Senate.

Passed Senate June 20, 1958.

Export-Import Bank—Increased Lending Authority

S. 3149:

This measure increases the lending authority of the Export-Import Bank of Washington from the present $5 billion to $7 billion; it makes a corresponding increase in the bank's authority to borrow from the United States Treasury.

The bank has broad general powers to engage in banking in order to aid in financing and facilitating exports and the exchange of commodities between the United States and foreign countries.

This bank is the principal instrument of the Federal Government which assists foreign trade on a business basis. Under Congressional mandate, the bank supplements and encourages private capital and does not compete with it; the bank's loans must offer reasonable assurance of repayment; and the bank makes no grants. The bank cooperates with private capital, sometimes through joint lending to individual ventures, sometimes through guaranties of part or all of private loans, sometimes through sales of loans from its portfolio.

The bank makes development loans to private companies in foreign countries, including both American and foreign firms. It makes development loans to other governments or to official institutions, sometimes for the purpose of building needed basic public facilities, such as highways or port improvements, sometimes for the purpose of relending to private enterprise.

Public Law 85-424, approved May 22, 1958.

Olympic Winter Games

S. 3262:

This act authorizes the Department of Defense to support the VIII Olympic Winter Games to be held in California in February 1960 with personnel and equipment, and authorizes a Federal grant of $4 million for the construction of a sports arena for use in connection with these games.

These games are to be held in Squaw Valley, and the State of California is to bear most of the expenses of preparing for the games. The State has appropriated $7,990,000 directly for this purpose, of which $2,990,000 was appropriated to make the Olympic site a permanent State park. In addition, the State of California is spending $43 million to widen the major highways that lead to Squaw Valley to 4 lanes. The State of Nevada has appropriated $200,000 to assist in staging the games.

The competitors in the games will come from approximately 37 countries and, as host for this event, the United States has an opportunity to promote international understanding and to give the visitors a favorable impression of this country.

Public Law 85-365, approved April 3, 1958.

Naval Vessels—Transfer

S. 3506:

This measure authorizes the President to loan to various foreign countries not more than 43 ships from the reserve fleet. The ship types involved are destroyers, destroyer escorts, and submarines. The bill also authorized a 2-year extension of an existing loan of a small aircraft carrier to France.

Recipients and number of ships involved are:

1. North Atlantic Treaty Organization and European area (the Federal Republic of Germany, Greece, Italy, Norway, Spain, and Turkey), not to exceed 19 ships.

2. Latin American area (Argentina, Brazil, Chile, Colombia, Cuba, Peru, and Uruguay), not to exceed 17 ships.

3. Far Eastern area (Japan, Taiwan, Thailand), not to exceed 4 ships.

4. A pool of not to exceed three ships to be loans to friendly foreign nations in an emergency.

The ships will be used by the recipient countries to discharge naval responsibilities assumed by them in their areas. Use of these ships will contribute to the total antisubmarine capability of the Free World.

This loan program is valuable to the United States for many reasons. It will assist in the mutual defense of the free nations. It will result in having ships in operation at critical points in the event of an emergency. The United States Navy reserve fleet will become more effectively dispersed; ships in operation are of greater value to us than ships in the inactive reserve fleet.

Another advantage is that these loans will offer the opportunity for extending United States influence throughout the world.

Public Law 85-532; approved July 18, 1958.

Inter-American Highway

H. R. 7870:

This measure authorizes an additional $10 million to complete construction of the Inter-American Highway.

The Inter-American Highway is an international highway extending from the United States-Mexican border at Laredo, Tex., to the Panama Canal, about 3,200 miles in length. The portion in Mexico, about 1,627 miles, has been completed entirely by Mexico with its own funds. The remaining 1,573 miles lies in the 6 independent Republics of Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, and Panama.

Public Law 85-452, approved June 6, 1958.

AEC Exchange With Friendly Nations

H. R. 12716:

This measure amends the Atomic Energy Act to permit the following military cooperation when the President determines that the actions concerned will promote and will not constitute an unreasonable risk to the common defense and security.

In the field of information: Communications to friendly nations or defense organizations of additional design information to permit essential training and planning by our allies.

Communications to friendly nations or defense organizations of additional atomic weapons design information necessary to make any delivery systems manufactured by our allies fully compatible with our atomic weapons.

Exchange with friendly nations of information that will improve the receiving nation's atomic weapon design, development, or production capability.

Communications to friendly nations or defense organizations of information necessary to military applications of atomic energy in addition to weapons or military reactors.

In the field of materials and equipment: Transfer of special nuclear material for manufacture into atomic weapons or for other military uses by the receiving nation.

Transfer for military applications of utilization facilities, such as nuclear propulsion and powerplants, and necessary nuclear fuels.

Transfer of nonnuclear parts of atomic weapons to improve the receiving nation's state of training and operational readiness, provided the receiving nation has made substantial progress in the development of atomic weapons, and other nonnuclear parts of atomic weapons system involving restricted data, and if such transfer will not contribute significantly to that nation's atomic weapon design, development, or fabrication capability.

Public Law 85-479; approved July 2, 1958.

General Government

Federal Civil Defense—Reorganization

Reorganization Plan No. 1 of 1958:

This reorganization plan provides new arrangements for the conduct of Federal defense mobilization and civil defense functions.

It transfers to the President the functions vested by law in the Federal Civil Defense Administration and those so vested in the Office of Defense Mobilization. This will result in establishing a single pattern with respect to the vesting of defense mobilization and civil defense functions. Under the plan, the broad program responsibilities for coordinating and conducting the interrelated defense mobilization and civil defense functions will be vested in the President for appropriate delegation as the rapidly changing character of the nonmilitary preparedness program warrants.

The plan consolidates the Office of Defense Mobilization and the Federal Civil Defense Administration to form a new Office of Defense and Civilian Mobilization in the Executive Office of the President.

The membership of the Director of the Office of Defense Mobilization on the National Security Council is transferred to the Director of the Office of Defense and Civilian Mobilization. The Civil Defense Advisory Council is transferred to the Office of Defense and Civilian Mobilization.

Initially, the Office of Defense and Civilian Mobilization will perform the civil defense and defense mobilization functions now performed by the Office of Defense Mobilization and the Federal Civil Defense Administration. After these actions are taken, the direction and coordination of the civil defense and defense mobilization activities assigned to the departments and agencies will comprise a principal remaining responsibility of the Office of Defense and Civilian Mobilization.

Effective June 23, 1958.

Free Citizenship Day

Senate Joint Resolution 159:

This resolution authorizes and requests the President of the United States to proclaim July 4, 1958, as a day of rededication to the responsibilities of free citizenship in order that America may continue to hold high the torch of freedom as a beacon for all freedom-loving nations.

The Fourth of July commemorates the greatest single event in American history, the achievement of independence. No day of patriotic observance which this Nation celebrates is more replete with inspiration for opposition to the forces of oppression than the day on which the Declaration of Independence was adopted.

The Congress, in adopting this resolution, expressed the belief that this Nation, in celebration of the signing of the Declaration of Independence, should rededicate itself to the ideals which are so well expressed in that basic charter of our freedom.

Public Law 85-498; approved July 3, 1958.

Local Tax Immunity

S. 6:

This measure is designed to prevent the constitutional immunity of the United States from State and local taxes from being extended to cover purchases made by private, independent contractors doing work for the United States. It seeks to accomplish this objective by providing for the elimination of claims of immunity from such taxes by any person on the ground that he is a contractor performing work for and, at the same time,

acting as the agent of the United States or any agency or instrumentality thereof, in the procurement of tangible property of any kind for use in the performance of the contract.

The basic objective of this measure is to overcome the effect of a court decision holding that since a (certain) contract with the Navy Department specifically provided that the contractor was to act as purchasing agent for the Government, the real purchaser, the State was actually levying a tax on an instrumentality of the Federal Government which it could not constitutionally do in the absence of consent by the Congress. This act will prevent the immunity of the Federal Government from attaching to what is essentially a tax levied on a private contractor or his supplier through the purchasing agency provision.

Passed Senate by voice vote March 3, 1958.

United States Marshals—Bonds

S. 1438:

This measure permits the Government to purchase a single bond to cover all United States marshals by repealing the requirement that the bond of a United States marshal be approved by a judge of the district court of the district for which the marshal is appointed and filed and recorded in the office of the clerk. In substitution for the existing requirement that a United States marshal give a bond before entering on the duties of his office, the only requirement under this act is that the marshal be bonded.

Passed Senate by voice vote March 6, 1958.

Marshals' Fees

S. 1439:

This measure amends section 1921, title 28, United States Code, so as to change the fees to be collected by United States marshals.

Passed the Senate July 28, 1958.

Patent Office

S. 1864:

This measure authorizes the increase in the membership of the Board of Appeals in the Patent Office from 9 to 15, and increases the compensation of the Commissioner and each Assistant Commissioner.

Passed Senate July 28, 1958.

National Air Museum

S. 1985:

This measure authorizes the Regents of the Smithsonian Institution to prepare plans and specifications for the construction of a building for use by Smithsonian as a National Air Museum. The building is to be opposite the National Gallery of Art, and of a scale and design to conform with the gallery.

The building is to be large enough to show the great "firsts" of aviation and the technical and scientific devices that have advanced the science and art of aviation.

Passed Senate June 26, 1958.

Surplus Property—Advertised and Negotiated Disposal

S. 2224:

This measure is designed to prescribe the situations in which the disposal of surplus Federal property, real and personal, must be accomplished by public advertising, and those in which disposals of such property may be accomplished by negotiation.

Requires that surplus property be disposed of by public advertising, unless disposal is made by abandonment, destruction, or donation; through contract realty brokers; on a negotiated basis in certain situations; or, in the case of personal property, by sales at fixed prices.

Sales may be negotiated in the following instances:

Particular lots of property during a national emergency;

To further the public health, safety, or national security;

Where public exigency will not permit delay of advertising;

To prevent dislocation of the national economy from disruptive impacts of disposals on an industry;

Where value of property is less than $1,000;

Where bid prices after advertising are not reasonable or have not been independently arrived at in open competition;

Where character or condition of real property or unusual circumstances make it impractical to advertise publicly for competitive bids;

To State and local governments at fair market value; and

Where otherwise authorized by the Federal Property and Administrative Services Act of 1949 or other law.

Public Law 85-486; approved July 2, 1958.

Government Property Leases—Options

S. 2231:

This measure clarifies the authority of the Administrator of General Services to review or extend the term of leases of Government property for one or more additional periods, and to permit the exercise of options to purchase pursuant to the practice commonly followed by private business.

Passed Senate by voice vote March 3, 1958.

GSA—Administrative Operations Fund

S. 2283:

This measure authorizes the establishment of an administrative operations fund on a permanent basis. It permits the Administrator of General Services Administration to transfer up to 5 percent of the amount included in each annual appropriation, but not more than the amount included in the respective program appropriations, to an administrative operations fund, from which the cost of legal, financial, administrative, compliance, information and business services are to be charged.

This procedure will make possible some saving to the Government and will simplify the General Services Administration's internal budgeting and accounting systems.

Passed Senate by voice vote March 3, 1958.

Federal Agencies—Leasing Space

S. 2538:

This measure authorizes the Administrator of General Services to enter into leases for periods not in excess of 10 years for the accommodation of Federal agencies in buildings which are in existence or may be erected by lessors, within or without the District of Columbia, and to assign and reassign space to Federal agencies.

The essential purpose of the bill is to improve the economy and the efficiency of GSA's space-leasing program by authorizing the Administrator to use leasing techniques similar to those employed by private enterprise in acquiring space by lease to meet its needs.

Public Law 85-493; approved July 2, 1958.

Surplus Property—Disposals

S. 2752:

This measure is designed to clarify, modify, and improve certain phases of the Federal Property and Administrative Services Act and procedures relative to the disposal of surplus property by executive agencies. To accomplish this, it modifies the requirement in section 207 of the act that executive agencies, at the beginning of negotiations, seek the advice of the Attorney General as to whether a proposed surplus property disposal would tend to create or maintain a situation inconsistent with the antitrust laws. It would require, instead, that notification to the Attorney General be made whenever such disposal is contemplated by any executive agency, thus leaving it to the agency to determine the appropriate time for submission.

It also requires that when such notice is transmitted to the Attorney General by any executive agency, other than the General Services Administration, a copy of the notification must be transmitted simultaneously to the Administrator of General Services. It exempts from the requirements of section 207 proposed disposals of any surplus property if the aggregate amount of the original acquisition cost to the Government, plus capital expenditures is less than $1 million. It also permits an exemption of proposed disposal of salvage and scrap where the acquisition cost is less than $3 million.

Public Law 85-680, approved August 19, 1958.

Department of State

S. 3112:

This measure establishes in the Department of State a new position of Assistant for International Cultural Relations. The Assistant, who is to be appointed by the President and confirmed by the Senate, will have the duty to coordinate the international exchange programs of the Department under the Surplus Property Act of 1944, the United States Information and Educational Exchange Act of 1948, the Mutual Security Act of 1954, the International Cultural Exchange and Trade Fair Participation Act of 1956 and other legislation relating to exchange of persons, in order to assure joint policy and planning, equitable budgeting and administrative cooperation.

Passed Senate July 28, 1958.

Federal Building Sites—Leases

S. 3142:

This measure extends the authority of the Administrator of General Services to lease out Federal building sites until needed for construction purposes.

Authorizes the General Services Administration to negotiate leases with former owners or tenants in possession of property immediately after the Government acquired the property. It also permits the GSA to deposit the rent received from leases into a single building management fund instead of being held in separate special accounts.

It authorizes the General Services Administration to use rental funds for demolition and improvement of property.

Passed Senate July 28, 1958.

National Cultural Center

S. 3835:

This measure establishes in the Smithsonian Institution a Board of Trustees of the National Cultural Center, composed of 15 Federal officials, members ex officio, and 15 general trustees appointed by the President, to arrange for the construction of the National Cultural Center, with funds raised by voluntary contributions.

The Cultural Center is to be located on a site in the District of Columbia bounded by Rock Creek Parkway, New Hampshire Avenue, the proposed Inner Loop Freeway, and the approaches to the authorized Theodore Roosevelt Bridge.

The Board is to maintain and administer the National Center, present programs of the performing arts, lectures and other programs, and provide facilities for other civic activities.

The measure also establishes an Advisory Committee on the Arts, designated by the President, to advise and consult with the Board and make recommendations regarding cultural activities to be carried on in the center.

Passed Senate June 20, 1958.

Immigration

S. 3653:

This measure authorizes the acquisition of sites and the construction of buildings for a training school for the Immigration and Naturalization Service.

Passed Senate July 28, 1958.

Property Payments in Lieu of Taxes

S. 3677:

This measure extends for 2 years, from December 31, 1958, the period for which payments in lieu of taxes may be made to State

and local taxing authorities by the Federal Government relating to certain real property on which payments were authorized by Public Law 388, 84th Congress.

Public Law 388 was designed to furnish temporary relief for local taxing authorities under an undue and unexpected burden as the result of transfer of taxable real property from the Reconstruction Finance Corporation or its subsidiaries to another Federal agency or department, and which transfer operated to take the property out of taxation. It authorized payments in lieu of taxes only if the property was transferred by RFC, or one of its subsidiaries, to another Federal agency or department on or after January 1, 1946, and only if title to this property had been held continuously by the United States since the transfer. The Government department having custody or control of real property meeting these conditions is required to pay the local taxing authority for the period commencing on January 1, 1955, and terminating on December 31, 1958, an amount equal to the real property tax.

This measure extends this payment period to December 31, 1960.

Public Law 85-579; approved August 1, 1958.

Functions of the Surgeon General

S. 3727:

The purpose of this legislation has but a single objective, namely, to enable the Surgeon General more effectively to promote the cause of peace through promoting the cause of health throughout the world. This is accomplished by amending the Public Health Service Act so as to clarify the functions and responsibilities of the Surgeon General with respect to international health activities and to encourage and facilitate international cooperation in the conquest of disease and the promotion of health.

Passed Senate August 14 1958.

Penitentiary Imprisonment

S. 3874:

This measure amends section 4083, title 18, United States Code, and provides that persons sentenced for more than 1 year may be confined in any United States penitentiary but that a sentence for an offense punishable by imprisonment for 1 year or less shall not be served in a penitentiary without the defendant's consent.

Passed Senate July 28, 1958.

Taxation of Costs

S. 3875:

This measure provides for the allowance of costs for witnesses and fees paid to the clerk to the prevailing party in suits against the United States or against Internal Revenue officials if the defendant puts in issue plaintiff's right to recover.

Passed Senate July 28, 1958.

National Training School for Boys

S. 3876:

This measure authorizes the acquisition of land and the construction of buildings for the National Training School for Boys at a site to be selected by the Attorney General, and authorizes for sale the Training School real estate in the District of Columbia.

Passed Senate July 28, 1958.

Government Printing Office

S. 4010:

Authorizes the Public Printer to designate deputy disbursing officers to act for a limited period in the case of death, resignation or separation of the disbursing officer.

Passed Senate August 4, 1958.

District Courts—Guam

H. R. 4215:

This measure increases the salary of the Guam United States District Court judge from $19,000 to $22,500 a year. It lengthens the Guam District Court judgeship of the District Courts of Puerto Rico, the Canal Zone, and the Virgin Islands.

Provides the District Court of Guam with jurisdiction of a district court of the United States in all causes arising under Federal laws regardless of the amount involved.

Public Law 85-444; approved June 4, 1958.

Scientific Research

S. 4039:

Authorizes Government departments and agencies which make contracts for basic scientific research with nonprofit universities or research organizations, to make grants to those institutions for the support of basic research and to vest in those institutions title to equipment provided with grant or contract funds.

Passed Senate August 4, 1958.

Office of Civil and Defense Mobilization

S. 4059:

Changes name of "Office of Defense and Civilian Mobilization" to "Office of Civil and Defense Mobilization" so as to avoid confusion of this organization with the Department of Defense.

Public Law 85-763, approved August 26, 1958.

Administrative Office of the Courts

S. 4142:

This measure changes the title of the "Assistant Director" of the Administrative Office of the United States Courts to "Deputy Director" and creates two positions in grade 18 under the Classification Act.

Passed Senate August 4, 1958.

Withholding of Information

H. R. 4767:

This measure amends section 22, title 5, United States Code, which authorizes the head of an executive department to prescribe regulations for, inter alia, the custody, use and preservation of the records and papers of his department to indicate the Congressional intent that the section does not authorize withholding information from the public or limiting the availability of records to the public.

Public Law 85-619; approved August 12, 1958.

Additional Peremptory Challenges in Civil Cases

H. R. 8368:

The present law now permits three peremptory challenges in civil cases to each party, and states that for the purpose of making challenges several plaintiffs or several defendants shall be considered as a single party. However, the law permits an exception to this general rule, where there is more than one defendant. In such an instance the courts may allow the defendants additional peremptory challenges and permit them to be exercised separately or jointly. It is the intention of this legislation to extend the same privilege to multiple plaintiffs.

Vetoed September 2, 1958.

Alaska Public Lands

H. R. 4635:

This measure provides for settlement and entry of public lands in Alaska containing coal, oil, or gas by permitting entry on such lands for homesites, headquarters sites, or trade and manufacturing sites under the act of May 14, 1958, or for purposes of a soldier's additional homestead entry.

Public Law 85-725, approved August 23, 1958.

Pearl Harbor Memorial

H. R. 5809:

This measure authorizes the Secretary of the Navy to cooperate with the Pacific War Memorial Commission of Hawaii, in the development of a design for a proposed U. S. S. *Arizona* memorial and museum at Pearl Harbor, T. H.

The hulk of the U. S. S. *Arizona* lies in Pearl Harbor, where the vessel was sunk during the Japanese attack on December 7, 1941. The memorial and museum is proposed as an appropriate tribute to the 1,102 American servicemen who died during the attack on Pearl Harbor.

Public Law 85-344, approved March 15, 1958.

Hawaiian Organic Act

H. R. 5865:

The purpose of H. R. 5865 is to amend section 80 of the Hawaiian Organic Act (48 U. S. C., sec. 546) with reference to election of members of the board of trustees of the Territorial employees' retirement system.

Under an act of the Territorial legislature, 3 of the 7 members are elected by members of the system. The Territorial attorney general, however, has advised that the election of these members is in conflict with provisions of the organic act which require the Governor to nominate and appoint, with the consent of the Territorial senate, members of any board of a public character created by law.

H. R. 5865 ratifies the existing Territorial statute and confirms the service on the board of present employee members.

Public Law 85-793, approved August 28, 1958.

Pioneer Airplane Events—Commemorate

H. R. 6078:

This measure authorizes, at Fort Myer, Va., the erection of a marker to commemorate the first flight of an airplane at an Army installation and a bronze plaque to mark the site of the first crash of an airplane on an Army installation.

September 9, 1908, marks the 50th anniversary of the first airplane flight on an Army installation. The flight, by Orville Wright, was the first in a series of tests to be made before Government acceptance of the airplane. The flight lasted for 1 minute and 11 seconds. The first crash of an aircraft on an Army installation occurred on September 17, 1908. Lt. Thomas E. Selfridge accompanied Wright on a flight to comply with specifications requiring that the plane be airborne for a specified period with a pilot and one passenger aboard. The plane crashed and Lieutenant Selfridge died as a result of injuries.

Public Law 85-880, approved February 15, 1958.

Abbreviated Records in Reviewing Administrative Agency Proceedings

H. R. 6788:

The purpose of the legislation is to save time and expense by permitting the several courts of appeals to adopt rules authorizing the abbreviation of the transcript and other parts of the record made before Federal administrative agencies when the orders of those agencies are to be reviewed by the courts of appeals. If review proceedings have been instituted in two or more courts with respect to the same order, the bill requires the Federal administrative agency involved to file the record in that court in which the proceeding was first instituted, but in the interest of justice and for the convenience of the parties, such court may thereafter transfer the proceedings to another court of appeals.

Public Law 85-791, approved August 28, 1958.

Lis Pendens in Federal Courts

H. R. 7306:

This act requires that an action with respect to real property pending before a United States district court, must be recorded, if State law so provides, in order to be considered constructive notice that the action is pending.

Public Law 85-689, approved August 20, 1958.

Probation

H. R. 7260:

This measure corrects existing law which limits courts in convictions on a one count

indictment to either the imposition of a jail sentence or placement on probation. The measure would permit confinement in a jail type or treatment institution for a period not exceeding 6 months in connection with the grant of probation.

Public Law 85–741, approved August 23, 1958.

Meetings of Hawaiian Legislature

H. R. 7564:

Authorizes the Legislature of the Territory of Hawaii to meet annually in regular session. Sessions in odd years, designated as a regular session are limited to 60 days, and sessions in even years designated budget sessions are limited to 30 days. The Governor may extend any session 30 days. The measure also authorizes special sessions.

Public Law 85–690, approved August 20, 1958.

The Court of Customs and Patent Appeals

H. R. 7866:

The purpose of the legislation is to amend title 28 of the United States Code so as to make the United States Court of Customs and Patent Appeals to be a court established under article III of the Constitution of the United States.

Public Law 85–755, approved August 25, 1958.

Alaska Statehood

H. R. 7999:

This measure provides for the admission of Alaska into the Union without further Congressional action, as a full and equal sovereign State; and for confirmation of the constitution and admission of the State on completion of a State election and ministerial actions necessary to the transition.

Property grant provisions: Allows the State to select within 25 years a total of 103,350,000 acres from Federal lands in Alaska, land area of Alaska is 365.6 million acres; 400,000 acres of this total amount may be selected from national forests to be used for community expansion and recreation sites. After transfer of the total selected amount, the United States will still own about 70 percent of the land in Alaska as opposed to the present figure of 98 percent.

Financial provisions: The new State is granted 70 percent of the net proceeds from sales of fur seals and sea-otter skins from the Pribilof Islands, which will be approximately $1 million a year.

Provisions of Public Law 88 of the 85th Congress is extended to the State and, under this act, the Territory will receive a total of 90 percent of the profits from Government coal mines and 90 percent of the profits from operations under the Mineral Leasing Act. Thirty-seven and one-half percent of the proceeds from mineral operations is earmarked for roads and educational purposes, and the remainder will be available for distribution as the legislature directs.

Grants to the State 5 percent of the net proceeds from sales of public lands in Alaska to be used for public-school purposes.

Grants to the State 37½ percent of the proceeds from its national forests, which is 12½ percent more than is received by other States. Payment of the additional 12½ percent continues only until otherwise directed by Congress and ceases in 10 years without further Congressional action.

Title to the submerged lands is vested in the new State.

The bill also authorizes a Federal appropriation of $15 million to be used for land surveys.

Special nation-defense withdrawals: Provides an area in northern and western Alaska from which the President may make future withdrawals of land for national defense purposes. The area subject to withdrawals contains about 276,000 square miles and 24,000 people. The population includes 15,000 Indians or other natives, and 5,000 persons in military service or in the civilian employ of the Department of Defense. In general, the withdrawal provisions allow the President to place any part or parts of the withdrawable area under exclusive Federal jurisdiction and control if and when it considers it necessary in the interest of national defense.

Judicial system: The present Territorial court, together with its officers, will continue its functions relating to Federal matters until 3 years after admission of the State or until the President proclaims that the new Federal court is ready to operate, whichever is sooner. The Territorial court, together with its officers, will continue its consideration of State matters until the Governor of Alaska certifies to the President that the State courts are ready to operate.

Public Law 85–508, approved July 7, 1958.

Income Tax Offenses

H. R. 8252:

This measure permits persons charged with certain offenses against the income tax laws to elect to be tried in the judicial district in which he was residing at the time the alleged offense was committed if prosecution is begun in a judicial district other than the one in which he resides.

Public Law 85–595, approved August 6, 1958.

Hawaii

H. R. 8478:

Authorizes the Hawaiian Homes Commission to grant licenses for lots under its jurisdiction on which United States post offices and other public improvements may be operated.

Public Law 85–733, approved August 23, 1958.

General Government—Franklin D. Roosevelt Library

H. R. 8795:

This measure permits the Administrator of General Services to maintain and operate the Franklin D. Roosevelt Library under the terms of the General Presidential Libraries Act.

It would also accomplish the following:

Abolish the Board of Trustees of the Franklin D. Roosevelt Library.

Establish the Franklin D. Roosevelt Library fund as a separate account within the National Archives trust fund.

Eliminate the present limitations on the purposes for which the Franklin D. Roosevelt trust funds may be used.

Eliminate the 25-cent ceiling on admission fees.

Give statutory recognition to the validity of restrictions placed by donors on the use of papers accepted for deposit.

Public Law 85–341, approved March 15, 1958.

Trial and Appeal Trademark Board

H. R. 8826:

This measure abolishes in contested trademark application cases decisions by examiners with the right of appeal to the Commissioner, and substitutes therefor a single decision by a 3 man panel selected from the members of the Trademark Trial and Appeal Board. The same Board also hears appeals from an examiner's refusal to register. Members of the Board are the Commissioner, the Assistant Commissioners, and Patent Office employees selected by the Commissioner from those whose qualifications have been approved by the Civil Service Commission as qualified for appointment as examiner in charge of interferences.

Public Law 85–609, approved August 8, 1958.

Hawaiian Land Laws

H. R. 9445:

The principal purpose of H. R. 9445 is to amend the Hawaiian Organic Act (48 U. S. C. 665) to permit leasing of public lands of Hawaii on a 65-year basis. At present leases may not exceed 15 years for agricultural purposes and 21 years for general purposes.

Public Law 85–803, approved August 28, 1958.

Sales and Exchanges of Public Lands of the Territory of Hawaii

H. R. 9500:

The purpose of H. R. 9500 is to assist persons who suffered losses in the tidal wave which swept the coast of Hawaii in 1957 by providing for the sale of public lands to them and the exchange of such lands for damaged lands. The measure requires that proposed sales and exchanges be approved by the Governor of the Territory and at least two-thirds of its board of public lands, that sales be at fair market value, and that the value of the private lands taken in exchange, reckoned as of immediately prior to the tidal wave and without regard to improvements, be equal to that of the public lands given in exchange.

Public Law 85–834, approved August 28, 1958.

Hawaii

H. R. 9502:

Permits certain exchanges of public lands in the Territory of Hawaii where the area does not exceed 40 acres and the value is not in excess of $15,000.

Public Law 85–718, approved August 21, 1958.

Reconveying the Lands Acquired for Burke Airport

H. R. 10045:

The principal purpose of H. R. 10045 is to prescribe a special procedure for disposing of federally owned real property at Burke, Va. This land was acquired under the act of September 7, 1950, to be used for constructing a second airport for the Washington area. As a result of the recent selection of a site at Chantilly, Va., for the airport, the Burke property is no longer needed and has been declared surplus to Federal needs by the General Services Administration, the governmental agency for surplus property sales.

Section (a) of the bill would require that during the 90 days immediately following enactment, no Burke property could be disposed of except pursuant to section 13 (h) of the Surplus Property Act of 1944 (50 App. U. S. C. 1622 (h)) or section 203 (k) of the Federal Property and Administrative Services Act of 1949 (40 U. S. C. 484 (k)).

Public Law 85–825, approved August 28, 1958.

Judicial Conference

H. R. 10154:

This measure authorizes the Judicial Conference to study the operation and effect of the general rules of practice and procedure now or hereafter in use in the United States Federal courts and to recommend such changes as the Conference believes desirable to the Supreme Court for consideration.

This legislation does not change the responsibility of the Supreme Court for prescribing rules of practice and procedure in Federal courts nor the responsibility for submitting some of them for Congressional review. It does, however, by statute, permit the Supreme Court to secure the advice and assistance of an existing group which is uniquely qualified to give advice on these matters.

The Judicial Conference is a permanent organization which brings together in one body representatives of the Federal judiciary from all of the geographical areas of the United States. The Conference is under the chairmanship of the Chief Justice of the United States, and is composed of the chief judge of each circuit court of appeals, a district judge from each of the 11 circuits, and the chief judge of the Court of Claims.

Public Law 85–513, approved July 11, 1958.

Hawaiian Indebtedness

H. R. 11954:

This measure gives additional flexibility to the management of finances by the Territory of Hawaii by excluding from the computation of indebtedness which the Territory may incur bonds issued to finance veterans' homes and farm mortgages, and by deleting the limitation on the amount of indebtedness which the Territory and its subdivisions may incur in 1 year.

Public Law 85–691, approved August 20, 1958.

Revised Organic Act of the Virgin Islands

H. R. 12303:

The purpose of H. R. 12303 is to amend the Revised Organic Act of the Virgin Islands (68 Stat. 497) in many respects in order to remove ambiguities and imperfections which now exist in the statute.

Public Law 85–851, approved August 28, 1958.

Guam

H. R. 12569:

This measure seeks to clarify the Organic Act of Guam with respect to income taxes and authorizes suits against the government of Guam to recover taxes erroneously or illegally collected or assessed.

Public Law 85–688, approved August 20, 1958.

National Aeronautics and Space Act of 1958

H. R. 12575:

This measure provides that all aeronautical and space activities of the United States be devoted to peaceful purposes for the benefit of all mankind and be conducted to contribute materially to the following objectives:

To expand human knowledge in the phenomena of atmosphere and space;

To improve the usefulness, performance, safety, and efficiency of aircraft;

To develop and operate vehicles capable of carrying instruments, equipment, and living organisms through space;

To establish long-range studies of potential benefits to be gained from using aeronautical and space activities for peaceful and scientific purposes;

To preserve the role of the United States as a leader in aeronautical and space science and technology;

To make available discoveries of military value to defense agencies;

To provide for cooperation with other nations in this field;

To effectively utilize United States scientific and engineering resources.

The act imposes upon the President the duty to develop after survey a comprehensive program of aeronautical and space activities to be conducted by agencies of the United States, to designate responsibility for major activities, to provide for effective cooperation between those agencies having responsibility for space activities and to resolve differences arising among Government agencies with respect to such activities.

To advise the President, the act establishes the National Aeronautics and Space Council, composed of the President, the Secretary of State, the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the Chairman of the Atomic Energy Commission, one additional Government member appointed by the President and not more than 3 non-Government members appointed by the President.

The act creates the National Aeronautics and Space Administration to be headed by an Administrator and a Deputy Administrator to be appointed from civilian life by the President.

Responsibility for space activities are divided between the Department of Defense and the new Space Administration. Space activities peculiar to or primarily associated with the development of weapons systems, military operations, or the defense of the United States are made the responsibility of the Department of Defense. All other space activities are made the responsibility of the Space Administration.

Public Law 85–568, approved July 29, 1958.

Federal Sentencing

House Joint Resolution 424:

This measure authorizes the Judicial Conference to establish institutes and joint councils on sentencing to study, discuss, and formulate the objectives, policies, standards, and criteria for sentencing.

It also authorizes the court when it imposes a sentence exceeding 1 year either to designate a minimum term at the expiration of which the prisoner shall become eligible for parole, which shall not be more than one-third of the maximum sentence imposed, or to fix a maximum sentence and specify that the prisoner may become eligible for parole at such time as the Board of Parole determines.

The measure also authorizes the court, when it desires more information, to commit the prisoner to custody of the Attorney General for the maximum sentence prescribed by law for study by the Director of the Bureau of Prisons. The Director is required to report his study and recommendations within 3 months, or within 6 months if the court grants additional study time. On receipt of the report the court may place the prisoner on probation, affirm the original sentence or reduce the sentence.

The measure also permits the court to treat defendants between the ages of 22 and 26 under the Federal Youth Corrections Act if it believes the defendant will benefit from such treatment.

Public Law 85–752, approved August 25, 1958.

Code of Ethics

House Concurrent Resolution 175:

This resolution establishes basic standards of conduct as a guide to all privileged to be a part of the Government service; however, it does not create new law, impose penalties, identify types of crime, nor establish legal restraints. It does, however, etch out a charter of conduct against which those in public service may measure their own actions.

It provides that any person in Government service should:

Place loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department;

Uphold the Constitution, laws, and legal regulations of the United States and never be a party to their evasion;

Give a full day's labor for a full day's pay;

Seek to find and employ more efficient and economical means of getting tasks accomplished;

Never discriminate unfairly by dispensing special favors or privileges to anyone; and never accept favors or benefits which might be construed as influence;

Make no private promises binding upon the duties of office;

Engage in no business with the Government, either directly or indirectly, inconsistent with his governmental duties;

Never use confidential information as a means for making private profit;

Expose corruption; and

Uphold these principles, ever conscious that public office is a public trust.

Passed the Senate July 11, 1958.

Health

Dental Health

Senate Joint Resolution 178:

Authorizes the President to proclaim February 8–14, 1959, as National Children's Dental Health Week to stress the necessity of a continuous program for the protection and development of the dental health of the Nation's children.

Public Law 85–830, approved August 28, 1958.

International Health and Medical Research Year

Senate Resolution 361 and Senate Concurrent Resolution 99:

This resolution requests the President to invite the other nations of the world, through the World Health Organization to designate representatives to meet and discuss the feasibility of designating an International Health and Medical Research Year, or of other methods of developing intensive international cooperation in the field of health to cope with major killing and crippling diseases.

Passed the Senate August 11, 1958.

Increase in Funds for Construction of Hospital Facilities

S. 3259:

The measure amends the act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, so as to increase the authorization for funds to be granted for the construction of hospital facilities in the District of Columbia by $1,020,000. Previous authorization totals $39,710,000. Total authorization for this purpose under this measure would be $40,730,000.

Public Law 85–715, approved August 21, 1958.

Hospital Survey and Construction

H. R. 12628:

This measure extends the Hospital Survey and Construction Act for an additional period of 3 years.

Public Law 85–664, approved August 14, 1958.

Hospital Construction Loans

H. R. 12694:

This measure authorizes loans for the construction of hospitals and other facilities under the Public Health Services Act.

Public Law 85–589, approved August 1, 1958.

Housing

Housing Emergency—Antirecession

S. 3418:

This measure is designed to encourage and expedite the construction and financing of a substantial number of new housing units. Primary emphasis has been placed on expanding and amending existing programs which can best provide immediate economic relief by:

1. Reducing the minimum downpayment requirements under the FHA sales-type housing program from 3 percent of the first $10,000 to 3 percent of the first $13,500.

2. Increasing by $500,000 the authorization for funds subject to Presidential allocation for purchasing home mortgages.

3. Increasing from $450 million to $550 million FNMA funds for purchasing mortgages on military housing.

4. Creating a new FNMA special assistance revolving fund of $1 billion for purchasing FHA and GI mortgage loans up to $13,500.

5. Increasing to $13,500 (from $10,000) the maximum GI mortgages the Government could purchase directly.

6. Extending the VA direct loan program and authorizing $150 million for each of the next 2 fiscal years.

7. Extending the loan guaranty program for 2 years and authorizing an interest rate ceiling of 4¾ percent.

8. Authorizing an interest-rate ceiling of 4½ percent for military housing mortgages.

9. Eliminating regulation of discounts charged by lenders to increase the yield on FHA insured and VA guaranteed loans.

This measure was considered as the first antirecession measure to be passed by the Senate.

Public Law 85–364, approved April 1, 1958.

FHA Mortgage Insurance—Increase

Senate Joint Resolution 171:

This measure increases the mortgage insurance authority of FHA by $4 billion to a grand total of $29.8 billion. These additional funds will replenish the authority of FHA to insure mortgages and continue the 24-year history of helping millions of families buy homes.

Public Law 85-442, approved June 4, 1958.

Immigration and Naturalization

Immigration

S. 3942:

Makes available 1,500 special nonquota immigrant visas for issuance to certain aliens in the Azores who are distressed as a result of a natural calamity.

Passed Senate August 6, 1958.

Immigration Bonds—Cancellation

H. R. 8439:

This measure permits the Attorney General, on receiving a properly executed application, to cancel departure bonds posted under the Immigration Act of 1924 or the Immigration and Nationality Act, on behalf of any refugee who entered the United States as a nonimmigrant after May 6, 1945 but prior to July 1, 1953, and has since had his status adjusted to that of an alien admitted for permanent residence under any public or private law.

In those cases where the individual is a refugee and qualifies under the bill but the proceeds of the bond have been paid into the Treasury, the person, organization, or corporation entitled to the refund will be paid the refund.

Public Law 85-531, approved July 18, 1958.

Naturalization

H. R. 13378:

This measure provides a means for the expeditious naturalization of alien spouses and adopted children of United States citizens who are missionaries or performing religious duties, and are stationed abroad in pursuance of their religious calling.

Public Law 85-697, approved August 20, 1958.

Immigration

H. R. 13451:

This measure permits the Attorney General in worthy cases to adjust the status of certain aliens lawfully admitted for permanent residence without the necessity of requiring the alien to go to Canada and reenter. The act also permits the Attorney General to admit aliens whose services are urgently needed in the United States because of their ability and qualifications if a petition has been approved prior to July 1, 1958.

Public Law 85-700, approved August 21, 1958.

War Claims

S. 163:

This measure extends the time for filing claims under the War Claims Act of 1948 for a period of 1 year from the date of enactment.

Passed Senate, July 29, 1958.

Czechoslovakian Claims Fund

S. 3557:

This measure provides a Czechoslovakian Claims Fund from which United States citizens may be compensated for property nationalized or otherwise taken subsequent to World War II by the Government of Czechoslovakia.

Funds for these claims will be derived from the disposal of certain Czech assets held by the United States Government. Preliminary estimates indicate there are about 1,000 claims to be met. Claimants will probably receive, on the average, a compensation equal to from 30 to 50 percent of their losses.

Public Law 85-604, approved August 8, 1958.

General Grant National Memorial

H. R. 6274:

Authorizes the Secretary of Interior to acquire title to Grant's Tomb in New York and maintain it as the General Grant National Memorial.

Public Law 85-659, approved August 14, 1958.

Oregon-Washington Compact

H. R. 7153:

Approves compact between the States of Oregon and Washington resolving boundary dispute.

Public Law 85-575, approved July 31, 1958.

Outer-Space Investigation

Senate Resolution 256:

The Senate, on February 6, adopted with one dissenting vote a resolution establishing a Special Committee on Astronautics and Space Exploration. The Senate, in almost unanimity, authorized the committee to conduct a thorough and complete study and investigation into all the aspects and problems relating to the exploration of outer space; the control, development and use of astronautical resources, personnel, equipment, and facilities.

The committee, consisting of thirteen members, seven from the majority and six from the minority Members of the Senate, appointed by the Vice President from the Committees on Appropriations, Foreign Relations, Armed Services, Interstate and Foreign Commerce, Government Operations and the Joint Committee on Atomic Energy are: JOHNSON of TEXAS, RUSSELL, ANDERSON, GREEN, MCCLELLAN, MAGNUSON, SYMINGTON, BRIDGES, SALTONSTALL, HICKENLOOPER, WILEY, MUNDT, and BRICKER.

The committee is empowered to receive and consider all bills and resolutions introduced in the Senate and all bills and resolutions from the House of Representatives proposing legislation in the field of astronautics and space exploration; if necessary, pending legislation to be rereferred to the Special Committee.

A primary function of the committee is to provide an adequate forum for the consideration of a national policy toward the age of space.

The committee to report its findings and recommendations to the Senate before June 1, 1958, or soon thereafter.

Passed Senate February 6, 1958.

Committee on Aeronautical and Space Sciences

S. Res. 327:

This resolution creates a new standing Committee on Aeronautical and Space Sciences, to consist of 15 Senators, to have jurisdiction over all legislation and other matters relating primarily to aeronautical and space activities and matters relating to the scientific aspects of such activities except such activities as are assigned to the Department of Defense, and over the National Aeronautics and Space Administration. Committee is also given jurisdiction to survey and review, and to prepare reports upon, the space activities of all agencies of the United States.

Passed Senate July 24, 1958.

Dorchester Chaplains

S. 1225:

This measure authorizes the posthumous award of appropriate medals and certificates to Chaplain George L. Fox, of Cambridge, Vt.; Chaplain Alexander D. Goode, of Washington, D. C.; Chaplain Clark V. Poling, of Schenectady, N. Y.; and Chaplain John P. Washington, of Arlington, N. J.

The United States troop ship *Dorchester* was proceeding through Arctic seas during the early morning of February 3, 1943, when an enemy torpedo burst in the ship's engine room. Wounded men, shocked by the explosion, fought their way up through the holds of the disintegrating ship; many of these men had left their lifejackets below. When there were no more lifejackets available, the four chaplins removed their own and gave them to the soldiers. The chaplains knew they were giving up any chance for survival. They were the last men left on the deck. Their conspicuous gallantry was one of the epic examples of heroism during World War II.

Passed Senate May 1, 1958.

Congressional Medal of Honor Society

S. 1857:

This measure confers a Congressional charter on the Congressional Medal of Honor Society of the United States.

This society was organized in 1948 in the State of New York by a group of recipients of the Congressional Medal of Honor to provide a common ground on which all recipients of the medal may meet to preserve the dignity of the Nation's highest award.

The Congressional Medal of Honor is the highest military award for bravery that can be given to any individual in the United States. It is bestowed on those members of the armed services by a high official of our Government in the name of the Congress of the United States for a deed of personal bravery or self-sacrifice above and beyond the call of duty while a member of the American Armed Forces in actual combat with an enemy of this Nation.

Public Law 85-642, approved August 14, 1958.

Government Headstones and Markers

S. 3882:

Authorizes the Secretary of the Army, when requested, to furnish appropriate markers for the unmarked graves of soldiers of the Union and Confederate Armies of the Civil War, members of the Armed Forces of the United States dying in service, former honorably discharged members of such forces, persons buried in post and national cemeteries, and certain members of Reserve and National Guard components.

Public Law 85-811, approved August 28, 1958.

Nuclear Ship Indemnity

S. 4165:

This measure extends the provisions of the AEC Indemnity Act to the operations of the nuclear ship *Savannah*.

Public Law 85-602, approved August 8, 1958.

Space Projects

S. 4208:

Authorizes appropriations to the National Aeronautics and Space Administration of $24,500,000 for expansion of existing facilities at Wallops Island, Va.; of $3,750,000 for a space-project center in the vicinity of Washington, D. C.; and $19,550,000 for equipment and instrumentation at various installations now operated by NACA.

Public Law 85-657, approved August 14, 1958.

Military Damages

H. R. 1061:

This measure grants authority to the Secretary of Defense and the secretaries of the military departments to settle claims for damages to, or the loss of, private property caused by a member of the armed services acting outside the scope of his employment, or in excess of his authority.

Expands the settlement power to include claims for personal injury and death.

Permits Congressional review, amendment, or rejection of the regulations authorized by this act.

Vetoed September 6, 1958.

Government Headstones and Markers

H. R. 4381:

Authorizes the furnishing of headstones and markers in memory of members of the Armed Forces dying in service whose remains have not been recovered or identified, or were burned at sea.

Public Law 85-644, approved August 14, 1958.

Supplies to Foreign Vessels and Aircraft

H. R. 5237:

This measure broadens the existing authority of the Secretary of Navy and authorizes him to furnish supplies and services, except ammunition, to naval vessels and aircraft of friendly foreign countries on a reimbursable basis without an advance of funds.

Passed Senate August 11, 1958.

Civil Defense

H. R. 7576:

This measure changes the policy declaration in the Federal Civil Defense Act to read that the responsibility for civil defense shall be vested jointly in the Federal Government and the several States and their subdivisions. It also authorizes the Federal Government to purchase radiological instruments and detection devices and repeals the prohibition against Federal financial contributions to States for civil defense personnel and administrative expenses.

Public Law 85-606, approved August 8, 1958.

Advancement on the Retired List of Certain Persons Who Retired With 30 Years' Service

H. R. 7706:

This measure would permit those persons enlisted before August 25, 1912, who were given double-time credit for service beyond the continental limits of the United States to have their retirement pay based on the highest grade in which they satisfactorily served during World War I.

Public Law 85-790, approved August 28, 1958.

Settlement of Military Claims

H. R. 9022:

This legislation increases the authority of the Secretaries of the military departments to settle claims based on the noncombat activities of the military services now contained in section 2733, title 10, United States Code, from $1,000 to $5,000 and permits partial payment of a sum not to exceed $5,000 where the amount of the claim exceeds $5,000.

Public Law 85-729, approved August 23, 1958.

Nuclear-Powered Icebreaking Vessel

H. R. 9196:

This measure authorizes the construction of a nuclear-powered icebreaker for service in the Arctic regions.

Vetoed August 12, 1958.

Amphibious Vessels

H. R. 11518:

This measure authorizes the construction of not to exceed 20,000 tons of amphibious warfare vessels and landing craft.

Public Law 85-571, approved July 31, 1958.

Naval Vessels

H. R. 11519:

This measure authorizes the Secretary of the Navy to use 3 destroyers, 1 submarine, 1 merchant-type vessel, and up to 10 service craft for experimental purposes.

These ships are to be used by the Navy to conduct tests of newly developed special weapons for underwater detonation to evaluate the safe delivery range for ships that may use the weapons later.

The ships selected for this purpose are the U. S. S. *Howarth*, DD-592, the U. S. S. *Killen*, DD-593, the U. S. S. *Fullam*, DD-474, the U. S. S. *Bonita*, SSK-3, the steamship *Michael J. Moran*, and 8 lighter-type barges.

Public Law 85-436, approved May 29, 1958.

AEC—Authorization

H. R. 12009:

This measure increased the authorization for the Atomic Energy Commission by $35 million to construct a land-based prototype of a nuclear propulsion plant suitable for installation in a destroyer-type ship. This reactor prototype will be constructed at West Milton, N. Y., in the same sphere that was previously used for the sodium-cooled-reactor prototype, the *Seawolf*.

Nuclear ships will be used to escort fast carrier task forces.

Public Law 85-412, approved May 16, 1958.

War Risk Hazards

H. R. 12140:

This measure makes permanent the Defense Bases Act and the War Hazards Compensation Act. It amends the Defense Bases Act to extend coverage to employees of welfare and morale organizations, to define public work to include movable and service projects, and to eliminate discriminatory exclusion of noncitizen employees. It amends the War Hazards Compensation Act to provide war-risk coverage for employees of post exchanges and the like, and to modify the definition of war-risk hazard.

Public Law 85-608, approved August 8, 1958.

AEC Authorization Increase

H. R. 12457:

This measure increases the total current authorization for Atomic Energy Commission appropriations by $2,250,000 and provides the same increase in authorized costs for Project Sherwood construction. The present authorization for Project Sherwood construction at Livermore and Princeton is $7,750,000. Under this bill, the Project Sherwood plant is increased to $10 million, or a net increase of $2,250,000.

Public Law 85-519, approved July 15, 1958.

Department of Defense Reorganization Act of 1958—Conference Report

H. R. 12541:

This measure provides as follows:

Department of Defense and military departments:

Eliminates requirement that military departments be separately administered and provides that they be separately organized under its own Secretary and the Secretary of Defense shall have direction, authority, and control over them. The Secretary of a military department is made responsible to the Secretary of Defense for the operation and efficiency of his department.

Provides that an Assistant Secretary of Defense may issue orders to a military department only through the Secretary of the military department or his designee and only if specifically authorized in a specific area by the Secretary of Defense. Such orders must be issued through the military Secretaries.

Requires Secretaries of military departments and their assistants to cooperate fully with Office of Secretary of Defense to achieve efficient administration and to carry out the direction, authority, and control of the Secretary of Defense.

Reduces number of Assistant Secretaries of Defense from 9 to 7, effective 6 months after enactment.

Reduces, effective 6 months after enactment, the number of Assistant Secretaries for each military department from 4 to 3 and eliminates requirement that 1 Assistant Secretary in each department be designated for Fiscal Management and that there be an Assistant Secretary of Navy for Air.

Changes in unified commands:

Authorizes the President, through the Secretary of Defense and on the advice of the Joint Chiefs, to establish unified combatant commands and to determine their force structure.

Requires military departments to assign to unified commands the force structure determined by the President and permits forces so assigned to be transferred only under procedures established by Secretary of Defense and approved by President.

Repeals statutory command authority of Air Force Chief of Staff and Chief of Naval Operations.

Authorizes Secretary of Defense to assign responsibility for support of forces assigned to unified command to one or more military departments.

Changes in functions:

Authorizes the transfer, reassignment, or consolidation (but not abolition) of any function, including combatant functions, until the end of hostilities or threat of hostilities if the President determines such action necessary because of hostilities or imminent threat of hostilities.

Suspends, except during hostilities or threat thereof, the transfer, reassignment, abolition, or consolidation of functions established by law until 30 days after a detailed report has been submitted to the Committees on Armed Services. If during the 30-day period either committee reports a resolution finding that the proposed change involves a major combatant function now or hereafter assigned by law and would tend to impair national defense, change would be further suspended until after 40 days of continuous session following date of report. If during 40 days, a resolution of either House recommending rejection is adopted by a simple majority, the proposed change would not take place.

Excerpts from disapproval procedure the authority of the Secretary of Defense (1) to assign any supply or service activity common to more than one service in such manner as he may determine and (2) to assign or reassign to one or more departments the development and operational use of new weapons and weapons systems.

Defense research and engineering:

Creates a new statutory position of Director of Defense Research and Engineering with such duties as would be prescribed by the Secretary of Defense, which would include (1) being principal scientific and technical adviser to the Secretary, (2) supervising research and engineering activities, and (3) directing and controlling research and engineering activities requiring centralized management.

Authorizes the Secretary of Defense, with President's approval, to engage in military research and to contract for research and development through the military departments or by Defense Department personnel.

Joint Chiefs of Staff:

Increases Joint Staff ceiling from 210 to 400.

Authorizes Chiefs of Staff to delegate to Vice Chiefs of Staff such authority and duties as the Secretary concerned approves.

Repeals limitation of right of Chairman of Joint Chiefs to vote.

Authorizes Chairman of Joint Chiefs to select Director of Joint Staff and to assign duties to the Joint Staff.

Limits tours of Director and members of Joint Staff to 3 years except in time of war.

Other provisions:

Changes reporting requirement of Secretary of Defense from a semiannual to an annual basis.

Authorizes Secretary of Defense to establish procedures for transfer of officers between services with consent of the officers concerned.

Provides a statutory basis for the National Guard Bureau and its Chief.

Public Law 85-599. Approved August 6, 1958.

Federal Civil Defense

H. R. 12827:

This measure extends from June 30, 1958, to June 30, 1962, title III of the Federal Civil Defense Act of 1950. Title III authorizes the declaration of a national emergency for civil-defense purposes and vests emergency powers in the President and the Federal Civil Defense Administrator during such an emergency.

Since the possibility of an attack upon the United States with modern weapons of

enormous destructive powers is at least as great today as when the standby emergency powers were originally authorized, it was felt that the authority should not be allowed to expire.

Public Law 85–514, approved July 11, 1958.

Making, Amendment, and Modification of Contracts to Facilitate National Defense

H. R. 12894:

The purpose of the legislation is to enact into permanent law during periods of national emergency and for 6 months thereafter, with certain exceptions, the authority contained in title II of the First War Powers Act of 1941, which expired June 30, 1958.

Public Law 85–804, approved August 28, 1958.

Atomic Energy Commission Authorization

H. R. 13121:

This measure authorizes for appropriation the sum of $386,679,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion as set forth in the projects approved.

Public Law 85–590, approved August 4, 1958.

Permanent Professor of Physical Education at the United States Military Academy

H. R. 13170:

This legislation provides for an additional permanent professor at the United States Military Academy who under the supervision of the Commandant of Cadets, will have immediate charge of the physical education program at the Academy.

Public Law 85–723, approved August 21, 1958.

Atomic Energy Indemnity

H. R. 13455:

This measure is designed to facilitate indemnity coverage for universities possessing reactors for atomic energy research. It exempts institutions unable to comply with the financial protection requirements of the indemnity provisions by reason of State constitutions or laws from compliance for limited periods to permit States to amend constitutions or laws. It also authorizes the Atomic Energy Commission to adjust financial protection requirement for any other educational institution.

Public Law 85–744, approved August 23, 1958.

Atomic Energy Act

H. R. 13482:

This measure amends the Atomic Energy Act of 1954, in a number of particulars to keep the act up to date, and to provide the best possible framework for its administration. Its most important provision is to give to the Joint Committee the right to waive the normal 30-day waiting period for proposed international agreements for cooperation.

Public Law 85–681, approved August 19, 1958.

Reserve Components

H. R. 13374:

This measure permits the member of Reserve components to transfer from one component to another without loss of exemption or deferment resulting from Reserve component membership.

Public Law 85–722, approved August 11, 1958.

Natural resources

National Science Foundation—Weather Study

S. 86:

Authorizes the National Science Foundation to undertake a study and research program in the field of weather modification, including methods of increasing rainfall, suppressing hail, windstorms, and lightning.

Public Law 85–510, approved July 11, 1958.

Spokane Valley Project

S. 2215:

As another means of combatting the current recession and, at the same time, irrigate the arid lands of the West, this measure authorizes Federal construction of the Spokane Valley project in Washington and Idaho.

The proposed project will serve some 10,290 acres located in Washington State and some 197 acres in Idaho. Development plans call for replacing existing diversion works and a canal distribution system constructed by private enterprise in the early 1900's with a system for pumping ground water from a number of wells and delivering it, under pressure, through a closed-pipe distribution system.

The estimated cost of the project is $5,016,000.

Approximately 26 percent of the cost will be repaid from surplus power revenues of the Bonneville Power Administration, and the remaining 74 percent is to be repaid within 50 years.

Passed Senate May 21, 1958.

Rivers, Harbors, Flood-Control Authorization

S. 3910:

This measure, a substitute for Senate bill 497 which passed both Houses and was vetoed by the President, on April 15, 1958, authorizes $1,556,230,500 as follows:

Rivers and harbors:	
Navigation projects (52)	$173, 814, 000
Beach erosion projects (14)	11, 627, 700
Eradication of water hyacinths (1)	4, 725, 000
Upper Fox River, Wis. (1)	300, 000
Calumet-Sag project, Illinois (1)	9, 884, 000
Illinois and Mississippi Canal (1)	2, 000, 000
Total of 70 projects	202, 350, 700
Flood control:	
New projects or project-modifications (67)	495, 579, 800
Increased basin authorizations (12)	608, 300, 000
Oroville Dam, California (1)	50, 000, 000
Missouri River Basin, Department of Interior (1)	$200, 000, 000
Total of 81 projects	1, 353, 879, 800
Grand total of 151 projects	1, 556, 230, 500

An additional $4,900 was agreed upon for the new flood-control projects.

Public Law 85–500, approved July 3, 1958.

Conservation of Land and Water Resources

Senate Resolution 148:

This resolution prescribes the procedures for and contents of reports to the Senate by executive agencies with respect to proposed projects for conservation and development of land and water resources.

It specifies the basis on which the benefits of proposed projects can be evaluated, and on which fair and equitable allocations of costs can be made. This will provide full information regarding proposed projects, and it will enable the Congress to specify the terms and conditions particularly with respect to repayments and local contribution. It will provide the basis for fixing rates for sale of electric power generated at Federal projects.

Heretofore, full information on these important matters has not been available to the Congress. As a result, project authorizations have sometimes left the way open for Executive action at variance with Congressional intent.

The procedures provided by Senate Resolution 148, for authorization of multiple-purpose projects and for clearance of watershed protection and flood-prevention projects, will materially improve the means available to the standing legislative committees of the Senate for selecting meritorious projects, and for recommending authorizing legislation that will achieve the purposes intended by the Congress. These procedures will expedite the program of land and water resources projects.

Senate adopted, January 28, 1958.

Saline Water Program

Senate Joint Resolution 135:

This resolution provides for Federal construction of five full-scale demonstration plants for the production, from sea or brackish water, of water suitable for agricultural, industrial, municipal, or other uses.

Three of these plants are to be designed for converting sea water; two are to have a capacity of not less than 1 million gallons a day.

Two of the plants are for the treatment of brackish water, and at least one is to have a capacity of not less than 250,000 gallons a day.

One of the conversion plants is to be located on the west coast of the United States; a second on the east or gulf coast; and the third in the Virgin Islands or some other Territorial possession.

One of the brackish water plants is to be located in the northern Great Plains area, and the other in the arid areas of the Southwest.

The resolution authorizes an appropriation of $10 million, as needed, for the construction of these plants.

Public Law 85–883, approved September 2 1958.

Outdoor Recreation Resources—Study

S. 846:

Establishes a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands.

The Commission is to be composed of 15 members, including 8 Congressional Members, and will report by September 1, 1961, on outdoor recreation requirements indicated for 1976 and 2000 together with the recommendations of the Commission on meeting those requirements.

Public Law 85–470, approved June 28, 1958.

Preservation of Historical and Archeological Data

S. 1109:

The act of August 21, 1935, the Historic Sites Act, provides a program to preserve historical and archeological data threatened by construction of dams. This measure is more explicit than the Historic Sites Act with respect to historical and archeological salvage, and provides essentially for coordination of archeological investigations and salvage operations with advance planning and construction of dams either by Federal agencies or under permits granted by Federal agencies.

Passed Senate August 11, 1958.

Great Lakes Basin Compact

S. 1416:

This measure grants consent to a compact between the 8 States abutting the Great Lakes to establish the Great Lakes Commission which has as its primary purpose the orderly use, development, and conservation of the water resources of the Great Lakes Basin and to insure that all the Great Lakes may derive the maximum benefit from utilization of public works. The compact will also assist in maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, recreational, and other uses of the water resources of the area.

Passed Senate July 28, 1958.

Coal Development

S. 2069:

This measure increases from 5,120 acres to 10,240 acres the lands which any person may hold under coal leases or permits within any one State. It also authorizes, if certain criteria are met, additional holdings up to 5,120 acres in any one State.

Public Law 85–498, approved August 21, 1958.

Insecticides—Research

S. 2447:

This measure authorizes the Department of Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and pesticides upon fish and wildlife to prevent further losses of invaluable natural resources following applications of these materials, and to provide basic data on various chemical controls.

It is anticipated that this research study will determine the amounts and percentages of formulations and chemicals that may be used on wet lands, rangelands, and other lands with a minimum loss of fish and wildlife.

Passed Senate May 29, 1958.

Public Law 85–582, approved August 1, 1958.

Migratory Bird Hunting Stamps

S. 2617:

This measure increases the cost of migratory bird hunting stamps (duck stamps) from $2 to $3. The revenue, after deducting the cost of printing and distributing the stamps, will be used for the location, ascertainment, and acquisition of lands for migratory-bird refuges and waterfowl-production areas.

Grants the Secretary of the Interior discretionary authority to open a maximum of 40 percent of any refuge to be used for hunting migratory and resident waterfowl.

This measure also recognizes the desirability of bringing these lands under Federal control, while, at the same time, permitting waterfowl hunting to continue unabated. A program of preservation through control by Federal acquisition of fee title or lease agreement is contemplated to insure the continued availability of these lands for breeding purposes.

Public Law 85–585, approved August 1, 1958.

Salmon and Halibut

S. 2719:

This measure is an attempt to reestablish the balance of nature between food, sports fish, and a major predator through control of the predatory dogfish sharks. This is to be accomplished through payments of bounties to fishermen for dogfish sharks.

Passed Senate July 31, 1958.

Flood Control Compact

S. 2964:

This bill grants the consent and approval of Congress to the Thames River Valley flood-control compact entered into between the States of Connecticut and Massachusetts, creating the Thames River Valley Flood Control Commission. It defines its powers and functions relative to approval of flood-control projects constructed by the United States.

The compact provides for reimbursement by the States for a portion of the taxes lost due to Federal ownership of lands in certain flood-control reservoirs.

Public Law 85–526, approved July 18, 1958.

Assessment Work—Mining Claims

S. 3199:

This measure changes the period for doing annual assessment work on unpatented mineral claims so that it will run from September 1 to September 1 of the succeeding year. This change is designed to meet the needs of claim holders in high mountainous country by giving them sufficient time to do their annual assessment work with a degree of continuity during the summer months.

Public Law 85–736, approved August 23, 1958.

Fisheries Loan Fund

S. 3295:

This measure increases to $20 million (from $10 million) the fisheries loan fund which is used by the Bureau of Commercial Fisheries to make loans to stimulate the development of a strong, prosperous, and thriving fisheries and fish-processing industry. These loans are for a 10-year period and carry an interest rate of 5 percent.

The loans are used by the fishing industry to finance and refinance operations, maintenance, repairs, replacement, and equipment of fishing vessels and gear and for research into the basic problems of fisheries.

Passed Senate May 29, 1958.

National Park—Concessionaire

S. 3371:

This measure increases to 30 years (from 20) the period of time a concession may be leased in the national parks. A concessionaire is required to meet certain standards set up by the Park Service. In many cases, they have experienced difficulty in securing the funds needed to undertake the development of new concession facilities, especially where large amounts of capital are necessary.

It is believed that the 30-year contracts will ease the credit situation, and will result in more suitable accommodations for the millions of people who visit our national parks each year.

Public Law 85–434, approved May 29, 1958.

Tucumcari Project—Repayment

S. 3469:

This measure is an aid to the Arch Hurley Conservancy District in the irrigation development of the Tucumcari project, New Mexico, by lightening the repayment loan while the water users are recovering from a series of adverse circumstances that beset the project.

These include severe shortage of water during a critical drought period; unfavorable weather conditions; disadvantageous farm price-cost relationship; absence of a cash crop suitable for effective production on the project; and the slowness with which lands have been placed under irrigation.

In spite of these difficulties, the project shows evidence of becoming a sound operation with time and encouragement.

This measure provides for an annual repayment of $30,000 each in 1959 and 1960, after which repayments will be made under a variable repayment formula based on the value of crop production. Full repayment is to be achieved in 40 years.

Public Law 85–663, approved August 14, 1958.

National Forests Land Administration

S. 3741:

Makes the rules applicable to Weeks law land applicable to most other land in national forests.

Passed Senate July 21, 1958.

Mineral Resources Program

S. 3817:

This measure establishes within the Department of the Interior, by legislative fiat, a program of financial assistance for the development of the mineral resources of the United States, its Territories, and possessions, by encouraging exploration for minerals, a function which, since 1955, has been performed by a directive issued by the Office of Defense Mobilization under authority of the Defense Production Act of 1950.

As of June 30, 1958, the Office of Defense Mobilization withdrew its financial support of this operation, so it became necessary for the activities of the Defense Minerals Exploration Administration to be continued by this bill.

The need to find new sources of minerals to meet the demands of our expanding economy and of national defense is generally recognized. The DMEA program is contributing significantly to discoveries and developments which are increasing known recoverable reserves. Continuation of this type of program should reduce the need for a frenzied, costly search for new sources of minerals in any future emergency period, when emphasis should be placed on production rather than on exploration.

Established a ceiling of $250,000 as the maximum Government participation in any one project, and provided that funds are to be made available only if the applicant can prove that commercial funds are unavailable at reasonable rate.

Public Law 85–701, approved August 21, 1958.

Rivers-Harbor and Flood Control Projects of 1958

S. 3910:

This measure is a substitute for Senate bill 497, which passed both the Senate and House and was vetoed by the President on April 15, 1958, authorizes $1,556,230,600 as follows:

Rivers and harbors:	
52 navigation projects	$173, 814, 000
14 beach erosion projects	11, 627, 700
1 Eradication of water hyacinths	4, 725, 000
1 Upper Fox River, Wis.	300, 000
1 Calumet-Sag project, Illinois	9, 884, 000
1 Illinois and Mississippi Canal	2, 000, 000
Total of 70 projects	202, 350, 700
Flood control:	
67 new projects or project modifications	495, 579, 800
12 increased basin authorizations	608, 300, 000
1 Oroville Dam, Calif.	50, 000, 000
1 Missouri River Basin, Department of Interior	200, 000, 000
Total of 81 projects	1, 353, 879, 800
Grand total of 151 projects	1, 556, 225, 600

Public Law 85–500, approved July 3, 1958.

Missouri River Basin Project—Modification

S. 4002:

This measure modifies the Glendo Unit, Missouri River Basin project, by authorizing the construction of Gray Reef Dam and Reservoir on the North Platte River downstream from Alcova Dam at an estimated cost of $700,000.

This dam and reservoir will provide a small regulating facility that will protect irrigation, fish and wildlife, and municipal water interests on the stream by stabilizing the flow of the stream throughout the year.

Public Law 85–695, approved August 20, 1958.

Washoe Project

S. 4009:

This legislation authorizes an increased appropriation for the Washoe project, Nevada-California, from $43.7 million to $52 million to permit the construction of Prosser Dam and Reservoir.

A 30,000 acre-foot reservoir is contemplated at the new site which would provide for water exchange to permit water releases from Lake Tahoe to improve fisheries resource, and to give the area added flood protection.

Public Law 85–706, approved August 21, 1958.

River Basin Study

S. 4021:

This measure authorizes the creation of a United States Study Commission, composed of representatives of the United States and of the States of South Carolina, Georgia,

Florida, and Alabama to make an integrated and cooperative investigation, study, and survey for the conservation, utilization, and development of the land and water resources of the Savannah, Altamaha, St. Mary's, Apalachicola-Chattahoochie, and Alabama-Coosa River Basins, and to formulate a plan to carry out its recommendations.

Public Law 85–850, approved August 28, 1958.

Domestic Minerals Stabilization Act of 1958

S. 4036:

This measure provides a 5-year price and production stabilization program for 5 minerals—copper, lead, zinc, fluorspar, and tungsten—all vital to the national defense.

It provides for the purchase of up to 150,000 tons of refined copper, produced from ores mined in the United States, its Territories, and possessions, at not more than 27½ cents a pound; purchases to be made within 1-year period.

Provides for the payment of price-stabilization payments to domestic producers of lead and zinc, rather than for a purchase program as in the case of copper. The stabilization price for lead is 15½ cents a pound and 13½ cents a pound for zinc, or a combined price for these 2 metals of 29 cents a pound. A bonus of up to 1.125 cents a pound may be paid on up to 500 tons a quarter for each producer if the market price of lead does not exceed 15½ cents a pound and up to 0.55 cents a pound for zinc if the market price does not exceed 13½ cents.

Provides for a stabilization price of $53 a ton for acid-grade fluorspar, with a maximum limitation on stabilization payments of $13 a ton.

Provides for a stabilization price for tungsten of $36 per short-ton unit with a maximum limitation on regular stabilization payments of $18 a short-ton unit, plus a bonus payment of $4 a short-ton unit to any producer who has not sold more than 250 units during any quarter; but not to exceed $40 per unit.

Limits annual payments to 350,000 tons of lead; 550,000 tons of zinc; 185,000 tons of fluorspar; and 375,000 short-ton units of tungsten trioxide.

Authorizes the Secretary of Interior to borrow from the Treasury $350 million to make subsidy payments.

Cost possibilities:

Maximum possible expenditures under the bill S. 4036, 1st year:	
Copper, 150,000 tons, at 27½ cents per pound	$82,500,000
Lead, 350,000 tons at 3.9 cents per pound	27,300,000
Zinc, 550,000 tons, at 2.9 cents per pound	31,900,000
Fluorspar (acid grade), 180,000 tons at $13 per ton	2,340,000
Tungsten trioxide, 375,000 short-ton units, at $18 per short-ton unit	6,750,000
Total	150,790,000
Additional possible expenditures under bonus payment provisions of title II (as estimated by the Department of Interior):	
Lead, 90,000 tons, at 1.125 cents per pound	2,025,000
Zinc, 170,000 tons at 0.55 cents per pound	1,870,000
Tungsten, 75,000 units, at $40 per short-ton unit	300,000
Total	4,195,000
Grand total	154,985,000

Passed Senate, July 11, 1958.

Heart Mountain Irrigation District, Wyo.

S. 4088:

S. 4088 would approve and authorize the Secretary of the Interior to execute a repayment contract for the construction costs of the Heart Mountain division, Shoshone reclamation project, Wyoming. The amount covered by the repayment contract is $7 million for the practically complete gravity system serving about 25,800 acres of irrigated land, or $8 million if about 2,000 acres of additional land to be served by pumping are added.

The repayment period would approximate 121 years for the gravity development and 122 years if the pump lands are brought under irrigation.

Passed Senate August 14, 1958.

Coal Research and Development Act

S. 4248:

The purpose of this legislation is to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission.

Passed Senate August 14, 1958.

The Hawaiian Nene Goose

S. 4249:

S. 4249 would authorize and direct the Secretary of the Interior to promote a program of research, propagation, and management necessary to effect the restoration of this threatened species of waterfowl in its natural habitat. An appropriation of $15,000 per annum for a period of 5 years is authorized for the purposes of this act.

Passed Senate August 14, 1958.

Bison

H. R. 3402:

Provides for a display pasture for the bison herd on the Montana National Bison Range in the State of Montana so that the herd will be more open to the public and more easily seen.

Public Law 85–622, approved August 12, 1958.

Chief of Engineers—Publications

H. R. 4260:

This bill authorizes the Chief of Engineers to publish information pamphlets, maps, brochures, and other material on river and harbor, flood control, and other civil works activities, including related public park and recreational facilities under his jurisdiction.

It specifically authorizes the sale of this material at a price not less than the cost of reproduction, except for small information booklets.

Public Law 85–460, approved July 2, 1958.

Yellowtail Dam and Reservoir

Senate Joint Resolution 12:

This joint resolution provides for the purchase of some 7,000 acres of Crow Indian tribal lands that are necessary to the construction of Yellowtail Dam and Reservoir in southeastern Montana on the Big Horn River, and fixes the compensation for the land at $2½ million.

Yellowtail Dam is a multipurpose project with numerous benefits—power, irrigation, flood control, recreation, and conservation. It is fully repayable with interest to the Federal Government and will be of great benefit to the Billings-Hardin area which has been feeling the economy pinch for some months; thus it is a perfect antirecession measure in an area where new sources of employment and income are sorely needed.

Public Law 85–523, approved July 15, 1958.

Tennessee River Compact

H. R. 6701:

This measure consents to the States of Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia entering into a compact relating to water pollution control of the Tennessee River and to establish the Tennessee River Basin Water Pollution Control Commission composed of the Commissioners from each State with authority to establish standards of water quality and to enforce orders to secure abatement of pollution adversely affecting waters in the basin. The measure also provides for the appointment of a Federal representative on the Commission to maintain liaison.

Public Law 85–734, approved August 23, 1958.

Land Acquisition—Relocation Costs

H. R. 6940:

This measure authorizes the Secretary of Interior to reimburse landowners and tenants for moving expenses, losses, or damages incurred as a result of land purchases by the Federal Government for water conservation and other public-works projects under the jurisdiction of the Department of Interior, including Federal reclamation projects.

Public Law 85–433, approved May 29, 1958.

Oil and Gas Leases—Alaska

H. R. 8054:

This measure provides for the leasing of oil and gas deposits in land beneath nontidal navigable waters in the Territory of Alaska.

Geologists have estimated that approximately 90 million acres in the Territory of Alaska are geologically promising for oil exploration. Most of this area is composed of various basins. These basin areas contain an extraordinary large number of lakes and streams of all sizes and descriptions. At the same time, only about 1 percent of the total land area in the Territory is surveyed; therefore, it is impossible to describe with precision where these water bodies are located or the areas they cover.

Under existing law, no person or agency has the power to grant oil or gas leases in areas beneath navigable waters. The precluding act declares that tidelands and the beds of navigable waters within the Territory are held in trust for the State or States which may be erected out of the Territory.

Since there is no practical way of ascertaining the area of lands beneath navigable waters which may be within the described boundaaries, the lessee or offeror has been required to pay rental on the basis of the total acreage within the description. It appears that development of the oil resources of Alaska has been impeded because most developers are reluctant to invest the necessary sums of money subject to the chance that legislation might open up the water bottoms to leasing by others who, without expenditure of any funds for development, could come in and acquire lands in any oil structure which might be discovered by the developers.

The overall intent of this bill is to allow leasing of these lands, thereby encouraging the development of this resource.

Public Law 85–503, approved July 3, 1958.

Reclamation Projects

H. R. 8645:

This measure provides for variable repayment formulas which would provide relief for individual reclamation projects without the need to come to Congress for relief legislation.

Public Law 85–611, approved August 8, 1958.

Mapping and Aerial Photography

H. R. 11123.

This measure grants specific statutory authority for the Department of the Interior to perform surveys, investigations, and research in geology, biology, minerals and water resources and mapping to include Antarctica and the Trust Territory of the Pacific Islands.

Public Law 85–743, approved August 23, 1958.

Townsites in National Forests

H. R. 12161:

This measure authorizes the Secretary of Agriculture to set aside areas of national forest land and other lands as townsites and divide such areas into townlots for public sale.

Public Law 85–569, approved July 31, 1958.

Fish and Wildlife

H. R. 13138:

This measure provides for the consultation with the Fish and Wildlife Service by the agencies of Government engaged in construction work before and during the building of Federal water development projects. This would enable the agencies involved to make known to the Service the projects necessary to protect fish and wildlife.

Public Law 85–624, approved August 12, 1958.

Social welfare

Contracts—Indian Tribes

S. 2592:

This measure repeals the requirement that all contracts with Indian tribes, relating to their lands or claims against the United States, be executed before a judge of a court of record. This requirement has placed an undue burden on all contractual parties and has served no useful purpose.

It is felt that the right of review by the Secretary of Interior is sufficient protection to the tribes.

Public Law 85–770, approved August 18, 1958.

Welfare Funds Disclosure Act

S. 2888:

This measure requires the managers of all pension and welfare fund plans, except those operated by governmental agencies or charitable and fraternal organizations, to register with the Department of Labor, giving all pertinent information about the fund's officers and finances.

Places responsibility for policing and improving these plans upon the participants.

Leaves to the States detailed regulation procedures relating to insurance, trusts, and other phases of operation.

Requires that managers of any employee-welfare or pension-benefit plans, unless exempted, register within 90 days after regulations are issued.

Requires annual reporting to show amounts contributed by employer and employee, amount of benefits paid or otherwise furnished, number of employees covered, assets, liabilities, receipts, disbursements, and other financial activities of the plan, salaries or fees charged to the plan, to whom paid and the purpose.

Provides for public examination of these reports.

Provides that managers of plans covering less than 100 employees will not be required to report until 2 years after enactment. Places discretionary authority in the administering agency to exempt small plans from either registration or reporting.

Authorizes the Secretary to investigate violations and to bring injunctive action in the United States district courts to enjoin violations, and grants the Attorney General authority to institute necessary investigation and criminal proceedings.

Provides (a) a penalty of $5,000, or 5 years' imprisonment, or both, for any person willfully violating or failing to comply with the act; (b) a fine of $10,000, or 5 years' imprisonment, or both, for any person who embezzles, steals, or willfully abstracts or converts to his own use moneys or other property of any employee-benefit plan; and (c) a fine of $5,000, or up to 5 years' imprisonment, or both, if a person acts in an official capacity in connection with a welfare fund during a time when his right to vote in a State election has been removed because of a criminal conviction.

Establishes the duration of the act as 4 years; and requires the administering agency to make a comprehensive report to Congress, including continuance, simplification, or modification recommendations.

Public Law 85–836, approved August 28, 1958.

Klamath Indian Tribe

S. 3051:

This measure provides for the continued sustained-yield management of that part of the Klamath Indian Forest which must be sold to pay the tribal members who withdraw from the tribe as the result of prior legislation terminating Federal supervision over the property of the tribe located in Oregon. This act also makes certain that the Indians receive the fair market value of the part of the forest that is sold.

About 70 percent of the Klamath Indians have elected to withdraw from tribal membership and, in order to satisfy the claims of the withdrawees, it will require the sale of almost 2.7 billion-feet of sawtimber during a period of less than 1 year.

This act permits the Departments of Interior and Agriculture, jointly, to define the boundaries of the tribal forest and the tribal marsh. The Indians who elect to stay in the tribe will keep the part of the forest that is allocated to them under a management plan providing for sustained yield management.

The rest of the forest that must be sold on behalf of the withdrawing members will be offered in appropriate units for private purchase—

(a) at not less than the appraised realization value,

(b) subject to sustained-yield requirements that are enforceable by a forfeiture and reversion of title in the event of a violation of the requirements. The Federal Government is also fully protected in the event of a final judgment against the United States resulting from private sales.

Public Law 85–731, approved August 23, 1958.

Shoshone and Arapahoe Indians

S. 3203:

This measure restores to the Shoshone and Arapahoe Tribes of the Wind River Reservation, Wyo., title to the minerals, including oil and gas, and subjects these minerals to administration under the Tribal Mineral Leasing Act. The act of August 15, 1953, extinguished the Indian title to the undisposed of, ceded lands that were located within the Riverton reclamation project, approximately 161,500 acres, added them to the public domain, and provided for payment to the Indians of $1,009,500 as complete compensation.

Although the Indians agreed to the 1953 act at the time, they were not aware that it would result in leasing oil and gas under public land laws without competitive bidding and without bonuses.

This bill, in effect, returns to the tribes the 10 percent of the proceeds retained by the United States under the 1953 act.

Passed Senate July 1, 1958.

Public Law 85–780, approved August 27, 1958.

District of Columbia Unemployment Compensation

S. 3493:

This measure raises the maximum number of weeks for which an eligible unemployed benefit claimant in the District of Columbia may receive payment from 26 to 34, and increases the maximum weekly benefit from $30 to $45.

The measure authorizes voluntary payments by employers to the unemployment compensation fund in order to avert a percentage raise in their contributions. It also substitutes for the variable disqualification provisions by a uniform 6-week disqualification.

Passed Senate August 1, 1958.

Community Facilities Act

S. 3497:

This measure would authorize $1 billion, as an antirecession measure, to provide loans to the State and local governments for the construction of community facilities such as new water systems, sewer systems, hospitals, school buildings, and similar public works.

Prohibit financial assistance if credit is otherwise available on equally favorable terms and conditions, and require that the policy on purchases and loans must assure retirement or repayment.

Permit loans to be made directly or in cooperation or participation with other lending agencies.

Authorize loans with maturities up to 50 years at an interest rate of 3½ percent.

Permit $400 million of the total fund to operate as a revolving fund.

Authorize the Administrator, at the request of the borrowers, to postpone payments of principal or interest or both for up to 2 years, but without reducing the total to be repaid.

Revise provisions of existing law which until recently have resulted in loans almost exclusively for construction of water and sewer systems, thereby making almost every kind of State and local public work eligible.

Increase the authorization for Federal planning advanced from $48 million to $98 million.

Passed Senate April 16, 1958.

Indian Sanitation

S. 3694:

This measure authorizes the Surgeon General to construct sanitation facilities for Indian homes and communities, allowing for participation in projects by Indian groups, local authorities and other public or nonprofit organizations.

Passed Senate July 24, 1958.

Labor-Management Reporting and Disclosure Act

S. 3974:

This measure provides for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations.

The major provisions are:

Financial disclosure reports for publication by Secretary of Labor:

Requires unions to file a detailed report of their financial and organizational structure, membership rules, and business procedures, with substance of reports going to each member. Penalties: Destruction of records, false report, or willful failure to report is punishable with a maximum $10,000 fine for the union, and fine and imprisonment for responsible official.

Requires full reporting and public disclosure by employers of expenditures of $5,000 or more to influence or affect employees in the exercise of rights guaranteed by the National Labor Relations Act. Criminal penalties for failure to file or falsification of reports.

Requires management middlemen to file financial reports on activities designed to influence workers in their collective-bargaining rights. Criminal penalties for payments by middlemen to union officials.

Requires semiannual reporting and public disclosure of trusteeships over subordinate unions. Criminal penalties for failure to file or falsification.

Empowers Secretary of Labor to subpena witnesses and books while conducting investigations into possible violations of the reporting sections.

Creates post of Commissioner of Labor Reports within the Department of Labor, to be appointed by the President and confirmed by the Senate.

Trusteeships: Provides that local unions may be placed under trusteeship only to prevent corruption or financial abuses, assure performance of union-management contracts, restore democratic procedures or otherwise carry out an international union's constitution.

Limits trusteeships to 18 months' duration, but permits the Secretary of Labor to bring civil action against a parent union on "clear and convincing proof" of illegality or an absence of good faith.

Prohibits transfer of funds from the local union under trusteeship to the parent union, and bars manipulation of local's votes for national delegates.

Taft-Hartley revisions: Requires NLRB to assert jurisdiction over all cases covered by the Taft-Hartley definition of interstate commerce instead of using discretion to exclude whole classes of cases, but permits it to cede to the States certain cases when applicable State law is consistent with Federal law. (No-man's-land amendment.)

Permits both replaced strikers and those replacing them on the job to vote in representation elections.

Permits prehire agreements between contractors and unions in the building trades and union-shop clauses may be effective in 7 instead of 30 days.

Union elections: Requires that union officials be chosen by secret ballot in both locals and internationals, except that international officers may be elected by convention delegates who have been elected locally by secret ballot. Maximum term for international officers is 4 years, for local officers 3 years.

Requires that all members receive due notice of elections, and be given an opportunity to nominate candidates. All records must be preserved. Forbids officers to use dues or compulsory levies for campaign purposes.

Insures members the right to remove officers for cause by majority vote, after a hearing.

Permits a union member, after exhausting union remedies, to file a complaint charging a violation with the Secretary of Labor. If the Secretary finds the violation affected the result of the election, he must file suit in Federal court to set aside the election and have a new election ordered.

Corruption procedures: Bars persons convicted of a felony from holding union office until their civil rights are restored by executive pardon.

Bars persons from union office for 5 years if convicted in a civil action of having failed to file financial reports under the bill.

Forbids shakedown picketing.

Forbids improper unloading fee demanded by unions of interstate truckers where no actual work is done and no contract exists.

Makes it a crime for an employer or employer middleman to bribe union officials, or for an official to accept a bribe.

Ethical practices: Establishes an Advisory Committee on Ethical Practices, including labor, management, and public representatives.

Declaration of policy favors ethical practices codes for unions and employers' associations.

Requires non-Communist affidavits from employers seeking access to NLRB.

Passed Senate June 17, 1958.

Social Security

H. R. 5411:

This measure reinstates a mother's insurance benefits under title II of the Social Security Act of a widow or divorcee that were terminated by remarriage when the new husband dies within 1 year of the remarriage before the woman can qualify as his widow for old age and survivors insurance purposes.

The measure also permits interstate instrumentalities to secure old-age survivors insurance coverage for policemen and firemen who are employed by them and are in positions covered under a retirement system.

Public Law 85-798, approved August 28, 1958.

Hawaiian Home Development

H. R. 8476:

This measure makes funds available to the Hawaiian home-loan fund, which is used for home construction and alteration of homes for persons of Polynesian blood, by providing an additional source of rentals by diverting to the fund certain rentals of the Hawaiian Homes Commission in excess of the rentals needed to meet administrative expenses.

Public Law 85-710, approved August 21, 1958.

Otoe and Missouria Tribes—Membership

H. R. 8524:

This measure authorizes the preparation of a roll of persons of Indian blood whose ancestors were members of the Otoe and Missouria Tribe of Indians, and provides for per capita distribution of approximately $143 million to these members.

Public Law 85-395, approved May 9, 1958.

Inclusion of Two States Among States to Divide Their Retirement Systems

H. R. 11346:

The Social Security Amendments of 1956 included a provision permitting 8 States to divide their retirement systems into two parts so as to obtain old-age, survivors, and disability insurance coverage, under the States' coverage agreements with the Department of Health, Education, and Welfare, for only those State and local government employees who desire such coverage, provided all future entrants into the retirement system are covered under old-age, survivors, and disability insurance. In 1957 this provision was extended to four additional States and to all interstate instrumentalities. This measure extends this provision to the States of Massachusetts and Vermont.

Public Law 85-787, approved August 27, 1958.

Emergency Unemployment Compensation

H. R. 12065:

This is another of a series of measures enacted by Congress to relieve the suffering of some 5.1 million American unemployed, who once were wage earners. Many hundreds of thousands of these people have exhausted their unemployment compensation benefits under State and specified Federal laws, since laws now provided by the 48 States, the District of Columbia, Alaska, and Hawaii are presently designed to take care of the unemployed during limited periods of unemployment.

This measure authorizes payment of temporary unemployment compensation to individuals who have exhausted these rights under State unemployment compensation laws and under Federal laws applying to Federal civilian employees and veterans.

It applies to those persons who exhausted their benefits between June 30, 1957 (or any later date the State may establish), and April 1, 1958.

It provides that the maximum amount of temporary emergency unemployment compensation payable to any individual will be 50 percent of the total amount payable at the time he exhausted his rights before making claim under this act.

The Secretary of Labor is authorized to enter into agreements with States or State agencies who desire to take advantage of this temporary extension.

The act provides that each State receiving these funds reimburse the Federal Government before January 1, 1963, and, in case the State fails to do so, the Federal Government will levy an additional tax of 0.15 percent on employers until the full amount is repaid.

Provides that Federal benefits to a State which had temporarily extended its benefits period be reduced proportionately by the amount provided by the State's temporary extension.

Includes within the definition of "State," Alaska, Hawaii, and the District of Columbia.

Public Law 85-441, approved June 4, 1958.

The Fair Labor Standards Act of 1938

H. R. 12967:

This legislation provides for industry-committee review of minimum wage rates applicable to employees engaged in commerce or in the production of goods for commerce in Puerto Rico or the Virgin Islands under the Fair Labor Standards Act of 1938, as amended, at least every 2 years instead of once each year as is presently the case; but that the Secretary in his discretion may order an additional review during any such 2-year period.

Public Law 85-750, approved August 25, 1958.

Longshoremen's and Harbor Workers' Compensation

H. R. 13021:

This measure authorizes the Secretary of Labor, through the use of administrative proceedings, to establish enforceable safety regulations in longshore and ship repair work in the Federal maritime jurisdiction on the navigable waters of the United States, including drydocks. Such regulations are to be established in consultation with a nine-member advisory committee. Authority to seek injunctions for violations is vested in the Secretary.

Public Law 85-742, approved August 23, 1958.

Special Training for Handicapped War Orphans

H. R. 13559:

The measure has two major purposes:

(1) To authorize the Administrator of Veterans' Affairs to approve specialized courses of vocational training for persons eligible for educational assistance under the War Orphans Educational Assistance Act of 1956, where such courses are found to be suitable to the needs of particular war orphans; and

(2) To permit such specialized vocational training, and also restorative training, to be afforded eligible war orphans at age 14, instead of at age 18, as provided by existing law.

Public Law 85-871, approved September 2, 1958.

Unemployment Compensation Funds

House Joint Resolution 533:

This resolution provides additional funds for unemployment compensation for veterans in the amount of $25 million and $18,400,000 for Federal employees.

Public Law 85-324, approved February 12, 1958.

Transportation and Communication

Use of Radio and Television Frequencies

Senate Joint Resolution 106:

This resolution authorizes the creation of a commission to investigate the utilization of radio and television frequencies allocated to Federal agencies and instrumentalities.

Passed Senate July 21, 1958.

Civil Aviation Organization Session

Senate Joint Resolution 166:

This resolution authorizes the appropriation of $200,000 to enable the United States to hold the 1959 meeting of the International Civil Aviation Organization.

The year 1959 is the 15th anniversary of the International Civil Aviation Organization which was established by the Convention on International Civil Aviation signed at Chicago in 1944. ICAO is the principal intergovernmental organization for cooperation in the field of civil aviation and has a membership of 72 countries outside the Iron Curtain.

ICAO's principal functions are (a) to secure uniformity in air navigation regulations and standards; (b) to facilitate procedure involved in international air transport; (c) joint support of radio, weather, and other air-navigation services; and (d) technical assistance in civil aviation matters to underdeveloped countries.

This year's meeting will provide an excellent forum for acquainting the world's aviation leaders with developments in the American jet-transport industry, and for discussion of the problems of jet operations which will be faced generally by the various member governments.

Public Law 85-448, approved June 4, 1958.

Motor Vehicles

S. 375:

This measure amends the Interstate Commerce Act to provide for perfection of security interests in motor vehicles. The measure provides that a security interest will be perfected everywhere against general creditors and subsequent purchasers and lienors.

1. If a certificate of title is issued under a statute requiring or permitting indication of a security interest on the title, and the security interest is so indicated on the title; or

2. If no title has been issued but the security interest is publicly filed or recorded in a jurisdiction where the law requires or permits such filing or recording; or

3. If no title has been issued, and the security interest cannot be perfected by filing or recording but the security interest has been perfected as to general creditors and subsequent lien creditors under the law of the home State.

Public Law 85-728, approved August 23, 1958.

Common Carriers—Government Contracts

S-377:

This measure amends section 22 of the Interstate Commerce Act under which the United States is allowed free or reduced rates for carriage, storage, or handling of property, and transportation of persons or property at free or reduced rates.

This amendment provides that offers, or tenders, to the Government under section 22 by carriers subject to the Interstate Commerce Act shall be conclusively presumed to be lawful and not subject to attack 3 years after date of acceptance by a properly authorized official of the United States. Such arrangements may be canceled or terminated only upon 90 days' written notice.

Public Law 85-762, approved August 26, 1958.

CAA—Security Violations

S. 1380:

This measure authorizes the imposition of civil penalties for violation of the security provisions of the Civil Aeronautics Act.

Following the outbreak of hostilities in Korea, legislation was enacted authorizing the Secretary of Commerce, upon the direction of the President, to exercise control of the flight of aircraft over certain areas for national security purposes. On December 21, 1950, the President issued an Executive order directing the Secretary to put the program into effect. At the present, however, the only sanctions which may be applied for violations of the security regulations which have been issued by the Secretary under that authority are either (1) suspension or revocation of the pilot's certificate in cases where the pilot is personally chargeable with the violation or against the air carrier's operating certificate where the air carrier is chargeable with the violation, or (2) in the case of willful offenses, criminal penalties. In most cases, these sanctions are too drastic for the usual offense. Criminal intent is usually lacking in these cases, which usually involve some unauthorized entry into an air-defense-identification zone through oversight or neglect.

It is felt that the normal sanction utilized for minor violations of rules, regulations, or orders is a sufficient penalty to impose—that of a fine which cannot exceed $1,000 for each violation.

Passed Senate by voice vote March 6, 1958.

Alaskan Airports

S. 1366:

This bill amends existing law to permit the Secretary of Commerce to lease real property at the public airports in Alaska and Fairbanks, Alaska, for periods up to 55 years for the purpose of erecting structures necessary to the operation of these airports.

The 1948 act authorized construction and operation of these airports and permitted the Secretary to lease the property on these airports up to 20 years which, at that time, was adequate because, prior to the liquidation of the RFC, it was possible for national banks to make loans for construction of commercial facilities on land held under lease for 20 years. Under present law, however, national banks are prohibited from lending money secured by mortgages on leaseholds having less than 50 years to run from the date the loan is made or acquired. Inasmuch as national banks furnish the principal source of financing for the type construction which is undertaken at these airports by private industry, the 20-year maximum lease term prevents the development of these airports.

Public Law 85-503, approved July 3, 1958.

CAA—Violations

S. 1749:

Amends the Civil Aeronautics Act of 1938 to provide for the imposition of civil penalties in certain additional cases. Title VI of the CAA Act provides for a comprehensive safety program, including the issuance of safety regulations. This act enlarges the scope of section 610 to include any violation of safety requirements by ground personnel, such as mechanics, whose activities, although certified, do not directly involve the operation of an aircraft. It also includes certain employers of such personnel as manufacturers holding production certificates and air agencies. The result of these added prohibitions is to permit the use of civil penalties, as an enforcement tool, in certain additional cases which cannot now be reached under the existing act.

Thus, in effect, this permits the Secretary of Commerce to invoke civil penalties as an appropriate sanction for nonaggravated violations of safety regulations previously denied him.

Passed Senate by voice vote March 6, 1958.

Freight Vessels—Alaska—Washington

S. 1798:

This measure amends existing law to permit merchants of southeastern Alaska to form associations or groups for the purpose of acquiring vessels (not to exceed 150 gross tons) to transfer merchandise owned by any one or more of them to the following places: To or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia; to or from places within the inland waters in the State of Washington; and from all places located within inland waters of southeastern Alaska to places within inland waters of the State of Washington via sheltered waters.

This amendment was considered necessary since most of these merchants are small-business men unable to finance shipments in large quantities; and the communities themselves are towns built on stilts over the water or on the sides of mountains, where there are no warehousing facilities or cold-storage facilities, hence these short-hauls and small tonnage will prove best for their economic situations.

Public Law 85-739, approved August 23, 1958.

Aircraft and Vehicle Destruction

S. 1963:

This measure increases the penalties for knowingly giving false information concerning the destruction of aircraft and motor vehicles from a fine of $1,000 and imprisonment for not more than 1 year to a fine of $5,000 and imprisonment for not more than 5 years.

This legislation was prompted by the increasing number of instances where individuals—pranksters primarily—give false or misleading information affecting the operation of commercial aircraft. Such false reports as to bombs being placed on commercial aircraft have caused serious concern not only to airline officials but also to many thousands of persons who utilize this mode of transportation.

Passed Senate May 21, 1958.

National Bureau of Standards

S. 2114:

This measure provides permanent authority for the acquisition of field sites for the National Bureau of Standards. These field sites are needed primarily in connection with the radio propagation research programs conducted by the Bureau's Central Radio Propagation Laboratory now quartered at Boulder, Colo.

Incorporates the provisions of Public Law 618, 81st Congress, 2d session, into the Organic Act of the National Bureau of Standards. This act of the 81st Congress permits the construction of buildings and facilities and improvements to existing facilities.

It also clarifies the National Bureau of Standards authority to undertake improvements or construction projects and raises the limitations on such projects from $25,000 to $40,000.

Passed Senate March 3, 1958, by voice vote.

Vessels—Towing Lights

S. 2115:

This measure brings the provisions of law which govern the use of towing lights on vessels operating under Pilot Rules for Inland Waters and Western Rivers Rules more nearly into conformity. This will tend to eliminate confusion and possible hazards to vessels going from an area where the inland water regulations are in effect to an area governed by the western rivers regulations, and vice versa.

The act will also provide readily distinguishable and identifiable lights for overtaken and overtaking vessels as another safety precaution.

Public Law 85-635, approved August 14, 1958.

Ship Contractors—Investments

S. 2255:

Amends the Merchant Marine Act of 1956 to authorize the Federal Maritime Board (Maritime Administration), upon application of the contractor, to permit, in its discretion, investment by the operator of some or all of the contractor's capital and special reserve funds in approved securities, upon condition that the income from these securities is deposited in the capital reserve fund. This will eliminate the requirement that the funds be invested in interest-bearing securities, and authorizes investment in any approved securities, including common stocks.

These reserve funds are set aside by law to insure ship replacement. By allowing investment in non-interest-bearing securities, a more equitable treatment of these funds will be achieved. The United States will benefit by this change through increased subsidy recapture and taxes and in terms of greater ability of operators to serve the essential trade routes.

Public Law 85-637, approved August 14, 1958.

Reduced Rates—Air Carrier Employees

S. 2919:

This act supplies statutory authority for granting free and reduced rate passes by air carriers to their retired directors, officers, employees, and members of their immediate families.

In the past, many carriers have regularly granted pass privileges to their retired personnel on a space-available basis under section 403 (b) of the Civil Aeronautics Act. Under existing law this section allows carriers to give free and reduced rate transportation to their "directors, officers, and employees and their immediate families"; however, on October 18, 1957, the Civil Aeronautics Board issued a ruling that section 403 (b) could not be construed to cover retired employees.

Since this practice has been traditional in the industry and become imbedded in the carriers' labor-relations structures, Congress felt statutory sanction should be given. This measure in no way requires the carriers to extend pass privileges to the persons covered, but merely allows them to do so as space becomes available or on whatever basis the air carriers desire to work out.

Passed Senate by voice vote March 6, 1958.

Alaska International Rail and Highway Commission

S. 2933:

This measure extends the life of the Alaska International Rail and Highway Commission to February 1, 1960, and increases its authorization.

Public Law 85-601, approved August 8, 1958.

Dealers' Aircraft Registration Certificates

S. 3016:

This measure amends the Civil Aeronautics Act to provide specific statutory authority for the Secretary of Commerce to issue dealers' aircraft registration certificates. It also provides that aircraft held under such certificates would be (to the extent provided in regulations of the Commerce Department) deemed registered under the Civil Aeronautics Act, which will make it possible to insure the validity of liens recorded against such aircraft.

These certificates may be used by the holder to operate aircraft for production flight tests, in ordinary trade channels, and for demonstration purposes.

Passed Senate by voice vote March 3, 1958.

Rural Carriers—Equipment Allowance

S. 3050:

This measure increases the basic equipment allowance for rural carriers of the Post Office Department to 11 cents a mile from the present rate of 9 cents a mile, and provides a minimum allowance of $3.50 a day. In actual operation, this means that a rural carrier with a route of 32 miles or less will receive $3.50 as a minimum allowance, and carriers with routes in excess of 32 miles will receive 11 cents a mile.

The equipment allowance for rural carriers has not been increased since 1951. Since that time the cost of automobiles has increased over 30 percent; repairs over 60 percent; license and other taxes over 40 percent; insurance approximately 30 percent; gasoline and oil some 20 percent; and, other operating costs proportionately.

Public Law 85-399, approved May 14, 1958.

Canadian Vessels—Alaska

S. 3100:

Extends for another year (until June 30, 1959) a waiver of the statutory requirement that vessels of the United States registry be used in passenger or freight transportation between the United States and Alaska.

Permits Canadian-flag vessels to carry passengers and freight between Hyder, Alaska, and other ports in southeastern Alaska and foreign ports.

The waiver is necessary because the Alaska Steamship Co., an American concern, has suspended those operations described in the waiver, leaving the southeastern Alaska ports without available American transportation.

Public Law 85-473, approved June 30, 1958.

Transportation Act of 1958

S. 3778:

This measure amends the Interstate Commerce Act so as:

To establish a $500 million program of guaranteed loans for capital expenditures and maintenance under the administration of the Interstate Commerce Commission to aid temporarily in the financing of railroads subject to the Interstate Commerce Act, that are unable to obtain needed funds upon reasonable terms through ordinary commercial channels;

To amend ratemaking section of the Interstate Commerce Act, section 15 (a), to assure consistency on the part of the ICC in cases involving minimum rates in order that carriers may assert their inherent advantages in making rates but subject to the objectives of the national transportation policy;

To make more effective those provisions of the Interstate Commerce Act enabling the Interstate Commerce Commission to remove discrimination against interstate or foreign commerce found to result from intrastate rates;

To vest the Interstate Commerce Commission with authority to authorize, in proper cases, the discontinuance, curtailment, or consolidation of unprofitable railroad services unduly burdening interstate commerce; yet assuring to the State commissions primary jurisdiction over wholly intrastate commerce, stations, depots, or other facilities;

To establish the scope and application of the agricultural commodities clause under which motor vehicles engaged in the transportation of certain commodities are exempt from economic regulation under the Interstate Commerce Act and to redefine the exemption to bring under economic regulation frozen fruits, frozen vegetables, and frozen berries, but excluding from regulation cooked or uncooked (including breaded) fish or shellfish, when frozen or fresh;

To make it clear that all commercial transportation of property by motor vehicle in interstate or foreign commerce, except private carriage and transportation otherwise specifically exempt, is subject to regulation.

Public Law 85-625, approved August 12, 1958.

Day Signals for Certain Vessels

S. 3951:

This measure authorizes the Secretary of Treasury to prescribe day signals for certain vessels.

Public Law 85-658, approved August 14, 1958.

Lake Champlain Bridge Commission

House Joint Resolution 382:

This measure authorizes the Lake Champlain Bridge Commission, set up by the States of New York and Vermont, to continue to collect reasonable tolls for maintenance and operation; to establish a reserve fund for future maintenance and operation of the Crown Point and Rouses Point Bridges across Lake Champlain; and to defray the cost of studies for a proposed third bridge in the vicinity of Plattsburg, N. Y.

These tolls may be collected until the interested States provide a different method and procedure for operating and maintaining these bridges.

Public Law 85-504, approved July 3, 1958.

Vessels—Trade-Ins

H. R. 3210:

This measure extends to June 30, 1962 (now June 30, 1958) the authority of the Federal Maritime Board to declare a vessel obsolete which meets the requirements of the act if 12 years old or older. Without this extension, only vessels that are at least 17 years old may be traded in for an allowance on a new vessel.

With the majority of subsidized vessels now in active service due to reach their normal retirement age of 20 years within the 1962-66 period, financial and shipyard capacity considerations make it imperative that replacement be spread over a term of years. To effect this with the least possible strain on all concerned, some of the vessels involved must be retired prior to their attaining 20 years of service, while others must be continued in service beyond their normal useful life span. Thus, continued authority to accept some vessels for trade-in at less than the 17-year age will afford the Maritime Administration the necessary flexibility for meeting the specific problems of the various lines.

Public Law 85-332, approved February 20, 1958.

Navaho-Hopi Reservation Roads

S. 3468:

This measure amends the Navaho-Hopi Rehabilitation Act of 1950 by providing an additional $20 million authorization for the construction of roads on the two reservations.

In the 81st Congress, after extensive investigation and study a 10-year rehabilitation program was enacted for the Indians residing on these two reservations. To aid in the rehabilitation work Congress authorized $88,570,000 to be spent for special projects to raise the standard of living.

Among the projects was a $20 million road improvement program on the two reservations. At that time, it was believed that 1,000 miles of badly needed country-type roads could be constructed for this amount. Since 1951, however, Congressional appropriations totaling some $14 million have resulted in the construction of only 371 miles of improved roadways due to increased construction costs. This additional authorization is required in order for Congress to live up to its original commitment and thus permit these tribes to continue their economic expansion and development of their tribal assets.

Public Law 85-740, approved August 23, 1958.

Automobile Labeling Bill

S. 3500:

This measure requires car manufacturers or importers to display a price tag on the windshield or window of a new car in the form of a label. The label is to set forth separately the basic retail price of the car suggested—but not fixed—by the manufacturer, the suggested retail price of each accessory, and the total transportation cost to the dealer.

The bill does not infringe upon the freedom of the manufacturer to price his own product; it does, however, assure the purchaser that he has necessary basic cost information. For the purpose of this bill an automobile would remain "new" until it is purchased by a person for purposes other than resale.

For failure to comply with the provisions of this act, a violator may be fined up to $1,000, imprisoned for 1 year, or both.

Makes the act effective October 1, 1958, or upon the introduction of any new model in any line of automobile beginning after the date of enactment, whichever date occurs last.

Public Law 85-506, approved July 7, 1958.

Federal Airport Act Amendments

S. 3502:

This measure extends through fiscal 1963 the Federal Airport Act which is designed to assist local communities in developing new or expanding existing airports so that a system of public airports may be achieved adequate to meet the present and future needs of civil aeronautics. This assistance is in the

form of grants on a matching-fund basis. In the extension, effective at the beginning of fiscal 1959, these funds are increased to $100 million annually.

The bill also provides a separate, emergency fund of $75 million for immediate discretionary allocation by the Secretary of Commerce during fiscal 1959, on a matching-fund basis. This fund is to be used to prepare the country for the advent of the jet-passenger planes, which will require runways from 10,000 to 15,000 feet with heavier bases, wider taxiways, and better loading-ramp facilities.

It eliminates parking lots and certain concession areas in terminal buildings from eligibility for Federal matching funds under the provisions of the act. It provides Federal assistance on a matching basis to certain small airports for runway improvements.

Another change is the requirement that the Secretary of Commerce publish, by January 1 of each year, the proposed program of airport development for the next fiscal year.

Vetoed September 2, 1958.

Shipping Contracts

S. 3916:

Extends for 2 years the provisions of the 1916 Shipping Act relating to dual-rate contract arrangements. Dual-rate contracting is a practice whereby a conference establishes tariffs of rates at two levels, the lower of which is charged to shippers who agree to ship their cargoes on vessels of members of the conference only and the higher of which is charged to merchants who do not so agree.

The measure becomes effective immediately upon enactment, but it is of a temporary nature, and will continue in effect only until June 30, 1960, thus providing a reasonable time for a thorough consideration of the merits of the dual-rate system. It makes valid any existing dual-rate contract arrangements unless canceled or modified by the Federal Maritime Board. In effect, merely continues on a temporary basis a system that has been used by both shippers and shipping lines over the years.

Public Law 85-626, approved August 12, 1958.

Panama Canal Zone—Utility Lines

H. R. 3604:

This measure makes it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, and systems operated by the United States in the Canal Zone specifically protecting the public utility installations of the Panama Canal Company.

Offenses of the type to which this bill is directed must now be prosecuted as misdemeanors under Canal Zone Code sections relating to petit larceny or malicious injury to property, telegraph, or telephone lines.

The extension and broadening of existing law against willful or malicious interference with public utility installations in the Canal Zone would also be applicable to offenses involving privately owned and operated facilities.

Public Law 85-419, approved May 19, 1958.

Intercoastal Shipping Act

S. 4196:

This measure grants relief to ocean common carriers in the intercoastal trade by permitting them to issue in lieu of the archaic long form of passenger tickets, bills of lading, dock receipts, and other documents, less costly short form, if the terms and conditions under which they are issued are filed with the Federal Maritime Board, posted conspicuously on the vessel and made available on request to passengers, shippers, or consignees.

Public Law 85-810, approved August 28, 1958.

Postal Stations—Strategic Installations

H. R. 4815:

This measure grants to the Postmaster General permanent authority to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations.

This authority makes it possible to provide efficient mail service for these installations at the lowest cost to the Post Office Department, by permitting the Department to assign trained postal personnel to man these stations or branch post offices.

Public Law 85-372, approved April 9, 1958.

Air Subsidies

H. R. 5822:

This measure provides that, on or after April 8, 1956, an airline receiving a Government subsidy may retain the capital gains received from the sale of used flight equipment, if the amount is reinvested in new flight equipment. Losses sustained in disposition of flight equipment are also excluded in determining subsidies.

This act has no effect on the payment of income or capital gains taxes by the airlines. Prior to this enactment capital gains of airlines, receiving a Government subsidy, were applied as a reduction of the amount of the subsidy.

Public Law 85-373, approved April 9, 1958.

Postal Rate Increases

H. R. 5836:

This measure increases by $550 million a year the postal revenues when all of the postal-rate adjustments become effective. These increases are:

First-class mail (effective August 1, 1958): Letters, 3 cents to 4 cents; postal cards, 2 cents to 3 cents; drop letters, 2 cents to 3 cents.

Domestic airmail (effective August 1, 1958): Letters, 6 cents to 7 cents; postal cards, 4 cents to 5 cents.

Second-class mail: Three annual increments of approximately 10 percent each on the reading portion of publications, and 3 annual increments of approximately 20 percent each on the advertising portion. Step increases effective January 1 of the next 3 calendar years.

Minimum charge per piece on publications is increased from one-eighth of a cent annually until it reachese one-half cent; however, publications of certain nonprofit organizations and publications designed for classroom use are exempt.

Controlled circulation publications increased from 10 cents for those not over 8 ounces and 11 cents for those over 8 ounces to a uniform rate of 12 cents a pound regardless of weight.

Third-class mail: Piece rate on individual mailings raised from 2 cents to 3 cents on the first 2 ounces and from 1 cent to 1½ cents for each additional ounce. Effective August 1, 1958.

Piece rate on bulk mailings of circulars raised from 1½ cents to an eventual rate of 2½ cents in two equal increments of one-half cent each. Effective January 1, 1959.

Minimum charge per piece for bulk matter by certain nonprofit organizations is 50 percent of the regular minimum rate.

Pound rate on bulk mailings of circulars increased from 14 cents to 16 cents.

Annual fee for mailing permits raised from $10 to $20.

Fourth-class mail: Pound rate raised from 8 cents on the first pound and 4 cents for each additional pound to 9 cents on the first pound and to 5 cents on each additional pound. Effective August 1, 1958.

Postal policy: Provides that the total loss on mail carried free or at reduced rates is to be considered as public service to be paid from the general fund of the Treasury.

Postal modernization fund: Establishes a Postal Modernization Fund in the Treasury for research and development of improved equipment and facilities.

Public Law 85-426, approved May 27, 1958.

Obscene Mail

H. R. 6239:

This measure amends section 1461, title 18, United States Code, so as to allow prosecution for mailing obscene matter not only at the place of deposit in the mails, but also at the place of delivery where the obscenity has its effect on the recipient. It also doubles the penalties if obscene matter is mailed to persons under 19 years of age with the knowledge or reason to believe that the recipient is under 19.

Public Law 85-796, approved August 28, 1958.

Merchant Marine Academy

H. R. 7052:

This measure amends the Merchant Marine Act of 1936, as amended, to provide for the appointment of cadets to the Merchant Marine Academy from the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Canal Zone as follows:

Canal Zone: 2 vacancies to be allocated each year.

Guam: 1 vacancy each year.

American Samoa: 1 vacancy each year.

Virgin Islands: 1 vacancy each year.

District of Columbia: 4 vacancies each year.

Under existing law, in addition to the appointment of cadets from the several States, the appointment of one cadet each from the Territories of Alaska and Hawaii, and the Commonwealth of Puerto Rico, is authorized. This measure will accord the same privilege and benefit to young men from Guam, American Samoa, and the Virgin Islands, from among candidates nominated by the governors of those areas, as well as to candidates from the District of Columbia, and the Canal Zone.

Public Law 85-331, approved February 20, 1958.

Great Lakes—Navigation Rules

H. R. 7226:

This measure is designed to remove any doubt as to the application of the United States Rules for Preventing Collisions on the Great Lakes to all vessels, of foreign as well as of United States registry, while they are navigating within the territorial waters of the United States.

Present statutes are so worded as to permit the interpretation that foreign vessels are not required to accept and obey the rules which more specifically apply to United States flag vessels navigating on the Great Lakes and their tributary and connecting waters.

Public Law 85-350, approved March 28, 1958.

Social Security

H. R. 7570:

This measure provides social-security coverage for certain employeees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide the coverage. This would cover not only failure due to mistaken belief that the waiver was filed but also failure due to an assumption that filing was unnecessary.

Public Law 85-785, approved August 27, 1958.

Free Transit at the Panama Canal for Vessels Operated by State Nautical Schools

H. R. 7779:

The bill restores to training vessels operated by State nautical schools the privilege to transit the Panama Canal without payment of tolls.

Public Law 85-735, approved August 23, 1958.

Issuance of Licenses to Noncitizens for Radio Stations on Aircraft

H. R. 8543:

The purpose of this legislation is to give the Federal Communications Commission

discretionary authority to issue licenses to noncitizens for the operation of aircraft radio stations in the case of persons holding United States pilot certificates or in the case of persons holding foreign aircraft pilot certificates which are valid in the United States on the basis of reciprocal agreements entered into with foreign governments.

Public Law 85-817, approved August 28, 1958.

Vessels—Disposal

H. R. 8547:

This measure authorizes the Secretary of the Navy to dispose of seven uncompleted vessels, namely, the U. S. S. *Kentucky*, the U. S. S. *Hawaii*, the U. S. S. *Lansdale*, the U. S. S. *Seymour D. Owens*, the U. S. S. *Lancetfish*, the U. S. S. *Unicorn*, and the U. S. S. *Walrus*.

The Navy conducted studies of the cost involved in converting these vessels to modern ships and concluded that the cost and manpower could not be justified in the altered design as compared to that of a new ship. Even in an emergency, if time were available the Navy considers that it would be more advantageous, from the standpoint of both time and money, to build new ships.

Public Law 85-436, approved May 29, 1958.

Highway Program—Accelerated

H. R. 9821:

This measure is another in a series designed to alleviate, or help to alleviate, the serious economic condition which the country is facing. The purpose of this act is twofold: Provide additional jobs for the unemployed and, at the same time, give the Nation the highways so badly needed by:

1. Increasing by $400 million, to $1.275 billion, the fiscal 1959 authorization for Federal-aid primary, secondary, and urban roads, for immediate apportionment. The $400 million is to be available only for expenditure on contracts awarded by the States before December 1, 1958, which provide for completion of construction before December 1, 1959, subject to delays not the fault of the contractor or created by acts of God. The amount apportioned to a State not expended on December 1, 1958, will lapse. After the $400 million has been apportioned, a State may spend its share of these funds without limitation as to the percentage to be utilized on any one system. Federal share of any project out of the $400 million will be 66⅔ percent and the State's share 33⅓ percent.

2. Authorizes $115 million for fiscal 1959 as advances to assist any State in matching Federal funds for the primary, secondary, and urban systems up to 20 percent of the State's share, to be repaid by the States in two equal installments from funds apportioned to the States in fiscals 1961 and 1962.

3. Increases by $200 million, to $2.2 billion, the fiscal 1959 authorization for the Interstate Highway System to the States on the usual 90–10 matching basis, to be apportioned immediately in accordance with existing law.

4. Authorizes a $300 million increase, to $2.5 billion, in each of fiscal years 1960 and 1961 for the Interstate Highway, the fiscal 1960 authorization to be apportioned any time after June 30, 1958, on the basis of the estimates of cost of completing the Interstate System.

5. Authorizes $900 million for fiscal 1960 and $925 million for fiscal 1961 for regular Federal-aid highway systems, primary, secondary, and urban systems, the so-called ABC roads. These funds to be apportioned to the States in accordance with existing law, and matched on a 50–50 basis.

6. Authorizes a one-half of 1 percent bonus in Federal Interstate Highway funds to States that agree to regulate billboard advertising within 660 feet of new rights-of-way along the Interstate Highway System begun after July 1, 1956. Limits permitted signs to four types along the system and prohibits signs advertising illegal activities. Authorizes reimbursement to the States for the cost of acquiring the advertising easements not to exceed 5 percent of the cost of the right-of-way.

7. Suspends for fiscal years 1959 and 1960 the pay-as-you-go provision of the Federal-Aid Highway Act of 1956 under which highway user taxes must be collected in the highway trust fund before apportionment of Federal funds to the State, which, in effect, makes available about $1.2 billion more for the Federal-aid program.

8. Increases by $5 million fiscal 1959 authorizations for forest highways; $5 million for forest development roads and trails; and $1 million for public lands highways. Forest highway authorizations are to be apportioned on the same basis as for 1958.

9. Authorizes for each of fiscal years 1960 and 1961 the following: Forest highways, $33 million; forest development roads and trails, $30 million; national park roads, $18 million; parkways (authorized), $16 million; Indian reservation roads, $12 million; public lands highways, $3 million.

10. Below is a summary of funds authorized for Federal-aid highways (in millions):

System	Fiscal year 1959	1960	1961	1962
REGULAR				
Primary	180	405	416.25	1,001.25
Secondary	120	270	277.50	667.50
Urban	100	225	231.25	556.25
Subtotal	400	900	925	2,225
Advances	115			115
Interstate	200	300	300	800
Subtotal	715	1,200	1,225	3,140
Forest highways	5	33	33	71
Forest development roads and trails	5	30	30	65
Park roads and trails		16	16	32
Parkways		18	18	36
Indian roads		12	12	24
Public lands highways	1	3	3	7
Subtotal (miscellaneous roads)	11	112	112	235
Total	726	1,312	1,337	3,375

Public Law 85-381, approved April 16, 1958.

Highway Construction

H. R. 10426:

This measure amends the Federal-Aid Highway Act by increasing from 5 to 7 years the period in which actual construction shall commence on rights-of-way acquired for such construction.

Public Law 85-597, approved August 6, 1958.

Establishment of Postal Stations

H. R. 10495:

Present law authorizes the establishment of postal stations and branch offices within a radius of 5 miles of the outer boundaries of the adjacent city wherein the main post office is located.

Public Law 85-893, approved September 2, 1958.

Navigation Congresses

H. R. 11305:

Authorizes funds to finance the 1961 meeting of the Permanent International Association of Navigation Congresses.

Public Law 85-598, approved August 6, 1958.

Superliner Passenger Vessels—Construction

H. R. 11451:

This measure authorizes the Federal Maritime Board to construct two superliner passenger vessels, one to replace the steamship *America* on the North Atlantic route, the other for use between the west coast of the United States and the Far East, replacing the steamship *President Hoover*. Both of the vessels to be replaced will have exceeded their normal 20-year useful life before construction of their replacements are completed.

Concurrently with entering into contracts with the shipyards for construction of these vessels, the Board is authorized to enter into contracts for the sale of the vessels, completely outfitted and equipped, to the United States Lines Co. in the case of the steamship *America* replacement for $47 million, and to the American President Lines, Ltd., for the steamship *President Hoover* replacement for $34 million, or 45 percent of the domestic construction cost of the vessel fully outfitted and equipped, whichever is the greater.

Public Law 85-521, approved July 15, 1958.

Section 77 (c) (2) of the Bankruptcy Act

H. R. 12217:

The purpose of the legislation is to amend paragraph (2), subdivision (c) of section 77 of the Bankruptcy Act, the railroad reorganization section, to allow the debtor, with respect to safety, location of tracks, and terminal facilities to comply with the lawful orders of a State regulatory body so that needed improvements in railroad facilities can be made prior to the confirmation of a plan of reorganization.

Public Law 85-824, approved August 28, 1958.

Highways

H. R. 12776:

This measure revises and codifies the laws relating to highways.

Public Law 85-767, approved August 27, 1958.

Switchblade Knives

H. R. 12850:

This measure prohibits the manufacture for, or transportation or distribution in, interstate commerce or in any Federal territory, of switchblade knives or other concealed-blade knives which open by operation of inertia or gravity. Penalties are a fine of not more than $2,000 and imprisonment for not more than 5 years, or both. Designed to prevent the use of such knives by criminals and juvenile delinquents, the measure excepts from its operation the armed services and those operating under contract with the services and the possession by a one-armed person of such knife with a blade 3 inches or less.

Public Law 85-623, approved August 12, 1958.

Authorizing Certain Payments Out of the Vessel Operations Revolving Fund

H. R. 13371:

This bill would authorize the Secretary of Commerce to pay to any person to whom he

chartered vessels under the Merchant Ship Sales Act of 1946, as amended, an amount equal to the fair and reasonable expenses incurred by such person during the calendar year beginning January 1, 1957, to cover the costs of breaking such vessels out of the reserve fleet and activating them for service.

Public Law 85-721, approved August 21, 1958.

Interstate Compacts for Traffic Safety Programs

House Joint Resolution 221:

This resolution would allow the States to enter into agreements or compacts with one another to establish and carry out traffic safety programs. It would also allow the States to establish agencies to carry out such programs. States could enter into compacts to pass uniform traffic laws, driver education and training laws, and other regulations which would provide uniform solutions to common traffic problems. They could also do joint research in safety programs.

Public Law 85-684, approved August 20, 1958.

Veterans

Veterans' Readjustment Assistance Act of 1952

S. 4031:

This bill amends the Veterans' Readjustment Assistance Act of 1952, popularly known as the Korean GI bill, so as to eliminate a highly undesirable situation which sometimes occurs under the provisions of the act concerning a "change of program." The specific purpose of the bill is to provide that, in determining whether a veteran may make a change in his program of education or training under the Korean GI bill—

"a change from the pursuit of one objective or level of education or training to the pursuit of a higher objective or level of education or training in the same field of study or training"

will be considered a continuation of his original program rather than a change to a new program.

Passed Senate August 14, 1958.

Veterans—Widows Pension

H. R. 358:

This measure increases the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

It applies only to widows of advanced age. It increases the Spanish War, Civil War, and Indian War widows' pension rate of $54.18 to $65 a month in case the widow is 70 years of age or over. If the widow was the wife of the veteran during the period of his service, the rate of $67.73 a month will be increased to $75 a month. The pension rates will continue to be uniform for these groups. The measure includes proportionate increases for children. The average age of the widow married to the veteran during the period of his service is 80 years. The Mexican War widows' rates of pension of $52.50 a month are increased to $65 a month.

There are only 4 widows on the roll.

The measure also provides for a pension to the widows of veterans who served in the military or naval forces of the Confederate States of America during the Civil War at the same rates as provided for widows of the Union forces.

Public Law 85-425, approved May 23, 1958.

Reservists—Retired Pay Waiver

H. R. 1140:

This measure extends to retired members of the Reserve components of the uniformed services the provisions of existing law which permit personnel of the Regular components who are receiving retired pay to waive a portion of that retired pay in order to draw compensation from the Veterans' Administration.

Thus, in effect, this legislation grants to reservists, enlisted and officers alike, a privilege that is now applicable only to regulars. The advantage is that a person who can draw compensation from the Veterans' Administration is allowed to exclude that compensation from his income for tax purposes whereas all retirement pay, other than retirement pay for disability, is taxable.

Public Law 85-376, approved April 11, 1958.

Veterans

H. R. 3630:

This measure amends the Veterans Benefits Act of 1957 to provide an additional aid and attendance allowance of $100 per month to certain severe service-connected disabled veterans during periods in which they are not hospitalized at Government expense.

Public Law 85-782, approved August 27, 1958.

Veterans' Benefits

H. R. 5322:

This measure extends dependency and survivor benefits to the dependent husband of a female veteran if he is totally and permanently disabled and incapable of self-support due to his physical and mental disability.

Public Law 85-655, approved August 14, 1958.

Hospitalization in the Philippines

H. R. 6908:

This measure authorizes modification and extension of the grants-in-aid program to the Republic of the Philippines for the hospitalization of certain veterans, to restore eligibility for hospital and medical care to certain veterans of the Armed Forces of the United States, residing in the Philippines.

It is designed to present a more practical and constructive approach as a solution to the varied problems surrounding the extent and type of medical care to be provided for those Filipino veterans who served with our forces during World War II.

The measure also restores eligibility for hospitalization and outpatient medical care for service-connected conditions to United States veterans permanently residing in the Philippines. In addition, hospitalization is authorized for United States war veterans for non-service-connected disabilities if they are unable to defray the expenses of private hospitals.

In effect, this measure terminates as of June 30, 1958, the existing program of grants-in-aid and substitutes a revised and extended program to operate through June 30, 1963. Under this new plan the Veterans' Administration contracts with the Veterans' Memorial Hospital to pay a fair and reasonable per diem rate for service-connected disabilities. The total of these payments, plus any payments for authorized travel expenses in connection with hospital care, is not to exceed $2 million in any 1 fiscal year.

Public Law 85-461, approved June 18, 1958.

Veterans' Readjustment Act Amendment

H. R. 7251:

This measure amends the definition of the term "State" in the Veterans' Readjustment Assistance Act of 1952, popularly known as the Korean GI bill, and the War Orphans Educational Assistance Act of 1956, to make clear that the benefits of those acts may be afforded to eligible persons who wish to pursue a course of education or training in the Panama Canal Zone.

The bill also amends the War Orphans Educational Assistance Act so that persons eligible for benefits under the act may obtain these benefits while pursuing a course of training in the Republic of the Philippines. Presently, eligible persons residing in the Philippines must travel to the United States to obtain these benefits, because they are not available unless the person trains in an institution located in the United States, a United States Territory or possession, or the Commonwealth of Puerto Rico. While this amendment does not enlarge the class of persons eligible for the benefits, it does remove the travel problem and, thereby, enlarges the class of persons who may actually obtain benefits.

Public Law 85-460, approved June 18, 1958.

Veterans Reemployment Rights

H. R. 8522:

This measure gives to a member of a Reserve component of the Armed Forces who is ordered to an initial period of active duty for training of not less than 3 continuous months all reemployment rights provided for persons inducted under the Universal Military Training and Service Act. Such a member may not be discharged without cause for 6 months after restoration but is not entitled to any preference rights over a veteran with a superior claim under the Veterans Preference Act.

The measure also provides that both public and private employees, other than those described in the above paragraph, shall be granted leaves of absence for the period required to report for induction into, entering, or performing active duty for training or inactive duty training. At conclusion of training the employee will be permitted to return with such seniority, status, pay, and vacation as he would have had if he had not been absent.

Passed Senate August 4, 1958.

Refunds of Veterans' Insurance Premiums

H. R. 9369:

This measure authorizes the Veterans' Administration to refund approximately $1,642,000 to veterans from whom improper collections for insurance premiums had been made under the Soldiers' and Sailors' Relief Act of 1940.

Public Law 85-586, approved August 1, 1958.

Transportation Expenses of Certain Survivors of Deceased Servicemen

H. R. 9721:

Provides for the payment of transportation expenses of certain survivors of deceased servicemen to attend group burials in national cemeteries.

Public Law 85-716, approved August 21, 1958.

Blind Veterans

H. R. 10461:

Increases monthly compensation for veterans who have suffered blindness in both eyes and have only light perception, from $309 to $359.

Public Law 85-652, approved August 14, 1958.

Veterans

H. R. 11382:

This measure authorizes the conversion or exchange of life insurance issued to veterans who served between April 29, 1951, through December 31, 1956. The options available are (1) maintaining the present term policy; (2) exchange of present policy for a limited convertible term policy with lower premiums; and (3) convert to a permanent-type policy.

The measure further provides that upon application within 1 year after the effective date of the act, insurance under the National Service Life Insurance Act of 1940 may be granted to individuals serving between October 8, 1940, and April 24, 1951.

Public Law 85-896, approved September 2, 1958.

National Service Life Insurance Benefits

H. R. 11577:

Authorizes an increase in the monthly payments under total disability provisions of national service life insurance of $5 per each $1,000 of insurance.

Public Law 85-678, approved August 18, 1958.

Veterans' Burial Allowances

H. R. 11801:

Increases the burial allowance for deceased veterans from $150 to $250.

Public Law 85-674, approved August 18, 1958.

AUTHORIZATION FOR INSERTIONS IN RECORD FOLLOWING ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the RECORD following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I send to the desk an order, and ask for its consideration.

The PRESIDING OFFICER. The clerk will read the proposed order.

The Chief Clerk read as follows:

Ordered, That notwithstanding the final adjournment of the present session of the Congress, the Secretary be, and he is hereby, authorized to receive messages from the House of Representatives after the sine die adjournment.

Mr. DOUGLAS. Mr. President, reserving the right to object, I ask my distinguished and able majority leader whether this is tantamount to an adjournment of Congress?

Mr. JOHNSON of Texas. No; obviously not.

Mr. DOUGLAS. Is it another indication that coming events are casting their shadow before them?

Mr. JOHNSON of Texas. Mr. President, I am about to send another proposed order to the desk.

The PRESIDING OFFICER. Is there objection to the order? The Chair hears none, and the order is entered.

AUTHORIZATION FOR PRESIDENT OF THE SENATE TO MAKE APPOINTMENTS

On motion of Mr. JOHNSON of Texas, and by unanimous consent, it was

Ordered, That notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

AUTHORIZATION FOR PRESIDING OFFICERS TO SIGN DULY ENROLLED BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

Mr. JOHNSON of Texas submitted the following concurrent resolution (S. Con. Res. 122):

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Mr. JOHNSON of Texas. Mr. President, I ask that the resolution be agreed to.

Mr. DOUGLAS. Mr. President, reserving the right to object, I address the same inquiry to the distinguished majority leader. How close are we to adjournment?

Mr. JOHNSON of Texas. The Senator from Texas does not know. There are conference reports and other actions still to be considered.

Mr. DOUGLAS. Then there is still hope for lake diversion.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 122) was considered and agreed to.

Mr. JOHNSON of Texas. I thank my friend from Wisconsin for yielding.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. DOUGLAS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PROXMIRE. Mr. President, before I yielded to the majority leader I was discussing the efficiency of the sewage treatment analysis made by the Metropolitan Sanitary District of Greater Chicago.

The PRESIDING OFFICER. The Senator will suspend while order is obtained in the Senate.

The Senator from Wisconsin may proceed.

Mr. PROXMIRE. I submit, Mr. President, that any clear-minded objective analysis of the table will result in the conclusion that the Metropolitan Sanitary District of Greater Chicago itself has furnished us with the evidence which would make it impossible for the Congress of the United States—certainly for the Senate—knowing this information, to approve the bill. This information proves that Chicago simply is not doing its job.

Mr. President, I ask unanimous consent that the table may be printed in the RECORD as a part of my remarks at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Average flows, 1957

[Millions of gallons daily]

Month	Calumet	North side	West-south-west	West side		Total west-south-west plus west side	Grand total
				Pumpage, including west-south-west sludge	Actual sewage flow		
1957—January	92.4	226.2	298	459.6	450.9	748.9	1,067.5
February	99.7	259.3	348	451.6	445.3	806.9	1,255.9
March	104.2	249.3	368	433.0	423.2	791.2	1,144.7
April	114.2	267.3	339	532.6	523.1	862.1	1,243.6
May	110.7	271.4	321	561.6	553.6	874.6	1,256.7
June	106.1	260.1	324	557.0	551.5	875.5	1,241.7
July	114.0	287.6	416	548.0	538.7	954.7	1,356.3
August	115.9	290.0	432	547.8	542.7	974.7	1,380.6
September	106.4	260.1	411	447.4	440.4	851.4	1,217.9
October	103.9	255.3	394	456.1	453.1	837.1	1,196.3
November	112.9	272.2	357	494.0	489.0	846.0	1,231.1
December	111.3	266.2	320	481.1	476.7	796.7	1,174.2
Average	107.6	263.8	360	497.5	490.7	859.2	1,230.7
Average:							
1956	103.8	226.1	320.4	503.3	494	819.7	1,149.6
1955	109.1	232.1	364	487.3	478.1	841.9	1,183.3
1954	99.1	228.1	373	493	470.2	843.25	1,170.6
1953	94.9	200.5	222.9	493.7	485.5	808.4	1,103.8
1952	87.6	223.3	311.7	490.2	490.2	801.9	1,112.8
1951	86.9	229.2	358	468.4	468.4	826.4	1,142.5
1950	82.5	221.4	356	464.3	463.1	820.1	1,124
1949	73.5	206.2	306	478.4	478.3	784.3	1,064
1948	74.8	215.2	338	437.3	437	775	1,006.5
1947	79.3	222.8	368	428.1	428.1	796.1	1,096.2

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I yield to the distinguished Senator from Illinois for a question.

Mr. DOUGLAS. May I ask, what is the source of the table the Senator asks to have printed in the RECORD, to which the senior Senator from Wisconsin referred last night?

Mr. PROXMIRE. The source is listed at the top. The source is the Metropolitan Sanitary District of Greater Chicago, Annual Reports of 1952 through 1957.

Mr. DOUGLAS. From whom did the Senators from Wisconsin obtain the report?

Mr. PROXMIRE. Mr. President, I do not believe in hearsay, so I will say that I procured the report, as I said to begin with, from my senior colleague, the Senator from Wisconsin [Mr. WILEY].

Mr. President, I ask unanimous consent that my colleague, the senior Senator from Wisconsin, may reply to the question of the Senator from Illinois, without my losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none and the senior Senator from Wisconsin is recognized.

Mr. WILEY. A gentleman went to Chicago and after an interview was given this information.

Mr. DOUGLAS. Does the senior Senator from Wisconsin say that the Metropolitan Sanitary District of Greater Chicago gave this material to his representative?

Mr. WILEY. Yes.

Mr. DOUGLAS. Mr. President——

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois for 3 minutes for a statement, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and the Senator from Illinois is recognized for 3 minutes.

Mr. DOUGLAS. I certainly will not question the statement of the honorable Senator from Wisconsin. We in Chicago are very desirous to have all the facts brought out. We believe in the truth being known. It is extraordinary that the Metropolitan Sanitary District of Greater Chicago would give to the opponents of the measure vital information which it has not furnished to the Senator from Illinois, who is defending that district on the floor of the Senate. I have not received a copy of this material. I have not received any information about it. I am reluctant to believe that the Metropolitan Sanitary District of Greater Chicago would give to the opponents of this measure information which it either advertently or inadvertently denied to its advocates.

I do not want to condemn the Metropolitan Sanitary District of Greater Chicago on this point, unless the evidence is clear, overwhelming, and irrefutable.

Mr. PROXMIRE. Mr. President, I wish to establish why it is that the table, by itself, should make it clear that Chicago it not doing its job.

The fact is that the sewage is oxygen-deficient. That is the measure which the engineers use to establish and determine the sewage which needs oxygen. The sewage has increased from 6.4 percent to 14.4 percent from 1952 to 1957. That means that if Chicago could reestablish the efficiency it obtained in 1952 it would reduce the problem by 100 percent.

Mr. President, I point out that no one would contend—I know the proponents of the measure would not contend—that by increasing the diversion from Lake Michigan 1,000 cubic feet, the problem could be reduced by the amount of 100 percent, particularly in view of the fact that at the present time the city of Chicago diverts not 1,500 cubic feet, but 1,500 cubic feet plus 1,800 cubic feet for domestic pumpage, or a total of 3,300 cubic feet. The additional 1,000 cubic feet would be an increase, therefore, of approximately 30 or 35 percent, or on that order. Chicago is failing to solve its problem on the order of about 100 percent. Even if the increase in the efficiency were only part way back to the efficiency of 1952, Chicago could solve its problem alone much better than by relying on this expensive—and it is expensive to Wisconsin, Michigan, Canada, New York, Ohio, and Pennsylvania—method of diverting water from Lake Michigan.

Mr. DOUGLAS. May I say that the two Senators from Wisconsin are highly honorable men. I trust their word. However, we are faced with an extraordinary situation in which the opponents of this measure are apparently furnished information by the body most active in advocating an increased diversion of water, without this information being furnished to those who are the proponents and defenders of the Metropolitan Sanitary District of Greater Chicago.

I should like to ask again, most solemnly, was this material obtained from the Metropolitan Sanitary District of Greater Chicago?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin for 2 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin?

The Chair hears none, and the senior Senator from Wisconsin is recognized for 2 minutes.

Mr. WILEY. Mr. President, one of the witnesses—and I will give his name—Gordon McCallum, who lives in the city of Washington, from the Department of Health, Education, and Welfare, went to Chicago and brought back this information with him. Now the Senator has all the information. I do not like to have the Senator dispute my word.

Mr. DOUGLAS. I do not dispute the Senator's word. May I ask whether the Metropolitan Sanitary District of Greater Chicago was——

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Senator from Illinois may reply to the senior Senator from Wisconsin, without my losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. May I ask whether the Metropolitan Sanitary District of Greater Chicago was informed that the information was designed for the senior Senator from Wisconsin?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the senior Senator from Wisconsin may reply, if he desires, without my losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and the senior Senator from Wisconsin is recognized.

Mr. WILEY. Mr. President, this is all on the same basis of much we have heard before. It is sort of a Pagliacci proposition.

Let me say that the man testified for the Government in the case. The man gave the facts. We asked the witness to find out what the situation was, and why this additional flowage was wanted. Then we found, as the Senator from Chicago said——

Mr. DOUGLAS. Pardon me. May I say that I am very proud——

Mr. PROXMIRE. Mr. President—Mr. President, I have the floor.

Mr. DOUGLAS. I am very proud to come from Chicago, but I also come from Illinois.

Mr. PROXMIRE. Mr. President, I insist on my right to the floor. Mr. President—Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Wisconsin——

Mr. PROXMIRE. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILEY. May I answer?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the senior Senator from Wisconsin may reply, without my losing my right to the floor.

The PRESIDING OFFICER. The Senate will be in order. The junior Senator from Wisconsin has the floor. The junior Senator from Wisconsin has yielded 2 minutes to the senior Senator from Wisconsin, who still has 1 minute remaining. The senior Senator from Wisconsin is recognized for 1 minute.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield? The senior Senator from Wisconsin has 1 minute remaining, and he may proceed.

Mr. WILEY. The situation is just this. I said the distinguished Senator from Chicago and he resented it. I do not blame him.

Mr. DOUGLAS. No, I am very proud of it. [Laughter.]

Mr. WILEY. He was telling about the wonderful system they built up. It was just like Ford's first buggy. That was a miracle. So he spoke about this miracle system they had of purifying the water. We want to find out whether they were doing the job. They did it 10 years ago. We would like to know whether it was changed in 10 years. So we got the man who testified at the hearing to get the facts. That is the whole matter in a nutshell.

Mr. HUMPHREY. Will the Senator yield?

Mr. PROXMIRE. I will yield to the Senator from Minnesota in just a minute.

Before I do so I wish to establish one fact. The purity of the Milwaukee sanitation methods has been challenged repeatedly tonight. I deeply resent it. I feel strongly that Milwaukee is the cleanest big city in America, in every way, particularly with regard to treating its sewage.

I should like at this point to read into the RECORD the outstanding record of Milwaukee in biochemical oxygen reduction. I point out that Milwaukee is far

better than Chicago was at its best. In 1952, when Chicago reached its peak of cleanliness——

Mr. KERR. Will the Senator yield for a question?

Mr. PROXMIRE. Before I yield for a question I should like to complete my statement. I would like to point out that the figures indicate Milwaukee was 96.1 percent pure.

Mr. KERR. Will the Senator yield for a question?

Mr. PROXMIRE. I yield to the Senator from Oklahoma for a question.

Mr. KERR. The Senator from Oklahoma would ask his good friend from Wisconsin just what it is about Milwaukee sewage which gives it an advantage in the matter of purity over the sewage of the city of Chicago? Is it the contents, the origin, the treatment?

Mr. PROXMIRE. I point out to my good friend from Oklahoma that in all those regards the sewage from Milwaukee is far superior. [Laughter.]

Mr. KERR. Mr. President, will the Senator yield further?

Mr. PROXMIRE. Mr. President, I yield to the Senator from Oklahoma for a question.

Mr. KERR. I wish to say to my good friend that the observation of the Senator from Oklahoma is that the examples seen here on the floor would tend to give credence to his statement. [Laughter.]

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. HUMPHREY. Will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Minnesota for 2 minutes without losing my right to the floor.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senator from Wisconsin may yield the floor without asking unanimous consent so that we can facilitate the debate.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. HUMPHREY. I made a unanimous consent request.

The PRESIDING OFFICER. The Chair will take judicial notice of the request. The Senator does not have to make the request.

Mr. HUMPHREY. Will the Chair take legislative notice of it? We have had enough with reference to judicial matters.

The PRESIDING OFFICER. The Chair will take judicial notice that the Senator from Wisconsin does not have to make that request each time he yields the floor.

Mr. CASE of South Dakota. I object.

Mr. PROXMIRE. Mr. President, I would like to call the attention of my very good friend from Minnesota to the fact that because he has been in conference and has been working hard, as he always does, he missed some of the history of this project. Earlier this evening there was what the distinguished Senator from Oklahoma [Mr. KERR] called a three-ring circus going on the floor, and I wanted to be sure my rights were protected. I consulted with the Parliamentarian as to how I could preserve and protect my rights to the floor. We have been accused of filibustering, even though I and the junior Senator from Michigan [Mr. MCNAMARA] have consumed less time in speaking tonight than our opponents have consumed on this bill. Since we were accused of filibustering, I wanted to be sure that what I was doing was completely within the rules, so I have constantly asked unanimous consent before I yielded the floor. I have noticed that the distinguished senior Senator from New York [Mr. IVES] and the distinguished senior Senator from Texas [Mr. JOHNSON] always follow that policy. I believe the senior Senator from Oklahoma [Mr. KERR] always follows that practice. These are the three outstanding parliamentarians of the Senate. I feel what is good enough for them is good enough for me. [Laughter.]

Mr. HUMPHREY. Will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Minnesota, without losing my right to the floor.

Mr. HUMPHREY. I merely say to my good friend from Wisconsin that the desire of the Senator from Minnesota was only to facilitate the debate. This debate was becoming so interesting in the discussion of such ethereal topics as sewage, sewage treatment, its quality and quantity, I just thought that a subject matter of this depth and this importance, which is apparently competing with Ivory soap for purity, ought to have the most expeditious type of debate, and that was the only purpose of my request.

But I agree with the Senator from Wisconsin that he ought to protect his right to the floor, and he is doing so very effectively. I gather he has also prepared his position rather effectively. Of course, I did hear some of the debate earlier of the Senator from Oklahoma, and I have received a fine lesson in foreign relations on treaty making and contracting parties. I thank the Senator.

Mr. PROXMIRE. I thank the Senator from Minnesota, and I hope later we shall come to a very fair analysis of the treaties. I have a 70-page analysis of the topic. I have also a very comprehensive discussion of the treaty. I can go into some detail on that question. If the Senator from Oklahoma [Mr. KERR] will be sure to listen to every word, I am quite sure that at the conclusion of the presentation he will be completely unconvinced.

Mr. President, before I leave the subject of water metering, I should like to point out that Milwaukee meters 89 percent of its water. This is one of the principal reasons why Milwaukee is a very provident and careful user of water. This is one of the reasons why Milwaukee uses a far lower percentage of water per capita than does Chicago.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois without losing my right to the floor.

Mr. DOUGLAS. Is it not correct that in Chicago we believe in making water a free good?

Mr. PROXMIRE. Mr. President, my reply to that question is that while it may be free to Chicago, it is very expensive to Milwaukee, to Cleveland, and to all of the other cities on the borders of the Great Lakes, because we have to pay for the fact that Chicago fails to do what outstanding health engineers say they should do, a project which is most repulsive to my good friend from Illinois, and that is to treat its water adequately and give it back to Lake Michigan. We would be happy to have them do so.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois without losing my right to the floor.

The PRESIDING OFFICER. The Chair advises the Senator from Wisconsin [Mr. PROXMIRE] that he does not have to request unanimous consent to yield for a question. The only time the Senator needs to request unanimous consent to yield is when he presumes—and I suppose he does in this case—that the Senator to whom he yields wishes to make a statement.

Mr. PROXMIRE. That is correct. The Senator from Illinois did not ask me to yield for a question. He asked me to yield. I ask unanimous consent that I may yield to the Senator from Illinois for a statement.

Mr. DOUGLAS. I will put my inquiry in the form of a question: Does not the Senator from Wisconsin mean that Milwaukee believes in polluting Lake Michigan?

Mr. PROXMIRE. The Senator from Wisconsin certainly does not think that Milwaukee believes in pollution. I hold in my hand a study which I would like the time—I hope I get it—to read to the Senator from Illinois. It is only about 85 pages, and it exhaustively explains what an effective sewage system Milwaukee has.

Mr. LAUSCHE. Mr. President, I ask the Senator to yield.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. PROXMIRE. I shall be happy to yield to the Senator from Ohio for a statement.

Mr. LAUSCHE. Inasmuch as we are discussing the present condition in Chicago, I should like to read what Chief Justice Taft said in 1928 when the judgment was pronounced ordering Chicago to quit diverting the water. This is what he said:

> You have created this problem and it is up to you to find a way out of your dilemma. Certainly it is going to cost some money, but it would be a strange legal doctrine, indeed, if ever our courts were to adopt the theory that a nuisance which should not be abated because it would cost the wrongdoers some money to do so.
>
> We say to Chicago, pointing to the example of what the other municipalities on the Great Lakes have been and are doing, namely, treating their industrial sewage and waste by proper and adequate means, and then returning the used water back to the Great Lakes Basin: Go, then, and do likewise.

Mr. PROXMIRE. I thank the Senator from Ohio for his statement, which

emphasizes the principal point, and that is that the other cities, like my own city of Milwaukee, and Detroit, Cleveland, and Buffalo, and other Great Lakes cities, have the same kind of problem. They, too, have a sewage problem. They use lake water to a considerable extent, and they return it in purified form. They do not deprive the other people of the Great Lakes communities of their water.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I ask unanimous consent that I may yield to the senior Senator from Illinois for a question.

Mr. HICKENLOOPER. I object.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. PROXMIRE. I yield for a question.

Mr. HICKENLOOPER. I object.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The Senator may yield for a question.

Mr. DOUGLAS. Mr. President, is it not true that——

Mr. HICKENLOOPER. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa will state it.

Mr. HICKENLOOPER. Is not the Senator from Wisconsin yielding to the Senator from Illinois?

Mr. PROXMIRE. The Senator from Wisconsin has yielded only for a question. It is the understanding of the Senator from Wisconsin that he may yield for a question without losing his right to the floor. I ask the Presiding Officer if that is not true?

The PRESIDING OFFICER. That is correct.

Mr. HICKENLOOPER. I object.

The PRESIDING OFFICER. The objection is not well taken. The Senator from Wisconsin is recognized.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. HICKENLOOPER. I understand the Senator from Wisconsin has been recognized. I object to any further proceeding.

The PRESIDING OFFICER. The Chair will state to the Senator from Iowa that the Senator's objection is not well taken. The Senator who has been recognized may yield for a question without losing his right to the floor.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I yield for a question.

Mr. DOUGLAS. Is it not true that the opinion of the then Chief Justice Taft was handed down in 1928?

Mr. PROXMIRE. I believe that is correct.

Mr. DOUGLAS. Is it not true that the order of the Court then was that the diversion of lake water at Chicago should be decreased from 10,000 cubic feet a second to 1,500 cubic feet a second?

Mr. PROXMIRE. It is my understanding that the Supreme Court never authorized 10,000 cubic feet per second on more than a temporary basis. In fact, as I understand, the maximum authorization by the Supreme Court was 4,167 cubic feet per second. There was a great deal of litigation before the Lake States were successful in requiring Chicago to reduce over a period of time their level of diversion down to 1,500 cubic feet per second.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. PROXMIRE. I yield to the Senator from Illinois for a question.

Mr. DOUGLAS. Is it not true that the Supreme Court and the master appointed by the Supreme Court ordered Chicago to reduce this diversion to 1,500 cubic feet per second?

Mr. PROXMIRE. That is my understanding. It was done over a period of years.

Mr. DOUGLAS. Is it not true that the city of Chicago loyally complied with that order?

Mr. PROXMIRE. It is true that the city of Chicago complied with that order over a period of 7 or 8 years.

Mr. DOUGLAS. Is it not true that the city of Chicago has spent over $350 million initially for the installation of a modern system of sewage disposal?

Mr. PROXMIRE. The $350 million figure is one which has interested me very much. The only way we can arrive at $350 million is by adding up all the sums which have been expended by the city of Chicago for capital equipment from the year 1930 until 1957 or 1958. Every city expends a great deal for sanitation facilities, I do not believe that a showing has ever been made that the amount expended by the city of Chicago has been, on a per capita basis, any greater than that of a comparable city.

Mr. DOUGLAS. Is it not true that the city of Chicago put into operation a modern sewage-disposal plant?

Mr. PROXMIRE. That is true. The city of Chicago put in an excellent one, which has been considered by civil engineers to be 1 of the 7 wonders of the engineering world.

Mr. DOUGLAS. I thank the Senator from Wisconsin for his fairness.

Mr. PROXMIRE. I should like to add, to be completely comprehensive on this subject, that since that time, since 1950 or 1951, when this judgment was made, the efficiency of the Chicago sanitary facilities have been, as the distinguished senior Senator from Illinois made clear the other night, has deteriorated very substantially. To get back to the point I was trying to make some time ago, Chicago meters only 28.7 percent of its population, whereas Milwaukee meters 99 percent. A number of cities meter 100 percent. Leading cities of the country do likewise. Los Angeles meters 99 percent. Cleveland, 99 percent. San Francisco, 98.5 percent. New Orleans, 98 percent. Boston, 98 percent. Detroit, 98 percent.

Then I showed, when I read the excellent analysis which has been made by outstanding health authorities, primarily from Chicago, that the fact is that when water is metered, the tendency is to reduce very sharply the amount of water consumed. It takes a most modest kind of mathematical calculation to figure that if we metered even 1,800 cubic feet per second, which is used for domestic pumpage, we could save very nearly enough to give Chicago 1,000 cubic feet additional without bothering to have additional diversion of Lake Michigan water.

It seems to me that Chicago attracts industries from other States in this way. First, it fails to meter its water. It may be that this is a minor attraction, but it is one attraction.

Secondly, it fails to prevent polluted discharge of industrial sewage. That is a very important attraction.

Mr. CASE of South Dakota. Mr. President, I make the point of order that the Senator from Wisconsin has violated clause 3 of rule XIX, which provides:

> No Senator in debate shall refer offensively to any State of the Union.

The whole general trend of the argument by the Senator from Wisconsin has been offensive to the State of Illinois and the city of Chicago. I respectfully request that he be required to proceed in order.

Mr. PROXMIRE. I should like to speak to that point of order.

The PRESIDING OFFICER. The Chair is advised that under the statement of the Senator from South Dakota, the Senator from Wisconsin must take his seat, and that he may not proceed until he obtains approval to do so by a majority of the Senate.

Mr. SPARKMAN. Mr. President, I move that——

Mr. CASE of South Dakota. I demand that the rule be complied with.

The PRESIDING OFFICER. The Senator will take his seat.

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Chair would advise that a motion is now in order to permit the Senator from Wisconsin to proceed in order.

Mr. SPARKMAN. I move that the Senator from Wisconsin be allowed to proceed in order.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama. [Putting the question.]

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed in order.

Mr. PROXMIRE. The Senator from Wisconsin is in a very difficult situation.

I am discussing a subject which is a most difficult subject to discuss—sewage—without its apparently being objected to by Senators on the ground that it casts disrespect or disrepute on a great city.

The fact is that I have the greatest regard for Chicago. I particularly have great respect for the outstanding senior Senator [Mr. DOUGLAS], and I have tremendous respect for the junior Senator from Illinois [Mr. DIRKSEN], who is one of the truly great conservatives in America. I have great regard for the people of Chicago. As a matter of fact, I was born in a suburb of Chicago. I like the Chicago Cubs. I like the city very much. I do not know how it could be said that I reflected unfavorably on Chicago.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield for a question. Does the Senator from Illinois wish me to yield for a question?

Mr. DIRKSEN. I can make my statement in the form of a question.

Mr. PROXMIRE. I yield for a question.

Mr. DIRKSEN. I ask my distinguished friend from Wisconsin, Is it not true that his father and mother are still fine Republicans, who have constantly voted for me?

Mr. PROXMIRE. The answer to the question of my good friend, the distinguished junior Senator from Illinois, is that my father was a Republican, my mother is a Republican, my brother was a Republican, my sister is a Republican; and I have many good friends in the Republican Party.

I simply say that I would trust a Republican with anything except public office. [Laughter.]

Mr. President, I hope my fellow Senators will listen to what I say, so that I will be protected against such a charge as the outstanding Senator from South Dakota [Mr. CASE] just made. I want to be very careful, because I have gone over the material carefully. I mean this very sincerely. I think the material I am delivering does not reflect on the city of Chicago. It does, however, disclose a situation which I think cannot be denied: That is, that the city of Chicago is failing to do a job that it can do itself; and by not doing it, the tax burden is shifted to other cities.

Mr. LONG. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield for a question.

Mr. LONG. Is the Senator from Wisconsin aware of the fact that the water which is discharged south from Chicago must go down the Mississippi River, where many people derive their drinking water and water for various other municipal uses?

Mr. PROXMIRE. The Senator from Illinois is aware of that. [Laughter.] The Senator from Wisconsin is aware of that, too.

Because I was born in Lake Forest, Ill., I cannot get out of the habit of speaking of Illinois.

But I think, as outstanding engineers think, that the solution to the whole problem is to have Chicago make a real study of how it can improve its effluent and its discharge, so that it can discharge it back to Lake Michigan without polluting the waters of the lake.

It is a problem which health engineers tell me can be solved. The solution will assist greatly in preventing the kind of pollution problem which the Mississippi River Valley might suffer from the discharge of effluent down the Illinois Waterway and into the Mississippi.

However, I think, in all fairness, there probably is not a serious health problem caused either in Illinois or in the Mississippi River Valley by the discharge of the effluent, on the basis of the most careful scientific studies that have been made so far.

No point has been raised, to my knowledge, by any State public health agency or State public health officer.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. PROXMIRE. I yield for a question.

Mr. LONG. The Senator is familiar with the fact, is he not, that the cities which get their water from the Mississippi River have a very serious problem in cleaning up the water before the water is consumed?

Mr. PROXMIRE. The Senator from Louisiana raises a point which I think is an excellent one; that is, that the other cities in the Mississippi River Valley, on the Great Lakes, and on other bodies of water have to go to the expense, and do go to the expense, and a very considerable expense, indeed, to purify water and clean the water before they discharge it. That is an excellent point and is another reason why, it seems to me, Chicago should take on the same kind of task.

I hope that statement will not be objected to. It is not intended to be a reflection on the city of Chicago. It seems to me it is true that the only reason which can be objectively established for diversion is that it will keep service costs down in two ways. It will keep the cost down, rather, for Chicago industry in two ways. First, because they will not have to meter their water; second, because they will not have to treat their effluent for pollution from their sewage discharge before they discharge it.

I think if it could be established that Chicago was overtaxed as compared with other cities, Chicago might have a case. I do not think it would be a particularly good case, but I think Chicago would have a case.

However, in Milwaukee, at every level, unfortunately, our citizens have to pay a higher tax than is paid in Chicago. A tax is paid beginning at the income level of $5,000. The real property tax in Milwaukee is $324; in Chicago, it is $218; a difference of 49 percent.

I may say that this information comes from a tax comparison which has been made at my request by the Committee on the District of Columbia, which made a far more comprehensive study of the taxes paid by the people of various income brackets in Washington and many other cities.

The total taxes paid by Chicago residents, as compared with Milwaukee residents, include personal property taxes, which we do not have in Milwaukee; sales taxes, which we do not have in Milwaukee; auto taxes, which are lower in Milwaukee; they are still lower in Chicago than in Milwaukee. The taxes are 12 percent lower at the $5,000 level.

At the $7,500 level, according to this very careful study which was made—and it has been made available to other Senators in other States, and has not been challenged, but has been accepted as authoritative—the total tax paid by persons having an income of $7,500 in Chicago is $446, on the average; in Milwaukee, $547. In other words, in Chicago the tax is 22 percent lower; and it becomes even lower as the income increases.

For the $10,000 income family in Milwaukee, the total tax is $828; in Chicago, it is $572. This means that the tax on the Chicago resident is 44 percent lower as we go into the $10,000 income bracket.

In the $15,000 income bracket, primarily because we have an income tax in Wisconsin, and there is not one in Chicago, the tax in Chicago is $844 compared with $1,448. The tax in Milwaukee, therefore, is 71 percent higher than the tax in Chicago, Ill.

I submit, on the basis of those statistics, that it is clear that there is no equity in lowering the tax or keeping the tax in Chicago lower than in its neighboring city to the north, particularly when the process which would lower that tax—that is, the diversion of Lake Michigan water—would result in increased expense to the people of Milwaukee through the dredging of their harbor and the greater expense for the ships which navigate and operate into the port of Milwaukee.

During the course of the hearings, the statement was made that one of the principal reasons for the diversion is that it would improve navigation on the Illinois Waterway. At this point, I wish to read from the hearings, which unfortunately are not published. Therefore, it will come as a surprise to many Senators, who have not had an opportunity to see the material. On page 315 of the transcript of the hearings, the Senator from Oklahoma [Mr. KERR] discusses the question with Colonel Nauman, who is the representative of the Corps of Engineers, and a very competent man, one whose competence has been established without question. I read from the hearings as follows:

Senator KERR. Did you make an estimate of the economic gain to navigation, increased navigation on the Illinois Waterway that would occur or result from a permanent diversion?

Colonel NAUMAN. Well, sir, we don't feel it would have any effect.

Senator KERR. We had testimony this morning that told us that at some period in the past—and I would be glad to have that given—there was a million and a half tons per year navigation handled, a million and a half tons a year handled by navigation on the Illinois Waterway.

Colonel NAUMAN. Right, sir.

Senator KERR. What year was that?

Colonel NAUMAN. 1935.

Senator KERR. And in 1950 there were 15 million tons handled on the Illinois Waterway, and in 1956 there were 24 milloin tons handled on the Illinois Waterway, and that witness told us that this additional natural water in the Illinois Waterway would enable a still further and considerable expansion or increase in the tonnage to be handled on the Illinois Waterway.

Now would you say that is an untenable position?

Colonel NAUMAN. Well, sir, the Chief of Engineers recently transmitted a report, I believe it has been transmitted to Congress, recommending further improvement of the Illinois Waterway by providing a duplicate system of locks, and this is supported economically by this increased tonnages that the witness earlier brought out.

Senator KERR. Well, would not the volume of tonnage be affected not only by the physical equipment, but also by the volume of water?

Colonel NAUMAN. Sir, we feel that there is a sufficient volume of water presently available, with the authorized diversion, plus the return of domestic pumpage to the Illinois Waterway to take care of the existing and duplicate locks which have been found favorable.

Senator KERR. Is it your thought that giving, or assuming continued growth of tonnage there, they would never need any more water than they have available to them from their present sources?

Colonel NAUMAN. Not with only the duplicate lock system, if the second set of locks should be constructed, sir.

Senator KERR. But you did not include in this report any estimate of the economic advantages, navigation-wise, that would result from the additional diversion insofar as tonnage on the Illinois Waterway was concerned?

Colonel NAUMAN. No, sir.

Senator KERR. Am I incorrect in assuming that there would be some additional economic element there?

Colonel NAUMAN. I do not believe there would be any accruing to navigation, Mr. Chairman.

Senator KERR. Fine. Do you have any further statement, Colonel?

Then they discussed an entirely different subject.

Mr. President, on the basis of that colloquy and on the basis of the established excellence and competence of the Corps of Engineers and the undisputed ability of Colonel Nauman, I submit that is a definitive answer to the contention, which has been made, that navigation on the Illinois Waterway might be improved if the bill were passed. In this case it is perfectly obvious—as in the other cases I shall develop a little later—that the only value of the enactment of the bill would be to permit Chicago to operate its sanitary facilities more economically—not with greater health to the people of Chicago, but only more economically.

I have established, and I intend to elaborate fully on it, the point that alternative methods—which involve only the matter of cost— are open to Chicago and to the Sanitary District.

Mr. President, at this time I wish to establish the fact—which was questioned at considerable length by my good friend, the Senator from Oklahoma [Mr. KERR], who said no harm would be done to anyone if the bill were enacted—that significant loss would result from enactment of the bill. I believe the cost of the proposed diversion has been established.

It will take some little time to develop this point; but I believe it can be established—again, by reference to the hearings. In that connection, I refer to page 4047 of the transcribed hearings, where the distinguished junior Senator from New York [Mr. JAVITS] set forth, by means of a letter he presented, exactly and in detail—in fact, it seems to me he did so in incontestable detail—the cost to the State of New York, and, particularly, to the power facilities of the State of New York, of the proposed diversion. The amount finally estimated by the Department of Engineers is approximately $400,000 to $900,000.

It is true that the great Senator from Oklahoma [Mr. KERR]—an outstanding gentleman, and a very able Member—refused to accept those figures; and I believe that fact should be given great weight by other Senators.

But it is also true that, despite the contention of the Senator from Oklahoma, these figures were affirmed by the Corps of Engineers, who stuck to the figures, even in the face of the very strenuous counterattack.

This will be an extensive development, and it will take quite a length of time for me to establish it. But it seems to me that this matter is so complicated, and also is so vigorously questioned by the Senator from Oklahoma, and is such a key factor to many Senators, that I believe I should take sufficient time to establish it. In particular, I shall do so because an outstanding Senator to whom States' rights are very important, pointed out to me that he would be deeply swayed if we could establish that any State would be damaged as a result of enactment of the bill. He said that, in that connection, the amount of the damage to the State would not be particularly material to him; that even a thimbleful of real damage to a State would be persuasive to him.

I believe that the facts I am about to establish from the hearings will establish very clearly and convincingly that the New York power groups will be damaged by enactment of the bill, even if only a 1-year diversion is provided for.

At this point, I may say that in the minds of those who are political realists there is no question that this bill is not merely for a 1-year diversion, but that, instead, it is for a 3-year diversion, at the very least, and that it is more likely to be for a permanent diversion.

Only last evening the Senator from Ohio [Mr. LAUSCHE], in colloquy with the Senator from Illinois [Mr. DOUGLAS], established very clearly that if the pending bill were passed the Senator from Illinois would not give up the fight for permanent diversion; that the Senator from Illinois would feel that it would still be necessary for him to appeal for this increased diversion in the future; and that insofar as the members of the Congressional delegation from the State of Illinois are concerned—a delegation with great strength—they would still return to fight for this increased diversion in the future.

Of course, I think all will concede that the study will show that the increased diversion would be of some benefit to the sanitary facilities—although the benefits would be only those which could be achieved just as well by other means.

So I am convinced that the senior Senator from Illinois [Mr. DOUGLAS] will make that attempt. And on the basis of the great success the Senators from Illinois have had in the past, in connection with other matters, I submit that it is very likely that such an attempt in this connection would be successful.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. Is it not true that what we said last evening was as follows:

Mr. DOUGLAS. Chicago wants a test of 1 year, to be carefully appraised. Then the scientists, engineers, and the Congress can decide whether the program should be continued.

Mr. LAUSCHE. They can decide whether the program should become permanent?

Mr. DOUGLAS. We can decide that later. All we ask is a test. We are not afraid of the truth. We are not afraid of an examination. We are not afraid of a test.

Mr. LAUSCHE. Will the Senator from Illinois state what is the maximum period of diversion Chicago expects to ask for?

Mr. DOUGLAS. We do not know. We will ask only for what is correct.

Mr. LAUSCHE. For 1 year?

Mr. DOUGLAS. In this bill, only 1 year.

Mr. LAUSCHE. What, later, after the bill is put into effect?

Then I quoted some poetry, which is not germane.

I read further:

Mr. LAUSCHE. The Senator does not want to state what Chicago will ask for in the next bill?

Mr. DOUGLAS. All we ask is that the program be tested for a year, and that the results be evaluated. If the results indicate that the experiment is against the interest of the United States and that there should not be any added diversion, we will not ask for it. If it seems to be in the interest of the United States and if there seems to be no real damage to anyone else, we will ask for it.

Mr. PROXMIRE. Mr. President, the Senator from Illinois has given a correct reading of the CONGRESSIONAL RECORD; and I should like to say that on the basis of that reading, I would conclude that, in view of the kind of findings the sanitary district would be almost certain to make—namely, that it would be of benefit to the sanitary district—the Senator from Illinois would be persuaded thereby.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the distinguished majority leader, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I am informed that, in a short time, the Senate will receive the conference report on the mutual aid appropriation bill.

I have tried to provide a reasonable opportunity for thorough debate on the pending measure. I understand there is at the desk an amendment, submitted by the Senator from Michigan [Mr. MCNAMARA], which would reduce the period from 3 years to 1 year.

I wonder whether there is a possibility of working out an agreement which would be acceptable to all viewpoints, so that the Senate could vote on that amendment at some reasonable hour.

Mr. POTTER. Mr. President, reserving the right to object, after the vote on the mutual-security conference report I stated to colleagues opposing this measure that I would make a motion to table at that time.

Mr. JOHNSON of Texas. Since the Senator has an amendment at the desk, I thought we could at least act on the amendment. If that amendment should fail, the Senator could still offer his proposal. While Members are present, the yeas and nays can be ordered, so they will know there will be a vote 30 minutes from now, and there will be 15

minutes to a side on the McNamara amendment.

Does that arrangement satisfy the Senator from Michigan?

Mr. McNAMARA. That is satisfactory.

Mr. JOHNSON of Texas. How does the Senator from Wisconsin feel about it?

Mr. PROXMIRE. I think the proposal on the amendment undoubtedly is very fair, although I should like to make it crystal clear that the fact that we are willing to agree to the request to limit debate on the McNamara amendment does not mean that we are willing to do it on anything else.

Mr. JOHNSON of Texas. We will not cross bridges until we get to them. However, an agreement will give Senators who are present an understanding that there will be a rollcall in 30 minutes. Then we will cross other bridges at that time. Is that proposal agreeable?

Mr. PROXMIRE. I ask unanimous consent that after the vote on the amendment I may have the floor.

Mr. JOHNSON of Texas. I shall be glad to make that request.

Mr. President, I ask unanimous consent that in 30 minutes the Senate proceed to vote on the McNamara amendment, the time between now and then to be equally divided between the author of the amendment and the minority leader, and that at the conclusion of the vote the Senator from Wisconsin be recognized.

The PRESIDING OFFICER. Is there objection to the request?

Mr. LAUSCHE. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. If there is no objection and the unanimous consent is granted, does it conform to the parliamentary rules?

The PRESIDING OFFICER. Under unanimous consent, it does.

Mr. LAUSCHE. It does?

The PRESIDING OFFICER. Yes, it does.

Is there objection to the request of the Senator from Texas?

Mr. SMATHERS. Mr. President, reserving the right to object, I wonder if the majority leader would give consideration to the possibility of voting within the next 5 minutes? There apparently seems to be no further wish to debate the amendment.

Mr. JOHNSON of Texas. I direct the attention of the Senator from Michigan [Mr. McNAMARA] and the Senator from Wisconsin [Mr. PROXMIRE] to the suggestion of the Senator from Florida [Mr. SMATHERS] that the Senate vote in 5 minutes.

Mr. McNAMARA. I have no objection.

Mr. JOHNSON of Texas. Is that agreeable to the Senator from Wisconsin?

Mr. PROXMIRE. I understand the Senator from Ohio wishes to address himself to the amendment.

Mr. LAUSCHE. Mr. President, I should like to express my views on the McNamara amendment.

Mr. JOHNSON of Texas. How much time does the Senator desire?

Mr. LAUSCHE. Eight or ten minutes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that 20 minutes be allotted on the amendment, to be equally divided between the proponents and opponents.

The PRESIDING OFFICER. Is there objection?

Mr. POTTER. Mr. President, reserving the right to object, I would like a little time on the amendment.

Mr. JOHNSON of Texas. I thank my friend from Florida, and renew my original request that the time for the vote be in 30 minutes.

Mr. DOUGLAS. May we have the yeas and nays?

Mr. JOHNSON of Texas. Let us get the unanimous-consent agreement first. Then we can get the yeas and nays.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas. The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I request the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senate is now operating under limited time.

Mr. McNAMARA. Mr. President, I yield to the Senator from Ohio, who indicated he wanted about 8 minutes.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 8 minutes.

Mr. LAUSCHE. Mr. President, from the statements which have thus far been made, I think it is perfectly apparent that the bill as written gives a 3-year right to divert water out of the Great Lakes Basin and carry it over into the Mississippi River Basin. It is now contended by the proponents of the bill that, while the proposal contains a 3-year provision, there is an agreement that it will be operative only for 1 year.

I respectfully submit to my colleagues that that is not a sound method of legislating. I repeat, the bill clearly states that it is for a 3-year period. But an agreement has been made that it shall be operative for only 1 year.

I suggest that the period of 3 years has been reduced to 1 year in order to remove the objections of the Dominion of Canada. Canada has said if it is only for 1 year, she will not object. That means that if it is for more than 1 year, there is objection.

There is a further reason why the bill ought to be made to conform to the intent of the Congress. No test can be made in 1 year, as contemplated by the proponents of the bill. The testimony given by the Army engineers was that it would take 3 years to make a proper test of the impact of the diversion upon the level of the waters in the Great Lakes area.

The damage done from a 1-year diversion produces practically no calculable results. The damage done from a 3-year diversion, according to the Corps of Army Engineers, would produce damage to the navigational capacity and to the hydroelectrical generating capacity on all of the lakes, on the St. Lawrence Seaway, and on its tributary waters.

My point is that 1 year would not produce the test. The proponents of the bill know that if they had asked for a 3-year diversion, Canada would have objected.

On the subject of the treaty with Canada, if my colleagues will give me a moment of further attention, I point out that the treaty specifically provides that if there is a diversion of water, even south of the boundary, materially affecting the navigational capacity of the St. Lawrence Seaway, or of any of the waters belonging to Canada, Canada has the right to object.

I should like to point out further that if we can divert water from Lake Michigan, which affects the navigational and hydroelectric capacity of the St. Lawrence Seaway, then Canada has a right to divert water from the headwaters of the Columbia River Basin. Just as surely as I stand here, if we get by with diverting these waters, Canada will later say to Oregon and Washington and California, "You have diverted water from the Great Lakes on the grounds that Canada had nothing to say about Lake Michigan. If Canada has nothing to say about how Lake Michigan water will flow, then Oregon and Washington and California have nothing to say about how the Columbia River headwaters shall flow."

Out of the Great Lakes Basin there will be diverted 1,000 cubic feet per second. If that diversion is made permanent, the lowering of the water level will be 1 inch.

Mr. President, may we have order in the Senate, please?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LAUSCHE. I will say to my colleagues that Ohio is a member of the Union. Ohio is an indestructible State of an indestructible Union. In my opinion, Ohio is entitled to equal treatment with every other State in the Union. This Congress should not give to Chicago hydroelectric generating capacity, navigational facilities, sewage disposal facilities, by taking equal value away from a nearby State.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. LAUSCHE. In just a moment, please. I have only 1 more minute.

I ask my colleagues to remember that Ohio is a brother State or a sister State. I ask my colleagues to give heed to what is sought at the present time. The appeal is being made to take from Ohio and Pennsylvania and Michigan and New York their property, and to give it to Chicago.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. LAUSCHE. Please, I have very limited time.

Mr. NEUBERGER. The Senator has made references to me and has made references to the Pacific Northwest. Is the Senator unwilling to yield for a question?

Mr. LAUSCHE. No. I do not believe I have made any implications which are improper.

Mr. NEUBERGER. The Senator made no implications which are improper at all, but I think the Senator should yield for a question.

Mr. LAUSCHE. Well, the time is allotted. May I be granted a few minutes in addition to the time given to me?

Mr. JOHNSON of Texas. Mr. President, the Senator from Michigan [Mr. McNAMARA] controls the time. I do not see the Senator on the floor.

Mr. McNAMARA. I am present.

Mr. JOHNSON of Texas. Does the Senator have additional time to grant?

Mr. McNAMARA. I do not believe so.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Ohio may proceed for an additional 2 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the Senator from Ohio is recognized for an additional 2 minutes.

Mr. NEUBERGER. To begin with, Mr. President, I favor the amendment of the Senator from Michigan, because I think it would bring the bill more closely into conformance with the wishes of the Dominion of Canada.

I ask the Senator from Ohio one question. The Senator has been claiming, during most of his talk, that such a bill would be a precedent for diverting the headwaters of the Columbia River. I do not think the bill would furnish a precedent, if Canada consents to the diversion of 1,000 cubic feet for a 1-year period.

On August 4, I received the following letter from the Assistant Secretary of State:

> The State Department understands that the Canadian Government has no objection to a 1-year temporary diversion of an additional 1,000 cubic feet of water per second from the Great Lakes system in Chicago.

I released that letter August 4, nearly 3 weeks ago. If the letter were inaccurate, does not the distinguished Senator from Ohio think the great Government of Canada is articulate enough to have announced, during that 3-week period, that the letter was incorrect?

Mr. LAUSCHE. May I see the letter? I think the reading of the letter will make the point which I should like to impress upon Senators. Canada has said it has no objection to a 1-year diversion of water. That means that if there should be a diversion for more than 1 year, or a permanent diversion, Canada will object.

That is why Chicago—and I say this most respectfully—reduced the 3-year period to a 1-year period, so that they could get the consent to a 1-year diversion.

Mr. NEUBERGER. If the bill is amended in conformance with the amendment offered by the Senator from Michigan [Mr. McNAMARA] will the Senator from Ohio support the bill?

Mr. LAUSCHE. I do not say that I will vote for the bill, but if the representatives of Chicago will state tonight that when the 1 year is over they will not seek another extension and will not come to Congress to say, "We want a permanent diversion" I will vote for the bill.

I should like to ask the Senator from Illinois if he does or does not contemplate a permanent diversion of water.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The time of the Senator has expired.

Mr. McNAMARA. Mr. President, I yield 3 minutes to my distinguished colleague from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 3 minutes.

Mr. POTTER. Mr. President, the Senator from Michigan has an amendment pending which would make the bill conform to the report. Let us not be deceived for one moment.

I shall vote for the amendment offered by the Senator from Michigan, but as the distinguished Senator from Ohio stated, I am confident that probably the House would accept the amendment. Then the bill would become law.

Then the camel's nose will be under the tent. Then we can be sure, considering the fight that the city of Chicago has been putting on for 30 years to divert the water, that Chicago will never be content for the diversion to go on for only 1 year or for the cubic feet specified to be so limited.

There are many amendments pending at the desk. As soon as I obtain the floor, after the amendment of my colleague has been voted on, whether the amendment is voted up or down, I shall move to table the bill. I think many Members of the Senate have their minds made up. I think many Members know how they are going to vote. Rather than detain the Senate in these closing hours for a long period of time I think we should vote on this amendment and then, as soon as it is possible to do so, move to table the entire bill.

I am fearful that if the bill should become law, even for 1 year, the camel's nose would be under the tent and Chicago would have gained what Chicago wants. By so doing Chicago will gain an advantage over all the other communities of the Great Lakes area.

The PRESIDING OFFICER. The Senator from Michigan [Mr. McNAMARA] is recognized.

Mr. McNAMARA. Mr. President, I understand the Senator from Wisconsin [Mr. WILEY] desires some time.

Mr. WILEY. I do not desire to speak on this amendment.

Mr. McNAMARA. We will be glad to withhold our time, Mr. President, to hear from the opposition if the opposition wishes to use some time.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Who has control of the time in opposition to the amendment?

The PRESIDING OFFICER. The minority leader.

Mr. CAPEHART. Mr. President, does the Senator desire time?

Mr. KERR. I wish to know who controls the time. How much time may I have?

Mr. CAPEHART. The Senator may have as much as he wishes, up to 15 minutes.

Mr. KERR. Mr. President, I ask that the Senator yield me 7 minutes.

Mr. CAPEHART. I yield 7 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 7 minutes.

Mr. KERR. Mr. President, I know that Members of the Senate have probably heard as much about this subject as they care to hear. I am sure most Members of the Senate know how they want to vote on the bill.

The bill is of tremendous importance to the people of the State of Illinois, to the people of the city of Chicago, and to the Metropolitan Sanitary District of Greater Chicago. I know that Members of this body are willing to face the issue presented by the bill.

If the Senate wants to kill the bill it can do so in three ways, at least, if not more. First, the Senate could adopt this amendment. Second, the Senate could agree to a motion to table the bill. Third, the Senate could, by a vote on final passage of the bill, defeat the bill.

I urge that they not do so by the adoption of this amendment. The distinguished Senator from Ohio took the position that he would like to know whether the Senators from Illinois would agree that, if the 1-year diversion were authorized, they would commit themselves not to come back here at the end of that time and ask for additional diversion. I submit to the distinguished Senator from Ohio in a sense of fairness that it would be no more than appropriate for the Senators from Illinois to agree in exchange for a period of 1-year diversion that they would not then come back and have the opportunity to present their case to the Congress than it would be for them to ask the Senators in opposition to the bill that if it were held to 1 year and the experiment were conducted, and the Department of Health, Education, and Welfare and the United States Corps of Engineers found that the diversion was needed for the health, sanitation, and navigation around the city of Chicago and second, that the diversion could be had without damage to anyone else, then under those circumstances I wonder if Senators in opposition would agree now that the diversion might be automatically extended?

The purpose of the bill is to permit the conduct of an experiment by the Corps of Engineers in cooperation with the Department of Health, Education, and Welfare. The evidence before the committee, contained in the record and referred to and summarized in the report, is that if the authority were granted for a 3-year period, it would be 6 months before the Department of Health, Education, and Welfare could be ready to start their experiment, and that they would require 12 months in which to observe the operation of the present amount of diversion with reference to which there is no question. So if the bill were limited to 1 year it would defeat itself, because the Department of Health, Education, and Welfare would not even be able to get ready and observe the operation of the present situation and posture of the diversion of the authorized amount now going on.

Their evidence further was that after the 12-month observation of the present

diversion, they would observe an additional diversion of a thousand cubic feet per second per year, at which time they would terminate diversion and then they would require 6 months in which to summarize and put their observations into written form and present them to the Congress, so that if the spirit of an amendment for 1 year is agreeable either to the sponsors of the amendment or to the Senate, it can be obtained only by the adoption of the bill without the limiting amendment, because under the language of the bill, that is all that the Department of Health, Education, and Welfare can provide and bring about.

So if the Senators want to kill the bill—and certainly they have the right to do so if they desire—it would seem that they would not do so by the adoption of this amendment. They would do so by either tabling the bill or defeating it on final passage. Therefore, Mr. President, I would urge that the amendment not be agreed to.

Mr. LAUSCHE. Mr. President, will the Senator yield for just one question?

Mr. KERR. I yield to the Senator from Ohio for a question.

Mr. LAUSCHE. I address the question to the Senator from Oklahoma as chairman of the committee. Is it not a fact that the Army engineer who testified said that 1 year's diversion would not make sufficient impact to calculate it in dollars, that a 3-year diversion would show some impact, but that the permanent diversion would lower the levels far greater than the 3-year diversion?

Mr. KERR. No, the Army engineers testified that the continued diversion of an additional 1,000 cubic feet per second would bring about a reduction in the level of the water in the lakes of approximately one-half inch. They gave us evidence of what damage would be done without observation of this additional 1,000 cubic feet per second diversion which would be authorized by this bill. But I say to him that they have a long record of observation of the taking of water from Lake Michigan.

As he knows, just recently the Supreme Court gave permission to divert 8,500 cubic feet per second, I believe, above the present 1,500 for a period of time in a situation of critical emergency. So they have some considerable record to go by.

But the Department of Health, Education, and Welfare, as the Senator knows, because he was there, turning themselves to this specific measure, said that if it were passed in the language in the bill and as before the committee and now before the Senate, they could not carry out the mandate of the bill to observe the operation of the increased diversion, make their report, and return it to the Congress on any basis other than by taking the amount of time required to get ready, observing present conditions for 12 months, and observing the condition for another 12 months, whereby the water would be in the process of being diverted, and then taking 6 months to analyze, formulate, and present their report.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. McNAMARA. Mr. President, I yield an additional minute to the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 minute.

Mr. LAUSCHE. Mr. President, the Senator from Oklahoma knows the respect in which I hold him. I do not like to challenge the correctness of his memory, but I ask the Members of the Senate, my colleagues, to read the letter sent by the Corps of Army Engineers to definitely verify for themselves which memory is correct. One year's diversion means nothing; 3 years means, I believe, three-quarters of an inch in Lake Ontario. Permanent diversion means 1 inch with impairment to navigational capacity, hydroelectric generating capacity, and other uses to which riparian owners put their property.

SEVERAL SENATORS. Vote! Vote!

Mr. AIKEN. Mr. President, much has been said about the Canadian memoir. That memoir has been interpreted by some to mean that Canada does not object to a 1-year diversion. From a study of that memoir I do not find that Canada cedes any of its water rights. What is said in the memoire is that if the water is diverted, in spite of the fact that consent is not given, the entire cost or loss due to such diversion must be borne by the American side of the boundary waters. That means the State of New York primarily, and other States to a lesser extent. The State of New York estimates that its loss, if it has to stand all of it, would amount to $2,536,408. I hope that people who have a regard for their State's rights and their own resources will realize that if Congress enacts a law which takes resources from the State of New York and gives them to another State, Congress can also do the same thing to that State.

I do not believe Congress should have that power. I shall vote to table the bill when that motion is made. In the meantime I shall vote for the amendment of the Senator from Michigan [Mr. McNAMARA]. I do not believe we are doing the right thing in attempting to say that we can violate a treaty for even 1 year.

SEVERAL SENATORS. Vote! Vote!

Mr. McNAMARA. Mr. President, I yield 2 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, a great deal has been said about the State of New York. On the facts and figures, I believe the State of New York should speak for itself.

It is a fact that the Power Authority of the State of New York, a most reliable State commission, headed by Bob Moses, who, I believe, is well known to many Members of the Senate, has made these findings about the power loss in the event this diversion takes effect for the calculated 3-year period.

The figures have already been stated, and I rise to verify them. The total revenue loss of the State of New York in power is estimated to be $1,268,204 in the event of a 3-year diversion, if Canada bears half the loss, and a loss of $2,536,408 if Canada does not share half the cost.

For that reason I shall support the amendment of the Senator from Michigan [Mr. McNAMARA], reducing the period to 1 year. I shall also support the motion of the Senator from Michigan [Mr. POTTER] to table the bill.

The State of New York feels very strongly on the subject, and has produced a very well documented case. Notwithstanding my sympathy for the problems which have been explained to us tonight, I feel that the State's position is the correct one. I took it when I was attorney general. I shall support it with my voice and vote in the Senate.

Mr. McNAMARA. Mr. President, I yield myself a minute, to state that the question is not, as has been said by some Senators, one of health or sanitation. It is a question of money. Other communities must provide facilities without diverting water to take care of their sanitary systems. It can be done in those communities. The problem is not so much one city, but the growing areas which are continually taken into the sanitary district. That is what brings about the problem. It is not the problem of one city. It is a problem which arises from taking more and more communities into a sanitary district. It is not a mater of health or sanitation, but primarily one of money.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter written by Gen. E. C. Itschner, Chief of Engineers, under date of January 29, 1957. I ask Senators to read it in the RECORD, to fully understand what he has said on the subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., January 29, 1957.

Subject: Effect on Great Lakes and St. Lawrence River of an increase of 1,000 cubic feet per second in the diversion at Chicago.

To: The Secretary of the Army.

1. I submit herewith a special report on the effects of increased diversions from Lake Michigan at Chicago prepared at the request of the Director of the Bureau of the Budget to meet a need for information on this subject as pointed out in the President's memorandum of disapproval of H. R. 3210, 84th Congress, a bill to authorize a 3-year test increase of 1,000 cubic feet per second in the diversion from Lake Michigan at Chicago.

2. The basic report of the Division Engineer, North Central Division, of the Corps of Engineers, submitted herewith, was prepared from data available in part through studies being made for a report on Great Lakes water levels in response to a resolution of the Committee on Public Works of the House of Representatives, adopted 26 June 1952 and in part from information available to the Corps of Engineers through its participation in preparation of a report of the International Lake Ontario Board of Engineers to the International Joint Commission dated 14 June 1955.

3. In general, an increase in the diversion from Lake Michigan at Chicago would affect the levels and outflows of Lakes Michigan, Huron, Erie and Ontario and the St. Lawrence River, all of which are downstream, and would not affect the levels or outflows of Lake Superior, which is upstream from the diversion. A temporary increase in the diversion of 1,000 cubic feet per second for 3 years would have temporary effects that would reach a maximum in about 3 to 3½ years and then gradually diminish and disappear about 15 years after the temporary diversion was discontinued. The effects of a permanent diversion would increase progressively to a maximum in about 15 years and would then continue permanently at that amount.

4. The computed effects of temporary and permanent diversions in terms of lowering of mean stages and reduction in average outflows are as follows:

Maximum temporary effects of a 3-year diversion of 1,000 cubic feet per second [1]

	Months
Time required to reach maximum effect:	
Lakes Michigan and Huron	36
Lake Erie	39
Lake Ontario	42
	Feet
Lowering effect on lake levels: [1]	
Lakes Michigan and Huron	0.05
Lake Erie	.03
Lake Ontario	.03
	Cubic feet per second
Reduction in outflow: [1]	
Lakes Michigan and Huron	625
Lake Erie	585
Lake Ontario	570

Ultimate effects of a permanent diversion of 1,000 cubic feet per second [2]

	Feet
Lowering effect on lake levels: [2]	
Lakes Michigan and Huron	0.08
Lake Erie	.05
Lake Ontario	.05
	Cubic feet per second
Reduction in outflow: [2]	
Lakes Michigan and Huron	1,000
Lake Erie	1,000
Lake Ontario	1,000

[1] These maximum temporary effects would diminish gradually and would disappear approximately 15 years after the temporary diversion was discontinued.

[2] Reached progressively in 15 years and continuing thereafter.

5. The foregoing reductions in outflows that would result from increasing the diversion at Chicago could not be compensated for except by increases in diversions into the Great Lakes system. The lowering of lake levels, however, could be compensated for in various ways. For Lakes Michigan and Huron the lowering could be offset by construction of a deeply submerged sill in the St. Clair River at an estimated cost of $1,530,000. The lowering effect in Lake Erie could be compensated for by operating the control gates of the Niagara River remedial works now nearing completion in such a way as to hold the level of the pool immediately above the works at a stage 0.22 of a foot higher than presently specified. For Lake Ontario, the approved plans for regulation that will be put into effect when the St. Lawrence power structures are completed can be readily adjusted within the prescribed 4-foot range of stage so that there would be no significant change in levels as a result of the increased diversions. All of the foregoing measures would require coordination with Canada.

Temporary hydroelectric

6. The estimated reduction in generation of hydroelectric energy that would result from a 3-year increase in the diversion at Chicago would fall between a minimum of 188 million kilowatt-hours and a maximum of 443 million kilowatt-hours, depending on when the diversions were started and when proposed additional hydroelectric plants are put into operation. This amount of reduction is a small fraction of 1 percent of the total energy production at the plants affected. Excluding the possible reduction at existing and proposed plants on the St. Lawrence in Quebec for which data for evaluation are not available, the estimated

value of the maximum possible reduction at plants in New York and Ontario, representing 72 percent of the total involved, would be $918,000 over the entire period that the increased 3-year diversion would have any effect. The total value of the minimum reduction if scheduled new capacity is not added during this period would be $408,000. During this period the increased flow in the Illinois waterway would permit an increase in generation at the existing Lockport plant of 70,400,000 kilowatt-hours, an offset of about 16 percent of the estimated maximum reduction in generation on the Niagara and St. Lawrence. This increase would have a total value of about $202,000. The temporary diversions would affect the dependable capacity of the hydroelectric plants, causing theoretical reductions of 2,750 kilowatts at plants in New York, 2,600 kilowatts in Ontario, and 5,000 kilowatts in Quebec and a theoretical increase of 2,700 kilowatts at Lockport on the Illinois waterway, but these changes are small in relation to the capacity of the power systems involved and would be of such temporary character that assignment of any value to them is not warranted.

Permanent hydroelectric

7. The estimated effects of hydroelectric power generation that would result from a permanent increase of 1,000 cubic feet per second in the diversion at Chicago would be continuing effects and have been computed on an annual basis rather than on a total basis as in the case of the temporary 3-year diversion which would have effect for only a limited time. Assuming that proposed additional installations of generating capacity are made as scheduled the permanent diversion would result in a reduction in generation of 123,400,000 kilowatt-hours annually at plants in New York, 123,400,000 kilowatt-hours in Ontario and 56,300,000 in Quebec. The monetary value of the New York and Ontario reductions, representing 81 percent of the total, would be $708,000 annually. The increase in possible generation at Lockport on the Illinois waterway would be about 8 percent as much as the foregoing reductions or 23,500,000 kilowatt-hours annually, valued at $67,000 annually. The changes in dependable capacity would be a theoretical reduction of 36,800 kilowatts on the Niagara and St. Lawrence and a theoretical increase of 2,700 kilowatts at Lockport on the Illinois waterway. These changes in theoretical dependable capacity are small with respect to the total capabilities of the generation systems involved and assignment of value to the changes is not warranted from a practical operational standpoint.

8. The lowering of lake levels of from three-eighths to five-eighths of an inch and from five-eighths to 1 inch that would result, respectively, from the 3-year and permanent diversions would tend to be beneficial in lessening possible damage to shore property during storms and high-lake stages but the lowering effect is too small to permit monetary evaluation.

Temporary navigation

9. The temporary lowering effects of the 3-year diversion, ranging from three-eighths to five-eighths of an inch, would tend to adversely affect navigation during low-lake stages but the effect is so small and of such temporary nature that it is impracticable to evaluate the effect in monetary terms. The ultimate and continuing lowering effect of five-eighths to 1 inch of a permanent diversion, however, would be likely to affect the loading plans of the vessel expected to comprise the Great Lakes fleet in the United States as of 1985 such that an estimated average annual economic loss of $240,000 would result. No monetary evaluation has been made of the possible adverse effect on the Canadian fleet which currently has 22 percent as much carrying capacity that would be affected as compared with the present United States fleet. The foregoing appraisal applies to traffic on Lakes Michigan, Huron, and Erie. Neither the temporary nor permanent diversions would have measurable effect on navigation on Lake Ontario or the St. Lawrence River.

10. The increased diversions would not affect navigation on the Illinois waterway in any way that warrants monetary evaluation. Estimated beneficial effects of 2 inches and 1.5 inches, respectively, in stages at Alton Lock on the Mississippi and in the reach from St. Louis to Cairo have not been assigned a value because of other measures which have been planned and which are expected to correct the conditions which would be alleviated in part by increased diversions from Lake Michigan.

11. In summary, the desirability of a temporary diversion for 3 years to determine if sanitary conditions could be improved thereby should be considered in the light of: (1) an adverse effect on hydroelectric energy generation evaluated, in part, at from $408,000 to $918,000 depending on timing and amount of future additions to generating capacity, (2) an offsetting increase in generation valued at $202,000, (3) changes in theoretical dependable capacity which are not considered practicable of monetary evaluation, (4) effects on shore property tending to be beneficial but not measurable, (5) temporary effects on Great Lakes navigation tending to be adverse but not measurable and (6) effects on Mississippi River navigation tending to be beneficial but not of measurable monetary value on a temporary basis. Similar considerations, in amounts that would be somewhat greater and more susceptible of measurement and evaluation would be involved if consideration is to be given in the future to the cost and justification of a permanent increase in diversion.

12. I recommend that this report on the effects of increased diversion from Lake Michigan be made available for the consideration of all concerned with such possibilities. This would include officials of the States and local organizations bordering the Great Lakes, Members of Congress and the Congressional committees concerned and interested Federal agencies, particularly, the Department of State in order that discussions can be held with Canadian interests.

E. C. ITSCHNER,
Major General, United States Army,
Chief of Engineers.

Mr. POTTER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from Ohio [Mr. BRICKER]. It is a statement in opposition of the bill and in support of the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR BRICKER IN OPPOSITION TO H. R. 2, TO INCREASE THE DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

H. R. 2 is merely the most recent form of a measure which I have opposed in one capacity or another since 1923. I participated in the original litigation involving diversion of water from Lake Michigan and later, as attorney general of Ohio, I participated in the contempt proceeding in the Supreme Court against the city of Chicago for failure to comply with the order of the Supreme Court placing a ceiling on the amount of diversion possible.

This bill is far too important to be considered in the closing hours of this session of the Congress. We simply do not have enough evidence available or enough time to evaluate the evidence we have to determine precisely the adverse effects which this bill would have on the Great Lakes States.

At the very end of the last session of the last Congress a similar bill came before the Senate and was passed with inadequate consideration. The President of the United States vetoed that bill, properly in my opinion. It seems to me that action on H. R. 2 should be deferred until next year to permit the Senate to study the record of the hearings before the Senate Public Works Committee and to debate fully all of the domestic ramifications of the proposed legislation.

Because of my long association with this diversion problem, I am firmly convinced that H. R. 2 is legally indefensible, both as a matter of domestic and international law, and economically unsound.

The fundamental legal principle is that littoral and riparian owners of land are entitled to take water from rivers and lakes for lawful purposes provided that they return the same amount of water at the same standard of purity as when it was taken out of the river or lake. The residents of the Chicago metropolitan area are not doing this. Milwaukee, Duluth, Toledo, Cleveland, Detroit, and other Great Lakes cities have not found it impossible to comply with the fundamental legal principle involved.

In addition, the unilateral action proposed by H. R. 2 would flout accepted canons of international law. It is impossible for the United States to permit additional diversion of water into the Illinois waterway without doing some damage to our Canadian friends. The United States has no greater right to the waters of the Great Lakes than does Canada.

H. R. 2 is economically unsound in that it authorizes a costly lowering of the waters of the Great Lakes. For example, it is an established fact that lowering the lake level by 1 inch will result in an annual loss of shipping tonnages in the amount of 1,500,000 tons.

Congress has appropriated many millions of dollars for the St. Lawrence seaway project and is deepening the Great Lakes harbors to a draft of 27 feet. The Congress has already appropriated approximately $144 million for this dredging. The attorney general of Ohio, Mr. William Saxbe, summed up the problem admirably when he said, "An inch off of the top requires another inch off of the bottom."

In the final analysis, the success or failure of the St. Lawrence Seaway will depend on the rates which are established. To authorize additional diversion of the waters of Lake Michigan necessarily means that toll charges on the Seaway must be substantially increased.

Ohio is making great strides in participating in the industrial growth which is promised by the St. Lawrence Seaway development. Other Great Lakes States are doing the same. This economic development should not be stifled by hasty and ill-considered action on H. R. 2.

It can hardly be maintained that further diversion, exclusively for the benefit of residents of the Chicago area, represents the greatest good for the greatest number of American citizens. All the other Great Lakes States have spent the time and money required to make diversion for sanitary reasons unnecessary. I cannot believe that the residents of the Chicago metropolitan area are any less resourceful and that they cannot return all domestic pumpage to the lake from which it came.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [Mr. McNAMARA].

Mr. KERR. Mr. President, will the Senator from California yield me 2 additional minutes?

Mr. KNOWLAND. I yield 2 minutes to the Senator from Oklahoma [Mr. KERR].

Mr. KERR. Mr. President, the Senator from Vermont has mentioned charging Canada for the water. I presided at the hearings, and I did not hear anything in the hearings about any statement to that effect. I read to the Senate a letter from the Assistant Secretary of State, William B. Macomber, as follows:

AUGUST 1, 1958.

Congressman SIDNEY R. YATES.

DEAR MR. YATES: This is in reply to your inquiry regarding the Canadian position on the proposed Chicago diversion project. The State Department understands that the Canadian Government has no objection to a 1-year temporary diversion of an additional 1,000 cubic feet of water per second from the Great Lakes system at Chicago.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary, Department of State.

Mr. President, I remind Senators the only way there can be a 1-year diversion of water and a study and a report on it is by the enactment of the bill. Therefore I ask that the amendment be defeated.

Mr. KNOWLAND. Mr. President, I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. I should like to point out that the acquiescence read by the Senator from Oklahoma refers to 1,000 cubic feet per second. The bill calls for a diversion of 5,000 cubic feet per second during the dry season. That makes a difference.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. Do both sides yield back the remainder of their time?

Mr. McNAMARA. Mr. President, I am ready to yield back the remainder of my time, if the opposition yields back the remainder of its time.

Mr. KNOWLAND. I yield back the remainder of my time.

Mr. McNAMARA. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. McNAMARA]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HICKENLOOPER (when his name was called). On this vote I have a pair with the junior Senator from Indiana [Mr. JENNER]. If he were present and voting, I am informed he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. MAGNUSON (when his name was called). On this vote I have a pair with the senior Senator from Ohio [Mr. BRICKER]. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. JACKSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that, if present and voting, the Senator from Florida [Mr. HOLLAND], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Montana [Mr. MURRAY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Utah [Mr. BENNETT], the Senator from Connecticut [Mr. BUSH], the Senator from New Jersey [Mr. CASE], the Senator from Arizona [Mr. GOLDWATER], the Senator from North Dakota [Mr. LANGER], the Senator from Nevada [Mr. MALONE], the Senator from Kentucky [Mr. MORTON], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Minnesota [Mr. THYE], and the Senator from Utah [Mr. WATKINS] are also necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The respective pairs of the Senator from Ohio [Mr. BRICKER] and of the Senator from Indiana [Mr. JENNER] have been previously announced.

If present and voting, the Senator from New York [Mr. IVES], the Senator from Kentucky [Mr. MORTON] and the Senator from Maine [Mr. PAYNE] would each vote "yea."

On this vote the Senator from Minnesota [Mr. THYE] is paired with the Senator from Utah [Mr. BENNETT].

If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from New Jersey [Mr. SMITH] is paired with the Senator from Utah [Mr. WATKINS].

If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from West Virginia [Mr. HOBLITZELL].

If present and voting, the Senator from Nebraska would vote "yea," and the Senator from West Virginia would vote "nay."

The result was announced—yeas 29, nays 28, not voting 39, as follows:

YEAS—29

Aiken	Cooper	Javits
Allott	Cotton	Knowland
Capehart	Curtis	Lausche
Clark	Ervin	Martin, Iowa
Potter	Stennis	
Proxmire	Talmadge	
Purtell	Thurmond	
Russell	Wiley	
Saltonstall	Williams	
Smith, Maine		

NAYS—28

Barrett	Green	Mansfield
Beall	Hayden	Monroney
Carroll	Hennings	Morse
Case, S. Dak.	Hill	Mundt
Chavez	Humphrey	Smathers
Church	Johnson, Tex.	Sparkman
Dirksen	Johnston, S. C.	Symington
Douglas	Kerr	Young
Dworshak	Kuchel	
Ellender	Long	

NOT VOTING—39

Anderson	Fulbright	Langer
Bennett	Goldwater	Magnuson
Bible	Gore	Malone
Bricker	Hickenlooper	Morton
Bridges	Hoblitzell	Murray
Bush	Holland	Payne
Butler	Hruska	Revercomb
Byrd	Ives	Robertson
Carlson	Jackson	Schoeppel
Case, N. J.	Jenner	Smith, N. J.
Eastland	Jordan	Thye
Flanders	Kefauver	Watkins
Frear	Kennedy	Yarborough

So Mr. McNAMARA's amendment was agreed to.

Mr. AIKEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WILEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, and that the House receded from its disagreement to the amendments of the Senate numbered 3, 8, 9, and 10 to the bill, and concurred therein.

NOTIFICATION TO THE PRESIDENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Wisconsin may yield for the purpose of the submission of several resolutions and the conference report on the mutual aid appropriation bill.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield for that purpose, without losing my right to the floor.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I submit the resolution which I sent to the desk; and I request the immediate consideration of the resolution.

The VICE PRESIDENT. The resolution will be read, for the information of the Senate.

The resolution (S. Res. 388) was read, as follows:

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed the business of the session and are ready to adjourn unless he has some further communication to make to them.

The VICE PRESIDENT. Is there objection to the request for immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

THANKS OF THE SENATE TENDERED THE VICE PRESIDENT

Mr. JOHNSON of Texas. Mr. President, I submit the resolution which I sent to the desk; and I request the immediate consideration of the resolution.

The VICE PRESIDENT. The amendment will be read, for the information of the Senate.

The resolution (S. Res. 389) was read, as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable RICHARD M. NIXON, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the 2d session of the 85th Congress.

(Applause, Senators rising.)

The VICE PRESIDENT. Is there objection to the request for the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

THANKS OF THE SENATE TENDERED THE PRESIDENT PRO TEMPORE

Mr. KNOWLAND. Mr. President, I submit the resolution which I send to the desk; and I request the immediate consideration of the resolution.

The VICE PRESIDENT. The resolution will be read, for the information of the Senate.

The resolution (S. Res. 390) was read, as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable CARL HAYDEN, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the 2d session of the 85th Congress.

(Applause, Senators rising.)

The VICE PRESIDENT. Is there objection to the request for the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

MUTUAL SECURITY APPROPRIATIONS, 1959—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the Senator from Arizona [Mr. HAYDEN] is prepared to submit the conference report on the mutual security appropriation bill. I hope he will do so, in order that the Senate may act on it.

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JAVITS. Mr. President, may we have an explanation of what the House conferees and the Senate conferees have provided in the conference report, and a statement of how much they have reduced the appropriation items, and where the reductions were made?

Mr. HAYDEN. The conference report provides for appropriations totaling $3,298,092,500.

The total amount of the authorizations was $3,675,592,500.

Does the Senator from New York wish to have me state the difference between the action taken by the two Houses?

Mr. JAVITS. I should like to have the Senator from Arizona state that, if he will; and I should also like to have him state the amounts voted by the Senate and the amounts agreed to in the conference.

Mr. HAYDEN. The bill, as passed by the House, provided, for military assistance, $1,515,000,000. The bill as passed by the Senate provided for the same amount. The conference report provides for the same amount.

For defense support, the bill as passed by the House provided for $700 million. The bill as passed by the Senate provided for $790 million. The conference report provides for $750 million.

In the case of the Development Loan Fund, the House version of the bill provided for $300 million; the Senate version provided for $580 million; the conference report provides for $400 million.

For technical cooperation, the House version provided for $171,500,000; so did the Senate version; and so does the conference report.

For special assistance, the House version provided for $185 million; the Senate version, $200 million; the conference report, $200 million.

For the contingency fund, the House version provided for $100 million; the Senate version, $155 million; the conference report, $155 million.

For other programs, the House version provided for $106,592,500; the Senate version, $106,592,500; and the conference report, $106,592,500.

Mr. JAVITS. May I ask the indulgence of the chairman of the committee, in order that I may make a 1-minute statement regarding the results of the conference? Or, if the chairman of the committee prefers that I make the statement later, I am willing to do so then—whichever may better suit the convenience of the chairman of the committee.

Mr. HAYDEN. Very well; I am glad to have the Senator from New York proceed now.

Mr. JAVITS. Mr. President, it is obvious that the main impact of the cuts made by the conference report has fallen upon the Development Loan Fund.

Mr. HAYDEN. That is correct.

Mr. JAVITS. I wish to express to the Senate, as one Member, my feeling that such action is a great disservice to the country, and is a great mistake; that we have plundered one of the most potent weapons we have in the cold war with the Soviet Union; that we shall rue the day we did it; and I hope the administration will have the courage, as it should, in January to request of the Congress the enactment of a deficiency appropriation item for this purpose, as readily as it would in the case of a military item, for in my opinion this item is just that critical to the security of the Nation and to the security of all the rest of the Free World.

Mr. HAYDEN. Let me state that the statement on the part of the managers of the House contains the following statement:

The amounts contained in the bill agreed to by the conferees were too small, in the view of some conferees—especially in the Development Loan Fund. It is understood that if additional funds are needed next January for the purposes contained in this bill, the Appropriations Committees of the House and Senate will give earnest consideration to the recommendations of the Executive, in view of the importance of maintaining our friendly relations with countries with whom we have undertakings.

Mr. JAVITS. Mr. President, I thank the Senator from Arizona for that statement.

Mr. HUMPHREY. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. HUMPHREY. I wish to speak for only a moment.

I desire to state, also, that I believe the amounts provided by the conference report for the Development Loan Fund are inadequate for the responsibilities with which this Nation has charged itself.

It is one thing for the President of the United States to go before the United Nations and pledge to the other nations of the world, particularly those in the Middle East, that we are prepared to participate in the Mid-East Development Agency, which will require substantial amounts of capital; and it is another thing to perform.

I hope that in January the President will present to the Congress what he believes to be the legitimate requirements of an effective economic program in the Middle East, a program in which we will share—and in that connection, I emphasize the word "share"—not one in which we shall take on the entire burden.

An adequate amount was not called for, in the case of the Development Loan Fund; an adequate amount was not included in what we authorized; and an adequate fund was not included in what we appropriated.

I compliment the chairman of the committee [Mr. HAYDEN] for the hard work he has done on these important measures.

But, Mr. President, again we find ourselves at a late hour having to make decisions which are temporary in a world which needs more than that in terms of our policies and programs.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 13192, which was read, as follows:

In the House of Representatives, United States

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 3, 8, 9, and 10 to the bill (H. R. 13192) entitled "An act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes," and concur therein.

Mr. HAYDEN. Mr. President, I ask unanimous consent to include at this point in the RECORD a table illustrating the amounts for mutual security in the House version of the bill, the amounts in the Senate version of the bill, and the amounts agreed to in the conference.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Mutual security appropriations, 1959

Item	Estimates, 1959	Authorization acts	House bill	Senate bill	Conference action
Military assistance	$1,800,000,000	$1,605,000,000	$1,515,000,000	$1,515,000,000	$1,515,000,000
Defense support	835,000,000	810,000,000	700,000,000	700,000,000	750,000,000
Development Loan Fund	625,000,000	625,000,000	300,000,000	580,000,000	400,000,000
Technical cooperation	171,500,000	171,500,000	171,500,000	171,500,000	171,500,000
Special assistance	212,000,000	202,500,000	185,000,000	205,000,000	200,000,000
Contingency fund	200,000,000	175,000,000	100,000,000	155,000,000	152,000,000
Other programs	106,592,500	106,592,500	106,592,500	106,592,500	106,592,500
Total mutual security:					
Appropriation	3,950,092,500	3,675,592,500	3,078,092,500	3,518,092,500	3,298,092,500
Unobligated balance	(1)		(2)		
Total	3,950,092,500	3,675,592,500	3,078,092,500	3,518,092,500	3,298,092,500

[1] Entire unobligated balance of President's fund for Asian economic development (no amount specified) to remain available through June 30, 1959.

[2] Entire unobligated balance of United Nations Relief and Works Agency (no amount specified) made available through June 30, 1959.

SUMMARY OF APPROPRIATION BILLS CONSIDERED IN THE 85TH CONGRESS, 2D SESSION

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a summary of the appropriations bills considered in the 85th Congress, 2d session.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Table of appropriation bills, 85th Cong., 2d sess.

Bill No.	Title	House: Budget estimates to House	House: Date reported	House: Amount as reported	House: Date passed	House: Amount as passed
	1958 appropriations:					
H. R. 10146	Supplemental defense, 1958	$1,260,000,000	Jan. 21	$1,260,000,000	Jan. 23	$1,260,000,000
H. J. Res. 533	Supplemental labor, 1958	43,400,000	Feb. 7	43,400,000	Feb. 10	43,400,000
H. R. 10881	Second supplemental, 1958	2,871,465,844	Feb. 26	2,837,882,907	Feb. 26	2,857,882,907
H. J. Res. 588	Advance procurement, 1958		Mar. 28		Mar. 31	
H. R. 12326	Urgent deficiency, 1958	32,411,802	May 1	26,761,802	May 6	26,761,802
H. J. Res. 624	Additional supplemental, 1958	665,700,000	June 9	665,700,000	June 9	665,700,000
	Subtotal 1958 supplementals	4,872,977,646		4,835,744,709		4,855,744,709
	1959 appropriations:					
	Supplemental:					
H. R. 13450	The supplemental	3,226,315,440	July 18	3,131,094,797	July 22	3,131,844,797
	Regular:					
H. R. 11085	Treasury-Post Office	4,121,969,000	Feb. 27	4,100,608,000	Mar. 4	4,108,108,000
H. R. 11767	Agriculture	3,220,888,539	Mar. 28	3,216,988,539	Apr. 1	3,216,988,539
H. R. 10746	Interior	414,484,600	Feb. 14	413,145,600	Feb. 18	413,145,600
H. R. 10589	General Government	15,814,870	(Feb. 7 / Mar. 28)	15,558,870	Apr. 1	15,558,870
H. R. 12540	Commerce	982,721,000	May 16	917,140,000)	May 20	949,802,000
H. R. 11574	Independent offices	(5,922,343,500)	Mar. 21	(6,549,920,900)	Mar. 27	(6,549,920,900)
H. R. 12428	State, Justice, Judiciary	589,215,011	May 9	570,722,613	May 15	570,722,613
H. R. 11845	Labor-Health, Education, and Welfare	2,973,737,181	Mar. 25	2,951,862,181	Mar. 27	2,957,955,881
H. R. 12738	Defense	38,198,947,000	May 28	38,310,561,000	June 5	38,409,561,000
H. R. 12948	District of Columbia	(215,153,500)	June 13	(203,276,100)	June 18	(203,276,100)
	Federal payment	27,060,600	...do	22,860,600	...do	22,860,600

Bill No.	Title	Senate: Budget estimates to Senate	Senate: Date reported	Senate: Amount as reported	Senate: Date passed	Senate: Amount as passed
	1958 appropriations:					
H. R. 10146	Supplemental defense, 1958	$1,260,000,000	Jan. 31	$1,260,000,000	Feb. 3	$1,260,000,000
H. J. Res. 533	Supplemental labor, 1958	43,400,000	Feb. 10	43,400,000	Feb. 10	43,400,000
H. R. 10881	Second supplemental, 1958	2,874,144,060	Mar. 4	2,865,963,718	Mar. 11	2,869,408,463
H. J. Res. 588	Advance procurement, 1958		Apr. 1		Apr. 21	
H. R. 12326	Urgent deficiency, 1958	34,811,802	May 6	34,664,362	May 6	34,664,362
H. J. Res. 624	Additional supplemental, 1958	690,700,000	June 10	685,700,000	June 11	685,700,000
	Subtotal 1958 supplementals	4,903,055,862		4,889,748,080		4,893,190,765
	1959 appropriations:					
	Supplemental:					
H. R. 13450	The supplemental	4,081,154,221	Aug. 13	3,594,944,978	Aug. 15	3,595,382,978
	Regular:					
H. R. 11085	Treasury-Post Office	4,121,969,000	Mar. 18	4,108,108,000	Mar. 21	4,108,108,000
H. R. 11767	Agriculture	3,220,888,539	Apr. 18	3,207,973,039	Apr. 21	3,207,973,039
H. R. 10746	Interior	414,484,600	Apr. 28	488,988,980	Apr. 30	488,914,828
H. R. 10589	General Government	15,814,870	June 5	14,954,870	June 9	14,954,870
H. R. 12540	Commerce	982,721,000	June 6	1,012,695,000	June 10	1,012,695,000
H. R. 11574	Independent offices	(5,922,343,500)	June 5	(6,127,248,900)	June 9	(6,108,242,900)
H. R. 12428	State, Justice, Judiciary	589,215,011	June 9	595,717,113	June 11	595,717,113
H. R. 11845	Labor-Health, Education, and Welfare	2,973,737,181	June 17	3,204,352,881	June 20	3,203,387,381
H. R. 12738	Defense	38,786,970,000	July 24	40,032,811,000	July 30	40,042,902,000
H. R. 12948	District of Columbia	(215,153,500)	June 27	(206,211,814)	July 1	(206,211,814)
	Federal payment	27,060,600	...do	24,360,600	...do	24,360,600
H. R. 12858	Public works	1,977,245,000	July 2	1,156,995,536	July 9	1,160,915,836
H. R. 13066	Legislative	123,345,669	July 14	123,320,419	July 15	123,320,419
H. R. 13192	Mutual security	3,950,092,500	Aug. 5	3,518,092,500	Aug. 23	3,518,092,500
H. R. 13489	Military construction	1,730,653,000	Aug. 13	1,714,815,000	Aug. 14	1,730,115,000
H. R. 13856	Independent offices	6,171,270,500	Aug. 22	6,103,456,900	Aug. 23	6,103,456,900
	Subtotal 1959 regular	64,288,449,470		66,302,353,807		66,330,191,807
	Subtotal, 1959	68,369,603,691		68,897,228,785		69,196,574,785
	Total for session	73,272,659,553		73,786,976,865		74,079,765,550

Bill No.	Title	Public Law: Date approved	Public Law: Amount as approved	Public Law: Law No.	Increase or decrease compared to budget estimates to date
	1958 appropriations:				
H. R. 10146	Supplemental defense, 1958	Feb. 11	$1,260,000,000	85-322	
H. J. Res. 533	Supplemental labor, 1958	Feb. 12	43,400,000	85-324	
H. R. 10881	Second supplemental, 1958	Mar. 28	2,861,008,793	85-352	−$13,135,267
H. J. Res. 588	Advance procurement, 1958	Apr. 24		85-386	
H. R. 12326	Urgent deficiency, 1958	May 14	29,784,302	85-400	−5,027,500
H. J. Res. 624	Additional supplemental, 1958	June 13	685,700,000	85-457	−5,000,000
	Subtotal, 1958 supplementals		4,879,893,095		−23,162,767
	1959 appropriations:				
	Supplemental:				
H. R. 13450	The supplemental		3,697,305,678		−383,848,743
	Regular:				
H. R. 11085	Treasury-Post Office	Mar. 28	4,095,108,000	85-354	−13,861,000
H. R. 11767	Agriculture	June 12	3,191,875,539	85-459	−129,013,000
H. R. 10746	Interior	June 4	488,675,950	85-479	+45,191,350
H. R. 10589	General Government	June 25	15,679,870	85-468	−135,000
H. R. 12540	Commerce	June 25	971,214,000	85-469	−11,507,000
H. R. 11574	Independent offices	Vetoed	(6,382,304,900)		(+655,244,400)
H. R. 12428	State, Justice, Judiciary	June 30	577,904,113	85-474	−11,280,898
H. R. 11845	Labor-Health, Education, and Welfare	Aug. 1	3,142,695,981	85-580	+167,108,800
H. R. 12738	Defense	Aug. 22	39,602,827,000	85-724	+815,557,000
H. R. 12948	District of Columbia	Aug. 6	(204,033,460)	85-594	(−11,120,040)
	Federal payment	...do	22,860,600	85-594	−4,800,000
H. R. 12858	Public works		1,118,128,836		+40,772,835
H. R. 13066	Legislative	July 31	122,797,337	85-570	−549,282
H. R. 13192	Mutual security	Aug. 23	3,295,092,500		−632,008,000
H. R. 13489	Military construction	...do	1,353,850,000		−376,803,000
H. R. 13856	Independent offices	...do	6,090,156,900		−81,113,600
	Subtotal, 1959 regular		64,076,277,675		−212,171,795
	Subtotal, 1959		67,773,583,188		−596,020,538
	Total for session		72,653,476,248		−619,183,325

NOTE.—Does not include $8,403,000,000 in permanent authorization.

Table of appropriation bills, 85th Cong., 2d sess.—Continued

Mr. JOHNSON of Texas. Mr. President, I wish to express my appreciation to the junior Senator from Wisconsin [Mr. PROXMIRE] for his courtesy in connection with these matters.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. PROXMIRE. Mr. President, I call up my amendment identified as "8–21–58–A", and ask that it be printed at this point in the RECORD, without being read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment submitted by Mr. PROXMIRE is as follows:

On page 1, in line 4 of the title, and in line 4 of the text; on page 2, line 2; and on page 3, lines 8 and 16, strike out the words "Lake Michigan" and insert in lieu thereof "Lakes Michigan, Erie, Huron, and Ontario, and the St. Lawrence River."

Mr. PROXMIRE. Mr. President, the purpose of the amendment is to make it crystal clear in this bill that the diversion is not just from Lake Michigan, but is also from the other lakes. The amendment reads, in effect, that wherever the words "Lake Michigan" appear in the bill, there be inserted in lieu thereof "Lakes Michigan, Erie, Huron, and Ontario, and the St. Lawrence River."

Mr. President, this bill very seriously affects the States abutting these lakes. So it seems to me that the bill will be greatly improved by the adoption of this amendment, which includes the other lakes, and makes it clear—as should be done—that the States which border on the other lakes are seriously affected by this proposed legislation.

Mr. President, I desire to stress a point which I made earlier, which is the very serious importance of this whole bill, because it emphasizes the fact that serious damage could result to the property of people residing in another State.

I should like to summarize, as quickly as I can, what we have been able to establish so far. We think it is clear that the whole stated purpose of this bill, which is spelled out to anybody who reads the terms of the bill itself, is to improve sanitation for the Chicago Sanitary District. That is what it says it does, and that is what it does.

We point out that a health problem is not involved. We have testimony from some of the most eminent health authorities in the city of Chicago and in the Nation that the health problem in Chicago is not serious, and that the Chicago Sanitary District does not constitute a health problem.

I have also been able to cite from up-to-date reports of the sanitary district itself, establishing Chicago as the healthiest city in the world.

We have also been able to establish that, on the basis of all the public-health statistics, Chicago has a better record than have any of the other five largest cities in the country, in terms of illnesses caused by pollution of water.

Mr. WILEY. Mr. President, will my colleague yield so that a motion may be made to table the bill?

Mr. PROXMIRE. I promised the distinguished Senator from Michigan [Mr. POTTER] that I would yield to him for that purpose, if he asked for the floor.

Mr. JOHNSON of Texas. Mr. President, who has the floor?

The VICE PRESIDENT. The Senator from Wisconsin [Mr. PROXMIRE] has the floor.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield for a question.

Mr. DOUGLAS. Since the bill is already dead, does not the amendment of the Senator from Wisconsin mean it will only mangle a corpse?

Mr. PROXMIRE. My understanding is the bill is not dead. It still has some life in it.

Mr. President, I yield to the Senator from Michigan [Mr. POTTER] with the understanding that I do not lose the floor.

Mr. POTTER. Mr. President, I move that the bill be tabled.

The Senate is now considering a bill which violates every principle of fair play. It singles out one municipality, placing its interests above those of six sovereign States surrounding it. Indeed, this bill attempts to balance the concerns of one city against the concerns of the entire United States—and it would have the city come off winner.

Briefly, the aim of the so-called Chicago water-diversion measure is to dispose of Chicago's sewage. I am willing to admit that such a purpose, if not noble, is at least sanitary.

Further, I will concede that the maxim, "Cleanliness is next to godliness," a well-worn admonition for little boys with dirty ears, has a bearing also on cities plagued by sanitation problems.

But by no stretch of imagination could a fairminded person agree that keeping Chicago's ears or sewers clean is worth the price exacted in this legislation.

We are asked to solve Chicago's sewage-disposal problem by sanctioning a grab of almost 2 billion gallons of water per year from dangerously low Lake Michigan.

We are asked to dispose of Chicago's wastes by restricting shipping tonnages on the Great Lakes, thereby killing jobs and incomes.

We are asked to rob electric power consumers in the Northeast.

We are asked to disrupt American-Canadian relations.

We are asked to stifle an expected boom in the infant Great Lakes shipbuilding industry.

We are asked to set an ill-advised precedent which could hamstring hydroelectric power production at the Columbia River Basin.

We are asked to jeopardize the pleasures of fishermen and sportsmen, whose patronage is the rock on which the tourist trade of the Lake States is built.

We are asked to flagrantly waste precious water, a strategic resource, in a manner nothing short of criminal.

And what do we get in return? The mystic exaltation of having helped Chicago flush away her wastes. This, Mr. President, is a bad bargain and surely the Senate of the United States will not permit itself to become an accomplice in such a one-sided deal.

Chicago's sewage disposal system has involved the city in a kind of perpetual civil war from 1900 to the present time, with a varying group of antagonists ranging from the States bordering the Great Lakes—Wisconsin, Minnesota, Michigan, Ohio, Pennsylvania, and New York—to the Dominion of Canada and such unlikely participants as the cities of Peoria and Beardstown, Ill.

Somehow—in the 83d and 84th Congresses—proponents managed to push through similar water diversion bills to the one we have before us. Both times President Eisenhower vetoed them. He was acutely aware of the narrowness of this attempt and of its disregard of the general welfare. In his veto messages, the President pointed out that diversion of Great Lakes waters has historically been a proper subject of negotiation with Canada. He implied that unilateral action by the United States could jeopardize our harmonious relations with Canada.

Now, once again, under the guise of a 3-year test, backers of this legislation propose to divert 2,500 cubic feet of water per second from Lake Michigan into the Illinois Waterway.

With every tick of the clock 2,500 cubic feet of water will be forever lost. With every setting of the sun 5,000 acre-feet of water will go down the drain. With every revolution of the earth around the sun 1,800,000 acre-feet of water will have been stolen from Lake Michigan and diverted into the Chicago drainage system. That is almost 2 billion—I repeat 2 billion—gallons of precious water each year.

America's fourth seacoast is now almost ready to open in the form of the Great Lakes-St. Lawrence Seaway. Loss of water in such oceanic proportions is bound to adversely affect the Seaway's economic potential.

For centuries our greatest leaders have envisioned the Seaway as a source of commerce, wealth, and new prosperity for the American heartland. The entire concept of the waterway rests upon a deep-draft navigable channel to the sea. As my distinguished colleagues from the States bordering the Great Lakes well know, navigation potential on the Seaway is measured in inches. Those inches are the key to the Seaway's promise.

In 1954, this Government approved expenditure of $150 million of the taxpayers' money for construction of the Seaway project. A year later this Government undertook to dredge and deepen the connecting channels between the Great Lakes to a uniform 27-foot depth, at an additional cost of $141 million.

Now, we are asked to approve a bill negating the entire Seaway concept, a bill which would send precious water and precious dollars down the drain at the same time. While we transport the biggest machinery in the world to our northern borders to dredge a 2,500-mile waterway, we would—under this bill—be draining an ocean of water off the self-same channel. How foolish can we get?

According to the Lake Carriers' Association, loss of 1 inch of water to the connecting channels would rob lake ships of 1,500,000 gross tons of carrying capacity per year. The sacrifice of an inch—or a fraction of an inch—of water from lake levels, therefore, strikes a low blow at lake commerce, at cargo shippers, at crewmen, at shipowners and shipbuilders. In wartime, when transportation is vital to defense, such loss of cargo capacity would be tragic.

The Corps of Engineers, also opposed to the scheme, testified before the Rivers and Harbors Subcommittee in the same vein. Their experience with vessel operations on the Great Lakes clearly shows that ships are affected—and promptly respond—to changes in depth as small as 1 inch.

The absurdity of the diversion scheme was underscored by the Bureau of the Budget itself in a letter to the full Committee on Public Works. It reported that there exists a perfectly satisfactory alternative for solving sanitary problems in the Illinois Waterway. Additional treatment in the form of chlorination and aeration, which would cost between $750,000 and $1,500,000 per year, could increase the supply of dissolved oxygen in the waterway to the same extent as the proposed diversion.

The cost of the two methods—chlorination and aeration as opposed to diversion—is approximately the same, according to the Bureau.

Obviously, the difference lies in who picks up the tab. The city of Chicago continues to press for Federal action because it wants Uncle Sam to foot the bill for its municipal sewage-disposal system. When one of the wealthiest metropolitan centers in the United States lacks the dignity to fulfill its own municipal obligation and attempts to stuff them off on the Federal Government, we have indeed reached a sorry state of affairs.

Not only does Chicago propose to shirk her lawful obligations, but her proposal would saddle the Federal Government with additional debts relating to diversion. The Corps of Engineers estimates that compensation for permanent lowering of lake levels from diversion would require construction of a deeply submerged sill in the St. Clair River. Estimated cost: $1,530,000.

In view of these factors, I am introducing an amendment requiring the city of Chicago to pay the cost of the study and report authorized in the bill, approximately $430,000. In all justice, Chicago should pay not only study and report costs, but every other cost connected with the proposed diversion.

Mr. President, the United States may one day have to face up to the fact that she is a have-not Nation. Already our steel plants are drawing on foreign sources of iron ore. Rubber, oil, tin—all strategic items—are imported into this country. Fresh water has become a strategic commodity in today's world, and the pressure of demands upon the available supply has transformed this taken-for-granted commodity into a resource more precious than rubies.

In these circumstances, for the Senate to approve an outright 2-billion-gallon-per-year water bonanza from the American people to one selfish community is unthinkable.

The lowest level since 1949 has been predicted for Lakes Michigan and Huron by the Army Engineers. In fact, all lake levels have dropped in the past 4 years, with a 3-foot drop in Lake Michigan alone, according to testimony before the Rivers and Harbors Subcommittee.

Legally and historically the rights of navigation are of paramount interest on the Great Lakes, attested by a long line of Supreme Court decisions, many of which were legal milestones.

The Great Lakes Harbors Association, the port cities of the Great Lakes, the Lake Carriers' Association, and the governments of the States bordering the Great Lakes have been united in opposition to the demands of Chicago that the waters of Lake Michigan be exploited for the political or financial benefit of the Chicago Sanitary District. The Canadian Government has repeatedly protested through diplomatic channels the attempts to extract water from an international basin for the benefit of a single community.

By 1930, litigation between Chicago and the other States of the Great Lakes area had been going on for almost 40 years. It was in 1930 that the Supreme Court of the United States pointed out that the Chicago water diversion had caused a permanent lowering of 6 inches in the lakes level, that it had greatly damaged lake commerce by decreasing the cargo capacity of lake vessels, that it had damaged beaches, fisheries, and recreational areas, that it had caused a permanent lowering of the water table in the Great Lakes region with much resulting damage to docks, harbor facilities, and building foundations.

Mr. President, at the Senate hearings, an officer in the Corps of Engineers testified that this unnatural attempt to reverse the direction of nature's flow of a great waterway—even if tested on a 3-year trial basis for a much smaller amount, say only 1,000 cubic feet per second—would have effects lasting as long as 15 years.

He said this would seriously affect the amount of electricity generated at Niagara Falls and the St. Lawrence plants. Loss of power from diversion was estimated by the corps at somewhere between $480,000 and $918,000.

Further, the corps predicted, and I quote:

The ultimate and continuing lowering effect of five-eighths of an inch to an inch of permanent diversion would be likely to affect the loading plans of vessels expected to comprise the Great Lakes fleet.

Shipping losses from diversion were estimated well into the hundreds of thousands of dollars. During the 1956 shipping season alone 45 vessels in the lakes fleet were not able to load to capacity because of inadequate water depths.

Even the distinguished chairman of the subcommittee, the Senator from Oklahoma, predicted on the basis of facts set forth before him during the hearings that this bill is only a means of getting a foot in the door. He said that there is a "great probability that Chicago will ask for continued diversion."

I agree with that prediction. In my statement to the subcommittee, I pointed out that it would be naive to expect that claims to these waters would be relinquished lightly after 3 years' use.

At those same hearings the junior Senator from Oregon expressed foreboding that diversion of international waters for Chicago's benefit would set a dangerous precedent on which Canada could divert water in the Columbia River Basin, as she has long desired to do. Such action by Canada would have a disastrous effect, according to the testimony, upon existing powerplants, constructed at great cost with public funds for the benefit of the various communities and industries of the Northwest.

Although we are rushing toward adjournment, let us pause and think carefully before committing ourselves to this unsound and lopsided bill.

To sum up, we are asked here to vote against development of our maritime economy, to cut our hydroelectric power capacity when demands outstrip production, to denude the Nation's loveliest fishing and recreation areas, to jeopardize tourism around the Great Lakes, to harm our relations with Canada.

We are also asked in this bill to make the United States a laughing stock. Like a giraffe whose head is so far from his tail that one end doesn't know what the other is doing, this Government would pour millions into deepening the connecting channels of the lakes, at the same time pouring out lake water in vast quantities, lowering levels, and dooming itself to endless dredging to replace tons of water siphoned off by Chicago each year.

In return we receive nothing—except the most expensive water-driven waste "dis-pos-all" known to man.

I urge the Senate to reject this measure in the best interests of the Middle West and of the Nation.

Mr. WILEY. Mr. President, I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Michigan [Mr. POTTER] to table the bill. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HICKENLOOPER (when his name was called). On this vote I have a pair with the junior Senator from Indiana [Mr. JENNER]. I am informed if he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MAGNUSON (when his name was called). On this vote I have a pair with

the senior Senator from Ohio [Mr. BRICKER]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. JACKSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that if present and voting the Senator from Florida [Mr. HOLLAND], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Montana [Mr. MURRAY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Maine [Mr. PAYNE] and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Utah [Mr. BENNETT], the Senator from Connecticut [Mr. BUSH], the Senator from New Jersey [Mr. CASE], the Senator from Arizona [Mr. GOLDWATER], the Senator from North Dakota [Mr. LANGER], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Minnesota [Mr. THYE] and the Senator from Utah [Mr. WATKINS] are also necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The respective pairs of the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. JENNER] have been previously announced.

If present and voting, the Senator from New York [Mr. IVES], and the Senator from Maine [Mr. PAYNE], would each vote "yea."

On this vote, the Senator from Minnesota [Mr. THYE] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from New Jersey [Mr. SMITH] is paired with the Senator from Utah [Mr. WATKINS]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from West Virginia [Mr. HOBLITZELL]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from West Virginia would vote "nay."

The result was announced—yeas 28, nays 30, not voting 38, as follows:

YEAS—28

Aiken	Hennings	Potter
Allott	Javits	Proxmire
Barrett	Knowland	Purtell
Beall	Lausche	Saltonstall
Capehart	Martin, Pa.	Smith, Maine
Clark	McClellan	Wiley
Cooper	McNamara	Williams
Cotton	Morton	Young
Curtis	Mundt	
Dworshak	O'Mahoney	

NAYS—30

Carroll	Humphrey	Morse
Case, S. Dak.	Johnson, Tex.	Neuberger
Chavez	Johnston, S. C.	Pastore
Church	Kerr	Russell
Dirksen	Kuchel	Smathers
Douglas	Long	Sparkman
Ellender	Malone	Stennis
Ervin	Mansfield	Symington
Green	Martin, Iowa	Talmadge
Hill	Monroney	Thurmond

NOT VOTING—38

Anderson	Fulbright	Kennedy
Bennett	Goldwater	Langer
Bible	Gore	Magnuson
Bricker	Hayden	Murray
Bridges	Hickenlooper	Payne
Bush	Hoblitzell	Revercomb
Butler	Holland	Robertson
Byrd	Hruska	Schoeppel
Carlson	Ives	Smith, N. J.
Case, N. J.	Jackson	Thye
Eastland	Jenner	Watkins
Flanders	Jordan	Yarborough
Frear	Kefauver	

So Mr. POTTER's motion to lay the bill on the table was rejected.

Mr. DOUGLAS. Mr. President, I now move to recommit the bill to the Committee on Public Works with instructions to remove the amendment.

Mr. JOHNSON of Texas. With instructions to immediately report the bill back?

Mr. DOUGLAS. Yes; with instructions to immediately report the bill back with the amendment removed. On this motion I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

Mr. MORTON. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Kentucky.

Mr. CURTIS. Mr. President, I ask for the yeas and nays.

Mr. MORTON. I ask for the yeas and nays, Mr. President, on the motion to lay the motion on the table, the motion to recommit.

The VICE PRESIDENT. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. DOUGLAS. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. Mr. President, what is the motion now pending before this body?

The VICE PRESIDENT. The question before the Senate is on agreeing to the motion of the Senator from Kentucky to lay on the table the motion of the Senator from Illinois to recommit the bill to the Committee on Public Works with instructions.

Mr. DOUGLAS. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. Do I correctly understand that a vote in favor of the motion of the Senator from Kentucky is in effect a vote to kill the bill?

The VICE PRESIDENT. The Senator has not stated a parliamentary inquiry.

Mr. McNAMARA. Mr. President——

The VICE PRESIDENT. The motion is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK (when his name was called). On this vote I have a pair with the Senator from Tennessee [Mr. KEFAUVER]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "aye." I therefore withhold my vote.

Mr. MAGNUSON (when his name was called). On this vote I have a pair with the senior Senator from Ohio [Mr. BRICKER]. If he were present and voting he would vote "aye." If I were at liberty to vote I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. JACKSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that, if present and voting, the Senator from Florida [Mr. HOLLAND], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Montana [Mr. MURRAY], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Maryland [Mr. BEALL], the Senator from Utah [Mr. BENNETT], the Senator from Connecticut [Mr. BUSH], the Senator from New Jersey [Mr. CASE], the Senator from Arizona [Mr. GOLDWATER], the Senator from North Dakota [Mr. LANGER], the

Senator from Connecticut [Mr. PURTELL], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Minnesota [Mr. THYE], and the Senator from Utah [Mr. WATKINS], are also necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in his family.

The pair of the Senator from Ohio [Mr. BRICKER] has been announced previously.

If present and voting, the Senator from Maryland [Mr. BEALL], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

On this vote, the Senator from Minnesota [Mr. THYE] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from New Jersey [Mr. SMITH] is paired with the Senator from Utah [Mr. WATKINS]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from West Virginia [Mr. HOBLITZELL]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from West Virginia would vote "nay."

The result was announced—yeas 28, nays 28, not voting 40, as follows:

YEAS—28

Aiken	Javits	Proxmire
Allott	Knowland	Saltonstall
Barrett	Lausche	Smith, Maine
Capehart	Martin, Pa.	Stennis
Cooper	McClellan	Talmadge
Cotton	McNamara	Wiley
Curtis	Morton	Williams
Dworshak	Mundt	Young
Ervin	O'Mahoney	
Hickenlooper	Potter	

NAYS—28

Carroll	Humphrey	Morse
Case, S. Dak.	Johnson, Tex.	Neuberger
Chavez	Johnston, S. C.	Pastore
Church	Kerr	Russell
Dirksen	Kuchel	Smathers
Douglas	Long	Sparkman
Ellender	Malone	Symington
Green	Mansfield	Thurmond
Hennings	Martin, Iowa	
Hill	Monroney	

NOT VOTING—40

Anderson	Frear	Langer
Beall	Fulbright	Magnuson
Bennett	Goldwater	Murray
Bible	Gore	Payne
Bricker	Hayden	Purtell
Bridges	Hoblitzell	Revercomb
Bush	Holland	Robertson
Butler	Hruska	Schoeppel
Byrd	Ives	Smith, N. J.
Carlson	Jackson	Thye
Case, N. J.	Jenner	Watkins
Clark	Jordan	Yarborough
Eastland	Kefauver	
Flanders	Kennedy	

So Mr. MORTON's motion to lay on the table Mr. DOUGLAS' motion to recommit the bill with instructions was rejected.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. What is the pending business before the Senate?

The VICE PRESIDENT. The pending question is the motion of the Senator from Illinois to recommit the bill to the committee with instructions.

Mr. DOUGLAS. Will the Chair please state the motion of the Senator from Illinois?

The VICE PRESIDENT. The motion of the Senator from Illinois is to recommit the bill to the committee with instructions to immediately report the bill without the amendment.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. The motion is debatable, is it not?

The VICE PRESIDENT. The motion is debatable.

Mr. MORTON. Mr. President, has the motion been tabled?

The VICE PRESIDENT. The motion has not been tabled.

Mr. MORTON. Mr. President, I move to reconsider the vote.

Mr. RUSSELL. Mr. President, that motion is not in order.

Mr. KERR. A point of order, Mr. President.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The motion of the Senator from Kentucky is not in order.

Mr. JOHNSON of Texas. May we have order in the Chamber, Mr. President?

The VICE PRESIDENT. The Senate will be in order.

Mr. DOUGLAS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. DOUGLAS. I think this is the quickest way to settle the matter. Let us recommit the bill to the committee with instructions immediately to report, striking out the amendment of the Senator from Michigan; bring the bill back before the Senate; vote the bill up or down; and go home.

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNAMARA. Does it not require unanimous consent to consider the bill; otherwise, the bill would have to lay over for 1 day?

The VICE PRESIDENT. If the bill is reported from the committee, the bill must lie over 1 day unless unanimous consent is granted to proceed to the consideration of the bill.

Mr. DOUGLAS. Mr. President——

Mr. McNAMARA. Mr. President, if I correctly understand the parliamentary situation, if the bill were reported to the Senate, it would require unanimous consent for immediate consideration; otherwise, the bill would have to lay over one day.

The VICE PRESIDENT. The Senator is correct.

Mr. JOHNSON of Texas. But all we would have to do, Mr. President, is to make a motion to adjourn 10 minutes, if agreed to, and the Senate could then act on the bill. It would then be another legislative day, would it not, Mr. President?

Mr. DOUGLAS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. DOUGLAS. I should like to defer my inquiry until there is a reply to the inquiry of the Senator from Texas.

The VICE PRESIDENT. The statement of the Senator from Texas is correct, since the Senate is in the legislative day of August 23.

Mr. DOUGLAS. A further parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. If the motion to recommit to the Committee on Public Works with instructions to immediately report the bill to the Senate, in 5 or 10 minutes, with the amendment of the Senator from Michigan omitted, were agreed to, would it then be in order to move that the Senate adjourn for 10 minutes; and, if the Senate adjourned, when the Senate reconvened, would there be a new legislative day?

The VICE PRESIDENT. The Senator is correct; it would be a new legislative day.

Mr. PROXMIRE. Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I deeply appreciate the position taken by the Senator from Illinois. I do not blame him one bit. However, I mean what I say—and I never meant anything more sincerely—when I say we have a big case to make tonight. I mean we have a big case to make. I have 756 pages of the record to read, much of which still has to be read. Several pages of the record have been read.

I have the floor now and I am ready to read. I want all Senators to know, if they wish to stay and listen, there is a lot of very good information to be presented. If Senators do not wish to stay, if they come back tomorrow night at this time I will still be here reading.

Mr. KNOWLAND. Mr. President, will the Senator yield so that I may propound a unanimous consent request, with the understanding that the Senator will not lose his right to the floor?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the distinguished minority leader without losing my right to the floor.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

PRINTING AS SENATE DOCUMENTS A STATEMENT ON THE RECORD OF CONGRESS AND ACHIEVEMENTS OF THE REPUBLICAN ADMINISTRATION SINCE 1953—APPENDIX OF SUMMARIES OF MAJOR LEGISLATION OF GENERAL INTEREST

Mr. KNOWLAND. Mr. President, as has been customary for a number of years, both majority and minority leaders of the Senate, at the close of a Congress, put into the CONGRESSIONAL RECORD and have printed as Senate documents their respective statements on the record of Congress.

At this time, I ask unanimous consent to have printed such a statement for the minority side in the CONGRESSIONAL RECORD, together with a review of the achievements of the Republican administration since 1953. I also request that, with the consent of the Senate, this statement and the review of achievements be printed, with any necessary revisions and corrections after the adjournment of the Congress, as a Senate document, and an appendix of summaries of major legislation of general interest.

The VICE PRESIDENT. Without objection, it is so ordered.

REPUBLICAN REPORT ON THE 85TH CONGRESS, TOGETHER WITH ACHIEVEMENTS OF THE REPUBLICAN ADMINISTRATION, JANUARY 1953 TO AUGUST 1958

(By Senator WILLIAM F. KNOWLAND, of California, minority leader)

REPUBLICAN REVIEW OF THE 85TH CONGRESS
(JANUARY 3, 1957–AUGUST 24, 1958)

The 85th Congress

In our constitutional system of government, our two major political parties—Republican and Democrat—are dominant throughout the Nation. They provide the main machinery for the election of Senators and Members of the House of Representatives to serve in each Congress.

The political party which elects the greater number of Senators gains the power to organize the Senate; the party electing the greater number of Members in the House has the power to organize the House of Representatives. In the national election of 1956, the Democratic Party elected more Senators and more Representatives than did Republicans, although the same election returned President Eisenhower, a Republican, to the White House for a second term.

The success of the Democrats in the 1956 Congressional elections gave them the power to organize the 85th Congress in January 1957. They gained the status of the "majority" in both Houses of Congress. Thus, they organized the 85th Congress. In this Congress, Republican Members are called the "minority."

History will judge the 85th Congress not by the quantity but the quality of its legislative productivity.

In its two sessions beginning January 3, 1957, and ending August 24, 1958, the 85th Congress accomplished a substantial volume of legislative business.

The present report deals only with the highlights, or matters of significant public business, selected from the major public laws and resolutions enacted by the Congress.

Powers Stemming From Control of Congress

The power to control a Congress is very important. It means that the Democrats elect the chairman and the majority membership of all the powerful committees in the Senate and House. All bills and resolutions introduced in either House of Congress are referred to their respective committees. These committees investigate and study the subject matter of such of these bills as they select; they hold hearings upon them; they shape up the language and provisions of the legislation; and finally they may pigeonhole bills or report them to their respective Houses with or without recommendations. Only then does the whole Senate or House take action on the proposed legislation. It can be seen from this that control over the committees of Congress carries with it substantial power to shape the laws which govern the Nation's citizens and their interests.

Control of Congress also includes the power to control the legislative business on the floors of both Houses. Such control determines what measures will be called up for consideration and the order of the priority, subject to the rules of each House.

For example the decision to motion up Alaska statehood but to allow Hawaii statehood to remain on the Senate Calendar was a decision of the policy committee of the Democrats.

Legislation Is Generally a Compromise

This does not mean that the majority party can impose its absolute will on the whole Congress. Legislation in Congress is more often the result of compromise. The compromise is rarely between two tightly organized political parties. Members of both Houses are men of conviction and they vote according to what they believe is best for the national interest as they see it. They may be influenced by political party principles and other interests, all of which enter into the compromise and determine the resulting legislation. On numerous occasions there are what can be termed "party line" votes, where the majority of Democrats vote on one side and the majority of Republicans oppose them; but even here there will be some "crossing of party lines" by individual Members. Moreover, there are some great questions of public policy, like civil rights, labor-management relations, and foreign aid, which cut deeply into each political party and produce party splits or divisions. This is typical of almost every Congress no matter which party controls it.

85th Congress Reflects Political Party Principles

But control of the machinery of Congress does give the majority more power and opportunity to impress legislation with its party philosophy and principles. This was evident in the performance of the 85th Congress. In general, Democrats pressed for greater Federal spending, for the continued expansion of Federal Government powers and activities, for inflationary policies, for further expansion of Federal electric power and other public projects, for Federal subsidies and benefits of all kinds to individuals, States, and localities, regardless of the dangers of inflation, or the encroachment by the Federal Government on the functions of States and local governments, private business, and individuals. In the 85th Congress, too, Democrats were reluctant to remedy abuses by legislation in cases where the legislation might meet with disfavor among certain groups from which the Democratic Party hopes to draw political strength, as in the opposition of New Deal Democrats to effective labor legislation.

Republicans in the 85th Congress, on the other hand, generally voted on lines to curb Federal spending; to restrain the expansion of Federal Government activities except where there was a clear necessity for it; to avoid inflation by maintaining the value of the dollar and by keeping the expansion of money and credit within moderate bounds; to permit the State and local governments to share with the Federal Government in power and other public projects on a partnership basis rather than have the Federal Government do the whole job; and to discourage as much as possible Federal Government interference in the lives of individuals or with the activities of private enterprise. These attitudes stem from the philosophy and historic principles of the Republican Party.

In general too, Republicans in Congress sought to support the Republican administration of President Eisenhower while Democrats, with an eye to the capture of the White House in 1960, recognized no such obligation, except in foreign affairs. While the official Democratic leadership cooperated in many foreign policy issues, there was much carping criticism by Democrats from the sidelines.

It is only against this background of our Republican form of Government, our political party system, and the significance of control over the machinery of Congress that the performance of our two major parties in the 85th Congress can be fairly evaluated.

Highlights in the record of the 85th Congress

The 85th Congress began in January 1957 on a note of economy. It closed its second session on August 24, 1958, with an upward revision of the Federal debt limit to $285 billion.

This change from economy to heavy spending resulted in part from the Russian launching of Sputnik I which led to great concern over the state of American technology, scientific education, and national defense. This concern was translated into larger expenditures in many fields, including the largest peacetime military spending program in history.

However, a large part of the spending reflected the Democratic Party's historic cure for economic recession—the enlargement of Federal Government activities and obligations. Democrats who control both Houses of Congress unleashed a barrage of spending bills, tax cut proposals, and public works plans which were strongly reminiscent of the New Deal. Bills introduced in the Senate alone would have committed the Federal Government to the spending of an extra $43.7 billion in the next 5 years with the comparable House figure much larger. The money for such an extravaganza would have had to come from Government borrowing (causing dangerous inflation) or from increased taxes on our already burdened population. Carrying financial recklessness one step farther, Senate New Deal Democrats proposed to reduce taxes by $6.2 billion.

Healthy Economic Progress Resumed

While Republicans in Congress resisted these attempts to expand Federal Government activities and launch unnecessary spending schemes, the Republican administration took more than 50 constructive steps to stimulate the economy and provide more jobs. Relieved of political pressure to spend its way out of the recession, Congress then supplemented the administration's efforts with legislation to spur the economy and meet the Nation's legitimate needs. Housing construction was stimulated; sound river, harbor, and flood-control projects were approved; water resource programs were expanded; unemployment compensation was extended and supported with Federal aids; defense programs were accelerated; taxes on the transportation of goods were lowered; the Small Business Administration was made permanent and small business enterprises were helped by tax revisions; education and welfare aids were enacted, and other measures offsetting recession were approved.

As the 85th Congress drew to a close, the economy took a healthy upturn with employment rising, business improving, individual income increasing, and personal savings reaching an all-time high. The Republican Party principle by which the Federal Government moderately supplements but does not supplant the operations of States, local governments, and private enterprises again proved to be the soundest means for resuming balanced economic progress.

Other domestic affairs

Safeguarding Farm Progress and Farmers' Freedom

In the course of the session, Democrats sponsored measures to freeze farm price supports and impose further restrictions and controls on farmers. Republicans in both Houses resisted these measures and when their opposition could not prevent the passage of the legislation freezing supports, the President vetoed it. Strong Republican opposition successfully prevented passage of another farm bill which would have expanded the acreage reserve program and production controls on milk and feed grains. Congress, toward the end of the session, extended the Agricultural Trade Development and Assistance Act, the successful program originally launched by Republicans to dispose of farm surpluses abroad. Thwarted in its efforts to scuttle the Republican farm program which has greatly improved the farm economy, the Democratic leadership finally permitted passage of a bill making moderate improvements in Government programs and price supports. The result points to further gains in farm income, farm living conditions, and more freedom for the farmers.

Labor and Management

Investigations of the Senate (McClellan) Select Committee on Improper Activities in the Labor or Management Field exposed such shocking abuses in sections of the organized labor movement that remedial legislation was imperative for the protection of rank and file union members. This proved a poser for the Democratic-controlled 85th Congress. Their dilemma was how to satisfy outraged public opinion and union members who were victimized by many unscrupulous union leaders and yet not offend the powerful labor leaders who furnished political strength to the Democratic Party.

S. 2888, a mild bill for registration, reporting, and disclosure of employee welfare and pension plans, was offered to meet this dilemma. It gave the appearance of doing something to protect employees while actually doing very little to safeguard welfare and pension funds and nothing at all about other abuses in the labor-management field. But while Democrats in the Senate strongly rejected all Republican attempts to give union members stronger protection against the real abuses in the labor movement, they were finally forced to come forward with a second bill (S. 3974) to accomplish that purpose. This bill was so inadequate to the need that Secretary of Labor James P. Mitchell, in a public statement, voiced his conviction that the bill "would provide only illusory protection to trade union members and to the public, as well as being almost impossible to administer."

Republican Members of the Senate offered many amendments to secure more freedom and democratic rights for rank and file union members, but lacking sufficient votes to override strong Democratic majorities, Republicans saw their amendments voted down. (See provisions of the bill, section on labor and management.)

Sent over to the House, the bill remained in the hands of the Democratic Speaker for over 40 days until public pressure forced its referral to the House Education and Labor Committee. This committee voted against consideration of the bill. Notwithstanding that vote, the House Democratic leadership brought the bill to the floor under the drastic procedure of suspension of the rules which allowed no amendments practically making defeat of the bill certain. It was defeated.

The House went on to pass a companion bill to S. 2888 which, after being reconciled with the Senate bill in conference, was passed by both Houses and approved by the President.

National Defense and Mutual Security

The Russian launching of Sputnik I spurred a drive to accelerate and enlarge national defense programs and to improve and strengthen the military services. Final appropriations for the Department of Defense totaled more than $40 billion for fiscal year 1959, the largest peacetime defense appropriation in the history of the country. This was in addition to increased expenditures in many other fields related to national defense.

The total was further enlarged by appropriations of more than 3 billion dollars for mutual security, the military and economic aid given by the United States to allies and friends abroad. In this connection, Republicans had to put up a strong fight to retain provisions of existing law preventing the extension of economic and financial aid to countries that ship war material to the Soviet Union and its satellites.

Concerned over weaknesses in defense administration and operations, Congress passed the Defense Reorganization Act improving efficiency, providing flexibility, and establishing clearer lines of command authority. By other acts, Congress took many steps to make the military service more attractive as a career. It also raised the mental and physical qualifications for induction into the Armed Forces to help in obtaining more personnel with leadership and technical abilities.

Missiles and Space

Clearly recognizing the implications to national defense, to the national interest, and to the peace of mankind of explorations in outer space, Congress established an independent agency—the National Aeronautics and Space Administration—under civilian direction to plan and guide space activities. This was supplemented by a nine-member National Aeronautics and Space Council, made up of heads of government departments and agencies and private individuals, to plan a comprehensive space program and coordinate the work of Federal agencies dealing with space activities. In addition, each House of Congress set up space committees for surveillance of space problems and activities. Approximately $500 million in all was provided for space programs in the Federal Government for the 1959 fiscal year. By a concurrent resolution, Congress went on record favoring international agreements for the development and use of outer space for the peace and benefit of mankind.

Congress acted promptly to accelerate high priority missile programs and provided new funds for the purpose for use in 1958. The 1959 program for military missiles approximates $6.7 billion and is under the control of the Defense Department.

Atomic Energy

In addition to other legislation in the field of atomic energy, Congress took two significant steps to advance President Eisenhower's historic atoms-for-peace and atoms-for-security proposals. The Senate consented to the ratification of the treaty for the Statute of the International Atomic Energy Agency by which the United States participates with 79 other nations in developing atomic energy for peaceful purposes. The Congress also enacted legislation to permit the United States to share atomic information with its allies, subject to certain safeguards in the national interest.

Democratic attempts were made to authorize additional expenditures in the atomic enegy field twice as large as the President requested, but such unnecessary spending was not sustained in the final appropriations for such programs.

Public Works and Natural Resources

Public works is one field where the differences between our two major parties show up quite clearly. Driven by their desire to spend their way out of the recession, Democrats pressed for the enactment of the community facilities bill providing for loans to aid cities and towns in building public works. The Senate measure called for $1 billion for this purpose and the House raised the figure to $2 billion. Fortunately, enough economy-minded Democrats joined with a strong Republican vote to defeat the greatly expanded measure. Another Democratic-sponsored bill would have set up an Area Redevelopment Administration to loan millions of dollars to aid depressed areas. No economic or business standards were set up for such loans and no attempt was made to get at the real causes for depressed areas. The bill was a plain attempt to subsidize certain industries and areas at the expense of others and could have led to loans on the basis of favoritism and political expediency. Another measure sought to expand Federal control of public power by permitting the TVA to build new powerplants with money from bonds instead of coming to Congress for funds. Strong Republican voting in the Senate and House helped to defeat such bills as these on the two principles of curbing Federal spending and restraining the indiscriminate expansion of the Federal Government into fields of State, local, and private concern.

The Omnibus Act of 1958 for rivers, harbors, flood control, and water supply finally became law after two earlier acts were vetoed. This bill, carrying authorizations of $1,556,230,500, covers hundreds of individual projects located in every State of the Nation.

The Congress also approved the Massachusetts-Connecticut flood-control compact which provides for projects to lessen the danger of floods in that area. In addition, Congress provided for a large number of other flood and water conservation projects in many other areas of the country. The 5-year program for the development of the Nation's water resources initiated by the Republican administration in 1954 was carried forward with some 461 new starts made to bring the total of expenditures close to $9 billion for the 5 years. Mineral resources and stabilization programs were approved.

Congress also authorized $3.4 billion for the long-range national highway building program, and $10 million toward the completion of the Inter-American Highway.

Congress rejected the lease-purchase program for private construction of public buildings which would have saved millions of dollars to taxpayers. But taxpayers will save an estimated $500 million by Congress' refusal to approve a Democratic-sponsored attempt to have the Federal Government build Hells Canyon Dam. Federal construction of this dam has been rejected many times since 1950 in favor of private construction which is already under way.

Personal and Public Welfare

The Congress reenacted the impacted area school bill (Public Law 815 and 874, 81st Congress) and amended the law to make permanent the program for children of persons who reside and work on Federal property. The program was extended for 3 years to June 30, 1961. In approving the measure, the President stated he did so "despite serious reservations"; that while it was clear Federal responsibility existed to help local communities meet educational expenses for children whose parents live and work on tax exempted Federal property, Federal aid should not be permanently continued for children whose parents work on Federal property but live in the local community in much the same circumstances as other workers.

In response to the President's request for enactment of a 4-year education program, including scholarships to help develop scientific and technically trained persons, Congress extended the scope of the bill to include fellowships, loans, and State grants. It did not relate the scholarships to science. The Congress also enacted other legislation to further education, including out-service training for Federal employees.

In the field of public health, Congress extended the Hospital Survey and Construction Act for 3 years and expanded its scope to include diagnostic centers, hospitals for the chronically ill, rehabilitation centers, and nursing homes. It also provided other loans and grants for hospitals and medical and dental training facilities. Congress voted more funds for cancer research than can be

efficiently used over the next fiscal year. Grants in aid totaling $1 billion were authorized to train public health specialists, technicians, and administrators.

In addition to the enactment of a $1.8 billion housing program designed to encourage the building of an estimated 200,000 homes, Congress enacted another law to hasten slum clearance and to construct public and college housing. Over strong Republican opposition, Democrats in Congress extended the benefits of public housing from low-income people to the middle-income group—nullifying the principle on which public housing is based.

In response to the President's request, Congress provided for the extension of unemployment compensation in the Federal-State system and retained the existing formula for such payments despite a Democratic-sponsored attempt to shift the whole burden to the Federal Government.

Congress, in its closing days, enacted a bill to increase social security payments by 7 percent, raise the taxable wage base from $4,200 to $4,800, increase payroll taxes, and increase the maximum family benefits to $254 a month.

Veterans

Among the many laws enacted for the benefit of veterans were the increase of 10 percent in compensation for veterans with service-connected disabilities, and in allowances for dependents of veterans who are 50 percent or more disabled; increases in pensions to war widows; additional housing benefits for veterans; and an appropriation of $25 million to make additional unemployment compensation payments to veterans.

Government and Civil Service

Spearheaded by Republicans, Congress made the most significant advance in the field of civil rights in 80 years by the enactment of the Civil Rights Act of 1957, which is basically designed to protect the Negroes' right to vote.

After many years Congress finally made it possible for Alaska to become a State, but ignored the claims of Hawaii to statehood.

Pay increases for postal workers, classified Federal employees, and unemployment compensation for Federal workers were voted.

In addition to passing over statehood for Hawaii, Congress took no action on home rule for the District of Columbia; no action to relieve the overcrowded dockets of Federal courts by provision of additional judges; no action on the President's urgent request to clarify the Constitution on the question of Presidential inability; and no action to meet the need for more effective laws on lobbying and Federal elections.

Foreign Affairs

On several occasions the 85th Congress had occasion to deal with important matters in the field of foreign affairs. Such measures were strongly supported by bipartisan action.

Middle East Resolution

During the Middle East crisis of January 1957, President Eisenhower asked for authority to use American Armed Forces to assist any Middle East nation requesting help against Communist aggression. A few Democrats in the Senate delayed action for almost 2 months while they vigorously criticized the administration and called for an investigation of its foreign policies. The resolution (referred to as the Eisenhower doctrine) was ultimately passed by overwhelming vote. The policy investigation continued until July but produced no committee recommendations—a fact carrying implications that the Democratic attack was made largely for political effect. During a second Middle East crisis in July 1958 when the President responded to Lebanon's request for troops to help preserve its independence, similar attacks were made by some Democrats prominent in the field of foreign relations. Nonetheless, the administration acted vigorously to defend small nations, to restrain aggressive communism in the Middle East, and to press in the United Nations for international measures to maintain the peace.

Condemnation of Soviet Repression and Brutality

In joint resolutions, under bipartisan sponsorship, Congress severely condemned Russian repression and brutality in Hungary, and expressed "the deep sense of indignation" of the American people on the execution by the Communist regime of former Hungarian Premier Imre Nagy and his colleagues.

United Nations Police Force

The Senate twice passed resolutions favoring the creation of a permanent United Nations police force.

Atoms-for-Peace and Peaceful Use of Outer Space

By Senate and House action, two significant steps were taken to advance President Eisenhower's historic atoms-for-peace proposal. These were approval of American participation in the Statute of the International Atomic Energy Agency designed to advance the peaceful uses of atomic energy, and authorization under proper safeguards of the exchange of atomic information and materials with our allies.

Congress also went on record favoring international action for peaceful exploration and use of uter space.

Mutual Security

Collective security having become vital to the Free World's resistance to Communist aggression, Congress continued to appropriate mutual security funds in 1957 and 1958. The act of 1957 made two important innovations. First, economic aid, which up to then consisted largely of gifts, was placed on a repayable basis through the creation of a development loan fund. Second, the definition of "defense support" was tightened to preclude the use of these dollars for any other purpose than to help friendly countries keep a maximum amount of men under arms as a guarantee of protection. Although sharp cuts in mutual security funds were threatened in the appropriation act for fiscal 1959, the critical situation in the Middle East helped to induce Congress to grant funds substantially meeting the President's request.

Immigration

In the closing days of the first session, Congress enacted a bill of limited scope in the field of immigration, in place of the comprehensive program recommended by the President. The bill affected an estimated 60,000 aliens, providing relief in hardship cases and reviving 18,000 visas lost when the Refugee Relief Act expired in 1956. By another act it was made possible for some 30,000 Hungarian refugees to become permanent residents of the United States.

Section-by-section details of the record of the 85th Congress follow:

Agriculture

(Republican agricultural policies—designed to return a greater measure of freedom to American farmers while protecting their income—had some rough sledding in the Democratic-controlled 85th Congress. But even without full Congressional support and implementation those freedom policies began to bear fruit in such forms as increases in farm income, assets, ownership, land value, and improved farm home living.)

Attacks on Soil Bank Program

In the first session of this Congress there was a serious danger that a Democratic majority in the House would end prematurely the acreage reserve part of the Republican-sponsored soil bank program. The House did in fact vote 192 to 187 to kill the acreage reserve after 1957 crops. Of those who voted to kill the acreage reserve, 154 were Democrats and 38 were Republicans. Opposed to the sudden move were 141 Republicans and 46 Democrats. Fortunately for America's farmers, the House later reversed its position when it approved a Senate-House compromise agricultural appropriations bill providing for continuation of the acreage reserve for most 1958 plantings, thus protecting farmers by an orderly close of the temporary program.

Also in the first session, Congress failed to protect the best interest of the Nation's corn growers when Democratic majorities in both the House and the Senate defeated several Republican-sponsored bills designed to head off overproduction by setting more realistic acreage restrictions and encouraging participation in the soil bank.

President Vetoes Unrealistic Democratic-Sponsored Farm Bill

Early in the second session the Democratic-controlled Congress met a Presidential veto when it attempted to thwart the Republican farm program by freezing farm supports at 1957 levels.

The next major attack against Republican farm freedom policies came when House Democrats controlling important committees forced to the floor a farm bill which would have imposed more restrictions on farmers and cost billions of dollars. This bill (H. R. 12954) would have expanded the area of production controls to milk and feed grains. It authorized an acreage reserve program for corn and grain sorghums, although agricultural appropriations legislation just passed provided no funds for a 1959 acreage reserve program. The bill would have resulted in higher consumer costs for milk and bread.

After Republican Representatives and the administration pointed out these and other faults, the House refused 214 to 171 even to debate the measure. Voting to kill the bill were 162 Republicans and 52 Democrats. Voting to consider the catchall measure were 150 Democrats and 21 Republicans.

Congress passed a 3-year extension of the special school milk program just in time to keep the program from expiring and denying milk to children in summer camps, schools, and other nonprofit child-care activities. Extension had been delayed because the popular milk program had been included as a sweetener in the Democratic omnibus farm bill.

Another sweetener in the bill didn't fare as well, but eventually also won separate House consideration and approval. That was extension of the Agricultural Trade Development and Assistance Act, originally passed by the Republican 83d Congress for the double purpose of disposing of American farm surpluses and fostering sound foreign relations. This successful act expired June 30, and wasn't reinstated by Congress until the very end of the session.

New Farm Bill Aids Farmers

The rejection of H. R. 12954 left a much more workable Senate bill (S. 4071) as the major farm bill pending before the Congress. This bill sought to make changes in Government programs for cotton, rice, corn, and feed grains, commodities generally recognized as having the most serious problems. It incorporated the principle of gearing price supports to average market prices down to certain income-protecting limits. It also sought to give growers more freedom to plant by setting more realistic acreage allotments, eliminating allotments entirely in the case of corn.

Although this bill was reported June 28 this year, it didn't reach the Senate floor for action until July 23, where it was amended and passed on July 25.

The House Agriculture Committee offered a severely amended version of the bill for passage under suspended rules permitting no amendments. The House rightly refused to accept it.

After still further delay that made it appear no general farm bill would be enacted, House Democrats in key positions relented and finally brought out another version of the bill more nearly in line with Senate provisions and Republican administration recommendations.

This bill won final passage. Although it abandons part of the proposed principle of gearing price supports to market prices, it permits lowering of support floors as a percentage of parity and allows more freedom to plant. Importantly, it also will eliminate escalator clauses for cotton, rice, and possibly corn.

Republican Farm Program Yields Beneficial Results

Progress toward Republican farm freedom goals was slowed but not halted by such Democratic foot dragging. Even with only partial Congressional support, those freedom policies have begun to show results in such forms as (1) a 22-percent gain in realized net farm income in the first half of 1958 over the same period in 1957; (2) total income per person on farms at a new high record in 1957; (3) farm ownership at a record high and farm land values at an all-time high in 1957; (4) cash receipts from farm marketings in the first half of 1958 at 11 percent above the similar 1957 period, with prices of farm products averaging 8 percent higher and the volume of marketings up 3 percent; and (5) the best farm living conditions in history in terms of better homes with more conveniences.

Atomic Energy at Home and Abroad

(Republican policies of atoms-for-peace and Free World security were supported by the 85th Congress. Some Democratic proposals tended backward toward Government monopoly and unnecessary spending. But by and large Republican atomic progress with freedom was advanced.)

The two most significant Congressional accomplishments in the field were consent to the ratification in the first session of the statute of the International Atomic Energy Agency and passage in the second session of legislation permitting the United States to share atomic military information and materials with allied nations. Both accomplishments fulfilled Presidential requests and advanced the use of the atom for peace and security.

International Atomic Energy Agency

The statute of the International Atomic Energy Agency, a treaty signed by the United States and 79 other nations, grew out of President Eisenhower's historic atoms-for-peace proposal at the United Nations in December 1953. The agency is designed to advance peaceful uses of atomic energy and its application to industry, agriculture, and medicine.

Cooperation With Military Allies

The new law permitting, subject to certain conditions, greater exchange of atomic information and materials with military allies was requested by the President as an outgrowth of urgent Free World discussions following the launching of the first Russian earth satellite last October. Its major effect is to lower substantially but selectively the walls of secrecy between the United States and its allies on nuclear weapons development. Congress wisely added safeguards to the President's recommendations to be sure that Congress would have veto power over exchange agreements and that the legislation wouldn't have the effect of creating new atomic powers among nations.

Euratom

Another significant Congressional accomplishment in the second session was passage of legislation approving a preliminary agreement between the United States and the six-nation European Atomic Energy Community (Euratom). The plan calls for the construction of 6 nuclear-power reactors to produce 1 million kilowatts of electricity and to cost an estimated $350 million, of which $135 million would be loaned by our Export-Import Bank. Congress authorized an initial appropriation of $3 million toward a projected $50 million in outright grants to be matched by Euratom for research and development. It also authorized the sale or lease of 30,000 kilograms of enriched uranium fuel.

Appropriations for Atomic Progress

In the second session, the Congress authorized an additional $388,679,000 for the Atomic Energy Commission's construction program.

When it came to fiscal 1959 appropriations for AEC, Congress appropriated $2,647,335,000.

These appropriations, added to the $2.32 billion in the first session appropriations bill, plus earlier appropriations and other sums, helped provide a national and Free World program for harnessing the elemental forces of the universe for freedom's defense and for the advancement of human welfare in many peaceful pursuits.

Government and civil service

(There were notable advances in keeping with Republican principles, both through legislation and Administration action, in promoting increased economy and efficiency in Government operations, in improving the civil service and post office system, and in bettering the status of the Federal employee. Many of these actions implemented Hoover Commission recommendations. Republicans spearheaded other advances in the field of civil rights, including statehood for Alaska.)

Civil Rights

For the first time in over 80 years, Congress enacted significant civil rights legislation. The Civil Rights Act of 1957 was designed basically to protect the Negroes' right to vote. It also set qualifications for Federal jurors, independently of State laws, and provided for an additional Assistant Attorney General to handle civil rights laws. In addition, it established a six-member, bipartisan Commission on Civil Rights, with a life of 2 years. The Commission is empowered to investigate alleged deprivations of voting rights because of color, race, religion, or national origin; and to study and appraise Federal laws, policies, and legal developments constituting denial of the legal protection of the laws.

The law as finally was enacted was limited in scope principally because of Democratic opposition in the Senate to Part III of the House-passed bill, dealing with enforcement powers to protect not only voting rights but a variety of civil rights.

Statehood

While Congress passed statehood for Alaska legislation, the Democratic leadership totally ignored the equally compelling case of Hawaii. The Republican administration had urged statehood for both of these territories in conformity to the platform pledges of both parties in 1956. The difference between Democratic promise and performance stands out, in view of the 1956 Democratic Party Platform pledge of statehood for both Alaska and Hawaii.

Passport Controls for the State Department

The President requested legislation giving the State Department express statutory authority to override recent Supreme Court rulings holding that the Department does not have authority to deny a passport because of a citizen's beliefs or associations. He also sought clarification of authority to prevent Americans from using passports for travel to areas "where their presence would conflict with our foreign policy objectives or be inimical to the security of the United States." The Congress took no action on these recommendations.

Postal Rate and Postal Pay Increases

The Postal Policy Act of 1958 represented the culmination of several years of effort by the Republican Administration to obtain Congressional approval of an increase in postal rates to offset evermounting deficits. (The administration, meanwhile, had modernized the Post Office Department, making effective use of management practices successfully developed by private industry.) These deficits were due to the more than doubled costs of postal service over the past 25 years, during which period postal volume had tripled; and except for parcel post, rates remained at levels that were entirely inadequate in view of increased costs.

This legislation also provided an overall 10 percent increase in pay for 500,000 postal workers, retroactive to January 1, 1958.

Federal Employment

Congress passed and the President approved a 10 percent cost-of-living pay increase for classified Federal employees in the executive branch, as well as for those in the legislative and judicial branches, retroactive to January 1, 1958.

In addition, Congress enacted legislation, requested by the administration implementing a Hoover Commission recommendation, to authorize the training of Government employees outside as well as within the agencies in which they are employed—such training to be under public or private auspices. The sum of $18.4 million was appropriated for the fiscal year 1958 for additional unemployment compensation payments to Federal employees. This was in line with overall provision that was made for appropriations to cover unemployed workers generally throughout the country.

Congress also adopted a model code of ethics to guide all Federal employees and officers in the proper conduct of their duties.

Second Hoover Commission Recommendations

Congress enacted H. R. 8002 to authorize the inclusion of expenditure limitation in appropriation acts and to revise budgeting practices of the executive branch so as to bring long-term spending projects under a mandatory annual review and prevent the accumulation of vast amounts of unspent carryover funds, often beyond further Congressional scrutiny. This carried out a Hoover Commission recommendation, a task force of which claimed substantial savings if budgeting and accounting recommendations were all implemented. Other recommendations and achievements of this Commission are mentioned elsewhere in this report.

Federal Judiciary

Several steps were taken to reduce the excessive workload of the Federal court system. Thus, Congress raised from $3,000 to $10,000 the amount which must be in controversy to give the Federal courts jurisdiction in civil actions; removed jurisdiction of district courts over workmen's compensation cases under State laws; and relieved the chief judge of a circuit or district court from his administrative duties at age 70. But overcrowded dockets in Federal courts were ignored by the failure to increase the number of judges and court personnel.

Presidential Inability

In the light of the incapacity of former Presidents Garfield and Wilson and President Eisenhower's several illnesses, the President recommended that Congress act upon his proposal for legislation to clarify the Constitution, but this Congress did not act.

Campaign Funds and Lobbying

The need for more effective laws on lobbying and Federal elections has been amply demonstrated through investigations by several Congressional committees. Moreover, the activities of labor organizations in these fields were highlighted by revelations of the Senate Select Committee on Improper Activities in the Labor or Management Field and other Congressional investigations. Nonetheless, Congress enacted no legislation on these subjects.

Reorganization Plans

The Congress extended to June 1, 1959, the authority of the President to reorganize the executive branch of the Government, subject to rejection of a reorganization plan by simple majority vote of either the Senate or the House. Reorganization Plan No. 1 of 1957 abolished the Reconstruction Finance Corporation, transferring its functions to each of several agencies and departments. Reorganization Plan No. 1 of 1958 consolidated the Office of Defense Mobilization and the Federal Civil Defense Administration into a new agency, the Office of Civil and Defense Mobilization, in the Executive Office of the President, thereby establishing a single pattern of authority for nonmilitary defense functions.

Pensions for Presidents

Provision was made for pensions, office space, and staff for former Presidents.

Government finance and taxation

(Following historic principles of prudent and responsible Government finance, Republicans resisted Democratic proposals for income tax cuts and New Deal-type spending measures in the 85th Congress, and most of these proposals were rejected. The 3 percent railroad freight tax was repealed, but the income tax rates on corporate income and various other excise taxes on consumer goods were continued. The 85th Congress twice complied with administration requests to raise the Federal debt limit.)

Federal Debt Limits and Budget Control

After two consecutive balanced budgets under the Republican administration, fiscal 1958 ended with a deficit of $2,813,000,000. This was due to heavily increased defense spending and antirecession programs. The fiscal 1959 budget was set at $73.9 billion.

Congress also enacted a bill to authorize the inclusion of expenditure limitation in appropriation acts and to revise budgeting practices of the executive branch to prevent the large carry-over of unspent funds (see Government and Civil Service, section on Second Hoover Commission Recommendations).

In general, the 85th Congress cooperated with the President's requests regarding the debt ceiling and taxes. There was no increase in existing tax rates.

Freight Tax Repealed

The Congress did effect one important tax cut and that was in the form of a bill which repealed the 3 percent tax on freight shipments, but which extended for another year the wartime tax rates on corporate income and a wide range of consumer goods. The continuation of the excise levies will yield $2,115,000,000. The bill also repeals the 10 percent tax on the transportation of passengers.

Excises Retained—Other Tax Adjustments

The 85th Congress also enacted a measure which continues a stopgap formula for taxation of life insurance companies. This law applies a 1955–56 formula for taxing income of life-insurance companies to the taxable year 1957.

Tax Writeoff Amended

In the first session, the 85th Congress took action on the rapid tax amortization feature of Federal law. Designed to stimulate building of defense facilities, the 5-year fast writeoff has resulted in an estimated postponement of $5 billion in Federal tax revenue over the period of 1950–60, at an interest cost to the Government of about $3 billion. The law was first enacted during World War II, was reenacted during the Korean war and was continued thereafter. It was amended by this Congress to restrict issuance of rapid tax amortization certificates to new or specialized defense facilities and to research and development facilities for defense. As enacted, the new provisions are similar to policies the administration had already adopted.

Labor and management

(The need for effective labor legislation had become evident with revelations of the many abuses exposed in the organized labor movement—abuses which materialized largely because of a need to bring the law up to date. Later, these abuses were, and continue to be, highlighted by the hearings conducted by the Senate Select Committee on Improper Activities in the Labor or Management Field. While some progress has been made toward effective regulatory legislation, Democratic-controlled Congresses have, for the most part, frustrated every attempt to enact this much needed legislation.)

Recommendations of the McClellan Committee

The legislative recommendations of the Senate (McClellan) Select Committee on Improper Activities in the Labor or Management Field called for laws to: (1) Regulate and control pension and health and welfare funds; (2) regulate and control union funds; (3) insure union democracy; (4) curb middlemen in labor-management disputes; and (5) clarify the "no man's land" in labor-management relations. These recommendations were based on over a year-and-a-half of hearings and volumes of sworn testimony. Clearly, the mandate to the Congress was to enact effective legislation.

Many bills were introduced to do just this. However, the Democratic-controlled Labor and Public Welfare Committee saw fit to report out only two bills: S. 2888, to provide for registration, reporting, and disclosure of employee welfare and pension plans; and S. 3974, to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, and to provide standards with respect to the election of officers of labor organizations.

Pension and Welfare Funds

In April, when S. 2888 was being debated, Republicans offered many amendments to carry out recommendations of the McClellan committee. These amendments were then offered because there was a strong belief that the Democratic-controlled Congress might enact a mild bill on pension and welfare funds and do nothing else on labor legislation despite the outrageous abuses in the labor movement exposed by the McClellan committee. A solid phalanx of Democrats defeated the Republican efforts, but were compelled by pressure of public opinion to assure the Senate that a general bill dealing with abuses in the labor movement would be brought before the Senate.

On these assurances, S. 2888 finally passed with 46 Republicans and 42 Democrats supporting it. This bill provides: (1) All welfare and pension plans with membership of over 100 employees must be registered with the Department of Labor; (2) an annual, audited report must be made by the administrator of a welfare or pension fund to the Department of Labor; (3) the Secretary of Labor is authorized to investigate situations in which it appears funds are being jeopardized; and (4) penalties for embezzlement, or other misuse of funds, are established.

The House passed a much milder companion bill (H. R. 13507) to S. 2888, and the two bills went to conference. The bill that came out of conference more nearly favored the House version than the Senate version. It provided mainly for the registration of information on pension and welfare plans, rather than providing for protection to the beneficiaries of such plans. Reporting was enlarged by a provision that exempted only plans covering not more than 25 employees. The bill was considerably weakened by the elimination of the powers of the Secretary of Labor to protect the interests of the beneficiaries of pension and welfare plans by conducting investigations, issuing subpenas, and seeking injunctions to prevent violations of the act. Accepting the conference report as the best legislation obtainable, both Houses cleared the bill for the President.

Legislation to Protect Trade Union Members and the Public

After Republican attempts to amend S. 2888 proved fruitless, public demand virtually forced S. 3974 out of committee.

As reported, the bill was grossly inadequate. In an almost unprecedented move, Secretary of Labor James P. Mitchell strongly criticized the measure in these words: "After examining and analyzing the proposals that have just been made to the Congress by the committee, I am deeply disappointed to find that these proposals contain deficiencies and weaknesses of such magnitude that were they enacted into law, I am convinced they would provide only illusory protection to trade union members and to the public, as well as being almost impossible to administer."

As the bill was being debated on the floor, 12 Republican-sponsored amendments, each designed to secure more freedom and democratic rights for rank and file union members, were defeated. An overwhelming majority of Democrats joined together to bring about the defeat of each of these amendments.

Since S. 3974 was the only legislation likely to come from a Democratic-controlled Congress and there was the possibility of additional amendments by the House all Republicans in the Senate save one voted for the final bill. The bill provides: (1) All unions must publicly report their income and expenses, but the Secretary of Labor may exempt locals with fewer than 200 members or income under $20,000 per year; (2) union officials must publicly report their holdings in companies or deals with employers their union represents or does business with; (3) employers and their middlemen agents must publicly report spending to influence workers' union activities; (4) jail sentences and fines are provided for false reporting, nonreporting, and destruction of union books; (5) subpena powers are given to the Secretary of Labor to check the accuracy of reports; (6) any official violating the reporting provisions is barred from union office for 5 years; (7) anyone convicted of a felony is barred from union office until his voting rights are restored; (8) embezzlement of union funds is subject to a maximum penalty of 5 years in jail or a $10,000 fine, or both; (9) unions may not lend more than $1,500 to their officials; (10) an international union must explain in reports why local officers have been supplanted by trustees; also, trusteeships are limited to 18 months unless it can be shown that a longer period is needed; (11) secret elections must be held for all union officers or delegates who select international officers; (12) local union officers are limited to 3-year terms, but international officers must be chosen at least every 4 years; and (13) a majority of a local union may oust their officials for misconduct.

The bill also provides that the National Labor Relations Board must take jurisdiction over all Taft-Hartley law disputes, but it may cede its jurisdiction to State agencies agreeing to follow its rulings; criminal penalties are provided for middlemen as well as employers who bribe union officials or any representative of an employer's workers; picketing to extort money from an employer is prohibited; economic strikers, as well as their replacements, are permitted to vote in NLRB elections to determine union representation; employers, as well as union officials, must swear they are not Communists to use the NLRB; and building trade unions can make agreements with construction employers before workers are hired and the union has established itself as the employees' representative.

S. 3974 as passed is woefully inadequate in many respects. Its major shortcoming is that it fails to carry out the three most urgent recommendations of the McClellan committee: (1) It fails to impose a fiduciary relationship on union officials in charge of union funds (an amendment which would have accomplished this was defeated, with 42 Democrats voting against it); (2) it fails to provide for secret ballots for votes on vital union matters other than election of officers (an amendment which would have accomplished this was defeated by a vote of 31 yeas to 52 nays, with 40 Democrats voting against it); and, (3) it failed to clear up the "no man's land" problem wherein a State is not empowered to act under present law in those labor disputes where the NLRB declines to assert its jurisdiction (an amendment which would have granted authority to the States to take jurisdiction over labor disputes in which the NLRB declines to act was defeated by a vote of 37 yeas to 51 nays, with 40 Democrats voting against it). The bill also did nothing to protect the individual worker against the harmful effects of secondary boycotts and organizational picketing.

The bill (S. 3974) passed by the Senate June 17, 1958 went through a curious course in the House. The Democratic Speaker of the House kept it on his desk for more than 40 days before he referred it to the House Education and Labor Committee. No hearings were held on the bill. When motion was made in the committee to consider the bill, the motion was voted down 22 to 7, every one of the 16 Democrats present voting against it. Notwithstanding that vote, the Democratic leadership brought the bill before the House in the closing days of the session under suspension of the rules. This drastic procedure allowed only 40 minutes for debate—less than one minute for each of the 48 pages of the bill, permitted no amendments to the bill, and required a two-thirds vote for passage. The bill failed to pass by vote of 190 yeas to 198 nays.

National defense and mutual security

(Responding to continued tension in foreign affairs, Congress improved the strength of the Armed Forces by improved organization of the Defense Department, by increasing military personnel levels, by accelerating missile and bomber programs, by larger appropriations for ships and aircraft, and by raising the standards and attractiveness of the military as a career service. The Congress appropriated an unprecedented peacetime total of more than $40 billion for the Department of Defense and more than $3 billion for mutual security.)

Defense Reorganization

At the request of President Eisenhower, Congress enacted the Department of Defense Reorganization Act, strengthening control of the Secretary of Defense, granting flexibility to manage the huge Defense Department, and providing clearer lines of command authority. At the same time, Congress retained its traditional control over the roles and missions of the military services.

In the Reorganization Act, Congress gave statutory backing to the National Guard and the National Guard Bureau and reaffirmed the intent of Congress that there shall be naval aviation and a Marine Corps. Congress also provided that each military department will be separately organized under its own Secretary.

Congress retained the dual role of the military chiefs of staff as members of the Joint Chiefs of Staff, and also as military heads of their own services. The Joint Staff was enlarged to permit greater planning and advisory assistance for the Secretary of Defense.

Congress resolved the knotty problem of the powers of the Defense Secretary to change military functions by requiring the Secretary to report to Congress proposed changes in functions established by law. The Congress reserved to itself a time period in which to determine whether the proposed change involved a major combatant function or would tend to impair the defense of the United States. If Congress did not oppose the proposed change during a specified time span, the plan would go into effect.

Congress preserved the feature of existing law which grants military secretaries and members of the Joint Chiefs of Staff the right to come to Congress on their own initiative with their recommendations for the Department of Defense.

Under the act the President is permitted to set up unified or specified combatant commands, with the line of authority flowing from the Commander in Chief to the Secretary of Defense to the combatant commander.

Accelerated Missile and Bomber Funds, Fiscal Year 1958

To accelerate high priority missile and bomber programs as requested by the President, Congress, in February 1958, approved $1.260 billion in new funds for use in the fiscal year ending June 30, 1958. Funds provided went for such projects as three submarines for launching the Polaris missile, construction of ballistic missile facilities and detection facilities, and building of dispersal and alert facilities for Strategic Air Command combat aircraft. (See Missiles and Space.)

Defense Appropriations, Fiscal Year 1959

For fiscal year 1959, Congress provided $39,602,827,000 in new funds and $535 million in transfers from cash revolving funds for military functions of the Defense Department. This was $815,857,000 more than the President's revised budget request. Congress exceeded the President's request in such programs as increased military personnel strength, numbers of ships and aircraft, and acceleration of missiles.

Funds were provided to maintain the Regular Army at 900,000 strength through fiscal year 1959, instead of dropping to 870,000 by end of fiscal year 1959; to maintain the Army National Guard at 400,000 rather than dropping to 360,000 by end of fiscal year 1959; to build up the Army Reserve to 300,000, instead of 270,000 begin-and-end strength; and to build up the Marine Corps to 200,000 men instead of dropping to 175,000 as provided in the budget. Congress provided for 630,000 Navy and 850,000 Air Force personnel, as requested by the President.

Congress also provided in excess of budget requests: $37 million for Army modernization; $609,043,000 for 4 Polaris submarines in addition to 2 in the budget; $11 million for speeding three Regulus submarines; $48 million for more Hound Dog missiles for the B–52; $90 million to accelerate the Minuteman ICBM; $65 million for the emergency fund of the Secretary of Defense; and $5 million for the Army map program.

With the recent dispatch of United States marines and paratroopers to the Middle East clearly in mind, Congress approved $140 million above the budget for troop carrier aircraft. Two amphibious ships for the marines were authorized by Congress which provided the $69 million budget figure to cover the cost. Seven million dollars were earmarked by Congress for modernization of antisubmarine warfare vessels of the Navy's reserve fleet. To complete two destroyer escorts scheduled for cancellation for lack of funds, $13 million was provided.

Congress funded 15 KC–135 jet tankers more than the administration asked, granting $55,595,000 for aircraft and ground support equipment. These planes are used to refuel aircraft and thereby extend their range.

Military Construction

Congress also provided funds to accelerate military construction programs for ballistic missile bases, detection and warning systems, and for dispersal of Strategic Air Command bomber squadrons. This was an advance installment of the 1959 budget.

For regular military construction, fiscal year 1959, Congress approved more than $1 billion to permit building research and testing facilities, troop and family housing, hospital and medical facilities, communications, aviation and shipyard facilities, and other military construction.

False Surrender Study Rumor

The White House labeled "nonsense" a press report that a nonprofit scientific agency working for the Defense Department was studying conditions in a nuclear war when United States surrender would be advisable.

In a statement issued from the White House August 15, 1958, the President's press secretary said, in part:

"There has been no public money spent to study how or when the United States might surrender. There will be no such money spent for such a purpose."

Referring to an amendment to the supplemental appropriation bill for fiscal year 1959, pending in the Senate at the time, to bar use of Federal funds for such a study, the statement continued:

"Evidently the Senate feels about this as does the President. It wants to require that no appropriations be used for such a purpose.

"As to that, the President wants me to say this. Even if he were given money for this purpose, it would not be spent. The whole matter is too ridiculous for any further comment."

As a further means of assuring the American people and the rest of the world that the United States is not contemplating surrender, the Senate by a rollcall vote of 88 yeas to 2 nays adopted the amendment.

Improving the Military as a Career Service

Combat readiness of our existing forces could be greatly improved if trained technicians and skilled personnel would remain in uniform, instead of leaving after their first or second tour of duty.

Therefore, to make the military service more attractive as a career, the Congress enacted pay raises for servicemen with at least 2 years of active duty, ranging from 3 to 41 percent. In addition, a system of proficiency pay for enlisted men and responsibility pay for officers was provided as a means of rewarding special skills and responsibilities, thereby encouraging trained experts to remain in the service. Hazardous duty pay was provided for military personnel who serve as human test subjects in thermal stress experiments. Military careers for nurses and medical specialists of the Army, Navy, and Air Force were also made more attractive by legislation increasing the permanent grades they may obtain. Further, the Military Construction Act of 1957 authorized

construction of housing, community and recreational facilities, as well as operational facilities, for members of the armed services. Privileges of servicemen overseas to send home duty-free gifts and to bring back their possessions free of duty were extended to July 1, 1959. Navy and Marine enlisted career reservists who complete 20 years of active service, were given the same retirement benefits for which regular enlisted personnel of these services are eligible. Congress also made permanent the Missing Persons Act which authorizes heads of military and other Government Departments to continue payments of personnel absent from their posts while designated as missing.

As another means of obtaining personnel with the leadership or technical ability needed to use today's complex weapons, there was enacted a law to permit raising the mental and physical qualifications for induction into the Armed Forces. Those deferred from induction because of failure to meet the higher standards will be subject to induction in event of an emergency.

To increase combat readiness of the naval air arm, Congress enacted a law requiring naval air cadets to serve at least 3 years of active duty following cadet training.

Republicans led the fight to provide the full budget request for funds to pay for medical care in civilian hospitals of dependents of Armed Forces personnel. In the brief period this program has been in effect, it has been a great morale booster. It is one of the most prized fringe benefits available to the families of men and women in uniform. Republicans were determined not to permit the program to be jeopardized for lack of funds.

Civil Defense and Defense Mobilization

Under Reorganization Plan No. 1 of 1958, the Federal Civil Defense Administration and the Office of Defense Mobilization were consolidated July 1, 1958, into a new agency, whose title was changed by subsequent Act of Congress to Office of Civil and Defense Mobilization.

The President's authority to proclaim a state of civil defense emergency was extended for 4 years to June 30, 1962. This would allow the President to bring into effect certain emergency powers to deal with an enemy attack or imminent attack.

In another civil defense move, the Congress passed a law giving the Federal Government joint responsibility with State and local governments for civil defense. The Federal Government could give to States radiological instruments, detection devices, gas detection kits, and similar devices at a cost of up to $35 million a year for 5 years.

Up to $25 million per year for 5 years could be contributed by the Federal Government to the States for personnel and administrative expenses, provided States employ a full-time civil defense director or deputy director. A maximum of $2 million per year was authorized for contributions to States for personal equipment of State and local civil defense workers.

Miscellaneous Defense Matters

To assure prompt performance on contracts for guided missiles and other essential defense procurement, Congress extended the Defense Production Act for another 2 years to June 30, 1960. Under the act, the President may establish priorities for defense contracts, allocate certain materials for defense purposes, make loans and purchases to build up defense capacity, and establish a reserve for trained executives to fill Government positions in time of mobilization.

Committees of both Houses of Congress investigated the status of our defense preparations, with particular intensity after Russia launched the first sputnik last October 4. The Senate Preparedness Subcommittee January 23 issued a list of 17 principal areas where decisive action should be taken. Progress reports from the Department of Defense were required from time to time.

Congress also authorized the loan of 43 naval vessels to friendly foreign countries, the continued loan of one aircraft carrier, and the experimental use of 15 target vessels.

Mutual Security

President Eisenhower once again asked the Congress to continue support of our mutual security pacts by appropriating funds for military hardware and economic assistance to our allies. In requesting $3.9 billion for fiscal year 1959, Mr. Eisenhower pointed out the consequences of abandoning the program: A severe dislocation and impairment of Free World power; a crumbling of our strategic overseas positions and a forcing of these positions back to our own shores; a massive increase in our own defense budget requiring increases in taxes; a heavy increase in inductions of American youth into the Armed Forces; and ultimately "a beleaguered America, her freedoms limited by mounting defense costs, and almost alone in a world dominated by international communism."

President Eisenhower cited the increased strength of the Free World over the past 8 years. "Since 1950 * * * the ground forces of countries associated with us for collective defense have grown to include nearly 5 million well-trained and equipped fighting men situated at strategic locations around the world. Naval forces have increased by over 100 percent, and the air forces of these nations now include 32,000 aircraft, of which 14,000 are jets."

As a means of preventing Communist subversion and economic penetration, Mr. Eisenhower urged continued technical assistance and economic development programs to help underdeveloped nations.

During debate on the mutual security authorizing legislation, there was an attempt to lift prohibitions in existing law so as to permit economic and financial aid to all Communist countries, except Russia, Red China, and North Korea, at the President's discretion. Under this so-called Kennedy amendment, nonmilitary aid could go to countries that ship war materiel to the Soviet Union or any satellite nation.

Republicans in the Senate led the fight to defeat this amendment, contending United States economic and financial aid to Communist countries only serves to entrench further the hold of Red rulers over their captive peoples. Republicans further argued such aid would involve billions of dollars, would subtract from aid available for nations friendly to us, and would increase the burden of the American taxpayers. By a rollcall vote of 43 yeas to 42 nays, the Kennedy amendment was stricken from the bill. Left on the statute books were Battle Act prohibitions against giving aid to countries that threaten the security of the United States.

Against the President's request for $3.950 billion for foreign economic and military assistance, the Congress approved $3.298 billion.

Missiles and space

(Arrival of space age creates serious military and civil problems for Congress. New agencies are established for space research, technology, and operations. Peaceful exploration and use of outer space is favored. Missile programs are strongly supported.)

Congress Deals With the Space Age

The successful leap into space by manmade earth satellites definitely opened the space age with all its grave military and other implications for the United States.

Both President Eisenhower and the Congress recognized the importance of turning space programs to peaceful purposes for the benefit of mankind. They further recognized exploration into the new dimension of space cut across existing organizational lines and required new arrangements.

Therefore, at the request of the President, Congress provided top-level organization, necessary funds, and facilities for a new civilian space agency to have charge of the Nation's aeronautical and space activities.

Responsibility for the military portion of the space program was left with the Defense Department, where a new Advanced Research Projects Agency will direct military research in space technology and weapons of the future.

Congress established an independent agency, the National Aeronautics and Space Administration, under civilian direction to plan, direct, and conduct aeronautical and space activities, to arrange for the scientific community to aid in measurements and observations of space vehicles, and to disseminate widely information and findings.

At the same time, Congress imposed upon the President the duty of developing a comprehensive space program and of resolving differences among Federal agencies in connection with those programs. To aid the President, Congress set up a 9-member National Aeronautics and Space Council composed of the Secretaries of State and Defense, the Space Administrator, the Chairman of the Atomic Energy Commission, one other representative of a Government agency, and three private individuals who are eminent in science, engineering, or other professions. The President was designated Chairman of the Council.

The President requested $125 million for the new Space Administration, including $47.8 million for construction, equipment, and facilities needed immediately. Congress approved $80 million. Together with $117 million to be transferred from the Department of Defense, the Space Administration would have a total of $197 million for nonmilitary space programs.

In addition, Congress approved $23 million for research facilities and improvements and $78,100,000 for salaries and expenses of the National Advisory Committee for Aeronautics, which will be absorbed by the Space Administration.

The Department of Defense has about $294 million of 1959 funds for use on space activities primarily military in nature, making about $500 million in all of 1959 funds directly applicable to space programs in the Federal Government.

Congress also took steps to assure continuing Congressional surveillance of space problems and activities. The Senate created a 15-member standing legislative Committee on Aeronautical and Space Sciences with jurisdiction over the new Space Administration. On the House side, a 25-member standing legislative Committee on Science and Astronautics was established with wider jurisdiction than its Senate counterpart.

Resolution Favors Peaceful Exploration and Use of Outer Space

The House and Senate approved a concurrent resolution putting the Congress on record favoring international agreements for peaceful exploration of outer space, for banning use of outer space for military aggrandizement, and for cooperation in scientific space developments to improve communications, weather forecasting, and other benefits.

Missile Programs Strongly Supported

The Nation's missile programs to date have been under the Defense Department. The total fiscal year 1959 program for missiles is about $6.7 billion, of which about $2.5 billion is for development and improvement of missiles. Of the $4.2 billion for procurement of missiles, somewhat more than half is for missiles going to combat units.

Congress has provided necessary appropriations to carry missile programs forward.

National economy

(The economic downswing which began last fall triggered a torrent of spending schemes by Democrats in both Houses of Congress. The Republican Administration refused to be panicked and, instead, calmly put into operation over 50 constructive steps designed to lead the Nation back to previous record heights of prosperity. As the Congress closed, many indicators pointed to an end of the recession.)

When it became clear in the fall of 1957 that an economic recession had set in, the 85th Congress was confronted with the problem of what it could do to stem the economic downturn.

President Eisenhower and Secretary of Commerce Sinclair Weeks, steadfastly expressed their confidence that the recession would level off and cited facts to support their views. In a matter of months this confidence was increasingly justified as unemployment dropped and business conditions steadily improved.

Democratic Spending Plans

Meanwhile, New Deal Democrats in both Houses of Congress unleased a whole barrage of wild spending bills, unsound tax proposals, and public works plans that were strongly reminiscent of the New Deal. In the House and Senate combined, the total of nonduplicating spending bills introduced by Democrats would have cost the Government an estimated $208 billion in five years. Such a sum amounts to one-half the value of everything made, produced, sold, constructed, and all personal income, profits, savings, etc., in the United States last year. It would have had to come from Government borrowing (causing inflation); or from increased taxes on our already burdened population.

Republican Administration Stimulates the Economy

The President, in contrast, took action and made solid, constructive proposals designed as part of the "orderly acceleration" to help spur business and provide more jobs. It developed that the Administration had taken over 50 seperate actions to stimulate the economy. These steps included the easing of credit, stimulants to home building, increased highway outlays for the current year, a step-up in the urban renewal program, a $5 billion jump in defense procurement in the first half of 1958 over the figure for the last half of 1957, the extension of unemployment compensation benefits, a post office modernization program, and the awarding of defense contracts to "labor surplus" areas.

In the President's annual economic report which he transmitted to Congress last January, he assessed the economic outlook and said: "There are grounds for expecting that the decline in business activity need not be prolonged, and that economic growth can be resumed without extended interruption."

Economic Progress Resumed

The President's appraisal of the economic picture was substantiated as the second session of the 85th Congress approached its close. Personal savings were at an all-time high, employment rose, individual income was climbing, and weekly factory wages hit a record high.

Legislation Speeds Recovery

The second session of the 85th Congress responded to the challenge of a recession by enacting legislation that included increasing the Federal debt limit; a $1.85 billion housing construction bill; a bill authorizing 150 river, harbor, and flood control projects at an estimated cost of $1.5 billion; and supplemental appropriations bills for defense and for the Department of Labor. At the President's request, the supplementary appropriations bill for Labor provided $25 million more for unemployment compensation for veterans and $18.4 million for unemployment compensation of Federal employees. The supplementary defense appropriations bill for fiscal 1958 made available $1.260 billion in new funds and $150 million in transfers from old funds to speed up high priority missile and bomber programs.

Aids to Railroads

As a means of strengthening and improving the national transportation system, Congress amended the Interstate Commerce Act to provide assistance to common carriers by railroad in acquiring and maintaining facilities and equipment. The Interstate Commerce Commission was authorized to guarantee loans to railroads from private sources to the amount of $500 million. Railroads will also gain some advantage from the repeal of the 3 percent tax on freight shipments.

Small Business Aided

Congress made the Small Business Administration a permanent agency. A tax revision bill giving substantial aid to small business was enacted.

Public works and natural resources

(The basic differences between the Republican and Democratic Parties were sharply defined in legislation enacted or proposed by the 85th Congress in the fields of public works and natural resources. Contrasted to the Democratic philosophy of Federal control and Federal expenditures of taxpayers' money by a paternalistic Government, the Republican Party believes that the development of public works should be in the hands of local and State authorities whenever possible and with those authorities sharing the costs; that natural resources should be conserved and utilized but with the consent and authority of those most vitally affected.)

Party Differences Revealed in Legislation

Typical of the basic differences between the two parties was the attempt to enact the Democratic-sponsored community facilities bill as a so-called antirecession measure over the objections of the President. Passed by the Senate, the measure called for $1 billion in loans to aid cities and towns in building public works. The House raised this figure to $2 billion—an increase of 100 percent. This make-work bill would have added to the public debt and bypassed Congress on the loan plan by permitting funds to be paid out of the Treasury without Congressional approval. It would have added fuel to the fires of inflation. Fortunately, economy-minded Democrats joined with Republicans in defeating this expanded bill.

Still another bill designated as an antirecession measure passed by the Senate but not the House is the so-called Area Redevelopment Administration, set up within the Housing and Home Finance Agency, which would have loaned a $100 million revolving fund each for the establishment of industries in both urban and rural areas. Still a third $100 million revolving fund would have been used for public-facility loans to attract new industries to areas currently without sufficient water, sewage, and other facilities. Other provisions included urban redevelopment programs expanded to incorporate nonresidential redevelopment, information programs, vocational training, and subsistence payments for trainees under the guise of aiding unemployment. No consideration was given to economic or business standards or for the reasons for these depressed areas. This form of subsidizing certain industries and areas at the expense of others, with no criteria for eligibility, could have placed the applicants on the basis of favoritism and political expediency.

Another measure adding to more Federal control of public power was the bill, passed by the Senate but not the House, to permit TVA to build new power plants with money from bonds instead of coming to Congress for more funds. The Senate ignored the President's request that TVA should obtain approval from the Treasury Department before issuing bonds and that its operations should be confined to the area now served and its expenditures to be reviewed in the Federal budget.

This Republican administration started and has continued instead the development of natural resources and public works, wherever possible, on the basic theory of shared responsibilities and costs with full participation by the Federal Government, States, and local communities and individuals.

During this second session of the 85th Congress, some of these Republican-supported and sponsored proposals have met with Congressional approval. Some have been defeated, delayed, postponed, or ignored. Some falling by the wayside would have saved overburdened taxpayers money while at the same time improving public works or conserving our natural resources.

Accomplishments in Public Works and Natural Resources

The Omnibus Act of 1958 for Rivers and Harbors Flood Control and Water Supply finally became law after two vetoes by the President—vetoes caused by including projects which were not approved by the Corps of Engineers or whose feasibility were of doubtful value.

Increased authorization was given for the Republican-sponsored national road building program for primary, secondary, and urban roads with some control over billboards. A record $3.4 billion in Federal highway aid is being allocated. The President approved this bill but stated he did so with serious misgivings because certain provisions could create unfortunate precedents. Among them were the substitution of a two-for-one ratio which violated the long established principle of a 50–50 sharing of Federal and State costs; the $115 million Federal advance to the States to aid in financing their one-third share; and incentive payments to encourage the States to regulate highway advertising to be furnished from general tax revenues rather than from highway user tax revenues. This is but another distortion of an Administration-sponsored program with its expanded drain of the Federal Treasury adding to the huge deficit already confronting the taxpayers.

With statehood for Alaska now a reality, encouragement is being given to develop her natural resources and thus Congress approved a measure to stimulate the oil and gas leases of inland underwater areas in that new State.

Other public works receiving approval of Congress include the Massachusetts-Connecticut Flood Control Compact which will lessen the devastation from floods in that area and the authorization to construct four units of the Chief Joseph Dam Project as well as authorization of water conservation projects in New Mexico and Texas to aid in satisfying their water needs.

Another conservation measure approved by Congress is that of limiting withdrawal of public lands by the Defense Department to 5,000 acres unless specifically authorized by Congress.

Also approved was $10 million in funds for the Inter-American Highway; an extension and enlargement of airport aid and a bill to provide coordination between the Government's fish and wildlife conservation programs and its water resource development projects.

In 1954, the Republican administration initiated a five-year program for water resources projects. Projects costing $3,723,300,000 are being carried forward under this

regular five-year program. In addition, there have been 461 newly initiated projects (424 new starts in the Corps of Engineer's civil works program and 37 in reclamation) which will be built at a total cost of $5,020,187,000. Included in this program is the Colorado River storage project, approved in 1956, at a total project cost ceiling of $760 million—the largest single package water resource appropriation ever authorized.

Other Programs Fell by the Wayside

Congress adopted a resolution to accelerate civil construction and commended the administration for what it is already doing. But it rejected the lease-purchase program designed to permit private firms to build much needed post offices and other Federal office buildings and lease them to the Government, with the rent to apply to the purchase price. Thus, a program which would have saved millions of dollars to the taxpayers was not approved by Congress.

Once again there was an effort to revive the issue of a Federal dam at Hells Canyon despite its rejection by the administration and former Democratic-controlled Congresses. Through private construction the American taxpayer is saving an estimated $500 million.

The partnership policy in the development of natural resources initiated by this Republican administration in order that local and State participation would assume a greater part in financing these projects, was given a setback by this Congress. Among these were such projects as the development of the power facilities of the Trinity Division of the Central Valley project in California; and the Fryingpan-Arkansas power and irrigation project authorization in Colorado, strongly backed by the Republican administration as projects where Federal construction is necessary and which was recommended by the administration in 1956, 1957, and 1958.

Personal and public welfare

(The welfare of the American people has always received prime consideration in the policies of both major political parties. The difference lies in the approach to that problem. The Republican Party is opposed to Federal compulsory plans in health, to Federal encroachment upon State and local control of education, and to the dole in any form. Believing that it is a Federal responsibility to assist in care for the aged, chronically ill, and totally disabled, as well as the care of our veterans, the Republican Party follows the adage of our first Republican President, Abraham Lincoln, in doing for the people only those things which they are unable to do for themselves. Freedom is endangered when government follows a paternalistic approach to the welfare of our citizens.)

Federal Aid to Education

The President sent a special message to Congress this year requesting prompt enactment of a 4-year educational program with emphasis on science in the interest of national security. His recommendations resulted in an $887,400,000 education program, but eliminated in this compromise bill was the Chief Executive's proposal for Federal college scholarships. Instead, the Congress agreed upon a loan program for needy students costing $295 million over a 4-year period. In addition to the student loan program, the bill provided for postgraduate fellowships, improved teacher education, an expanded vocational education program, foreign language centers, and Federal aid in the purchase of science-teaching aids. The student loan program would authorize loans up to $1,000 a year at 3 percent interest and to be administered by the colleges and the Federal Commissioner of Education.

Specific Educational Assistance

Among other education legislation approved by Congress was the continuation of school aid for construction and maintenance in areas affected by Federal installations. The President, in approving this legislation, said he did so reluctantly in the belief that Federal aid in this field should be tapered off with the States and local communities assuming more of the financial responsibility for the reason that many Federal workers owned their homes in the communities and paid taxes to the State and community. Also approved were funds for grants-in-aid to public or nonprofit accredited schools of public health training, and in the administration of State and local public health programs; Federal grants to each State to aid in development of educational television; and out-service training for Federal employees to increase their efficiency. The rural library service, enacted in 1956, was extended although with twice as much funds as requested in the President's budget message.

Health

The Hospital Survey and Construction Act (Hill-Burton) was extended for 5 years and funds for four categories were included consisting of grants for construction of diagnostic centers of hospitals for the chronically ill; of rehabilitation centers; and grants for nursing homes, all nonprofit institutions. Also enacted into law were authorizations for loans for construction of hospitals and other facilities for those of certain religious beliefs whose precepts prevent them from accepting grants. Grants were given for construction of dental and medical schools. The Health Research Facilities Act was extended for 3 years, authorizing matching grants of $30 million for the construction of research centers.

No Action Taken on Other Major Proposals

Although the 84th Congress, under Public Law 813, authorized Federal funds to assist the States in establishing committees on education beyond high school, no appropriations were made then or in the 85th Congress. No progress was made in other major recommendations by the President such as Federal grants-in-aid to combat juvenile delinquency; the pooling of resources of small insurance companies and nonprofit associations so that a greater number of people could obtain the benefits of voluntary health insurance. Nothing has been done on legislation to require advance testing of chemicals to be used in foods to assure their safety for human consumption. No action was taken on the bill to create a 21-member temporary Presidential study commission on problems of the blind.

Children

Congress extended for 3 years the special milk program for children in nonprofit schools, summer camps, and other similar institutions. Encouragement was given to the expansion of teaching and research in the education of mentally retarded children through grants to nonprofit institutions of higher learning and to State educational agencies.

Social Security and Old-Age Assistance

Approved was a bill for a White House Conference on the Aging to be held before September 30, 1960, with recommendations to be made in such fields as employment, housing, medical care, and community activities for the elderly.

Authorization was given also for $1 million grants-in-aid to train public health specialists, technicians, and administrators.

The President made several requests in his budget message for changes in both social security and old-age assistance. The request for consolidated annual wage reporting for both income tax and social-security payroll tax to relieve employers of needless paper work was not acted upon. Also the request for modernizing the formula for public assistance with a view to gradually reducing Federal participation in its financing, in line with the belief that States should have greater responsibility, fell by the wayside. Nor was action taken on scientific supergrade positions for food and drugs; Indian sanitation facilities; or the transfer of Freedman's Hospital to Howard University for the purpose of increasing facilities for nurses and medical teacher training.

In the first revision of the social-security laws since 1954, increased benefits of 7 percent will go to 12 million retirees. Under this increase the minimum benefit will rise from $30 a month to $33, with an average increase of approximately $4.75. Total benefits payable to a family will be raised from $200 to $254 a month. The first checks will go out in February 1959.

Additional benefits go to the retired person whose earnings exceed $1,200 a year. Those in this category will not lose benefits for any month in which their earnings are $100 or less. Previously, the maximum was $80.

Federal contributions for public assistance provide $197 million for this purpose. For the first time disability benefits are made retroactive. Dependent parents of a deceased person may now draw benefits although there may be a widow or child. In addition, dependents of disabled workers may now draw benefits and a person eligible for social security disability benefits will be permitted to draw full benefits even though drawing benefits from some other system.

There is an increase in the taxable wage rate from $4,200 a year to $4,800, as well as an increase in payroll taxes and an increase in the tax rate for self-employed persons to permit these larger benefits.

Housing

Congress enacted an emergency housing bill providing a $1.8 billion housing program designed to encourage the building of an estimated 200,000 homes by extending the VA home loan guarantee and direct loan programs for 2 years; providing an extra $1 billion to the Federal National Mortgage Association for FHA and VA mortgages on new homes where loans do not exceed $13,500; providing an extra $500 million to the Mortgage Association to be used to buy mortgages at the President's discretion to stimulate the economy; and further provisions for military housing. It also authorized $150 million for direct GI loans and $125 million more than Administration requests for urban renewal programs over the next 6 years. Added to this is $400 million for college housing and a new fund of $250 million for other college needs.

Unemployment Compensation Extension

Congress heeded the President's request for extension of unemployment compensation and followed his recommendation by making the time limit 50 percent of any State limitations. The formula for payments between Federal and State funds was retained despite agitation to place the entire burden on the Federal Government.

Small business

(Congress' concern for the problems of small business enterprises was reflected in several measures. The Small Business Administration was made permanent. Its loan funds were increased. It is empowered to charter privately owned investment companies for equity financing of small enterprises. And small business is the beneficiary of substantial revision of the tax laws.)

Small business enterprises received substantial aid from the 85th Congress on a bipartisan basis.

Small Business Administration Made Permanent

After the operations of the Small Business Administration had been extended several times since its establishment by the Republican Administration in 1953, this Congress made it a permanent agency of the Government. The revolving fund for business loans was increased by $295 million, and the maximum loan limit was raised from $250,000 to $350,000. The SBA was directed to assist small firms in obtaining Government research and development contracts.

Other important measures enacted by the 85th Congress to assist small business were:

Authorization for the Small Business Administration to make disaster loans to small business concerns suffering economic loss as a result of excessive rain. The law amended the Small Business Act of 1953 to add the situation of "excessive rainfall" to conditions which may create a need for disaster loans, and made certain technical changes regarding drought eligibility.

Improvement of opportunities for small-business concerns to obtain a fair proportion of Government purchases and contracts and to facilitate procurement of property and services by the Government. The Act removed needless inconsistencies, complexities an inequities in Government procurement procedures in order to improve small business participation in Government contract work.

Equity Financing for Small Business

A Small Business Investment Division was established within SBA, and is authorized to charter privately owned small-business investment companies. An additional $250 million was authorized to the existing revolving fund of SBA to provide the financial assistance to help meet the initial capital requirements of these new investment companies. These small business investment companies would, in turn, provide equity-type capital to small-business concerns through the purchase of convertible debentures. SBA is also authorized to make loans to State and local development companies to enable them more effectively to assist small businesses.

Tax revision

Amendments to the Internal Revenue Code of 1954 provide tax revision for small businesses. This act provides ordinary-loss treatment (up to $25,000 a year or $50,000 a year in case of a husband and wife filing a joint return) where the original holder of small-business stock sells it at a loss; extends the 2-year net operating loss carryback to a 3-year carryback; permits enterprises to write off 20 percent of the cost of their depreciable, tangle personal property (both new and used) in the year of acquisition; increases the minimum accumulated earnings credit from $60,000 to $100,000; and provides that where the estate of a decedent consists largely of an interest in a closely held business, the estate is to have up to 10 years for payment of the Federal estate tax.

The Small Business Administration itself has established and put into operation an effective program of helping small-business firms throughout the country in the 5 years since it was created.

The Agency has approved more than 11,000 loans, totaling more than half a billion dollars; approved over 7,708 disaster loans for more than $83 million; and awarded more than 40,000 individual contracts totaling more than $1,700,000,000 to small-business concerns.

It has assisted countless thousands of additional small firms with their individual problems through counseling and by issuing various publications designed to assist small firms with all types of management and technical problems.

Veterans

(Veterans' benefits and compensation increased. Dependents, widows, and orphans to get liberalized benefits. Housing aids extended. Education assistance broadened. Supplemental funds voted for unemployment compensation. Memorial and museum approved to honor American servicemen who died at Pearl Harbor.)

Benefits and Compensation Increased

Among the more important benefits enacted on behalf of veterans and their dependents in the 85th Congress was legislation providing a 10-percent increase in compensation for veterans with service-connected disabilities, and in allowances for dependents of veterans who are 50 percent or more disabled. Pensions for approximately 65,000 widows of the Spanish-American War, 4,000 Civil War widows, and 1,000 Indian War widows were increased to $65 a month for those over 70 years of age, and to $75 a month if they were the wife of the veteran during the period of his service; and proportionate increases were provided for Mexican War widows, of whom there are four on the rolls, and for children. Eligibility for widows' benefits was liberalized to include certain instances where a legal impediment to the marriage existed.

Housing and Education Aids Extended

Additional housing benefits for veterans were provided by extending the VA home loan guarantee and direct loan programs to 1960, by provision of extra funds for direct VA loans, for FNMA purchase of VA mortgages on new homes, and for purchase of military housing mortgages. (See subsection on Housing in Personal and Public Welfare, and section on National Defense.)

Other legislation enacted in the 85th Congress on behalf of veterans accomplished the following: the Korean GI bill (Veterans' Readjustment Assistance Act) and the War Orphans' Educational Assistance Act were clarified to make their benefits available to veterans and war orphans studying in the Panama Canal Zone, and also to war orphans in the Philippines; a supplemental amount of $25 million was appropriated to make additional unemployment compensation payments to veterans during 1958; and the burial allowance for deceased veterans was increased from $150 to $250. Congress also consolidated into one act all of the laws administered by the Veterans' Administration.

Pearl Harbor Memorial

Also, Congress approved the erection of a memorial and museum at Pearl Harbor on or near the hulk of the U. S. S. *Arizona*, in tribute to the 1,102 American servicemen who died on the ship December 7, 1941, and whose remains cannot be recovered.

Foreign affairs

(Twice during the 85th Congress, the administration, with strong bipartisan support, acted vigorously to maintain peace, defend small nations, and restrain aggressive communism in the Middle East. This emphasized the need for mutual security funds. In other actions, Congress condemned Communist brutality and oppression in Hungary and Red China's failure to account for American prisoners in Korean war; resolutions call for permanent U. N. police force; legislation and treaties advance the atoms-for-peace program; immigration law falls far short of President's request.)

During both sessions, the 85th Congress dealt with serious crises in foreign affairs in addition to many other matters of international concern. The United States acted vigorously for peace as an individual nation, with its allies and friends, and by advancing the efforts of the United Nations toward the establishment of peace, law, and order.

Defending Small Nations in the Middle East

Following the Middle East crisis in January 1957, the President asked Congress for authority to use American Armed Forces to assist any Middle East nation requesting help against Communist aggression. After considerable delay occasioned by Democratic demands for an investigation of American policies, the Congress finally gave the President substantially what he requested. Supported by this authority the President ordered the Sixth Fleet into position to assist the Jordanian Government while the United Nations acted to relieve tension in the area.

Again in July 1958, when a second Middle East crisis arose, the United States moved American troops into the area at the urgent request of the President of Lebanon. At the same time, the United States pressed vigorously for action in the United Nations for preservation of the peace and protection of the independence of the threatened nations.

Mutual Security

Recurrent international crises of the Soviet Union's stepped-up economic drive to win uncommitted nations to communism continued to make collective security vital to American national defense and to the free nations' resistance against aggression. The 85th Congress continued to meet this need by providing our allies with military supplies and economic assistance though the sums appropriated did not meet the President's request. (See National Defense and Mutual Security.) Congress also authorized the loan of certain naval vessels to friendly foreign countries.

Congress Condemns Soviet Repression and Brutality in Hungary

In House Concurrent Resolution 204, the Congress condemned Russia for "brutal forms of armed subjugation" in her suppression of the Hungarian revolt during 1956. Again in June 1958, House Concurrent Resolution 343 called upon the President to express through the United Nations and through all other appropriate channels "the deep sense of indignation" aroused in the United States by the announcement of the Communist regime in Hungary of the execution of Imre Nagy, former Hungarian premier, and his colleagues, Pal Maleter, Jozsef Szilagyi, and Miklos Gimes. The resolution denounced these acts of barbarism and perfidy of the Soviet Union and the Hungarian Communist regime.

Other Resolutions Affecting Foreign Affairs

Resolutions adopted by the Senate or House, or by the 2 bodies jointly, included: condemnation of Red China for failing to account for 450 American prisoners of war taken in Korea; favoring the creation of a permanent United Nations police force; supporting NATO membership for Spain; and requiring the Secretary of State to submit all agreements other than treaties to the Senate within 60 days of execution.

Atoms for Peace

Following up the President's atoms-for-peace proposals, the Senate approved the treaty for American participation in the International Atomic Energy Agency; and authorized the exchange of atomic information and materials with our military allies. Legislation was also passed approving a preliminary agreement between the United States and the six-nation European Atomic Energy Community providing for the construction of nuclear power reactors and for atomic research and development. (See Atomic Energy at Home and Abroad.)

Peaceful Exploration and Use of Outer Space

Congress also went on record favoring international action for the peaceful exploration and use of outer space. (See Missiles and Space.)

Legislation Affecting International Finance, Trade, and Development

Congress approved an amendment to the Anglo-American financial agreement of 1945 providing a more flexible formula for repayment by Great Britain of the $3.750 billion loan. The Senate approved an agreement between the United States and Austria providing procedure for the validation of certain Austrian bonds.

Congress also extended the Export-Import Bank's lending authority for 5 years to June 30, 1963, the Export Control Act for 2 years to June 30, 1960, and the reciprocal trade agreements program for 4 years to June 30, 1962. The new Trade Agreements Act permits tariff cuts up to 20 percent below existing rates, but not more than 10 percent in a single year; and allows the cuts to be made at any time within 4 years beyond the end of the act's extension, or up to June 30, 1966. Congress may, by two-thirds vote, override the President's disapproval of the Tariff Commission's recommendations in escape-clause cases. Weaknesses in the internal economy due to excessive imports are to be considered in determining whether imports should be reduced to prevent harm to the national security. In escape-clause cases the President is authorized to increase duties as much as 50 percent above the 1934 tariff level. The President may also impose duties up to 50 percent ad valorem on imports now coming in duty-free.

The Congress authorized an additional $10 million for completion of the Inter-American Highway. The Senate approved a number of treaties with foreign nations concerning commerce, navigation, fisheries, double taxation, and cultural relations.

Immigration

The Democratic-controlled 85th Congress failed to give President Eisenhower the comprehensive program he sought in the field of immigration. The President requested such changes as an updating of the census date of the national origins quota system, authority to transfer unused quotas under that system, and certain other changes in immigration laws to relieve hardships. Instead, Congress enacted some changes liberalizing the McCarran-Walter Act which were described as a "quarter loaf" of the President's program. The act eliminates mortgages on quotas under prior laws; revives unexpired visas under the Refugee Relief Act; authorizes the entry of an unlimited number of adopted children over a 2-year period, provides relief in hardship cases; gives nonquota status to certain quota immigrants including skilled specialists; and permits the Government to waive some impediments affecting the admission of certain aliens. Another act made it possible for some 30,000 Hungarian refugees to become permanent residents of the United States.

REPUBLICAN ADMINISTRATION'S ACHIEVEMENTS IN BRIEF, JANUARY 1953 TO AUGUST 1958

Foreign affairs: Waging peace

Ended the stalemated war in Korea and reversed the previous foreign policy that had contributed to the loss of 600 million people behind the Communist Iron Curtain in the decade 1943 to 1953.

Avoided involvement in the hot war in Indochina; took steps to aid Vietnam and build up its army.

Held meeting at Geneva, Switzerland, with the heads of Russia, Britain, and France to pave the way for concrete actions to relieve world tension. President Eisenhower took the initiative by his impressive offer to exchange full armament information under adequate safeguards. Although Geneva fell short of specific agreements and the general understandings did not result in the solution of the problems discussed, the meeting did relax world tensions at the time.

Ratified mutual defense treaties with the Republic of China (Formosa), the Republic of Korea (South Korea), and the Southeast Asia Collective Defense Treaty (SEATO), grouping together Australia, New Zealand, Pakistan, the Philippines, Thailand, Great Britain, France, and the United States. Associated the United States with the Baghdad Pact in the security and defense of the members of the pact.

Ended the military occupation of Western Germany and provided for the accession of the Federal Republic of Germany to the North Atlantic Treaty Organization.

Negotiated the Austrian State Treaty (signed by Austria, France, the Soviet Union, the United Kingdom, and the United States) by which Austria was reestablished as an independent state and the military forces of the Allied Powers and the Soviet Union were withdrawn.

Endorsed the President's authority to use the Nation's Armed Forces for the protection of Formosa and the Pescadores Islands, as a move to preserve peace in the Far East.

Developed the "Eisenhower doctrine" authorizing the President to use Armed Forces to assist any nation or nations in the Middle East requesting help in preserving their independence against armed aggression from any country controlled by international communism; and exercised this authority to assist Jordan in 1957 and Lebanon in 1958, while strongly supporting United Nations action for peace, stability, law, and order.

Continued economic and military aid to the nations of the Free World, with increasing attention to Asia.

Extended the foreign trade agreements program, permitting tariff reductions under regulations designed to protect American jobs and business. Also, provided for American participation in the International Finance Corporation designed to help nations to develop their resources.

Assisted the new free government of Guatemala which removed the Communist regime.

Took the initiative against communism in all parts of the world.

Reaffirmed official policy against Red China's admission to the United Nations.

Supported a United Germany (resolution of 83d Cong.).

Condemned Soviet mistreatment of minorities and callous disregard of human rights (resolution of 83d Cong.).

Also condemned Russia for armed subjugation in Hungary in 1956; and again in June 1958 called upon the President to express through appropriate channels the "deep sense of indignation" aroused in the United States by the execution of Imre Nagy and other Hungarian nationals by the Communist regime in Hungary (resolution of the 85th Cong.).

Moved for adoption by Western Hemisphere nations of the Caracas resolution declaring communism a threat to freedom and pledging full consultation in the event of aggression.

Negotiated arms pacts to strengthen Central American countries against Communist subversion.

Acted to oust Americans in the United Nations who have served the Communist cause.

Brought about a settlement of the oil controversy in Iran, preventing the threatened Communist subversion of that country.

Proposed an international pool of atomic energy resources for peaceful uses. Approved a treaty by which the United States will participate with 79 other nations in the International Atomic Energy Agency for the application of atomic energy to industry, agriculture, and medicine. Further, the United States offered to furnish research reactors and to make available power reactors (Euratom). Provisions were also made for the exchange of atomic information and materials with our military allies.

Passed the Refugee Relief Act to admit, over a 3-year period, up to 214,000 persons to the United States in excess of the quota limit. Liberalized the immigration laws to afford relief in hardship cases, admit adopted children, revive 18,000 visas that had expired with the Refugee Relief Act, made other changes benefiting an estimated 60,000 aliens, and made it possible for 30,000 Hungarian refugees to become permanent residents in the United States.

Settled by negotiation the Italian-Yugoslav quarrel over Trieste which for years had threatened to cause war between the two countries.

Reiterated the traditional position of the Senate in favor of self-government and self-determination for all peoples in a move designed to give hope to the enslaved peoples of the satellite countries.

National defense; Instant readiness safeguards Nation's security

Developed the greatest military strength the Nation has ever had, short of wartime, with emphasis on continuous combat readiness for any emergency.

Applied almost two-thirds of the Federal budget to national security (military defense, atomic energy development, stockpiling of strategic materials, military aid abroad) compared with only 32 percent in 1950 just before Korea.

Put atomic and other new weapons into the regular military arsenal for strategic and tactical use.

Increased by 50 percent long-range heavy-bomber striking power by increasing the number of planes in heavy-bomber wings to 45 each (formerly 30).

Equipped all Air Force fighter wings with jet aircraft; all medium-bomber wings with B-47's, which have intercontinental capabilities; and heavy-bomber wings (B-36's) are being replaced by all-jet B-52's. An improved model B-52 has just begun to roll off the production line.

Continued research toward nuclear-powered aircraft.

Launched the first nuclear-powered submarine *Nautilus;* others are following along. The *Nautilus* made the first voyage in history from the Pacific Ocean to the Atlantic Ocean by way of the North Pole, pioneering an underwater sea lane between the Eastern and Western Hemispheres. This extraordinary feat raised the prospect of a new trade route for commercial cargo submarines powered by atomic energy.

Brought the Marine Corps, consisting of 3 divisions and 3 air wings, to a high level of combat readiness, increased number of combat planes on hand and added to Marine firepower with atomic weapons.

Installed Nike missile batteries for defense of key American cities; developed the missile master, the country's first electronic system specifically for controlling and coordinating Nike batteries.

Completed reorganization of the Army into Pentomic divisions designed to exploit to the maximum atomic warfare.

Built up the Reserves and National Guard to the highest state of readiness yet, better trained, organized, and equipped than ever before.

Greatly strengthened our continental defense; coordinated Army, Navy, and air units under the Continental Air Defense Command and improved fighter-interceptor forces and antiaircraft weapons.

Brought our combat-ready strategic fighting forces to their highest peak of preparedness in all three services. Strategic Air Command, the Marines, and strategic army forces are ready for action on short notice.

Completed the main portion of the Distant Early Warning line which has gone into operation and began construction on extensions of the system. Extended warning protection along the Atlantic and Pacific approaches by

constructing Texas towers (radar islands) and by Air Force and Navy airborne patrols.

Began reorganization of the Pentagon under the act which became effective August 6, 1958.

Abolished 192 joint committees in the Department of Defense and continued investigation to see whether more committees and advisory groups could be terminated.

Continued military aid to help equip and train forces of our allies, consisting of about 4,700,000 men, 2,500 combat vessels, and 32,000 aircraft (of which 14,000 are jets).

Made changes to improve the morale of service personnel, including pay raises, medical care for servicemen's dependents, liberalized benefits for survivors of servicemen and veterans, free college education for soldiers agreeing to remain in service 3 years for each year of training. Placed military personnel under the social security system on a permanent basis.

Developed a hydrogen bomb small enough to be carried by a fighter-bomber with a fighter delivery system more accurate than low altitude bombing.

Developed a new germ-killing gas which can disinfect entire buildings upon which germs are dropped.

Let a contract for development of a liquid fuel engine of about 1 million pound thrust.

Let contracts in proceeding on a priority basis with an Air Force bomber dispersal program to give 33 bases by end of 1961 accommodating one heavy bomber squadron per base.

Tightened the security risk program.

Made permanent the Missing Persons Act which continues payments and family allotments in the case of military personnel absent from their posts while designated as missing.

Missiles and space

Proposed an independent agency to direct nonmilitary space programs, which Congress later authorized. A top-level advisory group, comparable to the National Security Council, was authorized to assist the President on space problems.

Launched four earth satellites as part of the United States participation in the International Geophysical Year.

Ordered the Defense Department to work on the problem of sending unmanned rockets and satellites to the moon for the purpose of exploration. Nearly 30 separate projects involving almost $50 million have been programed.

Proposed international agreement that outer space should be used only for peaceful purposes.

Ballistic missile systems are receiving highest priority: Polaris submarine missiles system, Atlas and Titan intercontinental ballistic missiles, Thor and Jupiter intermediate range missiles, and the antiballistic missile Nike-Zeus.

Successfully test fired the complete Atlas ICBM.

The Department of Defense is confident of meeting the schedule calling for operational availability of the Thor and Jupiter IRBM's by December 1958. Under an agreement with the United Kingdom, the Thor will be deployed at launching sites on British soil.

Defense officials also expect to achieve operational status of the Atlas ICBM during calendar year 1959, with Polaris and Titan to follow later.

One of the most difficult problems with ballistic missiles is the reentry problem. Defense scientists have successfully recovered two Jupiter IRBM nose cones and have successfully tested a nose cone which traveled more than 5,000 miles.

Contracts have been let for development of components of the solid propellant ICBM.

Approval was given for building a two-station ballistic missile early warning system and associated communications at an estimated cost of $500 million. Construction is already underway on the first of these stations.

Set up advanced research projects agency in the Defense Department to direct military space projects and weapons systems of the future.

Set up the post of director of defense research and engineering to supervise and coordinate military research projects.

Atomic energy for peace and security

Republican programs based on the principles of developing atomic energy—without Government monopoly—for peace, progress, and Free World security have been an outstanding success in the past 5 years, as follows:

Enlisted free enterprise in a public-private cooperative program under the Atomic Energy Act of 1954 for the development of peaceful uses of atomic energy at home. Starting from 2 small civilian power reactor experiments in 1953, there were 8 civilian power reactors in fiscal 1958, producing 78,000 kilowatts. Fifteen more are under construction or scheduled for full operation before 1965. Four plants under construction represent a private investment of $250 million and not a cent of taxpayers' money. For eight jointly sponsored projects not yet under construction, public funds of $150 million are more than matched by private commitments of $200 million.

Strongly supported public and private research on nuclear power production and many other peaceful uses of atomic energy which have resulted in many benefits. Since 1953, both the number of users and the dollar volume of sales of radioisotopes have trebled. A million medical patients are being diagnosed or treated with radioisotopes each year. In industry, saving through isotope use is five times what it was in 1953. Radioisotopes have such varying uses as locating and treating tumors, improving crops, measuring the thickness of tin cans, X-raying castings, locating leaks, preserving food, and eradicating pests.

Launched the atoms-for-peace program calling for international cooperation in using atomic energy for peace, and implemented it through bilateral and multilateral agreements, and through the International Atomic Energy Agency proposed by the President before the United Nations in 1953, and approved by Congress in 1957. A multilateral agreement with the six-nation group Euratom was negotiated and approved by the Congress in 1958.

Made the maximum contribution to national and Free World defense and security by increasing many fold the number of atomic weapons, by improving their design to reduce radioactive fallout and meet specific military requirements, and by permitting a greater exchange of atomic military information and materials with allied nations.

National economy

Established a high level of economic activity—without a war.

Gross national product, personal income, and savings climbed to new high records.

Every year since 1952 saw well over a million housing starts.

Decline in farm income was checked. Prices and income rose.

Small Business Administration became a permanent agency.

Administration refused to panic over business downturn by launching Democratic-favored spending sprees. Instead, it put in operation constructive and well-planned programs, which included the following:

Defense contracts accelerated to $13.4 billion in first half of 1958 as against $7.9 billion in last half of 1957. Calendar year totals: 1958—$23.6 billion; 1957—$17.8 billion.

Spending increased in Federal highway programs by $800 million over last fiscal year and plans call for an additional increase of $600 million in fiscal 1959.

Acceleration of authorized civil works by $200 million in current fiscal year.

Additional $50 million provided in capital grant funds for urban renewal projects.

Reserve requirement of Federal Reserve banks reduced one-half of 1 percent on February 20, 1958, thereby freeing additional $3 billion for lending.

FHA-insured mortgage down payments reduced, encouraging new housing.

Defense Department directed to funnel contracts to distressed labor areas and to small business generally. In February 1958, $102 million in Federal contracts were set aside for small business, double the amount provided in February 1957.

Speed-up ordered in $1 billion worth of urban renewal loans and grants handled by Housing and Home Finance Agency.

President ordered speed-up of $300 million in HHFA loans for college housing.

Interior Department stepped up general construction program by $25 million.

Unemployment compensation benefits extended.

Military construction programs accelerated.

Labor: Advancing interests of working men and women

Gave tax cuts which were the equivalent to a wage increase for every taxpayer; workers now keep more of what they earn.

Promoted harmonious labor-management relations, resulting in less time and wages lost on account of strikes; since Republicans took office there has been greater worker-industry peace than in any comparable post-World War II period.

Extended unemployment compensation insurance coverage to 4 million more people—the first major extension since the program began.

Urged and assisted State and local action on the growing migratory labor problem and developed draft legislation to regulate its interstate transportation.

Established a program of unemployment compensation for approximately 2½ million Federal workers.

Supported the passage of a 10-percent pay raise for all classified and legislative employees.

Urged States to modernize their unemployment compensation; 23 States increased jobless pay benefits and 7 lengthened the period.

Recommended and supported legislation raising the minimum wage.

Blacklisted minimum wage violators and recovered back wages for underpaid employees—in the most vigorous enforcement program since passage of the Davis-Bacon Act of 1935.

Recovered for workers, in 1955 alone, more than $6 million due them from employers who violated either the Fair Labor Standards Act or the Walsh-Healey Act.

Speeded procedures of National Labor Relations Board for handling elections, settling disputes, and disposing of unfair labor practice cases.

Provided more effective attention to problems of women workers through newly created post in the Labor Department of Assistant to the Secretary for Women's Affairs.

Expanded vocational rehabilitation program; strongly enforced child-labor laws and health and safety standards; pushed apprentice-training and on-the-job training programs; helped veterans return to preservice employment.

Expanded its occupational safety training program and assisted the States in promoting programs to provide safe working conditions.

Vigorously supported legislation to bring about more union democracy and greater freedom for rank and file union workers.

Agriculture: Prosperity and freedom for farmers

The Republican administration has done a remarkably good job of untangling the web of agricultural problems created by the previous administration and heading the whole agricultural economy toward prosperity and freedom, as follows:

Halted the spiraling inflation which from 1940 to 1952 sent the index of prices paid by farmers up more than 100 percent. From January 1953 to June 1958, this index rose only 7 percent.

Continued to attack the basic cost-price squeeze problem to the benefit of farmers. Realized net income of farm operators in the first half of 1958 was at an annual rate of about $13.3 billion—22 percent higher than in the first half of 1957. This was the greatest increase from a year earlier since the end of World War II when price controls were eliminated.

Stopped the postwar downtrend in farm prices. Prices received by farmers in the first half of 1958 were 8 percent above a year ago and 10 percent above 2 years ago.

Helped farmers cut their debts. Farmers have less than $11 in debts for each $100 of assets. In 1940 the ratio was $19 for each $100. Farm assets of $188 billion as of January 1, 1958, are at an all-time high. Farm ownership is also at a record high, 2 out of every 3 farms being free of mortgage debt.

Enacted in 1954 a farm program providing some flexibility in formerly rigid price supports and acreage controls, which had piled up surpluses and depressed farm prices.

Enacted during the same Republican 83d Congress the now widely popular Public Law 480, providing both an effective domestic surplus disposal system and a sound foreign relations program. About $1.5 billion worth of surplus commodities have been sold for foreign currencies and another $1.4 billion bartered for strategic materials under the law.

Achieved notable success in other disposal programs also. In the 2-year period ending June 30, 1958, surplus commodities with a cost value of about $8 billion were moved out of Government storage into consumption. Farm exports in fiscal 1957 set a new record of $4.7 billion.

Started in 1955 the cooperative Federal-State rural development program, which despite Democratic delay, has done much to assist rural people on the lower rung of the economic ladder by helping them to help themselves.

Enacted the Soil Bank program in 1956, after fighting off Democratic attempts to return to rigid supports and controls. The acreage-reserve part of the Soil Bank, now drawing to an orderly close despite Democratic attempts to kill it prematurely, served well in preventing the surplus production in 1957 of 2 million bales of cotton, 6 million hundredweights of rice, 93 million pounds of tobacco, 225 million bushels of corn, and 175 million bushels of wheat. The conservation-reserve part of the Soil Bank continues at higher payment rates to help curb overproduction while conserving soil and water resources for future needs.

Inaugurated in 1956 the Great Plains program to combat wind erosion, dust storms, and floods in 10 States most often beset by these disasters. About 600 contracts for regrassing and other conservation programs have been signed, involving 2 million acres.

Brought soil and water conservation activities through these and other programs to levels never before equaled, and extended more disaster and drought aid to farmers than ever before.

Amended the internal revenue law to permit farmers to deduct expenditures for installing certain soil and water conservation practices. Saved farmers $60 million a year by repealing tax on gasoline used in farming operations.

Extended social-security coverage to farm owners and farmworkers.

Returned the Farm Credit Administration to the control of farmers and in general made the agricultural credit system more responsive to farmers' requirements.

Provided larger loan authorizations for rural electrification loans and for rural telephone loans.

Expanded the special school milk program so that millions of additional children could receive this valuable addition to their diets.

Extended the Sugar Act and the Wool Act, and extended and expanded the brucellosis control program.

Established the Agricultural Marketing Service in the Department of Agriculture reorganization of 1953 to give greater emphasis to marketing and distribution of farm commodities.

Expanded research activities to develop new crops, new uses for crops, new markets, and reduced production costs.

Enacted in 1958, after still more Democratic attempts to increase Government interference, a program for cotton, rice, corn, and feed grains which is partly in line with Republican farm freedom policies.

Natural resources and public works: partnership instead of paternalism

Authorized the joint United States-Canadian St. Lawrence Seaway project.

Authorized comprehensive program for deepening and improving connecting channels between Great Lakes to accommodate ocean-going vessels through the St. Lawrence Seaway.

Approved construction of St. Lawrence River power project by State of New York and Province of Ontario, expected to generate second largest amount of power of any similar project in the country.

Approved 13-year $32.9 billion highway construction and improvement program involving 440,000 miles of United States highways and roads. Total program is largest public works project ever authorized in United States history.

Increased Federal emergency relief highway funds for aid to States in which roads and bridges were damaged or washed out by hurricanes and floods.

Approved $10 million in funds for Inter-American highway.

Authorized a 10-year $500 million water pollution control program, providing grants-in-aid to States and municipalities to construct plants to purify polluted streams and other water sources.

Authorized a nationwide lease-purchase program to build new post offices, customhouses, and other Federal buildings (program rejected by 85th Congress).

Authorized the third largest public power dam in the Nation—Priest Rapids Dam on the Columbia River; authorized hundreds of navigation, flood-control, beach erosion, and other river and harbor projects.

Authorized Federal construction of upper Colorado River water storage project covering 110,000 square miles in five-State area for eventual building of scores of multiple purpose dams and some 35 reclamation projects.

Authorized a $90 million Mississippi Gulf sea level canal.

Approved survey of tides at Passamaquoddy Bay, Maine, for feasibility of hydroelectric power.

Authorized military public works program of between $1 billion and $2 billion in each session of the last three Congresses and approved appropriations for construction of numerous Army, Navy, Marine, and Air Force facilities.

Approved flood and hurricane disaster measures designed to house the homeless and to reestablish communications and transportation facilities.

Authorized scores of new reclamation, irrigation, and power projects.

Permitted the Federal Power Commission to license local public utility districts and private power companies to pay for and construct their own power projects.

Extended Water Facilities Act from 17 States to 48 States in a move to conserve the Nation's water and soil resources.

Authorized research program for feasible uses of saline water for human and commercial purposes.

Permitted Federal loans to local irrigation districts for construction, on Federal reclamation projects, of water distribution systems to be locally owned and operated.

Permitted multiple mineral development of the same tracts of public lands to encourage domestic sources of vital materials.

Provided for upstream watershed protection and flood prevention under local control, reversing a 20-year trend.

Rejected, by a majority vote in the Senate, an attempt to prevent a private utility from constructing Hells Canyon Dam on the Snake River as approved by the Federal Power Commission.

Extended minerals purchase program to include incentives for small mine operations.

Inaugurated long-range programs for mining and metallurgical research; intensified study of radioactive metals; continued synthetic fuels research; gave Federal Government more authority on surface resources in granting mining deeds.

Passed measures for additional conservation and propagation of fish and for the protection of grazing lands and wildlife refuges.

Approved extension of Federal Aid Airport Act to authorize a four-year, $252 million program for annual matching funds to provide adequate and safe airports.

Approved conservation programs of many types, including improvement of western grazing lands through reseeding programs, water-spreading systems, and encouragement of soil and moisture conservation practices by range users.

Returned to the States their rights to submerged lands and resources off their coasts to their historical boundaries.

Authorized $100 million Oroville Dam and Reservoir project on Feather River in partnership with State of California.

Authorized partnership plan for San Angelo irrigation municipal water project in Texas.

Established National Outdoor Recreation Resources Review Commission to administer administration's 10-year development programs, namely Mission 66 and Operation Outdoors, under the National Park Service and the Forest Service respectively.

Stimulated oil and gas leases of inland underwater areas of Alaska.

Authorized Massachusetts-Connecticut flood-control compact.

Authorized construction of four units of Chief Joseph Dam project.

Authorized water conservation projects in New Mexico and Texas.

Limited withdrawal of public lands by Defense Department.

Encouraged phosphate production.

Approved Merrimack River flood control compact.

Granted consent for Little Missouri River compact.

Personal and public welfare

General and Public Health

Established first Health, Education, and Welfare Cabinet position.

Enacted 1954 amendments to social security extending coverage to over 13 million more people.

Inaugurated many new health measures, including aid for building more nursing homes and chronic disease hospitals.

Greatly expanded vocational rehabilitation.

Increased medical research into major causes of death and disability.

Expanded training of practical nurses; provided funds for graduate training for public health personnel and for nurses planning careers in teaching, research, or administration.

Expanded the hospital survey and construction program with emphasis on building chronic disease hospitals, nursing, and convalescent homes for the chronically ill, aged, and physically disabled; established diagnostic and treatment centers; and provided special facilities for vocational rehabilitation.

Increased funds for costs of medical care for the aged, blind, disabled, and for dependent children.

Enacted a 5-year, $25 million program for research and technical assistance for the problem of air pollution.

Extended and strengthened Federal-State water pollution control program.

Provided grants to States to support experiments, demonstrations, and studies to improve the care and treatment of the mentally ill.

Developed and provided funds for the Salk poliomyelitis vaccine program.

Greatly strengthened the Food, Drug, and Cosmetic Administration to increase the safety and purity of foods, drugs, and cosmetics.

Enacted a stringent Narcotics Control Act.

Extended school milk program to summer camps and other nonprofit organizations.

Initiated program for research in weather modification.

Liberalized the formula for Federal aid to States in public assistance programs.

Created Federal Council on Aging to meet the needs of our rapidly increasing elder citizens in the areas of income maintenance, medicine, mental health, and rehabilitation.

Education

Called White House Conference on Education, the first in history.

Accelerated school construction.

Initiated teacher program to cope with teachers shortage.

Accomplished higher rural school enrollment by strengthening child labor provisions of Fair Labor Standards Act.

Appointed committee of national leaders to consider ways and means of increasing Nation's supply of technically trained manpower.

Continued Federal aid in schools affected by Federal activities.

Extended veterans' educational benefits.

Initiated Federal and State study of education beyond high school.

Initiated program for 4-year science scholarship program.

Initiated legislation providing funds for grants-in-aid to public and nonprofit accredited schools of public health training and in administration of State and local health programs; for Federal grants to each State to aid development of educational television; and for out-service training for Federal employees to improve efficiency.

Authorized funds to develop library services in rural areas.

Authorized establishment of educational assistance program for orphans of World War I, World War II, and Korean conflict.

Set up National Library of Medicine.

Social Security

Extended coverage to farm workers, professional self-employed; to employees of State and local governments and ministers on a voluntary basis; as well as to members of the military services, farm owners, and operators.

Extended benefits to retired persons, permitting them to earn $1,200 a year without losing social security benefits and removing all restrictions on earnings for those retirees over 72 years of age.

Extended benefits to totally disabled persons at age 50 and also to widows by lowering the age requirement to 62.

Housing

Extended FHA-insured loan repayment time, raised loan limits on new and old house values, and lowered minimum down payments.

Continued and improved home and farm-house loan programs.

Enacted laws for FHA insurance on private construction of rental housing at AEC sites and permanent military installations.

Authorized many thousands of additional federally aided public housing units.

Government finance and taxation

Stimulated national prosperity; maintained the value of the dollar; put restraints on inflation; checked the recession.

Achieved two consecutive balanced budgets. In fiscal 1956, the surplus totaled $1.626 billion; in 1957, $1.645 billion. Only three times in the previous 20-year period of Democratic administration was the budget balanced. It was done in fiscal years 1947 and 1948, as the result of appropiation cuts made by the Republican 80th Congress, and in fiscal 1951, resulting from a "windfall" cutback from Korean war spending.

Reduced Government spending each year well below the $74.3 billion spent in fiscal 1953, Truman's last budget year.

Extended the maturity of the Federal debt; moved more of the debt away from banks, where it contributed to inflation, and into the hands of long-term investors.

Tied in debt management actions with Federal Reserve System moves to keep the supply of money and credit in line with the needs of the country.

Present unbalanced budget (fiscal 1959) grows out of space age challenges and national defense needs.

New records set in savings bonds sales, reflecting public confidence in the country's economic future and in the Government's fiscal policies.

Gave the American people a whopping $7.4 billion in tax cuts in 1954—the first tax cut since the Republican 80th Congress in 1948—including:

Three billion dollar cut in individual income taxes (an average of 10 percent).

One billion dollar cut in excise taxes on household appliances, cosmetics, and other items of everyday use.

Two billion dollar cut by abolishing the excess profits tax which was restricting the expansion of business and jobs.

One billion four hundred million dollar cut by liberalized deductions and fairer tax treatment of millions of persons and thousands of businesses under the 1954 tax code.

Substantially revised taxes on small business.

Revised budgeting practices to prevent large carry-over of unspent funds.

Government and Civil Service

Checked the New Deal-Fair Deal trend toward centralization of power in Washington.

Replaced dictatorial actions, which tried to draft striking workers into the Army and seized private property illegally, with constitutional government.

Sold to private enterprise 25 federally owned synthetic rubber plants and the Inland Waters Corporation; and disposed of many business-type commercial enterprises conducted by the Defense Department and civilian agencies in competition with private enterprise. Property of substantial value thereby was returned to local and State tax rolls.

Put into effect 14 reorganization plans to improve the operations and efficiency of Government departments and agencies, and to lower the cost of government.

Established the second Hoover Commission to study Government functions and operations, and the Kestnbaum Commission to study Federal-State-local functions and fiscal resources and to recommend proper allocation thereof. Government departments and agencies, wherever possible without legislation, have since implemented many of their recommendations (to improve the executive branch). It has been estimated that through 1957 nearly a half billion dollars had been saved by implementing Hoover Commission recommendations.

Modernized the Post Office Department, making effective use of management practices successfully developed by private industry, and substantially reduced its chronic deficit.

Brought about long-needed improvements in the civil service and in various Government agencies; effected pay raises for Federal employees. Hundreds of thousands of Federal employees, who had been under a system of indefinite appointment with few rights, have won career status under an improved appointment system. Since January 1953 the competitive civil service has been extended to cover nearly 40,000 additional jobs. The percentage of all Federal jobs under the classified civil service has risen from 84 percent as of March 1, 1953, to 86 percent as of May 1958.

Provided for Federal employees low-cost group life insurance, with the Government sharing the cost; higher retirement benefits; unemployment compensation coverage; higher travel allowances; fairer overtime pay; longevity pay increases; and incentive awards.

Civil rights: Ending racial discrimination

Ended all segregation in the Armed Forces, veterans' hospitals, schools on military posts, and Government contracts.

Ended segregation in restaurants, theaters, hotels, schools, and places of amusement in the Nation's Capital.

Ended segregation in employment contracts to which District of Columbia is a party.

Prohibited (by Interstate Commerce Commission) discrimination in interstate bus and train transportation.

Protected jury-trial procedures by prohibiting recordings in Federal grand and petit jury deliberations.

Established President's Committee on Government Employment Policy to assure nondiscrimination in Federal jobs. A recent survey of Federal employment in a number of key cities indicated that 24 percent of Federal positions were held by members of minority groups.

Established the Committee on Government Contracts (headed by Vice President NIXON) to prevent discrimination in Government contract jobs, with the result that for the first time white-collar jobs are available to Negroes in public utilities, the chemical and aircraft industries, and the Federal Reserve System.

Announced refusal through Housing Administrator of Federal aid to cities defaulting in obligations to minority citizens.

Upheld Federal court processes in Little Rock, Ark.

Pressed for the first legislation in 82 years dealing with color and racial discrimination and established the bipartisan Commission on Civil Rights (originally proposed by President Eisenhower), as authorized by the Civil Rights Act of 1957. The Commission will investigate and report on alleged deprivations of voting rights, and study and appraise laws, policies, and legal developments constituting denial of the equal protection of the laws.

For the first time in history, Negroes were appointed to serve in high positions such as Assistant Secretary of Labor, Presidential Assistant, and chairman of a presidential committee; since the beginning of 1953, 300 Negroes have been appointed to positions of responsibility in the Federal Government.

Veterans

Granted 5 percent increase in compensation in 1954 for disabled veterans and their dependents.

Granted 10 percent increase in compensation in 1957 for service-connected disabled veterans, and for dependents of veterans disabled over 50 percent.

Provided increased death compensation benefits in 1956 to survivors of veterans who died of a service-connected cause, such payments to be related to rank and pay.

Granted pension increases to widows of Spanish-American War, Civil War, Indian War, and Mexican War.

Liberalized criteria for determining eligibility of certain widows for pension benefits.

Provided farmhouse loan programs for veterans; supported legislation liberalizing direct farmhouse loans and permitting Government guaranteed loans to veterans for farmhouse purchase, construction, and repair.

Extended VA home loan guaranty and direct loan programs to July 25, 1960; provided extra funds for direct VA loans; and for FNMA purchase of VA mortgages on new homes.

Gave Korean veterans the same benefits and preferences as World War II veterans for civil service eligibility, war housing, homesteading, and GI training; extended period for education and training benefits to January 31, 1965; made clear that training benefits for Korean veterans and war orphans extended to Panama Canal Zone, and also to Philippines for war orphans.

Extended period during which veterans suffering loss of one or more limbs or permanent impairment of vision could apply for $1,600 payment on an automobile; and extended eligibility to include veterans whose qualifying disability occurred subsequent to discharge and who applied within a certain period.

Consolidation into one act extensive body of existing laws pertaining to veterans and their dependents; provided automatic renewal of veterans' term insurance policies and simplified handling.

Increased funds for building veterans' hospitals to record amount; speeded construction.

Appropriated additional $25 million for unemployment compensation payments to veterans.

Approved erection of U. S. S. *Arizona* memorial and museum at Pearl Harbor in tribute to 1,102 American servicemen who died aboard ship.

Communism in United States combated

Inaugurated an era of cooperation between Congress and the Executive in combating domestic communism.

Enacted long-needed Communist control laws which (1) outlaw the Communist Party; (2) grant immunity to witnesses before Congressional committees; (3) impose heavier penalties for concealing persons from arrest; (4) impose heavier penalties on bail jumpers; (5) deny a Government pension to any Federal employee convicted of a felony; (6) revoke the citizenship of persons convicted under the Smith Act of advocating overthrow of the Government by force or violence; (7) make peacetime spying a capital offense; and (8) require registration of all printing presses owned or used by Communists.

Set up Internal Security Division in the Justice Department to give exclusive attention to vigorous prosecution of antisubversive laws.

Obtained convictions of 71 persons under the Smith Act.

Ordered Communist Party to register under the Internal Security Act.

Deported more subversive aliens in 3½ years than during entire 20 years of Democratic control.

Weeded out security risks from Federal jobs.

Vigorously pushed Congressional investigation of various Communist activities.

Reaffirmed determination to pursue Congressional probes by joining Democrats in January 1955 in passing Senate Resolution 18 which declared that its appropriate committees should vigorously investigate the Communist international conspiracy.

Revised and improved security system in Government.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Alabama for 1 minute, without losing my right to the floor.

Mr. McNAMARA. Mr. President, I object.

The VICE PRESIDENT. Objection is heard.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Kentucky without losing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORTON. I have tried my best to help the Senator on this matter. I should like to inquire how long the Senator will speak, because I am going home. When may I expect to be awakened?

Mr. PROXMIRE. When I said I had a great deal of documentation to make, I meant that it will take a long, long time. I do not know how long my voice will hold up, but it will be a long, long time.

Mr. MORTON. Does the Senator mind very much if I check out now?

Mr. PROXMIRE. That is all right.

Mr. MORTON. Kellogg 7–1704. [Laughter.]

Mr. JOHNSON of Texas. Mr. President, will the Senator from Wisconsin yield to me to present a resolution?

Mr. PROXMIRE. I ask unanimous consent that I may yield to the Senator from Texas, without my losing my right to the floor, so that the Senator from Texas may present a resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTIFICATION TO THE PRESIDENT

Mr. JOHNSON of Texas and Mr. KNOWLAND, the committee appointed on the part of the Senate to wait upon the President of the United States, appeared in the center aisle, and Mr. JOHNSON of Texas said: Mr. President, your committee, appointed to join a similar committee of the House to call upon the President and to notify him that the two Houses have completed the business of the session, report that the President advised them that he had no further communication to make to them.

ADJOURNMENT SINE DIE

Mr. JOHNSON of Texas. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The resolution (S. Con. Res. 123) was read as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Sunday, August 24, 1958, and that when they adjourn on said day, they stand adjourned sine die.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none. Without objection, the resolution is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be allowed to insert five articles on different subjects in the CONGRESSIONAL RECORD to be printed after adjournment.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I yield to the Senator from Illinois for a question.

Mr. DOUGLAS. Does the Senator remember that earlier in the evening the Senator from Illinois stated that the opponents of the diversion bill were organized for a filibuster?

Mr. PROXMIRE. I recollect that statement by the Senator from Illinois. I might say that this is an extremely complicated and difficult and comprehensive subject, and it will take me a very long time to explain it. I do not know the definition of a filibuster. However, I have a long list, drawn up for me by the Library of Congress, which includes many distinguished Senators, including some of the most outstanding on this side of the aisle, who are very good friends of mine, and who have engaged in discussion of bills for 12 days, 13 days, and, in one case, for 16 days. I feel that to discuss the pending bill for another 24 or 36 hours does not constitute a filibuster in the sense that we have had other proposed legislation discussed at much greater length.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from North Carolina for an observation, without losing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I merely wish to say——

Mr. JOHNSON of Texas. May we have order in the Chamber?

The VICE PRESIDENT. The Senate will be in order.

Mr. ERVIN. I merely wish to say to the able and distinguished junior Senator from Wisconsin, whose views on this matter I support, that if any Senator who lives below the Mason-Dixon line had pursued his course in debate, it would have been sufficient evidence beyond a reasonable doubt to prove that he was guilty of running a filibuster.

Mr. PROXMIRE. I appreciate the expression of my friend from North Carolina. Any time he wishes to talk 24 hours on a bill, I certainly shall not consider it a filibuster. The Senate has discussed bills many times on several occasions for longer than the time that will be expended on this bill.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. PROXMIRE. I ask unanimous consent that I may yield to the Senator from South Carolina for a statement, without losing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSTON of South Carolina. The Senate has a rule whereby we may engage in extended debate, and the Senator is exercising that right. Is that not correct?

Mr. PROXMIRE. The Senator is correct. I thank the Senator.

Mr. JOHNSTON of South Carolina. That being so, I assume that the Senator would not be in favor of abolishing that rule. [Laughter.]

Mr. PROXMIRE. If the distinguished Senator wishes to invoke cloture tonight, I shall be delighted to support him.

Mr. JOHNSTON of South Carolina. No, no. I wish to clarify that point. I am in favor of any Senator speaking as long as he wishes to speak. [Laughter.]

Mr. SPARKMAN. Mr. President, will the Senator yield to me?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Alabama without losing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO FILE TWO REPORTS

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be authorized to file two reports after adjournment; one report in the form of a summary of the committee's activities for this session, and the other an economic study prepared with the assistance of the Library of Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

INCREASE IN DIVERSION OF WATER FROM LAKE MICHIGAN INTO THE ILLINOIS WATERWAY

The Senate resumed the consideration of the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

ADMISSION OF CERTAIN EVIDENCE—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. PROXMIRE. I ask unanimous consent that I may yield to the Senator from Texas without losing my right to the floor.

Mr. JOHNSON of Texas. I should like to have the attention of all Senators.

I ask unanimous consent that the Senator from Wisconsin may yield to the Senator from Wyoming for the purpose of calling up a privileged matter, a conference report.

Mr. MORSE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. JOHNSON of Texas. I wonder whether the Senator from Wisconsin would yield the floor, so that the Senator from Wyoming could call up the conference report and explain it, and at least bring it before the Senate.

Mr. PROXMIRE. I wish to explain my position.

Mr. JOHNSON of Texas. The Senator will be able to get the floor again.

Mr. PROXMIRE. I understand that I will have the opportunity to speak twice in this legislative day on this issue if I yield the floor. I understand that I will have an opportunity to seek recognition before action is taken on the bill. However, if I yield the floor another time, I shall have lost the floor.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. The Senator is speaking on the motion of the Senator from Illinois. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. RUSSELL. He could speak again on that motion.

The VICE PRESIDENT. That is correct.

Mr. RUSSELL. Then he could speak on the bill?

The VICE PRESIDENT. Yes.

Mr. RUSSELL. Or on any amendment?

The VICE PRESIDENT. Yes.

Mr. PROXMIRE. I can speak on the motion, and then I will have a subsequent opportunity to speak on the bill.

The VICE PRESIDENT. Yes.

Mr. CARROLL. Mr. President, before the Senator accedes to the request of the Senator from Wisconsin, will he yield to me?

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. O'MAHONEY. Is it not a fact that under the rules of the Senate a conference report is a privileged matter?

The VICE PRESIDENT. The Senator is correct. A Senator cannot take another Senator off the floor.

Mr. O'MAHONEY. I did not ask that question. I should like to make another parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. O'MAHONEY. Has it not been decided that if the Senator from Wisconsin should yield the floor for the presentation of the conference report, upon which the House has already acted favorably, he will not be denied the right to speak again on the subject matter which he has been discussing?

The VICE PRESIDENT. The Senator from Wyoming is correct.

Mr. O'MAHONEY. I will ask the Senator if he will yield for that purpose.

Mr. PROXMIRE. The Senator from Colorado [Mr. CARROLL] has been trying to have me yield to him before I accede to the Senator's request. Out of courtesy to him, I ask unanimous consent that I may yield to the Senator from Colorado, without losing my right to the floor.

Mr. O'MAHONEY. I must object to that, because I have a privileged matter which I desire to present. I should like to present a privileged matter to the Senate before there is any discussion.

Mr. CARROLL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CARROLL. As I understand the ruling of the Chair, if the Senator from Wisconsin yields for a privileged matter, he can be taken from the floor.

The VICE PRESIDENT. That is correct.

Mr. CARROLL. I ask unanimous consent that the Senator from Wisconsin may yield to me to make an observation.

Mr. HICKENLOOPER. By the same token, I object.

Mr. PROXMIRE. Mr. President, I yield the floor.

Mr. O'MAHONEY. Mr. President——

The VICE PRESIDENT. The Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

Mr. O'MAHONEY obtained the floor.

Mr. CARROLL. Mr. President, as one of the conferees, I desire to be heard on this matter. I object.

Mr. O'MAHONEY. Mr. President, I think I have the floor.

Mr. MORSE. Mr. President——

The VICE PRESIDENT. The Senator from Colorado objects to the immediate consideration of the report.

Mr. MORSE. Does the immediate consideration of the report require unanimous consent?

The PRESIDING OFFICER. It can be taken up by majority vote without debate.

Mr. MORSE. I object.

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to consider the conference report.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming to proceed to consider the conference report. [Putting the question.]

The motion was agreed to, and the Senate proceeded to consider the report.

Mr. CARROLL. Mr. President, a parliamentary inquiry.

Mr. O'MAHONEY. Mr. President, I have the floor.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I do not yield until I make my explanation. I will make the explanation brief and succinct, if I am capable of doing so.

It will be remembered by the Members of the Senate that when the House bill came to the Senate it provided, in subsection (a) of the first section as follows:

Evidence, including statements and confessions otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

When that bill came before the Committee on the Judiciary, the feeling of the majority of that committee was that the language with the word "delay" without any qualification would constitute an invitation——

Mr. MANSFIELD. Mr. President, may we have order?

Mr. CASE of South Dakota. Mr. President, there is no way for us to determine what the conferees have done unless we can hear what the Senator from Wyoming is saying.

The VICE PRESIDENT. The Senate will be in order.

Mr. O'MAHONEY. It was the feeling of the Senate Committee on the Judiciary that the word "delay" standing alone would be an invitation to the police and other law enforcement officers to elicit confessions or statements indicating confession by force or third degree methods. So the committee sought a method to make it clear that the delay was not such delay as would cause such infraction of the law or rules of criminal procedure. Therefore, the committee inserted the word "reasonable" before the word "delay." That was the only amendment which the Senate made in the House bill.

The House receded from its disagreement to the Senate amendment. The House accepted the Senate amendment "reasonable" but asked that there be added to the bill another clause, which would define what was meant. This clause, I want the Senate to understand, was the work of Senate conferees and House conferees. It was the work of Senate conferees, some of whom were Republican, and some of whom were Democrats. It was the work of House conferees, some of whom were Democrats and some of whom were Republicans.

So the clause which I am about to read to the Senate is the work of the conferees of both Houses and the work of bipartisan conferees. The clause reads as follows:

Provided, That such delay—

Meaning "such reasonable delay"—

is to be considered as an element—

Which means, of course, among other elements—

in determining the voluntary or involuntary nature of such statements or confessions.

Let me read that provision again, so that it may appear in one uninterrupted sentence:

Provided, That such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions.

This provision is nothing more nor less than a restatement of existing law. It does not in any way weaken the amendment adopted by the conferees. On the contrary, it strengthens it, because it makes it crystal clear that the delay——

Mr. President, I think we are entitled to order.

The VICE PRESIDENT. The Senator from Wyoming is correct. The Senate will be in order.

Mr. O'MAHONEY. This provision strengthens the original bill, because it does not in any sense or degree constitute an invitation on the part of law enforcement officers to use delay for the purpose of extracting a confession from an accused.

The provision also provides that the delay is an element—one of many elements—to be used by trial courts in determining whether statements or confessions are voluntary or involuntary.

In other words, we have, on behalf of the Senate conferees and on behalf of the House conferees, preserved the Senate amendment, which does not in any way or form reverse the Mallory decision by the Supreme Court. This is not a criticism of the Supreme Court. It does not reverse the misapplication of the Mallory decision in the court of appeals in the District of Columbia. If there were any doubt about that, it would be dismissed immediately by the language used by Judge Burger, of the United States Court of Appeals for the District of Columbia Circuit, when he agreed with those who wrote the opinion to reverse the 3 convictions in 3 separate courts in the Trilling case.

Judge Burger said, in his brief opinion, that he thought the language of Judge Prettyman, who wrote the opinion asking for the affirmation of the conviction, stated what ought to be the law. But he felt that he was compelled by the Mallory decision to vote otherwise. In other words, the judge made a plain confession that he was voting against his better judgment as to what the law ought to be because of his interpretation of the Mallory decision. He said the rulemaking authority ought to review this matter; and furthermore, that perhaps Congress should do it.

The opportunity is here for Congress to do it. Is there a reason why? I think there is.

Most of the discussion which has taken place in the debate upon the bill revolves around the rights of individuals who are being tried for alleged crimes. It is recognized by the Senate; it is recognized by the conferees; it was recognized—Mr. President may we have order?

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Let there be order in the Senate.

Mr. O'MAHONEY. It was recognized not only by the conferees, but it was recognized elsewhere, that this language has the effect of affirming and supporting the Senate amendment, the word "reasonable."

Most of the debate revolved around the rights of individuals who were on trial. But Justice Frankfurter, in delivering the opinion in the Mallory case, said that rule 5 (a) of the Rules of Criminal Procedure provides a procedure devised by Congress to maintain individual rights without hampering intelligent and efficient law enforcement.

One of the most important things we have had to do in connection with the conference report and the bill has been to realize that the laws against crimes of violence, which are passed by Congress and by the States throughout the land, are laws which are intended to protect individual citizens.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The Senate will be in order. Conversations will cease; the aids who are in the Chamber will be seated in the rear of the Chamber. It is important that order be maintained, in the interest of the proceedings of the Senate.

The Senator from Wyoming may now proceed.

Mr. O'MAHONEY. I thank the Presiding Officer.

Mr. President, the individual citizens who make up the communities in any State of the Nation, and particularly those who constitute the District of Columbia, are entitled to efficient and intelligent law enforcement.

There are those who have said that this matter should be left to the courts to decide. But, Mr. President, it is a matter for the legislature to decide. The Congress is the legislative body for the District of Columbia; and I call upon the Members of the Senate to realize the fact that if we were to allow this matter to go to the courts to be interpreted, we would be saying to every future victim of murder, of rape, of slugging, of yoking, or of any of the other crimes of violence, "You shall not have the protection of the Congress. You must suffer

until the accused has been tried, has been convicted, has taken his appeal to the appellate courts, and, from the appellate courts, has gone to the Supreme Court."

Mr. President, we need to protect the people of the District of Columbia, because we know that crimes of violence are committed. The report the conferees have brought to the Senate preserves everything the Senate provided, and specifies, in the proviso, that we are making it as clear as crystal that the intention, as was stated in the Senate committee report, is to leave these matters to be determined by the trial court.

I read the proviso, as follows:

Provided, That such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions.

Mr. President, I urge that we redeem our obligation to the citizens of the District of Columbia and the citizens of the United States who are the victims of crime.

Mr. HENNINGS. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. HENNINGS. I thank the distinguished Senator from Wyoming, my colleague on the Committee on the Judiciary.

Let me ask him whether the language of the conference report which provides that "such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions," was in either the House version or the Senate version of the bill.

Mr. O'MAHONEY. It was in neither.

Mr. HENNINGS. Then that language is entirely new matter, is it?

Mr. O'MAHONEY. It is entirely new matter.

Mr. HENNINGS. Let me ask the Senator from Wyoming what he thinks it adds. It seems to me exceedingly unclear; and of course, I do not think it means anything, because it says that "such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions."

Mr. O'MAHONEY. If the Senator from Missouri will permit me to respond to his statement, let me say that he has just said that he does not believe the provision means anything. In that case it follows, clearly, that we have left the Senate amendment entirely undisturbed.

Mr. HENNINGS. Does my distinguished colleague agree with me?

Mr. O'MAHONEY. No; I do not agree.

Mr. HENNINGS. Is not this statement a redundant one? We know that delay is to be considered by the courts in determining the voluntary or involuntary nature of the statements or confessions, depending on all the circumstances. Is that not true?

Mr. O'MAHONEY. But, Mr. President, the other day, when the Senate passed this bill, we indulged for hours in a debate on the legal technicalities. As I said then, I repeat now: We lawyers love to debate legal technicalities.

Mr. HENNINGS. That is what lawyers are for.

Mr. O'MAHONEY. I say to my colleagues that this additional phrase is a clarification which does not at all impair what was provided. It carries out the will of the Senate; it carries out the duty of the Congress; it explains and clarifies the decision of the Supreme Court in the Mallory case; and it will afford a great opportunity for the courts of appeals in the District of Columbia and elsewhere to avoid the mistakes which were made by the Court of Appeals of the District of Columbia.

Mr. HENNINGS. Mr. President, will the Senator from Wyoming yield for another question?

Mr. O'MAHONEY. Certainly.

Mr. HENNINGS. Is not the Senator from Wyoming of the opinion that the conference report will in no wise affect or change either the decision in the landmark case of McNabb or the decision in the Mallory case?

Mr. O'MAHONEY. I feel that if we are to enact legislation in this field, we must adopt the conference report. The House has adopted it. The only effect to be gained by a failure by us to adopt the conference report would be to kill the proposed legislation.

The Senator from Missouri was one of the stalwarts in supporting the action of the Senate Judiciary Committee.

Mr. HENNINGS. I thank the Senator from Wyoming; I was glad to contribute as best I could, in my small way.

Mr. O'MAHONEY. And I hope the Senator from Missouri will continue his very able support, and will help us give the District of Columbia the assurance it needs.

Mr. HENNINGS. I thank the Senator from Wyoming. I may seem to appear in the role of the devil's advocate, but I am undertaking to establish the legislative history in the Senate. The other day I spoke for 2½ hours, I believe, on this very proposition; and I supported the Senator from Wyoming in his amendment, which inserted the word "reasonable," instead of the word "unnecessary," which theretofore had appeared before the word "delay."

Mr. O'MAHONEY. That is quite true; and I am very grateful to the Senator from Missouri.

Mr. HENNINGS. I did so because I thought it was proper, and might serve the entire country.

Let me ask this question of my learned and distinguished friend: Does he think that in any way the conference report will affect, alter, or change the decision in the landmark case—the McNabb case—or the decision in the more recent case—the Mallory case; or does he think the conference report will tend to have any effect whatsoever upon the original bill, as it was passed by the Senate, with the inclusion of the word "reasonable" as an amendment?

Mr. O'MAHONEY. Not in its effect——

Mr. HENNINGS. It seems to broaden it, does it not?

Mr. O'MAHONEY. It does improve it.

Mr. HENNINGS. It broadens it, because it simply states what every schoolboy who has studied criminal law knows, providing that such delay is to be considered an element in determining the voluntary or involuntary nature of such statement or confession. We know that is part and parcel of instructions of a judge to a jury.

Mr. O'MAHONEY. Of course.

Mr. HENNINGS. On the question of admissibility of a statement or a so-called confession.

Mr. O'MAHONEY. Of course.

Mr. HENNINGS. That is the status of the law as it stands now.

Mr. O'MAHONEY. That is correct.

Mr. JOHNSTON of South Carolina. I think there is another point that ought to be brought out. Is it not also true that if this bill is passed, it will put anybody who commits a crime in the District of Columbia, or in the Federal court, in the same position in which he finds himself in each State at the present time? That is what we are trying to do with this bill.

Mr. O'MAHONEY. I would put it this way, if the Senator will permit me: All of the cities of the land, with the exception of the city of Washington or the District of Columbia, are under not only Federal law, which is applicable to them, but they are also under State constitutions and State laws. Washington and the District of Columbia constitute the only community in the land which is under Federal law alone.

This conference report protects every right a defendant has under the Bill of Rights. It protects every right a defendant has under the rules of criminal procedure. It protects every right every defendant has had from time immemorial in this country. But it also protects the rights that the social community should have, and which it will not have if the Senate fails to act upon the conference report.

I want to say the House of Representatives has already adjourned without day. So that this is the last opportunity that we have to give to the people of the District of Columbia, the people who are the victims, the protection that they ought to have.

Mr. JOHNSTON of South Carolina. This is only a rule in the Federal courts.

Mr. O'MAHONEY. That is correct.

COMMITTEE SERVICE

On motion of Mr. JOHNSON of Texas, and by unanimous consent, it was

Ordered, That the following shall constitute the majority membership of the standing Committee on Aeronautical and Space Sciences:

Mr. JOHNSON of Texas, chairman, Mr. HAYDEN, Mr. RUSSELL, Mr. GREEN, Mr. MAGNUSON, Mr. ANDERSON, Mr. KERR, and Mr. SYMINGTON.

On motion of Mr. CASE of South Dakota (for Mr. KNOWLAND), and by unanimous consent, it was

Ordered, That the following shall constitute the minority membership of the standing Committee on Aeronautical and Space Sciences:

Senator STYLES BRIDGES, Senator LEVERETT SALTONSTALL, Senator ALEXANDER WILEY, Senator JOHN W. BRICKER, Senator BOURKE B. HICKENLOOPER, Senator MARGARET CHASE SMITH, and Senator JACOB K. JAVITS.

ESTABLISHMENT OF CLUBS FOR BOYS AND GIRLS ESPECIALLY INTERESTED IN SCIENCE

Mr. JOHNSON of Texas. Mr. President, if the Senator will yield for one more unanimous consent request, I have in my hand House bill 13191, to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science.

The bill has the approval of the distinguished chairman of the Committee on Labor and Public Welfare, the distinguished minority leader, the occupant of the chair [Mr. ALLOTT], and I ask that the Chair lay the bill before the Senate.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 13191) to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to stimulate interest in the study of science on the part of high-school pupils throughout the country. It is the belief of the committee that such an organization could do for the future scientific accomplishment in our Nation what Future Farmers of America has accomplished toward agricultural achievement.

Testimony before the General Education Subcommittee indicated the existence of a number of club activities in various high schools throughout the country which have successfully stimulated science interest. Such clubs could provide the basis for a national organization which the committee believes might be established so that studious youngsters might begin to know the thrill and incentive which impel most American boys to want to develop skill and mastery in such sports as football, basketball, etc. The committee would hope that at some date in the not too distant future a Federal charter would be in order for Future Scientists of America, modeled along the lines of the Future Farmers of America.

NEED FOR LEGISLATION

Since the Russian satellite Sputnik I was placed in orbit in the fall of 1957, a vast amount of evidence has been presented in the press and before appropriate committees of the Congress in formal testimony of the great emphasis placed on scientific education in the school systems of Soviet Russia. There is no appreciable disagreement to the premise that in the United States our survival depends upon increasing the emphasis in science training in education in our own schools. In a dictatorship, this result is achieved by a decree from the central government. In a free society, we attempt to achieve the desired result by encouraging and stimulating individual desire and initiative. This legislation is needed as an encouraging stimulant.

ESTIMATED COST

An appropriation not to exceed $50,000 in any fiscal year is authorized to carry out the purposes of this bill. This money would be spent in preparing and distributing information relative to how such clubs could be organized, and to provide a coordinator to assist in pulling together all of the individual clubs into a national organization.

DEPARTMENTAL RECOMMENDATIONS

No departmental recommendation was sought on this specific legislation, although the committee believes it would be in accord with the administration's desire for increased emphasis on the study of science.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 13191) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. I thank my dear friend from Wyoming.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 122. Concurrent resolution authorizing the Presiding Officers to sign duly enrolled bills and joint resolutions after sine die adjournment; and

S. Res. Con. 123. Concurrent resolution that the two Houses of Congress shall adjourn on Sunday, August 24, 1958, sine die.

SERIES OF INSERTIONS BY SENATOR MORSE

Mr. MORSE. Mr. President, will the Senator from Wyoming yield for a similar request, without losing his right to the floor?

Mr. O'MAHONEY. I yield to the Senator from Oregon.

Mr. MORSE. In the interest of saving time, I ask unanimous consent to be allowed to insert in the RECORD a series of items: a letter that I have sent to the Attorney General; a letter I have sent to the Commissioner of Internal Revenue; certain material, including a clipping from the Washington Post of August 22; a statement that I am prepared to make on the authority of the President to send troops to Lebanon, the basis for the charge that he engaged in an unconstitutional act; two resolutions and certain newspaper clippings and columns dealing with the Middle East situation; and remarks on Oregon Night at the Watergate.

Mr. CASE of South Dakota. Mr. President, reserving the right to object, will the Senator restate the request with respect to the statement about sending troops to Lebanon?

Mr. MORSE. It is a legal analysis I have made in support of my view.

Mr. CASE of South Dakota. Is it the Senator's own analysis?

Mr. MORSE. Yes; that the President acted unconstitutionally in sending troops to Lebanon under the circumstances in which he sent them.

Mr. CASE of South Dakota. I withdraw the reservation.

Mr. O'MAHONEY. Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AUGUST 23, 1958.

Hon. WILLIAM P. ROGERS,
Attorney General of the United States, Washington, D. C.

DEAR MR. ATTORNEY GENERAL: In a few weeks the country will once again be faced with serious problems of enforcing the constitutional guaranties of equal protection of the laws for Negro children.

I am sure that it has come to your attention that several States have provided for the closing of public schools if they are to be desegregated. An integral part of such plans is the substitution of public schools by supposedly private educational institutions operating in the premises of churches, fraternal organizations, social clubs, and possibly other groups which are the beneficiaries of tax exemption under Federal law.

The purpose of these exemptions is the national policy that certain nonprofit private activities are of sufficient community interest to be in the national interest. Surely the promotion of religion, charitable undertakings, fraternal and social organizations normally meet that test. However, should such organizations participate in schemes to evade and subvert the constitutional guaranties of equal protection of the laws, they should not be permitted to have the benefit of Federal tax exemption.

Attached is my letter to the Commissioner of the Internal Revenue Service, in which I raise this and a more technical issue on the same subject.

The principal obligation for proper enforcement of the laws of the United States rests with the Department of Justice. For that reason, I am calling this major issue of constitutional policy and morality to your attention.

It is my hope that our Government will not permit private groups to continue to receive favored tax treatment if they destroy the policy basis for their exemption by conscious participation in plans to undermine constitutional rights.

Sincerely yours,

WAYNE MORSE.

AUGUST 23, 1958.

Hon. RUSSELL C. HARRINGTON,
Commissioner, Internal Revenue Service, Washington, D. C.

DEAR MR. HARRINGTON: I am writing to raise some major questions regarding the Internal Revenue Code as it applies to private organizations receiving tax exemptions which may participate in allegedly private programs of education as a means of circumventing and defeating the decisions of the United States Supreme Court holding segregated schooling unconstitutional.

As you know, several States have passed laws which provide that public schools should be closed rather than submit to desegregation and that private schools take their place with the assistance of State funds. The plans as reported widely in the

press contemplate the use of buildings, halls, rooms, and other facilities of organizations such as churches, fraternal groups, social clubs, charitable groups, and perhaps business groups.

Section 501 of the Internal Revenue Code provides tax exemption for the income of many organizations which reportedly are to participate in these calculated schemes to evade and subvert the Supreme Court decisions on desegregation of public education. The underlying purpose of the tax exemption to these organizations is that they perform functions of value to their communities and the Nation. However, the reason for the exemption would be completely destroyed if the organizations now exempted from taxation were to be participants in schemes to undermine constitutional guaranties.

Under the law the organization seeking exemption has the burden of proving its original entitlement and the continuation of its exempt status. I am writing to inquire whether you propose to permit such organizations to enjoy tax exempt status and to permit their donors to take tax deductions (for such exemptions depend upon the exempt status of the organization itself; IRC 170).

Further, I understand that the long history of the exemptions under section 501 (and its predecessors) has been that the purpose for which the tax exemption is granted must be the exclusive purpose of the organization. Surely, when such an organization adds to its purposes aiding and abetting defeat of constitutional guaranties that element necessary for exemption has been lost.

I look forward to an early reply to my inquiry as to the policies you will follow in administering the tax laws of the United States in cases of this type.

Sincerely yours,

WAYNE MORSE.

MALLORY BILL IN REVERSE?

The Senate has put itself into the strange posture of legislating to save the Supreme Court from distortion of its opinions by the lower courts. The Senate Judiciary Committee's amended version of the Mallory bill was broadly commended by its sponsors as a means of upholding the Supreme Court's decision in the Mallory case last year. In the House the bill had been passed as a means of reversing the Court's Mallory ruling.

The Court had set Mallory free from a rape conviction because the police had detained him to extract a confession instead of arraigning him "without unnecessary delay," as commanded by the Federal Rules of Criminal Procedure. The House said in its bill that hereafter a confession otherwise valid shall not be thrown out simply because of delay in arraigning the accused. By a vote of 41 to 39 the Senate changed this to require that a confession otherwise valid shall not be held inadmissible because of "reasonable" delay in the arraignment—contending that this is what the Supreme Court meant in its Mallory ruling.

Senator COOPER asked, with unassailable logic, why, in that event, should any bill be passed? Sponsors of the measure replied that there is much confusion among lower Federal courts as to what the Mallory ruling means and a widespread feeling that "something should be done." This is far from being convincing. The Supreme Court has a way of straightening out lower courts which do not faithfully interpret its decisions; and, even if it fails to do so promptly, Congress can hardly expect to reduce the confusion by a vague legislative declaration setting forth what it thinks the Supreme Court intended.

In these circumstances it is not surprising that the Senate and House conferees seem to be hopelessly deadlocked on the bill. We hope the Senate will stand fast against the House version to the last ditch. If this means failure of both bills, so much the better. The courts will then be free to iron out the problem, preferably through a new study of rule 5 (a) by a Supreme Court advisory committee.

REASONS WHY SENATE SHOULD REFUSE TO AGREE TO THE REPORT OF THE CONFERENCE COMMITTEE ON S. 1411

(1) The Senate has never considered S. 1411. What happened was this: On August 8, 1957, the Senate approved a noncontroversial bill to permit hearings in security cases before suspension of the employee. The House Post Office and Civil Service Committee tacked onto this noncontroversial bill a wholly new bill overruling the Supreme Court's 1956 decision in *Cole v. Young* and reapplying the Federal employees security program to nonsensitive positions. In conference, the majority of the Senate conferees (Senators CLARK and CHURCH opposing) accepted the House bill limited to June 30, 1959. In other words, S. 1411 now comes before the Senate for the first time just hours before adjournment.

(2) The Justice Department opposed the House version of S. 1411 on the ground that they are studying the whole problem in the light of the report filed last year by the Wright Commission on Government Security. While Justice may be willing to accept the present bill because of its time limitation, they certainly cannot be said to support the measure.

(3) S. 1411 as now presented to the Senate provides in section 3 that "all employees of any department or agency of the United States are deemed to be employed in an activity of the Government involving national security." Thus, in plain language, S. 1411 overrules the Supreme Court's decision in *Cole v. Young* limiting the Federal employees security program to nonsensitive jobs and applies the program to all Government employees no matter how far removed from anything to do with national security. It appears particularly unrealistic for Congress to state as a fact that all Federal employees are engaged in activities "involving national security" when everyone knows that the bulk of Federal employees are not so involved and are no different from the ordinary salesgirl or filing clerk.

(4) Not only does S. 1411 apply the security program to all Government employees, but it does so without real procedural safeguards. The bill provides that the suspected employee shall receive a written statement of the charges against him "which shall be stated as specifically as security considerations permit." In other words, if a Government security official decides that security considerations do not permit the employee to know the charges against him, his hearing becomes meaningless. Furthermore, even if he does know the charges against him, he may never be allowed to face his accusers if this same security officer decides that security considerations do not permit confrontation. An American citizen may have his life wrecked by the stigma of being called a security risk without knowing why or by whom he is accused.

(5) In a word, the bill reinstates security screening for 2 million Government employees engaged in nonsensitive work with all the worst practices of the old security program without any showing of need therefor.

(6) The only argument that has been heard in support of the bill is that there may be certain Communists in the Post Office Department at the present time that the Government is unable to get rid of. This argument is fallacious. The Hatch Act of 1939, as amended, forbids the employment by any Government agency of any member of the Communist Party (5 U. S. C. 118j, p. —).

(7) The Association of the Bar of the City of New York made a detailed study of the Federal employees security program in 1956 and recommended strongly that the program be limited to sensitive positions.

(8) The provision limiting the bill until June 30, 1959, is no justification for it. Because of the Cole case, the security program does not presently apply to nonsensitive positions; once reapplied to nonsensitive positions, it would be most difficult to terminate the program again. Furthermore, since no need has been shown for applying the security program to nonsensitive positions even up to June 30, 1959, all the bill does is to ratify the past excesses of the security program and allow them to apply for, at the very least, a period of nearly a year.

(9) The bill raises serious constitutional issues. The only justification for subjecting any employees to security screening and possible stigma of being found a security risk is that he works in an area so vitally connected with our national security that our security demands this type of action. To subject employees to this screening and possible stigma where there are no security considerations, and particularly to do so on the basis of vague charges and secret informers, is arbitrary, capricious, and a violation of due process of law.

(10) The bill, far from strengthening our national security, will actually weaken it. If the intelligence agencies of our Government concentrate on sensitive positions, they can do their job well; if they have to investigate millions of persons in nonsecurity positions, they can only do their job superficially. As has been well said, "if we watch our toothbrushes and diamond rings with equal care, we will lose less toothbrushes and far more diamond rings."

(11) The Senate Post Office and Civil Service Committee held a thorough investigation of the Federal employees' security program at the time of the numbers racket. The report of the committee (Rept. No. 5750, 84th Cong., 2d sess.) is a strong indictment of the very program which this bill would reinstitute.

(12) Additional references:

(i) Minority report of House Past Office and Civil Service Committee on S. 1411.

(ii) Report of the special committee on the Federal loyalty security program of the Association of the Bar of the City of New York (1956).

(iii) Case studies in personnel security made in connection with the study of the New York City Bar Association (1955).

(iv) Hearings before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, 84th Congress, 2d session, pursuant to Senate Resolution 94, November 1955 (Hennings subcommittee).

(v) Hearings before a Subcommittee on Reorganization of the Committee on Government Operations, 84th Congress, 1st session, on Senate Joint Resolution 21, March 1955 (Humphrey subcommittee).

BIG TIMBERMEN AND SMALL BUSINESS ACT OF 1958—PART III

Mr. MORSE. Mr. President, on August 5, I expressed deep concern in the Senate over an indication that spokesmen for the larger timber interests, the Industrial Forestry Association and the National Lumber Manufacturers Association, had been suggesting to the Small Business Administration that it not implement the provisions of a recent amendment to the Small Business

Act which would permit a small business set-aside program for timber—CONGRESSIONAL RECORD, page 16215.

This statement was challenged by the National Lumber Manufacturers Association in a letter dated August 12, which I inserted in the CONGRESSIONAL RECORD of August 14, at page 17615.

Upon receiving the denial of the National Lumber Manufacturers Association, I inserted in the RECORD the original source of my information—a letter dated July 30, 1958, addressed to me by Mr. Wendell B. Barnes, Administrator of the Small Business Administration. In order that there may be no confusion on this point, I ask unanimous consent that the Small Business Administration letter of July 30, be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D. C., July 30, 1958.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: I have your letter of July 21, 1958, and want to assure you that in implementing the new provision of our act regarding sales of Government property the interests of small business will be protected. We are currently meeting with representatives of the Forest Service in an effort to formulate mutually agreeable procedures so that a satisfactory program can be conducted in the timber industry.

As you point out in your letter, several association groups have expressed opposition to this new provision of our act. Representatives of the Industrial Forestry Association and the National Lumber Manufacturers Association have met with members of my staff and expressed opposition to the law but also to our implementation thereof. They were advised that we intended to implement this new provision and if they had any suggestions to offer, we would be glad to consider them.

Our discussions with the Forest Service have pointed up the fact that there are regional variations in the size of mills. It may well be that we will have to adopt a different definition for small mills in each of the three major lumber areas of the country.

I appreciate your interest in this program and shall keep you advised of our progress. With regard to the availability of funds, the bill which contains our fiscal year 1959 appropriation is scheduled for consideration by Senate and House conferees within a few days. For your information I am enclosing a copy of my recent testimony before the Senate Appropriations Committee.

Sincerely yours,
WENDELL B. BARNES,
Administrator.

Mr. MORSE. When I received the July 30 letter my concern was very deep, Mr. President, because I know the extremely difficult experience that the true independent small-business segment of the lumber industry has had to undergo in the past few years. Therefore, I deemed it of utmost importance to bring to light anything which might conceivably interfere with legislative attempts to assist small independent loggers and lumbermen.

Yesterday I received two additional letters on this same subject, one dated August 22 addressed to me by Mr. Mortimer B. Doyle, of the National Lumber Manufacturers Association and another of the same date from SBA Administrator Barnes. The latter appears to have been prompted by a request from NLMA, I ask unanimous consent that Mr. Doyle's and Mr. Barnes' letters be inserted at this point in my remarks, together with copies of two letters attached to Mr. Barnes' communication.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL LUMBER MANUFACTURERS ASSOCIATION,
August 22, 1958.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: Thank you for your letter of August 15, enclosing a tear sheet from the CONGRESSIONAL RECORD of August 14, which concern an exchange of correspondence between your office and ours relative to the effect of the Small Business Act on the procurement of Government timber by small operators.

We are quite surprised and puzzled, as stated in my letter of August 12, by the comments you made in the Senate on August 5 to the effect that a spokesman for this association had suggested to the Small Business Administration that it not implement the provision of law referred to. As was pointed out in my letter of August 12, our representatives had, on the contrary, assured the Small Business Administration of our helpful cooperation.

The letter you received from Wendell Barnes, Administrator of the SBA, dated July 30, which was printed on page 17614 of the CONGRESSIONAL RECORD, apparently accounts for your misunderstanding of our position. Upon reading Mr. Barnes' letter, our general counsel, Henry Bahr, and the director of our forestry and economics division, A. Z. Nelson, immediately called upon Mr. Donald A. Hipkin, Deputy Administrator of SBA, with whom they had previously discussed the problems of administration of the act and to whom our cooperation had been offered. Mr. Hipkin assured them there must have been some misunderstanding and offered to correct the record.

We are now in receipt of a copy of a letter dated August 22 from Mr. Barnes to you, stating that he was in error in identifying the National Lumber Manufacturers Association in the manner expressed in his letter to you of July 30. We hope that you will see fit to insert Mr. Barnes' letter of August 12 in the CONGRESSIONAL RECORD so that any misunderstanding as to our position will be corrected.

Sincerely,
MORTIMER M. DOYLE.

SMALL BUSINESS ADMINISTRATION,
Washington, D. C., August 22, 1958.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: In all fairness to the National Lumber Manufacturers Association, I must now advise you that the reference to them in my letter of July 30, 1958, was in error. My staff advises that the reference should have been to the Western Forest Industries Association and not the National Lumber Manufacturers Association.

I regret the mistake in identity which caused the error in my letter of July 30. For your information, I am enclosing copies of correspondence between the Small Business Administration and the National Lumber Manufacturers Association.

Sincerely yours,
WENDELL B. BARNES,
Administrator.

SMALL BUSINESS ADMINISTRATION,
Washington, D. C. August 8, 1958.

Mr. HENRY BAHR,
Vice President and General Counsel,
National Lumber Manufacturers Association, 1319 18th Street NW.,
Washington, D. C.

DEAR MR. BAHR: Thank you for your letter of August 5, 1958, concerning our discussion of the Small Business Act of 1958.

We are busy gathering information concerning the lumber industry and procurement of Government timber, in order that procedures can be developed for effective implementation of the statutory requirements.

You may be assured that any procedures implemented will have been carefully developed and coordinated with other interested Government agencies and discussed with interested Members of Congress. We have always endeavored to guard against hasty or precipitate action in implementing previous provisions of our act.

We appreciate your efforts to gather information which will be useful to us. We also appreciate Mr. A. Z. Nelson's telephone assurance of cooperation by your association.

Very truly yours,
DONALD A. HIPKINS,
Deputy Administrator.

NATIONAL LUMBER MANUFACTURERS ASSOCIATION,
Washington, D. C., August 5, 1958.

Mr. DONALD A. HIPKINS,
Deputy Administrator, Small Business Administration, Washington, D. C.

DEAR MR. HIPKINS: This is a somewhat belated note of appreciation for the opportunity you and Mr. T. J. Waale afforded Mr. Hagenstein, Mr. Nelson, and myself to meet you on July 25 and to discuss the Small Business Act as it may relate to the disposal of Government timber.

We are mindful of your invitation to provide you with any suggestions we have regarding the operation of the Small Business Act as it may apply to the lumber industry and to the procurement of Government timber. At the present time we are trying to obtain information as a basis for doing so. To this end, we have written Senator WAYNE MORSE asking him for answers to a number of questions on this matter and have also written the United States Forest Service. We also propose to discuss the matter with some members of the industry within the next few weeks to get suggestions which may be useful to you. A copy of our letter to the Senator is enclosed, and when a reply is received we will be happy to send you a copy. We will also pass on to you any useful suggestions we may receive.

It is our hope, which was strengthened by our conference with you, that hasty or precipitate action will not be taken on this matter by the SBA.

Sincerely,
HENRY BAHR,
Vice President and General Counsel.

Mr. MORSE. Mr. Barnes' latest letter states that there was a case of mistaken identity involved in his letter of July 30, namely, that he mistakenly referred to the National Lumber Manufactures Association when he really meant to name the Western Forest Industries Association.

I had previously informed the National Lumber Manufacturers Association that I would be glad to make a full statement on the floor of the Senate in the event the suggestions NLMA was reputed to have made concerning the timber purchase amendment were not, in fact, made.

Therefore, Mr. President, I am pleased to carry out that promise by including in

the RECORD the complete correspondence that has been directed to my attention on this matter. This correspondence sets forth Administrator Barnes' statement that the letter he wrote to me on July 30 mistakenly identified the National Lumber Manufacturers Association as opposed to the small-business timber-purchase amendment. The RECORD includes NLMA's assurance of helpful cooperation to the Small Business Administration.

Correspondence in my files for June 1958, indicates that Mr. W. D. Hagenstein is executive vice president of the Industrial Forestry Association. Mr. Bahr's letter of August 5 says that Mr. Hagenstein attend the meeting of July 25 with officials of SBA. Those present, in addition to Mr. Hagenstein, were Messrs. Bahr and Nelson of the National Lumber Manufacturers Association and Hipkins and Waale of SBA.

Referring back to Administrator Barnes' letter of August 22, I observe that he has not disavowed the portion of his July 30 letter which stated that a representative of the "Industrial Forestry Association met with members of my staff and expressed opposition to the law, but also to our implementation thereof." Obviously, Mr. Barnes was then speaking of the Federal timber-disposal amendment of the recently enacted Small Business Act of 1958.

The foregoing correspondence presents the interesting situation that must have existed when Messrs. Bahr and Nelson of NLMA and Mr. Hagenstein of IFA got together with Messrs Hipkins and Waale of SBA on July 25 to discuss the Small Business Act as it may relate to the disposal of Government timber. I gather Messrs. Bahr and Nelson were assuring the Small Business Administration of their helpful cooperation while Mr. Hagenstein was expressing opposition to the Federal timber-disposal amendment to the Small Business Act and to the SBA's implementation thereof.

Mr. President, this contrast of attitudes of the two associations representing the big-business segment at the July 25 meeting with SBA officials must have been extremely confusing to officials of the Small Business Administration. Perhaps this explains Mr. Wendell Barnes' confusion, as evidenced by his letters of July 30 and August 22.

In the final analysis, I must say that I am pleased to set forth the rather extensive correspondence that has passed between the Small Business Administration, the National Lumber Manufacturers Association, and my office. I am pleased because it gives me the clear-cut statement in the NLMA letter of August 12 that NLMA did not oppose the small-business timber-disposal amendment, and its statement in the letter of August 22 that it has assured the Small Business Administration of its helpful cooperation. At this point the only thing that would make me more pleased about the entire situation would be similar assurances from the Industrial Forestry Association and the Western Forest Industries Association.

Subsequently, Mr. MORSE introduced a joint resolution (S. J. Res. 203) to provide for the withdrawal of the United States forces in Lebanon, which was received, read twice by its title, and referred to the Committee on Foreign Relations.

BLUNDERING OF THE ADMINISTRATION IN THE MIDDLE EAST

Mr. MORSE. Mr. President, the following columns from Lippmann, Childs, and Alsop bear upon the great blundering the administration has been guilty of in the Middle East. I intended to discuss that record of blundering shortly. However, before I do it, I want to pay my respects to Lippmann, Childs, and Alsop for the great job of fearless journalism they have done on the subject of the Middle East. We have lost great face around the world because of the President's and the Secretary of State's serious mistakes in the Middle East. It is reassuring to have such columnists as Lippmann, Childs, and Alsop write the truth about our Middle East blunders for the people to read.

I ask unanimous consent to have printed in the RECORD the articles referred to.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

ABOUT THE U. N.
(By Joseph Alsop)

NEW YORK.—In the last fortnight the American Government has used the United Nations—and "used" is the right word—to distract the country's attention from the total defeat of the American policy in the Middle East.

By any practical test, for example, the President's loudly touted speech to the General Assembly of the U. N. was a quite exceptionally unimportant event. The President looked well. He said what he had to say with vigor and apparent conviction. He was received with the applause that was due to his great post and his obvious good intentions.

But, in fact, the President's speech and the program it embodied and the forthcoming U. N. resolution that will probably endorse the Eisenhower program in a qualified way are all equally meaningless. They will not save Jordan or Lebanon from the fate that hangs over them. They have not prevented Saudi Arabia from accepting Egyptian suzerainty—and this seems to be what the Saudi Crown Prince Faisal has just done in Cairo. They will not rescue Iraq. They offer no protection against Nasser to Kuwait and the other oil sheikdoms of the Persian Gulf.

Preventing Gamal Abdel Nasser's triumph in all these countries has been the sole object of America's Middle Eastern policy ever since our Government recovered from its strange orgy of self-righteousness during the Suez crisis.

The American policy has now been shatteringly defeated, with incalculable future effect. What has happened here in the United Nations has not altered or diminished the defeat in any way at all.

In a democracy, ugly but important facts that the country needs to understand and face ought not to be given a hucksterish coverup. The U. N. has very obviously been exploited to provide a coverup in this instance. Hence, it must be admitted that this reporter began his inquiry into the present goings-on at the U. N. in an unfriendly mood.

What does one find, after making such an inquiry? First of all unhappily, 99 percent of all the solemn things that are said and written about the United Nations are pretty much drivel. The lack of practical effectiveness of the President's speech to the General Assembly is only a symbol of the lack of practical effectiveness of the whole process, which is always reported as though it were effective.

But because of their own public opinion, the United States and the other Western powers may be hampered and hamstrung by the decisions of the U. N. But the U. N.'s decisions are meaningless to the Soviet Union as Hungary proved. The U. N. will not stop Gamal Abdel Nasser for one moment as present events in the Middle East are proving. The U. N. is even meaningless to the grand Pecksniffs of the modern world, the Indians, as is proven by the case of Kashmir. The U. N. can hurt us, in other words; but it is powerless to police or hurt any nation great or small that will not be policed.

But this very fact that the U. N. can hurt us still needs to be considered in the balance. For this reason it is worth having a sort of LYNDON JOHNSON of the United Nations in the person of Ambassador Henry Cabot Lodge, Jr.

The truth is that a double standard of international morality, typified by United Nations Secretary General Dag Hammarskjold, is now an accepted fact. Hammarskjold and others like him ducked and dodged and pleaded and equivocated in order to avoid doing anything serious about the bloody massacre in Budapest. But Hammarskjold and the others like him might well have joined to inflict a public humiliation on the United States because of the entirely bloodless, officially invited landing in Beirut. With enormous efforts, Lodge has probably averted this kind of public humiliation. This is already something gained. Then the United Nations coverup is positively convenient, when the great nations of the West have decided not to stand by their friends any longer and wish to put the best possible face on their decision to throw their friends to the wolves. In reality, the United States has already abandoned its friends in Lebanon. The United States and Britain are also quite plainly preparing to abandon brave young King Hussein in Jordan. (Remember when we sent the Sixth Fleet, and the President declared that Jordan's independence was essential to the United States?) If such abandonments are unavoidable, it is no doubt better to transfer the onus to the local parliament of man.

So much, unfortunately, is all that any realistic man can say in favor of these strange U. N. goings-on.

JORDAN MAY COST UNITED STATES $200 MILLION
(By Marquis Childs)

UNITED NATIONS, N. Y.—While the American taxpayer has not yet heard about it, the United Nations settlement of the Jordanian crisis will mean a bill to be paid by the Government of the United States at the rate of about $125 million to $200 million a year.

This is the estimate of the U. N. Secretariat, which is planning the recommendations which Secretary General Dag Hammarskjold will take with him when he goes to Amman and Beirut. The figure which the U. N. staff has arrived at is based solely on the cost of shoring up the economy and the Military Establishment in Jordan. It does not cover any of the long-term improvements which must come if the whole operation is to be anything more than a mere standstill arrangement for maintaining a precarious stability.

The British have made it quite clear that they can pay no part of the bill for stabilizing the regime in Jordan. They are paying the cost of sustaining their own troops and they have said that they can do no more. Not so long ago they paid for a large share of the Jordanian Military Establishment when Glubb Pasha, out of another and simpler era, was the real power in the country. The cost was about $90 million a year.

But that day is gone forever as the Macmillan government in London proceeds to cut its losses and scale forces still committed in odd corners of the earth. So the Middle East baby ends up in Washington's lap. The U. N. presence is a beneficent disguise.

This should really surprise no one, for it is a process that has been going on ever since the end of World War II. Several references have been made during this polite talkathon to President Truman's resolute action in taking responsibility for saving Greece when the Communists, with help from across the border, were threatening to wage civil war.

That necessity was abruptly deposited on the American doorstep when the British, whose responsibility that area had been for many decades, found they could no longer afford it. The burden of worldwide orderkeeping was simply beyond the island kingdom in the aftermath of a war that largely depleted its external assets.

Moreover, with Jordan as the latest example the United States can expect this to go on happening. For many months the British have been saying that they must soon pass on or, in any event, share the heavy cost of maintaining the airbase on Cyprus and keeping the warring Turks and Cypriots from annihilating each other. Only the fact that this blood feud continues to tear the island apart has prevented the British from trying to work out some solution that will relieve them of a tariff that comes due with monotonous regularity.

For reasons complex and varied in each instance the dependence on American help seems to be unending. In this connection Formosa, South Vietnam, and South Korea are the wards that immediately come to mind.

Here is an object lesson in relation to Jordan. Merely by paying the rescue costs, up to perhaps $200 million a year, it may be possible to keep this essential buffer in existence. But without very much larger expenditures to try to make it a vital and going concern the prospect is for an indefinite guardianship. And it is not pleasant to think of King Hussein in the role of another and younger Chiang Kai-shek. That will, of course, be the easiest way out when with some semblance of stability the British troops have departed and the crisis is no longer in the headlines.

Lebanon, which was before the current troubles a thriving commercial community, is relatively simple. The Lebanese have asked for $100 million in American aid to restore their economy and while this may be too much, as Washington is now saying, it will be primarily a task of rehabilitation that will have a terminal date.

In Jordan a new entity must be put together. If this is merely a patching job, with the temporary props held in place by American help, we shall see another uneasy guardianship that can have no end except the negative one of holding off disaster. And as the bill for such guardianships grows larger and larger the taxpayer may eventually come to feel that the whole business is a waste of money.

TODAY AND TOMORROW

(By Walter Lippmann)

THE UNHEEDED ALARMS

A week ago Senator JOHN F. KENNEDY made a powerful and impassioned speech about the prediction, which is widely supported among experts, that within a few years the Soviet Union will be far ahead of us in the big strategic missiles. The period of our inferiority is estimated to be from 1960 to 1964 when the Soviet Union will, according to these estimates, have the power to destroy our Air Force and to devastate "85 percent of our industry, 43 of our 50 largest cities."

Senator KENNEDY's speech was applauded by the Democratic Senators who took part in the debate. The fact of the matter is that the speech contained nothing that could be news to the Russians, nothing that has not been said publicly many times before. The most notable occasion when it was said before was on January 23 of this year, during this session of Congress, in the unanimous report of the so-called Preparedness Subcommittee.

This subcommittee heard some 70 witnesses, interviewed some 200 experts, and took about 7,000 pages of testimony. It reported unanimously that the Soviet Union leads in ballistic missiles and in the number of submarines, that it will soon surpass this country in manned bombers. It reported too what is even more significant and portentous, that "the Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States" and that "the Soviet Union is producing scientists and technicians at a rate substantially greater than our own country." If this is true, the lead of the Soviet Union will increase and the gap will not be closed.

Perhaps the most important question raised by Senator KENNEDY's speech is why, in view of the subcommittee report in January at the beginning of the session, he did not deliver this speech until August 14 at the very end of the session. What has been happening between January, when the alarm was sounded, and August, when Mr. KENNEDY sounded it again? What happened, it is plain enough, is that the failure to respond to the alarm was in both parties, and that there is no discernible difference between the attitude of the Eisenhower administration and that of the Democratic opposition. A few Democratic Senators have made speeches which are on the record but the party as an organization has reacted to the warning as the President himself has reacted.

The bipartisan reaction to the discovery that the Soviet Union is forging ahead in the race of armaments has been governed, I think, by the human propensity to prefer a disagreeable fact which is still in the future to a disagreeable remedy in the present. The danger period, according to these calculations, will not begin for at least 2 years; the remedial measures to cope with it ought to have been laid down in this session of Congress. The bipartisan leadership has avoided the disagreeable remedies, hoping that somehow the alarming predictions of Senators SYMINGTON, JACKSON, and KENNEDY and of Mr. Joseph Alsop will not come true.

Indeed, so far as I know, there does not exist an agreed program of what the disagreeable remedies are. Mr. KENNEDY made a few suggestions but he offered no program; and, although the Democratic opposition is very critical of President Eisenhower, there is no alternative Democratic program before the country.

Why is it like that? I think it is because the real problem—the relatively greater speed of Soviet technological development—cannot be overcome by a spending program alone. It would be quite easy to push Congress into new and bigger expenditures. But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest. We are in competition with a new society which is in deadly earnest, and there is no use pretending that, amidst our comforts and our pleasures, we are serious enough.

That is why, when the alarms are sounded, we turn over and go to sleep again.

THE HOSE IS SWITCHED

(By Joseph Alsop)

While the debate about the Middle East goes windily onward in the United Nations, no one is paying much attention to the many signs of a menacing shift in Communist world policy.

A similar shift occurred after the acute Formosa crisis in the spring of 1955. At that time, the Kremlin switched its pressure hose to the new task of washing out the Western positions in the Middle East. Thereafter, the Far East, which had been so stormy, became temporarily quiescent. But now all the Western positions in the Middle East have been pretty successfully washed out. And another switch of the pressure hose, back to the Far East, now seems to be taking place.

The key preparatory episode was the Peking meeting of Mao Tse-tung and Nikita Khrushchev. Concerning this meeting, much still remains mysterious. But the appearances suggest that the Chinese used their great influence inside the Soviet Communist Party as a lever in order to force Khrushchev into doing several things he cannot possibly have wished to do.

For example, retention of the Soviet monopoly of the absolute weapons is clearly the most vital Russian interest in Russia's relationship with China. Nothing else insures Russian supremacy within the Communist bloc. Yet, reports from Warsaw now suggest that Khrushchev has agreed to hand over to China nuclear weapons and the rockets to deliver them with. If this is true, it is an extraordinary development.

These Warsaw reports can also be read, however, simply as a psychological preparation for quite another development, which there are more solid reasons to expect. As soon as the news of the Mao-Khrushchev meeting was received, it was suggested in this space that the meeting probably presaged a renewed Chinese Communist threat to Formosa's offshore islands and perhaps to Formosa itself. It can now be stated, on highest authority, that the American policymakers believe such a threat is on the way.

The hard evidence for this belief is the military redeployment, especially of air units, that the Chinese Communists have carried out in the last month. Something like two-thirds of their entire 2,700-plane air force has now been concentrated on airfields in the three provinces—Chekian, Kwantung, and Fukien—which are within striking distance of Formosa. A whole complex of new airfields very close to Quemoy and the Matsu Islands has suddenly been occupied by Chinese Communist jet squadrons.

The Chinese Nationalist air units on Formosa are thus outnumbered by at least 3 to 1. Worse still, the best aircraft the United States has given to Chiang Kai-shek's air force are the wholly obsolete F–84 and F–86 fighters. The main Communist strength consists of the vastly superior MIG–17 fighters. And even the Chinese Communist jet bombers, the IL–28's, should do well in any combat with the ancient fighters the Nationalists must use.

In these circumstances, it is clear that the Chinese Communists can beat down any opposition Formosa may offer and can establish an air blockade of Quemoy and the Matsus. If these little islands close to the China coast can no longer be supplied from Formosa, they cannot be held by Formosa. If the Chinese Communists move to establish such an air blockade, the American policymakers will, therefore, have to choose between surrendering these islands, as the Tachen Islands were surrendered in 1955, or using American military power to break the air blockade.

Worse still, as Admiral Stump greatly angered the President by pointing out, American military power in the Pacific is now immeasurably weaker, in terms of men and ships and planes, than it was when the Korean war broke out. If the offshore islands are to be saved by the blockade that is now feared, nuclear weapons will almost certainly have to be used to save them—which is the very opposite of an agreeable prospect.

The policymakers are, therefore, deeply split by this question they see rushing down upon them. One faction says we simply cannot drop A-bombs and H-bombs for the sake of Quemoy and the Matsus. The other faction points out, quite rightly, that surrender of the offshore islands will be a heavy blow to American prestige in Asia, which will set off a chain reaction of other very grave political consequences, beginning on Formosa itself.

No one says what is also true—that the whole question was handmade by the Eisenhower administration. For Chiang Kai-shek never used to have regular troops on the offshore islands. He was quite brutally pressured into putting his troops there by the American Government. The purpose was to give some color of reality to the famous unleashing that was the first gesture of our dynamic new foreign policy.

U. N. CONCEALING DEEP DIVISIONS

(By Marquis Childs)

UNITED NATIONS, N. Y.—By the slenderest of fictions, the United Nations is concealing the deep divisions of bloc against bloc that make any direct and positive action impossible. While the fiction may be a necessary screen for the reshuffle of power that must now take place in the Middle East, it should deceive no one.

The West, once the Iraqi revolution had occurred, was confronted with a familiar situation—a crisis in which the choice was between action, swift and improvised and desperate, or unrelieved catastrophe. It was possible to buy a little time with the use of armed forces to hold a precarious status quo.

But so much had happened before that the choices, as we see in this emergency session of the General Assembly, are so limited as to be almost nonexistent. The state of Jordan, which has itself been a kind of slender fiction, must somehow be sustained through the offices of Secretary General Dag Hammarskjold.

If he succeeds, he will have greatly enhanced not so much the U. N. as his own reputation for "quiet diplomacy." He may even have advanced somewhat the potentiality of an effective U. N. executive. If he fails, then the flames of a new conflict will put in jeopardy the whole precarious structure of a peace that the U. N., for all its weaknesses, has helped to hold together.

What many delegates have been saying wistfully during the past week is that if only President Eisenhower's program for the Middle East had been put forward 6 years ago, or 4 years ago, or even 2 years ago, the crisis that evoked it might never have occurred.

That is another way of saying that once a crisis is upon us, it is almost, by definition, too late for a program. The deterioration has gone too far. The hatreds have become too bitter.

It is in the angry boiling up of a crisis that the Russians are able, by the techniques of ruthlessness they know so well, to push harder and harder; to exploit to the last inch an advantage that knows no restraints of public opinion or previously declared positions. That is what Andrei Gromyko has been doing, not with the flair and the cynical unconcern of some of his predecessors but with a stubborn, unyielding, unrelenting determination.

In the sober case that be made for the U. N. as a stabilizer in a dangerously unstable world, Sir Leslie Munro, president of the General Assembly, on Sunday's "Meet the Press" radio and television program was asked why, when the Suez crisis of nearly 2 years ago had so clearly revealed the need, the U. N. had not moved to create a permanent emergency force. His frank answer was: procrastination.

This is the besetting sin of the West and in the end it may prove to be a fatal habit. One of the recommendations in President Eisenhower's speech of last week was for a permanent U. N. force that could move quickly to prevent a crisis from happening or damp it down at the beginning. If such a force had been available for Lebanon and Jordan, the United States and Britain would not now be in the awkward position of having to negotiate the departure of their troops as a condition to any approach to a settlement.

There is another situation, which has all the elements of a hideous crisis, about which the U. N. and the West have procrastinated year after year. Nearly a million Arab refugees out of the Palestinian war have been confined in refugee camps scattered through the Arab States. Living on 7 cents a day provided by the U. N.—most of it from the United States—they have demanded the right to return to their former homes in territory now claimed by Israel.

The chief danger is in Jordan, where several hundred thousand of these miserably unhappy people are fiercely opposed to the shaky regime of King Hussein. They have provided many of the recruits for the terrorism that the King with his loyal troops is trying to suppress.

Yet the procrastination continues. The compromise resolution before the Assembly is the barest minimum that decency can accept. It is a patchwork of words put together with such painful effort. Now, after so much procrastination, the U. N. through its Secretary General, has to try to hold off still another crisis.

AUTHORITY OF THE PRESIDENT TO SEND TROOPS TO LEBANON

Mr. MORSE. Mr. President, I wish to speak on the subject of the authority of the President to send troops to Lebanon.

Millions of words have been written on the subjects of the power and the authority of the President to execute the laws, to dispose and command the Armed Forces, to use such forces defensively, offensively, and protectively of American citizens, and to make executive agreements with and commitments to foreign countries. The literature is likewise voluminous on the subjects of the power and authority of the Congress to support and make rules for the Armed Forces, to declare war, to provide for the common defense, to make foreign policy, and to give effect to treaties. The following discussion, based on a hasty review of some of the available material, may be helpful in thinking about the President's action in Lebanon:

First. The power to do something and the authority to do it under the Constitution may not coincide. The two concepts tend to merge, however, if unconstitutional exercise of power goes unchallenged. Executive action precedents have a way of changing the views that people have about what the Constitution means.

Second. In deciding whether or not an action by the President is authorized under the Constitution the following matters should be considered:

(a) The words of the Constitution: The Constitution appears to say that the Congress should decide whether or not the United States should become involved in a war and that the President should direct our forces once war is decided. If this was the intention of the founders it would seem to follow that the Congress should pass upon those foreign-policy questions which bear immediately upon the likelihood of war. The Constitution nowhere states that the President shall make foreign policy or defense policy. All the internal evidence in the document points toward a much narrower function for the President.

(b) Statutory and treaty directions to the President: The laws, treaties, and Congressional resolutions contain many statements regarding what ought to be done about defense and foreign affairs. Sometimes responsibility is placed explicitly on the President; sometimes objectives are stated generally. In either case, the President is the ultimately responsible executor under the constitutional provisions that "the executive power shall be vested in a President" (art. II, sec. 1), and that the President "shall take care the laws be faithfully executed"—(art. II, sec. 3). Bits and pieces of statutory and treaty authority can be put together to justify after the fact a wide range of Presidential actions in the absence of new specific authority in the case in question.

(c) Precedents: Since the Constitution was adopted, there have been more than 125 instances in which the President, without a decision by the Congress and without a declaration of war, has ordered forces into action or to maintain positions abroad. Many of these precedents may be inapplicable to the Lebanon situation upon close inspection. Many of them may have been unconstitutional actions. In the absence of a great constitutional debate, however, they tend to stay in mind as a body of authority for unchecked Presidential action. Certainly they considerably erode the principle that under the Constitution the Congress has a major policy-making role in matters involving war, defense, and foreign relations. The Congress should stop letting the President usurp power. Such inexcusable precedents as the sending of troops into Lebanon should be repudiated by the Congress.

The precedents are usually grouped under the following headings:

First, protection of United States citizens or their property abroad; second, protection of the honor of the United States—insult to the flag, and so forth; third, protection and expansion of foreign commerce—Commodore Perry; fourth, defense of the United States—prize cases, Florida 1818, Texas 1845, Latin American interventions, Iceland and British bases 1941; fifth, execution of a treaty; sixth, occupation of vanquished nations—Germany and Japan; and, seventh, carrying out statutory policy. The largest class is the first listed. The Constitution does not specifically mention such a duty on the part of the President. It is only partly covered by statute. It has been asserted by the courts that this duty inheres in the grant of Executive power.[1]

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[1] *Durand* v. *Hollins* (4 Blatch 451, 454–455; (1860) 8 Fed. Cas. 111, 112).

Similar argumentation is made to justify Presidential actions without Congressional authorization where the defense of the United States has been given as the ground for the actions.

Some precedents, like the sending by Roosevelt in peacetime—1941—of troops to Iceland at its request, not to fight but to stand by to protect its independence against the possibility of aggression by Germany, are close to the Lebanon case. However, two wrongs do not make a right. Roosevelt should have sought Congressional sanction. It is part of our check-and-balance system.

(d) Congressional approval: First, there is the question of opportunity and time for Congressional action. Is Congress in session? Is there time for consultation, legislative action, or debate? There has never been any quarrel over the proposition that if the country is attacked the President need not wait for Congressional approval before ordering retaliation. This is the rare and easy case, but the assertion goes only to the question of which branch of government should act first. It may well be argued that Congress should perform its policymaking role even though there is nothing controversial to debate.

In the more common and difficult case, there is time for Congressional action in the sense that action is physically possible, but the President acts anyway for a variety of practical reasons. Debate in Congress may take too long, may tip off the enemy, may divide opinion in the country, may hinder effective discussion with allies, and so forth. The more these factors are present the greater the tendency to conclude that Congressional approval, either before or after the President's action, should not be sought. However, that doesn't justify an attempt on the part of a President to execute authoritarian power.

If it be true that Congress has a duty to decide for itself the policy question on which the President has already taken action, this duty has often not been done, or, when done, has been done in ambiguous ways. What is effective approval? Silence? Numerous speeches of commendation of the President? Special appropriations to pay for the troop movement? General appropriations which include the cost of the troop movement? Defeat of a resolution condemning the action? Defeat of a bill directing reversal of the action?

(e) Court decisions—some helpful analyses of the problems discussed in this speech have been made by the courts.[1] These decisions, however, are always rendered long after Presidential action, perhaps undisputed, was taken. They never reflect legal arguments between opposing branches of the Government but arguments by the executive branch against a private party or between two private parties over some incidental effect of the Presidential action. There is perhaps a tendency due to these circumstances for the courts to conclude that what was done was properly done.

[1] *United States* v. *Curtiss Wright Corp.* (299 U. S. 304, 319-20 (1936)); *The Prize Cases* (2 Black 635 (1863)).

(f) Grounds given by the President for acting—theoretically, it may not matter what reason or authority the President gives for his action if there exists in fact a valid reason or authority. Similarly, one good reason is enough even if mixed with invalid ones. Nevertheless, the reason given is important to any debate on the constitutionality of the action taken. The Congress, courts, and the people are likely to accept the President's assertion unless challenged.

Third. The growth of the power of the President beyond what the founders imagined has often been pointed out. Strangely enough, however, the older precedents for Presidential troop action without Congressional approval would be unthinkable now; for instance, sending the fleet to bombard a foreign town so as to loosen up commerce, as the President did in Japan in 1863. The literature nevertheless contains statements to the effect that the power of Congress to declare war is anachronistic, that the making of defense and foreign policy is, for all practical purposes at least, the President's responsibility subject to obtaining treaty approval from time to time and appropriations and other necessary implementing legislation. Maybe so, but if so the Constitution needs to be amended to reflect such a reassignment of functions. Meanwhile Senators should guard against further erosion of the Congressional powers in the field of foreign policy.

Fourth. In the Lebanon crisis, the President acted without Congressional sanction. He acted arbitrarily and without showing a desired sensitivity to democratic checks. In his message to Congress on the Lebanon situation, President Eisenhower cited no authority for stationing troops there. He gave two reasons: first, protection of American lives, and second, to preserve Lebanon's independence. He said the latter action would "strengthen principles upon which the safety and security of the United States depend."

As pointed out earlier, there are numerous precedents for sending troops to protect citizens without Congressional authorization. Whether troops were necessary and have been used for that purpose in Lebanon is a factual question. The other ground cited by the President, preserving Lebanon's independence, would not seem adequate unless somehow related to the defense of the United States.

The question next to be answered is which branch of the Government should have acted first. The facts of the Lebanon case show that a commitment to send troops was made long before they were sent. The constitutionality of this commitment could be questioned; even if there was not time to ask Congress for approval after the Iraq revolution, and this is disputable, there clearly was time for a Congressional policy decision on the wisdom of making the prior commitment. Nevertheless, the President at the time of the commitment through the newspapers, did nothing about it. Later, after the landing ships had started moving toward the beach, there was consultation between the President and certain Congressional leaders, but no legislative action.

These constitutional issues could be raised in the Congress most directly by including them in a resolution or bill of disapproval such as I shall discuss later.

Fifth. What responsibility does the Congress now have? If it be correct that the Congress should approve or disapprove of the policy being followed, or enunciate another national policy, with regards to the use of American forces in Lebanon, how should this be done? If approval is the proper course, it is submitted that silent approval is not enough. At this point in time, however, a resolution of approval, even for those who agree with the policy, may seem superfluous. If disapproval is the proper course, there are various procedures which could be followed: Senate resolution, concurrent resolution, joint resolution, or bill. Unless one of the latter two devices were used, the President could ignore the resolution, and those opposing such measures would have the additional argument that they were gestures anyway. The constitutional and policy issues discussed in this paragraph would be clearly raised in a joint resolution like the following:

Resolved, etc., That within 30 days after the enactment of this joint resolution [act] the intervention of United States forces in Lebanon shall cease and all such forces shall be withdrawn.

Such a joint resolution would be referred to the Committee on Foreign Relations, if the Legislative Reorganization Act is adhered to. If passed and approved by the President, the troops presumably would be withdrawn. It is conceivable that under some circumstances such a withdrawal would have fewer harmful foreign political consequences than a withdrawal otherwise required, such as a withdrawal required by an adverse vote in an organ of the United Nations. If the joint resolution were vetoed by the President and repassed by a two-thirds vote of both Houses, the President would either comply or precipitate a constitutional crisis.

Mr. President, I close by saying that the President should be repudiated by the American people for his unconstitutional act in sending marines into Lebanon.

OREGON NIGHT AT THE WATERGATE

Mr. MORSE. Mr. President, the 85th Congress in its duration has provided many memories. Among the most pleasant to me personally, was an evening last July when Mrs. Morse and I were privileged to hear a brilliant performance by the Federation of Musicians of my State song. It was a wonderful evening for the Oregon Congressional delegation to have the opportunity to join with so many of our friends in welcoming our fellow Oregonian Herman Kenin into his high office as president of the American Federation of Musicians. It was a night also of personal triumph for Congressman CHARLES PORTER whose campaign for adequate recognition of our

State song, Oregon, My Oregon, culminated in a most successful production enjoyed by the 7,000 who were at the Watergate that night. I know that to both Mrs. Morse and myself, it was one of the major events of this past year. I ask unanimous consent that an article entitled "Oregon Night Huge Success" which appeared in the August issue of Hi Notes, a publication of the District of Columbia Federation of Musicians appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OREGON NIGHT HUGE SUCCESS

Thanks to the efforts of many fine people—including the weatherman—the July 23 concert at the Watergate sponsored by the American Federation of Musicians that featured personal appearances by the Oregon Congressional delegation, newly elected AFM President Herman D. Kenin and a symphonic arrangement of the Oregon State song by Toby Tyler was, to put it mildly, a tremendous success.

The program which, in the main, consisted of melodies from hit Broadway musicals, was conducted by Dr. Henry Goldstein, while Eddie Pierce led the national anthem and Realtor Eddie Carr's I Love Washington, with Toby Tyler conducting his own score of Oregon, My Oregon. The vocals were handled in top form by our good friend and NBC's outstanding personality, Gene Archer. A wonderful change of pace in the program was afforded by the piano team of Helen Myers and Mel Clement who impressed an audience of 7,000 with their ability and myriad selections.

A 25-minute segment of the concert, which included the specially arranged Oregon State song, was broadcast over the facilities of the Mutual Broadcasting System—some 400 stations—and to Brother Phil Lampkin we are indebted for this. Congressman CHARLES O. PORTER, who has been seeking recognition of the Oregon song, and President Kenin were also heard during the broadcast.

Secretary J. Martin Emerson, whose idea it was for the event, formally opened the evening's activities by introducing Oregon Senator WAYNE MORSE who, after a few remarks and recognition of his colleagues in Congress, introduced President Sam Jack Kaufman. President Kaufman then emceed the program in his inimitable Capitol Theater style.

The night that was set aside to salute the State of Oregon and provide a showcase for President Kenin turned out to be a full day for the latter. A high-level luncheon with Assistant Secretary of Defense Charles Finucane and his staff took place in the early afternoon, with a meeting following which was attended by James G. Dunton and Samuel Silver, Office of Public Services at the Pentagon, and President Kenin, Attorney Henry Kaiser, Public Relations Director Hal Leyshon, as well as local 161 officers, President Kaufman, Secretary Emerson, and Treasurer Woods.

The climate of the meeting, which saw both sides take up matters pertaining to the use of service bands, was such that it is believed a much better understanding now exists and that President Kenin made a profound impression upon the Pentagon officials, to the end the federation will now be in a position to more ably assist locals in problems dealing with illegal service band competition.

There wasn't much time after the luncheon, as a preconcert buffet was scheduled for 6 p. m. With Congressman and Mrs. Charles O. Porter hosting, the 2-hour refreshment period provided a unique setting for prominent Oregonians to renew acquaintances. Senator and Mrs. Morse made it in time for a quick bite, while Mrs. Richard Neuberger was a welcome replacement for her Senator-husband, who had a previous speaking engagement. Congresswoman EDITH GREEN and her sons were there, as were Congressman and Mrs. Al Ullman. Many other distinguished Oregonians were present to meet President Kenin in whose honor the affair was given.

The concert that followed was brilliantly performed by an orchestra of 58 of our finest musicians, and the rendition of the Oregon State song was inspiring. As was overheard: "The way the orchestra played our Oregon State song, it made you feel proud to be an Oregonian."

It was a great day—and night—for the American Federation of Musicians and the people of Oregon. Much in the way of good public relations was accomplished, and the press coverage was excellent—all because Congressman PORTER wanted to hear more of his State song at Washington functions he attends and the timely fact that our new president, Herman Kenin, happens to hail from Oregon. An idea that paid off in terrific dividends for all who took part—and to each we extend our profound gratitude.

ADMISSION OF CERTAIN EVIDENCE—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Mr. O'MAHONEY. I wish to add the statement that the House of Representatives has already adjourned, that this is the only forum now which can afford protection to the community of people in the District of Columbia and throughout the United States who are victims of crimes of violence. Every protection that can be thrown about a person accused of crime is retained by the language of this conference report. The only persons who can lose now are those persons who are the victims of crimes of violence.

I yield the floor.

TRIBUTE TO THE MINORITY LEADER

Mr. MUNDT. Mr. President——

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. MUNDT. Mr. President, due to the unusual parliamentary situation which has developed during the course of the evening, whereupon the hour of adjournment has been somewhat uncertain, a number of us on this side of the aisle have been awaiting an opportunity to express ourselves with regard to the fact that tonight or this morning will comprise the last period in the Senate of the very distinguished leader of the minority [Mr. KNOWLAND] when we adjourn the session in which we are now participating.

When we adjourn this session in which we are now participating, he will leave his high post in the Senate and return to his native State of California.

Due to the fact that it is 2:20 in the morning, and apparently nobody anticipates any business being conducted in the Senate at this late hour, a great many of the Republican Members who had intended to express some words of felicitation to our beloved leader have gone to their respective homes. However, several Members have asked me to convey to the distinguished Senator from California [Mr. KNOWLAND], on behalf of them as well as myself, our feeling of deep appreciation for the fine leadership which he has given the minority since he ascended to the high post of minority leader. We have found him always courteous, we have found him always kind, we have found him always courageous in undertaking those responsibilities which go with that high office.

We have respected him as a leader of the minority, because, in fact, BILL KNOWLAND was a leader of the Republican minority of the Senate.

He grasped that concept of leadership which, I believe, is important in this greatest of all deliberative chambers; that is, a leader of the Senate is, precisely, a leader not of his party but of the members of his party who comprise that segment of the Senate of which he is a part.

We have found in dealing with BILL KNOWLAND that he is easy to consult with, he is considerate of the views of others, and once he has determined upon a course of action he goes forward with all the vigor, force, and persuasion of his great personality.

I think it was David Starr Jordan who at one time said that the world has a habit of getting out of the way of a man who knows where he wants to go. BILL KNOWLAND is that type of man. He was that type of leader. As he goes back to California, he will carry with him, when he goes, the admiration and affection, I am sure, not only of every member of the minority, who, by virtue of our political affiliation, perhaps, have worked with him a bit more closely than Members on the other side of the aisle, but, also, I am sure, he will carry a rich measure of devotion and admiration from every Member of the United States Senate.

I am sorry that the approach of adjournment has been as it has been tonight, but I did not want this opportunity to pass, even though it is early morning, and adjournment, when it does come, may come with surprising abruptness, to convey to our leader on behalf of those Republicans who are gone, as well as those who are here, our best wishes and a deep sense of appreciation for a job very, very well done.

Mr. CURTIS. Mr. President, the hour is late and I will be very brief. In the service of the very distinguished Senator from California, our minority leader [Mr. KNOWLAND], we have had the opportunity to witness greatness in our time—a great student, a keen mind, a sense of patriotism, an ability to speak, and above all profound convictions and a conscience. I pay tribute to him and wish him the very best in all his endeavors.

TRIBUTE TO RETIRING SENATORS

Mr. HICKENLOOPER. Mr. President, in the press of business in the last few days it has been difficult, I am sure, on the part of most of us, to find time to express the sincere feeling which we have for those of our colleagues who are leaving the Senate of their own volition.

No one stands higher in my personal affection and admiration than the senior Senator from California, our beloved minority leader. He and I came to the Senate at almost the same time. I believe he came to the Senate in August, while I came in January of the same year.

We have all paid our respects to BILL KNOWLAND heretofore. I shall not repeat those respects at this time, other than to say I reiterate them and to say that my personal respects, my personal affection, and my good wishes go with him.

Other Members of the Senate are leaving of their own accord. I have already remarked about my acquaintance and my association with the Senator from New Jersey [Mr. SMITH].

The Senator from Vermont [Mr. FLANDERS] is a man for whom we all have great regard, a man for whom we have great affection. We are sorry to see him go.

The Senator from Indiana is a Senator I have known for many, many years, whose courage, determination, and vigor no one can deny, and whose patriotism stands high in the annals of service to his country. We regret that we will lose his associations, but we also wish him well.

Mr. President, we are also losing the Senator from New York [Mr. IVES]. He has made a great contribution to the legislative accomplishments of this country. His long experience in public life and his judicious approach to the problems which confront Members of the legislative body are recognized not only here but abroad. We regret exceedingly that Senator IVES is leaving us.

Mr. President, one of the great Americans of not only this generation but perhaps of the past generation—one of the great Americans of the past two generations—Senator MARTIN of Pennsylvania, is retiring at least from this phase of his public life. I have known Senator MARTIN for many years. I first met him when he was Governor of Pennsylvania and I was Governor of Iowa. It probably is sufficient to say that he is not only an outstanding patriot, but a great defender of the American system. There is no man in America today who has done more to defend the ideals of America—as he understands them, and as I am proud to say I agree—than the senior Senator from Pennsylvania, a magnificent soldier of three wars, a great Governor of a great State, a great statesman, a great patriot, and a great friend.

Tonight, Mr. President, it is with regret and with considerable sentiment, I will add, that I personally say "adieu" to these men—men who have been my friends over the years, men whose association in an official capacity will be terminated tonight but whose friendship, association, and acquaintance over the years I firmly hope will continue. It has been a great stimulus to me to know these men. It has been a great help in my own attitude toward public affairs and the performance of my duty.

Mr. CASE of South Dakota. Mr. President, on other occasions I have paid tribute to each of the members of the minority who are retiring from the Senate at the conclusion of this term, and I shall not try to mention each of them now or repeat what I have said on other occasions. But on this closing night of the 2d session of the 85th Congress, I wish to pay particular tribute to the service of the distinguished minority leader, the great Senator from California [Mr. KNOWLAND].

I have been proud to be a Member of the Senate. I have been proud to be a member of his party when he as minority leader, and for a time the majority leader of the Senate, has spoken the words of a leader on the floor of the Senate. I have said to other people, people from my own State of South Dakota and to others in the gallery, that when Senator KNOWLAND takes the floor and speaks, one can be proud to be an American. Sometimes I have thought that of the men I have known in public life, he might more nearly be compared to the great statesman of England of our generation, Winston Churchill, than anyone I have known. He is a rock of integrity. He is a rock of patriotism. He is a man of character in every sense of the word.

I do not know what the future holds for him, but I cannot personally believe that a man of his ability, his character, and his leadership is closing the door to public service when he leaves the Senate this year. I have confidence that in the days ahead, in times of stress and times of trouble, the people of the United States will call again for the leadership of WILLIAM KNOWLAND of California.

Mr. MANSFIELD. Mr. President, I wish to join my colleagues in expressing my high regard for the distinguished minority leader, the senior Senator from California WILLIAM KNOWLAND. There is not much I can add to what I have said over the years in the Senate about BILL KNOWLAND. I have for him a great admiration and affection. He has been an extremely able United States Senator, and he has been an outstanding leader for the Republican Party. I believe the country is better because of men of ability, integrity, and a capacity like BILL KNOWLAND, and when he leaves us I know all of us are going to miss him because of the many contributions he has made. We wish him well in the years ahead.

Mr. MORSE. Mr. President, I, too, wish to speak a few words of tribute to the Senator from California. As a Senator of the United States there are personal relationships that far exceed in importance and significance political relationships. The Senator from California and I have disagreed in our many years together in the Senate on a great many issues because of some basic disagreements we have on political philosophy. The Senator from California and I, however, have stood together also on a great many issues

I shall always point with pride to the fact that I believe the Senator from California has always recognized that I happened to be the first in the early days immediately to support him in regard to a position that he took in connection with the Communist threat and the importance of keeping ourselves so militarily strong that the Russians would always understand that they had everything to lose and nothing to gain from an aggressive course of action against us or the rest of the Free World.

In spite of all our deep political differences, based upon a difference in my judgment between liberalism and conservatism, I wish to say to my friend from California tonight that in my judgment I have been greatly enriched as a result of my many years of association with him I have been befriended by him on many occasions, and I wish to express to him, as he sits now possibly for the last hour in the Senate of the United States, at least for some time, my deep appreciation for his friendship.

Mr. COOPER. Mr. President, I am sure that as the distinguished Senator from California closes at least this part of his career tonight that he does so with some regret. Yet I believe that he should also have deep satisfaction, because he has been an outstanding Member of the Senate and because he has led his party in the Senate. But even more I believe he should have an even greater sense of satisfaction because he has impressed upon the people of this country great and unusual qualities of mind and of character. The people of the country know him as a man who is devoted to duty, a man of deep and strong convictions, a man of unimpeachable integrity.

I am myself sure that BILL KNOWLAND has not left public life, and that it will be just a short time until he will again be very active in the public life of his State and of our country. So I join with others in wishing him continued success in all the years ahead.

Mr. JAVITS. Mr. President, I, too, wish to join with my colleagues in paying tribute to our distinguished minority leader, WILLIAM KNOWLAND. I speak from the desk of my senior colleague [Mr. IVES] who also will be leaving us, to my very deep regret, and about whom I have expressed my views and affection before, because I know that the Senior Senator from New York [Mr. IVES] would consider it a privilege if he were here to speak his views; therefore I bespeak his views as well as my own.

Senator KNOWLAND has an incorruptible integrity which is so marked as to move the lips of almost every one of us when we think about it. This is the one unquestioned trait of his character which stands out above any other. This is so vital to a man in public life, so tremendously important to the people, for they always want to know where their leaders in so high a place stand, that I think it deserves to be emphasized and reemphasized as all of us have done.

Mr. President, to a new Member the personal friendship, the warm touch,

the sympathy of the minority leader for one of those in his party is tremendously gratifying and tremendously heartwarming.

Finally, as Senator KNOWLAND approaches the electorate of his own State seeking a very high office, which so many of us wish to see him attain, and feel so deeply he deserves, I should like to say that one of the most distinguished performances in legislative life I have seen was Senator KNOWLAND's conduct of the fight in respect to the civil rights bill of 1957. He showed himself a leader of resourcefulness, of courage, of very deep conviction; and perhaps the greatest tribute that can be paid to him is that the bipartisan band he led had equal confidence in him, whether we were Republicans or Democrats, and I shall never forget that the night the bill was passed the very distinguished Senator from Illinois [Mr. DOUGLAS] and I repaired at once to Senator KNOWLAND's office without any prearrangement, because both of us felt that he was the man entitled to the congratulations.

So for Senator KNOWLAND, his wife and family, as persons and friends, we wish all happiness and fruitful living, come what may, and for him as a public figure I bespeak our greatest hopes and expectations for the realization of his present aspiration of leadership in the executive capacity of his own State.

Mrs. SMITH of Maine. Mr. President, in the closing hours of this 85th Congress, I rise to commend its leadership in the Senate. First, I pay my respects to the retiring distinguished minority leader, whose courageous integrity is surely one of the greatest in the history of this greatest legislative body in the history of the world. I know of no better way of expressing my respect for him—I know of no higher commendation that I could give him—than to say that he has truly proved himself a worthy successor to the late Robert A. Taft; that BILL KNOWLAND has filled the shoes of Bob Taft extremely well—in fact, better than anyone else could.

As an American, I want to pay tribute to the distinguished majority leader. I know of no better way to express my feeling about him than to say that, in my opinion, he is the greatest majority leader the Senate has ever had in my time.

He has shaped a brilliant record for the 85th Congress. To do so, he has had to keep his amazing combination of talents of penetrating intelligence, overwhelming persuasiveness, unrelenting firmness and drive, and unexcelled understanding of human nature and of the mental composition of every Member of this body—keep all of these remarkable talents going at full force.

All of us know the tremendous mental and physical courage it has taken for LYNDON JOHNSON to do this. The best way to characterize his dedication to his job and his country is to use LYNDON JOHNSON's own words that he has uttered to his friends when they have urged him to ease up a little and think more of himself and his health because we wanted him to stay around. To this he has replied, "I'd rather burn out than rust out." That in seven short words characterizes LYNDON JOHNSON more accurately than could hundreds of thousands of words in a book.

And I want to commend the 85th Congress as a whole, and particularly the United States Senate, for its great productive record. I invite its comparison with any other Congress in the history of our country. I challenge anyone to cite a Congress that was more bipartisan in character—a Congress that did more to place the welfare of its country and people ahead of partisan politics.

Mr. President, I have extended praise that I am sure many, many Members of this body will second—and that millions of Americans will approve. Now I am going to say a few words that certainly will not make for popularity for me. I am going to say some words of condemnation that undoubtedly will bring bitter condemnation upon me.

I am going to speak in this manner knowing full well what is in store for me as a result of doing so. I have done it before and I am perfectly willing to pay the price because I believe that it is something that needs very desperately to be said.

Mr. President, this has been a great Congress but it has one very black blot on its record. That blot is the failure to deal with the scandalous abuses of labor's right to organize and bargain collectively—the failure to protect the rank and file of labor from the sickening corruption and criminality practiced and condoned by certain labor leaders.

Extremists on both sides—those on one side who would shackle the labor movement through legislation—those on the other side who oppose any labor legislation—have effected a virtual paralysis over the Congress on labor legislation. These extremists have thus effected, in final result, a strange and unholy alliance that has acted against the best interests of Americans.

I commend the Senate for its passage of the Kennedy-Ives bill. Perhaps some of its critics are right in characterizing it as only a mild beginning of an attempt to deal with the abuses of labor's right to organize and bargain collectively. But at least it was a start and a good start. It was a constructive and reasonable start. It is a tragedy that it was not passed.

Mr. President, the responsibility for this truly black blot in the 85th Congress is not solely that of the Congress. As one asute columnist—who is acknowledged to be a vigorous and liberal champion of the cause of labor—has put it, "a dangerous condition of domestic anarchy" exists in our country today.

The responsibility for this condition of domestic anarchy must be shared with Congress by the President of the United States, the Department of Justice, the Treasury Department, and some elements of the labor movement itself from where the anarchy springs. In this connection, I am deeply proud that the labor movement in my home State of Maine has repudiated those labor leaders who have created, spread, and flaunted this domestic anarchy in the face of the Congress, the President, the Department of Justice, the Treasury Department, and the American public.

For 2 years now there has been a constant exposé of criminality, corruption, and killings in certain segments of labor. To its everlasting credit, the AFL–CIO under the courageous and honest leadership of George Meany has repudiated, condemned, and expelled these segments.

For 2 years the headlines of the papers have literally screamed with these shocking revelations. But what has happened? Almost nothing. Instead Congress has been flaunted by some irresponsible labor leaders who practically brag that they cannot be bothered to discipline their ex-convict employees—who claim that much of their income is from gambling on which they make no record or throw the records away.

And, Mr. President, what is the record on cleaning up this condition of corruption, criminality, and anarchy? The defeat of the Kennedy-Ives bill killed any constructive action by Congress.

But what about action on violations of existing law? Where has the Department of Justice been all this time? What has the Treasury Department done? If they have taken any real action it is certainly not evident.

What has happened to our country—to our leaders—to our people? Have we become so cynical and so indifferent that we can't be shocked into action?

Have those of us who say we believe in the honesty and patriotism of most union members become fearful of putting that confidence to the test? Have we become so paralyzed in the middle between the labor haters on one side and the labor anarchists on the other side that we have lost our courage to try to project a middle ground that protects the rank and file of labor from the labor anarchists without destroying the labor movement?

If the answer has to be given now in 1958, I am afraid that it must be a convicting "Yes" for both the legislative and executive branches of the Government.

TRIBUTE TO RETIRING SENATORS

Mr. DIRKSEN. Mr. President, of the distinguished Senator from Pennsylvania [Mr. MARTIN], let me say only that he was a great soldier in peace and war, one who so richly merited all the acclaim that was his at the hands of the people of the great Commonwealth of Pennsylvania.

Of the distinguished Senator from Vermont [Mr. FLANDERS], I say only that he was a man of conviction and courage to match the hard stone for which his State is noted.

Of the man whose desk I occupy at the moment, the distinguished senior Senator from New York [Mr. IVES], I can say that he is a man who was convinced that things are not entirely black or white, but that there are large gray areas which help to clarify the truth.

Of the distinguished junior Senator from my neighboring State of Indiana [Mr. JENNER], I may say that I know of

no person who has shown greater constancy of devotion to those ancient landmarks which were set by the Founding Fathers.

Of my boss, the minority leader, the distinguished senior Senator from California [Mr. KNOWLAND], I can say that seldom does one see a cartoon which so adequately portrays his character. But on an occasion when I was in California, I picked up a copy of the Los Angeles Times. It portrayed the mountains of California, and at the top was the likeness of Senator KNOWLAND. It carried the caption: "A man to match our mountains."

I could think of nothing more appropriate to describe the integrity, steadfastness, and courage of the minority leader.

As I think of that word "steadfastness," I think of its derivation. It means fast and steady. If ever in our contemporary history there was a man who in his own way, under every circumstance, and even in the face of opposition from his own administration, maintained constantly steadfastness of conviction, it is the distinguished Senator from California, Senator KNOWLAND. I applaud him for his great work well done.

ADMISSION OF CERTAIN EVIDENCE—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Mr. CARROLL. Mr. President, I rise to a point of order on the conference report. I point to rule XXVII in support of the point of order. I read the following sentence:

> If new matter is inserted in the report, or if matter which was agreed to by both Houses is stricken from the bill a point of order may be made against the report.

I have a copy of the colloquy between the distinguished Senator from Missouri [Mr. HENNINGS] and the distinguished Senator from Wyoming [Mr. O'MAHONEY]. I now read for the record in support of the point of order.

Mr. HENNINGS. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. HENNINGS. I thank the distinguished Senator from Wyoming, my colleague on the Committee on the Judiciary.

Let me ask him whether the language of the conference report which provides that "such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions" was in either the House version or the Senate version of the bill.

Mr. O'MAHONEY. It was in neither.

Mr. HENNINGS. Then that language is entirely new matter, is it?

Mr. O'MAHONEY. It is entirely new matter.

Mr. President, as a member of the Committee on the Judiciary and as one of the conferees, I refused to sign the report. I think the report explains, more than anything else, whether this language is new matter. The report was drafted by the conferees on the part of the other body. It will be observed that the original bill as passed by the House had to do with a Federal rule of procedure concerning arrest and arraignment, rule 5 (a) of the Federal Rules of Criminal Procedure.

The House passed a rule of evidence in connection with arrest and arraignment by saying "without delay" with reference to confessions.

The Senate, in a long debate in this Chamber, inserted the word "reasonable," again having reference to arrest and arraignment, and establishing a rule of evidence. The debate all the time related to the question of Federal criminal rule 5 (a).

We now have the statement by the managers on the part of the House—and this is the import of the amendment, by their own statement—that the amendment as agreed to by the conferees of both Houses makes it clear and definite that the existing rule of evidence governing the admissibility of statements and confessions shall not be disturbed by the enactment of this legislation.

I submit that the existing rule of evidence governing the admissibility of statements and confessions has no relationship to Federal criminal rule 5 (a), which relates to arrest and arraignment.

Therefore, I make my point of order.

Mr. O'MAHONEY. Mr. President, it is true that when I was interrogated by the Senator from Missouri earlier in the debate, and he asked me whether this proviso was in either the bill passed by the Senate or the bill passed by the House, I said, "No, it was not."

Then, in respect to his question as to whether it was new matter, I said, "Yes." But in making that response to him, I was not talking in terms of the rule on conference reports.

I suggest to the Chair that the proviso which has been added contains the word "delay." The paragraph which was amended by the Senate, and to which the explanatory proviso was added by the conference, is a brief paragraph. Originally it contained 41 words. To that was added the statement:

> *Provided*, That such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions.

That statement consists of 23 additional words.

I point out that the words "reasonable delay" appear in the very beginning of section (a), in the third line of the section as printed in the bill which came to the Senate from the House. The statement begins in line 9, page 1. The word "delay" appears in line 11, page 1.

From the word "delay" to the end of the sentence is only 25 words. To the word "delay" again are only 4 more words—29 words.

The significance of the proviso is that it modifies, explains, and clarifies the meaning of "reasonable delay" in the beginning of the sentence.

I submit that the point of order is a technical point, without merit by the rule of reason.

Mr. MORSE. Mr. President, I shall speak briefly to the point of order, and in support of the position taken by the Senator from Colorado.

I feel, in a moment such as this, that I should address the Presiding Officer not as "Mr. President" but as "Your Honor," because he has resting before him, in my judgment, a very serious matter for procedural and judicial determination.

I think the point of order of the Senator from Colorado is well taken, because the bill which went to conference is not the bill which came back from the conference. By that, I mean that the bill which came back from the conference is not the bill which went to the conference, in subject matter, because we did not send to the conference a confession bill; but now we have before us, from the conference—in the form of new matter—a bill which proposes to establish a binding rule in regard to confessions. That was not involved at all in the bill which went to conference.

The bill which went to conference contained the words:

> (a) Evidence, including statements and confessions, otherwise admissible, shall not be otherwise inadmissible solely because of reasonable delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

That is the Mallory bill of the House, and it is the Mallory bill which was before the Senate, except the bill was amended by the Senate by the addition of the one word "reasonable" before the word "delay"; and in the conference the difference between the House version and the Senate version with the difference between whether the word "reasonable" should or should not be included.

When we examine the debate of the other day, we find there was long debate in the Senate, as it dealt with that bill.

In regard to the question of what would be the position of the conferees on the word "reasonable," if we consider the debate of the other day, I think we cannot escape the conclusion that in that debate it was made perfectly clear that we did not want to have the bill brought back to us from the conference unless the word "reasonable" was in it.

Now the word "reasonable" is in it; but there is also new matter.

At this time I wish to return to the statements made by the Senator from Wyoming [Mr. O'MAHONEY] in the debate earlier this evening, here on the floor of the Senate.

Mr. O'MAHONEY. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. O'MAHONEY. Did I correctly understand the Senator from Oregon to say, only a moment ago, that with the proviso which has been added to the bill, it is the Mallory bill which came to us from the House?

Mr. MORSE. No; I said that the Mallory bill which came to us from the House did not have the proviso in it.

Mr. O'MAHONEY. I know the Senator from Oregon said that. But that is not the question I asked him. Did not he say that the meaning of the bill now, because of this clause, is the Mallory bill which came to us from the House?

Mr. MORSE. Oh, no; I did not say that at all.

Mr. O'MAHONEY. I challenge the statement of the Senator from Oregon, and I appeal for a reading of the RECORD; I ask that the Official Reporter read from his notes what the Senator from Oregon said. I do not think I am mistaken; and I make the point—as I stated—that the Senator from Oregon has acknowledged that it is not new matter, in the light of the rule.

Mr. MORSE. Let me say what I mean, and then I shall be very glad to let the CONGRESSIONAL RECORD speak for itself. So let me say what I mean. The Senator from Wyoming is a good enough lawyer, so that, inasmuch as he heard the statement I made, I know he understands exactly what I meant—namely, that the Senate conferees have brought back from the conference a bill greatly different from the bill they took to the conference. The conferees have added materially to the bill, in the conference; in the conference report they have included a rule on confessions that they did not take to the conference. That is new material; and my point is that the conferees brought back from the conference, not the bill which came to the Senate from the House, but a different bill, different from the one which came to the Senate from the House. The conferees have added new material.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. Not now; I wish to finish my statement with respect to what the RECORD shows. I desire to make the statement for the benefit of the Chair.

Mr. President, the Senator from Colorado [Mr. CARROLL] has read the CONGRESSIONAL RECORD, as it was made by the debate earlier this evening. I wish to repeat part of it; and then I wish to read part of the debate, also earlier this evening, between the Senator from Missouri [Mr. HENNINGS] and the Senator from Colorado, which has not as yet been read.

I now read:

> Mr. HENNINGS. I thank the distinguished Senator from Wyoming, my colleague on the Committee on the Judiciary.
>
> Let me ask him whether the language of the conference report which provides that such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions, was in either the House version or the Senate version of the bill.
>
> Mr. O'MAHONEY. It was in neither.
>
> Mr. HENNINGS. Then that language is entirely new matter, is it?
>
> Mr. O'MAHONEY. It is entirely new matter.
>
> Mr. HENNINGS. Let me ask the Senator from Wyoming what he thinks it adds. It seems to me exceedingly unclear, and of course I do not think it means anything, because it says that such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions.
>
> Mr. O'MAHONEY. If the Senator from Missouri will permit me to respond to his statement, let me say that he has just said that he does not believe the provision means anything. In that case it follows, clearly, that we have left the Senate amendment entirely undisturbed.
>
> Mr. HENNINGS. Does my distinguished colleague agree with me?
>
> Mr. O'MAHONEY. No, I do not agree.

There the Senator from Wyoming said he does not agree that the addition that has been brought back from the conference leaves the Senate amendment entirely undisturbed.

I read further:

> Mr. HENNINGS. Is not this statement a redundant one? We know that delay is to be considered by the courts in determining the voluntary or involuntary nature of the statements or confessions, depending on all the circumstances. Is not that true?
>
> Mr. O'MAHONEY. But, Mr. President, the other day, when the Senate passed this bill, we indulged for hours in a debate on the legal technicalities. As I said then, I repeat now: We lawyers love to debate legal technicalities.
>
> Mr. HENNINGS. That is what lawyers are for.
>
> Mr. O'MAHONEY. I say to my colleagues that this additional phrase is a clarification which does not at all impair what was provided. It carries out the will of the Senate; it carries out the duty of the Congress; it explains and clarifies the decision of the Supreme Court in the Mallory case; and it will afford a great opportunity for the courts of appeals in the District of Columbia and elsewhere to avoid the mistakes which were made by the Court of Appeals of the District of Columbia.
>
> Mr. HENNINGS. Mr. President, will the Senator from Wyoming yield for another question?
>
> Mr. O'MAHONEY. Certainly.
>
> Mr. HENNINGS. Is not the Senator from Wyoming of the opinion that the conference report will in no wise affect or change either the decision in the landmark case of McNabb, or the decision in the Mallory case?
>
> Mr. O'MAHONEY. I feel that if we are to enact legislation in this field, we must adopt the conference report. The House has adopted it. The only effect to be gained by a failure by us to adopt the conference report would be to kill the proposed legislation.
>
> The Senator from Missouri was one of the stalwarts in supporting the action of the Senate Judiciary Committee.
>
> Mr. HENNINGS. I thank the Senator from Wyoming; and I was glad to contribute as best I could in my small way.
>
> Mr. O'MAHONEY. And I hope the Senator from Missouri will continue his very able support, and will help us give the District of Columbia the assurance it needs.
>
> Mr. HENNINGS. I thank the Senator from Wyoming. I may seem to appear in the role of the devil's advocate, but I am undertaking to establish the legislative history in the Senate. The other day I spoke for 2½ hours, I believe, on this very proposition; and I supported the Senator from Wyoming in his amendment, which inserted the word "reasonable," instead of the word "unnecessary," which theretofore had appeared before the word "delay."
>
> Mr. O'MAHONEY. That is quite true; and I am very grateful to the Senator from Missouri.
>
> Mr. HENNINGS. I did so because I thought it was proper, and might serve the entire country.
>
> Let me ask this question of my learned and distinguished friend: Does he think that in any way the conference report will affect, alter, or change the decision in the landmark case—the McNabb case—or the decision in the more recent case—the Mallory case; or does he think the conference report will tend to have any effect whatsoever upon the original bill, as it was passed by the Senate, with the inclusion of the word "reasonable," as an amendment?
>
> Mr. O'MAHONEY. Not in its effect——
>
> Mr. HENNINGS. It seems to broaden it, does it not?
>
> Mr. O'MAHONEY. It does improve it.

Mr. President, if one looks to the statement of the managers on the part of the House, he finds further proof that this is additional material, this is new material, this is a modification of the bill that was before us, over and beyond the word "reasonable." So listen to what the House conferees tell us. They say in their statement:

> The bill, as it passed the House, provided for a statutory rule of evidence for the admissibility of statements and confessions in criminal proceedings in the courts of the United States. While the House version did not contain the word "reasonable" in referring to delay, it still provided that statements and confessions otherwise admissible should be admitted into evidence and not be excluded solely because of delay in bringing the arrested person before the committing magistrate.
>
> The amendment as agreed to by the conferees of both Houses—

Note this, Mr. President—

> is to make it clear and definite that the existing rule of evidence governing the admissibility of statements and confessions shall not be disturbed by the enactment of this legislation. The provision as contained in this amendment is to the effect namely that under all the circumstances, if the statement or confession is found to be involuntary it shall be excluded.

The House can say that if it wants to, Mr. President, but that was not the intent of the bill in the Senate. That was not the discussion in the Senate. The discussion in the Senate was in regard to arraignment, not confessions. The discussion in the Senate was as to whether or not the word "reasonable" should be put before the word "delay" in relationship to its effect upon arraignment. What we have had brought back to us now, Mr. President, is legislation in regard to confessions. We seek now, in this report that has come back to us, to set up entirely new legislation not covered at all by the bill as it came from the House in the first place, in regard to the rule that should apply in connection with the voluntary or involuntary nature of confessions.

Mr. President, we have not had presented to us any hearings or any committee action from the Judiciary Committee on the issue of confessions. The report on the Mallory case did not deal with the matter of adopting a rule in connection with voluntary and involuntary confessions, and the proviso clause as it comes from the House—"*Provided*, That such delay is to be considered"—is an order to the courts—"as an element in determining the voluntary or involuntary nature of such statements or confessions." Is an order to the courts, an evidentiary rule that is laid down in a conference report, not covered by the Mallory bill, not a part of the debate on the Mallory bill, not before us when we went to conference, and, therefore, new matter, not in violation of rule 27?

Mr. ERVIN. Mr. President, I respectfully submit that the point of order is not well taken. I respectfully submit

that in applying the rule we should look at substance, and not form. The decision in the Mallory case took a rule of procedure and, by a judicial amendment, made it a rule of evidence, and it did so, as I pointed out the other day, in violation of rule 26, which provided in express terms that in cases not covered by acts of Congress providing otherwise, determinations of questions of evidence shall be by resort to rules of common law.

When the House bill came to the Senate, the House bill declared in very simple language that no statements or confessions otherwise admissible—and that included voluntary statements—shall be excluded merely because of delay. The House bill reestablished in substance the common law rule that voluntary confessions should be admissible. It had a second section providing that, in order for a confession to be admissible, there should be a warning that the man did not have to say anything.

When the Senate adopted the amendment, it put the word "reasonable" before the word "delay" and made no other change. Then the bill went to conference and the conference committee came out with a report which restored the bill in substance. What the bill was when it came from the House was a slight modification to make it specific that a reasonable delay was to be considered as a circumstance indicating voluntary confession, and unreasonable delay as a circumstance indicating an involuntary confession. So the conference report, in effect, is somewhere between the original House bill and the bill as it was amended in the Senate. It restores, as the House bill did, the common law rule about confessions being admissible when voluntary, and it added to that an express restriction that a reasonable delay was to be considered as tending to show a voluntary confession, where as an unreasonable delay should be considered as tending to show an involuntary confession.

That is the meaning of the conference report, and certainly it is within the compass of the original bill as it passed the House and the bill as it was amended in the Senate.

Mr. CASE of South Dakota. Mr. President——

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. CASE of South Dakota. Much as I regret to do so, I am obliged to say that I think the conference report is subject to a point of order, and that it has been properly made.

Rule 27, which deals with conference reports, has three clauses.

The point of order is made under the second, but light on the subject may be shed by examining the third clause, which reads:

> In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees, it shall be in order for the conferees to report a substitute on the same subject matter; but they may not include in the report matter not committed to them by either House.

Then there follows this sentence, and this sentence sheds light on the problem. It is the final sentence of subparagraph (a) of paragraph 3:

> They may, however—

And this relates only to the instance where there is a substitute—

> They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

If we had a situation in which the entire text had been stricken or in which there was a substitute, a modification could be included if it were germane. But the provision for modifying the subject matter exists only when there is a substitute under clause 3. Under clause 2 there is no provision for modification, whether germane or not. So since the only provision for a modification arises in the instance in which there is an amendment in the nature of a substitute, it would follow that if the rule were to permit modification, it would also be pointed out that there might be a modification under clause 2.

The very language that is used, "Provided that," suggests that there is a modification. I do not know how it can be argued any other way.

It may be that one may talk about substance, if the original meaning is being restored, or something of that kind; but when the words "provided that" are used, it is a modification, and consequently it would be in order only if there were a substitute, and it would come under clause 2. I do not see how any modification could be permitted.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CASE of South Dakota. I yield.

Mr. LONG. Would the Senator's conclusion be the same if the language added were language to the effect, as used in the sentence, that the word "reasonable" should mean "thus and so," or any particular definition of the word?

Mr. CASE of South Dakota. Yes, I think it would. If that definition were with the word "reasonable," perhaps a different construction might be argued. Even then the bounds of the conferees were between the word "reasonable" and no word at all.

Mr. LONG. The point I have in mind is that it seems to me in conference one side can win 100 percent, or the other side can win 100 percent, or there can be a middle ground.

One side could win by having the word "reasonable" agreed to; the other side could win by having the word "reasonable" stricken; or the conferees could find a middle ground between the two. That is the way conferees usually arrange things. They have found that the word "reasonable" would tend to have a certain connotation. That is about the effect of it.

Mr. CASE of South Dakota. There was no space for the conferees to work. This proviso comes between the last word in the sentence and the period. That is where the "provided" has come in. If there were to be any modification, it seems to me it would have to be where the change comes in the word "reasonable" itself. When words are added, with a "provided" which is inserted at the end of the sentence before the period, clearly it is a modification, and that would be permitted only if there were a substitute so that the conference report would come under clause 3 of the rule.

Mr. LONG. It seems to me that the sentence to which the Senator refers might be interpreted as being a modification of the word "reasonable." The rule states, in part:

> They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

Mr. CASE of South Dakota. The Senator is overlooking a part of clause 3.

Mr. LONG. If that were included, it would be admissible.

Mr. CASE of South Dakota. The sentence to which the Senator refers would apply only if there were an amendment in the nature of a substitute. The Senator should read the first part of paragraph 3. There was not an amendment in the nature of a substitute.

TRIBUTE TO SENATOR JOHNSON OF TEXAS

Mr. KERR. Mr. President, the 2d session of the 85th Congress will soon be a matter of history. My joy at its coming to an end is exceeded only by the gratification I feel with respect to the progress which has been made and the successes which have been achieved during this session of the Congress.

I am aware, Mr. President, that many men and many ladies have made substantial contributions to the success of this Congress. I am deeply respectful of each of them.

However, Mr. President, I wish to pay tribute to the distinguished majority leader of the Senate for the great effort he has made, for the enduring devotion he has exhibited, and for his contribution to the success of this session of the Congress.

The Senator from Oklahoma has been in the Senate now for 10 years. This is the 10th session I have had the opportunity to be a part of. I had great interest in the sessions which took place prior to my coming to the Senate. We have had great leaders in the past. I am aware of the distinguished record of the minority leader and of the record he made when he was the majority leader.

But, Mr. President, I do not believe I have ever seen a demonstration of leadership, of patient understanding, of sustained mental and physical effort of the high order of devotion and patriotism such as has been exhibited and manifested by the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON]. Before the sun sets, either on this day or this session, I wanted to give expression to that sentiment in that respect.

FAREWELL MESSAGE FROM SENATOR KNOWLAND

Mr. KNOWLAND. Mr. President, the 2d session of the 85th Congress is about to draw to a close. I am speaking for my last time as the minority leader of the Senate and as a Member of the Senate of the United States. I would not want this opportunity to pass without paying my respects to all of my colleagues in this body on both sides of the aisle.

I came here as a young man of 37 years of age. I have had the opportunity of serving with these Members, both Democrats and Republicans, and it has been a great inspiration as an American citizen to see the devotion to duty they have all shown in meeting the great issues which confront our common country.

Through the years of my service in the Senate, I have bid sad farewell to some of my friends on both sides of the aisle—friends who have gone on that long journey from which there is no return. I have bid farewell to some who have retired of their own volition to enjoy more leisure with their families and friends. And, yes, I have bid farewell to some who retired involuntarily due to the vicissitudes of elections.

In turn, I have welcomed newcomers into this great body. I have seen them work hard at their duties and rise in stature and responsibility.

To be a Member of the United States Senate is a high honor.

The close of each session of a Congress is a time for reflection—a time for summing up accomplishments. The record is written and it takes its place in history.

In these times of tension, responsibilities ofttimes weigh heavily. Every problem confronting us, every decision we make, touches the lives of all our citizens. International as well as national problems must be dealt with in a manner that their resolving will be for the best interests of the American people.

We have worked diligently many long hours in our struggle to try to solve these problems. All of them have not been solved.

Some of the President's recommendations have been acted upon. Others have been postponed or rejected. I feel we might have done a better job in some fields. However, it is not my purpose to discuss the achievements of the 85th Congress at this time. The appraisal of that record I have offered as a Senate document which will be available to all who are interested.

My present purpose is purely a personal one. It is my desire to pay tribute to a few of those many persons with whom I have had the pleasure of association in my years as a Member of the United States Senate. Many of them have been my close personal friends; many of them have been of invaluable aid in my legislative duties; many of them have made me the recipient of their wise and helpful counsel. All of them have lightened my duties in many appreciable ways.

I know in paying tribute to our Presiding Officers, the distinguished Vice President RICHARD NIXON and the President pro tempore CARL HAYDEN, that I am voicing the opinion of all of you.

No tribute would be complete without speaking of my stalwart friend and able colleague from the Granite State of New Hampshire, STYLES BRIDGES, the senior Republican Senator. His long experience and judicious advice have held all of us in good stead.

And on the other side of the aisle, I pay my respects to the majority leader, LYNDON JOHNSON, for his notable skill and achievements, and to his distinguished and hard-working assistant, Senator MIKE MANSFIELD, of Montana.

There is no doubt but what this session has been a trying one. Many grave problems have confronted us. Many long hours of hard work have been the lot of all of us as we have toiled during the last 8 months.

During these trying times, the prayers of our Chaplain, the Reverend Frederick Brown Harris, are always an inspiration and a guidance. The spiritual influence generated by his words, I feel, has aided in many difficult hours.

As Dr. Harris has attended to our spiritual welfare, our good friend, Dr. George Calver, has attended our physical welfare. We do not always heed his good advice, but without his aid many of us would have found it much harder to contend with the rigors of long, exhausting hours. To both these men, we owe a debt of gratitude for their solicitude for our souls and bodies.

Legislative processes are sometimes very complicated. Therefore, I know this whole Chamber joins with me in paying tribute to our erudite and highly efficient Parliamentarian, Charley Watkins, and to his most able assistant, Floyd Riddick, for their patience with us and their impartial assistance, often under the most trying conditions. They are members of that very able staff, headed by Secretary of the Senate Felton "Skeeter" Johnston, which includes Chief Clerk Emery Frazier, Journal Clerk Edward "Ed" Hickey, Legislative Clerk Edward "Ted" Mansur, Executive Clerk Lewis "Bill" Bailey, Printing Clerk William "Bill" Wannall, and Dorothye Scott, the charming secretary who serves the Senate Secretary with such great efficiency.

There has been discussion about microphones for the use of Senators. Regardless of the pros and cons on that subject, I can well imagine that there are times when the workload of our official reporters of debates would have been lightened under some such circumstances. As it is, James "Jim" Murphy and John Rhodes and their tireless staff have done a magnificent job in recording our sometimes obscure and vagrant words and placing them in their proper sequence. They were ably assisted in this duty by Frank Brodie, former CONGRESSIONAL RECORD clerk who retired this year, and his successor Raymond "Ray" Noyes, as well as Frederick "Fred" Green, who is responsible for the Daily Digest.

I am sure that all Senators will agree with me when I speak of the diligent and faithful service rendered to us by the superintendent of the Senate Press Gallery, Joseph "Joe" Wills; the superintendent of the Senate Radio and Television Correspondents' Gallery, Robert "Bob" Hough; superintendent of the Senate Periodical Press Gallery, William "Bill" Perry; and superintendent of the Senate Press Photographers' Gallery William "Bill" Forsythe. All of us know the excellent cooperation we have received from the administrative officer of the Senate recording studio, Nicholas "Johnny" Lacovara, and the director of the recording studios, Robert "Bob" Coar.

I would be remiss if I did not thank our distinguished Sergeant at Arms, Joe Duke; his deputy, Robert "Bob" Dunphy; and his chief clerk, Dorothy McCarty, who so ably performs her myriad duties, for their unfailing courtesies. In this instance I also want to thank our genial Doorkeeper, Charlie Jones, and his assistant, Lawrence "Steve" Rygg, together with Walter Watt, doorman at the pass door, for their cooperation and readiness to assist in any manner they can to facilitate our work.

Much work of the Senate goes on behind the scenes as it were. Yet, if it were not for those who labor at such tasks, our own work could not be accomplished. I want them to know how much I appreciate their service. I speak of the Superintendent of the document room, Theron Marshall; keeper of the stationery, Andrew "Andy" Kramer, and his assistant, Harry "Gus" Sonnenberg; and of Richard "Dick" Hupman, Senate librarian, and his staff; as well as of Robert "Bob" Brenkworth, financial clerk, and his assistant, William "Bill" Ridgely, and their staff. I would be remiss if I did not express my appreciation of the many courteous services performed by Vernon Talbertt, chief messenger in the Secretary's office, and his staff. Nor can I forget our page boys, ever alert, no matter what the hour or how tired they might be after a long day. I must speak, too, of our Capitol Police force who not only are ever watchful of our comfort and safety, but who cope so ably with the hundreds of thousands of visitors to our Capitol. I am grateful to them.

Others who toil behind the scenes that we may better perform our duties include John "Buck" Chambers, our superintendent of the service department, ably assisted by Charles "Dave" Ebert. I do not want to forget the fine work of the foreman of the cabinet shop, Tillman Huskey. Praise is due also for superintendent of the janitors' department, Robert "Bob" Collins, and his staff.

The Senate Office Building superintendent, Lewey Caraway, and his staff have served us well year after year.

All of us are well aware of how important our mail is and for the excellent service we receive from the Senate post office, we can thank our postmaster, David "Dave" Jennings.

Those who will contemplate the enlarged Capitol and the comfort and efficiency of the new Senate Office Building, owe a great deal to the Architect of the Capitol, George Stewart, together with his assistant, Arthur Cook. George Stewart's knowledge of architecture and his devotion to the beautification of the Capitol are evidenced in the improvements made under his supervision and will stand as a lasting monument to his efforts.

Although our politics are partisan in nature, our friendships and respect for those of the opposition party are deep

and lasting. I count as a friend, whose courtesy and cooperation I have long appreciated, the secretary for the majority, Robert "Bobby" Baker. I speak the same for his assistant, Jessop "Jay" McDonell. I found the same cooperation from the Democratic policy committee counsel, Gerald W. Siegel, and from his assistant, Harry McPherson.

I cannot speak too highly nor can I express adequately my appreciation, as well as that of all Members on this side of the aisle, of the unstinting, devoted, and competent service we have received from our minority secretary, Mark Trice. Aided by the assistant secretary, William "Bill" Brownrigg, and Dorothy Burns, the capable, efficient, and zealous secretary, Mark Trice and his staff have rendered sterling service to all of us. I wish to thank them as well as our Republican cloakroom assistants, Russell Call, William Martin, and Gordon Allott, Jr., for their untiring devotion to our senatorial efforts and needs.

In the matter of legislation with its legal intricacies, I am sure that all of you will agree that we have called repeatedly on the Office of Legislative Counsel. Our legislative problems have been so very ably and competently handled by legislative counsel, John Simms, and his senior counsels, Charles Boots, Dwight Pinion, and John Herberg, and their staff. They have saved us many hours of labor on intricate legal problems that we have been able to devote to our other duties.

I know that all of you join with me in giving public appreciation of the great aid we have received in our committee work by the staffs of our major standing committees and the special committees. I have found them more than helpful in my senatorial work, and I take this occasion to thank them.

If we glance out the windows of our offices or the Capitol, we glimpse the beauty of the Capitol Grounds. These lovely views of trees and flowers and shrubs are the able work of Assistant Landscape Architect Everett Evans, who is also responsible for the Botanic Gardens. We owe him a vote of thanks for this vista for all American people.

There are others who serve us well. Thomas Mulloy, superintendent of garages, and the garage attendants; the Capitol guides, under the able leadership of James Connell, and his assistant, Floyd Kirby, who give of their extensive knowledge of the Capitol and its history to the millions of schoolchildren who visit the Capitol each year and to the adults receiving their first views of our historic buildings.

There are the railroad-ticket people and the airline-ticket people, who often do the impossible in last-minute reservations. They serve us cheerfully, ably, and well. Mr. Joseph Corona, in charge of the Western Union office, has ever been most helpful. We are grateful to him and his staff.

In this electronic age, what would we do without telephones? I think I can vouch for the high opinion all of my colleagues have for Mrs. Elizabeth Coles, chief operator, and her efficient staff. No matter what the crisis nor the hour, they are at their stations, ready and eager to serve.

When we are in our offices and there is a quorum call or when we must hurry to a committee meeting, we find the operators of the Senate subway ready at our command. They, too, must stay on duty with us, no matter how late the hour. At all times I, and I know my colleagues, have found them courteous and eager to get us to our destination. I wish to give this word of appreciation to them for the many years they have served us so well.

Nor can I fail to express my appreciation of the devotion to duty given by Mr. Henry DeKeyser, in charge of the Page School. His is a hard task, for not only do the pages come from many different school systems, but the classes are held in the morning hours when most scholars and their teachers are hardly beginning the day. It is to his credit as well as to the high caliber of our pages that they attain high scholastic standing when leaving us to go on to other schools of higher learning.

Our senatorial duties would be more difficult if it were not for the various departmental liaison representatives who counsel with us and give us of their specialized knowledge in their fields. I have found them extremely helpful, courteous, and efficient. I take this time to give voice to my appreciation of their aid in the course of my senatorial duties.

I stated that my present purpose was a personal one. Under those circumstances I know my colleagues will give me their indulgence when I speak of my great appreciation of the work of my capable assistant, Oliver Dompierre. Dom is well known to all of you for he has spent many years in service on the Hill. It gives me great pleasure to give public recognition for his devoted service over the course of the years.

I know all of my colleagues on this side of the aisle will join me in appreciation of the splendid cooperation and excellence of work done by members of the Republican Policy Committee staff.

Nor can I close without paying a special tribute to Senator EVERETT DIRKSEN, Republican Whip. He has been not only an able assistant but a close friend whose wise counsel I shall miss in the years ahead.

I also salute the senior Senator from Massachusetts, LEVERETT SALTONSTALL, who has always been a steadying influence in time of stress. I have enjoyed my service with him on the Appropriations Committee.

And so soon I leave you as colleagues. My years spent with this great body—the lasting friendship I have made—the inspiration I have received by being a Member of this Chamber—will remain with me as long as I shall live.

As is true with politics in a republican form of government, we have approached issues in a partisan spirit as free men—free to debate and discuss the questions of the day with each other. But—as free men in a free country—our partisan views have not interrupted our friendships and when it is necessary to make decisions for the best interests of our great Nation, we close ranks—all as good Americans.

Service in the Senate of the United States has a lasting effect upon all those who have ever been Members of this body. It brings an evolution of the soul and mind—a growth and a deepening desire to dedicate oneself to the principles of our Founding Fathers that this Nation will go on to greater glory—and that it stands always as a beacon light for all free peoples—that its shining light will finally permeate all the dark recesses so that all mankind may enjoy the blessings we enjoy.

Mr. JOHNSON of Texas. Mr. President, the approach of adjournment always brings to us a certain feeling of sadness. The Congress, of course, in a real sense, never dies. When it departs from Washington it leaves behind it a body of laws and a series of decisions which endure whether they are for good or for bad. But Congress is not merely an institution housed within this historic building. Congress is composed of men and women working together through the long months, which brings to us a closeness which I think is possessed by very few groups.

There is a sense of tenderness about saying goodby. There are memories of days and nights in committee work and on the floor. Issues and pressures which seem so hard and so cruel at the time become tinged with a mellowness that perspective always brings to every man.

I have a deep reverence for the institution of the Senate, and a warm fondness for those who comprise it. I also have a deep sense of gratitude to the men and women who have been so good to me and without whose cooperation I could never have functioned as the majority leader of this body.

I cannot name everyone of them, but I believe Senators know the extent of the affection that I have for each Member of the Senate.

There are a few Members whom I wish to mention specifically. I refer first to the Vice President and to the President pro tempore, who have opened the Senate each morning. For their many courtesies and their constant fairness to me, I express my gratitude.

I refer especially to the minority leader, because when the 86th Congress convenes I shall be very sad because he will no longer be with us.

BILL KNOWLAND and I have had adjoining desks. We are separated only by this very narrow aisle. There have been times when we have disagreed. There have been many times we have agreed. But I believe it is accurate to say that there has never been a time when we were unable to agree on the necessity for acting in behalf of the Nation and for expediting the work of the Senate. No Congress can possibly work if the majority and the minority leaders are engaged in constant warfare. That is something that BILL KNOWLAND and I have never done. We have worked together in harmony, and I believe that that fact alone has been of great importance in making certain that every Member of the Senate has had a full opportunity to present his viewpoints effectively and forcefully and to arrive at an early resolution of the issues that come before us.

I have the greatest respect for BILL KNOWLAND. He is a man of integrity.

But I do not think it is merely the necessity of working together that has drawn us close. Although we are of opposite political faiths, I consider BILL KNOWLAND one of my closest personal friends, and whatever be my attitude toward the fortunes of elections, as a man I shall always wish him well, and he is always welcome wherever I am.

There are many Senators whom I would like to name. They have been patient with me, cooperative with me and helpful to me. But it would take all night if I attempted to name them.

I regret very much that I was not able to be present when the very able and lovely lady from Maine made her statement. She is one of the greatest of women I have ever known. She has been a tower of strength to me in my committee work since I was a freshman Member of Congress and throughout the time I have served in the Senate. To her I wish to express my deep gratitude because I think she has always put her country first and rendered most distinctive service.

There is one man who I think deserves special mention, and that is the junior Senator from Montana, Mr. MANSFIELD. As assistant leader he has been a tower of strength. I know of no more careful, no more prudent, no more hard working Member of this body. His character is such that, if I were to die tomorrow, I would not hesitate for a moment to name him as a trustee for my little girls. I could have complete confidence that they would be taken care of conscientiously and ably.

We have all heard the scholarly addresses that he has delivered on the Senate floor in the field of foreign policy. We all recognize them as outstanding contributions to our national thought. And when I become discouraged about the future of our Nation there is nothing that dispels the gloom quite so quickly as the realization that this Nation is capable of finding men like MIKE MANSFIELD.

I think I must add here the name of BOB KERR.

The Senator from Oklahoma came to the Senate when I came to the Senate. I have never had an hour of trial or tribulation during which he has not been by my side. There have been times when we differed, but it always seemed to me that when we have he has been the most tolerant and understanding of men and has met me more than halfway. So, I do not want this session to close without saying, "Thank you, MIKE MANSFIELD and BOB KERR."

Mr. President, there is a group of people in the Capitol who are fully as responsible for the success of these deliberations as are the Members of the Senate themselves, and I am referring to the hard working, loyal Senate staffs. They labor from early in the morning until late at night, and their rewards are little more than the satisfaction of knowing that a job has been well done.

There are no headlines emblazoning the names of the staff employees who work late into the night checking over the countless details of legislation. There are no bands to extoll the glories of the committee experts and the technicians. But I think all of us would feel that something would be lacking if the RECORD did not set forth their names.

At the top of the list is Felton M. Johnston, the Secretary of the Senate. I believe all of us regard him as the 97th Senator. Next year it will be the 99th.

I believe all of us know that Skeeter Johnston is one of the great moderators of our times. There is not a member of the Senate who does not at some time during the session turn to him for advice and counsel. And the advice and counsel is always fair and prudent and is based on a life time of legislative experience.

Skeeter is a man who serves his country in the finest traditions of his great state of Mississippi. And I think every Senator who has served during the many years he has been here looks upon him as a warm, close, and personal friend.

Then there is Bobby Baker, the energetic, persevering secretary for the majority.

I wish to take a minute to talk about Bobby, because there have been few times in my life that I have ever seen a young man who combined so much wisdom and maturity with such youthful vigor and enthusiasm as Bobby Baker. I think it is fair to say that a great deal of the success of this Congress has been due to Bobby Baker's alertness, his diligence, his devotion, his dedication, and his insistence that things be done right. He is a young man who has already gone very far and who is going much farther. I believe he will reach much greater heights.

I wish to say a word about Jay McDonnell, his assistant. He has the same dedication to duty and the same keenness for the work he is doing.

There are two young men who have a very difficult time. They have to bear the brunt of the work on the floor. I told Bobby yesterday I was glad we had our falling out last week, because we needed to be in top form the final week of the session.

I do not want to close without referring to J. Mark Trice, Oliver J. Dompierre, and Bill Brownrigg. I like to think these men are my friends. They serve the minority and they serve them well. I hope they are my friends and I know I am their friend.

I doubt if there is any Member of the Senate who does not know Joe Duke, the man who carries on his shoulders the heavy responsibility for our protection and for the arrangements on the Senate side of the Capitol. Joe is ably seconded by his competent and equally pleasant administrative assistant, Bill Cheatham.

Our session opens every day with prayer. And the Reverend Frederick Brown Harris, our Chaplain, is the man who administers to our spiritual needs, as Dr. George Calver administers to the ills of our bodies. They are important members of the Senate family.

At the desk in front of the Vice President are a group of men without whom we could not function at all. They pick me up when I fall. They take me by the hand and lead me when I need light. They are Emery L. Frazier, Chief Clerk; Charles L. Watkins, the patient and tolerant and understanding and able Parliamentarian; and his assistant, Floyd M. Riddick; good Ed Hickey, the Journal clerk, who has saved me from so many errors; and Edward E. Mansur, Jr., the legislative clerk, who has always cooperated with me.

They are backed by a series of technicians without whom the Senate would soon be paralyzed. These include Lewis W. Bailey, the executive clerk in charge of nominations; William H. Wannall, the printing clerk, and his assistant, Thomas N. Gay; J. Fred McClerkin, the bill clerk, and his assistant, Harold G. Ast; Harvey Carrell, the enrolling clerk; Harry C. Burke, clerk of enrolled bills; James L. Johnson, registration clerk; and George F. Thompson, his assistant, Vernon Talbertt, the Senate's chief messenger.

No one does a finer job in handling the intricate financial affairs of the Senate than Robert A. Brenkworth, the financial clerk, and William A. Ridgely, his assistant.

Others include Theron W. Marshall, superintendent, Senate Document Room, and his assistant, John T. Waggoner. Andrew J. Kramer is keeper of the stationery, and Richard D. Hupman is in charge of the Senate library. Frederick H. Green and Dwight B. Galt, Jr., handle the Daily Digest. And the very able man who handles the service department is John T. Chambers.

Special thanks are due John Simms, the legislative counsel, and his assistant, Charles Boots. There is Raymond F. Noyes, the CONGRESSIONAL RECORD clerk.

And even though he is not, strictly speaking, a Senate employee, we all admire and respect George Stewart, the Architect of the Capitol.

There is a group of men who do one of the most remarkable jobs of any technicians in the world. They are the Official Reporters who are here at 3:40 on Sunday morning—who day after day take down the words which make up the CONGRESSIONAL RECORD. I shall ask the indulgence of the Senate so that I may say a word about them.

They are headed by James W. Murphy. I know that all of Mr. Murphy's friends are very sorry to learn of his illness and will be happy to know that according to the latest report he is improving; while his very capable associate, John D. Rhodes, supervises the preparation of the RECORD. These are men of a high degree of skill and of great dedication. I wish to list them all: Francis J. Attig, Herbert N. Budlong, Nicholas J. Cinciotta, Charles J. Drescher, Elmer L. Koons, Joseph A. Koons, R. Thomas Loftus, Gregor Macpherson, Williard W. Pruett, Perry B. Smith, Wilbur T. Smith, Placidino Zagami, Julian R. Serles, and Russell G. Greenwood.

Two members of my own staff serve on the floor and are well known, I believe, to all Members of the Senate. They are Gerald W. Siegel and Harry McPherson.

Gerry is leaving us to become a Harvard professor, and all of us hope that what he has learned here in the school of Congress will stand him in good stead.

Two other men are familiar to all the Senators. They are Charlie Jones, the Head Doorkeeper, and Richard Reidel, who is one of our major contacts with the press.

Finally, I believe that special recognition should be paid to Robert C. Pearce, Chief of the Capitol Police, and to Capt. Michael Dowd, of the Metropolitan Police, who is assigned to the Capitol.

I would like to name more, but it would be impossible to do so in the time remaining.

I wish that I could go beyond merely listing these names. Every individual is a devoted and tireless public servant. And their families can be proud of them. They serve America, and they serve it well.

Mr. President, we will soon leave the Capitol to go back to our homes. To all of you, to all of my friends, I wish a restful vacation. I am already looking forward with a sense of wondering about what is going to happen in January.

Before I conclude, I wish to pay tribute to a very wise man, a very able man, the most dedicated public servant I know, a person who has given me the best advice at all times. He is the senior Senator from Georgia [Mr. RUSSELL].

At my request, many years ago, he moved his seat over behind me, and there has rarely been a complicated or complex problem when I have not requested his advice and his counsel, and it has always been good and in the country's interest. I thank all Senators for indulging me, and I am sorry that I have had to take so long.

Mr. O'MAHONEY. Mr. President, there are only three Members of the Senate now sitting who were Members of the Senate when I was first sworn in as a Member. They are the senior Senator from Arizona [Mr. HAYDEN], the Senator from Virginia [Mr. BYRD], and the Senator from Georgia [Mr. RUSSELL]. I wish to say that tonight has been the most touching and moving termination of a session of the Senate that I have observed in all those long years.

I know that every Member of the Senate joins in the tributes which have been paid to the minority leader, the Senator from California [Mr. KNOWLAND], and to the majority leader, the Senator from Texas [Mr. JOHNSON]. The words which have been said here tonight and the statements which have been made by these two men constitute evidence of the essential unity of the Members of Congress. There may be differences and there are differences of opinion about this matter and upon that matter. There are differences which go to the roots of our beings, sometimes; but the evidence which has been produced tonight is that in this session of Congress the leadership on both sides has been such that the affairs of Congress have been carried on in a spirit of sincerity and good will without purely partisan bickering.

I am happy to have the opportunity of saying this out of an experience which began on the 1st of January 1934, when I was first sworn in as a Member of this body. I believe it means much to the future of this country that such a session as this could have been held tonight.

There can be no doubt that the Congress of the United States, like the people of the United States, is facing a most crucial time. These are days of world-wide tribulations. We know that the United States of America is the leading exponent of free government in the world. We know that our progress has been achieved because of that freedom. We know it because opportunity is extended to every man and every woman and every citizen of the United States to make the most of his talents and to use those talents to develop the resources of the United States. We know that that has made us the strongest and most progressive nation in all the world. At the same time, we know that the dictatorship of the proletariat threatens the maintenance of free government in all the world.

I say that when we can give testimony such as has been given here tonight by the two leaders, the majority leader and the minority leader, of a unified desire to serve the Nation, the people of this country, and the people of the world can take courage from that fact.

I am happy, indeed, to associate myself with the tributes which have been paid to Senator KNOWLAND and Senator JOHNSON, and with everything which has been said about the Vice President and the staff of the Senate. This is a great body. It serves a great purpose.

Mr. ALLOTT. Mr. President, I shall speak for only a moment now, because I was in the chair awhile ago when the tributes were being paid to the distinguished minority leader.

Like other Senators, I could not let this moment pass without doing so myself and placing in the record my own feelings of affection, love, and admiration which I have for him.

When I think of BILL KNOWLAND, I think of sincerity. I think of integrity. I think of courage. I know of no man who has these qualities in greater abundance than BILL. We shall miss him.

I hope and pray that the future will keep a man such as him in public life, performing what I think is one of the greatest callings a man can have, that of being in public service.

ADMISSION OF CERTAIN EVIDENCE—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

Mr. O'MAHONEY. Mr. President, the question before the Senate at the moment is the point of order which has been raised against the report submitted by the conferees of the Senate and the House on the bill, H. R. 11477, the title of which is, "To amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes."

It is alleged by some of those who have spoken against the conference report and in support of the point of order that the proviso which was added by the House is new matter. Nevertheless, while they urge that this proviso is new matter, they say it amounts to nothing. If it amounts to nothing, it is unimportant, and is not new matter of any substance, and the statement of the Senator from North Carolina is sound that the material added in a conference report must be judged according to substance and not according to form.

I read the title of the bill again. I call particular attention to that title.

To amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

The whole text of section (a) of the bill which came to the House had to do with the admission of confessions. The proviso which was added also deals with confessions.

The Senate amendment consisted of only a single word, the addition of the word "reasonable" before the word "delay"; and the proviso which is said to be new matter, although meaning nothing, reads as follows:

Provided, that such delay—

The very delay mentioned in the House bill, the very delay which the Senate amendment called "reasonable"—

Provided that such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions.

I submit that this proviso deals with the substance of the title, with the substance of section (a), with the substance of the Senate amendment, with the substance of the admissibility of statements and confessions.

What we are confronted with tonight is a simple question. The division here is between those who want legislation and those who do not want legislation. That is the only issue. Those who have raised the point of order would rather have no bill than have any bill at all. They would have fought any provision which we brought from the conference.

On the other hand, the great majority of both Houses want legislation, because they feel that it is essential to interpret the decision of the Supreme Court in the Mallory case in such form that we shall not have any more misinterpretations such as that made by the United States Court of Appeals for the District of Columbia Circuit. Those who want legislation desire it because they believe, as Justice Frankfurter said in the Mallory decision, that the purposes of rule V (a) of Federal Rules of Criminal Procedure are twofold: First, to protect individual rights; second, not to injure or harm the effective and intelligent enforcement of the criminal law.

Congress passes criminal laws to defend the individuals who make up the community. They are entitled to our support.

So, Mr. President, I suggest that substance, rather than form, makes it clear that the point of order is not well taken.

Mr. CARROLL. As the one who made the point of order, I cannot let go unchallenged the statement that those who raised the point of order are not in favor of legislation. I think I fought as hard in the debate, and for the passage of the bill as did the Senator from Wyoming, although perhaps with not so much expertness.

Mr. CASE of South Dakota. Perhaps the Senator from Colorado will permit me to say that I supported his point of order regretfully. I too should like legislation on this subject.

Mr. CARROLL. I am certain of that.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CARROLL. I should like to complete my statement.

Mr. O'MAHONEY. I wished to pay tribute to the Senator from Colorado.

Mr. CARROLL. I shall be happy to yield, of course. [Laughter.]

Mr. O'MAHONEY. I express my appreciation for the very able and diligent service which the Senator rendered upon the floor in support of the Senate amendment. I thank him for it.

But I wish to make it clear that in my reference to the division between those who want legislation and those who do not want legislation, I have been trying to point out that those who feel that legislation is necessary are following the rule of reason, while those who are supporting the point of order are following the rule of technicality.

Mr. CARROLL. I suggest that the Senator from Wyoming is, of course, entitled to his opinion. I appreciate his commendation.

He knows that I stood by his side, both in committee and on the floor of this body, fighting hour after hour to sustain the word "reasonable," and giving the reasons for it, when other Senators who did not want the proposed legislation enacted voted to the contrary.

But now it seems that their judgment was superior to mine, because as a result of having been in three conferences—and this is why I am making the point of order—I find that the other body never wanted a conference.

In the conference, the Senator from Wyoming and I continually asked the conferees for the other body to accept the word "reasonable." And only last night—for this is now Sunday morning—did we get them to capitulate. And in the capitulation, I think the conference report has established new matter, matter not dealing with the law of arraignments, but matters dealing with confessions, and, therefore, matter not properly before this body, by means of the conference report.

That is one of the reasons why I did not sign the conference report.

I do not want the people of the District of Columbia to think that I do not want to protect them from criminals. But, on the other hand, I do not support a measure which would undermine 3 or 4 Supreme Court decisions—which this measure does, in my opinion.

Mr. MORSE. Mr. President, I wish to take just a minute. The Vice President is a very able lawyer, and I wish to address him for a minute, from the standpoint of his known legal ability and the legal issue involved here.

Mr. President, when it is said that there is no new matter in the conference report, I ask the Vice President to look at the proviso:

Provided, That such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions.

I do not think the Vice President can escape the fact that that proviso, if written into the law, will become a statutory instruction to the courts that hereafter they shall consider this matter of delay as an element in determining the voluntary or involuntary nature of such statements or confessions. But that provision was not in the Mallory bill; that provision was not in the bill the Senate passed. No hearings have ever been held by the Judiciary Committee on the question of whether we should pass proposed legislation which mandatorily would require the courts to consider such delay as an element in determining the voluntary or involuntary nature of such statements or confessions.

That is why I said, earlier, in connection with the point of order raised by the Senator from Colorado [Mr. CARROLL] that this measure has now become a confession bill; it is no longer an arraignment bill.

The Frankfurter decision in the Mallory case deals with the question of whether there was a proper arraignment. Mr. Justice Frankfurter held, for the Supreme Court, in the Mallory case—in effect—that the delay resulted in a violation of the arraignment rights of the defendant.

That is why I said, in my major speech on this matter during the Senate debate the other day, that what we were dealing with behind the veil, if we wished to pierce the veil of the decision on this matter, was the matter of due process.

So my point is that the conferees have brought back to us a proviso which contains a mandatory instruction to the courts in regard to confessions; but that proviso was not previously before the Senate.

Therefore, I submit that the proviso is new matter, and that the point of order is well taken.

Mr. LAUSCHE. Mr. President, I do not wish to become an advocate as regards what view my colleagues should take on this question. I have examined the measure reported by the conferees; and this is my judgment about it.

The conferees could have agreed on one of the three following possibilities:

First, the word "reasonable" could have been retained in the conference report.

Second, the word "reasonable" could have been excluded from the conference report.

Third, new words, creating a situation midway between a bill with the word "reasonable" in it and a bill with the word "reasonable" out of it, could have been written into the conference report.

I regret that I must disagree with my colleague, the Senator from Colorado [Mr. CARROLL] in his statement that this measure is one that deals with a procedural matter. All of the language of this measure deals with evidence.

In determining whether the conferees have acted within their authority under the rule, we must look to the four corners of the language that is dealt with.

In my humble judgment, the addition of the proviso brings the conference report midway between one which contains the word "reasonable" and one which omits the word "reasonable."

The words added to the conference report are a modification of the word "reasonable," and therefore are a part of the substance, and are within the meaning of the rule under which the conferees must act.

Mr. CASE of South Dakota. Mr. President, in the closing words used by the Senator from Ohio [Mr. LAUSCHE], he brought clearly into focus the rule which makes this conference report subject to the point of order; he used the word "modification." Mr. President, a modification is permitted only under paragraph 3 of rule XXVII, when an amendment in the nature of a substitute is being dealt with.

The closing sentence of paragraph 3 (a) of rule XXVII reads as follows:

They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

But in that instance, the word "they" refers to conferees who are dealing with an amendment in the nature of a substitute.

The absence of that sentence from paragraph 2 of rule XXVII—which deals with conferees who are dealing only with an ordinary amendment—highlights the fact that a modification is permitted only when the admendment is in the nature of a substitute.

Mr. MUNDT. Mr. President, it is now 10 minutes past 4 on Sunday morning; and at this bewitching hour we have been listening to a detailed debate about the unreasonableness of the addition of the word "reasonable." [Laughter.]

Mr. President, this Congress will not be able to do anything further about this matter, because the other body has long since adjourned sine die, and has gone home.

Mr. President, it seems to me that if this matter is important enough to be heard at all by the Senate at this hour, it is important enough to be heard by a quorum of the Senate; and, in that case, it is important enough to have a quorum of the Senate present around the clock. If it is not that important, Mr. President, it is not important enough to keep the rest of us here at this Sunday morning hour.

Therefore, Mr. President, I suggest the absence of a quorum.

Mr. JOHNSON of Texas. Mr. President, I hope the Senator from South Dakota will not suggest the absence of a quorum. I have said that I am prepared to have the Chair make his ruling. And when the Chair rules on the point of order, I think that will take care of the matter.

So I hope the Senator from South Dakota will not attempt to take the leadership away from me.

Mr. MUNDT. Mr. President, I am not trying to take the leadership away from the distinguished majority leader.

Mr. JOHNSON of Texas. I can obtain a quorum if I have to; and I will, if I have to. But I hope I shall not have to.

Mr. MUNDT. If we are prepared to adjourn or prepared to have a quorum call, I am willing to do business in an orthodox way.

Mr. JOHNSON of Texas. I can get a quorum if I have to, and will, but I hope I shall not have to.

Mr. MUNDT. I have been here all night, but I think if it is important to continue on and on, ad infinitum and ad nauseam, then I think it is important enough to have a quorum; but I will withhold my suggestion temporarily as a personal favor to a man whom I highly respect.

Mr. JOHNSON of Texas. I appreciate that remark and am grateful for it.

If we can have a ruling from the Chair, Mr. President, I am prepared to exercise the responsibilities of the leadership.

The VICE PRESIDENT. The Chair sustains the point of order.

THE CHALLENGE OF 1958

Mr. HUMPHREY. Mr. President, we are nearing the closing hours of the 2d session of the 85th Congress. We are about to go back to our States, to make an accounting to our constituents in the course of the 1958 Congressional election.

It seems fitting, therefore, to have some plain talk about the record of the 85th Congress, of the Democratic and Republican Parties, as written by Congress—and, what is probably more important and more tragic, as written by the Eisenhower administration's errors of omission and commission.

Under our form of government the public welfare and the security of the Nation are best served when the President and the Vice President, the only two Federal officials elected by all the people, supply the spark of leadership in the public interest.

Such leadership has declined virtually to the vanishing point in the past 6 years, both in domestic and international affairs.

Leadership in recent years has been supplied by the Supreme Court and the Congress. Progress, under such circumstances, tends to be crabwise, sideways, indirect, slight, and slow, and often too little and too late in the space age.

Much energy is consumed simply in a holding operation—in trying to defend ground already won.

Under these circumstances, and with the narrow margin of the past 4 years, the Congress, under Democratic control and leadership, has done a constructive and commendable job. The record of the second session of the 85th Congress is one of special action, accomplishment, and progress.

Mr. President, I ask unanimous consent that the highlights of that record be printed at this point in the RECORD.

There being no objection, the highlights were ordered to be printed in the RECORD, as follows:

MAJOR LEGISLATIVE ACTIONS

NATIONAL DEFENSE AND INTERNAL SECURITY

1. Reorganization of the Department of Defense.
2. Authorized $54.6 million for expansion of missile bases and warning systems and created ARPA.
3. Authorized additional AEC construction and expansion.
4. Authorized atomic powered destroyer.
5. Military Compensation Act.

INTERNATIONAL AFFAIRS

1. Authorized $3.03 billion for mutual security program.
2. Reciprocal Trade Act extension, 4 years.
3. Authorized exchange of mutually essential atomic information and materials with allies.
4. Increased lending authority of Export Import Bank by $2 billion.
5. Adjustment of status of 30,000 Hungarian escapees.
6. Resolution relating to the establishment of an international plan for the peaceful exploration of outer space.

GOVERNMENTAL ORGANIZATION

1. National Aeronautics and Space Act of 1958.
2. Admitted Alaska as a State to the Union.
3. Classification Act employees increase.
4. Authorized training of Government employees in outside schools.
5. Increased the jurisdictional amount required for civil suits in Federal courts.
6. Passed Freedom of Information Act.
7. Adopted act providing for improved budgetary procedures.
8. Federal Aviation Act with increased aid to airport development.

SOCIAL SECURITY, HEALTH AND WELFARE

1. Extended for 3 years special school milk program with authorization of $75 million annual expenditure.
2. Authorized $1 million grants-in-aid to train public-health specialists, technicians, and administrators.
3. Increased civil-service annuities.
4. Extended for 3 years the Hill-Burton Hospital Survey and Construction Act.
5. Authorized the largest expenditures in history for medical research—$294,383,000, which exceeded the budget estimate of $211,183,000 by $83,200,000. The amounts provided for the various research activities as compared with the budget estimates are:

[In millions of dollars]

Activity	Budget	Appropriation	Increase
General research	$17.742	$28.974	$11.232
Cancer	55.929	75.268	19.343
Mental health	37.697	52.419	14.712
Heart	34.712	45.613	10.901
Dental	6.293	7.420	1.127
Arthritis	20.592	31.215	10.623
Allergy	17.497	24.071	6.574
Neurology	20.727	29.403	8.676

6. Extended Federal assistance programs for school construction in areas affected by Federal activities.
7. Required reporting and full disclosure of employee welfare and pension funds.
8. National defense education bill.
9. Area Redevelopment Act.
10. Authorized grants to expand teaching in the education of mentally retarded children.
11. Authorized agencies of the United States to make grants to support scientific research.
12. Enacted Food Additives Act.
13. Increased the benefits under social security.

Mr. HUMPHREY. Mr. President, our record is so good that the Republican Party, judging by the gyrations of the Senate Republican policy committee and the sleight-of-hand of the Republican National Committee, does not want to go to the country, does not want to face an accounting to the American voters in the next 2 months, in a campaign, based on the record of performance of the Democratic Party and the failures of the Republican Party.

CHANGING THE SUBJECT

Yes, instead of running against the Democratic Party, against the Democratic record and against Democratic candidates, it is quite clear that the basic strategy of the Republican Party in the 1958 campaign is to try to change the subject.

Instead of measuring Republican performance against Democratic performance on specific domestic and international issues that mean the difference between prosperity and recession, between the establishment of peace and the continuance and worsening of international tensions under conditions that make our standing weaker, not stronger, the Republican Party obviously has decided to set up and run against a carefully selected set of technicolored scarecrows labeled "the Labor Bosses—America's Third Party."

Mr. President, this set of scarecrows, with whom the Republican political "double domes" hope to frighten the American people into voting for more Republican recessions, more Republican brinkmanship, is pretty exclusive.

Believe it or not, it includes no Republican labor leader.

By what is probably no accident, it excludes the Republican Maurice Hutcheson, who was chairman of the labor division of the Republican National Committee in the 1956 campaign.

It excludes Republicans Dave Beck and James Hoffa; it finds no space to mention Johnny Dio who apparently enjoys Republican innocence by association.

It denies space for the mention of the constructive actions of the AFL–CIO President George Meany, the actions of the AFL–CIO Ethical Practices Committee and the actions of the AFL–CIO conventions in disciplining and, on occasion, expelling large and powerful international unions found in violation of a code of ethical practices that has yet to be equaled by the NAM, the chamber of commerce, or, as far as I know, any other groups of employers.

REPUBLICAN IMMUNITY

In fact, Mr. President, it would seem that, if you are a Republican labor leader, you get Republican immunity; you are omitted from the Republican collection of political scarecrows.

But, if one is a labor leader who has supported Democratic candidates and the Democratic Party, if one is an independent labor leader whose union has on occasion given support to Democratic candidates, then automatically, he is in like sin.

If one is Walter Reuther or George Harris or James McDevitt or Louis Hollander or any of the hundreds of democratically-elected officers of labor unions who have supported Democratic candidates, he qualifies for the Republicans exclusive set. Never mind the fact that these men have fought and today are continuing to fight racketeers in labor and mangement just as they fought and drove out Communists and communism from positions of influence in the American labor movement. But note the fact that these men, only a few days ago, again drew the line between clean democratic unionism, and the Hoffa kind of unionism.

On August 18, 1958, the AFL–CIO, with but one dissenting vote, adopted the forceful statement forbidding affiliates to enter into agreements with the expelled Teamsters Union.

Mr. President, I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TEXT OF AFL–CIO ORDER BARRING TEAMSTER LINKS

The constitution of the AFL–CIO states that one of the guiding principles of our organization is to protect the labor movement from any and all corrupt influences and from the undermining efforts of all who are opposed to the basic principles of democracy as a way of life, both inside and outside of the trade union movement. This provision was also a basic principle embodied in the merger agreement between the American Federation of Labor and Congress of Industrial Organizations, which agreement is in itself an integral part of our constitution.

The constitution, in addition, expressly enjoins affiliates of the federation from giving recognition to any organization which has been suspended or expelled from the AFL–CIO for violation of the constitution.

In keeping with these constitutional declarations, the AFL–CIO has, through the use of the democratic procedures laid down in its constitution, expelled certain unions for being under corrupt domination. One of these unions is the International Brotherhood of Teamsters, which has been shown to be under a leadership which is corrupt to a degree that goes far beyond anything which might have been contemplated when our constitution was promulgated and adopted in December 1955.

ALLIANCES OF AGREEMENT

The question which confronts this executive council is the fact that there are in existence alliances or agreements between AFL–CIO affiliates and the expelled and corruptly dominated International Brotherhood of Teamsters. In addition, there have been publicized proposals for further alliances between this corruptly dominated organization and the other affiliates of the AFL–CIO.

It is quite clear that the maintenance of an agreement between a corruptly dominated labor organization and an AFL–CIO affiliate which is of such a nature as to add to the prestige of the corrupt leadership, or would be of assistance to the leadership to retain control or lessen the desire of union members to rid themselves of such corrupt leadership, is in direct contradiction to both the spirit and the letter of our constitution.

It is obvious that if agreements of this nature are to be permitted to exist without action on the part of the AFL–CIO we are not doing our part to protect the labor movement from any and all corrupt influences. If disamiliation from the AFL–CIO because of corrupt influences is to be of a token nature and disaffiliated unions are to be treated by some of our affiliates as if they were still affiliated to the AFL–CIO the high standards of honesty, integrity and trade union responsibilities promulgated by our constitution become mere empty phrases and constitute a fraud on all workers who look to a clean and decent trade union for the improvement of their standards and conditions.

AT THE LOCAL LEVEL

Obviously there are situations which arise in the day-to-day relationships between various workers which would call for understanding and cooperation based on elementary trade union principles between these workers at the local level. The executive council of the AFL–CIO has no desire to interfere with such relationships or understandings. We do not believe that the general membership of the International Brotherhood of Teamsters is corrupt. We do not believe that all of the local leadership of the International Brotherhood of Teamsters is corrupt, but we do know and it has been proven beyond any possibility of doubt that the top leadership of this international union was and continues to be corrupt.

Therefore, this executive council declares it to be the policy of the AFL–CIO that any alliance or agreement, formal or informal, between an affiliate of the AFL–CIO and the International Brotherhood of Teamsters be canceled. Further, that this above stated principle applies to any proposals for new alliances or agreements between the corrupt leadership of the International Brotherhood of Teamsters and any AFL–CIO affiliate.

Mr. HUMPHREY. Mr. President, I have a statement by AFL–CIO President Meany and the AFL–CIO executive council, calling on Congress to enact the Kennedy-Ives antiracketeering bills.

I ask unanimous consent to have them printed in the RECORD at this point, together with a statement by Walter Reuther, president of the industrial union department, AFL–CIO, likewise calling for the enactment of the Kennedy-Ives bill.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

On the morning of Monday, August 18, AFL–CIO President George Meany sent the following wire to House Speaker RAYBURN, Majority Leader MCCORMACK, and Minority Leader MARTIN:

believes that the legitimate interest of the

"The executive council of the AFL–CIO public, the decent elements in the labor movement and in management will best be served by passing S. 3974 now. We are convinced that the enactment of this bill will help the labor movement in its determination to eliminate corruption in the labor movement and to clean its own house. Although the bill is not perfect, the good outweighs the bad and the passage of the bill without amendment is the only way to ensure enactment of this remedial legislation at this session of the Congress.

"We therefore endorse S. 3974 and urge Members of the House of Representatives to vote to suspend the rule and vote favorably for its passage."

STATEMENT ON LABOR LEGISLATION ADOPTED BY THE EXECUTIVE COMMITTEE OF THE INDUSTRIAL UNION DEPARTMENT, AFL–CIO, JULY 24–25, 1958

JULY 31, 1958.

The Honorable DWIGHT D. EISENHOWER,
President of the United States,
The White House, Washington, D. C.:

In May 1958, the Senate passed S. 2888, the Kennedy-Douglas-Ives Welfare and Pension Fund Disclosure Act. Subsequently, in June 1958 the Senate passed S. 3974, the Kennedy-Ives Labor-Management Reporting and Disclosure Act of 1958. These bills were passed by unanimous and nearly unanimous votes. Together, they constitute two of the most important measures affecting the welfare of the Nation's wage earners to come before the Congress in recent years.

S. 2888 was approved by a unanimous Senate vote after more than 4 years of careful study, including exhaustive investigation and hearings. Similar bills also have been the subject of extensive consideration in the House.

S. 2888 provides for public disclosure of the financial operation of employee welfare and pension benefit plans, whether administered by unions, by employers, or jointly by labor and management. Its objectives have long had the active support of the industrial union department, AFL–CIO, and the AFL–CIO generally.

Despite the fact that S. 2888 was passed by the Senate more than 2 months ago, it is not yet law largely as a result of the opposition of the National Association of Manufacturers, the United States Chamber of Commerce, insurance companies, and other employer groups. These groups would apparently prefer to have no legislation to reveal the financial operation of employee welfare and pension benefit plans at all if this means, as the bill provides, that the public is to have a look at the operations of employer-administered funds, as well as those administered by labor alone or by labor and management jointly. These groups oppose the pending legislation notwithstanding the fact that these employer-administered plans cover more than 90 percent of all workers protected by welfare and pension benefit plans.

The enactment of a bill containing the essential features of S. 2888 before the end of the present session of the Congress is of utmost importance to millions of wage earners throughout the United States. We welcome the fact that the House Committee on Education and Labor has now voted out a bill incorporating some of these features. We hope that on the floor of the House or in conference between the House and Senate a bill will be agreed upon and enacted by the Congress substantially incorporating the provisions of S. 2888. We regard the enactment of such a measure as of prime importance to the wage earners of the Nation.

While a welfare and pension plan disclosure bill should receive first consideration in the House of Representatives, the problems dealt with in S. 3974, the Kennedy-Ives Labor-Management Reporting and Disclosure Act of 1958 are likewise of great importance from the standpoint of enhancing ethics and democracy in the labor and management field and correcting acknowledged abuse in the Taft-Hartley Act. We therefore call upon the leadership of the House of Representatives to take all necessary steps, after action has been taken on the welfare and pension plan bill, to assure final Congressional action on S. 3974 before the present session of the Congress comes to an end.

This bill deals with some of the major problems which have come to light in the labor and management field. It requires reports on union internal procedures and financial transactions, conflicts of interest involving union officers and employees, and antilabor arrangements participated in by employers and employer-middlemen. It deals with the administration of trusteeships and safeguards union democracy by requiring secret ballot elections. It calls upon unions and employers to police their own activities by adopting effective ethical practice codes and provides for a tripartite advisory committee to assist the Secretary of Labor in administering the act. It provides for urgently needed amendments to correct acknowledged antilabor provisions of the Taft-Hartley Act.

S. 3974 was in a far more satisfactory form when it was reported from the Senate Labor and Public Welfare Committee than when it was passed by the Senate. A number of these amendments were clearly unwise and unworkable. Some provisions were added which seemed to us clearly unfair and repressive. However, we agree with President Meany, of the AFL-CIO, that while S. 3974 was a better bill before the floor debate, it still retains enough substantive anticorruption sections to make it worthwhile.

It had been our hope that during the weeks intervening between the passage of the bill by the Senate and the adjournment of the Congress, the House would be able to take action to improve S. 3974. It now appears that if any action is to be taken on the bill this session, such action will have to be taken by the House directly, without reference to the committee.

This presents the question of whether the bill in its present form should be passed by the Congress. The National Association of Manufacturers, the United States Chamber of Commerce, American Retail Federation, and other employer groups have bitterly denounced the bill and have called for its rejection by the Congress. Despite their attempt to camouflage the fact, these anti-labor groups are opposing the bill because, for the first time, they and their Sheffer-man-type representatives would be required to make public disclosure of their antilabor activities. The honest labor movement represented by the AFL-CIO stands ready and willing to make public disclosure of its operations. Employers and their representatives should be no less willing.

While there are provisions in the bill which we would like to see improved or eliminated, they do not, in our opinion, outweigh the worthwhile features of the bill. On balance, the good in the bill outweighs the bad. The industrial union department calls upon Members of the Congress of both parties to meet their responsibility by passing the Kennedy-Ives bill before the current Congressional session comes to an end.

The American labor movement is dedicated to human service and is determined to fight without compromise the forces of communism, crime, and corruption. Despite our belief that certain provisions of the Kennedy-Ives bill, S. 3974, are unwise, unworkable, and unfair, the bill in balance will strengthen the efforts of the decent elements in management guilty of corrupt, collusive, more effectively with corruption and with those who would betray their sacred trust by exploiting the labor movement for personal gain, and would help to expose those in the American labor movement to deal and unethical practices.

The leadership of the industrial union department is disturbed by the efforts being made by organized employer groups and certain legislators to block passage of this legislation by the House of Representatives. These employer groups want to avoid the need for public accounting of their activities and financial transactions in the field of labor-management relations as the law, if passed, would require of both labor and management.

Efforts on the part of certain legislators with obvious antilabor bias suggest that they are more interested in exploiting the existence of corruption and racketeering than passing legislation to deal effectively with, and punish such abuses.

On behalf of the leadership and membership of the industrial union department, I urge that the matter of corrective legislation in the field of labor-management relations be raised above partisan, political considerations, and I call upon you to use your good offices to bring about the passage of S. 3974, the Kennedy-Ives Labor-Management Reporting and Disclosure Act of 1958, and S. 2888, the Kennedy-Douglas-Ives Welfare and Pension Fund Disclosure Act, or the substitute Teller bill by the House of Representatives so that this legislation can become law without further delay.

Sincerely yours,

WALTER P. REUTHER,
President, Industrial Union Department, AFL-CIO.

Mr. HUMPHREY. Mr. President, it is, I think significant, that 149 Democrats voted to take up and vote on the bill, while only 41 Republicans did so.

It is easy to understand and sympathize with the sponsors of the bill, the junior Senator from Massachusetts [Mr. KENNEDY] and the senior Senator from New York [Mr. IVES], in their statements issued after the House voted 198 to 190 against taking up their bill. I ask that their statements be printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Senator KENNEDY. Only Jimmie Hoffa can rejoice at his continued good luck. Honest union members and the general public can only regard this as a tragedy, that politics has prevented the recommendations of the McClellan committee from being carried out this year.

Constructive labor reform legislation will definitely be brought forward again next year. In the meantime, those who defeated this bill will bear a heavy responsibility for the labor racketeering that will continue unchecked.

Senator IVES. I am not surprised at the outcome; I was anticipating it. It is going to be very hard to get a bill now; the extremists on management's side have won, and are now going to demand such an amended bill that they will never get it through both Houses. The result will be stalemate.

The Kennedy-Ives bill was a good bill; it would have put Hoffa out of business, for example, but a lot of the House Members were misled by false propaganda from the NAM, the United States Chamber of Commerce, the American Retail Federation, the Teamsters, and the United Mine Workers. Can you imagine a more unholy alliance than that. They represent the extremists in both camps. When you get the evil in labor working with the uninformed in management, you've got a bad combination. It is an open invitation to all criminals to make the most of their opportunities in the labor-management field.

Mr. HUMPHREY. Mr. President, because I think it proves reactionary Republican responsibility for killing the Kennedy-Ives bill, I quote from the Washington Post's August 19, 1958, report:

Senator KARL MUNDT, Republican, of South Dakota, said the House action will be of definite assistance to the GOP and mean difficulty for the Democrats in the coming Congressional campaign.

Who killed cock robin?

Republicans did the job, Mr. President, assisted by a small minority of Democrats.

Why?

PREFERRED DEAD BILL, LIVE ISSUE

Because, as the junior Senator from Arizona made clear when the bill was before the Senate, it would have killed the only issue the Republicans had.

Because the reactionary majority of Republicans prefer a dead bill and a live issue to a live law and a dead issue, the majority was willing, for supposed political advantage in the 1958 elections, to kill the bill and give the Beck-Hoffa-Dio-Shefferman type of racketeering a reprieve of 1 and perhaps 2 years.

I have here, Mr. President, a curious package which should be brought to the attention of the Food and Drug Administration or the Federal Trade Commission as a horrible example of mislabeling.

On the cover, it is boldly titled in capital letters, "The Labor Bosses—America's Third Party."

Then down in the lower right-hand corner in smaller type is the source: "Staff of the Senate Republican policy committee, July, 1958."

Inside, at the bottom of the table of contents, is this note:

Neither the members of the Republican policy committee nor the Republican Senators are responsible for the statements herein contained, except such as they are willing to endorse and make their own.

At this point, let me list the names of the members of the Senate Republican policy committee, so that citizens may inquire of them whether or not they support, endorse, and underwrite this book:

SENATE REPUBLICAN POLICY COMMITTEE

STYLES BRIDGES (chairman), LEVERETT SALTONSTALL, MILTON R. YOUNG, WILLIAM F. KNOWLAND, EVERETT MCKINLEY DIRKSEN, JOHN W. BRICKER, ANDREW F. SCHOEPPEL, EDWARD MARTIN, H. ALEXANDER SMITH, EDWARD J. THYE, JOHN J. WILLIAMS, KARL E. MUNDT, FRANK CARLSON, CHARLES E. POTTER.

I do not believe this hit-and-run campaigning is going to work. I believe the responsibility is going to be tied right back to the Senate Republican policy committee, to the Republican National Committee, and to every Republican candidate who attempts to run against George Meany or Walter Reuther and organized labor instead of against the Democratic Party and its candidates.

It will not be very hard to tie this particular slander against the decent majority of American labor back to the Republican Party. Meade Alcorn, chairman of the Republican National Committee, in his partisan sheet headed "Chairman's Fact Memo No. 28, August 4, 1958," calls attention to the volume, thereby putting the Republican National Committee in the position of being responsible for the statements contained in the volume.

Mr. President, the gyrations, gymnastics, and contortions of the Republicans in seeking to avoid comparison of Republican performance with Democratic performance are themselves a confession. It reminds me of the doctor who, when asked to treat a patient for a set of allergies, explained that he would rather throw the patient into a fit, saying, "I'm not much good on allergies, but I'm hell on fits."

We Democrats are not going to let the Republican candidates in the 1958 Congressional elections get away with their attempt to change the subject to avoid measurement and comparison of the Republican and Democratic performances as shown by the record of the Eisenhower-Nixon administration and the 85th Congress.

They will not be allowed to get away with their attempts to run against Walter Reuther, who does not live in their State or district and is not a candidate for any political office.

They are going to have to run against Democratic candidates and the Democratic record. We are going to see to that.

In passing, let me say, Mr. President, that we Democrats are proud of labor leaders of the type of George Meany, Walter Reuther, George Harrison, Joe Keenan, Jim Carey, David McDonald, Al Hayes, and many others who, on the basis of our platform, pledges, and performance, have supported, and, I believe, will continue to support, Democratic candidates as well as, in some instances that are deserved, individual liberal Republican candidates. I wonder, Mr. President, how many times, on how many platforms, the Republican Party will invite or even allow Republican Dave Beck and Republican James Hoffa to speak in behalf of Republican candidates during the 1958 campaign. It makes a whale of a difference, Mr. President, whether a labor union official's conduct and record will stand up under scrutiny as did that of George Meany and Walter Reuther under examination by the McClellan committee investigating improper activities in the labor or management field.

Mr. President, let us look at the record, the record of the Republican Eisenhower-Nixon administration since January 1953, and the record of the Democratic and Republican Parties in the 85th Congress, for which we are now about to make an accounting to the American people.

LOOK AT RECORD

The Republican Eisenhower-Nixon administration, in less than 6 years in office, has brought America to the worst recession since World War II at home, and to mortal danger of war and world-wide defeat abroad. It has done this by its failure to give the Nation leadership, a failure resulting in a surrender to Old Guard conservative domestic policies and stale, useless foreign policies. As a result, the United States is now faced with:

First. More than 5 million unemployed.

Second. The highest prices in history.

Third. The loss of American influence and prestige everywhere in the world.

Fourth. The daily danger of war in the Middle East.

Fifth. A Communist dictatorship that has caught up to us in many areas in scientific skill and is speeding ahead at a faster rate of progress in power development.

Sixth. An inadequate Military Establishment to meet this Red threat and to keep our vast commitments.

Seventh. Corruption and influence seeking in high places of Government.

Eighth. A farm slump that has driven 4 million people off the farm in 5 years, lowered farm prices, reduced farm income, and increased farm indebtedness.

Ninth. Race relations made worse instead of better.

These GOP failures and many more are documented.

First, let us briefly sketch the true indictment of the Republican Eisenhower-Nixon administration.

GOP'S BIG BUSINESS ADMINISTRATION BRINGS ON RECESSION

President Eisenhower turned the Nation's economic policies over to big-business men like Treasury Secretary George Humphrey and Commerce Secretary Sinclair Weeks. They sowed the seeds of the present recession by:

First. Raising interest rates, thus making it harder for people to borrow money and harder for businesses to expand.

Second. Slowing down the rate of economic growth on the theory that too much prosperity would be inflationary.

Third. Driving small-business men out of business.

Fourth. Reserving tax cuts for corporations and rich taxpayers.

Fifth. Allowing steel and auto producers and food processors to raise their prices, thus making it harder for consumers to buy their products.

The workers, consumers, and small-business men—whose investment and spending is essential to prosperity—were neglected. This quickly brought on the present recession. It was not an accident. Read what the New York Journal of Commerce said on July 15, 1957:

The evidence now points strongly to the conclusion that both the administration and the Federal Reserve authorities believe that a moderate recession now would be a small price to pay for the avoidance of another boom-and-bust later on.

GOP LETS REDS RACE AHEAD IN POWER, SCIENCE, MISSILE DEVELOPMENT

The Republican administration and its paid Madison Avenue publicity agents have told the Nation all was well while hiding from it the true facts of Soviet growth. As a result, the United States has suffered numerous blows to her prestige as the world's greatest country. The Russians were allowed to:

First. Beat America to the punch with an earth satellite.

Second. Open up hydroelectric projects bigger than our biggest, Grand Coulee Dam.

Third. Speed ahead in development of intercontinental ballistics missiles.

Fourth. Expand their economy at the rate of 6 to 7 percent a year, while our rate of growth slowed to 2.7 percent a year.

Do not merely take my word for it. Here is what the New York Times reported last April 29:

Allen W. Dulles, Director of the Central Intelligence Agency, said today that rapid Soviet economic progress posed the most serious peacetime challenge the United States had ever faced. • • • While the Soviet Union has been making spectacular progress the United States has been losing ground • • • Mr. Dulles warned.

GOP WEAKENS NATIONAL DEFENSE

The men who run the administration's defense program have thought it more important to economize than to give America the defensive capacity necessary to stop aggression. Despite constant Democratic demands for more arms, the administration:

First. Cut the Air Force budget $5 billion its very first year in office.

Second. Cut back vital research and development funds by hundreds of millions of dollars, including a $146 million cut just a few weeks before sputnik.

Third. Let inflation reduce the amount of arms the defense dollar could buy.

It was well summarized by Lt. Gen. James Gavin, former Army research and development chief in Life magazine on August 4, 1958, when he said:

While Russia even now has an intercontinental ballistic missile capability, several years will have passed before we have an ICBM capability of any significance. In short, we are now entering a missile lag period in which the Soviets will have a steadily increasing ICBM striking capability which we will be unable to match for several years. We are in mortal danger.

AMERICA'S FRIENDS, NEUTRALS TURN AGAINST HER UNDER THE GOP

American foreign policy is in deep trouble. Our position of world leadership has been weakened by inept and faltering direction. Every friend lost for America is a victory for the Communists, and the Eisenhower-Dulles foreign policy has lost friends throughout the world by:

First. Identifying itself with backward, discredited rulers in the Middle East and Asia, while the Soviets have portrayed themselves as friends of Arab and Asian peoples.

Second. Neglecting the problems of our South American neighbors to the point where official American representatives are stoned and booed on trips there.

Third. Posing as a nation that is heedless of the value of human life by continuing the testing of large hydrogen bombs.

Again, let me document these charges by quoting a responsible, nonpartisan authority, President A. Whitney Griswold, of Yale University, who said, last June 8:

This has been a disillusioning year in the history of our country. Humiliating evidence of the low esteem in which our national aims and aspirations are held abroad pours in daily from all over the world. We expect what comes to us from unfriendly nations, but when • • • friendly nations regretfully add their contributions, wormwood is mixed with the gall.

GOP BREEDS CORRUPTION IN HIGH PLACES

Sherman Adams, Bernard Goldfine, and the vicuna coat are the symbols of special privilege and influence seeking that has infested this Republican administration from the highest level. Besides the individual instances of corruption which are now public knowledge, the public is paying the price of other deals as regulatory agencies bow to the industries they are supposed to regulate and defense contracts go to favored big business firms and GOP contributors.

Even Time magazine agreed, saying, on June 30:

President Eisenhower (has failed) to stick to his oft-proclaimed deep sense of public ethics • • • to accommodate Sherman Adams and Bernard Goldfine, the Eisenhower administration had compromised a basic standard.

IKE HAS ABANDONED THE LEADERSHIP FUNCTION OF THE PRESIDENCY

The reason why these things have come about is because President Eisenhower has abandoned the leadership of the office of President. He is simply serving out his term, without the energy or the interest to provide America with the leadership it needs. Into this vacuum have stepped the old guard policies, which Eisenhower promised the people would never return:

First. Government spending programs are at the mercy of the Bureau of the Budget, which ruthlessly cuts requests of the administration's own departments and often refuses to spend funds appropriated by the Congress.

Second. Tax and fiscal policies are in the hands of men on leave from big banks and big business, who believe prosperity must trickle down and that the real threat to the economy is overemployment, according to the frank admission of the First National City Bank of New York in one of its newsletters.

Third. Foreign policy is monopolized by John Foster Dulles, of whom the Washington Post has said:

> It is one thing for foreign policy to be in a rut because there is no better course; it is quite another for it to be kept there deliberately because Mr. Dulles created the rut. (August 2, 1958.)

The day-to-day running of the Government, including key appointments to important agencies, is in the hands of Sherman Adams. It was summed up well by Walter Lippmann when he wrote:

> At present there is nobody who is unmistakably in command, nobody who is speaking clearly, nobody who is really working seriously to bring order, plan, purpose, and control into what is in fact a drift into disorder. (September 12, 1957.)

There are many more chapters to recount, in the story of this failure of GOP leadership—and the price the American people are being compelled to pay as a result.

Each chapter is a tragic story in itself.

The story of the farm crusade of the Eisenhower-Nixon-Benson administration which is steadily destroying farming as a way of life in America, while increasing surpluses 700 percent and costing the taxpayers 7 times as much to run the agricultural program under Benson as it did when the Democrats left office in 1952.

The story of the GOP foot-dragging on public resource development, while Russia surpasses the United States in the production of hydroelectric power, a race the Reds regard as key in the competition for world supremacy.

The story of the neglect of the Nation's housing problems, despite the fact that over 15 million Americans live in substandard housing or slums and that nearly one-quarter of all housing in the United States is classified as substandard or slum housing.

The story of sacrificing vital medical research and hospital construction at the altar of the balanced budget in the GOP's traditional indifference toward the Nation's health needs, as a part of the Eisenhower-Nixon administration's fiscal 1959 budget which the New York Times said "set in motion the most far-reaching retrenchments in welfare programs ever made."

The shameful story of lipservice to meeting the educational crisis while Republican votes undermined any effective action, leaving us with a mounting shortage of teachers, classrooms, and scholarships while the Russians add spectacular successes in missiles and satellites in science and technology.

The story of the GOP record in giving the Nation the most rapid peacetime inflation in the Nation's history.

The story of increasing failures for small business while big business profits soar.

The story of the amazing buildup of the heir-apparent to the Republican throne, who now is belatedly but jubilantly claimed to be nearing maturity.

The story of the Eisenhower-Nixon administration's backdown on its civil rights bill in 1957, and its failure to enforce the 1957 law Congress gave them; along with the failure to exercise constructive leadership toward school integration which resulted in the Little Rock crisis.

These are but some of the stories that need to be told and retold to the American people during the fall months and I intend to help tell them in documented detail.

Along with these stories of the collapse of Republican leadership can be contrasted the record of Democratic accomplishment—plus the promise and hope of greater achievement ahead in the 86th Congress when we return here with new and greater majorities.

For the sake of the American people, we must have solid Democratic control of Congress for the remaining 2 years of the tottering Eisenhower-Nixon administration.

We need it to provide a responsible check upon the administration.

We need it to push for more vigorous action in those areas such as housing, health, agriculture, power, and social security where the Congress can help determine national policy, even against a reluctant, veto-threatening administration.

We need it to prevent the GOP Old Guard from seizing control of Congress and sabotaging even its own administration's measures, as it did in 1953 and 1954.

But we need it most to forge a more constructive record of accomplishment to pave the way for a Democratic President in 1960.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent the following additional routine business was transacted:

ADDITIONAL BILL AND JOINT RESOLUTION INTRODUCED

An additional bill and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. HUMPHREY (for himself and Mr. KUCHEL):

S. 4329. A bill to amend the act of June 5, 1948, relating to the Meat Inspection Service of the Department of Agriculture and to permit recognition of the meat inspection services of the various States in those instances in which the Secretary determines that such recognition will maintain the high standards of the service; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. J. Res. 203. Joint resolution to provide for the withdrawal of the United States forces in Lebanon; to the Committee on Foreign Relations.

(See the remarks of Mr. MORSE when he introduced the above joint resolution, which appear under a separate heading.)

DISCLOSURE OF FOREIGN INVESTMENTS AFFECTING THE AMERICAN ECONOMY—THE SENATE FINANCE COMMITTEE INVESTIGATION OF THE AMERICAN ECONOMY

Mr. MALONE. Mr. President, one of the grave dangers to the economic well-being of this Nation is the degree of foreign control of American investments.

The American people should know about our own economy, as every other major nation knows about its own economy, to what extent other nations or the nationals of other nations control American investments, and just where the danger point lies

THE DANGER POINT

This control comes about through numbered accounts and other forms of cover frequently concealing, for reasons contrary to the national interest, the true ownership of corporate stock.

At what point might such foreign investors be able to depress our economy through manipulation?

I submit, for appropriate reference, a resolution, and ask that it be printed in the RECORD at this point.

The resolution (S. Res. 387), submitted by Mr. MALONE, was received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

INVESTOR DISCLOSURE RESOLUTION

Whereas the economic health of this Nation must be preserved if this country is to successfully defend itself against aggression, and if the freedoms necessary for the continuing orderly processes of Government are to be preserved;

Whereas it is recognized that the economic and political conspiracy, including communism, has as one of its main objectives the destruction of the economic well-being of this Nation;

Whereas one of the least understood and, for that reason, effective weapons used against this Nation in the economic warfare which is being waged against us is the gradual acquisition of control over important segments of American industry by foreign interests;

Whereas the use of numbered accounts or other forms of cover frequently conceal for reasons contrary to the national interest the true ownership of corporate stock; and

Whereas reasonable prudence in the national interest requires that immediate steps be taken to counter this threat to our security: Now, therefore, be it

Resolved, That it is the sense of the Senate that the national security demands full disclosure of the direct and beneficial ownership of shares of stock or securities of American industry, and an effective limitation on the extent to which such ownership may be acquired by foreign interests or persons.

It is further the sense of the Senate that the Federal Reserve Board, the Securities and Exchange Commission, the Department of Justice, and the Department of State should explore this threat to the national security jointly, should take concerted action in their respective spheres to counter it, and should make suitable and prompt recommendations to the Congress for additional legislation if such is needed.

SENATE FINANCE COMMITTEE

Mr. MALONE. Mr. President, the Senate Finance Committee, by resolution, is undertaking to make a complete study of the financial condition of the United States including, first, the revenue, bonded indebtedness, and interest rates on all public obligations, including contingent liabilities; second, policies and procedures employed in the management of the public debt and the effect thereof on credit, interest rates, and the Nation's economy and welfare; and, third, factors which influence the availability and distribution of credit and interest rates thereon as they apply to public and private debt.

This is the first full-dress examination of our fiscal and monetary policies since the one conducted by the Aldrich Monetary Commission in 1908.

The immediate occasion for this study is the existing credit and interest situation and, more important, inflation which has started again with its ominous threat to fiscal solvency, sound money, and individual welfare.

Legislative matters relating to Federal revenue and debt, tariff and trade, and social security and pensions are under the jurisdiction of this committee. In the discharge of its direct responsibilities with respect to these subjects, the committee has become convinced that serious conditions exist in the areas to be studied, and that these conditions have exceedingly dangerous potentialities.

It is the purpose of the committee to explore these areas, examine the conditions, determine the cause, and, so far as possible, find the remedies.

To make such a study complete, the committee must examine fiscal and monetary policies, mark the distinctions between them, and study their relationships, one to the other.

FREE ECONOMY CANNOT STAND SECRET CONTROLS

Mr. President, in a free economy there must be no artificial controls. Particularly, there must be no hidden artificial controls. A free economy must be operated on principles established by law.

To maintain such principles, there must be a full disclosure of investments or control of stock or shares in corporations which might result in manipulation and defeat of the principles of law established by Congress.

ACTION OF PRESIDENT IN SENDING TROOPS INTO LEBANON

Mr. MORSE submitted the following resolution (S. Res. 391), which was referred to the Committee on Foreign Relations:

Whereas the President made commitments to the Government of Lebanon of a kind which under the Constitution traditionally have been, and ought to be, embodied in treaties; and

Whereas the President sent United States forces into Lebanon without requesting the sanction of Congress, under circumstances such that his request for such sanction would have been appropriate; and

Whereas the President has given assurances to other governments, relating to the so-called Baghdad Pact, of a kind which under the Constitution traditionally have been, and ought to be, embodied in treaties: Now, therefore, be it

Resolved, That the Senate, reserving its right to agree or disagree with the wisdom of the foregoing actions, deplores such disregard by the President of proper procedure under the Constitution.

PROPOSED REPEAL OF WITHHOLDING INCOME TAX—WITHHOLDING TAX LAW MAKES EMPLOYEE INFERIOR CITIZEN

Mr. MALONE. Mr. President, I introduce for appropriate reference a bill which would repeal the withholding of income tax at the source of wages.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4328) to repeal the withholding of income tax at source on wages, introduced by Mr. MALONE, was received, read twice by its title, and referred to the Committee on Finance.

Mr. President, I ask unanimous consent to have the bill printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That, effective with respect to wages paid after the date of the enactment of this act, chapter 24 of the Internal Revenue Code of 1954 (collection of income tax at source of wages) is repealed.

Mr. MALONE. Mr. President, the bill would repeal the withholding of income tax at source on wages (chapter 24 of the Internal Revenue Code of 1954).

Existing law—section 3401 of the Internal Revenue Code of 1954—defines the term "wages," for purposes of the withholding tax, as meaning all remuneration for services performed by an employee for his employer, with certain exceptions listed specifically in the law.

Under existing law (section 3402 of the Internal Revenue Code of 1954) tax is withheld on all wages at the rate of 18 percent after taking into account the number of exemptions to which the employee is entitled.

Mr. President, an employee is entitled to receive his pay intact. The withholding tax law treats him like an inferior citizen, not capable of handling his own business or not to be trusted to make out his income tax like an American citizen.

RECOGNITION OF MEAT INSPECTION SERVICES OF THE VARIOUS STATES IN CERTAIN CASES

Mr. HUMPHREY. Mr. President, on behalf of myself and the junior Senator from California [Mr. KUCHEL], I introduce, for appropriate reference, a bill to permit recognition of the meat inspection services of the various States in instances in which the Secretary of Agriculture determines that such recognition will maintain the high standards of the service.

Mr. President, this measure is being introduced in the closing hours of the session for the purpose of bringing it before interested groups for consideration before the next Congress. Its objective is to eliminate overlapping and duplication of inspection services, and to encourage improvement of State inspection standards to the point where States can qualify to be accepted by the Secretary of Agriculture for Federal inspection purposes.

The Department of Agriculture has approved the measure and so has the Bureau of the Budget. I am hopeful, as is the junior Senator from California, that calling this proposal to the attention of all concerned now will expedite action on it in the new Congress, when it will be reintroduced.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4329) to amend the act of June 5, 1948, relating to the Meat Inspection Service of the Department of Agriculture and to permit recognition of the meat inspection services of the various States in those instances in which the Secretary determines that such recognition will maintain the high standards of the service, introduced by Mr. HUMPHREY (for himself and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

PRINTING AS A SENATE DOCUMENT QUESTIONS AND ANSWERS RELATING TO SMALL BUSINESS EQUITY CAPITAL AND LONG-TERM LOAN ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be printed as a Senate document certain questions and answers relating to the small business equity capital and long-term loan bill, recently passed by Congress, and signed by the President.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEE ON BANKING AND CURRENCY TO SUBMIT REPORTS SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may file two reports heretofore approved by the committee, subsequent to the sine die adjournment.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair has been requested by the Vice President to announce the appointment by him of the following Senators as members of the United States delegation to the Second International Conference on Peaceful Uses of Atomic Energy, sponsored by the United Nations, to be held in Geneva, Switzerland, September 1 through September 13, 1958: The Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Rhode Island [Mr. PASTORE].

The PRESIDING OFFICER. The Chair has been requested by the Vice President to announce the appointment by him, pursuant to Public Law 614 of this session of Congress, of the following Senators to the Hudson-Champlain Celebration Commission:

Senator GEORGE D. AIKEN, of Vermont.

Senator JOHN O. PASTORE, of Rhode Island.

Senator PAT MCNAMARA, of Michigan.

Senator JACOB K. JAVITS, of New York.

The PRESIDING OFFICER. The Chair has been requested by the Vice President to announce the appointment by him of the following Senators as members of the United States Delegation to the 10th session of the Biennial General Conference of UNESCO, to be held in Paris, November 4 to December 5:

Senator LEVERETT SALTONSTALL, of Massachusetts.

Senator HUBERT HUMPHREY, of Minnesota.

The PRESIDING OFFICER. The Chair has been requested by the Vice President to announce the appointment by him pursuant to Public Law 689 of the 84th Congress, of the following Senators to be members of the Congressional delegation to attend the Fourth Annual North Atlantic Treaty Parliamentary Conference to be held in Paris November 17–22:

Senator THEODORE F. GREEN, of Rhode Island, chairman.

Senator STYLES BRIDGES, of New Hampshire.

Senator ESTES KEFAUVER, of Tennessee.

Senator THOMAS H. KUCHEL, of California.

Senator HENRY M. JACKSON, of Washington.

Senator ROMAN L. HRUSKA, of Nebraska.

Senator JACOB K. JAVITS, of New York.

Two additional Senators from the majority party will be named at a later date.

The PRESIDING OFFICER. The Chair has been requested by the Vice President to announce the appointment by him of Senator GEORGE SMATHERS, of Florida, to serve as an adviser to the United States delegation at the 13th session of the contracting parties to the General Agreement on Tariffs and Trade which will convene in Geneva, Switzerland, on October 16, 1958.

In accordance with Public Law 689, 84th Congress, the Vice President has approved the appointment of Senator HERMAN TALMADGE, of Georgia, as an additional member of the Congressional delegation previously announced to attend the Fourth Annual North Atlantic Treaty Parliamentary Conference, which will be held in Paris from November 17 to 22.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 9521. An act to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended; to the Committee on Labor and Public Welfare.

H. R. 13262. An act to amend the Federal Crop Insurance Act; to the Committee on Agriculture and Forestry.

H. R. 13354. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization; to the Committee on the Judiciary.

H. R. 13760. An act to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement; to the Committee on Foreign Relations.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 23, 1958, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert;

S. 3287. An act for the relief of Vivian D. Giesey;

S. 3818. An act for the relief of Vicenta Garcia y Puente;

S. 4249. An act to authorize a program for the conservation, restoration, and management of the rare Hawaiian nene goose; and

S. J. Res. 135. Joint resolution providing for the construction of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

ADJOURNMENT SINE DIE

Mr. JOHNSON of Texas. Mr. President, under the provisions of Senate Concurrent Resolution 123, I move that the Senate stand adjourned sine die.

The motion was agreed to; and (at 4 o'clock and 11 minutes a. m., Sunday, August 24, 1958) the Senate adjourned sine die.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 23, 1958:

DEPARTMENT OF STATE

Joseph C. Satterthwaite, of Michigan, to be an Assistant Secretary of State.

DEPARTMENT OF DEFENSE

John Nichol Irwin II, of New York, to be an Assistant Secretary of Defense.

DEPARTMENT OF THE ARMY

Hugh M. Milton II, of New Mexico, to be Under Secretary of the Army.

OFFICE OF DEFENSE AND CIVILIAN MOBILIZATION

To be Assistant Directors of the Office of Defense and Civilian Mobilization

J. Roy Price, of New York.

Kenneth T. Downs, of the District of Columbia.

BOARD OF PAROLE

Edward J. Donovan, of New York, to be a member of the Board of Parole for the term expiring September 30, 1962.

UNITED STATES MARSHAL

Paul Kearney, of Oregon, to be United States marshal for the district of Oregon for a term of 4 years.

IN THE ARMY

The officers named herein for promotion as Reserve commissioned officers of the Army, to the rank indicated, under the provisions of the Reserve Officer Personnel Act of 1954, Public Law 773, 83d Congress:

To be major generals

Brig. Gen. William H. Harrison, O293946.
Brig. Gen. John F. Homfeld, O453221.
Brig. Gen. John W. Kaine, O360270.
Brig. Gen. John W. McConnell, O1048490.
Brig. Gen. Chauncey D. Merrill, O112486.
Brig. Gen. William T. Rice, O320906.
Brig. Gen. Otis M. Whitney, O279173.

To be brigadier generals

Col. Charles H. Browne, Jr., O387461, Artillery.
Col. Claude F. Clayton, O322985, Armor.
Col. Eugene G. Cushing, O286447, Infantry.
Col. Richard E. Fisher, O343436, Corps of Engineers.
Col. John W. Libcke, O233642, Armor.
Col. Ernest L. Massad, O302186, Artillery.
Col. Robert P. Miller, O256068, Infantry.
Col. Herbert R. Morss, Jr., O293333, Artillery.
Col. Lewis C. Pattillo, O244386, Corps of Engineers.
Col. Snyder L. Peebles, O238690, Infantry.
Col. William H. Prentice, O385130, Corps of Engineers.
Col. Paul R. Teith, O361063, Infantry.

To be major generals

Brig. Gen. Aloysius Maximius Brumbaugh, O225777.
Brig. Gen. Richard Cook, O107835.
Brig. Gen. James Calvin Frank, O289883.
Brig. Gen. Stuart deJong Meniet, O337970.
Brig. Gen. James Clarence Mott, O176119.
Brig. Gen. Henry George Nulton, O205635.
Brig. Gen. Almerin Cartwright O'Hara, O328935.
Brig. Gen. William Childs Purnell, O183312.
Brig. Gen. Maxwell Cook Snyder, O242582.

To be brigadier generals

Col. Frank Aloysius Alameda, O300304.
Col. Robert Daniel Charlton, O235009.
Col. Charles Leon Davis, O335351.
Col. Martin Henry Foery, O370696.
Col. Edward Malcolm Friend, Jr., O310219.
Col. Warren Crumley Giles, O349122.
Col. Harold Friend Harding O263728.
Col. Joseph Edward Heinrich, O255063.
Col. Richard Henry Hopkins, O245902.
Col. Raymond Forrest McNally, Jr., O294487.
Col. Benjamin Franklin Merritt, O244836.
Col. Richard Henry Neddersen, O349427.
Col. Philip William Smyth, O381834.
Col. Frederick Robert Stoft, O273771.
Col. Walter Thomas Stone, O293049.
Col. William Walter Watts, O917499.
Col. Mahlon Stewart Weed, O231252.
Col. Robert Gentry White, O171250.
Col. Collin P. Williams, O305510.
Col. Weston H. Willis, O289949.

The officers named herein for appointment as Reserve commissioned officers of the Army, to the rank indicated, under the provisions of title 10, United States Code, section 593 (a):

To be major generals

Col. James Francis Berry, O1046356.
Col. Charlie Fitch Camp, O396661.
Col. George Maguire Haskett, O414493.

The nominations of Paul W. Albert and 3,083 other officers for promotion or appointment in the Regular Army, were confirmed today, and may be found in the Senate Proceedings of the CONGRESSIONAL RECORD for August 13, 1958, under the caption, "Nominations," beginning with the name of Paul W. Albert, appearing on page 17341, and ending with the name of Turner L. Nelson, which occurs on page 17343.

IN THE AIR FORCE

The nominations of Eugene E. Moring and 171 other officers for appointment in the Regular Air Force, which were received by the Senate on August 18, 1958, were confirmed today, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date under the caption "Nominations," beginning with the name of Eugene E. Moring on page 17803, and ending with the name of Edward R. Noe, which is shown on page 17804.

The following-named officers of the staff corps of the Navy, as indicated, for temporary promotion to the grade indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

To be rear admirals

Allan S. Chrisman
Calvin B. Galloway
Frank P. Kreuz, Jr.

SUPPLY CORPS

Edward F. Metzger
Howard F. Kuehl
Joseph M. Lyle

CIVIL ENGINEER CORPS

Eugene J. Peltier
Henry G. Clark

DENTAL CORPS

Curtiss W. Schantz

IN THE NAVY AND MARINE CORPS

The nominations of Donald R. Bautts and 668 other officers for appointment in the Navy and Marine Corps, which were received by the Senate on August 6, 1958, were confirmed today, and may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Donald R. Bautts, which is shown on page 16395 and ending with the name of Ronald M. Thompson, which occurs on page 16397.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade indicated, subject to qualification therefor as provided by law:

To be major generals

Greene, Wallace M., Jr.
Hayes, Charles H.

The following-named officers of the Marine Corps for permanent appointment to the grade indicated:

To be major generals

McAlister, Francis M.
Munn, John C.

To be brigadier generals

Salmon, Ronald D.	Shell, George R. E.
Larson, August	Brunelli, Austin R.
Hudson, Lewis C.	Krulak, Victor H.
Mangrum, Richard C.	Cloud, George H.
Wieseman, Frederick L.	

The nominations of Benjamin B. Manchester 3d, and 113 other officers, for temporary appointment in the Marine Corps, which were confirmed today, were received by the Senate on August 8, 1958, and may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date under the caption "Nominations," beginning with the name of Benjamin B. Manchester 3d, on page 16679, and ending with the name of John S. Hudson, which appears on same page.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to Senate Concurrent Resolution 123, agreed to August 23, 1958, the Vice President, on August 26, 1958, signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

S. 26. An act relating to effective dates of increases in compensation granted to wage board employees;

S. 166. An act for the relief of Arthur LeRoy Brown;

S. 1438. An act to amend section 544 of title 28, United States Code, relating to the bonds of United States marshals;

S. 1764. An act to amend the District of Columbia Public School Food Services Act;

S. 1864. An act to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes;

S. 1903. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States;

S. 1985. An act to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto;

S. 2006. An act to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense;

S. 2020. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Social Security Act;

S. 2039. An act to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor;

S. 2114. An act to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for field sites, to undertake construction and improvement of buildings, and for other activities;

S. 2117. An act directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe;

S. 2146. An act for the relief of William F. Peltier;

S. 2469. An act for the relief of Dr. Brant Bonner;

S. 2719. An act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks, to control and depredations of this species on the fisheries of the Pacific coast, and for other purposes;

S. 2836. An act for the relief of the town of Portsmouth, R. I.;

S. 3028. An act for the relief of Laszlo Czeri, Margarethe Hadjisky, Maria Micell, and Francesco Riso;

S. 3142. An act to amend the Federal property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes;

S. 3295. An act to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act;

S. 3321. An act for the relief of George E. Ketchum;

S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia;

S. 3379. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system;

S. 3490. An act to extend and amend the Agricultural Trade Development and Assistance Act of 1954;

S. 3803. An act for the relief of Marie Inette Kinomos;

S. 3850. An act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes;

S. 3933. An act to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas;

S. 3712. An act to authorize appropriations for continuing the construction of the Rama Road in Nicaragua;

S. 3738. An act to incorporate the Big Brothers of America;

S. 3741. An act to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests;

S. 3754. An act to provide for the exchange of lands between the United States and the Navaho Tribe, and for other purposes;

S. 3915. An act for the relief of Chiyoko Yoshimoto;

S. 3942. An act for the relief of certain distressed aliens;

S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State;

S. 4032. An act for the relief of Mercede Svaldi;

S. 4039. An act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes;

S. 4085. An act to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes;

S. 4088. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution;

S. 4096. An act to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole;

S. 4113. An act for the relief of Harold Pangelinan;

S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute;

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engelbretsen, and Harvey Homlar;

H. R. 4059. An act for the relief of Mr. and Mrs. Carmen Scoppettuolo;

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames;

H. R. 8759. An act for the relief of W. G. Hollomon and Mrs. W. G. Hollomon;

H. R. 9020. An act to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes;

H. R. 11382. An act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under sec-

tion 621 of the National Service Life Insurance Act of 1940, and for other purposes;

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes;

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes;

H. R. 12212. An act for the relief of certain employees of the Department of the Navy;

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes;

H. R. 13191. An act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science;

H. R. 13192. An act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety;

H. R. 13489. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13666. An act to amend title 32 of the United States Code to permit the appointment of the adjutant general of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico;

H. R. 13840. An act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies;

H. R. 13856. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes;

H. J. Res. 546. Joint resolution designating the week of November 21–27, 1958, as National Farm-City Week;

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959;

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens, and for other purposes; and

H. J. Res. 704. Establishing that the 1st session of the 86th Congress convene at noon on Wednesday, January 7, 1959.

ENROLLED BILLS PRESENTED AFTER SINE DIE ADJOURNMENT

The Secretary of the Senate presented to the President of the United States on August 25, 1958, the following enrolled bills:

S. 25. An act relating to effective dates of increases in compensation granted to wage board employees;

S. 165. An act for the relief of Arthur LeRoy Brown;

S. 1438. An act to amend section 544 of title 28, United States Code, relating to the bonds of United States marshals;

S. 1764. An act to amend the District of Columbia Public School Food Services Act;

S. 1864. An act to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes;

S. 1903. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States;

S. 1985. An act to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto;

S. 2006. An act to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense;

S. 2020. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Social Security Act;

S. 2039. An act to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor;

S. 2114. An act to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for filed sites, to undertake construction and improvement of buildings, and for other activities;

S. 2117. An act directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe;

S. 2146. An act for the relief of William F. Peltier;

S. 2469. An act for the relief of Dr. Brant Bonner;

S. 2719. An act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks, to control the depredations of this species on the fisheries of the Pacific coast, and for other purposes;

S. 2836. An act for the relief of the town of Portsmouth, R. I.;

S. 3142. An act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes;

S. 3028. An act for the relief of Laszlo Cseri, Margarethe Hadjiaky, Maria Micell, and Francesco Riso;

S. 3295. An act to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act;

S. 3321. An act for the relief of George E. Ketchum;

S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia;

S. 3379. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system;

S. 3420. An act to extend and amend the Agricultural Trade Development and Assistance Act of 1954;

S. 3503. An act for the relief of Marie Inette Konomos;

S. 3680. An act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes;

S. 3683. An act to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas;

S. 3712. An act to authorize appropriations for continuing the construction of the Rama Road in Nicaragua;

S. 3728. An act to incorporate the Big Brothers of America;

S. 3741. An act to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests;

S. 3754. An act to provide for the exchange of lands between the United States and the Navaho Tribe, and for other purposes;

S. 3915. An act for the relief of Chiyoko Yoshimoto;

S. 3942. An act for the relief of certain distressed aliens;

S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State;

S. 4032. An act for the relief of Mercede Svaldi;

S. 4039. An act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes;

S. 4085. An act to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes;

S. 4088. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyo., and to authorize its execution;

S. 4096. An act to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole;

S. 4113. An act for the relief of Harold Pangelinan; and

S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute.

APPROVAL OF SENATE BILLS AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had approved and signed the following bills:

On August 20, 1958:

S. 1110. An act for the relief of Sono Hoshi;

S. 2239. An act for the relief of Wadiha Salime Hamade;

S. 3827. An act to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended; and

S. 4002. An act to authorize the Gray Reef Dam and Reservoir as a part of the Glendo unit of the Missouri River Basin project.

On August 21, 1958:

S. 493. An act for the relief of Irene Montoya;

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain;

S. 3259. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), as the same are amended, to provide for an increase in the authorization for funds to be granted for the construction of hospital facilities in the District of Columbia;

S. 3651. An act to make equity capital and long-term credit more readily available for small-business concerns, and for other purposes;

S. 3817. An act to provide a program for the discovery of the mineral reserves of the United States, its Territories, and possessions by encouraging exploration for minerals, and for other purposes;

S. 4009. An act to amend the act authorizing the Washoe reclamation project, Nevada and California, in order to increase the amount authorized to be appropriated for such project; and

S. 4153. An act to authorize the delivery of sewage from Virginia into the sewerage system of the District of Columbia and the treatment of such sewage, and for other purposes.

On August 23, 1958:

S. 13. An act for the relief of Hsiu-Kwang Wu and Hsiu-Huang Wu;

S. 92. An act for the relief of Robert Karla;

S. 160. An act for the relief of Georgios Ioannou;

S. 375. An act to amend the Interstate Commerce Act to provide for the validity and perfection of certain security interests in motor vehicles;

S. 532. An act to revise and modernize the fish and game laws of the District of Columbia, and for other purposes;

S. 784. An act for the relief of Dwight S. Sharer;

S. 1798. An act to amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from places within said inland waters and places within the inland waters of the State of Washington;

S. 2052. An act for the relief of Heinz Farmer;

S. 2935. An act for the relief of Mary Louise Shields Wilkinson;

S. 2943. An act for the relief of Letitia Olteanu;

S. 2983. An act for the relief of Bernabe Miranda and Manuel Miranda;

S. 2989. An act for the relief of Salvador Miranda;

S. 3010. An act for the relief of Jose Marara;

S. 3031. An act for the relief of Joseph Daniel Maeda Betterley (Toshikazu Maeda);

S. 3051. An act to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition on the part of the tribal forest that must be sold, and for other purposes;

S. 3130. An act for the relief of Georgios Papakonstantinou;

S. 3131. An act for the relief of Amile Hatem and Linda Hatem;

S. 3192. An act for the relief of Edeltraud Maria Theresia Collom;

S. 3199. An act to amend section 2324 of the Revised Statutes, as amended, to change the period for doing annual assessment work on unpatented mineral claims so that it will run from September 1 of one year to September 1 of the succeeding year, and to make such change effective with respect to the assessment work year commencing in 1959;

S. 3270. An act for the relief of Nick Tsailkis;

S. 3305. An act for the relief of Adamantia Papavasiliou;

S. 3330. An act for the relief of Leopoldo Rodriguez-Mesa and Adela Rodriguez Gonzales;

S. 3354. An act for the relief of Fuad E. Kattuah;

S. 3401. An act for the relief of Cho Hack Youn;

S. 3402. An act for the relief of Nessime Kadoch;

S. 3404. An act for the relief of Doulatram Chattulane Chavez;

S. 3421. An act for the relief of Alexander Nagy;

S. 3468. An act to provide for the construction and improvement of certain roads on the Navaho and Hopi Indian Reservations;

S. 3598. An act for the relief of Feiga Chirinsky Roseman;

S. 3615. An act for the relief of Wendy Levine;

S. 3641. An act for the relief of Gertrude Yang Koo;

S. 3665. An act for the relief of Choe Kum Bok; and

S. 3880. An act to continue the Civil Aeronautics Board as an agency of the United States, to create a Federal Aviation Agency, to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and to provide for the safe and efficient use of the airspace by both civil and military aircraft, and for other purposes.

REPORT ENTITLED "PROGRESS REPORT ON SCIENCE PROGRAMS OF THE FEDERAL GOVERNMENT" (S. REPT. NO. 2498) SUBMITTED AFTER SINE DIE ADJOURNMENT

Under authority of the order of the Senate of August 12, 1958,

Mr. HUMPHREY, from the Committee on Government Operations, on September 9, 1958, submitted a report entitled "Progress Report on Science Programs of the Federal Government," which was printed.

APPROVAL OF SENATE BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had approved and signed the following acts and joint resolutions:

On August 25, 1958:

S. 607. An act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes;

S. 3333. An act to facilitate the insurance of loans under title I of the Bankhead-Jones Farm Tenant Act, as amended, and the act of August 28, 1937, as amended (relating to the conservation of water resources), and for other purposes; and

S. 3986. An act to authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Miss., and for other purposes.

August 26, 1958:

S. 377. An act to amend the Interstate Commerce Act and the Transportation Act of 1940, with respect to periods of limitation applicable to actions or claims, including those by or against the United States, for recovery of charges for the transportation of persons or property, and for other purposes;

S. 400. An act for the relief of Paul Thury;

S. 540. An act for the relief of the Board of National Mission of the Presbyterian Church in the United States of America;

S. 1542. An act for the relief of Lori Biagi;

S. 2004. An act for the relief of George and Emma Clifford;

S. 2043. An act for the relief of Genoveffa Migliozzi;

S. 2262. An act for the relief of Hasan Muhammad Tiro;

S. 2629. An act for the relief of John J. Spriggs;

S. 2850. An act for the relief of Maria Pontillo;

S. 2936. An act for the relief of Feofania Bankevitz;

S. 3055. An act for the relief of Ronald H. Denison.

S. 3316. An act for the relief of Kiyoshi Ueda.

S. 3509. An act for the relief of Wong Wing Boa.

S. 3676. An act for the relief of Maria Michela Leo Di Gioia.

S. 3739. An act for the relief of Hermine Ermon Papazian;

S. 3743. An act for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano);

S. 3789. An act for the relief of Donald J. Marion;

S. 4020. An act for the relief of Kunio Inouye (Sparkman),

S. 4059. An act to amend Reorganization Plan No. 1 of 1958 in order to change the name of the office established under such plan; and

S. 4091. An act for the relief of Marianne (Sachiko) Fuller.

On August 27, 1958:

S. 761. An act for the relief of Charles C. and George C. Finn;

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes;

S. 2530. An act to designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Mont.;

S. 2592. An act to amend the law relating to the execution of contracts with Indian tribes;

S. 2955. An act for the relief of Kazuko Young;

S. 3004. An act for the relief of Joanna Strutynska;

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3203. An act relating to minerals on the Wind River Indian Reservation in Wyoming, and for other purposes;

S. 3300. An act for the relief of Jean Andre Paris;

S. 3308. An act for the relief of Itzhak Aronovici;

S. 3357. An act for the relief of Arturo Ernesto Audrain y Campos;

S. 3445. An act for the relief of Teruko K. Jackson;

S. 3547. An act for the relief of Andrejs Pablo Mierkalns;

S. 3572. An act to authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md., and for other purposes;

S. 3607. An act for the relief of Harvey L. Forden;

S. 3723. An act to amend Public Law 522, 84th Congress (relating to the conveyance of certain lands to the city of Henderson, Nev.);

S. 3801. An act for the relief of Klara Leitner and her daughter, Sylvia Leitner;

S. 3873. An act to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds;

S. 3894. An act for the relief of Joseph H. Lym, doing business as the Lym Engineering Co.;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization;

S. 4287. An act to amend the act of July 27, 1956, relating to detention of mail for temporary periods in certain cases; and

S. J. Res. 190. Joint resolution to approve the report of the Department of the Interior on Red Willow Dam and Reservoir in Nebraska.

On August 28, 1958:

S. 166. An act to amend the laws granting education and training benefits to certain veterans so as to extend, with respect to certain individuals, the period during which such benefits may be offered;

S. 765. An act to increase the authorization for the appropriation of funds to complete the International Peace Garden, North Dakota;

S. 2001. An act for the relief of AlaLu Duncan Dillard;

S. 2057. An act for the relief of Diana Elaine Greig;

S. 2216. An act for the relief of John C. Walsh;

S. 2594. An act to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes;

S. 2886. An act to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans;

S. 2922. An act to authorize per capita payments to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and for other purposes;

S. 3139. An act to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio;

S. 3219. An act for the relief of Mrs. Margaret Graham Bonnalie;

S. 3221. An act for the relief of Erika Margaretha Zinti Pearce;

S. 3224. An act to improve opportunities for small-business concerns to obtain a fair proportion of Government purchases and contracts, to facilitate procurement of property and service by the Government, and for other purposes;

S. 3448. An act to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes;

S. 3534. An act to authorize the Secretary of the Army to convey approximately 181 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.;

S. 3564. An act to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers;

S. 3640. An act for the relief of Daniel (Nathaniel) Rosenzweig;

S. 3682. An act to authorize the sale or exchange of certain lands for the United States situated in Pima County, Ariz., and for other purposes;

S. 3768. An act for the relief of Hing Man Chau;

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3826. An act for the relief of Concettina Iannacchino;

S. 3882. An act to amend the act of July 1, 1948, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers;

S. 3921. An act for the relief of Peter Tillner;

S. 3966. An act to amend Public Law 85-422;

S. 4004. An act to encourage and authorize details and transfers of Federal employees for service with international organizations;

S. 4021. An act to establish the United States Study Commission on the Savannah, Altamaha, Saint Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas;

S. 4053. An act to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes;

S. 4071. An act to provide more effective price, production, adjustment, and marketing programs for various agricultural commodities;

S. 4167. An act to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes;

S. 4191. An act to maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication;

S. 4196. An act to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents;

S. 4273. An act to provide for cooperation with the European Atomic Energy Community;

S. J. Res. 178. Joint resolution authorizing the President of the United States of America to proclaim February 8–14, 1959, as National Children's Dental Health Week; and

S. J. Res. 201. Joint resolution to authorize the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy.

On September 2, 1958:

S. 25. An act relating to effective dates of increases in compensation granted to wage board employees;

S. 552. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.;

S. 1438. An act to amend section 544 of title 28, United States Code, relating to the bonds of United States marshals;

S. 1764. An act to amend the District of Columbia Public School Food Services Act;

S. 1903. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States;

S. 2008. An act to relieve the Surgeons General of the Army and Navy of certain responsibilities outside of the Department of Defense;

S. 2039. An act to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor;

S. 2114. An act to amend the act of March 3, 1901 (31 Stat. 1449) as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for field sites, to undertake construction and improvement of buildings, and for other activities.

S. 2117. An act directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe;

S. 2469. An act for the relief of Dr. Brant Bonner;

S. 2719. An act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks, to control the depredations of this species on the fisheries of the Pacific coast, and for other purposes;

S. 3028. An act for the relief of Laszlo Cseri, Dorothy Margarethe Hadjisky, Maria Micell, and Francesco Riso;

S. 3142. An act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes;

S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert;

S. 3287. An act for the relief of Vivian D. Giesey;

S. 3295. An act to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act;

S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia;

S. 3379. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system;

S. 3503. An act for the relief of Marie Inette Konomos;

S. 3680. An act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes;

S. 3712. An act to authorize appropriations for continuing the construction of the Rama Road in Nicaragua;

S. 3728. An act to incorporate the Big Brothers of America;

S. 3741. An act to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests;

S. 3754. An act to provide for the exchange of lands between the United States and the Navaho Tribe, and for other purposes;

S. 3818. An act for the relief of Vicenta Garcia y Puente;

S. 3915. An act for the relief of Chiyoko Yoshimoto;

S. 3942. An act for the relief of certain distressed aliens;

S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State;

S. 4032. An act for the relief of Mercede Svaldi;

S. 4088. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution;

S. 4113. An act for the relief of Harold Pangelinan;

S. 4249. An act to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose; and

S. J. Res. 135. Joint resolution providing for the construction of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

On September 6, 1958:

S. 165. An act for the relief of Arthur LeRoy Brown;

S. 1864. An act to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes;

S. 1985. An act to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto;

S. 2020. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Social Security Act;

S. 2146. An act for the relief of William F. Peltier;

S. 2836. An act for the relief of the town of Portsmouth, R. I.;

S. 3321. An act for the relief of George E. Ketchum;

S. 3420. An act to extend and amend the Agricultural Trade Development and Assistance Act of 1954.

S. 4039. An act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes;

S. 4085. An act to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes;

S. 4096. An act to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole; and

S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute.

SENATE BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had disapproved bills of the Senate of the following titles, together with his reasons for such actions:

RELIEF OF THE CHAMBERLAIN WATER CO., OF CHAMBERLAIN, S. DAK.

S. 228. I am withholding my approval from S. 228, which would authorize the payment of $3,116.40 to the Chamberlain Water Co., of Chamberlain, S. Dak. This sum would be paid to compensate the company for relocation costs occasioned by the Government's acquisition of its former location for use in connection with the Fort Randall Dam and Reservoir project.

Public Law 500, approved July 3, 1958, makes provision for paying these removal expenses and the Secretary of the Army reports that the claim is now being processed. The present enactment, therefore, is unnecessary.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *August 27, 1958.*

MARY K. RYAN AND WILLIAM A. BOUTWELL

S. 489. I am withholding my approval of S. 489, for the relief of Mary K. Ryan and William A. Boutwell.

The bill would permit the two named taxpayers to file claims for refund of overpayment of income taxes for the taxable years 1949 and 1950, based on excludable cost-of-living allowances, notwithstanding that the statute of limitations has barred the filing of such claims.

The two taxpayers named in the bill filed joint income-tax returns from Alaska for the years 1949 and 1950. On these returns the taxpayers included as income certain "territorial cost-of-living allowances." The Internal Revenue Service had ruled, in 1948, that such allowances were includible in gross income. Subsequently, however, in October 1953, the Internal Revenue Service ruled that such allowances were excludable. In late March 1954, some 5 months after the publication of this second ruling, one of the taxpayers named in the bill filed claims for refund for the years 1949, 1950, and 1951. Refund was granted for the year 1951, but the 3-year period of limitations prescribed by the Internal Revenue Code of 1939 barred refund for the years 1949 and 1950.

While it is true that, at the time the second ruling of the Internal Revenue Service was published, refund for the year 1949 already was barred by the statute of limitations, the taxpayers did have from October 1953 until March 15, 1954, in which to file a timely claim for 1950. The record on this bill affords no explanation for the delay in filing such a claim until after March 15, 1954, but it does disclose that the taxpayer who filed for the refund learned of the revised ruling in November 1953. As for the taxable year 1949, bills introduced in the 84th and 85th Congresses would have provided general relief from the application of the statute of limitations to refunds of income tax paid on the cost-of-living allowances here in question. Such legislation, however, has never been enacted.

Congress has determined it to be sound policy to include in the revenue system a statute of limitations which, after a period of time, bars taxpayers from obtaining refunds of tax overpayments and bars the Government from collecting additional taxes. Such a provision is essential to finality in tax administration. The basic justification for a statute of limitations is that, after the passing of a reasonable period of time, witnesses may have died, records may have been destroyed or lost, and problems of proof and administration of tax claims become too burdensome and unfair for both taxpayers and the Government. The basic purposes underlying the statute of limitations continue in force even in cases where, after payment of a tax, the interpretation of the law is changed by a judicial decision or by a modification in regulations and rulings.

Several thousand taxpayers received "territorial cost-of-living allowances" during the period of the Internal Revenue Service ruling that such allowances were not excludable from gross income. This bill, by singling out two of these taxpayers for special relief from the statute of limitations, would unjustly discriminate against other taxpayers similarly situated.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *August 28, 1958.*

GEORGE P. E. CAESAR, JR.

S. 571. I am withholding my approval from S. 571, for the relief of George P. E. Caesar, Jr.

The bill would provide that, notwithstanding any period of limitations or lapse of time, claims, exclusive of interest, for credit or refund of overpayments of income taxes for the taxable years 1951 and 1952 based on exemption from taxation of certain earned income received for personal services rendered outside of the United States may be filed within 1 year after the date of enactment by George P. E. Caesar, Jr., of Aldie, Va., on behalf of himself and Claudia V. Caesar (deceased).

The records of the Treasury Department show that timely joint income tax returns were filed on behalf of the taxpayer and his wife for 1951 and 1952 but that no claims for credit or refund for those years were filed prior to the expiration of the statutory period for filing such claims on March 15, 1955, and March 15, 1956, respectively.

During the years 1951 and 1952 the taxpayer earned certain income for personal services rendered outside of the United States, and the taxpayer believes that these earnings should have been excluded from his income under section 116 (a) of the Internal Revenue Code of 1939. The taxpayer also believes that his failure to file timely claims for refund should be waived because of personal difficulties resulting from the death of his wife and also because an employee who prepared his returns for 1951 and 1952 did not inform him of the necessity for filing claims for refund within the period prescribed by law. The records of the Treasury Department show that the death of the taxpayer's spouse occurred on October 15, 1952, which date was 2 years and 5 months prior to the expiration of the period of limitations for filing a claim for 1951 and was 3 years and 5 months prior to the expiration of the period of limitations for filing a claim for 1952.

The circumstances of this case are not sufficiently unique to warrant special legislative relief. The statutory period of limitations, which Congress has included in the revenue system as a matter of sound policy, is essential in order to achieve finality in tax administration. Granting special relief in this case, where a refund was not claimed in the time and manner prescribed by law, would constitute a discrimination against other taxpayers similarly situated and would create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 2, 1958.*

EXTENSION OF TIME FOR MAKING GRANTS UNDER FEDERAL AIRPORT ACT

S. 3502. I am withholding approval of S. 3502, "To amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes."

The main purpose of the bill is to expand and continue the present Federal program of aid to States and local communities for the construction and improvement of public airports. Under the bill, the currently authorized program of $63 million a year through fiscal year 1959, would be increased to $100 million a year and extended 4 years through fiscal year 1963. Total Government expenditures would be increased by $437 million.

Civil airports have always been regarded as primarily a local responsibility, and have been built, operated, and maintained by States and local communities. During the period when the aviation industry was growing to maturity, it was appropriate for the Federal Government to assist local communities to develop airport facilities. Through various programs, including the grant program authorized by the Federal Airport Act, well over $1 billion has been allocated by the Government to the construction and improvement of local civil airports. In addition, over 500 military airport facilities have been declared surplus and turned over to the cities, counties, and States for airport use. These contributions, along with subsidies to airlines, aeronautical research, and the establishment and maintenance of the Federal airways system, have greatly aided—in fact, have made possible—the tremendous growth of civil aviation in our generation.

Now, however, I am convinced that the time has come for the Federal Government to begin an orderly withdrawal from the airport grant program. This conclusion is based, first, on the hard fact that the Government must now devote the resources it can make available for the promotion of civil aviation to

programs which cannot be assumed by others, and second, on the conviction that others should begin to assume the full responsibility for the cost of construction and improvement of civil airports.

Over the past two decades, more and more airports have progressed to the point of self-sufficiency. Aviation generally has achieved a state of maturity in which the users should be expected to pay an increasing share of airport costs. With the continued growth of aviation and the application of sound management principles, the progress toward airport self-sufficiency should continue.

I recognize that there will doubtless be a transitional period during which the Federal Government will be required to provide aid to urgent airport projects which are essential to an adequate national aviation facilities system and which cannot be completed in any other way. However, this bill does not provide for a transitional program. Rather, it sharply increases the level of the existing program. It does not provide for aid to the most urgent airport projects, but continues the current allocation formula which is not related to broad national aeronautical needs.

The existing program continues through June 30, 1959, so no community will be hurt by the withholding of approval of this legislation. At the next session of the Congress, the administration will recommend a transitional program to provide aid for the construction of urgent airport projects that are essential to an adequate national aviation facilities system.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 2, 1958.*

AREA REDEVELOPMENT BILL

S. 3683. I am withholding my approval from S. 3683, the area redevelopment bill.

Every year for the past 3 years I have strongly urged the adoption of a program of Federal assistance to communities of substantial and persistent unemployment for the purpose of assisting those communities to develop a sounder and more secure economic base. I regret that no action along these lines has been taken by the Congress until this year and, needless to add, I am greatly disappointed that I find myself unable to approve the present bill.

My disapproval need cause no unnecessary delay in initiating a sound area assistance program. Even the unsound program contemplated by S. 3683 could not be of immediate help to any community because the Congress, before adjournment, failed to provide any money to carry out the bill's purposes. Until the next session of the Congress, the needs of areas of severe and persistent unemployment can be met in part through the new program of loans to State and local development companies under the Small Business Investment Act of 1958 which I recently approved.

The repeated recommendations of the administration recognized that the major responsibility for planning and financing the economic redevelopment of communities of chronic unemployment must remain with local citizens if Federal programs are to be effective. The present bill departs from this principle, and would greatly diminish local responsibility. In doing so, and in including other undesirable features, it defeats any reasonable chance of giving effective help to the communities really in need.

S. 3683 provides for less local participation in the costs of local development projects than is proper or necessary to stimulate and assure the continuing interest and support of local governmental and private interests. The administration recommended loans, for periods of 25 years, in amounts not exceeding 35 percent of the cost of redevelopment projects. S. 3683, on the other hand, provides for loans for such projects for periods of 40 years, at artificially low interest rates, in amounts up to 65 percent of the total cost of a project.

S. 3683 proposes in addition a program of Federal grants for public works in redevelopment areas under which it would be possible to have no local participation whatever. Moreover, the criteria for making these grants are so loosely drawn that, without indiscriminate use of funds, administration of these provisions would be almost impossible. This is a field in which, if the Federal Government participates at all, it should be able to rely upon local judgments backed by significant local contributions.

S. 3683 is also defective in my judgment because its assistance in certain instances, would be available in areas in which unemployment is traceable essentially to temporary conditions. Federal assistance to communities where unemployment is not clearly chronic would necessarily mean the assumption of responsibility by the Government for the direct support of local economies—an assumption of responsibility that would have the most profound consequences.

I also believe it would be a grave mistake to establish, as this bill would, an area assistance program in the Housing and Home Finance Agency. Such a program should be lodged, not with an agency concerned with residential housing and related matters, but rather with the Department of Commerce which has primary responsibility for business and industrial development and a long experience in extending to local areas technical aid for economic development.

S. 3683 also contemplates a Federal redevelopment assistance, including loans, in rural areas. There is serious question as to whether Federal loans for the construction of industrial buildings in rural areas would be a proper or effective approach, much less a permanent one, to the problems of surplus labor in essentially agricultural communities.

It is my intention next January when the Congress reconvenes to request the Congress to enact area assistance legislation more soundly conceived to carry out the purposes which I have repeatedly stressed as being in the national interest. It is my hope that Congress at that time will move with all possible speed to enact such an area assistance program.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 6, 1958.*

HOUSE OF REPRESENTATIVES

SATURDAY, AUGUST 23, 1958

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Jude 25: *To the only wise God, our Saviour, be glory and majesty, dominion and power, both now and forever.*

Almighty God, our Father, we are again humbly uniting our minds and hearts in the fellowship of prayer to worship and adore Thy great and holy name.

We pray that Thou wilt bestow the benediction of Thy peace and the diadem of Thy praise upon our President, our Speaker, the chosen Representatives of our Republic, and all who have served during this 85th Congress in whatever capacity.

May we have within our hearts the joyous testimony that we have sought to fulfill the duties and responsibilities of our high vocation with a pure and steadfast devotion.

Grant that we may leave this Chamber, commending and committing one another to Thy love and care and with the assurance that where Thou dost guide Thou wilt also provide.

May the Lord bless us and keep us; may the Lord make His face to shine upon us and be gracious unto us; may the Lord lift upon us the light of His countenance and give us peace.

Hear us in the name of the Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13580. An act to increase the public debt limit.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3683. An act to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7450) entitled "An act to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children;" disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints

Mr. BIBLE, Mr. PROXMIRE, and Mr. BEALL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3420) entitled "An act to extend and amend the Agricultural Trade Development and Assistance Act of 1954."

INCREASING THE PUBLIC DEBT LIMIT

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13580) to increase the public debt limit, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out "$285,000,000,000" and insert "$283,000,000,000."

Page 2, strike out lines 4 to 9, inclusive.

Page 2, strike out lines 10 to 13, inclusive.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I wonder if the gentleman will take time to explain what happened in the other body on this measure.

Mr. MILLS. Yes; I will be glad to.

As the gentleman from Iowa and Members of the House will recall, in the form in which H. R. 13580 passed the House of Representatives, the purpose of the bill was to raise the existing permanent debt limit of the United States from $275 billion to $285 billion and, in addition, provide that the limit be temporarily raised to $288 billion through June 30, 1960. The increases contained in the House-passed bill were those which were recommended by the administration, through the Secretary of the Treasury.

The Senate amended this bill in two material respects. First, the Senate version of the bill provides that the existing permanent debt limit be raised from $275 billion to $283 billion, as compared with the increase in the permanent limit under the House bill from $275 billion to $285 billion. Second, the Senate-passed bill provides that the temporary increase under existing law of $5 billion shall continue through June 30, 1959.

The result of the Senate amendments in substance is that the overall debt limit, permanent and temporary, will be the $288 billion which the Secretary of the Treasury requested, and this $288 billion will continue through June 30, 1959. In other words, Mr. Speaker, the Senate has amended the bill so as to provide a ceiling in the amount requested by the administration, but this is accomplished through continuing the present $5 billion temporary increase and adding an $8 billion permanent increase, whereas under the House bill the permanent increase would have been $10 billion, with an additional temporary increase of $3 billion. Under the House bill, the overall ceiling of $288 billion would have continued through June 30, 1960, whereas under the Senate version the overall ceiling, temporary and permanent, will continue through June 30, 1959.

The net effect of the Senate amendment is merely to require the Secretary of the Treasury, in my opinion, to visit Capitol Hill about 30 to 60 days earlier next year than he would have under the House version.

Mr. GROSS. I doubt if the gentleman from Arkansas has spoken a greater truth in his life than that last statement, and of course, the gentleman is always truthful.

There is no rider attached to this bill of any kind; is there?

Mr. MILLS. There is no rider and there is no amendment, other than those I described above, added to the bill during the consideration of it by the other body.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so to inquire of the chairman of the Committee on Ways and Means; first: There is no question in the gentleman's mind, is there, that no matter whether we accept the House version or the Senate version, we will have to come back next year and reconsider the debt limit again and without question provide a further increase for the fiscal year 1960, if present spending plans continue?

Mr. MILLS. I regret I must agree with my friend, the gentleman from Wisconsin, in his statement.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I have joined my esteemed friend and distinguished chairman, the gentleman from Arkansas, to request that the House concur in the Senate amendments to the bill, H. R. 13580, providing an increase in the public debt limit.

It will be recalled that as this legislation passed the House the present permanent debt limit of $275 billion would have been increased to a permanent limit of $285 billion, with provision for an additional temporary increase of $3 billion through June 30, 1960. In an appearance before the Committee on Ways and Means in behalf of the administration, the distinguished Secretary of the Treasury pointed out the need for the $10 billion permanent increase in the debt limit was occasioned by the fact that he could not foresee our being able to come within the permanent limit of $275 billion by the end of the current fiscal year or even by the end of the succeeding fiscal year. The additional $3 billion temporary increase provided in the House bill was to afford to the Department of the Treasury the latitude necessary to the efficient management of our Nation's fiscal affairs.

The Senate in acting on this legislation provided for an $8 billion increase in the permanent debt limit to $283 billion. The temporary increase presently in effect through June 30, 1959, would be continued as contained in present law.

It is my judgment, Mr. Speaker, that the House-passed version of this legislation deals more realistically with the fiscal problems confronting our Nation. This observation is particularly true in view of recent legislation which has been passed by the House calling for the expenditure of additional billions that had not been included in budget estimates. However, the closeness of the adjournment of this second session of the 85th Congress necessitates our acting expeditiously on this legislative measure. It is in the interest of expediting its consideration that I have concurred in the Senate modification.

MILITARY CONSTRUCTION FOR DEPARTMENT OF DEFENSE

Mr. SHEPPARD. Mr. Speaker, I call up the conference report on the bill (H. R. 13489) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. SCHENCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHENCK. Is it possible to object to the consideration of the conference report?

The SPEAKER. It is not. Under the order of the House, granted by unanimous consent on yesterday, this is a privileged matter.

Is there objection to the request of the gentleman from California that the statement of the managers on the part of the House be read in lieu of the report?

Mr. SCHENCK. Mr. Speaker, I object.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2699)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13489) "making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and

for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11 and 13.

That the House recede from its disagreement to the amendments of the Senate numbered 8 and 14, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$230,000,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$4,401,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$785,000,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"AIR NATIONAL GUARD

"For an additional amount for 'Air National Guard,' $9,000,000: *Provided*, That funds appropriated under this head in this Act shall be available only for construction as authorized by law."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 3, 4, 7, 10, and 12.

HARRY R. SHEPPARD,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
CLARENCE CANNON,
CHARLES R. JONAS,
MELVIN R. LAIRD,
JOHN TABER,
Managers on the Part of the House.
DENNIS CHAVEZ,
CARL HAYDEN,
LISTER HILL,
JOHN STENNIS,
HARRY F. BYRD,
LEVERETT SALTONSTALL,
STYLES BRIDGES,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13489) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

DEPARTMENT OF THE ARMY

Amendment No. 1: Military construction, Army: Appropriates $230,000,000 instead of $214,564,000 as proposed by the House and $327,847,000 as proposed by the Senate. The committee of conference has approved the funding program as proposed by the House with the deletions thereto proposed by the Senate and the following additional projects:

Fort Lee, Va. (academic building)	$3,410,000
Fort Huachuca, Ariz. (technical building)	5,500,000
Army Map Services, Md. (cartographic engineering building)	1,913,000
Carlisle Barracks, Pa. (land acquisition)	354,000
Fort McClellan, Ala. (station hospital)	3,331,000
Fort Bliss, Tex. (laboratory and classroom buildings)	7,928,000
Minor new construction	955,000

Amendment No. 2: Army Reserve Forces: Reported in disagreement. The committee of conference is in agreement that $6,250,000 shall be appropriated for the Army Reserve Forces and that these funds shall be available for the construction program of the Army Reserve components without special regard to the detailed list of projects set forth in Senate report numbered 2362. The conferees are in agreement that of this amount $5,250,000 shall be for National Guard facilities and $1,000,000 for Army Reserve facilities.

DEPARTMENT OF THE NAVY

Amendment No. 3: Military Construction, Navy: Reported in disagreement. The committee of conference has approved the funding program as proposed by the House with the deletions thereto as proposed by the Senate and the following additional projects:

Naval Station, Newport, R. I. (barracks, heating plant expansion, and messhall)	$2,650,000
Naval Base, Norfolk, Va. (dredging base approaches)	2,546,000
Naval Auxiliary Air Station, Meridian, Miss. (hangar)	2,796,000
Marine Corps Auxiliary Air Station, Yuma, Ariz. (runway, taxiway, and land acquisition)	8,946,000
Naval Air Missile Test Center, Point Mugu, Calif. (rehabilitation of barracks, messhall, and bachelor officers' quarters)	817,000
Marine Corps Recruit Depot, Parris Island, S. C. (barracks)	1,501,000

The conferees have deleted the $11,000 proposed by the Senate for land acquisition at NAAS, Whiting Field, Florida, because of information obtained from the Navy that these specific funds are not required for the purchase of this land. The Navy is directed to acquire this land with presently available funds and authority without delay.

The managers on the part of the House and the Senate are in disagreement as to the inclusion in the funding program of $5,500,000 for the Naval Shipyard, Long Beach, California, as proposed by the Senate.

DEPARTMENT OF THE AIR FORCE

Amendment No. 5: Military Construction, Air Force: Provides that of the funds appropriated for Military Construction, Air Force $4,401,000 shall be used only for the construction of a solar furnace at Holloman Air Force Base, New Mexico, instead of $9,034,000 as proposed by the Senate.

Amendments No. 6: Military Construction, Air Force: Appropriates $785,000,000 instead of $687,350,000 as proposed by the House and $974,995,000 as proposed by the Senate. The committee of conference has approved the funding program as proposed by the House with the deletions thereto as proposed by the Senate and the following additional projects:

Holloman AFB, N. Mex. (solar furnace)	$4,401,000
Andrews AFB, Md. (parallel runway)	10,389,000
Lockbourne AFB, Ohio (runway)	11,115,000
Pease AFB, N. H. (water supply)	683,000
Cannon AFB, N. Mex. (NCO Club)	$198,000
Sundance AFS, Wyo. (family housing)	505,000
Ballistic missiles (TITAN program)	70,000,000
Andersen AFB, Guam (alert hangar)	1,100,000

The committee of conference has restored $70,000,000 of the $90,000,000 deleted by the House for the TITAN ballistic missile program. The Air Force is directed to notify the Committees on Appropriations of the House and Senate, not less than 30 days prior to the award, of any contracts relating to the construction of facilities under this missile program. This notification should include information relative to the specific items involved, the estimated cost thereof, and other pertinent data.

The committee of conference has deleted the $1,464,000 proposed by the Senate for the Memphis General Depot, Tennessee. This action was taken because the hospital recently declared excess to the needs of the Veterans' Administration, available and equipped to house this activity at this location. The Air Force is directed to make use of this facility.

The committee of conference has denied the $2,010,000 proposed by the Senate for the construction of a hospital at Grand Forks Air Force Base, North Dakota. The Department of the Air Force is directed to satisfy its hospital requirements at this installation by the use of the existing Federal facilities in the area and non-Federal hospital facilities.

The availability of all funds for the construction of the dam near Pease AFB, New Hampshire, is contingent on the withdrawal of any suits now pending in connection with the development of the Pease Air Force Base water supply. It is the expectation of the conferees that upon withdrawal of the said suits construction of the dam will be immediately commenced.

Amendment No. 7: Military Construction, Air Force: Reported in disagreement.

Amendments Nos. 8 and 9: Military Construction, Air Force Reserve Forces: Appropriates $9,600,000 for the Air National Guard as proposed by the Senate instead of $14,150,000 as proposed by the House for the Air Force Reserve forces and amends the language proposed by the Senate.

GENERAL PROVISIONS

Amendment No. 10: Reported in disagreement.

Amendment No. 11: Changes section number.

Amendment No. 12: Reported in disagreement.

Amendment No. 13: Deletes language proposed by the Senate.

Amendment No. 14: Changes section number.

HARRY R. SHEPPARD,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
CLARENCE CANNON,
CHARLES R. JONAS,
MELVIN R. LAIRD,
JOHN TABER,
Managers on the Part of the House.

Mr. SHEPPARD. Mr. Speaker, the total in the military construction bill as reached by the conference committee is $1.3 billion. This is approximately $376 million less than the budget estimates, is an increase of $135 million above the House bill and $366 million below the Senate bill. The conferees have agreed on an appropriation of $6,250,000 for the construction of National Guard armory facilities instead of $28,330,000 as proposed by the Senate. These funds are not tied down to any specific projects but are to be allocated to authorized projects in a priority to be determined by the proper defense officials. The increases agreed to by the conferees above the House bill are, generally speaking, for high-priority projects where additional information was made available to the Senate which was not available at the time of the House hearings. A specific example of this is the funds for the Titan ballistic missile program presently scheduled for obligation some 4 months earlier than was contemplated in the House hearings. The managers on the part of the House are in complete agreement on this conference report and on the amendments to be offered. I urge its adoption without change.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. BOLAND. I notice the conference report contains a plethora of new buildings for the National Guard. Can the gentleman tell me what the situation was, recommended by the other body?

Mr. SHEPPARD. The conference report allows $6,250,000 for facilities for the Reserve components of the Army. These funds are not tied down to any specific project, but it is left to the military as to where the improvements shall be made.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. SEELY-BROWN. Am I correct in my understanding that the conferees bring in a report which provides additional money for the construction of National Guard armories, but the use of that money will depend upon the decision of the Adjutant General who will decide which of the new ones will get armories?

Mr. SHEPPARD. The answer is "Yes."

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. BROWN of Ohio. If I am correct, the Senate amended the bill so as to add an item for the construction of an Institute of Technology at Wright-Patterson Airbase near Dayton, Ohio, which has been recommended for some time by the Air Force. If I read the report correctly—and it is very difficult for any Member to know what it does contain—that item was stricken from the bill?

Mr. SHEPPARD. That is correct.

Mr. BROWN of Ohio. In what amendment is that contained, or did the Senate strike it out?

Mr. SHEPPARD. That is amendment No. 6.

Mr. BROWN of Ohio. Amendment No. 6.

Mr. SHEPPARD. Amendment No. 6. The Senate receded on that particular item.

Mr. BROWN of Ohio. Can the gentleman give us any reason why?

Mr. SHEPPARD. In the first place the Senate did not insist on it. In the final analysis, it is not considered necessary to be constructed in this particular period of time. We figured that a year hence they could do the same thing if it was necessary to do so, meanwhile a study can be made as to the possible use of existing Government facilities as set forth in the House report.

Mr. BROWN of Ohio. As a matter of record, may I ask the gentleman, as chairman of the subcommittee, will this item be considered by the subcommittee at the next session of the Congress?

Mr. SHEPPARD. If it is contained in the program which comes up in the budget, the answer is obviously "Yes."

Mr. BROWN of Ohio. It was in the budget originally?

Mr. SHEPPARD. Yes.

Mr. BROWN of Ohio. And if it comes up, further consideration will be given to it this coming year?

Mr. SHEPPARD. Yes.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. BAILEY. I would like to inquire as to the exact amount of construction money in the armory program.

Mr. SHEPPARD. It is an additional $6,250,000.

Mr. BAILEY. Will you be kind enough to tell me how much there will be available?

Mr. SHEPPARD. They will have available $54,354,000.

Mr. BAILEY. What action did the conference committee take on the Reserve components?

Mr. SHEPPARD. That is what we have been discussing, the Reserve components.

Mr. BAILEY. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. GROSS. Are there any items in this bill not previously considered by the House?

Mr. SHEPPARD. Yes; there are three items.

Mr. GROSS. The reason I ask the question is that I read in the morning paper that the independent offices appropriation bill which was passed in the House yesterday afternoon contained $100,000 to pay pensions to former Presidents.

I did not know when that bill came before the House yesterday afternoon that that item had been authorized in the bill we passed for the so-called Presidential pension on Thursday, and on Friday the House passed the bill containing $100,000 to implement it.

I am sorry the chairman of the House Appropriations Committee is not present on the House floor—at least I do not see him. I would like to know what hearings were held; I would like to know upon what basis they arrived at the $100,000 figure. We have two former Presidents who I am sure will not benefit by the bill.

Mr. SHEPPARD. I do not know that I can respond to the gentleman's question, for that is not a matter with which I deal.

Mr. GROSS. I regret very much that it was not explained when it was before the House, that the bill contained this $100,000.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Texas.

Mr. THOMAS. May I say to the distinguished gentleman from Iowa that when the independent offices appropriation bill came back for our complete and 100-percent surrender, I carefully stated, and I believe you can check my words in the RECORD, that the bill was exactly like it was when it passed the House, not once but twice, with the exception of two items. The items were: One, minus the amount of $600 million for the civil-service fund, and two, the item for $100,000 to implement the Presidential pension bill.

In reply to the second half of the gentleman's question, how we arrived at that figure, may I say that the legislation authorized $175,000. The gentleman from New York [Mr. TABER], the gentleman from Missouri [Mr. CANNON], and myself, the gentleman from Illinois [Mr. YATES], and the gentleman from Illinois [Mr. VURSELL] took a look at it, and we cut it practically half in two and came up with the figure of $100,000 rather than $175,000.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. GROSS. Is the gentleman saying that $175,000 was provided in the bill that passed the House last Thursday?

Mr. THOMAS. It authorized a total of $175,000 when you add up the different items; no, I am in error, it was $170,000.

Mr. GROSS. An authorization of $170,000 with only two former Presidents living? That represents some of the fastest footwork I have seen on the part of the Appropriations Committee since I have been here.

Mr. THOMAS. Read it; that is what is authorized.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. JOHANSEN. I wonder if the gentleman could give the House a breakdown of this $100,000.

Mr. THOMAS. Yes; $10,000 to the two widows of former Presidents; $25,000 each to two former Presidents; $50,000 clerk-hire allowance to each, which adds up to a total of $170,000. We cut it in half, not knowing how much would be needed. I think that is a fair compromise.

Mr. TABER. Mr. Speaker, will the gentleman yield me 1 minute?

Mr. SHEPPARD. I yield to the gentleman from New York.

Mr. TABER. I call the gentleman's attention to page 19175 of the RECORD. On that page the gentleman from Texas who just left the floor explained that $100,000 in detail.

On the same page the gentleman from Illinois [Mr. VURSELL] explained it in detail. I think that ought to be in the RECORD at this point.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Iowa.

Mr. GROSS. Was that in the statement filed by the gentleman from Texas?

Mr. TABER. Yes.

Mr. GROSS. In the statement that he filed?

Mr. TABER. No. It was in what he said on the floor yesterday. Frankly, I was against what they had in the bill, but it was authorized, and there was nothing to do but provide within reason for its operation. Frankly, the committee thought that the $170,000 was too much and they cut that down to $100,000.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Ohio.

Mr. SCHENCK. Mr. Speaker, in the hearings devoted to this bill on military construction, there was less than one full page of testimony regarding the duties, program, and objectives of the Air Force Institute of Technology. I hold in my hand this morning, Mr. Speaker, the commandant's report for 1957 and 1958, which in itself is 35 pages long. Certainly, the committee did not receive all of the information it should have received in its consideration of this very important institute that is essential not only to the United States Air Force but to the entire Department of Defense.

Mr. SHEPPARD. I would say to the gentleman, in response to his inquiry, that there were no reservations placed on the military by the subcommittee handling this particular appropriation. They could have made any presentation they wanted to. They had all the time to go into it. If they saw fit themselves to curtail the statement to the degree the gentleman has indicated, of course, the committee had no responsibility for that presentation.

Mr. SCHENCK. If the gentleman will yield further, may I say, without casting any aspersions or reflection upon the personnel of this very fine and able subcommittee of the Committee on Appropriations, I am informed by Air Force officers that because of the lateness of the hour and the approaching noon hour, they were unable to present their entire case.

Mr. SHEPPARD. May I ask the gentleman at this time what particular member of the Air Force gave him that information? I think it is strictly within keeping of good ethics at this time that the committee have this information as to the individual who gave the gentleman that information, for this subcommittee has never prevented the Air Force from saying anything they liked on this subject.

Mr. SCHENCK. Responsible officers of the United States Air Force.

Mr. SHEPPARD. We have a lot of responsible officers. Who is the man?

Mr. SCHENCK. They are interested in this program. I do not feel at this time at liberty to give their names.

Mr. SHEPPARD. I have no further comment.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mrs. ROGERS of Massachusetts. I understand that the sites for the armories are spelled out in the bill, is that correct?

Mr. SHEPPARD. No.

Mrs. ROGERS of Massachusetts. They are not spelled out. There is opportunity for other communities such as my city of Lowell to secure an armory?

Mr. SHEPPARD. That is correct.

Mrs. ROGERS of Massachusetts. The gentleman is satisfied that the housing units are not needed at various Army posts?

Mr. SHEPPARD. That is correct. They are not so essential at this time as to be constructed with appropriated funds.

Mrs. ROGERS of Massachusetts. I thank the gentleman.

Mr. MORRIS. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Oklahoma.

Mr. MORRIS. I wish to express deep regret that an item in the sum of $2,544,000 for Fort Sill, Okla., is not included in this report. I certainly fervently hope that the committee will give consideration to this item just as soon as possible in the next session for the reason I feel it is definitely needed.

Mr. SHEPPARD. I can assure the gentleman from Oklahoma that he may make any presentation he sees fit and we will consider it.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I would like to ask the gentleman, does this bill and this conference report include the San Jacinto item?

Mr. SHEPPARD. No. There is nothing in here for that item.

Mr. JOHANSEN. That is not in this bill?

Mr. SHEPPARD. No.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. Is it true that the appropriation for West Point, which I believe totaled roughly $500,000, has been stricken from this bill?

Mr. SHEPPARD. No; that is not correct. The committee has approved funds for construction of barracks and sewage disposal facilities, but has denied the request of funds for Camp Buckner.

Mrs. ST. GEORGE. I thank the gentleman.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from California.

Mr. McDONOUGH. I understand there is an item in disagreement between the House and the Senate conferees concerning the amount of money for the relief of the subsidence problem at Long Beach, and I would like to state what I understand to be the case, and if it is not so, I would like to have the chairman of the committee of conference explain it to me. As I understand, the House provided a half a million for this project; that the Senate inserted $5 million plus the half million; that the House conferees disagreed with the Senate proposal, and that the conference report comes back to us now with the understanding that $500,000 is all that the House conferees will agree to. Because it is a vital problem in California, I would like to know from the chairman of the committee why it would not accept the $5 million.

Mr. SHEPPARD. The answer is automatic. In other words, the chairman and the members of our committee have been conversant with this particular subsidence project for the past 10 years, and we have been endeavoring to have some kind of a solution worked out on the local level. Now, there has been an approach to correct the situation based on the activities of the California Legislature and the activities of the city of Long Beach. I refer, of course, to the official family of Long Beach. However, when the Navy came before our subcommittee, their appropriation request was for $500,000 to hold their position and protect all present projects relating to encroachment by the ocean. That was enough money insofar as the Navy was concerned. Then, along came the authorization bill in which there was entered an additional $5.5 million, from an authorization point of view, and when the bill came to the Senate, a Member of the Senate placed the $5.5 million in the appropriation bill for construction, with the reservation, of course, that that money be turned over to the Secretary of the Navy to be used at his discretion, if and when. Your conferees rejected that procedure upon two premises: First, the $500,000, in accordance with the Navy, would take care of the requirements for the coming year; second, they were diametrically opposed to turning funds over to any Secretary for appropriation purposes. That is the answer so far as your conferees on the House side are concerned.

Mr. McDONOUGH. Let me ask the gentleman, then, this question. If you are opposed to authorizing the Secretary to spend $5 million, if in the course of the next year we find that that $500,000 is not enough, is the committee agreeable at this time to state that they will appropriate additional funds?

Mr. SHEPPARD. We will be most happy to, if it is justified. May I say this to the gentleman from California, there is a process of operation in existence with reference to military branches today known as the reprograming in their present funds category. If an emergency comes along, there is no restriction on the part of the Army, the Navy, the Air Force, or the Marine Corps coming back to this committee of the House or the committee of the Senate and asking for reprograming of the funds that they have now, so they are fully protected. If something happens between now and the next presentation before the Committee on Appropriations that requires additional sums, of course, if they justify it, they will get it. But, I want to tell the gentleman that if they come before this committee that has jurisdiction of the matter and there is no justification, no money. That is all there is to it.

Mr. McDONOUGH. Has the Secretary asked for more than $500,000 than the budget requested?

Mr. SHEPPARD. No; he did not.

Mr. McDONOUGH. Is the committee satisfied, from the testimony they received from representatives, let us say, of the Department of Defense, that $500,000 will take care of what they need for the next fiscal year?

Mr. SHEPPARD. We are just as satisfied with that as any other presentation that they made.

Mr. McDONOUGH. I am further informed that if, in the next fiscal year, an emergency arises, the committee is agreeable to providing money in a supplemental appropriation above the half million dollars.

Mr. SHEPPARD. If properly justified, beyond any question of doubt; and I want to say that applies not merely to this particular item, but to any other request of comparable character.

Mr. McDONOUGH. I thank the gentleman.

Mr. SHEPPARD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SCHENCK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 300, nays 1, not voting 129, as follows:

[Roll No. 193]

YEAS—300

Abbitt	Brownson	Donohue
Abernethy	Broyhill	Dooley
Adair	Budge	Dorn, N. Y.
Addonizio	Burleson	Dorn, S. C.
Albert	Bush	Dowdy
Alexander	Byrd	Dwyer
Alger	Byrne, Ill.	Eberharter
Allen, Calif.	Byrne, Pa.	Edmondson
Allen, Ill.	Byrnes, Wis.	Elliott
Anderson, Mont.	Canfield	Everett
Andrews	Carnahan	Fallon
Arends	Carrigg	Fascell
Ashmore	Cederberg	Feighan
Aspinall	Celler	Fenton
Ayres	Chamberlain	Flood
Bailey	Chelf	Flynt
Baker	Chenoweth	Fogarty
Baldwin	Chiperfield	Forand
Barrett	Church	Ford
Bass, Tenn.	Clark	Forrester
Bates	Coad	Fountain
Becker	Cooley	Frazier
Beckworth	Corbett	Fulton
Bennett, Fla.	Cramer	Garmatz
Bennett, Mich.	Cretella	Gary
Blatnik	Cunningham, Iowa	Gavin
Boland	Curtin	Granahan
Bolling	Curtis, Mass.	Grant
Bolton	Curtis, Mo.	Gray
Bonner	Dague	Green, Oreg.
Bosch	Davis, Ga.	Green, Pa.
Bow	Dawson, Utah	Gregory
Boyle	Delaney	Griffin
Bray	Dennison	Gross
Breeding	Dent	Gubser
Brooks, Tex.	Denton	Hagen
Brown, Ga.	Devereux	Haley
Brown, Mo.	Dingell	Halleck
Brown, Ohio	Dixon	Harden
Harris	Meader	Saund
Harrison, Va.	Merrow	Saylor
Haskell	Metcalf	Schwengel
Hays, Ark.	Michel	Scott, N. C.
Hays, Ohio	Miller, Md.	Scrivner
Hemphill	Miller, Nebr.	Scudder
Heselton	Mills	Seely-Brown
Hiestand	Minshall	Selden
Hoeven	Montoya	Shelley
Holifield	Morano	Sheppard
Holland	Morris	Sieminski
Holmes	Moss	Sikes
Holt	Moulder	Simpson, Ill.
Horan	Multer	Simpson, Pa.
Huddleston	Murray	Sisk
Hull	Natcher	Smith, Calif.
Hyde	Nicholson	Smith, Kans.
Ikard	Nimtz	Smith, Va.
Jarman	Nix	Spence
Johansen	Norblad	Springer
Jonas	Norrell	Staggers
Jones, Ala.	O'Brien, Ill.	Stauffer
Jones, Mo.	O'Brien, N. Y.	Steed
Judd	O'Hara, Ill.	Sullivan
Karsten	O'Hara, Minn.	Taber
Kearns	O'Konski	Talle
Keating	Ostertag	Teller
Kee	Passman	Tewes
Kelly, N. Y.	Patman	Thomas
Kilday	Patterson	Thompson, N. J.
Kilgore	Pelly	Thompson, Tex.
King	Perkins	Thomson, Wyo.
Kirwan	Pfost	Thornberry
Kitchin	Philbin	Trimble
Kluczynski	Pillion	Tuck
Knox	Poage	Udall
Knutson	Poff	Ullman
Krueger	Polk	Utt
Laird	Porter	Van Pelt
Lafore	Price	Vorys
Lane	Quie	Vursell
Lankford	Rabaut	Walter
Lennon	Rains	Watts
Lesinski	Ray	Weaver
Libonati	Reece, Tenn.	Westland
Lipscomb	Rees, Kans.	Wharton
Loser	Reuss	Whitener
McCarthy	Rhodes, Ariz.	Whitten
McDonough	Rhodes, Pa.	Wier
McFall	Richlman	Wigglesworth
McGovern	Riley	Williams, Miss.
McIntosh	Roberts	Willis
Machrowicz	Robsion, Ky.	Wilson, Calif.
Mack, Ill.	Rodino	Wilson, Ind.
Mack, Wash.	Rogers, Colo.	Withrow
Madden	Rogers, Fla.	Wolverton
Magnuson	Rogers, Mass.	Wright
Mahon	Rogers, Tex.	Yates
Mailliard	Roosevelt	Younger
Marshall	Rutherford	Zablocki
Martin	St. George	
May	Saylor	

NAYS—1

Schenck

NOT VOTING—129

Andersen, H. Carl	Doyle	Kilburn
Anfuso	Durham	Landrum
Ashley	Engle	Latham
Auchincloss	Evins	LeCompte
Avery	Farbstein	McCormack
Barden	Fino	McCulloch
Baring	Fisher	McGregor
Bass, N. H.	Frelinghuysen	McIntire
Baumhart	Friedel	McMillan
Beamer	Gathings	Macdonald
Belcher	George	Mason
Bentley	Glenn	Matthews
Berry	Gordon	Miller, Calif.
Betts	Griffiths	Miller, N. Y.
Blitch	Gwinn	Mitchell
Boggs	Hale	Moore
Boykin	Hardy	Morgan
Brooks, La.	Harrison, Nebr.	Morrison
Broomfield	Harvey	Mumma
Buckley	Hébert	Neal
Burdick	Healey	O'Neill
Cannon	Henderson	Osmers
Christopher	Herlong	Pilcher
Clevenger	Hess	Powell
Coffin	Hill	Preston
Collier	Hillings	Prouty
Colmer	Hoffman	Radwan
Coudert	Holtzman	Reed
Cunningham, Nebr.	Hosmer	Rivers
Davis, Tenn.	Jackson	Robeson, Va.
Dawson, Ill.	James	Robison, N. Y.
Dellay	Jenkins	Rooney
Derounian	Jennings	Sadlak
Dies	Jensen	Santangelo
Diggs	Johnson	Scherer
Dollinger	Kean	Scott, Pa.
Doyle	Kearney	Sheehan
Durham	Keogh	Shuford
Engle	Kilburn	Siler
Evins	Landrum	Smith, Miss.
Farbstein	Latham	Taylor
Fino	LeCompte	Teague, Calif.
Fisher	McCormack	Teague, Tex.
Frelinghuysen	McCulloch	Thompson, La.
Friedel	McGregor	Tollefson
Gathings	McIntire	Vanik
George	McMillan	Van Zandt
Glenn	Macdonald	Vinson
Gordon	Mason	Wainwright
Griffiths	Matthews	Widnall
Gwinn	Miller, Calif.	Williams, N. Y.
Hale	Miller, N. Y.	Winstead
Hardy	Mitchell	Young
Harrison, Nebr.	Moore	Zelenko
Harvey	Morgan	
Hébert	Morrison	
Healey	Mumma	
Henderson	Neal	
Herlong	O'Neill	
Hess	Osmers	
Hill	Pilcher	
Hillings	Powell	
Hoffman	Preston	
Holtzman	Prouty	
Hosmer	Radwan	
Jackson	Reed	
James	Rivers	
Jenkins	Robeson, Va.	
Jennings	Robison, N. Y.	
Jensen	Rooney	
Johnson	Sadlak	
Kean	Santangelo	
Kearney	Scherer	
Keogh	Scott, Pa.	
Kilburn	Sheehan	
Landrum	Shuford	
Latham	Siler	
LeCompte	Smith, Miss.	
McCormack	Taylor	
McCulloch	Teague, Calif.	
McGregor	Teague, Tex.	
McIntire	Thompson, La.	
McMillan	Tollefson	
Macdonald	Vanik	
Mason	Van Zandt	
Matthews	Vinson	
Miller, Calif.	Wainwright	
Miller, N. Y.	Widnall	
Mitchell	Williams, N. Y.	
Moore	Winstead	
Morgan	Young	
Morrison	Zelenko	
Mumma		
Neal		
O'Neill		
Osmers		
Pilcher		
Powell		
Preston		
Prouty		
Radwan		
Reed		
Rivers		
Robeson, Va.		
Robison, N. Y.		
Rooney		
Sadlak		
Santangelo		
Scherer		
Scott, Pa.		
Sheehan		
Shuford		

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Taylor.
Mr. Thompson of Louisiana with Mr. Auchincloss.
Mr. Morrison with Mr. Scherer.
Mr. Colmer with Mr. McGregor.
Mr. Winstead with Mr. Clevenger.
Mr. Preston with Mr. Fino.
Mr. Pilcher with Mr. George.
Mr. Landrum with Mr. Hess.
Mr. Vinson with Mr. Baumhart.
Mr. Brooks of Louisiana with Mr. Beamer.
Mr. Boggs with Mr. Kean.
Mrs. Blitch with Mr. Kilburn.
Mrs. Griffiths with Mr. Widnall.
Mr. Boykin with Mr. Sadlak.
Mr. Santangelo with Mr. Collier.
Mr. Keogh with Mr. Broomfield.
Mr. Anfuso with Mr. McCulloch.
Mr. Buckley with Mr. Miller of New York.
Mr. Dollinger with Mr. Moore.
Mr. Zelenko with Mr. Prouty.
Mr. Healey with Mr. Frelinghuysen.
Mr. Farbstein with Mr. Cunningham of Nebraska.
Mr. Holtzman with Mr. Harvey.
Mr. Friedel with Mr. Henderson.
Mr. Mitchell with Mr. Hoffman.
Mr. Engle with Mr. Bass of New Hampshire.
Mr. Doyle with Mr. Van Zandt.
Mr. Miller of California with Mr. Hosmer.
Mr. Rooney with Mr. Reed of New York
Mr. Rivers with Mr. Derounian.
Mr. Morgan with Mr. Mason.
Mr. O'Neill with Mr. Glenn.
Mr. Evins with Mr. Bentley.
Mr. Diggs with Mr. Berry.
Mr. Dies with Mr. Betts.
Mr. Dawson of Illinois with Mr. Sheehan.
Mr. Johnson of Wisconsin with Mr. Hale.
Mr. Jennings with Mr. H. Carl Andersen.
Mr. Teague of Texas with Mr. Gross.
Mr. Vanik with Mr. Mumma.
Mr. Young with Mr. Neal.
Mr. Macdonald with Mr. McIntire.
Mr. Matthews with Mr. Siler.
Mr. Fisher with Mr. Teague of California.
Mr. Durham with Mr. Jackson.
Mr. Christopher with Mr. Avery.
Mr. Baring with Mr. Wainwright.
Mr. Herlong with Mr. Tollefson.
Mr. Hardy with Mr. Coudert.
Mr. Robeson of Virginia with Mr. Radwan.
Mr. Smith of Mississippi with Mr. Scott of Pennsylvania.
Mr. Gordon with Mr. Hillings.
Mr. Dellay with Mr. James.
Mr. Coffin with Mr. Jensen.
Mr. Davis of Tennessee with Mr. Kearney.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 3, line 10, insert:

"MILITARY CONSTRUCTION, ARMY RESERVE FORCES

"For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components, including the Army National Guard of the United States, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, and as may be authorized by law during the second session of the 85th Congress, without regard to section 4774 (d) of title 10, United States Code, and section 3734,

Revised Statutes, as amended, and land and interest therein may be acquired, constructed, and prosecuted thereon prior to approval of title by the Attorney General as required by section 355 of the Revised Statutes, as amended; and hire of passenger motor vehicles; to remain available until expended, $28,330,000."

Mr. SHEPPARD. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SHEPPARD moves that the House recede from its disagreement to the amendment of the Senate No. 2, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$6,250,000."

Mr. JONAS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, the adoption of this amendment will make $54.5 million available in the current fiscal year for the construction of Army National Guard and Army Reserve Forces armories. This sum will not be sufficient to build all of the armories that are needed to house the National Guard adequately, but it will permit a substantial reduction in the backlog of authorized projects.

While I went along with the conference report, and in fact strongly support all other provisions of it, I want the RECORD to show that I did so reluctantly so far as this amendment is concerned and only after making every reasonable effort to secure approval of the sum provided in the Senate bill or at least 50 percent of it.

I did not advocate increasing the total appropriation but felt that the additional funds needed to provide long overdue housing for our National Guard units could have been obtained by deleting an equivalent sum from some less pressing projects.

Mr. Speaker, I have participated in a sufficient number of these conferences to realize that there always comes a time when further argument is fruitless and a compromise must be made if the legislative process is to function. The $6,250,000 added by this amendment was just such a compromise. Some of the conferees, including myself, insisted upon a substantially higher figure; others insisted upon nothing. The compromise we bring you in this amendment represents the composite view of the conferees and was the best compromise possible under the circumstances.

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 4, line 16, strike out "$676,741,000" and insert "$681,-948,000."

Mr. SHEPPARD. Mr. Speaker I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SHEPPARD moves that the House recede from its disagreement to the amendment of the Senate No. 3, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$295,-000,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: Page 4, line 18, insert ": *Provided*, That no more than $500,-000 of the amount provided in the funding program for "Operational and Training Facilities, Naval Shipyard, Long Beach, Calif." shall be utilized for protective works until the Secretary of the Navy determines in his judgment that sufficient action has been taken or arrangements made to arrest further subsidence of the shipyard."

Mr. SHEPPARD. Mr. Speaker, I move that the House insist upon its disagreement to the amendment of the Senate numbered 4.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 6, line 10, insert ", of which $683,000 is for the construction of a dam for the purpose of increasing the water supply for Pease Air Force Base together with the unexpended portion of funds heretofore made available for that purpose."

Mr. SHEPPARD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10. Page 10, line 14, strike out section 612.

Mr. SHEPPARD. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SHEPPARD moves that the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 612. No part of the funds provided in this act shall be used for purchase of land or land easements in excess of 110 per centum of the value as determined by the Corps of Engineers or the Bureau of Yards and Docks, except: (a) where there is a determination of value by a Federal court, (b) purchases negotiated by the Attorney General or his designee, and (c) where the estimated value is less than $25,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13: On page 10, line 23, insert the following:

"GENERAL PROVISIONS

"SEC. 613. Such appropriations of the Department of Defense, available for obligation during the current fiscal year, as may be designated by the Secretary of Defense shall be available for the purposes of section 1 of the act approved April 3, 1958 (72 Stat. 78): *Provided*, That any such appropriations so utilized shall be accounted for under the limitation established by section 4 of said act."

Mr. SHEPPARD. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SHEPPARD moves that the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 614. Such appropriations of the Department of Defense, available for obligation during the current fiscal year, as may be designated by the Secretary of Defense shall be available for the purposes of section 1 of the act approved April 3, 1958 (72 Stat. 78): *Provided*, That any such appropriations so utilized shall be accounted for under the limitation established by section 4 of said act."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

EXTENDING RENEGOTIATION ACT OF 1951 FOR 6 MONTHS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 1, preceding "National" insert "the."

Page 2, line 2, after "Administration," " insert "Section 103 (b) of such act is amended by inserting 'the Administrator of the National Aeronautics and Space Administration,' after 'the Administrator of General Services.'"

Page 2, line 3, strike out "amendment" and insert "amendments."

Page 2, strike out all after line 10 over to and including line 3 on page 3.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. SIMPSON of Pennsylvania. Mr. Speaker, reserving the right to object, will the chairman of the committee be kind enough to tell the House the action taken on the part of the Senate with respect to the amendment having to do with the court of appeals?

Mr. MILLS. Let me refer to the fact that the Senate adopted two amendments. The first is a technical amendment with respect to section 2 of the bill. As it passed the House, section 2 provided that contracts entered into by the National Aeronautics and Space Administration would be subject to renegotiation. There was an imperfection in the language on this section and the Senate amendment merely perfects the language to carry out the original intention of the House.

The second amendment adopted by the Senate is a substantive amendment and deletes from the bill as it passed the House section 5. The Senate took this action, so I am informed, because the Senate Finance Committee had not had an opportunity in the short time left for

legislating to give adequate consideration to that section of the bill.

It further developed that the language in section 3 of the House bill, perhaps, was not as perfect as it should have been to carry out the intent to allow appeals from the Tax Court to the circuit court of appeals. The Finance Committee in its report said:

There was insufficient time for adequate consideration of this section of the bill, thus it was stricken with the understanding that this subject would be given thorough consideration in connection with the next extension of the act.

Mr. Speaker, I want it to be clear that in taking this action on agreeing to this Senate amendment, we on this side do so without prejudice to the amendment and solely because of the fact that the other body did not have an opportunity to give adequate consideration to it. Of course, as the gentleman from Pennsylvania knows, and as stated in the House report, the Committee on Ways and Means is going to make a study of the entire subject of renegotiation in the next session of the Congress. At that time I am sure the subject involved in section 3 will be considered. In the event that the committee should again decide to report legislation further extending the Renegotiation Act and include therein the right to appeal from the Tax Court to the Circuit Court of Appeals, the committee could provide for that appeal to be available with respect to cases now pending in the Tax Court. In that event there would be no loss to anyone of the opportunity to appeal through failure of the Congress to adopt section 3 at this time.

Mr. SIMPSON of Pennsylvania. I thank the gentleman. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I have joined with the distinguished chairman of the House Committee on Ways and Means in asking that the House concur in the Senate amendments to legislation extending for 6 months the Renegotiation Act of 1951. The Senate amendments with respect to substantive changes deleted section 3 of the House-passed bill. This section was intended to provide judicial review of decisions of the Tax Court in renegotiation cases. The Senate Finance Committee report indicates that the Senate action in deleting this provision is without prejudice to the proposal of appellate review and in fact assures that thorough consideration will be given to this matter in connection with the next extension of the act. It is with that understanding that I have agreed to accept the Senate amendment deleting the review provision. It will be my hope that the inclusion of review procedure under the act will be made in such a manner as to protect the appeal rights of those cases that may be disposed of between the present time and the enactment into law of the next piece of legislation dealing with this subject.

The House action on this bill in agreeing to the Senate amendments represents the last legislation to be brought to the House by the Committee on Ways and Means during the 85th Congress. It is appropriate, therefore, that I should acknowledge the truly outstanding work that has been done by my esteemed friend and distinguished chairman, the gentleman from Arkansas [Mr. MILLS]. During his period of service on the Committee on Ways and Means he has consistently served with great distinction and demonstrated outstanding ability and thorough knowledge of the subject matter under consideration. Despite his past record of very significant achievement I believe it fair to state that he has surpassed his previous attainments in the service he has rendered since becoming chairman in January of this year. Mr. Mills has been fair and understanding. He has been patient in exasperating times and courageous in difficult times. In short, Mr. Speaker, WILBUR MILLS has done what all of us knew he would do—he has established himself as a great chairman of a great committee. It is my hope that he succeeds in getting well-deserved rest during the adjournment period.

NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. ELLIOTT. Mr. Speaker, I call up the conference report on the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mrs. CHURCH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama whether I can believe the evidence before my eyes that the House conferees did not insist on including in the conference report the antidiscrimination amendment which was passed by the House, both as to title II and title III. It seems to me that the amendment, which read that there should be no discrimination upon the basis of race, color, religion, national origin or sex, should certainly have been included in the conference report; and I am wondering if the gentleman could possibly explain why the House conferees did not make a strong and hearty and successful effort for its inclusion and whether it would not have been possible to have kept the amendment in. I consider it a great loss to the bill and a step backward in the cause of education.

Mr. ELLIOTT. May I say to the gentlewoman from Illinois with reference to that item the House adopted the Senate language which did not contain the amendment to which the gentlewoman refers; the decision was reached, also, in light, I might say, of the discussion that the amendment in this bill was unneeded and would actually have no effect one way or the other.

Mrs. CHURCH. I withdraw my reservation of objection to consideration of the report, Mr. Speaker, although I shall continue my objection to the acceptance of the Senate position in this matter.

Mr. ROOSEVELT. Mr. Speaker, further reserving the right to object, may I ask the gentleman what are the grounds upon which he thinks that this amendment was not necessary, in view particularly of the fact that obviously in matters of this kind there is wide discretion. I would like to have him specifically explain, if I may, why the amendment is not necessary, because I think I may say to the gentleman on behalf of myself and the gentlewoman from Oregon [Mrs. GREEN] and others that we feel this is a very necessary amendment. If necessary, of course, we will introduce legislation early in the next year to amend the act to include it. But, at this time, before acting on any motion to accept the conference report, I think it needs to be explained why the gentleman feels the House provision is not necessary.

Mr. ELLIOTT. May I say to the gentleman that he knows, I think, and I think the majority of the Members of the House know that such language in legislation passed by the House is not necessary. We pass several hundred bills a year here, and every now and then the House selects a particular bill and attempts to add language of that kind. But, in this case it was felt by a large majority—maybe not unanimously but by a large majority—of the conferees that the language had no particular place in this bill, and we adopted the Senate language dealing with this matter in question, and the amendment which the gentlewoman refers to is not in the bill.

Mr. ROOSEVELT. Mr. Speaker, further reserving the right to object, I would say to the gentleman that I feel that that is not, frankly, a satisfactory answer to the question, because obviously when the House voted for the amendment, it must have felt it was necessary or it would not have accepted the amendment.

If I remember correctly—and I ask the gentleman whether this is not correct—is not this amendment included in other acts and was it not taken from other acts specifically word for word?

Mr. ELLIOTT. Certainly in partial answer to the gentleman from California's inquiry I think I might call to his attention a letter to me dated August 19, 1958, from the Department of Health, Education, and Welfare, in response to a letter which I had written the Department requesting its comment on the amendment in question. The letter from

the Department to me, reads in pertinent part as follows:

It is our belief that the quoted language is simply declaratory of the inherent meaning of other provisions of the bill. The action of the House of Representatives in adding this declaratory language to H. R. 13247 does not, in our opinion, alter the basis on which loans and fellowships would be awarded. It seems clear to us that the basis for the award of loans and fellowships would be the same without, as with, the antidiscrimination provisions.

Mr. METCALF. Mr. Speaker, will the gentleman yield to me?

Mr. ELLIOTT. I yield to the gentleman from Montana.

Mr. METCALF. Mr. Speaker, I was one of the conferees who held out as long as I could in order to keep this amendment in the bill. I concur in what the gentleman has said that an integral part of such legislation is that there shall be no discrimination because of race, color, sex, or any other discrimination. But we felt that it would be a strong part of the bill. Yet we found that the conferees on the other side were adamant because we had assurances from the Department of Health, Education, and Welfare that there would be no discrimination in administration of the act; and there has been no discrimination in the administration of other acts. So that rather than lose the whole bill we accepted a compromise, as you have to accept compromises, with the other body.

Mr. ROOSEVELT. Mr. Speaker, I understand from what the gentleman has said that it is the understanding of the conferees that the Department is bound not to discriminate because of race, color, creed, or sex; and with that understanding, Mr. Speaker, I withdraw my reservation of objection.

Mr. ALBERT. Mr. Speaker, reserving the right to object, and of course I do not intend to object, I take this time to congratulate and to thank the distinguished gentleman from Alabama for the job that the House conferees have done on this bill. The House position has been sustained in most important particulars. The gentleman who has been the architect of this measure is to be commended by the House not only for the job done in conference, but for the very fine bill which bears his name. This is unquestionably one of the landmarks in American statutory law. It may well be the greatest single achievement of the 85th Congress—a Congress which has been commended across the country for its monumental record. The gentleman from Alabama will be long remembered for his handiwork. This bill, more than any other, will meet the Communist threat. This bill means that the talent of our children will be conserved and developed. In my opinion, the course we take here is essential to the survival of democracy in the atomic age. I hope the bill will be passed and sent to the President by an overwhelming vote.

Mr. ELLIOTT. I thank my distinguished colleague, the gentleman from Oklahoma [Mr. ALBERT], very much. And I want to take this opportunity to thank him for the great aid and assistance that he has provided leading to the passage of this bill.

The gentleman has been most helpful. He has shown himself to have a genuine and abiding interest in America's schools and in the opportunities which they provide for America's young folks. The gentleman from Oklahoma has wrought mightily, and wrought well, in aiding this bill to achieve the place which it now occupies.

Mr. BOSCH. Mr. Speaker, reserving the right to object, I should like to ask the distinguished gentleman from Alabama if he can explain to the House the reason for the increase in the item for research and experimentation in TV and radio from $2 million as provided in the House bill to $15 million.

Mr. ELLIOTT. I shall be happy to answer the gentleman's question. The House had cut very severely the estimates which had been furnished. The House said that $8 million would be sufficient over a period of 4 years to do the job. The Senate had brought in a figure of $35 million. After much discussion, the conference committee came to the conclusion unanimously that in order to do the job properly it might require about $18 million over a 4-year period. That is the figure we agreed upon in the conference report.

Mr. BOSCH. Mr. Speaker, I withdraw my reservation of objection.

Mr. THOMSON of Wyoming. Mr. Speaker, apparently, the needle is getting in too far and we are getting too close to the truth on this legislation to suit the proponents of all-out Federal aid to education, and they have to resort to parliamentary maneuvers to shut off debate.

As I was saying before I was cut off by the quorum call, I too was extremely interested in the remarks of the gentleman from New Jersey [Mr. THOMPSON] and commend him for his forthrightness in bringing this situation into true focus. This is particularly significant viewed in the fact that he was the spokesman for 80 of his liberal Democratic colleagues on January 30, 1957, when he placed in the RECORD the proposed program for the Democrats in the House of Representatives in the 85th Congress. Mind you, this was on January 30, 1957, before sputnik or anything else to which they attempt to tie this bill. That program set forth very definitely the position in favor of general Federal aid to education in all events.

The time-honored technique of seizing upon a situation to accomplish the purpose which they are for in any event has again been used. I regret to see that it appears that this will again be successful. My colleagues who have opposed Federal aid to education previously, but are voting for this bill, I am sure mean what they say when they refer to it as a temporary measure and insist that its scope should not be broadened. In answer to this, I merely challenge anyone to show where any program such as this has ever been undertaken by the Federal Government and has ever been discontinued.

That this is only a foot in the door and must be expanded is obvious from the infinitesimal number of people that it will assist and funds it will provide. I do not intend to review my remarks made in the Committee of the Whole when the bill was originally under discussion in the House, but I think everyone realizes that is the fact. This is strictly a foot-in-the-door proposition of the worst sort. It involves many things more dangerous than Federal aid to school construction. It provides for a little Federal aid to our school system, across the board—elementary, high school, and colleges. It provides for a little Federal aid for construction, for equipment, for supervision, and to the student. All of these programs will be expanded, and we know that there will be an immediate effort in that direction. With it comes all of the evils of Federal control of the school system.

The worst thing is that the technique of when a situation does not develop, you create one, has really been employed. This is given the fancy title of the National Defense Education Act, but as was so well pointed out on the floor of the House during debate, there is nothing pertaining to national defense in this act.

I quote an editorial of August 15, 1958, from the Casper Tribune-Herald, one of the fine newspapers in Wyoming:

THE WAY TO DEFICITS

The Senate has passed a broad Federal aid to education bill designed, so the news report of the action goes, to help meet the challenge flashed by Soviet scientific advances. No wonder people become confused.

Soviet scientific advances were not achieved by a newly developed crop of geniuses out of the Soviet educational system, but by older Soviet scientists, the counterparts of our own. A difficulty is that the American people are encouraged to think of Russia as backward and the Russians as incompetent—and this country, somehow, superior in everything.

It is the lot of no nation to outperform all others in all things, and it might be well to adjust to the fact before, say, the Chinese come up with a real shocker.

Still, aid to education rides the propaganda line. In Senate-approved form it represents a new cost to taxpayers of $1.3 billion; or converted into deficit and debt, as it will be, a cumulative cost much greater. The House scaled its own bill to something more than $900 million by eliminating Federal scholarships.

The Senate holds to scholarships, all 23,000 of them, in the fields of science, mathematics, and foreign languages. The latter crept in as an afterthought, possibly because Government found too many of the representatives it sent abroad unable to speak the languages of the countries to which they were sent.

However, the Senate made a concession, against stiff opposition, in that it scaled the value of scholarships to $250 a year and authorized loans of up to $750 a year to needy scholarship winners.

Opponents argued that reducing the amount of the scholarships would defeat the purpose of encouraging students to study harder and take tougher courses. If that seems to make educational incentive a matter of subsidy rather than opportunity, the idea is no more crackpot than that basic to the aid bill itself.

For that matter, Senator PAT MCNAMARA of Michigan fairly well spelled out the situation with an amendment that would have added a $2 billion school construction program to the authorization on the ground that the scholarship-loan plan offered no help for primary and secondary schools.

The Senate shied away from the proposal primarily, it seems, because it opened the way to a school integration fight with attempts to bar Federal funds from segregated schools, a sure kiss of death.

As matters stand, the Senate passed its bill by overwhelming majority—nearly 2½ to 1—and a new Federal aid venture is assured on the scale of a billion dollars that Government doesn't have and can't get, and indeed, doesn't dare to ask.

Here is fiscal irresponsibility at its worst.

Mr. Speaker, some good things which I would like to support are included in this bill. There are separate bills pending on them before this body. If this conference report, which I am going to vote against, is voted down, they can be passed and will have my full support. I particularly refer to vocational education.

If this bill passes, it will be a great victory for those who are in favor of Federal support of our schools and Federal control of our schools, but it will be indeed a dark day for America and for American education.

Mr. GROSS. Mr. Speaker, further reserving the right to object, if I understood the gentleman from Alabama correctly, the Department of Health, Education, and Welfare claims there has been no discrimination; is that correct?

Mr. ELLIOTT. That sums up what was said about it. As the gentleman knows, this is not a new program. This procedure, as the gentleman well knows, is not new. There are many other programs now being carried on of like character. There is the program under Public Laws 815 and 874. May I say that we held long hearing on this matter, and so far as it was brought to our attention, there was no evidence of any discrimination with respect to the handling of those programs.

Mr. GROSS. I am glad to have the gentleman's statement, because the gentleman from California [Mr. ROOSEVELT] and others who have questioned the gentleman on this subject should be aware now that there is no intention next year to provide antidiscriminatory legislation. I think the point ought to be made clear and complete at this time, that in voting for the conference report you are voting for a bill without any antidiscrimination provisions; you will be voting for a bill on which the House conferees have retreated completely on the issue of discrimination. Furthermore, you will be voting for a law in which, according to the interpretation of the gentleman from Alabama, there will be full and complete integration as provided by the Department of Health, Education, and Welfare. Thus any college practicing segregation would not be eligible to participate.

Mr. DIXON. Reserving the right to object, Mr. Speaker, the conference committee took all the scholarships out of the bill; is that not right?

Mr. ELLIOTT. That is correct. May I say to the gentleman from Utah we brought back exactly what the House passed in that respect except for three changes. Those changes are:

We lowered the interest rate from 4 percent to 3 percent.

Secondly, we provide in the case of people who teach that if they teach 5 years one-half of their loans will be forgiven. That provision was not in the House bill but it was in the Senate bill. Upon discussion we came to the conclusion in the light of the use of that provision by 11 States that it was perhaps a good provision and one that we could try out for a period of 4 years.

Mr. DIXON. That will help us to recruit the best scholars for our depleted teaching staff. It also will induce students to teach, so they serve the country just the same as ROTC students who get aid, or those who go to Annapolis or West Point. Is not that true?

Mr. ELLIOTT. We thought it would be a good trial run, so to speak, to try to get some of the additional teachers that the country so badly needs at this time. Let me say to my friend, may we proceed with the consideration of the conference report and continue our discussion after the statement is read?

Mr. DIXON. I just want to say that I think that the cancellation of 10 percent of the loan each year for the first 5 years in which the recipient of the loan teaches is a magnificent addition to our bill. The committee did a splendid job in preserving the House bill almost intact in making junior colleges eligible, in appropriating $20 million a year for area vocational schools, in making loans interest free until 1 year after graduation, and in eliminating the 23,000 scholarships from the Senate version.

At long last we are beginning to quit grumbling about our schools and to give them help that is long overdue. It is better to light a candle than to curse in the darkness. August 23 (today) will go down in history as the beginning of a new educational awakening in America.

Mr. ELLIOTT. I thank the gentleman very much. The gentleman has been most helpful in working out this legislation. His knowledge and experience; his suggestions, his friendliness at each step of the way have been inspiring and helpful. The gentleman came to the House of Representatives as a great educator. Here he has proven himself a statesman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama that the statement be read in lieu of the report?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2688)

[To accompany H. R. 13247]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act, divided into titles and sections according to the following table of contents, may be cited as the 'National Defense Education Act of 1958'.

"TABLE OF CONTENTS

"*Title I—General provisions*

"Sec. 101. Findings and declaration of policy.
"Sec. 102. Federal control of education prohibited.
"Sec. 103. Definitions.

"*Title II—Loans to students in institutions of higher education*

"Sec. 201. Appropriations authorized.
"Sec. 202. Allotments to States.
"Sec. 203. Payment of Federal capital contributions.
"Sec. 204. Conditions of agreements.
"Sec. 205. Terms of loans.
"Sec. 206. Distributions of assets from student loan funds.
"Sec. 207. Loans to institutions.
"Sec. 208. Payments to cover reductions in amounts of loans.
"Sec. 209. Administrative provisions.

"*Title III—Financial assistance for strengthening science, mathematics, and modern foreign language instruction*

"Sec. 301. Appropriations authorized.
"Sec. 302. Allotments to States.
"Sec. 303. State plans.
"Sec. 304. Payments to States.
"Sec. 305. Loans to nonprofit private schools.

"*Title IV—National defense fellowships*

"Sec. 401. Appropriations authorized.
"Sec. 402. Number of fellowships.
"Sec. 403. Award of fellowships and approval of institutions.
"Sec. 404. Fellowship stipends.
"Sec. 405. Fellowship conditions.

"*Title V—Guidance, counseling, and testing; identification and encouragement of able students*

"Part A—State Programs

"Sec. 501. Appropriations authorized.
"Sec. 502. Allotments to States.
"Sec. 503. State plans.
"Sec. 504. Payments to States.

"Part B—Counseling and Guidance Training Institutes

"Sec. 511. Authorization.

"*Title VI—Language development*

"Part A—Centers and Research and Studies

"Sec. 601. Language and area centers.
"Sec. 602. Research and studies.
"Sec. 603. Appropriations authorized.

"Part B—Language Institutes

"Sec. 611. Authorization.

"*Title VII—Research and experimentation in more effective utilization of television, radio, motion pictures, and related media for educational purposes*

"Part A—Research and Experimentation

"Sec. 701. Functions of the Commissioner.
"Sec. 702. Grants-in-aid; contracts.

"Part B—Dissemination of Information on New Educational Media

"Sec. 731. Functions of the Commissioner.

"Part C—General Provisions

"Sec. 761. Establishment of the advisory committee.
"Sec. 762. Special personnel.
"Sec. 763. Appropriations authorized.

"*Title VIII—Area vocational education programs*

"Sec. 801. Statement of findings and purpose.
"Sec. 802. Amendment to Vocational Education Act of 1946.

"Title IX—Science information service
"Sec. 901. Functions of the service.
"Sec. 902. Science information council.
"Sec. 903. Authority for certain grants and contracts.
"Sec. 904. Appropriations authorised.
Title X—Miscellaneous provisions
"Sec. 1001. Administration.
"Sec. 1002. Advisory committees.
"Sec. 1003. Exemption from conflict-of-interest laws of members of advisory committees or information council.
"Sec. 1004. Administration of State plans.
"Sec. 1005. Judicial review.
"Sec. 1006. Method of payment.
"Sec. 1007. Administrative appropriations authorized.
"Sec. 1008. Allotments to Territories and possessions.
"Sec. 1009. Improvement of statistical services of State educational agencies.

"TITLE I—GENERAL PROVISIONS

"Findings and declaration of policy

"SEC. 101. The Congress hereby finds and declares that the security of the Nation requires the fullest development of the mental resources and technical skills of its young men and women. The present emergency demands that additional and more adequate educational opportunities be made available. The defense of this Nation depends upon the mastery of modern techniques developed from complex scientific principles. It depends as well upon the discovery and development of new principles, new techniques, and new knowledge.

"We must increase our efforts to identify and educate more of the talent of our Nation. This requires programs that will give assurance that no student of ability will be denied an opportunity for higher education because of financial need; will correct as rapidly as possible the existing imbalances in our educational programs which have led to an insufficient proportion of our population educated in science, mathematics, and modern foreign languages and trained in technology.

"The Congress reaffirms the principle and declares that the States and local communities have and must retain control over and primary responsibility for public education. The national interest requires, however, that the Federal Government give assistance to education for programs which are important to our defense.

"To meet the present educational emergency requires additional effort at all levels of government. It is therefore the purpose of this Act to provide substantial assistance in various forms to individuals, and to States and their subdivisions, in order to insure trained manpower of sufficient quality and quantity to meet the national defense needs of the United States.

"Federal control of education prohibited

"SEC. 102. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

"Definitions

"SEC. 103. As used in this Act—

"(a) The term 'State' means a State, Alaska, Hawaii, Puerto Rico, the District of Columbia, the Canal Zone, Guam, or the Virgin Islands, except that as used in section 302 and 502, such term does not include Alaska, Hawaii, Puerto Rico, the Canal Zone, Guam, or the Virgin Islands.

"(b) The term 'institution of higher education' means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of title II, such term includes any private business school or technical institution which meets the provisions of clauses (1), (2), (3), (4), and (5). For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

"(c) The term 'Commissioner' means the Commissioner of Education.

"(d) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(e) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

"(f) The term 'school-age population' means that part of the population which is between the ages of five and seventeen, both inclusive, and such school-age population for the several States shall be determined by the Commissioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce.

"(g) The term 'elementary school' means a school which provides elementary education, as determined under State law.

"(h) The term 'secondary school' means a school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12. For the purposes of sections 301 through 304, the term 'secondary school' may include a public junior college, as determined under State law.

"(i) The term 'public' as applied to any school or institution does not include a school or institution of any agency of the United States.

"(j) The term 'nonprofit,' as applied to a school or institution, means a school or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual, and, for purposes of part A of title V, includes a school of any agency of the United States.

"(k) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State.

"TITLE II—LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

"Appropriations authorized

"SEC. 201. For the purpose of enabling the Commissioner to stimulate and assist in the establishment at institutions of higher education of funds for the making of low-interest loans to students in need thereof to pursue their courses of study in such institutions, there are hereby authorized to be appropriated $47,500,000 for the fiscal year ending June 30, 1959, $75,000,000 for the fiscal year ending June 30, 1960, $82,500,000 for the fiscal year ending June 30, 1961, $90,000,000 for the fiscal year ending June 30, 1962, and such sums for the fiscal year ending June 30, 1963, and each of the three succeeding fiscal years as may be necessary to enable students who have received a loan for any school year ending prior to July 1, 1962, to continue or complete their education. Sums appropriated under this section for any fiscal year shall be available, in accordance with agreement between the Commissioner and institutions of higher education, for payment of Federal capital contributions which, together with contributions from the institutions, shall be used for establishment and maintenance of student loan funds.

"Allotments to States

"SEC. 202. (a) From the sums appropriated pursuant to section 201 for any fiscal year ending prior to July 1, 1962, the Commissioner shall allot to each State an amount which bears the same ratio to the amount so appropriated as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all of the States. The number of persons enrolled on a full-time basis in institutions of higher education for purposes of this section shall be determined by the Commissioner for the most recent year for which satisfactory data are available to him.

"(b) Sums appropriated pursuant to section 201 for any fiscal year ending after June 30, 1962, shall be allotted among the States in such manner as the Commissioner determines to be necessary to carry out the purpose for which such amounts are appropriated.

"Payment of Federal capital contributions

"SEC. 203. (a) The Commissioner shall from time to time set dates by which institutions of higher education in a State must file applications for Federal capital contributions from the allotment of such State. In the event the total requested in such applications, which are made by institutions with which he has agreements under this title and which meet the requirements established in regulations of the Commissioner, exceeds the amount of the allotment of such State available for such purpose, the Federal capital contribution from such allotment to each such institution shall bear the same ratio to the amount requested in its application as the amount of such allotment available for such purpose bears to the total requested in all such applications. In the event the total requested in such applications which are made by institutions in a State is less than the amount of the allotment of such State available for such purpose, the Commissioner may reallot the remaining amount from time to time, on such date or dates as the Commissioner may fix, to other States in proportion to the original allotments to such States under section 202 for such year. The Federal capital contribution to an institution shall be paid to it from time to time in such installments as the Commissioner determines will not result in unnecessary accumulations in the student loan fund established under its agreement under this title.

"(b) In no case may the total of such Federal capital contributions to any institution of higher education for any fiscal year exceed $250,000.

"Conditions of agreements

"SEC. 204. An agreement with any institution of higher education for Federal capital contributions by the Commissioner under this title shall—

"(1) provide for establishment of a student loan fund by such institution;

"(2) provide for deposit in such fund of (A) the Federal capital contributions, (B) an amount, equal to not less than one-ninth of such Federal capital contributions, contributed by such institution, (C) collections of principal and interest on student loans made from such fund, and (D) any other earnings of the fund;

"(3) provide that such student loan fund shall be used only for loans to students in accordance with such agreement, for capital distributions as provided in this title, and for costs of litigation arising in connection with the collection of any loan from the fund or interest on such loan;

"(4) provide that in the selection of students to receive loans from such student loan fund special consideration shall be given to (A) students with a superior academic background who express a desire to teach in elementary or secondary schools, and (B) students whose academic background indicates a superior capacity or preparation in science, mathematics, engineering, or a modern foreign language; and

"(5) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this title and as are agreed to by the Commissioner and the institution.

"Terms of loans

"SEC. 205. (a) The total of the loans for any fiscal year to any student made by institutions of higher education from loan funds established pursuant to agreements under this title may not exceed $1,000, and the total for all years to any student from such funds may not exceed $5,000.

"(b) Loans from any such loan fund to any student by any institution of higher education shall be made on such terms and conditions as the institution may determine; subject, however, to such conditions, limitations, and requirements as the Commissioner may prescribe (by regulation or in the agreement with the institution) with a view to preventing impairment of the capital of the student loan fund to the maximum extent practicable in the light of the objective of enabling the student to complete his course of study; and except that—

"(1) such a loan shall be made only to a student who (A) is in need of the amount of the loan to pursue a course of study at such institution, and (B) is capable, in the opinion of the institution, of maintaining good standing in such course of study, and (C) has been accepted for enrollment as a full-time student at such institution or, in the case of a student already attending such institution, is in good standing and in full-time attendance there either as an undergraduate or graduate student;

"(2) such a loan shall be evidenced by a note or other written agreement which provides for repayment of the principal amount, together with interest thereon, in equal annual installments, or, if the borrower so requests, in graduated periodic installments (determined in accordance with such schedules as may be approved by the Commissioner), over a period beginning one year after the date on which the borrower ceases to pursue a full-time course of study at an institution of higher education and ending eleven years after such date, except that (A) interest shall not accrue on any such loan, and periodic installments need not be paid, during any period (i) during which the borrower is pursuing a full-time course of study at an institution of higher education, or (ii) not in excess of three years, during which the borrower is a member of the Armed Forces of the United States, (B) any such period shall not be included in determining the ten-year period during which the repayment must be completed, (C) such ten-year period may also be extended for good cause determined in accordance with regulations of the Commissioner, and (D) the borrower may at his option accelerate repayment of the whole or any part of such loan;

"(3) not to exceed 50 per centum of any such loan (plus interest) shall be canceled for service as a full-time teacher in a public elementary or secondary school in a State, at the rate of 10 per centum of the amount of such loan plus interest thereon, which was unpaid on the first day of such service, for each complete academic year of such service;

"(4) such a loan shall bear interest, on the unpaid balance of the loan, at the rate of 3 per centum per annum except that no interest shall accrue before the date on which repayment of the loan is to begin;

"(5) such a loan shall be made without security and without endorsement, except that, if the borrower is a minor and the note or other evidence of obligation executed by him would not, under the applicable law, create a binding obligation, either security or endorsement may be required;

"(6) the liability to repay any such loan shall be canceled upon the death of the borrower, or if he becomes permanently and totally disabled as determined in accordance with regulations of the Commissioner;

"(7) such a loan by an institution for any year shall be made in such installments as may be provided in regulations of the Commissioner or the agreement with the institution under this title and, upon notice to the Commissioner by the institution that any recipient of a loan is failing to maintain satisfactory standing, any or all further installments of his loan shall be withheld, as may be appropriate; and

"(8) no note or other evidence of such a loan may be transferred or assigned by the institution of higher education making the loan except, upon the transfer of the borrower to another institution of higher education participating in the program under this title (or, if not participating, is eligible to do so and is approved by the Commissioner for such purpose), to such institution.

"(c) An agreement under this title for payment of Federal capital contributions shall include provisions designed to make loans from the student loan fund established pursuant to such agreement reasonably available (to the extent of the available funds in such fund) to all eligible students in such institution in need thereof.

"Distributions of assets from student loan funds

"SEC. 206. (a) After June 30, 1966, and not later than September 30, 1966, there shall be a capital distribution of the balance of the student loan fund established under this title by each institution of higher education as follows:

"(1) The Commissioner shall first be paid an amount which bears the same ratio to the balance in such fund at the close of June 30, 1966, as the total amount of the Federal capital contributions to such fund by the Commissioner under this title bears to the sum of such Federal capital contributions and the institution's capital contributions to such fund.

"(2) The remainder of such balance shall be paid to the institution.

"(b) After September 30, 1966, each institution with which the Commissioner has made an agreement under this title shall pay to the Commissioner, not less often than quarterly, the same proportionate share of amounts received by the institution after June 30, 1966, in payment of principal or interest on student loans made from the student loan fund established pursuant to such agreement (which amount shall be determined after deduction of any costs of litigation incurred in collection of the principal or interest on loans from the fund and not already reimbursed from the student loan fund or such payments of principal or interest) as was determined for the Commissioner under subsection (a).

"(c) Upon a finding by the institution or the Commissioner prior to July 1, 1966, that the liquid assets of a student loan fund established pursuant to an agreement under this title exceed the amount required for loans or otherwise in the foreseeable future, and upon notice to such institution or to the Commissioner, as the case may be, there shall be, subject to such limitations as may be included in regulations of the Commissioner or in such agreement, a capital distribution from such fund. Such capital distribution shall be made as follows:

"(1) The Commissioner shall first be paid an amount which bears the same ratio to the total to be distributed as the Federal capital contributions by the Commissioner to the student loan fund prior to such distribution bear to the sum of such Federal capital contributions and the capital contributions to the fund made by the institution.

"(2) The remainder of the capital distribution shall be paid to the institution.

"Loans to institutions

"SEC. 207. (a) Upon application by any institution of higher education with which he has made an agreement under this title, the Commissioner may make a loan to such institution for the purpose of helping to finance the institution's capital contributions to a student loan fund established pursuant to such agreement. Any such loan may be made only if such institution shows it is unable to secure such funds from non-Federal sources upon terms and conditions which the Commissioner determines to be reasonable and consistent with the purposes of this title. Loans made to institutions under this section shall bear interest at a rate which the Commissioner determines to be adequate to cover (1) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Commissioner under this section, (2) the cost of administering this section, and (3) probable losses.

"(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, but not to exceed a total of $25,000,000.

"(c) Loans made by the Commissioner under this section shall mature within such period as may be determined by the Commissioner to be appropriate in each case, but not exceeding fifteen years.

"Payments to cover reductions in amounts of loans

"SEC. 208. In addition to the payments otherwise authorized to be made pursuant to this title, the Commissioner shall pay to the appropriate institution, at such time or times as he determines, an amount which bears the same ratio to the interest which has been prevented from accruing and the portion of the principal which has been cancelled on student loans pursuant to paragraph (3) of section 205 (b) (and not previously paid pursuant to this subsection) as the total amount of the institution's capital contributions to such fund under this title bears to the sum of such institution's capital contributions and the Federal capital contributions to such fund.

"Administrative provisions

"SEC. 209. (a) The Commissioner, in addition to the other powers conferred upon him by this title, shall have power to agree to modifications of agreements or loans made under this title and to compromise, waive, or release any right, title, claim, or demand, however arising or acquired under this title.

"(b) Financial transactions of the Commissioner pursuant to this title, and vouchers approved by him in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such transactions shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller General may by regulation prescribe.

"TITLE III—FINANCIAL ASSISTANCE FOR STRENGTHENING SCIENCE, MATHEMATICS, AND MODERN FOREIGN LANGUAGE INSTRUCTION

"Appropriations authorized

"SEC. 301. There are hereby authorized to be appropriated $70,000,000 for the fiscal year ending June 30, 1959, and for each of the three succeeding fiscal years, for (1) making payments to State educational agencies under this title for the acquisition of equipment (suitable for use in providing education in science, mathematics, or modern foreign language) and for minor remodeling described in paragraph (1) of section 303 (a), and (2) making loans authorized in section 305. There are also authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1959, and for each of the three succeeding fiscal years, for making payments to State educational agencies under this title to carry out the programs described in paragraph (5) of section 303 (a).

"Allotments to States

"SEC. 302. (a) (1) From the sums appropriated pursuant to the first sentence of section 301 for any fiscal year the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine for allotment as provided in section 1008, and shall reserve 12 per centum for loans authorized in section 305. From the remainder of such sums the Commissioner shall allot to each State an amount which bears the same ratio to the amount of such remainder as the product of—

"(A) the school-age population of the State, and

"(B) the State's allotment ratio (as determined under paragraph (2)),

bears to the sum of the corresponding products for all the States.

"(2) The 'allotment ratio' for any State shall be 100 per centum less the product of (A) 50 per centum and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the continental United States, except that the allotment ratio shall in no case be less than 33⅓ per centum or more than 66⅔ per centum. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this Act, and again between July 1 and August 31 of the year 1959, on the basis of the average of the incomes per child of school age for the States and for the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1, 1958, and ending June 30, 1960, and the second shall be conclusive for each of the two fiscal years in the period beginning July 1, 1960, and ending June 30, 1962.

"(3) For the purposes of this title—

"(A) The term 'child of school age' means a member of the population between the ages of five and seventeen, both inclusive.

"(B) The term 'continental United States' does not include Alaska.

"(C) The term 'income per child of school age' for any State or for the continental United States means the total personal income for the State and the continental United States, respectively, divided by the number of children of school age in such State and in the continental United States, respectively.

"(4) A State's allotment under this subsection shall remain available for payment pursuant to section 304 (a) for projects in such State until the end of the fiscal year following the year for which the allotment is made.

"(b) From the sums appropriated pursuant to the second sentence of section 301 for any fiscal year the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine for allotment as provided in section 1008. From the remainder of such sums the Commissioner shall allot to each State an amount which bears the same ratio to the amount of such remainder as the school-age population of such State bears to the total of the school-age populations of all of the States. The amount allotted to any State under the preceding sentence for any fiscal year which is less than $20,000 shall be increased to $20,000, the total thereby required being derived by proportionately reducing the amount allotted to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than $20,000.

"State plans

"SEC. 303. (a) Any State which desires to receive payments under this title shall submit to the Commissioner, through its State educational agency, a State plan which meets the requirements of section 1004 (a) and—

"(1) sets forth a program under which funds paid to the State from its allotment under section 302 (a) will be expended solely for projects approved by the State educational agency for (A) acquisition of laboratory and other special equipment, including audio-visual materials and equipment and printed materials (other than textbooks), suitable for use in providing education in science, mathematics, or modern foreign language, in public elementary or secondary schools, or both, and (B) minor remodeling of laboratory or other space used for such materials or equipment;

"(2) sets forth principles for determining the priority of such projects in the State for assistance under this title and provides for undertaking such projects insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

"(3) provides an opportunity for a hearing before the State educational agency to any applicant for a project under this title;

"(4) provides for the establishment of standards on a State level for laboratory and other special equipment acquired with assistance furnished under this title;

"(5) sets forth a program under which funds paid to the State from its allotment under section 302 (b) will be expended solely for (A) expansion or improvement of supervisory or related services in public elementary and secondary schools in the fields of science, mathematics, and modern foreign languages, and (B) administration of the State plan.

"(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

"Payments to States

"SEC. 304. (a) From a State's allotment for a fiscal year under section 302 (a), the Commissioner shall, from time to time during the period such allotment is available for payment as provided in paragraph (4) of section 302 (a), pay to such State an amount equal to one-half of the expenditures for projects for acquisition of equipment and minor remodeling referred to in paragraph (1) of section 303 (a) which are carried out under its State plan approved under section 303 (b); except that no State shall receive payments under this subsection for any period in excess of its allotments for such period under section 302 (a).

"(b) From a State's allotment under section 302 (b) for the fiscal year ending June 30, 1959, the Commissioner shall from time to time pay to such State an amount equal to the amount expended by such State for such year to carry out the program referred to in paragraph (5) of section 303 (a) under its State plan approved under section 303 (b). From a State's allotment under section 302 (b) for the fiscal year ending June 30, 1960, and for each of the two succeeding fiscal years, such payments shall equal one-half of the amount so expended under its State plan approved under section 303 (b); except that no State shall receive payments under this subsection for any fiscal year in excess of its allotment under section 302 (b) for that fiscal year.

"Loans to nonprofit private schools

"SEC. 305. (a) The Commissioner shall allot, out of funds reserved for each fiscal year for the purposes of this section under the provisions of section 302 (a), to each State for loans under the provisions of this section an amount which bears the same ratio to such funds as the number of persons in such State enrolled in private nonprofit elementary and secondary schools bears to the total of such numbers for all States.

"(b) From the sums allotted to each State under the provisions of this section the Commissioner is authorized to make loans to private nonprofit elementary and secondary schools in such State for the purposes for which payments to State educational agencies are authorized under the first sentence of section 301. Any such loan—

"(1) shall be made upon application containing such information as may be deemed necessary by the Commissioner;

"(2) shall be subject to such conditions as may be necessary to protect the financial interest of the United States;

"(3) shall bear interest at the rate arrived at by adding one-quarter of 1 percent per annum to the rate which the Secretary of the Treasury determines to be equal to the current average yield on all outstanding marketable obligations of the United States as of the last day of the month preceding the date the application for the loan is approved and by adjusting the result so obtained to the nearest one-eighth of 1 percent; and

"(4) shall mature and be repayable on such date as may be agreed to by the Commissioner and the borrower, but such date shall not be more than 10 years after the date on which such loan was made.

"TITLE IV—NATIONAL DEFENSE FELLOWSHIPS

"Appropriations authorized

"SEC. 401. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

"Number of fellowships

"SEC. 402. During the fiscal year ending June 30, 1959, the Commissioner is authorized to award one thousand fellowships under the provisions of this title, and during each of the three succeeding fiscal years he is authorized to award one thousand five hundred such fellowships. Such fellowships shall be for periods of study not in excess of three academic years.

"Award of fellowships and approval of institutions

"SEC. 403. (a) The Commissioner shall award fellowships under this title to individuals accepted for study in graduate programs approved by him under this section. The Commissioner shall approve a graduate program of an institution of higher education only upon application by the institution and only upon his finding:

"(1) that such program is a new program or an existing program which has been expanded,

"(2) that such new program or expansion of an existing program will substantially further the objective of increasing the facilities available in the Nation for the graduate training of college or university level teachers and of promoting a wider geographical distribution of such facilities throughout the Nation, and

"(3) that in the acceptance of persons for study in such programs preference will be given to persons interested in teaching in institutions of higher education.

"(b) The total of the fellowships awarded under this title for pursuing a course of study in a graduate program at any institution of higher education may not exceed a limit established by the Commissioner in the light of the objective referred to in subsection (a) (2).

"Fellowship stipends

"SEC. 404. (a) Each person awarded a fellowship under the provisions of this title shall receive a stipend of $2,000 for the first academic year of study after the baccalaureate degree, $2,200 for the second such year, and $2,400 for the third such year, plus an additional amount of $400 for each such year on account of each of his dependents.

"(b) In addition to the amounts paid to persons pursuant to subsection (a) there shall be paid to the institution of higher education at which each such person is pursuing his course of study such amount, not more than $2,500 per academic year, as is determined by the Commissioner to constitute that portion of the cost of the new graduate program or of the expansion in an existing graduate program in which such person is pursuing his course of study, which is reasonably attributable to him.

"Fellowship conditions

"SEC. 405. A person awarded a fellowship under the provisions of this title shall continue to receive the payments provided in section 404 only during such periods as the Commissioner finds that he is maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and is not engaging in gainful employment other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commissioner.

"TITLE V—GUIDANCE, COUNSELING, AND TESTING; IDENTIFICATION AND ENCOURAGEMENT OF ABLE STUDENTS

"Part A—State programs

"Appropriations Authorized

"SEC. 501. There are hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1959, and for each of the three succeeding fiscal years, for making grants to State educational agencies under this part to assist them to establish and maintain programs of testing and guidance and counseling.

"Allotments to States

"SEC. 502. From the sums appropriated pursuant to section 501 for any fiscal year the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine for allotment as provided in section 1008. From the remainder of such sums the Commissioner shall allot to each State an amount which bears the same ratio to the amount of such remainder as the school-age population of such State bears to the total of the school-age populations of all of the States. The amount allotted to any State under the preceding sentence for any fiscal year which is less than $20,000 shall be increased to $20,000, the total of increases thereby required being derived by proportionately reducing the amount allotted to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any such remaining States from being thereby reduced to less than $20,000.

"State Plans

"SEC. 503. (a) Any State which desires to receive payments under this part shall submit to the Commissioner, through its State educational agency, a State plan which meets the requirements of section 1004 (a) and sets forth—

"(1) a program for testing students in the public secondary schools, and if authorized by law in other secondary schools, of such State to identify students with outstanding aptitudes and ability, and the means of testing which will be utilized in carrying out such program; and

"(2) a program of guidance and counseling in the public secondary schools of such State (A) to advise students of courses of study best suited to their ability, aptitudes, and skills, and (B) to encourage students with outstanding aptitude and ability to complete their secondary school education, take the necessary courses for admission to institutions of higher education, and enter such institutions.

"(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

"Payments to States

"SEC. 504. (a) Payment under this part shall be made to those State educational agencies which administer plans approved under section 503. For the fiscal year ending June 30, 1959, such payments shall equal the amount expended by the State in carrying out its State plan, and for the fiscal year ending June 30, 1960, and for each of the two succeeding fiscal years, such payments shall equal one-half of the amount so expended; except that no State educational agency shall receive payment under this part for any fiscal year in excess of that State's allotment for that fiscal year as determined under section 502.

"(b) In any State which has a State plan approved under section 503 and in which the State educational agency is not authorized by law to make payments to cover the cost of testing students in any one or more secondary schools in such State to determine student abilities and aptitudes, the Commissioner shall arrange for the testing of such students and shall pay the cost thereof for the fiscal year ending June 30, 1959, and one-half of the cost thereof for any of the three succeeding fiscal years out of such State's allotment. Testing of students pursuant to this subsection shall, so far as practicable, be comparable to, and be done at the same grade levels and under the same conditions as in the case of, testing of students in public schools under the State plan.

"Part B—Counseling and guidance training institutes

"Authorization

"SEC. 511. There are hereby authorized to be appropriated $6,250,000 for the fiscal year ending June 30, 1959, and $7,250,000 for each of the three succeeding fiscal years, to enable the Commissioner to arrange, by contracts with institutions of higher education, for the operation by them of short-term or regular session institutes for the provision of training to improve the qualifications of personnel engaged in counseling and guidance of students in secondary schools, or teachers in such schools preparing to engage in such counseling and guidance. Each individual, engaged, or preparing to engage, in counseling and guidance in a public secondary school, who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent for the period of such attendance.

"TITLE VI—LANGUAGE DEVELOPMENT

"Part A—Centers and research and studies

"Language and Area Centers

"SEC. 601. (a) The Commissioner is authorized to arrange through contracts with institutions of higher education for the establishment and operation by them, during the period beginning July 1, 1958, and ending with the close of June 30, 1962, of centers for the teaching of any modern foreign language with respect to which the Commissioner determines (1) that individuals trained in such language are needed by the Federal Government or by business, industry, or education in the United States, and (2) that adequate instruction in such language is not readily available in the United States. Any such contract may provide for instruction not only in such modern foreign language but also in other fields needed to provide a full understanding of the areas, regions, or countries in which such language is commonly used, to the extent adequate instruction in such fields is not readily available, including fields such as history, political science, linguistics, economics, sociology, geography, and anthropology. Any such contract may cover not more than 50 per centum of the cost of the establishment and operation of the center with respect to which it is made, including the cost of grants to the staff for travel in the foreign areas, regions, or countries with which the subject matter of the field or fields in which they are or will be working is concerned and the cost of travel of foreign scholars to such centers to teach or assist in teaching therein and the cost of their return, and shall be made on such conditions as the Commissioner finds necessary to carry out the purposes of this section.

"(b) The Commissioner is also authorized, during the period beginning July 1, 1958, and ending with the close of June 30, 1962, to pay stipends to individuals undergoing advanced training in any modern foreign language (with respect to which he makes the determination under clause (1) of subsection (a)), and other fields needed for a full understanding of the area, region, or country in which such language is commonly used, at any short-term or regular session of any institution of higher education, including allowances for dependents and for travel to and from their places of residence, but only upon reasonable assurance that the recipients of such stipends will, on completion of their training, be available for teaching a modern foreign language in an institution of higher education or for such other service of a public nature as may be permitted in regulations of the Commissioner.

"Research and studies

"SEC. 602. The Commissioner is authorized, directly or by contract, to make studies and surveys to determine the need for increased or improved instruction in modern foreign languages and other fields needed to provide a full understanding of the areas, regions, or countries in which such languages are commonly used, to conduct research on more effective methods of teaching such languages and in such other fields, and to develop specialized materials for use in such training, or in training teachers of such languages or in such fields.

"Appropriations authorized

"SEC. 603. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this part, not to exceed $8,000,000 in any one fiscal year.

"Part B—Language institutes

"Authorization

"SEC. 611. There are hereby authorized to be appropriated $7,250,000 for the fiscal year ending June 30, 1959, and each of the three succeeding fiscal years, to enable the Commissioner to arrange, through contracts with institutions of higher education, for the operation by them of short-term or regular session institutes for advanced training, particularly in the use of new teaching methods and instructional materials, for individuals who are engaged in or preparing to engage in the teaching, or supervising or training teachers, of any modern foreign language in elementary or secondary schools. Each individual (engaged, or preparing to engage, in the teaching, or supervising or training teachers, of any modern foreign language in a public elementary or secondary school) who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent for the period of such attendance.

"TITLE VII—RESEARCH AND EXPERIMENTATION IN MORE EFFECTIVE UTILIZATION OF TELEVISION, RADIO, MOTION PICTURES, AND RELATED MEDIA FOR EDUCATIONAL PURPOSES

"Part A—Research and experimentation

"Functions of the Commissioner

"SEC. 701. In carrying out the provisions of this part the Commissioner, in cooperation with the Advisory Committee on New Educational Media (established by section 761), shall (through grants or contracts) conduct, assist, and foster research and experimentation in the development and evaluation of projects involving television, radio, motion pictures, and related media of communication which may prove of value to State or local educational agencies in the operation of their public elementary or secondary schools, and to institutions of higher education, including the development of new and more effective techniques and methods—

"(1) for utilizing and adapting motion pictures, video tapes and other audio-visual aids, film strips, slides and other visual aids, recordings (including magnetic tapes) and other auditory aids, and radio or television program scripts for such purposes;

"(2) for training teachers to utilize such media with maximum effectiveness; and

"(3) for presenting academic subject matter through such media.

"Grants-in-Aid; Contracts

"SEC. 702. In carrying out the provisions of section 701, the Commissioner—

"(1) may make grants-in-aid, approved by the Advisory Committee on New Educational Media, to public or nonprofit private agencies, organizations, and individuals for projects of research or experimentation referred to in section 701;

"(2) may enter into contracts, approved by the Advisory Committee on New Educational Media, with public or private agencies, organizations, groups, and individuals for projects of research or experimentation referred to in section 701; and

"(3) shall promote the coordination of programs conducted or financed by him under this title with similar programs conducted by other agencies, institutions, foundations, organizations, or individuals.

"Part B—Dissemination of information on new educational media

"Functions of the Commissioner

"SEC. 731. In order to disseminate information concerning new educational media (including the results of research and experimentation conducted under part A of this title) to State or local educational agencies, for use in their public elementary or secondary schools, and to institutions of higher education, the Commissioner—

"(1) shall make studies and surveys to determine the need for increased or improved utilization of television, radio, motion pictures, and related media of communication by State or local educational agencies and institutions of higher education for educational purposes;

"(2) shall prepare and publish catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful in the encouragement and more effective use of television, radio, motion pictures, and related media of communication for educational purposes;

"(3) may, upon request, provide advice, counsel, technical assistance, and demonstrations to State or local educational agencies and institutions of higher education undertaking to utilize such media of communication to increase the quality or depth or broaden the scope of their educational programs;

"(4) shall prepare and publish an annual report setting forth (A) projects carried out under this title and the cost of each such project, and (B) developments in the utilization and adaptation of media of communication for educational purposes; and

"(5) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this part.

"Part C—General provisions

"Establishment of the Advisory Committee

"SEC. 761. (a) There is hereby established in the Office of Education an Advisory Committee on New Educational Media (hereafter in this title referred to as the "Advisory Committee"). The Advisory Committee shall consist of the Commissioner, who shall be chairman, a representative of the National Science Foundation and twelve persons appointed, without regard to the civil-service laws, by the Commissioner with the approval of the Secretary. Three of such appointed members shall be individuals identified with the sciences, liberal arts, or modern foreign languages in institutions of higher education; three shall be individuals actually engaged in teaching or in the supervision of teaching in elementary or secondary schools; three shall be individuals of demonstrated ability in the utilization or adaptation of television, radio, motion pictures, and related media of communication for educational purposes; and three shall be individuals representative of the lay public who have demonstrated an interest in the problems of communication media.

"(b) The Advisory Committee shall—

"(1) advise, consult with, and make recommendations to the Commissioner on matters relating to the utilization or adaptation of television, radio, motion pictures, or related media of communication for educational purposes, and on matters of basic policy arising in the administration of this title;

"(2) review all applications for grants-in-aid under part A of this title for projects of research or experimentation and certify approval to the Commissioner of any such projects which it believes are appropriate for carrying out the provisions of this title; and

"(3) review all proposals by the Commissioner to enter into contracts under this title and certify approval to the Commissioner of any such contracts which it believes are appropriate to carry out the provisions of this title.

"(c) The Commissioner may utilize the services of any member or members of the Advisory Committee in connection with matters relating to the provisions of this title, for such periods, in addition to conference periods, as he may determine.

"(d) Members of the Advisory Committee shall, while serving on business of the Advisory Committee or at the request of the Commissioner under subsection (c) of this section, receive compensation at rates fixed by the Secretary, not to exceed $50 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

"Special Personnel

"SEC. 762. The Commissioner may secure from time to time and for such periods as he deems advisable, without regard to the civil-service laws, the assistance and advice of persons in the United States and from abroad who are experts in the utilization and adaptation of television, radio, motion pictures, and other related media of communication for educational purposes.

"Appropriations Authorized

"SEC. 763. There are hereby authorized to be appropriated the sum of $3,000,000 for the fiscal year ending June 30, 1959, and the sum of $5,000,000 for each of the three succeeding fiscal years for carrying out the provisions of this title.

"TITLE VIII—AREA VOCATIONAL EDUCATION PROGRAMS

"Statement of Findings and Purpose

"SEC. 801. The Congress hereby finds that the excellent programs of vocational education, which States have established and are carrying on with the assistance provided by the Federal Government under the Smith-Hughes Vocational Education Act and the Vocational Education Act of 1946 (the George-Barden Act), need extension to provide vocational education to residents of areas inadequately served and also to meet national defense requirements for personnel equipped to render skilled assistance in fields particularly affected by scientific and technological developments. It is therefore the purpose of this title to provide assistance to the States so that they may improve their vocational education programs through area vocational education programs approved by State boards of vocational education as providing vocational and related technical training and retraining for youths, adults, and older persons, including related instruction for apprentices, designed to fit them for useful employment as technicians or skilled workers in scientific or technical fields.

"Amendment to Vocational Education Act of 1946

"SEC. 802. The Vocational Education Act of 1946 (20 U. S. C. 15i-15m. 15o-15q, 15aa-15jj) is amended by adding after title II the following new title:

"'TITLE III—AREA VOCATIONAL EDUCATION PROGRAMS

"'Authorization of Appropriations

"'SEC. 301. There is authorized to be appropriated for the fiscal year ending June 30, 1959, and for each of the three succeeding fiscal years the sum of $15,000,000 for area vocational education programs, to be apportioned for expenditure in the States as provided in section 302.

"'Allotments to States

"'SEC. 302. (a) From the sums appropriated for any fiscal year pursuant to section 301, each State shall be entitled to an allotment of an amount bearing the same ratio

to such sums as the total of the amounts apportioned under title I of this Act, the Act of March 18, 1950 (20 U. S. C. 31-33), and section 9 of the Act of August 1, 1956 (20 U. S. C. 34), to such State for such year bears to the total of the amounts so apportioned to all the States for such year.

"'(b) The amount of any allotment to a State under subsection (a) for any fiscal year which the State certifies to the Commissioner will not be required for carrying out area vocational education programs (under the part of the State plan meeting the requirements of section 305) shall be available for reallotment from time to time, on such dates as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (a).

"'Payments to States

"'SEC. 303. (a) Any amount paid to a State from its allotment under section 302 for any fiscal year shall be paid on condition:

"'(1) that there shall be spent for such year an equal amount in State or local funds, or both, for area vocational education programs operated under the provisions of this title;

"'(2) that funds appropriated under this title will not be used to reduce the amount of State or local funds, or both, being spent for vocational education programs operated under provisions of the Smith-Hughes Vocational Education Act and titles I and II of this Act and reported to the Commissioner, but such State or local funds, or both, in excess of the amount necessary for dollar for dollar matching of funds allotted to a State under provisions of the Smith-Hughes Vocational Education Act and titles I and II of this Act may be used to match funds appropriated under this title;

"'(3) that funds appropriated under section 301 of this title shall be used exclusively for the training of individuals designed to fit them for useful employment as highly skilled technicians in recognized occupations requiring scientific knowledge, as determined by the State board for such State, in fields necessary for the national defense.

"'(b) The Commissioner shall, prior to the beginning of each calendar quarter or other period prescribed by him, estimate the amount to be paid to each State for area vocational education programs under this title for such period; and shall pay to the State, from the allotment available therefor, the amount so estimated by him for such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this subsection) by which he finds that his estimate of the amount to be paid to the State for any prior period for such purpose under this title was greater or less than the amount which should have been paid to the State for such prior period under this title for such purpose. Such payments shall be made in such installments as the Commissioner may determine.

"'Use of Funds

"'SEC. 304. (a) Funds paid to a State under this title for area vocational education programs may be used, in carrying out such programs (under the part of the State plan meeting the requirements of section 305), for—

"'(1) maintenance of adequate programs of administration, supervision, and teacher-training;

"'(2) salaries and necessary travel expenses of State or local school personnel, including teachers, coordinators, supervisors, vocational guidance counselors, teacher-trainers, directors, administrators, and others;

"'(3) travel expenses of members of advisory committees or State boards;

"'(4) purchase, rental, or other acquisition, and maintenance and repair, of instructional equipment;

"'(5) purchase of instructional supplies and teaching aids;

"'(6) necessary costs of transportation of students;

"'(7) securing necessary educational information and data as a basis for the proper development of area vocational education programs and programs of vocational guidance;

"'(8) training and work-experience training programs for out-of-school youths;

"'(9) related instruction for apprentices; and

"'(10) determining the need for, and planning and developing, area vocational education programs.

"'(b) Any equipment and teaching aids purchased with funds appropriated to carry out the provisions of this title shall become the property of the State.

"'Additional State Plan Requirements

"'SEC. 305. (a) To be eligible to participate in this title the State plan must be amended to include a new part which—

"'(1) designates the State board as the sole agency for administration of such part of the plan (or for the supervision of the administration thereof by State or local educational agencies);

"'(2) provides minimum qualifications for teachers, teacher-trainers, supervisors, directors and others having responsibilities under the plan;

"'(3) shows the plans, policies, and methods to be followed in carrying out such part of the State plan;

"'(4) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of such part of the State plan; and

"'(5) provides that the State board will make such reports to the Commissioner, in such form and containing such information, as are reasonably necessary to enable the Commissioner to perform his functions under this title.

"'(b) The Commissioner shall approve a part of any plan for purposes of this title if he finds that it fulfills the conditions specified in subsection (a) of this section.

"'(c) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State board finds that—

"'(1) the part of the State plan approved under subsection (b) has been so changed that it no longer complies with any provision required by subsection (a) of this section to be included in such part; or

"'(2) in the administration of such part of the plan there is a failure to comply substantially with any such provision;

the Commissioner shall notify such State board that no further payments will be made to the State from its allotments under section 302 (or, in his discretion, that further payments will not be made to the State for projects under or portions of such part of the State plan affected by such failure) until he is satisfied that there is no longer any such failure. Until he is so satisfied the Commissioner shall make no further payments to such State from its allotments under section 302 (or shall limit payments to projects under or portions of such part of the State plan in which there is no such failure).

"'(d) (1) If any State is dissatisfied with the Commissioner's action under subsection (c) of this section, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"'(2) The findings of fact by the Commissioner, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"'(3) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

"'Appropriations for Administration

"'SEC. 306. There are hereby authorized to be included for each fiscal year in the appropriations for the Department of Health, Education, and Welfare such sums as are necessary to administer the provisions of this title.

"'Definitions

"'SEC. 307. For purposes of this title—

"'(a) The term "State" includes Alaska, Hawaii, the Virgin Islands, Puerto Rico, the District of Columbia, and Guam.

"'(b) The term "Commissioner" means the Commissioner of Education.

"'(c) The terms "State plan" and "State board" shall have the meaning which said terms have in the Act approved February 23, 1917 (39 Stat. 929, ch. 114).

"'(d) The term "area vocational education program" means a program consisting of one or more less-than-college-grade courses conducted under public supervision and control and on an organized, systematic class basis, which is designed to fit individuals for useful employment as technicians or skilled workers in recognized occupations requiring scientific or technical knowledge, and which is made available to residents of the State or an area thereof designated and approved by the State board, who either have completed junior high school or, regardless of their school credits, are at least sixteen years of age and can reasonably be expected to profit by the instruction offered.'

"TITLE IX—SCIENCE INFORMATION SERVICE

"Functions of the Service

SEC. 901. The National Science Foundation shall establish a Science Information Service. The Foundation, through such Service, shall (1) provide, or arrange for the provision of, indexing, abstracting, translating, and other services leading to a more effective dissemination of scientific information, and (2) undertake programs to develop new or improved methods, including mechanized systems, for making scientific information available.

"Science Information Council

"SEC. 902. (a) The National Science Foundation shall establish, in the Foundation, a Science Information Council (hereafter in this title referred to as the "Council") consisting of the Librarian of Congress, the director of the National Library of Medicine, the director of the Department of Agriculture library, and the head of the Science Information Service, each of whom shall be ex officio members, and fifteen members appointed by the Director of the National Science Foundation. The Council shall annually elect one of the appointed members to serve as chairman until the next election. Six of the appointed members shall be leaders in the fields of fundamental science, six shall be leaders in the fields

of librarianship and scientific documentation, and three shall be outstanding representatives of the lay public who have demonstrated interest in the problems of communication. Each appointed member of such Council shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and (2) of the members first appointed, four shall hold office for a term of three years, four shall hold office for a term of two years, and three shall hold office for a term of one year, as designated by the Director of the National Science Foundation at the time of appointment. No appointed member of the Council shall be eligible for reappointment until a year has elapsed since the end of his preceding term.

"(b) It shall be the duty of the Council to advise, to consult with, and to make recommendations to, the head of the Science Information Service. The Council shall meet at least twice each year, and at such other times as the majority thereof deems appropriate.

"(c) Persons appointed to the Council shall, while serving on business of the Council, receive compensation at rates fixed by the National Science Foundation, but not to exceed $50 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

"Authority for Certain Grants and Contracts

"SEC. 903. In carrying out its functions under this title, the National Science Foundation shall have the same power and authority it has under the National Science Foundation Act of 1950 to carry out its functions under that Act.

"Appropriations Authorized

"SEC. 904. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1959, and for each succeeding fiscal year, such sums as may be necessary to carry out the provisions of this title.

"TITLE X—MISCELLANEOUS PROVISIONS

"Administration

"SEC. 1001. (a) The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

"(b) In administering the titles of this Act for which he is responsible, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and, without regard to section 3709 of the Revised Statutes of the United States (41 U. S. C., sec. 5), of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

"(c) The Commissioner shall include in his annual report to the Congress a full report of the activities of the Office of Education under this Act, including recommendations for needed revisions in the provisions thereof.

"(d) The Secretary shall advise and consult with the heads of departments and agencies of the Federal Government responsible for the administration of scholarship, fellowship, or other educational programs with a view to securing full information concerning all specialized scholarship, fellowship, or other educational programs administered by or under any such department or agency and to developing policies and procedures which will strengthen the educational programs and objectives of the institutions of higher education utilized for such purposes by any such department or agency.

"(e) Any agency of the Federal Government shall exercise its functions under any other law in such manner as will assist in carrying out the objectives of this Act. Nothing in this Act shall be construed as superseding or limiting the authority of any any such agency under any other law.

"(f) No part of any funds appropriated or otherwise made available for expenditure under authority of this Act shall be used to make payments or loans to any individual unless such individual (1) has executed and filed with the Commissioner an affidavit that he does not believe in, and is not a member of and does not support any organization that believes in or teaches, the overthrow of the United States Government by force or violence or by any illegal or unconstitutional methods, and (2) has taken and subscribed to an oath or affirmation in the following form: 'I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic.' The provisions of section 1001 of title 18, United States Code, shall be applicable with respect to such affidavits.

"Advisory Committees

"SEC. 1002. (a) The Commissioner, with the approval of the Secretary, may appoint an advisory committee, or advisory committees, to advise and consult with him with respect to the administration of the provisions of this Act for which he is responsible. Any such committee shall have twelve members as follows:

"(1) Four members who are recognized scholars in any of the following fields: engineering, mathematics, or science;

"(2) Four members who are recognized scholars in any of the fields of the humanities; and

"(3) Four members from such fields of endeavor as the Commissioner deems appropriate.

Members of an advisory committee appointed under this section, while attending conferences or meetings of the committee, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"Exemption From Conflict-of-Interest Laws of Members of Advisory Committees or Information Council

"SEC. 1003. (a) Any member of an advisory committee or information council appointed under this Act is hereby exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99), except as otherwise specified in subsection (b) of this section.

"(b) The exemption granted by subsection (a) shall not extend—

"(1) to the receipt or payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

"(2) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

"Administration of State Plans

"SEC. 1004. (a) No State plan submitted under one of the titles of this Act shall be approved by the Commissioner which does not—

"(1) provide, in the case of a plan submitted under title III or under title V, or section 1009 of this title, that the State educational agency will be the sole agency for administering the plan;

"(2) provide that such commission or agency will make such reports to the Commissioner, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his duties under such title or section; and

"(3) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under such title or section.

"(b) The Commissioner shall not finally disapprove any State plan submitted under this Act, or any modification thereof without first affording the agency administering the plan reasonable notice and opportunity for a hearing.

"(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the agency administering a State plan approved under one of the titles of this Act, finds that—

"(1) the State plan has been so changed that it no longer complies with the provisions of this Act governing its original approval, or

"(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify such State agency, in the case of a plan submitted under title III or V or section 1009 of this title, that no further payments will be made to the State under such title or section (or, in his discretion, further payments to the State will be limited to programs under or portions of the State plan not affected by such failure),

until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to such State under such title or section, as the case may be (or shall limit payments to programs under or portions of the State plan not affected by such failure).

"Judicial Review

"SEC. 1005. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under this Act, or with respect to his final action under section 1004 (c), such State may, within sixty days after notice of such action, file in the United States district court for the district in which the capital of the State is located, a petition to review such action. The petition for review shall (1) contain a concise statement of the facts upon which the appeal is based and (2) designate that part of the Commissioner's decision sought to be reviewed.

"(b) Notification of the filing of the petition for review shall be given by the clerk of the court by mailing a copy of the petition to the Commissioner.

"(c) No costs or docket fees shall be charged or imposed with respect to any judicial review proceedings, or appeal therefrom, taken under this Act.

"(d) Upon receipt of the petition for review the Commissioner shall, within twenty days thereafter, certify and file in the court the record on review, consisting of the complete transcript of the proceedings before the Commissioner. No party to such review shall be required, by rule of court or otherwise, to print the contents of such record filed in the court.

"(e) The court after review may dismiss the petition or deny the relief prayed for, or may suspend, modify, or set aside, in whole or in part, the action of the Commissioner, or may compel action unlawfully withheld. The judgment of the court shall be subject to review as provided in section 1291 and 1254 of title 28 of the United States Code.

"Method of Payment

"SEC. 1006. Payments under this Act to any individual or to any State or Federal agency, institution of higher education, or any other organization, pursuant to a grant, loan, or contract, may be made in installments, and in advance or by way of reimbursement, and, in the case of grants or loans, with necessary adjustments on account of overpayments or underpayments.

"Administrative Appropriations Authorized

"SEC. 1007. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1959, and for each fiscal year thereafter, such sums as may be necessary for the cost of administering the provisions of this Act, including the administrative expenses of State commissions.

"Allotments to Territories and Posessions

"SEC. 1008. The amounts reserved by the Commissioner under sections 302 and 502 shall be allotted by the Commissioner among Alaska, Hawaii, Puerto Rico, the Canal Zone, Guam, and the Virgin Islands, according to their respective needs for the type of assistance furnished under the part or title in which the section appears.

"Improvement of Statistical Services of State Educational Agencies

"SEC. 1009. (a) For the purpose of assisting the States to improve and strengthen the adequacy and reliability of educational statistics provided by State and local reports and records and the methods and techniques for collecting and processing educational data and disseminating information about the condition and progress of education in the States, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1959, and each of the 3 succeeding fiscal years, for grants to States under this section, such sums as the Congress may determine.

"(b) Grants under this section by the Commissioner shall be equal to one-half of the cost of State educational agency programs to carry out the purposes of this section, including (1) improving the collection, analysis, and reporting of statistical data supplied by local educational units, (2) the development of accounting and reporting manuals to serve as guides for local educational units, (3) the conduct of conferences and training for personnel of local educational units and of periodic reviews and evaluation of the program for records and reports, (4) improving methods for obtaining, from other State agencies within the State, educational data not collected by the State educational agency, or (5) expediting the processing and reporting of statistical data through installation and operation of mechanical equipment. The total of the payments to any State under this section for any fiscal year may not exceed $50,000.

"(c) Payments with respect to any program of a State educational agency under this section may be made (1) only to the extent it is a new program or an addition to or expansion of an existing program, and (2) only if the State plan approved under subsection (d) includes such program.

"(d) The Commissioner shall approve any State plan for purposes of this section if such plan meets the requirements of section 1004 (a) and sets forth the programs proposed to be carried out under the plan and the general policies to be followed in doing so."

And the Senate agree to the same.

GRAHAM A. BARDEN,
CLEVELAND M. BAILEY,
CARL ELLIOTT,
LEE METCALF,
CARROLL D. KEARNS,
H. G. HASKELL,
Managers on the Part of the House.

LISTER HILL,
PAT MCNAMARA,
RALPH YARBOROUGH,
H. ALEXANDER SMITH,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13247) to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute. The committee of conference agreed upon a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed upon in conference are noted in the following outline, except for minor, technical, and conforming changes.

TITLE I—GENERAL PROVISIONS

The provisions of this title in the conference substitute are substantially the same as those in the House bill, except that changes have been made in the findings and declaration of policy to make it consistent with the agreement reached by the conferees.

TITLE II—LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

The provisions of the House bill enable the Commissioner to stimulate and assist in the establishment at institutions of higher education of funds for the making of low-interest loans to students in need thereof to pursue their courses of study, and to make loans to institutions to enable them to establish the funds where necessary. The Senate provision for loans differed substantially. The conference substitute adopts the House bill, with several changes which are generally of minor importance. These changes are the following:

(1) The Senate amendment required no matching of Federal funds. The requirement in the House bill of 20 percent matching by colleges of Federal funds is reduced in the conference substitute to 10 percent matching.

(2) The House bill provided that interest on student loans would be at the rate of 2 percent per year while the student was in school and for one year thereafter. Thereafter the loan would bear interest at the rate of 4 percent per year. The Senate amendment, in its loan title, provided for interest at the rate of 2 percent per year, beginning one year after the student finished school. The conference substitute provides for interest at the rate of 3 percent per year, beginning one year after the borrower ceases to be a full-time student at an institution of higher education.

(3) The Senate amendment provided that the loan would be canceled for service as a full-time teacher in an elementary or secondary school at the rate of 20 per centum of the unpaid balance of the loan (plus interest thereon) for each academic year of such service. The conference substitute provides for the cancellation of one-half of the loan for teaching over a five-year period in public elementary or secondary schools.

(4) Under the House bill loans would be repaid in equal annual installments. The conference substitute adopts a provision of the Senate amendment making it explicit that repayments may be made in installments which are graduated.

(5) The conference substitute also adopts a provision, taken from the Senate amendment, suspending payments on principal, and interest accruals, while the borrower is in the Armed Forces (but not for more than three years).

(6) The House bill provided that loans shall be made without discrimination based upon race, color, religion, national origin, or sex. The conference substitute omits this provision.

(7) The conference substitute incorporates a provision of the Senate amendment that in making loans special consideration shall be given to persons whose academic background indicates a superior capacity or preparation in science, mathematics, engineering, or modern foreign language, and primarily to persons with a superior academic background who express a desire to teach in elementary or secondary schools.

TITLE III—FINANCIAL ASSISTANCE FOR STRENGTHENING SCIENCE, MATHEMATICS, AND MODERN FOREIGN LANGUAGE INSTRUCTION

The House bill authorized the appropriation of $60,000,000 for fiscal 1959 and each of the three succeeding fiscal years for making payments to State educational agencies for the acquisition of equipment suitable for use in providing education in science, mathematics, or modern foreign language and for minor remodeling of the laboratory or other space used for such material and equipment. The bill also authorized the appropriation of $5,000,000 for making payments to the States for expansion or improvement of supervisory or related services in the fields of science, mathematics, and modern foreign languages, and the administration of the State plan.

The Senate amendment follows the House bill with two exceptions.

First, the authorization of appropriations in the Senate amendment for laboratory equipment and minor remodeling was $70,000,000 per year.

Secondly, the Senate amendment provided that 12 percent of the sums appropriated for laboratory equipment and minor remodeling would be used for making loans to private nonprofit schools. The sums available for loans would be allotted among the States on the basis of the relative numbers of children enrolled in private nonprofit elementary and secondary schools in the respective States. The loans would be made for the same purposes that the grants could be made under the title. The loans would bear interest at one-quarter of 1 percent per year above the rate equal to the current average yield on all outstanding marketable obligations of the United States (adjusted to the nearest one-eighth of 1 percent), and shall mature not later than 10 years after the loan is made.

The conference substitute is substantially the same as the Senate amendment.

TITLE IV—NATIONAL DEFENSE FELLOWSHIPS

Both the House bill and the Senate amendment provided for the award of 1,000 fellowships for fiscal 1959, and 1,500 such fellowships for each of the next three fiscal years, for periods of study not in excess of three academic years. The only difference between the two versions was a provision in the House bill that the fellowships be awarded without discrimination based upon race, color, religion, national origin, or sex. The substitute agreed upon in conference adopts the language of the Senate amendment.

TITLE V—GUIDANCE, COUNSELING, AND TESTING; IDENTIFICATION AND ENCOURAGEMENT OF ABLE STUDENTS

Part A—State programs

Both versions provide substantially similar programs of Federal assistance in the establishment and maintenance of programs of testing and guidance and counseling. The Senate amendment differs from the House bill in providing that where a State participating in the program is not authorized to use State funds for testing students in private nonprofit secondary schools to determine aptitude and ability, the Commissioner may arrange for testing such students, and would pay the cost thereof for

fiscal 1959, and one-half the cost thereof for any of the three succeeding fiscal years, out of the State's allotment. This testing program would be comparable to that carried out in the public schools. The conference substitute is substantially the same as the Senate bill.

Part B—Institutes in guidance and counseling

Both the House bill and the Senate amendment provided for the establishment of institutes in guidance and counseling, although in somewhat different language. The differences of substance between the two versions are as follows:

(1) The House bill authorized the appropriation of $6,000,000 for fiscal 1959, and for each of the three succeeding fiscal years, while the Senate amendment authorized the appropriation of $6,250,000 for fiscal 1959, and $7,250,000 for each of the three succeeding fiscal years.

(2) The House bill, unlike the Senate amendment, contained a provision providing that the institutes would place emphasis upon the counseling and guidance of gifted students.

(3) Under the House bill a person employed by a public school system who is engaged in guidance and counseling on a full or part-time basis would receive a stipend at the rate of $75 per week, plus $15 a week for each dependent, except that no one would receive more than his last rate of salary during the preceding academic year. The Senate amendment provided for payments of stipends and allowances for dependents to personnel and teachers engaged in, or preparing to engage in, counseling and guidance in public secondary schools, but no maximum permissible amount was provided for such stipends and allowances.

The conference substitute adopts the language of the Senate amendment, except that the provisions of the House bill limiting the amount of stipends to $75 a week and of dependents' allowances to $15 per dependent per week are included in the substitute.

TITLE VI—LANGUAGE DEVELOPMENT

The House bill and Senate amendment both authorized the Commissioner to contract for the operation by institutions of higher education during fiscal 1959 through fiscal 1962 of short-term or regular session institutes for advanced training, particularly in the use of new teaching methods and instructional materials, for individuals who are engaged in or preparing to engage in the teaching, or supervising or training teachers of any modern foreign language in schools at the elementary or secondary level. No specific authorization of appropriations is provided for such institutes in the House bill, but for carrying out all of title IV of the House bill (relating to language development), section 404 authorizes an appropriation of not to exceed $4,500,000 for each of the four fiscal years of the program. The Senate amendment for each of the four fiscal years of the program authorizes the appropriation of $7,250,000 for such institutes.

Both versions would also provide for the payment of stipends and dependents' allowances to persons attending the institutes. The House bill also provided for travel to and from their places of residence of individuals attending such institutes and their dependents. The Senate version has no similar provision.

The substitute agreed upon in conference adopts the Senate version, except that it provides that a person attending a language institute shall be eligible (after application) therefor to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such person with one or more dependents shall receive an additional stipend of $15 per week for each such dependent.

The House bill and the Senate amendment both provided for language and area centers and for research and studies in language instruction. The conference substitute is the same as the House bill, except that the appropriation of $8,000,000 is authorized, instead of $4,500,000, as provided in the House bill for all language development.

TITLE VII—RESEARCH AND EXPERIMENTATION IN MORE EFFECTIVE UTILIZATION OF TELEVISION, RADIO, MOTION PICTURES, AND RELATED MEDIA FOR EDUCATIONAL PURPOSES

The House bill authorized an appropriation of $2 million a year for 4 years to enable the Commissioner of Education, through grants or contracts, to undertake functions detailed in paragraphs (1) through (5) of section 701 of the House bill, to enable him to provide (upon request) advice, counsel, and technical assistance to State or local educational agencies or institutions of higher education undertaking to utilize television, radio, motion pictures, and related communications media in providing education.

The Senate amendment authorized an appropriation of $5 million for the fiscal year ending June 30, 1959, and $10 million for each of the three succeeding years to carry out research and experimentation (directly or through grant or contract) with respect to adaptation and utilization of television, radio, motion pictures, and related communications media for educational purposes and to disseminate information with respect to new educational media.

The Senate amendment also established in the Office of Education an Advisory Committee on New Educational Media, and permitted the Commissioner of Education to secure (without regard to the civil-service laws) the assistance and advice of persons who are expert in the adaptation and utilization of television, radio, motion pictures, and other related media of communication for educational purposes.

The conference substitute is the same as the Senate amendment, except that (1) it would authorize the appropriation of $3 million for fiscal 1959 and $5 million for each of the next three fiscal years, and (2) it permits the Commissioner to carry out research and experimentation only through grants and contracts.

TITLE VIII—AREA VOCATIONAL EDUCATION PROGRAMS

The Senate amendment included a title relating to area vocational programs which had no counterpart in the House bill. This title was designed to provide assistance to the States so that they could improve and expand their vocational education programs through area vocational education programs; approved by State boards as providing vocational and related technical training and retraining for youths, adults, and older persons, including related instruction for apprentices, designed to fit them for useful employment as technicians or skilled workers in scientific and technical fields.

The title amends the Vocational Education Act of 1946 (the George-Barden Act) by adding the following new title:

TITLE III—AREA VOCATIONAL EDUCATION PROGRAMS

Section 301—Authorization of appropriations

This section authorizes appropriation of $20 million for fiscal 1959 and each of the three succeeding fiscal years.

Section 302—Allotments to States

The amounts appropriated are to be allotted to the States in the same ratio as the total amounts allotted under title I of the Vocational Education Act of 1946, the Act of March 18, 1950, and section 9 of the Act of August 1, 1956.

The amounts allotted to a State, but not required by it (according to its certification), would be available for reallotment to other States.

Section 303—Payments to States

The payments shall be made on the condition that the State will match the grants on a 50–50 basis and that the amounts granted will not be used to reduce State or local funds used for vocational education programs under the Smith-Hughes and George-Barden Acts, although State and local funds under those laws in excess of what is needed for 50–50 matching could be used to match the new Federal funds.

This section provides payments to the States on the basis of estimates, with necessary adjustments for overpayments or underpayments in previous periods, on a quarterly basis or any other period prescribed by the Commissioner. The payments could be made in installments determined by the Commissioner.

The section also provides that funds appropriated for this program will be used exclusively for training of individuals designed to fit them for useful employment as highly skilled technicians or semiprofessional personnel in recognized occupations requiring scientific knowledge in fields necessary for the national defense.

Section 304—Use of funds

Amounts allotted under this title could be used for administration, supervision, and teacher-training expenses; for salaries and travel expenses for school personnel; for travel expenses for advisory committees; for purchase and rental of instructional equipment (and maintenance and repair thereof) and purchase of instructional supplies and teaching aids; for transportation of students; for securing necessary educational information for development of programs; for training and work experience for out-of-school youth; for related instruction for apprentices; and for determining the need for and planning of the programs.

Any equipment obtained by the use of the allotted funds would become State property.

Section 305—Additional State plan requirements

In order for a State to qualify for assistance under this title, its State plan must be amended to—

(1) designate the State board as the sole agency for the plan's administration or provide for the supervision of its administration by State or local educational agencies;

(2) set up minimum qualifications for persons having responsibilities under the plan;

(3) outline specific plans, policies and methods for carrying out the State plan;

(4) provide for proper accounting and budgeting methods and provide for the making of necessary reports to the Commissioner.

Any plan meeting these requirements would be approved by the Commissioner.

If the Commissioner subsequently finds the State has failed to comply substantially with the above requirements in administration of the plan or because of a change in State plan, he shall, upon notifying the State board, stop further payments or limit such payments to parts of the plan not affected by such failure until such time as the State has complied with the requirements. Such action may only be taken after notice and opportunity for hearing has been accorded the State board.

The State may appeal the Commissioner's decision to the United States court of appeals. The summons and the notice of appeal may be served at any place in the United States. The findings of fact of the Commissioner are conclusive unless substantially contrary to the weight of evidence; but the court, for good cause shown, may remand the case to the Commissioner for further evidence to be taken. The court would have jurisdiction to affirm or set aside the decision in whole or in part. The judgment of the court of appeals would be subject to review by the Supreme Court of the United States.

Section 306—Appropriations for administration

This section authorizes the inclusion in the appropriations of the Department of Health, Education, and Welfare of such sums as shall be necessary to administer this new title of the George-Barden Act.

Section 307—Definitions

This section provides definitions of the terms listed below to be used for the purposes of the new title.

(1) The term "State" includes Alaska, Hawaii, the Virgin Islands, Puerto Rico, the District of Columbia, and Guam.

(2) The term "Commissioner" means the Commissioner of Education.

(3) The terms "State plan" and "State board" have the same meaning which said terms have in the act approved February 23, 1917 (39 Stat. 929, ch. 114).

(4) The term "area vocational education program" means a program consisting of one or more less-than-college grade courses conducted under public supervision and control and on an organized, systematic class basis, which is designed to fit individuals for useful employment as technicians or skilled workers in recognized occupations requiring scientific or technical knowledge, and which is made available to residents of the State or an area thereof designated and approved by the State board, who either have completed junior high school or, regardless of their school credits, are at least 16 years of age and can reasonably be expected to profit by the instruction offered.

The conference substitute is the same as the Senate amendment, except that (1) the appropriations authorized are reduced to $15,000,000 a year, and (2) the provision in the Senate amendment limiting the types of training for which the funds may be used is modified to delete the reference therein to "semiprofessional personnel" and to give the State boards of vocational education the function of determining what are "recognized occupations requiring scientific knowledge."

Courses in public colleges or public junior colleges, which are not offered toward a baccalaureate degree and meet other criteria of "less-than-college-grade" courses, could be included by the State Board under this program just as they are today under the Smith-Hughes and George Barden Acts.

TITLE IX—SCIENCE INFORMATION SERVICE

Under this provision of the Senate amendment the National Science Foundation would be required to establish a Science Information Service. The Foundation, through the Service, would provide for indexing, abstracting, translating and other services leading to a more effective dissemination of scientific information. It would also undertake to develop improved methods for making scientific information available.

The Senate amendment provided for the establishment of a Science Information Council by the National Science Foundation within the Foundation to advise, consult with, and make recommendations to, the head of the Science Information Service. The Council would consist of the Librarian of Congress, the Director of the National Library of Medicine, the Director of the Department of Agriculture Library, and the Head of the Science Information Service, as ex officio members. Fifteen additional members would be appointed by the Director of the National Science Foundation. Six of the appointed members would be experts in the fields of science, six leaders in librarianship and scientific documentation; and three representatives of the lay public interested in the fields of communication. The appointments are for a term of 4 years, except that in order to provide for staggered terms, 4 of the members first appointed will serve for a term of 3 years, 4 for a term of 2 years, and 3 for a term of 1 year. If a member is appointed to fill a vacancy occurring before the expiration of the term, the appointment shall be only for the remainder of such term. No member may be reappointed until after 1 year has elapsed since the end of his preceding term. The Council is to meet at least twice a year or more often if necessary.

The National Science Foundation would have the same power and authority under this title that it has under the National Science Foundation Act of 1950. Under the Senate amendment, all the grants under the title were required to be approved by the National Science Board.

The title authorized the appropriation, starting with the fiscal year which ends June 30, 1959, of such amounts as may be necessary to carry out the provisions of the title.

The House bill contained no comparable provision. The conference substitute adopts this Senate provision with the single exception that the provision which required grants to be approved by the National Science Board was deleted as unnecessary in light of certain recent enactments.

TITLE X—MISCELLANEOUS PROVISIONS

The Senate amendment authorized the delegation by the Commissioner to any officer or employee of the Office of Education of any of his functions under this act, other than the making of regulations. The conference substitute accepts this provision.

Under the Senate amendment no one could receive a grant or loan from funds made available under the act until he executes and files a noncommunist affidavit and has taken an oath of allegiance to the United States. The conference substitute adopts the provisions of the Senate amendment.

The substitute adopted by the conferees does not include provisions which were in the House bill authorizing the Commissioner to accept gifts, grants, bequests, or devises for carrying out the provisions of the act. There were no comparable provisions in the Senate amendment.

GRAHAM A. BARDEN,
CLEVELAND M. BAILEY,
CARL ELLIOTT,
LEE METCALF,
CARROLL D. KEARNS,
H. G. HASKELL,
Managers on the Part of the House.

Mr. ELLIOTT. Mr. Speaker, I am happy to say to the House that we brought back, with some very important amendments the House bill. We maintained the position of the House with reference to the loan provisions of this bill. The House, by its action, had given the conferees a mandate to bring back a loan program instead of a scholarship program or, to say it another way, the House insisted that our scholarships be made loans. We maintained that position.

We did make moneywise two large additions to the bill. One was in the field of vocational education. The Senate had a provision for some aid to area vocational schools.

We brought back, Mr. Speaker, a bill that had $60 million for area vocational schools. That $60 million is for aid to our area vocational schools so that they may train highly skilled technical people in this field. I would like to say this. After discussing this matter in four long conferences, the conference committee came to the conclusion that something should be done in that field. We did not accept the Senate provision outright, but instead we made the amount involved $15 million a year for 4 years. It is a fine addition to our bill. Our vocational education people are doing an excellent job. They have enough know-how and experience in this field to do a good job with this money. I know they will.

I received a telegram just this morning from Mr. Carlton Kelly, head of the trade school at Decatur, Ala. It is a school of the type that this bill is designed to aid. That telegram told me that school had already trained 850 people who were doing highly skilled technical work on the Jupiter missile at the Redstone Arsenal in the District of the gentleman from Alabama, Mr. JONES, and it further said that that particular school needed a great deal more money to equip itself to do most effectively that kind of work. We also have a quotation from one of the people most interested in this matter saying that our vocational schools in this highly technical age must be shored up with better equipment in order to do the job of training technologists below the engineering grade. Well, this is an item that cost $60 million and which added $60 million to our bill.

We also added $40 million, or rather $10 million a year for 4 years, to our equipment title, with the result that we have for allocation to the States $70 million a year for equipment in this bill. This money will, of course, be matched by the States.

We accepted the Senate provisions, as I pointed out a little while ago, with reference to experimentation in the field of television and educational films as a teaching aid. We also added another $10 million to the bill.

I would like to say, Mr. Speaker, to the Members of the House that the only significant change we made in the loan title was to provide the forgiveness feature which I have mentioned, and to provide for lowering the interest from 4 percent to 3 percent, and to reduce the college contributions to the loan funds from 20 percent, as provided in the House bill, to 10 percent.

The Senate bill had no provision for matching of the loan funds. We felt that the matching was an important element in the program. We insisted that some matching be provided. The 10-percent agreement was the result.

We provided for more flexibility in the repayment terms in connection with the loan program. We provided for postponement of payments on the loans for up to a period of 3 years to cover military service of the person who may have the loan.

Those were the principal changes made.

Something was said in the debate the other day that in the opinion of some of the Members, this bill was not closely enough tied to our national defense. I may say we added an amendment to the loan provision which reads like this and which ties it to the national defense. I deem, as closely as we can reasonably

afford to tie a loan provision of this kind. I quote now from the bill:

In the selection of students to receive the loans, special consideration shall be given to (a) students with a superior academic background, who express a desire to teach in elementary or secondary schools, and (b) students whose academic background indicates a superior capacity or preparation in science, mathematics, engineering, or a modern foreign language.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. THOMPSON of New Jersey. Mr. Speaker, I would like to commend the distinguished gentleman and to remind the House once more that this legislation is the product of almost innumerable formal hearings—absolutely innumerable informal hearings. More than 200 witnesses were heard. Personally, I think that without the patience and the understanding and complete knowledge that the gentleman from Alabama [Mr. ELLIOTT] has, we would not have the opportunity to have this great legislation before us.

I subscribe to it almost thoroughly. I regret, however, that in the section which the gentleman just mentioned there is such undue emphasis, in my opinion, on mathematics, science, and modern foreign languages, for I believe very strongly that the humanities are every bit as important to the national defense as are these specific subjects. This does not mean that the issue had not been discussed fully in the subcommittee and again in the full committee and in the debate. However, I consider that it is regrettable, even though supportable as a national defense measure, that this emphasis is here. I do not know how many physicists it would take to understand as much about the mind of Mr. Khrushchev, for instance, as would a student of Russian language and Russian history. We have in a sense departed from the concept of education. I recognize, however, that despite this emphasis we do have shortages in this field which we know of positively, and that we do need that emphasis to some degree on science, mathematics and modern foreign languages. I hope at some time, in the wisdom of this body, in the future that this emphasis will no longer be necessary. Through this bill there is an emphasis which runs through the entire measure. There are national defense issues. After all, this is a national defense act. It is predicated on a known need. But there are special considerations given all the way through the act to equipment, to teaching, and to institutions and other matters relating directly to the emphasis, which the gentleman has referred to, and to which I have rather serious reservations. Notwithstanding those reservations, this is magnificent and historic legislation.

I might remind the House that this is the first time in 90 years since the Morrell Act, that a bill has undertaken broad assistance to education. It is not the fault of the gentleman from Alabama that this was not done 10 years ago. If he had been listened to then as he is being listened to today, perhaps we would not need the emphasis which I find slightly distasteful.

The gentleman has done nothing short of magnificent service in sending to the Members of this body and the other body and to the youngsters who are about to enter college this legislation. I cannot commend him too highly for it.

Mr. ELLIOTT. I thank the gentleman for his kind remarks. I realize what the gentleman's position is. I will say that as a member of the subcommittee studying this matter, and as a member of the full Committee on Education and Labor, he has been most helpful and diligent in getting this bill to the floor of the House in such a form that it is receiving the general acceptance which it has had.

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. SMITH of Mississippi. I would like to preface my question by joining in the universal tributes that have been paid today and before to the gentleman for his work on this legislation, which I think in the years to come will be recognized as a landmark in the development and strength of our country so that it can meet all requirements.

I would like for the chairman of the subcommittee handling this bill to explain the graduate fellowship section which is carried in the bill and which developed from the conference. I understand the gentleman made some reference to it a minute ago, but I would like to have it explained in more detail.

Mr. ELLIOTT. I think one of the finest parts of the bill is the title providing 5,500 fellowships over a period of 4 years to be awarded to people who are working for a doctor's degree with preference given to those who intend to teach in the colleges of the country. It is a very fine program and it is predicated also, may I say to my friend from Mississippi, upon an expansion of existing facilities for graduate instruction. When we pass this bill we can be assured that if these fellowships are used, existing graduate facilities all over the country will have to be expanded at least sufficiently to take care of these fellowships.

And, Mr. Speaker, may I take this occasion to express to the gentleman from Mississippi [Mr. SMITH] my sincere appreciation for the kind interest which he has shown in perfecting this bill, and especially with respect to the graduate title about which he has just inquired.

Mr. DENTON. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. DENTON. Is the State of Indiana included or excluded?

Mr. ELLIOTT. It is absolutely included just like all the other States.

Mr. DENTON. I am very much pleased, because when the other body had offered an amendment excluding Indiana I was deluged with telegrams from educators, parent-teachers associations, and many citizens. The newspapers were full of letters to the editor all to the same effect: Why should Indiana paying the same amount of taxes as any other State be excluded from the operation of this bill?

I am glad Indiana is being treated the same as the other States of the Union. If this bill passes I hope the State of Indiana will cooperate to see that our citizens get the benefit of the legislation.

In conclusion I want to congratulate the subcommittee and the full committee for the work they have done on this bill. I think this will turn out to be the most important legislation probably enacted in this Congress. I think we can all be proud of it if this legislation becomes law.

Mr. ELLIOTT. I thank the gentleman from Indiana [Mr. DENTON], and am very happy, as I am sure are the members of the full Committee on Education and Labor with his prediction that this legislation will prove to be most important and significant in its results.

I share with him and with the gentleman from Indiana [Mr. MADDEN], great pride in the fact that the first amendment which the House conferees agreed to was an amendment to provide the full benefits of this bill to Indiana. Both gentlemen had been most solicitous that Indiana be restored, insofar as this bill is concerned, into full and complete equality of consideration with the other States.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, this is a bill we have been working on for a long time, recommended by the subcommittee and the full committee and also by the Commissioner of Education. I want to congratulate the committee on the bill they reported out. It is a good, fair compromise and a bill which in my judgment makes a notable step in increasing educational opportunities and facilities to the youth of America.

While I cannot say exactly how the White House feels about this conference bill, I am sure it will meet with approval because it must be recognized as a forward step and one that the American people will be very much gratified we took. It will materially aid in making our country a better educated Nation and will provide great opportunities for many of our young people who otherwise do not have the price of education.

I commend the gentleman from Alabama for the fine work he has done on this legislation. His committee and he himself have worked without concern for politics but for the purpose of making a better America. I hope the conference report will be adopted.

Mr. ELLIOTT. I thank the gentleman from Massachusetts.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. In the definition of "institution of higher education" are business colleges included, such a business college, for instance, as issue degrees, or certificates upon completion of 1, 2, 3, or 4 years of study?

Mr. ELLIOTT. Does the gentleman mean nonprofit business colleges?

Mr. ROGERS of Colorado. Yes.

Mr. ELLIOTT. There is within the definition, if the gentleman will read

the report, an inclusion of certain business schools provided they meet the requirements set out in the report. Those requirements would have to be measured as against any specific situation.

Mr. ROGERS of Colorado. While my question was directed to nonprofit business colleges, would a college that is operating for profit be eligible to obtain loans and to make loans to students who might attend that school?

Mr. ELLIOTT. It would not, I believe, if it were the ordinary case. The business schools were most aggressive in representing their interests in this matter. Their representatives presented testimony before the subcommittee, and they were heard with interest.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. BAILEY. I would like to clarify the point raised by the gentleman from Colorado. There are about seven schools, degree-granting institutions that carry on a special course in business administration, accounting, and so forth, that might possibly qualify under this bill. But the ordinary independent business school that does not grant degrees will not participate.

Mr. ROGERS of Colorado. Is it not true a part of the duty and responsibility of the State commissioner of education is to determine who is eligible and who is not, or is that all done by the United States Commissioner of Education?

Mr. ELLIOTT. I will say with respect to the business schools—I have not been able to find the exact page in the report here—the report sets out five specific requirements.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to my friend, the distinguished gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I cannot find the precise spot either, but the requirements are that the work given at those institutions must lead to a baccalaureate degree.

Mr. ELLIOTT. Yes.

Mr. THOMPSON of New Jersey. They must be nonprofit institutions, which would include business colleges, any college or university, but not some 90 percent of them which do not give baccalaureate degrees, and which do not operate on a nonprofit basis.

Mr. ELLIOTT. Yes.

Mr. THOMPSON of New Jersey. The criteria are the profitmaking and the degrees.

Mr. ROGERS of Colorado. I take it that any school that is operating for profit cannot under any circumstances obtain a grant from the Commissioner of the State and from the Department here in Washington?

Mr. THOMPSON of New Jersey. That is my understanding.

Mr. ELLIOTT. May I refer the gentleman to page 4 of the conference report, paragraph (b), which sets out the five qualifications that a business school must have in order to qualify.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Speaker, I rise on this occasion as a great day in the House of Congress when we are taking this far-reaching step in thinking about education in this great country of ours. As one who introduced the President's bill, the administration bill, it is a great pleasure for me to tell this body that 80 percent of the content of that bill is included in the bill which we brought back in conference. Then, too, I want to congratulate the Committee on Education and Labor, after receiving many slaps in the face at times, as being very forward in living up to its obligation under the chairmanship of the gentleman from North Carolina [Mr. BARDEN]. I do not think any Member of this body can go out and make any political claims on this bill. It was done in the best judgment of the committee, Mr. Speaker. All of the members of the subcommittee rallied to the occasion. I want to congratulate the gentleman from Alabama [Mr. ELLIOTT], and also to send word over to the White House that we have the best bill we can get and we are sending it to the President of the United States for approval.

Mr. ELLIOTT. I thank the gentleman.

May I say that one of the most important things about this bill, the thing that will make it strong, and give it a chance to work with good success has been the fact it grew up so largely with bipartisan or nonpartisan support on both sides of the aisle. As the gentleman has just stated, there was nothing partisan in the handling of the bill in the subcommittee or in the Committee on Education and Labor, and I certainly hope there will not be on the floor of the House.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Pennsylvania.

Mr. DENT. I would like to add my bit and say a nice word to the members of the conference who came out with a rather fine bill. As a new Member, I gained a new respect for the Congress and Congressmen and Congresswomen. Like many others, I did not know too much about the committee system of operation. I have great respect for it and I feel that a great many more Americans ought to know the amount of work that has to be put into legislation before it is ready for final action.

I want to compliment the chairman of the subcommittee and the members of the committee who have worked so hard, because this is a new departure in governmental operations.

Mr. ELLIOTT. I thank the gentleman from Pennsylvania who has made a great record here in his first term and who has contributed much to this legislation.

Mr. DENT. Mr. Speaker, I wish to take a few minutes to cover a phase of this program that to my mind is of very great importance.

Without taking away from the need for the scientists, grammarians and linguists as well as mathematicians, I believe we must expand our facilities for the trades and crafts that make the actual building and construction of our defenses possible.

With this in mind I want to join in the support of the conference report 2688 on the scholarship-aid bill. This bill was reported from the Committee on Education and Labor on which I am privileged to serve.

It was reported unanimously and I sincerely believe we can vote on this conference report in the affirmative today.

It is gratifying to know that the conferees have included vocational education. The importance of vocational education covers in part the following necessary fields of endeavor:

First. Automotive trades. America's economy depends upon its transportation system. The modern auto mechanic is a technician who keeps the wheels turning and understands the operation and maintenance of motor vehicles of all types.

Second. Brick masonry. In a day of cement and glass blocks, quick-rising housing developments, and industrial projects, the brickmason must combine manipulative skill with sound judgment and related technical information.

Third. Cabinet and pattern making. The cabinetmaker combines skill and precision to turn out articles of furniture that reflect artistry by their beauty of line and perfection of handiwork. The pattern maker's product is the link between the designer and the casting. He is an artisan whose work requires the knowledge of several trades—woodworking, foundry methods, and machine-shop practice.

Fourth. Carpentry. Carpenters are builders; theirs is the responsibility of making the architect's design a reality. Perfection of construction will mean increased enjoyment for those who work or dwell within the walls of the structure. It may mean the start of a new kind of living.

Fifth. Drafting. Suspension bridges that leap rivers, skyscrapers that rise to city skylines, and the turbine that throbs with power were first put onto paper by the draftsman with fine pencil lines. Whether it be dramatic designs for industry or functional patterns for modern living, the draftsman's design furnished the blueprint for production.

Sixth. Electricity. Electricity lights the world, moves power machines, and transmits voices and pictures through the medium of telephone, radio, and television. Technicians in the field of electricity hold within their knowledge one of the most powerful and useful discoveries of mankind.

Seventh. Machine-shop practice. Mass production, mechanization, and automation are prime factors in our high standard of living. The machinist and the tool and die maker, working to tolerances of one ten-thousandths of an inch, play a vital role in all of America's industrial progress.

Eighth. Printing. When John Gutenberg invented movable type he opened the doors of learning to each individual. With the printed word has come the ability to transmit the knowledge of the world to each generation.

Ninth. Welding. The electric arc and the acetylene flame in the deft hands of the skilled welder join two pieces of metal as one. Welding a broken machine casting, the structural steel skeleton of a ship or skyscraper, and a network of pipelines across the country make possible many of our technological achievements.

This is a convincing and compelling list of needed jobs to be performed in our economy. While it is true that we need higher education, there is just as important a reason for having vocational education.

Without the skilled tradesmen, our economy cannot exist. Many of our skilled technicians are the graduates of private and public vocational schools.

The old days of the apprentice tradesman are fast disappearing and nothing can take the place of this program except a Government aided program for vocational education.

Mr. Speaker, I want to pay my respects at this time to the chairman of the subcommittee, the Honorable CARL ELLIOTT, the gentleman from Alabama, whose unselfish and understanding character has made passage of this act possible.

His calm and sober judgment of both men and issues saved this bill on many occasions when tempers and disagreements threatened to bury the bill in committee.

Every member of the Committee of Labor and Education, I am sure, believes as I do; that without CARL ELLIOTT's positive hand and patient leadership this great step forward in the field of education would have died aborning.

I consider it a privilege to have been permitted to help work out the details and to have served with Mr. ELLIOTT and the whole Committee on Education and Labor.

Another great force that was added to the unselfish group working for the passage of this bill was the NEA and all of its officers and members.

From the beginning they contributed at every turn, with their statistical facts and wealth of logic and knowledge in the field of education.

We know this is a beginning and that the future will bring greater strides in our never ending search for higher education.

The following statement by the NEA is worthy of inclusion in the CONGRESSIONAL RECORD.

A STATEMENT FROM THE NEA TO REPRESENTATIVE DENT OF PENNSYLVANIA

With the report of the conferees at hand, it now seems likely that the National Defense Education Act of 1958 will become law.

It may be helpful for us to recall that things began to happen early in July when 6,000 teachers and administrators who were delegates to the NEA's annual convention voted unanimously to push this bill when it became apparent that chances were dim for the more comprehensive Murray-Metcalf bill involving Federal funds for school construction and teachers' salaries.

The immediate NEA push for the bill goes back to a late session speech by former NEA president John Lester Buford at the NEA convention in Cleveland. "Time is running out," he said. "The future of our country will be won or lost in the classrooms. Anything which is more important to the perpetuation of democracy than is education should take precedence over it. Anything less important should follow it."

As the convention gave Dr. Buford a standing ovation, another former NEA president, Corma Mowrey, introduced a resolution, calling on NEA members everywhere to launch an all-out campaign to pass a Federal support to education bill. In State after State, delegation leaders jumped to their feet to second the resolution.

I find myself in substantial agreement with majority leader LYNDON JOHNSON who said, during Senate debate on the bill, "I hope this bill is only the forerunner of better things to come * * * I know of nothing which has higher priority than the education of our children and their preparation for the needs of the modern world."

Similarly, I agree with one of my colleagues who said that it was "the work of the National Education Association and the many expressions of support from teachers all over the country which helped to get this bill off the ground."

Dr. J. L. McCaskill, executive secretary of the NEA legislative commission, made a good point when he pointed out that the two Houses of Congress, by clear-cut majorities, affirmed the belief that education, "is not just an investment in people, it is an investment in the future of the United States of America. It is a vote of confidence by the Congress of the United States in the schools and teachers of the country."

As reported by the conferees, this is a good bill; it includes concessions from both sides and is a significant milestone in the history of American education and our Nation.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the distinguished gentleman from California.

Mr. HOLIFIELD. I will not take much of the committee's time or of the gentleman's time. But, coming as I do from a metropolitan area of some 7 million population, I just want to say that this bill is going to be tremendously helpful, and it is one of the finest pieces of legislation which this Congress has produced. And it may be the one piece of legislation which will have the most lasting effect upon the lives of these young people that will be allowed to participate. I sincerely compliment the gentleman and his committee for this fine piece of legislation.

Mr. ELLIOTT. I thank the gentleman very much. He is very kind and encouraging. I share with him the belief that this legislation will do much for the boys and girls of America.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to my good friend, the gentleman from West Virginia.

Mr. BAILEY. It has been a pleasure to participate in the preparation of this legislation. It so happens that the Subcommittee on General Education, of which I happen to be the chairman, was assigned, along with the special committee headed by the distinguished gentleman from Alabama, in the preparation of this legislation. The gentleman from Alabama will bear me out that we spent about 5½ months in the preparation of this legislation. The bill as first presented to the subcommittee consisted of 16 titles. Today I believe it has been refined and brought down to the point where it has about 10 titles, I believe.

Mr. ELLIOTT. That is right. We cut off many of them and may I say it was a most delightful pleasure to work with the gentleman and with the members of his subcommittee on this legislation. We worked together long and faithfully.

Mr. BAILEY. Now, let me say this, that the part that my subcommittee had to deal with was the part affecting our elementary and secondary schools which falls under the purview of my subcommittee. One part of the bill which I think has received very little discussion this morning, and that will probably mean more to America in the matter of defense than anything else, is title IV, in which we provide Federal matching moneys to be matched by the States and the local school districts, which will provide sufficient funds during the 4-year period to rebuild every laboratory in every one of the 27,000 high schools of this Nation; not only to rebuild them but to rehabilitate existing laboratories for teaching chemistry and physics and biology and other things in which we are weak. That is, in my estimation, the most valuable part of your legislation, may I say to the gentleman from Alabama.

Now, may I say to you that we have taken practically all of the bugs out of this legislation. It is good, wholesome, safe legislation which has as its basic objective the preservation of America and American ideals and the proper training of our boys and girls. I want to compliment the gentleman from Alabama and say to him that I was more than pleased to offer the time and the efforts that I put in in assisting in this legislation. I sincerely hope that the House will adopt this without any further debate.

Mr. ELLIOTT. May I sincerely thank my distinguished friend who served with me as cochairman of our subcommittees which worked on this legislation. Everybody in this House knows of the gentleman's deep interest in education.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I take this time to pay my respects and compliments to the gentleman with whom I differ completely on this bill, the gentleman from New Jersey [Mr. THOMPSON] who spoke just a few moments ago. I want to commend the gentleman from New Jersey for being frank and forthright with this House as to his views. I know that he expresses the views of a substantial element in this House and outside this Congress. He is not interested in specific specialized Federal aid to education; he is in favor of general Federal aid to education. He is not in sympathy or interested primarily in temporary Federal aid to education; he is in favor of permanent Federal aid to education. It is an excellent example of what I have been telling this House throughout the debate on this issue, and I commend him for his frankness, and I commend him for putting the House and the Congress and the President on notice as to what may be expected. In other words, the supporters of this legislation are indicating their determination to play with the fire of massive transfer of support of education by the Federal Government, but so far as I am concerned, there is no demonstrated evidence that there is any capacity to control that fire once they start playing with it.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I would say that the gentleman from Michigan [Mr. JOHANSEN] is substantially correct in his analysis of my feelings. However, I would say further that there is something which I consider equally important which was not adopted this year, and that is Federal aid for classroom construction.

Mr. JOHANSEN. Is that for next year?

Mr. THOMPSON of New Jersey. The gentleman did not say anything about the imperative need for this legislation which I emphasized in my earlier remarks.

GENERAL LEAVE TO EXTEND

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOLLAND. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Pennsylvania.

Mr. HOLLAND. Mr. Speaker, I wish to commend the chairman of this committee for the great work he has done. I, too, was very much interested in the progress of science in America. Before sputnik I introduced a bill along these lines. I am certainly glad that they have brought in this kind of legislation. This bill takes care of various points that are so necessary in order to bring American standards up in the field of science.

Mr. ELLIOTT. I thank the gentleman from Pennsylvania. He has been most interested in the subject matter of this legislation, and has brought the results of his individual research and of his broad knowledge in the field to the attention of the subcommittee in a most thorough and helpful way.

Mr. RAINS. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to my distinguished colleague and friend from Alabama.

Mr. RAINS. Mr. Speaker, I do not want to make a speech. I simply want to say, as one Alabamian to another that I am very proud of the bill and the good record my esteemed colleague has made. I should like to point out for the RECORD that the chairman of the committee who handled this bill in the other body happens to be another esteemed and distinguished Alabamian. I want to congratulate the gentleman from Alabama [Mr. ELLIOTT] and the members of his committee on what I think will be one of the outstanding pieces of legislation of this whole session. I should like to say further that it must give a really good feeling to get a bill passed.

Mr. ELLIOTT. I thank the gentleman very much. His interest in this legislation and his encouragement have been most helpful and are deeply appreciated.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. The gentleman already knows of my support of this legislation. I want to refer specifically to the scholarships at the graduate level.

Mr. ELLIOTT. We call them fellowships.

Mr. SEELY-BROWN. Fellowships; it is my understanding that if a graduate student is going to continue teaching his application is given priority; is that correct?

Mr. ELLIOTT. That is correct.

Mr. SEELY-BROWN. Does it matter in which field he decides he is going to teach?

Mr. ELLIOTT. There is no restriction with respect to that.

Mr. SEELY-BROWN. I thank the gentleman.

Mr. ELLIOTT. I thank the gentleman from Connecticut for his interest and support.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Florida.

Mr. CRAMER. Will the gentleman inform the House what is the estimated annual cost of this bill under the conference report?

Mr. ELLIOTT. The estimated cost for 4 years is $887 million of which I think $266 million will be paid back. That would make the cost approximately $521 million.

Mr. CRAMER. As I understand it, the estimated annual cost is approximately $165 million?

Mr. ELLIOTT. I figure it at $155¼ million; I think that is about correct, after giving credit for the moneys to be repaid.

Mr. CRAMER. Of this amount under title I, this having been considered as a bill involving scholarship loans, as I understand it approximately $45 million is for that purpose out of the approximate $150 million, is that correct?

Mr. ELLIOTT. Forty-seven and one-half million dollars, I will say to the gentleman, is the cost of the loan provision for the first year.

Mr. CRAMER. The thing that disturbs me, and I wish the gentleman could satisfy my concern about it, is this. I introduced a loan scholarship bill myself, although I prefer a guaranteed loan program, frankly. Why is this bill so overbalanced so that under the program less than one-third of the money goes into what the bill is supposed to accomplish, scholarships for these students on a loan basis in order that they may better equip themselves supposedly to serve defense purposes? Two-thirds of the money does not go into this program at all, so far as scholarships are concerned.

That was the fundamental program in which the administration was interested and that is the program in which I am interested. It is this additional $100 million that is going into other fringe aspects that disturbs me.

Mr. ELLIOTT. I believe the administration's bill covered all these other aspects mentioned except vocational education.

Mr. CRAMER. Can the gentleman advise us as to the thinking of his committee concerning these aspects other than the scholarship and loan program?

Mr. ELLIOTT. We felt that when we looked at the whole broad spectrum of education we could most cheaply and most quickly do the most good by attacking existing problems at these points, namely, the loans which the gentleman has mentioned and for which there is some $300 million, the fellowships, for which there is $82,500,000, the equipment for which there is $280 million. With respect to equipment may I say it was the desire of the committee to do something down in the grades so as to start this process of training people in the sciences and technologies; there is a real good reason for each title in the bill.

I will say to the gentleman that I feel really, truly, and strongly that each of these titles has its place in this bill and will serve a very worthy purpose in doing what we want to do for America, namely, to answer the Soviet threat to gain supremacy over us in science.

Mr. CRAMER. I agree with the gentleman, and I want to serve that objective, but will the gentleman give some assurance to the House that by voting for this conference report we are not leading up to a program of classroom construction next session?

Mr. ELLIOTT. There is no connection between the items in this bill and classroom construction, none whatsoever. There is no construction authorized in this bill except some very minor remodeling for the placing of equipment, in other words, moving a door, making a hole in a wall to get laboratory equipment in, and things of that sort. What the future may hold with respect to proposals for school construction, I will say to the gentleman, I know no more than he.

Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, a good many Members have asked me whether I feel this conference report retained the essential features of the amendment I offered and which was adopted by the House when we were considering this bill.

Let me say right at the outset that it does. I think the House conferees did do an extraordinarily good job, and I commend them for it, beginning of course, with the distinguished chairman of the subcommittee, the gentleman from Alabama [Mr. ELLIOTT].

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from West Virginia.

Mr. BAILEY. May I say to the gentleman from Minnesota that the House conferees, of whom I am one, felt that in the face of the vote on the amendment offered by the gentleman from Minnesota we had to insist on taking scholarships out of the conference report.

Mr. JUDD. I greatly appreciate that fact—and I have been most grateful when several of the members of the Committee on Education and Labor, of both parties, tell me that even though they opposed my amendment in defending their committee bill, they personally believed my amendment makes it a better bill.

Naturally, no two persons will agree as to the merits of all of the titles of so comprehensive a bill. I have grave doubts about the wisdom and effectiveness of some of them, and I am sure some of the conferees also have qualms about some of them. There are potential dangers in some of the provisions. On the other hand, look at the dangers we face in going on as we have been—slowly falling behind. We have to weigh the possible dangers in passing this bill against the undeniable shortcomings and inadequacies in the field of education that will continue if we do nothing.

The scholarship title, to which there was the greatest objection, is not in the conference report. That means that all the assistance provided in the bill is available to students on the same basis namely, as loans. We will not have the situation where one student with a free grant will be working alongside another student just as able and in just as great need, but who has had to take a loan and will repay it. Furthermore, elimination of title II avoids the setting up of a whole new mechanism of commissions which, outside the college themselves that know the students best, would pass upon the applications for scholarships on the basis of the results of tests and also, inevitably, of pressures from friends of the applicants, and so on.

It is the colleges that are the most interested in their students, are closest to them, and have the most professional skill in evaluating them, they should be the ones to select the students to receive the loans.

One of the objections raised by those who opposed the elimination of the scholarship title was their belief that this bill should have prizes and rewards in it in order to provide an additional incentive to students to get them to want to go to college and to develop their capacities to the utmost, and especially to take the tough courses in science, mathematics, and so on. Mr. Speaker, the conferees have done a splendid job in transfering this incentive element to the loan provision. I am grateful that they adopted my suggestion that in the selection of individuals to whom loans are to be given, special consideration should be given to superior students who have demonstrated that they have special aptitudes or preparation in the fields of science, engineering, mathematics, and languages. Of course, it cannot and should not be an ironclad rule; but this provision does offer a real incentive to our boys and girls to work hard in high school. They will know that the best assurance they will have a chance to get loans on easy terms to enable them to go to college and get the best possible education, is the record they make and the capacities they demonstrate in high school.

Furthermore, I think the conferees have improved the House bill by the provision which will increase the incentive for more and more qualified individuals to go into teaching, through authorizing cancellation of the loan at the rate of 10 percent a year that they spend in teaching, up to 5 years. Some have expressed a fear that this is an indirect way of keeping the free-scholarship idea; that it will give a scholarship character to the loan title. I do not agree with that view. When a scholarship is given to an individual, that is the end of it. He has no obligations to make a particular return to the Government or to education or to society. But a loan can be canceled, up to half of it, only in return for value received. There is a quid pro quo. It gives a student an additional incentive to go into the all-important field of teaching, when he knows that he can reduce by a half the amount that he has to pay back by teaching for 5 years. By that time he is more likely to stay in teaching.

Mr. Speaker, in summary, this conference report makes sure that no qualified American boy or girl will be denied a college education for lack of funds. Secondly, not one boy or girl who would have had educational opportunity under the original bill will be denied that opportunity under the provisions of this report. In fact, a larger number of deserving and needy youth will have that opportunity under this report because as the loans are paid back the money can be used over again for the younger brothers or for the qualified among neighbor's children.

So, Mr. Speaker, I intend to vote for this report. I do not expect that it will prove to be perfect—I am sure that some bugs will be found in it. Some of the nine titles will not work as well as others. Some may prove unsound or ineffective. We will have to deal with such a situation if and when we come to it. But, on the whole, this is really a monumental piece of legislation. It unquestionably represents a landmark in the history of American education. I hope it will prove of very great benefit to our country at this time in our history and I vote for it in that faith.

Mr. ELLIOTT. Mr. Speaker, I yield 5 minutes to the gentleman from Delaware [Mr. HASKELL].

Mr. HASKELL. Mr. Speaker, I will not take the full time allotted to me, but I would like to say yesterday morning there was a conference with the President and Dr. Killian. The President was very enthusiastic about this measure as it finally came out of conference. It was a privilege for me to have served as one of the conferees. This was my first opportunity to serve on a conference committee and so my judgment may not be as good as some of its old hands, but I feel that the House prevailed. I think it prevailed in almost every instance with possibly two changes which I believe have been explained to you here today. One change was in the provision where the teachers have the opportunity to have forgiveness of up to 50 percent of their loan. This hits at the heart of our problem here in the United States. We lack teachers not only in quantity but we lack teachers in quality. This provision goes importantly to that problem.

Mr. Speaker, I would like to close the debate with just a few reminders. The Soviet Union today has one of the most dangerous weapons in the whole world—the atheistic, scientific trained mind—and it has them in plentiful supply. If the United States is to compete with the Soviet Union, we have to do a better job than we are doing now. The Soviet colleges and universities graduated twice as many engineers and scientists as we did in 1956.

They have more than double the number of science students in their higher educational institutions this year than we have.

Tuition in colleges is free—they pay students salaries—(stipends they have named them)—there are bonuses in addition for those with high scholastic marks, particularly in science.

But it is what Russia is doing at the secondary school level (where every nation should spawn its future scientists) that Russia becomes the greatest threat to America and the West.

Their accent on education filters through to the lowest base, their 10-year secondary school, it is perhaps the toughest grammar school and high school system in the world.

And that is where they are now establishing a lead over the United States that is going to take an almost superhuman effort for us to overcome.

History teaches that the Battle of Waterloo was won on the playing fields of Eton. It occurs to me that it might be that the battle for survival for the West might be lost in the schools of America.

The Communists' whole educational system is intensely competitive and the idea of a classless society is wiped out immediately when one begins to fathom what goes on inside the U. S. S. R.

These youngsters, between the ages 7 to 17, go to classes 6 days a week, nearly 10 months a year. Homework varies from 2½ to 6 hours per day.

School attendance through these ages is now mandatory in most urban centers, and they hope to widen compulsory 10-year schooling in rural areas by 1960. Schools in most agricultural sections stop at the 7th grade, which is high school freshman year in our system.

The comparison of what we are not doing in America in the field of science and mathematics education at the high school level is not merely serious, but shocking.

I, too, am stunned by figures produced by the United States Office of Education and by studies made by the National Science Foundation on the precipitant decline percentagewise in high school instruction in mathematics and science.

These subjects are electives in most United States high schools.

There are no electives in the Soviet 10-year schools.

Twenty four percent of our high schools offer no geometry. Twenty three percent of our high schools offer no physics or chemistry.

In 1900, algebra was studied by 56 percent of high-school students. In 1955, the figure was less than 25 percent.

Twenty seven percent of our public high-school students carried geometry in 1900. In 1955, only 11 percent.

The number of pupils taking geometry has declined in the past 20 years although student population has increased.

In physics the figure dropped from 19 percent in 1900 to 4 percent in 1953.

Is it a small wonder, then, that we graduated only 228 new physics teachers in 1956 to staff our 28,000 high schools? And while we graduated 2,121 general science teachers this same year—many of whom had majors in physics—the total production of physics teachers fell woefully short of the necessary goal.

And a large number of these never entered the teaching profession. They joined the growing ranks of science teachers who have heeded the better-paid calling of industry and Government.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. HASKELL. I yield to the gentleman from California.

Mr. McDONOUGH. I think the gentleman from Minnesota, Dr. JUDD, provided the means that makes this bill most acceptable to all of us. He recognized the need of the students who would qualify because of need; not because of a scholarship. I think the House and the Congress and the conferees have recognized the wisdom of the Judd amendment and have adopted it, and it makes the bill much more acceptable to us than it was otherwise.

Another point that I think is very important. The declared policy of Congress repeated in the conference report and I quote "that the Congress reaffirms the principle and declares that the States and local communities have and must retain control over the primary responsibility for public education" end of quote, which I think is vitally important. If we do not adhere to this policy declared in this conference report in all future legislation on education, we will be promoting a socialistic form of education under Federal control which we do not want in this country. I compliment the conferees for including that declared policy of Congress in their report. As a member of the House Select Committee on Astronautics and Space Exploration I found during the hearings that if we did not provide some help to needy students who are qualified to pursue scientific courses we would not be able to compete with Russia in the production of engineers, chemists, biologists and in many other sciences.

In response to a questionnaire to the people of my District I received 67 percent "yes" to 33 percent "no" for Federal aid for students to pursue a scientific course.

I favor the adoption of the conference report.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. HASKELL. I yield to the gentleman from Connecticut who has done such a fine job on this bill. He was key man in the development of the loan provision, the most important section of this bill. He worked tirelessly to work his will, and the legislation has been greatly improved as a result.

Mr. GRIFFIN. I want to join in commending the chairman of our subcommittee [Mr. ELLIOTT] and the House conferees for the excellent job they did in bringing out a bill which on the whole is very acceptable. I would like to ask the gentleman to confirm my understanding, that the conferees retained an amendment that was adopted, including junior colleges in the section which deals with science.

Mr. HASKELL. They were included by the gentleman and, of course, the one who made this possible.

The SPEAKER pro tempore. The time of the gentleman from Delaware has expired.

Mr. ELLIOTT. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. HASKELL. I yield.

Mr. LAIRD. I notice there are funds made available for facilities in various schools. The gentleman from Michigan asked about the junior colleges. I would like to ask the gentleman from Delaware whether any funds are authorized for school facilities such as laboratories and science equipment for private and parochial schools in this bill?

Mr. HASKELL. No. That is only through a loan.

Mr. LAIRD. But none of the grant funds authorized in this legislation are available to any private and parochial schools?

Mr. HASKELL. No.

Mr. LAIRD. Did the conferees give consideration to grants for private and parochial schools in view of security or defense needs of our Nation?

Mr. HASKELL. Yes, they did.

Mr. REECE of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HASKELL. I yield to the gentleman.

Mr. REECE of Tennessee. A few years ago a committee investigated tax-exempt foundations. We found definitely that the powerful influence of a few large tax-exempt foundations had been to a large measure responsible for the swing in public schools and colleges away from pure science into the area of social science.

Now, in reviewing, there are 10 tax-exempt foundations that have an annual income of something more than a billion dollars a year. But a small percentage of that income is given for scholarships in the field of pure science about which we are concerned today. I was wondering if this committee gave consideration to some means of trying to influence the tax-exempt foundations to give more scholarships in the field of pure science rather than continuing their emphasis on the social sciences.

Mr. HASKELL. We did not feel that this should be a part of our work on this legislation.

Mr. REECE of Tennessee. They have available for the very purpose we seek to accomplish in this bill more money than the Federal Government is making available. I think it would be very helpful if the foundations would make that money available for the inducement of students to take training in pure science.

Mr. HASKELL. I wish finally to congratulate the subcommittee, the full committee, and the conferees. They have done a magnificent job in bringing this legislation to passage after a year and a half of the hardest kind of work. I think the gentleman from Alabama [Mr. ELLIOTT] beyond anybody else deserves a tremendous amount of credit for this legislation. It was a magnificent job well done.

Mr. ELLIOTT. I thank the gentleman very much. It has been a pleasure to work with the gentleman from Delaware [Mr. HASKELL] on this worthwhile legislation. He has been most diligent and cooperative throughout the long committee hearings, and throughout the conference. He has been most helpful in pursuing a bipartisan or nonpartisan approach on this bill. I thank the gentleman very much.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. I was very much interested in the remarks of the gentleman from New Jersey [Mr. THOMPSON]. I could not help but recall that it was in January of 1957, long before sputnik the first, that the same gentleman published in the CONGRESSIONAL RECORD the Democratic legislative program for 1957.

Mr. JONES of Alabama. Mr. Speaker, I rise in support of the conference report on the national defense education bills of 1958 and to praise the outstanding leadership of my distinguished collegue from Alabama, the Honorable CARL ELLIOTT, for his untiring efforts as chairman of the Labor and Education Subcommittee in bringing this bill to the House floor.

For a long period of time the gentleman from Alabama [Mr. ELLIOTT] has labored through study and research to make this bill possible for our final consideration here today. He has been courageous, farsighted, patient, and understanding. He has been able to muster bipartisan support for this worthy and needed legislation.

The conference report on this bill is fair and meritorious. The managers on the part of the House in bringing out this conference report have done a splendid job and have brought to us a compromise bill which deserves the approval and support of the House.

I predict that the National Defense Education Act of 1958 will be regarded as one of the principal pieces of legislation that have been passed by the 85th Congress, and history will record the significance of this advanced legislative program. It will do much to afford this country an opportunity to shore up its defenses through providing technical

and scientific personnel that will be required in the fast-developing defense requirements which lie ahead.

The provisions of this bill are not only clear, concise, and adequate to fulfill its mission, but are also of superior legislative quality.

For this outstanding contribution to our Nation's defense and welfare, we owe a deep debt of gratitude to the gentleman from Alabama [Mr. ELLIOTT] and his subcommittee colleagues who have labored so long to make it possible for us to vote for and approve this forward-looking measure here today.

Mr. Speaker, the passage of the Elliott bill is a great historic occasion in the life of this legislative body, and I am confident that the renown of its author will be most pleasing and satisfying to the citizens of Alabama as well as of the Nation.

Mr. HOLLAND. Mr. Speaker, I wish to commend the chairman of the Subcommittee on General Education for the great work he performed in starting America back to her leadership in science and technology.

I was also glad to see that this education bill contains a good deal of the subject matter that was in the Holland bill. I have, Mr. Speaker, long before sputnik was launched, been warning the American public that we were engaged today in a struggle that is not a mere military struggle, limited to the fields of Europe and Asia Minor, but in a military, political, economic, and technological race between the two giants of the entire world—United States and Russia. The key to that race is supremacy in scientific and technological manpower.

In 1956 I pointed this out in the Congress of the United States when I introduced H. R. 11200. The Holland bill was written after much correspondence and personal meetings with the deans of engineering schools throughout the country. Practically everything that was freely discussed at the many meetings I had with the deans is contained in this bill we are passing today.

Our first great problem was to quit wasting our precious manpower by failing to enable many bright high school students to continue to college. Many of these boys and girls could not secure the financial help to pay for their college education.

The second big problem was to get qualified teachers to teach mathematics, physics, and other kindred subjects so necessary in the science field.

My bill granted scholarships to those with ability. It also increased the salaries of the professors and teachers in amounts comparable to those paid in private industry. It encouraged graduates to go into teaching by providing them fellowships after teaching 3 years in secondary schools. It also gave appropriations for research and laboratory expansion.

I again introduced this bill in 1957, and it was considered with many others in the Subcommittee of Health and Science of the House Interstate and Foreign Commerce Committee.

The bill that has been passed today does not give free scholarships, but does set up a loan fund so that every needy student can borrow the money on very easy terms.

Forty-seven and a half million dollars will be available for the fiscal year ending June 30, 1959; $75 million for the year 1960; $82,500,000 for the year 1961; $90 million for 1962, and for other years until these students have completed their education.

They will not have to start paying it back until they are out of school over a year; however, if they will teach school for not less than 5 years, 50 percent of the loan shall be forgiven. If they wish to continue their education toward a fellowship and do graduate work for 3 years, the cost of the graduate work will be paid by the Federal Government, and the student shall receive $2,000 for the first year, $2,200 for the second year, $2,400 for the third year, plus an additional amount of $400 each year for each dependent they may have.

Mr. Speaker, I am merely covering the science part of this bill, but there are many other items and subjects so needed to bring our educational system up to date in this automation age. This bill recognizes the need for technicians, skilled workers in the technical field, and has set up a very fine vocational education program in cooperation with the States, with the training of individuals designed to fit them for useful employment as highly skilled technicians in recognized occupations requiring a scientific knowledge. It also recognizes the fact that each State shall have in their school systems guidance counseling to assist the child and to encourage able students.

Mr. Speaker, having served on the Education Committee for many years in the Senate of Pennsylvania, I am happy to be a member of the Education and Labor Committee of the Congress of the United States at the time when they recognize the need for the reforms that are in this bill, and above all, that education is a part of the defense of our country. I know that in the 30th district of Pennsylvania that I represent, we have many bright students who will avail themselves of this opportunity to secure education on a scale much higher than has been afforded in the years gone by.

Mr. HYDE. Mr. Speaker, I commend the conferees on the splendid job they have done on this education bill.

However, I am disturbed about the remarks of the gentleman from New Jersey [Mr. THOMPSON] in which he expressed his regrets about the emphasis on the exact sciences and what he feels to be a neglect of the so-called humanities. It seems to me this bill strikes a fairly good balance.

But the observation of the gentleman from New Jersey reflects fallacious thinking, which I fear is too widespread in this country. That is, that one can be an educated person in the complete sense without a thorough background in the basic exact sciences. I don't want to underrate the "humanities." An educated person should be familiar with all of science, the exact and the humanities.

The fortunate fact about the Founding Fathers of this great Nation was that they were educated men in the full sense of the word. They were learned in the arts, in history, in politics, and the sciences. Franklin was a practical engineer, Jefferson was an architect, Washington was a civil engineer. This more than anything else, gave them the judgment and ability to conceive a form of government and to draft a Constitution which are still the newest and most enlightened accomplishments in their field that man has ever done. It is going to take men and women of the same breadth of knowledge and understanding to preserve this Government and the Constitution against the ideologies which are nothing but dressed-up copies of that which history proves have been tried and found wanting.

I hope the passage of this bill will reawaken our people to the fact that a knowledge of basic science is a sine qua non for the educated man.

Mr. STAGGERS. Mr. Speaker, it will be a privilege and pleasure to vote "yea" for the National Defense Education Act of 1958.

Long has been the need for a shot in the arm of the educational system of this Nation. In West Virginia, as in just about every State in the Union, schools are undermanned and underdeveloped, and the net result: On graduation day our youth come up short. Long and loud has been the cry for help, and at last, yes—after being prodded and pushed—and scared, something has been done.

The National Defense Education Act of 1958 gives renewed hope to the teacher, new goals to the student, and new horizons to these United States.

Mr. BOLAND. Mr. Speaker, I join in the well-deserved encomiums heaped upon the distinguished gentleman from Alabama, Congressman ELLIOTT, and the members of his Subcommittee on Special Education, who handled this national defense education bill, and the membership of the House.

This is the culmination of a long and hard and sincere effort on the part of many of us to assist young and able American students attain a college education, particularly in the fields of science, engineering and mathematics. Now that this bill is about to receive final House action, we can move ahead in the field of education knowing that in the future we will no longer have to listen to statistics which show that one-half of the bright high-school students in the United States are not entering college because of lack of financial assistance.

I am particularly pleased that this national defense education bill incorporates the Federal loan feature of the bill I have been filing since coming to this House in the 83d Congress.

Mr. SIEMINSKI. Mr. Speaker, it is said that greatness has about it the qualities of leadership, organization and the theoretical, the latter to kindle the hopes and dreams of men to overcome difficulties in which they find themselves or to help men reach the goals set by their dreams. Leadership and organization do their job when man is in abundance in fulfillment of his best wishes. Leadership, organization and

the theoretical serve best when they bring out the best in man, so it seems.

This bill is a step in that direction, Mr. Speaker. All the money, all the equipment, all the teachers, classrooms, students, dormitories, textbooks, libraries, and programs will avail nothing if we lose our aim as citizens to preserve liberty and to promote prosperity for more and more people from generation to generation, so that with that liberty and with that prosperity the Creator's gifts to man for good shall flower in the joy and happiness meant for each of us in our journey through life.

And if we lose our sense of direction in these things, Mr. Speaker, we lose all.

I hope that this bill and the bills that will follow it, will allow greater and greater consideration for younger and younger students. We seem to be stuck with the word college and the word university in a manner that would indicate youth incapable of faster growth or quicker absorption in matters of the mind, the heart, of character and good judgment.

What was college for our grandfathers could and certainly should be easier going for our children. And with more and more college trained parents around the dinner table, certainly more and more children grow and mature sooner, or should.

In the days and in the years ahead, I hope for those who legislate in these matters that more and more attention is directed at and success attained with solid assistance to the secondary schools of America; for in our secondary schools those bright virtues for betterment are established where college becomes a hope and a vivid dream for life's fulfillment and not alone a must for social standing or athletic prowess.

Our views mellow and alter with age. How touching to read recently of the grant of a million dollars by an American foundation to restore the spires of Oxford, threatened with ruin by smoke, fumes, and grime. The million dollars is a tribute to the beacon that Oxford has been for over 600 years and the contribution it has made to man's life and thought. America is young, so very young by Oxford, by European, by oriental, Asiatic, or other standards.

But when we think of the human family on earth today, we are as young as our hearts and as old as our fears, all of us, north, south, east, or west, no matter on what continent or in what hemisphere we reside. And above us? It is said there is God's plan. And that our task is rightfully to divine and to live it.

Can we learn too soon? Especially if we divine that God's plan for us is to make haste in harmony lest the disclosure of His mysteries dismay us from generation to generation?

Are the words "college" and "universities" to remain labels to blunt analysis and ready evidence of youth's faster and and faster grasp and swifter appreciation of the need for betterment before war swallows youth in its maw, made bloody by ignorance, poverty, folly, and vainglory at least once every generation since that great Man of Galilee walked this earth?

In recorded history, we are 200 generations. We have lived and recorded 4,000 years. Who is to say how soon we are to lift the lamp of learning to dispel the darkness in front of us, if any?

I trust this bill is improved year after year with a fuller flowering of assistance to our secondary schools.

Mr. McGOVERN. Mr. Speaker, the editor and publisher of the Sioux Falls Argus-Leader, Mr. John A. Kennedy, who is one of the world's recognized authorities on education in the Soviet Union, has said that the most dangerous weapon in the world is Russia's scientifically trained, atheistic mind.

Testifying before our House Education Subcommittee, Mr. Kennedy told us, after extensive firsthand observation of the Soviet school system that the real threat from Russia is not her jet planes or tanks, but her classrooms, libraries, and laboratories.

In other words, what Mr. Kennedy told us in a most compelling manner is that America must either meet the challenge of Soviet education or lose the race between totalitarianism and our free way of life. Mr. Kennedy made these remarks before the Russians launched their sputnik and before many of the rest of us were awakened to the tremendous challenge posted by the all-out educational effort of the Soviet Union.

I am not going to review here the tremendous investment of time, money, and manpower that the Russians have put into education. What I would like to emphasize is that Americans have always believed that education is a central theme in our entire national life.

We have recognized from the very first that education ought to be primarily a local matter. The home, the local school board, the local community have historically been given the direction of our public school programs. This is as it should be, and I am pleased that the legislation now before us makes it impossible for the Federal Government to use this program to dictate local school policy. The opening section of this bill expresses the conviction of all of us that control of education must be preserved in local hands.

From the very first, however, we have called upon our Federal Government to give assistance to the schools. Federal support for education is a clearly different matter from Federal control.

As early as 1785, one of the two great ordinances for the Northwest Territory set aside the 16th section of every township in the public domain for educational purposes. The Founding Fathers, most notably Thomas Jefferson, believed that democracy was not possible without strong public support for education. Even the conservative Alexander Hamilton, Washington's great Secretary of the Treasury, said that one of the most important responsibilities of the Federal Government was the promotion of learning.

In our own day, it is becoming increasingly clear that local property owners cannot finance the cost of a constantly expanding educational program. The demands of the modern world have greatly increased the cost of modern education, just as the cost of all other worthwhile commodities has increased.

Certainly, a nation that insists on annual improvements in its automobiles and that is willing to pay 3 or 4 times the amount for an automobile today that we paid 15 years ago ought to be willing to face realistically the need for improved education.

Furthermore, a literal explosion of school-age population is upon us. Classrooms that are already jammed will be filled to overflowing in the immediate years ahead. The full force of the elementary and secondary school-age population is about to hit the colleges, and we are told that by 1970 present college enrollments, now approximately 3 million students, will be doubled and possibly tripled.

The problem that confronts us is further compounded by an imminent shortage of qualified teachers on every level of education. Good teaching is now and always has been the heart of good education. We must recognize, far more than we have in the past, the central role that good teachers play in the building of a better America. We cannot afford any longer the notion held in some quarters that teaching is simply a stepping stone to a more adequately paying job or profession. With the exception of the clergy, there is no more honored profession than teaching. Teachers ought to be compensated accordingly.

Aside from adequate financial remuneration, the teacher and the scholar are entitled to the highest respect of the community. Surely, we ought to have reached a stage of maturity now where things of the mind are not objects of ridicule and scorn.

There is a peculiar thread running through our heritage that historians call anti-intellectualism. It is the strange twist that leads us to make heroes of those showing proficiency on the gridiron but to overlook the solid achievements of the conscientious scholar and the capable teacher. I submit, Mr. Speaker, that anti-intellectualism is a luxury America cannot afford in the nuclear age.

Now, what can be said of the legislation before us? It can be said first and foremost that it represents at least one significant answer to the educational challenge of communism.

Secondly, it can be said that this legislation is squarely in the American tradition in that it preserves local control while extending a helping hand from our National Government.

Third, it can be said that this is a program that places the emphasis on educational excellence. It seeks to encourage and underwrite scholarly attainment.

Mr. Speaker, during the long and painstaking hearings which our subcommittee conducted on this legislation, I did everything I possibly could to develop a bill that would be broadly based. It seems to me that it is just as essential for us to develop good teachers, ministers, journalists, and agriculturalists as it is

for us to develop good scientists. When I hear people talking about accelerating the sciences, I cannot help but think that we need to accelerate also our understanding of those forces that will decide whether the creations of science will mean our salvation or our destruction.

It is my hope that this legislation will be broadly administered within the American tradition of educating the whole man. There is now and always has been an urgent need for liberal education that enables the student to understand not only his own specialty, but the complex world in which he lives.

This legislation seeks to build a better America in the following ways:

STUDENT LOANS

Approximately half of the top ranking 10 percent of America's high-school graduates drop their education at the high school level. Most of these brilliant youngsters fail to go on to college because of the cost of education. Inflation has hit the colleges as well as the marketplace. It has priced a college education out of the reach of thousands of young people.

The student-loan program makes available during the next 4 years some $435 million that can be extended to institutions of higher learning to be loaned by them to worthy, needy students who wish to continue their education beyond the high school. Under this plan, the college would be required to put up 10 percent of the loan fund, but if it is unable to borrow the money at a reasonable interest from local sources, the program authorizes a loan to the college from the Federal Treasury.

The program provides that no one college shall be granted in excess of $250,000 to be used for student loans.

Students borrowing under this program can borrow up to $1,000 a year and the total for all years to any one student from such funds may not exceed $5,000. The student will pay no interest on the loan until 1 year following graduation. At that point, he begins repayment on the loan and must complete payment during the next 10 years. The interest during this 10-year period is set at 3 percent.

In view of the urgent need for qualified teachers, it is provided that not to exceed 50 percent of any such loan plus interest shall be canceled for service as a full-time teacher in a public elementary or secondary school. This forgiveness principle provides that the loan will be canceled at the rate of 10 percent of the amount of such loan, plus interest thereon, which was unpaid on the first day of such teaching service for each completed acedemic year of such service.

In addition to this student-loan program which comprises approximately half of the $900 million envisioned by the total program for the next 4 years, the legislation before us has a number of other highly significant titles.

There is a provision for $300 million to be granted to the States for the purchase of equipment to be used in the teaching of science, mathematics, and foreign language.

There is a provision of $57 million for institutes in the States designed to train teachers in the field of guidance and counseling and foreign language.

There is a provision of $82½ million for graduate school fellowships.

In this program, $60 million has been established for strengthening guidance counseling and testing programs in the elementary and secondary schools of the Nation.

In view of the critical shortage of persons capable of speaking many foreign languages that are necessary to our understanding and negotiations with other countries, $32 million has been established in this program to set up language development and research centers across the country.

In view of the exciting new educational mediums, such as television, movies, and other audio-visual methods, $18 million has been programed for research and experimentation in these new devices.

A very important section of the bill provides for stepping up our vocational education programs. For this purpose, $60 million is provided in the legislation.

One of the great handicaps that confronted our committee as we set out to appraise the current situation in American education was the amazing lack of accurate educational statistics. The bill now before us provides $6½ million to establish an improved educational statistics program in the Office of Education.

During the coming 4 years, the total cost of all these programs will be $887 million. Of this amount, $266 million will be repaid through the student-loan program.

One other section of the bill that will be of considerable interest to our private elementary and secondary schools provides for loans of $8½ million to such schools to provide science equipment.

The traditional separation of church and state in the United States has made it seem ill-advised for Congress to provide for direct grants to private schools, even considering the tremendous contribution to our national strength that these private schools make. The framers of this bill have made it possible for these institutions to borrow money through this program to strengthen their science laboratories.

Mr. Speaker, my own State of South Dakota is very much interested in good education. My fellow South Dakotans have from the very first invested a considerable share of their income in the schools. A distinguished South Dakotan, General Beadle, is memorialized in Statuary Hall in the United States Capitol because of the pride that South Dakotans take in his successful efforts to safeguard our school lands.

In spite of the very heavy responsibility that local property owners have taken for education in South Dakota, we are confronted by a serious educational dilemma. Many of our school districts have reached the maximum mill levy permitted by law, and yet, those school districts are unable to secure sufficient revenues to keep their best teachers and maintain the most desirable classroom facilities and equipment.

I can testify from personal experience as a homeowner that the property tax has virtually reached the breaking point as a source of educational revenue in our State. For that reason, I am sure that my fellow South Dakotans will approve of the efforts I have made as a members of the educational subcommittee that developed the legislation now before us. It will be of tremendous benefit, not only to our students and teachers, but to hard-pressed South Dakota property owners.

These are the amounts that South Dakota will receive annually from the national defense education bill that we are now discussing:

College loans, $216,718.

Science and foreign language teaching equipment, $353,977.

Administration of science and language programs by the State department of education, $21,198.

Loans to provide schools with scientific equipment, $27,653.

Strengthening guidance, counseling, and testing programs in our elementary and secondary schools, $64,224.

Expanded vocational education program, $113,169.

The total of these categories for South Dakota each year for the next 4 years is $796,939.

In addition to these programs, individual students will, of course, benefit from the other phases of this program, including graduate fellowships, experimentation with new audio-visual education aids, guidance and counseling institutes, and language institutes. These last four programs will be administered directly by the institutions of higher learning.

Mr. Speaker, the great historian, H. G. Wells, once said:

> Human history becomes more and more a race between education and catastrophe.

This statement was made many years ago, but it speaks with even more compelling force to our own day. The challenge that our schools and our Nation face today is a total one—a challenge in the fields of politics, economics, morality, science, and the arts.

I strongly urge the passage of this program that represents such a vital investement in the minds of our boys and girls. I am convinced that dollars spent to improve young minds will be returned to the Federal Treasury many times. Above and beyond that, those dollars will be an investment in the cultural, intellectual, and spiritual enrichment of the American people.

Mr. METCALF. Mr. Speaker, I join my colleagues in paying tribute to the gentleman from Alabama [Mr. ELLIOTT]. More than any other single individual in Congress, he is responsible for the passage of this legislation. He has lived with this bill for the entire session. The hearings that he presided over were thorough. We heard educators, scientists, businessmen, and Government officials representing all shades of opinion. In the conference on this bill I know my colleagues will be glad to hear that the gentleman from Alabama was steadfast in his support of the House bill. Just as he stalwartly supported the scholarship program in the bill that came to the floor of the House from the Committee on

Education and Labor, when that was stricken from the bill by the House amendment, Congressman ELLIOTT stayed by the majority decision regardless of his personal convictions.

But tremendous as his efforts were, the gentleman from Alabama could not have carried this fight alone. The gentleman from West Virginia [Mr. BAILEY] is nationally known as a friend of education. As a cochairman of the combined subcommittees handling this bill, he made a tremendous contribution. The bipartisan effort that went into the drafting of this legislation was also a contributing factor in its final successful passage here today. The gentleman from Pennsylvania [Mr. KEARNS], the gentleman from New Jersey [Mr. FRELINGHUYSEN], the gentleman from New York [Mr. WAINWRIGHT], and the gentleman from Delaware [Mr. HASKELL] were especially helpful at all stages of consideration and this final bill is the better for their efforts.

Last October when sputnik aroused the Nation to a new challenge our educational system was facing, Secretary Folsom went to work on a plan to meet that challenge. He recognized the shortage of scientists and our failure to make full use of the gifts and talents of thousands of our most intelligent boys and girls who were not going on to college. The plan that emerged was for a national program of testing and guidance to discover our gifted children at an early stage in their progress through the elementary schools, to encourage them to take the more difficult subjects of science and mathematics in high school, and to assure them if they did so that there would be an opportunity for them to go on to college whether they had the means to do so or not. As a special incentive for extra effort a limited number, 10,000, scholarships were to be provided for needy students.

This was also the purpose of Congressman ELLIOTT'S original bill, although there were some additional programs in his bill. One of the most important was a student-loan provision with an additional incentive for teachers by a plan for canceling 20 percent of the loan each year that the student was engaged in teaching.

When the House amended the committee bill and deleted all provisions for scholarships, the emphasis of the bill was changed somewhat. There were still the grant-in-aid provisions for testing, to discover the gifted student, there were still provisions for guidance and counseling to make sure that these sometimes latent talents were stimulated by courses that brought out hidden gifts and aroused the intelligence of these students. Additional encouragement will come from the titles providing for assistance to schools to strengthen the teaching of science and mathematics and languages. Not only will the local schools be assisted in acquiring the necessary equipment to modernize their laboratories, but under other titles the teachers of these courses will be given the opportunity to attend institutes to learn the latest methods of teaching these subjects and to keep up with the newest developments in the fast-moving fields of science. Better equipment and newer methods of teaching both will help encourage the talented youngsters we need in science and engineering.

The titles on graduate fellowships and the forgiveness provisions, which in the conference report is forgiveness of 50 percent of the loan if the student teaches for 5 years, will aid in the training and recruiting of better and more inspiring teachers.

But where, heretofore at the end of the trail, there was a possibility that the student who was gifted and who worked hard and took the more difficult courses in high school might win a scholarship, now that hope of reward is gone. There are no scholarships for the high-school graduate. There still remain, however, the opportunity for every student to get a loan and continue his education. Although the loss of the scholarship title has removed a very powerful incentive, there are still incentives in this bill for the serious student and the loan fund guarantees such a student an opportunity to go on and develop his gift.

This is a very significant bill. In this post-sputnik era, when we have moved from the cold war into the battle of brains, this bill will help us meet the almost insatiable demand for talent our complex modern civilization has created.

But it must be recognized that this bill is only the beginning of the Federal Government's contribution for education. It doesn't begin to meet the biggest and most crying need in the country, that of additional classrooms. The gentleman from West Virginia [Mr. BAILEY], who is chairman of the subcommittee of the Committee on Education and Labor that has jurisdiction over the school construction bills, has assured me that the highest priority will be given to legislation calculated to relieve the national shortage of 140,000 classrooms.

The passage of this bill today and the adoption of the revisions of the so-called impact bill, which make permanent the Federal payment for children whose parents both live and work on Federal property, demonstrate that this Congress has recognized the Federal responsibility for education. We meet that responsibility by financial assistance to the local school districts. Supervision of the curriculum and control of the educational policies must remain with the local officials.

That financial assistance in the bill before us is but a step along the road we must follow if we are to meet the challenge of the times and achieve the standard of excellence that we have a right to expect. We should spend at least a billion dollars a year for 5 years to catch up with our needs for classrooms.

As the school population, now overcrowding the elementary schools, moves into college and with the stimulus of such bills as this legislation, we are going to have to do something about our already overcrowded facilities for higher education. Early in the next Congress hearings and studies should be made to ascertain the Federal responsibility for grants-in-aid to give financial assistance for operation of colleges and construction of facilities for education beyond the high school.

The bill before us, the bill we are going to pass today, has a forgiveness feature that will encourage the recruiting of better teachers and give those who want to teach an opportunity to get better training. Perhaps over the distance the most valuable feature of this bill will be the encouragement it will give to the establishment of sound graduate programs for the granting of doctor's degrees.

From 1900 to 1955 the population of America nearly doubled but the number of college graduates multiplied 11 times and the number of doctoral degrees 22 times. We require 10 times as many college teachers as we did 50 years ago. This trend must continue if we are to be able to compete in the space age. Yet only 164 institutions out of a national total of 1,856 confer doctoral degrees based on graduate instruction. Of these, only 27 are equipped to confer 100 or more such degrees.

The committee report on this bill declares:

> The expressed aim of the program is, to further the objective of increasing the facilities available in the Nation for the graduate training of college or university level teachers and of promoting a wider geographical distribution of such facilities throughout the Nation.

This bill is a start, an important start, but it is just a beginning.

Our experience with Public Law 874 has demonstrated that we can give financial assistance to local school districts for the payment of teachers' salaries without interfering with the local supervision and local control of the educational process. This program of grants-in-aid for teachers' salaries should be expanded to help all districts pay a professional wage so that more and abler teachers will be attracted to the profession.

So, today, we may take satisfaction and pride that good work has been done and that we have embarked upon a series of programs that will meet our national needs. But if the end we seek is to be achieved and the use of talent we desire is to be effected we must continue to develop our educational system by further help for construction, for teachers' salaries, for expanded graduate education facilities. That is the challenge for the next Congress.

CALL OF THE HOUSE

Mr. HAYS of Ohio. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 194]

Andersen, Minn.	Avery	Beamer
Anfuso	Barden	Belcher
Ashley	Baring	Bentley
Auchincloss	Bass, N. H.	Berry
	Baumhart	Betts

Blitch	Hardy	Moore
Boykin	Harrison, Nebr.	Morrison
Brooks, La.	Harvey	Mumma
Broomfield	Healey	Neal
Buckley	Hébert	O'Neill
Burdick	Henderson	Osmers
Christopher	Herlong	Pilcher
Clevenger	Hess	Powell
Coffin	Hill	Preston
Collier	Hillings	Prouty
Colmer	Hoffman	Radwan
Coudert	Holtzman	Reed
Cunningham, Nebr.	Horan	Rivers
Davis, Tenn.	Hosmer	Robeson, Va.
Dellay	Jackson	Sadlak
Derounian	James	Santangelo
Dies	Jenkins	Scherer
Diggs	Jennings	Scott, Pa.
Dollinger	Jensen	Sheehan
Dooley	Johnson, Wis.	Shuford
Doyle	Kean	Sikes
Durham	Kearney	Siler
Engle	Keogh	Smith, Kans.
Evins	Kilburn	Taylor
Farbstein	Landrum	Teague, Calif.
Fino	Latham	Teague, Tex.
Fisher	LeCompte	Thompson, La.
Frelinghuysen	McCormack	Tollefson
Friedel	McCulloch	Vanik
George	McGregor	Van Zandt
Glenn	McIntire	Vinson
Gordon	Macdonald	Wainwright
Gray	Magnuson	Widnall
Green, Oreg.	Mason	Williams, N. Y.
Griffiths	Matthews	Willis
Gubser	Michel	Winstead
Gwinn	Miller, Calif	Young
Hale	Miller, N. Y.	Zelenko
	Mitchell	

The SPEAKER pro tempore (Mr. MILLS). On this rollcall, 301 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. ELLIOTT. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. THOMSON of Wyoming. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMSON of Wyoming. Mr. Speaker, before the quorum call, the gentleman from Alabama had yielded to me. Do I lose the floor because the quorum call interrupted the proceedings?

The SPEAKER pro tempore. Yes; when the previous question is ordered, the gentleman loses the floor.

Mr. THOMPSON of Wyoming. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. FULTON) there were—ayes 123, noes 44.

Mr. JOHANSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and seventy-one Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 212, nays 85, not voting 131, as follows:

[Roll No. 195]

YEAS—212

Addonizio	Garmatz	Natcher
Albert	Gary	Nix
Allen, Calif.	Granahan	Norblad
Anderson, Mont.	Grant	Norrell
Andrews	Gray	O'Brien, Ill.
Aspinall	Green, Oreg.	O'Brien, N. Y.
Ayres	Green, Pa.	O'Hara, Ill.
Bailey	Gregory	O'Konski
Baker	Griffin	Ostertag
Baldwin	Gubser	Patman
Barrett	Hagen	Patterson
Bass, Tenn.	Harris	Perkins
Beckworth	Haskell	Pfost
Bennett, Fla.	Hays, Ark.	Philbin
Bennett, Mich.	Hays, Ohio	Pillion
Blatnik	Heselton	Poage
Boland	Holifield	Polk
Bolling	Holland	Porter
Bonner	Holmes	Price
Bosch	Holt	Quie
Boyle	Huddleston	Rabaut
Breeding	Hull	Rains
Brooks, Tex.	Hyde	Ray
Brown, Ga.	Ikard	Rees, Kans.
Brown, Mo.	Jarman	Reuss
Broyhill	Jonas	Rhodes, Pa.
Byrd	Jones, Ala.	Riehlman
Byrne, Pa.	Jones, Mo.	Roberts
Canfield	Judd	Robsion, Ky.
Carnahan	Karsten	Rodino
Carrigg	Kearns	Rogers, Colo.
Cederberg	Keating	Rogers, Fla.
Celler	Kee	Rogers, Mass.
Chamberlain	Kelly, N. Y.	Roosevelt
Chelf	Kilday	St. George
Chenoweth	King	Saund
Clark	Kirwan	Schenck
Coad	Kluczynski	Schwengel
Cooley	Knox	Seely-Brown
Corbett	Knutson	Selden
Cramer	Lafore	Shelley
Cretella	Lane	Sieminski
Cunningham, Iowa	Lankford	Sisk
Curtin	Lennon	Smith, Miss.
Curtis, Mass.	Lesinski	Spence
Curtis, Mo.	Libonati	Staggers
Dawson, Ill.	Loser	Steed
Dawson, Utah	McCarthy	Sullivan
Delaney	McDonough	Taile
Dent	McFall	Teller
Denton	McGovern	Tewes
Devereux	McIntosh	Thomas
Dingell	Machrowicz	Thompson, N. J.
Dixon	Mack, Ill.	Thompson, Tex.
Donohue	Madden	Thornberry
Dorn, N. Y.	Magnuson	Trimble
Dwyer	Mahon	Udall
Eberharter	Mailliard	Ullman
Edmondson	Martin	Walter
Elliott	May	Watts
Everett	Meader	Wharton
Fascell	Merrow	Wier
Fenton	Metcalf	Wigglesworth
Flood	Miller, Md.	Wilson, Calif.
Fogarty	Mills	Withrow
Forand	Montoya	Wolverton
Ford	Morano	Wright
Fountain	Morgan	Yates
Frazier	Morris	Younger
Fulton	Moss	Zablocki
	Moulder	
	Multer	

NAYS—85

Abbitt	Davis, Ga.	Marshall
Abernethy	Dennison	Miller, Nebr.
Adair	Dorn, S. C.	Minshall
Alexander	Dowdy	Murray
Alger	Fallon	Nicholson
Allen, Ill.	Feighan	Nimtz
Arends	Flynt	O'Hara, Minn.
Ashmore	Forrester	Passman
Bates	Gavin	Pelly
Becker	Gross	Poff
Bolton	Haley	Reece, Tenn.
Bow	Halleck	Rhodes, Ariz.
Bray	Harden	Riley
Brown, Ohio	Harrison, Va.	Robison, N. Y.
Brownson	Hemphill	Rogers, Tex.
Budge	Hiestand	Rutherford
Burleson	Hoeven	Saylor
Bush	Johansen	Scott, N. C.
Byrne, Ill.	Kilgore	Scrivner
Byrnes, Wis.	Kitchin	Scudder
Cannon	Krueger	Simpson, Ill.
Chiperfield	Laird	Smith, Calif.
Church	Lipscomb	Smith, Va.
Dague	Mack, Wash.	Springer
Stauffer	Van Pelt	Whitten
Taber	Vorys	Williams, Miss.
Thomson, Wyo.	Weaver	Wilson, Ind.
Tuck	Westland	
Utt	Whitener	

NOT VOTING—131

Andersen, H. Carl	Gathings	Mitchell
Anfuso	George	Moore
Ashley	Glenn	Morrison
Auchincloss	Gordon	Mumma
Avery	Griffiths	Neal
Barden	Gwinn	O'Neill
Baring	Hale	Osmers
Bass, N. H.	Hardy	Pilcher
Baumhart	Harrison, Nebr.	Powell
Beamer	Harvey	Preston
Belcher	Healey	Prouty
Bentley	Hébert	Radwan
Berry	Henderson	Reed
Betts	Herlong	Rivers
Blitch	Hess	Robeson, Va.
Boggs	Hill	Rooney
Boykin	Hillings	Sadlak
Brooks, La.	Hoffman	Santangelo
Broomfield	Holtzman	Scherer
Buckley	Horan	Scott, Pa.
Burdick	Hosmer	Sheehan
Clevenger	Jackson	Sheppard
Coffin	James	Shuford
Collier	Jenkins	Sikes
Colmer	Jennings	Siler
Coudert	Jensen	Simpson, Pa.
Cunningham, Nebr.	Johnson	Smith, Kans.
Davis, Tenn.	Kean	Taylor
Dellay	Kearney	Teague, Calif.
Derounian	Keogh	Teague, Tex.
Dies	Kilburn	Thompson, La.
Diggs	Landrum	Tollefson
Dollinger	Latham	Vanik
Dooley	LeCompte	Van Zandt
Doyle	McCormack	Vinson
Durham	McCulloch	Vursell
Engle	McGregor	Wainwright
Evins	McIntire	Widnall
Farbstein	McMillan	Williams, N. Y.
Fino	Macdonald	Willis
Fisher	Mason	Winstead
Frelinghuysen	Matthews	Young
Friedel	Michel	Zelenko
	Miller, Calif.	
	Miller, N. Y.	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Glenn for, with Mr. Henderson against.
Mr. Kean for, with Mr. Harvey against.
Mr. Scott of Pennsylvania for, with Mr. Beamer against.
Mr. Rooney for, with Mr. Mason against.
Mr. Sadlak for, with Mr. Burdick against.
Mr. Taylor for, with Mr. Jenkins against.
Mr. Osmers for, with Mr. Clevenger against.
Mr. Hébert for, with Mr. Colmer against.
Mr. Boggs for, with Mr. Winstead against.
Mr. Keogh for, with Mr. Landrum against.
Mr. Auchincloss for, with Mr. Berry against.
Mr. Anfuso for, with Mr. McGregor against.
Mr. Frelinghuysen for, with Mr. Derounian against.
Mr. Thompson of Louisiana for, with Mr. Williams of New York against.
Mr. Morrison for, with Mr. Scherer against.
Mr. Dollinger for, with Mr. LeCompte against.
Mr. Holtzman for, with Mr. Gwinn against.
Mr. Bass of New Hampshire for, with Mr. Reed against.
Mr. Friedel for, with Mr. Robeson of Virgina against.
Mr. Buckley for, with Mr. James against.
Mr. Zelenko for, with Mr. McCulloch against.

Until further notice:

Mr. Willis with Mr. Dooley.
Mr. Engle with Mr. George.
Mr. Miller of California with Mr. Broomfield.
Mr. Sheppard with Mr. H. Carl Andersen.
Mr. Doyle with Mr. Avery.
Mr. Santangelo with Mr. Baumhart.
Mr. Healey with Mr. Bentley.
Mr. Farbstein with Mr. Hoffman.
Mr. Brooks of Louisiana with Mr. Horan.
Mr. Boykin with Mr. Harrison of Nebraska.
Mr. Rivers with Mr. Fino.
Mrs. Blitch with Mr. Collier.
Mr. Mitchell with Mr. McIntire.
Mr. Preston with Mr. Michel.
Mr. Pilcher with Mr. Miller of New York.
Mr. Johnson with Mr. Simpson of Pennsylvania.
Mr. Jennings with Mr. Van Zandt.
Mr. Herlong with Mr. Wainwright.
Mr. Sikes with Mr. Widnall.
Mr. Vanik with Mr. Hale.
Mr. Teague of Texas with Mr. Betts.
Mr. Young with Mr. Hess.
Mr. O'Neill with Mr. Hoemer.
Mr. Macdonald with Mr. Jensen.
Mr. Diggs with Mr. Kilburn.
Mr. Durham with Mr. Moore.
Mr. Evins with Mr. Neal.
Mr. Fisher with Mr. Sheehan.
Mrs. Griffiths with Mr. Siler.
Mr. Hardy with Mr. Mumma.
Mr. Matthews with Mr. Smith of Kansas.
Mr. Dellay with Mr. Teague of California.
Mr. Ashley with Mr. Vursell.
Mr. Baring with Mr. Tollefson.
Mr. Coffin with Mr. Belcher.
Mr. Davis of Tennessee with Mr. Hillings.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 1684. An act for the relief of William Franklin Rollins;

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 4073. An act for the relief of Peter James O'Brien;

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames;

H. R. 8759. An act for the relief of W. G. Hollomon and Mrs. W. G. Hollomon;

H. R. 9258. An act for the relief of Mrs. Minnie Perreira;

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes;

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes;

H. R. 13666. An act to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico;

H. R. 13840. An act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; and

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2020. An act to amend the Railroad Retirement Act of 1937, the Railroad Insurance Act, and the Social Security Act; and

S. 2765. An act to provide for the promotion of certain persons who participated in the defense of the Philippines;

S. 3545. An act for the relief of John F. Sheehan; and

S. J. Res. 179. Joint resolution to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake."

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1764. An act to amend the District of Columbia Public School Food Services Act;

S. 2006. An act to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense;

S. 2719. An act to provide for the payment of bounties on dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast; and

S. 3680. An act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes.

VIRGIN ISLANDS CORPORATION ACT

Mr. O'BRIEN of New York submitted the following conference report and statement on the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2701)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, and 4, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows:

In lieu of the language inserted by the Senate amendment, insert the following: "sale of any property valued at $500 or more shall be made only after public advertisement and by sealed competitive bids or public auction: *Provided further*, That in either such case the Government of the Virgin Islands shall have the right to purchase the property at a price not greater than that offered by the highest responsible bidder and that, in the case of sales of property valued at less than $500, it shall have a right to purchase at a price not greater than that offered by responsible prospective purchasers."

And the Senate agree to the same.

That the Senate recede from its amendment numbered 5.

LEO W. O'BRIEN,
WAYNE N. ASPINALL,
B. F. SISK,
A. L. MILLER,
JOHN P. SAYLOR,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
THOMAS H. KUCHEL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12226) amending the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendments to the text of the bill:

The principal question at issue in connection with the Senate amendments to H. R. 12226 was the method of sale of assets of the Virgin Islands Corporation. The House language had left discretion to the Directors of the Corporation to use negotiated sales, competitive bidding, or public auction as they saw fit. This was recommended by spokesmen for the Department of the Interior in the belief that negotiated sales frequently produce a better bargain for the Government than competitive bidding or public auction does. The Senate amendment required a public auction in all cases. Agreement was reached by the conferees that sales of assets valued at $500 or more shall be by public auction or competitive bidding and that sales of assets valued at less than that amount may be by such method as the judgment of the Directors dictates. In either case, "fair and reasonable value" must be realized and, as provided by the Senate amendment, the Virgin Islands Government will have a first refusal.

The only other matter of consequence for resolution was the Senate's insertion of an amendment explicitly referring to the use of power revenues to assist in repayment of the cost of the desalting works. The conferees have agreed to recommend omission of the amendment. It is observed that, as far as repayment is concerned, another portion of the bill requires that this be accomplished by the sale of water under contracts calling for payments sufficient to cover all operating expenses, to amortize the investment, and to pay interest thereon. The great bulk of the sale will be to the Virgin Islands Government.

The other Senate amendments, to which the House conferees agreed, are perfecting in nature.

LEO W. O'BRIEN,
WAYNE N. ASPINALL,
B. F. SISK,
A. L. MILLER,
JOHN P. SAYLOR,
Managers on the Part of the House.

Mr. O'BRIEN of New York. Mr. Speaker, I call up the conference report on the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350) and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that after all legislative business and special orders heretofore entered into I may address the House for 15 minutes today and that my colleagues the gentleman from California [Mr. HOLIFIELD], the gentleman from Wisconsin [Mr. REUSS], and the gentleman from Arizona [Mr. UDALL] may have permission to extend their remarks following mine; further, Mr. Speaker, I ask unanimous consent that my colleagues and myself have permission to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

GOSHEN VENEER CO.

Mr. LANE. Mr. Speaker, I call up the conference report on the bill (H. R. 6282) for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2696)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6282) for the relief of the former shareholders and debenture noteholders of the Goshen Veneer Co., an Indiana corporation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment and agree to the same.

THOMAS J. LANE,
HAROLD D. DONOHUE,
RICHARD H. POFF,
Managers on the Part of the House.

JAMES O. EASTLAND,
OLIN D. JOHNSTON,
JOHN M. BUTLER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6282) for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

As the bill passed the House it provided for the payment of $75,000 to certain shareholders and debenture noteholders of the Goshen Veneer Co., an Indiana corporation, as recommended by the Court of Claims. The Senate amended the bill to provide for an appropriation of $295,154.47. Therefore, the Senate conferees concurred in the House action.

THOMAS J. LANE,
HAROLD D. DONOHUE,
RICHARD H. POFF,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield to the gentleman from Iowa.

Mr. GROSS. Does this apply to only one company?

Mr. LANE. This is just the Goshen Veneer Co. The Commitee on the Judiciary which passed the bill recommended the payment of $75,000, but the Senate inserted $295,154.47. Your committee has insisted on the $75,000, so the Senate has agreed to that amount.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CONVERSION OF TERM INSURANCE ISSUED UNDER SECTION 621

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11382) to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments, with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, after line 15, insert:

"SEC. 3. (a) Notwithstanding the provisions of section 619 of the National Service Life Insurance Act of 1940, as amended, insurance may be granted under section 602 (c) (2) of the National Service Life Insurance Act of 1940, as amended, to any individual who has had active service (as defined in such act) between October 8, 1940, and April 24, 1951, both dates inclusive, upon application made in writing within 1 year after the effective date of this act, and subject to the limitations provided in such section, and to the other provisions of the National Service Life Insurance Act of 1940, as amended.

"(b) Notwithstanding any time limitation for filing application for insurance contained in section 620 or section 621 of the National Service Life Insurance Act of 1940, as amended, any person heretofore eligible to apply for insurance under such sections shall, upon application made in writing within 1 year after the effective date of this act, be granted insurance thereunder, subject to the other limitations specified in such sections, except that where application for insurance under the provisions of section 621 of the act is made more than 120 days after separation from active service the applicant shall be required to submit evidence satisfactory to the Administrator of Veterans' Affairs of good health at the time of such application. Insurance granted pursuant to this subsection under section 621 (as amended by sections 1 and 2 of this act) shall be on the limited convertible term or permanent plans of insurance and the premiums shall be based on table X-18 and interest at the rate of 2½ percent with an additional amount for administrative costs as determined by the Administrator. The Administrator is authorized to transfer annually an amount representing such administrative cost from the revolving fund to the general fund receipts in the Treasury.

"(c) All premiums paid and other income received on account of national service life insurance granted under the authority contained in subsection (a) shall be segregated in the national service life insurance fund and, together with interest earned thereon, shall be available for the payment of liabilities under such insurance.

"Notwithstanding the provisions of section 606 of the National Service Life Insurance Act of 1940, as amended, the Administrator of Veterans' Affairs shall determine annually the administrative costs which in his judgment are properly allocable to such insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such insurance from the national service life insurance fund to the national service life insurance appropriation."

Page 3, line 16, strike out "3" and insert "4."

Amend the title so as to read: "An act to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act and to provide a 1-year period during which certain veterans may be granted national service life insurance, and for other purposes."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, and I do not intend to object, I hope the gentleman will explain the provisions of the bill. This bill is very much needed, and I wish we had the same provisions on the insurance for the servicemen of World War I.

Mr. ASPINALL. This bill was passed by the House unanimously. As passed by the House, it would permit any veteran policyholder of service between April 25, 1951, and December 31, 1956, to do three things:

First. To maintain his present term policy at the Commissioners' standard ordinary premium rates.

Second. Exchange his present policy for a limited convertible term policy with lower premiums based on the new X-18 table. Such policy may not be renewed after age 50 or 2 years after the effective date of this legislation.

Third. Convert to a permanent-type policy with premiums based on the X-18 table.

May I repeat that the bill was reported out unanimously and was passed unanimously by this body. Then it went to the other body and the other body amended the bill to authorize the issuance of national service life insurance for any person who served during the period October 8, 1940, to April 24, 1951, regardless of whether or not they had ever had such insurance.

This matter, that is the amendment by the other body, has been brought before our body on various occasions heretofore and has always been rejected by us. That which is involved in the amendment should be studied by the Committee on Veterans' Affairs before it is brought up for consideration by the House. It will be studied in the future if there is any reason to study it.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I shall not object. This is a very much needed bill. As I said before, I wish we had something better for those who carry World War I insurance, because it is costing them more for their premiums year after year.

Mr. TABER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if there are any extraneous amendments, in addition to that for veterans insurance?

Mr. ASPINALL. This is the only amendment.

Mr. TABER. I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I move that the House recede and concur in the Senate amendments, with an amendment.

The Clerk read as follows:

Mr. ASPINALL moves to recede and concur in the Senate amendments, with the following amendment: In lieu of the amendments of the Senate to the text of the bill, strike out all after the enacting clause, and insert the following: "That effective as of January 1, 1959, section 723 of title 38, United States Code, is amended as follows:

"(1) Subsection (b) is redesignated as subsection (c).

"(2) Insert the following new subsection immediately after subsection (a):

"'(b) Any term insurance heretofore issued under section 621 of the National Service Life Insurance Act of 1940, may be converted to a permanent plan of insurance or exchanged for a policy of limited convertible 5-year level premium term insurance issued under this subsection. Insurance issued under this subsection shall be issued upon the same terms and conditions as are contained in the standard policies of national service life insurance except (1) after September 1, 1960, limited convertible term insurance may not be issued or renewed on the term plan after the insured's fiftieth birthday; (2) the premium rates for such limited convertible term or permanent plan insurance shall be based on table X-18 (1950-54 Intercompany Table of Mortality) and interest at the rate of 2½ percent per annum; (3) all settlements on policies involving annuities on insurance issued under this subsection shall be calculated on the basis of the Annuity Table for 1949, and interest at the rate of 2½ percent per annum; (4) all cash, loan, paid-up, and extended values, and, except as otherwise provided in this subsection, all other calculations in connection with insurance issued under this subsection shall be based on table X-18 (1950-54 Intercompany Table of Mortality) and interest at the rate of 2½ percent per annum; (5) insurance and any total disability provision added thereto issued under this subsection shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited directly to the revolving fund referred to in subsection (a) and payments on such insurance and any total disability provision added thereto shall be made directly from such fund.'

"(3) The second sentence of the subsection redesignated by paragraph (1) as subsection (c) is amended to read as follows: 'The rate of interest on such obligations shall be fixed by the Secretary of the Treasury at a rate equal to the rate of interest, computed as of the end of the month preceding the date of issue of such obligations, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt that are not due or callable until after the expiration of 5 years from the date of original issue; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such obligations shall be the multiple of one-eighth of 1 percent nearest such average rate.'"

In lieu of the amendment of the Senate to the title of the bill, amend the title so as to read: "An act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act of 1940, and for other purposes."

Mr. ASPINALL (interrupting the reading). Mr. Speaker, I ask unanimous consent that the further reading of the amendment be dispensed with and that it be printed in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Colorado [Mr. ASPINALL].

The motion was agreed to.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the amendment which I have offered provides for the adoption of the House version of the bill and is set forth as an amendment to the Title 38, Veterans' Benefits, effective January 1, 1959.

The bill, as passed by the House and as presented today, would permit any veteran policyholder of service between April 25, 1951, and December 31, 1956, to:

First. Maintain his present term policy at the Commissioner's standard ordinary premium rates.

Second. Exchange his present policy for a limited convertible term policy with lower premiums based on the new X-18 table. Such policy may not be renewed after age 50 or 2 years after the effective date of this legislation.

Third. Convert to a permanent-type policy with premiums based on the X-18 table.

There are approximately 700,000 policies in force with this type of insurance available to individuals who served during the period April 25, 1951, and December 31, 1956. At that time Public Law 881 of the 84th Congress terminated the authority to issue insurance. The total face value of these policies is approximately $6,350 million, and the average face value is $9,130.

The Senate amendment would authorize the issuance of national service life insurance for any person who served during the period October 8, 1940, to April 24, 1951, regardless of whether or not they had ever had such insurance. This assumes, of course, that they could pass the necessary physical examination. It would differ from World War II insurance in that these policyholders, if the Senate amendments should prevail, would have to pay the administrative cost estimated at less than $4 per year per policy.

Since the enactment of Public Law 23 on April 25, 1951, which provided for servicemen's indemnity in the amount of $10,000, and terminated the right to purchase insurance, the Subcommittee on Insurance of the Committee on Veterans' Affairs in the 82d, 83d, 84th, and 85th Congresses has unanimously rejected proposals to open up the insurance program as sought by the Senate amendment. In each of these Congresses there have been hearings in the House committee on legislation of this type, and as I have indicated, on each occasion the proposal has been rejected.

When what is now Public Law 881 of the 84th Congress, the Survivor Benefits Act, was enacted, effort was made in the Committee on Finance of the other body, to provide for a reopening of this insurance program along the lines sought by the present Senate amendment. That was rejected. Further, under the provisions of that act, as I have indicated earlier, the right to any sort of new insurance was terminated effective December 31, 1956.

Thus it will be seen, from a review of these acts of the Congress, that Congress has rather definitely indicated that it did not wish to reopen this question. Approximately 1 million applications for insurance are expected if the Senate amendment should prevail. An operation of this magnitude should be considered in detail.

The provisions of the House bill are important and, in effect, put the Korean insurance program on a permanent basis. It is important and highly desirable that the provisions of this bill as passed by the House be enacted into law. I hope, therefore, that the Senate will accept our amendment and postpone until the 86th Congress any further consideration concerning the reopening of the insurance program for veterans of World War II.

I might add, Mr. Speaker, that the action which I am requesting today is in accord with the wishes and direction of the chairman of the full committee.

TO FACILITATE ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 675) to facilitate the admission into the United States of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 4, strike out lines 3, 4, and 5, and insert:

"SEC. 10. For the purposes of the Immigration and Nationality Act, Mrs. Lena P. Shelton, the widow of a United States citizen, shall be deemed to be within the purview of section 101 (a) (27) (A) of that act, and the provisions of section 205 of the said act shall not be applicable in this case."

Page 4, after line 20, insert:

"SEC. 14. For the purposes of the Immigration and Nationality Act, Kinji House shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee."

Page 4, line 21, strike out "14" and insert "15."

Page 4, line 22, strike out "and."

Page 4, line 22, after "12" insert "and 14."

Amend the title so as to read: "A joint resolution to facilitate the admission into the United States of certain aliens, and for other purposes."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman explain briefly the purpose of the joint resolution?

Mr. WALTER. This joint resolution was amended in the Senate by deleting a name and adding a name that had been on another resolution.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BORIS F. NAVRATIL

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3571) for the relief of Boris F. Navratil, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Boris F. Navratil shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 16, 1949."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. FORRESTER. Mr. Speaker, reserving the right to object, I should like to ask this question of the gentleman from Pennsylvania, the chairman of the Immigration and Nationality Subcommittee of the House Committee on the Judiciary. Have the gentleman and the committee given any consideration to the bill S. 4109, which has been passed by the Senate, and the bill H. R. 13362, introduced by the gentleman from Georgia [Mr. BROWN], for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer?

Mr. WALTER. I assure the gentleman from Georgia that the subcommittee gave unusual attention to this proposed legislation because of the pressure put on the members of the subcommittee by various persons interested in this bill. I only regret that we could not find any merit in this case. This doctor is an exchange visitor. He came to the United States at public expense and, of course, owes it to his government and to his countrymen to return and perform the duties in France that he has been brought to the United States to learn. This is in accordance with the existing law and he has recognized his duty by accepting his exchange visitor's status.

May I also say to my friend from Georgia that if this bill is passed, that is, if the House should act on the Senate bill, the President unquestionably would veto it, as he has done invariably on similar occasions, and the man in whom the gentleman is interested would find himself deported from the United States within the next few weeks. It would certainly seem to me that if the gentleman is interested in seeing that this man remains in the United States for an additional length of time, he should not press for the enactment of this legislation. This exchange visitor may be permitted to remain here a little longer only because the bill has already passed the Senate. He would remain here only by courtesy of the Attorney General.

Mr. FORRESTER. The gentleman is thoroughly familiar with the fact that this man is a specialist in the cure of congenital and rheumatic heart disease and is badly needed at the University of Georgia. As I understand what the gentleman from Pennsylvania is saying, this man is an exchange student, if the Senate bill is passed and the President vetoes it he will be deported, and the University of Georgia then would not have the benefit of his services? That he would be deported? That passage of this legislation would be harmful instead of being helpful?

Mr. WALTER. There is no question about it. After all, the German quota is wide open, and this man, a French citizen, was born in Germany. If it were not for the fact that he is an exchange visitor he could very easily obtain an immigrant visa. As the law stands now, he is under obligation to depart and remain outside of the United States for 2 years.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

DR. BRANT BONNER

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2469) for the relief of Dr. Brant Bonner.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Dr. Brant Bonner, who lost United States citizenship under the provisions of section 404 (b) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Dr. Brant Bonner shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIE INETTE KONOMOS

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3503) for the relief of Marie Inette Konomos.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Marie Inette Konomos, shall be held and considered to be the natural-born alien child of John S. Konomos and Wilma I. Konomos, citizens of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MERCEDE SVALDI

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4032) for the relief of Mercede Svaldi.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (1) of the Immigration and Nationality Act, Mercede Svaldi, may be issued a visa and admitted to the United States if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD PANGELINAN

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4113) for the relief of Harold Pangelinan.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (4) of section 212 (a) of the Immigration and Nationality Act, Harold Pangelinan may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That if the said Harold Pangelinan is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POSTAL STATIONS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10495) to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

After line 7, insert:

"SEC. 2. Section 215 of the Postal Rate Increase Act, 1958, is amended by striking out "205 (5)," in subsection (b) and by adding at the end of such section a new subsection as follows:

"'(g) The provisions of section 205 (5) of this title shall become effective on May 1, 1959.'"

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. REES of Kansas. Reserving the right to object, Mr. Speaker, will the gentleman from Tennessee explain the Senate amendment?

Mr. MURRAY. Mr. Speaker, as is indicated by the title of the bill as passed by the House, this legislation would authorize the establishment of postal stations and branch post offices within 10 miles of the boundary of the adjoining city. The present limitation is 5 miles.

The Senate amendment would postpone until May 1959, the effective date of the increased rates on odd sizes and shapes of third-class mail. The postal rate increase bill raised these odd sizes and shapes from 3 cents to 6 cents. We have received considerable correspondence indicating that this increase has created a hardship, particularly in the seed industry which has already many printed catalogs that are in the odd-size category. This will give them an extended time in which to adjust the size of their catalogs before the higher rate goes into effect.

I might state that this amendment has also been cleared with the Post Office Department.

Mr. REES of Kansas. I have no objection, Mr. Speaker.

Mr. GROSS. Mr. Speaker, I wish to commend the chairman of the House Post Office and Civil Service Committee, the gentleman from Tennessee [Mr. MURRAY], the ranking minority member of the committee, the gentleman from Kansas [Mr. REES], and other members of the conference for approving the Senate amendment to H. R. 10495.

The amendment will give those who use the mails to distribute odd-size catalogs until May 1, 1959, to adjust to the provisions of the new postal rate bill which recently became effective.

Many of the users of this category of the mail service had substantial investments in printed material before the new provisions went into effect and this simply provides a reasonable opportunity for adjustment in line with the rate treatment accorded newspapers.

It corrects a situation which ought to have been given consideration when the postal rate bill was considered by the House and Senate, and again I commend the House conferees for their approval of the amendment.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FIRST DAY OF MEETING OF 86TH CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a joint resolution (H. J. Res. 704) that the 86th Congress shall assemble at noon on Wednesday, January 7, 1959, and ask for its present consideration.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, That the 86th Congress shall assemble at noon on Wednesday, January 7, 1959.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. The Private Calendar will be called at this time. The Clerk will call the first bill on the Private Calendar.

LASZLO CSERI

The Clerk called the bill (S. 3028) for the relief of Laszlo Cseri.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Laszlo Cseri may be issued a visa and be admitted to the United States for permanent residence if otherwise admissible under the provisions of that act: *Provided*, That if the beneficiary is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

With the following committee amendments:

On page 2, after the word "act" change the colon to a period and strike out all the remainder of the bill.

On page 2, after line 4, insert new sections 2 and 3 to read as follows:

"SEC. 2. Notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Dorothy Margarethe Hadjisky, Maria Miceli, and Francesco Riso may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

"SEC. 3. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Laszlo Cseri, Dorothy Margarethe Hadjisky, Maria Miceli, and Francesco Riso."

A motion to reconsider was laid on the table.

CHIYOKO YOSHIMOTO

The Clerk called the bill (S. 3915) for the relief of Chiyoko Yoshimoto.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the Immigration and Nationality Act, Chiyoko Yoshimoto, the fiancée of Theodore T. Oyler, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Chiyoko Yoshimoto is coming to the United States with a bona fide intention of being married to the said Theodore T. Oyler and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Chiyoko Yoshimoto, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Chiyoko Yoshimoto, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Chiyoko Yoshimoto as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY F. C. LEUTE

The Clerk called the bill (S. 4214) for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of section 5 of the act entitled "An act to make certain increases in the annuities of annuitants under the Foreign Service retirement and disability system," approved May 1, 1956 (70 Stat. 125), Joseph Henry Leute, a vice consul of the United States who died on August 5, 1909, while en route to a new assignment with the Foreign Service, shall be deemed to have been a participant under the Foreign Service retirement and disability system within the meaning of such section at the time of his death.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. The Consent Calendar will be called at this time. The Clerk will call the first bill on the Consent Calendar.

AMENDING TITLE 10, UNITED STATES CODE

The Clerk called the bill (H. R. 13226) to amend title 10, United States Code, to provide more flexibility in making additional appointments to bring the number of cadets at the United States Military Academy and the United States Air Force Academy up to full strength.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 4343 of title 10, United States Code, is amended to read as follows:

"Whenever it is estimated that the average number of cadets at the Academy during a school year will be below the authorized number, the Secretary of the Army may nominate qualified alternates and other qualified candidates who competed for nomination and are recommended and found qualified by the Academic Board, but not more than are estimated to be necessary to make the average annual strength of the Corps of Cadets equal the authorized strength of that corps."

SEC. 2. The first sentence of section 9343 of title 10, United States Code, is amended to read as follows:

"Whenever it is estimated that the average number of cadets at the Academy during a school year will be below the authorized number, the Secretary of the Air Force may nominate qualified alternates and other qualified candidates who competed for nomination and are recommended and found qualified by the faculty, but not more than are estimated to be necessary to make the average annual strength of Air Force cadets equal the authorized strength of those cadets."

With the following committee amendment:

Strike all after the enacting clause and insert the following:

"That section 4343 of title 10, United States Code, is amended to read as follows:

"'§ 4343. Cadets: appointment; to bring Corps to full strength.

"'Whenever it is estimated that the number of cadets at the Academy during a school year will be below the authorized number, the Secretary of the Army may nominate qualified alternates and other qualified candidates who competed for nomination and are recommended and found qualified by the Academic Board, but not more than are estimated to be necessary to make the strength of the Corps of Cadets at the end of the school year equal the authorized strength of that Corps. At least 85 percent of those nominated under this section shall be selected from qualified alternates nominated by the persons named in clauses (1)–(6) of section 4342 (a) of this title, and the remainder from qualified candidates holding competitive nominations under any other provision of the law. An appointment under this section is an additional appointment and is not in place of an appointment otherwise authorized by law.'

"SEC. 2. Section 9343 of title 10, United States Code, is amended to read as follows:

"'§ 9343. Cadets: appointment; to bring to full strength.

"'Whenever it is estimated that the number of cadets at the Academy during a school year will be below the authorized number, the Secretary of the Air Force may nominate qualified alternates and other qualified candidates who competed for nomination and are recommended and found qualified by the faculty, but not more than are estimated to be necessary to make the strength of Air Force cadets at the end of the school year equal the authorized strength of those cadets. At least 85 percent of those nominated under this section shall be selected from qualified alternates nominated by the persons named in clauses (1)–(6) of section 9342 (a) of this title, and the remainder from qualified candidates holding competitive nominations under any other provision of law. An appointment under this section is an additional appointment and is not in place of an appointment otherwise authorized by law.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 8E OF AGRICULTURAL ADJUSTMENT ACT (OF 1933)

The Clerk called the bill (H. R. 11056) to amend section 8e of the Agricultural Adjustment Act (of 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported limes, grapefruit, lemons, mandarins, all types of oranges including temples, tangerines, murcotts, and tangelos, dried figs, fig paste, sliced dried figs, shelled walnuts, dates with pits, dates with pits removed, and products made entirely of dates.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DAVIS of Georgia, Mr. BYRNES of Wisconsin, and Mr. FORD objected.

PROVIDING FOR EXCHANGE OF LANDS BETWEEN UNITED STATES AND NAVAJO TRIBE

The Clerk called the bill (S. 3754) to provide for the exchange of lands between the United States and the Navajo Tribe, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DINGELL. Mr. Speaker, reserving the right to object, and I am not going to object, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. ASPINALL. Mr. Speaker, will the gentleman include in his request also to include a letter from the Department of the Interior to be inserted following his remarks?

Mr. DINGELL. I will, Mr. Speaker, and I so amend my unanimous consent request.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DINGELL]?

There was no objection.

Mr. DINGELL. Mr. Speaker, I had previously asked that S. 3754 be passed over. The reason for my request was that the bill had a provision in subsection 1 (g) compensating owners of grazing permits on public land for the termination of their permits.

The law has consistently been that grazing permits are the barest kind of licenses and constitute no possessory interest in the Federal domain whatsoever. I have withdrawn my objections to this bill upon the express ackowledgment of the bill that subsection 1 (g) of S. 3754, now before us, does not constitute a recognition that grazing permits on public land are not a possessory interest but rather are mere licenses terminable at the will of the Government. Because of the special circumstances involved in S. 3754 I feel it is equitable that provision should be made for compensation of holders of these grazing permits in the McCracken Mesa area. I refer to my remarks appearing previously at page 19243 of the CONGRESSIONAL RECORD on this same subject.

My views are prompted by a letter which I received from the United States Department of Interior over the signature of Mr. Hatfield Chilson, Under Secretary of the Interior setting forth substantially the same view and pointing out that S. 3754 does not constitute a general policy of compensating grazers on public land devoted to use not consistent with grazing activity. I ask unanimous consent that the letter referred to be incorporated into the CONGRESSIONAL RECORD at this point.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., August 21, 1958.

DEAR MR. DINGELL: You have requested our comments regarding a question raised with respect to subsection 1 (g) of S. 3754, a Senate amendment to the bill as introduced which relates to compensation to the holders of grazing permits whose activities are displaced by the transfer to the Navajo Tribe of Indians of the lands involved. The question raised, we are advised, is whether the Department regards subsection 1 (g) as comprehending a general policy of compensating grazers when public land is devoted to another use not consistent with grazing activity.

As you are aware, the United States is seeking to acquire title to lands of the Navajo Indians that will be inundated when waters are impounded behind the Glen Canyon Dam, now under construction. The Indian lands involved comprise the dam site and a substantial portion of the reservoir area of the Glen Canyon development. S. 3754 would provide for exchange of the Navajo Indian lands for other lands in the McCracken Mesa area which are now utilized for grazing purposes.

Ordinarily, the Government would not acquire dam site and reservoir lands by an exchange process. It would acquire those lands directly from the owner by a negotiated sale or by condemnation proceedings, or, if the lands to be inundated are public lands, it would, under the authority of the Federal reclamation laws, withdraw the lands from entry and thus—as is provided under the Taylor Grazing Act—terminate any outstanding grazing permits. The process of acquiring reservoir lands in the instant case by exchange is therefore an unusual one and comes about because of the Indian ownership of the lands required for the Glen Canyon project.

The Department wishes to make it entirely clear that, should the Congress adopt the language contained in subsection 1 (g) of S. 3754, now pending in the House, such action would be regarded as dealing only with the special circumstances existing in the case at hand, and that it does not regard the provision as establishing a general policy or precedent. In this connection, it should be noted that in our report on S. 3754 to the chairman of the Senate Committee on Interior and Insular Affairs we stated:

"On the other hand, while the displacement is, relatively speaking, small, nevertheless, the Congress may wish to consider the possibility of extending to the stockmen directly affected the principle of compensation now embodied in the provisions of title 43, United States Code, section 315q. While, as is well known, a grazing permit confers no right, title, interest, or estate in the public lands (43 U. S. C., sec. 315b), special equities justifying compensation might be thought to exist where, as here, the parties affected had no reason to anticipate they were establishing their activities in an area that would be affected by a reservoir project. Such action would place the burden of cost upon the reservoir project which will benefit from the exchange rather than upon the individuals now operating in the McCracken Mesa area."

As we have noted above, by the exchange process proposed in S. 3754, the McCracken Mesa lands, which are not physically affected by the Glen Canyon project, would, in effect, be devoted to reservoir purposes, a possibility which no user of the mesa area could have anticipated when establishing his use. This peculiar situation was considered as distinguishing the instant case from the usual circumstances in which public lands devoted to grazing purposes are—under the express terms of the Taylor Grazing Act—made subject to reclassification and devotion to any higher use for which those lands may be suited.

For the foregoing reasons, the Department of the Interior would regard adoption by the Congress of subsection 1 (g) as reflecting only the fact that the Congress in this instance considers special equities to exist by reason of the lack of physical relationship of the McCracken Mesa area to the Glen Canyon Reservoir. Such action would, in our view, be consistent with the principle of compensation embodied in the act of July 9, 1942 (56 Stat. 654; 43 U. S. C., section 315q) referred to in the quoted paragraph above.

Sincerely,

HATFIELD CHILSON,
Secretary of the Interior.

Mr. DAWSON of Utah. Mr. Speaker, on page 19243 of yesterday's RECORD the distinguished gentleman from Michigan [Mr. DINGELL] made a statement in regard to S. 3754. As one of the proponents of this bill I concur in his views that subsection 1 (G) of this measure does not constitute a recognition that grazing permits on public lands are a possessory interest but rather are mere licenses terminable at the will of the Government.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Secretary of the Interior shall, in consideration of and as just compensation for the transfer made by section 2 of this act as well as for the use and occupancy of the lands therein described under terms of the right-of-way granted March 22, 1957, by the Secretary pursuant to the act of February 5, 1948 (62 Stat. 17), transfer to the Navajo Tribe so much of the block of public lands (exclusive of the minerals therein, but inclusive of all range improvements constructed thereon) described in subsection (c) of this section, as shall constitute a reasonably compact area equal in acreage to the lands transferred to the United States under section 2, and the lands so transferred shall constitute a part of the Navajo Reservation and shall be held by the United States in trust for the Navajo Tribe and shall be subject to all laws and regulations applicable to that reservation. The owners of range improvements of a permanent nature placed, under the authority of a permit from or agreement with the United States, on lands transferred pursuant to this section shall be compensated for the reasonable value of such improvements, as determined by the Secretary out of appropriations available for the construction of the Glen Canyon unit, Colorado River storage project. To the extent that the Secretary is unable to transfer, from the lands described in subsection (c), lands equal in acreage to the lands transferred to the United States under section 2, because of the existence of valid rights in other parties than the United States (other than the rights described in subsection (d) of this section), he shall transfer to the Navajo Tribe such other available public lands (exclusive of the minerals therein but inclusive of all range improvements thereon) in reasonable proximity to the Navajo Reservation and to the lands described in subsection (c) as the tribe, with the concurrence of the Secretary, may select and as may be necessary to transfer to the tribe equal acreage in exchange for the lands transferred under section 2, and those lands so transferred shall be treated in the same manner as other lands transferred pursuant to this section.

(b) Subject to valid, existing rights, in addition to other requirements under applicable laws and regulations, mineral activities affecting the land transferred pursuant to this section shall be subject to such regulations, which may include, among others, a requirement for the posting of bond or other undertaking, as the Secretary may prescribe for protection of the interests of the Indians. Patents issued with respect to mining claims on the lands transferred pursuant to this section shall be limited to the minerals only, and for a period of 10 years after the effective date of this act, none of the lands described in subsection (c) of this section shall be open to location and entry under the general mining laws.

(c) The block of public lands (which lies to the north and west of the portion of the present Navajo Reservation in San Juan County, Utah, and abuts the reservation's boundaries within the county) from which the transfer under this section is to be made, is described as follows:

SALT LAKE MERIDIAN

Township 38 south, range 23 east: Sections 26, 33, 34, and 35.

Township 38 south, range 24 east: Section 28; section 29, east half; sections 31, 33, 34, and 35.

Township 39 south, range 22 east: Sections 13, 24, 25, and 35, those portions lying east of Recapture Creek.

Township 39 south, range 23 east: Sections 1, 3, 4, and 5; sections 8 to 15, inclusive; section 17; sections 18 and 19, those portions lying east of Recapture Creek; sections 20 to 31, inclusive; sections 33, 34, and 35.

Township 39 south, range 24 east: Section 1; sections 3 to 15, inclusive; sections 17 to 24, inclusive, sections 26 and 27, those portions lying north and west of the present Navajo Indian Reservation; sections 28, 29, 30, 31, and 33; section 34, that portion lying north and west of the present Navajo Indian Reservation.

Township 39 south, range 25 east: Sections 5, 6, 7, 8, and 18.

Township 40 south, range 22 east: Section 1; sections 11, 12, 13, 23, 24, 25, and 26; those portions lying east of Recapture Creek and north of the present Navajo Indian Reservation.

Township 40 south, range 23 east: Section 1; sections 3 to 15, inclusive; sections 17 to 23, inclusive; section 26; sections 24, 25, 27, 28, 29, 30, 34, and 35, those portions lying north and west of the present Navajo Indian Reservation.

Township 40 south, range 24 east: Sections 3, 4, 5, those portions lying north and west of the present Navajo Indian Reservation; section 6, sections 7, 8, 18, and 19, those portions lying north and west of the present Navajo Indian Reservation.

(d) The transfer hereinabove provided for shall also be deemed to constitute full and complete satisfaction of any and all rights which are based solely upon Indian use and occupancy or possession claimed by or on behalf of any individual members of the Navajo Tribe in their individual capacities or any groups or identifiable bands thereof to any and all public lands in San Juan County, Utah, outside the exterior boundaries of the Navajo Indian Reservation as the same are described in:

(1) The act of March 1, 1933 (ch. 160, 47 Stat. 1418);

(2) Executive Order 324A of May 15, 1905;

(3) Executive Order of May 17, 1884; and all such rights to such lands are hereby extinguished from and after January 1, 1963. Subject to the provision of section 2 of this act, and subject to valid existing rights, all public lands of the United States within said exterior boundaries of said reservation are hereby declared to be held in trust for the benefit of the Navajo Tribe of Indians. The term "public lands" as used herein shall be deemed to include but in no way to be limited to lands and the mineral deposits which originally may have been excluded from said reservation by reason of settlement or occupancy or other valid rights then existing, but since relinquished, extinguished, or otherwise terminated. The tribe is hereby authorized to adopt such

rules and regulations as it deems appropriate, with the approval of the Secretary, for residence and use of the lands transferred pursuant to this section: *Provided*, That the tribal council shall give preference until January 1, 1963, in granting residence and use rights to: (1) those Navajos who, prior to the effective date of this act, have used or occupied the transferred lands and (2) those Navajos who, prior to the effective date of this act, have used or occupied other public lands in San Juan County, Utah.

(e) Upon application of the Navajo Tribe, the Secretary shall grant to the tribe, to be held in trust by the United States for use of tribal members grazing livestock upon the lands transferred under this section, a nonexclusive easement, of suitable width and location as he determines, for a livestock driveway across the public lands in sections 21, 22, 23, and 24, township 39 south, range 22 east, and in section 19, township 39 south, range 23 east, Salt Lake meridian, to connect with United States Highway No. 47. Use of said nonexclusive easement shall be in accordance with regulations prescribed by the Secretary, and future uses and dispositions of the public lands affected shall be subject to said easement.

(f) The transfer of lands to the Navajo Tribe, as provided in this section, shall not affect the status of rights-of-way for public highways traversing such lands, which rights-of-way shall remain available for public use, including the movement of livestock thereon.

(g) The Secretary of the Interior shall compensate persons whose grazing permits, licenses or leases covering lands transferred to the Navajo Tribe pursuant to this section are canceled because of such transfer. Such compensation shall be determined in accordance with the standard prescribed by the act of July 9, 1942, as amended (43 U. S. C. 315q). Such compensation shall be paid from appropriations available for the construction of the Glen Canyon unit, Colorado River storage project.

SEC. 2. (a) There is hereby transferred to the United States all the right, title, and interest of the Navajo Tribe in and to the lands (exclusive of the minerals therein) described in subsection (b) of this section. These lands shall no longer be "Indian country" within the meaning of title 18, United States Code, section 115, and they shall have the status of public lands withdrawn and being administered pursuant to the Federal reclamation laws and shall be subject to all laws and regulations governing the use and disposition of public lands in that status. The rights herein transferred shall not extend to the utilization of the lands hereinafter described under the heading "parcel B" for public recreational facilities without the approval of the Navajo Tribal Council. No permit, lease, license, or other right covering the exploration for or extraction of the minerals herein reserved to the tribe shall be granted or exercised by or on behalf of the tribe except under such conditions and with such restrictions, limitations, or stipulations as the Secretary deems appropriate, in connection with the Glen Canyon unit, to protect the interests of the United States and of its grantees, licensees, transferees, and permittees, and their heirs and assigns. Subject to the mineral rights herein reserved to the tribe as aforesaid, the Secretary may dispose of lots in townsites established on the lands transferred under this section, together with improvements thereon, under such terms and conditions as he determines to be appropriate, including provisions for payment for the furnishing of municipal facilities and services while such facilities and services are provided by the United States and for the establishment of liens in connection therewith, but no disposition shall be at less than the current fair market value, and he may dedicate portions of lands in such townsites, whether or not improved, for public purposes and transfer the land so dedicated to appropriate State or local public bodies and nonprofit corporations. He may also enter into contracts with State or local public bodies and nonprofit corporations whereby either party may undertake to render to the other such services in aid of the performance of activities and functions of a municipal, governmental, or public or quasi-public nature as will, in the Secretary's judgment, contribute substantially to the efficiency or the economy of the operations of the Department of the Interior in connection with the Glen Canyon unit.

(b) The lands which are transferred under this section are described as follows:

PARCEL A

The following tract of unsurveyed land situated in Arizona: Beginning on the easterly bank of the Colorado River at a point where said easterly bank is intersected by the south line of section 9, township 40 north, range 8 east, Gila and Salt River base and meridian; thence upstream along the said easterly bank of the Colorado River to a point where said bank intersects the east line of section 16, township 41 north, range 9 east, Gila and Salt River base and meridian; thence south along the east line of sections 16, 21, 28, and 33 of said township 41 north, range 9 east, to the south line of said section 33; thence west along the south line of said section 33 to the east line of section 4, township 40 north, range 9 east, Gila and Salt River base and meridian; thence south along the east line of sections 4 and 9 of said township 40 north, range 9 east, to the south line of said section 9; thence west along the south line of sections 9, 8, and 7 of said township 40 north, range 9 east, and along the south line of sections 12, 11, 10, and 9 of said township 40 north, range 8 east, Gila and Salt River base and meridian to the point of beginning.

PARCEL B

The following tract of land in part unsurveyed situated in Arizona and Utah: Beginning at a point where the east line of section 16, township 41 north, range 9 east, Gila and Salt River base and meridian intersects the north boundary of the Navajo Indian Reservation in Arizona; thence upstream in Arizona and Utah along the north boundary of the reservation to a point where said north boundary intersects a contour line the elevation of which is 3,720 mean sea level (United States Coast and Geodetic Survey datum), said point being at approximate river mile 72.7 on the San Juan River above its confluence with the Colorado River, and also being near the east line of township 40 south, range 15 east, Salt Lake base and meridian; thence generally southwesterly within the Navajo Indian Reservation along said contour line the elevation of which is 3,720, to the point where said contour line intersects the east line of section 16, township 41 north, range 9 east, Gila and Salt River base and meridian; thence north along said east line to the point of beginning.

(c) The Secretary and the tribe may enter into such agreements as are appropriate for the utilization, under permits or easements, of such tribal lands, in the vicinity of Rainbow Bridge National Monument, as may be necessary in connection with the carrying out of any measures undertaken to preclude impairment of the monument as provided by section 1 of the act of April 11, 1956 (70 Stat. 105).

(d) As used in this and in the preceding section of this act, the term "minerals" shall not be construed to include sand, gravel, or other building or construction materials.

SEC. 3. (a) The State of Utah may convey to the United States title to any State-owned lands within the area described in subsection (b) of this section or subsection (c) of section 1 of this act as base lands for indemnity selections under sections 2275 and 2276 of the Revised Statutes (43 U. S. C., secs. 851, 852). The Secretary of the Interior shall give priority to indemnity selection applications made pursuant to this subsection by the State of Utah. However, all conveyances made pursuant to this subsection, whether by the United States or by the State of Utah, shall contain a reservation of the minerals to the grantor. Lands conveyed to the United States under this section shall be subject to selection by the Secretary of the Interior, and transfer to, the Navajo Tribe in the same manner as, and under the same terms and conditions as, lands described in subsection (c) of section 1 of this act. Notwithstanding a conveyance to the United States of State-owned lands in accordance with the provisions of this subsection, such conveyance shall not prevent the Navajo Tribe from asserting, in any manner that would have been available to the tribe if the conveyance had not been made, a claim of title, if any, to the lands conveyed by the State that the tribe asserts is superior to the title asserted by the State of Utah. If a claim of title so asserted by the Navajo Tribe determined to be superior to the title asserted by the State of Utah, and if the Navajo Tribe has selected such lands as a part of the transfer authorized by section 1 of this act, the Navajo Tribe shall be permitted to select other lands described in subsection (c) of section 1 in lieu thereof.

(b) The lands referred to in subsection (a) of this section and not described in subsection (c) of section 1 of this act are described as follows:

SALT LAKE MERIDIAN

Township 38 south, range 23 east: section 36.

Township 38 south, range 24 east: section 32.

Township 39 south, range 22 east: section 36.

Township 39 south, range 23 east: sections 2, 16, 32, and 36.

Township 39 south, range 24 east: sections 2, 16, and 32.

Township 40 south, range 22 east: section 2.

Township 40 south, range 23 east: sections 2, 16, and 36.

(c) The right of the State of Utah to make indemnity selections under the terms of this section shall expire 5 years after the date of approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PREPARATION OF REPORT ON PROPOSED PORT REYES NATIONAL SEASHORE RECREATIONAL AREA, MARIN COUNTY, CALIF.

The Clerk called the resolution (H. Res. 634) calling for the preparation of a report on the proposed Port Reyes National Seashore Recreational Area, Marin County, Calif.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONVEYING CERTAIN LANDS ON HUNTLEY RECLAMATION PROJECT, YELLOWSTONE COUNTY, MONT., TO SCHOOL DISTRICT 24, HUNTLEY PROJECT SCHOOLS, YELLOWSTONE COUNTY, MONT.

The Clerk called the bill (S. 1742) to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley Project Schools, Yellowstone County, Mont.

The Clerk read the title of the bill.

Mr. CUNNINGHAM. Mr. Speaker, at the request of the gentleman from Pennsylvania [Mr. SAYLOR], I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NATIONAL PARK IN WHEELER PEAK-LEHMAN CAVES AREA OF THE SNAKE RANGE IN NEVADA

The Clerk called the bill (S. 3587) to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing a national park in the Wheeler Peak-Lehman Caves area of the Snake Range in eastern Nevada.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CLARIFYING REQUIREMENTS WITH RESPECT TO PERFORMANCE OF LABOR IMPOSED FOR HOLDING OF MINING CLAIMS ON FEDERAL LANDS

The Clerk called the bill (S. 2039) to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2324 of the Revised Statutes of the United States (30 U. S. C. 28) is amended by inserting immediately after the third sentence thereof the following new sentence: "The term 'labor', as used in the preceding sentence, shall include, but not be limited to, geological, geochemical, or geophysical surveys made by credited technicians employing generally recognized equipment and methods, or other recognized means of determining the existence, extent of concentration, or accessibility of minerals on the claim."

SEC. 2. The amendment made by the first section of this act shall be effective with respect to the assessment year commencing at 12 o'clock meridian on July 1, 1957, and all succeeding assessment years.

With the following committee amendment:

Page 1, strike out all after enacting clause and insert "That the term 'labor', as used in the third sentence of section 2324 of the Revised Statutes (30 U. S. C. 28), shall include, without being limited to, geological, geochemical, and geophysical surveys conducted by qualified experts and verified by a detailed report filed in the county office in which the claim is located which sets forth (a) the location of the work performed in relation to the point of discovery and boundaries of the claim, (b) the nature, extent, and cost thereof, (c) the basic findings therefrom, and (d) the name, address, and professional background of the person or persons conducting the work. Such surveys, however, may not be applied as labor for more than 2 consecutive years or for more than a total of 5 years on any 1 mining claim, and each such survey shall be nonrepetitive of any previous survey on the same claim.

"SEC. 2. As used in this act,

"(a) The term 'geological surveys' means surveys on the ground for mineral deposits by the proper application of the principles and techniques of the science of geology as they relate to the search for and discovery of mineral deposits;

"(b) The term 'geochemical surveys' means surveys on the ground for mineral deposits by the proper application of the principles and techniques of the science of chemistry as they relate to the search for and discovery of mineral deposits;

"(c) The term 'geophysical surveys' means surveys on the ground for mineral deposits through the employment of generally recognized equipment and methods for measuring physical differences between rock types or discontinuities in geological formations:

"(d) The term 'qualified expert' means an individual qualified by education or experience to conduct geological, geochemical or geophysical surveys, as the case may be."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING MINERALS, INCLUDING OIL AND GAS ON CERTAIN LANDS IN THE CROW INDIAN RESERVATION, MONT., TO CERTAIN INDIANS

The Clerk called the bill (S. 328) to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM of Iowa. Mr. Speaker, at the request of the gentleman from Pennsylvania [Mr. SAYLOR], I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ADMINISTRATION OF MISCELLANEOUS FEDERAL LANDS SITUATED IN NATIONAL FORESTS

The Clerk called the bill (S. 3741) to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to facilitate the administration, management, and consolidation of the national forests, all lands of the United States within the exterior boundaries of national forests which were or hereafter are acquired for or in connection with the national forests or transferred to the Forest Service, Department of Agriculture, for administration and protection substantially in accordance with national forest regulations, policies, and procedures, excepting (a) lands reserved from the public domain or acquired pursuant to laws authorizing the exchange of land or timber reserved from or part of the public domain, and (b) lands within the official limits of towns or cities, notwithstanding the provisions of any other act, are hereby made subject to the Weeks Act of March 1, 1911 (36 Stat. 961), as amended, and to all laws, rules, and regulations applicable to national forest lands acquired thereunder: *Provided*, That nothing in this act shall be construed as (1) affecting the status of lands administered by the Secretary of Agriculture under the act of June 24, 1954 (68 Stat. 270), and which are revested Oregon and California Railroad grant lands, administered as national forest lands, or (2) changing the disposition of revenues from or authorizing the exchange of the lands, or the timber thereon, described in the act of February 11, 1920 (ch. 69, 41 Stat. 405), the act of September 22, 1922 (ch. 407, 42 Stat. 1019), and the act of June 4, 1936 (ch. 494, 49 Stat. 1460).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATIVE FLEXIBILITY FOR CROP INSURANCE

The Clerk called the bill (H. R. 13262) to amend the Federal Crop Insurance Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 508 (a) of the Federal Crop Insurance Act (7 U. S. C. 1508 (a)), as amended, is amended by amending the tenth sentence thereof to read as follows: "Insurance shall not be provided on any agricultural commodity in any county in which the Board determines that the income from such commodity constitutes an unimportant part of the total agricultural income of the county, except that insurance may be provided for producers on farms situated in a local producing area bordering on a county with a crop-insurance program."

With the following committee amendment:

Page 1, line 5, strike out "tenth" and insert "eleventh."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERRING CERTAIN BUILDINGS TO THE CROW CREEK SIOUX INDIAN TRIBE

The Clerk called the bill (S. 2117) directing the Secretary of the Army to

transfer certain buildings to the Crow Creek Sioux Indian Tribe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to transfer to the Crow Creek Sioux Indian Tribe, without compensation, title to those buildings which were a part of the Government improvements and facilities acquired by the Corps of Engineers on the original site of the Crow Creek Agency at Fort Thompson, S. Dak., within the taking area of the Fort Randall Dam and Reservoir project, and which were released by the Corps of Engineers to the Crow Creek Sioux Indian Tribe.

SEC. 2. The Secretary of the Army shall reimburse the Crow Creek Sioux Indian Tribe in the amount of any money received by him from the said tribe as payment for the buildings referred to in the first section of this act: *Provided*, That such reimbursement shall not exceed the sum of $6,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDING CERTAIN PUBLIC DOMAIN LANDS IN NEVADA TO THE SUMMIT LAKE INDIAN RESERVATION

The Clerk called the bill (S. 3949) to add certain public domain lands in Nevada to the Summit Lake Indian Reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection? There was no objection.

APPROVING REPAYMENT CONTRACT NEGOTIATED WITH HEART MOUNTAIN IRRIGATION DISTRICT, WYOMING

The Clerk called the bill (S. 4088) to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the contract negotiated pursuant to section 7 of the Reclamation Project Act of 1939 by the Secretary of the Interior with the Heart Mountain Irrigation District, which was approved as to form by the Department of the Interior on May 28, 1958, and approved by resolution of the Heart Mountain Irrigation District Board of Commissioners on March 20, 1958, is approved and execution thereof by the Secretary of the Interior on behalf of the United States is hereby authorized after the contract has been approved by the electors of the district.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HIGHWAY COMPACT BETWEEN MINNESOTA AND MANITOBA, CANADA

The Clerk called the bill (S. 3944) authorizing the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the construction of a highway to provide access to the northwest angle in such State.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALTER. Reserving the right to object, and I shall not object, I would like to ask the distinguished chairman of the Committee on Foreign Affairs whether or not that great committee intends to report any passport legislation.

Mr. MORGAN. I will have a conference with the Speaker this afternoon. The committee has already reported a passport bill.

Mr. WALTER. I would like to call to the gentleman's attention an article that appeared in the New York Times several days ago.

[From the New York Times of August 18, 1958]

ROBESON, IN RUSSIA, CITES SOVIET AMITY

MOSCOW, August 17.—Paul Robeson called on the Soviet people today to fight for freedom. He did not specify what freedom or for whom, but he spoke and sang in general terms of man's right to be free.

"When I read in America about the sputnik," he told a concert audience here, "my thoughts went out to my friends, the peoples of the Soviet Union whose minds and hands have created this miracle, opening up to mankind the boundless expanse of the cosmos."

The American Negro singer is idolized in the Soviet Union for his voice as well as his leftwing views. He was introduced to a packed house of 12,000 persons at the Moscow Sports Palace as the Soviet Union's "great and dear friend" and as "a fighter for peace and friendship throughout the world."

It was Mr. Robeson's first concert appearance in the Soviet Union since he visited here 9 years ago. He has said he intends to make a singing tour of many Soviet cities before returning to the United States in October.

"The enforced 9-year separation grieved us, but we in the Soviet Union kept on fighting for restoration of your freedom and right to travel," the master of ceremonies said in an emotional speech at the start of the concert. He was alluding to the United States State Department's refusal until this year to give Mr. Robeson a passport.

"I am here because you helped my family and gave us strength," Mr. Robeson responded. "The fight for freedom goes on. A new world is coming."

His first song was My Motherland, a patriotic Russian song in which one line says: "I know no other land where people breathe so free." The recital included Negro spirituals, Russian folksongs, and John Brown's Body.

I am sure that few people get any comfort out of the knowledge that the Soviet Union participated in the activities on behalf of Mr. Robeson which resulted in his obtaining a passport. I predict that unless legislation is enacted that within the next few weeks literally hundreds of those people who are enemies of this great Republic of ours will be given passports, even if they only want them to demonstrate their ability to obtain them.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. JUDD. May I advise the gentleman, in case I heard him correctly, that the House Committee on Foreign Affairs has reported out unanimously the passport legislation to which he refers. The difficulty is to get consideration on the floor of the House. I join the gentleman in urging the House not to leave here with our Government stripped bare of any authority in law to deny passports to these couriers and agents who are the essential means by which the Communist conspiracy is held together and operated. We should not go home until the Secretary of State has this authority in dealing with the applications of persons whose presence or activities abroad he can show in hearings, and in the courts if tested there, would be harmful to the security of the United States.

Mr. MORGAN. The Committee on Foreign Affairs on Tuesday ordered a bill reported.

The committee report was not completed until Thursday and not filed until Thursday afternoon. We had some conferences yesterday on when the bill could be called up, but the final decision has not yet been reached.

I myself favor the passport bill and hope it will be acted upon later today.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. KEATING. I want to join in the very strong statement made by the gentleman from Pennsylvania and the gentleman from Minnesota. It would be a crime and a shame for this Congress to adjourn without acting on this vital bill.

When the Supreme Court decision was handed down there were 65 passport applications pending from known Communists and fellow travelers; there are now over 300 such applications, and I predict that there soon will be over a thousand. If Congress adjourns without taking action in this field, these Communists, their sympathizers, fellow travelers, and their agents will be able to leave this country and go to foreign countries to get instruction in sabotage and other methods of destroying our Nation. They will be able to go freely and return freely bringing back with them their subversive tricks.

I sincerely hope that the passport bill will be brought up by unanimous consent before night falls. I cannot conceive of any Member of this body objecting to the very carefully worked out legislation which the Foreign Affairs Committee has reported out. They have considerably limited the recommendations made by the President in this field, but they have a bill which at least gives some authority to the Secretary of State to deny passports to the enemies of this country. I cannot conceive how anyone who has taken the oath we take as Members of Congress could oppose this legislation.

Mr. WALTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the State of Minnesota to negotiate and enter into a compact with the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State. Such compact shall not be binding or obligatory upon the State of Minnesota unless and until it has been ratified by such State and by the Province of Manitoba and approved by the Congress of the United States.

SEC. 2. The right to alter, amend, or repeal this act is expresaly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASE OUT FEDERAL BUILDING SITES UNTIL NEEDED

The Clerk called the bill (S. 3142) to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That section 210 (a) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C. 490 (a)), is further amended by—

(1) striking out, in paragraph (11), the word "and";

(2) striking out the period at the end of paragraph (12), and inserting in lieu thereof a semicolon and the word "and"; and

(3) adding at the end thereof the following new paragraph:

"(13) to enter into leases of Federal building sites and additions to sites, including improvements thereon, until they are needed for construction purposes, at their fair rental value and upon such other terms and conditions as the Administrator deems in the public interest pursuant to the provisions of section 203 (e) hereof. Such leases may be negotiated without public advertising for bids if the lessee is the former owner from whom the property was acquired by the United States or his tenant in possession, and the lease is negotiated incident to or in connection with the acquisition of the property. Rentals received under leases executed pursuant to this paragraph may be deposited into the Buildings Management Fund established by subsection (f) of this section."

SEC. 2. The Act of June 24, 1948, ch. 626 (62 Stat. 644) is amended by deleting the last sentence thereof in its entirety, and substituting in lieu thereof the following: "The rentals received pursuant to this Act may be deposited in the Buildings Management Fund, established pursuant to section 210 (f) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended."

SEC. 3. Section 210 (f) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is further amended by—

(1) inserting in the first sentence thereof, immediately after the words "buildings management operations and related services," the words ", including demolition and improvement with respect to Federal building sites authorized to be leased pursuant to section 210 (a) of this act,"; and

(2) deleting from the third proviso thereof the words "shall not be available for expenses of carrying out the provisions of the Act of June 24, 1958 (62 Stat. 644), or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 345), and shall not be credited with receipts from operations under said provisions of law, or," and inserting in lieu thereof the words "shall not be credited."

SEC. 4. The third paragraph of section 5 of the Public Buildings Act of 1926 (44 Stat. 630), as amended by section 402 of the Public Buildings Act of 1949 (63 Stat. 199; 40 U. S. C. 345) is hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND CONVEYANCE TO SUMTER COUNTY, FLA.

The Clerk called the bill (H. R. 10614) to provide for the conveyance of certain real property in the State of Florida to Sumter County, Fla.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDING LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The SPEAKER. The Chair recognizes the gentleman from Minnesota [Mr. WIER], to submit a consent request.

Mr. WIER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12728) to amend the Longshoremen's and Harbor Workers' Compensation Act, with respect to the payment of compensation in cases where third persons are liable, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

Mr. O'HARA of Minnesota. Mr. Speaker, reserving the right to object, my colleague from Minnesota will advise me that the situation is that this bill is not on the Suspension Calendar?

Mr. WIER. It is not.

Mr. O'HARA of Minnesota. It has never been placed on the Suspension Calendar?

Mr. WIER. That is correct.

Mr. O'HARA of Minnesota. Mr. Speaker, I object.

Mr. WOLVERTON. Mr. Speaker, will the gentleman withhold his objection?

Mr. O'HARA of Minnesota. Mr. Speaker, I withhold my objection, but still reserve it.

Mr. WOLVERTON. Mr. Speaker, I have asked the gentleman to withhold his objection for the reason that this will probably be my last opportunity to speak on the floor of this House.

From the time I first came here, 32 years ago, I have been greatly interested in all that pertains to the welfare of our railroad workers. Throughout my entire service I have indicated that interest. One of the most pleasing feelings that I have as I leave this body and certainly a feeling of compensation, relates to the part that I have been able to have in improving the welfare of our railroad workers in their retirement, and, in times of disability and unemployment. Also in providing benefits to their dependents.

I regret that the situation is such at this time, from what I understand, that objection will continue to be made to the particular bill now before us which carries a Senate amendment that includes a railroad retirement bill and railroad unemployment amendments very much in the same form in which the bill was reported favorably by the Committee on Interstate and Foreign Commerce of the House.

Personally, I think it is a good bill and should be adopted. I regret that with the objection being made by the gentleman from Minnesota [Mr. O'HARA], and if persisted in, will mean the defeat of the bill. It will bring great disappointment to the beneficiaries under the Railroad Retirement Act and I wish it were possible, even in these closing days, that this very worthwhile legislation could have had a vote on its merits by the Members of this Congress and not be defeated by one objection. I am certain it would have been adopted.

Mr. Speaker, it is difficult for one in my position to adequately express his feelings on this occasion. As Members of the House know, and, as I have already mentioned, throughout my years of service one of my primary concerns has been the railroad retirement system.

In my many years of service in the Committee on Interstate and Foreign Commerce nothing has given me more satisfaction than to participate in the decisions which have resulted in the railroad retirement system. From the very beginning, we have nurtured this program until we find today an outstanding example of social insurance of a specialized character. In many ways the railroad retirement system has blazed the trail. Very often we have added new concepts to the railroad retirement system which have been adopted by other systems to the general advantage of our working men and women.

The bill which embodies amendments to the Railroad Retirement Act and Railroad Unemployment Act, which we now have before us as a Senate amendment to the Longshoremen's Act is a good bill. It has passed the Senate by an overwhelming majority, I think with only 2 votes against it and 80 in its favor. It provides a badly needed 10 percent increase in retirement benefits for all beneficiaries. Because of the constantly increasing cost of living, this increase is long overdue and badly needed. In addition to the 10 percent increase in benefits, other minor liberalizations are contained in the bill. A spouse's annuity is provided on a reduced basis at age 62. A person retired by reason of disability is permitted to earn as much as $1,200 in any calendar year before his annuity is affected; and other minor benefit increases.

The unemployment insurance section of the bill that has also been agreed to by the Senate and with which a majority of the House Committee on Interstate and Foreign Commerce are in accord, will provide badly needed adjustments in this field. The railroad industry has an especially serious problem because of the number of long-time employees who have become unemployed. Men with as much as 30 and 35 years of service are being laid off. For this

reason, our bill provides extended periods of benefits for persons with 10 to 15 years of service and an even longer period of benefits for people employed more than 15 years. These extended unemployment benefits are both just and necessary. The rapid displacement of long-term railroad employees requires that these increases be provided. It is for this reason that the amendments are desired.

Mr. Speaker, in closing I want to assure this House that the bill before it is a fair bill and one which ought to be adopted overwhelmingly. I know of no better way for me to close my Congressional career than to urge upon you the principle that I have supported from the day that I first began my service—a sound and healthy railroad retirement system is a great bulwark in assuring the continued strength of our great rail transportation system and makes for the safety of the traveling public by continuity of service by railroad employees. Railroad men and women are among our finest citizens. They are good citizens and faithful employees. They are entitled to have their problems sympathetically and justly attended to. The House will have an opportunity today to take action on this very serious problem if no objection is made to the request that has been made by the gentleman from Minnesota [Mr. WIER]. I hope that the objection will not be pressed and the legislation permitted to come before the House for a vote. It would be most unfortunate if one objection to consider the bill should, as under the rules is possible, prevent what I believe is the favorable opinion of at least two-thirds of the Members of this House. I do hope the objection will not be pressed.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Minnesota. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I am disappointed because it looks as if the railroad retirement bill will not come up for consideration. As I have said before here in the House, I do not believe anyone uses the railroads more than I do. I know the work these men do, I know the dangers they undergo through faulty equipment, and even in improper directions. I wish tremendously that this bill could have been passed. There is no more deserving group, and with the exception of the airplane pilots, no civilian group at the present time in the United States is in greater danger.

Mr. WITHROW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WITHROW. Mr. Speaker, I had hoped that there would not be an objection to the consideration under suspension of the rules of H. R. 12728 as amended by the Senate. The amendment contains the railroad retirement provisions which have had hearings during both sessions of this Congress by both the Senate and House committees and were approved by both Senate and House committees.

The passage of H. R. 12728 as amended which provides for modest but much needed help for more than 700,000 retired railroad men and women in the United States. The modest benefits provided in this legislation is urgently needed I can assure you. The opposition by railroad executives, in my opinion, comes with very poor grace. Just weeks ago these same railroad executives were appealing to the employees to help them because they claimed they were in dire need of constructive help. The employees through their representatives made an all-out appeal to the Congress and the result was that the railroad companies will receive material help through the Smathers-Harris bill. In their gratitude, the railroad executives are now bitterly opposing this much needed betterment of the Railroad Retirement Act.

Certainly the Smathers-Harris program will be in full operation by the time that this legislation will take effect; namely, July 1, 1959. The railroads will, therefore, be in a much stronger position at that time. The stock market indicates that the railroads are in a much stronger position right now than they were 90 days ago. Certainly the 10 percent increase is modest enough and is in reality only token recognition to the urgent need for improved benefits. Railroad employees cannot be blamed for the condition the carriers permitted themselves to deteriorate to and should not be further punished by having substandard railroad retirement benefits forced upon them.

Mr. HARRIS. Mr. Speaker, will the gentleman yield to me? The RECORD ought to show just what the situation is here.

Mr. O'HARA of Minnesota. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, as I understand it, the situation with which we are faced here today is that there was a railroad retirement bill introduced in the House. The bill was amended and reported by the Committee on Interstate and Foreign Commerce. It now rests on the calendar.

As I understand it, a similar bill was introduced in the other body, and reported by the committee. The other body took the bill up yesterday, I believe, and in an effort to get it considered, it was attached as an amendment to another bill referred to as the longshoremen's bill, is that correct?

Mr. WIER. Yes.

Mr. HARRIS. The longshoremen's bill is a bill that came out of the Committee on Education and Labor, as I understand it. Consequently, the longshoremen's bill comes to the House with the railroad retirement bill which is similar to the bill reported by the Committee on Interstate and Foreign Commerce. It is attached to another bill which comes from another committee. This is an unusual situation that we find ourselves in at this moment. I think the RECORD should show what we have here at this moment and what the situation is. As a matter of fact, the railroad retirement bill is taken away from the Committee on Interstate and Foreign Commerce and given to the jurisdiction of another committee. The House should understand this most unusual procedure we find ourselves in as an attempt is made to bring about the consideration of this important legislation.

Mr. McDONOUGH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McDONOUGH. Mr. Speaker, is it possible under the rules of the House to separate these two bills and consider them separately at this time

The SPEAKER. Not without unanimous consent.

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent that they be considered separately.

The SPEAKER. Does the gentleman from Minnesota yield for that purpose?

Mr. O'HARA of Minnesota. Mr. Speaker, I do not yield for that purpose.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. O'HARA of Minnesota. Mr. Speaker, I object.

Mr. WIER. Mr. Speaker, I desire to make another motion and to seek unanimous consent whereby this bill is sent to conference.

Mr. O'HARA of Minnesota. Mr. Speaker, I object.

Mr. WIER. That is the last motion I can make on the railroad retirement bill.

Mr. O'HARA of Minnesota. That is the last objection I can make, too.

Mr. Speaker, as has already been indicated, a most unusual situation exists and because of the statements of the gentleman from New Jersey [Mr. WOLVERTON] and others, I feel that the RECORD should be made clear.

As the gentleman from Arkansas [Mr. HARRIS] has indicated, railroad retirement and unemployment legislation is referred to the Committee on Interstate and Foreign Commerce. Amendments to the Longshoremens' Act are referred to the Committee on Education and Labor. The gentleman from Minnesota [Mr. WIER] has asked unanimous consent to consider H. R. 12728 which was a bill to amend the Longshoremen's Act and when that bill was before the Senate it was amended by adding an amendment which included the Railroad Retirement Act, railroad unemployment amendments and other provisions.

Frankly, I do not see how anyone in the House can possibly know what is in this bill, regardless of statements made to the contrary. The amended bill was passed in the Senate only yesterday. We have no way of knowing whether there will be any time to debate the effects of this bill—either on the Longshoremen's Act or upon the Railroad Retirement Act. Both of these acts are very technical and the Committee on Interstate and Foreign Commerce has for years spent many days in consideration of bills affecting the Railroad Retirement Act. For example, the Committee on Interstate and Foreign Commerce had hearings in both 1957 and 1958 upon bills affecting the Railroad Retirement Act. A short time ago, by a majority vote of the committee, a bill was reported out of the Interstate and Foreign Commerce Committee to the floor of the House and placed on the calendar. It has never been listed for a suspension. At the time this bill was reported out, I was one of those who joined in filing minority views, which appear in the report accompanying H. R. 4353. I mailed to every Member of the House a copy of these views.

When any law is passed increasing retirement taxes, it imposes a further tax not only upon the rail carriers but upon the employees as well. As a matter of fact, railroads have opposed the imposition of further taxes this year and I have had many letters from employees of the railroads, likewise, opposing the increase in their taxes for retirement purposes. I am informed that the latest estimates by the Railroad Retirement Board indicate that total railroad retirement taxes presently paid by the employees and the employers are $575 million a year. The Board estimates that the taxes paid by both, as provided in the proposed measure, would amount to $689 million for 1959 or $114 million more than will be paid in 1958. Of that amount, the railroads' additional taxes would amount to 50 percent or $57 million. In addition, unemployment taxes paid by the carriers—and it should be remembered that the employees pay no unemployment taxes—will for 1958 amount to $115 million. For the year 1959, they will amount to $179 million or $64 million more in 1959 than in 1958. In other words, if this railroad retirement and unemployment insurance proposal would become law, the total railroad payroll taxes would next year be more than $120 million above those the railroads will pay this year.

Everyone recognizes that a majority of the class I railroads in this country are in very serious financial condition. The recent hearings before the House Committee on Interstate and Foreign Commerce show that for the first 5 months of 1958 the net income of those carriers was only $72 million. Thus, the additional annual cost of the retirement and unemployment insurance proposal would be considerably greater than the net earnings for the first 5 months of this year. The record shows that 42 railroads operated at a deficit during the first 5 months of 1958. Certainly, the imposition of the very great additional payroll taxes provided in the proposal would drive some of these carriers into bankruptcy. Railroad earnings are off; railroad costs are up; railroad traffic has declined. Further, the maintenance program of the railroads by reason of the decline in earnings has been seriously impaired. Capital improvements—expenditures for additions and betterments—in 1958 will total barely half of the 1957 total. The financial situation of the railroads presents a dismal picture.

Railroad employment has declined to the place where the number of class I railroad employees for May 1953 was the lowest in this century. Increased operating costs in the form of payroll taxes will require additional layoffs, to the detriment of the railroad employees.

I have as deep and human an interest in the railroad employees as any Member of this House. Over the years, I have supported many of the proposals made by the railroad employees to improve the railroad retirement and unemployment insurance law. I have opposed legislative proposals which would endanger the soundness of the fund. I know it is easy for some to speak only of their love and interest for the railroad employees, but as responsible Members of this body we have to consider what is the practical situation not only for the railroad employees but for the rail carriers and the public interest as well. For example, if burdensome additional taxes were to be imposed upon the railroads, which would throw some of the railroads into bankruptcy, it could trigger off a depression which would be disastrous to this country.

Here we are in the last hours of the 85th Congress being asked to pass on this legislation, of which it is almost impossible to know the effects of the Senate amendments and the additional cost to the employees and employers. Passage of this bill at this time and under these circumstances would be legislative irresponsibility and against the public interest and the best interests of both the railroad employees and employers.

ADDITIONAL APPOINTMENTS AT THE UNITED STATES MILITARY ACADEMY AND THE UNITED STATES AIR FORCE ACADEMY

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the action taken during the call of the Consent Calendar on Calendar No. 497 (H. R. 13226) be vacated and that the bill be restored to the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TECHNICAL AMENDMENTS TO RAILROAD RETIREMENT ACT

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7166) to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act.

The Clerk read as follows:

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 3 (c) of the Railroad Retirement Act of 1937 is amended by adding at the end thereof the following new sentence: "If the 'monthly compensation' computed under this subsection is not a multiple of $1, it shall be rounded to the next lower multiple of $1."

(b) Section 3 (e) of such act is amended by inserting at the end thereof the following new paragraph:

"For purposes of this subsection the Board shall have the same authority to determine a 'period of disability' within the meaning of section 216 (i) of the Social Security Act, with respect to any employee who will have filed application therefor and (1) have completed 10 years of service or (ii) have been awarded an annuity, as the Secretary of Health, Education, and Welfare would have to determine such a period under such section 216 (i) if the employee met the requirements of clauses (A) and (B) of paragraph (3) of such section, considering for purposes of such determination that all his service as an employee after 1936 constitutes 'employment' within the meaning of title II of the Social Security Act and determining his quarters of coverage for such purposes by presuming his compensation in a calendar year to have been paid in equal proportions with respect to all months in which he will have been in service as an employee in such calendar year: *Provided*, That an application for an annuity filed with the Board on the basis of disability shall be deemed to be an application to determine such a period of disability, and such an application filed with the Board on or before the date of the enactment of this paragraph shall, for purposes of this subsection and section 216 (i) (4) of the Social Security Act, be deemed filed after December 1954 and before July 1958: *Provided further*, That, notwithstanding any other provision of law, the Board shall have the authority to make such determination on the basis of the records in its possession or evidence otherwise obtained by it, and a determination by the Board with respect to any employee concerning such a 'period of disability' shall be deemed a final decision of the Board determining the rights of persons under this act for purposes of section 11 of this act. An application filed with the Board pursuant to this paragraph shall be deemed filed as of the same date also with the Secretary of Health, Education, and Welfare for the purpose of determining a 'period of disability' under section 216 (i) of the Social Security Act."

(c) Section 3 (f) of such act is amended to read as follows:

"(f) (1) Annuities under section 2 (a) which will have become due an individual but will not have been paid at the time of such individual's death shall be payable to the person, if any, who is determined by the Board to be such individual's widow or widower and to have been living with such individual at the time of such individual's death and who will not have died before receiving payment of such annuities. If there be no such widow or widower, such annuities shall be payable to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of such individual, and to the extent that he or they will not have been reimbursed under section 5 (f) (1) for having paid such expenses. If there be no person or persons so entitled, or if the total of such annuities excedes the amount payable under this paragraph to such persons or persons, such total, or the remainder thereof, as the case may be, shall be paid to the children, grandchildren, parents, or brothers and sisters of the deceased individual in the same manner as if such unpaid annuities were a lump sum payable under section 5 (f) (2).

"(2) Insurance annuities under section 5 which will have become due a survivor of an employee but will not have been paid at the time of such survivor's death shall be payable to the person, if any, who is determined by the Board to be such employee's widow or widower and to have been living with such employee at the time of the employee's death and who will not have died before receiving payment of such annuities. If there be no such widow or widower, such annuities shall be payable to the children, grandchildren, parents, or brothers and sisters of the deceased employee in the same manner as if such unpaid annuities were a lump sum payable under section 5 (f) (2).

"(3) Annuities under section 2 (e) which will have become due a spouse of an individual but which will not have been paid at the time of such spouse's death shall be

payable to the individual from whose employment such spouse's annuity derived and who will not have died before receiving payment of such annuities. If there be no such individual, such annuities shall be paid as provided in the last two sentences of paragraph (1) of this subsection as if such annuities were annuities due under section 2 (a) to an individual but unpaid at the time of such individual's death.

"(4) Applications for accrued and unpaid annuities provided for in paragraphs (1), (2), and (3) of this subsection shall be filed prior to the expiration of 2 years after the death of the person to whom such annuities were originally due.

"(5) For the purposes of this subsection and paragraphs (1) and (2) of section 5 (f) of this act, a widow or widower of an individual shall be deemed to have been living with the individual at the time of the individual's death if the applicable conditions set forth in section 216 (h) (2) or (3) of the Social Security Act are fulfilled.

"(6) If there is no person to whom all or any part of the annuity payments described in paragraph (1), (2), or (3) can be made, such payments or part thereof shall escheat to the credit of the railroad retirement account."

(d) Section 3 (h) of such act is amended by striking out "$2.50" and inserting in lieu thereof "$5."

(e) Section 3 of such act is further amended by adding at the end thereof the following new subsection:

"(i) If the amount of any annuity computed under this section, or under section 2 or section 5, is not a multiple of $0.10, it shall be raised to the next higher multiple of $0.10."

SEC. 2. (a) Section 5 (f) (1) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out the first three sentences and inserting in lieu thereof the following: "Upon the death, after the month in which this act is enacted, of a completely or partially insured employee who will have died leaving no widow, widower, child, or parent who would on proper application therefor be entitled to receive an annuity under this section for the month in which such death occurred, a lump sum of 10 times the employee's basic amount shall be paid to the person, if any, who is determined by the Board to be the widow or widower of the deceased employee and to have been living with such employee at the time of such employee's death and who will not have died before receiving payment of such lump sum. If there be no such widow or widower, such lump sum shall be paid to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of such deceased employee.";

(2) by striking out "widow, widower, child, or parent" in the fourth sentence and inserting in lieu thereof "widow or widower"; and

(3) by striking out all of the fourth sentence beginning with "a payment to any then surviving widow" and inserting in lieu thereof the following: "a payment equal to the amount by which such lump sum exceeds such annuities so accrued after such deductions shall then nevertheless be made under this paragraph to the person (or, if more than one, in equal shares to the persons) first named in the following order of preference: the widow, widower, child, or parent of the employee then entitled to a survivor annuity under this section."

(b) Section 5 (f) (2) of such act is amended by striking out "to the person or persons in the order provided in paragraph (1) of this subsection, or in the absence of such person or persons, to his or her estate, a lump sum" and by inserting in lieu thereof the following: "to the following person (or, if more than one, in equal shares to the persons) whose relationship to the deceased employee will have been determined by the Board and who will not have died before receiving payment of the lump sum provided for in this paragraph:

"(i) the widow or widower of the deceased employee who was living with such employee at the time of such employee's death; or

"(ii) if there be no such widow or widower, to any child or children of such employee; or

"(iii) if there be no such widow, widower, or child, to any grandchild or grandchildren of such employee; or

"(iv) if there be no such widow, widower, child, or grandchild, to any parent or parents of such employee; or

"(v) if there be no such widow, widower, child, grandchild, or parent, to any brother or sister of such employee; or

"(vi) if there be no such widow, widower, child, grandchild, parent, brother, or sister, to the estate of such employee,

a lump sum."

(c) The first sentence of section 5 (h) of such act is amended by striking out "prior to" and inserting in lieu thereof "after."

(d) Section 5 (i) (3) of such act is amended (1) by inserting "and" after the semicolon in subparagraph (i); (2) by striking out all of subparagraph (ii) after "title II of the Social Security Act" and inserting in lieu thereof a period; and (3) by striking out subparagraphs (iii) and (iv).

(e) Section 5 (k) (3) of such act is amended—

(1) by inserting in the first sentence after "service" the following: ", of determinations under section 3 (e) of this act, or section 216 (i) of the Social Security Act, of periods of disability within the meaning of such section 216 (i),";

(2) by inserting in the first sentence after "this section" the following: ", section 3 (e) of this act,"; and

(3) by inserting in the second sentence after "therein" the following: "(except in the case of a determination of disability under section 216 (i) of the Social Security Act."

(f) Section 5 (l) (6) of such act is amended by striking out the parenthetical phrases in the first and second sentences and by inserting at the end thereof the following sentence: "Wages, as defined in this paragraph, shall be credited for the purposes of this section in the manner and to the extent credited for corresponding purposes of title II of the Social Security Act."

(g) Section 5 (l) (7) (ii) of such act is amended by striking out "40 or more quarters of coverage" and inserting in lieu thereof the following: "either will have had 40 or more quarters of coverage or would be fully insured under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined in that act."

(h) Section 5 (l) (8) of such act is amended (1) by striking out "will have had (i)" and inserting in lieu thereof "(i) will have had", (2) by inserting "either will have had" after "(ii)", and (3) by inserting before the final period a comma and the following: "or would be currently insured under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined in that act."

(i) Section 5 (l) (9) of such act is amended—

(1) by striking out "quarter in which he will have died" each place it appears in clauses (A) and (B) and by inserting in lieu thereof "employee's closing date";

(2) by striking out the last proviso; and

(3) by inserting after the first sentence the following new sentence: "An employee's 'closing date' shall mean (A) the first day of the first calendar year in which such employee both had attained age 65 and was completely insured; or (B) the first day of the calendar year in which such employee died; or (C) the first day of the calendar year following the year in which such employee died, whichever would produce the highest 'average monthly remuneration' as defined in the preceding sentence. If the amount of the 'average monthly remuneration' as computed under this paragraph is not a multiple of $1, it shall be rounded to the next lower multiple of $1."

SEC. 3. Section 10 (b) 4 of the Railroad Retirement Act of 1937 is amended by inserting after the third sentence the following new sentence: "For purposes of its administration of this act or the Railroad Unemployment Insurance Act, or both, the Board may hereafter place, without regard to the numerical limitations contained in section 505 of the Classification Act of 1949, as amended, 4 positions in grade GS–16 of the general schedule established by that act, 4 positions in grade GS–17 of such schedule, and 1 position in grade GS–18 of such schedule.

SEC. 4. Section 13 of the Railroad Retirement Act of 1937 is amended (1) by inserting "(a)" after "SEC. 13."; (2) by inserting ", or both" before the final period, and (3) by adding at the end thereof the following new subsection:

"(b) All fines and penalties imposed by a court pursuant to this act shall be paid to the court and be remitted from time to time by order of the judge to the Treasury of the United States to be credited to the Railroad Retirement Account."

SEC. 5. (a) The amendments made by sections 1 (a), 1 (d), 1 (e), and 2 (f) shall be effective with respect to annuities awarded under the Railroad Retirement Act of 1937 on or after the date of the enactment of this act.

(b) The amendments made by sections 2 (g) and 2 (h) shall be effective (1) with respect to deaths occurring on or after the date of the enactment of this act and (2) with respect to any death occurring before such date if none of the survivors of the deceased individual became entitled before such date to monthly benefits, by reason of the individual's death, under title II of the Social Security Act.

(c) The amendments made by section 1 (b) shall be effective with respect to determinations of periods of disability, within the meaning of section 216 (i) of the Social Security Act, made on or after the date of the enactment of this act.

(d) The amendments made by sections 1 (c), 2 (a), and 2 (b) shall be effective with respect to deaths occurring in months after the month in which this act is enacted.

(e) The amendments made by sections 2 (c), 2 (d), and 2 (f) shall be effective with respect to annuities accruing for months after the month in which this act is enacted.

(f) The amendments made by sections 2 (e) and 3 shall be effective on the date of the enactment of this act.

(g) The amendment made by clause (3) of section 4 shall be effective with respect to offenses committed on or after the date of the enactment of this act; and the other amendments made by section 4 shall be effective with respect to fines and penalties imposed on or after such date.

PART II—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 201. (a) (1) The second proviso in section 1 (k) of the Railroad Unemployment Insurance Act is amended by striking out "second" and inserting in lieu thereof "first", and by striking out "first" and inserting in lieu thereof "second."

(2) The second paragraph of such section 1 (k) is amended by striking out "one dollar" and inserting in lieu thereof "three dollars."

(b) Section 1 (q) of such act is amended by inserting before the period at the end thereof the following: "in the unemployment trust fund."

SEC. 202. Section 4 (a–1) (ii) of the Railroad Unemployment Insurance Act is amended by striking out all that follows "sickness compensation law" and precedes the first proviso and by inserting in lieu thereof the following: "other than this act, or any other social-insurance payments under any law."

SEC. 203. Section 8 (a) of the Railroad Unemployment Insurance Act is amended by inserting before the period at the end thereof a semicolon and the following: "and in determining such balance as of September 30 of any year, the balance to the credit of the railroad unemployment insurance administration fund as of the close of business on such date shall be deemed to be a part of the balance to the credit of such account."

SEC. 204. (a) Section 904 (a) of the Social Security Act is amended by inserting after "the railroad unemployment insurance account" the following: "or the railroad unemployment insurance administration fund."

(b) Section 904 (e) of the Social Security Act is amended by striking out "and the railroad unemployment insurance account" and inserting in lieu thereof the following: ", the railroad unemployment insurance account, and the railroad unemployment insurance administration fund".

(c) Section 904 (f) of the Social Security Act is amended by striking out "fund as the Railroad Retirement Board" and all that follows and by inserting in lieu thereof the following: "railroad unemployment insurance account for the payment of benefits, and out of the railroad unemployment insurance administration fund for the payment of administrative expenses, as the Railroad Retirement Board may duly certify, not exceeding the amount standing to the credit of such account or such fund, as the case may be, at the time of such payment."

SEC. 205. Section 11 (a) of the Railroad Unemployment Insurance Act is amended by striking out the first sentence and the first two words of the second sentence, and by inserting in lieu thereof the following: "The Secretary of the Treasury shall maintain in the unemployment trust fund established pursuant to section 904 of the Social Security Act an account to be known as the railroad unemployment insurance administration fund. This unemployment insurance administration fund".

SEC. 206. The second paragraph of section 12 (l) of the Railroad Unemployment Insurance Act is amended by striking out "Classification Act of 1923, except that the Board may fix the salary of a Director of Unemployment Insurance at $10,000 per annum" and inserting in lieu thereof the following: "Classification Act of 1949, as amended."

SEC. 207. (a) The amendments made by section 201 (a) shall be effective with respect to registration periods in benefit years after the benefit year ending on June 30, 1958.

(b) The amendments made by section 202 shall be effective with respect to days in benefit years after the benefit year ending on June 30, 1958.

(c) The remaining amendments made by this part shall be effective, except as otherwise indicated therein, on the date of the enactment of this act.

PART III—AMENDMENTS TO THE SOCIAL-SECURITY ACT

SEC. 301. Section 202 (t) of the Social Security Act is amended by changing the period at the end of paragraph (4) thereof to a comma and inserting thereafter the word "or" and the following:

"(E) the individual on whose employment such benefit is based had been in service covered by the Railroad Retirement Act which was treated as employment covered by this act pursuant to the provisions of section 5 (k) (1) of the Railroad Retirement Act."

SEC. 302. The amendments made by section 301 of this act shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after December 1956, and with respect to lump-sum death payments under such section 202 in the case of deaths occurring after December 1956.

Amend the title so as to read: "A bill to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Social Security Act."

The SPEAKER. Is a second demanded?

Mr. O'HARA of Minnesota. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MORANO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORANO. I just heard it said that no further effort can be made to bring up the railroad retirement bill. As I understand, that bill, reported from the House Committee on Interstate and Foreign Commerce, is on the calendar. After we pass a resolution in both Houses to adjourn sine die, can we then bring that bill up under suspension?

The SPEAKER. That would be a matter in the discretion of the Chair.

Mr. HARRIS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the amendments proposed by the bill (H. R. 7166) are technical and are designed principally to simplify and improve administration of the Railroad Retirement and Railroad Unemployment Insurance Acts. They would also correct certain inequities and anomalies, eliminate references to obsolete laws, and insure that the provisions conform with comparable provisions in the Social Security Act. This latter change is especially important because of the provision in the Railroad Retirement Act guaranteeing that monthly benefits shall not be less than would be payable under the Social Security Act.

This bill would not affect the cost of benefits under the systems in any significant amount. Actually, through the simplification and improvement of operations, administrative costs would be lowered.

EXPLANATION OF BILL

I. AMENDMENTS TO THE RAILROAD RETIREMENT ACT

Part I of the bill would amend the Railroad Retirement Act by making the following changes:

First. Computation of the monthly compensation, average monthly remuneration, and the amounts of retirement and survivor annuities would be simplified—sections 1 (a), 1 (e), and 2 (i).

Second. Payments of small annuities in the form of commuted lump sums would be made on the same basis for retirement as for survivor annuities—section 1 (d).

Third. Calculation of the average monthly remuneration would be simplified by using closing dates consistent with those provided in the Social Security Act—section 2 (i).

Fourth. The provision for maximum family benefits to survivors would be applied to the benefits remaining after work deductions have been made as in the Social Security Act—section 2 (c).

Fifth. The provision for deductions from benefits of lump-sum payments under the 1935 Social Security Act and of certain unpaid taxes would be eliminated—section 2 (d).

Sixth. The provision for crediting wages and self-employment income toward survivor benefits would be made consistent with the present language of the Social Security Act—section 2 (f).

Seventh. An employee insured under the Railroad Retirement Act would have an insured status no less favorable than under the Social Security Act—sections 2 (g) and 2 (h).

Eighth. The Board would have the authority to make disability-freeze determinations for career railroad employees with 10 or more years of service—sections 1 (b), 2 (e) (1), 2 (e) (2), and 2 (e) (3).

Ninth. Changes would be made in the order of payment of annuities to retired employees, spouses, and survivors which are due but unpaid at death—section 1 (c).

Tenth. Changes would be made in the order of payment of insurance lump-sum and residual payments—sections 2 (a) and 2 (b).

Eleventh. The penalties for false or fraudulent reports to the Board would be made consistent with similar provisions under the Railroad Unemployment Insurance Act and would be deposited in the railroad retirement account—section 4.

Twelfth. The Board would be authorized to establish nine positions in grades GS–16 to GS–18—section 3.

A brief explanation of these matters follows:

First. Simplification of computations: The method of computing benefits would be simplified by rounding to the next lower multiple of $1 the monthly compensation used in the computation of retirement benefits and the average monthly remuneration used in the computation of survivors insurance benefits. The amount of a retirement or survivor annuity which is not a multiple of $0.10 would be raised to the next higher multiple of $0.10. These changes would greatly simplify the calculations of the averages of earnings on which amounts of benefits are based. They would also make possible the preparation of relatively simple annuity tables based on the averages and other figures, thus eliminating the actual computation of annuities in hundreds of thousands of future benefit claims, and thereby speeding up their handling. The amendments would have a trivial effect on the amounts of annuities, either individually or in the aggregate, since the reduction of the monthly compensation and average monthly remuneration to the next lower multiple of $1 would be made up, substantially, by raising the retirement or survivor annuity to the next higher multiple of $0.10.

Second. Lump-sum payments of small retirement annuities: Under present law, a retirement annuity must be less than $2.50 before it may be paid in a single sum equal to its commuted value. However, a survivor annuity of up to $5 may be commuted. Under the bill, the same limit—$5—would apply in the commutation for both the retirement and survivor annuities. Actually, the provision would have little application, since only in extremely special cases would annuities in such small amounts be payable.

Third. Closing dates: Under present law, the closing date (that is, the date after which earnings are not counted) in the calculation of average monthly, remuneration is the first day of the calendar quarter in which the employee died or in which he reached age 65 and was completely insured. Under this bill, the closing date would always be the first day of the calendar year as under the Social Security Act. Conformity with the provisions of the Social Security Act would substantially simplify the computation of survivor benefits under the regular railroad formulas.

Fourth. Application of maximum survivor benefit provision after work deductions: Under the Railroad Retirement Act, the maximum survivor benefit provision is now applied before making deductions under the work clause. Under the Social Security Act, the family maximum is applied after the application of work-clause deductions. This change would create consistency with the Social Security Act and would also simplify application of the maximum provisions. At present, the social security minimum guaranty provision sometimes applies only because of this lack of consistency. The provision for calculating the minimum survivor annuity before making work deductions would not be affected. The principal effect of this change, therefore, would be to improve administration of the survivor benefit provisions by elliminating the confusion resulting from the conflicting treatment of work deductions in maximum benefit cases.

Fifth. Deductions from benefits of lump-sum payments and unpaid taxes: The bill would eliminate present provisions of the act which require deductions from monthly annuities of certain obsolete types of payments, such as lump-sum payments under the Social Security Act and of unpaid taxes for 1939 of employees over age 65. This change would agree with similar amendments in the Social Security Act, which were made because little or no basis for such deductions existed.

Sixth. Crediting of wages and self-employment income: The provisions for crediting social-security wages and self-employment income in the computation of railroad survivor benefits would be made consistent with the corresponding provisions of the Social Security Act as amended in 1954 by the removal of language made unnecessary as a result of such amendments.

Seventh. Insured status of employees: Under present law, there are some employees who are only partially insured at death under the Railroad Retirement Act but who, by reason of the new start provisions of the Social Security Act, would have died fully insured if their employment had been covered by that act. The amendment would provide for such employees to have a completely insured status under the Railroad Retirement Act, which is comparable to a fully insured status under the Social Security Act. This provision would be important, for practical purposes, only for employees whose total railroad service does not include at least 10 years of such service after 1936.

Eighth. Disability freeze determinations: The bill would transfer to the Railroad Retirement Board the authority to make "disability freeze" determinations under the Social Security Act with respect to career railroad workers, whose benefits or whose survivor's benefits under the Railroad Retirement Act might be affected by such a determination under the "overall social-security minimum" provision of the Railroad Retirement Act. This change would rectify the condition whereby the Social Security Administration was given the exclusive authority to make "freeze" determinations in the Social Security Amendments of 1954 with respect to career railroad workers whose rights to benefits otherwise were exclusively within the jurisdiction of the Railroad Retirement Board. This provision would, accordingly, avoid undesirable conflict on questions of jurisdiction and adjudication and further the general purpose of the bill to effect more efficient, quicker, and cheaper administration.

The condition to be corrected by the bill arose from the inclusion of the provision in the Social Security Amendments of 1954 (providing for these determinations of "freeze periods") to amend section 5 (k) (1) of the Railroad Retirement Act so as to give the Social Security Administration the right to use railroad service as employment qualifying a person for a "freeze period" and giving exclusive jurisdiction over the determination of such a period to the Social Security Administration. These provisions would be modified by the bill to permit the Railroad Retirement Board, as well as the Social Security Administration, when railroad service is used as qualifying a person for a "disability freeze" determination, to make the determination in the career railroadman's case, that is, in cases in which the railroadman had full 10 years' service before becoming disabled and possibly qualifying for the "freeze."

The career railroad employee with 10 years of railroad service who is totally and permanently disabled for all employment and would be qualified for a "period of disability" or the "freeze," would always, regardless of his age, be eligible also for a full disability annuity under the Railroad Retirement Act because the statutory definitions of the qualifying disability for both purposes are identical as a practical matter. The bill, consequently, would give the Railroad Retirement Board the same authority as the Secretary of Health, Education, and Welfare would otherwise have to make determinations as to a "period of disability" for the men with 10 years' railroad service. This determination would not be conclusive, under the bill, on the Social Security Administration, but for all practical purposes it would have no effect on employee benefits under the Social Security Act at any time unless the employee had already acquired sufficient service subject to that act to qualify him for benefits thereunder. The bill would not affect the jurisdiction of the Social Security Administration to make the "disability determination" for the employee, however, even though he had 10 or more years of railroad service, and even though he had already obtained the determination from the Railroad Retirement Board.

The essence of this disability freeze provision is to give the board the same authority as the Social Security Administration has to make determinations in these cases. The effect, insofar as the railroad retirement system is concerned, would be in the application of the so-called overall social security minimum provision of the Railroad Retirement Act under which benefits payable to an employee and his family cannot be less than the benefits or additional benefits that would be payable under the Social Security Act if his railroad service after 1936 were employment subject to the Social Security Act. The effect would be principally on the benefits to the survivors of railroad employees because survivor benefits are generally payable under the so-called social-security minimum, whereas the employee's own benefit, and that of his spouse, usually are not. As indicated, the only employees who would be affected by this change are career railroad employees, most of whom would have no service under the social security system and, therefore, no relationship whatever with that system. The determinations made by the board would be made at the time of the application of these career railroadmen for disability benefits under the Railroad Retirement Act. The Railroad Retirement Board would have all relevant evidence as to the condition of the employee as of the pertinent time, acquired for purposes of the application to the board for a disability annuity under the railroad retirement system. And since the bill would provide also that the application of such employee to the Railroad Retirement Board for the freeze would be regarded as filed with the Social Security Administration as of the same date, the employee would be spared the burden and effort of filing another application. The disability freeze provisions of the bill would add to efficiency and economy of administration, and would promote the interests of the disabled worker and his family without at the same time adversely affecting the jurisdictional authority of either agency concerned.

Ninth. Annuities due but unpaid at death: The bill attempts to simplify the treatment of annuities due but unpaid at death of the beneficiary by modifying the order of precedence in which survivors may receive them. A retirement annuity which is due but unpaid at death would be paid to the employee's widow (or widower) if she was living with the employee at the time of his death. If there were no such surviving widow (or widower) the payment would be made, on a prorata basis, to the persons who paid the employee's burial expenses. Any excess over the amount of the burial expenses would be paid to children, grandchildren, parents, or brothers and sisters of the deceased employee, in the order named.

Payment of accrued survivor annuities would be paid in the same order as for accrued retirement annuities. However, no payments would be paid to persons who paid the burial expenses of the employee because of the difficulty of establishing the facts concerning payment of such expenses of an employee who had been dead for some time. Thus, the order of payment of accrued survivor annuities would be widow, widower, children, grandchildren, parents, and brothers and sisters.

Accrued annuities due a deceased spouse would be paid, first, to the employee himself, and next in the order specified for accrued retirement annuities.

Tenth. Insurance and residual lump-sum benefits: Payment of the regular insurance lump-sum benefit would be limited to the employee's widow (or widower) who has been living with the employee at the time of his death and who will not have died before receiving such lump sum, or to persons who paid the employee's burial expenses. No one else could receive the regular insurance lump sum. This change would eliminate payment of many small amounts to other relatives of the deceased employee (i. e., adult children, nondependent parents, etc.) which would generally become part of the residual benefit. The deferred insurance lump sum would still be paid to the widow or widower, child or parent of the employee; this payment is made when survivor annuities in the year following the death of the employee are less than the full amount of insurance lump sum.

The residual lump-sum benefit would be paid to a designated beneficiary as under present law, or if no beneficiary has been designated, in the order provided in section 2 (b) of the bill.

Eleventh. Penalties for false reports: This proposal is to require that fines and penalties, if any, collected for false and fraudulent reports be deposited in the railroad retirement account, and, in general, would conform to the corresponding provisions in the Railroad Unemployment Insurance Act.

Twelfth. Establishment of supergrades: The Board would be authorized to place nine positions in grades GS–16 to GS–18. These would include 4 positions in grade GS–16, 4 in grade GS–17, and 1 in grade GS–18. This provision would enable the Board to compensate adequately persons in important and key positions which are vital to its operations.

II. AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

Part II of the bill would also make a number of changes in the Railroad Unemployment Insurance Act:

First. Compensation for a working day, which includes part of 2 consecutive calendar days, would be considered compensation for the first day, instead of compensation for the second day as at present, and would result in no substantive change—section 201 (a) (1).

Second. The amount of earnings which may be considered as "subsidiary remuneration," and therefore not affecting payment of benefits, would be increased from $1 to $3 a day—section 201 (a) (2).

Third. The railroad unemployment insurance administration fund would be included in the "unemployment trust fund" in order to earn interest the same as the railroad unemployment insurance account—sections 201 (b), 204, and 205.

Fourth. For the purpose of determining the contribution rate for any calendar year, the balance in the railroad unemployment insurance administration fund as of September 30 of the next preceding calendar year would be considered part of the balance in the railroad unemployment insurance account—section 203.

Fifth. The disqualification with respect to any day for which an employee receives other social insurance payments would be changed to apply to such payments under any law instead of being restricted to State or Federal laws—section 202.

Sixth. The provision referring to the Classification Act of 1923, would be changed to agree with existing civil service law, and the provision for hiring a Director of Unemployment Insurance at $10,000 per annum would be stricken—section 206.

A brief explanation of these matters follows:

First. Compensation for overlapping shift: At the present time, compensation for a night shift which includes parts of 2 calendar days is defined by law as earned on the second of the 2 days. However, the general practice in the railroad industry is to consider that such remuneration is earned on the first of the 2 days. The change proposed would modify the Railroad Unemployment Insurance Act so as to make it conform with the practice in the industry. This would eliminate misunderstanding which has caused difficulties and delays in obtaining information and deciding claims, and would not result in any substantive change.

Second. Subsidiary remuneration: Under the present law, an employee who earns not more than $1 a day for part-time or subsidiary work may receive unemployment or sickness benefits for that day if otherwise eligible. The bill recognizes the changes in pay scales which have occurred over the last 20 years, and would increase the amount of subsidiary remuneration permited for part-time work to $3 per day.

Third. Inclusion of administration funds in trust fund: The unemployment trust fund was established by section 904 of the Social Security Act as a joint fund in which State unemployment insurance contributions are deposited. The railroad unemployment insurance account is now part of this fund but the railroad unemployment administration fund is not. The bill would amend the Railroad Unemployment Insurance Act, and where necessary the Social Security Act, so that the administration fund would be included in the unemployment trust fund. This would require the Secretary of the Treasury to credit the railroad administration fund with a proportionate part of the interest earnings of the unemployment trust fund. Such interest is not now paid although funds collected under the Railroad Retirement Act and not immediately needed for administration do draw interest. This difference in treatment of money collected under the two laws should be eliminated.

Fourth. Determination of contribution rates: At the present time, the unemployment contribution rate for a calendar year is determined from the balance in the railroad unemployment insurance account in accordance with a table in section 8 (a) of the Railroad Unemployment Insurance Act. The change proposed would include the balance in the railroad unemployment insurance administration fund as part of the balance in the account for this purpose. In other words, the determination would be based on all the money available for the system where now the administration fund is excluded.

Fifth. Disqualification for other payments: At the present time, an employee who is entitled to social insurance payments under the law of any State or of the United States may be disqualified for unemployment or sickness payments if he receives the other payments for the same days. This has proven to be a discrimination against United States employees as compared with employees in foreign countries. The bill would remove this discrimination by changing the disqualification to apply to other social insurance payments under any law.

Sixth. Reference to civil-service laws: The bill would bring the Railroad Unemployment Insurance Act up to date by eliminating a reference to civil-service laws and the Classification Act of 1923, and replacing it with a reference to the Classification Act of 1949, as amended. The section would also remove the statement that the Board may fix the salary of a Director of Unemployment Insurance at $10,000 a year.

III. AMENDMENTS TO THE SOCIAL SECURITY ACT

The restriction on payment of social-security benefits, which is applicable with certain exceptions to noncitizens of the United States who become eligible for benefits generally under the so-called new start provisions of that act, would be modified to exclude persons whose benefits are based in whole or in part on railroad employment through transfer of this credit to the social-security system. This transfer occurs where the employee does not have 10 years of service creditable under the Railroad Retirement Act. This amendment would affect principally Canadian residents employed by American railroads conducting a minor part of their operations in Canada and Canadian railroads operating into the United States. These persons are not those who come to this country solely to obtain advantage of the currently liberal eligible provision of the Social Security Act for persons at or near retirement age and return to their native land to enjoy the benefits, and against

whom the restriction is obviously directed. Rather, they acquire the credits through the demands of, and in the course of, their regular railroad employment instead of by special design to obtain social-security benefits.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to my distinguished colleague from Minnesota.

Mr. O'HARA of Minnesota. Mr. Speaker, if I may be permitted to ask this question of my distinguished chairman: Is it not a fact that these technical amendments are those which have been recommended by the Railroad Retirement Board?

Mr. HARRIS. Yes, that is true; the Railroad Retirement Board and the Social Security Administration itself.

Mr. O'HARA of Minnesota. And the Social Security Administration.

Mr. HARRIS. These amendments are necessary to permit better coordination between the railroad retirement system and the social-security system insofar as railroad employees are concerned. It is agreed by everyone, and there is no objection. Therefore, Mr. Speaker, I urge the House to suspend the rules and pass the bill.

RETIREMENT FROM CONGRESS OF HON. CHARLES A. WOLVERTON

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, a few moments ago we heard our distinguished colleague from New Jersey, during consideration of the Railroad Retirement Act, say that would be the last time, perhaps, he would have the opportunity to speak on the floor of this House. Of course, what he meant was that he was voluntarily retiring from the Congress at the end of this year. So, as we come to the close of this session of Congress, along with so many of my colleagues I wish to say to CHARLIE, "Good-bye, farewell to a friend."

CHARLIE WOLVERTON has served 32 years in this Congress, 32 years of distinguished service. He has been, with most of his service, a member of the Committee on Interstate and Foreign Commerce where he has rendered such outstanding service to the people of his own District, his State and to the people of America.

So, Mr. Speaker, as we come to the close of this session, I wish to say goodbye and farewell to our friend and colleague, CHARLES A. WOLVERTON, or as he is known affectionately to many of us, Mr. CHARLIE.

CHARLES ANDERSON WOLVERTON is retiring from the House at the end of this Congress after a distinguished service which started with his election to the 70th Congress and reelection for 15 succeeding terms. Of these 32 years as a faithful and effective representative of the people of the First District of New Jersey, CHARLES WOLVERTON also has served 28 years as an outstanding and effective member of the House Committee on Interstate and Foreign Commerce. It has been my privilege to have been a member of this committee since 1943, during which time CHARLES WOLVERTON has been either the ranking member of the minority, or has been chairman of the committee. I feel, accordingly, that I am well able to pay tribute to his record of participation in, and sponsorship of, noteworthy legislation which the Committee on Interstate and Foreign Commerce has considered, reported, and seen enacted on behalf of the public interest and welfare of the people of the United States.

Mr. WOLVERTON'S service with the committee early encompassed such significant legislation as the Securities Act of 1933 and subsequent laws pertaining to securities and securities markets for the protection of the investing public; the Federal Power Act of 1935; the Federal Communications Act; the Natural Gas Act; the Civil Aeronautics Act; the various Railroad Retirement Acts and Unemployment Insurance Act; and the Transportation Act of 1940.

CHARLES WOLVERTON has always been keenly interested in and participated actively in the various measures for providing and strengthening protection to railroad workers in their old age and in periods of unemployment. At the same time as an ardent student of transportation, he has sponsored numerous measures for making more effective our surface common carrier transportation systems, railroad, motor, water, pipeline, and freight forwarders. He early brought his rich experience and analytical mind to the problems of the growing air transport industry, and has been active not only in the promoting of worthwhile legislation, but as a delegate to the first International Civil Air Organization meeting in Chicago in 1944, member of the Joint Congressional Committee on Civil Air Policy, delegate to many of the conferences on air bilateral and international agreements, and practical observer in the field of practically all of the American and competing foreign air routes.

In communications, also, CHARLES WOLVERTON has left his imprint, not only in the form of legislation, but in active inquiry into the developments in the radio and television field, with particular interest in the speeding of color television, and in the comity of international utilization of the radio wave spectrum.

CHARLES WOLVERTON has had a continuing interest in the field of petroleum, and the adequacy of the supplies of petroleum for the needs of our economy and of our national defense. He participated in the studies of the Cole committee, in the initiation of the Connally hot oil legislation and interstate oil compact, and in studies of the United States interest in the development of an effective Mexican oil industry, greater supplies from the Western Hemisphere and Latin American countries, dependence upon Middle East and Far East sources for the needs of the United States and of Europe. His consideration of the importance of petroleum to the country has led him into the collateral fields of liquid fuels from shale and coal, with studies of such developments in the United States, Sweden, South Africa, and elsewhere.

CHARLES WOLVERTON'S inquiring mind and constant desire to serve the people and the Nation has led him into many fields. He was a member of the Colmer committee engaged in the study of our relationships from Russia and with Europe, and as a member of the Herter committee, had charge of the studies of the Benelux countries and France in the formulation of our program for the economic aid of Europe.

There is one subject, however, which perhaps has been the closest to Mr. WOLVERTON'S heart, and that is the subject of health and of science. CHARLES WOLVERTON is justifiably proud of his contribution to the creation of the National Science Foundation and the National Institutes of Health, to assisting hospital and medical research construction, and to a better understanding of the major diseases of mankind. Mr. WOLVERTON'S holding of a series of hearings in the fall of 1953, at the time he was chairman, into the causes, prevention, and cure of our major diseases, conducted through different panel discussions in which the outstanding medical authorities of the Nation participated, will always rank as a milestone in the history of the committee. The method of conducting these discussions, the information made available to the public, and the avenues of further inquiry and study opened up for further pursuit on behalf of the public, have been most significant. CHARLES WOLVERTON'S interest has been unflagging, and his efforts to improve the availability of health care to the people led him into a survey of programs and activities in most of the countries of the world, on which he has reported to the country in a comprehensive treatise.

I believe that CHARLES WOLVERTON'S activities in the field of health legislation are perhaps most truly representative of the man to whom we say goodby today. Here is a man of genuine good will and a deep desire to serve his fellow man. In this service he has given of himself unsparingly.

I am confident that Mr. WOLVERTON upon his retirement will not lack in many outlets for his boundless energy and good will, and will find challenging things to do for the public welfare.

I am proud to be able to say to him today: "Goodby, Mr. CHARLIE, you are leaving a job well done. May God give to you the strength in years ahead to continue to render service to your community, to your State, and to the American people as a whole."

We call you CHARLIE affectionately. We on the committee know him as CHARLIE. He is retiring voluntarily after so many years of outstanding and distinguished service, and I must say personally that I regret to see him go.

He has been chairman during the years of Republican control of the committee of which I have the honor and the privilege now of serving as chairman. His service on that committee through many, many difficult and controversial problems, has been outstanding.

His wise counsel and advice to me, as I have tried to serve as chairman of the committee during this Congress, has been invaluable. I do not know of any Member with whom I have had the privilege and pleasure of associating, with whom I have worked together hand-in-hand, arm-in-arm, on many, many important problems and questions, whom I regret more to see leave the Congress than CHARLIE WOLVERTON.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I join with the gentleman in the remarks he has made about our friend, CHARLIE WOLVERTON. I think in his retirement from Congress this body is losing a great Member and a great soul. A little bit ago I heard his remarks about a bill for the benefit of railroad workers, and it recalls to my mind what he has been throughout the years for the railroad workers. In his retirement the railroad workers are losing a great champion. In his work as a lawmaker for all of the people he has been without an equal. I regret to see him leave.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the distinguished gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the chairman of the Committee on Interstate and Foreign Commerce, I am sure, has spoken the sentiments and the feelings of all members of our committee. Certainly he has spoken my feelings about our distinguished friend and colleague, Mr. WOLVERTON. All of us hate to see Mr. WOLVERTON leave the Congress. We know that in doing so however, that he will be able to enjoy some of the things that have been denied him because of his having been tied down to his work in the Congress. It is my understanding that he plans to do a lot of traveling which is the hobby that he likes best. So, to Mr. WOLVERTON, I say, "The very best of luck to you, Mr. CHARLIE; I hope that you and Mrs. Wolverton may enjoy many, many pleasant travels together in the years to come. You deserve nothing less than the fullest measure of happiness in your well earned retirement."

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I should like to concur in what our chairman has said about the gentleman from New Jersey [Mr. WOLVERTON]. I do not have the words to express my admiration and feelings for him as a man. I have appreciated his kindness and his courtesy and willingness to cooperate with all the members of the committee regardless of their political affiliation for the good of the people of the country.

When Mr. WOLVERTON leaves the Congress the common people, the working people of this country, are going to lose a friend, a man who has dedicated his life to helping them. I say to him, Godspeed.

We have a saying back home that I think surely applies to Mr. WOLVERTON. It goes like this:

He believes in gentlemanliness—
Chivalrous, honest, courageous,
Clean-minded, God-fearing manliness.

He believes in Man—
The masterpiece of God's creation,
The finest of all fine things in this world.

He believes in God—
The Infinite Architect of the Universe,
The Compassionate Ruler of Destiny.

Mr. ROGERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. ROGERS of Texas. Mr. Speaker, I certainly cannot let this opportunity pass without saying a few words about my very good friend CHARLES WOLVERTON. I wish I had time to say everything that is in my heart about him, but we would not be adjourned until way after Christmas if I did that.

I have learned to love CHARLIE WOLVERTON, I have learned to know him, I have learned to appreciate a man who has contributed a great deal to our generation and to our country.

It was my honor to attend a birthday celebration of his a few years back. At that time I had not known CHARLIE as long as I have now. I said then that although there was never a perfect man, CHARLIE WOLVERTON was a man who did not need what he did not have. I think those of you who have had the good fortune to know CHARLIE and to work with him will join in those sentiments.

CHARLIE, we know that you are going to be back with us here from time to time and we are looking forward to visiting with you in your retirement and getting your good counsel as we go along.

Mr. O'BRIEN of New York. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. O'BRIEN of New York. Mr. Speaker, some on the Committee on Interstate and Foreign Commerce are more fortunate than others in that they, like our distinguished chairman, have had the privilege of serving on that committee longer with Mr. WOLVERTON than we who joined the committee a year or two ago. One of the great privileges I have had in this Congress has been to sit on a committee for the first time with the distinguished gentleman from New Jersey.

It struck me as rather significant that in what he described as his final speech in this House he should have fought as best he could to do one thing more for a large segment of our population. This great committee on which Mr. WOLVERTON has served for so many years has had a tremendous impact upon the population of this country. It has handled legislation affecting millions of people. I am very sure that as Mr. WOLVERTON takes his ease in the years ahead he will be made happy by the fact that millions of people in this country who do not know him personally as we do will for generations to come feel the effect of his kindly hand upon their shoulders.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. O'HARA of Minnesota. Mr. Speaker, I am happy to join in these tributes to our friend CHARLIE WOLVERTON. I have had the pleasure of serving with him in the Congress for the entire period I have been here, since he has been here a great deal longer than I. I have served with him and under him in the committee, where he has been my chairman and the senior ranking member of the committee.

I do not know of any more industrious and able Member of the Congress than CHARLIE WOLVERTON. I, too, am greatly interested in the problems of the railroad workers. I have supported legislation and I have opposed some of the legislation that has been proposed by some of the brotherhood leaders because I felt it would do damage to the soundness of the fund under the Railroad Retirement Act. I do want to say there is no finer friend of the railroad worker than CHARLIE WOLVERTON. I regret he is leaving the Congress because I know it will be difficult to replace him.

Mr. HARRIS. Mr. Speaker, I yield to the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I would like to join in these tributes to our beloved friend, a man with whom I have been closely associated and whose great friendship I have enjoyed for 32 years. CHARLIE WOLVERTON does not have an enemy in the world because everyone knows that they are sure of equal treatment and of justice from him. That lovely smile and gracious spirit of his are a true mirror of the man. The fact that CHARLIE WOLVERTON has been elected from the great State of New Jersey for 32 years is in itself a significant fact. It is an indication of the high esteem in which he is held by the people of his State. No man has ever been elected to the Congress from the State of New Jersey for that length of time. CHARLIE WOLVERTON can be justly proud of that fact. Few people realize how in his quiet and friendly way Mr. WOLVERTON has had a great influence not only in his committee, but also with respect to important legislation having to do with really great problems that confront America. Mr. WOLVERTON is without a doubt one of the best legal minds in this country, and the Congress of the United States will be suffering a great loss when he leaves this Chamber. CHARLIE WOLVERTON is a great American and a great legislator. He has been a very dear personal friend to me and I do hope that in the days ahead the greatest measure of prosperity and happiness will be his.

Mr. HARRIS. Mr. Speaker, I yield to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, one of the greatest privileges that I have enjoyed in my service in the House of Representatives is the privilege of serving under Mr. WOLVERTON on the great Committee on Interstate and Foreign Commerce. A more kindly gentleman I have never met in all my experience. He has fought the good fight and has finished this course and he is certainly entitled to the fruits of his labors.

Mr. HARRIS. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Speaker, it is indeed a privilege to say a few words on this occasion concerning the dean of our New Jersey State delegation who is retiring from service in this great legislative body. There is no finer gentleman in the House of Representatives and there is no one who has done a better job than CHARLIE WOLVERTON has done in the interest of his people. I want to commend him, as one who has sat on the other side of the aisle, for his deep and abiding interest in the constituency that he has served so well over such a long period of time. I know that I echo the sentiments of my colleagues on this side of the aisle—for all of us hold him in high regard and feel for him a warm and deep affection. As he goes from the House of Representatives, many of his friends here will be saddened, but we take joy in the knowledge that CHARLIE WOLVERTON will enjoy his retirement for many, many years to come. We wish all the best to CHARLIE and his family. May long life and happiness be his.

Mr. HARRIS. Mr. Speaker, CHARLIE WOLVERTON means a lot to me personally. One way of knowing a man is to work with him and associate with him, but to really know a man you have to travel with him and be together with him day after day.

So, CHARLIE, we love you and we are going to miss you. We know that you and your beloved wife are going to enjoy the retirement and rest which you richly deserve. May God bless you, and may you have all the health and happiness and joy during the remaining years of your life.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD, with reference to the retirement of our colleague from New Jersey [Mr. WOLVERTON].

The SPEAKER. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, CHARLEY WOLVERTON has been an asset to the House ever since he became a Member many years ago.

He has shown intelligence on all occasions. Mr. WOLVERTON has been a patriot and a statesman during his years here. His nice and pleasing personality will be missed by us all and we wish for him pleasant ways in the coming years.

Mr. REES of Kansas. Mr. Speaker, I want to join with my colleagues in paying tribute to our good friend CHARLES WOLVERTON, who is retiring from Congress on his own volition. I became acquainted with CHARLIE WOLVERTON when I first came to Congress. He took time to assist me and offer many valuable suggestions which have been most helpful. Congressman WOLVERTON has an outstanding legislative record. He is one of the hard-working Members of Congress. I have always appreciated his views and his opinion with respect to the many problems of legislation that have come to the attention of Congress through the years. CHARLES WOLVERTON is sincere. He is honest. He is truly a good man. He has all the qualities that make up a Christian gentleman.

I join in wishing Mr. and Mrs. Wolverton the very best that life can hold for them.

Mr. SIEMINSKI. Mr. Speaker, when he was introduced at any gathering of the New Jersey delegation, especially when he was introduced as our dean, the Honorable CHARLES WOLVERTON always made it a point to make certain that everyone in the room mattered most.

That means that CHARLIE, with a chuckle, made you feel that you mattered, not he; that you were to leave the room the better for having heard him, that it was your presence that enabled him to be heard. You were to be the gainer.

And what happened? CHARLES WOLVERTON always drew top applause.

Like the Honorable Ed Hart, CHARLES WOLVERTON will long live in our memories as a brave and gallant dean of the New Jersey delegation.

Ever whimsical, courteous, tolerant and kind, ever mindful of unity in the affairs of our country, Mr. CHARLES WOLVERTON brought great distinction to our State. New Jersey is richer for the services of Mr. WOLVERTON in the House of Representatives.

May all that is good always be yours, CHARLIE, health, happiness, love and the esteem of your family, friends, and countrymen.

For in that rests God's blessing.

Mr. PHILBIN. Mr. Speaker, I deeply regret the voluntary retirement of my genial, and very able friend and colleague, the esteemed gentleman from New Jersey, Congressman CHARLES WOLVERTON. Every time the House loses an outstanding, experienced Member, the Nation is the poorer, since it takes years to develop an effective Congressional leader.

CHARLIE WOLVERTON'S service in the House has been of highest rank. He brought great gifts to our councils—outstanding ability, a trained legal mind, a fine sense of fairness and justice, and a deeply sympathetic understanding of the problems of the people.

More than that he exemplified always that probity, kindness, industry, and willingness to give of himself in the performance of his duties, and amiable qualities of mind and heart, that won for him the respect, admiration, and love of all his colleagues.

CHARLIE WOLVERTON is a great public servant, an outstanding Congressman, and a great American, dedicated to his work, unselfish in his objectives, lofty in his concepts, loyal to his friends, and conspicuously devoted to his District, State, and Nation.

I greatly prize his friendship and wish for him in his retirement, together with his family, peace of mind, success in his endeavors, happiness, and the Lord's choicest blessings.

Mr. CHENOWETH. Mr. Speaker, I wish to join my colleagues in paying tribute to CHARLIE WOLVERTON. I was indeed sorry to learn that he had decided to retire from Congress, and I told him that I thought it was a great loss, not alone to his District, but to the entire Nation.

I had the great pleasure of serving on the House Interstate and Foreign Commerce Committee with Mr. WOLVERTON. I was very much impressed with his intimate knowledge of the many types of legislation handled by that important committee. It was a great privilege to serve on the committee with him.

Some years ago I had the pleasure of addressing a group of real estate men in his District. I shall never forget the gracious introduction that CHARLIE gave me. I have never received anything like it, before or since.

I wish CHARLIE WOLVERTON much happiness in the years ahead. I hope that he enjoys the retirement which he so richly deserves. I am sure that he will continue his interest in national affairs, and that he will always be found serving his fellow man.

Mr. VURSELL. Mr. Speaker, with leave to extend my remarks, I would like to join with the many other Members of Congress in paying tribute to one of the most able men in the Congress who is retiring from this body, the Honorable CHARLES A. WOLVERTON.

Few men have proven themselves more capable in the consideration and enactment of legislation than has our colleague during the past 32 years of his service.

An able lawyer by profession, he has rendered invaluable service in helping to form legislation, and has rendered outstanding service as a member of various investigating committees of the Congress.

He was an intelligent stabilizing influence, so much needed, as a member of the Committee on Legislative Oversight, in the Federal Communications Commission investigation, and also in the Goldfine case.

At the end of 32 years of service, he has decided to voluntarily retire. He will be remembered as a genial, Christian gentleman, and will take with him the hope of all of the Members that he will have many years in which to enjoy his retirement.

Mr. BARRETT. Mr. Speaker, it is with great pride that I pay this tribute to my very dear friend, CHARLES A. WOLVERTON, who is retiring from the House of Representatives at the close of this 85th Congress after a faithful service of 32 years.

It has been my privilege and pleasure to work closely with this outstanding gentleman on many, many problems affecting the Philadelphia-Camden area. He is a conscientious and indefatigable worker and no task is too great or too small for him. He always took great pride in helping the Federal workers in the Philadelphia metropolitan area and they will long remember him as a champion of their rights.

I personally have known Congressman WOLVERTON for the past 12 years and consider him a very close friend. He possesses those rare qualities that are found only in statesmen.

I am sure I am not alone when I say that he will be greatly missed because he has a multitude of friends. We all wish him the very best the future may bring.

Mr. McGREGOR. Mr. Speaker, I want to join my colleagues in paying tribute to the Honorable CHARLES A. WOLVERTON, of New Jersey, former chairman of one of the great committees of this Congress.

I know of no individual who has worked any harder or with greater zeal in behalf of his people than has CHARLIE WOLVERTON.

He has been especially interested in railroad retirement workers and his activities will be recorded in the history of this great legislative body. CHARLIE, we wish you and yours the best of everything.

Mr. O'HARA of Minnesota. Mr. Speaker, I have no further requests for time.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in explanation of the bill H. R. 7166.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRIS. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Speaker, I think these technical amendments are much needed and will help to make the retirement system more efficient and less costly.

However, one responsibility bears heavily on this Congress and that is to pass a retirement system before adjournment. We have helped the farmer, the businessman, our civil service employees, social security recipients, and practically every other segment of society—except our railroad workers and their dependents. Our job is not completed until this has been accomplished. We cannot treat this group as though they were second-class citizens.

I believe every Member of this House wants to be fair; therefore, I urge each and every Member to remain here until a railroad retirement bill is passed.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. HARRIS. Mr. Speaker, there is a similar bill on the Speaker's desk (S. 2020) to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act. I ask unanimous consent to substitute the Senate bill S. 2020.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 3 (c) of the Railroad Retirement Act of 1937 is amended by adding at the end thereof the following new sentence: "If the 'monthly compensation' computed under this subsection is not a multiple of $1, it shall be rounded to the next lower multiple of $1."

(b) Section 3 (e) of such act is amended by inserting at the end thereof the following new paragraph:

"For the purposes of this subsection, the Board shall have the same authority to determine a 'period of disability' within the meaning of section 216 (i) of the Social Security Act, with respect to any employee who will have filed application therefor and (i) have completed 10 years of service or (ii) have been awarded an annuity, as the Secretary of Health, Education, and Welfare would have to determine such a period under section 216 (i) if the employee met the requirements of clauses (A) and (B) of paragraph (3) of such section, considering for purposes of such determination that all his service as an employee after 1936 constitutes 'employment' within the meaning of title II of the Social Security Act and determining his quarters of coverage for such purposes by presuming his compensation in a calendar year to have been paid in equal proportions with respect to all months in which he will have been in service as an employee in such calendar year: *Provided*, That an application for an annuity filed with the Board on the basis of disability shall be deemed to be an application to determine such a period of disability, and such an application filed with the Board on or before the date of the enactment of this paragraph shall, for purposes of this subsection and section 216 (i) (4) of the Social Security Act, be deemed filed after December 1954 and before July 1958: *Provided further*, That, notwithstanding any other provision of law, the Board shall have the authority to make such determination on the basis of the records in its possession or evidence otherwise obtained by it, and a determination by the Board with respect to any employee concerning such a 'period of disability' shall be deemed a final decision of the Board determining the rights of persons under this act for purposes of section 11 of this act. An application filed with the Board pursuant to this paragraph shall be deemed filed as of the same date also with the Secretary of Health, Education, and Welfare for the purpose of determining a 'period of disability' under section 216 (i) of the Social Security Act."

(c) Section 3 (f) of such act is amended to read as follows:

"(f) (1) Annuities under section 2 (a) which will have become due an individual but will not have been paid at the time of such individual's death shall be payable to the person, if any, who is determined by the Board to be such individual's widow or widower and to have been living with such individual at the time of such individual's death and who will not have died before receiving payment of such annuities. If there be no such widow or widower, such annuities shall be payable to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of such individual, and to the extent that he or they will not have been reimbursed under section 5 (f) (1) for having paid such expenses. If there be no person or persons so entitled, or if the total of such annuities exceeds the amount payable under this paragraph to such person or persons, such total, or the remainder thereof, as the case may be, shall be paid to the children, grandchildren, parents, or brothers and sisters of the deceased individual in the same manner as if such unpaid annuities were a lump sum payable under section 5 (f) (2).

"(2) Insurance annuities under section 5 which will have become due a survivor of an employee but will not have been paid at the time of such survivor's death shall be payable to the person, if any, who is determined by the Board to be such employee's widow or widower and to have been living with such employee at the time of the employee's death and who will not have died before receiving payment of such annuities. If there be no such widow or widower, such annuities shall be payable to the children, grandchildren, parents, or brothers and sisters of the deceased employee in the same manner as if such unpaid annuities were a lump sum payable under section 5 (f) (2).

"(3) Annuities under section 2 (e) which will have become due a spouse of an individual but which will not have been paid at the time of such spouse's death shall be payable to the individual from whose employment such spouse's annuity derived and who will not have died before receiving payment of such annuities. If there be no such individual, such annuities shall be paid as provided in the last two sentences of paragraph (1) of this subsection as if such annuities were annuities due under section 2 (a) to an individual but unpaid at the time of such individual's death.

"(4) Applications for accrued and unpaid annuities provided for in paragraphs (1), (2), and (3) of this subsection shall be filed prior to the expiration of 2 years after the death of the person to whom such annuities were originally due.

"(5) For the purposes of this subsection and paragraphs (1) and (2) of section 5 (f) of this act, a widow or widower of an individual shall be deemed to have been living with the individual at the time of the individual's death if the applicable conditions set forth in section 216 (h) (2) or (3) of the Social Security Act are fulfilled.

"(6) If there is no person to whom all or any part of the annuity payments described in paragraph (1), (2), or (3) can be made, such payments or part thereof shall escheat to the credit of the Railroad Retirement Account."

(d) Section 3 (h) of such act is amended by striking out "$2.50" and inserting in lieu thereof "$5."

(e) Section 3 of such act is further amended by adding at the end thereof the following new subsection:

"(i) If the amount of any annuity computed under this section, or under section 2 or section 5, is not a multiple of $0.10, it shall be raised to the next higher multiple of $0.10."

SEC. 2. (a) Section 5 (f) (1) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out the first three sentences and inserting in lieu thereof the following: "Upon the death, after the month in which this act is enacted, of a completely or partially insured employee who will have died leaving no widow, widower, child, or parent who would on proper application therefor be entitled to receive an annuity under this section for the month in which such death occurred, a lump sum of 10 times the employee's basic amount shall be paid to the person, if any, who is determined by the Board to be the widow or widower of the deceased employee and to have been living with such employee at the time of such employee's death and who will not have died before receiving payment of such lump sum. If there be no such widow or widower, such lump sum shall be paid to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of such deceased employee.";

(2) by striking out "widow, widower, child, or parent" in the fourth sentence and inserting in lieu thereof "widow or widower"; and

(3) by striking out all of the fourth sentence beginning with "a payment to any then surviving widow" and inserting in lieu thereof the following: "a payment equal to the amount by which such lump sum exceeds such annuities so accrued after such deductions shall then nevertheless be made under this paragraph to the person (or, if more than one, in equal shares to the persons) first named in the following order of preference: the widow, widower, child, or parent of the employee then entitled to a survivor annuity under this section."

(b) Section 5 (f) (2) of such act is amended by striking out "to the person or

persons in the order provided in paragraph (1) of this subsection, or in the absence of such person or persons, to his or her estate, a lump sum" and by inserting in lieu thereof the following: "to the following person (or, if more than one, in equal shares to the persons) whose relationship to the deceased employee will have been determined by the Board and who will not have died before receiving payment of the lump sum provided for in this paragraph:

"(i) the widow or widower of the deceased employee who was living with such employee at the time of such employee's death; or

"(ii) if there be no such widow or widower, to any child or children of such employee; or

"(iii) if there be no such widow, widower, or child, to any grandchild or grandchildren of such employee; or

"(iv) if there be no such widow, widower, child, or grandchild, to any parent or parents of such employee; or

"(v) if there be no such widow, widower, child, grandchild, or parent, to any brother or sister of such employee; or

"(vi) if there be no such widow, widower, child, grandchild, parent, brother, or sister, to the estate of such employee,

a lump sum."

(c) The first sentence of section 5 (h) of such act is amended by striking out "prior to" and inserting in lieu thereof "after."

(d) Section 5 (l) (3) of such act is amended (1) by inserting "and" after the semicolon in subparagraph (i); (2) by striking out all of subparagraph (ii) after "title II of the Social Security Act" and inserting in lieu thereof a period; and (3) by striking out subparagraphs (iii) and (iv).

(e) Section 5 (k) (3) of such act is amended—

(1) by inserting in the first sentence after "service" the following: ", of determinations under section 3 (e) of this act, or section 216 (i) of the Social Security Act, of periods of disability within the meaning of such section 216 (i),";

(2) by inserting in the first sentence after "this section" the following: ", section 3 (e) of this act,"; and

(3) by inserting in the second sentence after "therein" the following: "(except in the case of a determination of disability under section 216 (i) of the Social Security Act."

(f) Section 5 (l) (6) of such act is amended by striking out the parenthetical phrases in the first and second sentences and by inserting at the end thereof the following sentence: "Wages, as defined in this paragraph, shall be credited for the purposes of this section in the manner and to the extent credited for corresponding purposes of title II of the Social Security Act."

(g) Section 5 (l) (7) (ii) of such act is amended by striking out "forty or more quarters of coverage" and inserting in lieu thereof the following: "either will have had forty or more quarters of coverage or would be fully insured under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined in that act."

(h) Section 5 (l) (8) of such act is amended (1) by striking out "will have had (i)" and inserting in lieu thereof "(i) will have had", (2) by inserting "either will have had" after "(ii)", and (3) by inserting before the final period a comma and the following: "or would be currently insured under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined in that act."

(i) Section 5 (l) (9) of such act is amended—

(1) by striking out "quarter in which he will have died" each place it appears in clauses (A) and (B) and by inserting in lieu thereof "employee's closing date";

(2) by striking out the last proviso; and

(3) by inserting after the first sentence the following new sentence: "An employee's 'closing date' shall mean (A) the first day of the first calendar year in which such employee both had attained age 65 and was completely insured; or (B) the first day of the calendar year in which such employee died; or (C) the first day of the calendar year following the year in which such employee died, whichever would produce the highest 'average monthly remuneration' as defined in the preceding sentence. If the amount of the 'average monthly remuneration' as computed under this paragraph is not a multiple of $1, it shall be rounded to the next lower multiple of $1."

SEC. 3. Section 10 (b) (4) of the Railroad Retirement Act of 1937 is amended by inserting after the third sentence the following new sentence: "For purposes of its administration of this act or the Railroad Unemployment Insurance Act, or both, the Board may hereafter place, without regard to the numerical limitations contained in section 505 of the Classification Act of 1949, as amended, 4 positions in grade GS-16 of the general schedule established by that act, 4 positions in grade GS-17 of such schedule, and 1 position in grade GS-18 of such schedule.

SEC. 4. Section 13 of the Railroad Retirement Act of 1937 is amended (1) by inserting "(a)" after "Sec. 13."; (2) by inserting ", or both" before the final period, and (3) by adding at the end thereof the following new subsection:

"(b) All fines and penalties imposed by a court pursuant to this act shall be paid to the court and be remitted from time to time by order of the judge to the Treasury of the United States to be credited to the Railroad Retirement Account."

SEC. 5. (a) The amendments made by sections 1 (a), 1 (d), 1 (e), and 2 (i) shall be effective with respect to annuities awarded under the Railroad Retirement Act of 1937 on or after the date of the enactment of this act.

(b) The amendments made by sections 2 (g) and 2 (h) shall be effective (1) with respect to deaths occurring on or after the date of the enactment of this act and (2) with respect to any death occurring before such date if none of the survivors of the decreased individual became entitled before such date to monthly benefits, by reason of the individual's death, under title II of the Social Security Act.

(c) The amendments made by section 1 (b) shall be effective with respect to determinations of periods of disability, within the meaning of section 216 (i) of the Social Security Act, made on or after the date of the enactment of this act.

(d) The amendments made by sections 1 (c), 2 (a), and 2 (b) shall be effective with respect to deaths occurring in months after the month in which this act is enacted.

(e) The amendments made by sections 2 (c), 2 (d), and 2 (f) shall be effective with respect to annuities accruing for months after the month in which this act is enacted.

(f) The amendments made by sections 2 (e) and 3 shall be effective on the date of the enactment of this act.

(g) The amendment made by clause (3) of section 4 shall be effective with respect to offenses committed on or after the date of the enactment of this act; and the other amendments made by section 4 shall be effective with respect to fines and penalties imposed on or after such date.

PART II—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 201. (a) (1) The second proviso in section 1 (k) of the Railroad Unemployment Insurance Act is amended by striking out "second" and inserting in lieu thereof "first", and by striking out "first" and inserting in lieu thereof "second."

(2) The second paragraph of such section 1 (k) is amended by striking out "one dollar" and inserting in lieu thereof "three dollars."

(b) Section 1 (q) of such act is amended by inserting before the period at the end thereof the following: "in the unemployment trust fund."

SEC. 202. Section 4 (a-1) (ii) of the Railroad Unemployment Insurance Act is amended by striking out all that follows "sickness compensation law" and precedes the first proviso and by inserting in lieu thereof the following: "other than this act, or any other social-insurance payments under any law."

SEC. 203. Section 8 (a) of the Railroad Unemployment Insurance Act is amended by inserting before the period at the end thereof a semicolon and the following: "and in determining such balance as of September 30 of any year, the balance to the credit of the railroad unemployment insurance administration fund as of the close of business on such date shall be deemed to be a part of the balance to the credit of such account."

SEC. 204. (a) Section 904 (a) of the Social Security Act is amended by inserting after "the railroad unemployment insurance account" the following: "or the railroad unemployment insurance administration fund."

(b) Section 904 (e) of the Social Security Act is amended by striking out "and the railroad unemployment insurance account" and inserting in lieu thereof the following: ", the railroad unemployment insurance account, and the railroad unemployment insurance administration fund."

(c) Section 904 (f) of the Social Security Act is amended by striking out "fund as the Railroad Retirement Board" and all that follows and by inserting in lieu thereof the following: "railroad unemployment insurance account for the payment of benefits, and out of the railroad unemployment insurance administration fund for the payment of administrative expenses, as the Railroad Retirement Board may duly certify, not exceeding the amount standing to the credit of such account or such fund, as the case may be, at the time of such payment."

SEC. 205. (a) Section 11 of the Railroad Unemployment Insurance Act is amended by striking out the first sentence and the first two words of the second sentence, and by inserting in lieu thereof the following: "The Secretary of the Treasury shall maintain in the unemployment trust fund established pursuant to section 904 of the Social Security Act an account to be known as the railroad unemployment insurance administration fund. This unemployment insurance administration fund."

SEC. 206. The second paragraph of section 12 (l) of the Railroad Unemployment Insurance Act is amended by striking out "Classification Act of 1923, except that the Board may fix the salary of a director of unemployment insurance at $10,000 per annum" and inserting in lieu thereof the following: "Classification Act of 1949, as amended."

SEC. 207. (a) The amendments made by section 201 (a) shall be effective with respect to registration periods in benefit years after the benefit year ending on June 30, 1958.

(b) The amendments made by section 202 shall be effective with respect to days in benefit years after the benefit year ending on June 30, 1958.

(c) The remaining amendments made by this part shall be effective, except as otherwise indicated therein, on the date of the enactment of this act.

PART III—AMENDMENTS TO THE SOCIAL SECURITY ACT

SEC. 301. Section 202 (t) of the Social Security Act is amended by changing the period at the end of paragraph (4) thereof to a comma and inserting thereafter the word "or" and the following:

"(E) the individual on whose employment such benefit is based had been in service covered by the Railroad Retirement Act which was treated as employment covered by this act pursuant to the provisions of section 5 (k) (1) of the Railroad Retirement Act."

SEC. 302. The amendments made by section 301 of this act shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after December 1956, and with respect to lump-sum death payments under such section 202 in the case of deaths occurring after December 1956.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

FOOD ADDITIVES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13254) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 21, after "act" insert ", the Poultry Products Inspection Act (21 U. S. C. 451 and the following)."

Page 15, line 3, after "to" insert "the Poultry Products Inspection Act (21 U. S. C. 451 and the following) or."

Page 15, after line 5, insert:

"SEC. 8. The annual rate of basic compensation of the Commissioner of Food and Drugs shall be $20,000."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. HARRIS]?

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, will the gentleman make a short explanation of the bill and the amendments?

Mr. HARRIS. This is referred to as the food additives bill, which passed the House a few days ago.

Mr. CURTIS of Missouri. The amendments are germane to the bill?

Mr. HARRIS. They are.

Mr. CURTIS of Missouri. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. HARRIS]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, H. R. 13254 is the so-called food additives bill which passed the House several weeks ago.

The Senate accepted the House bill in its entirety, and added several amendments, the effect of which is as follows:

First. Language added on page 2, line 21, and page 15, line 3, would exempt from the scope of the legislation substances already approved under the provisions of the Poultry Products Inspection Act. These exemptions would be in addition to those already contained in the bill as passed by the House for substances approved under the provisions of the Federal Food, Drug, and Cosmetic Act and the Meat Inspection Act of March 4, 1907. This amendment is requested by the poultry industry and concurred in by the Departments of Agriculture and Health, Education, and Welfare.

Second. A new section 8 added by the Senate would increase the annual rate of compensation of the Commissioner of Food and Drugs from $17,500 to $20,000. The Department of Health, Education, and Welfare has suggested that in light of the scope and complexity of the program administered by the Commissioner of Food and Drugs, his salary should be increased as provided in this amendment.

Third. A new section 9 added by the Senate would amend section 208 (g) of the Public Health Service Act, as amended, to authorize the employment of key executive and administrative personnel in the Public Health Service, particularly in the National Institutes of Health, at a higher rate of compensation.

Section 208 (g) now authorizes the Secretary of Health, Education, and Welfare to establish and fix the compensation, within the Public Health Service, for not more than 85 positions—of which not less than 73 shall be for the National Institutes of Health—in the professional and scientific service, to effectuate the research and development activities which require the services of specially qualified scientific or professional personnel. The rate of compensation for these positions is to be not less than $12,500 per annum and not more than $19,000 per annum, and these positions are subject to the approval of the Civil Service Commission. The Senate amendment would add "executive service" and "administrative personnel" to the "professional and scientific service" and the "specially qualified scientific or professional personnel."

This legislation, if enacted, would enable the Secretary of Health, Education, and Welfare to provide adequate compensation for key executive and administrative personnel in the National Institutes of Health such as, for example, the Executive Officer of the National Institutes of Health, the executive officers of several of the larger institutes, and the officers in charge of research planning and scientific information. The amendment would not increase the total number of positions now authorized pursuant to section 208 (g) and would not modify the maximum salary limitations under that section.

This amendment has the approval of the Department of Health, Education, and Welfare.

Since the food additive bill, H. R. 13254, passed the House, I have received an inquiry as to how this legislation affects the packaging industry. Of course, packaging ordinarily is not intended or reasonably expected to become a part of food and therefore would not come under the bill. The term "otherwise affecting the characteristics of any food" refers to an effect not generally recognized as safe among experts qualified by scientific training and experience to evaluate the safety of food additives; but innocuous effects of packaging, such as protection from dirt, retarding moisture loss, preserving shape, providing convenience in use, handling, and storage, and the like, would not be covered.

AMENDING HOUSE RESOLUTION 149, 85TH CONGRESS

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution, House Resolution 679, by direction of the Committee on Rules, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That House resolution 149, 85th Congress, as amended, is amended by inserting after "North American Continent," the following: "and elsewhere in connection with any study or investigation of ocean steamship conferences and the dual rate system."

With the following committee amendment:

Page 1, strike out lines 1, 2, 3, 4, and down to and including the word "system" in line 5, and insert "That H. Res. 149, 85th Congress, as amended, is further amended by striking out the 1st sentence in paragraph 2 thereof and inserting in lieu thereof the following: 'For such purposes the said committee or any subcommittee thereof as authorized by the chairman is hereby authorized to sit and act during the present Congress at such times and places within the United States, its Territories and possessions, within the North American Continent, or elsewhere when in connection with any study or investigation of ocean steamship conferences and the dual rate system, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary: *Provided, however*, That in no event shall the chairman designate more than 5 committee members and 2 staff members to proceed outside the United States on any one study or investigation of ocean steamship conferences and the dual rate system."

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I asked for this time in order to inquire if this is not the resolution which would permit the Committee on Merchant Marine and Fisheries to travel abroad and to investigate certain activities in which the committee is interested.

Mr. SMITH of Virginia. I might make a brief explanation of what the resolution is.

Mr. BROWN of Ohio. I wish the gentleman would.

Mr. SMITH of Virginia. Mr .Speaker, as is well known, all legislative committees have the right to investigate matters within their jurisdiction, but only those which have a special resolution may travel outside of the continental United States.

A recent decision of the Supreme Court has caused some trouble among the steamship lines with respect to what is known as dual-rate contracts. It is going to be necessary to have some conferences between officials of various ship-owning corporations, and it is going to be advisable for some members of the Merchant Marine and Fisheries Committee to attend those conferences. If they take place in the United States this resolution will not be necessary, but if they do not, it may be necessary.

In order that there may be no chance of criticism the resolution provides that the subcommittee that attends to this matter shall not exceed 5 members and 2 staff assistants.

Mr. BROWN of Ohio. And the resolution was reported, as I recall, unanimously by the Committee on Rules?

Mr. SMITH of Virginia. It was supported unanimously by the Committee on Rules.

I know of no objection to it.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COAL RESEARCH AND DEVELOPMENT ACT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4248) to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes.

The Clerk read the title of the bill.

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, is this the so-called coal bill?

Mr. EDMONDSON. Mr. Speaker, this is the coal research bill. It was based upon the study of more than 1 year by a special committee of the Interior Committee and then practically unanimous action of the Interior Committee.

Mr. MILLER of Nebraska. Is this the bill that calls for $2 million appropriation the first year, $10 million the second year, and no one knows what for the years ahead?

Mr. EDMONDSON. The only determined cost in the bill is $2 million for the first year, with a maximum of $10 million for the second year.

Mr. MILLER of Nebraska. We had a minerals bill up here a day or two ago. This is not unlike that bill, as I understand. It provides for some kind of research, getting a little more coal, a little subsidy, or something.

Mr. EDMONDSON. Mr. Speaker, this is an effort to meet the basic problem of a great industry, the coal industry, that is in acute distress at this time.

Mr. MILLER of Nebraska. Mr. Speaker, I must object. This is a too important and far-reaching bill to pass by unanimous consent. It should come up under a rule or at least by suspending the rules.

Mr. Speaker, I object.

The SPEAKER. Objection is heard.

FEEDING THE FLAMES OF INFLATION—THE FREE SPENDERS—CONFUSING THE CAUSE OF INFLATION—THE LIBERAL NATIONAL PLANNERS

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, few subjects have been discussed more widely, complicated as much or so thoroughly trampled underfoot, resulting in intended confusion, by do-gooders as that of inflation. The subject is highlighted again today with the announced most recent increase in the cost of living.

In recent years, there has been a veritable mushrooming of economists of the self-styled liberal stripe who explain that inflation really has nothing to do with income or prices, but rather concerns total production and consumption of goods.

It should be understandable to just about everyone that recommendations based upon such unusual reasoning certainly should not be considered seriously unless subject to proof.

Nevertheless, these economists and would-be economists who dictate Democrat monetary and fiscal policy, sing this same tune in loud notes of C above high C.

The prescription they recommend as a cure for all our economic ills is not so involved as the theories behind it. Simply stated, it is: "Greater Government spending and sharply reduced taxes."

This, they believe, places more money in circulation, thereby increasing purchasing power and eventually, production.

Under this theory, of course, purchasing power should run ahead of production. To assume that the balance could be on the other side, is considered by them hearsay.

Of course, this philosophy does not allow for the inevitable bankruptcy of Government, nor does it take into account that which everyone except those of the far left recognize as true inflation—higher wages result in higher prices and inflation with no accompanying increase in production.

In the First District of Florida, as everywhere else in the United States, the people are more realistic.

The figures the people deal in are not imaginary. Many of these people perhaps do not have degrees in economics from our larger universities, but they have to confront such subjects in everyday true-life purchasing problems.

They know a dollar buys just so much; if it buys less, they suffer.

When their incomes are fixed and prices rise, they are caught in a real, rather than a theoretical, squeeze.

In short, Mr. Speaker, the definitions and conclusions espoused by these economic zanies calling for increased expenditures and cuts in taxes are certainly not ones I subscribe to, nor are they those of the American people.

I have found in the past that it is useless to even discuss this problem with those of the left, because they are masters of evasion rather than of economics, and are expert in vaguery rather than in fiscal and monetary matters.

It is unfortunate that these advisers to the Democratic Party are heeded at all.

Their rise, through the present majority in Congress, to such a position of influence in our Government, well could be catastrophic.

So let us examine for a moment some pronouncements and affiliations of a few of these proponents of socialistic economic theory.

The most swollen economic brain and also a leader in the party of the left, perhaps, is that of Leon Keyserling, who mouths his theories through such organizations as the Conference on Economic Progress, the Democratic Advisory Council, and the Americans for Democratic Action.

Even more vocal and of far greater power in liberal Democrat ranks, however, is one who has no grounding in the field of economics but has in Marxism and atheism.

He is Walter Reuther, president of the United Auto Workers Union and strong man in the AFL–CIO.

Almost without exception, the recommendations of these two in the field of economics have been carried out to the letter by the majority Members in this body and on the other side of the Capitol.

There can be no question but that Reuther is one of the guiding lights of and greatest contributors to the Americans for Democratic Action. As a result, the edicts of this professedly anti-Communist group which coincidentally supports most legislation espoused by the Communist Party, are his own or bear his rubber stamp.

On July 6, 1958, Americans for Democratic Action strongly urged that Government institute a temporary tax cut of at least $8 billion in income taxes and excises and added, in the most serious tone imaginable, that Uncle Sam then would be in a better position to—and should—launch a gigantic spending program.

This greater spending of less money, Americans for Democratic Action insisted, should be devoted to socialistic programs for construction of schools, housing, hospitals, public projects and further ruin of natural resources and our social security system.

Americans for Democratic Action also said the Government should at the same time forcibly cut prices.

As the voices of Reuther and Keyserling are heard so often through Americans for Democratic Action, the Democratic Advisory Council, and the Conference on Economic Progress, so are

they heeded in many circles in the labor hierarchy.

Hardly a week passes that these same recommendations are not made through the columns of AFL–CIO News, official organ of the giant labor federation, and the UAW Solidarity, the tabloid which expounds Reuther's views.

By strange coincidence, no doubt, similar expressions may be found issuing from another quarter.

The loudly wept plea for a cut in income taxes and greater spending on "a program on a grand scale for development of public waterpower, flood control, and conservation projects, as well as the building of highways, schools, housing, and other public works" are common in leftwing newspapers and periodicals.

The quote I have just cited, for instance, was taken from the main political resolution of the 16th annual convention of the Communist Party, U. S. A., in New York, February 9–12, 1957.

Not all economists make these same recommendations, but there is enough variance in their views and approaches to accomplish complete confusion.

In the January-February issue of the Harvard Business Review, for instance, are two articles on the subject. The first, Is Management Creating a Class Society? by Benjamin Selekman, states that the solution to our inflationary problems is for management to understand and grant just about all the demands labor bosses make:

> It would be salutary if business executives conceived of unions as marketing agencies made up of men and women engaged in a common craft or industry who look to their salesmen (the Reuthers and the MacDonalds) to get for them the maximum price for their only commodity—skill—obtainable in the market—

Selekman wrote.

> Right or wrong, I am convinced that there is no way of stopping employees from expecting—indeed from demanding—a wage increase when the cost of living is going up. • • • They believe in and want a rising standard of living.

The other article in the Review was was written by G. L. Bach, who takes the position that there are so many confusing definitions and descriptions of inflation that it is difficult for most people to understand what it is.

Bach also takes to task some of the theorists who argue that inflation increases production.

As examples, he cites several European countries and the United States through the mildly inflationary period from 1952 to 1955. His study reveals that the largest increase in production and employment occurred in West Germany, which had no inflation whatsoever.

In Sweden, which had moderate inflation, production was lowest.

Italy, with fewer price increases than either Sweden or the United Kingdom, increased production more than either.

The United States, with no inflation, had greater increase of output than inflationary Sweden, but less than noninflationary Germany and the mildly inflationary Netherlands.

I believe, Mr. Speaker, it is time we stopped trying to confuse the people with so much double talk about a subject which is, in reality, and when translated into purchasing power and Government spending, very simple.

Everyone who has been in business or who has managed a household budget is aware of what happens to an economy when expenses and spending exceed income.

Stripped of the polysyllabic words and hazy reasoning in which most economists glory, that is exactly what has been recommended for us by the Reuthers, Keyserlings and others on the left side of the fence.

The problems created by our leftwing economists must be attributed at least in part to their ability to talk glibly and juggle statistics with all the dexterity of a sideshow plate tosser.

They can be particularly convincing when talking to those who are unfamiliar with the economic facts of life. Unfortunately more and more, ordinary citizens succumb to these arguments, convinced that the same frugality necessary to successful operation of the household somehow does not apply on the governmental level.

They have been told, and many of them believe, that Uncle Sam has a bottomless well from which he may draw money by the bucketful. It does not occur to them that these dollars are their own or that their children, grandchildren, and great-grandchildren already have been doomed to pay for the follies of the last Democrat era.

They are unaware, also, that these same wild spending policies are being forced upon us today by the liberal Democrats in Congress who carry out the bids of Reuther and Keyserling.

At the 52d annual American Life convention in Chicago, October 7 to 11, 1957, Malcolm Bryan, president of the Federal Reserve Bank of Atlanta, ably put it in these words:

> It is well for us to remember, however, that the prescription (for economic well-being) involves issues of great significance to the American people. We are dealing with something a good deal more important than a clever effort to sell us a wooden nutmeg. The principal advocates of creeping inflation exhibit indefatigable energy, possess national—even international—platforms, have great skill in economic debate and are duly accredited purveyors of economic wisdom to the public mind. Their opinions thus begin to carry convictions in quarters where a natural and healthy intellectual skepticism would normally demand more rigorous proofs.

The horror of such practitioners being at large also rests in their ability to take sound Government statistics and twist them to their purposes.

They have, in the past several years, used mobile periods in a self-serving manner upon which to base their economics arguments. Thus, a dollar, which was worth a dollar in 1932, according to their arguments, still was worth a dollar in 1947, and today is worth very little less than that amount.

Actually, this sort of reasoning is as false as all other arguments of its proponents.

Franz Pick, in his book, The United States Dollar—Requiem for a Dead Half, does not go back to 1932 for a dollar value but bases his conclusions on purchasing power in 1940, when the New Deal had been spending full blast for 7 years.

"Whenever a currency loses more than half of its value in less than a generation, the unit is doomed," he wrote. "The United States dollar, in 17 years of unprecedented expansion of the American economy, has declined to less than half its 1940 buying power. This erosion cannot be halted."

Although I do not agree with Mr. Pick that this insidious destruction of the American unit of currency by Reuther, Keyserling and company cannot be halted, I am firmly convinced, and I think every American should be aware, that stabilizing our dollar, perhaps, is going to be the greatest and one of the most far-reaching battles of our history.

If we lose this fight, we shall have lost all. For just so surely as our major cities could be destroyed by nuclear weapons, just so certainly can the economic welfare of our Nation be ruined by inflation.

On Pick's basis of calculation, it is wrong for anyone to accept many of the figures presently offered as accurate. Consequently, reports which state that bank deposits at the close of 1957 were $231.7 billion represent double the amount actually held, and should be $114.6 billion. And, when anyone tells us that the amount of money in circulation at the end of last year was $31.8 billion, we should know that in reality it is only half that amount in 1940 dollars, he points out.

In 1940, we had a gold reserve of $22 billion. Today, it supposedly is $22.9 billion, a figure which would indicate an increase of $900 million in gold over a period of the last 17 years. Actually, today's gold reserves, based upon the 1940 value of the dollar, is but $11.2 billion, representing a loss of $11.7 billion.

As the gold and dollar supply has dwindled, so have all other articles upon which we are able to place a monetary value.

In short, we are headed toward the complete destruction of capital, a goal Karl Marx sought so eagerly.

The party which brought about this economic decline in the first place continues to work to accomplish complete financial destruction with a dedication bordering on the fanatic.

If we use Mr. Pick's yardstick—that the American dollar was worth 100 cents in 1940, which it wasn't—we may determine a proportionate value at the end of the New Deal-Fair Deal era rather simply by comparing the purchasing power of the dollar for wholesalers and consumers.

By 1953, the 100-cent, 1940 consumer dollar had slipped to 52.1 cents in value. The wholesale dollar had plunged to 46.3 cents. Combined, this would show a decline in the value of the American dollar by approximtaely 50 percent in 13 years, far less than the generation referred to by Mr. Pick.

Of course, Mr. Pick is one of the economists who recommend inflation in order to maintain high production and full employment. Consequently, in the opinion of some sound thinkers, many of his

conclusions are false, but no one can argue with his assessment of the dollar.

Certainly, though, most of us would disagree with his proposals for bringing about such a healthy state.

Many economists go Pick one better, assuming our American dollar was worth 100 cents as late as 1947 to 1949.

By this same reasoning, one could say that today the dollar is worth 100 cents, and could continue to make similarly reckless evaluations each time the purchasing power declines.

A more realistic appraisal would concern purchasing power of the dollar when Franklin D. Roosevelt assumed office and what it amounted to when free-spending Harry left the throne.

I am sure no one here would like to be bored or embarrassed, as the case may be, with a revision of the statistics I have cited on the basis of the purchasing power of the 1933 dollar. Suffice it to say Mr. Pick's studies are closer than most in this respect.

But if we rely on figures alone, regardless of dollar values, we find that Democrats increased spending during the Roosevelt-Truman era by 1,291 percent, and gave us only one balanced budget during that period.

By contrast, during 1947 and 1948, the only 2 years in which Republicans controlled Congress, the Nation experienced treasury surpluses.

Our cost-of-living index rose from 58.4 in 1933 to 113.5 in 1952 and our per capita national debt from $156 to $1,650.

It perhaps would be well to bring all these economic statistics into sharp focus so that they may be seen in true perspective by those who form our fiscal and monetary policies.

Individually, they already know that if they spend more than they make, they go into debt. They are aware that if a bank puts out more money than it takes in, it must close its doors.

They should, but apparently do not, know, however, that a government which spends more than its revenue also faces bankruptcy, but only after a painful course in which the taxpayer finds that his dollar buys ever less.

During this process, it is true, some may benefit. Principally, and notably, such beneficiaries are labor leaders who are able to spellbind their memberships with the argument that each year they are getting greater and greater pay and fringe benefits.

Actually, they are not, because the greater pay is in inflated dollars, which are worth less. So the labor leader benefits only by perpetuating himself in office through false and misleading arguments.

The working man is being blindly misled.

The other beneficiaries, as I have mentioned, are those whose principal desire—either consciously or unconsciously—is the disruption of our economy.

So Walter Reuther and Keyserling tell the liberals in the Democrat Party to support practically every piece of legislation which calls for greater spending.

And those whose political careers are so intimately entwined with the campaign contributions of Reuther's subservient horde, obey.

Sometimes, the legislation introduced by those in this wild-eyed group is utterly fantastic in the extent to which it would go to spend money.

One member of the liberal group on the other side of the aisle, during this session of Congress, proposed the expenditure of more than $114 billion in the next 10 years on aid to education. This, I might point out, is approximately 45 percent more than it takes to operate our entire Government—including the Department of Defense, our missile and satellite development, our entire foreign aid grants and loans, and all our agricultural subsidies—for a full year.

On the other side of the Capitol, the junior Senator from Wisconsin, elected to succeed the late Joe McCarthy in a campaign financed almost exclusively by funds from Reuther's helplessly enslaved union members, has consistently appealed through his remarks in the CONGRESSIONAL RECORD for economy in Government. At the same time, he was introducing legislation which would cost the taxpayer more than $24 billion additional for welfare state programs.

In this body, believe it or not, a bill was introduced to put the Government in the small loan business and calling for the lending of up to $1,000 to any and everyone who has a gross income of more than $2,000 annually, regardless of his credit. The sponsor of this measure told the Congress:

> The plan would: First circulate $10 billion within the economy at once.

He did not say how much more would have to be circulated after the period he describes as "at once" to match the inflationary spiral thus set in motion.

The Congressional Quarterly, whose editor, Nelson Poynter is a devoted follower of the New Deal-Fair Deal philosophy, has published a breakdown of House and Senate votes during the first session of the 85th Congress.

Mr. Poynter often has been challenged for allegedly misrepresenting such things in order to cast Republicans in a bad light, but never of doing the same thing to his fellow Democrats.

Nevertheless, the Quarterly shows that Republicans in this body supported 53 percent of the economy measures brought before Congress, while the Democrats supported only 29 percent of them.

As low as the Democrat average is even according to Mr. Poynter, it nevertheless includes the votes of supposedly conservative southern members of the Democrat Party.

On the basis of a survey of legislation introduced and made in May of this year with the addition of a few measures such as those I have cited, it is safe to say that legislation introduced in the Senate and this body by the not-so-frugal majority would, if enacted, increase our already enormous expenditures by $314 billion.

I can understand that such a figure is staggering to the point of being incomprehensible. For that reason, I shall put it another way.

Were all these bills introduced by Democrats who would have their constituents believe they are economically-minded enacted, the amounts would be the equivalent of the following:

Fourteen thousand, two hundred and seventy-two dollars for each of the 22 million children under 5 years of age in America.

Three thousand, three hundred and seventy-six dollars for each one of the 93 million persons who filed income tax returns in 1957.

Seven thousand, one hundred and thirty-six dollars for each of America's 44 million families.

One thousand, eight hundred and fifteen dollars for ever man, woman and child in the Nation.

Mr. Speaker, it is such wild-spending economic practices as these which have so drastically slashed the value of our dollar and which, if not halted, will reduce us to a completely bankrupt and inflation-rocked Nation within a few short years.

It is this theory that has so permeated the policies of the majority in Congress that in one day, Black Monday, August 18, 1958, under suspension of Rules of the House, were introduced liberal-inspired, free-spender-backed legislation that would, if not voted down by Republicans exercising fiscal responsibility, have cost the taxpayers of this country an estimated additional $5 billion.

It is this theory that caused this Democrat-controlled Congress to become the highest, most lavish spending Congress in the history of this great Republic—after professing just last year to be concerned about spending—overspending by billions the President's budget recommendations.

It is this wild theory that brought to the floor under Democrat sponsorship the following five bills as examples in the last 2 weeks of the 85th Congress calling for additional billions in Federal expenditures, which were defeated only by Republicans who refused to follow the New Deal, free spending line:

First. The farm bill, $2.5 billion.

Second. Public housing bill, $2.3 billion.

Third. Community facilities bill, $2 billion.

Fourth. Minerals subsidization, $500 million.

Fifth. Food stamp plan, $1 billion.

Thus, in the dying days of the session, and often under gag rules, the New Deal, left wing leaders have forced votes on every conceivable new Federal program, knowing full well that already the estimates of red ink spending for fiscal 1959 had reached $8 billion to $10 billion, exhibiting no spending conscience, and reckless disregard for the taxpaying public, the future generations, balanced budgets, further increases in national indebtedness and fiscal responsibility—let alone those who must live on fixed incomes who are the silent sufferers from the inflated dollar policy of this Democrat-controlled Congress. Only the Republicans stood firm against the spending of this additional $8.3 billion.

But the Reuthers and other labor bosses, the Keyserlings and those to the left of the center in Congress continue to shriek for higher Government spending, greater wage increases and fewer taxes.

And when the price index goes up and the value of the dollar goes down, they accuse industry of unnecessarily raising prices to consumers and ask for cost-of-living adjustments.

Reuther must know by now that his program has hurt the American automobile market and boomed sales of less expensive European cars.

Keyserling must be aware that the same thing is happening in other industries.

David MacDonald, of the United Steel Workers, should know that it is happening in the steel industry.

If they do not know these things, others do. In this connection, I refer these gentlemen, and those Members of this body who follow their economic theories, to an article written by Frank B. Hutchinson which appeared in the August 10, 1958, editions of the St. Petersburg Independent. It said, in part:

> An inquiry by this column into steel purchases by steel users in this area brought forth some startling and sobering information.
>
> Steel users in this area are turning more and more to foreign mills for their structural steel, reinforcement steel, nails, wire and bolts.
>
> Before the recent price increases by American mills, local users were importing about 50 percent of the steel used for reinforcing concrete, between 25 percent and 50 percent of the structural steel and a big share of nails, wire, bolts and small steel items.
>
> One big steel purchaser in this area told this column, "We would be buying all of our steel from Europe right now if it were not for the allotment system used by our domestic mills."
>
> And what is the allotment system? This is a system of supplying steel in times of shortages on a basis of purchases in prior years. It is in a sense a threat of reprisal against those who import steel.
>
> But even this strong persuader is not holding the business in the face of lower prices on foreign steel. And it is only natural to assume that the new higher prices charged by domestic mills will drive more users to the foreign producers.
>
> Foreign mills are underselling American producers by big margins, and these lower prices are killing our exports even more certainly than they are hurting the domestic market.
>
> Here is an example: On one important and standard steel item used in construction here, the price is $6 per cwt. in Pittsburgh with a freight charge of $1.50, bringing the total to $7.50 delivered to St. Petersburg. This same item can be bought (and is being bought) for $4 in Germany and shipped here for fifty cents, making a delivered price of $4.50 compared with the $7.50 for Pittsburgh steel.
>
> A Belgium mill has offered this same item delivered to Port Tampa, freight and duty paid, for $3.65 per hundred.
>
> A relatively heavy user of steel in this area told this column that the cheaper foreign steel now being imported is up to American standards in every respect. "Now", he said "we can buy most anything we want from Europe and get low prices, good delivery and open-account credit. European mills now make structural steel to American standards and to American quality."
>
> The seriousness of our situation is emphasized by the fact that even France with its known cartel operations, recognized poor management and unproductive labor, is selling steel in the United States in quantity, at a profit.

Not only is the price lower but the transportation costs are lower also for any area near water and are not out of line even for inland areas. Ocean freight on steel from Europe is 50 cents per hundred and the rail freight is 75 cents per hundred even from Birmingham to St. Petersburg.

Some fabricators on Florida's East Coast are now buying all steel from Europe and the same is true of some construction firms.

What is happening to steel is happening to automobiles and all our other markets where designing, self-serving, Marxist labor bosses force price increases on the consumer.

And it is happening in Government, because these same voices are joined by those of the Keyserlings, the theoretical economists and the legislators who heed both.

As I said earlier, I disagree with Mr. Pick's conclusion that our dollar cannot be saved.

But I realize fully that if we are to do it, we must ignore the Keyserlings.

We must legislate sensibly, we must exercise fiscal responsibility and recognize and encourage local and State responsibility rather than Federal domination.

We must halt price spirals at the source.

And most of all, we must cut short the political career of the most powerful man in the Democratic party today—Walter Reuther, who wrote from Moscow, directing his colleagues here to "carry on the fight for a Soviet America," and who has said he doesn't believe in God.

For he believes even less in our economic welfare or our national security.

It is my hope that the American people will culminate his bloody and lawless career at the polls in November by repudiating those public officials who work for him and otherwise do his bidding.

Then we all may join each other in ending inflation and rebuilding the dollar which he, Keyserling and the crackpot economists have torn down.

THE HONORABLE RICHARD B. WIGGLESWORTH, THE HONORABLE JOHN W. HESELTON, AND THE HONORABLE DONALD W. NICHOLSON.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, one is always saddened when a good friend, an old friend, a true friend departs. Today those of us in the Massachusetts delegation are saddened by the loss of three old associates who are voluntarily retiring with this session of the Congress.

RICHARD B. WIGGLESWORTH, a worthy son of a distinguished colonial family, is retiring after 30 years of brilliant and outstanding service in Congress. During the greater part of this time he was a valuable and efficient member of the House Appropriations Committee. In this service he saved the taxpayers many billions of dollars.

For 30 years DICK and I have been warm personal friends. We lived, in the days before his marriage, at the Racquet Club; and the friendship formed in his early days here was never interrupted or jarred—indeed our friendship grew stronger with each passing year. To know DICK WIGGLESWORTH was to have a profound respect for his ability, honesty, and sincerity of purpose, his rugged courage, and devotion to the welfare of his country. No more devoted or self-sacrificing man ever served in Congress than he.

Graduating from Harvard College and Harvard Law School, he has dedicated his fine talents like so many of his forebears to the public service. As a battery and battalion commander in World War I, an assistant secretary to W. Cameron Forbes, an outstanding Governor General of the Philippines, as a member of the legal staff of the Treasury Department working with the Debt Commission, as assistant to the agent general for reparation payments in Berlin, as Paris representative and general counsel for the organizations created under the Dawes plan, he rendered able service.

This outstanding war service, service in foreign affairs abroad, as well as his long legislative career have equipped him with a full knowledge of our national problems.

Certainly, his background would make him available for many important positions.

JOHN W. HESELTON, like so many of the sons and daughters of Maine, came to Massachusetts to enrich its industrial, professional, educational, and civic life.

Educated in Massachusetts schools, he served in the Army, as a town official, and an honored district attorney. Appointed to the Committee on Interstate and Foreign Commerce, he contributed to the strength and wisdom of that great committee. His service here won him a host of friends who will sincerely regret when the next session begins that he will not answer to the roll call.

DONALD W. NICHOLSON came here after a long and outstanding service in both branches of the State legislature. His Boston experience, as well as his native ability, made him an influential and able Congressman from the very start. Solid as the Plymouth Rock, which symbolizes his District, he voted courageously for his convictions and what he believed was sound government. He believed in economy and fought vigorously the trend of higher spending. He will be badly missed.

Not only the Massachusetts delegation remaining, but the entire Congress regrets the departure of three popular and beloved Members. We all wish them the fullest measure of health, success, and happiness in the days ahead.

Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, I join with the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN] in paying tribute to three retiring Members of the Massachusetts delegation: Congressmen RICHARD B. WIGGLESWORTH, DONALD W. NICHOLSON, and JOHN W. HESELTON. All 3 have served in this body for a combined total of 58 years, and all 3 could have returned to the 86th Congress, because all 3 have

the trust and the affection and the high esteem of all of the people in their districts.

Their record shows that they have represented Massachusetts for a total of 29 consecutive terms, and a combined total of 58 years. Surely, this indicates the trust and faith which the people of their respective districts have in these three effective and productive Congressmen. Certainly, this demonstrates the confidence which Massachusetts has in their integrity and intelligence. Indeed, their tenure was one of service as well as sacrifice.

It is with sincere sadness and genuine sorrow that I bid them farewell. They will be sorely missed not only by the entire Massachusetts delegation, but also by every Member of Congress. I earnestly hope that their successors will be as great public servants as are these departing Members.

Mr. WIGGLESWORTH was born in Boston in April of 1891. He was educated at Harvard College and received his law degree from the same institution.

Serving in France during World War I, he attained the rank of captain and became the commanding officer of an artillery battalion.

Later, he became legal adviser to the Secretary of the Treasury and was in charge of railway payments and foreign loans. From 1924 to 1927, he was assistant to the agent general for reparation payments.

On November 6, 1928, the voters of the 13th District of Massachusetts elected him to Congress where he has served for 16 consecutive terms and, if he so chose, he could return for the 17th in January of next year.

Mr. NICHOLSON was born in Wareham, Mass. In 1925, he was elected to the Massachusetts House of Representatives, and later served in the Massachusetts Senate from 1926 to 1947. I first knew Congressman NICHOLSON while I was a member of the Massachusetts House of Representatives. It was there that I gained firsthand knowledge of his fairness, his thorough knowledge of politics, and his true and real concern for the taxpaying public.

As you can see, I was extremely happy to join my good friend in Congress in 1952, where he has again demonstrated those wonderful qualities and standards for which he stood and was well known in the Cape Cod district of our Commonwealth. It has been a distinct privilege to have served with him for the last 6 years, and I am sorry to see him retire.

Mr. HESELTON was born on March 17, 1900. He was educated at Amherst College and Harvard Law School. During World War I, he served in the United States Army.

From 1932 to 1935, he was a selectman in Deerfield, Mass., and later became president of the Massachusetts Selectmen's Association. In 1939, he was elected the district attorney for the northwestern district in Massachusetts and in 1942 was reelected.

He quickly achieved the reputation as a skilled and articulate prosecutor. He was recognized as an outstanding lawyer and prosecutor in our area.

Mr. HESELTON represented the First Congressional District of Massachusetts which borders my District. I know from personal experiences that he enjoyed the reputation of being an able, intelligent, courteous, and effective Congressman. I consider it a distinct honor to have served with such an excellent man.

His independence of thought, word, and action won him many friends in the Congress as well as at home. His seven consecutive terms in this House attest to that fact. When he first came to the Congress, he won by 1,000 votes. After that his pluralities skyrocketed, indicating the kind of respect and esteem the people had for him.

I know that the people of the First District will sincerely regret that he chose to retire because he was a truly fine Congressman and a real gentleman. He will be missed by all.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Speaker, I wish to join the distinguished minority leader in the recognition of the loss of three distinguished sons of Massachusetts who have chosen to leave this House this year, the Honorable RICHARD B. WIGGLESWORTH, the Honorable DONALD W. NICHOLSON, and the Honorable JOHN W. HESELTON. These three men are diverse in nature, but, nevertheless, all possess those uncommon attributes that have made them great and distinguished Members of this body.

I think in these closing hours of this session it is particularly fitting that we pause for a moment and offer to them and to their families our heartiest congratulations, our best wishes, and our felicitations for the years ahead.

I met RICHARD WIGGLESWORTH first of these three men, although I knew his name and I knew his fame long before I knew the man himself. Here in the Congress he has always been recognized as a hard, as a diligent, and as a constructive worker, and particularly in his committee, in the arduous job of studying the question of the Nation's defenses. And in this particular respect he has done a magnificent job.

Only a few months ago, Mr. Speaker, when he announced his retirement, the accolades which we read in the newspapers concerning him were a great tribute and a deserved tribute to the great work which he has performed here in Washington through the years.

DONALD W. NICHOLSON, a so-called son of Cape Cod, although he lives just west of the canal that separates the cape from the mainland, is a rugged individual. He is as rugged as that rocky coast whence he comes; a man of strong conviction and a man who, once he has made up his mind as to the right thing to do, is as immovable as the Plymouth Rock which is to be found not far from his home. But as strong as he is in his convictions, he has about him that quality which has endeared him to all the Members of the House who have known him. He has gone far in public life. As president of the Massachusetts Senate he was dearly beloved by all who knew him.

Mr. Speaker, sometimes I believe that DON NICHOLSON was perhaps a little happier back there in Massachusetts where he directed the Senate of Massachusetts. I know his heart has longed to go back to those places and those people who meant so much to him down through the years. I know that I personally shall miss him greatly, as will all the Members of this House.

Mr. Speaker, I do not believe that in my tenure here in the Congress I have heard such a great tribute paid to any man as was paid to DON NICHOLSON when he had his cranberry bill before this Congress a year ago. More people were interested in the fact that it was DON NICHOLSON's bill rather than the contents of the bill itself.

Our third Member who is departing, Mr. Speaker, is JOHN HESELTON. I have always had a tremendous respect for JOHN HESELTON. And as I shall recall him in the future, I will have more in mind the courage which he displayed in exercising the independent judgment that was his. I know that JOHN, in all of these matters, as divergent as his views might have been, always spoke his mind without fear or favor, with only one thought in mind, and that was to do that which study and which his own mind dictated.

So, Mr. Speaker, I wish to join with the distinguished minority leader in saying farewell to these distinguished Members from Massachusetts. I trust that the road ahead for them will be pleasant. I hope that the opportunity will be afforded both to them and to their lovely families to have a respite from the arduous tasks which confronted them here in Congress and perhaps to make up for those sacrifices which they had to make in public life and do the things their jobs here precluded them from doing. They all have from me and my family our personal best wishes.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I am very sorry to see DICK WIGGLESWORTH and JOHN HESELTON leave. My contacts have been more with DICK WIGGLESWORTH than with any of the others. He has been on the Committee on Appropriations with me almost all of his service.

I do not think anyone on that committee has established himself in a better position in the hearts and minds of the other members of the committee than he has. He was the best examiner of witnesses before the Appropriations Committee I have seen. He was a tremendous power in conferences with the other body. He has a very keen sense of the things that were of the most interest to and were the most valuable to the people of the United States. He has saved billions of dollars in the course of his service on the different subcommittees.

His crowning service has been as the chairman and later the ranking member of the Subcommittee on Defense Appropriations. There he has met the tremendous load that membership on that committee entails, not only as the

ranking minority member but during the 83d Congress as its chairman. He has made a magnificent record and is going to be very difficult to replace. I wish him the best of everything in the days to come.

Mr. MARTIN. Mr. Speaker, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, I wish to join with all who have spoken and who will speak about these men who are leaving us, those Massachusetts stalwarts that we can ill afford to lose.

JOHN HESELTON I have known through his work on the committee. We worked very closely at certain intervals over the nursing problem and the health problem of the country. His deep sense of responsibility to the people of this country was outstanding in everything that he did and said. I feel deeply his going.

"Mr. Cape Cod." I was up there in his own District and had the privilege of speaking to a meeting that took place one night when the winds blew and the heavens opened, but nothing stopped his constituents from being there. He was so loved, he was so respected, that I came back feeling very happy that so many people should speak and act as they did towards Mr. NICHOLSON.

DICK WIGGLESWORTH is quite another thing with me because I have known him since his school days. He was a very close friend of my twin brothers-in-law. His name was a byword in our family. Then when he went down to Kentucky and did what the boys call cradle snatching we all took our hats off to him and to her because we knew what a very fine husband she would have. I am not going to repeat all the things that this very distinguished Member of this body has done in his long career of service. But, I hope in recognition of his fine qualities and his great capacity that he may be of still further service to the country that he loves so deeply. I will not say farewell. I shall only say, au revoir, auf Wiedersehen to these men. We hope to see them back here many times. We would like to feel that they are at the other end of the telephone. Surely, a letter will bring them close to us so that we can counsel with them on those matters that they know so well. To their families, I wish every joy of what is really a reunion because a man or woman who serves in this body has little time for family. I wish them joy, Godspeed and may Heaven bless them and theirs.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, RICHARD B. WIGGLESWORTH, JOHN W. HESELTON, and DONALD W. NICHOLSON are three Republican Congressmen who have served the people of their respective districts with a high standard of ability and integrity in the United States House of Representatives.

They brought strength and dignity to the Massachusetts delegation.

Although as a Democrat, I found myself to be on the opposite side of many issues I acquired a deepening respect as time went on, for the wide range of their knowledge, and for the faithful and conscientious manner with which they represented their constituents.

It was always a source of pride to me when they brought their talent and their prestige to the support of those measures that concerned all the people of Massachusetts.

I realize how much I am indebted to them for the facts and the reasoning that opened my eyes to the merits of the minority's viewpoint on important issues. As I know that the House as a whole depended on the quiet, thorough, and constructive contributions that they made to the committees of which they were members, and where so much of the enduring work of Congress is accomplished.

WIGGLESWORTH on Appropriations.

HESELTON on Interstate and Foreign Commerce.

NICHOLSON on Education and Labor.

One does not observe men of their seasoned ability and judgment leave these key assignments, forever, without feeling that the loss of their services will be the Nation's loss.

Some Members are called from this Chamber by death.

Others by defeat.

But these three distinguished Representatives, out of consideration for the obligations they owe to their families, have decided reluctantly, and after serious soul searching, to retire from our National Legislature.

I know that it must have been a difficult decision to make.

In all three cases, they had grown to love this House, and its work, and the feeling of fulfillment that comes with the shaping of those laws that are responsible for the security and the progress of our free society.

They gave themselves unsparingly and with a devotion to their duties that was a great service to the Nation during a difficult period in our history.

As this is the last day of the 85th Congress, and the curtain closes on the Congressional careers of our three distinguished colleagues, it is with a feeling of regret that I speak of their voluntary departure from our ranks.

To those people whom we know and trust and admire, it is hard for us to face the inevitable time when they take leave of us and we say, "Goodby and good luck."

For then all our subconscious respect and regard for them struggles for open expression in words that never do justice to our true emotions.

As RICHARD WIGGLESWORTH, JOHN HESELTON, and DONALD NICHOLSON have decided not to seek reelections which were theirs for the asking, we want to thank them for their splendid services to the Nation, to Congress, to their constituents, and to us, their grateful colleagues.

I do not know how the Massachusetts Congressional delegation is going to get along without them.

But of this I am certain; that the friendships they made on both sides of the aisle will enrich their lives with happy memories, and frequent reunions in the years to come.

Mr. MARTIN. Mr. Speaker, I yield to the distinguished gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, on behalf of the Ohio delegation, as well as myself, I have asked for these moments to join with the Members of the Massachusetts delegation, and the other Members of this House, to say farewell and Godspeed to the three Members from Massachusetts who are leaving Congress at the end of this session, RICHARD WIGGLESWORTH, JOHN HESELTON, and DON NICHOLSON. We know them so well we call them DICK, NICK, and JOHN. Each of them in his own peculiar way has made many great contributions to the welfare and for the benefit of their beloved country, as well as having given splendid representation of their own constituents.

DICK WIGGLESWORTH, as a member of the great Committee on Appropriations, has been one of the hardest working Members of the Congress for many years. He has contributed much to the fiscal soundness security of this country. One of the monuments to him which will stand as long as the Republic survives will be the outstanding work he has done in behalf of modern budgeting and accounting in the fiscal affairs of our National Government.

DON NICHOLSON, or "NICK," as we know him, served on the Committee on Rules, of which, I am a member. He is all granite; all hard rock; all hard head, all common sense, and all courage. He has stood only for that which he believed was right, and that is also the way he always voted in committee, on the floor of the House.

When JOHN HESELTON leaves, there will be another great void in this House. He has served well on the important Committee on Interstate and Foreign Commerce. I had the experience, in one Republican National Convention, of being on the opposite side of a political fight from JOHN, in which we were engaged as leaders of the two opposing groups. I never went up against an adversary who was more intelligent, more hard hitting, or more fair and honorable than JOHN HESELTON.

These three Members will leave the Congress knowing that they take with them the affection and the respect of all of us who have served with them. For each and every one of them, and their families, we wish only the best in the days to come.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA of Minnesota. Certainly I want to join in paying tribute to our three friends from Massachusetts who are joining with me in the graduating class of retirement this year.

I consider RICHARD WIGGLESWORTH, JOHN HESELTON and DONALD NICHOLSON my close personal friends. When you look into the background of each of these gentlemen you find they came here with a vast wealth of experience either in business, law, or other fields, that they had a rich experience before coming to Congress. With such backgrounds it is only natural that they should become

the outstanding Members of the House they were.

I always remember the first time I heard Mr. WIGGLESWORTH when he was presenting facts on appropriation bills. I felt that he knew what he was talking about. I found he was always well informed and was certainly a very able and valuable member on the Appropriations Committee.

As to JOHN HESELTON, it has been my privilege to serve with him on the Committee on Interstate and Foreign Commerce during his time here in the Congress. He is a conscientious, able, and industrious individual who has served with great credit and distinction on that committee.

As far as DON NICHOLSON is concerned, he is one with whom I enjoy visiting. I admire his logic and good common sense. The contribution he has made to the proceedings of this House has been a splendid one.

Mr. Speaker, let me say to each of these departing colleagues that I extend to them and to their families my very cordial best wishes for a happy existence, of many years' happy retirement, and the hope that I may join them from time to time in some social function.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, I join with our distinguished minority leader in what he has had to say about our three distinguished colleagues who are voluntarily resigning from this body. We are all going to miss them.

I have had the privilege of knowing DICK WIGGLESWORTH for the past 12 years since I have been a member of the Appropriations Committee, and I want to reiterate what I think former Speaker MARTIN said, that certainly in all the years he has served on the Appropriations Committee, the taxpayers of this country can say that he has saved them literally millions and millions of dollars. I think that is a wonderful record to have established, and I know the taxpayers of the country are going to miss him.

JOHN HESELTON I count as one of the most valuable Members. JOHN HESELTON is responsible for much of the health legislation this country is noted for today, because of the leadership that he has shown in sponsoring health legislation as a member of the Interstate and Foreign Commerce Committee. I certainly am going to miss him.

And there I see old NICK sitting there, Congressman NICHOLSON. I certainly am going to miss him because he comes from a neighboring State. I have found NICK to be one of the most valued Members of this Congress. He is certainly one of the most experienced legislators I have ever associated with.

There is one experience I shall never forget, and that is that in the 83d Congress when we had bills on the floor in which I was interested DON NICHOLSON happened to be in the chair. I found him to be one of the best presiding officers I have worked under in the House of Representatives.

Mr. MARTIN. Mr. Speaker, I yield to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I cannot let this occasion go by without joining the minority leader and my colleagues in paying tribute to these three fine Congressmen from the great Commonwealth of Massachusetts, and expressing my regret that they have decided not to seek reelection.

I have known RICHARD WIGGLESWORTH for many years, and JOHN HESELTON ever since I came to the Congress.

DONALD NICHOLSON is, in a sense, almost my Congressman, because he represents the district in Massachusetts from which my mother's family all came.

All three of these gentlemen have been a help to me personally.

Their fairness, their knowledge of the subject, the fact that they never spoke unless they had something of real importance to say, are certainly things that we can all profit by. I think that I have.

Mr. Speaker, I do not feel that we have lost their services entirely because I know very well that men of their attainments will always put themselves at the disposal of their country. I am equally sure that their country is going to need their services.

So, to them and to their families, I would like to say, "Thank you for the time you have spent here. May you prosper on the road ahead and may you go on, as I believe you will, from strength to strength in the service of our country."

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, I am very much honored and proud to join my distinguished friend, the minority leader, and other colleagues, in paying tribute to our three great sons of Massachusetts who are leaving the Congress at the end of this session.

It is very true that a great democratic Government like ours depends for its success upon the dedicated service of talented and patriotic public servants.

In that sense, like every other Member of the House, I deeply regret the voluntary retirement from this great body of JOHN HESELTON, DICK WIGGLESWORTH, and DON NICHOLSON—men of probity, ability, and achievement. In another sense, because of my very close friendship with each one of these outstanding Members of the House, I am personally and deeply touched by the fact that they have decided of their own volition to leave us at the end of this session. We will miss them immeasurably.

JOHN HESELTON has had a most distinguished public career. Admirably trained for the public service, gifted lawyer, and for years a most able prosecutor of his county, during his tenure in this House he has made an enviable record. He has been a tower of strength in this House.

Possessed of great ability, a sharp, penetrating legal mind, and an understanding of humane values, kindly and courageous, his service here has marked him as one of our most valuable Members. His gracious wife, Libby, is one of the most remarkable and capable personal assistants to a Member that I have known during my service in Congress. Like her brilliant husband, she has endeared herself to all of us.

We will certainly miss JOHN and Libby in the next session, and I earnestly hope that they will continue to keep in touch with us, and that all their future days may be bright and happy.

DICK WIGGLESWORTH is another cherished colleague, whom we will greatly miss. He has been my personal friend since my college days, when he was an outstanding young lawyer, and an outstanding coach and strategist of the Harvard football team, of which I was a member.

His training for Congress was superb. Widely recognized as a brilliant, accomplished lawyer, his service here has been noteworthy and distinguished. Able, diligent, and painstaking, and possessed of special talents in financial and fiscal matters, DICK WIGGLESWORTH has gained renown as one of the best minds and hardest workers of our great Appropriations Committee and the Congress.

His charming wife has been a true inspiration to him and is highly regarded by all of our membership.

We will surely miss DICK and Mrs. Wigglesworth in our midst, and hope that they will be very successful and happy in their new post of diplomatic responsibility, which is already beckoning, and will afford DICK an additional opportunity to serve the Nation ably and faithfully in another important field of high public duty.

I have been particularly close to DONALD NICHOLSON, or NICK, as he is affectionately known to us in the House. He is in truth the leading and most distinguished citizen of beautiful, historic Cape Cod, and his charming and lovely wife, Ethel, a loyal helpmate, and a devoted mother, is loved and esteemed by everyone who knows her.

Before he came to Congress, NICK had carved for himself an illustrious niche in the service of our great Commonwealth of Massachusetts, where for years he served as a powerful leader of our great general courts, with outstanding distinction. Trained and long experienced in public affairs, he brought to the Congress not only special aptitude and the great ability to cope with the daily problems of his lofty office, but a stanch, unwavering Americanism and deep convictions on public questions that always remain unshaken. NICK is a Bunker Hill American whose undiluted patriotism illuminated this Chamber.

Most diligent in the performance of his duties, I doubt that he has missed hardly a rollcall or a quorum call in the time that he has been in Congress. Popular in the House, beloved and respected by our Members, he was effective in getting things done for his District, and many of us will never forget the amazing favorable results, which he achieved in passing legislation through the House in behalf of the cranberry growers of Cape Cod. His achievements here were many

and meaningful for his constituency, State and Nation.

NICK, like our other departing colleagues, has the deep affection, respect and admiration of the House. It was my privilege to sit near him in many of our daily sessions, and he and Mrs. Nicholson are very dear indeed to my heart.

I am sorry to see them leaving Washington, and I hope and pray that they may have every measure of success, prosperity, and happiness in the future.

To all of these beloved colleagues, I extend my hearty congratulations upon the completion of their outstanding service in the House. To them and to their wives and families, deeply regretting their departure as I do, I express my sincere appreciation for their warm and magnificent friendship and wish for them in the years ahead the choicest and richest blessings that the good Lord may bestow upon them.

The inspiring legacy of able, devoted, effective service which these great Americans from Massachusetts have inscribed in the annals of this great legislative body will long remain with us as exemplary of the Nations proudest traditions.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PELLY. Mr. Speaker, it has been a privilege to serve in the House of Representatives and to come to know and work with the three fine gentlemen from Massachusetts who are retiring this year from Congress. Certainly no one could say that in voting or in viewpoint there was any great similarity between the three except that in common they are men of great conscientiousness, ability, and character. I think rugged individualism is what they typify and that is the characteristic of its people and leaders which has made the United States great.

Certainly, Mr. Speaker, the State of Massachusetts cannot fully fill their places because the knowledge and value of experience is too necessary to the task of fully carrying out the responsibilities of the office of Representative in Congress. No persons are indispensable, but the voluntary retirement of RICHARD WIGGLESWORTH, DONALD NICHOLSON, and JOHN HESELTON is as severe a loss to the Nation and their State as one could contemplate under these circumstances.

I can say that in contact in voting and debating issues as we do during these sessions I personally have gained because of association with all three men. Like others here today who hope to return next year, I wish them well and hope to be here and that in the future they will often exercise their prerogative and come back to this Chamber and sit with us.

However, Mr. Speaker, wherever any 1 of the 3 goes, wherever any one of them is to be found, I am sure he will be engaged in a constructive occupation. Old Congressmen are not like generals, their interest and public service continues. They do not even fade.

I join in saying to DICK, NICK, and JOHN, "Well done and good luck."

Mr. WOLVERTON. Mr. Speaker, it is with deep and sincere regret that the decision of JOHN W. HESELTON not to be a candidate for reelection will take from the House a man of rare ability and strong character.

It has been my privilege to meet and associate with many men in my 50 years and more of public life. In many instances they have been men of great ability and honesty of purpose, but, with all the sincerity that I possess I must admit that I have never met a man of stronger character, stronger convictions as to what constituted right and wrong, more firmly dedicated to what was right, or more unswerving in condemnation of what was wrong. His life and conduct has been one of uprightness and complete dedication to right and justice. Never have I known him to deviate in the slightest degree from what was right. He has always been kind and considerate in his judgment and attitude toward others. I shall miss association with him more than he will realize. I regret most sincerely that the House after the close of this session will lose the ability and good influence that has marked the 14 years of service in that body of JOHN HESELTON.

With a wide background of education and experience before he came to Congress, he was well equipped to render outstanding service. As a graduate of Harvard Law School, he was well grounded in the basic and fundamental principles of the law. This knowledge was time and again shown to great advantage in his work in the Committee on Interstate and Foreign Commerce, as well as on the floor of the House. Added to this ability he was a prodigious and untiring worker. Frequently I was astounded at the great amount of research work he did in connection with the important matters before the great committee of which he was a member. There were times, I am sure, that he must have used a good portion of the night to dig deep in his effort to gain all available facts that would have a bearing on the issues that would be considered the following day in committee or on the floor of the House.

At all times he was zealous in protecting and advancing the interests of the District which he considered it an honor to represent. He was also always keen in every effort to promote the welfare of our Nation and its people.

Furthermore, it has seemed to me that he gained much in his experience as a public prosecutor that enabled him to understand the motives, right and wrong, that influenced his fellow men in their conduct, and thus he gained an understanding of human nature that enabled him to have a kindly feeling toward all with whom he associated.

It is these elements—ability, character, and kindness—that mark JOHN HESELTON as an outstanding man in public life, one who cannot be easily replaced. Whatever may be his course in the years to come, it is my hope, my fervent wish and prayer, that happiness, health, and success will be his in great measure, and that God's richest blessing will ever rest upon him and his good wife.

Mr. HARRIS. Mr. Speaker, it was with regret that I learned of the announcement of our esteemed colleague, JOHN W. HESELTON, that he was retiring at the end of this session of the Congress. I have known and been closely associated with JOHN since he came to the Congress 14 years ago.

We are losing too many of our colleagues by their decision to retire voluntarily. Those of us on the Committee on Interstate and Foreign Commerce and who have served with and worked with JOHN so closely during these years regret that he will not be with us after this Congress.

JOHN has been a most active member of the committee and of the Congress. He is one of the most able Members of this Congress, sincere and always an advocate of what he believes to be in the best interest of the American people.

I have observed his effective work. I have enjoyed the association with him during these years. I know it was with reluctance that he made his decision but he can always point with pride to the fact that he has rendered outstanding public service during his years in this great body.

So, Mr. Speaker, I wish to join with other Members of the House and especially the Massachusetts delegation in expressing admiration and esteem for JOHN. I am glad that it has been my privilege to be associated with him during these years as I have observed the conscientious service he has rendered in the consideration and enactment of legislation for the public welfare and strength of our country. We will miss JOHN. His going is a distinct loss. His departure means that another friend, diligent coworker, and a dedicated public servant will no longer be with us as we continue with the problems and responsibilities that mean so much to our people.

So, to JOHN and his lovely wife will go our best wishes as they leave us and it is our earnest hope and prayer that they will have many years of good health and happiness and I know that JOHN will continue with the same interest and challenge for the public good throughout the years to come which he has demonstrated in his service in the Congress.

Mr. KEATING. Mr. Speaker, I would like to join in the fine tribute we are paying today to three Members of the House from the State of Massachusetts who have announced their intention to retire.

RICHARD B. WIGGLESWORTH came to this Congress after performing outstanding service for his Nation in war as well as in peace. He served on the battlefields of France during World War I. He performed many diplomatic missions after that war in connection with reparations. He was an outstanding lawyer, active in the affairs of his community. Since first coming to the Congress 30 years ago he has distinguished himself as a leader and a scholar, a man who

combines a determination to get things done with a willingness to make sure that they are done right.

The taxpayers of this country owe him a debt of gratitude for watching after their interests which can never be repaid. While he has favored whatever expenditures were necessary to protect the security and welfare of this country, he has never hesitated to voice his objections and use his great influence to eliminate the waste and extravagance he has uncovered. DICK WIGGLESWORTH has been a great credit to this body. We will miss him sorely, and we wish him a long and fruitful retirement.

JOHN W. HESELTON has been a Member of Congress since 1944. I have always counted him as one of my warmest friends. He is marked by a judiciousness of character which has won him the respect and admiration of all his colleagues. He is a man of intellect and integrity, honored for his fairness and devotion to duty. JOHN'S career has been a record of accomplishment and service. His outstanding work in the Interstate and Foreign Commerce Committee has won the notice of us all. We wish him well as he prepares to leave us, with the sure knowledge that JOHN HESELTON will always stand ready to serve his country.

DONALD W. NICHOLSON is beloved by all on both sides of the aisle. His shrewd conservatism has been a constructive guide to the consideration of many of the vital measures which come before this body. I have never heard his name spoken without some remark of praise for his nobleness of character. In his legislative career, which has included unanimous election as president of the Massachusetts Senate, he has distinguished himself as an exponent of the highest principles and convictions. This body will sorely miss him. I am grateful for this opportunity to express my gratitude for his long and faithful service.

Mr. CHENOWETH. Mr. Speaker, I wish to join our distinguished minority leader in paying tribute to the three Members from Massachusetts who are retiring from Congress. Certainly the State of Massachusetts, as well as the entire country, is suffering a great loss when DICK WIGGLESWORTH, JOHN HESELTON, and DONALD NICHOLSON retire from the House.

When I first came to the House, Mr. WIGGLESWORTH was one of the outstanding Members, as he has continued to be. I soon learned of the high esteem in which he was held, and of his great ability. I have greatly enjoyed the opportunity to be associated with him, and his friendship has meant a great deal to me. I recall his letter of welcome after my election to Congress after an absence of one term. He has rendered untiring and unselfish service on the Appropriations Committee, and I have used his figures and comments on appropriation bills many times.

I had the great pleasure of serving on the Interstate and Foreign Commerce Committee with JOHN HESELTON. JOHN took a keen interest in every activity of the committee, and all of the witnesses who appeared before the committee had great respect for him. He made a most valuable contribution to the work of this great committee, and I know, he will be missed in the next Congress.

Mr. NICHOLSON and I served together on the House Rules Committee and I soon learned to admire his sterling qualities. He was independent and fearless in his attitude on all legislation. I greatly enjoyed my association with him, both in the committee, and on the floor of the House.

Mr. Speaker, I am sorry to see these three distinguished Members retire from the House and leave public life. Certainly we need men of their type in public office, and they leave an enviable record behind them.

I want to wish all three much happiness in the years ahead, and success in whatever they undertake.

Mr. BATES. Mr. Speaker, I rise to join my colleagues in the House in paying tribute to our retiring Congressmen from Massachusetts, the Honorable RICHARD B. WIGGLESWORTH, the Honorable DONALD W. NICHOLSON, and the Honorable JOHN W. HESELTON.

While they are diverse in nature they all possess those uncommon attributes that make them distinguished public servants. In the closing hours of this Congress, it is appropriate that we pause to express to them our personal congratulations for their contributions to our country and to offer our felicitations and best wishes to them and their fine families for the years ahead.

I knew the name and fame of DICK WIGGLESWORTH long before I knew the man himself. When he announced his retirement a few months ago, the accolades he received accurately reflected the long and outstanding service he rendered to his constituency and the Nation he served so well. Noted for his quiet persuasiveness, he will best be remembered as a hard, diligent, and constructive worker in those fields pertaining to our national defense.

DONALD NICHOLSON, known as a son of Cape Cod although he lives just west of the canal that separates the cape from the mainland, is as rugged as the rocky coast from whence he comes. He is a man of deep convictions and as immovable in those convictions as the famed Plymouth Rock once he has determined what he considers to be the proper course of action. However, behind his firmness for the right, he possesses a lovable nature that has endeared him to his colleagues.

JOHN HESELTON is a man I learned quickly to respect. Independent in his views, all who knew him realized his conclusions were his own, born of study and expressed with decision. It is not long after serving in the Congress that we evaluate those characteristics of the Members. I shall remember JOHN for his courage; for his decision to take the road he believed best without regard for his personal welfare.

We shall miss these valued Members whose total service exceeds half a century. As they go forth to what I hope will be an easier life, I trust that God will bless all of them in the years ahead, and that they can, in some measure, make up for the sacrifices both to them—and their wonderful families—that the demands of public service precluded in years gone by.

Mr. AUCHINCLOSS. Mr. Speaker, the decision of JOHN HESELTON, the gentleman from Massachusetts, not to return to Congress is a sad blow to his many friends who have such great respect for his ability and his analytical mind. JOHN is a hard worker and a great one for digging up facts. His arguments are always based on actuality, his decisions always reached after hard study, and his determination commanded the respect of all. We need men of his caliber in the Congress, and his going leaves a void that will be hard to fill. He retires with the knowledge of work well done, of service of the highest order to the people he represents, and the respect and affection of his many friends.

Mr. Speaker, I am sorry to see DONALD NICHOLSON, the gentleman from Massachusetts, retire from Congress and it will be a long time before we see the likes of him again. Quiet and unassuming but with a spirit of self-assurance he contributes much to the discussion of the problems of the day. By his dry humor he devastates his adversaries; with his typically austere New England character he has constantly and consistently protested extravagance and waste in Government and in this respect has been an example and inspiration to us all. He has many friends and I know of no enemies because of his readiness to see the other fellow's point of view and again his humor warms the heart of all.

I sincerely wish him well and may good health, prosperity, and serenity always attend him.

Mr. Speaker, after anyone has served as long and faithfully in the House of Representatives as the gentleman from Massachusetts, DICK WIGGLESWORTH, has, he has earned a rest, but just the same we hate to see him leave. I do not believe there is any Member who has served the Nation in a more diligent and self-effacing manner. Hard working, modest, but persistent in his search for facts, punctilious in his relations with others, never a demagog, he leaves a record of achievement and a host of friendships which will endure throughout the years. His colleagues on the great Committee on Appropriations on which he served recognize the loss of his wise counsel and his courtesy. His place in the Congress will be hard to fill.

As I have already said, however, he has earned his rest and I know it is the fond hope of all of us that the days to come may be filled with the best of God's rich blessings for him and his family.

Mr. HORAN. Mr. Speaker, it is a great pleasure for me to join my colleagues in paying tribute to one of the kindest, most thoughtful, hard-working, and patriotic Members who has ever served in the Congress of the United States.

DICK WIGGLESWORTH played the game of politics the way he did at Harvard when he was one of the outstanding football players of the Ivy League and the United States. His courtesies, his

thoughtfulness, for all of us, his devotion to the facts and figures of all those facilities of appropriations that came before him, are legend. He was a man who took his work home and studied under the lights. We will miss him as an able Member of Congress but all of us will welcome his return as a visitor among us.

We wish DICK, Mrs. Wigglesworth, and all of his family every pleasure, every comfort, and every good prospect for the future.

Mr. SIKES. Mr. Speaker, since his election to Congress on November 6, 1928, the Honorable RICHARD B. WIGGLESWORTH, of Massachusetts, has proven his ability as an able representative of the people of the 13th District. His constituents have shown their confidence in him by repeatedly returning him to Washington as their representative.

I am especially happy to have the privilege of paying tribute to this distinguished gentleman for it has been my pleasure to serve with him as a member of the House Committee on Appropriations for a number of years. His untiring efforts in behalf of economy and judicious spending have gained for him the respect not only of the members of the committee but of the Congress as a whole. We on the committee will sorely miss the guidance and able leadership provided by Congressman WIGGLESWORTH. His decision not to seek reelection is deplored by his many friends throughout the Nation.

It is my hope that Congressman WIGGLESWORTH will in the years ahead enjoy the rest to which he is entitled and that he will have continued success and happiness in all that he undertakes.

Mr. McGREGOR. Mr. Speaker, I want to join with my other colleagues in paying respect to the retiring Members of the Massachusetts delegation in the Congress, the Honorable RICHARD WIGGLESWORTH, the Honorable DONALD W. NICHOLSON, and the Honorable JOHN W. HESELTON.

It has been my privilege to serve with these gentlemen for many years. Their records as Members of Congress, as public servants, have been ones that are worthy of observation and praise. I want to extend to them in their retirement every good wish and the sincere hope that they will have many years to enjoy the fruits of their labors.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. SEELY-BROWN].

Mr. SEELY-BROWN. Mr. Speaker, Congress is losing three distinguished Members from our group. Certainly, as a fellow New Englander, I have had the privilege of knowing each of them well. Each in his own right has made a name for himself. Each in his own way has set an example for all of us to follow. And, I can say that all of us are better Congressmen for having known and worked here in the Congress with these three distinguished sons of New England.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. DONOHUE].

Mr. DONOHUE. Mr. Speaker, while this 85th Congress has contributed many bright pages to the history of legislative progress in this country, its conclusion is touched with a real sense of personal sadness to all of us, but particularly to the Massachusetts delegation, and the great Commonwealth of Massachusetts as it is losing the able representation here of three of its most noted sons—Congressman WIGGLESWORTH, of the 13th Massachusetts District; Congressman HESELTON, of the 1st Massachusetts District; and Congressman NICHOLSON, of the 9th Massachusetts District.

The combined patriotic and dedicated service of these three distinguished gentlemen amounts to 55 years of legislative toil and triumph.

Dean of these three is RICHARD B. WIGGLESWORTH who is completing 30 years of as diligent and devoted legislative service as any man who has ever had the privilege of membership in this body. DICK has sat here through the years of the greatest transition period the Congress has ever experienced and he has seen this Congress grow into the responsibility of the most important legislative body in the world and he has played a prominent and significant part in that growth. Firm of purpose, steadfast in principle, steeped in intimate knowledge through exhaustive study, unyielding in rooted conviction, fiercely patriotic, and of gracious personality, RICHARD WIGGLESWORTH has reached a height of respect and authority in this Chamber that few men have achieved in the past or will in the future.

I have had the extreme privilege and enjoyment of being located in the Old House Office Building next door to my colleague and friend, JOHN HESELTON, for 10 years. His cooperating neighborliness and courtesy have been a continuous and unfailing inspiration to me during this entire period. There has never been a more conscientious and more thorough student of legislation here than JOHN HESELTON. Serious in his demeanor, meticulous in accuracy, passionately determined to be right in his pronouncements, exhaustive in study and research to be right, JOHN HESELTON for 14 dedicated years has willingly exerted the foundation capacities of his mind, his heart, and his health toward legislative progress and accomplishment for the welfare of the people of America and the State of Massachusetts.

Mr. Speaker, 11 years ago, a unique gentleman, DONALD W. NICHOLSON, walked silently into this Hall from the salubrious climate of the world famous "cape" area of Massachusetts. Behind him already was one of the most distinguished careers, in his home locality and State legislature, of public service in the history of our great Commonwealth. In the chambers of the legislature of the Old Bay State, BILL NICHOLSON had carved a name and reputation for himself that will live forever in the annals of that deliberative body.

I have, Mr. Speaker, described this gentleman as unique and I have purposely used this term in its technical dictionary meaning. BILL NICHOLSON is the only one of his kind and there will never be another just like him. In the State of Massachusetts, the integrity and the word of BILL NICHOLSON was and is equivalent in private and public life, to trust in the Almighty. He is unique in his possession and use of a humorous sense reflecting his profound knowledge of the length and breadth of human nature and its dependence upon divine providence.

No man in this body knows more about the most fascinating science in the world, politics. With the inspired skill of the gifted artist, BILL NICHOLSON has time and time again, in this Hall, with one brief comment, revealed the full and vital significance of an important piece of legislation. Like a vein of New England granite, he is unflinching and immovable in his legislative convictions, while respecting the conflicting opinions of others. The superlative keenness of his intellect, contributed here, is founded upon the most intense study of and fullest participation in consideration of basic legislative issues during the fruitful years of his youthful and mature career. His perpetual pleasantness springs from the depths of an extraordinarily understanding and charitable heart. His political principles derive from an almost unsuspected dedication to patriotic purpose of sincerity and earnestness that may be matched but will never be surpassed by any person who serves in this House. Few men will ever be missed from this Hall as we shall all miss the beloved person and personality of BILL NICHOLSON.

To these three distinguished sons of Massachusetts, their gracious wives and families, we bid a sad adieu with an earnest prayer that good health and increasing success will accompany them through many, many more long years of the good life they all so richly merit.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join the distinguished former Speaker of the House and the Massachusetts delegation in expressing my own personal regret over the retirement of three distinguished sons of Massachusetts. The loss of these three outstanding Members of the House is not only a loss to Massachusetts, it is a loss to the Congress and the country.

The great Bay State in the course of its history has sent a long list of eminent men to Congress. I doubt that any State has contributed more to the leadership of the Congress or the country than the Commonwealth of Massachusetts.

True to the character and tradition of that great State, the service of DICK WIGGLESWORTH, JOHN HESELTON, and BILL NICHOLSON in the Halls of the House of Representatives over the past several years has been outstanding. All of these colleagues are held in the highest esteem on this side of the aisle, both as legislators and as men.

All of them are men of the highest character and caliber. DICK WIGGLESWORTH is recognized by both Democrats and Republicans as one of the ablest men on the Committee on Appropriations where his leadership has been well known for many decades. Both as a

person and a legislator he has characterized the very finest qualities consistent with New England tradition.

JOHN HESELTON, of course, has been an eminent member of the Committee on Interstate and Foreign Commerce and in the work of the committee and in the House generally, his leadership is well known. He is indeed one of the outstanding Members of this House.

Last but not least I cannot let this occasion pass without paying a personal word of tribute to my dear friend, BILL NICHOLSON. It was my good fortune not long after I came here to meet Congressman NICHOLSON. He came here from his own State as an experienced and successful legislator. I have never in my whole life met a more sincere, down-to-earth, human person. He is one of the most modest men I have ever known. Indeed, his modesty and humility are overshadowed only by his ability and his character. Every Member of the House of Representatives knows "NICK" and to know him is to love him.

To all three of these colleagues and friends whose service will long be remembered here, I join every Member of the House in wishing each of them many, many years of good health and happiness.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, the great State of Massachusetts has a long history of sending to Congress men and women whom it is proper to call characters in the best sense of that term. They are outstanding, colorful, and, as the gentleman from Oklahoma has said, truly unique individuals. We have two such men at the head of the Massachusetts delegation—our beloved former Speaker and now minority leader [Mr. MARTIN], and the able and distinguished majority leader [Mr. MCCORMACK]. That certainly should be enough distinction for any State delegation. But Massachusetts has many other outstanding men among its members and especially the three able and unusual Congressmen DICK WIGGLESWORTH, JOHN HESELTON, and DONALD NICHOLSON, who are leaving us today.

My own parents on both sides came originally from New England, and I see an extraordinary resemblance between certain characteristics of my mother and the characteristics of these men, particularly the gentleman from Massachusetts, Mr. NICHOLSON. My mother was born and brought up in Connecticut just across the border from NICK's District in Massachusetts. As youngsters we who grew up in the breezy ways of the Midwest never quite understood why her speech was, as the Scripture adviseth, "Yea, yea—nay, nay" and no more. When we came home with a tall story she would say, "It isn't so," and that was the end of it. Later when I visited her part of our country and especially after I got to know NICK, I understood why she just could not be any different. That is the way they grow them in that part of southeastern New England. But along with the taciturnity is firm dependability, strong convictions, generous hearts, and good humor behind the apparently gruff exterior. We shall miss you, NICK.

Of course, DICK WIGGLESWORTH is a supercharacter all his own. Anybody who has ever sat in this Chamber and has heard him discuss a complicated appropriation bill with that incredible mastery of figures and of detail and at the same time never losing sight of the overall picture—the trees and the forest in their proper relationship—must have boundless admiration for this man's mind, for his indefatigable capacity to work, for his ability to dig out not merely facts but the essential facts, and his penetrating understanding of them. I was privileged to be with him on a trip through the Middle East and Asia. When we were meeting with some leader of a country and the pleasantries and generalities were over, DICK would ask a few questions that would go right to the heart of the matter; questions about the country's budgetary situation, about its financial foundations, about its plans—what they wanted or what they believed it would be beneficial for the United States to extend to them in aid, both the kind of aid and the amount of aid in each category. He can get right to the essentials better than anyone I know.

DICK is no glad-hander. He does not try to impress people. He is the sort of man who grows on you. He has such a wonderful dry sense of humor—altogether such a delightful person, with all the warmth and love of a true and loyal friend behind his retiring, unassuming exterior. The longer one knows DICK WIGGLESWORTH the greater personal regard and affection one has for him.

JOHN HESELTON belongs to my class in Congress here. He has one of the finest minds that it has been my privilege to know in this body in which there are plenty of first-rate intellects. And with it goes a rarer quality, a wonderful heart of courage. JOHN HESELTON has been willing on numberless occasions to stand almost alone and sometimes entirely alone in following his convictions, even in that most difficult kind of situation where he was standing against almost all his close friends of his own committee. I must say in further tribute to him that in most of those instances I believe that history has proved his position to be nearer right than that of the majority.

JOHN's conscientiousness, his devotion to duty are beyond praise.

Our Congress can ill afford at any time to lose even one man of this caliber. For 3 such men to retire at one time is a severe blow indeed. But it is their decision and we know they considered it long and well before making it. They are not leaving for any small reasons.

We can only be grateful that we have had the privilege of working so long and intimately with them and as they go into retirement, or more likely, into new fields of service to their country, with them go our genuine affection and good wishes for many happy and useful years ahead.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from California [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Speaker, I want to express my appreciation for being privileged to pay my respects to three wonderful sons of the great State of Massachusetts. JOHN HESELTON I have not had the pleasure of knowing too intimately, because of our respective branches of operation in the House. To the degree I have worked with the gentleman, I have always found him a man who is considerate; a most courteous gentleman, and one who has a very wide understanding.

My friend DON NICHOLSON, commonly known to us as NICK, I have had a more intimate relationship with, and as one of my colleagues previously mentioned, NICK is an outstanding character within himself. He is a lovable gentleman, quiet in his approaches to subject matters of interest. He has always had a very enviable attitude insofar as his integrity of details is concerned.

Occasionally, when one is feeling rather low, NICK has always something to discuss; not overly frivolous, but definitely refreshing.

Referring to RICHARD WIGGLESWORTH, whom we are all privileged to call "DICK," I have had the pleasure and honor of working with him side by side on appropriations for many, many years. He is a wonderful gentleman, and certainly our companionships on subcommittee operations have been among my most valuable assets, because my general temperament is that of impetuosity. DICK is very delightful. He has a very interesting manner of indicating to a witness by the use of his lead pencil the specific type of information he was soliciting.

He has so many lovable characteristics that frankly I regret very much that he has found it necessary to retire. I am going to miss him so much as a working companion and as a personal friend. I feel that he has contributed as much as or more than any man I know to the general welfare of not only his own Congressional District and his State, but of the United States as a whole. He is a great gentleman, whose integrity is unquestioned, whose loyalty to the purpose of his interests has never deviated, and a friend who is more than worthwhile.

I say to the great State of Massachusetts that through the retirement of these 3 gentlemen you have lost 3 very splendid Representatives.

While we of the great West are geographically separated in our interests from the East, there has never been a time in which DICK WIGGLESWORTH, NICK, and Mr. HESELTON, to my knowledge, have not always reviewed the joint interests and weighed them against the benefit of the entire Nation irrespective of geographical location.

And I hope the great Master will grant to these three gentlemen and their respective families the utmost of good health, happiness, and success in the retirement they have so well earned.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, I would be most remiss if I did not express my very deep feeling both from the heart and from the head concerning the three gentlemen who have been discussed here so eloquently today. In various ways over the past 10 years it has been my opportunity to work with each of them both in this Chamber and in committee. In addition, it has been my privilege to spend time with them socially.

Their departure by voluntary retirement will be a very great personal loss, but I can say with the deepest conviction that this body, the Congress as a whole, their State, and the Nation will be the losers.

I would like to say at the outset a special word concerning DICK WIGGLESWORTH. I have been a member of the Committee on Appropriations for 8 years. Six of those years I spent on two subcommittees with DICK WIGGLESWORTH. Two of those years he was chairman of the Military Subcommittee on Appropriations, and 2 of those years he was chairman of the Foreign Operations Subcommittee. I was a member of both these subcommittees at that time. He was also ranking minority member of those 2 subcommittees for 4 additional years while I was still privileged to be a member of the 2 subcommittees.

It has been a great privilege for me to serve with him throughout this period. As chairman he was constructive, he was courteous to the members whether they were of the minority or the majority. He was a terrifically able individual, and in the examination of witnesses he set a high standard in every respect. I hope and trust that if I am here in the years ahead I can in some small way measure up to the criterion he has established. His relationships with the staff, his treatment of the witnesses, to me was the right way to approach the problems that the subcommittees had before them.

These two subcommittees will not be the same without DICK WIGGLESWORTH, and I doubt if in any way we can replace him as a personality, or replace his ability. It will put a far greater burden on each of us who may be here in the coming sessions. I am certain and positive that in succeeding sessions of the Congress in these two subcommittees those who will be there will often wonder if the committee work could not be done better if DICK were by their side.

One could add words, phrases, and sentences extolling the virtues of DICK WIGGLESWORTH but for myself may I say in conclusion he has been a wonderful colleague and a close personal friend who will be missed more than I can express.

JOHN HESELTON has been a friend of mine for 10 years. We worked together in 1952 long and hard prior to the Republican Convention on behalf of the President's nomination. In addition, I felt a comradeship because in many, many instances we have voted similarly. The House will miss a most able legislator and I will miss a friend with whom I have counseled many times.

I have had an opportunity to know DON NICHOLSON quite well because our offices for the past 4 years have been right next to each other. NICK stops in not once but many times a day to chat with my staff and with me. I think my staff will miss his departure more than the departure of anybody from the Congress because they think he is a top-notcher. I have admired NICK in a good many ways and will miss him greatly.

In conclusion, Mr. Speaker, I would like to reiterate and reemphasize my own personal feelings that the country, the State of Massachusetts, the Congress, and myself will lose much by the voluntary retirement of DICK WIGGLESWORTH, JOHN HESELTON, and DON NICHOLSON. To them and their wonderful wives and families I wish the most and best in future health, happiness, and success.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Speaker, I think it is ever so appropriate that the very distinguished minority leader, and former Speaker of the House, JOE MARTIN, should lead off in this tribute to our distinguished colleagues from Massachusetts who plan to leave this body shortly.

Mr. Speaker, it was Daniel Webster who once shouted, "Have faith in Massachusetts."

America has this faith and it is largely because of men such as we honor here today.

When I visit the Boston area, in which my parents lived for almost 40 years, I boast of my associations in the House with DICK WIGGLESWORTH.

When I drive through the beautiful Berkshires in western Massachusetts, my boast is that JOHN HESELTON and I usually vote alike.

When Mrs. Canfield and I each year spend several summer weeks at Chatham on Cape Cod, I find the use of the name DON NICHOLSON means almost "open sesame."

I have measured these men in the House of Representatives, and humbly, I think, I am able to do that after 35 years of service on the Hill, and I salute them as truly great.

I wish our colleagues all happiness in their retirement. May they come back so we can hold rendezvous often.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I am sure all of us have been dismayed in recent months at the announcement of the retirement of so many of our colleagues. Their going will leave some pretty large gaps to be filled in the House of Representatives. I dislike seeing them go, but at the same time, we can understand their reasons and sympathize with them and can only wish them well as they retire from this body. Many words of commendation and appreciation have been spoken of our three colleagues from Massachusetts who are in the group that are retiring. Suffice it to say at this moment that I concur in all of those fine things that have been said. These men have been great Members of this body. They have come to the top. They have proven themselves. They have been a great credit to their Districts, their State, and to the Nation. As I said before, we shall all miss them; particularly shall I miss their friendship and presence here and the association with them that has been so pleasant through the years.

Mr. MARTIN. Mr. Speaker, I yield to the gentlewoman from Masachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am sorry not to have been here earlier. I did not know that these eulogies were taking place. I was over in the Senate, and I think I may have been helpful in securing over there an appropriation that is very valuable and very much needed.

Mr. Speaker, there are no two of us alike in the Massachusetts delegation, as you know. We are individualists; all of us. But, these three men are men of great integrity, great ability, and great capacity. I am sure the membership of the House will miss them for their very fine qualities, all different but of great importance to us here in the Congress and to us in the country.

We will miss RICHARD WIGGLESWORTH and DON NICHOLSON—"NICK" as we called him—and JOHN HESELTON. I would like to say one thing about JOHN HESELTON, and I wonder if the Members of the House realize it, and that is his endless kindnesses. I know of things he has done for people without any thought that he would ever be repaid for them in any way whatsoever; a kindness that goes very deep and one that is very precious for those who have it and precious for the people who are the recipients of his kindnesses.

NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. The Chair desires to announce that pursuant to the provisions of Public Law 689, 84th Congress, the Chair appoints as members of the United States group of the North Atlantic Treaty Parliamentary Conference, the following Members on the part of the House: Mr. HAYS of Ohio; Mr. MCCARTHY, of Minnesota; Mr. SMITH of Mississippi; Mr. SELDEN, of Alabama; Mr. DOLLINGER, of New York; Mr. CANFIELD, of New Jersey; Mr. CORBETT, of Pennsylvania; Mr. BETTS, of Ohio; and Mr. LECOMPTE, of Iowa.

DENIAL OF PASSPORTS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13760) to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of July 3, 1926 (44 Stat. 887), is hereby amended by adding at the end thereof the following:

"SEC. 5. The Congress finds that the international Communist movement of which the Communist Party of the United States of America is an integral part, seeks everywhere to thwart United States policy, to influence foreign governments and peoples against the United States, and by every means, including force and violence, to weaken the United States and ultimately to bring it under Communist domination; that

the activities of the international Communist movement constitute a clear, present, and continuing danger to the security of the United States; that a United States passport requests other countries not only to permit the holder to pass freely and safely, but also to give all lawful aid and protection to the holder, and thereby facilitates the travel of such holder to and in foreign countries; and that in view of the history of the use of United States passports by supporters of the international Communist movement to further the purposes of that movement, the issuance of passports to any person described in section 6 (b) is harmful to the security of the United States and therefore passports should be denied to such persons.

"SEC. 6. (a) The Secretary of State is authorized to deny passports to persons as to whom it is determined upon reasonable grounds that their activities or presence abroad or their possession of a passport would under the findings made in section 5 be harmful to the security of the United States.

"(b) In determining whether a person is within subsection (a) of this section the Secretary shall take into account the findings in section 5 and shall consider as material, among other matters, whether the applicant is a person who, whether or not a member or former member of, or affiliated with, the Communist Party, knowingly engages or has engaged, since 1948, in activities intended to further the international Communist movement.

"(c) If the information is such as to warrant the conclusion that a person is within subsection (b) of this section, such person shall nevertheless have the right to establish by clear and convincing evidence that his activities or presence abroad or posession of a passport would not be harmful to the security of the United States.

"SEC. 7. The Secretary of State may require, as a prerequisite to the issuance of a passport, that the applicant subscribe to and submit a written statement duly verified by his oath or affirmation whether he is presently, or has been since 1948 a member of the Communist Party or a supporter of the international Communist movement, and to state the circumstances of any such membership or to state his activities in support of the international Communist movement.

"SEC. 8. The District Court of the United States for the District of Columbia shall have jurisdiction to review any final determination of the Secretary of State under section 6 (a) of this act."

With the following committee amendments:

Page 2, line 8, after the semicolon, insert "that travel by couriers and agents is a major and essential means by which the international Communist movement is promoted and directed."

Page 2, line 19, strike out "(b)."

Page 2, line 22, strike out line 22 down to line 16 on page 3 and insert:

"SEC. 6. The Secretary of State is authorized to deny a passport to any person who is a member or former member of, or affiliated with, the Communist Party, or who knowingly engages or has engaged, since 1948, in activities intended to further the international Communist movement, as to whom it is determined that his or her activities or presence abroad would under the findings made in section 5 be harmful to the security of the United States."

The committee amendments were agreed to.

The Clerk read as follows:

Page 4, strike out lines 9 to 12 and insert:

"SEC. 8. No application for a passport may be denied under section 6 of this act except after opportunity for a hearing. A denial of a passport pursuant to section 6 of this act shall be subject to judicial review in the district courts of the United States."

Mr. HAYS of Ohio. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYS of Ohio to the committee amendment: Page 4, line 16, after the word "review" insert "on the record."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, I do not think that I need to restate the danger to the United States arising from the international Communist conspiracy. The facts speak for themselves. The Free World is today threatened by the Communist bloc on all fronts. There is an active campaign of subversion and conspiracy in the Middle and Far East. The recent events in the Middle East clearly point out the dangers of this campaign of subversion to the Free World. This, of course, is not a new development. There have been repeated instances of Communist attempts to subvert legitimate government by conspiratorial means. While some of these subversive attempts have been successful, fortunately others have failed. Nevertheless, subversion remains a constant threat.

On the economic front the Communists have undertaken a major offensive in the field of trade and aid. Communist trade agents and Communist technicians are fanning out through the world. Aid programs are being undertaken in Europe, in the Middle East, and in the Far East. The Communist economic tentacles have even stretched into Latin America.

The threat is not limited to economic and political subversion. It also is apparent on the military side. The Communist legions are pointed toward the Free World in central Europe, in the Middle East, and the Far East. Our allies and our American servicemen are under constant alert to prevent a surprise attack. Yet, the most insidious, and perhaps the most dangerous, of these three forms of attack is that of political subversion.

We have exerted considerable effort in this country to protect ourselves from political subversion and to assist our allies in resisting that form of subversion. The Federal Bureau of Investigation is constantly alert to the possibilities. Congress has enacted the Communist Control Act. Up to a few months ago the Secretary of State was able to deny the issuance of passports to Communist subversive agents going abroad to engage in activities harmful to this Nation.

The United States Supreme Court on June 16, 1958 handed down the decisions of Kent against Dulles and Dayton against Dulles, Docket Nos. 481 and 621, which held in effect that there is no law in being at the present time which authorizes the Secretary of State to deny passports to persons wishing to go overseas to engage in activities harmful to the United States, such as espionage, subversion of foreign governments, and propaganda.

It is a well-known fact that international travel is one of the principal means whereby the international Communist conspiracy is promoted. Its couriers travel from foreign capital to foreign capital, carrying with them in their minds the orders and directives of the Politburo and of Peiping. In this way detection is avoided and personal contacts between members of the conspiracy can be promoted. Furthermore, there have been repeated instances where affiliates of the Communist movement travel abroad in order to engage in activities harmful to the security of the United States, such as inciting revolt against friendly governments, engaging in untruthful propaganda against the United States, and giving aid and comfort to our enemies even while we were engaged in active hostilities with those enemies.

H. R. 13760, which I introduced, is intended to fill the gap that has resulted from the Supreme Court's decisions of June 16.

Section 5 of this bill clearly sets forth a Congressional finding that the international Communist movement is dedicated to weakening and ultimately dominating the United States; that it constitutes a clear, present, and continuing danger to the security of the United States; and that its agents and supporters use passports to promote the objectives of international communism. For these reasons the bill provides that passports may be denied, and I repeat, may be denied, by the Secretary of State to three categories of persons:

First. A member or former member of the Communist Party.

Second. An individual who is affiliated with the Communist Party.

Third. An individual who knowingly engages or has engaged since 1948 in activities intended to further the international Communist movement.

In all three categories, however, the Secretary of State is required to make an affirmative showing that the activities or presence of the person abroad would be harmful to the security of the United States.

In spite of what may be said to the contrary, this legislation provides firm safeguards for the rights of the individuals. Section 8 of the bill contains a positive provision for an administrative hearing. In addition, there is a provision for judicial review in the district courts of the United States. These provisions are intended to insure that no Secretary of State arbitrarily infringes on the rights of citizens and to insure that the requirements of due process of law shall be met.

Mr. Speaker, H. R. 13670 is being brought before the House with an amendment. That amendment is to insert the words "on the record" in the provision dealing with judicial review. I agreed to this amendment because, in my opinion, it would not place unreasonable restrictions on the Secretary of State. It is my understanding that the words "on the record" will mean that the courts shall review the transcript of the hearing and procedural documents in the case. It is not my intention to preclude the use of confidential information and confidential informants.

Let me assure you that this legislation was carefully and thoroughly considered by the members of the Committee on Foreign Affairs. At least 10 different bills were on the committee calendar, and the measure which we reported underwent a detailed and searching analysis which resulted in the amendments attached thereto. Furthermore, the bill now under consideration—H. R. 13760—was reported by the Committee on Foreign Affairs without a dissenting vote.

President Eisenhower has urged the passage of legislation that will effectively close the loophole left by the Supreme Court's decisions of June 16, 1958. You will recall that in his message of July 7 of this year he stated:

I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger. I hope the Congress will move promptly toward its enactment.

In the short period of time since the President sent his urgent message to Congress, the number of applicants for passports who the State Department believes would fall into the category covered by this legislation has increased from 60 to 386.

If this legislation fails to pass before Congress adjourns, there are indications that the number of applicants will continue to increase and that it will be necessary, under the Supreme Court's decisions of June 16, for the Department of State to issue passports to those persons before Congress reconvenes in January.

Mr. Speaker, I would like to emphasize that H. R. 13760, the bill the committee has reported, is much more restricted than the legislation originally requested by the Administration. Yet, it grants the necessary authority to the Secretary of State and, at the same time, provides adequate safeguards for the rights of the individual. I therefore urge its passage.

Mr. MORANO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, I urge immediate passage of H. R. 13670, the bill unanimously ordered reported by the Foreign Affairs Committee, which permits the Secretary of State to prohibit travel by Communist agents, saboteurs, and spies. Without this legislation there is a serious loophole in our security laws. Under the recent Supreme Court decisions there would be no means whereby the Secretary of State could deny passports to individuals who are traveling abroad to further the nefarious purposes of the international Communist movement.

The United States is spending billions of dollars for its defense and further billions of dollars for foreign aid. We have millions of our boys under arms sworn to protect the security of the United States. On the other hand, if this legislation is not enacted, we are faced with a situation in which persons may go abroad to subvert and thwart the foreign policy of the United States and to stir up trouble against nations friendly to us. It is a necessity.

The bill grants authority to the Secretary of State to plug this loophole. At the same time, it insures maximum protection for the rights of our citizens under the Constitution. It provides for both administrative hearings and judicial review of those hearings and of passport denials by the Secretary of State.

The bill which is before the House was perfected after a thoroughgoing analysis by the Committee on Foreign Affairs. We tried to strike the best compromise between the rights of the individual and the security of the United States. I do not think that anyone can criticize it as an infringement of individual rights since we were most careful to prescribe procedural safeguards.

The bill itself is in the form of an amendment to the Passport Act of 1926. The first section makes Congressional findings with respect to the danger of the international Communist movement to the security of our homeland. It emphasizes the fact that the Communists use couriers as a principal means of carrying directives and orders of the party. These couriers frequently carry their messages in their minds in order to prevent detection. The granting of authority to deny passports to such couriers is essential to our security system. Section 5 makes specific reference to the use of travel by the international Communist conspiracy.

Section 6 is the operative section, granting the authority to the Secretary of State to deny passports. The persons who are subject to such denial are Communist members, affiliates of the Communist Party, and persons knowingly engaged in activities intended to further the international Communist movement. In all cases, however, the Secretary of State must also find that the activities or presence abroad of the individuals concerned would be harmful to the security of the United States. This is a double-barrelled finding and will insure that innocent persons will not be subject to having a passport denied on capricious grounds.

Section 7 of the bill authorizes the Secretary of State to require the applicant for a passport to sign an affidavit concerning membership in the Communist Party and support of the international Communist movement.

Section 8 provides for an administrative hearing of any proposed denial of a passport. Further, it provides for judicial review of the hearing and denial of a passport.

Mr. Speaker, this legislation—I would have preferred the measure without some of the amendments—is in the best interests of the United States and I urge every Member of the House to give it his wholehearted support.

Mr. VORYS. Mr. Speaker, this action of the House is mighty gratifying to me. Yesterday evening, toward the close of the session, during a special order obtained by the gentleman from Alabama [Mr. SELDEN], cosponsor with me of this legislation, we were discussing this bill and its chances for passage. I ventured the hope that action would be taken, even at this late date, because of the extreme urgency of this legislation. Now my hope has proven justified.

The last-minute agreed amendment to add the words "on the record" to the requirement for judicial review, in my judgment adds nothing and detracts nothing from present procedures approved in the case of Dayton against Dulles. All of section 8, providing for an opportunity for hearing and judicial review on the record in case of denial of a passport, merely restates and makes mandatory the present practice. I think it is helpful and reassuring however, to provide this in the law.

Yesterday, I expressed the hope that the hours and days I have spent on this legislation would not prove to be a mere lost labor of love. The House is now proving that my hope was not in vain. Passage of this bill will provide a very important weapon for us in the cold war with communism and will provide a very satisfying end to my committee labors here in the House.

Mr. MORGAN. Mr. Speaker, the bill H. R. 13760 authorizes the denial by the Secretary of State of passports to members, former members, and affiliates of the Communist Party and to persons who since 1948 have knowingly engaged in activities intended to further the international Communist movement. It must be shown, however, that the activities or presence of such persons abroad would be harmful to the security of the United States.

This legislation is intended to permit the denial of passports to Communist agents and supporters traveling abroad with the purpose of injuring the United States. The bill requires that any denial of a passport shall be subject to administrative and judicial review.

The need for this legislation arises from the decision by the Supreme Court in the cases of Kent against Dulles and Dayton against Dulles on June 16, 1958, in which the Court found that there was not in existence any legislation authorizing the Secretary of State to deny passports to Communists or Communist supporters. Following that decision, the President forwarded a message to Congress on July 7, 1958, in which he stated:

I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger. I hope the Congress will move promptly toward its enactment.

At the same time draft legislation was received. The Committee on Foreign Affairs, however, did not take action on the legislation proposed by the executive branch since its implications were too

broad. There was serious question as to whether its passage would not have meant a complete grant of discretionary authority for the denial of passports. There was even some question as to whether passports could have been denied to anyone who criticized the foreign policy of the United States. In addition, the committee had no less than 10 different bills before it dealing with the passport problem. After careful consideration and thoroughgoing analysis, the committee reported H. R. 13760 with amendments. The committee paid special attention to the problems of administrative hearings, judicial review, and burden of proof. The amendments before the House are the result of that consideration.

The aim of the bill is obvious. It is to permit the denial of passports to Communists and those engaging in Communist activities whose presence or activities abroad would be harmful to the United States. It goes no further. I do not think that there are any in this body who can disagree with this objective. There may be disagreement as to how the objective is to be reached, but the goal is clear. The United States is in mortal danger from the international Communist movement which is attacking the United States on the economic, the political, and the military fronts. Political subversion is one of the Communist movement's principal weapons and it is toward this aspect of the Communist strategy that the bill is directed.

The bill is in the form of an amendment to the act of July 3, 1926—the Passport Act. It adds new sections to that act. The new section 5 reiterates previous Congressional findings of fact with respect to the dangers arising from the international Communist movement and to the clear and present danger of that movement's activities to the United States. It finds that international communism uses travel by its agents and couriers as one of the principal means of promoting its subversive intent.

Section 6 of the bill permits the denial of passports to four classes of persons: Communist Party members, former members, affiliates of the Communist Party, and those who since 1948 have knowingly engaged in activities intended to further the international Communist movement. With respect to each of these classes, however, the Secretary must first determine that the individual's activities of presence abroad would be harmful to the security of the United States before he can deny a passport.

Section 7 of the bill permits the Secretary of State to require of all passport applicants a written statement, under oath, as to whether he is or has been a member of the Communist Party or a supporter of the international Communist movement. The purpose of these questions being asked is not to ascertain the individual's associations or beliefs but to determine whether he has previously engaged in activities harmful to the security of the United States and whether it is likely that he will engage in such activities overseas.

Section 8 of the bill contains procedural safeguards for the individual. It provides for an administrative hearing prior to final denial of the passport by the Secretary of State, and it provides for a review by the district courts of the United States of both the hearing and the final denial.

I would like to point out in this connection that our committee report states:

> The Secretary of State should be very circumspect and cautious in his conduct in concluding that an American citizen should be deprived of a passport. It must be remembered that with American citizenship goes the right to travel and before that right under our laws is circumscribed, very substantial grounds therefor must exist.

Many on the committee have been seriously concerned with the constitutional aspects of passport legislation. We have, therefore, given the matter our most earnest consideration, and I may truthfully say that the present bill represents our considered judgment as to the best means whereby we can resolve the conflict between individual rights and the security of our Nation.

In view of the danger to the Nation arising from Communist activities, I believe that this legislation is in the interest of the United States and I, therefore, urge its passage.

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, since June 16 when the Supreme Court ruled in the cases of Kent against Dulles and Dayton against Dulles that present law would not allow the denial of a passport to a United States citizen who knowingly engages or has engaged in activities intended to further the international Communist movement I have been concerned over the effects of the ruling on our national security. It was obvious to me that there would be a tremendous increase in applications by persons with records of subversion for the privilege of traveling abroad under the diplomatic protection of the very Government they seek to overthrow. I felt keenly that Communists would swarm out of their holes like rats from a flooded sewer to seek the benefits of a Government which they despise with all their hearts. I was sure that the wholesale granting of passports to subversives would make it easier for them to carry money abroad with which to finance the spread of communism and to step up the already alarming program of subversion now being carried on in friendly democratic countries. I could visualize the new ease with which a Communist could secure his instructions from international communistic leaders and, under the courier system used by them, carry the instructions back to this country for the purpose of further sabotaging our free system of government.

In a recent conversation with the gentleman from Ohio [Mr. VORYS] I learned that my fears were well founded. He informed me that on June 16 the State Department had only 62 applications pending from known subversives. The Court's decision brought the pigs out of their stys and today I understand there are 386 applications. It is expected that in a short period of time there will be over a thousand. Without the passage of H. R. 13760 the State Department can do nothing to stop this serious situation. It will be forced to give to our enemies the right and protections of this Government while they commit acts and receive instructions which are for the purpose of destroying the very Government giving those rights.

After my conversation with the gentleman from Ohio I determined to do what I could to assist in the passage of this needed bill. I spent hours in the cloakrooms and on the House floor arousing the interest of other Members who had not had the benefit of discussing the matter with the gentleman from Ohio. I hope that those hours have played a part in bringing H. R. 13760 to the floor of the House for a vote.

I sincerely hope the membership will overwhelmingly approve this legislation. If it does not I must, in all good conscience vote against any resolution to adjourn. I could not go back to my Congressional District knowing that I had voted to adjourn while Communists could roam at will throughout the world with official United States sanction to further their aims of destroying democracy.

Mr. CELLER. Mr. Speaker, the bill is not completely satisfactory. However, I shall, with reluctance, accept it. Permit me to express my views on passports in general and on my passport bill, H. R. 13652, in particular.

In the inevitable categorization which reduces each one of us to liberals or conservatives or reactionaries, I have most often been called a liberal. The bills which I have introduced have generally been characterized as liberal bills, and the causes I have espoused have generally been designated liberal causes. However, my appearance today is in behalf of a bill and a cause which, like many others I have supported, cannot simply be termed liberal. For what my bill—the right-to-travel bill—does is in the best sense of the word conservative. It is concerned not with new ideas of government, but rather with preserving a well-established principle—a principle which began to emerge as long ago as 1215 in the 42d article of the Magna Carta. The preservation of a principle which has been developed over a period of over 700 years would not appear to be a widely liberal proposition. It is perhaps a classic of conservatism.

That principle is, of course, the right of a citizen to travel abroad. Without belaboring the historical development of this right, I think it only necessary to point out that the Supreme Court in Kent against Dulles stated with vigor that "we deal here with a constitutional right of the citizen," and that "the right to travel is a part of the liberty of which the citizen cannot be deprived without the due process of law of the fifth amendment." Indeed, the Solicitor General of the United States, speaking for the respondent in that case, readily

conceded the existence of such a right when he said in his brief:

> On that point, there is no controversy between the parties. * * * We do not challenge, but readily accept, the existence of a general natural or constitutional right to depart or enter the country as an aspect of the liberty subject to the protections of the Constitution.

In view of the complete disregard shown this basic right in the administration of the passport program during recent years, and in view of the provisions of many of the bills now before this committee, I, for one, have some regret that the Court did not find it necessary to decide the constitutional issue in the Kent case. But that case brought to a head something which many of us have felt for sometime; that is, that the problem is not how to get away with preventing people from going abroad, but rather how do we protect the constitutional right of Americans to travel.

Consistency with the purposes and ideals of this country calls for an affirmative rather than a restrictive approach to the travel problem. This bill provides just such an approach. Thus, you will note the declaration of principles in section 2 of the bill, which reads as follows:

> The Congress finds that freedom of movement is basic in the scheme of American institutions and includes both travel within the country as well as travel abroad; that the right to travel abroad is a part of the liberty of which citizens and nationals of the United States or persons entitled to the protection of the United States cannot be deprived without due process of law under the fifth amendment to the Constitution; that such right should not be restricted but is subject to the war power granted to the President and the Congress of the United States under the Constitution and also is subject to the exercise of the inherent power of the State to prosecute persons for the commission of crimes. It is also the sense of the Congress that at the present time the crucial function of a passport is control over entry or exit; and that no tests of beliefs or associations shall be supplied to issuance of passports.

Section 3 of the bill puts teeth in these principles by requiring the Secretary of State to issue a passport within 30 days after application unless the applicant may be denied a passport under the specific provisions of the bill.

This brings me to the question which I think is uppermost in all of your minds. What limitations, if any, may be imposed on the right to travel? I recognize the fact that even a constitutional right is not absolute, and where there is a conflict between a right and a legitimate interest of society, this right must, in some cases, be circumscribed. How a society answers the questions of how and when, in the last analysis, determines the kind of society it is to be.

There is no clear answer as to what limitations may be constitutionally imposed on a citizen's right to travel. The legal decision would have to be made by weighing the competing interests involved. However, this committee is in the happy position of being able to make a decision, not solely on the basis of constitutional legality, although this, too, must be observed. This committee may invoke the more important standards of desirability and wisdom.

In my bill I propose only three limitations on the right to travel. The first of these is effective only after a declaration of war. The President may then issue regulations governing the movement of persons into and out of the United States.

Secondly, when United States forces are engaged in hostilities, other than a declared war, the President may govern the movement of persons in designated combat areas.

Third, and finally, the bill provides that at any time, the Secretary of State may deny a passport to any person under indictment, information, or sentence for the commission of a felony.

These are the only restrictions I would place on travel and this is essentially what the practice of the State Department was in 1926 when the basic passport statute was recodified and which, under the Kent decision, appears to be the limit of the Secretary of State's power today, at least, as far as beliefs and associations are concerned.

But what then, you ask, about Communists, fellow travelers, and malcontents who may go abroad to spread hostile or malicious criticism of the United States and its policy? Is it not in the best interest of the United States to prevent this kind of activity? While I loathe and detest Communists, I believe that regardless of how reprehensible their views, confining even these people within the borders of the United States is not the answer.

First of all, we must remember that the activities on the basis of which travel is most often forbidden is conduct which is lawful under United States law, even though you and I may consider it wrongful conduct. Paul Robeson said "We treat Negroes badly; Russia will treat them better."

Secondly, the danger to American security which would result if we were to take down our travel barriers, has been vastly exaggerated. The professional and effective spy, like Colonel Abel, obviously does not have to rely on Miss Frances Knight's good graces to get into or out of the United States. Furthermore, considering the immunity enjoyed by diplomatic officials, diplomatic pouch, and private mails, it is ridiculous to believe that vital secrets once obtained can be retained within the borders of the United States by restricting the travel of certain individuals. Khrushchev's stooges are too clever to declare their nefarious purposes in a passport application.

What, then, do we accomplish by restrictive legislation of the kind that is generally being proposed? In the main, we deny exit to people who, because of current attitudes or past associations, may provide favorable propaganda abroad for the Soviet Union. Again, I say this is patently unrealistic. Communist sympathizers need not leave the United States to accomplish a propaganda purpose. Tape recordings and films made here and transported abroad, statements made here which are reported abroad, releases to the foreign Communist press are all available and effective means of communication. And how much greater is the propaganda value when there is appended a brief editorial comment that the writer has been confined within the United States because of his disagreement with the official attitude of the United States Government? For then we have an indictment of the United States not by the misrepresentations of some fellow traveler, but more damning by the repressive action of the United States Government itself. Considered in the context of our commitment to a program of free travel and our condemnation of the Russians for prohibiting travel by those who disagree with the Marxist line, the effect on our international stature of restrictions of this kind can only be most injurious. This is something which you, as foreign affairs experts, must appreciate even more vividly than I.

A graphic illustration of what I am talking about is the Paul Robeson case. As long as he could not get a passport, Robeson's restriction made good propaganda. Since he has gotten a passport, the Reds have lost an effective argument which appealed to millions around the world. And Paul Robeson, traveling abroad, has either refrained from critical remarks against the United States or if he has made them, they have been conspicuous by their ineffectiveness. He certainly cannot say nasty things.

Another example is that of Dr. Martin E. Kamen, professor of radiation physics and biochemistry at Washington University in St. Louis. He was three times refused a passport after he had been chosen to be a visiting professor in Australia and after he had been invited to scientific conferences in France and England. The State Department said he had dined with a Soviet vice consul at a public restaurant, and two Army intelligence agents at a nearby table had recorded their conversation about the possibility of treating radioactively a Russian consular official who was suffering from leukemia. The Atomic Energy Commission saw no objection to Dr. Kamen's leaving the country. Dr. Kamen's passport was granted in July, 1955, 8 years after he first applied for it. Three years later, in August, 1958, we still have heard nothing critical about Dr. Kamen's behavior abroad.

A third example of how foolish we have made ourselves appear to the rest of the world, and for no good reason, is the Arthur Miller case. In 1954, the Pulitzer Prize winning author of Death of a Salesman was not allowed to go to Brussels to see a performance of his own play, The Crucible. Finally, in June 1955, the United States Court of Appeals for the District of Columbia Circuit upset the State Department's denial of the passport because it was based on insufficient reasons. Mr. Miller subsequently went to Europe and the foundations of the Republic have not crumbled. In his case the State Department said his visit abroad would not be in the best interests of the United States. Rather bold reason. Frankly it was

punishment rather than concern for his future conduct.

However, let us assume that an American goes abroad and says and does things which may be of propaganda value to the Russians. Why is this great Nation so paralyzed with mortal terror over the possibility that a handful of malcontents may say the same unpleasant and untrue things about us that the Kremlin already says in sixty languages beamed to all parts of the world every day of the week? If you desire to punish, then invoke the criminal law—do not deny a passport. If you want to punish a Communist then indict him for violation of some act—say the Smith Act. Refusal of passport never should be a matter of sanction.

Gentlemen, there is an old Latin maxim, "cessante ratione, cessat ipsa lex," the reason for the law having ceased, the law itself ceases. If there ever was a reason in peacetime for preventing the travel of Americans who were not under criminal prosecution or sentence, our experience with the passport denials of recent years shows that the best reasons advanced by the State Department have, when tested, proved meaningless.

There is another side to this problem. Up to now I have been talking about the denial of passports to individuals. However, there is also the question of geographical limitations which affect all Americans traveling abroad. Thus, the State Department has, during recent years, prohibited travel to Red China, Bulgaria, Hungary, Albania, North Korea, North Viet-Nam, Egypt, Israel, Jordan, and Syria. This affects all citizens and not just those of doubtful loyalty. Its effect is to seal off from the eyes of our people large areas of the world. This policy directly contravenes the very basic right upon which any democracy must be based—the right of its people to see for themselves and to learn so that they can make intelligent decisions.

Now, the argument is made that the Secretary of State must have the authority to prevent travel to certain areas for the personal protection of the traveler. If that, in fact, is the purpose of such bans, is it not suffcient to warn prospective travelers that in certain designated areas the United States may not be able to give its usual protection? I believe that this is preferable to limiting a constitutional right for the purposes of foreign policy. Section 5 of my bill provides for warning passport applicants but prohibits forbidding travel to those areas.

I hold the right of an American to find out for himself more important than prohibitions on travel like that which the State Department imposed on Egypt, Israel, Jordan, and Syria in 1956, two days after all parties to the hostilities had formally agreed to a cease-fire. How ludicrous to issue a bar after the trouble was over and the shooting had stopped. This prohibition, I might add, continued until April 1, 1957, a period during which no other country in the world found that the safety of its nationals required such a law, and I include Britain and France, two of the belligerents. There was complete peace during those 6 months. The countries involved complained that their tourist trade had been greatly hampered and curtailed.

The argument is often made that warning American nationals that they cannot be protected in certain areas is not enough. It is argued that if, in fact, American nationals are abused in a foreign country, the United States is put in an untenable and embarrassing position. I dispute this conclusion. First of all as to the American national, the United States has absolved itself of any duty to come to his assistance by its prior warning. Secondly, as to the effect on the prestige of the United States in the eyes of the world community, it is not the United States which loses stature, but it is rather the nation which has defied fundamental human principles in its abuse of innocent travelers.

I come now to section 6 of this bill which deals with procedural due process. Briefly, it would make the Administrative Procedure Act without exceptions applicable to all passport proceedings. Since the bill allows the denial of passports in peacetime only to those under prosecution or sentence, the procedural difficulties which we have experienced in this field become moot.

Gentlemen, the problem which you have before you today is in no sense a partisan one. Both Democrats and Republicans have espoused the basic principles upon which this bill is predicated. In 1951, President Truman, remonstrating against the refusal of a totalitarian government to allow its citizens to go abroad, said, "We shall never be able to remove suspicion and fear as potential causes of war until communication is permitted to flow, free and open, across international boundaries." And 5 years later, in July 1955, President Eisenhower called upon the nations of the world to "lower the barriers which now impede the opportunities of people to travel anywhere in the world."

It is high time for Congress to put an end to a contradictory policy which has been a continuous source of embarrassment abroad. I think that it is also time for us to lay aside our paralyzing fears and to reaffirm our faith in the strength of democratic process by acting favorably on right to travel legislation.

Unfortunately there has been established in our country a climate of fear and suspicion of freedom—indeed a widespread fear that our Bill of Rights is dangerous—that freedom is over-extended and its restriction is desirable. I believe our greatest national danger is that of the paralysis of fear gripping us. On the one hand we make a great to-do of the strength of our democratic institutions, of our foundation of government of law, and of our great development of industrial, social and spiritual power under these principles, and on the other hand, internally we seem to cringe, not before the thought of the impact of a hydrogen bomb, but before the thought of the impact of ideas.

Courage to travel to the moon, yes—as we seem to be doing—but courage in the market place of ideas—no.

Mr. O'HARA of Illinois. Mr. Speaker, when this bill was brought before the Committee on Foreign Affairs, on August 14, 1958, I felt strongly that it should not be acted upon by the committee until witnesses had been heard and there was ample opportunity for study and, if the committee after deliberation so decided, for amendment. The lateness of the session to me seemed no justification for bringing to the floor of the House without the proper committee processing any bill, especially one in a field so close to the constitutional rights and freedoms of Americans. Furthermore, the chance of enactment this late in the session of any legislation preventing the granting of passports to those knowingly engaged in an international Communist conspiracy would have been minimized by rushing the bill through committee with scant consideration.

I think my colleagues now will agree with me that the continuance of our hearings on August 15 and 18, 1958, served a very useful purpose. For one thing, they gave us on the committee the benefit of listening to the viewpoints of Congressmen CELLER and KEATING, one the chairman and the other the ranking minority member of the Judiciary Committee, and of Congressmen UDALL, ROOSEVELT, and DINGELL.

Many amendments were presented, discussed at length; some rejected and some adopted. Every member of the committee participated in the discussion. There was very little left of the original draft of the bill when the committee had completed its work. There was a common desire to compromise differences to the end that the committee could come up with a bill that would stand the best chance of passing, that would operate to keep passports from the possession of Communist conspirators, that would safeguard the rights of Americans, and that would stand up in the Supreme Court if a constitutional question were raised. The committee worked hard, earnestly, and with sincerity.

My additional supplemental views, as stated on page 11 of the report, follow:

ADDITIONAL SUPPLEMENTAL VIEWS

In refraining from signing the report, which I have had brief time to examine, I am not necessarily taking issue with my colleagues on the committee. It is merely that I wish in my own language to state my position.

I would not place in the hands of any person provenly party to an international Communist conspiracy an American passport to facilitate the workings of his nefarious designs. In this I think the committee is in unanimous agreement.

Nor would I place in the hands of any individual the arbitrary power to determine who should or who should not be granted passports. In this, also, I think the committee is in unanimous agreement.

The tests of the bill are (1) whether it meets the desired objective of keeping passports from proven parties to an international Communist conspiracy, (2) whether at the same time it protects loyal Americans from injustices that can result when charges emanate from undisclosed sources and full opportunity for answering is not accorded, and (3) whether the language of the bill raises a constitutional question.

The committee wrote in the provision that prior to the denial of the passport the applicant must be accorded the opportunity of a hearing and the denial of passport is subject to judicial review.

The language is not as definite as I would like it. The word "hearing" undefined, might cover a proceeding wherein the applicant is called in, informed of accusations or suspicions without the disclosure of the identity of those from whom they came or opportunity to defend in the sense recognized in American courts of justice. I would like, too, to have had the matter of judicial review expressly stated to include all matters of relevancy, both in fact and in law.

I am giving my support to the bill as now amended. I think the House should understand, however, that this is a stopgap legislation until the 86th Congress can take over. It is intended only to meet the immediate situation set forth in the President's message of July 7, 1958, in which he stated that each day and week that passes—without such legislation—exposes us to great danger. It reflects the wish of the committee and of the House to meet any danger which the President of the United States regards as menacing our country.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks immediately prior to the passage of the bill H. R. 13760.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 12 minutes p. m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 6 o'clock and 15 minutes p. m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13192. An act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. SALTONSTALL, Mr. KNOWLAND, Mr. THYE, and Mr. DIRKSEN to be the conferees on the part of the Senate.

MUTUAL SECURITY APPROPRIATIONS BILL, 1959

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I wonder if we might have some information from the gentleman as to what the other body did in connection with this bill.

Mr. PASSMAN. It is my understanding that the other body followed the recommendations of the Appropriations Committee of the Senate and put back $440 million, that is, increased the House bill by $440 million.

Mr. GROSS. I wonder if I might ask the gentleman, is it the purpose of the conferees on the part of the House to insist upon the House version of this bill?

Mr. PASSMAN. It is always the purpose of the conferees on appropriations bills to insist on the House version.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. PASSMAN, GARY, ROONEY, NATCHER, DENTON, ALEXANDER, ANDREWS, CANNON, TABER, WIGGLESWORTH, FORD, and MILLER of Maryland.

HON. GEORGE SHUFORD

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, when Congress convenes in January, our beloved colleague, GEORGE SHUFORD, will not be with us. He is voluntarily retiring to the "Hills of Home." He is going back to the majestic mountains, the lofty peaks, and lovely lakes of his native State. He is going home to live with his loved ones and friends.

Wonderful and mysterious are the vicissitudes of human life; frail and precarious are our very best holds on human happiness. Here in this Hall many of our colleagues have grown grey with age. The grim reaper has taken away many of our friends and has swept them from the shores of sound to the great realm of silence and upon others the heavy hand of affliction has fallen.

GEORGE SHUFORD will take with him into retirement the love and affection of his colleagues who have enjoyed his friendship during the time that he has served here so faithfully. GEORGE SHUFORD, by his sterling character, his courteous and courtly manner, has endeared himself to all of us. He is a dedicated and devoted public servant. He has lived magnificently and his life has been a blessing to the people he has so well and ably represented. I extend to him every good wish for his personal welfare and happiness.

Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DURHAM. Mr. Speaker, I am glad to join with my fellow members of the North Carolina delegation in saying hail and, regretfully, farewell to our good companion and colleague, GEORGE SHUFORD. I have known GEORGE for many years—dating back to his university days at Chapel Hill, and through the years our friendship has deepened and has become especially meaningful since he joined the North Carolina delegation here in the Halls of Congress as the able Representative of the 12th District.

While all of us realize that his health is of primary importance, we nevertheless regret that he will not be with us in the 86th Congress. We will miss his companionship, his keen sense of humor, and his never-failing cooperation in enterprises and activities of common interest to our State and to the Nation. He has made an indelible impression on all who have associated with him here—both old friends and new. We wish for him and confidently expect a full return to health and strength back in the beautiful mountain country where he lives, and we know that he will continue in the path of dedicated service to the people of his State and to the country which he has served so effectively as he returns to private life and to the practice of law.

Mr. WHITENER. Mr. Speaker, as the 85th Congress comes to a conclusion I am confident that many of my colleagues have the same feeling of regret that I experience in the realization that the distinguished gentleman from North Carolina, Hon. GEORGE A. SHUFORD is retiring from the Congress.

GEORGE SHUFORD has been a valuable Member of this body. Above all, he has been a most capable representative of the people of North Carolina during the three terms that he had served them in Washington. No man has been more diligent than he in presenting the best philosophy of government in every official and private act that he has done. This diligence and fidelity has been characteristic of GEORGE SHUFORD throughout his life. As an attorney, soldier, State legislator, trial judge, and Congressman he has fully measured up to the highest standards.

It has been my privilege to know and be associated with Judge SHUFORD for many years. My first intimate acquaintanceship with him came through my work as district prosecuting attorney while he was serving as one of the judges of the superior court of North Carolina.

Through that association I came to appreciate him as a Christian gentleman and painstaking jurist. His kindliness to and consideration of the humblest citizen in the courts was one of his outstanding qualities then. When I came to Washington in 1957 as a new Member of the North Carolina delegation he was among the first to tender his cooperation and good wishes. Time cannot erase from my heart and mind the sentiments of profound appreciation I have for this good man and his fine works.

As he was successfully waging a campaign for renomination in the Democratic primary this year he was stricken with the illness which has caused him to surrender his position in Congress. His countless friends in North Carolina and the Nation were saddened that such a wonderful man should be the victim of such an experience. But, Mr. Speaker, I know that our distinguished colleague has accepted this vicissitude with the same philosophical attitude that has been his throughout his lifetime. His deep Christian faith has sustained him and I express the confidence that through that faith he will find the means of rendering great service to our Nation and the kingdom of God for many years to come.

So, Mr. Speaker, as our splendid friend goes into retirement in the mountains of western North Carolina, which he loves so much, I want to add my words of appreciation to those expressed by our other colleagues for the life and works of our lovable friend, GEORGE SHUFORD.

Mr. SCOTT of North Carolina. Mr. Speaker, it is with sincere and deep regret that I learn of the retirement of Judge GEORGE A. SHUFORD from Congress. I shall always be grateful to him for his helpfulness to me during my first term in the House. His advice and suggestions from time to time have been most helpful to me. I have not yet found him in error. He is one of the most genial and genuine gentlemen I have ever known. His simple, frank, modest, and friendly manner is not assumed; it is a result and bespeaks the man beneath. He is one of the few men of whom I have heard no critical word spoken. If others have disagreed with his views, they have not questioned his sincerity and high purpose. The people of the 12th Congressional District have been most fortunate to be represented by a man of Judge SHUFORD'S quality. He has enjoyed as well as deserved the respect and admiration of his fellow Members of Congress and has made many notable contributions to his District and to the Nation. I join other members of the North Carolina delegation and his many friends here in the House in wishing Judge SHUFORD good health and happiness and the very best of all that life has to offer.

Mr. KITCHIN. Mr. Speaker, I had a deep sense of sadness when my distinguished colleague and close friend, Judge GEORGE SHUFORD, announced his intention to retire from the Congress at the end of this year. While his decision to retire is regretted by all of those who have enjoyed close association with him here, I am sure it is wise from the standpoint of his personal welfare.

In his retirement, the House will lose the services of a great American who has continuously had the interest of his State and Nation at heart since serving as a soldier on the battlefields of France. He has served his people and his country with distinction in positions of responsibility and leadership for many years and has earned a well deserved rest from his arduous duties. As a public servant his every act has reflected a keen intelligence and an humble but great capacity for fair and just consideration of the rights of all with whom he dealt.

As an individual, he has endeared himself to all of his colleagues by his sincerity and loyalty, and especially to me has he been a close and valued friend. The counseling and advice he has given to me in many matters since I entered the Congress have been invaluable. I hope that after his retirement our paths will cross often and that he will find the time to visit with his many friends in future sessions of the House.

The judge and his charming wife will go back home to the beautiful mountains of western North Carolina and I wish for both of them continued happiness, good luck, and God's richest blessings.

Mr. LENNON. Mr. Speaker, I would like to pay tribute to a good friend and highly respected colleague, Judge GEORGE A. SHUFORD, who is retiring as a Member of the House of Representatives at the close of the 85th Congress. I deeply regret the necessity for his decision to leave his service with us.

Judge SHUFORD comes from the Blue Ridge and Great Smoky Mountains section of North Carolina. Surely the grandeur and strength of these great mountains molded the character and the dedicated life of their native son.

GEORGE SHUFORD brought to the Congress a vast and rich experience of public service. He served in the North Carolina State Legislature, and there I had the privilege of observing his legislative ability and his wisdom. He moved on to a position of honor and eminence as a judge of the North Carolina Superior Court where he gained great respect for his keen sense of justice and fairness.

As a Member of this body since January 1953, Judge SHUFORD has been forceful in representing his constituency and courageous in advocating his convictions for the general welfare of our Nation.

In the recent North Carolina primary Judge SHUFORD had four opponents. He waged a successful campaign against the opposition in spite of illness that developed. Since that time, Judge SHUFORD'S health has not permitted his resumption of duty in the way he thought his people should be represented. Recognizing his vast obligation to be an effective and active representative, he voluntarily withdrew as a nominee for United States Representative from the 12th District of North Carolina.

We shall greatly miss the help and leadership that Judge SHUFORD has given us in the House. I personally wish for him improved health and many years of happiness back in his native hills of North Carolina.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Georgia.

Mr. FLYNT. Mr. Speaker, I join with the members of the North Carolina delegation in their words of praise and in extending Godspeed and best wishes to our beloved colleague and friend, the Honorable GEORGE A. SHUFORD, Representative of the 12th District of North Carolina.

GEORGE SHUFORD was one of the first Members of Congress whom I met after my election to this body, and we became friends at our first meeting. We live in adjoining States. I had many times visited in his home District and his home city, and there were many items of mutual interest to us.

He attended and graduated from the University of Georgia, the same University which in later years I attended and from which I graduated.

In addition to being a member of the bar and a distinguished jurist in North Carolina, he was also a duly admitted member of the bar in my own State of Georgia.

GEORGE SHUFORD has served his District, his State and his Nation with ability, with honor and with proven dedication.

I regret that Congressman SHUFORD has felt it necessary on account of his health to retire from Congress. I am equally sure that the citizens of the District which he so ably represented likewise regret his decision, but I also know that they understand.

He was respected, admired and beloved in western North Carolina and this has been attested to by his election on three different occasions to the House of Representatives. Only recently he was renominated by an overwhelming majority of the combined votes of several opponents to again represent his District for a fourth consecutive term.

GEORGE SHUFORD voluntarily retires from his service in the House of Representatives and with his devoted wife returns to the hills of home. With him go our best wishes for many, many years of happiness. We shall look forward to seeing him often and we wish him Godspeed in all his endeavors.

Mr. JONAS. Mr. Speaker, I wish to join my colleagues in bidding GEORGE SHUFORD au revoir. I do not say goodby because I expect, and certainly hope, that our paths will cross frequently in the days and years that lie ahead.

It has been a genuine privilege, as well as a pleasure, to serve in Congress with GEORGE for these last 6 years. Our personal and official association has always been most pleasant and, to me certainly, profitable. Our Districts adjoin in North Carolina and we have cooperated in many activities of interest to them. It has always given me a great deal of pleasure and satisfaction to work with GEORGE on these projects in which our people were interested.

GEORGE SHUFORD was a distinguished citizen of our State before he came to

Congress. His training and experience had fully equipped him to discharge the duties and responsibilities of membership in this body. In the discharge of those duties he lived up to the expectations of his friends and fully justified their faith in him. As he voluntarily retires from Congress he leaves behind a host of friends who respect him for his great abilities, admire him for the courage he has displayed, and rejoice over the fact that his health is improving.

I wish to be numbered among his many friends, here and elsewhere, who wish for GEORGE SHUFORD long life, good health, and a full measure of happiness and contentment in the years ahead. Under the loving care of his devoted wife and family, and among the host of lifetime friends who await his return to the "Land of the Sky," I sincerely hope and trust that all this will come to pass.

Mr. ALEXANDER. Mr. Speaker, it is with a feeling of sadness that I join my colleagues in paying tribute to Congressman SHUFORD on the occasion of his pending retirement.

I have never had a closer friend and have never known a kinder or more considerate person than Judge SHUFORD. In our association he has always been like an older brother to me. I am proud that I have had the pleasure and privilege of knowing him so well, for it makes me feel that I can share with his many friends the happy memories of our association here in the House.

Shakespeare said, "The apparel oft proclaims the man." A similar statement could be made, with equal truth, about the life a person leads and would certainly apply to Judge SHUFORD. To me the life he has led in the House proclaims the man of integrity and loyalty—a conscientious Representative, a real public servant, never selfish and never indifferent to the problems of others. Never have I found him too busy to lend an ear to any problem I might have or a helping hand for any aid I might need.

In his position of influence and distinction he has been eager in service, constant in labor—fighting a hard fight to accomplish for his people the things he believed to be right and in their interest. He has been a constructive advocate of international goodwill and world peace, foe of war and by the same token friend of humanity. He exemplifies the ideals for which our Government stands and our society in this present day world has a great need for men of his caliber.

Judge SHUFORD has won the admiration of his colleagues by his resourcefulness, his courage, the nobility of his vision, the determination and enthusiasm of his service in the House of Representatives since his election to the 83d Congress.

I have never known a man of greater stature. As you all know he won renomination in the Democratic primary over three other candidates which is equal to election in his District. While Judge SHUFORD could doubtless have remained in Congress and ably represented his constituents indefinitely he decided to retire even though assured of reelection because he felt that possibly he would be unable to render maximum service to his constituents. This to me is the acid test of sincerity, loyalty, and devotion to his country, which truly bespeaks the character of our beloved friend and colleague, GEORGE SHUFORD.

Like most of us, during the heat of a campaign or the busy, hectic days of legislative duty, Judge SHUFORD has envisioned quiet and restful hours in his beloved North Carolina mountains.

It is with a sense of great loss that I, and I am sure all the North Carolina delegation and other Members of Congress, see him retire from the Congress, but in the realization of his dream we wish the Honorable GEORGE A. SHUFORD good health, happiness, and good fortune in his future undertakings.

Mr. WHARTON. Mr. Speaker, it is with profound regret and sorrow that I have learned of the voluntary retirement of our good friend and colleague, the Honorable GEORGE SHUFORD of the great State of North Carolina. It was my pleasure and privilege to serve with Judge SHUFORD, as he was known to our fellow members of the Interior Committee. He was a hard worker in committee, ever alert to the interests of his District and his opinions and judgment were highly respected by everyone. The House has been honored by his distinguished presence and he has served his constituency and his native State in the finest tradition.

I am informed that he will return to his native Asheville to be with old friends and his fine family and we can only extend our best wishes for good health and many happy years there. We shall all look forward to his future visits and the renewal of good friendships in Washington.

Mr. BONNER. Mr. Speaker, it has been my pleasure and good fortune to know the many able men sent by the great State of North Carolina to the Congress during the past 33 years. Both in the House and Senate; they have left their mark and been outstanding. GEORGE A. SHUFORD from the 12th District of North Carolina has measured up to the high quality, leadership, and statesmanship of his predecessors both from his District and the State. Before coming to the House of Representatives he had demonstrated to his District and the State those qualities that make one proud to have GEORGE as a friend, and as a friend he is ever true and loyal. His love and devotion to his family is one of his most beautiful characteristics. I have enjoyed his wholesomeness and ready wit. GEORGE will be missed by his many friends here in the House. I do hope and pray he will enjoy the rest he deserves and soon be returned to his former good health. My best wishes to you GEORGE; a fighting soldier and true Christian.

Mr. ANDREWS. Mr. Speaker, during my 15 years service in the House I have never known a finer member than GEORGE SHUFORD. He possesses what I conceive to be the finest qualifications that a public official can have. He is as honest as the day is long. He is able and courageous. He is devoted to duty and has always been mindful to the oath he took to uphold the Constitution and laws of this land.

The voluntary retirement from the House of Representatives of the United States Congress by GEORGE SHUFORD is a great loss to his native State of North Carolina and to this Nation.

I wish for him the best of everything in the years ahead when he enjoys a well-earned rest from a lifetime of useful service to his country.

Mr. HALEY. Mr. Speaker, the majestic mountains of North Carolina produced and nurtured a tower of strength in the person of GEORGE ADAMS SHUFORD, able attorney, soldier, State legislator, trial judge, and distinguished Congressman. The Nation, the State of North Carolina, the 12th District of North Carolina, and the Congress has benefited by his membership and devoted service in this body. Since his election to the Congress, Judge SHUFORD has been a strong, vigorous, and capable leader who has rightfully earned the respect of all his colleagues by proving himself to be as unwavering in his devotion to duty as those great old mountains he calls home.

Judge SHUFORD has been an outstanding Member of this body. His intelligence, his legal capacity, his great love for his country, and his warm personal regard for people especially fitted him for public service. The fact that he was overwhelmingly renominated for another term in the Congress is ample proof of the great respect his constituents have for him. They recognize his great ability, his zeal to render the best service possible, and they value his strength of character. The 12th District of North Carolina could depend upon his steadying influence. Undoubtedly, Judge SHUFORD could have remained the Representative of the 12th District as long as he desired. However, because of his firm conviction that a public servant must be physically strong in order to effectively represent his constituency, the Judge considers it his duty to retire.

It has been my good fortune and pleasure to have been closely associated with Judge SHUFORD since he and I first came to Washington as Members of the 83d Congress. We have served together on both the Interior and Insular Affairs Committee and the Veterans' Affairs Committee. From that association, I have gained very much by getting to know Judge SHUFORD. Those who labored with him in these committees soon learned that he could not be swayed by emotional and illogical appeals. Judge SHUFORD was recognized for his astuteness in carefully evaluating the facts, for his minutely sifting and casting aside extraneous matter, and his uncanny ability to come to grips with the issue under consideration. Upon the basis of such analysis, Judge SHUFORD would firmly take a sound position from which he never faltered.

It is especially difficult to express farewell to Judge SHUFORD. I sincerely regret that circumstances are such that he deems it advisable to retire from active public service. In so doing, he can enjoy the satisfaction that comes to a man for having done a good job, for he

has served his country and his State with distinction. We extend to Judge SHUFORD and his charming wife our sincere best wishes for many years of happiness and contentment together in their beloved mountains of North Carolina.

Mr. ROGERS of Florida. Mr. Speaker, it was with deep regret that I learned that my good friend, Congressman GEORGE SHUFORD, was retiring from the Congress after the close of this session. My father, Dwight L. Rogers, who represented the Sixth District of Florida for many years, counted Judge SHUFORD as one of his close friends, and it has meant a great deal to me to continue this warm friendship. His advice and counsel have indeed been invaluable.

Judge SHUFORD represents the 12th District of North Carolina which embraces the beautiful, mountainous section of the State and which many residents of the Sixth District of Florida count as their second home. He has rendered an invaluable service to his District and served it ably and well. His fine service will be greatly missed by all of the residents of his District, as well as the entire State of North Carolina.

I join with all of his many friends here in wishing for him a full return to health and many good wishes to him and his fine family for continued happiness.

Mr. SIKES. Mr. Speaker, I want to join many of my colleagues in paying tribute to one of the finest Congressmen it has been my privilege to know and work with since I have been in the House of Representatives, the Honorable GEORGE A. SHUFORD.

Although Congressman SHUFORD'S period of service in the Congress has been a relatively short one, he has earned the respect and admiration of his colleagues by his hard work, intense patriotism, and untiring efforts to promote the interest not only of his native State and District but of the Nation as a whole. His fine legal background fitted him admirably for representation in the United States Congress, where he has served with both dignity and integrity. He has been a most effective member of the Interior and Insular Affairs Committee and of the Veterans' Affairs Committee.

As Congressman SHUFORD leaves the Congress to return to the private practice of law, he carries with him the respect and best wishes of all who know him. It is my hope that he will enjoy continued success and happiness in the years ahead. When the 86th Congress convenes in January, he will be sorely missed by all.

Mr. HARRISON of Virginia. Mr. Speaker, with this 85th Congress in its final hours, we near the breach of many rewarding associations. Apart from the decisions to be made by the people on election day, these close relationships of daily legislative work will be severed, in numerous cases, by voluntary individual decisions.

There comes poignantly to mind the withdrawal from public life of our distinguished colleague, the Honorable GEORGE ADAMS SHUFORD of North Carolina. For considerations of health, Judge SHUFORD has found it necessary to withdraw his candidacy for reelection—a decision learned with sincere regret by his many friends and admirers in this House and in the 12th Congressional District of North Carolina, which he has served so conscientiously and ably.

I need not recall to his colleagues how this beloved, kindhearted man so admirably combines the human qualities of warmth and genuine friendliness with a canny capacity for getting things done. Those of us who have been privileged to work with him have been enriched by the experience. His retirement is a great loss to the Nation and his native State.

As Judge SHUFORD returns to his beautiful mountain-cradled community of Asheville, the prayer and wish of his friends in this House is that his health soon will be fully restored, and that his wise counsel will remain available in the years ahead.

Mr. FOUNTAIN. Mr. Speaker, one of the finest men and most dedicated public servants I know, your friend and my friend, GEORGE SHUFORD, for reasons of health, will not be back with us in the 86th Congress.

I knew of GEORGE'S unfortunate and untimely illness which struck him down temporarily just a few days before he was given a splendid vote of confidence in the recent Democratic primary in the 12th Congressional District of North Carolina. Nonetheless, I was shocked beyond words when I heard of his resignation as the Democratic nominee to Congress in the coming November general election in the 12th Congressional District of North Carolina. I was especially saddened by his decision because I knew of the rapid progress he had made on the road to recovery. Like you and his many other friends here, I had hoped he would decide to stay with us. In fact, he looked wonderful on the floor of the House just yesterday.

Unquestionably, had GEORGE SHUFORD chosen to remain in the race as a candidate for reelection to the 86th Congress, he would have been returned to us by the people of his District. However, because of his own personal fears that he might not be able to continue to serve the people of his District as fully, completely, and effectively as he would like, he chose to let his people send another in his place. He wanted no question to be in their minds about the health of their Representative in the Congress. This unselfish attitude characterizes the kind of man he is.

My colleague, HUGH ALEXANDER, and I will probably miss GEORGE more than any other Member of the Congress, although he was a very close and devoted friend of many with whom he has served. We three have been together for some time in the school of public service. We are fraternity brothers so to speak since we were in the North Carolina Legislature together. Though GEORGE was subsequently elevated to the high office of superior court judge of North Carolina, where he served with great honor, ability, and distinction, we three came to Congress together. Our wives are close friends. No couple that ever came to Washington more beautifully and thoroughly built themselves into the work and lives and hearts of those with whom they associated than the SHUFORDS.

No Member of the Congress is held in higher esteem by his colleagues than is GEORGE SHUFORD. In fact, whether or not one always agreed with him, he had the type of confidence and respect of his colleagues without which a Member of Congress might just as well not be here. He has demonstrated great legislative ability throughout his career in the Congress. He has come to be known as one of the most outstanding Members of this body. He was serious and, at the same time, good humored. He has reflected great credit upon himself, his family, and the people of our State and Nation. It has not been his nature to be spectacular. He has not been a blowhard in the cave of winds, but he has been a master of person-to-person conversation in the cloakrooms and around the committee tables, over the telephone, and wherever he has moved here in Washington. He got things done without a lot of lost motion. His keen insight and judgment, his tolerant and sympathetic understanding, his genuine friendliness and gentleness, his cordial, captivating and relaxing smile, his soft words of wisdom, his devotion to duty, his love for his family and his people back home are the hallmarks of a great person and a noble public servant.

Mr. Speaker, in these troubled times when the world is faced with seemingly impossible differences between men and nations; when uncertainty, confusion and indecision characterize the attitudes of statesmen and diplomats in all of the world's capitals, including our own; when the evil which possesses man is manifesting itself more visibly; when the spirit of hate, jealousy, greed, and lust for power still dominates so many human hearts; when selfishness seems to have gripped the entire human race; when castles of wisdom and sympathetic understanding are so desperately needed, our country suffers a great loss when such a man as GEORGE SHUFORD, though one man he is, retires from public service. This able and distinguished Member of the 83d, the 84th, and 85th Congresses of the United States, affectionately referred to by me as GEORGE, known and loved as GEORGE or "Judge" by his associates and vast numbers of people who knew him only by reputation, never lost the common touch. He never forgot that he was the servant of all—the most humble, the rich and the poor, the high and the low—educated and uneducated alike. This, to me, made him the kind of public servant America needs more of.

The poet, Kipling, might well have been speaking of men like GEORGE SHUFORD when he said:

If you can talk with crowds and keep your virtue,
Or walk with kings—nor lose the common touch,
If neither foes nor loving friends can hurt you,
If all men count with you, but none too much;
If you can fill the unforgiving minute
With 60 seconds' worth of distance run,
Yours is the earth and everything that's in it,
And—which is more—you'll be a man, my son.

GEORGE SHUFORD will not be back with us in January. All of us will miss him greatly. I think I can assure him that when he leaves this great House of Representatives and returns to private life at his home in the beautiful mountains of western North Carolina, he will carry with him the respect, admiration, and devotion of every Member of this body.

I, therefore, want to join my colleagues from North Carolina and others in this, the greatest deliberative body on earth, in paying this sincere tribute to a great man, GEORGE SHUFORD, and in expressing the hope that he and his lovely and loving wife, Daphne, and their loved ones will enjoy during the years that lie ahead an abundance of the greatest things in life—good health, happiness, and friends.

Mr. BARDEN. Mr. Speaker, with leave to extend my remarks, I would like to join with many other Members of Congress in paying high tribute to one of the closest friends I have ever had, in or out of Congress, the Honorable GEORGE SHUFORD, of Asheville, N. C.

Many deserving words have been said by our colleagues in describing GEORGE'S outstanding record of service to our State and Nation as an able attorney, a conscientious State legislator, a distinguished jurist and a courageous and wise Representative of his people in the Congress. To all these things I wholeheartedly subscribe and they are well known to all that know the Judge.

But above all this is GEORGE SHUFORD, the man. He is a kind, devoted, and loving husband and father; always true and loyal to his friends; a man of keen perception and wise judgment; a man possessing an understanding heart and the highest sense of integrity.

Everyone during his lifetime meets and gets to know thousands of people, many of whom become cherished friends. But there is a special category set aside for a few people that he feels as close to as members of his family. GEORGE and his lovely wife, Daphne, are in my special category. In my book, GEORGE is a 100 percent solid American, and I look forward to our continued close friendship through the years.

AMENDING CHAPTER 223 OF TITLE 18, UNITED STATES CODE

Mr. WALTER submitted the following conference report and statement on the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 2702)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 28, United States Code, to provide for the admission of certain evidence, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

At the end of subsection (a) strike the period and insert the following: "*Provided*, That such delay is to be considered as an element in determining the voluntary or involuntary nature of such statements or confessions."

And the Senate agree to the same.

FRANCIS E. WALTER,
EDWIN E. WILLIS,
KENNETH B. KEATING,
WILLIAM C. CRAMER,
Managers on the Part of the House.

JOSEPH C. O'MAHONEY,
JAMES O. EASTLAND,
EVERETT MCKINLEY DIRKSEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amended the House version by inserting in section 3501 (a) the word "reasonable" before the word "delay." The purpose of such an amendment was to make it clear that the proposed legislation did not intend to approve unreasonable delay in taking arrested persons before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

The bill, as it passed the House, provided for a statuory rule of evidence for the admissibility of statements and confessions in criminal proceedings in the courts of the United States. While the House version did not contain the word "reasonable" in referring to delay, it still provided that statements and confessions otherwise admissible should be admitted into evidence and not be excluded solely because of delay in bringing the arrested person before the committing magistrate.

The amendment as agreed to by the conferees of both Houses is to make it clear and definite that the existing rule of evidence governing the admissibility of statements and confessions shall not be disturbed by the enactment of this legislation. The proviso as contained in this amendment is to that effect, that under all the circumstances, if the statement or confession is found to be involuntary, it shall be excluded. Thus the question of delay will always be a factor to be considered by the court in deciding whether or not the statement or confession is voluntary and therefore admissible in evidence.

FRANCIS E. WALTER,
EDWIN E. WILLIS,
KENNETH B. KEATING,
WILLIAM C. CRAMER,
Managers on the Part of the House.

Mr. WALTER. Mr. Speaker, I call up the conference report on the bill, H. R. 11477, to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

The Clerk read the conference report.

Mr. KEATING. Mr. Speaker, the amendments recommended by the conferees do not alter the central objective of the bill passed by the House. That objective was to restore the constitutional test of voluntariness as the basis for determining the admissibility of confessions. The conference amendments make it clear by express language that voluntariness is now to be the test in these cases.

I want to say frankly that in my opinion no amendments at all were necessary to the House bill. I think we passed a good bill—one that preserved fair procedures without allowing a game to be made of law enforcement. It was a balanced measure designed to correct the public peril created by the Mallory decision but which at the same time contained new and explicit protections for arrested persons.

The conferees had the difficult task of reconciling the House measure with the quite different bill adopted by the Senate through the insertion of one word "reasonable." The description of what we mean by this word incorporated in the last clause of the bill represents more a clarification than a concession.

Approval of this legislation will cancel the mathematical equation devised by the Supreme Court between the promptness of arraignment and the admissibility of evidence. It will express in no uncertain terms our objection to this kind of mechanical jurisprudence.

The Mallory decision distorted the intention of Congress in approving, and the intention of the original Supreme Court Advisory Committee in recommending, adoption of rule 5. It was never intended that rule 5 operate as a rule of evidence. The bill corrects this misinterpretation.

The bill will eliminate the monumental confusion the Mallory decision has caused. It will answer the pleas of numerous civil, legal, fraternal, and law-enforcement groups all over the country for Congressional action. And it will remove the unreasonable obstructions to justice which now exist.

The need for this corrective legislation is critical. I am gratified that the conferees were able to reach agreement and hope there will be prompt approval in both bodies.

Mr. CRAMER. Mr. Speaker, as a member of the conferees, I am happy that a majority conferees' report has been made to the House and I am hopeful of unanimous House approval of the Mallory bill (H. R. 11477) as reported.

In the Mallory case, the court permitted a confessed Negro rapist to go scot free by ruling that his confession was not admissible in evidence, although voluntarily made, because he was held for 7½ hours between his arrest and his arraignment.

This situation demanded Congressional action in that it is essential that confessed criminals should not be permitted to avoid conviction on this sham basis alone.

The Senate added the word, "reasonable" modifying "delay," to the House version and, of course, this had the effect of codifying into law the judicial rule of evidence laid down in the Mallory decision which was highly objectionable.

As a House conferee, and believing that this decision must be reversed, I refused to agree to the Senate version because the will of the House had been clearly expressed by an overwhelming vote in opposition to the Mallory decision.

The conferees agreed on a compromise which, in my opinion, reaffirms the House position which, in effect, provides

that delay between arrest and arraignment should be one element in determining whether a confession is voluntary or involuntary. The House position is being sustained in the conferees' report because the test will still be whether the confession is voluntary or not, and the period of delay will only be one element in determining this question. This has consistently been the position of the House; it has consistently been my position, and I believe it should be the position of the Supreme Court in the future.

I hope the enactment of this bill will result in more sensible and constructive decisions on the part of the Federal courts in the future.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WALTER. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the conference report just adopted.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

A REPORT TO YOU

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the events of the past 2 years opened like Pandora's box and smacked the whole world in the face.

A new era was born. Manmade moons and intercontinental missiles drew our eyes skyward, and polar submarines sent our minds probing the deep.

And Congress burst its working seams to grasp the load thrust upon its shoulders. This 85th Congress faced the onslaught at first with the normal amount of prodding and fretting, then swung in with the big stick when it really got into action.

A Government agency was born to handle our space business. A new State made the 49th. Congress' assembly line of legislation slowed down recession, boosted foreign policy, strengthened defense, and held hands with the administration at the right time and the right place.

Bipartisanship helped to step up the record of the 85th Congress to one of the best any Congress ever made. Now its Members scatter to the four points to test the effects of their handiwork and seek and study the needs of the people and the country which the next Congress will struggle to fulfill.

There is unrest in many parts of the world and much uneasiness in this Nation. High prices, scarcity of jobs, shortage of schools, and the farmers' dilemma still rear their threatening heads about us and much work is yet to be done when the new Congress convenes next January.

The 85th Congress has a good record, and right now is the best time to review it and the part your Congressman had in its making.

A review of the accomplishments of this Congress and the world situation will be inserted in the RECORD at a later date.

EDWARD ARTHUR PATTERSON LAKE

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate joint resolution (S. J. Res. 179) to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake."

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. KRUEGER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

THE WELFARE OF AGRICULTURE TRANSCENDS POLITICS

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to addres the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I am gratified that some progress has been made in recent years, and especially in recent months, to work out some sound solutions to our farm problems.

The welfare of agriculture transcends politics. All of our people are vitally concerned that our farm families shall fully share in the national prosperity. We want, and we need, an agriculture that is prosperous—that is dynamic—an agriculture that is free.

The big task of the past few years so far as agriculture is concerned has been—and remains—to fit farm programs to changing needs.

We cannot turn back the technological revolution in agriculture. It is a plain fact that an average farmer produces in 1 hour today what he produced in 2 hours in 1940—and as much as he produced in 3 hours in 1910. Think of the impact of this fact and the problems resulting therefrom as well as resulting benefits.

I repeat, we cannot turn back that technological revolution. No thinking person wants to turn back. On the contrary, the people will want it to continue. We must not fear it. We must use it. We must built better markets to match our productivity. We must find and create new and expanded markets for our farm commodities here at home and across the seas as well, with freedom-loving people everywhere.

The approach of this administration to this basic question is sound. A careful study will show that it is paying good dividends.

The solution to our surplus is not ever more stringent acreage controls. We have seen the Corn Belt suffer a long time from the scarcity approach—the idea that the way to get fair prices and fair income is to cut back acreage allotments more and more. Yes, Mr. Speaker; farmers in Iowa, in Illinois, and in other States of the Corn Belt have watched while acreage diverted from wheat and cotton in other areas has gone into oats, soybeans, barley, and sorghums. They have watched while the corn-producing area has been spread out and diluted.

Twenty years ago, the commercial corn area included 566 counties in 12 States. Now it includes more than 900 counties in 26 States.

Acreage controls have failed to bring agricultural production into line. The corn program has not worked. Farmers have rebelled against it. That is why a year ago last December 62 percent of the corn farmers who voted in the referendum favored the elimination of corn-acreage allotments. That is why in 1957, only about one-seventh of the corn production in the commercial corn area was eligible for the full price support.

New legislation now makes it possible for corn producers to free themselves from these outmoded, antiquated controls and to become eligible for price support on a more realistic, more workable basis. The same legislation provides a sounder basis for livestock producers, for cotton and rice growers, and for agriculture in general.

I believe—and I feel sure my constituents in Iowa also believe—that the new farm bill is a sounder approach to an old and very difficult problem.

Mr. Speaker, agriculture is now a bright spot in our national economy picture. So far this year, both prices received by farmers and net income realized by farmers have been higher than in any similar period since 1953.

Crop yields this year may break all records. Yet, prices are staying up.

I think this reflects the confidence that farmers and the public generally have in the administration's farm program. Bountiful crops along with better price are what farmers most desire, and in Iowa farmers have both. Hog and cattle producers in my District are doing very much better than they were a few years ago.

Let me cite some national figures that prove the fact that the economic position of the farmer is improved materially.

During the first 6 months of 1958, prices received by farmers averaged 8 percent higher than they did in the same period of 1957, and realized net income averaged 22 percent above the first half of 1957.

Total net income per farm in the first half of 1958 was running higher than in 1953.

Farmers sold $13.8 billion worth of crops, livestock, and livestock products in the first half of 1958—a new gross farm-income record. Not only was this 11 percent more money than farmers received in the same months of 1957—it was nearly 5 percent above the previous record set in the first half of 1952—and that, I remind you, was in the midst of the big commodity demand created by

the war in Korea. This is highly significant progress. It is one of the dividends of a sound and dedicated approach toward some of the very difficult problems of the farm economy.

Markets are agriculture's prime need. What has been accomplished under this administration in opening up foreign markets—especially through the Agricultural Trade Development and Assistance Act—has been most impressive.

Look at the record of farm exports over the past few years. In fiscal 1953, total farm exports were valued at only $2.8 billion. From that low point—the lowest incidentally since 1945—the value of our farm exports has risen year by year until it hit the all-time high of $4.7 billion in fiscal year 1957. In the fiscal year just passed, farm exports were estimated at about $4.1 billion—the second highest on record.

In fiscal 1957, when exports reached an alltime high of $4.7 billion, we exported the production equivalent of 60 million acres. Products equal to the output of one-fifth of our cropland were sold, bartered, donated, or otherwise moved to foreign customers.

About two-fifths of these exports were shipped under Government programs. The most important of these programs is the Agricultural Trade Development and Assistance Act of 1954, popularly known as Public Law 480.

Thus, Government programs and aggressive marketing have put extra dollars into the pockets of farmers in every section of the Nation and record exports have helped ease the burden of surpluses.

But what is just as important, these programs and these record exports are an important element in the Free World's fight against communism. In addition to our sales for dollars, our sales for foreign currencies, and our exchanges for barter, about 60 million people in 80 countries are receiving much-needed food donated by the United States. No amount of propaganda can fully obscure the meaning of that gesture of good will.

Yes, this administration has put forth telling efforts to reduce surplus holdings which in the main were amassed under laws carried over from the previous administration. Over the span of the last 5 years, commodities which cost CCC $14 billion have been moved out of the national inventory and into useful consumption.

Ten billion dollars of the total was accounted for by corn, wheat, dairy products, and cotton. Had those commodities still been in storage this year, we would not have seen the marked price betterment which has occurred. Disposals during the fiscal year just ended amounted to $3¼ billion.

Here is another way to describe the success of these disposal programs:

From a peak of 8 billion 930 million dollars in the spring of 1956, the CCC investment dropped to 7 billion 160 million by May of this year.

Another accomplishment of great interest to Iowa in view of the coming corn harvest is the expansion of storage facilities. Farmers, industry and Government have done the largest storage job in history. With help from the United States Department of Agriculture in determining areas of greatest storage need, the commercial storage industry increased its capacity by more than 600 million bushels from 1954 until late in 1957. Commercial increases have, fortunately, continued this year at an even faster rate.

Farmers have also added materially to their own on-farm storage space. During recent years, about 350 million bushels of new capacity has been added under the USDA's special farm facility loan program. These facilities are vital to the sound operation of the price support program.

We have used the Soil Bank, too, to reduce the surpluses. But for operations of the Soil Bank this year, surpluses would have been increased by the products from 27 million acres of farmland which were taken out of production.

In Iowa alone, 1,021,000 acres were withdrawn from 1958 production. Soil Bank commitments to owners of the 38,926 Iowa farms involved total $49,901,000.

I have reviewed in detail some of the major farm accomplishments of this administration. Now I want to cite some brief but significant highlights of many other accomplishments.

Some of our opponents like to paint the farmer as a man who has been forgotten by this administration. Nothing could be farther from the truth. In no other administration have farmers and farm problems received so much careful study and help as has been the case since 1953.

Let me cite chapter and verse. Since 1953 the Rural Electrification Administration has helped nearly 1,000 rural electric systems and almost 600 rural telephone systems.

Appropriations for agricultural research have been almost doubled.

Family type farms received loans totaling $178 million in fiscal 1958—compared with $130 million in 1953. Farm ownership loans went from less than $30 million in 1953 to more than $50 million in fiscal year 1958.

The school-lunch program in fiscal 1958 served nearly twice as many complete meals as it did in 1951.

Soil-conservation appropriations have increased every year since 1953. Appropriations for the current fiscal year are $128 million as against $70 million in 1953—an increase of 83 percent.

Approximately $600,000 has been extended in disaster and drought aid since 1953.

More than half a billion pounds of meat, costing $225 million, were bought in times of market glut to bolster cattle and hog prices. The products were distributed through school lunch and other outlets.

That's a sizable list of accomplishments. But there's an even larger list of new accomplishments—things done for the first time—under this administration.

A new Animal Disease Laboratory at Plum Island now studies foreign animal diseases for control purposes. Another new laboratory located at Ames in my own State will wage an unremitting battle against native diseases.

An accelerated campaign against brucellosis has raised the number of States reaching modified-certified-free status from 3 in 1954 to 13 in 1958.

Operation Outdoors was set up to expand recreational facilities in the national forests. Timber cut in the national forests is the highest on record. For the first time in 1957 the Forest Service planted a billion trees in 1 year's time. Forest fires in 1957 hit an all-time low.

The importance of water has received new recognition. The first Soil and Water Conservation Advisory Committee was established. The Watershed Protection and Flood Prevention Act, providing aid to small watersheds was enacted in 1954. Requests for aid have been received from more than 900 watersheds.

A Great Plains conservation program was put into operation.

A rural development program was started and is now operating in 30 States.

A special milk program was started in 1954 and operated last year in 75,000 schools.

A bipartisan National Agricultural Advisory Commission was established in 1953 to assist in reviewing and developing farm policies and programs.

The Farm Credit Administration was made an independent agency and the agricultural credit system was made more responsive to farmers' needs.

The Agricultural Marketing Service was established in the Department's reorganization of 1953 to give greater emphasis to the solution of marketing and distribution problems.

The internal revenue law was amended to permit farmers and ranchers to make tax deductions for the costs of installing certain conservation practices.

Refunding of Federal taxes on gasoline used in tractors and other farm machinery saves farmers $60 million a year.

This is a very brief listing of a remarkable record of farm achievements under this administration. What was sound in the old programs has been improved and expanded. Much that was needed in new programs has been provided. I repeat, it is a remarkable record, indeed.

And the truth is, Mr. Speaker, that the insistence of this administration upon sound programs and policies has paid off in the progress of American agriculture.

Our agriculture is strong—and that is a good thing for the Nation. Our agriculture is the most basic part of the American economy.

I say our agriculture is strong, productive, full of vigor, ready and able to meet the challenge of the future, whatever that challenge might be.

Farm assets are an alltime record high—$188 billion as of January 1958.

Owner equities are also record high after a rise of 7 percent during 1957. They stand at more than $168 billion.

Farm ownership is record high, and the proportion of tenants is lower than ever before.

Farm foreclosures are near the alltime record low.

The standard of living on farms is at an alltime peak.

Farm people own more electrical appliances, automobiles, and have more conveniences than ever before.

Mr. Speaker, this is the record made under very difficult and trying circumstances. These are the facts. Speaking for myself, I am more than happy to have had a part in bringing about these solid achievements.

LABOR-MANAGEMENT RELATIONS IN GOVERNMENT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, members of postal and Federal employee organizations are vitally interested in the action taken by my subcommittee during this past session of Congress on matters relating to union recognition and improved labor-management relations in Government.

At my urging, a subcommittee was appointed to consider H. R. 6 and related legislation. Upon being named chairman of this subcommittee, I scheduled hearings at the earliest possible opportunity. This effort to expedite action was taken at a time when the committee and all Members were deeply engaged in other major legislation, including postal pay and postal rate adjustments, classified pay increases, and retirement annuity increases.

Complete hearings were held at which representatives of all major employee organizations as well as representatives of departments and agencies testified and presented their views. Hearings were held on 12 different days in March, April, July, and August at which time 73 witnesses testified. All witnesses for the administration voiced objection to the provisions of H. R. 6. The primary objection of nearly all department and agency representatives who testified was that legislation of this nature will so encroach upon the administrative functions and responsibility of those charged with the administration of the department that they can no longer be held responsible. Serious doubt was expressed as to the propriety of compulsory arbitration. It was contended that a provision for mandatory punitive action against administrative officials on the basis of decisions by a board of arbitration under a chairman designated by the Civil Service Commission would violate all standards of good administration.

So far as I am personally concerned, the Civil Service Commission should be given greater responsibilities with regard to labor-management matters. Furthermore, the Commission should be strengthened by the selection of well-qualified people to serve in the important post of commissioner. In my judgment, the policy of the House Post Office and Civil Service Committee for many years has been to strengthen the Civil Service Commission in every way possible.

At the completion of these hearings I convened several executive sessions at which every effort was made to work out a bill, based on H. R. 6, which would meet the administration's objections. Because of the administration's strong opposition, it was impossible for the subcommittee to work out such a bill.

In an effort to meet administration objections, I prepared and introduced two separate bills at the request of the subcommittee.

H. R. 12848, which was introduced on June 9, 1958, provided for a more equitable system for the settlement of appeals from adverse personnel actions in the classified civil service. The primary purpose of this bill was to provide nonveterans with appeal rights equal to those enjoyed by veterans. The administration advised that reports on H. R. 12848 could not be submitted in this Congress, thus precluding subcommittee action on this bill.

H. R. 13319, which was introduced on July 8, 1958, provided for an equitable system for the prompt and just settlement of grievances of Federal employees. During the 3 days of hearings on July 24, 25, and August 1, 1958, administration witnesses testified that this legislation was not necessary.

In the face of administration opposition, the subcommittee was unable to take final action on either of these two bills which would have corrected the major deficiencies brought out in the hearings.

In spite of the fact that the subcommittee could not report out a proper bill, its effect upon the administration in getting administrative action has been very successful. The letter by Mr. Siciliano to the department and agency heads and the Civil Service Commission proposing proper grievance procedures is, in itself, I believe proof that the subcommittee has achieved an overwhelming success even without legislation.

I am confident that as a result of the comprehensive study made by my subcommittee it will be possible early in the next Congress to take action which will result in the enactment of legislation designed to improve labor-management relations in the Federal Government.

REPORT TO THE PEOPLE OF THE FOURTH DISTRICT OF WISCONSIN

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a report to my constituents.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, with the ending of the 85th Congress, I have prepared a report to the people of my District on my votes and efforts in the United States House of Representatives.

I believe that it is the duty of a Representative in Congress to give an account of his actions to the people who elected him to this high office. The report which I am about to render describes my position and my votes on all of the major legislative issues considered by the 85th Congress.

SERVICE TO THE PEOPLE

Since my first election to Congress, I have regarded service to my constituents as my first responsibility. I have tried to fulfill it to the best of my ability.

No complaint, request, or letter received in my office has gone unanswered. During my tenure in Congress, I acted upon and replied to over 100,000 individual inquiries and requests from the residents of the Fourth District who had problems with social security, veterans' and other benefits, immigration cases, and many other aspects of Federal legislation.

My District office has been at the service of our people, and forwarded their problems to me while I was attending Congressional sessions in Washington. My Washington staff has been equally dedicated to the task of serving the interests of the residents of the Fourth District.

Through regular newsletters, periodic visits to the District during Congressional sessions, radio and television reports, I have tried to give a full account of my actions in Congress.

This report implements my policy in that regard. It consists of three parts. In the first part, I will briefly review the accomplishments of the 85th Congress. In the second part, I will comment about the record of our present administration. And in the last part, I will include my legislative record as the Representative of the Fourth District of Wisconsin.

PART I. RECORD OF THE 85TH CONGRESS

The 85th Congress was, without doubt, one of the hardest-working Congresses in our Nation's history.

I make this statement not only because of the large number of bills enacted into law, but also because of the complexity of problems which confronted our national legislature during the past 2 years.

TWO OVERRIDING ISSUES

Two major issues overshadowed many other important problems considered by the 85th Congress.

On the one hand, the open demonstration of Communist scientific achievement, embodied in the 3 sputniks, served as a rude awakening to the Free World. With 3 powerful rockets, the Soviets thrust 4,228 pounds of steel and delicate machinery into the outer space. Our 3 small satellites, taken together, weighed 64 pounds.

The military implications of this Soviet achievement were grave indeed. They showed that the Communists have probably succeeded in developing an effective, operational intercontinental missile, capable of carrying atomic warheads to distant lands. This is the point which primarily concerned the Congress.

On the other hand, we experienced a very real recession in our country—a recession which brought a rapid rise in unemployment, together with a continuing increase in the cost of living.

NATIONAL SECURITY

The 85th Congress took a long, hard look at our national defense, and the way in which our Nation has been facing up to the Communist challenge. It became apparent that we were not doing too well. We have been falling behind in some important respects. Our Congress took several steps to remedy that situation.

Legislation reorganizing the Defense Department was approved. Our defenses were strengthened, and their effectiveness improved, through a series of new or expanded programs tailored to meet the realities of our day. Specific authority was provided for more extensive research, and for faster construction of missile bases, detection and warning systems, nuclear-powered guided-missile warships, and other equipment.

At the same time, Congress renewed our collective security arrangements, extended our foreign trade policy, and turned its attention to improvements in our educational system, realizing that, in the long run, education will play an increasingly important role in determining our future position in the world vis-a-vis Soviet Russia.

COMMUNIST THREAT CONTINUES

Congressional actions in this field showed clear recognition of the fact that, in spite of our hopes and efforts to promote disarmament and to achieve lasting peace, we have no alternative at present but to continue building up our defenses—both at home and abroad.

If anything, Soviet rocket and missile achievements make our overseas bases and allies even more important to our own security.

It should be clear to everyone that the Communist threat has not disappeared. Their plans for world domination are real, very real. Behind the false front of friendly smiles and gestures, the Communists continue improving their war machine and have recently launched a new campaign of economic penetration and subversion.

It costs the United States over $40 billion a year to meet this threat.

COMBATING RECESSION

The Democrat-controlled 85th Congress moved forcefully to meet another threat—the threat of a deepening economic recession at home.

Federal spending on defense, highways, and other programs was speeded up to stimulate employment. The emergency housing bill was approved, and a $4 billion increase provided in FHA mortgage insurance authorization. Federal unemployment compensation was extended to jobless workers who exhaust their State benefits. Overdue salary adjustments were enacted for the military, for postal and other Government employees. The Congress also took action on other measures intended to stimulate economic recovery.

As I have already indicated, I prepared a list of all major legislative issues considered by the 85th Congress. Bills dealing with the recession, as well as bills relating to national defense, international affairs, veterans and servicemen, social security, health and welfare, and other fields are included in that list. Before proceeding to examine them, however, I want to comment on the record of the present Republican administration.

PART II. RECORD OF REPUBLICAN ADMINISTRATION

In contrast with the achievements of the 85th Congress, the record of our present Republican administration has been disappointing, both with respect to international relations and with respect to our domestic affairs. I shall touch upon each one of them in turn.

UNITED STATES PRESTIGE SUFFERS

On the international scene, United States prestige has continued to decline. The hesitant, bungling administration of our foreign policy—which rests in the hands of the President and of his Secretary of State—has confused and alienated many of our friends. At the same time, it has played into the hands of the Communists, who have been making headway in penetrating the underdeveloped countries of the world.

The rise of Communist influence in the Middle East; the anti-American demonstrations in many parts of the world; and the stoning of our Vice President in South America, give ample proof of what has been going on.

The Republican misadministration of our defense and foreign policy was further exposed by the appearance of the Soviet sputniks. In spite of the fact that the President has at his disposal some 20 agencies engaged in intelligence activities, the Communist achievement came as a big surprise. We should have been prepared for it, but we were not. We were lagging behind, but our Chief Executive did nothing about it until public and Congressional pressure forced him to act.

RECESSION AT HOME

The administration's response to the recession at home, and the resulting high level of unemployment, was equally unsatisfactory.

While production fell off, and unemployment increased, the administration decided to adopt a wait-and-see policy. Prompt Congressional action, which I have already described, helped to remedy the situation. Programs approved by the Congress aided in bolstering employment and public confidence, and in reviving economic activity.

CORRUPTION

The most disappointing aspect of the present administration has been the practice of a double standard of morality in government.

Everyone remembers, I am certain, the countless pledges of Republican office-seekers and officials, from the President down, to clean up Washington, to deal instantly and forcefully with any evidence of corruption, and to follow a code of meticulously clean and high ethical standards. The President promised his administration would be "clean as a hound's tooth."

We need only to recall the scandals of the last few years, and such names as Harold Talbott, Wesley Roberts, Adolphe Wenzell, Peter Strobel, Edmund Mansure, T. Coleman Andrews, Hugh Cross, Murray Chotiner, Robert MacLeaish, Robert Tripp Ross, and Richard Mack, to realize that those pledges meant very little.

In each case, the improper conduct was exposed either by the Congress or by the public. The pressure for a cleanup also came from the people and the Congress. The administration spent little effort on its own to clean up its ranks.

The recent Adams-Goldfine affair has followed the same pattern. It has given us a tragic demonstration of what happens when promises are not backed by action, and when one standard is applied to the conduct of public officials in power, and another to the rest of the people.

PART III. MY LEGISLATIVE RECORD IN CONGRESS

The table appearing at the end of this part contains a detailed account of my position on all major bills considered by the 85th Congress, and describes their status.

In addition, I am including in this report a brief summary of my past legislative actions, and a listing which shows to what extent the Fourth District, and the Milwaukee County as a whole, participated in federally sponsored and supported programs during my tenure in Congress.

FEDERAL TAX MONEY RETURNING TO MILWAUKEE

During my five terms in Congress, I considered it my responsibility to see to it that the Fourth District may receive a fair share of Federal tax dollars. I worked for adequate appropriations for programs which are of direct interest and benefit to the people of the Fourth District.

POST OFFICE IMPROVEMENTS

During my service in Congress, Milwaukee area postal facilities were greatly improved and enlarged. Cudahy and Hales Corners received new post offices. New buildings were secured for 7 postal stations, 2 branch offices, a large postal garage, and a parcel-post annex. These new postal facilities include over a quarter of a million square feet of space. Their worth has been estimated at $3,335,000. These improvements were needed to provide prompt, efficient postal service to the people of the Milwaukee area.

FEDERAL AID FOR HOSPITALS

Nine hospital projects were aided by $3 million in Federal funds. Of this amount, $1,042,149 went to St. Luke's hospital; $806,874 to the Trinity Memorial Hospital; $500,000 to the West Allis Memorial Hospital; $100,000 to the St. Francis Hospital; and the remainder to five other hospital projects.

HIGHWAY AND STREET IMPROVEMENTS

Federal tax money spent on highway and street improvements, like other federally aided construction projects, helps to increase employment in our community, and lessens local and State taxes for this purpose. I have consistently worked for adequate appropriations for this program. Thirty-five million four hundred fifty-five thousand four hundred thirty-nine dollars in Federal funds were returned to Milwaukee and helped to pay the cost of 110 highway and street improvement projects during my tenure in Congress.

MILITARY CONSTRUCTION PROJECTS

Effective participation of our area in the national defense is vital to the safety of all our people. Military armories, antiaircraft and missile defense, Reserve training facilities, and other military construction in the Milwaukee area—either completed or in process—cost the Federal Government $15,409,683.

AIRPORT EXPANSION AND IMPROVEMENTS

Over $4 million was spent by the Federal Government in improving and expanding our local airport facilities. Additional $1,015,100 is programed for Milwaukee airports for fiscal year 1959. Past and programed improvements at the Gen. Billy Mitchell Field account for $4,235,916 of this total.

MILWAUKEE HARBOR

The Milwaukee Harbor is one of the best, most modern harbors on the Great Lakes, and it plays an important part in the economic life of our community. Federal aids to the extent of $130,000 have been provided for Milwaukee Harbor improvements. Additional $125,000 is planned for the outer harbor project, and $202,000 for channels.

FEDERAL BUILDINGS

Improvements to Federal buildings in Milwaukee, operated by the General Services Administration, cost $720,407. They included such projects as additional Federal court facilities, interim airconditioning for the courts, installation of elevators, fire-alarm system, and various alterations.

GREENDALE

In 1951, the Federal Government proposed to sell Greendale to a single buyer for a very low price. I objected to that arrangement, and insisted that the homes in Greendale be sold to individual families for a fair price. The Government realized $5,291,825 from the sale of Greendale under my plan—or $2,006,825 more than it would have received under the original proposal.

I am proud of the fact that I was able to save the taxpayers $2 million on the sale of Greendale. That amount of money could pay the salary of a Senator or a Congressman for almost half a century.

NEW VETERANS' HOSPITAL

The Veterans' Administration Center at Wood, Wis., has inadequate hospital facilities. The 1,600 aged veterans are living in ancient decrepit buildings—some dating back to the 1870's. In 1953, I first introduced my bill to provide for a new Veterans' Administration Hospital at Wood, and since that time I have been working for the construction of such a hospital. In 1956—after 3 years of effort—such a project was approved by Congress. Detailed plans for a new, 1,250-bed hospital, should be completed this year, with construction beginning next year, the Government will invest an estimated $35 million.

To provide improved medical and domiciliary care for the veterans of Wisconsin and the Midwest area, the Government will invest an estimated $35 million.

SUMMARY OF LEGISLATIVE ACTIONS

CONSUMERS

Working in Congress for the interests of the average consumer, I opposed the Tidelands oil bill, as well as the proposed exemption of natural-gas producers from Federal regulation, which could result in higher gas prices to Milwaukee area residents. I voted against the "Chicago Water Steal," supported the recommendations of the two Hoover Commissions for increasing economy and efficiency in Government, sponsored and voted for tax relief for the average taxpayer.

In 1953, I proposed the establishment of a "watchdog" committee in Congress to counterbalance producers' lobbies, and protect the housewife. This proposal, to establish a Joint Committee on Consumer Interests, is presently before the House Rules Committee.

WORKING PEOPLE

Every fair and equitable bill to protect the interests of our working men and women has received my active support.

I voted for amendments to the Fair Labor Standards Act, to increase minimum wage and to extend coverage; for liberalization of social security; for school construction aid; civil rights; and the St. Lawrence Seaway.

As early as 1954, I was one of the original cosponsors of the Unemployment Compensation Standards bill, intended to strengthen our unemployment compensation system, improve the benefits, and extend coverage. I supported and voted for the unemployment compensation bill approved this session of Congress, which extended Federal payments for jobless workers who exhaust their State benefits. In addition, I worked for the extension of unemployment compensation to all ex-servicemen.

I also supported legislation to safeguard welfare and pension plans, to eliminate racketeering in labor-management compensation to all ex-servicemen. cratic principles and practices in union organizations.

OLDER CITIZENS

In 1953, by introducing my bill H. R. 3554, I became one of the original sponsors of the total-disability program under the social-security law. At the same time, I proposed lowering the retirement age for women to age 60, and called for an increase, from $75 to $100 a month, in the limit on earnings of persons receiving social-security benefits.

Three years later, in 1956, these three proposals were approved by the Congress in a modified form. The proposals are the law today, and they benefit countless disabled and aged persons.

My bills to end age-discrimination in employment (H. R. 10979), and to establish a Bureau of Older Persons in the Department of Health, Education, and Welfare to help solve the many problems faced by our elder citizens (H. R. 11057), are presently pending before the Congress.

SMALL BUSINESS

Small business is vital to the preservation of competition in our economy, and to our present and future prosperity.

To help small business, I cosponsored H. R. 11, the Equality of Opportunity bill, to fight price discrimination which throttles competition. I worked for legislation to provide tax relief to small business, voted to place the Small Business Administration on permanent basis, and urged the elimination of "red tape."

VETERANS AND SERVICEMEN

I am proud of my record of supporting equitable legislation on behalf of our servicemen and veterans.

As the chairman of the Subcommittee on the Far East, I started an investigation into the fate of American servicemen who fell into the hands of the Communists during the Korean war. On the basis of my subcommittee's findings, the House of Representatives approved the Zablocki resolution (H. Res. 292) which called upon the President to make the return of those 450 men the foremost objective of United States foreign policy. I shall continue in my efforts to obtain a full accounting, and the release, of these men.

GOOD GOVERNMENT

Elsewhere in this report I mentioned my efforts in supporting Government reorganization, and working for economy and efficiency in Government. At this point, I want to mention three of my bills which I feel merit particular attention.

UNIFORM APPEALS AND GRIEVANCE PROCEDURES

At present, roughly 50 percent of Government employees have no legal appeal rights, or legal assurance of obtaining fair treatment of their grievances. Since 1956, I have been working to remedy this situation. My bill, H. R. 1031, would provide uniform appeals and grievance rights to all Government workers, without in any way impairing veterans' rights or veterans' preference in obtaining Federal employment.

JOINT COMMITTEE ON CENTRAL INTELLIGENCE

Our Government's intelligence activities, conducted by some 20 different offices and agencies, are handled in a slipshod manner from the Congressional standpoint. To remedy this, as early as 1953, I have in every Congress introduced legislation which would establish a Congressional "watchdog" committee to oversee Federal intelligence activities. The second Hoover Commission, in 1956, endorsed such a plan.

FOREIGN SERVICE ACADEMY

Since 1951, I have been trying to obtain Congressional action on my bill (H. R. 1282) calling for the establishment of a United States Academy of Foreign Service, in which our young men and women could receive thorough and advanced training for Government work in the international field. We need people with such training very badly.

In 1955, the American press reported that 74 percent of weekly newspaper editors favored the establishment of such an academy.

FOREIGN AFFAIRS

I have been able to work for the strengthening and improvement of our foreign policy, through my assignment to the important Committee on Foreign Affairs. During my membership on this committee I have served as chairman of the Subcommittee on Western Europe, and presently as chairman of the Subcommittee on the Far East and the Pacific.

I have supported the trade agreements program and the mutual security program. I believe these programs represent the cheapest insurance that our Nation can obtain against the disaster of a total Communist attack.

In the past, I proposed and Congress adopted, several changes in our foreign policy programs—which helped to eliminate waste and to increase the effectiveness of our international undertakings.

In 1951, I supported strict restrictions on trade with the Communist bloc. My 1952 amendments to the Mutual Security Act gave Congress continuing supervision over foreign currencies generated under this program. In 1957, I led House opposition to the President's Middle East resolution, because it failed to attack the basic problems of that area. The Communists exploited our failure to solve these problems. Recent developments in the Middle East, and the extension of Communist influence in that region, seem to support my position.

Mr. Speaker, as in the past, it is my intention to send this report to my constituents. After the adjournment of Congress, I look forward to meeting with the people of my District to discuss this RECORD and the accomplishments of the 85th Congress.

The legislative voting record which contains, in addition to my votes, the position I have taken on all major bills, will be made available to those who it will be my privilege to meet personally during the many hours I intend to spend in my District office, or upon written request. The record can be obtained by calling at my Milwaukee office: 1227 West Lincoln Avenue, or by writing to me, in care of House of Representatives, Washington 25, D. C.

Voting record of Congressman CLEMENT J. ZABLOCKI, 85th Cong.

Stand	Issue	Status
	NATIONAL DEFENSE AND INTERNAL SECURITY	
Voted for	Defense Department appropriations: $34,000,000,000 in 1957, $38,000,000,000 in 1958	Became law.
Voted for	Revision of the special doctor-dentist draft law	Became law.
Voted for	$1,200,000,000 program of military construction, in United States and abroad	Became law.
Voted for	$44,700,000 research program by National Advisory Commission for Aeronautics	Became law.
Voted for	Reorganization of the Department of Defense	Became law.
Voted for	$54,000,000 for missile bases, detection and warning systems	Became law.
Voted for	$100,500,000 for construction of nuclear-powered, guided-missile warships, amphibious landing craft, and service ships	Became law.
Voted for	$35,000,000 for construction of reactor for atomic-powered destroyer	Became law.
Voted for	$18,900,000 aid to States for civil defense, radiological detection	Became law.
Voted for	$386,000,000 for Atomic Energy Commission construction	Became law.
	INTERNATIONAL AFFAIRS	
Voted for	Continuation of the mutual security program, to strengthen the collective Free World defense against communism	Became law.
Voted for	Extension of the trade agreements program	Became law.
Voted for	Establishment of international plan for peaceful exploration of space for the benefit of all mankind	Became law.
Voted for	United States membership in the International Atomic Energy Agency	Became law.
Voted for	Exchange of mutually essential atomic information with our allies	Became law.
Voted for	Resolution denouncing Communist execution of leaders of the 1956 revolt in Hungary	Adopted.
Voted for	Revision of our immigration laws, special visas for orphans	Became law.
Voted for	Enabling 30,000 escapees from the 1956 Hungarian revolution to adjust their status to become permanent residents of the United States	Became law.
Opposed	Resolution giving President standing authority to use United States Armed Forces in the Middle East, which failed to deal with the basic problems of that area.	Became law.
Opposed	Postponement of interest payments on the British loan	Became law.
Voted for	Zablocki resolution demanding accounting for and release of the 450 American servicemen held prisoners of war by the Communists	Adopted.
Favored	Review and revision of the Status of Forces Agreement	Died in committee.
Proposed	Establishment of U. S. Academy of Foreign Service	Died in committee.
	GOVERNMENT REORGANIZATION	
Voted for	Establishment of National Aeronautics and Space Agency	Became law.
Voted for	Establishment of Airways Modernization Board to promote safer navigation system for civilian and military planes	Became law.
Voted for	Establishment of overall civilian agency to coordinate and oversee civilian and military air traffic	Became law.
Voted for	Admission of Alaska to the Union as a State	Became law.
Voted for	Submitting Federal budget estimates on annual accrued expenditure basis	Became law.
Voted for	Salary increases for postal and other Government employees	Became law.
Opposed	Bill to establish rules of interpretation for Federal courts, involving the doctrine of Federal preemption (H. R. 3)	Killed in Senate.
Favored	Strengthening the anti-corrupt-practices law for Federal elections	Killed in committee.
Voted for	Extension and simplification of Government reorganization procedures	Became law.
Proposed	Establishment of Congressional "watchdog" committee on Central Intelligence	Killed in committee.
Proposed	Uniform appeals and grievance procedures for Federal employees	Killed in committee.
Voted for	Training of selected Government employees in outside institutions	Became law.
Favored	Pension for former Presidents	Became law.
	NATIONAL ECONOMY	
Voted for	Ending the issuance of rapid tax writeoff certificates	Became law.
Voted for	Extension of 52-percent corporate income-tax rate and certain excise taxes; repeal of the 3-percent tax on transportation of property	Became law.
Voted for	Reduction of cabaret tax from 20 percent to 10 percent	Killed in committee.
Voted for	Emergency $1,800,000,000 Housing Act to stimulate homebuilding	Became law.
Voted for	$4,000,000,000 increase in FHA mortgage insurance authorization	Became law.
Voted for	Stepped-up highway construction program to promote employment	Became law.
Voted for	Federal unemployment compensation benefits for jobless workers who exhaust their State benefits	Became law.
Voted for	Area Redevelopment Act, to aid areas of chronic unemployment	Killed by House.
Voted for	Community Facilities Act, to provide loans to local governments for planning and construction of needed public facilities	Killed by House.
Voted for	Permanent status for the Small Business Administration, increase in its lending authority to $625,000,000, lower interest rates	Became law.
Voted for	Postal rate increase to overcome $500,000,000 a year postal deficit	Became law.
Voted for	Extension of Federal Airport Act to June 30, 1963	Became law.
Voted for	Legislation requiring price labeling of new automobiles	Became law.
Opposed	Higher interest rates on U. S. Government bonds	Became law.
Voted for	Congressional investigation of "tight-money" policy	Defeated.
Proposed	Thorough investigation of cost-of-living increases, inflation, and its causes	Died in committee.
Proposed	Establishment of a Congressional "watchdog" committee to look after the interests of the average consumer	Died in committee.
Proposed and voted for.	Legislation to strengthen and improve the unemployment compensation system	Became law.
Voted for	Temporary increase in public debt limit	Became law.
Voted for	Public works bill	Became law.
	VETERANS AND SERVICEMEN	
Voted for	Salary increases for members of Armed Forces to encourage career service	Became law.
Voted for	Increase in rates of compensation for disabled veterans	Became law.
Voted for	Improved pensions for widows of Spanish War veterans	Became law.
Voted for	Liberalization of requirements for veterans' widows' benefits	Became law.
Voted for	Disability pensions for veterans hospitalized by tuberculosis	Killed in Senate.
Voted for	Expeditious payment of death gratuities to survivors of members of our Armed Forces	Became law.
Voted for	Consolidation and simplification of laws on veterans' benefits	Became law.
Voted for	Unemployment compensation benefits for all ex-servicemen	Killed in Senate.
Voted for	Reemployment rights for National Guard men	Became law.
Worked for	New 1,250-bed veterans' hospital at Wood, Wis	Approved.

Voting record of Congressman CLEMENT J. ZABLOCKI, 85th Cong.—Continued

Stand	Issue	Status
	SOCIAL SECURITY, HEALTH AND WELFARE	
Voted for	The Housing Acts of 1957 and 1958	Killed in House.
Voted for	Registration and disclosure of financial status of employee welfare and pension plans	Became law.
Voted for	Labor-Management Reporting and Disclosure Act, requiring unions to report income and expenditures, providing for strengthened democratic processes in union elections, and other reforms (Kennedy-Ives bill).	Defeated in House.
Voted for	Distribution of surplus food in nonprofit children's summer camps	Became law.
Voted for	3-year extension of the school milk program	Became law.
Voted for	National Defense Education Act of 1958	Became law.
Voted for	Strengthening the law against mailing of indecent literature	Became law.
Voted for	3-year extension of the Hospital Construction (Hill-Burton) Act	Became law.
Voted for	Extension of time for disabled persons to file for social security	Became law.
Proposed	Ban on age discrimination in hiring by Government contractors	Died in committee.
Proposed	Establishment of Bureau of Older Persons to promote solution of problems facing elder citizens	Died in committee.
Voted for	Improved annuities to retired/disabled United States civil-service workers	Became law.
Voted for	Social Security Act amendments of 1958	Became law
	AGRICULTURE AND NATURAL RESOURCES	
Voted for	Agricultural Trade Development and Assistance Act for sale of surplus farm commodities abroad	Became law.
Voted for	Resolution barring reduction of price supports for 1958 below 1957	Vetoed.
Voted for	Authority for Federal Trade Commission to prevent monopolistic practices in meat industry jointly with Agriculture Department	Became law.
Voted for	Compulsory inspection of poultry in interstate commerce	Became law.
Voted for	Establishment of humane methods in the slaughter of meat animals	Became law.
Voted for	4-year extension of the national soil conservation program	Became law.
Opposed	Exemption of natural gas producers from Federal regulation	Killed in committee
Voted for	Limited extension of the soil bank program	Became law.
Voted for	Flood control, navigation improvement, and beach control projects	Became law.
Voted for	The Agricultural Act of 1958	Became law.

Rollcall record	Total roll and quorum calls	Rollcalls	Not voting [1]	Quorum calls	Absent on quorum calls [2]
1st session	220	100	15	120	14
2d session	195	93	1	102	0

[1] Pairs generally arranged.

[2] Absence on quorum call does not necessarily mean a legislative day's absence.

BLANKET PERMISSION TO EXTEND REMARKS UNTIL LAST EDITION OF RECORD

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members of the House shall have the privilege, until the last edition authorized by the Joint Committee on Printing is published, to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extensions of remarks; but this order shall not apply to any subject matter which may have occurred, or to any speech delivered, subsequent to the adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

RECESS

The SPEAKER. The Chair declares a recess, the Members not to be called back before 8 o'clock, and the bells to be rung 15 minutes before the expiration of the recess.

(Thereupon, at 6 o'clock and 28 minutes p. m., the House stood in recess.)

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 48 minutes p. m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engebretson, and Harvey Homlar;

H. R. 12212. An act for the relief of certain employees of the Department of the Navy; and

H. R. 13861. An act to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 13856. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 165. An act for the relief of Arthur LeRoy Brown.

S. 2039. An act to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor.

S. 2146. An act for the relief of William F. Peltier.

S. 2836. An act for the relief of the town of Portsmouth, R. I.; and

S. 3028. An act for the relief of Laszlo Cseri.

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate to the bill (H. R. 11382) entitled "An act to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4059) entitled "An act for the relief of Mr. and Mrs. Carmen Scoppettuolo."

The message also announced that the Presiding Officer appointed the Senator from Vermont, Mr. AIKEN, the Senator from Rhode Island, Mr. PASTORE, the Senator from Michigan, Mr. MCNAMARA, and the Senator from New York, Mr. JAVITS, members on the part of the Senate to the Hudson-Champlain Celebration Commission.

The message also announced that the Presiding Officer appointed the Senator from Iowa, Mr. HICKENLOOPER, and the Senator from Rhode Island, Mr. PASTORE, as members of the United States delegation to the Second International Conference on Peaceful Uses of Atomic Energy, sponsored by the United Nations, to be held in Geneva, Switzerland, September 1 through September 13, 1958.

INDEPENDENT OFFICES APPROPRIATION ACT, 1959

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table, the bill H. R. 13856, with the Senate amendments thereto, and concur in Senate amendments numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12; and concur in Senate amendment numbered 8 with the following amendments:

Strike out "$53,300,000" and insert in lieu thereof "$40,000,000."

Strike out "$8,000,000" and insert in lieu thereof "$6,000,000."

Strike out "$25,000,000" and insert in lieu thereof "$19,000,000."

Strike out "$1,800,000" and insert in lieu thereof "$1,350,000."

Strike out "$5,000,000" and insert in lieu thereof "$3,750,000."

Strike out "$7,200,000" and insert in lieu thereof "$5,400,000."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. STAGGERS. Mr. Speaker, reserving the right to object, and I will not object under the present circumstances, I would like to take this time to say that I am interested in a bill, as most every other Member in this Congress is, that should be brought before the Congress in some way. I refer to the Railroad Retirement bill, a bill that has been studied by the appropriate committees of Congress, reported favorably by the committees of both Houses of Congress and passed by the Senate. May I say if that bill is not brought up tonight, and I am fortunate enough to be reelected to the Congress, I am serving notice on the House that come next January 7, if that is the date Congress convenes, I am going to drop an appropriate bill in the hopper and put in a discharge petition at the same time asking that it be brought up immediately, because it has been given every consideration and every hearing during this session of Congress. In all fairness this legislation should be passed by this House now. Every segment of our people has been assisted and befriended with the exception of the railroad workers—a proud, patriotic, loyal, hard-working group of Americans.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and that the membership generally may have the same privilege on the bill H. R 13856.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMAS. Mr. Speaker, the other body has added eight items to the independent offices bill at it was passed by the House yesterday. All of the items were in the bill as reported by the Senate committee. These last 8 items are as follows: $100,000 for the White House Conference on Aging, and this is a highly important first step; $54 million for the railroads for the increase in mail transportation payments authorized by the Interstate Commerce Commission; $53,300,000 to implement the School Act, plus $750,000 for administrative expenses; $50,000 for a water study commission for South Carolina, Georgia, Alabama, and Florida, and $50,000 for a similar study for Texas; $1,802,000 for inpatient care in the Veterans' Administration; some language merging 2 appropriations in the Bureau of Employment Security in the Department of Labor; and language authorizing $2,500 of present funds for a medal for Admiral Rickover.

Appropriations provided in this bill total $6,080,156,900. This is $96,752,000 over the amount approved by the House, $13,300,000 less than the amount passed by the Senate, and $81,113,600 under the budget estimates. Most of the new items are made necessary because of the enactment of recent legislation. In those cases where the President has not yet signed the authorizing legislation the appropriation is contingent upon such approval.

The House is concurring in each item that has been added except the one in the Department of Health, Education, and Welfare for defense educational activities under the Office of Education. An appropriation of $40 million is recommended for that item instead of $53,300,000 as contained in the Senate bill, and amounts earmarked for special programs have been adjusted in proportion to the new total.

BIG BROTHERS OF AMERICA

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3728) to incorporate the Big Brothers of America.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following persons: Charles G. Berwind, Philadelphia, Pa.; Mark Willcox, Jr., Philadelphia, Pa.; Earle S. Thompson, New York, N. Y.; Archie O. Dawson, New York, N. Y.; Isadore A. Wyner, New York, N. Y.; and their successors, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Big Brothers of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the adoption of a constitution and bylaws, not inconsistent with this act, and the doing of such other acts (including the selection of officers and employees in accordance with such constitution and bylaws) as may be necessary for such purpose.

PURPOSES OF THE CORPORATION

SEC. 3. The purposes of the corporation shall be to aid and assist boys throughout the United States of America and Canada in the solution of their social and economic problems, and assist in their health, educational and character development; to promote the use of the techniques of such assistance developed by the corporation, by other lay and professional agencies and workers, to receive, invest, and disburse funds and to hold property for the purposes of the corporation.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of laws of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property; and

(9) to borrow money for the purpose of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

PRINCIPAL OFFICE: SCOPE OF ACTIVITIES: DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Philadelphia, Pa., or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories, and possessions of the United States and in Canada to the extent permitted by Canadian laws.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP

SEC. 6. Eligibility for membership in the corporation and the rights, privileges, and designations of classes of members shall, except as provided in this act, be determined as the constitution and bylaws of the corporation may provide. Each member of the corporation shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

BOARD OF DIRECTORS: COMPOSITION, RESPONSIBILITIES

SEC. 7. (a) Upon the enactment of this Act the membership of the initial board of directors of the corporation shall consist of the present members of the board of directors of the Big Brothers of America, Incorporated, the corporation described in section 16 of this Act, or such of them as may then be living and are qualified members of said board of directors, to wit:

Justice Tom Clark, Washington, D. C. (honorary);

Honorable Stuart Garson, Ottawa, Ontario, Canada (honorary);

Honorable Luther W. Youngdahl, Washington, D. C. (honorary);

Charles G. Berwind, Philadelphia, Pa.;

Henry J. Benisch, Brooklyn, N. Y.;

DeVere Bobier, Flint, Mich.;

J. Carroll Brown, Lansing, Mich.;

Fielding T. Childress, St. Louis, Mo.;

Guy de Puyjalon, Ottawa, Ontario, Canada;

Robert E. Curry, New York City, N. Y.;

Jere Gillette, Detroit, Mich.;

Benjamin van D. Hedges, New York City, N. Y.;

Hon. Thomas C. Hennings, Jr., Washington, D. C.;

Dr. Kenneth D. Johnson, New York City, N. Y.;

Charles B. Levinson, Cincinnati, Ohio;

Walter H. Levy, Providence, R. I.;

Richard Loud, Boston, Mass.;

George O. Ludcke, Jr., Minneapolis, Minn.;
Charles E. McMartin, Saginaw, Mich.;
John McShain, Philadelphia, Pa.;
John E. Mangrum, Dallas, Tex.;
George Miller, Los Angeles, Calif.;
Nicholas C. Mueller, Baltimore, Md.;
Herbert Myerberg, Baltimore, Md.;
Thomas J. Potts, Columbus, Ohio;
Norfleet H. Rand, St. Louis, Mo.;
G. Ruhland Rebmann, Jr., Philadelphia, Pa.;
James B. Reese, Los Angeles, Calif.;
Sanford Reider, Cleveland, Ohio;
Thomas A. Rogers, Denver, Colo.;
Robert N. Rosenthal, Cincinnati, Ohio;
Canon John Samuel, Hamilton, Ontario, Canada;
Maurice Schwarz, Jr., Los Angeles, Calif.;
Isadore M. Scott, Philadelphia, Pa.;
Milton Seaman, New York City, N. Y.;
Nathaniel Sharf, Boston, Mass.;
J. C. Standish, Cleveland, Ohio;
Donald W. Thornburgh, Philadelphia, Pa.;
Robert L. Walston, Houston, Tex.;
J. Austin White, Cincinnati, Ohio;
Meredith Willson, Los Angeles, Calif.;
Paul Wilson, Detroit, Mich.; and
E. N. Zeigler, Florence, S. C.

(b) Thereafter the board of directors of the corporation shall consist of such number as may be prescribed in the constitution of the corporation, and the members of such board shall be selected in such manner (including the filling of vacancies), and shall serve for such terms, as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the managing body of the corporation and shall have such powers, duties, and responsibilities as may be prescribed in the constitution and bylaws of the corporation.

OFFICERS; ELECTION AND DUTIES OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS: INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions shall be audited annually by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than 6 months following the close of each year for which the audit is made. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEALS, AND BADGES

SEC. 15. The corporation and its subordinate divisions shall have the sole and exclusive right to use the name, the Big Brothers of America. The corporation shall have the exclusive and sole right to use or to allow or refuse the use of such emblems, seals, and badges as have heretofore been used by the predecessor New York corporation, Big Brothers of America, Inc., described in section 16 of this title and the right to which may be transferred to the corporation.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the the assets of the Big Brothers of America, Inc., a corporation organized under the laws of the State of New York, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of New York applicable thereto.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 17. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 18. The right to alter, amend, or repeal this act is expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL FARM-CITY WEEK

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. J. Res. 546) designating the week of November 21–27, 1958, as National Farm-City Week.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. KEATING. Mr. Speaker, reserving the right to object, would the gentleman please explain this resolution?

Mr. WALTER. This is the resolution that the distinguished gentleman from New York [Mr. KEATING], prevailed upon the Committee on the Judiciary to approve unanimously at a meeting, I think, in June.

Mr. KEATING. I am sure that it will help both the farm and the city people, and I am sure it is a fine piece of legislation.

Mr. WALTER. I agree with the gentleman.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I am sure that it has the endorsement of two very good farmers in the persons of the gentleman from New York [Mr. KEATING] and the gentleman from Pennsylvania [Mr. WALTER].

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That the week of November 21-27, 1958, be designated as National Farm-City Week, in recognition of the contribution American farm families have made to our civilization and in order to promote better public understanding of the needs, problems, and opportunities of our country's agriculture and farm people, and to honor men and women who have contributed to agricultural achievements and progress.

To this end the President is authorized and requested to issue a proclamation calling upon the Department of Agriculture, the land-grant colleges, the Agricultural Extension Service, and all other appropriate agencies and officials of the Government to cooperate with National, State, and local farm organizations and other groups in the several States and counties in preparing and carrying out programs for the appropriate observation of National Farm-City Week, including plans for public meetings, discussions, exhibits, pageants, and press, radio, and television features with a special emphasis on notable achievements by rural groups and individuals, local, State, and National, and on the all-around enrichment of American country living through adequate cultural, spiritual, educational, recreational, and health facilities for both rural youth and rural adults.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

HON. OTTO KRUEGER

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Speaker, OTTO KRUEGER, Representative at Large from the State of North Dakota, is one of the finest gentlemen I have ever known. He is voluntarily retiring from Congress at the end of this year.

Mr. Speaker, there is something unique about OTTO KRUEGER. He was born in Russia of German parents and came to the United States in 1910 and as soon as possible thereafter he became a naturalized citizen. He is an individual, therefore, who really appreciates America and Americanism.

He is a graduate of the North Dakota public schools and served as a private in World War I, seeing service in Belgium and France. He was elected 10 times as county auditor of his home county. Thereafter he became State treasurer of North Dakota, insurance commissioner of North Dakota, State budget director of North Dakota, and he is now completing 6 years as a Representative in the Congress of the United States.

Mr. Speaker, Mr. KRUEGER has served with distinction as a member of the very important Committee on Appropriations of the House, and during the past few years he has been a valuable member of the Committee on Agriculture. He has been most loyal in his attendance at committee meetings and has contributed much to the deliberations of that committee.

In closing, may I say that OTTO KRUEGER is the type of American who stays a wholesome American. He is a rugged individualist who believes in the Constitution and the rights of the States. Anyone who has come up this hard way and has become a naturalized citizen appreciates perhaps more than those of us who were born here the great benefits of being a citizen of this great land.

Mr. Speaker, I regret that OTTO KRUEGER is retiring from Congress. He is the kind of man we need in these legislative halls during these troublesome days. We wish him well as he returns to his home in North Dakota to live among his many friends and his loved ones. I know we all wish for him all that is good in the days that lie ahead.

Mr. Speaker, I now yield to the distinguished minority leader, Mr. MARTIN.

Mr. MARTIN. Mr. Speaker, I join the gentleman from Iowa [Mr. HOEVEN], in expressing appreciation of the splendid services of our good friend, OTTO KRUEGER. He has been a great legislator. He has served with distinction and great ability. We all regret that he is voluntarily retiring. OTTO, we wish you every success in the days ahead. You carry with you to your North Dakota the warm friendship of legions of friends who have admired your fine service.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, I am very happy to join with the gentleman from Iowa and others in paying respects to OTTO KRUEGER, who is leaving us. I hate to see him leave. He is a man who is strong in his convictions. He votes as he thinks. He allows only that influence which is based upon reason and is an example to a great many others. I am sorry to see him leave and wish for him only the finest of things in the future.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I wish to thank the gentleman from Iowa for paying this tribute to a well-deserved Member of this body. I join him in everything he has said and everything the gentleman from Massachusetts and the other gentlemen have said about OTTO KRUEGER. OTTO KRUEGER is a man who wears well. He is genial and lovable in all of his associations. He is a hard worker. He has been faithful in his attendance in this body. America and the State of North Dakota will both lose much by his decision to retire. I regret to see him leave.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I appreciate the fact that the gentleman from Iowa is making this statement on behalf of my friend, OTTO KRUEGER, who has served with me on the Committee on Agriculture and on the Subcommittee on Wheat for a long time. He is a most conscientious, industrious, and attentive Member of this House. We will miss him. He is a great legislator and a fine American.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON of Texas. Mr. Speaker, I feel particularly close to the gentleman from North Dakota. He has been a member of my Subcommittee on Family Farms and the Subcommittee on Rice. He said when we started our deliberations he knew nothing about them, but I think that was a masterful understatement. He has been a loyal member of those committees. He has helped us in every possible way. He has always been available for meetings. He has gone places when we needed to go places on our committee away from Washington, and at great inconvenience to himself.

I thought there should be some way to enjoin him from leaving the Congress but apparently there is nothing of the kind available to us, so I think we shall simply have to call on him in private life to come to us and help us as he has during the years he has been here. Of OTTO I want to say this: He is the kind of man who does things for people. He is the kind who is on call particularly if people are a little bit unfortunate and really need help.

The mark that he has left here in the Congress will remain long after OTTO has gone on to the comparative ease of private life which he seeks. We do not begrudge it to him at all, but we shall most certainly miss him.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Speaker, you have just heard the gentleman from Iowa describe what is in my opinion a very personified demonstration of the opportunity that exists in this great Republic, so that a man who is diligent, who is honest, who is not afraid of work, and has competence and speaks the voice of his competence, can rise to great heights, because being a Member of the House of Representatives of the United States is a responsible position, one which very few ever reach. He has demonstrated what it means. He has been a very fine example of what can be done in this great land of opportunity.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Speaker, all year long I have sat next to OTTO KRUEGER in the Committee on Agriculture. During the long sessions, when we were thirsty, because the pitcher of ice water was always in front of me I would turn to OTTO and say, "Nun, mein lieber Freund, wollen sie Schnapps oder kaltes Wasser?" He always replied, "Schnapps," but all that I ever gave him was cold water.

I have taken to heart the great services of this man, who was an interpreter during the war. His services there were invaluable. It is wonderful to have a man who knows a foreign language we need so badly to know, a man whom our country can trust right to the end of the road. That is the kind of man we have in OTTO KRUEGER, and that is the kind of service he rendered during the war. I certainly wish that every blessing may follow him.

"Bis auf wiedersehen. Leben sie wohl und brauchen sie nichts."

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I, too, am sorry that our good friend OTTO KRUEGER is retiring. He, I believe, is the first member of the Republican 83d Club to retire voluntarily. As a contemporary of his, I am sorry to see him go.

I have also been the minority whip of the region from which Mr. KRUEGER comes, and I may say that all the way he has been cooperative in every way he could possibly be. He is a fine man, a good legislator, a good friend. I am sorry to see him go.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I should like to say that OTTO KRUEGER, coming from a farming area, has won the admiration of those of us who represent city districts. To me he typifies the finest thinking in America. I for one see his going with the deepest of regret. In the years to come I hope OTTO KRUEGER will come back here and see the great things that he stood for in this Chamber still carried on in the future.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I, too, want to commend my colleague from Iowa for calling our attention to retirement of OTTO KRUEGER. He has been a good and conscientious legislator. I wish him every success in his retirement.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, I want to join with my other colleagues in wishing OTTO KRUEGER the best of everything as he retires from this body. I have been authorized by the California delegation, at least on this side of the aisle, to say we all regret his retirement. OTTO KRUEGER to me represents the typical rugged individualist, a man who appreciates the good things of this life and of this Nation. He has served in public office for 38 years. We regret seeing him leave because we know we are going to miss him. We are going to miss the counsel and wisdom of a man who is fundamentally honest and who can be depended upon in everything that he does or says. I regret to see him leave.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. BASS].

Mr. BASS of Tennessee. Mr. Speaker, I wish to join my distinguished colleague the gentleman from Iowa [Mr. HOEVEN] and other friends of OTTO KRUEGER in wishing for him the best of everything for him as he leaves the House of Representatives. I have had the privilege of serving with him on the House Committee on Agriculture and as a member of the subcommittee on family farms. He is a rugged individualist. He is a man of firm decisions, a man of wisdom. When you think of a man who has lived the life that OTTO KRUEGER has lived, if such a man could be described as being a lovable man—OTTO KRUEGER is such a man. I have learned to love him and have enjoyed his association. I wish him many more years of happiness and success as he leaves this great body.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. REECE].

Mr. REECE of Tennessee. Mr. Speaker, OTTO KRUEGER, our friend who has made his own decision to leave this body, is a great legislator. He has voted his convictions on what he thought was in the best interest of the people of North Dakota and of the Nation. Over and above that, OTTO KRUEGER is a great man. He is a man of great heart—he is a man of fine qualities both of heart and mind. Those of us who have come to know him intimately appreciate those qualities. I am sure he will continue to serve his people in some capacity wherever he may be. We all regret to see him leave this body.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, in recent days we have been speaking in this Chamber of the character and service of those of our colleagues who are retiring this year from this body. I have spoken of a number of them. I have spoken from the heart because they are people whom I respect and love and admire.

All of us who have known OTTO KRUEGER are sorry to see him leave this body. He has been a stalwart champion of the things in which he believes, and I happen to think that the things in which he believes have been good for the country. I am sorry to see him go. I just wish he were going to be with us here in the next Congress, because I am certain that if he had elected to stay here he would have been returned. However, he has chosen to retire and I wish him Godspeed with many happy years to come.

Mr. HOEVEN. Mr. Speaker, I yield to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, although I realize the time is short, I would like to join with my colleagues in paying tribute to a distinguished colleage, a distinguished representative of his State OTTO KRUEGER of North Dakota.

OTTO comes from a neighboring State. I have relied on him heavily as one of the elder heads for guidance in many problems that were common to our area. I think it has been well said that he fought with determination for what he believed to be right. He is the kind of Representative we need. I truly hate to see him leave.

GENERAL LEAVE TO EXTEND

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the life, character, and public service of Mr. KRUEGER.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WILSON of California. Mr. Speaker, the Congress will miss the solid good humor of our colleague OTTO KRUEGER, who leaves voluntarily to return to his home in North Dakota. OTTO KRUEGER is a wonderful person, who perhaps most aptly fits the description "salt of the earth." OTTO has a gentle disposition and a ready wit, but he is a man of firmness of character and of deep integrity. The world has been made better through the service of men like OTTO KRUEGER, who searches patiently for the right answer to problems and the faces up to them with the courage of his very deep convictions. It was my pleasure to enter the 83d Congress with OTTO, and it is with deep regret that I join his many, many friends in wishing him health and happiness in his well-earned retirement.

Mr. SCHWENGEL. Mr. Speaker, I rise to join my colleagues in the House in paying tribute to our retiring Congressman from North Dakota, the Honorable OTTO KRUEGER. In him, we have the heartening spectacle, Mr. Speaker, of a patriotic and devoted public servant, who is not a native of this country but who has made this country very much his own. Born in Russia of German parents, September 7, 1890, OTTO KRUEGER came to the United States in 1910 and found his way to Fessenden, N. Dak., where he went through grade and high school, followed by a course of business training. A private in the 91st Infantry Division in World War I, KRUEGER returned at the close of the war to his adopted State where he became auditor of Wells County, being elected for no less than 10 consecutive terms and serving 20 years, from 1920 to 1940— a remarkable record and a splendid tribute, both to his ability and the confidence his fellow citizens had in his integrity. This long tour of public duty was followed, successively, by KRUEGER's election and appointment as State treasurer, insurance commissioner, and State budget director. In addition, he held such posts as clerk of the Fessenden School District for 18 years; secretary-treasurer of the Wells County Chapter of the American Red Cross for 10 years; commander and adjutant of the local post of the American Legion and department vice commander of the North Dakota American Legion.

All of these positions, many of them highly responsible and exacting, well fitted our friend to take his place among us, which he did on January 20, 1952, as Representative at Large from North Dakota; and he was returned by the people of the State in the two following elections. As a North Dakota farmer, his interests naturally focused upon agriculture and its vexations and multifarious problems. His colleagues on the Committee on Agriculture, Subcommittee on Family Farms, and elsewhere have paid stirring tribute to KRUEGER's worth in the legislative fields wherein he specialized. As he turns his face once more to the Northwest country, our gratitude, our esteem, and our friendship go with him. In closing, I should like to make the words of my colleague, Mr. PELLY, my own when he said, the other day, on the floor of this House:

In the years to come I hope OTTO KRUEGER will come back here and see the great things that he stood for in this Chamber still carried on in the future.

Mr. MCGREGOR. Mr. Speaker, I want to join with my colleagues in paying respect to one of the retiring Members of this Congress, the Honorable OTTO KRUEGER, of North Dakota.

I will always consider it a privilege to have served with Congressman KRUEGER. He has done an excellent job and he is certainly entitled to all of the pleasures which retirement will bring him. Our prayers and best wishes are with him.

MR. AND MRS. CARMEN SCOPPETTUOLO

Mr. LANE submitted the following conference report and statement on the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo:

CONFERENCE REPORT (H. REPT. No. 2703)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

THOMAS J. LANE,
JOSEPH M. MONTOYA,
RICHARD H. POFF,
Managers on the Part of the House.

JOHN A. CARROLL,
THOMAS C. HENNINGS, Jr.,
ARTHUR V. WATKINS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report: The bill as passed the House would appropriate the sum of $1,540 to Mr. and Mrs. Carmen Scoppettuolo for expenses incurred by them in making a visiting to the United States Military Cemetery at St. Laurent, France. The Senate reduced the sum to $300, and at the conference the Senate conferees concurred in the House action.

THOMAS J. LANE,
JOSEPH M. MONTOYA,
RICHARD H. POFF,
Managers on the Part of the House.

Mr. LANE. Mr. Speaker, I call up the conference report on the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo.

The Clerk read the conference report.

Mr. MARTIN. Mr. Speaker, will the gentleman explain the conference report?

Mr. LANE. Mr. Speaker, this is a bill to pay Mr. and Mrs. Carmen Scoppettuolo, of Belleville, N. J., $1,540 in full settlement of all their claims against the United States for the expenses they incurred in making a visit to the United States Military Cemetery, St. Laurent, France, when the Department of the Army had erroneously informed them that their son was buried there.

The House approved a bill of $1,540 for their expenses. The Senate in its wisdom cut this down to $300. In conference they receded and approved the amount allowed by the House bill.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

HON. USHER L. BURDICK

The SPEAKER. The Chair recognizes the gentleman from Minnesota [Mr. MARSHALL].

Mr. MARSHALL. Mr. Speaker, Minnesota is a neighbor of the great State of North Dakota, and we in Minnesota think a lot of our neighboring State. Minnesota feels partly responsible for North Dakota, because so many of her people went there. One of the other Members of the Congressional delegation from North Dakota, the Honorable USHER L. BURDICK, is retiring from Congress.

USHER BURDICK was born in Minnesota. He migrated to North Dakota but came back to Minnesota to play football on the famous football team of 1904. In addition to playing football he acquired an education.

He went back to North Dakota, his native State, and from that day forward has been a stalwart citizen of the State of North Dakota, paying much attention to the political life of that great State.

USHER BURDICK was a man with a great heart. He had a feeling for his fellow man. There was no man who came to USHER BURDICK who needed help that USHER BURDICK ever turned away. That same thing was true in North Dakota in the pioneer days. Probably this Congress and succeeding Congresses will never see again a person of the pioneer spirit and pioneer stock that USHER BURDICK has brought to this Chamber.

Time and time again many of us have seen USHER get up on the floor of this House and fight for the little fellow, the fellow who was having a difficult time of it, the fellow USHER BURDICK thought ought to have a place in this great democracy of ours.

I am sure many Members of this Congress join with me in wishing for USHER BURDICK the happiness that we all hope he may have. We know that his health has not been too good recently but we do hope that he regains that health. He is a hearty man, he is a fighter, and as far as he is concerned he will fight to the utmost to regain his health.

I am sure he will always bear in mind the many friends he has in this Chamber. The House of Representatives was very dear to USHER BURDICK. When I came to Congress one of the first men that I met here was USHER BURDICK. He extended a hand of friendship to me. He did what he could to make my life pleasant here. He was always friendly, he was always courteous, he was always trying to help. That is typical of him. He was always trying to help everybody everywhere.

He was a great American, he is a great American. He was a great Member of this Chamber and one who has great respect for the House of Representatives, and will do everything he can to further the cause of democracy in this country. I am sure we all wish him the utmost of happiness during his retirement in North Dakota and a steady regaining of health.

Mr. REECE of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MARSHALL. I yield to the gentleman from Tennessee.

Mr. REECE of Tennessee. Mr. Speaker, I came to know USHER BURDICK very, very well. He was a great member of the Minnesota football team, and he was a great American at all times, doing his duty as his heart, as his mind prompted in the performance of his duty. He had a great love for his fellow man. He did perform many kindnesses, many deeds far beyond which most of us see fit to perform, in order to assist his fellow man.

USHER BURDICK was also one of the best if not the best read man in the American Congress. He had a faculty in reading. He had a photographic mind which enabled him to read a book a page at a time. He made it a habit of reading a book every day. I dare say within the past half century there has been no Member of Congress who has been as widely read or who has read as many books as has USHER BURDICK.

He had a great mind, he had a great heart, and everyone who came to know USHER BURDICK loved the fine quality that made up this sturdy citizen of the great West, a great man who came here to fight for the things which he thought was in the best interest of not only the people of his State but of the people of America.

As USHER BURDICK goes back home to seek years of enjoyment, we all hope he will have happiness and a great deal of satisfaction. I am sure he will return to the people who have loved him in the future in the same manner.

Mr. MARSHALL. I thank the gentleman from Tennessee.

I would also like at this point to say that USHER BURDICK was not only a well-read man but he was also the author of a number of books on western life. All of those books are well worth reading, because they give a fine insight into the primary life in North Dakota.

Mr. REECE of Tennessee. Mr. Speaker, if the gentleman will yield further, he probably has the greatest collection of Indian literature and folklore in America. He has donated his collection to the University of North Dakota. He has rendered a great service to the people of North Dakota and to the people of this Nation.

Mr. MARSHALL. I yield at this time to our distinguished Speaker, the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I will miss USHER BURDICK. He is a rugged individual, a great American, a statesman of good order. He is loved by the Members of this House. I wish for him a return to good health and many years to enjoy it.

Mr. MARSHALL. Mr. Speaker, I now yield to one of the best friends that USHER BURDICK had in the House, the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, I am very anxious to associate myself with the remarks of my distinguished friend from Minnesota and my distinguished friend from Tennessee concerning their references to a dear and loyal friend, Congressman USHER BURDICK.

I think that the remarks that have been made here so pertinently and eloquently by the gentlemen who have preceded me relative to his wonderful, lovable nature, his high character, the splendid, outstanding quality of his service, great talents, his staunch Americanism, his unfailing friendliness and kindness to those in need of his help, and his rugged loyalty to the fundamental principles of this Nation, all mark USHER BURDICK as one of the most distinguished men who have ever served in this body. I am pleased and proud, indeed, as his close friend, to join in the sincere and glowing tributes that are being paid him, and I compliment and heartily congratulate him upon his outstanding service as one of the very greatest Congressmen that we have known in the Nation.

I wish for him in his voluntary retirement every measure of good health and success and well-being and happiness with his family that the good Lord may bestow upon him.

USHER BURDICK was one of the greatest Americans and finest gentlemen that this historic Chamber has ever known.

There was never a worthy cause to which he did not give his heart, his well-stored mind, and his eloquent tongue.

There was never a call of need from an individual or the people to which he did not respond with all the great ability of his alert mind and all the generosity of his wholesome, sympathetic nature.

His mind was razor sharp and speedily went to the heart of a problem. He was a brilliant, experienced lawyer, and his service on the House Judiciary Committee was noteworthy as well as rewarding to the House, to the Nation, and to very many individual citizens suffering injustice and inequity.

USHER BURDICK was a man of indomitable will and unflinching purpose—endowed with the strength and cohrage of a lion, yet with a heart flowing over with kindness, feeling, and sympathy for the poor, the weak, and the oppressed.

His career has been illustrious and distinguished. He has served unselfishly in high stations and has always adhered to highest standards of probity. He has unswervingly followed the ideals of Americanism and justice which he set out for himself many years ago when he was an all-American football player at Minnesota.

True and loyal to principles and to friends, to the cause of country and the cause of those inarticulate souls unable to speak adequately for themselves, the name and service of USHER BURDICK will long be remembered in the Congress, in the Nation, and by the good, patriotic people of North Dakota for whom he gave his last full measure of devotion. His constituents, State, and Nation are deeply indebted to USHER BURDICK.

He was my dear friend in the Congress, and I hold him in deepest affection. He is loved and admired by many in and out of the Congress. He is indeed a man of strength, patriotism, and loyalty, and we shall not soon look up to his like again.

In his retirement I hope and pray he will enjoy good health, long life, and every blessing of peace and happiness with his family and friends.

Gifted author and historian, brilliant statesman and patriot, unstinted humanitarian, man of strength, character, humor, and wisdom, USHER BURDICK will take his place in this hallowed Chamber in the ranks of American immortals. God love him.

Mr. MARSHALL. I thank my colleague from Massachusetts.

I yield at this time to the gentleman from Missouri [Mr. CHRISTOPHER].

Mr. CHRISTOPHER. Mr. Speaker, I would feel remiss in my duty if I neglected to speak a word of praise of USHER BURDICK here this evening. I met him when I first came to Washington. He gave me good advice. He helped me on many occasions. I always admired the man for his firmness of purpose, his staunch convictions, and the way he always took his stand regardless of any opposition that he should encounter to his theories. More than any other one thing, I admired him because he was a staunch friend of the American farmer; a man who was true to his convictions at all times. USHER BURDICK lived a long time and has seen many things, and in his retirement from this Chamber I know he will be missed by all of us here. But, I know that I will miss USHER BURDICK very much. He could be counted on for a speech or a vote in favor of agriculture in the United States. He was a man to be trusted. He ran true to form all the time. He was staunch, he was fearless, he was honest. I wish him the best of everything in his retirement, and I hope that the good Lord will give him many more years and much enjoyment with his family and his people in his home State who undoubtedly are very proud of USHER BURDICK.

Mr. MARSHALL. Mr. Speaker, at this time I yield to the distinguished majority whip, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, one of the great privileges of service in this House is the opportunity to meet the men and women who represent the American people here. Of all those whom I have met during my service here none has impressed me more than the distinguished gentleman from North Dakota [Mr. BURDICK] who is about to retire along with my other friend from North Dakota [Mr. KRUEGER].

He is a man who stands out among other men who are outstanding. He is a man of the frontier, a rugged individualist, a man of great energy, great physical, moral, and mental courage. At the same time, he is a great scholar, one of the most scholarly men I have even known, a man who, as the gentleman from Tennessee [Mr. REECE] has pointed out, has read literally thousands of books, who is an author of distinction, a great speaker and debater. He is really a man of many talents. The Congress can ill afford to lose men of the character, integrity and independence of judgment such as Congressman BURDICK. I join the distinguished gentleman from Minnesota in wishing him well.

Mr. MARSHALL. Mr. Speaker, I am sure that out in North Dakota, Congressman BURDICK will be reading the CONGRESSIONAL RECORD. I want to say that the expressions of friendship here are merely a part of the feeling that many of us have for him, that warm-hearted feeling we have for him. I know all of us are going to miss him in the next session of Congress.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. MARSHALL. I yield to the gentleman from Utah.

Mr. DIXON. Mr. Speaker, USHER BURDICK was a man of great courage. He left some remarkable records, one of which was as a phenomenal football end. Another record was his pioneer work.

Mr. Speaker, he accumulated a wonderful library of genealogy. He had a remarkable library of Indian lore and Indian history.

I think my colleagues would be interested in a story they tell about him. I used to talk with him a great deal while he was here. He devisd a way of breaking bronchos that is still used up in North Dakota, as I understand, and here it is: He would get a companion on a horse, leading the broncho. Then USHER would ride his own horse out into a lake until the water was 3½ or 4 feet deep. Then he would gradually slide off his horse, over his companion's horse and onto the broncho. In order for a broncho to buck, he has to get his head down between his legs. Every time the broncho would try to get his head down between his legs, his nose would go under water so that he would almost drown, and he would bring his head up again. That is the way USHER BURDICK broke his bronchos. He was really a wonderfully ingenious person.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that all members may extend their remarks at this point.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, in the 10 years that I have served in this House, I found no Member who was more principled, frank, honest, and courageous than the gentleman from North Dakota [Mr. BURDICK]. I endorse all the fine words that have been said here in his honor.

USHER BURDICK was truly a spokesman and a fighter for the less fortunate and for the common people of America. He was an able legislator and has made a big contribution to the progress of his State and his country.

My sincere wishes go to the gentleman from North Dakota [Mr. BURDICK] for the restoration of good health and for many pleasant, interesting, and happy years of retired life.

Mr. DONOHUE. Mr. Speaker, among the Members who are voluntarily retiring from the Congress is the distinguished gentleman from North Dakota, USHER BURDICK.

Few will be missed as much and none more than this most capable and amiable man.

For 20 years, USHER BURDICK has given the fullness of his mind, his heart, and his health in patriotic service to the people of the United States and North Dakota.

In legislative probity, he had a mind like a surgeon's knife and, as witnessed here on innumerable occasions, with a brief comment he could lay bare the full significance of a major bill. It was a byword around here that if you wanted a full attendance in the Hall just spread a rumor that USHER was going to speak. All of us here have been benefited by working within the atmosphere of his recognized practical wisdom, philosophic outlook, gentle heart, kindly wit, and genial personality.

Few men serving in this body have contributed as much as he toward that spirit of bipartisan goodwill within which the most constructive legislation of foundation good is enacted.

For this contribution alone, his name will be written high on the annals of our national legislative history.

In his departure from our midst, may every blessing follow him through many more years of the good life he eminently merits from his long and sacrificing legislative toil in the best interests of his fellow Americans.

Mr. LANE. Mr. Speaker, when USHER L. BURDICK came to Washington as Congressman at Large from North Dakota in 1935, he brought in his person the clear and invigorating spirit of the West.

As a fledgling Member in 1942, I was immediately attracted by his frank and honest comment on the serious issues of that time, and his saving grace of humor which helped to break many a tense deadlock.

Later, as I worked side by side with him on the Judiciary Committee, my respect developed into a lasting friendship that I count as one of my happiest experiences as a Member of Congress.

For USHER is a man of his word.

He insists on carrying his share of the load.

As an easterner from a somewhat populous area, I was fascinated by the reminiscences of his boyhood in the Dakota Territory, where he grew up in the neighborhood of the Sioux and learned their language. And from the way he spoke, I knew that he shared their love of the open country, where a man has room to grow.

He liked the taste of his early schooling, and went on to graduate from the State normal school at Mayville, N. Dak. Then he and his young bride entered the University of Minnesota, where USHER played on the championship football teams of 1903 and 1904.

After graduation, he started the practice of law.

With his boundless energy and enthusiasm, and his genuine liking for people, he branched out into public life, becoming, in turn, State representative, speaker of the house, lieutenant governor, assistant United States district attorney, and Congressman at Large. Ever since the beginning of 1935, with the exception of one term, he has served all the people of North Dakota with devotion and distinction.

Congressman at Large takes in a lot of territory, and it takes a big man to represent a whole State in the United States House of Representatives.

But that is the way USHER BURDICK wanted it; the more people he could help, the greater was his joy in serving.

When a man gives the best of his life to others, the time comes when he must pause and rest.

USHER BURDICK bids farewell to the Halls of Congress and to his many friends in the Nation's Capital.

As he goes home to North Dakota, he does not need to pack his memories. They are rich, and full, and will accompany him forever, reliving the stirring events of which he was a part, and recalling the many grateful colleagues who served with him in Congress.

Goodby, USHER, and God bless you.

Mr. SCHWENGEL. Mr. Speaker, like every other Member of the House, I am very sorry to learn of the voluntary retirement of my colleague, that stalwart and steadfast figure, USHER L. BURDICK, of North Dakota. First appearing in this Chamber in 1935, he has been from the first an outstanding figure in our midst and it is hard to believe that when next we meet he will not be amongst us. Born in Owatonna, Minn., February 21, 1879, he moved with his parents to the Dakota Territory when he was but 3 years of age. There he grew up among the Sioux Indians, and was graduated from the State normal school in Mayville, N. Dak., in 1900. From 1900 to 1902 he was deputy superintendent of schools in Benson County. Earning his way through the University of Minnesota by teaching in a business college, he received his law degree and was admitted to the bar in 1904, and commenced practice in Munich, N. Dak. From 1907 to 1911 has was a member of the North Dakota House of Representatives. He served as speaker in 1909, being the youngest to hold such an office in the United States at that time. Removing to Williston in 1910, he continued his practice of law. That same year he was elected lieutenant governor of his State; was State's attorney of Williams County from 1913 to 1915; and was assistant United States district attorney for North Dakota during the years 1929–32. An unsuccessful candidate for the Republican nomination to the 73d Congress, he was elected to the 74th and the four succeeding Congresses. After a 6-year absence from the national scene, Mr. BURDICK was returned as a Member of the 81st Congress, and has been a Member of this House ever since.

Always an independent Republican, he thought, acted, and spoke for himself—and no man ever doubted where he stood on any issue.

In 1955 there was issued the first Congressional anthology of poems selected by Senators and Representatives. Mr. BURDICK's selection, characteristically enough, was Rudyard Kipling's famous If, and as we salute our departing friend, I desire to quote the poem in full as a portrait of our revered and esteemed colleague about to return to the great West from whence he came:

If you can keep your head when all about you
  Are losing theirs and blaming it on you,
If you can trust yourself when all men doubt you,
  But make allowance for their doubting too;
If you can wait and not be tired by waiting,
  Or being lied about, don't deal in lies,
Or being hated, don't give way to hating,
  And yet don't look too good, nor talk too wise:
If you can dream—and not make dreams your master;
  If you can think—and not make thoughts your aim;
If you can meet with triumph and disaster
  And treat those two imposters just the same;
If you can bear to hear the truth you've spoken
  Twisted by knaves to make a trap for fools,
Or watch the things you gave your life to, broken,
  And stoop and build 'em up with worn-out tools:
If you can make one heap of all your winnings
  And risk it on one turn of pitch-and-toss,
And lose, and start again at your beginnings
  And never breathe a word about your loss;
If you can force your heart and nerve and sinew
  To serve your turn long after they are gone,
And so hold on when there is nothing in you
  Except the will which says to them: "Hold on!"
If you can talk with crowds and keep your virtue,
  Or walk with kings—nor lose the common touch,
If neither foes nor loving friends can hurt you,
  If all men count with you, but none too much;
If you can fill the unforgiving minute
  With 60 seconds' worth of distance run,
Yours is the earth and everything that's in it,
  And—which is more—you'll be a man, my son!

Mr. O'HARA of Illinois. Mr. Speaker, never again will this historic Chamber see the likes of the Honorable USHER L. BURDICK, who to our great regret voluntarily is retiring to private life. Other outstanding statesmen will come to make mighty contribution to the continuance of the House as the greatest legislative body in the world. But there never again will be an USHER BURDICK. He was the product of an era that has closed.

In 1903 and 1904, when the Minnesota football eleven mowed down all opposition in the Big Ten, USHER BURDICK at right end was a star of brightest light and his name was famous wherever deeds of athletic prowess gave thrill to worshiping fans.

At 28 he was a member of the legislature of North Dakota, at 30 was the youngest speaker of a State legislative body in the Nation, and at 32 was lieutenant governor of his State. He served 10 terms in the House, always fearlessly independent, always fighting for the little fellow and what he thought would make this a better and a brighter country for everybody. He was never broken to party harness. Indeed any kind of a harness that might seek to restrain him from causes he deemed righteous was hateful to him. None of that for USHER BURDICK.

He spoke the Sioux Indian language as easily as his native tongue. He wrote many books on western history. His letter to his constituents was widely quoted in newspapers throughout the Nation because of his way of putting into his writings exactly what was in his mind and probably, also in the minds of the folks at home. When he spoke from the well of the House everybody listened.

As football end, as lawyer, as statesman, as orator, as writer, and as friend, USHER BURDICK in my book was among the champions of champions.

To USHER BURDICK I owe a great debt of gratitude for what his smile and his friendship have meant to me from the day I entered this Chamber. In his going the Congress loses a giant of integrity, of straight thinking, and of colorful dedication to the grassroot philosophies that have made America supreme among the nations and, adhered to, will keep her so.

HON. THOMAS S. GORDON

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I am speaking in behalf of the beloved dean of the Democratic Illinois delegation, TOM O'BRIEN. TOM O'BRIEN himself

is not speaking because he feels deeply the stab of ingratitude that some Members of the other body are plunging into the back of TOM O'BRIEN and the Chicago of his birth and affection.

TOM O'BRIEN has been in this body for 27 years, and only one bill has borne his name. That was the bill for Chicago, and TOM O'BRIEN did not introduce that bill until he had been asked to do so by the gentlewoman from Illinois (Mrs. CHURCH), speaking for all the Republican Members of Chicagoland.

You have found that we are a pretty closely bound family, those of us who come from Chicago, and when we are doing something for Chicago we do not raise a question of politics and we follow the leadership of TOM O'BRIEN and MARGUERITE CHURCH. We have made a lot of sacrifices. Many a time those in the other body have called upon our beloved dean for help, and many a time he has given it. Then today he was told that they were putting in his back and in the back of Chicago the dagger of ingratitude. We are going back to Chicago with no love for the Members of the other body for giving that blow to TOM O'BRIEN and to men, women, and children of Chicago. We are going back, but TOM O'BRIEN will return, I can assure those who now are wielding the dagger, and he will not forget.

That is the reason I am speaking for him now. He loves TOM GORDON, and wished me to say for him what is in his heart.

Mr. Speaker, you know the affection we in Chicago have for one another. TOM GORDON is about to leave the Congress, the TOM GORDON who did so much for Chicago as city treasurer of Chicago and who in his quiet, efficient, self-effacing way was, I think, the greatest treasurer of any city in the United States; the TOM GORDON who took a newspaper and as its manager made it the Polish newspaper in English with the largest circulation in the world. Then TOM GORDON came to the Congress and went on the Committee on Foreign Affairs, always self-effacing, always efficient, always doing a tremendously good job but never reaching out for credit.

Mr. Speaker, I have known TOM GORDON for many, many years. There was great ability in TOM GORDON, but he never paraded his accomplishments. That is his nature. When he became chairman of the Committee on Foreign Affairs everybody remarked upon his fairness, his intelligence, his profound grasp of all the matters that go into the making of foreign policy. Now TOM GORDON is leaving us. TOM O'BRIEN wanted me to speak for him and invite my colleagues on the Committee on Foreign Affairs of seniority, the Members from Illinois, and the other Members of the House to pay their tributes to a great American, a great Chicagoan, and a great chairman of a great committee of this Congress.

Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Speaker, I cannot let these closing hours of the 85th Congress pass by without a personal expression about my dear friend and colleague who is leaving this Congress, the Honorable THOMAS S. GORDON, of Illinois. As most of you know, he is leaving reluctantly because of ill health. He has been a Member of this body since the 79th Congress. I have served with him on the Committee on Foreign Affairs since I came to this body in 1949.

Perhaps his most outstanding characteristics are his gentleness and consideration for his colleagues. As chairman of the committee during this last Congress, he presided over some of the most important deliberations that have come before our committee.

We come from similar districts in the Midwest. On many issues that came before this Congress we saw eye to eye and on the few occasions where we did differ, I have never found any sign of bitterness on the part of TOM GORDON. Certainly the district which he has represented all these years has had a faithful and devoted public servant. It is my own judgment that his present ill health has been caused in large measure by the unstinted devotion and service which he performed for his constituents. No request was too small; no interest was to obscure to escape his undivided attention.

My wife and I have on many occasions enjoyed the company of Mr. and Mrs. GORDON. As TOM and Cele leave this city we shall miss them and their graciousness. On behalf of my wife and myself, I wish TOM GORDON and his wife, Cele, many years of happiness as they leave for a well deserved rest. May God grant the choicest blessings to you and yours, Mr. Chairman, Mr. GORDON.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to my colleague from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Speaker, I wish to congratulate and thank the gentleman from Illinois [Mr. O'HARA] who I know is a very devoted and close friend of our colleague, TOM GORDON, for taking this time to pay tribute to TOM GORDON for his devoted service to his country. TOM GORDON will not be remembered in this country for any outstanding orations, but he will be remembered for a long time for the acts which he performed while he was a Member of Congress. Truly, I know of very, very few Members of this Congress who have been more effective than TOM GORDON in the field of foreign affairs in the Congress of the United States. He is possessed of many great qualities. He is modest, but he knows that reason must prevail and through his good sense he has been able to do many, many good things for the benefit of his country. He could have been and should have been chairman of the Committee on Foreign Affairs in this session of the Congress, but he realized that his health would not permit him to serve his country to the fullest extent that that high office requires and he relinquished that position to others. However, I think as time goes on we will know more and more of the many instances when TOM GORDON'S good judgment and reasoning did much good for the benefit of our country. I sincerely hope that TOM GORDON will soon regain his health and be able to serve his country in whatever capacity he deems best.

Mr. O'HARA of Illinois. I thank the gentleman from Michigan. I agree with him that when the history of these times is written, the name of TOM GORDON will be very high on the honor roll.

Mr. Speaker, I now yield to the gentleman from Pennsylvania, acting chairman of the Committee on Foreign Affairs [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I wish to say a few words in tribute to the outstanding public service of my dear friend, colleague, and committee chairman, THOMAS S. GORDON, whose prolonged convalescence after major surgery has made necessary his retirement from the Congress.

The next Congress will be the poorer because of the absence of our friend and colleague, THOMAS S. GORDON. My admiration and respect for this man has increased each year that has gone by. His loyalty and devotion to his duties have been outstanding and I have never known anyone who has been so attentive to committee business and has devoted his energies so untiringly to his constituents and to the American people. He is outstanding in his friendliness, kindliness, and courtesy. I have never known him to utter a word in anger. His conduct of committee meetings was outstanding for the fair and generous way in which he conducted himself.

TOM GORDON was never too busy to extend a helping hand no matter who requested it. His sympathetic understanding of our problems is symbolic of true generosity of his heart.

It was with the deepest regret that I heard he had decided to retire from the Congress. I know he will continue to give the benefit of his wisdom and his advice to us and to his people.

I can truthfully say that I have learned much under the chairmanship of TOM GORDON. I hope that I can follow his example and that I will be able to fulfill my duties as well as he has filled his. The most that can be said of anyone is that he loved his fellow man, and that is indeed true of TOM GORDON.

Mr. O'HARA of Illinois. I thank the gentleman from Pennsylvania. I can only remark that although we suffer loss in the retirement of TOM GORDON from the committee, we are enriched by our new acting chairman.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I thank the gentleman from Illinois for yielding, but even more for having taken this time to express the feelings in which we all share regarding Mr. GORDON, of Illinois, one of our most illustrious citizens. Mr. GORDON is a man who has earned his way to fame and recognition in this great Congress through hard work, quiet study, moderate approach, large heartedness, and magnanimity of spirit that has shown itself on every occasion and to everyone who had the privilege of working with him.

I took signal pride when I knew that Mr. GORDON was succeeding to the chairmanship of the House Foreign Affairs Committee. Even though I had had the privilege of knowing him for some years, I had no idea as to quite what spirit of understanding he would breathe into our consultations; with what equanimity he would preside over our occasional disputes; nor with what gentleness of spirit he would calm tenseness of feeling arising over the very serious subjects of our discussions.

The Congress is losing a great Member in the retirement of Mr. GORDON. The Foreign Affairs Committee, however, takes great pride in the spirit and ability of his successor; but to those of us who were friends of Mr. GORDON through the years, it would be difficult to replace him as a man, as a leader, as a true son of Chicago, who has brought great credit to that city.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Michigan.

Mr. DINGELL. I thank my distinguished colleague from Illinois for yielding to me.

Mr. Speaker, the House of Representatives is a very harsh judge of its membership. I think it is a great credit to TOM GORDON that this House and its Members have shown to him the affection and high regard that they have displayed. He is a credit to the Committee on Foreign Affairs, one of the greatest committees of this House. He is a credit to the people of his District, he was a credit to the people of Chicago and the Polish-American people from whom he sprung. He is a fine man, a gentle soul, humane man, a man who is characterized by his understanding. He is much beloved by all of us, here and by his people at home. We shall miss him when he leaves us.

The Foreign Affairs Committee of the House of Representatives is much poorer for his leaving us. I wish to join our colleagues and friends in this body in paying tribute to one of our fine Members and in wishing him well, and in expressing the hope that he will have a long, happy, prosperous life, an opportunity to do the many things he never had time to do while here.

Mr. CARNAHAN. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Missouri.

Mr. CARNAHAN. Mr. Speaker, I want to join with the other friends of TOM GORDON in paying a deserved tribute to a great Member of the Congress. I had the pleasure and privilege of serving on the Committee on Foreign Affairs under the chairmanship of Mr. GORDON. He was able, devoted, and eminently fair in his leadership of this committee.

Mrs. Carnahan and I have enjoyed the delightful companionship and friendship of Mr. and Mrs. Gordon, and we are going to miss them. TOM GORDON will be remembered as a warm personal friend by so many of his colleagues here.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, may I thank the gentleman very much for taking this time and giving us the opportunity of saying some of the things that we have felt for many years about TOM GORDON.

TOM GORDON and I knew each other in a different way from what most of you have known him. In the first place, in a meeting of the Committee on Foreign Affairs, I found him one day dreadfully bored. We talked about a few things and among others we thought about the organization of the committee. We thought we would not get bored if there were some small subcommittees formed. So we mapped out a little bit what the subcommittees would do. Then we just quietly talked a little bit, and in 1945 we succeeded in having the subcommittees, particularly the geographic ones, formed.

Then I had the great pleasure with KARL MUNDT of traveling with TOM GORDON, and it was quite an experience. We went to Warsaw. TOM, and Joe Ryder of Connecticut, who was then in Congress, had lists this long of Poles they wanted to find out whether they were living or dead. TOM found everyone of them living. The comfort and the joy he brought to his own people at home and those people in Warsaw is something one does not forget.

His heart was too big for him and finally it balked a little bit. But all down through the years being with TOM GORDON has been a very real experience. Every one of us on the Foreign Affairs Committee has felt the warmth of his personality. Sometimes he seemed a little timid. You would give him a little poke and say, "Come on, come on, TOM, say it," and with real strength he would then do it.

There were few, perhaps, who had the common interest he and I had. We both had sons who had injured themselves. We compared notes a good many times and were perhaps a comfort to each other in many of the difficult times that we had.

So it is with a great deal of joy that I add my little word to the many that have been said here in his praise and in his honor, and I hope sincerely that he will be with us many times, that he will come here to Washington. I know we may talk with him on the telephone and write him and ask him what to do.

For my beloved colleague, TOM GORDON, and all his loved ones, I hope for happiness as the years pass lightly over their heads, God keeping them.

Again to my distinguished colleague from Illinois [Mr. O'HARA] I want to say another thank you for these minutes that have given us this opportunity.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Speaker, I wish to join my distinguished colleague from Illinois and the many other Members of the House who have praised TOM GORDON. All the high praise that has been heaped upon TOM today is fully merited and deserved. He is a kind man; he is a gentleman; he is a devout man; he is a splendid family man. He was always firm in his convictions, courageous in his debates, yet always fair. We are going to miss TOM GORDON in this Congress. It was a pleasure and an honor and a privilege for me to serve with him on the Committee on Foreign Affairs and also to serve with him when he was its chairman. I have traveled with him and I have always found that he was a steadying influence on my actions and my thoughts and my feelings. He is a personal friend of mine and I am going to miss him. I hope he will return, and meanwhile, in his retirement, I hope that he has good health and many years of well deserved enjoyment.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the distinguished majority whip, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join the Illinois delegation in this tribute to a great American, a great Congressman, and a real friend of mine, TOM GORDON. TOM is a man of many fine qualities. He is a man of great ability. It was with deep regret that I learned that because of his health, TOM GORDON was finding it necessary to retire. This Congress is losing one of its outstanding and most beloved Members. I wish him great happiness in the years to come.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. BYRNE].

Mr. BYRNE of Illinois. Mr. Speaker, the gentleman from Illinois and I represent adjoining districts in the city of Chicago, and our esteemed friend, TOM GORDON, comes from another section of the city of Chicago. When I was assistant corporation counsel in the city of Chicago, many years ago, I knew TOM GORDON well. I got to know him better when I was an assistant State's attorney of Cook County. He preceded me in the Congress of the United States and served a number of terms before I arrived here. He served during that tenure of office with great honor and distinction. In our great city, along the sidewalks of Chicago, we are represented by many nationalities; people from far distant countries. We get along fine with all nationalities, creeds, and colors. I think in TOM GORDON we see the exemplification of a fine leader of the Polish race.

Mr. Speaker, I join with the other friends of TOM GORDON in wishing him well. I am privileged to be a friend of his over a long period of time, and I extend to him my felicitations and best wishes that through the years that are to come he may have the best of health and he may have a much deserved rest.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Speaker, as a member of the Illinois delegation, it is my proud pleasure to address a few remarks in this 11th hour on the self-retirement of the chairman of the Committee on Foreign Affairs, our beloved colleague from Illinois, THOMAS GORDON. In THOMAS GORDON we see a healthful parallel between the 85th Congress and our departing friend.

This Congress is probably the least partisan peacetime Congress in the

memory of the United States, and probably the most quietly productive in legislative achievement recorded as we approach the end of the legislative calendar.

This, the 85th Congress, has been undramatic, unbitter and in strictly headline terms it may not have made any national issues; but at no time has this Congress sought to nor has it divided our Nation. It has operated with none of the violent controversy and debate that sometimes characterizes and punctuates legislative assemblies.

It is not too hard to look in retrospect to see where, too often, controversy and bitterness ofttimes have left too many issues more clouded and more unsolved than when the Congressmen approached them.

When we go to the other aspect of the parallel, when we view the activities of our colleague, the chairman of the Committee on Foreign Affairs within that framework—yes, a beautiful framework—we see that he was one of the least partisan chairmen in our memory, and probably one of the most quietly productive chairmen in legislative achievement. Yes, he was quiet. He was unassuming, he was unbitter, and he never involved himself in mere search for headlines. He was not a headline hunter. He never sought to create national issues, and at no time did he try to divide the Nation. He operated without the benefit of violent controversy that oftentimes we see in too many places.

Mr. Speaker, as he leaves to go into his much-needed retirement, occasioned by ill health, I am reminded of that definition of a gentleman enunciated by Cardinal Newman who said:

> He is tender toward the distant. He is merciful toward the absurd. He seems in fact to be receiving when he is conferring, and he never indulges in controversy with better, perhaps, but less-trained minds.

It is almost the definition of a gentleman to say he is one who never inflicts pain. He is like a chair who is constantly giving comfort and consolation.

As a member of the Illinois delegation I know we shall miss Congressman GORDON. As the distinguished majority whip and other speakers have said, you cannot lose a man of this integrity and this intensity of purpose without suffering a grievous loss.

Mr. Speaker, I salute our colleague, and to him and his lovely family I wish years of good fortune and good health.

Mr. O'HARA. Mr. Speaker, I yield to my distinguished colleague from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Mr. Speaker, I have had a very intimate acquaintanceship with the gentleman from Illinois [Mr. GORDON] because he ran for Congress in my District. This is what impressed me about him in 1942 when I was running for the first time for the Senate of the State of Illinois and he was running for Congress. THOMAS GORDON was an American. He was in an Italian-controlled District and was of Polish antecedents. He was a man of genial disposition, sweetness of character, and kindness in every move and every attitude. He was a man who liked people, and naturally, people of Italian extraction are very anxious to have friendly men and friendly leaders. He personified that type of person.

He received probably a greater plurality than any man who ever ran before him for that office on the near West Side. Sometimes, I might say, they were a little too enthusiastic. Nevertheless, TOM GORDON was an important man in that community.

There is a peculiar thing about men; the mental attitudes of men and their training, in the case of TOM GORDON, did not derive from the so-called schools of higher education.

TOM GORDON at an early age, after graduating from high school, had to seek employment and train himself for the sacrifices he had to make to support his family. Thus we have a typical character in American life, one coming from the common people, from foreign antecedents, who by his own development progressed to the point where he is at the head of one of the important committees of the Congress, dealing with the complexities of foreign policy. He has had the training that is necessary to cope with the responsibilities of a chairmanship. TOM GORDON took his place there with strength of purpose and a fine balance of judgment, and, with the cooperation of his fellow members, gave leadership to that committee, until he resigned.

I think as a man his true character was in his simplicity and sense of direction, that was his alone. He never sought importance. He lived to serve his fellow countrymen in the capacities in which he trained himself and in which he was trained by the eminent men in this Congress who preceded him.

I think it is a great loss to our community and to the country at large to have men who are similarly trained leave public life. Unfortunately, the Harvester of Them All decrees what men shall do, and their health determines their status. The most important thing for TOM GORDON is to regain and enjoy his health, which he lost by reason of the worries and tensions he experienced here.

I am very proud that at one time a portion of his District was in what is my present District.

The people of Illinois and, naturally, my leader, TOM O'BRIEN, are very proud to have us speak of TOM GORDON upon his departure from the House of Representatives at this time.

Mr. O'HARA of Illinois. Mr. Speaker, there are many Members here who would yet like to pay their tributes to TOM GORDON, but as we have taken up a considerable period of time, I ask unanimous consent that all Members wishing to do so may extend their remarks in this and succeeding issues of the RECORD about our colleague, TOM GORDON.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SAUND. Mr. Speaker, I shall always remember TOM GORDON as a dear friend and a beloved chairman of the Foreign Affairs Committee. As I joined the Foreign Affairs Committee I did so with diffidence, knowing how little voice in the deliberations of a committee a freshman can expect. Yet after 2 years of service under the leadership of TOM GORDON I can state this: At no time did I feel that I was a freshman. The chairman was always gentle, kind, considerate, and ever obliging. Last winter he appointed me as a one-man subcommittee to tour the countries of the Far East. He demonstrated his sincere faith in me. He offered his help and guidance in my mission. On my return when I reported on my assignment he gave me a pat on the back which I shall never forget. TOM GORDON was a great chairman and a true leader. My wishes go with him so he may enjoy his retirement with his lovely wife and fine family.

Mr. CHIPERFIELD. Mr. Speaker, it is with a sense of deep regret that our distinguished colleague and affectionate friend, TOM GORDON, is forced to leave the Congress because of ill health. It will be a great loss to the Nation and to this body not to have him here. He has been an outstanding legislator, an inspiring leader, and throughout his life a true Christian gentleman.

As chairman of the Committee on Foreign Affairs, TOM GORDON won the respect and admiration of all the members. He was completely devoted to his work and exerted always a fair and nonpartisan attitude having in mind what was best for his country. For all that he has done, the people of Illinois, the Congress, the people of the United States owe him a great debt of gratitude.

I want to join those who admired and loved him in extending to him and Mrs. Gordon our best wishes for good health and many years of happiness.

Mr. PHILBIN. Mr. Speaker, I am very sorry to see my valued friend and our esteemed colleague, Congressman THOMAS GORDON, leaving the Congress. His public career has been marked with great devotion to duty. Able and diligent in his work, genuinely interested in serving the people faithfully, efficiently, and well, Congressman GORDON has been an extremely valuable Member of the House. During his incumbency as chairman of our great Foreign Affairs Committee, he has made notable contributions of which we are all very well aware. His constituency and the Nation—yes, and the Free World—are thankful to him for his conscientious efforts and constructive accomplishments.

TOM GORDON is a man of amiable personal traits and no one who ever knew him could fail to be impressed by his quiet modesty and sincere humility. He has made a great record here in the House that will have a deep and lasting impression on our membership, and I know that I speak for the entire House when I commend and congratulate him upon his many years of unselfish service.

In his voluntary retirement, I wish for him and his family all the blessings of good health, success, and happiness, and I hope he will return to Washington frequently to visit with us.

Mr. MACK of Illinois. Mr. Chairman, I deeply regret that the distinguished chairman of the Foreign Affairs Committee of the House of Representatives, the Honorable THOMAS S. GORDON, of Illinois, is retiring from Congress this year.

This decision must have been as difficult for TOM to make as it has been for the rest of us to accept. The members of the Foreign Affairs Committee will all miss TOM GORDON because they, like the members of the Illinois delegation, know full well what a dedicated public servant he has been. He has made a great record as a Member of Congress and as chairman of the Foreign Affairs Committee. He has led this committee in some of our most turbulent times in the field of foreign affairs. His contribution will be long remembered. I join with my colleague and with the other Members of the House of Representatives in wishing our friend much happiness and success in the years ahead.

Mr. SIKES. Mr. Speaker, the end of the 85th Congress brings with it the fact that an unusually large number of Members of the House of Representatives are retiring from service. To those of us who have worked with the Honorable THOMAS GORDON, a great Democrat from Chicago, it is sad to learn that he will not be among us when the 86th Congress convenes in January.

TOM GORDON came to Washington as a Member of the 78th Congress and has been returned by the voters in his District to each succeeding Congress. His varied experience in business and local government prepared him for his outstanding service in the House of Representatives. At the time of his retirement he was chairman of the Foreign Affairs Committee in which position his leadership and ability have endeared him to the other members of the committee as well as to the House as a whole.

Even though I am saddened over the retirement of my friend, TOM GORDON, I join with his colleagues in wishing him a future filled with good health, enjoyment, and success.

Mr. McGREGOR. Mr. Speaker, I want to join with my colleagues from Illinois in paying respect to one of their delegation, the Honorable TOM GORDON, who is voluntarily retiring from this legislative hall.

Congressman GORDON has done an outstanding job, not only for his constituency, for his committee, but for the country and Nation as well.

Congressman GORDON, we wish you and yours all the happiness in the world in the years ahead.

HON. CLAIR ENGLE

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD on the retirement from the House of Representatives of my colleague, the Honorable CLAIR ENGLE, and that all members of the California delegation and such other Members of the House as may desire to do so may be given the same permission; further, that all such remarks appear in the permanent RECORD as of the last issue of this session.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. METCALF. Mr. Speaker, I take this occasion to call attention to a noteworthy chapter in the distinguished career of my colleague, Representative CLAIR ENGLE, of California. I refer to the conservation chapter, by virtue of which the gentleman from California has assured himself a place in the hearts of conservation-minded citizens as well as a place in the history of resource legislation.

In its authoritative conservation report covering the actions of Congress, the National Wildlife Federation called the conservation record of the 84th Congress generally good. In a recent interview Charles H. Callison, conservation director of the federation, summarized the work of the 85th Congress by saying it was a memorable "do-a-lot" Congress, "noteworthy for having enacted more important conservation legislation than any other in recent history."

To back up his appraisal Callison listed such enactments as:

The Outdoor Recreation Resources Review Commission;

Legislation to curb military land grabs and require compliance with State game and fish laws on military reservations;

An increase in the duck stamp to $3, with earmarking of revenues to save vital waterfowl marshes;

Strengthening amendments to the Fish and Wildlife Coordination Act;

Legislation authorizing research into the fish and wildlife effects of chemical pesticides; and

Control of billboard advertising on the Interstate Highway System.

Callison also said this Congress was generous and realistic in making appropriations to the resource-management agencies providing funds to implement soil, water, forestry, wildlife, national park and pollution-control programs.

Mr. Speaker, many of us are proud of having had a hand in writing the outstanding conservation record of the 85th Congress and its predecessor body, the 84th. I was the original author of the pesticides research bill and cosponsor of several of the others listed by the National Wildlife Federation. But my purpose here is to review the outstanding role played by Representative CLAIR ENGLE, who is leaving the membership of the House in order to run for the Senate.

As chairman of the Committee on Interior and Insular Affairs, CLAIR ENGLE launched and directed a searching investigation of military land excesses and abuses of conservation laws on military areas. He wrote, and led the fight for, the corrective law known as the Engle Act (Public Law 85–337). This important measure requires Congressional approval of any military withdrawal or reservation from the public domain in excess of 5,000 acres. It encourages multiple use of military lands for recreation, grazing, forestry and other public purposes where feasible. It requires compliance with State game and fish laws. For a more detailed account of this Engle crusade see the article in the July 1958 issue of the Reader's Digest by Charles Stevenson.

CLAIR ENGLE cosponsored the outdoor recreation resources review bill. He guided it out of committee with his usual fine skill and handled it successfully on the House floor. The Commission created by this bill is charged with the responsibility of making an inventory of present facilities and for projecting outdoor recreation needs—for hunting, camping, fishing, hiking, boating and similar healthful pursuits—to the years 1976 and 2000 A. D.

Mr. ENGLE was one of the earliest sponsors in the 84th Congress, and again in the 85th Congress, of legislation to earmark duck-stamp receipts for wetlands acquisition and to prevent the dribbling-away of sportsmen's money for other purposes. This principle has been enacted in the Duck Stamp Act, one of the major accomplishments of this Congress in wildlife conservation.

CLAIR ENGLE was cosponsor also of our bill to earmark a portion of national forest receipts to finance a long overdue program of recreational and wildlife improvements in the forests. This proposal never became law, but by focusing attention on the need it helped prod the Department of Agriculture into launching its Operation Outdoors program. Thus, the same objectives are being reached through direct appropriations initiated, incidentally, by this Congress.

In the 84th Congress Mr. ENGLE cosponsored a bill which, perfected in his committee, became Public Law 167, the so-called multiple-use mining law. This law has served to eliminate bogus mining claims and to prevent other abuses that were piling up under the 1872 mining law on the public lands. Briefly, this important act permits prospecting and all necessary mining operations, but it protects the surface resources and permits multiple use of the surface of mining claims for recreation, grazing, timber, and wildlife management, and other public purposes.

Careful search of the records would reveal many other instances of Mr. ENGLE's alertness to protect the public interest by the wise use of natural resources. He pushed through the Small Irrigation Projects Act of 1956 and he wrote into that law a proviso that such small projects receiving Federal aid shall be subject to fish and wildlife review under the Coordination Act. This is consistent with his multiple-use philosophy.

Representative ENGLE has consistently supported the sound and comprehensive development of water resources as well as public lands, forests, minerals, and other resources upon which the wheels of agriculture and industry turn, without forgetting or neglecting the human values inherent in wildlife, in parks, and in wilderness. None of this is surprising because CLAIR ENGLE works hard and plays hard, and when he wants to relax he grabs a rifle and camping equipment and heads for the big game ranges or the wilderness country of the high Sierras.

Mr. ENGLE has supported measures to control and abate air and water pollution, two problems of particular importance in his own State. He joined actively in the fight to save appropriations for the Federal water-pollution-control program, funds which had to be won last year on the floor of the House over the

stubborn and puzzling opposition of the minority.

Californians know better than we do of some of Mr. ENGLE's accomplishments that directly benefit his own State. How he steered the Trinity project to a successful conclusion is merely one example. Another is the investigation by his committee of the critical and at times disastrous forest-fire problems in southern California. An eight-point program of prevention and control resulted from his committee's investigation and study.

Mr. Speaker, every American has a vital stake in the conservation of the natural resources upon which his personal welfare depends and the security of our great Nation hinges. Americans owe CLAIR ENGLE a debt of gratitude for his leadership. The House is losing a great conservationist. The Senate will gain one.

Mr. SISK. Mr. Speaker, it is with a feeling of mixed emotions that I arise to pay tribute to one of California's most illustrious sons, Congressman CLAIR ENGLE. I have a deep sense of loss and a feeling of regret that his great service and leadership is ending in the House of Representatives. On the other hand, I am happy that he is seeking to broaden the scope of his work on behalf of our great State. I wish CLAIR every success in his present venture and a long career of continuing service to our State and Nation. I shall feel a deep personal loss as he gives up the chairmanship of the great Committee on Interior and Insular Affairs, of which I am a member. When I arrived here as a freshman in January of 1955, CLAIR ENGLE went out of his way to help me, and it was his aid and assistance that enabled me to secure a spot on that fine committee, which has jurisdiction over so many matters of importance to California and particularly to my own District. He has continued his aid and assistance to me throughout the past 4 years, and I shall miss deeply that close personal relationship which has been so rewarding to me and to my District. I can say, without fear of contradiction, that there is no one in the Congress of the United States better versed on the subject of conservation and water development than Congressman ENGLE.

Because of my love and admiration for CLAIR and his wonderful wife, Lou, I shall miss their presence in the House deeply. However, I feel certain that they will be back on the Washington scene next January in a new capacity, and I wish for them all the success and happiness possible in the years to come.

Mr. MILLER of California. Mr. Speaker, the Honorable CLAIR ENGLE from California, has stood foursquare in protecting the rights of all Federal employees. He recognizes them as the loyal, hard-working group that they are.

During his 16 years in Congress, CLAIR ENGLE has continuously tried to better their working conditions to bring them into line with our high American standard of living.

CLAIR ENGLE has an outstanding record in support of the objectives of postal and Federal employees. He came to Congress in September of 1943 and from that day to this has had a consistent record of support for measures in the interest of more than a quarter of a million postal and Federal employees in our State. He has not only voted for pay increases when he had the opportunity to do so, but he has had the courage to sign discharge petitions, making it possible for the House to vote on salary increases whenever such discharge petitions were filed.

CLAIR ENGLE has favored and voted in support of bills to liberalize the Hatch Act, to provide promotion and salary credit to World War II veterans, to provide unemployment insurance for Federal employees, and to permit accumulation of annual leave, and has voted against riders preventing the filling of vacancies in the Federal service which tend to hamstring those agencies and cause a loss of efficiency greater than the saving in manpower.

CLAIR ENGLE has supported legislation granting increases in the annuities of those retired under the Civil Service Retirement Act, as well as measures improving and liberalizing the Retirement Act generally.

Only recently CLAIR ENGLE joined with me in the introduction of a bill to correct the inequities of the Postal Field Service Compensation Act of 1955. I have on occasion been complimented for the stand I have taken on legislation in the interest of postal and Federal employees. I am happy that as a result of my service on the Committee on Post Office and Civil Service I had the opportunity to learn something of the problems of these worthy people and as a result of that knowledge have been able in some measure to improve their lot. But, Mr. Speaker, I think it only fair to call the attention of the House to the fact that CLAIR ENGLE has stood shoulder to shoulder with me in my efforts to obtain justice for the employees of our Federal Government.

Mr. ASPINALL. Mr. Speaker, it has been my privilege and pleasure to work closely with CLAIR ENGLE ever since I came to Congress. As his service in the House and as chairman of the Interior and Insular Affairs Committee draws to a close I want to pay tribute to him for his distinguished service and as an outstanding committee chairman and wish him success in his campaign for the United States Senate.

This Nation is better off today for having had CLAIR ENGLE as chairman of the House Interior and Insular Affairs Committee during the 84th and 85th Congresses. His able and energetic leadership has produced outstanding committee records during both these Congresses. Committee output does not just happen. It takes energy, initiative, cooperation, and, above all, leadership. Three hundred and sixty-five new public laws out of the Interior and Insular Affairs Committee in the 84th and 85th Congresses, including many of major significance, stand as an indication of our chairman's ability and leadership.

"Action" is the word that most nearly sums up CLAIR ENGLE. He has been called Congressman Fireball, Wildcat in Washington, and other such terms. One Member said of him, "CLAIR is like a mountain quail—when he lights he starts running." It is true that his energy seems inexhaustible. In addition to his ability and energy, he also is colorful and speaks in vivid metaphors which gives him one of the most picturesque vocabularies I have ever heard.

CLAIR ENGLE has done an outstanding job of serving his own District and his own State, having more than 65 laws to his credit. Yet, as chairman of the committee, his primary concern has been for our national needs and this is reflected in the legislation he has sponsored and has guided through the committee and through the House.

CLAIR ENGLE has a record of outstanding accomplishment in all fields of legislation, but especially in the fields of water resources development, conservation, and mining, which are under the jurisdiction of the committee he chairmanned.

For instance, in the field of water resources development, he is recognized as an outstanding authority. In addition to project legislation, he is author of the Small Reclamation Projects Act, the Distribution Systems Act, and is sponsoring legislation involving a new Federal-State relationship for developing municipal and industrial water projects. He has been a champion of State water rights, sponsoring legislation to retain in the States control over their water resources. He authored the original Saline Water Research Act and the amendment thereto, and cosponsored the recent Saline Water Demonstration Plant Act. With respect to his own State, CLAIR ENGLE has long recognized that California's future is tied directly to its ability to acquire adequate supplies of water, and he has made this one of his primary objectives. He has been instrumental in getting authorization and funds for the construction in California of reclamation projects totaling over $500 million and at the same time joined actively in the fight for adequate flood control and rivers and harbors development.

In the field of conservation, CLAIR ENGLE directed a searching investigation of military land excesses and abuses of conservation laws on military reservations and areas, and authored and led the fight for corrective legislation which was enacted in the 85th Congress. He cosponsored the Outdoor Recreation Resources Review Commission Act and got it through the committee and through the House. CLAIR ENGLE sponsored the multiple-use mining law which was perfected in his committee and passed in the 84th Congress. He has been in the forefront of sponsoring and pressing for legislation and administrative action which would insure the survival of the domestic mining industry.

Those of us who have worked closely with CLAIR during his service in the House and as committee chairman and have learned to respect his judgment and leadership will miss him very much. The House is losing a dependable leader; however, the Senate will gain one, and we look forward to working with him as a Member of that body, where we know he will continue to do an outstanding job.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 3 minutes p. m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 11 o'clock and 26 minutes p. m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H. J. Res. 546. Joint resolution designating the week of November 21-27, 1958, as National Farm-City Week; and

H. J. Res. 704. Joint resolution establishing that the 1st session of the 86th Congress convene at noon on Wednesday, January 7, 1959.

The message also announced that the Senate agrees to the amendments of the House to the amendment of the Senate numbered 8 to the bill (H. R. 13856) entitled "An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3321. An act for the relief of George E. Ketchum.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 122. Concurrent resolution authorizing the Presiding Officers to sign duly enrolled bills and joint resolutions after sine die adjournment.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13489) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments numbered 2, 3, 10, and 12 to the above entitled bill.

The message also announced that the Senate recedes from amendment numbered 4.

The message also announced that the Presiding Officer appointed the Senator from Rhode Island, Mr. GREEN (chairman), the Senator from New Hampshire, Mr. BRIDGES, the Senator from Tennessee, Mr. KEFAUVER, the Senator from California, Mr. KUCHEL, the Senator from Washington, Mr. JACKSON, the Senator from Nebraska, Mr. HRUSKA, and the Senator from New York, Mr. JAVITS, members of the Congressional delegation to attend the Fourth Annual North Atlantic Treaty Parliamentary Conference to be held in Paris, November 17–22.

The message also announced that the Presiding Officer had appointed the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Minnesota, [Mr. HUMPHREY], members of the United States delegation to the 10th session of the Biennial General Conference of UNESCO, to be held in Paris, November 4 to December 5.

MUTUAL SECURITY APPROPRIATIONS FOR 1959

Mr. PASSMAN submitted the following conference report and statement on the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2704)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13192) "making appropriations for Mutual Security for the fiscal year ending June 30, 1959, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, and 7, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$750,000,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$400,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 8, 9, and 10.

OTTO E. PASSMAN,
J. VAUGHAN GARY,
JOHN J. ROONEY,
WILLIAM H. NATCHER,
WINFIELD K. DENTON,
HUGH ALEXANDER,
GEORGE ANDREWS,
CLARENCE CANNON,
JOHN TABER,
RICHARD B. WIGGLESWORTH (except as to amendment No. 4),
GERALD R. FORD, Jr. (except as to amendment No. 4),
EDWARD T. MILLER (except as to amendment No. 4),
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
LISTER HILL,
LEVERETT SALTONSTALL (with reservations),
EDWARD J. THYE,
EVERETT M. DIRKSEN (with reservations),
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

MUTUAL SECURITY

Funds appropriated to the President

Military Assistance

Amendment No. 1: Changes citation as proposed by the Senate.

Defense Support

Amendment No. 2: Appropriates $750 million instead of $700 million as proposed by the House and $790 million as proposed by the Senate.

Amendment No. 3: Reported in disagreement.

Development Loan Fund

Amendment No. 4: Appropriates $400 million instead of $300 million as proposed by the House and $580 million as proposed by the Senate.

Special Assistance

Amendment No. 5: Appropriates $200 million as proposed by the Senate instead of $185 million as proposed by the House.

President's Special Authority and Contingency Fund

Amendment No. 6: Appropriates $155 million as proposed by the Senate instead of $100 million as proposed by the House.

Corporations

Limitation on administrative expenses.

Development Loan Fund

Amendment No. 7: Limits administrative expenses of the Development Loan Fund to not to exceed $1,250,000 as proposed by the Senate instead of $1 million as proposed by the House.

General Provisions

Amendments Nos. 8, 9, and 10: Reported in disagreement.

The amounts contained in the bill agreed to by the conferees were too small in the view of some of the conferees, especially in the Development Loan Fund. It is understood that if additional funds are needed next January for the purposes contained in this bill, the Appropriations Committees of the House and Senate will give earnest consideration to the recommendations of the Executive in view of the importance of maintaining our friendly relations with countries with whom we have undertakings.

OTTO E. PASSMAN,
J. VAUGHAN GARY,
JOHN J. ROONEY,
WILLIAM H. NATCHER,
WINFIELD K. DENTON,
HUGH ALEXANDER,
GEORGE ANDREWS,
CLARENCE CANNON,
JOHN TABER,
R. B. WIGGLESWORTH (except as to amendment No. 4),
GERALD R. FORD, Jr. (except as to amendment No. 4),
EDWARD T. MILLER (except as to amendment No. 4),
Managers on the Part of the House.

Mr. PASSMAN. Mr. Speaker, I call up the conference report and statement on the bill (H. R. 13192) making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the statement.

Mr. PASSMAN. Mr. Speaker, I think this is the best report that the Subcommittee on Foreign Operations of the Committee on Appropriations has ever brought before this body. The conference has been a rather successful one for the taxpayer of the United States.

The budget request was for a total of $3,950,092,500.

The conference bill calls for $3,298,092,500, a reduction of $652 million under the budget request.

When the bill left the House the new money provided was in the amount of $3,078,092,500.

The Senate added $440 million to this sum.

It was apparently generally assumed when we went over for the conference that the House was ready to accede to the $440 million increase. The other conferees found out shortly after we arrived, however, that we were not going to agree to the amount added by the other body. Then they thought they had us in position for a $300 million increase over the House bill; but we had other ideas about that, too. We have finally returned to the House with a saving of $220 million from the total approved late today by the other body.

I think we must recognize, regardless of our personal feelings, that our Government has made commitments and incurred obligations throughout the world, whether with or without sound foundations or justification. We must, of course, provide the means to carry out the commitments which have been made.

Therefore, I am going to support this conference report. I had hoped, Mr. Speaker, that there would be unanimous agreement in the House that we had done a creditable job and that our committee would perhaps be commended for engaging in a very difficult conference and bringing this bill back in the amount we are asking you to approve.

Upon return from the conference, however, I have learned that there may be a motion to recommit the bill. I hope no such motion is made, but if it is done I trust that it would not prevail. The bill now presented is a good bill, effecting substantial savings, and providing funds in sufficient amount to meet the commitments which our Government has made throughout the world. Whether we like those commitments or not, they have been made, and it is our obligation to fulfill them, while endeavoring to effect greater savings in the future.

Adding all of the obligated amounts and the sums unobligated from prior years to this bill as presented in the conference report, the total available for all commitments, new and old money, is $8,498,084,500.

I trust, Mr. Speaker, that the House shall now support the committee and support the conferees.

Mr. BOSCH and Mr. WILLIAMS of Mississippi rose.

Mr. PASSMAN. I must yield first to the distinguished gentleman from New York, and then if it is agreeable to him I shall yield to the distinguished gentleman from Mississippi.

Mr. BOSCH. I thank the gentleman very much.

Mr. Speaker, I would like to ask the gentleman——

Mr. PASSMAN. I yielded to the gentleman from New York [Mr. TABER].

Mr. BOSCH. I am very sorry, but I am from New York also.

Mr. PASSMAN. I will yield to the gentleman from New York [Mr. TABER] and yield to you later.

Mr. TABER. I think I will yield to the gentleman from New York [Mr. BOSCH].

Mr. BOSCH. Thank you very much.

I would like to put the question to the chairman of the committee, and might I say that I am very gratified with the result of the conference that was had.

I would like to put this question: Could the distinguished gentleman from Louisiana tell us how much money in this bill will go to Tito or Yugoslavia, Poland, and other satellite nations?

Mr. PASSMAN. To be perfectly frank with the gentleman, some of these items are so secret I do not know myself. It all depends on the amount the President wishes them to have. The gentleman understands that this is in the hands of the President. This involves a lot of tax funds, and you have been supporting it for years on that basis.

Mr. BOSCH. I have not been supporting it for years.

Mr. PASSMAN. The Congress.

Mr. BOSCH. I have been opposed to it. I feel the time has come for us to sort of stand up to some of these nations that have just about taken us for everything that we are worth and are delivering nothing to us.

Mr. PASSMAN. There is nothing earmarked for Yugoslavia.

Mr. BOSCH. That is left entirely to the Executive?

Mr. PASSMAN. Yes. That is my understanding.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. I think you have done a wonderful job, but where are we going to get this money?

Mr. TABER. From the same place we are going to get the money for all these other things that we have been passing here that we should not have passed. We will borrow it, I expect, which is one of the curses of the whole situation. We have to do that somehow or other between now and the next time we meet.

When we go home we are going to find our people not happy with these new burdens we have placed on the Treasury. We are going to find that they are very much disturbed by that situation and they are very much disturbed by the inflation that is caused by these enormous appropriations. We have to find some way that we can handle these things for less money or else we will have to raise taxes. That is all there is to it. That is the situation the country is in.

Frankly, Mr. Speaker, there is nothing in this bill that is committed to any particular nation, except $50 million out of the defense support item which is earmarked for Spain. That is the only item that we have that is earmarked at all. The rest of it is dependent entirely upon what the Executive thinks is necessary for the maintenance of our position in the world and what is necessary to help keep the Russian group from crowding into our borders and making trouble for us.

Those who wanted a low figure in this bill are very happy tonight because this is a low figure. The trade that was made with the Senate conferees produced the lowest comparative amount that has been appropriated in a long time. That is the exact figure.

No one should vote against this conference report because anyone who feels that he may be uneasy about it and that he is opposed to the whole thing, those who wish a low amount, should be very well satisfied with the results.

Mr. Speaker, I think that is about all I want to say, except this: You heard what was read in the conference report when it was stated that the President might come in and ask for an item and the Congress would give it earnest consideration. I would ask the chairman of the subcommittee if that is not the way he understood it.

Mr. PASSMAN. Absolutely, that is my understanding. The report speaks for itself.

Mr. TABER. And anything that relates to the needs of the country has always, in my day, received the most earnest consideration on the part of the membership of the House.

Mr. WILSON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. WILSON of Indiana. I am sure that the gentleman from New York is well aware of the fact that this retiring Congress cannot in any way bind a succeeding Congress, and therefore any commitment made in behalf of this legislation will not bear any fruit in the 86th Congress. There may be a few of us who supported this find ourselves left back home with the taxpayers next January.

Mr. TABER. Well, I do not know, but I believe that whatever Congress is elected from time to time, no matter which party they may belong to, will do what it should to meet the responsibilities that we have to our people, to maintain the freedoms of our people and of our allies across the seas.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. I commend the committee for having saved $220 million of the Senate increase. On the other hand, the cold, hard fact is that the managers on the part of the House surrendered to the extent of $220 million above the bill as approved by the House. I am sure the gentleman from New York was absolutely correct when he said that when we go home the people are going to ask about this reckless spending Congress, and I, for one, will find it difficult to explain why this appropriation was increased $220 million. I am opposed to this conference report. It is time to stop spoon-feeding foreigners all over the world.

Mr. TABER. The gentleman from Iowa will have no reason to be disturbed about any feeling on the part of the public that he has not done his part in trying to keep down expenditures, and I do not believe that he will be questioned too much along this line. I think that we should agree to this conference report.

Mr. PASSMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I simply want to state for the RECORD that I signed this conference report with reluctance. I agree with the gentleman from New York [Mr. TABER] that this is a low figure. The total is $652 million below the original request from the President of the United States. In my opinion, it is inadequate. In my opinion, we are taking chances which we ought not to take under existing world conditions.

Mr. PASSMAN. I also reluctantly signed the conference report, but for different reasons.

Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, the distinguished gentleman from Louisiana and his committee are to be commended upon the savings that they have effected for this Government, not in this conference report but in the initial bill that was reported to the House. They have split this conference report on a 50–50 basis between the House and the Senate.

Even so, that, in my opinion, is no victory.

The distinguished gentleman from the State of Louisiana—and goodness knows, there is no Member of this House who has been more energetic, more devoted, to the interests of economy and the cutting down of this foreign aid program than he has—stated to this House but a few minutes ago that the figure which has been agreed upon by the conference committee is the absolute minimum which we can accept for the defense and security of this country, or words to that effect.

Those are exactly the same words that he used when the bill was initially before the House, when the committee figures were $220 million below the figures that he attempts to justify tonight.

The President of the United States will tell the people of the United States, undoubtedly, that the Congress has spent in this Congress $3,298,092,500 on foreign aid, that that is all that we are giving away to these foreign countries. He will not tell them that the unexpended balance remaining in this international WPA amounts to $8,278,084,500. With the addition of the $220 million that is provided over and above the House figures, there will be available for expenditure for foreign aid $8,498,084,500. Please do not go back and tell the people that you are only spending $3 billion; tell them the truth; tell them you are spending $8,498,084,500 on foreign aid. And you are charging that to the American taxpayers.

Yes, it is my intention to offer a motion to recommit, if I can be recognized, to do so, with instructions to the House conferees to stand by the House figure.

I would like to ask my distinguished friend from Louisiana whether in the 13 years that this program has been in existence the Senate has failed to raise the House figure in one single year.

Mr. PASSMAN. I do not recall any instance where the Senate reduced this particular bill. But I should like to direct the attention of the distinguished gentleman from Mississippi, that the Members of the other body are also elected officials. You cannot just go over there, hit them over the head and say, "Either take this or you will not get any bill at all." If the gentleman has any method by which he can cause the Senate to recede on all these figures, I certainly hope he becomes a member of this committee. We would welcome counsel and advice on some plan which we might use to force the Senate to recede 100 percent on all the figures they add to the House bill.

Mr. WILLIAMS of Mississippi. Mr. Speaker, let me say, if I were on the committee, I would vote exactly the same as the gentleman from Louisiana, except for one thing: I would not vote to raise it a nickel. I would stay there until torment froze over. In view of what the gentleman has said on the floor when this bill was up for consideration initially, it is sad for me to see him reverse his position and agree to an additional $220 million of lagniappe for these foreign countries.

Mr. PASSMAN. The gentleman has an open mind. My wishes are not always going to prevail.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I would remind the House that just a few hours ago this House voted to increase the ceiling on the national debt from $275 billion to $288 billion. That is more than the combined national debt of all the countries on the face of this earth. With that national debt, we are contributing out of our tax monies to all but some 20 of the countries on the face of this earth, and I think it is time that we used some degree of prudence in determining how much money we are going to throw away in these foreign countries.

Mr. PASSMAN. Let me say to the gentleman that our personal views may be the same, but I do not represent PASSMAN on this committee; I represent this House.

Mr. Speaker, I yield to the distinguished gentleman from Alabama [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I want to say to my friend from Mississippi and other Members of this House that I am just as much opposed to this foreign-aid program as he is. I voted against the authorization bill and voted against the appropriation bill. But I am for this conference report because you must recognize certain facts of life. I commend our chairman for having saved $650 million below the amount requested by the budget.

Mr. PASSMAN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, when our forefathers formed this Government they made the legislative branch a bicameral body. We have two bodies of equal dignity. Therefore, neither body can dictate the legislation which is enacted.

Our distinguished chairman, and I have worked with him for many years, has done a magnificent job on this bill. We went over to the other body. We had hoped that we would reach an agreement in a very short while, but we fought for hours. We recognized the equal dignity of the two bodies and we reached a 50–50 compromise agreement. I think it is a good agreement. I again commend our chairman for the excellent job he has done, and urge the House to accept this conference report.

Mr. PASSMAN. Mr. Speaker, I yield the remainder of the time to the distinguished gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I shall take just 1 minute, not on the conference report, but because the Members of the House would perhaps like to know how much money they have appropriated in this session.

The estimates received from the President for this session for the fiscal year ending June 30, 1959, were $73,272,658,573.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. TABER. That figure, however, does not include the permanent appropriations of over $8,300,000,000.

Mr. CANNON. In answer to the gentleman's suggestion, let me say that our revenues for this fiscal year are $67 billion. We are spending this year $79 billion. That $79 billion includes the $8 billion of permanent appropriations.

Of course, as everyone is aware, the larger part, practically all of the permanent appropriation, is for interest on the national debt. We are providing now approximately $8 billion a year merely as interest on the national debt. But the $79 billion we are spending this year includes the amount referred to by the gentleman from New York.

Expenditures and appropriations are two different things. This is the spendingest administration we have had in time of peace in the history of the United States. The President has sent up requests for more money than was ever requested before in time of peace, and this Congress in response to the request by the President is appropriating more than ever before. It has been a record-breaking session. But we have saved a little out of the President's estimates.

Out of these estimates we have appropriated only $72,653,476,248. That is $619,183,325 less than the President asked us to appropriate.

Let me say that in this $72 billion we have appropriated this session, there are millions of dollars which need not have been spent. A half dozen men could sit down around a table with blue pencils and cut out of these appropriations millions of dollars without in anyway materially interfering with the economy of

the country or the operations of the Government.

If every chairman of every subcommittee had been as efficient and as sensible and as economical as the gentleman from Louisiana, it would not have been necessary for us to pass the bill raising the ceiling on the public debt.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. TABER. The thing about this situation that disturbs me very much is that there have been items in public debt transactions which made money available to different agencies of the Government to the tune of about $3 billion that were not even given a recommendation from the budget. That has to be added to all of the other amounts of money that the Congress has appropriated. Those things were not budgeted at all or at least all of them were not budgeted at all.

Mr. CANNON. In response to what the gentleman says, let me say that at a critical time in our history, when our revenues were declining and are continuing to decline, we have pushed our expenditures up. At a time when we are menaced from abroad in a more dangerous way than ever before and in complete disregard of the fact that it is as important a military precaution to keep the country solvent, we have spent money more recklessly than ever before.

So, Mr. Speaker, I include a tabulation of the appropriation bills for the session and ask unanimous consent to insert the usual annual résumé of estimates and appropriations at the conclusion of the conference report.

	Estimates	Final appropriations	Increase (+) or decrease (−)
Agriculture	$3,320,888,539	$3,191,875,539	−$129,013,000
Commerce	982,721,000	971,214,000	−11,507,000
Defense	38,786,970,000	39,602,827,000	+815,857,000
District of Columbia	27,660,600	22,860,600	−4,800,000
General Government	15,514,870	15,679,870	−135,000
Interior	414,484,600	459,675,950	+45,191,350
Labor-HEW	2,975,437,181	3,142,606,981	+167,169,800
Legislative	123,846,669	123,297,387	−549,282
Military construction	1,730,653,000	1,353,850,000	−376,803,000
Public works	1,077,356,000	1,118,128,835	+40,772,835
State, etc.	589,285,011	577,904,113	−11,380,898
Treasury-Post Office	4,121,969,000	4,108,108,000	−13,861,000
Supplemental, 1959	4,081,154,221	3,697,305,478	−383,848,743
Deficiency and Supplemental, 1958	4,903,055,882	4,879,883,095	−23,102,787
Independent offices	6,171,270,500	6,090,156,900	−81,113,600
Mutual security	3,950,092,500	3,298,092,500	−652,000,000
Grand total	73,272,659,573	72,653,476,248	−619,183,325

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BOW. I am opposed to the bill.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion.

The Clerk read as follows:

Mr. Bow moves to recommit the conference report on the bill H. R. 13192 to the conference committee for further study.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. WILLIAMS of Mississippi) there were—ayes 38, noes 186.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair has just counted more than a quorum.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

So the conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 2, line 8, *Provided*, That not less than $50,000,000 thereof, shall be available for Spain exclusive of technical cooperation."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 7, line 1, insert:

"SEC. 106. The appropriations and authority with respect thereto in this act shall be available from July 1, 1958, for the purposes provided in such appropriations and authority. All obligations incurred during the period between June 30, 1958, and the date of enactment of this act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms hereof."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 7, line 8, insert:

"SEC. 107. None of the funds provided by this act nor any of the counterpart funds generated as a result of assistance under this act or any prior act shall be used to pay pensions, annuities, retirement pay or adjusted service compensation for any persons heretofore or hereafter serving in the armed forces of any recipient country."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10. On page 7, line 14, insert the following:

"SEC. 108. Not to exceed 50 percent of the foreign currencies heretofore generated in any country under section 402 of the Mutual Security Act of 1954, as amended, may, notwithstanding prior provisions of law, hereafter be used in accordance with the provisions of that section: *Provided*, That quarterly reports of the use of foreign currencies pursuant to this section shall be submitted to the Committees on Appropriations of the Senate and House of Representatives."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

ANNUAL RÉSUMÉ OF APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, there are two disquieting articles on the front page of this morning's paper. One reports the enactment of the bill raising the ceiling on the national debt. The other reports the increase in the cost of living, setting the 21st new high in 23 months. It is highly appropriate that the two accounts appear side by side and with boxcar headings as the increase in the cost of living is due entirely to the increase in the national debt.

And they are disquieting because at a time when the national revenues are decreasing and the national income is falling—at a time when the country is in

the greatest danger of invasion from abroad in its history, and national solvency is an essential factor in national defense—Congress is appropriating more money than was ever before appropriated by any Congress since the administration of George Washington, and for purposes which have no relation to national defense.

The net effect of this decrease in revenues and the simultaneous increase in expenditures is a $12 billion deficit for the fiscal year ending June 30, 1959.

The only way to meet this deficit is to increase Government borrowing and Government debt. With income falling, and expenditures rising, the cost of living steadily rises. With the menu of the breakfast table deteriorating—and with Russia at our door—the purchasing power of the dollar steadily declines and the housewife reports price increases every time she returns from the corner grocery store. Under such circumstances the increase of appropriations by Congress for expenditures we could do without borders on insanity.

Of course all hope of tax reduction has been abandoned. Both parties and practically every Member of the House and Senate promised reduction in taxes. But instead of reducing taxes the first business of the next Congress will be to increase taxes to pay for these huge appropriations.

We are on the high road to disaster and catastrophe—to printing press money and debased national credit. The dollar which in 1933 was worth $1.07 is today worth a little less than 48 cents. If you bought a Government bond in 1933 and sold it today you would have lost more than half of it. And the decline continues. That is the reason why everybody is rushing into the exchange and buying stocks already quoted at far above their productive value. That accounts for the precipitous increase in the price of land while the income from land is declining. They are trying to get rid of United States dollars as they become every day more and more worthless.

If this administration had recommended and this Congress had appropriated less money for things it could get along without, it would not have been necessary to raise the ceiling on the national debt and there would be a substantial amount in the Treasury to start methodical payments on the debt. If Congress had taken that course, the purchasing power of the dollar would be growing and the cost of living would be falling and there would be more and better food and clothing and the other necessities of life for every family in America.

In substantiation I am submitting herewith several tabulations summarizing the work of the 85th Congress on appropriation bills processed through the Committee on Appropriations. Comparisons are made with the budget estimates of appropriations submitted by the President. Am also including related facts and tabulations.

The first tabulation, after the summary, follows the usual form by appropriation bills for the second session, separated as to supplemental bills for fiscal 1958 and the bills for the current fiscal year 1959.

The second table, in abbreviated form, reflects the $5 billion cut made by Congress in the President's budget requests in the first session. For reasons explainable, the record of cutting the President's requests in appropriation bills this year does not match the magnificent record of last year, when we cut over $5 billion from the budget, but neither does it detract from that record. The net result summarized below for the 2 years is that we reduced the budget demands of the President processed in the appropriation bills through the Committee on Appropriations by $5,667,562,304. That is the record. That is what we cut in the appropriation bills. We could have cut more without harm to legitimate and essential functions of Government. But the administration insisted, as it has been doing right along in its successive recordbreaking budgets, and the Congress has agreed to spend more money than ought to be spent. But the cut of $5,667,562,304 in the President's requests means just that much less has to be turned over to the tax collectors.

When the Congress substantially reduced the President's budget last year, we were accused of making phony cuts. They said we would have to restore substantial amounts of the cut. They said we did not mean business when we cut over $5 billion. But they were wrong. As a matter of fact, we found it necessary to restore only about 5 percent—and even this small amount was largely due to inability of anybody either here or in the executive branch, to accurately forecast requirements for certain mandatory items. About 95 percent of the cut prevailed, as we knew it would. We cut the fat but not the muscle. We could have cut more, and should have, but we nevertheless made a respectable savings below the President's spending proposals.

Comparison of estimates and appropriations, 85th Cong.

[Note—Excludes permanents]

	Estimates	Law	Increase (+) or decrease (−), appropriations compared with estimates
85th Cong., 1st sess.	$64,638,110,610	$59,589,731,631	−$5,048,378,979
85th Cong., 2d sess.	73,272,659,573	72,653,476,248	−619,183,325
Reduction, 85th Cong.			−5,667,562,304

Comparison of budget estimates and appropriations, 85th Cong., 2d sess.

Department or establishment	Estimates considered by House	Reported to House	Passed House	Estimates considered by Senate	Reported to Senate	Passed Senate	Public Law	Increase (+) or decrease (−), appropriation compared with estimates
I. Fiscal year 1959 acts:								
Department of Agriculture and Farm Credit Administration	$3,320,888,539	$3,216,988,539	$3,216,988,539	$3,320,888,539	$3,207,973,039	$3,207,973,039	$3,191,875,539	−$129,013,000
Loan authorizations (REA and FHA)	(381,000,000)	(569,500,000)	(569,500,000)	(381,000,000)	(594,000,000)	(594,000,000)	(594,000,000)	(+213,000,000)
Department of Commerce and related agencies:								
Department of Commerce	858,099,000	799,664,000	832,416,000	858,099,000	890,044,000	890,044,000	851,754,000	−6,345,000
Panama Canal	41,647,000	38,916,000	38,916,000	41,647,000	39,867,000	39,867,000	39,350,000	−2,297,000
Independent agencies	82,975,000	78,560,000	78,560,000	82,975,000	82,975,000	82,975,000	80,110,000	−2,865,000
Total	982,721,000	917,140,000	949,892,000	982,721,000	1,012,886,000	1,012,886,000	971,214,000	−11,507,000
Department of Defense:								
Office of the Secretary of Defense	536,400,000	536,050,000	536,050,000	536,400,000	536,050,000	535,985,000	536,017,000	−383,000
Interservice activities	734,000,000	796,900,000	796,900,000	774,000,000	836,900,000	836,900,000	836,900,000	+62,900,000
Department of the Army	8,755,800,000	8,617,626,000	8,716,626,000	8,953,535,000	9,074,170,000	9,076,862,000	8,992,859,000	+39,324,000
Department of the Navy	10,714,247,000	11,042,210,000	11,042,210,000	10,870,181,000	11,424,073,000	11,427,527,000	11,359,427,000	+489,246,000
Department of the Air Force	17,456,500,000	17,317,775,000	17,317,775,000	17,652,854,000	18,161,618,000	18,165,718,000	17,877,624,000	+224,770,000
Total	38,196,947,000	38,310,561,000	38,409,561,000	38,786,970,000	40,032,811,000	40,042,992,000	39,602,827,000	+815,857,000

Comparison of budget estimates and appropriations, 85th Cong., 2d sess.—Continued

Department or establishment	Estimates considered by House	Reported to House	Passed House	Estimates considered by Senate	Reported to Senate	Passed Senate	Public Law	Increase (+) or decrease (−), appropriation compared with estimates
I. Fiscal year 1959 acts—Continued								
District of Columbia	($215,153,500)	($203,276,100)	($203,276,100)	($215,153,500)	($206,211,814)	($206,211,814)	($204,033,466)	(−$11,120,040)
Federal payment	27,660,600	22,860,600	22,860,600	27,660,600	24,360,600	24,360,600	22,860,600	−4,800,000
General Government matters	15,814,870	15,558,870	15,558,870	15,814,870	14,954,870	14,954,870	15,679,870	−135,000
Independent offices:								
H. R. 13856	5,927,060,500	5,993,404,900	5,993,404,900	6,171,270,500	6,103,456,900	6,103,456,900	6,000,156,900	−81,113,600
H. R. 11574—Vetoed	(5,922,343,500)	(6,549,920,900)	(6,549,920,900)	(5,927,060,500)	(6,137,248,900)	(6,108,242,900)	(6,582,304,900)	(+655,244,400)
Department of the Interior and related agencies:								
Department of the Interior	287,543,900	286,498,900	286,498,900	287,543,900	340,093,250	341,070,250	320,454,250	+32,910,350
Forest Service	116,129,000	116,980,000	116,980,000	116,129,000	139,180,000	139,180,000	129,555,000	+13,426,000
Related agencies	10,811,700	9,666,700	9,666,700	10,811,700	9,666,700	9,666,700	9,666,700	−1,145,000
Total	414,484,600	413,145,600	413,145,600	414,484,600	488,939,950	489,916,950	459,675,950	+45,191,350
Departments of Labor and Health, Education, and Welfare:								
Department of Labor	408,032,600	382,446,800	388,540,200	408,032,600	389,693,000	389,693,000	388,741,700	−19,290,900
Department of Health, Education, and Welfare	2,550,724,581	2,565,080,581	2,565,080,581	2,552,424,581	2,796,594,581	2,797,594,581	2,735,815,281	+183,390,700
Related agencies	14,980,000	14,334,800	14,334,800	14,980,000	18,095,000	18,095,000	18,050,900	+3,070,900
Total	2,973,737,181	2,961,862,181	2,967,955,581	2,975,437,181	3,204,382,581	3,205,382,581	3,142,606,981	+167,169,800
Legislative branch	97,910,499	96,942,113	96,942,113	123,846,669	123,320,419	123,320,419	123,297,387	−549,282
Military construction	1,730,653,000	1,218,815,000	1,218,815,000	1,730,653,000	1,714,815,000	1,720,115,000	1,353,850,000	−376,803,000
Mutual security	3,950,092,500	3,078,092,500	3,078,092,500	3,950,092,500	3,518,092,500	3,518,092,500	3,298,092,500	−652,000,000
Public works:								
Civil functions, Army	759,525,000	779,714,000	782,424,000	759,525,000	847,071,500	847,521,500	813,887,500	+54,362,500
Department of the Interior:								
Bureau of Reclamation	269,101,000	245,739,200	246,739,200	269,101,000	263,730,335	263,730,335	255,577,335	−13,523,665
Power administrations	31,880,000	31,814,000	31,814,000	31,880,000	31,814,000	31,814,000	31,814,000	−66,000
Tennessee Valley Authority	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000	
Total	1,077,356,000	1,074,117,200	1,077,827,200	1,077,356,000	1,159,465,835	1,159,915,835	1,118,128,835	+40,772,835
Departments of State and Justice, the Judiciary, and related agencies:								
Department of State	199,990,151	192,859,353	192,859,353	199,990,151	205,955,853	205,955,853	197,103,353	−2,886,798
Department of Justice	230,190,000	229,410,000	229,410,000	230,190,000	230,317,000	230,317,000	230,317,000	+127,000
The Judiciary	41,402,860	40,703,260	40,703,260	41,472,860	40,873,260	40,873,260	40,823,260	−649,600
United States Information Agency	110,032,000	101,750,000	101,750,000	110,032,000	104,750,000	104,750,000	103,250,000	−6,782,000
Funds appropriated to the President	7,600,000	6,000,000	6,000,000	7,600,000	6,821,000	6,821,000	6,410,500	−1,189,500
Total	589,215,011	570,722,613	570,722,613	589,285,011	588,717,113	588,717,113	577,904,113	−11,380,898
Treasury-Post Office:								
Treasury Department	699,367,000	697,127,000	704,627,000	699,367,000	704,627,000	704,627,000	704,627,000	+5,260,000
Post Office Department	3,421,121,000	3,402,000,000	3,402,000,000	3,421,121,000	3,402,000,000	3,402,000,000	3,402,000,000	−19,121,000
Tax Court of the United States	1,481,000	1,481,000	1,481,000	1,481,000	1,481,000	1,481,000	1,481,000	
Total	4,121,969,000	4,100,608,000	4,108,108,000	4,121,969,000	4,108,108,000	4,108,108,000	4,108,108,000	−13,861,000
Supplemental, 1959	3,226,315,440	3,131,094,797	3,131,844,797	4,081,154,221	3,594,944,978	3,866,382,978	3,607,305,478	−383,848,743
Subtotal, fiscal year 1959	66,652,825,740	65,121,913,913	65,271,719,313	68,369,603,691	68,897,228,785	69,186,574,785	67,773,583,153	−596,020,538
II. Deficiency and Supplemental Acts, fiscal year 1958 and prior:								
Department of Defense supplemental, 1958	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	
Department of Labor supplemental, 1958	43,400,000	43,400,000	43,400,000	43,400,000	43,400,000	43,400,000	43,400,000	
Second supplemental, 1958	2,871,465,844	2,837,882,907	2,857,882,907	2,874,144,060	2,865,963,718	2,869,406,463	2,861,096,793	−15,135,287
Urgent deficiency, 1958	32,411,802	28,761,802	28,761,802	34,811,802	34,684,302	34,684,302	29,784,302	−5,027,500
Department of Labor additional supplemental, 1958	665,700,000	665,700,000	665,700,000	690,700,000	685,700,000	685,700,000	685,700,000	−5,000,000
Subtotal, fiscal year 1958 and prior years	4,872,977,646	4,835,744,709	4,855,744,709	4,903,055,862	4,889,748,020	4,893,190,765	4,879,893,095	−23,162,787
III. Grand total, session	71,525,803,386	69,957,658,622	70,127,464,022	73,272,659,573	73,786,976,805	74,079,765,550	72,653,476,248	−619,183,325
Permanent appropriations (estimate, subject to revision)							8,333,373,526	
Grand totals:								
Regular annual, supplemental, deficiency, and permanent appropriations							80,986,849,774	
Loan authorizations (REA and FHA)	(381,000,000)	(569,500,000)	(569,500,000)	(381,000,000)	(594,000,000)	(594,000,000)	(594,000,000)	(+213,000,000)

Comparison of estimates and appropriations, 85th Cong., 1st sess.

	Estimates	Law	Increase (+) or decrease (−), appropriation compared with estimates
1. Fiscal year 1958 bills:			
Agriculture and Farm Credit Administration	$3,965,446,617	$3,666,543,757	−$298,902,860
Atomic Energy Commission	2,491,625,000	2,323,632,500	−167,992,500
Commerce and related agencies	871,513,000	597,790,225	−273,722,775
Defense	36,128,000,000	33,759,850,000	−2,368,150,000
District of Columbia	(299,504,800)	(195,676,480)	(−13,828,320)
Federal Payment	25,504,450	22,504,450	−3,000,000
General government matters	20,921,870	16,010,370	−4,911,500
Independent offices	5,923,195,000	5,373,877,800	−549,317,200
Interior and related agencies	515,189,700	456,189,600	−59,000,100
Labor and Health, Education, and Welfare	2,981,277,581	2,871,192,781	−110,084,800
Legislative	108,271,443	104,844,660	−3,426,783
Mutual Security	3,386,850,000	2,768,760,000	−618,100,000
Public works	876,453,000	858,094,323	−18,358,677
State, Justice, and Judiciary and related agencies	965,649,802	562,891,293	−102,758,509
Treasury-Post Office	3,965,291,000	3,884,927,000	−80,364,000
The Supplemental, 1958	1,973,767,827	1,734,011,947	−239,755,880
Post Office Supplemental, 1958	149,500,000	133,000,000	−16,500,000
Subtotal, fiscal year 1958	64,048,466,290	59,134,110,706	−4,914,355,584
2. Deficiency and supplemental acts, fiscal year 1957 and prior	589,644,320	455,620,925	−134,023,395
Grand total, session	64,638,110,610	59,589,731,631	−5,048,378,979
3. Permanent appropriations (estimate)		8,346,000,000	
Total appropriations		67,935,731,631	

APPROPRIATIONS SUMMARY FOR THE SESSION

As shown by the first tabulation, budget estimates of appropriations submitted to the House during the session just concluded, and considered in bills from the Committee on Appropriations, totaled $71,525,803,386. These requests do not include approximately $8,333,000,000 in permanent appropriations—these do not require annual appropriation action since they are made automatically under existing law.

Against this total, the Committee on Appropriations recommended $69,957,658,622, a net reduction of $1,568,144,764. There were a number of substantial decreases but these were partially offset by increases found necessary in some critical defense items such as Polaris submarine missile systems, ballistic missiles, and defense airlift capability.

The President failed to include adequate provision in his budget for the civil-service retirement fund and the effect was to show lower budget totals. In the original bill, the Congress inserted that item, in amount of $589 million, but the President insisted on his position and vetoed the independent offices appropriation bill. The revised bill omits the $589 million.

The House approved a total of $70,127,464,022, a net cut of $1,398,339,364 below the President's estimates considered.

Budget estimates considered by the Senate totaled $73,272,659,573. Substantial estimates were sent directly there. Bills passed by that body aggregated $74,079,765,550 or $3,952,301,528 above House totals and $807,105,977 above budget estimates.

Final amounts approved total $72,653,476,248, or $1,426,289,302 below Senate totals but $2,526,012,2226 above House totals. The final amounts represent a net saving of $619,183,325 below the President's requests considered in appropriation bills. As I shall explain shortly, these totals do not take account of other forms of appropriations and obligating authority processed outside the traditional appropriations procedure.

THE PRESIDENT'S 1959 FISCAL BUDGET

Mr. Speaker, the 1959 budget of the President, submitted to the present session of Congress last January 13 and amended from time to time since, was the biggest peacetime budget ever. It exceeded the record-breaking fiscal 1958 peacetime budget. It exceeded all peacetime budgets.

It was an astronomical budget, and it pointed in only one direction—upward.

It proposed more inflation and we are reaping the hardships of it.

It proposed higher and higher appropriations.

It proposed higher and higher spending. And as we now know, the spending figures, like those in recent budgets, were too low.

It proposed to hike the mortgage against present and future generations by increasing the already staggering public debt—a debt that now costs almost $8 billion a year just for interest.

It again proposed extension of Korean wartime tax rates, though the war ended over 5 years ago.

It proposed new programs not heretofore financed by the Government.

It proposed new taxes not heretofore imposed.

It proposed, as we now know, overly optimistic estimates of Treasury tax collections. It whistled in the dark.

In short, Mr. Speaker, it held no hope for retrenchment, no hope for economy, no hope for reversing the fires of consuming inflation eroding the savings, the bonds, the insurance policies, and the fixed incomes of millions of Americans.

All fiscal recommendations start with the President. Under the law, it is his responsibility to prepare the budget recommendations. That law is clear and specific. He is directed by the law to make such revenue, appropriation, and spending recommendations as in his judgment are necessary. And only such recommendations as he thinks appropriate. So, he is in complete command of the budget. He is not told what he must recommend. He does not have to recommend new programs. He does not have to recommend more and more appropriations, more and more spending, bigger and bigger deficits, extension of wartime tax rates. But he did all these things in the budget submitted. He acknowledged in his State of the Union message that:

We could make no more tragic mistake than merely to concentrate on military strength.

We must apply stern tests of priority of other expenditures, both military and civilian.

It was hoped that this meant a reversal of the succession of recordbreaking budgets he had been submitting, especially after the Congress had cut his recordbreaking 1958 fiscal budget by more than $5 billion. Furthermore, there are those who recall—though doubtless some would prefer to forget—the 1952 campaign promise of a $60 billion budget.

The President's budget figures, especially for nonmilitary expenditures, were higher. They did not seem to have passed the stern tests the President advocated. To show the distressing dimensions of this fiscal failure, the President's January recommendations for new authority to obligate the Treasury for the fiscal year 1959 compare with corresponding totals for earlier years in this fashion:

[In billions]

1959 over 1954—the first year of the present administration	+$12.0
1959 over 1955—the low point in totals for the last 6 years	+17.7
1959 over 1956—the first year showing a surplus in the last 6 years	+11.6
1959 over 1957 (the last completed fiscal year at time of submission)	+2.0
1959 over 1958 (as of time of submission)	+4.1

Mr. Speaker, these official figures unmistakably show the trend of Presidential recommendations—upward and upward.

DEFICITS FOR 1958 AND 1959

Mr. Speaker, the fiscal situation is alarming. It will get worse—much worse. And the alarming thing is that nobody is

alarmed. Propositions to spend money we do not have for things we can do without are coming from all directions without any regard for the fact the Treasury is empty. The Government is spending and proposing to spend as though gold grew like mushrooms in the Treasury cellar and banknotes budded like leaves on the trees in springtime.

The floodtide of national revenues of the last few years is receding. To keep in balance, to keep the Government accounts in the black, spending ought also to recede. But the floodtide of expenditures of recent years is still rising and the crest is nowhere in sight. As the tabulation of official figures below shows, in fiscal 1958 the budget slipped back by $4.4 billion compared to fiscal 1957. The preliminary estimates for the current fiscal year 1959 show that the budget will slip $9.2 billion below fiscal 1958. This total slippage of $13.6 billion between 1957 and 1959 is the result of $4 billion loss of revenue and $9.6 billion increase in spending. Taking in less but spending more. Going in two directions at once—both leading to devastating inflation and national bankruptcy. The inevitable result is larger and larger borrowings, a crushing public debt saddled on generations yet unborn. Imagine, Mr. Speaker, a deficit of $12 billion in the current year—by far the largest in peacetime history. When and how can it be paid?

Here is the deficit analysis. This table shows conclusively that, while loss of revenue is material, higher and higher spending is the principal cause.

Analysis of deficits, fiscal years 1958 and 1959

[In billions of dollars]

	1957 actual	Fiscal year 1958		1958 actual change from—		Fiscal year 1959		1959 revised rough estimates compared with—	
		January estimate	Actual	1957	January estimate	Original budget estimate	Revised rough estimate [1]	1958 actual	Original 1959 budget estimates
Receipts	71.0	72.4	69.1	−1.9	−3.3	74.4	67.0	−2.1	−7.4
Expenditures	69.4	72.8	71.9	+2.5	−.9	73.9	79.0	+7.1	+5.1
Surplus, deficit, or change	+1.6	−.4	−2.8	−4.4	−2.4	+.5	−12.0	−9.2	−12.5

[1] Official executive estimates supplied when debt ceiling increase was requested.

RECEIPTS AND EXPENDITURES—6 YEARS

Mr. Speaker, the President's budget of last January painted a rosy picture of the condition of the Treasury. It reflected a nominal deficit of $0.4 billion in fiscal 1958 and a small but shining surplus of $0.5 billion in fiscal 1959. Of course, continuation of Korean war tax rates had to be recommended to show even that small amount. We hoped 1959 would show a surplus, but that the balance was precarious was not in doubt. In the light of unreliability of forecasts in recent budgets, the budget for 1959 appears larger than otherwise apparent from official totals. The President originally estimated fiscal 1956 spending at $62.4 billion but wound up spending $66.5—$4.1 billion more. His original fiscal 1957 budget indicated spending of $65.9 billion but the year closed with actual spending of $69.4 billion without the highway trust fund and $70.3 billion with it—overruns of $3.5 billion or $4.4 billion, depending on how you want to figure it.

For fiscal 1958, the original budget called for spending $71.8 billion—$73.6 billion including the highway trust fund. The final figures are $71.9 billion without the highway item and $73.5 with it. The revenue estimates proved far too optimistic, however, with result the deficit reached $2.8 billion for fiscal 1958.

For fiscal 1959, the President's January estimate of spending was $73.9 billion—$76.4 billion including the highway item. But recent official estimates tentatively place spending in 1959 at $79 billion not counting the highway fund—that is about $5 billion over the estimate of 8 months ago and $7 billion more than spent last year. And revenues are officially estimated to decline about $2 billion below last year and to fall short of the estimate of 8 months ago by over $7 billion.

It stands as an indisputable fact that the deficits piled up and being piled up are the result of bigger and bigger budgets and failure to control spending. They are not primarily due to lack of revenue because revenues have been rising in recent years and we have had wartime tax rates for the 5 years since the war closed. These deficits, as I have shown, are mainly the result of spending more and more at the insistence of the administration.

DEFENSE AND NONDEFENSE SPENDING

May I here, Mr. Speaker, dispel the widely held but wholly mistaken belief that the rise in Federal spending is for building and maintaining military capability to protect us from the Communist menace. You hear it said and you note in the daily press statements that we cannot avoid bigger and bigger budgets because of Soviet advances and the Soviet threat. Nothing could be further from the facts. We must, of course, spend whatever is necessary to preserve our freedom. We must maintain our defenses at all necessary costs no matter how high. But even here, the question is not how much we spend. It is what we spend it for. Our economic situation is so critical that we cannot afford the luxury of adherence to business as usual. Entrenched concepts must be discarded. And so must useless weapons and systems.

But, Mr. Speaker, spending for nondefense agencies and programs accounts for more of the successive increases in recent years than the defense items. They cannot dispose of this ever-increasing spending trend under guise of defense and sputniks for the simple reason that nondefense spending has outdistanced defense spending. The facts are just the opposite from what many people think.

For example, it would naturally be assumed that the first budget surplus, in fiscal 1956, under the present administration meant that spending had finally been brought under control. They had promised to do that. And the only real way to get control is to stop the rise. But, unfortunately, that was not, and 3 fiscal years later still is not the situation. In the 1959 budget sent up 8 months ago, the President proposed to spend $9.9 billion more than in 1956—and $5.4 billion, or over half of that increase, was for nondefense items. These figures are now obsolete—they will be much higher because overall 1959 spending is now predicted to be about $5 billion above the original budget estimate.

Further in this respect—and these are the official figures—in the fiscal year 1958 closed 2 months ago, they spent $5.7 billion more than in the first year of the present administration, fiscal 1954. But the revealing analysis of this particular figure is that nondefense items increased by $8.6 billion while defense items decreased in that span by $2.9 billion, the net result being the $5.7 billion increase.

So, Mr. Speaker, let everyone keep these facts in mind. They are the warning signals. The Treasury is empty. These huge increases were met with borrowed money. When the Treasury is full—when we are taking in more than we are paying out, systematic reduction of the staggering debt ought to have first call on the surplus. Anything left over could go to other purposes. But when our revenues are falling and we are in the red, that of all time is when the people, the administration, and the Congress ought to dedicate themselves to a stubborn determination to hold the line on spending money we do not have for things we can do without.

Mr. Speaker, in support of these facts, I include a tabulation of official figures on defense and nondefense spending for the past several years. It shows:

[In billions]

1959 spending will exceed the war year of 1953 by	$4.7
1959 spending will exceed the first year of the present administration (1954 fiscal) by	11.2
1959 spending will exceed fiscal 1956 (the first budget surplus year) by	12.5
1959 spending will exceed the year just closed (fiscal 1958) by	7.1

Details on fiscal 1959 spending as between defense and nondefense are not yet available, but based on the actual trend through fiscal 1958, beyond peradventure of a doubt, nondefense spending will continue to mount. The time to call a halt is now.

Net budget expenditures

[In billions]

	Major national security programs		All other programs		Total net expenditures	
	Defense—military	Total	Budget basis	Including highway trust fund	Budget basis	Including highway trust fund
1. Fiscal 1953 (war year)	$43.6	$51.8	$22.5	$22.5	$74.3	$74.3
2. Fiscal 1954	40.3	47.9	19.9	19.9	67.8	67.8
3. Fiscal 1955	35.5	42.1	22.5	22.5	64.6	64.6
4. Fiscal 1956	35.8	41.8	24.7	24.7	66.5	66.5
5. Fiscal 1957	38.4	44.4	25.0	25.9	69.4	70.3
6. Fiscal 1958	39.0	45.0	26.9	28.5	71.9	73.5
7. Fiscal 1959 (rough estimate) [1]					[2] 79.0	
Comparisons:						
(a) 1958 compared with 1st war year (1953)	−4.6	−6.8	+4.4	+6.0	−2.4	−.8
(b) 1958 compared with 1st year of present administration (1954)	−1.3	−2.9	+7.0	+8.6	+4.1	+5.7
(c) 1958 compared with 1st year showing surplus under present administration (1956)	+3.2	+3.2	+2.2	+3.8	+5.4	+7.0
(d) 1959 rough estimate compared with—						
(1) 1953					+4.7	
(2) 1954					+11.2	
(3) 1956					+12.5	
(4) 1958					+7.1	

[1] Supplied as tentative estimate by executive branch in connection with debt ceiling increase legislation (breakdown not available).

THE 6-YEAR DEFICIT RECORD

Mr. Speaker, I am including tabulations at this point on the deficit record for the last 6 fiscal years, corresponding with the tenure of the present administration. They show the facts. They cannot be hidden. And they are cause for alarm. They show that in 6 peacetime fiscal years the Government will have operated in the red to the tune of $18.9 billion based on latest official estimates. And as I indicated earlier, most of this fiscal debacle stems directly from failure to control spending and particularly nondefense spending.

Net budget receipts, expenditures, and deficit (−) or surplus (+) 6 fiscal years, actual 1954–58, and tentative estimate, 1959

[In billions]

	Actual, 5 fiscal years, 1954–58	Tentative estimate, 1959	Total estimated, 6 years
1. Net budget receipts	$333.3	$67.0	$400.3
2. Net budget expenditures	340.2	79.0	419.2
3. Deficit	−6.9	−12.0	−18.9

NOTE.—Excludes highway trust fund because figures for 1959 not presently available.

Net budget receipts, expenditures, and deficit (−), or surplus (+), 5 fiscal years, 1954–58

[In billions]

	Actual, 1954	Actual, 1955	Actual, 1956	Actual, 1957		Actual, 1958		5-year totals	
				Budget basis	Including highway trust fund	Budget basis	Including highway trust fund	Budget basis	Including highway trust fund
1. Receipts (net)	$64.7	$60.4	$68.1	$71.0	$72.5	$69.1	$71.2	$333.3	$336.9
2. Expenditures (net):									
(a) Major national security	47.9	42.1	41.8	44.4	44.4	45.0	45.0	221.2	221.2
(b) All other items	19.9	22.5	24.7	25.0	25.9	26.9	28.5	119.0	121.5
Total	67.8	64.6	66.5	69.4	70.3	71.9	73.5	340.2	342.7
3. Deficit (−) or surplus (+)	−3.1	−4.2	+1.6	+1.6	+2.2	[1] −2.8	−2.3	[2] −6.9	−5.8

[1] Original budget estimate, $1,800,000,000 surplus; revised estimate last January was $400,000,000 deficit.

[2] Tentative executive branch forecasts, subject to revision, indicate that this figure will reach $18,000,000,000 or $19,000,000,000 deficit during fiscal year 1959.

THE PUBLIC DEBT

Mr. Speaker, with all this deficit spending comes the inevitable increase in our public debt. When the Government lives beyond its means there is only one thing to do—borrow the money and increase the debt. And with it goes the added burden of interest. Only 20 years ago we ran the whole Government on what we spend today just for interest—nearly $8 billion. It costs more every year for two reasons. In the first place, the debt has grown in size. And in the second place, when the Government refinances it is paying higher interest rates. On some of it, we are now paying 4 percent.

In December 1955 the debt reached its highest point in history. But it is going to set a new high this year. The tentative estimate is that it will go to nearly $285 billion by next June. The President has made 5 straight requests to raise the old ceiling of $275 billion—twice to $281 billion, once to $278 billion, then to $280 billion, and now to $288 billion. Most distressing of all, this last request is to raise the ceiling permanently, accompanied by a further "temporary" increase. Who can deny that this temporary ceiling will not have to be made permanent, and even raised further, in light of the deficit spending? The restraining influence of a debt ceiling has gone glimmering.

I am including a tabulation showing concisely the bleak result of failure to control spending, failure to live within income. It shows that since this administration took office, the Federal public debt increased by $10.2 billion down to June, 1958, and that by next June, the official prediction is that it will have increased by $17.5 billion. And to repeat, because it needs to be repeated, most of this is due to borrowing money to spend on nondefense items.

This record, Mr. Speaker, is in sharp contrast to the 4 peacetime years 1947–50, when the debt was reduced from $269.4 billion in July 1946 down to $257.4 billion in July 1950—a cut of $12 billion.

And furthermore, Mr. Speaker, this record of failure to retrench is miles away from the assurances President Eisenhower gave in 1952:

Our children deserve a little better of us than to keep hanging bigger and better debts about their necks.

Today, the Federal debt represents a mortgage of $1,587.63 against every man, woman, and child in America. Every

American family knows the result. Every American family feels the result. The dollar today is worth only 48 cents—and deficit spending will make it worth even less next year. The official cost-of-living index has registered increases in some 21 of the last 23 months. It reaches a new high-water mark every 30 days.

I include a historical tabulation showing the trends over a period of years.

Consumer Price Index and purchasing power of the dollar

	Consumer Price Index (1947–49=100)	Purchasing power of the dollar [1] (calendar year 1939=100)
Year:		
1933	55.3	107.4
1939	59.4	100.0
1940	59.9	99.2
1941	62.9	94.4
1942	69.7	85.2
1943	74.0	80.3
1944	75.2	79.0
1945	76.9	77.2
1946	83.4	71.2
1947	95.5	62.2
1948	102.8	57.8
1949	101.8	58.3
1950	102.8	57.8
1951	111.0	53.5
1952	113.5	52.3
1953	114.4	51.9
1954	114.8	51.7
1955	114.5	51.9
1956	116.2	51.1
1957	120.2	49.4
Recent months:		
1956—January	114.6	51.8
April	114.9	51.7
July	117.0	50.8
October	117.7	50.5
1957—January	118.2	50.3
April	119.3	49.8
July	120.8	49.2
August	121.0	49.1
September	121.1	49.1
October	121.1	49.1
November	121.6	48.8
December	121.6	48.8
1958—January	122.3	48.6
February	122.5	48.5
March	123.3	48.2
April	123.5	48.1
May	123.6	48.1
June	123.7	48.0

[1] As measured by the BLS Consumer Price Index.

When will we stop this headlong rush to national bankruptcy? When will we ever make any payments on this monstrous debt? Generations yet unborn will inherit it unless we change course and lock the doors to the Treasury and keep the spenders away.

The public debt

[In billions]

	Beginning of year
1. Actual increase, 5 fiscal years—	
Fiscal 1954 (July 1953)	$269.1
Fiscal 1955 (July 1954)	271.3
Fiscal 1956 (July 1955)	274.4
Fiscal 1957 (July 1956)	272.8
Fiscal 1958 (July 1957)	270.5
Fiscal 1959 (July 1958)	276.3
Actual increase, 5 years (July 1953 to July 1958)	+$10.2
2. Estimated increase during fiscal 1959 (from $276.3 to $283.6—tentative, subject to revision)	283.6 +7.3
3. Total estimated increase, 6 years (tentative, subject to revision)	+17.5

NOTE.—Old statutory limit of $275 billion raised as follows:
For fiscal 1955 by $6,000,000,000.
For fiscal 1956 by $6,000,000,000.
For fiscal 1957 by $3,000,000,000.
For fiscal 1958 by $5,000,000,000.
For fiscal 1959 by $8,000,000,000 (permanently to $283,000,000,000).
For fiscal 1959 by $5,000,000,000 (temporary).

BYPASSING ANNUAL CONGRESSIONAL REVIEW

Mr. Speaker, I regret to say that, contrary to a widely held but mistaken impression, the tabulations of the appropriations bills of the session do not disclose the full magnitude of the President's annual budgetary recommendations or the resulting action of the Congress. These customary session-end tabulations are necessarily confined to budget recommendations processed in the bills from the Committee on Appropriations. They do not include the billions of dollars flowing through the side doors and back doors of the Treasury which have been breached by devices ingeniously designed to circumvent the time-tested annual Congressional review of demands on the Treasury.

Of all the legislative prerogatives, the powers to tax and appropriate are perhaps the most vital. Not a wheel of Government can turn without the motivation of an appropriation by the Congress. And the act of appropriation is essentially a nullity until money to fulfill it is in the Treasury. So, every function, every action of the Government is dependent on the two cardinal powers of taxation and appropriation. The Constitution wisely committed these powers to the exclusive province of the House of Representatives. It was the plan, the purpose, and the expectation that the immediate representatives of the people, those closest to them, would have the key voice in these matters. The framers purposed these powers for the House in order to assure full, frequent and effective accountability to the direct representatives of the people as to the public business and the public funds. It is the Members of the House, not the Senate, not the spending departments, who bear the first responsibility for unpopular or excessive taxes and extravagant appropriations. And this fundamental and all-important principle of our form of government has from the beginning been jealously envied, assaulted from all sides, and often disputed beyond the Hall of the House of Representatives. There has never been a time when the departments of Government were not ready, willing, and eager, to assume the say as to how much and how fast, and for what purposes, tax funds should be removed from the Treasury and committed to proposals to make the country blossom and bloom as the rose. They are always at work devising ways and means to get money from the Treasury for one or another purpose without consideration or regard for adverse consequences on the pocketbooks of the people.

And the precedents are heavy with the record of attempts by the Senate to preempt the exclusive powers of the House of Representatives to originate tax and appropriation legislation. They have never willingly conceded that the makers of the Constitution were somewhat explicit about the question as to who should draw the money bills. And some have gone further and sought to deduce a distinction in the Constitution between taxing legislation and appropriation legislation. No such differentiation is there, for what would be the purpose of raising taxes that were not to be spent? The Government was not established to make money. Taxation fulfills the purpose of appropriation, not the other way around. If there is no need for appropriation, then there is no need for taxation. The two questions are inseparable and, in a constitutional sense, are as one.

The executive branch and the Congress for some years have lodged more and more budgetary determinations outside the traditional annual appropriations process. Substantial amounts of the budget are passed upon or set in legislative bills. The spenders and the special pleaders are getting in the act. There is a race, and the tempo is increasing, to see how much and in how many different ways and under how many different guises money can be extracted from the Treasury. And, unfortunately, the spenders and the special pleaders are having considerable success. Spending propositions are coming from all directions. They assume several forms, but they all have one purpose, and that is to get money from the Treasury without having to pass the acid test of annual Congressional scrutiny.

Basic authorization laws for the most part—and of necessity—are broad in scope and grant to the executive branch wide latitude. They are the vehicles for initially setting the policies as to what the Government shall undertake and support. But once placed on the books, they usually remain there. Seldom are they repealed or curtailed. They become entrenched and a part of the permanent law. But the one continuing procedure for Congressional control of the activities of Government within the framework of such statutes is the annual program review and the provision of funds. Through annual check, this opportunity to periodically reassess the financial needs and requirements in light of ever-changing conditions and the wishes of the people is a primary responsibility of the House.

The result of these practices bypassing the annual reviews, is that action on executive budgetary recommendations is diffused. How can the House, the Senate, the press, or the people, expect to know what is happening to the pocketbooks of the taxpayers under such diffused and inaccurate practices? If the Members and the people are to clearly know what is going on, all the budgetary actions ought to go through 1 procedure, 1 system, under the same set of rules. There should be only one door—the front door—through which money is removed from the Treasury. Under present practices, the House certainly does not see the whole picture at any given point or time.

These end runs and bypasses of the regular appropriating processes have reached alarming proportions in the present session. The Senate has originated a number of bills carrying billions of dollars of authority permitting withdrawal of money from the Treasury by the back door without ever once having to come through the front door appropriation procedure. And the legislative committees of the House have insisted on concurring in this shortcircuiting. The most effective, and therefore popular device is the so-called public debt transaction which is nothing more or less than an appropriation because it permits withdrawal of money from the Treasury without further legislative action. Another form is the contract authority which to all intents and purposes is an appropriation because a contract, once made, must be honored. The subsequent act of appropriation is essentially foreordained.

Mr. Speaker, the dimensions of these back-door assaults on the Treasury can be readily grasped if you realize, for example, that in fiscal 1957, while the Congress, was reducing budget requests for appropriations in the appropriation bills by $257 million, it was at the same time, in other bills, increasing the President's requests for other forms of spending authority by $1.7 billion—or 7 times more than the savings on appropriation bills. And in this session, as of August 22, the Senate originated and sent to the House several bills containing over $9 billion of spending and obligating authority directly bypassing the regular annual appropriations review. The House refused to concur in several of these, and cut the total appreciably, but some prevailed. The striking features of the following tabulation are the number of bills carrying appropriations which originated in the Senate and the fact that the total of these Senate bills exceed the President's requests by nearly $5,500,000,000. This would have wiped out many times over the reductions made on the appropriations bills.

The table follows:

Authority to obligate the Government carried in legislative bills, 2d sess., 85th Cong. (public debt transactions and contract authorities)

Bill	Subject	Budget request	House	Senate	Final	Plus or minus, compared with budget request (based on latest action)
Public Law 85-364 (S. 3418)	Emergency housing		$1,850,000,000	$1,850,000,000	$1,850,000,000	+$1,850,000,000
Public Law 85-424 (S. 3149)	Export-Import Bank lending authority	$2,000,000,000	2,000,000,000	2,000,000,000	2,000,000,000	
Public Law 85-499 (S. 3651)	Small-business investments			250,000,000	(28,000,000)	(+28,000,000)
S. 3497	Communities facilities			900,000,000		
S. 3881	Depressed areas			300,000,000		
S. 4096	Minerals stabilization			350,000,000		
S. 3542	Airport grants		437,000,000	512,000,000	437,000,000	+437,000,000
	Housing Act, 1958	[1] 1,500,000,000		[2] 475,000,000		−1,500,000,000
S. 4035			20,000,000	20,000,000	20,000,000	+20,000,000
S. 3468	Navaho-Hopi Rehabilitation Act		209,000,000	299,000,000	235,000,000	+235,000,000
Public Law 85-381 (H. R. 9821)	Highway Act of 1958	[3] 300,000,000		[3] 300,000,000		
S. 4162	Writeoff of losses under Defense Production Act, borrowing authority (thus making funds available for future expenditure).					
H. R. 13014	Direct veterans' loans		[3] 150,000,000			+150,000,000
H. R. 13247	Education bill (title III, sec. 307)		(4)			
Total		3,800,000,000	4,666,000,000	9,226,000,000	4,542,000,000	+1,192,000,000

[1] In addition, guaranteed loans, budget, $100 million; Senate, $250 million.
[2] Approximate, as explained in committee report; on floor.
[3] As reported. (NOTE.—This item is duplicated in title IX of S. 4035, Housing Act of 1958.)
[4] As reported, bill had a public-debt item, but this was deleted by committee amendment on the floor.

NOTE.—As of August 22, 1958.

Mr. Speaker, it is high time the House got this vital business of appropriations back on the track. The House must insist—and without exception—on its exclusive constitutional prerogatives. The alternative is to open the way to virtual destruction of a privilege—indeed, a responsibility—as old as the House itself. And you can rest assured that if the practice is not stopped, and stopped now, it will grow.

Furthermore, Mr. Speaker, the House should give immediate attention to such revision of the rules as will conclusively define once and for all, in harmony with the constitutional meaning and the intent of the present system, what is encompassed by the terms. It is imperative to reinforcing effective control of the purse strings because all of these end-run devices, and especially the public debt transaction scheme, tend to perpetuate—indeed, encourage perpetuation—of programs and expenditures that might not otherwise stand the acid test of annual Congressional scrutiny. They are tailormade for that purpose. And it is the taxpayer who foots the bill.

RESIGNATION FROM COMMITTEE ON APPROPRIATIONS

The SPEAKER laid before the House the following communication which was read:

AUGUST 23, 1958.

Hon. SAM RAYBURN,
Speaker of the House, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: In view of the fact that I am about to retire from the Congress, I hereby submit my resignation as a member of the House Committee on Appropriations to take effect forthwith.

Sincerely yours,
RICHARD B. WIGGLESWORTH.

The SPEAKER. Without objection the resignation is accepted.

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON APPROPRIATIONS

Mr. MARTIN. Mr. Speaker, I offer House Resolution 695:

House Resolution 695

Resolved, That EDWIN H. MAY, JR., of Connecticut, be and he is hereby, elected a member of the standing Committee of the House of Representatives on Appropriations.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE HONORABLE HENRY J. LATHAM, THE HONORABLE WILLIAM R. WILLIAMS, THE HONORABLE FREDERIC R. COUDERT, THE HONORABLE EDMUND P. RADWAN, THE HONORABLE RALPH W. GWINN, AND THE HONORABLE BERNARD W. KEARNEY

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, New York State has been especially unfortunate in the loss of Members who are retiring from the Congress at the end of this session.

HENRY J. LATHAM has been with us for a long time and has done a good job as a member of the Committee on Rules.

WILLIAM WILLIAMS has been a member of the Committee on Agriculture for a long time and has made a very fine impression.

FREDERICK COUDERT has been a member of the Committee on Appropriations and is one of the most able men in the House.

ED RADWAN has been a member of the Committee on Foreign Affairs and has done a very good job until he was overcome by illness from which we all hope he will recover.

RALPH GWINN was a member of the Committee on Education and Labor. He is the ranking member at this time. He has devoted himself ably to his work.

BERNARD KEARNEY was a member of the Committee on Un-American Activities and of the Veterans Committee; and, as a veteran of long standing, he had had a very considerable influence upon veterans' legislation that has been passed here in the last 15 years.

We are all sorry to see them go, and I wish to pay this little tribute to them at this time.

Mr. KEATING. Mr. Speaker, I desire to join with my other colleagues in this deserved tribute to the gentlemen from New York who are retiring this year.

FRITZ COUDERT came here with me in the 80th Congress. He has proved himself a legislator of exceptional talents and has performed in an outstanding manner on the Committee on Appropriations.

HENRY LATHAM has assumed a position of leadership as a member of the powerful and important Rules Committee. He has always been willing to lend his wise counsel to others who so frequently have sought his advice.

PAT KEARNEY in his diligent work on the Veterans' Affairs Committee and the

Committee on Un-American Activities has made significant contributions to the work of the Congress. His fine legal mind and distinguished military background have marked him as an outstanding Member.

RALPH GWINN has had a unique impact on the work of the Congress. He is a devoted conservative who is an articulate and eloquent advocate of the causes in which he so sincerely believes. RALPH has always evidenced a gracious willingness to listen to and consider the views of those with whom he might disagree, truly the mark of a noble character.

BILL WILLIAMS, who has served with such faithfulness and devotion in a quiet and effective way, has been another to whom many of us have turned for advice, particularly on matters affecting the interests of our farmers. He has always rendered wise counsel cheerfully and generously. Our hearts have been saddened by the unusual personal troubles which BILL has suffered during the past year. We all hope the future will be brighter, as he so richly deserves.

ED RADWAN whose diligent service in the House, especially in the field of foreign affairs, was interrupted by serious illness, will also be sorely missed. His popularity in his District has been attested by unusually large votes of confidence. It is the hope and prayer of all of us that he will soon be restored to full health and vigor and will once again be enabled to make his valuable contributions in public service.

To all of these fine retiring New York Members go our gratitude for their devoted service and for their many manifestations of firm friendship.

Mr. BOSCH. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. BOSCH. Mr. Speaker, I join in the comments made by the distinguished gentleman from New York who is paying tribute to those of our Members who are leaving at the end of this session. I particularly want to pay my homage and respect to one of my closest and dearest friends, the distinguished Member HENRY J. LATHAM. Mr. LATHAM and I run in a parallel area in the county of Queens. He has served with distinction in this body for a period of 14 years. I feel that I would be remiss if I did not pay my respects to these Members who have contributed so much in the halls of the Congress. HENRY LATHAM, who came to Congress actually from the battlefield, if you please, in that he was on the high seas serving as the commander of a ship in battle when he was elected from his District, demonstrated his ability first on a minor committee and then on the Committee on Rules. He believed in true American principles and in the individual rights of an American citizen and has demonstrated more than anyone else what this country means to us. I am very happy to join with my distinguished chairman in saying Godspeed and good weather to all of you.

Mr. TABER. Mr. Speaker, I yield to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, I, too, want to join the gentleman in paying tribute to these Members who are leaving, and I wish that I could mention each one of them. But, particularly I want to pay my respects to my friend, DICK WIGGLESWORTH, who is leaving the Congress at this session. DICK and I served together on the Foreign Aid Committee. It has had numerous names during its existence, but we served together on that committee since its existence. It has always been a pleasure to work with him. In my judgment, he is one of the ablest and most meticulous Members of the Congress. I have been delighted to serve with the gentleman. He has always been a gentleman, and it is with great regret that I see him leaving the Congress.

Mr. TABER. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, I would certainly like to associate my views with the distinguished gentleman from New York [Mr. TABER] in paying tribute to all of the Members who are leaving, particularly DICK WIGGLESWORTH. We served on the same Committee on Appropriations for many years, and I can say that we disagree often, but we do so without being disagreeable. I regret very much that he is leaving our committee. We are going to miss him, and I certainly hope that in his retirement he will enjoy himself and rest, and come back and see us often.

Mr. TABER. Mr. Speaker, I yield to the gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON of Texas. Mr. Speaker, all of the gentlemen whose names have been mentioned are very distinguished. They will all be missed. But, I desire to say just a word about one whom I have been very closely associated with, BILL WILLIAMS. I do not know how many of you know the tremendous burden that BILL has carried during recent years. His difficulties would have floored a lesser man, and yet he functioned here as a Member of this body carrying that tremendous load. I respect him and I admire him. His example would be a splendid one for anyone to follow, particularly anyone who devotes his life, as BILL has, to public service. I wish him well and I wish him the repose that a good, hard-working public servant deserves, particularly one who has carried the load that BILL has.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Speaker, I rise to eulogize a great person in Congress, and that is RALPH GWINN. RALPH GWINN is leaving us. I think he is one of the greatest Americans who ever served in this body. Yes, he is an ultraconservative, and there are not too many persons left like RALPH GWINN. I shall have to take his place on the Committee on Labor.

Mr. Speaker, I think RALPH GWINN over the years has been one of the greatest Americans this country has ever elected to office. The House will miss him and will regret his leaving. God bless him in his future endeavors.

Mr. OSTERTAG. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. OSTERTAG. Mr. Speaker, I want to join our colleague, the gentleman from New York [Mr. TABER] in paying tribute to our several colleagues from the State of New York who are retiring at the close of this session.

Mr. MCGREGOR. Mr. Speaker, I want to join with the New York delegation in paying tribute to Gen. PAT KEARNEY, a great Congressman.

General PAT, as he is affectionately known, has a great record as a military genius, as a public official, and as a great American.

General PAT, we wish you and yours every pleasure possible.

Mr. MCGREGOR. Mr. Speaker, I want to join with my colleagues, and especially the delegation from New York, in paying tribute to one of my personal friends, the Honorable HENRY J. LATHAM, who is voluntarily retiring from this legislative body.

Congressman LATHAM has done an outstanding job and is one whose record for his constituency and his country merits every consideration from all of us. Future generations will record his activities as being worthy of entry into the archives of this great Nation.

Judge HENRY, our best wishes to you and yours always.

Mr. DORN of New York. Mr. Speaker, it was with mixed feelings that I learned HENRY LATHAM had decided to be a judge and would not run again for reelection to the Congress—happy for him who had achieved this additional honor, but with a sense of personal loss at his going. All United States citizens, his colleagues in the House and his friends and constituents will be the losers when his services as a United States Representative are finished.

His has always been a steady, capable, intelligent, and conservative hand, helping to guide, as a member of the Committee on Rules, the legislation coming from the other committees of the House. His work on that committee will be keenly missed.

Every Member of Congress appreciates his colleagues who are keen and attentive; smiling but serious in their duties, able to speak succinctly when they can contribute to the debate, silent at other times. Such a one is HENRY LATHAM, and that is why we in Congress shall feel his absence.

HENRY is my friend. Our friendship started in the New York State Assembly where we met when both of us were elected for the first time in 1940. I left the assembly for the United States Navy in 1942 shortly before HENRY also left for naval service. We ran into each other a year later in Cristobal when he skippered a ship into port. The first time I joined him aboard at mess, I noted how devoted his crew were to him. Their loyalty was given expression when they presented him with a wristwatch upon his detachment—a rare wartime gesture. This quality of maintaining loyalty and steadfastness is one of HENRY'S most outstanding characteristics.

Just as the war was ending, he was elected to Congress. Six years later our paths coincided once again when I was fortunate enough to be elected to serve with him in the House of Representatives.

I am sure, now that he is leaving, that all of his colleagues join me in wishing HENRY LATHAM all happiness, health, and good fortune in his new judicial duties.

HON. MARTIN DIES

The SPEAKER pro tempore (Mr. TRIMBLE). The Chair recognizes the gentleman from Texas [Mr. DOWDY].

Mr. DOWDY. Mr. Speaker, I regret that our friend and colleague, MARTIN DIES, will not be with us in the next Congress. His own health, coupled with the almost fatal injury of his son, Martin, Jr., has necessitated his absence during much of this session, and we have missed his contributions to our deliberations, which cannot be equaled, as we will miss them, and as our Nation will miss them in the future.

MARTIN DIES was born in Colorado, Mitchell County, Tex., November 5, 1900, and his parents moved with him to Beaumont, Tex., in 1902. After graduation from the public schools, he attended Wesley College, in Greenville, Tex., and Cluster Springs Academy, in Cluster Springs, Va. He was graduated from the University of Texas, at Austin, in 1919, and from the law department of National University, Washington, D. C. in 1920. MARTIN was admitted to the bar in 1920, and began practice in Marshall, Tex. He moved to Orange, Tex., in 1922, and continued his practice of law. He was a member of the faculty of East Texas Law School at Beaumont in 1930. He was elected to the 72d and six succeeding Congresses from the 2d Congressional District of Texas, serving from March 1931, to January 3, 1945. He did not seek reelection in 1944, but resumed his practice of law, as a resident of Lufkin, Tex., where he still resides, and where he will be one of my most renowned constituents. Mr. DIES was elected as a Member at Large from Texas to the 83d Congress, and to the two succeeding Congresses. He has ably and faithfully served the people of Texas and this Nation for 20 years in the National Congress.

MARTIN DIES was my Congressman, before I was grown, when I lived in the Second Congressional District, and then it was a personal honor and privilege to serve with him during most of the time I have been honored to serve the people of the Seventh Congressional District in this great body.

Mr. DIES was the first chairman of the House Committee on Un-American Activities, and he well served our Nation in exposing the activities and dangers of the Communist conspiracy. He set that committee on the course which is still carrying out the purpose of preserving our liberties from the alien philosophy which has invaded our country and would destroy us.

MARTIN DIES is one of the most able of the men who have served in the United States Congress. When word would come that he was to speak on this floor, his colleagues came for the privilege of hearing him, and the galleries would fill. As an orator, he has no equal; he will be sorely missed by myself and his other colleagues, and by the American people, and it will be a long time before one will arrive to fill his place.

Mr. Speaker, I yield to the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Speaker, I commend the gentleman on the statement he has made about our colleague, MARTIN DIES. It is undeniable that he did a great job of work as the first chairman of the Committee on Un-American Activities and in many other fields of endeavor while he has been here. He like his father, who served before him in Congress, has made a worthwhile contribution to the welfare of this Nation.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS of Texas. Mr. Speaker, our friend, MARTIN DIES, came from my district. The district I now represent, the Second District of Texas, is the one in which he was raised, and his father represented that district before he did.

He was well liked there and made many friends at home and here in Congress. I had the pleasure of serving with him as I came to Congress. My relationship with MARTIN DIES has always been a pleasant one. I want to add my good wishes to those of his many friends here that his future life may be pleasant and his health may be restored. I understand that his son is very likely to be elected to the State senate.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, I, too, join my colleagues in saying this word about our colleague who has voluntarily decided to sever his service here. MARTIN DIES brought to this Chamber a flavor of the old South. His was the type of oratory which characterized this body for many years in past generations. All of us will miss him. I am sure all of us will wish him well as he pursues life's labors in another vein.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from Texas [Mr. KILGORE].

Mr. KILGORE. Mr. Speaker, I should like to associate myself with others of MARTIN DIES' colleagues and pay tribute to his long and colorful service in the Congress of the United States. His service here extended over a long period of time. I think it is well to recall that he was early to recognize the menace of communism in the world and in the United States. The service of MARTIN DIES will long be remembered. I should like to add my words in appreciation of his service.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from Texas [Mr. IKARD].

Mr. IKARD. Mr. Speaker, I compliment my colleague from Texas on taking this time to speak of the retirement of our distinguished colleague [Mr. DIES] and to join the others here in paying tribute to his service and point out, as others have, the great contribution he has made. I wish for him many years of happiness in his retirement.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Speaker, I join with the gentleman and the other Members of Congress who are paying tribute to a man who has had a distinguished career in the Congress of the United States, a man who has given much of his life to his country, a man who has left his imprint on those of us who knew him. I know we in the Congress will miss him, and I know the country will miss his wise counsel and the great contributions he has made.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. DORN].

Mr. DORN of South Carolina. Mr. Speaker, I join my distinguished colleague from Texas in honoring one of the greatest men it has ever been my pleasure to know anywhere.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, with the retirement of MARTIN DIES, the Congress loses one of its outstanding Members, a Member who has contributed much to the history of our Nation since as a young but distinguished lawyer he first came to this body back in 1931. Perhaps he is best known to the Nation as the author of the resolution to establish the Special Committee To Investigate Un-American Activities, but those who have served here with him know the impact of his keen intellect and great energy was felt in many other legislative fields of great importance to the Nation.

He came to the House well grounded in the law and with a rich background of education and experience for the important role he was to play in the critical years that faced the country on that day in December 1931, when he was sworn in as a Member of this body. His distinguished father, the Honorable Martin Dies, Sr., had served as a Member of Congress from the Second District of Texas from 1908 to 1919.

MARTIN DIES served with great distinction as a Member of this House from December 7, 1931, to January 3, 1945, when he voluntary retired from Congress to practice law in Lufkin, Tex. During his service in this House, he was a member of the following committees: Immigration and Naturalization; Patents; Coinage, Weights, and Measures; Elections; and Rules. He served as chairman of the Special Committee To Investigate Un-American Activities from the creation of that committee until his retirement from Congress. He was author of several immigration bills and of the Silver Purchase Act.

In November 1952, Mr. DIES was elected to the 83d Congress as Member at Large from the State of Texas. He was reelected to the 84th Congress and to the 85th Congress.

Mr. DIES became a member of the Committee on Interstate and Foreign Commerce in the 84th Congress. He was a very valuable and effective member of the committee and one with whom it was a distinct honor and a great pleasure to serve. His fine legal mind and great knowledge of national affairs contributed substantially to committee deliberations on the many important legislative problems considered during his tenure on the committee. He was especially effective in obtaining information from witnesses and clarifying difficult issues.

Not only the committee, but the House as well, will miss MARTIN DIES. He is a man of extraordinary ability and one who loves his country well. We know that he will continue to contribute his outstanding talents and great abilities to the service of our country and to the high ideals of public service he exemplified so well in his service here.

Mr. GROSS. Mr. Speaker, I, too, want to join with the members of the Texas delegation in commending Congressman MARTIN DIES. I wish for him the best of health and happiness in his retirement.

Mr. DOWDY. Mr. Speaker, I yield to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, I know the entire membership of the House of Representatives feels that we will be losing a great man in MARTIN DIES. One of the finest things I thought MARTIN did, aside from his great legislative work here, was the interest he took in the page boys, the young gentlemen who do such a fine job. I know if MARTIN were here this evening he would want to pay tribute to these young men.

I would like to take this time to praise the outstanding work of the boys who work on the Republican phones. These boys have always done their best to help any and every Congressman.

For their outstanding work I would like at this point to compliment Bill Avery, Jr., Bob Pons, Bob Shipe, Pete Wallison, Reuben Smith, and Martin Green.

Again I say, the work of these boys is invaluable to the operation of the Congress of the United States.

Mr. DOWDY. Mr. Speaker, I yield to our colleague, the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, the fact that MARTIN DIES will not be with us in the next Congress certainly causes us sorrow and also to the country because he is a great man. I wish to join my colleagues from the Texas delegation and others in paying tribute to this man. He has been a great member of the House Committee on Un-American Activities, which he founded. He has been a great Member of the House. He is a great Member and a very fine friend to many of us who have known him in the House of Representatives. I wish him the greatest of luck and all the happiness in the world for him and his family in the years to come.

Mr. DOWDY. Mr. Speaker, I yield to our colleague, the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Speaker, one of the things that made a great impression on me when I became a Member of this body was that from reading the newspapers, you would be inclined to believe that the gentleman from Texas [Mr. DIES] whom we are now eulogizing was a devil with horns. To my amazement, when I came to the Congress and came to know him, I discovered that he was a brilliant, dedicated American, but a man who has been crucified in the court of public opinion to some extent because of the fact that he defended America with all his heart and with all his soul.

Mr. Speaker, it is a tragic thing—and it has not ended yet. I hope the time will come in this country when a man will not be criticized, when a man will not be crucified for standing up for America. I hope the time will come in this country when such a man will be given his proper place in the public esteem. Mr. Speaker, if this Government remains free, I cannot help but think MARTIN DIES will stand at the very top of the list for having warned this country of communism and its deadliness. MARTIN DIES, wherever he may be, I am sure, has the affection of the Members of the House and the affection of the people of America and the affection of this country boy—TIC FORRESTER—and the affection of all the people who love America. I say, thank God for men like MARTIN DIES. God bless him and Godspeed and all good wishes to him.

Mr. DOWDY. Mr. Speaker, I am sure all Members of the House join me in wishing MARTIN DIES the best of everything in his retirement and in his return to the practice of law.

Mr. Speaker, I ask unanimous consent that all Members who have spoken may have permission to revise and extend their remarks and also that all Members may have permission to extend their remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THORNBERRY. Mr. Speaker, I want to join my colleagues in paying tribute tonight to our friend, MARTIN DIES, who is voluntarily retiring at the end of this Congress.

It had not been my privilege to know MARTIN DIES personally until he returned to Congress when he was elected at large from Texas but I had known of him by the reputation he had made as Congressman from Texas previously and as chairman of the Un-American Activities Committee.

I appreciate the opportunity I have had to serve with him as a colleague and to know him as a friend. He has my best wishes as he enjoys his retirement. Mrs. Thornberry and I have enjoyed knowing his charming wife and look forward to seeing them both in Texas.

Mr. DORN of South Carolina. Mr. Speaker, America and the free world might be behind the Iron Curtain of Soviet Russia today had it not been for the timely warning of MARTIN DIES. He spoke from one end of this land to the other during and before World War II arousing patriotic Americans to the Communist menace. He went to the administration in power and pleaded for them to awaken to the danger. He spoke forcefully in Congress and exposed subversives with his great committee.

MARTIN DIES was looking ahead. He is a student of history. He had a keen insight into future developments. Congressman DIES was not motivated by political expediency. He was moved by a genuine love of freedom, a love of his native land and the generations to come. I have wished a thousand times that the leadership of our country in those tragic years had listened to this great American prophet. Had they done so the world today would be at peace. There would be no cold war or Communist threat. There would be no staggering defense budget and unbearable taxation of our people. There would be no Soviet East Germany or Iron Curtain across central Europe. Mr. Speaker, there would have been no Yalta and Potsdam. American troops would have crossed the Elbe, Patton would have entered Prague, and the peace of the world secured.

MARTIN DIES during my years in this Congress was a champion of economy and our free-enterprise system. His leadership inspired many of us to carry on against pressure and great odds.

MARTIN DIES is a Texan in the true traditions of that great State—independent, self-reliant, courageous, and patriotic to the core. He loves America. Travis, Bonham, Austin, and Houston are names that will live forever in American history. MARTIN DIES rates in the same company with these early heroes. I wish for him personally, his lovely wife, and splendid family the very best always. This Nation and this Congress have been elevated by his distinguished and forthright service. The people of South Carolina join me in wishing for him many, many more years of happy and fruitful life.

Mr. BECKWORTH. Mr. Speaker, I commend my colleague from Texas on his timely and truthful remarks concerning our fellow Texan, Hon. MARTIN DIES.

When I came to Congress in 1939, Representative MARTIN DIES was working very diligently as the first chairman and originator of the House Un-American Activities Committee—known as the Dies committee—in which capacity he was undertaking to expose those whose purpose it was to destroy our country from within. He had been fighting, was then, and has continued to fight subversive influences in our country, irrespective of the front used. I am glad to say I always supported wholeheartedly the Dies committee. No one can question the value and importance of the work and efforts of Representative MARTIN DIES. His great ability, his keen insight and alertness, and his devotion to democracy, its institutions, and his country account for a splendid job of work that has greatly benefited America up to this day and will continue to benefit our country in the many decades to come.

Like his distinguished father, Hon. Martin Dies, the first member of the Dies family to serve in Congress, MARTIN, with whom we are serving, has had the courage of his convictions. He is unafraid. He does not run from the unpopular side or from a position on an important issue that demands personal sacrifice.

MARTIN, as we affectionately refer to him, has not been privileged to be with us in recent weeks as Representative DOWDY indicated. His oldest son, Martin, Jr., was quite seriously injured in an automobile accident. For a long period of time it was a question as to whether he would live. The membership of the House and the many friends of the Dies family throughout Texas and the Nation are pleased that Martin, Jr., is making progress in recovering from his injuries.

The name Dies will never be dimmed in Congress, in Texas, or our Nation, but will live on as the name of a family that faced fearlessly all the issues that came before this Congress in some of the most critical periods of our Nation's history.

I know it is the hope of us all that God will bless and prosper most abundantly MARTIN, his wife, and the Dies family throughout their lives.

THE HONORABLE JAMES P. DEVEREUX

Mr. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MILLER of Maryland. Mr. Speaker, this is a sad as well as a joyful occasion in some ways, but I think we all share the sorrow due to the fact that so many of our fine Members will not be in the 86th Congress. I am not going to attempt to review the list, although in passing I cannot help but add to many of the things that have been said about DICK WIGGLESWORTH, of Massachusetts, because it has been my pleasure and my privilege to sit close to him for the last several years on the very arduous committee, and I shall certainly miss him.

I am rising at this time to tell you that the Maryland delegation is losing, as you probably all know, one of our most beloved Members through voluntary retirement. He is not seeking reelection. I for one very earnestly hope he will be successful in the new field he is entering.

In the retirement of JIM DEVEREUX I think we all feel that the House is losing one of its most devoted, most determined, and efficient Members, a man who has on more occasions than I need remind you, shown a devotion to duty and the country, and whose name was already enrolled in the list of our great heroes before he came to this body.

On behalf of the Maryland delegation, and I am sure of all the Members of this House we wish him well and Godspeed. I am sorry JIM will not be with us in the next Congress.

Mr. McGREGOR. Mr. Speaker, I want to join with my colleagues in paying tribute to one of the great generals of our times, as well as one of the most capable Members of this Congress, the Honorable JAMES P. DEVEREUX, who is voluntarily retiring to channel his activities in the field within his own State of Maryland.

The General, as he is affectionately known, has a great record as a soldier and as a public servant. JIM, we wish you every success in your new endeavors.

RÉSUMÉ OF APPROPRIATIONS

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include tables.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, the Department of Defense direct appropriations in the regular budget were $1,405,846,000 more than the President asked for, and most of these increases were not for the purpose of providing better defense, but for the purpose of spending more money and playing politics with national defense.

The supplemental bill was over $383 million above the budget estimate. The Agriculture Department bill was $129 million below the budget on direct appropriations, but $213 million above the budget on loan authorizations.

The amount of money that is shown in the table below that is available for expenditure does not include permanent appropriations of $8,333,373,526, so that the grand total of funds available will be at least $78,460,000,000.

TABLE I.—*Comparison of budget estimates and appropriations, 85th Cong., 2d sess.*

Department or establishment	Estimates considered by House	Reported to House	Passed House	Estimates considered by Senate	Reported to Senate	Passed Senate	Public Law	Increase (+) or decrease (−), appropriation compared with estimates
I. Fiscal year 1959 acts:								
Department of Agriculture and Farm Credit Administration	$3,320,888,539	$3,216,988,539	$3,216,988,539	$3,320,888,539	$3,207,973,039	$3,207,973,039	$3,191,875,529	−$129,013,000
Loan authorizations (REA and FHA)	(381,000,000)	(569,500,000)	(569,500,000)	(381,000,000)	(594,000,000)	(594,000,000)	(594,000,000)	(+213,000,000)
Department of Commerce and related agencies:								
Department of Commerce	858,099,000	799,664,000	832,416,000	858,099,000	890,044,000	890,044,000	851,754,000	−6,345,000
Panama Canal	41,647,000	38,916,000	38,916,000	41,647,000	39,867,000	39,867,000	39,350,000	−2,297,000
Independent agencies	82,975,000	78,560,000	78,560,000	82,975,000	82,975,000	82,975,000	80,110,000	−2,865,000
Total	982,721,000	917,140,000	949,892,000	982,721,000	1,012,886,000	1,012,886,000	971,214,000	−11,507,000
Department of Defense:								
Office of the Secretary of Defense	536,400,000	536,050,000	536,050,000	536,400,000	536,050,000	535,965,000	536,017,000	−383,000
Interservice activities	734,000,000	796,900,000	796,900,000	774,000,000	836,900,000	836,900,000	836,900,000	+62,900,000
Department of the Army	8,755,800,000	8,617,626,000	8,716,626,000	8,953,535,000	9,074,170,000	9,076,862,000	8,902,859,000	+39,324,000
Department of the Navy	10,714,247,000	11,042,210,000	11,042,210,000	10,870,181,000	11,424,073,000	11,427,527,000	11,359,427,000	+489,246,000
Department of the Air Force	17,456,500,000	17,317,775,000	17,317,775,000	17,652,854,000	18,161,618,000	18,165,718,000	17,877,624,000	+224,770,000
Total	38,196,947,000	38,310,561,000	38,409,561,000	38,786,970,000	40,032,811,000	40,042,992,000	39,602,827,000	+815,857,000
District of Columbia	(215,153,500)	(203,276,100)	(203,276,100)	(215,153,500)	(206,211,814)	(206,211,814)	(204,033,460)	(−11,120,040)
Federal payment	27,660,600	22,860,600	22,860,600	27,660,600	24,360,600	24,360,600	22,860,600	−4,800,000
General Government matters	15,814,870	15,558,870	15,558,870	15,814,870	14,954,870	14,954,870	15,679,870	−135,000
Independent Offices:								
H. R. 13856	5,927,060,500	5,993,404,900	6,993,404,900	6,171,270,500	6,103,456,900	6,103,456,900	6,090,156,900	−81,113,600
H. R. 11574—Vetoed	(5,922,343,500)	(6,549,920,900)	(6,549,920,900)	(5,927,060,500)	(6,137,248,900)	(6,108,242,900)	(6,582,304,900)	(+655,244,400)
Department of the Interior and related agencies:								
Department of the Interior	287,543,900	286,498,900	286,498,900	287,543,900	340,093,250	341,070,250	320,454,250	+32,910,350
Forest Service	116,129,000	116,980,000	116,980,000	116,129,000	139,180,000	139,180,000	129,555,000	+13,426,000
Related agencies	10,811,700	9,666,700	9,666,700	10,811,700	9,666,700	9,666,700	9,666,700	−1,145,000
Total	414,484,600	413,145,600	413,145,600	414,484,600	488,939,950	489,916,950	459,675,950	+45,191,350
Departments of Labor and Health, Education, and Welfare:								
Department of Labor	408,032,600	382,446,800	388,540,200	408,032,600	389,693,000	389,693,000	388,741,700	−19,290,900
Department of Health, Education, and Welfare	2,550,724,581	2,555,080,581	2,555,080,581	2,552,424,581	2,796,594,581	2,797,594,581	2,735,815,281	+183,390,700

TABLE I.—*Comparison of budget estimates and appropriations, 85th Cong., 2d sess.*—Continued

Department or establishment	Estimates considered by House	Reported to House	Passed House	Estimates considered by Senate	Reported to Senate	Passed Senate	Public Law	Increase (+) or decrease (−), appropriation compared with estimates
I. Fiscal year 1959 acts—Continued								
Departments of Labor and Health, Education, and Welfare—Continued								
Related agencies	$14,980,000	$14,334,800	14,334,800	$14,980,000	$18,095,000	$18,095,000	$18,050,000	+$3,070,000
Total	2,973,737,181	2,961,862,181	2,967,955,581	2,975,437,181	3,204,382,581	3,205,382,581	3,142,606,981	+167,169,800
Legislative branch	97,910,499	96,942,113	96,942,113	123,846,669	123,320,419	123,320,419	123,297,387	−549,282
Military construction	1,730,653,000	1,218,815,000	1,218,815,000	1,730,653,000	1,714,815,000	1,720,115,000	1,353,850,000	−376,803,000
Mutual security	3,950,092,500	3,078,092,500	3,078,092,500	3,950,092,500	3,518,092,500	3,518,092,500	3,298,092,500	−652,000,000
Public works:								
Civil functions, Army	759,525,000	779,714,000	782,424,000	759,525,000	847,071,500	847,521,500	813,887,500	+54,362,500
Department of the Interior:								
Bureau of Reclamation	269,101,000	245,739,200	246,739,200	269,101,000	263,730,335	263,730,335	255,577,335	−13,523,665
Power administrations	31,880,000	31,814,000	31,814,000	31,880,000	31,814,000	31,814,000	31,814,000	−66,000
Tennessee Valley Authority	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000	
Total	1,077,356,000	1,074,117,200	1,077,827,200	1,077,356,000	1,159,465,835	1,159,915,835	1,118,128,835	+40,772,835
Departments of State and Justice, the Judiciary, and related agencies:								
Department of State	199,990,151	192,859,353	192,859,353	199,990,151	295,955,853	295,955,853	197,103,353	−2,886,798
Department of Justice	290,190,000	229,410,000	229,410,000	290,190,000	290,317,000	290,317,000	290,317,000	+127,000
The Judiciary	41,402,860	40,703,260	40,703,260	41,472,860	40,873,260	40,873,260	40,823,260	−649,600
United States Information Agency	110,032,000	101,750,000	101,750,000	110,032,000	104,750,000	104,750,000	103,250,000	−6,782,000
Funds appropriated to the President	7,600,000	6,000,000	6,000,000	7,600,000	6,821,000	6,821,000	6,410,500	−1,189,500
Total	589,215,011	570,722,613	570,722,613	589,285,011	588,717,113	588,717,113	577,904,113	−11,380,898
Treasury-Post Office:								
Treasury Department	699,367,000	697,127,000	704,627,000	699,367,000	704,627,000	704,627,000	704,627,000	+5,260,000
Post Office Department	3,421,121,000	3,402,000,000	3,402,000,000	3,421,121,000	3,402,000,000	3,402,000,000	3,402,000,000	−19,121,000
Tax Court of the United States	1,481,000	1,481,000	1,481,000	1,481,000	1,481,000	1,481,000	1,481,000	
Total	4,121,969,000	4,100,608,000	4,108,108,000	4,121,969,000	4,108,108,000	4,108,108,000	4,108,108,000	−13,861,000
Supplemental, 1959	3,226,315,440	3,131,094,797	3,131,844,797	4,081,154,221	3,594,944,978	3,866,382,978	3,667,305,478	−383,848,743
Subtotal, fiscal year 1959	66,652,825,740	65,121,913,913	65,271,719,313	68,369,683,691	68,897,228,785	69,483,574,785	67,775,583,153	−596,020,538
II. Deficiency and Supplemental Acts, fiscal year 1958 and prior:								
Department of Defense supplemental, 1958	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	1,260,000,000	
Department of Labor supplemental, 1958	43,400,000	43,400,000	43,400,000	43,400,000	43,400,000	43,400,000	43,400,000	
Second supplemental, 1958	2,871,465,844	2,837,882,907	2,857,882,907	2,874,144,080	2,965,963,718	2,869,406,463	2,861,008,793	−13,135,287
Urgent deficiency, 1958	32,411,802	28,761,802	28,761,802	34,811,802	34,684,302	34,684,302	29,784,302	−5,027,500
Department of Labor additional supplemental, 1958	665,700,000	665,700,000	665,700,000	690,700,000	685,700,000	685,700,000	685,700,000	−5,000,000
Subtotal, fiscal year 1958 and prior years	4,872,977,646	4,835,744,709	4,855,744,709	4,903,055,882	4,889,748,020	4,893,190,765	4,879,893,095	−23,162,787
III. Grand total, session	71,525,803,386	69,957,658,622	70,127,464,022	73,272,659,573	73,786,976,805	74,376,765,550	72,623,476,248	−619,183,325
Permanent appropriations (estimate, subject to revision)							8,333,373,526	
Grand totals:								
Regular annual, supplemental, deficiency, and permanent appropriations							80,986,849,774	
Loan authorizations (REA and FHA)	(381,000,000)	(569,500,000)	(569,500,000)	(381,000,000)	(594,000,000)	(594,000,000)	(594,000,000)	(+213,000,000)

The following table shows the items that are available to draw out of the Treasury on what they call loan account, but what is really an appropriation although it is not labeled as such:

TABLE II.—*Authority to obligate the Government carried in legislative bills (public debt transactions and contract authorities)*

[85th Cong., 2d sess., as of Aug. 23, 1958]

Bill	Subject	Budget request	House	Senate	Final	Plus or minus, compared with budget request
Public Law 85-364 (S. 3418)	Emergency housing		$1,850,000,000	$1,850,000,000	$1,850,000,000	+$1,850,000,000
Public Law 85-424 (S. 3149)	Export-Import Bank lending authority	$2,000,000,000	2,000,000,000	2,000,000,000	2,000,000,000	
Public Law 85-699 (S. 3651)	Small-business investments			250,000,000	(28,000,000)	(+28,000,000)
S. 3497	Communities facilities			900,000,000		
S. 3683	Depressed areas			300,000,000		
S. 4036	Minerals stabilization			350,000,000		
S. 3502	Airport grants		437,000,000	512,000,000	437,000,000	+437,000,000
S. 4035	Housing Act, 1958 [1]	1,500,000,000		[2] 2,475,000,000		−1,500,000,000
S. 3468	Navaho-Hopi Rehabilitation Act		20,000,000	20,000,000	20,000,000	+20,000,000
Public Law 85-381 (H. R. 9821)	Highway Act of 1958		209,000,000	269,000,000	235,000,000	+235,000,000
S. 4162	Writeoff of losses under Defense Production Act, borrowing authority (thus making funds available for future expenditure). [3]	300,000,000		[3] 300,000,000		
H. R. 13014	Direct veterans' loans		[4] 150,000,000			+150,000,000
Total		3,800,000,000	4,666,000,000	9,226,000,000	4,570,000,000	+1,220,000,000

[1] In addition, guaranteed loans, budget, $100 million; Senate, $250 million.
[2] Approximate, as explained in committee report.
[3] On floor.
[4] As reported. (NOTE.—This item is duplicated in title 9 of S. 4035, Housing Act of 1958.)

The net result of this table is the taking of funds out of the Treasury to the tune of $1,192 million without any budget estimate, and beyond what the President recommended. This low figure is only obtained by subtracting $1.5 billion from what was suggested by the President for public housing. The reason is that the House of Representatives failed to pass the Housing Act.

The way things have been done the last few years is very largely to operate withdrawals out of the Treasury in two ways, so as to utterly confuse everyone who tries to find out just what has happened.

I felt it necessary to submit this additional table this year because no one can tell where we are at without it. Actually, without the deduction of the amount that was recommended by the budget for the Housing Act of $1.5 billion, the total draft on the Treasury would be $2,692 million. The total draft on the Treasury as a result of the items contained in table I and the items contained in table II are:

Regular appropriations	$72,623,476,248
Authority to borrow money direct from the Treasury	1,192,000,000

COMMITTEE TO NOTIFY PRESIDENT OF READINESS OF CONGRESS TO ADJOURN

Mr. ALBERT. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 696

Resolved, That a committee of 2 Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the 2 Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee to notify the President the gentleman from Oklahoma, Mr. ALBERT, and the gentleman from Illinois, Mr. ARENDS.

AUTHORIZATION TO SPEAKER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS, BOARDS, AND COMMITTEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the 2d session of the 85th Congress, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZATION TO CLERK TO RECEIVE MESSAGES AND TO THE SPEAKER TO SIGN ENROLLED BILLS AND RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding the sine die adjournment of the House, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRINTING OF REVISED HOUSE MANUAL

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution.

The Clerk read as follows:

House Resolution 697

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the 86th Congress be printed as a House document, and that 1,600 additional copies shall be printed and bound for the use of the House of Representatives, of which 700 copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The resolution was agreed to.

REPORTS OF THE COMPTROLLER GENERAL

Mr. ALBERT. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 698

Resolved, That, notwithstanding the sine die adjournment of the House, reports of the Comptroller General of the United States made to the Congress pursuant to the Government Corporation Control Act (31 U. S. C. 841 et sec.), shall be printed during such adjournment as House documents of the second session of the 85th Congress.

The resolution was agreed to.

PRINTING OF REPORTS FOLLOWING SINE DIE ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that reports filed with the clerk following the sine die adjournment by committees authorized by the House to conduct investigations may be printed by the Clerk as reports of the 85th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING PRESIDING OFFICER TO SIGN DULY ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 122.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read as follows:

Senate Concurrent Resolution 122

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Passed the Senate August 23, 1958.

Attest:

FELTON M. JOHNSTON, *Secretary*.

The Senate concurrent resolution was agreed to.

A TRIBUTE TO ALL

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I hope that you will have a very happy vacation, if you are able to secure a vacation. I want to thank you for the expeditious way in which you have handled the procedure here in the House of Representatives.

I would like to say to my colleague, the Honorable JOSEPH W. MARTIN, our leader, that I am very grateful to him for his help during this session of Congress. I would like to say also that I am grateful to him as a Republican for his leadership in the party for many, many years. He has fought and worked hard for us when the going has been extremely hard at times. I hope, Mr. Speaker, his ankle that is bothering him—he has shown great courage in being here today and the last few days—will soon be well.

I would like to thank the majority leader for his help in this difficult session, the Clerk of the House and his assistant, the Record Clerk and the bill clerk.

I would like to thank all of the people in the Capitol here, the reporters of debates, the reading clerks, the telephone boys, the page boys, the doorkeepers, the main telephone operators. I do not like this new telephone system and I hope it can be changed, and I doubt if the operators like it.

I wish all my colleagues a very happy summer and a good rest. We shall miss those who are not returning.

Mr. Speaker, I know the Members of the House will join with me in paying tribute to Henry Cabot Lodge, our Delegate to the United Nations, for the work he has done there since he became our representative. He has been courageous, superbly equipped with a background—an education in national and international affairs, with his legislative experience as a Senator in the United States Congress. He was a perfect selection by President Eisenhower as our United Nations member.

I believe the entire membership of the House want to pay tribute to him and to thank him for what he has accomplished. I am sure much of the current good reaction to President Eisenhower's speech in the United Nations was the result of what he did for President Eisenhower, not only recently but during his years in the United Nations. We are extremely proud of him.

I would like to express my deep gratitude to President Eisenhower also. His is not an easy task. He has been criticized and attacked and attacked, but

the fact is we are not at war and we are nearer a peaceful solution of the situation than we have been for a good many years. He has done a very remarkable job and I for one am extremely grateful to him.

Mr. KEATING. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. KEATING. I think one of the most gracious events in every Congress in which I have been privileged to be a Member is the thoughtfulness of the gentlewoman from Massachusetts at the end of the session in making the remarks she has made.

The gentlewoman from Massachusetts has covered everyone from the telephone operators and the staff here in the Capitol to the President of the United States in her remarks.

I think all of us join with her in wishing Godspeed to all of the staff and to all of the Members, to the members of the executive branch, and to the President of the United States, and I want to associate myself with the gentlewoman in this regard.

Mrs. ROGERS of Massachusetts. I thank the gentleman very much. I am sure that one of these days he will be a member of the Supreme Court.

RAILROAD RETIREMENT

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, when this Congress adjourns tonight it leaves unfinished the legislation to raise pension benefits for retired railroad workers and widows of rail workers.

The gentleman from Missouri [Mr. CANNON] just told us that this administration has been the biggest spending administration in the peacetime history of this Nation.

Unfortunately the spending has been of little benefit to the average citizen. In raising interest rates this administration is spending over a billion dollars a year for the additional cost of interest on the national debt.

Indirect postal subsidies to giant publishers cost hundreds of millions of dollars in Federal spending.

Administration fiscal and economic policies have brought ever-increasing prices and much distress and suffering to our senior citizens.

Some relief was voted to Federal retirees and to beneficiaries of social security, but our retired railway workers have been ignored.

It will mean not only great disappointment for these people, but much suffering, too. I trust that it will be the first act of the next Congress to right this wrong that has been done to retired railroad workers and their families.

AN ANALYSIS OF LEGISLATIVE ACHIEVEMENT

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. THOMPSON] is recognized for 15 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, on January 8, 1957, 28 Democratic Members of the House of Representatives issued a statement of program for the 85th Congress. This program carrying the signatures of approximately 80 Democratic Members of the House of Representatives was inserted in the CONGRESSIONAL RECORD on January 30, 1957.

As we are now nearing the end of the 85th Congress, after conferences with signers of that program, I am filing a report of the actions of this Congress in keeping with this program. This is the report:

In the field of foreign policy and national defense, the program stated that adequate defense forces should be maintained and that this objective could be best accomplished by maintaining a balance among the three branches of the armed services. It also stated that unless the world situation improved significantly, there should be no reduction of the personnel in the armed services. In keeping with this statement of policy, I report that in this session of Congress the following action was taken:

H. R. 7143: Continued to July 1, 1959, suspension of the 2,000,500 statutory limit on personnel strength of the Armed Forces—Public Law 85–63.

House Concurrent Resolution 333: Expressed the sense of Congress that the National Guard strength be maintained at 400,000 men—passed House, July 21, 1958.

H. R. 11470: Increased the pay for members of the Armed Forces by $577 million a year to encourage career service. Increase based in part on proficiency—Public Law 85–422.

H. R. 12541: Provided for the reorganization of the Department of Defense to strengthen the direction, authority, and control of the Secretary of Defense over the separate services. Prohibited merging of separate services and provided a method for Congressional review before functions delegated by law could be transferred—Public Law 85–599.

H. R. 9739: Authorized $54.6 million to expand and accelerate the construction of missile bases, detection and warning systems, and installations for the strategic dispersal of the Strategic Air Force—Public Law 85–325.

H. R. 13015: Authorized $1.6 billion program of construction projects at Armed Forces installations and bases here and abroad—House agreed to conference report August 6, 1958; Senate agreed to conference report August 7, 1958.

H. R. 8240: Authorized $1.2 billion program of construction at installations and bases of Armed Forces here and abroad—Public Law 85–241.

In the field of foreign policy, the program recommended support of the United Nations and international cooperation not only in the military and diplomatic fields, but also in economic and cultural areas. The program recommended particular efforts in the difficult area of colonial problems, the expansion of the point 4 program, the extension of a liberal trade policy, and statehood for Alaska and Hawaii. Since action in the field of foreign policy depends in large measure upon the initiative of the administration, we have not accomplished all of the objectives set forth on these programs. Insofar as the actions of the House of Representatives are concerned, we think the record of achievement is significant.

House Joint Resolution 117: Authorizes the President to undertake economic and military cooperation with nations of the Middle East—Public Law 85–7.

S. 2130: Authorizes a $3.3 billion mutual security program for fiscal year 1958 of military, economic, and technical assistance to friendly nations including $1.1 billion for loans, in lieu of grants, for a development fund established on a 2-year basis—Public Law 85–141.

H. R. 12181: Authorizes a $3.03 billion mutual security program for fiscal year 1959—Public Law 85–477.

H. R 8992: Authorizes the United States participation in the International Atomic Energy Agency and the appointment of representatives by the President—Public Law 85–177.

H. R. 4136: Extends operating authority of the Export-Import Bank for 5 years—Public Law 85–55).

S. 3149: Increases the lending authority of the Export-Import Bank by $2 billion—Public Law 85–424.

H. R. 12591: Extends until June 30, 1962, authority of the President to enter into reciprocal trade agreements—Public Law 85–686.

H. R. 10015: Continues to June 30, 1959, suspension of import duties on metal scrap—Public Law 85–453.

H. R. 7999: Provides for the admission of Alaska into the Union as a State—Public Law 85–508.

In the area of immigration legislation, much remains to be done. Favorable action has been taken on these three bills:

H. R. 11033: Facilitates retroactive adjustment of status of 30,000 escapees from the October 1956 Hungarian revolution to permit permanent residence in the United States—Public Law 85–559.

H. R. 11874: Records lawful admission for permanent residence of certain aliens who entered the United States before June 28, 1940—Public Law 85–616.

H. R. 13451: Simplifies procedure for nonimmigrant aliens to become permanent residents—passed House July 30, 1958, passed Senate August 11, 1958

Our program proposed a comprehensive civil-rights program and the improvement of Government service. In the advancement of this program, the following legislation was passed.

H. R. 6127: Authorizes the President to appoint a Civil Rights Commission, establishes a Civil Rights Division in the Department of Justice, and provides for injunctive actions to be brought by the Attorney General in voting rights cases—Public Law 85–315.

H. R. 2474: Provides pay increases for 500,000 postal employees effective September 1, 1957—Vetoed.

H. R. 5836: Postal bill—In addition to increasing postal rates H. R. 5836 provided pay increases for postal employees effective January 1958—Public Law 85–426.

H. R. 2462: Provides pay increase for classified civil-service, judicial, and legislative employees—Vetoed.

S. 734: Provides pay increases for Federal employees under the Classified Civil Service Act of 1949, employees in the legislative and judicial branches of the Government, in the medical division of the VA and officers of the Foreign Service—Public Law 85–462.

Our program recommended a comprehensive program for education, health, and housing. One fundamental part of this program providing Federal assistance for the construction of school buildings has not been realized. However, significant progress has been made.

H. R. 8679: Extends to June 30, 1959, aid to school districts affected by Federal activities—Public Law 85–267.

H. R. 11378: Authorizes a permanent program of assistance for construction and operation of schools in areas affected by Federal activities and continues the other aid to such impacted areas until June 30, 1961—Public Law 85–620.

H. R. 13247—S. 4237: National Defense Education Act of 1958—Authorizes a 4-year, $900 million program of student loans, fellowships, and other aid to improve teaching of mathematics, science, and languages—In conference.

H. R. 11414: Authorizes a $1 million program of grants-in-aid to public and nonprofit schools providing training for specialists, technicians, and administrators in the field of public health—Public Law 85–544.

H. R. 12628: Extends for 3 years, to June 30, 1962, the Hospital Survey and Construction—Hill-Burton Act—Public Law 85–664.

H. R. 8753; H. R. 8755; H. R. 8821: Facilities coverage under the Social Security Act of employees of various State and local governments—Public Laws 85–226; 227; 229.

H. R. 7238: Revises the formula for computing Federal social security grants to the State for medical and other assistance to provide for a more effective distribution—Public Law 85–110.

H. R. 13549, social security amendment of 1958: Provides increases of approximately 7 percent under the old-age insurance provisions of the Social Security Act; increases the amount of monthly earnings which an individual may receive before losing benefits under such act; increases the maximum earning base from $4,200 to $4,800; increases the social security tax on both employers and employees and on "self-employed" individuals; provides coverage for certain other workers and/or employees; and provides a new formula for Federal participation in public assistance—House agrees to Senate amendment August 19, 1958.

H. R. 10, Self-Employed Individual's Retirement Act: Allows tax deductions up to $2,500 a year for income put into voluntary pension plan by self-employed—Passed by House July 29, 1958.

H. R. 8888: Brings employees of various partially owned Federal instrumentalities, and others, under the protection of unemployment compensation—Passed by House August 16, 1957.

H. R. 4353—S. 1313: Increases benefits, and contributions, under the Railroad Retirement Act—Reported in House August 12, 1958, passage is anticipated.

S. 72: Increased annuities payable to retired or disabled United States Civil Service employees—Public Law 85–465.

H. R. 6659: Authorizes a $1.9 billion housing program; increases FNMA borrowing authority; lowers downpayments on FHA-insured homes; and authorizes $350 million for urban redevelopment and slum clearance for 1 year—Public Law 85–104.

S. 3418: Emergency $1.8 billion Housing Act to stimulate home-building; reducing downpayments on FHA-financed houses and extending guaranty and direct loan programs for veterans and increasing funds for FNMA mortgage purchases—Public Law 85–364.

Senate Joint Resolution 171: Increases by $4 billion authorization for FHA mortgage insurance—Public Law 85–442.

S. 3683: Authorizes $200 million in loans, $75 million in grants for a program of redevelopment aid for areas of unemployment—Passed by House, amended, August 15, 1958.

The tax program recommended was not fully accomplished, but significant progress was made in the field of technical revision, small business, and the reduction of some excise taxes.

H. R. 7125: Makes numerous technical changes in the excise tax provisions of the Internal Revenue Code to correct inequities, clarify the law, and improve its administration—House agrees to conference report August 14, 1958; Senate agrees to conference report August 15, 1958.

H. R. 8381: Makes numerous technical changes in the income, estate, and gift tax provisions of the Internal Revenue Code to eliminate unintended benefits and hardships and to correct ambiguities and errors—House agrees to conference report August 14, 1958; Senate agrees to conference report August 15, 1958.

H. R. 13382, Small Business Tax Revision Act of 1958: Establishes special rules for the treatment under the I. R. C. of gains or losses of small businesses—Passed by House July 21, 1958. Became part of H. R. 8381.

H. R. 12695: Extends to July 1, 1959, the 52-percent corporate income tax rate and schedule of excise taxes except for transportation of freight which was repealed—Public Law 85–475.

In fulfillment with the objectives of our program for business, industry, and labor, the following legislation was passed:

H. R. 7963; S. 637; S. 2504; S. 2920: Gives permanent status to the Small Business Administration; increases its lending authority, reduces interest rates and broadens its authority—Public Laws 85–4; 85–120; 85–335; 85–536.

H. R. 9020—S. 1358: Gives the Federal Trade Commission joint authority with the Agricultural Department to prevent monopolistic practices in the meat industry—passed by House August 12, 1958.

Senate Concurrent Resolution 68; 69: Urged the acceleration of Federal construction projects to stimulate the economy—adopted.

H. R. 8888: Brings employees of various partially owned Federal instrumentalities, and others, under the protection of unemployment compensation—passed by House August 16, 1957.

H. R. 12065: Provides, optionally to the States, for repayment in 5 years, up to 15 weeks additional Federal unemployment compensation for jobless whose State payments have expired—Public Law 85–441.

H. R. 13507—S. 2888—House Resolution 657, Welfare and Pensions Plans Disclosure Act: Disclosure of all welfare and pension plans maintained by employers, or by employee organizations—S. 2888 passed in lieu. Senate agrees to conference report August 16, 1958; House agrees to conference report August 19, 1958.

S. 3974, Labor Management Reporting and Disclosure Act of 1958: This bill passed the Senate and failed to pass the House under suspension because of 77 percent Republican opposition.

The program of January proposed legislation to improve the farm program so as to assist the farmers to achieve parity of income. The achievement of this objective was blocked by Presidential veto and by the threat of Presidential veto. The following is a report on the efforts which were made in this Congress.

Senate Joint Resolution 162: Bars reduction of farm price supports for 1958 crop below those of 1957, and also bars cuts in acreage allotments for 2 years.—vetoed.

S. 3420: Extends until June 30, 1960, the Agricultural Trade Development and Assistance Act authorizing an additional $500 million for 1958 and $1½ billion each for 1959 and 1960—conference.

H. R. 1045: Extends for 4 years authority of the Secretary of Agriculture to administer the soil-conservation program on a national basis—Public Law 85–553.

S. 3342: Extends for 3 years to June 30, 1961, the special milk program in nonprofit schools, nursery schools, child-care centers, settlement houses, and summer camps and authorizes $75 million for such expenditures—Public Law 85–478.

H. R. 12164: Permits distribution of surplus foods in nonprofit childrens' summer camps—Public Law 85–483.

The extension of the wool program was provided in S. 4071.

We proposed an expanded and stepped-up program of public works. In furtherance of this objective, the following action was taken.

H. R. 8643: Authorizes $600 million Niagara River power development by the New York Power Authority—Public Law 85–177.

S. 497: Authorized rivers and harbors, flood control, and beach erosion control projects totaling $1.57 billion—vetoed.

S. 3910. Authorized flood control, navigation improvements and beach control projects on rivers and harbors, totaling $1.5 billion—Public Law 85–500.

S. 1869—H. R. 4286: Authorizes TVA to finance expansion of facilities by issuance of up to $750 million of revenue bonds—reported in House August 1, 1958.

H. R. 9821: Authorizes $5.5 billion for apportionment among the States including $1.8 billion in additional funds for the regular Federal-aid and interstate superhighway programs, to create jobs and expedite work—Public Law 85–381.

Our program proposed the return to the historic resources development partnership between farmer cooperatives, public power districts, private enterprise, and the Federal Government. In keeping with this objective, the following two bills were passed:

S. 334: Promotes development of phosphate production on the public domain—Public Law 85–122.

S. 3817: Extends the program of exploration by private industry under contract with the Department of the Interior—Senate agrees to House amendments August 7, 1958.

In this area, it is not so much one of passing legislation as of keeping the administration from undermining existing programs in fields of resources, development, management, and use. The one program which was particularly challenged was one of rural electrification.

We recommended a comprehensive program in the field of atomic energy. Real progress was made in this field by the passage of the following bills:

H. R. 8996: Authorizes $382.6 million program for the Atomic Energy Commission to construct and develop nuclear facilities—Public Law 85–177.

H. R. 13121: Authorizes $386 million for the Atomic Energy Commission's construction, expansion, or acquisition of facilities, including a plutonium plant and civilian power reactors—Public Law 85–590.

H. R. 12716: Provides for the exchange of mutually essential atomic information and materials with our allies—Public Law 85–479.

In the field of veterans' legislation, the following constructive legislation was passed:

H. R. 52: Increases rates of compensation for service-connected disabilities and for dependency allowances—Public Law 85–168.

H. R. 4602: Extends direct home loan and loan guaranty programs for World War II veterans to July 25, 1959; increases maximum of such loans—vetoed.

H. R. 53: Consolidates laws administered by VA—Public Law 85–56.

H. R. 3658: Liberalizes eligibility standards for widows of veterans—Public Law 85–209.

H. R. 358: Increases monthly rates of pensions to widows of the Spanish American, Indian, Mexican, and Civil War veterans—Public Law 85–425.

H. R. 11630: Amends Social Security Act to extend benefits of unemployment compensation to all ex-servicemen—now available only to Korean veterans. Passed by Senate August 18, 1958.

Our program recommended action to make the Congress more effective and to provide for greater efficiency. In keeping with these objectives, the following action was taken.

H. R. 8002: Requires Federal budget estimates, in certain cases, to be submitted on an annual accrued expenditure basis—House agrees to Senate amendments August 14, 1958.

H. R. 6900: Directs the Comptroller General to make investigations to assist Appropriations Committee of Congress in consideration of budget items—reported in House June 13, 1957.

House Concurrent Resolution 175: Recommends 10-point code of ethics for all Government employees and officeholders—adopted.

H. R. 2767: Limits authority of Federal officers and agencies to withhold information and public documents—Public Law 85–619.

S. 2224: Fixes permanent policy of competitive bidding in disposal of surplus property, except on negotiated sales which are specifically provided for under other provisions of law—Public Law 85–486.

H. R. 12575: Created the National Aeronautics and Space Administration to develop a comprehensive program of research and development in aeronautical and space sciences and related matters. Transferred the function of the National Advisory Committee for Aeronautics to the new agency—Public Law 85–568.

S. 3880: Establishes Federal Aviation Agency to regulate air traffic and safety, supplanting the Civil Aeronautics Administration—Senate agrees to conference report August 11, 1958; House agrees to conference report August 13, 1958.

As one who was active more or less as the executive secretary of the group of Democrats who advocated this program and who have worked hard through the two sessions of this Congress to advance the program, I am pleased to report that allowing for the fact that the exact percentage of achievement cannot be fixed, in my opinion a statement that we have accomplished about 90 percent of our program is not unrealistic. This achievement is all the more remarkable as we were operating under a very narrow majority and under the constant threat of Presidential veto.

HON. EUGENE J. McCARTHY

Mr. UDALL. Mr. Speaker, in my opinion, one of the most grievous losses the House will sustain when it reconvenes next January will be that of our colleague from Minnesota, Representative EUGENE J. MCCARTHY.

The simple fact, Mr. Speaker, is that GENE MCCARTHY'S warm human qualities have won him a wide circle of friends who will regret his departure from the House as they lament the absence of his wise counsel and steady hand of leadership.

Mr. Speaker, in a democracy leadership is not thrust upon certain men. The truth is that it can neither be bought, borrowed, or derived by synthetic means. It is an innate quality which some men have, and they earn the title of leader each day anew by their work and wisdom. In my opinion, GENE MCCARTHY has been one of the unsung leaders of the House in recent years.

It was no accident that freshman Members, almost by instinct, found themselves drinking at his well, and enjoying his fountain of wit and distilled wisdom. Those of us who admired GENE MCCARTHY regard his voluntary retirement from the House with the same deep feelings that mark our hope for his advancement to the other body of the United States Congress.

Mr. HOLIFIELD. Mr. Speaker, I would like to endorse the remarks of the gentleman from New Jersey [Mr. THOMPSON]. As a veteran of 16 years' service in the House, I have had a chance to observe many of my colleagues. I take this occasion to observe that I consider my colleague from Minnesota [Mr. MCCARTHY] one of the most valuable Members of the House. He has shown outstanding leadership in formulating a progressive program of legislation and in following through with legislative and floor support of these measures.

Many of us regret that he has decided to leave the House and make the race for a position in the other body of our legislative branch of Government. We believe that the people of Minnesota will reward his outstanding service in the House by electing him to the Senate. We know that his years of service in the House have equipped him in experience for new and broader service. We know that the friends he has made in the House will not only wish him Godspeed but that in the years to come they will remember his work in the House and will cooperate with him in the future for the good of his constituency and the Nation.

Mr. REUSS. Mr. Speaker, I take pride in joining in the tribute to the gentleman from Minnesota [Mr. MCCARTHY].

Plato anticipated that the just life would prevail in the state only "when philosophers become kings." We have not yet reached that state, I fear, but happily for the Republic, from time to time philosophers do become Congressmen. To this goodly company the gentleman from Minnesota clearly belongs.

Nor is Representative MCCARTHY just a thinker from the ivory tower. As remarkable as his talent for original thought is his ability to get things done. Others have mentioned his leadership during the 85th Congress in the successful fight for a civil-rights bill and for broadened social security. Equal achievements have been his in the field of foreign policy. At the start of the 85th Congress, some 80 Members on the Democratic side joined in a statement of program of which Representative MCCARTHY was in large part the author. The section of that program relating to foreign policy and national defense is worth recalling:

We favor the maintenance of adequate defense forces and believe that this can best be accomplished by maintaining balance among the three branches of the armed services. We believe, also, that unless the world situation improves significantly, there should be no reduction of the personnel in the armed services. We will support legislation and appropriations necessary to accomplish these purposes.

We will continue to give strong and consistent support to the United Nations. We urge the administration to work through this agency whenever feasible, not only in the military and diplomatic fields but also in economic and cultural areas. * * * We favor an expanded point 4 program, and we are hopeful that the Eisenhower administration, after 4 years of hesitation and contradiction, will develop and present such a program to the Congress.

We favor the passage of legislation necessary to encourage and facilitate world trade, and we will propose legislation to meet the special problems of United States industries and workers affected by liberalization of trade policy.

We are for statehood for Alaska and for Hawaii.

How has the leadership of Representative MCCARTHY responded to this challenge?

The lag and complacency in our military defense has been met head on. Time and again when the administration's request for support for the armed services was inadequate, Congressman MCCARTHY took the lead in insisting upon, and getting, a more adequate balance in our Armed Forces.

When the administration attempted to bypass or to operate outside the United Nations, Representative MCCARTHY spoke out in constructive criticism. When the administration used the great potential of the United Nations, as in the President's Middle East proposals to the General Assembly last week, he fully supported it.

Representative MCCARTHY was among the first to recognize that an imaginative use of the point 4 program could start emerging people on the road toward democracy far better than more grandiose activities. It was largely as a result of his leadership that the administration's inadequate request for technical assistance funds this year was increased by $10 million, and that the increase stuck in both the authorization and the appropriation voted by Congress.

As a member of the House Committee on Ways and Means, Representative MCCARTHY led the battle to secure an adequate extension of the reciprocal trade program. But for administration opposition, this extension would have been accompanied, as it should have been, by a program of trade adjustment to cushion the impact of expanding world trade on industries, communities, and workers hurt by increased imports.

This is the record of a man who gets things done. GENE MCCARTHY has proved that it is possible to have vision without being a visionary; to espouse sound doctrine without becoming doctrinaire; to be at the same time a thinker and a doer. Mr. Speaker, I am proud to join in saluting one of the great leaders of our time.

Mr. SIKES. Mr. Speaker, I wish to join with my colleagues in the House in expressing my good wishes to the Honorable EUGENE J. MCCARTHY, of Minnesota, upon his retirement from the United States Congress.

Congressman MCCARTHY has served for 10 years as a Member of Congress and he will be greatly missed not only by the residents of the Fourth District of Minnesota but also by all his colleagues in the House. As a member of the important Ways and Means Committee he demonstrated his ability in the field of tax legislation. He was well qualified for membership on this committee by virtue of his former work as professor of social science and economics and education.

Even though he is retiring from the House of Representatives, EUGENE J. MCCARTHY is not retiring from the field of public service. He has chosen to run for the Senate and I am sure I express the sentiment of other Members of the House in wishing for him every success in all his future endeavors.

GRAVE SITUATION IN VENEZUELA

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, on several occasions, the gentleman from Oregon has professed to have great respect for the judgment of Catholic Church spokesmen in Latin America. He claimed that he welcomed the interest shown by religious leaders in Latin American conditions and developments.

Why, then, does the gentleman from Oregon remain silent about the analysis of Venezuelan conditions given in the official organ of the archdiocese of Caracas, La Religión? Why does he not draw attention to the report, circulated throughout the world by the National Catholic Welfare Conference News Service (August 8, 1958), which emphasizes the grave situation in Venezuela? The editor of the newspaper, La Religión, is Father Jesús Hernández Chappellín, a champion of human freedom, decency, and genuine social progress. The warning sounded by this gifted editor is one that may properly be heeded by the gentleman from Oregon.

The gentleman would also be well advised to study the report of Time magazine—August 11, 1958. Since the gentleman traveled to Venezuela at the expense of the Caracas Newspaper Association, he should know who his friends are. Time reports that "Communists exercise decisive power in the daily press" of Caracas. "A chief Communist weapon is smearing the United States and United States business," it is added.

How does it happen that those responsible for smearing the United States are most prominent in subsidizing travel for a Member of the United States House of Representatives? Would it not be wise for this gentleman, before it is too late, to study the facts? Would he not be well advised to note that Time magazine adds the following illuminating report:

Newspapers trumpet wild charges, e. g., that the United States military advisory mission is plotting a coup, United States housewives on shopping trips have been heckled with shouts of "Yankee, go home," and on Caracas' new Armed Forces Avenue, crude painted signs urge "death to the imperialistic Yankees."

The gentleman from Oregon boasts about his popularity with these elements. In short, he brags about the hearty welcome he received from a clique in the press that is decisively controlled by Kremlin agents. May it not be taken for granted that the Communists know the type of individual they can manipulate, flatter, court, and exploit for their own ends? More than once in history it has happened that the puppet does not realize that he is being manipulated.

Two facts are now clear: Much of the Venezuelan press is dominated by Marxist-Leninist journalists and by Soviet sympathizers; and the gentleman from Oregon let himself be invited by these so-called reporters and newspaper people, with all expenses paid for himself, his wife, and Mrs. Rosita "Ricky" Bennett. "He who pays the piper calls the tune."

SITUATION GRAVE—PAPER ATTACKS VENEZUELA CHIEF

CARACAS, VENEZUELA.—The Caracas archdiocesan newspaper, La Religion, has taken sharp issue with the head of Venezuela's provisional government.

The paper charged Adm. Wolfgang Larrazabal, president of the junta which rules the country, with making dangerous declarations which could lead to chaos.

La Religion's editor, Father Jesus Hernandez Chappellin, quoted the junta chief as saying that "there are no revolutionaries in the armed forces. It is the civilian element which * * * plans the conspiracies."

The priest then asked why, if this were true, the government had exiled a dozen top army officers.

In his editorial Father Hernandez described the political situation in Venezuela as grave.

Since the junta came to power following the ouster of the dictator, President Marcos Perez Jimenez, last January, Venezuela has seen a resurgence of Communist activity.

A REPORT TO WEST VIRGINIANS ON MY LEGISLATIVE STEWARDSHIP

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 30 minutes.

Mr. BYRD. Mr. Speaker, in the Biblical parable of the pounds, a certain nobleman went into a far country to receive for himself a kingdom. Before departing he left his money in the keeping of his servants. Upon his return the nobleman demanded an account of stewardship from those who had received the pounds and we are familiar with the rewards and punishments that were accorded on the basis of the services rendered.

As I approach the end of my 6th year in the House of Representatives I feel it incumbent upon me to give an account of my legislative stewardship.

This will complete my 12th year as a public servant, having been elected twice to the West Virginia House of Delegates and once to the West Virginia Senate before coming here for these 6 years. I do not expect to serve again in the House of Representatives, but I shall always remember the pleasant associations and the warm friendships that have been created here. I consider it an honor to have been chosen by my people to serve in this body and I have done my very best to live up to the trust that has been reposed in me. I have worked diligently and conscientiously, and I can go back to my people knowing full well that I have left nothing undone in my determination to give all that I have possessed in the way of ability, resourcefulness, and energy.

My statement must, of necessity, not be overly long. It will, however, report my position on various subjects and issues in such a way that my people will have a general understanding of the way I have voted and of my philosophy of representative government.

ATTENDANCE ON ROLL AND QUORUM CALLS

I pride myself upon having a good attendance record throughout my 12 years of service to the people of West Virginia. In giving an account of my stewardship of service I feel that it is appropriate for me to report my attendance record throughout all of the years I have been in public office. During my six years in the West Virginia House and Senate, I attended 1,563 of 1,600 roll and quorum calls. In my six years here in the House of Representatives I have attended 862 out of 963 roll and quorum calls. Throughout my 12 years, therefore, I have attended 2,425 of 2,563 rollcalls and quorum calls, an attendance record of 94.6 percent.

EDUCATION

In the field of education I have given my support to Federal aid for school construction so as to eliminate the growing shortage of classrooms. I am firmly convinced that an adequate education of the Nation's youth is absolutely vital to the security of our country. I maintain that there must be local control of the educational system, but, where the States are unable or unwilling to provide proper facilities for the training of our boys and girls, I submit that the Federal Government should take proper steps to see that the need is attended to. When I was a member of my State legislature several years ago I twice had the opportunity to vote for an increase in teachers salaries. My interest in the problems of teachers has continued. It was for this reason that I introduced H. R. 11775 early this year to provide equity to teachers in the deduction of professional training expenses in determining Federal income tax returns, and I am pleased to state that my action and that of others in the Congress contributed to the Treasury Department's issuance of T. D. 6291 effecting equitable tax treatment for teachers. I also authored a scholarship bill somewhat similar to the Elliott bill which I was pleased to support a few days ago on the Floor of the House in an effort to provide advanced educational opportunities for deserving and promising young students in the fields of mathematics, science, and foreign languages.

SMALL BUSINESS

Having been a small-business man myself, I well understand the problems of small business. I am convinced that the problems of small business must be given increased consideration in our scheme of things. I actively worked for removal of the excise tax on theater admissions and other excise taxes such as those on jewelry and communications. I very recently was pleased to speak out in behalf of the Small Business Investment Act. I voted for the measure which would make possible equity capital and long-term loans for small businesses. I have also introduced and supported legislation to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business—H. R. 1840, 1956.

I was active in bringing to the attention of the Congress the unfair excise tax on community antenna TV systems, and I feel that I was partially responsible for relief being given to the 100,000 owners of television sets located in areas where such systems are necessary for good reception.

SOCIAL SECURITY

It was my pleasure, while in the West Virginia House of Delegates in 1949, to support a bill providing for the coverage of officers and employees of the State and local government under the old-age and survivors insurance provisions of Title II of the Federal Social Security Act. I also introduced legislation in that year to increase DPA grants to the aged and needy.

When I first came to Congress in 1953, I introduced legislation to lower the eligibility age, under the old-age and survivors insurance program, to 60 years. I also introduced legislation to provide benefits to individuals who become disabled before reaching the normal retirement age. In each succeeding Congress I have reintroduced legislation to lower the age to 60 years. I have appeared before the House Ways and Means Committee upon different occasions to urge that the eligibility age be lowered, and I have spoken in support of such legislation on the floor of the House. I have fought for increased benefits for social-security recipients, and for the extended coverage of the program. I have supported increased Federal appropriations for the Federal-State matching program dealing with public assistance. I have also supported increased benefits for our retired Federal and railway workers and I have worked hard in behalf of increased salaries for our postal and other Federal employees. Moreover, I have opposed reductions in appropriations for unemployment compensation for Federal employees.

UNEMPLOYMENT

My State has been one of those States hardest hit by unemployment. I have worked to secure protection of domestic industries against unregulated imports of residual oil, glass, and pottery. I have supported legislation to provide for a coal research program, and legislation to aid our distressed areas. In April 1954 I promoted a conference on economic development which was held at Charleston, W. Va., and took with me from Washington to attend the conference representatives of the United States Department of Labor, the Small Business Administration, the United States Department of Commerce, and the United States Chamber of Commerce. Upon that occasion a program was devised to encourage the location and growth of industrial firms in West Virginia, and I presented the suggested program later to the Governor of West Virginia for his consideration. I have introduced legislation to extend payments of unemployment insurance over a longer period, and I was instrumental in January 1954 in urging the Federal Government to release surplus commodities for distribution to needy people in West Virginia. I have urged the Eisenhower administration to take action to relieve unemployment, and I have upon several occasions asked the Defense Department to give consideration to West Virginia in the location of military installations. It was my bill, cosponsored by Senator KILGORE in the other body, which made possible the sale and reactivation of the Institute, W. Va., synthetic rubber producing facility, which today provides employment for many individuals in the Institute area.

Beginning in early 1955 I worked to secure a new Federal building for Charleston, W. Va., and these efforts culminated in the approval of this project by the Congress in 1956.

ROADS

Although road programing, maintenance, and construction are matters which are handled on the State and local levels, coming under the supervision of the State Road Commission, I have been active in securing additional mileage for West Virginia in the National System of Interstate and Defense Highways. In 1956 I arranged several conferences with officials in the Federal Bureau of Public Roads and the Department of Defense for the purpose of securing additional mileage for West Virginia in the Interstate System. I also arranged conferences with the Congressional delegations of States adjoining West Virginia in an effort to solicit their support for a north-south highway traversing West Virginia. These efforts in 1956 and continuing in 1957 contributed to the decision by the Federal Bureau of Public Roads, United States Department of Commerce, to allocate approximately 150 to 160 additional miles to West Virginia in the Interstate System. As a result, a north-south route generally following U. S. 21 in West Virginia has become a part of the Federal System.

I have also supported authorization and appropriation measures in the Congress to expand Federal highway programs.

VETERANS

I have supported legislation beneficial to veterans and their families. When I was a member of the West Virginia Legislature in 1949 I supported a resolution for submission to the voters of a $90 million veterans' bonus amendment.

Among the bills of interest to veterans which I have supported in Congress are these:

First. H. R. 9020—1954—to provide increases in the monthly rates of compensation payments to certain veterans and their dependents.

Second. H. R. 9888—1954—a bill to extend the period during which education and training benefits could be granted to certain veterans.

Third. H. R. 7886—1956—to liberalize the basis for, and increase the monthly rates of, disability pension awards.

Fourth. H. R. 12038—1956—to provide increases in service-connected disability compensation and to increase dependency allowances.

Fifth. H. R. 12900, a bill which I introduced to provide pensions for widows and children of veterans of World War II and the Korean conflict on the same basis as pensions are provided for widows and children of World War I veterans.

Sixth. H. R. 11077—1958—a bill to grant a Federal charter of incorporation to Veterans of World War I.

I have opposed efforts to reduce appropriations for the Bureau of Veterans' Reemployment Rights and I have recently objected to the cutbacks in VA hospital services. I am pleased to report that I have gone before committees and spoken on the House floor in behalf of veterans upon several occasions.

FARM LEGISLATION

I have been glad time and time again, during my service in the State legislature and in the Congress, to support legislation beneficial to our farming population. I voted for H. R. 8780 in 1956 to relieve farmers from the payment of excise taxes on gasoline and special fuels used on the farm for farming purposes. Only recently I addressed the House on the subject of legislation to encourage construction of modern wholesale marketing facilities. Such facilities would have made possible increased sales of agricultural products and would have narrowed the spread between the price the farmer gets and the price the housewife pays for perishable agricultural products. My State of West Virginia has many small farms and, although my own Congressional District does not possess a large farming population, I have tried to be cognizant of the needs and problems of West Virginia farmers.

CONSERVATION AND FLOOD PREVENTION

I have vigorously objected to strip mining in our national forests and I have supported all appropriations for conservation of our soil, forest, and water resources. I have opposed cuts in appropriations for soil conservation and forest fire prevention, and I have consistently sought to secure adequate flood prevention projects for my own District. During the 1957 spring floods I visited the flooded areas in Logan, W. Va., in the company of Col. H. J. Skidmore, Huntington District Corps of Engineers, and I immediately introduced a resolution to authorize a study by the United States Army Engineers of the Guyandot River Basin. I later attended the hearings conducted by the Engineers in Logan and I have kept in close touch with subsequent developments. I was successful in securing in the House an appropriation of moneys to carry out this survey. I have also appeared before committees to urge appropriations of moneys for the Sutton and Summersville Dams, both of which projects would favorably affect my own District and provide employment.

NATIONAL DEFENSE

I have consistently supported appropriations for national defense, and I have urged that there be adequate appropriations for scientific research and for nuclear bomb shelters. I have maintained that we must evolve processes for the practical production of oil from coal or shale, and I have ardently supported any and all programs dedicated to our Nation's military preparedness. I have also advocated strong, decisive leadership in world affairs believing as I do that without firm, effective national leadership no preparedness program can be successful.

FOREIGN AFFAIRS

As a Member of the House Committee on Foreign Affairs, I have been keenly interested in world problems and have participated in study missions in 29 foreign countries. I have steadfastly opposed admission of Red China to the United Nations. I have spoken out in opposition to summit conferences believing as I do that they have only been used for propaganda purposes by the leaders of Soviet Russia. I have advocated stronger ties with countries that have demonstrated their ability and intention to stand with us against the common enemy. I have supported NATO and the U. N., and I voted to share atomic secrets with our allies. I supported House Joint Resolution 159 in 1955, a resolution authorizing the President to employ the Armed Forces of the United States to protect the security of Formosa and the Pescadores, and I supported House Resolution 123 in 1957, the resolution proclaiming the Eisenhower Middle East doctrine. I have supported an expanded Voice of America program and within the past week I voted for the resolution pertaining to a U. N. emergency police force.

I have supported the mutual-security appropriations over the years. I voted against the foreign-aid bill this year as a protest against the maladministration of the program. I am of the opinion that a foreign-aid program cannot be successfully substituted for a foreign policy. There must first be a realistic foreign policy to provide the framework within which a foreign-aid program can be effectively utilized. A foreign-aid program that is well planned and efficiently executed is one thing; a foreign-aid program that is ill conceived and poorly administered is quite another matter. I maintain that we should only assist countries which have shown the determination to assist us when the chips are down. We presently are participating in foreign-aid projects in more than 70 countries throughout the world. We should take a new look and scale down this monstrous program to fit the pattern of needs. I am for spending a dollar where it will be in the best interests of our own country so to do, but I am opposed to promiscuously scattering American tax dollars all over the world without any indication, in many instances, of their ever being returned or ever being utilized, even in an indirect way, for the security of the United States. I maintain that the program should be reduced rather than expanded. My vote was also a protest of the continued combination of economic assistance and military assistance in the same bill. The two should be brought before the Congress in separate legislative packages.

As chairman of the Subcommittee on Inter-American Affairs, I have recently conducted hearings on matters dealing with Latin America. The violent demonstrations that were conducted against the Vice President during a recent visit to Latin America substantiated my previously expressed views that our relationships with our sister republics have been deteriorating. Convinced as I am that America has fewer friends today than ever before, I have consistently demanded that we formulate a realistic and effective foreign policy and that we depend less and less upon American dollars, in the form of foreign aid, to procure friends.

CORRESPONDENCE

I am proud of the reputation that I have made for rendering personal attention to the correspondence received in my Congressional office. In my 6 years here, no letter has been received in my office from a West Virginian that has not been personally read by me. Moreover, I have read all letters going out of my office in reply to correspondence. This has required a tremendous amount of time on my part, but I have always felt that as a Member of the House I should give my personal attention to the personal problems of my constituents. No problem has been too unimportant to receive my attention and no correspondent, however old or young, however great or small, has ever found me inattentive to his or her correspondence. I have accorded the same interest to the correspondence of the schoolchild as I have accorded to the correspondence of the executive. I have spent many laborious hours in trying to be of service to my constituents in their personal problems and I have attempted at all times to be courteous, sympathetic, and understanding.

GENERAL

I have sought to maintain close contact with the people I represent. I have spoken at scores of reunions, homecomings, church gatherings, business meetings, and youth assemblies, and I have visited the homes of hundreds of my constituents and talked with them about their problems. I have at all times welcomed the expressions of opinions and views of my people, having sent out questionnaires upon more than one occasion in an effort to determine the sentiments of West Virginians. My purpose in Washington has been to serve, and my life while here has been completely dedicated to the fulfillment of that purpose. I have given no time to recreation or to vacationing in my 12 years of public service. I do not feel

that one can give as I have given indefinitely without rest, but to this point I have given unstintingly of my time and my strength in the service of my people. Hours that I would like to have been with my family I have given to my official duties. Moreover, I have endeavored to improve my educational status by attending school at night in order that I might be a more capable representative and a more able servant. These things I have done gladly because I have been proud of the great confidence and faith which my people have repeatedly shown in me. I have at all times sought to conduct myself in a manner becoming to the high offices I have held.

Mr. Speaker, this is a brief account of my stewardship. I have tried to be faithful to the public trust. I have no regrets.

THIS CONGRESS HAS DONE MORE FOR SMALL BUSINESS THAN ANY CONGRESS IN HISTORY

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, I believe this Congress has done more for small business than any Congress in history.

Certainly, this Congress has taken the initiative in finding out what the problems of small business are, and it has designed and enacted several important measures which will go a long way toward solving these problems. Let me summarize the seven new small-business measures which have been enacted in this Congress:

First. Public Law 85–699—The Small Business Investment Act of 1958: This is a revolutionary forward step which has been taken to help small-business concerns obtain, for the first time, the kind of financing they most need—that is, equity capital and long-term debt capital.

Second. Public Law 85–866—The Technical Amendments Act of 1958: This gives small business a variety of tax benefits and removes a half dozen unnecessary hardships which the Internal Revenue Code of 1954 imposed on small firms.

Third. Section 58 of Public Law 85–866—Antitrust Damages Act: This reduces taxes on damages collected for injuries under the antitrust laws, and strengthens antitrust law enforcement through private suits.

Fourth. Public Law 85–909—Amendments to the Packers and Stockyards Act: This closes a loophole in the antitrust laws by which big retail food chains and others escaped application of these laws.

Fifth. Public Law 85–536—The new Small Business Act: This gives the Small Business Administration bigger and better authorities for helping small business, and it gives small business, for the first time, a permanent agency in the Government.

Sixth. Public Law 85–800: This revises all of the laws governing Federal procurement and contracting methods, so as to make it easier for small firms to obtain Government contracts and easier for small firms to finance work on Government contracts.

Seventh. Public Law 85–475—Repeal of the 3-percent tax on freight shipped by common carrier: This reduces the marketing costs of goods shipped by common carrier and removes a competitive advantage which was enjoyed by big corporations operating their own trucking systems.

These seven new laws make up no small body of legislative achievement. And I believe that no one appreciates that fact any more than I do. The small-business problems and handicaps which these new laws help to remove are matters on which I have firsthand knowledge. They are matters which have been investigated and studied by the Select Committee on Small Business, of which I have been privileged to be the chairman in each Democratic Congress since our distinguished Speaker, Hon. SAM RAYBURN, first appointed this committee back in 1941. In fact, the Democratic majority of our Small Business Committee had specifically recommended six of these legislative steps and called them to the attention of the Congress and the country, although these steps do not go as far in some instances as we recommended.

I know, therefore, that the legislation which this Congress has passed deals with serious, practical problems facing the 4 million small-business concerns of this country, and it deals with these problems in a practical way. These measures are not legislative shadowboxing with imaginary problems.

Why were these seven new laws passed? What are the small-business problems which they were designed to meet? How are they important to small business?

HELPING SMALL FIRMS OBTAIN CAPITAL

First and foremost, I believe that the new Small Business Investment Act will prove to be one of the most important steps that Congress has ever taken to preserve free and independent enterprise.

Without doubt, one of the most serious handicaps to small-business concerns has been their inability to obtain capital. This is a problem which has been growing more and more acute. There was a time perhaps when small-business people could draw on the personal savings of their families and immediate friends for sufficient capital. But each year the amount of capital required to start and to operate an efficient business firm has been increasing. More machinery, more equipment, and more labor-saving devices of all kinds are necessary to meet competitive costs and to give efficient service.

This means that if small firms are to survive, some way had to be found whereby they can obtain capital, on an impersonal basis, just as the big corporations obtain their capital on an impersonal basis through the centralized stock and bond markets. Small firms cannot go to these markets. The costs of going to Wall Street for the amount of capital which a small firm needs, or going to any of the other big stock and bond markets, simply put these sources of capital beyond the reach of the small firm.

This, then, is the problem which the Small Business Investment Act is designed to meet. And this is the first time that there has been any Federal legislation, or any Federal program, that has attempted to help out with this problem. There have been numbers of Federal lending programs, yes. And these have been very helpful to small business, as well as financially successful from the standpoint of the Government. But these lending programs have not come to grips with the real problem, which is not the problem of obtaining commercial credit or bank-type loans, but the problem of obtaining equity capital and long-term debt capital.

BANK CREDIT IS NOT ENOUGH

This is the point which has been hard to put across: There is all the difference in the world between risk capital and loans of the kind which the local banks can make. A lot of people have thought that financing small business is a job which the local banks can take care of. But I believe that the investigations which our Small Business Committee made into this whole subject of small-business financing, and the hearings which we held, have now shown what the real problem is.

The fact is, the local banks can and do provide many essential services to small business. The local banks can and do make low-risk loans on a short-term basis to the extent that they have funds, and such loans meet a requirement of both small firms and big firms for credit to finance inventories, accounts receivable, and current operating costs and to meet all kinds of temporary needs.

But the funds which the commercial banks have to operate on are almost all depositors' funds. More than that, these funds are mostly demand deposits, which the depositors expect to be able to draw out at any moment. Commercial banks cannot, therefore, be expected to supply risk capital or make long-term loans. The representative of the American Bankers Association who testified before our committee put it this way:

> The banks, as this committee knows, are not set up, they are not capitalized, they are not organized for the purpose of providing equity capital, and they are certainly not organized for the purpose of providing long-term loans.

The question is, then, where can small firms go for capital? The big corporations raise equity capital through the stock markets, and they obtain long-term debt capital by issuing bonds and notes which they can sell to the insurance companies, the big banks, and the investment trusts. The small firm cannot go to these sources.

Furthermore, the big corporations can and do obtain a large percentage of whatever new capital they may need for expansion and modernization by, in effect, taxing the general public. It would be hard to count the numbers of times we have seen announcements over

the past 5 or 6 years that one big-business industry or another was raising prices because, they said, they needed more money to build new plants or buy equipment to expand capacity. Small-business concerns cannot raise capital in this way.

HELPING PRIVATE ENTERPRISE HELP ITSELF

The new Small Business Investment Act is not just another Government "loan" program. It is a way to help private enterprise help itself. Unlike the previous Government loan programs, this program is designed to encourage private enterprise to come in and do the job of financing small business. It is designed to encourage privately owned and operated investment companies to come in and fill the vacuum which now exists. The Government will help these new investment companies to get started, yes, and in a quite substantial way. To form one of these investment companies there must be at least 10 stockholders and they must raise at least $150,000 of private capital. With this they may then obtain another $150,000 of Government funds on a long-term basis. And they may then use this $300,000 of capital to invest in the stocks of small-business concerns, or to make long-term loans to them. Furthermore, the small-business concerns will acquire stock in the investment companies, so eventually the small-business people in each locality will own all or a substantial share of their local investment company, even if they do not start the company and own it from the beginning.

Is this a new socialistic enterprise? No, absolutely not. The new small-business investment companies will be set up to make profits for their stockholders. The new tax benefits which this Congress passed for small business include specific benefits to help these small-business investment companies become profitable and attractive to private investors. In fact, it is hoped that this program will be so profitable that private capital will eventually pay back all the Government funds and put the Government out of the picture completely.

HELPING SMALL BUSINESS HELP THE COUNTRY

Furthermore, the legislation has been designed so that redtape and Government interference will be at a minimum, even from the beginning. Small-business concerns obtaining financing through this program need have no dealings with the Government whatever. They will go directly to the local investment companies. If the local investment company thinks the small firm is a good risk or offers a good investment, it will invest in that concern or make it a loan; and if it does not think a small-business concern is a good proposition, it will not put money into that concern. In every case, the small-business investment company will be backing its judgments with a substantial portion of private money. But the local investment company will have money to loan and to invest, and it will be looking for good investment opportunities—that will be its business, and its only business.

So we will now have in this country exactly what small firms need—not a Government subsidy, but a chance to obtain capital on the basis of their own merits.

If this new program succeeds, as I believe it will, then it will solve one of the great weaknesses in our capitalistic system. The capitalistic system is, of course, the greatest system on earth. And we are determined that it will outlast and outperform all other systems.

Certainly, then, we could not afford to do nothing about the situation which has been growing up, where the small business—the kind of business that has been the strength and the source of competition in our capitalistic system—is denied access to the capital on which our system must operate.

If the new legislation succeeds, it will solve a chronic problem, not just a problem that arises when our Government is squeezing bank credit to make money tight. Yet it will also help small business avoid some of the disastrous consequences of a renewed credit squeeze—which now seems to be commencing—provided, of course, that SBA allows the new program to get under way promptly and vigorously. When small firms are better capitalized, they are not so easily pushed into bankruptcy by having their bank credit reduced or cut off, as great numbers were in the credit squeeze of 1953 and, again, in the prolonged squeeze of 1955 through 1957.

If the new legislation succeeds to the extent it should, then there will be a prosperous growth of small businesses all over this country. Local communities will not need to depend entirely on the great industrial and financial centers for prosperity. They will have more and stronger local businesses, more prosperous local merchants, and more prosperous local banks. People who wish to leave the farms, or are forced to leave the farm, will have more jobs to go to and more opportunities to start their own businesses. There will also be more jobs and more business opportunities and fewer unemployed people in the industrial centers. In short, there should be more productive activity and more prosperity for the whole Nation. I believe that in passing the Small Business Investment Act, this Congress has passed one of the most important small-business measures ever enacted.

HELPING SMALL BUSINESS WITH THE TAX BURDEN

Another important measure passed by this Congress—the Technical Amendments Act—removes a great many of the unnecessary hardships which have been imposed on small business by the Internal Revenue Code of 1954. And in other ways this act provides tax benefits for small business which will make small firms more attractive to private investors and make it easier for small firms to finance purchases of new machinery and equipment.

Small corporations with no more than 10 stockholders may elect to be excused from paying the corporate income tax; small firms—both incorporated and unincorporated—are allowed a speedup depreciation whereby they may write off 20 percent of the cost of new machinery and equipment in the first year; investors in small concerns who suffer a loss on their investments may take an ordinary-loss deduction rather than a capital-loss deduction; small concerns that suffer net operating losses may now carry these losses back and deduct them from income received in the 3 preceding years, instead of only the 2 preceding years; estate taxes may be postponed and paid in 10 annual installments where an estate consists largely of an interest in a closely held business; and finally, dividend payments which the new small-business investment companies receive from stock in small-business concerns are made 100-percent tax exempt. All of these measures are good.

The tax bill enacted by this Congress does not make all of the changes in the Federal tax laws which the Democrats on our Small Business Committee have recommended. It does not provide for a general reduction in small-business taxes and thus it will not make an equalization of the tax burden which should be made. I have reason to believe, however, that the bill which was finally enacted by this Congress contains the most benefits for small business that the administration could be persuaded to accept, and the most benefits which could have been put into a bill without having it vetoed by the President. Even so, the progress which has been made in this bill is good. It will help many small firms in substantial ways.

HELPING SMALL BUSINESS ENFORCE THE ANTITRUST LAWS

Effective antitrust laws and effective enforcement of the antitrust laws are essentials for small business. Without effective enforcement, the best of laws are, of course, of little use. Probably the most effective deterrent to violations of the antitrust laws has been that these laws have provided an incentive for private enforcement through private suits. Specifically, there is a provision which allows anyone who is injured by a violation of an antitrust law to sue and collect three times the amount of damages he has sustained. This incentive for small-business people who are injured by violations of these laws to bring private suits provides an important safeguard against the possibility that enforcement might be completely frustrated by political influence in the Federal enforcement agencies.

To encourage people who have been victimized by antitrust violations to bring suit, a real incentive is needed. People who start such a suit must risk heavy legal costs, a great deal of time, and possibly the ill will of some big corporation; and they must weigh all of this against the chances that the suit will be lost, or that the damages they collect will not be worth the cost and trouble. Winning a private antitrust suit is not an easy matter. To collect damages, the small-business man must not only prove to the court that the antitrust law has been violated, but he must prove the amount of the damages he has sustained, and, of course, he must prove that the violation was the cause of his damages.

Up until a few years ago the possibility of collecting three times the damages offered an effective incentive for bringing private suits. Under the practice of the Internal Revenue Service, only one-third of the money collected was subject

to Federal taxes. In other words, the man who had been damaged paid the tax on what his income would have been if he had not been damaged.

The Internal Revenue Service changed this practice, however, and was upheld in the change by a decision of the Supreme Court in 1955. Since that time the ruling has been that anyone winning an antitrust damage suit must pay Federal income taxes on the entire amount collected. And, what is more, the ruling has been that such damages must be treated as income received in the single year when they are collected, and taxes must be computed accordingly. This has meant, as a usual thing, that taxes would wipe out most of the damages which the small-business man might collect. And the result has been to discourage the bringing of private damage suits. This has been a great blow to private antitrust enforcement. It has discouraged private enforcement at a time when public enforcement was probably most needed to be supplemented by private enforcement.

Furthermore, the ruling that the damages must be treated as income in a single year has seemed most unfair and illogical. Everyone familiar with antitrust suits knows that the small-business man who has been injured by some illegal practice has not been a victim of that practice for just 1 year, but usually for many years. It is not unusual that the small-business man has been victimized over a period of 10 years, or even 20 years.

In section 58 of the Technical Amendments Act, this Congress has restored much of the incentive for bringing private antitrust suits. Specifically, the new law provides that damages collected need not be treated, for Federal tax purposes, as income received in just 1 year. They may now be treated as income received over the entire period when the injury is shown to have been sustained. This new incentive is not quite as much as was recommended by our Small Business Committee—or, at least, by the Democratic members of our Small Business Committee—but it is an important victory for small business. It is an important victory for the public, generally. It will result in better compliance with the antitrust laws.

HELPING SMALL BUSINESS BY CLOSING AN ANTITRUST LOOPHOLE

When this Congress amended the Packers and Stockyards Act, it took the initiative in closing a loophole in the antitrust laws which may well save many thousands of small-business firms from quick and unjust destruction.

In testimony before our Small Business Committee, small-business people operating grocery stores, dairy stores, and other types of businesses complained that they were being victimized by illegal price discriminations, and, according to an interpretation which had been made of the Packers and Stockyards Act, the big corporations that were carrying on these discriminations were beyond the reach of the antitrust enforcement agencies. Specifically, under the Packers and Stockyards Act, corporations engaged in the slaughter or meatpacking business are under the jurisdiction of the Department of Agriculture for enforcement of the special laws pertaining to the livestock and meatpacking industries. And on this fact the law had been interpreted as exempting corporations from antitrust enforcement by the Department of Justice and the Federal Trade Commission on the ground that some part of the corporation's business is in meatpacking, or that it owns some interest in a meatpacking firm. Small-business people called our committee's attention to a case where one national retail grocery chain had escaped enforcement of the Robinson-Patman Act by the Federal Trade Commission merely because it had purchased a few shares of stock in one of the big meatpacking companies. This meant that this national chain could make or receive illegal price discriminations on canned fruits and vegetables, dairy products, cereals, bread, soap, and the hundreds of other items that retail food stores sell, now including cosmetics and many drugstore items.

This meant also that this national chain and any other corporation owning stock in a meatpacking company could violate any of the other antitrust laws without fear of interference from the Federal antitrust agencies.

This Congress has closed that loophole and restored the protection of the antitrust laws to independent grocers, druggists, dairy firms, and other small businesses.

HELPING SMALL BUSINESS OBTAIN TECHNICAL ASSISTANCE AND INCREASED CREDIT

This Congress has strengthened the Small Business Act and made it a permanent statute. The Small Business Administration has been given increased authority and several new authorities to help small business.

The maximum loan which the SBA can make has been raised from $250,000 to $350,000; and the highest interest rate which the SBA can charge a small firm has been cut from 6 to 5½ percent.

And by no means the least in importance, SBA has been given a new authority for assisting and counseling small firms in the vital matters of obtaining up-to-date technical know-how and obtaining access to new inventions. The new Small Business Act gives SBA not only the authority, but a Congressional mandate to obtain for small business a proportionate share of the billions of dollars which the Federal agencies are handing out each year to encourage research and development. Furthermore, it has been given the authority and the duty to obtain for small firms access to the new inventions and the new industrial techniques being developed under Government financing, principally by the big corporations. The SBA is now required to assist small firms to pool their resources in establishing laboratories and other research facilities to participate in Government research and development contracts. And, if the SBA carries out the new law, it will catalog the new industrial inventions and techniques developed by other companies under Federal grants, then make these inventions and techniques known to small firms and assist them in obtaining the use of these inventions and techniques.

Finally, small business now has a permanent agency of the Government charged with duty of specializing in its problems and working for its welfare. By making the Small Business Administration a permanent agency of the Government, this Congress has, to a degree, given to small business the recognition that was long ago given to labor, to agriculture, to big business and to other economic groups.

HELPING SMALL BUSINESS OBTAIN GOVERNMENT CONTRACTS

In passing Public Law 85–800—which revises all of the laws governing Federal purchasing and contracting methods—this Congress has taken a long step forward to help small firms obtain a better share of Government business. This is no small matter.

Indeed, the huge expenditures and contracts being made by the Department of Defense and the other Federal agencies account for a large percentage of all the production in this country. And the tendency of the Federal agencies to do business with the big corporations to the exclusion of small firms has long been a most serious matter.

To make it easier for the Government agencies to place contracts with small firms, the amount of a contract which can be placed without going through the advertised, competitive bid procedure has been raised from $1,000 (in some agencies $500) to $2,500. This will eliminate for many small firms the red-tape and all the expenses involved in going through the competitive bid procedure. And it will also eliminate, in these instances, the necessity for small firms to make deposits, along with their bids, in the form of certified checks.

And what is equally important, this legislation gives the Federal agencies permanent and clear authority to make advance payments and progress payments on Government work, so they can assist small firms in financing the Government contracts which they succeed in obtaining.

These things will not force the Government agencies to place more contracts with small firms; but at least they will make it easier for these agencies to place contracts with them and make it easier for small firms to finance these contracts.

REMOVING THE DISCRIMINATORY FREIGHT TAX

When this Congress passed the bill repealing the 3-percent tax on freight shipped by common carrier, it took the initiative in removing another important discrimination against small business. This discrimination worked in subtle ways, but was far-reaching in its consequences. Early last year our Small Business Committee made a report—at least the Democratic members of our committee made a report—in which we pointed out that the real effect of this tax was to raise the marketing costs of goods shipped by common carrier. Small manufacturers, who must usually ship this way, had to meet this added cost. For the most part, small distributors and small merchants—who usually

receive their goods by common carrier—were burdened with an increase in the cost of their supplies. Many of the big corporations, on the other hand, operate their own private trucking or other transportation systems, and their goods were not taxed. The practical consequence of the tax was, then, an unreasonable advantage enjoyed by firms large enough to have their own transportation systems, or large enough to receive supplies shipped over these private systems.

So, by repealing this tax, this Congress has removed one other unfair advantage to big business. It has made another important contribution toward restoring equality of opportunity for all business.

HELPING SMALL BUSINESS THROUGH SMALL-BUSINESS COMMITTEES

So much for the small-business legislation passed by this Congress. It is most impressive, and it will be most helpful to small business.

Beyond the things we can point to in the new laws that have been passed, there have also been, I think, many important contributions to small business in the investigations, the hearings, the reports, and the other work of our Small Business Committee. If this is true, then the credit is due to many Members of the House of Representatives, not just to the members of our committee. The House established our committee and provided the funds for its operations, and in many ways many Members of the House have contributed to our work. In our investigations and reports we have tried to discover and point out any general failures on the part of the administrative agencies which tend to injure small business, or to favor big business at the expense of a fair chance for small firms. We have had occasions, particularly, to bring to the attention of the Department of Justice and the Federal Trade Commission instances where small firms are being injured or discriminated against by what appeared to be violations of the antimonopoly laws.

To give an example, I can point to our investigation of the dairy industry. According to the facts we brought to light, hundreds and thousands of local dairy firms across the Nation are being victimized by local price wars, below-cost selling, and other predatory practices being carried on by a few great corporations controlling nationwide chains of local dairies. And as the independent companies have been driven to the wall, they have been bought up by and merged into these nationwide chains. It was not difficult to imagine that, within a very short time, all of the local distribution business in dairy products of the whole Nation might be owned and controlled by 2 or 3 nationwide corporations. From the facts we unearthed and publicized, it appeared that the Department of Justice was remiss in enforcing the antitrust laws. However, shortly after our investigation brought this matter to light, this Department started grand jury proceedings. The question of whether the antitrust laws are being violated will now be determined; and if there are violations, they will presumably be restrained. This investigation, it is true, has resulted in no new legislation, but it may result in better enforcement of the laws already on the books.

THE DARK YEARS FOR SMALL BUSINESS

Now I do not suggest that the work of this Congress has solved all of the problems of small business, or that it has restored anything like full equality of opportunity for small business. It has not. There is much work yet to be done, and it is imperative, it seems to me, that the next Congress push this work with all the promptness and vigor that it can command. As for the things which this Congress has achieved for small business, I think we can fairly say that they are only important steps in the right direction, and that the future for small business has been made considerably brighter than it was when this Congress first met.

When this Congress first met, we had every reason to despair for any future for small business in this country. Small business had then just gone through several dark years.

During the years of this administration's highly advertised business boom, the profits of the giant corporations skyrocketed. These giant corporations raised prices, built new plants, new warehouses, and new retail outlets at a record pace, and they bought up and merged smaller firms at an equal pace. And, as big business prospered and expanded, small-business failures skyrocketed.

The number of small firms forced into bankruptcy increased month by month, and year by year, at a record-breaking pace. The fever of corporate mergers raged even to the point that the Wall Street financial journals expressed alarm. Thousands upon thousands of small- and medium-sized corporations were bought up, at bargain prices, and assimilated into the great corporate collectives that were blossoming with Republican prosperity.

At the beginning of this Congress our Small Business Committee made a thoughtful report in which we reviewed these trends and pointed out some of their causes. We looked at the rate of small-business failures, the rate of corporate mergers, and the rate of big-business expansion. We concluded—as we had to—that if these trends continued unchecked, the last small-business firm would disappear in a matter of 18 years. In brief, the rate at which a few giant $100 million corporations had increased their control over business in the previous 5 years suggested that only firms of this size would remain after 18 years.

Many things had happened and were happening.

BIG-BUSINESS CONTROL OF THE ANTITRUST LAWS

Our antitrust laws had fallen into almost complete disuse. In fact, we found that under the new administration one of the antitrust agencies, the Federal Trade Commission, had trained its big guns of antitrust on the very small business firms, letting the corporate giants go unguarded and uninhibited in the merry ways of building monopoly. The other antitrust agency, the Department of Justice, had taken to the practice of settling antitrust suits by consent decrees. These decrees mean that antitrust law violators promise to mend their ways. And these decrees, whatever the worth of their promises, denied the people who had been injured an opportunity to sue and recover damages.

Those parts of the antitrust laws which were especially designed to protect small business—such as the anti-discrimination law—had fallen into especially bad favor with the big-business administration. There was a period when the antitrust officials were openly suggesting that these laws no longer existed—or existed in name only—because of certain court decisions they could point to. So intense was the interest in reinterpreting the antitrust laws that the Attorney General of the United States set up a large committee, mostly of big-business lobbyists, to write a report which was to instruct the Federal courts in the new ways of interpreting the antitrust laws.

Then Attorney General Brownell directed a copy of this report to every Federal judge in the country, setting the first precedent in history when an Attorney General has been bold enough to lobby the courts. And that is not all. This Attorney General lent the great prestige of his office to a massive public-relations campaign to dignify that report and persuade the Federal judges that what the lobbyists had written was really a bible of antitrust law. Certainly neither this breakdown in antitrust enforcement nor this massive sabotage of the antitrust statutes promised anything good for small business.

BIG-BUSINESS CONTROL OF DEFENSE CONTRACTS AND RESEARCH GRANTS

In the Government procurement agencies—those agencies whose purchases and contracts account for a large percentage of American production—the treatment of small firms was no better. As soon as this administration had taken office the Department of Defense promptly installed a trickle-down system for small business. It had invented some fancy new names, such as the "Weapons System Concept," to describe a deliberate policy of shifting defense contracts to the big corporations. The proper place for small firms in defense production, according to the new theory, was knocking at the doors of big business asking for handouts of subcontracts. What happened, of course, was that the big corporations that got the prime contracts quite naturally skimmed the cream off the business. They farmed out subcontracts only in periods when their own plants were overloaded, they built new plants to handle the more profitable operations, and they subcontracted only low-profit work and work of a kind which had little commercial or military future. And, as the big manufacturers fattened on defense contracts, they used their surplus profits to branch out into the distribution fields, buying up strings of wholesale and retail outlets and building new outlets of their own.

Research and development of new products and industrial processes also became an enlarged item of Government expense. By 1957, the Department of Defense alone was granting $3 billion a year to private firms to subsidize research

and development of all kinds, and 96 percent of this money was going to big business. Financing private research and development in this disproportionate way would be bad enough under any circumstance. But add to this the fact that the Government allows private firms to patent and control the patents on developments made at Government expense, and we have a sure-fire system for concentrating the competitive strength of the Nation into a few giant corporations.

BIG-BUSINESS REWRITE OF THE TAX LAWS

And so, too, in the field of taxes small business was looking down the muzzle of the one cannon which is universally powerful to destroy. The Republican-controlled Congress of 1953–54 had completely overhauled the Federal tax laws—at the administration's request—and had loaded these laws with all kinds of business "incentives," which turned out to be big-business favoritism and double burdens on small business. The entire Internal Revenue Code was rewritten and rigged with so many big-business loopholes and favoritisms that we are not sure that we have found them all yet.

The excess-profits tax had been repealed—with much shouting that this would help small business—when only the big corporations were making excess profits. And removing this tax meant that the industries having the power to raise prices—the big-business industries—were given an incentive to raise prices, so as to take more excess profits which they could now keep. The splurge of big-business price increases that followed brought about, indirectly, the great credit squeeze which proved to be the almost fatal blow to small business.

LETTING "MONETARY CONTROLS" RUN THE GOVERNMENT

In our splendid capitalistic system all business firms operate on credit. Without credit business firms, big or small, cannot do business. And the policies of this administration were as sure to squeeze small business out of the credit picture as night is sure to follow day.

The administration had from the outset been firmly rooted to the idea of letting "monetary controls" run the Government. It had reached pretty far back in history for the idea. In fact, to find anything like a practical application of the idea, the clock had to be turned back to a 19th-century theory of the British Government. But by dusting off this idea and giving it an up-to-date public-relations treatment, it was made to seem a plausible solution to this administration's conflicting promises and ambitions. What were the promises?

First of all, this administration promised to "free" business of all kinds of controls and Government interferences. And, of course, this was a promise the big-business leaders meant to keep. Yet they promised with equal vigor that they would maintain a sound dollar and allow no inflation to occur under this administration.

Had some miracle come to pass so that both promises panned out, this would have been because big business flatly refused to raise prices after demanding and getting every incentive for raising prices.

But "monetary controls" seemed to offer a happy solution for everybody—everybody, that is, of great wealth. "Monetary controls" meant—first of all—higher interest rates. The administration's first action was to raise the interest rates and thus give the big bankers and money lenders a bigger share of the national income. As best I can estimate, the American people will pay $10 billion more in interest charges this year, 1958, than they paid in 1952.

But "monetary controls" were to be the cure-all for everything, big business was "freed" of all Government interferences—even interferences from antitrust laws.

Finally, "monetary controls" meant that the Government could go out and play golf and not worry about spending and taxes, reducing the national debt, or anything else.

Yes, "monetary controls" were going to offer an easy way of getting around all the hard problems of Government. All that was needed, according to this happy theory, was to raise interest rates a little here and a little there, to squeeze the credit supply at some times and loosen it at other times. These activities would, of course, run the prices of Government bonds up and down. But the big bankers and speculators had no objection to that.

BIG-BUSINESS INFLATION AND THE SMALL-BUSINESS CREDIT SQUEEZE

The promised miracle did not, however, come to pass. Instead of maintaining a sound dollar, "monetary controls" brought about increased prices. And, as would have been expected by anybody not lost in a 19th century dream world, these policies brought about increased prices even at a time when demand was falling and supplies were increasing.

Raising interest rates added increased costs on to the big-business industries, which raised prices and passed the cost increases on to consumers. And while they were about it, these industries began raising prices for the further purpose of fattening their profits. So, after having been stable for the last 18 months of the Truman administration, prices were on their way up again. The only answer to this, according to the administration's "monetary-controls" theory, was to make money tight by squeezing bank credit.

Putting a stop to increases in the money supply at a time when the volume of business and the need for money were increasing might not have proved so disastrous for small business if the matter had stopped there. Had only normal demands for bank credit continued, there would have been a sufficient supply to take care of most of the small-business needs. But the Treasury under Secretary Humphrey was busy raising interest rates on Government bonds and other securities, so corporate bond rates went up, with the result that the big corporations postponed much of their financing in the bond market, demanding more and more temporary credit from the commercial banks. And being the banks' biggest depositors and most influential customers, the big corporations got the bank credit, leaving the small firms to go without, or to struggle on much reduced amounts.

We now have the exact story of what the tight-money policies did to small business. We have the story in statistics compiled by the Federal Reserve System itself.

These Federal Reserve statistics show that between October 1955 and October 1957—the period when credit was made progressively tighter—the amount of bank credit extended to the smallest firms actually decreased. These were the firms having less than $50,000 of assets. In contrast, the amount of bank credit extended to firms having more than $100 million of assets increased by 66 percent. Furthermore, these Federal Reserve statistics show, as might be expected, that what happened all along the line was that the bigger the firm, the bigger its increase in bank credit.

Yet, in this 2-year period the volume of business in the Nation had expanded, prices had increased, and all classes of business firms needed more, not less credit.

At one time the big-money managers argued that the big corporations were getting the lion's share of the bank credit, only because it was the big-business industries that were making large expansions, and credit was merely going where it was needed. But when the Federal Reserve finally made its survey, its figures showed that big firms' getting the credit was not an industry matter at all. On the contrary, these figures on an industry-by-industry basis showed the same story for each industry: the biggest firms in the industry had gotten terrific increases in credit during the tight-money period, and the smallest firms in the industry had gotten less credit.

Have the effects of the tight-money policies now been wiped out? No; the results are still with us in many ways.

One result has been that many of those small firms that managed to survive the credit squeeze lost their independence. When small retailers and distributors could not get credit from their banks, they were forced to turn to the big manufacturers for credit. And many of those lucky enough to obtain credit from these big suppliers now find that new patterns have been established, their dependence continues, old suppliers who could not furnish credit have gone out of business, and they are tied to the big suppliers in many ways. This is partly the reason there are now 18,000 fewer manufacturing firms in the country than there were at the end of 1952. The smaller manufacturers who could not obtain enough credit to supply distributors and retailers lost their distributor and retailer outlets.

BIG-BUSINESS FAVORITISM MUST BE REPLACED WITH EQUALITY OF OPPORTUNITY

No, the policies of this administration have not been kind to small business. They were not kind to small business in the period of the big-business boom, and they have not been kind to small business since the recession was finally precipitated in the fall of 1957.

It would be too much to review all of the ways in which the executive and regulatory agencies have functioned under this administration to favor big business at the expense of small-business competitors and distributors. It is enough to say that their many regulations and programs and their big business executives in key Government positions have not even shown an understanding of the problems of small business.

No one can say that the health of small business today is all that it ought to be. None of us can really think that all has been done which must be done to remove unfair hardships and bring about competitive equality for all business. I sincerely hope, as I know many of the Members do, that the next Congress will continue to improve upon the progress which this Congress has made. Certainly, we must know that this is vital to the welfare of the whole Nation—and vital to our political freedoms.

HON. SAM RAYBURN

Mr. ARENDS assumed the chair.

The SPEAKER pro tempore (Mr. ARENDS). The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, notwithstanding the fact that this has been one of the most tempestuous, most controversial, and most exhausting sessions in many years, I want to pay my tribute to the splendid manner in which our good Speaker, the gentleman from Texas [Mr. RAYBURN], has presided over the House. He is a great parliamentarian. He has presided with fairness and with justice and in keeping with the dignity of this great House of Representatives as he always does. SAM RAYBURN is a great American. He is a good and valued friend.

I am sure, Mr. Speaker, that we all wish you a happy return to your Texas home, to the great wide open spaces, and that you will have a well earned rest. I know I express the hope of us all, on both sides of the aisle, that you will return next year well rested from your heavy labors and in fine physical condition.

May I also express my personal appreciation for the fine courtesies that have been so often extended to me by our friends on the Democratic side of the House. I appreciate their courtesies and their friendship.

I also want to express my deep appreciation to my own colleagues on this side of the House who have loyally supported me in my efforts through the years. It has been a comfort and a satisfaction to know always that I have so many loyal colleagues trying to sustain and to assist me in the duties I have to perform.

So, as we all go back to our homes and try to get a little rest, may I extend to all of you my best personal wishes for a very pleasant fall and a well earned respite from the arduous duties you have been performing so ably during this long session which is about to adjourn.

Mr. Speaker, I offer a resolution (H. Res. 699) and ask for its immediate consideration.

The Clerk read, as follows:

Resolved, That the thanks of the House are presented to the Honorable SAM RAYBURN, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over the deliberations and performed the arduous duties of the Chair during the present term of Congress.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

The SPEAKER pro tempore. The Chair will state that the resolution was agreed to unanimously, which is as it should be.

The Speaker resumed the Chair.

The SPEAKER. Mr. MARTIN and my colleagues in the House of Representatives, on both sides of the aisle:

I want to say to you that I shall never cease to hold in grateful memory the fine courtesies of which I have been the recipient at your hands. Your unfailing courtesy and your fine friendships have made a position that at best is both arduous and onerous more tolerable than it would otherwise have been.

I think you have heard me say many times that I love the House of Representatives. It has been most of my life, to have occupied the position which has been occupied, vice versa, by the gentleman from Massachusetts [Mr. MARTIN].

I want to say that there has never been an unpleasant moment between us. We have always had a definite understanding each with the other. When you have an understanding with JOE MARTIN you can go on and forget it, because there is not any element in his makeup that makes for deception or for deceit. The friendship that has grown up between him and me over the long years is one of the things that I shall cherish as long as life is in my body.

For the courtesies, let me repeat, of all of you, I shall to my last day be in your deep debt, be grateful to you. And in the moments that we wait for the other body to complete its work, as we have ours, let me say to you that I hope you will enjoy a deserved holiday.

I think this has been the hardest working session of Congress I have ever served in, with the possible exception of the first 100 days of the first session of the first Roosevelt administration, when so much was done. We on both sides of the aisle have made a record that we can take before our constituents and be proud of, because we have done our duty, in my opinion, to the very hilt.

And so I wish each and every one of you a happy holiday and that you may return here refreshed and more vigorous than most of us are at the moment.

The House will stand in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 50 minutes a. m.), Sunday, August 24, 1958, the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 58 minutes a. m.

REPORT OF COMMITTEE APPOINTED TO NOTIFY THE PRESIDENT

Mr. ALBERT. Mr. Speaker, your committee appointed to join a committee of the Senate to inform the President that the Congress is ready to adjourn, and to ask him if he has any further communications to make to the Congress, has performed that duty. The President has directed us to say that he has no further communication to make to the Congress. And, Mr. Speaker, the President requests that your committee extend his best wishes to "Mr. SAM."

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 123. Concurrent resolution that the two Houses of Congress shall adjourn on Sunday, August 24, 1958, sine die.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13192) entitled "An act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that a committee of two Senators have been appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed the business of the session and are ready to adjourn unless he has some further communication to make to them.

The message also announced that the Presiding Officer had appointed the Senator from Georgia, Mr. TALMADGE, as an additional member of the Congressional delegation previously announced to attend the Fourth Annual North Atlantic Treaty Parliamentary Conference, which will be held in Paris from November 17 to November 22.

ADJOURNMENT SINE DIE

The Speaker laid before the House the following Senate Concurrent Resolution (S. Con. Res. 123):

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Sunday,

August 24, 1958, and that when they adjourn on said day, they stand adjourned sine die.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BROOMFIELD (at the request of Mr. MARTIN) indefinitely, on account of official business.

Mr. KITCHIN for Monday, August 25, 1958, on account of request by chairman of Armed Services Committee to represent him at ceremonies in New York City for crew of *Nautilus*.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. TABER and to include two tables prepared by him.

Mr. KEATING.

Mr. BYRNES of Wisconsin and to include a table.

Mr. HAYS of Ohio.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the following titles, which were thereupon signed by the Speaker:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.;

H. R. 469. An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes;

H. R. 1061. An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other laws;

H. R. 1494. An act for the relief of the Southwest Research Institute;

H. R. 1684. An act for the relief of William Franklin Rollins;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

H. R. 3368. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as mutilpel defendants;

H. R. 3571. An act for the relief of Boris F. Navratil;

H. R. 4073. An act for the relief of Peter James O'Brien;

H. R. 4642. An act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure;

H. R. 6282. An act for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation;

H. R. 7710. An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees;

H. R. 7860. An act to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range";

H. R. 8943. An act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code;

H. R. 9258. An act for the relief of Mrs. Minnie Perreira;

H. R. 9262. An act for the relief of the estate of A. A. Alexander;

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes;

H. R. 9700. An act to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes;

H. R. 9817. An act relating to venue in tax refund suits by corporations;

H. R. 9950. An act for the relief of D. A. Whitaker and others;

H. R. 10473. An act for the relief of Hipolito C. DeBaca;

H. R. 10495. An act to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city;

H. R. 11668. An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended;

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at Saint Paul, Minn., to be admitted without payment of tariff, and for other purposes;

H. R. 12126. An act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes;

H. R. 12226. An act to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes;

H. R. 12808. An act to amend the Federal-Aid Highway Act of 1956 and 1958 by advancing the date for submission of the revised estimate of cost of computing the Interstate System and to extend the approval of such estimate for an additional year;

H. R. 12858. An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13247. An act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes;

H. R. 13450. An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana;

H. R. 13580. An act to increase the public debt limit;

H. R. 13678. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf;

H. R. 13861. An act to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives;

H. J. Res. 635. Joint resolution for the relief of certain aliens; and

H. J. Res. 648. Joint resolution providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln.

ADJOURNMENT

Mr. BOYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with the provisions of Senate Concurrent Resolution 123, the Chair declares the 2d session of the 85th Congress adjourned sine die.

Accordingly (at 2 o'clock a. m., Sunday, August 24, 1958) the House adjourned sine die.

EXECUTIVE COMMUNICATIONS, ETC.

2258. Under clause 2 of rule XXIV, a letter from the Assistant Secretary of the Navy (Financial Management), transmitting a report of all claims for damage caused by naval vessels which have been paid during the fiscal year ending June 30, 1958, pursuant to section 7624 (b) of title 10, United States Code, was taken from the Speaker's table and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. H. R. 49. A bill to provide for the admission of the State of Hawaii into the Union; with amendment (Rept. No. 2700). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN of New York: Committee of conference. H. R. 12226. A bill to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes (Rept. No. 2701). Ordered to be printed.

Mr. WALTER: Committee of conference. H. R. 11477. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes (Rept. No. 2702). Ordered to be printed.

Mr. LANE: Committee of conference. H. R. 4059. A bill for the relief of Mr. and Mrs. Carmen Scoppettuolo (Rept. No. 2703). Ordered to be printed.

Mr. PASSMAN: Committee of conference. H. R. 13192. A bill making appropriations for Mutual Security for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 2704). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL (by request):

H. R. 13867. A bill to define the status of retired officers of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. FULTON:

H. R. 13868. A bill to amend section 1332 of title 10 of the United States Code to permit the transfer on a limited basis of points

earned in 1 year to other years; to the Committee on Armed Services.

H. R. 13869. A bill to provide for the representation of indigent defendants in criminal cases in the district courts of the United States; to the Committee on the Judiciary.

By Mr. IKARD:

H. R. 13870. A bill to amend section 7 of the act of August 18, 1941, to provide that 75 percent of all moneys derived by the United States from certain recreational activities in connection with lands acquired for flood control and other purposes shall be paid to the State; to validate certain payment; and for other purposes; to the Committee on Public Works.

By Mr. MULTER:

H. R. 13871. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

By Mr. FULTON:

H. R. 13872. A bill to provide pension for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

H. R. 13873. A bill to amend the Internal Revenue Code to provide that amounts expended to acquire subsurface coal to protect the taxpayer's residence from damage by removal of the coal shall be treated as casualty losses; to the Committee on Ways and Means.

H. R. 13874. A bill to provide for assistance to States in their efforts to promote, establish, and maintain safe workplaces and practices in industry, thereby reducing human suffering and financial loss and increasing production through safeguarding available manpower; to the Committee on Education and Labor.

H. R. 13875. A bill to increase the monthly rates of pension payable to widows and children of World War I, World War II, and Korean conflict veterans; to the Committee on Veterans' Affairs.

By Mr. GUBSER:

H. Con. Res. 381. Concurrent resolution expressing the sense of the Congress that the United States in its international relations should maintain its traditional policy in opposition to colonialism and Communist imperialism; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Guam, memorializing the President and the Congress of the United States requesting that the Organic Act of Guam be amended so as to provide that the legislature may override with finality, the veto of the Governor of Guam; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII:

Mr. COLLIER introduced a bill (H. R. 13876) for the relief of Mutsuko Miyaji, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

736. Mr. ROBISON of New York: Petition of Harold C. Bryant and others favoring passage of S. 582 and H. R. 4835; to the Committee on Interstate and Foreign Commerce.

737. By Mr. MOULDER: Petition of the Missouri Department of the Veterans of World War I, U. S. A., Inc., urging passage of H. R. 2201; to the Committee on Veterans' Affairs.

APPOINTMENTS AFTER SINE DIE ADJOURNMENT

The SPEAKER, pursuant to the provisions of Public Law 85–614, and the order of the House of August 23, 1958, empowering him to appoint commissions, boards, and committees authorized by law or by the House, did, on August 25, 1958, appoint as members of the Hudson-Champlain Celebration Commission the following Members on the part of the House:

Mr. CELLER, of New York.
Mr. HOLTZMAN, of New York.
Mr. TAYLOR, of New York.
Mr. KEATING, of New York.

MESSAGE FROM THE SENATE AFTER SINE DIE ADJOURNMENT

Pursuant to a special order agreed to on August 23, 1958, the Clerk of the House, subsequent to the sine die adjournment of the Congress, received a message from the Senate informing the House that the Senate had passed a bill and a concurrent resolution of the following titles:

H. R. 13191. An act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science.

H. Con. Res. 226. Designating the seven-day period beginning March 16, 1958, as "National Library Week."

BILLS AND JOINT RESOLUTIONS ENROLLED AFTER SINE DIE ADJOURNMENT

Mr. BURLESON, from the Committee on House Administration, reported that on August 25, 1958, that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles:

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar;

H. R. 4059. An act for the relief of Mr. and Mrs. Carmen Scoppettuolo;

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames;

H. R. 8759. An act for the relief of W. G. Holloman and Mrs. W. G. Holloman;

H. R. 9020. An act to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes;

H. R. 11382. An act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act of 1940, and for other purposes;

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes;

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes;

H. R. 12212. An act for the relief of certain employees of the Department of the Navy;

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes;

H. R. 13191. An act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science;

H. R. 13192. An act making appropriations for Mutual Security for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety;

H. R. 13666. An act to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico;

H. R. 13840. An act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies;

H. R. 13489. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13856. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes;

H. J. Res. 546. Joint resolution designating the week of November 21–27, 1958, as National Farm-City Week;

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959;

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens, and for other purposes; and

H. J. Res. 704. Establishing that the first session of the 86th Congress convene at noon on Wednesday, January 7, 1959.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to the authority granted the Speaker by Senate Concurrent Resolution 122, 85th Congress, he did on August 25, 1958, sign enrolled bills and joint resolutions of the House as follows:

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar;

H. R. 4059. An act for the relief of Mr. and Mrs. Carmen Scoppettuolo;

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames;

H. R. 8759. An act for the relief of W. G. Holloman and Mrs. W. G. Holloman;

H. R. 9020. An act to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes;

H. R. 11382. An act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act of 1940, and for other purposes;

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes;

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes;

H. R. 12212. An act for the relief of certain employees of the Department of the Navy;

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes;

H. R. 13191. An act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science;

H. R. 13192. An act making appropriations for Mutual Security for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety;

H. R. 13489. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13666. An act to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico;

H. R. 13840. An act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies;

H. R. 13856. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes;

H. J. Res. 546. Joint resolution designating the week of November 21–27, 1958, as National Farm-City Week;

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959;

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens, and for other purposes; and

H. J. Res. 704. Joint resolution establishing that the 1st session of the 86th Congress convene at noon on Wednesday, January 7, 1959.

And enrolled bills of the Senate as follows:

S. 25. An act relating to effective dates of increases in compensation granted to wage board employees;

S. 165. An act for the relief of Arthur LeRoy Brown;

S. 1438. An act to amend section 544 of title 28, United States Code, relating to the bonds of the United States marshals;

S. 1764. An act to amend the District of Columbia Public School Food Services Act;

S. 1864. An act to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes;

S. 1908. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States;

S. 1985. An act to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto;

S. 2006. An act to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense;

S. 2020. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Social Security Act;

S. 2039. An act to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor;

S. 2114. An act to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for filed sites, to undertake construction and improvement of buildings and for other activities;

S. 2117. An act directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe;

S. 2146. An act for the relief of William F. Peltier;

S. 2469. An act for the relief of Dr. Brant Bonner;

S. 2719. An act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast, and for other purposes;

S. 2836. An act for the relief of the town of Portsmouth, R. I.;

S. 3028. An act for the relief of Laszlo Cseri, Margarethe Hadjisky, Maria Micell, and Francesco Riso;

S. 3142. An act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes;

S. 3295. An act to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act;

S. 3321. An act for the relief of George E. Ketchum;

S. 3335. An act to provide for a National Cultural Center which will be constructed with funds raised by voluntary contributions, on a site made available in the District of Columbia;

S. 3379. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system;

S. 3420. An act to extend and amend the Agricultural Trade Development and Assistance Act of 1954;

S. 3503. An act for the relief of Marie Inette Konomos;

S. 3680. An act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes;

S. 3683. An act to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas;

S. 3712. An act to authorize appropriations for continuing the construction of the Rama Road in Nicaragua;

S. 3728. An act to incorporate the Big Brothers of America;

S. 3741. An act to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests;

S. 3754. An act to provide for the exchange of lands between the United States and the Navaho Tribe, and for other purposes;

S. 3915. An act for the relief of Chiyoko Yoshimoto;

S. 3942. An act for the relief of certain distressed aliens;

S. 3944. An act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State;

S. 4032. An act for the relief of Mercede Svaldi.

S. 4039. An act to authorize the expenditure of funds through grants for support of scientific research, and for other purposes;

S. 4085. An act to amend the act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes;

S. 4088. An act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution;

S. 4096. An act to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole;

S. 4113. An act for the relief of Harold Pangelinan; and

S. 4214. An act for the relief of Mary F. C. Leute, the widow of Joseph Henry Leute.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. BURLESON, from the Committee on House Administration, subsequent to the sine die adjournment of the Congress, reported that, on the following dates, that committee had presented to the President for his approval bills and joint resolutions of the House of the following titles:

On August 23, 1958:

H. R. 7720. An act for the relief of Viola Belger;

H. R. 8381. An act to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes;

H. R. 9147. An act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes;

H. R. 11009. An act to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes;

H. R. 12207. An act for the relief of Mr. and Mrs. Alto Ross and children and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols;

H. R. 12216. An act to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tennessee, as the "Cordell Hull Dam and Reservoir" and to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe-San Antonio, Nueces, and San Jacinto River Basins, and intervening areas;

H. R. 12303. An act to amend the Revised Organic Act of the Virgin Islands;

H. R. 12670. An act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12883. An act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems;

H. R. 13549. An act to increase benefits under the Federal old-age, survivors, and disability insurance system, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act and for other purposes;

H. J. Res. 653. Resolution for the relief of certain aliens; and

H. J. Res. 659. Resolution for the relief of certain aliens.

On August 25, 1958:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.;

H. R. 469. An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes;

H. R. 1061. An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law;

H. R. 1494. An act for the relief of the Southwest Research Institute;

H. R. 1684. An act for the relief of William Franklin Rollins;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

H. R. 3368. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H. R. 3571. An act for the relief of Boris F. Navratil;

H. R. 4073. An act for the relief of Peter James O'Brien;

H. R. 4642. An act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure;

H. R. 6282. An act for the relief of the former shareholders and debenture noteholders of the Goshen Veneer Co., an Indiana corporation;

H. R. 7710. An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees;

H. R. 7860. An act to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range;

H. R. 8943. An act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code;

H. R. 9258. An act for the relief of Mrs. Minnie Perreira;

H. R. 9262. An act for the relief of the estate of A. A. Alexander;

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes;

H. R. 9817, An act relating to venue in tax refund suits by corporations.

H. R. 9950. An act for the relief of D. A. Whitaker and others;

H. R. 10473. An act for the relief of Hipolito C. DeBaca;

H. R. 10495. An act to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city;

H. R. 11668. An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended;

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes;

H. R. 12126. An act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes;

H. R. 12226. An act to amend the Virgin Corporation Act (63 Stat. 350), and for other purposes;

H. R. 12808. An act to amend the Federal-Aid Highway Acts of 1956 and 1958 by advancing the date for submission of the revised estimate of cost of completing the Interstate System and to extend the approval of such estimate for an additional year;

H. R. 12858. An act taking appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13247. An act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes;

H. R. 13450. An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana;

H. R. 13580. An act to increase the public debt limit;

H. R. 13678. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf;

H. R. 13861. An act to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives;

H. J. Res. 635. Resolution for the relief of certain aliens; and

H. J. Res. 648. Resolution providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln.

On August 26, 1958:

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 3193. An act for the relief of Toley's Charter Boats, Inc., Toley Engelbretsen, and Harvey Homlar;

H. R. 4059. An act for the relief of Mr. and Mrs. Carmen Scoppettuolo;

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames;

H. R. 8759. An act for the relief of W. G. Hollomon and Mrs. W. G. Hollomon;

H. R. 9020. An act to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes;

H. R. 9700. An act to consolidate into one act all of the laws administered by the Veterans' Administration, and for other purposes;

H. R. 11382. An act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act of 1940, and for other purposes;

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes;

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes;

H. R. 12212. An act for the relief of certain employees of the Department of the Navy;

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes;

H. R. 13191. An act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially trained in science;

H. R. 13192. An act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety;

H. R. 13489. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13666. An act to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico;

H. R. 13840. An act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies;

H. R. 13856. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes;

H. J. Res. 546. Resolution designating the week of November 21–27, 1958, as National Farm-City Week;

H. J. Res. 658. Resolution authorizing and requesting the President to invite the countries of the Free World to participate in the California International Trade Fair and Industrial Exposition, to be held in Los Angeles, Calif., from April 1 to 12, 1959;

H. J. Res. 675. Resolution to facilitate the admission into the United States of certain aliens, and for other purposes; and

H. J. Res. 704. Resolution establishing that the first session of the 86th Congress convene at noon on Wednesday, January 7, 1959.

BILLS AND JOINT RESOLUTIONS APPROVED AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the Congress, notified the Clerk of the House that, on the following dates, he had approved and signed bills and joint resolutions of the House of the following titles:

On August 20, 1958:

H. R. 1293. An act for the relief of Giuseppe Stefano;

H. R. 1691. An act for the relief of Margherita Conca;

H. R. 2319. An act for the relief of Mrs. Louise Nanton;

H. R. 2747. An act for the relief of John H. Parker;

H. R. 6667. An act for the relief of Maria Fierro Calogero;

H. R. 7004. An act to amend the Tariff Act of 1930 with respect to the dutiable status of handles, wholly or in chief value of wood, imported to be used in the manufacture of paint rollers;

H. R. 7282. An act for the relief of Iwan Okopny;

H. R. 7306. An act to amend title 28 of the United States Code to provide that notice of an action with respect to real property pending before a United States district

court must be recorded in certain instances in order to provide constructive notice of such action;

H. R. 7864. An act to provide that the Legislature of the Territory of Hawaii shall meet annually, and for other purposes;

H. R. 9232. An act to amend Public Law 481, 84th Congress (70 Stat. 104);

H. R. 9804. An act to amend section 12 of the act approved September 1, 1916, as amended;

H. R. 10139. An act for the relief of Wallace Y. Daniels;

H. R. 11337. An act for the relief of Miss Teresa Csencsits;

H. R. 11800. An act to authorize the Secretary of Agriculture to convey a certain parcel of land and buildings thereon to the city of Clifton, N. J.

H. R. 11954. An act to amend the Hawaiian Organic Act and Public Laws 640 and 643 of the 83d Congress, as amended, relating to general obligation bonds of the Territory of Hawaii.

H. R. 12569. An act to amend section 31 of the Organic Act of Guam, and for other purposes;

H. R. 12591. An act to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes;

H. R. 12903. An act for the relief of Wolfgang Streesemann;

H. R. 13015. An act to authorize certain construction at military installations, and for other purposes;

H. R. 13378. An act to facilitate the naturalization of adopted children and spouses of certain United States citizens performing religious duties abroad;

H. J. Res. 721. Joint resolution granting the consent of Congress to the several States to negotiate and enter into compacts for the purpose of promoting highway traffic safety;

H. J. Res. 619. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 627. Joint resolution for the relief of certain aliens; and

H. J. Res. 660. Joint resolution to facilitate the admission into the United States of certain aliens.

On August 21, 1958:

H. R. 781. An act to amend title 10, United States Code, to make retired pay for nonregular service available to certain persons who performed active duty during the Korean conflict;

H. R. 2759. An act for the relief of Josephine Shelby;

H. R. 3778. An act to amend the act of May 29, 1930, with respect to the stream valley parks in Maryland;

H. R. 5104. An act to preserve Gloria Dei (Old Swedes') Church national historic site by authorizing the acquisition of abutting properties, and for other purposes;

H. R. 6353. An act for the relief of Mrs. Margarete Briest, nee Eggers;

H. R. 6357. An act for the relief of Albert Guido;

H. R. 7124. An act for the relief of Lester R. Loomis;

H. R. 7149. An act to provide for the periodic transfer to the Hawaiian home-development fund of certain excess funds in the Hawaiian home administration account;

H. R. 7403. An act to authorize the Secretary of the Interior to acquire certain land for the Deshler-Morris House, Independence National Historical Park;

H. R. 7793. An act for the relief of Bernardine M. A. de la Motte;

H. R. 7826. An act for the relief of Israel Baird Poskanzer;

H. R. 8476. An act to amend the Hawaiian Homes Commission Act, 1920, to extend the period of tax exemption of original lessees from 5 to 7 years;

H. R. 8482. An act to authorize the Commissioner of Public Lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for public highway purposes;

H. R. 8673. An act to amend section 69 of the Hawaiian Organic Act;

H. R. 9410. An act to authorize and direct the transfer and conveyance of certain property in the Virgin Islands to the government of the Virgin Islands;

H. R. 9461. An act to amend the joint resolution of the Legislature of the Territory of Hawaii, as amended by the act of August 23, 1954, to permit the granting of patents in fee simple to certain occupiers of public lands;

H. R. 9501. An act to approve joint resolution 28 enacted by the Legislature of the Territory of Hawaii in the regular session of 1957, relating to the conditions and terms of right of purchase leases;

H. R. 9502. An act to amend section 73 (1) of the Hawaiian Organic Act, as amended;

H. R. 9543. An act to amend the Hawaiian Organic Act relating to the transfer of title of ceded land by the President;

H. R. 9721. An act to amend section 1482 of title 10 of the United States Code to provide for the payment of transportation expenses of certain survivors of deceased servicemen to attend group burials in national cemeteries;

H. R. 12060. An act for the relief of Michael J. Conlin;

H. R. 12224. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to acreage allotments for peanuts;

H. R. 12840. An act to amend the Agricultural Adjustment Act of 1938;

H. R. 12944. An act for the relief of Mrs. Kunigunde Beldie;

H. R. 13170. An act to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy;

H. R. 13371. An act to authorize the Secretary of Commerce to make certain payments out of the vessel operations revolving fund;

H. R. 13374. An act to provide for the retention of deferment or exemption upon change of membership in a Reserve component, Army National Guard or Air National Guard; and

H. R. 13451. An act to amend section 245 of the Immigration and Nationality Act, and for other purposes.

On August 22, 1958:

H. R. 12738. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

On August 23, 1958:

H. R. 13. An act to amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto;

H. R. 1168. An act to clarify the application of section 507 of the Classification Act of 1949 with respect to the preservation of the rates of basic compensation of certain officers or employees in cases involving downgrading actions;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 3140. An act for the relief of Erika Gorenstein Nathanson;

H. R. 3820. An act to amend sections 490 and 645 of title 14, United States Code, relative to the settlement of claims of military and civilian personnel of the Coast Guard, and for other purposes;

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended;

H. R. 4804. An act for the relief of Newington School District, New Hampshire;

H. R. 6701. An act granting the consent and approval of Congress to the Tennessee River Basin water-pollution-control compact;

H. R. 7260. An act to amend title 18, United States Code, section 3651, so as to permit confinement in jail-type institutions or treatment institutions for a period not exceeding 6 months, in connection with the grant of probation on a one-count indictment;

H. R. 7330. An act for the relief of Demetrius Daskalakis;

H. R. 7725. An act for the relief of Shizuko Sese Sheveland;

H. R. 7779. An act to authorize free transit at the Panama Canal for vessels operated by State nautical schools;

H. R. 8407. An act for the relief of Mrs. Margaret N. Meister;

H. R. 8478. An act amending the Hawaiian Home Commission Act to permit the establishment of a post office on Hawaiian homelands, and for other purposes;

H. R. 8905. An act for the relief of Hubert D. Thatcher, Robert R. Redston, Andrew E. Johnson, William L. Barber, Alex Kamoff, and William S. Denisewich;

H. R. 9022. An act to amend title 10, United States Code, to authorize the Secretaries of the military departments to settle certain claims in the amount of $5,000, or less, and to partially pay certain claims which are certified to Congress;

H. R. 9783. An act for the relief of Mrs. Henry Oscar (Olga McCurdy) Ramsey;

H. R. 10515. An act for the relief of Harley D. Rucker;

H. R. 11123. An act providing for the extension of certain authorized functions of the Secretary of the Interior to areas other than the United States, its Territories, and possessions;

H. R. 11236. An act for the relief of Arthur G. Williams;

H. R. 13021. An act to amend section 41 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide a system of safety rules, regulations, and safety inspection and training, and for other purposes;

H. R. 13151. An act for the relief of Everett A. Ross;

H. R. 13455. An act to amend the Atomic Energy Act of 1954, as amended;

H. J. Res. 595. Joint resolution for the relief of certain aliens;

H. J. Res. 620. Joint resolution for the relief of certain aliens;

H. J. Res. 636. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 652. Joint resolution to facilitate the admission into the United States of certain aliens.

On August 25, 1958:

H. R. 4142. An act to amend the act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill., in order to make certain changes in the authority of such commission, and for other purposes;

H. R. 6382. An act to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended;

H. R. 7866. An act to amend title 28, United States Code, relating to the Court of Customs and Patent Appeals;

H. R. 8002. An act to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations;

H. R. 9627. An act to authorize the Secretary of the Interior to convey certain lands in Alaska to the city of Ketchikan, Alaska;

H. R. 9673. An act to restore retired pay to those retired officers of the Armed Forces

dropped from the rolls after December 31, 1954, and before the date of enactment of this act, and for other purposes;

H. R. 9740. An act to convey certain land to the Makah Tribe of Indians;

H. R. 10173. An act to provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes;

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes;

H. R. 12967. An act to amend the Fair Labor Standards Act of 1938 with respect to the frequency of review of minimum-wage rates established for Puerto Rico and the Virgin Islands;

H. R. 13404. An act to amend section 404 (c) (1) of the Postal Field Service Compensation Act of 1955 to grant longevity credit for service performed in the Panama Canal Zone postal service; and

H. J. Res. 424. Joint resolution to improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes.

On August 26, 1958:

H. R. 1329. An act for the relief of Massman-Patti-Tanner and Mitchell;

H. R. 2062. An act for the relief of John F. Smith;

H. R. 2338. An act for the relief of the Security Feed & Seed Co.;

H. R. 3904. An act for the relief of Nunik Firjanian and Florence Thomasi;

H. R. 6589. An act for the relief of Elizabeth C. Garner and Charles P. Garner;

H. R. 7198. An act for the relief of Col. Russell King Alspach;

H. R. 8134. An act for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area;

H. R. 8732. An act for the relief of Ella H. Natafalusy;

H. R. 8868. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957;

H. R. 9160. An act for the relief of Genoveva Rioseco Caswell;

H. R. 9197. An act for the relief of Mrs. Sumpter Smith;

H. R. 9851. An act for the relief of Tsuyako Ikeda;

H. R. 12204. An act for the relief of Peter A. Beklemishev, Michael Linden, and Serge Oulassuk;

H. R. 12256. An act for the relief of Alphonse E. Jakubauskas;

H. R. 12942. An act for the relief of Walter H. Berry;

H. R. 13558. An act to incorporate the Military Order of the Purple Heart of the United States of America, of combat wounded veterans who have been awarded the Purple Heart; and

H. J. Res. 634. Joint resolution to facilitate the admission into the United States of certain aliens.

On August 27, 1958:

H. R. 1244. An act to provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes;

H. R. 1633. An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen;

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an additional aid and attendance allowance of $150 per month shall be paid to certain severely service-connected disabled veterans during periods in which they are not hospitalized at Government expense;

H. R. 5351. An act for the relief of Harlee M. Hanley;

H. R. 6446. An act for the relief of Cathryn A. Glessner;

H. R. 7570. An act to amend section 403 of the Social Security Amendments of 1954 to provide social security coverage for certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage;

H. R. 8308. An act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes;

H. R. 8599. An act to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (i) of such act shall not be applicable to payments to employees of a State or a political subdivision thereof for periods of absence from work on account of sickness;

H. R. 8606. An act to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress;

H. R. 8688. An act for the relief of Monroe Woolley;

H. R. 10360. An act to amend title V of the Agricultural Act of 1949, as amended;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11346. An act to amend title II of the Social Security Act to include Massachusetts and Vermont among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage, and to permit individuals who have decided against such coverage to change their decision within a year after the division of the system;

H. R. 12364. An act for the relief of Mrs. Viola Barksdale;

H. R. 12365. An act for the relief of the estate of Suck Pil Ra;

H. R. 12494. An act to authorize the Secretary of Agriculture in selling or agreeing to the sale of lands to the State of North Carolina to permit the State to sell or exchange such lands for private purposes;

H. R. 12624. An act for the relief of Palmer-Bee Co.;

H. R. 12776. An act to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways";

H. R. 12876. An act to extend title VII of the Public Health Service Act (relating to health research facilities) for 3 years, and for other purposes;

H. R. 13450. An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13518. An act to incorporate the Blinded Veterans Association;

H. R. 13688. An act to provide airmail and special delivery postage stamps for Members of the House of Representatives on the basis of regular sessions of Congress, and for other purposes;

H. J. Res. 585. Joint resolution authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California;

H. J. Res. 635. Joint resolution for the relief of certain aliens;

H. J. Res. 648. Joint resolution providing for a joint session of Congress for commemorating the 150th anniversary of the birth of Abraham Lincoln; and

H. J. Res. 653. Joint resolution for the relief of certain aliens.

On August 28, 1958:

H. R. 376. An act to prohibit trading in onion futures on commodity exchanges;

H. R. 4544. An act for the relief of Louis S. Levenson;

H. R. 4991. An act for the relief of Waldo E. Miller;

H. R. 5411. An act to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage, to provide that interstate instrumentalities may secure coverage for policemen and firemen in positions under a retirement system of the instrumentality;

H. R. 5865. An act to amend section 80 of the Hawaiian Organic Act, and for other purposes;

H. R. 6175. An act for the relief of Virginia Heil.

H. R. 6239. An act to amend sections 1461 and 1462 of title 18 of the United States Code;

H. R. 6595. An act for the relief of Markus H. Teitel;

H. R. 6788. An act to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review of enforcement of such orders on the original papers and to make uniform the law relating to the record on review or enforcement of such orders, and for other purposes;

H. R. 6894. An act to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and splittings;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7738. An act for the relief of the State of New York;

H. R. 7746. An act for the relief of Elmer L. Conrad and others;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8160. An act authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservation, Mich.;

H. R. 8481. An act to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii;

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 8652. An act to rescind the authorization for the Waldo Lake Tunnel and regulating works, Willamette River, Oreg.;

H. R. 9239. An act to provide for the construction of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes;

H. R. 9371. An act to provide for the relief of certain members and former members of the Army and the Air Force, and for other purposes;

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service;

H. R. 9445. An act to amend the Hawaiian Organic Act and to approve amendments of the Hawaiian land laws with respect to leases and other dispositions of land;

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957;

H. R. 9932. An act to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 10045. An act to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 11125. An act to provide for the conveyance of certain real property of the United States to the city of Valparaiso, Fla.;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 11630. An act to amend title XV of the Social Security Act to extend the unemployment insurance system to ex-servicemen, and for other purposes;

H. R. 11697. An act to amend the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the harbor of New York, to extend the application of that act to the harbor of Hampton Roads;

H. R. 12216. An act to designate the dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the "Cordell Hull Dam and Reservoir" and to establish the United States Study Commission on the Neches, Trinity, Brazos, Colorado, Gaudalupe-San Antonio, Nueces, and San Jacinto River basins, and intervening areas;

H. R. 12217. An act to amend paragraph (2) of subdivision (c) of section 77 of the Bankruptcy Act, as amended;

H. R. 12303. An act to amend the Revised Organic Act of the Virgin Islands;

H. I. 12489. An act to extend the time for making certain reports under the Highway Revenue Act of 1956 and the Federal-Aid Highway Act of 1956;

H. R. 12632. An act authorizing Gus A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H. R. 12655. An act for the relief of S. Jackson and Son, Inc.;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12894. An act to authorize the making, amendment, and modification of contracts to facilitate the national defense;

H. R. 13132. An act to amend the District of Columbia Teachers' Salary Act of 1955;

H. R. 13192. An act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13342. An act to provide for a survey of Parish Line Canal, La.;

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended;

H. R. 13489. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes;

H. R. 13531. An act to amend the act of June 29, 1938, as amended, to increase the insurance coverage required to be carried by cabs for hire in the District of Columbia for the protection of passengers and others, and for other purposes;

H. R. 13549. An act, to increase benefits under the Federal Old-Age, Survivors, and Disability Insurance System, to improve the actuarial status of the trust funds of such system, and otherwise improve such system; to amend the public assistance and maternal and child health and welfare provisions of the Social Security Act; and for other purposes;

H. R. 13856. An act, making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 13861. An act to repeal certain provisions of law relating to messengers for the Committee on Ways and Means of the House of Representatives;

H. J. Res. 630. Joint resolution to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the southwest area in the District of Columbia;

H. J. Res. 654. Joint resolution requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways; and

H. J. Res. 704. Joint resolution establishing that the 1st session of the 86th Congress convene at noon on Wednesday, January 7, 1959.

On September 2, 1958:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.;

H. R. 469. An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes;

H. R. 1493. An act for the relief of Lt. Col. Charles A. Holshouser;

H. R. 1684. An act for the relief of William Franklin Rollins;

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 2269. An act for the relief of Truck & Axle Manufacturing Co.;

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

H. R. 3571. An act for the relief of Boris F. Navratil;

H. R. 4642. An act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure;

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 5584. An act for the relief of Mrs. Maude L. Smith;

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory orders;

H. R. 6282. An act for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation;

H. R. 7125. An act to make technical changes in the Federal excise tax laws, and for other purposes;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzgar;

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7544. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames;

H. R. 7710. An act to provide for the lump-sum of all accumulated and current accrued annual leave of deceased employees;

H. R. 7720. An act for the relief of Viola Belger;

H. R. 7860. An act to amend section 1 of the act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range";

H. R. 8381. An act to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes;

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes;

H. R. 8943. An act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code;

H. R. 9020. An act to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes;

H. R. 9147. An act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes;

H. R. 9258. An act for the relief of Mrs. Minnie Perreira;

H. R. 9262. An act for the relief of the estate of A. A. Alexander;

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes;

H. R. 9700. An act to consolidate into one act all the laws administered by the Veterans' Administration, and for other purposes;

H. R. 9817. An act relating to venue in tax refund suits by corporations;

H. R. 9822. An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes;

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 10473. An act for the relief of Hipolito C. DeBaca;

H. R. 10495. An act to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11009. An act to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes;

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes;

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased;

H. R. 11382. An act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act of 1940, and for other purposes;

H. R. 11456. An act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States, for other real property of equal value, and for other purposes;

H. R. 11668. An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended;

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes;

H. R. 12126. An act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes;

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12207. An act for the relief of Mr. and Mrs. Alto Ross and children, and for E. B. Ard and his daughter, Mrs. Joan Ard Nichols;

H. R. 12212. An act for the relief of certain employees of the Department of the Navy;

H. R. 12226. An act to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes;

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes;

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12663. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12670. An act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12808. An act to amend the Federal-Aid Highway Acts of 1956 and 1958 by advancing the date for submission of the revised estimate of cost of completing the Interstate System and to extend the approval of such estimate for an additional year;

H. R. 12858. An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 12883. An act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems;

H. R. 12906. An act for the relief of Anneliese Ottolenghi;

H. R. 13191. An act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science;

H. R. 13247. An act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. R. 13475. An act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana;

H. R. 13559. An act to amend the War Orphans' Educational Assistance Act of 1956 to permit the Administrator of Veterans' Affairs to make payments with respect to special restorative training, or specialized courses of vocational training, for younger persons than those with respect to whom the Administrator may now make such payments, and for other purposes;

H. R. 13580. An act to increase the public debt limit;

H. R. 13666. An act to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico;

H. R. 13678. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf;

H. J. Res. 546. Joint resolution designating the week of November 21–27, 1958, as National Farm-City Week;

H. J. Res. 557. Joint resolution to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission;

H. J. Res. 658. Joint resolution authorizing and requesting the President to invite the countries of the free world to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, Calif., from April 1 to 12, 1959;

H. J. Res. 659. Joint resolution for the relief of certain aliens;

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens, and for other purposes.

On September 6, 1958:

H. R. 4059. An act for the relief of Mr. and Mrs. Carmen Scoppettuolo;

H. R. 11749. An act to extend the Renegotiation Act of 1951 for 6 months, and for other purposes;

H. R. 13254. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety; and

H. R. 13840. An act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies.

HOUSE BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The message further announced that the President had disapproved the following bills of the House; his reasons for such actions are as follows:

On August 27, 1958:

VICKSBURG NATIONAL MILITARY PARK

H. R. 7466. I am withholding my approval of H. R. 7466, to provide for the establishment of a facility of the Vicksburg National Military Park.

This legislation would establish an undesirable precedert. It would authorize the acquisition and establishment of a small tract of land as a "facility" of the Vicksburg National Military Park, notwithstanding the considerable distance of the property from the park. This property would be acquired to commemorate Fort Pemberton, Miss., as the place where the Union Yazoo expedition was turned back by Confederate forces on March 11, 1863.

I am informed that the proposed "facility" to commemorate Fort Pemberton is more than 100 miles from the park proper. For this reason it is difficult to conceive of such area as a "facility" of the park. In fact, this method of commemorating a segment or lesser phase of a particular historic theme might well lead to further efforts to establish other outlying areas as "facilities" of individual parks and monuments, particularly where the separate establishment and designation of such areas may be unwarranted.

In any event, the historic significance of Fort Pemberton in connection with the Vicksburg campaign is of insufficient importance to warrant establishment of the area as a national monument, according to recommendations of the Department of the Interior in its report to the Congress. Also, it should be noted that the Vicksburg campaign has been commemorated appropriately by the Federal Government by virtue of the establishment of the Vicksburg National Military Park. I find no sound basis for the acquisition and recognition of an indecisive feature of the campaign as a facility of the park.

I recognize and appreciate, however, that there is considerable local historical interest in this area and it may well be the subject of State or local action for its preservation. This solution would seem to be in the best public interest.

On August 28, 1958:

MALOWNEY REAL ESTATE COMPANY, INC.

H. R. 1339. I am withholding my approval from H. R. 1339, entitled "For the relief of the Malowney Real Estate Company, Incorporated."

The bill would direct the Secretary of the Treasury to pay $14,425.26 to the Malowney Real Estate Co., Inc., of Springfield, Ohio, in full settlement of its claims against the United States for income taxes erroneously collected for the years 1944 and 1945.

On May 28, 1948, deficiencies aggregating more than $35,000 were assessed against this taxpayer by the Internal Revenue Service. No payments on the assessed deficiencies were made by the taxpayer until partial payments aggregating $16,524.72 were made in 1950.

On June 30, 1952, more than 4 years after assessment of the deficiencies and more than 2 years after the partial payments of the assessment, the taxpayer filed a claim for refund. A reexamination of the taxpayer's records by the Internal Revenue Service disclosed that the original assessment was excessive and, accordingly, the unpaid balance of the assessment was abated. Refund of any portion of the partial payments that had been made was denied, however, because the statute of limitations precluded refund of taxes paid more than 2 years prior to filing a claim therefor.

The record on this bill does not disclose any special circumstance justifying the taxpayer's failure to file a timely claim. The statutory period of limitations, which the Congress has included in the revenue system as a matter of sound policy, is essential in order to achieve finality in tax administration. Granting special relief in this case, where a refund was not claimed in the time and manner prescribed by law, would constitute a discrimination against other taxpayers similarly situated and would create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

On August 28, 1958:

MRS. FRANK C. GREGG

H. R. 1829. I am withholding my approval from H. R. 1829, for the relief of the estate of Mrs. Frank C. Gregg.

The effect of this bill would be to accord to the beneficiary a form of tax treatment that Mrs. Gregg, as a stockholder in a corporation liquidated pursuant to a plan of complete liquidation, might have elected to receive. Such election, under existing law, must be made by four-fifths of the corporation's voting stock interest within 30 days after adoption of the liquidation plan. Mrs. Gregg, who held less than a four-fifths voting stock interest, did not make an election within the specified 30-day period.

In support of this claim for special relief, the taxpayer's representative relies upon the fact that he was unable to obtain certain forms prescribed for making the election. It appears, however, that a letter notifying the Commissioner of the unavailability of such forms and the desire to make an election would have been sufficient.

The taxpayer's representative also relies upon the fact that Mrs. Gregg became seriously ill 25 days after the adoption of the plan of liquidation. A timely election was not made, however, by any of the other shareholders in the corporation who would also have had to have made such an election for Mrs. Gregg, or any of them, to have received the tax treatment in question. Mrs. Gregg's sickness had no bearing upon their failure to do so. Accordingly, even if she had made a timely election, Mrs. Gregg would not have been entitled to the tax treatment this bill would now accord her estate.

This legislation would, therefore, confer benefits on Mrs. Gregg's estate which none of the other shareholders in the corporation are entitled by law to receive.

Because such special relief would constitute an inequitable discrimination against other taxpayers similarly situated, I am constrained to withhold my approval from the bill.

On August 28, 1958:

BONIFACIO SANTOS

H. R. 6773. I am withholding my approval from H. R. 6773, for the relief of Bonifacio Santos.

This bill would authorize the payment of $1,500 in reimbursement for a contribution made by Mr. Santos in 1944 to the Philippine guerrilla forces fighting the Japanese.

The beneficiary states that in 1944 he made a contribution of 3,000 Japanese occupation pesos to the Philippine guerrilla forces. He supports his claim with an affidavit from an American officer who recalls receiving the money, and also a receipt for the money, dated in 1944 and signed by the same officer.

After the war, a general program was established in the Philippine Islands for the payment of such claims based upon aid or services furnished the guerrillas in their fight against the Japanese. Despite the widespread publicity attendant upon this program, as evidenced by the hundreds of thousands of claims submitted, no administrative claim was ever filed by the beneficiary. He states he was unaware of his right to do so.

Awards under the general claims program were uniformly paid according to the so-called Ballantyne scale for currency conversion. Under that scale, the present case would have resulted in an award to the beneficiary of $16.67. This bill, in contrast, proposes an award of $1,500.

Approval of H. R. 6773 would be both discriminatory and inequitable. The record on this bill furnishes no valid basis for distinguishing the beneficiary from thousands of others whose claims were rejected because they were not filed until after the termination of the general program. Furthermore, it would be entirely without justification to pay to this beneficiary a sum 90 times larger than he could have received had he been paid under the general claims program.

For the foregoing reasons, I have considered it necessary to withhold my approval from H. R. 6773.

On August 28, 1958:

MR. AND MRS. JOHN R. HADNOT

H. R. 9180. I am withholding my approval of H. R. 9180, a bill for the relief of Mr. and Mrs. John R. Hadnot for the reason that its major purposes are accomplished by the enactment of the Social Security Amendments of 1958, coupled with the provisions of existing law which authorize the Secretary of Health, Education, and Welfare to waive the repayment of incorrect social security payments.

The son of the beneficiaries, his wife, and 2 minor children were involved in a tragic automobile accident on July 4, 1956. All perished together except for 1 child under 18 who survived for about 1½ hours without regaining consciousness.

The beneficiaries, Mr. and Mrs. Hadnot, on December 14, 1956, filed a claim under the Social Security Act for dependent parents' benefits. After they had received monthly benefits totaling $814 each, it was determined that these payments, entirely without fault of the beneficiaries, had been improperly made because of the brief survival of the beneficiaries' grandson. As required by law, the benefit payments were suspended and the beneficiaries were notified that the payments already received had been incorrectly made.

The Social Security Amendments of 1958, approved this day, contain a general provision permitting surviving dependent parents of insured workers to receive monthly benefits even when the decedent was also survived by a spouse or child eligible for such benefits. Mr. and Mrs. Hadnot can, by filing application, avail themselves of this general provision and become entitled prospectively to benefits. With respect to the payments already made to them, incorrectly, there is every reason to believe that they will receive sympathetic and equitable consideration under the waiver provision of existing law.

The only remaining question is whether this bill should be approved so that Mr. and Mrs. Hadnot may receive retroactive payments for the month since April 1957. To provide such payments would be to grant preferential treatment and thus to discriminate against other individuals who might be similarly situated. Except in cases of the most compelling equity, such special treatment should be avoided.

On August 28, 1958:

MR. MARION S. SYMMS

H. R. 9765. I am withholding approval of H. R. 9765, for the relief of Mr. Marion S. Symms.

The bill would provide that, notwithstanding any statutory period of limitation, refund or credit shall be made or allowed to Marion S. Symms, Augusta, Ga., of any overpayments of income tax for the year 1952, if claim therefor is filed within 6 months after the date of enactment.

The records of the Treasury Department show that Mr. Symms filed a timely income-tax return for 1952 in which he reported as income certain disability payments received by him. At the time the taxpayer filed his return for 1952, the Court of Appeals for the Seventh Circuit had held that such disability payments were excludable from gross income, although the Internal Revenue Service had ruled to the contrary.

On April 1, 1957, the United States Supreme Court decided that disability payments of the type received by the taxpayer were excludable from gross income. On November 6, 1957, more than 4½ years after the taxpayer's return for 1952 was filed, the taxpayer filed a claim for refund based upon the excludability of the disability pay received by him in 1952. This claim was rejected because it was filed after the expiration of the 3-year period of limitations prescribed by law for the filing of such claims.

The statutory period of limitations, which the Congress has included in the revenue system as a matter of sound policy, is essential in order to achieve finality in tax administration. Moreover, a substantial number of taxpayers paid income tax on disability payments received by them during the period of the Internal Revenue Service ruling that such disability payments were includible in income. To grant special relief in this case, therefore, where a refund was not claimed in the time and manner prescribed by law, would constitute a discrimination against other similarly situated taxpayers and would create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

On August 28, 1958:

MISS MARY M. BROWNE

H. R. 9993. I am withholding my approval from H. R. 9993, for the relief of Miss Mary M. Browne.

The bill would provide that, notwithstanding any statutory period of limitation, refund or credit shall be made or allowed to the beneficiary of any overpayment of income tax for the year 1951, if claim therefor is filed within 1 year after the date of enactment.

The taxpayer, in filing her income-tax return for 1951 and paying the amount shown on the return, failed to take credit for a previous partial payment of income tax which the taxpayer had made for 1951. The Internal Revenue Service did not match the taxpayer's prepayment documents with her return for 1951 and was not aware of the taxpayer's error. In March 1955, an agent of the Internal Revenue Service discovered the possibility of the erroneous overpayment when he assisted the taxpayer in preparing her income-tax return for 1954. At that time the 3-year statutory period of limitation had not expired, and the agent advised the taxpayer to file a claim for refund. The taxpayer, however, did not file her claim until about 2 months later, at which time the statutory period had expired, and the claim could not under the law be allowed. The record on this bill affords no explanation for the taxpayer's failure to file a timely claim for refund.

The statutory period of limitations, which the Congress has included in the revenue system as a matter of sound policy, is essential in order to achieve finality in tax administration. Granting special relief in this case would constitute a discrimination against other taxpayers similarly situated and would create an undesirable precedent.

For these reasons I am constrained to withhold my approval from the bill.

On August 28, 1958:

NORTH COUNTIES HYDRO-ELECTRIC CO.

H. R. 10419. I am withholding my approval from H. R. 10419, for the relief of North Counties Hydro-Electric Co.

The bill provides that—

notwithstanding any statute of limitation, lapse of time, or any prior court decision of this claim by any court of the United States, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment on the claim of North Counties Hydro-Electric Co., of Illinois, against the United States for damages to its powerplant and dam at Dayton, Ill., sustained as the result of a dam built by the United States on the Illinois River, at Starved Rock near Ottawa, Ill.

The North Counties Hydro-Electric Co. owns a hydroelectric power development on the Fox River near Dayton, Ill. On two occasions, once in 1943 and again in 1952, the company suffered damages to its facilities from ice jams and flooding in the river. It twice brought suit against the United States in the Court of Claims alleging that the ice jam and flooding were caused by the erection by the United States of the Starved Rock Dam, which is located on the Illinois River at a point approximately 14 miles below the corporation's properties. In each instance the decision of the Court of Claims went against the company.

The matters covered by this bill have been fully considered on their merits and decided adversely to the corporation. The company has had its day in court on two occasions and the Court of Claims should not now be required to consider the same matter again.

On September 2, 1958:

SOUTHWEST RESEARCH INSTITUTE

H. R. 1494. I am withholding my approval from H. R. 1494, for the relief of the Southwest Research Institute.

This bill would direct the Secretary of the Treasury to pay to the Southwest Research Institute such sum, not exceeding $8,200.84, as the Housing and Home Finance Administrator may approve. This payment would be for services rendered by the beneficiary in excess of its written contract with the Government.

Approval of this legislation could well encourage others to perform unauthorized work and expect payment therefor from the Government. Furthermore, under this bill this organization would receive preferential treatment which has in the past been denied other research contractors who performed work in excess of their contract obligations.

On September 2, 1958:

HARRY N. DUFF

H. R. 1695. I am withholding my approval from H. R. 1695, for the relief of Harry N. Duff.

This bill would confer jurisdiction on the Court of Claims, notwithstanding the applicable statute of limitations, to adjudicate the claim of Harry N. Duff arising out of the failure of the then War Department to retire him, in 1946, for physical disability incurred as an incident of his military service.

The beneficiary of this bill had a long history of spinal trouble and arthritis while serving as an officer in the Army during World War II. He contends that these disabilities were suffered or aggravated as a result of injuries incurred in the service. Although early medical records do not support this contention, in 1945 an Army retiring board found the beneficiary permanently incapacitated for active duty as an incident of the service and recommended his retirement.

Reviewing the case in accordance with applicable regulations, the Office of the Surgeon General of the Army disagreed with the findings of the retiring board and requested it to reconsider the case. Upon reconsideration, the retiring board reaffirmed its previous findings, whereupon the Office of the Surgeon General recommended to the Secretary of War that the findings of the board be disapproved. The recommendation of that office was based on its opinion that a spinal defect and arthritis clearly had existed prior to entry on active duty and had not been aggravated permanently by such service. The findings of the board were disapproved by the Secretary of War, and the beneficiary was thereupon released from active duty in 1946, without entitlement to retired pay. In 1949, however, he was awarded disability compensation by the Veterans' Administration on account of service-aggravation of a congenital defect.

The beneficiary appealed the decision in his case to the statutory Army Disability Review Board. In 1947 this Board affirmed the decision of the Secretary of War and, subsequently, reaffirmed its decision upon a request for reconsideration. In 1955 the Army Board for Correction of Military Records found no error or injustice in the determinations which had been made in the beneficiary's case. He also brought an action in the Court of Claims in 1955, which was dismissed as barred by the statute of limitations.

Traditionally, eligibility for retirement on account of physical disability has been determined by the military services in accordance with general provisions of law. Appellate review of these determinations has been provided within the executive branch by means of statutory boards such as the Disability Review Board and the Board for Correction of Military Records.

In recent years the Court of Claims has been petitioned in various cases to award disability retirement to individuals who have been found not entitled to such pay by the Secretary of the military department concerned. In consistently denying these petitions, the court has stated, in effect, that, under the statutory procedures for determining and reviewing entitlement to retirement, it has jurisdiction only in cases where it can be shown that the cognizant military Secretary has acted arbitrarily, capriciously, or plainly contrary to law.

I believe that this rule which the Court of Claims has adopted is a sound one. It conforms to an important principle underlying judicial review of administrative decisions; namely, that the courts will not substitute their judgment for that of the experienced officials who have been given adjudicative responsibility by law. For this reason and since there is no evidence in this case that the Secretary of War acted arbitrarily, capriciously, or contrary to law, I can see no justification for special legislation which would require the Court of Claims to grant the beneficiary a de novo hearing.

Approval of this bill would discriminate against the many hundreds of individuals who have had their claims for disability retirement denied without benefit of judicial review. It would also establish an undesirable precedent leading to other exceptions to the orderly procedure which is now provided for under general law and which currently governs the hundreds of similar cases that are adjudicated each year.

On September 2, 1958:

TOLEY'S CHARTER BOATS, INC., ETC.

H. R. 3193. I am withholding my approval from H. R. 3193, entitled "For the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar."

The bill would direct the Secretary of the Treasury to pay the sum of $37.65 to Toley's Charter Boats, Inc., of Salerno, Fla., and the sum of $3,227.10 to Toley Engebretsen and Harvey Homlar, of Salerno, Fla., in full settlement of all claims of the named persons for a refund of taxes paid pursuant to section 3469 of the Internal Revenue Code of 1939, relating to tax on the transportation of persons.

The records of the Treasury Department show that the amounts which this bill would refund to the claimants were paid as transportation taxes with respect to fees charged for the charter of fishing boats by the claimants at various times between January 1945 and November 1951. On March 31, 1953, the District Court for the Northern District of Florida held that the transportation tax was not applicable to amounts paid for fishing parties in situations similar to the one involved in this bill. On the date of this decision, the claimants could have

filed timely claims for refund of taxes paid after March 1949. However, the claimants did not file claims for refund until November 15, 1955, which date was more than 2½ years after the district court's decision. These claims for refund were rejected because they were filed after the expiration of the 4-year period of limitations prescribed by law for filing such claims.

It is true that, at the time the district court reversed the Internal Revenue Service's interpretation of the statute, refund of taxes paid for a large portion of the period here involved was barred by the statute of limitations. However, Congress has determined it to be a sound policy to include in the revenue system a statute of limitations which, after a period of time, bars taxpayers from obtaining refunds of tax overpayments and bars the Government from collecting additional taxes. Such a provision is essential to finality in tax administration.

The basic justification for the statute of limitations is that, after the passing of a reasonable period of time, witnesses may have died, records may have been destroyed or lost, and problems of proof and administration of tax claims become too burdensome and unfair for both taxpayers and the Government. The basic purposes underlying the statute of limitations continue in force even in cases where a taxpayer, after having paid a tax, discovers that the interpretation of the law has been changed by a judicial decision or by a modification in regulations and rulings.

There are no special circumstances in this case to justify singling out the named taxpayers for special relief from the statute of limitations. The bill, therefore, would unfairly discriminate against other taxpayers similarly situated and would create an undesirable precedent.

On September 2, 1958:

SECTION 1870 OF TITLE 28, U. S. C.

H. R. 3368. I am withholding my approval from H. R. 3368, to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants, for reasons wholly unrelated to the original title and purpose of the bill.

Section 1 of the bill amends existing law (28 U. S. C. 1870) so as to extend to multiple plaintiffs in civil cases the same three peremptory challenges which are available under the present statute to multiple defendants. I favor this change in the law and would approve the bill if it were limited to this provision.

Section 2 of the bill amends the Declaration of Taking Act (46 Stat. 1421; 40 U. S. C. 258a). That act provides a procedure under which the Government may acquire immediate possession of property taken prior to a trial before a Federal district court at which a final determination as to just compensation for the property will be made. If, after trial, the court determines that the funds advanced by the Government are less than the amount which the owner should receive, the Government is required to pay the balance due plus 6 percent interest.

Section 2 of H. R. 3368 would modify the procedure by providing that the judge of a district could could, upon the application of any interested party, determine that the amount of the Government's advance payment was determined fraudulently or in bad faith and require the Government to pay an additional amount as fixed by the court prior to trial. Prior to such additional payment, the Government would not be entitled to the income from the property.

These additional steps appear to be unnecessary and unwarranted since, under the present statute, the rights of property owners to receive just compensation as guaranteed by the fifth amendment to the Constitution when property is taken for public use are fully protected. If, for any reason, the payments advanced by the Government are less than a court judgment of just compensation, the owner is still assured of fair treatment because the Government is required to pay the additional amount plus interest at 6 percent.

In the circumstances, and since neither the responsible Congressional committees nor the affected executive agencies had their normal opportunity to consider this basic change in procedure, I believe more thorough consideration of section 2 is warranted.

On September 2, 1958:

PETER JAMES O'BRIEN

H. R. 4073. I am withholding my approval from H. R. 4073, for the relief of Peter James O'Brien.

This bill would pay to Peter James O'Brien the sum of $10,000 as compensation for the death of his son, who was killed in military service in 1947.

The son of the beneficiary of this bill was being taken on an indoctrination flight in a naval aircraft on the same day on which he entered active duty as a member of the Naval Reserve. As the plane in which he was riding was waiting to take off, another Navy aircraft coming in for a landing crashed into it, injuring the son so seriously that he died several days later.

The beneficiary has twice filed applications for death compensation with the Veterans' Administration. Although the death of his son was deemed to be service-connected, the Veterans' Administration has denied awards in both instances because the father was unable to establish dependency as required by the governing statutes. It also appears that, for the same reason, the beneficiary's claim for benefits under the Federal Employees' Compensation Act was denied. He apparently has never filed a claim for 6 months' death gratuity or for regular monthly benefits under the Social Security Act which also conditions entitlement upon a showing of dependency.

A suit was instituted on behalf of the beneficiary to recover damages on account of the death of his son under the provisions of the Federal Tort Claims Act. Both the lower and appellate courts held that recovery was barred on the grounds that the death occurred as an incident of military service. These rulings were based on the decision in *Feres* v. *United States* (340 U. S. 135, 1950). In that case, the United States Supreme Court held that a claim for damages based on the death of a serviceman occurring as an incident of his service is not cognizable under the Federal Tort Claims Act.

The Federal Government has provided a comprehensive and orderly system of benefits for survivors of members of the Armed Forces who die in service in line of duty, including deaths due to negligence of fellow servicemen. In the present case the serviceman's father is eligible for various benefits upon a showing of dependency.

To make the award proposed by the bill would be discriminatory and establish a most undesirable precedent with respect to other cases involving service-connected deaths. If the bill were approved, it would be difficult to deny similar awards to the survivors of other servicemen who die under a wide variety of circumstances. To follow such a course would, in my opinion, jeopardize the entire structure of benefits for survivors of servicemen and veterans.

On September 2, 1958:

COOPER TIRE & RUBBER CO.

H. R. 7499. I am withholding my approval from H. R. 7499, for the relief of the Cooper Tire & Rubber Co.

This bill would authorize and direct the Secretary of the Treasury to pay to the Cooper Tire & Rubber Co. of Findlay, Ohio, the sum of $616,911.88 in full satisfaction of the claim of the corporation against the United States arising out of losses, due to increases in costs, incurred in performing seven contracts with the Department of the Army for the manufacture of rubber tires, tubes, and camelback.

The contractor previously made application for relief under title II of the First War Powers Act. This application was denied by the then Secretary of War, along with the claims of two other rubber manufacturers based on the same grounds.

The record indicates that the company made a net profit of over $64,000 on the 35 Government contracts which were awarded to it during 1950, 1951, and 1952, the years in question, despite the fact that as to 7 of them it sustained losses. From the Government's standpoint, it would be inequitable to grant relief to the company with respect to the 7 contracts on which it sustained losses, without giving consideration to the 28 on which it made profits. The granting of relief in this case would also be discriminatory against many other contractors who sustained losses under fixed price contracts during the early part of the Korean conflict.

On September 2, 1958:

MR. AND MRS. ROBERT B. HALL

H. R. 8184. I am withholding my approval from H. R. 8184, for the relief of Mr. and Mrs. Robert B. Hall.

The bill would direct the Secretary of the Treasury to pay the sum of $1,300 to Mr. and Mrs. Robert B. Hall, Los Angeles, Calif., in full settlement of their claims against the United States for refund of an overpayment of their Federal income-tax liability for the calendar year 1950.

The records of the Treasury Department show that the taxpayers filed a timely joint income-tax return for 1950 and that, on March 1, 1955, the taxpayers filed an untimely claim for refund in the amount of $1,303.50. The claim for refund alleged that no part of the proceeds from the sale in 1950 of certain inherited property was includible in gross income and also that the taxpayers failed to take certain deductions for the year 1950. This claim for refund was filed almost 1 year after the expiration of the 3-year period of limitations prescribed by law for filing such claims and, therefore, the claim was rejected.

The amount of the taxpayer's overpayment for the year 1950 has never been verified by the Internal Revenue Service. Such verification would require a determination of the fair market value of certain property at the time it was inherited by Mr. Hall, and would also require a determination as to the validity of certain deductions claimed by the taxpayers.

The taxpayers believe that the statute of limitations should be waived in their case because Mr. Hall was stationed in Germany as an officer in the Armed Forces from January 1950 to May 1953, and because Mr. Hall received inexpert advice concerning his 1950 tax return. These circumstances do not seem to justify the taxpayers' failure to file a claim for refund until March 1, 1955.

The statutory period of limitations, which Congress has included in the revenue system as a matter of sound policy, is essential for finality in tax administration. Granting special relief in this case would discriminate against other taxpayers similarly situated and would create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

On September 2, 1958:

MR. AND MRS. W. G. HOLLOMON

H. R. 8759. I am withholding my approval from H. R. 8759, for the relief of W. G. Hollomon and Mrs. W. G. Hollomon.

This bill would provide for the payment to Mr. and Mrs. W. G. Hollomon from Treasury funds of $3,189.15 in settlement of their claims against the United States for personal injuries and related damages suffered by them on September 2, 1956, when two United States soldiers committed armed robbery at the Hollomon's general store in Brooklyn, Ga. The store also comprised a United States post office, of which Mr. Hollomon was the postmaster. Mr. Hollomon was shot and wounded by one of the soldiers. The two servicemen were then on leave from Fort Benning, Ga., and were dressed in civilian clothes. The gun with which Mr. Hollomon was shot had not been issued to the soldiers by the Army but had been purchased by one of them.

It is obvious that the two soldiers were not acting in line of duty, and in these circumstances no legal liability could be imposed upon the United States for their conduct. I appreciate, of course, that in its exercise of its legislative discretion as to private relief measures pertaining to the wrongful conduct of Federal employees, the Congress need not and, in appropriate circumstances, should not be limited by strict concepts of legal liability. But I believe that any deviation from those concepts would be unwise except in cases in which there are overriding equitable considerations or facts which clearly suggest some moral obligation on the part of the United States.

I do not believe that such facts or considerations exist here. The only fact which is urged in support of legislative grace is that the two individuals who inflicted the harm were soldiers of the United States Army. I do not conceive that this is a consideration which suggests any moral obligation on the part of the United States. To accept the assumption that the United States has a moral obligation to underwrite the purely personal, particularly criminal, conduct of any of its missions of employees and servicemen, in situations of this kind, would constitute a most undesirable precedent. Therefore, to single out these claimants for favored treatment would, I believe, be an unwarranted expenditure of public funds.

For the foregoing reasons, I have been constrained to withhold approval of the bill.

On September 2, 1958:

D. A. WHITAKER

H. R. 9950. I have withheld my approval from H. R. 9950, for the relief of D. A. Whitaker and others.

The bill (H. R. 9950) provides that, notwithstanding any statute of limitations or lapse of time, jurisdiction is conferred upon the court of claims to hear, determine, and render judgment upon the claims of D. A. Whitaker and other named employees of the Radford Arsenal, Department of the Army, "for basic and overtime compensation and shift differential pay as governed by the provisions of the Federal Employees Pay Act of 1945, as amended," for services performed since 1945 at the Radford Arsenal, Radford, Va.

These claims relate to employment as fire fighters or fire-fighter guards between February 15, 1946, and February 16, 1952. The employees worked a 2-platoon system which required that they be on duty every other day for 24 hours, for which they received basic compensation each week for 40 hours and overtime pay for 16 additional hours. The claims involve the rights to overtime pay for the second 8-hour shift worked in one day and for shift differential pay for that work, and also for right to compensation for the third 8-hour shift during the period when the employees were said to be "on call duty."

By the act of March 3, 1863 (12 Stat. 767), and by repeated enactments thereafter, it has been provided that claims not filed in the Court of Claims within 6 years from the time the claims accrued shall be barred. These claims pertain to work performed in some cases more than 12 years ago. The claims were not asserted in timely fashion by the claimants and it is no longer feasible or even possible to obtain the records essential to an adequate presentation of the facts to the court. This is the very kind of situation which proves the wisdom of a statute of limitation. Without it in such cases it is doubtful whether it is possible to have efficient and orderly administration of the affairs of government.

If I were to approve this bill, I could not in all fairness refuse to approve other bills setting aside the statute of limitations on old claims for overtime or other compensation for either individuals or groups of Federal personnel who delayed is presenting their claims.

For the foregoing reasons, I have withheld my approval of the bill.

On September 2, 1958:

DUNCAN MOORE

H. R. 11156. I am withholding my approval from H. R. 11156, for the relief of Duncan Moore and his wife, Marjorie Moore.

The bill would provide that, notwithstanding any statutory period of limitation, refund or credit shall be made or allowed to Duncan Moore and his wife, Marjorie Moore, South Bend, Ind., of any overpayment of income taxes made by them for the taxable year 1949, if claim therefor is filed within 1 year after the date of enactment.

The records of the Internal Revenue Service show that on March 14, 1953, the taxpayers filed a timely claim for refund of income tax for 1949 based upon the exclusion from gross income of certain disability payments under section 22 (b) (5) of the Internal Revenue Code of 1939. This claim was disallowed by the Service on March 19, 1954, and the taxpayers did not contest the disallowance of their claim by filing suit in court within the 2-year period prescribed by law.

In 1957 the Supreme Court of the United States decided that disability payments of the type involved in this case were excludable from gross income. At this time the statute of limitations barred refunds to Mr. and Mrs. Moore and to a substantial number of other taxpayers similarly situated.

I have signed into law the Technical Amendments Act of 1958, which contains general legislation designed to grant nondiscriminatory relief to all taxpayers in the same situation as Mr. and Mrs. Moore. Since general relief is now available, this private relief bill is no longer necessary.

On September 6, 1958:

TITLE 10, U. S. C.

H. R. 1061. I have withheld my approval from H. R. 1061, to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damages to, or loss of, property or personal injury or death, not cognizable under any other law.

As indicated in its title the purpose of the bill is to confer upon the Secretaries of the military departments authority to settle, in an amount not in excess of $1,000, certain claims for damages caused by civilian employees of military departments or by members of the Armed

Forces incident to the use and operation of Government vehicles, or incident to the use of other property of the United States on a Government installation.

It is with reluctance that I have withheld my approval, for I am in hearty accord with the laudable purpose of this legislation. At the present time the Secretary of the Navy has authority similar to, though more limited than, that which this legislation would afford to the Secretaries of all three military departments. The proposed extension of this authority for administrative consideration of deserving claims against the Government, for which no legal remedies are provided, would substantially reduce the demands for special private relief legislation.

The bill authorizes the promulgation of regulations by the Secretaries of the military departments for the conduct of the contemplated program. Such regulations would not become effective until the expiration of 60 days after they have been filed with the Committees on the Judiciary of the House of Representatives and of the Senate of the United States. Further, it provides that the Congress may, within the 60 days, "amend or disapprove any such regulation by a concurrent resolution embodying the amendment or statement of disapproval."

I am advised that the provision of the bill which would authorize the Congress to amend or disapprove regulations prescribed by the military Secretaries is of doubtful constitutionality. If the function of promulgating the contemplated regulations is considered an Executive function, it may be exercised solely by the Executive. If this function is considered to be legislative, then the President should play his constitutional role of specific approval or disapproval. In requiring officials of the executive branch, other than the President, to put proposed regulations before the Congress and in providing for amendment or disapproval of these by the Congress in a manner not subject to review by the President, these provisions raise serious constitutional questions.

I earnestly hope that these objectionable provisions can be eliminated and this legislation reenacted promptly at the next session of the Congress.

APPOINTMENT MADE AFTER SINE DIE ADJOURNMENT OF THE HOUSE

COMMEMORATING THE 150TH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

The SPEAKER, pursuant to the provisions of Public Law 85–775, and the order of the House of August 23, 1958, empowering him to appoint commissions, boards, and committees authorized by law or by the House, did, on September 5, 1958, appoint as members of the committee on arrangements for the joint session of the Congress to be held on Thursday, February 12, 1959, commemorating the 150th anniversary of the birth of Abraham Lincoln, the following members on the part of the House: Mr. MACK, of Illinois; Mr. DENTON, of Indiana; Mr. SCHWENGEL, of Iowa; and Mr. NIMTZ, of Indiana.

EXTENSIONS OF REMARKS

Congresswoman Coya Knutson's Report, 85th Congress

EXTENSION OF REMARKS
OF
HON. COYA KNUTSON
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

ATTENDANCE RECORD

Mrs. KNUTSON. Mr. Speaker, my attendance record for the 85th Congress is an above-average 88 percent plus on rollcall votes, which total 193 votes for the Congress—100 votes for the 1st session and 93 for the 2d session.

The legislative climate of the Congress was most peculiar. In 1957 there was a cry for economy. However, in 1958, the farm depression and the recession of other areas, plus the sputnik dramatization, changed the legislative atmosphere.

LEGISLATIVE ACHIEVEMENTS

Student loan bill: My student loan bill was passed as title II principle of the National Defense Education Act of 1958. In addition, I introduced a Paul Bunyan education bill, providing one-fourth as much as annual defense costs to bring our educational system up to date. Its long-range purpose is to serve as alternative to defense spending.

Two ASC committees per county: Now public law, the bill to permit Otter Tail and Polk Counties to retain two ASC committees because of their size.

Disaster loan credit law permits small business to make certain emergency loans in disaster areas where farmer-suppliers have been caught with unpaid balances on supplies and services resulting from previous year's disaster and total crop losses. Losses such as those due to excessive rainfall in summer 1957 in certain counties of the Ninth District are covered by this law.

Lake of the Woods water damage claims bill: My bill that passed and became law was designed for direct authorization to the Treasury so that immediate payments could be made by the Secretary of Treasury.

Lost River and Ruffy Brook: The first authorization was passed in my second year in Congress. It was vetoed. It was again vetoed in this year's rivers and harbors bill. We managed to keep it in the second omnibus rivers and harbors bill which was signed by the President this year. $128,000 appropriations were voted to start construction.

Red Lake $100 per capita payments: Authorized to be paid out of proceeds from the Red Lake sawmill owned by the Red Lake Indians. I regret that the amendments in the bill were not first approved by the Indian citizens of the Red Lake Reservation because there is no tribal government at present.

Cystic fibrosis, dread children's disease: My bill to authorize funds for research stimulated an appropriation of $1,082,000 directly to the Department of Health, Education, and Welfare for research. This is the first Federal appropriation specifically earmarked for a relatively unknown but the third most fatal children's disease.

AGRICULTURE COMMITTEE ACTIVITY

Omnibus family farm legislation: The first omnibus family farm bill, based on the parity income principle, to come out of the House Agriculture Committee, was reported to the floor this year by a 2 to 1 majority. However, lack of favorable city publicity build-up and its new principles which were relatively unknown, caused the House to kill the rule on this far-sighted proposal. This move set in motion specific legislation for the family farm.

Family farm subcommittee hearing was held in Fergus Falls last November. It was very helpful in development of the omnibus family farm bill. It was a milestone in securing grassroots testimony and statements of fact and experience of family farmers.

Farm support price freeze bill, to keep 1957 farm level prices as a stopgap measure, was passed by the Congress last March, but vetoed by the President.

I introduced a total of 45 bills, 24 of them agriculture bills. The agriculture bills were:

House Joint Resolution 85, production and utilization of food and fiber.

H. R. 4961, school lunch: Two half pints milk daily per schoolchild.

H. R. 4962, wheat marketing quota amendment.

H. R. 4963, potato grade labeling.

H. R. 5204, family farm parity income.

H. R. 5992, auxiliary credit resources for family-type farm.

H. R. 6319, extend crop insurance in disaster areas.

H. R. 6320, democratically elected farmer committeemen.

H. R. 6321, price reporting and research for forest products.

H. R. 6684, permit grazing land in conservation reserve.

H. R. 6752, price support level and acreage allotment in 1957, no less than those in effect in 1956.

H. R. 6840, supplemental direct assistance to extremely low income family farms.

H. R. 6841, full parity family farm income protection.

H. R. 6950, potatoes and other nonbasics participate in acreage reserve program.

H. R. 7382, food-fiber stamp plan.

H. R. 8508, two county ASC committees.

H. R. 9205, agricultural commodities hardship import limitation.

H. R. 9674, dairy products marketing.

H. R. 10116, feed grains: income parity and meet disasters, and so forth.

H. R. 10390, extend and expand special milk programs and brucellosis eradication program.

H. R. 10444, loan program for bonafide fur farmers.

H. R. 10619, small business farm supplier disaster loans.

H. R. 10620, aid suppliers on loans in disaster areas.

H. R. 13608, permit soil bank harvest in disaster areas.

Miscellaneous bills:

H. R. 3065, 50-cent piece Minnesota Centennial commemorative.

H. R. 4109, promote production concentrated iron ore and steel.

H. R. 4399, return trust lands to White Earth Reservation.

H. R. 5203, increase monthly rates for veterans disabilities.

H. R. 5479, student loans.

H. R. 5669, establish Federal Agency for Handicapped.

H. R. 6685, Humanitarian and Old Age Rights Act.

H. R. 6897, Veterans' Administration—medical service.

H. R. 7098, increase compensation postal employees.

H. R. 7297, amend Federal-Aid Highway Act, provide addition to system.

H. R. 7741, extend Hospital Survey and Construction Act.

H. R. 8161, revive and reenact Rainy River Construction Act.

H. R. 9861, postal employees pay increase.

H. R. 10805, Lake of the Woods high water damage claims payment.

House Concurrent Resolution 384, authorize Maria Sanford statue in Capitol.

House Concurrent Resolution 296, memorialize Maria Sanford.

H. R. 11937, increase reserve officers' benefits.

H. R. 11960, omnibus education bill, including "dollars for scholars."

H. R. 12331, direct Surgeon General to expend funds for cystic fibrosis research.

House Joint Resolution 636, permit negotiations with Canada on international park.

H. R. 13454, $100 per capita, Red Lake Indians, provide for tribal approval.

PROJECTS

I have requested the Corps of Engineers to conduct a survey for all possible means of adequate drainage to take care of heavy rains such as the devastating floods of 1957 in certain counties of the Ninth District. I also requested appropriations of $150,000 to continue the restudy of the whole Red River Valley water control problem.

The completion of Tamarac Wildlife Refuge in Becker County was authorized after my testimony before the Migratory Bird Conservation Commission. It will open portions of the refuge each year to duck hunting by local hunters where for years its three best lakes were almost entirely monopolized by private Twin City gun clubs. In the 29-year fight to complete this valuable heritage for our people, many incidents transpired such as the use of guards in Minneapolis police uniforms to keep local duck hunters out of these favorable hunting grounds. Twenty-five percent of refuge earnings will replace taxes. Posterity will cherish the joys of this natural habitat, and our children's children will have a place to hunt.

Moorhead and Bemidji Post Office Buildings are now a reality. Direct appropriations provided for immediate land acquisition and construction where previously they were included in the uncertain and expensive lease-purchase program.

World War I Vets now have a charter as 1 of the 15 national veterans' organizations in our country. The charter was authorized this year.

CONGRESS' RECORD

Alaska statehood is one of the joys of this Congress. Ever since 1916, attempts were made to give statehood to Alaska. It was passed by the House in 1950 but failed in the Senate. We hope that our 49th State will soon be followed by our 50th State—Hawaii.

Social security improvements consist of 7 percent primary insurance benefits increase across-the-board—with a $3 minimum increase; increase in the wage base from $4,200 to $4,800; increase in the employer and employee contributions of one-fourth of 1 percent each, with an increase in the contributions of the self-employed by three-eighths of 1 percent above rates now scheduled; increased authorizations for maternal and child health, crippled children services and child welfare services.

Labor legislation: Legislation passed to safeguard the welfare and pension funds of rank-and-file working people from the grasping of selfish or crooked labor and employer administrators of the plans.

Small business: Three major accomplishments for small business this session: SBA made permanent; H. R. 8381 included small business tax revision; S. 3651, the bill to provide long-term credit for small business, sets up a $250 million revolving fund for small business investment. The first is Public Law 85–536; second two both on President's desk for signature at this time.

Postal pay increase took effect this year. Last year, the bill came to the House floor by means of a discharge petition and was passed. The President vetoed that bill. This year the conference report on another House bill passed last year in the House and this year in the Senate—was given perfunctory approval—381–0—in the House.

Three percent freight excise tax, a wartime tax, was repealed.

Duck stamp increased to $3, but with the provision that the Secretary of the Interior is directed to use the total proceeds in land acquisition, instead of using it for large Post-Office printing bills and Fish and Wildlife Service operating expenses as in the past.

Deferred grazing program for areas hit by drought disaster, gives aid to drought-stricken farmers and ranchers until pastures are reestablished. This legislation was necessary to combat the greatest dust-bowl erosion in the history of our country. My own bill would supplement this legislation by permitting harvesting fodder or grazing Soil Bank acres in cases of "act of God" disasters such as excessive rainfall, drought, or other natural disaster.

My hot lunch appropriation amendment to increase the funds by $45 million was defeated, but secured surprisingly large support when I offered it on the floor. Over 50 percent of our children cannot now participate in this important health-building, surplus farm commodity distributing program. The amendment was designed to further both programs.

REA is threatened along with family farming by this administration. Legislation is still in committee to return authority for administration of REA to the REA Administrator—removing it from the Secretary of Agriculture who is attempting to turn REA over to big bankers. This would destroy REA.

Mid-East: When the Mid-East policy resolution was passed last year, I voted against it. Its emphasis was on the military. It did nothing about the solution of the Arab-Israeli conflict, resettlement of refugees, or nationalization of oil resources. We need a broad program for economic stabilization. The conservative magazine U. S. News & World Report stated "the present crisis is 10 times more dangerous than the Korean crisis."

Study of Southeastern River Basins Will Prove of Great Value in Future Development of Water Resources

EXTENSION OF REMARKS
OF
HON. IRIS FAIRCLOTH BLITCH
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. BLITCH. Mr. Speaker, the Senate concurred August 19 in the House amendment to S. 4021 and cleared for the President legislation to establish a United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins. The Commission is authorized to prepare integrated and cooperative investigations, studies, and surveys of land and water resources of these river basins and intervening areas.

Authorities tell us that an effective program of water management, with good soil stewardship, can yield greater dividends in human welfare than any other action. Here is a broad field for our endeavor. The objective of this legislation, permitting careful planning for use of land and water resources of the area comprising the major basins in the Southeastern States, is certainly desirable. Similar studies have in the past provided a valuable basis for water resources planning in other parts of the country.

Urban and rural residents should be conscious of the importance of soil and water in their everyday living and in

their future. Soil and water play a vital role in the physical, economic, social, and religious life of the individual, the community, the Nation, and the world. This fact needs to be stressed so that the importance of soil and water is integrated into every phase of education—both urban and rural. Stewardship demands that we prepare, conserve, replenish, and protect our soil and water resources.

Mr. Speaker, the Altamaha and St. Marys Rivers flow through my Congressional District. Intervening river basins similarly included under S. 4021 for studies within my District are those of the Satilla, Suwanee, Little Alapaha, and Withlacoochee. Residents of the communities within these basins share my extreme satisfaction that our rivers in southeastern Georgia are to be considered in preparing plans for proper utilization of land and water resources there.

Many flood-control, hydroelectric-power, navigation, watershed-protection, water-pollution-control, and other water and land resources development projects have been constructed, are under construction, authorized, and being planned in this vast area. The Study Commission would review all existing and proposed projects with a view to fully coordinating the purposes of those projects in existence, under construction, authorized, and those being planned and those to be planned so that there will be as a result the best utilization of those resources of the area.

The management of soil and water resources must be the concern of everyone who loves his Nation. The responsibility of this management rests with the people who own and operate the land. These are the farmers and ranchers. Upon them we must depend to save and to improve what we have left in soil and water resources.

Comprehensive water-resource development plans have been prepared in the past for certain areas, and found to be of great value in the formulation and selection of projects for construction. For this reason, I was happy to introduce a companion bill to S. 4021 in the House of Representatives. Then, as now, I am convinced that the proposed study for the southeastern basins will prove to be of great value in the future development of the water and related resources of this important region.

Hon. F. Jay Nimtz

EXTENSION OF REMARKS
OF
HON. EARL WILSON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. WILSON of Indiana. Mr. Speaker, the Indiana Republican delegation is proud of our junior Congressman, F. JAY NIMTZ. In the short period of 2 years he has shown himself to be of true Congressional material.

I have watched JAY go about his work in this body. He has shown an alertness and a determination to follow the dictates of his constituency and of his own conscience in a manner of which we can all be proud.

As this session draws to a close, I want to go on record as complimenting the people of his District for having sent a man like JAY NIMTZ to the Congress. He has served them well.

I am certain that, in the years to come, he will prove one of the most valuable men in this entire body.

A Former Chairman Interviewed

EXTENSION OF REMARKS
OF
HON. WAYNE N. ASPINALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ASPINALL. Mr. Speaker, I have had numerous talks with John R. Murdock, former Congressman from Arizona, and former chairman of the House Committee on Interior and Insular Affairs. He has mentioned many times his continued interest in western reclamation. He speaks of Murdock's Arizona water plan and his—Murdock's—Little Colorado River project as though he has thought out and written detailed studies such as these titles indicate. Knowing his keen interest in such matters our association on this great committee, and looking ahead to my responsibility with this same committee, I sought some answers from him. It is late in this session but I want to put my former chairman on record, hence this method of dialog. I am asking the questions and Chairman Murdock is giving the answers:

Question. You have frequently spoken of your proposal (Murdock's), Little Colorado River project. What is it?

Answer. It is my plan to make available for use in that drainage area several times the volume of water falling on that watershed than has thus far been used.

Question. Is that your (Murdock's) water plan for Arizona?

Answer. It is a part, and only a part, of my total plan suggested for Arizona's future water supply.

Question. Has your total plan, or any part of it, been written or published? I know you have discussed phases of it informally with me.

Answer. No. It has not been published to any extent. Only 4 books of basic research by 37 topnotch scientists of the country by my authority, and that of Chairman MILLER in 1952 and 1953, as committee prints. They underlie but do not fully reveal my considered water plan for Arizona.

Question. Is your plan, which you call Murdock's Little Colorado plan the same, or about the same, as your Arizona's water plan?

Answer. No; it is only a part, a small fractional part, of my total Arizona water plan.

Question. Although we have talked it over some, I am not clear as to your views on these two ideas. Have they been published?

Answer. No. I have what might be called a book in manuscript form but not published.

Question. Why not? If you have found some fruitful ideas, especially for Arizona, why not publish them?

Answer. I appreciate that question. It presupposes I have some fruitful ideas. I believe I have, and I have no natural unwillingness to express them. However, you probably remember that on 18th of April, 1951, while hearing witnesses on an Arizona water bill—and against my vehement protests—our committee voted to close those hearings, thus throwing the matter into litigation. That vote forcing it into the Supreme Court, together with my defeat for relection in 1952, rather effectively closed my mouth for the past 8 years.

Question. The fact that Arizona and California are in litigation over the Colorado River does not prevent your expressing views, does it?

Answer. In a way it does. As chairman of this important House committee I then had influence and used it. But now I am merely a "man on the street." My views while a Member of Congress for 16 years were fully expressed on this subject in hundreds of thousands of spoken and written words. These words are now down in imperishable print in the RECORD. But today if I expressed a word that might seem to differ with what I said then, such would be magnified and distorted by lawyers while this expensive and interminable trial drags on.

Question. Have any of your views on the subject changed since your big fight of 8 years ago?

Answer. Well, of all the many thousands of words I have placed in the RECORD there is not one I would swallow. However, I did lack information at times. After 8 years of private study following years of official study I feel I have now more information as a basis. My Little Colorado River proposal is almost entirely new. It is true that my bill 7 years ago provided for the Coconino Dam as a silt control dam. That was one feature to which no Californian objected. I might add that this Little Colorado plan of mine seems somewhat less involved in the Arizona versus California controversy.

Question. What, briefly, is your Little Colorado River proposal?

Answer. As an engineering construction it is to seal off the Little Colorado River contribution of water, sand, silt, and total flow from the main Colorado River for an indefinite future—except, of course, those uncontrollable big floods which come once or twice in a generation. Big floods will come every few years and overflow the highest dams and fill any number of reservoirs, of which a half dozen may eventually be needed in the lower 60 miles of this tributary.

Question. That sounds very much like trying to plug up this canyon tributary at its mouth and keep all its contribution in Arizona for Arizona. Is that it?

Answer. That is exactly it. No words of mine could better explain the general physical effects and purpose of it.

Question. It would take a lot of time to ask the questions uppermost in my mind, such as: Is your proposed Little Colorado plan physically possible? Is it economically feasible? Is it legally permissible? And what does the law of the river say on the last point?

Answer. Naturally I say yes to the first questions. As to the last the basic part of the law of the river (the Colorado River compact of 1922) makes no reference by name to any river or particular State of the Colorado Basin. The Congressional enactment (Boulder Canyon Project Act of 1928) does not assign the Little Colorado tributary exclusively to Arizona, as I feel it did intend to assign the Gila River to Arizona. However, both are almost exclusively Arizona rivers. Water lawyers from southern California point out that the compact of 1922 includes all tributaries, and they have so stressed and emphasized Colorado River system water as to include every drop of moisture on or in the whole watershed. California water lawyers, of course, will contend that their clients have a claim on the waters of this tributary watershed.

Question. From your experience do you think they will ever consent to Arizona's monopolizing it?

Answer. They might when they get their eyes open. When it is computed accurately how much power, or how little power, the water from the Little Colorado watershed now produces and it is shown how much damage is done by sand and silt to the huge investments down there, they might say to Arizona "Plug it up in your Coconino Canyons and keep it all forever." It is conceivable that a man dying from thirst on the desert would reflect and reject a cup of water if he knew it contained poison.

Question. Are we to understand that by some such development as in your plan you believe many times the volume of useful water can be had from that watershed over what has been had?

Answer. I do believe it. And that is the desired purpose of my plan.

Question. Is your Little Colorado plan exclusively for the benefit of Navaho and Hopi Indians?

Answer. No, not exclusively for Navaho and Hopi Indians. I would expect this plan to utilize the 50,000 acre-feet annually of compact main stream water let down at Lee Ferry to help stabilize the fluctuating natural supply in the "pipeline." I would divert some water from this pipeline to the Verde River for Greater Phoenix and central Arizona on an exchange of water principle.

Question. This sounds like a costly and fantastic scheme to me. How would it compare in cost to the central Arizona project?

Answer. In my judgment it would cost less than the Reclamation Bureau's estimate of the central Arizona project.

Question. Have you written anything on your Little Colorado River plan explaining it more in detail and stating its purpose?

Answer. I will hand you herewith three manuscripts, one entitled "An Alternate Murdock Plan for Furnishing Water to the Western Portion of the Navaho Indian Reservation"; the other entitled "Greater Phoenix Must Tap the Highlands," and "Murdock's Little Colorado Project Explained." These discuss more fully two phases of my water plan for Arizona through a long future.

Question. What would you like for me to do with these?

Answer. Whatever you think they merit, but date and mark them for your files. I would not extend them now in the RECORD. You will probably be chairman of this great committee in the 86th Congress as I was in the 82d Congress. Arizona needs legislation and many proposals will come before you. I submit these for study by any interested persons—for approval, rejection or modification according to their merits. I do not wish to commit you.

I appreciate your interest in my thinking on this important matter and thank you for all past favors. I know the ties of interest of our two great neighboring States and value their cooperation on such vital questions. I wish you well.

White House Conference on Aging

EXTENSION OF REMARKS
OF
HON. GORDON CANFIELD
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. CANFIELD. Mr. Speaker, as one of the Members of Congress who has long been interested in the special problems which face our senior citizens today, I wish to applaud the action of the 85th Congress which, in its closing days, passed the bill, H. R. 9822, which calls for a White House Conference on Aging to be called by the President of the United States before December 31, 1958. The Conference will be planned and conducted by the very competent Special Staff on Aging of the Department of Health, Education, and Welfare. It will afford an opportunity to all States and local communities interested in the problem to present their ideas, recommendations, and suggestions for the consideration of the Congress of the United States, if additional legislation is deemed necessary. Another important function of the Conference is the opportunity it presents for these people to exchange experiences, at a grassroots level, and, by this means, to learn of new ways of meeting the special problems which have arisen in their own area.

We are all very well aware of the fact that the problems which face older men and women today are as new as the assemblyline machines which have shortened their worklife. Modern medical science has discovered means of keeping people alive long past the proverbial span of threescore and ten, but too often this has not always been a blessing. A sick and weary old man or woman may be removed to a hospital, partially cured, and given a few more months or years, only to return to an empty room or to find that his or her place in the State home has been filled and that a fresh start must be made in unfamiliar surroundings. We must find better ways to improve the health, the opportunity for participation in the life of the community, and the chance for a job for the millions of older Americans who are, today, too often cast aside with the pittance and isolated in their infirmity.

The White House conference method recognizes the many-sided problems which face our older people. For, as Senator PURTELL said in advocating this proposal in the Senate:

The problems of the aging touch all aspects of life and only very limited study has been given to them. It seems almost inevitable therefore that a bill such as that for the White House Conference on Aging should be proposed, and I think we may learn from the experience with the Conference on Education what we may gain from such a Conference on Aging.

The fact that we have had experience with the good results to be obtained by such conferences, not only in the field of education but also through the regular White House Conferences on Children and Youth, is, to my mind, one of the strongest arguments for this legislation.

During the hearings conducted this year on the problems of older people, it became increasingly clear that there is a very wide interest on the part of States and local communities in finding better ways to meet these problems. My own State of New Jersey, has demonstrated its concern by the appointment of an old-age study commission whose recent report pulled together the background facts underlying the employment, the income, and the health problems of the older people of our State. I feel certain that New Jersey will want to participate in the Conference and that our representatives will not only learn a great deal there but that they will make their own special contribution from our experience in this area.

Certainly it is time that the Congress recognized its special obligation to our older men and women to assist in finding better answers for all of the complex of problems which face them. For, as President Eisenhower has said, "Our Nation now must learn to take advantage of the full potential of old citizens—their skills, their wisdom, and their experience. We need those traits fully as much as we need the energy and boldness of youth."

Eleventh Anniversary of Indian Independence

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a letter which I addressed to His Excellency, Mr. Jawaharlal Nehru, the Prime Minister of India, on the occasion of the 11th anniversary of Indian independence. The letter follows:

AUGUST 20, 1958.

His Excellency, Mr. JAWAHARLAL NEHRU,
The Prime Minister of India,
New Delhi, India.

MY DEAR MR. PRIME MINISTER: Celebration this month by the people of India of the 11th anniversary of their existence as a free and equal member of the family of nations evokes the deepest sentiments of friendship and solidarity in the hearts of all liberty-loving peoples. As one who has long admired the heroic struggles of the Indian people toward political, economic, and social self-realization, I cannot forgo this occasion for conveying to your people and your government the heartiest congratulations and good wishes—both on my own behalf and on behalf of the millions of like-minded Americans.

The recent history of India, with its multitude of cultural, religious, social, and ethnic strains—all properly demanding accommodation in the great national effort to secure peace, prosperity, and the fulfillment of the individual—truly recapitulates the eternal struggle of all mankind to raise itself through successive stages to ever higher levels of achievement.

To Americans, the struggles of India recall like struggles of our own people and government—first, for national independence; later, for economic competence; and, even now, for a peace and understanding with all nations that will be consistent with human dignity and freedom. To the achievement of national independence in 1947, India has added redoubtable progress during the past decade toward economic and social objectives. I have in mind India's great progress in rehabilitating Hindu refugees from Pakistan; the strengthening of its industrial development; the increase of foreign business and the virtual doubling of the output of major industries; the forthcoming operation of an atomic reactor for peaceful uses in agriculture and biology. Last, but not least, I am drawn to comment on India's modern

constitution, modeled in part on that of the United States—a guaranty that the Indian people have dedicated themselves irrevocably to the cause of political freedom.

By these achievements, the Indian people and their government have dealt a crushing blow to the all-too-prevalent cynicism of the mid-20th century. Their recent history and accomplishments, like those of other, smaller new nations such as Israel and Ghana, are a living refutation of the dominance in the modern world of hatred and greed—a glowing affirmation of the reality of the unending upward struggle that human beings put forth each age, each century, each day; of the never-to-be-forgotten truth that the minds and hearts of men and women everywhere can and do give direction to their destinies.

May the coming years bring ever greater accomplishments to India and all her people.

Sincerely yours,

EMANUEL CELLER.

Small Boat Regulations of the Coast Guard

EXTENSION OF REMARKS
OF
HON. GEORGE A. SMATHERS
OF FLORIDA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I prepared relating to the enforcement of Coast Guard regulations issued pursuant to Public Law 519 of the 84th Congress.

I am hopeful that the Coast Guard will see fit to grant a further postponement of these regulations in order to provide sufficient time for small boating interests, not only in the State of Florida, but elsewhere, to comply with them. An extension until April 1, 1959, in my opinion, will not affect safety, and would be reasonable under the circumstances.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR SMATHERS

The National Boat Association, the Florida Boatsmen Association, other organizations of a similar nature, together with numerous individual boatowners from Key West, Fla., to Pensacola, Fla., have continuously brought to my attention regulations issued by the Coast Guard pursuant to Public Law 519, 84th Congress, complaining that they are unreasonable and compliance with them does not add to safety in boating. On the contrary, it is stated that they have the purpose of ultimately causing the industry to expend millions of dollars which it is not in a position to presently undergo.

Since the passage of Public Law 519, I have been in touch with the Commandant of the Coast Guard urging that any regulations adopted pursuant thereto take into consideration the peculiarities of each locality and each branch of the boating industry. I have also requested the Coast Guard to insure that any regulations issued pursuant to this law be made clear and understandable.

Today I make particular reference to Coast Guard Regulation 249, which has been temporarily suspended until October 1, 1958. If this regulation were promptly enforced heavy expenditures will be placed on many of the small-boat owners. One particular letter which I received reads in part as follows:

"As a member of a family who have built, owned and operated fishing boats since the middle of the last century—we are disturbed and concerned about the regulations of the Coast Guard under Public Law 519, 84th Congress. From long experience in the safe operation of boats, we feel that these regulations impose unreasonable restrictions and that the alterations are too expensive. Such restrictions and costly changes could soon run us out of business."

It is my impression that while Public Law 519 did not become effective until June 1, 1958, many boatowners, on a voluntary basis, had their boats inspected prior to this date. I am advised that in some specific instances an additional period of time has been allowed—until October 1, 1958—with which to comply with Coast Guard Regulation 249.

It is obvious that there is no compulsion to place this regulation into effect at any particular time, and I can readily understand how the boatowner is reluctant to complain because he does not know the consequences and at the same time cannot comply with the regulation because of the cost involved. I am informed that some of the tackle and equipment provided in this regulation is not now available, and for this reason cannot be obtained.

In view of these circumstances, I am hopeful that the Coast Guard will provide an additional administrative extension of time for boatowners to comply with this regulation, and I am hopeful therefore that the Commandant of the Coast Guard will see fit to reasonably administer Public Law 519, and provide that the regulations issued pursuant thereto will not go into effect until April 1, 1959. This will give the boatowners a reasonable opportunity to cooperate, and at the same time not affect safety, which is the objective sought to be achieved by the enactment of Public Law 519.

Activities of the Committee on Post Office and Civil Service During the 85th Congress

EXTENSION OF REMARKS
OF
HON. TOM MURRAY
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MURRAY. Mr. Speaker, I submit a statement summarizing the activities of the Committee on Post Office and Civil Service during the 85th Congress, including the first and second sessions. I realize that some of the bills which the committee has acted on are at the White House awaiting the President's signature and it is possible that other bills may be acted on by the Senate and become Public Laws after we adjourn. However, I wanted to submit this statement so that the House Members would have an opportunity to review the activities of our committee and in order that the principal achievements would be available for their use during the recess.

The 85th Congress was the most productive Congress in the history of the Post Office and Civil Service Committee of the House of Representatives. Major legislation was considered, reported, and enacted into law in all areas subject to jurisdiction of the committee; that is, postal operations, postal rates, postal salaries, classified and other employee salaries, civil-service operations, census activities, and the Federal archives.

MAJOR LEGISLATION

The highlights of the committee work in the 85th Congress were the enactment of first, the most comprehensive revision of the postal rate structure in history, coupled with a Postal Policy Act reaffirming and clarifying legislative jurisdiction and policy with respect to postal rates and fees; second, a 10-percent, retroactive, salary increase for over 500,000 postal field service employees; third, a 10-percent, retroactive, salary increase for over 1 million employees in the classified service, the Foreign Service, the Veterans' Administration Department of Medicine and Surgery, the judicial branch, and the legislative branch; fourth, a 10-percent increase in the annuities of 245,000 retired employees and over 80,000 survivors of former employees, coupled with a special provision granting survivor annuities, for the first time, to the several thousand surviving widows of former employees and annuitants who died before February 29, 1948; fifth, the first comprehensive, government wide program to improve the training of Federal personnel; sixth, legislation, implementing the treaty with the Republic of Panama, providing for equal treatment of Panamanian employees of the United States Government in respect to compensation, position tenure, training opportunities, retirement rights, conditions of employment, and other employee benefits; seventh, revision, clarification, and modernization of the entire body of the census laws contained in title 13 of the United States Code as enacted into positive law; and eighth, legislation to reestablish an effective program to protect the security of the United States in respect to the employment of Federal personnel, made necessary as a result of the decision of the Supreme Court in Cole against Young—a decision which has rendered the existing security program, established by Public Law 733, 81st Congress, largely ineffectual and has permitted the restoration to Federal positions—with back pay—of 100 individuals previously separated as Communists, fellow travelers, or otherwise known security risks.

POSTAL RATE ADJUSTMENTS

Postal rate adjustments under title II of Public Law 85–426, when fully effective, will increase postal revenues by $550 million annually, thus materially reducing the tremendous postal deficit. These adjustments maintain the proper relationships between the rates applicable to first-, second-, and third-class mail matter and the various subclassifications of mail in such classes. The increase from 3 to 4 cents in the first-class letter rate is the first adjustment in this rate since 1932. The increase is in accordance with the historic policy of the Congress that the first-class mail rate shall be

fixed at a level which will return postal revenues to fully compensate for the cost of handling such mail, including appropriate consideration of the preferential treatment and service accorded such mail matter. It is to be noted, also, that the 4-cent first-class letter rate, compared to the new 3-cent individual piece rate for third-class mail matter, maintains the existing differential between the postal rates on such mail matter.

POSTAL POLICY ACT OF 1958

The Postal Policy Act of 1958—title I, Public Law 85–426—reaffirms the Congressional function, under the Constitution, of forming postal policy and sets forth a declaration of such policy directed toward providing a more stable basis for the postal-rate structure and the improvement of postal service. The declaration prescribes general principles, standards, and related requirements to carry out the policy. With respect to postal rates and revenues, the policy provides that the total loss on mail carried free or at reduced rates represents public service to be paid for from the general fund of the Treasury and authorizes appropriations to reimburse the postal service for losses on such service. These services and the losses for which appropriations are authorized are spelled out.

POSTAL EMPLOYEES SALARY INCREASE

Postal field service employees in all levels were granted a permanent 7½ percent salary increase by Public Law 85–426. Those in levels 1 through 6 were granted an additional 2½ percent increase, and those in level 7 were granted an additional 1½ percent increase, to be effective for 3 years. Comparable increases were granted rural carriers and fourth-class postmasters. All increases were retroactive for approximately 5½ months. The 2½ percent temporary increase was extended through all levels by Public Law 85–462.

CLASSIFIED AND RELATED SALARY INCREASES

Public Law 85–462 grants a 10-percent retroactive salary increase to 1,021,072 employees in the classified service, the Foreign Service, the Veterans' Administration Department of Medicine and Surgery, the judicial branch, and the legislative branch. Total annual value of the increase is $542 million. The effect of this legislation is to grant salary increases to classified and other annual-rate salaried employees of the Federal Government substantially equal to the increases granted postal field service employees by Public Law 85–426. These increases bring Federal employees' salaries abreast of the continued rise in costs of living and will constitute a valuable aid to management in the recruitment and retention of qualified personnel needed for the conduct of critical defense and other essential Government programs.

RETIREMENT ANNUITY INCREASES

Public Law 85–465 further liberalizes annuities of former Federal employees who retired prior to October 1, 1956. Each annuity is increased by 10 percent but not more than $500. Each survivor annuity is increased by 10 percent but not more than $250 per annum. Survivor annuities are provided, for the first time, for the widows or widowers of former employees or retired employees who died before February 29, 1948, with a maximum of $750, thus placing these survivors on a basis substantially equal to survivors of former employees or annuitants who died on or after February 29, 1948. The increases will end June 30, 1960, unless appropriations to cover the cost are made in succeeding years.

FEDERAL EMPLOYEES' TRAINING PROGRAM

Public Law 85–507, the Government Employees' Training Act, represents an important milestone in the promotion of efficiency and economy in the operation of the Government. It contains a declaration of Congressional policy emphasizing the need for improved training of Federal employees in order that they may perform their official duties with the greatest possible effectiveness. It provides a comprehensive, governmentwide program for the training of Federal personnel both within and outside the Government. Overall responsibility for administration and guidance of the program, and for the operation of all departments and agencies thereunder, is imposed on the Civil Service Commission, subject to the supervision and control of the President. Necessary standards and related requirements to be observed in the conduct of the training program are set forth in the law, coupled with authorization for Presidential and Civil Service Commission regulations needed to implement the legislative policy.

STRENGTHENED PERSONNEL POLICY IN THE CANAL ZONE

Public Law 85–550 implements a memorandum of understandings attached to the treaty of January 25, 1955, between the Governments of the United States and the Republic of Panama. The memorandum contained certain general agreements relating to Panamanian personnel employed by the United States which required legislative implementation. Public Law 85–550 provides such implementation. It proscribes discrimination against Panamanian citizens employed by the United States in respect to salary and wage scales, conditions of employment, opportunities for training and promotion, a merit system comparable with the civil-service merit system, retirement benefits, appeals procedures to protect employment rights, and other benefits. The operation of the program will be in accordance with regulations prescribed by the President of the United States.

CLARIFICATION OF CENSUS LAWS

Public Law 85–207 will contribute to efficiency and economy in all census activities by simplifying and clarifying the existing census law, correcting inconsistencies and omissions therein, and providing for the conduct of census activities on a uniform, modern, and practicable basis. This legislation is based on recent experience and the need for the collection of more complete, accurate, and useful census data in the 1960 census and later censuses than would have been possible under existing law. The inconsistencies, omissions, and loose ends in census laws enacted in past years became apparent when title 13 of the United States Code, entitled "Census," was enacted into positive law by Public Law 740, 83d Congress. Basic census authority is not extended, no new program is authorized, and no existing program is eliminated. Improved, modern procedures will be provided to facilitate essential census activities, with overall economies and improved census results.

FEDERAL EMPLOYEES SECURITY PROGRAM

S. 1411, as reported by the committee and passed by an overwhelming vote of the House of Representatives, will reestablish an effective security program with respect to all civilian officers and employees of the Government, which was rendered largely ineffectual by the decision of the Supreme Court in Cole against Young. As a result of this decision, there is no adequate provision of law authorizing prompt separation of employees who are found to be disloyal or security risks if they are employed in many departments and agencies. As pointed out in the committee report on this legislation, more than 100 such individuals, previously separated under Public Law 733, 81st Congress, were restored to the public payroll and received back pay for the period of their separation. One hundred of such individuals still are on the Federal payroll. The committee bill authorizes the head of each department and agency to suspend or separate any employee with respect to whom he develops sufficient evidence that there is doubt of loyalty or that the individual's continued employment will adversely affect the national security. Each position in the Federal Government is defined as a position affecting the national security. The department or agency head, in his discretion, need not suspend an employee under this legislation until a hearing is granted, if such procedure is deemed consistent with the national interest. The bill also stipulates that any proposed suspension or separation for other than reasons of loyalty or danger to the national security shall be subject to procedural requirements of the Lloyd-La Follette Act of 1912 or the Veterans' Preference Act of 1944, whichever is applicable. Any employee suspended or separated as a loyalty or security risk is granted an appeal to the Civil Service Commission, and the decision of the Commission on the truth of the charges is final and conclusive. The amendments made to Public Law 733 by this act will be effective only through June 30, 1959.

COMMITTEE AND SUBCOMMITTEE HEARINGS

The full Committee on Post Office and Civil Service held 49 days of hearings, including 21 days of hearings on postal rate adjustments and postal policy, 20 days of hearings on postal and other Federal employees pay, 4 days of hearings on the Federal employees security program, and 4 days of hearings on the subjects of Federal employees' training, discontinuance of the Postal Savings System, reimbursement of postal losses on public service items, and retirement and clerical assistants for former Presidents. The committee considered some 151 bills during these hearings.

Legislative subcommittees, appointed to consider specific legislation, conducted a total of 59 days of hearings on some 220 pending bills, including 4 days of hearings on retirement annuity increases and 2 days of hearings on legislation to provide for a Federal employees' training program. The Subcommittee on Manpower Utilization conducted 25 days of hearings in carrying out its program of elimination of duplication and overlapping of functions, nonessential jobs, and unjustified increases in high-salaried positions, directed toward reducing the overall total of Federal positions to the minimum number required in defense and other essential programs.

STUDIES, INVESTIGATIONS, AND SPECIAL REPORTS

Major studies and investigations of matters in the committee jurisdiction were conducted, in accordance with a continuing committee policy, by the committee and by special subcommittees appointed at the committee's organization meeting to consider matters arising in the three major areas of committee jurisdiction—that is, postal operations, manpower utilization in the Federal Government, and the Federal civil service. It is to be noted that the major program of the Subcommittee on the Federal Civil Service, relating to the strengthening of personnel administration in the overseas programs of the Government, carried over from the 84th Congress. Legislation to implement the subcommittee recommendations was introduced in the 85th Congress. Such recommendations would be placed in effect by H. R. 3527, to provide and adjust certain allowances, expenses, and other fringe employment benefits for certain Government employees stationed overseas. H. R. 6141, to provide health and medical services for civilian employees in Government service overseas and their dependents, and H. R. 12225, to govern the salaries and personnel practices for teachers, certain school officers, and other employees of the dependents' schools of the Department of Defense in foreign countries. H. R. 3527 and H. R. 6141 were considered by the committee but final action thereon was deferred for further study in view of the lapse of time and the complexity and breadth of the legislation. H. R. 12225, based on an official request of the Department of Defense is under active consideration by a legislative subcommittee, which held hearings but deferred final action pending the development of additional information and evidence which has been requested from the departments and agencies concerned.

SPECIAL STUDIES

Under authority of House Resolution 139 and in accordance with the direct instructions of the chairman of the full committee, the staff made a number of special surveys involving personnel administration and manpower utilization in a number of military installations and major commands. These surveys were in the nature of management engineering studies covering all phases of organization and administration.

AIR FORCE

In November of the 2d session of the 84th Congress, surveys of personnel administration and manpower utilization were made in subordinate commands of the Army and Air Force. The situations in the subordinate commands indicated that the large portion of their difficulties and the problems arose from orders and instructions issued from command headquarters. As a matter of followup on these surveys of the 84th Congress, members of the committee staff surveyed the headquarters office of the Strategic Air Command, Offutt Air Force Base, Nebr., the headquarters office of the Air Defense Command, Colorado Springs, Colo., and the headquarters office of the Air Materiel Command, Wright-Patterson Air Force Base, Ohio, in April and May of 1957.

It was found that recommendations and suggestions made as a result of the surveys conducted in the 84th Congress had been adopted by these major commands and that considerable progress had been made toward straightening out and improving both the administration of their civilian personnel and the utilization of both military and civilians. On these visits the committee staff worked with the commanding officers and their staff in an effort to bring about full coordination throughout the chain of command and an improvement in administration and staffing problems. The recommendations and suggestions were made verbally to the commanding officers and their deputies. No formalized report on these surveys was prepared.

As a followup of these visits to the major commands, the staff again visited the headquarters office of the Strategic Air Command at Offutt Air Force Base in December 1957. On this visit a survey of activities resulting from suggestions and recommendations made on the prior visit was conducted. It was found that all recommendations and suggestions had been adopted and that certain improvements had been added. A system of personnel administration centrally controlled and sufficiently delegated to local needs had been adopted with major improvements which resulted in increased morale, better production, and a reduction in overall position requirements. Staffing standards and patterns had been developed and adopted which, in this command alone, resulted in a staff reduction of some 1,200 positions. These positions, while not removed from the overall number of positions, were made available for transfer to commands in areas where they could be better utilized. As a result of the cooperative effort between the committee and the Air Force, the Air Force was enabled to perform more work and better work with the same number of personnel.

On-site followup visits were not made at the headquarters of the Air Defense Command or the Air Materiel Command. However, reports from these two commands indicated that they had also taken major steps toward improving personnel administration and the utilization of manpower.

ARMY

In the fall of 1956, the committee received a considerable volume of correspondence indicating that a serious situation existed at the Research and Engineering Command of the Office of the Quartermaster General, Department of the Army, insofar as personnel administration and utilization were concerned. In November of that year, the committee staff conducted a detailed survey of operations and administration at the Research and Engineering Command at Natick, Mass. Certain recommendations and suggestions were made to the command, and a detailed report was prepared. Copies of this report were furnished to the Office of the Quartermaster General and to the members of the committee.

The staff of the committee, working in close cooperation with the Office of the Quartermaster General, continued to follow up on the recommendations and suggestions made as a result of the 1956 survey. In April and May of 1958 the staff made a survey of the Natick, Mass., installation. This survey indicated that practically all the problems encountered in the 1956 survey had been solved, employee morale had risen to a very high level, the services of scientists and engineers were being fully utilized, productivity had increased and the operations of the command had become stabilized and progressive. A staff report of this entire operation was prepared indicating the major improvements that had been achieved as a result of the cooperative efforts of the committee and the Office of the Quartermaster General.

NAVY

The committee received reliable information that excessive overtime without full justification was being authorized in the various offices of the Comptroller of the Department of the Navy. As a check on this matter, the Department of the Navy was requested to furnish a detailed listing of overtime authorized over a period of 4 months with an indication as to whether it was paid overtime or compensatory overtime. The Department furnished the committee with this information.

The report indicated that in only three Bureaus was the overtime excessive. The attention of the Comptroller of the Navy was directed toward this matter, and he was urged to take such action as is necessary to correct it. It is the intention of the committee to make a recheck on overtime in the Department of the Navy during the next Congress.

Numerous complaints from employees and former employees of the Bureau of Naval Personnel indicated that many changes in organization were taking place with resulting upgrading of positions and overstaffing of offices. The Chief of Naval Personnel was directed to furnish the committee with a complete tabulation of all positions in the Bureau in grades GS–7 and above for civilians and warrant officers and above for the military. Complete organizational charts were also requested.

An analysis of this data indicated that certain sections, branches, and offices of the Bureau had been expanded without a corresponding change in the responsibilities or functions. It also indicated material upgrading in certain areas. The committee requested the Civil Service Commission and the Bureau of the Budget to cover these areas in their normal audit surveys. Upon receipt of information from these two agencies, the committee intends to proceed further in the matter.

LEGISLATION REFERRED TO COMMITTEE

During the 85th Congress, 711 House bills and 22 Senate bills were referred to the Post Office and Civil Service Committee. The committee recommended action on 322 House bills and 17 Senate bills.

Railroad Retirement Legislation

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. PELLY. Mr. Speaker, I regret that because of an objection, we cannot consider the railroad retirement bill. The deficit in this fund is $170 million, and I had hoped to vote for a bill to cure the situation of having this fund operated on a deficiency basis. When representatives of the beneficiaries discussed this legislation with me after the House Interstate and Foreign Commerce Committee held hearings, I told the union leaders I was sympathetic to adjusting benefits but the most important responsibility I felt was to maintain the integrity of the fund.

As I understand the railroad retirement legislation and its provisions as the Senate attached the bill as an amendment to the longshoremen's bill, it increased benefits but at the same time restored the fund to an actuarially sound basis. I would think the House would have passed this retirement bill if it could have come to the floor. Certainly as I understand its provisions I would have voted for it and as I say I regret what happened.

Report to the People of the Eighth Congressional District of Wisconsin—XII

EXTENSION OF REMARKS
OF
HON. JOHN W. BYRNES
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record for the 2d session of the 85th Congress.

The report includes all rollcall votes and all quorum calls. Its purpose is to collect in one place and in concise form information which is scattered through some 18,000 pages of the CONGRESSIONAL RECORD.

The descriptions of the bills and the amendments or motions in the report are for purposes of identification only; no attempt is made to describe the legislation completely or to elaborate upon the issues involved. This word of caution is advisable in view of the fact that the descriptions used are, for the most part, taken from the official titles of the bills which, unfortunately, do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill, as well as a summary of the issues involved and the reasons for my vote.

The furnishing of this report continues a service I began in the 1st session of the 80th Congress. This is the 12th report of my voting and attendance record. These 12 reports show how I voted on 1,625 questions in the House of Representatives. Based on quorum calls and the record votes, they also show an attendance record of 95 percent.

Roll-call No.	Date 1958	Measure, question, and result	Vote
1	Jan. 7	Quorum call	Present.
		H. R. 9737, authorizing the Secretary of the Air Force to establish and develop certain installations for the national security and to confer certain authority on the Secretary of Defense:	
2	Jan. 15	On passage. (Passed 374 to 0)	Yea.
3	Jan. 21	Quorum call	Present.
4	Jan. 22	Quorum call	Present.
		H. R. 9955, providing for a temporary increase in the public debt limit from $275,000,000,000 to $290,000,000,000:	
5	Jan. 23	On motion to recommit with instructions to limit increase to $278,000,000,000. (Rejected, 115 to 275)	Yea.
6	Jan. 23	On passage. (Passed, 328 to 71)	Nay.
		H. R. 10146, making supplemental appropriations for the Department of Defense:	
7	Jan. 23	On passage. (Passed 388 to 0)	Yea.
		H. R. 2151, suspending for 3 years the import duty on certain coarse wools:	
8	Feb. 4	On passage. (Passed 250 to 129)	Nay.
9	Feb. 10	Quorum call	Absent.
10	Feb. 18	Quorum call	Absent.
		H. J. Res. 2, providing for the transfer of right-of-way for Yellowtail Dam and Reservoir and payment to Crow Indian Tribe in connection therewith:	
11	Feb. 19	On motion to recommit. (Rejected 152 to 197)	Not voting.[1]
12	Feb. 25	Quorum call	Present.
13	Feb. 26	Quorum call	Present.
		H. R. 10881, making supplemental appropriations for fiscal year 1958:	
14	Feb. 26	On amendment providing an additional $10 million each for Glen Canyon project and the Trinity River reclamation projects. (Passed 200 to 184.)	Nay.
15	Mar. 4	Quorum call	Present.
16	Mar. 5	Quorum call	Present.
17	Mar. 6	Quorum call	Present.
		H. R. 8002, providing for revised methods of stating budget estimates:	
18	Mar. 6	On motion to recommit. (Rejected 119 to 275)	Yea.
19	Mar. 6	On passage. (Passed 311 to 86)	Nay.
		S. 497, authorizing Rivers and Harbors projects:	
20	Mar. 11	On motion to recommit with instructions to include only projects which had been approved by the Corps of Engineers and the Bureau of the Budget. (Rejected 167 to 234.)	Yea.
21	Mar. 11	On passage. (Passed 321 to 81)	Nay.
		S. Con. Res. 69, urging acceleration of military construction programs:	
22	Mar. 19	On motion to suspend rules and pass. (Passed 375 to 20)	Nay.
		S. Con. Res. 68, urging acceleration of civilian construction programs:	
23	Mar. 19	On motion to suspend rules and pass. (Passed 379 to 16)	Nay.
24	Mar. 19	Quorum call	Present.
		S. 3262, authorizing support by the Armed Forces of the Olympic winter games and authorizing appropriation of $4,000,000:	
25	Mar. 19	On motion to suspend the rules and pass. (Rejected 257 to 139, a two-thirds majority being required)	Nay.
26	Mar. 20	Quorum call	Present.
		S. J. Res. 102, preventing temporarily any reduction in agricultural support prices or acreage allotments:	
27	Mar. 20	On motion to recommit, with instructions to make resolution applicable only to dairy products. (Rejected 173 to 211)	Yea.
28	Mar. 20	On passage. (Passed 210 to 172)	Yea.
		H. Res. 507, providing for the consideration of H. R. 11470, providing revised pay schedules for members of the Armed Forces:	
29	Mar. 25	On adoption of resolution. (Adopted 382 to 5)	Yea.
		H. R. 11470, providing revised pay schedules for members of the Armed Forces:	
30	Mar. 25	On passage. (Passed 366 to 22)	Yea.
31	Mar. 26	Quorum call	Present.
32	Mar. 27	Quorum call	Present.
33	Mar. 27	Quorum call	Present.

[1] Absent. If present, would have voted "yea."

Roll-call No.	Date 1958	Measure, question, and result	Vote
		H. R. 8290, authorizing the erection of a national monument symbolizing the ideals of democracy (Freedom Shrine):	
34	Mar. 27	On motion to recommit. (Passed 195 to 169)	Nay.
		H. R. 5822, relating to reinvestment by air carriers of gains derived from the sale or other disposition of flight equipment:	
35	Mar. 28	On adoption of conference report. (Adopted 276 to 63)	Yea.
36	Mar. 28	Quorum call	Present.
		S. 3262, authorizing support by the Armed Forces of the Olympic winter games and authorizing appropriation of $4,000,000:	
37	Mar. 28	On passage. (Passed 218 to 102)	Nay.
		H. R. 10589, making appropriations for the Executive Office of the President and sundry general Government agencies for fiscal year 1959:	
38	Apr. 1	On amendment providing $750,000 for expenses of the Civil Rights Commission. (Passed 273 to 98)	Nay.
		H. R. 9821, authorizing additional appropriations for highway construction and revising the Federal-State matching formula from 50-50 basis to 66⅔-33⅓ basis:	
39	Apr. 3	On motion to recommit the conference report. (Rejected 199 to 222)	Yea.
40	Apr. 3	On adoption of conference report. (Adopted 300 to 28)	Nay.
41	Apr. 16	Quorum call	Present.
42	Apr. 22	Quorum call	Present.
		H. Res. 465, providing for the consideration of H. R. 912, amending the Navy ration statutes so as to provide for the serving of oleomargarine:	
43	Apr. 22	On adoption of resolution. (Adopted 232 to 130)	Nay.
		H. R. 912, amending the Navy ration statute so as to provide for the serving of oleomargarine:	
44	Apr. 22	On amendment providing the Navy shall not buy margarine so long as surplus butter is available through the Commodity Credit Corporation except for use in certain overseas areas. (Adopted 207 to 161)	Yea.
		H. Res. 551, providing for the consideration of H. R. 11451, authorizing the construction of 2 superliner passenger vessels:	
45	Apr. 29	On motion to suspend the rules and adopt resolution. (Adopted 343 to 31)	Nay.
46	Apr. 29	Quorum call	Absent.
		H. R. 11451, authorizing the construction by the United States of 2 superliner passenger vessels:	
47	Apr. 29	On passage. (Passed 289 to 94)	Nay.
48	Apr. 30	Quorum call	Present.
49	May 1	Quorum call	Present.
		H. R. 12065, authorizing Federal unemployment benefits for individuals who exhaust their benefit rights under existing unemployment compensation or are not covered by State systems:	
50	May 1	On amendment substituting bill providing for loans to States for payment of extended benefits. (Adopted 223 to 165)	Yea.
51	May 1	On passage. (Passed 372 to 17)	Yea.
52	May 6	Quorum call	Present.
53	May 12	Quorum call	Present.
54	May 12	Quorum call	Present.
55	May 12	Quorum call	Present.
56	May 13	Quorum call	Present.
57	May 13	Quorum call	Present.
		H. R. 12181, authorizing the mutual security program:	
58	May 14	On passage. (Passed 259 to 134)	Yea.
59	May 15	Quorum call	Present.
		H. R. 12426, making appropriations for the Department of State, and Justice, and the Judiciary:	
60	May 15	On passage. (Passed 320 to 51)	Yea.
61	May 21	Quorum call	Present.
		H. R. 7999, providing for the admission of Alaska into the Union:	
62	May 21	On motion that the House resolve itself into a Committee of the Whole to consider the bill. (Adopted 217 to 172)	Nay.
63	May 21	Quorum call	Present.
64	May 21	Quorum call	Present.
65	May 21	Quorum call	Present.
66	May 21	Quorum call	Absent.
		H. R. 5836, readjusting postal rates and establishing a Congressional policy for the determination of postal rates:	
67	May 22	On adoption of conference report. (Adopted 381 to 0)	Not voting.[1]
68	May 22	Quorum call	Absent.
69	May 22	Quorum call	Absent.
70	May 22	Quorum call	Absent.
71	May 22	Quorum call	Absent.
72	May 23	Quorum call	Absent.
73	May 26	Quorum call	Absent.
74	May 26	Quorum call	Absent.
75	May 26	Quorum call	Absent.
76	May 27	Quorum call	Present.
77	May 27	Quorum call	Present.
		H. R. 7999, providing for the admission of Alaska into the Union:	
78	May 28	On motion to recommit. (Rejected 174 to 199)	Yea.
79	May 28	Quorum call	Present.
		H. R. 7999, providing for the admission of Alaska into the Union:	
80	May 28	On motion to recommit. (Rejected 172 to 202)	Yea.
81	May 28	On passage. (Passed 210 to 166)	Nay.
82	June 2	Quorum call	Present.
83	June 3	Quorum call	Present.
84	June 4	Quorum call	Present.
85	June 4	Quorum call	Present.
86	June 4	Quorum call	Present.
		H. R. 12738, making appropriations for the Department of Defense for fiscal year 1959:	
87	June 5	On amendment increasing appropriation by $99,000,000 and requiring that the Army strength be maintained at 900,000. (Passed 225 to 159)	Nay.
88	June 5	On passage. (Passed 390 to 0)	Yea.
89	June 9	Quorum call	Present.
90	June 9	Quorum call	Present.
91	June 10	Quorum call	Present.
92	June 10	Quorum call	Present.
93	June 11	Quorum call	Present.
		H. R. 12591, extending the Trade Agreements Act for 5 years:	
94	June 11	On motion to recommit. (Rejected 146 to 268)	Yea.
95	June 11	On passage. (Passed 317 to 98)	Nay.
96	June 11	Quorum call	Present.
97	June 11	Quorum call	Present.
98	June 12	Quorum call	Present.
		H. R. 12541 providing for reorganization of the Department of Defense:	
99	June 12	On motion to recommit with instructions to bring bill in line with President's recommendations. (Rejected 192 to 211)	Yea.
100	June 12	On passage. (Passed 402 to 1)	Yea.
101	June 17	Quorum call	Present.
		S. 3910, authorizing rivers and harbors projects:	
102	June 18	On motion to suspend rules and pass with an amendment substituting text of bill containing only projects reported on by Corps of Engineers and Bureau of Budget. (Passed 374 to 17.)	Yea.
		H. R. 12858, making appropriations for civil functions of the Army, certain agencies of the Interior Department and the Tennessee Valley Authority (Public Works appropriation) for the fiscal year 1959:	
103	June 19	On passage. (Passed 362 to 18)	Nay.
		H. R. 12716, amending the Atomic Energy Act to permit greater exchange of information and material with military allies of the United States:	
104	June 19	On passage. (Passed 345 to 12)	Yea.
		H. R. 11077, incorporating the Veterans of World War I:	
105	June 25	On passage. (Passed 389 to 2)	Yea.
106	June 26	Quorum call	Present.
		H. Res. 609, providing for the consideration of H. R. 12954, the omnibus farm bill of 1958:	
107	June 26	On adoption. (Rejected 171 to 214)	Nay.

[1] Absent. If present, would have voted "yea."

Roll-call No.	Date 1958	Measure, question, and result	Vote
		S. 1832, authorizing appointment of an Assistant Secretary of State for African Affairs:	
108	June 26	On motion to suspend rules and pass. (Rejected 224 to 145, a ⅔ majority being required)	Yea.
		H. R. 12695, providing a 1-year extension of existing corporate taxes and certain excise taxes and repealing the transportation tax on property:	
109	June 27	On adoption of conference report. (Adopted 367 to 9)	Yea.
		H. R. 12181, authorizing the mutual security program:	
110	June 27	On motion to recommit the conference report. (Rejected 134 to 238)	Nay.
		H. R. 12832, amending the Interstate Commerce Act so as to strengthen and improve the national transportation system:	
111	June 27	On passage. (Passed 348 to 2)	Yea.
		S. 3342, continuing the special school milk program for 3 years:	
112	June 30	On motion to suspend rules and pass. (Passed 328 to 1)	Yea.
113	July 1	Quorum call	Present.
114	July 1	Quorum call	Present.
115	July 1	Quorum call	Present.
116	July 1	Quorum call	Present.
117	July 1	Quorum call	Present.
		H. R. 11477, clarifying the admissibility of statements and confessions as evidence in Federal courts:	
118	July 2	On passage. (Passed 294 to 79)	Yea.
		H. R. 13192, making appropriations for the mutual security program for the fiscal year 1959:	
119	July 2	On motion to recommit with instructions to add $75 million to funds allocated for defense support. (Rejected 166 to 214)	Nay.
120	July 2	On passage. (Passed 253 to 120)	Yea.
121	July 9	Quorum call	Present.
		H. R. 13015, authorizing certain construction at military installations:	
122	July 10	On motion to recommit with instructions to make permissive, rather than mandatory, the sale of San Jacinto Depot, Tex., property. (Rejected 179 to 202)	Yea.
123	July 10	On passage. (Passed 379 to 2)	Yea.
		S. 495, authorizing the acquisition of additional property in the District of Columbia for the United States Capitol Grounds:	
124	July 10	On motion to suspend rules and pass. (Rejected 232 to 156, a ⅔ majority being required)	Nay.
		S. 1411, relating to the suspension of employment of Federal civilian personnel on security grounds:	
125	July 10	On passage. (Passed 296 to 46)	Yea.
126	July 14	Quorum call	Present.
127	July 15	Quorum call	Present.
		H. Res. 597, providing for the consideration of H. R. 3, establishing rules of interpretation governing questions of the effect of acts of Congress on State laws:	
128	July 15	On adoption. (Adopted 266 to 114)	Yea.
129	July 15	Quorum call	Present.
130	July 16	Quorum call	Present.
131	July 16	Quorum call	Present.
132	July 17	Quorum call	Present.
		H. R. 3, establishing rules of interpretation governing questions of the effect of acts of Congress on State laws:	
133	July 17	On amendment specifying that no subversive activities law already passed by Congress should be construed as invalidating State anti-subversive laws. (Adopted 249-147)	Yea.
134	July 17	On motion to recommit. (Rejected 161 to 236)	Nay.
135	July 17	On passage. (Passed 241 to 155)	Yea.
136	July 18	Quorum call	Present.
137	July 21	Quorum call	Present.
138	July 22	Quorum call	Present.
139	July 22	Quorum call	Present.
140	July 23	Quorum call	Present.
141	July 24	Quorum call	Present.
		H. Res. 685, resolution providing for the consideration of H. R. 4504, authorizing $25,000,000 for mortgage insurance on marketing facilities for handling perishable agricultural commodities:	
142	July 24	On adoption of the resolution. (Rejected 164 to 211)	Nay.
143	July 28	Quorum call	Present.
144	July 30	Quorum call	Present.
145	July 30	Quorum call	Present.
		H. Res. 649, resolution providing for the consideration of S. 607, providing retirement, clerical assistants, office space, and free mailing privileges to former Presidents:	
146	July 30	On adoption of resolution. (Adopted 254 to 126)	Nay.
147	July 31	Quorum call	Present.
148	July 31	Quorum call	Present.
		H. R. 13549, providing increased social security benefits and social security tax increases to improve financial soundness of social security trust fund:	
149	July 31	On passage. (Passed 374 to 2)	Yea.
		H. Res. 659, resolution citing Robert Lehrer for contempt of Congress:	
150	July 31	On adoption of resolution. (Adopted 363 to 0)	Yea.
151	Aug. 1	Quorum call	Present.
		H. Res. 650, resolution providing for the consideration of S. 3497, authorizing $2,000,000,000 in loans to municipalities for community facilities:	
152	Aug. 1	On adoption of resolution. (Rejected 173 to 187)	Nay.
153	Aug. 4	Quorum call	Present.
154	Aug. 5	Quorum call	Present.
		H. R. 13015, authorizing certain construction at military installations:	
155	Aug. 6	On adoption of conference report. (Adopted 256 to 135)	Nay.
		H. R. 13580, increasing the public debt limit to $288,000,000,000:	
156	Aug. 6	On passage. (Passed 286 to 109)	Yea.
		S. 4071, providing for price, production adjustment and marketing programs for various agricultural commodities:	
157	Aug. 6	On motion to suspend rules and pass. (Rejected 210 to 186, a ⅔ majority being required)	Nay.
158	Aug. 7	Quorum call	Present
		H. Res. 675, resolution providing for the consideration of H. R. 13247, authorizing $1,070,000,000 for Federal scholarships, loans and aid to the States for educational purposes:	
159	Aug. 7	On adoption. (Adopted 266 to 108)	Nay.
160	Aug. 8	Quorum call	Present.
		H. R. 13247, authorizing $1,070,000,000 for Federal Scholarships, loans and aid to the States for educational purposes:	
161	Aug. 8	On motion to recommit. (Rejected 140 to 233)	Yea.
162	Aug. 12	Quorum call	Present.
163	Aug. 12	Quorum call	Present.
164	Aug. 13	Quorum call	Present.
		S. 2266, providing that wage rates for employees of Portsmouth, N. H., Naval Shipyard shall be the same as rates established at Boston Shipyard:	
165	Aug. 13	On motion to pass bill over veto of President. (Rejected 202 to 180, a two-thirds majority being required)	Nay.
		H. Res. 684, citing Bernard Goldfine for contempt of Congress:	
166	Aug. 13	On resolution. (Adopted 369 to 8)	Yea.
		H. Res. 686, citing Carl Braden for contempt of Congress:	
167	Aug. 13	On resolution. (Adopted 365 to 1)	Yea.
168	Aug. 14	Quorum call	Present.
169	Aug. 15	Quorum call	Present.
		H. Res. 682, providing for the consideration of S. 3683, authorizing loans, grants, and other financial assistance to depressed areas (Area Redevelopment Act):	
170	Aug. 15	On resolution. (Adopted 216 to 159)	Nay.
171	Aug. 15	Quorum call	Present.
		S. 3683, authorizing loans, grants, and other financial assistance to depressed areas (Area Redevelopment Act):	
172	Aug. 15	On motion to recommit. (Rejected 170 to 188)	Yea.
173	Aug. 18	Quorum call	Present.
		S. 4035, authorizing $1,225,000,000 additional Federal housing program:	
174	Aug. 18	On motion to suspend rules and pass. (Rejected 251 to 134, a two-thirds majority being required)	Nay.
		S. 3974, the labor-management reporting and disclosure act:	
175	Aug. 18	On motion to suspend rules and pass. (Rejected 190 to 198, a ⅔ majority being required)	Nay.
176	Aug. 18	Quorum call	Present.

Roll-call No.	Date 1958	Measure, question, and result	Vote
		H. R. 13607, providing for the establishment of a food stamp plan for the distribution of $1,000,000,000 in surplus food commodities a year:	
177	Aug. 18	On motion to suspend rules and pass. (Rejected 196 to 187, a ⅔ majority being required)	Nay.
178	Aug. 19	Quorum call	Present.
		H. Res. 601, providing for House disagreement to Senate amendments to H. R. 13247, authorizing $1,070,000,000 for Federal scholarships, loans, and aids to the States for educational purposes, and requesting a conference with the Senate:	
179	Aug. 19	On adoption of resolution. (Adopted 259 to 110)	Nay.
180	Aug. 19	Quorum call	Present.
		H. Res. 689, providing for consideration of S. 4036, subsidizing the copper, lead, zinc, acid-grade fluorspar, and tungsten industries:	
181	Aug. 19	On adoption of resolution. (Adopted 198 to 165)	Yea.
182	Aug. 19	Quorum call	Present.
		H. R. 13450, making supplemental appropriations for fiscal year 1959:	
183	Aug. 20	On motion to accept Senate amendment prohibiting appropriations to the National Aeronautics and Space Administration unless specifically authorized by Congress in annual authorizing legislation. (Rejected 126 to 236)	Nay.
184	Aug. 20	On motion adding $10,000,000 for construction of additional radio facilities for U. S. Information Agency. (Adopted 190 to 172)	Nay.
185	Aug. 20	Quorum call	Present.
186	Aug. 21	Quorum call	Present.
		S. 4036, subsidizing the copper, lead, zinc, acid-grade fluorspar, and tungsten industries:	
187	Aug. 21	On motion to strike enacting clause. (Rejected 171 to 174)	Yea.
188	Aug. 21	On passage. (Rejected 159 to 182)	Nay.
		S. Con. Res. 109, expressing the sense of Congress for the establishment of the United Nations Police Force:	
189	Aug. 21	On motion to suspend rules and pass. (Adopted 299 to 20)	Yea.
190	Aug. 22	Quorum call	Present.
		S. 3332, donating land and providing for construction in the District of Columbia of a National Cultural Center:	
191	Aug. 22	On motion to suspend rules and pass. (Passed 261 to 55)	Nay.
		H. R. 13343, authorizing the appropriation of $500,000 for the Pan American games in Chicago, Ill.:	
192	Aug. 22	On motion to suspend rules and pass. (Passed 244 to 64)	Nay.
		H. R. 13489, making appropriations for military construction:	
193	Aug. 23	On adoption of conference report. (Adopted 300 to 1)	Yea.
194	Aug. 23	Quorum call	Present.
		H. R. 13247, authorizing loans and aid to the States for educational purposes:	
195	Aug. 23	On adoption of conference report. (Adopted 212 to 85)	Nay.

Report to the Second Congressional District of South Dakota

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BERRY. Mr. Speaker, under leave to extend my remarks in the RECORD, I insert a résumé of legislation in this session of Congress which goes to my constituents in the Second Congressional District of South Dakota. The newsletter is as follows:

At the close of each session during the past 8 years, I have made a report to the people of the Second Congressional District of South Dakota, summarizing the action of Congress in an attempt to give you a thumbnail analysis of the way I have cast your vote for you in the Congress of the United States.

During the sessions I send out a weekly report to all the newspapers; once a month I get out a newsletter; I have had a weekly radio broadcast; and during the recess, I hold meetings and maintained a travelling office in every county, in an effort to see and visit with as many people and groups as possible.

In this report I want to emphasize that there are two sides to every issue coming before Congress. Some are based on political philosophies, some are based upon economic conditions, some upon area needs, and some upon group pressures. I hope it will always be possible for honest and sincere men and women to differ in their conclusions on public questions. My purpose has been to carefully examine and weigh legislation, balancing the benefits to all, against the immediate benefit to the few. I have dodged no votes; my record is in the upper 5 percent of those answering roll calls; I have carefully explained my position; I have not been a rubber stamp; I owe no allegiance to anyone or any group except the 165,000 people in western South Dakota. It is those people to whom this report is addressed.

BUSY SESSION

This has been a hard session. Although it has enacted some productive legislation, it has been the most reckless, irresponsible, expensive session in peacetime history. Founded upon sputnik hysteria, every spending bill was given a label of national defense or national recovery. I cast your vote against most of them because I believe our survival lies in remaining the most powerfully armed Nation in the world, and, as such, speaking softly but firmly from a position of strength and carrying this "big stick" to back it up. In addition, however, to me it is absolutely essential that we remain strong economically, because the military strength of any nation is only so strong as the economy behind it. If we spend ourselves into bankruptcy, we have lost everything and when this happens, the Free World goes down the drain with us.

History has proven that more nations, down through the years, have been destroyed by inflation than by invading armies. Inflation will destroy more nations in the future than the most terrible bomb that can ever be invented. High taxes, high government spending, and deficit financing create inflation.

Lenin said, "You can compel the democracies to bankrupt themselves." I have cast your vote against most of this spending because national bankruptcy is accomplished through inflation. When the value of a nation's money is gone, it is bankrupt. Yes, this has been a difficult session.

AGRICULTURE—FARM BILL

It has been almost impossible to get a satisfactory farm bill through this session. This is true because of the diversity of interest, pressure from the various regions of the Nation increase their income by increasing production of the various farm commodities, and because the several farm organizations are not in agreement upon any legislation.

In addition to this overall problem is the situation we find in the House Agriculture Committee. That committee is composed of 37 members, 22 of whom are Democrats and 15 Republicans. Of the 22 Democrats, 14 are from southern States; all Republican members are from northern States, 9 from the Middle West.

Because of the committee composition, it is natural that emphasis is placed on legislation dealing with cotton, rice, tobacco, and peanuts, plus legislative loopholes permitting Northern crops to be grown on diverted acres in the South. It was this situation that created the "log jam" in the present session. A compromise was worked out affecting cotton, corn, and feed grains, plus an extension of the National Wool Act, Public Law 480, providing for foreign disposal, and the school lunch program. The feed grain section was not what we in the North would like to have had, but it was that or nothing, and on several occasions it looked like nothing.

There is a philosophy that farm prices are made in Washington. This may be true of legislatively controlled crops, but it is not true of production and income. Mother nature has smiled upon South Dakota and the Middle West, and while acres and prices may be reduced, farm income will probably be 25 percent higher than in 1957. Fears that were fanned for a recession have proven to be mostly a tempest in the teapot.

INVESTMENTS IN FUTURE

While increased spending without increased production is inflationary, spending which improves our natural resources and increases production, is not. Appropriations have been increased to improve our national parks and national monuments. Appropriations for the Interstate Highway System were boosted. South Dakota benefits materially from this as it puts our tourist attractions on the main thoroughfare of the Nation.

LABOR LEGISLATION

The so-called labor reform bill was a sad disappointment to those of us who have been attempting to get reform in labor legislation. We were hopeful of getting legislation to insure honest elections in labor unions, to protect welfare and trust funds, to eliminate secondary boycotts and sympathy strikes, and place the larger unions under antitrust and antimonopoly laws to protect the working man.

The labor leaders wrote the bill on the Senate floor. It came to the House where the Speaker held it 41 days before referring it to the Labor Committee for consideration. The committee then voted against holding any hearings. It came to the House floor under the "gag" of suspension of the rules, which prohibits any amendments and permits only 40 minutes of debate. A bill, virtually written by labor bosses, rammed through Congress without 1 hour of House committee hearings and under a procedure which limited debate to 5 seconds per Member, was killed by a vote of 190 for, to 198 against. They received only 14 votes besides the 176 Members labor money elected. Protective legislation will be written when the people demand it—that time must be soon.

INTERNATIONAL

Congress gave to the President the authority requested by him for reorganization of the Defense Department, putting the Secretary of Defense in direct command of the Armed Forces and giving him explicit authority to assign weapons to services as he sees fit and giving the Joint Chiefs of Staff direct operational authority.

Without my vote, Congress passed a 4-year extension of the Reciprocal Trade Act, permitting a 20-percent further tariff cut, and the mutual security authorization of about $3¼ billion. I am fearful of the further slashing of protective tariff rates, and with about $8 billion already appropriated and unspent for mutual security, it hardly seemed wise to further increase "red ink" spending at this time.

MISCELLANEOUS

Unemployment compensation was extended for 16 weeks on a loan basis to States. By 6 votes we killed an all-things-to-all-people "dole" amendment costing $1.5 billion to pay all unemployed, regardless of need. Set up a new agency to cope with problems of space. Created a new star and a new State from the Territory of Alaska. Passed a $5.5 billion highway construction bill. A $524 million Federal civilian pay raise. One-cent increase in postage rates. A $1.5 billion rivers and harbors construction authorization. Federal aid through grants and loans for college education, which a majority seemed to feel was better than reducing taxes, permitting parents to keep their money to educate their own children. Increase pay to military personnel as an inducement for capable people to remain in the service. Provided relief to railroads through Government loans instead of getting at the source of the present problem, which is excessive Government regulation. Made permanent the Small Business Administration. Increased the national debt in spite of my vote. I felt Congress should be brought to realize what their reckless spending is doing, and apparently the only way to accomplish this is to return a few checks marked "insufficient funds." Several other grant-in-aid laws were passed and other laws in which the Federal Government further usurps the power over the State and local governments. All economists predict that the Federal deficit will exceed $10 billion by June 30, 1959. As I indicated at the outset, this has been the most expensive Congress in peacetime history. The voters of the Nation can do something about it this fall.

Sincerely yours,

E. Y. BERRY.

Rear Adm. Edward C. Stephan, United States Navy

EXTENSION OF REMARKS
OF
HON. HENRY J. LATHAM
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. LATHAM. Mr. Speaker, it is with mixed emotions that we learn that Adm. Edward C. Stephan is leaving his assignment as Chief of Legislative Liaison and moving to the important command in charge of our South Atlantic naval forces. We are sorry to see him go but wish him every happiness and success in his new assignment.

The Members of Congress have come to know Admiral Stephan as a fine friend and a great aid in conducting their legislative duties. He was never too busy to lend a hand to assist with the many difficult problems pertaining to the Navy, which daily presented themselves.

He was an outstanding combat officer, holder of the Navy Cross, the Silver Star Medal, the Gold Star in lieu of the second Silver Star Medal, and the Gold Star in lieu of the third Silver Star Medal for outstanding service in the Pacific as a submarine skipper.

He is a great American, a naval officer who has lived and fought in the finest tradition of the service and we wish him Godspeed.

Dedication of Memorial Park Monument, Brooklyn, Ohio

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FEIGHAN. Mr. Speaker, at the invitation of Mayor John M. Coyne, the very able, distinguished, and civic-minded mayor of Brooklyn, Ohio, it was my privilege to speak at the dedication of the Memorial Park Monument. Under leave granted, I insert my address in the RECORD:

It is a great honor to participate in the formal dedication of this fitting Memorial Park Monument which shall stand henceforth as a symbol of our esteem for and indebtedness to all those who served our beloved country in time of need. This monument shall stand as a timeless reminder that the chains of human slavery rest infinitely heavier upon the shoulders of free men than the wearing of a soldier's gear in defense of our priceless liberties and freedoms. The American Legion and all those good citizens who cooperated in making this memorial possible are to be congratulated for a job well done.

The birth of our Nation marked the most significant step in man's long struggle upward toward a system of government which recognizes the dignity of man as the highest value which can be secured for any people under any form of government. History is replete with many dark chapters of man's inhumanity to man and the degradation visited upon whole civilizations by despotic rulers who saw in other men nothing more than the opportunity for exploitation. The ambitions of these despots led to military campaigns and great human sacrifice as the empires of their dreams were fulfilled. Since recorded history the common man has struggled against the schemes of the tyrant, sometimes successfully and many times unsuccessfully. But always the struggle of the common man has pressed forward toward the forming of a society in which all men would be equal and in which the God-given right to life, liberty, and the pursuit of happiness would be a reality. It was this great ideal, forged upon the anvil of long trial and great sacrifice, which inspired our Founding Fathers to proclaim the Declaration of Independence. Their inspiring charter of high purpose and intent lifted up the hopes of all mankind for a better life, for a better world. That historic document stands today as the only acceptable foundation for the forming of both our domestic and foreign policies. It expresses in clear and unmistakable language the basic human rights that must be enjoyed by all our people and our fervent hopes that these same rights be enjoyed by the people of all nations of the world.

National devotion to these timeless principles has made us a peace-loving nation, a nation which has never coveted either the territory or possessions of any other nation or people, a nation which has sought only justice and security for our own people. It is to our everlasting credit that it can be said with honesty we have never committed any unprovoked acts against any other nation and have been drawn into war only as a matter of absolute necessity and in our own self-defense.

This is what has made our country down through its history a haven for the persecuted and the victims of tyranny and dictatorship which cause war and human misery. The United States of America has stood not only as a symbol of peace among nations, but as a land of opportunity for the individual to find peace and tranquility in which to live. That is why we have always stood ready to defend the rights of small nations—those who, by sheer numbers, were threatened by large and aggressive empires on the march. That is why we have helped other nations gain their independence and to hold it against external threats after winning it.

Twice in the lifetime of many of us gathered here today the youth of our Nation has been called upon to defend our priceless values of individual liberty and human freedom. Twice in that lifetime we have been drawn into worldwide conflicts because the basic liberties and freedoms of our people were threatened by tyranny on the march. Twice more within the lifetime of all here present our youth have been called upon to repulse the aggressive tide of Russian communism which seeks to enslave the entire world.

In 1950 the Russian Communists instigated a war in Korea. Their objective was to drive the United States out of all of Asia and thereby to consolidate this huge land mass and many millions of people into their new empire. In retrospect one can now see that had the Russians been successful in this effort, their next step would have been to drive the United States forces for freedom out of Japan and from there the Russian conquest of the rest of the Eurasian land mass would have been only a matter of time. Had they been successful in this maneuver, it would then have been possible for them to concentrate their forces for the conquest of all of Europe and Africa. It should be obvious to all that such circumstances would place the United States and the entire Western Hemisphere dangerously close to isolation. It is no secret that the Russian plan for world conquest calls for whittling down the overall strength of the Free World, leading to our isolation. If they are ever successful in this phase of their plan, they will then launch an all-out attack against the United States.

This Russian maneuver in Korea was defeated. All of us know this Russian defeat was a costly one in which many of our heroic men paid the supreme sacrifice. It is true that we were joined in this defense of freedom by many other nations, but the burden of defense was borne in the main by our own boys.

Within the last several months the world has witnessed another Russian effort to implement their plan for world conquest. This effort occurred in the Near East which is the Russian gateway to Africa and all of

South Asia. This time the Kremlin changed its tactics from open armed aggression such as they used in Korea, to the tactics of internal subversion of a free, democratic, and independent country. The small country of Lebanon was the target of this new Russian intrigue. The Kremlin had already secured a foothold in Syria and was using Colonel Nasser of Egypt as an instrument to consolidate all of the Near and Middle East into an anti-Western bloc while at the same time preparing the emerging Arab bloc for massive infiltration and eventual takeover by the Russians. Little Lebanon, with its firm adherence to the principles of democracy and Western orientation, stood as a roadblock to this scheme. These are the hard, cold facts which are in back of the crisis in Lebanon. The legal Government of Lebanon called upon the Government of the United States to protect its freedom and national integrity. This was the challenge which faced President Eisenhower. In these circumstances President Eisenhower could make only one decision. He made the decision to respond to the appeal of the legitimate Government of Lebanon. If he had failed to take this decision, it would not be long before the entire Near and Middle East would be integrated into the Russian power bloc which would open to the Russians the gateway to Africa and all of South Asia, and deny free countries access to the strategic Suez Canal. This would have placed the free nations of Western Europe in an untenable position and thereby the United States, because of our membership in the North Atlantic Treaty Organization.

After fighting two world wars, one of them on global fronts, after being called to defend the cause of freedom in Korea and Lebanon, the temptation exists to become disillusioned and cynical about the world around us. But we Americans will become neither disillusioned nor cynical. We know from the lessons of our childhood that it is the destiny of our country ever to remain the citadel of freedom. Each generation of Americans must keep this rendezvous with destiny.

We can learn a great deal about the defense of our liberties and the prevention of war from a study of the mistakes, defaults, and unwarranted timidity of the free nations in the period between the world wars. The League of Nations had been established to secure peace and to provide a basis for pacific settlements of differences between nations. In the early years of the League the twin tyrannies of nazilism and communism rose up and began to make threats against smaller nations. The League in turn expressed its concern through spirited debates and appeals to reason.

It was not long before Hitler convinced himself, and, unfortunately, many others, that democracy was decadent and unwilling to defend its own interests. He began nibbling away at the territories of other nations and engaging in a form of economic and propaganda warfare which threatened the peace. The League of Nations debated some more but refused to heed the advice of some realistic statesmen, among them Eamon DeValera of Ireland, who called for sanctions against the dictators backed up by the collective action of free countries. Consequently, the Russian dictators became convinced that Hitler would destroy all the democracies, so they joined up with him in an effort to divide the spoils. The result was World War II.

The lessons of history teach us that we cannot preserve the peace by attempting to placate the tyrant. The more we attempt to placate the dictator, the greater will become his appetite for more and more concessions. In turn, the more concessions he wrings from the timid and wavering statesmen, the more confident he becomes that he can take anything he wants by force or intrigue without serious fears of sanctions or reprisal. All this leads to a deterioration of the forces which sustain peace until there is no course open but war—a war of survival for all those things which civilized mankind treasures as much as life itself.

We will never prevent the outbreak of world war III unless we are prepared to make the smaller sacrifices necessary to stop the dictator before he gets his war machine into full gear. This means we must stand up to the loud threats of the Russians, we must encourage other and smaller nations to stand with us in a common determination to prevent war. We must be prepared to defeat every aggression of the Russians, whether it be by direct armed intervention or indirectly by intrigue or internal subversion. If we do this and stand firmly by the friends of freedom throughout the world, we will prevent another war. If we fail in this responsibility, we will fail the cause of peace and justice.

Daniel Webster, in his generation, when faced with tasks no less trying than ours, inspired his contemporaries with these words: "God grants liberty only to those who love it and are always ready to guard and defend it." We Americans at this point in history, standing as the most powerful Nation in the world, have accepted the challenge of destiny and our role as defenders of liberty and human freedom.

This magnificent monument to the heroism of all those who stood in defense of our historic role will be a guiding star for our younger generations into whose hands the course of human events has placed the sacred torch of freedom. As I look upon this monument, I am reminded of the immortal words of John McCrea, a young soldier in the British army, written during the course of World War I:

To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.

These immortal words stand as a challenge to us in our time. We must not break faith with those who fought and died in defense of the priceless values of our American way of life. We owe this to them, to ourselves, and to future generations of Americans. We must preserve and extend the blessings of human freedom. This is the real challenge of our times.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of August 23, 1958:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)

AUGUST 23, 1958.

Legislative measures are being considered so rapidly it is difficult to list them, much less describe. The basic study and debate of new legislation has been replaced by conference reports, the compromises of the differences of earlier House and Senate bills, respectively.

The defeat of the omnibus housing bill and the alleged labor reform bill was surprising to many and clearly showed that, though hurried, the House could act responsibly. The Housing bill of 1958 (supplementary to the earlier $1.85 billion March emergency housing bill) provided something for everyone, totaling $2,900 million (a reduction from the $4,412 million Senate bill). There were funds for housing the elderly, for Government purchase of mortgages, college housing, college classrooms, and laboratories, and reactivated public housing. Downpayments on homes were reduced ($1,355 from $1,980 on $20,000 home for example). Even the Housing Administrator admitted this bill wasn't necessary, that the housing industry could do well without it. Surprisingly, proponents still stressed the recession reason, forgetting the known facts on the construction industry's health. The bill failed to pass: (Significant possibly could be the hurried consideration, only 40 minutes debate and no amendments permitted. For the second time this year on housing legislation, the printed bill wasn't ready.)

The Labor-Management Reporting and Disclosure Act of 1958 (S. 3974, known as Kennedy-Ives bill), allegedly to correct labor leaders' misuses of labor's power and funds, also violence, graft, and corruption disclosed by the McClellan committee hearings, we found to be a whitewash which evaded the needed corrective action and sought to transfer blame to management. Employers, under criminal penalty, could not communicate with workers, while picketing, secret ballot, and secondary boycotts were left untouched. In fact, none of the six basic needs were covered: (1) Unions subject to antitrust law; (2) preservation of State jurisdiction; (3) prohibition of compulsory unionism; (4) judicial review of Federal wage setting; (5) prohibition of secondary boycotts; (6) establishment of secret ballot for union members. The bill was the week's or year's political football. Even as the House Labor Committee voted against considering the bill at all (22-7, all the Democrats voting against), the Chicago and Detroit papers were heralding the Rayburn-Reuther agreement, wherein Speaker RAYBURN agreed to bring the bill directly to the House floor under suspension of the rules (see HOFFMAN of Michigan: "The Sellout and the Payoff," CONGRESSIONAL RECORD, August 18, 1958, pp. 18267-18268). Sure enough, it happened as forecasted. Now Reuther couldn't lose—he'd win either way—the House either passing a "nothing" bill (see KEARNS of Pennsylvania, p. 18266; BARDEN of North Carolina, pp. 18266-18267)—or rejecting it, and those Members opposing it subjected to the accusation of being against labor reform. The House rejected the bill (198-190, under suspension two-thirds majority needed for passage), a coalition of Republicans and southern Democrats joining together—137 Republicans and 61 Democrats (for the bill—149 Democrats and 41 Republicans). The President, as well as many Members (Members not supported by labor) condemned the bill and the political maneuvering.

The social security bill (August 2 newsletter) was improved by the Senate and on return to the House passed handily. The President echoed my earlier criticism of title V, Federal grants to States, threatening a veto. The Senate cut the amount $288 million. My satisfaction was lessened by Senate failure to meet the challenge of attempting to make it actuarily sound.

Additional money for the USIA (United States Information Agency) produced some lively and caustic criticism of the personnel and accomplishments of the USIA. We all know we Americans must "sell our product", United States ideals and principles. We can mirror America to the world or wage a propaganda campaign in the cold war. It seems to me we fail to accomplish either one. Rather we seem to try to mastermind others, forgetting others must work out their problems their way, nor can our pouring out dollars solve every problem.

The minerals subsidy bill ($454 million) gave us a choice of subsidizing copper, lead, zinc, fluorspar and tungsten or raising the tariff to protect these resources from imports—an interesting commentary on present day philosophy. Many reciprocal trade supporters think it necessary and proper to subsidize United States industry—where will this odd reasoning take us? Fortunately, the bill was defeated.

Other items of interest: The recommendation for establishment of a U. N. police force passed; the Federal aid for scholarship passed (more loans added with some repayment forgiven), the Presidential pension bill passed (Senate added $50,000 yearly clerical help, besides $25,000 pension). Defeated were H. R. 3 to preserve States rights against Federal preemption (by Senate); Supreme Court curbing of jurisdiction (by Senate).

The 85th Congress was a spendthrift Congress. Now the taxpayers must pay, the currency will be devaluated, and the debt passed on to our children. Yet many will praise this Congress. O tempora! O mores!

National Defense and United States Foreign Policy

EXTENSION OF REMARKS
OF
HON. RALPH W. YARBOROUGH
OF TEXAS
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. YARBOROUGH. Mr. President, on August 3, 1958, I delivered an address at the annual Department of Texas State Encampment of the American Legion, at Fort Worth, Tex. Since that date I have been urged many times to have what I said printed in the RECORD.

I now ask unanimous consent that the address I made on the occasion to which I have referred be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NATIONAL DEFENSE AND UNITED STATES FOREIGN POLICY

(Speech delivered by United States Senator RALPH YARBOROUGH at annual Texas Department Encampment of American Legion at Fort Worth, Tex., August 3, 1958)

Mr. Chairman, with me there has always been the feeling that in some special way—peculiar to his breed—the veteran, perhaps more than other citizens, is the custodian of America's freedoms, her integrity, her security. To have fought for one's country widens and deepens one's stake in her survival. It provides, it seems to me an element of personal involvement afforded in no other way. It may very well be that veterans like ourselves get a little weary hearing it said from public platforms on Flag Day that we offered our last full measure of devotion for our country, and, indeed, that many gave it.

There is, on the other hand, the opposite avenue of approach.

This runs toward the gratuitous tendency to preach the veteran a lesson. He is now reminded obliquely, unnecessarily and—it seems to me—offensively, that—I quote: "Military service in time of war or peace is an obligation of citizenship and should not be considered inherently a basis for future Government benefits." You see on Memorial Day the theme is the veterans' sacrifice. But on that other day when the veterans' items are meticulously reviewed in a $72 billion budget, there is the not so nice talk about this or that so-called veterans' pressure group.

Now in my vocabulary integrity is a very big word.

It happens to be my point of view that there is a sound and inseparable relationship between a nation's obligations to its veterans and a nation's obligations to its traditions which the veterans fought to preserve. If the American Legion holds a strong place in the inventory of institutions I respect, it is because you have established a policy, a line of conduct, a program of commitment and you have persistently and consistently hewed to your announced line. It is this pattern of conduct I should like to see the United States adopt in its national defense policy and in its foreign policy.

The mind that will laud and eulogize and memorialize the veteran on Monday and complain about veteran benefits on Friday is apt to apply the same slipshod method of thinking to its commitments around the world and its capacity to support those commitments. The American Legion which has known World Wars I and II and Korea at first hand, knows the axiomatic relationship between a national commitment, which in essence is a challenge, and the power of the force to back it up. All I am saying is that we cannot make diplomatic commitments, political commitments, economic commitments around the world, and, having made them, keep ourselves militarily in a state of helplessness to carry them out.

If this is not precisely the line upon which we are now traveling as a nation it is certainly the line to which we are tending with perilous closeness.

It is very doubtful if we can at this hour sustain with force those things we have promised to do or those commitments we are pledged to fulfill. And the world we live in is obviously and spectacularly a world of force and not of peace. If we live at all in this hour as a free and a powerful nation—the last hope of a free mankind—it is because we have, whatever our limitations, such strength in being as the potential enemy is bound to respect. The Congress knows, the American Legion knows, the neutral nations know, and—above all the enemy watching over the Kremlin wall knows—it is this strength in being, not on the drawing boards and in budget figures, that has kept the peace of the world, such as it is.

But even this strength in being so vital to our survival is—as I speak to you—threatened with dangerously overwhelming competition. The United States strength that right now holds the enemy in check, may not be relatively as great in 1960, 1961, 1962, and 1963. The experts in military potentials see an approaching peril. The world may in this period arrive at the frightful posture in international military might which will give the balance of power—definitely—to the Soviet Union. In these critical years it is not unlikely that the Kremlin will achieve dominance over the United States in nuclear striking power.

Our weakest military position as against the Soviet Union is in the area of missiles. In some quarters this is described as "pitiable." If we consider that our strength in foreign policy is only as strong as our national defense we can evaluate the magnitude of our plight should this state of affairs fail to be corrected. The Soviet Union has already scored up a total of more than a thousand tests of ballistic missiles that range from 500 to 1,400 miles. These distances are significant. If we can grant the Soviet Union this kind of reliable missile success it means that the Kremlin is now in a position to put our overseas bases out of commission. With our overseas bases out of commission, we are like an amputee fighting with one of his legs cut off.

Moreover the Soviet Union already has behind its program a number of tested intercontinental ballistic missiles. We have just proven our first one.

Luckily we are not, as of now, missile-naked.

But even what we have is still in some categories subject to doubt and misgiving. During the dangerous years from 1960 through 1963 we will continue to have some hundreds of intermediate range missiles in position in Europe. Here on this soil we will have 40 of the subsonic Snark missiles and we will have some four wings of the Titan missile. We will have nine wings of the Atlas missile.

Atlas and Titan pack the punch.

It is estimated that by 1960 we shall have 30 Atlas and Titan missiles ready for duty, should that dreadful need arise. When I say ready I mean for the real purpose that motivates our moral position—that is as a deterrent to world war III. Thus 60 Atlas and Titan missiles in 1960; 70 a year later, and 130 by 1962. Also it is expected that by 1962 we will have in being the Navy's submarine-born Polaris missiles. After that—I hope soon after we may have operational the solid-fueled Minuteman missile.

But what about Russia?

Our experts estimate that the Soviet Union should be equipped with a thousand or 2,000 medium range missiles during the critical years from 1960 to 1963. It is expected they will have ready their first 100 intercontinental missiles by 1959 with a regular production line of 500 a year by 1960. Where we will be producing tens and hundreds the Soviet Union will be ahead of us with missiles in the hundreds and the thousands. Khrushchev has already shouted it to the world that Russia's operational intercontinental ballistic missile—the ICBM—is capable as of now of landing its nuclear warhead at any target selected, and, presumably in the United States, worthy of such catastrophic destruction as their big bomb can mete out.

We may have been once the foremost nuclear power in the world—but that's hardly the story today.

I cite some of these military horror statistics because I know we are free of any danger of hysteria as a nation and are on the contrary much more prone to over-complacency.

That's been our story since the end of World War II.

We believed the Soviet Union had no production capacity industrially compared to our own—and we were wrong.

We believed that the Soviet Union had none of the mechanical know-how that we had, and we were wrong.

We believed that the Soviet Union was backward educationally—compared to the United States—and we were wrong.

We were sure that in the sciences we were so far ahead of the Soviet Union—and especially the nuclear sciences—that it wasn't even funny, and we were woefully wrong. We had Sputnik I and Sputnik II pushed in our faces, and I doubt that, apart from a little surprise, we have yet awakened to the enormity of the threat that confronts us.

We have to remember as I speak that the Soviet Union has an underseas armada of upward of 600 submarines, some of them so modern I doubt we fully understand some of their devices. When I say 600 submarines, it means just 100 percent more than all the

rest of the submarines in the world put together. They can use these submarines to attack American cities within 600 miles from either the Atlantic or the Pacific seas with nuclear explosives. They can do it from under water and they can do it free of the capacity of our radar devices to detect them and ferret them out.

It is anybody's guess which is more deadly: The Soviet ICBM or the Soviet submarine, nuclear equipped. Add to all this Russia's 175 mechanized, atomic-equipped divisions. Add an air force of 5,000 planes, mostly modern jets. Russia already has an atomic-powered surface ship, an icebreaker, and is readying for launching an atomic-powered transport plane, both the first in the world.

Of course, we have the Strategic Air Command and its inordinate capacity to wreak devastating and eternal havoc on the attacking enemy. And we have allies who are indispensable to our security.

But it would be tragic foolhardiness, suicidal to the point of 30 million American dead, and vast mountains of big-city rubble, to face the gravity of these facts with any national attitude of optimism. It is even worse to dress up the ugliness of the truth with the artificial estimates that struggle to put a brighter sheen on the dark face of things. The Gaither report and the Rockefeller report testify further to the need for strengthening our defense. The Gaither report urged a jump from $38 billion to $46 billion in our defense budget. The more recent Rockefeller report advised a $3 billion increase. This report speaks of the rapidly deteriorating position of the United States as against Russia in military strength.

On the economic, the political, and the propaganda front the Soviet Union has also made enormous strides. The Communist bloc promised altogether $1.5 billion in credits to 10 underdeveloped countries. Where usually we charge 5-percent interest on our loans, the Soviet Union generally charges 2 percent. The conditions are, of course, hardly identical and, of course, the Soviet Union pushes itself in politically right behind its rubles while shouting from the rooftops that its aid is free of all strings. But we are not comparing Soviet slavery nor the deprivations of its people to give the state its military preeminence, with the status of Western morals. In a cold evaluation of brute facts we have but to consider that the Soviet Union is ahead and that we had better take stock of the situation.

We have fallen behind in research and development. We have been lulled into a sense of false security by the illusion we were the great military power, the great nuclear power, and would remain so. The sad fact is that today we are using only second-rate missile power—while the Soviet Union is using first rate missile power propulsion that has placed over 1 ton of equipment into world orbits. Caught up in a false cloud of optimism and wishful thinking we have been passed by the ruthless dictators of the Kremlin, whose avowed aims and complete lack of moral principles makes this situation at once a dire, dangerous, and disgraceful one for the United States to have fallen into.

And, moreover, the situation promises to get much worse—the superiority of Russia's military might over that of the United States much more pronounced, before it gets any better. To allow Russia military superiority is to invite disaster.

With the opiates of optimism and a false feeling of invincibility we have been outstripped in technical education, in missile research, fuel research, missile production, in a word we are running a very poor second in the weapons of war which are now the primary and basic weapons. Our reliance on conventional aircraft for our main military punch is as ridiculous as would have been trying to fight World War II with the aircraft of World War I.

I agree with my fellow Senator from Texas, who is the chairman of the Military Preparedness Subcommittee, that the grim sense of urgency so plainly demanded in our Defense Establishment and defense development and preparedness programs is lacking. The Secretary of Defense is giving us sugar-coated phrases of assurance, when what is needed is missiles. It may be that success in the soap business is 90 percent smooth talk, eloquent assurances, skillful advertising, and a little sweet perfume to enhance the product; but in the life and death business of defense and war, it is just the plain, brute, military strength that counts—and we have been soft-soaped into a position of outright inferiority in military strength, we rely on military means of survival that are obsolete compared to those possessed by the would be world rulers in the Kremlin.

This situation has arisen first off because we are given to desires for peace, and Russia is given to desires for conquest. That is why we got lulled into the sense of false security that has placed us in such grave peril, and such a sorry military inferiority. That was bad enough. But how much worse is it to have allowed this military superiority of the Soviet over the United States to have steadily and rapidly increased—and it is still steadily and rapidly increasing.

The Republican Party's shortsighted insistance on a balanced budget, as against the Democratic Party's unheeded insistance on a favorably balanced military posture—which was the main plank of the Democratic platform in 1952, has brought us to the brink of disaster and the great military inferiority inevitable under such inept policies. And at the same time the lack of clear-cut foreign policies of definite direction and stability, the lack of foreign policies sufficient to meet the challenges of the times, have added to military inferiority the bonus of diplomatic inaptitude.

The President of the United States, surrounded on all sides by the Republican braintrust of advisers with the wrong information, the wrong attitudes, and the wrong answers, has been a classic example of a great and able man fettered by a weak and feeble organization that is just simply out of step with our times.

The State Department has succeeded in becoming thoroughly ineffective in the Middle East, and thoroughly damaging to our traditional good relations with our South American good neighbors. The Republican braintrusters on finance managed to produce another depression from their bag of tricks, as well as to see that the Government pays twice as much interest on the national debt, as previously. The idea of us little folk paying the big bankers more in Government interest, and cutting corners on defense till we're cut right into a poor second in military preparedness, that kind of idea really seems to appeal to the Republican braintrusters. Well the time has come for less soft soap selling and more hard fact facing. The time has come to foster dynamic and realistic foreign policy, not Foster Dulles. The time has come to revise American superiority and dynamism, not to perpetuate inferiority and ineffectualism.

I feel sorry for the President, with such a braintrust thrust upon him to fumble our Nation's welfare into jeopardy on every front. At home an industrial recession created by the financial braintrust, an agricultural program nightmare, at home and abroad military inferiority for lack of money, and abroad diplomatic mistakes and perils, and problems which require creative dynamism where negative pessimism is furnished up by the braintrust. One thing you can say for it is that its a pretty well rounded picture—however sad it may be. The Republican braintrust hasn't missed any field, they've messed them all up about equally well.

Out of all this dilemma one happy fact emerges. That is that the President is his own military braintrust. He came to the Democratic Congress this year and said he had to have a military reorganization bill to make the military more effective. The Republican braintrust told him there would be all kind of opposition to that in the Congress, but when it came to the floor in the Senate not one Senator voted against it. The President is getting his military reorganization bill, and he says he's happy about it. I have high hope that that is the one field where the braintrust can't mess him up, and that he will quickly impliment the military reorganization program in a way that will reshow the world he is still the expert in that field.

And now that he's got a clear field to put through military reorganization to attain maximum effectiveness and efficiency with what we have, militarily—let's hope that the President won't let any minor wonders of the Republican braintrust cripple our research and development programs further in these perilous times where we face the disheartening fact that Russia has simply passed us by in weapon development and production. The braintrust is holding the budget, but the American people and their security are left holding the bag. I have high hopes that "an agonizing reappraisal" of the wonders the braintrust has wrought will cause the President to do two things:

1. Personally direct an all out effort to not only come up with an effectively reorganized Defense Department, but also one equipped with weapons as effective or more effective than Russia's, just as quickly as is possible with no effort left unspared to attain that goal.

2. Secondly, I hope that the President may see that the best thing he can do for America is to become a trust-buster and break up the Republican braintrust and get some new dynamic people in to straighten out foreign policy, and financial policy, and farm policy, because the American people won't have a chance to break up that pathetic braintrust themselves until 1960.

That the President himself, in spite of the Republican braintrust rather than because of its poorly advised advisors, may take the powers he asked for and has been given and effectively reorganize defense, and at the same time reorganize his advisors so that some properly informed people with proper attitudes and proper answers can straighten out the sorry state of our foreign policies, financial policies, and farm policies, is the best we can possibly hope for, and the least we should definitely insist on and demand.

If enough good Americans make it plain to the President that is what they want and expect him to do, we won't have to wait until 1960 to get back on the road to reason.

And let us make no mistake about it, that is where America must get and get now—back on the road to reason.

America must regain, what the American Legion has maintained—sound establishment policies and lines of conduct; and sound programs of commitment, persistently and consistently hewed to.

The American Legion can render no greater service in this hour of our country's need, than to be the "minutemen" of today—to alert the Nation to inferiorities and perils that perplex us, and to propose dynamic and sound remedies and answers to the challenges that face America today.

I have great hope, and faith, and confidence that the American Legion will perform that service so valuable to the country, and I am sure that the Department of Texas will be in the forefront of those who seek to protect their Nation's freedoms and welfare, as Texans always have been.

I salute you, Legionnaires. We who have served our country in war, surely must serve her in peace, with all the clear-sighted vision, and determination, and leadership that we can give. We must guide our Nation on the road of reason, on the road of a dynamic and vigorous national defense and United States foreign policy, and of sensible domestic policies, for only such a road of reason can prove to be the path of peace, and prosperity, and perpetuation of the things America and the American Legion stand for. God speed us on that path.

Our Outstanding Citizens: John M. Phillips and Harriet Duff Phillips of Pittsburgh

EXTENSION OF REMARKS
OF
HON. JAMES G. FULTON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FULTON. Mr. Speaker, we in Pittsburgh, Pa., have been fortunate in having two outstanding civic-minded citizens in the renowned husband and wife team of John M. Phillips and Harriet Duff Phillips of Carrick in the city of Pittsburgh in my Congressional District. We are proud of their great record of community accomplishment during their lifetimes, and the fine heritage they have passed on to us in our generation, on the National, State, and local levels.

JOHN M. PHILLIPS: INDUSTRIALIST AND CONSERVATIONIST

Two generations of mill and mine operators knew Mr. Phillips in his everyday job as president of one of the important industrial plants of the city. Sportsmen and conservationists throughout America knew and were grateful to him for his lifelong work in conserving wildlife, forests, and waters.

So well known was he nationally as the father of the basic game code of Pennsylvania—which became the model for other States—and as an outstanding conservationist that most people had forgotten or never knew that Mr. Phillips invented and produced much of the equipment that was standard in coal mines all over the world. Until shortly before his death he was president of Phillips Mine and Mill Supply Co.

Those who knew him only in recent years considered him the grand old man of conservation in Pennsylvania. A smaller group, familiar with his lifetime dedication to saving the natural heritage of America, would extend that title to cover the country.

LAST OF RESTORATIONISTS

He was the last of the restorationists—that group of hunter-naturalists, numbering among them Theodore Roosevelt—who toward the end of the last century awoke America to the fact that she was destroying her natural resources, and who then set to work to bring them back. Through their efforts, conservation laws began to become a matter of national policy and of concern to the States.

Mr. Phillips' interest in restoration and conservation ranged over the United States, Canada, and Mexico. He had a hand in almost every Federal game law until 10 years ago. He persuaded Canada to set aside her first game preserve, a mountain territory of about 500,000 acres which he explored in British Columbia.

Although dozens of his conservation articles and hundreds of wildlife photographs were published in national magazines and newspapers, he never personally took a cent for them.

EARLY BOY SCOUT LEADER

He helped organize the Boy Scouts of America, seeing in them the conservationists of the future. The first Boy Scout troop in Pennsylvania and one of the first two in the United States met in his living room beneath heads of mounted jaguar, bear, mountain sheep, and goat—trophies of his many hunting expeditions.

He was a member of the National Advisory Council of the Boy Scouts and thousands of boys and young men knew him by his scouting title, Chief Silver Tip. He received the highest awards of scouting and was one of the few Americans to hold the top English honor, the Silver Wolf, presented to him by Sir Robert Baden Powell, founder of scouting.

Latest of his numerous honors from the Boy Scouts was the presentation of the Hornaday Conservation Award by the National Council, BSA, May 4, 1953.

Mr. Phillips, however, was best known as the creator of the Pennsylvania game system, which won world recognition. This system of sportsmen-owned refuges, surrounded by public shooting grounds, he always said, "offers citizens of Pennsylvania the greatest hunting club in the world which they can join by paying only $3.15 a year—the price of a hunting license."

BEGAN EFFORT IN 1890

Pennsylvania was a shot-out State when Mr. Phillips began his efforts in 1890 to bring back game. He could afford hunting trips and took them from Alaska to South America. But the men who worked in the mines and mills of this district could not. He wanted to make hunting close to home available to all so that they would understand and learn to love the outdoors.

He assisted in organizing the Pennsylvania Game Commission as a non-salaried, nonpartisan body and in 1905 became a member, later serving as its president.

Under his leadership, Pennsylvania's conservation laws became models for the Nation. Although an industrial State, Pennsylvania became the leading game area of the country. He fought hunters and politicians for the passage of the Resident Hunters License Law which gave the commission operating funds and eventually made possible the State's acquisition of almost a million acres of game refuges surrounded by public shooting grounds.

The first land bought for this purpose—in Elk County—was marked on August 1, 1948, when a huge boulder bearing an appropriate bronze plaque was dedicated in his honor. Leading citizens of the State joined in paying tribute to his achievements at the dedicatory ceremonies.

HONORS CAME FAST

In 1950, 1951, and 1952 he was honored as an outstanding citizen and the State's greatest conservationist by resolutions of the Senate.

Mr. Phillips fathered the buck law which built up the State's deer herd but of recent years fought to have it repealed and an any-deer season established to reduce the herd, which he said had grown too large for its own good.

With his own attorney he fought through the Supreme Court of the United States to uphold his alien gun law, which he had passed when foreign-born residents resisted the game laws with arms.

Long before floods and windstorms forced the Government to take action, Mr. Phillips was warning of floods and duststorms and encouraging the planting of trees. He distributed thousands of trees to youngsters at his own expense and offered prizes to Boy Scouts and game wardens who planted the most. He had the national Scout organization set aside a week for nut planting and himself planted thousands throughout the State.

PIONEER OF PYMATUNING

He was a tireless worker and pioneer in the fight to clear the streams of the State and Nation and led the battle to flood instead of drain the great marshlands which have become the site of Pymatuning Lake. A monument commemorating his activities was erected there. He bitterly opposed motorboats on the lake, which he hoped to make one of the great wild waterfowl flyways of America.

He was one of the group who helped to save Cook Forest, and only last June 19 became party to a suit against the State to halt the cutting of trees in the popular forest park.

Mr. Phillips' devotion to the soil and forests of America was deeply rooted in his family tradition. He was the oldest son of a family that had lived in Pittsburgh almost since the founding of the Republic. His grandfather, James Phillips, a blacksmith, came to America from the north of Ireland in 1795.

ATTENDED PUBLIC SCHOOLS

Born in Pittsburgh February 15, 1861, the son of James and Anna Provost Phillips, John M. Phillips attended the city's public schools, was graduated from Pittsburgh High School, and, after studying engineering, became superintendent of the bolt works and forging plants of the Lewis, Oliver & Phillips Co. He later became manager of its mine equipment department.

In 1889 he and his uncle, John Phillips, bought the mine supply department of Oliver & Phillips Iron and Steel Co., establishing a partnership under the name of the Phillips Mine Supply Co. In 1900 the company was reorganized

and incorporated as the Phillips Mine and Mill Supply Co., and Mr. Phillips was elected president, a post he held until shortly before his death.

COAUTHORED HUNTING BOOK

In 1906 Mr. Phillips teamed up with William T. Hornaday in writing Campfires in the Canadian Rockies, a chronicle of their adventurous hunting experiences in that region. He was also one of the first photographers of wild life, and in 1922 was given an award by the American Museum of Natural History for the best animal photograph taken anywhere in the world.

His trophies of the hunting and fishing field were numerous, among them being a group of jaguars, presented to Carnegie Museum, which was the first known exhibit in the world showing these animals in their native habitat.

Although he was always active in community affairs, and it was through his work that his Carrick neighbors obtained the park that now bears his name, he held political office only once. During the late Mayor Charles H. Kline's administration he was a member of city council for a few months.

KEPT MANY PETS

Mr. Phillips' family agree that there was no more ideal combination of urban and rural living than existed in the old Phillips house which stands at 2336 Brownsville Road.

His two sons learned their A B C's with the aid of a small green snake their father coiled and uncoiled to form the letters. At one time or another, his children had a kangaroo in the cellar, pheasants in the guest bathroom, and a countless procession of furry animals in the spacious back yard.

Although busy herself as a leader in the community, Mrs. Phillips, the former Harriet Templeton Duff, enjoyed all of the animal visitors and worked their care into the routine of running a large household.

MANY AFFILIATIONS

Mr. Phillips was a member of the Duquesne Club, Boone and Crockett Club, the Engineers' Society of Western Pennsylvania, Rotary Club, an honorary member of the Camp Fire Club of America, founder of the Lewis and Clark Big Game Club, a director of the American Bison Society, a founder of the American Game Protective Association, honorary president of the Pittsburgh Zoological Society, and a member of many other scientific and conservation societies.

He was honored with the gold medal of the Permanent Wild Life Protection Fund and in 1924 was chosen as recipient of the National Outdoor Prize award. At President Coolidge's Conservation conference in the same year, he was named by the President as chairman of the Committee on Conservation of Game and Fur Bearing Animals.

He was a director of the South Side Hospital, a 32d degree Mason, a Knight Templar and a Shriner. He was a member of the Baldwin Community Church. On his death on September 8, 1953, he left his wife and 3 daughters, Mrs. Joseph Shuman, Mrs. Robert C. Lutz and Mrs. Alexander S. Chalfant, and 2 sons, John M. Phillips, Jr., and James M. Phillips, and 13 grandchildren.

HARRIETT DUFF PHILLIPS

Mrs. John M. Phillips was for more than 40 years one of the truly outstanding figures in Pittsburgh life, and a militant fighter for the rights of others.

BORN IN CARRICK

A native of Carrick, and a resident of Pittsburgh all her life, Mrs. Phillips had a keen insight into the human problems of the city, and devoted most of her adult life to an unselfish campaign to solve those problems.

As one of the best-known club women in the nation, she led the fight which brought about the present pre-marriage medical examinations in Pennsylvania, and almost singlehandedly brought into being the legislation which gave Allegheny County an effective juvenile court, separated from the destructive pressures of politics.

Mrs. Phillips, the former Harriet Templeton Duff, was the daughter of the late Dr. John Milton Duff and Jane Kirk Duff. Her father, an outstanding medical man, founded the South Side Hospital and was co-founder of the medical department of the University of Pittsburgh.

FATHER WAS HONORED

In appreciation for this latter service, Dr. Duff was given the honor of delivering the address of welcome to the first class of the new medical school, and presented the first lecture.

Mrs. Phillips was educated in Pittsburgh schools. She was graduated from Central High School, and 3 years later received a bachelor of arts degree from Pennsylvania College for Women, Chatham.

Her alma mater conferred a singular honor upon her in 1939 when she was awarded a doctor of humanities degree—the first time in its history that PCW had given an honorary degree to one of its graduates.

Mrs. Phillips also received an honorary degree from Beaver College, Jenkintown, Pa.

MARRIED IN 1906

In 1906 she married John M. Phillips and embarked on a dual career—that of a diligent mother who found time, while raising five children, to take an active part in her community's life.

Proof that such a combination is workable came in 1944 when she was named "American Mother of the Year" by the Golden Rule Foundation in New York.

Due largely to the influence of her father and other medical and religious men among her forebears, Harriet Duff soon developed an interest in the needs of others, and quickly set about fulfilling them in her own dynamic way.

BRASHEAR FOUNDER

Among her early projects, undertaken in 1916, was the founding of the Brashear Settlement Association on the Southside, and, in the same period, of the Carrick Mothers' Club. Both are still in existence, and still growing.

The mothers' club was an innovation in its time, offering the services of a baby clinic and instructions for mothers and a recreation center (now Phillips Park), for children of the community.

Spurred on by knowledge of the needs of South Side Hospital, Mrs. Phillips set up the Phoebe Brashear Tea Room in a dwelling opposite the hospital, and operated the forerunner of the modern hospital snack bar.

When grateful doctors and friends of patients made the tearoom a success, she turned it over to the hospital.

ON SCHOOL BOARD

In the early thirties Mrs. Phillips entered public life on a larger scale when she became a member of the Pittsburgh Board of Education—a post she held with distinction for 14 years.

It was her sincere conviction that women ought to hold executive positions in public life, and during her years with the school board she fought for administrative positions for women in the schools.

From 1934 to 1938 she was president of the Pennsylvania Federation of Women's Clubs, and in that post was a dominant influence in marshalling the votes of women to effect civil improvements.

FAVORED STERILIZATIONS

Mrs. Phillips gained national recognition during her term of office in the federation by championing the cause of maternal health and planned parenthood clinics, and by advocating compulsory sterilization of those unfit for parenthood.

For many years she had been an honorary member of the board of the Planned Parenthood Clinic of Pittsburgh, in which she was a pioneer.

She had long been noted for work in the interracial field, and was made honorary president for life of the Harriet Tubman Guild, a Negro woman's organization which cares for convalescents. She was also an active supporter of Hill City.

She was a member of the Twentieth Century Guild, Pittsburgh Chapter, and of the League of Pen Women, Women's City Club, and a member of the board of the General Federation of Women's Clubs.

Following a pattern for service begun in World War I, when she served as superintendent of an emergency hospital during the influenza epidemic, Mrs. Phillips in World War II headed the Army and Navy nurse recruiting program here for the Red Cross.

She also served as a member of the Pennsylvania State Board of Public Assistance during the administration of Gov. EDWARD MARTIN.

HEADED CHEST DRIVE

Although she had frequently said she would retire gradually from her many and varied activities, Mrs. Phillips found it hard to say no to requests for her time and knowledge. Thus it was that in her final months she served as chairman of a campaign to raise $1 million for a new nurses' residence at South Side Hospital. She had expected soon to be able to announce success in attaining the goal.

For the last several years she has devoted much of her time to Winchester-Thurston School for Girls, which she served as executive vice president.

While she sought no recognition for her work, Mrs. Phillips probably received more honors and tributes than any other woman in the State. Perhaps most cherished of all these was the designation conferred upon her by the governor in 1949—Distinguished Daughters of Pennsylvania.

For a number of years, Mrs. Phillips had considered as one of her most rewarding activities the Thursday Noon Club for young business women, which she conducted in her church, the First Presbyterian.

Both Mr. and Mrs. Phillips were honored by the board of education in December 1956, when it decided to name a proposed new school on the Southside the Phillips School. The new school, to be situated at South 20th and Sarah Streets, is the first to be named for a husband and wife.

The 56th Annual Hungarian Day

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FEIGHAN. Mr. Speaker, each year for the last 56 years Americans of Hungarian descent in Cleveland have celebrated an Annual Hungarian Day. This occasion has become an outstanding event in the civic life of Cleveland. It was my pleasure to address the 56th Annual Hungarian Day celebration in Cleveland, and I took this occasion to examine two pertinent developments which I believe will be of interest to Members of Congress. By leave previously obtained, I insert in the RECORD my address on the 56th Annual Hungarian Day:

I am happy to be here with you and to take part in this 56th Annual Hungarian Day. I am always happy to be able to join with Americans of Hungarian origin because I know the great contribution the sons and daughters of Hungary have made to the building of the United States and to the cause of liberty and freedom throughout the world.

On this occasion I would like to talk to you about two developments of recent months in which I know you have a keen interest. Every thinking American is inspired by the Hungarian freedom revolution of October 1956. Everyone gathered here today can take justifiable pride in that heroic struggle for freedom because among other things, it reminded all the people of the world of the historic role the Hungarian nation has played in man's age-long struggle for liberty and freedom against the forces of tyranny and despotism.

The Hungarian freedom revolution to get back national independence for Hungary did not end in complete victory for reasons which are well known to you and to me. However, that freedom revolution must never be considered in any sense a failure. While all the world knows about the brutal acts of aggression committed by the Russians in their reoccupation of the Hungarian nation, the lessons of that revolution, I am confident, will eventually guide the cause of freedom to ultimate victory over the forces of Russian despotism.

One of the most significant factors of the Hungarian revolution was that it showed that after 11 years of Communist efforts at indoctrination, the youth of Hungary faced the Russian tanks with their bare hands in an effort to drive the alien occupier from their native soil.

During the time when the freedom fighters were chasing the Russians from Hungary, I sent a telegram to President Eisenhower in which I requested him, first, to take the initiative in bringing about an immediate emergency meeting of the United Nations General Assembly and second, to extend recognition to the revolutionary group who were firmly in control of the affairs of the country.

Unfortunately, President Eisenhower, for whatever reasons, failed to seize the initiative and a few days later the Red army reinvaded Hungary and took away from the people the hard won independence which they had enjoyed for those 5 historic days.

With the Russian reinvasion of Hungary, the Free World was faced with the immediate and urgent problem of providing a safe haven for those who had stood in defense of freedom in their homeland.

Under these circumstances, President Eisenhower authorized the admission of about 28,000 Hungarian refugees under a parolee status. The consequence was that these numbers of Hungarian exiles were in the United States under an uncertain status of parolee.

After a careful study of the situation I became convinced that new legislation was necessary in order to clarify the status of the Hungarian patriots in the United States.

I believe that they were entitled to full rights of asylum, which includes the right to become a permanent resident and citizen in the United States.

I, therefore, introduced a bill in Congress providing for the necessary remedial action.

As a member of the Committee on the Judiciary and Subcommittee on Immigration and Nationality, I vigorously pushed this matter until favorable action was taken by the House on May 5.

Following this, I conferred with Members of the Senate seeking their support for this righteous cause.

The Senate of the United States responded and on July 15 these Hungarian patriots were in a position to become citizens of the United States.

The only disappointment that I experienced in this long fight to secure justice for the Hungarian freedom fighters occurred when President Eisenhower, upon signing the bill July 25, took no steps to exploit this significant action by the Congress in furthering the cause of human freedom.

It is important that the United States officially remind all the people of the world that it stands ready to reward all those who will stand up and fight for our cause in the common struggle against Russian imperialism.

I felt this offered an unusual opportunity for the President to remind all the people of the world of the great contribution made by the entire Hungarian nation to the inevitable defeat of Russian imperialism.

I know that you share with me a keen disappointment that this golden opportunity was passed up and allowed to go by default.

The second matter I should like to discuss with you concerns certain developments which took place at the 47th Conference of the Inter-Parliamentary Union at Rio de Janeiro only last month.

I was a member of the American delegation to that Conference.

Reluctant as I am during sessions of Congress to be absent from the committees and the floor of the House. I felt it my duty to accept the designation as a delegate to this important international meeting. I could not refuse the challenge to meet in a world forum with the Russians and their designated stooges who represent themselves as parliamentarians from once free and democratic nations which are now reduced to the slavery of communism.

Among those Russian stooges were certain Hungarians who made extreme efforts at identifying themselves as representatives of the Hungarian people and as parliamentarians.

There was an important resolution pending before the Conference on the subject of representative assemblies in non-self-governing territories.

This resolution, while expressing the right of the people in the non-self-governing territories to have representative assemblies of their own choosing, it completely neglected the tragic position of the many once free and independent nations of central and eastern Europe which today are completely non-self-governing, deprived of governments representative of the will of the people and reduced to a status much worse than that of a colony.

I prepared an amendment to that resolution which then became an official objective of the entire United States delegation to that Conference.

That resolution called upon the Inter-Parliamentary Union, made up of representatives from 45 countries, to recognize the captive nations of central and eastern Europe as non-self-governing nations and therefore entitled to equal concern by this Inter-Parliamentary Union.

I was honored to have the opportunity to introduce this amendment and to speak before the Conference urging its adoption.

I am sure that you will be encouraged in your efforts to hear that I cited the heroic role of the Hungarian nation in their fight for freedom in 1956, as an outstanding example of why the Conference should regard that nation and all the other nations of central and eastern Europe as non-self-governing nations.

In this same connection, I reminded all those present, including the Russian group and their hand-picked appointees to the captive nations, that so long as these nations were deprived of the essential substance of national independence, which is the right to govern their own affairs, free from alien control or direction, they will continue to exercise the only opportunities open to them to dissent, that is, by internal revolts and freedom revolutions.

This observation met with the hearty approval of the delegates from the free countries who were in attendance.

As expected, the Russians and their collaborators demonstrated in their usual noisy manner and engaged in an effort to confuse and distort the basic issue.

Their efforts to defeat the amendment failed.

The Conference decided that the amendment of the United States delegation which I had the honor to offer, would be kept active and taken up again at the spring meeting of the Conference which will be held in Nice, France.

This provides a splendid opportunity for all of us to work in furtherance of this amendment.

Its final adoption by the Inter-Parliamentary Union will serve as a formal recognition that the captive countries of central and eastern Europe are non-self-governing nations.

The progress made to date in bringing about the adoption of this amendment is a hard blow against the intensive Russian campaign which attempts to portray those

nations as not only self governing, but made up of happy people who support the Communist regimes imposed by the Kremlin.

Obviously the Russians will make an all out effort to defeat this amendment when it comes before the spring meeting of the Inter-Parliamentary Union.

You may be assured that I will continue the fight for the noble cause of Hungary and all the other nations enslaved by the Russians.

It has been a real pleasure for me to join with you today and to take part in your annual festivities.

In closing, I express my firm convictions that no power on earth can prevent the coming victory of freedom and justice and the opening of a new world era in which all nations will live at peace with one another.

Requests Firing of Comptroller General

EXTENSION OF REMARKS
OF
HON. LeROY H. ANDERSON
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ANDERSON of Montana. Mr. Speaker, I have today written the following letter to President Eisenhower asking him to fire the Comptroller General of the United States, Mr. Joseph Campbell for the dishonesty in his letter No. B-134138. This letter was intended to contribute to the destruction of the rural electrification and rural telephone programs. The letter:

AUGUST 23, 1958.

THE PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: I have thoroughly studied Comptroller General Joseph Campbell's ruling of July 21, 1958 in letter No. B-134138, reversing more than 20 years of policy as enunciated by the Congress and carried out by administrations of both parties.

It is evident that not only is the position of the Comptroller General in error, but he has endeavored to buttress his faulty position by rewriting the legislative history of REA legislation. This is grossly dishonest, and I am sure you will not condone dishonesty in your appointees.

Accordingly, I suggest that the proper course of action is for you to remove Mr. Campbell from the position of Comptroller General, and appoint in his place someone who will perform the duties of that office with fairness and integrity.

Sincerely yours,

LEROY ANDERSON,
Member of Congress.

At another point in the RECORD I am having printed pertinent excerpts from a brief by the NRECA which points out the fallacies and dishonest omissions of the Comptroller General's letter. In still another extension today I am calling the attention of the Congress to the now apparent master plan of this administration for the destruction of REA and RTA. The following editorial by NRECA manager Clyde Ellis makes clear how the action of the Comptroller General fits into this master plan:

AND THEY ALL WENT DOWN AGAIN
(By Clyde T. Ellis)

REA has been delivered a knockout punch by the Comptroller General of the United States. Reversing 22 years of precedent, he has issued a ruling to the effect that loans cannot be made to rural electric systems to serve anyone whom others say they will serve, whether such persons are presently being served or not.

The Comptroller's ruling was issued in a nine-page letter to Secretary of Agriculture Benson. It was scheduled for release to the press July 28. Before it got there, we received a copy of it and the war was on.

In this column last month, we outlined the master plan to destroy REA. This plan entails destruction of the rural electrification, rural telephone, and Federal wholesale power programs. It is a master plan designed and sponsored by masterminds of the financial world who, through their use of people's savings in insurance companies, trust companies, and banks, also control and manipulate the power trust monopoly. They use public officials wherever they can. Among others, they use the Comptroller General and former Atomic Energy Commissioner, Joseph Campbell, and they are also using President Eisenhower, Presidential Assistant Sherman Adams, Secretary of the Treasury Robert B. Anderson, and Secretary of Agriculture Benson, to put over the master plan. They use them whether these officials are aware of it or not.

Just as Secretary Benson's secret order usurping the REA Administrator's authority to make loans by transferring this authority to his office demoted REA and the Administrator and all of its employees, the Comptroller General's ruling demotes Secretary Benson, the REA Administrator, and all REA employees still further by usurping and restricting their authorities and responsibilities.

POWERS OF CONGRESS ALSO USURPED

The Comptroller General, a creature of the Congress appointed by the President, has also usurped the declared will and intent of the Congress. The Congress clearly and implicitly stated in the Rural Electrification Act of 1936:

I would further emphasize that we must always keep in mind that the primary function of law is the resolution of differences and settlement of disputes, actual or anticipated, between human beings. Until we know what these differences or disputes will be and how and between whom they may arise, we are in an Alice-in-Wonderland world. Efforts to declare or establish detailed rules at his time can be at best only fumbling in the dark and at the worst prove actual impediments to the rational development of outer space. Before seeking adequate solutions we must know the nature of the technical problems we are facing, the human conflicts that are to be resolved, and the environment in which solutions will operate. As we come to know these things, we can then proceed step by step on the pragmatic basis of actual experience to build an enduring and effective structure of rules and principles which will adequately reflect real interests and sensible solutions.

Before turning to specific issues, let me make several general observations.

The basic pattern of our existing foreign policy with respect to space is no different from that which we have with respect to international relations here on the earth. In conformity with our undertakings under article I of the United Nations Charter, it is our purpose to insure that—in space as on the earth—international peace and security are maintained and that international disputes or situations which might lead to a breach of the peace are adjusted or settled in conformity with the principles of justice and international law.

We are in favor of international cooperation in solving international problems. At the same time, we are dedicated to the maintenance of the legitimate national interests of the United States and we hold firm to our inherent right of individual and collective self-defense against armed attack, which is fully recognized under article 51 of the United Nations Charter.

The most immediate problem in the field of space foreign policy is how to insure that outer space is used for peaceful purposes only.

You are doubtless well aware that the United States Government has already taken an initiative in this field. The United States recognized the importance of determining now what steps can be taken to assure that missiles and other outer-space vehicles, already in the development stage, will be utilized solely for peaceful purposes.

This recognition stemmed from the fact that today these military space instruments are in the early stages of development.

"In the event such action will not be undertaken and you so advise, we will be required to report the matter to the Congress."

THE ODD CIRCUMSTANCES

Traditionally, the Comptroller General has stepped in only when called upon to do so by some agency of the Government—either Congress or the executive branch. He does not tell us who called upon him this time, but it seems clear from the sweeping implication of his ruling that it is made at the behest of a power company operating in the area and the masterminds of the master plan. Whether these masterminds contacted the Comptroller General directly, or through Sherman Adams, is not known and is unimportant. What is important is that a large segment of those affected by the ruling haven't had a chance to speak.

IS THE COMPTROLLER GENERAL UNTOUCHABLE?

He has been so considered traditionally. This has been based on the supposition that he is not subject to being influenced from the outside, or by the executive branch, or by Congress. However, he abandons this position by basing his judgments on influence and not the law and attempts to usurp the powers of both the executive branch and the Congress. It is obviously time for the executive branch, Congress, and us to wake up and do something about this. The influences behind the Comptroller General's ruling and his connection with them should be investigated immediately. If they turn out to be what they appear to be, the Comptroller General, in the opinion of this writer, should be removed from office at once. This knockout blow to REA has to be parried. If not, the rural electrification program may take the count of 10.

Our National Debt

EXTENSION OF REMARKS
OF
HON. RUSSELL V. MACK
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MACK of Washington. Mr. Speaker, people are asking, "Will America be able to shoot a rocket from the earth to the moon?"—estimated distance 240,000 miles. Yes, probably. It is probable, however, that the national debt, now far out in astronomical space, may get there first. The Congress which has just adjourned was the heaviest and most extravagant spending Congress in history. Our national debt, now $275 billion plus, is larger than the national debts of all other nations combined.

Importance of Air Conditioning and Refrigeration to Modern Living

EXTENSION OF REMARKS
OF
HON. JOEL T. BROYHILL
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BROYHILL. Mr. Speaker, under leave heretofore granted, I wish to insert in the RECORD the following remarks regarding the importance of air conditioning and refrigeration to modern living in America:

I wonder how many of us are aware of the tremendously important part played by mechanical refrigeration in what we call our American way of life.

I confess that until recently I had accepted it as a matter of course—we have household refrigerators in our homes, some of us have air conditioning in our homes, and our offices here on the Hill are air-conditioned, as are some of the buildings of the executive department in downtown Washington. Most of us buy our fresh produce and some prepared foods in markets and grocery stores where they are held in refrigerated cases up to the time that we pick them up to put them in our shopping baskets; and all of us buy some of the frozen foods that are offered by these stores.

But this is the extent of our day-to-day contract with the many types of equipment that have been developed to utilize what the industry calls the refrigeration cycle, an application of the principle of physics which says that a liquid, upon evaporation, absorbs heat.

Recently, however, I received a copy of a brochure entitled Air Conditioning and Refrigeration; Essential to Our Nation's Health, Productivity, Defense, and upon looking it over carefully I find that many, if not most, of the things we accept today as normal living are produced, processed, shipped or otherwise affected by either air conditioning or refrigeration, and I was interested to learn that products of the air conditioning and refrigeration industry in our country affect even our national defense.

I would like to quote, briefly, from the foreword to the booklet, which gives a summary of its contents:

The years through which we are living have been called by many names—the age of automation, the atomic era, the age of flight • • • and many others.

Wonder drugs, jet propulsion, manmade satellites, electronic brains, marvelous plastics that can be made into a wide range of products—from a lady's most sheer and delicate garments to massive castings that shape automobile bodies—all these are a part of our age; it could be termed the specific era of any one of them, and it has been.

And yet none of these developments would have been possible without the modern miracle of mechanical refrigeration and its offspring, air conditioning.

Few industries in America have a more vital role in the protection of our Nation's health and well-being than the air-conditioning and refrigeration industry—and few affect the lives of so many Americans.

Our great progress in electronics, in optics, in nuclear power, in close-tolerance precision production, in aircraft and missile production and control, and many other industries and arts upon which our national welfare depends—in peace and in maintaining a ready defense—would be impossible without controlled conditions of climate in the spaces where these products are developed, tested, manufactured, and operated.

More than three-fifths of the food we eat is dependent upon refrigeration for reaching our tables in a healthful and palatable state. Refrigeration not only follows our food supply from the producers through all phases of transportation, storage, and distribution; it is essential to the production of the pharmaceuticals and biological products which maintain our Nation's health.

The publication was issued by the Air Conditioning and Refrigeration Institute, which is the trade association of the industry producing the equipment that makes all these things possible. The booklet does not advertise the products of any manufacturer, but points out that there are some 600 plants and factories in all parts of the Nation producing either the parts or the end products of the industry, which accounts for the direct employment of more than a half-million people, and which produced equipment valued at more than $600 million at the factory in 1957.

I am happy to have received the booklet from the institute, and to have taken the time to read it. It was most interesting and educational; it made me aware of the dependence our Nation has come to have on the refrigeration cycle.

World Tape Pals, Inc., and World Tapes for Education

EXTENSION OF REMARKS
OF
HON. WILLIAM LANGER
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I have prepared on the excellent work being done to improve understanding between peoples of the world, through the organization known as World Tape Pals, Inc., and a companion organization, World Tapes for Education.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LANGER

World Tape Pals, Inc., was organized 5 years ago by Harry Matthews, a Dallas, Tex., printer, who became deeply interested in making personal contacts with people overseas through the medium of recording tape. After President Eisenhower's announcement of the people-to-people program, in September 1956, World Tape Pals became a constituent part of the program through its membership in the hobbies committee of the people-to-people program. Matthews is president of the tape recordings subcommittee of the hobbies committee.

World Tape Pals has 2,500 members in 59 countries. American members living in the United States pay a $3 annual membership fee to World Tape Pals, but foreign correspondents, as well as handicapped Americans, pay no fees. Through the medium of WTP in Dallas, foreign members are matched with domestic members for the exchange of tapes which reflect the common interests of the exchangees.

The WTP membership roster, in the hands of all members, makes it possible for foreign members to seek out tape correspondents who have similar interests, since considerable information about the listed members is included. For example, under Germany, which lists 32 members, appears the name "Helmut Ernst Kuhn, Leintalstrasse 60, Heidenheim/Brenz. Electrical engineer, married. Languages spoken, German; also English (please speak slowly). Interest, interested in building up a collection of all kinds of music from the United States, Central America, Indians, Negro spirituals, original hillbilly, songs of the colored people of the world and their instruments, cowboy songs, etc. I learned of World Tape Pals through Voice of America broadcast."

This type of information, listed for all of the members, permits the speedy selection of tape correspondents and the exchange of tapes and information.

There are 12 Louisianians listed in the roster. One of them, Mrs. Bessie H. Doehring, a school teacher in Shreveport, called my attention to the program. She has been active in exchanging tapes with schools in other countries through World Tapes for Education and reports that her students find the exchange extremely stimulating.

World Tapes for Education sponsors educational tape exchanges between students and educators. It encourages the exchange of educational tapes between members of youth groups such as 4-H, Boy and Girl Scouts, YMCA, YWCA, parent-teacher associations, and groups overseas.

I would like to quote from a letter Mrs. Doehring received from a teacher in Germany with whom she had exchanged tapes.

"We enjoyed the recordings of your pupils and learned a lot about your school, town, and country. The children were so excited to hear real American children's voices and want to continue the exchanges and learn more about your way of life."

Mrs. Doehring reports that she and her students have heard children in Sweden, Germany, Canada, Brazil, Australia, and England by exchange tapes, and she is preparing to send tapes in answer to requests from Japan, New Zealand, and Fiji.

Tapes mailed to overseas members are often heard by large groups of students or members of clubs with varied interests. Several members of the tape exchange subcommittee distributed tapes of President Eisenhower's people-to-people address to correspondents overseas for group use. One of these tapes was received by Jurgen Mendel, a Munich student. He played the tape to other students in his school and sent dubbings to other parts of Germany. In turn, Mendel recorded tapes of his own, including German folk songs, for distribution among members in the United States. Mendel wrote that he is "trying to do his share in building a warless world and to help promote worldwide understanding."

Mr. Matthews himself takes the view that "world peace is simply a matter of understanding," and he feels that if masses of Americans and other peoples overseas are able to communicate directly with each other in people-to-people work, the likelihood of world conflict will be greatly reduced. Mr. Matthews, Mrs. Doehring, and others who cooperate in this program deserve our thanks for their untiring efforts to promote better understanding between nations.

Through these recorded messages the average citizen in other countries is made aware of our way of life and becomes acquainted with some of our citizens. We, in turn, learn to appreciate the cultures, aspirations, and problems of those whose way of life is different from ours. Especially valuable is the correspondence between the

school children of this country and their contemporaries in other nations.

Many Americans are now taking part in the people-to-people program through the medium of their hobbies. It is encouraging to those of us who are daily faced with the problems of our relations with other nations to know that so many of our citizens, on their own initiative, are doing their bit to promote understanding and peace between all the peoples of the world.

A Tribute to Hon. Sam Rayburn, of Texas, and Hon. Joseph W. Martin, Jr., of Massachusetts

EXTENSION OF REMARKS
OF
HON. LEO W. O'BRIEN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. O'BRIEN of New York. Mr. Speaker, in these closing moments of a Congress most of us are filled with nostalgia and a feeling of friendship one for the other which blurs the often sharp edge of politics and partisanship.

It is fitting, as the curtain is poised for the termination of the 85th Congress, that we pay tribute to those who no longer will serve here and to wish them well.

I should like to utilize this time to pay my respects, to those who are retiring, to two men we—and the Nation—earnestly pray will be here for years to come. I refer to the distinguished Speaker of this House, SAM RAYBURN, and to the distinguished minority leader and former Speaker, JOE MARTIN.

Most of us are objective enough to know that the average Member of the House of Representatives is assigned to a place below the salt in the public mind. Seldom for him, unless he be a powerful leader, is there a place in the society columns, on the front page, or on the television screen. He wears neither a toga nor a halo.

Ignored as he may be as an individual, this average Representative has something which no one else has. He is a Member of the greatest legislative body in the world.

Collectively, then, we have something unique and precious to our country and the world.

Men who rise to the leadership of this great body perforce carry on enormous responsibility.

We hear frequent references in this Chamber to the people of the United States as taxpayers. They are, but they are far more than that. They are parents, too. They are husbands and wives, sons and daughters, employees and employers, rich and poor, proud and humble, hewers of wood and planters of the soil. But, above all, they are people. Collectively, they stand for something almost indefinable—call it American for lack of a better word.

In this House, with our strength and weaknesses, with our wisdom and lack thereof, with our occasional flashes of temper and humor, we have a perfect legislative mirror of the people of this country, a mirror which is adjusted every 2 years.

Because of these things, it is symbolic to me that the two top leaders of this House, our Speaker and our former Speaker, came here from small communities, one in Texas and one in Massachusetts. They bespeak the opportunity which might come to any American. They symbolize all the men and women we affectionately call folks.

Several years ago, a great university in my State, Syracuse University, did a very significant thing. That university conferred honorary degrees—simultaneously—upon SAM RAYBURN and JOE MARTIN.

That action, to my mind, was most fitting because, through most of the troubled years of this century, these two men have had a greater impact upon our times and our future than even the great Presidents with whom they worked.

During the years of peace and war, depression and inflation, these two men, often working as a bipartisan team, have kept our Nation on an even keel, curbing extremism and making sure that the Government of the United States remained a Government reflecting the desires and needs of the millions of folks who find their most direct representation here.

Mr. Speaker, I shall be content if my obituary consists of this single sentence: "He served with and under two great Americans, SAM RAYBURN and JOE MARTIN."

Congress on Better Living

EXTENSION OF REMARKS
OF
HON. JOHN A. BLATNIK
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BLATNIK. Mr. Speaker, I would like to tell my colleagues in the House about another congress that will be in session in early October here in Washington. Its name is the Congress on Better Living, and it is a 3-day conference of women homemakers from all over the country—brought to our Capital by McCall's magazine to express the wants and needs of America's 50 million families.

The congress will approach the broad subject of better living from the standpoint of the American home as the hub of family activities. It will seek to determine the true function of the home and what American families really want and need most in their homes of today and tomorrow as a result of new living patterns.

For 3 days this fall, 100 articulate and knowledgeable young women from every State in the Union will discuss the way they live, the houses they live in and would like to live in, and the things they live with and would like to have.

In a period of frequent buyer-resistance, this year's Congress on Better Living will again become a valuable channel of communication between the Nation's women and their families, and the people who build, equip and furnish homes—truly a significant contribution to America's economy.

The C & O Canal Controversy

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ROGERS of Texas. Mr. Speaker, I rise in the defense of two outstanding Members of the Congress. Neither of these gentlemen need to be defended, but they have been the victims of some unwarranted, unjustified and warped insinuations and inuendoes apparently intended to convey the thought that in a recent committee meeting of the Committee on Interior and Insular Affairs, the gentleman referred to, the Honorable WAYNE ASPINALL, Democrat of Colorado, and the Honorable LEROY ANDERSON, Democrat of Montana, engaged in actions that resulted in adjournment of the committee. The matter to be considered was a bill concerning the C & O Canal, to wit, S. 77 and a similar House bill, H. R. 1145. The bills were for the purpose of establishing the Chesapeake and Ohio National History Park. As most of the Members know, this bill has been highly controversial and has received much newspaper attention here in the District. It appeared that the bill might suffer the same fate as many other bills during the closing days of the Congress—that is, die for want of final action by the committee. The controversial nature of the legislation is indicated by the fact that several days were devoted to hearings on the measure by the Public Lands Subcommittee, the chairman of which is the gracious Congresswoman from Idaho, Mrs. GRACIE PFOST. In an effort to treat the matter with all fairness, Mrs. PFOST held hearings on June 30, July 1, July 15, August 13, August 14, August 15, and August 18. The controversial matters, despite the lengthy hearings, had not been resolved, but a request was made of the acting chairman of the committee, the gentleman from Colorado, the Honorable WAYNE ASPINALL, to hold a full Interior Committee meeting for August 20 at 10 a. m., for the purpose of acting on the bills one way or the other. The request for such meeting was signed by 13 Republicans and 4 Democrats. The Republicans were JOHN P. SAYLOR, KEITH THOMSON, A. L. MILLER, WILLIAM A. DAWSON, JOHN J. RHODES, JOHN PILLION, JAMES B. UTT, J. ERNEST WHARTON, JACK WESTLAND, HAROLD COLLIER, E. Y. BERRY, PHIL WEAVER, and J. EDGAR CHENOWETH. The Democrats were GRACIE PFOST, BERNIE SISK, LEROY ANDERSON, and the gentleman from Texas, WALTER ROGERS, who is now addressing the House.

I was not a member of the Public Lands Subcommittee, and had not entered into the controversy in any way; however, I agreed to be present for the full committee meeting, although I had three other places at which I needed to be in attendance, as well as my office. Nevertheless, I went to the committee room of the Committee on Interior and Insular Affairs shortly after 10 o'clock on the morning of August 20 in keeping with the word that I had given that I would be there. When I arrived, there were 7 Republicans present and 7 Democrats, including myself.

Although only 4 Democrats had agreed to attend the meeting, there were 7 present, including the gentleman from Colorado, the Honorable WAYNE ASPINALL, and the gentleman from Montana, the Honorable LEROY ANDERSON. I reached the committee room about 5 minutes after 10 o'clock and was told by the gentleman from Montana that he had other business and would probably need to leave at the very latest by 10:20. I was advised by the gentleman from Colorado [Mr. ASPINALL], that he had another appointment of long standing and must depart the committee at 10:20, but would be back about 10:35. He asked me to assume the chairmanship during his absence, which I agreed to do, although I needed to be other places. It was several minutes after 10:20 before either Mr. ANDERSON or Mr. ASPINALL left the committee room and I assumed the chairmanship. Prior to the departure of Mr. ASPINALL, the acting chairman, I asked him if he had any particular desire as to how long we should wait for a sufficient number of members to appear to make a quorum. He stated to me that he had no choice in the matter but wanted to be entirely fair, and that the decision as to that particular matter was in my hands as long as I occupied the chair. I waited until 10:30 before calling the meeting to order for the consideration of S. 77 and H. R. 1145. At that time a point of order was made by the gentleman from Florida [Mr. HALEY] that a quorum was not present. Whereupon, as chairman, I counted 14 members being present, which was not a quorum. I then hesitated a sufficient length of time for any member who so desired to ask for a rollcall.

After almost a minute of hesitation, a request was made by Mr. SAYLOR for a rollcall. This request was honored and the roll was called by the clerk. At the conclusion of the first rollcall, a request was made that the names of those who had failed to respond on the first rollcall be called again. Whereupon the clerk proceeded to call the names of those who had failed to respond on the first rollcall. Upon the conclusion of the call, the clerk handed to the chairman the list reflecting that the following persons were present, to wit: Mr. ROGERS, acting chairman; Mrs. PFOST, Mr. HALEY, Mr. CHRISTOPHER, Mr. SISK, Mr. MILLER, Mr. SAYLOR, Mr. WHARTON, Mr. BERRY, Mr. DAWSON, Mr. PILLION, Mr. RHODES, Mr. CHENOWETH, Mr. THOMSON.

Those failing to respond to the call of the roll were as follows: Mr. ANDERSON, Mr. ASPINALL, Mr. BARING, Mr. COLLIER, Mr. DIGGS, Mr. EDMONDSON, Mr. ENGLE, Mr. HOSMER, Mr. POWELL, Mr. SHUFORD, Mr. ULLMAN, Mr. WEAVER, Mr. O'BRIEN, Mr. RUTHERFORD, Mr. UDALL, Mr. UTT, Mr. WESTLAND.

At 10:35 there were only 14 members in the committee room, and I, the gentleman from Texas [Mr. ROGERS], stated that the Committee would stand adjourned until the further order of the Chair. I then departed the committee room and ran into the gentleman from Colorado [Mr. ASPINALL], who was returning to the committee room in accordance with his previous statement to me. I told him exactly what had transpired and then went to another meeting. It is well to point out here that had we waited for Mr. ASPINALL to return to the committee room, there would still have been a lack of a quorum. Although only 4 Democrats had agreed to attend the meeting, I point out that there were 7 Democrats present at approximately 10 o'clock who remained until after 10:20. Although 13 Republicans had agreed to attend the meeting, the greatest number who appeared at any time during the period was 9.

I have made this statement because the Washington Post, in its issue of Thursday, August 21, carried both a news story and an editorial which were not completely factual, which were permeated with inuendoes, and which were obviously intended to cast some reflection on the gentleman from Colorado [Mr. ASPINALL] and the gentleman from Montana [Mr. ANDERSON]. I do not know whether or not the news story and the editorial were deliberately couched in such language or whether they were the result of misinformation, but in either event, they were most unbecoming and, in my opinion, unfair to two fine gentlemen.

It has been my good fortune to have served on the Committee on Interior and Insular Affairs for 6 years with the Honorable WAYNE ASPINALL, and I can say without reservation that he is a gentleman in every sense of the word and a man who has been imminently fair to all members of the committee without regard to party affiliation. He has, in fact, gone far beyond the need in many instances to be of aid and assistance to members of the committee who were not of the same political party. The character and integrity of this man are beyond question and without a shadow of suspicion. It would become the Washington Post to publicly apologize for their ill-advised attempt to reflect upon him.

It has also been my good fortune to have served on this same committee with the Honorable LEROY ANDERSON, of Montana, since he came to Congress. The same can be said of the character and integrity of Mr. ANDERSON as I have said of Mr. ASPINALL. I am deeply concerned that the actions of either of these men should be questioned by those who were not acquainted with the facts. And, I can say that anyone who does question the actions of either of these gentlemen on this occasion does so in error.

Whether or not this error is preconceived on the part of those who desire to so conduct themselves, is a matter upon which I shall not pass. It is a question that can be answered only by those who insinuate the charges.

It would seem to me that if an attempt is made to lay the blame on some individual or group for failing to make a quorum possible for a committee meeting, it would require a dangerous stretch of the imagination, if not the adoption of a completely false premise, to try to lay that blame on the shoulders of those who appeared and presented themselves for the committee meeting at the agreed time, and wasted approximately 25 minutes in an effort to be fair.

I might also point out that I was the one who adjourned the meeting and for which I am certainly willing to take full responsibility.

I feel sure that if the Washington Post is as interested in correcting a wrong as it is in casting loose charges about, public apologies to both of these gentlemen will appear in an early issue of that newspaper.

Truth Must Prevail for Krebiozen

EXTENSION OF REMARKS
OF
HON. ROLAND V. LIBONATI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. LIBONATI. Mr. Speaker, the story of Krebiozen is a sad one, and by their unfounded opposition, several past officials of the American Medical Association have been guilty of heinous actions against a great scientist, in the medical profession, Dr. Andrew C. Ivy, who presently holds the high position of distinguished professor of physiology and head of the department of clinical science of the University of Illinois College of Medicine. Because of the actions of these men, Dr. Ivy lost his position as vice president of the University of Illinois, as well as his membership in the Chicago Medical Society.

A true scientist is a man who seeks the truth, and Dr. Andrew C. Ivy exemplifies that type of man. In his experimentations with 250 other physicians, all members of the AMA, he has proved that there is biological activity in the use of this drug.

Dr. Stevan Durovic and his brother, Marko Durovic have spent large sums of their own and their friends' money in Argentina in the development of the discovery of Krebiozen, as well as thousands of dollars to the Krebiozen Foundation, to place the drug at the disposal of cancer victims, terminal cases, who were doomed to die.

Personally, I am well acquainted with the whole story in view of the fact that I acted as vice chairman of the committee and the commission, duly appointed by the Illinois legislature, to conduct an inquiry to determine whether or not there was a conspiracy to prevent freedom of research at the University of Illinois, a tax-supported institution. A great deal of testimony given by many expert witnesses at those hearings proved beyond a doubt that

false reports were released to the public by medical stooges of the AMA to destroy public confidence in the scientific findings conducted by Dr. Ivy and his fellow medics. This subject was in controversy for a period of 5 years, and still continues today in spite of the reports that have been released showing favorable results in certain phases of cancer study listed in the reports made by those individual doctors on their own cases.

Material has been inserted by me in the CONGRESSIONAL RECORD on May 29, 1958, June 12, 1958, July 25, 1958, and August 5, 1958. The subject matter and testimony, together with conclusions thereon, were masterfully presented in the two books written by Mr. Herbert Bailey, K-Krebiozen, Key to Cancer? published in 1955, and A Matter of Life or Death recently published by G. P. Putnam's Sons, a concern that is very selective on printing any books, and especially those touching on scientific subjects, as to their value and veracity.

I am very pleased to note that the very distinguished Senator, PAUL H. DOUGLAS, of Illinois, being a person of substantial reliability in dealing with matters of public import, has advanced proposals for controlled tests for Krebiozen. He has every reason to be concerned in view of the fact that he has studied this question thoroughly. It is to his credit that he deals with the subject with a highly constructive sense of justice. He avers that mistakes were made by both the AMA and the scientists interested in the Krebiozen study, and yet he does not lose the mental grasp that there is a high sense of public obligation to be considered and, therefore feels that in view of the favorable reports of the doctors working with Krebiozen, the merits of the drug should be inquired into officially on a purely scientific basis, to determine its medicinal value for public approval.

Senator PAUL H. DOUGLAS is a man of important stature in America. His background is one of high intellectual training as a professor in our colleges and universities. He shows no disposition to dilly-dally with words, but gets at the meat of the problem and presents a complete picture of the controversy and its shortcomings.

His stand should be considered by the AMA as a warning that if they persist in their present attitude to belittle and devaluate the results and published findings in the experiments presently being conducted, that there is no question that the public health services and the national institutes of health will be drawn into the picture through Congressional enactment in the nature of a thorough investigation of this subject.

I stand firmly behind Senator PAUL H. DOUGLAS in his position in this matter and, unless something is done to remedy the present unfortunate standoff situation preventing an authentic test of Krebiozen, I will proceed in the 86th Congress, God granting my presence, to introduce a resolution to investigate those elements that are preventing the carrying out of such a test, on the grounds that the public interest demand such action. It is fundamental that a conspiracy to prevent scientific research is in itself within the Congressional prerogative to protect the welfare of the people of the United States.

No organization can defy or deny the right of justice to be meted out to honest men and their works, especially in this case, directly affecting thousands of unfortunates, who die every year with great suffering and at great cost to their families, or the charitable institutions which are established throughout the land for this cause.

I am warning the American Medical Association at this time, as I did before in the Illinois State Assembly, to pay heed to Dr. Ivy's appeal for fair play and give Dr. Andrew C. Ivy a fair chance to prove what he contends is of benefit to mankind.

The Chicago Daily Tribune article touching on the Krebiozen proposal, by Senator DOUGLAS, appearing in that paper's issue of August 23, 1958, follows:

SENATOR DOUGLAS PROPOSES TEST FOR KREBIOZEN

WASHINGTON, August 22.—A secret scientific test of the merits of Krebiozen as a cure for cancer was proposed in the Senate Friday by Senator PAUL DOUGLAS, Democrat, of Illinois.

DOUGLAS said in a Senate speech that the public is bewildered by the conflicting statements regarding the preparation. Dr. Andrew C. Ivy has reported Krebiozen to be helpful, DOUGLAS said, while the American Medical Association has denounced it and the National Research Council has found on the basis of the AMA report that there is no evidence of curative or palliative effects from use of the drug.

DOUGLAS called for tests to be conducted by the United States Public Health Service and the National Institutes of Health. Under DOUGLAS' plan the Institutes would conduct a sample test upon 200 more or less terminal cancer cases of patients who had applied to the Institutes for help.

ONE HUNDRED WOULD GET KREBIOZEN

Of these, 100 cases would be treated with Krebiozen while the other 100 would be given mineral oil instead.

The Institutes and Ivy would choose an outstanding biostatistician who would help design the tests and would be the only person knowing which patients had received Krebiozen treatment.

The lists of those who had and had not received the treatment would be placed in a sealed envelope in a safe, to be opened later by the biostatistician and two advisers, Dr. Ivy and a representative of the medical profession chosen by the Public Health Service. The advisers would not know the identity of the patients.

WOULD REVIEW HISTORIES

At the conclusion of the test-treatment period, the case histories of all 200 in the test would be submitted to Ivy, and he would be asked to identify the 100 cases in which Krebiozen had been administered. DOUGLAS said Ivy would naturally select those showing the most improvement or pain alleviation.

The sealed envelope would then be taken from the safe and the lists would be compared with Ivy's list. A comparative study would be made of the cases of the patients who did and did not receive Krebiozen.

The degree of agreement or disagreement between Ivy's list and the other lists would then be announced.

WOULD PUBLISH FINDINGS

Finally, if Ivy requested it, the Public Health Service would examine records compiled by Ivy of other cases treated with Krebiozen, appraise the results, and publish the findings.

DOUGLAS said the organized medical profession disparaged the discoveries of Pasteur, Lister, and others, and sought to defame the discoverers.

Area Redevelopment Act

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. RABAUT. Mr. Speaker, under permission to extend my remarks, I include the following:

On August 15 the House passed S. 3683, an act to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas, known by its short title as the Area Redevelopment Act.

At first glance these three simple words do not impress you as meaning a great deal, however, when realizing that this act provides for the expenditure of $279,500,000 for area redevelopment to alleviate substantial and persistent unemployment, it then becomes very clear that the Government of the United States has taken a major and decisive step in an effort to aid and assist the depressed areas of the country with a determined program to reverse the headlong flight toward a devastating national depression.

As I voted favorably on the bill I was aware that this was one of the most important pieces of legislation to come before the Congress in this session. It represents a great deal of time and work on the part of many Members of the House and the Senate who have taken a direct and personal hand in its preparation.

I have on my desk a copy of the committee report, weighing nearly 4 pounds, having 1,349 pages, entitled "Legislation To Relieve Unemployment," which contains the testimony taken by the House Banking and Currency Committee concerning the 55 various bills—including my own H. R. 7432—introduced during the 85th Congress, dealing with the matter of unemployment and underemployment in the various States, under the able chairmanship of the Honorable BRENT SPENCE, of Kentucky.

The table of contents of this document shows that during the 5 weeks between April 14 and May 22, 1958, this committee took testimony from 89 witnesses, among whose number were 11 of our State governors, 7 city mayors, including Mayor Miriani of Detroit, a large number of Members of Congress, many representatives of the executive side, including Cabinet members, numerous spokesmen for industry, labor and agriculture, all these being led by former President Harry S. Truman, who's testimony covers the first 38 pages which sets the theme on the statement that, "if your neighbor is out of work, that is a recession, if you are out of work, that is a depression."

The testimony and information contained in this document is one of the most comprehensive and up-to-date studies available concerning the economic situation in the various States as well as the country as a whole.

This testimony was given in great part by witnesses whose responsibility it is, or has been in the recent past, to administer our high public offices ranging from the Presidency on down.

These men are in a position to know the facts and they have made them known to the Congress through these hearings. I was highly gratified to see this corrective legislation pass this House.

The major problem in the States today is unemployment or underemployment and this is emphasized in virtually every statement made in the report. The story is the same in every industrial center; industry is cutting down, shutting down, moving out, amalgamating, or going out of business entirely. Many of our people are beginning to have doubts, some have reached or passed the point of desperation.

The State and local governments have done all that they can do to relieve the situation, but there is a limit to their ability and some have reached it. Federal aid must come soon or the effects of a paralyzing and uncontrollable depression will be upon us and then it could very well be too late for many of us.

In reading over the report I found a number of statements concerning the various causes of the present depression. Not all were in agreement with each other, but one point they all agreed on was the very great need for enough high-powered dollars, in the right places, which could put industry back on its feet—put people back to work, thereby regenerate our channels of trade and commerce.

I was drawn, with particular interest, to the testimony given by my own mayor, Mr. Louis C. Miriani, who reported that as of April 14 the figure of unemployment in Detroit had reached 265,000 which represents 17½ percent of the labor force in that city. On May 8, the date of his testimony, it had reached 275,000 or about 1 out of every 5 workers. This makes the Detroit metropolitan area the hardest hit industrial center in the country.

Of the total of unemployed, 45 percent comprise those in the automotive industry, 28 percent from other manufacturing plants, and 12 percent from the construction industries.

Today Detroit has 11,000 families, averaging 4 persons to a family, who are directly dependent upon welfare aid for the food they eat and other bare necessities of life, 70 percent of them seeking welfare for the first time, with a backlog of 5,000 cases which we are processing at the rate of 300 per day.

Detroit also has long lines of those still worse off—those who cannot even qualify for welfare aid—getting their meager meals in soup lines, which are reminiscent of the early 1930's.

In the budget for the fiscal year 1958–59 Detroit has had to finance a deficit of $8 million, borrowed to offset the current welfare deficit. We have provided $16 million to meet welfare costs for the current year, a figure which will be wholly inadequate if present trends continue as they have been going.

We have instituted very drastic economies, including a savings of $2,800,000 in the 1957–58 budget and $6 million from the 1958–59 budget. All city employees have been denied cost-of-living adjustments to which they are entitled in an effort to relieve the welfare situation. We have bonded and taxed ourselves right up to the statutory limits, but now we are just about to the limit of our financial ability to cope with the problem any longer.

The assistance necessary to correct this situation is provided under the provision of the Area Redevelopment Act in that it will establish:

First. A new office of the Area Redevelopment Administration of the Housing and Home Finance Agency, under the direction of a Commissioner of Area Redevelopment; an advisory board composed of 12 members representing the major departments of the Federal Government who advise the Commissioner and assist him in coordinating the programs and policies of the administration; a National Public Advisory Committee composed of 25 members representing labor, management, agriculture, and the general public, who will also advise the Commissioner on national policy.

Second. Through the use of a formula as prescribed in the act, the Commissioner will designate areas of the country as industrial or rural redevelopment areas through information secured from other Federal agencies, but basically from reports of unemployment from over the entire country. From this information he will determine the extent of redevelopment assistance necessary to establish or reestablish the economic balance to put the area equal in income with the country as a whole. Needless to say, Detroit will certainly qualify under the formula and it is hoped that this assistance will be extended very shortly.

Third. A revolving fund of $200 million from which the Commissioner is authorized to purchase evidences of indebtedness and to make loans—including immediate participations therein—to aid in financing any project within a redevelopment area for the purchase or development of land and facilities—including machinery and equipment—for industrial usage, for the construction of new factory buildings, for rehabilitation of abandoned or unoccupied factory buildings, or for the alteration, conversion, or enlargement of any existing buildings for industrial use. Financial assistance extended shall be on such terms and conditions as the Commissioner determines, subject to the limitation of $100 million for use in industrial redevelopment and $100 million for use in rural redevelopment during any one period of time in the fiscal year.

Fourth. An appropriation of $75 million annually from which the Commissioner is authorized to make grants to any State, or political subdivision, Indian tribes, or public organizations or associations representing any redevelopment area, or part of a redevelopment area, for land acquisition or development for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of public facilities within a redevelopment area, provided it will tend to improve the opportunities in such areas for the successful establishment or expansion of industrial or commercial plants or facilities. The one primary restriction on these grants is that they cannot be extended if through them there is created a public utility which will directly or indirectly compete with an already existing private utility within the redevelopment area.

Fifth. An appropriation of $4,500,000 annually from which the Commissioner is authorized to provide information and technical assistance to areas which he has designated as redevelopment areas under the act. These will usually take the form of studies evaluating the needs of, and developing potentialities for, economic growth of such areas.

Sixth. A program of training or retraining for unemployed persons residing in redevelopment areas through the Departments of Labor and Health, Educations and Welfare to be coordinated with existing State agencies, and where it is found necessary, private educational institutions will be engaged by contract to provide the necessary instruction to accomplish these programs.

Seventh. A prevailing rate of wage and hours as determined by the Secretary of Labor will be paid to all laborers and mechanics employed by contractors or subcontractors on projects undertaken by public applicants assisted under the provisions of this act.

This act sets up a Commissioner of Area Redevelopment as a sort of emergency squad leader with a fund of $279,500,000 which will enable him to meet any local emergency situation before it gets out of hand and at the same time permit Congress the time necessary to devise further legislative assistance to a particular area if an unusual situation should develop which is not regularly provided for, or which might become too large for the Commissioner to handle under the limitations of the act as written.

One further provision I had in my bill—H. R. 7462—which is very similar to the Senate bill as now passed, would have been the establishment of a retraining subsistence payment to unemployed persons residing within a redevelopment area who are not entitled to unemployment compensation benefits or who have exhausted these benefits. These payments could be made for a period of 13 weeks and be equal to the amount of the average weekly unemployment compensation payment payable in that State, under certification from the Secretary of Labor that the recipient is undergoing training for a new job.

I should like to say in closing that this is a good piece of legislation, designed to help the Nation help itself. It is a

very good beginning step toward a more sane and liberal economic policy by the National Government in that it recognizes that the time to act is not when there is very little left to save, but when a preventive "shot in the arm" could prevent a depressed area from developing. "An ounce of prevention then is worth $279,500,000 now."

Reciprocal Trade Agreements

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. DENT. Mr. Speaker, early in the session I took the floor on the question of reciprocal trades. I made some observations on the adverse effects the present administration of these agreements were having upon many of the industries in my district.

I noted particularly the conditions in the glass, ceramic, rubber, aluminum, and coal industries. I said then that no nation could expect to remain strong economically in a trading world by supplying the raw materials, the machinery, the finances, and the know-how to competing nations. I repeat this today and want to call to the attention of Congress the latest report on trade balances:

UNITED STATES EXPORTS DECLINE IN MONTH

WASHINGTON.—The Census Bureau estimated that United States exports dropped 14 percent in June to $1,406,000,000.

This preliminary estimate compared with a May total of $1,638,000,000. It was 21 percent below June 1957 exports of $1,786,000,000.

Census said military shipments dropped $33 million between May and June.

At the same time, the Bureau reported United States imports in May total $1,063,000,000, about the same as in April.

The May figure was 4 percent less than imports in May 1957, and compared with April imports of $1,057,200,000.

Six of the 11 major commodity groups registered increases from April to May.

Import hikes were recorded for airplanes, iron ore, lead and nickel ingots, crude petroleum, uncut diamonds, meats, and wood and paper.

There were declines in imports of manganese, copper, furs, textiles, chemicals and manufactures.

You will note that there is a continuing drop in exports of the kind of goods and materials that mean man-hours of labor and payrolls.

Our economy cannot exist on an agrarian diet. We are tuned to a high-cost high-wage, and high-income existence. When man-hours and payrolls fall off we can expect increasingly more serious recessions and far longer durations.

I sincerely believe now, as I did early in my career as a Member of Congress, that reciprocal trade agreements, truly reciprocal, are beneficial and necessary. I also believe that these agreements must be based upon sound economics and business methods.

If we do this we not only help ourselves, but we also help our friendly neighbors to become self-sufficient without depending upon the largess and handouts of a paternal United States.

What the 85th Congress Has Not Done—We Must Weigh These Failures With Its Accomplishments

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. CRAMER. Mr. Speaker, as the 85th Congress adjourns, many people will be reflecting on what has been done in the field of legislation—and this approach is commendable—but it leaves half the story untold; that is, what has not been done; where it has failed the people.

I think this consideration is particularly significant this session, and this story, too, must be told, for it is equally the responsibility of the party in control of Congress to be held accountable for its failures as it is to be able to claim credit for its accomplishments—although many of those accomplishments are the direct result of Republican support or are conformation of the President's program.

I thus direct the attention of the people of this country, by subject matter, at the sorry record of failures, many of them inexcusable in my opinion, of the 85th Democrat Congress.

FIRST, SUPREME COURT DECISION

First. States rights bill (H. R. 3), designed to preserve State statutes in areas and on subjects on which Congress has legislated, or will legislate, which the Supreme Court in the Nelson case decided were preempted by such Federal statutes even though there was no evidence of the intention on the part of Congress to so preempt State statutes. State sedition laws were thus stricken down solely because the Smith act was enacted by Congress. Passed the House, defeated in the Senate.

Second. Preemption, Nelson case, designed solely to counteract the Nelson decision, and offered as a substitute in the Senate in consideration of H. R. 3; defeated in the Senate.

Third. Yates case, Smith Act bill, which passed the House overwhelmingly, would have defined "organize" in order that, as the result of the Supreme Court's ruling in the Yates case, Communists could no longer organize cells and groups dedicated to the overthrow of the Government of the United States: Passed the House, never acted on in the Senate other than as a section of the Jenner-Butler bill which was sidetracked by amendments and finally recommitted to the Senate Judiciary Committee.

Fourth. Passport, Kent case, which divested the State Department of executive authority to deny passports and visas to security risks, principally known Communist sympathizers; House passed, defeated in Senate.

Fifth. Watkins case, in which the Supreme Court gave every witness before Congressional investigating committees the right of silence based on the committee exceeding its scope of authority; Jenner-Butler bill killed in Senate.

Sixth. Habeas corpus bill, which has as its purpose the elimination of dilatory pleas in cases where the parties file appeals to Federal courts on State actions under State statutes for the purpose of delaying State matters, or for the purpose of trying to test State statutes under the Federal Constitution which results in collateral attacks on State statutes that are not justified and result in undue delay; passed the House unanimously, killed in Senate by never being taken up.

HOUSING BILL

The House rightly refused to accept the $2.5 billion housing bill and the House leadership failed to bring up a bill consistent with the administration's recommendations although there remained adequate time to work out a compromise, thus leaving many needed housing provisions without adequate authorization until the next session of Congress.

ANTIRACKETEERING LABOR LEGISLATION

The Senate passed the watered-down Kennedy-Ives labor bill which was held on the Speaker's desk for 40 days, thus denying the House Education and Labor Committee adequate time in which to fill the loopholes and strengthen this bill into a real, effective antiracketeering labor bill in order to carry out the recommendations of the McClellan committee. This was a shameful display of irresponsible leadership which could easily have been avoided if the Democrat leadership had desired to avoid it—but apparently the labor hold on the majority was too strong to result in adequate antiracketeering labor legislation—unfortunately for the people of the country. This matter deserved priority attention and I believe Congress failed the people in not enacting effective legislation in this field—Congress failed utterly and miserably in bringing the Kennedy-Ives bill up under suspension of the rules, thus denying debate and amendments so sorely needed.

PRESIDENTIAL DISABILITY CONSTITUTIONAL AMENDMENT

The President, backed by the Republicans in Congress, particularly on the Judiciary Committee, asked for a constitutional amendment to clarify the question of succession in the event of the disability of the President, but the majority Democrat leadership refused to pass any legislation designed to clarify this situation—despite the demand of the people that something be done.

LEASE PURCHASE OR SUBSTITUTE FEDERAL BUILDING PROGRAM

The first sensible, nationwide, private-enterprise and Federal Government partnership program for providing adequate Federal facilities in the districts throughout the country was scuttled by

the Democrat majority in the refusal of the House, despite favorable Senate action, to extend the Lease-Purchase Federal Building Act, which provided for private financing of the multi-billion-dollar backlog of public building needs in local communities. Substitutes for this program were presented but no action was taken on them.

Thus, Congress adjourned without extending the proven effective lease-purchase program or providing for a substitute therefor.

In post office construction, the Appropriations Committee in conference refused to provide funds for the nationwide post office modernization and replacement program, after killing the administration's efforts to get such a program under way through the increased postal-rates method. Thus, the program is slowed down to a walk unless the 86th Congress measures up to its responsibility of providing adequate funds or financing method for needed post office projects in the districts.

AID FOR SMALL BUSINESS

It is true that some steps were taken in the direction of aiding small business in this Congress, but the basic act which would have been of major aid to this suffering segment of our economy was not even considered by either body of Congress. The administration and the Republicans on the Select Committee on Small Business, as well as myself, backed a sound proposal to meet this problem, the Republicans introducing bills to accomplish this end, but the Democrat-controlled Congress refused to consider the matter.

STATEHOOD FOR ALASKA

Although statehood for Alaska was voted in adequate time to also consider statehood for Hawaii, Democrat leadership refused to bring the matter before the House or the Senate for consideration as recommended by the President.

FEDERAL-STATE RELATIONSHIPS

Despite the President's leadership, and the acceptance thereof by the governor's conference, resulting recommendations of the latter group for returning certain programs to the States together with taxing authority to cover the expenses therefor, the Congress refused to even consider such recommendations and the worthwhile program of recognizing State responsibility in State fields was completely stymied.

HOOVER COMMISSION RECOMMENDATIONS

These are just some of the more significant examples of failures of the 85th Congress—they could be multiplied manyfold. The administration recommended in excess of 30 Hoover Commission recommendations but this Democrat-controlled Congress passed only one—clearly showing disinterest in economy measures under Democrat Congressional control.

ETHICS IN POLITICS

Despite the exposés of the Harris committee, and the obvious need for legislation setting up a code of ethics for those dealing with independent agencies of the Government, this Congress adjourned without considering legislation, although many bills were introduced, including one by myself, providing for a very rigid code of ethics for anyone dealing with such agencies. Obviously, the objective was to create a political issue rather than accomplish the purposes for which the committee was organized, that is to investigate any influence with such agencies and to recommend legislation to outlaw the exertion of such influence, if any, in the future.

In a separate category are many accomplishments of this Congress which were recommended by the administration; programs which the Democrat majority will undoubtedly claim as their own, but I believe it essential to point out that these programs gained their impetus as the result of the recommendations of the President, and the stanch support of the Republicans in Congress. Some examples of this type of legislation are as follows:

First. Defense reorganization which was effective only because the majority of the Republicans insisted on effective reorganization despite strong Democrat opposition.

Second. Mutual security.

Third. Reciprocal trade.

Fourth. Defense scholarships.

Fifth. Excise tax extension.

Sixth. Jencks FBI files case legislation.

Seventh. Constructive farm legislation ending rigid price supports and crop allotments.

Eighth. Social-security increases.

Ninth. Postal-rate increases.

Tenth. Surplus disposal.

Eleventh. Welfare labor fund disclosure.

Twelfth. Revised "porkless" rivers and harbors authorization bill.

Thirteenth. Alaska statehood.

Fourteenth. Defense, interstate highway acceleration program.

Fifteenth. Creation of Outer Space Agency.

Sixteenth. Unemployment compensation benefits increase.

Seventeenth. Creation of consolidated Civilian Aviation Agency.

Thus, it is easily demonstrated that the major accomplishments of this Congress resulted from and gained their principal impetus from the favorable and strong recommendations of the President, backed by strong majority support among the Republican Members of the House.

T. O. Kraabel

EXTENSION OF REMARKS
OF
HON. HARLAN HAGEN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HAGEN. Mr. Speaker, it was with a great deal of gratification that I heard the gentlewoman from Massachusetts, Mrs. ROGERS, extol the virtues of T. O. Kraabel, who is retiring as director of the national rehabilitation commission of the American Legion.

I wish to join in the splendid tribute to T. O. Kraabel furnished by Mrs. ROGERS, who is one of the friends of the veterans in the Congress. I have a very personal reason for this, because T. O. Kraabel is a cousin of mine and for several years worked in my father's bank at Lawton, N. Dak., and lived in our home.

T. O. Kraabel comes from a distinguished North Dakota family. His father was an outstanding businessman and at one time served as Lieutenant Governor of North Dakota, and his brothers and sisters all enjoyed distinguished careers.

We are all aware of the excellent service which the American Legion has furnished in the growth and development of this country since World War I, with particular emphasis on the provision of programs for men in our armed services and those who are veterans. One of the outstanding aspects of Legion activity has been the services of its national rehabilitation commission. This agency of the Legion has been under T. O. Kraabel's direction since early in 1941 and has made outstanding progress under his direction in furnishing assistance to veterans with problems stemming from their service to our country. Commencing with my entrance to Congress in 1953, this was impressed upon me as a member of the Veterans' Affairs Committee of the House through the medium of the frequent appearances of Mr. Kraabel before our committee urging those kinds of veterans programs which were wholly beneficial and wholly justifiable. I am certain that the veterans of this country are grateful for the services of Mr. Kraabel and join with all of his friends and relatives in wishing him well in whatever career he chooses to adopt following his retirement from his current job.

Hon. John A. Burns of Hawaii

EXTENSION OF REMARKS
OF
HON. LEO W. O'BRIEN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. O'BRIEN of New York. Mr. Speaker, as chairman of the Subcommittee on Territorial and Insular Affairs of the House Interior Committee I have had excellent opportunity to observe the work and accomplishments of the Delegate from Hawaii during the 85th Congress.

His list of solid gains for Hawaii, demonstrated by the number and importance of his bills passed by Congress, most of them already signed into law, is most remarkable for a man who is denied a vote in Congress. In fact, it would be remarkable for a voting Member of the House supported by two Senators.

JOHN BURNS has won countless votes in both Houses. He has served his people well.

The Delegate, in my considered judgment has advanced the cause of statehood for Hawaii by at least a decade, making it imminent. Add this to the bills he has shepherded through Congress and you have overwhelming proof of the great caliber of his service.

Mr. Speaker, I submit herewith a summary of the approved legislation for Hawaii bearing the name and stamp of JOHN BURNS.

The summary follows:

Legislative accomplishments of Hon. JOHN A. BURNS, 85th Cong.

Bill	Purpose	Disposition
H. R. 4189 Jan. 31, 1957	For the adoption of 10,000 eligible orphans under 12 years of age, and to grant permanent residence to orphans admitted to the United States.	Incorporated in S. 2792, signed by President Sept. 11, 1957. Public Law 85-316.
H. R. 4675 Feb. 11, 1957	To provide that certain employees under the jurisdiction of the commissioner of public lands and those under the jurisdiction of the board of harbor commissioners of the Territory of Hawaii shall be subject to the civil service laws of the Territory of Hawaii.	Aug. 14, 1958. Public Law 85-650.
H. R. 5809 Mar. 11, 1957	To provide for a U. S. S. *Arizona* Memorial at Pearl Harbor, T. H.	Mar. 15, 1958. Public Law 85-341.
H. R. 5865 Mar. 12, 1957	To amend the Hawaiian Organic Act to permit the Territorial legislature to provide for the election of members of a certain board of trustees.	Aug. 14, 1958. Passed Senate. (Pending approval by President.)
H. R. 7149 May 2, 1957	To provide for the periodic transfer to the Hawaiian homes development fund of certain excess funds in the Hawaiian home administration account.	Aug. 21, 1958. Approved by President. Public Law 85-708.
H. R. 7504 May 15, 1957	To provide that the Legislature of the Territory of Hawaii shall meet annually, and for other purposes.	Aug. 20, 1958. Approved by President. Public Law 85-690.
H. R. 8476 July 1, 1957	To amend the Hawaiian Homes Commission Act, 1920, to extend the period of tax exemption of original lessees from 5 to 7 years.	Aug. 21, 1958. Approved by President. Public Law 85-710.
H. R. 8478 July 1, 1957	To amend sec. 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian homelands.	Aug. 11, 1958. Passed Senate (pending approval by President).
H. R. 8481 July 1, 1957	To amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply in Hawaii.	Aug. 18, 1958. Passed Senate. (Pending approval by President.)
H. R. 8482 July 1, 1957	To authorize the commissioner of public lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for public highway purposes.	Aug. 21, 1958. Approved by President. Public Law 85-713.
H. R. 8673 July 12, 1957	To amend sec. 69 of the Hawaiian Organic Act.	Aug. 21, 1958. Approved by President. Public Law 85-714.
H. R. 9051 Aug. 2, 1957	To amend Public Law 874, 81st Cong., relating to Federal assistance for the operation of schools in federally affected areas, as such laws affects the Territory of Hawaii.	Incorporated in H. R. 11378, signed by President Aug. 12, 1958. Public Law 85-620.
H. R. 9232 Aug. 13, 1957	To amend sec. 73 (1) of the Hawaiian Organic Act to authorize the commissioner of public lands to amend existing land patents in hardship cases by removing the restrictions contained therein which have run for 10 or more years.	Aug. 20, 1958. Approved by President. Public Law 85-694.
H. R. 9445 Aug. 26, 1957	To amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws, with respect to leases and other dispositions of land.	Aug. 14, 1958. Passed Senate. (Pending approval by President.)
H. R. 9461 Aug. 27, 1957	To amend the joint resolution of the Legislature of the Territory of Hawaii, as amended by the act of Aug. 23, 1954, to permit the granting of patents in fee simple to certain occupiers of public lands.	Aug. 21, 1958. Approved by President. Public Law 85-720.
H. R. 9800 Aug. 28, 1957	To permit certain sales and exchanges of public lands of the Territory of Hawaii to persons whose lands or property were destroyed by a tidal wave of Mar. 9, 1957.	Aug. 14, 1958. Passed Senate (pending approval by President).
H. R. 9501 Aug. 28, 1957	To approve H. J. Res. 28 enacted by the Legislature of the Territory of Hawaii in the regular session of 1957, relating to the conditions and terms of right of purchase leases.	Aug. 21, 1958. Approved by President. Public Law 85-711.
H. R. 9502 Aug. 28, 1957	To authorize certain exchanges of public lands of the Territory of Hawaii.	Aug. 21, 1958. Approved by President. Public Law 85-718.
H. R. 9543 Aug. 29, 1957	To provide for the conveyance of certain real property used by the University of Hawaii to the board of regents of such university, for the use and benefit of such university.	Aug. 21, 1958. Approved by President. Public Law 85-719.
H. R. 10173 Jan. 21, 1958	To provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes.	Aug. 14, 1958. Passed Senate (pending approval by President).
H. R. 10347 Jan. 29, 1958	To amend sec. 73 (q) of the Hawaiian Organic Act; to approve and ratify H. J. Res. 32, Session Laws of Hawaii, 1957, authorizing the issuance of $14,000,000 in aviation revenue bonds; to authorize certain land exchanges at Honolulu, Oahu, T. H., for the development of the Honolulu airport complex; and for other purposes.	July 18, 1958. Approved by President. Public Law 85-534.
H. R. 10423 Feb. 3, 1958	To grant the status of public lands to certain reef lands and vesting authority in the commissioner of public lands of the Territory of Hawaii in respect of reef lands having the status of public lands.	Aug. 18, 1958. Approved by President. Public Law 85-677.
H. R. 11584 Mar. 24, 1958	To authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose.	Aug. 21, 1958. S. 4249, Senate comp. bill, passed in lieu (pending approval by President).
H. R. 11954 Apr. 16, 1958	Relating to general obligation bonds of the Territory of Hawaii, to amend Public Law 720 of the 84th Cong. (70 Stat. 552, ch. 606); to amend Public Laws 640 and 643 of the 83d Cong. (8 Stat. 782, ch. 889, and 68 Stat. 785, ch. 892); and to amend the Hawaiian Organic Act to delete the annual limitation on indebtedness that may be incurred by the Territory of Hawaii.	Aug. 20, 1958. Approved by President. Public Law 85-691.
H. R. 13015	To authorize certain construction at military installations, and for other purposes.	Burns amendment to exclude family housing units on Fort DeRussy, Honolulu, Aug. 20, 1958. Approved by President. Public Law 85-685.
H. R. 8755	Social security, retirement systems, divide.	Burns amendment to aid Hawaii to law extending social security coverage to policemen and firemen covered by local retirement systems, if they so desire. Aug. 30, 1957. Approved by President. Public Law 85-226.
H. R. 12858	Public works appropriations, 1959.	Honolulu Harbor, $1,000,000; Hanapepe River, $407,000; Kawaihae Harbor, $1,352,000; 6 surveys, totaling $83,000; Nawiliwili Harbor, $400,000.

Mrs. Knutson Cites Need for Additional Cystic Fibrosis Research

EXTENSION OF REMARKS
OF
HON. GEORGE HUDDLESTON, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HUDDLESTON. Mr. Speaker, yesterday our distinguished colleague, Mrs. COYA KNUTSON of the Ninth Minnesota District, addressed the St. Paul-Minneapolis Chapter of the National Cystic Fibrosis Research Foundation at Minneapolis.

Because of the timely nature of Mrs. KNUTSON's remarks, it is a privilege for me to insert in the RECORD her speech, along with her introduction by Mr. Ben McCabe, regional director of the National Cystic Fibrosis Research Foundation. I urge that every Member of the House give this excellent speech his thorough study. The speech follows the introduction:

INTRODUCTORY REMARKS BY MR. BEN MCCABE, REGIONAL DIRECTOR, NATIONAL CYSTIC FIBROSIS RESEARCH FOUNDATION

It is a real pleasure for me to have the great honor of introducing our distinguished speaker this evening.

I am reminded of a story. Two high-school girl graduates were discussing whether they would go to a college for women or to a coeducational institution. One of them made the decisive argument. She said: "Most men see so much better than they think." That cinched their decision to attend a coed school.

So after that brilliant observation on the character of us men, I hope you will pardon me if I stumble or stutter in my introduction of a beautiful woman.

COYA KNUTSON is a smalltown woman. That is a common distinction in Minnesota, a smalltown State. But she comes from the northwestern part of the State which is all small towns, and Oklee, her home, is one of the smaller ones.

It is a great advantage to have had the experience of living in a small town.

We, here in the cities, pick with care the area where we are going to live. We insulate ourselves to a considerable degree from the other half or three-quarters of the population. Their problems may go unnoticed by us.

But that is impossible in a small town. You are a neighbor to everyone, not only at home but of the surrounding area, including other towns. Anyone's problem is everyone's worry. Folks are quick to rush a hundred miles to help a family in distress.

A sick child is the heartfelt concern of everyone, but particularly of the women. And even more particularly of a woman such as COYA KNUTSON—a woman of great ability, energy, and tenderness.

We parents of children suffering from cystic fibrosis are particularly fortunate that COYA KNUTSON's great talents have now been given to the Nation and to our Nation's children.

Another smalltown woman, Mrs. John Michels, of Breckenridge, wrote to COYA KNUTSON about the plight of another neighboring family, the Ed Andersons. The Andersons have one child afflicted with cystic fibrosis and had lost two other children to it.

I don't expect COYA KNUTSON had ever heard of cystic fibrosis, but the terrible story of the Anderson family was enough to arouse her to action.

She got the facts about cystic fibrosis.

She told Congress and the Nation about this No. 2 killer of America's children.

She got action from Congress and the National Institutes of Health.

Through her fine efforts, research work to find a cure for cystic fibrosis will be advanced tenfold.

Thousands of citizens have been made aware of their neighbors' terrible plight.

And she has given new and inspiring hope to the thousands of cystic fibrosis children and their parents.

We men, particularly, have felt that politics was a man's world.

But how fortunate it is for us of the cystic fibrosis family that that opinion is wrong.

By this one instance alone COYA KNUTSON has proven that modern politics needs the character that women alone can give.

In this world of the hydrogen bomb, of international tensions keeping us on the brink of war year after year, of sputniks and rockets to the moon, we and the whole world need, as never before, just a little more tenderness, a little more concern for our neighbor and enough gumption to get up and do something about it.

We are grateful to COYA KNUTSON for the hope she has kindled in us. We gather this evening to honor and thank her for her work on cystic fibrosis.

I am honored to present Minnesota's Congresswoman COYA KNUTSON.

SPEECH BY CONGRESSWOMAN COYA KNUTSON, NINTH DISTRICT, MINNESOTA, BEFORE THE ST. PAUL-MINNEAPOLIS CHAPTER OF THE NATIONAL CYSTIC FIBROSIS RESEARCH FOUNDATION, MINNEAPOLIS, MINN., AUGUST 22, 1958

Mr. President, members of the St. Paul-Minneapolis chapter, I am grateful for the opportunity of being with you tonight. Some time ago the Washington, D. C., chapter of your organization made me an honorary member of their group. I am proud of that membership; and I am pleased, now, to meet more of the fine people who are working so devotedly in the cause of cystic fibrosis.

I stand before you humbly. There is nothing I can tell you about cystic fibrosis. I do not need to remind you of the 7,000 new cases each year. I do not need to point out the tragically high death rate. You know these things, because you are parents and friends of CF children. You have faced the anxious days and nights. You have watched the suffering of your little ones. You don't need me to tell you what a terrible problem CF is.

What, then, can I offer you tonight?

I am told that your slogan is "Where there's help, there's hope."

For some months I have been trying earnestly to do what I can to help. Now I believe that I can, in good conscience, bring you word that there is hope. Wouldn't you say that the possibility of over $1 million being spent on CF research during the coming year is cause for hope?

Let me give you a little of the background on all this. A few months ago I received a letter from one of my constituents. In the letter my constituent told me about a little boy she knew. "He is 5 years old," the letter said. "His doctors have recently given his parents hope that he might live to be 15. His parents have lost two other babies, victims of cystic fibrosis, too. The boy sleeps in a kind of oxygen tent at night, and 4 times a day he is put under the tent for relief and rest. His drugs amount to $100 a month."

I was shocked. I had never heard of cystic fibrosis, yet it seemed to be a major medical problem. I called the Legislative Reference Service of the Library of Congress for facts and figures, and what I learned made me realize that we had to have immediate action. I learned about the dreadful symptoms which are so familiar to all of you. I learned about the high incidence. I compared the figures I received with nephrosis, leukemia, and paralytic polio and found that cystic fibrosis is far more common than any of them, and that it ranks high among the child killers of our era.

What could I do, I wondered, to help this little Minnesota boy and the thousands of others like him? What aid and comfort could I offer to parents who faced years of anxiety and financial strain?

I felt that I had a deep and lasting obligation to do something. When I first went into politics, it was at the local level. I had seen conditions here in Minnesota that I didn't like, and I wanted to do what I could to help correct them. I saw farmers struggling to support their families on incomes that were far too low. I saw overcrowded schools and overworked teachers. I saw adults and children struck down by illnesses that blighted their lives and the lives of their families.

I talked to these people who were my friends and neighbors. I talked and I listened. I listened with a woman's heart, and a woman's intuitive understanding of problems that affect the current of daily life in a home. I listened to hardworking farm women who were hoarding their egg money, trying to make it cover an impossible number of expenses. I listened to mothers who bitterly resented the inadequate schools provided for their children. I listened to other mothers who were weighted down by family illnesses that drained them emotionally and financially.

But the voices came from an ever-widening circle. I began to realize that these problems were not peculiar to Minnesota alone. All across the country families were struggling against these same obstacles. State laws aimed at correcting economic and educational and medical deficiencies are fine, as far as they go—but they cannot go far enough.

Only national laws could strike at the bases of these problems, I realized. And many of the people who were most in need of help could not speak out, seeking that help for themselves. So perhaps, I reasoned, I could speak for them. That was when I sought a seat in the Congress.

My years in Washington have been rewarding beyond anything I had dreamed they would be. I have seen some of the economic measures I have introduced begin to make their effect felt in an improved standard of living for our people. I have seen the beginnings of a movement toward expanded educational facilities.

And now, with the challenge of cystic fibrosis before me, I knew that I could see the beginning of a concentrated march toward victory over at least one of the dreaded illnesses that plagued our people.

I asked representatives of the National Institutes of Health and the National Cystic Fibrosis Research Foundation to meet with me and give me their advice about what contribution I might make in the battle against cystic fibrosis. They told me about the wonderful advances CF research had made in the past 5 years, and they pointed out the need for additional research. Research costs money, and I knew that the Congress must be persuaded to provide that money. So I decided to tell every Member of Congress just how important research money for cystic fibrosis might be to the lives of our children.

On March 20, 1958, I addressed my colleagues on the floor of the House. "We must declare war," I told them. "We must declare war on cystic fibrosis." Some of you have read that speech and later speeches I made. In addition I wrote every Member of the House and Senate asking support for an expanded CF research program. I was happy to find that some of my colleagues were already becoming deeply aware of this need, and that others, learning of it for the first time, were eager to help in any way they could. Phone calls began to come in from many of the other House and Senate offices, requests for further information about CF; questions about the number of known cases; offers to help me in my newly declared war by supporting any CF bill I might place before the House, or by introducing similar bills to increase the overall impact of the attack on this disease.

The parents wanted to help, to. As word of my interest in cystic fibrosis filtered out over the country, letters began to pour over my desk—more than 3,000 of them, from nearly every State in the Union. Do you know that is the first time I have ever received 3,000 letters in favor of something and not a single one opposing it.

A good many of those letters came from Minnesota—some of them from people who are in this room right now. The rest were from parents like you. Parents who watch every moment that ticks by on the clock because they know that time may be running out for the children they love. One mother wrote me, "We have been living from day to day, not knowing and not daring to look any further into the future."

I want to tell you how much the letters you wrote to me and to other Members of the House and Senate have helped us in understanding your problem. Reading that mother's letter, I began to care in a very personal way about her child. I wanted her son to have a chance at the future, a chance to grow up.

I began to meet some of the CF parents personally—members of the Washington chapter. With such a flood of letters and inquiries coming into my office, my staff was just deluged with the work that needed to be done. I wanted to be sure that each and every letter and card received the attention it deserved, and that every inquiry was answered promptly and accurately. So I asked members of the Washington chapter to assist my staff. It was wonderful the way they responded. They took home great boxes of envelopes and returned them, neatly addressed and ready for my letters, in just a few days. They found the answers for me when I received questions too technical for my new and limited understanding of cystic fibrosis. One officer of the chapter has spent several full working days actually in my office, tending to the details that were getting ahead of my staff; and I continue to call on her frequently for information and help of all kinds. This kind of dedication, I knew, deserved the best effort I could make on behalf of CF.

Most of you know that I introduced a bill calling for special funds for CF. I knew that the only way to offer real help to these children was by attacking the problem at its base, by providing the means for research into the nature and causes of this disease, as well as research into means of controlling the lung infections and other complications.

In the meantime others on Capitol Hill were taking action on the CF problem also. When the House considered the need of the National Institutes of Health for funds for the coming year, very specific questions were asked about CF research in progress

there, and the House report contained a directive that the research be accelerated during the coming year. The Senate went even further, designating $1 million to be used for CF during the coming year. In its final form the overall funds provided in the appropriations bill were reduced by approximately one-fourth of those requested by the Senate. However, this will not mean that only three-quarters of a million dollars will be available under that bill for CF research. Because of a special House amendment added in the conference committee, one of the institutes can channel another $332,000 to CF if it can be used productively within the year.

That makes a total of over $1 million for CF.

Do you agree with me that this gives us cause to hope that one day cystic fibrosis will cease to menace our children?

I'm sure you want to know how this money is to be administered. It is one thing to have a great deal of money, and another thing to know how to use it wisely. Just what are the National Institutes of Health, and how do they function? The National Institutes are a compound research organization under the United States Department of Health, Education, and Welfare. Each Institute is dedicated to research in a specific disease, or to a group of related diseases. For example, there is a National Cancer Institute and a National Heart Institute. The main headquarters are in a fine group of hospital buildings in Bethesda, Md., just outside of Washington, but research arms of these Institutes exist all across the country.

The National Institutes—or NIH, as it is usually called—has had a CF study project for some years now. During the past 4 years, 50 CF cases have been under observation. Many of the patients have been from the Washington, D. C., area but others have come from distant States.

There is a popular misconception that only people who are going to die go to NIH. This is very far from the truth. Because it is entirely a study and research organization, NIH prefers to work with patients who have a reasonable chance of survival, so that the study may be continued over a longer period of time and a greater amount learned that will be of help to that patient and others. New drugs and new therapies are tried, but these patients are not guinea pigs. The welfare of the individual patient is always the first concern, and no experiments are undertaken which might endanger him. The patients feel this concern in the doctors and technicians who work with them. Senator LISTER HILL recently had this to say about NIH personnel:

"I know of no group of men and women in all the world who are more selfless, who are more dedicated, or who give more of themselves to a noble cause than these men and women."

Such is the environment in which the proposed CF research is to be conducted.

The cystic fibrosis cases are handled through the joint efforts of two of the Institutes: The Institute of Allergy and Infectious Diseases (because of the importance of the infectious lung conditions) and the Institute of Arthritis and Metabolic Diseases (because it is known that some basic metabolic defect is present in these children). In addition, these two Institutes plan to work closely with the Institute of Neurology and Blindness, which has the greatest contact with newborn infants, in an effort to improve diagnostic techniques and pinpoint more accurately the true incidence of this disease. Research emphasis in the past has centered on body chemistry and on antibiotic therapy. These interests will be continued and additional projects will be begun. Not only will the project at Bethesda center be expanded, but extramural grants will be given which will enable study groups in other medical centers to enlarge their projects and begin new ones. There seems also to be hope that a major medical conference on cystic fibrosis will be scheduled during the year.

So it surely sounds as if the ball is rolling at last. Cystic fibrosis—this I promise you—is no longer an unknown disease on Capitol Hill. The welfare of your CF children is a matter of first importance to your Government, and a concentrated effort to overcome this tragic disease is going to be made.

Where do we go from here? Can we rest easy now, and stop all our efforts on behalf of CF? Is the National Cystic Fibrosis Research Foundation superfluous now?

No, indeed. Most emphatically no.

There is still a tremendous job to be done—and you of the NCFRF are the people who must do it. CF may be known on Capitol Hill, now, but it still is not known to the man in the street. Every one of you has had the experience of mentioning cystic fibrosis, only to be met with blank stares. Many of you have encountered a lack of understanding not only among your townpeople but even, in some cases, among members of the medical profession itself.

The only way to build public understanding of the magnitude of this problem is through a concentrated educational effort. Your foundation makes available to you a variety of educational material—pamphlets, brochures, your movie. Put these materials to work. Buttonhole everyone in Minneapolis and St. Paul, until you are sure that cystic fibrosis is a household word, just as polio became a household word some years ago. You saw the results there. Public indignation about the tragedy of polio became so great that its research needs were given outstanding support—and now, with the Salk vaccine, polio has almost ceased to threaten our people.

It isn't enough that money has been appropriated this year for CF research. Public interest in CF must be so great that the Congress will continue to appropriate large sums each year until the final answer is found. Make sure the public knows about this need—and make sure that the Congress knows that the public wants and expects continued action.

That covers the educational function of your foundation. Now what of its fundraising efforts? Is it useless for Mrs. Smith to raise $25 at a bake sale, or for Mrs. Jones to contribute $100 from a bridge benefit?

Once again I say, emphatically, "No."

Your fund-raising efforts continue to be highly important for two reasons. One is the simple fact that there cannot be too much money to devote to this disease until its causes and cure are found. The other is that privately supported research and research supported by Government do not conflict with each other; they supplement and complement each other. The Senate report on the need for research funds put it this way:

"In recommending funds for medical research and training, the committee is acting to fill the gap left after account is taken of all sources of private support. The committee believes that citizens should support the efforts of private groups, and that governmental support of medical research is not in lieu of, but in support of, private effort."

That means you. You are the citizens the committee has charged with the responsibility for the support of private groups. So I say to you, strengthen your national foundation. Work together in every way that you can. Never let your attention be diverted from the central fact that CF children—your own children and children like them all across the country—need the best cooperative efforts of us all if they are to have their chance at the future.

I am going to keep right on fighting for CF. You have probably heard that I hope to keep on occupying that seat of mine in the House of Representatives for a good long time. And as long as I am there, I shall keep in touch with what is going on in the field of CF. I shall do what I can to keep interest alive and unflagging. I shall do what I can to help—so that you and your children may have hope.

Result of Poll on Labor-Management Problems

EXTENSION OF REMARKS
OF
HON. CHARLES E. CHAMBERLAIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. CHAMBERLAIN. Mr. Speaker, some time ago I circulated to residents of my District a questionnaire dealing with labor-management problems. The results, which were widely publicized, were placed in the CONGRESSIONAL RECORD at page 11220. Subsequent to the distribution of my questionnaire, I received a letter from the president of Local 559, UAW–CIO, of Flint, Mich., asking that I set forth my answers to 14 questions so that members of local 559 might know my position with respect to them.

I have always been vitally interested in the problems of the working people of my District. As a former factory worker in the Fisher Body plant in Lansing, I feel I appreciate and understand those problems. I welcomed the opportunity to express my opinion on the 14 questions, and would like to make my response a matter of public record at this time:

1. Would you favor the establishment of a Congressional committee to study the effect of automation and technological improvements upon our economy in order that recommendations could be made regarding distribution of jobs among all job seekers, thereby eliminating the need for unemployment benefits?

Answer. I favor a thorough study of the effects of automation whether by the Department of Labor or a Congressional committee. As you know, the matter has already been a concern of a Congressional committee. On May 22, the Secretary of Labor appeared before the Banking and Currency Committee at which time, I, myself, questioned him on this very subject. I definitely believe all aspects of the problem should be the subject of continuous, but not delaying, research.

2. Do you favor repeal of the 10-percent automobile excise tax and a 10-percent reduction in corporation profits?

Answer. I advocated repeal of the automotive excise tax when I was a candidate for Congress and introduced legislation to accomplish this, H. R. 3022, in January 1957. I regret that Congress has just rejected my proposal. I have already urged reconsideration of price and profits in view of the recession. On February 17, 1958, I wrote to major auto manufacturers urging that their prices be reduced if possible. I have also written to the President suggesting that he use his influence to urge price reductions nationally to stimulate the economy.

3. Would you favor the establishment of a 5-man committee, 2 from management, 2 from labor, and 1 impartial chairman, to determine how pension and welfare funds should be invested?

Answer. To me, the investment of such funds is not a Federal problem. Public reports relating to these funds should be sufficient guaranty of proper investment. However, I have no objection to the manner suggested in your question.

4. Should corporations be made to file reports regarding their pricing policies?

Answer. No. I firmly believe that our competitive system, that has worked so effectively to give us the highest living standard of all the world, can be the most effective means of determining price policies.

5. Would you favor legislation which would make collusion between a union official and a corporation official a Federal offense with equal punishment to both?

Answer. Yes.

6. Do you favor election of corporation officials by secret ballot by stockholders based upon one vote for each stockholder regardless of number of shares held?

Answer. No. It would not only be unfair but tends to be socialistic. Those with greater investment should have greater control.

7. Should misuse of corporation funds be made a Federal offense?

Answer. Certain misuses of corporation funds are now Federal offenses. Other misuses certainly are State offenses. Where State laws are not adequate, Federal legislation should be considered.

8. In view of present economic conditions, do you favor: (a) placing a maximum of $50,000 per year on corporation officials' salaries? (b) elimination of bonuses paid to corporations officials out of profits? (c) elimination of price increases at this time?

Answer. (a) No. The principle would be socialistic. I do not favor either wage or price controls at the present time. It is public knowledge that at least one former union official has a retirement income of $50,000 per year. To me, such decisions are the prerogative of both the unions and corporations under our free enterprise system.

(b) No. Under proper circumstances I believe corporate officials can legitimately receive bonuses as well as employees.

(c) Yes, unless increasing costs make price increases absolutely necessary. My published letters to the auto manufacturers and the President express my attitude in this regard.

9. To avoid possible labor strife at this time do you believe management leaders should be urged to restrict profits to 10 percent of their investment?

Answer. Every conceivable effort should be made to avoid labor strife both on the part of management and labor. In view of current economic conditions, all profits should be reduced to a minimum as well as labor demands. While I hesitate to specify an exact amount, I am in accord with the principle of reducing profits, and likewise prices, as much as possible.

10. Do you object to the enormous contributions to political parties and candidates made by corporation executives?

Answer. If you will specify the "enormous contributions" to which you refer, I shall be pleased to comment as to each. As a general policy I favor the financial support of one's political beliefs within reasonable limitations. I favor personally small contributions from individuals. I do not favor "enormous contributions" from any source.

11. Do you believe the policies adopted by management leaders represent the thinking of the majority of the stockholders?

Answer. Yes. If such policies don't reflect the stockholders' thinking, there is soon new management.

12. If you were working in a factory, would you voluntarily join the union?—(a) and when you worked at the Fisher Body did you belong to the Union?

Answer. If I were working in a factory today, union membership in most cases would be compulsory. I am aware of the importance of unions and favor their general purposes. I would not hesitate to join a union voluntarily if its policies were in accord with my own belief, and such membership would be a benefit to me and my fellow workers.

(a) When I worked at Fisher Body, I was a teen-ager and was never asked to join the union. I left my job to go to college. On my first full-time job after graduation in the accounting offices of the Washington Gas Light Co., Washington, D. C., I joined District of Columbia Gasworkers Union.

13. Do you favor a Federal right-to-work law?

Answer. No. I do not believe there is need for such Federal legislation at the present time.

14. If you were employed, could you support your family in the American tradition on the present unemployment benefits?

Answer. Absolutely not.

Baseball Hall of Fame

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. KEATING. Mr. Speaker, it is particularly appropriate that Congressional action recognizing baseball's Hall of Fame should follow so closely the observance of Interfaith Night at Griffith Stadium, here in the Nation's Capital. This night, which has become an annual occasion in Washington, provides an opportunity to reflect on baseball's roles as the great equalizer, the great destroyer of prejudices, the great stimulant for brotherhood in action.

Highlights of Interfaith Night included a victory for the Senators, Vice President NIXON throwing out the first ball, and the presentation of interfaith awards to Rocky Marciano, George Jessel, Daniel W. Bell, and Attorney General Rogers. These citations were fitting tributes to the fine work each of these men has done to further the cause of common understanding between the races, religions, and creeds of this Nation.

Clearly, the manner in which baseball has smashed the barriers of bigotry and prejudice make it fully deserving of salutes such as Interfaith Night. It is equally true that these attributes, plus the fine influence of the game on our youth, the enjoyment it has afforded millions of fans both here and abroad, and the manner in which it epitomizes the highest ideals of sportsmanship and fair play, make the sport's Hall of Fame fully deserving of Congressional recognition and applause. They emphasize the need for encouraging, in every way possible, the export overseas of our national pastime.

We, in New York State, are exceedingly proud that baseball first came into being in New York State and that the game's Valhalla is located in Cooperstown, N. Y. No lover of baseball who has ever visited this wonderful shrine can come away with anything but a feeling of awe and a sense of the great records and traditions which the giants of the game have built. A visit to the Hall of Fame is a treat no sports lover should be denied. For many, it is one of life's most unforgettable moments. I urge every Member of Congress who has not made a pilgrimage to Cooperstown to do so at his earliest opportunity.

Because the Hall of Fame enshrines the mementos of baseball's immortals and preserves the priceless memories of our national pastime, it is fitting that Congress pay the tribute embodied in House Concurrent Resolution 213. I commend the gentleman from New York [Mr. KEARNEY] for initiating this fine measure, and urge that it receive the overwhelming support of this body.

REA Needs More Supervision

EXTENSION OF REMARKS
OF
HON. HUBERT B. SCUDDER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SCUDDER. Mr. Speaker, I recently had a communication from Mr. Clyde Ellis, the public power lobbyist, soliciting my support for the Price REA bill, H. R. 11762. Ellis says this bill "simply declares that the REA Administrators' power to make individual loans should not be interfered with by anyone."

From our experience in California it seems high time that there be a lot more interference in the loans of the REA Administrator. REA needs more supervision, not less.

During the hearings before House Interior Committee on my bill H. R. 6997 which would authorize partnership development of the Trinity River two very shocking situations were revealed. Both of these situations involve the Sacramento Municipal Utilities District, commonly known as SMUD.

The SMUD service area is 653 square miles and comprises the major portion of Sacramento County and a small sector of Placer County. Its principal city is Sacramento, the California State capital. Its location in the heart of California is at the crossroads of transcontinental and Pacific coast railroad lines, airlines, and highways.

During 1955, over 700 new commercial and industrial customers were added, and new residences started (homes, duplexes, and apartments) totaled over 8,000.

The Sacramento area is the marketing center for the great Sacramento Valley agricultural basin and food processing is one of its principal industries. Campbell Soup Co., Libby, McNeill & Libby, California Packing Corp., and Bercut Richards Packing Co. are among the larger food-processing plants in and around Sacramento.

Industrially, the area boasts a wide variety of large operations such as Southern Pacific Railroad's second largest shops; Pacific Fruit Express Co.; Procter & Gamble Manufacturing Co.; American Can Co.; Continental Can Co.; Aerojet-General Corp.; the Air Materiel Command for the west at McClellan Air Force Base; a training base, Mather Air Force Base; the Sacramento Signal Depot; and a number of lumber concerns.

In short, SMUD's service area of 653 square miles lies in the heart of a typical commercial and industrial area and its customers and operations are typical of any utility serving any built-up metropolitan area—except, of course, it pays no taxes.

But here the similarity ends. For this same SMUD has been singled out for special and preferred treatment by the Federal Government. It has a very large loan from the Rural Electrification Administration and a 40-year contract for Government power.

Let us take the REA loan first. Out of the 14 million people who live in California, only 400,000 live in the SMUD area. Of the 158,693 square miles of land area in California SMUD serve 653 square miles—one twenty-fifth of 1 percent of the State's area. Yet the same SMUD has received over $23 million of the total of some $27 million of REA loan funds in California. We have already pointed out that the SMUD service area includes business and industrial and built-up rural areas in the heart of California. Certainly there are no distant or hard to reach farms in this entire area.

The data which I have acquired from the Department of Agriculture here in Washington points out that even as far back as 1935 53.9 percent of the farms in California were electrified and that by 1957 this percentage has risen to 96.9 percent.

As a matter of fact, the 53.9 percent in 1935 was way ahead of the national average of that time and they were supplied not by REA but by private utilities. The 96.9 percent in 1957 were for all practical purposes all supplied by private utilities. REA has had no room to go in California simply because the area has always been ahead of the national average in rural electrification. Only a handful of farms in all of California are supplied by REA.

Nevertheless, we find the situation of the $23 million loan to SMUD at 2 percent interest. This is an out-and-out subsidy to SMUD because it costs the Federal Government closer to 3½ percent to borrow money from its citizens.

For the most part the city of Sacramento and surrounding area is about as rural as St. Louis and if SMUD is eligible for an REA loan, then I think every utility in the country which serves outside the corporate limits of cities is entitled to REA financing.

Doesn't it seem to you that the REA Administrator's power to make loans, at least loans of this type, should be subjected to closer scrutiny instead of less scrutiny as suggested by Mr. Ellis?

Now we come to the second special treatment accorded to SMUD, and this is, if possible, even more shocking than the first. This district now has a contract with the Department of the Interior for the purchase of over two-thirds of the firm power of the Central Valley project. When Congress authorized this project—and almost $800 million has been appropriated for it—it specified that the revenues from power were to be used to financially aid and assist the water features of the project The way it is turning out, the power features of the Central Valley project are financially aiding and assisting the Sacramento Municipal Utilities District.

According to testmony before the House committee, SMUD now pays a little less than 4.5 mills per kilowatt-hour for its power from the Government, it pays no taxes, and it has a $23 million 2 percent REA loan. Did I hear somebody talk about "give away" or "hands in the Federal cash register?"

As you know, the House Interior Committee did not take formal action this year on my bill to authorize partnership development of the Trinity power facilities. Action was prevented by forces within the committee which opposed this legislation and who were in a position to prevent committee action on this proposal.

Just what would be the effects of my bill? In the first place, it would save about $60 million of taxpayers' money because the Pacific Gas & Electric Co. would build the power facilities. At a time when we are facing a $12 billion deficit and people from all over the United States are screaming for more Federal funds for more Federal projects, isn't it about time that we relieve the Federal Government of this burden whenever there are citizens who are willing to do a part of this job and under a proper State regulation.

In my Congressional District we have the Russian River project, the Middle Creek and the Eel River projects where Federal funds are required. Don't you think it might be well to let the power company build the power facilities at Trinity—save the $60 million and let some of it go to build the worthy projects throughout the country?

Earlier in this statement, I referred to the fact that Congress directed when it authorized the Central Valley project that power revenues were to assist the water features. Under a joint development the Trinity power facilities would do just this to the tune of some $175 million over the payout period, whereas under all Federal development, the Trinity power facilities would become a drag and a drain on the water features of the Central Valley project.

Add to these advantages the payment of over $140 million in Federal, State, and local taxes and you can readily understand my anxiety and interest in promoting joint development.

And who were these forces opposing Trinity partnership? Primarily it was those whose main interest is to get even greater Federal handouts for SMUD from the Federal Government—however they might try to disguise their purpose.

Power from Federal Trinity plants would cost somewhere between 7.3 and 8.9 mills per kilowatt-hour according to testimony before the House committee and most of it or a good part of it, would go to SMUD at less than 5 mills per kilowatt-hour. So that is another subsidy or Federal advantage accorded to SMUD, which could amount to around $3 million per year.

So a Trinity partnership controversy is not the one of public versus private power but it is a question of further Federal subsidies to SMUD or benefits through joint development to all of the people of California and taxpayers of the Nation.

Of course SMUD hired a high powered engineer to present their case before the committee in opposition to Trinity partnership. Committee members tell me that his testimony had little if any effect on the committee members because even he had to admit that even using his figures and even allowing some increase in SMUD rates Federal Trinity power would still be sold at less than its cost of production.

The opponents of partnership are trying to hoodwink Congress into thinking that partnership represents some sort of a giveaway or some sort of handout to the private utilities. Actually, it is no such thing and cannot be under the strict regulations to which all California utilities are subjected.

Andrija Artukovic

EXTENSION OF REMARKS
OF
HON. JAMES B. UTT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. UTT. Mr. Speaker, under leave to extend my remarks, I would like to insert the following letter which I addressed today to Hon. J. M. Swing, Commissioner, Immigration and Naturalization Service, Department of Justice, Washington, D. C.:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 23, 1958.

Re Andrija Artukovic.
Hon. J. M. SWING,
Commissioner, Immigration and Naturalization Service, United States Department of Justice, Washington, D. C.

DEAR GENERAL SWING: I have your letter of August 20 with reference to the above-entitled matter. To say that I am amazed at the misstatement of facts is to put it mildly. It appears to me that a bureau of the Federal Government should make every effort to convey the truth to those people who make inquiry on various matters. Your statement that the above-named subject entered the United States with documents fraudulently obtained is contrary to the known facts of your office.

Rev. Dr. Louis Ivandic, born in Croatia, and now a professor in Canada, declared under oath: "I know by my personal knowledge that Andrija Artukovic made an application in Fribourg, Switzerland, to change officially the the name, Andrija Artukovic, to Alois Anich, because his life was in danger. I know that his application for permission of the use of Anich was forwarded from Fribourg to Bern, Switzerland. I can testify to the fact that Inspector Frederick Schoenenberger was sent by the Federal authorities in Bern to Fribourg to conduct an examination for the application of Andrija Artukovic. I know and can testify that Andrija Artukovic had a hearing before Inspector Schoenenberger, and that Federal and State authorities, both in Bern and in Fribourg, Switzerland, had full knowledge about the identity of Alois Anich as of Andrija Artukovic.

"I further testify that after the hearing of Andrija Artukovic I saw Inspector Schoenenberger personally and had a discussion about the case. The inspector showed me the Croatian diplomatic passport which Mr. Artukovic presented him during the hearings and went to Bern to present it to the authorities in Bern. I know that later Inspector Schoenenberger returned to Fribourg and returned the diplomatic passport to Artukovic's wife. I know that the Swiss authorities issued a certificate of identity under the name of Alois Anich after the hearing of Andrija Artukovic."

Artukovic, therefore, had henceforth the legal right to use the name Alois Anich. He lived under that name during his year's residence in Ireland and, when a child was born to him and his wife there, he officially recorded the boy's name as Radoslav Anich. He applied for and obtained a visitor visa to the United States of America in the name of Alois Anich, exhibiting an Irish certificate of identity issued to him on the expiration of his Swiss certificate.

Artukovic entered the United States of America in July 1948 with Irish identity certificate and visitor visa in the name of Anich, and no inquiry at entry was made as to whether he had been known by any other name. Six months later, on January 25, 1949, in applying for further extension of temporary stay, in the form of application prescribed by the Service, he clearly and plainly set forth his names as Andrija Artukovic and Alois Anich. The Service raised no objection, and extended his temporary stay. On three successive occasions he gave the same information officially.

The Immigration Service knew in 1949 that Mr. Artukovic and Alois Anich were one and the same person, and no effort was made to deport him until April of 1952, and then only under pressure from the Tito Communist agents, aided and abetted by Drew Pearson.

While I disagree with the deportation proceedings, this letter is directed against the shameful misrepresentations made in your form letter to American citizens who make inquiry regarding Andrija Artukovic, and I sincerely trust that in response to future inquiries you will discontinue making such a misstatement of fact.

Sincerely,

JAMES B. UTT,
Member of Congress.

Teacher Training for Mentally Retarded

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BOLAND. Mr. Speaker, I rise in order to support H. R. 13757 which was introduced by Congressman JOHN FOGARTY. It encourages and provides for the expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies.

There has been a tremendous need for legislation in this field. Today, in this country, there are approximately 1 million mentally retarded children of school age, and only 15 percent of these children are properly and adequately served. The importance of this legislation is self-evident, yet only in the past 10 years has it been given the recognition it truly merits. The action by this Congress is a step in the proper direction.

I have always had a deep and sincere interest in this type of legislation. As a result, I filed a bill, H. R. 5401, which would have helped in this area. I was delighted to see that H. R. 13757 has incorporated many of the features of the bill that I filed.

The people of my area and my State have a deep interest in this matter. Organizations to assist the mentally retarded have been active throughout Massachusetts and particularly in my home county of Hampden. All will be pleased with the action of this Congress in granting relief in this humanitarian field.

Bond Financing of Federal Expenditures as a Device To Bypass Appropriation Controls

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MILLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MILLER of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I desire to call to the attention of Congress an analysis I have prepared pointing out the repeated attempts that have been made during the 85th Congress to finance both old and new Federal spending programs by means other than the traditional appropriation process. This analysis also indicates the extent to which the TVA bond bill, S. 1869, would bypass the House Appropriations Committee and the appropriation procedure that Congress evolved to maintain continuance control over Federal spending. The analysis follows:

Repeated attempts have been made during the 85th Congress to finance both old and new Federal spending programs by means other than the traditional appropriation process. These efforts have been directed at giving Federal agencies the authority to obtain funds by direct Treasury borrowings or by issuing their own bonds. In each instance the effect has been to bypass the House Appropriations Committee and the appropriation procedure that Congress has evolved to maintain continuous control over Federal spending. Since it is through appropriations that the Congress maintains this supervision, the matter is of first significance.

Numerous pieces of legislation were introduced in this Congress containing devices raising this issue. These involved mineral subsidies, housing, small business investments, public works loans, aid to depressed area, and TVA. Because this entire subject is attracting increasing attention, it might be well to see how the appropriation process differs from Treasury and other bond financing methods.

THE APPROPRIATION PROCESS

The method of financing anticipated by the Constitution was by the appropriation of money from the general funds in the United States Treasury. These funds which belong to the people cannot be drawn upon and spent without both an authorization and appropriation by Congress. In general terms, the appropriation procedure is as follows: The executive branch prepares an annual budget outlining its spending needs and, along with supplementary estimates as they arise, sends these requests for funds to Congress where they are processed initially by the House Committee on Appropriations.

As the first step, the House Appropriations Committee holds hearings in executive sessions and prepares bills and reports on the sums and items it believes should be allowed. These are then acted upon by the full House. The bill then goes to the Senate where the entire proceeding is repeated. When the House and Senate have agreed on the amounts and items in the many bills appropriating money, the bills then go to the White House for the President's signature. Not until they have cleared all these steps can public funds be drawn from the Treasury and spent.

As part of this procedure agencies of the Government must come before the House and Senate Appropriations Committees each year to explain and justify their proposed programs in the light of what they have been doing and what they would like to do. Agency heads are eternally confronted with the knowledge that if the committee is displeased with past performance, or does not believe future plans are in the public interest, it can recommend reduced appropriations.

The appropriation process, therefore, helps prevent waste of public funds and insures that the policies and programs conform to the intent of Congress, expressing the wish of the people. This is the most effective means Congress has to compel responsibility in the executive. Since no other agency of Government performs these functions, the Appropriations Committee fills a most vital role in making certain that Government is responsive to the people's will.

AVOIDING APPROPRIATION CONTROLS

Experience shows that every agency would like to be free from this close control and supervision. Each tries to justify such freedom on the plea it needs flexibility to be efficient. By "flexibility" the agencies mean exemption from dependence on appropriations; exemption from scrutiny, examination, review, and control by the Appropriations Committee.

Executive agencies have been unceasing in their efforts to obtain permanent appropriations in some form. Back in

1893, for instance, the House Appropriations Committee noted:

> It serves executive convenience to escape the annual discussions to procure appropriation estimates and it lessens public scrutiny • • • but it takes from the country and from Congress the habit of providing yearly for these obligations.

About 40 years later the same committee argued that no one Congress has the right to bind succeeding Congresses "by enactment of laws" permitting Federal expenditures "without annual examination, approval, and supervision" of Congress. After criticizing certain agencies for their power to "obtain permanent appropriations or to defeat legislation to curb such practices," the Appropriations Committee stated:

> Congress has no desire to impair existing rights but is seeking, rather, to reestablish its own right and duty to pass annually upon all appropriations.

In recent years, the borrowing device—either from the Treasury or directly from the public—has evolved as the Agencies' most sought-after method to gain freedom from appropriation controls. Under it, the Agency obtains funds from the Treasury within the limit set forth in the authorizing legislation. Thus, the Appropriations Committees are not called upon to make any review or take any action in connection with the financing. The Agency need not return to Congress unless and until it seeks additional borrowing authority. Its funding in most instances is handled by the Treasury Department and its borrowings are included within the public debt.

This borrowing technique is taken a step further in the case of the TVA bond financing proposal. This piece of legislation differs from the Treasury bond financing device in two most important respects. Under pending legislation TVA itself—not the Treasury—would be authorized to issue and sell the bonds directly to the public, and the TVA bonds would be outside the public debt limit. Under S. 1869, the TVA bond bill that is pending in the House, this Agency would be authorized to issue and sell $750 million in bonds to finance the construction and acquisition of facilities to produce and sell electric power. Once the bill passed, TVA would be free to borrow the $750 million without regard to the House and Senate Appropriations Committees or to the overall fiscal condition of the Federal Government. As long as the money lasted, TVA would not have to come back to Congress for more and, according to most estimates, this would be from 6 to 10 years.

Proponents of S. 1869 contend it contains adequate Congressional control. But compare these controls with those of the appropriation process. Under S. 1869 the Agency can spend any or all of the $750 million unless Congress, by a concurrent resolution says "no." This means that both the House and the Senate must take specific action to say "no." If one says "no" and one says "yes," or if one says "no" and the other fails to act, the Agency can spend the money. Furthermore, there is no Congressional procedure that clearly sets forth which committee of Congress would initiate action on the concurrent resolution and, of course, if the resolution is not initiated in the first instance, there would be no action. Contrast this diffusion of responsibility with the definiteness of the entire appropriation procedure.

APPROPRIATION CONTROL AND FISCAL RESPONSIBILITY

The question in reality is whether the appropriation procedure has lost its usefulness, whether it is in the public interest for an agency to be freed from these controls. If the proposal is good for TVA, it would seem that it should be good for all agencies of Government. But, historically the evidence seems to show that the Nation has run into fiscal difficulties whenever it tried to abandon, weaken, or do without control of spending through the appropriation process.

Originally, control of appropriations was vested in the Ways and Means Committee of the House of Representatives. In 1865, as a result of the growth in Federal spending and the increased workload on the committee, the function was given to the newly established Appropriations Committee.

For some years thereafter that committee of the House of Representatives exercised leadership in initiating, controlling, and reviewing use of the appropriations made available to the executive branch. Around the turn of the century, the appropriation function was dispersed to the various legislative committees, but following World War I, when the lack of control resulted in an utterly confusing situation, the House Appropriations Committee was once again given full jurisdiction over all appropriations.

The Legislative Reorganization Act of 1946 assigned to the House Committee on Appropriations a single function, "appropriation of the revenue for the support of the Government." As spelled out in the rules of the House of Representatives, a part of this function is the disposition of funds resulting from the sale of Government property or services, for example, revenues from the sale of TVA power.

Chairman CANNON of the House Committee on Appropriations has clearly stated the dangers inherent in legislation allowing agencies to finance themselves by borrowing. He said:

> An appropriation originating in this illegitimate manner is not subject to review as it is when it originates as a regular appropriation in the House. Over here the appropriation must be annually, and in that annual review, in those annual hearings, they must give an accounting. But • • • under the public debt transaction device agencies are not required to come in for an annual appropriation. They just go ahead year after year taking the money out of the Treasury without any accounting, and the result is that we are on the way to spending billions of dollars. In the constitutional process serious consideration by the House would reveal the true merits of the proposition and annually reevaluate these merits. We must insist on return to the old law under which the House alone originates appropriations (CONGRESSIONAL RECORD, July 24, 1958, p. 14981).

FREEDOM AND THE PUBLIC PURSE

In addition, there is the basic question of the dependence of people's freedom on control of the public purse. In the operations of the Federal Government, control of the purse has been both a symbol and the instrument of legislative, or the people's, authority over the Executive. As noted in the report of the minority of the House Public Works Committee on S. 1869:

> The right of the House of Representatives to exercise control over the expenditure of funds by an executive department, a right it exercises in the first instance through its Committee on Appropriations, must be zealously guarded. Control over the public purse was one of the first rights achieved by the people in their centuries-long fight for liberty and freedom.

Committee on Interstate and Foreign Commerce—Activity Report

EXTENSION OF REMARKS
OF
HON. OREN HARRIS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. HARRIS. Mr. Speaker, pursuant to section 136 of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, and House Resolution 99, as amended, 85th Congress, I should like to submit a statement of the activity of the Committee on Interstate and Foreign Commerce for the 85th Congress, 2d session.

The committee had 218 House bills, 12 Senate bills, 1 House joint resolution, 1 House concurrent resolution, 1 Senate concurrent resolution and 1 Senate joint resolution referred to it during the 2d session of the 85th Congress. During both sessions the committee had referred to it a total of 631 House bills, 36 Senate bills, 14 joint resolutions, and 5 House resolutions.

During the 2d session public hearings were held by subcommittees on bills to create a Federal Aviation Agency, provide assistance to surface common carriers—including ratemaking, agricultural exemptions, loan guaranties, abandonment of service, and redefinition of private carrier by motor vehicle. The Subcommittee on Transportation and Communications also conducted public hearings on bills relating to civil air penalties; permanent certification of air cargo carriers; statute of limitations on Government shipments; radio-telephone exemptions on certain vessels, and bills to extend the Federal Airport Act.

The Subcommittee on Health and Science held public hearings on various bills to amend the Public Health Service Act, to provide Federal assistance to schools of public health; to extend the Hill-Burton Hospital Construction Act and the Health Research Facilities Construction Act. In addition, the subcommittee received testimony on legislative proposals to establish a National Milk Sanitation Act; to change the definition of "chemical preservative" in the Food and Drug Act and, during this session, completed extensive hearings on bills providing for adequate pretesting of chemical food additives.

Bills to establish a Federal Fair Trade Act; to require price labeling on new automobiles; to prohibit switchblade knives in interstate commerce; and miscellaneous bills to amend the Trading With the Enemy Act were considered by the Subcommittee on Commerce and Finance in public hearings.

Thirty-one bills and two joint resolutions were reported from the committee this year.

In the field of aviation, a bill to create an independent Federal Aviation Agency, and to provide for the safe and efficient use of the airspace by both civil and military aircraft, was enacted. Legislation is now awaiting Presidential approval to extend the Federal Airport Act through fiscal year 1963 at an increased level of $100 million annually. Also awaiting the President's signature is a bill to give former owners preference rights in buying back land acquired by the Secretary of Commerce for an airport at Burke, Va. By Public Law 503, the Secretary of Commerce is permitted to lease property upon public airports at Anchorage and Fairbanks, Alaska. Provisions similar to those contained in S. 1380, authorizing the imposition of civil penalties for violation of the security provisions of the Civil Aeronautics Act of 1938, were contained in S. 3880, the Federal Aviation Act of 1958. Also enacted into law was a bill to clarify language in Public Law 762, 81st Congress, which authorized an additional public airport for the District of Columbia. The purpose of the legislation is to remove a possible limitation on the amount authorized to be appropriated for such airport.

On August 22, a committee report was filed on H. R. 4305, a bill to provide for reimbursement for damage to the Ryan-Hemet Airport, Calif.

The most important transportation bill considered by the committee, and enacted into law, was a proposal to amend the Interstate Commerce Act in order to strengthen and improve our Nation's common carrier surface transportation system so that it may better fulfill its role in meeting the transportation needs of the Nation's expanding economy, and the requirements of national defense. The act authorizes the Interstate Commerce Commission to guarantee certain loans of common carriers by railroad. Another section gives authority to the Interstate Commerce Commission to remove discriminations against interstate commerce, primarily by making adjustments in intrastate rates of carriers by railroad subject to the Commission's jurisdiction. The law also provides a method and procedures to make it possible for carriers by railroad subject to the Interstate Commerce Act to discontinue or change in whole or in part the operation or service of trains or ferries operated by such carriers, notwithstanding otherwise applicable State laws. Another important feature of the act deals with exemption from regulation of motor carrier transportation of certain agricultural commodities. Finally, the bill as enacted prohibits certain operations in the transportation of property by motor vehicle without first obtaining appropriate operating authority.

Two Senate bills, one to amend the Interstate Commerce Act to provide a uniform Statute of Limitations on actions involving transportation of property and passengers applicable to the United States Government, as well as to other shipments (S. 377); and the other to facilitate the financing of certain motor carriers subject to the Interstate Commerce Act (S. 375) and now at the White House for final approval.

Two bills to amend the Railroad Retirement Act were favorably reported from the committee.

The purpose of H. R. 4353 is, generally, to strengthen and place on a sound self-supporting basis the railroad retirement system and the railroad unemployment insurance system. As to the railroad retirement system this objective is accomplished by first eliminating the present long-range acturial deficit in the railroad retirement account; second providing a much-needed 7-percent increase in retirement and survivor benefits; third, eliminating certain inequities in the system; and fourth, providing for the adequate financing of the system. As to the railroad unemployment insurance system this objective is accomplished by first, providing for a much-needed increase in the daily benefit rate for unemployed workers; second, providing for extended benefit periods for those workers who have exhausted their rights to normal benefits now provided under the Railroad Unemployment Insurance Act; third, eliminating certain inequities in the system; and fourth, providing for adequate financing of this system.

The other bill on this subject (H. R. 7166), making technical and administrative amendments to the Railroad Retirement Act, is designed principally to simplify and improve administration of these acts. It would correct certain inequities, eliminate references to obsolete laws, and insure that the provisions conform with comparable provisions in the Social Security Act.

The Interstate Commerce Commission, under the provisions of Public Law 85–375 (S. 1386), is authorized to prescribe rules, standards, and instructions for the installation, inspection, maintenance and repair of power or train breaks.

Several communications bills were considered by the committee in the second session, and extensive public hearings were held on the general subject of subscription television.

Legislation authorizing the Federal Communications Commission to issue licenses to noncitizens for the operation of aircraft radio stations in the case of persons holding United States pilot certificates was approved by both Houses. A proposed amendment to section 382 of the Communications Act to enlarge the exemption provisions requiring radio-telephones on certain vessels was reported from the committee and approved by the House. Senate Joint Resolution 106, to establish a commission to investigate the allocation, management, and control of radio and television frequencies, passed the Senate, was reported from this committee, but was not considered by the House. S. 2119, to expedite the use of television channels set aside for educational purposes, likewise passed the Senate, was referred to and reported from this committee, but did not receive consideration by the House.

Midway in the second session, the President approved S. 86, to provide for a research program in the field of weather modification to be conducted by the National Science Foundation—Public Law 85–510.

Several important public-health measures were enacted during the past session. Included among them were bills to extend the Hill-Burton Hospital Construction Act and Medical Research Facilities Construction Act; to authorize Federal grants to schools of public health, and to authorize loans in lieu of grants under the Hill-Burton Hospital Construction Act. The outstanding achievement in food and drug legislation was realized when both Houses approved a bill to protect the health of consumers by requiring manufacturers of food additives and food processors to pretest any potentially unsafe substances which are to be added to food; and to advance food technology by permitting the use of food additives at safe levels (H. R. 13254).

Another amendment to the Food and Drug Act (H. R. 9521) to provide that the term "chemical preservative" shall not include any pesticide chemicals when used in or on any raw agricultural commodity which is the produce of the soil, passed the House.

A Senate bill (S. 4039) authorizing the expenditure of funds through grants for support of scientific research cleared Houses of Congress.

A proposal to amend the National Science Foundation Act (S. 3268) authorizing the National Science Board to delegate specific authority to its executive committee and to the Director to approve grants for contracts between meetings of the board, was amended in the House and returned to the Senate.

At the request of the Department of Commerce, a bill was introduced to amend the Organic Act of the National Bureau of Standards giving authority to acquire land for field sites, and for other purposes. The Senate bill (S. 2114) is now awaiting the President's approval.

The Department of Health, Education, and Welfare sponsored legislation clarifying the functions and authority of the Public Health Service with respect to sanitation facilities for Indians (S. 3694). The bill was reported from the committee, but not considered by the House.

A bill to regulate the interstate distribution of lobsters, H. R. 2445, was recently reported to the House.

The committee reported the following bills which were initially considered by its Subcommittee on Commerce and Finance:

S. 3500: Automobile Information Disclosure Act. The bill was signed on July 7, and is new Public Law 85–506.

H. R. 12850: To prohibit switchblade knives in interstate commerce. This bill also received Presidential approval and is now Public Law 85–623.

H. R. 11668: To amend section 39 of Trading With the Enemy Act to transfer funds to satisfy unpaid awards made under the War Claims Act. The bill has cleared both Houses and is now on the President's desk for final disposition.

H. R. 11234: Federal Trade Commission jurisdiction over unfair trade practices by meatpackers. The Subcommittee on Commerce and Finance and the Antitrust Subcommittee of the Committee on the Judiciary of the House conducted joint hearings on this subject in June and July of 1957. Five bills were referred to the Committee on Interstate and Foreign Commerce, while two other bills were referred to the Committee on the Judiciary. Following the joint hearings it was agreed that the Committee on Interstate and Foreign Commerce would assume responsibility for the reporting of legislation on this subject.

In considering the bills, the committee took cognizance of the fact that the House Committee on Agriculture likewise considered the problem of how the jurisdiction with regard to unfair practices engaged in by meatpackers should be divided between the Secretary of Agriculture and the Federal Trade Commission. As a result of its consideration of the problem, the Agriculture Committee reported a bill (H. R. 9020), which was cleared for floor action by the House Rules Committee. H. R. 9020 subsequently passed the House and Senate, amended to include language similar to that contained in H. R. 11234.

In the closing days of the session, a Senate-House conference committee agreed on a bill to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products—H. R. 469, Texile Fiber Products Identification Act. The bill is now on the President's desk at the White House.

SPECIAL SUBCOMMITTEE ON TRAFFIC SAFETY

During the 1957 fall recess of the Congress, the Special Subcommittee on Traffic Safety held three public hearings at Nashville, Tenn., Little Rock, Ark., and Montgomery, Ala., for the purpose of studying enforcement methods in connection with traffic safety problems. The subcommittee heard witnesses representing law enforcement agencies, State and municipal executive officials.

During the second session, the subcommittee held six sets of public hearings, first, House Joint Resolution 221—BEAMER—interstate compacts for adoption of a uniform traffic code; second, H. R. 9368—SCHENCK—hydrocarbons given off by automobiles; third, H. R. 12804—ROBERTS—driver education training; fourth, a proposal by the broadcasting industry for broadcasting of weather and road conditions, washed out bridges, and other hazards on the Nation's highways; fifth, a panel discussion on basic research needs in the field of traffic safety; and sixth, a presentation by winners of National Teen-Age Road-e-o contests of their opinions of the value of driver education training if incorporated in the curriculums of all high schools of the Nation.

House Joint Resolution 221 was favorably reported from the subcommittee, the full committee, and passed the House and the Senate. It was signed by the President on August 20 and is now Public Law 85–684.

H. R. 12804 was favorably reported from the subcommittee but was not acted on by the full committee.

The subcommittee plans further hearings on the relationship of alcohol to traffic accidents, vehicle design, human factors contributing to accidents, enforcement, and legislation.

SPECIAL SUBCOMMITTEE ON LEGISLATIVE OVERSIGHT

On February 10, 1958, Hon. MORGAN M. MOULDER resigned as chairman of the subcommittee, and the next day I was appointed to that position.

After holding public hearings during the first 5 months of this year the subcommittee filed an interim report relating to the Federal Communications Commission on April 4, 1958—House Report No. 1602, 85th Congress, 2d session. The report contained the following legislative recommendations:

First. Code of ethics should be prescribed by the Commission to establish standards of conduct for members and employees; second, honorarium provision in section 4 of the act should be eliminated; third, ex parte contacts with members of the Commission and of its staff should be prohibited with respect to adjudicatory matters; ex parte communications not authorized by law should be disclosed in the public record and notice given to the parties; and, fourth, act should provide that the President may remove any member of the Commission for neglect of duty or malfeasance in office, but for no other cause.

The legislative recommendations above outlined were embodied in the bill, H. R. 11886, which I introduced on April 14, 1958, and which was referred to our committee.

The special subcommittee ordered the bill reported to the full committee without amendment.

From January 27 through January 30, 1958, the subcommittee held public hearings relative to a general survey of the work of six Federal regulatory commissions. Witnesses included Chairmen of the Civil Aeronautics Board, Interstate Commerce Commission, Federal Trade Commission, Federal Power Commission, Federal Communications Commission, and Securities and Exchange Commission.

There followed a series of public hearings bearing on the conduct of FCC Commissioners, with particular emphasis on the question of ex parte contacts with the Commission

Following the Easter recess, subcommittee hearings were conducted dealing with communications patents, and allegations that the Commission's practices were conducive to the fostering of monopoly.

Extensive public hearings were held during the period covered by this report on the actions of the Federal Trade Commission and the Securities and Exchange Commission with respect to companies in which Bernard Goldfine was known to have an interest.

The subcommittee conducted public hearings at Boston, Mass., and Washington, D. C., pertaining to the Securities and Exchange Commission and the East Boston Co. and its controlled subsidiary, the Boston Port Development Co.

Incidental to these hearings were the contempt proceedings against Bernard Goldfine. On August 13, 1958, the House by a vote of 369 to 8 adopted House Resolution 684 under which the Speaker of the House certified the Committee Report—House Report No. 2580—to the United States Attorney for the District of Columbia.

During the adjournment, the subcommittee will continue investigation and study of the commissions and agencies within its jurisdiction.

The detailed activity report follows:

ACTIVITY REPORT OF THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, 85TH CONGRESS, 2D SESSION—BILLS REPORTED

The committee has considered and reported favorably the following bills:

H. R. 7757: Amend Communications Act to exempt certain vessels from radio-telephone requirement.
Report No. 2281 by Mr. HARRIS, July 25, 1958.
Passed House, July 29, 1958.

H. R. 8543: To permit radio licenses for alien aircraft pilots.
Report No. 1885, by Mr. MACK (Illinois), June 16, 1958.
Passed House, June 26, 1958.

H. R. 8742: Statute of limitations on shipments under the Interstate Commerce Act.
Report No. 2346, by Mr. FLYNT, August 1, 1958.

S. 377 passed House, amended, in lieu, August 5, 1958.

H. R. 9521: Redefinition of "chemical preservative" under Food and Drug Act.
Report No. 2119, by Mr. WILLIAMS (Mississippi), July 7, 1958.
Passed House, August 20, 1958.

H. R. 10045: Provide for sale of land acquired for Burke Airport, Va.
Report No. 1955, by Mr. ROBERTS, June 24, 1958.
Passed House, August 5, 1958.

H. R. 11234: Federal Trade Commission jurisdiction over meat packers.
Report No. 1507, by Mr. MACK (Illinois), March 17, 1958.
Two hour, open rule, granted on H. R. 9020 (similar bill, reported from House Agriculture Committee).

H. R. 11414: Federal aid to schools of public health.
Report No. 1593, by Mr. WILLIAMS (Mississippi), April 2, 1958.
Approved July 22, 1958, Public Law 85–544.

H. R. 11668: Amend Trading With the Enemy Act to transfer funds for payment of certain claims.
Report No. 1590, by Mr. MACK (Illinois), April 1, 1958.
Passed House, April 21, 1958.

H. R. 12311: Remove limitation on authorization for construction of Chantilly Airport, Virginia.
Report No. 1886, by Mr. HARRIS, June 16, 1958.
Approved July 11, 1958, Public Law 85–511.

H. R. 12628: 5-year extension of Hill-Burton Hospital Construction Act.
Report No. 1952, by Mr. WILLIAMS (Mississippi), June 24, 1958.
Approved August 14, 1958, Public Law 85–664.

H. R. 12694: Authorize loans instead of grants under Hill-Burton Hospital Construction Act.
Report No. 1954, by Mr. WILLIAMS (Mississippi), June 24, 1958.
Approved August 1, 1958, Public Law 85–589.

H. R. 12832: Transportation Act of 1958.
Report No. 1922, by Mr. HARRIS, June 18, 1958. S. 3778 approved August 12, 1958.
Public Law 85–625.

H. R. 12850: To prohibit switchblade knives in interstate commerce.
Report No. 1945, by Mr. MACK (Illinois), June 23, 1958.
Approved August 12, 1958. Public Law 85–623.

H. R. 12876: Extend Medical Research Facilities Construction Act for 3 years.
Report No. 2315, by Mr. HARRIS, July 30, 1958.
Passed House August 5, 1958.

H. R. 13254: Provide for pretesting of chemical food additives.
Report No. 2284, by Mr. WILLIAMS (Mississippi), July 26, 1958.
Passed House August 15, 1958.
House Joint Resolution 221: Interstate compacts on traffic safety.
Report No. 2037, by Mr. ROBERTS, June 26, 1958.
Approved August 20, 1958, Public Law 85–684.

S. 86: Providing for research in weather modification.
Report No. 1695, by Mr. RHODES (Pennsylvania), May 7, 1958.
Approved July 11, 1958, Public Law 85–510.

S. 375: Amend Interstate Commerce Act relating to lien recording requirements on motor vehicles.
Report No. 2354, by Mr. HARRIS, August 2, 1958.
Passed House, amended. August 4, 1958.

S. 1366: Leasing of airport space in Alaska.
Report No. 1943, by Mr. HARRIS, June 23, 1958.
Approved July 3, 1958, Public Law 85–503.

S. 1380: Aviation civil penalties for security violations.
Report No. 1995, by Mr. HARRIS, June 25, 1958.
Similar provisions in S. 3880.

S. 3500: Automobile price labeling.
Report No. 1958, by Mr. MACK (Illinois), June 24, 1958.
Approved July 7, 1958, Public Law 85–506.

S. 3880: Federal Aviation Agency.
Report No. 2360, by Mr. HARRIS, August 2, 1958.
Passed House, amended, August 4, 1958.

Senate Joint Resolution 106: Establish a Commission to investigate allocation of radio and television frequencies.
Report No. 2355, by Mr. HARRIS, August 2, 1958.

H. R. 4353: Amendments to Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.
Report No. 2562, by Mr. HARRIS, August 12, 1958.

S. 3502: Extending time for making grants under the Federal Airport Act, and for other purposes.
Report No. 2539, by Mr. HARRIS, August 11, 1958.
Passed House, amended, August 18, 1958.

S. 2119: Television Broadcasting for Educational Purposes.
Report No. 2636, by Mr. HARRIS, August 15, 1958.

S. 4039: Authorizing the expenditure of funds through grants for support of scientific research.
Report No. 2640, by Mr. WILLIAMS (Mississippi), August 15, 1958.
Passed House, amended, August 22, 1958.

H. R. 7166: Technical and administrative amendments to Railroad Retirement Act, Railroad Unemployment Insurance Act, and Social Security Act.
Report No. 2641, by Mr. HARRIS, August 15, 1958.
S. 2030 passed House, in lieu, August 23, 1958.

S. 2114: Amendments to the Organic Act of the National Bureau of Standards.
Report No. 2635, by Mr. WILLIAMS (Mississippi), August 15, 1958.
Passed House August 22, 1958.

S. 3694: Indian sanitation facilities.
House Report 2637, by Mr. WILLIAMS (Mississippi), August 15, 1958.

H. R. 2445: Regulate interstate transportation of lobsters.
House Report 2652, by Mr. HARRIS, August 15, 1958.

H. R. 11257: Amending the National Science Foundation Act of 1950.
Report No. 2642, by Mr. HARRIS, August 15, 1958. S. 3268 passed House, amended, in lieu, August 20, 1958.

H. R. 4306: Ryan-Hemet Airport, California. To provide for reimbursement for damage to such airport in accordance with Federal Airport Act.
Report No. 2693 by Mr. MOSS, August 22, 1958.

Unity of the Polish People

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. PHILBIN. Mr Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a very eloquent statement on the unity of the Polish people recently published in the New York Times.

The author is an old friend of mine, Mr. Stefan Pomierski, now residing at Glen Cove, N. Y., a prominent leader of the Polish cause in this country, and an able, loyal American citizen who has for years devoted himself to laudable charity and to civic and patriotic endeavor.

Mr. Pomierski's article emphasizes the undying determination of the Polish people to regain their freedom. Centuries of oppression have never been able to quench the indomitable spirit of this great and worthy people. Whether the oppressors are Nazis or Communists the courageous Poles still bravely fight for the restoration of their liberties, and for liberation from religious persecution, economical slavery, and political tyranny.

America must not turn its back upon these valiant people Our duty is clear. We must do everything in our power to help them throw off the shackles of Communist bondage and breathe again the air of freedom, which is so much a part of Poland's historic tradition.

This Nation and the Free World must realize sooner or later that so long as Communist oppressors and tyrants are permitted to enslave millions of freedom-loving people throughout the world, there will be no chance for a real, lasting peace. Already great damage has been done to the cause of freedom.

Murder, pillage, rapine, and bloodshed have been visited upon much of the earth in the mad quest of Marxist communism to achieve world domination. The hearts of many people, who trusted in America and its ideals, have been broken, just as were the promises we made to guarantee self-determination to all nations. Disillusionment has replaced faith in all too many places. The hour is late, indeed, but unless we act now to retain the faith and trust, which the small nations have had in the high purposes of America, I feel that the way will be open for the Communists to still further expand by force and infiltration their scope of influence and control over additional millions of helpless people.

Western civilization is at the crossroads. The fate of all our great moral, spiritual, and political values is hanging in the balance. If we delay, or if we cringe and cower before the threats and blandishments of Soviet communism, we might just as well make up our minds that the materialistic flood of communism will in time inundate the Free World.

Where is the American courage of yesteryear? Where is the invincible determination to fight to preserve our free institutions? Where is our will to pay back insult, ridicule, and scorn in its own coin? How can true Americans stand by in idle and inert contemplation and indecision while organised Soviet Government mobs besiege the Embassy of our Nation and make shameful, illegal attacks upon the buildings housing our diplomatic force and send daily reports of this outrage throughout the world for propaganda purposes?

And what about the imprisonment of our military forces in Communist East Germany while hardly a mutter of protest was heard from this great Government? And, there are other similar instances just as revolting, the worst of which was the brazen capture and imprisonment by Cuban rebels of members of our own Armed Forces. What a travesty.

As a result of these incidents, the American people and the general population of the world are getting the impression, and understandably so, that our diplomatic leaders are afraid of the Russians—afraid that they may make nuclear war upon us—and, for that reason, these leaders are bending over backward not to displease them even as the Nation is insulted and reviled. Actually, overwhelming American public opinion would have severed diplomatic relations with the Soviet long ago and served notice upon the Kremlin leaders that this Nation would no longer tolerate their sneers, insults, and conspiracies against our security and freedom.

Courageous Americans do not fear the Russians or anyone else. We do not fear their sputniks, their world propaganda, nor the quislings in this country who are trying to terrorize the American people with stories of nuclear destruction unless we do the bidding of Russia in international councils and allow it to have its way throughout the world.

The Soviet is the one who has most reason to fear, if it piles insult upon insult, and brazenly goads and challenges this great Nation. We have the most powerful military force on the face of the earth. We have the strongest, most productive economic system. We possess most destructive air power.

We are building missiles and rockets that before long will be able, literally, if necessary, to cover the earth with nuclear warheads. These are facts, not illusions or boasts.

I hope and pray that it will never be necessary for us, or for any nation, to resort to violence. I would deplore it. But there is something worse than war, so far as the American people are concerned, and that is slavery, tyranny, and the loss of precious liberty. Our homes, our security, our way of life, and personal liberties are at stake in this conflict. Rather than to lose these precious God-given possessions, it would be better that every American should unflinchingly face death in a flaming nuclear cauldron in defense of the Nation and the cause of human freedom. This Nation is prepared to guard and defend its heritage at any cost.

Courage alone will not solve our problems of peace or war. Forceful leadership and united, loyal support of all those devoted to freedom will be required. But one thing is very clear: without courage and the will to sacrifice bitterly and fight savagely, if the occasion demands it, the ideal of freedom will be in jeopardy.

UNITY OF POLISH PEOPLE

To the EDITOR OF THE NEW YORK TIMES:

Your editorial of August 12 entitled "Cardinal and Commissar" reminds the writer of a situation which occurred about 50 years ago in the city and county seat of Lubawa, Poland, at that time known as Loebau, West Prussia, Germany.

Several Roman Catholic priests were then sentenced to prison for teaching catechism in the Polish language. A menacing Prussian cavalry regiment failed to stop an orderly demonstration of thousands of people led by my late father, Dr. Francis Pomierski, president of the city council, in protest of the unjust sentences imposed by a royal Prussian court upon these priests.

Today, in spite of the evil forces of the Red Kremlin, under the yoke of which they are suffering, the Polish people, imbued with an ardent love of God and liberty, will continue their fight for freedom. They will walk through this critical period also with strength and unity in their hearts and minds and souls.

K. STEFAN POMIERSKI.

REA Service in Montana

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, the following statement and tables.

There being no objection, the statement and tables were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MIKE MANSFIELD

The REA rural electric and telephone program is one of the most important federally sponsored programs now operating in Montana. REA has brought the conveniences associated with electricity and phone services to thousands of rural families in the entire Nation. The REA program is particularly active in Montana.

In the past 20 years Montanans have witnessed a vast transformation in the mode of rural living due largely to electricity—electricity brought to farms and communities at reasonable rates.

This could have been done only with the cooperation of the Federal Government. The job of bringing electricity to the isolated areas of this Nation has been a tremendous one and the accomplishments have been great. This job could not have been accomplished without the fine cooperation between the many independent rural electric cooperatives and the Rural Electrification Administration here in Washington, D. C.

Farm electrification advanced very slowly in the United States during the period after 1882, when the first central generating system went into service, until 1935 when the Rural Electrification Administration was created. In 1944 Congress extended for an indefinite period of time the life of this lending agency.

It is quite important that we distinguish between the REA and the individual rural-electrification cooperative. The REA is an arm of the Federal Government empowered to make loans to qualified borrowers, with preference to nonprofit and cooperative organizations and to public bodies. The REA is not in the power business. It does not operate rural-electric facilities and makes no grants or subsidies. Its loans are repaid from the operating revenues of the locally owned, locally managed cooperative, the other partner in this program of rural electrification. The REA serves principally as a banker to the local system and contributes technical advice. The rural cooperative constructs the power lines and other electric facilities to serve persons in rural areas who are without central-station electric service. The loans the cooperatives receive bear a 2-percent interest rate and are repaid over a maximum period of 35 years.

Few farmers were connected to central-station power prior to World War I. The early twenties saw a short-lived spurt in which the progress made in electrical engineering was reflected by a small increase in the number of farms served. However, only 10.9 percent of all farms in the United States were receiving central-station electric service by 1935. Few power lines had been built beyond the immediate vicinities of cities and towns.

Farmers and farm organizations, chafing at the slow rate of progress, increased their demands for Government action in the field of rural electrification. The result was the establishment of REA, with an action program designed primarily to make electric service available to those farm people who were without electricity.

Approximately 95 percent of the Nation's farms are now electrified. At the beginning of the REA program only 5.5 percent of the farms were served with electric current. Of all the farms in this country that now receive electricity approximately 54 percent of these are served by REA-financed facilities.

Many of the remaining unelectrified farms are situated in isolated areas, or in areas of relatively low farm income. Consequently, the most difficult part of the rural electrification job remains to be completed. However, the REA program has succeeded in establishing a pattern which eventually can provide virtually every unserved farm in the country with electric service.

Membership in rural electric cooperatives is not confined to farmers. It is open to all people in a rural area who can be reached and who want electric service. More than three-fourths of all consumers on REA-financed cooperative lines are farms. But also included are many thousands of rural nonfarm dwellings, schools, churches, stores, community buildings, and similar facilities. REA borrowers also serve thousands of rural industries and other commercial enterprises. Many of these rural industries themselves are operating on a cooperative plan.

Rural electric cooperatives have proved the most effective instrument for carrying out the REA program because of their advantages as a method of making reasonable cost electric service available to farmers in rural areas. These advantages include:

First, REA-financed cooperatives operate on a nonprofit basis. This enables them to provide electric service at cost to their members.

Second, directors of REA-financed cooperatives are elected because of their known interest in making electric service available to rural people at reasonable rates. They serve without compensation and keep operating expense at the lowest possible level consistent with good service.

Third, members of REA-financed cooperatives also are interested in electric service at reasonable cost. For example, they help reduce operating expense by voluntarily reporting potential causes of service interruptions, such as tree limbs touching the lines. Most of them read their own meters, and many make out their own bills.

Fourth, previous experience of farmers with other types of cooperatives helps them to organize and operate rural electric cooperatives on a sound basis with a minimum of effort and expense.

Lines constructed by REA borrowers are built to serve entire areas, including less densely settled sections as well as those of greater population. This is known as area coverage. The test is no longer whether an individual line or section will be self-supporting, but whether the entire system as a whole is feasible. This policy has become increasingly important as the rural electrification job has progressed. Only through area coverage can electric service be extended to many of the more isolated farms, and to others which are remotely situated in pocketed areas far removed from any established source of power.

In every region in the United States rural electric cooperatives have demonstrated that farm electrification, far from constituting an additional cash drain on low-farm incomes, actually brings about a higher real-farm income and better farm living. It brings more business into rural communities. It encourages new local enterprises which come about when low-cost power is available. It stimulates private business, both locally and nationally. Surveys indicate that for every dollar invested in rural power facilities the farmer invests an additional $4.50 in wiring, plumbing, and electrical appliances.

The use of electric power in farm production and processing is constantly expanding. To date about 400 farm uses for electricity have been reported. Electric power on the farm is an economic necessity which can pay its way with handsome profits for the farmer. Guidance is given consumers on REA-financed lines as to which uses are the most efficient and the most profitable in these times of power shortages.

As of June 30, 1957, approximately 90 percent or 28,800 Montana farms have electricity. The first REA loan in Montana was approved in May 1936, and the first REA-financed line was placed in operation on December 5, 1937, by the Lower Yellowstone Rural Electric Association at Sidney, Mont.

As of June 30, 1958, REA had approved $59.8 million in loans in the State to 25 borrowers, all of them cooperatives. The loans will enable these borrowers to finance the construction of line and other rural-electric facilities to serve these rural consumers. Most of these facilities already are in operation and additional lines are being built.

As of March 31, 1958, rural-electric cooperatives were serving 41,500 farms and other rural consumers and the State's borrowers were operating 28,600 miles of line.

The average monthly consumption on REA-financed lines in this State increased from 238 kilowatt-hours per farm in 1949 to 528 kilowatt-hours in 1958.

This increase reflects greater use of electrical equipment to save time and labor in performing farm and household tasks to help bring about a more comfortable rural living.

REA's latest debt-service summary shows that Montana borrowers have paid $4,487,938 interest on their Government loans, and repaid $7,021,798 of the principal on their Government loans. In addition, they had paid $3,678,013 ahead of schedule.

No payments are overdue.

This is a great record for a great program in a great State. It is my hope that the day is not too far distant when every farm in Montana is electrified.

If the rural areas of Montana are to continue to enjoy the benefits of electric power purchased at reasonable rates there are several things which we must do:

First, we must be assured of an adequate supply of cheap electric power. This is the basis of the entire program. We must fight for equal rights in the purchase of wholesale power from such great projects as Hungry Horse, Canyon Ferry, and Fort Peck. Public power and private power development must keep pace with one another.

Second, the preservation of the preference clause as it was written into the Reclamation Act of 1906 is essential to the continued success of the program. The preference clause is not discriminatory in any sense; to the contrary it injects an element of competition in the business of selling electricity.

It is essential that each electric cooperative in Montana and the Nation maintain control of its own electric business. Those of you here in Montana have worked hard to enjoy the benefits of electric service and you must make sure that it is not taken away.

The REA program in Montana is paying off with adequate and dependable service, with an orderly and economical construction pattern. We want to continue this pattern of progress. Increased interest rates will place an obstruction in the path of this development.

It has been a distinct pleasure to work with Senator JAMES E. MURRAY, Congressmen LEE METCALF, and LEROY ANDERSON in the various interests that affect Montana and we will continue to act in the interests of Montana's rural electric and telephone cooperatives.

The following tabulations inserted at the conclusion of my statement in the CONGRESSIONAL RECORD are (1) a complete tabulation of gross loans, repayments, consumers served, and location of all the REA electric cooperatives in Montana, and (2) a tabulation concerning REA rural telephone cooperative loans in Montana.

REA electric cooperative program in Montana

Borrower	Amount of gross loans, fiscal years						Total	Repayments						Total
	1953	1954	1955	1956	1957	1958		1953	1954	1955	1956	1957	1958	
Ravalli County Electric Cooperative, Inc., Corvallis, Mont.	$195,000					$281,000	$476,000	$17,572	$17,572	$18,091	$24,299	$38,951	$33,647	$140,132
Sun River Electric Cooperative, Inc., Fairfield, Mont.			$415,000			610,000	1,025,000	77,261	83,958	254,012	91,838	94,766	94,875	696,650
Lower Yellowstone Rural Electric Association, Inc., Sidney, Mont.	385,000						385,000	29,967	85,500	51,624	51,623	67,689	72,661	359,064
Yellowstone Valley Electric Cooperative, Inc., Huntley, Mont.	270,000			$350,000		609,000	1,229,000	84,177	42,781	119,868	54,868	60,384	60,383	422,461
Vigilante Electric Cooperative, Inc., Dillon, Mont.		$440,000		540,000			1,280,000	67,450	65,151	118,369	91,996	110,578	97,595	551,139
Missoula Electric Cooperative, Inc., Missoula, Mont.		450,000		327,000			777,000	15,357	27,720	36,958	47,007	50,873	50,873	228,788
Flathead Electric Cooperative, Inc., Kalispell, Mont.	795,000				$755,000		1,535,000	32,460	33,342	33,343	67,328	87,651	87,651	341,775
Fergus Electric Cooperative, Inc., Lewistown, Mont.	147,000	225,000	180,000				550,000	82,789	239,142	98,063	106,675	115,824	120,590	763,100
Park Electric Cooperative, Inc., Livingston, Mont.	250,000		295,000				545,000	79,610	40,165	40,164	99,831	44,834	33,624	338,228
Mid-Yellowstone Electric Cooperative, Inc., Hysham, Mont.		185,000		192,000			377,000	20,125	21,427	25,543	65,747	25,746	50,748	209,336
Beartooth Electric Cooperative, Inc., Red Lodge, Mont.						242,000	242,000	52,042	47,697	53,031	53,031	53,031	68,031	326,863
Big Horn County Electric Cooperative, Inc., Lodge Grass, Mont.	380,000			180,000	204,000		764,000	31,266	41,953	49,619	54,354	54,354	79,252	310,798
Big Flat Electric Cooperative, Inc., Malta, Mont.		280,000				595,000	875,000	19,903	21,682	56,682	21,682	71,733	29,533	221,215
Sheridan County Electric Cooperative, Inc., Medicine Lake, Mont.		75,000			1,526,000		1,601,000	41,724	51,956	78,661	121,573	121,573	231,574	647,061
Northern Electric Cooperative, Inc., Opheim, Mont.	270,000		108,000		874,000		1,252,000	93,487	64,937	62,936	69,295	71,412	77,596	439,663
Valley County Electric Cooperative, Inc., Glasgow, Mont.					319,000		319,000	18,686	33,110	35,861	28,936	41,929	41,928	200,450
McCone County Electric Cooperative, Inc., Circle, Mont.		1,120,000	400,000	50,000		770,000	2,340,000	45,341	35,973	86,649	128,442	179,935	319,207	795,547
Goldenwest Electric Cooperative, Inc., Wibaux, Mont.						317,000	317,000	29,154	45,840	50,841	80,637	49,988	37,470	263,900
Glacier Electric Cooperative, Inc., Cut Bank, Mont.		1,180,000					1,180,000	32,088	41,712	41,712	70,841	79,839	78,839	355,031
Marias River Electric Cooperative, Inc., Shelby, Mont.					358,000		358,000	58,454	74,279	78,941	84,844	90,746	305,746	693,010
Hill County Electric Cooperative, Inc., Havre, Mont.	650,000				403,000		1,053,000	17,819	133,225	102,625	117,773	126,014	131,193	628,649
Tongue River Electric Cooperative, Inc., Ashland, Mont.		75,000	465,000		719,000	341,000	1,600,000	3,210	19,513	44,012	89,966	96,086	90,206	342,995
Southeast Electric Cooperative, Inc., Ekalaka, Mont.	170,000	433,000	68,000		363,000		1,034,000	0	4,428	158,950	73,470	43,469	55,191	335,508
Lincoln Electric Cooperative, Inc., Eureka, Mont.	395,000		530,000				925,000	150	37,823	34,659	77,677	75,535	63,049	288,893
Elmo Electric Cooperative Association, Inc., Proctor, Mont.								32,816	33,048	13,895	11,366	12,106	37,761	140,992
Total	3,890,000	4,463,000	2,461,000	1,989,000	5,521,000	3,765,000	22,089,000	982,905	1,343,934	1,745,129	1,764,099	1,854,956	2,350,225	10,041,248

REA electric cooperative program in Montana

Borrower	Consumers served as of June 30						Location of facilities by counties
	1953	1954	1955	1956	1957	1958	
Ravalli County Electric Cooperative, Inc., Corvallis, Mont.	1,005	942	978	974	975	998	Ravalli.
Sun River Electric Cooperative, Inc., Fairfield, Mont.	2,293	2,334	2,337	2,374	2,395	2,392	Cascade, Chouteau, Judith Basin, Lewis and Clark, Pondera, Teton, Toole.
Lower Yellowstone Rural Electric Association, Inc., Sidney, Mont.	1,397	1,506	1,512	1,569	1,575	1,597	Dawson, Richland, Roosevelt in Montana, McKenzie in North Dakota.
Yellowstone Valley Electric Cooperative, Inc., Huntley, Mont.	2,305	2,364	2,457	2,531	2,603	2,695	Big Horn, Carbon, Musselshell, Stillwater, Yellowstone.
Vigilante Electric Cooperative, Inc., Dillon, Mont.	1,836	1,926	1,935	1,950	1,999	2,073	Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Lewis and Clark, Madison, Silver Bow in Montana; Clark in Idaho.
Missoula Electric Cooperative, Inc., Missoula, Mont.	1,053	1,153	1,163	1,211	1,248	1,503	Granite, Mineral, Missoula, Powell, Ravalli.
Flathead Electric Cooperative, Inc., Kalispell, Mont.	1,958	2,539	2,124	2,085	2,272	2,318	Flathead, Lincoln.
Fergus Electric Cooperative, Inc., Lewistown, Mont.	2,413	2,562	2,636	2,685	2,722	2,803	Cascade, Chouteau, Fergus, Golden Valley, Judith Basin, Musselshell, Petroleum, Stillwater, Wheatland.
Park Electric Cooperative, Inc., Livingston, Mont.	1,164	1,198	1,158	1,155	1,187	1,230	Gallatin, Park, Sweetgrass.
Mid-Yellowstone Electric Cooperative, Inc., Hysham, Mont.	691	717	778	886	916	958	Big Horn, Custer, Rosebud, Treasure.
Beartooth Electric Cooperative, Inc., Red Lodge, Mont.	1,646	1,664	1,696	1,784	1,805	1,833	Carbon, Stillwater, Sweetgrass in Montana, Park in Wyoming.
Big Horn County Electric Cooperative, Inc., Lodge Grass, Mont.	1,262	1,286	1,327	1,388	1,410	1,439	Big Horn in Montana, Sheridan in Wyoming.
Big Flat Electric Cooperative, Inc., Malta, Mont.	677	763	871	887	897	908	Blaine, Phillips, Valley.
Sheridan County Electric Cooperative, Inc., Medicine Lake, Mont.	1,947	1,990	2,040	2,069	2,074	2,088	Daniels, Roosevelt, Sheridan in Montana; Divide in North Dakota.
Northern Electric Cooperative, Inc., Ophelm, Mont.	1,052	1,025	1,050	1,039	1,045	1,025	Daniels, Roosevelt, Valley.
Valley County Electric Cooperative, Inc., Glasgow, Mont.	781	776	807	884	888	924	Phillips, Roosevelt, Valley.
McCone County Electric Cooperative, Inc., Circle, Mont.	2,174	2,294	2,626	2,792	2,848	2,915	Dawson, Garfield, McCone, Petroleum, Prairie, Richland, Roosevelt, Rosebud.
Goldenwest Electric Cooperative, Inc., Wibaux, Mont.	718	736	732	749	736	741	Dawson, Fallon, Wibeaux in Montana; Golden Valley, Slope in North Dakota.
Glacier Electric Cooperative, Inc., Cut Bank, Mont.	2,623	2,753	2,980	3,258	3,424	3,408	Flathead, Glacier.
Marias River Electric Cooperative, Inc., Shelby, Mont.	2,314	2,400	2,511	2,641	2,746	2,780	Liberty, Pondera, Toole.
Hill County Electric Cooperative, Inc., Havre, Mont.	1,622	1,715	1,786	1,826	1,865	1,922	Blaine, Chouteau, Hill, Liberty.
Tongue River Electric Cooperative, Inc., Ashland, Mont.	846	936	1,249	1,291	1,351	1,551	Big Horn, Custer, Dawson, Powder River, Prairie, Rosebud.
Southeast Electric Cooperative, Inc., Ekalaka, Mont.	705	1,019	1,043	1,113	1,103	1,187	Carter, Fallon in Montana; Harding in South Dakota.
Lincoln Electric Cooperative, Inc., Eureka, Mont.	566	1,017	1,040	1,107	1,110	1,138	Flathead, Lincoln.
Elmo Electric Cooperative Association, Inc., Proctor, Mont.	190	190	190	190	190	162	Lake, Sanders.
Total	35,238	37,805	39,026	40,438	41,384	42,588	

REA rural telephone loans in Montana, fiscal years 1950 through 1958

Borrower	Total net loans	Total funds advanced	Miles of line			Subscribers			Location of facilities by counties
			To be retained	To be added	Total	To receive improved service	To receive initial service	Total	
Valley Rural Telephone Cooperative Association, Glasgow, Mont.	$504,000	$432,374	----------	397	397	34	729	763	Phillips, Roosevelt, Valley.
Northeastern Montana Telephone Cooperative Association,[1] Scobey.	1,987,000	1,937,751	51	3,149	3,200	487	2,135	2,622	Daniels, Roosevelt, Sheridan, Valley in Montana; Divide in North Dakota.
Mid-Rivers Telephone Cooperative, Circle, Mont.	2,220,000	1,690,113	----------	2,538	2,538	224	2,161	2,385	Dawson, Garfield, McCone, Prairie, Richland.
Three Rivers Rural Telephone Co-Op, Fairfield, Mont.	2,023,000	1,383,000	1	1,739	1,740	321	2,136	2,457	Cascade, Chouteau, Judith Basin, Lewis and Clark, Pondera, Teton.
Northern Telephone Association, Shelby Mont.	891,000	821,184	----------	939	939	111	943	1,054	Glacier, Liberty, Pondera, Toole.
Triangle Telephone Association, Havre, Mont.	1,625,000	1,469,859	44	2,074	2,118	522	1,517	2,039	Blaine, Chouteau, Fergus, Hill, Liberty.
Blackfoot Telephone Cooperative Association, Missoula, Mont.	536,000	450,000	8	403	411	72	573	645	Lake, Missoula, Powell.
Range Telephone Cooperative, Forsyth, Mont.	245,000	234,772	33	329	362	51	264	315	Custer, Powder River, Rosebud.
Project Telephone Co., Worden, Mont.	280,000	176,363	27	82	109	351	285	636	Yellowstone.
Total	10,311,000	8,595,416	164	11,650	11,814	2,173	10,743	12,916	

[1] This system has recently changed its name to Nemont Telephone Cooperative, Inc.

Invitation to Minnesota

EXTENSION OF REMARKS
OF
HON. COYA KNUTSON
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. KNUTSON. Mr Speaker, under leave to extend my remarks in the RECORD, I include the following invitation to the Honorable SAM RAYBURN to visit Minnesota this fall:

INVITATION TO MINNESOTA

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: It is no new thing to address the Speaker. It is, however, quite uncommon to suggest a new address for the Speaker. I'm sincerely asking you to come and spend the fall—or as much of the time remaining as you can—in my home State. With all my heart, I want your new address to be Minnesota.

My understanding is that first-grade teachers in the Lone Star State have specific instruction in regard to the first written word to be taught. It is not to be "dog" or "cat" or "mama" or "papa." It is to be "T-E-X-A-S."

Minnesota first graders volunteer to write 10-paged brochures on the beauties of marvelous Minnesota. Of course, our Minnesota youngsters and all of us know, also, how to spell Texas, and appreciate your love for your great State.

Since this is the case, it is not difficult to invite you, Mr. Speaker, to come to Minnesota. However, to make my invitation somewhat different from other invitations, I have chosen to use the rhythm of Longfellow's Song of Hiawatha. That "beat" was not original with Longfellow. He borrowed it from the Finnish national epic—the Kalevala—a work beloved by many of our fine Minnesotans of Finnish ancestry.

Come and see us, Mr. Speaker. Spend your summer here beside us.
Visit our primeval beauty in the Land of Lakes ten thousand.
Share the simple joys we treasure in the Land of Sky Blue Waters.
Join us in our bounteous fishing. Come, oh come, to Minn-e-so-ta.
Bass are luring near the shores. Trout hide in our lakes and rivers.
Wall-eyes wait your lure to catch them nigh the bogs of wild cranberries.
Northern pike and giant "musky" challenge you to give them battle.
Join us, join us, Mr. Speaker, in our paradise of fishing.
Breathe the scent of Norway pine trees, and the tang of fishpan frying.
Hear the loon cry at the dawning. Hear the breezes sigh at sunset.
Sense the beat of outboard chugging. Feel the cool dip of the paddle.
Join us in a quiet haven or where rapids course white water.
Minn-e-so-ta wants you, needs you. Say the word and come to see us.
The fulfillment is greater than whatever I can promise.
Let us share the peace primeval. Let us drop the cares that vex us.
We would sure be glad to have you—Mr. Speaker, SAM of Texas.

Congresswoman COYA KNUTSON,
Ninth District, Minnesota.

MY PERSONAL TRIBUTE TO OUR DEAR "MR. SAM"

MR. SAM

(To tune of the Eyes of Texas)

All throughout this hard-fought ses-sion,
You have stood the test.
All throughout this hard-fought ses-sion,
You've given us your best.
You have brought about good order.
You broke the legislative jam.
The hearts of all the House beat for you.
So • • • thank you, Mr. SAM.

(To tune of the Yellow Rose of Texas)

(Verse)

There's a man who comes from Texas,
Where they raise 'em saddle-high.
We're proud—the ones who know him—
Proud enough to tell him why.
Of all the many Speakers
Who held the Speaker's chair,
This Texan's stay is longest.
And we're glad to have him there.

(Chorus)

He's the noblest work of Texas,
A credit to his State.
You may call Sam Houston "here";
But, this man's just as great.
You may talk about Jim Bowie.
Be thankful talk is free.
Still, our Mr. SAM, of Bonham,
He will top them all—to me.

The Honorable Edward Martin of Pennsylvania

EXTENSION OF REMARKS
OF
HON. FRANK A. BARRETT
OF WYOMING
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. BARRETT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement about a dedicated servant of our country, the Honorable EDWARD MARTIN of Pennsylvania.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR BARRETT

Mr. President, I have had the pleasure of serving with many fine men in the Congress since I was first sworn in as a Member of the House of Representatives 16 years ago come next January. None were more devoted to their State or dedicated servants of our country than our lovable friend and colleague, the senior Senator from Pennsylvania, Mr. MARTIN. He will be sadly missed in these historic Chambers. He has had a long and distinguished record in the service of his country. A volunteer in the Spanish-American War with service in Manila Bay; a great record as an officer in the American Expeditionary Forces in World War I, and a general officer in World War II. Any man could well be proud of that record but, in addition, ED MARTIN has an equally great record as Governor of Pennsylvania and as a United States Senator. Judged by any standard he is a great American and it is a great privilege to be counted among his friends. I wish for him and his gracious wife many happy days in the years that lie ahead.

Congressman Tom O'Brien

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. PHILBIN. Mr. Speaker, TOM O'BRIEN has effectively served in the Congress many years, but he appears to me to be just as keen, energetic, and wise as ever. There is a timelessness about this lovable, devoted son of Chicago and Illinois that belies his years of service and gives him the vibrant quality of youth.

It is not enough to call him the dean of his great and able delegation. He holds that title by right, to be sure, but it does not fully embrace his close relationship to the delegation or the House.

To us, TOM O'BRIEN means something more than a senior in rank or a formalized title. He reaches deep into our hearts and captures our imagination, weaves into our affections and compels our confidence and admiration.

There is an indefinable aspect to TOM O'BRIEN's greatness; it has to be apprehended rather than described, because it is embodied in the sum total of personal traits, habits, loyalties, and special talents which constitute the ethos, modus operandi, and thought and action patterns of this natural leader of men.

TOM O'BRIEN is poured into no rigid psychological mold. The malleability of his mental operations and practical judgments, always vocal, sometimes blunt, but never insensible to humane values or empirical conclusions, gives rise to a commanding personality able to exercise his mastery over situations, yet compelling the affection and devotion of all those who come under the magic spell of his magnetic, amiable personality.

The schoolmen perhaps could best characterize him as the model of faith and defender of truth. His colleagues know him as a solid, substantial, dependable leader and a loyal friend and supporter.

Bereft of frills and fancies, TOM O'BRIEN is modern and at the same time mid-Victorian; sporting, yet in personal habits often Spartan; socially aware of the new world in which we live, yet not willing to accept the existentialistic postulate that there is an easy, effortless road to human happiness.

TOM O'BRIEN carriers in his generous, unselfish nature no residue of juvenile frustration, no Freudian complexes, no compulsive emotions, no mean, irrelevant prejudices rattling around in the closets of his subconscious.

If he must be classified in the philosophical sense, he is to be construed as an Aristotelian realist, not seeking rockets or spaceships, but with his feet planted squarely on the ground watching the stars for portents of greater light, but judging the world around him with the uncanny eagerness and accuracy of a great man seeking to do good.

Devoted service such as his, steeped in high faith, warm courage, and patriotic zeal, is certainly not expendable in this House. If errata appear, they are shielded by the solid walls of loyalty to causes to which he is at any time irrevocably committed. If there has been human fallibility in this illustrious public career as the long experience of mankind so abundantly indicates, surely it is not perceptible to those of us who have been privileged to see this human dynamo in action.

The fragmentation of his principles, his philosophy, and notable achievements in the Congress and in his personal and public life reveals in pregnant meaning just a few simple words which form the code by which this great leader lives: God and country, party, family, and friends, with the emphasis on the first, and with the sacred concept of loyalty, permeating every motive, every thought, every objective.

The contributions of TOM O'BRIEN are not measurable by finite standards. But they will live and fructify here as fine examples of what conscientious, able, loyal public service is, and how urgently indeed America needs today men of the stamp of TOM O'BRIEN.

The years will only serve to make these values shine with greater luminescence and furnish the inspiration for others to carry on the bitter fight that must be fought if in our generation we are to preserve and sustain the glories, benefits, and blessings of free representative government.

You have many friends here who love and wish you well, TOM O'BRIEN. Everyone in the House is looking forward to your service here for many years to come.

Foreign Aid Dollars Used Against United States Coal Industry

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BYRD. Mr. Speaker, mutual security dollars have been made available to Poland through the instrumentality of the Export-Import Bank. About $4 million of this money has been used to purchase coal mining machinery. Poland is thereby capable of producing

coal in increased amounts and more economically and to this extent that country is enabled by such United States dollar advances to reduce the overseas markets for American coal. Being a Representative from a mining State, I can only object to this practice most strenuously.

Labor Union Problems

EXTENSION OF REMARKS
OF
HON. EMMET F. BYRNE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. BYRNE of Illinois. Mr. Speaker, there is little doubt that labor union problems are of great concern to the people of America today. There is no other single group of men and women upon whom rests such a vast and varied responsibility to supply the Nation's everyday living needs. To a great degree, these men and women constitute a vital task force to maintain the individual security of Americans in all walks of life.

Many of us—and I am one—recall the days when living was just existence for the rank and file laborer. Life was truly bleak. They were expected to live frugally and work in unhealthy surroundings under hazardous conditions for long hours.

In the twenties, a new dawn appeared because some men were dedicated to correcting injustices and inequities. These men had ability, courage, leadership, and integrity. History gives us confidence that time will produce a man capable of rising to meet the needs of the era. A quick glance back indicates that this is true. I hope such is always the case. During the twenties such men did emerge on the American labor scene. Their efforts were fruitful and thousands of men, women, and children were given encouragement and opportunity. Parents could hope for and plan the future, provide the necessities of life for their children, and look ahead with hope for their children. They could take precautions in the event of illnesses or inability to work and look forward to a time of retirement with some sense of security. The men who made this possible were pioneers, the type of leaders who have contributed so much in the development of America.

When I think of such leaders, I recall the great Samuel Gompers, who did so much for the cause of organized labor. Mr. Gompers died in 1924. My late father, who died in 1929, was for 31 years a member of Local No. 9, International Brotherhood of Electrical Workers. It was in that period that the format was laid and the foundation constructed for the many benefits secured by the laboring man up to the present day. Labor has moved steadily forward.

Few men or women begrudge the gains that benefited the members of organized labor and their families during the score and 15 years just passed. Let us consider the plight of some of these men and women today. There are very obvious reasons to ponder whether the stake, security, and rights of the labor man are in danger. The conduct of certain unscrupulous labor leaders raises a very serious question. Are many rank and file members being exploited, intimidated, and coerced? Are vast sums, accumulated through the years, being safeguarded as trust funds, or are they being used for the individual benefit of fatcats, perpetuating themselves in power by force and criminal acts?

For months we have seen, read, or heard the evidence of misconduct. It is apparent that certain segments of labor have gone off the course envisioned by Samuel Gompers, a respectable leader of another era, and certain respected leaders of the present day.

In the 85th Congress we have realized the advisability and necessity of labor legislation. The Kennedy-Ives bill was passed by the Senate and sent to the House. For 40 days the Speaker sat on the bill before referring it to the Committee on Education and Labor. Finally, the committee voted 22 to 7 not to report the Kennedy-Ives bill. It then took up the bill sponsored by CARROLL KEARNS, of Pennsylvania. They voted 16 to 13 not to report this bill. Finally, on Monday, August 18, the Kennedy-Ives bill was brought up under suspension of rules, limiting debate to 40 minutes, and no amendments permitted except committee amendments. Under this procedure a two-thirds vote was required rather than a majority. This, in the closing week of the session, was politics in the raw.

The Kennedy-Ives bill failed to have my support because I do not believe it contained adequate and necessary steps to correct the problem.

"Right To Work" Laws—Misnamed and Misunderstood

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. RABAUT. Mr. Speaker, the opposing views between organized labor unions and industrial management groups seem once again to have met in an impasse concerning their individual rights which are currently under discussion, and a matter of legislative action, in the issues represented in the title of "right to work" laws.

The conflicts between these two opposing sides have been long and sometimes bloody. Grave wrongs have been committed in the past, on both sides, and it is my earnest prayer that these will remain in the past.

The unalterable fact that must be recognized by both sides is they are each directly dependent on the other for their own well-being and that improvement in the position of one will indirectly improve the position of the other.

In 1938 the Congress enacted the Fair Labor Standards Act—Wagner Act—which gave a bill of rights to labor in which was defined, under law, its rights and privileges through the protection of Federal courts.

This law brought reason and right to an area of our economy which had been in discord within itself for many years. The results of the Wagner Act allowed the United States, during World War II, the one ultimate weapon which no other nation in the world had—its gigantic ability to produce the overwhelming amount of equipment and supplies necessary to win it. All this under a joint agreement between management and labor for no strikes during the big fight. The greatest surprise to many people was that it worked.

At the close of World War II there followed an adjustment period in which the union groups felt that they had done their duty during the war and were then entitled to adjustments that had been put off during the war years. These efforts on the part of labor were met with opposition from the management side on the grounds that the time was not right and the demands too extensive. Labor's only weapon, the strike, was put into play to the extent that the country was almost paralyzed in its transportation and other key industries. It was plain to see that the wartime romance was over and a parting of the ways was pending.

By 1947 the situation had gone from bad to worse, with demands being made that the Congress take some corrective measures. What was done was the Labor-Management Relations Act of 1947—Taft-Hartley law. This was a bill that was fought down the line by organized labor; but it was passed into law even over President Truman's veto and is now the law of the land. The union side has consistently maintained that the law is heavily weighted on the side of management, with repeated efforts to repeal it or to drastically amend it.

The Taft-Hartley Act figures in the question of the right-to-work laws in that it provides any State law which either outlawed or more severely restricted a union's security program would supersede Federal law. This was an open invitation to industrial management groups to seek more restrictive laws in each of the 48 States.

Following the passage of the Taft-Hartley Act there was organized in each State spontaneous right-to-work committees under various sponsoring titles, none of which were directly associated with the industrial management groups, though it is commonly believed they are supported by them.

The first successes of these committees came in the industrially underdeveloped States of the south and southwest United States. This section of the country was the easiest to influence in this direction because of its agri-

cultural nature and the fact that it is not strongly organized by union groups.

A large degree of the credit for getting these laws on the statute books of these States must go to promises of industrial development in the future which would result from the passage of these laws, and the catch phrase used when presented to the voters, or State legislatures.

Everybody is in favor of a law that would guarantee a job. But very few people stopped to look beyond the title until the law was put into practice and they saw how it worked. By that time it was too late to stop it in many States; but four States have had the courage to admit they were wrong and have repealed it entirely.

At this point I think it would be a good idea to examine this "right" and see just how it does work and whom it will affect.

WHAT ARE RIGHT-TO-WORK LAWS?

Right-to-work laws are misnamed and misunderstood statutes which forbid enforcement of contract agreements between employers and labor unions which provide that employees must become members of the representing union as a qualification of employment with the company.

Under the Taft-Hartley Act, a union, once certified by the National Labor Relations Board as representing a majority of employees of an industrial unit, must represent all employees of that unit, regardless of membership or nonmembership in that union. Any resulting benefits from collective bargaining between the union and management will be extended to the nonmember employees equally as with the union-member employees.

Under union-security contracts this unequal condition between member and nonmember employees is eliminated by requiring the payment of a sum of money equal to that of monthly dues for membership in the representing union; however, if an employee does not wish to join the union his name will not appear in its membership records and he cannot be compelled to attend its meetings or be bound by any of the union's discipline policies. The failure of the employee to pay this monthly fee for the representative services received from the union, whether he be a member or nonmember, will result in release from his position for failing to meet one of the qualifications of his employment.

HOW DO SUCH LAWS WORK?

Under these State statutes these contracts requiring the employee to support their union are unenforceable in any State court. As a direct result the union is deprived of its internal security; and the employer has the opportunity to hire persons who can be influenced not to join the union. In time, enough nonunion members could be hired to permit the challenge of certification of the presently recognized union. If the employees were not organized under a second union, a defeat of the prime union would result in there being no union at all. This has long been recognized as one of the easiest ways in which to break the bargaining power of a union.

WHOM DO THESE LAWS AFFECT?

You. These laws will, in time, affect every citizen in any State having such laws. They have the direct result of weakening and eventually destroying the bargaining power of the laborer's union. Consequently, a working man's security of employment, and social position as well as income will be affected. This condition will directly affect his buying power, and reliability as a citizen of the community. Such conditions will in turn affect every merchant, service agency, and social group, who count this man as a customer or contributor, as well as the well-being of the entire Nation.

WHICH STATES HAVE THESE LAWS?

The States having right-to-work laws in effect to date are: Alabama, Arkansas, Florida, Georgia, Iowa, Nebraska, Mississippi, North Carolina, South Carolina, Tennessee, North Dakota, South Dakota, Texas, Virginia, Arizona, Nevada, Utah, Indiana.

States which have repealed laws: Delaware, 1949; Louisiana, 1956; Maine, 1948; New Hampshire, 1949.

States which have rejected constitutional amendments on right-to-work laws are: California, 1944; New Mexico, 1948.

States which have defeated initiative petitions on right-to-work laws are Maine, 1948; Massachusetts, 1948; Washington, 1956.

State legislatures which have rejected or defeated proposals on right-to-work laws are: California, 1953; Colorado, 1953, 1955, 1957; Connecticut, 1955, 1957; Delaware, 1957; Idaho, 1955, 1957; Kentucky, 1954; Kansas, 1955; Maryland, 1955, 1957; Massachusetts, 1955; Michigan, 1955; Minnesota, 1955; Missouri, 1955; Ohio, 1955; Oklahoma, 1953; Oregon, 1953; West Virginia, 1955; Wisconsin, 1955; Wyoming, 1953, 1957.

WHY DID THESE STATES ENACT RIGHT-TO-WORK LAWS?

Of the 18 States which now have these laws on their statute books only one—Indiana—is an important industrial center. Without exception these States, in varying degrees, are lacking in industrial development in that they are not suited either geographically, economically or populationwise to the support of an industrial center.

These facts have been ignored with promises that the greatly expanding industries of the North would surely come their way if these States were to insure that, through enactment of these laws, there would not be a "strong union" group to deal with; and as a result, the main drawing point, there would be a ready reservoir of cheap labor.

None of the States which have enacted these laws have had any great influx of industrial development as "suggested" and some of them have had the law in operation for 10 years or more.

The industrial management groups are naturally interested in cheap labor, if not from selfishness, then from the point of competition; but they want it where their present plants are located but it can be had only if the bargaining power of the unions can be weakened or eventually destroyed.

WHO ARE THE PEOPLE AND ORGANIZATIONS IN FAVOR OF THESE LAWS?

An answer to this question is most complex. The real backers of this movement seem to remain anonymous and unknown; however, two principal big business organizations that have admitted their position in "endorsing the national right-to-work law" which, they say, applies also to State laws, are the National Association of Manufacturers and the National Chamber of Commerce. Both of these organizations are known to be spokesmen for industrial owner-management groups and have declared themselves greatly opposed to many forms of labor organizing.

WHO ARE THE PEOPLE AND ORGANIZATIONS AGAINST THESE LAWS?

The answer to this question is also difficult to present, principally because of the vastness of the legion who have spoken out against them. I have estimated it would take my staff a week to compile the names of all public figures who have taken an active part against these laws. It is obvious enough that wherever the people had a chance to vote on the issue, it has lost—in some States it has been defeated 2 and 3 times in the last 6 years. The following organizations have gone on record as being strongly opposed to these laws: National Council of Churches in America, National Catholic Welfare Conference, Conference of Bishops of the Methodist Church, National Council of Churches of Christ in America, Catholic Conference of the South, Rabbatical Council of America, Board of Sociology and Economic Relations of the Methodist Church in America. In addition, the late Senator Robert A. Taft stated that in no instance should union security programs be totally outlawed. Gov. Goodwin Knight, of California, Gov. Averell Harriman, of New York, and Gov. George Leader, of Pennsylvania, to mention only a few more of top State executives who recognize inherent dangers in such laws.

MY POSITION ON THE QUESTION OF RIGHT-TO-WORK LAWS

I feel they are greatly misrepresented and too frequently misunderstood by the average citizen, and, whether intentional or not, exist as a direct threat to the stability and security of the organized labor movement.

My answer to the advocates of the so-called right-to-work movement is that no one has a right to expect to reap the harvest from another's labor and certainly none of us have the right to demand a job that we are not qualified for or that we refuse to qualify for on the grounds that to do so would violate an assumed right. The only right granted under these laws is that of attempting to wreck what honest and hard-working people have built.

War and Peace

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BYRD. Mr. Speaker, unfortunately, in some of the recent political campaigns the Democratic Party has been referred to by certain individuals as being the war party. The issue of peace was used as a major appeal in 1952 when General Eisenhower, the Republican presidential candidate, promised to go to Korea to try to end the Korean war. The same appeal was used in 1954 and again in 1956, with somewhat less success, even in view of the fact that war clouds were hanging over the Middle East on election day in 1956. Republican campaign committees have spent large sums of money to advertise the casualties in so-called Democratic wars.

I have no doubt that the same course will be followed by some of the campaign orators this fall, especially in view of the fact that things are not going well on the domestic front. With Mr. Eisenhower's popularity at a low ebb, a large number of those individuals who have been recently sampled give the recession as the reason for their having shifted allegiance to the Democratic Party. Consequently, we can expect the administration high command to attempt to divert attention from its failures in the handling of the domestic economy and I am anticipating that it will use the same strategy as in the past of blaming the Democratic Party for the country's wars. It, of course, will say nothing of wars under the McKinley and Lincoln administrations. The supporters of the present administration will also conveniently overlook the votes of members of the Republican Party when the Congress declared war on Italy, Japan, and Germany in 1941. I think that it would be well to refresh the memories of our friends on the other side of the aisle by recapitulating the votes whereby the Congress declared war on those countries. On December 8, 1941, the United States House of Representatives adopted a resolution declaring war on Japan by a vote of 388 to 1. The United States Senate on the same day passed a resolution declaring war on Japan by a vote of 82 to 0. On December 11, the House of Representatives passed a resolution declaring war on Italy by a vote of 399 to 0, and the United States Senate took a similar position by a vote of 90 to 0. On December 11, 1941, the House of Representatives adopted a resolution declaring war on Germany by a vote of 393 to 0, and the Senate did likewise by a vote of 88 to 0.

Mr. Speaker, in the 6 recorded votes I have mentioned, there was 1 lone vote cast against a declaration of war, and that 1 vote was a Republicn vote. So it can be seen that the declarations of war on the three countries named were virtually unanimous and this is as they should have been. However, I think that it comes with rather poor grace that the Democratic Party is frequently accused of being a war party when, as a matter of fact, the Republican Members of the House and Senate supported the declarations wholeheartedly. We went to war and Republican Members of the Congress supported that step by their actions, their words, and their votes.

Were they sincerely supporting America's entry into World War II or did they lack the courage to vote against her entry? I am confident that they sincerely supported our participation. Then let us be done with this type of campaign oratory which seeks to depict one party as a party of war and another party as a party of peace.

The Democratic Party does not want war. There come times in the history of any nation when it cannot avoid war. Peace is not a thing that can be promised by any individual in an appeal to the voters of this country, particularly when we must deal with men like Khrushchev, men who are guided only by their insatiable greed for power. The peace of the world will continue to be endangered as long as we have nations led by men like Hitler and Stalin and Khrushchev and as long as a communistic ideology is backed up by nations as powerful as Russia and Red China. Those who promise peace in return for votes are selling their country short and are underestimating the intelligence of those to whom they make their appeal.

Mr. Speaker, we are all in favor of peace on both sides of the aisle and in both political parties. Peace should never be an issue. The only question is as to how peace might best be assured. I am in favor of keeping America strong, so strong that no nation will ever dare attack us.

"When a strong man armed keepeth his palace, his goods are in peace."

Retarded Children

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. PHILBIN. Mr. Speaker, the action which the Congress has taken to aid the retarded children of the Nation by providing them with more specially trained teachers is a most significant step forward in our national social program.

The plight of these afflicted children and the very heavy burdens upon their parents and families have for long prompted my deepest interest, sympathy, and desire to promote Government assistance toward the solution of these difficult problems.

With his usual profound sympathy for the afflicted, the very able gentleman from Rhode Island, Mr. FOGARTY, has worked commendably and effectively in advancing and enacting this vital legislation. The committee is also entitled to our appreciation for their sustained, helpful efforts.

I have been in strong support of proposals to assist retarded children whose care, treatment, and special problems deserve the most solicitous attention of the Congress.

The bill moves in the right direction to be sure, but, in opinion, there is much more to be done to alleviate the conditions and problems of these children and their families.

A comprehensive, long-range program, well rounded and well financed, is required to grapple with this great social need. Congress must give further careful study to the means of providing additional governmental action that might be taken to tackle this problem in its entirety. Such a program must be broad and deep. It must deal with preventive as well as ameliorative possibilities in the realm of medical science and social action. We can no better serve humanity and the dictates of compassion than by moving to hold out the hand of assistance and encouragement and concrete help to these unfortunate afflicted children and their families.

I will not only support this meritorious legislation, but propose to continue my deep interest in this question in the time to come in order to render every possible measure of support to an advanced program that will deal more effectively with this very pressing, urgent problem.

My Voting Record

EXTENSION OF REMARKS
OF
HON. JACK WESTLAND
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. WESTLAND. Mr. Speaker, I feel it is my duty to the people of the Second District of Washington who elected me to represent them in Congress to compile and publish a record of my votes on important issues. Under leave to extend my remarks, I would like to include in the RECORD a compilation of my votes on these issues.

Since the House of Representatives had more than 13,500 bills introduced during the 2 years of the 85th Congress, it is apparent that only a small percentage of them ever got to a vote. I have confined this record to those votes requiring a "yea" or "nay" answer. These, of course, include the topmost issues before the Congress during the past 2 years.

To simplify my voting record, I have placed these measures into categories according to the general fields they encompass. Some are difficult to classify as they are considered broad in scope, and I request the reader's pardon if the categories overlap.

BILLS AFFECTING GOVERNMENT OPERATION

Voted for H. R. 5836 to adjust postal rates to put post offices on a pay-as-you-go basis.

Voted for H. R. 8002 to provide improved accounting methods with estimated savings of billions as recommended by the Hoover Commission.

Voted for H. R. 12858 providing appropriations for public works.

Voted against H. R. 1937 authorizing construction of a stadium on Federal land in Washington, D. C.

Voted against H. R. 13343 to authorize an appropriation for Pan American games to be held in Chicago.

Voted for S. 3335 providing for construction of a National Culture Center in Washington, D. C.

Voted for S. 3910 providing authorization for rivers and harbors projects, including Sammamish River flood control, Whatcom Creek waterways, and Port Townsend small boat projects.

Voted for S. 2130 extending the Mutual Security Act to protect the security of the United States. Voted for H. R. 13192 providing appropriations for mutual security.

Voted for H. R. 7999 providing for Alaskan statehood, including my amendment to protect fish and wildlife in best interests of the Nation.

Voted for S. 1856 to assure safe, efficient navigation for civil and military aircraft.

Voted for H. R. 9821 authorizing $611 million extra in Federal funds for highways in fiscal 1959 and permitting the Treasury to spend additional funds already authorized during the year to help create new jobs.

Voted for S. 497 authorizing rivers and harbors, flood control, and beach erosion control projects totaling $1.5 million.

Voted for S. 846 to establish a National Outdoor Recreation Resources Review Commission.

Voted for H. R. 3 reaffirming States' rights to legislate in the fight against communism.

Voted to cite Bernard Goldfine for contempt of Congress.

BILLS AFFECTING LABOR

Voted for H. R. 2427 to increase pay for postal workers.

Voted for H. R. 2462 granting Federal employees a pay increase.

Voted for S. 72 to increase annuities payable to retired or disabled United States civil-service employees.

BILLS AFFECTING DEFENSE AND THE ARMED FORCES

Voted for House Joint Resolution 117 authorizing the President to order our military forces to the Middle East if invited to do so to prevent Communist aggression.

Voted for motion to restore $313 million to Defense Department appropriations, most of it for Air Force research.

Voted for H. R. 9739 authorizing $549 million for research and development of ballistic missiles, ballistic missiles detection systems, and further dispersal of the Strategic Air Command.

Voted for H. R. 11470 providing increased pay on basis of skills to officers and enlisted men of the Armed Forces to assure adequate, trained personnel for our defenses.

Voted for H. R. 12541 to promote the national defense through reorganization of the Defense Department as requested by the President.

Voted for H. R. 12738 appropriating $38 billion for the Armed Forces and other defense activities, including increased funds for the Army in order to finance a 900,000-man organization.

Voted for S. 3262 to promote foreign relations by authorizing the Armed Forces to participate in the eighth Olympic games.

Voted for H. R. 13015 authorizing military construction, including Capehart housing at Whidbey Island Naval Air Station.

Voted for H. R. 13489 appropriating funds for military construction, including $8.5 million for fiscal 1959 construction of a 10,000-foot runway at Whidbey Island Naval Air Station.

BILLS AFFECTING FARMERS AND AGRICULTURE

Voted for amendment to H. R. 912 which prohibits the Navy from serving oleomargarine as long as surplus butter is available.

Voted for amendment to Senate Joint Resolution 162 to keep the Federal Government from reducing price supports on dairy products.

Voted for extension of the agricultural trade and development program to aid in disposal of surplus agricultural products.

Voted for H. R. 5538 requiring Congressional approval to effect withdrawals of more than 5,000 acres of public land.

Voted for S. 3342 extending special milk program in schools, settlement houses, and summer camps.

Voted for H. R. 12164 to permit distribution of surplus foods in nonprofit children's camps.

BILLS AFFECTING ECONOMY, BUSINESS, AND TRADE

Voted for H. R. 7963 to establish the Small Business Administration, authorized by Republican-controlled 83d Congress, as a permanent agency.

Voted for amendment to H. R. 8240 to eliminate Defense Department competition with private businesses.

Voted for Senate Concurrent Resolutions 68 and 69 urging acceleration of Federal construction projects, both military and civil, for which funds have been appropriated, to stimulate the economy.

Voted for H. R. 12695 repealing 3-percent Federal tax on freight transportation.

Voted for H. R. 12832 amending the Interstate Commerce Act so as to strengthen and improve our national transportation system.

Voted for H. R. 8996 authorizing cooperative program of atomic-power development between Federal Government, cooperatives, public utilities districts, and private power companies.

Voted for H. R. 12591 extending the Trade Agreements Act.

Voted for H. R. 13382 to provide tax relief for small businesses.

Voted for S. 3418, the emergency Housing Act, to stimulate home building, reducing downpayments on FHA-financed housing, and extending the veterans' housing program.

Voted against S. 2229 providing Government guaranteed loans to air carriers and helicopter lines.

Voted for S. 2719 providing for payments of bounties for control of predators on salmon and halibut of Pacific coast and Alaska.

Voted for H. R. 9821 authorizing and appropriating funds for highway construction to create jobs and expedite work.

BILLS AFFECTING VETERANS, SOCIAL SECURITY, EDUCATION AND WELFARE

Voted for H. R. 1 to provide $1.5 billion in Federal aid for school construction.

Voted for civil-rights bill on final passage.

Voted for amendments in appropriations bill for Department of Health, Education, and Welfare, and the Department of Labor to keep expenditures in line.

Voted for H. R. 12065 to provide up to 15 additional weeks of unemployment compensation for jobless whose State payments have expired.

Voted against bill to provide $14 million in initiation of unworkable Federal flood-insurance program.

Voted for H. R. 358 to increase monthly rates of pensions to widows of Spanish-American, Indian, Mexican, and Civil War veterans.

Voted for H. R. 1264 to provide disability pensions for veterans hospitalized by pulmonary tuberculosis.

Voted for H. R. 11630 to amend the Social Security Act to extend benefits of unemployment compensation, formerly available only to Korean veterans, to all ex-servicemen.

Voted for H. R. 11801 to increase veterans' burial allowance.

Voted for H. R. 13549 to increase benefits under the Federal old-age, survivors, and disability insurance system.

Voted for H. R. 12457 to prohibit the interstate sale of switchblade knives.

Voted for H. R. 12628, extending the Hill-Burton Act.

Voted for H. R. 11378 authorizing permanent program of assistance for construction and operation of schools in areas affected by Federal activities.

Voted against H. R. 72 which would have limited the number of relatives who could claim benefits of a legally incompetent veteran.

Voted against H. R. 6287, an amendment to cut funds for the Bureau of Veterans' Reemployment Rights.

Mr. Speaker, I believe this is about as complete a voting record that is possible to compile. I have always voted for the things that I believe are right and for what is in the best interest of the people whom I represent. Not all of them will agree with each and every vote, but I hope all will approve of my voting record as a whole.

The Federal Trade Commission's Advertising Guides

EXTENSION OF REMARKS
OF
HON. JAMES E. MURRAY
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in

the CONGRESSIONAL RECORD a statement about the Federal Trade Commission's advertising guides to curb fictitious pricing.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE FEDERAL TRADE COMMISSION'S ADVERTISING GUIDES

Last Friday the Federal Trade Commission announced it will adopt advertising guides to curb the vicious practice of fictitious pricing. This is a problem in which Senator MANSFIELD and I are keenly interested and which we have in the past explored for possible solution. We are gratified that the Commission is taking positive action to eliminate this burden to honest advertisers and the ultimate purchasers of consumer goods.

The Trade Commission is one of our regulatory agencies, established by Congress as an independent office, and charged with the duty of policing trade practices and protecting the ultimate consumer. It is unfortunate that west of the Mississippi the consuming public has only a vague acquaintance with the agency's mission and believes that somehow it is connected with administration of price-fixing fair trade laws passed by local authorities. Since fictitious pricing is a nationwide problem affecting all business and consumers adversely, the present action of the Commission will call attention to the fact that Congress does not intend the wage-earner, the small-income family, and persons on fixed low incomes, shall be at the mercy of unscrupulous advertisers taking unfair advantage of the consumer.

The deception of fictitious pricing is obvious in the statement of its most prevalent claim: "$50 regular price, now only $25," although the article offered for sale at the reduced price may never have been sold for more than the $25 quoted and, in many cases, has not sold for that price. The claim is an invitation to a spurious bargain. After 23 months of rising costs of living indexes, and 21 new record highs in that time, the fixed-income citizen cannot afford such bargains.

Senator MANSFIELD and I, pursuing our interest in the matter, inquired into the extent of fictitious pricing and its effects on business and the consumer in March of this year. We found the practice to be the outstanding curse of both buyer and seller, and we called it to the attention of the Committee on Appropriations, then considering appropriation of funds to the Federal Trade Commission. We pointed out that the Bureau of Consultation, within the Commission, has developed the legal weapons for fighting deceptive pricing, and by means of its advertising guides can protect consumers on a nationwide, industrywide basis. Other matters concerning the Trade Commission were under consideration then and a sufficient approximation of need could not be made by the committee. However, the Trade Commission is proceeding despite its present limitations of budget, and may be expected to return a creditable report of accomplishment in this field.

There is considerable danger in the announced intention of the Commission to proceed that the public may be thereby assured prices are being policed, when in fact the means of policing them are absent. Unless an allocation of funds is made to the Bureau of Consultation to administer its advertising guides program in a proper manner, supported, of course, by individual prosecution of violators, one more deception will have been added to an already vicious practice. It is expected that the Commission will make a sufficient presentation of this problem to the Bureau of the Budget and to Congress in order to increase funds available to the Commission and its Bureau of Consultation for the fight against deceptive pricing.

Mutual Security Program

EXTENSION OF REMARKS
OF
HON. THOMAS C. HENNINGS, JR.
OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. HENNINGS. Mr. President, I strongly urge that the amendments of the Appropriations Committee to H. R. 13192 be adopted.

I have prepared a short statement with respect to the mutual security program. However, because of the great amount of work yet to be done by the Senate today, I request unanimous consent that my statement be placed in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I would like to make a short statement in support of the mutual security program, so that my reasons for urging acceptance of the recommendations of the full committee will be perfectly clear.

The nations of the world that are not under Communist domination exist under a constant threat—directly or indirectly—from those nations which are already in Communist hands. We have long known that this international predatory movement, carefully directed from Moscow, is designed to deprive free nations of the ability to choose their own way of life. But, however constant that threat may be, its form and direction has varied as often as we of the Free World have devised a method of counterattack.

Where the free nations have strengthened their military defenses to meet this threat and thereby made armed attack both risky and expensive, the Communists have chosen other weapons. Therefore, in the last few years we have been participating, not just in a buildup between 2 military systems, but in a competition between 2 foreign economic policies.

The stakes in this deadly game may be life or death for our way of life.

I cannot emphasize too strongly the significance of the outcome of this global struggle. I fear, from letters which I have received, and from occasional news commentary, that somehow the importance of our struggle and the understanding of our various weapons has escaped many people in our country.

I fear the recent outbreaks in Latin America and the Middle East, which have been interpreted as setbacks for the United States, have been considered by some to be proof positive of the futility of a foreign-aid program. The prevalence of this feeling is reflected in the fact that the President's original budget estimates for the 1958 mutual-security program have been cut twice in succession—one irrevocably by the Authorization Act. And again by the recent action of the other body, which reduced the total to $872 million under the estimates.

These reductions do not square up with the enormity of the challenge facing us, nor with the traditional American courage and ingenuity in facing a task. Those who advocate our withdrawal behind the walls of our fortress are pessimists. Who unwittingly are lending credence to the Communist boast of invincibility. I often feel that we are in danger of losing our perspective concerning the relative importance of the various parts of our task. I take it for granted that we need to man our defenses—but beyond that, we must fight hard to wage peace around the world—and this job is infinitely cheaper and more constructive than short-sighted concentration solely on developing the weapons of destruction to fortify our own shores.

The appropriations we are considering today are a major part of our effort in this worldwide struggle—this war to keep the peace and to preserve the institutions of free democratic societies, by adding to their stability and well-being.

I have had the privilege of attending, during the past few years, numerous White House meetings at which the Congressional leadership was briefed on the international position of the United States. We have been advised time and time again of the dangerous progress being made by the Communists. I have visited the nations of Southeast Asia, where the situation is especially critical, and I have talked with their leaders. I have heard enough, and seen enough, to convince me beyond any reasonable doubt that the appropriations we are considering are a wise and, comparatively speaking, an inexpensive investment in our own security. These appropriations provide the peacetime weapons we need to meet the economic challenge we face. I would like to dwell on this problem for a few moments.

The United States has a foreign economic program with good reason. There is an astonishing disparity between the plane of living in the poorly developed nations of the world and in our own. In the past our people have been largely unaware of the disparity; but if it is true that we are unaware of their lagging economies and starvation existence, the Communists are not. The Soviet leaders are utilizing, and subsidizing the cost of, every conceivable device to bring word to isolated villagers that a better life is within their reach if they will bestir themselves to revolution and join in the predatory scheme of worldwide communism—a scheme which, if successful, would lay waste the world and subject us all to the whims of a tiny handful of ruthless and Godless men.

Mr. President, the great question before us seems to be the degree of our own responsibility. The experts with whom I have talked and every serious study which I have read confirms my belief of the need for much greater emphasis on effective United States financing of economic growth in the less-developed countries. This is not a spend-thrift program. In the absence of greater progress, it seems unlikely that freely chosen governments which now exist in many countries can retain the support of their increasingly restive peoples. Our own security is directly involved in the fate of such countries, and this is what determines our degree of responsibility.

Accordingly, I am urging, as strongly as it is possible for me to do so, that the Senate agree to the increases which have been made by its Committee on Appropriations so that our Government will not be hamstrung in its operations abroad and will not be deprived of weapons absolutely essential in a fight which is going to continue for many years to come.

Federal Expenditures in Montana

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA

IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement on Federal expenditures in Montana.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FEDERAL EXPENDITURES IN MONTANA

The 85th Congress has made one of the finest and most accomplished legislative records in our history. Montana is sharing in these accomplishments. Federal expenditures in the Treasure State have increased again this year.

It is anticipated that Federal expenditures in Montana will be increased by $67,790,022 in the current fiscal year. In fiscal year 1958, ending June 30, $234,123,556 in Federal funds were channeled to the State. Appropriations totaling $301,913,578 have been programed for Montana for the 12-month period which began on July 1 of this year. These annual appropriations continue to be the largest single source of income to the State.

In the calendar year 1957 the Treasury Department collected $138,852,000 in income and excise taxes from Montana inhabitants. On the basis of these figures, Federal expenditures in Montana were at the rate of approximately $1.69 for every $1 collected in Montana in the past year. On the basis of estimates of expenditures in fiscal year 1959, the ratio will be better than 2 to 1.

The Agriculture Department continues to be the largest contributor to the State and the Defense Department and Commerce Department are the next largest contributors. The planned increase in Federal expenditures in Montana is due largely to the expanded and accelerated Interstate Highway program and the increased expenditures for military construction in connection with the Glasgow Air Force Base. The Air Force will spend an additional $22,965,000 at this new jet airbase during the current fiscal year.

This tabulation does not include the $2,538,000 appropriation to continue construction on the Helena Valley unit and the additional funds that will come to Montana when the increase in social-security benefits becomes effective.

In fiscal year 1958 the Small Business Administration approved 46 business loans totaling $2,629,000. During this same 12-month period 15 contracts were awarded to small firms under the joint set-aside program valued at $262,331.

It was a distinct pleasure to work with Senator JAMES E. MURRAY, Congressmen LEE METCALF and LEROY ANDERSON in the 85th Congress. We worked together in all matters of importance to Montana. We held periodic conferences, working as a unit furthering the development and best interests of the Treasure State.

The following tabulation lists all major Federal departments and agencies who have programed funds in Montana and a list of major projects:

Federal expenditures in State of Montana by Federal departments and agencies

Department	Fiscal year 1958	Fiscal year 1959 (estimated)	Increase or decrease
Agriculture (Agricultural Research Service, Extension Service, Forest Service, Soil Conservation Service, Agricultural Conservation Program Service, Agricultural Marketing Service, Soil Bank program, Commodity Stabilization Service, Commodity Credit Corporation, Federal Crop Insurance Corporation, REA, FHA, Office of General Council)	$84,014,961	$80,693,296	−$4,321,665
Defense (Army, Navy, Air Force)	40,852,000	68,891,000	+28,039,000
Commerce (Census Bureau, Weather Bureau, Coast and Geodetic Survey, Bureau of Public Roads, Civil Aeronautics Administration)	21,974,104	65,257,640	+43,283,536
Veterans' Administration (General administration, medical and hospital services, benefit payments)	18,769,000	18,769,000	
Interior (Department offices, Bonneville Power Administration, Bureau of Land Management, Bureau of Indian Affairs, Bureau of Reclamation, Geological Survey, Bureau of Mines, National Park Service, Bureau of Sport Fisheries and Wildlife)	28,477,157	30,121,559	+1,644,402
Post Office	8,014,000	9,017,000	+1,003,000
Health, Education, and Welfare (American Printing House for Blind, Office of Education, Office of Vocational Rehabilitation, Public Health Service, Social Security Administration)	9,127,151	9,906,019	+778,868
General Services Administration	8,382,981	5,595,000	−2,787,981
Labor (Bureau of Labor Statistics, Bureau of Apprenticeship and Training, Bureau of Employees' Compensation, Wage and Hour Division, Bureau o Employment Security)	2,521,178	2,566,773	+45,595
Treasury	1,287,112	1,339,981	+52,869
Justice (Legal activities, administration, Immigration and Naturalization Service)	627,585	677,000	+49,415
Small Business Administration (Montana branch office)	23,745	23,745	
Interstate Commerce Commission	52,582	55,565	+2,983
Total	234,123,556	301,912,578	+67,790,022

LIST OF MAJOR PROJECTS AND PROGRAMS FUNDED IN FISCAL YEAR 1959

Forest Fire Research Laboratory, Missoula	$900,000
Malmstrom Air Force Base, Great Falls (military construction)	1,868,000
Glasgow Air Force Base, Glasgow (military construction)	22,965,000
Additional facilities at aircraft control and warning station (radar) near six Montana cities	1,486,000
National Guard armories (one-unit) Chinook	64,000
National Guard armories (one-unit) Dillon	64,000
Army Reserve Training Center (two-unit) Billings	371,000
Army Reserve Maintenance Shop, Glasgow	17,000
Army Reserve assembly hall and maintenance shop, Helena	104,000
Helena Valley unit (construction)	2,538,000
Second powerplant, Fort Peck Dam	6,500,000
Clark Fork at Missoula, flood control planning	12,000
St. Regis River, flood control	41,000
Waste treatments works construction	512,475
Public Law 815 payments for school construction	440,000
Public Law 874 operational and maintenance payments to schools	630,000
Benton Lake wildlife refuge	$100,000
Lower Willow Creek watershed and flood control project	757,110
Air navigation and air traffic control facilities at 6 Montana airports—Great Falls, Missoula, Billings, Butte, Helena, and Cut Bank	1,554,000

Statement by Hon. Charles E. Potter, of Michigan

EXTENSION OF REMARKS
OF
HON. CHARLES E. POTTER
OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. POTTER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the following statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR POTTER

My State of Michigan is the center of the automobile industry. It will make a great contribution to our economy with the introduction of the 1959 models, which will shortly be unveiled to an expectant public. If they meet the response which the industry's stylists and engineers anticipate, many additional workers will again be drawing paychecks.

Furthermore, the demands of the automobile producers on supplying industries will enable other businesses, both large and small, including producers of steel, aluminum, other nonferrous metals, glass, and upholstery fabrics to recall laidoff workers. The service industries, including transportation and distribution, will also benefit from the increased activity in automobile production.

However—and this is unfortunate—one man alone will decide if this contribution to our economy will be made. One man alone will decide if thousands of additional workers will again draw paychecks in the State of Michigan.

That man is Walter Reuther. Walter Reuther seeks to control the entire political structure of the State of Michigan and is the most powerful labor boss in America today.

The senior Senator from Michigan certainly recognizes the need for strong unions with responsible leaders to provide for the orderly negotiation of wages, hours, and conditions of employment for the workers in mass production industries.

The United Automobile Workers and the management of the leading producers have developed grievance procedures with an impartial umpire paid jointly by the union and the employer. This has materially eliminated strife in the day-to-day conduct of industrial relations. It clearly shows what can be accomplished when a union concentrates its efforts in assisting members in connection with those activities customarily considered within the sphere of collective bargaining.

Although the economy is again advancing, one disturbing cloud still hangs over us. The auto workers in the plants of General Motors, Ford, and Chrysler, who are members of the United Automobile Workers, are working without a contract.

Contracts between the major automobile producers and the United Automobile Workers expired at the end of May. If the contracts had been extended, the members of the United Automobile Workers would have received a pay increase of 9 cents an hour. Some of the other unions have signed agreements with the auto manufacturers. Their members as well as the salaried workers have been enjoying this pay increase.

Lack of an agreement is costing the membership of the United Automobile Workers presently employed by the 3 leading producers $1,200,000 every week or $60 million a year. With the resumption of full production on the new models 9 cents an hour will represent $100 million a year to these workers.

Walter Reuther has consistently taken the position that our economy should be transformed into one in which the basic overall decisions are made by Government. Production and pricing policies for particular producers would be planned jointly by Government, management, and labor. This un-American concept accounts for the many difficulties which accompany any negotiations with Walter Reuther.

While he professes faith and confidence in a free enterprise economy, he has consistently advocated plans and programs which would destroy competitive capitalism. Planning in one form or another has been his principal interest.

The pattern of Walter Reuther's collective bargaining negotiations also is a familiar one. Rather than concentrate on the conclusion of an agreement which would insure industrial peace and provide confidence and security for the workers he represents, he has used the bargaining table as a platform to advance his own economic and political concepts, to concentrate his political power in the United States.

Only recently Walter Reuther was interviewed by Henry Brandon, Washington representative of the Sunday Times of London. The grandiose schemes which would transform his concept of the bargaining table to a death grip on the entire governmental structure are clearly revealed in this interview. I quote from Mr. Brandon's articles of June 22 and June 29. Mr. Reuther said:

"If the labor movement is to deal with problems such as unemployment, it must act economically at the bargaining table and it must act politically."

This statement clearly shows that Walter Reuther regards political action as a principal function of a labor leader.

And when I speak of Reuther's political power, I am not dreaming up a fantasy. A force of 1,580 men worked and will continue to work in Michigan political campaigns during 1958. Reuther's union calls workers off the job and pays them $20 a day, plus $5 a day expenses. This amounts to the staggering sum of $37,000 a day for political activity. These men are hired for one reason and one reason only: To impose Walter Reuther's will upon the voters, especially of Wayne County, Mich.

As a matter of fact, the State of Michigan has been almost entirely taken over by Reuther and his lieutenants. Through his henchman, August Scholle, president of the Michigan AFL–CIO Council, he dictates decisions to his hand-picked Governor of Michigan in Lansing. Scholle is the same labor boss who publicly stated, "We will never support a Republican."

If Reuther played a fair game, permitting the electorate to make up its own mind, perhaps this situation would not have come about.

But how does he operate?

I will give two cogent examples.

Last spring I was invited by the Federal credit union of the Ford Rouge plant to speak to its members. I accepted the invitation. Shortly afterward I received a telephone call from Detroit advising me that certain union bosses were displeased and that credit union members would be embarrassed if a Republican Senator appeared. They asked me not to come.

This obvious attempt to keep the rank-and-file from hearing an unbossed official caused so much criticism in the press that it proved embarrassing for the union tycoons.

So, Paul Silver, president of UAW Local 351 in Detroit wrote to invite me to speak at a meeting. It wasn't even a courteous invitation. He seemed more interested in questioning the sincerity of my desire to meet face-to-face with rank-and-file union members than to help his union arrange a productive meeting.

However, I accepted immediately. The chairman introduced me with a 25-minute tirade against the Republican Party. Following my remarks August Scholle rose to mimic my speaking mannerisms and sarcastically attack my views.

The poor manners of union bosses neither frighten nor upset me, Mr. President. But I submit that this episode indicates how fearful union bosses are of allowing their memberships to hear the truth. Arrogance and ill-mannered ridicule is their only defense against sound argument.

More recently the Michigan AFL–CIO News carried a boldly headlined, three column attack on my voting record in the Senate. With deliberate intent to deceive the rank-and-file union members of the State of Michigan, they falsely stated that I voted to kill a proposal to raise pensions for older, blind, and disabled persons.

I wrote the editor by return mail, citing page references from the CONGRESSIONAL RECORD to correct misstatements throughout the article and requested that it be printed in fairness to his readers. Certainly they are entitled to make judgments on the basis of facts.

My letter was not printed, but a tiny one-inch correction, hidden in the corner of a subsequent issue appeared. The attack on me, according to this almost invisible admission, was due to a clerical error.

I mention these incidents, Mr. President, only to show that the union bosses who have captured the political machinery of the State of Michigan will stop at nothing to destroy anyone who refuses to become their political pawn.

The situation brought on by Reuther's juggernaut has become so notorious that it is referred to in other States as a "Michigan-type takeover."

It is built on misrepresentation and deceit. This is not surprising when we consider the backgrounds of some of Michigan's labor dictators.

Take Walter Reuther, for example.

While he was a student at Detroit City College, which is now Wayne State University, Walter Reuther was an associate editor of a publication called Revolt published by the League for Industrial Democracy. The masthead is revealing. It said:

"Revolt will wage an intelligent and spirited fight against war, capitalism, race prejudice, intellectual sham.

"Revolt will help rally students to the task of building a Socialist America."

Apparently, even in the distressed days of the depression, it was difficult to sell a magazine with such an objective, and the name was changed to the Student Outlook in February 1933. The change was announced in this fashion:

"With this issue Revolt becomes the Student Outlook. Students felt it was more important to sell our magazine and convince by its contents than to shout revolution and have no one listen. Persons who give us more than a glance will not mistake our colors."

Mr. President, Walter Reuther is still following this formula. He is no longer shouting revolution, but those who give his proposals careful consideration cannot mistake the direction in which they would take us.

In addition to being an editor of Revolt and the Student Outlook, Walter Reuther also contributed an article to the March 1933 issue entitled "Auto Workers Strike." This article clearly shows that Walter Reuther regarded the trade union movement primarily as a means of reorganizing society. In describing an automobile strike during this early period while he was still on the campus of Detroit City College, Walter Reuther said, and I quote:

"As in many other present-day strikes, the students also played their part. About 20 students from the College of the City of Detroit (both Communists and Socialists) marched in line with the Briggs' picketers, singing and carrying signs reading 'City College Students Unite With Strikers.'

"The tremendous effect this cooperation from the 'respectable young intellectuals' had in breaking down the antipathy of the bystanders and minimizing the Red scare can best be illustrated by the fact that during the first few critical hours of the strike when it was most difficult to get the workers to fall in line with the picketers, this group of students through their songs and general militant activity aided in swelling the numbers of the picket line from 50 to 400 in but a few hours. So effective was the work of the student group that it was not long before the company ordered the police to take the students off the picket line. The police surrounded the group and took them inside the plant for questioning. The school authorities were notified and a general attempt was made to intimidate the students. But the reply was a larger group of students on the line the next morning."

While Walter Reuther has denied any sympathy with Communists, this article which he wrote only 4 years before he led the sitdown strikes at Flint is revealing. Mr. President, I note the direct reference to Communists and the need to minimize the Red scare.

Then there is Emil Mazey, Reuther's chief lieutenant.

Emil Mazey is the man who openly castigated a duly elected judge of the courts of the State of Wisconsin and directed a boycott against his business because he dared to sentence a labor goon to a prison term for beating up a nonstriker. And, he is the man who publicly declared that the clergy of a Wisconsin town had no integrity—merely because they dared to speak out against the abuses of the labor bosses.

These are the men, Mr. President, who have captured the State of Michigan. These are the men who have the Governor of the State so hog-tied that he has refused to extradite a member of Reuther's union to stand fair trial in the Wisconsin courts. These are the men who are afraid to let a Republican Senator tell a straightforward story of his record in behalf of all of Michigan's people to the rank-and-file union members of the State. These are the men whose political activities were the subject of a University of Chicago study entitled "The CIO and the Democratic Party," a study which documents their brutal, strong-arm grab of the Democratic Party structure in Michigan.

Throughout my public life, Mr. President, it has been my conviction that a man's livelihood and social well-being are too sacred to be used as political pawns; that to play politics with the economic security of Michigan families is the unforgivable sin. This I have never done.

Now is the time, Mr. President, for the working people of Michigan to demand a halt to Walter Reuther's cynical perversion of the union movement.

Organized labor in Michigan must reaffirm its faith in the freedom and integrity and importance of the individual by demanding that Walter Reuther let each worker do his own political thinking.

Now is the time for every citizen of Michigan, regardless of his political party, to renounce and condemn those politically ambitious labor leaders who have killed off Michigan's jobs when the rest of the Nation was enjoying prosperity; who have driven small-business men and industrialists out of the State because of their strong-arm tactics; and who use the State as a pawn in their bid for national power.

Now is the time for the working men and women of Michigan to reject the Socialist philosophy of Walter Reuther which regards a union member as too weak or too stupid to think for himself—and propounds that man attains his highest purpose under the heel of an all-powerful organization.

Mr. President, the only issues which should be considered in the present negotiations between management and labor in the automobile industry are the terms which can best contribute to the progress and welfare of all concerned. This, I am sure, is the desire of the rank-and-file members of the union.

These union members would be highly interested, if they had access to the London Sunday Times interview of their leader, to read his admission that his ultimate purpose is to mold the Democratic Party so that it would "adopt a good program at every convention—just as advanced as the Labor Party in Britain." The Labor Party, of course, is Socialist.

It has been my pleasure to work in Congress with hundreds of loyal, able Democrats. They are not Socialists. They resent this statement as much as I do. They can never reassert their views within the Democratic Party, however, until it is freed from Walter Reuther's grip.

In the same fashion, if agreements can be reached in the current collective bargaining negotiations without concern for Reuther's plans to take over the rest of the country as he has Michigan, I have no doubt that the coming year will be one of progress and prosperity for all our people.

Senator H. Alexander Smith of New Jersey

EXTENSION OF REMARKS
OF
HON. GORDON CANFIELD
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. CANFIELD. Mr. Speaker, one of the great statesmen of modern times will retire with the 85th Congress He is New Jersey's very distinguished senior Senator, H. ALEXANDER SMITH.

Senator SMITH's remarkable record of service as a lawyer, educator, lecturer at Princeton, food administrator, party leader, Senator, and architect of the United Nations has been delineated in many recent tributes.

To me, this most characterful and scholarly gentleman of almost four decades of experience has made his greatest contribution as a man of peace. It was the Smith-Mundt Act which resulted in the exchange of people, especially young students, for a greater understanding among the community of nations. The Voice of America was a product of this act, this daily carrying to people everywhere the true meanings of freedom.

The Senator's speeches on the floor of the Senate have emphasized the importance of America taking a strong and positive position in its concern for human misery wherever it may be found. We are our brother's keepers, he would insist, and human misery is a breeding-ground for communism.

The Senator has made it a point to visit trouble spots all over the world and

I know of no one in public life today who has a greater knowledge of the world picture. One cannot talk to him for 5 minutes without sensing his passionate desire to develop what he calls a "spirit of good will and togetherness" among the peoples of our world. I cannot believe for 1 minute that his remarkable talents for the promotion of such a spirit will go unused after he leaves the Senate.

I have a feeling that our great President who, I know, has a warm place in his heart for the senior Senator from New Jersey, may find in him an American ambassador of good-will-at-large, ideally equipped and ready to render a new and important service in the promotion of peace.

Former President Hoover recently wired Senator SMITH congratulating him on his devoted and able service to our country. Mr. Hoover, however, had one word of admonition and it was this: "But just do not quit work."

I do not believe President Eisenhower will want him to quit either.

Mayor Daley of Chicago

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. O'HARA of Illinois. Mr. Speaker, on the closing day of the 85th Congress, which will take its place in history as one of the most productive and instructive Congresses since the beginning of our Government, I wish to direct my remarks to the city of Chicago and its dynamic mayor, the Honorable Richard J. Daley. I do this with the realization that the future functioning of our democracy depends in no small measure on the way our municipal governments are run. Their integrity and their efficiency in meeting the problems in an ever changing world, problems that fall more immediately and hardest on the big cities, furnish the answer to our continuing strength and progress.

This is not said to detract from the importance of village, county, and State governments. It is not intended to suggest that there is any fundamental difference between urban and rural populations or that one makes greater or less contribution to the functioning of our democracy and the welfare of our people. We all do our part whenever we are called to play it.

PROBLEMS OF BIG CITIES

But there are problems of Government in our big cities that many times in this and earlier Congress I have wished were better understood by my colleagues.

I appreciate, for one thing, that it is difficult for a Member from a small community to appreciate the housing problems of a big city, with its shifting residential districts, its constant fight against decay and resultant slums, its demand in a new day of automobiles for superhighways that necessitate the destruction of homes where people lived and have to be relocated, and its large influx of persons who have to be housed or left unattended to, can add to the hazards of all natures.

I regret that my colleagues who reported in this Congress a housing bill so necessary to our big cities had not a greater understanding. When we fight for the legislative climate in which our big cities can live and expand wholesomely and flourish, we are fighting for nothing less than the preservation of our democracy. When millions of persons, massed together within the municipal area of one city, are neglected, discontent will grow into resentment, and resentment with fanning can go to any lengths. The history of our world is the history of the rise and fall of great cities.

IMPORTANCE OF MAYOR'S OFFICE

In recent years, deplorably, there has been an inclination to overlook in the national picture the importance of municipal government in the big cities. Today one ambitious to be an occupant of the White House probably would regard the United States Senate and the office of governor the most likely stepping stone. Yet it was Grover Cleveland's election as mayor of Buffalo that started him on the road to the White House. His reforms in municipal government in the city of Buffalo arrested the interest of the Nation, stole the show from the personalities on the State and national level, made him successively governor of New York and President of the United States over the bitter opposition of powerful Tammany Hall.

At a little later period Johnson and Baker in Cleveland, Pingree in Detroit, Dunne in Chicago, Hunt in Cincinnati, Brand Whitlock in Toledo, and other mayors of American cities were names known to most Americans.

The fact is that a mayor of a big city is closer to the people than any other official. If he is an outstandingly good mayor his good deeds carry far. The roots of good government are in local government, and local government has its highest office in the chief executive of a big city.

Next to the Presidency of the United States the office of mayor of the city of Chicago is rated by political scholars as the most influential public office in the United States. This is determined not only by the size of Chicago, its territorial location, the diversity of its industries, and other such factors, but, equally important, the scope of authority vested in the chief executive. The mayor of New York has no such measure of authority.

DALEY'S 3 YEARS OF MIRACLES

In the 3 years of his administration Mayor Richard J. Daley has brought the office of chief executive of a big city back to its former place in the national interest. More has been written of him in national magazines and periodicals, all in admiration of the miracles he has wrought by hard work and dedication, than of any other mayor of an American city in the history of our Republic.

Mr. Speaker, when a great man comes into a great public office he envisions and plans for the future as he does the work of the present. Mayor Daley, while

making the Chicago of today first in all good things of the big cities of the world, is laying the plans for an even greater Chicago in 1980.

By unanimous consent I am extending my remarks to include the beginning of an article by Thomas Buck in the Chicago Tribune of August 23, 1958, as follows:

(By Thomas Buck)

A comprehensive plan for modernizing Chicago's Loop and its environs in the next 22 years at a cost of $1½ billion in public and private funds was made public Friday by Mayor Daley and the city's department of planning.

The proposals were described by the mayor and his planning aids as a bold and imaginative program designed to fulfill the city's downtown urban culture needs in the remainder of the 20th century.

Fancy sketches and scale models of the numerous suggestions—all prepared at points far removed from the city hall to insure utmost secrecy—were unveiled in the mayor's office before a large gathering of business and civic leaders.

In general, the plan reaffirms the planning framework set forth in 1909 by the famous Burnham plan, the proposal that produced the development of the Lake Michigan shoreland as Chicago's front yard, and ultimate construction of Congress Expressway, and numerous other downtown improvements.

Specifically, this modern plan recommends sites for Government buildings, and a Chicago undergraduate campus of the University of Illinois, and a transportation center, as well as designating areas for 50,000 apartments to lure persons back to the core of the city.

It also proposes three new islands just off the shoreline for recreational purposes, the improvement of Navy piers to meet the shipping needs arising from the next year's opening of the St. Lawrence Seaway, and a street pattern to ease congestion.

One major proposal calls for the separation of pedestrian and vehicular traffic by providing special pedestrian plazas below and above the present street level.

Of most immediate importance are recommendations dealing with Government building sites and the University of Illinois campus to replace the university's present facilities at Navy pier.

The Government center question jumped into the limelight recently in view of the Federal Government's intentions to build office buildings and a courthouse at a cost of $98 million.

District of Columbia Legislation

EXTENSION OF REMARKS
OF
HON. JOHN L. McMILLAN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. McMILLAN. Mr. Speaker and Members of the House, I want to take this opportunity to insert in the CONGRESSIONAL RECORD a list of the bills and resolutions in connection with which the House District Committee has taken action during the 2d session of the 85th Congress.

I should also like to insert a list of the District bills and resolutions which have passed the House during this session of Congress. Included is also a list of the bills and resolutions passed by both the House and Senate during the 2d session of the 85th Congress and which have gone to the President for his signature.

I should also like to insert in the RECORD, a list of the District bills which passed the House during the 85th Congress and remain pending before the Senate.

I want to thank the members of the District Committee, the Members of the House and the members of the Senate District Committee for their cooperation in securing the passage of the necessary legislation for the proper functioning of the District of Columbia government.

The Congress has been successful in solving a number of the problems confronting the District of Columbia by passing the necessary bridge bills, an authorization act increasing the Federal payment from $23 million to $32 million per annum, amendments to the District of Columbia Land Redevelopment Act, a bill giving the District Highway Commission permission to begin work on the Southwest Freeway, and also numerous other pieces of important legislation.

We hope that as soon as Congress reconvenes in January we will be able to do something for the retired policemen and their widows, also pass legislation approving an additional juvenile judge and 1 or 2 other pending bills which we were unable to pass during the 85th Congress.

I realize that Congress will be meeting again in 4 months' time and we can take action on this legislation soon after Congress reconvenes.

The House passed a bill increasing the retirement benefits for policemen and firemen August 7, 1957, and the Senate failed to take action on this bill until August 14, 1958, which did not give the house time to properly work out an agreement on the amendment which the Senate added to the House bill.

The House passed a bill providing for an additional juvenile judge in the District of Columbia, June 24, 1957, however, with the Senate amendments, the bill was held up in conference for several weeks and was stymied with a number of other bills in the last minute rush before the adjournment of Congress.

The list follows:

DISTRICT BILLS AND REGULATIONS IN CONNECTION WITH WHICH THE HOUSE DISTRICT COMMITTEE HAS TAKEN ACTION DURING THE 2D SESSION OF THE 85TH CONGRESS

H. Con. Res. 260. Bridge, Constitution Avenue, proceed with construction of.
H. Con. Res. 262. Bridge, Constitution Avenue, proceed with construction of.
H. J. Res. 563. Commissioners, District of Columbia borrow funds for capital improvement programs.
H. R. 573. Budget planning service, prohibit in District of Columbia.
H. J. Res. 582. Commissioners grant certain permits, Almas Temple Shrine Activities, Inc.
H. J. Res. 630. Southwest Freeway, southwest area, redevelopment of. Commissioners, District of Columbia authorized to use certain water frontage.
H. R. 2859. National Association of Colored Women's Clubs, exempt from taxation.
H. R. 3486. Simultaneous Death Act, apply in District of Columbia.
H. R. 4210. Workmen's compensation, establish in District of Columbia.
H. R. 5499. Life Insurance Act, amend.
H. R. 5545. Administrative procedures, prescribe for District of Columbia government.
H. R. 5892. Children born out of wedlock, amend act.
H. R. 6039. Commissioners granted additional power.
H. R. 6139. Unemployment Compensation Act, amend.
H. R. 6306. Bridges, two 4-lane, to be constructed to replace existing 14th Street Bridge.
H. R. 6811. Public School Food Services Act, amend.
H. R. 7035. Garnishment of wages—amend law modifying provisions.
H. R. 7300. Alcoholic Beverage Control Act, amend, cases of resoning, licenses may be retained.
H. R. 7349. Bonds, execution of for compensation, criminal cases, amend law.
H. R. 7452. Holidays, officers and employees, District of Columbia Government, designation of for pay and leave purposes.
H. R. 7568. Inspectors and privates, Fire Department, service in grade of the same for purposes of longevity increases.
H. R. 7863. ABC Act, amend relative to tax stamps.
H. R. 7933. Municipal court, small claims and conciliation branch, increase jurisdiction amount to $100.
H. R. 8470. Communications made to minister or by him—prohibit examination in District of Columbia courts.
H. R. 8735. Annuities—increase for certain annuitants from District of Columbia teachers' retirement.
H. R. 8736. Salary increase, teachers, school officers, Board of Education employees.
H. R. 8884. Recreation Board, define duties, night differential pay certain employees.
H. R. 8898. Teachers, salary increase.
H. R. 8899. Annuities, increase for certain annuitants from District of Columbia teachers' retirement.
H. R. 9271. Sons of the American Revolution Society, permitted to use certain real estate as national headquarters.
H. R. 9285. Charter, St. Thomas' Literary Society, amend.
H. R. 9304. Police—Metropolitan, White House, Park, amend law relating to retirement deductions.
H. R. 10004. Buses, exclude from payment of certain fees when used to carry schoolchildren and Scouts for sightseeing purposes.
H. R. 10160. Fish and game laws, revise.
H. R. 10329. Sales of merchandise on Sunday, prohibit.
H. R. 10572. District of Columbia Teachers College, foreign students, attend on same basis as District of Columbia residents.
H. R. 10622. Hospital Center Act, amend, provide for an increase in the authorization for funds.
H. R. 10625. Unemployment Compensation Act, amend.
H. R. 11034. Sales of merchandise on Sunday, prohibit.
H. R. 11166. Civil Defense Office, amend act.
H. R. 11231. License tax, vehicles for hire, shall apply only to vehicles with seating capacity of nine.
H. R. 11246. Mileage tax, exempt certain common carriers of passengers from.
H. R. 11263. Tax, exempt spouses of elective officials from income tax, District of Columbia.
H. R. 11449. Unemployment Compensation Act, amend.
H. R. 11469. Indecent publications, provide for minimum sentence.
H. R. 11512. Business Corporation Act, amend.
H. R. 11529 ABC Act, amend, standup drinking.
H. R. 11640. Unemployment Compensation, Act, amend.
H. R. 11787. Unemployment Compensation Act, amend.
H. R. 12081. Commissioners, District of Columbia, granted additional authority with respect to utilization and disposal of personal property.
H. R. 12162. Stadium, amend act providing for construction of.
H. R. 12171. Dangerous weapons, amend act.
H. R. 12191. Income and Franchise Tax Act, amend, refund of taxes.
H. R. 12238. National Union Insurance Co., of Washington, amend charter.
H. R. 12246. American War Mothers, Inc., exempt from taxation.
H. R. 12256. Teachers, salary increase.
H. R. 12332. School bus fares, regulate.
H. R. 12333. Commissioners buy bus tickets, sell to schoolchildren at reduced rate.
H. R. 12356. Bridge, vicinity of Constitution Avenue, amend act.
H. R. 12377. Commissioners, authorized to borrow funds for capital improvements.
H. R. 12408. Insurance coverage, taxicabs, increase.
H. R. 12409. Public Utilities Commission, prohibit installation of meters in taxicabs.
H. R. 12410. Taxicabs, no limitation of in District of Columbia.
H. R. 12411. Motor Vehicle Safety Responsibility Act of District of Columbia, amend act relating to exemption of certain vehicles insured under other laws.
H. R. 12412. Public Utilities Commission, clarify certain authority or, relating to licensing certain passenger vehicles for hire.
H. R. 12413. Public Utilities Commission, regulate taxi fares for trips originating in District of Columbia to points outside District of Columbia.
H. R. 12506. Superintendent of Schools, Commissioners, salary increase.
H. R. 12643. Municipal court of appeals, judge, clerk, deputy clerk, administer oaths and affirmations, take acknowledgments.
H. R. 12963. Business Corporation Act, amend.
H. R. 12969. Sewage from Virginia, delivery authorized to enter District of Columbia system.
H. R. 13068. Police, Metropolitan, Park and White House, regulate salaries of.
H. R. 13132. Teachers, salary increase.
H. R. 13150. Childhood Education International Association, exempt property from taxation.
H. R. 13184. Survey and study of street lighting in the District of Columbia.
H. R. 13185. Salary increase, police and firemen.
H. R. 13218. Childrens center employees' children permitted to use District of Columbia owned vehicles for transportation to Laurel.
H. R. 13340. Insurance, life, amend District of Columbia act.
H. R. 13406. Redevelopment Act of 1945, amend.
H. R. 13468. Pharmacy license, provide for issuance to Diodata Villamena.
H. R. 13492. Criminal conduct, responsibility for, amend act.
H. R. 13493. Evidence, admission of in certain cases, provide for.
H. R. 13551. Insurance, taxicabs, increase coverage.
H. R. 13609. Children, placing of in family homes, amend act.
H. R. 13628. Income and Franchise Tax Act, amend.
H. R. 13630. Milk ordinance and code, recommendation of Public Health Service, shall be in effect in District of Columbia.
H. R. 13655. Sibley Memorial Hospital, amend Hospital Center Act relating to pregrant expenses.
H. R. 13723. Licensing of public adjusters, insurance.
H. R. 13774. Penalties, habitual criminals, increase.
H. R. 13825. Property, District of Columbia, amend act granting right of possession to surviving widows, widowers, minor children, so long as it is used for residence.

S. 105. National Association of Colored Women's Clubs, exempt certain property from taxation.
S. J. Res. 167. Heliport, Commissioners cause a study to be made of all factors involved in construction of.
S. 532. Fish and game laws, revise.
S. 969. Tests for drunken driving.
S. 1040. Life Insurance Act, amend.
S. 1041. Illustrations in District of Columbia annual report, allowance of.
S. 1706. Commissioners, District of Columbia, grant additional powers to.
S. 1708. Children, born out of wedlock, amend act.
S. 1764. School Food Services Act, amend.
S. 1841. Teachers, retired, Board of Education may employ.
S. 1846. Home rule, provide for in District of Columbia.
S. 1843. Recreation Board Act, amend, define duties, night differential pay for certain employees.
S. 1849. Needy persons, more effective administration of public assistance.
S. 1908. Hospital center, extend time and increase authorization for appropriations.
S. 2419. Unemployment Compensation Act, amend.
S. 2725. National Council of Negro Women, Inc., exempt from taxation.
S. 2728. Civil Defense Office, amend act establishing such office.
S. 3057. Salary increase, Superintendent of Schools.
S. 3068. Damages against the District of Columbia, amend act regulating the bringing of actions for.
S. 3059. Buildings, dangerous or unsafe, to amend act authorizing Commissioners to remove.
S. 3243. Foreign students, attend District of Columbia Teachers College on same basis as District of Columbia residents.
S. 3493. Unemployment Compensation Act, amend.
S. 3735. National Union Insurance Company of Washington, amend.
S. 3827. Motor Vehicle Parking Facility Act of 1942, to amend.
S. 3941. Motor Vehicle Safety Responsibility Act, amend.
S. 3970. Alley Dwelling Act, facilitate, the acquisition of real property.

DISTRICT BILLS AND RESOLUTIONS WHICH PASSED THE HOUSE DURING THE 2D SESSION OF THE 85TH CONGRESS

H. R. 573. Budget planning service, prohibit in District of Columbia.
H. J. Res. 562. Shrine Association meeting, Middle Atlantic, Commissioners grant certain permits to Almas Temple Shrine Activities, Inc.
H. J. Res. 630. Southwest Freeway, southwest area, redevelopment of, Commissioners, District of Columbia, authorized to use certain water frontage.
H. R. 3486. Simultaneous Death Act, apply in District of Columbia.
H. R. 6306. Bridges, two 4-lane, to be constructed to replace existing 14th Street Bridge.
H. R. 7300. Alcoholic Beverage Control Act, amend section 15.
H. R. 7349. Bonds, execution of for compensation, criminal cases, amend law.
H. R. 7452. Holidays for officers and employees of District of Columbia, provide for designation of.
H. R. 7863. A. R. C. Act, amend relative to tax stamps.
H. R. 8470. Communications made to minister or by him, prohibit examination in District of Columbia courts.
H. R. 8735. Annuities, increase for certain annuitants from District of Columbia teachers' retirement.
H. R. 9271. Sons of the American Revolution Society, permitted to use certain real estate as national headquarters.
H. R. 9304. Police, Metropolitan, White House, Park Police, amend law relating to retirement deductions.
H. R. 11246. Mileage tax, exempt certain common carriers of passengers from.
H. R. 12162. Stadium, amend act providing for construction of.
H. R. 12356. Bridge, vicinity of Constitution Avenue, amend act.
H. R. 12377. Commissioners, authorized to borrow funds for capital improvements.
H. R. 12643. Municipal court of appeals, judge, clerk, deputy clerk, administer oaths and affirmations, take acknowledgements.
H. R. 12963. Business Corporation Act, amend.
H. R. 13068. Police, Metropolitan, Park, and White House, regulate salaries of.
H. R. 13132. Teachers, salary increase.
H. R. 13218. Commissioners, authorized to utilize District-owned vehicles for transportation of children of employees of District of Columbia government from Children's Center to Laurel, Md.
H. R. 13406. Redevelopment Act of 1945, amend.
H. R. 13531. Insurance, taxicabs, increase coverage.
H. R. 13655. Sibley Memorial Hospital, amend Hospital Center Act relating to pregrant expenses.
S. 105. National Association of Colored Women's Clubs, exempt certain property from taxation.
S. 532. Fish and game laws, revise.
S. 969. Tests for drunken driving.
S. 1040. Life Insurance Act, amend.
S. 1706. Commissioners, District of Columbia, grant additional powers to.
S. 1708. Children, born out of wedlock, amend act.
S. 1764. School Food Services Act, amend.
S. 1841. Teachers, retired, board of education may employ retired teachers as substitute teachers.
S. 1843. Recreation Board Act, amend, define duties, night differential pay for certain employees.
S. 1908. Hospital center, extend time and increase authorization for appropriations.
S. 1913. Garnishments of wages, amend law modifying provisions.
S. 2419. Unemployment Compensation Act, amend.
S. 2725. National Council of Negro Women, Inc., exempt from taxation.
S. 3057. Salary increase, superintendent of schools.
S. 3243. Foreign students, attend District of Columbia Teachers College on same basis as District of Columbia residents.
S. 3259. Hospital Center Act, provide for an increase in authorization of funds.
S. 3735. National Union Insurance Company of Washington, amend.
S. 3827. Motor Vehicle Parking Facility Act of 1942, to amend.
S. 4153. Sewage—from Virginia—authorize delivery into sewage system of District of Columbia and provide for treatment of.

DISTRICT BILLS AND RESOLUTIONS WHICH PASSED BOTH HOUSE AND SENATE DURING THE 2D SESSION OF THE 85TH CONGRESS AND HAVE GONE TO THE PRESIDENT FOR HIS SIGNATURE

H. J. Res. 562. Shrine Association meeting, Middle Atlantic, Commissioners grant certain permits to Almas Temple Shrine Activities, Inc.—Public Law 551.
H. R. 3486. Simultaneous Death Act, apply in District of Columbia.—Public Law 356.
H. R. 6306. Bridges, two 4-lane, to be constructed to replace existing 14th Street Bridge.—Public Law 501.
H. R. 7300. Alcoholic Beverage Control Act—amend section 15.—Public Law 422.
H. R. 7349. Bonds, execution of for compensation, criminal cases, amend law.—Public Law 537.

H. R. 7452. Holidays for officers and employees of District of Columbia, provide for designation of.—Public Law 533.

H. R. 7568. Inspectors and privates, fire department, service in grade of the same for purposes of longevity increases.—Public Law 521.

H. R. 7863. Alcoholic Beverage Control Act—amend relative to tax stamps.—Public Law 558.

H. R. 8735. Annuities—increase for certain annuitants from District of Columbia teachers' retirement.

H. R. 9271. Sons of the American Revolution Society—permitted to use certain real estate as national headquarters.—Private Law 369.

H. R. 9285. St. Thomas Literary Society—amend charter.—Public Law 541.

H. R. 9304. Police, Metropolitan, White House, Park Police—amend law relating to retirement deductions.—Public Law 693.

H. R. 12356. Bridge, vicinity of Constitution Avenue—amend act.—Public Law 446.

H. R. 12162. Stadium, amend act providing for construction of.—Public Law 561.

H. R. 12377. Commissioners, authorized to borrow funds for capital improvements.—Public Law 451.

H. R. 12643. Municipal Court of Appeals, judge, clerk, deputy clerk, administer oaths and affirmations, take acknowledgments.—Public Law 539.

H. R. 13068. Police, Metropolitan, Park, and White House, regulate salaries of.—Public Law 584.

H. R. 13132. Teachers, salary increase.

H. R. 13218. Commissioners, authorized to utilize District-owned vehicles for transportation of children of employees of District of Columbia Government from Children's Center to Laurel, Md.—Public Law 670.

H. R. 13531. Insurance, taxicabs, increase coverage.

H. J. Res. 630. Southwest Freeway, Southwest area, redevelopment of, Commissioners, District of Columbia, authorized to use certain water frontage.

H. R. 13406. Redevelopment Act of 1945, amend.

S. 105. National Association of Colored Women's Clubs, exempt certain property from taxation—Private Law 496.

S. 532. Fish and game laws, revise—Public Law 730.

S. 969. Tests for drunken driving—Public Law 338.

S. 1040. Life Insurance Act, amend—Public Law 334.

S. 1706. Commissioners, District of Columbia, grant additional powers to—Public Law 491.

S. 1708. Children, born out of wedlock—amend act—Public Law 382.

S. 1764. School Food Services Act—amend.

S. 1841. Teachers, retired—Board of Education may employ retired teachers as substitute teachers—Public Law 385.

S. 1843. Recreation Board Act, amend, define duties, night differential pay for certain employees—Public Law 383.

S. 1908. Hospital Center, extend time and increase authorization for appropriations—Public Law 328.

S. 2419. Unemployment Compensation Act, amend—Public Law 557.

S. 2725. National Council of Negro Women, Inc., exempt from taxation—Private Law 388.

S. 3057. Salary increase, Superintendent of Schools—Public Law 552.

S. 3243. Foreign students, attend District of Columbia Teachers College on same basis as District of Columbia residents—Public Law 384.

S. 3259. Hospital Center Act, provide for an increase in authorization of funds—Public Law 715.

S. 3735. National Union Insurance Company of Washington, amend—Public Law 519.

S. 3827. Motor Vehicle Parking Facility Act of 1942, to amend—Public Law 692.

S. 4153. Sewage—from Virginia—authorize delivery into sewage system of District of Columbia and provide for treatment of—Public Law 703.

DISTRICT BILLS WHICH PASSED THE HOUSE DURING THE 85TH CONGRESS AND ARE PENDING BEFORE THE SENATE

H. R 573. Budget Planning Service, prohibit in District of Columbia.

H. R. 4840. Metropolitan Police Relief Association, incorporate.

H. R 4874. Columbia Historical Society, amend act exempting certain property of.

H. R 5893. Vehicles, privately owned, excuse from certain fees those loaned to Board of Education for driver training courses.

H. R. 6259. Revenue Act of 1937, amend relative to tax on marine insurance.

H. R. 7409. Oldest Inhabitants of District of Columbia, conveyed real property owned by District of Columbia.

H. R. 8470. Communications made to minister or by him, prohibit examination in District of Columbia court.

H. R. 11246. Mileage tax, exempt certain common carriers of passengers from.

H. R. 12963. Business Corporation Act, amend.

H. R. 13655. Sibley Memorial Hospital, amend Hospital Center Act relating to pregnant expenses.

The Polish-German Boundary Settlement in the Light of International Law

EXTENSION OF REMARKS
OF
HON. THADDEUS M. MACHROWICZ
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. MACHROWICZ. Mr. Speaker, on May 16, 1957, the gentleman from Tennessee, Mr. B. CARROLL REECE, inserted in the CONGRESSIONAL RECORD a statement which indicated support of the German view that the settlement of the Polish-German frontier by the Allied Powers, who assumed supreme authority in Germany at the end of the last world war, was not legally valid under international law. On January 28, 1958, in another insertion he included an article in support of this claim, by Dr. Herbert Kraus, whom the gentleman from Tennessee described as "one of Germany's foremost authorities."

The article was published, as a matter of fact, not in a review of international law, but in a paper which is the organ of a body—not represented at present in the German Bundestag—which is carrying out a notorious propaganda in favor of the revision of the territorial status established at the end of World War II, started by Hitlerite Germany's aggression against Poland.

I would like to discuss, in the first instance, the points of international law raised in the Honorable B. CARROLL REECE'S original statement.

1. ARE ANY TERRITORIAL CHANGES PROHIBITED BY MODERN INTERNATIONAL LAW?

It seems to me that it is rather confusing and inexact to assert that all territorial changes are prohibited by modern international law. First of all, the said prohibition, which is far from being absolute, concerns, in any case, only the actions of aggressor states and does not prevent the powers acting in self-defense or in defense of other states, victims of aggression, from taking, after the aggressor's defeat, any measures proper for the guaranty of international peace and security. Should the opinion prevail that the provisions applying exclusively to aggressor states are relevant in this matter, the United States and other Allied Powers would be regarded as aggressors, an assertion reminiscent of Hitler's war propaganda about the allegedly defensive character of the war launched by Germany. It would obviously clash with well-established facts and the explicit terms of the Nuremberg judgment:

> The defendants planned, prepared, initiated, and waged wars of aggression, which were also wars in violation of international treaties, agreements, and assurances.

Let us now examine the principles of modern international law on the matter.

According to article X of the Covenant of the League of Nations, the guaranty of territorial integrity and political independence of member states protected only the victims of aggression. In fact, the said article reads as follows:

> The members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League.

Such was also, by the way, the interpretation given to this clause of the covenant by many German commentators. I quote, in particular, the names of two prominent German professors who wrote a basic book on this subject, Prof. Dr. Walter Schücking and Prof. Dr. Hans Wehberg, Die Satzung des Völkerbundes, zweite und verbesserte Auflage, Berlin, 1924, page 461:

> The integrity of the territory and its political independence are not guaranteed as such, but only against aggression from outside.
>
> By aggression from outside should be understood any kind of war, aiming at a change by force of the possession of the territory.

Can an aggressor state which, moreover, withdrew from the League of Nations, shield itself under the guaranties promised by the covenants to victims of aggression? Can a state which launched a war violating the provisions of the Kellogg-Briand Pact seek protection from the pact's provisions which are designed to protect only victims of aggression? Moreover, the doctrine of nonrecognition of unlawful territorial expansion, as laid down by the United States Secretary of State Stimson, applies exclusively to expansions due to the violations of the Covenant of the League of Nations and the Kellogg-Briand Anti-war Pact. In fact, both in Stimson's note to Japan and China, dated January 7, 1927, and in the subsequent resolution of the Assembly of the League of Nations, dated March 11, 1932, it was stipulated that the United States and the members of the League of Nations do not intend to recognize any situation, treaty, or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris. It would be preposterous that an

aggressor state after having invaded other states, murdered millions of innocent beings and destroyed the whole fabric of social life of these states, could still claim after its defeat the benefits arising from the provisions many times violated by it. Such claims if granted would only encourage all future aggressors.

Stating that "a peace treaty imposed by a victorious aggressor has no legal validity," Prof. Sir Hersch Lauterpacht, in his treatise of international law, one of the most popular in the English-speaking world—International Law, Oppenheim-Lauterpacht, seventh edition, 1947, page 217—asserts that, in general, international law disregards the vitiating effect of duress except as regards wars, prohibited by international law.

We can find similar remarks in the lectures of G. G. Fitzmaurice, chief legal adviser to the British Foreign Office, at the Hague Academy of International Law—the juridical clauses of the peace treaties, Recueil des Cours de l'Académie de Droit International de la Haye, 1948, volume II, page 356. He states that—

> Any peace treaty the aggressor can impose de facto, as a result of the war, lacks any valid basis de jure, and, therefore, does not create any juridically binding obligations.

And he says at the same time that a peace settlement imposed on a vanquished aggressor necessarily contains some elements of compulsion.

An aggressor state automatically excludes itself from the community of nations and becomes an outlaw from the legal point of view. Professor Schwarzenberger, of the University College, London, in his book, International Law and Totalitarian Lawlessness—London, 1940, page 106—defines the position of an aggressor in similar terms:

> A state which consistently breaks its pledged word and contravenes fundamental rules of international customary law, automatically ceases to be a member of the international society. In effect, it outlaws itself.

Schwarzenberger brings to mind the statement made by Cordell Hull, the United States Secretary of State, in defense of the Lend-Lease Act warning the country that it faces a peril so deadly that the concept of neutrality and the niceties of international law must give way before the grim need of self-defense—The Times, January 17, 1941. Force cannot be banished altogether from international relations as it would mean that an aggressor would remain unpunished after his defeat. A Swiss professor, Dietrich Schindler, in his lectures at the Academy of International Law at The Hague in 1933—Contributions a l'étude des facteurs sociologiques et psychologiques du Droit International, Recueil des Cours de l'Académie de Droit International de la Haye, volume 46, 1933, page 251—examined the problem of the use of force from the sociological point of view and states:

> An objection of sociological nature dealing with the relationship between force and law: Such a treaty would in effect be based on the supposition that force can be separated from law. However, this supposition is not upheld by facts. On the contrary, force according to circumstances is necessary to prevent that law being violated.

All the conclusions which can be drawn from the foregoing remarks clearly appear in the legal position adopted by the victorious Allied Powers in relation to the postwar treatment of the German problem.

2. THE ALLIED POWERS ASSUMED SUPREME AUTHORITY WITH RESPECT TO GERMANY, INCLUDING THE RIGHT OF DISPOSING OF ITS TERRITORY

All those who assert that the Allied Powers had no right to dispose of German territory because the Hague regulations prohibit an occupying power to take such decisions, seem to disregard the legal effects of the unconditional surrender which made obsolete some traditional provisions of international law formerly governing the matter. Raising such claims of the immunity of the German territory amounts to accusing the Allied Powers of violating the international law. It is rather surprising, from the moral and legal points of view, that such claims can be raised by German lawyers, as Germany was the aggressor and proceeded during the war as an occupying power to annex large territories and to carry out acts of genocide and deportation of native populations on a large scale.

In order to make the legal position as viewed by the Allied statesmen quite clear, it is necessary to quote some basic declarations by the Allied Powers to this effect.

In chapter III of the Protocol of the Proceedings of the Crimea Conference, signed on February 11, 1945, article 12 (a) of the surrender terms for Germany was amended in the following manner:

> The United Kingdom, the United States, and Union of Soviet Socialist Republics shall possess supreme authority with respect to Germany. In the exercise of such authority they will take such steps, including the complete disarmament, demilitarization, and the dismemberment of Germany as they deem requisite for future peace and security.

Another document clearly stating the lines of the Allied policy toward defeated Germany in the declaration regarding the defeat of Germany and the assumption of supreme authority with respect to Germany of June 5, 1945—American Journal of International Law, Official Documents, volume XXXIX, 1945, page 171 and following pages:

> The unconditional surrender of Germany has therefore been effected, and Germany has become subject to such requirements as may now or hereafter be imposed upon her.
>
> There is no central government or authority in Germany capable of accepting responsibility for the maintenance of order, the administration of the country and compliance with the requirements of the victorious powers.
>
> The Governments of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic hereby assume supreme authority with respect to Germany.
>
> The Governments of the United Kingdom, the United States of America, and the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic, will hereafter determine the boundaries of Germany or any part thereof and the status of Germany or any area at present being part of German territory.

The first conclusion which may be drawn from the above-quoted documents is that the status of occupation as defined by the Hague regulations does not apply to the status of Germany after its unconditional surrender. One may say that there is a complete unanimity on this subject among western lawyers. The first prominent scholar who expressed such an opinion was Prof. Hans Kelsen, who devoted to this matter a particularly lucid comment in the American Journal of International Law—volume XXXIX, 1945, page 518 and following pages—The Legal Status of Germany According to the Declaration of Berlin. He stated, among other points:

> After Germany's unconditional surrender and especially after the abolition of the last German Government of Grand Admiral Doenitz, the status of belligerent occupation has become impossible.
>
> It can hardly be doubted that Germany, after the unconditional surrender of her armed forces, did not fulfill the conditions essential to belligerent occupation. * * * The existence of an independent government is an essential element of a state in the eyes of international law. By abolishing the last government of Germany, the victorious powers have destroyed the existence of Germany as a sovereign state. Since her unconditional surrender, at least since the abolishment of the Doenitz government, Germany has ceased to exist as a state in the sense of international law.

The eminent British lawyer, Sir Hersch Lauterpacht, concurs entirely with Kelsen in declining to consider the position of Germany after unconditional surrender as that of an occupied country in the meaning of the Hague regulations. He writes on this matter as follows:

> While an ordinary armistice—even if dictated by the victor—is still in the nature of an agreement signed by both sides and laying down exhaustively the rights and obligations arising thereunder, this is not the case with regard to an instrument of unconditional surrender. In the latter there is no legal limit set by the victor's freedom of action, save the implied obligation not to resume hostilities, if all his orders are complied with. These orders may include the total suppression of the government of the defeated state, as was the fact in relation to Germany.
>
> The legal basis of the authority exercised by the Allied Powers in Germany during that period lay, in full conformity with international law, in the unlimited power conferred upon them or subsequently assumed by them, in virtue of the unconditional surrender of the German forces. That surrender constituted, in essence, an armistice agreement. International law sets no limit—other than that determined by compelling considerations of humanity—to the discretion of the victor in determining conditions of the armistice. It is not necessary to seek additional support for that legal proposition in the fact that the war was initiated by Germany in violation of her international obligations and that in many respects, in particular, in the matter of the law of belligerent occupation, it was waged on her part in utter contempt of accepted rules of international law.

P. A. Mann in a lecture delivered at the Grotius Society in London—the Transactions of the Grotius Society, volume

33, 1948, page 128 and following pages—states similar views:

If the Allies had assumed only the role of belligerent occupants, they and the United Nations in whose interest they act could not achieve their war aims, which go far beyond military victory; indeed, they would have failed to fulfill their duty and historic mission. It is the unique character of the circumstances which required and sanctioned a unique solution, a new departure. It is submitted that it is more satisfactory and also in harmony with the spirit of international law as a living law to recognize the existence of a new experiment rather than to stretch the words of the Hague regulations that they sanction Allied practice in Germany.

Similar opinion is expressed by R. Y. Jennings, Fellow of Jesus College, Cambridge, in his article, Government in Commission, published in the British Yearbook of International Law, in 1946—page 115 and following pages:

It is generally accepted law that an instrument of surrender executed by military authorities is a purely military instrument and cannot do more than regulate the surrender of the military force, unless, indeed, it is afterward ratified by the political authorities. It may be said when the representatives of the German high command executed this instrument there were no longer any German political or other authorities, and that the High Command, being the only German organization capable of exercising any authority in respect of Germany, the high command must therefore be regarded as having been competent to act not only on behalf of the German armed forces but also for Germany as a whole. Obviously, therefore, the title of the occupying power is an original title by subjugation, and the juridical significance of the instrument of unconditional surrender is that it provides the best possible evidence of the complete conquest which is an essential ingredient of title by subjugation.

To hold that when a State wages aggressive total war, contrary to its most solemn covenants, its occupation and control thereafter by members of the United Nations is in the last resort to be judged and limited by the ordinary laws of military occupation, would be to admit an anachronism of the most damaging kind. Municipal law does not deal with a criminal by applying the individualistic concepts of property.

Let us quote the opinion of a distinguished Swiss lawyer, Prof. P Guggenheim—Traité de Droit International Public, volume II, Genève, 1954, pages 468–469:

Public international law of war recognises other forms of occupation which are applied after the cessation of military operations, but prior to the official reestablishment of a state of formal peace. Contrary to occupation under the terms of armistice, those occupation statutes are based either on an agreement between the victorious and vanquished states, or on unconditional surrender. They are followed by interventions in the political and economic life of the occupied territory, interventions which might go beyond the measures authorized by the Hague relations concerning laws and customs of land warfare. The consequence of the unconditional surrender of Germany and Italy was their submission to the will of the victorious states. These states, however, renounced their right to annex the largest part of the land of the vanquished nations as valid under law.

Guggenheim contests the definition of the occupation arising from unconditional surrender as occupation sui generis because, as he states, such a definition:

Supposes the continuity of the legal order of the vanquished state. This continuity is refuted, as far as Germany is concerned, by Kelsen, Gros (La Condition juridique de l'Allemagne, Revue Générale de Droit International Public, 1946, 74 ff.) and Giuliano (La situazione attuale della Germania secondo il Diritto Internazionale, 1949).

All decisions of the Allied Governments regarding Germany are, therefore, based on the assumption that they were entitled to act not as belligerent occupants but as the rightful masters of Germany. If one disputes the right of the Allied governments to dispose of German territory, one has to refuse any legal validity to all the other actions of said governments going far beyond the rights arising from the Hague regulations.

Reference can be made in this matter to the very pertinent remarks of F. A. Mann:

But even if an interpretation of the Hague regulations, which is both broad and adapted to the particular circumstances, renders a large part of allied policy in Germany consistent with traditional law, there remains enough that cannot be fitted into its frame. The declaration of Berlin, supplemented by Proclamation No. 2, as well as the Potsdam agreement which, though it constitutes an agreement between the heads of government of three occupying powers, must be considered as a basic document of German law, provide for matters which admittedly are requisite not for completing the victory of Germany, but for future peace and security; it is difficult to believe that the desired decentralization of administration in Germany is necessitated by the interests of military control; to place the city of Königsberg and the territories east of the Oder-Neisse line under Soviet and Polish administration, respectively, far exceeds the limits which a mere belligerent occupant could act; no belligerent occupant could withdraw diplomatic missions or require German authorities and all persons in Germany to hand over all gold, silver, and platinum, or acquire the right to have placed at the unrestricted disposal of the allied representatives the entire German shipping and the whole of German inland transport system.

Assuming, therefore, that the Allied Powers were entitled to make all these decisions because of the subjugation of Germany, it is clear that the determination of Germany's future frontiers became their exclusive right and, moreover, that any negotiation on these issues with the vanquished state was not only unnecessary but also inconceivable from the legal point of view. Such are the conclusions reached, among others, by two prominent lawyers, Prof. Joseph L. Kunz, of Toledo University and Prof. Hans Kelsen.

Referring to this matter, Prof. Joseph L. Kunz writes as follows:

That the war with Germany in the Second World War has not come to an end by a treaty of peace is obvious. No such peace treaty has been signed and ratified. The political situation even makes such a peace treaty highly unlikely. * * * But, apart from all political and factual considerations, there arises the legal problem of whether such a peace treaty is even possible in law. For a peace treaty, as well as the ending of war by mere cessation of hostilities, presupposes the continued existence of the enemy state as a sovereign state in international law. If the German state of 1937 no longer exists, then ending the war by these methods is legally not possible; on the other hand, no "ending the war" is legally necessary, as the war automatically came to an end by conquest and subjugation. (Ending the War With Germany, American Journal of International Law, vol. XLVI, p. 116.)

Similar remarks are found in the article by Prof. H. Kelsen, mentioned above:

There can be little doubt that the status of belligerent occupation would not be compatible with the intention of the victorious powers to reorganize Germany politically as well as economically and to reduce her territory in favor of her neighbors. All this, of course, could be achieved by a treaty concluded with the legitimate government of Germany. Such a treaty, however, is—at least, for the time being—impossible, since no legitimate government of Germany exists. If later on the victorious powers allow a national government to be established, it will certainly not be advisable to burden this new and, let us hope, democratic government with the political responsibility for all the hard measures which it will be necessary to enforce upon Germany. It is well known that the political responsibility for the Treaty of Versailles was a main cause for the breakdown of the Weimar Republic and the rise of national socialism.

In another passage of his interesting article, Professor Kelsen stated:

The occupant powers declare that they will hereafter determine the boundaries of Germany or any part thereof and the status of Germany or of any area at present being part of German territory. The occupant powers intend to determine the future boundaries of Germany not by a peace treaty concluded with a German Government but by a unilateral act of the occupant powers. Only the territorial sovereign has the power to dispose of the territory.

It is unnecessary—and beyond the scope of these remarks—to examine the question whether there is any legal continuity between the new Federal German Republic and prewar Germany. This is, in general, denied by western lawyers, Joseph L. Kunz, the Contractual Agreements with the Federal Republic of Germany, American Journal of International Law, volume XLVII, page 106:

This truncated Germany is, as the Senate committee report on the agreement correctly states, a very different country, contains just 48 percent of the prewar German territory, the legal status of the Federal Republic under this agreement is, first, clearly not identical in international law with the prewar German Reich, it is, at the best, a new state, a successor state of the prewar German Reich which no longer exists in law.

It is unnecessary, because the Allied Powers, fulfilling their solemn previous declarations, determined the eastern frontier of Germany.

3. THE ALLIED POWERS DETERMINED GERMANY'S EASTERN FRONTIER

It is well known, and, indeed hardly necessary to mention, that many months before the Potsdam Conference the three principal Allied Powers showed their firm determination to push Germany's eastern frontier westward, and that they considered that Poland should receive substantial portions of the former German territory. I can add some official declarations to that quoted already in the extension of my remarks in the

House of Representatives on August 15, 1957.

In his last address to a joint session of the United States Congress dated March 1, 1945, the late President Roosevelt stated as follows:

The limits of the western border (of Poland) will be permanently fixed in the final peace conference. We know roughly that it will include in the new strong Poland quite a large slice of what is now called Germany. And it was agreed that the new Poland will have a large and long coastline and many a new harbor. Also that East Prussia, most of it, will go to Poland and the corner will go to Russia. Also Danzig would be a lot better if it were Polish.

At the Yalta Conference no decision could be taken on Poland's new frontier, for two reasons. First of all, Germany had not yet surrendered; moreover, the Allied Powers could not reach any decision on the Polish Government which would be recognized by all of them. These two factors were stressed by Winston Churchill in his speech in the House of Commons on February 27, 1945:

The western frontiers (of Poland), which will involve a substantial accession of German territory to Poland, cannot be fixed as part of the whole German settlement, until after the Allies have occupied German territory and after a fully representative Polish Government has been able to make its wishes known.

In the view of the Allied Powers both conditions were fulfilled at the time of the Potsdam Conference. The protocol of the proceedings of the Berlin Conference, dated August 2, 1945, states:

In conformity with the agreement on Poland reached at the Crimea Conference the three heads of Government have sought the opinion of the Polish Provisional Government of National Unity in regard to the accession of territory in the north and west which Poland should receive. The President of the National Council of Poland and members of the Polish Provisional Government of National Unity have been received and have fully presented their view

In consequence of that meeting, the three Allied Powers determined the western frontier of Poland stating only, that the final delimitation will await the peace settlement. What is the meaning of this formal reservation? Since the Allies reserved for themselves the right to determine Germany's frontiers, the only possible interpretation of these words can be that their joint decision must be included in the future general settlement of Germany's status and that the definite tracing of the frontier, which was only roughly described in the Potsdam agreement, should be formally inserted into the future peace treaty.

On the other hand, it is not true that in these days territorial questions are settled exclusively in peace treaties. It is interesting to note the modern international practice regarding armistices. According to Professor Lauterpacht the modern tendency of armistices is to assume the form and content of preliminaries of peace. Curiously enough, it was Germany who started this trend in international practice. In fact the said tendency of armistices is largely due to the way in which Germany treated vanquished states. The first precedent was established by Germany after France's defeat in 1870–71. Prof. M. Sibert, of Paris, observes, in this connection, as follows:

Originally a simple suspense of hostilities destined to facilitate peace negotiations, the capitulation of the enemy is equivalent in many respects to preliminaries of peace. Perpetrated in 1870–71 by Germany against France, this evolution turned against Germany culminating in the armistice which the principal allied and associated powers imposed on her on November 11, 1918.

This tendency became still more marked in 1945 with the unconditional surrender because the establishment not only of the preliminaries of peace but also of a definite peace treaty was left entirely to the Allied Powers.

At the end of the last war many territorial provisions were inserted into the armistice agreements with Italy, Rumania, Bulgaria, Hungary, and Finland. All these provisions were subsequently sanctioned by and inserted into peace treaties with the respective countries. There is no reason to suppose that Germany which bore the major responsibility for launching an aggressive war, would receive privileged treatment compared with her satellites and Italy, the latter an Allied cobelligerent at the end of the war. There was no need to specify the territorial arrangements in the armistice with Germany because, unlike the case of the German satellites and Italy which preserved their status of independent states—at least nominally—it was the Allied Powers who assumed supreme authority in Germany and officially declared that they would determine Germany's boundaries themselves.

The provisions of the Potsdam agreement show that by taking some irreversible measures the Allied Powers had in view a permanent and not only a temporary settlement. Moreover, they assigned certain German territories to Poland without the restrictions which they imposed on themselves with regard to other German territories. Let us review these provisions.

The territories east of a line running from the Baltic Sea immediately west of Swinemünde, and thence along the Oder River to the confluence of the western Neisse River and along the western Neisse to the Czechoslovak frontier, including that portion of East Prussia not placed under the administration of the Union of Soviet Socialist Republics, in accordance with the understanding reached at this conference, and including the area of the former city of Danzig, shall be placed under the administration of the Polish state and for such purposes should not be considered as part of the Soviet Zone of occupation of Germany.

We find in these provisions a clear distinction between the status of occupation and that of administration. We know that the status of occupation of Germany was, as a matter of fact, not a status of belligerent occupation. Both have, however, one thing in common; namely, the time limit. They were conceived as temporary and provisional. The purposes of the Allied occupation in Germany were set out in part II of the Potsdam agreement—the principles to govern the treatment of Germany in the initial control period—the main purpose being:

To prepare for the eventual reconstruction of German political life on a democratic basis and for eventual peaceful cooperation in international life by Germany.

It was stated further:

During the period of occupation Germany shall be treated as a single economic unit. To this end common policies shall be established in regard to many economic and social problems.

The territories under either Polish or Soviet administration were obviously excluded from these provisions. In the above-mentioned declaration of June 5, 1945, it was clearly stated that Germany was to be divided into four zones of occupation to be allotted each to one of the four big powers. There was no mention of the territories placed under Polish or Soviet administration. This clearly shows that in the meaning of all these official statements these territories ceased to be considered as German territory. Moreover, the said territories were excluded from the control machinery established in Germany. We know that this control was to be assumed by a control council for the government of Germany, its relationship to the government of the zones of occupation being formulated in the following terms:

In the period when Germany is carrying out basic requirements of unconditional surrender, supreme authority in Germany will be exercised, on instructions from their Governments, by the British, United States, Soviet, and French commanders in chief, each in his own zone of occupation, and also jointly in matters affecting Germany as a whole. The four commanders in chief will together constitute the Control Council. Each commander in chief will be assisted by a political adviser.

The Control Council, whose decisions shall be unanimous, will ensure appropriate uniformity of action by the commanders in chief in their respective zones of occupation and will reach agreed decisions on the chief questions affecting Germany as a whole.

Let us observe, by the way, that the following method of action recommended to the Control Council could not apply, in any case, to the territories ceded to Poland and the Soviet Union since the German population of these territories had to be removed in accordance with the provisions of part XII of the Potsdam agreement:

In the imposition and maintenance of economic controls estblished by the Control Council, a German administrative machinery shall be created and the German authorities shall be required to the fullest extent practicable to proclaim and assume administration of such controls. Thus it should be brought home to the German people that the responsibility for the administration of such controls and any breakdown in these controls will rest with themselves. Any German controls which may run counter to the objectives of occupation will be prohibited.

Since, therefore, it is evident that the title arising from the right of administration of territories assigned to Poland by the Potsdam agreement differed from the status of occupation of Germany by its permanent character, free from any outside interference. I wish to recall a precedent when on a similar

occasion a similar wording was adopted. During the Paris Peace Conference in 1919 the Supreme Council adopted on December 8, 1919, a Declaration Relating to the Provisional Frontiers of Poland. This declaration established a provisional eastern frontier of Poland without prejudice to the rights that Poland may be able to establish over the territories situated to the east of the said line; to the west of this line, that is, in the territory which, in any case, had to be assigned to Poland it was recognized that Poland had the right to proceed, according to the condition previously provided by the treaty with Poland of June 28, 1919, to organize a regular administration.

There is further clear evidence that the cession of the said territories to Poland was considered definitive in the provisions of part XII of the Potsdam agreement relating to the transfers of German populations, or elements thereof, remaining in Poland, Czechoslovakia, and Hungary. The wording of this clause proves peremptorily that the territories from which the German population had to be removed were considered Polish thenceforth.

The intentions of the allied governments to remove the German population from the territories which were to be assigned to Poland were disclosed long before the Potsdam meeting.

In the debate in the House of Commons on February 27, 1945, the Prime Minister, Sir Winston Churchill, spoke of the assigning to Poland a fruitful and developed land in the west from which a very large portion of the German population has already departed.

Winding up the debate, the Foreign Secretary, Sir Anthony Eden, spoke still more explicitly:

The assumption in regard to the west is that the population shall be removed. This is the whole basis. In most cases, I can tell the honorable gentleman, they have gone already.

Many speakers in the course of this debate concurred with the views of the government.

Sir William Beveridge supported the proposal and stated:

It may be said that these territorial adjustments conflict with the Atlantic Charter. I do not think that they really do. The Atlantic Charter implies that no peoples should be required to live in a state in which they do not wish to live. We cannot say that the Atlantic Charter rules out the kind of territorial adjustment, with transfer of population which is proposed here.

What were the reasons for the transfer of the German population from the territories assigned to Poland? Let us refer here to the United States Department of State publication, prepared by the special unit of the Division of European Affairs, National Socialism—Government Printing Office, Washington, 1943. The following appears on page 131 of the said publication:

Notwithstanding all the specious protestations of the party's leaders, subsequent events have revealed the organized German minorities under Nazi control boring within foreign countries, undermining established governmental authority, weakening public morale, forwarding vital information to the German military authorities, and in general preparing the way for German military conquest and Gestapo rule.

It may be recalled here that the German minorities formed a considerable part of the German pretext for the destruction of Czechoslovakia and for the opening of hostilities against Poland, and later against Yugoslavia as well. In the course of events in central and eastern Europe during the past years, claims and acts of the organized German minorities have in every case synchronized with claims and acts of the German Reich.

It is evident that by its actions Germany deprived itself of any right to invoke the Atlantic Charter in its favor. Such was the opinion expressed many times by Sir Winston Churchill. In his note to his colleagues of the Cabinet, dated January 14, 1944—see W. Churchill, The Second World War, volume IV, page 617—he wrote:

By unconditional surrender I mean that the Germans have no right to any particular form of treatment. For instance, the Atlantic Charter would not apply to them as a matter of right.

He repeated this statement in his speech in the House of Commons on February 22, 1945.

There was no precedent in history that the removal of native population from a certain area would not mean the intention of the change of sovereignty. Such was, for instance, the case of huge transfers of population in Turkey and Greece after World War I. Let us observe, by the way, that these transfers put an end to a long period of Turkish-Greek enmity. During the First World War it was Germany who conceived far-reaching schemes for the removal of the entire Polish population from certain areas occupied by them and which were to be annexed by the German Reich. Still on the eve of Germany's defeat the German Crown Council decided on July 3, 1918, to annex a territory of 20 square kilometers with the important industrial center of Lodz and the towns of Plock, Kalisz, Kolo, and Konin, from big parts of which the entire Polish population had to be expelled. According to this plan established by General von Ludendorff:

From this area, a sector comprising 8,000 square kilometers was to be immediately evacuated by the entire Polish population and settled by German colonists. It later appeared that according to calculation 300,000 families, that is about 1½ million German repatriates from Russia had to be settled there. It was hoped to destroy in this way the great Polish dream, and to frustrate once and forever the Polish aspirations to reunite Prussian, Polish speaking provinces, with the newly created Polish state.

But this was not enough for some representatives of pan-German circles. Their spokesman, Bartels, in a memorandum laid before the highest political and military authorities of the German Reich wrote:

Sixteen millions of Poles should be displaced to the east. A forced emigration to Asiatic Russia.

In this manner the Prussian policy continued for many years, aiming at the extermination—ausrottung—of the Polish elements in the territories seized by Prussia in successive partitions of Poland. It had to be crowned by a spectacular act of elimination of the native population, on a scale unknown since the Dark Ages—for the Prussian policy of the colonization of Poland, R. W. Tims, Germanizing Prussian Poland, the H. K. T. Society and the Struggle for the Eastern Marches in the German Empire, New York, 1941.

The idea of the transfer of population was always in the minds of German statesmen in the period between the two world wars. In a memorandum, which German Foreign Minister von Neurath submitted to Vice Chancellor von Papen, on February 9, 1933, the following was observed:

The possibility of an exchange of population is an essential safeguard that would ensure a practical solution of the minority question, or take off its edge. (Documents on German Foreign Policy, series C, vol. I, p. 39.)

It is well known that German occupants during World War II pursued an extremely ruthless and barbarous policy. On the one hand, the German Government was removing German population from the countries to which it did not raise any territorial claim, on the other it did not hesitate to exterminate physically, and expel, millions of Polish citizens, above all—but far beyond—in the territories illegally annexed by Germany in the course of military occupation.

Let us recall some figures which are too easily forgotten. During the German occupation of Poland, 5 million men, women, and children, including about 3 million Jews, were killed by Germans; they met their death in mass roundups and executions, as hostages, in torture chambers, concentration camps and prisons, many being killed and tortured for their part in the resistance movement, others in punitive expeditions staged as retaliatory measures by the enemy, resulting in the destruction of at least 300 villages, and the elimination of their inhabitants. Over 3 million able-bodied men, women, and children were deported for forced labor or military service in the German army. These figures are based on official statistics and are not an invention of propaganda services.

In his speech in the House of Commons on August 20, 1945, Mr. Ernest Bevin, Secretary of State for Foreign Affairs, gave the following figures relating to displaced persons in the British zone of occupation only:

One million one hundred thousand displaced persons have been evacuated from the British zone, 1¼ million displaced persons are still housed in camps in our zone. By the autumn, it is hoped that only 645,000 will be left, of which 500,000 will be Poles. These figures give some idea of the vastness of the problem which has faced our military government in this zone. (Parliamentary Debates, Commons, vol. 413, p. 285.)

Let us quote now some passages from the report to the United States President by Justice Robert H. Jackson, chief counsel for the United States in the prosecution of Axis war criminals

(American Journal of International Law, vol. XXXIX, 1945, p. 185):

Our people saw in this succession of events the destruction of the minimum elements of trust which can hold the community of nations together in peace and progress. Then, in consummation of their plan, the Nazis swooped down upon the nations they have deceived and ruthlessly conquered them. They flagrantly violated the obligations which states, including their own, have undertaken by convention or tradition as a part of the rules of land warfare, and of the law of the sea. They wantonly destroyed cities like Rotterdam for no military purpose. They wiped out whole populations, as at Lidice, where no military purposes were to be served. They confiscated property of the Poles and gave it to party members. They transported in labor battalions great sectors of the civilian population of the conquered countries. They refused the ordinary protection of law to the populations which they enslaved. The feeling of outrage grew in this country, and it became more and more felt that these were crimes committed against us by a band of brigands who had seized the instrumentality of a state.

It is obvious that it was by these methods that the Germans in the course of World War II wished to create lebensraum for themselves in the areas subject to annexation in which the entire or a great part of the population, deprived of its leadership class, was either murdered, expelled, or reduced to serfdom.

All these facts are now often overlooked and if I refer to them, it is not for reviving feeling of enmity, but simply for explaining the background and reasons of the Potsdam decisions relating to the transfers of German population. They were conceived not as retaliatory measures, but as steps leading to the resumption of neighborly relations between Poland and Germany on a new basis. It is a matter of regret that the sense of guilt which appeared in some German circles after the war is completely missing in recent German official or semiofficial statements relating to the new Polish-German frontier. This feeling of guilt did, however, exist as it appears from an appeal issued to refugees in July 1945 by the oberburgermeister of Berlin, Dr. Arthur Werner—see New York Herald Tribune, July 30, 1945:

Twelve years of national socialism had led to the complete collapse of our country. You have been experiencing only a small part of what the Russians, Poles, Czechs, and other peoples, as well as anti-Fascist Germans had to suffer for years under Hitler.

If today some objections are being raised, allegedly from the legal point of view, as to the nature of the determination of the Polish-German frontier by the Potsdam Conference, one cannot help saying that such objections can be explained only by the persistence of the old ideas among some German lawyers, "Right is what agrees with German interests." It would be not quite superfluous in this connection, to recall in a few words, the views prevailing among German lawyers, for about a century.

4. GERMAN SCHOLARS DEFENDED BEFORE THE WAR PRINCIPLES OPPOSITE TO THOSE INVOKED BY THEM AFTER THE WAR

In the Honorable B. CARROLL REECE'S remarks we find many references to French, British, and other western lawyers but none to the German scholars, if one omits the remark made as long ago as in 1795 by the famous German philosopher, Emmanuel Kant: "Nature irresistibly wills that what is right shall ultimately prevail." Since Kant's days the German doctrine of international law has taken the view that right is what agrees with German interests. One can say that the Nazi doctrine of the German foreign law was prepared by previous generations of German lawyers. The well-known American scholar, Clyde Eagleton, states in his book, International Government—revised edition, New York, 1948, page 24—that "Hegel, the philosopher, Treitschke, the historian, and Jellinek, the jurist, constitute a triumvirate which dealt blows to international law from which it has not yet recovered."

In the 19th century, especially since the Franco-German War of 1870–71, German scholars such as, for instance, Adolf Lasson, considered international law as an expression of a certain relation of force. According to him, only a fear of war prevents a state from violating valid international agreements. He considered also that a victor state could impose any conditions on a vanquished state, and he derided those who through craftiness or lack of scruples try to prevent a victor state from acquisition of conquered territory. Unfortunately, the experience of the last war showed that Lasson's words were not forgotten by the German people.

Only he who has sufficient power to threaten his opponent in the same measure as he is being threatened himself, is entitled to anticipate the conclusion of lasting peace based on signed agreements.

Only in recent times has the right of conquest been questioned, precisely cunning and unscrupulousness are responsible for the theory of the sacred character of the legitimate borders of countries and states; this would identify conquest with theft and robbery.

The victor has power to do as he pleases with the vanquished as would have happened to him, if he had been vanquished—(Adolf Lasson, Prinzip und Zukunft des Völkerrechts, Berlin, 1871, pp. 58–62).

The theory of the supremacy of internal law over the international law prevailed in the studies of such prominent German lawyers as Jellinek, Bergbohm, Zorn, Wenzel. After World War No. 1 it was German lawyers who fought against the idea that law should rule international relations. In his preface to a very objective study of the Nazi doctrine of international law written by a Swiss lawyer, E. Bristler, the famous professor of Paris University, George Scelle noted:

Law is what is in conformity with the unfailing racial concept of the German community and what contributes to serve the interest and progress of that community. * * * National Socialist public foreign law considers international relations to be of secondary importance, and the international community as incapable to form a cohesive and efficient system. This contempt for, or minimalization of international solidarity is doubtlessly in harmony with the system of political and economic autarchy—(E. Bristler, Die Völkerrechtslehre des Nazionalsozialismus, Zürich, 1938, preface).

Bristler's work contains many references to the works of prominent German lawyers of the period according to whom the rules of international law applied to Germany only as long as it remained weak, while a strong Germany could discard all rules which might hamper its freedom of action or the pursuance of its national interests.

It is admitted almost naively and openly that a State, so long as it is still weak, like disarmed Germany, must accept—for the sake of expediency—international law as an instrument to restrain stronger states, and that it has therefore no interest in denying it—(E. Bristler, op. cit. p. 67).

German lawyers considered that the excessively legalistic approach to international life—Verrechtlichung des Völkerlebens—was a morbid inflation of law—Rechtsaufblähung. Such was the view, for instance, of Professor Koellreuter—Völkerrecht im ausgesprochenen Masse politisches Recht sei, and of Professor Waltz about whom Professor Schwarzenberger says:

Professor Waltz, in whose favor it can be said at least that he was an avowed National Socialist already during the Weimar Republic, gave the lead to his colleagues, in a public statement, prominently displayed in one of the leading German periodicals on international law: "A science of international law which fights for international justice, can never be content to analyze its material merely from a technical and positivist point of view; it must step forward itself and point the way toward the just solution of international problems"—(Prof. G. Schwarzenberger, International Law and Totalitarian Lawlessness, p. 21).

It was German interest only that provided the sole criterion of justice, and a theory was put forward that a state could discard any treaty by virtue of the clause rebus sic stantibus whenever the maintenance of the treaty hampered German freedom of action. In fact, German lawyers of the prewar period spoke ironically about Pactaservandaism, opposing, therefore, one of the basic principles proclaimed by the Covenant of the League of Nations.

Such theories were advanced by German lawyers not only for domestic consumption, but they were also loudly proclaimed before international audiences. Let us recall here the lectures delivered in 1938 at the Hague Academy of International Law by a well-known German professor, Karl Bilfinger—Les Bases Fondamentales de la Communauté des Etats, Recueil des Cours de l'Académie de la Haye, 1938, volume 2—in which he defended the dynamic conception of law furthering German territorial expansion in accordance with the notorious principle of lebensraum for the German nation:

Statics and dynamics considered from this angle may appear on the one side as in opposition to the right of secure possession of a limited space, and on the other side to the juridical recognition and the need of

lebensraum and the right of the nations to live. * * * The idea of the clause rebus sic stantibus is like an emanation and consequence of the right of the nations to live.

The concept, life is above the law, prevailed, therefore, not only in German prewar politics, a fact widely known, but also in the German doctrine of international law which provided legal and moral justification for many acts of patent violation of treaties and international customs, firmly established among civilized nations of the world.

This attitude of German scholars greatly contributed to the undermining of international law and international peace.

The ever-recurring arguments that life stands above law, that the existence of the state has preponderance over the benefits of the treaty. * * * The tendency to undermine international law, to create total arbitrariness of the states.

It seems unnecessary to deal longer with this attitude of German scholars as the matter has been thoroughly explored in many studies by American, British, and French scholars. If today we can witness the conversion of German lawyers to the more orthodox and liberal doctrine of international law, we should certainly welcome this new trend in German legal thought, provided the idea of justice is not interpreted in the old sense, right is what serves the interests of the German nation. As long as German lawyers continue to consider unjust anything contrary to German interests and as long as they try to shield Germany from painful but unavoidable consequences of transgressions of law committed in the course of the last war, such a conversion can be hardly considered as either complete or sincere.

In view of the preceding remarks we may come to the following conclusions. The Allied Powers had the right to dispose of German territory after the victorious war as Germany was an aggressor state. Moreover, the necessary safeguards had to be taken in order to prevent a further occurrence of such acts of violence committed against peaceful states. The Allied Powers determined the eastern frontier of Germany at Potsdam in accordance with their previous solemn declarations that they would do it, conferring on Poland the permanent title of state administration as opposed to the title of occupation (which was not a belligerent occupation in view of Germany's unconditional surrender), the main purpose of the latter being the reeducation of the German people on the remaining territory in the spirit of democracy and peaceful cooperation.

In interpreting a legal document one must examine the wishes of the contracting parties at a given historical moment. The famous Swiss lawyer, Prof. W. Burckhardt, in his article "The Clausula Rebus sic Stantibus"—Revue de Droit International et de Legislation Comparée, 1933, page 22—observed on this point:

The parties are bound because they wanted to bind themselves by mutual obligation and to the extent as desired by them. It is solely our [their] will which determines the existence and extent of obligations. * * *

Therefore the manifestation of the will is under international law, as well as under civil law, a historical fact and not a principle.

The wishes of the parties to the Potsdam agreement as a historical fact appear clearly from the wording of this legal document. By allowing the transfer of the German population from the areas to which Poland received the title of permanent administration, free from any outside interference, the three great powers wished to take the edge off so far as the problem of minorities was concerned, a problem which has poisoned Polish-German relations for a quarter of a century. On the other hand, they did not wish to burden the future German state with the responsibility for the measures taken by the victorious powers in order to safeguard the future peace of the world.

It is perhaps worthwhile to recall here the words written by late Lord Birkenhead in connection with the settlement of the Polish-German frontier after the 1914–18 war:

"Danzig instead of being given to Poland outright was made a free city under the protection of the League of Nations, and tacked onto Poland by a strip of territory. Here was to be found a crop of troubles for the future peace of Europe. Half-measures at the time may offer a refuge from action but action must sooner or later be faced, and if the course be right there is seldom any advantages in postponing it. Thoughtful men have soberly considered that it would have been well to give Danzig and its hinterland outright to Poland. Germany could hardly have complained; she would have bowed to the fortune of war and an application of her own doctrine of vae victis—(Lord Birkenhead, Turning Points in History, London, 1930, p. 265).

There is no reason to doubt that, having this in view, the Allied Powers preferred to assign certain territories to Poland outright at Potsdam, instead of leaving this settlement to any future stage.

If, in the course of the first years following the Potsdam agreement, some doubts have arisen as regards the reasonableness of it, they were due not to the feeling that the German people were wronged, as they had to bear the whole responsibility for immense human sufferings during the war, but to the doubts as to the capacity of Poles to populate the territories recovered from Germany—compare, Mr. Bevin, Secretary of State for Foreign Affairs, speech in the House of Commons on August 20, 1945, Parliamentary Debates, Commons, volume 413, page 294—"The question of where the final delimitation of the frontier will rest will depend to a large extent on what the population is that returns to Poland." It is hardly necessary to mention, moreover, some declarations made by certain western statesmen at the beginning of the cold war, and closely connected with it, which although legally irrelevant, showed the fear that the Polish Nation would be absorbed by Russia and that the new frontier might in fact become a frontier between Soviet Russia and Germany. These fears are now obsolete. On the contrary, any wish to reopen the question of the Polish-German frontier would cement the Soviet bloc and increase the tension between Germany and her neighbors. Such a tension would hardly benefit the cause of democracy and freedom.

Benefactor of Kentucky and the Isthmus of Panama

EXTENSION OF REMARKS
OF
HON. EUGENE SILER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. SILER. Mr. Speaker, a former distinguished Member of the House and the only surviving member of the Isthmian Canal Commission, charged with the duty of building the Panama Canal; and who also served during several years of the construction period of that great enterprise as Civil Governor of the Canal Zone, is my good friend and fellow citizen, Maurice H. Thatcher, of Louisville and Washington.

During his Congressional tenure of five terms—1923–33—he accomplished much for the Louisville District which he represented, and much for Kentucky. The Mammoth Cave National Park; the improvement and permanent maintenance of the Abraham Lincoln National Historical Park—the birthplace of the Great Emancipator—the Zachary Taylor National Cemetery, the veterans' hospital at Lexington, Ky.; a splendid Federal building for Louisville; and two other Federal hospitals for the State; increased appropriations for books and apparatus for the blind of the schools of America; and effective labors for the creation of our domestic and foreign airmail activities, are some of the results achieved through his legislative efforts and—together with a number of other important achievements wrought by him while a Member of Congress—stand as monuments of his wise and effective endeavors.

Also, he brought about in 1931 the creation of the Eastern National Park-to-Park Highway, connecting the major national parks east of the Mississippi, and since then has served as president of the Eastern National Park-to-Park Highway Association, which he organized in that year. He has long labored to bring about the construction of a national parkway extending from the Great Smoky Mountains National Park by way the Mammoth Cave National Park, to connect with the Natchez Trace Parkway near Nashville, Tenn., and thus to provide a continuous national parkway beginning at Front Royal, Va., and ending at Natchez, Miss., of something like 1,500 miles. The Skyline Drive throughout the Shenandoah National Park; the Blue Ridge Parkway, connecting the Shenandoah and Great Smoky Mountains National Parks, are in service, and much of the Natchez Trace Parkway is completed; and the building of the suggested link between the Great Smoky Mountains National Park and the Natchez Trace Parkway should certainly be completed without further delay. To this end, I introduced at this Congress, H. R. 5560, providing for a survey of this link by the National Parks Service for the purpose of determining the feasibility and desirability of such construction. While no final report has yet been made by the National Parks Service, I am very hopeful that during the next session—upon my reintroduction of the measure—final report will be made, the survey authorized, and the actual construction brought about. If this enterprise eventually succeeds—and it seems inevitable if a much-needed parkway system is to be established—much credit will be due Governor Thatcher for his long-sustained, patient, and wise efforts therefor.

Not only has Governor Thatcher proven himself to be a constructive legislator so far as his District and the Nation are concerned, but similarly he was, during his Congressional service, in substantial effect, Representative in Congress for the Panama Canal, and its employees, and the Isthmus of Panama. Thus, he was the author, in Congress, of the act establishing the official ferry across the Panama Canal at the Pacific entrance of the great waterway, and providing for the construction of the connecting roadway from the western terminus of the ferry to the western boundary of the Canal Zone—at a cost of $1 million for the work and 2 ferry boats—to connect with the Inter-American Highway, of which the ferry and roadway are links. The ferry and the roadway bear the official names of Thatcher Ferry and Thatcher Highway. Also, he was the author of the legislation for the creation, maintenance, and operation of the Gorgas Memorial Laboratory in Panama City—now one of the outstanding institutions of the world for the study and research covering the cause and prevention of tropical disease. Since the laboratory was completed, its work has been carried on by Congressional appropriations authorized by the Thatcher Act, and the results achieved through its operation have been of outstanding character, and inestimable benefit. It has earned a fame which extends throughout the world. As vice president and general counsel of the Gorgas Memorial Institute, the supervisory agency of the laboratory, for many years following his retirement from Congress, Governor Thatcher has rendered invaluable—and totally gratuitous—service for the great cause of health and sanitation.

Reverting to the subject of the indicated ferry and connecting highway, it is noteworthy that the ferry has served, in an indispensable manner, the Republic of Panama and the Canal Zone in their transportation needs and requirements. This is shown by the very heavy volume of passenger and vehicular traffic carried by them since they were established and put in operation, in September 1932. As evidence of this, the official figures compiled by the Panama Canal organization—which operates the ferry—show that for the 25-year period beginning with the opening of the ferry to traffic on September 1, 1932, to September 1, 1957, there crossed on the ferry 12,968,277 automobiles and 72,696,266 passengers. Adding thereto estimates for the ensuing year from September 1, 1957, to September 1, 1958, the figures of 700,000 vehicles, and 4,303,734 passengers, there will result on the first of next month, a grand total for the ferry's use of approximately 13,668,277 vehicles and 77 million passengers.

As bearing on the subject of Governor Thatcher's continuing services for the canal and the isthmus, it is appropriate to include as portions of these remarks two brief but very interesting illustrated articles which appeared, respectively, in the September 1957 issue of the magazine Panama—published by the Colon Free Zone of Panama—and the October 4, 1957, number of the Panama Canal Review—the official publication of the Panama Canal.

The article in the Panama magazine was written by Mrs. Amy McCormack, of Ancon, C. Z., a talented author, and a civic leader in all worthy isthmian movements. It carries pictures made during their isthmian residence of Governor and Mrs. Thatcher—the latter in native Pollera costume—and also a picture of their official residence in Ancon. Briefly but most charmingly, the story of the Thatchers with regard to the isthmus is told.

The item in the Panama Canal Review tells of the very heavy traffic the Thatcher Ferry has carried through the years, and is commemorative of its 25th birthday. With the article is included an illustration of 1 of the 2 steel ramps of the ferry, made necessary by the extreme tide range of about 23 feet prevailing in this section of the Pacific Ocean—at the entrance of the Canal—the ramps requiring windlassing up or down to be flush with the shore for the accommodation of passengers and vehicles.

The indicated articles follow:

[From Panama (Canal Zone) of September 1957]

THE THATCHERS—GOOD FRIENDS

(By Amy McCormack)

When former Canal Zone Gov. Maurice H. Thatcher, now a practicing attorney in Washington, D. C., returned briefly to the canal to attend the unveiling of a monument to Col. George W. Goethals, canal builder, residents of the Panamanian border town Arraijan decided to honor the former Governor. It was during Governor Thatcher's term that a road had been built from the west bank of the canal through the Canal Zone to the Panamanian border. Without the road residents of the border town and other areas beyond would have been cut off from access to the capital except by sea.

The road had received the name Thatcher Highway from its Canal Zone builders but the Arraijan residents sought to honor the ex-Govenor in their own behalf. They presented him with a plot of ground in their town as a token of their gratitude.

Thatcher was duly grateful but, inasmuch as his duties were confined to Washington, he suggested that his gift lot be used as a playground for the local youngsters. Since then he has been negotiating for playground equipment for installation in the Parque Infantil Maurice H. Thatcher. His own contribution thereto has been estimated at about $600.

Panama's President de la Guardia is reportedly interested in raising funds for the project which is expected to cost approximately $1,500. The town of Arraijan has appropriated over $1,000 for improving the site in the hope that other interior towns will emulate the playground project.

Governor Thatcher and his bride arrived here in 1910, bringing their own cook and butler. The large house assigned to them on Fourth of July Avenue became a center of hospitality. They beautified the big house with plants and flowers, especially rare orchids. Mrs. Thatcher set about learning Spanish. She would need it for entertaining her Panamanian friends, she declared.

Perhaps the fact that they were so recently married on arriving here played a part in the Governor's affection for the isthmus. Certainly no one leaving here after Panama Canal service has kept better informed on isthmian matters than he, nor labored so hard and effectively to serve the canal and the people of both the Canal Zone and Panama.

The Thatcher Ferry, the Thatcher Highway, the Gorgas Memorial Laboratory, and the Thatcher Children's Park in Arraijan are constant visible reminders of his efforts. However, few realize the great and successful services he has rendered—freely and without charge—for canal construction and maintenance employees, in all brackets, with respect to Congressional legislation for annuity and retirement benefits, running into millions of dollars; and in obtaining, through court action, exemption from income taxes of the annuities involved, thereby saving the annuitants a vast six-figure total. All this has been without a cent of attorneys' fees.

Serving five terms in Congress after leaving the zone, Thatcher was able to keep isthmian problems before the Nation and see that they received prompt attention. Even now this sole surviving member of the Isthmian Canal Commission is as greatly interested and sympathetic as he was then. Frequently the CONGRESSIONAL RECORD relates Canal Zone and isthmian activities in which he has participated or been concerned, and canal subjects about which his views are stated.

The people of Kentucky call Governor Thatcher one of their great men. The people of the isthmus object. They say he belongs to them.

NOTE.—The authorities of Arraijan (now a town of about 3,000 inhabitants), also renamed the principal street for him, Calle Thatcher.

[From the Panama Canal Review of October 4, 1957]

THATCHER FERRY HAS A BIRTHDAY

Almost 13 million cars have crossed the canal via the Thatcher Ferry.

Figures of almost astronomical proportions enter the picture when one talks about the Thatcher Ferry, which made its first run across the canal 25 years ago last month.

Between September 1, 1932, and the ferry's 25th birthday on September 1, 1957, the Thatcher Ferry made a total of 1,120,862 single crossings, carried 12,968,277 vehicles, and hauled 72,696,266 passengers across the canal.

Opening of the Thatcher Ferry and Thatcher Highway was hailed with enthusiasm 25 years ago. Local papers announced that the new route cut travel time to the interior by at least an hour.

At first the two valiant little ferryboats, the *President Roosevelt* and the *Presidente Amador* (both of which were built by the mechanical—now industrial division) worked only from 6 a. m. to 9 p. m. but public demand was so great that on July 1, 1935, the ferry service was put on an around-the-clock basis.

By 1942, what with wartime traffic, the ferries were running almost continuously, and during that fiscal year chalked up their alltime high of 61,218 trips, on which they carried 992,198 vehicles and 5,943,845 passengers.

After the opening of Miraflores Bridge, ferry traffic fell off, but it has gradually

pulled up during the past few years. The ferries now average over 50,000 trips a year, and carry more than 600,000 vehicles and 4 million passengers in a 12-month period.

The two original ferries are still in service. They are relieved during overhaul periods by their larger sister, the *Presidente Porras* which had once, as the *Nassau*, been on the New York-New Jersey run.

Again, as in 1954, Governor and Mrs. Thatcher, in March 1956, were the guests of the Canal Zone Government at the celebration, in the zone, of the 50th anniversary of the opening to use of the world-famous Tivoli Hotel, in Ancon. Governor Thatcher was the guest of honor and principal speaker at the formal ceremonies conducted at the hotel—known as the Tivoli Guest House since the completion of the great luxury hotel, El Panamá, in the adjacent city of Panamá.

All of which is corroborative of what all informed persons know about Governor and Mrs. Thatcher, with special emphasis on the isthmian and Congressional achievements of the former.

This leads me to say, Mr. Speaker, what has heretofore been so well said by others, namely, that Maurice H. Thatcher has been, and is, not only a benefactor of his beloved Kentucky, but also of the Isthmus of Panama. I am sure that my colleagues will join me in the hope that many years of health, strength, and useful labors lie ahead of him and his loyal helpmate.

Report to the People

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. BOW. Mr. Speaker, this is my report to the people of the 16th Ohio District, Stark, Tuscarawas, and Wayne Counties.

The 450,000 people of that District have chosen me as their Representative in Congress at 4 successive elections. At the close of each Congress I have provided a report on my activities in their behalf. This is the duty of an elected Representative in our Republic. It is a duty I am glad to perform.

During these years there have been nearly 800 rollcall votes on controversial issues of our times. I have never evaded my responsibility of casting my vote for the people of my District. Not all may agree with me, nor anyone at all times. We live in a world where honest and sincere men and women differ on the solution to public questions. This is as it should be. The important thing is that I have voted my honest convictions on these issues and that I have been present to vote on more than 96 percent of them. I shall list my stand on some of the most important issues of this Congress at the close of my report.

ANNUAL QUESTIONNAIRE

My annual Congressional questionnaire, mailed to thousands of citizens throughout the District, has been of great help in measuring the opinion of the folks at home so that I can better represent them. I have just mailed a final report to the thousands who replied to this poll.

In return, I do my best to keep my people informed of developments in government that affect their lives and business. Regular reports are sent to the farmers, small-business men, and others. I send a weekly newsletter to all of the newspapers and radio stations in my area as well as to many interested individuals who have asked to be placed on the mailing list.

I require my staff to be prompt and courteous in serving the public. Each letter I receive is acknowledged within 48 hours. The volume of correspondence grows heavier each year.

SERVICE TO PEOPLE

Much of my mail consists of appeals for assistance in individual problems. As this Government expands its operations it has a growing impact on the daily lives of our citizens. Thousands of veterans, servicemen, new citizens, farmers, and businessmen, have written to me about their problems. I am glad to have been able to help them iron out their difficulties. The "thank you" letters I receive for this work are a wonderful reward.

In order to serve more effectively, I maintain an office in Canton which is open daily. Constituents can reach me in Washington or Canton on short notice.

Again, this year I have been able to assist two adopted orphans to be united with families in the United States even though the regular immigration processes would not permit their entry. Through the compassionate consideration of the Judiciary Committee, special legislation was enacted in their behalf.

Also, I am proud of the splendid record of the young men whom I have been honored to appoint to the Nation's Military Academies. One of these young men now stands in the top 5 percent of the first class at the Air Academy. Others who have graduated are serving the country with distinction. This year an outstanding young Negro of Canton has entered the Merchant Marine Academy. I am proud to have had the opportunity to appoint him. In this, as in every other respect, I am deeply aware that when the elections are over and the campaign is done, political partisanship must be disregarded. I serve the people of my District to the best of my ability without regard, and usually without knowledge, of their politics, religion, race or station in life.

AGRICULTURE

Farming is the most important activity in Wayne County and makes that county one of the richest agricultural areas of Ohio. Farming is the occupation of more than 7,000 families in Tuscarawas County and 13,000 in Stark County.

Federal Government interference in the affairs of farmers has not been of benefit to the farmers of my District. Their desire and my aim has been to reduce Government controls so that farmers would have a fair opportunity to produce for the market, to expand their farms if they desired, and so that young men and women could get a start in farming. This they can never do so long as unreasonable acreage and marketing controls deaden enterprise and stifle initiative.

In this session of Congress I have helped to stand off three vigorous attempts to impose even more rigorous controls on farming. I am pleased that at last we have enacted a law that may lead to the removal of controls on corn. In the 84th Congress I sponsored legislation to take controls off wheat grown for use on the farm. The new corn program will be another step in the direction of free farming.

Again, in this Congress I sponsored legislation to improve the situation of dairy farmers. I regret that the Committee on Agriculture did not report these bills favorably. I regret the serious division of opinion in the field of agricultural legislation, and I hope that it may be resolved in the next Congress.

APPROPRIATIONS COMMITTEE

During this Congress I have continued my work on the Appropriations Committee and particularly on the subcommittees making appropriations for the State, Commerce, and Justice Departments and related agencies.

It has been my pleasure to help secure the funds needed for the important work of the Federal Bureau of Investigation, the Civil Aeronautics Administration and the Small Business Administration.

Our subcommittee spent many days reviewing the budgets and operations of each of these and many other agencies, and despite the trend toward greater spending in most Government departments, we were able to find places where savings could be made.

Several members of the Appropriations Committee will not seek reelection to the 86th Congress. My seniority will entitle me to the top position on the State, Justice, and Commerce Subcommittees in the next session.

As a member of the Appropriations Committee, who has constantly worked for reduced Federal spending, I considered it my duty to vote against the increase in the national debt limitation.

INFLATION DANGERS

Using the economic turndown or the international situation as an excuse, advocates of bigger Government spending proposed more than $35 billion dollars worth of unnecessary legislation this year.

This threat has made our work far more difficult. It has occupied us with the task of defeating unwise and poorly considered legislation when we might better have been occupied with constructive matters. The worst of these measures were exposed and defeated, saving the taxpayers many billions.

Nevertheless, the majority in Congress recklessly appropriated more money than the President asked for, even though his budget was very large. This means a deficit in this fiscal year. It means that tax relief for overburdened Americans must be postponed. It threatens the stability of the dollar and the purchasing power of everyone who has invested in social security, railroad retirement, pension plans, annuities, bonds or savings accounts. It strikes with greatest force at young people just starting life at low incomes with growing families.

The free spenders, the giveaway advocates, and the sponsors of new spending programs are directly responsible for this indefinite postponement of tax relief. Higher taxes and lower buying power are the price they make us pay for the new Government programs they would force upon us, supposedly for our benefit.

FOREIGN AID AND TRADE

Again this year, I found evidence of such waste and mismanagement in the giant foreign aid program that I had no choice but to oppose it.

I was one of the original sponsors of the program to give or barter American surplus in other areas of the world where people are in need. I regard this as a sound and sensible program. It was extended by this Congress.

The general foreign aid program is quite a different story. Literally billions have been spent without tangible evidence of any improvement in the lot of the foreign recipients or in their regard for us. Each failure of foreign policy is said to be evidence that more foreign aid is needed. Does no one believe that the aid program itself is a reason for failure?

Similarly, the reciprocal trade program as administered in the past 20 years has caused unwarranted hardship on our people. Advocates of reciprocal trade take the unreasonable position that they have the only solution to promoting interchange of goods between nations. They accept as inevitable the injury done to Americans who lose their jobs because of unreasonable competitive advantages given foreign nations. I fought vigorously for sensible changes in the program that would protect Americans. A majority voted to continue the program substantially unchanged.

UNSOLVED PROBLEMS

Major problems unsolved remain to be tackled by the next Congress.

High on the list will be labor-management legislation to restrain the labor bosses who have deceived union members and used union funds for improper personal enrichment. The honest laboring man has no defense against the practices of dishonest men who have seized power in certain unions. The McClellan hearings also revealed unscrupulous alliances between crooked labor bosses and crooked management which must be outlawed if the trade union movement is going to serve its members as they intend it to.

Agricultural legislation also will be an issue. Something must be done to free farmers from an unworkable wheat program opposed by a majority of them.

There will continue to be the fight for a balanced budget, against higher taxes, debt and inflation, and in this I will continue to take a leading role.

ACCOMPLISHMENTS

On the positive side, this Congress has moved forward in several important areas of activity. The Small Business Administration was made a permanent agency of Government. Sound, though limited, tax revisions were made to help small business. A new small-business investment program was authorized.

Congress came to the aid of the vital railroad industry and repealed the wartime transportation tax which had become a burden on all parts of the transportation industry, and on commerce generally.

Defense Department reorganization advocated by the President to improve our military position and speed defense preparations was approved.

A new Federal Aviation Agency was established and great progress was made in the effort to increase the safety of air travel.

The airport construction program was continued.

The interstate highway program was enlarged and expedited, providing more employment and hastening the day when this 41,000-mile system of superhighways will be a reality.

Amendments to the GI and FHA programs helped to spur a new record-breaking activity in home building that will provide millions of Americans with an opportunity to own their homes.

Improvements in the Unemployment Compensation Act permitted extension of benefits to thousands of Americans who were out of work through no fault of their own.

Congress enacted the first major civil rights legislation in 83 years.

A number of improvements were made in veterans' legislation, including a 10 percent increase in disability compensation.

Social-security benefits were increased, and the tax schedule amended so that income of the fund will more nearly meet requirements of it.

VOTING RECORD

It is a tremendous honor and privilege to serve the 16th District of Ohio in the House of Representatives. For the information of the people who have so honored me, I include here a list of some major issues of the 85th Congress, with my vote on each.

Subject	Bow's vote	House action
1ST SESSION		
Airways Modernization Act	Yes	Approved.
Foreign aid	No	Do.
Civil Rights Act of 1957	Yes	Do.
Protect FBI files	Yes	Do.
Make Small Business Administration a permanent agency of Government.	Yes	Do.
Eisenhower Middle East doctrine.	Yes	Do.
2D SESSION		
Special milk program for children	Yes	Approved.
Farmers' "straitjacket" bill	No	Failed.
Alaska statehood	Yes	Approved.
Increase debt limit	No	Do.
Defense Department reorganization.	Yes	Do.
River and harbor and flood control (later vetoed by President).	No	Do.
Foreign aid ($3,200,000,000)	No	Do.
Increase social security	Yes	Do.
Extend reciprocal trade program no lower tariffs.	No	Do.

Kennedy-Ives Bill

EXTENSION OF REMARKS
OF
HON. WAYNE L. HAYS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. HAYS of Ohio. Mr. Speaker, because there has been so much heat generated pro and con about the Kennedy-Ives bill, I thought it a good idea to set forth exactly what it did. Some people may argue that it did not go far enough, but I personally think it did a lot of things that needed to be done and I voted for it on the assumption that a cleanup in some areas of the labor-management field is vital and that a half a loaf is better than no bread at all.

The following is what the bill required of labor unions and what the bill required of management:

WHAT THE BILL REQUIRED OF LABOR UNIONS

First. It required comprehensive detailed disclosure of union financial data—to members, press, public, and law enforcement agencies.

Second. It required full reports by union officers on any personal conflict-of-interest transactions.

Third. It imposed criminal sanctions for embezzlement of union funds, false reporting, false entries in books, failure to report, or destruction of union books.

Fourth. It established right of suits by union members for recovery of funds embezzled or misappropriated by union officers.

Fifth. It prohibited loans by employers or unions to union officers.

Sixth. It required a secret ballot for all union officers or the convention delegates who select them.

Seventh. It required due notice of all union elections and real opportunity to nominate opposing candidates.

Eighth. It required that union officers be elected by secret ballot every 4 years by international unions, and every 3 years by local unions.

Ninth. It prohibited the use of union funds to support candidacy of any union officer.

Tenth. It prohibited persons convicted of felony serving as union officers.

Eleventh. It granted power to Secretary of Labor to institute court action to set improper elections aside and conduct a new election.

Twelfth. It limited union trusteeships to 18 months.

Thirteenth. It made mandatory annual reports to Secretary and union members on every trusteeship, the reasons for its establishment, continuance, and operation.

Fourteenth. It prohibited counting votes of delegates of trustee bodies unless delegates elected by secret ballot, and on transfer of funds from trusteed local union to international except normal dues and assessments.

Fifteenth. It granted power to Secretary of Labor to begin a court proceeding to break improper trusteeships.

Sixteenth. It prohibited picketing for extortion or to secure payoff from employer.

Seventeenth. It prohibited solicitation for payment of fictitious fees for unloading cargo from interstate carriers.

WHAT THE BILL REQUIRED OF MANAGEMENT

First. Required every employer who spends more than $5,000 in a fiscal year for activities intended to influence employees in the exercise of their rights to organise and bargain collectively to report annually to the Secretary of Labor.

Second. Required reports from every labor relations consultant who has an agreement with an employer to provide services intended to affect employees in the exercise of their rights to organize and bargain collectively.

It has been erroneously assumed by some employer groups that this section would have required employers to report on their efforts to promote good will and sound personnel practices. The requirement has nothing to do with such worthwhile activities. It did not even prohibit employers from trying to influence employees in the exercise of their bargaining rights. It simply required a report on those efforts designed to influence employees in their bargaining rights that involve expenditures of more than $5,000. Under this section only a very small fraction of American business would have any need to report at all. Only willful failure to report relevant material carried any penalty. The section would have in no way interfered with the employer's normal communication of freedom of speech in relation to his employees. Considering the fact that the bill required unions to disclose all of their expenditures of every kind, it is clear that the limited reporting requirement of employers was extremely modest. A full analysis of employer reporting requirements under S. 3974 appears in the CONGRESSIONAL RECORD for August 15, pages 17919–17920.

Rear Adm. Edward C. Stephan

EXTENSION OF REMARKS
OF
HON. JOHN J. SPARKMAN
OF ALABAMA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, a statement on the assignment of Rear Adm. Edward C. Stephan, as commander of the South Atlantic Forces.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SPARKMAN

Those of us who have gotten to know Rear Adm. Edward C. Stephan, were glad to learn that he has been assigned commander of the South Atlantic Forces. This is a newly created and most important post. It calls for a top flight, able Navy officer, and the fact that Admiral Stephan was chosen as the first commander is further credit to his ability and leadership.

We all wish Admiral Stephan well in his new assignment. He has, as we know, served in the capacity of Chief of Legislative Liaison of the Navy Department during the past 2 years. It is in this position that many of us came to know him and to respect him. He is to be complimented for the outstanding job he has done for the Navy and the country in this and other positions he has held.

Letter Regarding Transfers of Land to and From Indian Peoples

EXTENSION OF REMARKS
OF
HON. JAMES E. MURRAY
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MURRAY. Mr. President, the Bureau of Indian Affairs has adopted a policy of insisting that in transfers of lands to and from Indian peoples, the movement shall always be toward taxable status. It declines to approve purchase of land in fee status, and therefore taxable, to be held in trust for the Indian tribes.

Unfortunately, in some areas in the United States, Indians are excluded from the benefits of local governmental services and agencies. In these circumstances, the policy of requiring Indians to pay taxes on their lands appear to work an injustice.

I have written the Honorable Glenn L. Emmons, the Commissioner of Indian Affairs, a letter of inquiry in regard to this subject which will be of interest in all States where Indian tribes are located. I ask unanimous consent to include it in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 15, 1958.

Hon. GLENN L. EMMONS,
Commissioner of Indian Affairs, Department of the Interior, Washington, D. C.

MY DEAR COMMISSIONER EMMONS: Thank you for your letter of July 28, 1958, respecting the Flathead land-acquisition program, and the enclosed letter to the area director approving that program in part and disapproving it in part.

At the moment I wish to inquire respecting the disapproval of the purchase of fee-owned lands in Flathead Lake and Sanders Counties in trust to the extent it would result in exempting the lands from taxation. You state in your letter to the area director that while far more than the 4,710 acres proposed to be placed in trust will be placed on the tax roll by the sale or fee patenting of individual trust or restricted lands, still it is not the policy of the Department or the Bureau to permit the purchase in trust of lands that are held in fee status; and you disapprove the program as to such purchases, but indicate the tribes may purchase them if they are willing to take "fee", by which I understand you to mean "taxable," title.

The insistence of the Bureau and the Department upon land going into a locally-taxable status and not being withdrawn from that status has been one of the sorest points insistently asserted as grievances by Indians, both to me personally and to the committee of which I have the honor to be chairman. We have heard over and over again that the Bureau is intent upon depriving Indians of their lands through making them subject to taxes from which (even when the Indians can pay) they derive no benefits whatever. I realize that you, too, are concerned with this overswelling protest, as you made apparent in connection with your announcement of the recent moratorium on land sales. I am concerned, though, that the present ruling as to the program may be regarded by the Flathead people as indicating that the ultimate conclusion of the study being undertaken during the moratorium is pretty well prejudged.

I have been given to understand by the Flathead Tribes themselves—whom you propose to permit to undertake a program with their own funds only on condition that they pay taxes on any of the 4,710 acres which you approve as proper for them to acquire—that in actuality both the State of Montana and the counties concerned do not permit Indians to share in the benefits of the local taxes even when they pay such taxes—as all do with some taxes and many do with all local taxes. I know that you and your staff have been concerned with discrimination against Indians in the handling of State and county funds. And in the case of the Flathead Tribes, in January 1957, I was furnished by their attorneys with a letter of your Billings office plainly developing the local discrimination. As a result of that letter, and in connection with certain bills then undergoing active review before the committee, I took occasion to have my staff confer with Assistant Commissioner Gifford on this matter and was assured that your office was fully alert to these discriminations involving the Flatheads and other Montana tribes. I understood that such discriminations were looked upon by you with disfavor.

Accordingly, I would like some expression from you as to the present status of the matter of Indians' sharing in the benefits of the local real-estate taxes in Montana, which you propose as a matter of policy the Flatheads be required to pay on any of the fee-patent lands to be purchased. To what extent, if at all, have the discriminatory Montana statutes relating to Indians been modified or repealed? What steps has your office taken to see that these discriminations—whether or not provided for by State statute—are nullified? To what extent was the sharing or not sharing by Indians generally and the Flathead Tribes in particular in the benefits purchased from the local real-estate taxes and other taxes included in the real estate tax (such as the county poor tax in Montana) considered in the formulation of the policy referred to in your letter to the Area Director?

With answers to these questions at hand I feel that I may better evaluate the policy to which your office and the Department is currently adhering. I will also be able to consider the extent to which this policy accords when the plain policy expressed by Congress in Section 5 of the Indian Reorganization Act (25 U. S. C. 465) authorising acquisition of lands for tribal use and providing that "title shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation"; and for that matter with the policy of the Act of June 24, 1946, to which you refer, authorizing the expenditure of tribal funds for purposes designated by the Tribal Council and approved by the Secretary but with the proviso that it shall be in accordance with the tribal constitution and charter—each of which was adopted under the Indian Reorganization Act itself.

Sincerely yours,
JAMES E. MURRAY,
United States Senator.

Address by Hon. Edward Martin of Pennsylvania

EXTENSION OF REMARKS
OF
HON. EDWARD MARTIN
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address by me at the bicentennial celebration of Fort Bedford, Bedford, Pa., August 22, 1958.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR EDWARD MARTIN, OF PENNSYLVANIA, AT THE BICENTENNIAL CELEBRATION OF FORT BEDFORD, BEDFORD, PA., AUGUST 22, 1958

It is always a pleasure to take part in the celebration of an important anniversary, recalling the glories of our historic past.

It is good for America to hold assemblies such as this because they give us a better understanding of the toil, heroism, and sacrifice that built the foundation of our Nation's greatness.

In many public addresses, and on other occasions, I have emphasized how important it is for every one of us to learn more about our history. Any American who studies the record of our Nation's beginnings cannot fail to be inspired by the courage and self-reliance of the early pioneers—their love of liberty, their confidence in themselves, their deep and abiding faith in God.

A deeper understanding of our history generates patriotism. It stimulates a desire to have a part in government. It strengthens love of our country and devotion to its sacred ideals.

This bicentennial celebration of Fort Bedford is therefore an event of outstanding national importance. It calls upon us to assess our strength as a Nation. It is likewise a time to measure our shortcomings in order that we may be prepared to overcome any obstacle to greater achievement in the future.

The early history of Bedford is a thrilling chapter in the romance of advancing civilization on this continent. It tells of heroic soldiers, enterprising traders and trappers and sturdy, self-reliant, God-fearing pioneer settlers. We are proud of the many descendants of those early pioneers who are still carrying on the fight for the American ideals of freedom and constitutional government.

Two hundreds years ago Fort Bedford was the strong outpost of our western frontier. Here was heard the tramp of marching soldiers. In these hills Indians fighting went on year after year.

Garrett Pendergrass and his fellow settlers knew all the hardships and the perils of frontier life. Danger was an ever-present part of their daily lives. Back-breaking toil was their only assurance of survival.

Their most precious possession was freedom.

Faith in God strengthened and sustained them in their struggle to establish new homes where they could live as free men—free to carve out their own destiny and to build with their own hands a better future for themselves and their children.

Above all else, they wanted freedom to worship in the manner of their choice, in the faith which brought them closer to God, without fear of tyranny or persecution.

They cleared the forests and tilled the soil. They built schools and churches. They depended upon their own efforts, their own hard work, energy and thrift, to provide the necessities of life and the meager comforts available in those days.

They fought the French and the Indians. They fought the revolution to throw off the yoke of oppressive government. They established a Republic which recognized as God-given the right of every man to "life, liberty and the pursuit of happiness."

They created a government based on the fundamental principles of freedom of the individual, equal opportunity, and equal justice.

I am so glad that the patriotic people from Bedford to Pittsburgh are celebrating history this year. The people living along the Forbes Road have a great heritage. General Forbes' Road and Braddock's Road were carved through the wilderness by military men. They were not created for the purpose of conquest. They were built in order to establish and protect British supremacy at the junction of the Allegheny and Monongahela Rivers forming the Ohio. Here was the bridgehead to reach the rich valleys, plains, and mountains of the west.

No roads in all history have meant so much to civilization. These roads made it possible to develop the agricultural and industrial greatness of the United States.

In less than two centuries, the expansion of agriculture and industry and the development of our natural resources have been unparalleled in any similar area in all history. In addition we have attained cultural and religious heights never before reached.

Now let me ask a few questions.

Why have we made so much progress? Why are we now in a position where the Free World looks to us for leadership and help? Why is it that even those who criticize us and our form of government do not want to leave the United States?

Is it not because we uphold and defend the right of every man to say what he likes, to think as he likes and, under the law, to do what he likes?

Is it not that here the state is the servant and not the master of the people, and that public officials have power only as trustees for the people?

Is it not for the freedom of choice which we enjoy and the right to retain the rewards of our work and ingenuity?

Is it not because our form of government has sustained us in our sacred right to life, liberty, and the pursuit of happiness?

I believe these are the reasons. To safeguard these precious rights all of us must bear an equal share of responsibility.

We will continue to be the greatest nation of all history if we carry out with loyalty, determination, and courage the principles supporting the American system of government.

These United States will remain great if we have proper education of our people, if we have a strong national defense supported by all our citizens, if we maintain a strong, stable, dynamic economy, if we are clean and constructive in our politics, if we are honorable in our international relations, and if we are faithful to the principles of our religious belief.

Today the greatest threat to peace and freedom in the world is communism.

Since the end of World War II the Communist dictators of Soviet Russia by subversion, treachery, and force, have gained control of one-third of the world. They have placed 700 million people in Europe and Asia under the iron rule of terror and tyranny.

They have prepared the plans and have stockpiled the weapons for world conquest and the enslavement of all free people.

Let us not play with communism. Where there is communism freedom dies. The state takes the place of God. Anyone trying to persuade us that we can accept communism and still be American does not appreciate the truth. Such people are dangerous. They should go to a country where that doctrine is practiced.

But we must keep in mind that we cannot defeat the communism by force alone. We need more than armies, more than weapons, more than wealth. Above all, we need the strength that comes from God.

We must remember that the greatest factor for victory is spiritual strength. We must turn with deeper devotion to the teachings of religion. We must place more emphasis on moral and spiritual values than on material gain.

We must have faith, faith in ourselves, faith in our country, and faith in God. A strong moral and spiritual America is the foundation of our national strength.

Are we safe and secure in our freedom? No; not if we are complacent. Not if we take our liberty for granted. Not if we talk about our rights and privileges and ignore our obligations.

We must drive out of our life the law evader and those who would rob the Public Treasury for political preference. We must be steadfast in our opposition to peace without honor, easy living without work, and all political proposals designed for selfish advantage.

Recessions and periods of prosperity come naturally in our free enterprise economy. Wage increases without corresponding increases in productivity are unsound and damaging to our country.

We are depending too much on government and that is one reason why government is costing us so much. In every country where the people depended upon government rather than their own efforts, misery and suffering was the result and eventually the loss of freedom.

In the growth and development of the United States we have had times of trial and crisis.

We have had financial depressions. We have had bloody conflict within our own borders. We have had wars to preserve American liberty from foreign aggression. We have experienced periods of reckless and extravagant living. We have had times when the spiritual side was at low ebb because we placed too much emphasis on material gain.

But, fortunately, from every period of crisis the great majority of our people has emerged strengthened in faith and in firm conviction that God rules in the affairs of men.

Faith in God, firmly established in an atmosphere of individual freedom, has been the most potent influence in the growth of America.

I recall the statement of a South American visitor who was asked to explain why the material prosperity of North America has so vastly outstripped that of South America.

This was his reply: "The people who came to South America were in search of gold. Those who settled in North America came here seeking God."

Not our material possessions, but our spiritual resources increased and strengthened through the years, are the real wealth of the United States.

God grant that America will remain forever strong in the faith of our fathers.

Today, as never before in our Nation's lifetime, we need militant men and women to go out on the highways and byways and preach the love of God and the gospel of Americanism.

Mexico

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. WOLVERTON. Mr. Speaker, over a period of years I have been greatly disappointed that our Nation has not shown at all times that degree of appreciation to our neighbor to the south—Mexico—that, in my opinion, its friendly attitude toward us has deserved.

In a time of uncertainty such as that in which we are now living, it is important to have friends. While it may be important to gain new friends, we should never overlook old friends. Mexico through the years, and, in many instances, has shown its friendship to us. However, it seems to me there has been too evident a disposition upon our part to take its friendship for granted.

Mexico is a proud nation. Its people are proud. It has a right to be. Its culture extends over a period of centuries. Its achievements in recent years have been outstanding. Progress is evident in all of its activities. In education and in economic development it is pronounced. In matters of trade it is now one of our best customers. In international conferences it has never failed to support us. It is opposed to communism and its influence throughout Central and South America has been a direct and important factor in preventing the spread of communism in that section, and in strengthening the forces of freedom.

Today, as I look back over a period of years, during which I have been a Member of the House of Representatives, I take great pleasure in the fact that the committee of which I am a member, the Committee on Interstate and Foreign Commerce, as a result of a visit it made to Mexico, and, a study it made of the economic condition of that country, realized the greatness of its possibilities. A land rich in natural resources, particularly petroleum, it possesed the basic strength to build a strong economy.

It has only been about 10 years since our committee made its first visit to Mexico, but, the advancement that country has made in these intervening years has been perfectly marvelous. It justifies our highest expectations as set forth in the report I filed with the Congress as chairman of that committee. Each year has shown greater progress than the preceding year. And, there is very likelihood it will continue.

How has this desirable and happy result been achieved? There have been, of course, several factors that have contributed to it, but, in my opinion, the most outstanding of all has been petroleum. This natural resource nationalized and operated under the name Pemex, a completely owned and manged government corporation, directed by Senator Antonio J. Bermudez, has been most noteworthy.

To understand this phenominal success of Pemex it is necessary to know Senator Bermudez. I doubt if any less honest and courageous man could have accomplished what has been done. Senator Bermudez is a man of great ability; his character is like the Rock of Gibraltar; his honesty is unimpeachable; his courage unshakable, and, his love of country so great and boundless that it dominates his very life. I shall never forget his remarks to me as chairman of our committee when we were about to leave Mexico and return home. He said, "Mr. WOLVERTON, as you and your committee leave Mexico, I want to present to you something, not of great intrinsic value, but, yet, something that to me means more than money, something that lies so close to my heart its value cannot be expressed in anything that is tangible, I present to you this flag, the emblem of my country." I shall never forget the emotion with which he spoke and the lasting impression it made upon all of us. These few spoken words came from the heart of this great man. It gave us a clear understanding of what was in the innermost recesses of his heart.

His love of country, and, the desire to improve the living conditions of its people is a force that drives Senator Bermudez forward every day of his life. There is no opposition, there is no difficulty he is called upon to face, no discouragement of any kind or character that can deter him. He marches on with a courageous heart that knows no weakness—a strong man—a dedicated man—a man who never falters in his determination to reach the goal he has set.

It would be helpful, in my opinion, if they who fix our policy toward Mexico would take time to study the underlying spirit of men who, like Senator Bermudez, are guiding the nation in its forward march. Of course, their ways might not always be our ways, but that is not as important as knowing their motives and objectives are worthwhile. It is not our place to dictate how others shall live, or how they should do things so long as their fundamental principles are right and justice prevails. Our committee, after a close and friendly contact with the leading men in Mexico, including President Aleman, discerned that there was an honesty of purpose in their basic policies. It was a failure to recognize this that brought disagreements and misunderstandings in the past.

It is gratifying to realize that in these more recent years our national policy is undergoing some change, and that as a result we are more inclined to accept the same policy with respect to Mexico and other nations as recently expressed by President Eisenhower in his address to the United Nations concerning the Arabs when he said:

> Let me state the position of my country unmistakably. The peoples of the Arab nations of the Near East clearly possess the right of determining and expressing their own destiny. Other nations should not interfere so long as this expression is found in ways compatible with international peace and security.

However, here as in other areas we have an opportunity to share in a great international task. That is the task of assisting the peoples of that area, under programs which they may desire, to make further progress toward the goals of human welfare they have set. Only on the basis of progressing economies can truly independent governments sustain themselves.

This is a real challenge to the Arab people and to us all.

I have emphasized this thought because too often in the past our policymakers have been inclined to remember and not forget the happenings of the past that have brought some unhappy misunderstandings. President Miguel Aleman, whom it was the pleasure and privilege of our committee to meet when in Mexico, in time to come will be looked upon as one of the builders of a new and modern Mexico, even though at present there may be some in his own country who are critical of him. And, President Cortines, who now occupies that great office is likewise dedicated to the cause of Mexico. It is men like these who, with others like Senator Bermudes, are striving to lead their people upward and onward. They are entitled to our assistance and encouragement.

Mexico has already demonstrated its ability to succeed. It grows stronger with each passing year. We are fortunate to have this friend on our southern border as we have Canada a friend on our northern border. Friendships of this kind are far more valuable than those whose friendship must be bought by continual grants and advancements. Friendships that are mercenary give little promise of creating lasting friendships. Mexico is a friend because it wishes in its heart to be a friend. It is a friendship such as this that can be depended upon in any emergency. Our policy toward Mexico should be built upon confidence, good will, and cooperation. Its friendship toward us and our friendship toward it should entitle each to feel they are copartners, one with the other.

Vice Adm. John M. Will

EXTENSION OF REMARKS
OF
HON. JOHN F. SHELLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SHELLEY. Mr. Speaker, I would like to take this opportunity of adding my voice to those which have sung the belated praises of Rear Admiral Rickover who is rightly termed the father of the nuclear submarine. My admiration of this admiral is unbounded. He has pioneered in his field in a manner that today's navigators will someday fully appreciate. Let it be clear that my regard for Admiral Rickover is of the highest order and my respect for his talent and vision unlimited.

Now I would like to enter this fray which has pitted factions within the Navy against other factions. Vice Adm. John M. Will, United States Navy, whose wife was selected for the honor of christening the twin-reactor nuclear submarine *Triton* at New London the other day, has been criticized by reference, since he has not been associated with the nuclear power picture. He has even been dubbed an obscure admiral.

I would like to set the record straight and bring to your attention a few facts about Admiral Will which may give some clue to his critics why his wife was selected for the honor of christening the *Triton*.

Admiral Will served 18 years in the submarine service. This time was spent both as commanding officer as well as in shore assignment of command responsibility. He was commander of Submarine Division 6–2 early in World War II when the U. S. S. *Triton*, the third of her name and whose namesake was launched last week, was a potent member of the division. She was the first Pacific Fleet submarine to cruise against the Japanese. She made her first kill 1 day after Pearl Harbor. She went on to sink 12 more ships in 5 war patrols.

Admiral Will is now commander, Military Sea Transport Service, and is, of course, no longer with submarines. But I think it not only fitting but quite significant to bring forth this fact in connection with the selection of his wife to christen the *Triton*. Their son, Lt. John L. Will, United States Navy, a submariner for the past 2 years, is at the present time attending the Nuclear Power Training School at the submarine school in New London.

Vice Adm. John M. Will is very, very far from being an obscure admiral. He is considered not only by Navy personnel but by the Members of Congress who have had contacts with him in their official duties and by the people in the maritime industry, generally, as one of the ablest and most capable admirals in the United States Navy. It is not my desire to compare or contrast Admiral Will and Admiral Rickover. I admire both men and only seek to have justice done to both of these capable defenders of our country.

Lt. Col. Roger K. Lawless

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HOLLAND. Mr. Speaker, I cannot let this session of Congress adjourn without paying tribute to a man in the Army Liaison Office for the fine work he has rendered to me and my office, and I know I speak for the several other Congressmen who were privileged to have had the use of his services.

I am speaking of Lt. Col. Roger K. Lawless.

When I came back to Congress in January of 1956, many changes had taken place in the Army and its regulations. Colonel Lawless was assigned by the Army Legislative Liaison Service, under the able leadership of Maj. Gen. J. H. "Mike" Michaelis and Col. Sandy MacGrain, to be my adviser, so to speak, on Army matters. I can truthfully say that no matter what the situation was, no matter how ridiculous or infinitesimal, Colonel Lawless always responded with a timely solution.

I am sure that many of my colleagues who have been fortunate enough to have had his services all regret his leaving the Hill. We all wish him success and good fortune in his new assignment and travels.

FPC Accepts Producer Contentions

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement on the Federal Power Commission's recent decision.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FPC ACCEPTS PRODUCER CONTENTIONS

The Federal Power Commission in March and April issued two decisions involving the prices which producers of natural gas may charge interstate pipeline companies. In both of these decisions the Commission rode roughshod over the recommendations of its staff and granted all that the producers requested. The Commission used these two proceedings where there were no customer or distributor intervenors which could appeal to the courts to indicate their adoption of certain policies and criteria for producer regulation which do not augur well for the natural gas consumers.

The first decision (opinion No. 309, issued March 31, 1958) involved applications of two producers, Seaboard Oil Co., and Charles B. Wrightsman, under section 7 (c) of the Natural Gas Act, to sell gas to United Gas Pipe Line Co. in Louisiana at a proposed initial price of 19.5 cents per thousand cubic feet. In that proceeding the FPC staff urged the Commission, and before that the presiding examiner, to condition the certificate so as to limit the initial price to 18 cents per thousand cubic feet.

Commissioner Connole wrote a vigorous dissent. Chairman Kuykendall and Commissioner Stueck concurred in the result. Thus, the decision represents principally the handiwork of Commissioners Digby and Kline, both of whom are from producing States, Louisiana and Wyoming.

While the Commission had imposed a condition limiting the initial contract price in the Signal Oil & Gas Co. case to 10 cents per thousand cubic feet and had successfully sustained its right to do so in the courts, volume 283, Federal Reporter, second series, page 771 (certiorari denied), it refused to take similar action in the instant proceeding holding that the circumstances were different. It also indicated that the Commission's staff had the burden of proof to show that the initial 19.5 cents price was too high. The Commission suggested that relief from the 19.5 cents rate might be obtained by a section 5 (a) proceeding. But when that argument was made by Signal Oil & Gas Co., the Commission rejected it, stating that it was an unnecessarily difficult and complex procedure and was to the disadvantage of the public interest.

The second decision (opinion No. 310, issued April 14, 1958) involved Commission action upon rate increases sought by 11 natural gas producers, which jointly sold natural gas from the West Edmond Field in Oklahoma to Cities Service Gas Co. The increase sought was 1 cent per thousand cubic feet above the then effective rate of 7½ cents per thousand cubic feet. These increases were suspended by the Commission but became effective subject to possible refund in May 1955 (Commissioner Connole dissented; Chairman Kuykendall, and Commissioner Digby concurred in the result).

After hearing, the presiding examiner dismissed the requested rate increases on the ground that the company had not sustained the burden of proof that the increased rates were just and reasonable. The companies had declined to place in evidence their cost of production figures and contented themselves with evidence of what gas was selling for in Oklahoma. This evidence was insufficient the Examiner found under the rule announced by the Commission in Union Oil Co., volume 16, Federal Power Commission, page 100, and other cases where rate increases were dismissed because the companies did not disclose their production costs.

Following a rather laborious and disparaging discussion of the rate base method of regulation for producers, the Commission rejected that method holding that it could not reasonably be used in the case. It accepted field price evidence as demonstrating the reasonableness of the increases claimed.

It is obvious that the Commission's decision in a case from which an appeal could not be taken was designed to furnish a precedent for the disposition of future cases which would be binding on the Commission's staff. A large number of producer rate increase cases were set for hearing in June and July.

The industry appraisal of the decision is reflected by an article in the April 14 issue of the Oil and Gas Journal, which states in part as follows:

> "A majority of the Federal Power Commission is standing firm behind a belief that the proper yardstick for measuring independent producers' rates is the area field price, rather than original cost.
>
> "The 4–1 decision emphasize the rift between the Commission and members of the staff who urged that producer prices should be set on the rate base formula."

Members of Congress and consumers groups who were pleased by the failure of this Congress to pass the Harris-O'Hara natural gas bill, may have congratulated themselves prematurely. It looks very much as if the Federal Power Commission, with one notable dissenter, is seeking to give the industry what it desires without new legislation.

Pension Increase to Retired Railroad Workers

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BOLAND. Mr. Speaker, I certainly hope that the House will take favorable action on this legislation to grant a 10-percent pension increase to retired railroad workers. The Senate has already approved of this increase and I think it is incumbent upon this House to do so also.

We all know that the cost of living has increased since the last annuity increase was given to retired railroad workers. The bill to grant a 10-percent increase will come before the House today under unanimous consent procedure and I sincerely hope that there will be no objection to this pension raise. I am in favor of the bill and will vote for it.

Nuclear Ship "Savannah"

EXTENSION OF REMARKS
OF
HON. JOHN F. SHELLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SHELLEY. Mr. Speaker, several months ago, prior to the laying of the keel of the nuclear ship *Savannah*, the thought occurred to me that the agencies involved in the construction and safety requirements of this vessel should give consideration to the possibilities of the Communist-dominated governments propagandizing the fact that this is an atomic-powered vessel. As a result, I addressed letters to the various Government agencies which I estimated would have an interest in the thought that had occurred to me. A similar letter was also sent to the President of the United States. I am submitting for the RECORD a copy of the letter which was sent out and a list of the agencies to which it was forwarded.

I am also enclosing for the RECORD a letter which I have received from Rear Adm. J. A. Hirshfield, United States Coast Guard, which I consider to be the best reply I have received in answer to the questions posed in my letter.

This acknowledgment by Admiral Hirshfield indicates how this small but very effective arm of the United States defense services is alert and on the job.

The letters follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 3, 1958.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: Now that the keel of the nuclear powered merchant ship *Savannah* has been laid, I feel it of extreme importance that the Government take steps to counter what will surely be a strong Communist propaganda barrage against the vessel's maiden and subsequent voyages.

The attack might well consist of warnings to longshoremen around the world not to work the ship because of the danger of radioactivity.

Another form, I feel certain, would be to imply that the ship might blow up without warning in the form of a nuclear burst. Port associations could be warned to refuse her entry on this account.

Normal overboard discharge from the nuclear vessel, the Reds might imply, could pollute and poison the waters of the harbor.

The eyes of the world will be on the *Savannah* when she embarks on her first voyage. I trust our Government agencies are paving her way with some of the above thoughts in mind.

I would appreciate your comments on the matter, and if material has already been assembled, I should be most happy to know about it and to obtain a sampling of the proposed advance publicity on this extremely important global mission of salesmanship for the United States.

Sincerely yours,
JOHN F. SHELLEY,
Member of Congress.

UNITED STATES COAST GUARD,
Washington, D. C., August 22, 1958.

Hon. JOHN F. SHELLEY,
House of Representatives,
Washington, D. C.

MY DEAR MR. SHELLEY: This will supplement our letter to you of June 26, 1958, in reply to your letter of June 3, 1958, on the problems that may be encountered in the operation of the first nuclear powered merchant ship, the nuclear ship *Savannah*. This matter has been given careful consideration and the following comments are offered for your information.

The administration and enforcement of safety standards for merchant vessels are statutory functions of the United States Coast Guard. Since the nuclear ship *Savannah* is being built and operated as a commercial merchant ship subject to the existing marine safety rules and regulations, the Coast Guard's primary interest in the vessel is to ascertain that the design and construction comply with the applicable requirements of the regulations. Upon satisfactory completion, a certificate of inspection for an ocean-going passenger vessel will be issued permitting it to go into commercial service.

As early as 1955, the possibilities of nuclear powered merchant ships began to be seriously considered. It became evident at that time that many new problems and changed conditions would be present since the existing Coast Guard regulations were promulgated primarily for conventionally powered ships. In short, there were no requirements covering nuclear power for merchant ship propulsion. This new source of power with its attendant hazard of harmful radiation brought new problems to the naval architect and marine engineer concerned with safety of life at sea.

Recognizing that the development in the peaceful application of nuclear power for merchant ship propulsion would require changes in the standards promulgated for conventional powerplants, the Coast Guard followed its past practice of developing marine safety standards by close liaison with the marine industry and related groups. Accordingly, an atomic energy panel (M–13), which had been organized under the sponsorship of the Society of Naval Architects and Marine Engineers, was requested to serve the Coast Guard as an industry advisory group in matters pertaining to the regulation of nuclear powered merchant ships. Currently the panel is developing safety considerations applicable to a pressurized water-cooled reactor similar in design to the nuclear system to be installed on the *Savannah*.

Because it is essential for merchant ships to be able to move freely between ports of the world, coordination of various safety requirements of foreign nations and international waterways is handled through the medium of international conferences. The next International Conference on Safety of Life at Sea is scheduled for 1960. The M–13 panel has been designated as the Nuclear Power Committee to assist the Coast Guard in the preparation of the United States nuclear proposals that may come before the conference. Work is underway by the panel to prepare our position on matters relating to nuclear safety considerations for merchant ships.

It was realized that the design of the first nuclear powered merchant ship would require close liaison between the Coast Guard, as the Government regulatory agency responsible for merchant marine safety and the Maritime Administration and Atomic Energy Commission, the agencies responsible for the construction and operation of the nuclear ship *Savannah*. This direct contact has led to a mutual understanding of the problems connected with the anticipated hazards of the nuclear powerplant and the ultimate development of safety regulations to make the operation of a nuclear ship consistent with the safety obtainable for conventional marine propulsion.

The activities of the M–13 panel are being augmented by the work of the technical committees sponsored by our engineering and standardization societies such as the American Society of Mechanical Engineers, American Standards Association, American Nuclear Society, and American Welding Society. The Coast Guard has established liaison membership on nuclear pressure vessel and piping committees and is actively participation in the development of the industry standards to be used in the design, construction, inspection, and testing of nuclear powerplants and nuclear components.

In evaluating the hazards of nuclear propulsion, consideration is being given to such possibilities as a sunken casualty in the open sea, sinkings and grounding in restricted waters, total containment of radioactive fission products, shielding and radiological safety, refueling, waste disposal, reactor controls, manning and training, standby and emergency components, inspection, overhaul and repair, and operational restrictions.

These categories form the basis of the precautions being taken in advance of the ship's completion to assure maximum safety in the operation of the *Savannah*. It will then be possible to present to the public proper assurances that the vessel could be operated with safety to crew and passengers in ports throughout the world.

Sincerely yours,
J. A. HIRSHFIELD,
Rear Admiral, Acting Commandant.

Congresswoman Bolton Reports on the 85th Congress

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. BOLTON. Mr. Speaker, in any attempt to paint the picture of the 85th Congress, first credit must go to President Eisenhower for his vision and his courage in presenting to the Congress a constructive and far-reaching program.

While naturally I like to give credit to our Republican President for asking for much of this major legislation, I know the executive branch is powerless without the Congress of the United States. Therefore, I feel that each of us in the House may feel he or she has been a part of whatever benefits may result from governmental activities of this year. My vote was cast for many of the measures I am reporting here. They represent a compromise, of course, in many cases. In some I think we spent far too much, in others too little.

It seems advantageous at this time when we are so near adjournment to summarize some of the achievements of the 85th Congress. Naturally none of this could have been accomplished without the cooperation of members of both parties.

Let us review first what has been done in the name of "the general welfare" of the people of the United States.

I. THE GENERAL WELFARE

SOCIAL SECURITY

To the 12 million people on the social security rolls the most important legislation of the session is the bill to provide a 7-percent increase in social security benefits. During this period of gradual, but steady, inflation, our senior citizens have been the hardest hit. The amendments provide an average increase of $5 a month in retirement income for this group. The total maximum benefits which may be paid to a family will be increased from $200 to $254 a month.

In addition to the social security increase, there has been legislation covering a 10-percent increase for retired Government employees.

CONFERENCE ON THE AGED

Congressional concern with the rapidly increasing problem of the senior citizen who is living longer on an ever-diminishing retirement income evidenced itself in the passage of a separate bill calling for a White House conference on the aged in 1960. To be preceded by State conferences and given leadership by the Department of Health, Education, and Welfare, this conference will be expected to bring to the President recommendations covering employment, housing, medical care, and community care of the elderly.

UNEMPLOYMENT BENEFITS

The 85th Congress has provided an unemployment program for returning, so-called peacetime veterans. Under this legislation wages earned in the Armed Forces will be counted in computing unemployment benefits exactly as if they had been earned in Federal civilian employment subject to State unemployment laws.

Because of the heavy unemployment compensation caused by the temporary recession which certain States were unable to meet, Congress provided for loans to States to cover up to 15 weeks (13 in Ohio) additional Federal unemployment compensation where State payments have expired.

PAY INCREASES

Recognizing the problems caused by higher living costs, the 85th Congress provided an increase of 10 percent for more than 1 million Federal employees, to be retroactive to January 1958.

A similar 10-percent increase was also given with the same retroactive clause, to our more than 500,000 postal employees.

The armed services as well were given a pay increase of $577 million a year by the Congress. It was so arranged that both men and women who are members of the Armed Forces will be paid at higher rates according to their proficiency. Both were done with the hope that encouragement would thus be given to join up and stay in.

POSTAL INCREASES

In order to bring in to the Treasury additional funds to help meet increased pay rates, a bill was passed increasing first-class mail rates from 3 to 4 cents, airmail from 6 to 7 cents. Second-class mail is to be increased progressively over a period of 3 years by 60 percent for advertising matter and 30 percent for reading matter. Third class will be raised from 1½ to 2½ cents on bulk minimum rates.

CHILDREN'S BENEFITS

Nothing this Congress has done has brought so many expressions to my Cleveland office as the continuation of the school milk program. Nonprofit schools, nursery schools, child care centers, settlement houses, and summer camps have been the beneficiaries heretofore. The recent legislation has extended this program for another 3 years and has authorized the expenditure of $75 million during each of the 3 years. Dairy farmers can rejoice that 1.75 billion half pints of their life-giving product last year nourished children in 71,238 schools and child care stations.

The 85th Congress has again extended Federal assistance to those school districts affected by Federal installations both military and otherwise.

HOUSING

The House acted unanimously to pass a $1.8 billion emergency housing legislation to stimulate the construction of 200,000 homes. We were taking into consideration not only the need for new homes but the desirability of providing 600,000 jobs during the next year.

This act reduces the downpayment on FHA-financed houses. It extends the guaranty and direct loan program for veterans. It also increases the authorization of mortgage purchases of the Federal National Mortgage Association.

Specifically, as passed by the Congress, the bill would authorize the Federal National Mortgage Association—known as Fannie May—to buy up to $1 billion worth of GI and FHA mortgages. The builder gets a commitment from Fannie May to invest in mortgages on homes he builds. He then takes this commitment to a savings and loan association bank or other member and obtains construction financing. After the homes are sold, Fannie May puts up the money for the mortgages.

The bill extends the GI home loan program until July 25, 1960, and lowers FHA downpayments to 3 percent of the first $13,500—instead of the first $10,000.

The House also increased by $4 billion the authorization for FHA mortgage insurance.

OMNIBUS HOUSING BILL

The omnibus housing bill—S. 4035—was brought before the House August 18 under "suspension of the rules" and it was defeated because it did not receive the required two-thirds vote. This bill, as brought out by the committee, would have authorized expenditures of more than $1.25 billion in a single year. Those expenditures would have been in addition to the $1.9 billion contained in the Emergency Housing Act enacted earlier this year, which I supported. The omnibus housing measure, as it came to the floor under a procedure which permitted no amendments, called for twice the expenditures the administration approved. In addition it would have established a completely new principle, removing all control of funds from the Congress. It provided for direct Federal lending of money borrowed from the Treasury; hence Congress would have abrogated its constitutional power of the purse through appropriations. Additionally this measure took the Federal Government into education via the back door by authorizing loans for building college classrooms, a provision which would not have housed a single additional citizen. Those of us who voted against this bill knew this provision should have been considered by the Committee on Education and Labor, and then, if found necessary, brought to the floor in a separate bill.

HOSPITAL CONSTRUCTION

The Hill-Burton Hospital Survey Construction Act which has worked so well the past 12 years, was extended for an additional 3 years. This is one of the best examples of State-Federal relationships in that funds are made available by the Federal Government to the State for hospital construction. The program is administered entirely at the State level and it is the State agency which determines which projects are to be given grants and how much of the actual construction funds must be put up by the sponsor of the hospital.

VETERANS

One of the very constructive activities of the 85th Congress has been the codification of laws administered by the Veterans' Administration, bringing them all into one act.

Pensions for widows of the Spanish-American, Indian, Mexican, and Civil Ware have been increased from $40–$57 to $65–$75.

The House also approved legislation granting a Federal charter to the Veterans of World War I. This veterans' organization was formed in Cleveland in 1949, and since then has grown to include approximately 80,000 members in more than 1,000 local chapters in 47 States. Membership is predicated upon honorable service in World War I between April 6, 1917, and November 11, 1918.

Incidentally, it is very gratifying to me that plans for two new Veterans' Administration hospitals for northern Ohio are progressing rapidly. Plans should be completed by October for a new neuropsychiatric hospital at Brecksville and funds for a new general, medical, and surgical hospital in the Cleveland area are expected to be included in the 1960 budget.

EDUCATION

On August 8, H. R. 13247, known as the National Defense Education Act of 1958, was passed by the House.

While I give full credit for an earnest attempt to solve some of our educational problems to my colleagues who voted for

this bill, I still remain in disagreement with them. It seems to me that it is a mistake for the Federal Government to move too heavily into the field of education.

As passed by the House this bill would have put the Federal Government into the business of education to the tune of about $1 billion. If I thought the $1 billion would achieve the purpose intended by this measure, I would be more favorably disposed. However, the entire educational experience of this country shows that the greatest progress has been made through the States and not by overall Federal controls. There is no question that he who pays the piper calls the tune, and Federal financing means Federal control of the school system everywhere.

It is noteworthy that this bill also does not get to the crux of what many educators think is our major problem—the fundamental primary school training. In passing, also let me note that this measure, while it was designed to help students get through college, makes no provision for additional pay for schoolteachers. Our educators complain more bitterly about the lack of good teachers than anything else. The only help to teachers offered here is 4 years' training for foreign language teachers, who presumably would be expected to teach at the same too-low pay scales.

Editorials from Cleveland newspapers point out that although the House-passed measure provides for college scholarships for students there are literally thousands of scholarships which go begging every year. It seems to me a mistaken theory that the mere appropriation of large sums of money from Washington can force people to do what they are apparently not disposed to do for themselves.

Our leading scientists seem to be in agreement that any program to stimulate scientific training should start in the elementary grades. This is where the child's initial interest in science or any other subject is first aroused. This measure starts from the top, in other words, at the college level and tries to take young people whose bents have already been formed and turn them into scientific channels. Neither educators nor scientists believe this feasible.

I want to point out that the Cleveland Plain Dealer also notes this measure certainly would result in drying up scores of private scholarship money. I think this would be disastrous. The Cleveland Press, a Scripps-Howard newspaper, terms this measure, "A part of the irresponsible push toward bigger Federal deficits, more power in Washington and less for the States and the people themselves."

NATIONAL CULTURAL CENTER

Congress at long last approved the establishment of a National Cultural Center in Washington by adopting a Senate-passed measure. Earlier I had introduced similar legislation to accomplish this purpose. It has taken the lifetime of this Republic of ours to achieve this step in the enlightment and education of our people. George Washington, and several presidents after him, foresaw this need and President Eisenhower sent us a letter of endorsement. The National Cultural Center will be valuable not only to our own people but helpful in our relationships abroad. I am most happy this legislation has become law.

FOOD STAMP PLAN

This measure, which would have removed the distribution of Federal surplus foods from the hands of the States and placed it indirectly in the hands of the Federal Government, was defeated by the House. Brought up under suspension of the rules, it did not receive the required two-thirds vote. The bill was opposed by the Department of Agriculture partly because of its extreme costliness and partly because it would take away the jurisdiction of the States. Under the proposed measure needy families would buy orange stamps which they could exchange for food at retail outlets. They would be given blue stamps which they could exchange for surplus foods. Thus the standards of eligibility of economic needs of people would be taken from the States. Additionally costs would be huge, since arrangements would have to be made to supply more than 300,000 food retail outlets with surplus commodities. I concurred with those who opposed this measure.

II. THE DOMESTIC ECONOMY

Recognizing that certain areas in the United States—I regret to say Cleveland among them—have been hit by a business recession, the Congress has devoted much of its attention to various measures to increase the opportunity for American citizens to earn more money and overcome the recession. We have tried to provide those aids to business and industry which will permit them to offer larger employment.

SMALL BUSINESS

One such measure gave permanent status to the Small Business Administration, increased its lending authority and reduced interest rates to small business concerns. The Small Business Administration has already built a glowing record of service to small businesses in Ohio. Since its establishment, 356 business loans have been made to Ohio firms totaling $24,147,722. In addition, through May, 1958, small businesses in Ohio have completed 1,843 Government contracts for various supplies and services, in an amount of about $69,523,087. This was accomplished largely through the efforts of the SBA's Cleveland Regional Office which is headed by James G. Garwick. For small-business men with problems, Mr. Garwick or members of his staff are always available. The Cleveland office is located in the Standard Building, 1370 Ontario Street.

This Congress also passed legislation to make it possible for State development agencies, or investment agencies to set up for the purpose, to lend money to small business. It is expected to open the door for small businesses to obtain venture capital, equity capital, or long-term, 20-year loans from these agencies.

And, of course, the previously outlined increases in social security and extensions of unemployment benefits as well as salary increases in many quarters have also been of assistance to those affected by the recession.

HIGHWAY CONSTRUCTION

The 85th Congress also provided $5.5 billion for highway construction. When we enacted this legislation we had in mind speeding up a previously adopted program to create employment. Incidentally, the Highway Construction Act included an amendment to encourage the States to restrict billboards on interstate highways.

We also passed resolutions urging the executive departments to accelerate all Federal construction projects, both military and civilian, for which funds had been previously appropriated, to stimulate the economy.

The Emergency Housing Act, which I previously mentioned, was also another measure which played a prominent part in overcoming the temporary decline in business.

RAILROADS

Railroads annually have contributed to our economy approximately $5.5 billion in wages, $3 billion for purchase of material, supplies, and equipment, and more than $1 billion in taxes—Federal, State, and local. With the competition railroads have today from buses, airlines, pipelines, and so forth, the railroads are in great financial difficulty.

Recognizing the need to give relief to this great industry—so important to Cleveland—the Congress provided a Federal guaranty of up to $700 million in loans to railroads to finance new equipment, provide operating expenses, and meet other obligations. The same legislation also revised the interstate commerce regulations which were made during a time when railroads were considered to be a monopoly. This special aid to railroads is an aid to labor as well as to the railroads considering the $5.5 billion annual payroll of the railroads.

In a separate bill, the Congress repealed the 3-percent tax on freight which may offset the 20-percent drop in freight carloadings during the past year.

FLOOD CONTROL AND HARBOR IMPROVEMENTS

Of particular interest to Cleveland was the $1.5 billion harbor authorization bill. It contains authorization for $14 million additional improvements for Cleveland harbor to replace 2 railroad bridges and 1 highway bridge. It is important that this work on the Cleveland harbor be completed at an early date to make it ready for the opening of the St. Lawrence Seaway in 1959 to deep-draft vessels.

RECIPROCAL TRADE

We extended the Reciprocal Trade Act for 4 years giving the President authority to cut tariffs up to 25 percent. Congress by adopting a concurrent resolution by a two-thirds vote may override the President if he does not heed the recommendation of the Tariff Commission—under peril-point action—to increase tariffs for the protection of American industry.

We should note here that foreign trade provides jobs for 4.5 million Americans. We know that many of the products manufactured in Cleveland

such as paint, enamel, automobile parts, and so forth, go into items for export. A recent Ohio industrial study by the United States Department of Commerce showed that approximately 30 percent of Ohio workers are in industries which depend upon foreign exports for profit margin.

AREA REDEVELOPMENT

A measure which I was unable to support was S. 3683, the so-called Area Redevelopment Act.

This legislation would set up a new Government agency—the Area Redevelopment Administration, headed by a Commissioner. The new agency would be given approximately $275 million in funds to make loans and finance projects in certain distressed areas.

Under the bill's definition of a distressed area, those sections suffering from unemployment due to the temporary business recession—such as Cleveland—would receive no benefits unless the present rate of unemployment increased and continued at an increasing rate for a year or longer. Because of this, to me the bill seemed to be discriminatory. No justification was demonstrated for singling out a special group among the unemployed for special benefits. All persons out of work, regardless of where they live, should be equally eligible for assistance under any Federal program.

In addition, this legislation would be of no immediate help even to the relatively few areas that would be eligible for assistance. The bill envisions a time-consuming process which includes the establishing of a new agency, the appointing of local processing committees, the soliciting of new industries to move into an area, the constructing of a new industrial building, and the retraining of workers. Even if this program were established on a workable basis, it could not possibly begin operation for a long period of time.

AGRICULTURE BILL

Congress finally agreed upon a compromise farm bill which had the support of Secretary of Agriculture Benson and the American Farm Bureau Federation. Final adoption of the measure can be regarded as a tribute to the skill, wisdom, and determination of Secretary Benson, who was most anxious to give the American farmer more freedom and self-determination. Despite all the partisan politics the farm question inevitably provokes, those of us who supported this legislation can justly feel we have done an excellent job for the American farmer.

Under this new law farmers may vote whether or not they want to continue the present corn acreage allotment with price supports between 75 and 90 percent of parity or whether they want unlimited acreage allotments with price supports of 65 percent of parity.

Cotton acreage allotments, which would have been cut without legislation, will be kept at present levels and price supports will be gradually reduced over a 4-year period.

The Wool Act was extended for 4 years and the program of donating surplus dairy products to veterans' hospitals and the armed services was continued.

LABOR LEGISLATION

The House voted down the Senate-passed Kennedy-Ives labor bill to curb labor racketeering. The record is clear that the House acted not necessarily in disapproval of the Senate measure but because of lack of any real opportunity to consider the legislation. Neither House committees nor Members were given any real chance to consider this important bill. Surely it was too much to expect that House Members could conscientiously decide upon such an important policy under a procedure which allowed only 20 minutes debate to a side, and no amendments.

The Democratic chairman of the House Education and Labor Committee, the distinguished Hon. GRAHAM BARDEN of North Carolina, put in a few terse words the problem before us when he said:

What disturbs me and rocks me is that we are called upon on the floor of this House to take a bill that is so vital, that is the most dangerous and the most far-reaching piece of legislation in the field of labor and management that has come to this floor since the Taft-Hartley bill, a bill of 48 pages; we are called upon to understand it and to do the wise thing and to keep faith with America in 40 minutes. I cannot refrain from saying that it is an insult to the House and no compliment to their intelligence to expect them to do this thing.

CONGRESS HELPS

As we approach the end of the 85th Congress, it is encouraging to note many signs that the measures we have taken are already becoming effective. It is with much satisfaction that we note reports that there is a big rise in construction activity and many factories are rehiring—Jones & Laughlin and other big Cleveland plants are reopening. There is a rise in steel production. As a result of pay increases, retail sales showed a great increase. All of this is healthy and should afford proof to the American people that both the executive and the legislative branches are deeply concerned with their individual welfare.

III. THE COMMON DEFENSE

As would be expected at this time the 85th Congress delved very deeply into all questions affecting our national defense.

Acting in cooperation with the executive branch and the military authorities, the 85th Congress took a series of actions to bolster the national security.

The Congress authorized the expenditures of $549 million to expand and accelerate construction of missile bases, detection and warning systems. We consider this of the utmost importance.

SPACE AGENCY

This Congress also established the National Aeronautics and Space Administration, a new civilian agency, headed by a Director and Deputy appointed by the President by and with the advice and consent of the Senate to operate under the control and direction of a policy board of seven members including the Secretaries of State and Defense and the Chairman of the Atomic Energy Commission. Developments of the last year, including the launching of the Russian sputnik, point to the urgency of establishing this new agency. We hope that the clarifying of responsibility in this legislation will accelerate our space program so vital to our defense.

GLENNAN NAMED

The President has named T. Keith Glennan, president of Case Institute of Technology, Administrator of the new National Aeronautics and Space Administration. Few persons anywhere in the world are so qualified as he to fill the new position. If I may be pardoned a personal reference here, I am glad to see Case Institute figure in the news. My father helped to found this great Cleveland institution.

ATOMIC DEVELOPMENTS

The Congress also authorized $36 million to be appropriated for construction of a reactor for an atomic-powered destroyer.

The 85th Congress also made provision for exchange of mutually essential atomic information and materials with our allies. It is important that the people know that the Congress will review any agreements to exchange military information or materials.

DEFENSE REORGANIZATION

President Eisenhower commended the Senate and House Armed Services Committees upon the defense reorganization measures which the 85th Congress passed. The bill consolidates full authority in a Secretary of Defense, gives the Secretary of Defense authority and flexibility to transfer funds from one function to another, and streamlines military command channels.

FEDERAL AVIATION AGENCY

The collision of military planes with commercial airliners pointed up the need for a single agency control of both military and civilian flights. This Congress promptly took action to establish a single Federal Aviation Agency. With all air traffic under one agency, we should have both safe and more efficient use of the airspace.

IV. FOREIGN AFFAIRS

Now let us take a look at our accomplishments in the area of foreign affairs. The activities of the Foreign Affairs Committee, on which I have served since 1941, have increased many fold in the last several years. The assumption of bilateral and multilateral treaty commitments to secure the defense of the Free World carries with it an enormous amount of legislative responsibilities. Chief among the legislation that must annually be considered by our committee is the mutual security program.

MUTUAL SECURITY

Under the leadership of the Foreign Affairs Committee the Mutual Security Act was continued in both 1957 and 1958. Now in its eighth year this program has played a key role in maintaining our Free World system of collective security. With the increased challenge presented by the growing Communist economic offensive, the program is being redirected to provide more assistance to the underdeveloped nations of the world. Through Special Assistance, the Development Loan Fund, and Technical Cooperation means are provided to affirmatively respond to the challenge.

HUNGARIAN RESOLUTION

Shocked by the brutal execution of Imre Nagy and the other Hungarian revolt leaders, the House unanimously voted its indignation at this act dictated by the Soviet Union. Our resolution stated that this Soviet reprisal shocked the conscience of decent mankind, and requested the President to express the sympathy of the American people for all Hungarians.

MIDDLE EAST RESOLUTION

At the urgent request of the administration the Congress authorized the President to undertake economic and military cooperation with nations in the Middle East in order to strengthen them against Communist aggression. After weeks of intensive study by the committee, the resolution, which provided that up to $200 million could be made available for this purpose, was approved overwhelmingly.

CREATION OF PERMANENT U. N. POLICE FORCE

Toward the latter part of the session the House approved House Resolution 367 which called for the creation of a permanent United Nations police force. In so doing the Congress recognized the valuable contribution to peace which has been made by the United Nations force in the Gaza Strip. From my inspection trip to the area last year I observed first-hand the tranquillity the U. N. forces brought to this area of great tension.

ASSISTANT SECRETARY FOR AFRICA

In recognition of the growing importance of Africa in international affairs, the Congress enacted legislation providing for an additional Assistant Secretary of State for Africa. This act will make possible an expanded Bureau of African Affairs within the Department, and the strengthening of our consulates and embassies abroad. I have urged the passage of such legislation ever since my study mission to Africa in 1955, and believe that it will bring improved relationships with a vital part of tomorrow's world.

In nominating Joseph C. Satterthwaite to this post the administration has indeed chosen well.

STUDY MISSIONS ABROAD

As a ranking member of the Subcommittee on the Near East and Africa, I have undertaken two study missions to that area during this session of Congress. In March of 1957 I was named by President Eisenhower as an official delegate to the independence ceremonies of the new state of Ghana. The United States delegation was led by Vice President NIXON, and made official stops in Morocco, Ghana, and other African countries. The mission was enthusiastically received everywhere it went, and added to the large amount of good will which we already enjoyed throughout Africa.

Last fall I undertook at the committee's request a study mission to investigate the Arab refugee camps in the Middle East and inspect our installations in North Africa. Through the excellent cooperation of United Nations officials who maintain responsibility under which the some 900,000 refugees live, I was able to visit all the principal camps and talk with many people. My findings were submitted to the Foreign Affairs Committee in a formal report filed this year. These study missions are of invaluable help to our committee. They add to our knowledge of other peoples and countries, and give others a glimpse of what an American is. We hope such visits will bring better understanding between us and other nations.

V. A NEW STATE

The 85th Congress added the 49th star to the flag of the United States of America when we voted to admit Alaska into the Union.

The opinion of the Congress was somewhat divided, but the yeas won.

Mutual Aid

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement relative to the mutual aid issue.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR HUBERT H. HUMPHREY

In connection with the mutual aid issue, it is important for us to take note of the relationship between the United States and Turkey. This is particularly important in the light of our Government's most welcome decision to participate with the Organization for European Economic Cooperation and the European Payments used in helping to meet its growing economic problems.

Not long ago a distinguished correspondent for the New York Times, Mr. C. L. Sulzberger, had the following to say: "In certain respects the most important statesman Dulles will meet during his current leap to Europe is Adnan Menderes, the suave Premier of Turkey."

There is no doubt that the Turkish Republic is by far the strongest of our ever-diminishing allies in the Middle Eastern area. There is no doubt in my mind but that we must do what we can to strengthen Turkey, militarily and economically, so that it can have the internal resources to remain a bulwark for freedom in the Middle East and Europe. It would be tragic if we allowed the strength of Turkey to deteriorate and then moved in with a mass spending program when it is too late for any money to be of assistance to us. A dollar spent now before it is too late is worth many dollars spent later.

Turkey is today almost totally surrounded by hostile forces, including Bulgaria, Russia, the Syrian portion of the United Arab Republic and now perhaps Iraq. Only Iran remains friendly and, of course, we know of the deep tensions between Turkey and Greece. Turkey is, therefore, in a geographically weak position. We must do everything we can to bring about a settlement between Turkey and Greece on the Cyprus question so as to help strengthen that geographic weakness and reestablish the Greeks and Turks as Western allies in behalf of freedom and against Soviet totalitarianism.

Turkey's weakness, however, is more than geographic. It is primarily economic. We know that the Turkish army is as good an army as can be found in the world. The Turks have demonstrated their courage and bravery on many occasions, not the least of which was in Korea. Turkey has remained our most loyal ally in all of our diplomatic relationships. Turkey has supported us constantly in the United Nations, in the Atlantic Pact and in the Baghdad Pact. The present Turkish Government in fact is now under attack from within because it supported us in Lebanon. There is, of course, room for healthy difference of opinion within Turkey as there is room for such differences within the United States. This is the essence of the democratic society, but we must understand that internal differences can become internal chaos if they are accompanied by severe economic strains and dislocations.

For a number of years I have been urging our State Department to pay attention to the problem of Turkey. We cannot take our friends for granted. We have been, in my judgment, too much concerned with our criticisms of Turkey's internal economic organization and have allowed ourselves to be so lost in those concerns that we have forgotten our ultimate objective—the maintenance of Turkey as a firm, economically healthy and militarily strong ally.

I hold no brief for the way Turkey has managed its internal economic affairs. I am certain that they have not always acted prudently, even though I have not given this matter personal study. But I know that we in the United States have also frequently acted unwisely in our economic affairs and I know that frequently our economic decisions have been based on political considerations just as they are undoubtedly so based on many occasions within Turkey. Economics does not operate in a vacuum. Political considerations in a democracy are always present. I repeat, however, that we should never lose sight of our ultimate objective. Constructive criticism—yes; but also support.

It is reported that Turkey's foreign commercial debt is nearly $500 million today and that she has additional foreign debts of a similar amount. Turkey is today in the midst of a serious inflation. Its consumers are deprived of many needs. Its relationship with American businessmen has deteriorated because of the shortage of foreign exchange. This is an unhealthy and dangerous situation.

It has not generally been reported in the American press, but the European press has noted the fact that a number of weeks ago there was an attempted revolt in Turkey by some leaders of the army. I do not know the details of the revolt or the loyalties of those who attempted to overthrow the Government. I do know, however, that such instability in one of our strongest allies is unhealthy for the United States. I know, furthermore, that such instability is fostered and encouraged by economic deprivation and chaos.

We in Minnesota have a number of business concerns which engage in international trade. Two of our largest companies have made significant investments in Turkey and have attempted to open up plants for further economic development. In both cases the lack of foreign exchange has made it impossible for these companies to fulfill their plans. The United States Department of Commerce encourages foreign businessmen to invest in countries like Turkey and the administration has emphasized the importance of trade and not just aid. Yet, insofar as Turkey is concerned, the vast numbers of American business people who have invested in Turkey have found that the shortage of foreign exchange has made it impossible for them to fulfill their expectations.

It is this experience on the part of my constituents which has made me aware of the problems in Turkey. I have personally discussed these problems with a number of American businessmen. I am fully persuaded that the United States has a responsibility to be of assistance to those American businessmen who have made investments in Turkey and thus, at the same time, improve Turkey's economic position. I intend to press for this because I am convinced that it is in our national interest.

I urge that the attitude of the State Department, the ICA, the Development Loan Fund, and the Export-Import Bank change and that these agencies of our Government all mobilize themselves so that we fulfill our responsibilities. Our attitude should be one of constructive assistance to a friend, a friend in need.

It is most heartening to note that our Government recently took an important step toward meeting the problem. The State Department is to be commended for that step. We are to provide a total of $234 million, together with an additional credit equivalent of $100 million, which will be extended by European countries to help Turkey get on its feet. This will all be done in cooperation with the International Monetary Fund, which has agreed to a purchase of foreign exchange for its resources amounting to the equivalent of $25 million, half in United States dollars and half in German marks.

Mr. President, it is my hope that the mutual-security program will continue to operate with the full understanding that one of our objectives is to help Turkey, our ally and friend.

Approval of a Forward-Looking Program on the Military and Peacetime Uses of Atomic Energy Is Among the Achievements of the 85th Congress

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. VAN ZANDT. Mr. Speaker, the adjournment of the 85th Congress climaxes 2 years of intensive legislative activity by the Congressional Joint Committee on Atomic Energy that resulted in the enactment of laws that vitally affect the military and peacetime use of the atom.

As ranking minority House member of the Joint Committee on Atomic Energy, I join with my colleagues on the committee in expressing the keen satisfaction derived from the beneficial results that have attended our efforts to advance the atoms-for-peace program proposed by President Eisenhower. Both from the standpoint of our national security and the peacetime usage of the atom, much progress has been made in enacting legislation vital to both programs and in clarifying the position of the United States with respect to its stewardship in this atomic age.

The following summary of major legislation sponsored by the Congressional Joint Committee on Atomic Energy during the first and second sessions of the 85th Congress shows the far-reaching effects of the various measures. The legislation reflects the time, attention, and positive action taken by Congress in further harnessing the atom for military and peacetime purposes and the attitude of this Nation with respect to sharing atomic information with friendly nations:

MAJOR ATOMIC ENERGY LEGISLATION, 85TH CONGRESS, 1ST SESSION—SUMMARY OF MAJOR PROVISIONS OF BILLS

AGREEMENTS FOR COOPERATION—COOPERATION WITH BERLIN

H. R. 5866 (H. Rept. 228), Public Law 85-14. S. 1549 (S. Rept. 191), 85th Congress, 1st session.

Amends the Atomic Energy Act of 1954 by the addition of a new section 125—Cooperation with Berlin.

Provides that the President may authorize the AEC to enter into an agreement for cooperation with the Federal Republic of Germany, on behalf of Berlin (United States, Great Britain, and French sectors over which the Berlin Senat exercises jurisdiction), and that the AEC may thereafter cooperate with Berlin under the provisions of the Atomic Energy Act, provided that the guaranties required by section 123 of the act shall be made by Berlin with the approval of the Allied Commandants.

H. R. 5866 (S. 1549) as "clean bills" were introduced on March 12 by Mr. COLE and Senator PASTORE and superseded H. R. 5320 which was introduced on February 26 by Mr. COLE.

Legislative history of H. R. 5866 (1957)

March 12: Introduced and referred to the Joint Committee on Atomic Energy.

March 26: Reported in the House and committed to the Whole House on the State of the Union (H. Rept. 228). Called up by unanimous consent and passed.

March 27: Senate notified of House passage; bill read twice and referred to the Joint Committee on Atomic Energy.

March 29: Joint Committee on Atomic Energy discharged from further consideration of H. R. 5866 and the bill was passed in lieu of S. 1549.

April 1: House notified of Senate passage. Bill examined and signed by the Speaker. Bill examined and signed by the Vice President.

April 2: H. R. 5866 presented to the President for approval.

April 12: Approved, Public Law 85-14, 85th Congress, 1st session.

APPROPRIATIONS—AUTHORIZATION REQUIREMENTS

S. 2243 (S. Rept. 437), Public Law 85-79. H. R. 7992 (H. Rept. 571), 85th Congress, 1st session.

To amend the Atomic Energy Act of 1954, as amended, and for other purposes.

Amends section 261, Appropriations, of the Atomic Energy Act so as to require the AEC to submit more items in its reactor development program to the Congress through the Joint Committee for authorization prior to requesting appropriations for these projects.

Provides that for the purposes of section 261 a—any nonmilitary experimental reactor which is designed to produce more than 10,000 thermal kilowatts of heat (except for intermittent excursions) or which is designed to be used in the production of electric power shall be deemed to be a facility—and thus requires prior authorization before funds may be requested for the projects.

Requires prior authorization for appropriations necessary to carry out the reactor projects in the AEC cooperative programs with private industry and other persons. Provides that acts appropriating such sums may appropriate specific portions thereof to be accounted for upon the certification of the Commission only.

Amends the Atomic Energy Act by the addition of a new section—Section 58: Review—requiring the AEC to submit regulations establishing any fair price or guaranteed fair price period, or establishing any criteria for the waiver of any charge for the use of special nuclear material in the civilian atomic power program to the Joint Committee for a period of 45 days before such regulations become effective, providing, however, that the Joint Committee may by resolution waive the conditions of or all or any portions of such 45-day period.

Legislative history of S. 2243 (1957)

June 10: Introduced by Senator ANDERSON and referred to the Joint Committee on Atomic Energy.

June 14: Reported, with amendments, in the Senate (S. Rept. 437).

June 19: Passed by voice vote in the Senate.

June 24: Called up in the House under suspension of rules and passed in lieu of H. R. 7992.

June 26: Examined and signed by the Vice President and the Speaker. Presented to the President.

July 3: Approved, Public Law 85-79, 85th Congress, 1st session.

Hearings: Executive hearings on Congressional review of atomic-power program were held on May 28 and June 10. Unclassified version of testimony published.

AEC SALARY BILLS

H. R. 8994 (H. Rept. 977), Public Law 85-287. S. 2672 (S. Rept. 790), 85th Congress, 1st session.

(NOTE.—Bills supersede H. R. 8003 (DURHAM).

Amends the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes.

Salary increases as follows:

Chairman: From $20,000 to $22,500.

Commissioners: From $18,000 to $22,000.

General manager's maximum salary: From $20,000 to $22,000.

Program division directors: From $16,000 to $19,000.

Director of Inspection Division: From $16,000 to $19,000.

General counsel: from $16,000 to $19,500.

Authorizes establishment of positions with specified maximum salaries as follows:

Deputy general manager, $20,500.

Assistant general managers (not to exceed 3), $20,000.

Executive management positions (not to exceed 6), $19,000.

Amends section 161 (d) of the Atomic Energy Act to establish the maximum salary of $19,000 for "scientific and technical personnel."

Legislative history of H. R. 8994

July 31, 1957: Introduced by Mr. DURHAM and referred to the Joint Committee on Atomic Energy.

August 2, 1957: Reported in House (H. Rept. 977) and placed on Union Calendar.

August 26, 1957: Passed House.

August 27, 1957: Placed on Senate Calendar.

August 29, 1957: Passed Senate.

September 4, 1957: Approved, Public Law 85-287, 85th Congress, 1st session.

AUTHORIZATION LEGISLATION

H. R. 8996 (H. Rept. 978), Public Law 85-162. S. 2674 (S. Rept. 791), 85th Congress, 1st session.

(NOTE.—These bills supersede H. R. 5889 (DURHAM) and S. 1572 (ANDERSON).)

To authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

Authorizes the appropriation of $220,230,000, in accordance with section 261a (1) of the act, for acquisition or condemnation of any real property or any facility

or for plant or facility acquisition, construction, or expansion. This amount includes 3 projects totaling $21 million which were added by the Joint Committee, as follows:

Project 58–b–8: Production reactor for special nuclear material; development, design, and engineering only, $3 million.

Project 58–e–14; Natural uranium graphite moderated gas-cooled power reactor prototype; development, design, and development only, $3 million.

Project 58–e–15: Plutonium recycle experimental reactor designed for the production of 15,000 electrical kilowatts equivalent, $15 million.

With respect to project 58–b–8 and 58–e–14, listed above, the law:

Directs the AEC to proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable of the respective facilities.

Directs the AEC to submit reports to the Joint Committee on Atomic Energy on its designs, including cost estimates and schedules of construction for projects 58–b–8 and 58–e–14, not later than April 1, 1958.

With respect to project 58–e–15, listed above the law:

Directs the AEC to proceed with the design, engineering and construction under contract, as soon as practicable, of the prototype power reactor facilities authorized under the projects at installations operated by or on behalf of the Commission and that the electric energy generated shall be used by the Commission in connection with the operation of such installations.

Authorizes the Commission to obtain the participation of private, cooperative, or public power organizations to the fullest extent consistent with Commission direction of the project, ownership of the reactor, and utilization of the electric energy generated.

Provides that each prototype power reactor facility constructed under these authorized projects authorizations shall be operated by, or under contract with, the Commission and shall be dismantled at such time as it serves no further research or demonstration purpose.

Amends Public Law 141, 84th Congress, 1st session, and Public 506, 84th Congress, 2d session, to provide for increases in project authorizations for certain projects authorized in the 2 previous fiscal years, in the total amount of $30,535,000; and to rescind authorization for certain projects authorized in the 2 previous fiscal years, in the total amount of $129,847,000.

Authorizes the Commission to use its funds for certain purposes in connection with the anticipated move from the Commission headquarters building in Washington, D. C., to the new headquarters near Germantown, Md., in an amount not to exceed $75,000.

Authorizes funds for the cooperative power demonstration reactor program in accordance with section 261a (2) of the Atomic Energy Act as required under the provisions of Public Law 85–79 (85th Cong., 1st sess.), approved July 3, 1957. Provides for an authorization in the amount of $129,915,000 for use in a program not to exceed $149,915,000. The differential of $20 million represents types of assistance other than funds which may be provided by the Commission, including waiver of charges for the use of materials furnished by the Commission.

Provides that arrangements for projects sponsored under the second round of the Commission's power reactor demonstration program by cooperatives and publicly owned agencies shall be carried on by direct contract by the Commission and the equipment manufacturer with respect to the development, design, and construction of the reactor and related facilities, and by direct contract between the Commission and the cooperative or publicly owned organization with respect to the provision of a site and conventional turbogenerating facilities, and the operation of the entire plant.

Specifies that sale of steam by the Commission under contract with the cooperatives or publicly owned organization shall be at rates based upon the present cost of, or the projected cost of, comparable steam from a plant using conventional fuels at such locations.

Provides that the projects shall be operated under contract with the Commission for such period of time as the Commission determines to be advisable for research and development purposes but in no event to exceed 10 years. Upon the expiration of such period, the reactor and appurtenances shall be offered for sale to the cooperative or publicly owned agency at a price to reflect appropriate depreciation but not to include construction costs assignable to research and development. In the event the cooperative or publicly owned agency elects not to purchase the reactor and its appurtenances, the Commission shall dismantle them.

Provides that funds in the amount of $1,500,000 may be expended for additional general research and development in Commission laboratories to advance the technology of the fast breeder reactor concept.

Specifies that the date for approving proposals under the third round of the power demonstration reactor program shall not be later than December 31, 1958, and no funds authorized for the third round shall be expended on any other projects.

Provides that before the Commission enters into any arrangement or amendment thereto, the basis of which has not been previously submitted to the Joint Committee, the basis for the arrangement or amendment thereto which the Commission proposes to execute shall be submitted to the Joint Committee, and a period of 45 days shall elapse while Congress is in session, unless waived by the Joint Committee.

Under the new contractual arrangements established the total amounts estimated by the AEC for each project are expected to be expended as follows:

First round invitations:	
Research and development on fast breeder concept	$1,500,000
Consumers Public Power District of Nebraska	50,178,000
Second round invitations:	
Rural Cooperative Power Association, Elk River, Minn.	8,446,000
Wolverine Electric Cooperative, Hersey, Mich.	5,472,000
City of Piqua, Ohio	7,510,000
Chugach Electric Association, Anchorage, Alaska	15,809,000
Postconstruction research and development and operating expenses	11,000,000
Third round invitations:	
Research and development	30,000,000
Total	129,915,000

NOTE.—With the exception of $1,500,000 for research and development on fast breeder concept, these estimates are not listed as line items in the law but are contained in the reports.

Hearings: Parts I and II published.

Amends section 161 e. of the Atomic Energy Act of 1954 to permit the renegotiation of commercial leases at AEC owned communities in order to avoid inequities or undue hardship prior to the sale of the Government-owned property.

Amends the Atomic Energy Community Act of 1954 by requiring the use of such renegotiated leases as the basis for appraisal of the commercial property to be sold. Provides that where such renegotiations are requested, sale proceedings shall not be initiated until the completion of the renegotiations.

Requires the AEC, the FHA, and the HHFA to report to the Joint Committee by January 31, 1958, with respect to the renegotiations, reappraisals, and sales proceedings authorized under sections 201 and 202 of this act.

Amends section 161 of the Atomic Energy Act of 1954 by the addition of a new subsection s. Authorizes the AEC, under such regulations and for such periods of time and at such prices as the AEC may prescribe, to sell or contract to sell to purchasers within Commissioned-owned communities or in the immediate vicinity of such communities specifically set forth utilities and related services if such utilities and related services are not available from another local source and the sale is in the interest of national defense or in the public interest.

Provides that the proceeds of such sales shall be credited to the appropriation currently available for the supply of that utility or service.

Legislative history of H. R. 8996

July 31, 1957: Introduced by Mr. DURHAM and referred to the Joint Committee on Atomic Energy.

August 2, 1957: Reported in House (H. Rept. 978).

August 9, 1957: Passed House, amended. Rollcall vote of 382 to 14.

August 10, 1957: Ordered placed on Senate Calendar.

August 16, 1957: Passed by voice vote in Senate, amended by striking out all but enacting clause and substituting in lieu thereof the text of S. 2674, as amended. S. 2674 indefinitely postponed. Senate insists upon its amendments, requests conference and appoints conferees.

August 19, 1957: House notified of Senate action, disagrees with Senate amendments, agrees to conference, and appoints conferees.

August 20, 1957: Conference report filed (conference report No. 1204). (Text printed in RECORD.) House agrees to conference report. Senate agrees to conference report.

August 21, 1957: Approved, Public Law 85–162, 85th Congress, 1st session.

AUTHORIZATION—AEC PRINCIPAL OFFICE BUILDING

S. 1918 (S. Rept. 413), Public Law 85–107, 85th Congress, 1st session. H. R. 6978 (H. Rept. 539).

Amend Public Law 31, 84th Congress, to increase the authorization for appropriations to the AEC for the construction of a modern office building in or near the District of Columbia.

Authorizes an increase of $3,300,000 in appropriations for the construction of building.

In part, heard with authorizing legislation, April 10 and 17. Hearings on authorizing legislation published.

Legislative history of S. 1918

April 18, 1954: Introduced by Senator PASTORE and referred to Joint Committee on Atomic Energy.

June 6, 1957: Reported by Senator ANDERSON (S. Rept. 413).

June 12, 1957: Passed over on Senate Calendar.

June 26, 1957: Passed in the Senate by voice vote.

June 27, 1957: House notified of Senate passage.

July 10, 1957: Passed in House in lieu of H. R. 6978.

July 11, 1957: Senate notified of House passage.

July 12, 1957: Examined and signed by Speaker and Vice President.

July 17, 1957: Approved, Public Law 85–107, 85th Congress, 1st session.

H. R. 6978

April 17, 1957: Introduced by Mr. DURHAM and referred to the Joint Committee on Atomic Energy.

June 6, 1957: Reported by Mr. DURHAM (H. Rept. 539) and committed to the Committee of the Whole House on the State of the Union.

July 10, 1957: S. 1918 passed in lieu of H. R. 6978.

INDEMNIFICATION AND LIMITATION OF LIABILITY

H. R. 7383 (H. Rept. 435), Public Law 85–256, 85th Congress, 1st session. S. 2051 (S. Rept. 296).

(NOTE.—These bills supersede H. R. 1981 (PRICE), S. 42 (ANDERSON), H. R. 888 (PRICE), S. 715 (ANDERSON), and H. R. 3798 (BARING).)

Amends the Atomic Energy Act of 1954 by the addition of a new section 170—Indemnification and limitation of liability, and makes appropriate amendments to other sections of the act dealing with findings definitions, and conditions attached to licenses for special nuclear materials.

Provides for a program of Government indemnification arising from nuclear incident damages which are in excess of the financial protection the licensee is required to maintain. This indemnification is limited to an aggregate not to exceed $500 million, including reasonable costs of investigating and settling claims and defending suits for damages, together with the amount of financial protection required of the licensee or contractor, for a single nuclear incident.

The amount of financial protection to be required of the licensee is set at the maximum amount of private insurance available from private sources, but the Commission may require a lesser amount to be determined on the basis of cost and terms of private insurance, the type, size and location of the facility, and other factors pertaining to the hazard, provided that for facilities designed for producing substantial amounts of electricity and having a rated capacity of 10,000 electrical kilowatts or more, the maximum amount of financial protection shall be required.

August 1, 1967, set as the terminal date of AEC's authority for the signing of an agreement for indemnification with those persons required to establish financial protection. Authorizes the Commission to enter into agreements for indemnification with its contractors during the same period of time. Permits the Commission to enter into an indemnity contract in advance of appropriations and without advertising.

Authorizes the Commission to collect an established fee of $30 per year per thousand kilowatts of thermal energy capacity for facilities licensed under section 103 of the act (reactors which have been proven to be of commercial value), and such nominal fees as it deems appropriate for other licenses, from persons with whom indemnification agreements are signed. Minimum fee set at $100 per year.

Requires the AEC to report to the Joint Committee by April 1, 1958, and every year thereafter on the operations of section 170.

Amends the Atomic Energy Act of 1954 by the addition of a new section:

"SEC. 29. Advisory Committee on Reactor Safeguards."

Provides for the establishment of an Advisory Committee on Reactor Safeguards with a maximum membership of 15 be appointed by the Commission for terms of 4 years each.

Requires the Committee on Reactor Safeguards to review safety studies and facility licenses referred to it by the Commission with regard to hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards; and to perform other duties as the Commission may request.

Requires the Committee on Reactor Safeguards to review each application for a facility license under section 103 or 104 b and any application under 104 c for a testing facility, and any application under section 104 a or 104 c specifically referred to it by the Commission and submit a report thereon. Such report shall be made a part of the record of application and made available to the public to the extent permitted under the security regulations of the Atomic Energy Act.

Requires the Commission to hold hearings, after 30 days' notice and publication in the Federal Register, on each application under sections 103 and 104 b.

(NOTE.—Provisions of section 29 designed to require public reports by the Committee on Reactor Safeguards as well as public hearings on applications to construct and operate most power and testing reactors, but to leave to the AEC flexibility as to procedures on applications for the construction and operation of certain types of reactors. General subject was discussed in study by JCAE staff entitled "A Study of AEC Procedures and Organization in the Licensing of Reactor Facilities," dated April 1957.)

Legislative history of H. R. 7383

May 9, 1957: Introduced and reported by Mr. PRICE (H. Rept. 435).

June 26, 1957: House Resolution 297 (H. Rept. 641) introduced and reported, granting a 2-hour open rule on H. R. 7383.

June 28, 1957: Scheduled for consideration on July 1.

July 1, 1957: Passed the House, amended.

July 2, 1957: Senate notified of House passage, H. R. 7383 placed on Senate Calendar.

August 16, 1957: Passed Senate, amended, and S. 2051 indefinitely postponed.

August 19, 1957: House notified of Senate passage; agrees to Senate amendments, clearing the bill for the President's approval.

September 2, 1957: Approved, Public Law 85–256, 85th Congress, 1st session.

INTERNATIONAL ATOMIC ENERGY PARTICIPATION ACT OF 1957

H. R. 8992 (H. Rept. 960), Public Law 85–177, 85th Congress, 1st session. S. 2673 (S. Rept. 778).

(NOTE.—These bills supersede H. R. 8251 (PRICE), H. R. 8254 (COLE), H. R. 8641 (COLE), and S. 2341 (PASTORE).)

To provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes.

Provides for the appointment by the President, by and with the consent of the Senate, of a representative and deputy representative of the United States to the International Atomic Energy Agency, who shall represent the United States on the Board of Governors of the Agency, and may represent the United States at the General Conference and serve ex officio as United States representatives on any organ of the Agency, and shall perform such other functions with respect to United States participation as the President may from time to time direct.

Authorizes the appointment or designation by the President, by and with the consent of the Senate, of a representative and alternates to attend special sessions of the General Conference.

Authorizes the President to make such other appointments as deemed necessary to represent the United States in the organs of the Agency, including the designation of any officer of the United States Government, whose appointment is subject to Senate confirmation, to act, without additional compensation, for temporary periods as the representative on the Board of Governors in the absence or disability of the United States representative or deputy representative, or in lieu of such representatives in connection with a specified subject matter.

Provides for compensation of persons appointed or designated under the provisions of the act.

Requires that United States participation in the Agency as set forth in its statute shall be consistent with and in furtherance of the purposes of the Agency and the policy set forth in the Atomic Energy Act of 1954 with respect to the development, use, and control of atomic energy. Requires the President to report to the Congress not less than once each year on the activities of, and the United States participation in, the Agency.

Provides that United States representatives shall act and vote in accordance with the instructions of the President.

Authorizes the appropriation annually, out of funds in the Treasury not otherwise appropriated, such sums as may be necessary to pay the United States share of expenses of the International Agency and for the salaries and expenses of the United States representatives and their staffs and other expenses authorized by law.

Provides for the employment by the Agency of a Federal employee for a period not to extend beyond the first 3 consecutive years of such employment without loss of civil service retirement and Federal employees' group life insurance benefits provided that the employee shall pay within 90 days of his separation from the Agency without prejudice all necessary deductions and Agency contributions for coverage under the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act. Provides that if such employee applies for restoration to his Federal position within 90 days of separation from the Agency, he shall within 30 days be restored to such position or a position of like seniority, status, and pay.

Provides civil-service retirement and Federal employees group life insurance benefits for the same period of time and under the same conditions for a Presidential appointee or elected officer who leaves his position to enter, or who within 90 days of the termination of his position enters, the employ of the Agency.

Amends section 54 of the Atomic Energy Act of 1954. Provides that unless authorized by law the Commission shall be compensated for special nuclear material so distributed at not less than the Commission's published charges applicable to domestic distribution of such material, except that the Commission may distribute without charge only a quantity of such material which does not exceed in value $10,000 in the case of one nation or $50,000 in the case of any group of nations during any calendar year for research on peaceful uses and medical therapy.

Provides that the Commission may contribute to the International Atomic Energy Agency, or to any group of nations, only such amounts of special nuclear materials and for such periods of time as are authorized by Congress; provided, however, the Commission is authorized subject to provisions of section 123 of the Atomic Energy Act of 1954, to distribute to the Agency 5,000 kilograms of contained U–235, together with the amounts of special nuclear material which will match in amount the sum of all quantities of special nuclear material made available by all other members of the Agency to July 1, 1960.

Provides that in the event of the adoption of an amendment to the statute of the Agency to which the Senate by formal vote refuses its advice and consent, all authority under this act relating to the participation

of the United States in the Agency shall terminate upon notification by the Senate to the President of its refusal to advise and consent, except the necessary authority to the prompt and orderly settlement of obligations and commitments to the Agency and other expenses required for a prompt and orderly termination of United States participation in the Agency, and provided that the United States representatives, officers, and employees shall retain, under regulations promulgated by the President, their authority under the act for period of time required to complete the settlement of matters arising out of United States participation in the Agency.

Hearings printed.

Legislative history of H. R. 8992

July 31, 1957: Introduced by Mr. PRICE and referred to the Joint Committee on Atomic Energy.

July 31, 1957: Reported in House (H. Rept. No. 960) and committed to the Committee of the Whole House on the State of the Union.

August 8, 1957: Considered by the Committee of the Whole House on the State of the Union under a 2-hour open rule (H. Res. 390). Passed the House, amended, by voice vote.

August 9, 1957: Ordered placed on Senate Calendar. Passed Senate, amended by striking all but the enacting clause and substituting in lieu thereof the text of S. 2673 as reported from the Joint Committee.

August 13, 1957: House disagrees to Senate amendments, requests conference, and appoints conferees.

August 14, 1957: Senate agrees to conference, appoints conferees.

August 19, 1957: Conference report (conference report No. 1200) filed. Senate agrees to conference report.

August 20, 1957: House agrees to conference report.

August 28, 1957: Approved, Public Law 85–177, 85th Congress, 1st session.

MAJOR ATOMIC ENERGY LEGISLATION, 85TH CONGRESS, 2D SESSION

1. Authorization legislation: The Atomic Energy Commission's authorization bill was signed by the President on August 4 (Public Law 85–590). The act authorizes $486,679,000 for AEC construction projects, including plan or facility acquisition, construction or expansion. The Joint Committee, after extensive hearings, reported clean bills which approved in toto AEC's request for authorization totaling $193.4 million, including $51 million for a gas-cooled, graphite-moderated, enriched uranium reactor. The committee added $145 million for a plutonium production reactor to be located at Hanford, Wash., provision for certain design and engineering studies for certain types of reactors, and $39 million for new physical research facilities.

2. Exchange of nuclear information and materials for military purposes: This law was signed by the President on July 2 (Public Law 85–479). The proposals to amend the Atomic Energy Act of 1954 to permit closer cooperation with Britain and other allies had been sent to the Joint Committee on January 27. After considerable modification, and the insertion of a new provision allowing Congress to veto any exchange agreements, the committee reported clean bills on June 5. The bill as signed by the President contained the following elements:

The following could be transferred or exchanged under the legislation:

A. To a nation or regional defense organization classified information as necessary to: planning, training, evaluating enemy capabilities, developing compatible delivery systems, and other military applications of atomic energy.

B. To a nation additional classified information:

1. Relative to military reactor design

2. To improve its atomic weapons development, design or fabrication (but only providing that nation has made substantial progress in developing atomic weapons).[1]

C. To a nation material and equipment, including:

1. Nuclear materials for:

(a) Military reactors

(b) Atomic weapons (provided that nation has made substantial progress in the development of atomic weapons).[1]

Transfers and exchanges of information and materials would be subject to the following limitations:

A. If the cooperating nation or regional defense organization is participating with the United States pursuant to an international arrangement by substantial and material contributions to mutual defense and security.

B. The exchange can take place only pursuant to an agreement: [2]

1. Approved by the President.

2. Performance of which the President has determined in writing will promote and will not constitute an unreasonable risk to the common defense and security.

C. The President must also determine that the specific cooperation undertaken will promote and will not constitute an unreasonabe risk to the common defense and security.

D. In addition, the Joint Committee on Atomic Energy shall be fully and currently informed.

3. Euratom legislation: Passed by the Senate and House, the Euratom legislation now awaits the signature of the President. The legislation was transmitted to the Congress on June 23 and has been the subject of JCAE hearings from July 22 to August 13. The Joint Committee reported clean bills on August 14 which contained the following main elements:

A. A concurrent resolution (S. Con. Res. 116) approving the generalized international agreement with Euratom.

B. Authorization for construction in the Euratom countries by 1963 1 million kilowatts of nuclear power capacity, except that 2 reactors may be selected to be in operation by 1965.

C. Authorization to make guaranteed contracts up to an overall maximum liability of $90 million for the purpose of guaranteeing nuclear fuel fabrication. Specific authorization must be obtained from Congress each time such a contract is entered into.

D. An initial authorization of $3 million for fiscal year 1959 for use in a cooperative program of research and development. The Commission may enter into contracts up to 5 years under the program, provided that the Community authorizes an equivalent amount for use in the cooperative program of research and development.

E. The authorization for sale or lease to Euratom 30,000 kilograms of U–235 for use in the reactors constructed under the joint program.

F. Authorization to purchase from Euratom special nuclear material from reactors constructed under the joint program up to 4,100 kilograms of plutonium.

4. Omnibus legislation: Signed by the President on August 19 (Public Law 85–681), this law amends various sections of the Atomic Enery Act of 1954, as amended, as requested by the Atomic Energy Commission, and revised by the Joint Committee on Atomic Energy. Briefly, the bill amends the Atomic Energy Act in the following particulars:

Sections 1 and 2 amend section 53 of the act to authorize the Commission to issue licenses for the possession of special nuclear material within the United States for uses which do not fall expressly within the present provisions of section 53a, and to make a reasonable charge for such materials. Section 3 amends section 68 of the act to provide a general release of reservations of fissionable materials or source materials under acquired lands of the United States as well as public lands.

Section 4 of the bill amends section 123c of the act to provide that the Joint Committee may waive the normal 30-day waiting period for proposed international agreements for cooperation.

Section 5 of the bill amends section 145 of the act to authorize the Commission to grant security clearances prior to completion of investigation in the event of a state of war declared by the Congress or a national disaster due to enemy attack.

Section 6 of the bill amends section 161d of the act to authorize the Commission to adopt compensation rates on a retroactive basis as may be authorized by the Classification Act for other Government employees.

Section 7 of the bill amends section 161 of the act by adding a new subsection to authorize the Commission to establish a succession of authority within the Commission in the event of a national disaster due to enemy activities; a new subsection u to authorize the Commission to enter into contracts for reprocessing of materials under international agreements for cooperation; and a new subsection V to authorize the Commission to enter into long-term contracts in certain limited areas.

Section 8 amends section 166 of the act to authorize the Commission to dispose of contractor and subcontractor records in accordance with a records disposal schedule agreed upon by the Commission and the Government Accounting Office.

5. Indemnity for nuclear ship *Savannah:* Signed by the President on August 8 (Public Law 85–602), this bill was reported by the Joint Committee on July 22. It amends the Atomic Energy Act of 1954 to extend the provisions of the AEC Indemnity Act to the nuclear ship *Savannah*, the United States first nuclear-powered merchant ship. The bill is limited to the construction and operation of that ship, and extends to it the same type of insurance and indemnity protection as approved by the Congress in Public Law 85–256 last year. The present Atomic Energy Act would cover the ship while it is within the United States. This bill provides indemnity protection during its operations outside of the continental limits of the United States. The bill authorizes the Atomic Energy Commission to enter into agreements for indemnification similar to those now being processed by the Commission for domestic atomic energy licenses, and also provides for limitation of liability similar to, and in the same amount, provided in present section 170 e of the Atomic Energy Act.

6. Indemnity assistance for educational institutions: This bill, which was approved by Congress on August 14, is now awaiting the President's signature. Hearings were held by the Joint Committee in July and clean bills were reported on August 14. The law, as passed by Congress, provides that with respect to any license for the conduct of educational activities issued pursuant to certain sections of the Atomic Energy Act of 1954 to a person found by the Commission to be a nonprofit educational institution, the Commission shall exempt such licensee from the financial protection requirement of subsection 170a. The bill also stipulates that the Commission shall agree to indemnify the licensee, and other persons indemnified, from public liability in excess of $250,000 arising from nuclear incidents. The aggregate indemnity for all persons indemnified in connection with each nuclear incident shall not exceed $500 million.

[1] Report on the bill states only nation presently qualifying is the United Kingdom.

[2] Provided there is no disapproving concurrent resolution by Congress.

Report to the People of the 15th District on the 85th Congress

EXTENSION OF REMARKS
OF
HON. GORDON L. McDONOUGH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. McDONOUGH. Mr. Speaker, with the ending of the 85th Congress I am submitting herewith a report on the major and significant legislation acted upon together with some reference to legislation which was not acted upon but which I believe should have been considered.

I believe that it is the duty and responsibility of a Representative in Congress to inform his constituents of the action of Congress.

Since my first election to Congress, I have regarded service to my constituents as my first responsibility. I have tried to fulfill it to the best of my ability.

All complaints, requests, or letters received by my office have had my personal attention and consideration.

My district office has been at the service of our people, and their problems have been forwarded to me while I was attending Congressional sessions in Washington. My Washington staff has been equally dedicated to the task of serving the interests of the residents of the 15th District.

Through regular newsletters and periodic visits to the District during Congressional sessions, I have tried to give a full account of my actions in Congress.

This report implements my policy in that regard.

RECORD OF THE 85TH CONGRESS

The 85th Congress was, without doubt, one of the hardest working in recent times.

I make this statement not only because of the large number of bills enacted into law, but also because of the complexity of problems which confronted Congress and the Nation at home and abroad during the past 2 years.

Two major issues overshadowed many other important problems considered by the 85th Congress.

On the one hand, the open demonstration of Communist scientific achievement, embodied in the three sputniks, served as a rude awakening to the free world. With three powerful rockets, the Soviets thrust 4,228 pounds of steel and delicate machinery into the outer space. Our three small satellites, taken together, weighed 64 pounds.

The military implications of this Soviet achievement were grave indeed. They showed that the Communists have probably succeeded in developing an effective, operational intercontinental missile, capable of carrying atomic warheads to distant lands. This is the point which primarily concerned the Congress.

On the other hand, we experienced a very real recession in our country—a recession which brought a rapid rise in unemployment, together with a continuing increase in the cost of living.

NATIONAL SECURITY

The 85th Congress took a long, hard look at our national defense, and the way in which our Nation has been facing up to the Communist challenge. It became apparent that we were not doing too well. We have been falling behind in some important respects. We took several steps to remedy that situation.

Legislation reorganizing the Defense Department was approved. Our defenses were strengthened, and their effectiveness improved, through a series of new or expanded programs tailored to meet the realities of our day. Specific authority was provided for more extensive research, and for faster construction of missile bases, detection and warning systems, nuclear-powered guided-missile warships, and other equipment.

At the same time, Congress renewed our collective security arrangements, extended our foreign trade policy, and turned its attention to improvements in our educational system, realizing that, in the long run, education will play an increasingly important role in determining our future position in the world vis-a-vis Soviet Russia.

COMMUNIST THREAT CONTINUES

Congressional actions in this field showed clear recognition of the fact that, in spite of our hopes and efforts to promote disarmament and to achieve lasting peace, we have no alternative at present but to continue building up our defenses—both at home and abroad.

If anything, Soviet rocket and missile achievements make our overseas bases and allies even more important to our own security.

It should be clear to everyone that the Communist threat has not disappeared. Their plans for world domination are real, very real. Behind the false front of friendly smiles and gestures, the Communists continue improving their war machine and have recently launched a new campaign of economic penetration and subversion.

It costs the United States over $40 billion a year to meet this threat.

Federal spending on defense, highways, and other programs was speeded up to stimulate employment. The emergency housing bill was approved, and a $4 billion increase provided in FHA mortgage insurance authorization. Federal unemployment compensation was extended to jobless workers who exhaust their State benefits. Overdue salary adjustments were enacted for the military, for postal and other Government employees. The Congress also took action on other measures to stimulate economic recovery.

Bills dealing with the recession, as well as bills relating to national defense, international affairs, veterans and servicemen, social security, health and welfare, and other fields are included in the following review of major legislation approved.

REVIEW OF MAJOR BILLS ACTED UPON BY THE 85TH CONGRESS

Notably the 85th Congress failed to pass an adequate labor reform bill for which the McClellan Labor Rackets Committee supplied ample evidence of its urgent need to protect both the rank and file dues-paying member of labor unions from unscrupulous, dishonest, and self-seeking labor leaders, and the public generally who need this protection.

The 85th Congress also failed to pass an adequate home financing and home construction bill which would have been a great stimulant to employment in the many trades and channels of commerce which are benefited by home construction. In my opinion, home ownership is one of the greatest deterrents to the spread of communism and juvenile delinquency as well as one of the greatest assets in the promotion of unity and stability of the American family.

The leadership of the 85th Congress must assume responsibility for the failure of these two important bills, both of which I voted for, but which nevertheless failed to pass.

On the plus side, the 85th Congress did pass and send to the President for his signature the following:

Approved funds for five experimental plants to convert sea water into fresh water which is vital to California's future agricultural and industrial expansion.

Statehood for Alaska, the first new State since 1912.

A Federal aviation agency to supervise and make safe the Nation's airways.

A new civilian-controlled National Aeronautics and Space Agency to promote exploration in outer space for defense and civilian benefits.

Highway construction authorized and apportionment of funds totaling $5.5 billion to relieve unemployment and improve and increase our national highways.

Federal guaranty of $500 million in loans to railroads to finance new equipment for improving our rail transportation for peacetime and in the event of war.

Loans to enable States to pay up to 15 additional weeks of unemployment compensation to jobless persons whose State payments have expired.

Repeal of 3 percent tax on transportation of freight.

Removal of the admissions excise tax on concerts and shows of nonprofit civic organizations and schools.

Established Small Business Administration as a permanent instead of a temporary agency.

A $1.5 billion harbors, rivers, and flood-control program including Los Angeles County flood control and California irrigation projects.

Compromise farm bill lowering price supports for cotton, corn, and rice to reduce cost to taxpayers.

Extension of program for sale of $2.2 billion in United States surplus products abroad.

Regulations for disclosure of data on employee pension and welfare funds to protect employees from loss and misuse.

Price labeling of new automobiles to protect the public.

Requirement for branding textiles to disclose fiber content.

Reorganization of the Defense Department for economy and efficiency.

A $39.6 billion Defense Department appropriation bill for fiscal 1959.

Authorization of $54 million to expand and expedite building of missile bases, detection, and warning system.

Four-year extension of the President's standby powers under Federal Civil Defense Act—to be prepared in event of enemy attack.

Raises in monthly pension rates of widows of Spanish-American, Civil, and American Indian wars.

Four-year program of $887 million in Federal aid to education to stimulate study and teaching of science, languages and other subjects to needy qualified students.

Freedom of information bill to limit withholding of public documents and news.

Increase in salaries of more than a million Federal classified employees and postal workers and provided for higher annuities to retired or disabled civil-service employees.

An increase in social-security old-age insurance benefits, higher tax rates based on first $4,800 of income and $197 additional in Federal contributions to State public assistance payments.

Revision of excise tax structure with some reduction. Numerous technical changes in income, gift tax, and estate provisions of Internal Revenue Code.

Provision of $260 million in tax relief for small business and a $250 million revolving fund for Small Business Administration.

Mutual Security Act appropriating more than $3 billion for military and economic aid to foreign countries.

Extended reciprocal trade agreements for 4 years and Export-Import Bank lending authority for 5 years. Both promote needed trade and employment in the United States.

Approved humane slaughter bill.

Mr. Speaker, if my vote against foreign aid and other authorization and appropriation bills which totaled $6 billion had prevailed, this would have equaled a saving of approximately $12,600,000 for the people of the 15th District.

The 85th Congress failed to pass:

Stronger penalties for subversion and specific provision making Communist Party membership a crime.

Constitutional amendment on equal rights for women.

Hawaii statehood.

Authority for State Department to deny passports to persons who knowingly have helped communism.

Procedures for Vice President to serve during disability of a President.

Revision of status of forces treaties affecting foreign trial of the United States armed services personnel.

It is a privilege and an honor to represent the people of the 15th District in the United States Congress. I am very grateful for the cooperation and responsive good will and loyalty I have received from the people of my district. Congress will convene again on January 7, 1959, and I trust that I may have the honor and privilege to continue to serve you as your Congressman.

Legislative Work of the Senate Committee on Labor and Public Welfare, 85th Congress, 2d Session

EXTENSION OF REMARKS
OF
HON. LISTER HILL
OF ALABAMA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. HILL. Mr. President, as chairman of the Committee on Labor and Public Welfare, I wish to call the Senate's attention to the record made by the committee during the 85th Congress, and particularly during the 2d session.

It has been my honor to serve as chairman of this committee during both the 84th and 85th Congresses, and to have served as a member of it since it was constituted in its present form by the Legislative Reorganization Act of 1946.

I believe it can be said without contradiction that in no Congress since the creation of the Committee on Labor and Public Welfare has the committee made any greater record of accomplishment.

COMMITTEE ACTIVITY

Between the opening of the session on January 7 this year and adjournment in the early hours of August 24, there were approximately 145 week days, excluding holidays, during which the committee could meet for hearings or executive consideration of bills. The Committee on Labor and Public Welfare or its subcommittees held meetings or hearings on 94 days during this period, or on almost 2 out of every 3 possible working days.

Twenty-four days over a period of nearly 8 weeks were devoted to hearings on education. Nineteen days were devoted to hearings on labor legislation. The committee and its subcommittees met in 38 executive sessions and had 5 days of conference with the House. Hearings were held on 79 different bills in the second session. Exhaustive hearings that had been held on several bills during the first session made it possible to report them without further hearings this year.

The committee placed on its agenda for consideration and action in executive session 43 different bills. It reported 30 bills, including 4 education bills, 8 health bills, 7 labor bills, 2 railroad retirement bills, 8 veterans bills, and 1 bill for the aging. It also reported 3 resolutions and 18 individual nominations, as well as hundreds of routine Public Health Service nominations. Nominations were approved for the Department of Labor, the Federal Coal Mine Safety Board of Review, the National Labor Relations Board, the National Library of Medicine, the National Mediation Board, the National Science Foundation, the Railroad Retirement Board, and the Public Health Service.

EDUCATION

NATIONAL DEFENSE EDUCATION

For the first time since 1862, nearly a century ago, when the Morrell Act establishing the land-grant colleges was enacted, the Congress of the United States has this year approved legislation providing broad Federal assistance to the Nation's school system. This it has done by overwhelming majorities in both Houses.

The bill sent to the President reaffirms the principle that the States and local communities have and must retain control over and primary responsibility for public education. It specifically prohibits "any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum program of instruction, administration, or personnel of any educational institution."

In reporting the national defense education bill to the Senate, the committee approved a coordinated 4-year program for strengthening the national defense through an interrelated set of proposals designed to assist State, local, and private effort to develop America's brainpower for defense, by stimulating students, teachers, parents, and school authorities to seek the highest possible attainment in thought and learning.

As reported by the committee, the bill included a provision for scholarship awards designed to stimulate and challenge high school students to do their best, and to stimulate parents to insist not only that their children work hard, but that their schools provide the proper courses of instruction. In addition, scholarship grants based on need were provided to aid scholarship winners to complete a 4-year college education.

An amendment to the bill adopted by the Senate reduced the scholarship award from a maximum of $1,000 to $250, and thus seriously damaged the philosophy of the bill. In addition, because the House had killed the scholarship provision in its version of the national defense education bill, the Senate amendment stripped the Senate conferees of their bargaining power in conference with the House. As finally approved by the Congress, the bill contained no scholarship provisions as such. It did, however, contain many fine provisions, of which I will mention some of the most important.

STUDENT LOANS

As approved by the Congress, the bill will authorize $295 million over a 4-year period for loans to highly qualified college students needing financial assistance. A student may receive a loan on the basis of ability and need, not to exceed $1,000 a year, or a total of $5,000. The loan must be repaid over a 10-year period, beginning 1 year after the borrower completes his higher education, at an interest rate of 3 percent. If the borrower then teaches in public elementary or secondary schools, as much as 50 percent of his loan will be canceled. The purpose of this forgiveness feature is to encourage more qualified college graduates to enter the teaching profession.

FELLOWSHIPS

Fellowship grants will be offered to 5,500 students during the 4-year period who advance into graduate school to obtain their doctoral degrees and thus better qualify themselves to be college instructors.

EQUIPMENT

The bill authorizes $280 million over the 4-year period, first, for making grants to State educational agencies for acquisition of laboratories and other equipment, including audiovisual materials and equipment, and printed material, other than textbooks, suitable for use in public elementary and secondary schools for instruction in science, mathematics, or modern foreign languages; and, second, for making loans to nonprofit elementary or secondary schools for the purchase of such science-teaching equipment.

Grants for laboratory equipment will be matched by the States on a dollar-for-dollar basis. Twelve percent of the appropriation for such equipment will be reserved for making loans to nonprofit schools; these loans are to be repaid over a period of up to 10 years. In addition, $20 million is authorized for grants to the States for administration of the program and for expanding or improving supervisory or related services in public schools in science, math, or foreign languages.

INSTITUTES

The bill provides for the establishment of two special types of teacher-training institutes to be conducted in colleges and universities mainly during the summer months. Primary emphasis will be on updating and reenforcing the teacher's knowledge of his subject. One of these institutes provides for counseling and guidance courses to train personnel engaged in counseling and guidance of secondary school students and for teachers preparing to engage in these services. The second type of institute authorized in the bill will specialize in advanced training in modern foreign languages for individuals engaged in, or preparing to engage in, teaching or supervising or training teachers in any modern foreign language in elementary and secondary schools.

COUNSELING

The bill provides for aptitude testing for children as they are entering high school, in order to identify particular talents and potentialities of each child. To assure that all of our children, and especially those most gifted intellectually, can be encouraged to develop their abilities to the maximum, guidance and counseling services will help high-school students along paths of study best suited to their individual capacities, and will give particular attention to urging that the ablest and most promising take the courses that will qualify them for admission to college.

VOCATIONAL EDUCATION

To help assure an adequate supply of technical personnel to assist scientists and engineers, the bill amends the Vocational Education Act to authorize the appropriation of $15 million a year to allow States and local areas to conduct less-than-college-grade courses designed to fit individuals for useful employment as technical and skilled workers in occupations requiring scientific or technical knowledge.

LANGUAGES

To help meet the defense and foreign relations needs of the Nation, language and area centers will be provided to give instruction in the languages and cultures of foreign peoples.

RESEARCH

There is also provision for research and experimentation in more effective utilization in television, radio, motion-picture, and related mediums for educational purposes. The Commissioner of Education, in cooperation with an advisory council on new educational mediums, will, through grants and contracts, conduct, assist, and foster such research and experimentation.

INFORMATION

The bill also creates within the National Science Foundation a Scientific Information Service, which will be responsible for providing for indexing, abstracting, and translating scientific papers from all over the world and disseminating scientific information to the Nation's researchers and scientists. The Foundation, through this service, will undertake programs to develop new and improved methods, including mechanized systems, for making scientific information available.

These are some of the outstanding features in the National Defense Education Act. This act is the culmination of 40 years of struggle to place an education bill on the statute books. Beginning 40 years ago with what was known as the Sterling-Towner bill, there has been a continuing effort to pass an education bill. Many committees and commissions have been established to study education bills, and there have been many recommendations. Yet for 40 years not a single broad education bill ever saw the light of day until the passage of the national defense education bill at this session of the Congress.

If the 85th Congress is remembered for nothing else—and certainly it will be remembered for its many magnificent accomplishments—it will stand in history as the first Congress to enact a law designed to stimulate and encourage quality in learning at all levels of our educational system. In so doing, the Congress has further enabled the Federal Government to meet its immediate and direct responsibility for the national defense and for the conduct of the Nation's foreign policy.

FEDERALLY IMPACTED AREAS

Public Laws 815 and 874, 81st Congress, provide for assistance to school districts in federally impacted areas. Under Public Law 815, payments are made to help build schools in districts burdened with substantial increases in their school memberships, due to Federal activities. Under Public Law 874, payments are made to school districts to help meet their operating and maintenance expenses where such districts are providing education for federally connected children.

The bill which the committee reported and which was enacted into law establishes on a permanent basis programs under both Public Law 815 and Public Law 874 which apply to so-called category A pupils, that is, children of persons who both reside and work on Federal property. The bill also extended programs under both these laws, insofar as they relate to other children in federally impacted areas, for a 3-year period until June 30, 1961. In addition, the bill made a number of other changes in the manner in which these laws are administered.

According to the Office of Education, funds under these laws go into 3,300 school districts which have almost one-fourth of the Nation's schoolchildren.

MENTALLY RETARDED CHILDREN

There are in the United States approximately 1 million mentally retarded children of school age of whom only about 15 percent at the present time are receiving the schooling they need.

During the first session of this Congress, the committee reported and the Senate passed a bill, S. 395, to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies.

On the last day of the second session, the Senate approved an almost identical bill, H. R. 13840, which the House had passed the day before. The bill provides for grants up to $1 million a year over a 10-year period to be made to special institutions for the training of highly qualified leadership personnel who in turn will train teachers in the education of the mentally retarded.

CAPTIONED FILMS FOR THE DEAF

Late in the first session of this Congress, the Senate passed a bill reported by this committee, S. 1889, providing in the Department of Health, Education, and Welfare, a loan service of captioned films for the deaf. Toward the end of the second session, the House passed an almost identical bill, H. R. 13678. The Senate then approved the House bill, which was sent to the President for his signature. The bill authorizes up to $250,000 a year for establishment of a service which will lend through State schools for the deaf and other appropriate agencies films bearing captions that the deaf and hard-of-hearing can read as they watch the film. The Secretary of Health, Education, and Welfare is also authorized to acquire films for this purpose The program will provide not only educational and informative subject matter on film for deaf persons, but also serve as recreational therapy. Deaf persons are deprived of the many advantages available to persons with normal hearing of radio, television, and motion pictures. The program for captioned films is expected to compensate for this lack in considerable measure.

THE NATION'S HEALTH

One of the major legislative areas under the jurisdiction of the committee is the Nation's health. The committee reported, and the Senate passed, a number of important health bills during this session.

HILL-BURTON EXTENSION

The first of these is H. R. 12628. This bill would extend for 5 years the life of the Hospital Survey and Construction Act, which has proved so helpful in making available hospitals and other health facilities throughout our Nation, and particularly in those areas which were

completely lacking in such essentials for the provision of modern medical care. This bill has been enacted into law.

HEALTH RESEARCH FACILITIES

The second health bill reported by the committee which is of major importance to our people is H. R. 12876. This bill, which will do much to speed research into the causes and cures of diseases which cripple and kill mankind, extends by 3 years the life of that act under which the Federal Government makes available $30 million a year to be used on a matching basis to help construct and equip the laboratories and other facilities needed by those scientists who are dedicating their efforts to attempts to eradicate disease. This bill has become law.

FOOD ADDITIVES

The third bill, H. R. 13254, would bring about a major change in those laws administered by the Food and Drug Administration designed to protect the American people from the addition to food products of additives which might be injurious to health. Whereas, under present law, any processor is free to add to our foodstuffs any newly discovered chemical and can continue to use such an additive in foods until the Food and Drug Administration has been able to establish scientific proof that it is deleterious to health—which sometimes takes years—because of this bill, food processors will not be permitted to add such substances to food until they have been able to prove, scientifically, that they are safe. This bill has passed both Houses.

HILL-BURTON LOANS

Besides reporting legislation to extend the Hospital Survey and Construction Act for another 5 years, the committee reported a bill, which has become law, authorizing loans for the construction of hospitals and other facilities in accordance with the same procedures and subject to the same conditions as would be applicable for the making of grants under this program.

Enactment of this legislation enables religious organizations which have conscientious objections to the acceptance of grants from the Federal Government for hospital construction to secure loans for such purpose if they would otherwise qualify for grants. Loans can be made for periods up to 40 years and will bear an interest rate calculated by adding one-fourth of 1 percent per year to the rate which the Secretary of the Treasury determines to be equal to the current average yield on all outstanding marketable obligations of the United States.

SCHOOLS OF PUBLIC HEALTH

The committee reported a bill, which has become law, authorizing the Surgeon General, United States Public Health Service, to make grants-in-aid for provision of training and service in the public-health field in public or nonprofit accredited schools of public health. The bill earmarked for this purpose up to $1 million of the funds Congress appropriates for grants under the Public Health Service Act to States and local communities.

LABOR

WELFARE PLANS

As a result of intensive investigations of employee welfare and pension plans by a special subcommittee of the committee during the latter part of the 83d and all of the 84th Congress, legislation was introduced in the 85th Congress designed to safeguard the integrity of billions of dollars' worth of employee welfare, health, and pension funds.

During the 1st session of the 85th Congress, the committee established a special legislative subcommittee to consider these bills. The subcommittee compiled a massive record of testimony during 1957 and, just before the close of the 1st session, reported to the full committee a bill, S. 2888, providing for reporting and disclosure of information about pension, health, and welfare funds, requiring administrators of all types of plans to make reports to their beneficiaries and to the Secretary of Labor, granting the Secretary of Labor broad investigatory and limited police power, and imposing stiff criminal penalties for embezzlement, insurance kickbacks, and falsification of reports.

This year the full committee reported S. 2888 to the Senate, which, after several days of debate, passed it unanimously. The House passed a similar though less stringent bill; a conference was held between the two Houses, and a bill finally was agreed to and sent to the White House.

As enacted by the Congress, the bill exempts from coverage plans covering 25 or fewer participants. Administrators of all other plans—whether employer, employee, or jointly managed—are required to make information concerning the plan available to their beneficiaries, and to file a report with the Secretary of Labor. The Secretary has two functions: First, to act as custodian and to make available to the public copies of the reports filed with him, and, second, to prescribe standard forms of reports which may be used by a plan administrator making a report.

Penalties of 6 months' imprisonment or $1,000 fine are provided for willful violation of the act. The bill makes it possible for a beneficiary to compel reporting by a plan administrator through a court proceeding under which an administrator refusing to report could be fined $50 a day for each day during which the report was not filed. A fine of $10,000 and/or 5 years imprisonment is imposed for falsification of a report.

While the bill as enacted is weaker in some respects than the bill reported by the Committee on Labor and Public Welfare and approved by the Senate, it does embody all the important principles contained in the Senate bill. It calls for compulsory coverage; it recognizes the role of public authority in supervising welfare and pension plans, and it provides criminal penalties for certain violations.

Although many members of the Senate Committee on Labor and Public Welfare would have wished the bill to give stronger protection to the beneficiaries of welfare and pension plans, by passage of S. 2888 the Congress has laid the legislative foundation upon which subsequent Congresses may build.

I know that the committee members who, since 1954, have devoted months of effort to investigation and legislation related to employee pension and welfare plans are deeply gratified that their work has been brought to partial fruition in the present Congress; and I know, further, that millions of workingmen and women in all parts of the country will rest easier in the knowledge that Congress has made a beginning toward the establishment of adequate protection of the sums to which they are entitled in the event of illness, accident, or retirement.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE

In April 1958 the select committee on improper activities in the labor and management field—the McClellan committee—as part of its interim report made five legislative recommendations to the Congress, as follows: First, to regulate and control pension, health, and welfare funds; second, to regulate and control union funds; third, to insure union democracy; fourth, to curb activities of middlemen in labor-management disputes; fifth, to clarify the no-man's land between State and Federal authority.

As indicated above, the Committeee on Labor and Public Welfare reported a bill, S. 2888, relating to employee welfare and pension funds, which was approved in modified form by both Houses. This carried out the first recommendation of the McClellan committee.

To accomplish the other four legislative recommendations, the Committee on Labor and Public Welfare this session reported S. 3974, a bill which not only effectively carried out the McClellan recommendations but also in some cases went beyond those recommendations. In addition, the bill contained several amendments to the Taft-Hartley Act, the substance of which was either recommended by the administration or was designed to make more effective the administration of the National Labor Relations Act.

UNION FUNDS

To regulate and control union funds, the bill required full reporting and public disclosure of union internal processes and union financial operations. It provided criminal penalties for failure to make such reports and for false reports, as well as for false entries or the destruction of union records. It required full reporting and public disclosure of financial transactions and holdings, if any, by union officials which might give rise to conflicts of interest, including payments by labor relations consultants.

UNION DEMOCRACY

To insure union democracy, the bill required full reporting and public disclosure of trusteeships over subordinate unions, and it established criminal penalties for failure to file or for falsification of required reports relating to such trusteeships. It placed limitations on establishment of trusteeships, on the purposes for which they could be established, and on their duration. It provided Federal court proceedings to dissolve trusteeships when not in accordance with the limitations of the bill.

It provided that elections of constitutional officers of international unions be held every 5 years either by secret ballot of the members or by delegates elected by secret ballot, and elections of local union officers at least every 4 years by secret ballot. It protected the rights of union members to nominate and vote for union officers without restraint or coercion. It prohibited the use of union funds to promote individual candidacies in union elections.

MIDDLEMEN

To curb activities of middlemen in labor-management disputes, the bill required full reporting and public disclosure of any arrangement by an employer under which another person undertakes to influence or affect or to provide services which interfere with, restrain, or coerce, employees in the exercise of rights guaranteed by the National Labor Relations Act, as well as similar reports and disclosure by labor-relations consultants. It created criminal sanctions for failure to file or for falsifying reports required by employers and labor-relations consultants, and for payments by middlemen to union officials.

NO MAN'S LAND

To clarify the no man's land between State and Federal authority, the bill directed the National Labor Relations Board not to permit continuation of the no man's land area in which employees, unions, and employers covered by Federal law are left without remedies. It authorized a speeding up of NLRB procedures by clarifying the definition of "supervisors" and by permitting prehearing representation elections.

In these ways, the bill reported by the committee met and dealt with effectively the chief legislative recommendations of the McClellan committee.

During the lengthy debate in the Senate on this bill, it was amended in a number of respects, but basically it retained the provisions approved by the committee with respect to union finances, union democracy, middlemen, and no man's land.

Senator McCLELLAN, himself, stated: "If enacted, and properly administered, it will drive many unreformed ex-convicts, racketeers, gangsters, and crooked officials out of the union movement and strengthen the position of honest, decent unionism and its leaders." The minority leader, Senator KNOWLAND, said the bill marked "real progress."

In reporting S. 3974, the Labor-Management Reporting and Disclosure Act, the committee made a remarkable legislative accomplishment. Not once, during the 11 years since the Taft-Hartley Act was enacted in 1947, has the Senate been able to reach agreement on any significant changes in its provisions. In this session, the committee reported, and the Senate approved, a bill which not only provided for carrying out the recommendations of the McClellan committee with respect to union funds, union democracy, middleman activities, and the no-man's-land problem, but also amended the Taft-Hartley Act in a number of respects.

The bill passed the Senate by a vote of 88 to 1. Unfortunately, the House failed to pass the bill. Despite this, however, the members of the Committee on Labor and Public Welfare can take deep satisfaction in having been able to report to the Senate, and then to persuade the Senate to approve, the first major labor legislation since the 80th Congress.

COAL MINE SAFETY

The committee reported a bill amending the Federal Coal Mine Safety Act which retains the present exemption of small 14-man mines from the provisions of the act, unless the conditions in any such exempt mine are such as to create an imminent danger of any of the 5 disasters enumerated in section 203 (a) of the act. If such conditions exist, the bill provides for the immediate closing down of such mine, subject to an appeals procedure.

The bill also added a new title to the act directing the Bureau of Mines to make a detailed and exhaustive study of mine safety for all mines covered by the act, and to report its findings and recommendations to the Congress and to the President by February 15, of next year.

This bill was not considered by the Senate prior to the adjournment of Congress.

SAFETY FOR LONGSHOREMEN

The Longshoremen's and Harbor Workers' Compensation Act was passed in 1927 as a result of a Supreme Court decision holding that the States could not apply their workmen's compensation laws in an area exclusively maritime and that Congress could not lawfully delegate this authority. Although the act has been amended from time to time to improve its compensation features and bring it up to date, it has never been amended to authorize the establishment of an effective safety program.

The bill approved by the committee this year and enacted into law vests the Secretary of Labor with authority to establish and enforce safety regulations in longshoremen's and related employment, such as the ship repair industry.

RAILROAD RETIREMENT

In the 84th Congress, the committee approved a bill, which became law, increasing retirement benefits for railroad workers by 10 percent. At that time, the Congress did not vote any increase in taxes on employers and employees, either to make up the then-existing actuarial deficit in the railroad retirement fund, or to pay for the newly increased benefits. But the committee, in its report on the bill, did assume a solemn obligation to approve legislation in the 85th Congress providing increased taxes.

I am glad to say that the committee was able to meet that obligation by reporting a bill, S. 1313, in the present session. The Senate approved a modified version of S. 1313, but the House failed to act on it in the closing days of the session.

VETERANS' AFFAIRS

The committee has jurisdiction over several types of veterans' legislation, including the GI bills of rights of World War II and the Korean conflict. This session the committee reported a number of bills important to our veterans.

VETERANS' UNEMPLOYMENT COMPENSATION

The committee reported a bill providing unemployment compensation benefits to peacetime veterans, that is, veterans who entered active service in the Armed Forces after January 31, 1955. Compensation could amount to as much as $26 a week, and could be paid over a period of 21 weeks, if the veteran is unemployed for that length of time. The program in general would parallel the unemployment compensation system provided for veterans under the Korean GI bill.

The bill also extended the termination date of the Korean program so as to make it terminate at the same time as the one proposed for peacetime veterans. Both programs would terminate 5 years following the end of compulsory military service.

Subsequent to the reporting of this bill, a House-passed bill containing somewhat similar provisions was reported by the Senate Finance Committee and passed by the Senate. Peacetime veterans will, therefore, be entitled to unemployment compensation as a result of the efforts of this Congress.

OTHER VETERANS' BILLS

The committee reported a number of other bills important to veterans including the following:

RESTORATIVE TRAINING

An amendment to the War Orphans Educational Assistance Act to permit eligible handicapped orphans to enroll in a specialized course of restorative training designed to make possible their participation in the education program provided by the act, and to lower the age at which such restorative training could begin to 14 years.

VOCATIONAL REHABILITATION

A proposal to afford vocational rehabilitation to certain veterans in need thereof to overcome a service-connected disability incurred in or aggravated by active service since January 31, 1955.

PHILIPPINE HOSPITAL

A bill modifying and extending the grants-in-aid program operated in the Republic of the Philippines for the hospitalization of certain veterans of the Armed Forces.

REFUNDS

A bill authorizing the Veterans' Administration to make refunds to approximately 8,000 World War II veterans on account of erroneous collection of life-insurance premiums.

GI BILLS

A bill extending to certain veterans and war orphans in Panama and the Philippines the provisions of the Korean GI bill and the War Orphans Educational Assistance Act.

OTHER IMPORTANT LEGISLATION

In addition, the committee reported to the Senate during the second session of Congress a number of other measures

designed to benefit the American people. I will mention only a few of them:

SCIENCE CLUBS

The Senate passed on the last night of the session a House bill, H. R. 13191, identical with a bill pending before the Committee on Labor and Public Welfare, to stimulate interest among high-school students in the study of science. The bill authorizes the Commissioner of Education to expend up to $50,000 a year to encourage, foster, and assist in the establishment in localities throughout the Nation of clubs composed of boys and girls having a special interest in science. The Commissioner is instructed to carry out these functions with a view to the ultimate chartering by Congress of a corporation similar to the Future Farmers of America.

WAR-RISK HAZARDS

The committee approved a bill, which became law, to amend and make permanent the provisions of existing law extending workmen's compensation and war-risk hazard benefits to Federal employees and employees of contractors of the Federal Government working in overseas areas.

AGING

The committee also approved a bill providing for a White House Conference on Aging to be called by the President of the United States in January 1961. The bill provides for assisting the several States to conduct similar conferences prior to the White House Conference itself. The Conference will be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging. Both Houses of Congress passed the bill.

SENATOR IRVING IVES

Mr. President, I cannot let this occasion pass without expressing my deep appreciation to all the members of the committee who have worked so diligently and so faithfully to help bring about the accomplishments of the Committee on Labor and Public Welfare during both sessions of this Congress.

Before the adjournment of Congress, I had the pleasure of paying tribute to the senior Senator from New Jersey, the Honorable H. ALEXANDER SMITH, a former chairman of the committee and the ranking minority member of the committee during the past 4 years, who is retiring at the end of this Congress. He and I worked in close association during the many years we served on the committee together.

I regret deeply the fact that another valuable member of the committee also is retiring at the end of this Congress. I refer to my friend and colleague, the senior Senator from New York, the Honorable IRVING M. IVES.

The service of IRVING IVES in the Senate has been marked by a singular dedication to the best interests of all the people, whom he has served so faithfully. There is no Member of the Senate who is more knowledgeable, wiser, or more able in the field of labor-management relations. IRVING IVES came to the Senate ranked as one of the foremost authorities in the Nation in this field, by virtue of the outstanding record he had established as a member of the New York State Assembly, as the assembly's minority leader, speaker, and majority leader, and as dean of the New York State School of Industrial and Labor Relations at Cornell University.

I have been privileged to serve for 12 years with IRVING IVES on the Senate Labor and Public Welfare Committee, and I can personally attest to the many and valuable contributions he has made as a member of that committee. With his devotion and his long experience in the field of labor-management relations, IRVING IVES has been most effective in working for legislation to preserve the principle of free collective bargaining and to meet the difficult problems of working conditions, wages, and hours, workmen's compensation, social security, and other important areas affecting the people's welfare and our country's strength.

IRVING IVES further distinguished himself through his outstanding service as chairman of the United States delegation to the International Labor Organization Conference at Geneva and was the first American to receive the honor of being elected president of the conference. He has also contributed much to the work of the Senate, as a member of the Banking and Currency Committee and more recently as a member of the Appropriations Committee.

IRVING IVES' service in the Senate has reflected his untiring devotion to the national interest: He has been the statesman, the patriot, and the prophet. The people of New York and of the Nation can always be proud of his labors, his accomplishments, and his leadership in the Senate. Although he has announced his plans to retire from the Senate we know that he will continue to serve his State and the Nation and that we shall continue to have the benefit of his keen intellect, his vast experience and knowledge, and his inspiring leadership.

We shall all miss him greatly and we warmly wish for him a healthy and happy future and many more years of useful service to his fellow man.

Food Additives Bill, H. R. 13254

EXTENSION OF REMARKS
OF
HON. GORDON ALLOTT
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement on H. R. 13254.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. ALLOTT. Mr. President, I want to go on record as favoring this legislation, the objectives of which are unquestionably desirable in eliminating the deficiencies in the present law with respect to the protection of the public health brought about by the widespread and increased use of chemicals in modern food-processing technology.

I am concerned that some of the procedures established under this act may prove unworkable, and would hope that our committee and the distinguished chairman will follow the development of this program closely with a view to making any legislative corrections that appear necessary to insure its workability to deal effectively and expeditiously with the vast number of substances which will require administrative approval.

A Report on the Conservation and Development of Maryland's Farmland, Soil, and Water Resources

EXTENSION OF REMARKS
OF
HON. J. GLENN BEALL
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. BEALL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement on soil conservation in Maryland.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The vitality and strength of American agriculture are a matter of the greatest importance to all of us, I know you will agree. Some well informed say that it is only the contrasting weakness of agriculture in such Communist nations as Russia and China which deter them and disrupt their long-time plans toward the subjection of the Free World in accordance with the precepts of Marx and Lenin and their later followers.

For these reasons, I would like to bring to your attention a brochure of fundamental note which has just come off the presses of a Baltimore printing firm in my home State of Maryland. Although it is primarily about Maryland farmers and Maryland agriculture, it carries a universal and fundamental message to which we should all pay heed in these days when people argue so much about such things as farm programs, price supports, surplus removal, and other such popular and political terms which tend to obscure the true nature of the course which our farm policy should take.

The brochure to which I refer, a handsomely done, magnificently illustrated, publication of 32 pages is entitled, "The First 20 Years, 1938–58, a Report on the Conservation and Development of Maryland's Farmland, Soil, and Water Resources." It has been published by the Maryland State Soil Conservation Committee with a foreword written by Dr. Gordon M. Cairns, dean of the College of Agriculture for the University of Maryland, and Dr. Wilson H. Elkins, president of the University of Maryland. It describes in considerable detail and in its many varied aspects the work accomplished by Maryland farmers through their own locally organized and locally run soil conservation districts during the past two decades. It outlines, further, the plans and aims of these same soil conservation districts, and of the Maryland farmers who direct their activities, for the next 20 years.

Fundamentally, this brochure deals with the food and population problems which have always, since the dawn of history, plagued the peoples and the governments of nearly all of the nations of the world. May I quote you some statements from the brochure which I think will throw some of

the true aspects of what our real farm policy should be into sharper focus.

"The thin skin of this planet, which we call the soil, is marvelously complex. We depend on it for nearly all the food we eat, and for the fibers we put to a thousand uses. It helps determine the kind of a water supply we have and even possesses an influence on the weather and climate.

"In each handful of the very top layer of this soil, there are millions of plant-like and animal-like organisms so tiny they can be seen only under a microscope. Like ourselves, they depend on a delicate balance of air, water, sunlight, and minerals to survive. Healthy, and in good chemical and physical balance, this teeming combination of inert material and living organisms we call topsoil will grow bumper crops to feed livestock and human beings. Damage or destroy it, and nature starts a whole train of disastrous consequences."

Lest anyone think that this topsoil of ours is exclusively the concern of farmers, let me set them right with the statement that, even in this beautifully blessed country of ours, the farmland, soil, and water resources are getting tighter. According to the Maryland State Soil Conservation Committee:

"The total land area of the United States is almost 2 billion acres, or a little over 12 acres for each man, woman, and child living in this country.

"Only about a fourth of this, however, or 480 million acres, is cropland or rotation pasture. Nearly half of the remainder is rangeland and permanent pasture which supplies some grazing for the dairy industry but is used mostly to help feed the great herds of cattle and sheep that go to market in Omaha, Chicago, and the other large livestock market centers. The rest is largely mountain, desert, marshland, highway, woodland, forest, park, or town and city.

"For the most part, it is the 480 million acres in crops and in crop-and-pasture rotations which determines our food supply. This is our good land, about 3 acres per person.

"By 1975, it is estimated that drainage and reclamation projects, plus clearing of new land, will increase our supply of cropland to about 508 million acres. But the population experts say that we may well have 228 million people in the United States by then. So we will have only a little more than 2 acres of cropland to feed each of us.

"When the year 2000 rolls around, if our population continues to grow at its present rate, 335 million people will crowd this country. But cropland will only edge up to about 528 million acres. There will be just a trifle over 1½ acres to feed each person then.

"This squeeze on the amount of good farmland doesn't necessarily mean that our children and grandchildren will face a scarcity of food. The ancient theory that population always tends to outrun its food supply seems not to have taken into account the marvelous and fast-growing productivity of modern agriculture. Between 1940 and 1950, for instance, United States farm output per farm worker jumped an amazing 50 percent. Today, 1 American farmworker produces enough to feed himself and 19 other people. By 1975, it is estimated he will be able to feed 35 or 40 city people.

"Nevertheless, our shrinking supply of cropland per person is going to put pressure on our food supply unless we husband our farmland soil resources wisely. Our high-protein diet leans heavily to animal products that require more acreage to produce than do the cereal-grain and root-crop diets of much of the world."

These figures and others in the brochure highlight how important soil and water are to both farmers and city people. In my own State of Maryland, farm people now make up less than 10 percent of the total population. Yet theirs is still the State's largest and most important basic industry and provides roughly half of the total food products that Maryland needs. Each year, the State's 32,500 farms produce and sell about $380 million worth of crop and animal products. By the time this has reached dinner tables, with all the additional processing, packaging, and store services that consumers now ask of the food industry, it has increased to a half-billion-dollar business or more. The value of land, buildings, and machinery on Maryland farms, each one of which requires, on the average, as great an outlay of capital as the neighborhood hardware store in town, is close to $1 billion.

Essentially this investment, and the $380 million business that derives from it each year, is based on the top 6 to 12 inches of soil on Maryland farms. Neither Maryland farmers nor Maryland city people can afford to let it slip away.

Soil erosion on farms may seem to affect city people only slowly and indirectly as far as their food supply is concerned and in its importance to our basic economy. But there is still another way that it reaches home every day and strikes at their prosperity and well-being.

"Soil washed off a farm field doesn't stop at the boundary fence. It has a habit of getting into streams and rivers, reservoirs, and harbors. We call it silt when it gets far away from home.

"Sometimes people shrug off silt as being inevitable. They think of it in terms of the delta which the Mississippi River has built up below New Orleans. Early explorers reported a delta at the mouth of the Mississippi long before the first colonist cleared a farm anywhere in the river's vast basin.

"Measurements show, though, that the older deposits of silt in the Mississippi Delta were laid down over thousands of years. They are sharply different from the top layer of manmade silt which has been deposited in ever-increasing volume in the past hundred years.

"Silting of streams, rivers, and harbors in my own State of Maryland was of little moment before early colonists cleared the land. Covered as the land was by vast forests, grassy glades, and marshland, there was little chance for soil to escape and become silt except when lightning started a great fire on some forested area, denuded the land of its protection, and permitted the soil to wash away until a new mantle of shrubs, grass, and forest trees could slowly heal the scars.

"All this changed when Maryland's upland fields were cleared and planted to tobacco and other cultivated crops which offer little cover to the soil from washing. The silt we have to deal with today in Maryland's rivers, streams, harbors, and reservoirs is the result of manmade erosion, not the longtime kind known as geologic erosion.

"Nowhere is this clearer than in the sedimentation studies which geologists have made in Baltimore Harbor. When Capt. John Smith first sailed up the Patapsco River in 1608, the limit of open tidewater was 7 miles further inland than it is today. Now, the head of navigation is only 1⅞ miles above the Hanover Street Bridge in Baltimore and a channel is kept there only by dredging. Yet as late as 1845, after considerable erosion had already occurred on the farmland drainage area which feeds the Patapsco, there was still as much as 17 feet of water beneath the bridge. Fifty years later, there was only 3½ feet; by 1924, only 6 inches. Dredging near the mouth of the Patapsco River about 1940 produced a bottle labeled only 35 years before, but which was buried under 5 feet of sediment.

"Engineers and geologists of the United States Soil Conservation Service estimate that the Patapsco River, which used to run clear, now carries about 600,000 cubic yards of silt a year into Baltimore Harbor. About 90 percent of this comes from the cultivated land in the Patapsco watershed. Just to keep the harbor channels themselves dredged free of Patapsco silt costs $100,000 a year. The soils men believe that over half of this silting could be prevented by the use of soil-conservation methods on all the farmland that drains into the Patapsco.

"The Sassafras River on the eastern shore offers even more startling evidence of the speed with which farmland erosion can close up streams. As recently as 1936, self-propelled barges hauled grain and fertilizer to and from Foxhole Wharf on the upper reaches of the Sassafras where it forms the boundary between Kent and Cecil Counties. The river had a 12- to 18-foot channel. Twenty years later, farmland silt left room for only 2 or 3 feet of water.

"Sedimentation of Baltimore's water supply reservoirs has provided some costly lessons also in the damaging by-products of soil erosion. The city's first water supply reservoir, Lake Roland on Jones Falls, built in 1862, had to be abandoned in 1916 because of silt. Baltimore's second reservoir, Loch Raven, on Gunpowder Falls, lost all but 15 percent of its half-billion gallon capacity from silting in the first 20 years of its life—this despite the fact that almost as much sediment as is deposited in Baltimore Harbor by the Patapsco River each year had been removed from it meanwhile. The present new Loch Raven Dam, and the reservoir farther upstream at Prettyboy Dam, are so huge (41 billion gallon total capacity) that erosion and silting has not seriously damaged them as yet. Nevertheless, nearly 10 million cubic yards of silt has poured into them in the past generation. Most of it has come from the road banks and cropland of an area no bigger than Baltimore County. It represents from 1 to 2 inches of the topsoil that used to produce crops on the watersheds which feed the 2 reservoirs.

"There is no way to measure the damage which silt has caused commercial and sport fishing and to the oyster beds of the Chesapeake, but biologists, and fish and wildlife experts say that it amounts to millions of dollars. The oysterman and the fisherman alike have a common interest with the farmer in preventing soil erosion. Silt and pollution are the twin enemies of their calling."

Water is the other side of the coin in this tremendously important problem my State and our Nation faces in this question of farmland conservation and development, which is so important to all of us.

"Enough rain falls on Maryland during most years to satisfy all the foreseeable future yearly needs of Maryland farms, industries, towns, and cities. Yet, farmers, city people, and industries alike need more water and are constantly reaching out for new sources. In the next 20 years it is estimated that water needs and water use will double.

"This seeming contradiction of water everywhere but not enough to drink is really no contradiction at all. To a Maryland farmer, water is scarce if it doesn't rain often enough and gently enough during the crop season to give his corn crop 14 inches of soil moisture on which to grow. To the Bethlehem Steel people at Sparrows Point, water is scarce when they have to buy treated water from the Baltimore sewage disposal plant because the level of the local wells from which they pump has fallen alarmingly. To the people of Baltimore, water is scarce if they have to look all the way to the Susquehanna River for their supply so there will be enough water during a dry summer to take a bath when they feel like it or wash their cars.

"One of the cheapest ways to improve our water supplies—and cut down on floods and silting at the same time—is for farmers to use soil conservation methods on their land so that the soil can hold more of the rain

where it falls. This kind of water gets into streams slowly and steadily instead of running off in a hurry and causing floods. Carefully measured experiments on a dozen small test watersheds in Maryland have shown that twice as much rain runs off an unprotected field than from one where the crops are grown with the benefit of simple soil conservation methods. What is more, silt samples taken from these watersheds show that 3 to 4 times as much soil gets away from the unprotected fields."

The State soil conservation committee's new publication describes in detail the methods used by Maryland farmers to conserve and develop their soil and water resources during the past 20 years. I will not take your time to describe these now because they are increasingly familiar to farmers everywhere. And for city people, and the men and women who carry these reports to them through the printed page and the airwaves, the brochure is available for reading and report.

I would like to tell you a little about the local Maryland soil conservation districts organized by farmers in the past 20 years which have made a wholesale attack on this soil and water conservation problem possible. There are such districts in every State and their operations are very similar.

"There is nothing particularly new about conservation. Most farmers have known about the need for conservation, and some of the methods used, back as far as their grandfathers' day or even farther. The trick has been to focus the tools of conservation on the needs of each particular farm and to find the know-how and wherewithal to put them into effect.

"It was not until soils specialists completed a statewide survey of Maryland's land resources in 1934 that the extent of erosion damage and drainage problems was fully appreciated. During 1934 and 1935, when the Federal Government was establishing work camps of CCC boys in various sections of the State as a depression relief measure, several erosion control demonstration projects were established in areas around these camps. Newly trained technical men from the United States Soil Conservation Service were assigned to these camps to work with nearby farmers in establishing soil-conservation methods and better drainage systems. For the first time, technical men and work crews concentrated on these soil and water problems on a direct, farm-by-farm basis.

"It soon became evident, however, that the work in these demonstration areas, as they were called, was too costly and too slow. Some way had to be found to spread the work farther and faster, with farmers doing more of it and the Government less.

"So Maryland farm leaders drafted a soil conservation law to put direction of the work into the hands of local organizations of farmers which would have the necessary legal standing to make contracts with private and public agencies for the purpose of securing technical help, materials, and heavy machinery that could be put at the disposal of individual farmers.

"The soil conservation districts law passed by the Maryland Assembly in 1937 was the result. It permits farmers to organize local districts by means of petition, public hearing, and a majority vote in favor by the farmers within the proposed district.

"Each district program is directed by a board of five supervisors chosen from among the outstanding farmers of the district. Two are appointed by the State soil conservation committee on the recommendation of local groups. Three others are later chosen by farmers of the district at a special public election. Their terms of office run for 3 years. None of these supervisors receive a salary. Usually, they are paid a small expense allowance, plus mileage allowance on their cars, when they are on district business. All of these men consider the responsibility an honor and a public obligation and many of them find it possible to spend a large amount of their time on district work without any compensation.

"Kent County farmers organized the first Maryland soil conservation district in 1938. Within 10 years, every county in the State except 1 had followed suit. In nearly all of these 23 districts, the local county agricultural agent of the University of Maryland Extension Service acts as secretary and adviser to the group. Also, in each district, the supervisors have invited the local representative of the Soil Conservation Service to attend board meetings in an advisory capacity.

"Districts have no taxing powers. Their major accomplishment has been to plan and carry out a concentrated attack on local soil and water problems. They have been able to bring farmers technical help, materials, and machinery not heretofore available to them as individuals. In nearly all cases, each of the agencies represented on the State soil conservation committee furnish special assistance to the districts. In addition, some districts have set up working agreements with other State and Federal agencies, with county highway departments, boards of county commissioners, with local tax ditch associations, fish and game agencies, and with private contractors of all kinds.

"Tackling the soil and water problems of Maryland farms is a job that has required a lot of heavy machinery, combined with the assistance of soils and engineering specialists. This combination was not ordinarily available to individual farmers at a cost they could afford before the districts were organized. The big motorized dragline shovels used in drainage work, for instance, cost upwards of $15,000 apiece and are difficult and expensive to rent for individual farm jobs. Nor is it much use to rent them unless you have an engineer and a soils man lay out the system properly in advance.

"Many districts have solved this problem by hiring private contractors to do the earth-moving work, but with the actual design and layout of the jobs handled by technical men assigned to the district. The amount of private contracting work of this nature done on farms has multiplied many times since the districts were organized.

"Other districts have found it expedient to rent or buy heavy machinery of their own and to work it under direction of the district's technical men. Where this is done, equipment superintendents are hired by the district to schedule all farm construction work carefully so that the machinery is busy most of the time. In this way, districts can cut down rental costs charged to farmers. The equipment superintendents are responsible for keeping all equipment in good working order.

"Some districts now own as much as $100,000 worth of heavy equipment. Most of it is new and modern. Much of it is already paid for from rental fees charged to farmers. Usually, fees range from $5 to $12 an hour, depending on the particular piece of equipment required. The price includes wages of a skilled operator for such machines as big draglines, graders and bulldozers.

"Equipped with machinery like this, and with engineers and soils men to direct how to use it best, the districts expect to get the major part of their heavy, earth-moving jobs finished within the next 10 years."

With the formation of districts, soil and water conservation work gained great momentum after farmers learned how to use this new tool of local government and self-help to further the development of their land resources. In the past 6 years, for instance, there has been an increase of almost 70 percent in the number of farms on which soil and water conservation programs have been started, the brochure states. Today, approximately half the farms in Maryland have made a start at such programs. And they have been paying most of the bill themselves, although the work that they do often benefits others almost as much as themselves.

But I beg of you that we do not become complacent just because things seem to be going along well in most instances in the conservation and development of our farmland soil and water resources. Our world is changing, and food is growing ever more important to large segments of it who are not so well blessed as ourselves. Food is not something we can take for granted. Very little of the world has ever done so and we will not continue to do so unless we pay close and continuing attention to the land and water resources which play so very great a part in our Nation's strength and self-sufficiency. I would like to quote you here the optimistic, yet watchful, words which a farmer of the Maryland State Soil Conservation Committee has written about the future of these things in the brochure which has just been published.

"Twenty years is a short time as farming goes. Yet the advances in farming during the past 20 years have been greater than in the entire 100 years before that. In the next 20 years, they will be greater still.

"Fewer farms will feed more and more town and city people. The amount of food one man at work on a farm can produce will probably double. Each farm will depend more on machinery and less on musclepower. We will have better crops, better livestock, and understand how to use our land better.

"In less than 20 years, at the present rate we are moving, most of our present farmland soil and water conservation goals in Maryland will have been met. Soil erosion control methods will be in effect on most farms. Drainage improvements now needed will have been fulfilled.

"But towns and cities will be spreading out to engulf more of Maryland's farmland as population grows and people in the cities call for more living space per family than they have now. Highways, airports, and parks will take more space. Factories will grow in size; numbers, and land needed—not merely in a simple arithmetic progression to keep pace with increasing population, but in geometric progression to keep pace with the expanding needs of each member of that expanding population.

"Farmers in Maryland, and nearly everywhere else, will be under pressure to use only their best land for crops and pasture, and to improve that to the fullest extent of their capabilities. Good land is the only land that will be worth farming.

"The pace of Maryland's agriculture will change. We will make use of the land more intensively, both in farming and in its many other uses. Even our woods and forests will be treated differently—developed and protected, farmed, and harvested like a crop.

"We will need to see that erosion is brought under control and that all potentially good wet-land farms are properly drained. But above and beyond that, we will need to tap and develop more local water supplies for use by farmers, towns, and industries in each locality. More ponds and wells will be needed to provide irrigation water for crops on thousands of acres of farmland where irrigation is not used today. On dozens of small streams we will be building the small dams that team up with soil-conservation methods on the land to stop the small floods upstream and make sure the big floods downstream never get a chance to start.

"There is a table on the back cover of this brochure which shows our goals for the next 20 years in protecting and developing Maryland's soil and water resources. These are the major goals as we see them today.

"I think it is reasonably certain, barring war or some other catastrophe, that they will be met and that the job of soil and water conservation as we know it today will become one of maintenance, seeing to it that the gains already made don't slip away.

"I am equally sure, though, that these goals will change as farming changes and the pressure on the land increases."

Thank you for bearing with me, gentlemen, as I have outlined to you this vital matter of the preservation and development of our Nation's and my State's farmland soil and water resources. At the moment, here in the Capitol of the greatest of the free nations of the world, it may seem to be not so pressing as the many other problems we face.

But in the long run, there is nothing more important. The opportunity for farmers to develop these resources fully must and should be the keystone of our agricultural policy. I recommend to you as required reading this brochure, The First 20 Years.

Federal Expenditures

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SAYLOR. Mr. Speaker, the 85th Congress leaves behind it a record of astronomical Federal appropriations. It followed the irresponsible pattern that for more than a score of years has been feeding a monstrous Federal bureaucracy, increasing the cost of living for rich and poor alike, and burdening the American taxpayer and his offspring with an ever greater national debt.

Each year vigorous protests are raised in the House and Senate when the enormous budget is proposed by the executive department; yet when Congress finally makes its decisions on appropriation bills there is usually very little difference between the amount requested and funds authorized. This policy prevails regardless of whether the White House and Congressional leadership are representative of the same political party. It persists largely because big budgets have become generally acceptable and expedient despite full knowledge of their inherent danger.

Both parties have been all too negligent with respect to the budget and the national debt. When Democratic administrations spent entirely too freely, Republican campaigners vehemently challenged such wasteful tactics and promised to slash expenditures and bring about a reduction in the national debt. A contrary course has been pursued, and I insist that it is time for Congress to take stock of the situation. Since both parties are guilty, the issue need not devolve into a political controversy.

Frequently spokesmen for the administration or Members of Congress appeal for bipartisan cooperation in matters of foreign affairs. I contend that the same approach is needed on the domestic scene if we are going to succeed in keeping expenditures down to honest and reasonable levels. I suggest that Republicans and Democrats alike look to next year with a new determination to set an example that future Congresses and future Presidents must follow if this country is ever going to get back on the road to fiscal solvency.

I summarily dismiss the hypothesis advanced by so-called liberals who would have our people believe that the national debt is an intangible factor in the business affairs of a country with abundant natural resources and prodigious capital wealth. The man who contracts unnecessary debts which he knowingly will not be able to liquidate in his lifetime is imprudent, unstable, irresponsible, immoral, and/or insane. He is not fit to manage the finances of his family. The sound economic laws that should govern a home are generally applicable to a political unit, whether it be a county, State, or Federal Government. Elected officials who disregard ethical standards in the handling of tax funds are not fit to serve in public office.

I submit that it is time we set up a guide of financial accountability to be followed religiously by both the White House and Congress. My recommendations include:

First. The President should let it be known now throughout Government departments and agencies that a substantial cut in the Federal budget is in store for next year, come what may. We recognize that a worsening of the international situation would bear heavily upon Federal monetary requirements, yet it is inconceivable that any circumstance short of war could reasonably offset advance planning for sizable reductions of Government expenditures.

Responsible Government officials, so apprised by the executive department, can begin immediately to make plans for decreased spending. In many cases this savings can be effectuated through normal attrition in office personnel. Regardless of the bureaucrats' traditional insistence that his agency is short of hired help, the Government building that does not have a large percentage of supernumeraries on its personnel roster is a rarity. The number of men and women who will retire or resign from the respective Government departments can be estimated with a fair degree of accuracy at the present time. If officials realize now that replacements will not be made available for a given percentage of this number, they will be able to make adequate arrangements for carrying on their workload satisfactorily—and perhaps more efficiently—with this reduction in force.

Another method of lessening the need for large expenditures is the elimination of executive department functions not specifically authorized by Congress. One such undertaking which immediately occurs to me is the invasion of the Department of Health, Education, and Welfare's Public Health Service into the field of air pollution. On last July 25 this office mailed invitations to a national conference on air pollution that will be held in Washington in November. I should like to quote the first paragraph of this invitation:

> Air pollution is becoming increasingly serious as population growth and industrial expansion add to the volume of pollutants discharged into the far-from-limitless ocean of air that surrounds us. Although the problem has recently received considerable attention from governmental bodies as well as from industries and voluntary organizations, there has been no opportunity for representatives of all these groups to meet together to assess their progress and to develop a coordinated plan for future action.

The last sentence of that quotation is untrue. The Air Pollution Control Association—a nonsubsidized, nonprofit organization whose membership includes scientists and engineers from Federal, State, and local governments as well as from private industry—last year celebrated its 50th anniversary. At this year's convention in Philadelphia, more than a thousand air sanitation experts and other interested parties gathered to hear scientific papers on progress and problems dealing with air pollution. I charge that the Public Health Service encroachment is unnecessary and wasteful, although it does provide an excellent and timely example of the type of bureaucratic expansion that should be and can be eliminated.

Another popular method of disposing unnecessarily of taxpayers' contributions to the Treasury is the practice of traveling throughout the country and over many parts of the world by Government employees. By notifying subordinates of the economy program to be inaugurated with the beginning of the next fiscal year, the President will permit substantial savings to accrue through planned reductions in traveling expenses.

Second. Congress must demand economy in Government, and every candidate for office should go on record that he will not accede to any appeals for another topheavy budgetary program. The candidate should be as interested in saving the taxpayer's money as he is in spending it. Otherwise he ignores an immutable law that continually lessens the buying power of the dollar and in effect ransacks the security of everyone who must rely—now or in the future—upon his insurance, his pension, social security, bank savings, and/or Government bonds.

Thrift and economy can be returned as an operating force in the Federal Government if Members of Congress seeking reelection and their opponents go out and sound the need for fiscal stability. I have found that my constituents appreciate a frank discussion of this kind, and I contend that any candidate is remiss in his duties and qualifications if he avoids mention of the perils that are unmistakably germinated in wanton extravagance.

Politicians frequently find a higher measure of popularity in promising everything to everybody, but no one who resorts to this low-level practice is deserving of consideration for office. Every aspirant to the House or Senate should be a leader among his fellow men, willing to look his voters squarely in the eye and explain just what the Government can do and cannot do in its contribution to the general welfare.

Popular platform chatter at election time assures every individual or group of voters of new benefits or more benefits to be made by the Federal Government without any provision for revenue. I saw and heard numerous examples of this political moon talk in the primary

campaign last spring. Let me explain parenthetically that I had no primary opposition, so there is no vindictiveness involved here. Similar listening and reading will be available to voters in other States in the coming weeks, and the broken record will get a heavy play as the final election draws near in November.

A realistic economy program would not deprive the Nation of any Federal service essential to the general welfare. We must provide the wherewithal to airproof and waterproof our entire defense structure. We must appropriate whatever funds are necessary to stimulate the economy and materially reduce the number of unemployed in the various States. My own notion is that Congress has for too long been too free with Federal funds for distribution around the world, even to the extent of neglecting our own people. Now is the time for the executive department and Members of Congress to give unequivocable notice to America's benefactors that the United States taxpayer cannot forever be saddled with debts resulting from grants to international panhandlers.

I urge my colleagues from both parties to speak out in support of economy in Government and in opposition to inflationary policies. Equally necessary is a summary expression from the White House to the effect that the economy long promised but never fulfilled will definitely be a part of the next budget.

The Land—The People—The Nation: A Report on Agriculture

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. COOLEY. Mr. Speaker, farmers of the Nation have suffered a loss of income of more than $20 billion in the first 5 years of Mr. Benson's tenure as Secretary of Agriculture.

When this administration came into power in 1953, Hon. Ezra Taft Benson took over a farm program under which for 11 consecutive years—1942–52, inclusive—our farmers had enjoyed their greatest prosperity in history. Farm prices in each of those 11 years were at or above 100 percent of parity. During these years our consumers bought food at fair and reasonable prices.

Mr. Benson, in 5 years, with the backing of the President, has reduced this program to a shambles.

As this 85th Congress draws to a close, it is my duty, as chairman of the House Committee on Agriculture, to review for the Members, and to advise the country at large, concerning the work of this Congress in behalf of agriculture. Moreover, it is my obligation to bring into perspective for the Nation the circumstances of our farmers and their families who produce the food and fiber which sustain us.

Mr. Speaker, there were days, in times past, when it was difficult to distinguish a Democrat from a Republican in this House when legislation relating to the well-being of agriculture was debated and voted upon. Our farm people are Democrats and they are Republicans. Their well-being should have no reference to party politics. It is exceedingly painful to me that Mr. Benson has injected partisan politics, and has promoted political alinements, in our deliberations in the Congress on vital farm legislation, for in this situation it is the farmers who suffer.

Therefore, at the outset of this report, I want to commend those members of both parties who have proven themselves to be true and devoted friends of agriculture and who have placed the interests of our farm people above any possible partisan advantage.

THE BENSON STORY

I hope that from these remarks, Mr. Speaker, the Nation will take note of what has happened, and what is happening, on the farms of America under Mr. Benson and under this administration.

In 1957, our total population consumed 11 percent more farm-produced foods than in 1952, the year before Mr. Benson took office, yet our farmers received $600 million less for that larger volume of production for domestic consumption in 1957 than for the more limited volume in 1952. And, in contrast, consumers paid food processors and marketing middlemen $6.1 billion more in 1957 than in 1952 for hauling, processing, and handling the food between the farm gate and the retail counter.

Here are the figures on the deterioration of farm income under Mr. Benson, taken from the books of the Department of Agriculture:

Total realized net income of farmers

(After deducting agricultural production expenses from the total of cash income from farm marketings, Government payments to farmers, value of home consumption of farm-produced foods, and computed rental value of farm dwellings.)

FIVE PRE-BENSON YEARS	
1948	$16,057,000,000
1949	13,789,000,000
1950	13,185,000,000
1951	15,156,000,000
1952	14,416,000,000
Total	72,605,000,000
FIVE BENSON YEARS	
1953	$13,899,000,000
1954	12,201,000,000
1955	11,470,000,000
1956	12,111,000,000
1957	10,840,000,000
Total	60,521,000,000

The Department records show that during the last 5—Benson—years farmers produced and sold 11 percent more food and nonfood products than in the 5 preceding years, 1948–52, inclusive. Had our farmers been paid for the larger volume of food and nonfood products marketed in the last 5 years, at the same rate as in the 5 years immediately preceding Benson, their net income in these last 5 years would have been $80,591 million, or more than $20 billion above what they actually received under Mr. Benson.

If farm prices, instead of declining, had increased in proportion to all other prices during these last 5 years, then the income of farmers would have been much greater than $80 billion. However, under Mr. Benson's constant pressure for lower farm prices, the income aggregated only $60,521 million.

Mr. Speaker, those who seek an excuse for the farm income debacle in the last 5 years often resort to a contention that prior to Mr. Benson's tenure farm prices were influenced and sustained by the demands of the post-World War II years and by the Korean conflict. It should be pointed out that the demand for food has been greater in these last 5 years than in any similar period in history, and consumers purchased during these 5 years 11 percent more products of our farms than during the 5 previous years. The difference between the Benson years and the prior years is that before Mr. Benson took office the farm program was in sympathetic hands and supplies were kept within reasonable balance with market outlets, while in these recent years Mr. Benson has been tearing down the program, telling both producers and consumers that farm prices are too high, with the result that farmers have suffered a loss in income of at least $26 billion.

Here is a brief summary of the last 5 years, comparing 1957 with 1952:

Farm prices: Down 16 percent.

Farm parity ratio: Down 18 percent.

Realized net farm income: Down 25 percent, lowest point since 1942.

Purchasing power of that farm income: Down 29 percent, lowest since 1940.

Farm debt: At a record high, above $20 billion.

Farm population: Declined from 24,283,000 in 1952 to 20,396,000 in 1957.

In 1957 the returns to farm workers for their labor and management reached a low of 69 cents an hour while the average wage of industrial workers climbed to a high of $2.07 an hour.

Moreover, farm surpluses have trebled, increasing from $2,452,000,000 in 1952 to more than $7 billion today; appropriations and authorizations to the Department of Agriculture, for all purposes, amounted to $6,794,000,000 for fiscal 1958, whereas all such appropriations and authorizations for all the 5 years immediately preceding Mr. Benson's tenure—including the Korean conflict—amounted to only $7,391,000,000; and employees in the Department of Agriculture have increased more than 17,000 since 1952, from 67,406 as of December 31, 1952, to 85,107 as of January 1, 1958.

Since Mr. Benson began to bring down farm prices 5 years ago, farm income has dropped about $1 billion a year, the cost of farm programs has increased by about $1 billion a year, farm debt has climbed about $1 billion a year—and farm people have been leaving the farms at the rate of about 1 million a year.

AGRICULTURE'S GOLDEN YEARS

Mr. Speaker, in a very few days we shall be back home, among the good people who sent us to Congress, and in our daily associations we shall be giving accounts of our stewardship. Our farmer friends will want to know why the farm program which operated so well so long at so little expense is not now helping them—why farm income has constantly declined in the last 5 years. Consumers will want to know why prices at the grocery counters are so high.

I am going to tell the truth. I am going to tell my farmer friends and my consumer friends in the towns and cities about Mr. Benson, and about those who hold his hand. I shall tell them two true stories: One, the Benson story; the other, the story of the golden years of agriculture's rise from the great depression to a place of parity and equal economic stature with labor, industry, and business—to the time that Mr. Benson took over.

The story of agriculture's golden years is an account of the triumph of the parity principle—agriculture's magna carta. This is the story of 20 pre-Benson years.

Farm income multiplied sixfold, sevenfold, or eightfold in those two decades. As I have noted, for 11 consecutive years prior to 1953, the average prices paid to farmers were at or above 100 percent of parity. Rural people became able to buy the conveniences and comforts hitherto available only to our citizens in the cities. The blessings of electricity were taken to the rural areas. Farmers became financially able to mechanize their farms and to apply new sciences, to bring the blessings of food abundance at low cost to the consumers of the Nation. Now, with the means to do it, farmers devoted their energies to the restoration and conservation of the Nation's most precious resource, the soil. Prosperity on the farms created greater markets for industries in the cities, made jobs, and kept factory wheels turning.

The output per farm worker doubled in those 20 years, and now each farm worker feeds 20 persons. This new efficiency in agriculture made available to American families more and better food, for an expenditure of a smaller percentage of their total income than in any other period of history. Although in the last 5 years retail prices have increased as farm prices declined, even today the average hourly wage of industrial workers will buy twice as much food as in 1929.

COSTS

The Commodity Credit Corporation supported the prices of major storable crops for 20 years prior to 1953 and, at the end of these 2 decades, this program actually showed a 20-year profit of $13 million. For these 20 years the CCC programs for all crops, including a number of perishables, lost only $1,064 million, and CCC investments in surpluses on January 1, 1953 (inventory and loans) amounted to only $2,452 million.

In contrast, during the past 5 years, due primarily to the unsympathetic administration of the farm program, CCC deficits in farm price-support operations have amounted to 4 times as much as was lost in the preceding 20 years—slightly more than $1 billion in 20 years, compared with more than $4 billion in the last 5 years. Meanwhile, CCC investments in surpluses have increased threefold, from $2,452,000,000 in 1952 to more than $7 billion in the most recent report.

The following table summarizes the costs of the CCC farm price-support operations—first, for the 20 pre-Benson years, 1933 to 1952, inclusive, and second, for these 20 years plus the 5 Benson years, 1953 to 1957, inclusive:

Summary of CCC program results from Oct. 17, 1933 (realized gains and losses)

Program and commodity	Oct. 17, 1933, through Dec. 31, 1952	Oct. 17, 1933, through Dec. 31, 1957
PRICE-SUPPORT PROGRAM (CCC NONRECOURSE LOAN, PURCHASE, AND PAYMENT PROGRAMS)		
Basic commodities:		
Corn	[1] $53,166,802	[1] $673,020,646
Cornmeal		[1] 30,812,127
Cotton:		
Extra long staple		[1] 6,146,942
Upland	266,629,425	[1] 420,737,896
Export differential	[1] 41,261,218	[1] 41,261,218
Puerto Rican	[1] 130,198	[1] 130,198
Cotton-rubber barter	11,055,451	11,055,451
Peanuts	[1] 91,687,605	[1] 151,129,448
Rice	[1] 1,422,757	[1] 79,768,110
Tobacco	4,585,150	[1] 4,226,570
Wheat	[1] 83,490,156	[1] 510,721,419
Wheat flour		[1] 65,967,720
Total	12,011,290	[1] 1,992,067,863
Designated nonbasic commodities:		
Honey	[1] 873,405	[1] 868,646
Milk and butterfat:		
Butter	[1] 48,286,347	[1] 430,421,755
Butter oil		[1] 121,205,843
Cheese	[1] 25,021,168	[1] 202,514,035
Milk:		
Dried	[1] 58,215,868	[1] 518,832,477
Fluid		[1] 187,301,019
Whey		[1] 3,584,209
Subtotal	[1] 133,396,788	[1] 1,563,869,236
Potatoes, Irish	[1] 478,080,248	[1] 478,577,870
Tung oil	[1] 78,904	[1] 1,055,125
Wool	[1] 92,163,834	[1] 113,829,214
Total	[1] 702,719,774	[1] 2,158,198,193
Other nonbasic commodities:		
Barley	[1] 9,621,983	[1] 101,663,747
Beans, dry, edible	[1] 31,950,759	[1] 72,679,209
Castor beans	[1] 171,193	[1] 171,193
Cotton, American-Egyptian	[1] 273,760	28,827
Cottonseed and products	15,200,619	[1] 116,786,266
Eggs	[1] 199,704,186	[1] 199,696,695
Flax fiber	[1] 897,113	[1] 897,113
Flaxseed and linseed oil	[1] 66,065,222	[1] 166,034,288
Fruit, dried	[1] 14,882,320	[1] 14,882,320
Grain sorghum	[1] 25,804,103	[1] 183,394,438
Grapefruit juice	[1] 1,732,374	[1] 1,732,374
Hemp and hemp fiber	[1] 21,459,155	[1] 21,459,155
Hops	[1] 954,200	[1] 954,200
Naval stores	[1] 1,372,873	[1] 815,375
Oats	[1] 1,338,827	[1] 66,962,650
Olive oil		[1] 578,122
Peas, dry, edible	[1] 899,436	[1] 824,436
Pecans	[1] 3,781	[1] 3,781
Rye	[1] 159,455	[1] 17,448,925
Rye flour		7,080
Seeds	[1] 1,349,616	[1] 28,706,496
Soybeans	4,376,604	[1] 1,577,300
Sugar, Puerto Rican and Virgin Islands	23,830	23,830
Sugar beets	[1] 15,517,269	[1] 15,517,269
Sweetpotatoes	[1] 135,421	[1] 135,421
Turkeys	11,070	11,070
Vegetables, canned	11,942	11,942
Total	[1] 374,908,741	[1] 1,013,220,044
Exchange commodities		[1] 10,181,648
Total price support	[1] 1,064,617,225	[1] 5,173,746,786

[1] Denotes loss.

MORE TROUBLE AHEAD

Mr. Speaker, it is indeed a melancholy record that Mr. Benson has compiled in the years he should have been the chief champion of our farm people before the Nation.

And it is with deep distress and regret that I must tell the House that, for agriculture, the worst seems yet ahead.

The handwriting is on the wall. Out of his great and dedicated drive for lower and lower farm prices, based upon an extraordinary theory that a poor price will make better income, Mr. Benson has set the stage for an even greater farm debacle within the next 2 years.

Record wheat and feed-grain crops in 1958, the weakening of production-adjustment programs, and further reduction in price supports which will encourage larger crop outputs as farmers seek to make up in volume what they lose in unit price—all these factors clearly foreshadow these distressing developments:

Farm surpluses will mount to a new record high.

Farm program costs will climb to new heights.

Meat animal prices and the income of feed and livestock producers will decline sharply. We may see hogs selling at $10 or $12 per hundredweight.

Farm debt will set a new high record.

Finally, unless an effective farm program is developed in the next Congress and put into operation, in spite of Mr. Benson's objections, farm income will establish a new postwar low, and the effects will be felt not only by our farm people but also by the Nation's total economy.

THE 85TH CONGRESS

Mr. Speaker, the 85th Congress strove, with earnestness and dedication, to arrest the 5-year deterioration of our agricultural economy, and to return our farmers to a parity position in our free-enterprise society, but our efforts were thwarted—they were scuttled—by the veto power of the President.

This Congress worked constantly in the shadows of Mr. Eisenhower's veto power wherever the interests of agriculture were to be served.

The President put this power at the disposal of Secretary Benson.

The deep concern of the Members of this House for the well-being of agriculture is vividly spread in the records of the Committee on Agriculture. These records show that Members of this body introduced in this Congress 897 bills intended to improve the conditions of our farms. Our committee, with its 19 subcommittees, conducted 543 hearings and study sessions. We received millions of words of testimony from farmers, spokesmen for farm organizations, Department of Agriculture officials, and from others interested in agricultural legislation. We developed sound and reasonable legislation which would be fair to farmers and consumers alike.

Early in this session the Congress passed Senate Joint Resolution 162 intended to prevent the Secretary of Agriculture from cutting the price-support levels in 1958 for dairy farmers, wheat producers and for several other crops, and also to forestall severe acreage reductions in 1959 for cotton and rice producers. This legislation was intended to prevent a loss this year of over one-half billion dollars to wheat, rice, dairy, and feed grain farmers. It proposed a

reasonable solution in 1959 to the acreage allotment problems of cotton and rice farmers.

The President vetoed this legislation. That was his constitutional right. However, in a message to the Congress he made clear that some 1 million cotton and rice farmers would suffer severe and devastating slashes in their acreage allotments, unless the Congress gave Mr. Benson broad new authority to reduce farm price supports. Thus a veto barrier was erected between farmers and their Government.

Senate Joint Resolution 162 had been written to "hold the line" against further harm to farmers, while the Congress worked on a new program intended to start agriculture again in the direction of a parity position in the economy. This program, treating agriculture's problems on a commodity-by-commodity basis, was embraced in H. R. 12954, drafted by the House Committee on Agriculture. This bill would have raised farm prices and income. Mr. Benson promptly condemned it as a "monstrosity," and again threats of veto were heard. The House rejected the bill.

It became increasingly evident that the President would let no general farm bill become law unless it gave to the Secretary broader authority to cut farm prices. Thus the Congress was confronted with the reality that it must give Mr. Benson further price-cutting powers or he would impose such short acreages upon cotton and rice crops as to mean ruin for many farmers and for many communities which depend on production of these crops for their economic existence.

It was in this situation that the top echelon of the American Farm Bureau Federation brought forward a proposition to kill the parity principle completely and thus destroy the very foundation of the farm program. Mr. Benson endorsed legislation embracing the Farm Bureau proposal. It would have provided price supports for major crops at 90 percent of the average market prices of the previous 3 years, thus removing farm prices entirely from any fair relationship to costs and prices in the rest of the economy and providing a price-support system for farmers at approximately 10 percent less than they could expect to get in the marketplaces anyway.

Mr. Speaker, I am impelled to say at this point that I do not believe the parity-killing proposition introduced by the headquarters officials and employees of the American Farm Bureau Federation in any way whatsoever represented the thinking and the will of the good farm people who are members of that great organization. That patriarch of agriculture, Edward A. O'Neal, late president of the Federation, was one of the principal architects of the program to bring farmers into a parity position in our free-enterprise economy. He personally welded the farm interest into a united front and was the great leader of agriculture in those golden years prior to the advent of Mr. Benson. I cannot believe the present members of that organization would deny and defame the philosophy of Ed O'Neal, destroy the advantages his dedicated life brought to agriculture, and work against their own interests by repealing the parity concept, on which all of agriculture's aspirations and hopes are founded.

The Senate passed S. 4071, embracing the Farm Bureau proposal to kill the parity principle for cotton, corn, rice, and feed grains. The Senate took this action when it seemed that this was the only way to gain enactment and White House approval of a bill to forestall devastating cotton and rice acreage cuts in 1959, which was the major objective of the sponsors of S. 4071.

But, Mr. Speaker, when this bill came to the House for its consideration, our Committee on Agriculture unanimously opposed the destruction of the parity principle. Democrats and Republicans stood solidly against this. We would have no bill at all if it would destroy parity. The committee won the confidence and support of this House on our position and we put parity back into the law with all its dignity and as the foundation on which this Congress will rebuild a farm program, fair to farmers and consumers alike, when we have in Washington a Secretary of Agriculture and an administration that is sympathetic to the principle and the cause that the farm families of this Nation have a right and ought to be equal partners in the rewards and the blessings of free enterprise and that they are entitled to a parity position in this Nation's growth and prosperity.

In urgency, and under near suffocating pressures, we finally passed a farm bill, in the closing days of this Congress. We prevented a merciless constriction of cotton and rice acreage, but in so doing—to avoid the ever-present threat of a veto—we pleased the President by giving Mr. Benson broader farm price-cutting authority in future years.

The bill is not what I wanted. The bill is not what any friend of agriculture wanted. It is an offspring of necessity and of the veto power. It protects producers from something worse in 1959 but, unless it is repealed or changed, it will create greater problems in the years ahead.

A BASIC OBJECTIVE VERSUS FOUR MYTHS

Mr. Speaker, the farm program, based on the parity principle, was erected out of an awareness in the Congress that agriculture is the only major element of our total economy that has no device, outside of the help of Government, to pattern its production to market needs; that farmers have no way of measuring what should be their individual contributions to a balanced national supply of food and fiber without Government help; that farmers have virtually no bargaining power in the commerce they conduct; that agriculture is the only major industry that does not set its prices to cover costs and reasonable profits but goes into the marketplace and asks: "What will you give me?"

Thus the farm program, from its beginning in the 1930's, sought to employ for agriculture the two basic requirements of any successful business in a free-enterprise economy:

First. To provide machinery whereby producers may adjust their production to market requirements; and

Second. To give the producers a voice in the price of their commodities as they deliver them into the markets.

It is astonishing to me, therefore, that the farm program, aspiring to make available to farmers, for use at their own election, these fundamental and time-tested requirements of all successful private business, has been assailed in some quarters as an impingement of freedom and as at odds with free enterprise.

National propaganda has been trained against the operation of an effective farm program.

Four great myths have been planted on the farms of America and have yielded a crop of confusion, uncertainty, and doubt, around the future of agriculture. Mistrust has been created among farmers themselves, in their own program.

First. Farmers are told that lower prices will solve their problems.

Second. Farmers are told that increased efficiency will solve their problems.

Third. Farmers are told that movement of people out of agriculture will solve their problems—that is, the problems of those who are left.

Fourth. Farmers and the Nation at large are told that the price-support program is responsible for surplus farm production.

The present Secretary of Agriculture—virtually from the day he took office in 1953—has repeatedly told his audiences, principally consumers, that the farmer is pricing himself out of his markets. We do not recall that at the same time the people who manufacture tractors, trucks, fertilizer, sell fuel and all the other requirements in the production of food and fiber, have said that their prices are too high. Indeed not, for the costs of things that farmers use in production have been increasing month by month, while farmers' profits have been going down year by year.

As to the second myth, relating to increased efficiency, recent experience indicates that the improved methods of production have not solved but have intensified the farm problem.

The improvement of efficiency in agriculture in the last few years has been unmatched in any other period of our history. Crop production per acre in 1957 was 40 percent above the 1935–39 average. Total man-hours of labor used for farm work declined by 34 percent in this 20-year period; yet, greater and greater abundance has come from the land. Output per man-hour of farm labor has increased 127 percent. The number of consumers supported by 1 farmworker has doubled, from 10 in the 1930's to more than 20 today.

Yet, for the 5 years 1953 through 1957, the rewards to the farmer and his family constantly declined.

The third myth is as cruel as it is fallacious. It seeks an answer to the farm problem by moving people out of agriculture. The theory seems to be that overall farm output would be reduced, and that total farm income would be divided among fewer farmers.

The fact is that we have experienced the greatest movement of people from our farms in the last few years that we have ever known; yet, total farm output has increased to new record levels. In a discussion of this myth, the question might well be raised as to what would happen to farm income if the population attrition continues and another 1 million of the approximately 5 million farm families go out of agriculture. The annual realized net farm income of around $11,500,000,000, when divided among 5 million farms, shows an average per farm income of $2,300, for investment, management, and labor. Divide the same total net of agriculture by 4 million farms and the per-farm income still is only $2,875.

As to the final myth—that price supports are responsible for surplus farm production—we need only to point out that total farm output in 1957 was 6 percent higher than 5 years earlier in spite of a 25-percent decline in net farm income; but the combined production of the 6 basic crops subject to acreage allotments and price supports was 13 percent lower, not higher, in 1957 than in 1952. Farm output is too great for available market outlets primarily because the technological revolution in agriculture, in the absence of a sympathetically administered farm program, is increasing total output faster than commercial markets can absorb it.

These four myths are being employed today to divide and confuse farm people and the general public. This propaganda in spite of its falsity is used in the broad assault upon the farm program.

THE LAND—THE PEOPLE—THE NATION

Mr. Speaker, the land is the source of life itself. Its ownership by fewer and fewer individuals is a dangerous thing. All history testifies to the upheaval, the decline of nations and of peoples, where control of land was concentrated in the hands of a privileged few and the many were denied its access and possession.

In these and other of my remarks the Members of this great body no doubt will note not only criticism but also a certain bitterness on my part toward the policies of Secretary Benson.

Yes; I despise his settled course toward a low-price, low-income agriculture, because of the hardships and injustices already visited upon so many farm families of this broad and rich land of ours; but this bitterness I feel, and which sometimes overbrims and I cannot contain it, comes from a deep dread and fright that Mr. Benson is leading this beloved country of ours toward the dispossession of the many on the land in favor of the few who will survive these devil-take-the-hindmost policies he has invoked upon our farmers.

He has used his office and his time not as a chief spokesman and champion of agriculture but to sow the seeds of prejudice among city people against our farmers; he has alined one farm group, one crop, one region against another, to divide and confuse our farm people; he has turned the power of Government against the small farmer, condemning him as inefficient and unworthy of a place on the land.

When a Minnesota farm wife asked the Secretary: "What shall we do?" the Secretary replied: "Find other employment."

The unemployment lines and relief rolls in the cities now are packed with people who once enjoyed security and a good life on our farms. Mr. Benson's own records show that approximately 2 million persons left our farms in the brief span of 1 year, from 1956 to 1957.

Mr. Speaker, the American free-enterprise system was built upon a foundation of free and independent—and numerous—family-operated farms. I think the Nation needs to take a fresh free-enterprise look at the family farm.

FREE ENTERPRISE AND THE FAMILY FARM

There are today more independent units of enterprise in agriculture than in all other industry and business combined. Moreover, the assets of agriculture are virtually equal to the total productive values in all our manufacturing corporations. There still are almost 5 million separate and independent business enterprises operating in agriculture, while all other units of enterprise, in our industry and business, number about 4.2 million.

It will be a sad day for America, if giant corporate farmers supplant our family system in agriculture.

Free enterprise does not live on profits, interest, and rentals alone. It prospers by the incentive to every young man that, by devotion to his job and good management of his affairs, some day he may be his own boss—he may own his own farm or his own business.

It is my feeling and my fear that by the proportion we reduce the number of individual units of enterprise we weaken the American individual free-enterprise system; and it is my conviction that for agriculture we cannot afford to substitute a hired hand, corporate-managed system for the independent, free-enterprise family-farm operation.

It is astonishing to me that any American, especially an official of Government who is aware of history and of the world today, could be inclined to a philosophy guided solely by bigness in our agriculture.

Our continent was settled largely by people fleeing from the feudal estates, the baronial-operated farms, of Europe. Bigness did not produce efficiency and strength in a people in the feudal system. In our own time we have the example of the failure of collectivism on the farms of Russia, where the pride and productivity of family unit work and possession have been condemned and suppressed.

How then can we stand silent in America, in awe of bigness, while thousands of our farmers are being dispossessed because of policies of our Government that mitigate against them?

CONCLUSION

Mr. Speaker, I implore all the Members of this House, I beseech all Americans, to examine the primary source of our strength.

We are the best-fed Nation on the face of the earth.

Our people spend a smaller proportion of their income on food than any other people on earth.

In Russia, agriculture requires the labor of fully one-half of the total population. One family on a farm hardly can feed itself and one other family in town. In America, each farm worker feeds 20 persons. Thus while half of Russia's total population works on farms, and still cannot meet the needs for food and fiber, in America the efficiency of our family farm system releases 90 percent of the Nation's total work force—for employment in factories, in mines, in shops, in transport, in all the other pursuits which, with the abundance of food and fiber from our farms—makes the United States standard of living the envy of the world.

The nature and productivity of our agriculture underlies the growth and strength of the greatest industrial establishment the world has ever known. Our agriculture produces not only an abundance—a cornucopia—of food, but supplies raw materials for our industry. The greater portion of our working force in industry and business is made up of men and women who in other nations, because of the poorness of their agriculture, are required to work on farms, if these nations are to feed themselves.

Mr. Speaker, we must protect the agricultural establishment that serves this nation so well. We cannot forfeit our farmers to an alien philosophy of concentrations and bigness.

We must have an effective farm program, to serve our farm families as our Government provides the minimum wage and collective bargaining powers to protect our labor force, and as our industry is protected by the many laws that soften the impacts of harsh and unrestrained competition.

Our farm program must enable farmers, as other businessmen, to adjust their production to their markets. It must give the producers a voice in the price of the things they sell, as is essential to any successful business.

We must begin in the next Congress to repair the damage that Mr. Benson has done—to build a new and effective farm program.

This Nation, committed to economic and political freedom under capitalism, cannot afford to permit more than one-half of its free-enterprise units and almost half of its free-enterprise assets to teeter constantly on the edge of insolvency.

It is unthinkable that urban people, from Mr. Benson's preachings, can be persuaded to a position of prejudice against our farmers.

Mr. Speaker, I have faith in the fairness and wisdom of the American people. I am supremely confident that the representatives of the urban populations will join those of us representing farm areas in this Congress to reject the Benson philosophy of low prices and fewer people in agriculture, and that they will help us to write legislation assuring to the farm families of this Nation a parity position in the rewards of enterprise, so they they, too, may enjoy full partnership in the blessings of this capitalistic system that has brought us abundance and unmatched strength and prosperity as a nation.

Final Report, 2d Session, 85th Congress

EXTENSION OF REMARKS
OF

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. MINSHALL. Mr. Speaker, it has been my custom to submit a final report of the work of the Congress to the residents of the 23d Congressional District. Such a report on the 2d session of the 85th Congress follows:

WASHINGTON REPORT BY WILLIAM E. MINSHALL

Near the end of each session of Congress, it has been my privilege to bring to the voters of the 23d Congressional District a final report of the preceding session's accomplishments. As we approach adjournment after 8 months in session, we find that 4,944 bills were introduced and 1,348 enacted into law. Many hours have been spent each day in committee and on the floor preparing and debating the legislation comprising this record, and each Congressman has been diligent in trying to do what he felt to be best for his district and country. Major legislation not passed at this session included a general tax cut, Federal aid for school construction, statehood for Hawaii, new law on succession when President is disabled, and a strong antiracketeering labor bill. The following major pieces of legislation were enacted into law:

NATIONAL DEFENSE

Defense Reorganization Act of 1958 streamlines Department of Defense by transferring power of separate service Secretaries to Secretary of Defense. Will result in shortening of command channels, lessen feuding among services, and reduce duplication. Most of President's recommendations were adopted.

National Aeronautics and Space Act sets up civilian space agency which will control research into problems of flight within and outside earth's atmosphere. Cleveland's T. Keith Glennon will head it. Military projects stay under control of Pentagon.

Armed Forces salary increase bill adjusts method of computing pay for members of services; intended to encourage personnel to make careers in the military.

Defense appropriation for 1959 provides $39,602,827,000 for defense spending, a total of $815,857 more than President requested, our largest peacetime military appropriation.

Military construction appropriation authorizes nearly $1.7 billion in military construction during the current fiscal year, covering a multitude of projects in this country and abroad.

Federal scholarships law strengthens national defense by encouraging and assisting in expansion and improvement of educational programs to meet critical national needs.

FOREIGN AFFAIRS

Mutual Security Act, commonly known as foreign aid. Of $3.2 billion voted, about one-half for economic aid, remainder for military. President originally asked for approximately $4 billion.

Reciprocal trade extends act for 4 years and enables President to cut tariffs 20 percent below present rates. Program is designed to insure continuance of liberal foreign trade. President won major victory on this one.

Atomic Energy Act permits greater exchange of information and material with our NATO allies; old law permitted sharing information with Britain only.

Euratom measure provides for United States cooperation with European Atomic Energy Community to advance peaceful application of atomic energy, provides United States support of 1 million kilowatts of atomic power in 6 West Europe nations.

NATIONAL AFFAIRS

Small Business Administration law makes SBA permanent agency which should make it a more effective advocate of small business. Extends long-term credit to small businesses, and establishes a program to stimulate flow of private equity capital. Ceilings on individual loans are raised to $350,000.

Small business tax relief grants in form of fast writeoffs an estimated $260 million which will benefit retained earnings, loss carrybacks, and estate taxes.

Corporate and excise tax extension bill provides a 1-year extension of existing corporate normal tax rate and certain excise-tax rates, repeals 3-percent excise tax on freight transportation.

Social Security Act revision increases monthly retirement checks by 7 percent which will be covered by higher payroll taxes beginning in January.

Transportation Act provides much needed relief for railroads, amends Interstate Commerce Act by giving more freedom in ratemaking and in abandoning service on losing lines. Also provides a $500 million loan program.

Debt limit measure approved boosting debt ceiling from $275 billion to $283 billion.

Temporary Unemployment Compensation Act permits States to borrow necessary Federal funds to extend payment of unemployment compensation benefits.

Tax reduction: One bill amends Internal Revenue Code of 1954 so as to correct unintended benefits and hardships; another reduces excise taxes by $42 million annually. Also cut were some admission taxes; basic income taxes remained the same.

GOVERNMENT REORGANIZATION

Alaska statehood authorization will make Alaska our 49th State after 42 years of effort as soon as formalities in Territory are concluded. However, 49-star flag cannot be flown until July 4, 1959.

Federal Aviation Agency Act creates an independent agency of Government to insure greater aviation safety headed by civilian administrator and directly responsible to President and Congress. Law centralizes civil control over air traffic.

A Hoover Commission recommendation, H. R. 8002, budgetary reform which tightens control over departmental spending.

PUBLIC WORKS

Highway construction legislation authorizes $3½ billion for this year and the same amount for next for construction of highways, $198 million of which will be Ohio's share each year, second largest amount allocated to any State, California being first.

Rivers and harbors omnibus bill provides $1.5 billion for improvement of rivers, harbors, and other waterways for navigation, flood control, etc. Included in this measure is a provision for improvements to Cleveland Harbor and replacement of Erie Railroad bridge over Cuyahoga River, Baltimore & Ohio Railroad bridge over Old River, and Willow Avenue Highway Bridge.

Federal Airport Act extends program for Federal aid for airport development through 1963 and increases amount of funds so allocated annually from $63 million to $100 million. Under act, following funds allocated for years 1957 through 1959: Cleveland-Hopkins Airport, $2,147,000; Cuyahoga County Airport, $654,500; and Lakefront Airport, $300,000.

Aeronautics research bill provides for construction of additional facilities of NACA, $8,892,000 of which would go to Lewis Flight Propulsion Laboratory in Cleveland.

Emergency housing bill to provide stimulant to residential housing; authorizes almost $2 billion in housing loan funds.

New post office buildings for Bay Village and Rocky River, improvements to Chagrin Falls Post Office.

GENERAL LEGISLATION

Postal pay and rate increase raises pay of postal workers by 10 percent and increases postage rates to decrease postal deficit by providing the Department with an additional estimated one-half billion dollars per year.

Federal employees salary increase gives a wage raise of 10 percent to all classified Government workers retroactive to January 1, 1958.

Veterans' benefits: One bill raises to $250 amount Government will pay for burial expenses of war veterans or of those with peacetime service drawing service-connected disability pay, another raises ceiling on disability pay for holders of World War II GI life insurance—new maximum $10 per month for each $1,000 of insurance instead of present $5.

First District Views on Key Issues and Summary of Congressional Action

EXTENSION OF REMARKS
OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. QUIE. Mr. Speaker, shortly after I was elected to Congress, I prepared an opinion questionnaire which was mailed to every resident of the First District whose name is listed in a telephone directory.

The response to this questionnaire was very encouraging. More than 5,000 First District people took the time to express their views by this means—and many of them wrote additional comments on the margins and backs of the questionnaire blanks.

The questionnaire asked their views on 12 important issues before this session of Congress. As a result of the questionnaire, thousands of people took advantage of an opportunity to inform their Congressman of their thinking. And their Congressman certainly appreciated being informed of their opinions.

The reactions of First District people to this questionnaire were varied and interesting.

One man summed up his feelings quite well, I believe, when he wrote:

It is refreshing to be asked my opinion. My impression has been that elected officials more or less forget the voters after the election.

Another man replied:

This is a splendid idea, befitting a Government of the people and as was intended by the fathers of our country.

A woman who described herself as the mother of seven children, wrote to say that now she can "appreciate the numerous issues" which come before Congress every day.

She added:

I think this is a fine way to learn the opinions of the people. This is the first time I have ever received such a form.

The questionnaire results:

Questionnaire

	Percent		
	Yes	No	No answer
1. What do you think of our spending on national defense? Enough, 61.4 percent; too much, 16.7 percent; not enough, 15 percent			6.9
2. Do you favor continuance of the mutual security program of military and economic aid to friendly nations?	77.4	17.7	4.9
3. Do you favor extension of the Reciprocal Trade Agreements Act?	81.7	7.7	10.6
4. Do you favor passage of a scientific scholarship act which will provide for training of potential young scientists?	67.2	30.5	2.3
5. Do you favor Federal aid for school construction?	48.9	48.5	2.6
6. Do you favor increasing postal rates to reduce the deficit in the Post Office Department?	72.0	25.1	2.9
7. Do you favor tax reductions to stimulate business if it causes us to have an unbalanced budget?	18.6	80.2	1.2
8. Do you favor increased Government spending if necessary to stimulate business?	34.0	61.8	4.2
9. Do you favor legislation which would provide safeguards against misuse of labor union and corporate welfare funds?	95.1	3.9	1.0
10. Do you favor returning to the States some of the activities that are now carried on by the Federal Government?	74.6	17.1	8.3
11. Do you believe our present flexible price-support program is working?	39.5	51.5	9.0
12 If you answer "No" to question 11—			
(a) Do you favor increasing price supports?	20.5	67.1	12.4
(b) Do you favor an alternative program which would eliminate all price supports?	79.1	19.6	1.3
	Farmers		
11. Do you believe our present flexible price-support program is working?	28.1	68.7	3.1
12. If you answer "No" to question 11—			
(a) Do you favor increasing price supports?	43.0	57.0	0
(b) Do you favor an alternative program which would eliminate all price supports?	54.3	36.4	9.3

ACTION OF CONGRESS

At this point I believe it is valuable to list the actions of Congress which coincide with the views of the people who answered the First District questionnaire—as well as a general summary of decisions made by House and Senate on other specific pieces of legislation.

LABOR

The greatest block of First District people answering the questionnaire—95.1 percent—favored passage of legislation to provide safeguards against misuse of labor union and corporate welfare plans.

Congress passed what can be called a moderate plan to achieve this end—legislation requiring all administrators of pension and welfare plans to make available once a year a report on the operation of these programs. This report can be studied and examined by all persons concerned. In addition, this legislation requires the filing of two copies of such a report with the Secretary of Labor.

The best known article of labor legislation—the Kennedy-Ives bill—was rejected by a bipartisan majority in the House as a direct result of mismanagement and delay on the part of the House leadership.

This bill was fashioned in the Senate, after that body adopted a series of amendments which had not been recommended by the committee. When the bill came to the House, it should have been carefully studied by the House Committee on Education and Labor. Unfortunately, inaction and stalling in the House and an attempt to short-circuit democratic processes caused defeat for this bill.

The legislation arrived in the House in mid-June and was held in a state of suspended animation for 41 days before it was referred to the Committee on Education and Labor. This Committee did not even schedule public hearings so that the bill could benefit from public discussion.

Suddenly the bill was routed to the floor under a parliamentary procedure which limits debate to a total of 40 minutes and precludes amendments. Thus this legislation was thrust before the House membership on an all-or-nothing basis, with a harsh gag rule placed on the membership. This was sad treatment for a bill which could have been one of the most valuable pieces of legislation passed in this Congress.

RECIPROCAL TRADE

The second largest group of people who answered the questionnaire—81.7 percent—supported extension of the Reciprocal Trade Agreements Act.

Congress extended the trade agreements for 4 years and reserved the power to override any Presidential veto of the Tariff Commission.

AGRICULTURE

Any expression of agricultural policy in the questionnaire is important because the First District is one of the great farming regions of the United States. A total of 51.5 percent of all persons who answered the questionnaire believe that our present flexible price support program is not working. Thirty-nine and five-tenths percent feel that the flexible program is working.

Of those who believe the flexible program is not working, 79.1 percent believe that an alternative program is desirable—a program which would eliminate all price supports. Twenty and five-tenths percent of those who do not believe flexible supports are working favor an increase in price supports while in this same category 67.1 are opposed to higher supports.

It is enlightening to study the views of farmers who responded to the questionnaire.

Of the total number of farmers expressing their opinion, 68.7 percent believe that the flexible support program is not working. Of this group which feels the program is not successful, 54.3 percent support an alternative farm program, and 36.4 percent do not; 43.0 percent favor increased price supports and 57 percent do not.

Farm legislation passed by Congress provides for lower supports and a relaxation of controls for cotton and rice farmers—extending to them the opportunity—which they requested—to better meet the competition.

The farm bill also stipulates a referendum for corn farmers, giving them the option of voting for either the present program—ranging from 75 to 90 percent of parity—with ineffective controls on production, or a program of 65 percent of parity and no control on production.

The following farm programs were extended by Congress: The Wool Act, Public Law 480—the surplus disposal law which provides food for needy people at home and abroad and which enables our country to sell much of its overabundance of food for foreign currencies, the Armed Forces milk program, and the school milk program.

BIG GOVERNMENT

The questionnaire shows the prevailing philosophy of many First District people that Government must be prevented from encroaching on the liberties and destinies of the American people.

A full 74.6 percent of the people who answered the questionnaire support a return to the States of some of the activities now carried on by the Federal Government.

DEFENSE, INTERNATIONAL ISSUES

The people were explicit in their support of key national defense, international, and educational programs.

A total of 61.4 percent supported current spending on national defense. Congress approved essential defense appropriations and in addition supported the defense reorganization program to streamline chains of command and provide a more systematic, unified defense program at a saving of tax dollars and elimination of costly duplication.

Of those completing the questionnaire 77.4 percent endorsed continuation of the mutual security program of military and economic aid to friendly countries.

A Scientific Scholarship Act, to provide for the training of potential young scientists was approved by 67.2 percent of the people who returned the questionnaire.

Congress altered the scholarship provision and set up instead a loan program for students attending colleges.

Almost equally divided opinion existed in the questionnaire returns on the subject of Federal aid for school construction. This program was supported by 48.9 percent and was opposed by 48.5 percent. This legislation did not come up for consideration during 1958.

ECONOMIC, ADMINISTRATIVE ISSUES

On a question relating to operation of the Post Office Department, 72 percent endorsed higher postal rates to offset the Department's deficit. Congress raised postal rates and granted an increase for post office employees.

A heavy majority of First District people registered opposition to increased Government spending to stimulate business—61.8 percent. Another economic question dealt with tax reduction. Eighty and two-tenths percent of those answering the questionnaire opposed tax reductions if they would result in an unbalanced budget.

Major steps taken by Congress include the Tax Rate Extension Act of 1958 which repeals the 3 percent Federal tax on freight transportation. This law extends for the period of 1 year the present corporation tax and other excise taxes.

The Transportation Act of 1958 allows the Interstate Commerce Commission to operate a program of guaranteed loans to aid the railroad industry—an essential measure to preserve the health of this vital industry.

The Congress extended unemployment insurance up to 13 weeks to those who had exhausted their benefits under the existing law. It also increased social-security benefits an average of 7 percent, as well as increasing to some States the Federal share of public-assistance payments.

A major accomplishment was scored by this Congress for small business. The Small Business Act of 1958 insured the place of the Small Business Administration as a permanent agency of the Federal Government. The National Investment Company Act which aids small-business investment companies and Small Business Tax Revision Act were also enacted.

ADDITIONAL MAJOR ACTIONS

Growing awareness of the need for a program for outer space was reflected in legislation to create a National Aeronautics and Space Administration to direct our country's progress in the field of space exploration. This act enables the civilian Administrator of the agency to draft a comprehensive space program.

Congress voted for the admission of Alaska as the 49th State—an addition which can add substantially to our national strength and well-being.

IN CONCLUSION

The above report on the First District questionnaire and the actions of Congress is intended as a service to people of the district.

Now that Congress has adjourned, I intend to continue the program of service to the people—the same service which has been extended to them from Washington.

As a convenience to the people, I have set up an office at Faribault.

The address of the office is: Room 228, Faribault Post Office Building, 28 Third Street NE., Faribault, Minn.

The telephone number is 4–6789.

This office will be open beginning September 1, with the hours from 9 a. m. to 5 p. m., Monday through Friday.

Congressman Dollinger's Annual Report

EXTENSION OF REMARKS
OF
HON. ISIDORE DOLLINGER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. DOLLINGER. Mr. Speaker, the 85th Congress has achieved a remarkable record of legislative work done; it is considered the most productive Congress in a quarter of a century. It will go down in history as the Congress which squarely faced up to and constructively tackled overwhelming problems of a new era, the space age. It was called upon to legislate not only for the benefit of our Nation and the world of today, but to envision and grapple with problems of the new world of the future. I think it is safe to say that no previous Congress has had so many crises to deal with simultaneously, and it had the terrible responsibility of doing all in its power to assure humanity that there would be a world of the future.

Among other history-making acts, the 85th Congress set up a new Government agency to cope with the problems of space, and created a new star and a new State out of the Territory of Alaska.

Although the achievements of the 85th Congress are great, many vitally important measures were shelved or failed of passage. The accomplishments were due to a strong Democratic program and in spite of a sad lack of leadership on the part of our President. We remember his many splendid promises, to balance the budget, to lower taxes, to provide housing for the needy and low-income groups. Promises they were, and promises they remain, for he has not raised his voice to push the programs. Instead of the promised help, the American people are paying increased taxes, struggling to meet alltime high living costs; they lack adequate housing and educational facilities, just to mention a few areas of neglect.

The President has been accused of defaulting on his responsibilities in matters of foreign policy, which caused us to reach rockbottom in the estimation of the world. He has refused to take responsibility in the Little Rock crisis, and regarding post-sputnik problems, to such an extent that our people have become uneasy and have suffered loss of confidence in the strength of their leader and the security of their Nation. As to the recession, the President's policy seemed to be promise and procrastinate rather than proceed and provide.

The strategy of the Republican Party has not changed; the Republicans continue to indicate that they favor necessary and beneficial legislation, such as housing and civil rights, but when the vote is taken, their true colors are apparent. The long-standing coalition of Republicans with certain Southern Democrats, and the apathy and indifference of the President, are responsible for the defeat of numerous measures which we had hoped to pass.

MAJOR BILLS PASSED

Defense reorganization, extension of reciprocal trade, and foreign aid were vitally important to the United States, not only at home but abroad, as well as to many other free nations who must have our assistance if they are to survive and if peace is to be achieved.

The National Defense Education Act of 1958, although the first of its kind to be adopted, is, nevertheless, only a small gesture toward alleviating the grave educational crisis we face and is woefully inadequate. Educational needs of American youth must be considered our first line of nonmilitary defense, but Congress refused to meet effectively the challenge of Soviet scientific achievement. When passed, the bill had been stripped of all scholarships. I was in favor of providing scholarships to promote studies in science, mathematics, and other fields, as provided in the original bill.

In grappling with recession problems, Congress passed legislation providing for a limited extension of unemployment benefits, highway and emergency housing legislation, assistance to depressed communities, and aid to small business.

IMPORTANT LEGISLATION WHICH FAILED OF ENACTMENT

The slum-clearance and public housing bill was defeated, much to my dismay, and the municipal public works projects bill was also turned down.

Congress also failed to revise and liberalize our immigration laws. It failed to provide Federal aid for school building, and to increase the minimum wage. It balked at a general cut in taxes for individuals; it refused to consider statehood for Hawaii.

SOCIAL SECURITY

I was gratified that the Congress passed the social security amendments of 1958 to increase social security primary insurance benefits, as well as to remove some existing inequities and to liberalize the Social Security Act in many other respects.

The increase of 7 percent in the amount payable to the retired worker will be of some help to those millions of our elder citizens who have been suffering grave hardships, unable to exist on present social-security benefits, due to ever-increasing living costs. I urged the Committee on Ways and Means and the House to increase cash monthly benefits by at least 10 percent, as I felt that 7 percent was inadequate, but was unsuccessful in my efforts.

I introduced a bill to amend the Social Security Act to provide that entitlement to State workmen's compensation benefits shall not prevent an individual from receiving full disability insurance benefits under the Social Security Act. Congress repealed the section of the act, as provided in my bill, so that in the future, disabled workers will be entitled to receive both social-security benefits and benefits payable on account of disability under other Federal programs or a State workmen's compensation system. I was pleased that my effort was successful.

I also introduced a bill providing for the removal of the limitation upon the amount of outside income which an individual may earn while receiving social security benefits, and stated during the debate in the House that the limitation upon a pensioner's earnings is a great handicap and unjustly penalizes him. However, no major changes were made in this regard although the provisions are slightly liberalized.

Another omission, which I greatly deplore, is a program of health benefits to cover the cost of certain hospital, nursing home, and surgical services for those receiving or entitled to old-age and survivors insurance benefits. This vitally needed protection should be provided those who cannot now obtain or afford private insurance and cannot meet the expense of illness and care.

PAY RAISES FOR POSTAL AND CLASSIFIED EMPLOYEES

I fought hard before the committee and in the House for pay raises for our postal and classified Federal employees. I urged the Committee on Post Office and Civil Service to give them the substantial salary increases they required in order to meet alltime high living costs, and stated that it would be unrealistic to grant employees a token increase which would not remedy the situation or remove hardships they were suffering. Although the increases granted by Congress were less than I had hoped for, they were the best that could be obtained, and were of some help to our faithful postal and classified employees who had been compelled to exist on a substandard, bare subsistence level.

CIVIL RIGHTS

The 85th Congress in 1957 passed the first general civil rights law in three-quarters of a century, but so far it has been proved virtually ineffective, and no real progress has been made under it.

This year, when civil rights legislation was again being considered by the Committee on the Judiciary, I pointed out that the need for strong, workable, effective civil rights legislation is greater than ever.

As well as numerous bills to end discrimination, I introduced a bill which would enlist the powers and influence of the Attorney General in a determined attack upon denials of civil rights. Among other things, the bill empowers the Attorney General to sue civilly to enjoin segregation in public schools. Although the country is committed to the principle of integration, there is no policy for carrying out integration. Congress has avoided its responsibility. The President has shrugged off any responsibility for dealing with the substance of the problem, although it is his duty to deal with it, for it is the gravest internal problem of our century.

The indifference of the President and the strength of the opponents of civil rights are apparent in the fact that the President waited many months before nominating an Assistant Attorney General in charge of the Justice Department's new Civil Rights Division, and the Senate waited more than 7 months before considering confirmation of the nomination.

CONCLUSION

Space limitations prevent my discussing in detail other problems of major concern to my constituents, or the numerous bills not heretofore discussed, which I introduced for the benefit and general welfare of the people. Tax relief, veterans' benefits, increase in minimum wage, immigration, housing, legislation to aid consumers in these days of record-breaking living costs, problems of our elder citizens with regard to employment and other necessary assistance, all received my earnest attention and efforts. I shall continue to be responsive to the needs of the people I represent and to work for passage of laws to benefit them as well as for the protection and well-being of all our people and the Nation.

BRONX CONGRESSIONAL OFFICE

My Congressional office at 938 Simpson Street, Bronx, is open daily. I invite my constituents to call there and discuss any requests or problems they may have. I am also happy to have them write me and allow me to have the benefit of their views regarding legislation. A warm welcome awaits those who call at my office, 1723 House Office Building, the Capitol, when they visit Washington.

Reclamation Law

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. SAYLOR. Mr. Speaker, during my five terms in Congress, I have become increasingly concerned over the many means employed to frustrate one of the principal objectives of the Federal reclamation laws; namely, that of providing irrigation water only for true family-size farms. I have also become increasingly concerned about the greater and greater subsidies being given large landowners, temporarily or permanently, through this frustration of the family-size farm principle.

These are not problems in the public-land projects, but they are very real and serious problems on those reclamation projects that include lands in private ownership. The Reclamation Act of 1902 was written in terms of similar treatment for homesteaders and for private landowners. We have stuck close to the principle in the first case. We have departed further and further from it in the second.

Illustrations of what I am concerned about are numerous. The most prominent is the delivery of interest-free, subsidized water to as many 160-acre farms as a man can buy for himself, his wife, and each of his children. Less well known are the cases where Congress has been induced to write complete exemptions from the 160-acre water delivery law for individual projects—Colorado-Big Thompson in Colorado, for instance, and Truckee storage in Nevada, and Owl Creek in Montana, among others. And still less well known is the administrative exemption in the case of the Imperial Irrigation District in California—for reasons unknown either to me or the Justice Department—while next door the Coachella district has no exemption. Finally, there is the Kings River case in California where year after year the Interior Department negotiates temporary contracts with no acreage limitation, again for reasons unknown and unexplained.

Where and when and how we got off the track is not my concern. But where and when and how we get back on the track is my concern. It is for this reason that I have introduced H. R. 13759. I introduced this bill, even though it was late in the session and there was no hope of action on it during the 85th Congress, so that it can be studied by all concerned and perfected this fall. I intend to reintroduce it in January and to call for full-dress consideration of it by the Committee on Interior and Insular Affairs, of which I am a member. In view of the Supreme Court's recent decision in the Ivanhoe case, it seems to me that the time is ripe for this.

My bill is intended to do three principal things: First, put the emphasis on the family rather than the individual in administration of the excess-land provisions of the Federal reclamation laws; second, restate and reemphasize the recordable contract requirements of the Omnibus Adjustment Act of 1926; third, knock out any subsidy to families receiving water for more than 160 acres, whether the subsidy is by way of interest-free money or by way of net power revenues used to assist in irrigation repayment.

None of these is completely new. Rather, I have tried to combine the best features of familiar laws into a single solid program. The emphasis on family rather than individual comes straight from the reclamation homestead laws. I see no reason why, if this principle is good in public-land projects, we should think it necessary or desirable to multiply the permissible limit on the acreage in private ownership to which water can be delivered by 2, 3, 4, or 5, depending on how many children a man has. My recordable contract provision comes from section 46 of the Omnibus Adjustment Act of 1926. I would continue this in full force, modified only to accommodate it to the family instead of the individual. And the provision for interest payments is, in substance, what has become familiar through the Small Projects Act and other legislation. I have extended its principle only far enough to remove explicitly other forms of subsidy to the large landowner.

I am fully aware of the argument that, with modern farm machinery, 160 acres does not constitute a family size farm any more—that the farmer and his family can efficiently operate much more than this acreage. This, I think, puts the wrong slant on the family size farm principle. The principle does not go to the greatest acreage a farmer can operate with or without machinery, but to the acreage which it takes for him to earn a decent living for himself and his family.

In this connection, I point out that I am also aware that there will be situations in which 160 acres is not enough to provide a family living—in high mountain regions, for example—and that there are situations in which 160 acres is far more than enough for this purpose. I thought about adding to my bill provisions to permit flexible adjustments in the acreage to which water may be delivered without recordable contracts and without surcharges, but, in view of the reluctance of the Department of the Interior to accept a responsibility that it should gladly exercise in this regard, I have deferred this for consideration at a later time.

Titoism and Masters of Imposture

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FEIGHAN. Mr. Speaker, a recently published book exposing the fraud which the Communist dictator, Tito, has been engaged in has just been brought to my attention. The title of the book is, "Titoism and Masters of Imposture." Its author is a young man named Joseph Kalvota who, at the time of the alleged break of Tito with the old Russian Cominform, was held in a Communist prison in Czechoslovakia and who today is in the United States serving as an instructor in political science and history at St. Joseph College, West Hartford, Conn.

Over and above his teaching activities Mr. Kalvota is acting chairman of the Czech Christian Democratic Movement and a candidate for a doctor's degree at Columbia University, New York City. The book, Titoism and Masters of Imposture, presents a very scholarly, factual, and interesting analysis of the political movements in Yugoslavia during World War II and the unhappy circumstances under which Tito seized total power in that country. It points out the undying devotion which Tito has to Russian communism, and why Tito has refused to criticize anything essential to the victory of communism, and the certainty that Tito and his henchmen will, under any circumstances, defend the Russians on any issue that has to do with the victory of world communism.

This book is filled with interesting, stimulating, and at all times factual chapters on the meaning of Titoism in the struggle of the cold war. The author points out that Titoism is, in fact, the major lullaby in the repertoire of the Russian rock-a-bye-baby songs with which they have been attempting to put the people of the Free World into a deep slumber. Tito is accurately portrayed as the agent of neutralism as well as a means by which Stalin distracted the Free World from the principal problem of Russian imperialism.

Members of Congress will be particularly interested in this new book because it quotes extensively from the various hearings and the Congressional floor debates on the Tito issue. In fairness to all, the author quotes the differing opinions expressed and then analyzes them in the cold reality of the Tito record of 1948 up to the present. This is a book which warrants the time and careful reading of all those who seek the truth and who are not afraid to face the political realities as they exist in our world today.

Some Facts and Figures on Agriculture

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. COOLEY. Mr. Speaker, in response to numerous inquiries I have brought together certain facts and figures setting forth concisely the conditions of our agriculture as they relate to the total economy and including some comparisons of the last 5 years with the previous 20 years prior to the time that Mr. Ezra Taft Benson became the Secretary of Agriculture.

With the permission of the House I am inserting this material in the CONGRESSIONAL RECORD:

FACTS AND FIGURES

CCC FARM PRICE SUPPORT LOSSES

As of January 1, 1953: $1,064,617,225.

As of January 1, 1958: $5,173,746,788.

(NOTE.—The losses in 5 years, from January 1953 through 1957, were 4 times the total of losses during the previous 20-year history of Commodity Credit Corporation price-support operations.)

Twenty-year loss (1933–52): $1,064,617,225.

Loss (1953 through 1957): $4,109,129,563.

CCC OPERATIONS IN BASIC CROPS ONLY (COTTON, WHEAT, TOBACCO, CORN, RICE, AND PEANUTS)

January 1, 1953 (at the end of 20 years): $13,011,290 profit.

January 1, 1957 (4 years later): $1,992,067,863 loss.

(NOTE.—In 5 years under Mr. Benson losses on the basic crops amounted to $2,005,079,153, compared to the $13 million profit in the previous 20 years. The Commodity Credit Corporation support program for cotton, over 20 years, showed a profit of over $268 million. But this profit has been wiped out, by a cotton program loss of over $700 million in 1956 and 1957.)

LOSSES ON DAIRY PRODUCTS

Up to Jan. 1, 1953	$131,523,383
Since Jan. 1, 1953, to Jan. 1, 1958	1,431,467,309
Dairy program total	1,562,990,692

(NOTE.—The price support for dairy farmers was the first to be reduced by Mr. Benson after he became Secretary, and Government losses in the dairy program in the last 5 years have been greater than all costs of all Commodity Credit Corporation price support programs for all crops during the previous 20 years.)

CCC INVESTMENTS

Total CCC investments (inventory and loans) as of Jan. 1, 1953	$2,452,000,000
Total CCC investments (inventory and loans) as of Jan. 1, 1958	7,200,000,000
Total increase in 5 years	4,748,000,000

CCC investments in major crops (inventory and loans)

Crop	Amount	Value
Cotton:		
Jan. 1, 1953 ..... bales	1,097,000	$166,779,000
Jan. 1, 1958 ..... do	5,620,000	912,041,000
Wheat:		
Jan. 1, 1953 ..... bushels	267,847,000	1,081,545,000
Jan. 1, 1958 ..... do	942,134,000	3,408,337,000
Corn:		
Jan. 1, 1953 ..... do	366,349,000	587,274,000
Jan. 1, 1958 ..... do	1,265,502,000	2,175,884,000
Rice:		
Jan. 1, 1953 ..... hundredweight	168,000	878,000
Jan. 1, 1958 ..... do	15,467,000	113,749,000
Peanuts:		
Jan. 1, 1953 ..... pounds	192,528,000	22,644,000
Jan. 1, 1958 ..... do	218,143,000	25,322,000
Tobacco:		
Jan. 1, 1953 ..... do	544,067,000	290,373,000
Jan. 1, 1958 ..... do	940,742,000	580,556,000
Dairy products:		
Jan. 1, 1953		8,445,000
Jan. 1, 1958		164,535,000

Farmers (1952 and 1957)

	1952	1957
Farmers' net income (billions)	$14.4	$10.8
Farmers' share of food dollar (cents)	47	40
Prices paid by farmers, index (percent of 1910–14 average)	287	296
Prices received by farmers, index (percent of 1910–14 average)	288	242
Parity ratio	100	82
Number of farms	5,421,000	4,856,000

COMPARISONS (1957)

Per capita income

People on farms, $967.

Nonfarm people, $2,082.

Hourly earnings

Farmworkers, $0.69.

Factory workers, $2.07.

Average of farm prices in 1957 down 16 percent from 1952.

Net farm income in 1957 was 25 percent below 1952.

CONTRAST

Hourly earnings industrial workers in 1957 up 24 percent since 1952. Corporation dividend payments in 1957 up 37 percent since 1952.

Farm prices (as percentage of parity)

	Percent
1942	105
1943	113
1944	108
1945	109
1946	113
1947	115
1948	110
1949	100
1950	101
1951	107
1952	100
1953	92
1954	89
1955	84
1956	82
1957	82

Cash receipts of farmers (not including Government payments)

1932	$4,748,000,000
1947	29,620,000,000
1948	30,227,000,000
1951	32,958,000,000
1952	32,632,000,000
1955	29,556,000,000
1956	30,589,000,000
1957	29,757,000,000

Net income of farmers (including Government payments)

1932	$1,928,000,000
1947	17,304,000,000
1948	16,057,000,000
1951	15,158,000,000
1952	14,416,000,000
1955	11,470,000,000
1956	12,111,000,000
1957	10,840,000,000

National income

1932	$43,049,000,000
1948	210,098,000,000
1951	253,304,000,000
1952	268,805,000,000
1955	302,493,000,000
1956	320,024,000,000
1957	333,856,000,000

CONSUMERS

During the quarter of a century the farm program has operated the consumer has gotten better food at an expenditure of a smaller part of his income. Although costs of hauling, processing, handling, and merchandising food have increased substantially in the last few years, the average wage paid to factory workers in the United States would buy in 1957 almost twice as much food as the average hour's pay in 1929.

Consumers—Quantities of foods purchased by 1 hour of factory labor

		In 1929	In 1957
Bread	loaves	6.4	11.0
Steak	pounds	1.2	2.2
Milk	pints delivered	7.8	16.6
Butter	pounds	1.0	2.8
Bacon	do	1.3	2.6
Eggs	dozens	1.1	3.6
Potatoes	pounds	17.7	36.3
Oranges	dozens	1.3	3.6

Source: Agricultural Marketing Service, U. S. Department of Agriculture.

The Lives of Five Great Senators

EXTENSION OF REMARKS
OF
HON. LYNDON B. JOHNSON
OF TEXAS
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement on the book by Holmes Alexander on the lives of Clay, Webster, Calhoun, La Follette, and Taft.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LYNDON B. JOHNSON OF TEXAS

When we return to the next session, I hope we will have ready for unveiling the portraits of the five great Senators who were selected by the special committee headed by the junior Senator from Massachusetts, Mr. KENNEDY.

This will be an historic event. All of us realize the role that is played in Senate processes by the force of tradition. And it is well for the Senate that those traditions be of greatness and integrity.

The lives of the five men who made history—Clay, Webster, Calhoun, La Follette, and Taft have been fittingly memorialized in a book by one of the most perceptive observers of the Washington scene—Holmes Alexander.

I have known Holmes for many years. He has made a careful and detailed study of legislative traditions because of his deep interest in the processes of American democracy. The book reflects not only the research he has done on the lives of the five great Senators, but the research he has done on the whole history of the Senate.

It is a book which should be read by all Americans who desire to understand the workings of this body which is so important in their daily lives. I myself have gone through it with deep interest and I have found that it has broadened my understanding of the past.

Food Stamp Plan—Humane and Proper

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. RABAUT. Mr. Speaker, the Congress has again closed its books without passing a food stamp plan; however, we came very close to success on August 18, 1958 when H. R. 13067, a bill to provide for a food stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States, as introduced by Congresswoman LEONOR SULLIVAN, was called up for a vote in the House under a motion to suspend the rules. This procedure is ordinarily reserved for noncontroversial legislation—no amendments are permitted, debate is limited to 20 minutes on each side, and a two-thirds majority vote is necessary to pass a bill. Since the Rules Committee refused to grant this proposal a rule, this was the only manner in which the food stamp bill could be brought up.

Congresswoman SULLIVAN'S bill was very similar to my own bill, H. R. 901, which I have introduced in the past 3 Congresses and which I fully intend to reintroduce again in the 86th Congress.

During the debate on the bill it was pointed out that the United States is presently contributing more than 2 billion pounds of surplus foods, at an annual cost of more than $300 million to 85 foreign countries, and that in certain instances this has meant the actual difference between life or death for many thousands of people.

It was further pointed out that, although this is to the eternal credit of the United States, we also have many in our own country who are in great need of our surplus food and that the present programs in use for delivering it to our own people are inadequate.

The failure of the Congress to enact an adequate distribution plan can be indirectly traced to basic ignorance of the situation. I hesitate to use such strong language, but this had been displayed so clearly in the fight against the food stamp plan through the years, that it can no longer be mistaken for anything else but ignorance.

There are some people in this country, some in very responsible positions, who would truly rather see American citizens live on near starvation diets than permit them 1 pound of the surplus foods that their Government is holding in its warehouses.

This attitude is based upon the mistaken belief that if those persons, who are forced to seek aid through a welfare agency, are given surplus foods, they would, by that action, disturb suppliers and business profits. The point is entirely missed as these people are not customers who will be drawn away from the retail food markets for they are not now in a position to become customers of any market.

This entire attitude, to me, is the height of individual and group stupidity. The greatest danger of this is that it has shown itself on the national level where it can, and has had indirect effect on the whole national economy, partly brought out in today's depression.

Let me repeat, the fight against the food stamp plan is nothing but ignorance. Anyone can read the debate in the RECORD, but let me quote in part one Member who opposed this legislation:

(1) We have had a good relief program. We have one working at this very time. Why this House should take this action this afternoon when our hearings disclose the fact that State after State has been doing an excellent job in providing surplus food for those who are out of employment and need extra surplus food, I don't know.

(2) It might have been had the stamp plan had its beginning and origination at the beginning of the depression, and we might have worked it out. It did help, but let us not forget for 46 months we had a food stamp plan and we absolutely abandoned it and abolished it.

(3) We have the hearings and you can read it for yourself. You will find that practically no one was even given an opportunity to testify against this stamp-plan program. The Department (Agriculture) testified against it and made a good record. They are 100 percent opposed to adopting a plan like this.

(4) It might have been, had we gone into the depression as some of our friends, not in the House, of course, thought we were headed for some time ago and who thought we would need this and that hundreds of people would be walking around in the streets hungry and barefooted and so forth. But that did not happen. Today while we have some unemployment in some sections we have plenty of food and we also have no serious unemployment. So I would say this afternoon what we should do is to give this particular stamp plan a whacking defeat and leave alone the system that the Federal Government in cooperation with the States are operating under at the present time in supplying food to those who are in need.

I object to everything he said. I was almost at a loss to know where to begin in trying to compare facts with his statements, but I will do so by taking them paragraph by paragraph as they come in the order above:

First. We do not have an adequate program at the present time. Under the present system less than 50 percent of

approximately 7 million people in the United States who are eligible to receive surplus food are neglected. The States are not doing an excellent job of providing surplus food. Thirty-two State governors are quoted in the hearings before the House Subcommittee on Consumers Study of the Agriculture Committee, pages 193 to 217, as being in favor of enactment of the food stamp plan, simply on the basis that the present system has been found to be wholly inadequate for distribution to individual family units.

Second. The Republican side of the House has consistently fought the food plan for the past 6 years, just as they did again this year. The major reason why we did not have the plan in operation at the beginning and origination of the depression, was their consistent vote against it. A food-stamp plan was in operation from 1939 to 1943, and was found to be a highly workable program. The program was deactivated in 1943, in the middle of World War II, not because it was no longer useful—we no longer had surplus food. That was the war period and we supplied our allies.

Third. Hearings before committees of the Congress of the United States are open to any citizen who wishes to be heard on the subject under investigation. A Member of Congress, certainly, should be aware that it is almost impossible for a committee to exclude testimony of any qualified witness who wishes to be heard. The correct interpretation to be drawn from reading these hearings is the fact that practically no one was directly opposed to the plan. The Department of Agriculture did indicate that they felt that the present system could be made to work better and that if the plan were enacted into law it would require the Department to take on additional responsibilities, and so forth, but in no way did that indicate a 100-percent opposition to the plan.

Fourth. Most Republicans still cling to the myth of the "mild recession." This seems to be based on the ostrichlike psychology that "if you do not admit it is true—it just cannot be true." The fact is very clearly established beyond any area of doubt. The United States is going through a depression and the only way out of it is through logical, planned, and far-seeing spending on programs that will put us back on our feet and money in our pockets—money that will buy the things we need to feed, clothe, house, and care for our families on an American standard of living that will not be affected every time our President takes a pill or eats a piece of pie. There are at the present time approximately 7 million Americans who are drawing relief benefits in some manner or other, with many more who cannot qualify for them, who are in desperate need of more and better food right now. We have many more than hundreds who are hungry, we have tens of thousands. They may not all be barefooted, but one more Republican administration will more than take care of that. The unemployment figure for July 1958 is 5,294,000 for the whole country—of this total 280,000 represents the Detroit metropolitan area. Some Congressmen may not think this is serious, but as far as I am concerned the basic welfare of American citizens is one of the most serious problems facing the country today.

Report on Kennedy-Ives Labor Bill

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HOLLAND. Mr. Speaker, as a result of the defeat of the Kennedy-Ives labor bill in the House, the cry will go up nationwide that the Democratic-controlled Congress refused to pass any restrictive legislation that would help the workers and hurt the labor leaders.

We can expect to hear this claim from every Republican candidate, whether he is running for dogcatcher or governor of a State on the Republican ticket. The Republicans are running against labor this year, as is proved by the recent publication by the United States Senate Republican policy committee of a campaign book going into great detail to show how labor and labor leaders have supported the Democratic candidates for both the House and the Senate in past elections.

The Kennedy-Ives bill was publicly endorsed and strongly supported by the AFL–CIO, the United Steelworkers of America, the United Auto Workers, and numerous other labor organizations. It was publicly denounced and viciously fought by the National Association of Manufacturers, the United States Chamber of Commerce, the Secretary of Labor, Mitchell—who stated through Congressman JUDD, "It is a bad bill"—and, President Eisenhower, who stated the Kennedy-Ives bill was inadequate.

The bill would have required all labor unions to:

Give comprehensive detailed disclosure of union financial data to members, to the press, to the public and to law enforcement agencies.

Make full reports by union officers on any personal conflict-of-interest transactions.

Impose criminal sanctions for embezzlement of union funds, false reporting, false entries in books, failure to report or destruction of union books.

Establish the right of suits by union members for recovery of funds either embezzled or misappropriated by union officers.

Prohibit loans by employers or unions to union officers.

Assure secret ballots for all union officers or the convention delegates who select them.

Give due notice of all union elections and see that there is a real opportunity to nominate opposing candidates.

See that all union officers be elected by secret ballot every 4 years by international unions and every 3 years by local unions.

Prohibit persons convicted of a felony to serve as union officers.

Limit union trusteeships to 18 months.

Give the Secretary of Labor power to institute court action to set improper elections aside and conduct new elections.

Make annual reports to the Secretary of Labor and union members on every trusteeship, the reasons for its establishment, continuance, and operation.

Permit the Secretary of Labor to begin court proceedings to break improper trusteeships.

Forbid the counting of votes of delegates of trustee bodies unless delegates were elected by secret ballot, and forbid transfer of funds from trusteed local union to international, except normal dues and assessments.

Forbid picketing for extortion or to secure payoff from employer.

Forbid solicitation for payment of fictitious fees for unloading cargo from interstate carriers.

The bill would have required management to:

Report to the Secretary of Labor the name of every employer who spends more than $5,000 a year for activities intended to influence employees in exercise of their rights to organize and bargain collectively.

Have every labor relations consultant report on any agreement with an employer to provide services intended to affect employees in the exercise of their rights to organize and bargain collectively.

In no way bribe a representative of his employees—or have anyone else, acting in his behalf, whether acting as a technical agent or not—bribe an employee representative. You will no doubt recall the notorious Shefferman case in Chicago in which Shefferman acted for management in bribing union officials and representatives.

Knowing the provisions of the proposed legislation and the limitations it placed on all unions, it is more than encouraging to see that the progressive leaders of labor endorsed this bill and worked for it, for, despite all rumors to the contrary, these men are vitally interested in the welfare of the members of their unions and those who work for a living.

The restrictions placed upon management are certainly few. You would imagine that no self-respecting company or corporation would find itself hindered by complying with the requirements. Yet, the hue and cry that went up—with the NAM and the United States Chamber of Commerce weeping copious tears for the workers—makes you stop and wonder about our giants of industry and their intentions.

They want, apparently, financial reports filed by unions, but not by employers, on their own antiunion activities.

They want, apparently, to forbid union leaders to receive bribes, but not to prevent employers from paying them.

They insist, apparently, upon stricter ethical-practices codes for unions, but none for management.

What they really want, we find out, is a labor-management bill that applies only to labor.

Well, the reactionaries won, for the vote on the bill was 198 against and 190 for.

The Democrats voted 2½ to 1 for the bill.

The Republicans voted over 3 to 1 against the bill.

Remember those results when you hear in this fall's election campaign that the Democratic-controlled Congress refused to pass labor reform legislation.

Seventy percent of the Democrats were for it.

Seventy-seven percent of the Republicans were against it.

Pennsylvania Democrats voted 10 for, 3 against. Republicans voted 4 for, 12 against, 1 absent.

A Positive Approach to Education Needs

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. COLLIER. Mr. Speaker, one of the problems which has most concerned me during the past 2 years has been that of educating our youngsters. I have been as concerned with this problem as any other since coming to Congress. The Nation's legislative bodies have been more concerned than usual with the problems and issues involved; but I do not feel that we have taken the primary effective or constructive steps. Instead, we skirted around the edge of the problem and then, at the last moment, resorted to the old standby, a billion-dollar spending proposition. This seems to be the only solution Congress is willing to take and, of course, it is generally under the label of national defense.

Meanwhile, the problem remains. We have done very little to solve it as the tradition of our free educational system would deem feasible.

As I see the problem, Mr. Speaker, it is twofold. One aspect concerns the elementary and secondary school systems with emphasis upon the teaching of the younger folks. The other phase involves the development and encouragement of colleges and universities.

Although as a Nation we have more capable teachers than any other nation in the world, there is still a growing need for more and more qualified young men and women to teach in the elementary and secondary school systems of the country. The growth of the population has put new burdens on the teachers already in the profession and has demonstrated fully the need for more teachers. In view of these facts not enough young men and women are entering the profession.

If there is any single thing we as a Congress could do to help this situation with an incentive rather than subsidy approach, it should be attempted. It would appear to me pointless for the Federal Government to finance school buildings if there are not enough qualified persons to stand before the blackboards in them.

Teachers are unique in many ways. First, the commodity with which they deal is the changing world about them. It is their job to mold young minds, to keep them abreast of the moving world in which ideas and precepts vary almost from day to day. For this reason, teachers must themselves return constantly to the well of knowledge to replenish themselves, to reeducate themselves, and to fill out their knowledge to pass on to the young.

This same thing holds, at least in a degree, true for doctors and dentists as well. They, too, must attend special clinics and classes. But there is one major difference between the medical profession and teaching. Whereas doctors can write off the expenses of attending these special courses from their income taxes, teachers could not. It was not, in fact, until the spring of this year, and then only after considerable prodding on the part of myself and a group of other Congressmen and Senators, that the problem was really given adequate consideration.

When the problem was brought to my attention, I introduced H. R. 10900 to change this very unfair situation and give teachers the same footing in law as other professions enjoy. Although there has been no action taken on my bill, the Commissioner of Internal Revenue took cognizance of the problem after a good deal of Congressional pressure had been brought to bear. He issued a new ruling in which he granted teachers the same rights as other professions. However, I must point out here that this is only a ruling; that it can and possibly will be changed at the whim of this Commissioner or of some future holder of the position.

Therefore, Mr. Speaker, I must urge that Congress take action to give this Commissioner's ruling the legal force it would have gained under my bill, H. R. 10900.

In another area, too, I feel we should have taken positive action to attract young men to the teaching profession. I feel it would be a good drawing card if there were some special attraction about teaching. To this end, I introduced H. R. 9643 which would have provided teachers and those in college whose course of study would lead to the teaching profession, draft exempt status.

Combined, I think these bills would do much to draw more and better qualified young people into the teaching profession which so obviously needs new and good material. The need for better salaries is vitally important, though not a problem with which the Federal Government can deal.

COLLEGE FINANCING

The problem facing higher education, also, can be termed a two-phase one. One phase involves financing the schools themselves, the other the financing of a child's education by his or her parents. I have sponsored one major bill in this field and have repeatedly made suggestions concerning the other phase.

To help parents in their struggle to give their children an adequate educational background, I introduced H. R. 7566, which would permit the parents to deduct for income tax purposes all money spent educating their youngsters.

But tuition, as you know, cannot possibly pay the entire bill for educating a youth. Tuition alone doesn't even pay current expenses, much less provide adequate revenue for buildings and grounds at most schools. As a nation, therefore, we must concentrate on this phase of the development of our colleges and universities.

The best method I know of for doing this, for providing the kind of endowment necessary to maintain our privately financed colleges, and to help support our State universities, is through private grants from individuals or business firms.

I have repeatedly suggested that, instead of dipping into the Federal Treasury for the funds, we ought to take an enlightened stand and permit the private individuals and firms who are so inclined to do the financing. This could be aided through increasing the amount deductible by the individuals or firms from their income taxes.

This method would, I am sure, provide a much more rounded education for our young people. It would provide a much broader base for their future to be built upon. Furthermore, it would keep the educational system and our institutions of higher learning free from the meddlesome controls of the Federal Government.

All of these steps, Mr. Speaker, singly or in combination, provide a sound, basic approach to educational problems facing the country today. They are not spectacular; but I think it is time we abandoned the spectacular for the sound, sane approach to this vital problem.

Let us discard the idea that we are going to solve our difficulties in the field of education by the dictates of bureaucrats in Washington—or by pumping billions into Federal aid programs constantly sought by self-preserving pressure groups and their lobbyists.

Chicago Water Diversion

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement in opposition to H. R. 2, the Chicago water diversion bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I want to compliment very highly all of the members of the team—all of the Senators who battled on the floor, opposing H. R. 2. They are MCNAMARA, Democrat, of Michigan; LAUSCHE, Democrat, of Ohio; PROXMIRE, Democrat, of Wisconsin; CLARK, Democrat, of Pennsylvania; AIKEN, Republican, of Vermont; POTTER, Republican, of Michigan;

JAVITS, Republican, of New York; BRICKER, Republican, of Ohio; MARTIN, Republican, of Pennsylvania, and others who also helped.

Without the determination and hard work of these fine colleagues, it would have been impossible to block the steamroller which the Chicago organization had started.

IMPORTANCE OF FACTS AND EQUITIES

After listening to the arguments of the distinguished Senator from Oklahoma [Mr. KERR] and the distinguished Senator from Illinois [Mr. DOUGLAS], there came to my mind the words of a great professor—he said: "Remember, boys, it is the facts that count, not the buffoonery, not the chicanery, not the personal effrontery, but the facts." And this professor further said: "Don't forget the equities when you argue a case before the court or a jury."

WHAT ARE THE ISSUES?

I have never forgotten this advice, and I am going to follow it in my remarks on the floor. I am not going to be diverted from telling the plain facts—from exposing the facts. I never believed in seeking to imitate Pagliacci tactics or ignore the intelligence of the jury.

Now, what are the issues? Chicago has created this situation by permitting its sewage-purification level to drop by a substantial percent. (This is proven by figures I have received from the Metropolitan Sanitary Distric of Greater Chicago itself.)

THE GENERAL ISSUE

The overall issue is whether the bill is not solely to save Chicago money rather than for any health or navigation purpose and why other lake States should be deprived by the Federal Government of one of their great natural resources solely to subsidize sewage dilution and flushing in Illinois.

THE SPECIFIC ISSUES

1. Should the bill in its present state be passed?

2. Should not the bill be amended so as not to interfere with the action pending before the United States Supreme Court to stop diversion of domestic pumpage now approaching 2,000 cubic feet per second?

3. Should not the bill be amended to agree with the argument of the proponents for an experimental diversion period of 1 year, not 3 years?

4. Should not the bill be amended to limit the maximum diversion at any one time to 3,500 feet per second instead of 5,000?

5. The Supreme Court having and retaining jurisdiction (see order of Court, December 17, 1956, U. S.), should not this bill be tabled?

6. Should not the bill be referred to the Senate Foreign Relations Committee (and its Subcommittee on Canada) because of the serious impairment it might cause in our friendly relations with Canada?

7. Should not the Senate Committee on Interior and Insular Affairs also consider the relationship of the proposed diversion from Lake Michigan as well as the proposed Canadian diversion from the Columbia River?

8. Should not the bill be amended to require the return of domestic pumpage after purification to the Great Lakes?

9. Has Canada waived any rights under the Boundary Waters Treaty of 1909 between the United States and Great Britain?

These are the issues before the Senate presented by specific motions and amendments.

THE BASIC QUESTION

But the basic question is simple:

Is the Federal Government responsible for clearing up a local sewage problem which Chicago neglect has created? If not, is it good national policy, or good foreign policy, or good constitutional law for the Federal Congress to attempt to take national resources (in this case, water) from some sovereign States for the benefit of another State? (Even the arid States of the West have proceeded through negotiation and compacts to obtain a fair share of available water, but have not sought Federal confiscation of the water of other States for their own benefit.)

THE FACTS

What is this matter all about?

First. The bill provides that the Metropolitan Sanitary District of Chicago increase by 1,000 cubic feet per second its take from Lake Michigan—this to be in addition to all domestic pumpage.

It has already been authorized to take 1,500 cubic feet, in addition to all domestic pumpage. It wants this right for a 3-year period, to begin with the enactment of this act.

It wants to be able in dry weather to take a flow of 5,000 cubic feet per second, and, in wet weather, take nothing, just so long as it doesn't exceed the annual average of 2,500 cubic feet per second.

Second. It will be noted that the bill provides that this requested additional diversion is in addition to all domestic pumpage. There is pending in the Supreme Court an action in relation to requiring the Sanitary District to return the domestic pumpage to the lake. This bill would do away with the issue before the Court of any return of domestic pumpage, and domestic pumpage means the purified liquid. In Milwaukee, it is purified up to 95 percent, and Milorganite is created and sold for fertilizer.

Third. There is pending before the Court the action restraining the district to the utilization of only 1,500 cubic feet per second. This is dated January 28, 1957. The original decree was dated April 21, 1930—and this 1957 decree, of course, left the matter open for application by the District for further relief. Instead of pursuing that course, it has appealed to the legislative branch. The application to Congress by this bill thus ignores the Court procedure, and raises several nice questions.

The first one is, What are the equities? (a) Why should Chicago, which has already diverted 3 streams which formerly flowed into the lake and has received permission by the Court for 1,500 cubic feet per second, in addition to domestic pumpage—why should it be allowed additional diversion? Let it be remembered that in addition there is the damage of the other interested parties.

(a) Then the lake level is down 7 feet now. To what is that due? There is a difference of opinion about it. But the engineers say that 1,000 cubic feet per second would reduce the lake level an inch. When you realize that water has been continuously taken and none given by Chicago, this dangerous lowering of the lakes should clearly show the necessity for no more diversion.

Remember, there will be no necessity again for an order such as the United States Supreme Court's temporary order which permitted the emergency diversion in 1956. Why will there be no such necessity? Because Congress is appropriating funds for building a reservoir dam for storage on the Mississippi River at Alton, Ill.

The winnowing of the facts—separating the wheat from the chaff—brought out the salient point—that is, that the bill would save Chicago money, but was not needed for either health or navigation purposes.

CHICAGO'S DECLINING PURIFICATION PERCENTAGE

The figures which I obtained, with the assistance of the Department of Health, Education, and Welfare, from the Metropolitan Sanitary District of Greater Chicago itself showed without a shadow of doubt that the comparatively high purification reached—in Chicago's plants in 1952—had dropped miserably in succeeding years. Why? Because Chicago had not spent the necessary money to build additions to its sewage plants to take care of the increasing flow of sewage. The purity of the effluent from the sewage-purification plants of Chicago dropped from a peak of 93.6 in 1952 to a low of 85.6 in 1957. The removal of the sewage solids from the liquid which was at one time (in 1952) as high as 91.1 percent had dropped by 1957 to 80.6 percent.

Mind you, these figures were supplied by the following officials: Mr. James Mercer, chief of information of the Metropolitan Sanitary District of Greater Chicago, with the approval of its chief engineer, Mr. H. R. Ramey. They were brought to Washington from Chicago by Mr. Gordon McCallum, Chief of the Division of Water Pollution of the Department of Health, Education, and Welfare, at the specific insistence of myself. Fortunately, they arrived in time to be of use. I am informed that the sanitary district had stopped making public its purification figures when they began to drop in 1953. (This part was confirmed by Mr. Herbert Naujoks in his testimony at the hearing.)

In comparison, it is well to note that Milwaukee's purification efficiency remains at a high of 95 percent.

As proof of the decline of Chicago's sewage treatment, I read into the RECORD the following summary of figures from the 24th Annual Report of Operations of the Metropolitan Sanitary District of Greater Chicago, supplied, as I have said, by that district:

Efficiency of sewage treatment, Chicago

(1) Year	(2) Million gallons per day (p. 119)	(3) Biochemical oxygen demand (thousand pounds per day)		(4) Percent biochemical oxygen demand removal [1]	(5) Solids (tons per day)		(6) Percent solids removal [2]
		Raw sewage (p. 120)	Final effluent (p. 122)		Raw sewage (p. 123)	Final effluent (p. 124)	
1952	1,112.8	1,179.5	75.0	93.6	786.3	67.9	91.1
1953	1,103.8	1,215.3	126.7	89.6	741.5	113.1	84.7
1954	1,170.6	1,236.2	146.5	88.1	781.2	133.7	82.9
1955	1,183.3	1,314.1	182.3	86.1	876.4	145.0	82.4
1956	1,149.6	1,349.0	191.5	85.8	927.5	164.8	82.2
1957	1,230.7	1,278.6	184.5	85.6	862.0	164.2	80.6

[1] Col. 3—col. 4 / Col. 3 ×100=percent.

[2] Col. 6—col. 7 / Col. 6 ×100=percent.

THE EQUITIES

Let me summarize the equities:

1. Chicago needs more and bigger sewage plants to handle the growing volume of its sewage.

2. The overloading of sewage plants has brought their 1952 high point of 93.6 percent biochemical oxygen demand removal down to 85.6 percent. And the same overloading has brought its solids removal level down from the 1952 level of 91.1 percent down to 80.6 percent in 1957.

3. Chicago has no health problem, and diversion is not related to its health. The hearing made this clear. The Supreme Court's special master in 1941 found that

even a low 54 percent purification level did not endanger health. How, then, can the present 85.6 percent purification level create a hazard? And Senator PROXMIRE demonstrated there was no Chicago health problem when he read from a health commission report on Chicago.

4. Neither Chicago nor the Illinois waterways have a navigation problem. The former temporary problem which the Supreme Court solved in 1956 by an emergency diversion will not recur because the Senate Public Works Committee approved an authorization and there was passed an appropriation for water retaining works above Alton, Ill.

5. Chicago is luring industry by low taxes and unmetered high water use (because it is not bearing its sewage responsibility), whereas other lake cities are metering the use of water and solving their own sewage problems. This is unfair and expensive to the other cities.

6. The Chicago diversion would deviate from a comprehensive and public spirited water policy for the entire Great Lakes.

7. The bill has always been brought up at the last minute in the expectation that it would slip through in the confusion—which is an admission that the bill lacks equity.

8. The Chicago diversion is before the United States Supreme Court in three original suits. And the lake States are preparing a petition to require the Chicago Sanitary District to purify and return to the lakes the ever-growing amount of domestic pumpage which Chicago is draining from Lake Michigan and the other Great Lakes States.

9. The bill provides for a 3-year diversion under the guise of needing only a 1-year-diversion. The proponents sought approval from Canada of a 3-year diversion and, when Canada objected, they attempted to create a public impression that Canada would have no objection to a 1-year diversion.

10. Even a 1-year diversion would begin to inch away the levels of the Great Lakes essential to profitable lake transportation, important to efficient harbor operation, and operation of utilities on the St. Lawrence.

11. Chicago, having created its own waste, should pay to dispose of it.

12. The prime purpose of the bill is to save Chicago money in its sewage operations.

13. The Chicago Sanitary District, established to do this job, has allowed purification to slump in the last several years with resulting odor in the Chicago River.

14. But, I repeat, there is no health problem involved.

15. And there is no problem of navigation which this bill would solve. The witness for the Army engineers admits this (1958 Senate hearing transcript, pp. 315, 317). The transportation argument is a pretense to attempt to bring diversion within Federal constitutional principle.

16. The bill would not end the Chicago diversion controversy, but only stir it up further. The other lake States expect to file a lawsuit attacking the constitutionality of the law if enacted on the ground that the Federal Government has no greater authority in the premises than to regulate and facilitate navigation.

17. The Great Lakes Riparian States have a legal ownership interest in the waters of the Great Lakes which they are entitled to protect.

18. This right is subject only to the Federal Government's limited jurisdiction over interstate navigation.

19. This bill might give Canada a trump card for diverting water from the Columbia River away from the United States, besides needlessly roiling our friendly relations with Canada at a most inopportune time.

20. The diversion would reduce the hydroelectric power production at and near Niagara, on both sides of the river, although these powerplants will be in position to use all available normal waterflow by the time the major effect of a temporary Chicago diversion would reach them. Consequently, their production would be substantially lessened.

21. A temporary 1-year diversion would have its maximum effect at the Niagara powerplant about 3 to 3½ years later, and the effect would continue for the ensuing 15 years.

22. (a) The United States Supreme Court decree of April 21, 1930, limiting diversion by Chicago to 1,500 cubic feet per second allowed an additional diversion of Chicago's domestic pumpage requirements; that is, the normal water-supply requirements of the growing city from Lake Michigan. This domestic pumpage has risen to between 1,800 and 2,000 cubic feet per second so that the authorized diversion is now 3,300 to 3,500 cubic feet per second and growing daily.

(b) One or the arguments of the city is that its population will soon have increased by half a million additional people, and that additional industry is also expected, so that Chicago will need greater sewage disposal. The sewer capacity of the city is 53,000 cubic feet per second. How much water does Chicago ultimately expect to get?

(c) A petition in the suit was filed in 1957 by Wisconsin, Minnesota, Ohio, Pennsylvania, Michigan, and New York asking the Supreme Court to order Chicago to cleanse and return its domestic pumpage to Lake Michigan. (I repeat, Milwaukee returns water 95 percent pure and makes milorganite fertilizer out of the balance.)

23. Presidential vetoes blocked similar bills in 1954 and 1956 because, as the President stated:

"(a) Existing diversions are adequate for navigation on the Illinois Waterways and Mississippi River.

"(b) All methods of control of lake levels and protection of property on the Great Lakes should be considered before arbitrarily proceeding with the proposed increased diversion.

"(c) The diversions should not be authorized without reference to negotiations with Canada.

"(d) The legitimate interests of other States affected by the diversion would be adversely affected."

To an equally important extent, the same objections can be and are made to this bill.

24. Other States and localities on or near the Great Lakes would be inclined to start diverting for their own benefit. In the mad scramble to divert, lake levels would be more seriously reduced. (Some Texans have even suggested a pipeline from the Great Lakes to Texas.)

25. The Supreme Court has jurisdiction of the matter in a pending case in which it has, four times since 1930, granted temporary relief by authorizing added diversion at Chicago.

26. Surface levels of Lake Michigan and tributary waters are seriously low, and seem destined to go lower.

27. The damage of diversion to lake transportation is illustrated by the theme of the Amherstburg celebration of the connecting channels in the seaway, Inches Key to Tonnage. It is estimated that a drop of 1 inch loses 1½ million tons of shipping. Shippers, better than Army engineers, can estimate the value of this shipping loss. And so, the shippers' figure should be accepted.

28. Chicago takes from, but does not contribute to, the water of Lake Michigan, although, in the natural state, three rivers, the Chicago, both north and south branches, and the Calumet and the Grand Calumet, flowed into and fed Lake Michigan before Chicago reversed their flow and diverted their waters into the Mississippi Basin.

29. The precedent of this bill would undermine confidence in the future reliability of the St. Lawrence Seaway, for, if Congress can do it once, it can reduce water levels again and again. The seaway could be inched away by successive inch-by-inch reductions in the lake levels. This trend is absurd in view of the time and money the United States has spent in building the seaway and dredging harbors which it is to serve, with oceangoing vessels as well as lake vessels.

30. No further study of the Chicago River is needed since its condition has been studied for over 58 years under varying water flows.

31. The study of the beneficial effect on sewage disposal of diverting an extra 1,000 cubic feet per second for 1 or 3 years would be useless, unless Chicago expected to make the diversion permanent if and when the study showed improving sewage conditions in the Chicago River. And, of course, permanent diversion would do permanent harm to the Great Lakes and riparian owners and States.

32. Diversion under the bill can increase when lake water level is low and decrease when it is high—providing only that the average does not exceed 1,000 extra cubic feet per second, or a maximum of 5,000 cubic feet per second at any one time. This would accentuate the effect during low water.

33. The argument about utilizing power capacity at Lockport on the Illinois Waterways system must presume permanent diversion to be a substantial point.

34. Congressman TOM O'BRIEN, of the Fifth Congressional District of Illinois, wrote to the White House under date of July 18, 1957, "The Department has now advised me, too, that unless and until the Canadian Government withdraws its objection, it will have no alternative but to recommend again that the legislation authorizing the experiment be vetoed." (Testimony in 1958 Senate Public Works hearing transcript, p. 92.) Incidentally, I notice him on the Senate floor actively working for this bill.

35. The Canadian Embassy under date of February 13, 1956, wrote to the Secretary of State that: "I am accordingly instructed to make clear that, in the view of the Canadian Government, the enactment of the proposed legislation would be prejudicial to the navigation and power interests of both countries." (Said transcript, p. 98.)

36. (a) Under date of July 28, 1958 (the opening day of the year's Senate hearing), the Department of State transmitted to the chairman of the Senate Committee on Public Works copy of a Canadian aide memoire dated January 6, 1958. In it, the Canadian Government referred to "useful conversations between United States and Canadian officials • • • held in Ottawa on July 9, 1957," and sfated that it assumed that "full consideration will be given" by the United States "to the economic harm which may be done to navigation and hydroelectric generation in both countries" by diversion. It added that, if it should agree to divert Canadian water into the Great Lakes Basin to compensate for a Chicago diversion, "it would be equitable that an equivalent amount of water should remain available for use in hydroelectric power generators by the Ontario interests at St. Marys Falls, Niagara Falls and in the international section of the St. Lawrence River until the effects of the proposed temporary diversion will have ceased to be felt in the Great Lakes system" (that is, for 15 or more years). The aide memoire specifically reserved "all rights under the provisions of the Boundary Waters Treaty of 1909." (Said transcript, pp. 160–163.) This is certainly a polite and diplomatic objection, and statement of a claim to compensation, if the Chicago diversion should nevertheless be authorized by Congress, as the Canadians had been told it would be.

(b) The Bureau of the Budget has written the Senate Public Works Committee that "No formal indication has been received from the Government of Canada that there will be

any change in its position on this legislation. However, it is believed that the more limited authorization [of a 1-year diversion] would be less objectionable to Canada than the proposed 3-year diversion." Of course. But less objection is still an objection.

(c) The past and present cumulative diversion amounts to a substantially lower lake level. More than half the vessel load changes posted on Great Lakes docks are 1 inch only (1d.). Under the direction of its able Mayor Frank Zeidler and Port Director Ham Brockel, Milwaukee has spent many millions for dredging, and $10 million to improve its docks and deepen the draft of its channels. The city has every reason not to want its investment jeopardised by having inches constantly skimmed off the top of Lake Michigan, at the same time that it is spending great sums of money to deepen its harbor by digging inches off the bottom. "It is willing to accept God-made conditions, but the situation at Chicago is manmade."

37. Chicago did not voluntarily comply with the Supreme Court's decision; but had to be cited for contempt in order to force its compliance, according to Senator BRICKER who represented the other lake States in the contempt proceeding. (1958 Senate Public Works Committee transcript, p. 246.)

Canada has 3,772 miles of Great Lakes shoreline, and the United States frontage on the Great Lakes is 2,278 miles, whereas Illinois has a lakefront of only 57 miles. And yet Chicago wants a lion's share of the water, without returning it.

FAILURE OF PROOF

I. Supporters of this bill have failed in making a case.

The undisputed evidence shows the city has created the situation; has failed to remedy it by failing to extend its sanitary works.

II. This admission comes out of the mouth of the Chicago Sanitary District Chief Engineer.

WHAT DID CHICAGO'S OWN CHIEF ENGINEER SAY?

As evidence that the experts within the Chicago Sanitary District have long been concerned with the increasing deficiency of their system, I read into the RECORD 2 articles dated Wednesday, September 4, 1957: one from the Chicago Daily Tribune and the other from the Chicago Daily News. These articles reported the memorandum of the Chief Engineer of the Chicago Sanitary District, Mr. H. P. Ramey, dated January 21, 1957, in which he was reported to have said:

"Because of excellent public relations in recent years, the Sanitary District enjoys a good reputation and is generally credited with treating all its sewage to the highest degree practical, better than 90 percent removal of sewage solids.

"However this has not been the case for the past 3 years.

"Sewage treatment in the plant of the Sanitary District has declined from a general average of about 93 percent in 1951–52 to 87 percent or less in 1955–56."

This memorandum was hidden in the secret Grand Jury minutes in Chicago until obtained by the press.

III. I read an article from the Chicago Daily News of Wednesday, September 4, 1957, page 25, entitled "Sewage Treatment Here Is Criticised" (and the criticism was by Chicago Sanitary District's Chief Engineer H. P. Ramey) as follows:

[From the Chicago Daily News of September 4, 1957]

"SEWAGE TREATMENT HERE IS CRITICIZED—SANITARY DISTRICT ENGINEER CHARGES PUBLIC IS MISLED

"The sanitary district board is accused of misleading the public in a confidential memorandum written by its chief engineer. His report was under study Wednesday by the United States attorney's office.

"The memo from H. P. Ramey, dated last January 21, said the board had concealed from the public the decline in effectiveness of its west-southwest sewage treatment plant in Stickney.

"It was among records subpenaed by the Federal grand jury investigating alleged pollution of the sanitary and ship canal.

"Although grand jury records normally are secret, Anthony A. Olis, president of the sanitary district board, invited the press to look at them.

"Olis, aware that the records included Ramey's memo, urged newsmen to get both sides of the story by reading a reply to Ramey written by William A. Dundas, the district's general superintendent.

"Dundas' reply, which was attached to Ramey's memo in the records, rejected as illegal Ramey's suggested emergency solution to the sludge problem.

"It ignored an accusation by Ramey that an emergency existed because of certain indecisions since 1954 on construction to increase sludge treatment facilities.

"Dundas' report said that a new process, now being initiated, would reduce the amount of solid sludge produced by the plant.

"At the time Ramey wrote his memo, Congress was considering an increase in the amount of water Chicago could divert from Lake Michigan.

"Ramey pointed out that if the bill were passed (it wasn't) Army engineers would test the canal water as a matter of routine and learn the extent of the decline in sewage treatment here.

" 'Because of excellent public relations in recent years,' he wrote, 'the sanitary district enjoys a good reputation and is generally credited with treating all its sewage to the highest degree practicable, better than 90 percent removal of sewage solids.

" 'However, this has not been the case for the past 3 years.

" 'Sewage treatment in the plant of the sanitary district has declined from a general average of about 93 percent in 1951–52 to 87 percent or less in 1955–56.

" 'The lapse in sewage treatment has occurred at the west-southwest treatment plant, the plant which was cited in 1955 as one of the seven model wonders of civil engineering in the United States.'

" 'An average of about 10 tons per day of solids went into the canal in 1955 in sludge discharged into the canal. And this figure was increased to more than 18 tons per day in 1956.

" 'Inability to dispose of the waste activated sludge at the west-southwest plant appears to be the major factor in this decline in sewage treatment.'

" 'It would be unfortunate if this lapse in the degree of sewage treatment should not be corrected by the sanitary district before it is brought to the attention of Congress and the general public as one result of the tests to be made by the Army engineers.

" 'Sludge disposal facilities have been recognized as inadequate at the west-southwest plant for the last 3 years.

" 'Substantial items have been included in construction budgets for the years 1954, 1955, and 1956 and are repeated for 1957.

" 'Except for certain indecisions, much of this needed work could have been under construction by this time.'

"Ramey suggested that the solid sludge be dumped, as an emergency measure, into two rock quarries near Lemont. In his reply, however, Dundas said an injunction forbade the district from using the quarries."

IV. I read an article from the Chicago Daily Tribune entitled "United States Jury Told Sewage Plant Efficiency Off and Facilities Inadequate":

[From the Chicago Tribune of September 4, 1957]

"UNITED STATES JURY TOLD SEWAGE PLANT EFFICIENCY OFF—DISTRICT ENGINEER'S MEMO STUDIED

"A sharp increase in the amount of solids in the sludge discharged into the sanitary canal in 1956 was disclosed yesterday in records submitted by the sanitary district for study by a United States Federal grand jury.

"The papers were made accessible to reporters by United States Attorney Robert Tieken, provided that attorneys for the district gave their approval, which they did.

"MEMO TELLS STORY

"The development was revealed in a memo dated last January 21 from Horace P. Ramey, chief engineer, to President Anthony A. Olis and members of the board of trustees.

"Ramey said the district in recent years has had a good reputation and was credited with 'treating all sewage to the highest degree possible, or 90 percent removal of solids.' Actually, Ramey said, this was not the case.

" 'Sewage treatment in the plants of the sanitary district has declined from a general average of 93 percent in 1951–52 to 87 percent or less in 1955–56,' he reported.

" 'The lapse in sewage treatment has occurred at the west-southwest treatment plant, the plant which was cited in 1955 as one of the seven modern wonders of civil engineering in the United States.

" 'TEN TONS A DAY

" 'An average of about 10 tons pe. day of solids went into the canal in 1956 in sludge discharged into the canal, and this figure was increased to more than 18 tons per day in 1956.

" 'Inability to dispose of the waste activated sludge at the west-southwest plant appears to be the major factor in this decline in sewage treatment.'

"Ramey said it would be unfortunate if this were not corrected before it could be brought to the attention of Congress and the public through tests to be made by Army engineers. He pointed out the budgets for the last 3 years, and also the 1957 budget, included money for construction at the plant.

" 'INDECISION CITED

" 'Except for certain indecision, much of this needed work could have been under construction at this time,' Ramey said in the memo. He recommended the extension of pipelines to dispose of sewage into 2 abandoned quarries 2 miles northeast of Lemont.

"Also among the papers was a memo from William A. Dundas, general superintendent, to Olis and the board. It said Ramey's recommendation was 'negative' because the district was under injunction not to use the quarries for sewage disposal."

V. I read testimony of Herbert H. Naujoks, president and general counsel of the Great Lakes Harbors Association and a resident of Chicago.

"Mr. NAUJOKS. I also wish to point out that in the year 1941, when the communities along the Illinois Waterway and the canal complained of a health menace, because that was the problem that has been mentioned here so much today, that in 1941 the overall purification, that is, the biochemical oxygen demand reduction, was 54.2 percent. And yet the special master found, and the Supreme Court of the United States affirmed his findings, that there was no menace to health, that at times there was a nuisance created in the Illinois Waterway, but not a health menace.

"Now from 1941, when the overall purification was 54.2; in 1942, 55.5; in 1943, 51.6; in 1944 it was 49.8 percent; in 1945 it was 67.8 percent; 1946, 67.5 percent; 1947, 76.6 percent; 1948, 79.3 percent; 1949, 88.3 percent, and in 1951 they attained a purification efficiency of 92.5 percent.

"Now, Mr. Chairman, since 1951 those reports—we haven't had any published reports as to the percentage of purification attained, and in a newspaper report in August and September of 1957 there were items indicating that the purification had dropped from above 90 percent to 85 percent or below, showing that they are not complying even with the standard set up by the State of Illinois, that they should first attain an overall efficiency of all of the sewage of the Chicago district, that it be treated to the highest degree possible, which we contend is at least 92.5 percent, or 94 or better as is attained by a lot of other cities, along the Great Lakes.

"The idea that you have a great big problem has been harped upon so much, and I asked a number of very noted sanitary engineers as to whether it was not a fact that sewage disposal operations, just like any other operation, whether the efficiency could not be improved at a moderate cost if you had bigger operations, and they said absolutely. In other words, just like General Motors and Ford, and the big oil companies, they were able to stay in business over the years, where thousands of other automobile manufacturers dropped out of the picture, because of their larger and more efficient operations. So, too, the Chicago Sanitary District should be able to produce at least as high an efficiency as these other plants, or higher.

"Now they talk about all the money they have spent, hundreds of millions of dollars. It is true they spend that much. But the per capita cost of sewage operations is less in Chicago than it is in a great many other communities. In other words, they are not spending as much for their sewage operations as would seem to appear, because of the large amount of money involved.

"Chicago is a great city, a big city, and I live near Chicago, I am within the Chicago Sanitary District area, and they are taking in new cities, and more people all the time, but, of course, they are getting more taxes, too.

"Senator KERR. Are they enlarging their sanitary district?

"Mr. NAUJOKS. Oh, yes, they have been for the last 10 years.

"Senator KERR. I thought that they already had more in the sanitary district than they did people in Chicago.

"Mr. NAUJOKS. Oh, yes, it includes more than Chicago, yes, sir, not just the city of Chicago.

"It embraces a great deal of Cook County and probably beyond. That is correct, sir.

"So we believe that there is no justification for these bills, and we are definitely opposed to their adoption. I thank you.

"Senator LAUSCHE. Didn't the Supreme Court declare what the degree of cleanliness should be of the effluent?

"Mr. NAUJOKS. They didn't put it in the decree, but the Court adopted Special Master Hughes' findings and said it should be 85 or 90 percent or more. They didn't know exactly how the art (process of purifying) would improve over the years." (*Wisconsin et al.* v. *Illinois et al.* (278 U. S. 367 at p. 418 (1929)).)

VI. I read from opinion of the United States Supreme Court in 278th United States Reports 367 at pages 420–421:

"The sanitary district authorities, relying on the argument with reference to the health of its people, have much too long delayed the needed substitution of suitable sewage plants as a means of avoiding the diversion in the future. Therefore, they cannot now complain if an immediately heavy burden is placed upon the district because of their attitude and course. The situation requires the district to devise proper methods for providing sufficient money and to construct and put in operation with all reasonable expedition adequate plants for the disposition of the sewage through other means than the lake diversion."

The condition still exists, now as then, that Chicago has not spent enough to perfect its sewage treatment in actual operation. The bill's advocates have failed to show that this bill is the solution—

Just more water is not the solution.

More and better plants are, and other places to divert besides the river.

Other cities purify 95 percent and then can return the water out in the lake where its parity becomes 100 percent.

VII. And what does this bill do to us?

It increases the drainage of Lake Michigan already being carried on by Chicago—

1. What about our beaches and resorts?
2. What about our harbors?
3. What about our docks now too high above water?
4. What about the 1½ million tons per inch loss in freight revenue alone?
5. What about the power loss at Niagara, Barnhart Island, and nearby power plants?
6. What about lowered levels in St. Lawrence Seaway canals?
7. What about waterpower Canada asks to be given at United States expense as compensation for Chicago's drainage from lakes? (Aide memoire January 6, 1958.)
8. What about loss of funds spent building the seaway and dredging canals and harbors, when water levels are drained off the top?
9. What about the future of seaway?
10. What about diversions by other communities?
11. What about pipelines to interior cities which are planned if Chicago can get away with this?
12. And what about the long-range safety of the seaway on the high levels of which oceangoing steamship companies have planned and must continue to plan?

MILWAUKEE EXCELS IN MODERN PURIFICATION

And as proof of the high level of purity achieved and maintained by the great city of Milwaukee, I read into the RECORD from a telegram dated August 11, 1958, from Jacob F. Friedrick, chairman, Sewerage Commission of the City of Milwaukee and member of the Metropolitan Sewerage Commission of the Community of Milwaukee.

(Excerpt from telegram dated August 11, 1958, from Jacob F. Friedrick, chairman, Sewerage Commission of the City of Milwaukee; member, Metropolitan Sewerage Commission of the County of Milwaukee)

"Alvord, Burdick & Howson, consulting engineers for the Milwaukee Metropolitan Sewerage District, in their report on intercepting sewers and sewage treatment, Milwaukee metropolitan area, 1956, summary and conclusions, issued the following statements:

" 'Prior to about 30 years ago all of the domestic sewage and industrial wastes of the Milwaukee area, as well as the entire storm water runoff discharged into the Milwaukee, Menomonee, and Kinnickinnic Rivers and the lake. As a result the rivers were grossly polluted, were often devoid of oxygen and malodorous for extended periods. At the present time approximately 175 million gallons of sewage daily (about 700,000 tons) is conducted to the Jones Island plant where the solids are separated from the liquid, converted to approximately 65,000 tons of milorganite fertilizer per year, and liquid so efficiently treated that it is returned to the lake substantially as clear as lake water and with approximately 95 percent of its polluting material removed. All of this has been accomplished with a total capital expenditure of some $55 million. There is no such thing as 100-percent sewage purification, and there are few if any treatment plants in this country that are consistently doing as good a treatment job as that at Milwaukee.' "

CANADA'S POSITION

The majority report of the public works committee completely overlooked the fact that Canada's position was expressed carefully in its aide memoire of January 6, 1958, confirmed by Mr. Smith, the Secretary of State for External Affairs in answer to a question in Parliament on August 2, 1958. And confirmed by J. H. Cleveland's telephone call to Mrs. Cato of my office.

UNITED STATES AIDE MEMOIRE LAST YEAR

Mr. President, I have received from the Department of State a copy of the aide memoire dated March 11, 1957, which the Department of State sent to the Canadian Ministry of External Affairs with respect to H. R. 2.

I note that the aide memoire refers to a past favor and then asks that the Canadian Government refrain from interposing an objection to H. R. 2.

The alleged favor which the Department of State thinks that it had done for Canada was to permit Canada to divert some water into the Great Lakes Basin.

Now, I read into the RECORD, so that all Senators may appreciate the importance of this note, the State Department aide memoire dated March 11, 1957, delivered to Canada and asking Canada in effect not to object to H. R. 2.

"AIDE MEMOIRE

"The Canadian Embassy's note No. 113 of February 13, 1956, protested against H. R. 3210, 84th Congress, 2d session, a proposal to increase the diversion from Lake Michigan into the Illinois Waterway by 1,000 cubic feet per second for a period of 3 years. The President on August 9, 1956, withheld approval of this bill, at the same time instructing the Department of State 'to engage in discussions with the Canadian Government in an attempt to work out a solution to these problems as soon as all pertinent facts are available.' Thereafter a basic report on the effects of such a proposal on the Great Lakes and St. Lawrence River was completed by the Corps of Engineers, United States Army, and was made public in February 1957. Copies of the President's memorandum of disapproval and of the Corps of Engineers' report were forwarded to the Canadian Embassy as soon as they became available. Additional copies of each are enclosed. The Canadian Embassy is no doubt also aware that H. R. 2 and a number of identical bills have been introduced in the present session of Congress, similar to H. R. 3210, which was passed by Congress but disapproved by the President.

"A factor which has contributed to the persistence of such legislative proposals has been the rapid population growth in the Greater Chicago area and the resulting sanitary problem. The representative of the Chicago Association of Commerce and Industry testified in connection with hearings on H. R. 3210 before a subcommittee of the United States Senate Committee on Public Works that the Chicago Sanitary District had spent approximately $320 million on filtration plants, which are among the most modern in the world. According to this testimony, these plants dispose effectively of 90 percent of the wastes of a population equivalent to some 8 million people, which leaves 10 percent of the treated wastes, the general equivalent of wastes of 800,000 people, going into the Chicago River and Illinois Waterway, plus the raw sewage resulting from storm floods. As a result, the sanitation situation in this area is one to cause increasing uneasiness. This testimony appears on page 103 of the record of hearings on H. R. 3210 before the United States Senate Committee on Public Works, a copy of which is enclosed.

"The proposed legislation, among its other aspects, would enable the United States Public Health Service to make new field studies

over a 3-year period in the Illinois Waterway in order to evaluate water quality conditions, changes in chemical and bacteriological content, the persistence of aquatic life, and other related subjects. The temporary increased flow would be an indispensable element to a fully effective Public Health Service investigation.

"Since an increased diversion out of Lake Michigan would have recognizable effects elsewhere in the Great Lakes Basin and in the St. Lawrence River, as is set forth in the Corps of Engineers' report, it has been suggested that it might be possible to increase the Long Lac-Ogoki diversions into Lake Superior by a comparable amount during a 3-year period to counteract these effects. This arrangement would allow the studies of the Corps of Engineers and Public Health Service to be completed without affecting navigation and hydroelectric interests. The Long Lac-Ogoki diversions were agreed to in 1940 as an accommodation to Canadian needs in spite of the effects, desirable or otherwise, which they might have elsewhere in the Great Lakes Basin. It is possible that the answer to the present problem may lie in some form of adjustment of this earlier happy instance of cooperation. Accordingly, it would be appreciated if the Canadian Government would examine this suggestion for consideration in further discussions.

"If for some reason such an arrangement is not feasible, it is hoped that the Canadian Government will consider the extent to which it may be in Canada's overall interest to refrain from interposing objection to H. R. 2 or similar legislation. In this regard, if the proposal for a 3-year diversion were to be carried out, it would then result in authoritative studies by both the United States Corps of Engineers and United States Public Health Service, which would make it possible for Canada to weigh more accurately any future proposal for further increased diversions in this area and to decide where Canada's best interests might lie.

"It would be appreciated if the Canadian authorities would give early consideration to the problems raised by the proposed legislation. If it is desired to have representatives of the Corps of Engineers or Public Health Service explain in greater detail either the present Corps of Engineers' report or the studies which would be carried out under the proposed legislation, the Department of State will be pleased to make available such representatives for this purpose. It is hoped that further discussions may be held on this subject as soon as may be convenient to the Canadian Government."

CANADIAN AIDE MEMOIRE

Those who attended the Public Works Committee hearing on H. R. 2, will recall a big point made by the supporters that Canada had objected to the two prior bills which the President had vetoed; but that it had not used the word "objection" in any communication with reference to H. R. 2. Proponents tried to draw the conclusion that Canada, therefore, no longer objected. They pointed to the mild language of the Canadian note of January 6, 1958. This mild language is explained by the pressure put upon Canada to softpedal its objection to H. R. 2.

However, the Canadians, nevertheless, did express, in the most diplomatic and polite language, their continuing objection to diversion of water from Lake Michigan at Chicago. And I read the Canadian note or aide memoire of January 6, 1958. The Canadian aide memoire reads as follows:

"AIDE MEMOIRE

"Useful conversations between United States and Canadian officials were held in Ottawa on July 9, 1957, on the subject of the sanitation problems which gave rise to proposed legislation for a 3-year temporary diversion of 1,000 cubic feet of water per second from the Great Lakes system at Chicago to the Mississippi system and on the subject of studies to be carried out under the proposed legislation.

"The Canadian Government understands that if such legislation is enacted these sanitation studies will not be limited to evaluating the effects of dilution but will also include consideration of all possible measures for dealing with waste disposal facilities at Chicago. Such measures would include:

"(a) complete separation of storm sewers from the domestic sewerage system or expansion of the existing treatment facilities to serve a total combined flow;

"(b) treatment of organic wastes in industrial plants before discharging these effluents into the sewerage system;

"(c) chlorination of effluent before discharge into the Illinois Waterway; and,

"(d) artificial aeration of the waterway.

"The treatment of sewage in the Chicago area is, of course, a matter entirely within the jurisdiction of the competent legislative bodies within the United States. It is understood that present treatment of waste represents a vast improvment over conditions which existed in former years and that under the present day uses of the water the waste is more a nuisance than a menace to the public health in the area.

"In considering the economics of alternative methods of improved waste disposal, it is assumed that full consideration will be given to the economic harm which may be done to navigation and hydroelectric generation in both countries by extended use of dilution methods.

"It is not possible to give a firm undertaking to provide flows of a particular volume through the existing Long Lac and Ogoki diversions to the Great Lakes Basin during the 3-year period envisaged by proposed United States legislation. However, if it were possible to offset part of the effects of the Chicago diversion by inflows from the Albany Basin in Canada, it would be equitable that an equivalent amount of water should remain available for use in hydroelectric power generation by the Ontario interests at St. Marys Falls, Niagara Falls, and in the international section of the St. Lawrence River until the effects of the proposed temporary diversion will have ceased to be felt in the Great Lakes system.

"All rights under the provisions of the Boundary Waters Treaty of 1909 are specifically reserved.

A. E. R."

(Handed to the State Department 4:30 p. m. January 6, 1958, and reprinted August 2, 1958, in the appendix (p. 3041) of Hansard's Official Report of Canada's House of Commons Debates Saturday, August 2, 1958 (vol. 102, No. 63, 1st sess, 24th Parliament).)

DEPARTMENT OF STATE,
Washington, July 28, 1958.

The Honorable DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate.

DEAR SENATOR CHAVEZ: In view of the forthcoming hearings on H. R. 2, a bill to authorize an additional diversion from Lake Michigan into the Illinois Waterway, it is thought that you will wish to have Canadian views on the subject as contained in an Aide Memoire of January 6, 1958. A copy of this document is therefore enclosed for the information of your committee.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

UNITED STATES DIVERSION DELEGATION TO OTTAWA

As a result of the American note, Canada submitted to the visit by American specialists on July 9, 1957. They went to Canada to explain why the Chicago sewage problem required international treatment.

I read from a memorandum, which I obtained from the Department of State, as to what was said at the July 9, 1957 meeting in Ottawa. The State Department's description of the meeting of the United States and Canadian groups reads as follows:

"MEMORANDUM—JULY 9, 1957, OTTAWA MEETING ON PROPOSED INCREASED DIVERSION OF LAKE MICHIGAN WATER AT CHICAGO

"Participants

"United States: Mr. Maurice Lebosquet, Department of Health, Education, and Welfare; Mr. E. W. Nelson, principal engineer, North Central Division, Chicago, Corps of Engineers; Mr. Harry Adams, United States Corps of Engineers; Mr. Adolph Dubs, United States Embassy, Ottawa.

"Canada: Mr. J. H. Cleveland, acting head American Division, Department of External Affairs (Chairman); Dr. A. P. Berry, general manager and chief engineer, Ontario Water Resources Commission; Mr. E. A. Cote, Assistant Deputy Minister, Department of Northern Affairs and National Resources; Mr. Otto Holden, Hydro-Electric Power Commission of Ontario; Mr. T. M. Patterson, Chief, Water Resources Branch, Department of Northern Affairs and National Resources; Mr. J. R. Mennies, Department of National Health and Welfare; Mr. Rene Dupuis, Quebec Hydro; Mr. Maurice Heroux, Department of External Affairs; Mr. A. V. Delaporte, Ontario Water Resources Commission.

"Exchange of technical information

"At the outset of the meeting, it was made clear that the discussion was being held solely to exchange technical information on various matters relating to proposed legislation before Congress which would authorize the State of Illinois and the Sanitary District of Chicago to test, on a 3-year basis, the effect of increasing the diversion of Lake Michigan waters at Chicago by 1,000 cubic feet per second.

"Chicago sanitation problem and investigations

"The Canadian officials were informed that the proposed legislation, H. R. 2, arises out of the sanitation problem in the Chicago area and downstream from Chicago on the Illinois Waterway and further that, under the proposed legislation, investigations are expected to be conducted by the Federal Department of Health, Education, and Welfare (HEW). These investigations would look into such matters as: (1) water quality, (2) flow patterns, and (3) biological problems. Additional means of attacking the sanitation problem might include: (1) an industrial waste control program, (2) chlorination, (3) aeration of the stream itself, and (4) increasing the capacity and improving the effectiveness of facilities to take care of storm-water overflows.

"A member of the Canadian group thereupon suggested that the additional diversion might prove inadequate and he later inquired whether the principal problem might not be a question of odor rather than health. Other members of the Canadian group raised the possibility of future large temporary increased diversions for navigation purposes at the time of low water levels in the Mississippi River.

"Long Lac-Ogoki diversion

"Members of the United States group dealt with the various aspects of the problem raised by the Canadians and then inquired as to the views of the Canadians with regard to a possible increase of the Long Lac-Ogoki diversions into Lake Superior by an amount sufficient to offset the temporary increased diversion at Chicago. In replying, a spokesman for the Canadian group stated that, under existing conditions, all available flow was already being diverted and that a compensatory increase was not possible. He noted that the average diversion in the water years

1943–44 to 1955–56 was around 4,980 cubic feet per second. The diversion might, of course, be increased by raising the level of dam structures and increasing the water storage areas, but such an undertaking was not considered to be economical in relation to the additional benefits to be derived.

"Effect on hydroelectric generation

"It is to be noted in this connection that during this meeting, as previously, the Canadian officials have consistently pointed out that the foreseeable effects of an increased diversion at Chicago necessarily occasion concern in Canada. Careful studies have shown them that there would be financial injury to hydroelectric generation facilities in both countries."

Two days after Mr. MacComber's note to the junior Senator from Oregon [Mr. NEUBERGER] dated August 1, 1958, the Canadian Secretary of State for External Affairs, Mr. Smith, was asked on the floor of the Canadian Parliament a question about Canada's attitude toward the proposed Chicago diversion. I shall read his reply:

"WATER RESOURCES — CHICAGO DIVERSION — STATEMENT ON EFFECTS OF PROPOSED INCREASE

"On the orders of the day:

"Hon. Sidney E. Smith (Secretary of State for External Affairs):

"Mr. Speaker, I wish to take this opportunity to answer the question which was addressed to me on Wednesday, July 30, by the honorable member from Lambton West, dealing with water diversion at Chicago. My answer to his question, which was directed to three main points, is as follows:

"'1. The position taken by Canada with respect to a proposed additional diversion of 1,000 cubic feet per second from Lake Michigan at Chicago is set forth in an aide memoire dated January 6, 1958. As the document is somewhat long, I ask leave to have it printed as an annex to Hansard.

"'2. To the extent that any additional diversion of water may take place at Chicago, the level of the lower lakes and connecting channels will be reduced as far as Montreal, and there will be a corresponding reduction in the availability of water for hydroelectric generation at Niagara, Barnhart, and Beauharnois. The effect, however, varies at different places and at different times over a period of years. I should be pleased to arrange for the honorable member to consult tables and graphs in order to determine precisely what effect a particular diversion would have at a specific time in a specific place.

"'3. Principles applicable to a diversion from Lake Michigan would not necessarily apply to boundary waters, as Lake Michigan is not a boundary water.'[1] (Taken from Hansard, pp. 3009–3010.)

In the Hansard appendix there was printed in the issue for August 2, 1958, the Canadian aide memoire of January 6, 1958, which I have just read to you.

LEGAL ADVISER'S LETTER

That Canada does object, nevertheless, to the diversion is the opinion of the legal adviser of the Department of State, and this opinion is based on the official aide memoire from the Canadian Embassy.

The opinion dated July 29, 1958 (just 2 days before the date of the August 1, 1958, letter to the Senator from Oregon in Mr. MacComber's name), states on page 5:

"The proposed legislation authorizing an increased diversion from Lake Michigan at Chicago has been opposed by Canada on the ground that it may cause injury to Canadian navigation and hydroelectric power interests. Canada's reasons for opposing the Chicago diversion bill are thus very similar to those of the United States with respect to the Columbia River diversion, and it would seem that H. R. 2, if enacted, could constitute a precedent to be used by the Canadian interests in support of their proposals on the Columbia."

In order that the legal adviser's excellent reasoning in support of his opinion, may be available to all, I read it into the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, July 29, 1958.

The Honorable RICHARD L. NEUBERGER,
United States Senate.

DEAR SENATOR NEUBERGER: The receipt is acknowledged of your letter of July 24, 1958, requesting an opinion by the Department of the position under international law of the Chicago diversion project proposed by H. R. 2 and its legal implications, if any, with regard to our negotiations with Canada on the upper Columbia River development.

There has been a continuous diversion of waters from the Great Lakes Basin at Chicago into the Mississippi watershed since January 17, 1900, when the Chicago drainage canal was opened and 8,000 cubic feet of water per second (an amount greater than presently authorized) was diverted by permit by the Secretary of War. (Olis and Sprecher, Legal Aspects of Lake Diversion, Northwestern University Law Review, 656 (1957).) The amount of the diversion had been increased at the time that the treaty between the United States and Great Britain relating to boundary waters and questions arising between the United States and Canada was signed on January 11, 1909. (36 Stat. 2448; TS 548.) The treaty went into effect on May 13, 1910, and is still operative.

Canadian opposition to the Chicago diversion existed prior to the signing of the 1909 treaty. The Second Interim Report of the Canadian Section of the International Waterway Commission, dated April 25, 1906, contained the following reference to this diversion:

"At Chicago, the Americans have built a drainage canal which, when in full operation, will use about 10,000 cubic feet of water per second * * * which will have the effect of lowering Lake Michigan by over 6 inches, and Lake Erie by 4½ inches.

* * * * *

"It is exceedingly important in the interests of navigation, both to ourselves and to the people of the United States, that the diversion by way of the Chicago drainage canal should be limited. It is equally essential in the interests of both countries that no diversion or interference should be allowed in streams crossing the boundary which would interfere with the interests of navigation in either country."

The terms of the Boundary Waters Treaty of 1909 do not appear to affect the legal rights of United States or Canadian interests in regard to the Chicago diversion. The preliminary article of the treaty defines "boundary waters" as "the waters from main shore to main shore of the lakes * * * along which the international boundary between the United States and the Dominion of Canada passes, including all bays, arms, and inlets thereof, but not including tributary waters, which in their natural channels would flow into such lakes." Lake Michigan is not a boundary water because it is entirely within the United States, and the part of the lake which is closest to Canada is about 40 miles from the international boundary. Secretary of State Elihu Root, who negotiated the treaty on behalf of the United States, explained in his testimony regarding the treaty before the Senate Foreign Relations Committee that "the definition of boundary waters was carefully drawn in order to exclude Lake Michigan." (Naujoks' "The Chicago Water Diversion Controversy," 30 Marq. L. Rev. 228, 231 (1947).)

Jurisdiction and control over diversions from bodies of water, such as Lake Michigan, which do not fall within the definition of boundary waters are reserved to the State where such water is located by article II of the treaty which reads in part:

"Each of the high contracting parties reserves to itself or to the several State governments on the one side and the Dominion or Provincial Governments on the other, as the case may be, subject to any treaty provisions now existing with respect thereto, the exclusive jurisdiction and control over the use and diversion, whether temporary or permanent, of all waters on its own side of the line which in their natural channels would flow across the boundary or into boundary waters."

Injured parties are given certain rights and remedies in respect of diversions in the other country by the succeeding clause of the treaty subject to the proviso that such rights and remedies do not apply to cases already existing. The proviso thus eliminates rights of injured parties in regard to the Chicago diversion which was already an existing case.

Canadian Federal or Provincial interests which may be injured by diversions are not covered by the rights and remedies clause just cited or the proviso thereto. A memorandum by Mr. Chandler Anderson, who drafted the treaty, states as follows:

"The right of action for damages provided for in article II applies to private or individual interests in distinction from public or governmental interests. Any question on the point is set at rest by the use of the words 'injured parties.' Whenever the word 'party' is used in a treaty, referring to the High Contracting Parties, a capital P is used, so the absence of the capital and the use of the word in the plural indicates that it can refer only to individuals." (Files of the Department.)

The only other provision of the treaty which must be considered in connection with the Chicago diversion is the final paragraph of article II, which states:

"It is understood, however, that neither of the High Contracting Parties intends by the foregoing provision to surrender any right which it may have, to object to any interference with or diversions of waters on the other side of the boundary the effect of which would be productive of material injury to the navigation interests on its own side of the boundary."

Secretary Root, in his testimony cited above, made the following statements after citing the terms of the last paragraph of article II:

"There should clearly be a right, there would be a right to object to, for instance, drying up one of the lakes. Either country, for instance, would be justified in going to war to prevent the other country from drying up Lake Erie, and that right to object to the destruction of the navigation in these international waters is preserved. I did not want to press Canada to give up any such rights, and I did not want to give up any such rights ourselves."

And later on in his testimony, when the Secretary was explaining why Canada was allowed to take a greater amount of water at Niagara than the United States under article V of the treaty, he stated: "In the third place, they consented to leave out of this treaty any reference to the drainage canal, and we are now taking 10,000 cubic feet per second for the drainage canal, which really comes out of this lake system."

From the foregoing it would seem evident that Canadian interests which may be injured by the existing or continued diversion of waters at Chicago cannot rely on the terms of the 1909 treaty for relief from any injuries

[1] But Lake Michigan is one of the waters flowing into and affecting the level of boundary waters, and so within some provisions of the Boundary Waters Treaty of January 11, 1909.

which may be caused thereby. Such interests must, instead, rely on general international law for any relief to be obtained.

The opinion of Attorney General Judson Harmon, rendered on December 12, 1895, to the Secretary of State relates to the taking of water from the Rio Grande River for irrigation in relation to article VII of the Treaty of Guadalupe Hildalgo between Mexico and the United States of February 2, 1848. (21 Op. Attys. Con. 274.) He concluded that the United States as the upstream country in that case had an unlimited right to divert the waters in question and that injured Mexican interests were without right or remedy. The Department of State believes that a reiteration of the Harmon doctrine by any branch of the United States Government would not be in the best interest of this country or in line with the progressive development of international law during the last 60 years.

When the United States negotiated a treaty with Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande with Mexico which was signed at Washington on February 3, 1944 (TS 994) the United States no longer asserted that the upstream country had an unlimited right to divert waters within its boundary. At the time the Secretary of State made the following statement before the Senate:

"It must be realized that each country owes to the other some obligation with respect to the water of these international streams, and until this obligation is recognized and defined, there must inevitably be unrest and uncertainty in the communities served by them—a condition which becomes more serious with the increasing burden of an expanding population dependent upon the waters of these streams."

In addition the Assistant Secretary of State declared:

"The logical conclusion of the legal argument of the opponents of the treaty appears to be that an upstream nation by unilateral act in its own territory can impinge upon the rights of a downstream nation; this is hardly the kind of legal doctrine that can be seriously urged in these times." (Hearings before the Committee on Foreign Relations, United States Senate, 79th Congress, 1st sess., pt. 1, p. 19 (Secretary of State); pt. 5, p. 1762 (Assistant Secretary of State).)

The Supreme Court, in dealing with the problem of interstate diversions, has developed the principle of "equitable apportionment" in a notable series of cases. (*Kansas* v. *Colorado* (185 U. S. 125 (1902), 206 U. S. 46 (1906)); *Hinderlider* v. *La Plata Co.* (304 U. S. 92 (1937)).) In the development of this principle, the Court has indicated that it was acting, at least partially, in the field of international law. Thus, in the second opinion in *Kansas* v. *Colorado*, op. cit., the Court states, at page 97:

"Nor is our jurisdiction ousted, even if, because Kansas and Colorado are States sovereign and independent in local matters, the relations between them depend in any respect upon principles of international law. International law is no alien in this tribunal."

Principles similar to that of equitable apportionment have won increasing acceptance in international law. The Italian Court of Cassation, for example, stated in 1939:

"International law recognizes the right on the part of every riparian State to enjoy, as a participant of a kind of partnership created by the river, all the advantages deriving from it for the purpose of securing the welfare and the economic and civil progress of the Nation. * * * However, although a State, in the exercise of its right of sovereignty, may subject public rivers to whatever regime it deems best, it cannot disregard the international duty, derived from that principle, not to impede or to destroy, as a result of this regime, the opportunity of the other States to avail themselves of the flow of water for their own national needs. In order to settle this conflict between the exercise of the right of sovereignty and the fulfillment of the duty imposed by the comitas gentium, regulations have been laid down by international conventions." (Annual Digest and Reports of Public International Law Cases (1938-40), 120 at 121.)

Pursuant to your request and by way of supplementing the above observations regarding the status under international law of the diversion proposed by H. R. 2, the relation of this diversion to the Columbia River development will now be discussed briefly. The position which is being taken by the United States in its negotiations with Canada regarding the development of the Columbia-Kootenay River system is that there is no basis under either the Boundary Waters Treaty of 1909 or customary international law for any contention that Canada has a legal right unilaterally to divert within its own territory certain waters of this system, if such diversion may cause material injury to power and navigation interests on the Columbia River in the United States. The proposed legislation authorizing an increased diversion from Lake Michigan at Chicago has been opposed by Canada on the ground that it may cause injury to Canadian navigation and hydroelectric power interests. Canada's reasons for opposing the Chicago diversion bill are thus very similar to those of the United States with respect to the Columbia River diversion, and it would seem that H. R. 2, if enacted, could constitute a precedent to be used by the Canadian interests in support of their proposals on the Columbia.

You have also requested orally an enumeration of the legal objections which have been made by Canada to the proposed increased diversion of Lake Michigan at Chicago. These objections, which are set forth below, were directed to diversion bills similar to H. R. 2, which were then being considered by the 83d and 84th Congresses. Both bills were subsequently passed and then vetoed by the President.

Two notes from the Canadian Embassy to the Secretary of State dated February 1 and March 10, 1954, objected to the bill before the 83d Congress. In the latter note, the Canadian Government referred to article II of the Boundary Waters Treaty and stated:

"The terms of the last paragraph of that article clearly affirm the understanding that neither party to the treaty surrenders 'any right which it may have to object to any interference with or diversion of waters on the other side of the boundary the effect of which would be productive of material injury to the navigation interests on its own side of the boundary.' If the proposed increase in the diversion at Chicago were to take place, the Government of Canada would, in the circumstances described above, consider that there would be material injury to the navigation interests on its side of the boundary."

The Canadian note of March 10, 1954, concludes as follows:

"The Canadian Government wishes to draw attention once more to the fact that the Chicago diversion is one aspect of a matter now before the International Joint Commission and it is suggested that it would be in the best interests of Canada and the United States to allow the Commission to complete its study of this and related matters before any change in arrangements affecting the levels of the Great Lakes is authorized."

A third note, dated August 24, 1954, was sent by the Canadian Embassy to the Department of State. Attention was again drawn to the contents of its previous notes and the following statement was made:

"As mentioned in my previous two notes, the Canadian Government considers that the adoption of this measure would have an adverse effect on navigation in the Great Lakes and the St. Lawrence River. After careful consideration the Government of Canada has reached the conclusion that an increase in the diversion at Chicago by 1,100 cubic feet per second as provided in this legislation would in fact result in injury to navigation in boundary waters, particularly during cycles of low levels on the Great Lakes.

"It is the view of my Government, therefore, that the implementation of this proposed legislation would constitute a diversion of water on the United States side of the boundary, the effect of which will be productive of material injury to the navigation interests on the Canadian side of the boundary. In these circumstances and in accordance with the right which is expressly reserved in article II of the Boundary Waters Treaty of 1909, I am instructed by my Government to make formal objection to the proposed increase in the diversion of the waters of Lake Michigan and to request that the United States Government take whatever measures may be appropriate to insure that this proposal is not implemented."

In his further note of February 13, 1956, the Canadian Ambassador stated in the concluding paragraph that:

"I am accordingly instructed to make clear that, in the view of the Canadian Government, the enactment of the proposed legislation would be prejudicial to the navigation and power interests of both countries."

In addition, an aide memoire of January 6, 1958, from the Canadian Embassy refers to "useful conversations between United States and Canadian officials" on July 9, 1957, on various aspects of the proposed diversion from the Great Lakes system. While the aide memoire does not specifically object to the diversion, it states in part as follows:

"In considering the economics of alternative methods of improved waste disposal, it is assumed that full consideration will be given to the economic harm which may be done to navigation and hydroelectric generation in both countries by extended use of dilution methods.

"It is not possible to give a firm undertaking to provide flows of a particular volume through the existing Long Lac and Ogoki diversions to the Great Lakes Basin during the 3-year period envisaged by proposed United States legislation. However, if it were possible to offset part of the effects of the Chicago diversion by inflows from the Albany Basin in Canada, it would be equitable that an equivalent amount of water should remain available for use in hydroelectric power generation by the Ontario interests at St. Marys Falls, Niagara Falls, and in the international section of the St. Lawrence River until the effects of the proposed temporary diversion will have ceased to be felt in the Great Lakes system.

"All rights under the provisions of the Boundary Waters Treaty of 1909 are specifically reserved."

It is hoped that the foregoing provides you with the information which you desire.

Sincerely yours,

JOHN M. RAYMOND,
Acting Legal Adviser.

SUMMARY

In summary, I should like to say the Senate should not be diverted from pressing national and international problems to debate Chicago's sewage problem.

The waters of the Great Lakes—a liquid gold to the bordering communities, States and nations—are their precious possession, which they use, purify and return to the lakes so that it will not be lost to them.

Chicago, on the other hand, still uses the antiquated system of flushing sewage down the river after partial purification.

Sanitation is a complicated, medical, chemical and engineering problem. But it is basically Chicago's problem. The Senate should not be called upon to solve it.

Other communities solve their own problem. Milwaukee, as previously stated, according to independent experts achieves 95 percent purity before the natural purification begins out in the lake so that the water becomes as pure as ever.

Chicago was directed by the United States Supreme Court years ago to adopt the best methods, but has not spent enough money to do so. Of course, their sewage works are large—they persuaded a society years ago to call them the "Seventh Wonder of the Nation." But their sewage works are not adequate since, by their own admission, they fail to purify the sewage equivalent of an 800,000 person city.

This is, in effect, a bill to subsidize Chicago's disposal of sewage by authorizing it to drain away water into another watershed—something other lake cities are not allowed to do.

We state again, Chicago's problem is not a navigation problem such as Congress is authorized and accustomed to handle. The Public Works Committee has prevented the recurrence of the transportation problem which occurred during the low-water period on the Mississippi River in December 1956. It has done this by authorizing water storage works on the Mississippi, near Alton, Ill. And the United States Supreme Court could again, as it did then (in 1956) authorize an emergency diversion. That one was of 8,500 cubic feet per second for about 130 days, as I recall.

Chicago has not made adequate use of the 3,500 cubic feet per second it now diverts (that is, 2,000 domestic pumpage and 1,500 specific authorization).

Another 1,000 cubic feet per second would raise the diversion to 4,500 cubic feet per second, with the open end of a domestic pumpage constantly increasing as the city grows.

This extra 1,000 cubic feet per second for 3 years or 1 year would induce Chicago to continue its present methods with the result that continued diversion would seem to be necessary and would become permanent.

Just a temporary diversion shown would lose users of the Great Lakes millions of dollars. Lower lake levels would lower harbor and canal depths and consequently decrease safe ship draft and reduce tonnage carried. Extra expensive dredging would be necessary. The beauty and recreational value of lakeshore property would be impaired to the injury of the tourist trade. Dock pilings would become exposed and rot. The daily posted guide to the safe loading of ships is figured down to the nearest inch. Every inch in lake height counts, particularly in this cycle of low water on the Great Lakes.

Over the last 50 years or so, Chicago has taken, I would roughly estimate, considerably over 14 feet.

THE LAW FAILS TO SUPPORT THE BILL

The Federal question

The Constitution of the United States, of course, gives the Federal Government jurisdiction to regulate interstate commerce. But this grant, although including authority to facilitate navigation, did not include authority to take from one State water for the sanitation of a city in another State.

The United States Supreme Court held that the permit of the Secretary of War dated March 3, 1925, was invalid because: "Merely to aid the district in disposing of its sewage was not a justification, considering the limited scope of the Secretary's authority. He could not make mere local sanitation a basis for a continuing diversion."

No navigation problem is involved. Even the Army engineers admit this. (Testimony of Colonel Naumann, 1958 Senate Public Works Committee hearing transcript, pp. 315–318.) The temporary navigation problem due to drought in 1956 which resulted in the emergency decree of the United States Supreme Court, has been solved for the future by a law authorizing water retaining works above Alton, Ill., on the Mississippi River.

Congress has no authority to divert water for the sole purpose of sluicing Chicago's sewage down the Illinois Waterway. *Wisconsin* v. *Illinois* (278 U. S. 367, at p. 418 (1929)).

Treaty rights

Either party to the Boundary Waters Treaty of 1909 can object to lowering of any waters (whether within the definition of boundary waters or not) which have the effect of lowering the level of the boundary waters to the injury of that party. As the Supreme Court said:

"With regard to the second ground, the treaty of January 11, 1909 (36 Stat. L. 2448), with Great Britain, expressly provides against uses 'affecting the natural level or flow of boundary waters' without authority of the United States or the Dominion of Canada within their respective jurisdictions and the approval of the International Joint Commission agreed upon therein" (266 U. S. 405, at 426).

The definition of boundary waters at the beginning of the treaty, about which so much has been said on the floor, is not a definition of all the waters within any jurisdiction of the treaty. Although Lake Michigan is not a boundary water and is obviously circumscribed by the United States, the lowering of the level of Lake Michigan does obviously affect adversely the level of the Great Lakes on which Canada borders and which Canada uses for navigation. Canada has the right to object to injury from lowering the level of the Great Lakes.

Report dated May 17, 1958, of the committee on uses of international waters of the American Bar Association, copy of which I read into the RECORD (see exhibit).

Opinion dated July 29, 1958, of the Legal Adviser of the Department of State, supra.

Memorandum entitled "Legal Aspects of the Use of Systems of International Waters" of William L. Griffin, attorney, Office of the Legal Adviser, Department of State, filed in the hearings of the Senate Interior Committee, April 1958, with respect to the Columbia River.

Herbert H. Naujoks, The Chicago Water Diversion Controversy, a series of three articles in Marquette Law Review (30 Marquette Law Review 149–176, 228–271, 252–253, and 30 Marquette Law Review 28–79).

Canada has objected (see aide memoire, dated January 6, 1958, and other documentation which I have referred to in section on Canada's Position).

"COMMITTEE ON USES OF INTERNATIONAL WATERS

"(American Bar Association, section of international and comparative law, May 17, 1958)

"To members of the section of international and comparative law: Members of this committee have exchanged views by personal discussion when possible or by correspondence with members of the committee who were not available in Washington.

"Diversion of water from Lake Michigan and the Great Lakes Basin to Mississippi Basin

"The following resolution met with the approval of the majority of the committee:

"Resolved, That the section of international law disapproves H. R. 2, 85th Congress, 1st session, entitled 'A bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.'

"This bill was passed by the House of Representatives on May 22, 1957, and is now pending in the Public Works Committee of the United States Senate. It involves important principles of international law and provisions of the Treaty of January 11, 1909, between Great Britain and the United States in respect to Canada, generally known as the Boundary Waters Treaty. The diversion of waters of Lake Michigan dealt with in this legislation has previously been the subject of litigation between the States in the Supreme Court of the United States. Its jurisdiction is based upon article III, section 2, clause 2, of the Constitution of the United States which provides that:

" 'The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority * * * to Controversies between two or more States.'

"The diversion of water from Lake Michigan by reversal of the flow of the Chicago River and the digging of a canal across the Great Lakes-Mississippi River divide has been the subject of controversy for many years in the courts and in diplomatic correspondence of the United States and Canada.

"The Sanitary District of Chicago constructed the sanitary and ship canal, commonly designated as the main drainage canal, from Chicago to Lockport, Ill., 1892–1900, and extended it to Joliet, 1903–7. This canal was built with flow capacity of 10,000 cubic feet per second to pass the maximum flood from the Chicago area; to dispose of the sewage of 3 million people by dilution, and to provide deep draft (24 feet) navigation inland to Lockport, across the Lake Michigan-Mississippi River divide.

"1909 Boundary Waters Treaty

"The Boundary Waters Treaty of 1909 with Great Britain in respect to Canada (36 Stat., p. 9) provides in Article I, as follows:

" 'The high contracting parties agree that the navigation of all navigable boundary waters shall forever continue free and open for the purposes of commerce to the inhabitants and to the ships, vessels, and boats of both countries equally, subject, however, to any laws and regulations of either country, within its own territory, not inconsistent with such privilege of free navigation and applying equally and without discrimination to the inhabitants, ships, vessels, and boats of both countries.

" 'It is further agreed that so long as this treaty shall remain in force, this same right of navigation shall extend to the waters of Lake Michigan and to all canals connecting boundary waters, and now existing or which may hereafter be constructed on either side of the line. Either of the high contracting parties may adopt rules and regulations governing the use of such canals within its own territory and may charge tolls for the use thereof, but all such rules and regulations and all tolls charged shall apply alike to the subjects or citizens of the high contracting parties and the ships, vessels, and boats of both of the high contracting parties, and they shall be placed on terms of equality in the use thereof.'

"Article II of the treaty reads as follows:

" 'Each of the high contracting parties reserves to itself or to the several State governments on the one side and the Dominion or provincial governments on the other as the case may be, subject to any treaty provisions now existing with respect thereto, the exclusive jurisdiction and control over the use and diversion, whether temporary or permanent, of all waters on its own side of the line which in their natural channels would flow across the boundary or into boundary waters; but it is agreed that any interference with

or diversion from their natural channel of such waters on either side of the boundary, resulting in any injury on the other side of the boundary, shall give rise to the same rights and entitle the injured parties to the same legal remedies as if such injury took place in the country where such diversion or interference occurs; but this provision shall not apply to cases already existing or to cases expressly covered by special agreement between the parties hereto.

" 'It is understood, however, that neither of the high contracting parties intends by the foregoing provision to surrender any right, which it may have, to object to any interference with or diversions of waters on the other side of the boundary the effect of which would be productive or material injury to the navigation interests on its own side of the boundary.'

"Article III of the treaty contains the following provisions:

" 'It is agreed that, in addition to the uses, obstructions, and diversions heretofore permitted or hereafter provided for by special agreement between the parties hereto, no further or other uses or obstructions or diversions, whether temporary or permanent, of boundary waters on either side of the line, affecting the natural level or flow of boundary waters on the other side of the line, shall be made except by authority of the United States or the Dominion of Canada within their respective jurisdictions and with the approval, as hereinafter provided, of a joint commission, to be known as the International Joint Commission.

" 'The foregoing provisions are not intended to limit or interfere with the existing rights of the Government of the United States on the one side and the Government of the Dominion of Canada on the other, to undertake and carry on governmental works in boundary waters for the deepening of channels, the construction of breakwaters, the improvement of harbors, and other governmental works for the benefit of commerce and navigation, provided that such works are wholly on its own side of the line and do not materially affect the level or flow of the boundary waters on the other, nor are such provisions intended to interfere with the ordinary uses of such waters for domestic and sanitary purposes.'

"Secretary Root's statement at the Senate hearing re article II reads as follows:

" 'The last paragraph of article II reserves our right to object to any interference with or diversion of waters on the other side of the boundary, the effect of which would be productive of material injury to the navigation interests on its own side of the boundary.

" 'There should clearly be a right, there would be a right, to object to, for instance, drying up one of the lakes. Either country, for instance, would be justified in going to war to prevent the other country from drying up Lake Erie, and that right to object to the destruction of the navigation in these international waters is preserved. I did not want to press Canada to give up any such rights, and I did not want to give up any such rights ourselves. There is a company incorporated in Canada, which involves very important political interests there, to cut a canal from Lake Erie to Ontario, across the Jordan River, and turning the entire current of Lake Erie down through that Canal for power purposes. It would dry up Niagara River and appropriate the entire waterpower design from the level of Lake Erie to Lake Ontario.

" 'Senator BACON. This treaty prevents that?

" 'Secretary ROOT. This treaty prevents that. It reserves our right to object to it, and it prevents its being done except by the authority of this Commission, which necessitates the consent of the American member of the Commission. The existing Waterways Commission has already reported against it.

" 'Article II also gives the parties on either side of the line certain legal remedies. That is, of course, new. That would make the people on either side of the line stand in the same relation as to the treatment of their watercourses as the people on either side of the line between New York and Pennsylvania.'

"Legal proceedings by United States Government against State of Illinois and by States of Wisconsin, Minnesota, Ohio, Pennsylvania, Michigan, and New York against State of Illinois and Sanitary District of Chicago

"The Attorney General of the United States brought an action in a district court of the United States on October 6, 1913, to enjoin the sanitary district from diverting from Lake Michigan more than an amount of water authorized by the Secretary of War. It was not until June 18, 1923, however, that a decree was entered by the district court granting the relief sought by the plaintiff.

"On January 5, 1923, the United States Supreme Court in the case of *Sanitary District of Chicago* v. *United States* (266 U. S. 405) affirmed a decree of the district court enjoining the sanitary district from diverting water from Lake Michigan in excess of 250,000 cubic feet per minute, the amount authorized by the Secretary of War. The opinion of Justice Holmes contains the following statement relating to the Boundary Waters Treaty of January 11, 1909:

" 'This is not a controversy between equals. The United States is asserting its sovereign power to regulate commerce and to control the navigable waters within its jurisdiction. It has a standing in this suit not only to remove obstruction to interstate and foreign commerce, the main ground, which we will deal with last, but also to carry out treaty obligations to a foreign power bordering upon some of the lakes concerned, and, it may be, also on the footing of an ultimate sovereign interest in the lakes. The Attorney General by virtue of his office may bring this proceeding, and no statute is necessary to authorize the suit (*United States* v. *San Jacinto Tin Co.*, 125 U. S. 273). With regard to the second ground, the treaty of January 11, 1909, with Great Britain, expressly provides against uses "affecting the natural level or flow of boundary waters" without the authority of the United States or the Dominion of Canada within their respective jurisdiction and the approval of the International Joint Commission agreed upon therein. As to its ultimate interest in the lakes, the reasons seem to be stronger than those that have established a similar standing for a State, as the interests of the Nation are more important than those of any States. (*In re Debs*, 158 U. S. 564, 584, 585, 599; *Georgia* v. *Tennessee Copper Co.*, 206 U. S. 230; *Hudson County Water Co.* v. *McCarter*, 209 U. S. 349, 355; *Marshall Dental Manufacturing Co.* v. *Iowa*, 226 U. S. 460, 462, pp. 425 and 426.)'

"On July 14, 1922, the State of Wisconsin filed a bill in the United States Supreme Court against the State of Illinois and the Sanitary District of Chicago in which the States of Minnesota, Ohio, and Pennsylvania subsequently joined. The case was decided on January 14, 1929 (278 U. S. 367), with similar suits brought by the States of Michigan and New York. The Court's opinion in the case contains the following pertinent statements:

" 'There is a further prayer, that if the sanitary and ship canal should be used as a navigable waterway of the United States and be subject to the same control on the part of the United States as other navigable waterways, the defendant should be restrained from permanently diverting any water from Lake Michigan in excess of the amount which the Court should determine to be reasonably required for navigation in and through said canal and the connecting waters to the Illinois and Mississippi Rivers without injury to the navigable capacity of the Great Lakes and their connecting waterways' (p. 369).

"Chief Justice Taft stated:

" 'When master's (Charles Evans Hughes) findings on the subject of injury to the complainants are in effect as follows:

" ' "The diversion which has taken place through the Chicago drainage canal has been substantially equivalent to a diversion of about 8,500 cubic feet a second for a period of time sufficient to cause, and it has caused the lowering of the mean levels of the lake and the connecting waterways, as follows: Lakes Erie and Ontario approximately 5 inches; and of the connecting rivers, bays, and harbors to the same extent, respectively. A diversion of an additional 1,500 cubic feet per second, or a total diversion of 10,000 cubic feet a second, would cause an additional lowering in Lakes Michigan and Huron of about 1 inch, and in Lakes Erie and Ontario a little less than 1 inch, with a corresponding additional lowering in the connecting waterways" (pp. 407–408).

" 'It will be perceived that the interference which was the basis of the Secretary's permit, and which the latter was intended to eliminate, resulted directly from the failure of the sanitary district to take care of its sewage in some way other than by promoting or continuing the existing diversion. It may be that some flow from the lake is necessary to keep up navigation in the Chicago River, which really is part of the port of Chicago, but that amount is negligible as compared with 8,500 second-feet now being diverted. Hence, beyond that negligible quantity, the validity of the Secretary's permit derives its support entirely from a situation produced by the sanitary district in violation of the complainant's rights; and but for that support complainants might properly press for an immediate shutting down by injunction of the diversion, save any small part needed to maintain navigation in the river. In these circumstances, we think they are entitled to a decree which will be effective in bringing that violation and the unwarranted part of the diversion to an end' (p. 418).

" 'It therefore is the duty of this Court by an appropriate decree to compel the reduction of the diversion to a point where it rests on a legal basis and thus to restore the navigable capacity of Lake Michigan to its proper level.' (P. 420.)

"In a decision (vol. 281, p. 179) rendered on April 14, 1930, by Mr. Justice Holmes the litigation terminated in a decree providing in part as follows:

" 'That on and after December 31, 1939, the said defendants are enjoined from diverting as above in excess of the annual average of 1,500 cubic feet per second in addition to domestic pumpage.

" 'That the provisions of this decree as to the diverting of the waters of the Great Lakes-St. Lawrence system or watershed relate to the flow diverted by the defendants exclusive of the water drawn by the city of Chicago for domestic water-supply purposes and entering the Chicago River and its branches or the Calumet River or the Chicago Drainage Canal as sewage. The amount so diverted is to be determined by deducting from the total flow at Lockport the amount of water pumped by the city of Chicago into its water mains and as so computed will include the runoff of the Chicago and Calumet drainage area.' (281 U. S. 179, p. 201.)

"The decree was announced by Justice Holmes on April 21, 1930 (281 U. S. 696–697). Action with regard to this decree is reported in Supreme Court reports, 287 United States 578–579, and in 289 United States 395 (1933) in which Chief Justice Hughes states:

" 'Third. Similar considerations apply to the argument based on the provisions of the

Rivers and Harbors Act of July 3, 1930, and of the pending treaty with Canada as to the Great Lakes-St. Lawrence Waterway, in relation to compensation works through which it is urged, the restoration of lake levels may be effected. The reference is to the construction of compensation works in the Niagara and St. Clair Rivers. Counsel for Illinois say that "upon the adoption of this treaty the appropriation made for the projects authorized in the rivers and harbors bill in 1930, including compensation works, by the War Department appropriation bill of 1931," becomes immediately available for carrying out this treaty requirement, and that the Court should assume that, either under the treaty or under the act of 1930, compensation works with the desired result will be installed. But it is apparent that there is no basis for the suggested assumption. It would be manifestly inappropriate to discuss the provisions of the pending treaty, bearing upon the diversion of water from Lake Michigan, as the treaty is not in effect. And there is no ground for concluding that the compensation works to which reference is made could be installed in the absence of treaty. What, if anything, will be done in the establishment of compensation works is undetermined.

" 'The decisive point is that nothing has been done which affects the operation of the decree and that the obligation of defendants to carry out its terms is in full force.' (P. 404.)

"Subsequent proceedings initiated by the defendants, State of Illinois and Chicago Sanitary District for modification of the decree were rejected by the Court on May 26, 1941 (313 U. S. 547). On October 23, 1950, the Supreme Court dismissed their petition for an interpretation and clarification of the decree of April 21, 1930.

"On January 28, 1957, the Court continued for 1 month permission it had granted to divert up to an average of 9,500 cubic feet per second in view of the continuing emergency in navigation caused by low water in the Mississippi River. It directed that this be restricted then to a diversion of 1,500 cubic feet per second pursuant to the decree of April 21, 1930 after February 28, 1957, in addition to domestic pumpage.

"Canadian objections to proposed diversion

"Canada has objected to recent proposals of Illinois and the Chicago Sanitary District for additional diversion of water from Lake Michigan. Two notes from the Canadian Embassy to the Secretary of State dated February 1 and March 10, 1954, set forth these objections. In the latter note, the Canadian Government referred to Article II of the Boundary Waters Treaty and stated that:

" 'The terms of the last paragraph of that article clearly affirm the understanding that neither party to the treaty surrenders any right which it may have to object to any interference with or diversion of waters on the other side of the boundary the effect of which would be productive of material injury to the navigation interests on its own side of the boundary. If the proposed increase in the diversion at Chicago were to take place, the Government of Canada would, in the circumstances described above, consider that there would be material injury to the navigation interests on its side of the boundary.'

"The Canadian note of March 10, 1954, concludes as follows:

" 'The Canadian Government wishes to draw attention once more to the fact that the Chicago diversion is one aspect of a matter now before the International Joint Commission and it is suggested that it would be in the best interests of Canada and the United States to allow the Commission to complete its study of this and related matters before any change in arrangements affecting the levels of the Great Lakes is authorized.'

"A third note No. 550 dated August 24, 1954, was sent by the Canadian Embassy to the Department of State. Attention was again drawn to the contents of its previous notes and the following statement was made:

" 'As mentioned in my previous two notes, the Canadian Government considers that the adoption of this measure would have an adverse effect on navigation in the Great Lakes and the St. Lawrence River. After careful consideration the Government of Canada has reached the conclusion that an increase in the diversion at Chicago by 1,000 cubic feet per second as provided in this legislation would in fact result in injury to navigation in boundary waters, particularly during cycles of low levels on the Great Lakes.

" 'It is the view of my Government, therefore, that the implementation of this proposed legislation would constitute a diversion of waters on the United States side of the boundary, the effect of which will be productive of material injury to the navigation interests on the Canadian side of the boundary. In these circumstances and in accordance with the right which is expressly reserved in article II of the Boundary Waters Treaty of 1909, I am instructed by my Government to make formal objection to the proposed increase in the diversion of the waters of Lake Michigan and to request that the United States Government take whatever measures may be appropriate to insure that this proposal is not implemented. In this connection it is suggested that the interests of Canada and the United States would best be served by allowing the International Joint Commission to complete its study of this and related matters under the arrangements already agreed upon in the joint reference of June 25, 1952.'

" 'In his further note of February 13, 1956, the Canadian Ambassador stated in the concluding paragraph that:

" 'I am accordingly instructed to make clear that, in the view of the Canadian Government, the enactment of the proposed legislation would be prejudicial to the navigation and power interests of both countries.'

"It should be noted that H. R. 3300, passed in the closing hours of the 83d Congress, was not approved by President Eisenhower. In his memorandum of disapproval he stated:

" 'I am unable to approve the bill because:

" '1. Existing diversions are adequate for navigation on the Illinois Waterway and Mississippi River.

" '2. The methods of control of lake levels and protection of property on the Great Lakes should be considered before arbitrarily proceeding with the proposed increase diversion.

" '3. The diversions are authorized without reference to negotiation with Canada; and

" '4. The legitimate interests of other States affected by the diversion may be adversely affected.'

"A similar bill in the 84th Congress, H. R. 3210, was disapproved by the Department of State in a letter from THRUSTON B. MORTON, Assistant Secretary of State (now Senator MORTON), reading in part as follows:

" 'The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this report and that the enactment of this proposed legislation would not be in accord with the program of the President since it considers the reasons for the President's memorandum of disapproval of H. R. 3300, 83d Congress, remain valid.'

"The effect of the increased diversion of 1,000 cubic feet per second at Chicago was the subject of an investigation by the Corps of Engineers of the United States Army. (S. Doc. No. 28, 85th Cong., 1st sess.)[1] This report and other pertinent material from the Public Health Service were the basis of discussions between officers of the United and Canada. The result was a renewal of Canada's expression of disapproval on account of adverse effects upon navigation and power interests and boundary waters, including connecting channels, harbors and the St. Lawrence River power-seaway project.

"The proposed developments would also constitute an unfortunate precedent for the United States in its negotiations with Canada with regard to the proposal of some Canadian interests to divert the waters of the Kootenay and Columbia Rivers into the Thompson and Frazier Rivers for power development, thus depriving the dams constructed by the United States below the boundary on the Columbia of waters for power and navigation developments there.

"Further discussion of the Columbia River diversion project will be presented later."

It is clear that there is no justification, legal or equitable, for Federal action to divert water for Chicago's benefit.

CONCLUSION

Lastly, I should like to reiterate these few thoughts and sentences in summary:

1. Conclusive evidence shows Chicago is to blame for its own predicament, in that its sewage disposal plant, which was efficient 6 years ago, has not been kept up to date as Chicago has grown.

2. It has diverted 3 rivers which formerly flowed into Lake Michigan and has taken many hundreds of cubic feet per second, in addition, from Lake Michigan.

3. It has no basis for relief in law or in equity.

4. The St. Lawrence seaway and port project must not be jeopardized by this unreasonable demand. Chicago, the Wonder City, spends less per capita and has a lower tax rate than other cities. She should not expect to take from the other States. Let her tend to her own job.

TVA Bonds

EXTENSION OF REMARKS
OF
HON. CLARENCE CANNON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. CANNON. Mr. Speaker, in response to the reference to me citing a paragraph from my remarks of July 24, 1958, appearing at page 19756 of the CONGRESSIONAL RECORD, the distinction is

[1] Sec. 201 of this report reads in part as follows:

" 'The minimum estimated energy losses from a 3-year increase in diversion, as based on existing plants only, are 72,800,000 kilowatt-hours in United States plants and 115,200,000 kilowatt-hours in Canadian plants for a total estimated loss of 188 million kilowatt-hours. The maximum estimated losses from a 3-year increase in diversion, as based on existing and proposed plants, are 148,700,000 kilowatt-hours in United States plants and 294,300,000 kilowatt-hours in Canadian plants for a total estimated loss of 443 million kilowatt-hours. The energy losses are therefore estimated to be somewhere between 188 million and 443 million kilowatt-hours, and will vary with the timing of installation of additional generating capacity at the several power sites on the Niagara and St. Lawrence Rivers.' "

that the TVA bonds are not an obligation of the United States. They are not a part of the public debt.

The Atomic Age

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. RABAUT. Mr. Speaker, just a few short years ago the American people and the entire world were suddenly and unexpectedly thrust into a new era of breathtaking progress. The mystery of splitting the atom and controlling this vast source of energy was unlocked by the tireless genius of our scientists. The circumstances under which this historic breakthrough was announced to the world has, unfortunately, cast doubts upon the value of this discovery to the advancement of civilization and even the survival of the human race. An atmosphere of fear for the power of this new source of energy has grown up in some segments of public thinking which has tended to retard progress in bringing about its peaceful application to a wide range of opportunities which can bring great benefits to all mankind.

The present world situation, beset as we are with the tensions which grow out of the cold war, has cast the power of the atom in a dark and frightening role. Pitted as all civilization is against the aggressive, totalitarian movement of Russian communism the power of the atom has been concentrated on defense of those human values which we hold to be as dear as life itself. The Russian leaders have acquired the secret of the atom and they boast of their rapid progress in making its destructive power an integral part of their war machine. Of late they have been threatening many free countries, particularly those allied with us in defense of human freedom, with the spectre of missile warfare—that is missiles carrying atomic and hydrogen warheads—unless they disarm and disassociate themselves from the North Atlantic Treaty Organization. This Russian effort at diplomacy by ultimatum was clearly intended to stimulate widespread fear of atomic energy, to shake public confidence in man's ability to use this new power wisely. But these Russian efforts together with their refusal to enter into workable and enforcible agreements which would ban the use of this new energy for nonpeaceful purposes cannot stop the progress which has been made and will be made in applying atomic energy to programs which give great promise toward lifting the heavy burdens from the backs of all mankind.

It is the peaceful uses of atomic energy which today engage the genius of our scientists and technicians. It is in this direction that I and other members of my committee in Congress have been concentrating our initiative, encouragement, and guidance. This work which we have done and shall continue to do does not make headlines. It is exacting; requiring constant study, research, consultation, and committee inquiry in order to stay on top of the vast scope of work under way and to make certain that the funds authorized bring a maximum of results.

I think you will be interested in a highlight report on some of the outstanding work being done in the field of peaceful uses of atomic energy. Here are some of the most significant ones.

POWER REACTORS

The power reactor is used to produce nuclear power which in turn is used to generate electrical power. As you know the principal source of power to generate electricity at present is that which comes from harnessing the flow of rivers to turn huge turbines which generate electrical power or by using coal or oil to produce the energy needed to turn these turbines. Nuclear power is now being used to replace or to supplement electrical power which has been derived from these other sources.

At the beginning of this year the Atomic Energy Commission had in operation 7 experimental civilian power reactors of 6 different types. In addition an Army reactor which features direct civilian uses was in operation. Another experimental power reactor, the first in the country financed exclusively with private capital, was supplying electricity to company lines.

Construction was under way on four full-scale power reactors in which private enterprise is the sole or primary investor.

A contract was signed for the first nuclear-powered merchant ship and for its propulsion reactor.

These reactors in operation and being produced are located in widely separated parts of the country. From this one can observe that the Congress has not been neglectful in the overall national plan for the peaceful use of atomic energy and that we are today moving to the forefront in this important field.

One of the primary problems in connection with power reactors is fuel costs. To make this new source of energy economically competitive with the traditional sources of energy a way must be found to reduce the production costs of the fuel. Other economies can be made in the construction costs of reactors and in the reduction of operating and maintenance costs. These latter will come after we have had more experience with the experimental reactors now in use and in building. However, the problem of reducing fuel costs will remain the great challenge in the immediate years ahead.

The British have been making notable strides in the direction of economy in the development of reactor types and fuel utilization. It is a matter of extreme and practical necessity which urges them forward in this task. They are faced with the prospect of rapidly depleting coal reserves and the uncertainties of the source of their oil supplies, which are located in the fomenting Near and Middle East. The Suez crisis of a year ago, the upheaval in Iraq a few months ago and the threats being made against the protectorate of Yemen have been very discomforting to our British friends. The challenge of developing economical power reactors is one which the British must meet and win if they are to remain one of the great industrial nations of the world.

We must be ready to profit by the advances the British Isles have made and will continue to make in this vitally important area. I for one am keeping an open mind on both the type of reactors and the utilization of fuel which the United States Atomic Energy Commission should concentrate on. For example, on a visit to England last year to observe the methods they have developed I was impressed with the position they have taken on the types and uses of fuel. They hold that there are sufficient reserves of uranium ores available which should permit us to concentrate on more simplified methods of producing the source materials. Here in the United States we appear to be concentrating on methods for conserving these reserves at a time when we are told our known reserves are sufficient for the foreseeable future. The costs involved in creating and producing the perfect fuel far outrun the costs involved by using a process which would consume more basic uranium ores. The British, in my opinion, have taken a more realistic position on this problem than we have. As in the past this will remain a matter of continuing concern of and inquiry by my committee.

PROPULSION

In the field of propulsion there have been several sensational developments which demonstrate what can be done with the nuclear reactor. The press has reported a wide range of records set by the *Nautilus*, an atomic-powered submarine. It has proven its ability to practically circumnavigate the globe while submerged. Recently the *Nautilus* completed a journey from the Pacific Ocean to the Atlantic Ocean, crossing under the hitherto impenetrable Arctic icecap. It was but a few years ago that such a feat was considered possible only in the writings of the imaginative Jules Verne. When the atomic-powered *Skate* repeated the sensational, pioneer journey of the *Nautilus*, under the Arctic icecap, within a matter of days, the meaning of the atomic age was apparent. The use of reactors for the propulsion of underwater and surface craft gives promise of great benefits to mankind in this ever-shrinking world in which we live.

It will not be long before atomic reactors will be propelling huge and very fast aircraft through the skies and possibly even into outer space. There remain technical problems to be resolved before this additional chapter of Jules Verne's predictions becomes a reality, but with determination and persistence of scientific effort these problems can be resolved.

Speaking of determination and persistence, I am reminded of Admiral Rickover, who in the field of applied sciences stands as a splendid example. He was possessed of the belief that atomic energy could be harnessed to propel a submarine for great distances under water. In his efforts to give the United States the first atomic-propelled craft or vehicle in the world, he was met with organized opposition and rebuffs that would turn back the vision of an ordinary man. He put pride and personal security aside as his determination to advance the security of the United States drove him forward to the successful launching of the *Nautilus*. It is to his everlasting credit that in the face of his latest official rebuff, following the historic journey of the *Nautilus* under the Arctic icecap, his only comment was that he was amply rewarded in the knowledge that his efforts had contributed to the safety and well-being of his country.

MEDICAL RESEARCH, DIAGNOSIS, AND THERAPY

One of the most interesting and useful byproducts of nuclear reactor operations is what the scientists call radioactive isotopes. They are so uniquely suited to the study of the human body and its diseases that they seem to have been created by the good Lord for this very purpose. Body processes, in sickness and in health, are fundamentally chemical but are carried out on such a dynamic, complex, and microscopic scale that they have most times defied ordinary procedures of study. The radioactive isotope has opened up new and exciting possibilities of research and study of the human being which hitherto have been impossible.

Today the medical scientist is using these isotopes as tracers to diagnose a wide variety of human ailments, to locate diseased parts of the body and to guide him in the safe use of powerful therapeutic machines. The discoveries have a most important bearing on studies being made of the causes of the dread disease of cancer, on experiments being made to arrest this disease, and we hope they will lead the medical researcher to the discovery of a cure for this greatest of all killers.

Today isotopes are used to diagnose or treat the ailments of 1 million patients a year in this country.

RESEARCH IN INDUSTRY AND CHEMISTRY

The magic isotopes are also used for a wide variety of industrial purposes. They can identify the specific properties of materials to be used in industry, the strength and weakness of given materials and the reaction of other or foreign matters on that material. For example, they can be used to find flaws in materials and manufactured products.

The isotope is also a helper in the sterilization and preservation of foods. They can be used for the pasteurization of perishable foodstuffs such as meats, bananas, potatoes, and beverages.

One can even detect leaks in waterlines, to ascertain their precise location so that they can be repaired with a minimum of disruption and thereby at greatly reduced cost.

Another feat of the isotope struck me as providing a significant answer to the old question of just how cockroaches get into the best-kept kitchens. The isotope discovered that one common mode of entrance used by the cockroach is the cleanest water tap. Once a colony of cockroaches is disturbed by overcrowding or other factors, they will range quite a distance to find a new haven. They are no respecters of the well-kept kitchen, if it is your bad luck to have them enter your waterlines. This piece of information may save the housewife embarrassment if her husband suddenly discovers one of these unwelcome visitors in her kitchen.

AGRICULTURAL STUDIES

The frontiers of farm science and land development must be pushed forward at an ever-increasing rate to provide for world-population growth and to improve living standards. Food production is not increasing as fast as population demands throughout the world. Some experts on this problem estimate that almost half the population of the world goes to bed hungry each night.

The isotope has stimulated research in the agricultural field which knows no equal in history. This new tool is unlocking the secrets of the growth of plants and animals and the scourges that injure or destroy them. Studies now going on in the field of soil fertility, the uptake of fertilizers, plant diseases and fungicides, root growth, photosynthesis, animal feeding, insects, and insecticides show that we can resolve the problem of growing sufficient food to meet the demands of an increasing world population. The magic isotope is working around the clock for the good of all humanity.

What I have said provides but a fleeting look at the great possibilities which are ours for the taking in this atomic age. These are the great hopes that we hold out for the American people. We have always stood ready to share our scientific and technological advances with all the other nations and peoples of the world. In generations past we Americans have made our share of worthy contributions to the progress of all mankind. We are inspired no less in this generation to share the blessings which the peaceful uses of atomic energy can bring to ourselves and thus to all humanity.

This is the real challenge of the atomic age. We must never allow fear for the nonpeaceful uses of this great source of energy to retard its full and fruitful utilization. It is our destiny to be makers of the peace and we must keep faith with that sacred trust.

Montana's Senior Senator

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MANSFIELD. Mr. President, at the conclusion of the 85th Congress, my distinguished and able colleague, the senior Senator from Montana, JAMES E. MURRAY, has served the State of Montana in Congress longer than any other elected Representative from the Treasure State. His 24 years in the Senate have been marked by numerous accomplishments benefiting our great State and its people.

Senator MURRAY came to Washington in 1934 to fill the unexpired term of another great Montana Senator, Thomas J. Walsh. He has been elected to four full terms in the Senate. Senator MURRAY has become well known as a champion of labor, education, and the development of our natural resources. In his capacity as chairman of the Senate Committee on Labor and Public Welfare, and more recently as chairman of the Senate Committee on Interior and Insular Affairs, he has sponsored and supported much legislation which has made America a better place in which to live. He is also an active member of the Democratic Policy Committee in the Senate.

As a Member of the House of Representatives, I became acquainted with the Senator's fine work, and my admiration for his seemingly tireless efforts in behalf of Montana and the Nation continues to grow. I have come to know him as a valued friend and capable legislator in all matters of mutual concern. I consider it a privilege and honor to serve with Senator MURRAY in the United States Senate, and I know that our colleagues hold him in the highest esteem. No Senator could have a better, a more understanding, or a more knowledgeable and friendly colleague than I have in the person of the senior Senator from Montana, the Honorable JAMES E. MURRAY. As his partner, I am indeed a fortunate man.

Congressman Joe Holt Reports on 85th Congress

EXTENSION OF REMARKS
OF
HON. JOE HOLT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HOLT. Mr. Speaker, each year upon the adjournment of the Congress, I send to the people of the 22d District, consisting of Hollywood and the San Fernando Valley, a résumé of the accomplishments of the Congress, together with my stand on the major issues which have come before us. The 85th Congress was a hard-working Congress, yet by far the most difficult in which I have ever participated. The country as a whole, and particularly the taxpayers, would have been a lot better off if Congress had quit many weeks before it did.

This Congress started out in the space age and faced an economic slump at home, but ended up worrying about inflation. Nearly everyone in the country will be affected by the actions taken by Congress this year. In recent months millions of dollars in defense contracts have been awarded to valley industrial firms, which are playing an increasingly important role in research, development and production of space-age weapons and scientific equipment. The country as a whole, and particularly the taxpayers, would have been a lot better off

if Congress had quit many weeks before it did.

It is always difficult when you have a President of one party and a Congress of another to accomplish what should be done, and then adjourn. This Congress went "nuts" on spending, setting a record with a budget of $80.9 billion, the biggest in peacetime history. The 85th Congress left many important measures undone, such as labor legislation, passport legislation—restricting Communists—and a sensible income tax revision, particularly education deductions.

BENEFITS TO OUR COMMUNITY

Many of the accomplishments of this past session of Congress will be of direct benefit to our community. The added $1.8 billion in Federal funds for highway construction will result in an earlier completion date for our long-awaited freeway system in the valley. In recent months millions of dollars in defense contracts have been awarded to valley industrial firms, which are playing an increasingly important role in research, development and production of space-age weapons and scientific equipment.

During this past year the new post office in Encino has been completed and construction is underway on the Canoga Park postal annex. In addition the Post Office Department is planning to build a new central postal annex to speed mail delivery throughout the entire San Fernando Valley. The erection of this modern facility will at last bring 1 day mail service to our community, and will bypass completely the overcrowded Los Angeles terminal annex.

DEFENSE DEPARTMENT REORGANIZATION

Based on President Eisenhower's recommendations, Congress passed a Defense Reorganization Act. The bill consolidated full authority in the Secretary of Defense and gives him the authority and flexibility to transfer funds from one function to another, as well as streamline military command channels. Of great importance in the act is the improving of the Department's research and development organization in an attempt to eliminate waste and duplication among the various services. Increasing defense costs, which amount to $40 billion in this year's budget, necessitate taking every action possible to eliminate waste and inefficiency.

NEW SPACE AGENCY

Acting on the President's recommendation, Congress established a National Aeronautics and Space Administration. This agency, under civilian control, will be responsible for the planning and direction of aeronautical and space activities.

Developments of the past year, including launching of the Russian sputnik, point to the urgency of establishing this new agency. By clearly defining responsibility in a single agency, it is anticipated that the space program, so vital to our defense, will be greatly accelerated.

GREATER AIR SAFETY

Congress acted to create a new Federal Aviation Agency. This new agency will go a long way toward solving the accident problem and insuring safety in the air.

For the first time, a single Federal governing authority will have control of both military and civilian aircraft operations. This will be particularly important to the people of southern California, who have long been plagued by heavy uncontrolled military and civil air traffic.

FLOOD CONTROL

This year Congress has appropriated an additional $18 million for flood-control projects in the Los Angeles area. The last major link of the federally financed Los Angeles River Channel improvement in the West Valley from Corbin to Owensmouth in Canoga Park has all but been completed. Correction of remaining drainage problems is the responsibility of the county and city of Los Angeles.

RECESSION AND UNEMPLOYMENT

To meet this challenge, Congress took the following action:

First. Speeded up action on military and civilian contracts that were pending. This assisted our community a great deal because of the large volume of defense work in which we participate.

Second. Extended unemployment benefit compensation up to 15 additional weeks by providing loans to States who are unable to meet increased demands from their own funds.

Third. Aided small business by giving permanent status to the Small Business Administration; increased its lending authority and reduced interest rates to small-business concerns. Legislation was also passed making it possible for State development agencies or investment agencies to lend money to small business on a long-term basis for financing expansion or modernization. The new law also allows for increased tax writeoff on new plants and equipment during the first year.

Fourth. Excise taxes were reduced by $42 million.

Fifth. Congress passed an $1.8 billion emergency housing program designed to encourage the building of an estimated 200,000 homes by extending the VA home loan guaranty and direct loan programs for 2 years. An extra $1 billion was also provided to the Federal National Mortgage Association for FHA and VA mortgages on new homes where loans do not exceed $13,500.

Sixth. Increased funds were made available for Federal highway construction to create jobs and expedite work.

GOVERNMENT REORGANIZATION SAVES MONEY

Acting on recommendations of the Hoover Commission, Congress changed the system of appropriating funds for long-term projects. Under the new law, these projects must come under mandatory annual review, thus preventing the accumulation of vast amounts of unspent carryover funds which, under the old system, were often beyond further Congressional control. Many millions of dollars will be saved annually under this revised budgeting system.

NATIONAL DEBT INCREASE

I did not support Congressional action increasing the national debt to $288 billion. Even with recession spending and the space age, money could have been saved from obsolete military spending and wasteful practices to finance these new projects without increasing the national debt. Many new projects could have waited until our country could afford them. My voting record, which follows, will show you which ones I voted against. "Lend it out, give it away, throw it away and print some more" is not a good policy for our Nation's currency. Fiscal responsibility must be maintained in our Government.

SOCIAL SECURITY BENEFITS AND TAXES INCREASED

To the 12 million people on the social security rolls, the most important legislation of the session is the bill to provide a 7 percent increase in social security benefits. During this period of gradual, but steady, inflation, our senior citizens have been the hardest hit. The amendments provide an average increase of $5 a month in retirement income for this group. The total maximum benefits which may be paid to a family will be increased from $200 to $254 a month.

LABOR LEGISLATION

As a member of the Education and Labor Committee of the House of Representatives, I worked on labor legislation from the very beginning of the 85th Congress. I introduced President Eisenhower's labor reform recommendations on January 23, 1958, and fought from then on to get the Democrat controlled committee in Congress to take action. Finally, we got a bill passed on welfare and pension funds which provides for reporting and disclosure of employee welfare and pension benefit plans. This does provide good protection in that field.

I never could get the Democrats to take action on my comprehensive labor reform legislation to safeguard the interest and rights of individual workers, as well as the general public, from abuses of certain labor bosses. The Democrats resorted to every conceivable parliamentary move to strangle measures to enact much needed labor reform legislation.

While I could never get hearings on my bill in committee, the Senate did pass the weak Kennedy-Ives bill. Even this was not reported to our committee for 40 days and 40 nights as it was held up by the Speaker of the House. It was then brought up under a parliamentary procedure which allowed no amendments which were vitally needed to correct its flaws and weaknesses. The Kennedy-Ives bill was legislation that sounded good, but would not have gotten the job done. Senator McCLELLAN blamed the defeat of the bill to curb union abuses on too much politics and on the procedure under which the measure was brought up before the House. The only comprehensible and enforcible reform plan was the President's bill, which I introduced.

The country is a lot better off with no labor legislation than the bill we had a chance to vote on. When Congress reconvenes 4 months from now in January, I am confident that will be the first order of business. The Taft-Hartley law needs reexamining to correct some of its weaknesses.

EDUCATION IN THE SPACE AGE

Legislation was enacted providing for a $900 million, 4-year program to help raise United States educational standards to meet increased scientific needs of the space age. The act provided $300 million in matching funds for scientific and other equipment, and $295 million for student loans. Under this act, California students enrolled in colleges and universities will be eligible to receive $4.5 million. It is estimated that California educational institutions will be eligible for approximately $6 million in matching funds for the purpose of strengthening science, mathematics, and foreign language instruction.

CONFERENCE ON THE AGED

Congressional concern with the rapidly increasing problem of the senior citizen who is living longer on an ever-diminishing retirement income evidenced itself in the passage of a separate bill calling for a White House conference on the aged in 1960. To be preceded by State conferences and given leadership by the Department of Health, Education, and Welfare, this conference will be expected to bring to the President recommendations covering employment, housing, medical care and community care of the elderly.

ALASKA STATEHOOD

As you can see by my record, I voted twice on the Alaska statehood question. I voted once to send the legislation back to committee for improvement, and once against final passage. Frankly, I felt Alaska would be more ready for statehood after a year or two of planning by the residents of Alaska, but more important by the Federal Government.

The only big payroll in Alaska comes from the Federal Government, which receives its income from the taxpayers. Civil-service workers and military personnel make up the big bulk of this payroll. It is classified as a hardship post, so civil-service workers get additional pay, which is not true in other States. Alaska cannot support itself, Alaska statehood sounds good emotionally and everybody is for it becoming a State, but nobody is talking much about the cost to the taxpayers and the fact that the Federal Government will have to continue supporting Alaska for a long time.

As far as I am concerned, a lot more detailed work should have been done on developing minerals and natural resources. I think a better program could have been worked out for taking land from the military and using it for economic development as well as homesteading projects and improving general business conditions for self-help import and export programs. Once these preliminary steps had been taken, I would have voted for final passage of Alaska statehood and that is why I voted to send it back to committee.

CIVIL DEFENSE REORGANIZATION

In order to strengthen the country's civil defense organization, Congress passed a law giving the Federal Government joint responsibility with State and local governments. In addition, the Office of Defense Mobilization and Federal Civil Defense Administration have been consolidated into one agency. Under the new program the Federal Government is authorized to supply certain disaster detection equipment to the States.

HEALTH AND WELFARE

In order to protect the public health, Congress amended the Federal Pure Food, Drug, and Cosmetic Act to prohibit the use in food of chemical additives which have not been adequately tested to establish their safety. Up to now it has been necessary for the Food and Drug Administration to prove an additive injurious before it could force its elimination in food and cosmetic processing.

The Hill-Burton Hospital Survey Construction Act, which has worked so well for the past 12 years, was extended for an additional 3 years. This is one of the best examples of State-Federal relationships in that funds are made available by the Federal Government to the States for hospital construction. The program is administered entirely at the State level by State agencies.

In addition to extending the Hill-Burton Act, Congress authorized the largest expenditures in history for medical research, $294,383,000. The amounts provided for the various research activities as compared with budget estimates are as follows:

General research	$28,974,000
Cancer	75,268,000
Mental health	52,419,000
Heart	45,613,000
Dental	7,420,000
Arthritis	31,215,000
Allergy	24,071,000
Neurology	29,403,000

Voting record on major issues of Congressman JOE HOLT, 2d sess., 85th Cong.

Stand	Issue
Voted for	Reorganization of Department of Defense.
Voted for	Defense Department appropriation, $39,600,000,000.
Voted for	Establishment of National Aeronautics and Space Agency.
Voted for	Holt bill to increase benefits for permanently disabled veterans.
Opposed	Increase in public debt limit.
Opposed	Resolution providing for consideration of a bill costing about $2,000,000 to assist certain communities in building local sewers, streets, and parks.
Voted for	Extension of the reciprocal-trade-agreements program.
Opposed	Original foreign aid authorization.
Voted for	Appropriation to continue Free-World defense against communism.
Voted for	Funds for construction, Van Nuys National Guard Armory.
Voted for	Holt bill to provide special education aids to deaf children.
Voted for	A bill to provide for admission of Alaska into the Union on motion to recommit to committee for improvement.
Opposed	Final passage on admission of Alaska into the Union.
Voted for	Jenkins-Keogh bill to encourage voluntary pension plans of self-employed individuals.
Voted for	$4,000,000,000 increase in FHA mortgage insurance authorization.
Voted for	Stepped-up highway construction program to promote employment.
Favored	Federal unemployment compensation benefits for jobless workers who exhaust their State benefits.
Voted for	Resolution requesting President to invite Free-World countries to participate in International trade fair and exposition to be held in Los Angeles Apr. 1, 1959.
Opposed	A resolution providing for the consideration of an act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States.
Voted for	H. R. 3. A bill protecting States rights on acts of Congress on State laws.
Voted for	Salary increases for postal, military, and civil-service employees.
Voted for	Hoover Commission recommendations requiring Federal budget estimates to be submitted annually on accrued expenditure basis.
Voted for	Extension of 52-percent corporate income tax rate and certain excise taxes, repeal of the 3-percent tax on transportation of property.
Voted for	Legislation requiring price labeling of new automobiles.
Voted for	Unemployment aid to speed up military and civilian construction programs where money is available.
Voted for	A bill to readjust postal rates.
Voted for	A bill to incorporate Veterans of World War I.
Voted for	Publication and protection of employee welfare and pension plans.
Opposed	S. 3974 on motion to suspend rules and pass, Labor-Management Reporting Act.
Voted for	3-year extension of school milk program.
Voted for	Increase in social-security payments.
Voted for	Establishment of Bureau of Older Persons to promote solution of problems facing senior citizens.
Opposed	H. R. 10281. Upper Colorado River amendment affecting southern California water supply adversely.
Voted for	National Defense Education Act of 1958.
Voted for	3-year extension of the Hospital Construction Act.
Voted for	Establishment of Federal Aviation Agency for greater air safety.
Voted for	Exchange of mutually essential atomic information with our allies.
Voted for	United States membership in the International Atomic Energy Agency.
Opposed	A resolution providing for construction of Federal farmers markets.
Voted for	Resolution giving President standing authority to use United States Armed Forces in the Middle East.
Voted for	Resolution of Congress expressing approval for establishment of United Nations Police Force.
Opposed	H. R. 13207 providing for establishment of a Federal food stamp plan.
Voted for	A bill to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system.
Opposed	An act to authorize appointment of 1 additional Assistant Secretary of State.
Voted for	A bill to consolidate Federal Civil Defense Agency with Office of Defense Mobilization.
Opposed	Subsidizing of certain strategic minerals industries.
Voted for	Establishment of humane methods in the slaughter of meat animals.
Voted for	Public Works, flood control, etc.

Unemployment

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. ROOSEVELT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement on the unemployment situation:

UNEMPLOYMENT

While this has been a hard-working and greatly productive session in many ways, I have sincere regrets over the failure of Congress to act on two antirecession proposals that were made by myself and other Members.

One, of course, is the comprehensive public-works program that I introduced early in the session; the other is the tax rebate on last year's income which I had suggested be

paid in cash directly from the Treasury to the taxpayer.

The situation in which the average wage earner finds himself today, Mr. Speaker, is not good. Many are unemployed; many more fear that they will be shortly. The administration's own figures show that unemployment is expected to be greater next year than it is this year.

It was in light of these facts that I introduced my bills. One would have furnished employment to those whom private enterprise was temporarily unable to care for; the other would have provided badly needed rent and food money in the interim. Thus, many families would have been saved from privation and heartbreak.

I felt that these things were important. In fact, I felt that they were perhaps the most important things that we had before us.

I admit that global concerns are pressing, that foreign aid is of great moment, that the Military Establishment must be kept at peak efficiency, that business must be rescued from the doldrums, but first and foremost I insist that the welfare of the individual American family is paramount.

Twenty-five years ago, we found ourselves struggling through misery and want in a major effort to reconstitute the economy merely because relief had been too long delayed. I do not want to see our people go through that trial by fire again. I want to see palliative measures enacted to head off such a calamity. That is what I tried to do by introducing this legislation.

I shall introduce it again in January. I pray it may not be too late.

Report to My Constituents in the Sixth Congressional District of Maryland

EXTENSION OF REMARKS
OF
HON. DeWITT S. HYDE
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HYDE. Mr. Speaker, as United States Representative for the Sixth Congressional District of Maryland, I would like to publish in the CONGRESSIONAL RECORD my voting record for the 2d session of the 85th Congress.

The record follows:

Voting record of Representative DEWITT S. HYDE, 6th District, Maryland, 85th Cong., 2d sess.

Date	Measure, question, and result	Vote
1958		
Jan. 15	H. R. 9739, authorize Secretary of Air Force to construct installations for research and development. (Passed, 374 to 0)	Yea.
Jan. 23	H. R. 9955, to provide for temporary increase in public debt limit. On motion to recommit. (Failed, 115 to 275)	Nay.
Jan. 23	H. R. 9955, to provide for temporary increase in public debt limit. (Passed 328 to 71)	Yea.
Jan. 23	H. R. 10146, supplemental appropriations for Department of Defense for fiscal year ending June 30, 1958. (Passed, 388 to 0)	Yea.
Feb. 4	H. R. 2151, to suspend for 3 years the import duties on certain coarse wool. (Passed, 220 to 129)	Yea.
Feb. 19	H. J. Res. 2, to provide transfer of right-of-way for Yellowtail Dam and Reservoir and payment to Crow Indian Tribe. On motion to recommit. (Failed, 152 to 197.)	Yea.
Feb. 26	H. R 10881, second supplemental appropriations for fiscal year ending June 30, 1958. On amendment to restore $20,000,000 for Glen Canyon and Trinity River projects. (Passed, 200 to 184.)	Nay.
Mar. 6	H. R. 8002, to provide improved methods of stating budget estimates. On motion to recommit. (Failed, 119 to 275)	Nay.
Mar. 6	H. R. 8002, to provide improved methods of stating budget estimates. On passage. (Passed, 311 to 89)	Yea.
Mar. 11	S. 497, authorize construction of rivers and harbors public works. On motion to recommit to substitute Mack amendment. (Failed, 167 to 234)	Yea.
Mar. 11	S. 497, authorize construction of rivers and harbors public works. On passage. (Passed, 221 to 81)	Yea.
Mar. 19	S. Con. Res. 69, a resolution favoring acceleration of military construction programs. On motion to suspend rules and pass. (Passed, 375 to 20)	Yea.
Mar. 19	S. Con. Res. 68, a resolution favoring acceleration of civilian construction programs. On motion to suspend rules and pass. (Passed, 379 to 16)	Yea.
Mar. 19	S. 3262, to authorize activities by the Armed Forces in winter Olympic games. On motion to suspend rules and pass (⅔ vote needed). (Failed, 257 to 139.)	Yea.
Mar. 20	S. J. Res. 162, resolution to stay reduction in price support and acreage allotment laws. On motion to recommit with instructions to give price supports to milk producers. (Failed, 173 to 211.)	Yea.
Mar. 20	S. J. Res. 162, resolution to stay reduction in price support and acreage allotment laws. On passage. (Passed, 210 to 172)	Nay.
Mar. 25	H. Res. 507, resolution providing for consideration of H. R. 11470, to adjust basic pay for officers and enlisted members of the uniformed services. On agreeing to resolution. (Agreed, 382 to 5.)	Yea.
Mar. 25	H. R. 11470, to adjust basic pay for officers and enlisted members of the uniformed services. On passage. (Passed, 366 to 22)	Yea.
Mar. 27	H. R. 8290, to authorize erection of national monument. On motion to recommit. (Approved, 195 to 169)	Nay.
Mar. 28	H. R. 5822, to allow reinvestment by air carriers of the proceeds from sale or disposition of operating property and equipment. On adoption of conference report. (Adopted, 276 to 83.)	Yea.
Mar. 28	S. 3262, to authorize activities by the Armed Forces in winter Olympic games. On passage. (Passed, 218 to 102)	Yea.
Apr. 1	H. R. 10589, appropriations for fiscal 1959 for executive offices and sundry general agencies. On amendment providing funds for Civil Rights Commission. (Passed, 273 to 98.)	Yea.
Apr. 3	H. R. 9821, to amend the Federal Highway Construction Act. On conference report. Motion to recommit. (Failed, 109 to 222)	Nay.
Apr. 3	H. R. 9821, to amend and supplement the Federal Highway Construction Act. On adoption of conference report. (Adopted, 300 to 26)	Yea.
Apr. 22	H. Res. 465, resolution providing for consideration of H. R. 912, to amend the Navy ration statute to provide for serving of oleomargarine or margarine. On agreeing to resolution. (Agreed, 232 to 130.)	Nay.
Apr. 22	H. R. 912, to amend the Navy ration statute to provide for serving of oleomargarine or margarine. On amendment to use surplus butter when available. (Approved, 207 to 161.) (In joint committee hearing.)	Absent.
Apr. 29	H. Res. 551, to authorize consideration of H. R. 11451, for construction and sale of superliner passenger vessel. On motion, will the House consider the House resolution at this time. (Approved, 343 to 31.)	Yea.
Apr. 29	H. R. 11451, to authorize the construction and sale of a superliner passenger vessel equivalent to the S. S. *United States*. (Passed, 289 to 94)	Yea.
May 1	H. R. 12065, to authorize temporary unemployment benefits for those who have exhausted their benefits under existing laws. On amendment to provide for loan and repayment. (Approved, 223 to 165.)	Yea.
May 1	H. R. 12065, to authorize temporary unemployment benefits for those who have exhausted their benefits under existing law. On passage. (Passed, 372 to 17.)	Yea.
May 14	H. R. 12181, to amend the Mutual Security Act to require Congressional committees to report counterpart funds, and for other purposes. On passage. (Passed, 259 to 134.)	Yea.
May 15	H. R. 12428, appropriations for Departments of State and Justice, the Judiciary and related agencies for fiscal year ending June 30, 1959. On passage. (Passed, 320 to 51.)	Yea.
May 21	H. R. 7999, provide for admission of the State of Alaska into the Union. On motion to go into Committee of the Whole House. (Approved, 217 to 172.)	Yea.
May 22	H. R. 9836, to readjust postal rates and establish Congressional policy to determine postal rates. On conference report adoption. (Adopted, 381 to 0)	Yea.
May 28	H. R. 7999, provide for admission of the State of Alaska into the Union. On motion to recommit. (Failed, 174 to 199)	Yea.
May 28	H. R. 7999, provide for admission of the State of Alaska into the Union. On motion to recommit. (Failed, 172 to 202)	Nay.
May 28	H. R. 7999, provide for admission of the State of Alaska into the Union. On passage. (Passed, 210 to 166)	Yea.
June 5	H. R. 12738, to make appropriations for Department of Defense for fiscal 1959. On amendment to increase funds for increased Army strength. (Approved, 225 to 159.)	Nay.
June 5	H. R. 12738, to make appropriations for Department of Defense for fiscal 1959. On passage. (Passed, 390 to 0)	Yea.
June 11	H. R. 12591, to extend the authority of the President to enter into trade agreements. On motion to recommit. (Failed, 146 to 268)	Nay.
June 11	H. R. 12591, to extend the authority of the President to enter into trade agreements. On passage. (Passed, 317 to 98)	Absent.
June 12	H. R. 12541, to reorganize the Department of Defense. On motion to recommit for amendments. (Failed, 192 to 211)	Yea.
June 12	H. R. 12541, to reorganize the Department of Defense. On passage. (Passed, 402 to 1)	Yea.
June 18	S. 3910, to authorize the construction, repair, and preservation of public works on rivers and harbors for navigation and flood control. On motion to suspend rules and pass. (Passed, 374 to 17.)	Yea.
June 19	H. R. 12858, to make appropriations for civil functions administered by Department of Army, etc. On passage. (Passed, 362 to 18)	Yea.
June 19	H. R. 12716, to amend the Atomic Energy Act of 1954, as amended. On passage. (Passed, 345 to 12)	Yea.
June 25	H. R. 11077, to incorporate the Veterans of World War I of the United States of America. On passage. (Passed, 389 to 2)	Yea.
June 26	H. Res. 609, resolution providing for consideration of H. R. 12954, a bill to extend and amend the Agricultural Trade Development Act, etc. On agreeing to resolution. (Failed, 171 to 214.)	Nay.
June 26	S. 1832, to authorize appointment of 1 additional Assistant Secretary of State. On motion to suspend rules and pass. (Failed, 224 to 145)	Yea.
June 27	H. R. 12695, to provide a 1-year extension of existing corporate normal tax rate and certain excise-tax rates. On adoption of conference report. (Adopted, 367 to 9.)	Yea.
June 27	H. R. 12181, to amend the Mutual Security Act of 1954. On motion to recommit. (Failed, 134 to 238)	Nay.
June 27	H. R. 12832, to amend the Interstate Commerce Act to improve the national transportation system. On passage. (Passed, 348 to 2)	Yea.
June 30	S. 3342, to continue special milk program for children. On motion to suspend rules and pass. (Passed, 328 to 1)	Yea.
July 2	H. R. 11477, to amend code to provide for and clarify admission of evidence. On passage. (Passed, 294 to 79)	Yea.
July 2	H. R. 13192, to make appropriations for mutual security for fiscal 1959. On motion to recommit to increase funds for defense support. (Failed, 166 to 214.)	Yea.
July 2	H. R. 13192, to make appropriations for mutual security for fiscal 1959. On passage. (Passed, 253 to 126)	Yea.
July 10	H. R. 13015, to authorize certain construction at military installations. On motion to recommit with instructions to make permissive rather than mandatory the disposal of the San Jacinto Depot property. (Failed, 179 to 202.)	Yea.
July 10	H. R. 13015, to authorize certain construction at military installations. On passage. (Passed, 379 to 2)	Yea.
July 10	S. 495, to authorize the acquisition remaining property for extension of the site of Senate Office Building. On motion to suspend rules and pass. (Failed, 232 to 150.)	Yea.

Voting record of Representative DEWITT S. HYDE, 6th District, Maryland, 85th Cong., 2d sess.—Continued

Date	Measure, question, and result	Vote
1958		
July 10	S. 1411, to amend the act of Aug. 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security. On passage. (Passed, 206 to 46.)	Yea.
July 15	H. Res. 597, resolution providing for consideration of H. R. 3, a bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. On agreeing to resolution. (Agreed, 258 to 114.)	Yea.
July 17	H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. On amendment proposed by Mr. Hyde. (Approved, 249 to 147.)	Yea.
July 17	H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. On motion to recommit. (Failed, 161 to 236.)	Nay.
July 17	H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. On passage. (Passed, 241 to 155)	Yea.
July 24	H. Res. 485, resolution providing for consideration of H. R. 4505, a bill to provide appropriations to build markets and parking lots in cities and towns throughout the country. On agreeing to resolution. (Failed, 164 to 211.)	Nay.
July 30	H. Res. 649, resolution providing for the consideration of S. 607, an act to provide retirement, clerical assistants, etc., to former Presidents of the United States. On agreeing to the resolution. (Agreed, 254 to 126.)	Yea.
July 31	H. R. 12549, to increase benefits under Social Security Act. On passage. (Passed, 374 to 2)	Yea.
July 31	H. Res. 699, a resolution certifying the report of the Committee on Un-American Activities as to refusal of Robert Lehrer to answer questions before subcommittee. On agreeing to resolution. (Agreed, 363 to 0.)	Yea.
Aug. 1	H. Res. 650, resolution providing for consideration of S. 3497, a bill to expand Community Facilities Administration. On agreeing to resolution. (Defeated, 173 to 187.)	Nay.
Aug. 6	H. R. 13015, to authorize certain construction at military installations. On adoption of conference report, which contained provision for $40,000,000 to transfer depot. (Adopted, 236 to 135.)	Nay.
Aug. 6	H. R. 13580, to increase the public debt level. On passage. (Passed, 288 to 109)	Yea.
Aug. 6	S. 4071, to provide more rigid programs for various agricultural commodities. On motion to suspend rules and pass. (Failed, 210 to 189)	Nay.
Aug. 7	H. Res. 675, resolution providing for the consideration of H. R. 13747, the national defense education bill. On agreeing to resolution. (Agreed, 355 to 108.)	Yea.
Aug. 8	H. R. 13247, to enact the national defense education bill. On motion to recommit. (Failed, 140 to 233)	Nay.
Aug. 13	S. 2268, to provide for fixing wage rates for employees of Portsmouth Naval Shipyard. On vote to override Presidential veto (⅔ required). (Failed, 223 to 190.)	Nay.
Aug. 13	H. Res. 694, resolution citing Bernard Goldfine for contempt. On agreeing to resolution. (Agreed, 369 to 8)	Yea.
Aug. 13	H. Res. 696, resolution citing Carl Braden for contempt. On agreeing to resolution. (Agreed, 365 to 1)	Yea.
Aug. 15	H. Res. 682, resolution providing for consideration of S. 3683 to establish loan program for economically depressed areas. On agreeing to resolution. (Agreed, 216 to 159.)	Yea.
Aug. 15	S. 3683, to establish loan program for economically depressed areas. On motion to recommit. (Failed, 170 to 188)	Nay.
Aug. 15	S. 4035, to extend and amend housing and renewal of urban communities law. On motion to suspend rules and pass. (Failed, 251 to 134)	Yea.
Aug. 15	S. 3974, to provide for reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers and for other purposes. On motion to suspend rules and pass. (Failed, 190 to 198.)	Nay.
Aug. 18	H. R. 13097, to provide for establishment of food-stamp program for the distribution of surplus foods. On motion to suspend rules and pass. (Failed, 196 to 187.)	Nay.
Aug. 19	H. Res. 691, resolution providing for sending to conference H. R. 13247, national defense education bill. On agreeing to resolution. (Agreed, 269 to 110.)	Yea.
Aug. 19	H. Res. 689, resolution providing for consideration of S. 4036, to stabilize production of certain domestic minerals by subsidy. On agreeing to resolution. (Agreed to 198 to 165.)	Yea.
Aug. 20	H. R. 13450, to provide supplemental appropriations for fiscal 1959. On motion to recede and concur in Senate amendment, National Aeronautics and Space Administration. (Failed, 126 to 236.)	Nay.
Aug. 20	H. R. 13450, to provide supplemental appropriations for fiscal 1959. On motion to recede and concur in Senate amendment with an amendment (U-2 I.A.) (acquisition and construction of radio facilities). (Approved, 190 to 172.)	Yea.
Aug. 21	S. 4036, to stabilize production of certain domestic minerals by subsidy. On motion to strike enacting clause. (Failed, 171 to 174)	Yea.
Aug. 21	S. 4036, to stabilize production of certain domestic minerals by subsidy. On passage. (Failed, 159 to 182)	Nay.
Aug. 21	S. Con. Res. 109, concurrent resolution to express the sense of the Congress on the establishment of the United Nations force. On motion to suspend rules and pass. (Passed, 280 to 20.)	Yea.
Aug. 22	S. 3235, to provide for National Cultural Center to be constructed with funds from voluntary contributions. On motion to suspend rules and pass. (Passed, 261 to 55.)	Yea.
Aug. 22	H. R. 13343, to authorize the appropriation of $600,000 for the Pan American Games to be held in Chicago, Ill. On motion to suspend rules and pass. (Passed, 244 to 64.)	Yea.
Aug. 23	H. R. 13409, to make appropriations for military construction for Department of Defense for fiscal 1959. On adoption of conference report. (Adopted, 309 to 1.)	Yea.
Aug. 23	H. R. 13247, national defense education bill. On adoption of conference report. (Adopted, 212 to 85)	Yea.

Congressman Leonard Farbstein's Report to His Constituents

EXTENSION OF REMARKS
OF
HON. LEONARD FARBSTEIN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FARBSTEIN. Mr. Speaker, I herewith record to my constituency in the 19th Congressional District of New York the activities of the 85th Congress, highlighting the important measures that I feel are of interest to the voters of that district.

I think it can be fairly stated that if the members of the President's own party had shown the degree of statesmanship exhibited by the Democrats, the record of the 85th Congress would have been very much better. In my opinion, the President was supported by as many Democrats as he was by members of his own party—and sometimes by more. I shall make this more evident in discussing some of the items of legislation which were affected by the lack of Republican votes. In numerous instances, a coalition between the Republicans and the southern Democrats effectively blocked liberal legislation which I feel should have been passed in the interest of all the people.

As a member of the Committee on Foreign Affairs of the House of Representatives, I found that politics played a very small part in the deliberations of the committee. The attitude was generally taken by both Republicans and Democrats that politics end at the water's edge. Partisanship, therefore, cannot be blamed for the deplorable condition of our country's foreign policy. Call it what you will—war of nerves, cold war, hot war—whatever the conflict, our policy is a mess. The pity is that in these perilous times strong leadership is lacking. It is the brinkmanship policy of the State Department, which is no genuine policy at all, that has left this country in its present unenviable position.

At the time of the Suez crisis, we teamed up with our sworn Communist enemy, Soviet Russia, against our strongest friends, England, France, and Israel. When we had the opportunity of seeing Colonel Nasser, Egypt's two-bit Hitler, disposed of once and for all, thereby removing our greatest immediate danger in an area of vital interest to the Western World, we lost our nerve. History will charge the administration with one of the gravest blunders of our time for insisting that England, France, and Israel be denied the right to clean up the situation in Egypt after Nasser had seized the Suez Canal.

The Iraqi revolt was a serious blow to the West. The Baghdad Pact, our northern tier defense system around Russia, has been torn open. Iraq has ceased to be part of the Western alliance and moved closer to the camp of Nasser and the Pan-Arab pro-Soviet movement.

Just as it was impossible to do business with Hitler, so today is it impossible to come to terms with Nasser. The Pan-Arab movement is headed for Moscow whence it takes guidance. It agitates against free enterprise, democracy, tolerance, freedom of speech, and so forth. In all such matters it admires the Communist Russian model, the guided type of politics and economics. Nasser cannot accept any terms which would secure the West's positions in the Middle East because he plays the Kremlin's game. He has won popular support by driving the West from its former positions. He cannot now let the West return.

By the complacent attitude of the administration, we lost Iraq to the West. Had we moved into Lebanon sooner, Iraq might have been saved and Jordan would not be in such mortal danger. A 10-kopek bullet can snuff out the life of King Hussein, with the disintegration of

Jordan as the immediate result, and the loss of the entire Middle East to the Nasser-Moscow axis as the next consequence. Even now, no one can say how long the British will remain in Jordan.

President Eisenhower's statement at the meeting of the General Assembly of the United Nations was a good one. But there was much that he omitted. The Israeli-Arab conflict was not mentioned, yet there is no doubt that without the help of the big powers it will be impossible to bring the Arabs to the table with Israel for talks leading to a settlement and peace.

Israel is by far the most advanced nation in the Mid-East. It is the only democracy in that region. It serves also as the advance guard of democracy among the new nations of Africa and an example of how freedom works. In many of these countries, Israel missions have been able to establish working relations far ahead of the agents of communism. Israel looks to us for friendship and help because, like us, it is fighting the battle of democracy against totalitarianism. In the present crisis it has been our strongest friend, but we have not treated Israel as an ally.

Here at home, Government releases cannot hide the fact that unemployment and the economic recession are continuing and may be getting worse than they were at the beginning of the year. Slight seasonal increases in employment and production during May and June and the movement in the stock market have been paraded by the Republican administration as an indication that the bottom of the recession has been reached and the upturn has begun. Actually, about all that has been going up are consumer prices.

Government news bureaus in the past several weeks have cheerfully announced declines in the number of eligibles drawing unemployment compensation. Actually, however, the fact is carefully concealed that much of the drop is either seasonal or due to workers having exhausted their benefits. Everyone knows that the cost of living has increased steadily over the last 22 months, and is still going up. The overall increase since 1952 is 8.9 percent.

Rents are up 16 percent and food is sky high. Increases to the average consumer such as these mean even greater hardships than can be calculated in terms of the average increase, as large as it is. Persons living on fixed incomes—older persons living on pensions, for example—cannot possibly afford a 21-percent increase in the cost of medical care.

I might say the effects of the recession will be felt for many years by United States taxpayers.

We tried to pass a school-construction bill to overcome the lack of adequate school buildings throughout the country. Northern Democrats not only voted for a liberal Federal law aiding education, but they offered the President's own measure as the Democratic bill in order that a bill be passed. Unfortunately, the bill was voted down. The southern Democrats said their basis for rejecting it was the Powell amendment, which would give Federal funds only to States opposing racial segregation. But the big question is, Why did the Republicans vote against it?

What the future holds I am unable to say at this moment. Yet not only I, but all the northern Democrats, will vote for any bill which would grant aid to education.

We tried, but we were unable to get a school-construction bill out of committee. The only bill that was presented to us for a vote was the defense education bill. This was to help young men and women who sought to continue their education in fields of science. They will get aid, however, only in the form of loans. The provision of the bill making scholarships available was stricken out by a western Republican Congressman.

Despite the administration's fanfare in launching its billion-dollar space-age science-education program, the true intentions of the administration became clear when the proposed expenditures for education appeared in the fiscal year 1959 budget. Expenditures for overall education in fiscal year 1959 are $172 million less than the proposed expenditures for education last year in the fiscal year 1958 budget.

It is axiomatic in warfare that when an attack has reached such proportions that it cannot be avoided, you reply with an attack of your own. This is what the administration is doing in the Sherman Adams affair. Now we find that Mr. Sherman Adams is being called a victim of a campaign of political persecution of unexampled viciousness. So speaks the Republican high command.

Vice President NIXON—"I challenge anyone in America to name one instance of unpunished corruption in this administration. President Eisenhower has given orders that where corruption rears its head it must be dealt with ruthlessly."—Omaha, Nebr., September 20, 1954.

How can one have confidence in this administration when the Chief Executive, in his state of the Union message, says that the most powerful deterrent to war today lies in the retaliatory power of our Strategic Air Command and yet we find that the fiscal 1959 budget contains no additional funds for purchasing or stepping up procurement of airplanes. Recognizing our unpreparedness gives Mr. Khrushchev the boldness to speak in the threatening manner that he does.

In the field of research the President stated that he was asking for sizable increases in basic-research funds—actually the administration substantially reduced funds proposed by the National Science Foundation for basic research and research facilities.

When General Eisenhower came into office 5 years ago, he drastically reduced the military budget, cutting $5 billion from the Air Force alone. Some of the most severe reductions, percentagewise, were in the funds for research and development. The nation that economizes on research is like the homeowner who skimps on repairs to the foundation of his house and saves money by not fixing the roof. There is no graver indictment of President Eisenhower's stewardship than that he has practiced these penny-point economies.

To aid our senior citizens and special groups of aged widows to keep their heads above water in the floodtide of rising prices, I appeared before the Committee on Ways and Means and urged that social-security benefits be increased. When the average benefit of a retired single person on social security is only about $64 a month, it is clear that some adjustment must be made if mere subsistence is to be preserved. Since this was written the social-security bill was passed liberalizing payments.

I pleaded for governmental action to help solve the perplexing problem of the older worker. It appears that age 45 marks the point of no return for those who are unemployed. Something should be done, and I urged the adoption of legislation similar to that adopted in New York outlawing discrimination of age in employment. A White House conference on the problems of the aging will be held in 1961 before committees of Congress under a bill just passed.

I requested other benefits that space prevents me from detailing at this time.

I signed a letter together with many other Members of the House of Representatives notifying the chairman of the Agriculture Committee that I would not vote for the commodities farm bill unless there was restored to the bill the provision requiring food stamps for those people who are on relief. Unfortunately, here again southern Democrats teamed up with the Republicans to defeat the food-stamp plan. I voted for its passage.

On the Defense Department reorganization bill, I voted for the amendments requiring the streamlining of the Defense Department so that the Secretary of Defense would be given authority to consolidate and reorganize the various services without first obtaining the consent of the various service Secretaries; namely, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force. I thought that in times as perilous as these, when new weapons are being created constantly, the authority that the Secretary of Defense believes is required should be given him. I voted for the bill in its final form, which called for reorganization of the Defense Department. I believe that the amendments streamlining the Department, if passed, would have made the bill a better one.

I voted for the reciprocal-trade bill because I felt, and still feel, that you cannot sell without buying. The Smoot-Hawley Tariff Act of 1930, in my opinion, brought on the depression. We built a high protective tariff wall, making it impossible for our friends in foreign countries to sell us their merchandise. This caused a depression in those lands which eventually reached us, causing the greatest depression in our history. The recession in this country, at the time of this writing, is making it difficult for our South American neighbors to sell us their raw materials, the prices of which have fallen. Their economy has been hurt; and I venture to say that the treatment given Vice President NIXON was as much due to our economic policies toward South America as to Communist incitement. I believe the treatment of the Vice President was caused by dissatisfaction over our inability to purchase coffee, metals, beef, and other products of those countries.

I voted for the mutual-security bill because I felt that unless we aid the underdeveloped countries in the world with grants and loans through the newly created Development Loan Fund, we would make it very difficult for those allies who think the way we do and who oppose communism the same way we do to maintain their situation. Korea cannot possibly oppose the Communists of the north and maintain an army unless we help her. Vietnam, a new country, similarly could not exist without our aid. Formosa cannot remain our outpost in the Pacific against the Communist Chinese unless we aid it with both military and economic aid. Just as we helped the various countries of Europe and Asia with the Marshall plan, when each one of them would have gone Communist, so we must aid the newly created Asian-African countries. The North Atlantic Treaty nations and other countries to whom we are bound by treaties must be aided if they are to stand up to the Communists militarily in Europe, Asia, and Africa. Communist Russia today is giving aid to those countries who they feel they can win away from the West both militarily and economically.

The McCarran-Walter Immigration Act, with its shocking inequities, still remains on our statute books despite all attempts to rewrite the law to make it conform with American ideals and principles and our professed desire to help the oppressed peoples of the world, who look to us for shelter.

The immigration bill passed last year is a mere drop in the bucket; it does not touch the glaring hardships and unfair provisions in existing law. Chief of the inequities is the national origins quota system using the 1920 population census as a basis for setting quotas. This provision was deliberately intended to discriminate among aliens on the basis of race and nationality. It failed to end present discrimination against naturalized citizens.

The inequitable McCarran-Walter Act must be amended, and undoubtedly will be amended, so that in due time it will become a law that befits the stature of this country, long a haven of refuge.

I voted for Alaskan statehood. It is high time that we do what we can to aid those of our Territories which seek to be recognized.

The housing bill came up for a vote at the tail end of the session and a combination of southern Democrats and Republicans voted it down. Inasmuch as last year's housing bill contained a 2-year guaranty by the Government of loans for builders, it may well be that big money Republicans felt no need for a bill this year to aid public housing and urban redevelopment. However, this is the first time in 10 years that an omnibus housing bill failed to pass. "The defeated bill opposed as inflationary by the administration and by Republican House leaders, would have provided a $400 million 1-year program for slum clearance and urban renewal" said the New York Times of August 19, 1958. I voted for the housing bill as did all the other New York Democrats.

The House defeated the Kennedy-Ives labor reform bill despite AFL–CIO backing. I have no doubt that a labor reform bill will pass at the next Congress. The Kennedy-Ives bill came to the House Labor Committee for consideration at the end of June. It was the contention of those who voted against the bill that insufficient time for its proper consideration was permitted. However, I voted for the bill on the recommendation of the AFL–CIO believing that something is better than nothing, and that any corrections and amendments could be passed next year.

In my voting record and in all my activities as a Member of the 85th Congress, I have tried to reflect the wishes of my constituency to the best of my ability. I hope I have succeeded.

Congressman Chamberlain Has 97 Percent Voting Record on Legislative Rollcalls in 85th Congress

EXTENSION OF REMARKS
OF
HON. CHARLES E. CHAMBERLAIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. CHAMBERLAIN. Mr. Speaker, because I firmly believe the people of the Sixth District of Michigan are entitled to complete information as to the voting record of their Representative in Congress and because I am proud of the record I have made here I want everyone in my district to have the opportunity to examine and evaluate it. Thus I am pleased to present a complete report of my voting and attendance record on all rollcalls and quorum calls during the 1st and 2d sessions of the 85th Congress so that my constituents can see easily and quickly my position on each of them.

The description of bills is for identification purposes only. No attempt has been made to elaborate on issues involved in each measure but I have endeavored to eliminate confusing parliamentary terms. Because brief summaries cannot reflect the full significance of each bill, I invite the people of my district to write me or speak with me in connection with any vote about which they desire additional information.

It will be noted that there were 100 rollcall votes during the 1st session of the 85th Congress and that I missed only 1 of them, giving me an attendance record of 99 percent. In the second session I missed only 5 of 93 rollcall votes for an attendance record of 95 percent. My overall voting record on legislative rollcalls for both sessions of the 85th Congress is 97 percent, as I missed only 6 of 193 such votes.

The report follows:

85th Cong., 1st sess.

Rollcall No.	Date	Explanation	Vote
1	Jan. 3	Call of the House	Present.
2	Jan. 3	Election of Speaker	Martin.
3	Jan. 29	Quorum call	Present.
4	Jan. 29	H. Res. 123, resolution to take up H. J. Res. 117, authorizing President to undertake military and economic cooperation with nations in the general area of the Middle East. (Passed, 262 to 146.)	Yes.
5	Jan. 30	H. J. Res. 117, authorizing the President to undertake military and economic cooperation with nations in the general area of the Middle East. (Passed, 355 to 61.)	Yes.
6	Feb. 5	H. R. 4249, amendment to reduce by $2,000,000 the amount which States can spend for administration of public-assistance grants. (Passed, 205 to 166.)	Yes.
7	Feb. 6	H. R. 2367, providing drought relief payments to ranchers for deferred grazing. (Passed, 270 to 109.)	No.
8	Feb. 19	Quorum call	Present.
9	Feb. 20	Quorum call	Present.
10	Feb. 27	Quorum call	Present.
11	Feb. 27	Quorum call	Present.
12	Mar. 5	Quorum call	Present.
13	Mar. 6	Quorum call	Present.
14	Mar. 7	Quorum call	Present.
15	Mar. 7	H. Res. 186, providing for House agreement to Senate amendments to the Middle East resolution. (Passed, 350 to 60.)	Yes.
16	Mar. 12	Quorum call	Present.
17	Mar. 12	H. Res. 192, resolution to take up H. Res. 190, requesting the President to indicate where substantial reductions in the 1958 revised budget can be made. (Passed, 219 to 186.)	No.
18	Mar. 13	H. Res. 190, motion to return H. Res. 190 to committee with instructions to substitute resolution commending President for requesting departments to review budget requests to determine where cuts can be made and requesting President to make information received available to House. (Failed, 185 to 214.)	Yes.
19	Mar. 13	H. Res. 190, passage of resolution requesting President to indicate where substantial reductions in 1958 budget may best be made. (Passed, 220 to 175.)	No.
20	Mar. 13	Quorum call	Present.
21	Mar. 13	Quorum call	Present.
22	Mar. 13	H. R. 4001, motion to kill the bill establishing a minimum acreage allotment for corn. (Failed, 166 to 237)	No.
23	Mar. 13	H. R. 4001, final passage of bill establishing a minimum acreage allotment for corn. (Failed, 188 to 217)	Yes.

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Roll-call No.	Date	Explanation	Vote
24	Mar. 14	Quorum call	Present.
25	Mar. 14	Quorum call	Present.
26	Mar. 20	Quorum call	Present.
27	Mar. 21	Quorum call	Present.
28	Mar. 25	Quorum call	Absent.
29	Mar. 26	Quorum call	Present.
30	Mar. 27	Quorum call	Present.
31	Mar. 27	H. Res. 85, authorizing House Banking and Currency Committee to conduct an investigation of national monetary and credit policies. (Failed, 174 to 225.)	No.
32	Mar. 28	Quorum call	Present.
33	Mar. 29	Quorum call	Present.
34	Apr. 1	Quorum call	Present.
35	Apr. 2	Quorum call	Present.
36	Apr. 3	Quorum call	Present.
37	Apr. 4	H. R. 6287, amendment to reduce by $30,000 the appropriation for new positions in the Department of Labor. (Passed, 286 to 126)	Yes.
38	Apr. 4	H. R. 6287, amendment to reduce by $204,000 the appropriations for new positions in Solicitor's Office in the Department of Labor. (Passed, 241 to 171.)	Yes.
39	Apr. 4	H. R. 6287, amendment to reduce by $46,300 the appropriations for new positions in the Bureau of Labor Standards. (Passed, 246 to 166)	Yes.
40	Apr. 4	H. R. 6287, amendment to reduce by $136,000 the appropriations for new positions in the Bureau of Veterans' Reemployment rights. (Failed, 137 to 275.)	Yes.
41	Apr. 4	H. R. 6287, amendment to reduce by $442,000 the appropriations for new positions in the Bureau of Employment Security. (Passed, 214 to 206.)	Yes.
42	Apr. 4	H. R. 6287, amendment to reduce by $12,186,000 funds for unemployment compensation grants to States. (Passed, 220 to 200)	Yes.
43	Apr. 4	H. R. 6287, amendment to reduce by $1,500,000 funds for unemployment compensation for Federal employees. (Passed, 253 to 167)	Yes.
44	Apr. 4	H. R. 6287, amendment to reduce by $263,800 the appropriation for new positions in Mexican farm labor program. (Passed, 242 to 77)	Yes.
45	Apr. 4	H. R. 6287, amendment to reduce by $346,000 the appropriation for new positions in the Bureau of Labor Statistics. (Passed, 217 to 202)	Yes.
46	Apr. 4	H. R. 6287, amendment to reduce by $31,000 the appropriation for new positions in the Women's Bureau. (Failed, 206 to 210)	Yes.
47	Apr. 4	H. R. 6287, amendment to reduce by $288,000 the appropriation for new positions in the Wage and Hour Division, Labor Department. (Passed, 214 to 205.)	Yes.
48	Apr. 4	H. R. 6287, amendment to reduce by $1,327,000 the increase in funds for the Food and Drug Administration. (Failed, 130 to 285)	Yes.
49	Apr. 4	H. R. 6287, amendment to reduce by $1,482,000 the appropriation for new positions in the Office of Education. (Failed, 206 to 207)	Yes.
50	Apr. 4	H. R. 6287, amendment to delete language providing $30,000,000 to States for local sewage disposal plant construction. (Failed, 155 to 231)	Yes.
51	Apr. 8	Quorum call	Present.
52	Apr. 8	H. R. 6306, authorizing an additional $10,600,000 for construction of a new bridge across the Potomac River. (Passed, 190 to 131)	No.
53	Apr. 8	Quorum call	Present.
54	Apr. 8	Quorum call	Present.
55	Apr. 9	Quorum call	Present.
56	Apr. 9	Quorum call	Present.
57	Apr. 10	Quorum call	Present.
58	Apr. 10	Quorum call	Present.
59	Apr. 10	S. J. Res. 72, approving an agreement amending Anglo-American Financial Agreement of 1945 relative to deferment of certain interest payments. (Passed, 216 to 167.)	Yes.
60	Apr. 11	H. Res. 191, increasing from $100,000 to $350,000 funds for Interstate and Foreign Commerce Committee study of Federal regulatory agencies. (Passed, 225 to 143.)	No.
61	Apr. 15	Quorum call	Present.
62	Apr. 16	Quorum call	Present.
63	Apr. 17	Quorum call	Present.
64	Apr. 17	H. R. 6871, amendment to cut $7,039,958 from funds provided for United States contributions to international organizations. (Failed, 167 to 205.)	Yes.
65	May 7	Quorum call	Present
66	May 8	Quorum call	Present.
67	May 9	Quorum call	Present.
68	May 13	Quorum call	Present.
69	May 13	Quorum call	Present.
70	May 13	Quorum call	Present.
71	May 14	Quorum call	Present.
72	May 14	Quorum call	Present.
73	May 15	Quorum call	Present.
74	May 15	H. R. 7441, amendment to Department of Agriculture appropriation bill terminating Soil Bank program at the end of fiscal, 1957. (Passed, 192 to 187.)	No.
75	May 21	Quorum call	Present.
76	May 22	Quorum call	Present.
77	May 22	H. R. 7599, motion to return to committee bill appropriating funds for legislative branch with instructions to delete $7,500,000 for construction of an additional House office building. (Failed, 176 to 206.)	Yes.
78	May 22	H. R. 7599, passage of legislative branch appropriations bill. (Passed, 279 to 93)	Yes.
79	May 22	H. Res. 254, motion to take up H. R. 2 which would permit Illinois to increase diversion of Lake Michigan water. (Passed, 267 to 102)	No.
80	May 22	H. R. 2, motion to return H. R. 2 to committee pending United States-Canadian report on effect of increased water diversion on Great Lakes. (Failed, 143 to 225.)	Yes.
81	May 22	H. R. 2, permitting Illinois to increase diversion of Lake Michigan water. (Passed, 222 to 144)	No.
82	May 23	Quorum call	Present.
83	May 23	H. R. 985, motion to kill the bill relieving chief judges of Federal circuit and district courts of administrative duties when they become 75 years old. (Failed, 47 to 293.)	No.
84	May 24	Quorum call	Present.
85	May 24	Quorum call	Present.
86	May 24	Quorum call	Present.
87	May 27	Quorum call	Present.
88	May 27	Quorum call	Present.
89	May 28	Quorum call	Present.
90	May 29	Quorum call	Present.
91	May 29	H. R. 7665, motion to return Defense Department appropriation bill to committee with instructions to restore $313,000,000 cut by them. (Failed, 151 to 242.)	Yes.
92	May 29	H. R. 7665, passage of Defense Department appropriation bill. (Passed, 394 to 1)	Yes.
93	June 3	Quorum call	Present.
94	June 4	Quorum call	Present.
95	June 5	Quorum call	Present.
96	June 5	H. R. 259, motion to take up H. Res. 259, the administration's civil-rights bill. (Passed, 291 to 117)	Yes.
97	June 6	Quorum call	Present.
98	June 6	Quorum call	Present.
99	June 6	Quorum call	Absent.
100	June 7	Quorum call	Absent.
101	June 7	Quorum call	Absent.
102	June 7	Quorum call	Absent.
103	June 7	Quorum call	Absent.
104	June 10	Quorum call	Present.
105	June 10	Quorum call	Present.
106	June 10	Quorum call	Present.
107	June 11	Quorum call	Present.
108	June 13	Quorum call	Present.
109	June 14	Quorum call	Present.
110	June 17	Quorum call	Present.
111	June 18	Quorum call	Present.
112	June 18	H. R. 6127, motion to return civil rights bill to committee with instructions to add the jury trial amendment. (Failed, 158 to 251)	No.
113	June 18	H. R. 6127, passage of the civil-rights bill. (Passed, 286 to 126)	Yes.
114	June 18	Quorum call	Present.
115	June 18	H. R. 7221, motion to agree to Senate amendment to supplemental appropriation bill providing $14,000,000 for initiation of Federal flood-insurance program. (Failed, 186 to 218.)	Yes.
116	June 19	Quorum call	Present.
117	June 20	Quorum call	Present.

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Roll-call No.	Date	Explanation	Vote
118	June 21	Quorum call	Absent.
119	June 21	H. R. 6974, extending for 1 year the Agricultural Trade Development and Assistance Act. (Passed, 345 to 7)	Yes.
120	June 24	Quorum call	Present.
121	June 25	Quorum call	Present.
122	June 25	H. R. 7963, making the Small Business Administration a permanent agency. (Passed, 393 to 2)	Yes.
123	June 26	Quorum call	Present.
124	June 26	H. R. 6287, motion to reject conference report on the appropriation bill for the Department of Health, Education, and Welfare. (Failed, 73 to 221.)	No.
125	June 27	Quorum call	Present.
126	June 27	Quorum call	Present.
127	June 27	S. 1428, motion to return to committee with instructions that specific cost figures be inserted, the bill authorizing furniture for the new Senate Office Building. (Failed, 135 to 232.)	Yes.
128	June 27	S. 1429, motion to return to committee with instructions that specific cost figures be inserted, the bill authorizing enlargement and remodeling of suites in the existing Senate Office Building. (Failed, 148 to 216.)	Yes.
129	July 1	Quorum call	Present.
130	July 1	Quorum call	Present.
131	July 1	Quorum call	Present.
132	July 8	Quorum call	Present.
133	July 8	Quorum call	Present.
134	July 9	Quorum call	Present.
135	July 9	Quorum call	Present.
136	July 10	H. R. 8240, amendment authorizing Defense Department to discontinue activities that compete in the private business without securing prior Congressional approval. (Failed, 183 to 230.)	Yes.
137	July 10	H. R. 7390, motion to return to committee for further study the bill limiting the use of advisory committees by the executive branch. (Failed, 183 to 225.)	Yes.
138	July 10	H. R. 8364, motion to return to committee for further study the bill extending the Reorganization Act of 1949. (Failed, 46 to 338)	No.
139	July 11	Quorum call	Present.
140	July 11	Quorum call	Present.
141	July 12	Quorum call	Present.
142	July 12	H. R. 72, motion to return to committee for further study the bill amending the World War Veterans' Act of 1924 to limit the number of relatives who could claim accumulated Government benefits of a legally incompetent veteran. (Passed, 191 to 161.)	No.
143	July 15	Quorum call	Present.
144	July 16	Quorum call	Present.
145	July 16	Quorum call	Present.
146	July 17	Quorum call	Present.
147	July 19	Quorum call	Present.
148	July 19	S. 2130, motion to return the mutual security bill to committee with instructions to delete the Development Loan Fund. (Failed, 181 to 227)	No.
149	July 19	S. 2130, passage of Mutual Security Act of 1957. (Passed, 254 to 154)	Yes.
150	July 22	Quorum call	Present.
151	July 23	H. R. 2474, increasing the basic salary of postal workers by $546 a year. (Passed, 379 to 38)	Yes.
152	July 23	Quorum call	Present.
153	July 25	Quorum call	Present.
154	July 25	H. R. 1, motion to kill the bill providing for Federal assistance to States for school construction. (Passed 208 to 203)	No.
155	July 29	Quorum call	Present.
156	July 30	Quorum call	Present.
157	July 30	Quorum call	Present.
158	July 31	Quorum call	Present.
159	July 31	S. 1856, establishing an Airways Modernization Board to development and modernize navigation and traffic control. (Passed, 375 to 17)	Yes.
160	July 31	Quorum call	Present.
161	July 31	H. R. 2147, motion to kill the bill authorizing Federal construction of a $32,220,000 irrigation and municipal water project at San Angelo, Tex. (Failed, 199 to 202.)	Yes.
162	July 31	H. R. 2147, passage of bill authorizing a $32,220,000 Federal reclamation project at San Angelo, Tex. (Passed, 201 to 190)	No.
163	Aug. 1	Quorum call	Present.
164	Aug. 1	H. R. 8643, authorizing the FPC to issue a license to the New York State Power Authority for power improvements at Niagara Falls. (Passed, 313 to 75.)	Yes.
165	Aug. 1	Quorum call	Present.
166	Aug. 1	H. R. 6763, motion to take up H. R. 6763 authorizing construction of a tunnel rather than a bridge across the Potomac River. (Passed, 297 to 76.)	No.
167	Aug. 1	H. R. 6763, motion to kill the bill authorizing the construction of a tunnel rather than a bridge across the Potomac River. (Failed, 175 to 194)	Yes.
168	Aug. 2	Quorum call	Present.
169	Aug. 2	H. R. 6763, motion to resume debate on bill authorizing construction of a tunnel rather than a bridge across the Potomac River. (Passed, 275 to 59.)	No.
170	Aug. 2	H. R. 6763, amending the bill authorizing construction of a tunnel across the Potomac River by substituting a bridge for a tunnel. (Passed, 226 to 109.)	Yes.
171	Aug. 5	H. R. 6709, approving the implementation of a treaty with the Republic of Panama. (Passed, 279 to 91)	Yes.
172	Aug. 5	Quorum call	Present.
173	Aug. 6	Quorum call	Present.
174	Aug. 7	Quorum call	Present.
175	Aug. 7	H. R. 9131, motion to return the supplemental appropriation bill to committee with instructions to reduce new TVA funds by $9,784,000. (Failed, 158 to 244.)	Yes.
176	Aug. 7	H. R. 9131, passage of supplemental appropriations bill. (Passed, 330 to 75)	Yes.
177	Aug. 7	Quorum call	Present.
178	Aug. 7	H. Res. 362, motion to take up H. R. 7244, amending Packers and Stockyards Act of 1921, permitting deductions for a self-help meat promotion program. (Failed, 175 to 216.)	Yes.
179	Aug. 8	Quorum call	Present.
180	Aug. 8	H. R. 4013, adoption of conference report authorizing acquisition of certain land for a District Auditorium-Cultural Center. (Failed, 115 to 284.)	No.
181	Aug. 8	Quorum call	Present.
182	Aug. 8	H. R. 8992, amendment to delete from a bill authorizing United States participation in the International Atomic Energy Agency a section providing for Congressional control over transfer of nuclear material. (Passed, 298 to 100.)	Yes.
183	Aug. 9	Quorum call	Present.
184	Aug. 9	H. R. 8995, amendment eliminating $3,000,000 authorized for plutonium reactor study in bill authorizing appropriation for Atomic Energy Commission. (Failed, 197 to 201.)	Yes.
185	Aug. 9	H. R. 8995, amendment eliminating $55,000,000 for construction of a natural uranium and a plutonium recycle reactor in bill authorizing appropriation for AEC. (Passed, 211 to 188.)	Yes.
186	Aug. 9	H. R. 8995, amendment authorizing $132,621,000 for the cooperative power reactor demonstration program and deleting provision for Government ownership and operation of generating plants. (Passed, 213 to 185.)	Yes.
187	Aug. 9	H. R. 8995, passage of bill authorizing appropriations for AEC. (Passed, 383 to 14)	Yes.
188	Aug. 9	H. R. 2462, motion to kill the bill providing an 11-percent salary increase for classified Federal employees. (Failed, 70 to 319)	No.
189	Aug. 9	H. R. 3462, passage of bill providing an 11-percent salary increase for classified Federal employees. (Passed, 329 to 58)	Yes.
190	Aug. 13	Quorum call	Present.
191	Aug. 13	H. R. 8090, motion to accept Senate amendment to Interior Department and Corps of Engineers public works appropriations bill earmarking $500,000 for the Bruces Eddy project in Idaho. (Rejected, 22 to 363.)	No.
192	Aug. 13	H. R. 8686, raising 1st, 2d, and 3d class mail rates. (Passed, 256 to 129)	Yes.
193	Aug. 14	Quorum call	Present.
194	Aug. 14	S. 2130, adoption of conference report on the mutual security bill. (Passed, 226 to 163)	Yes.
195	Aug. 14	S. 1253, amendment of Interstate Commerce Act to change requirements for obtaining a freight forwarder permit. (Passed, 177 to 176)	No.
196	Aug. 15	Quorum call	Present.
197	Aug. 15	H. R. 9302, motion to return to committee with instructions to restore $715,000,000, the mutual security appropriations bill. (Failed, 129 to 264.)	Yes.
198	Aug. 15	H. R. 9302, passage of mutual security appropriations bill. (Passed, 282 to 130)	Yes.
199	Aug. 19	H. R. 7993, providing for Government guaranty of private loans to certain air carriers. (Passed, 242 to 94)	Not voting.
200	Aug. 20	H. R. 1987, adoption of conference report authorizing construction of a District of Columbia stadium on Federal land. (Failed, 135 to 234)	No.
201	Aug. 20	S. 1520, motion to return to conference committee with instructions to limit to $50,000 a bill authorizing $112,500 for disposal of a dam in West Virginia. (Failed, 137 to 222.)	Yes.
202	Aug. 21	H. R. 9131, motion to accept Senate amendment eliminating funds for additional airport in Washington in supplemental appropriation bill. (Failed, 126 to 233.)	No.
203	Aug. 21	H. R. 9131, motion to accept Senate amendment adding $475,000 for the Columbia River project in supplemental appropriation bill. (Failed, 141 to 216.)	No.

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Roll-call No.	Date	Explanation	Vote
204	Aug. 21	H. R. 9679, amendment restoring $30,000,000 for a program of cooperation with private industry in Atomic Energy Commission appropriation bill. (Passed, 214 to 135.)	Yes.
205	Aug. 22	H. Con. Res. 17, authorizing printing of 500,000 additional copies of an illustrated booklet on the Capitol at a cost of $95,000. (Passed, 183 to 139.)	No.
206	Aug. 23	Quorum call	Present.
207	Aug. 23	H. R. 9131, motion to agree to Senate amendment to supplemental appropriation bill providing $435,000 for the Columbia River project and $50,000 for Rathbun Dam. (Passed, 166 to 121.)	No.
208	Aug. 23	H. R. 9131, motion to agree to Senate amendment to supplemental appropriation bill providing $425,000 for Columbia River project but amending it to delete the $50,000 for Rathbun Dam. (Passed, 165 to 120.)	No.
209	Aug. 23	S. 2229, adoption of conference report providing for Government guaranty of private loans to certain airline carriers. (Passed, 202 to 77)	No.
210	Aug. 23	H. Res. 407, citing Louis Hartman for contempt of Congress for refusing to answer certain questions of the House Un-American Activities Committee. (Passed, 275 to 0.)	Yes.
211	Aug. 23	H. Res. 409, citing Bernard Silber for contempt of Congress for refusing to answer questions before the Un-American Activities Committee. (Passed, 263 to 0.)	Yes.
212	Aug. 27	Quorum Call	Present.
213	Aug. 27	H. Res. 410, motion to end debate on question of agreeing to Senate amendments to civil rights bill. (Passed, 274 to 101)	Yes.
214	Aug. 27	H. Res. 410, adoption of amendment to civil-rights bill limiting jury trials in criminal contempt proceedings. (Passed, 279 to 97)	Yes.
215	Aug. 27	H. R. 7915, amending United States Code to restrict use of FBI files by defendants in criminal cases, thus limiting effects of Supreme Court decision in Jencks case. (Passed, 351 to 17.)	Yes.
216	Aug. 27	Quorum call	Present.
217	Aug. 27	S. 2792, revising immigration and nationality laws to relieve certain "hardship" cases. (Passed, 295 to 58)	Yes.
218	Aug. 30	Quorum call	Present.
219	Aug. 30	S. 2377, adoption of conference report on bill to amend United States Code to restrict use of FBI files by defendants in criminal cases, thus limiting effects of Supreme Court's decision, Jencks. (Passed, 315 to 0.)	Yes.
220	Aug. 30	H. R. 9202, adoption of conference report on the mutual security appropriation bill. (Passed, 194 to 122)	Yes.

85th Cong., 2d sess.

Roll-call No.	Date	Explanation	Vote
1	Jan. 7	Quorum call	Present.
2	Jan. 15	H. R. 9739, authorizing the Secretary of the Air Force to establish and develop certain installations for the national security. (Passed, 374 to 0.)	Yes.
3	Jan. 21	Quorum call	Present.
4	Jan. 22	Quorum call	Present.
5	Jan. 23	H. R. 9955, motion to return to committee with instructions to reduce by $2,000,000,000 a bill authorizing a temporary increase in the public-debt limit. (Failed, 115 to 275.)	No.
6	Jan. 23	H. R. 9955, final passage of bill authorizing a temporary increase in the public-debt limit. (Passed, 328 to 71)	Yes.
7	Jan. 23	H. R. 10146, providing additional appropriations for the Defense Department and transferring $150,000,000 for the accelerated missile defense program. (Passed, 388 to 0.)	Yes.
8	Feb. 4	H. R. 2151, suspending for 3 years the import duties on certain coarse wool. (Passed, 250 to 129)	Yes.
9	Feb. 10	Quorum call	Present.
10	Feb. 18	Quorum call	Present.
11	Feb. 19	H. J. Res. 2, motion to kill the bill providing for payment of $25,000,000 to the Crow Indians in exchange for lands to be used in the Yellowtail Dam and Reservoir project. (Failed, 152 to 197.)	Present. Yes.
12	Feb. 25	Quorum call	Present.
13	Feb. 26	Quorum call	Present.
14	Feb. 26	H. R. 10881, amendment to 2d supplemental appropriation bill to provide $10,000,000 each for Glen Canyon project and Trinity River project. (Passed, 200 to 184.)	Yes.
15	Mar. 4	Quorum call	Present.
16	Mar. 5	Quorum call	Present.
17	Mar. 6	Quorum call	Present.
18	Mar. 6	H. R. 8002, motion to kill the bill incorporating Hoover Commission recommendations for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations. (Failed, 119 to 275.)	No.
19	Mar. 6	H. R. 8002, final passage of bill incorporating Hoover Commission recommendations for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations. (Passed, 311 to 86.)	Yes.
20	Mar. 11	S. 497, motion to return to committee, with instructions to eliminate 4 projects and reduce Federal costs on 14 others, a bill authorizing $1,500,000,000 for rivers, harbors and flood control. (Failed, 167 to 234.)	Yes.
21	Mar. 11	S. 497, final passage of bill authorizing $1,500,000,000 for construction and repair in connection with rivers, harbors, and flood control. (Passed, 321 to 81.)	Yes.
22	Mar. 19	S. Con. Res. 69, requesting the President, as an antirecession measure, to accelerate spending of funds already appropriated for military construction projects. (Passed, 375 to 20.)	Yes.
23	Mar. 19	S. Con. Res. 68, requesting the President, as an antirecession measure to accelerate spending of funds already appropriated for civil construction projects. (Passed, 379 to 16.)	Yes.
24	Mar. 19	Quorum call	Present.
25	Mar. 19	S. 3262, motion to suspend rules and pass an act to authorize not more than $4,000,000 for construction by Armed Forces of sports arena for 1960 Olympic games (⅔ vote necessary). (Failed, 287 to 139.)	Yes.
26	Mar. 20	Quorum call	Present.
27	Mar. 20	S. J. Res. 162, motion to return to committee with instructions to limit to dairy producers a bill to prevent reductions in price supports and acreage allotments for all farm commodities below 1957 levels. (Failed, 173 to 211.)	Yes.
28	Mar. 20	S. J. Res. 162, permitting reduction in price supports and acreage allotments for all farm commodities below 1957 levels. (Passed, 210 to 172)	No.
29	Mar. 25	H. Res. 507, motion to take up the military pay increase bill. (Passed, 382 to 5)	Yes.
30	Mar. 25	H. R. 11470, increasing pay of military personnel by varying percentages and carrying out recommendations of Cordiner Committee. Passed, 366 to 22.)	Yes.
31	Mar. 26	Quorum call	Present.
32	Mar. 27	Quorum call	Present.
33	Mar. 27	Quorum call	Present.
34	Mar. 27	H. R. 8290, motion to kill the bill to permit a nonprofit foundation to construct a Freedom Wall National Monument on Federal land near Arlington National Cemetery. (Passed, 195 to 169.)	Present. Yes.
35	Mar. 28	H. R. 5822, on adoption of conference report to amend the Civil Aeronautics Act of 1938 to permit airlines to retain net capital gains from sale of old equipment for reinvestment in new flight equipment. (Passed, 276 to 63.)	Yes.
36	Mar. 28	Quorum call	Present.
37	Mar. 28	S. 3262, authorizing not more than $4,000,000 for construction by Armed Forces of sports arena for 1960 winter Olympic games. (Passed, 218 to 102.)	Yes.
38	Apr. 1	H. R. 10589, appropriating $750,000 for the Civil Rights Commission. (Passed, 273 to 98)	Not voting.[1]
39	Apr. 3	H. R. 9821, rejecting the House-Senate conference report on the Federal-Aid Highway Act of 1958. (Failed, 109 to 222)	No.
40	Apr. 3	H. R. 9821, adoption of conference report on Federal-Aid Road Act of 1958 authorizing appropriations for continuing the construction of highways. (Passed, 300 to 28.)	Yes.
41	Apr. 16	Quorum call	Present.
42	Apr. 22	Quorum call	Present.
43	Apr. 22	H. Res. 465, motion to take up the bill permitting the Navy to serve margarine. (Passed, 233 to 130)	Yes.
44	Apr. 22	H. R. 912, amending the bill permitting the Navy to serve margarine to forbid the Navy from acquiring margarine when surplus butter available from CCC, except for use in overseas areas where use of butter impractical. (Passed, 207 to 161.)	No. Yes.
45	Apr. 29	H. Res. 551, motion to take up the bill authorizing Government construction and sale of 2 superliner passenger vessels. (Passed, 343 to 31)	Yes.
46	Apr. 29	Quorum call	Present.
47	Apr. 29	H. R. 11451, authorizing construction and sale by the Federal Maritime Commission of 2 superliner passenger vessels. (Passed, 289 to 94)	Yes.
48	Apr. 30	Quorum call	Present.
49	May 1	Quorum call	Present.
50	May 1	H. R. 12065, amendment embodying administration proposals to the bill authorizing temporary unemployment benefits for persons exhausting benefit rights under existing State laws. (Passed, 223 to 166.)	Yes.

[1]Excused, death in family.

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Roll-call No.	Date	Explanation	Vote
51	May 1	H. R. 12065, final passage of amended bill providing Federal loans to States to extend their unemployment compensation programs to persons who have exhausted benefits under current State law. (Passed, 372 to 17.)	Yes.
52	May 6	Quorum call	Present.
53	May 12	Quorum call	Present.
54	May 12	Quorum call	Present.
55	May 13	Quorum call	Present.
56	May 13	Quorum call	Present.
57	May 13	Quorum call	Present.
58	May 14	H. R. 12181, passage of the $2,958,900,000 authorization bill for the Mutual Security Act of 1958. (Passed, 259 to 134)	Yes.
59	May 15	Quorum call	Present.
60	May 15	H. R. 12428, making appropriations for the State and Justice Departments, the Judiciary, and U. S. Information Agency. (Passed, 220 to 51)	Yes.
61	May 21	Quorum call	Present.
62	May 21	H. R. 7999, motion to take up the bill providing statehood for Alaska. (Passed, 217 to 172)	Yes.
63	May 21	Quorum call	Present.
64	May 21	Quorum call	Present.
65	May 21	Quorum call	Present.
66	May 21	Quorum call	Present.
67	May 22	H. R. 5836, adoption of conference report raising salaries of postal workers and increasing postal rates. (Passed, 361 to 9)	Yes.
68	May 22	Quorum call	Present.
69	May 23	Quorum call	Absent.
70	May 22	Quorum call	Present.
71	May 23	Quorum call	Present.
72	May 23	Quorum call	Present.
73	May 26	Quorum call	Present.
74	May 26	Quorum call	Present.
75	May 26	Quorum call	Present.
76	May 27	Quorum call	Present.
77	May 27	Quorum call	Absent.
78	May 28	H. R. 7999, motion to kill the bill providing for admission of Alaska into the Union. (Failed, 174 to 199)	No.
79	May 29	Quorum call	Present.
80	May 29	H. R. 7999, motion to kill the bill providing for admission of Alaska into the Union. (Failed, 172 to 203)	No.
81	May 29	H. R. 7999, final passage of bill providing for statehood for Alaska. (Passed, 210 to 166)	Yes.
82	June 2	Quorum call	Present.
83	June 3	Quorum call	Present.
84	June 4	Quorum call	Present.
85	June 4	Quorum call	Present.
86	June 4	Quorum call	Present.
87	June 5	H. R. 12738, amendment to increase by $90,000,000 the funds allocated to the Army in the Defense Department appropriation bill. (Passed, 225 to 159.)	No.
88	June 5	H. R. 12736, appropriating funds for the Department of Defense. (Passed, 300 to 0)	Yes.
89	June 9	Quorum call	Present.
90	June 9	Quorum call	Present.
91	June 10	Quorum call	Present.
92	June 10	Quorum call	Present.
93	June 11	Quorum call	Present.
94	June 11	H. R. 12591, to kill the bill providing a 5-year extension of the President's authority to enter into trade agreements. (Failed, 146 to 268)	No.
95	June 11	H. R. 12591, final passage of bill providing for a 5-year extension of the President's authority to enter into trade agreements. (Passed, 317 to 98.)	Yes.
96	June 11	Quorum call	Present.
97	June 11	Quorum call	Present.
98	June 12	Quorum call	Present.
99	June 12	H. R. 12541, motion to return to committee to amend as requested by the President, a bill providing for reorganization of the Department of Defense. (Failed, 192 to 211.)	Yes.
100	June 12	H. R. 12541, passage of bill providing for reorganization of the Department of Defense. (Passed, 402 to 1)	Yes.
101	June 17	Quorum call	Present.
102	June 18	S. 3910, motion to pass revised version of the vetoed River and Harbor and Flood Control Act. (Passed, 374 to 17)	Yes.
103	June 19	H. R. 12858, making appropriations for civil functions of Army Corps of Engineers, the Interior Department, and the Tennessee Valley Authority. (Passed, 362 to 18.)	Yes.
104	June 19	H. R. 12716, amending the Atomic Energy Act authorizing transfer of atomic weapons, information, and certain material to allies, pursuant to agreements for cooperation subject to Congressional veto. (Passed, 345 to 12.)	Yes.
105	June 26	H. R. 13077, to incorporate the veterans of World War I of the U. S. A. (Passed, 380 to 2)	Not voting.
106	June 26	Quorum call	Present.
107	June 26	H. Res. 608, providing for consideration of an omnibus farm bill that included a separate commodity program extension of the farm surplus disposal law, and several milk programs. (Failed, 171 to 214.)	Not voting
108	June 26	S. 1362, motion to suspend rules and authorize appointment of 1 additional Secretary of State (⅔ vote necessary). (Failed, 224 to 145)	Yes.
109	June 27	H. R. 12695, adopting conference report on bill providing 1-year extension of existing corporate and certain excise tax rates and repealing excise taxes on transportation of property. (Passed, 367 to 9.)	No.
110	June 27	H. R. 12181, motion to kill conference report authorizing $3,031,400,000 for the mutual security program. (Failed, 134 to 338)	Yes.
111	June 27	H. R. 12832, authorizing Government insured loans to railroads. (Passed, 248 to 2)	Yes.
112	June 30	S. 3342, to continue the $75,000,000 yearly program to increase milk consumption by children in nonprofit schools and summer camps. (Passed, 328 to 1.)	Yes.
113	July 1	Quorum call	Present.
114	July 1	Quorum call	Present.
115	July 1	Quorum call	Present.
116	July 1	Quorum call	Absent.
117	July 1	Quorum call	Present.
118	July 2	H. R. 11477, Mallory rule bill to bar Federal courts from ruling confessions inadmissible in evidence solely because of delay in arraignment of defendant. (Passed, 294 to 79.)	Yes.
119	July 2	H. R. 13192, motion to return the mutual security appropriation bill to committee with instructions to increase defense support by $75,000,000. (Failed, 198 to 214.)	Yes.
120	July 2	H. R. 13192, passage of mutual security appropriations bill. (Passed, 253 to 126)	Yes.
121	July 9	Quorum call	Present.
122	July 10	H. R. 13015, motion to return to committee the military construction authorization bill with instructions to make permissive rather than mandatory relocation of an Army ammunition depot near Houston, Tex. (Failed, 179 to 202.)	Yes.
123	July 10	H. R. 13015, passage of military construction authorization bill. (Passed, 379 to 2)	Yes.
124	July 10	S. 498, motion to suspend rules and pass bill authorizing acquisition of land adjacent to Senate Office Building (⅔ vote necessary). (Failed, 232 to 150.)	Yes.
125	July 10	S. 1411, extending Government security program to all Federal employees and authorizing agency heads to suspend employment of any civilian employee in interests of national security. (Passed, 296 to 46.)	Yes.
126	July 14	Quorum call	Present.
127	July 15	Quorum call	Absent.
128	July 15	H. Res. 897, motion to take up H. R. 3, a bill to establish rules of interpretation governing questions of the effects of acts of Congress on State laws. (Passed, 268 to 114.)	Yes.
129	July 15	Quorum call	Present.
130	July 16	Quorum call	Present.
131	July 16	Quorum call	Present.
132	July 17	Quorum call	Absent.
133	July 17	H. R. 3, amending text of H. R. 3 by specifying that no subversive activities law previously passed by Congress should be construed as invalidating State antisubversive laws. (Passed, 249 to 147.)	Yes.
134	July 17	H. R. 3, motion to kill the bill providing that Federal law shall not replace State laws unless Congress specifically so provides or there is direct conflict between them. (Failed, 161 to 236.)	No.
135	July 17	H. R. 3, providing that Federal law shall not replace State law unless Congress specifically so provides or there is direct conflict between them. (Passed, 241 to 156.)	Yes.
136	July 18	Quorum call	Present.
137	July 21	Quorum call	Absent.
138	July 22	Quorum call	Present.
139	July 22	Quorum call	Present.
140	July 23	Quorum call	Present.

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Roll-call No.	Date	Explanation	Vote
141	July 24	Quorum call	Present.
142	July 24	H. Res. 485, motion to take up H. R. 4504, a bill to authorize Government-guaranteed loans to build wholesale marketing facilities for perishable agricultural products. (Failed, 164 to 211.)	No.
143	July 28	Quorum call	Absent.
144	July 30	Quorum call	Present.
145	July 30	Quorum call	Present.
146	July 30	H. Res. 649, motion to take up a bill to provide pensions, clerical assistants, and mailing privileges for former Presidents and their widows. (Passed, 254 to 126.)	Yes.
147	July 31	Quorum call	Present.
148	July 31	Quorum call	Present.
149	July 31	H. R. 12549, Social Security Amendments of 1958 to increase old-age survivors and disability payments. (Passed, 374 to 2)	Yes.
150	July 31	H. Res. 659, citing Robert Lehrer of Gary, Ind., for contempt of Congress for refusing to answer questions of the House Un-American Activities Committee. (Passed, 363 to 0.)	Yes.
151	Aug. 1	Quorum call	Present.
152	Aug. 1	H. Res. 650, motion to take up a bill to increase from $100,000,000 to $2,000,000,000 a fund for loans to municipalities to build various public facilities. (Failed, 173 to 187.)	Yes.
153	Aug. 4	Quorum call	Absent.
154	Aug. 5	Quorum call	Present.
155	Aug. 6	H. R. 13015, adoption of the conference report on the military construction authorization bill. (Passed, 256 to 135)	No.
156	Aug. 6	H. R. 13580, increasing the permanent debt limit to $285,000,000,000 and the temporary limit to $288,000,000,000. (Passed, 285 to 109)	Yes.
157	Aug. 6	S. 4071, motion to pass under suspension of rules a bill dealing with price, production adjustment, and marketing programs for various agricultural commodities (⅔ vote required). (Failed, 210 to 186.)	No.
158	Aug. 7	Quorum call	Present.
159	Aug. 7	H. Res. 675, motion to take up H. R. 13247 authorizing $900,000,000 in Federal grants and loans for a 7-year program of aid to the Nation's students and schools. (Passed, 266 to 103.)	Yes.
160	Aug. 8	Quorum call	Present.
161	Aug. 8	H. R. 13247, motion to kill the bill authorizing $900,000,000 in Federal grants and loans for a 7-year program of aid to students and schools. (Failed, 140 to 233.)	No.
162	Aug. 12	Quorum call	Present.
163	Aug. 12	Quorum call	Present.
164	Aug. 13	Quorum call	Present.
165	Aug. 13	S. 2266, motion to pass, over the President's veto, the bill to regulate wage rates at the Portsmouth, N. H., Navy Yard (⅔ majority required). (Failed, 202 to 180.)	No.
166	Aug. 13	H. Res. 684, citing Bernard Goldfine for contempt of Congress for refusing to answer questions of the House Interstate and Foreign Commerce Legislative Oversight Subcommittee. (Passed, 369 to 8.)	Yes.
167	Aug. 13	H. Res. 856, citing Carl Braden for contempt of Congress for refusing to answer questions of the House Un-American Activities Committee. (Passed, 365 to 1.)	Yes.
168	Aug. 14	Quorum call	Present.
169	Aug. 15	Quorum call	Absent.
170	Aug. 15	H. Res. 662, motion to take up S. 3683 authorizing federal grants and loans of $279,500,000 yearly for redevelopment of certain distressed areas. (Passed, 216 to 159.)	Not voting.
171	Aug. 15	Quorum call	Absent.
172	Aug. 15	S. 3683, motion to kill the bill authorizing Federal grants and loans of $279,500,000 yearly for redevelopment of certain distressed areas. (Failed, 170 to 188.)	Not voting.
173	Aug. 18	Quorum call	Present.
174	Aug. 18	S. 4035, motion to suspend rules and pass the Omnibus Housing Act of 1958 (⅔ majority required). (Failed, 251 to 134)	Yes.
175	Aug. 18	S. 3974, motion to suspend rules and pass the Labor Management Reporting and Disclosure Act of 1958 (Kennedy-Ives) (⅔ majority required). (Failed, 190 to 198.)	No.
176	Aug. 18	Quorum call	Present.
177	Aug. 18	H. R. 13067, motion to suspend rules and pass bill establishing a food-stamp plan for distribution of $1,000,000,000 worth of surplus food commodities yearly to needy persons and families (⅔ majority required). (Failed, 196 to 187.)	Yes.
178	Aug. 19	Quorum call	Present.
179	Aug. 19	H. Res. 691, expressing House disagreement to Senate amendments to a House-passed bill (H. R. 13247), the National Defense Education Act of 1958 and requesting a House-Senate conference. (Passed, 250 to 110.)	Yes.
180	Aug. 19	Quorum call	Present.
181	Aug. 19	H. Res. 689, motion to take up a bill (S. 4036) establishing program for subsidies for certain minerals. (Passed, 198 to 165)	No.
182	Aug. 19	Quorum call	Present.
183	Aug. 20	H. R. 13460, motion to agree to Senate amendment to the supplemental appropriation bill barring appropriation of funds for the National Aeronautics and Space Administration without annual authorization by Congress. (Failed, 126 to 236.)	No.
184	Aug. 20	H. R. 13450, providing $10,000,000 rather than the $15,000,000 voted by the Senate for the U. S. Information Agency radio facilities. (Passed, 190 to 172.)	Yes.
185	Aug. 20	Quorum call	Present.
186	Aug. 21	Quorum call	Present.
187	Aug. 21	S. 4036, motion to kill the bill providing for a program of subsidies for certain minerals. (Failed, 171 to 174)	Yes.
188	Aug. 21	S. 4036, passage of bill providing for a program of subsidies for certain minerals. (Failed, 159 to 182)	No.
189	Aug. 21	S. Con. Res. 109, stating the United Nations should consider developing an organization enabling it to employ U. N. forces for observation and patrol purposes where international peace and security are threatened. (Passed, 299 to 20.)	Yes.
190	Aug. 22	Quorum call	Present.
191	Aug. 22	S. 3325, motion to suspend rules and pass a bill providing for a National Cultural Center in Washington, D. C., to be constructed without cost to the Government. (Passed, 261 to 55.)	Yes.
192	Aug. 22	H. R. 13345, motion to suspend rules and pass bill authorizing appropriation of $500,000 for the pan-American Games. (Passed, 244 to 64)	Yes.
193	Aug. 23	H. R. 13489, adoption of conference report on bill making appropriations for Defense Department military construction $1,300,000,000. (Passed, 300 to 1.)	Yes.
194	Aug. 23	Quorum call	Present.
195	Aug. 23	H. R. 13247, adoption of conference report on the National Defense Education Act of 1958. (Passed, 212 to 85)	Yes.

Report to the People

EXTENSION OF REMARKS
OF
HON. GRACIE PFOST
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. PFOST. Mr. Speaker, as the first space age Congress in history, the session which has just ended had to face up to the dazzling world of tomorrow as well as to wrestle with the complex problems of today. It did an impressive job. Many people are comparing its productive record to that of the first 100 days of the Roosevelt administration.

In this brief report to the people of the First Congressional District, I cannot relate all of the session's accomplishments. I will try only to touch on the most significant.

ALASKA—49TH STATE

This Congress added a new star to the flag, and passed a billion-dollar science education bill—the first general education bill cleared in a century.

It met a galloping recession head on with a program of increased public works, highway and emergency housing construction and unemployment benefits, and gave 12 million social security annuitants and countless senior citizens on public assistance a few extra dollars with which to meet the alltime high living costs.

DEFENSE

A permanent space agency was whipped through to help move us into the area of interplanetary travel. The President was given almost all of the authority he requested to streamline the chain of command in our military organization, and more dollars for missiles and military manpower than he asked for.

SMALL BUSINESS

The small-business man got his best deal in a decade with liberalized loan programs and tax relief. SBA loan authority was increased and interest rates lowered, and a measure establishing local small business investment companies was enacted.

The food and drug law was strengthened, and hospital construction and water pollution control programs extended.

Federal and postal employees won 10 percent pay raises, and retired civil-service employees a 10 percent annuity boost. It was my privilege to chairman the House subcommittee which reported the retirement legislation.

Veterans of World War I were given a Federal charter for their organization, veterans laws were codified, and pensions were increased for widows of Spanish-American and other early wars.

THE FARMER

The most glaring omission was the lack of any constructive answer to the farm problem. The Congress cleared a bill to freeze farm price supports at their 1957 levels in an effort to bolster farm income—but the President vetoed it. This veto cost Idaho wheat and dairy farmers millions of dollars.

Secretary Benson opposed most of the bills introduced to give relief to any segment of the farm population. There were 1 or 2 happy exceptions. My bill to prohibit the trading of onion futures on mercantile exchanges was not vetoed. It had the unanimous support of the Idaho onion industry. Onion farmers are now in a position to control their own product—rather than having its control vested in the hands of unscrupulous manipulators on mercantile exchanges hundreds of miles away.

Another exception was the passage by the Congress, and the acceptance by the White House, of the bill to extend the National Wool Act. I was one of the cosponsors of this legislation which had the wholehearted backing of Idaho sheep growers.

The Government's authority to sell farm surpluses abroad was extended, as was the special milk program in nonprofit schools, nursery schools, child-care centers, settlement houses, and summer camps. These programs help nourish millions and relieve farm surpluses.

RESOURCE DEVELOPMENT

This Congress provided for the Nation's first inventory of outdoor recreation resources and needs. As chairman of the House Public Lands Subcommittee, I held hearings on legislation to establish the National Outdoor Recreation Resources Review Commission, and upon its passage was appointed by the Speaker of the House as one of the Commission's members.

Another important measure passed, of which I was a cosponsor, was the bill to prevent military land grabs on our public domain.

A half-million dollars was appropriated for Bruce's Eddy Dam studies, and $21,500 for a special project of mine—the preparation of a hydrographic map of Lake Coeur d'Alene by the Coast and Geodetic Survey.

TRANSPORTATION

This Congress provided considerable funds to help complete the construction of the Lewis-Clark highway, and repealed the 3 percent freight rate excise tax—both of which are providing a substantial boost to the State's economy.

The Nation's railroads were given a lift with loans to finance new equipment, operating expenses, and other obligations, and the Federal airport aid program was expanded. A single Federal agency was established to control both civilian and military planes, in an attempt to reduce fatal air collisions.

MINING

The loss of the minerals subsidy bill in the House was a body blow to our ailing lead-zinc industry, and ended hope for an immediate revival of tungsten mining in Idaho. The bill was defeated in the closing days of the session by a scant 23 votes. It was an administration-backed measure, but Republicans voted against it 2 to 1, while Democrats supported it 2 to 1.

A bill to change the mining assessment date, jointly sponsored by Senator FRANK CHURCH and myself, passed and became law. It should help Idaho's small mining companies and individual claimholders.

BIPARTISANSHIP

There was little opportunity for this Congress to make any contributions to a lasting peace. The shadow of the crisis in the Middle East hung over us, with the almost constant worry that our inept foreign policy would involve us in serious consequences.

Despite these fears, this Congress was notably bipartisan in its major actions. Never has a divided government—an administration of one party and a Congress of another—worked so well. The Congress was responsive to the President's requests, and passed much of his program, but it took the initiative in its own hands when the President was not meeting the needs of the country.

The demands upon the 2d session of the 85th Congress were great and its Members worked hard. I am proud of my 100-percent voting record. I was present to cast my vote on every rollcall on a bill, and missed only 2 out of 102 quorum, or attendance, calls. This is a record only a handful of other Members can equal. I was present to vote on every rollcall on a bill, and to answer my name on practically every quorum or attendance call.

President's Veto of H. R. 12261

EXTENSION OF REMARKS
OF
HON. LEE METCALF
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. METCALF. Mr. Speaker, the President's veto of H. R. 12261 cheered advocates of economy in government. That bill, you will recall, would have cost the taxpayers of this country $465.81.

Without a crew, it costs about $22 an hour to operate the helicopter that flies the President to his Gettysburg farm on weekends. Without a crew, it costs $123.18 an hour to operate the *Columbine III*, which carried him to Newport for his vacation.

By his veto, the President saved the taxpayers enough money to buy gas and oil for a dozen or so round trips to Gettysburg, or the round trip to Rhode Island.

Accomplishments of the 85th Congress

EXTENSION OF REMARKS
OF
HON. H. ALEXANDER SMITH
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement relative to the accomplishments of the 85th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

It is a great regret to me that, due to unavoidable circumstances, I was not present during the closing hours of the 85th Congress and, therefore, did not have the opportunity to participate in any closing remarks. I want to add my word to the expressions of many others of my colleagues praising our leadership during this session of the Congress. Senator JOHNSON of Texas, as majority leader, and our own Senator KNOWLAND, as minority leader, both did outstanding jobs in coordinating our programs and working together in their leadership to carry out the main objectives of the President's program. Both exhibited real statesmanship and the kind of leadership that this great body needs and benefits from.

The 85th Congress, in my judgment, will go down as an outstanding, positive Congress of real accomplishments. In large measure, its greatest accomplishments resulted from a spirit of bipartisan cooperation. In the Senate, as I stated above, both Majority Leader JOHNSON and Minority Leader KNOWLAND worked tirelessly to achieve this record of effective bipartisanship, which realized most of the legislative goals set forth by President Eisenhower as critical for national security and world peace.

The 85th Congress, particularly its 2d session, met under the heavy pressure of crisis: The Communist strategy for world conquest had developed a total cold war—a full-scale offensive in the political, economic, and cultural spheres, involving the total commitment of science and technology, education, industry, and all the vast resources at the command of its totalitarian system.

In the face of this challenge Congress provided the machinery to meet our immediate security needs. Much must still be done, however, if we are to meet the greater challenge which lies in the years ahead. We must not only meet the Russian threat, we must counter it, and we must lay the groundwork for lasting world peace.

I have no intention of reviewing the legislative history of the past session at this time. Senators JOHNSON and KNOWLAND have already done this with clarity and in great detail in their majority and minority reports on the 85th Congress. I shall only attempt here to list some of the most important accomplishments and failures from my own viewpoint as a member of the Committee on Foreign Relations and the Committee on Labor and Public Welfare, both of which were closely concerned with much of the important legislation to come before this Congress.

I

In the field of foreign relations and national defense, I would note particularly:

(a) The passage of the Mutual Security Authorization Act which conformed closely to the President's recommendations. It was unfortunate that at the last moment the appropriation for this operation was severely cut, but this matter can be remedied if necessary in the early part of the 86th Congress.

(b) Reciprocal trade. Congress headed off an attempt to destroy this policy and passed an unprecedented 4-year extension of the Trade Agreements Act. In the legislation care was taken to protect the American economy and our domestic industries by a further development of the peril-point principle and an ultimate participation by the Congress in case of dangerous warning signals by the Tariff Commission.

(c) Defense reorganization. A sound law in line with the President's recommendations established the Secretary of Defense as the real operational head of the Pentagon and streamlined his command structure to prevent overlaps and conflicts.

(d) A promising science and education bill aimed to strengthen our educational system in the interest of national security was enacted. This was the first Feedral education bill that has been passed by the Congress for many years. The fundamental responsibilities of the States to determine their educational policies is strongly emphasized. It provides for student loans and equipment in the schools, especially for the development of scientific research. A companion bill increases the budget for the National Science Foundation for research.

(e) The Middle East resolution. Under the dynamic leadership of the President and Secretary Dulles early in the 1st session of the 85th Congress, the Congress adopted a joint resolution to promote peace and stability in the Middle East. This has come to be known as the Middle East Resolution. In effect, it supports the independence of the Middle East and authorizes the President to undertake in the general area military assistance programs with any nation or group of nations desiring such assistance. It provides further "if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any such nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism."

(f) Space agency. The Congress acted rapidly on the President's request to create a strong space agency in charge of space exploration.

II

On the domestic front.

(a) Farm policy. After prolonged and continued debate throughout the session a new farm law was passed which cut down the existing incentives to produce surpluses. This was a real victory for the administration, and especially for Secretary Benson's policies.

(b) This Congress established two outstanding landmarks. For the first time since the Civil War it was possible to pass a civil-rights bill with the full cooperation of both sides of the aisle. This bill insures the most basic of all civil rights. It protects the right to vote to all our citizens in all our States without regard to race, creed, or color.

The other outstanding event was the granting of statehood to Alaska, which added another State to the Union for the first time since 1912. I regret the failure of the Democratic leadership to recognize Hawaii's equally deserving case for statehood. I hope this omission will be speedily corrected by the 86th Congress.

(c) It should be noted that the Congress established another landmark by passing one of the primary goals of the Second Hoover Commission revising the budgeting and accounting system and providing for greater Congressional control over expenditures.

It is to be regretted that no other recommendations of the Hoover Commission requiring legislative action were passed in this Congress and here again we have need in the 86th Congress to consider again the remaining recommendations.

A disappointing failure of this Congress was its refusal to enact a labor reform bill, although some small progress was made in the specific problem of employee pension and welfare funds. The truly pressing and challenging problems of racketeering, abuses of union officials, and perversion of democratic procedures remain untouched.

In light of the widespread public indignation over the disclosures of the McClellan committee; its legislative recommendations; the President's 1958 program of labor reform and the extensive hearings by the Subcommittee on Labor of the Committee on Labor and Public Welfare, it is incredible that this Congress failed to pass appropriate legislation. We must have legislation to protect the basic rights and interests of union members from the corrupt labor leaders whose activities have cast a shadow over the integrity of all organized labor. This is a matter of great concern to all our people and to allow this clearly recognized moral problem to remain without remedy is a reflection on our democratic processes. In my judgment, adequate and prompt labor reform legislation should be given top priority when the 86th Congress convenes.

In conclusion, as this is my last year in the United States Senate, and as I look back over the 14 wonderful years of my participation here, there are certain deep convictions that stand out. My experience tells me that the real approach to human understanding between individuals in our country generally and in our relations with the other countries of the world, must be built upon the fundamentals of our Christian faith. The greatest Teacher of all time 2,000 years ago dramatized the sacredness of the individual and the significance of what we mean by "neighbor."

The freedom of the individual human being is a great challenge in the world today. The previous pattern of history has been one of external controls of the strong over the weak, but throughout history we find that the continual quest of man has been to be free from these external controls. The big world issue then is between communistic, atheistic totalitarianism which suppresses the individual and freedom of the individual under the guidance of God.

Our forefathers brought this concept to the new world.

We are challenged to preserve this precious heritage and to demonstrate its eternal truth if we are to find lasting peace among all nations.

Stopping the Flow of Obscene Literature Through Tougher Penalties for Violators

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. COLLIER. Mr. Speaker, among the most important of the so-called minor legislation passed by this Congress is the bill to halt the flow and distribution of obscene literature.

Under previous laws, the purveyors of this filth could be prosecuted only in their home locale where, frequently, too much leniency was provided for them. Now, however, these men can be prosecuted either in the area where the obscene literature was actually sold or even in some area through which it was transported.

The penalty for selling or sending this material to any youngster under the age of nineteen is a maximum of 10 years in jail or a fine of $10,000 or both.

Mr. Speaker, I have contacted the Department of Justice and have been informed of the best methods for parents harassed by this problem to get proper and adequate satisfaction. I have been advised that the best method is for any parents so troubled to contact either their local postmaster or their local FBI agents. In this, I believe it would be wise for parents to contact both since there is a split jurisdiction. It also might be wise for them to follow the matter up with a more formal complaint to their local United States attorney who will eventually have to handle the problem.

It has given me great pleasure to watch this bill become law. It is a problem that has plagued many of our fine citizens. It is a problem which teachers and parents alike have recognized as one that is growing worse by the year. I have high hopes that this bill will go a long way toward solving it.

Report of the Board of Visitors to the United States Coast Guard Academy, New London, Conn., May 2, 1958

EXTENSION OF REMARKS
OF
HON. WILLIAM A. PURTELL
OF CONNECTICUT
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. PURTELL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the report of the Board of Visitors to the United States Coast Guard Academy, New London, Conn., May 2, 1958.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY, NEW LONDON, CONN., MAY 2, 1958

The PRESIDENT OF THE SENATE.
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: Pursuant to section 194 of title 14 of the United States Code, the following Senators and Members of the House of Representatives were designated to constitute the 1958 Board of Visitors to the United States Coast Guard Academy:

By the President of the Senate: Senator PRESCOTT BUSH, Republican, Connecticut.

By the chairman of the Senate Committee on Interstate and Foreign Commerce: Senator JOHN O. PASTORE, Democrat, Rhode Island; Senator WILLIAM A. PURTELL, Republican, Connecticut.

By the Speaker of the House of Representatives: Representative J. VAUGHAN GARY, Democrat, Virginia; Representative WILLIAM B. WIDNALL, Republican, New Jersey.

By the chairman, House Committee on Merchant Marine and Fisheries: Representative THOMAS L. ASHLEY, Democrat, Ohio; Representative EDWARD A. GARMATZ, Democrat, Maryland; Representative WILLIAM S. MAILLIARD, Republican, California.

Ex officio members: Senator WARREN A. MAGNUSON, Democrat, Washington, chairman, Senate Committee on Interstate and Foreign Commerce); Representative HERBERT C. BONNER, Democrat, North Carolina (chairman, House Committee on Merchant Marine and Fisheries).

A meeting of the Board of Visitors was held at the Academy on May 2, 1958. The following members of the Board were present: Senator WILLIAM A. PURTELL, Republican, of Connecticut; Representative J. VAUGHAN GARY, Democrat, of Virginia; Representative WILLIAM B. WIDNALL, Republican, of New Jersey; Representative WILLIAM S. MAILLIARD, Republican, of California; Representative EDWARD A. GARMATZ, Democrat, of Maryland.

The following officials of the United States Coast Guard were also present from headquarters: Vice Adm. A. C. Richmond, Commandant; Rear Adm. R. M. Ross, Chief of the Office of Personnel; Capt. G. R. Boyce, Jr., Chief of the Personnel Training and Procurement Division: and Capt. David O. Reed, liaison officer; from the Academy, Rear Adm. F. A. Leamy, Superintendent; and Capt. G. M. Phannemiller, Assistant Superintendent.

Inspection tour of ground and buildings

Upon arrival of the Board at the Academy, the customary honors were rendered. Senator WILLIAM A. PURTELL inspected the cadet corps, and the battalion passed in review before the members of the Board. Accompanied by the Superintendent of the Academy and members of his staff, the Board then had luncheon with the corps of cadets.

Meeting of the Board

The Board members were joined by Admiral Richmond, Admiral Leamy, Admiral Ross, Captain Phannemiller, and Captain Boyce in formal session. Senator PURTELL was unanimously elected Chairman of the Board, with Representative GARY to serve as Chairman pro tempore upon Senator PURTELL's departure.

GENERAL COMMENTS

The Superintendent of the Academy presented his formal report to the Board, giving the background and history of the Academy, the functions and requirements for admission, the curriculum and the status of accreditation, the staff, and the physical plant, together with proposed improvements and additional needs.

Changes in program

The composition of the student body at the Academy was discussed. The main group consists of the cadet corps of approximately 600, who participate in the 4-year course. In addition, the officer indoctrination school conducts throughout the year both the merchant marine officer indoctrination and the officer candidate program for college graduates and selected enlisted men of the Coast Guard.

The increasing size of the cadet corps has necessitated limiting the long summer cruise to the first and third classes. Only two of the Coast Guard cutters can be diverted from operational commitments of the Coast Guard to accompany the sailing ship *Eagle* on the 10-week cruise. The second class will have its concentrated small-arms training, its combat-readiness training, and its aviation indoctrination at Marine Corps, Navy, and Coast Guard facilities and will proceed on a short 3-week cruise aboard the practice squadron ships at the end of the summer. The new class entering in July will have completed its preliminary indoctrination at the Academy and will embark with the second class for the 3-week cruise.

The compulsory physical education program is designed to maintain the cadets in top physical condition, to improve posture, and develop coordination in the newly appointed cadets, and to teach leadership and organization of sports programs for the soon-to-be-commissioned ensigns. The staff of the commandant of cadets now includes a company officer for each of the four companies. They have been instrumental in increased athletic competition among the cadet corps and in detecting weaknesses in the cadets and assisting and counseling them in adjustments to Academy life and routine. The assignment of a well-trained hostess or social director to indoctrinate the cadet corps in social conduct and behavior is under consideration.

Other facilities

The functions of and facilities available in the library, the chapel, and the Academy hospital were presented by the Superintendent.

Buildings and grounds

The Superintendent reported on the buildings and grounds and pointed out various improvements noted on our inspection tour, such as the filling in of the lower field, which has provided additional playing area for increased athletic activity, the additional showers in the gymnasium also needed for this activity, and the new boiler plant, which has resulted in reduced fuel consumption and maintenance costs.

The Superintendent then reported on prospective improvements, the main one being the replacement by permanent fireproof quarters of the wooden barracks now occupied by one-third of the cadet corps. The Superintendent expressed his gratitude to the Members of the Senate and House who by floor amendment added the specific replacement cost, as a special item in the 1959 appropriation bill. The plan for an extension to Chase Hall which will include 150 additional rooms for the cadet corps has been submitted to the architect-engineer for implementation. The total plan includes necessary changes in the messhall facilities and also provides additional recreation halls within the proposed addition. The Superintendent reported that groundbreaking ceremonies are tentatively scheduled for September 1958 and the goal for occupancy has been set for September 1959.

The Superintendent then discussed the physical deterioration of the plant, since maintenance funds were inadequate for the numerous projects involved, and allowed little or no replacement activity. The members of the committee agreed that very often a penny-wise, pound-foolish policy resulted from appropriation of inadequate funds to permit early replacement rather than costly and excessive maintenance expenditures followed by eventual replacement of obsolescent buildings and equipment.

The following major needs were presented by the Superintendent:

Officer candidate and merchant marine indoctrination school

Replacement of wooden barracks, in which these students are quartered. Approximately 400 officer candidates are trained annually, together with 100 officers for Coast Guard indoctrination and merchant marine inspection duties.

Cadet classroom facilities

Rearrangement of present facilities to provide adequate classroom space for enlarged cadet corps.

Auditorium

This, too, presents a fire hazard, since it is a wooden structure and inadequate for the present size of the cadet corps.

Cadet recreation building

Another wooden building which needs replacement, both from a standpoint of its fire hazard potential and its lack of space to handle all cadet and officer student activities.

Fieldhouse

The cadet corps has outgrown the wooden fieldhouse constructed during World War II. An enlarged permanent fieldhouse is needed to eliminate excessive maintenance costs.

Main dock and causeway

Deterioration of these structures makes it impossible to truck material aboard the *Eagle*. A proper facility would save in maintenance costs and extra labor and insure the safety of personnel using the dock.

Grandstand

A new permanent grandstand is needed to replace the wooden structure, which must be repaired annually at an ever-increasing cost, without adequate assurance as to the safety of the structure.

Additional playing fields

To provide additional playing fields, filling of the waterfront area from dredging operations in the Thames is proposed. This would require permanent bulkheading.

Main gate

Relocation of the main gate is necessary to avoid dangerous traffic conditions.

Academy garage

This is no longer adequate to house the fire fighting equipment and Academy bus, and a new maintenance department building is needed.

Family quarters

No quarters have been constructed at the Academy since 1932. Additional quarters are needed to house at least the heads of departments on the Academy reservation.

Superintendent's quarters

The present quarters are inadequate for official entertaining and need to be enlarged.

Cadet attrition

The committee reviewed the relative costs for the 4-year period at the Academy, and noted that the attrition was higher than at other military academies. This may be attributed to the fact that the engineering curriculum and the accreditation by Engineers Council for Professional Development has demanded a higher scholastic achievement from Coast Guard cadets. It was noted that the accreditation by ECPD had been relinquished and the Academy has attuned its curriculum to meet the objectives and mission of the Academy; namely, to provide commissioned officers for Coast Guard service. The increasing number of applicants participating in the competitive entrance examination each year is providing a higher cutoff point for selection. It is expected that this, together with the addition of company commissioned officers as advisers and guidance personnel, will reduce attrition to a more acceptable level.

Cadet personal funds

The matter of cadet funds was discussed. The cadet now deposits $100 upon entrance and receives pay and allowances of $113 per month, with $1.35 a day for rations. After deduction of social security and income tax, and payment for books, uniforms, etc., the average cadet has only $115.80 available upon graduation. Tentative proposals have been made to increase the deposit to $300, which is now the permissible maximum at West Point and the Air Force Academy.

The Board met in private session with the principal battalion officers of the corps of cadets and the class president, without the presence of officials of the Coast Guard. The Board was impressed with the character and caliber of the members of the cadet corps and the excellent spirit and high morale of the cadets.

SPECIFIC RECOMMENDATIONS

1. That the Board express on the record its concern at the continued existence and use

of World War II wooden buildings for various activities of the Coast Guard Academy, and at the excessive maintenance costs which are incurred to keep these buildings in habitable condition when immediate replacement would result in long-range monetary savings and eliminate hazardous occupancy.

2. That an order of priority be established for the projects listed by the Academy Superintendent as vitally needed improvements. The Board and the Superintendent are in agreement that primary emphasis must be placed on the elimination of fire hazards, particularly in those buildings occupied by Coast Guard personnel as sleeping quarters.

3. The Board submits the following priorities:

(a) Replacement of deteriorated temporary World War II wooden structures: These buildings are old wooden structures that are dangerous to personnel, extremely costly to keep in repair and near the end of their existence. Replacement buildings would provide for the following in order of priority:

I. Barracks, classroom, and administration building for the officer indoctrination school.

II. Auditorium for the whole Academy.

III. Student activity building.

IV. Fieldhouse.

(b) Extension of classroom space: While this does not involve dangers to personnel, the project is necessary to provide an adequate number of recitation and laboratory rooms to accommodate an increased enrollment of 600 cadets.

(c) Renewal of necessary structures which will be dangerous to personnel and equipment, if not repaired:

I. Wooden grandstand at Jones Field.

II. Dock and causeway.

(d) Items that are required for the proper operation of the Academy:

I. Provide additional playing-field areas necessary for the development of the physical education program for the encouragement and supervised participation by all cadets in athletic activities and contests of their choice.

II. Alteration of main gate to eliminate traffic hazard.

III. Construction of a maintenance department building to provide necessary space for maintenance and repair shops, storerooms, maintenance offices, garaging and servicing of vehicles and equipment. Construction of this facility will release space in the engineering instruction building now occupied by the maintenance department. The space released will be utilized for the necessary extension of classroom space (item (b), above).

IV. Additional family quarters.

V. Adequate quarters for the Superintendent.

4. That the replacement of the barracks for the cadet corps reported by this Board last year is in process under a specific mandate in the 1959 appropriation for the Coast Guard, and that similar action be recommended to Congress to eliminate the hazardous structures listed above, in accordance with the order of priority established by this Board, unless funds for the replacements are included within the appropriation request ceilings.

CONCLUSION

The Board commends the Superintendent, Rear Adm. F. A. Leamy, and his staff for their efforts in maintaining the high standards of this institution and the excellent caliber of the Cadet Corps.

The Board wishes to extend its thanks to Vice Adm. A. C. Richmond, Commandant; Rear Adm. R. M. Ross, Chief of the Office of Personnel; Capt. G. R. Boyce, Jr., Chief of the Personnel Training and Procurement Division; and Capt. David O. Reed, liaison officer, for the assistance rendered by them. The Chairman and members of the Board wish to express their appreciation to the battalion officers, class presidents, and other members of the cadet corps for their very helpful assistance to the Board in expressing their views on the functioning of the Academy.

The Board earnestly recommends to all Members of the Senate and House of Representatives that they assist in every way possible in bringing the Coast Guard Academy to the attention of eligible candidates, and urging their constituents to participate in the nationwide competitive examination to be held on February 24 and 25, 1959.

The Board urges all Members of the Senate and House of Representatives and particularly the members of the Merchant Marine and Fisheries Committee and the Senate Committee on Interstate and Foreign Commerce to visit the Academy, inspect its grounds and buildings, classrooms, and laboratories and judge for themselves its facilities and needs.

WILLIAM A. PURTELL, *Chairman.*
J. VAUGHAN GARY.
EDWARD A. GARMATZ.
WILLIAM S. MAILLIARD.
WILLIAM B. WIDNALL.

Report on the 85th Congress

EXTENSION OF REMARKS
OF
HON. LUDWIG TELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. TELLER. Mr. Speaker, the 85th Congress, which passed the first general civil-rights law in three-quarters of a century, made substantial contributions to the Nation's well-being.

Many observers have expressed the view that our 85th Congress was a great Congress, a view which finds support in three of its main characteristics: It took the initiative and met major issues head on, it surmounted many fast-moving events both in our domestic affairs and in our international relations, and it kept partisan politics to a minimum. A spirit of constructive compromise, a forward-looking willingness to accept our historic responsibilities as a dominant world power, and an awareness of the sectional problems of our great Nation—all these gave vigor and balance to the legislative processes of our 85th Congress.

Civil rights was, of course, one of our major accomplishments. Among the other outstanding legislative accomplishments were reciprocal international trade, Alaska statehood, reorganization of our Defense Department to make it a more efficient instrument of national protection, creation of a space agency for peaceful exploration of outer space.

We increased social-security benefits as an expression of our constant responsibilities toward our senior citizens.

We established for the first time a system of Federal aid for higher education, a modest program—but at least a beginning which provides loans and postgraduate fellowships for higher education in mathematics, science, and modern languages.

We made significant contributions toward helping small- and medium-sized business, by making the Small Business Administration a permanent agency of the Federal Government, and by establishing so-called capital banks for making long-term loans to small- and medium-sized businesses. Special tax advantages were also given to small- and medium-sized businesses. We still face the problems of monopoly and bigness in business, however, and the next Congress will have to do something to halt the ever-increasing mergers and consolidations of businesses which have the effect of reducing competition and thinning the ranks of our independent middle class.

We passed a highway-aid bill for expanding our Interstate Highway System, and regulated billboard advertising along new stretches of interstate highways.

In the interest of economy and efficiency in government operation, we adopted a program of annual budgeting from which huge savings will result in future years.

I do not wish, of course, to be understood as saying that partisanship played no role in the workings of our 85th Congress. Our two-party system would lack vitality if there were an absence of differences over human values which have brought our Nation and its people forward in the programing of things which have to be done in the public interest.

I do not believe that President Eisenhower established sufficient liaison with the Democratic Members of the Congress, and many expert observers have justifiably complained that the President failed in too many instances to influence and lead the members of his own party in the Congress. I think it is fair to say that partly because of the failure of Executive leadership, the task of leading the Nation during the past 2 years fell primarily to the Congress, which was obliged not only to carry through but to initiate those significant subjects of legislation which have prompted many persons to speak well of our 85th Congress.

Here are some of the other issues we faced and tried to meet in the 85th Congress:

ANTIRECESSION; INFLATION

In wrestling with the recent recession, the Congress was faced with the obligation of providing increased unemployment insurance benefits, and opportunities for greater capital investment and necessary expenditures to restore confidence in the Nation's economy.

Much of the antirecession legislation will have lasting value. Some of the antirecession laws adopted by the 85th Congress satisfy neither those who desired greater expenditures nor those who opposed any expenditures at all. Our choice, therefore, was whether to go along with a program which had some value at least, or to see a more ambitious program defeated.

Our problems were complicated, moreover, by the persistence of inflation in the face of large-scale unemployment which followed the slowdown in production. I think we learned that juggling interest rates and making credit harder to get are not necessarily good cures for signs of recession, and hurt small- and medium-sized businesses without com-

ing to grips either with the problem of inflation or the essential responsibility for maintaining confidence in the Nation's economy. The pay raises we gave to military, civil service, and postal employees were no more than modest, having regard for the increased cost of living.

What we need, it seems to me, is a recasting of the Employment Act of 1946 so as to coordinate Government credit and employment responsibilities. The need is for long-range planning which would inspire confidence in the economy, thereby avoiding or at least cutting down on the necessity for costly and inefficient emergency measures which may do more to feed inflation than to solve production slowdowns or unemployment.

The aim should be to make our essentially free-enterprise system work, because only in this way can we preserve our free society and our cherished civil liberties. When emergency measures are taken in the face of a deepening recession, the result is often aimless spending which does not take effect until after the recession is over. This kind of spending is more apt to be inflationary than to solve the problems which existed when the spending was authorized. A balanced budget, which we all want, is difficult to maintain in these circumstances.

PEACE AND NATIONAL SECURITY

The Russian sputniks shook our complacency in the field of science, no less than the Suez crisis taxed our foreign policy in the field of diplomacy. We have learned—what we should have known all along—that our Nation's security and international peace cannot be fragmentized; the reciprocal-trade law which the 85th Congress adopted is no less important a part of our mutual-security program than foreign aid in helping to keep the peace.

Some persons have the impression that our foreign-aid program is nothing more than a vast and purposeless giveaway. This program consists of three main parts: First, military assistance; second, defense support; third, technical and economic assistance. The first two account for most of the money; they are expenditures for the upkeep of foreign bases which we maintain for our own defense. The third, technical economic assistance, is a relatively small part of the program which operates essentially in our own interests as a world power and helps in the overall maintenance of international peace.

The National Aeronautics and Space Act of 1958 is a significant step in the right direction. This act establishes a space-age procedure for maintaining our preeminence in the science of outer space. Who controls outer space may control the world. We cannot shrink from the complications of the space age. The new space law is dedicated to the use of outer space for peaceful purposes and to fortification of the national defense.

The possibility of nuclear war is too awful to contemplate, and all efforts should be made for international agreement to suspend testing of atomic and hydrogen bombs. Now that scientists have agreed that detection of such testing is possible, there is greater reason for believing that such an agreement can be policed. If such an agreement can be made, the nations of the world would be free to pursue the startling advantages which we now know can come from the peaceful uses of atomic energy.

We missed a great opportunity in the Suez crisis to use our influence and prestige for establishing peace in the Middle East. Instead we humiliated our great allies, Britain and France, and our staunch friend in the Middle East, Israel. The Eisenhower doctrine for the Middle East has proven insufficient. It is questionable whether our intervention in Lebanon was desirable either as to time or place, and whether it was a proper step in combating the international Communist conspiracy.

EDUCATION

Federal aid for local elementary and secondary school construction failed of enactment, partly because President Eisenhower refused to support it, partly also because of the baseless view held by some that Federal interference with local education would result. This is one of the things which ought to be tackled promptly by the 86th Congress, which is scheduled to convene on January 7, 1959.

We did, however, succeed in enacting a program of Federal aid for higher education in the fields of science, mathematics, and modern foreign languages. While the program adopted is a modest one, it is at least a beginning—the first measure of its kind to be adopted by the Federal Government.

It is clear that education is a national asset, and in the present world situation it is a national responsibility. Expanding Federal aid for education is a clear responsibility of the Congress.

LABOR-MANAGEMENT RELATIONS

I am naturally gratified that my bill to compel disclosure of private welfare benefit and pension plans was enacted into law. Millions of employee beneficiaries will be enabled for the first time to obtain information regarding the financial operation of the plans or trust funds upon which they rely for protection against the consequences of accident, illness, retirement, and death.

The Kennedy-Ives labor reform bill was defeated. I voted for it. The 86th Congress ought to make labor-management reform one of its first orders of business. One of the reasons for the defeat of the Kennedy-Ives bill was that it did not limit itself to labor-management reform but extended to controversial labor policy subjects such as Taft-Hartley amendments. In the next Congress, reform in such fields as trade-union democracy and protection of union funds will probably have to be separated from other highly controversial labor-management policy questions.

Our free private system of union-management relations ought not to be made a political football. Accordingly I introduced a proposed joint resolution for establishing a bipartisan House-Senate Committee on Union-Management Relations. The joint committee would have value in working out professional approaches to the delicate problems which arise in the field of collective bargaining and would discourage at least some of the politically inspired proposals which, if adopted, might do great harm to industrial peace.

LOOKING AHEAD

The forthcoming 86th Congress will meet next year in an atmosphere of urgency, for our foreign policy is in need of substantial improvement and much remains to be done in our domestic affairs. For example, little was done in the 85th Congress to remedy our unfair immigration laws. Necessary housing legislation failed to pass. These and other things left undone point up the continuing responsibility of the Congress for the welfare of our Nation.

Respect for our traditions of constitutional government enabled our 85th Congress to defeat ill-conceived proposals which sought to overturn important civil liberties decisions of the Supreme Court of the United States. It is my hope that the forthcoming 86th Congress will again stand fast. Whether the issue be school desegregation in the South or the rights of accused persons to a fair trial anywhere, we belie our professed belief in the dignity of the individual when we fail to safeguard it against assaults from whatever source.

The 85th Congress was in the main a constructive Congress, and I am deeply thankful for the opportunity and privilege of having participated as one of its Members.

The Airlines and the United Nations

EXTENSION OF REMARKS
OF
HON. RICHARD E. LANKFORD
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. LANKFORD. Mr. Speaker, most Americans agree that, until some better means comes along, the United Nations is our best hope for preservation of peace throughout the world. But the United Nations, Mr. Speaker, can be only as strong as the attitude the public holds toward it. Public opinion, if informed and aroused, can be one of the greatest forces in the world. That is why it is most encouraging to learn that the United States Committee for the United Nations has under way a program to enlist the support of all people behind the U. N. through American industry.

I recently had the pleasure of discussing this program with Mr. Roger Enloe, director of the committee's industry-participation division, and Maj. Gen. John P. Doyle, USAF (retired), executive director of the Independent Airlines Association, which is coordinating participation of its 23 member airlines in the program. From what I learned, Mr. Speaker, it is obvious that American industry is rallying behind the program in a most heartening and highly commendable manner. Since too little is known about the ways private industry and business enterprises are actively supporting the United Nations, I would like to share

with my colleagues what I learned from Mr. Enloe and Major General Doyle.

The airlines program, Mr. Speaker, as outlined by Major General Doyle, calls for the U. N. symbol, modified by adding the initials "U. N." and the affirmation "We Believe," to be affixed to the entire fleet of over 100 airplanes operated by the association's member airlines. It will be placed just beside the passenger entrance where it will be in clear view of air travelers as they go aboard.

Passengers will be given a pamphlet entitled, "The Airlines and the United Nations" which explains that the airlines are placing the U. N. emblem on their planes as a visible demonstration of their belief in the principles and purposes of the United Nations as set forth in the preamble to the charter.

It expresses the airlines' hope that the traveling public will also share their desire to support the United Nations as an indispensable instrument of peace and justice.

The brochure gives the preamble to the U. N. Charter and contains significant quotations from President Eisenhower, former President Truman, and Henry Cabot Lodge, Jr., United States Ambassador to the U. N. It adds that information on how the reader may take part may be obtained from the United States Committee for the United Nations at 375 Park Avenue, New York.

Here, in his own words, is the way Major General Doyle explained his industry's reasons for taking part in the program:

It is the hope of our member airlines, who have served the Nation in time of war and in time of peace, that such a public reaffirmation of their belief in the principles of the United Nations might be a positive contribution toward lasting peace. The members of the Independent Airlines Association fully recognize that the best hope for preservation of peace and security throughout the world lies in the promotion of international understanding and good will. They further recognize that until something better comes along, the United Nations is and must continue to be the most potent force toward this objective. The policy of the United States Government is to strengthen the United Nations. We are supporting our Nation's policy. Our member carriers welcome this chance to use their proven wartime energy and genius in the pursuit of peace.

Mr. Enloe pointed out that the idea of airlines demonstrating support of the United Nations was conceived by Capt. Charles C. Dent on a flight from Denver to New York when he, his copilot, Richard Munger, and his flight engineer, James Dunn, were reminiscing about their war experiences and were wondering what they could do as individuals to promote world peace. The three enthusiastic airmen encountered such a favorable response when they discussed their idea with other airline people that they decided to approach the United States committee.

Captain Dent received a $5,500 bonus for a skillful and safe landing of a crippled plane at Los Angeles which he donated to the United States committee to help promote the program. The committee then established a new division—the industry participation division—whose function is to develop and administer a program for the extension of the idea to all branches of industry and commerce.

Mr. Enloe told me that in addition to the member carriers of the Independent Airlines Association, 15 other commercial airline companies have expressed a positive interest in participating, and a number of business firms are placing the emblem on their corporate aircraft.

He also informed me that permission to use the modified U. N. emblem was originally granted in connection with the air transport industry, but recently the United Nations has given his committee authority to extend the use of the modified emblem to all branches of industry and commerce. Some of the other uses of the symbol as outlined by Mr. Enloe are: Business firms and professional men are placing the emblem on their letterheads. A jewelry manufacturer is planning to place it in his national ads. Over 10,000 retail stores across the country will feature the program in February. A chain of theaters will frame the emblem and hang it in their box office and lobbies. Another firm is using it in its postage meter.

It is the hope of the United States committee, Mr. Speaker, that just as the Army-Navy "E" flag in World War II identified a company with the war effort, so will the modified U. N. symbol identify firms and groups with the effort for peace being made through the United Nations.

The United States committee and the industries and businesses associated in this program, Mr. Speaker, deserve the highest praise for their efforts in behalf of world peace and security.

Testimony of the Honorable John D. Dingell, of Michigan, on Behalf of Further Civil Rights Legislation Before the House Judiciary Committee

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. DINGELL. Mr. Speaker, on July 7, 1958, I testified before the House Judiciary Subcommittee No. 5 urging enactment of additional civil rights legislation.

I am proud of H. R. 6127, the first civil rights bill passed by any Congress in over eight long decades. I was a sponsor of that legislation and took an active and vigorous part in the cooperative effort which began in the 84th Congress and which culminated in its enactment into law during this 85th Congress.

The one premise which is the very cornerstone of our democracy is that all men are created equal. A necessary corrolative of that is the premise that all citizens have a right to enjoy equally the rights and privileges of citizenship.

Enactment of H. R. 6127 was a great milestone in human rights. Although moderate, it does a number of things most necessary in the fight for full equality.

First. It establishes a Civil Rights Division within the Department of Justice headed by an Assistant Attorney General, a Cabinet officer, charged with the responsibility of enforcing existing civil rights legislation.

Second. It establishes a Civil Rights Commission to study and to report on denial of the right to vote because of race, color, or national origin.

Third. It provides that the Attorney General shall seek injunctive relief on behalf of citizens denied the right to vote. Such proceedings will culminate in the use of the courts' contempt power, and where necessary, appropriate punishment.

In my testimony before the House Judiciary Committee, I pointed out that the passage of my bill, H. R. 9052, to authorize the Attorney General to institute in the name of the United States civil actions for injunctive or other relief on behalf of persons whose civil rights, other than the right to vote, are being denied or impaired, was not only a moderate second step but was imperative. I also urged passage of my bills, H. R. 140, 141, 143, and 144, the first civil rights measures introduced during the 85th Congress.

I intend to continue to do everything possible by introduction of legislation, by cooperative efforts with other Members of Congress, and by work on the floor, to see that the provisions of these bills become law at the earliest possible date.

I ask unanimous consent to include in the RECORD at this point my remarks before the House Judiciary Committee.

The remarks follow:

TESTIMONY OF HON. JOHN D. DINGELL, DEMOCRAT OF THE 15TH DISTRICT OF MICHIGAN, BEFORE SUBCOMMITTEE NO. 5 OF THE HOUSE COMMITTEE ON THE JUDICIARY

Mr. Chairman, and my colleagues, it is both an honor and a pleasure to appear before you again, to testify on pending civil-rights legislation.

I would like to commend my dear friend, the chairman, one of the foremost civil libertarians of our time, and the committee for their outstanding part in the passage of H. R. 6127, the first civil rights act passed by any Congress in over eight long decades. I am proud of that bill and of my part in the cooperative effort which resulted in its passage.

We are learning from that bill, a most moderate and temperate first step forward, that Federal action in the field of civil rights is most worthwhile, and is neither disruptive of the power of our States, nor is it destructive of civil harmony, as we were warned in the direct terms by the opponents of H. R. 6127.

I will bottom my statement on the self-evident premise that it is the duty of the governments, both State and Federal, to take all steps necessary to protect to the fullest degree possible the rights and liberties of all our citizens, white, brown, Catholic, Protestant, Jewish, or atheist, regardless of nation of origin.

All of us are aware of the great words in the documents of the Founding Fathers, that all men are created equal. We are equally aware of the fact that the Holy Bible states that man is created in the image and likeness of God, and that when all of us go to our last judgment, we will be judged as children of God, and sent to our reward or punishment not according to the color of our skin, but according to our works here on earth.

In spite of the awareness of these great truths, we find that in all parts of our great land, north, south, east and west, discrimination against our fellow men still stains the society of the finest democracy in history.

I do not contend that passage of the last Civil Rights Act, H. R. 6127, or of any of my pending bills, even the most comprehensive bill, H. R. 140, would remove these vicious practices from our midst. I realize, as do all thinking men, that the end of discrimination must come from within the hearts and souls of our peoples.

We must not, however, forget the vital function served by the enactment of adequate civil-rights legislation. Such legislation helps to create the climate of lawful and orderly progress toward that great goal which we all seek, full equality and opportunity for all our people. It punishes wrongdoers and removes the premium on virtue. Laws passed pursuant to the authority of the Constitution on this subject put teeth in the lofty sentiments expressed in that great document and compel compliance with minimum standards of conduct toward our fellow men.

No one would contend that even the strongest civil-rights legislation would prevent some denial of these rights to our citizens. Yet, we legislators have passed and enthusiastically supported legislation against homicide, crimes of violence, crimes against property, and other conduct viewed by our society as against the interests of our people. Surely no one would urge repeal of such statutes simply because we read in the papers of these same crimes each day.

Basically we are a law-abiding people, with a tremendous respect for law. Our laws create the social climate in which we live; they are both enunciative of our morals and beliefs, and creative of our mores and customs.

Accordingly, it is in the best interests of all our people that we should make the necessary strengthening amendments to our existing civil rights statutes.

It is within the context of this thought that I would like to discuss and urge early and favorable consideration of any or all of my bills on this subject.

In so doing I would point out the appropriateness of these bills to the tension, strife, ill feeling, and abuses occurring now in Dawson, Ga., and Little Rock, Ark., among other places. The right to belong to the quasi-official District of Columbia Bar Association is denied citizens because of race or color in our own Nation's Capital, and violence and discrimination exist in cities in the North.

To follow passage of the splendid bill, H. R. 6127, enacted into law by this Congress, I urge a second step, most moderate and yet most necessary. That is my bill, H. R. 9052. This bill authorizes the Attorney General to institute in the name of the United States civil actions for injunctive or other relief on behalf of persons whose civil rights are being denied or impaired.

This was a part of the civil-rights bill passed this session, but was stricken at an early stage by a weakening amendment. My bill creates no new crimes, but imposes on the Attorney General the obligation of taking reasonably necessary steps to protect all the civil rights of our citizens, instead of only the right to vote, now provided by enactment of H. R. 6127. Thus the courts receive opportunity and authority to assist in the difficult problems of protecting our people's rights. If wrongdoers in this field are so recalcitrant as to refuse to comply with lawful court order they may be punished for contempt, both civil and criminal, to enforce compliance.

I also urge favorable consideration of my other bills on civil rights. These were the first bills introduced on this subject this session and are:

H. R. 140

This is an omnibus civil-rights bill, outlawing lynching, discrimination in voting, housing, employment, and education, and creating a Federal Fair Employment Practices Commission with full enforcement powers. This measure also outlaws the poll tax in Federal elections.

H. R. 141

This is a simple measure outlawing the payment of poll tax as a prerequisite for voting in a Federal election.

H. R. 143

This bill outlaws lynching, that is the act of committing violence or murder on a citizen because of race, creed, color, or national origin.

H. R. 144

This is my Federal fair employment practices bill. It includes the establishment of a Federal Fair Employment Practices Commission, outlawing discrimination in hiring because of race or color, and provides for vigorous and adequate enforcement powers. This bill is quite similar to bills now in force in many of our States, where they are working very well, with good reception from workers, employers, and the public at large.

Members of the committee will no douot notice that I did not mention H. R. 142, which provides for the creation of a civil-rights division in the Department of Justice, to be headed by an Assistant Attorney General. It is unnecessary to state that I am as pleased as other Members that this provision is now law, since it was included in the Civil Rights Act of this session.

In conclusion I would like to thank each and every member of the committee for this opportunity to appear and be heard. I would like to leave expressing my feeling that great as the progress is to date, much more can be done, and must be done, if we are to continue to preach our proud and wonderful ideals of equality in America without hypocrisy and sham. We may deceive ourselves on this, but we cannot deceive the watching world, or history, on our action on human rights.

Farmers Are Better Off Because We Did Not Impose Restrictive Legislation on Them

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. COLLIER. Mr. Speaker, we have with us a classic example of how upon occasion it is wisest not to rock the boat. I refer to the fact that farm income is up this year to a really surprising extent.

Figures released by the Department of Agriculture in July show that net income for farmers during the first half of 1958 totaled $13.3 billion, an increase of some 22 percent over the figure for the same period in 1957.

I can recall debate in the House of Representatives earlier this year when the House had under consideration the price-freeze resolution, the one which President Eisenhower had the courage and good sense to veto, in which it was alleged that if the bill did not become law, the farmers would perish. The farmer, we were told, was on the downgrade; his income was declining and he faced bankruptcy.

The figures for the first half of 1958 do not bear these allegations out. It would seem to me that a free economy is a healthy economy. If we need any further proof of this, let us only look at the farmers' income figures.

Clair Engle: His Record and His Views on Veterans' Benefits

EXTENSION OF REMARKS
OF
HON. B. F. SISK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SISK. Mr. Speaker, as a member of the Committee on Veterans' Affairs, I wish to commend my distinguished friend and colleague, Representative CLAIR ENGLE, for his past contribution to and continuing interest in the veterans' benefit program.

CLAIR ENGLE'S interest and participation in the drafting of both the World War II and Korean GI bills of rights are well known to his colleagues and are a matter of record. Public Law 346 of the 78th Congress, commonly known as the GI bill of rights, was enacted by Congress and approved by the President in the form written and reported by the House Committee on World War Veterans' Legislation, of which Mr. ENGLE was a member. The record of the hearings shows that Mr. ENGLE participated actively in the development of the GI bill that eventually became law. In the 82d Congress, Public Law 500, the Korean GI bill, was enacted. This bill resulted from an investigation by a select committee of the abuses under the World War II program. Mr. ENGLE was the second ranking Democrat of this select committee which held frequent hearings from September 1950 to June 1952. Following the committee's extensive inquiry a bill reflecting the committee's findings and recommendations was prepared and introduced in the House of Representatives. This bill formed the basis for the Korean GI bill that was subsequently enacted. Mr. ENGLE'S service in the select committee has been singled out for special praise by the chairman of that committee, Representative OLIN E. TEAGUE, the present chairman of the standing Committee on Veterans' Affairs in the House of Representatives.

Mr. ENGLE'S interest in veterans' affairs and his sound understanding of the veterans' benefit program did not end with his service on the Veterans' Affairs Committee. This is clearly evident in a speech he made recently—excerpts of which I am pleased to include at this point:

EXCERPTS OF SPEECH BY CONGRESSMAN CLAIR ENGLE

In bringing you a report on veterans' legislation in the Congress, I think that it is

appropriate that I begin by telling you that the Congress has almost completed action on the annual appropriation bill which will provide support for the Veterans' Administration for the next fiscal year. That bill will provide $4.9 billion and will support the finest veterans' program operated by any nation in the world. This appropriation will provide money for the continued operation of our 173 Veterans' Administration hospitals, which hospitalize 115,000 patients every day. It will continue operation of the veterans' insurance program, which provides coverage for 6 million veterans. The loan guaranty operation of the Veterans' Administration will provide housing loans for 350,000 veterans this year. Five hundred thousand veterans are currently receiving education and training benefits and the bulk of the appropriation, $3.2 billion, will go to the several million veterans and their surviving dependents who receive pensions and compensation. The continued support of our fine veterans' program by the Congress and by the public generally is demonstrated in this appropriation of nearly $5 billion. There are, however, some objectives which remain to be achieved, and I would like to discuss those briefly now.

Compensation to service-connected disabled veterans and surviving widows and children of servicemen who lost their lives during a period of war from a service-connected cause represents an obligation of the highest character in our veterans' program. All of our veterans' programs must take a secondary position to service-connected compensation. The Democratic 85th Congress has increased service-connected compensation for disabled veterans by rates varying from 10 to 25 percent. The Democratic 84th Congress increased rates of compensation to widows and children by about 30 percent. These recent increases have greatly improved the service-connected compensation program. However, there are several things remaining to be done.

The rate of compensation for a permanent and totally disabled service-connected veteran is $225 a month. In certain specific cases, this rate is increased by statutory awards. These statutory awards serve a useful purpose in the cases where they apply, but the whole system needs further study to insure that the totally disabled veterans not receiving a statutory award are being properly cared for. In my opinion, $225 is not sufficient compensation for a totally disabled veteran; yet that is all that a 100 percent disabled mental case, or a veteran confined to a bed from a constitutional disorder receives. We should study this category of seriously disabled and do more for them.

The present system of aid and attendance allowance for paralyzed veterans is inadequate. We should increase the aid and attendance allowance in an effort to remove these veterans from the hospitals and return them to their homes where they might enjoy some semblance of home and family life.

The Democratic 84th Congress passed one of the finest pieces of legislation in the veterans' program. I am referring to the War Orphans Educational Assistance Act of 1956. That law provides scholarship assistance to the children of servicemen who lost their lives in war service. I believe this program should be expended to provide the same type of scholarship assistance to the children of veterans totally disabled from a service-connected cause.

The veterans' hospital and medical program is one of the finest benefits available to veterans. We are, of course, obligated to furnish medical care for the veteran with a service-connected disability. In addition, we provide medical care for veterans with non-service-connected disabilities where the veteran is unable to provide his own care. There is nothing of greater importance to be done for a man than to give him medical assistance when he is unable to care for himself, thereby removing his physical disability and restoring his earning capacity.

The veterans' hospital and medical program is confronted with serious problems, and unless immediate action is taken by the administration and the Congress the Federal Government will no longer be able to fulfill its pledge to veterans to provide medical care second to none. There are several things which can be done immediately by the administration and the Congress which will improve medical services to veterans both in scope and quality.

As a result of the budgetary policies followed during the past 6 years, there has been a steady curtailment of the bed capacities of Veterans' Administration hospitals. On December 31, 1957, there was a total of 7,308 beds in Veterans' Administration hospitals unavailable for patient care. Of this number, 4,974 were unavailable for the care of veterans because of an administrative decision that these beds are not required to meet current operating plans. It would be more honest if these beds were placed in a classification "sufficient budget not provided VA to operate these beds." Of the 4,974 beds currently withheld from operation by administrative decision, 1,354 are in TB hospitals, 101 are in mental hospitals, and 3,519 are in general medical and surgical hospitals. These beds were constructed at costs to the Federal Government exceeding an average of $10,000 per bed.

Laws enacted by Congress state that care will be provided to eligible veterans to the extent that facilities are available to the Administrator of Veterans' Affairs. The intent of these laws enacted by Congress is being circumvented by administrative and budgetary decisions which have closed 4,974 beds. The budget presented by the administration to the Congress for fiscal year 1959 contemplates a further reduction of services to veterans and, if approved, would reduce the average daily patient load in Veterans' Administration hospitals by an additional 1,000 patients per day. In other words, we have approximately 5,000 beds now withdrawn from the program, and if the current budget proposed by the President is accepted by the Congress this number will exceed 6,000 in another year.

This completely undesirable situation can be rectified by the Congress by adding to the Veterans' Administration medical budget, which is now under consideration, funds for inpatient care. However, it will also be necessary for language to be added in the appropriations bills directing the Administrator to place these vacant beds into use for veterans, thus freeing the Administrator of Veterans' Affairs from the administrative control which is now being exercised in this field by the Bureau of the Budget.

Two years ago a program was devised by the Veterans' Administration, the House Appropriations Committee, and the Veterans' Affairs Committee which called for a long-range modernization and replacement program in Veterans' Administration hospitals. Under this program, 9 old hospitals were to be completely replaced and major repairs were to be accomplished in 50 other hospitals at a cost exceeding one-half billion dollars over a period of 8 years. It was agreed that the minimum level of activity should not be less than $50 million a year. The Veterans' Administration requested $43,374,000 for its replacement and modernization program for fiscal year 1959. The President's budget reduced this amount to $9,145,000, or a reduction of $34,229,000.

This reduction is not justified. It is not good business to neglect the state of repair of our vast veterans' hospital facilities, valued at more than $2½ billion, and certainly if the economic needs of the Nation justify increased expenditures for public projects, this category of projects should receive first consideration. Strangely enough, it has not been mentioned at all by the administration in the proposals for expanded public works. Here again action can be taken by the Congress to restore funds cut from the Veterans' Administration budget by the administration. Several California hospitals are involved in this program. Extensive repairs are planned in Veterans' Administration hospitals at San Francisco and Palo Alto, Calif.

The Veterans' Administration has been steadily losing ground in its efforts to recruit doctors, nurses, and technical medical personnel. The primary reason has been the inadequate salary structure in the Department of Medicine and Surgery of the Veterans' Administration. As medical salaries rise in private, State and other public hospitals, the Veterans' Administration is experiencing greater difficulty in retaining its personnel. The Congress has passed a bill which gives substantial increases in the salaries for doctors, nurses, and technical medical personnel in Veterans' Administration hospitals. This legislation will do much to support the quality of medical care being provided in Veterans' Administration hospitals.

The following steps should be taken to maintain and support the veterans' hospital and medical program:

1. Adequate appropriations must be provided for high quality medical care.

2. The 6,000 beds vacant in VA hospitals through arbitrary administrative policy should be restored to use for veterans.

3. The replacement, renovation, and repair program for VA hospitals should be accelerated.

A serious discrimination exists in the pension program. Widows of World War II veterans are not permitted to participate in the pension program on the same basis as widows of veterans of World War I. A widow of a World War I veteran is eligible for a pension, provided she meets the income limitation set out in the law. However, a widow of a World War II veteran may not receive a pension unless her husband had a service-connected disability at the time of his death. Most of the deaths occurring at this time to World War II veterans leave a widow with small children; yet the widow is not given the small widow's pension at a time in her life when she needs it most. This discriminatory situation should be corrected by legislative action. In my opinion, this is the most important issue confronting veterans in the pension field.

There are some deficiencies in the veterans' pension program. There are 63,000 veterans receiving a pension who are so disabled as to qualify for an aid and attendance allowance. These veterans receive $135 a month. This amount is insufficient to provide adequate care for these seriously disabled persons.

There are some inconsistencies in the employability requirements of the veterans' pension program. The result is that some veterans seriously in need are denied a pension because they attempt to hold part-time jobs producing very little income. The pension program for veterans should be revised so that veterans with a limited income and serious physical disabilities may participate.

The Democratic 85th Congress has just passed a housing bill which will be of great benefit to veterans. The loan-guaranty program for World War II veterans was extended 2 additional years, and $350 million was made available for direct loans in small towns and rural areas. Korean veterans will continue to be eligible for home-loan benefits until 1965. Congress must continue to study the home-loan program to assure that this group of veterans have an opportunity to participate through the period of eligibility.

One of the most talked of veteran matters in Washington is the report of the Bradley Commission. In his budget message to Congress, the President promised that he would deliver a special message to Congress on veteran affairs, based on the recommendations of the Bradley Commission. Since I am on the opposite side of the political fence, the White House does not confide in me, but I will pass on to you the reports we are receiving around Congress regarding the Bradley Commission and the President's message to Congress.

It is understood that the message was prepared and presented to the Republican leaders of the House and Senate at the weekly legislative conference at the White House, and that these gentlemen in Congress were so incensed as to the proposed recommendations of the President that they insisted that the message not be delivered. The item was deferred from one week to another on the agenda of the weekly legislative meeting and at this point the belief is that there will be no message.

I can certainly understand why the Republican Congressional leaders were apprehensive about the message. If the message is delivered by the President based on the major recommendations of the Bradley Commission, it will not find acceptance in Congress and it will antagonize veterans all over the Nation.

Let me describe a few of the recommendations which are in this drastic category. The Bradley Commission recommended that statutory awards to disabled veterans be discontinued. They proposed that all veterans with service-connected disabilities be paid within the framework of 10 to 20 percent, and no additional statutory payments be made. This would mean that our most seriously disabled veterans, those who have been deprived of their sight, those who have lost limbs, those who are paralyzed, and those who have suffered a combination of these serious disabilities, would be curtailed in their service-connected compensation. Nothing could have less merit. Instead, we should be going in exactly the opposite direction and increasing compensation for the seriously disabled.

The Bradley Commission took a dim view of the payment of service-connected compensation to veterans in the 10 to 20 percent disability categories. It is indicated that many of these awards should be discontinued and that the rating schedule should be revised so that it would not be possible to obtain a 10 percent disability rating except under very limited circumstances. It is my opinion that a veteran suffering a disability deserves to be compensated for it, whether it is 10 percent or 100 percent.

The Bradley Commission's report paid lipservice to the idea that pensions for widows of World War I and World War II and Korea be equalized. It, in fact, recommended an identical program for all types of widows, a program which I think could be characterized, "Let's all starve together." The Commission proposed that widows with minor children receive pensions subject to an income limitation, but that when the widow no longer had minor children, she would no longer be eligible for a pension unless she could prove that she was unemployable or had reached age 65.

These are just a few of the recommendations of the Commission which were to provide the basis for the President's message on veterans. The prospect of this message has caused a great deal of unrest among veteran organizations, but I think I can assure you that there is no great cause for concern. Congress, over the years, has demonstrated a great concern for the welfare of the veterans of this Nation and it is not at all probable that such recommendations will be enacted into law, even if they are made by the President.

On the subject of legislation, let me make my position clear on an important part of our legislative program. The major veterans' organizations have passed resolutions supporting the formation of a Veterans' Affairs Committee in the Senate. I served on the Veterans' Affairs Committee in the House for several years and have a full appreciation of the legislative problems which are involved. If I am elected to the Senate, which I expect to be, you can count on my support for the creation of a Senate Committee on Veterans' Affairs.

The Declaration of Independence

EXTENSION OF REMARKS
OF
HON. LESLIE C. ARENDS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. ARENDS. Mr. Speaker, under leave to revise and extend my remarks I am inserting in the CONGRESSIONAL RECORD an excellent Fourth of July address delivered this year at Watergate, Washington, D. C., by our distinguished Secretary of Agriculture Ezra Taft Benson.

I believe all who read it will find it inspirational. He speaks of the values, moral and spiritual, that have made this the greatest country in all history of mankind.

The address follows:

This 4th day of July 1958 is a day of remembrance. But it is even more a day of challenge.

What is it that we commemorate here today? Is it a document—a momentous event in Philadelphia July 4, 1776?

Yes, but much more than a document or an event.

Today we commemorate courage. One hundred and eighty-two years ago 56 men signed the Declaration of Independence knowing they might well be fastening the hangman's noose around their own necks. That was courage.

Today we commemorate the birth of political freedom. The founders of this Nation believed man had the right to be free and the right to grow in every aspect of his being. They believed "it is not right that any man should be in bondage one to another." They believed that men are capable of self-government and that it is the job of government to protect freedom and foster growth.

Today we commemorate faith. Where did the rights of man come from? From the God of Heaven. "Men," states the Declaration, "are endowed by their Creator with certain inalienable rights." The founders of this Republic had deeply spiritual beliefs. Their concept of man had a solidly religious foundation.

Today we commemorate prayerfulness, for the founders were prayerful men. When Washington was desperately hard pressed at Valley Forge, his men found him on his knees begging for guidance and aid. Later, it became the custom to open deliberations of the Constitutional Convention of 1887 with morning prayer. This Nation has a spiritual foundation.

Courage, freedom, faith, and prayerfulness. These we commemorate this Independence Day.

But this July 4 is even more a day of challenge.

In country after country today, faith in moral principle is ruthlessly ridiculed. The belief that man has inalienable rights is rudely shaken. Godless men have seized power over one-third of the world's people. With iron fists they hammer down all who would oppose them in God's name or in the name of humanity.

Let us have no illusions about this. Their purpose is not alone to enslave us—they want to bury us.

What we face today is not just cold war, not just a struggle for the control of land, sea, air, and even outer space, but total competition for the control of men's minds. Unless we meet it and defeat it, we shall almost inevitably one day face total destruction.

Where communism prevails, faith, freedom, morality, and religion die.

We believe in an allwise Creator. Godless Communists hold that everything in existence came about as a result of ceaseless motion among the forces of nature.

We believe in the dignity of man. They hold that human beings are but graduate beasts.

We believe in a moral code. They hold that there is no such thing as innate right or wrong.

We believe in religion as a mode of life resulting from our faith in God. They hold that all religion must be overthrown because it inhibits the spirit of world revolution.

There is no compromise with evil such as this.

Can we meet the challenge? Yes, we can, through steadfast dedication to eternal principles of right.

True, the Iron Curtain countries are making great strides under forced draft. But science and technology have always flowered best where freedom prevailed. We know what freedom can produce in benefits to all people. Our free enterprise system is living evidence of the abundant fruits of freedom.

Ours is a more classless society by far than can be found anywhere back of the Iron Curtain. Here a workman off the job is hardly distinguishable from a high salaried executive. The office boy shaves with the same kind of razor as the tycoon. The little house in the valley has the same kind of heating and light as the mansion on the hill.

In a moment we shall see a display of fireworks. Let it symbolize the fire of devotion to freedom rekindled in the hearts of all of us.

Yes, let it symbolize a reaffirmation of patriotism, for this is a patriotic day. But patriotism is more than flag waving and fireworks. It is how we respond to public issues. If we ask only, "What's in this proposal for me?—what do I get out of it?"—we're not patriotic and we're not very good citizens. But if we ask, "Is this right?—is it good for the American people?—would it preserve and strengthen our freedom?"—then we deserve to stand in the company of Washington, Jefferson, and Lincoln. Patriotism is trying always to give a little more to the Nation than we receive.

This year we celebrate the centennial of the birth of Theodore Roosevelt. Half a century ago he said, "We hold in our hands the hope of the world, the fate of the coming years; and shame and disgrace will be ours if in our eyes the light of high resolve is dimmed, if we trail in the dust the golden hopes of men."

With God's help, the light of high resolve in the eyes of the American people must never be dimmed. Our freedom must—and will—be preserved.

Our problems today call for greatness and courage just as insistently as did the era of 1776. Just as then, a new age is dawning today. The world has suddenly become so small that all nations and all men are next-door neighbors. Just as our great-grandfathers of 182 years ago stood proudly for freedom in their new-dawning era, so today we must steel ourselves to the building of an era in which liberty can truly live.

Here in our free land let us preserve a true climate in which men can grow. Here with Lincoln we can say: "As I would not be a slave, so I would not be a master." And here we can add, "But I will be free, free to worship, free to speak, free to grow."

This is a choice land—choice above all others. Blessed by the Almighty, our forebears have made and kept it so. It will continue to be a land of freedom and liberty as long as we are able and willing to advance in the light of sound and enduring principles of right. To sacrifice such principles for momentary expediency—often selfishly motivated—is to endanger our noble heritage and is unworthy of this great American people.

With each of you, I love this Nation. It is my firm belief that the God of Heaven guided the Founding Fathers in establishing it for His particular purposes. But God's purpose is to build people of character, not physical monuments to their material accumulations.

Our challenge is to keep America strong—strong economically, strong socially, and, above all, spiritually strong—so that our way of life may endure.

Daniel Webster said: "God grants liberty only to those who love it and are always ready to guard and defend it." The future of this choice land demands more than sound fiscal and economic policies—important though these are. Nations that truly love freedom love God. History is replete with examples of once powerful nations that have forgotten God. No nation ripened in iniquity can long endure. "Righteousness exalteth a nation; but sin is a reproach to any people" (Proverbs 14: 34).

Our forefathers gave birth to the ideal of freedom. Our fathers nourished and defended that heritage. Like them, we are resolved to make faith, morality, and freedom the vital forces of daily living, and because of this heritage and this resolution we shall climb through the years to new heights of well-being, strength, and peace. Then let us here and now rededicate ourselves to the unfinished task remaining before us. This Nation, under God, conceived in liberty, must and will have a new birth of freedom.

God grant it may be so I humbly pray.

Legislation of Special Interest to Veterans

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. BRAY. Mr. Speaker, as the 85th Congress draws to a close, we are happy to find that the 70 recommendations of the so-called Bradley Commission seem no nearer enactment into law than they were that day in April 1956, when these antiveteran proposals were recommended by this Commission. This Bradley Commission recommended the destruction or at least the limitation of certain rights which have been recognized as those due veterans for many years. Apparently there have been no further attempts to enact the Bradley recommendations because their proponents feel there is not a sufficient number of Congressmen who are willing to support them.

As soon as the import of the Bradley recommendations were known, I began to receive pitiful and even frantic communications from veterans and their widows who would be adversely affected by such legislation. I answered these communications and spoke at various veterans' meetings assuring them that I believed we could defeat most of these proposals. I am very pleased that these Bradley recommendations have not been enacted. It is well that the friends of veterans were able to accomplish more than they did when that ill-named Economy Act of 1933 was passed, which caused many veterans to be thrown out of hospitals without even clothing to cover their nakedness. In spite of the organized efforts of certain groups, the American people still respect and honor the veterans.

It is incumbent on all of us to see that this respect is always maintained. It is up to us as veterans to see that we do not ask for privileges in behalf of veterans which are unfair or unjust. To do so would tend to destroy that confidence and respect which the American people so justly give the veterans who defended our country in time of need.

VETERANS' RIGHTS WERE AFFIRMED BY THE COURT

A well-organized effort to destroy the accepted veterans' preference in employment in Federal agencies was initiated recently when a group filed a suit in the district court in the District of Columbia alleging that the veterans' preference provisions were unconstitutional. The title of the suit was Wesley D. White, and others, against Thomas S. Gates, Jr., Secretary of the Navy, and Wilber M. Brucker, Secretary of the Army. They lost in the district court and appealed to the United States circuit court of appeals, where the case was argued late in October 1957. Among other things the court held that "Veterans' preference in Federal employment has been an established policy of Congress for many years. Encouragement and reward of military service are its rational basis." In June 1958, this decision was appealed to the Supreme Court which ruled, "Certiorari denied," which means that the Supreme Court accepted the ruling of the circuit court of appeals and so affirmed the constitutionality of veterans' preference.

SOCIAL SECURITY FOR DISABLED VETERANS

Under legislation passed in 1956, a person who is covered by social security and becomes totally disabled after the age of 50 may draw social security benefits at that time instead of waiting until age 65. However, this legislation called for deducting from social security payments the amount of veterans' benefits—total non-service-connected pensions—which the veteran was drawing. That is, if the veteran was under 65 years of age and was drawing $66.15 for total nonservice disability and also eligible for a $90 social security payment because of total disability, then the social security payment was reduced by the $66.15 and he received only a total of $90 from both veterans' and social-security payments. The new social-security amendments eliminate this inequality toward the veteran.

COMPENSATIONS AND PENSIONS

Public Law 85–168, which became effective on October 1, 1957, increased rates of compensation for service-connected disabilities by a minimum of 10 percent and up to 24 percent for total disability. The law included liberalizations in other ways. We were not able to get the statutory compensation cases included in this legislation, but we hope to pass a bill affecting them in the near future.

Public Law 85–425, effective July 1, 1958, provides that the pensions for the widows of Spanish-American War veterans are increased from $54.18 to $65; and, if they were married at the time the veteran was in service, the pension is increased from $57.73 to $78. Widows of veterans of the Mexican War, of Indian wars, and of the Civil War also received increases in pensions.

VETERANS' HOUSING

The Veterans' Housing Act passed in the 1st session of the 85th Congress was vetoed but practically all of the provisions in the act have been incorporated in Public Law 85–364. It authorizes $180 million for direct loans for each of the years 1959 and 1960. It also increases the maximum amount of direct loans from $10,000 to $13,500. VA housing has accomplished a great deal of good, but it has not produced the results we had hoped for because of administrative difficulties and the difficulty of getting local lending institutions to participate. There is apparently a need for more money to be used in making direct loans.

HOSPITALIZATION AND HEALTH BENEFITS

The veterans' hospitalization program has progressed well. The quality of hospital service given the veteran is excellent, but there is still a shortage of hospital facilities and this especially applies to those for mental cases. Progress is being made but not with the speed many of us desire. The President's budget for 1959 requested $707 million for veterans' hospitalization. The Senate and House conferees approved a budget for 1959 of $717.2 million.

There has been a change in veterans' insurance. In the past a veteran could only buy $5 a month total disability income protection for each $1,000 of insurance carried pursuant to the National Service Life Insurance Act. This has been increased to $10 a month income protection for each $1,000 of insurance. Of course, the applicant must meet the requirements of good health and other usual specifications for this coverage.

Another bill, which probably will be signed into law, would permit veterans of the Korean war period to convert their national service life insurance to ordinary policies or to carry term insurance at greatly reduced premiums.

Public Law 85–674 increases the Federal Government burial benefits from $150 to $250.

OTHER RECENT VETERANS' LEGISLATION

The Veterans of World War I organization received a Federal charter. In the last Congress, the House passed the World War I pension bill which generally followed the desires of this group, but the Senate did not act on it. Legislation on this subject will be introduced again in the next session. I signed a petition to bring this legislation before the House but we did not succeed in accomplishing this.

Ten bills for the benefit of veterans passed the House but were not acted on in the Senate this session.

For many years there has been a need to have all of the legislation pertaining to veterans assembled in a single book and printed by the Government. It will be available in the next few months. I hope to have some copies for distribution.

Veterans are especially interested in legislation to curb communism and anti-American activities. The Supreme Court in recent years has made decisions which tend to nullify or prevent the enforcement of several laws passed for that purpose. In Congress we tried to pass legislation that would meet the demands of the Supreme Court, yet would prevent anti-American activities. We were not as successful as many of us desired in getting such legislation approved. The House did pass a bill giving our Government the right to deny passports to enemies of our country, but the Senate took no action on this legislation. I believe that we can get some tangible results in this field in the next Congress.

Trinity Partnership Will Pay for 10th District Water

EXTENSION OF REMARKS
OF
HON. CHARLES S. GUBSER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. GUBSER. Mr. Speaker, the good people in the Congressional District which I have the honor to represent have long been interested in sound water resources development.

We have been for the construction of the Central Valley project on which over $800 million of Federal taxpayers' money has been expended. They need over $250 million to complete this project. The San Luis project which will cost the Federal taxpayers over $300 million will probably soon be authorized.

More of direct interest locally, we have the San Lorenzo River project which requires about another $1 million to complete.

Many of us are interested in the Guadalupe flood control study which will require some $75,000.

The Soquel study, some $15,000.

The Pajaro project, some $50,000.

The Santa Cruz Harbor project will cost in the neighborhood of $1 million.

The Santa Cruz beach erosion correction will cost another $1 million.

Recently I introduced House Joint Resolution 585 which directed that a study be made by the Bureau of Reclamation to determine the feasibility and cost of integrating the San Luis unit of the Central Valley project with Santa Clara, San Benito, Santa Cruz and Monterey Counties by way of the Pacheo Tunnel. This development would cost approximately $29 million.

All of this represents a lot of money but the need is evident.

The fact is, however, that we are faced with a $12 billion deficit and Congress, just a few days ago again increased the Federal debt ceiling. It seems to me that we simply have to realize that we cannot have our cake and eat it, too. If we want these projects that I have just referred to we are going to have to pay for them and what is more important, we are going to have to find ways and means of being able to pay for them.

I have proposed that we do just this and have introduced and supported legislation which would provide the dollars required for these projects. I introduced a bill, H. R. 10005, which would provide for the joint development of the water power resources of the Trinity River division, Central Valley project. Hearings were completed on this legislation by the House Interior Committee last February but a final vote has never been taken.

Back in 1955, when the Congress authorized the Trinity River division of the Central Valley project, it specifically directed the Secretary of the Interior to submit to the Congress the results of his study and his recommendations on the question of the sale of Trinity falling water to a non-Federal agency.

The Secretary did exactly what Congress directed him to do. He gave the Congress the results of his study together with his recommendations.

While all qualified power agencies, public and private, were given the opportunity to submit a proposal for the purchase of falling water, only the Pacific Gas & Electric Co. submitted a proposal.

The Secretary studied this proposal for many months. He submitted it to the Congress and recommended its adoption. His reasons were clear-cut, concise, and to the point.

It is necessary that we bear in mind that Congress, when it authorized the Central Valley project back in 1937—and Trinity is now a part of the Central Valley project—it specifically directed that power revenues were to be used to financially aid and assist the water features of the project.

The Secretary's recommendations favoring partnership development of Trinity power facilities is fully in keeping with the Congressional directive of 1957 and is a logical outgrowth of that directive.

After the Secretary had submitted his recommendations, I introduced H. R. 10005, which would carry out the Secretary's recommendations. Identical bills were introduced by my fellow California Congressmen, HUBERT SCUDDER and JAMES B. UTT.

Remember, I said that I was convinced that my bill would help solve the financial problem of water development; so let us see just what passage of my bill would accomplish.

In the first place, the Pacific Gas & Electric Co., not the Federal Government, would build the Trinity power facilities. This would save the Federal Government $60 million. That is more than enough to build the Pacheo Tunnel, to complete the Guadalupe flood-control study, the Soquel study, the Pajaro study, the Santa Cruz Harbor improvement, and the Santa Cruz beach-erosion facility. It would also complete the San Lorenzo improvement, and still leave over $27 million to apply on completion of the Central Valley project or the San Luis project.

But that by no means is all. If the Federal Government builds the power facilities, it would actually result in a financial drag and a drain on the entire Central Valley project. Actually, power produced from Federal Trinity plants would cost between 7.3 and 8.9 mills per kilowatt-hour and would be sold for less than 8 mills per kilowatt-hour, principally to the Sacramento Municipal Utility District.

On the other hand, from joint development we find that the surplus in the entire Central Valley project fund over the repayment period would be $178 million more than under all Federal development. So here is $178 million, in addition to the $60 million mentioned before, which can be used to assure the construction of all these projects we have been talking about.

Nor is this even the whole picture. Under joint development, the P. G. & E. would pay over $80 million in Federal taxes. Apply this to the financial problem we have in California.

The State and local governments can certainly use the more than $60 million which would accrue to them from tax revenues on P. G. & E. plants. The need for more schools, police, and fire protection and other community facilities is growing constantly and the communities which supply these services certainly need all the tax revenue they can get.

Lest I be accused of unfairness, I will at least refer to the arguments used against Trinity partnership. Some so-called preference agencies might possibly be denied access to federally produced Trinity power. Even if this is so—can you think of a good reason why certain preferred customers should get some federally produced power even if this means giving up all of the advantages that I have referred to above. Are we not going to have to make up our mind on one point first: Shall Federal taxpayers' money be expended to benefit all the people or just a preferred favored few. Bear in mind that SMUD is right now getting two-thirds of all of the firm power of the Central Valley project at less than 4½ mills per kilowatt hour. They would get the biggest hunk of Federal Trinity power. So do you want a bigger giveaway to SMUD or do you want these projects that I have just enumerated and others yet to come.

Some of the fine cities in my Congressional District which own their own electrical distribution system might conceivably be served from Federal Trinity plants. How much they actually could save is problematical. I know they do not want the Federal taxpayer to pay part of their electric bill. The Secretary said that the cost of Federal Trinity

power production would be 8.9 mills per kilowatt hour.

So let us not be lead by ideologies and private against public power shopworn arguments. Let us apply common sense. Let us try to solve our financial problem.

Brief Filed in the Supreme Court

EXTENSION OF REMARKS
OF
HON. J. W. FULBRIGHT
OF ARKANSAS
IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. FULBRIGHT. Mr. President, the issues involved in the proceeding before the Supreme Court concerning a delay in integration of Central High School in my State are so crucial to the future of the educational systems of many areas of our Nation, that I have requested the permission of the Supreme Court to file a brief expressing my views on the subject. I ask that the brief be printed in full in the RECORD following my remarks.

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

IN THE SUPREME COURT OF THE UNITED STATES, AUGUST SPECIAL TERM 1958—JOHN AARON, ET AL., PETITIONERS, V. WILLIAM G. COOPER, ET AL., MEMBERS OF THE BOARD OF DIRECTORS OF THE LITTLE ROCK, ARK., INDEPENDENT SCHOOL DISTRICT, AND VIRGIL T. BLOSSOM, SUPERINTENDENT OF SCHOOLS, RESPONDENTS

BRIEF OF J. W. FULBRIGHT AMICUS CURIAE

It is not the purpose here to burden the record of this Court by a lengthy repetition of the facts or the legal principles developed by the attorneys for the respondents and in the opinions of the lower courts. The indulgence of this Court is respectfully asked to hear an individual who is deeply troubled for the future peace and happiness of the people of Arkansas and of this Nation, of all races and all creeds.

Special indulgence of this Court is requested to the arguments herein set forth, not because I am a legal expert or a social scientist, but simply because for more than 50 years, I have lived among the people of Arkansas, and for more than 15 years, I have represented them in the Congress of the United States, from which experience I claim some intimate knowledge of local conditions and of the mental and spiritual landscape against which the people of Arkansas live and move.

The people of Arkansas are as law abiding, as respectful of the traditions of our Anglo-Saxon heritage as are their fellow Americans; they abhor anarchy and disorder. In truth, until the recent violence, it had ben 30 years since racial disorder had troubled the people of Arkansas.

From the complete destruction of their economy during the War Between the States, the people of Arkansas have slowly rebuilt their fortunes and their standing in the Nation. It may be that they are more sensitive to criticism than is the average American.

By way of emphasis, I call the attention of this Court to certain considerations involved in the pending matter.

This Court has said the "constitutional principle" involved in the decision of *Brown v. Board of Education* (347 U. S. 483 (1954)), "may require solution of varied local school problems."

"Courts will have to consider whether the action of school authorities constitutes good faith implementation of the governing constitutional principles. Because of their proximity to local conditions * * * the courts which originally heard these cases can best perform this judicial appraisal." *Brown* v. *Board of Education* (349 U. S. 294, 299 (1955)).

The Court directed that the district courts should be guided by equitable principles, which, it said, traditionally had been "characterised by a practical flexibility in shaping its remedies and by a facility for adjusting and reconciling public and private needs" (id. at 300).

Judge Harry J. Lemley, of the Federal District Court for the Eastern District of Arkansas, is the judge who is, in the words of the court, in proximity to local conditions and he has found positively and unequivocally that the Little Rock School Board has in good faith attempted to comply with the rulings of this Court in the Brown decisions, *Brown* v. *Board of Education*, supra, but that conditions are so chaotic that a delay should be granted the Litttle Rock School Board in order to enable calmer spirits to find a way to conform to the principles enunciated by this Court.

A review of the decisions of Judge Lemley and the Eighth Circuit Court of Appeals leaves little doubt that the educational processes at Central High School were disrupted to an incalculable extent notwithstanding the good-faith efforts of the school board to comply with this Court's general rule in the first Brown decision. See *Aaron v. Cooper* (Civil No. 3113, D. Ark., June 20 1958); *Aaron* v. *Cooper* (Civil No. —, 8th Cir., August 18, 1958).

Judge Lemley, in his attempt to interpret and carry out the mandate of this court in the second Brown decision, determined that these disruptive conditions were intolerable. The circuit court of appeals did not deny this. Indeed, the opinion of the court seems to reinforce it. In summarizing the 11 events of the school year, the court said that, in general, "there was bedlam and turmoil in and upon the school premises, outside of the classrooms." *Aaron* v. *Cooper* (Civil No. —, 8th Cir., August 18, 1958). The court elsewhere, and in general, conceded that the normal educational processes were disturbed.

This Court in the first Brown decision (347 U. S. 483 at 493), observed that "education is perhaps the most important function of State and local governments." If this is true, then is not the primary duty of the school board that of providing proper public education? What more can the board do than that which it has done; that is, to attempt in good faith to provide that which it is its duty to provide, and which it cannot do under these circumstances?

The circuit court of appeals in its decision washed its hands of this question; that is, how white and Negro children can be accorded public education in compliance with this Court's ruling in the first Brown decision, without bedlam and turmoil.

"It is not the province of this court," said the circuit court of appeals, "to advise the board as to the means of implementing integration in the Little Rock schools." *Aaron* v. *Cooper* (8th Cir., supra). Whose province is it? Is it not the province of equity, to which this court was committed by the second Brown decision, to adapt its statement of constitutional principles to the purposes, functions, and abilities of the institution to which those principles are suddenly to apply—that is, the public-school systems of the South?

What, indeed, is the purpose of entrusting equitable jurisdiction to local Federal district courts, if it is not to permit an appraisal of what can be done to comply with the orders of this court in the light of good faith efforts of local school boards?

The circuit court gave no answer to this dilemma.

"Mindful as we are that the incidents which occurred within Central High School produced a situation which adversely affected normal educational processes, we nevertheless are compelled to hold that such incidents are insufficient to constitute a legal basis for suspension of the plan to integrate. * * * To hold otherwise would result in accession to the demands of insurrectionists or rioters." *Aaron* v. *Cooper* (8th Cir., supra).

While this statement, which surely is the essence of the decision, has validity as a general rule, how can it be adapted as pointing a way out of the dilemma of the school board? What guidance does it give to those who wish to abide by their duty to furnish adequate educational opportunities without defying this court? Of what value is equitable jurisdiction if it cannot adapt the otherwise immutable law to the needs of the parties, the particular circumstances and the function of the institutions affected. This last, it should be remembered, is to provide adequate public education.

I suggest that the circuit court of appeals was unduly preoccupied by the violent and unlawful acts of individual citizens and failed to give proper weight to the equitable nature of the proceeding and to the further fact that there was involved not simply the violence of individual citizens, but, in the words of an eminent commentator and historian, "a conflict between two sovereignties—between the State government and the Federal Government." (Washington Post and Times Herald, Aug. 26, 2958, p. A13, col. 3.)

I believe it is true that this conflict "poses problems which go far beyond, and are quite different from, the problems of dealing with lawless mobs. They are problems which are insoluble by exhortation, or by Federal injunction and law suits in the Federal courts. For the essential issue is the refusal of lawful State governments to accept the validity of a Federal law" (ibid.).

Chief Judge Archibald K. Gardner, of the Eighth Circuit Court of Appeals, in his dissenting memorandum observed that "the action of Judge Lemley was based on realities, and on conditions rather than theories." *Aaron* v. *Cooper* (8th Cir., supra).

The meaningful realities of this situation are that due to unexpected developments of an unprecedented nature, this court's original objective of procuring for Negro children education on an integrated basis cannot be provided under existing circumstances. Time is desperately needed to enable the authorities concerned to find an adjustment of this conflict.

No decision which this court can make will assure the rights of the Negro children more effectively than those decisions which it has heretofore rendered. In spite of the full force of the executive power of the Federal Government, even the use of the Armed Forces of the United States, the children did not and cannot enjoy a better, not even as good an opportunity for education under the conditions of turmoil and bedlam which result from such extreme measures. The education of all children, white and Negro, suffers from such disturbed, abnormal conditions.

The argument that to accept the decision of the district court for a delay of 2½ years is an abandonment of the integration decision of this Court is without merit. Such an argument takes no account of the difference between the enunciation of constitutional doctrine, and the application of that doctrine through the principles of equity. More importantly, it takes no account of the obligation of the courts to adapt their powers to the purposes for which the institution or activity affected by those powers exists. The court has stated, "Courts of equity may, and frequently do, go much farther both to give and withhold relief in furtherance of the public interest than they are accustomed to go when only private interests are involved." *Virginian Railway Co. v. Federation* (300 U. S. 515, 552 (1937)).

It has become an axiom that the processes of education—and in this country, public education—offer the solution, if any is to be found, whereby men of different races may learn to abide one another, each in the full enjoyment of his rights. If this is agreed, then the systems of education must be respected, and social experimentation in them made tolerable to their purposes.

If I may repeat, this Court has observed that public education is the most important function of State and local governments. (*Brown* v. *Board of Education* (347 U. S. 483, 493).) To the extent that the school systems are successful, it is because local school boards, administrators, and teachers make them so. In this controversy, they are acknowledged to be men of good will. But if they are not supported by the courts, when acting in good faith, how can men of good will be expected to continue to function? It can be expected that the control of local school boards will fall into the hands of radicals and fanatics. Then neither the processes of justice nor education would be served.

The circuit court of appeals, in its opinion, had much to say about the activities of persons and governments outside this case. While these forces may be a part of the history of the case, and even if the Court deems them responsible for the present circumstances, neither their recollection nor the courts' despair of them afford the school board any solution to the problem of how to conduct public education in an acknowledged atmosphere of bedlam and turmoil. The Court's refusal to support the good faith position of the board can only intensify the effect of those outside forces. And, at least, for the present, they are beyond the reach of this Court.

The chief judge of the Eighth Circuit Court of Appeals, in a passage of profound wisdom, said: "For centuries there had been no intimate social relations between the white and colored races in the section referred to as the South. There had been no integration in the schools, and that practice had the sanction of a decision of the Supreme Court of the United States as constitutionally legal. It had become a way of life in that section of the country, and it is not strange that this long-established cherished practice could not suddenly be changed without resistance. Such changes, if successful, are usually accomplished by evolution rather than revolution, and time, patience, and forbearance are important elements in effecting all radical changes." (*Aaron* v. *Cooper*, 8th Circuit, supra (dissenting memorandum).)

That former Justice Brandeis of this Court would have agreed with the reasoning of Judge Gardner is evident from his statement in Goldman's The Words of Justice Brandeis ((1952) at p. 116): "No law can be effective which does not take into consideration the conditions of the community for which it is designed; no law can be a good law—every law must be a bad law—that remains unenforced."

The failure of the majority of the circuit court to take note of these truths, in Judge Gardner's dissenting opinion, suggests that the members of the ccurt are not familiar with the traditions, the cultural patterns, the way of life of our Southern States. Indeed it seems clear that implicit in this whole matter is a tragic misunderstanding of fundamental human instincts and impulses.

The people of Arkansas endure against a background not without certain pathological aspects. They are marked in some ways by a strange disproportion inherited from the age of Negro slavery. The whites and Negroes of Arkansas are equally prisoners of their environment. No one knows what either of them might have been under other circumstances. Certainly, no one of them has ever been free with respect to racial relationship in the sense that the Vermonter, say, has been free. The society of each is conditioned by the other's presence. Each carries a catalog of things not to be mentioned. Each moves through an intricate ritual of evasions, of make-believe, and suppressions. In Arkansas, one finds a relationship among men without counterpart on this continent, except in similar southern States. All this is the legacy of an ancient and melancholy history.

Under the circumstances, it is inevitable that there should have come into being what one might call a southern mind. And it is a grave error, it seems to me, to fail to realize that there is a southern mind. G. M. Young, the English historian, observed that it was dangerous for Victorian England to fail to see that time and circumstance had created an Irish mind; and it was also dangerous to fail to learn the idiom in which that mind * * * expressed itself; and to understand that what we could never remember, Ireland could never forget.

History tells us that race memories long endure. They are perpetuated in myths, and monuments, and a mother's lullaby. They are sentimental and emotional and when stirred up, they become irrational.

We are confronted here with a problem, novel and unprecedented in the history of our country and extraordinarily complex. In our congenital optimism, we Americans believe, or affect to believe, that social questions of the greatest difficulty may be solved through the discovery and application of a sovereign remedy that will forever dispose of the problem. Yet all this flies in the face of human experience. Thus, for example, a so-called Jewish problem has endured for more than 2,000 years. The Roman Catholic-Protestant problem has similarly endured since the Reformation, and one might add that the Islam-Christian problem and the Hindu-Muslim problem, among many others, plague various groups of men in this and in other countries. Millions of lives have been sacrificed to these problems and the end is not yet.

I would suggest, then, that the problem of school integration in Arkansas is more likely—bearing in mind that flesh and blood is weak and frail—to yield to the slow conversion of the human heart than to remedies of a more urgent nature.

In this general context, we must observe a constant in the affairs of men. It is this: When their ancient social convictions are profoundly violated, or when sudden change is attempted to be imposed upon attitudes or principles deeply imbedded within them by inheritance, tradition, or enviroment, they are likely to react almost as by involuntary reflex, and often violently.

These reflections and the inferences which may be drawn therefrom, at least as they pertain to the problem which presently confronts this court, recall to mind the words of a profound scholar, Morris R. Cohen, who wrote as follows:

"The clericalist and the legalist have an undue advantage in identifying their causes with those of religion and law, causes for which humanity is always willing to make extreme sacrifices. But that identity is not complete is seen clearly in the career of Jesus of Nazareth. In the days of Jesus, both clericalism and legalism were represented by the Pharisees, who carried the legalist idea into religion, and wished to control all life by minute regulations similar to those which governed the life of the high priest. To make the life of every individual as holy as that of the high priest was indeed a noble ideal. Yet it was also deadening through the mass of casuistry to which it gave rise. Jesus' protest that the Sabbath was made for man, not man for the Sabbath, cuts the foundation of all legalism and clericalism. It makes us see the profound foolishness of those who, like Cato, would adhere to the law even though the Republic be thereby destroyed. Without a legal order and some ministry of religious insight, the path to anarchy and worldliness is, indeed, dangerously shortened. But without a realization of the essential limitations of legalism and clericalism, there is no way of defending the free human or spiritual life from fanaticism and superstition" (M. R. Cohen, Law and the Social Order; Essays in Legal Philosophy, pp. 160–161 (1933)).

For the reasons herein set forth, it is urged that this court deny the application of petitioners.

Respectfully submitted.

LEE WILLIAMS,
Attorney for J. W. Fulbright.

WASHINGTON, D. C., *August 27, 1958.*

As the 85th Congress Fades Into Time—Historians Take Up Where We Withdrew

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. RABAUT. Mr. Speaker, the hour is growing near when I will return home, completing my stewardship in Washington for the 2d session of the 85th Congress. This has been the hardest working peacetime Congress in the entire history of our country. We have appropriated more money for more purposes than ever before, except during the war years of 1940–45—most of it in an effort to head off the continuing effects of the depression and it now begins to look like we may have succeeded, in spite of the many points of opposition put up from the Republican side.

We met at 12 noon on January 7 and adjourned at 4:11 a. m. on August 24, 1958. During this time we considered more than 6,000 bills and resolutions from both Houses of Congress. This meant many hours in committee hearings and debates on the House floor, and many more hours in my office, working on the things that could have a direct effect on each of us in the coming months and years.

Listed here are the major items that came before us and which were passed by both Houses and sent to the White House for action by the President. At the time of this writing, August 27, many of these bills are on the President's desk awaiting action by him. Two measures which I wanted very much to see enacted went down to defeat—the housing bill and the food stamp bill.

If there is any matter that you would like to discuss with me I will be in my Detroit office at 15403 Mack Avenue near Beaconsfield, phone: Tuxedo 5–5020.

BILLS THAT PASSED THE CONGRESS

INTERNATIONAL AID AND MUTUAL SECURITY

Mutual Security Act appropriating more than $3 billion for military and economic aid to foreign countries.

Exchange of atomic information and materials with allies. Financial assistance totaling around $330 million to

member nations of Euratom Organization to develop peacetime uses of atomic energy.

Request to United Nations to establish police force to patrol areas where peace is threatened.

Clearance for admission of Hungarian refugees into this country.

Reciprocal trade agreements continued 4 years.

LABOR AND BUSINESS LEGISLATION

Public price labeling of new automobiles.

Requirement for branding textiles to disclose fiber content.

Regulations for disclosure of data on employee pension and welfare funds.

MONEY APPROPRIATION BILLS

Raise in legal debt limit to permanent figure of $283 billion and to $288 billion temporarily.

Appropriation of more than $70 billion in regular and supplementary supply bills for operation of Government departments, agencies, and programs.

Provision of $260 million in tax relief for small businesses and a $250 million revolving fund for Small Business Administration. (Congress made SBA a permanent agency.)

Removal of the admissions tax on concerts and shows of nonprofit civic organizations and schools.

Loans to enable States to pay up to 15 additional weeks of unemployment compensation to jobless persons whose State payments have expired.

Emergency $1.8 billion program to stimulate home building. Highway construction authorized and apportionment of funds totaling $5.5 billion.

Loans and grants totaling $279 million to help areas distressed by chronic unemployment.

Increase in salaries of more than a million Federal classified employees and postal workers and provided for higher annuities to retired or disabled civil-service employees.

Revision of excise-tax structure, with some reductions. Numerous technical changes in income, gift tax, and estate provisions of Internal Revenue Code.

A 7-percent increase in social-security, old-age-insurance benefits, higher tax rates based on first $4,800 of income, $197 additional in Federal contributions to State public-assistance payments.

A year's extension, to retain $3 billion in revenue, of 52 percent income-tax rate on corporations, as well as existing excise rates on alcoholic beverages, cigarettes, and automobiles.

Repeal of 3-percent tax on transportation of freight.

Increase in postal rates to obtain $500 million extra revenue.

A $1.5 billion harbors, rivers, and flood-control program.

Extension of Renegotiation Act for 6 months.

Federal guaranty of $500 million in loans to railroads to finance new equipment.

NATIONAL-DEFENSE BILLS

Reorganization of the Defense Department.

Raises in pay of armed-services personnel.

Four-year extension of the President's standby powers under Federal Civil Defense Act.

Raises in monthly pension rates of widows of Spanish-American, Civil, and American Indian wars.

Authorization of $54 million to expand and expedite building of missile bases, detection and warning systems.

Authorization of $386 million for Atomic Energy Commission for construction and expansion of its programs and projects.

New construction and improved research facilities authorized for National Advisory Committee for Aeronautics.

A new civilian-controlled National Aeronautics and Space Agency.

Authorization of $100 million for new construction and conversion of naval ships, including nuclear-powered vessels. Also $1.6 billion for Air Force installations. Authorized nuclear-powered icebreaker for Coast Guard. Vetoed by President Eisenhower.

Establishment of Advanced Research Projects Agency in Defense Department.

A $39.6 billion Defense Department appropriation bill for fiscal 1959—$6 billion more than last year.

NATIONAL AID TO EDUCATION

Four-year program of $887 million in Federal aid to education to stimulate study and teaching of science, languages and other subjects.

A $10 million program to encourage the training of teachers for mentally retarded children.

NATIONAL GOVERNMENT ADMINISTRATION BILLS

Statehood for Alaska, the first new State since 1912.

Recommended code of ethics for Federal officeholders and employees.

Freedom of information bill limiting withholding of public documents and news.

Pensions for former Presidents and their widows.

A Federal Aviation Agency to supervise Nation's airways.

FEDERAL COURT SYSTEM BILLS

Judicial Conference directed to study and recommend uniform policies and standards for sentencing Federal law offenders, and for rules of Federal court procedure.

Chief Judges of United States District Courts and Courts of Appeals required to step down from those positions, but not necessarily retire, at age of 70.

A "not proven" verdict by a House Armed Services subcommittee that investigated complaints of possible improper influence of Sherman Adams in an Army textile contract refund case.

BILLS INTRODUCED WHICH WERE EITHER DEFEATED OR NOT ACTED ON

Kennedy-Ives labor regulation proposals.

Federal aid to States for school construction.

Extension of minimum wage law coverage.

Tighter regulations relating to Federal election campaign spending.

Fair trade pricing bill.

Revision of status of forces treaties affecting foreign trial of United States armed services personnel.

Stronger penalties for subversion and specific provision making Communist Party membership a crime.

Establishment of "public defender" plan for accused persons in certain Federal court cases.

Food stamp plan for distributing $1 billion in surplus commodities to needy persons.

Permission for Congressional committees to invoke Federal court aid to compel testimony by witnesses.

Tennessee Valley Authority to issue bonds for financing construction of additional plants.

Proposed $650 million subsidy program for domestic minerals.

Hawaiian statehood.

Creation of 45 additional Federal judgeships.

A 10 percent increase in railroad retirement benefits.

Procedures for Vice President to serve during disability of a President.

Relaxation of Federal controls on natural gas producers.

Federal antitrust law exemption for some features of professional sports.

Loan program to local communities for construction of public facilities.

Omnibus housing bill providing $975 million.

United States membership in Organization for Trade Cooperation.

Advance notice requirement for corporation mergers.

A final note on H. R. 3, the so-called States rights bill—the subject of my last newsletter—I am pleased to tell you that the Senate killed it in the closing hours of the Congress. So the measure found itself where I said it belonged—in the wastebasket.

This will be the last of my newsletters dealing with legislative matters until Congress reconvenes in January 1959.

Please do not hesitate to call on me for assistance on any matter of interest to you where you feel I can help.

I am looking forward to the pleasure of seeing many of you during my campaign for reelection.

Benjamin F. James

EXTENSION OF REMARKS
OF
HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. ROGERS of Florida. Mr. Speaker, one of my very good friends in the Congress, BEN F. JAMES, has announced that he is retiring and will not seek reelection. This announcement has saddened all of his many friends in the Congress, on both sides of the aisle. He has served his District well and has given many years of devoted service to his District, State, and Nation. He has been a true statesman in every sense of the word, never compromising his true convictions, but always following through with the action he felt was right and just and in the best interests of the country.

When I was elected to the 84th Congress, I was fortunate in acquiring the office occupied by my father, Dwight L. Rogers, and also acquiring at the same time, as a neighbor, BEN F. JAMES. My father and he had enjoyed a close association for many years, and one of the great satisfactions I have received in occupying room 111 has been the privilege of being a neighbor of BEN F. JAMES. He has proven to be a real friend and neighbor in every regard. I have greatly enjoyed our relationship and I shall miss him very much. Although we are of different political faiths, I have found his advice and counsel to be sound and helpful. To him and his lovely wife, I wish continued happiness in the years to come.

Review of 2d Session of 85th Congress

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. PRICE. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit herewith my review of the 2d session of the 85th Congress.

Not in many years has any Congress had to deal with such momentous issues as those which faced the session just adjourned. We met last January in the acute consciousness of two Soviet sputniks; by the time we completed our work, a crisis had erupted in the Middle East, American forces had been landed in Lebanon, and American diplomacy and leadership were undergoing new tests.

The 2d session of the 85th Congress—the final session unless the President should summon us to Washington again—necessarily did a great deal of pioneering work. It created a new space agency under civilian control; it revamped and reorganized the defense structure to meet the severe requirements of the nuclear age.

At the same time, Congress had to handle the problems created by the recession, which threw millions out of work, closed down steel mills and put the automobile assembly lines on short workweeks, slashed Government revenues and turned the budget topsy-turvy.

The session had to deal, and deal firmly, with shortsighted proposals to cut back and eventually destroy many sound and well-established programs for the health, education, and well-being of our people. We had to wrestle with differences of viewpoint over farm legislation, labor legislation, the role of the Government in peacetime use of nuclear energy. We had all the normal housekeeping chores—the economic and useful appropriation of funds for the ordinary operations of the Government.

My own areas of concentrated interest were in the fields of national defense and nuclear energy. As most people know, the work of Congress is largely done through committees, which through long experience and the accumulation of testimony and expert guidance seek to become familiar with all the details necessary for sound and constructive legislation.

I served, as in many years past, on the House Committee on Armed Services and the Joint Congressional Committee on Atomic Energy, and these two groups handled diverse subjects, including reorganization of the Department of Defense, the work of the Atomic Energy Commission, the cooperation of the United States in the atoms-for-peace program, and the promising new European six-nation nuclear unity known as Euratom.

Nothing surpassed in personal pleasure the fact that for the first time Congress was persuaded to authorize and appropriate for specific flood-control projects that in the future should help relieve the people of St. Clair and Madison Counties from flash floods of the type that did so much damage in June of 1957.

These projects were not budgeted in the appropriations for the Army engineers recommended by President Eisenhower. But I sponsored a resoluiton that was approved by the House Public Works Committee, and this was paralleled by a somewhat more extensive Senate authorization, and the money was voted for the vital preliminary surveys to be made by the Corps of Engineers.

I had the pleasure of appearing also before the Committee on Appropriations, to explain that the June 1957 floods which killed or injured so many of our people and did much property damage were the second major floods since 1946 due to flash runoff of rainwater. The Appropriations Committee is properly careful in approving expenditures that may be attacked as unbudgeted, but it granted funds for the surveys of these projects we need, and Congress sustained the committee.

There will be, therefore, an engineering survey of the streams in Madison and St. Clair Counties, and this is the first essential step toward the sensible solution of our problems in this field.

Both because of the interests of this Congressional District and because of my own interest, I sponsored, of course, legislation in various fields. I introduced a food-stamp bill, to deal with the problems of agricultural surpluses by making food available to families that need it at a price they can pay, and such a plan was approved by the House Committee on Agriculture. It was not passed by Congress but committee approval is the first step to future passage.

I was sponsor of a bill to protect the interest of workers in welfare and pension plans established for their benefit, and such a bill was passed after a long, hard fight. I was House sponsor, working with Senator HUMPHREY of Minnesota in the other Chamber, of a bill to protect the Rural Electrification Administration from what many of us believe is the determined hostility of Secretary of Agriculture Benson. The committee hearings and approval by the committee had the effect of serving notice that Congress does not intend to let the REA be destroyed or crippled by increases in interest rates or by secret administrative assault.

Two observations seem to me necessary after 6 years during which President Eisenhower has been Chief Executive and the last 4 years in which Democrats have controlled Congress while the executive department has been controlled by Republicans.

We may fairly claim in Congress that in these 4 years politics has ended for us at the water's edge. We have recognized that the President, under the Constitution, has both responsibility and authority for foreign policy and is Commander in Chief of the Armed Forces. We of the majority party in Congress have never decided an issue as Democrats rather than as Americans; we have given the President the support he deserves to fulfill his constitutional duties.

This is how things should be. But it is not the way things have always been, as can be remembered from political war cries in campaigns not long in the past. Very recently Republican campaign orators pretended that there would be a "political cold war" if Democrats should control Congress. I hope we shall hear no more of that nonsense this year.

The other thing—and the President and his colleagues in the Treasury Department have had 6 years to learn about it—is that talking loud and long about "Government economy" does not produce balanced budgets.

We had a solemn pledge back during the 1952 campaign that the new miracle workers would cut down on spending until pretty soon we would be down to a $60-billion budget. Well, they partly did not mean it and partly did not understand what they were saying, and, partly, they forgot about the way our population is expanding, the way our economy has grown, the way new crises may arise for a nation bearing such responsibility as ours. The Eisenhower administration has just finished a red-ink year with a $3-billion deficit. It is in a year when another $12-billion deficit is expected, and we in Congress have had to answer its pleas to raise the ceiling and the national debt.

During 1957 we Democrats tried to cut President Eisenhower's budget, and we did cut it, for a time, although he himself deserted it under the criticism of the organized lobbies of professional drum beaters who pretend that they are speaking for American businessmen. But then the sputniks went up and the Middle East erupted and the recession hit. The administration that claimed credit for "peace and prosperity" cannot say it "was not their fault" when things began to go sour. "Economy in Government" is not really a slogan to be used loosely in election campaigns.

The major legislation passed by the 2d session of the 85th Congress in the field of foreign policy and defense adds up to an impressive total.

We passed the new statute covering the organization of the Department of Defense, giving broad new power to the Secretary of Defense subject only to the overriding authority of the President himself. In this Congress responded to the urgent request of the Chief Executive for a modern and flexible defense organization, with great emphasis on the security of the Nation in a time when

scientific breakthroughs have almost totally transformed the problems. We established what we believe are necessary avenues of approach from the traditional armed services, but we opened the doors to something that meets today's needs.

We created the civilian-controlled space agency, to coordinate and guide our approaches in a realm that only a few years ago would have seemed fantastic but now is recognized as the reality with which we must live.

We approved a law broadening our exchange of nuclear information with friendly powers and, within strict limits, our exchange of certain critical materials with friendly nations that have already made substantial progress of their own toward the nuclear age.

We approved extension of the reciprocal trade law, maintaining the program of expanding foreign trade that was initiated nearly a quarter of a century ago by Cordell Hull, who was President Franklin D. Roosevelt's first Secretary of State. I regret that certain safeguards were not approved to prevent individual industries and groups of citizens from bearing the burden that sometimes arises because of this sound national policy, but some advances were made in this direction.

Here, surely, is a record of cooperation between the Republican executive department and the Democratic Congress that makes nonsense of any talk of political cold war.

The picture is different, unfortunately, when we review actions on the major domestic issue—the recession.

Congress was able to pass a bill that extended, on an emergency basis, unemployment insurance payments for hundreds of thousands of jobless workers whose benefits under State law had expired while they still had not been called back to work. But this emergency law was a poor substitute for what should have been done—and here we face the clear fact that there is a difference in philosophy between the predominant forces in the administration and the majority of Democrats in Congress.

The Eisenhower administration had a chance to support a Democratic bill that would have provided jobless insurance to more than 4 million unemployed workers, who needed help because they were thrown out of work through no fault of their own and whose purchasing power was needed by the sagging economy. But the administration turned down that plan and finally accepted a very limited program—better than nothing but that is all to be said for it.

It was the same pattern on job-creating public works and on tax reduction.

The White House opposed public works by claiming it would take too long to get new programs started, that the recession would be over before plans were transformed into actual construction. And month after month it opposed tax relief, even for low-income and middle-income families, by saying it wanted to wait a little while and see what happened.

And all this time we heard optimistic statements by such administration spokesmen as Secretary of Commerce Weeks that things were looking better that the recession was bottoming out.

The President vetoed our first farm bill and our first rivers and harbors bill. He opposed a program of major Government loans for local facilities such as sewage disposal systems even though plans for these projects were already drawn and actual construction could have begun quickly. He opposed the program of Government aid to depressed areas—areas of heavy and chronic recession—that I sponsored in the House and the Congress actually passed. His opposition, because of the veto power, was enough to make action very difficult in a Congress narrowly divided between the two parties.

His opposition to tax revision was enough to make action impossible, because after he had insisted on waiting for months, he was able to block action by talking about the new deficits being piled up.

My viewpoint is that reasonable reduction of taxes on low-income and middle-income families was more likely to spread purchasing power and actually increase Government revenue rather than cut it. A reasonable reduction would have helped prevent the recession from feeding on itself. I introduced bills on these subjects.

Congress passed resolutions to speed up actual work on public works already authorized and appropriated for. It also passed a bill specifically stepping up highway construction this year and next under the defense highway program, and this means an increase in actual jobs for fully justified projects that the country needs.

But I do not think that the administration made an effective attack on the recession. Things may have bottomed out, as Secretary Weeks claimed, but the people who still do not have jubs are not likely to see the difference.

Just last month the nonpartisan experts of the Department of Labor came to Congress to ask huge supplemental appropriations to help carry the burden of expected unemployment compensation—not now but next winter and perhaps next spring. They indicated to the House committee that so far as they could tell unemployment would be just as heavy next January and February—perhaps at the level of more than 5 million, with about 60 percent eligible for jobless insurance benefits—as it was last January or February.

If these estimates are accurate, then a major job of the new Congress that meets in January 1959, will be to get the country off the bottom and started back to full economic activity with actual jobs for the skilled workers hunting for jobs.

A mark of distinction for the 85th Congress, I think, will be the fact that in defiance of predictions and in the face of great obstacles we passed the Alaska statehood bill.

Both parties for some time have made presidential platform pledges of statehood for Alaska and Hawaii. But on Alaska, at least, President Eisenhower was hesitant; he repeatedly suggested that problems of defense were very complex. We could have dropped his formal proposals on statehood without doing any damage, and pointed to his own lukewarm attitude as revealed in press conferences as an excuse.

We chose to push the Alaska statehood bill through, and as one of the sponsors of bills on the subject and a longtime enthusiast for the program, I was happy that a Democrat, Representative LEO O'BRIEN, of New York, had the responsibility of getting the bill through the House. He did—although at times he thought that the lobby pressures against it would lead once more to failure.

It is a fine thing, a thrilling thing, to realize that a new State is born. I am looking forward to the time when Congress will redeem the pledge to the Territory of Hawaii, too. Hawaii has its claim to a place of full partnership in the Union.

This session of Congress also passed needed legislation in the interest of our service veterans and their families and survivors.

One law consolidates into a single act the bulk of existing legislation on service-connected disability or death and on pension, hospitalization, and medical care. The rates of compensation for service-connected disability were raised. A new system was authorized clarifying the rights of widows even if they did not qualify under the technicalities of previous law. A general housing act was passed which incorporated most of the safeguards and housing benefits for veterans that were originally passed separately but vetoed by President Eisenhower earlier during the 85th Congress—in 1957.

One of the actions by Congress of which I am especially happy grew out of the Joint Committee on Atomic Energy. The administration has had a tendency to use the Atomic Energy Commission as an agency to attack low-cost public power, and I think there is an important place for both public power and private power. That is why in 1955 we blocked the administration attempt to use the AEC as a "power broker" to cripple the Tennessee Valley Authority.

The AEC under former Chairman Lewis Strauss always opposed efforts by Congress to have the Commission develop reactors that would give us experience with peacetime production of electric power. But the Committee recommended this year, and Congress approved, certain projects that will lead in this direction. I think the people have the right to expect that their investment of billions in tax money in nuclear energy should be used for their benefit in ordinary life, and that a balance shall be maintained between public and private-enterprise activity in this field. The Congress approved the Joint Committee's recommendation for participation in the Euratom program, implementing the "atoms for peace" program.

Congress this year made decisions that rejected an unwise administration effort to cripple Government health and education programs in the pretense of turning them back to the States.

The idea of turning something back to the States is superficially a pleasant-sounding slogan, but the administration does not ask itself whether the services it wants to cut were ever actually performed by the States in the first place.

The President wanted us to cut Federal aid to school districts that are substantially enlarged, and handed greater burdens, by an influx of people on Federal payrolls or people called to certain communities because of Federal activities, such as construction projects or defense posts. Congress refused to do this and in fact took a forward step in the other direction by making part of the program permanent.

Congress also refused to begin the process of cutting down on Federal assistance in the public health field by slashing appropriations for hospitals under the Hill-Burton Act. Many hundreds of communities without adequate hospital and clinic facilities now have such services because of wise Federal encouragement and aid, and Congress chose to vote more money, rather than less, to carry this program forward.

The President wanted us to reverse ourselves, just after authorizing a program of Federal aid for local sewage disposal and water-pollution plants, and start cutting out that activity. Again Congress refused to follow his lead. Stream pollution is a national problem and a serious health menace for all our people, and the Federal Government must give guidance and aid to localities.

An effort to enact a housing bill—bigger than the one the President wanted but fully justified by the need, failed, and Congress passed a second farm bill and a second rivers and harbors bill that are not ideal but are within the scope allowed by the earlier vetoes.

We were not able to do anything in the field of minimum wages, particularly in the matter of enlarging the number of workers to include millions left unprotected by the present law. But Congress did pass amendments to the social security law, raising the benefits to those already drawing payments under this tremendous system and maintaining a sound tax structure to finance the program. In both cases, the pattern was the same: The administration showed a hostile or limited attitude, and Congress could do no more than this negativism allowed. We do not have the numerical strength to pass broader legislation by the necessary two-thirds vote over a veto.

The session of Congress just closed was the second session; the beginning of the 85th Congress goes back to January of 1957. The record of the 2 years together is one that allows some sense of achievement in retrospect.

During the period I sponsored a bill, which became law, to provide for Federal inspection of poultry and poultry products in interstate commerce. This is a protection of all our people from the danger of diseased or otherwise unfit poultry sold for food purposes.

I shared the sponsorship of other measures that became law in the provision of scholarships for students in the scientific field; the provision of liability legislation governing nuclear accidents; the protection of employee health and welfare funds.

As the sponsor of basic legislation which resulted, on Memorial Day, 1958, in the interment at the Tomb of the Unknown Soldier of the Unknown Servicemen of World War II and the Korean conflict, I also sponsored the bill that provided that the bodies of these honored dead should lie in state in the rotunda of the Capitol before their burial in their final resting place in Arlington National Cemetery.

As chairman of the House Democratic Conference, which includes all Members of the majority party, I offered the resolution to elect the Honorable SAM RAYBURN, of Texas, as Speaker of the House and, at various times, the Honorable JOHN W. MCCORMACK, of Massachusetts, as Speaker pro tempore during the occasional absences of Mr. RAYBURN.

A groundwork has been laid for future action through bills I sponsored for the secure national control of missile disposal, to create a food-stamp plan, to grant Federal assistance to depressed areas, to expand the national program to cleanse our rivers of pollution, and to make sound revisions of our tax laws so as to reduce the burden on low-income and middle-income families.

When the 85th Congress passed legislation providing that the Federal Government accept responsibility for financing 90 percent of a nationwide network of 41,000 miles of multilaned interstate highways, the State of Illinois immediately stepped up its plans to construct 1,600 miles of the system within the State. The 1958 Federal Aid Highway Act provided for an acceleration of the Interstate System and Illinois, like most States, responded to the attitude of Congress to push for an early completion of the Interstate System. I have been informed by the Illinois Division of Highways that funds expended, contracts under way, and work programed in Illinois using 90 percent Federal participation at March 31, 1958, represents a total of $253 million.

The 85th Congress approved several measures designed to assist small business—one, the Small Business Tax Revision Act of 1958, and another the Small Business Investment Act of 1958. In addition there was some measure of tax relief for small business in the excise revisions approved by the Congress. The stencil-cutting machine industry in Belleville was particularly assisted here, as provisions of the Excise Tax Technical Changes Act of 1958 exempts such equipment, used in marking freight shipments, from Federal excise tax. I introduced legislation asking this exemption and devoted considerable time in seeking inclusion in the act of this relief to a small business operation providing employment in our area.

The Small Business Investment Act has as its primary purpose making equity capital and long-term credit more rapidly available for small business concerns. I am sincerely hopeful that interested groups in St. Clair and Madison Counties will examine the provisions of this act and work toward organizing a small-business development credit corporation to service our area.

The Small Business Tax Revision Act constitutes a step to deal with a few of the more important tax problems of small business. It is designed to increase the volume of outside funds which will be made available for the financing of small business; to increase the volume of internal funds which will be made available for small business; and the third goal of the act is to prevent the breakup of small businesses once they are established.

This Congress passed a bill raising the salaries of post office and civil service workers by 10 percent, and making the increases retroactive to last January 1. This was, fundamentally, a matter of simple justice.

It has been my view that the Federal Government should not be a bad employer, paying its hard-working employees less than would be paid in comparable work in private employment. The President has repeatedly opposed pay-increase bills, and last year he vetoed one by pocket veto after Congress had adjourned and could not take action to override his disapproval. This meant that Government workers were denied increases to which they were entitled by higher living costs and by comparative pay standards in other fields. The action of Congress this year restored the balance by making the increases retroactive.

Congress was unable to complete action on a bill to liberalize the Taft-Hartley Act and require certain minimum standards of labor unions and this was due almost entirely to partisan activity by the administration and particularly Secretary of Labor Mitchell. There is some danger that enemies of labor will try to put through a punitive bill next year, along the lines Mitchell demands, and this will have to be fought.

Few people realize the amount of work the average Member of Congress puts in on committee assignments—and the longer a person serves in the Congress the greater are his committee duties and the responsibilities placed upon him.

I serve on the two committees most vital to our national security, the House Armed Services Committee and the Joint Committee on Atomic Energy. I serve on two regular subcommittees of the Armed Services Committee and am frequently designated as chairman of special subcommittees. I am vice chairman of one of my regular subcommittees.

As a member of the Joint Committee on Atomic Energy, made up of 9 Members of the House and 9 Members of the Senate, I also serve on 2 subcommittees and I hold the position as chairman of the Subcommittee on Research and Development, in which capacity in the past 2 years I have presided over hearings on scientific and engineering manpower shortages in the United States and hearings designed to create greater enthusiasm in America's basic research programs.

As a result of committee work I successfully sponsored legislation in the past session to insure the participation of universities in the United States in our research reactor program of the Atomic Energy Commission. Without the amendments to the Indemnification Acts, which I sponsored, practically every State-supported university in the Nation

would have found it impossible to operate a research reactor.

To give an idea of the time-consuming requirements of committee work, I might point out that I attended an average of 2 committee meetings a day for every day Congress was in session and frequently I was compelled to attend as many as 4 committee meetings in 1 day. At the same time it was necessary to keep abreast of activities on the floor of the House and in this connection my attendance record was again 100 percent. I did not miss a single rollcall.

Much of the effort of a Member of Congress does not show up in official records but most rewarding to any Congressman is the constructive work done through committee assignments. I feel this way as the result of the United States modification of its position on landholding practices in Okinawa, a problem I have been interested in since 1955, when I served as chairman of a special Congressional committee to study our land acquisition policies in the Ryukyu Islands.

The issue has been the source of endless friction, but now the old methods are to be abandoned and negotiations have begun on a plan acceptable to the Okinawans. More sympathy and tact will be shown to the people whose homeland we occupy as a military bastion to preserve peace in the Far East.

Statement by Hon. William E. Jenner, of Indiana, in Connection With the Senate Vote on Raising the Debt Ceiling

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EXTENSION OF REMARKS
OF
HON. WILLIAM E. JENNER
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD a statement by me in connection with the Senate vote in raising the debt ceiling.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JENNER

I am deeply concerned about maintaining the full faith and credit of the United States. Because I am so deeply concerned about the credit of the United States, I am unable to accept the bill to raise the permanent debt ceiling another $8 billion.

The Secretary of the Treasury is doing everything possible to meet our fiscal needs. He needs help. I submitted to the Finance Committee an amendment to give him all the borrowing authority he asked for, but on a temporary basis only.

I am strongly opposed to any increase by Congress in the permanent debt ceiling.

Either the statutory debt limit is a barrier to unlimited spending, or it isn't. Today we have a rubber debt ceiling, made to look as if it was a firm barrier, but actually responding to every lightest pressure for more funds. That is fooling our people. If Congress does not intend the debt ceiling to be a barrier to excessive spending, it should abolish the ceiling, and admit Government spending is unconfined.

Nothing is sillier than to have what looks like a guardrail when we know the guardrail will not hold.

Yes, I know that Congress has voted all the appropriations under which executive spending is carried on. I know Congress voted for the carryover appropriations which give the executive some $70 billion above the current budget. But the debt ceiling should be a barrier against Congressional appropriations as well as against extravagant Government agencies.

If Congress passes one law to impose a limit on the public debt, and a dozen other laws to send the appropriations far above that limit, Congress should meet the problem by reconsidering its excessive appropriations.

My proposal for a temporary increase would have given the Secretary of the Treasury the money he must have to carry him over the coming 6 or 8 months, and then it would have put the entire problem back where it belongs—in the lap of Congress.

There are plenty of places where our budget can be cut. They must be found. They never will be found, if we have this rubber debt ceiling which stretches upward another 5 or 10 billions every time Congress appropriates more than we can afford, because the executive branch wants to spend more.

Congress has never seriously set itself, since 1933, to the task given it under the Constitution—to control government spending in the interest of the people of the Nation who work to earn the money.

Arbitrary governments permit public officials to decide how much they want to spend, but free governments give to representatives of the people the decision on how much of their earnings is to be spent by the government. That right—to have the people's own representatives make the decisions on the government's use of our resources—is crucial for the preservation of our liberties.

Congress has never seriously set itself to the task of controlling the executive agencies which have been doing as they liked for 25 years.

Some one must speak out. The situation is already more serious than most people realize.

The Secretary of the Treasury has estimated that the deficit for next year will be about $12 billion.

But in the Senate Finance Committee hearings, the Senator from Nevada questioned whether the Treasury's estimates of spending included enough allowance for all the promises currently being made for foreign aid to one area and another. He warned that by the year's end the spending figure might be much higher than the present estimates.

The Senator from Illinois questioned whether the Treasury's estimates of receipts had not been higher, in the preceding year, than actual collections. He asked whether collections for 1959 might not again be lower than the Treasury estimates. The Secretary agreed that Treasury estimates had been running above actual collections.

The Senator from New Mexico questioned whether it would not be increasingly difficult to sell Government bonds with new deficits of $2.8 billion and $12 billion.

In addition, the inflation generated by the new deficits may well lead to price increases which will be an additional force sending expenditures higher than the current estimates.

The deficit of $12 billion for the current year is thus based on estimates of spending which may well be too low, estimated collections that may well be too high, an uncalculated allowance for inflationary price increases, and possible increases in the cost of marketing bonds.

I am not forecasting a higher deficit for fiscal 1959 than the $12 billion estimated by the Secretary of the Treasury, but it is my duty to warn that these estimates are tentative, and the gap between revenue and expenditures certainly might be greater than the figures we have now. It is the duty of Congress to face now the possibility that the deficit in June 1959 may be substantially higher, if they do nothing. When Congress raises the permanent debt ceiling and does nothing about spending, it is telling the spenders to go ahead, and telling investors to put their money in hedges against inflation.

If Congress refuses to raise the debt ceiling, at Treasury request, it will be telling the public that Congress is prepared to find ways to cut Government spending, until every dollar of waste and extravagance is squeesed out of the budget of the United States.

Everybody Interested in Tobacco

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. COOLEY. Mr. Speaker, the tobacco program is important to all of the people of the State of North Carolina. The prosperity of the tobacco farmer is vital to the welfare of every worker, every business and professional man, and people in all vocations and avocations. When tobacco farmers are impoverished, every segment of our economy feels the impact. Should the tobacco program be lost, tobacco farmers would face bankruptcy. They would bury themselves beneath the abundance which would be produced.

The tobacco program has been and is now the best of all the commodity programs which have been undertaken. Tobacco farmers have received the benefits and they are willing to bear the burdens of the program. They have always been willing to accept necessary acreage allotments and marketing quotas in an effort to keep supply in line with consumer demand. It has been a profitable program and not a financial burden to the Government. Even the President and Secretary of Agriculture have publicly praised the program and have supported it until just a few months ago. Now they want to subject tobacco to the flexible price-support program which might very well lead to the complete destruction of the one program which has meant so much to so many.

Tobacco is of particular importance to those engaged in selling, processing, manufacturing, transporting, and exporting tobacco and tobacco products. The livelihoods of hundreds of thousands of nonfarm people are dependent upon the success of the program and appreciate its real value.

Actually the success of the program has been largely dependent upon the fine spirit of cooperation which has existed through the years between officials of the Government, tobacco farmers, and the workers, the business and professional men in the area where tobacco is produced. Each group mentioned has made an honest effort to understand the problems and difficulties involved. Such spirit of cooperation has resulted in unbelievable success.

Tobacco has contributed more than its fair share to the governmental revenue of our country. The total tax take by Federal, State, and municipal governments now amount to over $2,500,000,000 annually. Whenever governmental emergencies arise requiring additional revenues, tobacco products are always singled out for the levying of additional taxes. The total value of all the tobacco produced by all the tobacco farmers in the Nation is negligible when related to the tax burden which tobacco is required to share. Our tobacco is always taxed by foreign governments and provides a substantial part of the revenue of such governments. It is, therefore, important that we be prepared and have available the quality and quantity of the tobacco necessary to meet export demands. Over one-fourth of the total tobacco produced in the United States and about one-third of the total of our flue-cured tobacco is exported to and used in foreign countries. Foreign buyers and exporters must at all times have available to them the qualities of leaf they desire and the quantities they need.

The people of North Carolina, South Carolina, Georgia, Tennessee, and Kentucky, and in Connecticut and in Florida should be aware of the importance of tobacco and the tobacco program which has served all of our people so well and so long.

Testimony of the Honorable John D. Dingell Urging Liberalization of the Social Security Program

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EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. DINGELL. Mr. Speaker, I am proud of my participation in the movement which brought H. R. 13549, the social security amendments of 1958, to the floor of Congress for passage.

IMPROVEMENTS IN THE OLD AGE AND SURVIVORS INSURANCE PROGRAM UNDER H. R. 13549

First. The old age and survivors insurance benefits were increased by 7 percent for present recipients, with a minimum monthly increase of $3 and an average increase of about $4.75. Maximum benefits to retirees were raised from $108 to $116 per month with an ultimate maximum of about $127 per month for future retirees. It raised the maximum for a man and wife from about $160 per month to $190.

Second. It increased from $200 to $254 the total monthly benefits that could be paid to one family.

Third. OASI taxes were increased by one-fourth of 1 percent to 2.5 percent for employees and employers and three-eighths of 1 percent to 3.5 percent for the self-employed.

Fourth. The wage base on which benefits are computed and taxes paid was raised from $4,200 to $4,800, effective January 1, 1959.

Fifth. It speeded up the automatic OASI tax increases, and liberalized slightly the limitation on yearly earnings by changing the formula for reducing benefits for those earning more than $1,200.

PUBLIC ASSISTANCE

Technical changes were made in the public assistance program which reflect themselves in increased Federal participation in public assistance programs of the States.

I insert below 4 tables showing the increase under H. R. 13549, and the increase in indivdual benefits:

Old-age assistance	$139,788,000
Aid to dependent children	33,537,000
Aid to the blind	5,282,000
Aid to those permanently and totally disabled	19,383,000
Total, all programs	197,990.000

Michigan annual increase for all recipients

Old-age assistance	$4,214,000
Aid to dependent children	1,436,000
Aid to the blind	67,000
Totally and permanently disabled	170,000
Total for all programs	5,568,000

Increase of monthly level of benefits per individual recipient for the United States

Old-age assistance	$4.73
Aid to dependent children	1.17
Aid to the blind	4.36
Aid to the permanently and totally disabled	5.01

Increase of benefits per individual recipient for the State of Michigan

Old-age assistance	$5.32
Aid to dependent children	1.43
Aid to the blind	3.12
Aid to the permanently and totally disabled	3.77
Total all programs combined (per recipient)	3.16

I pledge myself to work for further liberalization of the social-security program, as set forth in that statement. I feel that the retirement age should be reduced to age 60 for men, and 55 for women. Sixty days free hospitalization should be given to all beneficiaries of the program. The present income limitation of $1,200 should be raised to $1,800. The permanent disability retirement feature should be amended to provide for immediate retirement for all persons concerned regardless of age.

I insert my remarks before the House Ways and Means Committee on June 27, 1958, urging liberalization of the social-security program.

STATEMENT BY THE HONORABLE JOHN D. DINGELL, DEMOCRAT, 15TH DISTRICT OF MICHIGAN BEFORE WAYS AND MEANS COMMITTEE ON HEARINGS TO CONSIDER LEGISLATION TO EXTEND AND LIBERALIZE THE SOCIAL SECURITY ACT, JUNE 27, 1958

Mr. Chairman and members of the committee, I would like to extend my personal thanks to the distinguished and able chairman and members of the Ways and Means Committee for an opportunity to appear and discuss legislation to extend and liberalize the Social Security Act.

As you know, my dad was on this committee for better then 20 years and during his tenure the original Social Security Act was drafted, acted upon by this committee, and enacted into law. I am sure the membership can recall my dad's great interest in the original law and the efforts which he constantly made to extend and liberalize that finest of social legislation.

I will not devote my time today to unemployment insurance since I appeared before the committee recently to discuss legislation to extend and liberalize unemployment insurance. I would, however, like to thank the committee for the very splendid effort made by them to act in the present unemployment crisis, by reporting out the bill, H. R. 12065, to make Federal grants to the unemployed of this Nation who have exhausted their unemployment compensation. The committee will recall it the time I appeared before you I urged, as one of the cosponsors, legislation to establish adequate fair Federal standards to compel payments of not less than one-half of the State's average weekly wage and to compel extension of existing State plans to 39 weeks' duration by Federal action.

I intend to confine my testimony today to the public-assistance phases and to the old-age and survivors insurance aspects of the social-security program.

PUBLIC ASSISTANCE

The present economic situation has enormously increased the burden of local welfare authorities. The number of general assistance cases rose by 43 percent from March 1957 to March 1958. Eight hundred and fifty-five thousand received assistance in 1957 and 1,210,000 received general assistance in March of 1958, just 1 year later. The report of the Social Security Administration on May 8 said, "All but 1 out of 48 States reported an increase in the ADC (aid to dependent children) caseload in March. The number of ADC recipients rose by 54,000, the largest monthly increase since October 1950, the first month in which one parent or other adult relative was included."

My own State of Michigan is experiencing the gravest difficulty in handling their local welfare programs. The burden in Detroit is so heavy it causes the most serious economic problems to the city, the cost having risen by millions of dollars each year. Additional Federal contributions to the public assistance program would be most helpful to the city of Detroit, and to our people.

Many persons are suffering tremendous hardship, but they are not reflected in public assistance cases for several reasons, either because they are excluded by technicalities and shortcomings of existing programs or because they are too proud to apply for public assistance. Few States have sufficiently comprehensive programs to cover all phases of public aid for needy persons.

There are certain hardships I would like to call to the attention of the committee. For example, about half the States do not provide any assistance to employable persons or their families. Sixteen States make no contribution whatsoever for the financing assistance. In other States, State assistance to welfare programs is so small as to not be really worthwhile. Most States have a requirement that persons reside within the boundaries of the State and be gainfully employed for a certain period of time before they can become eligible for public assistance.

Many public assistance agencies find they cannot make available to their clients even the minimum budgets which are theoretically essential for minimum living conditions.

The average monthly payments in March of 1958 across the Nation were as follows: Old-age assistance, $61.30; aid to dependent children, per child, $35.59; per family,

$102.22; per recipient, $27.26; aid to the blind, $66.70; aid to permanently disabled, $60.69; general assistance (per case), $61.23.

It should be remembered that these are monthly amounts. Divide them by 4 to give weekly amounts and the committee will find that they range from about $6 per week for aid to dependent children to about $15 a week for aid to the blind, certainly far short of a minimum living standard.

No figures are available to show what outside income is available to these people but it must be assumed that it is extremely small. Certainly there is not a sufficient income here for anyone who does not have some outside assistance to exist on even a minimum survival level. This is particularly true in my own city of Detroit where even the most minimal rentals run about $75 a month, and where food and other costs are higher than the average across the country.

The committee is, of course, familiar with the charitable aspect of the public-assistance program and it is certainly necessary, as the Bible commands us, to be generous to our neighbors. The committee is also aware of the fact that grants to persons in this category are most helpful in stimulating business, industry, farming and other occupations furnishing the goods and services which these people must use to live. Uniform Federal standards in this field to compel adequate payments and adequate participation by States on behalf of recipients of public assistance would be not only a humanitarian endeavor but would be a wise economic operation for the benefit of all phases of industry and business, too, which must sell the goods and services welfare recipients need to survive.

THE OLD AGE AND SURVIVORS INSURANCE PROGRAM

I would now like to turn my discussion to vitally necessary improvements in the social security program. When the Social Security Act was first passed in 1936 it was contemplated that the program would pay retiring covered workers about one-half their weekly wage.

Since that time we are well aware of the economic history of this country. The 1936 dollar, in terms of real purchasing power, has shrunk to one-third or less than its value at the time of the passage of the Social Security Act. Congress has periodically reviewed the program and the needs of recipients and has made small upward adjustments in the amount of the monthly benefits to the retirees under the program, but these upward adjustments in payments have in no way reflected the real increase in the cost of living.

Certainly the committee is well aware of the increase in the real wage level, from some $90 a month to the average factory worker to something on the order of $90 a week or better, and these are not our highest paid workers.

These, among others, are reasons why I favor a substantial increase in the amount of monthly benefits to those retired and certainly favor an upward adjustment in the tax schedule and in the amount of payments to be made to those now working and contributing to the OASI fund.

I would like to comment briefly on the Forand bill and to state to the committee that I enthusiastically support and favor enactment of this piece of legislation at the earliest possible moment.

This bill embodies a proposal that I have long favored, that is, payment of up to 60 days free hospitalization for any recipient of social-security benefits. I need not point out to the committee how vitally necessary this feature is. The bill goes further and adjusts upward the amount taken into consideration in computing OASI benefits from $4,200 to $6,000 a year, a thing which would be most helpful to those retiring in the future. The bill would raise the maximum benefit payable under the OASI program from $200 to $305. The Forand bill would increase present retirees benefits by $5 to $10 a month. Such an increase is vitally necessary to our retirees, and should be given in the interest of both justice and humanity.

I would now like to turn my discussion to legislative proposals which I have advanced during this and other Congresses, naming each piece of legislation by its appropriate number.

H. R. 4765

This bill provides that up to 60 days free hospitalization be extended to recipients of social-security benefits.

People over the age of 65 are very prone to illness and this vulnerability increases with each passing day. Yet, it is the practice of many private health insurance plans to discontinue hospital benefits available to the insured person after age 60 or 65. Statistics show that fewer than one-third of the people over 65 and only one-sixth of those over 75 have hospitalization of any sort and none of this insurance gives anything like adequate coverage. For comparison, in the rest of the population more than 2 in every 3 have some form of hospital insurance or comprehensive health insurance.

The problem of paying hospital bills is particularly serious for our older citizens because their greater need is accompanied by reduced economic means. Their incomes on the average are much smaller than the rest of our people. Among our 14 million people 65 years of age or older, only about one-third have incomes exceeding $1,000 a year and only about 1 in 5 have as much as $2,000 a year income. The 6 million who depend on old-age insurance benefits are receiving on the average $105 a month for a retired worker and his wife, or about $64 a month for a retired worker alone. Even those who receive the maximum allowable retirement benefits get only $162.80 a month for a couple or $108.50 for an individual. This level of income cannot cover more than a few days of hospitalization a year and few of these couples have any significant additional income and still fewer have any savings to fall back on. To individuals in such reduced circumstances sickness and its attendant expenses are disastrous and the financial difficulties and worries which accompany a stay in the hospital also aggravate the difficulties of restoring good health.

Persons over the ages of 60 or 65 are generally unable to obtain hospital insurance coverage if they do not have it when they reach that age, and many who have such insurance find that they are no longer permitted to renew it after they reach 65.

Of course, the premium cost in health insurance for persons of such age is often beyond the reach of our older citizens.

A program of the type that I set forth in this bill is vitally necessary to the security of our older citizens.

H. R. 5263

This bill provides that social-security benefits shall be exempt from taxation.

The present law is muddled as to whether or not social-security benefits are taxable by Federal, State, or local governments. Because of the present uncertain status few governments attempt to tax social-security benefits. Of course, the low level of income of social-security pensioners generally makes tax liabilities small, in fact so small as to be administratively hardly worth the trouble. At the present time social-security benefits are exempt from Federal taxation through interpretative ruling only. In view of the extremely muddled situation as to taxation of these benefits and because of the desirability of protecting our older citizens in their enjoyment of their social-security benefits, legislation of this sort should be passed at the earliest possible moment.

H. R. 3737

This bill embodies my proposal to reduce the retirement age for men to 60 and for women to 55.

While I prefer that the retirement age should be reduced to this level, I would support strongly any reduction in the retirement age under the program.

The reasons for this change are both economically sound and of humanitarian appeal. As the committee will recall, the recent reduction in the age limit to 62 for women during the last session was a great step forward. This reduction from the once sacred age of 65 did not hurt the program, but its humanitarian impact was enormously beneficial.

The same logic applies here. Each year we find that our senior citizens, although desiring to work to support themselves, find it more difficult to locate or maintain jobs. When laid off, the older workers find it almost impossible to obtain other work. This is particularly true in the present recession. This is a hardship brought on by no fault of the worker, which gives no opportunity to the citizen affected, and which invariably reduces him to a charity case against his wishes. Few men or women retire voluntarily. Company regulations, difficulty in finding a job, sickness, and old age are the real causes. The Department of Labor found that employers were not hiring older workers because they believe them to be less productive and responsible for a tremendous increase in insurance and pension costs.

In 1955 a survey showed that the greatest number of people receiving benefits had been forced to do so for a reason beyond their control. The most common reason was age, the next number were retired because of ill health.

Certainly the low level of social-security benefits offer no great incentive. The average monthly benefits for October 1956 was $63.21 for a retired worker, $33.64 for his wife, and $49.24 for a widow.

The cost of this amendment is small, but its need is great.

H. R. 6107

This bill eliminates the requirement that a person who is permanently and totally disabled shall have to wait until age 50 to receive social security disability benefits.

As the committee will recall, the age 50 requirement for retirement under the permanent and totally disabled section of the law was a compromise, and not a good one.

To show the contradictions in this compromise, a man, regardless of his age, is entitled to take advantage of the disability-freeze provisions of the act, regardless of how long the permanent and total disability occurs prior to his 50th birthday, and to make no payments into the fund in the interim while retaining full coverage. A man of 50 may retire under these provisions who is no more disabled than a citizen of 30, 40, 45, or 49. Because of the requirement of the law that the worker must show both a substantial and a recent work history, it is possible that a younger man may have the same or greater disability and need, and may show equal or greater contributions to the fund, and yet he is compelled to wait for some distant and future date, while the worker age 50 may retire at once.

The cost of this proposal is negligible, and its enactment would add only one-eighth of 1 percent of payroll for both worker and employer, but would add security and protection for our people, whose worth cannot be valued in mere dollars or cents.

H. R. 7488

This bill would raise the amount of earnings which could be made by retirees under the social-security program from $1,200 to $1,800.

The reasoning and need for this legislation is clear. The cost to the fund would be negligible. It would be of immense help to our retirees who desire to and are able to find supplementary work. It is made necessary by the tremendous rise in the cost of living and by the deplorably low level of benefits to our social-security retirees. The anomalous situation in the law which permits a covered worker to retire and find no reduction in his benefits, even though he may have considerable savings, wealth, or some other type of exempt income is clearly unfair to the covered retiree who has no such outside income and who desires to supplement his small retirement benefits by his own labor.

This legislation requires virtually no change in the tax rate.

H. R. 7660

This is my bill which would raise the amount subject to taxation and on which benefits would be computed from $4,200 to $6,200.

Anyone earning under $4,200 would pay no increase in OASI taxes, and the increase in taxation on those earning between that amount and $6,200 would be quite small, about 2$ percent to those covered under the system, for a maximum of about $45 per year, for both employer and employee. I am advised that this change will do much to improve the solvency of the fund.

The real effect of this change would be to raise the schedule of benefits from a present maximum of $108.50 for a worker, and $162.80 for a man and wife, to $141.70 for a worker and $212.60 for a man and wife. Thus our retirees would be much more able to cope with the problems of retirement with comfort and security.

H. R. 10878

This bill changes the definition of "permanently and totally disabled" under the act to cover one who is precluded by medically determinable physical or mental impairment which can be expected to result in death or to be of permanent or indefinite duration to engage in gainful activity which is the same as or similar to the occupation or employment last performed by him on a regular basis before the onset of such impairment.

The reason for this amendment is that the Social Security Administration has been construing permanent and total disablement to be only such as would preclude any and all gainful activity.

As a result of the administrative interpretation, the number of those who are unable to work gainfully in their employment, and who for all intents and purposes are unemployable are denied the benefits of this section. For example, where it was expected that the Social Security Administration would place on its rolls some 400,000 permanently and totally disabled persons, we find that as of last November, 1 year from enactment, the total number of beneficiaries had grown to only 140,800. The harsh actions of the Administration in this regard have caused widespread and justified criticism, and this bill is aimed at correcting the overstringent interpretations which have been used.

H. R. 10883

This is a very simple bill, amending the Social Security Act so that a person is considered permanently and totally disabled for purposes of drawing benefits under that section of the act, where he is so certified by another agency of the United States Government.

Failure of the Government to adhere to uniform standards in determining permanent and total disability has resulted in some strange absurdities and many very severe hardships, as I am sure the committee can very well understand. This bill is aimed at ending such an absurd situation.

In conclusion, gentlemen, I strongly urge this committee to liberalize and improve the Social Security Act along the lines of my bills which I have set forth above. Passage of such legislation would be of the utmost benefit to our people both presently retired and those who will retire in the future.

In addition, I stress that the amount of interest paid on the social security trust fund is neither just nor equitable. Presently it approximates 2.7 percent, where the Civil Service and Railroad Retirement trust funds bring 3 percent interest. In these days of high interest, this is a grave inequity, bearing heavily upon our retirees and those who will be dependent on the fund in the future. Raising the interest to 3 percent would permit additional benefits to our retirees with no additional charges to either workers or employers, and would certainly seem to be both just and proper.

I hope this great committee can take some action to liberalize social security benefits, and I am sure that any liberalization will be enthusiastically supported by our citizens.

Report to the People

EXTENSION OF REMARKS
OF
HON. GEORGE M. RHODES
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. RHODES of Pennsylvania. Mr. Speaker, I again take this opportunity of reporting to my constituents, the people of Berks County, the 14th Congressional District of Pennsylvania.

PURPOSE OF REPORT

This report deals with the work and the record of the 85th Congress. It summarizes my activities and the position I have taken on important issues coming before the Congress.

During the past 2 years, I have made weekly radio reports and have submitted weekly columns to newspapers in Berks County. I have also mailed monthly newsletters to those persons who have asked to be on my mailing list. This printed report supplements these periodic reports during the session, so that all citizens of Berks County may have the opportunity to know my legislative record and the record of the 85th Congress as a whole.

REPRESENTATION

As a Representative of the people of Berks County in Congress, I have made every effort to serve the public interest conscientiously and to the best of my ability. The views of every person who has discussed personally or written me on legislative issues have been afforded full consideration. Individual problems of constituents have been promptly handled by my office. Every possible effort has been made to be of assistance to everyone who has come to my office for information, advice, or service. My attendance record in the 85th Congress was again one of the highest.

READING OFFICE

My office in the Reading Post Office Building has been open 6 days a week year round for the convenience of constituents who have problems or who wish to present their views and suggestions. During the past 2 years, I have spent as many weekends as possible in Reading and have fulfilled many appointments with constituents who called at my office. I have also made my time available to discuss any issue, answer questions, debate or otherwise explain my views on specific issues at the invitation of any group in Berks County.

WASHINGTON VISITS

During the 85th Congress, it has been my pleasure to welcome many individuals and school groups, religious organizations, women's clubs, Boy and Girl Scout groups, and other organizations who have come to Washington and visited me at the Capitol. With the help of Mrs. Rhodes, I have tried to make these visits interesting, educational, and enjoyable.

COMMITTEE WORK

In this 85th Congress, I served on the Interstate and Foreign Commerce Committee and the Committee on House Administration. The Commerce Committee has wide jurisdiction over matters pertaining to transportation, communications, health, science, research, and related fields. I am also the ranking majority member of the Health and Science Subcommittee, which handled such important legislation as hospital construction and medical research facilities, public health matters, weather modification research, and matters affecting the Food and Drug Administration.

My views on pending legislation were presented to other committees of the House and Senate on such subjects as railroad retirement, social security, postal rates, postal pay, civil-service retirement, assistance to the handicapped, and various taxation measures.

BILLS INTRODUCED

I sponsored legislation to raise income-tax exemptions to $800 a year, establish a Bureau of Older Persons, reduce the retirement age and increase social-security benefits, establish an agency to assist the handicapped, reduce small-business tax rates, stabilize employment in the textile industry, and to increase railroad-retirement benefits.

Other bills I introduced would curb arbitrary cancellation of health, accident, and hospitalization insurance, prohibit destruction of the National Grange headquarters, grant tax deductions to handicapped persons, provide grants to schools of public health, liberalize public-assistance provisions of the Social Security Act, limit subsidies paid to second-class mail users, provide adequate funds for our participation in the Brussels World Fair, and provide income-tax exemption to teachers for expenses incurred in furthering their education.

CONGRESSIONAL DEBATE

I have taken part in important debates on the floor of the House on such issues as postal rates, public-health funds, pension increases for Spanish-American War widows, exemption of nonprofit swimming pool groups from Federal excise taxes, additional wheat acreage allotments for feed grain use on the farm, social security, civil-service retirement, labor reform and pension welfare funds, depressed areas, community facilities,

public-health education, aid to railroads, the Brussels Fair, and weather modification research.

BOOSTING BERKS

Of special interest to the people of Berks County are the many Federal programs, projects, and defense contracts placed in our county, all of which directly benefit our people and our local economy.

The social-security program brings in a yearly total of $15 million to more than 22,000 Berks Countians receiving monthly benefit checks. The Federal surplus food disposal program brought needed assistance to several thousand unemployed and needy persons each month. Many disabled persons were restored to productive and satisfying lives with the help of the Federal-State vocational rehabilitation program.

As a result of the severe drought during 1957, Berks County was designated as an area where the Farmers' Home Administration could make emergency loans at low interest rates to eligible farmers. Federally guaranteed home loans have been secured by many citizens of Reading and Berks County. Several important federally assisted highway-construction projects have been undertaken.

The Walnut Street urban redevelopment project in Reading is well under way, aided by a $225,764 Federal capital grant. Ground has been broken on the $650,000 Naval and Marine Corps Training Center in Reading and $171,000 in Federal funds for construction of the Kutztown National Guard Armory have been released. This latter project is expected to be under way early next year.

Federal funds totaling $49,986 have been allocated to Cumru Township for completion of planning for construction of a sewage-collection system. The Borough of Birdsboro has received a Federal advance of $18,000 for preliminary planning for construction of a sanitary sewer system. Another Federal grant of $16,107 was made to the Womelsdorf-Robesonia Joint Authority for construction of a water-supply system for these 2 communities. A $92,000 Federal grant has been made to Muhlenberg Township for planning a sanitary sewer system, while Reading received a $165,970 grant for planning an extension of the sanitary sewer system to serve the 18th, 19th, and part of the 16th wards.

Many defense contracts have also been placed in Berks County. Well over $2 million in subcontract work on the most recent medium tank contract awarded by the Army is to be done by local concerns. I had previously arranged for a meeting of local businesses and company representatives on this procurement to help channel additional jobs and business into our area. Over $4 million in defense work has been placed in Berks since the spring of 1958, providing an important stimulant to our economy during this critical recession period.

THE 85TH CONGRESS AND THE CHALLENGE OF THE FUTURE

Seldom in history has our Nation been confronted with so many complex problems and serious challenges within our own economy, in our scientific and technological ability, and in our efforts to cope with the sinister advance of Communism throughout the world.

FIRST SESSION, 1957

The 85th Congress convened in January 1957. Soviet brutality in crushing the revolt of Hungarian freedom fighters and impact of the Suez Canal conflict were still fresh in our minds. The administration was pushing with renewed vigor its economic curtailment and hard money policies. President Eisenhower was inaugurated for a second term and sent to Congress the largest peacetime budget in our history. A gigantic economy pressure drive was soon directed toward Congress by hard money advocates. Administration leaders differed over the size and importance of various programs recommended. Treasury Secretary Humphrey refused to support the administration's budget and the orders finally went out to executive departments to hold spending to the previous year's level.

Funds appropriated by Congress for essential defense programs were held up by the Budget Bureau; other programs important to the Nation were similarly curtailed. By early fall 1957 industrial production had declined, inventories piled up, the home building industry was crippled by rising interest rates, and industrial unemployment began to rise sharply.

A Congressional investigation of the administration's monetary and fiscal policies was conducted to evaluate the effects of hard money, high interest rates, the rising cost of living, the increase in the public debt, and budgetary matters. But the administration refused to change its course, despite the growing economic decline and evidence that these fiscal policies were having a harmful effect on millions of small businessmen, farmers, retired folks, professional and industrial workers.

Meanwhile, growing scientific advancements of the Soviet Union were dramatically revealed to the American people by their launching of the first earth satellite. Congressional leaders had repeatedly warned of the rapidly closing gap between our country and the Soviet in guided missiles, in the development of atomic energy, science, technology and in research and development of modern military power. The nonpartisan Gaither and Rockefeller reports contained similar warnings. But the administration had largely ignored these ominous developments and we found ourselves totally unprepared to meet the challenges of the space age.

SECOND SESSION, 1958

The second session of the 85th Congress met in January 1958 with a strong sense of urgency to deal with the domestic and international crisis which seriously threatened our Nation. The record of accomplishment of the 85th Congress in enacting major legislation to meet these challenges presents remarkable evidence of the ability of our system of representative government to cope with any emergency, even in this new era of satellites, missiles, and outer space.

NATIONAL DEFENSE

Department of Defense reorganization legislation was enacted, along the lines requested by the President, strengthening the authority of the Defense Secretary to eliminate wasteful duplication of effort among the services, to facilitate strategic planning, to improve command operations, and to expand defense research and development functions.

Congress appropriated a record peacetime defense budget of $40 billion, an increase of $5 billion over last year, to strengthen our national defense in such vital areas as missile research, development, and production, dispersal of Strategic Air Command bases, and the acquisition of missile bases. Funds were also provided for the construction of additional nuclear-powered missile submarines, jet bombers and tanker planes, as well as needed conventional weapons.

Major recommendations of the Cordiner Commission were enacted into law, increasing pay scales of members of the armed services to provide inducements for career military personnel, particularly in the technical fields. Eventual savings to the taxpayers are estimated at $4 billion. Career military establishment may also mean eventual elimination of the draft.

A civilian-controlled National Aeronautics and Space Administration was established to deal specifically with the development of a comprehensive program of research and operations in aeronautical and space sciences, space flight, development of aircraft, missiles, and other space vehicles.

A national defense education bill was enacted, providing fellowships and low interest loans to students to enable them to attend institutions of higher learning. Special consideration is given students with special abilities in the fields of science, mathematics, engineering, or modern foreign language. The bill also provides grants to States for strengthening instruction in these fields and in testing, guidance, and counseling services, and area vocational education programs.

ANTIRECESSION PROGRAMS

The 85th Congress enacted several measures to stimulate our sagging economy and to help alleviate the severe economic distress of millions of Americans bearing the brunt of the recession. Other important antirecession programs were blocked by the conservative coalition in the House.

The Federal interstate highway construction was accelerated by the appropriation of more than $3 billion this year, providing additional jobs in the road building industry and related industries. States were given bonus funds for the regulation of billboards along the Interstate Highway System.

An emergency housing program authorizing almost $2 billion in housing loan funds was enacted early this year. It was designed to stimulate the building industry by encouraging the construction of up to 200,000 homes, providing jobs for hundreds of thousands of building tradesmen in communities throughout the country. The impact of this legislation is already being felt, as

new housing starts have risen sharply in the past several months.

Unemployment had risen to almost 5½ million persons, the highest number since pre-World War II days. An estimated 2 to 3 million additional workers were on part time. Hundreds of thousands of unemployed workers were exhausting their unemployment compensation benefits each month, bringing severe economic hardship to them and their families.

Congress enacted legislation to permit States to borrow Federal funds to extend the payment of unemployment compensation benefits for a period equal to 50 percent of the number of weeks of payments authorized under State law. This meant a maximum 45 weeks coverage in Pennsylvania, highest in the Nation. Prompt action by Gov. George M. Leader in applying for the Federal loans extended benefits in Pennsylvania to provide emergency assistance to many thousands of our unemployed workers.

Efforts to modernize the unemployment compensation system and to further liberalise the emergency assistance program were blocked by a coalition of Republicans and some Southern Democrats.

The Congress enacted an excise tax revision measure which will provide relief in some segments of the economy. The excise tax on freight was repealed, benefiting the railroads and rail shippers, and a long-needed small-business tax relief bill was also enacted. Another technical income tax revision bill was passed, closing certain loopholes and correcting unintended benefits and hardships in the 1954 tax law. Efforts to close major tax loopholes, such as the 27½ percent oil depletion allowance, were blocked in the Senate.

The Area Redevelopment Act was passed by the 85th Congress, providing a long-range American point 4 program to assist economically depressed areas to help themselves in reducing unemployment and in bringing in diversified new industries to stimulate the local economy. This new law will be of extreme importance to Pennsylvania. It provides Federal loans for industrial projects, grants for public utility services for new plants, the retraining of workers displaced by the movement of industry, technical planning assistance for redevelopment programs, and urban renewal assistance. In a separate action, a Senate study of the depressed textile industry was authorized.

The Transportation Act of 1958 provides needed Federal assistance to the Nation's distressed railroad industry by authorising $500 million in Government loans for capital improvements and maintenance. It also made important amendments to the Interstate Commerce Act to improve rail operations.

Long-needed legislation to provide equity capital and long-term loans to small businesses were enacted. Other important measures benefiting small business were enacted, helping to create new job opportunities in communities throughout the Nation.

Other important antirecession programs enacted by Congress included an accelerated $1.1 billion public-works program of flood control, navigation, and water resources construction projects and a $1.5 billion military construction appropriation measure.

A coalition of Republicans and Southern Democrats in the House, plus strong administration opposition, succeeded in blocking several other antirecession measures.

The community facilities bill would have made $2 billion in long-term loans available to local governments for planning and construction of public works such as hospitals, sewage projects, streets, recreational facilities, public buildings, urban-renewal projects, water-supply systems, and similar types of worthwhile community projects. Enactment of this legislation would have permitted more immediate construction of several public-works projects in Berks County, which are now in the planning and development stages.

Similar opposition killed an omnibus housing bill, authorizing funds for urban-renewal projects, VA and FHA home-loan programs, housing for elderly persons, college-housing loans, and military housing. This was one of the major setbacks suffered in the 85th Congress. The bill received a 251–134 favorable vote in the House, but fell 6 votes short of a two-thirds majority vote. The measure had been pigeonholed by the House Rules Committee and could only be considered under a special parliamentary device which requires a two-thirds vote for passage. This defeat prevented enactment of comprehensive housing legislation the first time in 10 years.

FOREIGN AFFAIRS

Domestic economic problems, national defense considerations in an era of atomic missiles and H-bombs, and our sudden entry into the space age have had profound overlapping effects on our relations with other nations of the world.

During the past 2 years we have lost ground in the cold war. The Soviets achieved a psychological victory last October by launching an earth satellite, proof that our supremacy in the scientific and technological fields was being successfully challenged and that our military position in the world was being seriously threatened.

This event temporarily shocked our Government and the American people out of the complacency which has marked the administration's foreign and defense policies. The clamor for action to meet the grave Russian challenges in education, scientific achievement, and missile development reached a peak with the leak of information on our inadequate defense posture contained in independent, semiofficial evaluations of our state of military preparedness.

The sense of urgency created by these events has not been sustained by the administration, despite efforts made by Congress to stimulate the type of action required to meet the challenge. With the launching of earth satellites of our own, complacency again has paralyzed many top echelons of the executive branch of our Government.

Other incidents have provided warnings that drastic changes in our policies are long overdue. The Vice President of the United States was attacked by a Communist-inspired mob during a South American "good will" visit. Cuban rebels seized American sailors and held them captive, defying our demands for their release. Finally, the outbreak of the crisis in the Middle East prompted the President to send American troops to occupy Lebanon, while the world trembled on the brink of nuclear war.

Through efforts in the United Nations, an acceptable plan has been devised to ease Middle East tensions. Some of our troops have been withdrawn from Lebanon. But the basic problems of the Middle East have not been solved. Such matters as the rise of Arab nationalism, Soviet infiltration and subversion, the role of Israel, and the Middle East oil supply remain to be dealt with.

Meanwhile, our Government has announced to the world that we are prepared to join other countries in halting the testing of atomic and hydrogen weapons for 1 year, pending the outcome of negotiations with other nations of an effective method of detecting nuclear explosions anywhere in the world. This would be the first step toward eventual disarmament and an end to the nuclear arms race which threatens to contaminate the world with radioactive fallout.

The 85th Congress enacted many significant measures in the field of foreign policy and trade with other nations. The mutual security program was extended; the reciprocal trade program was extended for 4 years; the lending authority of the Export-Import Bank was increased and its operating authority extended for 5 years; the President was authorized to lend economic and military assistance to Middle Eastern nations threatened by aggression; participation in the International Atomic Energy Agency and in Euratom was authorized, and the exchange of mutually essential atomic information and materials with our allies was also approved; Congress adopted a resolution calling upon the United Nations to establish a permanent emergency force to keep the peace and also a resolution condemning the secret trial and execution of leaders of the Hungarian revolt in 1956.

LIBERAL DEMOCRATIC PROGRAM

I joined a group of 80 northern and western liberal Democratic Congressmen in offering a positive legislative program to meet the needs and challenges of our modern civilization.

This broad program stressed important unfinished business in the fields of social security and other pension programs, health, welfare, and the needs of our elderly citizens, national defense, and foreign policy, civil rights, conservation of our resources, assistance to small business, tax reforms, full employment, and economic expansion, and many other related issues.

While all of our objectives could not be achieved in any single Congress, remarkable progress was made in these areas during the past 2 years despite the existence of the Republican-conservative southern Democratic coalition which dominated the makeup of the 85th Congress.

The efforts of liberal Democrats to further advance this program will continue in the 86th Congress.

Report to the Voters of the 10th Congressional District of New York

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mrs. KELLY of New York. Mr. Speaker, the era of space, with its sputniks, established the tenor of the 2d session of the 85th Congress. The tenor was sombre because the leadership of the United States had fallen to an all-time low both at home and abroad. To many, it was not a surprise, for the slide to the bottom had begun earlier. The United States and the Free World were dangling over the brink. The diplomatic, political, and economic policies of the Eisenhower administration brought our Nation into deep trouble.

The Soviet launching of sputnik shocked the peoples of the world. People are always impressed by success. The impact was grave and I do not think it is possible at this time for the human mind to assess the true value to mankind of this exploration into outer space. We do know that such achievements in the possession of the Free World would be developed for the benefit of mankind and we are equally aware that in the sole possession of the Soviet, mankind is in danger of captivity and destruction.

Congress was placed in a most compromising situation. Implementation of the Executive's policies is its responsibility. Congress cannot set the policies. That is the responsibility of the executive branch of our Government. Congress can challenge, it can criticize, and it can try to reshape the policies, but even then, the decisions that are reached by the Congress can be vetoed by the Executive or even nullified.

The Democratic-controlled Congress exerted leadership during the entire session and discarded partisan politics on all controversial matters. What was said was brief and restrained by the ever-present crises. Although it was difficult, the Congress stood by the President in the turmoil of our foreign relations. We tried to protect the President during this critical period so that our Nation could stand united on basic foreign policy.

The threat of communism to the United States and to the Free World is grave. It is so grave that the scientific achievements of the Soivet threaten the very survival of civilization. The control of the instruments of destruction in the hands of the reckless and power-hungry leaders of the Kremlin affects every decision.

Mending our fences was the key purpose of legislation, not only on international problems but also on domestic issues. Unity within the United States as well as inside the western alliance was the objective of the Democratic Party. The importance of unity is greater than a large Military Establishment. Both, however, are prerequisites to a just peace in the world. To speak and to act in unity, to reaffirm again and again what we believe, to mean what we believe, and to be ready to defend our beliefs are the issues. To preserve the rights of man at any cost, the people of the United States and the world must be shaken from their apathy.

Many issues, both international and domestic, confronted the Congress; to mention a few, labor, recession and inflation, national defense, rockets, trade, agriculture, social security, and summit conferences. To its credit, the record reveals a nonpartisan approach and a grant of flexibility to the President to meet the rapid shift of events in a modern world. That the Eisenhower administration has failed to use this power wisely is becoming more evident as our Nation flounders when it should lead. The 85th Congress enacted essential legislation for the days ahead. The implementation and execution of this legislation, however, will require courageous, forthright, constant, and undivided leadership by the Chief Executive of our Nation.

BUDGET

The Federal Government operates on a budget that is presented to Congress at the beginning of the session. It represents the final determination of the requests by all agencies of our Government and is approved by the President. It is prepared by specialists who are well equipped with information on revenues, expenditures, and needs of the Government. Cushions are created to carry the shock of sudden changes. One of the first acts of the 2d session of the 85th Congress was the passage of deficiency appropriation bills which reflected the failure of the executive branch to properly gauge the necessary appropriations for the previous fiscal year. In 1958, the supplemental appropriation bills amounted to $6,613,905,042 as against $4,402,-010,737 in fiscal 1957.

In January 1958, the estimated budget for fiscal 1958–59 was $73.9 billion. Because of the many crises that have arisen during the succeeding months, the Presidential requests have increased that figure to about $79 billion. Congressional appropriations for that period are $72,-653,476,248.

In January 1958, the estimated revenue figure for fiscal 1958–59 was $74.4 billion. The recession, however, has reduced that figure to about $67 billion. The crises and the recession have created a deficit of about $12 billion. This can be attributed solely to the lack of foresight on the part of the Chief Executive.

The promises of the Republican Party to decrease the debt, reduce administrative expenses, and balance the budget on the assumption the world was enjoying peace and prosperity were all unrealistic pledges. And they were forgotten when the Eisenhower administration requested an immediate increase in the permanent debt from $275 billion to $285 billion with a temporary ceiling to $288 billion. Again, Congress implemented the Executive's request. The interest on the debt has risen from $6 billion in 1952 to $7.8 billion in 1958. In the light of the increased national debt, the interest will be substantially higher.

INTERNATIONAL

Most of the nations in the world today are in a state of tension, uneasiness, and fear. The Soviet Union and its satellites are engaged in a cold war with the United States and with all other free and independent nations. The Far East is in a stalemate since President Eisenhower negotiated a Korean truce which has permitted Red China and North Korea to be equipped by the Soviet, with the most modern atomic war potential known to man. Latin America is being infiltrated by the Soviet. Latin America has been neglected by the United States. It has been taken for granted. This is emphasized by the fact that assistance by the United States to all of Latin America for 1 year is less than our assistance to Yugoslavia for the same period.

The Middle East is a seething cauldron that may boil over at any time. The creation of a vacuum with the departure of the big European powers has brought nothing but strife and turmoil. The United Nations' efforts to establish peace and economic and political stability among the nations in the Middle East demonstrate very little success.

The foreign policy of the United States toward the Middle East has been a series of failures. Our foreign policy objectives are not successful because we have failed to understand the real nature of the problem we face. The Middle East faces us today like a smoldering forest fire. At best, our efforts to date have merely put off a sudden outburst of flame or halted momentarily a new outcropping of fire. It is conceivable that our efforts have fanned the embers for a major conflagration. A better understanding of the problem in this area is imperative.

The realities of the Middle East must be realized before any constructive results can be attained. This area is a region of vast property and, more important, of increasing awareness by its impoverished population that there is and can be a better way of life. Israel stands as a shining exception to this melancholy existence of a downtrodden people, still enchanted by the economic conditions and social patterns of a feudal past. The inspiring and fantastic development of Israel by her people has been one of the major forces by convincing evidence that the people in the Arab lands could live better if the same zeal were applied in their own efforts.

The Soviet Union in turn has been waging an all-out campaign to win the allegiance of the Arab States by appealing to the same emotions of discontent and nationalistic pride. The Soviets have been providing the tools with which national ambitions for prestige, power, and economic development can be realized. The most important Soviet weapon is the exploiting of Arab enmity toward Israel. The Free World fails to emphasize the captive plight of the 40 million Moslems within Russia in contrast to the insincere action of the Soviets to free the Moslems in the Middle East.

The foreign policies of the United States have followed an indefinite and erratic course in the Middle East in the past decade. The West has no shining

record of leadership in the area. Far too often we have failed to identify ourselves with this revolutionary upsurge and have clung to the past. What we have failed to see in the Middle East is the need to set our own priorities, our own policies, through our own initiative instead of merely reacting to the actions of somebody else, whether a Khrushchev or a Nasser. Instead of providing fulfillment of peace and economic stabilization for the area and safety for ourselves, the policies of rival powers have continued to bring chaos, strife, and mistrust between the West and the Arab nations. Our fruitless obsession for firm allies in the Middle East rather than friendly states is responsible for the dilemma we are in today. We have known the imperative need for the maintenance of peace and security in the Middle East must be one of the aims of our foreign policy. Also, we understood the vital importance of the Middle East oil to the economic and military strength of the Free World. But despite the Eisenhower doctrine, the Baghdad Pact, our dollars to King Ibn Saud, and our wooing of Nasser, peace and stability today seem farther away. One day we condemn the British for sending forces to Sues, and the next we join them with the landing of troops in the Holy Land. What assurance of peace and security can we give to any Middle East country without a definitive foreign policy? Our support of unpopular governments in this area has created only more tension and anti-American feeling.

It is time to ask why we are in this position. Why is a constructive policy in the Middle East lacking? Our fundamental interests in the Middle East should be the preservation of peace, the emergence of peaceful and popularly responsible governments, and the social and economic progress of the ordinary peoples of the Middle East, Arab, and Israeli alike.

The mutual security bill, generally known as the foreign-aid bill, is the implementation of our foreign policy with nations of the Free World. It is the cost to the United States for its alliances. Its purpose is both defense and economic. In the light of this atomic era, the administration did not recommend any vast change. This is the responsibility of the Executive.

In questioning Secretary of State Dulles on this point, I asked:

Mrs. KELLY. Now, in this mutual security bill which we are considering, are there any new methods or means of obtaining our objectives in the light of this new Russian look, or the new change as you refer, outside the Development Loan Fund and possibly long-range planning?

Secretary DULLES. No; there are no new instrumentalities that are to be created. We believe the existing instrumentalities are adequate and the only change is the possible enlargement and broadening of the United Nations technical-assistance program.

I believe it was for this reason that the Congress passed a foreign aid bill for $3.03 billion. This is, in my estimation, merely stopgap legislation. The Foreign Affairs Committee will have a complete review of United States foreign policy this fall in an endeavor to help reshape our foreign policy in the next Congress.

The Mutual Defense Assistance Act—the Battle Act—has been consistently weakened by the Republican administration since 1953. Under this law we have an agreement with our allies on the materials which can be traded to the Soviet, Red China, North Korea, and the Soviet-captive nations. A most radical change has been made in this agreement this year.

One hundred items or more have been removed from the list of strategic articles. These include manufactured goods, raw materials, oil tankers, fishing vessels, electronic equipment, and plants for producing chemicals. Does it make sense for the United States to wage a cold war with Russia and at the same time sell them strategic materials in short supply, and consumer goods? Is it commonsense to trade with the enemy in a shooting war or in a cold war? Is it commonsense to give assistance to the enemy thereby permitting his continued buildup of a military machine?

On the international scene during the 2d session of the 85th Congress, the following were enacted:

The Reciprocal Trade Agreements Act, extending for 4 years the authority of the President to enter into reciprocal trade agreements.

Provision for exchange of mutually essential atomic information and materials with our allies.

Authorization of loans and research grants to carry out United States share in cooperative development of atomic power with European Atomic Energy Community.

Extension for 2 years, to June 30, 1960, the authority of the President to control exports of strategic materials.

An increase in the lending authority of the Export-Import Bank by $2 billion.

Provision for payment to Americans of their claims against Czechoslovakia from its blocked assets here.

Retroactive adjustment of status of 30,000 escapees from the October 1956 Hungarian revolution to permit permanent residence in the United States.

Record of lawful admission for permanent residence of certain aliens who entered the United States before June 28, 1940.

Simplification of procedure for nonimmigrant aliens to become permanent residents.

Authorized an additional $10 million for completion of the Inter-American Highway.

Extension to June 30, 1959, of suspension of import duties on metal scrap.

In addition, the Congress adopted the concurrent resolution which denounces the Communist execution of leaders of the 1956 Hungary revolt, and expresses the indignation of Congress and the Nation at this act of perfidy and barbarism.

NATIONAL DEFENSE AND INTERNAL SECURITY

For greater national defense and internal security, the following laws were placed on the statute books:

Authorization of $54.6 million to expand and accelerate construction of missile bases, detection and warning systems.

Authorization of a $100.5-million program of new construction and conversion of naval vessels for fiscal 1959, including nuclear-powered and guided-missile warships, landing craft, and service ships.

Authorization of $1.6 billion for construction projects at Armed Forces installations and bases here and abroad.

Authorization of $386 million for Atomic Energy Commission construction, expansion, or acquisition of facilities, and $35 million for construction of reactor for an atomic-powered destroyer.

Authorization of $47.8 million for construction of new Space Projects Center, expansion of satellite launching and tracking facilities.

Extension to June 30, 1960, of the President's authority to allocate and fix priorities for strategic materials, grant loans and subsidies under the Defense Production Act.

Extension to June 30, 1962, of the standby emergency powers of the President.

Enactment into permanent law of authority of the President to expedite defense contracts during period of emergency.

Extension of the Renegotiation Act to June 30, 1959, to provide for recovery of excessive profits on defense contracts of $1 million or more.

Authorization of loan of reserve naval vessels to NATO and South American countries.

Authorization of deferments in certain cases to raise standards of selective service.

Authorized $18,800,000 Federal aid to States for radiological detection and protective devices; and, on a matching basis, for local civil defense personnal and administration.

GOVERNMENTAL REORGANIZATION

The most important of the reorganization programs effected in the 85th Congress was the reorganization of the Defense Department. This should provide a closer coordination of the armed services particularly in the field of missile research. Other enactments under this title were:

Establishment of the National Aeronautic and Space Administration.

Provision for admission of Alaska to the Union as the 49th State.

Establishment of the Federal Aviation Agency, a new independent agency to regulate air traffic and safety, supplanting the Civil Aeronautics Administration.

Salary increases for more than 1 million Federal employees, including 500,000 post-office employees.

Pay increases for members of the Armed Forces, to encourage career service.

NATIONAL ECONOMY

In addition to raising the ceiling on the national debt, the 2d session of the 85th Congress saw the following enactments which will certainly show up in our national economy:

Extended to July 1, 1959, the 52-percent corporate income-tax rate and present schedule of excise taxes on alcoholic beverages, cigarettes, automobiles,

parts and accessories, repealed the 3-percent tax on freight by rail and oil by pipeline.

Provided $260 million a year tax relief for small business and made numerous technical changes in income, estate- and gift-tax provisions of the Internal Revenue Code to eliminate unintended benefits and hardships and to correct errors and ambiguities.

Reduced the cabaret tax from 20 percent to 10 percent.

Increased by $4 billion the authorization for FHA mortgage insurance.

Authorized an emergency $1.8 billion Housing Act to stimulate homebuilding; reduced downpayments on FHA-financed houses; extended guaranty and direct loan programs for veterans; increased funds for FNMA mortgage purchases.

Authorized for apportionment among the States $5.5 billion for highway construction, including $1.8 billion additional to both the regular Federal aid and the interstate superhighway programs, to create jobs and expedite work.

Authorized—optionally to States—repayment in 5 years, up to 15 weeks additional Federal unemployment compensation for the jobless whose State payments have expired.

Created the Small Business Investment Administration to provide equity capital and long term loans to small business enterprises through investment companies chartered for that purpose and provided for a $250 million revolving fund; also broadened the authority of the Small Business Administration to permit loans in areas of excessive rainfall.

Enacted a law requiring price labeling of new automobiles.

Increased postal rates by $547 million a year; first class mail from 3 cents to 4 cents an ounce and airmail from 6 cents to 7 cents; second-class rates progressively on percentage basis over 3 years.

VETERANS AND SERVICEMEN

Of interest to our servicemen and to our veterans are the following provisions of this session:

Codified into a single act all laws administered by the Veterans' Administration.

Codified the military laws enacted in 1955–56.

Increased the monthly rate of pension to widows of Spanish-American, Indian, Mexican, and Civil War veterans.

Provided for special training for handicapped war orphans.

Amended the Social Security Act to extend benefits of unemployment compensation to all ex-servicemen, heretofore available only to Korean veterans.

Increased premiums and benefits for total disability under National Life Insurance Act.

Increased burial allowance for deceased veterans from $150 to $250.

Increased special rate of compensation for certain blinded veterans.

Extended to July 16, 1959, time to apply for mustering-out payments under Veterans Readjustment Assistance Act of 1952.

AGRICULTURE

Although the residents of my District are not interested, as producers, in agriculture, they have a very great stake, as consumers, in the following enactments of the second session:

Established humane methods in slaughter of animals.

Extended authority of the President to grant special livestock loans.

Extended to December 31, 1959, the Agricultural Trade Development and Assistance Act for sale of surplus commodities abroad and authorized additional sales of $2¼ billion.

Extended the National Wool Act to March 31, 1961, and gave cotton and corn growers choice between Government acreage control with higher price supports or more acreage and lower supports; fixed acreage allotments and price supports for feed grains and rice through 1961.

SOCIAL SECURITY, HEALTH, AND WELFARE

To those of my constituents who request it, I will be glad to send a copy of the Social Security Amendments of 1958. Briefly, these amendments included: An increase in old-age insurance benefits by 7 percent beginning February 3, 1959; an increase in the social-security tax on both employers and employees by a quarter of 1 percent effective January 1, 1959, based on wages up to $4,800 a year. Also, increased grants to States for public assistance and relief. Other enactments under this title were:

Requirements of registration, reports and full disclosure by all employee welfare and pension funds of their financial status.

Authorization of permanent program of assistance for construction and operation of schools in areas affected by Federal activities, as to children of persons who both reside and work on Federal property.

Authorization of a 4-year, $887 million program of student loans, fellowships, and other aid to improve teaching of mathematics, science, and languages.

Extension to June 30, 1961, of the special milk program in nonprofit schools, nursery schools, child-care centers, settlement houses, and summer camps, with authorization for expenditure of $75 million a year of Commodity Credit Corporation funds.

Authorization of $1 million program of grants-in-aid to public or nonprofit schools providing training for specialists, technicians, and administrators in the field of public health.

Extension to June 30, 1962, of the Hospital Survey and Construction Act.

Extension to June 30, 1962, of the program of $30 million a year in matching grants for construction of facilities for research into cancer, heart disease, arthritis, mental illness, and other diseases.

An increase in annuities payable to retired and disabled civil-service employees.

Prohibition against the use of food additives which have not been adequately tested for safety.

Strengthening of the law against use of the mails or common carriers for transportation of obscene or crime-inciting matter.

Prohibition against interstate sale of switchblade knives.

Granting of consent to States to enter into compacts for highway traffic safety.

Granting power to the Secretary of Labor to make and enforce job safety for longshoremen and other dockworkers.

Authorization of Federal-State cooperation in control and regulation of small pleasure and passenger boats.

NATURAL RESOURCES

The Congress authorized flood control, navigation improvement, and beach control projects on rivers and harbors, totaling $1.5 billion.

Under Public Law 337, the approval of Congress is required in effecting withdrawals of more than 5,000 acres of public land.

CONCLUSION

In the foregoing, I have given many of the highlights of accomplishment in the 2d session of the 85th Congress, but there were, also, many measures which were defeated in the final vote or which never reached the voting stage. Prominent among the measures defeated were:

The Kennedy-Ives Labor-Management Reporting and Disclosure Act of 1958. One hundred and thirty-seven Republicans and sixty-one Democrats voting against the suspension of the rule defeated this measure. Voting for its passage were 149 Democrats and 41 Republicans, not a sufficient number for the two-thirds necessary to enact a bill under suspension of the rule. Racketeering in unions shocked many, but this bill which would have been a step to correct abuses in unions lacked the support of the Republican Members of Congress.

The omnibus housing bill was defeated by the vote of 251 to 134, a two-thirds majority being necessary for passage under suspension of the rule.

Also defeated by lack of a two-thirds majority vote was the expansion program of loans to local governments for planning and construction of public facilities, except schools.

The food-stamp plan, through which $1 billion a year in federally owned surplus foods would be distributed to America's needy, also met defeat in a vote under suspension of the rule.

In 1953, and in the succeeding years, I have introduced a resolution to create a Joint Committee on Intelligence. This committee would evaluate and coordinate all intelligence of the various branches of the Government. The need for such committee is agreed by many, particularly because of the failure of our intelligence services to alert us on the U. S.-S. R.-Egyptian arms deal; the seizure of the Suez; the Suez attack by France, England, and Israel; the downgrading of Stalin; the Latin-American outbursts during Vice President NIXON'S visit; Syrian aggression by Nasser; the Hungarian Revolution; the situation in Iraq; and the launching of sputnik. Many other Members of Congress have recently sponsored this resolution and it appears certain that it will be scheduled for consideration early in the next Congress.

While it is agreed that the accomplishments of this Congress were great, I left Washington with the uneasy feeling that much had been left undone. What was absolutely necessary and expedient was done. Legislative leadership alone is not sufficient to meet the grave problems of the world situation. Executive leadership is badly needed.

It has been my privilege and responsibility to serve you for over 8 years. My office is open 6 days a week and letters sent to my Washington office receive my immediate attention. My address is EDNA F. KELLY, Member of Congress, Washington 25, D. C. During adjournment I am at the Madison Club, 739 Eastern Parkway, Brooklyn, on Monday and Thursday evenings for appointments with my constituents.

Record of Committee on Public Works in the 85th Congress

EXTENSION OF REMARKS
OF
HON. CHARLES A. BUCKLEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BUCKLEY. Mr. Speaker, under leave granted to extend my remarks, I include a summary of public-works legislation reported by the Committee on Public Works during the 85th Congress.

GENERAL ACTIVITIES

The committee had 748 bills for consideration during the 1st and 2d sessions of the 85th Congress dealing with such subjects as navigation improvements, flood control, water pollution, beach erosion, highways, public buildings, land conveyances, and water supplies.

Eighty-four bills were reported by the committee, 76 of which have been enacted into law. In addition, the committee adopted 76 river and harbor resolutions and 45 flood-control resolutions. These resolutions authorized survey studies by the Corps of Engineers, Department of the Army, that will ultimately result in project reports submitted to Congress if the projects are found worthy and are approved by the Board of Engineers for Rivers and Harbors and the Chief of Engineers.

The committee also approved 13 watershed protection and flood-prevention projects transmitted to Congress by the Secretary of Agriculture through the Bureau of the Budget pursuant to the provisions of section 2 of Public Law 566, 83d Congress, as amended by Public Law 1018, 84th Congress—the Watershed Protection and Flood Prevention Act.

The committee gave particular study and attention to the needs of every section of the country in reporting the omnibus river-and-harbor and flood-control bill—Public Law 85–500—and in acting upon survey resolutions pertaining to civil-works projects, especially with respect to flood-control remedial works necessary as a result of the last three major flood disasters—the hurricanes and floods of 1955, which left such a widespread path of destruction through the New England and Middle Atlantic States, the unprecedented rainfall and floods in California and adjacent States during the Christmas holidays of 1955 and the spring of 1958, and the floods throughout the southwest United States during May and early June of 1957. In this last instance, the committee appointed a special subcommittee which made an exhaustive, on-the-ground inspection, the results of which are contained in a report made by the subcommittee on June 29, 1957—Committee Document No. 85–4, the Southwest Flood of 1957.

The committee also designated a special subcommittee to inspect and report on severely flooded areas in central California in the spring of 1958. These same areas have been flooded at least 3 times in 8 years—in 1950, 1955, and in 1958, with cumulative damages of nearly $250 million. The subcommittee report is published as Committee Document No. 85–17, the California Flood of 1958.

The committee made an inspection of the progress of work on the Illinois road test on October 18 and 19, 1957. From October 23 to November 2 hearings were held in California on the highway program and various public-works projects. Beginning November 9 and continuing through November 19 the committee engaged in a substantial schedule of inspections and formal hearings on the islands of Oahu, Hawaii, Maui, Molokai, and Kauai. A report on these hearings is included in Committee Document No. 85–9.

OMNIBUS RIVERS AND HARBORS AND FLOOD CONTROL ACT OF 1958

Three omnibus river and harbor and flood control bills were considered during the 84th and 85th Congress. These bills represented efforts by the executive and legislative branches to reach agreement on certain matters of fundamental policy. The original bill was H. R. 12080, which was approved in the 84th Congress and vetoed by the President on August 10, 1956. A second version of the bill, S. 497, was approved by the 85th Congress and vetoed by the President on April 15, 1958. The third bill, S. 3910, was signed by the President on July 3, 1958, and became Public Law 85–500. It represents the first omnibus bill enacted into law since 1954.

Public Law 85—500 is divided into three titles. Title I covers navigation, including beach erosion. Title II covers flood control and other related water uses. Title III liberalizes existing law with respect to the construction of water conservation storage in reservoirs under the jurisdiction of the Corps of Engineers and the Bureau of Reclamation. The number of authorizations for actual construction total 139 individual projects or project modifications in 44 States, Alaska, Hawaii, and Puerto Rico. Increased monetary authorizations for 12 comprehensive river basin plans are also included. The total estimated Federal cost of work authorized is $1,856,230,500, of which $1,356,203,500 is for the Corps of Engineers and $300 million is for the Missouri River Basin work by the Department of the Interior. Also included in the act are authorizations for 61 survey studies in 27 States and Hawaii.

CODIFICATION OF FEDERAL HIGHWAY LAWS

Included in the major legislation enacted into law which originated in this committee is title 23 of the United States Code which is a revision and codification of the Federal highway laws enacted from the date of the original law in 1916. The first Federal-Aid Road Act was approved on July 11, 1916. Since that date, Congress has enacted about 40 separate laws on the subject, excluding appropriation acts. Many new provisions were inserted in the various enactments. These laws contained provisions which are now obsolete and which amended, supplemented, or repealed, expressly or by implication, earlier provisions of law. As a result, the necessity of dealing with these many enactments made the administration of the Federal-aid highway program difficult. The new law includes in a one-package enactment a clear, concise, up-to-date version of all the existing Federal highway laws, including the 1958 Federal-Aid Highway Act, in an orderly and logical arrangement.

FEDERAL-AID HIGHWAY ACT OF 1958

The Federal-Aid Highway Act of 1958—Public Law 85–381—authorized funds for construction on the Interstate System, the regular Federal-aid highway systems, and public domain roads totaling $3,260,000,000. The act made available supplemental funds of $800 million for the Interstate System, $2,225,000,000 for the primary and secondary systems and urban extensions, and $235 million for public-domain roads. Included in the funds for the regular Federal-aid system is a supplemental amount of $400 million for fiscal year 1959 for the purpose of stimulating employment and the general economy.

The 1958 act authorizes the Government to reimburse the States for the value of materials stockpiled in the vicinity of Federal-aid highway construction. It adds a provision to the 1956 act concerning utility reimbursement requiring the States to submit evidence that the cost of utility facility relocation has been paid from State funds before Federal reimbursement can be made. The act amends the 1956 act by adding a requirement that States shall hold hearings, or afford the opportunity of hearings, to enable persons in rural areas to express objections they may have to the proposed location of the Interstate System through or contiguous to their property.

The 1958 act permits the Federal Government to extend an additional one-half of 1 percent aid on the interstate program to States which control outdoor advertising, in a limited manner, along the interstate highway right-of-way in compliance with Federal regulations. It formally approves the cost estimates for completing the Interstate Highway System—submitted to Congress by the Secretary of Commerce in January 1958; House Document 300—as the basis for making apportionments for fiscal year 1960. A bill enacted into law at the second session—H. R. 13800—following enactment of the 1958 Highway Act, extends approval of the estimate of cost of completing the Interstate System in each State for an additional fiscal year—

1961—and advances the date for submission of a revised estimate of cost for completing the Interstate System from January 12, 1962, to January 13, 1961.

The 1958 act suspends the pay-as-you-go provision—Byrd amendment—of the Federal-Aid Highway Act of 1956 for the fiscal years 1959 and 1960. Since highway trust fund revenues for these years are estimated to be insufficient to support anticipated expenditures authorized by the new law, money will be appropriated to the trust fund from the general fund of the Treasury as repayable advances.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENT

Favorable action was taken by the committee on H. R. 13420 to amend section 6 of the Federal Water Pollution Control Act dealing with grants for treatment-plant construction. The bill would authorize: First, grants for projects in the amount of 30 percent of the estimated reasonable cost thereof or $500,000, whichever is the smaller; second, municipalities to join together to build joint treatment facilities with the amount of grant allocable to each community as if it were a separate project; third, reallocation of grant funds from States not using funds because of lack of projects to States having projects approved for which grants have not been made because of lack of funds; fourth, $100 million to be appropriated for purposes of construction grants for any fiscal year; and fifth, an aggregate $1 billion to be appropriated for such purposes. At the close of the Congress, H. R. 13420 was pending in the Rules Committee.

OTHER MAJOR LEGISLATION

Other important major legislation handled by the committee in this Congress includes an authorization to increase the borrowing authority of the St. Lawrence Seaway Development Corporation, an authorization of $10 million to complete the Inter-American Highway, a law to extend from 5 to 7 years the period in advance of construction when rights-of-way may be secured for the Interstate System, a directive to the Secretary of Commerce to provide Congress next January with recommendations as to how the States might be reimbursed for toll and free roads already built on the Interstate System, an authorization for the construction of a hydroelectric power project on the Niagara River at Niagara Falls, N. Y., an authorization of $4 million to complete the Rama Road in Nicaragua, laws to authorize a National Cultural Center and a National Air Museum in the District of Columbia, a bill to authorize the Tennessee Valley Authority to issue revenue bonds for the purpose of financing new power facilities, and a bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway.

Bills and resolutions enacted into law

Public Law No.	Bill No.	Date approved	Title
3	H. R. 20	Jan. 25, 1957	Extend time for report of President's Advisory Commission on Presidential Office Space.
23	H. R. 6092	Apr. 23, 1957	Merrimack River flood-control compact.
86	S. 1426	July 10, 1957	Increasing limit of cost fixed for construction and equipment of additional Senate Office Bldg.
93	S. 1428	do	Furnishings for additional Senate Office Bldg.
95	S. 1429	do	Remodeling of existing Senate Office Bldg.
108	H. R. 5738	July 17, 1957	Increase borrowing authority of St. Lawrence Seaway Development Corporation, clarify general powers, and authorize deferment of interest payments on borrowings.
106	S. 1054	do	Extend times for commencing and completing toll bridge across Rainy River at Bandette, Minn.
113	S. 1361	July 26, 1957	Reenact authorization for highway bridge across Pigeon River below High Falls, Minn.
120	S. 2217 (H. R. 8171)	Aug. 14, 1957	Convey lands at McNary lock and dam project, Oregon and Washington, to port of Walla Walla, Wash.
138	H. R. 3077	do	Designate lake created by Jim Woodruff Dam, Apalachicola River, Ga., as Lake Seminole.
143	S. 1941	do	Authorize payment by Bureau of Public Roads of transportation and subsistence costs to temporary employees on direct Federal highway projects.
146	H. R. 3096	do	Authorize utilization of storage space in Lake Texoma for water supply for city of Sherman, Tex.
148	H. R. 968	Aug. 16, 1957	Extend period for amortization of indebtedness on toll bridge across Missouri River near Rulo, Nebr.
159	H. R. 8643	Aug. 21, 1957	Authorize construction of certain works of improvement in Niagara River, N. Y., for power and other purposes.
169	S. 630 (H. R. 9264)	Aug. 28, 1957	Transfer ownership to Allegany County, Md., of a bridge loaned by Bureau of Public Roads.
178	S. 1823	do	Convey Bunker Hill island in Lake Cumberland near Burnside, Ky., to Commonwealth of Kentucky.
221	H. R. 6363	Aug. 30, 1957	Authorize additional bridge across Bear Creek at Lovel Point, Md., and collection of tolls.
230	H. R. 2380	do	Increase storage capacity of Whitney Dam and Reservoir, Tex.
242	S. 2603	Aug. 31, 1957	Amend act of June 3, 1896, re construction of piers on Gowanus Creek in Brooklyn, N. Y.
245	S. 208	do	Return certain mineral interests in lands acquired for Arkabutla, Sardis, Enid, and Grenada Reservoirs, Miss.
294	S. 1520 (H. R. 6535)	Sept. 4, 1957	Authorize expenditure of Federal funds to reconstruct lock and dam No. 3 on Little Kanawha River, W. Va.
327	H. R. 3770	Feb. 15, 1958	Rename Strawn Dam and Reservoir, Kans., as the John Redmond Dam and Reservoir.
329	H. R. 6660	do	Designate Tuscaloosa lock and dam, Black Warrior River, Ala., as William Bacon Oliver lock and dam.
[1]341	H. R. 8576	Sept. 7, 1957	Convey lands within Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes.
363	H. R. 9653	Mar. 28, 1958	Rename Fort Gaines lock and dam, Chattahoochee River, Ga., as Walter F. George lock and dam.
———	H. Con. Res. 288 (S. Con. Res. 68)	Mar. 19, 1958	Acceleration of civil-construction programs.
281	H. R. 9821	Apr. 16, 1958	Federal-Aid Highway Act of 1958.
429	S. 726	May 26, 1958	Authorize acquisition of additional property for new Senate Office Building or addition to U. S. Capitol Grounds.
452	H. R. 7870	June 6, 1958	Increase authorization for completion of Inter-American Highway.
480	H. R. 4260	July 2, 1958	Authorize Chief of Engineers to publish information pamphlets, maps, brochures, and other material.
484	H. R. 2548	do	Compensate owners of wells for losses sustained due to lowering of water level as a result of construction of New Cumberland Dam project, Ohio.
490	H. R. 12613	do	Designate lock and dam to be constructed on Calumet River, Ill., as the "Thomas J. O'Brien lock and dam."
494	H. R. 4053	do	Authorize adjustment of rentals under leases for commercial recreational facilities at Lake Greeson Reservoir, Narrows Dam, Ark.
498	H. R. 12052	do	Designate dam and reservoir at Stewarts Ferry, Tenn., as J. Percy Priest Dam and Reservoir.
500	S. 3010 (H. R. 12955)	July 3, 1958	River and harbor and flood control omnibus bill, 1958.
502	H. R. 5033	do	Extend times for commencing and completing bridge across Mississippi River at Friar Point, Miss., and Helena, Ark.
504	H. J. Res. 382	do	Granting consent of Congress to amendment of agreement between States of Vermont and New York relating to creation of Lake Champlain Bridge Commission.
512	H. R. 11861	July 11, 1958	Authorize construction of new approaches and reconstruction, repair, or improvement of existing approaches to toll bridge across Mississippi River at Chester, Ill.
518	H. R. 11936	do	Extend time for collection of tolls to amortize cost of bridge across Missouri River at Brownville, Nebr.
522	H. J. Res. 633	July 15, 1958	Designate lake formed by Ferrells Bridge Dam across Cypress Creek, Tex., as Lake O' the Pines.
526	S. 2984 (H. R. 9924)	July 18, 1958	Granting consent of Congress to flood-control compact between the States of Connecticut and Massachusetts.
[1]531	S. 3063	Aug. 8, 1958	Convey certain real property at Demopolis lock and dam project, Alabama, to heirs of the former owner.
535	S. 2109	July 18, 1958	Amend act extending authorized taking area for public building construction to exclude therefrom the area within E and F Sts. and 19th St. and Virginia Ave. NW., in the District of Columbia.
542	S. 2108	do	Amend Public Buildings Act of 1949 to authorize Administrator of General Services to name, rename, or otherwise designate certain buildings.
562	S. 1785	July 28, 1958	Designate reservoir above Heart-Butte Dam, Grant County, N. Dak., as Lake Tschida.
591	S. 496	Aug. 8, 1958	Authorize acquisition of remaining property in square 725, District of Columbia, for extension of site of additional Senate Office Building or for addition to U. S. Capitol Grounds.
592	H. R. 855	do	Designate dam at Eagle Gorge Reservoir, Green River, Wash., as the "Howard A. Hanson Dam."
597	H. R. 10626	do	Amend Federal-Aid Highway Act of 1956 to increase period in which construction must commence on rights-of-way.
598	H. R. 11305	do	Authorize funds to finance 1961 meeting of the Permanent International Association of Navigation Congresses.
607	H. R. 7806	Aug. 5, 1958	Provide for adjustment of tolls on bridge across Mississippi River near Jefferson Barracks, Mo.
629	S. 3302 (H. R. 11348)	Aug. 14, 1958	Establish time for commencement and completion of reconstruction, enlargement, and extension of bridge across Mississippi River, at Rock Island, Ill.
636	S. 3177 (H. R. 10207)	do	Modify Crisfield Harbor, Md., project in the interest of navigation.
640	S. 2158	do	Amend Truman-Hobbs Act of June 21, 1940, relating to procedure for altering certain bridges over navigable waters.
643	S. 2832	do	Survey of Coosawhatchie and Broad Rivers, S. C., upstream to vicinity of Dawson Landing.
646	H. R. 13209	do	Reconvey certain lands acquired for Albeni Falls Reservoir project, Idaho, to former owners.

[1] Private law.

Bills and resolutions enacted into law—Continued

Public Law No.	Bill No.	Date approved	Title
653	S. 2997 (H. R. 12910)	Aug. 14, 1958	Granting consent of Congress to Tennessee-Tombigbee waterway development compact.
663	S. 3758 (H. R. 9173)	do	Provide for conveyance of a pumping station at Algiers, La., to Jefferson-Plaquemines Drainage District, La.
707	H. R. 3770	Aug. 21, 1958	Amend Chesapeake-Ohio Canal Act of May 29, 1928, with respect to stream valley parks in Maryland.
724	H. R. 6701	Aug. 23, 1958	Granting consent of Congress to Tennessee River Basin water-pollution control compact.
757	H. R. 4143	Aug. 25, 1958	Amend act creating City of Clinton Bridge Commission and authorizing a bridge or bridges across Mississippi River at Clinton, Iowa, and Fulton, Ill.
767	H. R. 12678	Aug. 27, 1958	Revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways."
774	S. 3575	do	Authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Md.
808	H. R. 11697	Aug. 28, 1958	Extend to harbors of Hampton Roads, Va., and Baltimore, Md., the application of the act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the harbor of New York.
809	H. R. 9042	do	Rescind authorization for Waldo Lake tunnel and regulating works, Willamette River, Oreg.
838	H. R. 6160	do	Survey of the Tennessee River, Ala.
839	H. R. 12345	do	Survey of Parish Line Canal, La.
857	H. R. 13809	do	Provide for disposal of federally owned property of the Hanson Company, and Houma Canals, La.
862	S. 3776	do	Extend time for collection of tolls to amortize cost of bridge across Kennebec River at Miami, Me.
863	H. R. 12816	do	Designate dam and reservoir to be constructed on the Cumberland River near Carthage, Tenn., as the "Cordell Hull Dam and Reservoir," and establish study commission on certain river basins in Texas and intervening areas.
868	H. J. Res. 664	do	Requiring Secretary of Commerce to submit reimbursement recommendations for certain highways on the Interstate System.
880	S. 4061	do	Establish study commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas.
873	H. R. 11436	Sept. 2, 1958	Authorize exchange of certain real property heretofore conveyed to the city of El Paso, Tex., by the United States.
874	S. 3230	do	Provide for a national cultural center in the District of Columbia.
883	S. 3712	do	Authorize appropriations for continuing construction of the Rama Road in Nicaragua.
886	H. R. 13863	do	Provide for improvements to Capitol Power Plant and its distribution systems.
889	H. R. 13808	do	Amend Federal-Aid Highway Act of 1956 to extend for an additional year approval of the estimate of cost of completing the Interstate System.
935	S. 1985	Sept. 6, 1958	Authorize construction of National Air Museum building for the Smithsonian Institution.

STATUS OF OTHER BILLS REPORTED TO THE HOUSE

H. R. 2, providing for diversion of water from Lake Michigan, passed the House May 22, 1957, and was reported in the Senate August 20, 1958.

H. R. 4266 and S. 1869, to amend the Tennessee Valley Authority Act to provide for the sale of bonds to finance new power facilities, were reported from Committee on August 13, 1957, and August 1, 1958, respectively, and at the close of Congress S. 1869 was pending in the Rules Committee.

H. R. 13420, to amend the Federal Water Pollution Control Act, was reported from Committee on July 17, 1958, and at the close of Congress was pending in the Rules Committee.

S. 2261, to repeal the Lease-Purchase Act of 1954 and authorize construction of Federal buildings by direct appropriation, was reported from committee on July 29, 1957, and at the close of Congress was pending in the Rules Committee. Since the bill was reported the Public Buildings Purchase Contract Act of 1954—lease-purchase—has expired.

S. 3653, providing for the acquisition of sites and construction of buildings for training school and other facilities for the Immigration and Naturalization Service, was reported from committee on August 14, 1958, and was pending on the Union Calendar at the close of Congress.

S. 3975, providing for construction of an annex building for use of the Government Printing Office, was reported from committee on July 2, 1958, and was pending on the Union Calendar at the close of Congress.

S. 497, the first omnibus rivers and harbors and flood control bill approved by the 85th Congress, was vetoed on April 15, 1958.

COMMITTEE WORKLOAD

The committee had an unusually heavy workload in the current Congress. It was necessary to conduct special studies and investigations of river and harbor, flood control, hurricane and beach erosion matters when the omnibus rivers and harbors bill was vetoed for the second time on April 15, 1958. The committee conducted hearings and investigations in preparation for 3 omnibus bills in a 4-year period. These were in addition to other hearings, investigations, and studies in connection with other programs handled by the committee.

In all of these accomplishments I have had the active cooperation and valuable aid of all committee members. I pay special tribute to Representatives GEORGE H. FALLON, CLIFFORD DAVIS, JOHN A. BLATNIK and ROBERT E. JONES, Jr., who served as chairman of the subcommittees. I want to give credit, as well, to our efficient and hard-working staff.

Appointment of Ralph S. Fowler as Special Assistant to the Secretary of the Interior

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EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ROOSEVELT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement regarding the appointment of Ralph S. Fowler as Special Assistant to the Secretary of Interior and as Assistant Director of the Department of Interior's Office of Oil and Gas:

STATEMENT OF HON. JAMES ROOSEVELT, OF CALIFORNIA

Recently, Hon. Fred A. Seaton, the Secretary of the Interior, announced the appointment of Ralph S. Fowler as Special Assistant to the Secretary for oil import matters and as Assistant Director of the Department's Office of Oil and Gas.

The naming of a person to fill this important post is of considerable interest to me. When it is realized that adequate and readily available supplies of petroleum are absolutely essential for our national security and that oil on a global scale is the world's biggest business, being the largest single commodity entering international trade, and when one further takes cognizance of the fact that competitive free enterprise at home in this vital industry is inextricably linked with the pattern of business operations abroad, it appears clear that those whose duties require them to formulate and execute governmental policy in this field should be imbued with complete objectivity and possess an aura of dispassionate impersonality.

In 1957, oil and gas filled 69 percent of our total energy needs, or more than double that supplied from all other sources combined, and our domestic production was valued at almost $10 billion. It is a well-established fact that petroleum-producing activities are rooted in local areas and communities to a greater extent than any other major industry, except agriculture. It can in truth be stated that the petroleum industry is an exceedingly important segment of the Nation's economy. The influence of this industry upon the general economy and more particularly upon the very many small-business people cannot be overestimated.

The small-business segment of the petroleum industry embraces not only small producers and refiners, but also small distributors, such as wholesalers, jobbers, and retailers. There are about 250,000 gasoline filling or service stations in this country, which is but one branch of the industry. The economic welfare of all small business is of special concern to me.

Therefore, it appears to be a legitimate inquiry as to the background of this new appointee. Prior to Mr. Ralph S. Fowler entering Government service on August 7, 1956, as director of the voluntary agreement relating to foreign petroleum supply during the Suez crisis, he was a petroleum consultant in Rome, Italy, and New York City. What is of particular significance is that from September 1946 until the end of 1954, he was employed by the Aramco Overseas Co., which is a subsidiary of the huge Arabian American Oil Co.

Whatever I may say in this connection must not be misinterpreted in any sense nor as implying any reflection on the integrity, motives, performance of duties, or public spirit of this official. The criteria for being selected for any office should include not only ability, but also public confidence in the integrity and fairness of the appointee. While I fully recognize the necessity for maintaining avenues by which the Government may secure advice necessary for its officials to discharge their respective administrative responsibilities, realism demands

recognition of the fact that subjective judgment values are inseparable from a person's basic beliefs regarding the objectives and limits of governmental action. The danger is that inevitably personal biases and prejudices might be shown. There is always present in the Federal Government, because of its size and complexity, this problem of undue influence exercised, often unconsciously, by groups or individuals within the various departments or agencies. Once the illusion of cold neutrality of thinking is rejected, the possible dangers to be avoided in utilization of men with economic allegiances outside the Government will be better understood.

Here we have a man who admittedly is an expert in his field and who for over 8 years was connected with Aramco, a subsidiary of the Arabian American Oil Co., which has a 40-year concession in Saudi Arabia, granting it a monopoly position over the second largest oil reserve in the world. Under the circumstances it seems that a look into this vast monopoly with which Mr. Fowler was connected would be highly in order and timely.

The Wall Street Journal of June 28, 1956, reported that Aramco ranks as 1 of the 2 or 3 largest United States investments overseas. It is wholly owned by four of the major American companies, namely, Standard Oil Company of California, the Texas Co., Socony-Mobil Oil Co., and Standard Oil Company of New Jersey, all of whom are defendants in the world oil cartel case. The rapid development by Aramco of the oil resources of Saudi Arabia can be traced to the ingenuity and persistence on the part of the four participating American companies. The rapid growth of Aramco's production can be gaged by the fact that in 1950 it produced 547,000 barrels per day, and according to the figures in the Journal of Commerce of August 13, 1958, this production is now reaching almost 1 million barrels daily.

The Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary held that the agreements and arrangements between the four owning companies and Aramco may amount to a violation of United States antitrust laws. Its report (S. Rept. 1747, 85th Cong., 1st sess., p. 36) states:

"The agreement among four American corporations to divide the total production of Saudi Arabian oil, to exclude all others from access to this oil, and to purchase this oil at identical prices, may unreasonably restrain the foreign commerce of the United States in violation of the Sherman Act. * * *"

It is also worthy of note that Aramco has complete control of the Trans-Arabian Pipe Line Co. which is known as Tapline. This important pipeline, 1,067 miles long, was completed in December 1950, and delivers oil at the terminal at Sidon on the shores of the eastern Mediterranean from Dhahran, which is located on the Persian Gulf. Moody's Industrial Manual reflects that this pipeline last year delivered an average of 348,000 barrels of petroleum daily.

When it is realized that the four coowners of Aramco, Standard Oil Company of California, The Texas Co., Socony-Mobil Oil Co., and Standard Oil Company of New Jersey, last year had a gross operating income of over $14,500,000,000, its influence cannot help but become manifest. For many years now, it has been plain to everyone that the oil industry wields great political and economic power on a worldwide scale. Indeed, the power exercised by a few international corporations exceeds that of any other economic power in world history.

The vast scope of the petroleum industry and the huge interests of the big American oil companies in foreign lands are of extreme importance to the American people in general and to American small business in particular.

The international oil companies being motivated to obtain maximum profits have every incentive to import as much cheaply produced petroleum as possible. Middle East oil is low cost oil and very cheap to produce for many obvious reasons. With ownership of the oil fields being in the sovereign, drilling requirements, royalty and lease arrangements are quite simple. The question of correlative rights, so important in regulating oil production in the United States, has no meaning in the Middle East where there is but 1 landowner and 1 producer. Another very important and well-known factor is that labor, in relation to unit-production costs, are very much lower than is the case here. Thus, foreign oil, particularly in the Middle East, can be produced for a fraction of the cost of domestic oil. While its lower cost gives imported petroleum a competitive advantage over domestic producers, most of the advantage goes to the importing companies rather than to the consumer.

Of even greater significance is the fact that this cheap Middle East oil sells at the same price as higher cost domestically produced petroleum. I again cite the Senate report (S. Rept. 1147, 85th Cong., 1st sess., p. 3):

"Imports of crude oil into the United States have recently reached an alltime high. It is a well known fact that oil from abroad, particularly in the Middle East, is produced at much less cost than in the continental United States. Nevertheless, this cheaply produced imported crude sells at the same price as higher cost domestic crude despite the fact that excessive imports have contributed to raising crude storage stocks to an alltime high for this season of the year. American consumers do not get the benefit of this cheaply produced foreign crude. Because of the desire to maintain the world cartel price for oil, American importing companies are selling their products at prices based on high-priced American crude and pocketing the resulting high profits."

In addition, because of a 27½ percent income tax allowance for a wasting asset, the foreign subsidiaries of the American companies pay little or no Federal income taxes. It appears to be a little-known fact that this 27½ percent depletion allowance can be taken not only on the profits of oil produced in the continental United States, but by American companies operating overseas.

Although it was the clear intent of the Congress in 1955, that petroleum imports should be limited to the ratio which they bore to domestic production in 1954, that Congressional intent was not followed by the administration. In 1954, total United States crude oil production averaged 6,342,000 barrels daily. Total crude and refined product imports averaged 1,052,000 barrels daily, or 16.6 percent of domestic production.

By 1957, total imports had increased to 1,570,000 barrels daily, an increase of 49 percent over 1954, while crude production had increased only 13 percent to 7,189,000 barrels daily. The ratio of imports to production had increased to 21.9 percent in 1957.

The situation has grown considerably worse in 1958. It is now estimated that for the first 6 months of the current year, total imports will average 1,560,000 barrels per day and United States crude oil production 6,460,000 barrels per day. Compared with the year 1954, imports have increased 48 percent and production less than 2 percent. The ratio of imports to production, which is assumed would be maintained at the 1954 level, has increased from 16.6 to 24.1 percent.

As long ago as 1949 the National Petroleum Council, in its statement of policy, noted that imports in excess of our economic needs would retard domestic exploration and development of new oilfields and technological progress in all branches of the industry which is essential to the Nation's economic welfare and security.

Should imports now or in the future reach such proportions as to seriously discourage exploration and development in the United States, the result would be contrary to the interests of national security. National security encompasses economic and political factors as well as military. Imports and exports of petroleum have an important bearing on the potential supply position of the military services and the Nation as a whole in event of war.

It was in full recognition of the overriding consideration for our national security that the voluntary oil-import program was initiated. I also appreciate the necessity that a certain level of imports is necessary to meet all of the demands of the Nation's economy for petroleum and petroleum products. But it is also essential to strike a reasonable balance between imports and domestic production.

Due to the rising level of imports, cutbacks in our domestic producing regions have resulted in serious economic losses, detrimental to practically all businesses. Since the domestic oil industry is one of the pillars of our national economy, it follows as a matter of elementary logic that a weakening of one of these pillars would be inimical to the best interests of the American people. The very real problems and needs of small business should be fully considered.

There is another observation I wish to make which I believe is now quite obvious to all segments of the oil industry, both big and small. That is the resurgent nationalism of the Arab countries in the Middle East of which Nasser is but a symbol. The important economic fact is that the Arab nations want and are sure to get more money for their oil. Beneath the surface and between the lines of statements made by Middle East personages lie deep and sometimes violent pressures for bigger and larger slices of profits from foreign oil operations and a larger share in their control. That this is all too true can be gathered from a dispatch in the Journal of Commerce of August 20, 1958, to the effect that the United Arab Republic plans to seek more money from the Trans-Arabian Pipeline Co. (Tapline), which crosses Syrian territory. Even as long as 2 years ago Tapline offered to split its profits with the four countries through which the pipeline passes—Saudi Arabia, Jordan, Syria, and Lebanon. Subsequent talks failed to reach a conclusion. It appears to me that the international oil companies face a threat of nationalization of their foreign holdings, which, though not imminent, still persists. Under these circumstances, one would think that the big petroleum corporations, in view of the possible assault upon their property rights and profits in the Middle East, would better appreciate the importance of not neglecting the North American reserves and encourage United States oil exploration, development, and utilization.

These are some of the considerations that have prompted me to voice the observations I made. I feel that the selection of a governmental official should be guided by the broadest viewpoint of what is best for the American economy rather than what benefits may accrue to any particular industry or any specified business. Impropriety need not result from deliberate intentions or bad faith, but, more likely, could result from an individual's orientation as a career member of the business or industrial world.

I shall continue to observe and study all facets of the problem with considerable interest.

Hon. William S. Hill

EXTENSION OF REMARKS
OF
HON. R. WALTER RIEHLMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. RIEHLMAN. Mr. Speaker, under leave to extend my remarks, I wish to include various letters of commendation written to BILL HILL by his colleagues:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 25, 1958.

The Honorable and Mrs. WILLIAM S. HILL,
House Office Building,
Washington, D. C.

DEAR BILL AND RACHEL: On the occasion of the richly deserved tribute being paid you by your Coloradans, may I, for myself and Blanche, extend warmest greetings.

It is not without sadness that we think of your retirement from the Washington scene. You will be missed.

We join, now, with your many friends in congratulations on the solid contributions you have made to our national life. And may you be blessed with many years of peace and contentment together in beautiful Colorado.

Sincerely,

CHAS.
CHARLES A. HALLECK.

HOUSE OF REPRESENTATIVES,
Washington, D. C., August 25, 1958.

The Honorable WILLIAM S. HILL,
House of Representatives,
Washington, D. C.

DEAR BILL: I could not go to my home in Illinois, now Congress has adjourned, without writing you this note as you retire from Congress.

I regret that your service in Congress is ending, for you have made an outstanding record, not only for your District and the country, but as a good Republican fighting for the principles in which we believe. You are going to be missed around this place by those of us who happen to come back (assuming the voters agree we should come back). I hope you will return now and then to renew acquaintances and say hello to us.

I have appreciated your friendship and the privilege of knowing you, and, after all, those are the things that really count.

I want to wish for you all the good things in life. Wherever you may go, or whatever you may be doing in the years ahead, I trust you will find both peace and contentment and enjoy life to the fullest.

With warm regards,

Sincerely,

L. C. ARENDS.

HOUSE OF REPRESENTATIVES,
Washington, D. C., August 19, 1958.

Hon. WILLIAM S. HILL,
House of Representatives,
Washington, D. C.

DEAR BILL: As the 85th Congress draws to a close, we are not unmindful that adjournment will mean the severing of many fraternal ties that have bound us to good and true friends who, like yourself, have decided to seek a more relaxed routine in retirement.

Looking back over the past 12 years, I have marked our fine relationship as one of the high points of that period. During the present session when we have enjoyed your leadership on our side of the committee, I have had great pride in the forceful but even-tempered manner in which you have stated our position and insisted on its consideration.

As you and your good wife return to your home bailiwick to move once more amidst the people and scenes you love we want you to know that with you goes our affectionate regard as well as our warmest good wishes for your continued health and happiness, in which Mrs. Dague joins.

Sincerely,

PAUL B. DAGUE.

CONGRESS OF THE UNITED STATES,
CHAIRMAN, DISTRICT COMMITTEE,
Washington, D. C., August 19, 1958.

The Honorable WILLIAM S. HILL,
House Office Building,
Washington, D. C.

DEAR BILL: I want to take this opportunity to tell you how much I have enjoyed serving with you as a Member of the House of Representatives during the past 20 years.

I regret to learn that you are retiring at the end of this session; however, I hope that you and Mrs. Hill will enjoy some of the things you have been denied during the time you have been a Member of Congress.

Trusting that you will take time to visit South Carolina when you and Mrs. Hill decide to do some traveling and with kindest regards, I am,

Your friend,

JOHN L. MCMILLAN,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, May 23, 1958.

DEAR BILL: It was a surprise to me when I heard that you would not want to come back in the next Congress as our ranking member or chairman of the Committee on Agriculture. I want you to know that I and the whole committee will miss your jovial and pleasing personality, your sound counsel, and tireless efforts on behalf of American agriculture.

It is a real joy and pleasure to have been privileged for many years to work with you. You have been a devoted advocate of legislation on behalf of the farmers of the country.

I wish for you and yours everything good in the years that lie ahead.

Sincerely, your friend.

TOOK.
E. C. GATHINGS.

Progress of REA Under Eisenhower Administration

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. BOW. Mr. Speaker, the Senator from Minnesota, Mr. HUMPHREY, has included in the CONGRESSIONAL RECORD a resolution sent him by the president of the National Rural Electric Cooperative Association that is obviously intended to discredit the good intentions of this administration toward the Rural Electrification Administration.

The Secretary of Agriculture, Ezra Taft Benson, has addressed a reply to the president of the National Rural Electric Cooperative Association in which he expresses pride in the outstanding progress made by the REA-financed systems under this administration and promises his continued support of policies and actions that will keep this system strong.

Under permission previously granted, I include the Secretary's letter as part of my remarks.

The letter follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington.

MR. JOHN M. GEORGE,
President, National Rural Electric Cooperative Association, Lewistown, Ohio.

DEAR MR. GEORGE: I have your letter of July 31 in which you quoted a resolution adopted by the board of directors of the National Rural Electric Cooperative Association during its recent meeting. The resolution protested to the President, the Secretary of Agriculture, and the REA Administrator, the use of their offices to pressure the rural electric systems into agreeing to, or advocating, changes in the existing method of financing the rural electrification program.

We are not trying to pressure any REA borrower into any course of action.

We consider it a part of our responsibility to pass along to REA borrowers any information that should be helpful to them in accomplishing the purposes of the act. We are going to continue to do this.

The REA-financed systems have made outstanding progress during the term of this administration. All of their loan requirements have been met effectively and with record promptness. We are proud of these fine rural systems and are going to continue to support policies and take actions which will enable them to become strong, locally owned and controlled service organizations.

Sincerely yours,

E. T. BENSON,
Secretary.

Record of Votes in the 85th Congress

EXTENSION OF REMARKS
OF
HON. ANDREW F. SCHOEPPEL
OF KANSAS
IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I prepared on Senate votes effecting economy in government.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The 85th Congress has made the largest peacetime appropriations in history. During the second session we appropriated almost $13 billion in excess of the appropriations we made during the first session of this Congress. American taxpayers need relief. In fact, the burdens of taxation are partly responsible for the recession we have experienced.

On August 30 last year I submitted a study of the record votes during the 1st session of the 85th Congress involving economy in government. My analysis of these votes showed that there were 89 rollcalls out of the 111 record votes which directly or indirectly either affected the expenditure of public funds or government receipts. I found that 63.7 percent of the economy votes was

supplied by Republicans. Only 36.2 percent was supplied by the Democrats. On the other hand, 62.2 percent of the votes in favor of increased spending was cast by the Democrats and only 37.7 percent by the Republicans. In order that the record for the entire 85th Congress may be available, I have compiled a similar study involving the 2d session.

This year out of 200 record votes, 57 involved government spending or receipts. Again Republicans supplied 71.6 percent of the votes for a balanced budget, and the Democrats supplied only 28.4 percent. On the other hand, the Democrats accounted for 73.5 percent of the votes in favor of increased deficits, while the Republicans supplied only 26.5 percent.

Taking the 2 sessions together, during the entire 85th Congress there were 96 rollcalls involving government fiscal policy. Republicans accounted for 69 percent of the votes for a balanced budget, and the Democrats accounted for 31 percent of these votes. As was expected, the Democrats accounted for 68.4 percent of the votes in favor of more deficits while the Republicans supplied only 31.6 percent of such votes.

There can be little question but that the American taxpayer must look to the Republican Party if he is ever to obtain any relief from the present burdens of heavy taxation.

Unless the trend toward more government spending is reversed, ruinous inflation or confiscatory taxation will engulf us. This is the challenge which confronts the American electorate this November.

Immediately following these remarks I have listed the 57 economy issues during the 2d session of the 85th Congress and the position which represents the vote in favor of economy in each instance.

List of record votes involving economy in Government

Vote No.	Vote for economy position	Description
1	Yes	Subcommittee on Antitrust and Monopoly (S. Res. 291)—Knowland (Republican, California) amendment to reduce from $265,000 to $260,000 the total expenditures authorized for investigation of antitrust and monopoly laws by Committee on the Judiciary. Rejected, 28 to 61, Feb. 5, 1958.
2	Yes	Committee on Rules and Administration (S. Res. 250)—Curtis (Republican, Nebraska) amendment to limit the total number of employees to 3 unless a greater number is authorized by a majority vote of the Committee on Rules and Administration. Rejected, 26 to 49, Feb. 5, 1958.
3	Nay	Postal rates and salary increase (H. R. 5836)—Monroney-Church amendment to eliminate 5-cent, 1st-class postage rate on nonlocal mail and substitute flat 4-cent rate. Rejected, 42 to 49, Feb. 26, 1958.
4	Nay	Postal rates and salary increase (H. R. 5836)—Monroney motion to recommit the bill to the Committee on Post Office and Civil Service with instructions to eliminate 5-cent, 1st-class postage rate on nonlocal mail and substitute flat 4-cent rate. Rejected, 40 to 48, Feb. 27, 1958.
5	Nay	Postal rates and salary increase (H. R. 5836)—Carroll amendment to restore to the committee bill the present minimum rate of ¼ of a cent on each individually addressed copy of newspapers or periodicals of nonprofit organizations. Rejected, 35 to 49, Feb. 28, 1958.
6	Yes	Postal rates and salary increase (H. R. 5836)—Carlson substitute amendment to amended committee amendment, calling for flat 3½-percent postal pay raise retroactive to Jan. 1, 1958. Rejected, 29 to 54, Feb. 24, 1958.
7	Nay	Postal rates and salary increase (H. R. 5836)—Long amendment to amended committee amendment, extending 3-year $240-a-year cost-of-living increase to practically all postal employees, instead of to just those in the lower grades. Agreed to, 50 to 31, Feb. 28, 1958. (This amendment was later reconsidered and rejected on a voice vote.)
8	Nay	2d supplemental appropriations, 1958 (H. R. 10881)—Thye motion to suspend the rules and amend the bill to provide that price supports for dairy products for the marketing year 1958 be no lower than those for the 1957 marketing year. Rejected, 30 to 59, Mar. 11, 1958. (⅔ majority vote required.)
9	Nay	Residential construction (S. 3418)—Monroney amendment to continue present interest rates on GI and military housing mortgages by eliminating provision authorizing the Veterans' Administration to raise the interest rate of GI loans from 4.5 percent to 4.75 percent. Rejected, 47 to 47, Mar. 12, 1958.
10	Yes	Residential construction (S. 3418)—Knowland motion to table the Capehart motion to reconsider the vote by which the Monroney amendment was rejected. Agreed to, 47 to 47, Mar. 12, 1958. (Vice President Nixon votes "yes" to break the tie.)
11	Yes	Residential construction (S. 3418)—Capehart motion to table Long amendment that sought to state that it was the sense of Congress that present interest rates on housing loans are too high, and that the Federal Reserve Board should use its powers to assure that enough money and credit be available so that Government-guaranteed housing loans would be available at a maximum interest rate of 4.5 percent. Agreed to, 45 to 43, Mar. 12, 1958.
12	Nay	Support prices and acreage allotments (S. J. Res. 162)—Passage of resolution to stay any reduction in support prices or acreage allotments until Congress can make appropriate changes in the price-support and acreage-allotment laws. Passed, 50 to 43, Mar. 13, 1958.
13	Nay	Dairy products (S. J. Res. 163)—Rejection of resolution to stay any reduction in support prices for dairy products until Congress can made appropriate provision for such support prices. Rejected, 43 to 50, Mar. 13, 1958.
14	Nay	Life insurance companies tax bill (H. R. 10021)—Douglas amendment to reduce individual income-tax rate applicable to first $1,000 of taxable income for 1958, and to repeal or reduce certain excise taxes. Rejected, 14 to 71, Mar. 13, 1958.
15	Nay	Life insurance companies tax bill (H. R. 10021)—Yarborough amendment increasing for the remainder of 1958 the personal income-tax exemption of every individual from $600 to $800 at the annual rate. Rejected, 19 to 64, Mar. 14, 1958.
16	Yes	Agricultural Trade Development and Assistance Act of 1954, extension (S. 3420)—Aiken amendment to strike from the bill sec. 5, respecting barter transactions, and sec. 6, permitting duty-free entry of nonstrategic materials acquired by Commodity Credit Corporation through barter. Agreed to, 44 to 32, Mar. 20, 1958.
17	Yes	Agricultural Trade Development and Assistance Act of 1954, extension (S. 3420)—Case (South Dakota) amendment providing that all foreign currencies received in payment for commodities sold shall be placed in a foreign currencies fund in the Treasury Department and that the Treasury shall pay to the CCC the dollar equivalent of any such payment. Rejected, 25 to 58, Mar. 20, 1958.
18	Yes	Agricultural Trade Development and Assistance Act of 1954, extension (S. 3420)—Williams and Bridges amendment to limit extension of titles I and II of the act to 1 year instead of 2. Rejected, 38 to 42, Mar. 20, 1958.
19	Nay	Support prices and acreage allotments (S. J. Res. 162)—Ellender motion to concur in House amendments. Agreed to, 48 to 32, Mar. 21, 1958.
20	Nay	Public facilities loan program (S. 3497)—Mansfield motion to table Knowland motion for postponement of bill until Apr. 14. Rejected, 36 to 41, Apr. 1, 1958.
21	Nay	Public facilities loan program (S. 3497)—Fulbright amendment to limit interest rates on authorized loans to 3 percent, instead of 3½ percent as recommended by the committee. Rejected, 40 to 41, Apr. 15, 1958.
22	Nay	Public facilities loan program (S. 3497)—Modified Case (New Jersey) amendment providing that, in accordance with the Davis-Bacon Act, the prevailing wage rate and the 40-hour week shall apply to projects under the bill. Agreed to, 54 to 25, Apr. 15, 1958.
23	Yes	Public facilities loan program (S. 3497)—Thurmond amendments, en bloc, to permit the Housing and Home Finance Agency Administrator to charge States and municipalities "reasonable" rates for their Federal loans, rather than limiting him to a 3½-percent ceiling. Rejected, 33 to 58, Apr. 16, 1958.
24	Yes	Public facilities loan program (S. 3497)—Bush amendments to reduce the authorization in the bill from $1,000,000,000 to $500,000,000. Rejected, 38 to 53, Apr. 16, 1958.
25	Nay	Public facilities loan program (S. 3497)—Johnson (Texas) motion to table Bush amendment to allocate at least 50 percent of the authorized $1,000,000,000 for the purpose of financing school construction. Agreed to, 60 to 27, Apr. 16, 1958.
26	Nay	Public facilities loan program (S. 3497)—Passage of bill. Passed, 60 to 26, Apr. 16, 1958.
27	Yes	Depressed areas (S. 3683)—Bush amendment to prohibit any loan to assist industries relocating from one area to another. Rejected, 36 to 59, May 12, 1958.
28	Nay	Depressed areas (S. 3683)—Passage of bill. Passed, 46 to 36, May 13, 1958.
29	Nay	Unemployment compensation, temporary additional (H. R. 12065)—Kennedy substitute amendment to broaden coverage of unemployment compensation law, increase weekly benefits, and extend payments to uniform 39 weeks in each State. Rejected, 21 to 63, May 27, 1958.
30	Nay	Unemployment compensation, temporary additional (H. R. 12065)—Modified Kennedy amendment to provide that participation in program shall be mandatory, with duration of payments limited to maximum of 16 weeks and repayment waived under certain conditions. Rejected, 27 to 56, May 28, 1958.
31	Nay	Unemployment compensation, temporary additional (H. R. 12065)—Kennedy amendment to extend duration of payments 16 weeks with compulsory participation and repayment. Rejected, 36 to 47, May 28, 1958.
32	Nay	Unemployment compensation, temporary additional (H. R. 12065)—Long amendment to provide average increase of approximately $5 per month for the needy aged, blind, and totally disabled. Rejected, 40 to 40, May 28, 1958.
33	Yes	Unemployment compensation, temporary additional (H. R. 12065)—Knowland motion to table Dirksen motion to reconsider vote by which the Long amendment was rejected. Agreed to, 41 to 38, May 28, 1958.
34	Nay	Unemployment compensation, temporary additional (H. R. 12065)—Cooper amendment to make participation in the program mandatory upon the States. Rejected, 26 to 54, May 28, 1958.
35	Yes	Mutual Security Act of 1958 (authorization) (H. R. 12181)—Bridges amendment to eliminate language stating it to be the sense of Congress that it is in the interest of the United States to join other nations in providing assistance adequate for India to complete its current economic development program. Rejected, 35 to 47, June 5, 1958.
36	Yes	Mutual Security Act of 1958 (authorization) (H. R. 12181)—Ellender amendment to reduce by $200,000,000 authorized funds for military assistance. Agreed to, 43 to 28, June 6, 1958.
37	Nay	Corporate and excise-tax rates, extension (H. R. 12965)—Douglas amendment to cut personal income taxes by $50 per person, reduce or repeal certain excise taxes, and give tax relief to small business. Rejected, 23 to 65, June 18, 1958.
38	Nay	Corporate and excise-tax rates, extension (H. R. 12965)—McNamara amendment to repeal excise tax on autos and auto parts and accessories, and to reduce by 50 percent tax on trucks and buses. Rejected, 32 to 59, June 19, 1958.
39	Nay	Corporate and excise-tax rates, extension (H. R. 12965)—Kefauver amendment providing for refund to manufacturer of half of the excise tax on autos for allowance to ultimate consumer. Rejected, 24 to 66, June 19, 1958.
40	Nay	Corporate and excise-tax rates, extension (H. R. 12965)—Fulbright amendment for adjustment of corporate normal-tax and surtax rates, which would have had effect of reducing from 30 percent to 22 percent the tax rate on the first $25,000 of a company's earnings. Rejected, 34 to 45, June 20, 1958.
41	Nay	Corporate and excise-tax rates, extension (H. R. 12965)—Douglas amendment repealing some excise taxes and reducing others, including cut to 5 percent on tax on long-distance telephone calls. Rejected, 20 to 55, June 20, 1958.
42	Nay	Corporate and excise-tax rates, extension (H. R. 12965)—Douglas amendment repealing tax on local telephone service. Rejected, 22 to 43, June 20, 1958.
43	Yes	Domestic Minerals Stabilization Act of 1958 (S. 4036)—First Williams amendment eliminating tungsten trioxide from the provisions of the bill. Rejected 35 to 57, July 11, 1958.

List of record votes involving economy in Government—Continued

Vote No.	Vote for economy position	Description
44	Yes	Domestic Minerals Stabilization Act of 1958 (S. 4036)—2d Williams amendment eliminating section which authorizes the Secretary of the Interior to borrow $340,000,000 from the Treasury for the purpose of making subsidy payments to domestic minerals producers. Rejected, 26 to 54, July 11, 1958.
45	Yes	International Development Association, establishment of (S. Res. 264)—Capehart amendment adding to the resolution the words "and study all existing international loan agencies in relationship to the proposed International Development Association." Rejected, 40 to 47, July 23, 1958.
46	Nay	International Development Association, establishment of (S. Res. 264)—Adoption of resolution. Adopted, 62 to 28, July 23, 1958.
47	Yes	Agricultural Act of 1958 (S. 4071)—Dirksen amendments, considered en bloc, to limit to 2 years minimum price supports on upland cotton, corn, and rice. Rejected, 23 to 51, July 25, 1958.
48	Nay	Agricultural Act of 1958 (S. 4071)—Proxmire amendment to add new title on dairy stabilization. Rejected, 20 to 57, July 25, 1958.
49	Nay	Agricultural Act of 1958 (S. 4071)—Humphrey amendment to add new section on national and farm feed grain bases. Rejected, 23 to 55, July 25, 1958.
50	Nay	Agricultural Act of 1958 (S. 4071)—Humphrey amendment extending price support to corn, oats, rye, barley, and grain sorghums at 90 to 60 percent and providing that corn price support shall be not less than $1.10 a bushel. Rejected, 24 to 49, July 25, 1958.
51	Nay	Agricultural Act of 1958 (S. 4071)—Modified Humphrey-Proxmire amendment to restore price support for manufacturing milk for 1959. Rejected, 24 to 49, July 25, 1958.
52	Nay	Independent Offices Appropriation Act, 1959 (H. R. 11574)—Conference report. Magnuson (Democrat, Washington) motion to concur in a House amendment appropriating $489,000,000 to the civil service retirement and disability fund. Agreed to, 44 to 30, July 30, 1958.
53	Nay	National Defense Education Act of 1958 (H. R. 13247)—McNamara amendment to add to the bill a section authorizing annual grants of $1,000,000,000 for 2 years for public-school construction. Rejected, 30 to 61, Aug. 13, 1958.
54	Nay	National Defense Education Act of 1958 (H. R. 13247)—Morse amendment to add to each scholarship award $300 to be used by the colleges and universities attended by the scholarship holders. Rejected, 29 to 60, Aug. 13, 1958.
55	Nay	National Defense Education Act of 1958 (H. R. 13247)—Cooper amendment to reduce from $17,500,000 to $5,000,000 the annual authorization for the creation of national defense scholarships and limiting each scholarship award to $200 per year. Agreed to, 46 to 42, Aug. 13, 1958.
56	Nay	Supplemental Appropriation for Fiscal 1959 (H. R. 13456)—Sparkman amendment to add to the bill $75,000 for farm housing research by land grant colleges. Rejected, 31 to 47, Aug. 14, 1958.
57	Nay	Social Security Amendments of 1958 (H. R. 13549)—Yarborough amendment to increase OASI benefits and taxes by 10 percent. Rejected, 32 to 53, Aug. 16, 1958.

List of record votes involving economy in Government, U. S. Senate, 85th Cong., 2d sess.

Vote No.	Vote for economy position	Votes cast			
		For economy		Against economy	
		Republicans	Democrats	Republicans	Democrats
1	Yes	28	2	14	45
2	Yes	25		7	42
3	Nay	44	5	2	40
4	Nay	43	5	1	39
5	Nay	25	24	16	19
6	Yes	27	2	15	39
7	Nay	15	16	26	24
8	Nay	27	32	19	11
9	Nay	41	6	4	41
10	Yes	41	6	6	41
11	Yes	41	4	3	40
12	Nay	35	8	11	39
13	Nay	26	24	20	23
14	Nay	42	28	2	12
15	Nay	43	21	1	18
16	Yes	30	5	2	37
17	Yes	20	5	21	37
18	Yes	32	6	6	36
19	Nay	28	4	13	35
20	Nay	30	2	2	34
21	Nay	30	2	2	36
22	Nay	15	10	27	27
23	Yes	30	3	12	41
24	Yes	31	2	10	42
25	Nay	23	2	18	42
26	Nay	22	4	20	40
27	Yes	23	3	19	40
28	Nay	24	13	17	29
29	Nay	40	23	3	18
30	Nay	36	20	9	18
31	Nay	33	14	12	36
32	Nay	35	8	6	34
33	Yes	36	5	4	34
34	Nay	23	21	10	16
35	Yes	23	13	17	30
36	Yes	13	31	22	6
37	Nay	41	24	3	20
38	Nay	34	28	11	21
39	Nay	41	25	4	20
40	Nay	26	19	12	22
41	Nay	26	19	2	18
42	Nay	26	18	13	19
43	Yes	19	6	26	31
44	Yes	20	8	24	30
45	Yes	26	4	9	30
46	Nay	22	3	23	30
47	Yes	26	3	12	30
48	Nay	33	24	4	16
49	Nay	33	22	8	17
50	Nay	33	16	5	19
51	Nay	31	18	6	18
52	Nay	38	1	4	40
53	Nay	37	28	7	23
54	Nay	39	30	5	15
55	Yes	23	14	11	31
56	Nay	36	11	4	27
57	Nay	33	20	6	30
Total		1,721	709	699	1,400

Industry Versus Alcoholism—Chicago Fights Back

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me and an article from the August issue of Manage—the magazine of the National Management Association—on combating alcoholism in the city of Chicago.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOUGLAS

The city of Chicago, under the leadership of Mayor Richard J. Daley, has undertaken dramatic programs in combating alcoholism, which medical men recognize as the No. 3 threat to American health. The Chicago Alcoholic Treatment Center, established at Mayor Daley's direction, has attracted international attention, and its work was recently covered in an article in Manage, a monthly magazine of the National Management Association.

In addition to the Chicago Alcoholic Treatment Center, an inservice sobriety program was established through the Police Department Fellowship Club, and time off for police illnesses, incapacity, and so forth, has been reduced 67 percent in the police department since the fellowship program was established.

These are only two of the many dramatic human service programs which Chicago has established.

[From Manage magazine of August 1958]

INDUSTRY VERSUS ALCOHOLISM: CHICAGO FIGHTS BACK

Chicago's reputation for its Skid Row and its alcoholic problem may soon be a thing of the past. Business, industrial, and civic leaders are all cooperating with Mayor Richard J. Daley, who directs the new commission on rehabilitation, and the Chicago alcoholic treatment center.

The center completed its first year May 13, and it has had a phenomenal success: Out of the first 244 patients discharged, 123—or more than one-half—are maintaining posttreatment sobriety.

A much greater expansion in the treatment of alcoholics is ahead.

In July, the Chicago center received a grant of $22,500 from the Illinois Commission on Alcoholism for the expansion of its medical-psychiatric treatment programs. With these funds, the commission is expanding its staff of psychiatric social workers, adding one field worker to provide outpatient counsel and improving other medical facilities. The commission is also hoping for grants on applications made to the Cook County Department of Public Welfare and the United States Department of Health. Both agencies have made extensive studies of the CATC program and its first-year results.

Industry and management are well represented on the commission on rehabilitation which manages the center for the city. G. Murray Campbell, the chairman, is a Baltimore and Ohio Railroad vice president; Walter Krafft, another member, has many business enterprises; Milton H. Callner is a real-estate developer.

Early in its operations, the center contacted steel companies, electrical firms, building contractors, and many other lines of business, asking cooperation in finding jobs for those who are about to leave the center. Cooperation has been magnificent, in the opinion of Director Arthur J. Ward.

Considerably over one-half the men who leave the center have a job waiting for them. It had been the center's experience that having a job gives the patient a better chance to maintain sobriety than if he were dismissed without concern for his future.

"There is always room for more jobs," Ward says. "And there is always room for improvement. But we owe a debt of gratitude to Chicago business firms for the fine manner in which they have cooperated with us in giving jobs to those men we have rehabilitated.

"Of course, no one can guarantee that the alcoholic will stay sober on the job. Business has been willing to take that risk, in order to help us and to help the alcoholic who has been willing to accept treatment."

The Chicago Alcoholic Treatment Center was established under the personal direction of the mayor, who, since his term began in 1955, has planned, executed, and generated what amounts to a war on alcoholism. Mayor Daley started the CATC off with a $120,000

city appropriation. The board of health gave over two floors at the Contagious Diseases Hospital, and Daley sent his personal troubleshooter, Arthur J. Ward, to set up and direct the center. It is frankly a pilot-plant operation, with only 36 beds in the Nation's second-city, in which there are an estimated 174,000 alcoholics.

After a little more than a year, the results were so formidable that now the center is taking over another floor of the hospital to double its facilities.

Half the patients discharged join Alcoholics Anonymous, the organization which has free access to the center at all times.

In about 50 percent of the cases, patients at the center had literally drunk themselves out of house, home, and family. There is an effort in all cases by the social service staff to reunite families—after having taught the nonalcoholic members the real nature of the illness. The hospital staff maintains that alcoholism is an illness, not just a habit or a weakness to be cured by willpower alone. When the families of patients are made to understand this, reconciliation is frequently possible. The staff points with pride to the scores of families reunited as a result of the center's work.

Women are not now treated at the center, although the female alcoholic problem is recognized. Starting from scratch with only 36 beds, it was decided to carry out the pilot-plant experiments, and basic research with male patients, before attempting to undertake the treatment of women too.

The treatment is under the direction of a qualified medical doctor, a psychiatrist, a staff of psychiatric social workers, a nursing staff with experience in treating alcoholics and a recreational director. Protestant and Catholic religious services are conducted in separate chapels each Sunday, and Wednesday and Saturday mornings are given over to AA meetings for such patients as wish to attend. But AA attendance is not required. Patients may ask and receive special religious or psychiatric counsel, besides regular interviews with the staff.

The center provides television, radio, a well-stocked library, cards, checkers, and other games, handicraft lessons, and special lecture courses in civics, government, civil defense, fire prevention, ethics, journalism, and other subjects. Group discussions are encouraged.

Hon. Robert C. Byrd

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SIKES. Mr. Speaker, I join my friends in the House in paying tribute to our colleague from West Virginia, the Honorable ROBERT C. BYRD, who is retiring. Few men have commanded the respect and accomplished as much as Congressman BYRD has in only 6 years of service in the House. It is gratifying to know that he is not retiring from politics, but has chosen to seek a seat in the United States Senate.

As chairman of the Inter-American Affairs Committee of the House Committee on Foreign Affairs, Congressman BYRD has proven his ability to ably cope with any situation which developed. He leaves the Congress with the best wishes of his friends for success in all future endeavors.

A Report to My Constituents

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SANTANGELO. Mr. Speaker, there is an old Biblical mandate which speaks of the moral obligation to "render an account of thy stewardship." I firmly believe that every responsible public official should fulfill this obligation. There is no better time than the present at the conclusion of the 85th Congress, when I round out my first term as the Representative of the people of the 18th District of New York. I feel it is my duty to keep my constituents informed about the legislative record, and particularly my efforts in serving the needs of the people and my views on major problems. I do not expect everyone to agree with all I have said or done; my primary interest is to give them a clear idea of where I stand on these issues. I leave it to the intelligence and the good judgment of my constituents to judge for themselves.

My District, which encompasses the areas of New York City known as Yorkville and East Harlem, is probably the most cosmopolitan district in the country. It is made up of sizable nationality groups, such as Italians, Slovaks, Irish, Germans, Hungarians, Rumanians, Spanish, West Indians, and others. We have Catholics, Protestants, and Jews. All of them have their distinctive customs and traditions which form the pattern of American life. The overwhelming majority are wage earners, people of low income, but industrious, hard-working, decent, and patriotic Americans. It is a high privilege to serve them in Congress.

WORLD PEACE AND NATIONAL SECURITY

The most important task of Congress is to work for world peace and to provide for our national security. Lasting peace in the world is the primary goal of mankind, but how to attain it in the face of Communist obstructionism is not an easy matter. It is my opinion that we must utilize every opportunity and every effort which holds the promise of peace, but at the same time we must always be prepared to defend our Nation and to make available to our people the most modern instruments of defense. This is my aim and my philosophy in Congress. As a member of the House Appropriations Committee, I supported legislation to strengthen our defenses and our national security.

Among the measures I supported to strengthen the United States and its allies were military appropriations for our Armed Forces; development of missiles, rockets, and other new weapons for our arsenals; research in the development of satellites and space explorations; expansion of warning systems against possible enemy attacks. Then there were a number of peaceful measures, such as the mutual-security program, to provide military, economic, and technical assistance to our allies; extension of the Reciprocal Trade Act, to improve trade relations; Public Law 480, to sell, at reduced prices, some of our surplus food commodities to underdeveloped and undernourished nations abroad, to help remove the breeding grounds for communism in those areas.

Although these programs are very costly, we need all the friends and allies we can get, and they must be strengthened to stand with us in the common struggle against international communism. Let us remember that the struggle between East and West centers around these countries in Asia, in Africa, and in Latin America. Russia uses fear and threats against them; she seeks to subvert them through propaganda in the effort to gain control over them and eventually domination over the whole world. The subjugation of any nation makes us weaker, while strengthening the free nations makes us stronger.

Our intelligence system has failed us in several instances. We were surprised by the Iraq coup and the Nixon "spitnik" in South America. Because of my dissatisfaction with our intelligence agency, I introduced several measures on foreign affairs, including a resolution to designate a committee to make a study of our methods of gathering intelligence affecting our national security and a resolution requesting our delegate to the United Nations to convene the Arab States and Israel to a peace conference. In the next Congress I shall continue all efforts toward a realistic foreign policy and genuine peace in the world.

THE RECESSION OF 1958

The economic recession of 1958 was unquestionably one of the major problems confronting Congress. The economy of the country suddenly took a sharp turn downward. Unemployment reached 5½ million. Unemployment compensation was being used up at a rapid pace. Small-business people were being pushed against the wall and bankruptcies were growing at an alarming rate. For a while it looked as if we were heading into a severe depression as in the 1930's.

Despite all efforts to get the Eisenhower administration to take bold action to end the recession, it showed lack of vision and preferred to sit back and wait. It was the Democratic Congress which responded to the urgent call of the people by the adoption of legislation to combat the recession. While I was glad to support all of these measures, it was my view that more should be done. The fact is, as I utter these words at the end of August, there are still over 5 million unemployed and many sections of the country have been declared as economically depressed areas.

To combat the recession, I supported and also proposed several measures designed to stimulate business, help the unemployed, and restore consumer confidence. One of the first measures to aid the economy was passage of an emergency housing bill authorizing almost $2 billion in loan funds for the construction of 200,000 houses and to provide 600,000 jobs in the housing industry. Next was the extension of unemployment insurance programs for those who had exhausted their jobless pay; in New York State an additional 13 weeks of compensation were added. Other antirecession steps included acceleration of the Federal highway construction program, military construction program, tax relief for small business and lower interest rates on loans, and others.

I supported the marketing facilities bill which would in my opinion reduce the distribution cost and consequently the cost to the consumer. While farmers are receiving less and less of the consumer dollar, the price to the housewife has been increasing. The high cost must be reduced.

I supported the community facilities bill for local public works program, such as improved streets, parks, public transportation, hospitals, health centers, libraries, water and sewerage systems, and so forth. This would create many jobs and improve neighborhoods, but unfortunately it was defeated. I shall work for its enactment next year. I also supported the farm-price support bill to help the farmers—which helps the economy as a whole—and the rivers and harbors bill. Both of these are important for the economy of the country but the President vetoed both bills. I strongly criticized the administration and its supporters in Congress in recent years. They not only oppose every effort to safeguard the interests of the working people, but are doing everything possible to undermine organized labor and to destroy the unions. When the Kennedy-Ives bill, a major labor reform bill designed to crack down on racketeering as revealed by the McClellan committee, came up in Congress, it was defeated by the antilabor forces.

In my own way, I sought to help the wage earners. I spoke up against the fake right-to-work laws which are intended to undermine the security of the working people. I supported the bill for full disclosure and accounting of funds invested by unions or management in pensions or welfare plans, the bill to eliminate racketeering in unions which constitute a threat to organized labor in the United States, and the $280 million relief measure to aid depressed areas suffering from large unemployment.

In addition, I sponsored several labor bills such as: to increase the minimum hourly wage from $1 to $1.25; to extend minimum wage coverage to hotel workers and others who are earning substandard wages; to prohibit discrimination against workers because of age in employment by Government contractors; to provide additional State unemployment compensation benefits.

SOCIAL SECURITY

No group in America is more entitled to special consideration than our elderly citizens who are retired and no longer able to work. After a lifetime of service, they deserve economic security in their declining years. Congress voted to increase their monthly benefits by 7 percent to help the 11,800,000 Americans on social security to meet in part the rising cost of living. Minimum benefits will increase from $30 to $33 per month, while the maximum for husband and wife will go up from $200 to $214. This is a very modest increase, considering the skyrocketing prices of food and other essentials.

I had introduced several bills to liberalize the social-security system, most important of which was a bill to reduce the retirement age to 60 for men and 55 for women at full benefits. Another of my bills sought to provide medical and nursing care for persons eligible to social-security benefits. The mounting cost of medical care for the elderly is a serious problem. I personally appeared before the House Ways and Means Committee in June 1958 to plead for my bill, but no action was taken on it. Congress cannot ignore this problem too long. I shall continue my fight for medical care for older persons until it is achieved. Simple justice requires service workers to be covered in social security to the full extent of their earnings. I introduced legislation to include tips as wages for purposes of social security inasmuch as tips are included for income-tax purposes. I am confident that after the internal revenue and social-security department confer, this area will be covered to correct this injustice.

HOUSING

The need for adequate housing and slum clearance in the large urban areas, such as in my District, still remains a pressing problem. Earlier this year Congress passed an emergency housing bill authorizing about $2 billion in loan funds for the construction of 200,000 houses. While I was glad to support this measure, it was no solution to the housing shortage or slum clearance. This was primarily a measure to help private industry through loans.

What is needed is a large-scale public housing program for the construction of housing projects in the large cities where slums and crowded conditions are intolerable. A $2 billion housing bill had passed the Senate, but became bogged down in the House. It was subsequently reduced to a $950 million program, but this, too, was defeated. This bill was to provide housing projects for elderly people, college housing for students, insurance on home mortgages, redevelopment of urban areas, and the clearance of slums.

To alleviate conditions, I had introduced two bills dealing with housing. One provided for relocation payments to families or business firms displaced by low-rent housing projects. The other provided for an exemption of all the income of a minor in a family for admittance or continued occupancy of low-rent housing. The latter aimed to bring about balanced communities and prevent the development of economically poor ghettoes.

SMALL BUSINESS

The 85th Congress passed 3 major measures to help small business. The most important of these provides tax relief for small business estimated at about $260 million a year in the following ways: faster tax writeoffs on new equipment in the first year after purchase; extend from 2 to 3 years for applying a loss against previous income to gain a tax refund; extend to 10 years payments on estate taxes in closely held small businesses to prevent forced liquidation or merger to meet tax obligations; increase from $60,000 to $100,000 the minimum credit against income for tax purposes.

The other measures established the Small Business Administration as a permanent Federal agency, instead of temporary, raised the ceiling on loans, and reduced the interest rates from 6 to 5½ percent. This agency was authorized to set up a $250 million fund to furnish long-term equity capital to small business. I believe these measures should prove to be of great assistance to small business in the country, and for this reason I supported them. The latter measure is quite similar to a bill I introduced last January to create a Small Business Capital Bank System to provide equity and long-term loan capital to small business on reasonable terms.

SCHOOL-LUNCH PROGRAM

The national school-lunch program is a very important phase of our national life of direct benefit to the younger generation. This program dates from the depression period of the 1930's, but in 1946 it became a permanent program having two major objectives: as an outlet for agricultural commodities, and to improve the health and well-being of the Nation's children by providing them with a well-balanced lunch at school to fill their daily nutritional requirements.

In recent years the administration has sought to decrease the amount of surplus foods available for donation to schools, and also to reduce the funds for this program. This year, for example, the administration recommended no increase in this budget which would have made the school-lunch program most inadequate in view of the growing school population. Here is one way in which the people in the large cities derive a specific benefit, and it was going to be reduced to practical purposes.

As a member of the Appropriations Committee, I fought for a larger school lunch program and feel that I was instrumental in obtaining additional funds for this program. I urged that it be increased by $55 million in order to insure an adequate food supply for the children. The result was that Congress voted to increase this program from $100 million to $145 million. Thus, more children will benefit from the school-lunch program during the coming year.

CIVIL RIGHTS

It is my view that the United States must take the lead in practicing toleration toward racial and religious groups and to eliminate discrimination against people on the grounds of race, creed, color, or national origin. We must live up to the civil rights and civil liberties as enunciated in the United States Constitution. For this reason, I was pleased that Congress for the first time in 82 years passed the Civil Rights Act of 1957. It is not an all-embracing law designed to eliminate discrimination and safeguard minority rights. It is limited merely to the protection of the right to vote, it provides for a Civil Rights Commission to investigate violations, and it sets up a Civil Rights Division in the Department of Justice. I felt privileged to participate in these historic debates.

This measure may be regarded as a starting point for civil-rights legislation.

Additional legal powers and remedies are required to guarantee the equal protection of the laws to every American and effective enforcement of these laws. Witness all the obstructions, the delays, and the tactics to undermine the integration in the schools in Little Rock and other southern communities which is contrary to the judicial decree of the United States Supreme Court. This is causing untold harm to the United States all over the world.

EDUCATION

The Russian sputnik and Russian advances in science have pointed up our own crisis in education, the lack of sufficient educational facilities and opportunities for our youth. Our national security was threatened by the inadequacy of our educational system, especially in science. We do not have enough classrooms or enough teachers. We did not provide enough help or incentive to deserving students seeking a higher education. Education has become most expensive and it is increasingly difficult for a family of limited means to provide their children with a higher education. This constitutes a tremendous waste of human resources.

When the national defense education bill to provide loans and scholarships to needy students came up in Congress, I was among the first to support it. I was terribly disappointed when the scholarship program was omitted from the bill; nevertheless, I voted for it since it would still be a help to students requiring loans and in other ways. It is urgent that the next Congress enact a scholarship program, and I will work toward that goal. We must give our young generation the best education possible.

IMMIGRATION

Throughout my first term in Congress I have been interested in efforts to liberalize the immigration laws and to eliminate the discriminatory national origins concept. The United States must live up to its tradition as a haven of refuge for the oppressed and as a citadel of freedom. One of the first bills I introduced shortly after coming to Congress in January 1957 was a bill to revise and rewrite the McCarran-Walter Immigration Act eliminating the national origins quota system and other discriminatory features of our immigration and naturalization laws. I also introduced a bill to facilitate the entry into the United States of adopted children and other relatives of American citizens.

The 85th Congress, however, passed two important immigration measures. One was to grant permanent status to some 32,000 Hungarian refugees who entered the United States after the Hungarian uprising in 1956. The other was a bill to permit the unification of families and utilization of unused visas left over from the Refugee Relief Act. Both of these were worthwhile measures and I was pleased to vote for them. I shall continue to strive for greater liberalization of our immigration laws.

VETERANS' LEGISLATION

Veterans and their survivors have been benefited in a number of ways through legislation adopted by the 85th Congress. Among the more important measures, all of which I supported, were the following: to increase the compensation for service-connected disabilities for all veterans and additional allowances for dependents; extension of the GI-loan bill for 2 years until 1960, but interest rates were increased to 4¼ percent; an increase in the burial allowance for deceased veterans from $150 to $250; total disability national service life insurance for veterans paying double the present benefits.

There were attempts on the part of the administration to make arbitrary cuts in essential veterans' services, especially hospital services. I strongly opposed such cuts either in services or in benefits to veterans and will continue to do so. The veterans of this country have made great sacrifices for the Nation and they deserve our fullest recognition.

POSTAL AND GOVERNMENT WORKERS

During my first year in Congress I served on the Post Office and Civil Service Committee where I had the opportunity to familiarize myself with the problems of the postal workers and Government employees. I am proud of our postal workers and their dedicated service. They had not received a pay increase in the last 3 years, and with the cost of living rising steadily I felt they were entitled to a raise. In fact, one of the first bills I introduced last January when the 1958 session convened was legislation to increase basic postal salaries by $546 annually. I voted for the 10 percent pay increase for postal and Federal employees, including the retroactive payments going back to January, which Congress enacted in June.

Similarly, I supported the measure to grant a 10 percent increase in annuities to retired Federal employees. Back in March 1957 I had introduced a bill, H. R. 5754, to increase annuities to civil service retirees under a graduated system of from 10 to 30 percent. Some of the features of my bill were subsequently enacted.

In the field of Federal employee legislation I look for early enactment, perhaps in 1959, of health and life insurance for Government workers at a low cost which would provide protection against long and costly illnesses. Other legislative objectives in this field are official recognition of Federal employee unions, crediting unused sick leave for greater annuity benefits upon retirement, an equitable system for settlement of employee grievances, correction of postal pay classification inequities, and others.

EQUALITY FOR PUERTO RICANS

An important segment of the population of my District is made up of Puerto Ricans, who are striving to attain equality as American citizens. I am happy to assist them in this effort. They are entitled to equal opportunity to advance by reason of ability, without regard to race, color, religion, or sex. These people are religious, they are friendly and hospitable. Their sons have fought to defend American democracy and our way of life. They have earned their rights to citizenship and equality.

Like all newcomers to our shores, they have encountered language difficulties and a lack of economic opportunities which create certain problems for them. Yet they are proving to be a valuable asset to our economy in several industries. Gradually these problems are being solved as the Puerto Ricans learn the English language and advance in education, in business, and in politics. Although Spanish is spoken in almost all Puerto Rican homes in New York, about 50 percent of these are already reported to be bilingual and that proportion is bound to increase in the years to come. In my Congressional District we have 1 Puerto Rican local district leader, a candidate for the State assembly, and 2 judges.

On August 11 one of the great television channels in New York initiated a program to aid the Spanish-speaking people learn English. This program aims not only to teach the Puerto Ricans English, but also a greater sense of participation in community affairs. As such, I feel that this program will prove to be an effective instrument of education and a way to equality for Puerto Ricans in New York.

OTHER ISSUES AND PROBLEMS

There have been a number of other issues and problems on which I expressed my view as a Member of Congress, the more important of these being the following:

I introduced a bill for the issuance of a special postage stamp in honor of the 10th anniversary of the establishment of Israel. On that occasion I stated that Israel was the only stable and forward-looking country in the Middle East, while the Arabs are keeping the area in constant turmoil and are playing into the hands of the Communists.

Recent events prove that I was correct.

Another bill I introduced sought to prohibit the charging of a fee to view television programs in the home. There is a movement afoot to institute pay television, which I strenuously oppose because I believe it is not in the best interests of the public and it will affect primarily the low-income families who will not be able to afford to pay for such programs. It also constitutes a certain danger to our economy.

After the 1957 session I was privileged to visit Italy, examine their industrial plants and meet with the Italian businessmen and public officials. I enjoyed this experience.

Prior to the parliamentary elections in Italy in the spring of 1958, I called on the people of Italy to vote for those parties which stand for democracy and for cooperation with the West. I was glad that these parties were victorious in the elections and that one of the first tasks of Italy's new Prime Minister, Amintore Fanfani, was to come to Washington for consultations with our Government to establish better relations.

I protested against Communist inhumanities in Hungary, Poland, and other Eastern European countries where the people are suffering under the Kremlin's domination and expressed the hope they would soon witness the liberation of their countries.

I introduced the following additional bills: a resolution calling for the unification of Ireland; a resolution to declare March 9 of each year as Amerigo Vespucci Day in honor of the Italian navigator after whom the continent of America was named; a bill to establish recognition and observance by the Post Office Department of State holidays.

Among bills which I supported were: Admission of Alaska as the 49th State; Federal Aviation Act for airport development; extension for 3 years of the special school-milk program to cost $75 million annually; a program to help train public-health specialists and technicians; extension for 3 years of the hospital-construction program; authorization of $294 million for medical research in mental health, cancer, heart, allergy, and arthritis; control and elimination of water pollution, and many other worthwhile measures.

In addition, my offices in Washington and New York performed many personal services for hundreds of people who contacted me or my staff in person or in writing on various problems. This is a chapter of service in itself, but since it concerns problems of a very personal nature I shall only say that I am ready at all times to be helpful in every way possible to the people of my District. My staff and I will make every effort to carefully consider any problem submitted by residents of the 18th Congressional District. I take this opportunity to thank my Washington staff, namely, Mrs. Coutsonikas and Miss Gobbi. My work could not be done without their invaluable help. I thank my New York assistants, Mark Lane, Max Feigin, Modesto Munoz, and Michael Lazazzara. I feel confident that my constituents are receiving effective service while I am in Washington.

It is my hope to continue to serve you in the United States Congress. It is my obligation to know my community, to understand its problems, and to be dedicated to their solution. This makes it possible for me to serve in the best interests of my people.

This is the account of my stewardship in office which I present to my constituents. I know they will read it carefully and judge it on its entirety. Those who wish to write to me, either on a personal matter or to comment on this report, please address your letter to: Congressman ALFRED E. SANTANGELO, New House Office Building, Washington 25, D. C., or 1484 First Avenue, New York City.

Adm. Edward C. Stephan

EXTENSION OF REMARKS
OF
HON. LEVERETT SALTONSTALL
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a statement relative to the transfer of Adm. Edward C. Stephan, of the Navy Liaison Office.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I wish to call to the attention of the Senate the transfer of Adm. Edward C. Stephan, of the Navy Liaison Office.

Admiral Stephan has served in his present capacity for the past 2 years. He has done an admirable job representing the Navy and serving the needs of many of us here in the Congress.

As a member of the Armed Services Committee, I have found the admiral's assistance very valuable on numerous occasions. He has been here in Washington for several years, and I know that he is well known personally to many of us. We will all miss him in the next session.

But the admiral is going on to even more important duties elsewhere. I congratulate him on taking command of the South Atlantic force. I know that his services will continue to reflect credit upon the Navy and the United States.

Research and Development—Report of Committee on Government Operations—Comment

EXTENSION OF REMARKS
OF
HON. GLENARD P. LIPSCOMB
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. LIPSCOMB. Mr. Speaker, as a member of the Committee on Government Operations, I desire to remark on the controversial staff work behind the 32d Report of the Committee on Government Operations entitled "Research and Development." This House Report, No. 2552, was printed August 12, 1958.

This staff-dominated report is typified by the subcommittee remarks taking up only 53 pages, while the staff study occupies the following 165 pages. Moreover, most of the problems with which the subcommittee was concerned had been recognized and met by the administration many months previously in the Defense Department Reorganization Act of 1958. This provided for slicing of red tape and sharpening centralized authority.

Thus, the subcommittee report largely came as an after-action survey for political, rather than constructive, purposes.

The staff study summary, however, requires comment which the minority members of the committee did not have time to prepare before its publication.

Frankly, the study is both unscholarly and unobjective.

Perhaps by pointing out its most glaring deficiencies, which indeed reflect upon the professional work of the staff, I can, in some degree, caution future staffs against such approaches. And if my remarks appear to hit the partisan level by references to the two political parties, my hand has been forced by the political tactics of the staff.

The staff report could have performed a valuable service by stressing the most serious danger confronting our entire defense effort. This is the inflationary trend encouraged by vast spending programs—of which the last Democrat-controlled Congress is replete with examples—producing constant pressures for price and wage increases. Together, these factors threaten to place research and development beyond reach. Time and again the staff mentions the rising cost of defense, but at no time is it willing to analyze this basic cause.

Surely, professional consciences must have been disturbed when criticisms conformed to party interests alone and avoided the heart of the problem.

As a result, much of the report remained on a superficial level, avoiding the real and propagandizing the apparent.

The report is replete with charts which reflect adjusted rather than actual obligations of funds to research and development. These adjusted obligations are derived from a research and development index which subtracts from the actual obligation in proportion to the declining value of the research and development dollar for that year. According to certain studies, it would take about $1.61 in 1958 to purchase the same amount of research and development that $1 could have bought in the 1947–49 base period.

After adjusting figures according to this index, the staff report declares that Department of Defense obligations toward research and development have expanded since fiscal year 1955, "but never reached the peak level of fiscal year 1952."

The report continues—page 82:

When the Korean hostilities were suspended, President Eisenhower instituted an economy drive which affected fiscal year 1954 and fiscal year 1955 Government activities. Expenditures of research and development funds were curtailed along with funds for all other activities. This resulted, of course, in a curtailment of direct research and development program.

Typical of the entire staff report is this inference that the administration followed a retrenchment policy after Korea which it never has abandoned. These inferences afford a good example of how statistics can be manipulated to paint a partial, incomplete, and unfair picture.

This picture is distorted in at least three respects:

First. As the staff report later admits on page 91—

Even the lines between research, development, and procurement cannot be drawn precisely, particularly in areas of rapidly advancing technology.

The Department of Defense has recognized the fact that the full cost of modernizing the military forces cannot be considered as research and development. The Department of Defense has also recognized the fact the effort supported by the research and development appropriations does not give a full measure of the effort devoted to the research, development, test, and evaluation programs, because support such as the procurement of items for engineering and service test are usually financed from other appropriations.

Actually, the indirect activities supporting research and development have more than offset the decline in the defense dollar. In some cases, the total amounts for supporting activities exceed

the amounts appropriated for direct research and development. It is regrettable that the staff report failed to stress that indirect support through procurement, personnel, administration, and production funds have more than provided for the dollar decline.

Second. There are many other unmeasurable variables which influence the picture. The management of the research and development program, for example, has vastly improved since the 1947 period, and hence there is a savings through increased efficiency. These saved management dollars, then, further expand the boundaries of the research program.

Third. The committee staff constantly makes comparisons with 1952 as "the peak year" of research and development obligations. Yet it fails to examine the content of that year. Even a school child knows that the Korean war was then being fought.

This so-called peak resulted, consequently, from efforts to satisfy research and development needs for the Korean battlefield. Meanwhile, long-range research was starved. Had the staff report separated the 1952 battlefield research expenditures from the 1952 long-range expenditures, for example in relation to ICBM's, a shocking picture of myopic vision on the part of the Truman administration would have evolved.

The following table shows how the Democrat administration retarded and the Republican administration advanced the IRBM and ICBM missile program:

United States missile programs, Department of Defense, fiscal year 1946 through fiscal year 1958

[Funds programed in millions of dollars]

Fiscal year	Total missiles	Surface-to-surface missiles	Long-range surface-to-surface missiles	IRBM and ICBM
1946 and prior	70	19	9	1.95
1947	58	20	6	
1948	81	36	11	.27
1949	98	45	18	.1
1950	134	65	22	
1951	784	186	113	.5
1952	1,201	247	143	.8
1953	1,203	443	270	3
1954	1,067	350	258	14
1955	1,501	590	376	161
1956	2,683	959	679	515
1957	4,284	2,000	1,743	1,380

NOTES

1. Above estimates include research and development, production facility expansion and tooling, procurement and production for test, evaluation, and service use, construction or conversion of ships identified with the guided-missiles programs, and construction costs for the ballistic-missile programs and certain research and development facilities. They do not include military personnel costs and the full cost of operation and maintenance of guided-missile installations.

2. IRBM and ICBM expenditures for fiscal years 1953 to 1956, inclusive, and fiscal year 1957 were $258,000,000 and $982,000,000, respectively.

What is more, the appropriation figures for fiscal years 1954 and 1955 do not give the true picture of what was spent in the Department of Defense in those years and, hence, give rise to criticisms of certain cutbacks after the Korean war. In the Army, for example, pre-1954 appropriations from the Korean emergency were still available for procurement use well in 1956. Likewise, there were unspent Air Force funds which lasted into the following years.

The staff report purports to tell the full story of missile research and development efforts. Apparently, it did not consider the 1945–50 missile blindness of the Truman administration to be a part of this story. For it would have taken a nonpartisan staff to consider all the facts.

After the first sputnik, Dr. von Braun was quite clear in assigning responsibility for our lagging space program:

The main reason is that the United States had no ballistic-missile program worth mentioning between 1945 and 1951. These 6 years during which the Russians obviously laid the groundwork for their large rocket program are irretrievably lost * * *. Thus, our present dilemma is not due to the fact that we are not working hard enough now, but that we did not work hard enough during the first 6 to 10 years after the war.

Up to the present, more than 99 percent of the funds spent on development of these missiles has come from a Republican administration. Plainly, this is a Republican accomplishment, and no graphs can distort the fact.

In the graphs the committee staff devised, the research and development index, based on the declining value of the defense dollar since 1953, was utilized constantly.

But again the staff has picked a convenient cutoff date in order to show a half picture.

The drastic decline in purchasing power occurred before 1953, as the figures below make evident:

Purchasing power of the consumer dollar in United States cities 1933 to June 1958

[1933=$1]

Date	Purchasing power	Date	Purchasing power	Date	Purchasing power	Date	Purchasing power
1933	$1.000	1941	$0.879	1949	$0.543	1957	$0.460
1934	.967	1942	.793	1950	.538	1958[1]	
1935	.942	1943	.747	1951	.498		
1936	.933	1944	.735	1952	.487		.452
1937	.901	1945	.719	1953	.483		
1938	.917	1946	.663	1954	.482		
1939	.931	1947	.579	1955	.483		
1940	.923	1948	.538	1956	.476		

[1] January.

Source: U. S. Department of Labor, Bureau of Labor Statistics, Washington, D. C., Aug. 18, 1958.

During the Eisenhower years, for example, the consumer dollar lost only $0.036 of its purchasing power, as compared with a $0.232 loss during the Truman years from 1945 to 1952. This feat of retarding the dollar decline stands as a major accomplishment of the Republican administration, especially from the research and development point of view.

Had the rate of decline characteristic of the Truman administration continued, literally, we would have priced ourselves out of survival.

In discussing cases where the amounts appropriated by Congress have been more than the Executive requested, the report reads—page 88:

The increase of $100 million in the fiscal year 1957 Air Force appropriation is the only one made by Congress for fiscal years 1953 and 1958, inclusive. Why this increase was granted, we do not know except that we were told it was the result entirely of inquiries and decisions of the Appropriations Committee.

This is to say the one time that Congress felt it wise to appropriate more money than President Eisenhower requested, it did so without clear purpose or concrete programing. There is not much credit in that.

In analyzing where Congress had cut the requests of the President, the staff report says, on page 87:

The amounts requested by the President were appropriated. Major exceptions occurred in fiscal years 1954 and 1955 when the Congress reduced the amounts requested by the President for the three services (Army, Navy, and Air Force).

This implied criticism of the Republican 83d Congress skirts the true issue. As already noted, large research and development sums had been devoted to immediate Korean war needs. With the peace, many such projects were no longer significant. The budget should have been and was reduced in this respect.

Most significant, however, is that the IRBM and ICBM development budget was increased. This dispels all staff charges of retrenchment in vital areas.

The staff report is quite unwilling to apply the same yardstick of criticism to Republicans and Democrats alike. In 1947, Mr. Truman impounded $75 million which a Republican Congress had appropriated, thus terminating the all-important Atlas project. When the program again was commenced in 1950, Mr. Truman a second time disrupted progress by impounding $735 million of Air Force funds. Had it not been for Mr. Truman's actions, it is possible the Atlas could have been operational in 1953 or 1954.

The committee staff turned a blind eye to the spring of 1957. On page 87 of the report, references are made to exhibit 1, which proposed that, on the whole, Congress had appropriated all the research and development funds the President had requested. This was indeed a daring assertion.

I will not repeat the entire story of the May 1957 Democrat slash in vital research and development which jeopardized our entire missile program. Of the several accounts of this given on the floor of the House, Representative SHEEHAN'S is the latest, and can be found on page 16983 of the RECORD, August 19, 1958.

Briefly, the Democrat-controlled Congress slashed $2.5 billion from the Defense Department budget for fiscal 1958.

In a radio and TV broadcast, President Eisenhower notified the Nation that this was a foolhardy gamble. In the House the Canfield amendment sought to restore $313 million to what the Appropriations Committee was willing to provide for our security. Seventy-eight percent of the Republicans voted for the amendment; 95 percent of the Democrats voted against it.

When sputnik streaked across the sky the following autumn, Democrat sponsors of the cuts saw their folly and feared the wrath of their constituents. In January 1958 when President Eisenhower asked for additional funds to repair the delay, Democrats had to comply. Consequently, the adequacy of appropriations was restored before the fiscal year was out, and for this reason the year and statistics do not reflect the initial and harmful cuts.

By preparing graphs which use cutoffs and unique figures, painting rather than reflecting the facts, the staff has forfeited the chance of presenting a constructive report. Certainly, much could have been learned by both parties from a close examination of the Congressional attitudes on the eve of sputnik.

The staff report justifiably portrays an admiration for the World War II Office of Scientific Research and Development. OSRD essentially was a civilian agency in competition with the military research programs. In that wartime setting this worked well.

But there is a danger in such admiration for the past of trying to copy something not applicable to the space and supersonic age. OSRD did not face the complexity of problems or research programs which confront us today.

We can admire OSRD simplicity and comparative ease at decision making. But we must not blindly try to reproduce its type of organization in a different setting and circumstance. The study of OSRD successes, on the other hand, does illustrate the need to cut bureaucracy and speed up decisionmaking time.

This is exactly the purpose of the Defense Department Reorganization Act of 1958. What is more, the act molds the defense efforts into a centralized structure, integrating the military and civilian in a manner superior to that of OSRD.

As the staff report points out, many defects sprang from the National Security Act of 1947.

By 1953, for example, the Joint Research and Development Board had mushroomed into an unwieldly organization with more than 100 active committees, panels, and working groups.

President Eisenhower acted to stop this confusion. In February 1953 Secretary of Defense Wilson appointed a committee on "Organization of the Department of Defense" headed by Mr. Nelson Rockefeller. The work of the committee constituted the most thorough investigation of research and development in our history. Unfortunately, this study received no praise in the staff report.

As a result of this investigation by the Rockefeller group, a single coordinating official under the title of Assistant Secretary of Defense for Research and Development was established in place of the maze of committees and an inefficient board. This remedial action cut redtape and decision-making time.

The demands of immediacy versus the demands for long-range needs always create tensions.

The staff report could have performed a valuable service by analyzing how Pentagon officials faced these dilemmas during the years 1953–58. True enough, the 1953 reorganization had instituted sound organizational lines quite in contrast to those evident from 1947 to 1953. But with each year, the complexity of the research and development problem increased. It became evident that between the offices of the Assistant Secretary of Defense for Research and Development and the Assistant Secretary of Defense for Applied Engineering delay and duplication were growing.

The administration was aware of what was happening.

At the same time, it realized that the United States had fallen behind Russia in its emphasis on missile development from 1945 to 1953. In its determination to make up this lag, the administration created the Office of a Special Assistant to the Secretary of Defense for Guided Missiles. This assistant could focus attention on the ballastic-missile problems and see that program was not downgraded as in the 1940's.

Although quite aware of the necessity to expedite specific projects such as this, the administration recognized, at the same time, the danger of a splintering of effort. Hence, on March 18, 1957, another major Pentagon accomplishment occurred when the Offices of the Assistant Secretary for Engineering and the Assistant Secretary for Research and Development were combined into the Office of the Assistant Secretary for Research and Engineering.

Then came the sputnik crisis with its great temptation to bow to Democrat missile hysteria.

Unfortunately, many Democrats used the opportunity to demand needless reorganization and overorganization. Following suit would have resulted in ill-conceived crash programs which, in the long run, would have spread the contagion of delay and duplication.

The administration, however, was determined to meet the situation without panic or hysteria, and despite wild Democratic demands for rushed reorganization. For great progress had been made in the missile field since the blackout during the Truman administration, and that progress had withstood the May 1957 Democratic attempts to retard it.

Now, the same Democrats who had favored retrenchment in missiles a few months earlier cried out that the President lacked a sense of urgency.

Discarding the panicmongers, the administration met the Soviet challenge with deliberate and wise measures. The authority of Special Assistant to the Secretary of Defense for Guided Missiles was increased and he was redesignated Director of Guided Missiles. To accelerate the space program, the Advanced Research Projects Agency was created February 7, 1958.

With the missile and space programs in full swing, the administration then took a new look at the entire defense structure to insure that the new agencies would not produce decentralized effort.

Out of this scrutiny came the reorganization bill for the Department of Defense.

In the bill, all research, engineering, missile, and space projects in the Department of Defense would be under the Director of Research and Engineering. Decision time would be cut. Results would be expedited.

But Democrat reaction affords a study in contrasts. In the early sputnik days, Democrat Congressmen demanded missile czars and more missile czars.

When the President acted decisively to streamline and centralize the Pentagon structure, these same Democrats acted evasively. Those who recently had cried out against "splintering-off of Pentagon effort" now flipflopped and crusaded against centralizing Pentagon effort. They did their utmost to dilute the President's bill.

Obviously, the Eisenhower administration had been sensitive to reorganizational needs. Again and again it had acted to maintain a balance between the most immediate needs and overall efficiency.

The Truman administration, on the other hand, had failed to meet the change of times. It let the Pentagon stagnate.

Since the Eisenhower administration, however, Democrat military policy can be summed up: To oppose whatever position President Eisenhower takes. Like a high-school debate they would gladly switch positions every month if necessary.

I am not maintaining that Republicans have been free of mistakes. For the complexity of the research and development field compounds each year of the space and supersonic age. As Napoleon once said of the art of generalship, "All generals make mistakes. In war," he added, "the best general is he who makes the fewest mistakes."

The mark of leadership, on the other hand, is to be sensitive to all mistakes, to learn from them, and to act resolutely.

Plainly, the staff report with the vantage point of hindsight could have served a great cause by assuming an objective, nonpartisan position toward both successes and failures during Republican and Democrat administrations alike.

It is extremely regrettable that so-called professionals gave birth to a partisan report which aborts the truth and courts one party. This is not the way toward better defense.

Charter of Veterans of World War I of the United States of America

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MACDONALD. Mr. Speaker, on July 18, 1958, President Eisenhower signed H. R. 11077, which became Public Law 85–530. This law grants a charter of incorporation to the Veterans of World War I of the United States of America. By the terms of the charter, membership is predicated upon honorable service in World War I during the period of April 6, 1917, to November 11, 1918. This law will allow World War I veterans to be accredited by the Veterans' Administration and permit them to ask for some of the privileges accorded to other veteran groups.

Back in 1949 this organization was organized in Cleveland, Ohio, and since that time has grown to include approximately 100,000 members in 1,000 local chapters in 48 States.

As far back as 1865 it has been the desire of Congress to encourage veterans to join together in organizations which would preserve group identity and which would best serve their needs. As a matter of fact, since the close of the Civil War, Congress has granted a total of 13 charters to various veterans' organizations. As you know, before H. R. 11077 was enacted into law, the veterans of World War I had no organization with a Federal charter that was designed solely to represent them. Before this legislation became law, it seemed to me as a veteran of World War II, that it was the obligation of Congress to give the same recognition to the doughboys who fought to retain our freedom in the First World War as the Congress gave to the other veteran organizations. Therefore, I am very pleased to have the RECORD show that I am wholeheartedly in favor of this legislation.

By placing this worthy legislation on the statute books it means that the 85th Congress recognized a vigorous group of veterans who have served this country admirably for many years. We all agree that the 2,876,000 living World War I veterans constitute a group which all Americans honor. Not only did this group of loyal Americans serve in the First World War, but many of them joined their sons and close relatives in the call to battle during World War II. As we all know, they have been called upon repeatedly to help carry out the principles on which this Nation was founded and to lift the banner of freedom. The record shows they have never let this country down. I know this to be true because as a Member of Congress I have been honored on a number of occasions by having the privilege of meeting and working with World War I veterans both in my Eighth Congressional District as well as throughout the Commonwealth of Massachusetts. Therefore, I have personal knowledge of their true spirit and high citizenship qualifications. I have also had the pleasure of learning to know many of them personally during these several years.

Because of my relationship with this patriotic group I know how hard they have worked to increase their membership to approximately 100,000. The 39 departments with 1,417 barracks in the 48 States, the Philippines, Alaska, and Hawaii constitute proof that they are progressing toward a position of parity with the other veteran organizations in the United States. In the Commonwealth of Massachusetts we have 50 barracks with a membership of 5,548. Massachusetts ranks seventh in the Nation in membership. We are all very proud of the World War I veterans in Massachusetts and feel they are doing a wonderful and magnificent job in interesting themselves in the problems and welfare of World War I veterans.

Mr. Speaker, before concluding let me point out that the survivors of World War I are now approaching the later period of life when physical disabilities and financial resources frequently result in hardship. In fact, since July 27, 1957, 87,000 World War I veterans have passed to the Great Beyond. The average age of World War I veterans is now 64.5. With these facts in mind, I want to again congratulate my colleagues in both the House and Senate for granting a Federal charter to the Veterans of World War I of the United States of America. To me this is one of the finest tributes that the 85th Congress could pay to the aging veterans of 1917–18. I am, of course, happy that I could play a part in assisting this outstanding group of American citizens in having this most important legislation enacted into law.

Record of the 85th Congress

EXTENSION OF REMARKS
OF
HON. GEORGE M. RHODES
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. RHODES of Pennsylvania. Mr. Speaker, this 85th Congress has passed some important measures to meet the problems facing the people and the Nation.

It has, I believe, failed in some important areas to meet the challenge of our times in education, health, housing, and in fighting the recession trend.

Listed herewith are some of the issues faced in the 85th Congress.

RECORD OF THE 85TH CONGRESS

The 85th Congress has been hailed as a working Congress. The 2d session has been compared favorably with the 1st session of the 73d Congress, which enacted much of President Franklin Roosevelt's New Deal antidepression program in the famous 100 days.

Like many other Members of Congress, I feel that this Congress has, for the most part, made an outstanding record of achievement. Of course, there were disappointments; some legislation which I felt was urgently needed failed to receive the final approval of Congress.

Among the notable achievements of this Congress was the admission of Alaska as the 49th State of the Union, the first State to be admitted in 46 years. The first civil-rights legislation in 82 years was passed by the 85th Congress last year. The first comprehensive Federal aid to education bill in 96 years was enacted, known as the Defense Education Act of 1958. All of these measures had my full and active support.

COST OF LIVING—HARD MONEY POLICIES

The cost of living has continued its almost uninterrupted climb to the highest point in our Nation's history. The value of the purchasing dollar has correspondingly dropped to its lowest point—48 cents of the 1939 dollar's value.

Hard money and high interest rate policies of the administration have failed to halt inflation and helped to bring on a severe economic recession. Unemployment rose to more than 5½ million workers, the highest total since pre-World War II days. Berks County unemployment rose sharply during the early part of 1958 to over 12,000 persons. A half million workers were idle in the State of Pennsylvania.

The Nation experiences a strange economic phenomenon—rising prices during a period of recession—which is working great hardship on millions of retired folks living on fixed incomes, on unemployed workers and their families, and on the hundreds of thousands of persons now existing on inadequate public assistance payments.

Hard money policies have added billions of dollars to the cost of interest on the public debt. Tax revenue has fallen off sharply during the recession and the administration ended the fiscal year more than $3 billion in the red. During the 5 years of the Eisenhower administration, the national debt has risen by $10 billion. Five increases in the legal debt limit have been requested in these 5 years. The debt limit was raised from $275 billion to $288 billion by the 85th Congress at the urgent pleading of the administration.

High interest rates are costing the American taxpayers an estimated $10 billion a year in higher payments on cars, homes, furniture, business loans, and other credit transactions. Big financial interests are enjoying record prosperity even during the recession because of the administration fiscal and monetary policies, which have been extremely costly to the average citizen.

Efforts in the House to conduct a full investigation of these fiscal policies have been blocked by the same coalition of Republicans and Southern Democrats. I have supported these efforts because I feel that the American public is entitled to know the details of "behind the scenes" financial dealings which are contrary to the best interests of all but a handful of Americans.

SMALL BUSINESS

The 85th Congress made an outstanding record on matters affecting small business. A $360 million small business tax relief bill was enacted, the Small Business Administration was made a permanent independent Federal agency, the ceiling on SBA loans has been raised from $250,000 to $350,000 and the interest rate reduced from 6 to 5½ percent.

Congressional investigations into Government procurement practices have resulted in additional contracts for many small businesses The Small Business Investment Act of 1958 provides up to $250 million in long-term equity capital for small business. The program is to be handled by locally operated investment companies who in turn will allocate loans to small businesses in need of capital for expansion and modernization of their plants.

Hearings were held on the national Fair Trade Act by House and Senate committees but final action was not taken in this Congress.

SOCIAL SECURITY

Despite administration opposition, significant improvements to the Social Security Act were made by the 85th Congress. The social-security system is an important part of our American way of life. Almost 12 million Americans are currently receiving monthly benefits; more than 22,000 of them live in Berks County. Over $15 million in social-security payments were distributed to these Berks residents last year.

Monthly benefits were raised by 7 percent, effective February 1959 to help retired citizens meet the rising cost of living; I sponsored legislation calling for a 10 percent increase. The solvency of the trust fund was maintained by raising the social-security contribution rate by one-fourth of 1 percent on both employers and employees, based on wages up to $4,800 a year; the disability offset restriction was repealed and maximum-family benefits were raised from $300 to $254 a month.

Also, dependents of disabled persons were made eligible for benefits; the monthly outside earnings limitation was raised; disability work requirements were liberalised; Federal grants to States increased for public assistance payments to the aged, blind, disabled, and dependent children; and Federal authorizations for maternal and child health, crippled children, and child welfare services were increased.

I actively supported these liberalizing improvements to the Social Security Act. I also urged action on other improvements such as the lowering of the retirement age for men and women, improvement of the disability benefit program, a hospital-surgical insurance program for aged persons, and other needed amendments to the present law. These changes will be high on the agenda for action in the 86th Congress.

OTHER RETIREMENT PROGRAMS

Legislation to increase railroad retirement benefits was blocked in the House during the final hours of the Congress by the combined opposition of Republicans and some Southern Democrats. The bill, which I cosponsored, would have raised pensions and annuities by 10 percent, and made other liberalizing amendments to the retirement and unemployment insurance laws.

The measure had been favorably reported by the House committee and passed by the Senate, but opponents prevented its consideration by the House shortly before adjournment. The railroads vigorously fought the pension boost despite the valuable help which rail unions and retired railroaders gave to the industry's campaign for Federal aid.

Liberal forces look to the next Congress to right the wrong done to railroad pensioners. Retired railroaders, their spouses, widows and survivors, liberal Congressmen insist, are entitled to the 10 percent increase to help them meet rising living costs.

Retired employees of the Federal Government received 10 percent increases in their annuities, up to a maximum of $500 a year for retirement annuities and up to $250 a year for survivor annuities. Survivor annuities up to a maximum of $750 a year were provided for the first time to widows or widowers of former Government employees or retired employees who died before February 29, 1948. This legislation also had my active support.

PROBLEMS OF OLDER PERSONS

Congressional interest in the special problems of older persons resulted in the authorization of a special White House Conference to study these problems to develop programs to make their remaining years more abundant and meaningful.

Hearings were also held on a bill which I cosponsored to establish a Bureau of Older Persons in the Department of Health, Education, and Welfare to concern itself with the needs and problems of our retired senior citizens.

Congress also concerned itself with the medical needs of elderly persons and the problem of job discrimination because of age. Congress directed that a study be made of proposed hospital-surgical insurance coverage for recipients of social-security retirement benefits, the results of which are to be reported to Congress in February 1959.

VETERANS

Again in the 85th Congress, I opposed administration efforts to curtail essential veterans' services such as the cutbacks in disabled veterans' service-connected compensation by review of claims, budget cuts for hospitalization and medical care, and commission recommendations to the administration calling for reductions in many types of veterans' benefits.

Congress enacted legislation to increase rates of compensation for veterans suffering service-connected disabilities and their dependents. Pensions to widows of Spanish-American War veterans were increased. The marriage eligibility standards for widows' pensions were liberalized.

Also, the burial allowance for deceased veterans was raised from $150 to $250. Special training for handicapped war orphans was authorized and unemployment compensation was provided for ex-servicemen, as well as to those veterans who served during the Korean emergency. Total disability benefits payable under the National Service Life Insurance Act were raised. An amendment to the Social Security Act permits disabled veterans to now draw dual benefits from the VA and other Government agencies as well as social-security disability without any reductions. I actively supported all of these measures to benefit veterans, their survivors, and dependents.

The GI home-loan program was extended until July 25, 1960, for World War II veterans. Additional funds were provided for the purchase of VA mortgages by FNMA, but the interest rate was raised to 4¼ percent. Congress also enacted legislation granting a charter to the Veterans of World War I of the United States.

Legislation to grant a pension to World War I veterans was not acted upon, despite its support by many Members of Congress. An increase in the income limitations on veterans receiving VA pensions also failed to receive approval as did the bill to liberalize requirements for non-service-connected death pensions to widows and minor dependents of veterans of World War II and the Korean conflict.

HEALTH AND HANDICAPPED

In this vital area, so important to the welfare of all Americans, the 85th Congress made one of its greatest records of accomplishment. As a member of the Health and Science Subcommittee, I am particularly proud of this record and the role played by our committee in helping to make it possible.

Almost $300 million—highest total in our history—was appropriated for medical research in such areas as cancer, heart disease, arthritis, dental health, mental health, and cystic fibrosis, the dreaded children's disease.

The Hill-Burton hospital-construction program was extended for 5 years and funds were increased by $111 million over the administration's original budget request. The Health Research Facilities Act was extended for 3 years, providing additional funds for construction of laboratories and other medical research facilities needed by scientists in their research to find the cause and cure of the diseases which cripple and kill mankind.

My bill to authorize Federal grants to schools of public health to train needed public health doctors, nurses, and technicians for Federal, State, and local public health work was enacted into law.

Legislation was also enacted to protect the health of consumers by requiring manufacturers of food additives and food processors to pretest any potentially unsafe substances which are added to food.

Vocational rehabilitation programs to assist mentally retarded children, the blind, deaf, and other handicapped individuals were also extended. I sponsored and worked for legislation to provide special tax exemptions and deductions for handicapped persons and to establish a Federal agency for the handicapped. Both of these measures were considered by committees but did not receive final action before adjournment.

EDUCATION

Legislation to provide Federal funds to States to build needed school classrooms was defeated last year in the House by the reactionary coalition by a narrow margin of five votes.

This year, in the wake of the Soviet challenge, the defense education fellowship-loan bill was enacted. Teaching and research activities in the education of mentally retarded children were expanded. An Internal Revenue ruling now permits teachers to claim tax deductions for certain expenses incurred in furthering their education, retroactive to 1954. This action came after bills were introduced to provide for such tax deductions. I was a cosponsor of this legislation.

The program of aid for school construction and operation in areas affected by activities of the Federal Government was strengthened and expanded. The special milk program in nonprofit schools, nursery schools, child-care centers, settlement houses, and summer camps was extended for 3 years. I strongly supported all of these measures, so important to the welfare of our children and the improvement of our educational system.

NONPROFIT SWIMMING POOLS

My 2-year fight to obtain tax exemption for nonprofit community swimming pool groups was won during the 2d session of the 85th Congress, with the enactment of an omnibus Federal excise tax revision bill. These swim groups furnish needed recreational facilities to the community and are important in promoting the health and welfare of our children, young people, and adults.

The effective date for this statutory tax exemption was made retroactive to January 1, 1958. I had sought an earlier date in view of the legal uncertainty over the tax status of these groups, but the 1958 date was the best obtainable.

CIVIL RIGHTS

The 85th Congress passed the first civil rights legislation in 82 years, designed to protect the voting rights of all citizens. It also establishes a Commission on Civil Rights and a civil rights section in the Justice Department. This measure is an important step forward in the important field of civil rights. It received my full support.

HUMANE SLAUGHTERING

Legislation to promote humane slaughtering of animals in the Nation's packing-house industry was enacted. It forbids Federal agencies from buying meat after June 30, 1960, from any plant failing to use humane methods in slaughtering. Many individuals and humane societies have been working for the enactment of such legislation for a number of years. It had my full support.

CONSERVATION

In the important field of conservation, efforts to cripple the water pollution control program were defeated in the House. I voted for the full amount of funds needed to help States build sewage-treatment facilities to protect the public health and prevent destruction of fish in our rivers and streams.

The administration has threatened to cut off Federal participation in the water pollution control program next year and has already sent up legislation to turn this program over to the States. Liberal Members of Congress feel that polluting industries should be strictly regulated and that this could not be done effectively at the State level.

Legislation was enacted to require Congressional approval of military withdrawal of land from the public domain in excess of 5,000 acres and to require hunting and fishing on military reservations to be in compliance with State fish and game laws.

A section of the emergency highway legislation passed by Congress offers a Federal grant bonus to States which regulate the erection of billboards on the major part of the 41,000-mile Interstate Highway System.

In other conservation action, Congress approved a boating safety law, raised the duck-stamp price from $2 to $3, effective next July 1, and earmarked revenue for the purchase or lease of wetlands, thus putting

a halt to the administration's practice of diverting duck-stamp income for unrelated purposes. A pesticide research program was established to study the effect of aerial spraying on fish and wildlife. The wilderness bill, which had my full support, made progress, but more hearings have been scheduled between Congresses. Action on this measure is expected next year.

Harsh regulations proposed by the Internal Revenue Service on the sale and purchase of firearms and ammunition were modified after strong protests from Members of Congress and sportsmen's groups. Administrative action was also taken to protect wildlife refuges from the abuses resulting from the indiscriminate issuance of oil-leasing permits.

Employment Situation in Montana—Statement of Senator Mike Mansfield, of Montana

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MANSFIELD. Mr. President, in January of this year, the State of Montana had the dubious distinction of having the highest rate of insured unemployment in the United States. The proportion of the national labor force out of work has remained above 5 percent since last December, the longest and deepest unemployment period since the war. For 7 weeks Montana had the greatest percentage of its insured working force unemployed, with a high of 14.9 percent.

While the Nation as a whole has not recovered as rapidly as most of us would like, Montana has done rather well, with the exception of the mining industry, where the largest number of unemployed is concentrated. The Montana average of insured unemployed at the end of the week of August 9 was 3.4 percent as opposed to a national average of 5.4 percent. There are 36 other States with unemployment rates higher than Montana's. I am delighted to see that my State has responded so well, but the picture as represented in these figures is not entirely correct, because they do not reflect the number of unemployed who do not collect unemployment compensation or whose 22 weeks have run out. At the present time over half of the miners in Butte, Mont., are unemployed, and a good many of them have exhausted their benefits.

The minerals-stabilization bill which was passed by the Senate would have provided a badly needed shot in the arm to the minerals industry, but the legislation was rejected in the House of Representatives. In view of these most recent developments the Montana delegation has resumed its contacts with the executive agencies, urging that they make use of existing authority to renew a minerals purchasing program. In the instance of copper, the stockpile inventory is below the minimum requirement.

The 85th Congress provided additional boosts to the economy of Montana in the form of direct legislation and those general programs such as social security which bring benefits to Montanans as well as the rest of the Nation.

New developments and expanded projects under the jurisdiction of the Bureau of Reclamation and the Corps of Army Engineers, an accelerated highway program, a stepped-up military construction at Montana Air Force installations and a number of smaller projects will mean new jobs and expanded income to Montana communities.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD a complete tabulation of the insured unemployment record in Montana, beginning on January 1, 1958.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

1958 rate of insured unemployment in Montana

Week ended	Montana average	National average	Position among States
	Percent	*Percent*	
Jan. 4	9.9	6.8	
Jan. 11	11.1	6.9	
Jan. 18	12.3	6.8	No. 2.
Jan. 25	13.0	7.0	No. 1.
Feb. 1	13.3	7.1	No. 1.
Feb. 8	13.5	7.1	No. 1.
Feb. 15	14.4	7.5	No. 1.
Feb. 22	14.9	7.9	No. 1.
Mar. 1	14.9	7.9	No. 1.
Mar. 8	14.3	7.9	No. 1.
Mar. 15	13.6	7.8	No. 2.
Mar. 22	13.4	7.9	No. 2.
Mar. 29	12.7	7.9	No. 4.
Apr. 5	11.5	8.0	No. 5.
Apr. 12	10.5	8.1	No. 9.
Apr. 19	9.4	8.0	No. 10.
Apr. 26	8.7	7.8	No. 12.
May 3	7.9	7.7	No. 13.
May 10	7.2	7.4	No. 18.
May 17	6.4	7.2	No. 21.
May 24	5.5	6.9	No. 24.
May 31	5.5	6.7	No. 21.
June 7	5.1	6.7	No. 26.
June 14	4.9	6.4	No. 24.
June 21	4.6	6.2	No. 27.
June 28	4.5	6.1	No. 27.
July 5	4.6	6.2	No. 27.
July 12	4.4	6.2	No. 31.
July 19	4.2	6.1	No. 35.
July 26	3.8	5.8	No. 36.
Aug. 2	3.6	5.6	No. 36.
Aug. 9	3.4	5.4	No. 36.
Aug. 16	3.3	5.3	No. 36.
Aug. 23	3.4	5.2	No. 36.

Special Report on Social Security

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HOLLAND. Mr. Speaker, as you know, during the years that I have been in Congress I have been fighting continually for improved social-security benefits. Needless to say, I am not alone in this fight, for many other Congressmen feel as I do, and, by combining our efforts, we have succeeded in getting changes made in the social-security law.

Two years ago, in the 84th Congress, I introduced legislation which permitted women 62 years of age to collect social-security benefits. I also introduced legislation that permitted a totally disabled worker to be eligible for social-security benefits at the age of 50. These were passed in that session.

Last month the 85th Congress passed legislation raising social-security benefits by about 7 percent and boosting the taxes to finance that increase. It has now been signed by the President, despite his original threat to veto it, and will go into effect in January 1959. The increased payments will be received in February 1959.

Twelve million men and women—retired employees and their wives or survivors—will receive these benefits. Under the new law, top monthly payments to a retired employee and his wife—both over 65—will move up from $162.80 to $190.50 per month. For a single retired employee the payment will be moved up from $109.50 to $127 per month. Top payments for a surviving widow or widower are increased from $81.40 to $95.30 per month, and the maximum for a widow with 2 children will be $254.10 a month instead of the present $200.

To pay for these increases, the payroll taxes for the 75 million employees, now covered, and their employers will go up on January 1, 1959. Both employees and employers will contribute 2½ percent instead of the present 2¼ percent of taxable pay. The taxable wage base will be raised from the present $4,200 to $4,800 a year, and the tax on the self-employed will be raised from the present 3⅜ percent to 3¾ percent.

In addition to this raise in taxes, a new schedule of tax rate increases for employers and employees has been advanced from every 5 years after 1960 to every 3 years. Under the new schedule the tax rate will advance to 3 percent in 1960—3½ percent in 1963, 4 percent in 1966, and 4½ in 1969.

The new law also provides for an increase of Federal grants to the States for aid to the needy aged, the blind, the disabled, and dependent children. About 5,600,000 persons now receive benefits under this phase of the social-security program. Provision was also made so that dependents of totally disabled workers will be considered similar to the dependents of the retired workers.

The bill I introduced this last session would have given a 10-percent increase. However, it developed that in order to get any help for those receiving social-security benefits this year, it was necessary to make a compromise and accept the 7-percent increase this time.

This law will be taken up in the next session of Congress for future improvements, as a comprehensive study of the Social Security Act had been ordered by a previous Congress and the report is to be made in January 1959. During the next session we hope to secure an additional increase in benefits—to bring it to 10 percent—and to pass legislation similar to the Forand bill, which was defeated this session and which would have provided hospital, surgical, and nursing-home insurance to those receiving social-security benefits. I shall also reintroduce my former bill which would automatically make a wife of a retired worker eligible for social security at the same time her husband qualifies, regardless of age.

For your information, the following table will give you a short résumé of the new scale of social-security benefits as they compare to those now in effect.

Old-age benefits

Highest average monthly earnings	Employee alone [1]		Man and wife [2]	
	New bill	Old law	New bill	Old law
$50	$33	$30.00	$49.50	$45.00
$100	69	55.00	98.50	82.50
$150	73	66.50	109.80	102.50
$200	84	78.50	126.00	117.80
$250	95	88.50	142.50	132.80
$300	105	98.50	157.50	147.80
$350	115	108.50	174.00	162.80
$400	127	(3)	190.50	(3)

Survivors benefits

Highest average monthly earnings	Widow, widower, child or parent		Widow and 2 children	
	New bill	Old law	New bill	Old law
$50	$33.00	$30.00	$53.10	$50.20
$100	44.30	41.30	98.60	82.60
$150	54.80	51.40	120.00	112.00
$200	63.00	56.90	161.60	157.10
$250	71.30	66.40	190.10	177.20
$300	78.80	73.90	210.20	197.10
$350	87.00	81.40	232.00	200.00
$400	95.30	(3)	254.10	(3)

[1] Worker aged 65 or over at time of retirement, and wife aged 65 or over at the time she comes on the rolls.
[2] Survivor benefit amounts for a widow and 1 child or for 2 parents would be the same as for man and wife.
[3] Not applicable since maximum average monthly earnings amount possible is $350.

After I introduced my first bill on the subject, I had many conferences with State and National representatives of credit unions. I believe I brought to bear upon the rewriting of my bill in its present form, the best thinking on the subject. Needless to say, I do not believe that my bill is the last word on the subject.

I do hope that when the new Congress convenes in January we will have an opportunity to have hearings on bills of this kind and then try to perfect the existing statute.

Congressman Porter's Summary of the Work of the 85th Congress as It Relates to the Fourth District of Oregon

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. PORTER. Mr. Speaker, the 85th Congress has compiled a record of positive achievements. Under leave to extend my remarks in the RECORD, I shall discuss that record with particular reference to the Fourth Congressional District of Oregon.

MAJOR ACHIEVEMENTS

Major achievements include: approval of Alaska statehood; extension of reciprocal trade and foreign aid; reorganization of the Department of Defense; passage of the student-loan program; lowering FHA downpayments; extending the National Wool Act; increasing the Small Business Administration's loan ceiling to $350,000; approval of a new public-works start in Oregon, one of several long overdue; and enactment of the Emergency Housing Act of 1958.

This list is not complete, and I will refer to other accomplishments later in this report. You, Mr. Speaker, say this Congress has been the hardest working one you have known with the possible exception of the first 100 days of the first Franklin D. Roosevelt administration.

I am familiar with those accomplishments and the new era they made possible. I believe the work of this 85th Congress, a quarter century later, has initiated similar sweeping changes. The changes include legislation requiring the full disclosure and accounting of all funds invested by management groups or unions in pension and welfare funds, and the bill which modernized and expanded the services of the Small Business Administration to provide positive help for small-business men of my District and elsewhere.

CURBING THE RECESSION

Moving swiftly to meet a national economic slump this spring, Congress enacted and the President signed Public Law 85-364, the Emergency Housing Act of 1958. This legislation was approved before April 1. It lowered FHA downpayments, provided a special Federal National Mortgage Association billion-dollar fund to buy mortgages up to $13,500 on new homes, and it revived the GI loan program.

Before Congress acted, housing starts were down to 990,000. The lumber market was sick. Home starts now have risen to 1,100,000. This legislation is credited with bringing relief to the industry and with providing 600,000 jobs.

This is why plywood prices are rising in the Pacific Northwest today. Tight money, not Japanese softwood plywood imports, had been wrecking the softwood plywood industry.

Congress also has moved to help chronically depressed labor-surplus areas. The Area Redevelopment Act of 1958 authorizes Federal grants and loans of $279.5 million yearly. I supported this legislation.

There are four labor-surplus areas in the Fourth District—Albany, Coos Bay, Roseburg, and Eugene. They are not now eligible, according to Housing and Home Finance Agency spokesmen, because they do not have 6 percent or more unemployed for 18 of the past 24 months. However, the administrator of this program has discretionary authority. If an area suffers 15 percent unemployment in a 6-month period, it can receive help under this act. Likewise, an area may qualify with 9 percent unemployment for 15 of 18 months or with 12 percent unemployment for 12 months. I consider this act a needed safeguard and a protection to the people of the Fourth District.

WIDE, WIDE UNIVERSE

This Congress looked skyward one day and saw a new unsupervised field. The Sputnik-Explorer-Vanguard impact made necessary the creation of a House Select Committee on Astronautics and Space Exploration. This committee and its Senate counterpart have a big task ahead. Congress also established a National Aeronautics and Space Administration under civil control for unified air-traffic control.

There is plenty of work yet to be done.

LABOR LEGISLATION

Like the wife of Ulysses who unraveled her weaving to keep from completing her work, Congress did a little unraveling in the closing hours of the session. Despite efforts by many of us to pass the Senate's Kennedy-Ives bill which would curb some labor racketeering, the bill was defeated. It lost 190 to 198.

I am particularly concerned because many people were misinformed about the legislation. The Labor-Management Reporting and Disclosure Act of 1958, as it was called formally, was legislation in the public interest. With its defeat I fear existing poor practices in a very few unions may provoke harsh and unnecessary legislation at a later date.

HOUSING LEGISLATION

The 85th Congress made progress in 1957 with its lowering of FHA downpayments and by increasing the money available for the Federal National Mortgage Association. The Emergency Housing Act of 1958 was a splendid assist, but on August 18, 1958, the House rejected the Housing Act of 1958 by six votes.

The Federal Credit Union Act

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MULTER. Mr. Speaker, on August 23, 1958, I introduced H. R. 13871 to supersede my bill H. R. 12877.

I hope that as a result of the introduction of the latter bill sufficient thought and attention will be given to the subject so that when we convene the next Congress we will be in a position to present a bill that will not only meet the approval of the credit unions of the country, both State and National, but will bring about an improvement of the Federal Credit Union Act.

Credit unions have long filled an important and necessary function in the financial life of our country. Not only do they promote thrift but they also make available small loans to persons, mostly wage earners, who otherwise can get no credit.

While they perform, in a limited way, a banking function, we must bear in mind that they are not intended to take the place of banks nor are they intended to render a complete banking service.

The legislation which I supported actively would have extended and amended laws relating to the provision and improvement of housing and the stimulation of urban redevelopment activity. It provided a $400 million 1-year program for slum clearance and urban renewal and further liberalized FHA downpayment loans. It would have provided low-rent housing for the elderly.

The economy of Oregon's Fourth District is geared to timber and timber products. Oregon has started to regain its economic health, but we needed the Housing Act of 1958.

CAMP WHITE, OREG.

Waste of any kind is disturbing. The nonuse of facilities at the Camp White domiciliary in Jackson County is a problem for many southern Oregon residents. They feel existing facilities should be utilized and that a 100-bed general medical and surgical hospital could serve 60,000 veterans in the area. At my request, Veterans' Affairs Committee Chairman OLIN E. TEAGUE included this problem as part of the hearings he held this summer in Washington to determine the extent of veterans care.

The House committee first faces the problem of requiring the Veterans' Administration to use 5,000 hospital beds now empty before it can push for the Camp White Hospital. Right now there are many similar problems. Chairman TEAGUE is determined to come up with a positive plan for veterans care. He told me that testimony submitted by Oregon Congressional members and Mr. A. Eugene Orr, of Medford, was extremely beneficial to the committee.

REALISTIC APPROACH NEEDED IN SOCIAL SECURITY

Congress approved amending social-security legislation which boosted benefits 7 percent, effective January 1, 1959; increased taxable earnings to $4,800 and made the increases financially sound. There were revisions in the public assistance areas.

The Ways and Means Committee hearing in June on the Social Security Act brought Gov. Robert D. Holmes and Oregon Unemployment Compensation Commissioner Cecilia P. Galey to Washington to outline our State's economic needs. Also testifying was Dr. Wesley G. Nicholson, chairman of the Oregon Council on Aging. Congress passed legislation calling for a White House Conference on Aging to be held in January of 1961.

I introduced legislation during the 85th Congress to provide for unemployment reinsurance grants to the States to revise, extend, and improve the unemployment insurance program. My bill, H. R. 11464, would have extended coverage of the Railroad Unemployment Insurance Act. My bill, H. R. 10700, proposed removal of the limitation on the amount of outside income.

Hospital care for the older citizen is yet to come. I have sponsored legislation identical to the Forand bill. I will continue to support it.

A NEW STATE WAITING

Seward's folly became the 49th State of the Union this year. I supported this legislation and urged similar status be accorded Hawaii. The Hawaiian statehood bill has been reported favorably from the House Committee on Interior and Insular Affairs. I believe that Hawaii will become the 50th State early in the 86th Congress.

PROGRESS THROUGH COOPERATION

Cost share programs of the Federal Government and the local area benefit residents of the Fourth District. Airports are improved and made safer under the Federal aid to airports program; sanitation problems are solved with the Water Pollution Control Act; and slums can become modern, habitable business and residential areas under the urban renewal program.

On June 30, 1958, there were 543 federally assisted urban renewal projects under way in 328 communities in the United States. In the Fourth Congressional District an urban renewal planning advance of $65,975 and a capital grant reservation of $642,817 for Springfield have been approved, as have a $44,880 planning advance and a $211,260 capital grant reservation for Florence. Eugene's application is pending.

Five communities and one metropolitan area in the District have urban planning assistance programs. An $11,500 grant was approved for the Eugene-Springfield area. Grants for urban planning assistance to other communities in the District have been approved as follows:

Albany, $9,000; Coquille, $1,200; Grants Pass, $2,000; Sutherlin, $6,400; Sweet Home, $2,000. Applications for urban-planning assistance for Medford and North Bend are pending.

PENDING

The work still before Congress is vital. I speak now of the need to correct civil-rights inequities, the need to authorize approved public-works projects and to expand the civil-defense program, the need to provide funds for access roads and to work revisions in allowable cut procedures and the need to end wage discrimination in hiring and to make possible nonpolitical military academy appointments.

And I hope it will be possible to enact amending legislation next year which will enable the Douglas County Historical Society to maintain the Lillie Lela Moore pioneer home at its present site.

OREGON GROWTH POTENTIAL

My District depends heavily on its vast timber resources and on its beautiful, valuable rivers waiting to be harnessed and controlled. Its potential is immense. Such growth will mean more stable and higher incomes for Fourth District families. The growth hinges on better utilization and management of timber. More than 50 percent of the District is federally owned.

The Oregon potential includes its bright future as a maritime State. Development of rivers and harbors are important boosts to the Fourth District. I am proud to have helped found the Oregon Coastal Ports Federation.

And the 85th Congress has boosted Fourth District ports. The port of Siuslaw received its first Federal money in 40 years and legislation authorizing $1,693,000 more for improvements was enacted. In August, following weeks of conference negotiations, Congress approved one new public works start in Oregon at Gold Beach Harbor in Curry County.

FEDERAL FUNDS FOR THE FOURTH DISTRICT

The nature of my District makes vital the programs of the Corps of Engineers and the Bureau of Reclamation. Rivers and harbors development, bank protection, jetties, navigation, flood control, irrigation, power, stream clearance—each is a valuable aid to economy. During the 85th Congress some $50 million has been authorized and allocated to the Fourth Congressional District.

This sum is for preconstruction planning, surveys, examinations, and actual construction.

The tough no-new-starts policy of the administration was unfortunate for Linn County. There $60 million must be spent to build Green Peter Dam. It is a multiple-purpose flood control and power project. It is needed to encourage industry and to help farmers end soil erosion and crop waste.

LEGISLATION

The 85th Congress has enacted into law many proposals I was happy to introduce or cosponsor. These include measures to repeal the 3-percent transportation tax; increase Federal highways and access-road funds; initiate an education-loan program; authorize a Rogue River land exchange to preserve natural beauty; sponsor Korean orphan adoptions; establish a battleship *Arizona* memorial; assure preservation of Waldo Lake for recreation; authorize Port of Siuslaw improvements; increase salaries of postal and classified Federal employees; and increase civil-service annuities.

PRESERVING NATURAL BEAUTY

The Fourth District offers residents and visitors unsurpassed natural beauty. This Congress approved legislation I introduced which preserves the scenic treasures of Waldo Lake and the wooded banks of the lower Rogue River. My bill, H. R. 8652, now Public Law 85-820, protects the outstanding recreation benefits of Waldo Lake. And H. R. 13101, now Public Law 85-833 makes possible land exchanges along the lower Rogue. This prevents timber cutting along the riverbanks, preserving the natural beauty for all.

POST OFFICE AND CIVIL SERVICE

As a member of the Post Office and Civil Service Committee, I am particularly proud Congress passed legislation increasing the salaries of postal and classified Federal employees—as a Member of Congress I am also proud that the armed service pay increase was passed.

I did oppose increasing the charges on first-class mail. It was nearly paying its way while second- and third-class mail were not paying their fair share.

As a committee member, I was chairman of several subcommittees. Among legislation my subcommittees examined was H. R. 10498, a bill to revise laws related to dispatch of mails from post offices. It passed the House but died in the Senate. My subcommittee examined H. R. 7710 allowing lump-sum payments of annual accrued leave of deceased employees. This legislation has gone to the White House. And my subcommittee examined H. R. 7910, which concerned law revisions relative to the handling of short-paid and undeliverable mail. It became Public Law 85-371.

My bill (H. R. 6371) to provide fair mileage allowances for rural mail carriers became Public Law 85-399.

DOUBTS ABOUT POLICY AND LEGISLATION

Opposing policy is not easy. Neither is it easy to speak out against errors in behavior. But I shall continue to oppose the coddling of dictators, the political exploitation of service band members, vague and illegal cost-accounting procedures by the Postmaster General, unfair road-use taxes for log-truck owners, the exemption of natural-gas producers from Federal regulations, any return of political tests for ICA foreign-aid program employees, the continuation of nuclear testing.

I have seen the nuclear testing grounds at Eniwetok—as 1 of 2 Congressmen designated official observers for this series by the Atomic Energy Commission.

I have worked to learn what happened to Gerry Murphy, the Eugene youth who disappeared in the Dominican Republic. My investigation at the request of his parents has taken me to other Latin American countries where I found the people friendly toward individual Americans but not toward United States foreign policy.

I believe my efforts in both fields have been successful. United States foreign policy toward dictators has changed. We are now courteous but cool. Our friends in Latin America now may look toward us more as friends than benevolent exploiters. And it seems that the world may be heading toward the golden day of peaceful nuclear energy uses rather than the red nightmare of nuclear holocaust.

CONGRESSIONAL SERVICE FOR THE PEOPLE OF THE DISTRICT

Elected representatives serve the people they represent. We do this by helping them keep well informed about our work for them and about the important functions of Government. For these reasons I have made it part of my work to report monthly to my constituents by newsletter. The report is available to anyone who wants it. I have a report for weekly newspapers and I notify newspapers, radio stations, and television stations of events which concern the Fourth District. At the end of each session I prepare a report such as this.

Constituent mail is answered as rapidly as possible. The end of the session rush may delay some answers, but letters from the District mean a great deal. They receive every possible consideration. I have received a good number of comments from people in the District who say they appreciate this service and add that their letters got action more promptly than ever before.

I make it a point to keep in touch personally with the District when Congress is not in session. I plan to report to constituents on the work of Congress and my part in it this fall as I again visit throughout the District.

Statements on the United States Middle East Policy

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. HUMPHREY. Mr. President, in recent weeks the crisis in the Middle East has focused national attention on that area more than ever before. It is natural that in a crisis we concentrate on the immediate area concerned. But I have frequently had occasion to point out that in the conduct of foreign relations a careful, continuing reexamination of policy is essential, and that spasmodic attention to serious problems only after the crisis is upon us is not only shortsighted but can lead to great catastrophe.

In trying to practice what I have preached, I have myself on frequent occasions in the last 2 years spoken out publicly on and off the Senate floor about our Middle East policy. Naturally I have been critical in many things I have had to say, because I deeply feel that our Middle East policy has more often than not been no policy at all. However, I have tried to temper criticism with constructive proposals some of which, I am glad to say, have been adopted or at least espoused by the President and the State Department in recent days.

Simply as a matter of historical interest and as a means of organizing the continuity of my own analysis of our Middle East policy, I have assembled excerpts from statements I have made on this issue since the beginning of 1956. I am sure that some other members of the Foreign Relations Committee could compile a similar presentation. I earnestly hope that they will do so. I think it is good for the public to know that the Congress has attempted to participate—with whatever degree of success—in the formulation of constructive policies in the Middle East.

I ask unanimous consent that the excerpts be printed in the RECORD.

There being no objection the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM STATEMENTS BY HUBERT H. HUMPHREY ON UNITED STATES MIDDLE EAST POLICY (1956-58)

FEBRUARY 16, 1956: SENATE STATEMENT—UNITED STATES POLICY VACUUM

I charge on the floor of the Senate that our Nation has exemplified no consistent foreign policy in the Middle East * * * because we have been playing the policy of expediency when we should be principled. Ultimately such a course will lead to war.

Our desire should be to bring peace to the Middle East. Our desire should be to bring stability to the Middle East. No one will profit from the struggle in the Middle East except the Soviet Union. * * * I might say now for the RECORD that this is a very poor way of solving the problem—first by one country's getting arms and then another country's getting arms. But apparently we have no policy in the Middle East. I am afraid that now Pandora's box has probably been opened throughout the Middle East.

FEBRUARY 17, 1956: SENATE STATEMENT—NEED FOR CONSISTENT MIDDLE EAST POLICY

Our Government is not going to be respected, nor is its word going to be honored, unless we have a consistent, well-developed, clearly ascertainable and understandable policy in the Middle East.

FEBRUARY 17, 1956: NEWS RELEASE—CALL FOR INQUIRY INTO UNITED STATES MIDDLE EAST POLICY

Senator HUMPHREY today asked the Senate to take a careful look at the administration's policies in the tension-ridden Middle East.

FEBRUARY 21, 1956: SENATE STATEMENT—VACILLATION IN THE MIDDLE EAST

Our Near East policy has changed several times within the past few years. We must know what it is and whether we have really developed a carefully planned policy which will lead to peace, economic development, and democratic strength in the Near East.

APRIL 14, 1956: NEWSLETTER—UNITED STATES MUST ASSERT ECONOMIC LEADERSHIP

The moment when Russians are turning toward economic expansionism is hardly the time for our foreign economic policies to contract. With half the world's industrial production, we alone are in a position to render really substantial assistance to underdeveloped parts of the Free World.

MAY 12, 1956: AT JOHNS HOPKINS UNIVERSITY—MIDEAST POLICY POINTS

1. We must embrace that spirit of nationalism that grips the underdeveloped and underprivileged nations * * * we must remind these people that * * * we have never lost our goals of self-determination, freedom, and independence.

2. We must respect the so-called neutrality of new-born nations for what it is—a frank assertion that they do not want to become appendages to Soviet imperialism or Western collective security.

3. We should engage in greater use of our capital through international organizations such as the United Nations, the World Bank, and other international financial development groups. Above all, our foreign economic policy should be reviewed in the perspective of our long-term economic relations as part of a viable, integrated, Free-World economy rather than in the harsh terminology of "handouts for foreigners."

4. We should step up our technical assistance program, and add to it by working through the United Nations and offering to expand U. N. technical assistance. Our Government has consistently dragged its feet on the Special United Nations Fund for Economic Development known as SUNFED, despite the fact that a majority of our friends in the United Nations have long begged us to support it. The administration still refuses to budge.

5. Let us use our blessings of food and fiber. We can proceed through the United Nations offering vast quantities of produce to be placed under the general direction of the U. N. Food and Fibre Reserve. Here we can seize the initiative. In the absence of administration action, the Senate Foreign Relations Committee has scheduled hearings on a resolution of mine which would promote the development of a World Food and Fiber Reserve.

6. We should devote new emphasis to the United Nations agencies whose progress represents America's compassion and generosity on a world scale. These groups include the World Health Organization, Children's Emergency Fund, the Food and Agriculture Organization, and the International Labor Organization.

7. Let us again and again challenge the Soviet Union to fulfill the requirements of the United Nations Charter, asking her to join with us, not only in a program of disarmament, but in a program of economic

rehabilitation under the guidance and direction of the United Nations.

MAY 19, 1956: NEWSLETTER—FOREIGN AID CRUCIAL

It becomes ever more evident that the direction of our foreign and domestic economic policy will perhaps be decisive in the world-wide competition with communism.

OCTOBER 30, 1956: LIONS CLUB ADDRESS, ST. PETER, MINN.—POLICY OF EQUIVOCATION

In the Middle East, a vacillating policy has alternately exasperated the young democracy of Israel and won us increasing enmity among the Arab Nations as well. By her arms agreements with Egypt and Afghanistan the Soviet Union has obtained footholds in the Middle East which have been Kremlin objectives for generations.

NOVEMBER 17, 1956: AT WISCONSIN STATE CIO CONVENTION—URGING PERMANENT U. N. FORCE

The Middle East has been a tinderbox for years—a powderbox. In the Middle East, we have not had a policy. The United Nations has sent forces into the Middle East. It is our job to see that these forces remain there and that they are strong enough to do the job. I do not think that 6,000 United Nations forces in the Middle East are adequate. I think that we ought to be willing • • • to see that adequate United Nations forces are placed in that powderbox to prevent it from exploding right in our faces.

DECEMBER 20, 1956: ADDRESS BEFORE THE OVERSEAS PRESS CLUB—ARAB NATIONALISM

One of the basic facts of our time is the spirit of nationalism which dominates the thinking of most of the underdeveloped areas of the world. We are all familiar with the manifestations of this force, the anti-westernism throughout much of Asia and Africa and the irresponsible fashion in which the Soviet Union has tried to take advantage of this feeling. • • •

It is both useless and wrong to oppose nationalism, useless because any such opposition would be foredoomed to failure. Of course, self-determination of national groups has been a keystone of American policy since the days of Woodrow Wilson. • • • One reason we need the U. N. is to provide a constructive focus for this tremendous force of nationalism. What the Middle East needs desperately is economic development. The U. N. does not control nationalism, but it does provide a framework in which nationalism can find its proper and reasonable place in a world society which is becoming increasingly interdependent. The problems we now face in Eastern Europe and the Middle East have little in common, but it can be said, I think, that the roots of the problems in both instances are nationalist in origin. I applaud the recently repeated statements by the President that • • • problems • • • in Eastern Europe and the Middle East must be dealt with by the U. N. The U. N. has an important role to play. It is dangerous for either the United States or the Soviet Union to try to be the dominant power in the Middle East; this is an area readymade for the kind of international ministrations that the U. N. is peculiarly equipped to undertake.

It might be useful to consider establishing under United Nations auspices a Middle East Development Authority. Most of the economic as well as other problems of the area are international in their scope. Most of them also require outside assistance, either in the form of capital, of technical aid, or of good offices. Why not, then, have an international agency to deal with them? The kind of Middle East Development Authority that I have in mind would have, on its board of directors, representatives of all the states of the area as well as representatives of the states furnishing capital and technical assistance.

DECEMBER 20, 1956: NEWSLETTER—INCREASED SOVIET INROADS IN THE MIDDLE EAST

The increasing competition with the Soviet in the have-not areas from the Middle East to the Far East indicates a need for a new and broader program to help people of these areas help themselves.

JANUARY 11, 1957: NEWSLETTER—EISENHOWER DOCTRINE

What he (the President) is saying in effect is that he should have said what he did in the first place—that the United States would not assert its own power unilaterally in the Middle East. Much of the concern in Congress is centered on the fact that the Eisenhower proposal is directed solely against the Soviet Union in terms of military aggression. There is not a very clear view of what it would do in terms of offsetting Soviet political penetration and infiltration.

FEBRUARY 6, 1957: NEWSLETTER—EISENHOWER DOCTRINE

Nowhere in the proposed resolution was there any concrete proposal concerning the most urgent problems of the Middle East—the Soviet arms traffic, the control of the Suez, the open threats of the Arabs to overwhelm Israel, the danger of subversion and the emergence of pro-Soviet, if not necessarily Soviet controlled, Arab dictators.

By month's end I hope that the President will be presented with a more realistic resolution which does indeed put the Congress firmly on record that Soviet expansion into the Middle East of any kind will be resisted, but also will address itself to the hard, specific problems of the Middle East and will call for cooperation with the United Nations.

FEBRUARY 11, 1957: SENATE STATEMENT—NEW DIRECTIONS FOR UNITED STATES POLICY

We must do what we can as a nation to strengthen the military forces of the U. N. in the Middle East.

We should initiate proposals to end the arms race in the Middle East.

We should consider proposing a pilot project, an open-skies aerial and ground inspection system.

We should recognize the critical importance of reestablishing the principle of free navigation on the international waterways.

We should propose the establishment of a United Nations Good Offices Commission, whose purpose would be to reduce tensions in the Middle East.

We must help break the stalemates of inertia and blockade by promoting dynamic projects to help raise living standards, strengthen economies, and encourage orderly social progress in the Middle East.

MAY 3, 1957: NEWSLETTER—MILITARY FORCE OF LIMITED IMPORTANCE

Our military forces and those of our allies are only the shield which can permit us to go to work in a constructive way to help build a stable and durable relationship among the peoples of this tense and critical area.

MAY 17, 1957: NEWSLETTER—UNILATERAL ACTION

I thing we should not move unilaterally • • • in the Middle East any more than we have to. In many cases, our national objectives can best be accomplished through the United Nations, or in joint efforts with the European states such as Italy or West Germany, or with some of the states of the Middle East.

MAY 17, 1957: NEWSLETTER—CONSTRUCTIVE NATIONALISM

Certainly the challenge of economic development would focus the energies of the Egyptian people on constructive undertakings. A new approach is needed—perhaps in the form of a regional development agency under the United Nations.

MAY 24, 1957: NEWSLETTER—RIVER VALLEY DEVELOPMENT

The fact is that water is at least as important as oil in the Middle East if not more so. The Nile, the Jordan, and the Tigris-Euphrates are all international rivers, and if maximum use is to be made of their waters, it must be done under some kind of international arrangement. A new approach is needed—perhaps in the form of a regional development agency under the United Nations but operating independently through a representative board of directors.

JUNE 9, 1957: ADDRESS—FOREIGN POLICY CONFERENCE IN MINNEAPOLIS—40 MILLION PEOPLE

The foreign policy of the United States has failed to keep pace with our obligations and the responsibilities of the Middle East. Without further delay, the United States must formulate and implement a policy which comprehends the dimensions of our role in the Middle East and which responds realistically to the needs and aspirations of the peoples of the region. We have conceived of the security of our interest in the Middle East in terms of military pacts, arms agreements, and advance bases when it depends, in fact, on our ability to win the support and friendship of the region's 40 million people. The United States, in other words must now bolster the Eisenhower doctrine by a policy which comprehends and attacks the real causes of the social and political turmoil which threatens to destroy Free World interests in the Middle East.

The idea of creating a Middle East Development Agency, composed of all the states in the region and other states contributing to its capital, has much to commend it. Such an institution could be a decisive new element in the Middle Eastern situation and a catalytic agent which might precipitate solutions for many of the most vexing problems of the region.

Such a development agency could undertake projects itself, lend money to either private or public agencies, and participate in equity financing. It could manage projects • • • it could carry on long-term technical assistance.

It would divert the attention of the Arab leaders from military adventures to internal economic development. Turning Arab energies into constructive channels would eventually lead to institutional and social changes, such as the growth of a middle class, which would have a beneficial and stabilizing influence.

It would provide a means of channeling Arab oil revenues into productive uses which would benefit the entire area. • • •

It could work out a solution to the whole Palestine-Arab refugee problem. The only long-term solution for the refugees is basic economic development. • • •

It could encourage international acceptance of the Jordan River plan and similar developments involving more than one state. • • •

It could give technical assistance and supervised farm credit to farmers settling on new lands coming into production. • • •

Most important, perhaps, such an agency would encourage a regional approach to the problems of Middle East development. Isolated projects here and there • • • obviously offer no real answer to the needs of the region.

It is time that the nations involved (in the Arab-Israeli conflict) come to terms • • • nor can the United States afford to temporize further with the problem of Arab refugees.

We should improve the signal of the Voice of America.

We need more conferences on a regional level by American foreign service personnel in the Middle East.

We must increase the ordinary student exchange between the United States and the Middle East.

We should do more to encourage the operation of voluntary agencies such as CARE.

American food and fiber are vital to the very existence of thousands of undernourished people in the Middle East.

I have already mentioned that something tremendously important is happening to two-thirds of mankind living on three underdeveloped continents. Today the whole underdeveloped world is seething with what Arnold Toynbee has called a revolution of rising expectations. • • • the World Health Organization, the United Nations Technical Assistance Program, the Food and Agriculture Organization, the Children's Fund, UNESCO, the International Labor Organization. • • • It is to these agencies which the people on three continents look to satisfy their high hopes for progress. Through these various agencies, the United Nations is a living demonstration of another great truth about the world today—the truth that a multilateral approach to help underprivileged peoples to help themselves is a more efficient and satisfactory approach than many of the bilateral methods of medical, technical, and economic assistance which we have also used.

Not only should we utilize the specialized agencies which already exist under the United Nations structure, but we should press for the formation of new United Nations agencies • • • two of these agencies which I have recently proposed (are) a Middle East Good Offices Commission, and a Middle East Development Authority. • • • Others (are) • • • SUNFED, the Special United Nations Fund for Economic Development • • • a new International Waterways Commission.

JUNE 3, 1957: SPEECH—FOOD FOR FREEDOM

Lack of adequate food is the underlying factor of many of the economic and political problems bringing trouble to this area of the world. Food is the common denominator of international life. American food and fiber is vital to the very existence of millions of undernourished people.

JUNE 9, 1957: NEWSLETTER—AFTER VISITING LEBANON

Here (Lebanon) seemed to be the brightest hope of the Arab world—a western-oriented nation of Christians and Moslems with a friendly government in power. But even in Beirut, we were warned of impending troubles that have subsequently happened—political riots spurred on by outside influences.

JUNE 9, 1957: NEWSLETTER—EMPHASIS ON THE PEOPLE

We need more of a human people-to-people approach to our international relations rather than just dependence on military might and security pacts.

JUNE 17, 1957: NEWS RELEASE—FOOD AND FIBER

I am convinced that our Government policy has been far too shortsighted about how powerful a factor sharing our abundance can be in our foreign relations.

JULY 1, 1957: REPORT ON THE MIDDLE EAST SUBMITTED TO SENATE FOREIGN AFFAIRS COMMITTEE

Our policy has concerned itself too much with kings and oil, too little with people and water. No country in the Middle East • • • has the experience or the skills • • • to stave off communism by pushing development on a scale commensurate with the need.

The imperatives of an effective American policy—

1. To attack on a regional basis the fundamental causes of economic instability which lie on the deprivation of the masses and their rebellion against poverty;

2. To remove the causes of political instability which lie both in the existence of 960,000 refugees whose hopelessness makes them readily susceptible to agitation, and in the lack of peace between the Arab States and Israel.

We should consider the idea of creating a Middle East Development Agency.

American policy should maintain a constant and unrelenting leadership for the state of this region to resolve this conflict (Arab-Israeli) once and for all.

The only possible solution—the provision for the vast majority (of refugees) with permanent homes and tolerable livelihoods in the Arab States.

We need more regionalism in the operation of our Foreign Service.

Take a keen interest in the American businessman abroad. • • • In the particular countries I visited, American business enjoys a deservedly good reputation.

A center of Arabic studies • • • supported by American funds • • • (has) frequently been proposed.

Improve the signal of the Voice of America.

USIA should concentrate more on libraries and visual education.

We ought to concentrate on developing a ne generation of friendly leadership in the Middle East.

There is an obvious need for stepping up our point 4 program in the Middle East, particularly as it relates to agriculture.

If American foreign policy, not only in the Middle East, but elsewhere is to be of maximum effectiveness, a drastic revision is required in the prevailing concept regarding disposal of our food and fiber in the world.

SEPTEMBER 19, 1957: ADDRESS BEFORE LOS ANGELES WORLD AFFAIRS COUNCIL—FOUR PROPOSALS

Let me suggest four recommendations toward easing the explosive tensions of the Middle East.

1. Leadership in the United Nations toward an outright ban on arms shipments into the Middle East.

2. Creation of a U. N. Good Offices Commission • • • with a mandate to seek both territorial and political settlements. • • •

3. Making permanent and expanded U. N. security force for the Middle East and other trouble zones that might develop.

4. Creation of a Middle East Development Agency • • • as a catalytic agent which might precipitate solutions for many of the most vexing problems of the region by encouraging a regional approach to developmental projects.

OCTOBER 23, 1957: ADDRESS BEFORE AMERICAN BANKERS ASSOCIATION—UNITED STATES-MIDDLE EAST POLICY BUDGERIGARS

Within a few short months we have had evidence of gradual estrangement from the United States of hitherto friendly Arab nations—Lebanon, Iraq, Saudi Arabia. Instead of supplying affirmative, constructive leadership, the administration has drifted and hesitated. The only possibility of rescuing American Middle East policy is to face up to the challenges of that area in a variety of specific ways.

1. We should strengthen the United Nations Emergency Force.

2. We should initiate proposals to end the arms race in the Middle East.

3. We should consider proposing • • • an open skies aerial and ground inspection system.

4. We should realize the critical importance of reestablishing the principle of free navigation on international waterways.

5. We should propose the establishment of a United Nations Good Offices Commission.

6. We should help break the stalemate of inertia and blockade by promoting dynamic projects to help raise living standards, strengthen economies, and encourage orderly social progress in the Middle East.

OCTOBER 31, 1957: ADDRESS BEFORE INDUSTRIAL UNION DEPARTMENT, AFL-CIO—PEACE: OUR MOST URGENT BUSINESS

The crisis of the Middle East is a matter of the gravest urgency. • • • But it is well to remember that the Middle East is only the latest episode in the progressive deterioration of our position in the world. • • • The recent coup in Syria has given the Kremlin a military and strategic foothold in the Mediterranean. The Soviet Union is now in a favorable position to infiltrate its way into control of the Middle East.

First, we should join with the spirit of independent nationalism that grips the underdeveloped and underprivileged countries.

Second, we should respect the neutrality of newborn nations.

Third, we must make greater use of our economic strength to help other free nations develop themselves. • • • We should encourage the use of international machinery for economic development, not only the World Bank, but machinery of the U. N. such as SUNFED. • • • We must not use our economic-development funds to subvert the independence of other free nations by attaching military or political conditions humiliating to them.

Fourth, we should step up our own point 4 program • • • at the same time that we continue to work through the U. N. and help expand U. N. technical assistance.

Fifth, we should more actively, constructively, and imaginatively use our blessings of food and fiber as a powerful force for freedom. • • • We can use our abundant stocks of food and fibers not only to relieve acute emergency shortages elsewhere in the world, but also to help the economic-development programs where they are urgently needed.

A great crisis faces us today—the crisis of the Middle East. The situation is so acute, the danger so immediate that a broad program of international action is imperative. In this the United States should take the lead to initiate action through the United Nations.

We should initiate proposals in the United Nations to place the U. N. police force on a continuing basis.

We should seek the establishment by the United Nations General Assembly of a Special Commission on Arms Traffic.

We should propose the establishment of a United Nations Good Offices Commission, which purpose would be to reduce tensions in the Middle East.

We should take the initiative in the United Nations in proposing a Middle East Development Authority as an administering agency for the mutual pooling of technical and capital aids in the area. A Middle East Development Agency could demonstrate to the Arab leaders that they have more to gain by internal and cooperative development than from military adventures.

NOVEMBER 14, 1957: ADDRESS AT MACALESTER COLLEGE, ST. PAUL, MINN.—MIDEAST STILL THREATENING

The situation in the Middle East still poses the greatest threat of any outbreak of actual war • • • the urgent need to preserve the peace, the pressure for change, for social advance, for an end to poverty and ignorance will not wait for that region to mobilize and exploit its resources on its own.

FEBRUARY 14, 1958: ADDRESS BEFORE MIDDLE EAST INSTITUTE—MILITARY PACTS REEXAMINED

In our preoccupation with the least likely contingency—overt Soviet military aggression—we have tended to throw up our hands over the problems of subversion. • • • Most Middle Easterners feel that we have tried to force their countries to stand up and be counted, to be allied with us in premature—if not simply paper—alliances. Why is it that we cannot understand that the mood of nationalism in the Middle East today makes any

political leader recoil from any relationship with a more powerful Western nation which smacks of subordination or even implies political inferiority. • • • Our Government has never assumed the full responsibility which the United States must assume if the countries of the Middle East are to remain free and independent. And I know it takes a good deal more economic and technical assistance in the Middle East than we have given to date. • • • In the Middle East • • • where 90 percent of the people are living not on a subsistence but below a subsistence diet, where disease is rampant • • • to pour our military equipment into that kind of a situation is, to me, the height of madness. Our military policy is sterile because it is not accompanied by measures designed to cope with the underlying economic and political problems of the area.

JUNE 26, 1958: SENATE ADDRESS—WE SHOULD ACT IN CONCERT

I repeat that unilateral action on our part, outside the confines of the United Nations would be reckless at this time • • • we should support, in the United Nations, and not only support, but advance the establishment of a permanent U. N. police force.

JULY 14, 1958: SENATE ADDRESS—STERILITY OF UNITED STATES MIDDLE EAST POLICY

One after another of the so-called bastions of Western strength in the Middle East have come tumbling down. Our policy in the Middle East has supposedly been based on the Baghdad Pact and the Eisenhower doctrine. But apparently both of them have failed utterly in Iraq. The truth is, as I said almost 2 years ago, we have not any ascertainable or discernible policy in the Middle East. We have overemphasized military pacts to the neglect of popular strength.

In the 20th century aggression may take the form of political infiltration and carefully planned conspiracies having in mind the objectives of overthrowing a government • • • and taking control. But despite our knowledge of the fact that aggression needs to be redefined, we have failed to devise instruments to control this new kind of aggression.

Mr. President, I have said a number of times that our foreign policy has been too completely concerned about kings and oil, and too little concerned about people and water in the Middle East.

There is a revolution at work, not only in the Middle East but throughout the world. I am afraid that we have not been able to identify ourselves too well with that revolution.

The Middle East has been termed the cradle of civilization. It could well become the graveyard of contemporary civilization • • • unless policies of the wisest type are pursued.

The solutions to the problems of the Middle East are not military. Instead, the answer is to be found in policies which reach the basic needs of the area. The United States must learn that it cannot control events • • • by threatening massive retaliation.

JULY 10, 1958: SENATE STATEMENT—THE MARINES IN LEBANON

Out of loyalty and patriotic duty I support the United States, even though I believe the decision to send forces to Lebanon was unwise and filled with dangers. I repeat that we could make no greater mistake than to have the United States alone become the policeman of the world.

JULY 24, 1958: SENATE STATEMENT—USE U. N. MACHINERY

The United Nations provides the environment and the machinery conducive to fruitful negotiations. The United Nations offers an opportunity for quiet, secret talks as well as public platform appearances • • • invaluable opportunity at the United Nations for direct person-to-person negotiations which might not otherwise take place. I earnestly hope that • • • Middle Eastern leaders will come to New York during this session.

AUGUST 8, 1958: SENATE FLOOR STATEMENT—DISEASE IN THE MIDDLE EAST

Mr. President, for years the underdeveloped Middle East has needed medicine, not machineguns. It has needed schools, not soldiers. It has needed food, not foxholes. Today we have Marines stationed in the Middle East. But armed forces will not be able to cure disease, or instruct minds, or fill empty stomachs, either in the Middle East or anywhere else.

AUGUST 8, 1958: FLOOR STATEMENT—CONSTRUCTIVE USE OF NATIONALISM

One of the most obvious facts and developments in the Middle East is the rise of Arab nationalism. Nationalism as a psychological, political, and emotional force is neither good nor bad. It depends on the course of action that it takes and the objectives that it seeks • • • nationalism that is directed and charted into channels of political freedom and self-determination, economic progress and human betterment represents a constructive and positive force to be sought and nourished. It is this • • • possibility of nationalism that we should encourage.

Washington Report

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SANTANGELO. Mr. Speaker, it is my privilege to report to the people of the 18th Congressional District of New York, whom I have the high honor to represent, what I believe to be the major drives of the 85th Congress, what it accomplished and failed to accomplish, and the small role I played in the drama of these last 2 years.

The 2d session of the 85th Congress closed on August 24. The first session lasted from January 3 to August 30, 1957. Despite the fact that the President was Republican and control of Congress was in experienced Democratic hands, much has been accomplished and certain items have been left undone. Analysts who demand clear-cut verdicts will be disappointed.

Future generations will most likely remember the 85th Congress for two legislative accomplishments—first, the enactment of the first civil-rights legislation in 87 years, and, second, the admission to the Union of Alaska as the 49th State. However, I shall remember this Congress as a classic example of democracy responding to external danger and internal economic recession.

The second session began in a spirit of emergency and determination. The Russian sputnik, increasing unemployment galvanized the complacent into action. The leadership asserted themselves to prepare our country in an expanding world and resolved that indecision would not bring about a depression. While our minds and missiles projected themselves into the universe, our feet were on the ground, and we provided measures that would prevent the manpower of America from frantically walking the streets in search of employment.

The first beep of sputnik halted the economy drive which characterized the 1st session of the 85th Congress. The major drives of the second session were, first, defense in all its aspects, such as, reorganization of our defense forces, creation of a space agency, the sharing of our atomic secrets with our friends, the extension of reciprocal trade, the continuation of mutual-security program and funds and, second, economic recovery activities, such as extension of jobless pay benefits, emergency Federal housing loans to speed up construction, and Federal funds for highway construction. Tax cuts as an antirecession measure fell by the wayside.

While the President laid down a program, it was the cooperation and accommodation of the Democratic leadership which led to the enactment of so many measures. This 85th Congress was in no sense a "yes Congress" to the Republican President. It took the initiative in the development of urgent measures to meet the Soviet Union's space age bid for superiority in the futuristic implements of science and war. It did the same in attacking the economic recession.

Congress challenged particulars of the President's legislative program, changed, added to, rejected, or replaced some major features and, occasionally, produced legislation of its own. In the main, the end product proved satisfactory to the administration; and when it did not the President was quick to exercise his veto. While some of the President's recommendations were ignored or buried, the great bulk of his program was enacted in one form or another.

As a first-term Congressman, I have taken a keen interest in the debate and, on many occasions, participated. After 1 year of intense activity, my activity and contributions were recognized and I was assigned from the Committees of the Post Office and Civil Service and the Merchant Marine to the House Appropriations Committee, one of the most important and influential committees in Congress.

MY VOTE ON MAJOR ISSUES

I voted for the Mideast doctrine in the original and in its final form. I supported foreign aid with the cuts. I supported Federal aid to school construction, the protection of civil rights, and the right to vote. I opposed the jury trial amendment to the civil rights bill which would have made impossible the enforcement of the legislation. I voted for aid to small business and aid to private housing. I supported the immigration law which passed the House at the close of the session, which bill, while not completely satisfactory, was a step in the right direction. I voted for the postal pay and classified employee increases. I voted for the bill for the protection of FBI files from indiscriminate inspection and at the same time would permit a defendant the right to inspect statements by a Government witness if

the court determined it would not prejudice the safety of the United States

In the second session, I supported and voted to extend unemployment compensation benefits to those exhausting their benefits. I voted for the emergency housing construction and Federal highway program as economic measures to combat the recession. I voted for the omnibus housing bill which failed to receive a two-thirds vote although it received a vote of 251 to 134. I voted for a community facilities bill and marketing facilities bill, both of which failed to pass. I voted for foreign-aid appropriations and to reorganize the Defense Department. I voted for the science and language education bill granting scholarships and loans to needy and intelligent college students, although the final measure excluded scholarships. I voted and supported extension of social-security benefits and pay increases for our Government and postal workers. I voted and supported bills for the disclosure and reporting of welfare and pension funds and also supported the so-called Kennedy-Ives bill, which was designed to curb labor racketeering and corruption. I voted for the extension of the reciprocal trade agreements. I opposed passage of the bill to subordinate Federal statutes to State statutes unless Federal statutes expressly preempted the field. I voted for the appropriations to run the various agencies of Government.

In 1956, when I ran for Congress, the voters in my District, in response to a questionnaire circulated by me, indicated their viewpoints and preferences. From time to time, during the past 2 years, I have met with various organizations in the community asking their viewpoints and reporting to them on pending legislation. I have voted my conscience with the knowledge of what my constituents desired. It was an honor and a privilege to be the Representative of the 18th Congressional District of New York.

Legislative Program of the Department of Health, Education, and Welfare, 1958

EXTENSION OF REMARKS
OF
HON. H. ALEXANDER SMITH
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent to have printed in the RECORD a statement showing the action taken by the 85th Congress on the various items in the 1958 legislative program of the Department of Health, Education, and Welfare which were referred to the Senate Committee on Labor and Public Welfare.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

1. Proposal: Federal aid to education.

Congressional action: The Congress passed and sent to the President the National Defense Education Act of 1958 (H. R. 13247). On September 2, 1958, the President signed this bill into law (Public Law 85–864) even though it did not include the Federal scholarship program which he had recommended to the Congress.

2. Proposal: Medical teaching facilities construction.

Congressional action: The Congress passed and sent to the President a bill (H. R. 12876) which extended for 3 years the Health Research Facilities Act of 1956 which established a program of Federal matching grants for the construction of health research facilities. This bill has been signed into law (Public Law 85–777).

The Congress did not act on the President's proposal to amend and enlarge the Health Research Facilities Construction Act to include a program of grants to medical and dental schools for the construction of teaching facilities.

3. Proposal: Food additives.

Congressional action: The Congress passed and sent to the President H. R. 13254, food additives amendment of 1958, which amends the Federal Food, Drug, and Cosmetic Act of 1958 to prohibit the use in food of additives which have not been adequately tested to establish their safety. This bill was signed into law by the President on September 6, 1958 (Public Law 85–929).

4. Proposal: Indian sanitation facilities and services.

Congressional action: The Senate passed but the House did not act on S. 3694, a bill to clarify the authority of the Surgeon General with respect to sanitation facilities and services for Indians.

5. Proposal: Health insurance risk pooling.

Congressional action: The Congress took no action on the proposal (S. 1750) to allow agreements between private insurers for the pooling and coordinating their resources and efforts to provide health prepayment protection.

6. Proposal: Public Health Service Commissioned Corps Personnel Act.

Congressional action: The Congress took no action on this bill (S. 4312, H. R. 13812, H. R. 13814).

7. Proposal: Establishment of a teaching hospital for Howard University.

Congressional action: A bill, S. 3626, to transfer Freedman's Hospital to Howard University and to establish a teaching hospital for Howard University was reported by the Senate Committee on Labor and Public Welfare. No further action was taken by the Congress.

8. Proposal: Cooperative Research in Education Act amendments.

Congressional action: The Congress took no action on a bill, S. 3802, designed to improve the flexibility of the cooperative research in education program and to extend its provisions to the District of Columbia and the Territories and possessions of the United States.

9. Proposal: Public Law 815–874 amendments.

Congressional action: The Congress passed a bill (H. R. 11378) to amend and extend the program of Federal financial assistance in construction and operation of schools in federally affected areas. This bill was signed by the President on August 12, 1958 (Public Law 85–620).

10. Proposal: Federal Advisory Council on the Arts.

Congressional action: No action whatsoever was taken on the administration's proposal (S. 1716) to establish in the Department of Health, Education, and Welfare, a 21-member Federal Advisory Council to make recommendations for methods to encourage creative activity in the performance, practice, participation in, and appreciation of the arts.

11. Proposal: Commission on the Blind.

Congressional action: No action was taken on the proposal (S. 2385) to establish a Presidential study commission on problems of the blind.

12. Proposal: Salary improvement for officials at St. Elizabeths Hospital.

Congressional action: No action was taken on the proposal (S. 2835) to provide a residence for the superintendent and to increase the salaries of the superintendent, assistant superintendent, and the first assistant physician at St. Elizabeths Hospital.

Congresswoman Martha W. Griffiths Reports to the People of the 17th District of Michigan

EXTENSION OF REMARKS
OF
HON. MARTHA W. GRIFFITHS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. GRIFFITHS. Mr. Speaker, under leave to extend my remarks in the RECORD, I take this opportunity to provide the residents of the 17th District of Michigan a brief résumé of major legislation and of my activities as their Representative in the 85th Congress.

In January 1957, when the 85th Congress convened, it was believed to be just another Congress meeting to cope with the usual problems of our day. Then in October 1957, the Russian sputnik sailed into outer space and Congress returned to the second session impressed with the Russian endeavor and determined to do something about it. In his opening speech on January 7, Senate Majority Leader LYNDON B. JOHNSON said:

We must work as though no other Congress would ever have an opportunity to meet this challenge, for, in fact, none will have an opportunity comparable.

Bipartisan press across the country is in agreement that this Congress has been one of the most productive Congresses that has ever met.

EDUCATION

The first sputnik made quite evident the need to promote studies in science, mathematics, engineering, and modern foreign languages in the race to keep up with and surpass Russian scientific advances. Congress passed the National Defense Education Act. It authorized $887 million in Federal aid. Approximately one-half of this will be available for student loans and fellowships so that more boys and girls can go to college. The principals of the high schools in our District are very much in favor of this program.

Once again, however, Congress failed to pass school construction legislation. In 1957, the House, for the second straight year, defeated a bill to provide $1.5 billion of Federal money to build public schools.

Congress voted to extend until 1961 the present programs that provide Federal funds for school construction and operating costs in areas overburdened with Federal activities, such as Army installations and defense plants. The 17th District has already received $1,251,816 under this program.

LABOR

The failure of Congress to strike a blow at racketeering in unions, after the exposure of many shocking abuses, is a letdown for honest unionism, for employers who bargain in good faith, and for the public. A large majority of the votes which finally killed the labor reform bill were Republican. Of the Democrats who voted, 71 percent favored passage of the bill—I was among them. Of the Republicans who voted, 23 percent favored passage of the bill, 77 percent were opposed. Certainly there is a heavy responsibility on the part of Congress to work on this legislation in the early months of the next session.

Congress did pass the Welfare Funds Disclosure Act, requiring both unions and management to register, report, and disclose all employee welfare and benefit plans.

Congress convened this January in the midst of widespread and growing unemployment. Before a month had passed it was apparent that one of our major problems was a most peculiar recession—5 million to 6 million unemployed and yet the cost of living increasing daily.

ANTIRECESSION MEASURES

As a member of the House Committee on Banking and Currency I sat for weeks and heard governor after governor and the mayors of the large cities tell of legislation that was needed to help bring us out of the recession. Our own Governor Williams and Mayor Miriani most ably presented the needs of Michigan and Detroit. However, of the numerous measures proposed, few received approval.

A special program was enacted to extend State unemployment compensation programs.

The removal or reduction of many of our excise taxes—especially those on automobiles—could have given a quick boost to our economy but the only action taken was to remove the tax on freight transportation.

Legislation to provide low interest, long-term loans to communities to build much-needed sewers, streets, community buildings, and so forth, was defeated. All of the communities in the 17th District supported this legislation.

In 1956 a campaign pledge was made by both political parties to enact area redevelopment legislation. This would assist those areas which have suffered substantial and persistent unemployment for an extended period of time. A bill authorizing this program was approved by both the House and the Senate. The President vetoed the measure after Congress adjourned.

INFLATION

The very first people to be affected by inflation are those who live on fixed incomes; our senior citizens, disabled veterans, and so forth.

Congress passed legislation to increase the social-security retirement benefits by approximately 7 percent. The same bill requires the Department of Health, Education, and Welfare to report to Congress next year on the need for increasing the $1,200 maximum amount a retiree can earn and still draw his benefits.

Pensions for veterans with service-connected disabilities were increased by approximately 10 percent.

Retirement annuities for civil-service workers were increased and postal and civil-service workers were given a pay raise.

Congress, for the first time since 1917, agreed to 2 separate increases in the public debt limit within 1 year. Raised to $300 billion during World War II, the ceiling had reverted to $275 billion in 1957. At adjournment it was up to $288 billion. I did not support the President's requests for authority to increase the Federal debt. Increasing the Federal debt is a serious thing. It is inflationary. It places additional interest burdens on the taxpayers. In my opinion other means are available to balance the Federal budget. For example the Defense Department, our largest spender, can reduce the budget by billions merely by instigating proper purchasing procedures.

The rising cost of living is of great concern to me—in this regard I introduced a resolution asking the House of Representatives to authorize the House Committee on Banking and Currency to make a full investigation and study of factors affecting the purchasing power of the dollar and the cost of living. The Detroit Common Council and the Livonia City Council have actively endorsed this proposal.

HOUSING AND PUBLIC WORKS

A new housing program for the elderly was instituted, providing long-term, low-interest loans to nonprofit corporations who will build housing especially designed for the needs of the elderly at low rental rates.

Early this session an emergency anti-recession housing bill was passed by Congress to stimulate the housing business. The downpayment requirement for FHA housing was substantially lowered and additional money was made available for loans for low-cost FHA and GI housing.

Funds to complete the flood-control survey of the River Rouge were included in this year's appropriation for the Army Corps of Engineers.

Congress also appropriated $25,500,000 for further work on the St. Lawrence Seaway connecting channels.

THE CONSUMER

Always of primary interest to me is legislation that directly protects the consumer.

To provide the consumer protection against misbranding and false advertising of the fiber content of textile products Congress passed legislation requiring the labeling of all fabrics as to content. To protect the public health a law was passed prohibiting the use in food of additives which have not been adequately tested to establish their safety.

Poultry that crosses interstate lines, as well as meat, must now pass Federal inspection. I introduced a bill to require compulsory inspection of poultry because much of the poultry sold in the Detroit area comes from out of State. Diseased fowl is not only dangerous to the consumer but also to those who must handle it in processing.

An auto-labeling bill passed this Congress. It requires all manufacturers and importers of new cars to attach to the windshield a label listing the suggested retail price as well as other pertinent information relative to dealer cost.

My Committee on Government Operations has spent many hours investigating the subject of false and misleading advertising. These investigations are made to see if the laws now on the books are adequate to protect the consumer, and if so, are they being properly enforced. The advertising policies of obesity remedies, cigarettes, prescription tranquilizing drugs, and dentrifices were studied. It was found that many advertising claims are misleading and detrimental to the general health of the public. Proper measures must be taken to correct this situation.

SMALL BUSINESS

The awakened interest which this Congress has shown in the problems of small business and the actions it has taken to correct these problems, have been most encouraging. This Congress has made the best record for small-business legislation of any Congress in history.

Legislation was passed making the Small Business Administration a permanent agency of Government. The amount of a loan which the SBA can make was increased from $250,000 to $350,000. A small-business tax-revision bill makes some substantial adjustments which will be greatly helpful to small business.

But the Small Business Investment Act is the most important of all. This legislation will give small firms better access to capital than they now have. The House Select Committee on Small Business has prepared some explanatory materials on this investment plan. I have copies available in my District office for anyone who would like one.

GENERAL

To cope with the problems of space, a Special Committee on Astronautic and Space Exploration was set up.

Legislation to relieve the financial plight of the railroads was agreed to.

Congress created the new State of Alaska.

Our World War I veterans were granted a Federal charter. I was one of the signers of the discharge petition that brought this bill to the floor for a vote.

Once again, my efforts to expand the distribution of surplus foods to the needy of our country by a stamp plan met strong opposition from the administration and was not approved. It is difficult to understand the position taken by the administration when surplus foods are in such abundance and millions of pounds are shipped to foreign countries each year.

Postal rates were increased this year. I did not vote for the increase. First-class and airmail have long paid their own way. In my opinion, they should not carry the burden of the other classes.

Among the bills I have introduced are measures to put the House and its committees on television. I believe the people are entitled to see their Congress in action; the conduct that surrounded the Goldfine hearings, in my opinion, brought out the real need for this legislation.

A bill to require humane methods in the slaughter of livestock passed this Congress. This issue received the greatest support from the public of any measure introduced in this Congress.

Since January 1957, there have been over 50 bombings or attempted bombings of churches, synagogues, and small businesses. The Justice Department and the FBI have refused to enter these cases. I introduced a bill which would permit the FBI to investigate these incidents immediately.

It was my privilege last year to designate the Wayne County public library system a Federal Government depository. Four branches of this library are in the 17th District plus a bookmobile service.

I have made a continuing effort to get more defense contracts placed in the Detroit area. This administration has consistently said that more defense contracts would go to areas of high unemployment, and more subcontracts would go to small business but in actual practice this has not been done.

PERSONAL REPORT

In addition to my legislative duties, I would like to make reference to my other work and responsibilities as your spokesman in Washington. I have attempted from the outset of my Congressional service to keep the residents of the 17th District as fully informed as possible.

To accomplish this, I have written a newsletter each month; I have maintained both a weekly and monthly radio series through the cooperation of radio stations WWJ and WKMH; and periodically I have given a report on TV through the cooperation of station WJBK.

I have taught civics in all the senior high schools in our District and I speak to many social and service groups. I was one of the principal speakers last fall at the annual convention of the American Association of Land Grant Colleges and State Universities in Denver and I spoke later to the American Medical Association in Chicago on civil defense.

I maintain 2 full-time offices, 1 in Washington at 1516 House Office Building, the other in our District at 16849 Grand River. My District office has enabled me to give you more prompt and efficient service.

Your letters, phone calls, and visits have been appreciated. I have attempted to assist you as promptly as possible. And it has been a pleasure to assist many residents of our District and our local and State officials in their dealings with various Federal agencies such as the Small Business Administration, Defense Department, Veterans' Administration, Social Security Administration, and the Internal Revenue Service.

In conclusion, let me say that I have done my best to be responsive to the needs and opinions of the residents of our District and to discharge my responsibility as your representative in Congress in a way which I hope meets with your approval.

Reminiscing

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. MULTER. Mr. Speaker, as a prelude to my 1958 annual report to my constituents, I should like to call attention to my report at the close of the 84th Congress in July 1956, which read as follows:

REFLECTION IS GOOD FOR THE POLITICAL SOUL

(Extension of remarks of Hon. ABRAHAM J. MULTER, of New York, in the House of Representatives, Friday, July 27, 1956)

Mr. MULTER. Mr. Speaker, 4 years ago a giant hoax was perpetrated on the American people. They were promised a new approach to Government, one that truly was to represent them. In 1952, they were promised a world of peace and prosperity, lower taxes, higher wages, lower prices, and a balanced budget. The best business heads in America were to run our Government.

Two years went by, and the disillusioned American people went back to their own party, the Democratic Party, by electing a Democratic Congress. The administration moaned and warned of a partisan cold war, or a stalemate within the Government. President Eisenhower cried loudest. Let us now review what happened.

Whatever good there was in the President's program had more support in every instance from the Democratic Party than from his own Republican Party. The President, himself, presently admits that the Democratic Congress produced a substantial amount of worthwhile legislation.

In 1952, the American people were fooled into believing in a program that its authors themselves did not believe in. We hope in this election year they will not fall prey to the hoax that the elephant will again try to foist upon them.

Evaluation of the past will help us to spot the election-year myths when they are presented by Republican campaigners.

THE ADMINISTRATION—ABSENTEE MANAGEMENT; WHO'S MINDING THE STORE?

We were promised a President who would be a guiding knight, an active and strong manager, a leader of our country, an expert in military affairs, and a friend of our foreign allies.

Instead we have an ailing gentleman, who had no experience in government, and who has shown no interest or desire to learn about his tasks. On several occasions he has told his press conferences about seeking the enactment of bills he had already signed into law. This disinterest or lack of knowledge cannot be attributed to ill health. Eisenhower's pleasing personality and past military achievements are no substitute for political leadership. There can be no justification for his delegating the authority and responsibility vested by our Constitution solely in the President.

The business managers of our Nation, such as Secretary Wilson and Secretary Humphrey, may be fine in business, but they have proved they do not belong in Government. The promotion of the national well-being for the benefit of the many rather than the few is foreign to their philosophy.

It is not true that what is good for General Motors is good for the country. Profits of an automobile industry are not equivalent to the welfare of a people.

Our health program should not be measured with an eye to a balanced budget. Nor has Secretary of the Treasury Humphrey earned the right to act as an adviser to our Armed Forces. Defense and national security must not be impaired by a desire for a balanced budget.

THE CONSUMER, LABOR, AND THE FARMER—THE TIGHT SQUEEZE

The one problem common to the farmer, to labor, and to all of us, is that of the consumer.

Candidate Eisenhower promised us a lower cost of living. President Eisenhower will surely disclaim responsibility for a higher cost of living.

Consumer prices are at a record high. The National Consumer Price Index rose for the fourth successive time in a year. It has reached the highest peak in 5 years. Next month another rise is expected.

The Democratic farm program is based on the knowledge that general prosperity cannot be maintained while we continue to depress the farmer. President Eisenhower vetoed our Democratic farm price-support bill and then quickly raised price supports himself. Apparently his sliding scale had slid too far, for farm income is down 30 percent in the past year.

Milk prices to the consumer have continued to rise. Secretary Benson decided to raise dairy prices just when manufacturers had warehouses filled with cheese and butter bought at the lower price level. The farmer who sold his milk at the lower price then had to buy it back as high priced butter. This apparently is the Republican idea of how to aid the dairy farmer. No wonder so many of these farm families spread oleo on their bread.

Milk prices do not worry Secretary Benson who finds that the little farmer is of no importance. Benson is more concerned with the three members of his advisory board whose firms have been indicted for monopolistic practices. Mr. Benson is apparently fully occupied in directing the administration's ever-changing farm policy. He first opposed and then supported a soil bank; he first opposed and then approved the plowing under of crops; first opposed and then approved the idea of farm policy as a political issue.

The present administration makes many boasts as to the increase in the size of the labor force. This increase is largely a result of our ever-increasing population. Of far greater significance is the fact that at least 2,900,000 people who want jobs, cannot find them. In the past year 1 million persons have been added to our unemployed rolls. That represents a total of nearly 10 million American men, women, and children who have lost their means of support. The billion dollar year that General Motors has just concluded does not help these people.

The Democratic Party sponsored a bill to help our unemployed learn new skills when their previous trades no longer offer employment. Retraining these people will help to relieve all of us of the burden of support. This is the type of constructive, positive, legislation which brought our country to the prosperous state which it enjoyed in 1952 when Republican businessmen began to tear it down.

Candidate Eisenhower pledged himself to the amendment of the Taft-Hartley Act. President Eisenhower has consistently refused to live up to his campaign promises. Former Secretary of Labor Durkin offered the President 19 amendments, which were in accord with Candidate Eisenhower's promises. Eisenhower refused to go along with any of them. Instead he submitted to Congress a program which would toughen the Taft-Hartley Act. His Labor Secretary resigned and was replaced with another big-business man. Congress refused to go along with President Eisenhower's labor program as presented.

In an attempt to met the increased cost of living, Congress has raised the minimum wage to $1 per hour over President Eisenhower's protest that 90 cents was adequate.

The Republican Party as represented by President Eisenhower may be a party of the people, but of and for a very few people.

BAD GOVERNMENT

During his 1952 campaign Candidate Eisenhower had much to say about corruption in Government and useless personnel in Government.

We said then and repeat now, no political party has a monopoly in virtue or efficiency. Every party when trusted with the privilege to govern must be ever alert to weed out the loafers, the incompetent, and the criminal.

President Eisenhower has sadly failed the people in that regard.

The executive departments, in almost every instance, are employing more people and more top executives at higher salaries than in any previous administration. The exceptions are in the so-called service departments.

The Post Office Department, serving all of the American people, is using fewer employees and giving the worst service we have ever experienced.

The Veterans' Administration, serving our veterans and particularly our disabled veterans, has been reduced in force, moved around, kicked around, and made a less useful agency to those who need it most.

The Agriculture Department has been reorganized to take out of the hands of the farmers most of the things they can do best for themselves.

Misappropriating funds is the order of the day for this administration. This administration has appointed more corrupt officials than any other in our history.

Starting with Secretary Benson using Department funds to refurbish a Government lodge for his personal use, we find corruption rampant in every department.

Warehouses bursting at the seams, because improperly constructed; selling millions of dollars' worth of cheese to the processors and buying it back at higher prices, without the cheese ever leaving storage or changing hands; indictment of three members of Secretary Benson's advisory board: self-dealing for his private profit of one of his paid subordinates; loading the school-lunch program with more than $400,000 worth of phony transportation charges in Illinois for the sole benefit of one of his Republican friends. There are no doubt many more such incidents which have not yet been exposed. We are just beginning to investigate the monopoly enjoyed by three companies in disposing of surplus commodities.

Under 20 years of Democratic administration the Commodity Credit Corporation never exceeded an authorization of $6¾ billion. The total lost in those 20 years from operation of the program was about $1 billion. During 3½ years, the Republicans have increased that authorization to $14 billion. The losses have increased by at least $4 billion. No small part is attributable to the increased interest rates paid to bankers and much of it paid in violation of law.

Dixon-Yates was bad, so bad that even the Republican administration has backed down on its spurious claim of legality.

The cancellation of a Defense Department contract awarded to the Chrysler Corp. and awarding the same business to General Motors is only a small part of the wrongdoing in that Department.

The foot-and-mouth statements of Secretary Wilson is the least important of the many things that are bad in this administration.

The Small Business Committees of the Congress have devoted some part of almost every day to urging the Defense Department to follow the law and its own regulations in awarding contracts and making payments earned thereunder.

The Office of the Comptroller of the Currency and that of the Federal Deposit Insurance Corporation have also been managed in a manner adverse to the public interest.

The big banks and big holding companies have grown bigger with the aid and abetment of the Republican appointees to those agencies.

The responsibility for the Illinois bank scandal, the theft of State funds through bank manipulations, must be borne at least in part by those same Republican Federal appointees.

Internal mismanagement by those officials of their offices I hope will soon be the subject of thorough investigation.

Under the leadership of the Secretary of the Treasury and the Comptroller of the Currency attempts are being made to weaken our banking laws for the benefit of the big banks and to the detriment of the small banks and small investors. A part of that scheme was the abortive attempt to destroy the right of minority stockholders to minority representation on the directorates of national banks.

The full story about the giveaways by the Interior Department, the attempt to destroy TVA, REA, and our other public facilities and natural resources requires much more time than I can give here.

SMALL BUSINESS

Since 1953 our Government has been taken over by big business and the big banking interests of the country. The little fellow has had no representative in the Cabinet or at the top of any executive department. On the contrary, he has had as antagonist big business and the big banks, not only in the market place but also in every department of Government.

What is even worse, the so-called WOC—the big-business man on loan to the Government, drawing no compensation from the Government, but being paid by his big-business employer—has an inside track keeping big business constantly informed as to Government plans and channeling Government business away from the small-business man and to big business.

Credit restrictions are manipulated so as to dry up all sources of credit for the small-business man.

Except in times of war or emergency, WOC's should not be employed by the Government.

I have contended and will continue to urge that the Small Business Administration Act must be strengthened by eliminating the Policy Board now dominated by Secretary of the Treasury Humphrey and Secretary of Commerce Weeks. The agency must be made not only permanent, but permanently independent of the Treasury Department and the Department of Commerce.

The small-business man, displaced by slum clearance and highway construction, should be entitled to low interest rate loans based upon character and ability to perform, rather than bankable collateral.

The Defense Department must be directed by the Small Business Administration to discard, as required by law, the old arbitrary, numerical definition of a small-business firm, and follow a more realistic one. This will give small business a larger and more equitable share of Government contracts.

The Small Business Administration may boast that during 3 years, it has approved 3,560 business loans in an aggregate amount of $137,915,000 on account of which it disbursed $52,578,000. Compare that, however, to what this administration has done for big business in the same period through the Export-Import Bank alone, to wit: 805 loans for a total authorized aggregate amount of almost $7,500,000,000 against which it disbursed over $5,171,000,000. The Export-Import Bank made 22 percent as many loans with an average disbursement of over 426 times more per loan. To put it more simply, SBA's loan disbursements averaged less than $15,000 each and the bank's more than $6,400,000 each.

While big business has made more and bigger profits than at any time in the history of our country, small business has been going into bankruptcy in greater numbers than at any time since the depression days of the early 1930's.

For years, I have led the fight to establish offices of the Small Business Administration in Alaska, Hawaii, and Puerto Rico so to enable American citizens residing so far from the mainland to avail themselves of the privileges accorded by law to all. I personally urged the Appropriations Committee to give the agency the money for that purpose. The money was voted. I am still waiting to be informed that even one of those offices has been opened.

GIVEAWAYS: THE GOVERNMENT'S PRIVATE CHARITY

The administration in its "partnership" plan gives, and gives, and gives, and the people get nothing in return. First, it was offshore oil lands, then TVA, then natural gas. Now, any river or forest that big business wants, it can have for the asking.

The President wanted and got a Federal water storage project on the upper Colorado River. Since no big business wanted it, the President's partnership plan was forgotten. And Idaho Power Co. wanted to build a private power project at Hells Canyon, so the administration opposed the public sponsored Hells Canyon project. The administration opposed the idea of municipalities in New York State having priority purchase rights to the electric power which would issue from the Niagara River power development program.

The development of atomic energy for peace is an idea that the Democratic Party sponsors wholeheartedly. But we voted against the administration's atoms-for-peace program, since it would have given a few big businesses a monopoly in the development of atomic energy for peacetime use.

Incidentally, Attorney General Brownell now has completely disavowed the Dixon-Yates contract and has accepted the view of the Democratic Party that the whole agreement was illegal.

It took New Deal reclamation programs to give us back our forests. It has taken less than 4 years of an Eisenhower administration to lose them. The administration's policy is to lease them to private industry, which flagrantly abuses them.

We have no right to expect anything else of the Department of the Interior under this administration. Its consistent policy is to put political appointees in the place of ardent career men. It has been no accident that many of these political appointees have been anticonservationists. There is no necessity for commenting on the scandals that have evolved over the private uses that many of these appointees have made of the assets of the Department.

FEDERAL AND POSTAL EMPLOYEES

Anyone aware of the importance of all Federal and particularly the postal employees can see no reason why they should not have many of the rights that are accorded to workers in private industry.

We have, over the objection of the administration, raised their wages to enable them to meet the rising costs of living. This while the President kept clamoring for increased pay for those already in the highest brackets. We have also liberalized the civil-service retirement benefits.

We have not yet devised any method to stop administrative destruction of the merit system.

Nor have we been able to abolish the brazen gag order that Republican Postmaster General Summerfield has imposed on postal workers. He has forbidden them to complain about the post office to anyone but their superiors in the post office. Members of Congress and the press have become off limits to these employees. We must now write into the law permission for these employees to complain to their Congressmen without impairing their merit standing.

The Supreme Court's decision limiting the scope of the security program to those areas of Government which can be defined as sensitive would seem to have eliminated the problem created by the unwarranted administrative security-clearance procedures. The administration is now sponsoring a bill which would classify all Government positions as sensitive. The recommendations of the Association of the Bar of the City of New York, which fundamentally agree with the decision of the Supreme Court, should be followed in this regard. No American wants subversives in our Government. We can and must provide adequate means for protecting the Government's best interests. But we must do it without needless duplication of effort and without destroying our fundamental principles of fair play and of good government.

VETERANS AND ARMED FORCES

Neither the veterans nor the Armed Forces have been forgotten by the 84th Congress. Aware of our debt, we, the Democratic Party, sponsored and supported measures to better their lot.

The veteran home-loan program has been extended, as have been the disability benefits for the veterans of World Wars I and II. Neither forgetting the youth of our Nation nor those who were their fathers, we are providing educational assistance to children of servicemen who died in World War II and in Korea. We have extended the Missing Persons Act authorizing continued pay for service personnel missing or captured in Korea.

To maintain a strong Armed Force, we have extended the draft law to 1957. To provide greater incentive for career personnel—a necessary essential in our defense program—we have placed all military personnel under our social-security program, and have increased the benefit payments to survivors of servicemen and veterans. We have also provided for medical care for the dependents of members of our Armed Forces. We have raised the pay of our 6-month trainees under the Reserve program as well as the pay of the Armed Forces in order to attract and keep better men in the service.

SOCIAL LEGISLATION—THE UNBALANCED SCALE

Social legislation is not a partisan matter to the Democratic Party. The welfare of the Nation is more important than party politics. We, of the Democratic Party, were happy to note that much of the welfare legislation of the administration was an extension of New and Fair Deal plans. These acts and others of a similar nature were supported wholeheartedly by the Democrats.

Over the administration's protests we succeeded in amending the Social Security Act by lowering the retirement age for women to 62 and permitting the disabled to become eligible for full benefits at the age of 50. Democratically supported and New Deal initiated, and administration sponsored, the benefits under the Railroad Retirement Act, and the Longshoremen's and Harbor Workers' Compensation Act were increased.

National disaster insurance for the victims of flood and hurricane disasters was established.

We have extended the Federal school milk program to include child care centers, nursery schools, settlement houses, summer camps and other similar nonprofit associations.

I sponsored a Federal Scholarship Act. Worthy students who desire a college education or postgraduate work, would be enabled to apply for these loans to aid them through school. This is no giveaway, since the students will repay these loans when their education has been completed. Such a program has been found feasible in prior years. It should never have been abandoned.

We have also authorized $678 million in Federal aid for school construction, in areas which have become overcrowded by increased governmental activity.

Little need be said of the failure of the school-aid bill. Due to a shameful coalition of a minority of the members of my own party and of a minority of the Republicans, this much-needed bill was defeated.

In matters of national health and medical research we went beyond what the administration requested. The Oveta Hobby attitude of health being a strictly private affair, did not reoccur during this session. Ninety million dollars have been set aside for medical research of crippling and killing diseases, for extended hospital construction, and for training nurses and health specialists. Four million dollars have been set aside for a dental research institute.

The housing bill authorizes a public-housing program of only 35,000 units a year for 2 years. The Democratic majority in the House felt that this was an unrealistic attempt to remedy the housing shortage. Administrative opposition proved too strong and we were compelled to settle for less than is needed. We did succeed in liberalizing the terms of Federal mortgages; for financing home improvements, for financing single-family home purchases, and for financing rental dwellings. We also liberalized, not enough, but somewhat, the Federal mortgage terms for elderly people and for urban renewal projects.

The administration sponsored a civil rights bill which was quite innocuous. It provided for things which the President now has the right to accomplish without any new laws. Once again a self-interested coalition of a few Democrats and a great many Republicans thwarted this measure. That action will no doubt be President Eisenhower's excuse to do nothing about the matter.

We did not enact the health-insurance program of the President, since it would have done nothing except help some insurance companies. It would have done nothing for the individuals who need medical and hospital assistance or insurance to pay therefor.

Throughout this program the unbalanced scale continued to dominate the administration's thinking. No matter who sponsored the legislation, the Democratic Party approach was: If it was for the benefit of the people as a whole, we supported the bill. This cannot be said of the Republican Party. Their narrow interests and petty insights have not yet revealed to them the importance of the broadest approach for the benefit of the greatest number.

INTERNATIONAL AFFAIRS—PERILOUS PATHS

Under our system of government, the President must assume the leadership in the realm of international affairs. He must make the policy in the first instance. His State Department should be his spokesman. Congress may respond by approving appropriations or by senatorial action on proposed treaties.

The path of peace is always difficult. The Democratic Party believes it can only be maintained by an unequivocal but honorable approach to foreign affairs. To find a permanent peace, we must be vigilant and alert, honest with ourselves and with our allies, and firm with our potential enemies.

The ideological conflict between the East and West continues. The Communist countries have changed their outward demands, but they have not changed their aims of world domination. This administration has made no attempt to move forward in this field. It has mumbled and fumbled, it has bluffed and rebuffed, it has bleated and retreated.

The Democratic Party has supported President Eisenhower in his attempts to find a road to peace. We have supported his foreign-aid program authorizing $3.9 billion to be used for military, economic, and technical assistance to our friends and allies during the next year. Although the President asked for more, his aides have admitted that they cannot spend in the next year the funds now appropriated for those purposes.

The removal of United States troops from Japan is imminent and will permit her, as our ally, to regain her true place in the world of nations. The House passed a resolution asking that Japan be admitted to the United Nations.

I have been continually opposed to the Near East policies of President Eisenhower and Secretary of State Dulles. Their blindness, if not stupidity, has helped raise Egypt's Nasser to a position in which he threatens the peace of the world.

Our demand for arms for Israel have been ignored. Instead of firmly insisting upon a cessation of hostility, Dulles has encouraged Arab fighting. We demanded that Dulles and Eisenhower protest against blocking the Suez Canal to Israeli and Greek ships. My question is still unanswered: "What will the United States do when American ships are barred?"

The anti-Semitic boycott by the Arab States has been approved by a delinquent administration. It has excluded American soldiers and American civilian employees of the Jewish faith from American bases in Saudi Arabia.

PROTECTING THE INTEGRITY OF UNITED STATES CITIZENSHIP

From the very earliest days of the establishment of our Nation, we have insisted that American citizens, wherever they may be and wherever they may go, must be treated as such regardless of race, color, or religion. We have a long history of having come to the aid of American citizens wherever their rights have been threatened, impaired, or impeded.

This administration has sadly failed the American people and has repeatedly and constantly backed away from that fundamental principle of American freedom.

The protection of the integrity of United States citizenship and of the proper rights of United States citizens to lawful trade and travel and other activities abroad, is a basic principle of United States sovereignty. It is a primary principle of our Nation that there shall be no distinction among United States citizens based upon individual religious affiliations.

Any attempt by foreign nations to create such distinction among our citizens in the granting of personal or commercial access, or any other rights otherwise available to United States citizens, is inconsistent with and contrary to our principles. Any such distinctions directed against United States citizens is incompatible with the relations that should exist among friendly nations.

We should insist that in all negotiations between the United States and any foreign state, that every reasonable effort should be made to maintain these principles. We should carry on no negotiations and engage in no conventions, agreements, or treaties with any foreign nation that does not recognize these principles or violates them.

These principles have been so firmly imbedded in our tradition that up to 1952, no political party found it necessary to restate them in a political platform.

In 1952, however, the Republicans inserted these words in their platform, to wit:

"We shall see to it that no treaty or agreement with other countries deprives our citizens of the rights guaranteed them by the Federal Constitution."

That should have been a warning signal. We had no such treaties or agreements then and have none now. No prior administration, Republican or Democratic, ever permitted the rights of American citizens to be impaired by any foreign country.

This administration has ignominiously permitted the Arab States to disregard, ignore, and even trample upon the rights of American citizens in travel and trade. They prohibit Americans from traveling into, through, or over these nations because of religion. On the same basis they refuse to allow Americans to trade with their own citizens.

This administration has ignominously permitted a foreign nation to violate a treaty obligation and acquiesced in that country, Saudi Arabia, banning American citizens from an American base on the sole ground of religion.

CIVIL DEFENSE

To aid our civilian defense program Congress has increased the appropriation for construction of aircraft control and warning systems.

Testimony adduced before Congressional committees established that our so-called civilian defense is utterly worthless and completely valueless in the event of an atomic bomb attack. Every penny presently being spent by the so-called department of civilian defense is wasted.

Nevertheless, this administration would do nothing to improve this horrible and horrifying situation.

CONCLUSION

The record of the 84th Congress speaks well for our country. It could have been better. I am sure it would have been better if we had a Democratic President.

The levelheaded approach of a Democratic Congress under a Republican President produced meritorious legislation. We did not enact all the legislation that should have been passed. What was accomplished, in the main, is a record that the Democratic Party can be proud of. Even though we worked under an unsympathetic administration, the national interest was our first thought at all times. I am proud to have had the privilege to serve in the responsible 84th Congress.

My speech on August 30, 1957, was as follows:

DOUBLETALK

(Speech of Hon. ABRAHAM J. MULTER, of New York, in the House of Representatives, Friday, August 30, 1957)

Mr. MULTER. Mr. Speaker, this has been a most unusual legislative year. It started with much promise. The 1956 election had returned the people's hero to the Presidency with an unheard of popular vote.

At the some time, they showed their confidence in the Democratic Party by continuing it in control of both Houses of Congress.

Obviously, the American people agreed that control of the 84th Congress by the Democrats under a Republican President was indeed good for our country.

With the 1st session of the 85th Congress behind us, I believe we can demonstrate that the country would have been better off under a Democratic President. I, for one, am certain we would have had more real leadership and much less doubletalk.

Under our system of government we have a right to look to our President for leadership. Our Constitution requires him to send an annual message to Congress on the state of the Union. Traditionally, our Presidents have interpreted that to mean that they are required to submit a legislative program to the Congress.

Never before in our history have we experienced such a lack of leadership by the President, coupled with so much doubletalk.

Absenteeism is bad enough, of and in itself, in high places. Vacillation and indecision are much, much worse. I will concede that few persons reading the President's message to the Congress can disagree with the fine, high-principled generalities contained therein. But, by the same token, his campaign speeches in 1952 and again in 1956 were in the same vein.

But what are the specifics? What about the implementation of these fine principles?

Some of the President's supporters, even some of the members of his Cabinet, have been brash enough to label his campaign addresses as merely campaign promises. But his messages to the Congress were not campaign speeches.

It is all well and good for our Republican friends to say, "Oh, this is a Democratic Congress, the Democrats are in control. They can pass any legislation they want to."

Such statements, too, are mere doubletalk. The hard, practical facts of political life are that, in a Congress where the majority party does not have an overwhelming majority in both Houses, neither party can pass legislation without the cooperation of at least some members of the other party.

Wise Congressional leadership avoids bringing to the floor of the Congress legislation that the leadership knows will be opposed by enough members of the opposition party to defeat the bills.

In all those spheres of activity where our party platforms are in agreement, the President should have been in a position to deliver enough Republican votes to offset the defections in Democratic ranks, so as to give the people of the country a working majority in the Congress.

Permit me now to document my case with some specifics.

PARTY PLATFORMS AGREE, BUT THE PRESIDENT IGNORES THEM

Both parties agree that the minimum wage laws should have wider application; that distressed labor areas require Government aid; that the Taft-Hartley law requires amendment; that all Federal employees and, more particularly, the postal employees, are entitled to increased compensation. In most of these instances the President talked gently and fairly but in generalities. As to the Federal employees and postal employees he spoke specifically. He said they were underpaid. He said they were entitled to increased wages.

In none of these instances, except as to the increase of salaries for Government employees, were we able to enact any legislation, because the President and his appointed officers in the executive departments not only refused to help but actually opposed Congressional action.

As to the increases of salaries for Government employees, the President signed the bill which gave those in the highest brackets, big increases and more pay.

As to the little fellows, the civil-service employees, the career employees, the post office workers, he sent word to us that if we dared to legislate he would veto the bill. Unfortunately, we couldn't get the bills to him in time to override a veto. As of today—the last day of this session—it seems certain that the President will veto these bills which do only what he said was fair and just; that is, to give to the little fellow, the civil-service worker and the post-office employee, a cost-of-living increase.

BIG BUSINESS GETS BIGGER AND SMALL BUSINESS GOES TO THE WALL

Other spheres of activity where we got the same kind of doubletalk involved monopolies, trusts, and big business. The mergers continue. Big business gets bigger. Their profits grow. The small-business man goes into bankruptcy. The big-business man gets more and bigger tax cuts by way of fast writeoffs and obsolescence and depletion allowances and Government giveaways, and the little fellow gets the tax bills.

The President is still advocating a natural gas bill. One day he advocated an amendment to that bill, to protect the consumer, and the next day he said he would take the bill without the amendment.

He opposes the development of public power and tries to give the natural resources of the country to the big utilities. By his appointment to various Government agencies and commissions, he does all within his power to destroy TVA, rural electrification, and the other important Government agencies.

HUMAN RIGHTS ARE FORGOTTEN

He says he is for statehood for Alaska and Hawaii but will not lift a finger to bring that about. He says he is for liberalization of our immigration laws and, instead of trying to liberalize them, he condones the action of his State Department and his Attorney General in keeping out immigrants clearly entitled to entry into this country under existing law.

The civil-rights muddle in the Congress was as much his doing as that of anyone else. He did not know from press conference to press conference what was in the bill labeled "the Eisenhower bill." It is surprising that we got a bill at all under the circumstances. Time will demonstrate, in my opinion, that the bill will accomplish very little except to give him and some of his supporters an excuse for new campaign doubletalk. And all the time, the demagogs will continue to rabble-rouse.

He talked big about Federal aid to education. When it came to a showdown in the House, the bill was lost on a very close vote. It could have been won if the President had made three telephone calls. He could have telephoned one of his erstwhile campaign supporters who left the Democratic Party to urge the people to reelect Mr. Eisenhower and who was absent on the day this important bill was defeated. The other 2 calls could surely have changed 2 opposition votes into 2 votes for the bill. These were not just two votes of Republican Members of the House. These two men are the President's leaders of his party in the House. The three Members of the House referred to, Mr. Speaker, go unnamed as a matter of traditional Congressional courtesy. The record vote discloses who they are.

FOREIGN AFFAIRS CONTINUE TO BE BUNGLED AFFAIRS

The muddle in foreign affairs is the direct responsibility of the President and his Secretary of State. Those matters of maladministration have no direct bearing upon the legislative function of the Congress. I therefore make no further mention of them here, particularly since that subject alone would require much more time than I can devote today, and my remarks pertain merely to the legislative program.

Those who are interested may read my statements before the House Foreign Affairs Committee and on the floor of the House on this vital subject.

Suffice it to say, I foretold precisely what to expect with reference to the Middle East, including the recent events in Egypt and Syria. Although I did not pretend to set forth any timetable, the sequence of events was exactly as I predicted.

The so-called Eisenhower doctrine is preventing the spread of communism and sovietism exactly nowhere.

THE HIGH COST OF EVERYTHING

The increase of interest rates on Government and private debt is the direct responsibility of the President and his Secretary of the Treasury. They have increased the cost of living of every man, woman, and child in the country by increasing the expense of operation of every business enterprise in the country.

The increase in cost of Government is staggering. At the same time, while telling us that the people should save more money and spend less, the President and his Secretary of the Treasury keep the interest rates on Government savings bonds under other interest rates, destroying the incentive of our citizens to save.

He insists that mortgage interest rates be raised and because Congress refuses to increase the interest rates on veterans' mortgages, he threatened to veto the extension of the GI mortgage bill.

I, and many of our colleagues, have been urging that the veterans are entitled to direct loans from the Government. This would not be using Government money but would be using their own life-insurance funds.

Banks, trust companies, life insurance companies, pension funds, all invest their money in real estate mortgages. But some shortsighted people urge that the veterans' life insurance funds should be invested only in low-interest Government bonds instead of in 4-percent veterans' mortgages.

We could not prevail upon our colleagues to go that far. The bill we sent to the President, which he now threatens to veto, merely extends existing law, permitting veterans to get mortgages in those areas of the country where FHA is not operating and for reasons mainly of convenience, cannot or will not operate.

The President glibly talks about controlling inflation and urges voluntary restraint by labor and business to keep costs down.

Then he ridicules labor's promise to forego wage increases if big business will lower prices.

At the same time, he permits price increases in all Government restaurants serving the very employees whose wages he will not increase. He allows their rents and those of all others in FHA houses to be increased, thus setting the example for increased rents by all landlords.

That is not doubletalk; it is doubledealing.

SOME HOPE FOR SMALL BUSINESS

The House passed a Small Business Administration Act to make that agency permanent and to make it more effective in serving the small-business community of our Nation. Despite the fact that the President has not talked out in favor of this bill, we hope that in the next session of Congress, the Senate will pass the House version of that bill.

By that time, too, I hope we will have a good bill ready to give the small-business men some sorely needed tax relief.

FUNNY FIGURES MAKE PHONY BUDGETS

The worst example of doubletalk on the part of the administration, however, came with reference to the budget and the request for appropriations for defense, for foreign aid, and for operation of the Government.

In this field, too, no one knew where the President or his appointees stood from one day to the next. All sorts of ridiculous claims were submitted to the Congress for exaggerated sums. Probing by alert members of the Appropriations Committees showed how farcical some of these claims were.

Despite the disclosure of tremendous waste of money and property during the last 5 years, heads of the departments, aided and abetted by the President, came forth again urging more money than they needed and more money than they could spend.

After the money was appropriated and the bills approved into law by the President, he then directed the heads of various departments not to spend the sums appropriated.

I will refer to only two of the many instances of this heinous maladministration.

The United States Public Health Service has indicated its need for funds to prevent a yellow fever epidemic threatening the United States. The money was appropriated. The bill was signed. The Budget Bureau, under the direction of the President, has directed the Department not to expend those moneys, the sole purpose of which was to control the disease.

This is the Government that is conservative where property is concerned and liberal where human values are concerned. That is not my language. That is the modern republicanism of President Eisenhower.

One more instance of the same kind. After the appropriation for the Defense Department had been approved into law by signature of the President, he then directed that the money not be spent. Mind you, this is the very appropriation request which, when cut by the Congress, was declared by the President to be insufficient for our national security. Now he says to his department heads that they may not spend as much money as was appropriated.

Practically all of the Members of Congress from metropolitan New York attended a conference with Navy Department officials, urging them not to release skilled career employees. It was admitted that if these men were discharged their skills and services would probably be forever lost to the Government. It was further conceded that the full sum necessary to keep these men employed for the next year had been appropriated and that the men were being dismissed solely in order to come within the President's directive to spend less money than had been appropriated. The question of national defense and security was subordinated to the demand to save a few paltry dollars.

WASTE AND CORRUPTION

Congressional committees continue to uncover waste and corruption in every department of Government. At another time, I will discourse at length upon this subject, which continues to be ignored by our President, except on those occasions when he awards a medal or a certificate of merit to the head of the department whose misconduct is exposed.

All of these facts are borne out by the record.

Hon. William S. Knowland, of California

EXTENSION OF REMARKS
OF
HON. MILTON R. YOUNG
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. YOUNG. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement in tribute to Senator KNOWLAND on his departure from the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR YOUNG

I could not let this opportunity pass to pay a deserved tribute to a departing Member of the Senate, Senator WILLIAM S. KNOWLAND. BILL KNOWLAND and I came to the Senate at approximately the same time. During these nearly 14 years, I have been closely associated with him as a member of the Appropriations Committee, the Senate Republican Policy Committee, and Republican conference. BILL KNOWLAND has all the qualities that go to make the ideal legislator. He has great intelligence, integrity, and is a tremendously hard worker. Oftentimes I have seen him cast votes in the Senate that could well hurt him badly in some future election in his own State. He voted as he did because he thought it was the right thing to do and that it was in the best interest of his own State, as well as the Nation.

BILL KNOWLAND has constantly grown in stature as the years have gone by. He is one of the truly great men of the Senate in the past quarter of a century. Few men have ever attained the respect and admiration of the Members of the Senate as has BILL.

As a comparatively young man, as far as Senators go, he was selected as Republican leader. In that capacity he has performed admirable services, not only to his party but to the Senate of the United States and the Nation as a whole. We can ill afford to lose men of BILL KNOWLAND'S caliber. I wish him well in all of his endeavors, no matter what they may be.

Legislative Program of the Department of Labor, 1958

EXTENSION OF REMARKS
OF
HON. H. ALEXANDER SMITH
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent to have printed in the RECORD a statement showing the action taken by the 85th Congress on the 1958 legislative program of the Department of Labor, as recommended by the President in various communications to the Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

1. Proposal: Wage orders under the Fair Labor Standards Act.

Congressional action: The part of the Department's proposal providing for biennial, rather than annual, review of industry wage orders under the FLSA was passed—Public Law 85-750. The part of the proposal to provide for review of these orders by the Secretary of Labor was not enacted.

2. Proposal: Pension and welfare plans.

Congressional action: Teller bill, providing for reporting by these plans, was passed—Public Law 85-836. It does not carry out the Department's proposals respecting adequate administrative and enforcement provisions.

3. Proposal: Longshore safety.

Congressional action: S. 3486, substantially the same as the Department's proposal, was passed—Public Law 85-742.

4. Proposal: Unemployment insurance for ex-servicemen.

Congressional action: Department's bill was passed—Public Law 85-848.

5. Proposal: Temporary additional unemployment compensation.

Congressional action: Temporary additional unemployment compensation under the Social Security Act was passed—Public Law 85-441. However, the proposal to include railroad workers in the temporary program was not enacted.

6. Proposal: Extension of Mexican farm labor program.

Congressional action: Passed. Public Law 85-779.

7. Proposal: Increase in ceiling for International Labor Organization contributions.

Congressional action: Ceiling was increased by a provision of the Mutual Security Act, Public Law 85-477.

8. Proposal: Depressed areas.

Congressional action: A bill, differing somewhat from the administration's proposal, was passed. This bill (S. 3683) was not signed (was pocket vetoed) by the President.

9. Proposal: Labor reform and Taft-Hartley amendments.

Congressional action: Not passed. S. 3097, S. 3096, S. 3099.

10. Proposal: Disclosure of union reports filed under sections 9 (f) and (g) of Taft-Hartley.

Congressional action: Not passed. Senate Joint Resolution 94, House Joint Resolution 335.

11. Proposal: Extension of coverage under the Fair Labor Standards Act.

Congressional action: Not passed. H. R. 8413.

12. Proposal: Eight-hour laws revision.

Congressional action: Not passed. S. 814, H. R. 6588.

13. Proposal: Extension of unemployment insurance coverage.

Congressional action: Not passed. S. 2076, H. R. 6856.

14. Proposal: Extension of unemployment insurance system to Puerto Rico.

Congressional action: Not passed. H. R. 634.

15. Proposal: Safety of Federal employees (charge back).

Congressional action: Not passed. S. 816, H. R. 5928.

16. Proposal: Grant-in-aid occupational safety.

Congressional action: Not passed. S. 816, H. R. 5928.

17. Proposal: Equal pay for equal work.

Congressional action: Not passed. S. 817, H. R. 6089.

18. Proposal: Judicial review under Federal Employees' Compensation Act.

Congressional action: Not passed. S. 1653, H. R. 6308.

19. Proposal: Charge back of administrative costs under Longshore Act.

Congressional action: Not passed. S. 818, H. R. 5929.

20. Proposal: Veterans' reemployment rights.

Congressional action: Not passed. H. R. 8522.

21. Proposal: Revision of District of Columbia Unemployment Compensation Act.

Congressional action: Not passed. S. 1214, H. R. 6139.

22. Proposal: Protection of Department of Labor enforcement employees.

Congressional action: Not passed. S. 867, H. R. 4757.

A Report to the People

EXTENSION OF REMARKS
OF
HON. HARLEY O. STAGGERS
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. STAGGERS. Mr. Speaker, the events of the past 2 years opened like Pandora's box and smacked the whole world in the face.

A new era was born. Manmade moons and intercontinental missiles drew our eyes skyward and polar submarines sent our minds probing the deep.

Congress burst its working seams to grasp the load thrust upon its shoulders. This 85th Congress faced the onslaught at first with the normal amount of prodding and fretting, then swung in with the big stick when it really got into action.

A Government agency was born to handle our space business. A new State made the 49th. Congress' assembly line of legislation slowed down recession, boosted foreign policy, and strengthened defense.

The box score of major legislation for the 85th Congress is one in which America can be proud. Foremost is our defense reorganization program. Our defense must be strong to assure a peaceful existence. We have strengthened and improved our foreign policy.

Specific authority has been provided for more extensive research and for scientific construction of missile bases, detection and warning systems, nuclear-powered guided missiles, warships, and other necessary equipment.

Congress renewed the collective-security arrangements, extended our foreign-trade policy, and turned its attention to improvements of our educational system, taking cognizance of the fact that education plays an increasingly important role in determining our future position in the world.

Legislation has been enacted to extend aid to hospitals, increased benefits to the social-security annuitants, civil-service retired employees, and increased old-age benefits.

Moneys have been granted for road-building which has been sorely neglected. Mortgage money has been made more readily available and funds have been provided for surveys in distressed areas.

Specifically speaking of the Second Congressional District which I have had the honor to represent in the United States Congress for the past 10 years, Mr. Speaker, I point to the following accomplishments:

At Green Bank, Pocahontas County, W. Va., there is now under construction a National Radio Astronomy Observatory of worldwide interest. Scientific research that will be done at this observatory will be a part of our race for the conquest of outer space, and will strengthen the security of our Nation.

Near Sugar Grove in Pendleton County, the United States Navy is now erecting a giant radio research observatory which will provide navigation aid to our ships, as well as military research on problems of communication, navigation, and space physics.

In keeping up with the air age I am happy to report, my colleagues, that the Second District of West Virginia is making every effort to take advantage of its facilities in furthering jet age developments in air transportation and defense.

The Martinsburg Airport, only a few air miles from Washington, has received Federal assistance in its Air National Guard program. Runways have been lengthened and operational and training facilities have been built.

The Elkins Airport financial problem has been settled. This assures continued daily commercial service in all directions and provides emergency landing space for military planes. The Elkins Airport has already proved its worth many times in saving human lives and military aircraft.

Hardy County, in the eastern panhandle of our State, received a short-range navigation system called VORTAC, which is a navigation aid airway system in our vast radar air traffic control plan which is of such vital importance today.

In Webster County a very high frequency omnirange has been constructed to serve as an aid to airplanes and is one of many hundred navigation aids being built throughout our country.

Mr. Speaker, Federal aid is being channeled to many of our schools, colleges, and the West Virginia University. I feel it is not necessary to stress the need for aid for our educational system.

Hospitals in Hampshire, Grant, Monongalia, Barbour, Preston, Pocahontas, and Webster Counties are being assisted through Federal funds. Aid has been received for construction work, additional beds, and medical research.

Federal assistance has also been given to many cities and towns in the Second District of West Virginia for new waterworks, sewage plants, water pollution, and other health aids.

At long last the construction of a Federal building has been approved and money appropriated for Martinsburg, my colleagues. This will provide court and post office quarters.

The Harpers Ferry National Monument has become a reality. This has already become a mecca for tourists and will continue for many years to come.

It has been my pleasure to have assisted in production contracts for the Allegany Ballistics Laboratory, located in Mineral County, W. Va., and also for contracts for much needed road construction work. This Navy-owned laboratory is taking an essential part in our guided-missile program.

Much modernization of our civil-works program is underway in the second district. Substantial progress is being made on navigation facilities on the Monongahela River. Construction of Hilderbrand lock and dam is under way and the improvements and construction work of the Opekiska lock and dam will be of great benefit to the entire length of the Monongahela River.

The water resources development program in West Virginia also includes a system of reservoirs and local flood-protection projects in the Ohio River and its tributaries. Local flood-control projects have been completed in Elkins and other points in West Virginia. Flood-control work in the District is progressing which will benefit areas in Petersburg, Moorefield, Ridgeley, Keyser, and Pocahontas Counties. Funds have been made available for dams and flood-control protection of the Potomac River and its tributaries.

Bayard, W. Va., has received an allocation for a flood-control project. Study is under way for a flood-control project in the Greenbrier River which would be a protection for Marlinton.

Recently, the Marlin Dam watershed project in Pocahontas County was approved. This will provide flood protection to the city of Marlinton.

The Morgantown Ordnance Works at Morgantown, W. Va., should not be allowed to close under any circumstances. Through my efforts it was reactivated after the war and it shall be my purpose to do everything possible to keep this large plant in operation. Many other projects have been completed and many others are in the offing.

It is true that all our needs were not met. Living costs are still high; taxes are excessive and our international problems are many. There were a number of important bills that failed of enactment. Included among these are the railroad retirement; labor and housing bills; bills to revise the immigration laws and to curb corrupt practices in Federal elections.

Many feel that Congress did not go far enough in meeting the challenge of Russia's superiority in the space age. But it is my hope that the newly created National Aeronautics and Space Agency will step up our domestic atomic program for defense and missile research and development. If this does not prove adequate to safeguard our interests of national security, then further action should be taken in the coming Congress.

Although small business was given liberalized loan programs and some tax relief, I feel it must be given increased consideration in the next Congress. I have actively worked for the removal of the unfair excise tax which I believe would be a boost to small business. It is my belief, however, that further steps must be taken to bolster the confidence of the small-business man. He is vital in the preservation of competition in our economy and to our present and future prosperity.

For many years I have sponsored measures for a general cut in taxes for individuals. I shall continue to fight for this much-needed tax relief.

Generally speaking, the 85th Congress was responsive to the major problems of the day and made a record that is a source of pride to us who had the honor to serve in it.

But it is not all up to Government. You, and every man, woman, and child in this great Nation can strengthen this country by living democracy. We all must work more, teach more, learn more, and pray more for knowledge, understanding, and peace. We can be better citizens, better neighbors, and better travelers. Each American can tell and show the world that democracy is the way of life.

The time has come when Democrats and Republicans must close ranks and stand shoulder to shoulder as a united people in this desperate struggle for survival. This, I truly believe: The best way to stamp out communism and all other destructive "isms" is to prove democracy is so superior, so desirable, and so right, that no one would wish to be without it.

So long as we have leaders in our Government who believe in the inalienable rights of the human being and the majesty and glory of Almighty God, this country shall go forward. We must not stand still—we must progress and keep faith.

Hon. Ed Martin, of Pennsylvania

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. McGREGOR. Mr. Speaker, I note with a sense of deep regret that one of the great generals, one of the great governors, one of the great Senators, one of the great public officials is now retiring from public life. I refer to the distinguished Senator ED MARTIN, of Pennsylvania.

What a beautiful record of public service he has to leave for the future generations of this great Nation. Senator, to you and your gracious wife certainly go the best wishes, I am sure, of every Member of this legislative body, as well as everyone who knows you. Good luck to you and yours always.

National Education for Defense—Open the Door to Knowledge

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. RABAUT. Mr. Speaker, in the passage of the Defense Education Act of 1958 the Congress of the United States has recognized a growing need for assistance to American education, and has said in effect "no longer will the qualified American student have to be denied admission to our colleges and universities simply because he does not have the money necessary for further education." I say "no longer" because I believe in the American people—the American student, and the dreams that all of us have for a better education for our children.

This program is designed to aid Americans in securing an education, with particular emphasis on sciences and languages. It is an experiment in Federal aid to education in assisting both State and private schools in expanding their abilities to meet the evergrowing needs we face in today's world.

The vast majority of educators, student bodies and the general public have welcomed this act as a godsend, but there are those few who view with alarm this new democratic program as another effort to encroach on the States right to provide and govern their educational institutions.

I would like to state very clearly what my position is on this matter. I worked for the bill; I voted for passage of the bill. I think the American people need the benefits contained in it, and I know the United States as a nation needs the brainpower that will come from the benefits provided in it. In no way will the program interfere with the States' administration of their educational institutions. The purchase of Alaska in 1867 from royalist Russia was severely criticized and became known as Seward's folly. At that time we invested $7 million in America's future and we are investing $687 million in the form of loans and grants in America's future now. I personally believe that the dividends the United States received from its Alaskan investment will be more than equaled in its investment in American education.

On July 4, 1958, we celebrated our 182d year as an independent nation. In these years we have grown from 13 colonies rebelling against the most powerful nation on earth to the leading nation in the Free World. Surely it can be said—"God has blessed this land and all who live in it."

All of us know that the price of liberty is eternal vigilance, and a very large part of this vigilance is in our technical ability to see, hear, and think clearly in the ever-advancing world of science, foreign language, and human understanding.

To help meet this need we now have the National Defense Education Act of 1958, the purpose of which is to assist in the improvement and strengthening of our educational system at all levels and to encourage able students to continue their education beyond high school. It is designed to accomplish these objectives by establishing loan programs for students at institutions of higher education; providing grants to States for strengthening science, mathematics, and modern foreign language instruction; assisting in the expansion of graduate education, improvement of guidance, counseling, and testing programs; providing for research and experimentation in the use of television, radio, and motion pictures—for educational purposes; improvement of statistical services of State educational agencies.

Some of the major benefits available between now and June 30, 1959, are: (a) $1,700,000 for loans to needy students for tuition and materials; (b) $2,400,000 for equipment and materials to improve teaching facilities; (c) $223,000 for improved educational supervision and administration; (d) $677,000 for improvement in student guidance and counseling centers.

I have been informed by the Secretary for the Department of Health, Education, and Welfare that they are setting up the machinery necessary to administer this program and that applications for assistance under this act will be accepted immediately.

Further information concerning the application and administration of this program can be secured by writing directly to Dr. Lloyd E. Blauch, Assistant Commissioner for Higher Education, United States Office of Education, Washington 25, D. C.

The Derby and International Friendship

EXTENSION OF REMARKS
OF
HON. W. PAT JENNINGS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. JENNINGS. Mr. Speaker, we have devoted a good deal of time in this session of Congress to legislation and governmental programs dealing with international affairs. Today we are considering the mutual security appropriations bill that will allow billions of

American dollars to be spent in the helping of our neighbors and in promoting our relations with nations throughout the world.

Last Sunday an event took place in Akron, Ohio, that to me is a good example of how to build international goodwill. That event was the 21st Annual All-American Soapbox Derby.

Youngsters from throughout the United States, champions of their respective communities and States, gathered to compete for the derby championship. In addition, there were several representatives from other nations of the world—Philippines, Canada, Venezuela, and Germany.

Each of these derby champs from other nations had an opportunity to meet his counterpart in the United States. Each has learned of the United States and of our way of life, and I am sure that each has returned home with a better understanding of our interest in the world and of our desire to promote improved relations with all nations. Our own youngsters, in turn, learned of the other nations represented in the derby.

The derby has contributed much to our international program, and I would like to commend the sponsors and all of those having a hand in planning and carrying out this event.

Robert Dickinson, the champion from Venezuela, is a typical example of the youngsters from other nations. He won the crown in Venezuela and represented this nation with courage and determination. He did not emerge as a winner in the derby, but he undoubtedly contributed much to the mutual friendship between the United States and Venezuela by participating in the Soap Box Derby last weekend.

Developing a bond of friendship between the young people of the world nations is, to me, an excellent method of creating international goodwill. I hope that other nations will send their champions to the derby next year.

The Soap Box Derby not only calls for the best in courage, determination, and sportsmanship on the part of the participants; it calls upon all of us to be good neighbors to those visitors from other lands.

Israel, Our Ally in the Middle East

EXTENSION OF REMARKS
OF
HON. CHARLES E. POTTER
OF MICHIGAN
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. POTTER. Mr. President, recent developments in the Middle East prompt me to remind my colleagues and the American people that we have a spunky, fighting, and highly intelligent ally sitting right in the middle of the political turmoil which holds the world's attention. I refer to the State of Israel.

Today the United States and the Free World need Israel as much as Israel has needed the help and cooperation of the West in the decade since her formation as a nation.

The Jewish people have contributed much to the Western World in the centuries since they began to spread across the face of the earth from their original birthplace in the Near East. In recent years some have returned to the land of their fathers and created a thriving democracy in the State of Israel. The Western World, particularly the United States, has been privileged to repay in some measure a long-past-due debt to this great people by giving them technological and financial help.

Now, as trouble piles up in the Near and Middle East, it seems that the United States and the free nations of the world once again find themselves looking to the State of Israel as a tiny democratic bulwark against Nasser riding the mad horse of Arab nationalism.

This brilliant and industrious race has played a vital role in the history of the United States—the place where they have had more real freedom than anywhere else in the world—and where today half the earth's Jewish population lives, that is, 5,250,000 people.

The Jews are as much a part of the American tradition as the Pilgrims, Capt. John Smith, and George Washington at Valley Forge.

The first 23 arrived in 1654 in New Amsterdam, now New York. The Statue of Liberty has opened her arms to them since that time, as she has to all the homeless and the persecuted—offering security, freedom, opportunity.

Their role in the annals of our country has been a picturesque and brilliant one. The Yankee peddler moving into the frontier with his pots and pans and goose grease and moccasins more often than not was a Jewish merchant. He carried civilization and a bargain on his cart. The frontier awaited his visits when he brought his goods on wheels and went eagerly to his shop when his sons and grandsons became the merchants in the towns and cities across the country.

And steadily thereafter Jews came to America to enrich her civilization.

The pogroms of czarist Russia were an ill wind that blew America the best good in this respect. Beginning in 1880 and for 40 years following, Russian Jews streamed into New York. And even today with their own country of Israel to which they might go, more than 5,000 Jews come to the United States every year from all over the world.

They have brought to us brilliance in law, medicine, engineering, architecture, merchandising. They have brought extraordinary talent in the creative arts and communications—and solid virtues such as temperance, industry, family solidarity, and a zeal for education.

In the United States names like Brandeis, Hyman Rickover, Louis Marshall, Benjamin Cardoza, Felix Frankfurter, Jonas Salk, Bela Schick, Edward Teller, J. Robert Oppenheimer, Isidore Rabi and Herbert H. Lehman and Senator Javits of New York are shining names in contemporary life.

And what specifically does the Israel of today mean to the American Jew?

For the most part, it means an even greater integration in American life and American tradition.

The United States has always been a melting pot of the older nations of the world and nearly every American has had a somewhere else to talk about, a somewhere else that belonged to him or to his grandfather or to his great grandfather. Because persecution in Europe and other parts of the world had prevented his owning land and kept him a homeless insecure group, the Jew had no somewhere else, even though his heart might have deeply loved the Ukraine or Berlin, or Warsaw. But these places rejected him as an alien.

The re-formation of the State of Israel gave to the American Jew the somewhere else of every other American. For the most part he had no more desire to resettle in Israel or to reestablish himself there than the Irish American had to go back to Ireland to stay, the Catholic American to the Vatican state, or the Polish American to Poland. For the most part the American Jew is a checkbook Zionist • • • he gives monetary assistance, or he goes to visit Israel or hears with delight and pride the reports or the nation's success.

With Israel, the Jews have achieved the somewhere else of most Americans: the place from which their ancestors came—the county Cork, the Heidelberg, the Marseilles, the Naples, the Copenhagen—and that somewhere else has been an increasing means of integrating them into American life.

Religious freedom and separation of church and state are part of the essential framework of American democracy. The ideal of religious liberty which our forefathers brought to the United States, and which has been spelled out in the first amendment to our Constitution, has remained the beacon in guiding the formulation of all legislation in the Congress.

The American Jew knows this. He will never have to take refuge in Israel to save his neck or his property as has unfortunately happened in parts of Western and Eastern Europe. He is more a part of America and her tradition and history and civilization than he ever could be of the newly formed State of Israel. And America and Israel have a strong bond in common. They have both from their beginnings granted equality under the law to the Jew, permitted the Jew full expression of his abilities, and as a result have benefited more from his brilliance and genius than any other nation.

And he, more than anyone else in these United States, will keep us alert to any threat of totalitarianism; for more than any other group the Jewish people have known in our generation that the most vicious of despots can exist even in civilized, highly developed industrial communities, as evidenced in Nazi Germany under the rulership of Hitler.

In this year of the 10th anniversary of the birth of Israel, as the world of their forbears seethes and boils with turmoil stirred up by today's dictators, I salute my fellow Americans of Jewish faith or extraction. Unquestionably a large share of our hopes for the Free World resides in our valiant ally, the State of Israel.

Report to the People of the 12th Congressional District of New York

EXTENSION OF REMARKS
OF
HON. FRANCIS E. DORN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. DORN of New York. Mr. Speaker, it is my annual custom to make a report to the people of the 12th Congressional District of New York, whom I have the honor to represent.

Respectfully submitted is a report of the session of Congress just passed and my own activities as a Member of Congress.

At the beginning of the session, as has been done each year, I sent a questionnaire to all the registered voters of the District, regardless of party affiliations.

There are two main problems in getting out such a questionnaire. One is the impossibility of framing a question on an involved issue in such a form that a "yes" or "no" answer can reflect accurately or adequately an individual's views on the matter. Many of those who answered complained of this inadequacy, and I agree that a more pliable method of answering would be desirable, but I have found it would make the questionnaire and its analysis too detailed to be feasible. While "yes" and "no" answers admittedly cannot be complete, they are still very helpful. At least the general trends in thinking are clearly revealed.

The other problem is how to get the widest sampling of voter opinion. A telephone directory list in an urban district would be an impossibility, since that medium does not designate the Congressional District of a subscriber. Therefore, I must use the medium available, which is the list of registered voters. This I find desirable from every point of view, since it gives me a sampling of all shades of political thinking, even though I do not ask that the party affiliation be designated, nor even that their names be affixed if they do not so desire.

This year's questionnaire, the results and percentages, together with the actions of Congress concerning the issues, are:

The questionnaire asked—

Do you favor—

First. A crash defense program to restore our leadership in atomic and missile warfare? Yes, 71 percent; no, 22 percent; no opinion, 7 percent.

Congressional action: Appropriations for missile development and procurement almost doubled; increased from $2,800,000,000 to $4,800,000,000.

Second. A nationwide Federal bomb-shelter program? Yes, 48 percent; no, 44 percent; no opinion, 8 percent.

Congressional action: Hearings held but no bills reported by committees.

Third. Military forces to be maintained as now? Yes, 65 percent; no, 23 percent; no opinion, 11 percent. If "no"—smaller, 40 percent; if "yes"—larger, 59 percent; if none, 1 percent.

Congressional action: Authorized and appropriated $34,656,000,000, an increase of approximately $508 million. Also passed a resolution expressing the sense of Congress that the National Guard be kept at the strength of 400,000.

Fourth. Furnishing atomic missile weapons to NATO allies? Yes, 60 percent; no, 30 percent; no opinion, 10 percent.

Congressional action: Authorization approved by Congress and signed into law by President.

Fifth. Continuation of our present foreign policy? Yes, 47 percent; no, 37 percent; no opinion, 16 percent.

Congressional action: Extended for 4 years authority of the President to enter into reciprocal trade agreements.

Continuing foreign military aid? Yes, 63 percent; no, 26 percent; no opinion, 11 percent.

Continuing foreign economic aid? Yes, 61 percent; no, 29 percent; no opinion, 10 percent.

Continuing aid to India? Yes, 45 percent; no, 43 percent; no opinion, 12 percent.

Continuing aid to Poland? Yes, 36 percent; no, 55 percent; no opinion, 9 percent.

Continuing aid to Yugoslavia? Yes, 26 percent; no, 63 percent; no opinion, 11 percent.

Congressional action: Authorized and appropriated $3.03 billion mutual-security program of $2.4 billion for military assistance and defense support and balance for economic aid, technical assistance, and special projects. This was $1,093,000,000 under amount requested.

I should like also to mention the fact that I fought against and spoke against the continuance of aid to Poland and to Yugoslavia.

Sixth. Reduction of Federal debt before reducing taxes? Yes, 60 percent; no, 32 percent; no opinion, 8 percent.

Congressional action: Federal debt limit raised; debt increased.

Seventh. Reduction of Federal income tax in the event of recession? Yes, 64 percent; no, 27 percent; no opinion, 9 percent.

Congressional action: None taken.

Eighth. Federal legislation to ease the supply of housing credit, including greater support of the mortgage market? Yes, 71 percent; no, 19 percent; no opinion, 10 percent.

Congressional action: Authorized $1.9-billion housing program; increased FNMA borrowing authority for purchase of mortgages; lowered downpayments on FHA-insured homes; provided $350 million for urban redevelopment and slum clearance for 1 year.

Ninth. More liberal credit and lower interest rates for small business? Yes, 84 percent; no, 12 percent; no opinion, 4 percent.

Congressional action: Created Small Business Investment Administration to provide equity capital and long-term loans to small-business enterprises; gave permanent status to Small Business Administration, increased its lending authority, and reduced interest rates.

Tenth. Further reduction in age at which persons shall be eligible for social security? Yes, 61 percent; no, 36 percent; no opinion, 3 percent.

Congressional action: Provided increase in social-security payments, but did not act on reduction of age limits.

Eleventh. Direct Federal grants to States for education? Yes, 60 percent; no, 35 percent; no opinion, 5 percent.

Congressional action: Authorized a 4-year, $900-million program of student loans, fellowships, and other aid to improve teaching of mathematics, science, and languages.

Twelfth. Raising minimum wage to $1.25 per hour? Yes, 65 percent; no, 29 percent; no opinion, 6 percent.

Congressional action: Hearings held last session, but nothing further done this session.

Thirteenth. Extending Federal minimum wage laws to cover most retail and service businesses? Yes, 76 percent; no, 17 percent; no opinion, 7 percent.

Congressional action: No action this session.

Fourteenth. Wage and price controls to halt inflation? Yes, 64 percent; no, 31 percent; no opinion, 5 percent.

Congressional action: None.

Fifteenth. Allowing experimental pay TV? Yes, 29 percent; no, 64 percent; no opinion, 7 percent.

Congressional action: Hearings held on general subject, but no specific legislation.

Sixteenth. Requiring registration of pension and welfare funds of labor unions and disclosure of financial transactions involving them? Yes, 93 percent; no, 4 percent; no opinion, 3 percent.

Congressional action: Passed legislation requiring registration, and reports by all employee welfare and pension funds of their financial status.

Seventeenth. The enactment of a strong civil rights program to enforce voting rights of citizens? Yes, 80 percent; no, 13 percent; no opinion, 7 percent.

Congressional action: Hearings held, but no specific legislation.

Eighteenth. Putting the Post Office on a pay-as-you-go basis, increasing postage rates, including a boost in the first-class mail from 3 to 4 cents? Yes, 71 percent; no, 21 percent; no opinion, 5 percent.

Congressional action: First class mail rates raised from 3 to 4 cents; airmail rates raised from 6 to 7 cents.

Ninteenth. Reduction in nondefense spending even if existing functions are curtailed? Yes, 59 percent; no, 32 percent; no opinion, 9 percent.

Congressional action: House defeated redevelopment aid bill.

Twentieth. Enactment of Presidential disability legislation? Yes, 83 percent; no, 5 percent; no opinion, 12 percent.

Congressional action: No action this session.

In addition to the specific measures mentioned in the questionnaire, the Congress passed legislation authorizing

the reorganization of the Defense Department; authorized a $100 million program of new construction and conversion of naval vessels for fiscal 1959; authorized the construction of new space projects center. It also passed and the President enacted pay raises for postal and classified employees of the Federal Government. Passed, too, was the $5.5 billion highway bill, and legislation requiring the price-labeling of new automobiles.

I personally introduced a bill to provide that a restudy be made of the feasibility of a deepwater route from the Port of New York to the new St. Lawrence Seaway. While this was not enacted as a separate bill, it was included in the authorization bill for civil functions, and the study will be made. I believe favorable legislation will result, and that ultimately it will prove of great worth to port facilities of Brooklyn and bring millions of dollars worth of business to New York City.

During the debate of Defense appropriations, I argued in defense of the vital role played by the Navy and the necessity for a balanced defense program. As a result of this, Adm. Arleigh Burke, Chief of Naval Operations wrote: "I have read with the greatest interest the splendid statement you made during the House debate on defense appropriations, which dealt with the Navy's vital contribution to the flexibility of our Armed Forces. Your fine presentation of the role of the carrier striking forces was most gratifying. I want to express the Navy's appreciation for your continued strong support of balanced defense forces."

My interest in the Navy and its role in the national defense stems not only from my naval service, but also from my intense concern with the welfare of the United States Naval Shipyard here in Brooklyn, and all of its employees. I am constantly conferring with the Secretary and Undersecretaries of the Navy in an effort to obtain work for the shipyard so that its level of employment will remain constant. I am, I believe, justly proud of my achievements in this line.

All of Brooklyn is pleased that a Brooklyn boy, 2d Lt. George Walker, was graduated from the United States Military Academy in June 1958 as first in the entire graduating class, and the recipient of many awards. I am glad to report that I had the honor of appointing him. In this connection, I have always tried to appoint outstanding candidates for admission to the various service academies, and I am glad to report that another of my nominees, Mr. Richard C. Gallagher, stood first in the competitive examination among 450 contestants for entrance to the United States Air Force Academy from the State of New York. Another young man, Mr. Richard F. Davey, was among the top 10 of this 450. I have always extended to all the boys residing in my Congressional District the opportunity to compete for the nominations to appointments to West Point, Annapolis, the Air Force Academy, and Kings Point.

During the past year, I was appointed to represent the United States Congress at the inauguration of the President of Costa Rica. When there, I addressed the Costa Rican Assembly, their unicameral legislative body, in their native Spanish. This was highly approved by the Costa Ricans and did much to cement our friendship at a time when such action was badly needed.

In the preceding paragraphs I have tried to show you, the people of the 12th Congressional District of New York how I have personally tried to serve you. You are the people who elected me to represent you in the Congress of the United States. If there is any way in which I can be of service to you in my Congressional capacity, please do not hesitate to call upon me. Both my Washington and Brooklyn offices remain open. I have a competent staff, and my services and theirs are yours. I want you to know that even when the Congress is not in session, I am on the job.

The 85th Congress—Final Report by Hon. Carl Albert, of Oklahoma

EXTENSION OF REMARKS
OF
HON. CARL ALBERT
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ALBERT. Mr. Speaker, once again we have come to the close of a successful Congress, and once again it has been a Democratic-controlled Congress. The 85th Congress made numerous major strides in the way of constructive and progressive legislation. This in itself is not the major achievement of the 85th Congress. It must be remembered that much of the constructive legislation was enacted in the face of considerable opposition from substantial portions of the President's own party.

Of course we Democrats are always ready to "bail out" Republican administrations. In the first place it is good for the people and in the second place it makes our task less burdensome when we regain the White House which, incidentally, will next be in 1960.

Now, I do not wish to be critical of all Republicans in Congress. Rather, I wish to take this occasion to compliment those on that side of the aisle who have worked equally as industriously and diligently as those on my side of the aisle in the interests of constructive and progressive legislation.

The success of the 85th Congress is essentially due to the cohesiveness and action of the Democratic Members of Congress. The rollcall votes of the Republican Members clearly show that the Republican Party in Congress is divided, broken up into blocs, and confused. Such votes also show that the Old Guard Republicans with their extreme conservative or reactionary actions have come out of the underground and are again taking control of the party machinery. This is due to a number of factors: First the President cannot be elected for another term; second, there is a lack of leadership in the executive branch, as expressed by some Republicans; third, failure of the President and his associates in the executive branch to give even minimum consideration to reasonable requests made by Republican Members.

Dissatisfaction with the leadership and policies of the President has developed to the extent that some Republican Members openly state that they "are on their own." In other words, the Republican Party has broken into a number of splinter groups. Under such conditions, a Republican House or Senate in the next Congress would be most unfortunate for the country.

The people of our country are concerned, and properly so, with the present spectacle of political confusion and economic incompetence, particularly in the face of a serious and mounting world crisis.

There are about 5 million persons out of work, and with the inclusion of additional part-time unemployment, we have the equivalent of over 6 million unemployed.

(NOTE: August figures will be issued September 9, 1958.)

At the beginning of this rise in unemployment it was apparent to many of us that we were having a recession and were faced with a possible depression.

The administration, at first was not particularly impressed and, in fact, took a rather optimistic view of the situation. They referred to this economic crisis as a "slight dip" which would soon take an upward turn. As increased unemployment figures poured into the White House the administration began to act. First it admonished those of us who were calling for Executive action and promoting legislative action to refrain from talking about the "slight dip" and it would go away. Second, the President delivered a "chins up" message to the American people. These actions were nice, of course, but were not exactly what we needed to stem the tide of recession and stimulate employment.

Democrat Members in both Houses of Congress took positive and tangible action. Numerous antirecession proposals were offered. Some were rejected and some were adopted.

The record of the 85th Congress is one in which we can all take a great deal of pride. It was one of the hardest working Congresses in the history of our Nation. Statisticwise the 85th Congress will rank high with other Congresses in the past 25 years in quantity of measures introduced, reported, passed, and so forth.

Mr. Speaker, at this point, I would like to make a brief comparison of the statistics of the 85th Congress with those of other recent Congresses.

The almost 21,000 bills and resolutions put into legislative hoppers of the 85th Congress was the largest number in more than 20 years. The combined figure was 14,013 in the first session and 6,591 in the second. Not since the 72d Congress of 1932–33 has the number reached such heights. Of the total, 14,799 were introduced in the House and 6,392 in the Senate.

The 20,644 of the 85th Congress exceeded the 18,939 of the 84th, the 16,385 of the 83d, the 14,164 of the 82d, and the 16,670 of the 81st.

During the past 26 years, the totals have ranged between 9,536 and 20,644. In the 72d Congress the total was 21,191.

Measures reported totaled 5,252—2,498 in the first session and 2,754 in the second. Figures for the House and Senate were 2,450 and 2,802, respectively. The total compares with 5,751 for the 84th Congress, 5,263 for the 83d, 4,601 for the 82d, and 5,880 for the 81st.

Measures passed totaled 5,126—2,408 in the first session and 2,718 in the second. Figures for the House and Senate were 2,546 and 2,580, respectively. The total compares with 5,713 in the 84th, 5,201 in the 83d, 4,593 in the 82d, and 5,764 in the 81st.

Laws enacted reached the number of 936 for public laws and 784 for private laws, making an aggregate of 1,720 measures enacted during the Congress. The first session accounted for 316 public laws and 34 private laws; the second session accounted for 620 public laws and 443 private laws. By comparison, the 84th Congress enacted 1,028 public laws; the 83d, 781; the 82d, 594; and the 81st Congress, 921.

Measures vetoed totaled 51 for both sessions—12 in the first and 39 in the second.

The Senate confirmed 58,691 executive nominations. These statistics are only a part of the complete picture. The great achievement of the 85th Congress lies in the quality of legislation enacted.

Now I would like to outline some of the major accomplishments of this Congress.

NATIONAL DEFENSE

Many of our recent Congresses have been defense minded. With the launching of sputnik the 85th Congress became even more so. The impact of this achievement by the Soviet Union presented many new problems. We have made some headway toward solving these problems and are constantly seeking ways and means to do a better job in this respect.

Congress authorized $54.6 million to expand and accelerate construction of missile bases, detection and warning systems, and created the Advanced Research Agency within the Department of Defense.

The National Advisory Committee for Aeronautics was authorized to expend $44.7 million for construction and equipment of research facilities.

Authority for the construction and expansion of atomic energy facilities was provided in the sum of $386 million. In addition, the Atomic Energy Commission was authorized to expend $35 million for construction of a reactor for an atomic-powered destroyer.

We extended until 1962 the standby emergency powers of the President under the Federal Civil Defense Act.

A $100.5 million program of new construction and conversion of naval vessels during 1959 was authorized. The program includes nuclear-powered and guided-missile warships, amphibious landing craft, and service ships.

The President requested and we cooperated to the extent of enacting a law reorganizing the Department of Defense so that there would be no question about areas of responsibility, authority, and so forth.

A total of $2.8 billion was authorized for construction projects at Armed Forces installations and bases here and abroad.

These by no means represent all the action taken by the 85th Congress to bolster our defenses. They are some of the major ones and call for vast expenditure of funds. The Congress recognizes this but at the same time, it recognizes, as does everyone, that broad defense programs cannot be purchased in bargain basements and we must pay the price, no matter what it is, that is necessary to retain our freedom and way of life.

INTERNATIONAL AFFAIRS

In the field of foreign policy, the 85th Congress continued the established tradition of bipartisanship which has become such a vital factor in the conduct of international relations.

One of the major actions in this field was the enactment of the Middle East resolution which authorized the President to undertake economic and military cooperation with nations of the Middle East to strengthen the defense of their independence.

We authorized $6.33 billion for the mutual security program.

Legislation was enacted authorizing the exchange of mutually essential atomic information and materials with our allies.

We extended for 2 years the authority of the President to control exports of strategic materials.

We increased the lending authority of the Export-Import Bank by $2 billion, a 40-percent increase to an aggregate of $7 billion.

Suspension of import duties on metal scrap was extended for another year.

An additional $10 million was authorized for completion of the Inter-American Highway.

AGRICULTURE

In the area of agriculture a Democratic-controlled Congress again demonstrated its appreciation of the problems confronting the farmers of our Nation. This appreciation developed into profound concern as the months went by and the economic plight of the farmer continued to deteriorate while Secretary Benson pursued his policies with little regard for either the plight of the farmer or the manifest dissatisfaction with such policies of an overwhelming majority of the people's representatives in Congress. The Congress finally took legislative action to alleviate the situation by passing a joint resolution which would have prevented a reduction of farm price supports for the 1958 crops below those for 1957, and would have barred cuts in acreage allotments for 2 years. This resolution passed the House by a vote of 210 to 172. The breakdown shows 166 Democrats and 44 Republicans supported the legislation while 141 Republicans and 31 Democrats voted against it. Convincing evidence of the President's support of Secretary Benson's policies, at whatever cost to the farmers, was provided in the President's veto of this resolution.

In spite of such administration response to the problems of the farmer much beneficial legislation has been enacted pertaining to agriculture.

The Agricultural Trade Development and Assistance Act was extended during the first session for 1 year with the amount of surplus commodities authorized to be traded in under the act increased from $3 billion to $4 billion and with an increase from $500 million to $800 million of the amount for relief of needy persons abroad. Legislation extending this program to June 30, 1960, was enacted during the second session with additional increases in the amounts authorized of $500 million in 1958 and $1,500 million each for 1959 and 1960. A program for deferred grazing and protein feed production in drought-stricken areas was enacted, a compulsory inspection program for poultry and poultry products was provided for, price supports for the 1957 crop of extra-long staple cotton was continued at the same level as for 1956; legislation aimed at facilitating the control and eradication of plant pests became law; the authority of the President to grant special livestock loans was extended and the authority of the Secretary of Agriculture to administer the soil-conservation program on a national basis was extended for 4 years and finally legislation establishing humane-slaughter methods for animals was enacted.

It should be kept in mind that legislation in the field of agriculture benefits not just the farmer but directly or indirectly each and every citizen. For example, the Agricultural Trade Development and Assistance Act is a vital program in the conduct of our relations with other countries and plays an important role in our relations with the countries of the Free World. The poultry inspection program is of obvious benefit to every consumer in supplying added protection against the marketing of impure poultry products and of course the humane-slaughter legislation although of no economic benefit to the farmer is considered extremely desirable by a great cross-section of our citizenry.

Legislation dealing with agriculture insofar as it contributes to the well-being and stability of an important segment of our people—the farmers—contributes to the economic health of all of us.

NATURAL RESOURCES

In the area of natural resources the Democratic 85th Congress again evidenced the longstanding devotion of the Democratic Party to the preservation and development of our natural resources for the benefit of all the people.

An extensive program of river and harbor development, flood-control projects, and beach erosion-control projects totaling $1.57 billion was passed by both the House and Senate during the first session in the hope that speedy implementation of such a program would act as a deterrent to mounting unemployment and stimulate economic activity. The President vetoed the measure and thus

frustrated for a time the achievement of this goal. The Congress, realizing the need and desirability of the legislation, passed in the second session a second bill with certain modifications designed to avoid a second veto—while recognizing that certain features of the first bill had to be sacrificed, however desirable, if any such legislation was to become law.

The program whereby exploration for critical materials by private industry under contract with the Department of the Interior is conducted—the Federal loans to be repaid out of royalties—was extended.

The increasing awareness by the Congress of the peaceful potential of atomic energy was demonstrated in the enactment of legislation authorizing a $382.6 million program for construction and development by the Atomic Energy Commission including $21 million for reactors to produce electric power.

The Democratic tradition of resource development for the benefit of the people was upheld in the enactment of legislation authorizing $600 million for Niagara River power development by the New York Power Authority under Federal license, providing preference to public agencies of 50 percent of the power.

Greater flexibility in the administration of the Small Reclamation Projects Act of 1958 was provided with passage of legislation permitting the Secretary of the Interior to carry out contracts unless disapproved by Congress within 60 days.

The interest of Congress in the operation of the St. Lawrence Seaway was amply demonstrated by legislation enacted increasing the borrowing authority of the corporation from $105 million to $140 million as well as effecting certain other changes.

Other legislation: Provided for a program designed to encourage the development of phosphate production on the public domain; granted Congressional consent for compacts relative to flood-control projects, diversion of waters, pollution control, and other matters; extended until December 31, 1959, the purchase program for asbestos and fluorspar; for the construction of the San Angelo reclamation project and water-conservation projects in the Pecos River Basin of Texas and New Mexico; requires Congressional approval to effect withdrawals of more than 5,000 acres of public land; raised the limit of acreage which lessors of public lands may mine in order to increase coal production; and established a commission to review national outdoor recreation resources.

GOVERNMENTAL REORGANIZATION

After many years of deliberation a law was finally passed paving the way for admission of Alaska into the Union.

Laws were finally enacted giving substantial salary increases to Federal and postal employees; these coming after Presidential vetoes earlier in the Congress.

We enacted a law to increase postal rates by $547 million a year.

The House adopted resolutions creating a Select Committee on Astronautics and Space Exploration, and creating a permanent Committee on Science and Astronautics. Another resolution was adopted by the House recommending a 10-point code for all Government employees and officeholders.

Loans up to $75 million were authorized to help finance public works in the District of Columbia.

A new agency, the Federal Aviation Agency, was established to regulate air traffic and safety.

VETERANS AND SERVICEMEN

This Congress increased the compensation of members of the Armed Forces by an amount in excess of $575 million.

Pensions were increased for widows of Spanish, Indian, Mexican, and Civil War veterans.

Congress passed a bill which was vetoed by the President extending the direct home-loan program for World War II veterans.

Rates of compensation for service-connected disabilities and dependency allowances were increased.

Career incentives for nurses and medical specialists of the armed services were provided for.

Eligibility standards for widows of veterans were liberalized.

All laws administered by the VA governing compensation, pensions, hospitalization, and so forth, were consolidated into a single law.

Other veterans' laws enacted include increase in burial allowance, increase in rate of compensation for certain blind veterans, and increase in premiums and benefits for total disability under the National Life Insurance Act.

SOCIAL SECURITY, HEALTH, AND WELFARE

The Democratic Party has always been deeply concerned with matters affecting the security, health, and welfare of our people. This continuing interest in the improvement and expansion of our social-security program was evidenced by the enactment of Public Law 85–840. This legislation will place the whole program on a sounder and more realistic financial basis while at the same time increasing benefits to reflect the increase in the cost of living since benefits were last increased, and effecting certain other desirable changes which were needed.

The concern of the Congress over our educational achievements in the United States was reflected in the enactment of Public Law 85–864, which authorizes an $887 million 4-year program of student loans, fellowships, and other aid to improve teaching of mathematics, science, and language.

During the 85th Congress we enacted legislation extending for 3 years the special milk program in nonprofit schools, nursing schools, child-care centers, settlement houses, and summer camps. This act authorized $75 million annually for this program.

In the field of medical research this Congress has taken a great step forward by authorizing the largest expenditure in history for that purpose—$294,383,000.

Congress extended the Hill-Burton Hospital Survey and Construction Act for a period of 3 years.

Federal assistance programs for school construction in areas affected by Federal activities were extended.

We authorized a $1 million program of grants-in-aid to public or nonprofit schools to train public-health specialists, technicians, and administrators.

Civil service retirement annuities were increased; interstate sale of switch-blade knives was banned; Federal indemnity against atomic reactor hazards for the protection of the public was provided.

NATIONAL ECONOMY

The economic well being of our people has been a subject of primary concern to this Congress. During these 2 years we have witnessed on the one hand spiraling prices and on the other mounting unemployment, increased indebtedness, and shrinking incomes.

Some of the action taken by the Congress to aid in stimulating employment and general economic activity and which failed to become law as a result of Presidential veto is dealt with elsewhere. These include the rivers and harbors and flood control bill and the veterans' housing measure—both passed in the first session only to be vetoed by the President.

Other important progressive legislation bearing on our national economy did become law, however, under the leadership of the Democratic majority, sometimes with and sometimes without significant GOP support.

(a) Fiscal policy: The Congress enacted three necessary and important measures relating to Government fiscal matters. One, the Secretary of the Treasury now has the authority to pay up to 3.26 percent interest rate on savings bonds. Two, the authority of the Federal Reserve banks to make direct purchases of United States securities from the Treasury was extended until June 30, 1960. These two measures were needed to give needed flexibility to the management of Government fiscal matters during these times. A third measure sought by the administration to deal with the problem of rising Federal deficits, due in part to declining revenues as a result of the recession, was an increase in the statutory debt limit. Such an increase was enacted increasing the limit to $288 billion on a temporary basis to June 30, 1959, and to $283 billion on a permanent basis.

(b) Housing: Several important housing measures were enacted by the Congress. They reflect both the longstanding devotion of the Democartic Party to effective legislation aimed at encouraging the construction of adequate housing for our growing population and the immediate concern of the Democratic majority in the Congress with the recession.

The measures as enacted authorized a $1.9 billion and $1.8 billion home-building program for 1958 and 1959, respectively; liberalized downpayment requirements on FHA-financed houses; extended guaranty and direct loan programs for veterans; increased the funds for FNMA mortgage purchases; increased by $4 billion the authorization for FHA mortgage insurance and increased the borrowing power of FNMA by $0.5 billion to $1.6 billion as a means of easing the mortgage-money market.

In an effort to secure House passage under a suspension of rules of S. 4035, which provided for a $2.4 billion housing program, 185 Democrats voted yea but were defeated by 134 nay votes, 111 of which were cast by Republican Members. Since a two-thirds vote for passage under suspension of rules is required this effort failed.

Specific measures enacted as an antidote to growing unemployment and a decline in economic activity included: an accelerated program of highway construction authorizing $5,500 million for construction by the States including $1,800 million additional funds for both the regular Federal aid and the interstate superhighway programs; provision for Federal assistance, to be repaid in 5 years, to the States on an optional basis for the payment of up to 15 weeks additional Federal unemployment compensation for jobless persons whose State payments under the existing program have expired; authority for Federal departments and agencies to currently purchase supplies and equipment in advance out of appropriations for the fiscal year beginning July 1, 1958, as a stimulus to business recovery and an acceleration in the trade-in program for old vessels and their replacement by modern ships, under the Merchant Marine Act. Two concurrent resolutions by the Congress urging upon the administration the acceleration of Federal construction projects, both military and civil, for which funds had been appropriated were heeded and such a policy adopted.

(c) Small business: The difficulties of small business in the midst of increasing economic concentration were aggravated during the 85th Congress by prevailing economic conditions. In keeping with the leadership of the Democratic majority in attempting to find ways and means of combating these conditions—legislation enacted to aid small business is high on the list of accomplishments of this Congress.

During the first session the lending authority of the Small Business Administration was increased by $80 million to a total of $455 million. A second measure enacted during the session extended the life of the Small Business Administration to July 31, 1958, and further increased its lending authority to a total of $530 million.

In the second session, legislation has been enacted providing for the creation of a Small Business Investment Administration to provide equity capital and long-term loans to small business enterprises through investment companies chartered for that purpose. Most significant was the enactment during the second session of legislation making the SBA a permanent agency. In addition to the foregoing provisions this Congress has provided that: the maximum interest rate which can be charged by the Government on loans to small business shall be reduced from 6 to 5.5 percent; the maximum loan which may be made to a single firm be increased from $250,000 to $350,000; the SBA has authority to help small business engage more extensively in research by encouraging the building of laboratories, sponsoring applied research, and encouraging the exchange of research information; small businesses have access to research and development work done by large firms under Government contracts and the SBA has wider authority to grant loans in areas of excessive rainfall.

All of this legislation was enacted with one primary purpose uppermost and that was that every practical means possible be utilized to assist small business to retain its vital role in the economic life of our Nation.

(d) Taxation: The 52 percent tax rate on corporate income was extended for 1 year in each of the 2 sessions as was the present schedule of excise taxes on alcoholic beverages, cigarettes, and automobile parts and accessories. In addition legislation was enacted limiting issuance of tax-amortization certificates for fast writeoff of new defense plants and terminating the program December 31, 1959.

During the second session the 3 percent tax on freight was repealed; numerous technical changes were made both in the exercise provisions and in the income, estate, and gift tax provisions of the Internal Revenue Code. These changes were aimed at eliminating inequities and unintended benefits, to clarify the law and to improve its administration.

The Congress wisely enacted legislation exempting from the 10 percent admissions tax musical and dramatic performances of nonprofit civic associations and school or college athletic contests proceeds of which benefit tax-exempt charitable institutions or organizations.

Other legislation of economic importance provided for: The labeling of automobiles as to manufacturer's suggested retail price; Federal guaranties of up to $500 million in loans by railroads to finance new equipment, provide operating expenses and meet other obligations; and grants the ICC power to permit curtailment of unprofitable services and facilities.

This presentation by no means is a complete picture of all the fine achievements of the 85th Congress. Based upon this record of progressive, enlightened leadership by a Democratic Congress, oftentimes in the face of administration indifference, every Democrat can go into the campaign this fall with a sense of achievement and pride in his association with a party that put principle and the interest of the people above partisan consideration; a party which cooperates with the President when the needs of the hour demanded such cooperation and a party which is always ready to shoulder the responsibility of leadership on the frequent occasions when this administration has failed to provide it.

Hon. Augustine B. Kelley

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FEIGHAN. Mr. Speaker, the passing of our able, distinguished, and highly respected colleague, Augustine B. Kelley, brought sorrow to all Members of the House.

Gus, as he was affectionately known to all of us, epitomized all the attributes that make a perfect gentleman. He was very devoted to his large family, and his exemplary life was a credit not only to himself, but to his family which he reared with great love and devotion.

He was a man of high Christian ideals and carried this doctrine into all fields of activity. He practiced Christian charity and worked tirelessly to bring social justice to his fellowmen. His great contributions in this cause will always be remembered by his colleagues and by millions of Americans who were benefited by his arduous work in pursuit of his ideals.

He had an enviable record of service to his constituents who recognized his loyalty to them by repeatedly reelecting him to Congress.

Gus was my warm personal friend and my office neighbor. I knew him well and greatly admired him. I am certain that his family will find much solace in the fact that he has well earned his eternal reward.

Report to the People

EXTENSION OF REMARKS
OF
HON. GEORGE M. RHODES
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. RHODES of Pennsylvania. Mr. Speaker, many issues of great importance were acted upon by the 85th Congress. They included:

CONSUMER PROBLEMS

Significant activity on matters directly affecting American consumers indicates a genuine interest of the 85th Congress in this important field.

Determined opposition of liberal Members of the House blocked the passage of the natural gas bill, which would have cost the consuming public hundreds of millions of dollars a year in higher gas rates. I strongly opposed this legislation in committee, as I had done in the past whenever powerful gas and oil interests tried to force it through Congress.

A House Consumer Subcommittee conducted a thorough study of the causes of rising food prices to the consumer and lower prices paid to farmers for their crops. Legislation was enacted to curb monopolistic practices in the meatpacking industry and to provide for compulsory Federal inspection of poultry shipped in interstate commerce to protect consumers from unsanitary and diseased products. Another new law requires the price labeling of automobiles to protect the public from unscrupulous retailing practices.

A Government Operations Subcommittee conducted a series of studies of false and misleading advertising practices on such products as filter cigarettes, tranquilizer drugs, toothpaste, and weight-reducing preparations. Reports on each study were issued, providing useful information for the public on the merits of these products as contrasted with the advertising claims made for them.

The Senate Antitrust and Monopoly Subcommittee, under the chairmanship of Senator ESTES KEFAUVER, conducted hearings on the extent to which monopolistic practices of big business have contributed to rising living costs through the establishment of artifically high "administered" price levels on manufactured products.

LABOR LEGISLATION

Hearings before the McClellan committee investigating racketeering in labor-management relations clearly revealed the need for legislation to curb abuses in this field.

The Kennedy-Ives labor-management reform bill would have corrected the major abuses uncovered by the McClellan probe. It passed the Senate by an 88-to-1 vote, but was killed in the House. Seventy-one percent of the Democrats voted for the bill; 77 percent of the House Republicans voted against the reform measure. I strongly supported the Kennedy-Ives bill because I felt that it was a big step forward in curbing these abuses harmful to workers, the public, management, and honest and clean labor unions.

The measure would have guaranteed the secret ballot in union elections, protected union treasuries against embezzlement, limited the term of office of union officials, disqualified convicted criminals for union office, and imposed criminal penalties against the giver and taker of a bribe in labor-management relations. It also would have required public reports of unions' income and expenses, provided safeguards against the control of unions by gangsters, extortionists, thieves, and embezzlers, and provided for the ousting of union officials for misconduct. In addition, it would have required public reports by employers and their middlemen of expenditures to influence workers' union activities.

Responsible management and labor groups supported the Kennedy-Ives reform bill. It was opposed by the Republican leadership, big business leaders, and by national officials of unions whose corruption had been exposed by the McClellan committee investigation.

I also voted for a bill to protect the financial status of welfare and pension plans maintained by unions and employer groups. The measure was enacted into law. Some 80 million Americans are affected; they deserve protection of their economic stake in these plans. The new law requires disclosure of the financial details of employee welfare or pension plans, including the publication of descriptions of the plans and the annual reporting of their financial operations.

FARM LEGISLATION

During the 85th Congress, I actively supported legislation to permit farmers to grow up to 30 acres of wheat for feed, without being subject to penalty under the acreage-allotment program. This measure was enacted last year and was endorsed by all Berks farm groups.

The soil-conservation program was extended for 4 years and the Agricultural Trade Development and Assistance Act was extended for 2 years, making possible the sale of surplus farm commodities to friendly foreign nations. I also voted for the bill to permit lower price support levels on feedgrain and other commodities.

The Little Schuylkill River watershed project, affecting Berks, Carbon, and Schuylkill Counties, was approved by Congress. Total cost of the 5-year project is estimated at $2,259,322, $1.9 million of which will be borne by the Federal Government. It will afford protection from floodwater, sediment damage, and crop damage.

POSTAL RATE INCREASE

Postal rates were raised 3 to 4 cents on first-class mail, 6 to 7 cents on airmail, and 2 to 3 cents on post cards. Second- and third-class rates are due to be increased next January.

My amendment to limit publishers' second-class subsidies to $100,000 a year was adopted by the House but was rejected by the Senate, despite a vigorous floor fight led by Senator JOSEPH CLARK, of Pennsylvania.

Efforts to retain the principle of subsidy limitation in the final version of the bill was unsuccessful. As a result of this fight, I appeared on the Ed Murrow, See It Now program, where public attention was focused on these gigantic handouts of taxpayers' dollars to the magazine-publishing industry.

ATOMIC ENERGY

One of the great needs in the field of atomic energy is to develop its peacetime uses, especially for the production of commercial power. The administration has failed to make satisfactory progress in this vital area, despite the urgings of Congress. In the attempt to stimulate action in the nuclear-power field, Congress enacted legislation authorizing the construction of a gas-cooled power reactor and other measures to expand the peacetime applications of atomic energy.

REGULATORY COMMISSION PROBE

A Congressional committee began investigations into alleged wrongdoing in Federal regulatory commissions and agencies, which, by law, were given an independent status to make them free from Executive pressures in carrying out their duties to protect the public interest.

Presidential appointments of persons to these regulatory agencies who have been closely associated with private interests raised serious doubts as to their ability to regulate these same interests to safeguard the public.

The investigation into the award of television licenses resulted in the resignation of an FCC Commissioner. The activities of several other regulatory agencies were also studied by the committee.

AVAILABLE FOR MEETINGS

In a report such as this it is not possible to discuss in detail all the issues before Congress. Again, as in the past years, I welcome the opportunity to appear before any group in Berks County to speak and answer questions on any issue which may be of interest. Contact my office in the Reading Post Office Building with any such request or on any other subject with which you are concerned.

Highlights of Congressional Activities of the Second Session of the 85th Congress

EXTENSION OF REMARKS
OF
HON. JOHN C. WATTS
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. WATTS. Mr. Speaker, with the outstanding successes the Russians had achieved in the satellite field a matter of history; with the downward trends of the economy gaining momentum at every turn; with the aftermath of the Nasser-Suez coup; and, with the critical developments in the Middle and Far East situations—evidencing a "falling apart at the seams" of our foreign policy—the second session of the 85th Congress convened on January 7, under an atmosphere of crisis, emergency, and deliberation. It remained in session through August 24. During this period, there were 6,591 measures introduced; 2,704 measures reported, and, approximately, 450 public and 300 private bills enacted into law. To record its proceedings, over 18,110 printed pages of the CONGRESSIONAL RECORD were used.

The 85th Congress can be proud of its record of achievements. It can be proud of the bipartisan approach it made in meeting the difficult problems confronting it on both the international and home fronts. It can be proud of the affirmative and courageous manner in which it faced and met this "era of crises."

COST OF GOVERNMENT

While the moneys called for and those appropriated by Congress represented the highest peacetime expenditure program for any year's operation of our Government, an analysis of it discloses that approximately two-thirds of these expenditures are for military and defense purposes:

Appropriated (85th Cong., 2d sess.)	$72,650,000,000
Less deficiencies incurred in 1958	4,880,000,000
Appropriations for regular operations, fiscal 1959	67,775,000,000
Less:	
Defense Department's operations	39,600,000,000
Military construction	1,355,000,000
Mutual security (military assistance and defense support)	2,400,000,000
	43,355,000,000
Balance, other than military and defense activities	24,420,000,000

INTERNATIONAL AFFAIRS

Insuring the continuation of our military bases overseas, which is so vital to our adequate defense, the Congress extended the mutual-security program. The Reciprocal Trade Agreements Act—the main stem of our economic relations with foreign countries—was extended. The lending authority of the Export-Import Bank was extended. The exchange of essential atomic information and materials with our friendly allies was authorized, and the Congress requested the President to seek and to enter into international agreements looking toward the establishment of an effective national plan for the peaceful exploration of space.

NUCLEAR AND SPACE AGE DEVELOPMENTS

Direction and authority was extended by the Congress to expand and accelerate the activities in the missile- and satellite-launching fields. A substantial program of construction and equipment procurement was authorized for research facilities in the field of aeronautics. Authorization and direction for the construction of atomic-powered naval vessels was forthcoming. A National Aeronautics and Space Administration with responsibility to develop a comprehensive program of research and development in aeronautical and space sciences: construction, testing, operation, and so forth, of space vehicles was created, and a Select Congressional Committee on Astronautics and Space Exploration was established.

ON THE HOME FRONT

To stimulate the economy and arrest its downward trends, the Congress—

First. Liberalized and modified eligibility requirements under the housing program.

Second. Authorized financial assistance to States desiring to extend their unemployment compensation program.

Third. Made permanent the Small Business Administration, broadened its lending authority, reduced its interest rates, and made more liberal its eligibility requirements for loan participation. Also, the tax burden on small business was lightened.

Fourth. Established a small business investment company program, which contemplates the creation of local investment companies for assistance in the small-business field.

Fifth. Established a program of loan assistance to the railroads of our country, under which they would be enabled to provide themselves with new equipment, plant facilities, and moneys for operating expenses, and so forth.

Sixth. Extended and continued a program, under which our agricultural commodities are sold abroad.

GENERAL

First. Contingent upon its acceptance—which subsequently it has done by overwhelming majority—the Territory of Alaska was authorized to be admitted to the Union as the 49th State.

Second. Recognizing the demands of the times requires expedience of action, which necessitates permission to act authoritatively, deliberately, directly, and responsibly without regard for "in-line procedures," the Congress authorized the reorganization of the Defense Department and the Military Establishments thereunder.

Third. The Federal financial assistance school and hospital construction programs were extended.

Fourth. A program of loan assistance to qualified students interested in higher education was established. Special consideration is extended students specializing in the fields of science, mathematics, engineering, and so forth.

Fifth. The school milk program was continued, and the distribution of surplus foods to nonprofit children's summer camps was authorized.

Sixth. An increase in the annuities of our retired Government employees and the compensation for service-connected benefits of our war veterans was provided. The pension rates of widows of certain war veterans were increased and, for the first time, widows of the Confederate veterans of the Civil War were made eligible for pension.

Seventh. Eligibility requirements for benefit participation under the old-age, disability, and dependency assistance programs under social security were made less stringent.

In addition, the call upon me by individuals of our district was substantially in excess of any previous session. I received over 12,000 communications, many of which represented individuals seeking assistance in their own problems. It was a source of genuine gratification to witness this widespread interest in governmental affairs.

This résumé truly represents the high spots of the Congressional activities. The demands were great, but I feel, and I believe that the country feels, that it did an impressive, constructive, and adequate job. Its obligations to the Nation were responsibly discharged.

Federal Air Pollution Control Activities

EXTENSION OF REMARKS
OF
HON. L. H. FOUNTAIN
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FOUNTAIN. Mr. Speaker, during the 85th Congress the Intergovernmental Relations Subcommittee examined activities of the Department of Health, Education, and Welfare relating to air pollution control. The subcommittee gave particular attention to this subject because of a unanimous request by the California Congressional delegation that these activities be examined.

The subcommittee did not present a formal report on air pollution control activities to the 85th Congress since its study of this complicated subject has not yet been completed. However, it appears that progress is being made in certain aspects of the Federal program which have been subject to criticism. The subcommittee was particularly gratified by a unanimous resolution of the California Congressional delegation expressing appreciation for the subcommittee's work.

I should like at this time to give a brief outline of the subcommittee's examination of Federal air pollution control activities.

As a first step in its study, the subcommittee obtained background information from the United States Public Health Service concerning activities by that agency under the Air Pollution Research and Technical Assistance Act and other applicable legislation. In addition to a description of its responsibilities and the actions being taken to carry them out, the Public Health Service was asked to provide a summary of expenditures under the air pollution control program and information concerning officials having primary responsibilities in the program.

The subcommittee then contacted the heads of most of the larger local air pollution control agencies in the country, asking their advice and assistance in its study. Each of these local authorities was asked to give a brief description of air pollution problems in his area and the manner in which his locality was seeking to cope with them. In addition, local authorities were asked to give their comments on the Federal program and their suggestions for improving its effectiveness.

In October 1957 the subcommittee held public hearings in Los Angeles. In addition to local officials, witnesses included a number of recognized authorities in the field of air-pollution control. These hearings were particularly productive, in my opinion, because of the participation of Representative CHET HOLIFIELD, of Los Angeles, and Congresswoman FLORENCE DWYER, of New Jersey, two members of the subcommittee who have had a particular interest in problems of air-pollution control. The subcommittee is also indebted to Representative GLEN LIPSCOMB, of Los Angeles, a member of the Committee on Government Operations, for participating in the hearings.

Testimony at the subcommittee's Los Angeles hearings showed that local authorities had made impressive progress in solving air pollution problems in that area. However, local authorities did not then feel that the Federal program had given them any substantial amount of assistance. While recognizing the value of medical research on the effects of air pollution on human health, Los Angeles authorities expressed the belief that a larger proportion of the limited Federal funds available should be used for engineering research on methods of controlling pollution. It was suggested, also, that Federal authorities were not making full use of research work already done at the local level and that insufficient exchange of information was causing unnecessary duplication. Los Angeles authorities identified automobile exhaust fumes as the major remaining source of air pollution in that area and asked for more attention to this problem at the Federal level.

Following the subcommittee's hearings, there were a number of indications of improvement in the air pollution control situation. Federal officials held meetings with Los Angeles authorities concerning air pollution control problems. The Surgeon General advised the subcommittee in May 1958 that he believed local authorities were substantially satisfied with progress being made to meet their criticisms. A national conference on air pollution problems in urban areas has been scheduled for Washington in November of this year. An Executive order was issued directing heads of Federal departments and agencies to cooperate with State and local authorities to insure the prevention or abatement of atmospheric pollution caused by or resulting from Federal activities.

Air pollution is already a serious problem in many areas of the United States. Because of our increasing population and the tremendous growth of metropolitan areas, the problem will inevitably become more serious unless

we move promptly and vigorously to meet it. There is much that State and local governments can do to fight air pollution; they must take every practicable step that is within their power if we are to have clean air for our cities. However, there are certain things that local authorities cannot do by themselves. States and localities cannot control pollution which originates outside the limits of their jurisdiction, nor do they have the resources necessary to solve some of the more difficult technical problems of air pollution control. In such instances, the Federal Government can and should assist local authorities, particularly through engineering research concerning methods of controlling air pollution.

The forthcoming national conference on air pollution control, while encouraging, will in itself solve nothing. It will be effective only if its recommendations are translated into vigorous and determined action at all levels of government.

The subcommittee's hearings on air-pollution control, together with comments and recommendations of local authorities on this problem will be printed and made available for the use of those attending the November conference. I should like to suggest that, in its deliberations, the conference give careful consideration to setting up effective methods for accomplishing the following objectives:

First. The elimination of possible duplication of effort by Federal, State, and local governments through exchange of information and coordination of research activities.

Second. The encouragement of cooperative agreements among State and local governments for meeting pollution problems extending beyond a single jurisdiction.

Third. Increased attention, particularly at the Federal level, to developing practicable methods of controlling air contamination from automobile exhaust fumes and other major sources of pollution.

I am sure that the subcommittee will continue to give close attention to the very important problem of air-pollution control during the 86th Congress.

While I believe that all members of the subcommittee would agree with this statement, time limitations made it impossible for me to discuss these remarks with them in advance. However, I am pleased to be able to say that the ranking minority member of the subcommittee, Mrs. DWYER, of New Jersey, joins with me in this statement.

Voting and Attendance Record of Hon. Gerald R. Ford, Jr., of Michigan

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FORD. Mr. Speaker, under leave to extend my remarks, I include a report of my voting and attendance record during the second session of the 85th Congress.

The record includes all rollcall votes and all quorum calls. The description of bills is for the purpose of identification only; no attempt has been made to describe the bills completely or to elaborate upon the issues involved.

The purpose of this report is to collect in one place information which is scattered through thousands of pages of the CONGRESSIONAL RECORD. I want to be able to provide any interested constituent with a simple compilation of my voting and attendance record.

It will be noted that there were 196 rollcalls and my attendance record was 98 percent.

The record follows:

Record of rollcall votes, Representative GERALD R. FORD, JR.

No.	Date	Measure, question, and result	Vote
	1958		
1	Jan. 7	Quorum call	Present.
2	Jan. 15	H. R. 9739, to authorize certain construction for the Air Force. (Passed 374 to 0)	Yea.
3	Jan. 21	Quorum call	Present.
4	Jan. 22	Quorum call	Present.
5	Jan. 23	H. R. 9955, to recommit to committee the bill providing for a temporary increase in the public debt limit in order to amend bill raising the limit to $278,000,000,000. (Defeated 114 to 247.)	No.
6	Jan. 23	H. R. 9955, on final passage of the bill to temporarily raise the public debt limit to $280,000,000,000. (Passed 328 to 71)	Yea.
7	Jan. 23	H. R. 10146, on final passage of bill making supplemental appropriation for Department of Defense for 1958. (Passed 388 to 0)	Yea.
8	Feb. 4	H. R. 2151, to suspend for 3 years the import duties on certain coarse wools. (Passed 250 to 129)	Yea.
9	Feb. 10	Quorum call	Absent.[1]
10	Feb. 18	Quorum call	Present.
11	Feb. 19	H. J. Res. 2, on motion to recommit resolution to provide for transfer of right-of-way for the Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project and payment to Crow Indian Tribe in connection therewith. (Defeated 151 to 197.)	Yea.
12	Feb. 25	Quorum call	Present.
13	Feb. 26	Quorum call	Present.
14	Feb. 26	To adopt an amendment to provide $10,000,000 each for Glen Canyon project and Trinity River division of the Central Valley project. (Passed 200 to 184.)	Yea.
15	Mar. 4	Quorum call	Present.
16	Mar. 5	Quorum call	Present.
17	Mar. 6	Quorum call	Present.
18	Mar. 6	H. R. 8002, on motion to recommit bill to committee. (Defeated 119 to 275)	Yea.
19	Mar. 6	H. R. 8002, to provide for changing methods of stating budget estimates and estimates for deficiency and supplemental appropriations. (Passed 311 to 87.)	No.
20	Mar. 11	S. 497, on motion to recommit the bill with instructions to replace the text with the Mack amendment (deleting or modifying 18 projects which had been objected to by the Bureau of the Budget or the Corps of Engineers). (Defeated 167 to 234.)	Yea.
21	Mar. 11	S. 497, to pass and return to Senate S. 497, authorizing construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control. (Passed 321 to 81.)	Yea.
22	Mar. 19	S. Con. Res. 69, favoring acceleration of military construction programs for which appropriations have been made. (Passed 376 to 20)	Yea.
23	Mar. 19	S. Con. Res. 68, favoring the acceleration of civilian construction programs for which appropriations have been made. (Passed 378 to 16)	Yea.
24	Mar. 19	Quorum call	Present.
25	Mar. 19	S. 3262, to suspend rules and pass bill to authorize certain activities by the Armed Forces in support of the VIII Olympic winter games (⅔ majority required for suspension passage). (Defeated 256 to 130.)	Yea.
26	Mar. 20	Quorum call	Present.
27	Mar. 20	S. J. Res. 162, to recommit motion in order to delete all commodities from the bill except dairy products. (Defeated 178 to 210)	Yea.
28	Mar. 20	S. J. Res. 162, to adopt bill to stay temporarily any reduction in support prices or acreage allotments after adopting committee amendment which limits the freeze on support prices to marketing year or season which begins in 1958. (Passed 210 to 172.)	No.
29	Mar. 25	H. Res. 507, to adopt rule to provide for 3 hours of debate on bill to increase military pay. (Passed 379 to 5.)	Yea.
30	Mar. 25	H. R. 11470, to adjust method of computing basic pay for officers and enlisted members of uniformed services and to provide proficiency pay for enlisted members. (Passed 367 to 22.)	Yea.
31	Mar. 26	Quorum call	Present.
32	Mar. 27	Quorum call	Present.
33	Mar. 27	Quorum call	Present.
34	Mar. 27	H. R. 8290, to recommit bill to authorize the erection of a certain monument. (Passed 195 to 169)	Yea.
35	Mar. 28	H. R. 8822, to adopt conference report on bill relating to reinvestment by air carriers of gains derived from the sale or other disposition of flight equipment. (Passed 276 to 63.)	No.
36	Mar. 28	Quorum call	Present.
37	Mar. 28	S. 3262, to authorize certain activities by Armed Forces in support of the VII Olympic winter games. (Passed 218 to 102)	Yea.
38	Apr. 1	H. R. 10998 (appropriations for Executive Offices of the President), to adopt committee amendment providing $750,000 for expenses of Civil Rights Commission. (Passed 372 to 98.)	Yea.
39	Apr. 3	H. R. 9821, to recommit bill to authorize appropriations for continuing construction of highways. (Defeated 109 to 222)	No.
40	Apr. 3	H. R. 9821, to adopt conference report on bill to authorize appropriations for continuing construction of highways. (Passed 300 to 28)	Yea.
41	Apr. 16	Quorum call	Present.
42	Apr. 22	Quorum call	Present.
43	Apr. 23	H. Res. 465, to adopt rule making in order the consideration of H. R. 912 (to amend Navy ration statute). (Passed 231 to 130)	No.

[1] Speaking engagement in Michigan.

Record of rollcall votes, Representative GERALD R. FORD, JR.—Continued

No.	Date	Measure, question, and result	Vote
	1958		
44	Apr. 22	H. R. 912, to adopt an amendment to H. R. 912 to provide that the Navy shall not buy margarine as long as surplus butter is available through the Commodity Credit Corporation except for use in certain overseas areas. (Passed 207 to 161.)	Yea.
45	Apr. 29	H. R. 11451, to adopt open rule (H. Res. 551) providing for 2 hours of debate on legislation authorizing construction and sale by Federal Maritime Board of superliner passenger vessel. (Passed 342 to 31.)	Yea.
46	Apr. 29	Quorum call	Present.
47	Apr. 29	H. R. 11451, to authorize construction and sale by Federal Maritime Board of a superliner passenger vessel equivalent to SS. *United States* and superliner passenger vessel for operation in the Pacific Ocean. (Passed 288 to 94.)	Yea.
48	Apr. 30	Quorum call	Present.
49	May 1	Quorum call	Present.
50	May 1	H. R. 12244, to adopt Herlong amendment to H. R. 12065 to provide for a loan and repayment system with no provision for employees who were employed in noncovered employment. (Passed, 223 to 165.)	Yea.
51	May 1	H. R. 12065, to provide for temporary additional unemployment compensation. (Passed, 370 to 17)	Yea.
52	May 6	Quorum call	Absent.[2]
53	May 12	Quorum call	Present.
54	May 12	Quorum call	Present.
55	May 12	Quorum call	Present.
56	May 13	Quorum call	Present.
57	May 13	Quorum call	Present.
58	May 14	H. R. 12181, to amend further the Mutual Security Act of 1954 as amended. (Passed, 259 to 134)	Yea.
59	May 15	Quorum call	Present.
60	May 15	H. R. 12428, making appropriations for the Departments of State, Justice, the Judiciary, and related agencies for fiscal year 1959. (Passed 319, to 51)	Yea.
61	May 21	Quorum call	Present.
62	May 21	To adopt a motion to resolve itself into the Committee of the Whole House on the State of the Union for consideration of H. R. 799, to provide for the admission of the State of Alaska into the Union. (Passed, 217 to 172.)	Yea.
63	May 21	Quorum call	Present.
64	May 21	Quorum call	Present.
65	May 21	Quorum call	Present.
66	May 21	Quorum call	Present.
67	May 22	H. R. 5836, to adopt conference report on bill to readjust postal rates and to establish a congressional policy for the determination of postal rates and thus cleared the legislation for Presidential action. (Passed 381 to 0.)	Yea.
68	May 22	Quorum call	Present.
69	May 22	Quorum call	Present.
70	May 22	Quorum call	Present.
71	May 22	Quorum call	Present.
72	May 23	Quorum call	Present.
73	May 26	Quorum call	Present.
74	May 26	Quorum call	Present.
75	May 26	Quorum call	Present.
76	May 27	Quorum call	Present.
77	May 27	Quorum call	Present.
78	May 28	H. R. 7999, on motion by Representative ROGERS to recommit to committee the bill to provide admission of Alaska into the Union. (Defeated, 174 to 199.)	No.
79	May 28	Quorum call	Present.
80	May 28	H. R. 7999, recommittal motion by Representative PILLION (on bill to provide admission of Alaska to Union). (Defeated 172 to 201)	No.
81	May 28	H. R. 7999, to provide for the admission of State of Alaska to the Union. (Passed 208 to 166)	Yea.
82	June 2	Quorum call	Present.
83	June 3	Quorum call	Present.
84	June 4	Quorum call	Present.
85	June 4	Quorum call	Present.
86	June 4	Quorum call	Present.
87	June 5	H. R. 12738, to add $99,000,000 to defense appropriation bill. (Passed, 225 to 158)	No.
88	June 5	H. R. 12738, to pass defense appropriation bill of $38,400,000,000. (Passed, 389 to 0)	Yea.
89	June 9	Quorum call	Present.
90	June 9	Quorum call	Present.
91	June 10	Quorum call	Present.
92	June 10	Quorum call	Present.
93	June 11	Quorum call	Present.
94	June 11	H. R. 12591, on motion to recommit to committee bill to extend authority of President to enter into trade agreements under sec. 350 of Tariff Act of 1930. (Defeated 146 to 268.)	No.
95	June 11	H. R. 12591, to extend authority of President to enter into trade agreements under sec. 350 of Tariff Act of 1930. (Passed 317 to 98)	Yea.
96	June 11	Quorum call	Present.
97	June 11	Quorum call	Present.
98	June 12	Quorum call	Present.
99	June 12	H. R. 12541, recommittal motion designed to insert certain amendments in defense reorganization bill. (Defeated 192 to 211)	Yea.
100	June 12	H. R. 12541, to provide for reorganization of Department of Defense. (Passed 402 to 1)	Yea.
101	June 17	Quorum call	Present.
102	June 18	S. 3910, revised omnibus river and harbor and flood control bill. (Passed 374 to 17)	Yea.
103	June 19	H. R. 12858, making appropriations for civil functions administered by Department of the Army, certain agencies of the Department of the Interior, and TVA for fiscal year 1959. (Passed 361 to 18.)	Yea.
104	June 19	H. R. 12716, to amend Atomic Energy Act of 1954 to permit greater exchange with military allies of information and materials. (Passed 345 to 12)	Yea.
105	June 25	H. R. 11077, to incorporate the Veterans of World War I of the United States of America. (Passed 389 to 2)	Yea.
106	June 26	Quorum call	Present.
107	June 26	H. Res. 609, open rule providing 5 hours of debate and waiving points of order against the bill and committee amendments to H. R. 12954, omnibus farm bill of 1958. (Defeated 171 to 214.)	No.
108	June 26	S. 1832, to suspend rules and pass bill to authorize the appointment of 1 additional Assistant Secretary of State (⅔ majority required for suspension passage). (Defeated 224 to 145.)	Yea.
109	June 27	H. R. 12665, to adopt conference report on bill to provide a 1-year extension of the existing corporate normal tax rate and certain excise tax rates and to repeal transportation tax on property. (Passed 367 to 9.)	Yea.
110	June 27	H. R. 12181, on motion to recommit to committee the mutual security authorization bill for 1959. (Defeated 134 to 238)	No.
111	June 27	H. R. 12832, to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system. (Passed 348 to 2)	Yea.
112	June 30	S. 3342, to continue for 3 years the special milk program for children in the interest of improved nutrition by fostering consumption of fluid milk in schools. (Passed 327 to 1.)	Yea.
113	July 1	Quorum call	Present.
114	July 1	Quorum call	Present.
115	July 1	Quorum call	Present.
116	July 1	Quorum call	Present.
117	July 1	Quorum call	Present.
118	July 2	H. R. 11477, to amend ch. 223 of title 18 of United States Code to provide for the admission of certain evidence—statements and confessions. (Passed 294 to 79.)	Yea.
119	July 2	H. R. 13192, on recommittal motion designed to add $75,000,000 to funds allocated for defense support in mutual security appropriation bill. (Defeated 165 to 214.)	Yea.
120	July 2	H. R. 13192, making appropriations for mutual security for fiscal 1959. (Passed 253 to 126)	Yea.
121	July 9	Quorum call	Present.
122	July 10	H. R. 13015, on recommittal motion designed to make permissive rather than mandatory the disposal of the San Jacinto Depot property. (Defeated 179 to 202.)	Yea.
123	July 10	H. R. 13015, to authorize certain construction at military bases. (Passed 376 to 2)	Yea.
124	July 10	S. 495, to suspend rules and pass bill to provide for the acquisition of property for additional Senate Office Bldg. (⅔ majority required for suspension passage). (Defeated 232 to 150.)	Yea.
125	July 10	S. 1411, relating to the suspension of employment of civilian personnel of the United States in the interest of national security. (Passed 295 to 46)	Yea.
126	July 14	Quorum call	Present.
127	July 15	Quorum call	Present.
128	July 15	H. Res. 597, to adopt rule providing for the consideration of and 6 hours of debate on H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. (Passed 268 to 114.)	Yea.
129	July 15	Quorum call	Present.

[2] Attending funeral of friend.

Record of rollcall votes, Representative GERALD R. FORD, JR.—Continued

No.	Date	Measure, question, and result	Vote
	1958		
130	July 16	Quorum call	Present.
131	July 16	Quorum call	Present.
132	July 17	Quorum call	Present.
133	July 17	H. R. 3, to adopt committee substitute amendment, as amended on bill to establish rules of interpretation (States rights). (Passed 249 to 147.)	Yea.
134	July 17	H. R. 3, to recommit to committee the bill to establish rules of interpretation (States rights). (Defeated 161 to 236.)	No.
135	July 17	H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. (Passed 241 to 155.)	Yea.
136	July 18	Quorum call	Present.
137	July 21	Quorum call	Present.
138	July 22	Quorum call	Present.
139	July 22	Quorum call	Present.
140	July 23	Quorum call	Present.
141	July 24	Quorum call	Absent.[3]
142	July 24	H. Res. 685, to adopt the rule permitting discussion of H. R. 4504, the wholesale terminal market facilities bill. (Defeated 164 to 211.)	Paired.[4]
143	July 28	Quorum call	Present.
144	July 30	Quorum call	Present.
145	July 30	Quorum call	Present.
146	July 30	H. Res. 649, to adopt the rule authorizing consideration of S. 607, the bill to provide retirement benefits and clerical assistance for former presidents. (Passed 254 to 126.)	No.
147	July 31	Quorum call	Present.
148	July 31	Quorum call	Present.
149	July 31	H. R. 13540, to amend Social Security Act increasing benefits and improving actuarial status of social security trust fund. (Passed 375 to 0.)	Yea.
150	July 31	H. Res. 659, citing Robert Lehrer for contempt of Congress upon recommendation of Committee on Un-American Activities. (Passed 363 to 0.)	Yea.
151	Aug. 1	Quorum call	Present.
152	Aug. 1	H. Res. 650, to provide for consideration of S. 3497, the Community Facilities Act of 1958. (Defeated 173 to 187.)	No.
153	Aug. 4	Quorum call	Present.
154	Aug. 5	Quorum call	Present.
155	Aug. 6	H. R. 13015, to adopt conference report on bill to authorize certain construction at military installations. (Passed 256 to 135.)	No.
156	Aug. 6	H. R. 13580, to increase the public debt limit. (Passed 286 to 108)	Yea.
157	Aug. 6	S. 4071, to suspend rules and pass bill to provide more effective price, production adjustment, and marketing program for various agricultural commodities (⅔ majority required for suspension passage). (Defeated 210 to 186.)	No.
158	Aug. 7	Quorum call	Present.
159	Aug. 7	H. Res. 675, to adopt the rule providing for the consideration of and 2 hours of debate on H. R. 13247 to strengthen the national defense and to encourage and assist in expansion and improvement of educational programs to meet critical national needs. (Passed 265 to 108.)	Yea.
160	Aug. 8	Quorum call	Present.
161	Aug. 8	H. R. 13247, on motion to recommit to committee the National Defense Education Act of 1958. (Defeated 139 to 233.)	No.
162	Aug. 12	Quorum call	Present.
163	Aug. 12	Quorum call	Present.
164	Aug. 13	Quorum call	Present.
165	Aug. 13	S. 2226, to override the President's veto on bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N. H., Naval Shipyard. (Defeated 202 to 180.)	No.
166	Aug. 13	H. Res. 684, citing Bernard Goldfine for contempt of Congress. (Passed 367 to 8.)	Yea.
167	Aug. 13	H. Res. 686, citing Carl Braden for contempt of Congress	Yea.
168	Aug. 14	Quorum call	Present.
169	Aug. 15	Quorum call	Present
170	Aug. 15	H. Res. 682, the rule providing for the consideration of the legislation (Area Redevelopment Act). (Passed 216 to 159.)	Yea.
171	Aug. 15	Quorum call	Present.
172	Aug. 15	S. 3683, on motion to recommit to committee the Area Redevelopment Act. (Defeated 170 to 188.)	Yea.
173	Aug. 18	Quorum call	Present.
174	Aug. 18	S. 4035, to suspend rules and pass omnibus housing bill with amendments (⅔ majority required for suspension passage). (Defeated 251 to 134.)	Yea.
175	Aug. 18	S. 3974, to suspend rules and pass Labor-Management Reporting and Disclosure Act (⅔ majority required for suspension passage). (Defeated 190 to 198.)	No.
176	Aug. 18	Quorum call	Present.
177	Aug. 18	H. R. 13907, to suspend rules and pass with amendments	Yea.
		H. R. 13607, to provide for establishment of a food-stamp plan for the distribution of $1,000,000,000 worth of surplus food commodities a year to needy persons and families in the United States (⅔ majority required for suspension passage). (Defeated 196 to 187.)	Yea.
178	Aug. 19	Quorum call	Present.
179	Aug. 19	H. Res. 691, providing for House disagreement to Senate amendments to H. R. 13247 (National Defense Education Act of 1958). (Passed 259 to 110.)	Yea.
180	Aug. 19	Quorum call	Present.
181	Aug. 19	H. Res. 689, open rule providing 2 hours of debate on S. 4036 (Domestic Minerals Stabilization Act of 1936). (Passed 196 to 165.)	No.
182	Aug. 19	Quorum call	Present.
183	Aug. 20	On motion to recede and concur in Senate amendment 36 to supplemental appropriation bill to provide that no appropriation be made to National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by Congress. (Defeated 126 to 236.)	No.
184	Aug. 20	To approve Senate amendment 113 to supplemental appropriation bill relative to U. S. Information Agency authorization for acquisition and construction of radio facilities. (Passed 190 to 172.)	Yea.
185	Aug. 20	Quorum call	Present.
186	Aug. 21	Quorum call	Present.
187	Aug. 21	S. 4036, on motion to strike enacting clause in Domestic Minerals Stabilization Act. (Defeated 171 to 174.)	Yea.
188	Aug. 21	S. 4036, to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines. (Defeated 190 to 182.)	No.
189	Aug. 21	S. Con. Res. 109, to suspend rules and pass bill to express the sense of Congress on the establishment of the United Nations Force. (Passed 209 to 20.)	Yea.
190	Aug. 22	Quorum call	Present.
191	Aug. 22	S. 3335, to suspend rules, bill providing for construction in District of Columbia of a national cultural center. (Passed 260 to 56.)	No.
192	Aug. 22	H. R. 13343, to authorize an appropriation for Pan American games to be held in Chicago, Ill. (Passed 244 to 64.)	No.
193	Aug. 23	H. R. 13489, on motion to adopt conference report on bill making appropriations for military construction for the Department of Defense for fiscal year ending June 30, 1959. (Passed 300 to 1.)	Yea.
194	Aug. 23	Quorum call	Present.
195	Aug. 23	H. R. 13247, on adoption of conference report on bill to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs. (Passed 212 to 85.)	Yea.

[3] Speaking engagement in Michigan.

[4] In Michigan; if present would have voted "yea."

The Golden Era of National Independence

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FEIGHAN. Mr. Speaker, a highly informative article on the collapse of the Czarist Russian Empire appeared in the recent edition of the Ukrainian Quarterly. It was authored by Dr. Edward Mark O'Connor, former Commissioner of Displaced Persons and widely recognized as one of our most realistic scholars and an authority on the age-long problem of Russian imperialism. The article is appropriately titled "The Golden Era of National Independence," because it examines the real causes for the internal collapse of the long reign of the Russian Czars and proposes a number of positive steps which the United States should take to recapture the initiative in the cold war.

The popular notion has been prevalent for some time that the Bolsheviks were responsible for the crackup of the Russian Empire. This is the main propaganda line of the Kremlin today as the new Russian leaders engage in celebrations of the 40th anniversary of the Bolshevik Revolution. To a large degree this false belief has gained acceptance on the American scene, even among some who are referred to as experts on the subject. This article puts to rest this basic misconception and many others about the political trends within the Russian Empire during the period 1917–18. Official documents of the Government from this period in history form the basis for this clear, informative, and provocative examination of a chapter in the affairs of nations which is practically submerged by time, Communist propaganda, Russian misinformation in the Free World, and the scarcity of objective scholarship and research.

As a member of the Select Committee To Investigate Communist Aggression, 83d Congress, I had the opportunity to work closely with Dr. O'Connor who served as staff director for the committee. His broad knowledge of the history of the Russian Empire, ability in original and objective research, together with his understanding of the aspirations of people and nations, earned him the respect and confidence of the committee and all those associated with its work. After 10 years of service to the Federal Government, he has recently become associated with Canisius College, Buffalo, N. Y., from which point it is hoped he will expand his writing and speaking activities on the Russian problem. Such a public service would be welcomed in these days when so little creative thought is given to this vital subject.

Rhode Island Leads Way in Vital Health Programs Says Fogarty Who Authored Laws—Second District Congressman Cites Rhode Island Neurological and Cancer Projects in Review of National Health Legislation in Congress

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FOGARTY. Mr. Speaker, as the 85th Congress comes to a close I want to thank my colleagues for the fine support they gave to legislation affecting the health of the American people which I introduced during the past year.

Perhaps the most important bill I brought up this year was the annual appropriation for Health, Education, and Welfare. In this bill funds are provided for research and training and the construction of buildings in the various health fields the Federal Government supports by direct appropriations. During the 12 years that I have brought this bill to the Congress, as chairman of the Health Subcommittee on Appropriations or as the ranking minority member, you have responded well to the requests I have made for increases in funds.

This year you were particularly cooperative. In final form I brought before you a bill to increase the appropriations for the National Institutes of Health from $211 million to $294 million. You accepted my recommendations and as a result of that 40-percent increase, more research will be done in this coming year than ever before in cancer, mental health, heart disease, dental health, arthritis, and metabolic diseases, allergy and infectious diseases and neurology and blindness. I would like to remind you of the considerations which impelled me to ask you for this great increase and of the hope it brings for finding a solution to the killing and crippling diseases of mankind.

BASIC RESEARCH DOUBLED IN 1 YEAR

The first item of the budget of the National Institutes of Health is general research. This is research in biology, chemistry, physiology, pharmacology, biochemistry, and other basic sciences we must know more about in order to progress in the field of cancer, heart disease, and the other categorical areas. Last year, for general research, the Congress appropriated $14 million. I asked you to appropriate about $29 million this year, which you did. That increase means that every categorical field in medicine will be assisted in its basic and fundamental understanding. This is the first year in which we have had a sizable increase in the appropriation for general research. I shall come before you again next year and report the avenues of approach that are newly opened in the categorical disease fields as a result of this appropriation. I am confident the report will be a rewarding one.

RHODE ISLAND BENEFITS FROM CANCER APPROPRIATION

In cancer last year we appropriated $56.4 million. This year I asked you to approve $75.2 million which you did. Part of this increase will be used to step up the program of cytological testing of women for cancer of the uterus.

My own State of Rhode Island was one of the first in the Nation to establish a cancer detection center for cytologic testing of women as a part of this program. With the Public Health Service, the Rhode Island Medical Society and the Rhode Island Society of Pathologists, our State department of health is, for the third year, making the cytologic test available to all women over the age of 20 in the State. There are almost a quarter of a million women over the age bracket in Rhode Island who may receive the test through one of the State-sponsored cancer detection centers. For the great majority it will mean peace of mind and relief from needless worry. For those who have cancer, it will mean discovery at a time when the disease can be treated effectively and fatal consequences forestalled. I am glad this service is possible in Rhode Island by means of the national cancer program and I intend to make sure that the funds are provided each year to make it and keep it the best in the Nation.

MENTAL HEALTH, HEART, AND DENTAL STUDIES ACCELERATED

In mental health last year we appropriated $39.2 million. This year you approved the $52.4 million I requested on behalf of my subcommittee. With these increased funds there will be a step-up in studies on schisophrenia, alcoholism, and psychopharmacology. This last program contemplates the use of pharmaceutical preparations in mental health in a manner parallel to the one used in cancer. The cancer program is working with great success, and I expect the mental-health program to move forward the same way.

In the field of heart disease last year we appropriated $35.9 million, and this year you approved the $45.6 million I requested. The increase here will be devoted to three main fields: arteriosclerosis, strokes, and anticoagulants. Everybody of middle age in this country can appreciate the importance of research in this field. Even the younger people who see the effects of these illnesses in their families have a proper regard for their importance, and I am sure that progress in this field will be looked on with interest across the Nation.

In the field of dental health we appropriated $6.4 million last year, and this year you approved the $7.4 million I requested for our subcommittee. This increase will provide the means for more work on the study of heredity in dental defects and the mechanism of tooth decay as well as dental caries. The latter is particularly important in children and often foreshadows the health of their teeth for the rest of their lives.

ARTHRITIS, DIABETES, ULCERS GET NEW ASSAULT

In the area of arthritis and metabolic diseases the appropriation for last year was $20.3 million, and this year you approved the $31.2 million I recommended. That is a 50-percent increase in a field with a great many responsibilities which up to now have been given scant attention. My subcommittee has urged an intensification of research in rheumatoid arthritis and the development of drugs which would be more effective than cortisone. Also provided is a program for the development of a better oral agent for use in diabetes. We are looking forward to the time when a pill taken by mouth will solve the problem of diabetics and shots in the arm will no longer be necessary. Another program we have intensified is gastroenterology. This includes ulcers, an ailment affecting 10 percent of our entire population. It is my hope that by the intelligent application of these increased funds we can discover what causes ulcers and be able to prevent them.

CHILDREN'S DISEASES ATTACKED ON UNPRECEDENTED SCALE

In allergy and infectious diseases the appropriation for last year was $17.4 million and this year you approved my request for $24.071 million. A large part of the increase here is to be devoted to a study of cystic fibrosis, a disease of children which medical men think is a metabolic disease. Today antibiotics can stave off the pneumonia to which children with cystic fibrosis are particularly susceptible but until we know more about the disease and why it appears in some children and not in others, we must intensify our work and learn the processes and deficiencies that cause it to come about so that it may be prevented.

In neurology and blindness last year the appropriation was $21.3 million. This year the appropriation is $29.4 million. This increase is to go mainly to the study of infant deaths and malformations at birth some medical men think are a result of conditions affecting the mother before delivery of the child.

Work on multiple sclerosis, amytrophic lateral sclerosis, epilepsy, cerebral palsy, muscular dystrophy, and Parkinson's disease will also be intensified.

RHODE ISLAND'S PART IN NEUROLOGY

Rhode Island is playing a key role in the Nation's neurological program which I am very proud of. It is the home base of a collaborative investigation coordinated by the National Institute of Neurological Diseases and Blindness to study and evaluate the factors which bring on such diseases as cerebral palsy and mental retardation. There are 500,000 people in the United States who have cerebral palsy, traceable to brain damage occurring in the year or so surrounding birth. And there are an estimated 4,500,000 Americans with mental retardation, about one-third of them children.

Brown University's Department of Biology and Psychology was one of the first professional groups to join in this important collaborative study. Today the Providence Lying-in Hospital, the Rhode Island Hospital, Miriam Hospital, Emma Pendleton Bradley Home, and the Meeting Street School are all cooperating with the university in this program.

Though this broad-scale attack on the crippling disorders of childhood may take 10 years or longer, its implications for future and present generations are considerable. It is among the most hopeful studies in the medical field that the Congress has been called upon to consider in my 18 years' service with that body.

RHODE ISLAND INSTITUTIONS AIDED BY CONSTRUCTION FUNDS

The Congress also appropriated $30 million for the construction of research facilities in accordance with the request I made of you. This is the third year in which the Congress has appropriated funds in this amount and since it is a 50–50 matching basis on which the funds are appropriated, at the end of the current fiscal year we will have not $90 million worth of new research construction in the United States, but $180 million of it. That means more and better space in which more and better research can be done.

In Rhode Island two grants were made under this program, 1 to Brown University of $22,555 and 1 to the Rhode Island Hospital of $25,000. The research facilities construction program has been authorized to continue for 3 additional years and I trust that other institutions in Rhode Island will apply for grants and the State will be able to broaden and intensify its medical research activities. I shall certainly continue to see to it that funds are available for worthy institutions.

You also approved the request for an increase in the funds for construction of hospitals, diagnostic centers, rehabilitation facilities, and nursing homes. These programs, stimulated by contributions of the Federal Government, have created institutions through the whole country, including Rhode Island, which never would have been built otherwise. I am sure that the people of this land thoroughly support your action.

TEACHING MENTALLY RETARDED

I also want to thank my colleagues for their understanding and support of other measures I proposed. One, calling for a conference on aging, has become law. Another, providing a million dollars a year for a 10-year period for training teachers to teach mentally retarded children, has also become law. There are about 1 million mentally retarded children of school age in the United States, and only about 15 percent of them are getting the schooling they need. This law will provide the teaching facilities and the specialized training to take up a great deal of the slack in the program. It will make it possible for large numbers of the mentally retarded to become respected citizens, making a contribution to the community, by providing them with expert care and education in their early development.

Another bill I introduced, to provide scholarships and loans for the training of students in the sciences, was not enacted itself, but a bill containing the same features, sponsored by Congressman ELLIOTT, a fellow Member of the House of Representatives, has now become law. Under the terms of this legislation, known as the National Defense Education Act, Rhode Island will receive a 4-year total of $3,475,074. The funds will be for student loans, equipment, guidance and testing, and vocational education. The annual allotments are as follows: Fiscal year 1959, $729,840; fiscal year 1960, $875,384; fiscal year 1961, $915,078; and fiscal year 1962, $954,772.

PROBLEMS OF AGING TO BE STUDIED

I have said for a long time that we do not give enough attention and thought to our aging population. As people get older their problems change and they become acutely distressed because we fail to recognize them as a group with special needs. We cannot begin to find solutions for these needs until we have studied the nature of the problems, State by State, throughout the country. That is why I proposed in a bill to you that a White House conference be held, after the several States have had time to make a study of their own, so that we can pool the knowledge and experience of the different parts of the country, and, having assessed the needs, then study and provide the solutions that are necessary. The bill is now law, and I am confident that as a result of the conference to be held by January of 1961 we will soon have a blueprint for the care and protection of the older people in our national community.

LEGISLATIVE PROGRAM FOR NEXT YEAR

I regret that the Congress did not enact the legislation I introduced for a 5-year program of matching grants for the construction of medical and dental school facilities. The House of Representatives held hearings on this legislation but did not pass it. The Senate did not get around to holding hearings. However, I have been assured that as a result of the testimony on the legislation and the discussions growing out of it, both the House and Senate will hold hearings early next year. I shall introduce legislation again at that time and I expect that it will be passed by both Houses and become law.

In the closing days of the session I introduced a bill to provide for the mobilization of the maximum international health and medical research resources. My colleague in the Senate, LISTER HILL, of Alabama, introduced the same bill. We both had in mind bringing the subject before the American people so that next year we will be able to undertake its passage. The purpose of the legislation is to pool the medical research resources of the world so that there will be a full exchange of medical information and knowledge. I believe a program of this kind will have implications far greater than the intrinsic good that will grow out of its medical advances. It will bring the nations of the world into a medium of understanding and harmony that no other program has yet been able to accomplish. I shall introduce this legislation again next year for your most earnest consideration.

1958 GREATEST YEAR FOR HEALTH IN OUR HISTORY

This past year has been a banner year for legislation in health. I want to thank you for the fine support you have given to all the proposals I brought before you. I assure you that I shall follow these programs with careful consideration and come before you often to report on their development and to ask for the additional legislation necessary to accomplish their purposes.

I am convinced that there is no greater resource this country has than the health of its people and I know I can count on the cooperation of the House and Senate to preserve that resource as it has for the 18 years that I have been a Member of Congress.

Hon. Robert C. Byrd

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. O'HARA of Illinois. Mr. Speaker, with my colleagues on both sides of the aisle, and especially those who served with him on the Committee on Foreign Affairs, I join in expression of the deep loss we all feel in the retirement from the House of the Honorable ROBERT C. BYRD. But what will be the loss of the House will be the gain of the other body, and we rejoice with BOB at the prospect of the continuance of his brilliant and dedicated service for State and Nation in the Congress of the United States. When the 86th Congress comes into being, and the other body marches into the House Chamber for a joint session, we look forward to waving our greetings to our beloved colleague, who served in the House and Senate of West Virginia, and now after three terms in the National House is the nominee of his party for United States Senator from West Virginia.

I hold for BOB BYRD a warm affection. He has many great talents. He is a thinker and a hard worker, earnest and conscientious, diligent in his search for the truth and eloquently convincing in its presentment. But most I will remember BOB BYRD and the years of my association with him because of his moral cleanliness, his religious humility, his fine modesty, his never-absent consideration for others. His faith is in his God, and he seems always to walk among his fellow men by the precepts of that faith.

The 85th Congress Refused To Act To Deal With Supreme Court Coddling of Reds and Criminals

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. CRAMER. Mr. Speaker, the failure to enact a number of bills dealing with recent Supreme Court decisions represents one of the most significant shortcomings of the 85th Congress. Many of these measures were of critical importance in our efforts to deal effectively with subversives and the criminal underworld. Congress' inaction dealt a serious blow to law enforcement and will be hard for the American people to understand.

There will be particular concern over Congress' complete lack of response to the three-pronged Supreme Court assault upon this Nation's attempts to combat the Communist menace. In three different cases the Supreme Court first held that the States could not act against Communists seeking the overthrow of the Republic—that was in the Nelson case—then held that the Federal Government's own antisubversive laws did not apply to the Communist Party—that was in the Yates case—and finally that the Federal Government could not prevent even known Communists and other subversives from leaving and returning to the country at will—that was in the Kent and Buehl cases. The result of this jurisprudential triumvirate was to immunize the Communist Party from either State or Federal prosecution and at the same time to permit its traitorous members to improve their techniques and spread their poison in foreign lands all over the globe. These decisions of the Court made a mockery of our national effort to keep this country secure against communistic treachery.

The Supreme Court's decisions were in large part based on misconstruction of Congressional intention. Whether the Court was right or wrong, certainly their decisions left it squarely up to Congress to restate its intentions in unmistakable terms. Many of us who were particularly interested in these vital internal security problems attempted to meet the challenge by corrective legislation. Under this legislation the States would have been authorized to prosecute all traitors; the Federal Government would have been authorized to prosecute the Communist Party for organizing to teach and advocate the overthrow of our Government, and the Secretary of State would have been authorized to deny passports to Communist Party members and their agents. None of these vitally necessary bills was enacted into law. Indeed, the passport bill was never even considered by the other body.

Other decisions revealed a marked tendency on the part of the Supreme Court to interfere with legitimate efforts by both the State and the Federal Governments to deal with security risks. In two of these cases the Supreme Court established itself as an overseer of State procedures and standards for admission to the bar by overruling decisions of the highest courts of California and New Mexico refusing to admit former Communists to practice. Those were the Konigsberg and Schware cases. In another case, the Slochower case, the Supreme Court assumed the role of a superstate board of regents in overruling the decision of a university that a person who refused to answer questions of a Congressional committee regarding his Communist activities was unfit to teach. Even if it be assumed that reasonable man may differ as to whether such persons should be eligible to serve as officers of the State courts or professors at a State university, certainly under our Federal system it should be up to the States to make that determination. The Supreme Court decided otherwise, however, and throwing jurisdictional limitations aside, a majority of the Court translated their personal views into due-process concepts and decreed reinstatement of the individuals involved.

Specific legislation was introduced to deal with a Supreme Court decision in the Cole case, which whittled down the Federal Government's employee-security program to meaningless proportions. No provision of the Constitution was relied upon for this invasion of the Executive's power to determine the suitability of Federal employees for Government service. In effect the Court simply said that the Congress did not intend to authorize the President to remove all security risks under summary procedures because it, the Court, considered such procedures too harsh.

A bill to remedy this distortion of intent and allow the Government to weed out all security risks did finally pass the House. However, in an apparent effort to avoid dealing with the problem before adjournment, it was suppressed by the leadership of the other body and died upon adjournment.

Congress' inaction also stymied law-enforcement efforts against the garden variety type of criminal. A number of Supreme Court decisions erected entirely unwarranted obstacles to anticrime measures. In the Mallory case, for example, the Supreme Court imposed a system of timetable justice on police officers which made it impossible to properly investigate crime. In the Benanti case the Supreme Court completely destroyed the effectiveness of State wiretapping laws and transformed the ordinary telephone into a privileged instrument for criminality. In the Sullivan case the Supreme Court gave entirely undeserved financial assistance to professional gamblers by ruling that they could deduct from their income taxes the expenses incurred in carrying out their illegal operations.

A number of bills were introduced in the last Congress to deal with these specific cases. They were designed to answer the pleas of civic, fraternal, and law-enforcement groups all over the country for some Congressional action to counter the Supreme Court's rulings. One proposal would have restored the constitutional test of voluntariness and rejected the Supreme Court test of timeliness in determining the admissibility of confessions. Another would have authorized any wiretapping by local law-enforcement officers which was sanctioned by State law. A third would have enabled the Federal Government to deal with criminal conspiracies operating across State lines. A fourth would have closed the tax loophole for gamblers.

These anticrime measures would have constituted an impressive law-enforcement program. The dismal failure to enact a single one of them is a blot upon the record of the 85th Congress.

Powerful elements frustrated every attempt by those of us who pushed this anticrime program to get some action. There were inexplicable delays in beginning hearings, delays in writing reports, delays in bringing these bills up on the floor for consideration. In some instances the majority leadership either refused to schedule bills for debate or programed them for the last day of the session when action could be frustrated by filibuster threats by just 1 or 2 Members. The result is that there was no opportunity at all to express the legislative will on some of these measures. This sorry performance will encourage criminals to continue to flout the law and make ever more difficult the drive against organized crime. The vast majority of law-abiding citizens cannot help but feel that Congress has let them down.

It was never the intent of any of the bills I have referred to to undermine the Court as an institution or to interfere with its jurisdiction or procedures. The attempt by some judicial activists to cast these bills in an anti-Supreme Court mold was therefore inexcusable. The only objective of these bills and their only consequence would have been to carry out the legislative responsibilities vested in the Congress by the Constitution.

History demonstrates that the judgment of the Supreme Court, like that of the other branches of the Government, has not been infallible.

It was a Supreme Court decision in the Pollock case in 1895 which invalidated the first Federal income tax law and required the 16th amendment. None of us particularly enjoys paying taxes, but think of where this country would be today if Congress had not reviewed and the people had not revised this decision by the Supreme Court.

The list of examples can be multiplied. A Supreme Court decision in 1908 held invalid a Workman's Compensation Act for employees of interstate carriers. A

Supreme Court decision in 1908 struck down laws prohibiting employers from discriminating against union members. A Supreme Court decision in 1923 held that Congress could not establish a minimum wage law for women in the Nation's Capital. A Supreme Court decision in 1918 held that Congress could not prohibit interstate shipment of goods produced by child labor.

These examples of cases in which the Court's decisions demanded revision demonstrate the necessity for constant surveillance of the operations of the judicial branch of the Government. Such study is as desirable for the public welfare as in other cases the review by the Court of the actions of its sister branches is desirable for the public welfare.

The judicial absolutists in the Congress who condemn every effort to study and, where necessary, modify the decisions of the Supreme Court overlook the tripartite nature of our governmental system. Because they believe that the present Court faithfully serves their libertarian interests, they undermine and belittle the legislative efforts I have described to curb the Court's encroachments on the lawmaking authority. By their zeal for a particular decisional doctrine these extremists strike a severe blow at the fundamental doctrine of checks and balances on which our governmental structure is based. They have done their work well and in the process have left the country dangerously vulnerable to the threat of organized crime and subversion.

Many eminent authorities with no axes to grind have recognized that the Supreme Court overstepped itself in the cases to which these bills related. Professor Corwin, a leading expert on the Constitution, has pointed to the problem of keeping the Court out of legislative and executive territory. In his characteristically blunt way, he has publicly stated that on one recent decision day the Court "went on a virtual binge and thrust its nose into matters beyond its competence, with the result that—in my judgment at least—it should have aforesaid nose well tweaked." He described as "irresponsible" the Court's decisions in the field of subversion, pointing out that the total result of its actions was "to leave the country exposed to unjustifiable propaganda urging the right of revolution." Professor Corwin concluded that "the country needs protection against the aggressive tendency of the Court."

For myself, I was not as much interested in having the Court's nose tweaked as I was in having Congress deal on a selective and sound basis with the substance of the Court's misconceived encroachments on the legislative power. I stand with the great and wise sage, Judge Learned Hand, in his criticism of judges who attempt to serve as communal mentors or who attempt to suppress measures of which they do not approve. I know that any true liberal interested in preserving our democratic form of Government will share Judge Hand's repugnance at being "ruled by a bevy of platonic guardians." The bills I am discussing, however, were not attempts to seek vengeance against the Court or retaliation against any member of it. They did not deal with matters of personality or abstract philosophy. They simply were attempts to enact commonsense laws to restore public protection against subversion and lawlessness.

There must be added to the voices of Judge Hand and Professor Corwin what is perhaps the most impressive of all warnings against the tendency of recent Supreme Court decisions to overrule legislative and executive policies. I refer to the action of the conference of chief judges in adopting a resolution and report highly critical of the Supreme Court for its lack of judicial self-restraint and its invasions of the field of legislation. This resolution expressly calls upon the Court to recognize and give effect "to the difference between that which, on the one hand, the Constitution may prescribe or permit, and that which, on the other, a majority of the Supreme Court, as from time to time constituted, may deem desirable or undesirable."

Knowing the traditional reluctance of judges to criticize the High Court, the approval of this resolution by the judges of 36 of the 44 jurisdictions represented attests to the serious proportions of the situation.

Congress has now gone home. In the frenzied drive for adjournment these important measures were swept under the rug. Valuable time has been lost. The traitors and rapists can continue their activities unhampered by the new restraints some of us proposed against them. The shameful fact is that the 85th Congress did nothing to halt the plunder of the people by organized crime or the attacks against the Republic by organized subversives.

Never before has there been such widespread clamor for forthright and effective legislative action against subversives and the criminal underworld. The people will not long tolerate the tendency to sacrifice their rights in protecting the conveniences of the enemies of society. All America had reason to expect their representatives in Congress to strengthen the Government's anti-crime and antisubversive activities. Blame for the woeful failure of the 85th Congress to fulfill this expectation must be placed squarely on the majority leadership.

The Outstanding Record of the 85th Congress on Small-Business Legislation

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EXTENSION OF REMARKS
OF
HON. JOHN J. SPARKMAN
OF ALABAMA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement on the outstanding record of the 85th Congress on small-business legislation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The achievements of the 85th Congress with respect to the enactment of legislation in behalf of small business have been widely acclaimed. The press, the small-business community, and many professional observers have been generous with their praise of the decisive manner in which the 85th Congress moved to improve the competitive outlook of the Nation's smaller business concerns. These small enterprises, which have been struggling in recent years to maintain their position as independent elements of our highly competitive economy, may look upon the year 1958 as the start of an era marked by a new awareness of the vital role small business will play in the future of our country.

It seems fitting at this time, Mr. President, to call attention in summary form to the various ways in which the 85th Congress manifested its concern for the welfare of the more than 4,000,000 small and independent enterprises which constitute the foundation of our economic life. In so doing, I also wish to take notice—with what may be considered pardonable pride—of the part played by the Small Business Subcommittee of the Senate in helping to bring to fruition many of the long-sought small-business legislative objectives attained by the 85th Congress. The members of the subcommittee gave their time, energy, and counsel unsparingly. It is my belief that the small-business achievements of the current Congress may be credited in no slight measure to the untiring efforts of these members in urging favorable consideration of the legislation enacted in behalf of small concerns.

SMALL BUSINESS ADMINISTRATION

One most significant action taken by the 85th Congress on behalf of small business was the passage of Public Law 85-536 which conferred on the Small Business Administration permanent status. This action allows the hitherto temporary organization to take its rightful place among the established agencies of the Federal Government.

I do not believe it is possible to overstate the importance of this Congressional action. More than any other Congressional act in our history, it marks a full acknowledgment that small and independent business concerns are a national economic resource whose vitality and success are essential to the proper functioning of our free-enterprise system.

In adding this small-business agency to the roster of permanent agencies of the Government, the Congress eloquently emphasized the importance of small businesses to our system of dynamic capitalism. I recall, Mr. President, that soon after the Korean war started, I proposed legislation to establish a small-business agency and that in 1951 a bill which I introduced created what was then known as the Small Defense Plants Administration. It is, therefore, of particular satisfaction to me that in making its successor, the Small Business Administration, a permanent fixture of the Federal Establishment, the Congress also provided for improved services to the small-business community by this agency.

Among these increased benefits to small firms I might mention that the interest rate charged by the SBA on loans to small concerns was lowered so that henceforth the maximum rate of interest is now 5½ percent instead of the former 6 percent. In addition, the Small Business Act of 1958 increased the allowable amount that the SBA might lend to any single company from $250,000 to $350,000. Another provision of

the act granted to the SBA additional powers to assure small business a more equitable share of research and development contracts placed by the Government. Sales of federally owned timber were also brought under the Small Business Act of 1958, so that small-business set-asides might be made by the Small Business Administration.

SMALL BUSINESS TAX ADJUSTMENTS

A second action of the 85th Congress which will greatly benefit our economy was the passage of a small-business tax adjustment act. Ever since the pioneering study by the Senate Small Business Committee in 1952 of inequities in the Internal Revenue Code, I have been convinced that our tax laws constitute major obstacles to the fulfillment of the role of independent business. While some improvements were made in the 1954 rewriting of the Code, much more remained to be done.

Therefore, during 1957, our Small Business Committee made an intensive study of the impact of Federal income taxes on small-business concerns. Public hearings were conducted in 14 cities throughout the country under my direction as committee chairman. The committee members and the many other Members of Congress attending these hearings shared my conviction that an urgent need existed for assistance to small firms in the field of taxation. Therefore, at the conclusion of the field trips, we worked actively to write a report summarizing our conclusions and drafted the Small Business Tax Adjustment Act of 1958, known in the Senate as S. 3194.

So widespread was the interest in and concern over the need for greater equity in Federal taxation for small businesses that 50 Senators joined with me as cosponsors of S. 3194. This clear majority of the Senate was convincing evidence that action to alleviate the heaviest impact of this tax burden was essential during 1958. I personally testified before both the House Ways and Means Committee and the Senate Finance Committee on this subject and called for prompt and favorable consideration of a small-business tax bill.

Therefore, I was delighted, as I am sure all the cosponsors of our tax bill were, when the Senate, in the closing days of the second session, adopted the Small Business Tax Revision Act. A similar bill had already been passed by the House of Representatives, and the final version has become Public Law 85-866.

While not all of the provisions of S. 3194 were enacted into law, I am of the opinion that the changes which were adopted will materially benefit the rank and file of small-business concerns. Essentially, the amendments eliminate certain discriminatory features in the 1954 Internal Revenue Code and will permit tax savings by small firms which can be utilized to finance their sound future growth.

I wish to point out that I shall continue to press for the approval of the other sections of S. 3194 and that I shall offer a small-business tax bill to that effect in the early days of 1959.

Because of the significance to small-business men of these provisions of the Technical Amendments Act of 1958, the Small Business Committee has ordered an abstract to be printed. At this time, therefore, I shall merely mention some of the more important benefits for small companies that this measure contains.

1. In the past, awards to small firms in civil antitrust actions have been regarded as income to the recipient in the year of award, regardless of the length of time during which the competitive injury was suffered. Clearly, such an award, added to a single year's regular income, would cause a substantially higher tax bill to any small-business man injured by violations of the antitrust laws. Section 58 of the Technical Amendments Act of 1958 specifies that the recipient of any such award or settlement may be taxed as if the sums were received over the entire period during which the wrongs occurred.

2. Section 1361 of the 1954 Code allows certain proprietorships and partnerships to be taxed as corporations. This section has been little used because the Treasury Department has issued no implementing regulations. Section 63 of the new act provides that an election under section 1361 will not be binding on any taxpayer until regulations have been published. This amendment simply codifies the practice which the Treasury Department has followed by administrative ruling.

3. Section 64 of the new tax law complements section 1361 of the 1954 Internal Revenue Code by allowing small, closely held corporations to be taxed as partnerships. As a result, small firms will be able to select the form of business organization most suited to their needs without the necessity of considering the differences in tax consequences.

4. Section 202 is intended to foster the financing of small businesses by decreasing the risk in small-business investments. Under this new provision, an owner of stock in a small corporation may treat any loss from the sale or exchange of such stock as an ordinary loss, up to a maximum amount of $25,000 in any one year or up to $50,000 in the case of a husband and wife filing a joint return.

5. Small business is particularly subject to the ills of violently fluctuating income. For many independent firms a feast-or-famine existence is the rule, and without the income-leveling benefits of diversification the single-line producer or seller finds it difficult to even out his profit years and his loss years. Therefore, some smaller firms should be assisted by section 203 of the small-business tax law, since it will enable them to carry back losses over a 3-year period. This, along with the present provision permitting a 5-year carry-forward of losses, allows an averaging-out of business deficits over a 9-year period.

6. The heart of the Small Business Tax Revision Act of 1958 is contained in section 204. While this feature is not as broad as the reinvestment portion of S. 3194, and while it is more limited than some of us wished, I feel that it does represent a significant advantage for small concerns. Since the most basic business problem is the retention of earnings to plow back into the company, legislation which permits the entrepreneur to keep more of his profits is extremely valuable. The recently passed section 204 permits any business, individual or corporation, which buys depreciable property having a useful life of at least 6 years to take an additional first-year depreciation deduction of 20 percent of the cost of such property purchased in that year. The maximum special deduction is $2,000 a year, or $4,000 in the case of a joint return. This special allowance, of course, is in addition to ordinary depreciation on the remaining 80 percent of the cost. It applies to used as well as to new equipment or property.

7. Small companies have been troubled in the past by the accumulated earnings tax. The lack of specific plans frequently made it difficult for small-business men to establish the reasonable needs of their businesses for accumulated earnings. This problem brought about the establishment of a $60,000 minimum credit in the Revenue Code of 1954. Section 205 of the new tax act increases this minimum credit of $60,000 accumulated earnings to $100,000 in recognition of the rising costs since the lower figure of $60,000 was set.

8. Section 206 is of especial importance to small businesses because it permits the executor of an estate consisting of a closely held business to elect to pay the Federal estate levy in 10 or fewer equal annual installments rather than in one lump sum 15 months after the death of the decedent. All too frequently in the past, the necessity for a lump sum payment of an estate tax has forced the closing or merger of small, closely held companies.

Taken all in all, Mr. President, I believe that these changes in our tax laws will prove of inestimable benefit to the hundreds of thousands of small companies which have found present tax rates a problem almost beyond their ability to solve.

SMALL BUSINESS INVESTMENT ACT

A third major legislative effort to meet the proven and legitimate needs of America's smaller enterprises came in the field of providing more adequate sources of credit and capital.

In turning now to a brief discussion of Public Law 85-699, the Small Business Investment Act of 1958, I may be pardoned for the deep personal satisfaction which the passage of this bill afforded me. Financing has long been recognized as one of the most pressing of small-business problems. Eight years ago I joined in introducing a bill designed to open up additional avenues of long-term capital for small enterprises. Since then, I have continued to work for passage of such legislation and gladly cosponsored S. 3651 when it was introduced by Senator LYNDON B. JOHNSON on April 21. This act has as its objective encouragement of the growth of small concerns by providing long-term loans and equity capital to small businesses.

The law calls for the establishment of private lending institutions organized under State laws and chartered by the Small Business Administration. The capital requirements of such institutions are set at a minimum of $300,000, half of which may be borrowed from the SBA.

There are two methods by which these investment companies may lend to small businesses. Under regulations to be issued by the SBA, the investment companies may make regular bank-type loans or purchase debenture bonds convertible into stock of the borrowers. No limit has been placed on the maturity for convertible debentures. The act does fix a 20-year limit on conventional loans which may be extended for an additional 10 years.

As I explained in discussing the tax bill passed by the 85th Congress, investors in small-business investment companies can take an ordinary deduction on any losses instead of an off-set against capital gain. The investment companies themselves have the same privilege on losses on the debentures or stock of the companies they help to finance.

The SBA is also authorized to make unsecured loans to State development companies, as well as secured loans. Secured loans to State and local development companies must not exceed $250,000, must mature in 10 years, and be for the use of a specific small business concern. Under certain circumstances, these loans may be extended for an additional 10 years.

It is encouraging to find that the Citizens and Southern National Bank of Atlanta, Ga., has already authorized an investment of $525,000 in a new small-business lending corporation to be sponsored by the bank. I know that similar institutions are being formed in other localities to help fill the need of small companies for long-term venture capital.

A feature of this act which holds out the hope of incalculable benefit to small business is the provision whereby $27.5 million is made available to the SBA for grants to State and local governments and to colleges and universities. The purpose of these grants is to encourage studies and research

by the SBA, the investment companies may

on the management and financing problems of small-business concerns. The act specifies that only 1 grant may be made in any 1 State in a given year and no such grant may exceed $40,000. I am certain that when these studies of small-business problems get under way and their results become published, an invaluable body of information will become available on problems of small-business management.

GOVERNMENT PROCUREMENT

During the past year, as before, the largest customer for American business has been the Federal Government. The continuation of world tensions, inevitably accompanied by huge military budgets, indicates that this fact of economic life will remain true. The 85th Congress went on record, Mr. President, to voice its determination that small companies shall obtain a larger share of the goods and services purchased by the various agencies of the Government. The Senate Appropriations Committee report on the Department of Defense Appropriation Act (Public Law 85–724) called upon the military services "to award a much higher percentage of their prime contracts to small-business concerns." This admonition was strengthened when the Senate adopted an amendment to H. R. 12738, which specifically provided that in transporting military personnel and cargo by air, not less than 25 percent of the $84 million earmarked for such purposes should be spent pursuant to contracts with the small-business segment of the commercial aviation industry. The final version of the Act directs the Secretary of Defense "to utilize the services of civil air carriers which qualify as small business to the fullest extent found practicable."

It is well known, Mr. President, that the increasing complexity of military weapons has had a pronounced tendency to decrease the share of small business in military procurement. The Senate Small Business Committee has constantly urged the heads of the various military services to redouble their efforts to channel more prime contracts to small firms in the areas of their competence. For this reason I was pleased when the Appropriations Committee of the House, in its report on the Department of Defense Appropriation Act, 1959, directed the Secretary of Defense to take steps to increase the small-business share of defense contracts and to submit a written report to the committee prior to April 30, 1959, "setting forth in detail the action that has been taken and the progress that has been made in implementing these recommendations."

During the past session of Congress, the Senate Small Business Committee also held hearings in an effort to find out why small firms are not getting a fairer percentage of defense contracts. A report with recommendations will be issued on this subject by the committee in the near future.

At the same time, it is somewhat encouraging to learn that during fiscal year 1958, the Small Business Administration set aside for exclusive award to small concerns a record total of 17,819 contracts, totaling $1,062,454,081. This represented an increase of approximately 30 percent over the contracts set aside in fiscal year 1957. Without this increased set-aside, the percentage decline of defense contracts awarded to small businesses would have been even greater.

Other developments in the field area of Government procurement include the reenactment by Congress, as Public Law 85–804, of title II of the First War Powers Act which allows defense agencies to amend and modify Government contracts, make advance payments, formalize commitments, make indemnity payments, correct mutual mistakes, extend delivery schedules, and to waive liquidated damages. Also of interest to the small-business community was the passage of Public Law 85–800, a measure which gives contracting officers increased authority to make advance and progress payments, increases the maximum limits for local negotiated purchases, and unifies various Government procurement procedures.

ANTITRUST LEGISLATION

There is one legislative area, Mr. President, where, in my opinion, more progress might have been made by the 85th Congress. Several efforts to strengthen our antitrust statutes for the protection of business, both big and small, did not make significant headway.

I was disappointed, for instance, that S. 3079, my bill to make section 3 of the Robinson-Patman Act an integral part of our antitrust laws, failed to win the approval of Congress. The necessity for this proposed bill arose from the January 20, 1958, ruling of the United States Supreme Court that section 3 of the Robinson-Patman Act was not an antitrust law and, accordingly, that private suits for treble-damage redress or for injunctive relief could not be brought under its provisions. Bearing in mind that private treble-damage and injunction suits represent an effective means of antitrust enforcement, I feel that authority for such suits under section 3 should be established.

The members of the Senate Small Business Committee, Mr. President, are keenly aware of the importance of effective antitrust enforcement to the Nation's millions of small-business firms. During the past session of Congress, the committee held hearings on this subject and published a report entitled "The Role of Private Antitrust Enforcement in Protecting Small Business—1958." Shortly thereafter, Senator RUSSELL B. LONG, chairman of the Small Business Committee's Monopoly Subcommittee, introduced two bills to implement the recommendations of the report. S. 4224 would require the filing of evidentiary briefs by the Department of Justice with the court before accepting a consent decree. S. 4225 would make recoverable attorney's fees and actual costs of private antitrust actions for injunctive relief.

Senator HUBERT H. HUMPHREY, chairman of the Small Business Committee's Subcommittee on Retailing, Distribution, and Fair Trade Practices, introduced three other measures to follow up on the recommendations of the committee's report on private antitrust enforcement. S. 4233 would amend the Clayton Act to declare private antitrust actions vested with a substantial public interest. S. 4234 would amend section 4B of the Clayton Act to prohibit the waiver of private enforcement rights under the antitrust laws. S. 4236 would require the Justice Department and the Federal Trade Commission to publish in the Federal Register, 30 days before becoming final, the terms and conditions of all antitrust consent judgments.

These bills will, of course, be placed before the 86th Congress, together with a measure which I introduced during the 85th Congress calling for advance notice to be given to the Justice Department and the Federal Trade Commission when companies of a certain size are contemplating a merger.

It was a matter of regret to me that S. 721, which was passed by the Senate, was not enacted. I introduced this bill in order to increase the effectiveness of cease-and-desist orders issued by the Federal Trade Commission. This measure would have made FTC's orders under the Clayton Act final 60 days from the date of issuance unless appealed. At present, the Commission must wait until offenders have violated its order, then seek an affirming court order so that a third violation would constitute contempt of court. This is an unnecessarily cumbersome procedure. I am hopeful that the next session of Congress will look with more favor upon legislation designed to correct the situation.

On the credit side of the antitrust legislative ledger, the 85th Congress passed Public Law 85–909, an Act giving to the Federal Trade Commission some jurisdiction over meatpackers and food chain organizations with meatpacking subsidiaries. Under the terms of this measure, the FTC will have exclusive jurisdiction of the retail sales of meat products, while the Department of Agriculture will retain jurisdiction of packing activities at the wholesale level. This legislation means that the Federal Trade Commission is now in a position to police the chain groceries in their sales of meat and related products.

SUMMARY

Any appraisal, Mr. President, of the efforts of the 85th Congress to help the small-business men of our Nation must conclude that more meaningful small-business legislation was enacted by the 85th Congress than in any other Congress. Perhaps typical of comments of observers on the small-business program of Congress was that of the noted economic writer, Sylvia Porter, who stated in a recent syndicated column: "When you put it together, it's an impressive package of aid to small business. • • • The small-business man can say truthfully today that the 85th Congress not only has talked piously about his plight, but also has done something great to ease it."

An article in the New York Times of August 17, carried this headline: "Small Business Hits the Jackpot—New Legislation Goes Long Way in Providing Tax and Financing Relief."

While much has been accomplished, additional small-business problems will confront us, I am sure, as our economy becomes more and more competitive in spirit. It is my sincere hope that some of the omissions of our small-business legislative program may be repaired during the coming session of Congress. As new problems become evident, the Senate Small Business Committee will, I feel confident, promptly bring them to the attention of committees having legislative jurisdiction. The most helpful indication that American small business has come of age is the by now virtually universal recognition that our free enterprise economy cannot function efficiently without a strong small-business community.

Statement by Senator Wiley on His Activities During the 2d Session of the 85th Congress

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement on my activities during the 2d session of the 85th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR WILEY'S RECORD IN 2D SESSION OF 85TH CONGRESS

As senior Senator of Wisconsin, I am taking this opportunity to enumerate some of the highlights of my legislative activities during the 2d session of the 85th Congress.

This roundup will include legislation which I sponsored, cosponsored, and/or supported. Too, it will include my fights against

measures which I felt were not in the best interest of the Nation, as well as of my home State, Wisconsin.

In a brief résumé, of course, it is not possible to comment on all the issues raised in this session of Congress. I shall, however, attempt to hit the high spots, and provide you with an idea of my overall record in this session.

WILEY SUPPORTS STRONG NATIONAL DEFENSE

A major challenge in this missile-space age, of course, is providing for our Nation's security. To help accomplish this purpose, I supported—for the most part—the President's program for a strong national defense. In this jet-missile-hydrogen age, we do, indeed, need to maintain a mobile, hard-hitting modern-equipped Military Establishment.

The price of such defense is high. For 1959, the expenditures amount to about $40.4 billion. These costs, along with other related programs, account for over 50 percent of the overall Federal budget. Even though it is expensive, however, we can't afford to let down our guard. To the contrary, we need to be vigilant. The Communists are continuing aggression, either outright or subversive, on almost all fronts—economic, ideological, psychological, and military. Time after time, Khrushchev has stated that the aim of communism is to "bury us." Thus, we can't afford to do less than to be strong, ready, and able to defend our lives and country.

As we remain alert to protect our national interest from aggression abroad, we must also strengthen our laws, as possible, to stamp out the subversive activities at home.

NEED FOR HEALTHY ECONOMY

Next, of course, we recognize the need for a healthy economy at home, to provide our citizens with good standards of living and opportunities for the future. To achieve these objectives, we must have constructive programs.

Aid for small business: Small business, for example, is facing particularly difficult problems these days. That is why I cosponsored and supported legislation to help resolve some of these difficulties. These bills include: providing favorable tax adjustments for small business; establishing the Small Business Administration on a permanent basis, to enable the designing of long-range programs; and the Small Business Capital Act of 1958 to provide financial assistance to small businesses and other private (local) or State development credit corporations; to establish small-business investment associations; and to make equity capital available through funds provided by the Small Business Administration.

PROTECTING OUR CIVIL RIGHTS

Civil rights are a precious heritage. To protect these rights, I have opposed the so-called Jenner-Butler bill, S. 2646. If enacted, this ill-advised legislation, I believe, would have served to gradually erode the foundation of freedom in our beloved country. Under the guise of attacking a few unpopular decisions, it would have the ultimate effect of undermining the Supreme Court and thus upsetting the constitutional balance of powers within the United States Government. Traditionally, the High Court has been a guardian of our freedoms.

Naturally, we do not all agree on all decisions. However, it would be ill-advised, indeed, to undermine the judicial process which aims at safeguarding our rights and freedoms.

ASSURING JUSTICE FOR OUR CITIZENS

To help assure justice for our citizens, also, I cosponsored S. 3993. The bill would provide a public defender to represent indigent defendants in criminal cases in the district courts. The objectives of my bill passed the Senate in S. 3275. Regrettably, however, it did not get approved by the House of Representatives.

RIVERS AND HARBORS PROJECTS

The development and expansion of our rivers and harbors is an important task confronting the Nation. The objective, of course, is to get maximum use, as well as to conserve a significant natural resource: water. To help accomplish this purpose, I cosponsored legislation along the lines of Public Law 85–500, a new law authorizing the construction and preservation of rivers and harbor projects for navigation, flood control, and other purposes. Among the Wisconsin projects included were: Saxon Harbor, Two Rivers Harbor, Port Washington Harbor, Upper Fox River; flood protection on Eau Galle River at Spring Valley; flood protection on Bad River at Mellen and Odanah; etc.

OPPOSING WATER STEAL BILL

You will recall too, my fight to halt the attempt to divert a dangerous volume of water from Lake Michigan at Chicago by the enactment of H. R. 2—the water diversion bill. The stakes in this fight were high.

If enacted, the measure would: (a) Threaten our relations with a good neighbor, Canada; (b) jeopardize the development of the St. Lawrence Seaway; and (c) seriously damage our port and harbor development projects.

How? If the diversion of more water into the Illinois Waterway had been approved, it would have lowered the water level of Lake Michigan, and all of the Great Lakes.

Happily, we won the battle. However, we must gird ourselves for the fight again next session.

INCREASING WATER SUPPLY

Our Nation faces a growing problem of inadequate sources of water. Ever-increasing consumption requires renewed effort to assure an ample supply for the future. For that reason, I cosponsored Senate Joint Resolution 135. The purpose is to authorize the Secretary of the Interior to construct demonstration plants to transform saline, or brackish water to water suitable for agricultural, municipal, industrial, or other beneficial consumptive purposes.

With greater demands on our water supply, additional efforts are needed to better utilize the available water supply in whatever form it exists, as well as stepped up effort to transform saline or brackish waters for further utilization.

The bill approved by Congress, and signed by the President, is now Public Law 85–883.

BRIGHTENING THE FUTURE FOR ELDERLY CITIZENS

Our ever-increasing number of senior citizens in the Nation—now about 15 million—are facing increasingly difficult problems.

To provide an improved senior citizens program, I have taken the following actions:

Supported a 10 percent increase in social security benefits—affecting over 281,000 folks in Wisconsin. A lesser amount of 7 percent was approved in the new law, Public Law 85–840.

Sponsored legislation to increase the allotment for extra earnings for folks on social security from $1,200 to $1,800 annually—without suffering loss of social-security benefits.

Urged adequate, low-cost housing to meet the special needs of our senior folks.

Recommended greater opportunities for part-time or full-time employment, including getting rid of unfortunate prejudice against hiring maturing citizens.

Recommended counseling and vocational or avocational guidance to help our aging citizens make the occupational, physical, mental, and financial adjustments to aging.

Urged establishment of broader programs to enable our older folks to continue to participate in and contribute to community life.

As science opens the way to longer life, it is important that the opportunities for folks in the upper age bracket should have a brighter outlook. "For age is opportunity, no less than youth," wrote Longfellow, "though in another dress."

WHAT ABOUT AGRICULTURE?

Regrettably, this Congress has not enacted major legislation that would have outstanding benefits for the dairy industry—a major part of our Wisconsin agriculture. However, some progress was made in the general agricultural field.

These included: Extension of the soil-conservation program for 4 years; extension of the Armed Forces dairy-products program for 3 years, until December 31, 1961, to help improve the diets of our servicemen as well as provide an outlet for our dairy surpluses; extension of the brucellosis-eradication program. Even though Wisconsin has been declared brucellosis free, we still need a nationwide program of complete eradication of this disease. Extension of Public Law 480 to provide for export of our surplus dairy and other farm commodities; promoting more humane slaughter of livestock; providing more funds for forest research.

In addition to supporting the above measures, I sponsored legislation with the following objectives:

S. 2912 and S. 2924, designed to prevent the lowering of price supports for dairy products. The purpose, of course, is to prevent further reduction of farm income, already too low in relation to the high costs of farm operations. Regrettably, the objectives of this legislation as approved by Congress in Senate Joint Resolution 162, was vetoed.

Public Law 85–748 was enacted to extend, expand, and improve programs for distributing surplus milk to our school children as well as to summer camps, settlement houses, and other nonprofit institutions devoted to the care and training of children.

S. 3930, to improve the distribution of surplus foods to needy people. The purpose of this legislation is to provide additional funds for certifying needy people so as to facilitate the distribution of more of the surplus products to hungry people.

S. 4019, to liberalize Federal regulations so as to provide surplus grains to farmers in disaster areas.

PROTECTING THE INTERESTS OF OUR VETERANS

Over the years, our Nation has designed a system of benefits to help relieve the economic, physical, psychological, and other problems and difficulties suffered by veterans as a result of service. The recently adjourned Congress did not make broad-scale improvements in these programs.

However, legislation was enacted to: provide a 10 percent increase in special compensation to about 2 million veterans who are 50 percent or over disabled and have dependents; increases the pensions to those who have been awarded the Congressional Medal of Honor from $10 to $100 a month; continue the Direct Loan Program for home purchases, increasing the amount of a single direct loan from $10,000 to $13,500; provide aid and allowance of $100 per month for paraplegics—those with loss of use of both arms or both legs through service-connected disabilities or disease—for veterans not in VA or other Government hospitals; and, provide other benefits.

A major victory of the Congress, of course, was the successful effort to block attempts to cripple veterans' benefits programs; for example, along the lines recommended by the Bradley Commission.

LEGISLATION FOR IMPROVED CONSERVATION

Our conservationist-minded folks—in making constructive efforts to preserve our natural resources—are serving both a personal, and a national, interest. Today, an ever-expanding population and a spreading industrial-residential complex, threaten to encroach further upon our natural out-of-doors.

To preserve our natural resources, particularly those included in natural heritage areas, the Congress has adopted a number of significant programs. These include: Public Law 85–470, to establish a Natural Outdoor Recreation Review Commission. The purpose is to carry on a nationwide survey and evaluation of outdoor recreation resources and opportunities. * * * The enactment of Public Law 85–510, the Cloud Modification Research Act, to establish a 5-year program of experimental research, in the field of cloud modification and general weather control, with special attention to rainfall. More effective weather control promises great things for our conservation program—including: avoiding floods, drought, tornadoes, cyclones and other natural disasters that ravage and deplete our natural resources.

Legislation, too, was enacted to carry out a study aimed at preventing the poisoning of fish and wildlife by forest and crop sprays. The purpose of the investigation, is to determine the ill effects of some insecticides, fungicides, and pesticides, upon fish and wildlife. The ultimate aim, of course, is to avert unnecessary losses of fish and wildlife.

Wiley bill to provide fair distribution of funds for wildlife projects: I introduced legislation to prevent a change in the formula for fund distribution under the Pittman-Robertson Act that would have resulted in unfair allocation of funds under this program. While action was not completed on the bill, the Secretary of the Interior has agreed to hold in abeyance any change in the fund-distribution formula until further consideration can be given to the factors involved.

MORAINE NATIONAL PARK STUDY FOR WISCONSIN

The scope and beauty of Wisconsin's 500-mile long moraine area—including formations of rock, gravel, sand, hills and valleys, sculptured by glacial action—is unsurpassed anywhere in the United States. I have urged the Department of the Interior to expeditiously complete and evaluate a study of these scenic topographical features, to determine the feasibility of establishing a Moraine National Park in Wisconsin. The challenge, of course, is to evaluate all the factors involved—including the costs, administrative problems, land areas to be affected, and other matters of local and State, as well as national, interest. If the survey reveals the feasibility of such a project, I will introduce legislation to establish a Moraine National Park in Wisconsin.

GREAT LAKES BASIN COMPACT

In support of Wisconsin interests and development of the Great Lakes area, I cosponsored legislation, S. 1416, to provide for Congressional consent to the formation of a compact between Great Lakes States. The purpose is to speed the development and utilization of industrial, commercial, cultural, residential, and other uses of the resources of the Great Lakes area. Although we succeeded in getting approval in the Senate, this measure, regrettably, did not pass the House of Representatives.

WILEY ON SPECIAL COMMITTEE ON SPACE AND ASTRONAUTICS

The exploration of outer space—a new frontier—is a challenge which the United States must successfully meet to protect its future. In 1957, the United States was shocked out of its astronautical slumber when Soviet Russia put its first satellite into orbit. Basically a scientific instrument, the satellite, however, has a tremendous military potential that can be a real threat to our security.

Responding to the challenge, Congress established a Special Committee on Space and Astronautics—of which I am a member. Following hearings, new legislation to establish a civilian-directed National Aeronautics and Space Agency was enacted in Public Law 85–568, to direct and control United States space programs.

A successful space exploration program, of course, is essential for the scientific and defense purposes of the Nation. Too, new data acquired is expected to have practical benefits for improved agriculture, weather control, communications, transportation, utilization of the sun's energies for heat and power, navigation, and other purposes.

OTHER LEGISLATION COSPONSORED BY SENATOR WILEY

I, of course, cosponsored other legislation, including the following:

To expand and improve our educational program, I cosponsored S. 3163, to help provide needed assistance for expansion and improvement of our educational program. The objectives include: better facilities, aid for teachers, loans to students to attain higher educational goals, etc. Legislation with these general objectives, Public Law 85–864, was approved by Congress. S. 3318, to extend the mutual security program for strengthening the Free World defense. S. 3335, to provide a National Capital center of the performing arts as well as to promote greater international understanding through the stepping-up of friendly exchanges of artists in these fields. This bill, now enacted into law, authorizes projects to be constructed with funds raised by voluntary contributions. The purpose is to improve our own presentations of music, drama, dancing, poetry, and other performing arts. Senate Joint Resolution 147, to designate the first day of May of each year as Loyalty Day. Senate Joint Resolution 201, authorizing a medal for Rear Adm. Hyman George Rickover in the recognition of his outstanding services to our country. Senate Concurrent Resolution 59, designation of the year 1960 as Visit U. S. A. Year to encourage visitors from abroad as a vital step in improving internation understanding and promoting world peace.

OTHER MAJOR LEGISLATION SUPPORTED BY YOUR SENIOR SENATOR

In addition to the legislation which I sponsored or cosponsored, let me also give you a thumbnail sketch of other legislation I supported. Why did I support these measures? Because I felt the enactment of these laws would be in the best interests of Wisconsin and the Nation.

The major bills included: The reorganization of the Defense Department; extension of the Reciprocal Trade Agreements Act; admission of Alaska as the 49th State; enactment of the Federal Aviation Act; support of Emergency Housing Act, including increased authorization to FHA mortgage insurance program by $4 billion; expansion of the highway program; legislation to provide funds so that States may extend unemployment compensation to those unemployed workers.

Other legislation I supported includes: Extending the Hill-Burton Act for hospital survey and construction; legislation to require reporting and disclosure of employee welfare and pension funds to avoid embezzlement of such funds; expansion and improvement of our civil defense program with funds for State and local participation; establishment of a National Out-of-Door Recreation Resources Review Commission to study outdoor resources; increase in salary and retirement benefits for postal and other classified Federal workers; postal rate increases, a measure adopted to help wipe out the red ink finances of the Post Office Department; extension, with some modification, of corporate and excise tax laws to help provide revenue for Federal expenditures; legislation providing stricter penalties for the transmission of obscene matter through the mails.

LOOKING AHEAD

Thus, the record of the 2d session of the 85th Congress—as well as of Senator WILEY—of course, has been established by the action of the Congress on this and other legislation. However, we recognize that there is still hard work to be done in many fields. Now—and in the days ahead—we face such problems as: Attaining full economic recovery; holding down inflation; improving our senior citizen's programs; brightening the farm outlook; providing more opportunity for small business; improving and expanding educational programs; strengthening our security; promoting business, and other actions of local, State, national, and international significance.

The challenge of resolving these problems, of course, are not only for the Congress, but also for the American people.

Atomic Energy Development—Nevada Projects

EXTENSION OF REMARKS
OF
HON. GEORGE W. MALONE
OF NEVADA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement on the development of atomic energy for peaceful uses with special references to projects at the University of Nevada.

There being no objection, the statement was ordered printed in the RECORD, as follows:

Atomic energy development, today's challenge, will change the course of history in the fields of engineering, agriculture and medicine. These changes will affect the lives and living standards of all of our citizens and the generations to come.

In 1949, I initiated conferences with the late Gordon Dean, chairman of the Atomic Energy Commission (AEC), on three projects for the University of Nevada, projects which will lay the groundwork for future projects. The work has been continued under Lewis L. Strauss, who succeeded Mr. Dean as chairman in 1953, and under the new AEC Chairman John A. McCone.

THREE NEVADA UNIVERSITY PROJECTS ACHIEVED

The radioactive fallout or radiation dust project, the uranium ore beneficiation project, and the reactor technology project were all part of our plan for my alma mater, the University of Nevada. All have been accomplished.

The radiation fallout project is in the college of agriculture under Dean James E. Adams and Dr. V. R. Bohman; the uranium beneficiation project at the Mackay School of Mines is under Dean Vernon E. Scheid and Dr. John N. Butler, and the radio technology project is under the committee of deans with Dr. S. W. Leifson, head of the department of physics, as chairman, and Dr. David F. Dickinson, the newly appointed professor of nuclear engineering.

A fourth project, which would include a complete accessory laboratory plant and machine shops for further study and application of atomic energy to new and constructive uses, lies ahead. All this means more Nevadans grounded in nuclear physics and reactor technology.

NEVADA ENGINEERS THROUGHOUT THE WORLD

Nevada University engineers have established successful careers in America and throughout the foreign engineering field for more than half a century. They have successfully competed with engineers from all areas of the world.

In mining, reclamation, and industrial engineering, Nevadans have had no peer. Today the new field of atomic energy research and development must be expanded in our own university if we are to keep pace with other seats of higher learning in preparing Nevada students for their respective professions, and I am confident that it will be.

NUCLEAR REACTOR TECHNOLOGY—A MUST

The new nuclear reactor technology course at our Nevada University is a must. Without it we would not only lack the training facilities for our young people but we would lose many of our engineering and science students at the end of 2 years to colleges and universities where such studies are available. We would, in effect, be a secondary school in this field. But with such a course we will be second to none.

Engineers, doctors, and agriculturists entering their respective fields 5 to 10 years from now without understanding the new nuclear reactor technology principle of the generation of power and the peaceful applications of atomic energy will be definitely limited in their competitive careers.

Nevada students who have acquired this knowledge will be in the forefront in their fields.

USES OF NUCLEAR TECHNOLOGY

Potential applications of atomic energy for peaceful and economic uses are infinite.

As AEC Chairman Strauss told University of Nevada graduates at the commencement exercises in Reno, June 2, 1990 most of our electrical energy will come from atomic reactors. The isotope U–235 separated from natural uranium will be fissioned to provide these kilowatts.

First use of electricity generated by atomic reactors should be in arid and less accessible areas of the West which hold our greatest mineral wealth and where power is needed for communities, mines and new industries, and to pump underground waters from far below the surface of the land.

This does not mean that we can mark time on our program for construction of new and extensive hydroelectric projects, or in the rapid and full development of our liquid fuel resources which are also an important source of electric energy. We will need all sources of energy, including atomic reactors, to meet our requirements in the not too distant future.

Adm. Hyman Rickover, "father" of the U. S. S. *Nautilus*, our first nuclear-powered submarine, tells me that to maintain our present energy margin the oil industry will have to drill 1,200,000 oil wells in the United States in the next 10 years.

ATOMIC ENERGY TECHNIQUES TO REVEAL HIDDEN MINERAL TREASURES

Admiral Rickover, with whom I have had a number of consultations since I attended the launching of the U. S. S. *Nautilus* at Groton, Conn., in January of 1954, envisions wide use of nuclear technology in prospecting for minerals now hidden far below the ground. This should prove a tremendous boon to Nevada, the most richly mineralized State in the Union.

Geophysical prospecting, states Admiral Rickover, will include measurement of radioactivity, measurement of local perturbation in the earth's magnetic lines of force, use of seismographic techniques to determine the depth of structures of various densities, and electrical techniques for the measurement of restivity of various ore bodies.

Atomic energy also has a role in geobotanical prospecting. As Admiral Rickover explains, this is a special case of geochemical prospecting which includes analysis of samples of soils, rocks and ground water, and in which frequently small increases over normal metal content indicates the presence of ore bodies in the vicinity.

In geobotanical prospecting, he adds, certain plants concentrate large amounts of certain metals from the ground. Analyses of the ashes of these plants may indicate that ore bodies are near, whereas chemical analyses of the rocks and ground water may not be sufficiently sensitive. Admiral Rickover quotes AEC and United States Geological Survey authorities as stating that ore bodies under a cover of barren sandstone as much as 25 meters thick may be detected by testing plants growing above them for uranium and associated elements.

To date the use of atomic energy techniques has been largely limited to the location of uranium and thorium deposits, but a number of very powerful new techniques are under development for the discovery of other mineral deposits.

THE SECONDARY DEFENSE AREA

Our University of Nevada is located in the secondary defense zone, back of the Sierra Nevada Mountains.

Practically all of the technical brains and equipment on the Pacific slope, including the Universities of California, Stanford, California School of Technology, Southern California, University of California Los Angeles, and the laboratories, could be destroyed in a few minutes by missiles equipped with atomic warheads launched by enemy submarines offshore.

In the event of a real threat many of the scientists and engineers could move into the secondary defense area and continue their work at the University of Nevada.

THE IDEA—THE START OF THE PARTICIPATION

In 1951 I persuaded the then president of the university, Dr. Malcolm A. Love, to send Dr. Joseph E. Moose, head of the chemical department, and Mr. Roy Hardy, one of the regents and an engineer in his own right, to Washington to review the work then being done in the field of reactor technology.

When they arrived I left the Senate for a 10-day period and conducted them on a tour of the Oak Ridge, Tenn., atomic project and also the Long Island installation. This was the beginning.

In 1952 the project to determine new and improved methods of beneficiating uranium ore was established by Gordon Dean, Chairman of AEC, and $60,000 was allotted to the Mackay School of Mines to carry on the work.

This project, continued with substantial allocations each year since then, and with many accomplishments to its credit, is being completed as AEC advises that sufficient uranium ores have now been developed for the next 10 years. Dr. John N. Butler, project engineer, is preparing a final report in which new projects will be suggested utilizing the specialized equipment at the Mackay School of Mines, and its experienced personnel for further research.

THE RADIOACTIVE FALLOUT PROJECT

In January 1954, a project to determine the effect of radioactive fallout on the production of cattle and livestock on the ranges adjacent to the nuclear test site in southern Nevada was established in the animal husbandry branch of the MAX C. Fleischmann College of Agriculture under Dr. Adams. Again AEC Chairman Dean cooperated in our efforts.

The project, which has important implications in range areas, was enlarged this year to cover the relation of atomic fallout to soil, plant, and animal life and will have far-reaching value to agriculture and husbandry.

AEC'S GRANT FOR A NUCLEAR REACTOR AT UNIVERSITY OF NEVADA

In June of this year we persuaded AEC Chairman Lewis Strauss to come to the university to make the commencement address, and to announce that AEC had just made a $40,000 grant to the University of Nevada to enable it to procure a subcritical nuclear reactor for instructing students in the fundamentals of nuclear physics and reactor technology.

The grant of $40,000 is identical to the amount that was granted to Columbia University in 1940 for the very first atomic-research project in the United States looking toward applications of atomic energy to national defense and military purposes.

It is my hope that the equivalent grant to the University of Nevada will be equally effective in advancing the applications of atomic energy to peaceful and economic uses and our national progress.

Mr. Strauss agreed that Nevada's university was ideally located for this pioneer work.

SUCCESS OF PROJECTS ALREADY GAINED WILL STIMULATE NEW ONES

Procurement of the subcritical nuclear reactor for the University of Nevada marks the completion of my initial three-project program for the university, conceived in 1949 with the cooperation of the AEC.

Necessary laboratories and machine-shop development should later become a part of this vital unit. Success of the projects already obtained will, I am sure, assist me in obtaining additional grants from AEC for future projects, so that our university may keep pace with the other higher institutions of learning in this field.

ATOMIC ENERGY A POWER FOR PEACE

While new peaceful uses of atomic energy are being developed we must not lose sight of the necessity of expanding the military application of this tremendous force which can give us the power to destroy any nation that may dare to attack us or serve as such a mighty deterrent to war that we can preserve the peace of the world.

Four years ago, when I witnessed the launching of the U. S. S. *Nautilus* at Groton, Conn., I realized what a potential power it could be for peace. That is even more apparent now that the U. S. S. *Nautilus* has crossed the North Pole under the Arctic ice, followed closely by its sister ship, the U. S. S. *Skate*, an achievement that will inevitably revolutionize warfare or deter our enemies from attack.

To date only the United States is known to have the atomic submarine, a tribute to the early vision and foresight of Admiral Rickover.

Nuclear-powered submarines, equipped with missiles armed with atomic warheads and lying under the Arctic ice, could utterly destroy Russia or any other nation that might attempt a surprise attack on the United States. An enemy that would be so rash might deal a devastating blow to our cities and towns, but the retaliatory power of our atomic submarine fleet would then utterly liquidate the enemy.

Foreign nations know that and this knowledge should be sufficient to deter any present or future enemy from contemplating aggression or a sneak Pearl Harbor type attack against us. Our capabilities for retaliation can be our best guaranty of peace.

GREATLY EXPANDED ATOMIC-POWERED SUBMARINE FLEET URGED

Twenty, forty, or a hundred sister submarines to the U. S. S. *Nautilus*—whatever

number our defense chiefs consider necessary to do the job—should be constructed as rapidly as possible. Then an ample number should be stationed under the Arctic ice pack where they would be in constant readiness to meet any threat to our security.

With the advent of the atomic submarine, supersonic warplanes, and intercontinental missiles little wars are almost past. The next great war, if it occurs—and it will not occur if we maintain air and sea supremacy and mind our own business—will be fought in the air and under the seas. But we must prepare as though we were facing an enemy attack tomorrow, with undersea and air striking power in being, and with increased technology that will assure permanent superiority. Brain must be matched to our military muscle, and that is why I am fighting for new and expanded projects for our university.

In Senate Report No. 1627 of the 83d Congress, issued in July 1954 by the Senate Minerals, Materials, and Fuels Economic Subcommittee, of which I was chairman, I called attention to the serious decline in the Nation's technical graduates and warned that if such a decline continued it could endanger our safety and security. One reason for that decline has been the meager remuneration that skilled engineers, physicists, and experts in other technological fields receive after years of concentrated study and experience. The need for more technologists is imperative and the young people of Nevada and the Nation must be encouraged in every way possible to study and prepare for this vital work

Admiral Rickover has been making similar appeals. Russia, he warns, is now training twice as many professionals in technical fields than we are, adding, "the scientific revolution is upon us and we have not prepared to meet its ever-spiraling demands."

UNIVERSITY OF NEVADA CAN HELP SUPPLY VITAL NEED

"Atomic power," he reminds us, "calls for a higher plateau of engineering competence. We are constantly coming up against barriers built of lack of understanding for the specific requirements of this new energy source. To take just one example: Lack of basic theoretical knowledge in the whole field of metallurgy forces us to waste time in ad hoc experiments, simply because we do not yet know why metals act the way they do when exposed to radiation."

The admiral places the obligation to supply this need on our Nation's educational system, its schools and universities, most of them hard pressed for the revenues to maintain even their present curriculum. To get the work done the Federal Government must assist in financing these projects. With the projects the University of Nevada has already gained, and those that I am sure will come, our own university, I know, will help meet this national need by preparing more and more engineers and technologists who will find a place in the front ranks of science and achievement.

EXPANDED MONROE DOCTRINE NEEDED

Technical and scientific knowledge and the advanced weapons they produce must be balanced by policies of peace on earth and goodwill toward men.

The most successful policy for peace in the history of our Nation was the Monroe Doctrine of 1823 which barred further European aggressions in the Western Hemisphere. It was forceful and it was clearly stated.

Today, the Monroe Doctrine, clearly stated, should be extended to cover all other areas of the world where aggression would be a threat to our security. With such an expanded doctrine, backed by air and undersea power, we could prevent any aggressor nation from establishing its form of government—politically, economically, or militarily—within the areas our Government considers vital to our peace and safety. Should any nation in the face of such a doctrine attempt such domination we could destroy its warmaking capacity at home.

Under the present Monroe Doctrine no European power has succeeded in expanding its power in the Western Hemisphere in 135 years, and only one abortive attempt to do so has been made. An expanded Monroe Doctrine, in my opinion, would be an equally effective policy for peace.

PRINCIPLES WERE DEVELOPED IN MANY PARTS OF WORLD BUT APPLICATIONS ACHIEVED IN UNITED STATES

Many scientists in many countries have contributed to our knowledge of atomic energy since Becquerel in France discovered radioactivity in 1896; Pierre and Marie Curie and F. Joliet of France, New Zealander Ernst Rutherford, C. D. Anderson, of the California Institute of Technology, and the aforementioned Dr. Lawrence; W. Bothe, H. Becker, Otto Hahn, Fritz Strassmann, O. R. Frisch, and Lise Meitner of Germany, Niels Bohr of Denmark, Hungarian-born Leo Szilard, Eugene Wigner and Edward Teller, Walter Zinn of Canada, J. A. Wheeler at Princeton, Harold C. Urey, those previously mentioned giants Albert Einstein and Enrico Fermi, and a score of others. Many of the foreign physicists had escaped to America from Nazi-occupied areas of Europe. They discussed application of the newly discovered fission principle to military weapons with American physicists and, in 1939, sent Fermi to confer with Navy authorities. The latter asked to be kept informed. Later that year Alexander Sachs of New York delivered a letter written by Dr. Einstein to President Roosevelt and urging that the Government encourage further work in the atomic field with a view to determining its potentials for national security. In November 1941, Dr. Vannevar Bush informed the White House that developments were well enough advanced to justify efforts to produce an atomic bomb. Fermi, with some of his associates, was sent to Chicago, where, in an abandoned squash court beneath the stands of Stagg Field, they constructed a mysterious atomic pile. On December 2, 1942, the scientists achieved the first self-sustaining chain reaction. The principles had been evolved in the brains of men and women in many universities in many parts of the world. The application was achieved in the United States.

Record of Votes in the 85th Congress

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SIMPSON of Pennsylvania. Mr. Speaker, the 2d session of the 85th Congress has appropriated $80.9 billion, the largest peacetime appropriations in history. The record of this Democratic-controlled Congress would make it appear that we have operated on the philosophy of lending money, giving it away, throwing it away, and then printing some more. This course, if continued, will destroy the value of the dollar and impose vast additional tax burdens on our people.

On August 30, 1957, I reviewed the record votes involving economy in Government during the 1st session of the 85th Congress. Out of 100 rollcalls, there were 49 which had a direct effect on Government spending and Government income. My analysis showed that 63 percent of all economy votes were cast by Republicans, while the Democrats were responsible for 70.7 percent of all spending votes.

In order to bring the record up to date, I have compiled a similar analysis for the 2d session of the 85th Congress. This time, out of 93 record votes 31 effected economy in Government. This year the difference between the parties was even more marked. The Republicans were responsible for 75.6 percent of all the economy votes, the Democrats for 77.1 percent of all the spending votes.

For the entire 85th Congress, both the 1st and 2d sessions, there was a total of 80 issues effecting economy in Government. Republicans accounted for 67.5 percent of all the economy votes and the Democrats for 73.3 percent of all the spending votes. Democrats contributed only 32.5 percent of the votes for economy and Republicans, 26.7 percent of the votes for more spending.

Almost $9 billion of additional spending was prevented by Republican votes for economy during the 2d session of the 85th Congress. A review of the entire record provides ample evidence that the Republican Party believes in economy. The Democratic Party is apparently dedicated to the philosophy of spending money regardless of where it is coming from.

I am including an analysis of the 31 economy votes during the 2d session of the 85th Congress as an extension of my remarks. The tabulations speak for themselves.

List of record votes involving economy in Government, House of Representatives, 85th Cong., 2d sess.

Roll-call No.	Vote for economy position	Votes cast			
		For economy		Against economy	
		Republicans	Democrats	Republicans	Democrats
11	Yea	152	.....	16	181
14	Nay	111	73	72	128
18	Nay	170	105	17	102
19	Yea	175	136	13	73
20	Yea	166	1	22	212
21	Nay	76	5	113	208
25	Nay	102	37	84	173
27	Yea	154	19	31	180
28	Nay	141	31	44	166
37	Nay	70	32	92	128
50	Yea	163	60	17	148
87	Nay	127	32	52	173
99	Yea	172	30	15	198
107	Nay	162	53	21	180
122	Yea	169	10	8	194
142	Nay	162	49	14	150
152	Nay	151	36	22	151
155	Nay	133	2	53	208
157	Nay	148	38	35	172
161	Yea	95	45	95	147
165	Nay	156	24	22	180
170	Nay	113	46	57	159
172	Yea	116	54	49	139
174	Nay	111	23	66	185
177	Nay	150	37	27	160
181	Nay	88	77	78	120
184	Yea	128	62	33	139
187	Yea	105	66	50	124
188	Nay	105	76	46	112
191	Nay	37	18	108	153
192	Nay	53	11	87	187
	Total	3,962	1,277	1,450	4,874

List of record votes involving economy in Government, House of Representatives, 85th Cong., 2d sess.

Roll-call No.	Vote for economy position	Description
11	Yea	H. J. Res. 2, providing for the transfer of right-of-way for Yellowtail Dam and Reservoir and payment to Crow Indian Tribe in connection therewith. Motion to recommit. Rejected 152 to 197, Feb. 19, 1958.
14	Nay	H. R. 10881, making supplemental appropriations for fiscal year 1958. Amendment providing an additional $10,000,000 each for Glen Canyon project and the Trinity River reclamation projects. Passed 300 to 184, Feb. 26, 1958.
18	Nay	H. R. 8002, providing for revised methods of stating budget estimates. Motion to recommit. Rejected 119 to 275, Mar. 6, 1958.
19	Yea	Passage of bill. Passed 311 to 86, Mar. 6, 1958.
20	Yea	S. 497, authorizing rivers and harbors projects. Motion to recommit with instructions to include only projects which had been approved by the Corps of Engineers and the Bureau of the Budget. Rejected 167 to 294, Mar. 11, 1958.
21	Nay	Passage of bill. Passed 321 to 81, Mar. 11, 1958.
25	Nay	S. 3262, authorizing support by the Armed Forces of the Olympic winter games and authorizing appropriation of $4,000,000. Motion to suspend the rules and pass. Rejected 257 to 130, a ⅔ majority being required, Mar. 19, 1958.
27	Yea	S. J. Res. 162, preventing temporarily any reduction in agricultural support prices or acreage allotments. Motion to recommit, with instructions to make resolution applicable only to dairy products. Rejected 173 to 211, Mar. 20, 1958.
28	Nay	Adoption of resolution. Adopted 210 to 172, Mar. 20, 1958.
37	Nay	S. 3262, authorizing support by the Armed Forces of the Olympic winter games and authorizing appropriation of $4,000,000. Passage of bill. Passed 218 to 102, Mar. 25, 1958.
50	Yea	H. R. 12065, authorizing Federal unemployment benefits for individuals who exhaust their benefit rights under existing unemployment compensation or are not covered by State systems. Amendment substituting bill providing for loans to States for payment of extended benefits. Adopted 223 to 165, May 1, 1958.
87	Nay	H. R. 12738, making appropriations for the Department of Defense for fiscal year 1959. Amendment increasing appropriation by $99,000,000 and requiring that the Army strength be maintained at 900,000. Adopted 225 to 150, June 5, 1958.
99	Yea	H. R. 12641, providing for reorganization of the Department of Defense. Motion to recommit with instructions to bring bill in line with President's recommendations. Rejected 162 to 211, June 12, 1958.
107	Nay	H. Res. 609, providing for the consideration of H. R. 12964, the omnibus farm bill of 1958. Adoption of resolution. Rejected 171 to 214, June 26, 1958.
122	Yea	H. R. 12015, authorizing certain construction at military installations. Motion to recommit with instructions to make permissive, rather than mandatory, the sale of San Jacinto Depot, Tex., property. Rejected 179 to 222, July 10, 1958.
142	Nay	H. Res. 685, resolution providing for the consideration of H. R. 4504, authorizing $25,000,000 for mortgage insurance on marketing facilities for handling perishable agricultural commodities. Adoption of resolution. Rejected 164 to 211, July 24, 1958.
152	Nay	H. Res. 660, resolution providing for the consideration of S. 3497, authorizing $2,000,000 in loans to municipalities for community facilities. Adoption of resolution. Rejected 173 to 187, Aug. 1, 1958.
155	Nay	H. R. 13015, authorizing certain construction at military installations. Adoption of conference report. Adopted 256 to 135, Aug. 6, 1958.
157	Nay	S. 4071, providing for price, production adjustment and marketing programs for various agricultural commodities. Motion to suspend rules and pass. Rejected 210 to 186, a ⅔ majority being required, Aug. 6, 1958.
161	Yea	H. R. 12247, authorizing $1,070,000,000 for Federal scholarships, loans and aid to the States for educational purposes. Motion to recommit. Rejected 140 to 233, Aug. 8, 1958.
165	Nay	S. 2266, providing that wage rates for employees of Portsmouth, N. H., Naval Shipyard shall be the same as rates established at Boston Shipyard. Motion to pass bill over veto of President. Rejected 202 to 180, a ⅔ majority being required, Aug. 13, 1958.
170	Nay	H. Res. 682, providing for the consideration of S. 3683, authorizing loans, grants, and other financial assistance to depressed areas (Area Redevelopment Act). Adoption of resolution. Adopted 216 to 159, Aug. 15, 1958.
172	Yea	S. 3683, authorizing loans, grants, and other financial assistance to depressed areas (Area Redevelopment Act). Motion to recommit. Rejected 170 to 198, Aug. 15, 1958.
174	Nay	S. 4035, authorizing $1,285,000,000 additional Federal housing program. Motion to suspend rules and pass. Rejected 251 to 134, a ⅔ majority being required, Aug. 15, 1958.
177	Nay	H. R. 13057, providing for the establishment of a food stamp plan for the distribution of $1,000,000,000 in surplus food commodities a year. Motion to suspend rules and pass. Rejected 194 to 187, a ⅔ majority being required, Aug. 18, 1958.
181	Nay	H. Res. 688, providing for consideration of S. 4036, subsidizing the copper, lead, zinc, acid grade fluorspar, and tungsten industries. Adoption of resolution. Adopted 198 to 165, Aug. 19, 1958.
184	Yea	H. R. 13420, making supplemental appropriations for fiscal year 1959. Motion adding $10,008,000 for construction of additional radio facilities for U. S. Information Agency. Adopted 190 to 172, Aug. 20, 1958.
187	Yea	S. 4036, subsidizing the copper, lead, zinc, acid-grade fluorspar, and tungsten industries. Motion to strike enacting clause. Rejected 171 to 174, Aug. 21, 1958.
188	Nay	Passage of bill. Rejected 159 to 182, Aug. 21, 1958.
191	Nay	S. 3335, donating land and providing for construction in the District of Columbia of a national cultural center. Motion to suspend rules and pass. Passed 261 to 56, Aug. 22, 1958.
192	Nay	H. R. 13343, authorizing the appropriation of $500,000 for the Pan American games in Chicago, Ill. Motion to suspend rules and pass. Passed 264 to 64, Aug. 22, 1958.

Report of the Anti-Defamation League of B'nai B'rith on Soviet Anti-Semitism

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. KEATING. Mr. Speaker, the Anti-Defamation League of B'nai B'rith has recently exposed another example of Communist Russia's ruthless persecution of minorities and religious groups. In its report on Anti-Semitism in the Soviet Union Today, the league documents the steady destruction of the civil rights of Jews living in Russia. The evidence set forth in this report shows that Russian Jews are being systematically excluded from political life; subjected to educational quota systems by which they are virtually excluded from institutions of higher learning; eliminated from the diplomatic and military services; and harassed by a Government-approved anti-Semitic press campaign. The report concludes that the prospects for Soviet Jewry are "dire and gloomy," and compares the Communist repression of the Jews to that of the Nazi's during Hitler's reign of terror.

This report is another example of the Anti-Defamation League's ceaseless efforts in behalf of minority groups all over the world. The league's determined fight to achieve equal justice under law for every man regardless of race, creed, or color deserves the commendation of all citizens interested in stamping out intolerance and bigotry wherever it exists.

The league's exposure of Communist anti-Semitism should not be regarded as a mere academic exercise. Certainly, the coordinated destruction of Jewish civil rights is a violation by the Soviet Union of the Charter of the United Nations, which expressly affirms the faith of the peoples of the United Nations in fundamental human rights. After reading the league's report, I called on our Ambassador to the United Nations to undertake a concerted effort to spotlight before the whole world the perfidy of the Soviet Union in this matter. I am gratified that both Ambassador Lodge and our Deputy Representative, James Wadsworth, have promised to do everything possible to have the United Nations deal with the problem.

Under leave previously granted, I include in the RECORD excerpts from the statement issued by the Anti-Defamation League, my letter to Ambassador Lodge, and the replies I received:

ANTI-DEFAMATION LEAGUE STATEMENT

Soviet statistics highlight the steady destruction of the civil rights of Jews, who are being progressively squeezed out of educational, economic, political, and social life in the Soviet Union, the Anti-Defamation League of B'nai B'rith reported today. This has been accompanied by a nationwide anti-Semitic campaign in the Soviet press and the continuing repression of the religious life of Jews, the league added.

The league's report, Anti-Semitism in the Soviet Union Today, made public by Henry Edward Schultz, its national chairman, marks the 10th anniversary of the arrest of 450 Jewish writers, artists, and intellectuals who were shipped to Soviet labor camps in 1948. Of these, one group of 24 were executed on August 12, 1952. The others have disappeared leaving no trace and have either died or been liquidated in the work camps.

A key to the systematic exclusion of Jews from Russian life comes to light from latest Soviet figures on Jewish membership in the Soviet parliament now in the possession of the league. Whereas in 1937 Jews constituted 4.1 percent of the total membership, in 1958 Jewish membership dropped to one-fourth of 1 percent.

Other statistics obtained by the league reveal a consistent effort by Soviet authorities to degrade Jews in various fields of Russian life, scientific, educational, and war services—as if Jews did not exist there.

Equally significant, the report declared, are statistics in the field of Soviet higher education. Noting that the existence of a quota system against Jewish students in Soviet universities and technical and academic institutes has been widely reported since 1955, the league said there is good ground for the belief that the barring of Jewish applicants has been extended. This is due in part to the increase in competition in recent years for admission to Soviet institutions of higher learning.

"Exact figures are naturally very difficult to come by," the league report points out. "But recently statistics have been obtained from a completely reliable anonymous source which provide an illuminating picture of these exclusionary practices.

"These figures concern the number and nationalities (in Russia, Jews, though a religious group, are designated by the Government as a nationality) of the students graduated last spring from two faculties, history and chemistry, at the University of Minsk, the leading school of the capital of White Russia.

"As a basis for comparison, it is interesting to note the population figures for the four leading cities of the White Russian Soviet Republic. Minsk itself, with a population of 412,000, has 40,000 Jews. Bobruisk—total population, 150,000; Jewish population, about 60,000. Gomel—total population of 144,000; Jewish population, 15,000. Mogilev—total population of 106,000; Jewish population, some 12,000. The Jewish population of these four major White Russian cities represents between 10 and 12 percent of the total population. It might be expected, therefore, that this proportion would be generally reflected at the university, especially in a region such as White Russia where Jews were traditionally bearers of a high educational and cultural standard.

"This expectation is not borne out by the figures. The history faculty at the University of Minsk graduated 213 White Russians, 70 Russians, 40 Ukrainians, and 7 Jews. The chemistry faculty graduated 224 White Russians, 76 Russians, 41 Ukrainians, and 8 Jews.

"Several points are in order. First, the proportions represented by the students of the other three nationalities reflect quite closely the general distribution of nationality populations in White Russia. Secondly, the figures for the students in both faculties are extremely close, which suggest an official policy of fixed nationality ratios at the university."

With respect to religious repression, the league noted, the Khrushchev regime is continuing in full force the old Stalin policy severely restricting the number of synagogues available to religious Jews, far below the number needed.

"It prevents the building of new synagogues or the repair of old ones, and imposes unusual restrictions on the availability of necessary religious articles, such as prayer books and prayer shawls. Printing of the Bible in Hebrew is prohibited, and Jewish religious instruction is illegal. At the same time, Jews are forbidden to have their own schools, newspapers, communal organizationsm, or theaters."

The league noted that there has been a gradual accommodation between the Soviet regime and the Russian Orthodox and Moslem groups, but that Jews have been treated as a special case and are forbidden to have any countrywide religious and community association.

Further, the league said, Jews are forbidden even the minimal advantages which have been extended in the Soviet Union to the other one-hundred-odd nationality groups, which have been permitted to retain some sort of cultural identity.

"Utterly deprived of any means of cultural or communal expression," the league added, "the Soviet Jew is yet required to identify himself as a Jew by nationality. The Jew's identity card, specifying as his nationality 'Yevrei'—'Jew'—is all that remains of formal, legal, official recognition of the Jewish nationality. This identification gains no rights for the Jew, but makes him an easier target for discrimination."

The league declared that while restrictions against Jews have been tightened in education, in the diplomatic and military services, in government employment, and in Jewish religious life, Soviet newspapers and periodicals in the past year have been publishing regularly articles that are clearly anti-Semitic.

These, the league said, "have resorted to obvious and crude forms of stereotyping, in order to demonstrate the 'antisocial, parasitical' behavior of Jews in Soviet life.

"The curious features of these articles are markedly similar. The word "Jew" never appears. But the villain invariably bears a name which will be recognizable to Soviet readers as obviously Jewish. Among such names are Rubinstein, Fineberg, Blonstein, Veidman, Frankel, Katz, Spector. The 'villain' is consistently described in terms designed to incite the maximum hatred and contempt.

The League said the regular appearance of such articles is reminiscent of the more violent and openly anti-Semitic Soviet press campaigns of 1948–49 and of 1952–53. "It is noteworthy," it added, "that currently, as well as during the earlier period, there has also appeared a series of vitriolic and inflammatory anti-Israel articles."

"There can be little doubt," the league stressed, "that this bears all the marks of an ominous propaganda campaign reflecting official policy. The objective and effect of the stereotyped anti-Semitic portraits, their conjunction with anti-Israel articles, and the nationwide distribution of both in the leading Soviet newspapers and journals, can only be kept alive and foster latent anti-Semitic sentiments as a popular bulwark for related Soviet policies and strategy.

"Such crude anti-Semitism has its deep roots in Russian life, nurtured for generations by the Tsarist regimes as a matter of state policy. The Soviets have evidently not hesitated to use similar orthodox anti-Semitic tactics in the furtherance of their own needs."

The league emphasized that "Soviet anti-Semitism and Soviet strategic objectives in the Middle East complement each other. The U. S. S. R.'s pro-Arab, anti-Israel diplomacy ties in perfectly with its older anti-Zionist policy as well as with its anti-Western strategy in the Middle East. Finally, the anti-Israel policy serves as a weapon to stifle Soviet Jewish sentiments for Israel and as an additional device for enforcing internal conformity and the rupture of all Jewish ties with the outside world."

The prospects for Soviet Jewry, the league declared, "are dire and gloomy: at best, the extinction of a once flourishing and rich cultural tradition and life; at worst, the completion by the Communists of the heinous work begun by the Nazis—the liquidation by forcible assimilation of this community of 3 million Jews."

LETTER TO AMBASSADOR LODGE

AUGUST 23, 1958.

The Honorable HENRY CABOT LODGE,
United States Representative to the United Nations and Representative in the Security Council, New York, N. Y.

DEAR MR. AMBASSADOR: For some time I have been deeply troubled by reports of the persecution and repression of Jews within the Soviet Union. A report recently issued by the Anti-Defamation League of B'nai B'rith details these charges and underscores the fact that the rights of Jews in Russia today are being systematically and savagely restricted. This organized anti-Semitic drive, reminiscent of Hitlerian tactics, threatens to wipe all semblance of Jewish culture from the map of the Soviet Union.

While we in the United States properly view these developments with revulsion and anger, there appears little this Nation can do directly to help these noble people behind the Soivet Union. However, it does appear possible that our Government, through its representatives at the United Nations, might well bring this problem to the attention of the world and seek some means of its solution.

Certainly, the coordinated destruction of Jewish civil rights in the Soviet Union is in bald derogation of the Charter of the United Nations. That Charter expressly affirms the faith of the peoples of the United Nations in "fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations, large and small. * * *" Are we to permit those words to become meaningless without protest?

Although territorial barriers may also inhibit the direct intervention of the U. N., surely that body provides a proper body for a full airing of this ghastly situation. The United States, with its strong and fine population of Jewish origin, and its long tradition as defender of human rights, should properly take the lead in exposing this matter before the world.

Knowing your high principles and ideals, I feel sure you are as distressed over this situation as I am. I hope you and your staff will take this whole subject under serious advisement and will undertake a concerted effort to spotlight before the whole world the perfidy of the Soviet Union in this matter. This situation provides another opportunity for the United States to reaffirm its moral and democratic leadership of the Free World.

Very sincerely yours,

KENNETH B. KEATING.

THE DEPUTY REPRESENTATIVE OF THE UNITED STATES TO THE UNITED NATIONS,
New York, N. Y., August 27, 1958.

DEAR KEN: In Cabot's temporary absence I am replying to your letter of August 23.

On a number of occasions in the past we have brought to the attention of the United Nations General Assembly the problem of the Soviet Union's persecution and repression of Jews and other minority groups. We remain, of course, anxious to do everything we can through the United Nations to seek some way to deal with the problem.

I am sending a copy of your letter to the State Department and am asking that the possibility of some action at the forthcoming 13th session of the General Assembly be carefully studied.

I will be sure to show your letter to Cabot when he returns to New York.

With all best wishes.

Sincerely yours,

JAMES J. WADSWORTH.

UNITED STATES REPRESENTATIVE TO THE UNITED NATIONS,
New York, N. Y., September 1, 1958.

The Honorable KENNETH B. KEATING,
House of Representatives.

DEAR CONGRESSMAN: Upon my return to the office I find your letter of August 23.

Rest assured that I completely share your revulsion and anger at the maltreatment of Jews in the Soviet Union and have tried in the past to leave no stone unturned to call attention to what has happened.

What you are doing in keeping world public opinion focused on this problem can be of the greatest value.

You are certainly on the right track, and you can count on my wholehearted support.

With thanks for your letter and its many helpful suggestions.

Very sincerely yours,

HENRY CABOT LODGE.

Small Business Hit the Jackpot in 85th Congress

EXTENSION OF REMARKS
OF
HON. HENRY M. JACKSON
OF WASHINGTON
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. JACKSON. Mr. President, while Congress this year made legislative history in many fields, I am particularly proud of the record we have made in attempting to meet the pressing needs of small business in the United States. The truth is, as the New York Times put it, that the Nation's 4 million small-business men hit the jackpot in the 85th Congress.

In my opinion, this decisive action by Congress to improve the competitive outlook for small business came none too soon. As a recent report of the Senate's Select Committee on Small Business said:

> Small business is the cornerstone of the free-enterprise system. Unless a climate is maintained in which such concerns may grow and prosper, our economic system cannot survive.

ACTION TAKEN BY 85TH CONGRESS

What we tried to do in the 85th Congress, Mr. President, is establish that climate in which small business might not only survive, but also thrive. To attain this goal, Congress this year provided vital tax relief for small business; established the Small Business Administration as a permanent Federal agency; increased the lending powers of the SBA; took positive steps to increase the small-business share of Government procurement; passed the Small Business Investment Act to encourage growth of small concerns by providing them with long-term loans and equity capital; authorized grants to educational institutions, State and local governments, for studies and research on management and financing problems of small business.

SMALL-BUSINESS TAX RELIEF

Every one of these actions has real significance for small business. But most important, Mr. President, is the small-business tax-relief bill—a measure I was proud to cosponsor in the Senate. This legislation does much to ease the tax burden for smaller firms. Let me briefly set forth its major aspects:

1. SPECIAL FIRST-YEAR DEPRECIATION ALLOWANCE

Of the six key provisions of this bill, the most valuable allows taxpayers a special 20-percent tax depreciation deduction the first year on up to $10,000 a year of investment in new or used equipment with a useful life of 6 years or more—up to $20,000 a year if the business is operated in a manner permitting joint return.

The items would have to be machinery, fixtures, or other tangible personal property—not buildings, real estate, or inventory—bought after December 31, 1957. The remaining 80 percent of the cost would be depreciated normally, with the first deduction in the year of purchase along with the 20-percent allowance.

While not as broad as desirable, Mr. President, this provision does help to meet the basic problem of retaining earnings to plow back into the business.

2. INSTALLMENT PAYMENT ON ESTATE TAX

A second provision goes far toward relieving pressure to liquidate a family business for cash to pay the Federal estate tax. Under existing law, unless hardship conditions can be shown, this tax must be paid within 15 months after the death of the decedent, with a 6 percent interest rate in effect on the unpaid balance at the end of this period. Under the new law, that portion of the estate-tax liability attributable to the decedent's interest in a closely held business may, at the election of the executor, be paid in 10 equal annual installments, plus interest at 4 percent on the unpaid balance.

To qualify for this privilege, the value of the decedent's interest must exceed either first, 35 percent in value of his gross estate; or, second, 50 percent of his taxable estate. Any of the following is considered an interest in a closely held business: (a) A sole proprietorship; (b) a partnership interest, either where there are 10 or less partners, or where decedent's interest amounts to 20 percent or more of the firm's capital; (c) stock in a closed corporation, under tests that parallel those for partnerships.

In applying the 35-to-50-percent qualification rule, 2 or more businesses may be treated as 1 if more than 50 percent in value of each business is included in the estate. And the 20-percent tests in the case of a partnership interest and of voting stock of a corporation is determined on the basis of whether 20 percent or more of the business in question is included in the gross estate of the decedent, whether or not the decedent owned 20 percent or more at the date of his death.

3. INCREASED ACCUMULATED EARNINGS CREDIT

A third important section, Mr. President, increases from $60,000 to $100,000 the minimum accumulated earnings credit—that amount of earnings which may be accumulated before any income is subject to the accumulated earnings tax. This tax has presented an especially serious problem for small business because the absence of specific plans often makes it difficult to establish the fact that the earnings are accumulated for the reasonable needs of the business. It was this very problem which led to establishment of the $60,000 credit. By raising this to $100,000, allowance is made for rising costs and a wider margin of accumulation is provided with respect to which small business can be free of worry concerning the accumulated earnings tax.

4. THREE-YEAR NET OPERATING LOSS CARRYBACK

A fourth provision extends from 2 to 3 years the period for which a loss may be carried back and applied against previous income to gain a retroactive tax refund. Under the new 3-year net operating loss carryback, a loss is first carried back to the third year before the year of the loss. If any loss then remains, it is carried to the second year before the loss—the balance of any loss remaining being carried to the first year prior to the loss. Any loss which still remains, as under existing law, is carried forward successively to the 5 years after the year of the loss.

Thus, Mr. President, the 3-year carryback combined with the year of the loss and the 5 succeeding years of the carryforward provide a 9-year span over which either corporate or unincorporated small businesses may average out their losses. Where the loss exceeds the income of the 2 prior years, the new 3-year carryback is most advantageous, because it allows a refund shortly after the loss is incurred, instead of requiring the business to wait and obtain the benefit by paying lower taxes in subsequent years.

5. ORDINARY LOSS ON SMALL BUSINESS STOCK

A fifth section permits investors in small business stock to offset their losses against ordinary income up to a limit of $25,000 a year—$50,000 in the case of a husband and wife filing a joint return. By allowing ordinary loss rather than capital loss treatment on the sale or exchange of small business stock, this provision should encourage the flow of new funds into small business by reducing the risk of loss. To limit its benefits to small business, the aggregate of the stock offerings of any corporation which are eligible for this ordinary loss treatment is limited to $500,000. Moreover, to be eligible for this treatment the total stock offering per corporation plus the equity capital of the corporation may not exceed $1 million.

6. CORPORATIONS TREATED AS PARTNERSHIPS

Finally, Mr. President, the new tax law gives small business corporations the right to be taxed as partnerships in the same way that certain proprietorships and partnerships may choose to be taxed as corporations. This provision defines a small business corporation to mean a domestic corporation which is not a member of an affiliated group of corporations and which does not have more than 10 shareholders, have as a shareholder a person—other than an estate—who is not an individual, have a nonresident alien as a shareholder, or have more than one class of stock.

The election to be taxed as a partnership, once made, may be revoked or terminated under certain circumstances. Examples are: lack of consent by a new shareholder, revocation by unanimous consent of shareholders, or the corporation ceasing to fit the definition of a small business corporation. If an election is revoked or terminated, the corporation may not make a new election until the fifth succeeding taxable year, unless

the Secretary of the Treasury or his delegate consents to such an election.

These 6 provisions, Mr. President, do much to eliminate certain discriminatory features of the 1954 Internal Revenue Code. They do not include all the changes that should and must be made. But taken all in all, I believe they will prove of inestimable benefit to the hundreds of thousands of small companies which have found present tax rates a problem almost beyond their ability to solve.

PERMANENT SMALL BUSINESS ADMINISTRATION

Another action by the 85th Congress of vital importance to small business was the passage of legislation conferring permanent status on the Small Business Administration. The same bill also raised the ceiling on SBA loans from $250,000 to $350,000 and reduced the interest rate charged from 6 to 5½ percent. It granted additional powers to the SBA to assure small business a more equitable share of research and development contracts placed by the Government.

As a result of this enactment, the SBA is now a permanent, one-stop service station for small, independent concerns in all lines of business. Believing such action was long overdue, I was happy to support and vote for this legislation when it came before the Senate.

SMALL BUSINESS INVESTMENT ACT

No summary of Congressional activity in this field would be complete without mention of the Small Business Investment Act of 1958. As passed by Congress, the basic purpose of this measure is to make equity capital and long-term credit more readily available to small concerns. To fulfill this aim, the SBA is now authorized to make loans from a $250 million revolving fund to small business investment companies. The latter will, in turn, funnel long-term capital to small companies which are unable to obtain the needed financing elsewhere.

In reviewing these bills passed by the 85th Congress, Mr. President, I want to emphasize that they are by no means subsidies nor coddling of small business. They bring equity to a most important segment of our economy. They represent a wise investment in the future health and vigor of the Nation.

After all, the overwhelming number of all American enterprises—more than 98 percent—fall into the category of small business. They account for a good 35 percent of all dollar sales. The strength and growth of our economy rest in no small part on the outlook for small business.

MORE TAX RELIEF IN ORDER

The truth is, Mr. President, that Congress must continue to make special efforts to improve that outlook. Despite passage of the tax relief bill this year, we must recognize that small business is still seriously hampered by high tax rates. I have supported legislation to change the basic corporate tax rate in favor of small business. Last year I voted to reduce the tax burden on corporations with less than $225,000 of taxable income. A similar measure was again defeated this year. The need still exists. Such direct relief for small business must certainly receive top priority when Congress reconvenes. At the same time, we must broaden and liberalize the deductions available to small business where profits are reinvested in the enterprise.

Another area where Congress must continue to assist small business is that of Government procurement. Far too great a percentage of Federal contracts still go to the giants of American industry. In this connection, Mr. President, I was most pleased that Congress—in passing this year's defense appropriation—specifically called on the military to award a much higher percentage of their prime contracts to small concerns. But more pressure on the executive branch is called for if we are to achieve better results. I am confident that the SBA can play an increasingly important role in this respect. Not only did this Congress strengthen its powers and give it permanent status, it also increased by 50 percent the appropriation for SBA operations.

BETTER ANTITRUST ENFORCEMENT

Finally, Mr. President, Congress must give serious consideration to legislation that will give small business greater protection from the discriminatory practices of large competitors. A recent report from the Senate Small Business Committee indicates a substantial increase in the number of civil antitrust cases terminated by consent decrees. Notwithstanding the frustrating effect consent judgments have upon private enforcement actions, the Justice Department continues to show a readiness to accept, even to encourage, consent judgments. Recognizing this fact, Congress must seek means to bolster antitrust enforcement and guard against unfair competitive practices.

The 85th Congress made impressive progress in providing small business with the tools it needs to achieve success. We should not hesitate to seek action in those areas where much remains to be done.

A Report on the 85th Congress

EXTENSION OF REMARKS
OF
HON. D. S. SAUND
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SAUND. Mr. Speaker, now that the 85th Congress has come to a close, I want to thank my colleagues in the House of Representatives for their friendship and assistance and report to my constituents on my activities during this historic session of the Congress of the United States.

I was elected by the people of the 29th District of California to membership in the most powerful parliamentary body in the world. That is a high privilege.

I have worked for 2 years under the shadow of the majestic Capitol dome, symbol of the freedom of the American people and their Government. It has been a thrilling experience for me to live and work in the shadow of impressive monuments to American greatness. The Lincoln Memorial, which makes Washington one of the world's most beautiful cities, expressing the spirit of government of the people, by the people, and for the people. The Washington Monument, symbolizing the courage of our first President. The Jefferson Memorial, with its protest against any form of tyranny over the minds of men. The Tomb of the Unknown Soldier, where those known but to God silently challenge us to work harder for the world in which young men and their loved ones can live out their lives free from the terrors of war.

During my first term in office I have done my best to keep the people of Riverside and Imperial Counties informed of the developments in Government that affect their lives and business. I have made regular reports to farmers, small-business men, teachers, and other groups. I mailed a weekly report to all the radio stations and newspapers in my area.

As Congressman of the 29th Congressional District, thousands of veterans, servicemen, new citizens, farmers, businessmen, students and housewives have written to me about their individual and collective problems. I have attempted to answer each inquiry promptly and have been able to help my constituents in ironing out their difficulties.

For example:

The widow of a serviceman was in dire financial straits because the mailing of her $10,000 insurance check from Washington was delayed. In answer to her appeal, I made a strong request of the Treasury Department and the check was dispatched promptly. Her death compensation payments were increased from $69.50 to $87 a month.

A veteran and family man, well respected and liked in his community, suffered a serious accident that rendered him helpless. Funds for his care were exhausted. Yet the Veterans' Administration maintained that he could not be admitted to a veterans' hospital because his injury was non-service-connected. I waged a vigorous effort in his behalf—to no avail. Finally, I went to the chairman of the House Veterans' Affairs Committee, Hon. OLIN TEAGUE, of Texas, to present my appeal. The veteran was admitted to a veterans' hospital.

I arranged for an Air Force plane to fly a child to an eastern city for a special operation.

In several instances, I was successful in arranging for the hardship discharge of servicemen who were vitally needed at home.

Hundreds of other cases involved tax problems, radio and television licenses for individuals and communities, problems concerning public land and other matters between citizens of the 29th Congressional District and their Federal Government. I have received many letters of thanks and appreciation, which were ample reward for any efforts I made in behalf of these constituents of mine.

I cannot conceive of a group of men and women more courteous, better informed and willing to assist than the Members of Congress. Thanks to the generous and competent assistance of my senior colleagues of the House of Representatives, I have been eminently successful in accomplishing my objectives for the 29th District.

Last year, Congress appropriated $4,924,000 for military construction at March Air Force Base. In January, 1958, the Air Force released $4,431,000 for construction of a taxiway, airmen's dormitory and dining hall, officers' quarters and communications center. In the military construction appropriation bill for 1959 is another $3,165,000 for this important base at Riverside.

More than $4 million was appropriated last year for the extension of runways and other improvements at El Centro Naval Auxiliary Air Station, but unfortunately, this money is being held back by the Navy Department and the Bureau of the Budget.

An authorization of $510,000 for a fuse test facility and laboratory facilities at Corona Naval Ordnance Laboratory is included in the military construction authorization bill for 1959.

In the vital field of flood control, sufficient funds were provided for the completion of the Santa Ana River levees at Riverside.

Money was granted for planning of the San Jacinto River-Bautista Creek project in the Hemet-San Jacinto area.

The engineer's report for the Tachevah Creek project at Palm Springs progressed through channels toward approval, and just before the 85th Congress adjourned, I introduced a bill to authorize construction of this important project. I have been assured of early action on my bill after the next Congress convenes in January.

New post offices were approved for Cathedral City, Elsinore, La Quinta, Palm Desert, Holtville, and San Jacinto. The new Cherry Valley rural branch post office was approved and dedicated. Mail delivery service was scheduled to commence this month in Sky Valley, near Desert Hot Springs.

Fast action by members of the House Armed Services Committee, at my instigation, rescued and made available the $660,000 appropriation for the Blythe-Glamis Road.

Funds were made available for improvements on several airports in Riverside and Imperial Counties.

More than $100,000 was appropriated for construction and alterations at the United States Salinity Laboratory in Riverside and $15,000 for the salary of a scientist conducting important research to develop a new variety of cotton at the Southwestern Irrigation Field Station in Brawley.

A contract was awarded for $93,728 for improvement at the border station in Calexico.

The chairmen and members of the House Agriculture Committee and House Interior and Insular Affairs Committee accepted my invitations to come to the 29th Congressional District for on-the-spot hearings.

I waged an all-out fight to save the Mexican national labor program after funds for its continuance were eliminated by the House Agriculture Appropriations Subcommittee. Legislation was passed extending the program for 2 more years.

Throughout the 85th Congress, I made an unrelenting fight to defeat the Fryingpan-Arkansas project bill. This legislation, so potentially disastrous to southern California, was passed by the Senate. I fought it in the House Interior and Insular Affairs Committee and House Rules Committee. I wrote a personal letter to each of my colleagues of the House of Representatives, urging their opposition of the Fryingpan-Arkansas project. The bill did not reach the House floor.

It is very unusual for a freshman Congressman to have a major bill passed in Congress. But by hard and persistent work, in cooperation with a number of my colleagues, I was able to secure the passage of a bill to authorize $2 million for construction of irrigation lines and drainage works on Indian lands in the Coachella Valley County Water District. This proposal had been an objective of the Coachella Valley Water District for 8 years.

The first bill I introduced in Congress was a bill to authorize payment of a claim to Riverside County for damages inflicted by the Navy on Ryan-Hemet Airport during World War II. This claim had been before the Congress a number of times, but it had never received a hearing. I persuaded the House Interstate and Foreign Commerce Committee chairman to hold a hearing and representatives of Riverside County came to Washington to present their case. Eventually, the committee approved payment of the claim in modified form acceptable to Riverside County, but too late for action in the House and Senate. I shall press for further action on this claim in the 86th Congress.

I am pleased to report that in my experience as a first term Member of the House of Representatives, contrary to the belief of many people, I did not find any signs of partisanship or political wrangling. Bipartisanship has been the keynote of Speaker SAM RAYBURN in meeting the critical problems which faced the representatives of the people in Washington. While I cast hundreds of votes on highly important and controversial issues, not once was I told by the leadership of the House how to vote.

President Eisenhower told Congress at the beginning of the second session that there were three pieces of legislation that he wanted passed by Congress: First, reorganization of our military defense; second, extension of the reciprocal trade on a more permanent basis; and third, a sound mutual security program.

I am happy to report that I gave my support to the President, with some modifications, on these programs, which are of great importance to the future of America.

On the mutual security program, also known as the foreign aid program, I voted to cut $688 million from the President's request. I voted for this cut because I believed that a large part of the military assistance and defense support money was being ineffectively spent. In many instances in past years, huge expenditures in foreign aid have failed to win friends for the United States in countries overseas.

I took the floor and made a speech in the House of Representatives defending the President's request for $10 million to build a powerful transmitter to reach the countries of the Middle East and countries behind the Iron Curtain. I believe that it was an outrage that the President's speech before the United Nations last month was drowned out because we did not have a strong enough transmitter. Here, I protested, we have given away thousands and millions of dollars over and over again to win friends in the Middle East and other parts of the world, and yet we cannot afford a transmitter strong enough to carry our President's message to those people.

Following my 15-nation trip last year to the Far East, Middle East, and Europe, I reported to my fellow members of the House Foreign Affairs Committee that the people of Asia and Africa are not unfriendly. They want freedom and the American way of life. Yet we—a Nation of supersalesman—are failing to sell our way of life.

In the Middle East, we are buying kings and protecting oil. The people of those countries do not want the status quo maintained; that is nothing more than a return to the feudalism of the Middle Ages. They want to have a sense of belonging and an opportunity for a free, fuller life. Until we expend our energy in working with the people, instead of placating the kings, we will not come out on top.

Despite a lull in the cold war in a military way, Communists threats continue unabated. The Soviets have launched three economic offensives. We are engaged in a one-game series with Russia, which we must not lose—because there will not be another game. We have to come out on top. There is no such thing as second best.

When Congress convened in January of this year, there were two major issues which overshadowed many other important problems. This was the post-sputnik period, and Soviet Russia had succeeded in launching into outer space a ton and a half satellite of steel and scientific instruments. This brought realization to the American people that the Soviets had attained mastery of science and technological developments. In terms of national security, it was known that the Communists had succeeded in developing an operational intercontinental ballistic missile capable of carrying hydrogen and atomic warheads for thousands of miles.

In addition to this threat from abroad, Congress also faced the brutal fact that this country was in the midst of a serious business recession. Five million Americans were out of work while, in the same time, the cost of living was constantly rising.

The Congress met the first challenge with prompt vigorous action only a week after it convened. On January 15, in an atmosphere reminiscent of the "Hundred Days" that began the Roosevelt Administration of 1933, the House of

Representatives—by a unanimous vote of 360 to 0—authorized the expenditure of more than half a billion dollars for military preparedness.

On July 24, the House and Senate gave final approval to the Defense Reorganization Act, along the lines requested by the President, strengthening the authority of the Secretary of Defense to eliminate wasteful duplication of effort among the services, to facilitate strategic planning, to improve command operations and to expand defense research and development functions.

This act makes the Secretaries of the three services responsible to the Secretary of Defense for the operation and efficiency of their departments, and it clarifies the Secretary's right to exercise direction, authority, and control over the services.

It created a new Director of Research and Engineering to centralize research and development in the Office of the Secretary of Defense.

It preserves Congressional surveillance over the individual services by retaining the right of service chiefs and secretaries of the services to present their complaints to Congress. Retained is Congress' veto power over the transfer, merger, and obligation of funds within the separate services.

In the spring of this year I expressed vigorous opposition to the proposed plan of the administration to cut the number of National Guard and Army Reserve divisions and reduce the strength of these services. I was familiar with the great contribution of the men of the National Guard and Reserve in our Nation's history and their vital role in national defense today, as well as their activities in their communities.

With this in mind, I joined with many of my colleagues in Congress in making a strong protest of the proposed cut. I was delighted when the Defense Department reconsidered its decision.

Full production, full consumption, and full employment are my motto for a growing, progressive America. I maintain that we cannot function under our dynamic, expanding economy without always keeping this in mind: Business expansion can be sustained only by expanding the purchasing power of the consuming public.

Feeling this way, I gave my full support to the program which Congress initiated at the begining of the second session in January to accelerate business and curb unemployment.

Acting swiftly, the Congress passed a resolution urging the President to expedite work on projects, both civilian and military, for which funds had already been appropriated. Then it embarked on a program of legislation that included:

An emergency $1.8 billion Housing Act.

Increased $4 billion authorization for FHA mortgage insurance.

Authorized $5.5 billion for highway construction, including $1.8 billion additional to create jobs and expedite work.

Provided optionally to States, for repayment in 5 years, up to 15 weeks' additional unemployment compensation.

Authorized Federal guaranty of railroad loans up to $500 million.

Increased postal rates and postal pay.

Authorized advanced purchases of supplies and equipment from fiscal year 1959 appropriations to stimulate business.

I supported and voted for the Kennedy-Ives labor reform bill. I personally asked the Speaker to bring the Kennedy-Ives bill to a vote before the House. This law had passed the Senate by a vote of 88 to 1 and the Senators voting for the bill included Senator McCLELLAN, of Arkansas, and Senator KARL MUNDT, of South Dakota.

This is what the bill required of labor unions:

It required comprehensive detailed disclosure of union financial data—to members, press, public, and law-enforcement agencies.

It required full reports by union officers on any personal conflict-of-interest transactions.

It imposed criminal sanctions for embezzlement of union funds, false reporting, false entries in books, failure to report, or destruction of union books.

It established right of suits by union members for recovery of funds embezzled or misappropriated by union officers.

It required secret ballot for all union officers and that officers be elected by secret ballot every 4 years for international unions and every 3 years by local unions.

It prohibited solicitation for payment of fictitious fees for unloading cargoes for interstate carriers.

It prohibited picketing for extortion or to secure payoffs from employers.

The bill was defeated because it was opposed by the Teamsters Union and Manufacturers Association. The Manufacturers Association lobbied furiously against the bill because it required the employers to report any expenditures in excess of $5,000 on their effort to promote good will and sound personnel practices. Under this section only a small fraction of American business would have any need to report at all. Only willful failure to report relevant material carried any penalty. Thus was lost the splendid opportunity to crack down and put behind bars such racketeers as Hoffa, Beck and Hutchinson.

But it was only a temporary victory for the forces against labor. The friends of trade unions and honest leadership in both management and labor are determined to root out corruption in this field. I pledge full support to legislation aimed at giving the average union member a real voice in the management of his union and in directing safeguards against misuse of union funds and a repetition of those atrocious collusions between unscrupulous employers and dishonest union leaders as revealed before the Labor-Management Committee. I will fight for legislation in the next session of Congress that will benefit this group. One hundred and forty-nine Democrats and 41 Republicans voted for the bill; 137 Republicans and 61 Democrats voted against the bill.

I vigorously supported and voted for the compromise farm bill which was finally passed by Congress near the end of the second session. I had received requests for support from the Farm Bureau and other organizations and individuals in my District. I conferred with the chairman of the House Agriculture Committee, and I went with a delegation of my colleagues to ask Speaker RAYBURN to bring the farm bill up for a vote.

Another bill of importance to agriculture was a measure extending for 2 years the Agricultural Trade Development Act, authorizing the disposal of surplus agricultural commodities to friendly nations.

Worthy groups in the 29th District will derive benefits from action taken by the 85th Congress to amend the Social Security Act, including increases in monthly payments amounting to about 7 percent; give pay raises to civil service employees and military personnel; and increase civil service annuities.

The Veterans of World War I of the United States won an uphill fight to win national recognition through the granting of a Federal charter of incorporation. The VA direct loan program was extended; $150 million was authorized for the next 2 years and the maximum GI mortgages which the Government could purchase directly was increased to $13,500 from $10,000.

In the field of education, the National Defense Education Act was passed to promote an accelerated education program in the face of Russia's gains in this space-age era.

When Federal aid to school districts with large enrollments of children of Federal employees was endangered, I took prompt action, arranging for the appearance of representatives of the 29th District schools before the House Education Subcommittee. These vital funds were saved.

It has been a sincere privilege to serve the people of the 29th Congressional District in the House of Representatives for 2 years. I am here to assist all of the people of my District. I have studied carefully every piece of legislation that was presented before Congress and I have honestly and conscientiously tried to use my best judgment in voting on these vital issues.

Let this be an invitation to everyone. If I can be of service to you in any way, at any time, in Washington, please do not hesitate to write me.

Correction of Record

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MINSHALL
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MINSHALL. Mr. Speaker, within the last few days, my individual voting record by rollcalls in the United States House of Representatives, 85th Congress, 2d session, was submitted to me by Ralph W. Roberts, Clerk of the House of Representatives. In examining this record, I noticed an error had been made on rollcall No. 120, which was recorded on July 2, 1958. This was on H. R. 13192, a bill making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes. I was recorded erroneously as voting "yea" on this rollcall whereas in fact I voted "nay."

It should be further noted that the record vote shows that I am properly recorded in the vote against the authorization bill for this same measure—rollcall No. 58—and for the vote to recommit the mutual security appropriations bill—rollcall No. 119.

At the appropriate time, I shall have the RECORD on rollcall No. 120 corrected accordingly.

Southern Nevada and the Colorado River

EXTENSION OF REMARKS
OF
HON. GEORGE W. MALONE
OF NEVADA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MALONE. Mr. President, the Colorado River is to southern Nevada what the Truckee, Carson, Walker, and Humboldt are to the northern part of the State.

On May 12, 1958, I testified before United States Supreme Court Special Master Simon H. Rifkind in connection with the Arizona against California Colorado River suit and with special reference to Nevada water needs and Nevada projects.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter which I have received from Mr. R. P. Parry, attorney for the Colorado River Commission of Nevada, my testimony before Special Master Rifkind, of the United States Supreme Court, and the special master's statement, made at the close of the testimony.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Honorable GEORGE W. MALONE,
United States Senator,
Reno, Nev.

MY DEAR SENATOR: Knowing your personal interest in the Colorado River suit, now pending in the United States Supreme Court, as shown by your testifying at the San Francisco hearing, I am enclosing a copy of the special master's remarks at the close of the testimony. I especially call your attention to the tribute he paid to the high quality of the witnesses who appeared before him.

We face the inescapable fact that the future growth of the Las Vegas area will be limited by the amount of Colorado River water ultimately available for it. The fact that the past growth of this area has even exceeded predictions made by you a quarter of a century ago lends extra weight to your testimony predicting a population of over half a million in the area in the foreseeable future.

Your professional engineering qualifications, coupled with your intimate knowledge of the complex and complicated compact and statutory proceedings, gave added strength to your testimony as to the great recreational values, marvelous climatic advantages, and other inherent factors pointing to a great population and economic growth.

As usual, you have performed a great service for the State of Nevada in assisting us in this case. The attorneys involved appreciate it, and I am sure we are justified in expressing the appreciation of the State and its people also.

Sincerely,

R. P. PARRY.

ARIZONA VERSUS CALIFORNIA, COLORADO RIVER SUIT, NEVADA PROJECTS

Estimated gross areas of land considered suitable for development as small homesite tracts, domestic and industrial uses, in Las Vegas Valley, Eldorado Valley, Apex Dry Lake Valley, California Wash, Moapa Valley, Mormon Mesa, and land adjacent to Lake Mohave and Lake Mead below specified elevations, excluding irrigated and irrigable lands in Las Vegas Valley and Moapa Valley, and irrigable lands in the Big Bend, Fort Mohave area.

Location	Elevation below	Area acres
	Feet	
Las Vegas Valley	2,500	[1] 224,000
Eldorado Valley	2,500	[2] 86,000
Apex Dry Lake Valley	2,300	[3] 30,000
California Wash	2,300	[4] 80,000
Moapa Valley	1,800	[5] 48,000
Mormon Mesa	2,300	[6] 116,000
Big Bend-Fort Mohave	2,000	[7] 14,000
Adjacent to Lake Mohave	2,000	[8] 25,000
Adjacent to Lake Mead	2,500	[9] 50,000
Total		673,000
Round to		670,000

[1] Estimated approximate total area of Las Vegas Valley below an elevation of 2,500 feet, including 64,000 acres above 2,300 feet and below 2,500 feet, 21,000 acres within Las Vegas, North Las Vegas, Henderson, Basic Management, Inc., plant and ponds, Nellis Air Base and McCarran Field, but excluding irrigated land.

[2] 21,000 acres of capability VIII land above elevation 2,300 feet and below 2,500 feet added to total acreage below 2,300 feet elevation.

[3] 5,000 acres of capability VIII land considered suitable for domestic and industrial uses but not suitable for small homesite tracts, added to acreage of capabilities I, II, III, IV, and VII land.

[4] 15,000 acres of capability VIII land considered suitable for domestic and industrial uses but not suitable for small homesite tracts.

[5] 7,000 acres of capability VIII land considered suitable for domestic and industrial uses but not suitable for small homesite tracts, added to acreage of capabilities I, II, III, IV, and VII land.

[6] 30,000 acres of capability VIII land considered suitable for domestic and industrial uses but not suitable for small homesite tracts, added to acreage of capabilities I, II, III, IV, and VII land.

[7] Estimated acreage of land outside of boundary of Lake Mead National Recreational Area, excluding irrigable lands.

[8] Nevada side of Lake Mohave.

[9] Nevada side of Lake Mead.

TESTIMONY OF SENATOR GEORGE W. MALONE BEFORE THE SPECIAL MASTER, SIMON H. RIFKIND, UNITED STATES SUPREME COURT, SAN FRANCISCO, CALIF., MAY 12, 1958

Question. Senator, will you please state your full name for the record?

Answer. GEORGE W. MALONE.

Question. What is your present occupation and residence?

Answer. I am senior United States Senator for the State of Nevada. My residence is in Reno, Nev. I reside in Washington, D. C., during the time I am obligated to be there on official business.

Question. For what length of time have you been United States Senator from Nevada?

Answer. Since 1946.

Question. Senator, I show you a statement of your professional qualifications which has been heretofore handed to counsel and would inquire if that is a correct and accurate statement?

Answer. It is.

I ask permission to have this statement of qualifications copied into the record as though read. (Not shown.)

Question. Senator, are you a licensed professional engineer?

Answer. Yes. I hold Nevada License No. 40 and California License No. 1–5303. I was the first chairman of the Nevada Board of Professional Engineers in 1935.

Question. During what years did you serve as State engineer of the State of Nevada?

Answer. From 1927 to 1935.

Question. During what years were you a member of the Colorado River Commission of the State of Nevada?

Answer. From 1927 to 1935—the same period.

Question. What was your regular occupation prior to and following your service as State engineer?

Answer. I was in the engineering business, including consulting engineering.

Question. During your service in the United States Senate, have you served on any committee having supervision over water resources, and particularly Colorado River problems?

Answer. I am the ranking Republican member of the Senate Committee on Interior and Insular Affairs, which has jurisdiction over all legislation affecting such matters.

Question. In your capacity as State engineer, and continuously thereafter as consulting engineer, and as United States Senator, have you been familiar with that portion of the State of Nevada which lies in the drainage area of the Colorado River Basin?

Answer. Yes; I have been familiar with that area since 1925; have done professional work throughout the area; from 1927 to 1935 I attended all Colorado River power and water conferences and was generally familiar with the activities in the basin until 1946, and since that time have studied the activities of the basin closely as a Member of the United States Senate from Nevada.

Question. Have you had occasion to participate in various negotiations, meetings, and so forth with reference to the allocation and use of Hoover Dam power in that area?

Answer. Yes.

SURVEY OF COMPETITIVE POWER

Question. Will you state generally some of your activities in that respect?

Answer. I was consultant to the Secretary of the Interior in the allocation of power as provided in the Boulder Dam Project Act, one member from each Colorado River Basin State.

In addition, I made a rather exhaustive survey of the cost of competitive power; that is, the cost of steam power with oil and gas fuel.

Also, I made a close study of the distribution of the benefits from the power development at Boulder, now Hoover, Dam.

STUDY OF POPULATION GROWTH

Question. As a result of all of your activities and knowledge, have you studied the past growth of population in that area?

Answer. I have.

Question. Will you describe generally what has occurred with respect to the development of that area in the time you have been acquainted with it?

Answer. Las Vegas and the surrounding area have grown from about 7,000 to 120,000 population from 1927 to 1958. This marked a 113,000 increase in 31 years.

This growth largely took place following the completion of Hoover Dam in 1935.

In 1940 the population of Clark County in southern Nevada was 16,000; in 18 years it was 120,000, an increase of 104,000 people, sharing the accelerated rate of growth.

Nevada is one of the eight Intermountain States—the fastest growing State in the Union.

WATER SUPPLY ONLY LIMITING GROWTH FACTOR

The water supply is the only possible limiting factor in the future growth of the State of Nevada.

The limit of any State's development is the limit of that State's water supply.

Southern Nevada is a winter resort area. However, the advent of air conditioning whipped the desert, and southern Nevada is now an all-year domestic and industrial as well as agricultural area.

With Hoover Dam, the highest in the world—often referred to as the eighth wonder of the world—with Lake Mead behind it 100 miles long, with Davis Dam backing the water more than 60 miles to the foot of Hoover Dam—both with excellent year-round fishing, and with Charleston Mountains about 12,000 elevation, 30 miles from Las Vegas, there is no foreseeable end to the residential growth, and of the tourist traffic.

Within a decade southern Nevada should have a population of 250,000; and then the limit of the future population growth keeping pace with the irrigation, industrial and domestic use of water on the available 673,000 acres from Davis Dam to the Mormon Mesa under the 2,500-foot contour, will be determined by the decision of the United States Supreme Court in this case of *Arizona* v. *California* determining the proper division of the water allotted to the lower basin among the respective States.

Question. Have you made a study as to what factors are present in that area which would lead to future increased growth?

Answer. I have.

FACTORS AFFECTING LOCATION OF INDUSTRY BRIDGE CANYON

Question. For instance, what in your opinion, is the situation with respect to available locations for large industrial plants?

Answer. The locations of industrial plants are determined by a correlation of plant factors, including the availability and cost of power, water, plant sites, transportation, and employee living conditions, as major factors.

Schools, recreation and a number of minor factors influence such locations.

Future power is unlimited, since in addition to the allocation from the Hoover and Davis Dams a gasline connects the west Texas fields with the area, and a second gasline from producing fields is presently contemplated.

In addition, Bridge Canyon Dam on the Colorado River below Glen Canyon will be constructed within the reasonably near future. It becomes feasible when Glen Canyon Dam storage becomes available. Arizona and California have both indicated they would like to build it.

I have a bill in the Senate for the Government to build it—the Government money to be returned with interest.

No matter how it is constructed, Nevada should be allocated her fair share of the power which should not be less than 25 percent of the approximately 800,000 kilowatts to be generated.

The availability of water supply is in the hands of the Supreme Court of the United States. There is no other source of supply for this great area.

Abundant suitable plant sites are available at small cost.

Transportation includes a top transcontinental railroad and highway system, three transcontinental airlines and a five-State interstate air service.

Living and working conditions are first class.

First class schools from kindergarten to a branch of the State University are available.

Recreation facilities including boating, fishing, lakeside, desert and mountain resorts, and playgrounds are plentiful and reasonably priced.

These sites are available from below Davis Dam to the Mormon Mesa northeast of Muddy River, below the 2,500-foot contour line, a distance of approximately 125 miles.

SECONDARY DEFENSE AREA

Question. What areas are referred to as secondary defense areas?

Answer. The common reference, a secondary defense area, refers to that area east of the Sierra Nevada Mountains extending from Canada to the Mexican boundary.

This range of mountains generally form the boundary between the States of California and Nevada and range up to approximately 12,000 feet in elevation.

This range of mountains is from 250 to 300 miles inland from tidewater on the Pacific Ocean.

It has long been recognized by the armed services that any industry or defense area on the Pacific slope is vulnerable to submarine attack.

It was estimated a few years ago that probably 80 percent of such industries, defense installations, and atomic energy brains could be destroyed in 30 minutes by a few well-placed submarines.

This would include such outstanding research centers as California and Stanford Universities, and California Institute of Technology.

About 1954 the then Secretary of the Navy, after a thorough investigation announced for the armed services that there would be no new national defense industries located on the Pacific slope.

The State of Nevada is not the only area in the secondary defense area but it is strategically located.

The full appreciation of this condition by Congress and the Armed Forces portends future industrial growth east of the Sierra Nevada Mountains.

Evidence of this early realization was the location of the United States naval ammunition depot in 1928.

Senators Oddie and Pittman were representing Nevada in Washington at that time. Gov. F. B. Balzar was the current Governor and I was the State engineer. The secondary defense area argument was recognized by the Navy's top admirals at that time.

Subsequent location of the Atomic Energy Commission's atomic bomb testing area, the Stead Air Base north of Reno for survival training and helicopter training, and the Nellis Airfield advanced gunnery training is further recognition of the secondary defense area.

Question. Does this so-called secondary defense area factor have any application with respect to the Las Vegas area?

Answer. The secondary defense area factor certainly does have a direct relation to the future location of national defense plants and civilian manufacturing and processing factories.

The added security emphasis for such plants will almost certainly influence the location of future installations behind the Sierra Nevada Mountains.

OUTDOOR SPORTS, RECREATION

Question. What are the characteristics of the Las Vegas area with respect to outdoor sports and activities?

Answer. Outdoor sports and activities proceed the year around without interruption. The sun shines 360 days a year. The mean temperature is 64.5°. It is a dry climate with rainfall averaging 4.7 inches per year.

The elevation is 650 feet at Davis Dam, 12,000 feet on Charlestown Mountain and 2,000 feet in Las Vegas Valley.

Boating, fishing, hunting, horseback riding, tennis, water skiing, snow skiing on Mount Charleston, yacht racing on Lake Mead, and fine golf courses are all abundantly available in the sports field.

RESIDENCE DESIRABILITY

Question. What factors, if any, are there which contribute to the desirability of this area as a place of residence?

Answer. The factors contributing to the desirability of southern Nevada as a residential area are many and include the almost continuous sunshine, the dry climate, the absence of any disagreeable cold, and the best entertainment in the world.

The factors enumerated under the characteristics conducive to outoor sports contribute to the desirability of the area as a residence.

INDUSTRIAL DESIRABILITY

Question. Senator, do you have an opinion as to whether or not this Las Vegas area will be attractive as a future site for large industries of various kinds?

Answer. I have.

Question. What, in your opinion, are the types of industries likely to locate in this area, and what are the factors that would induce them to do so?

Answer. The types of industry likely to locate in the area from Davis Dam to the Mormon Mesa, including the Muddy River area, include a great range of national defense and civilian industries.

There are now five manufacturing plants in Henderson located 10 miles toward Hoover Dam from Las Vegas.

Henderson is an industrial town of 14,000 population and the industries there include Titanium Corp., and numerous electrochemical and chemical industries, and a $9 million ammunition depot between Nellis Air Base and Lake Mead.

Atomic energy laboratories and any type of civilian industry fitting into the "plant factors" already enumerated will find ideal locations in that area described.

WATER: LIMITING GROWTH FACTOR

Question. What, in your opinion, is likely to occur with respect to the population growth in that portion of the State of Nevada?

Answer. There is no foreseeable limiting factor to the population growth in southern Nevada except the water supply, which is in the hands of the Supreme Court of the United States.

There is no criterion by which to judge the growth. There is no saturation point. Water is the only limiting factor.

In the early history of southern Nevada, the Department of Commerce represented by the Civil Aeronautics Board always shied away from the additional air service—they were afraid of a saturation point.

I have appeared before this Board many times pleading for additional air service.

My statement from the beginning, and it has not changed, was that "Everybody wants to visit Las Vegas; most everybody who can find a way to make a living wants a home or headquarters there."

Therefore, it is up to us to provide transportation so that visitors can get in and out without delay and find a place to stay while there. And it is up to us to provide the plant factors, including the water supply for the future domestic, industrial and irrigation uses. It is reported that there are available more rooms in southern Nevada than in the city of San Francisco.

The Nellis Air Force Base reports 30,000 takeoffs and landings per month; that means one of the busiest airfields in the world.

The McCarran commercial airport will handle more than 1 million passengers in 1958.

SIX HUNDRED SEVENTY-THREE THOUSAND ACRES SUBJECT TO DEVELOPMENT IRRIGATION—DOMESTIC AND INDUSTRIAL

Question. Have you caused to be made under your supervision a compilation of the number of acres likely to be occupied in one way or another in that area?

Answer. An estimate of the acreage that may be utilized by domestic, industrial, and irrigation uses has been made under my direction.

The estimate includes the area from below Davis Dam in the southwest corner of the State of Nevada to and including the Mormon Mesa and the Muddy River area east and north of Overton, under the 2,500-foot contour.

This area includes 673,000 acres, 670,000 acres in round numbers, that can be utilized for domestic, industrial, and irrigation purposes.

From 1930 to 1935 I made a study of the area for irrigation and reclamation purposes and in 1935, while State engineer and member and secretary of the Colorado River Commission, had a map made under my direction showing 16 areas totaling 231,460 acres.

In 1951 and 1952 I introduced 6 bills in the United States Senate for the reclamation of the 231,460 acres including:

	Acres
Project No. 1, Senate bill 1297	7,660
Project No. 2, Senate bill 1298	20,600
Project No. 3, Senate bill 1299	61,200
Project No. 4, Senate bill 1300	40,000
Project No. 5, Senate bill 1301	60,000
Project No. 6, Senate bill 3245	42,000
Total	231,460

Question. What, in general, type of uses have you taken into consideration?

Answer. I submit for the record as an exhibit a reprint of my Senate statement, including the 6 Senate bills numbering S. 1297 to S. 1301 and S. 3245 in the 82d Congress which includes a map of the projects.

The reprint also includes the report of the three State engineers of Colorado, California, and Nevada, submitted to the Colorado River Conference in Salt Lake City, Utah, on March 1, 1935, showing that the State of Nevada could ultimately use 900,000 acre-feet from the Colorado River for agricultural purposes.

PRELIMINARY REPORT OF THE ENGINEERING COMMITTEE APPOINTED BY COLORADO RIVER CONFERENCE, SALT LAKE CITY, UTAH, MARCH 1, 1935

A study of the water ultimately available in the lower basin of the Colorado River including all tributaries, based on the report of E. B. Debler, December 1934; analysis of commitments thereon; and an assumed distribution thereof.

ASSUMPTIONS

1. Consumptive use of 7,500,000 acre-feet annually in the upper basin as apportioned by the Colorado River compact.

2. Complete reservoir development in lower basin as set forth in the Debler report.

3. That Mexico will be allocated 750,000 acre-feet annually.

I. Ultimate usable water supply in acre-feet

1. Net supply for use from main stream below Boulder Dam	5,370,000
2. Net supply for use from Gila River	2,259,000
3. Net supply available for lower basin use above Boulder Dam	240,000
4. Waste crossing International Boundary and usable in Mexico	200,000
Total	11,069,000

(NOTE.—Items (1) and (2) are exclusive of waste into Mexico.)

II. Present commitments on lower basin supply (including total Gila River, vested rights and contracts)

1. Arizona: Total of Gila River	2,259,000
Vested in Colorado River below Boulder Dam	600,000
2. California contracts	5,362,000
3. Present lower basin uses above Boulder Dam in Arizona, Nevada, New Mexico, and Utah	90,000
Total	8,311,000

III. Assumed distribution—additional assumptions

(a) Use in Arizona, Nevada, New Mexico, and Utah above Boulder Dam of	240,000
(b) Total use in Nevada	900,000
(c) Allocations in Mexico	750,000

DISTRIBUTION

1. Arizona:		
(a) Gila River	2,259,000	
(b) Rights below Boulder Dam	600,000	
(c) Total above Boulder Dam	30,000	
(d) Remaining water in stream	[1] 988,000	
		3,877,000
2. California contracts		5,362,000
3. Nevada:		
(a) Above Boulder Dam	30,000	
(b) Balance of proposed contract	870,000	
		900,000
4. New Mexico above Boulder Dam		30,000
5. Utah above Boulder Dam		150,000
6. Republic of Mexico		750,000
Total		11,069,000

Available to Arizona from main stream of Colorado River

Present uses from Colorado below Boulder Dam	600,000
Assumed ultimate uses above Boulder Dam	30,000
Remaining water below Boulder Dam	988,000
Total	1,618,000

[1] Total available quantity for use in lower basin less allocations, contracts, and assumed distributions.

REMARKS

1. It is herein understood that water used or to be used above Boulder Dam as listed above, is assumed to come from tributaries of the main stream of the Colorado River. The Nevada contract for water deliveries proposed to the Secretary of the Interior for 900,000 acre-feet, includes both present and proposed uses

2. It is assumed that the water used by New Mexico from the Gila River is included in the Gila River commitments.

3. It is also assumed that Utah will use 150,000 acre-feet of the 240,000 acre-feet of the lower basin water to be used above Boulder Dam, as determined by the Debler report. If, as indicated by Utah, that State may require a total of 300,000 acre-feet, the additional amount must be deducted from the net supply listed as available for use below Boulder Dam.

4. It is not necessarily assumed that all members of the Commission agree in all particulars to the accuracy of the Debler report, but this report is a preliminary analysis of the water supply available for use in the lower basin, based on that document.

EDWARD HYATT.
M. G. HINDERLIDER.
GEORGE W. MALONE.

(Salt Lake City, Utah, March 1, 1935. Only official report of engineers of the area.)

STATEMENT OF SPECIAL MASTER, SIMON H. RIFKIND, AT THE CLOSE OF THE TESTIMONY

The MASTER. Yes. That does not prevent you from resting.

Well, gentlemen, this is a moment we have all looked forward to for quite a long time. I think it has been many months, indeed years, since we first assembled, and I think it is fair to state that all of us have been privileged to participate in one of the greatest causes of this type. Whether we do this task well or poorly, the results of the work we have done will inevitably affect the future of a great empire, the Southwestern States of the Union, and whatever we do here and whatever we have already done here is bound to affect the stream of law which governs the Colorado River and its tributaries.

To have had a share in it is inevitably to have had a share in the history of this region as it is developing, and indeed, as it first really is exploding into great prominence as one of the principal centers of activity in the United States.

I hope you will forgive me if I say for myself it has been a great opportunity. I want to express a great gratitude to all of the communities that I had occasion to visit in connection with the viewing of the rivers and works, all of whom extended to me every conceivable courtesy, and all of which I left with a feeling of warm regard.

I think one of the good decisions that we all took together very early in our proceedings was the selection of a site for these hearings. I think the desire that it be a neutral site has been fully vindicated. San Francisco has been very neutral in our proceedings. Sometimes I thought not unduly interested in our proceedings. The explanation for that, of course, is readily apparent, but the city has been very hospitable to us. The United States court for the northern district has been more than hospitable to us and they have been generous to us in every way, and the people of San Francisco have been exceedingly cordial and exceedingly hospitable to myself and to my family and to those of you who are here, as far as I know.

I think I should say a word about the vast number of distinguished scientists who have been on this witness stand. It has been a revelation to me to meet so many men of distinction, learning, experience and wide knowledge in fields with which I had had almost no previous contact, indeed did not know that there were so many men of high scholarship and learning in these specialties. We have had them teach us great courses, and I think both counsel and the master sat at their feet and learned a great deal in the science of statistics and the science of hydrology and the science of irrigation and soil conservation, and indeed, even mapmaking at times, cartography, and innumerable other branches and subdivisions of the sciences which pertain to this case.

I have a suspicion that as a result of the preparation for the testimony in this case some of the frontiers of those sciences, at least in their practical applications, may well have been pushed further than the lines they had occupied before this case began. To that extent, the effort, the time and the money which has been spent may well turn out to be its most important contribution towards the elaboration and the refinement of the concepts and tools which are used in these water studies and irrigation studies and soil studies.

I had a notion many times, as I listened to the experts who were testifying here, that

they had, under the necessity of presenting their case to lay listeners, refined their own thinking and clarified their own notions and coordinated their own ideas so as to enlarge the general body of knowledge with respect to this science.

Of course, the many actual written studies that have been prepared are bound to add to the library of knowledge affecting the welfare of the people of the States that we have studied. Some laymen may feel that perhaps we have spent too much time upon this litigation. I think that perhaps a word should be said in support of the lawyers who have participated in this case, that indeed that is not the fact. What even lawyers might overlook is that in a case of this magnitude there would normally have been a very long period of pre-trial examination. That was avoided in this case. In a sense, therefore, our pretrials and trials were run together. If you take account of that fact, there has not been such an undue expenditure of time from beginning to end as would otherwise appear. Of coures, it is true as far as the taking of testimony in this case it probably ranks as one of the very long cases in American history, but the legal problems underlying this case are so complex, the impact of whatever decision is taken is so vast, the sovereign interests concerned are of such important magnitude that it seemed to me to be unwise, or at least imprudent, to formulate decisions on narrow questions in advance of the fullest presentation of this case.

Consequently, I early adopted the practice of allowing evidence which had a bearing upon any practical theory of the law which may be developed in the final development of this case. It may, therefore, turn out in the conclusion that bodies of evidence over which we have struggled will not play a role in the ultimate decision; but it had to be received, both because it was impossible to foretell which way the decision or law would lead, and it had to be done because whatever we may do the Supreme Court may feel otherwise about it, and ought not to have to send it back for further trial in the event they choose a path different from what the master chooses in arriving at a conclusion.

Finally, a word about the attorneys. Most of the lawyers in this case presented faces that were new to me when I first arrived here, with rare exceptions.

I say, without meaning to pour oil upon anybody's brow that I have been delighted with the stature of the men whose proof I was privileged to hear. I think I may say to each of the sovereign States represented here that they not only were ably represented, but that they were represented by men of extraordinary zeal, and that literally no stone has been left unturned which might develop a thought, an idea, an item, a fact, a datum which would serve the interests of the State concerned.

I think the States should be congratulated upon that fact because this has been a work of major difficulty and called for heroic application. I think I can say without hesitation that each and every one of the States, without exception, has had that kind of attention and that kind of service, and that the men who have participated in it have a full right to congratulate themselves upon a job exceedingly well done.

I don't recall a case in my experience where there has been more thorough preparation of the material to be presented, and more energetic search for whatever fact might turn out to be helpful and useful.

Therefore, I think it is not out of order for me to say to you that I think you have done your task with exceptional skill, and with exceptional devotion, and now all I can say to you is I hope you will all get an opportunity to take a rest after these long and arduous labors. I have to go into another trial schedule, so that probably is not going to be my lot, and in due time we shall meet again, I suppose, to hear what the final words of either wisdom or the contrary thereof may be.

Thank you all.

Memorial Day Address

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. FEIGHAN. Mr. Speaker, on May 30 I delivered a Memorial Day address on the Public Square in Cleveland, and under unanimous consent previously granted, I insert my address in the RECORD:

Memorial Day in the United States began in 1868. It was established by Gen. John A. Logan, then commander in chief of the Grand Army of the Republic. He originally ordered that May 30 be set aside as Memorial Day, as a time to decorate the graves of the Civil War dead. This day coincided with the date of the discharge of the last volunteer Union soldier of the war.

Since that date all but a few of our States have observed Memorial Day each year. It remains an occasion when we honor the war dead by decorating their graves and holding ceremonies such as we are gathered here for today. In honoring the war dead, we pay tribute to the cause for which they fought and died. Today—Memorial Day—has deeper meaning to us Americans because the great and noble principles and human values, the defense of which took the lives of so many of our sons and daughters on distant battlefields, are being challenged by a ruthless tyranny on the march.

Within the memory of all of us gathered here are the events of the conflict of World War II and Communist aggression in Greece, Korea, and Vietnam. As a people who have sought nothing but peace and friendship with all the other nations of the world, we have always sought to avoid foreign entanglements and situations which give rise to war. That is why we entered World War II only after the sneak attack at Pearl Harbor. That also accounts for the fact that we, as a nation, were not prepared militarily or politically, for the tremendous role of world leadership that was so suddenly thrust upon us but a few years ago.

History records that once our Nation was aroused to the threat to our own survival, our people rose up and by united action and great sacrifice defeated the Axis Powers who had forced war upon us.

After our entry into World War II the realities of the situation made it necessary for our leaders to make a definitive statement of war aims. This necessity arose because of the uncomfortable and strange alliance between the forces of human freedom as represented by the Western European Powers and the United States on the one hand and the cynical despotism of Russian communism on the other hand.

The only thing in common between these diametrically opposed ideologies was the defeat of the Axis Powers. Consequently the Atlantic Charter was formed and enunciated by the leaders of the free nations. This charter set forth the war aims of free nations. Among the solemn pledges given were that there would be no territorial aggrandizement as a consequence of the war and that restoration of free, representative governments would follow in the wake of the war. The Russians later concurred in the war aims set forth in the Atlantic Charter.

As the war progressed, it became clearer and clearer that if the Axis Powers were to be defeated, the United States would be required to fight on two widely separated theaters, the European and the Pacific. With each passing year of the war, the burden for victory became heavier and heavier upon our people. The human sacrifices we were required to make on battlefields the world over increased with each passing month of the war.

Our people faced this superhuman task with faith and confidence because ours was a just cause, ours was the cause of all humanity, the cause of peace and human freedom.

As the war reached its climax stage, the strange alliance with the Russian Communists caused grave misgivings to the leaders of the Free World. The signs of Russian intrigue and duplicity were becoming more and more evident with each passing month. The strange alliance then became an uncomfortable one and finally a doubtful alliance. These circumstances caused the leaders of the Free World to take further steps to extract from the leaders in the Kremlin solemn promises that the liberated territories would have governments representative of the will of the people expressed by free and unfettered elections. With the surrender of Nazi Germany, the heavy burden still remained upon the United States to win the conflict in the Pacific theater. Other free nations, lacking the material strength of the United States, had almost entirely spent themselves in the European phase of the world conflict. It will be recalled that the Russians had maintained a studied neutrality with regard to the war in the Pacific, while carrying on normal diplomatic relations with the Japanese.

Behind the scenes the Russians were busily engaged in organizing Communist forces, not to take part in the war against Japan, but to destroy the freedom and independence of the Chinese nation. Thus the Russian vultures entered the conflict in the Pacific only after the Japanese had been defeated, but in time, however, to demand a strategic booty of war which today imperils all the still free nations everywhere in the world. In the aftermath of the war, the people of the United States and other free nations were shocked by the behavior of the Russians in the contemptuous disregard they paid to their wartime commitments and the ruthless manner in which they disregarded the freedom and independence of the liberated nations of Central and Eastern Europe. Our disillusionment became deepened by further Communist aggression in China, Greece, Turkey, Korea, and Vietnam. The great hopes of our people for a golden era of peace and freedom for all time had been struck a hard blow by the deceit of the Russian Communists during and following the war and by the Russian inspired tensions which grip the world of our day. But the American people have not and will not give up their quest for a peaceful world in which all nations and people are free and in which the rule of justice under law prevails.

It is fitting that on this day and in these circumstances, we recall to mind those great ideals and human values for which our men and women of the armed services sacrificed and died in the recent wars. They of our generation, no less than the heroes and martyrs of generations past, fought for those immutable values of individual liberty and freedom without which life becomes a hopeless drudgery. These same ideals caused our Founding Fathers to set forth the inspiring

Declaration of Independence. It is dedicated to these same ideals and moral values which have made our beloved land the hope and aspiration of people the world over.

The test to which our Nation is being put today as well as the tests of the future which are certain to come before peace and tranquility return to the world, requires all of us to stand fast in our faith for our historic ideals.

During the course of World War I a young soldier in the British Army named John McCrae, wrote an inspiring and deathless poem called: In Flanders Fields. The closing lines of that poem touched the hearts and minds of thinking men everywhere. Speaking of the responsibilities of future generations to those who fought and died for the priceless values of life, John McCrae said:

"To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields."

These immortal words stand as a challenge to us in our time. We must not break faith with those who fought and died in defense of the priceless values of our American way of life. We owe this to them, to ourselves, and to future generations of Americans. We must preserve and extend the blessings of human freedom.

It is the destiny of our country ever to remain the citadel of freedom. Each generation of Americans must keep this rendezvous with destiny. Daniel Webster, in his generation, when faced with tasks no less dimcult than ours, inspired his contemporaries with these words: "God grants liberty only to those who love it, and are always ready to guard and defend it." We Americans love liberty and it is our heritage to guard and to defend it.

To you Gold Star Mothers here assembled, and elsewhere, may the wounds on your hearts be healed with the pride and knowledge that the heroism of your sons will be a guiding star for our younger generation, and that our heroic dead will forever live in the hearts of all true Americans.

With grateful hearts we bow our heads in honor of those who, throughout the history of our country down through today, have given their lives that freedom might live.

Summary—85th Congress

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. WEAVER. Mr. Speaker, at the close of the 85th Congress, I take this opportunity to summarize this Congress and its accomplishments. To inform the electorate is a practice of Congressmen representing both political parties. My thanks is extended to the many daily and weekly newspapers and radio and television stations in the area for conveying my legislative reports to the people of the district.

ATTENDANCE

As a representative of the people, I owe to my constituents the duty to be on the floor of the House whenever it is in session. To be present to help write legislation at committee meetings is vitally important. For this reason, my record of attendance in the House is one of the highest in House record votes, quorum calls, and committee meetings.

FIRSTHAND REPORTS

Congressmen should meet and discuss problems directly with the people they represent. A good Congressman should do a lot of listening. I make it a point to talk with as many people as possible, because the free and open discussion of ideas and problems must be maintained. Again this year I will visit the communities in the 26 counties of the First Congressional District, so that I can visit personally with constituents. Letters from citizens in the district have been the lifeblood of my Congressional office. It is through these communications that I know many of the problems which most disturb the people.

SPENDING IN GOVERNMENT

Big government and its companion, big government spending, is the No. 1 problem. This is the dominant issue of today. It might be summed up in two words: fiscal irresponsibility. The blame can be placed squarely on the Congress of the United States. The big spenders who control our Congress must take the blame, since not a single dime can be spent without Congressional approval.

Spending has become a disease in this country. Where once we thought highly of the slogan "A dollar saved is a dollar earned" we now tend to place great reliance on the idea that we can spend ourselves rich. In order to spend ourselves rich we must tax ourselves poor. I cannot go along with this philosophy.

At the end of the first session, we had sliced some $5 billion from the budget and other spending requests. But by the time we had adjourned the second session, we had replaced this $5 billion and added more billions. The result? The national debt limit stood at $275 billion in January of this year. Eight months later the debt limit had climbed to $288 billion. The Treasury Department had found itself forced to return to the well of tax dollars twice this year to ask for debt increases for nonessential expenditures.

Functions of Government needed for the safety and development of our Nation received my support. I did not support items which in my estimation tended to lead the Government into more socialism or to make Government bigger or increase the tax burden. In this, I voted as a conservative.

I refused to support either debt-limit rise. I did not feel they would have been necessary if other Members of Congress had voted as I did in support of economy in Government. As an example, I could not see my way clear to vote for a bill which would have given some Indians in Montana $2.5 million for land valued at $50,000 in the name of public power. Nor could I vote for a $125 million to build 2 steamers for a private steamship line. I refused to support funds for a new Senate and House Office Building. We have adequate offices—better than most of us have at home. The net result of this spending spree under the control of a Democratic House and Senate has been to increase the deficit for fiscal 1959 to an estimated $12 billion and to increase the debt limit to $288 billion.

DEFENSE REORGANIZATION

The most important single economy effort of the session was reorganization of the Department of Defense, which I supported. This act will do two things: tone up our military muscles and tone down our wastefulness.

H. R. 8002 (HOOVER RECOMMENDATION)

Our second economy effort was enactment of H. R. 8002—Hoover recommendation on budgeting procedures. Agencies will now be required to return to Congress every year for funds for any and all projects. This reform should tighten Congressional purse strings and permit substantial savings in the future.

FOREIGN AID—RECIPROCAL TRADE

While we were saving money in defense, we were spending in a crazy-quilt pattern for foreign aid, the greatest giveaway of all time. I fought to require foreign aid to be divided into three phases: the military, economic development, and technical assistance. Some of the military money can be justified in that soldiers of some of our allies would be replacing our own men in the firing lines. Phases of the technical assistance programs are justified, but even in this field there are some doubts. I learned that in India, where they are building a dam, the American-contributed equipment has had the "Made in U. S. A." labels carefully covered up so that the Indians will not know it is the United States which provided the help. Many natives are of the opinion the bulldozers are Russian made and donated.

While voting against foreign aid, I did support reciprocal trade, because basically I have found that America benefits. There is also, of course, the factor of trade, not aid involved.

ALASKA STATEHOOD

For the first time since 1912, Congress acted to add a star to the flag. The Alaska statehood bill was passed, and I think the benefits of statehood will so enhance the value of the territory that its population will soon start to swell. I supported the bill strongly both in committee and on the floor. I feel that this is one of the really major accomplishments of this Congress.

FARM LEGISLATION

Several attempts were made to pass farm legislation during the 85th Congress. A combination of big-city and southern votes knocked out hopes for constructive changes this year. However, two important bills were passed. One is known as the Agricultural Act of 1958, and the other is extension of Public Law 480, which would help move our farm surpluses overseas.

The new farm bill as it passed, dealing with corn, permits farmers to choose 1 of 2 alternatives in a referendum vote this December. If the farmers pick plan No. 1, here is what will happen: The term "commercial corn area" will be dropped along with acreage allotments. Price supports will be set at 90 percent

of the average market price over the past 3 years but will not be allowed to drop below 65 percent of parity. If this is rejected, then acreage allotments will be retained and price supports will be allowed to vary from 75 to 90 percent of parity, depending on the supply percentage as provided by the Agricultural Act of 1949.

The price supports for oats, rye, barley, and grain sorghums beginning with the 1959 crop will be at a level determined by the Secretary of Agriculture to be fair and reasonable in relation to the price support for corn and considering the feed value of the commodity in relation to corn and the other factors specified in the 1949 act.

As for wheat, I joined other farm State representatives in supporting the two-price system. Our efforts were blocked by the combination of city and southern votes. The southern bloc, in return, however, was able to help its cotton producers. The Wool Act is extended for 3 years until March 31, 1962.

PUBLIC WORKS

Projects of economic value in the First Congressional District recognized by Congress include Salt-Wahoo and Red Willow.

HOUSING

We passed an emergency housing act which temporarily reduced the FHA downpayments and provided some direct loans on GI housing where private financing was not available. This bill, although not completely adequate, was the best we could agree on.

SMALL BUSINESS

We enacted two important measures to help small business. One provides methods of obtaining financing. The other measure extends the life of the Small Business Administration and makes it a permanent agency.

TAXES

We eliminated the 3-percent excise tax on freight shipments. We failed in our efforts to cut the telephone-telegraph taxes, and to cut other excise taxes. I strongly supported the effort to cut excise taxes, because they are wartime taxes and are now unfair.

SOCIAL SECURITY

The pressure of inflation forced us once more to increase the social-security payment program. I voted for the measure. I feel strongly that our senior citizens who depend on social security and who have made substantial contributions deserve reasonable treatment.

LABOR REFORM

Along with many Members of the House, I was disappointed that a reasonable labor-reform bill was not passed this year. Sensational hearings in the Senate pointed up the immediate need for this type of legislation.

The welfare and pension fund disclosure bill which did pass is a step in the right direction. Certainly, however, more must be done. We must have a curb on the men who dominate labor unions to the detriment of their membership, our citizens in general, and our country. The Kennedy-Ives bill pretended to do that; but it actually did not. Kennedy-Ives, in fact, would have weakened the Taft-Hartley Act in some respects and would have done little or nothing to insure fairness in the labor movement. The bill would not in reality have solved the problem of protecting the rank and file union member from the unscrupulous men who have infiltrated into many of the labor unions. The bill was held on the Speaker's desk for 41 days—a most unusual practice. This parliamentary maneuver engineered by the party that controls the Congress prevented open hearings in the House Labor Committee.

NATIONAL SECURITY

The Supreme Court issued 3 rulings during the past 2 years affecting directly the Nation's internal security. One opened the FBI files to inspection by any and every Communist lawyer who came down the road. This we were able to rectify last year through the FBI files law. The Court also shook the Federal loyalty security program by stating that it did not apply to those in nonsensitive positions. This, too, we were able to correct. But the third phase, opening the area of travel to Communists, subversives, saboteurs, and espionage agents abroad, we were not able to remedy.

SUMMARY

The President of the United States presented us with three important pieces of legislation which he said were on the must list this year. These bills were defense reorganization, foreign trade, and foreign aid. I was able to support him on two-thirds of his program. I supported the President in all of his defense program. I supported him on reciprocal trade. I did not support him on the foreign-aid program.

Congress did things that I regret. The debt limit increases are a good example. However, we helped break the back of a temporary economic setback of last winter. We made strides in development of peaceful atomic energy. We kept Government from becoming involved in projects which private enterprise could do better at no cost to the taxpayer. We helped build a stronger America, stronger in terms of military force and stronger in terms of that moral force needed to maintain world peace.

Congressman Dingell Reports to the People of the 15th District of Michigan

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. DINGELL. Mr. Speaker, as I have done at the end of each session of Congress, I am again reporting to my people of the 15th Congressional District of Michigan on my stewardship and program in the 2d session of the 85th Congress.

In this Congress I served on the Interstate and Foreign Commerce Committee and the Merchant Marine and Fisheries Committee.

In addition to my office in Washington, D. C., I maintain an office in my District to serve my constituents, located at 7310 Grand River Avenue, Detroit, staffed by my able assistant John Conyers, and by Mrs. Theresa Tabin, my secretary in Detroit.

One of my endeavors during this session of Congress, and of which I am most proud, is my participation in the enactment of the civil rights bill, H. R. 6127, of which I was a sponsor. This bill provided, first, for the establishment of a Civil Rights Division in the Department of Justice headed by an Assistant Attorney General; second, for a Civil Rights Commission to investigate denial of the right to vote to our citizens; third, that the United States should seek injunctive relief on behalf of any citizen or group of citizens whose right to vote is being abridged because of race, color, or national origin; and, fourth, for making it a crime to deny any citizen the right to vote because of race, color, or national origin.

I am also particularly proud that my efforts contributed substantially to the defeat of the gas bill. This legislation would have greatly raised rates to consumers in my District thereby guaranteeing a $1 billion a year windfall to producers of natural gas.

I fought this bill in my own committee and before the House Rules Committee. We were able to slow the progress of that bill so that its sponsors were unable to secure its passage. May I quote Drew Pearson in his column of August 16, 1957:

> The reason for this (defeat of the gas bill) was the effort of some young vigorous Congressmen, led by MACDONALD, of Boston; JOHN DINGELL, of Detroit; * * * all Democrats, all first- or second-term Congressmen.

SECTION I. LEGISLATION WHICH I INTRODUCED SOCIAL SECURITY AND SOCIAL LEGISLATION

H. R. 5737 to reduce retirement age for men to 60 and for women to 55.

H. R. 4765 to provide up to 60 days' free hospitalization each year for all recipients of social-security benefits.

H. R. 7453 to raise the amount which can be earned, without loss of benefits, by recipients of social-security payments from $1,200 to $1,800.

H. H. 6107 to remove the harsh and unjust provision that persons who suffer permanent disability must await age 50 before receiving benefits.

H. R. 10578 to liberalize the definition of disability so that a person must only be so disabled as to be unable to continue in his usual occupation.

H. R. 6948, the Humanitarian and Old-Age Rights Act, to liberalize public assistance provisions of the Social Security Act to eliminate inequities and restrictions on grants to recipients of old-age assistance, aid to the blind, aid to the permanently and totally disabled, and to eliminate the provisions requiring a pauper's oath by beneficiaries of these programs.

H. R. 4267, a bill to provide for a food stamp plan to facilitate distribution of surplus foods to low-income groups, retirees, pensioners, and recipients of public assistance.

CIVIL RIGHTS

H. R. 140, an omnibus civil-rights bill to protect citizens from discrimination in employment; political participation; travel and accommodations; to outlaw lynching; and to establish a Civil Rights Division in the Department of Justice for the protection of the rights of all citizens.

H. R. 141, a bill outlawing the poll tax as a prerequisite for voting in Federal elections.

H. R. 142, a bill to create a Civil Rights Division in the Department of Justice.

H. R. 143, a bill outlawing lynching.

H. R. 144, a bill outlawing discrimination in employment because of race, color, religion, or national origin. This bill included a vigorous compulsory Federal fair employment practices section.

HEALTH INSURANCE

H. R. 3764, a bill to provide for a national contributory health insurance program sustained by contributions from employer and employee into a trust fund. From this, each citizen would be entitled to receive full payment of all hospital, doctor, and medical bills.

ANTIRECESSION AND URBAN REDEVELOPMENT LEGISLATION

H. R. 10752, to provide for a $500 million public works program to create employment and to provide necessary public facilities.

H. R. 10751, a bill to provide for uniform Federal standards for unemployment compensation and to provide that States should pay not less than 39 weeks' unemployment compensation nor less than two-thirds of the worker's weekly wage or two-thirds of the weekly average wage across the State.

H. R. 5302, a comprehensive Federal urban renewal bill to provide for redevelopment of idle factory areas and residential slum areas for both industrial and residential purposes, legislation vitally necessary to Detroit.

TAXATION

H. R. 7065, to raise individual income-tax exemptions from $600 to $700.

H. R. 7066, to raise individual income-tax exemptions from $600 to $800.

Both these bills are aimed at benefitting the low-income taxpayers and offer a family of four earning in the vicinity of $5,000 a tax reduction of from $120 to $180 per annum.

H. R. 2541, a bill to give tax relief to small businesses and to increase slightly the taxes on large corporations so as to avoid revenue loss to the Treasury.

INTERNATIONAL AFFAIRS

House Joint Resolution 307, a joint resolution stating the "sense of Congress" that a permanent United Nations police force be immediately established to prevent war and aggression wherever it might occur. Substantially identical legislation later was adopted by the Congress.

SECTION II. ACTIVITIES OF THE 85TH CONGRESS

The press has properly called the 85th Congress a "do something" Congress and one of the hardest working Congresses in history.

Remarkable legislation has come out of this Congress, including H. R. 6127, which is now Public Law 85-315, the first civil-rights bill passed in over 80 years; and Public Law 85-726 which provided for the admission of Alaska to the Union; Public Law 85-462 providing for a pay raise for over 1 million Federal employees, and Public Law 85-426 providing for a pay increase for 500,000 postal employees. I cosponsored these last two pieces of legislation; in fact, my bills were among the first introduced to grant these highly deserved and long overdue pay increases.

I would like to characterize briefly an additional number of the more important legislative actions of the 85th Congress, all of which had my support:

DEFENSE

Public Law 85-325, authorizes $54.6 million to expand and accelerate construction of missile bases and detection systems, and establishes an advanced research projects agency within the Department of Defense under direction of the Secretary.

Public Law 85-599, reorganizes the Department of Defense, eliminates waste, overlapping, and duplication.

Public Law 85-657, authorizes a space project center, expansion of satellite launching and tracking facilities.

Public Law 85-568 establishes a National Aeronautics and Space Administration.

INTERNATIONAL AFFAIRS

Public Law 85-477 authorizing expenditures for military, economic, and technical assistance. About $3.3 billion was appropriated.

Public Law 85-686, extending the Reciprocal Trade Act until 1962. This legislation was vital to Michigan since 1 job in 7 in our State is directly dependent on foreign trade.

Public Law 85-559 permits permanent residence to 30,000 escapees from the Hungarian revolt and will allow ultimate citizenship to them. This is similar to legislation I sponsored.

NATIONAL ECONOMY, HOUSING, UNEMPLOYMENT COMPENSATION, SMALL BUSINESS AND URBAN RENEWAL

H. R. 8381 provides $260 million tax relief for small business, makes technical changes in income, estate, and gift tax provisions to eliminate unintended benefits and hardships. This bill awaits the President's signature.

Public Law 85-364, an emergency $1.8 billion housing act to stimulate home building, reduce downpayments, and extend guaranty and direct-loan programs for veterans.

Public Law 85-422 increases by $4 billion the authorization for FHA mortgage insurance.

Public Law 85-381, an antirecession highway bill to accelerate highway construction and to include $1.8 billion additional Federal aid for construction of roads to create jobs.

Public Law 85-441 provides loans to States to make additional grants of up to 15 weeks Federal unemployment compensation for jobless whose State benefits have expired.

S. 3683, a bill to aid depressed areas and areas of chronic unemployment with some $200 million in loans and $75 million in grants. This bill awaits action by the President.

S. 3651 creates the Small Business Investment Administration to provide equity capital and long-term loans to small-business enterprises.

Constituents interested in this or other small-business legislation, or who have problems concerning small business should contact me for particulars or assistance.

Public Law 85-536 gives permanent status to the Small Business Administration, increases its lending authority and reduces interest rates.

Senate Concurrent Resolutions 68 and 69 urge the President to accelerate Federal civil and military construction projects to stimulate the economy.

Public Law 85-500 authorizes $1.5 billion in flood control and rivers and harbors projects, to stimulate the economy and to provide jobs.

VETERANS AND SERVICEMEN

Public Law 85-638 extends until 1959 the time to apply for mustering out payments under the Veterans' Readjustment Assistance Act.

Public Law 85-678 increases benefits for total disability under the National Life Insurance Act, allowing veterans carrying such insurance to double the amount of the disability benefits by passing a physical examination and paying a small additional premium. Local Veterans' Administration offices have full information on this.

H. R. 11382, which is now awaiting the President's signature, would permit Korean and certain other veterans with national service term insurance to convert it to more advantageous forms of NSL insurance.

SOCIAL SECURITY AND HEALTH AND WELFARE

H. R. 13549 increases present social security pensions by 7 percent, with a minimum of $3 per month per retiree, beginning with the January 1959 checks which will be received early in February. This bill increases Federal grants to States for public assistance and relief, raising Michigan welfare benefits by about $3 per month per case.

Public Law 85-664 extends for 3 years the Hill-Burton Act to continue Federal aid to stimulate badly needed hospital construction.

H. R. 12876 extends for 3 years a program of Federal matching grants for construction of facilities for research into cancer, heart disease, arthritis, mental illness, and other diseases.

LABOR

S. 2888 requires registration, reports, and full disclosure by all employee welfare and pension funds.

The 85th Congress failed to complete action on a Federal school aid bill, although Congress did for the first time authorize a Federal loan and scholarship program devoted principally to science and mathematics students who are so badly needed today. The Kennedy-Ives bill to protect union members from abuses failed of passage because of an almost overwhelming Republican vote against it in the House.

Last year's preoccupation with a balanced budget was replaced by a realization that the country was faced by a real economic recession induced by hard

money policies of the administration and by the knowledge that Russia threatened scientific ascendancy over the United States. Tax readjustments to assist low-income groups, closing of tax loopholes, and increasing of individual exemptions failed to secure proper attention. However, it can be seen from the above major actions that Congress has provided much of the means for early economic recovery.

The social security amendments adopted during this session of Congress will do much to aid both retirees under the social security system and those drawing public assistance under that program.

I have at all times attempted to carry out a liberal, vigorous legislative program on behalf of my people. I claim major responsibility for defeat of the gas bill, for Federal programs enacted during this session, for research into disease, and for hospital construction. I have constantly worked to expand the responsibilities and the capability of the Food and Drug Administration to protect our consumers from filthy, adulterated foods, from foods which have been given chemical treatments of unknown safety and to protect the Food and Drug Administration from constant attacks by special interest groups.

I have worked hard to secure passage of food stamp legislation to help all our people have an adequate diet and to see to it that our surplus food reaches those who need it most.

I worked for the expansion of the social security program and have testified before the House Ways and Means Committee urging enactment of my bills for the expansion and liberalization of that program.

I appeared on a number of occasions before the House Judiciary Committee testifying on civil-rights legislation and was one of the sponsors of H. R. 6127, the bill which finally became law.

I have attempted to follow a liberal, constructive program for the benefit of all the people of my District and of the country. I intend to continue this record as long as my people will have me serve them.

Accomplishments of 2d Session of the 85th Congress

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. McCORMACK. Mr. Speaker, once again we come to the close of a Congress, Democratic controlled, a most successful and historic one. At the end of the first session of this Congress I made a report on its accomplishments. In this report, I shall confine myself mainly to the record of this session. However, the record of both sessions constitutes the complete accomplishments of this outstanding 85th Congress.

The passage of the Eisenhower Far East (Formosa) doctrine, the admission of Alaska as a State of the Union, and the passage of civil-rights legislation, the first of its kind enacted in over 80 years, alone would make the 85th Congress an historic one. It is interesting to note that in the Republican controlled 83d Congress, with President Eisenhower in the White House, neither branch of the Congress even reported a civil-rights bill out of committee. In other respects this Congress made an outstanding record. The important thing is that this Democratic controlled Congress faced and met with vision and courage its responsibilities in the world of today.

The press of the country, overwhelmingly Republican, has been most complimentary of the accomplishments of the 85th Congress. This is the best evidence of the wisdom and good judgment of the people in the election in 1956 of a Democratic controlled Congress.

With his long years of experience in the Congress, with his wisdom and his fairness of appraisal, Speaker SAM RAYBURN called the recent session about the most fruitful he had ever served.

There is no person in the United States better qualified to express an opinion about Congress and its accomplishments than Speaker RAYBURN.

The record of the 85th Congress must be weighed and considered in the light of the world of today. For it is evident to all that we are living in one of the most important and trying periods of the world's history.

The record clearly shows that this Congress assumed and effectively met its responsibilities in the field of foreign affairs, in the field of national defense, and in the field of domestic affairs.

It must be remembered that while Congress legislates and appropriates, the administration and conduct of our Government rests with the executive branch, with the responsibility upon the President. This is particularly so in the field of foreign affairs. For in this field, under the Constitution, the President is the sole repository of policy and action. He is also the Commander in Chief of our Armed Forces.

As has well been said, "the formulation of military policy—who decides it and how it is decided, is crucial to the question of peace or war. The success of the policies adopted determine whether the people will enjoy political liberty, and lead normal lives, or be hurled into a war for survival, with nuclear destruction bringing disaster to civilization."

We all have a stake in the plans of our country to prevent war, and in the plans which must be carried out if war occurs.

Modern warfare requires the close integration of political, economic, and military power. The weight of responsibility for war prevention lies in the area of politics and foreign policy.

To an immeasurable extent political power depends upon economic and military strength. If the enemy knows of both, of our will and the wherewithal to fight, then political power may be strengthened to the point where diplomacy may avoid total war.

It would be unwise, in fact dangerous, if we should underrate the potential enemy—the Soviet Union and Red China. Neither should we fear them so long as we understand their capabilities, as well as their weaknesses, and our capabilities, as well as our weaknesses, and to take all steps necessary to keep our defenses sufficiently strong to meet any challenge with which we may be faced.

And the 85th Congress by its actions recognized this duty. This Congress did not face our problems with a sense of despair, but from the viewpoint of destiny.

In the field of foreign affairs and of national defense this Congress has risen to great heights. Within its constitutional jurisdiction, the Congress has given to the President and the executive branch legislation and appropriations necessary to meet the challenge of international communism. It rests with President Eisenhower and those associated with him in the executive branch to give the leadership necessary to effectively carry out the powers vested in them by Congressional action.

There is justifiable concern on the part of our people in relation to the soundness of our foreign policy, with the frequent shifts that have taken place, and with the apparent uncertainty and inconsistency of leadership.

The fact that during the past 5½ years we have lost the friendship of so many nations, with others changing from friendship to neutralism, causes concern. This indicates that something is wrong.

The Democratic Party is not responsible for this. Whatever justification there is for such concern, the responsibility rests with President Eisenhower and the Republican administration.

In the field of foreign policy, the 85th Congress continued most effectively the established tradition of bipartisanship, which has become such a vital factor in the conduct of international relations.

I have already referred to the Far East doctrine.

Another major action in this field was the enactment of the Middle East resolution authorizing the President to undertake economic and military cooperation, when requested, and when threatened by Communist aggression, with nations in the general area of the Middle East in order to assist in the strengthening and defense of their independence.

Like the Far East resolution relating to Formosa and the offshore islands, the Democratic controlled Congress cooperated with President Eisenhower in acting favorably on his recommendations relating to the acute situation existing in the Middle East area. Congress, as requested, gave the President the authority he sought. His leadership in both areas is now being tested. Let us hope he will make decisions that will inure to the best interests of our country, and of a future world of peace.

This Congress has performed its legislative responsibility in a statesmanlike manner.

In the 2d session of the 85th Congress other important actions were taken in

the field of international affairs and related fields.

The Mutual Security Act of 1958, with the appropriations necessary to effectuate the same:

First. The amount appropriated was $3,298,092,500. While the amount appropriated is below that recommended by President Eisenhower, it is over $200 million more than the amount of the bill that passed the House. In the opinion of members of the Appropriations Committee who are authorities in this field, this amount is adequate to carry out our policy for the fiscal year 1959. However, if world events change and later developments prove the amount appropriated is not enough, a supplemental estimate can be submitted to the Congress next January by the President. It is felt, however, that efficient administration and the sound control of the spending of this amount, with money heretofore appropriated and available, will be adequate during this fiscal year, unless something unexpected develops.

I suggest that next year, when the new Congress meets, that the President send to the Congress as early as possible, his recommendations for legislation in this field, as well as his budget estimates.

Second. Extension for 4 years to June 30, 1962, authority of the President to enter into reciprocal trade agreements. This legislation is one of the keystones of our foreign policy. If an extension failed to pass, or if extended in crippled form, such action by Congress would have had serious adverse effect for us throughout the world, particularly among nations friendly to us.

It is interesting to note that while the bill was in conference for the purpose of adjusting the differences between both branches, President Eisenhower could not and did not receive the support of either 1 of the 2 Republican House conferees.

Third. Increases lending authority of Export-Import Bank by $2 billion.

Fourth. Approves Euratom agreement with Belgium, France, West Germany, Italy, the Netherlands, and Luxembourg, signed at Brussels May 29, 1958.

Fifth. Provides for exchange of mutually essential atomic information and materials with our allies.

Sixth. Authorizes loans, research grants to carry out United States share in cooperative development of atomic power with European atomic energy community.

Seventh. Extends for 2 years to June 30, 1960, authority of President to control exports of strategic materials.

Eighth. Facilitates retroactive adjustment of status of 30,000 escapees from the October 1956 Hungarian revolution to permit permanent residence in the United States.

Ninth. Records lawful admission for permanent residence of certain aliens who entered United States before June 28, 1940.

Tenth. Simplifies procedure for nonimmigrant aliens to become permanent residents.

Eleventh. Denounces the Communist execution of leaders of the 1956 Hungarian revolt, expresses the indignation of Congress and the Nation at this act of perfidy and barbarism.

Twelfth. Urges establishment of international plan for peaceful exploration of space and requests the President to seek and enter into international agreements to that end.

Thirteenth. Expresses sense of the Congress that the United Nations establish a permanent emergency police force capable of enforcing its decrees or orders for purposes of peace.

Fourteenth. Authorized $10 million for completion of Inter-American Highway.

Fifteenth. Created a new Assistant Secretary of State for African Affairs which Secretary Dulles has termed of high significance, marking the rapid evolution of Africa.

Sixteenth. Resolution, which I introduced as a result of a unanimous vote of the House select committee, requesting the President to negotiate with other countries, or to act through the United Nations for the exploration and use of outer space for peaceful purposes rather than for military purposes. It is pleasing to note that our Ambassador to the United Nations, Henry Cabot Lodge, upon the instructions of President Eisenhower, has implemented the Congressional resolution by proposing to the general assembly a program for international cooperation in the field of outer space.

The House select committee and the Congress recognized that if the use of outer space is to be prohibited for military purposes, or controlled—to be used for the progress of all mankind for peaceful purposes rather than for destructive purposes through military uses—the best opportunity for such a desirable objective being reached would be prior to a competitive military race starting between two or more nations.

While all nations of the world should be interested in a successful plan resulting, the smaller as well as newly constituted nations should be particularly interested; and in the United Nations doing everything possible to bring about successful results which will assure all nations that their sovereignty and independence will not be threatened by one powerful nation gaining a military advantage in the unknown field of outer space.

It should be apparent that unless a plan is arrived at that will outlaw or control the use of outer space for military purposes, an intense military race will take place by nations financially able to bear the burden. It should also be apparent to all nations that if negotiations and efforts fail, and a military competitive situation arises—for example, the United States and the Soviet Union—superiority by the United States would not be a threat to the sovereignty and independence of other nations of the world. The opposite would be true if the Soviet Union should gain a superiority. Small nations, as well as newly constituted ones should consider this important fact in their own national interest and survival.

Mr. Speaker, our recent Congresses have properly been defense minded. With the happening of the past 2 years, such as sputnik, the fact that in certain important military fields the Soviet Union has a noticeable, if not marked, lead on our country, the 85th Congress has been particularly concerned with our military capabilities, offensively and defensively.

Where we disagreed with the Republican administration, we did so on the side of strength, feeling that such action in the world of today was in the national interest of our country.

For example, we felt that the strength of our Army should be maintained at 900,000 officers and men, rather than to be reduced to 850,000 officers and men. We appropriated the necessary money to maintain our Army at the 900,000 strength.

We also appropriated sufficient money to keep our National Guard at a strength of 400,000 officers and men, rather than to be reduced, as intended, to 360,000 officers and men.

It will be interesting to see if the present Republican administration carries out the intent of Congress, or reduces our Army and our National Guard by freezing the money Congress has appropriated to maintain at their present strength.

The Congress took the same action in relation to the United States Marine Corps, by appropriating enough money to maintain the Marine Corps at its present strength.

The Congress also provided increased appropriations for the construction of additional nuclear-powered submarines armed with Polaris IRBM's; as well as for additional amphibious assault ships, also for a speed up for Air Force Minutemen, solid-propellant ICBM's, and Hound Dog Missile projects; production of additional Boeing KC–135 jet tankers and long-range transport aircraft.

The money Congress appropriated over and above the President's budget estimates was largely in connection with our national defense.

The Democratic-controlled Congress points to this with pride, confident that the great majority of our people approve such action.

In the field of national defense, it is better to keep our guard high. It is better to act on the side of strength rather than on the side of weakness.

During the session recently adjourned, history was made in the field of national defense.

The passage and enactment into law of the Defense Department Reorganization Act is a matter of major importance. Full and complete authority has been given to the Chief Executive and the Secretary of Defense to reorganize our Defense Organization to meet the military problems of the nuclear age, and at the same time recognizing the duties of the Congress under the Constitution.

The responsibility for making an effective and efficient reorganization now rests with the President and the Secretary of Defense.

Congress showed its assumption of responsibility by the passage of a strong, effective bill, many times stronger than was reasonably expected when President Eisenhower first submitted his recommendation to the Congress. The chairman and members of the Committee on

Armed Services of the House and the Senate are entitled to special words of commendation for their statesmanlike approach to the excellent solution of this most difficult question.

Other important legislation of the second session are:

First. Revised and improved military pay system increasing the pay for members of the Armed Forces, $577 million a year, which increase, in part, is based on proficiency. In addition to such an increase being justified, an important factor was to increase career service. A substantial increase in reenlistments would result in savings of hundreds of millions of dollars each year.

Second. Appropriations to maintain: (a) Army National Guard at a strength of 400,000; (b) United States Reserve at a strength of 300,000; (c) the active duty Army Establishment at a strength of 900,000.

Third. Military construction bill in the approximate amount of $1.7 billion for fiscal year 1959.

Fourth. Establishment of new research and development agency in the Department of Defense known as ARPA, of vital importance in connection with the exploration of what is commonly called outer space, the success of which could be vital to our survival as a nation, as well as to assurance for a future world of peace. We cannot permit the Soviet Union to be superior to us in space exploration—particularly from a military angle.

We have the brains, and we have the facilities. What we need is the leadership. The action of Congress, with its adequate appropriations, gives the new military agency the authority to go ahead, to gain the leadership that will place our country in a position of preeminence in this most important field of activity. We cannot afford to underestimate the importance through research and development of advancement in outer space, both from a military angle and from a civilian angle.

Recognizing the importance of space exploration from a civilian angle, the Congress, in response to President Eisenhower's recommendation, passed a bill—now law—creating a new civilian space agency. In addition to introducing the bill, I had the honor of being selected by Speaker RAYBURN to be chairman of the House select committee that considered this bill. Majority Leader LYNDON B. JOHNSON was chairman of the Senate committee. Between both committees and the White House close relationships existed. The result has been the enactment into law of a strong effective bill. It now depends upon the character of leadership those appointed to administer this new agency will give, not only within the agency itself, but in cooperating with other related research and development activities being carried on by other agencies of our Government, so that there will be understanding, efficiency, lack of unnecessary duplication, and the maximum of results.

If I may inject a personal note, I want to express my sincere thanks to all the members of my select committee and to our staff, for the outstanding contributions they made to this very important legislative achievement.

The official title of the new agency is the National Aeronautics and Space Administration. The importance attached to it is shown by the fact that this new civilian agency has a national aeronautics and space council headed by the President, and among its nine members are included the Secretaries of State, of Defense, the Chairman of the Atomic Energy Commission, and the Director of NASA.

Fifth. Adequate appropriations were made to maintain a powerful national defense, and for research and development work to improve our military capabilities so that we will be superior in all fields over any potential enemy.

Sixth. In connection with the Advanced Research Projects Agency, called ARPA, established by this Congress, and the importance of which I have mentioned, this Congress has given it full authority and all appropriations requested. The importance of this agency in terms of our very survival cannot be overemphasized.

Seventh. Authorizes $100.5 million program of new construction and conversion of naval vessels for fiscal 1959, including modern nuclear-powered and guided-missile warships, amphibious landing craft, and service ships.

Eighth. Authorizes $386 million for Atomic Energy Commission construction, expansion, or acquisition of facilities, including plutonium plant and civilian power reactors.

Ninth. Authorizes $35 million to be appropriated to Atomic Energy Commission for construction of reactor for an atomic-powered destroyer.

Tenth. Authorizes $29.9 million for new construction, and improvement of existing research facilities of National Advisory Committee for Aeronautics.

Eleventh. Authorizes construction of atomic-powered icebreaker for Coast Guard.

Twelfth. Authorizes $47.8 million for construction of new space projects center, expansion of satellite launching and tracking facilities, and for other experiments.

Thirteenth. Extends for 4 years to June 30, 1962, standby emergency powers of President under title III of Federal Civil Defense Act.

Fourteenth. Enacts into permanent law authority of President to expedite defense contracts during period of emergency, formerly exercised under expired title II of First War Powers Act.

Fifteenth. Extends to June 30, 1960, President's authority to allocate and fix priorities for strategic materials, grant loans and subsidies under Defense Production Act.

Mr. Speaker, our people are properly concerned with our present marked business recession, with 5 million persons out of work, and with the inclusion of additional part-time unemployment, the equivalent of nearly 7 million unemployed.

At the beginning of this rise in unemployment it was apparent to many of us that we were having a serious recession.

The administration at first was not particularly impressed and, in fact, took a rather optimistic view of the situation. They referred to this economic crisis as "a slight dip" which would soon take an upward turn. As increased unemployment figures poured into the White House, the administration began to talk. First, it admonished those of us who were calling for executive action and promoting legislative action, to refrain from talking about the "slight dip" and it would go away. Second, the President delivered a "chin's-up" message to the American people; but action, not speeches, was necessary to stem the tide of recession and to stimulate employment.

Democrat Members in both Houses of Congress took positive and tangible action. Numerous antirecession proposals were passed:

First. $1,118,128,835,000 public works appropriation bill to carry out and start river and harbor, flood-control, and reclamation projects of import to many citizens of our country.

Second. Emergency $1.8 billion Housing Act to stimulate home building; reduction of downpayments on FHA financed houses; extension of guaranty and direct loan programs for veterans, and so forth.

Third. Increase of $4 billion authorization for FHA mortgage insurance.

Fourth. Legislation hastening highway construction.

Fifth. Additional unemployment compensation for the jobless whose State payments have expired. With the refusal of the administration to accept the more liberal Democratic measure, and with the inability to pass it, the bill recommended by the administration became law. It will bring benefits to some of the unemployed but nowhere near the benefits provided for in the Democratic measure.

Sixth. Authorizing departments and agencies to currently purchase supplies and equipment in advance of appropriations for the fiscal year beginning July 1, 1958, to stimulate business recovery.

Seventh. Extending Federal Airport Act of June 30, 1963, with an authorization of $100 million annually for 5 years on a 50–50 basis with local governments. Vetoed by the President.

This was a bill providing for grants to States and local communities for construction and improvement of civil airports. It is evident that many of our airports are inadequate and that, as a whole, there exists a most serious challenge for service, as well as for protection of life and property in the years that immediately lie ahead. Meeting this challenge should not be alone the duty and the financial burden of States and local communities. This is a national as well as a local problem. The Congress recognized the copartnership responsibility in the passage of the bill vetoed by the President.

In the light of the problem confronting us, which will increase as time passes, there are many who regret the Presidential veto of this important bill and consider such veto to be unwise. The immediate future will show whose

judgment was sound and correct—the Congress in acting to meet this serious and growing challenge—or the President by his veto, defeating the enactment of this bill.

Mr. Speaker, many cities and rural areas of our country are economically depressed, with a high percentage of unemployment, due to a number of factors, one of them being the flight of industry to other sections of the country—textile cities of the North being an example. There are many other such depressed economic conditions of a chronic nature in States that mine coal. This bill was in the nature of a self-help proposition to such distressed communities.

The bill authorized two $100 million revolving funds for loans to help finance industrial redevelopment, one for cities and one for rural areas with chronic unemployment. It also authorized $75 million of annual grants to help the installation of community facilities to enable cities to attract new industry. This bill was constructive and meritorius. It would enable cities and areas with economic unemployment to plan and bring about industrial redevelopment and rehabilitate their economy on a sound basis, eliminating the prospect for years to come of large-scale unemployment and the plight that such a condition brings to a community.

This bill passed the Congress by a large majority. It has been pocket-vetoed by President Eisenhower. Examination of the reasons for the President's rejection of this important bill will show that his veto was not only unwarranted but unwise.

The reasons given by the President for his pocket-veto clearly fails to recognize—which Congress did recognize—that we were considering in this legislation distressed American cities and areas whose tax revenues have been seriously reduced by large-scale unemployment and by the flight of industry, and so forth; also where the cost of local government has sharply increased as a result of the existence of the very conditions that this legislation would help to remove.

It is interesting to note that in his veto statement the President said he favored such legislation, but still he vetoed the bill. He apparently overlooked an important fact that experience in public life teaches that progress is made through reasonable compromise.

The next Congress, particularly if Democratic, will give early consideration to such legislation. However, the pocket-veto by President Eisenhower will hold back for many months distressed cities and rural areas from carrying out their plans for industrial redevelopment and economic rehabilitation.

Eighth. Reduce price labeling of new automobiles.

Ninth. Resolution urging the Executive to accelerate Federal construction projects, military and civil, for which funds had been appropriated in order to stimulate our depressed economy.

Tenth. Bill accelerating program of trade-in of old vessels, replacement by modern ships, under the Merchant Marine Act.

Eleventh. Railroad Transportation Act of 1958, the primary purpose to preserve and strengthen our railroad system.

Twelfth. Federal Aviation Act, designed to improve air safety.

Thirteenth. Authorizing construction and sale by the Maritime Board of 2 passenger superliners, 1 for Pacific operation.

Fourteenth. Providing pay increase for postal employees.

Fifteenth. Providing pay increase for civil service, judicial, and legislative employees.

Sixteenth. Increased annuities for retired Federal employees.

There are a number of other actions taken that will be helpful, if administered efficiently, as antirecession measures, some of which I have mentioned, such as legislation and appropriations for public works, flood control, military construction, accelerating highway construction, and so forth.

An important part of our national economy, Mr. Speaker, are the several millions of small and independent businesses throughout the country. It could well be said they are the basic strength and backbone of our business economy. The 85th Congress recognized their importance, and their difficulty to compete with big business enterprises unless given compensatory consideration and the necessity of positive action in order to preserve free American independent enterprise.

During this Democratic-controlled Congress, small and independent businesses have received consideration in several important respects to enable them to maintain a healthy and expanding condition.

The favorable action taken in connection with small and independent businesses is the best ever given to this important part of our national economy. The record of this Democratic-controlled Congress is one, I am confident, that the small- and independent-business men of our country will appreciate and recognize that the Democratic Party is their friend.

The significant record of this Congress and the past session, consists of these important measures:

(a) The Small Business Administration, established in 1953 as a temporary agency, has been made a permanent agency.

(b) The ceiling on individual loans it may grant has been increased from $250,000 to $350,000.

(c) The interest rate charged has been reduced from 6 to 5½ percent.

(d) The lending authority of SBA has been increased.

(e) One of the other bills is the Small Business Investment Act of 1958, which agency has $250 million loan authority to furnish long-term equity capital to small businesses through the medium of investment companies, as provided for in the law. These investment companies will furnish long-term capital to small businesses which are unable to obtain the needed capital from other sources,

(f) Of great importance is the tax relief bill for small business, amounting to $260 million a year. Among its effective features are, first, faster tax writeoffs on new equipment in the first year after purchase; second, 10 years, instead of 15 months, in which to pay estate taxes on a business owned by a small number of persons—the family-owned type of business—assuring continuity of business; third, extension of the period of time for which a loss may be carried back—from 2 to 3 years—and applied against previous income; fourth, an increase from $60,000 to $100,000 on the amount of earnings that may be retained without higher tax charges.

These bills will enable small business to survive and expand, and to withstand the competitive advantages enjoyed by big business.

In addition, the studies, inquiries, and recommendations of the small-business committees of both branches of the Congress have resulted in the Small Business Administration almost doubling the value of Government orders to small businesses of the country, and for SBA to increase management counseling services, and to increase loans by about 30 percent.

Mr. Speaker, the original Social Security Act was recommended by the late President Franklin D. Roosevelt, and was passed by a Democratic-controlled Congress. It is an important cushion against a depression. From time to time, during the years, it has been improved upon, increasing benefits and extending its coverage to millions of new beneficiaries.

In this field of interest to millions of our people, the 85th Congress made another important step forward by increasing old-age insurance benefits by 7 percent, and increasing Federal grants to the States for public assistance and relief. This action will bring further strength to the family life of America.

Another bill of major importance enacted into law was one to encourage and assist in the expansion and improvement of educational programs to meet critical national needs. Despite powerful opposition, a bill making progress was passed. It should bring favorable results. While this bill did not go as far as some would like, it represents decided progress, and can be improved upon in the next Congress. In substance, this bill authorizes a 4-year $887 million program of student loans, fellowships, and other aid to improve teaching of mathematics, science, and the languages.

Extended for 3 years the hospital survey and construction—Hill-Burton—act.

Extended for 3 years the program of $30 million a year matching grants for construction of facilities for research into cancer, heart disease, arthritis, mental illness, and other diseases.

Appropriated the largest amount ever made for medical research.

To encourage expansion of teaching in the education of mentally retarded children.

Made adequate appropriation for the school lunch program, and extended for 3 years the special milk program in nonprofit schools, child-care centers, settlement houses and summer camps, with authorization for expenditure of $75 million a year of Commodity Credit Corporation funds.

Authorized Federal-State cooperation in the control and regulation of small pleasure and passenger boats.

Enacted the humane slaughtering bill.

Mr. Speaker, having in mind the opposition and the sharp differences of opinion relating to farm legislation, the record of this Congress is a remarkable one. With increased Democratic representation in the next Congress, the basic democratic policy which has been so helpful to agriculture and which the present Republican administration has opposed can again be the basis for successful legislative action.

One of the bills passed was to stop the reduction of 1958 farm price supports below the 1957 level and to bar reductions in acreage allotments for 2 years in order to permit consideration by the Congress and its committees of any new general farm legislation. Unfortunately, and to the disadvantage of the farmers of America, President Eisenhower vetoed this meritorious measure.

In the light of the position taken by President Eisenhower and of that of the Secretary of Agriculture, Ezra Taft Benson, of having their way or no legislation, with the veto power of the President, the record of this Congress on farm legislation is a remarkable one.

Mr. Speaker, a bill of major importance resulting from the McClellan committee hearings is the Welfare and Pension Plans Disclosure Act—the public disclosure of all welfare and pension plans maintained by employer and by employee organizations. This bill will contribute greatly to the prevention of the misuse of such funds and for the protection of the rights of the beneficiaries of such funds.

Another bill resulting from the McClellan hearings is the bill known as the Kennedy-Ives bill. This important bill goes a long way toward stopping or controlling widespread abuses and scandals, with the very challenge by some to Government itself. This bill passed the Senate by a vote of 88 to 1. When it came up in the House of Representatives, in the closing days of the past session, under suspension of the rules—the only way, at that time, action could be taken by the House—the passage of this bill was refused by a vote of 198 to 190.

While the bill was under debate, a prominent Republican Member of the House stated that he had just talked with Mr. Mitchell, the Secretary of Labor, who authorized him to inform the House Members that he opposed suspension of the rules, which meant that he was opposed, at that time, to the passage of the bill.

There is no question but what the position taken by Secretary Mitchell played an important part in the failure of the passage of the bill.

The rollcall vote, requiring a two-thirds favorable vote, of those present and voting, shows that only 41 Republicans voted for suspension and passage of the bill, and 137 Republicans voted against the same. On the other hand, 149 Democrats voted to pass the bill, and 61 voted against. In other words, an overwhelming majority of the Republicans voted against this much needed legislation, and an overwhelming majority of the Democrats voted for it. The passage of this bill would have prevented many of the abuses and dictatorial and illegal actions disclosed by the McClellan committee. The bill represented decided progress.

It is amusing to listen to Secretary Mitchell's remarks and the efforts of other Republicans in the part they played in the failure of the passage of the Kennedy-Ives bill.

The rollcall record, which no one can deny, speaks for itself as to where responsibility lies, particularly between both political parties in the Congress.

The press and the people of the country had properly taken the position that the House should vote upon this bill before Congress adjourned. Speaker RAYBURN wisely permitted the House to do so.

Another important bill that failed of passage in the closing days of the past session, when it was also brought up under suspension of the rules—the only way it could have been brought up before Congress adjourned—was the general housing bill. Suspension of the rules and passage of the bill, as Members know, required a two-thirds vote. This bill was of great importance in meeting a serious internal challenge confronting us. Its passage at that time would also have been most helpful as an antirecession measure. President Eisenhower opposed the bill in its then form. However, every provision he advocated was in the bill, with additional provisions deemed by the Democrats as necessary for the best interests of our people.

This bill failed of passage—a two-thirds vote being necessary—by a mere 6 votes—215 for suspension and passage, 134 against.

Again the rollcall record on this important and progressive measure is interesting and revealing, particularly from a party angle, as to where the responsibility lies for failure of favorable action thereon. The rollcall vote shows that 185 Democrats voted for the bill, and 23 Democrats voted against. On the other hand, 66 Republicans voted for the bill, and 111 voted against.

Following President Eisenhower's recommendation, the Congress passed a bill increasing the Federal debt limit from its present $275 billion level to a permanent ceiling of $283 billion, with a temporary ceiling of $288 billion until June 30, 1959. It is quite apparent, with the approximate $12 billion deficit of the present fiscal year, that another increase will be necessary sometime after next January; this despite repeated Republican campaign promises of a reduction in the national debt.

Under the circumstances there was nothing else the Congress could do to avoid placing our Government in a financial trap which would result in governmental stagnation, and which would particularly adversely affect our national defense.

The failure of President Eisenhower, in 1957, before the first session adjourned, to request an increase compelled the freezing of several billions of appropriated funds. During the last 4 months of 1957 the Government was unable to carry out many of its obligations, which sharply increased the recession, with resultant increased unemployment. These results could have been averted if judgment and leadership on the executive level had been exercised.

Mr. Speaker, also enacted was legislation to improve our nationality and immigration laws, some of which I have already mentioned; to improve the Bankruptcy Act; to improve the efficiency of the judiciary; the strengthening of existing law relating to the mailing of obscene or crime-inciting matter; authorizing the making, amendment, and modification of contracts to facilitate the national defense; amend existing law to authorize grants-in-aid to schools of public health and public health administration; to authorize loans for construction of hospitals and other facilities under title VI of the Public Health Act; granting consent of the Congress to the several States to enter into compacts for making traffic safety; Government guaranty of private loans to air carriers for the purchase of aircraft and equipment; established the Civil Aeronautics Board and a Federal Aviation Agency to regulate the use of airspace by both civilian and military aircraft; to authorize additional grants for the support of scientific research; extending the Public Health Service Act relating to health research facilities; authorized flood-control projects and acceleration of civil construction programs; Federal-Aid Highway Act of 1958; rivers and harbors and flood omnibus bill of 1958; to provide for an increase in the minimum interest rate permitted on United States savings bonds; to permit importation, free of duty, of religious vestments and regalia presented without charge to a church, or to certain religious, educational or charitable oragnizations; increased exemption to theaters, particularly helpful to small moving-picture theaters; removal of a number of tax inequities and the reduction of several burdensome excise taxes; to extend unemployment insurance system to ex-servicemen; to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations, which carried out a major Hoover Commission recommendation; extension of the Reorganization Act of 1949, as amended; to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; increase rates of compensation for service-connected disabilities and for dependency allowances; consolidation into a single act and simplified laws governing compensation, pension, hospitalization and administration of the Veterans' Administration; pensions increased for widows of Spanish, Indian, Mexican and Civil Wars; eligibility standards for widows of veterans were liberalized; increase of burial allowance for veterans; increase in rate of compensation for certain blind veterans; increase in premiums and benefits for total disability under the National Life Insurance Act; the much-needed retirement legislation for ex-Presidents, or widow of a President.

An important action in connection with the committees of the House of Representatives was the establishing of the new House Committee on Science and Astronautics, effective in the next Congress, with broad jurisdiction over legislation relating to basic research over a broad field, and with exclusive jurisdiction over legislation relating to outer space. This constitutes a recognition on the part of the House of Representatives of the tremendous importance of science, technology, and the exploration and use of outer space in the world of today and tomorrow.

One of the most serious problems confronting our people, particularly workers of all kinds, and farmers and their families, is inflation and the threat of further inflation, with the resultant high cost of living.

During the past 2 years an inflationary spiral has been going on, with the price index and cost of living increasing month by month, so that now the cost of living is the highest in our history—this despite Republican campaign promises to stop inflation and to reduce the cost of living.

The administration has failed to make any recommendations for legislation to the Congress to meet this situation. The high-interest and tight-money policies of the administration have, if anything, aggravated the situation. They were poorly thought out and unwisely timed, as many in and out of the Congress stated.

These policies of the administration have greatly aggravated the present recession and as well contributed to the inflation and high cost of living that has taken place. The responsibility for the present inflation and the high cost of living rests upon the shoulders of the Republican administration.

Mr. Speaker, the bills I have mentioned are but a small part of the measures that both branches of the Congress acted upon. However, they show the broad scope of important legislation acted upon by this Congress. In addition, there were the inquiries and investigations conducted by full committees or subcommittees.

The record clearly shows that in addition to the Democratic-controlled 85th Congress enacting legislation of an historic nature it was one of the busiest Congresses of all time.

The record of this Congress confirms the judgment of the people in electing a Democratic-controlled Congress in 1956. It is a record that will justify the election of a Democratic-controlled 86th Congress and with an increased number of Democrats in both the House and the Senate. I am confident of this result in the election in November.

Mr. Speaker, in conclusion, speaking for myself, and I know I also speak for you, I express my thanks to all Members for the consideration they have shown us, both individually and in our positions of leadership.

To my friend from Massachusetts, the Republican leader, Mr. MARTIN, and to his associates in leadership, I particularly express our thanks for the understanding consideration shown by them during the past 2 years.

My Last Report to My Constituents in the First Congressional District of New Jersey

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. WOLVERTON. Mr. Speaker, it is with a feeling of regret that I make this my last report to my constituents of the First Congressional District of New Jersey.

With the closing of the present session of Congress it will have been my privilege to have served as a Representative in Congress for 32 years. There has been no one in the history of New Jersey who has served as a Member of Congress for so long a period, and only a few in the history of the Nation have exceeded it.

I am deeply grateful, as I bring to an end my Congressional career by my decision not to be a candidate for reelection, for the honor that the citizens of the First Congressional District have conferred upon me by election and reelection so many times. Their kindness in this respect has enabled me to serve not only for nearly a third of a century, but during a period that constitutes one of the most important eras in our history as a nation. The confidence that has been shown in me will always be a source of great personal satisfaction.

I confess with modesty and humility that probably the most outstanding evidence of confidence upon the part of my constituents, and the one that I cherish most, was to be reelected upon the Republican ticket in 1936, 1940, and 1944 when President Roosevelt on the Democratic ticket carried my Congressional district by majorities that were overwhelming. In 1936 his majority, as I now recollect it, was approximately 60,000; in 1940, approximately 50,000; and in 1944, approximately 52,000. I trust that my feeling of pleasurable satisfaction at the confidence displayed by the substantial majorities accorded me on the Republican ticket will be considered as justified and pardonable.

It has been a great privilege to have served in the House of Representatives such a long period of time—1926–58. These years with the varying and unusual problems that the changing conditions have brought—prosperity, depression, recovery, war with its problems, foreign affairs in all its varying aspects—together with policies for their solution that were new and untried have made this period of 32 years one of the most eventful in our history as a nation.

In the consideration of these important matters it has been most gratifying and assuring to note the sincerity of purpose and high ideals that have always actuated those who served as Representatives. Notwithstanding, they came from Congressional districts with differing interests and viewpoints, yet, each was actuated by the same high ideals and desire to serve the best national interests, promote the welfare of its people, and preserve the fundamental principles that have, under God, made this the greatest Nation in the world today.

My decision not to be a candidate for reelection was not an easy one to make. I have enjoyed the work and duties incident to being a Member of Congress. Aside from the feeling of privilege in being in a position that enabled one to participate in the great undertakings of our Government, the greatest pleasure that I have experienced has been the opportunity that has been afforded to be of service to people; to help them in all their numerous and varied interests and problems. This has given the greatest pleasure, the greatest satisfaction, and the greatest sense of compensation.

My retirement from Congress is in no sense due to lack of interest in the work of the Congress. I like it. I enjoy it. As I have already said, it has been difficult to make the decision that ends my duties with the closing of this session. My retirement is due entirely to a desire to participate more fully in the varied activities of private life for which I have had only limited opportunity because of my heavy official duties. I feel a duty in whatever years may remain to be helpful in civic, fraternal, and religious activities that mean so much in promoting the welfare of the people. Accordingly, in my retirement from my present public duties I will have an opportunity, with a continuance of my present good health with which God has blessed me, to participate in the activities I have mentioned as well as my chosen profession, the practice of law.

There is an old Chinese proverb that runs something like this: "It may be later than you think." It is in the spirit of this thought and with a desire to continue to be active in helpful ways of a local character that I say adieu to my colleagues in Congress and to my constituents of the First Congressional District of New Jersey, and may God's blessing rest upon each and may our beloved country enjoy prosperity in large measure and abiding peace.

Propaganda for Federal Aid to Education Exposed and Exploded

EXTENSION OF REMARKS
OF
HON. RALPH W. GWINN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. GWINN. Mr. Speaker, during the debates on Federal aid to education in recent weeks, other Members of Congress and I repeatedly referred to or quoted from a report, School Needs in the Decade Ahead, prepared by Mr. Roger A. Freeman and published by the Institute for Social Science Research in Washington, D. C. It is a fully documented and reliable research study which presents the historic record of school finance on a comparative basis and projects school requirements in terms of teachers, classrooms, and money to 1970.

The book's enthusiastic reception by newspapers, magazines, public officials, and civic groups throughout the country proves that its findings are confirmed by the experiences of well-informed persons from coast to coast, and that its philosophy well expresses the concepts and sentiment of the American people.

I introduced into the CONGRESSIONAL RECORD excerpts from 31 editorials and short references to about 100 editorials, reviews, and feature stories on this book.

Typical comments were:

Raymond Moley in Newsweek:

A truly authoritative handbook • • • Nothing to equal this has yet appeared in the vast literature of American education.

St. Louis Globe-Democrat:

An exhaustive study of our schools.

Jule B. Warren in the Raleigh (N. C.) News and Observer:

Mr. Freeman's book is one of the best documented studies of the schools that has been written.

Ed Minteer in the Albuquerque (N. Mex.) Journal:

For the genuine and practical educators, it will be an awakening on school-finance problems.

The Tulsa (Okla.) Tribune:

He took the words out of our mouths.

UNFAIR ATTACK

Amidst all the voices praising the report, there sounded only one discordant note—an article by Mr. Edgar Fuller in the September issue of the monthly magazine the Nation's Schools. The article was placed in the CONGRESSIONAL RECORD and widely circulated by the National Education Association as a preprint, in advance of its publication.

It purports to be a review of Mr. Freeman's study, but neither describes nor even refers to the book's major findings and conclusions. To some extent this is reassuring. Mr. Fuller, obviously is unable to counter the true facts which Mr. Freeman reveals, but is unwilling to accept them because they expose the propaganda which he and his friends of the National Education Association have been spreading for many years.

This is emphasized by press comments such as these:

The Detroit (Mich.) News:

Freeman deflates many of the education lobby's most extravagant and panicky claims—the disappearing teacher, the frightening classroom shortage—often with figures and reports out of their own mouths. He questions many of the assumptions they so blandly peddle as bedrock truth. And he roundly refutes the notion that Americans have been little short of criminal in neglect of their schools.

Louis Azrael in the Baltimore (Md.) News Post:

Mr. Freeman's technique in this book is first to quote the heart-rending, poor-mouth statements of leading educators, then to demolish them with figures.

Harold G. Pyle in the Houston (Tex.) Chronicle:

Nothing the advocates of far heavier school spending can say will effectively argue with those facts. Point by point, Freeman demolishes the claims of the professional educationists and their powerful claque.

Instead of discussing the report's contents, Mr. Fuller imputes to its author proposals which appear nowhere in the book. He distorts some of the author's statements and selects from the thousands of facts and figures a few minor items which he claims to be inaccurate or incorrect. Lest some readers of Mr. Fuller's article be misled, and under permission to extend my remarks I feel constrained to expose and refute the spurious claims.

MISLEADING STATEMENTS

Mr. Fuller alleges that Mr. Freeman's book "argues for restriction of public education by curtailing its financial support." This is exactly the reverse of what the book actually does. Nowhere does it propose to curtail the financial support of education. Quite the contrary. It discusses, in great detail and with a wealth of factual evidence, by how much the support of the public schools must be raised.

It states:

To be sure, over the next decade the schools must get additional billions of dollars if they are to give an adequate education to an ever-growing number of pupils. Deficiencies in many areas require the infusion of more money. Also, if teachers' salaries are to keep pace with the rising general wage level, they will have to go on increasing.

It then continues:

Will school requirements be up $5 billion, $10 billion, $15 billion, over the next 10 years? That depends, above all, on how efficiently school funds are spent. Large amounts are presently wasted in keeping alive thousands of tiny school districts and uneconomical small schools which should long have been consolidated. Much of the inevitable cost increase could be offset by a more efficient school organization and a fuller and more effective utilization of human and physical resources. The schools have been slow in abandoning a structure and methods which have long outlived their usefulness.

The book presents, as its title announces, a projection of school requirements to 1970. Its concluding chapter shows school revenues in 1956 at $9.7 billion, and projects needs in 1970—under varying assumptions of teacher-pupil ratio and rates of increase in teachers' salaries—between $14.6 billion and $26.6 billion. The lowest projection—$14.6 billion—is based on the assumption that the cost per pupil will remain constant. The author points out that this is not likely to occur in view of the historical trend which has doubled per pupil costs every 20 years. He places the probable revenue requirements—if present trends continue—between $21.5 billion and $23.5 billion. If the addition of many billions of dollars to school revenues can be called a curtailment of financial support, then Mr. Fuller must be using a different vocabulary than the rest of us.

Mr. Fuller's assertion that the book "argues for restriction of education" and supports the views that "education should be a private matter and that public education is socialistic," or that it approves "of general education through the high school at public expense for only an academic elite," are fictional and without substance. There is nothing in this book that even remotely makes these suggestions.

Mr. Freeman estimates public school enrollment in 1970 at 43 million. Mr. Fuller does not say that he regards this estimate as too low. I doubt that he will—for it is more likely to be on the high side. All of Mr. Freeman's need data for 1970—number of teachers and classrooms and amount of money—relate to this enrollment estimate. They are not based upon a restriction of access to public education.

BETTER EDUCATION

Mr. Freeman's strongest emphasis in this book is upon the imperative need for better education. He declares in his preview and summary—page xix:

It is now self-evident that a major improvement in the quality of our educational product has become a matter of national survival.

Later he adds:

Some of the most eminent men in the sciences and humanities have stated their conviction that the needed uplift in the level of American education requires a renewed emphasis upon subject-matter learning, a major raising of academic standards in the elementary-secondary schools, and a new direction in the training and certification of teachers. The sentiment of the American people in the post-sputnik period seems to demand just that.

He summarizes:

What is needed—and needed badly—is a general raising of educational standards in our public schools.

Mr. Freeman criticizes the introduction of, and the granting of credits for, courses in marriage and family relationships, child development, grooming, junior homemaking for boys, teen-age problems, co-ed cooking, et cetera, which have tended to lower educational standards, and permitted able students to avoid the hard subjects. Far from advocating a restriction of public education, Mr. Freeman proposes a strengthening of the schools' educational activities—even at the expense of limiting some of the good, clean entertainment which many schools have been providing for their pupils.

Mr. Fuller is critical of Mr. Freeman's question: "Why are graduates of our schools 2 or 3 years behind their European and Russian counterparts?" and his statement that "the children learn less, in terms of academic achievement, in American schools in 12 years than they do in Russian or other foreign schools in 10." Unfortunately, there is overwhelming evidence from numerous reports and studies to bear out Mr. Freeman's point.

Mr. Fuller tries to create the impression that the United States is unique in letting all children go through secondary schools while other countries permit only a small elite—10 percent to 20 percent—to do so. Nothing could be farther from the truth. In Great Britain, for example, 80 percent of the children go to so-called modern secondary and similar schools up to age 15. When they leave, they master the 3 R's and have a knowledge of basic facts comparable to that of our 12th graders. About 20 percent of the British children attend academic secondary—grammar—schools and, upon graduation, are at least 2 years ahead of our high-school graduates. A similar situation prevails in other culturally leading countries of Europe. European schools keep all children in full-time education only to about age 15 because they manage to teach them in 10 years at least as much in basic skills and knowledge as our public schools do in 12.

In recent arithmetic tests of 3,000 English and 3,000 California 11-year-olds, G. T. Buswell of the University of California found a 2-to-1 superiority in the achievements of the English children. Only 13 California children scored as high as 1,077 English children. Mr. Buswell concluded that California schools—as well as American schools in general—spread the program over a longer period of years than English schools.

Mr. Freeman summarizes the opinion of university presidents and faculty members, scientists, engineers, and businessmen "that the watering-down of the curriculum and the erosion of standards in the elementary and secondary schools are responsible for the absolute and relative decline in the educational level of our youth."

Mr. Fuller lists six technical points as examples of how Mr. Freeman reached his conclusions. He asserts that these examples illustrate lack of accuracy as well as other deficiencies.

1. FACTS CONCEALED

Table I in Mr. Freeman's book shows that between 1952 and 1956 expenditures for education increased 48 percent, the total of all other public expenditures—Federal, State, and local—4 percent. Mr. Fuller asserts that Mr. Freeman "uses a large decline in cost of national defense to conceal increased expenditures in public services fairly comparable with expenditures in education. Highway costs increased faster than those for education in these years, for instance, but the contrary impression is inevitable from table I."

Table I conceals nothing. It presents what it announces: a comparison between expenditures for education and the combined total of outlays for all other public purposes. Mr. Fuller states that highway expenditures increased faster than those for education. To be exact, during those 4 years, they grew 49 percent compared with a 48-percent rise in educational outlays. This diminutive difference is hardly significant. If national defense is omitted from public outlays, as Mr. Fuller suggests, the remaining combined total—including highways—shows an increase of 18 percent compared with a 48-percent increase in education. I leave it to your judgment whether an 18-percent increase can be called "fairly comparable" with a 48-percent increase.

2. POINT NOT PROVED

Mr. Freeman disproves the claim that the schools lose out in the allocation of State funds because of the availability of Federal matching funds for other activities such as highways and welfare. He demonstrates that educational funds increased 14.3 times—in constant dollars—between 1902 and 1956, despite the lack of Federal incentives, while State and local outlays for all other purposes multiplied only 10 times. During that time enrollment in the public schools grew 96 percent while total population expanded 112 percent.

Mr. Fuller still believes that without Federal financial incentives discriminating against education, the increase in education undoubtedly would have been greater. He produces nothing to back up his hypothesis. But there are ample facts to contradict it.

Federal highway aid does not attract State funds which otherwise might have gone to the schools because highway moneys, in almost all States, come exclusively from highway user charges which legally can be used only for highway purposes. They are not intermingled with general revenues from which school funds usually come. Nor can there be a competition between school and road appropriations, except possibly in 2 or 3 States. The Bureau of the Census Compendium of State Government Finances in 1957 shows that State highway outlays match almost exactly the proceeds of highway-user taxes and charges, Federal aid, and highway bonds. None of these could have been diverted to school use.

State expenditures for education increased at a much higher rate than State expenditures for public welfare and other federally aided activities although, simultaneously, the total population grew faster than public-school enrollment. This demonstrates clearly that State school appropriations were not diminished by lack of Federal aid.

3. TEACHERS PAID LESS

Mr. Fuller does not like table X in which Mr. Freeman compares the annual earnings of teachers and other employee groups. The table shows these earnings increases in constant dollars between 1929 and 1956:

	Percent
Public-school teachers	90
State and local nonschool employees	49
Federal employees, General Government	59
All wage and salary workers	81

Mr. Fuller would prefer a comparison with Federal civilian rather than General Government employees, so as to exclude members of the Armed Forces. This would change the increase of Federal employees from 59 percent to 57 percent. Mr. Fuller's assertion that this would reverse the relative position—of the salary gains of teachers and Federal employees—is incorrect. On either basis of comparison, teachers received larger increases—both dollar and percentagewise—than the other employee groups. That they outpaced Federal civilian employees should cause teachers to think twice before trying to become dependent upon the Federal Government.

Teachers scored an increase of $1,908 or 90 percent and left far behind their fellow State and local government workers who received only a boost of $1,208 or 49 percent. This again shows that the schools did better than other State and local services, despite—or possibly because of—the lack of Federal support.

4. CLASSES ARE LARGER

The NEA has for years been charging that classes are growing larger. Mr. Freeman now demonstrates that teacher-pupil ratios and class sizes have been consistently and substantially declining. He documents this with a wealth of statistics, some of them from the NEA. Mr. Fuller ignores this massive evidence, admits that the teacher-pupil ratio was reduced from 1:26.8 to 1:25.3 between 1949–50 and 1956–57, but claims that this was due only to the large relative increase in secondary enrollment.

Mr. Fuller overlooks an important fact: The higher grades increased proportionately less than the lower grades during the past 8 years. The big postwar baby crop started hitting first grade in 1951 and will reach ninth grade by 1959. Between 1949–50 and 1956–57—or 1957–58—enrollment in grades 9 through 12 declined as a percent of total enrollment.

Mr. Fuller states that between 1949–50 and 1956–57 the teacher-pupil ratio declined in elementary schools from 1:30.6 to 1:30.5 and rose in secondary schools from 1:20 to 1:21.1. These figures are incorrect. Based on the NEA's Advance Estimates of Public Elementary and Secondary Public Schools, 1950–51 to 1957–58, the ratio in elementary schools declined from 1:31.7 to 1:30.6, and rose in secondary schools from 1:20.5 to 1:21.1.

5. WAGES ARE HIGHER

The NEA has been claiming for many years that teachers' salaries have been lagging behind the increases of other wage earners. Mr. Freeman proves in the largest chapter of his book—56 pages with 17 tables—that teachers' salaries advanced more rapidly than the earnings of most other occupational groups.

Mr. Fuller objects to one table, No. XXXIII, because it uses the weekly wages of manufacturing workers for a 1909–57 comparison. Mr. Fuller claims that only a comparison of hourly pay rates would be valid. He increases the wage index of the manufacturing workers by 28 percent because of the shortened workweek, and reduces the teachers' salary index by 13 percent because of the lengthened school term. This is faulty reasoning. What counts to a wage earner is his take-home pay. That is what he lives on. A cut in hours means only better working conditions.

Mr. Fuller charges that Mr. Freeman ignores three factors:

(a) "The weekly hours worked in manufacturing declined from 51 to 39.8 during the period." Fact: Mr. Freeman states—page 128—that the manufacturing worker now puts in 20 percent fewer hours.

(b) "Classroom teachers' pay in 1909 is not comparable with the salaries of total instructional staff in 1957." Fact: The United States Office of Education made no such distinction in its biennial statistics. However, Mr. Freeman recognizes that the 1909 data may not include supervisory personnel and states in table XXXIII, footnote 2, that "the maximum possible adjustment amounts to 1 percent or $5 annually in 1909; most likely the difference is less."

(c) "The length of the school term increased more than 13 percent." Fact: The average school term increased from 157.5 days in 1909–10 to 178.6 days in 1953–54—most recent year available—as computed by the United States Office of Education—see page 104 of Mr. Freeman's book. That equals a 13 percent increase.

6. IGNORES MOBILITY

Mr. Freeman projects classroom needs to 1970, and accepts, for this purpose, the extravagant claims of classroom shortages of the Long Range Survey of 1955 and of the fall 1957 survey, both by the United States Office of Education. On the two bases, the annual construction need averages 55,700 or 57,100 classrooms respectively. To make allowance for minor factors, including "underuse because of migration"—page 200—Mr. Freeman places the annual construction need at 60,000 classrooms.

Mr. Fuller charges that Mr. Freeman omits the factor of mobility which increases need by at least 10,000 classrooms each year. He gives no basis for this unrealistic figure.

Mr. Fuller appears to have overlooked several facts: Some migration is offset by countermovements; mobility reduces construction needs in areas of net outmigration; couples move from the central city to the suburb when they start a family; the areas which lose population are largely in the oldest and most rundown sections of town or in farm country, and their schools often are aged and will be taken care of by the depreciation factor in Mr. Freeman's estimate; migration creates a need in the area of destination but adds to the national total only to the extent to which available facilities are not utilized.

PLATFORM

In his conclusion Mr. Fuller presents a "platform" which Mr. Freeman allegedly supports. Mr. Fuller would find it difficult to substantiate that platform with quotes from this book.

Anybody who wants to know what Mr. Freeman's platform is can find plenty of clear-cut and unequivocal statements in the book and does not have to conjecture what he supports or implies. Mr. Freeman proposes higher standards of curriculum, promotion, and graduation in the schools and a more efficient and effective use of the available human and physical resources. His book contains an ample number of details to back this up.

THIS ATTACK IS DEPLORABLE

The attempt in this unwarranted and unfair attack to belittle and discredit an excellent research study and its author is deplorable. I am confident that it will backfire. Mr. Freeman's reputation as the country's outstanding authority in the field of school finance is too well established to be affected by this column no matter how widely the NEA may distribute it.

When the United States Commission on Intergovernmental Relations in 1954 decided to undertake a study of education in the American Federal system, it chose Mr. Freeman to direct its research. In 1955 the Committee for the White House Conference on Education called him to serve as a consultant on school finance. Mr. Freeman is the only person in the country to have served on both Presidential commissions which studied school finance in recent years. His wide reputation is demonstrated by editorial comments such as these:

The Spokesman-Review (Spokane, Wash.):

Probably no man in the country has devoted more study to this particular subject than he.

Los Angeles (Calif.) Times:

We have quoted Mr. Freeman on school matters before. His credentials are excellent.

The Tidings (Los Angeles, Calif.):

It is doubtful that a more excellent authority in the field could be found.

Fort Worth (Tex.) Star-Telegram:

His credentials are impressive. We do not see how there could be valid disagreement.

The Evening Outlook (Santa Monica, Calif.) commented editorially:

In his book Mr. Freeman lays down a formula that we hope educators will heed.

And the New York Daily News added:

The book is recommended to boards of education all over the country.

To this I can only say, "Amen."

Small Business Progress, 1953–58

EXTENSION OF REMARKS
OF
HON. R. WALTER RIEHLMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. RIEHLMAN. Mr. Speaker, for the first time in our peacetime history real progress has been made to develop programs within Government agencies which are designed to strengthen the small business segment of our economy.

We have heard much during the past 5 years from political critics that the Eisenhower administration is one of big business with little or no consideration for the balance of our business population. These critics ignore history. This group chooses to ignore the difference between an emergency wartime rescue operation and the calm constructive work of a peacetime operation. They ignore the accomplishments for small business in the Republican 83d Congress and gloss over the shortcomings of the Democratic controlled 84th and 85th Congresses.

Finally, they would like to ignore the achievements of the executive departments under President Eisenhower in the establishment of departmental programs to help small business.

Personally, I have great admiration for the large group of men in both parties who sincerely go about the task of strengthening our economic system. For them the reward of accomplishment for small business is the satisfaction derived from a job well done. It does not take a headline or a byline to make them happy.

KOREAN WARTIME CONTROLS—BIG BUSINESS IN CHARGE

Most of us will remember that during the Korean hostilities small business found it extremely difficult, if not impossible, to obtain relief from wage and price controls and to secure scarce materials and machinery with which to produce for the war effort. Big business not only received most of our defense contracts, but also acquired most of the tax-amortization certificates which permitted such firms to build up plant and equipment at the expense of smaller concerns within the industry.

While the Congress, through bipartisan efforts, established during these difficult years an agency designed to help small business overcome these problems, few, if any, effective programs could be developed. Those Members who were on the Small Business Committee of the House of Representatives during those Korean years will remember the months of investigation and the numerous reports designed to secure greater cooperation from President Truman's advisers so that this independent agency, the Small Defense Plants Administration, might function as the Congress had intended. Unfortunately, these efforts met continued resistance until President Eisenhower's administration took over on January 20, 1953.

SMALL BUSINESS ACT OF 1953—PREPARING FOR PEACE

In 1953 the Republican 83d Congress, with the full support of President Eisenhower, established a new small-business agency. The Small Business Administration, as we all know, is an independent agency, designed to act as the spokesman for small business within the executive branch of the Government and to assist small firms in those areas where obstacles exist that prevent more successful and competitive operations. I shall later discuss the details of SBA's operations over the past 5 years.

PRESIDENT EISENHOWER'S CABINET COMMITTEE ON SMALL BUSINESS

First, I would like to comment on other efforts of the Eisenhower administration to assist small business. Of particular importance has been the establishment by the President himself of a Cabinet Committee on Small Business. To my knowledge, this was the first time that a President had ever given formal recognition to the problems of small business at the Cabinet level. It was a long step ahead in the Federal Government's efforts to render assistance to small business.

The Cabinet Committee was established in May of 1956. Its members were the Secretaries of Defense, Commerce, and Labor; the Director of the Office of Defense Mobilization; the Administrator of the Housing and Home Finance Agency, the Chairman of the Council of Economic Advisers; and the Administrator of the Small Business Administration. In August of the same year, the Cabinet Committee made a report to the President. Upon receiving this report the President stated in a letter to the Chairman of the Committee:

This administration is engaged in a continuing effort to insure that the American economy is based on a strong, broad foundation of healthy free enterprises—small and large. The first progress report of the Cabinet Committee on Small Business is a further forward step in this effort.

The scope of the report's analysis and recommendations demonstrates that no constructive potential avenue of improvement either legislative or executive—is being overlooked in our search to widen the opportunities for small businesses in America.

We must continue to strive to eliminate obstacles hindering the growth of small businesses. I also firmly believe that uneconomic or sweeping nostrums have no place in this administration's program; such measures usually help no one and eventually injure all. I am glad to see that the Committee emphasizes the importance of maintaining competition and of continued vigilance against any outcroppings of monopoly; also that the Committee's report recognizes the need of preserving and increasing efficiency in business, and that it has focused on positive measures to help small businesses get started and grow.

In its studies of the problems of small business the Cabinet Committee found that small enterprises carried a disproportionate handicap due to the impact of income taxes under the Internal Revenue Code and consequently had retained insufficient earnings after payment of taxes to expand or modernize. The Cabinet Committee recognized the role of the Federal Government as the largest purchaser of goods and services in our economy. It was also found that small business was severely handicapped in its ability to undertake research and development programs, of particular importance in these days of rapid technological change. Finally, the Cabinet Committee found that the growth in advertising accompanied by rising family incomes tended to favor larger companies with brand names and complicated the marketing problems of small business both in manufacturing and distribution at the wholesale and retail levels.

Based on these findings concerning the several problems confronting small business today, the Cabinet Committee made some 14 recommendations for legislative and administrative action. These recommendations have had the serious attention of the executive departments and agencies as well as recognition by the Congress. I wish to comment on the progress which has been made in carrying out a few of these recommendations.

SMALL-BUSINESS TAX POLICY AND REFORM

The Cabinet Committee concluded that the most important contribution which the Federal Government could make to the economic health of small business was: "to pursue monetary, fiscal, and housekeeping policies that foster sustained expansion of aggregate economic activity and that avoid the illusions of well-being that are sometimes produced by price inflation."

In the area of tax reform for small business the Cabinet Committee recommended a reduction in the normal corporate tax rate from 30 to 20 percent on incomes up to $25,000, thereby helping smaller firms to finance growth, expansion, and modernization. Used property purchases not exceeding $50,000 in any one year would be subject to the accelerated depreciation formulas made available to purchasers of new property by the Internal Revenue Code of 1954. The Cabinet Committee also recommended that certain corporations be given the option of being taxed as partnerships and that taxpayers be given the option of paying the estate tax over a period of up to 10 years in cases where the estate consists largely of investments in closely held business concerns.

Mr. Speaker, a beginning was made during the Republican 83d Congress to provide business concerns with tax reform. At that time both large and small firms received more liberalized depreciation allowances, a corporate filing option for small, closely held partnerships, permissive deduction of research and development expenditures, relief from surplus accumulations, and extension of the net operating loss deduction and other measures.

The President's recommendations which were forwarded to the chairman of the Committee on Ways and Means of the House of Representatives on July 15, 1957 were introduced in the House by the Republican members of our Small Business Committee. Prior to that time, however, these same Members of Congress had introduced an omnibus tax bill for small business: H. R. 5631, Mr. HILL of Colorado; H. R. 5633, Mr. SEELY-BROWN of Connecticut; H. R. 5634, Mr. MCCULLOCH of Ohio; H. R. 5635, Mr. SHEEHAN of Illinois; and H. R. 5636, Mr. HOSMER of California. My bill introduced at the same time was H. R. 5632. The urgent need for tax reform for small business was set forth in statements made when the foregoing bills were introduced on March 6, 1957—CONGRESSIONAL RECORD, volume 103, part 3, pages 3222–3234. We, the Republican members of the Small Business Committee, are disappointed that the Democratic controlled 85th Congress has taken only a small part of these proposals and incorporated them into legislative enactment. At the time of the passage of the small business tax revision bill—H. R. 13382—the Republican members of the House Small Business Committee as a group went on record stating:

We shall vote for the pending bill . . . because it is the only tax measure which will be presented to us in the 85th Congress in the name of small business. If we were to say that we are disappointed in the bill before us, it would only be a very mild expression of our opinion. The tax reform is so inadequate that we can only classify the provisions of H. R. 13382 as fringe benefits. Moreover, it is extremely doubtful that more than a small percentage of the 4 million small-business concerns in our country will benefit at all.

The bill, H. R. 13382, does not go to the heart of the small-business tax problem: and that is, the ability to plow back earnings into the business. This legislation is based on a token principle: something to talk about as if it had substance and something that is deficient in objectives but which, nevertheless will be cataloged as an accomplishment of the 85th Congress. (CONGRESSIONAL RECORD, July 21, 1958, p. 13208.)

Some day soon the Congress of the United States must face up to the fact that a realistic tax policy must be adopted to assure the small-business concerns of our country proper and adequate tax reform if we expect small business to remain a vigorous sector of the economy. We Republicans will continue to introduce in future Congresses tax reform bills for small business until such recognition is achieved.

Any tax measure in the interest of small business should include the basic principles embodied in the foregoing bills. They are as follows:

First. Provide for the retention of earnings for capital which can be utilized without penalty for growth, expansion, and modernization;

Second. Apply to all forms of business enterprise, that is, to corporations, partnerships, and individuals;

Third. Apply to business enterprises engaged in manufacturing, wholesaling, or retailing which are engaged in trade or commerce;

Fourth. Apply to business operations commonly characterized as "service" establishments;

Fifth. Be confined to small business by appropriate ceilings depending upon the type of provision; namely, gross earnings, capital assets, number of shareholders, and so forth;

Sixth. Provide appropriate options to enable all small-business institutions to make periodic elections as to the various methods for computing income taxes under the Internal Revenue Code;

Seventh. Be designed to encourage private investment and private loans to small-business enterprises;

Eighth. Protect the good will of the business upon the demise of the owner or owners;

Ninth. Make certain that estate taxes may be paid in such manner as to provide for the continuance of the business rather than force liquidation, merger, or sale of a small business;

Tenth. Provide methods of amortizing and depreciating both new and used property which take into account the replacement or renewal of such property within its life expectancy; and

Eleventh. Classify family-sized farms or tenants of such farms as small-business enterprises in order to receive the benefits which would be derived by tax legislation applying to small business.

SMALL-BUSINESS PROCUREMENT POLICY AND PROCEDURES

Of major importance to small business was the recommendation of the Cabinet Committee that the President arrange for a comprehensive review of procurement policies and procedures of all Government departments and agencies with a view to facilitating and increasing the participation of small businesses in Government contracting. As a result of this recommendation the General Services Administration established a task force on which are represented the General Services Administration, the Department of Defense, and the Small Business Administration. This task force has over the past 2 years investigated many areas of Government procurement which have proved to work hardships on full small business participation such as specifications, lead times, availability of information, inspection

procedures, etc. Many recommendations for both legislative and administrative action have resulted from these studies.

For example, S. 3224, adopted by the Senate on August 14, 1958, and by the House of Representatives on August 15, 1958, and now awaiting the President's signature, is a result of one of the recommendations of the President's Cabinet Committee on Small Business which was: "That the President arrange for a comprehensive review of procurement policies and procedures of all departments and agencies, including the legislation pertaining thereto, with a view to facilitating and extending the participation of small business in work on Government contracts."

Among other things, this legislation authorizes the Administrator of the General Services Administration to extend to civilian executive agencies the flexible procurement procedures employed by the military departments and the General Services Administration. This should help eliminate inconsistencies in the purchasing procedures of the various civilian and executive agencies which frequently confuse the smaller business concerns.

Another change in the procurement legislation extends to $2,500 the present open-market limitations of $500 applicable to most civilian agencies and of $1,000 applicable to several agencies, such as the military and the General Services Administration. This change will permit agencies to avoid the formalities incident to advertised purchases when the amount involved is not in excess of $2,500 and thereby will permit the placing of more small orders of this type which small business concerns can readily accept.

Similarly negotiation of perishable and nonperishable subsistence supplies is authorized by this legislation. At present only the military departments have authority to negotiate in this area, and then only for perishable supplies. Commercial practices in subsistence markets do not fit in with Government advertising requirements. Small business concerns being limited in their resources should be particularly helped by this change.

Advance payments in advertised requirements are authorized by this legislation to be made on the operating level without the need for approval on the secretarial level, as is presently required. This legislation also permits both advanced payments and progress payments in advertised procurements to be limited to small-business concerns.

The final change which should be mentioned eliminates the need for filing formal affidavits of payroll data in Government construction and building repair contracts. This will permit the use of simplified statements and thereby relieve one of the burdens encountered by small-business concerns dealing in such contracts.

Also in the field of procurement, the Cabinet Committee recommended that procurement agencies assure small business that the need for advance and progress payments by a bidder will not be treated as a handicap in awarding a contract. Both the General Services Administration and the Department of Defense have issued regulations to carry out this recommendation.

OTHER CABINET COMMITTEE RECOMMENDATIONS

Other recommendations of the President's Cabinet Committee covered the extension of the Small Business Administration; increasing the registration exemption of the Securities and Exchange Commission from $300,000 to $500,000; legislation concerning Federal scrutiny and advance notice of business mergers; easing handicaps of small business on contracts subject to renegotiation; and enforcement of antitrust laws and Federal reporting requirements of small firms. Bills have been introduced in this Congress covering each of the Cabinet Committee's legislative recommendations. A few have had consideration, but it is evident at this late date that we shall have to await another Congress to give small business the help it really needs.

THE SMALL BUSINESS ADMINISTRATION MADE A PERMANENT AGENCY

Certainly, the most important small business legislation passed during the 85th Congress has been the revision of the Small Business Act which among other things established the Small Business Administration as a permanent agency. As I mentioned earlier, the Small Business Administration was established in 1953 by the Republican 83d Congress as the first independent, peacetime agency with the sole purpose of providing assistance to the small-business concerns of our economy. In each succeeding Congress the minority members of our Small Business Committee introduced bills to make the SBA permanent. In early 1957 President Eisenhower strongly recommended a permanent small business agency. The House bill—H. R. 7963—making the Small Business Administration a permanent agency passed the House on June 25, 1957. However, permanency was not accomplished until a year later when an amendment was offered and adopted in the Senate making the Small Business Administration permanent rather than extending it until 1961, as was recommended by the Senate Banking and Currency Committee. Fortunately for small business, this amendment was adopted in the Senate by a large majority.

I stress the importance of a permanent, independent agency to assist small business because it has been our belief that since World War II smaller concerns have encountered difficulties in three major fields of business operation; that is, securing adequate investment and working capital, obtaining a fair share of Government contracts, and obtaining up-to-date information on management and technical problems. In these particular areas the difficulties of small business over the years have varied only in intensity, not in the particulars. Too, the small-business men of this country have always needed a spokesman and champion within the executive branch of the Federal Government. Since 1953, the Small Business Administration has, with the full support of the President, rendered assistance to small business in each of these areas. The scope and volume of this agency's activities have been continually broadened. Every effort has been made to render effective and expeditious assistance. I believe that an excellent job has been done by the Small Business Administration—as a permanent agency I expect even greater progress to be made. I would like at this point to review briefly the activities of the Small Business Administration over the past 5 years.

SBA FINANCIAL ASSISTANCE PROGRAMS—BUSINESS LOANS

The Small Business Act states that the Small Business Administration shall provide financial assistance to small concerns to finance plant construction, conversion, or expansion including the acquisition of land or to finance the acquisition of equipment, facilities, machinery, supplies or materials for war, defense or civilian production or as may be necessary to insure a well-balanced national economy. Such financial assistance is in the form of loans which may have a maturity of up to 10 years. The SBA cannot advance credit, however, unless private credit is unobtainable on reasonable terms, and each loan must be of such sound value or so secured as to reasonably assure repayment. The act stipulates, therefore, that the financial activities of SBA must supplement those of our private financial institutions, and it is expected that each loan will be repaid; these are not financial grants.

I might add, parenthetically, that it is the purpose of the act for banks and other private financial institutions to participate with the Federal Government in extending credit to small business. Under the act each businessman must attempt to secure financing from his own bank or secure participation by his bank with the Small Business Administration before the latter can consider providing the entire amount requested. This is most appropriate for as I have said, the Federal Government should only supplement the work of existing financial institutions, and participation loans enable a borrower to establish locally a line of credit for future use. That banks throughout the country have been truly cooperating with the SBA to provide credit to small business is indicated by the fact that approximately 70 percent of SBA loans are of the participation variety.

Since 1953, the Small Business Administration had approved through June of this year, a total of 11,110 business loans for $519,782,846. Of this amount $435,958,159 was SBA's share. Each year has seen an increase in the number of loans approved by the Small Business Administration. Starting with 473 loans for the fiscal year 1954, approvals increased to 1,172 in fiscal 1955; 1,915 in fiscal 1956; 3,536 in fiscal 1957; and 4,014 for the 12 months of fiscal 1958, that is, through June 1958. As a matter of fact, business loan approvals have reached new highs during this fiscal year.

Now it is axiomatic that not all loans approved by a financial institution are taken down, for one reason or another

they may be withdrawn by the borrower or canceled. In this respect the Small Business Administration has had the same experience as private financial institutions, and I might add, the same experience as its predecessor, the Reconstruction Finance Corporation. An approved loan may be canceled because the borrower's plans have changed, because he secured financing from some other source, because his business has improved and he no longer desires SBA credit or for other reasons. An approved loan may also be canceled because the borrower's condition has changed so that a reasonably sound loan could not be made, because the borrower could not or would not meet the conditions necessarily imposed by the Small Business Administration to make it a sound loan or for other reasons. We find, therefore, that considering all things, SBA had, as of June 1958, a net business loan approval figure of 9,610 for $450,527,000. In other words, as of that date SBA had injected or agreed to inject a little under one-half a billion dollars into our economy.

As of May, the latest information available, it was indicated that of net loan approvals some 9,127 for $350,900,000 or 86 percent had been disbursed by the SBA. There is a natural delay in the disbursement of loans. Sometimes it takes a businessman several weeks to clear title of collateral offered to meet the terms of the loan. In other instances he may not ask for his check until some time after he has been assured of funds. In construction loans, often full disbursement is made only after work has been completed. In checking with the SBA on specific loan cases, I have found that once a loan is approved, a borrower can expect his check as soon as he completes his work on the contract and is ready to receive his money. I have also found in observing the SBA over the years that there have been few if any justifiable complaints as to delay in disbursement of SBA funds once a loan has been approved.

Since the beginning of the Small Business Administration, our subcommittee, which is responsible within the full committee for observing the activities of this agency, has noticed a commendable effort to assure the small-business man expeditious processing of his loan application. It is unfortunate that there have, at times, been insufficient personnel to carry the workload imposed by the increasing volume of applications. I know that every effort has been made to simplify procedures so that under normal conditions a business loan can be processed in 3 weeks.

The rate of applications has, however, increased each year and is now at a new high with 1,099 business loan applications received during the month of May. Beginning in fiscal 1954 with 2,289 applications, it increased to 3,318 in 1955; 4,081 in 1956; 6,864 in 1957; and 7,898 for the first 12 months of fiscal 1958. I mention the Small Business Administration loan application rate for one particular reason—it means that the agency workload has increased to a point where there is a backlog among the various regional offices. It was for this reason that our subcommittee testified in August before the Senate Appropriations Committee in an effort to assure the SBA of sufficient financial personnel to handle and process expeditiously any further increase in business loan applications.

DISASTER LOANS

In addition to its business loan program the Small Business Administration was given by the Congress the task of making disaster loans to businessmen or homeowners who suffered damage because of flood, hurricane, tornadoes, or other sudden catastrophies. Since the original Small Business Act of 1953, the Congress has also included within this program loans to businessmen suffering because of excessive drought or rainfall. Since 1953, the SBA has approved some 7,708 disaster loans for a total of $83,314,341. Fortunately, the number of disasters and subsequent applications for financial assistance have been relatively few in the past 2 fiscal years. I can say, however, that the SBA has been complimented most highly on its effort to afford immediate assistance to people who have had the misfortune to be struck by disaster. During fiscal 1956, which included the fall of 1955 when two hurricanes struck the east coast within a short time of each other, the SBA made some 3,300 disaster loans for a total of $44½ million. And only recently because of excessive rainfall in the Mississippi Valley, several hundreds of loans have been made for over $7 million. This is certainly a program essential to the welfare of our people.

SBA LOAN POLICY FLEXIBLE AND DYNAMIC

To me the most important thing about a Government lending program is not necessarily how many loans are made, since we know that if a firm can meet the criteria of the act, it will receive assistance, but whether the lending agency concerned has done everything possible to meet changing economic conditions and the needs of all small-business men—just as Congress has amended the Small Business Act to meet the needs of the times.

The first policy statement issued by the Loan Policy Board on September 16, 1953, gave preference to loans to manufacturers or processors of materials and products for military and essential civilian purposes and declared ineligible loans to certain types of industries or for certain purposes which were not considered to be in the public interest.

A revised statement, dated November 16, 1953, eliminated the preference formerly given to manufacturers and made possible loans to all kinds of business concerns on an equal basis except those specific types of businesses which had previously been excluded as not coming within the purview of the intent of the act. Since that time other changes have been made in SBA loan policy such as permitting use of funds to refinance indebtedness to a Government instrumentality, which would enable a firm owing money to RFC to obtain funds partially to refinance that loan.

The Small Business Administration will now make loans to bona fide businesses located in recreational areas—such loans had previously been excluded as recreational facilities—to effect a change of ownership in a business where such change is necessary to the continued existence of that business; for modernization and operation of four-walled theaters—this change recognized the economic value of theaters in bringing trade to other businesses within the area in which the theater is located—to small businesses which are practicing a profession or rendering professional services.

In addition to the activities specifically authorized in the Small Business Act of 1953, as amended, the Small Business Administration, as a part of its financial assistance operations, is cooperating with the Fish and Wildlife Service of the Department of the Interior in the administration of that Department's fisheries' loan program. The Small Business Administration develops the necessary credit information for such loans which are closed and administered through its regional offices.

The Small Business Administration has also been working closely with the Housing and Home Finance Agency in connection with its community facilities disposal program to determine whether the Small Business Administration loans may be made available to purchasers of Government-owned business properties held for disposal by that Agency and with the Medical Facilities Branch of the Department of Health, Education, and Welfare in developing a program of loans to proprietary hospitals, nursing homes, and medical and dental laboratories.

FINANCIAL COUNSELING

The Small Business Administration operates on the premise that it is the intent of Congress that Government funds should be loaned only after all other possible avenues for solving a small firm's financial problems have been explored. Frequently these firms do not need a loan but are most in need of counseling on financial management problems. Often they do not have the resources available to larger firms to obtain this specialized service in solving their financial problems. In such cases the Small Business Administration provides this assistance through its financial counseling program.

In response to requests for aid, or in examining applications for Small Business Administration loans, consideration is given to possible means of obtaining private credit on reasonable terms; to assistance available from local development corporations; to various alternative plans for financing production; to the adequacy of accounting and auditing methods and to other aspects of financial management; to the means of increasing equity capital; to the eligibility for V-loan financing of defense contracts; and to the feasibility of obtaining advance or partial payments on contracts.

Often the problem is undercapitalization or perhaps a need for liquidation of inventory or obsolete equipment, revision of credit policies or a change in product pricing principles. In other instances a contemplated expansion may not be justified. A firm's product line

may be too broad or too limited or its sales policies may need review.

These are a few of the possible factors considered by the Small Business Administration's specialists in counseling small businesses which have financial problems.

In many cases the financial specialists in the Small Business Administration's regional and branch offices assist in presenting the business's application for a loan to his local bank, often accompanying the company's representatives in their negotiations with that bank. Many times the proper presentation of the company's financial position through guidance of SBA's financial specialists has resulted in banks approving loans to these firms after they had previously refused to provide such credit.

Mr. Speaker, I should mention at this point the new legislation which provides for the supplying of so-called equity capital to small business. Our committee has long commented, at least since 1952, upon the need of small business for additional ownership capital to finance long-term improvements or expansion. As we all know, small businesses have been inaugurated too frequently with inadequate equity capital and have relied too heavily on borrowed funds. Too, small firms which have had adequate initial ownership funds are unable to expand through use of the regulated securities market. For these and many other reasons, the Congress has deemed it advisable to permit the Small Business Administration to assist in the establishment of small business investment corporations which in turn will provide long-term funds to small businesses through the means of convertible debentures.

My Republican colleagues and I have, of course, always believed that small business needs assistance in securing equity capital. We have felt, however, that the State investment and development corporation was the best medium through which to supply such capital, and we introduced bills incorporating this idea. It was our contention that a good start had been made on financial assistance through a limited number of State organizations and that with the Small Business Administration's assistance all States would be anxious to institute such programs. In other words, we preferred to operate at the State level. While we unanimously supported the present law, it was with some reservation. We do sincerely hope that the proposed system will work; if not, some other way must be found, for small business must have some means of supplementing its sources of private equity capital.

PROCUREMENT AND TECHNICAL ASSISTANCE

Mr. Speaker, while more publicity has been given the activities of the Small Business Administration in the area of financial assistance, their work in the field of procurement and technical assistance is of equal importance. For many years the Congress has been concerned with the role of the small-business man in Government procurement—whether he receives his fair share of goods and services procured, whether he is confronted with difficulties of specifications, short lead times, emergency and sole source procurements, and other matters. The Congress has also been concerned over the lack of managerial and technical know-how among smaller concerns. Historically, they have been handicapped by the lack of information and counsel on these subjects.

We, therefore, wrote into the Small Business Act specific directions that the Small Business Administration should exert every effort to assure small business a fair share of Government purchases and to provide technical and managerial services which would help these firms to become stronger competitors. As in its financial assistance programs, the SBA has increased each year its activities and scope of operations in the procurement and technical assistance fields. I wish to comment briefly on some of these activities.

SMALL BUSINESS SET-ASIDES

Primary emphasis is given by the Small Business Administration to the setting aside of Government contracts for exclusive award to small business concerns. Insofar as possible when there is sufficient small-business competition the SBA representative and the contracting officer will agree that all or part of a particular procurement will be set aside for award to small business. Agreements to joint set-aside programs have now been negotiated by the SBA with the Department of Defense; the General Services Administration; the Military Petroleum Supply Agency; the Departments of Commerce, Interior and Agriculture; the Post Office Department; the Atomic Energy Commission; the Veterans' Administration; and the Government Printing Office.

Since 1953, the Small Business Administration, in cooperation with these military and civilian procurement agencies, has succeeded in reserving $3 billion in Government procurements for small business. Starting with set-asides agreed to with military procurement agencies of $228 million in fiscal 1954, there has been an increase each fiscal year to over $1 billion in fiscal 1958. Similarly, some $8 million were set aside by SBA and civilian procurement agencies in fiscal 1956—over $51 million were set aside in fiscal 1958.

However, as our subcommittee testified before the Senate Appropriations Committee, the Small Business Administration has since its inception been handicapped in this most important program by a lack of personnel. This agency has been allotted funds for only 37 representatives to cover regularly some 27 Army purchasing offices, 21 Navy installations, 18 Air Force establishments, 27 Federal Civilian Agency purchasing offices and the Military Petroleum Supply Agency. In addition to these 94 installations at which the program was carried out on a regular basis, liaison was maintained with 74 other procurement installations. I believe that the continued increase in activity in the joint set-aside program with such limited personnel deserve commendation.

CERTIFICATES OF COMPETENCY

The Small Business Administration certificate of competency program, like the joint set-aside program, is detailed in the Small Business Administration Act itself. Under this program the SBA may certify as to the financial and technical competence of a particular small-business concern. The need for such a certificate arises when a contracting officer has declared a small-business concern, which is the low bidder, unacceptable because of either financial or technical ability or both. If, after the SBA has made its survey, it determines that the firm is competent, then a certificate may be issued which is binding on the contracting officer. Obviously these certificates will be issued only after a most careful survey, and when issued and the contract awarded, there is continual followup to check progress under the contract and to offer any assistance on production problems that may arise. Such followup will cover the prompt placement of orders, satisfactory delivery schedules, receipt of components and the need for additional financing.

It should be kept in mind that certificates of competency are issued with a great deal of caution. Any certificate issued to a concern which fails to satisfactorily complete a contract means: First, that the procuring agency fails to obtain the necessary items or service; second, that the company acquires a poor record, and third, that the certificate of competency program itself loses esteem within the affected agencies. Actually, the Small Business Administration has a good record in administering the certificate of competency program. Small-business concerns have acquired contracts which they would not otherwise have received, and the Government itself has saved money through obtaining a lower price. Since August 1953 through June 1958 a total of 916 certificate of competency applications were filed with the Small Business Administration amounting to some $186 million. Of this number some 432 certificates were issued for a little over $64 million.

GOVERNMENT-PROCUREMENT PROBLEMS AND ASSISTANCE

Continued progress has been made in many other areas of procurement and technical assistance to small-business concerns. I wish to cite additional figures covering these other activities not only to show the work which has been done but also to show the scope of these programs. The Congress directed that the Small Business Administration should attack the problems of small business on every possible front. This I believe has been done.

PRIME CONTRACT REFERRALS

During the calendar year 1957, the Small Business Administration's field offices made 38,595 referrals of prime contract opportunities to small business concerns. Procurement counseling to owners and operators was rendered to 23,583 small businesses in 1957. A total of 8,184 small firms were helped in technical problems on bidding for Government contracts. The SBA made 10,676 contacts in 1957 to develop additional sources of supply for bidders lists.

STANDARDS FOR PROCUREMENT OPERATIONS

The task force appointed by the President's Cabinet Committee on Small Business has proposed standard operating instructions to be adopted by all Government procuring agencies. These instructions are being coordinated with all Government procurement agencies to resolve differences of opinion, which should permit releasing these instructions within a reasonably short period of time.

GOVERNMENT SPECIFICATIONS

In addition, the Small Business Administration has developed a program and is continuing to assist small firms with their specification problems. Due to the myriad specifications involved in the program, the SBA's efforts have been centered upon individual requests; and in most instances, specifications have been broadened to enable wider participation by small firms. The Small Business Administration regularly receives from the General Services Administration copies of all proposed interim and Federal specifications for the purpose of ascertaining any restrictive features which would prove a hardship on small business. Other requests involving problems on inspection procedures, packaging, and shipping have been referred to the above-mentioned task force for further study and possible regulatory amendments which would simplify the problem of small firms.

The Small Business Administration has a program designed to broaden the participation of small business in defense contracts by making available to small firms prints, specifications, and so forth, on items not previously known to them. This program has been instrumental in developing additional small-business sources for the contracting offices, which in turn has permitted set-asides not previously made.

GOVERNMENT PROCUREMENT PROCEDURES

The Task Force To Review Government Procurement Procedures and Policies established pursuant to recommendations of the President's Cabinet Committee on Small Business has continued its functions during the past year. The Small Business Administration has designated a representative on the task force and has assigned a full-time technical employee to the task force working staff. The SBA works very closely with this group providing technical assistance on basic or typical problems experienced by small firms.

SBA FACILITIES STUDY

The Small Business Administration is making a study of Government-supplied facilities and equipment now being used which are available to subcontractors engaged in the missile program in order that it may better inform small firms of the possible use of this equipment.

SBA INFORMATION CENTER

Improvements have been made in providing publicity on negotiated procurements. In addition, there is now under study a program for creating a central information center in Washington, D. C., in order that procurement information may be readily available on both advertised and negotiated contracts. After experience is gained from the initial operation, further consideration will be given to the establishment of other information centers throughout the country.

SBA AND MOBILIZATION PLANNING

Through the Small Business Administration's liaison office to the Department of Defense more consideration is being given to small firms in mobilization planning. This is a continuous program and small firms are being continuously added to the planned list. The Administrator of the Small Business Administration is a member of the Defense Mobilization Board, and a full-time representative of the SBA is located at the Office of Civilian and Defense Mobilization.

The role of the Small Business Administration was formalized by the issuance on July 3, 1956, of Defense Mobilization Order I-24. This order officially recognized the working arrangements which had been in effect between the Small Business Administration and the Office of Defense Mobilization for some time prior to that date. Under the order, the Administrator of the Small Business Administration is called upon to:

First. Assist in the development of plans for bringing the productive facilities of small business to bear on mobilization requirements;

Second. Obtain information on the productive capabilities of small businesses for defense objectives;

Third. Assist other Federal agencies in providing guidance to small business in developing ability to participate in readiness programs.

The Small Business Administration was authorized to take additional preparedness measures in the form of planning for its continued operations under wartime conditions and developing methods for assessing attack damage to the small-business segment of the mobilization base.

REDUCTION IN EMERGENCY PROCUREMENT

The Small Business Administration procurement center representatives have been successful in eliminating a considerable number of so-called emergency procurements. This action has been limited to individual cases rather than policy, and an extension of lead time as well as delivery time has been granted to small firms in most cases, as requested.

SMALL BUSINESS OPPORTUNITY MEETINGS

The Small Business Administration has continued to cosponsor, in cooperation with local business groups and Government agencies, the small business opportunity meetings which have provided a medium where small-business owners and operators can get detailed information on Government procurement procedures. During 1957 there were 14 of the business-opportunity meetings held throughout the United States which had more than 8,500 owners of small businesses in attendance. Active planning is in process for conducting some 20 of these meetings during the next several months. At these meetings small-business men are informed of what various procurement agencies in the Federal Government are buying and of subcontracting opportunities with large prime contractors. They may also obtain answers to any detailed questions or individual problems they might have.

TECHNICAL AND DISTRIBUTION RESEARCH

The President's Conference on Technical and Distribution Research for the Benefit of Small Business was held in Washington in September 1957. Since then, the Small Business Administration has cosponsored nine conferences of a similar nature in as many cities throughout the country. These conferences have been conducted in cooperation with the Department of Commerce and other Government agencies, chambers of commerce, trade associations, State and local governments, universities, and other organizations and groups.

Emphasis at most of these 1- to 3-day meetings has been placed on technical and distribution research, although other subjects have been covered as well.

SBA PROCUREMENT PUBLICATIONS

Supplementing these procurement activities are the Small Business Administration publications which directly and materially aid small firms in bidding on Government contracts. SBA staff specialists also advise small firms on the necessary procedure for getting their products on Government-qualified products lists and of purchasing offices that need additional suppliers for specific items.

MANAGEMENT AND TECHNICAL PROBLEMS AND ASSISTANCE

With the exception of the need for financial assistance and for help in obtaining Government contracts, the most urgent need among many small-business concerns is for assistance in improving their production and managerial techniques and keeping abreast of technological developments. I have found that management counseling is an essential part of every major program of SBA. In providing financial, procurement, and production assistance, every effort is made to resolve managerial as well as technical problems affecting the individual small-business concern.

SBA MANAGEMENT COURSES

The Small Business Administration administrative management courses program has continued to receive nationwide acceptance and increasing interest. These courses bring the best in administrative management to small-business owners through cosponsored college courses. These courses, usually conducted in the evening, are taught by business leaders and college teachers. Through December 1957, more than 300 courses had been held and for calendar year 1957 the SBA cosponsored 121 courses. More than 10,000 businessmen and women have completed these courses which were held in cooperation with 114 educational institutions and organizations—71 such institutions and organizations conducting courses last year.

SBA MANAGEMENT AND TECHNICAL PUBLICATIONS

The Small Business Administration publishes four series of management and technical production publications. Three of the series are short, practical leaflets, written chiefly by specialists in private industry who contribute the articles without any charge to the Government. These leaflets are available

through request to the SBA, and more than 3¾ million copies have been distributed to date.

The Small Business Administration also publishes a series of management booklets, written by specialists under contract. These booklets are sold by the Government Printing Office at nominal prices. More than 525,000 copies have been sold. Since a significant portion of the Small Business Administration's publications are distributed through sales by the Government Printing Office, the income from these sales in part offsets the cost involved in the preparation and printing of the publications.

SBA PURCHASING DIRECTORY

The Small Business Administration also has made available to small firms a United States Government Purchasing Directory, which is a guide to who buys what and where in the military and Federal civilian agencies, and a United States Government Specifications Directory, which is a guide to sources of the specifications used by the Government in its purchasing. Businessmen and others have purchased more than 72,000 copies of these directories from the Government Printing Office.

SBA RESEARCH AND DEVELOPMENT INFORMATION

Another Small Business Administration service is to help small firms in gaining access to product research and development information available from both Government and industry. The SBA has two purposes here—to help small firms obtain data needed in solving problems relating to specific products and processes, and to provide them information on available products and processes that can be used to maintain, diversify, or expand their operations.

SBA PATENTS INFORMATION—NEW PRODUCTS

As a part of this service the Small Business Administration publishes each month a circular which lists privately owned and Government-owned inventions available for license or sale to small firms. This Products List Circular makes available to small business firms information on new products and processes that can be used by small plants having open capacity or seeking to diversify their business operations by adding new items. Also published in the Products List Circular have been the titles and patents released by the Department of Justice in connection with provisions of judgments in antitrust cases.

RESEARCH AND DEVELOPMENT ASSISTANCE

Through calendar year 1957, the Small Business Administration aided more than 25,000 small business concerns in the solution of research and development problems pertaining to new products and processes or improving present products. In addition, approximately 7,000 requests for additional data on inventions listed in the Products List Circular were received by the SBA.

In the field of research and development, the Small Business Administration has compiled a list of small business firms qualified to perform research and development contracts. This list will be made available to the appropriate procuring offices as a reference.

SUBCONTRACTING MISSILES PROGRAM

There is one more type of procurement activity which should not be overlooked. I refer to Government purchases in connection with the missile program. It has been increasingly evident that a large proportion of the procurement dollar in military fields will be in the missile program.

Information is being developed to establish a realistic subcontracting program, tailored within the requirements of the weapons system concept of purchasing. Small Business Administration industrial and production specialists will assist small-business concerns in using this information as a guide for missile subcontracting. The Small Business Administration, with the cooperation of the Department of Defense, the mililtary services, contractors, and related sources, has accumulated and prepared a missile directory which contains a listing of missiles procured by the Army, Navy, and Air Force; the names and addresses of the prime contractors and large major subcontractors; a listing of the components, assemblies, subassemblies and parts required in the production of missiles and supporting equipment with technical information as to requirements for tolerances, temperature, humidity, and heat control, special tooling, machine tools, production equipment, test equipment, and special technical skills.

Finally, Mr. Speaker, I would like to reemphasize the fact that not only the Small Business Administration but all departments and agencies have been concerned with the problems of small business. President Eisenhower's administration through the Cabinet Committee on Small Business and the Council of Economic Advisers has made a permanent contribution to the growth and welfare of our small-business community. In every economic report of the President, the President has emphasized the competitive aspects of our economy; and in messages on the state of the Union and other messages President Eisenhower has made many specific recommendations in the interest of small business. I believe, viewed impartially and completely on a nonpartisan basis that greater progress has been made for small business during the years 1953–58 than in any other single period in our history.

Final Report of Hon. Florence P. Dwyer, of New Jersey, on the 2d Session of the 85th Congress

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EXTENSION OF REMARKS
OF
HON. FLORENCE P. DWYER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. DWYER. Mr. Speaker, in keeping with the custom of Members of Congress, I am submitting this report as a final review and summary of the activities and accomplishments of the 85th Congress, which I believe will be of great interest to the people of Union County.

While all activities of Congress interest all the people, some of my constituents may be particularly concerned with those which have directly and immediately involved Union County. For their benefit, I have appended a list of such matters to the end of this report.

I have been deeply grateful during these past 2 years for the privilege of representing the people of the Sixth District of New Jersey here in the House. I am happy to report that I have missed only 1 day's session of the Congress in the 2 years I have been here; and that was made necessary by an important public meeting held in Union County earlier this year which was called to consider the proposed location of the new Federal-aid highway, FAI 102. I have cast my vote or declared my position on every issue which the House of Representatives was called upon to decide.

I recognize, of course, that no conscientious Member of Congress can please all the people all of the time, but I believe my record will show that I have considered every issue on its merits, and that every position I have taken was determined by what I believe to be in the best interests of all our people, and by what I believe will contribute most to keeping America strong and free and secure.

In many cases, Congress is faced with legislation which contains both good and bad provisions. I have weighed such legislation carefully and cast my vote for a bill when the good outweighed the bad, and against a bill when bad features were more important than the good.

The 85th Congress, now that it has adjourned, has been called one of the most productive Congresses in our country's history. Certainly, the 2 years it covered were momentous ones in the continuing struggle for peace and justice in the world and for economic stability and opportunity here at home.

MUCH STILL TO DO

But the 85th Congress, despite its achievements, also left much undone. An effective labor reform bill, for which I voted, failed to pass in the final days of the Congress. This should receive first priority next year.

No action was taken on legislation to encourage higher ethical practices in Government. From their response to my own views on the subject, I feel certain the people will demand early action in the next Congress.

The Congress has had 2 years to consider improving and expanding the training of people for foreign service, as proposed in my Foreign Service Academy bill, and there will be no excuse for continued inaction in this important field.

Nor has Congress solved all our education problems, especially the need for new schools.

Passage of the railroad relief bill has apparently only added to the woes of commuters; and Congress must act to protect their legitimate interests in public transportation.

We must also reassess the state of the national economy as soon as we reassemble in January, and plan whatever action

is then appropriate to hold down prices and/or continue the fight against the recession.

PARTISAN POLITICS

In spite of its record of bipartisan cooperation in the fields of defense and foreign policy, this Congress also displayed the kind of narrow political approach to many issues which emphasized again the special difficulties of running a government controlled by two opposing political parties.

During the first session, 1957, the majority in the Congress irresponsibly tried to outdo President Eisenhower in his efforts to economize by drastically slashing the President's budget even below the big reductions he had already made. In the second session, they attempted to outspend the administration by forcing it to accept more funds than it required to fight the recession.

In each session, my own aim was to achieve a proper and reasonable balance. In the first, I voted for several budget cuts because I believed that economy in Government was necessary to stop the rising cost of living. I opposed those budget cuts which would have deprived the people of essential Government services, or which would have weakened our Armed Forces and undercut our foreign policy to the point of jeopardizing our position of strength as leader of the Free World against the international Communist conspiracy.

In the second session I supported every reasonable measure designed to end the recession and get people back to work. But I refused to make the recession an irresponsible excuse for starting massive public-works programs, costing billions of dollars, which would have done nothing to end the recession. Had these huge programs been approved, our people would never catch up with the skyrocketing increase in the cost of the things we have to buy.

WORKING FOR PEACE

The most important work of any Congress is that of encouraging the growth of peace and justice in the world and ending the threat of war. For this purpose the Congress gave its approval to two of the bills which the President had termed essential—the 4-year extension of the reciprocal trade program and an adequate mutual security program. I voted for both bills in the conviction that they were vitally important if the United States is to continue to use its strength in cooperating with the rest of the Free World in the cause of peace.

Before extending the reciprocal trade program, however, Congress made it clear that we expect the administration to pay due regard to the rights of American industry threatened seriously by foreign imports. And before appropriating the funds the President requested for mutual security, Congress expressed its displeasure at the abuses and the waste uncovered in this program—several examples of which were revealed by one of my committees, the Government Operations Committee. We insisted that a more efficient and useful program be prepared in the future.

Congress also approved other means of increasing Free World cooperation; for instance, the sharing of atomic weapons information with friendly countries, helping other countries develop the peaceful uses of atomic energy, expanding the program of selling our farm surpluses to needy countries, and strengthening the Voice of America's broadcasts to the Soviet Union. I supported all these measures because I am convinced that Americans are determined to use the great power of our Nation on the side of peace in every way possible. But we do expect that our money will be used wisely, that constructive results will be achieved, and that our own national security will be protected.

KEEPING UP OUR STRENGTH

We can help to maintain peace, however, only so long as we maintain armed forces so strong and powerful that Soviet Russia will not dare to attack us or risk an all-out war. The power of our enemy and the need for staying ahead in developing the most modern weapons was never more dramatically emphasized than it was when Russia launched the first sputnik. After having cut the defense budget in 1957—a move I had strongly opposed—Congress came back this year to add new funds for missile development and air defense, and later passed a record peacetime defense budget considerably in excess of $40 billion.

It is worth noting here that the overall cost of guaranteeing our national security amounts to about 78 percent of our total Federal budget. It is clear, therefore, that any substantial savings in Federal spending can only come from the defense budget.

It is not a very good bargain, however, to save money by inviting the destruction of an all-out war. Yet, considerable improvement, and savings, can still be made. Congress cleared the way by approving the President's Defense Department reorganization plan, which I supported strongly and actively. This was one of the most important and far-reaching laws enacted by this Congress. It will help to give us a stronger, more effective, and more unified military force. And because it will eliminate waste and duplication and reduce the expensive rivalry between the services, it will save us considerable money at the same time. This plan makes good, sound commonsense.

Among the most far reaching of Congressional moves this year was creation of a new space agency—the National Aeronautics and Space Administration. Along with it, both Houses formed permanent committees to exercise continuing jurisdiction over our efforts in the dazzling new universe of outer space.

FIGHTING THE RECESSION

The No. 1 domestic concern of the Congress this year—and of your Representative—has been the slowdown of the national economy and the resultant high rate of unemployment. From the beginning Congress acted to stimulate the economy and put men back to work—by speeding up the award of defense contracts, by rushing ahead the nationwide highway program, and by encouraging greater activity in the housing and construction fields.

One of the first things I did was to obtain the facts about the recession. I talked at length with several of the top officials and experts of our Government to learn the causes of the recession and the means of ending it. While I found that no two economists agree on very much, I became convinced that Congress must act rapidly and that its action should be designed to increase confidence, stimulate buying and production, and put men back to work as soon as possible.

One of the first obligations was to ease the burden on the unemployed. I introduced legislation and testified before the Ways and Means Committee in support of an emergency extension of unemployment compensation for those who had run out of their regular benefits. Congress passed a weaker bill, but one that has provided some help, at least.

Two other antirecession proposals, however, were defeated in the House. The housing bill and the community facilities bill contained many good features of special interest to areas like Union County, but the Banking Committee irresponsibly caused their defeat when they greatly increased the cost and added several unnecessary new programs.

Several other actions of great importance to the economy were also taken.

First. Railroad relief: The Nation's hard-pressed railroads obtained assistance, which Congress hoped would enable them to provide better service, through a program of guaranteed loans and the easing of Federal restrictions, giving them greater freedom to compete with other forms of transportation.

Second. Freight tax: The Federal tax on freight transportation was eliminated, with the hope it would help reduce prices and increase consumption and production; but Congress failed to take the tax off passenger transportation, which seemed to me to make even greater sense.

Third. Small business: Small business received the biggest boost in history—with the tax revision bill, a new program to provide badly needed long-term investment capital, and permanent status for the Small Business Administration along with increased authority to make business loans at lower interest rates.

As Congress adjourned, it was clear that the recession was ending. This encouraging development, I believe, was due both to the actions taken by Congress and the administration and to the people's confidence that their Government would never permit this recession to become a major depression.

It would be a mistake, however, to act as though the recession is over and full-scale prosperity has returned. There are still weak spots in the economy and far too many people are still unemployed. One of the first obligations of the new Congress in January will be to study the economic situation and take appropriate action.

HOLDING BACK INFLATION

Despite our concentration on fighting the recession, I shared the concern of many in Congress that prices were still going up. This seemed to me especially

hard on the unemployed and on those who were trying to get along on limited incomes. I strongly supported, therefore, several bills which I believe will do much to increase economy in Government and help keep prices from going up.

First. Price supports: A major victory for price-conscious consumers was won when the Congress approved a farm bill providing for an extension of Secretary Benson's flexible price support program rather than the high, rigid price support system which the House Agriculture Committee twice tried to pass. Both committee bills would have reversed all the good work Secretary Benson has done and would have brought skyrocketing prices for bread, milk, cheese, and many of the other foods we all need. The President's veto of one bill and the House defeat of the other—both of which I voted against—was a strong rejection of the false theory of paying farmers more to produce less at higher prices to consumers and higher taxes for taxpayers.

Second. Hoover Commission: To exercise greater control over Government spending, Congress passed, and I strongly supported, the Hoover Commission's plan—H. R. 8002—for more careful budgeting and spending of the people's money. This extremely important bill, which has been estimated to save billions of dollars, should help eliminate waste and force Government officials to account for every penny they spend.

Economy—and plain commonsense—were involved in several other less publicized issues, including two which I strongly opposed as unjustified extravagance:

Third. New building: I opposed the New House Office Building, despite the fact that more office space would be nice to have, because the need was not as urgent as it was for several more worthwhile projects. And it seemed to me that Congress should be the first to set an example for the rest of the country by cutting down on its own luxuries.

Fourth. Army depot: I opposed the mandatory sale of the Army's ammunition depot in San Jacinto, Tex., because the Army needed it and because it would cost an extra $30 million to build a duplicate facility in Alabama—merely to satisfy local interests. This was a flagrant violation of the public interest.

CREATING OPPORTUNITIES FOR PEOPLE

Congress took a number of big steps forward in its traditional task of helping people help themselves. Three of the biggest were the civil-rights bill, the Alaska statehood bill, and the national defense education bill.

First. Civil rights: One of the first actions I took was to cosponsor the administration's civil-rights bill, and it was a proud day for many when the Congress passed this first civil-rights legislation in 80 years. The House bill, I believe, was a better bill than the watered-down version passed by the Senate. But the civil-rights bill was a historic first step toward the goal of guaranteeing to all Americans that their rights as citizens and human beings will be protected. Congress and the administration must now go forward.

Second. Alaska statehood: A whole new world of opportunity was opened up when Congress passed the Alaska statehood bill. This surely must have brought a great thrill to all those with the imagination and courage to look ahead to the great future of America, full of almost unlimited promise. Alaska, our 49th State, is now our largest State; it is rich with natural resources; it is only sparsely populated and needs many more people; and it is bursting with the energy and opportunity of the old frontier.

It will be the responsibility of the next Congress to consider the matter of statehood for Hawaii.

Third. Education: Of first importance and of special interest to me was passage of the National Defense Education Act—with its loans for needy students, its help to elementary and secondary schools in the fields of science, mathematics, and foreign languages, its encouragement of teacher-training, and its other provisions designed to improve the quality of our education and extend educational opportunities to those who, without help, could not afford them.

I was disappointed, however, that the President's recommendation for scholarships was eliminated from the bill, and that the whole program was restricted to so narrow a field. As badly as we need scientists and language specialists, we also need better educated people in all walks of life. For instance, an education program should provide for those who wish to equip themselves for the foreign service, where many more well-trained people are desperately needed to carry on the work for peace among the peoples of the world. Such a goal is the purpose of the Foreign Service Academy bill I introduced early in the first session of this Congress.

The present education bill, as you know, made no provision for building schools. We recognize the increasing need for providing the schools necessary to care for fast-growing populations in States like New Jersey. For this reason, I have written the New Jersey State Commissioner of Education in order to obtain detailed information regarding the present and estimated future needs of schools and facilities.

The need, in turn, raises the question of how we are to divide the governmental responsibility for providing schools. The challenge has been directed to the States and local communities. If these governmental units cannot provide for the need in the future, then the Federal Government must, of necessity, step in.

ADVANCING THE PUBLIC INTEREST

First. Humane slaughter: Congressional approval of the humane slaughter bill, which requires that decent and painless methods be used for slaughtering animals, was due directly to the great popular support expressed for this legislation; it will be a monument to what determined people can accomplish.

Second. Social security: A landmark of the second session was passage of a 7 percent increase in social security benefits to help our older citizens meet part of the rising cost of living—and certainly no one needs this protection against inflation more than the retired and disabled people who must struggle along on low, fixed incomes.

Third. Pay raise: Cost-of-living pay increases were also voted for postal employees, classified Government workers, and those in the armed services.

Fourth. Air safety: Congress provided new protection for air travelers when it created the Federal Aviation Agency and gave it full authority to control the increasingly crowded airspace. By coordinating air traffic control, both military and civilian, and stepping up the development of improved navigation aids, the new agency will make a great contribution to air safety.

Fifth. Obscene materials: As a cosponsor, I took special pride in passage of a bill to improve enforcement of the law against distribution of obscene materials. I know the people of Union County have been vitally interested in this matter, as demonstrated by the fight they made in the State legislature against the spread of indecent literature. The new law will tighten up one of the biggest loopholes through which vicious people have been contaminating the minds of our youth with their trashy products, and it represents a great victory for those who have done so much work in the past.

Sixth. FBI files: Approval of legislation limiting the right of defendants to examine FBI files was a simple, but important, clarification of the Supreme Court ruling affirming this right. Without upsetting the Court's decision, the bill restricted examination of files to material directly relevant to the defendant's case and protected the files from unnecessary and dangerous snooping.

A MAJOR FAILURE

Unfortunately, I cannot report much success in the critical field of labor-reform legislation. The long series of hearings before the McClellan committee revealed in dramatic terms the great need for such legislation to protect the general public and the great majority of honest and decent union members and their leaders from the abuses and gangsterism of a relatively few crooks who have invaded the labor movement.

Congress approved only one reform bill—a rather weak measure requiring disclosure and accounting of employee welfare and retirement funds, a bill which fell short of the better Senate version and the recommendations of Labor Secretary Mitchell.

In its most disappointing performance, Congress killed entirely the major labor reform bill, which, despite its shortcomings, would have done much to clean up certain racket-ridden unions, increase control of unions by their members, make labor leaders more responsible to the membership, and in many ways help reinforce the respect of the American people for organized labor. It was not a perfect bill but, as Senator McCLELLAN said, it was the best we could hope for in this session.

I hope Congress will act quickly next year to complete this cleanup job. Workingmen and most union leaders, as well as the people, want it. The American labor movement is too important to

tolerate the influence and exploitation of gangster elements who seek to control it.

ACTING IN COMMITTEE—GOVERNMENT OPERATIONS

Both committees to which I was appointed kept unusually busy throughout both sessions—and constructively so, I believe.

The Government Operations Committee, as you may know, has extremely broad authority to look into any area of Government in order to help improve the efficiency of its operations. In addition to our study of abuses and maladministration in the foreign aid program—and the constructive recommendations we offered—the committee considered such diverse matters as: aviation safety, the conversion of salt water into fresh water, false and misleading advertising and its control by the Federal Trade Commission, the availability of information from Government agencies, civil defense programs, various aspects of military procurement and the means of reducing waste in this immensely expensive field, the operations of the watchdog General Accounting Office, military air transportation, and a detailed study of administrative organization, procedure, and practices in Federal departments and agencies. There were others, but this will give you an idea of the fascinating range of problems one deals with on this important committee.

Since Members concentrate much of their attention on the particular subcommittees to which they are assigned, I was especially fortunate in obtaining a place on two of the best, the Intergovernmental Relations Subcommittee and the General Government Activities Subcommittee.

As the ranking minority member of the intergovernmental relations group, I had a leading role—unusual for a first-term member—in a 2-year study of the relations between Federal, State, and local units of government in the administration of the dozens of Federal grant-in-aid programs, by which the National Government helps States and communities provide many services considered essential by our people.

This study involved a series of hearings in all parts of the country and brought before us governors, mayors, Cabinet officers, county officials, and people in all walks of life; it was considered to be the most thorough and comprehensive inquiry into this field ever made by a Congressional committee. Our report, which we issued late in this second session, is a well-balanced discussion of the chief features of grant programs and makes what I believe are sound and realistic recommendations for future action to better distribute responsibilities between Federal, State, and local governments.

I expect we will be hearing a lot more about this in the future. For, if we believe what we preach about keeping Government close to the people, it is necessary to make it possible for States, counties, and local communities to accept the responsibilities for programs they are willing and capable of handling—without sacrificing, of course, essential public services.

This same subcommittee also investigated the polio vaccine program, and had a great deal to do, I believe, in improving the distribution of this miracle material to young people, and older ones, too, throughout the country—and at a considerable saving of money to the Government.

The chairman of my second subcommittee, the General Government Activities Subcommittee, estimated that the subcommittee's chief function of studying the sale of surplus Government property has saved the taxpayers more than $1.5 million in the second session of the Congress alone. Our subcommittee has insisted that Government agencies sell their surplus property for its full and fair value. And by investigating several cases, we have obtained considerably higher returns to the Government. In addition, we have recommended a permanent system governing the disposal of Government property which we hope will substantially increase the protection of the taxpayers' interest.

ACTING IN COMMITTEE—VETERANS' AFFAIRS

In approaching my duties as a member of the Committee on Veterans' Affairs, I have been guided by the conviction that our primary obligation is to those veterans and their dependents who gave their lives or suffered injury in fighting for their country. We owe, too, of course, great gratitude and a sense of responsibility to other veterans who have served their country in war and peace, especially to those who now, through no fault of their own, need help.

This is why I believe first things should come first, and why I so strongly supported our committee efforts to assure sufficient and quality medical care through Veterans' Administration hospitals. I am pleased to report that both VA hospitals in our area, Lyons and East Orange, have been able to accept all patients with service-connected disabilities. But such is not the case in other parts of the country and our committee is doing something to improve this situation.

The committee has also been very active in reviewing the various benefits provided veterans by law, and in taking steps to simplify their administration and make them more useful to those veterans eligible to receive them. One of many examples was the extension of the GI home-loan program, which I supported in an effort to encourage greater private home building on the very reasonable terms provided by the program.

The committee also conducted a thorough investigation into various fund-raising activities by veterans' organizations and by several other groups operating on the fringes of respectability. The purpose of the study—and I believe it was realized—was to expose the more questionable methods of fund-raising as an aid to drafting legislation which could protect legitimate veterans' organizations in their praiseworthy fund-raising efforts, as well as the general public.

WORKING FOR UNION COUNTY

Many of the activites and accomplishments of the 85th Congress directly affected the people of Union County; these include some I have already mentioned, and the following:

First. Help for people: Assisted constituents in a multitude of immigration cases, veterans' problems, servicemen's cases, passports applications, service academy appointments, and all the other day-to-day relations of citizens with their Government.

Second. New Jersey channels: Testified before the Appropriations Committee, spoke on the House floor and voted for appropriations to continue dredging and widening the Arthur Kill and the Kill van Kull—the oceangoing channels that carry more commerce than the entire Mississippi River system and help make Union County an important port area.

Third. Green Brook: Helped win approval of $100,000 in Federal assistance to clear Green Brook and lower flood stages there sufficiently to protect communities from danger of costly floods.

Fourth. Service: Maintained District office in Elizabeth, held series of office hours in other communities in Union County, and continued legislative open house meetings, in addition to welcoming all visits and telephone calls at all times, in effort to stay close to constituents, provide best possible service, and know what our people need and want and expect of their Government.

Fifth. Postal affairs: Worked constantly to improve post office facilities and service in Union County, including new service for countryside in Summit, to obtain fair treatment and good working conditions for postal employees, and to appoint high caliber postmasters.

Sixth. Government liaison: Cooperated with local, county, and State officials to assure best possible service from and relations with Federal Government.

Seventh. Community needs: Testified before Congressional committees on legislation authorizing loans for construction of community facilities, and for loans to colleges to help meet classroom and housing needs—including Union Junior College.

Eighth. School equipment: Encouraged and coordinated program to help Union County schools obtain fair share of valuable, but surplus, machine tools distributed by Government agencies, as a means of improving caliber of technical training.

Ninth. New York tax: Introduced legislation—House Joint Resolution 501—to prohibit New York from taxing residents of New Jersey.

Tenth. Commuter tax deduction: Introduced legislation—H. R. 6939—to permit tax deductions for expenses of commuter travel to and from jobs.

Eleventh. Government contracts: Cooperated with Union County businessmen in securing information concerning possibilities of Government contracts, and in assuring fair and equitable treatment for those seeking contracts.

Twelfth. Newsletter: Utilized weekly newsletter and annual questionnaire as means of keeping constituents informed of their Representative's activities and of exchanging views on important public issues.

Thirteenth. Highways: Cooperated with county and local citizens and officials in obtaining information and making known views to Federal officials regarding location of proposed new route 22—route FAI 102.

Fourteenth. Commuter fares: Fought against unjustified ferry and commuter fare increases and expressed objections to Interstate Commerce Commission.

Fifteenth. Air pollution: Continued fight against air pollution, and studied problems in Los Angeles as they shed light on possible enforcement in Newark-Union County metropolitan area.

Sixteenth. Teen-age drinking: Carried fight against teen-age drinking to the Congress; interested Senate Subcommittee on Juvenile Delinquency in problems created by New York law permitting drinking at age 18.

VALUABLE EXPERIENCE

My work during this term in the Congress has been made more fruitful, I believe, because of the 7 years of legislative experience which I enjoyed at Trenton. In knowing where to find information and how to use it, this experience was extremely important. I also benefited greatly from the generous spirit of cooperation displayed by other Members of the New Jersey delegation and colleagues, both Democratic and Republican, from all parts of the country.

In everything I have done here, I have kept in mind the fact that I was working as the Representative of all the people of Union County. As such, it has been my purpose to keep in close touch with my constituents, to seek their views on important public issues, to keep them fully informed of my votes and views, and to be available at all times to anyone who wanted to see me or who needed my help.

Pat Hillings Opposes Taxation of Private Schools

EXTENSION OF REMARKS
OF
HON. PATRICK J. HILLINGS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HILLINGS. Mr. Speaker, I wish to publicly state my opposition to the taxation of private schools in California. This crucial issue will be decided by the voters in November's general election. As an advocate of education, both public and private, it is my belief that we must do everything possible to support private schools which, in turn, support themselves. Congress recently acted to encourage education and this is no time to put roadblocks in the path of our desire to raise the academic standards of all young Americans.

This vicious tax measure has been repudiated by the voters of California in the past and should be defeated again.

Having received part of my education in private schools, I believe it is my duty to speak out against this treacherous scheme of taxation.

At a time when we are fighting to improve and encourage our public and private school systems, it would be a major tragedy to throw an additional roadblock in the way of progress in our private schools.

Education, whether public or private, is the cornerstone of our liberty and the foundation for our future in a period of world history when our Communist enemies abroad are exploiting education in their drive for world domination.

This issue, commonly known as proposition 16, deserves national attention, for if it succeeds in California, it can succeed elsewhere.

I am sure that the voters of California will not stand by and see the destruction of our school systems.

I opposed taxation of private schools in the past when it was rejected by the people of California and I wish to go on record once again as being opposed to the ballot measure now known as proposition 16.

A Tribute to Retiring Senators

EXTENSION OF REMARKS
OF
HON. JOHN MARSHALL BUTLER
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a tribute to certain of our colleagues who are retiring which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHN MARSHALL BUTLER

The rapping of the gavel closing the 85th Congress is an occasion for sadness on the part of the Members of the Senate. Six of our outstanding colleagues are leaving us. They have decided for varying reasons not to stand for reelection to the United States Senate.

These six Senators are all Republicans. Yet I know that no one here thinks of them in political terms. To us they are Americans who have devoted many years of their lives to the service of their State and their Nation. They are fine public servants whose contributions to the general welfare of our people have inscribed their names indelibly in the record of achievement of this great legislative house.

Let us make the last rollcall. There is KNOWLAND, SMITH of New Jersey, FLANDERS, MARTIN of Pennsylvania, JENNER, and IVES. Each of them has earned a lasting reputation in the gratitude of their country for devotion to duty and magnificent accomplishment.

Is there a living American who does not know the distinguished minority leader from California, BILL KNOWLAND? When he stepped into the shoes of Bob Taft many wondered if he could fill them. Maybe BILL himself wondered, too. But the record of succeeding months and years confirmed the judgment of the great Taft. I am certain that if he can see us today he is smiling. BILL KNOWLAND has proved himself a leader and statesman of the highest order.

Then there is MARTIN of Pennsylvania who has devoted practically his entire life to public service; FLANDERS and SMITH who have, through their high standing in this legislative hall, contributed so much to the common good. There is IVES whose name is synonymous with much of the labor legislation that is on the statute books. There is JENNER who has fought the essential fight against Communist infiltration and the judicial infringement of the power of the national legislature.

Their loss is not to the United States Senate alone. The Nation can ill afford their loss in these times of peril in international relations. No one of them can be easily replaced.

Yet, I cannot deny them the well-earned retirement they seek for whatever reason. I can only join the swelling chorus of well done. I can only add my small voice in deep appreciation for their splendid service to their State and Nation and my sincere gratitude for their friendship. I can sincerely express my thanks for the splendid example they have set for others to follow and for their personal help to me in my desire to serve as well as they. Indeed, they have been an inspiration that has guided my footsteps in the path that, I fervently hope, leads to statesmanship of their own caliber.

And, Mr. President, I can say from the depths of my heart to these six colleagues: God go with you. If you seek other fields of public service may He bless your efforts. If you seek peace and rest may He grant your wishes, for you have served long and well. Beyond that, I say only a reluctant goodby, with the knowledge that absence will not dim the deep feeling of affection and admiration all of us here in the United States Senate hold for our departing colleagues.

Accomplishments of the 85th Congress

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. WOLVERTON. Mr. Speaker, there has been much accomplished in this closing session of the 85th Congress that can prove helpful to our people and to the strength of our Nation.

The Congress was faced with numerous and varied problems. It is always difficult to accomplish all that is desired, or that may be needed, where there is divided authority and responsibility. At the present time, by reason of the fact that the President is of one party—the Republican Party—and the House and Senate is of another—the Democratic Party—we have some slight division of thought. However, it is gratifying to realize that much worthwhile legislation was adopted because of a willingness upon the part of each party to display an honest endeavor to resolve differences of opinion by reasonable compromise. And, of course, it is natural there should also be some disappointments.

FOREIGN RELATIONS

(A) MUTUAL SECURITY ACT

The Mutual Security Authorization Act and the appropriations thereunder, commonly referred to as foreign aid, conformed closely to the President's recommendations, although in some particulars fell short of his full desire.

(B) RECIPROCAL TRADE

The President's reciprocal-trade bill met with considerable opposition. However, it was finally passed after the differing viewpoints were compromised. Although not entirely in accord with the Presidential recommendations, yet it was close enough to gain his approval. The most important change in the bill arose through a determined demand that greater protection be given to American industry. This was accomplished by giving Congress certain rights and powers in cases that carried a warning from the Tariff Commission.

(C) MIDDLE EAST RESOLUTION

Although passed in the 1st session of the 85th Congress, yet it seems appropriate to make mention of the fact that a resolution was adopted to promote peace and give security to the Middle East. It was under the provisions of this resolution that the President was empowered to recently send troops into that area when trouble started.

(D) SPACE LEGISLATION

Probably one of the most important problems confronting the 85th Congress was the outgrowth of Russia's ability to reach into outer space. The result was the passage by Congress, on the recommendation of the President, of legislation setting up a Space Agency in charge of space exploration.

DOMESTIC AFFAIRS

(A) REORGANIZATION OF THE DEFENSE DEPARTMENT

One of the outstanding accomplishments of this session was the adoption of the President's program for the reorganization of the Department of Defense. The plan met with violent opposition from all directions. It was finally realized, however, that the President knew more about the subject and the need for it than anyone else. Thus, a bill was finally adopted which established the Secretary of Defense as the head in the Pentagon. It is expected this plan of the President, as adopted into law, will settle all the bickerings between our several military elements and promote efficiency in operation.

(B) SCIENCE AND EDUCATION

Another piece of legislation that grew out of the Russian scare because of its advanced scientific knowledge was the passage of a measure, on the President's recommendation, to provide the means of advancing science and education. It provides for student loans, equipment for schools, especially for scientific research. This measure likewise, as a result of compromise, was passed and approved by the President although short of what he desired in the way of scholarships.

(C) CIVIL RIGHTS

In the domestic field Congress for the first time since the Civil War days passed a civil rights bill. It is an important bill. It protects the right to vote of all citizens without regard to race, color, or creed. It is nationwide in the scope of its jurisdiction.

(D) STATEHOOD TO ALASKA

A notable event that should not be passed over without comment was the granting of statehood to Alaska. This is the first State to be admitted to the Union since 1912. The bill was adopted by an overwhelming vote in both the House and Senate. It had the approval of the President. He also desired to have Hawaii admitted as a State at the same time, but Congress did not act upon that bill.

(E) HOOVER BUDGET BILL

An important item of legislation was passed to which little mention has been given although it can be of tremendous value in providing a sound fiscal system. It was a bill recommended by the Hoover Commission. It revises our budgeting and accounting systems and provides for greater control by Congress over expenditures. It is expected that additional recommendations from the Hoover Commission will be acted upon by the next Congress.

(F) PENSION AND WELFARE FUNDS

It had been expected Congress would enact legislation dealing with labor conditions that have been revealed by the McClellan committee. However, such legislation was not passed. The only labor legislation of any consequence to be enacted related to employee pension and welfare funds. This, at least, was a step toward protecting the members of unions from improper diversion of their funds. It was passed without difficulty.

(G) FARM POLICY

After much debate and uncertainty the Congress finally adopted a new farm law. It was advocated by Secretary of Agriculture Benson and had the backing of the President. Its provisions, as they become effective, are expected to cut down existing incentives to produce surpluses. There is no doubt this was a real victory for the President and Secretary Benson.

(H) SMALL BUSINESS

An outstanding record was made in the passage of legislation to be helpful to small business. A $260 million small business tax-relief bill was enacted. The Small Business Administration was made a permanent independent Federal agency. The ceiling on Small Business Administration loans was raised from $250,000 to $350,000 and the interest rate reduced from 6 to 5½ percent.

(I) SOCIAL SECURITY

Improvements of great importance were made to the Social Security Act. There are over 12 million Americans currently receiving benefits every month from this fund. Monthly benefits were raised by 7 percent, effective February 1959. This was done to help meet the rising cost of living.

There were many other improvements made, including the raising of outside-earnings limitation; dependents of disabled persons were made eligible for benefits; Federal grants to States were increased for public assistance payments to the aged, blind, disabled, and dependent children; and Federal authorizations for maternal and child health, crippled children, and child-welfare services were increased.

(J) GOVERNMENT EMPLOYEES

A general salary increase of close to 10 percent was effected for all Government employees, including postal workers. Retired Government employees received a 10-percent increase in their annuities up to a maximum of $500 a year for retirement annuities and up to $250 a year for survivor annuities.

(K) PROBLEMS OF OLDER PERSONS

Interest in the problems due to age was shown by the passage of legislation for a Special White House Conference to study these problems and develop programs that would prove helpful in meeting the difficulties of old age.

(L) VETERANS

Legislation was adopted to increase rates of compensation for veterans suffering service-connected disabilities and for their dependents. Pensions to widows of Spanish-American War veterans were increased. Burial allowances for veterans were raised from $150 to $250. Special training for handicapped war orphans was authorized, and unemployment compensation was provided for exservicemen as well as veterans who served during the Korean emergency. Total disability benefits payable under the National Service Life Insurance Act were raised. An amendment to the Social Security Act now permits disabled veterans to draw dual benefits from the Veterans' Administration and other Government agencies as well as social-security benefits without any reductions. The GI home-loan program was extended to 1960 for World War II veterans.

(M) HEALTH AND HANDICAPPED

A great record of accomplishment was made in this vital area. Almost $300 million, the highest amount ever appropriated in our history, was approved for research in cancer, heart disease, arthritis, dental health, mental health, and other diseases.

The Hill-Burton Hospital Construction Act was extended for 5 years. The Health Research Facilities Act was extended for 3 years and provided funds for laboratories and medical research facilities designed to find the cause and cure of the diseases that cripple and kill mankind.

Legislation was also enacted to extend vocational rehabilitation programs to assist mentally retarded children, the blind, deaf, and other handicapped individuals.

(N) NATIONAL DEFENSE

In addition to passing the Department of Defense reorganization bill, Congress appropriated a record peacetime defense budget of $40 billion to strengthen our national defense in all its elements, particularly in missile research and procuring missile bases. An increase in pay was also approved for enlisted men and officers to create inducements for career military personnel, particularly in the technical fields.

(O) HOUSING

An emergency housing program to assist in overcoming and eliminating the effects of the recession was enacted and authorized almost $2 billion in housing loan funds. It contemplated the erection of some 200,000 homes, thereby providing jobs for hundreds of thousands of workers.

(F) RAILROADS

The Transportation Act of 1958, as enacted, provides Federal assistance to the railroads in the amount of $500 million in Government loans. The distressed condition of our railroads made this absolutely necessary if we were to prevent the bankruptcy of many roads. The bill also provides important changes in the Interstate Commerce Act to improve rail operations.

There is much more that could be set out if the full story of the accomplishments of the 2d session of the 85th Congress was to be given in detail. However, I am of the opinion I have made a sufficient summary to demonstrate this session of Congress can well be termed "a working Congress."

It has been most gratifying to me to see such a splendid record of legislation in what is to be my last session of Congress after 32 years of service. I congratulate the Members, Speaker RAYBURN, JOHN MCCORMACK as majority leader, and JOSEPH MARTIN as minority leader, for the splendid results attained.

I. Does the Administration Base Its Power To Send Troops To Put Down Internal Conflicts in the Middle East Upon the Congressional Middle East Resolution?

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. REUSS. Mr. Speaker, Secretary of State Dulles recently told the Veterans of Foreign Wars: "Expediency and opportunism in policy are possible in an absolute despotism. There the people have no voice in the formulation of foreign policy. They are the slaves of whatever foreign policy it may from time to time adopt. But here the people are the masters and the government is the servant."

The idea that in foreign policy, "the people are the masters and the government is the servant" is an admirable one. The people of the United States, through their elected representatives in House and Senate, should certainly have a voice in determining the broad aims and ends of our foreign policy, as opposed to its day-to-day implementation. Sole jurisdiction to determine aims and ends should not be left to the military men and diplomats in the executive branch, who are insulated from that direct responsibility to the people which is ours as legislators. Where Congress has contributed to the setting of the aims and ends of our foreign policy—as in resolutions envisaging the United Nations, the Marshall plan, NATO, and more recently a United Nations Police Force—it has been constructive and helpful.

This philosophy of popular participation in determining the aims and ends of our foreign policy was departed from, I thought, on two occasions in July: When the President sent troops to Lebanon on July 15; and when Secretary Dulles signed the Declaration of London with the Baghdad Pact nations present on July 28. On neither occasion was Congress given the opportunity to debate issues involved.

Nevertheless, the administration has repeatedly given the impression that the actions it took on July 15 and July 28 were concurred in by the Congress. Accordingly, on August 7 I wrote the President the following letter:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 7, 1958.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: On March 7, 1957, Congress passed the so-called Eisenhower doctrine resolution on the Middle East (Public Law 85-7), of which the primary language (sec. 2) is:

"Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed force to assist any nation or group of nations requesting assistance against armed aggression from any country controlled by international communism: *Provided*, That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States."

Passage of the resolution followed careful examination of the doctrine by the appropriate committees and by Congress itself. Congress was assured and reassured that the resolution meant what it said and no more: That Congress was concurring in the use of our Armed Forces only to assist a nation requesting assistance against armed aggression from any country controlled by international communism.

The testimony of Secretary of State Dulles at the hearings made it clear that our commitment was limited to cases of actual armed aggression from an outside country controlled by international communism:

"Senator MORSE. I think this clarification is very helpful, Mr. Secretary, because I find that a few of us are confused in regard to what the situation would be in any fact or circumstance in which actual military invasion of one of these countries in the Middle East by Russia did not occur, and whether or not this resolution, as far as the employment of troops is concerned, goes beyond a fact situation in which there is actual armed aggression by Russia against one of these countries. Now, am I correct in my interpretation of your statement that this resolution, as far as the use of American Armed Forces is concerned, is limited to the fact situation in which Russia commits a military aggression against one of the countries of the Middle East?

"Secretary DULLES. It is limited to actual armed aggression, armed attack by a country controlled by international communism."—(Hearings, Senate Committee on Foreign Relations and Committee on Armed Services, on the President's Proposal on the Middle East, February 1957, pt. I, p. 150.)

And again:

"Mr. FULTON. Suppose that Israel is attacked by a nation that is either supplied with arms or advised by Communist-minded people, and Israel then says she is being attacked by such a country, and asks the United States for help. Then what happens under this resolution? Israel advises the United States, 'All right, we are about to be attacked. Here is the situation.' Here Israel's opponent may not be under the domination of international communism but certainly well supplied and well advised.

"Secretary DULLES. Under this resolution unless the country is under the control of international communism it would not apply.

"Mr. FULTON. So if there were technicians or military personnel or supplies and equipment from Communist sources in neighboring countries of some size, then am I correct, that without international communism domination of that nation threatening Israel, is not sufficient for this resolution to apply?

"Secretary DULLES. No."—(Hearings, House Committee on Foreign Affairs, Economic and Military Cooperation With Nations in the General Area of the Middle East, January 1957, p. 47–48.)

It was frequently pointed out during the hearings and debate that the real danger was not so much from armed Communist attack across a country's borders, but from subversion, revolution, so-called "indirect aggression." But Secretary Dulles made it clear that the Eisenhower doctrine's only safeguards against internal Communist subversion were to aid a country against outside armed attack, to arm that country's armed forces so as to put down subversion, and to provide it with a healthy life by economic assistance. The following colloquy is illuminating:

"Mr. BENTLEY. This matter of subversion that Mr. Fountain has raised has been of concern to me. Do you think it possible to write into section 2 a provision enabling a nation to protect itself against internal subversion?

"Secretary DULLES. We could, of course; and that is a purpose of this resolution, to protect against internal subversion. That is in the preamble of the resolution, and the economic and military assistance we would give would be designed primarily to assist in preventing subversion.

"As I indicated, there are, I think, three elements which are particularly to be watched if you are trying to guard against internal subversion.

"One is the fear that the country could be subject to overwhelming armed attack and therefore there is no use resisting the pressure of communism because if it does not come in one way it will come in another. That was the case in Czechoslovakia.

"The second thing is that the Government does not have the means to maintain a loyal and dependable security force of its own.

"The third is that the economic plight of the country becomes so bad the people grab anything as an alternative.

"This resolution was designed to meet these three conditions, and I believe in doing so it does all we can do consistent with our United Nations Charter and other obligations to check the danger from subversion.

"I recognize the danger from subversion is possibly the greatest danger of all, but it cannot be met by direct action. I think it is contrary to our principles, it is contrary to the charter, and, indeed, I think it is not likely to succeed.

"The recent action against Nasser did not succeed in changing that regime. You do not often change a regime by attacking it from the outside by force.

"I believe in covering the 3 points, we do the 3 things that are the best insurance we can provide against subversion. There are a few other things you can do of a coordinating nature which are not dealt with, and should not be dealt with, by this resolution.

"Mr. BENTLEY. I was surprised yesterday when Admiral Radford, as I understood him, said he did not believe under the terms of this resolution we could aid a nation to protect itself against an internal armed uprising, even if our assistance was requested.

"Secretary DULLES. I think that would depend on whether the armed uprising amounted in effect to an armed attack. I think that problem to some extent is dealt with under the North Atlantic Treaty. I remember there was some discussion of that in the report of the Senate Foreign Affairs Committee, and it was pointed out, I think, that if the armed force was of such a character that it amounted in effect to a Soviet attack, then it would be dealt with under the treaty.

"We have a provision in our security treaty with Japan, which I was responsible for very largely, which said that if the internal armed attack came from abroad or was instigated from abroad, we could act; and I think something like that would be applicable here."—(Hearings, House Committee on Foreign Affairs, Economic and Military Cooperation with Nations in the General Area of the Middle East, January 1957, pp.156–157.)

The House Committee on Foreign Affairs, in reporting out the Middle East resolution, explicitly accepted Secretary Dulles' assurances that the Eisenhower doctrine did not authorize armed intervention in cases of subversion:

"SUBVERSION

"The resolution avoids any specific statement of policy or any outline of a course of action with respect to subversion from within. The committee recognizes that the greatest danger of Soviet aggression lies in this direction. Nevertheless, the committee is convinced that most nations of the Middle East would regard a formal commitment to oppose subversion as an assumption by the United States of a right to interfere in their internal affairs. Subversion has to be fought from within. A nation which has the money and the equipment to maintain an effective internal security force, which is able to carry on a program for improving the living conditions of its people and which is protected against overt aggression from across its borders should be able to defend itself against subversion. The resolution provides for making such assistance available. The United States can contribute best to the prevention of subversion by making its possible for sovereign nations to fight their own battles effectively rather than by intervention."—(Report, House Committee on Foreign Affairs, January 25, 1957, p. 11.)

The report contained also the supplemental views of Congressman ALVIN M. BENTLEY, of Michigan, criticizing the Eisenhower doctrine for not authorizing intervention in the case of subversion:

"I am supporting House Joint Resolution 117 because its good points outweigh its imperfections, in my opinion. I want it clearly understood that I fully endorse the authority requested by the President and set forth in sections 1 and 2 of the legislation.

I regard this bill as imperfect because of a lack of any specific counteraction on our part to the danger of internal subversion. I believe that, in view of the admitted gravity of this menace, it should be specifically stated that the administration will employ all the authority contained in sections 1 and 2 to combat this threat. Naturally, it would only be used upon request of the nation concerned." (Ibid, p. 13.)

By both its plain language and its legislative history, therefore, the Eisenhower doctrine gave Congressional concurrence to the use of United States Armed Forces against outside Communist attack, but not against internal revolution, subversion, or "indirect aggression."

Within the last month a new United States foreign-policy doctrine of tremendous significance has apparently been created—that the United States will, upon the request of a foreign government threatened by internal revolution, subversion, or indirect aggression, send troops to put down the revolution or block the subversion or indirect aggression. This doctrine has been applied with respect to Lebanon on July 15 and with respect to the Baghdad Pact countries on July 28. The doctrine has been evolved without Congressional hearings or debate.

I do not question the right of this country, under international law, to take such action. Nor do I question the constitutional power of the President, as Commander in Chief, to direct such a troop movement.

The purpose of this letter, Mr. President, is to express my disquiet at the attempt of the executive branch to cover this new doctrine with the cloak of authority given by Congress in the Eisenhower doctrine resolution. The attempt to stretch the Congressional authorization for the Eisenhower doctrine so as to cover the new doctrine has taken two tacks:

(1) The "independence and integrity" point: At Secretary Dulles' press conference on May 20, 1958, some weeks before our troops were sent to Lebanon, he attempted to interpret section 2 of the Middle East resolution as covering the sending of troops to combat internal revolt in Lebanon:

"Now we do not consider • • • that there is likely to be an attack, an armed attack, from a country which we would consider under the control of international communism. This doesn't mean, however, that there is nothing that can be done. There is the provision of the Middle East resolution which says that the independence of these countries is vital to the peace and the national interests of the United States. That is certainly a mandate to do something if we think that our peace and vital interests are endangered from any quarter. • • • I would say that we are not anxious to have a situation which would be in any sense a pretext for introducing American forces into the area."

And after our troops had been sent to Lebanon, the White House press secretary, Mr. James C. Hagerty, likewise attempted to justify the action by the "independence and integrity" language in the Middle East resolution:

"THE WHITE HOUSE, *July 16, 1958.*

"(James C. Hagerty, Press Secretary to the President)

"The President today received the following cable from the Shah of Iran, the President of Pakistan, and the President of Turkey:

"'ANKARA, *July 16, 1958.*

"'The PRESIDENT,
"'*The White House,*
"'*Washington:*

"'We have been informed by the United States Embassy in Ankara that upon the request of President Chamoun to the effect that the Eisenhower doctrine be applied to Lebanon, the United States, in order to protect the independence and territorial integrity of Lebanon, has decided to act and accordingly units of the Sixth Fleet have landed in Beirut today.

"'This bold and appropriate decision of the United States will not only ensure the protection of the independence of Lebanon and the support of its legitimate government but will at the same time strengthen the determined position of Iran, Pakistan and Turkey and also renew and increase the faith of the free world in the leadership of the United States for the defense of the free nations.

"'We, meeting in Ankara, wish to convey to you, Mr. President, our appreciation and gratitude for this momentous decision in which we have deep satisfaction and relief.

"'MOHAMMAD REZA PAHLAVI,
"'ISKENDER MIRZA,
"'CELAL BAYAR.'

"The Middle East Resolution, passed last year by the Congress at the request of the President, declares that 'the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of nations of the Middle East.'"

Senator MIKE MANSFIELD, author of the independence-and-integrity sentence, has authoritatively and repeatedly repudiated the suggestion that that sentence in any way authorizes the use of United States Armed Forces for any purpose other than against armed aggression from any country controlled by international communism. Surely the plain language of section 2 of the resolution supports Senator MANSFIELD on this. Secretary Dulles' testimony and the House Foreign Affairs Committee report indicate that the way chosen to protect a country's internal independence and integrity, and to defend it against subversion, is by protecting it against overt aggression from across its borders.

(2) The indirect-aggression point: The July 28 statement at London signed by Secretary Dulles, as well as by the Prime Ministers of Iran, Pakistan, Turkey, and the United Kingdom, contained the following:

"Article I of the Pact of Mutual Cooperation signed at Baghdad on February 24, 1955, provides that the parties will cooperate for their security and defense and that such measures as they agree to take to give effect to this cooperation may form the subject of special agreements. Similarly, the United States, in the interest of world peace and pursuant to existing Congressional authorization, agrees to cooperate with the nations making this declaration for their security and defense and will promptly enter into agreements designed to give effect to this cooperation."

The Congressional authorization referred to is, of course, the Middle East resolution of March 1957. This, as we have already seen, relates to United States armed intervention in opposition to overt Communist attack against a Middle East country. If this were all that were involved, all would be well: the Eisenhower doctrine clearly covers this, and its reaffirmation on July 28 is perfectly in order. However, the July 28 London declaration also contains the following:

"The members of the Baghdad Pact attending the ministerial meeting in London have reexamined their position in the light of recent events and conclude that the need which called the pact into being is greater than ever. These members declare their determination to maintain their collective security and to resist aggression, direct or indirect."

Here, then, is a second attempt to stretch the Middle East resolution—against armed aggression from any country controlled by international communism—to cover United States military action against indirect aggression—subversion and revolution, rather than outside attack. Now, indirect aggression may be just as dangerous and deadly as overt armed attack from outside. My point is that Congress in the Middle East resolution concurred in the use of United States Armed Forces against outside aggression, not against indirect aggression. The entire history of the resolution, set forth above, shows that Congress expressly declined to include indirect aggression in the resolution.

Good relations between the Executive and the Congress depend upon truthful and straightforward dealing on both sides. Under section 5 of the Middle East resolution, the President shall within the months of January and July of each year report to the Congress his action hereunder. Your July report is due shortly.

I earnestly hope that in that report or in some similar report you will clearly set forth that the July 15 and July 28 actions described above were not taken pursuant to Congressional concurrence in the Middle

East resolution, but are constitutionally justified, as I believe them to be, under the inherent powers of the Presidency. Such a clarification by you will enable Congress and the Executive to go forward toward a sound reconstruction of our foreign policy with this cloud on their interrelationship removed.

Sincerely,

HENRY S. REUSS,
Member of Congress.

II. Does the Administration Base Its Power To Send Troops To Put Down Internal Conflicts in the Middle East Upon the Congressional Middle East Resolution?

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. REUSS. Mr. Speaker, my letter to President Eisenhower of August 7 was designed to clarify whether the administration considered its actions of July 15 with respect to Lebanon, and of July 28 with respect to the declaration of London, as taken pursuant to the Congressional Middle East resolution of March 7, 1957, or whether the actions taken were based upon the President's own constitutional responsibility. The administration's reply is contained in the following letter of August 22 signed by Acting Secretary of State Christian L. Herter:

DEPARTMENT OF STATE,
August 22, 1958.

The Honorable HENRY S. REUSS,
House of Representatives.

DEAR MR. REUSS: I wish to thank you for your letter to the President of August 7, which has been referred to me for reply. I am pleased to have this opportunity to discuss the bases for the steps taken with respect to Lebanon and the Baghdad Pact powers to which you refer.

The increasing resort to indirect aggression in the world is, as you state, a matter of very great concern to the United States. The executive branch, in seeking to meet the recent problems resulting from indirect aggression in the Near East, acted after consultation with Congressional leaders and in accordance with existing constitutional and legislative authority. There has been no intention, I assure you, to create any new doctrine.

In his statement to Congress on the action in Lebanon, dated July 15, the President declared: "United States forces are being sent to Lebanon to protect American lives and by their presence to assist the Government of Lebanon in the preservation of Lebanon's territorial integrity and independence, which have been deemed vital to United States national interests and world peace." In sending United States forces to Lebanon in response to the request of the Lebanese Government the President acted under his constitutional authority as Commander in Chief of the Armed Forces and under these provisions of the Constitution giving him special responsibility in the field of foreign affairs. The executive branch did not believe that the President required any further formal authority.

While the action was thus not sought under the specific authority of any provision of the Middle East Resolution, we would be less than candid if we did not state our belief that the strong expression of interest in the maintenance of the independence of the nations of the Middle East which was inserted by the Congress in that resolution gave eloquent evidence of the desire of the American people that the integrity of those states not be destroyed. It reinforced our conviction that it would be in the national interests of the United States for this country to take action to assist Lebanon in its hour of desperate need.

You are correct in understanding that the Secretary had in mind the Middle East Resolution in agreeing to the fourth paragraph of the Declaration in London of July 28, 1958, which he signed jointly with representatives of the member states of the Baghdad Pact, who participated in that meeting. However, the Secretary also had in mind the bilateral arrangements already concluded with these states under the Mutual Security Act. The first paragraph of the Declaration, which you quote in your letter, applied only to the member states of the Baghdad Pact attending the London meeting, and not to the United States or its legislation since the United States is not a signatory to the pact. The Declaration does not commit the United States to use Armed Forces nor does it go beyond existing Congressional authorizations in any respect.

We appreciate your bringing your concern on these matters to our attention. It is, you may be sure, our firm intention to maintain the closest association with the Congress on international problems of this nature and to act only in full accord with the authority for the conduct of foreign affairs as laid down by the Constitution and supplemented by the acts of the Congress.

Sincerely yours,

CHRISTIAN A. HERTER,
Acting Secretary.

Let us examine this reply of August 22 to my letter of August 7. The August 22 letter clearly enough states that the action in Lebanon on July 15 was "not sought under the specific authority of any provision of the Middle East resolution." This certainly seems at variance with what Mr. Dulles said at his May 20, 1958 press conference, and with White House Press Secretary Hagerty's press release of July 16, both set forth in my letter of August 7, which were both to the effect that the sending of troops to the Middle East in an internal dispute was justified under the Middle East resolution. Unfortunately, the ensuing language in Secretary Herter's August 22 letter, by implying that the "independence and integrity" language of the Middle East resolution justified the sending of troops to Lebanon, puts us right back where we started. Congress was told by the administration time and again that internal conflict would be met not by sending troops, but by a three-point program of guaranteeing against outside aggression, sending arms, and sending economic aid. If the administration wanted to find out what Congress thought of our sending American Armed Forces to put down internal conflict in the Middle East, it should have asked Congress' opinion during the 2 months of January and February 1957, when Congress was debating the much more remote contingency of outside aggression involved in the Middle East resolution. But this was not done.

The second question raised by my August 7 letter asked where in the Middle East resolution Secretary Dulles got Congressional concurrence in his pledge in the July 28 London Declaration to send troops to Baghdad Pact members menaced by internal conflict—"indirect agression." As I read the July 28 London Declaration, Secretary Dulles was saying that the United States would go to the aid of the Iranian Government, for example, if it were menaced by internal conflict. The Secretary did this, in my opinion, when he signed the fourth paragraph of the four-paragraph London Declaration setting forth that "the United States, in the interest of world peace and pursuant to existing Congressional authorization, agrees to cooperate with the nations making this declaration for their security and defense." In the first paragraph of the declaration, the Baghdad Pact members present had defined their security as including protection against "aggression, direct or indirect."

The State Department's letter of August 22 apparently takes the position that Secretary Dulles on July 28 was simply going along with the general security protections of the Baghdad Pact—to guard against external aggression—and not with the extension of this to internal conflicts. Nevertheless, I have the impression that the Government of Iran believes that Secretary Dulles on July 28 made it a commitment to come to its aid against internal conflict as well as against outside aggression. And, from the language of the July 28 Declaration of London, I cannot say I blame it.

Mr. Speaker, a foreign policy of "deliberate ambiguity" may possibly keep our enemies guessing. Unfortunately, it also keeps the Congress and the American people guessing. If I am right in my belief that Congress has not only the right but the duty to participate in formulating the broad ends of our foreign policy and our world commitments, clarity, not ambiguity, should be the goal.

The International Communist Conspiracy

EXTENSION OF REMARKS
OF
HON. JOHN MARSHALL BUTLER
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a number of my weekly newsletters which have been devoted to the machinations and scope of the international Communist conspiracy.

There being no objection, the newsletters were ordered to be printed in the RECORD, as follows:

AT THE PRECIPICE
(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, January 13, 1958.—Today, as never before in history, the fate of humanity hangs by a thread. The dividing line between slavery and freedom has never been so narrow. A world half slave and half free cannot longer endure. It must become one or the other.

If the American people are determined to guarantee freedom for all mankind, we must thoroughly reappraise our foreign and domestic policies and squarely face the reality that unselfish hard work, sacrifice, and patience are imperative. We must abandon socialistic and welfare policies on the home front for these, by sapping individual spirit and initiative, are but an indirect path to slavery.

The dramatic launching of two earth satellites by Soviet Russia demonstrates far more than technological and scientific progress and capability. It shows that the Communists have become hard as nails, while we have become soft. Now, more than ever before, the American people must urge upon their Government less wasteful spending on welfare measures and more efficient spending on national defense. We must urge upon our educators less catering to lazy and unambitious students and more insistence upon the difficult but essential courses which will train our young people for leadership in business, government, science, and technology. We must drive from public life the political opportunists, the materialists, and phony liberals who would purge our way of life of its vast spiritual treasures.

We must pursue a realistic course of action in our dealings with the balance of the world. We must judiciously limit our associations with Soviet Russia. Since 1933 the United States and Russia have negotiated on significant issues in 3,400 meetings. From these have come 52 major agreements, of which the Soviets have since violated 50. Obviously, in the absence of any genuine act of goodwill on the part of the Kremlin, absolutely nothing can be gained from negotiating with them.

If we dedicate our efforts to a policy of conserving the best of the past; of profiting from the experience, wisdom, and mistakes of yesterday; of refusing to compromise with moral principles; and with being primarily and essentially concerned with what we can give to our country and not what we can get from it, we can be victorious in this bitter struggle.

1973—A YEAR TO PROPHESY?
(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, February 3, 1958.—The left wing sing-song which seeks to push us toward another summit meeting with Soviet Russia wantonly plays upon the fears of all peace-loving people with an alarming disregard of Communist devices. The momentum and force of this effort confuses and confounds those who work and pray for a genuine peace.

For those who join in this chorus, it might be helpful to spotlight a few regrettable gravestones of history.

Only 2 months ago, Vladimir Shabinsky, a lieutenant colonel in the Soviet Army until 1947, in testifying before a Senate subcommittee here in Washington said: "My leaders told me and other officers in Germany after World War II that the United States was our No. 1 enemy." He also stated that the Russians kidnapped 2,000 German scientists—missile and rocket experts among them—between 1944 and 1947.

Since the recognition of the Soviet regime in 1933, no corner of the globe has escaped the scrutiny and ravage of Russian espionage. This sordid record of subversion and infiltration has, in days past, been minimized, covered up, excused or wished away by the same group of self-styled saviors of the world who now call for blind adoption of Russian proposals. Mr. Shabinsky tells us he was 100 percent sure that Soviet espionage in the last 10 years had enabled Russia to acquire a scientific prowess superior in some respects to that of the remainder of the world.

The vast Communist reservoir of scientific knowledge was made possible as a result of blunder and stupidity—through floundering policies designed and developed by so-called liberals and misguided individuals who had a stranglehold on our governmental processes and mass information media during and after World War II. Characteristically, this same hysterical minority yells and chants for an end to necessary security regulations, scuttling of balanced budgets, wholesale Federal aid to education and an immediate, unqualified acceptance of Russian overtures inspired for purely propaganda purposes.

Dr. Frederick C. Schwarz, an authority on Communist tactics and objectives, tells us that the Kremlin has set the year 1973 as the deadline for complete control of the world. Therefore, to rule out the hope of some common ground for a meeting with the Soviets would be as suicidal as some of our policies of the past, but any such conference must be preceded by solid evidence and demonstrations of worthy and peaceful intentions on the part of the Russians.

ANOTHER RE-EVALUATION NEEDED?
(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, February 10, 1958.—In these days of global confusion, with increasing emphasis upon summit meetings and other government-to-government conferences, the role of the United Nations as a galvanizer of peace would seem to call for reevaluation. Of this, one of the world's leading statesmen, Sir Winston Churchill, had this to say last summer:

"We have now reached the point where nations must contrive a system and practice to resolve their disputes and settle them peacefully. We have not so far succeeded in this. Some have tried, at one swoop in the hour of victory, to draw up an all-comprehending scheme to meet international possibilities, such as the Charter of the United Nations. In a recent speech, that most distinguished Australian statesman, Mr. Menzies * * * told us that justice was not being achieved in the Assembly. That is a serious charge. But it is true. I do not throw in my lot with those who say that Britain should leave the United Nations. But it is certain that if the Assembly sometimes, to make its decisions, continues to make its decisions on grounds of enmity, opportunism, or merely jealousy or petulence, the whole structure may be brought to nothing."

Churchill hits the nub of the problem of disproportionate impact in these words: "The differences between the great powers have thrown responsibility increasingly on the Assembly. This has been vastly swollen by the addition of new nations.

"We wish all these new nations well. Indeed, we created many of them, and have done our best to restore their integrity and prosperity. But it is anomalous that the vote or prejudice of any small country should affect events involving populations many times exceeding their numbers, and should affect them as momentary self-advantage may direct. This should be improved. There are many cases where the United Nations have failed."

Those dedicated to the proposition of peace for all mankind will find a great challenge in these statements by Britain's distinguished war leader and former Prime Minister: "I do not want tonight to suggest an elaborate new charter for the United Nations. But I think we can all agree that in its present conception, its imperfections must be changed. The mere creation of international organization does not relieve us of our individual responsibility. * * * It falls to the righteous man, individually, to do what he can and to form with his friends alliances which are manifestly crowded with justice and honor."

PROPAGANDA AND SURVIVAL
(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, February 24, 1958.—Propaganda has been a word of common usage since World War II. Propaganda themes, propaganda advantage, propaganda initiative, propaganda effectiveness, and propaganda victories now compose the lexicon of those who seek to bend public and world opinion to their particular cause. Foremost among these are the Russians. The skill with which they—our avowed enemies—employ this relatively new medium of persuasion has laid bare our own ineptitude in the essential endeavor of counterpoint.

Though the record of successes by the Soviets in this sensitive field has grown year by year, the pattern was easily recognized by the events of the Geneva Conference of 1955. In spite of our peaceful and humanitarian intentions, this gathering provided a cloak of respectability which the Russian leaders sorely needed at that time. To suggest that President Eisenhower's coattails were used for this purpose would not be an inaccurate statement.

More recently Communist propaganda has exploited a variety of incidents, developments, and claims in the Soviet Union, in this country, or in the international situation. These fall into four major themes: (1) The United States is warlike and imperialistic; (2) the Soviet Union is the real champion of peace; (3) American democracy is a fraud; and (4) the Soviet Union is technically advanced and militarily powerful.

With the launching of our Explorer satellite, some of the sting has been removed from category four. But, it cannot be denied that the manner in which earlier failures with rockets and missiles as well was treated by our official spokesmen and mass information mediums was an unwitting play into the hands of the Communist propaganda machine. As the clatter for another high-level conference increases, the other three categories have been ballooned with a measure of success here and abroad which is frightening to say the least. Lately, the erroneous image has been that the Russians are angels of peace, and that we, as a result of our rejection of the summit meeting propoesal are warlike. Millions of unknowing persons have thus been duped—perhaps beyond the point of no return.

This unscrupulous phenomenon constitutes propaganda in its most perfect and most effective form. A floundering, disjointed, and unimaginative program on our part can only lead us further down the path of defeat in the unceasing battle between freedom and communism. A coordinated and realistic information policy, encompassing all agencies and activities of the Federal Government, is now as never before a mandatory ingredient for survival.

THE QUICKSAND OF TREACHERY
(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, March 10, 1958.—Amazingly, a constituent has written me saying that I am working too hard against Russia. The implication in this suggestion, that I should join in making things easier for Russia, I find preposterous and a positive indication of the extent to which well-meaning Americans have been duped by the calculating propaganda of the Russians. Their basic theme is always the same—the Soviet Union, not the United States, is the real champion

of peace. Actually, it would appear that many of our own people either accept this statement as truthful or they lack the courage to distinguish right from wrong.

Recently the Kremlin has appeared to take the initiative in promoting the idea of another summit meeting. And thus the erroneous conception, regardless of the thoroughly sound position of our Government, is that we are indecisive and irresolute. To the contrary, our national policy has never changed—an honorable and lasting peace for all mankind, not another propaganda achievement for a conspiracy which from its inception has been dedicated to our destruction.

That an effective Eisenhower-Khrushchev conference, including lesser lights in the community of free nations, could rise from the quicksand of Communist treachery is difficult, almost impossible, to believe. The give and take could be disastrous to our cause. Here are some of the demands which the Russians most certainly would make: (1) recognition of their grip on Eastern Europe; (2) withdrawal of the Seventh Fleet from the Formosa Straits; (3) withdrawal of our military missions in Nationalist China; (4) withdrawal of our support of South Korea; (5) dismantling of United States and NATO bases in Western Europe and the Middle East; (6) recognition of Red China and its admission to the U. N.; (7) liquidation of NATO and other alliances; (8) cessation of all forms of information to Soviet areas; and (9) liquidation of the Central Intelligence Agency.

Even if agreement were reached at such a parley, the illusion would soon be shattered for the Russians have flagrantly violated practically every treaty and agreement which they have signed in the past 25 years. This is an undeniable fact of history. The leopard has not changed its spots. He is only more cunning and we more gullible. In our gullibility how far will we go in appeasing the Communists? Are the results of a summit meeting, in the absence of a Bricker amendment, to be the law of this land without ratification by the Senate? These questions need answering.

ON THE HORNS OF STILL ANOTHER DILEMMA

(A weekly newsletter by Senator JOHN MARSHALL BUTLER

WASHINGTON, April 7, 1958.—It is undeniable that the Soviet Union and all Communists are reaping vast benefits from their present propaganda offensive. In the decisive battle for the minds of men they have once more appeared as champions of peace while the West, especially the United States, has appeared as warmongers.

At this juncture, we are confronted by the following dilemma: Either to yield to Soviet pressure and blackmail and agree to a summit conference on Soviet terms, or to persist in our refusal. In the first case, we would suffer a grave defeat even before the conference begins, since our acceptance of Russian terms would mean rejection of a basic element of American foreign policy—the liberation of peoples enslaved by communism. That in itself would be the greatest Communist political victory since World War II—since these peoples were enslaved by the Russians. In the second case, the Communists, headed by Moscow, would keep scoring important propaganda and psychological gains against us. Obviously, neither is good.

To defeat the Soviet summit conference propaganda offensive, we must first realize that the Khrushchev, and the Bulganin (lately departed from the Kremlin hierarchy) letters, and all Soviet propaganda for that matter, are aimed not at peace but at a "relaxation of international tensions"—the Communist term for the moral and psychological disarmament of the West in the merciless struggle between freedom and communism. While the Communists are relentlessly waging a war of annihilation, they want us to stop resisting.

Teheran, Yalta, Potsdam, and Geneva have not served the cause of peace and freedom, but the objectives of international communism. On the other hand, since a negative attitude of plain and stern refusal is unpopular not only among the uncommitted nations, but among our NATO allies as well, we must proclaim a definite willingnes to talk, but at the same time, we must aggressively and insistently indict the Soviets as vicious imperialists who have never kept their word. And, with facts, proofs, and arguments, we must brand them before the entire world as a real menace to peace, the vile enslaver of nations, the worst threat to mankind.

This seems the only way to reverse the present situation which is unfavorable to us, and growing more intolerable in view of Soviet aggressiveness and our formal stubborness, behind which the Communists can detect timidity and indecision.

SKILLFUL PROPAGANDA

(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, April 21, 1958.—Lately, the new Ambassador from Russia has been very much in the public eye. With gusto and studied casualness, Ambassador Menshikov has been traveling the time-honored diplomatic, social, and luncheon circuit in a vigorous endeavor to woo more converts to Communist sympathies. The reaction to these artificial gestures of friendship illustrates the manner in which Communist propaganda is successfully foisted upon the American public.

The transparency of this latest avalanche of smiles can best be described by these observations by Father Edmund A. Walsh, a longtime analyst of Communist deception, from his book Total Empire. "There is something fundamental, though elusive, about the Soviet mind which our people have not yet fully comprehended. * * * The revolution never relaxes though it has sometimes stumbled. * * * It substitutes new forms and places of attack but never relents in its conspiracy for world domination. * * * It pretends to love peace and justice."

FBI Director J. Edgar Hoover, in his superb and superlative Masters of Deceit, published recently, chose to characterize this continuing burlesque in these words: "For all too long, communism's true character has been concealed by its own propaganda, abetted by public ignorance and apathy."

Yet, in spite of these warnings by recognized experts, we are being led, step by step, through the quicksand of skillful propaganda to the summit. In spite of these and other admonitions, another meeting with Soviet leaders now is probable. The solution to our seeming vacillation might well be to turn the tables on Moscow and insist on such a conference while telling forcefully and mercilessly the plain truth about communism to the whole world and by defining our conditions as follows: (1) Russia must demonstrate a genuine desire for peace and peaceful coexistence. (2) Russia must agree to self-determination for all enslaved peoples, through free elections. (3) All Soviet troops must be withdrawn from each and every country deciding to reject communism. (4) Russia must renounce its policy of hostile and false propaganda against the Free World, especially the United States, as well as its subversion and incitement of national, race, and religious hatreds.

Since the Kremlin will not agree to these conditions, they would be put in a most embarrassing position—to be exposed before the court of public opinion for what they are, hypocrites, deceivers, and tyrants.

Small-Business Measures Passed By the 85th Congress May Turn the Tide of Republican Favoritism to Big Business

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EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. ROOSEVELT. Mr. Speaker, the small-business legislation which this Congress has designed and enacted marks an achievement equaled by few Congresses in history.

Looking back over the record of the past 2 years, I find that we have succeeded in passing and getting accepted at least 5 Democratic measures which will be tremendously beneficial to the 4 million small-business firms of this country. These are not small-business measures in name only, but each and every one provides direct and practical help to small business.

FIVE NEW SMALL-BUSINESS LAWS

Repeal of the 3 percent tax on freight shipped by common carrier means that the small manufacturer can now ship his goods to buyers at less costs, and in many instances at costs no higher than are met by the big manufacturers who operate their own transportation systems and thus never paid the tax.

The revisions made in the laws prescribing Government contracting methods now mean that small firms may obtain small Government contracts without going through the expensive and troublesome rigmarole connected with the advertised, competitive bid method. And these revisions also mean that the Government agencies have a certain authority to make advance payments, and to make progress payments, for work on Government contracts, so that they need not exclude small firms from Government work by reason of their inability to finance the work for prolonged periods.

The new Small Business Act means not only that SBA is now a permanent agency of the Government, but that it has more authority and more provisions for advancing the interests of small firms. Most important, SBA now has a clear authority and a clear directive to obtain for small business a real participation and a real share of the benefits of the billions of dollars which the Government agencies are handing out each year to help finance industrial research, experimentation, and development.

The new small-business tax bill removes a number of unnecessary hardships which the Federal tax laws had imposed; and to assist small firms in making purchases of new machinery or equipment, it allows a postponement of taxes to cover up to 20 percent of the cost of the new equipment.

Finally, the new Small Business Investment Act—the Johnson-Patman Act—will offer small firms positive and practical assistance in overcoming a universal obstacle which small firms have faced. This is the obstacle of

being unable to obtain capital. This act is designed, not to create more Government bureaus, but to help small business help itself in a quite practical and down-to-earth way, and in this it holds great promise of success.

Certainly, these 5 small-business measures are 5 impressive steps. A great deal of the credit is due, I humbly suggest, to the Small Business Committee of the House of which I am honored to be a member. All of this legislation embraces proposals which had been recommended by our committee—or at least by the Democratic members of our committee, who have carried the responsibility for developing recommendations to meet the problems of small business. And special credit is due, of course, to the Democratic leaders of the House and the Senate. It was our Democratic leaders who had to guide this legislation through Congress and negotiate with the administration to accept it, and not veto it.

BIG-BUSINESS FAVORITISM HAS BEEN BAD FOR BUSINESS

Impressive as the legislative achievements of this Congress are, however, it does not remove all of the handicaps to small firms. Certainly none of the five measures I have mentioned has come any too soon. And, altogether, they will fall considerably short of bringing about a system of Federal laws, policies, and business incentives which are even-handed and equally friendly to all classes of business. They may be fairly said to represent, I think, not the most that should have been done, but the most that we could persuade the administration to accept. Even so, they are substantial achievements. And they seem to mark a needed change in the tide of Federal policies toward small business—at least we can hope so.

Certainly, the disastrous consequences of this administration's policies of exclusive and overabundant favoritism to big business have been no more clearly demonstrated anywhere than by what has been happening within the business system itself. Even in the years when the administration leaders were boasting that business was the most prosperous ever, it was all too evident that they were pointing with pride to a prosperity for the few. Yes, big-business prices and profits quickly rose to record heights with the lavish aid of this big-business administration. And just as quickly the place for small business began to shrink. While the giant manufacturing corporations built plants and acquired new equipment at a record rate, and bought up or built new distribution and retail outlets, the small manufacturers, the small distributors, and the small retailers were subjected to a great variety of squeezes, some subtle and some not so subtle.

In this era of big-business prosperity the number of small-business bankruptcies mounted from year to year. In the past 4 years small-business firms with Dun & Bradstreet ratings have failed at an average rate of more than 12,000 a year. And in the present recession year—1958—such failures will go to more than 16,000. Yet these figures do not include the many more thousands of small firms that have closed their doors and liquidated their accounts without loss to their creditors.

Just think of the economic waste and the loss to our whole Nation. Is it any wonder that this Nation's economic growth slowed to a snail's pace in the years of so-called Republican prosperity—even when the administration was able to boast that the amount of money being invested in new plants and new business equipment exceeded all previous records? Is it any wonder that consumer incomes have failed to keep pace with the growth in productive capacity? Is it any wonder that we now have 5 million of our labor force unemployed and idle along with idle productive capacity? These things are all part and parcel of the same policies. These are policies which would make a famine where abundance lies.

If the full creative and productive abilities of our business system are to be utilized, then surely one of the tasks ahead is to restore a real competitive opportunity for small firms.

ECONOMIC FREEDOM HAS BEEN GOOD FOR BUSINESS

Am I dreaming of a day when there will be no small-business failures? No, of course not. If the door of opportunity is really kept open, then there will always be room for business firms to experiment with new products and new services and with new ways of doing things. This is the way innovation comes. And this means there will be failures, as there will be successes.

No, it was not because of any guaranty against failure—such as the giant corporations seem to enjoy today—that the traditional business system of this country proved to be a fertile ground for the industrial revolution. Nor has it been in corporations where commercial success seemed most assured that the new scientific and technological progress of recent times has been most conspicuous. On the contrary, unless all our history books are completely wrong, our business system has been progressive and strong precisely for the reason that it has been a system which offered a fighting chance to firms of all sizes—not just prosperity to the firms with great financial resources behind them. And we have had such a business system in this country precisely for the reason that our traditional policy has been to encourage business of all sizes and to maintain a business climate where great numbers of independent business enterprises could exist and compete under fair rules of competition.

Saying these things today will, I know, seem "old hat." There has been a tendency, of which I am well aware, to dismiss our traditional precepts of economic freedoms as being incompatible with modern-day ideas about the scale of economic organization which is required to utilize up-to-date techniques of production and distribution. But have our historic ideas about freedom and independence really been made obsolete by modern technology?

It would be sad indeed to think that orderly economic processes can be achieved only by having all of the Nation's economic affairs under the control of but a few boards of central managers. And it would be equally sad to think that our country is so poor in talents for business management that only a few corporate boards and managements may be staffed with really topflight talent. The truth is, in my experience, that the directors and managers of many of the top corporations are no more talented, and no wiser in the ways of orderly economic processes, than are a great percentage of the people now operating small firms and pursuing professional careers. Indeed, I believe I have met quite a few small-business people who could and would, in the same jobs, run rings around the present managers of some of the giant corporations of this country.

No, there is no shortage of talent for business management. But there has been a shortage of talent for public management, or at least a failure on the part of public management to make our current economic policies in ways which combine and preserve both our traditional precepts of economic freedom and our traditional penchant for finding new and more efficient methods of producing and distributing economic goods. As I see it, this has been one of the great failures of our day. It is the failure which has allowed Federal policies to become policies of special advantage to big business. It is the failure which has allowed the creation of a great variety of seemingly small special advantages in the laws, in the programs, and in the methods of administration—all of which add up to an overwhelming advantage. It is the failure by which new kinds of so-called business incentives are continually being demanded and given—frequently in the name of small business—that turn out to be new incentives for big business and new hardships for small business.

To my mind, it is time, and past time, that our Federal policies be made more even and friendly toward business firms of all sizes. Obviously, this country needs big business and it needs prosperous big business. Yet it seems fair to think that if the big-business firms are as efficient and as necessary as we are led to believe, they do not actually need the kinds of Federal laws, regulations, and methods of administration by which they gain special advantages. This country also needs and will continue to need small- and medium-size business—and for more reasons than one.

MORE LEGISLATION NEEDED TO MAKE FEDERAL POLICIES EVENHANDED

But to restore and maintain a fair chance for small business, there are still some hard problems ahead. We must, then, continue to work for the future and begin now trying to find ways and means for putting across in the new Congress the further legislation which we know that small business needs and should fairly have.

During the past 4 years it has been my privilege to be chairman of the Small Business Committee's subcommittee which deals with the problems of small business in the distribution fields. Thus it has been my privilege to learn the practical problems of a great many

small-business people in retailing, in wholesaling, and other levels of the distribution trades. If I may suggest, then, what has seemed to me the most important problems in these fields, three stand out above all others:

First, Federal taxes are terrifically oppressive. Even in the most profitable small firms, these taxes leave very little in the way of capital for expansion and modernization.

The second problem is quite closely related to the tax problem. This is the problem I have already mentioned, which is that small firms as yet have very little opportunity to obtain from outside sources the capital needed for modernization and growth.

Third, our antitrust laws are badly in need of modernization and strengthening in certain respects. Small-business people are being victimized by a large variety of trade practices which would be labeled unfair by any civilized standards.

Here, then, it seems to me, are the three areas in which small-business legislation should be strengthened in the next Congress.

As to the tax measures which are needed, and as to the measures which will be needed to strengthen and improve the new Small Business Investment Act, these already seem clear—at least they seem clear to me. I have had the privilege of giving detailed study to both the tax and financing problems and in participating in drafting the legislation which this Congress has enacted on these subjects. So, if I may suggest, I believe that the important steps to be taken are those which were outlined in our earlier bills on these subjects and which were omitted from the bills as they finally were passed.

The small-business tax bill which was finally passed includes most of the provisions which were proposed by a bill I introduced, and on which the Ways and Means Committee of the House was good enough to hear my arguments. It also includes several good provisions which I had not thought to recommend.

Small corporations having no more than 10 stockholders may elect to be excused from paying the corporate income tax; small corporations suffering a net loss may carry the loss back and deduct it from income in the 3 preceding years, instead of only the 2 preceding years; corporations may have a $100,000 credit, instead of a $60,000 credit, for determining the special surtax on accumulated earnings; investors in small corporations who suffer a loss on their investment may take an ordinary-loss deduction, instead of the normal capital-loss deduction; where an estate consists mainly of an interest in a small business, estate taxes may be postponed and paid in annual installments over a period of 10 years; the same depreciation privileges which have applied to purchases of new machinery and equipment are now extended to purchases of used machinery and equipment; and finally, a small firm purchasing either new or used machinery and equipment may, for tax purposes, write off 20 percent of that cost in the tax year when the purchase is made. These are all good provisions. They remove unnecessary hardships from many small-business firms; and they should, to some extent, encourage investment in small firms.

This legislation did not, however, include a general tax reduction for small firms. And in one other respect the legislation falls short, I think, in not including a provision which would allow small firms to take a tax deduction for a certain percentage of the cost of new machinery and equipment purchases. The new tax law provides only for a speedup depreciation schedule, not for a tax deduction, and it thus falls short of providing all the assistance it might provide for small firms to expand and modernize their facilities. Last year—the year 1957—a staggering total of some $37 billion was invested in new business facilities. Even in this depression year of 1958, the level of business investment is expected to be in the neighborhood of $33 billion. And as I pointed out to the Ways and Means Committee, most of this is investment in expansion and modernization of the very big firms. It is perfectly obvious, then, that some further extreme distortions in the competitive system are going to occur unless small firms are given an opportunity to keep pace in this growth and modernization.

I do not believe that the incentives which I have proposed for small-business investment would actually result in any loss in revenue to the Government. On the contrary, it seems quite probable that an expansion and modernization of small firms would stimulate all business, increase employment and bring about a higher level of national income which would yield even more revenues at the present tax rates.

TAX CUTS AND CREDIT NEEDED FOR GROWTH CAPITAL

Finally, the absolute must legislation, as I see it, is a general reduction in small-business taxes. Plainly, the big corporations are not sharing a proportionate burden of the Federal income taxes. When a corporation acquires such a degree of market power that it can plan its production schedules and maintain its prices, then it has in effect acquired the power to tax. And when corporations have this effective power to tax, they also have the power to shift—onto consumers and the general public—a large part of any income tax which the Federal Government might impose. So, in spite of what may seem to be a general evenness and fairness about the present tax rates, the practical burden of these rates is falling disproportionately upon small firms. It is imperative then, as I see it, to reduce the tax rates on small-business incomes sufficiently to bring about an equal distribution of the tax burden.

Now I am not criticizing the Democratic leaders in Congress for agreeing to omit from the tax bill that was passed those provisions which would have cut small-business taxes. On the contrary, to have included tax reductions in the bill in the face of a certain Presidential veto would have imperiled the whole tax bill and would have most probably lost the benefits which were obtained. The Democrats have at best a thin majority in this Congress, and even if a 100 percent Democratic support could be mustered, we could not have hoped to obtain the two-thirds vote which would be necessary to override a Presidential veto.

What then about the new Small Business Investment Act? Clearly, if this act proves as successful as we all anticipate, more funds to finance the program will be needed. But as to the amounts that will be needed and the best ways to provide them, these are questions which can best be answered after we have had a chance to see how promptly and effectively the Small Business Administration puts this program into effect.

In certain respects the new Small Business Investment Act is most gratifying. It provides for the formation of privately owned and operated small-business investment companies. These investment companies will decide which small-business concerns to invest in, and which small-business concerns they will make loans to. This is as it should be. These new small-business investment companies will receive assistance through loans of Federal funds, but in each investment and in each loan they make to a small-business concern they will be lending or investing a substantial portion of private money. In fact, for the most part, they will be investing $1 of private money with each $1 of Federal money. To form one of these investment companies, the stockholders in the company must raise $150,000 from private sources in order to obtain $150,000 of Federal funds.

As to its operations at the local level, the new small-business program has the same general features of an earlier bill which I helped to draft and introduced along with WRIGHT PATMAN, the distinguished chairman of our Small Business Committee. This was the small-business capital bank bill which would have put control of the new program under an independent agency, rather than under the control of the Small Business Administration, and hence under the control of the White House.

It was originally hoped, and it is still hoped, with this kind of beginning the new small-business investment program would attract additional capital from private sources. Indeed, it was hoped that private capital will come in, retire the Government capital, and put the Government completely out of the program. And for this purpose of raising additional private capital, the bill introduced by several of the Democratic members of our Small Business Committee contained provisions which are missing from the bill as it was finally made acceptable to the administration and passed. Specifically, there were features, of the original bill, whereby additional private capital could be raised in the central capital markets. The central small-business bank contemplated by that bill was to be authorized to issue bonds under the same conditions which have proved so successful in the operations of the Federal National Mortgage Association. In other words, there were to be bonds, not guaranteed by the Government, but attractive to investors on the basis of their underlying assets. As matters now stand, the Small Business Investment Act does not provide a means for raising additional private capital in the national markets. Furthermore, the Federal appropriations for the program are quite small.

I do not mean to suggest that the program is inadequate. On the contrary, present appropriations and present financing arrangements are fully adequate to make a beginning. And this beginning, I might add, is one of the most progressive business measures ever enacted.

It is only because of the importance and the great promise of this program that I suggest that the next Congress should watch it, nurture it, and encourage it with all means possible.

Indeed, I believe and hope that the turning point for small business in this country has been made in the present Congress, and that, building on this foundation, the next Congress will do bigger and better things for small business.

The Great Conspiracy—The Soviet Road to World Conquest

EXTENSION OF REMARKS
OF
HON. JOHN MARSHALL BUTLER
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. BUTLER. Mr. President, the distinguished Director of the Federau Bureau of Investigation, Mr. J. Edgar Hoover, has repeatedly warned his countrymen of the constant and serious menace of world communism. His observations are not capricious, and are predicated upon solid evidence and his great knowledge of this atheistic conspiracy. At times it would seem that his pleadings have fallen on deaf ears, but judging from the reaction I have obtained from certain newsletters on the subject, the American public is becoming increasingly concerned by the progress being made by the Kremlin and its partisans and dupes.

I therefore request, Mr. President, unanimous consent to have printed in the CONGRESSIONAL RECORD a number of my weekly newsletters which relate to the efforts of Soviet Russia to dominate the world.

There being no objection, the newsletters were ordered to be printed in the RECORD, as follows:

AID TO COMMUNIST SATELLITES?

(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, April 28, 1958.—On the mistaken notion that we should support so-called national communism in certain Soviet satellite countries, the United States is pouring billions of dollars into Yugoslavia and Poland. Since the end of World War II, more than $1.5 billion has been appropriated for Yugoslavia, and in 1957 alone, total American aid to Communist Poland was in excess of $95 million.

Yet, Poland voted more against the United States position in the last session of the U. N. General Assembly than Russia itself. Both Poland and Yugoslavia voted against the U. N. resolution condemning the Soviet Union for its action against the Hungarian people in the freedom revolt. Poland voted against a resolution urging admission of South Korea to the U. N. and Yugoslavia abstained. Poland also voted against a U. N. resolution urging unification of Korea and again Yugoslavia abstained. On the 40th anniversary of the Russian revolution, Tito congratulated the Soviet Union and called for full unity of all Socialist (meaning Communist) forces.

Tito has declared that he would like to see Poland and Yugoslavia demonstrate that they are not adopting any form of national communism, but contributing by their conviction and attitudes toward a genuinely constructive cooperation among Socialist (that is, Communist) countries. Tito further stated that he and Gomulka were in complete agreement on questions of peace and war, on Middle East tension, German reunification, and European security—and he was said to have acknowledged that on these questions the Yugoslav attitude was identical with that of the Soviet Union; Yugoslavia formally recognized Communist East Germany.

Since last August, the Gomulka government of Communist Poland signed a declaration with Communist East Germany to strengthen the defense alliance which unites them with the Soviet Union and other members of the Warsaw Pact. Riot police charged into crowds after student uprisings had continued for 5 nights in early October last. Gomulka told the supreme Soviet meeting that Poland was making many changes to strengthen socialism according to the basic tenets of Leninism.

These are indisputable examples of the bold and defiant moves which are being consistently made by these Communist dictators while we in this country debate how much aid—how many dollars—we should be sending them. A ridiculous situation indeed. I, for one, have always held that we should send them no aid, and shall continue to take this stand.

THE PLAN TO SOCIALIZE AMERICA

(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, May 19, 1958.—I have before me a photostatic copy of a most amazing pamphlet which was received within the past 2 weeks by a labor union representing employees in a Maryland plant. This document, entitled "A People's Program for Jobs and Security," comes from 26 West 26th Street in New York City, the headquarters of the National Committee, Communist Party, U. S. A. Delivery was accomplished by way of the United States mails.

This masterpiece of Communist propaganda typically pits class against class with hackneyed clichés such as these: "A national emergency exists. • • • The giant monopolies, which profited heavily in the boom now seek to protect their profits at the expense of the working people. • • • Of key importance is the role of the unions, and especially the organization of the unemployed • • • The specter of depression and unemployment can be banished only in a Socialist America—an America in which the mines, mills, and factories are publicly owned and are operated for the benefit of all, not as a source of profits for the few. • • • To the realization of such a program, the Communist Party (a working class political organization, so says the brochure) pledges its fullest support."

For the attainment of the ultimate goal of a socialized America, the Communist Party, U. S. A. prescribes a 12-point platform, which has a striking resemblance to many of the plans of today being advocated by some of our less sanguine public officials, labor leaders, and political pundits. Here are the 12 planks: "(1) Boost purchasing power; (2) reduce taxes; (3) curb monopoly prices; (4) improve unemployment compensation; (5) provide adequate relief; (6) ease credit; (7) increase aid to distressed areas; (8) expand public work programs; (9) defend labor's rights; (10) end discrimination in employment; (11) aid to farmers; (12) promote peace and trade."

Admittedly, some parts of this type of package might be appealing. But its adoption would accomplish exactly what the Communists conspiracy hopes to accomplish—national bankruptcy. Men and women of influence and power in government, labor, business, and elsewhere are unwittingly contributing to the Communist goal of world domination when they advocate tax cuts, for example, simultaneously with reckless government spending. If we continue to ignore the economic facts of life, it is possible that Russia can socialize and communize America without the use of nuclear weapons.

ANOTHER FRANKENSTEIN?

(A weekly newsletter by Senator JOHN MARSHALL BUTLER)

WASHINGTON, May 26, 1958.—With unfailing frequency, our information mediums are deluged with the idioms and epitaphs from the left side of the political spectrum carrying the label of the Americans for Democratic Action. It is amazing that these pronouncements should receive more than cursory attention, but last week, out of the ADA convention, came a resolution urging diplomatic recognition of Red China which was given extensive notoriety.

The dialect of this self-serving group of liberals is indeed curious, if not phony. Some observers have seen fit to describe it as a pinkish political potpourri. The ADA attempts to convince the American public that it opposes all forms of totalitarianism, including communism, and that it is nonpartisan in flavor. Both the aims and true character of the ADA have always been shrouded in doubletalk, but nonetheless the drift to the left is clear.

Advocacy of the admission of Red China into the community of free nations is not a new fancy for the ADA. Its opinions on this issue have been noisily advertised on previous occasions, even in the face of statements such as this from Ambassador Henry Cabot Lodge in 1956: "On the question of seating Red China in the United Nations, there is no point on which I feel more strongly. It is unthinkable that a regime that stands convicted of aggression by the United Nations and whose conduct continues to be that of an international bandit and blackmailer should be permitted to sit in the United Nations as a representative of China."

Could it be that the ADA has its eyes closed to history? On November 16, 1933, the United States created a Frankenstein when the Soviet Union was recognized as the legitimate Government of Russia. That one solitary act was not only the concentrated essence of 20 years in the Communist struggle for world domination, but the intrinsic evil has grown in magnitude and prospered in portent far beyond the deepest fears of those realists who wisely advised against such action.

Today—almost 25 years later—that Communist Russia which we, in great measure, helped to launch on its diabolically conceived career of wholesale human slaughter and enslavement, holds life-or-death sway over half the human race. If the mouthings of the ADA are observed, we will create another Frankenstein which in the next 25 years

could insure the fulfillment of the Communist conspiracy in terms of the other half of the human race.

A Cadaverous Record

(A weekly newsletter by Senator John Marshall Butler)

Washington, June 30, 1958.—Since 1948 the tyrants in the Kremlin have endeavored to construct a facade of respectability about the Iron Curtain with the illusion that communism has changed. With beguiling smiles, empty gestures, and disarming platitudes, the world has been told that international communism is improving, that it is different, more democratic.

Those whose minds have been captured by this insidious propaganda must have had their fanciful notions shattered last week by the heinous execution by the Russians of four leaders of Hungary's courageous 1956 revolt. Vile, brutal, beastly—these adjectives hardly seem adequate to describe another in an ever-increasing list of detestable atrocities which have been committed by the Communists.

Khrushchev's path to power has been paved by the cadavers of those who dared to resist. To stamp out bourgeois nationalism in the Ukraine, this emerging Soviet leader, drunk with the taste of power, ordered the 1938 massacre of more than 10,000 people in the city of Vinnitsa. These unfortunate victims were shot in the back of the neck in the same manner as in the murders in North Korea of some 8,000 American POW's by Soviet Red Chinese and Soviet North Koreans. It might also be timely to recall that the self-styled symbol of virtuous communism, Marshal Tito of Yugoslavia had American fliers shot in cold blood, and doomed hundreds of Hungarian refugees to slaughter by refusing them sanctuary.

While all of this goes on, unknowing and unwitting Americans rush to give the Russian Ambassador Menshikov every opportunity to spew the Communist line. The press, radio, television, and many of our more sophisticated citizens are not guiltless. To them, it should be emphasized that Menshikov is "no lily white," in spite of his glistening smiles and studied charm. At a time when we were trying to aid the destitute people of Poland, this Soviet paragon occupied the strategic position of deputy director of the U. N. Relief and Rehabilitation Administration. Menshikov made sure that food and clothing donated by the American taxpayers went only to Communists and their followers, while Polish patriots starved.

More than 10 years ago, a process of psychological deception was started by the Kremlin. Even our good deeds have been made instrumentalities of Communist propaganda. How much more evidence then is needed to prove that we are still being duped and that the process will not end until freedom reigns universally?

Who Is Kidding Whom?

(A weekly newsletter by Senator John Marshall Butler)

Washington, July 14, 1958.—Some weeks ago, following my newsletter opposing the recognition of Red China, the Baltimore Evening Sun printed a castigating editorial, titled "Kidding Himself," in which I was accused of making wild and fanciful statements. This tirade brands my position as nonsense and concludes with the contemptuous statement: "We don't know how many other people he (Senator Butler) is kidding, but he sure is kidding himself." Curiously, the editorial did not appear in all editions of the Evening Sun for May 26.

The vehemence of this criticism of my position prompted a deluge of encouraging messages which convince me that the shoe might well be on the other foot. Or, who is kidding whom? The Evening Sun, and its pro-ADA editorial writer, ignore the unanimous consensus of the Congress which was expressed by a 91–0 vote in 1954. My colleague, Senator Beall, found as a result of his more recent questionnaire that 64 percent of those Marylanders who responded likewise oppose the recognition of Red China.

Secretary of State Dulles reflected the sentiments of the administration on this issue in these words on January 17, 1958: "So long as the Communist regime (in China) is dedicated to opposing by all possible means the things which we believe to be in our interest, we do not see that there is any advantage to be gained by increasing its authority, its influence, and prestige to be used against us."

Our Ambassador to the United Nations, Henry Cabot Lodge, tells me on June 5 last, "I know of nothing which has happened that would cause me to revise the statement (opposing the seating of Red China in the United Nations) which you quote from my letter to you in 1956." Ambassador Lodge also said at the same time: "At the most recent session of the General Assembly a motion to discuss the question of Chinese representation at the United Nations was defeated by an overwhelming majority of the member states."

One Marylander defends my assertion, that to recognize Soviet Red China would be to create another Frankenstein, with this rebuttal: "To some readers of the Evening Sun, there appears to be a sound factual basis for holding that the granting of American diplomatic recognition to Russia in 1933 laid the groundwork for those subsequent developments whereby Russia was enabled, very largely by what it got from the United States, to become the power it is at the present time."

Again, I say, who is kidding whom?

The Bold Relief of Our Times

(A weekly newsletter by Senator John Marshall Butler)

Washington, July 21, 1958.—The daily conduct of the American people has become grist for the propaganda mills of unfriendly nations. Our slightest transgressions, imprudent actions, irresolute policies, and partisan squabbles have been employed, with considerable impact, to portray the United States in an unfavorable light. Any uncommon or eccentric behavior pattern is depicted as typically American.

While at the Brussels Fair on the Fourth of July, former President Herbert Hoover placed this phenomenon in bold relief in these words: "There can be no interpretation of the American way of life in its effects upon other nations without reference to the false legends, misrepresentations, and vicious propaganda which haunt the Free World. * * * These misrepresentations and this propaganda are inciting physical attacks upon American citizens, upon our officials, and abuse of our country."

It can be quickly demonstrated that the Russians are avid readers of American newspapers and periodicals. The Congressional Record and governmental proceedings are also required reading for the manipulators of Communist propaganda. Indiscriminate and intemperate comments, capable of misinterpretation, are circled in red for special attention. These, and detrimental items, are carefully assembled for mass dissemination at the most propitious moment.

At international conferences, the Soviet Union and its satellites, with alacrity, cite parts of Government documents to embarrass United States representatives. The United Nations Economic and Social Council has been a frequent forum for subtle attack upon our institutions and traditions. Once uttered, the worldwide facilities of the Communist empire give these damaging indictments the fullest possible coverage.

Obviously, if this disadvantageous trend is to be righted, all citizens, Members of the Congress, public officials, journalists, reporters, and commentators included—have a responsibility to avoid exaggeration, partisan statements, and criticism not supported by clear evidence. To do otherwise is to provide, unwittingly, propaganda which may be used to our detriment. Moreover, in terms of the national welfare, our presently confused and disjointed propaganda, information, and psychological warfare activities must be upgraded and coordinated at a high level of government. And, in all of this, national as well as individual discretion and restraint must be exercised.

Another Masked Purpose

(A weekly newsletter by Senator John Marshall Butler)

Washington, August 18, 1958.—Out of the morass of an 8-month exchange of correspondence between President Eisenhower and two successive Russian Premiers, a real objective of the Soviet axis begins to unfold. While placing major emphasis upon the call for a high-level conference, which patently could serve no useful purposes, the agents of international communism have used these letters as a wedge to advance the recognition of the People's Republic of China (Soviet China). The admission of Communist China to the United Nations, for example, would greatly strengthen the hand of Russia.

In a seemingly unshakeable pall of lethargy, the Free World moves willy-nilly toward acceptance of this band of cutthroats, murderers, and blackmailers. Trade barriers with the Chinese mainland have been relaxed. Red Chinese aircraft move more daringly toward the island of Formosa, the bastion of Nationalist China. And, a reality little known, Soviet China is to be a beneficiary of the results of the International Geophysical Year.

To this international mishmash add the fact that the nine-power treaty, signed here in Washington, February 6, 1922, in which the parties, among them the United States, pledged themselves to respect the territorial and administrative integrity of China, is still in force. For the reason that six of the signatory countries—the United Kingdom, the Netherlands, Denmark, Norway, Sweden, and India—have already recognized Communist China, the Department of State characterizes this treaty as a kind of dead letter. It was not enforced when Japan invaded China in the 1930's, and is obviously just another piece of meaningless paper to be conveniently ignored as circumstances dictate. Perhaps this development signaled the start of the diplomatic mediocrity and ineptitude which have marked the past quarter century.

The United States is nonetheless morally committed in the interests of its own national security to keep Formosa out of unfriendly hands—Communist hands. If the progress of communism is to be opposed successfully in Asia it must be done with Asian manpower. Thus far, only four Asian peoples have shown a willingness to contribute to such an endeavor—the Koreans, the Japanese, the Philippines, and the Chinese. With the Red Chinese on the other side, backed by the Soviet Union, the three other peoples combined would be outmatched.

And so again, to recognize Soviet China would be to promote the causes of international communism on all fronts.

Let Us Keep the Record Straight on Agriculture

EXTENSION OF REMARKS
OF
HON. WILLIAM S. HILL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HILL. Mr. Speaker, it is increasingly evident that agriculture became a political football in this Democrat-controlled Congress. As I look over the record of the current session, it is startling to see the politically inspired and misleading statements of prominent majority party Members attacking the administration's leadership in agriculture. By twisting facts, they have attempted to give the impression that agriculture, under the present administration, is in a hazardous and weakened condition and that all the ills and problems of agriculture are due to the present administration.

I realize this is a political year. I realize that political sniping is in season for those who feel that their political tenure is in jeopardy. Nevertheless, it appears entirely inconsistent with statesmanship and administrative integrity to take a strictly partisan approach, particularly by leading spokesmen of a party, especially when such attacks are completely unwarranted and unjustified by the facts. There have been too many occasions in this session when leading spokesmen of the majority party in Congress have issued misleading information, using agriculture as a whipping boy to gain dubious advantage to themselves.

I believe it is generally acknowledged that probably no agency in our administrative arm of the Federal Government has made available to the Congress and the public more realistic statistical data and informational material about its operations than the United States Department of Agriculture. The Secretary of Agriculture, Ezra Taft Benson, consistently has kept the Congress and the public informed on the status of agriculture, basing his evaluation on the official statistics gathered and reported by the Department and other agencies of the Government. A careful examination of the facts will quickly reveal that the information used by Secretary Benson in his statements on the condition of agriculture is reliable and accurate. The figures used by Secretary Benson consistently are those which are obtained by faithful career civil servants and are supported by the resources of the Department of Agriculture. They are not manufactured; they are not unsupported.

In comparing the factual information on agriculture as presented by Secretary Benson with some of the politically inspired analyses, including those by leading spokesmen of the Democrat Party, it is very easy to see which information is based on fact and which is purely politically inspired, unsupported and, in many instances, completely absurd.

Statistics by themselves, unless properly related and correctly interpreted, can be made misleading to those not familiar with the facts. This apparently is what has happened in some of the recent political utterings. After reading some of the political statements, I am surprised that we have any agriculture at all. In fact, recent Democrat statements lead to the conclusion that the farmers of the United States are in a terrible condition financially, productively, and progressively. This just is not so. Everyone knows the farm economy has rebounded greatly in the past 3 years.

As one who is bowing out of our Nation's Congress, I should like to cite a few of the inconsistencies perpetrated against agriculture by political demagogs. I should like to show how ridiculous these politically inspired statements are when compared with the facts. Time will not permit me to review all these irresponsible statements. But I believe a few plain illustrations will enable thinking people to draw correct conclusions about the accuracy or inaccuracy of the status of agriculture today and about the way some politicians of the opposition party are attempting to deceive the American public with regard to the welfare of agriculture under Secretary Benson.

For example, let us just take a close look at three sets of agricultural statistics which have been used as a basis of misinformation on agriculture. These statistics relate to, first, the farm population, second, farm debt, and, third, corporation farms.

First. One ridiculous claim is that great numbers of farmers are leaving the farm because of the present administration's program. As anyone who is familiar with the facts knows, the farming population has been declining throughout our history and particularly since 1933. Secretary Benson not only has agreed that this transition is occurring, but he also has published detailed statistics and explanations concerning this reduced farm population. Secretary Benson has attempted to give the full facts of the matter, not just half truths. In support of their wild claim, however, leading Democrats cite statistics which show that in 1952 there were 24,283,000 farmers and in 1957 there were 20,396,000 farm people. These figures are indeed accurate. They are taken from official and public USDA reports—the same reports incidentally which some irresponsible people claim are doctored by Secretary Benson. We must look at these figures a little more closely though before arriving at any wild conclusions. A closer look at the record will show that on:

April 1, 1910, there were 32,077,000 farm people or 34.9 percent of the total population.

April 1, 1920, there were 31,974,000 farm people or 30.1 percent of the total population.

April 1, 1930, there were 30,529,000 farm people or 24.9 percent of the total population.

April 1, 1940, there were 30,547,000 farm people or 23.2 percent of the total population.

April 1, 1949, there were 25,954,000 farm people or 17.5 percent of the total population.

April 1, 1950, there were 25,058,000 farm people or 16.6 percent of the total population.

April 1, 1952, there were 24,283,000 farm people or 15.5 percent of the total population.

April 1, 1953, there were 22,679,000 farm people or 14.3 percent of the total population.

April 1, 1957, there were 20,396,000 farm people or 12.0 percent of the total population.

When one studies the official reports, the politically inspired motives of the farm demagogues become obvious. For example, the comparison is made with 1952, the year of a Republican victory in November. The statistics cited by the opposition are population estimates as of April 1 of the year. It was not until 1953 that the present administration took office, and in April 1953, we were just taking off our coats to begin to clean up the mess in Washington.

If the Democrat Party is trying to compare farm population in the Truman administration with that population in the present administration, they should, in all fairness, use the April 1953 population estimates. While they are doing so, they might also point out that in the last 4 years of the Truman administration—April 1, 1949, to April 1, 1953—farm population declined from 25,954,000 to 22,679,000 or at a rate of over 800,000 per year, while the average decline from 1934 to 1957—and from 1953 to 1957—has been the rate of only 500,000 per year.

The decline in the farm population is not the result of Republican programs nor of Democratic programs. It is just an economic fact of life that all who are familiar with agriculture know has occurred because of the tremendous technological revolution in agriculture and our expanding industrial economy. Our farm population would have declined regardless of what type of farm program we had.

Second. In this election year we have heard over and over and over again, the following statement: "Farm debt is at an alltime high—over $20 billion." This is another Democrat farm fact, which standing alone leads to a ridiculous conclusion. This statistical hogwash is repeatedly applied by those who revel in accentuating the negative to prove that our Nation's farmers are on the brink of financial doom. We must again look at the record more closely to see the real significance of this statement. It is quite true that total farm debt is an estimated $20.2 billion and that this is the highest on record, but that is only a part of the truth. The whole truth is that farm assets are also at a record high—$187 billion and likewise owners' equities are at an alltime $167 billion. Farmers have less than $11 in debt for each $100 of assets as compared to the 1940 ratio of $19 in debt to each $100 of assets.

The record also shows that farm mortgage foreclosures are near the alltime low (only 1 out of 3 farms has a

mortgage at all), while the level of living on farms is the highest in history, based on the percentage of farms with electricity, telephones, automobiles and the purchasing power of the average value of farm products sold or traded. In addition, farm ownership is at an all-time high.

Third. Another phantom ogre which certain farm fear peddlers display is the corporation farm. It would indeed be a sad day for America if giant corporate farmers were to supplant our family system of agriculture. That sad day is not today, however.

A close look at the census reveals that nearly 90 percent of the land in farms is owned by private individuals, with corporations, Federal, State, and local governments and Indian lands accounting for the balance of our farmland. Family-size farms continue to dominate agriculture. Ninety-six percent of our farms and ranches are family operations. In 1930 this percentage was 95.7 percent. In 1940 it was 95.4 percent. In 1945 it was 95.6 percent, and in 1950 it was 95.5 percent. In fact, the number of large-scale farms is now the lowest in the last quarter century—134,000 as compared to 205,000 in 1930, 195,000 in 1940, 175,000 in 1945, and 155,000 in 1950.

Another misleading statement used to pillory our Secretary of Agriculture is that the demand for agricultural commodities is at an alltime high; hence, we should have no surplus or price problems. There is no doubt but that domestic demand is at an alltime high. But as every student of agriculture knows, agricultural prices and use depend upon export as well as domestic demand.

For example, in 1956 over half our production of wheat, rice, and cotton was exported. We exported about one-third of our soybean and flue-cured tobacco crops. Consequently, what happens to farm prices and income depends to a great extent on what happens to export demand. One of our major agricultural problems in recent years is that we have priced ourselves out of export markets by legally required high price support levels which, at the same time, have encouraged production in foreign countries. This situation has made it necessary for this administration to undertake an extensive and costly disposal program. Through determined efforts, we are regaining our rightful share in world markets. But it is a difficult struggle and one that costs the taxpayers staggering amounts each year.

Perhaps the most vicious of all the misleading charges made against this administration is that it and it alone is responsible for the high cost of the present farm program. There is no doubt that our farm program is a costly one. The Secretary himself realizes this and is the one who, for the first time, developed and published statistics which show the cost of all the programs the Department undertakes to help farmers.

The reasons why these costs have been high in recent years are well known and are simply these:

First. This administration inherited a large inventory and commitment to acquire additional commodities when we took office in 1953. This amounted to over $3 billion.

Second. We inherited a 1953 crop program under which farmers were required to be given support at 90 percent of parity with no controls on production. This meant the Secretary of Agriculture could take no action to control production until the beginning of the 1955 marketing season by which time the CCC price support investments had jumped to over $6 billion. This was the first time the present administration had an opportunity to inject some flexibility into the price support program for agricultural commodities.

Third. We had to support the 1954 basic crop by law at 90 percent of parity which further added to the accumulation in inventories.

Fourth. We inherited farm legislation which failed to give the flexibility agriculture needs.

Now the losses this administration has incurred in price support programs in the past few years have been the losses in liquidation of these inherited surpluses. CCC losses are recorded in the year in which the commodity is moved out of inventory and not in the year in which it is acquired. These losses have been large because our major outlets have been donations and exports. Donations involve a 100 percent loss. Exports involve a large loss because United States prices have been kept so much above world levels.

The Democrats are proud of the farm program they created before we took office. Should they not at the same time accept responsibility for the results?

Perhaps no issue has invited so much discussion as has the question of farm prices.

If you would believe the Democrat Party orators you would conclude that prices moved only one way under the Democrats, that is, upward, and only one way under the Republicans, downward. All available statistics prove this is pure poppycock.

Farm prices reached their alltime peak in June 1948 as the result of war-inspired demand. They then started moving down except for a short period of time during the Korean conflict. As a result, one of the first jobs we faced was to check the sharp price decline which started under the Democrats long before this administration took office.

The demagogs never miss a chance to harp upon the plight of the small farmer, placing all the difficulties these small farmers now face at the doorstep of this administration. Waving the "magic wand" of 90 percent of parity, they claim, falsely, that all the problems of the small farmer would disappear overnight if we returned to 90-percent supports.

Now no one denies that we have a small-farm problem. The agricultural literature shows that we have had a small-farm problem for many years—far longer ago than 1953. We have had this problem because former administrations failed to take positive steps to correct it. Under the Democrats, too much emphasis was placed on price supports as the solution to the farm problem. Now we know that price support cannot be the solution because the small farmer produces too little to benefit much from price support regardless of the level. This was one of the first facts of life this administration stressed. In an effort to correct the situation, we have developed a special program tailored to the small farmer's needs in the form of the rural-development program.

Another big political football is the responsibility for agricultural surpluses. Since the surplus is one of the basic farm problems, and the Democrats bear the greatest responsibility for the surplus, it is easy to understand why they try to place the blame at the doorstep of this administration.

Unquestionably, one reason we have large agricultural production is that we are efficient producers. We have learned that we cannot control production by limiting acreage and fixing prices. This abundance would have been consumed domestically or exported if it had not been for high price supports which channeled them into Government warehouses. Again we find that it is the Democrats, not the Republicans who are responsible.

We should have learned by now that if we are to have a sound farm program we need to recognize the true facts about the program and how it operates. All of us have the same objective—namely, a farm program that will better serve the farmers and the Nation. Misleading statements and inferences do not help us achieve this goal. It is high time that demagogues stop playing politics with the farm program and think more about the welfare of the American farmer.

Improvement in Housing Conditions—Women's Conference on Housing

EXTENSION OF REMARKS
OF
HON. JOHN J. SPARKMAN
OF ALABAMA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on the Women's Conference on Housing and its relation to conditions in the housing industry.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Because I am deeply interested in the improvement of housing conditions, I would like to call to the attention of my colleagues a project which promises to help this cause. This project is the Women's Conference on Housing, a meeting to be held in Washington October 14, 15, 16 to give homeowners from scores of our cities a chance to express their likes and dislikes, their needs and their hopes for the homes of today and of tomorrow.

The organizations sponsoring the Women's Conference on Housing are:

The Air Conditioning and Refrigeration Institute, Washington.

The Better Heating-Cooling Council, New York.

The Copper and Brass Research Association, New York.

The Oil Heat Institute, New York.

The National Association of Plumbing Contractors, Washington.

The National Bureau for Lathing and Plastering, Washington.

The National Association of Lumber Manufacturers, Washington.

The National Association of Home Builders, Washington.

The Plumbing Fixture Manufacturers Association, Washington.

The Portland Cement Association, Chicago.

The Structural Clay Products Institute, Washington.

Underwriting this conference are the National Association of Home Builders and the United Industry Committee for Housing. Here we see in action new forces—the builder and the manufacturer and contractor united to better the American home, to give the housewife what she wants and needs to strengthen the bonds of her family, to make the home the center of life for her children, her friends, and her neighbors.

It is interesting to me to note that the manufacturers engaged in this effort are competitive as to products—the brick industry and the lumber industry, for example—but in agreement that our homes should be improved, our communities strengthened by better planning, better building. Whatever the individual bent of these manufacturers and contractors and homebuilders, they believe that home ownership should be the first item in the American budget.

The United Industry Committee for Housing and the National Association of Home Builders are now conducting a nationwide survey of homeowner preferences, planning a conference agenda to discuss those preferences, and otherwise gearing their future to the expressed desires of the women who know best what makes a house a home.

I wish to express my welcome to the delegates who will come to Washington for the Women's Conference on Housing, and to promise that their findings and their hopes for the future will be watched attentively by the Congress.

Retirement of Hon. Alexander Smith of New Jersey

EXTENSION OF REMARKS
OF
HON. RICHARD B. RUSSELL
OF GEORGIA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me regarding the retirement of the senior Senator from New Jersey [Mr. SMITH].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The decision of the senior Senator from New Jersey [Mr. SMITH] to retire at the end of this session is one that is a source of regret for those of us who have happily served with him.

Senator SMITH's contributions in the field of foreign affairs have been notable. Transcending this specialized field, however, has been his constant eagerness to accommodate divergent and conflicting positions on other troublesome issues before the Senate during his service here.

Without abandoning dedication to principle, Senator SMITH has, as a man of complete good will, enjoyed conspicuous success in harmonizing opposing viewpoints that at times seemed irreconcilable.

On many occasions I enjoyed serving with him when the Committee on Foreign Relations and the Committee on Armed Services conducted joint hearings on subjects of common interest, including the inquiry into the dismissal of General MacArthur and our military position in the Far East. Senator SMITH has at all times brought to such proceedings a constructive attitude and a wisdom that had a profound effect on any deliberations in which he participated.

As he returns to the tranquility of private life I must express the high regard in which I hold him and the keen regret I feel over his leaving.

The Record of the 85th Congress as Regards the State of Montana

EXTENSION OF REMARKS
OF
HON. JAMES E. MURRAY
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a joint statement prepared by the members of the Montana Congressional delegation, Senator MIKE MANSFIELD, Representative LEE METCALF, Representative LEROY ANDERSON, and myself.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Montana, in the words of one newspaper, "is the only State whose entire (Congressional) delegation works together so closely and harmoniously that their views and achievements can be and are combined in one bulletin."

This teamwork has resulted in the following 64 benefits, during the 85th Congress, of particular importance to Montanans.

CONSERVATION-RECREATION-TOURISM

1. Appropriation of $190,000 for initial development of the $1,250,000 Benton Lake Wildlife Refuge, which will assure annual production of many thousand more ducks.

2. Appropriation of $900,000 for Nation's first forest fire research laboratory, at Missoula, plus $100,000 for fire research.

3–4. Appropriation of $125,000 for research into the effects of chemical pest and plant controls upon fish and wildlife, subsequent to approval of authorizing legislation originally introduced by Montanans after DDT destroyed fish in Yellowstone River.

5. An act to add a 400-acre display pasture to the southeast corner of the National Bison Range near Ravalli to permit viewing of bison from U. S. 10A, U. S. 93, and Northern Pacific Railway.

6. An act permitting concessionaire leases in national parks to run for 30 instead of 20 years, thereby, by amortization over the longer period, permitting lower rates for park visitors and less financial strain on concessionaires.

7. Appropriation of $20 million for the Mission 66 program of modernizing national parks, as requested by the Montana delegation, instead of the $12.4 million requested by the administration. The larger appropriation permits the Mission 66 program to continue on schedule and includes $445,600 above the administration's request for Glacier National Park, with funds earmarked for headquarters, Lake McDonald and St. Mary's area for employee dormitories and residences, water and sewage systems, and other facilities. This appropriation also includes $411,000 for the lake area of Yellowstone Park and $256,400 to be used in the Canyon and Mammoth areas of Yellowstone for transmission lines, utilities, and other services.

8. Continuance at the 1958 level of the tree planting stock production program under which the State forester operates a nursery at Missoula to provide landowners with forest and wind-barrier planting stock. The Federal Government and State of Montana put from $11,000 to $14,000 each into this program annually, and landowners an additional $16,000 to $22,000. The administration proposed to cut the Federal contribution 80 percent.

9. Negotiations with Forest Service and State highway commission, following appropriation of increased funds pursuant to Federal Highway Act, leading to, construction of Grizzly Peak Road to new ski resort in Carbon County.

10. Senate approval of resolution requesting Secretary of State to bring to attention of appropriate Canadian officials the deep interest of the Senate in completion of the loop road linking Glacier National Park in United States and Waterton Lakes National Park in Canada.

11. Addition of $12 million for 1959, 1960, and 1961, by Montana members' amendment, for forest development roads and trails. Additional $525,000 of this amount apportioned to Montana in 1958 for 2 forest roads in Bitterroot National Forest ($200,000), 1 in the Flathead National Forest ($225,000), and 1 in the Deer Lodge National Forest ($100,000).

12. Appropriation of $75,107,000 for Forest Service, as compared with $68,357,000 requested by administration, for range improvement, operation outdoors, fire control, reforestation, maintenance and operations, and timber sales.

13. Increased protection of national wildlife refuges. New regulations, stemming from legislation introduced by Montanans in Congress, will provide for orderly development of oil and gas deposits under game ranges while at the same time protecting the wildlife for which these lands are being managed.

TRANSPORTATION

1. Removal of 3-percent excise tax on freight, by enactment of legislation similar to that introduced by Montana Congressional delegation early in 1957.

2. Hearings in Helena, upon request of Montana delegation, by Senate Interstate and Foreign Commerce Committee, dealing with high Montana freight rates.

3. Hearing by Civil Aeronautics Board in Great Falls, upon request of Montana delegation, on Montana local (air) service case, which will be considered by CAB in Washington this fall.

4. Appropriation of funds for Chalk Butte Road near Cut Bank.

5. An act to extend to February 1, 1960, the life of the Alaska International Rail and Highway Commission, charged with studying additional highway and rail links between Alaska and the other States.

6. Appropriation of additional $3 million for public land highways for 1959, 1960, 1961, pursuant to Montanans' floor amendment, which permits construction of final portion of Lewis and Clark Highway.

7. Amendment of Forest Highway Act requiring cooperative study of forest highway formula by Bureau of Public Roads, Forest Service, and State which will lead to new formula for fund distribution. Amendment

also stopped administration from taking several hundred thousand dollars away from Montana in 1960 and 1961.

RECLAMATION

1. An act permitting establishment of adequate irrigation units on the $19.1 million East Bench unit in Beaverhead County. Water for some 28,400 acres now under ditch will be reregulated and irrigation for an additional 21,300 acres will be made possible as soon as conatruction funds are made available.

2. Appropriation of $2,538,000 for further work on the Helena Valley unit, for completion of pumping plant at Canyon Ferry Dam, 2.8-mile tunnel and 31 miles of main canal, and to continue construction of laterals and drains. This $12,516,000 project will furnish municipal water for the city of Helena, irrigation of 12,500 acres (some of which will start next spring) and may furnish supplemental irrigation for an additional 5,100 acres.

POWER

1–2. Allocation of funds, following approval of an act providing payment of $2.5 million to Crow Indians for Yellowtail Dam right-of-way, with provision that tribe may seek additional compensation in the courts.

3. Joint hearings by Senate Interior Committee and Senate Public Works Committee on management and operation of the upper Missouri River Basin, which helped lead to provision of 86,000 kilowatts of additional firm power to preference customers in Montana, the Dakotas, Minnesota, Iowa, and Nebraska.

4. Approval of Senate resolution, following joint hearings by Senate Interior Committee and Senate Public Works Committee, which directs these committees to continue their studies and submit findings as to ways and means of accelerating development and utilization of the natural resources of the United States.

5. Maintenance of 2-percent interest rate on REA loans, despite strong administration effort to increase rate.

AGRICULTURE

1. An act extending for 3 years the Wool Act under which wool sells at market price and domestic producers receive direct payments for the difference between the average market price and the support level.

2. An act providing bonus acreage allotments for production of durum wheat during 1957.

3. An act extending the farm export program.

4. Approval of 52,480-acre lower Willow Creek watershed project in Granite County, under which Federal Government contributes 35 percent of estimated $757,110 program of irrigation and flood-prevention work.

MINING

1. An act to extend the Defense Minerals Exploration Administration which provides Federal grants-in-aid for minerals exploration.

2. An act to increase from 5,120 acres to 10,240 acres the maximum acreage of public domain land which may be leased for the development of phosphate by any person or corporation in any one State.

3. An appropriation of $3 million which could be used, if the administration chooses, to start upgrading the $9 million Government-owned stockpile of manganese in Butte.

HEALTH

1–2. An act and appropriation of $1,750,000 for construction of community hospitals to be used by both Indians and white citizens, when the Surgeon General finds it more efficient to do so than to construct hospitals for Indian use only. Polson became the first community in the Nation to benefit from this act when it received $161,091 toward construction of a 40-bed community hospital. The communities of Wolf Point and Poplar are high on the priority list to receive aid under this program, after local problems are resolved.

3. Appropriation of $128,000 for Public Health Service to carry out its share of a cooperative study with the Bureau of Mines, of the cause and prevention of silicosis.

EDUCATION

1. Appropriation of $121,011 allocated to Montana for extending library service in rural Montana communities.

2. An amendment, to the act extending school aid to federally-impacted areas, which permits school districts to accept payments under Public Law 874 (Federal impact) without forfeiting right to seek payments under the Johnson-O'Malley (Indian education) Act, providing that duplicate payments are not made.

3. Appropriation of $360,725, or $54,380 more than last year, for the school lunch program in Montana. In addition, there will be a considerable increase in the allocation of high quality food, including protein items.

INDIANS

1. An act restoring to tribal ownership 41,450 acres on the Fort Peck Reservation and 5,481 acres on the Crow Reservation which were ceded by the tribe to the Government with the understanding that the lands would be sold and proceeds deposited to the credit of the tribe, but which were never sold.

2. An act providing compensation to the Crow Indians for 4,900 acres within the Huntley reclamation project. Under this act the tribe will get payment for the land ($70,000 to $75,000), an additional sum equal to the net revenues collected from leases since 1904 (estimated $56,000) and interest on the lease money which it should have been receiving since 1904 (estimated $30,000).

3. A detailed survey of Indian land sale practices, providing factual information upon which improved Indian land management policies may be based.

4. Initiation of successful effort to make surplus foods available to needy Indians on Montana reservations.

5. An act clearing title of Rocky Boy Indians to land previously added to their reservation.

WELFARE

1. Amendment of social security law to provide 7 percent increase in benefits, increase public assistance payments and provide benefits for dependents of disabled persons.

2. Reversal of Social Security Administration ruling, at behest of Montanans in Congress, so that victims of silicosis can receive social security benefits previously denied them.

VETERANS

1. Commitment by the Veterans' Administration to make modernization survey of Fort Harrison in September of this year instead of in 1932 as suggested by VA.

SMALL BUSINESS

1. Amendment of Small Business Act, by Montanans, to provide services of aid, counsel and assistance from SBA in Government sales, as well as procurement. This amendment was designed to meet the needs of small timber operators in Montana who will now be in a position to get advice and also borrow money from SBA for timber access road construction. Additionally, if they are unable to purchase Government timber, the small operators will be able to ask SBA to work out a set-aside sale for competitive bidding by small business.

2. Small Business Tax Revision Act, which provides small firms tax savings which can be used to finance future growth.

3. Small Business Investment Act which provides for injection of $250 million into small businesses, in the form of direct investment in the securities of small companies, or in loans.

NATIONAL DEFENSE

1. Amendments to Department of Defense appropriation bill specifically preventing reduction in funds and strengths for operation of Army National Guard and Army Reserve units. There are about 2,500 guardamen and 5,000 Reserviats in Montana.

2. Appropriation of $68,891,000 for military facilities in Montana.

GENERAL

1. An act amending the enabling act under which Montana entered the Union, to permit use of capitol building land-grant funds for reconstruction and renovation of the State capitol.

2. An act clearing title to lots in Harlowton.

3. An act to award $12,000 to the town of Medicine Lake, as compensation for the flooding of its municipal well because of flooding caused by a Fish and Wildlife Service dike and canal.

4. An act to retrocede jurisdiction over the Blackfeet Highway, previously held by the Federal Government, to the State of Montana.

5–6. Resolutions authorizing the statue of Montana cowboy-artist Charles Russell to stand temporarily in the Capitol rotunda and then be added to the permanent Statuary Hall collection.

INTERCESSION BY MONTANA DELEGATION WITH GOVERNMENT AGENCIES

1. Through negotiations with former Chairman Strauss of Atomic Energy Commission and the Small Business Administration, obtained for Roundup coal mines 100,000-ton-set-aside-coal contract in 1958 and 50,000-ton contract in 1957.

2. Obtained from Secretary of Labor surplus labor designations for Silver Bow, Flathead, Lincoln, and Meagher Counties. This designation gives affected communities preference by Government purchasers and makes it more difficult for a foreign firm to obtain a contract in this area.

3. Helped obtain from Internal Revenue Service retraction of its plans to require that purchasers sign for purchase of all firearms and ammunition and that retail salesman keep indefinitely the records of receipt and sale of the arms and ammunition. New regulations provide there will be no requirement that each purchaser sign for arms and ammunition, there will be no requirement that .22 caliber rifles and inexpensive shotguns be serially numbered, and records need be kept for only 10 years.

4. Helped obtain from Internal Revenue Service ruling that certain school expenses of teachers can be deducted for tax purposes.

5. Obtained from Internal Revenue Service decision of taxation of deferred payment wheat contracts which permits farmers to defer payment of taxes on wheat contracted in one year but paid for in a following year.

Sammy Cahn 25 Years a Songwriter

EXTENSION OF REMARKS
OF
HON. GORDON L. McDONOUGH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. McDONOUGH. Mr. Speaker, during the month of September, one of America's greatest writers of songs, Mr. Sammy Cahn, will celebrate his 25th anniversary as a songwriter.

Mr. Cahn is one of the most successful songwriters in the world today. He is a 14-time nominee for top academy award honors and his song, written with Jimmy Van Heusen, All the Way, was given an Oscar this year by the Academy of Motion Picture Arts and Sciences as the best song written for a motion picture, the Joker Is Wild, in 1957.

Mr. Cahn also wrote the first song written directly for a television production. This was Love and Marriage which was written for the TV production, Our Town, and it became an international best seller and was on the Hit Parade for 16 weeks.

Mr. Cahn is a dedicated songwriter. He has never lent his name to questionable music fads, but has written songs that come into the precincts of the family, and that have become a part of our treasure of American music.

America's writers of popular songs have contributed to the high morale of the American people in all times and under every vicissitude. Through wars and depressions, boom times and recession, when tragedy has stalked our paths as well as when happiness is on the faces of the American people, America's writers of songs have reflected the times in which we live, giving us songs of courage and faith in times of trouble, as well as songs of happiness and optimism.

Sammy Cahn is such a writer of songs. As one of America's greatest lyricists his succession of great and inspiring songs have over the years held top position on the Hit Parade more than 100 times. In excess of 10 million records have been made of these tunes and more than 50 million sheet music copies have reached the homes of people all over the world.

Sammy Cahn is not only a tremendously successful writer of songs, but is a very humble and grateful man, sharing the great gift God has bestowed upon him with the rest of mankind through the happiness a good song brings to people throughout the world.

The congratulations of the Nation go to Sammy Cahn upon the celebration of his 25th anniversary as a writer of America's songs.

Bridge Dedication

EXTENSION OF REMARKS
OF
HON. A. S. J. CARNAHAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. CARNAHAN. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include an address delivered by HON. CLARENCE CANNON, of Missouri, on the occasion of the dedication of the bridge across the Missouri River at St. Charles, August 16, 1958.

DEDICATION OF BRIDGE

Governor Long, members of the State cabinet, legislators of House and Senate, Mr. Whitton, officials of the Missouri State Highway Commission, Mayor Vogt, aldermen of the city, members of the chamber of commerce, distinguished visitors and friends, we dedicate today a great bridge, on a great highway, spanning a great river, in a great State and a great city, for the service of a great people.

Rivers—and especially the Missouri River, the longest and most uncontrollable in America and, with the Mississippi, the longest in the world—have been for time immemorial impassable barriers which interrupted commerce, delayed traffic, impeded progress, devastated cities, and divided peoples.

It follows that bridges are an index of civilization. Seeking a way to pass chasms too deep to climb or rivers too wide and too swift to swim, the story of bridge-building is a forward-looking chapter in the history of mankind.

Traditionally, the tide of empire has been westward. More than 2,000 years ago 25,000 men in China labored 18 years to build a stone bridge. Every vestige of that era has been swept away. Only the bridge remains. At Smyrna in Asia Minor there is a stone bridge across the Meles River which was used by Homer, the father of history, in his boyhood, and 850 years later, by the Apostle Paul on his divinely appointed mission to establish the Christian church. But today we build in America the mightiest, the strongest, the most serviceable bridges the world has yet seen, as is demonstrated here this afternoon in the year 1958.

The first highways were military highways. The Appian Way through the Roman Empire was built to facilitate the movement of Caesar's armies. Hitler's autobahn was built primarily to transport German troops and military supplies from one side of the empire to the other.

And so, the first bridges, likewise, were military in character and were protected by strong towers at either end from which the defenders repulsed the attacks of enemies seeking to use the highways to invade the homeland.

The longest bridge of ancient times was thrown across the Hellespont and across it the Persians marched 2 million men to conquer Greece. In our own history, the struggle for American independence began on a bridge—the Old North Bridge—on which the embattled farmer stood and from which he fired the shot heard round the world.

But the bridges of today are the products and instrumentalities of peace and progress. They are erected in response to economic and commercial needs and requirements and to promote the interchange of commerce, commodities, ideas, culture, and industrial prosperity.

They influence communities more directly, more permanently, and more profoundly than any other industrial development. The Eads Bridge determined once and for all the primacy of St. Louis among Mississippi River cities. It became immediately the focal rail and highway crossing of the Mississippi Valley. It directed to St. Louis the migratory routes of the Nation and centered there plants and factories, trade, financial, and industrial networks which could have been brought together so effectively in no other way.

In like manner this vast and dominating structure, which we open today to the traffic of the world, brings to this area, unerringly and inevitably, world note and world commerce which will grow and multiply with the passage of the years. St. Charles is no longer provincial. It is national. It is henceforth an integral part of a transcontinental system which reaches into every desirable avenue of thought and enterprise in the Nation. And there lies just ahead such a period of expansion and development as it has never before witnessed or dreamed of.

It is gratifying to note, incidentally, that this bridge joins and consolidates east and west highways into one great thoroughfare to be known as the Mark Twain Expressway. That name is characteristically and distinctively Missourian.

In earlier days when I went east and they learned I was from Missouri, they invariably asked me about the James boys. In later years they always asked me about Mark Twain. More copies of his books are sold today than during his lifetime.

But today when they learn I am a Missourian, they ask about our Senator SYMINGTON.

And with him, and over this great expressway, we drive ahead into a greater and better future.

But this bridge is not a mere physical structure of steel and concrete, a mere matter of money and blueprints and faultless engineering. It is wrought of the dreams of men. It not only marks the highest attainment of science and mechanics, it is a poem stretched across a river, a symphony in metal and stone, the mystical union of strength and beauty.

It is a symbol of friendship. It brings from the four corners of the world strangers who leave as friends. It beckons us. It welcomes us. It offers safe conduct to the other side. And in retrospect, it wishes us Godspeed.

And so we dedicate this bridge. With uplifted hearts and reverent faith and pride of accomplishment, we dedicate this bridge, as enduring as the pyramids, to enduring friendship with all who come this way. We dedicate this bridge to the promotion of commerce and industry, to the maintenance of safe and swift transportation, to the increased prosperity and happiness of every citizen of the State and city—and to the welfare and advancement of all mankind.

And we here, now and forever, consecrate it as an imperishable heritage to the service of generations yet to come.

Selah!

Needs of People Who Work for a Living Deserve Greater National Attention

EXTENSION OF REMARKS
OF
HON. KATHRYN E. GRANAHAN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. GRANAHAN. Mr. Speaker, in these closing hours of the 85th Congress, as we try to clean up the multitude of loose ends in the flood of legislation which has been speeding through the Congressional process, I would like to take this opportunity to express my own deep concern over the lack of concern demonstrated by the Eisenhower administration over so many urgent needs of the general public.

This Democratic Congress has done, I believe, a remarkable job in drafting and enacting laws to improve living standards, increase social security benefits, guarantee the civil rights of the people, and otherwise reflect the humanitarian principles of the Democratic Party.

But the Congress, as we all know, has been rather narrowly divided between the two parties. In the Senate, for instance, the division has been 49 Democrats to 47 Republicans. It is not a situation in which the party in control

can always take uncompromising positions because frequently we have to make substantial concessions to the other side in order to assure sufficient votes for passage.

This has been true in many areas of legislation benefiting the average family. The concessions have sometimes had to be so significant that the final bill, when it emerges, is only a shell of what is was originally intended to be. The education bill is a good example of that—scholarships were eliminated in favor of loans.

HOUSING BILL DEFEATED

Even when the concessions were made, we could not always get through desirable legislation if the Republicans as a party refused to help. This happened, unfortunately, on the housing bill. The Republicans in the Congress, and Mr. Eisenhower, too, apparently preferred to have no housing legislation at all this year rather than a bill which would really spur forward in great strides the tremendous work now under way to eliminate slums and rebuild our great cities.

Philadelphia, under the leadership of former Mayor CLARK and of Mayor Dilworth, has made truly remarkable progress in urban renewal. These programs were launched, as we all know, under the Truman administration, when the urban renewal program was put on a practical basis and the pioneering legislation was enacted.

The urban renewal programs which we began in Philadelphia have become showplaces for the whole country, to demonstrate the value of this great Democratic program for rebuilding and renewing our cities and rescuing them from blight. As a result of the intense interest developed in this program by our programs in Philadelphia, every large city has now made strong demands upon the Federal funds for urban renewal.

The housing bill would have assured the steady expansion of the program. Instead, thanks to Mr. Eisenhower's opposition and the opposition of so many members of his party in the Congress, this program will slow down and die unless the new Congress can push through new legislation soon after the start of the new year.

AID TO SMALL BUSINESS

Throughout the past year, we on the Democratic side in the Congress have been deeply concerned about the business recession which has caused so many hardships in our major industrial centers. Small-business failures have been occurring at record levels. I have frequently called this fact to the attention of the House of Representatives.

Out of our concern, we have brought to enactment a far-reaching bill to provide new sources of credit for small business—a program which can rescue the hard-pressed owner of a small concern from exorbitant interest rates or impossible conditions connected with necessary loans for business purposes. The Small Business Investment Act is probably the most important piece of legislation in this field since the days of the early New Deal, when the full resources of Government were thrown into the fight against depression and businessmen found the means to borrow the money they needed at reasonable rates.

But I want to make abundantly clear that I do not believe we solve a business recession merely by lending money to business. That was the whole philosophy of the Hoover administration, and it has characterized much of the thinking of the Eisenhower administration.

The biggest need to assure prosperity is to assure, first and foremost, the purchasing power of the great mass of the public. If people have decent wages they will spend for the necessities and good things of life. If they are without jobs, or on unemployment compensation, they cannot be fulltime participants in the economy.

RECESSION BASED ON REDUCED PURCHASING POWER

We got into this tragic recession by short-sighted policies of squeezing down on credit and increasing interest rates and by neglecting the needs of the average family. As unemployment began to spread, the hardships multiplied, and soon we found ourselves deep in the morass of a depressed economy. Our major cities, as I said, joined the ranks of distressed areas—areas of substantial unemployment.

We have tried to devise plans for our National Government to follow in fighting the recession. But always, the remedies which would benefit the average family are disdainfully rejected by the Republican administration on the grounds that they would cost too much—or be inflationary—or would not be necessary.

I am reminded, of course, of Mr. Hoover waiting for prosperity to come around the corner in 1929, while the great depression continued to get worse.

For Mr. Eisenhower, too, has been waiting patiently for economic conditions to improve. That is not the way to fight unemployment. It takes imagination and boldness, not drift and apathy.

CIVIL RIGHTS ISSUE STILL URGENT

Even in the explosive field of human relations—civil rights—this dangerous policy of drift has been followed. We passed last year the first real civil-rights bill in generations, but it has not yet been used. Soon the schools will be reopening. Will the forces of decency prevail or will violence be permitted to keep American children out of classrooms?

We have known for months that the problem will arise and will be difficult to solve. But waiting for events and doing nothing to influence them, will not solve any problem—particularly one as important as this one to our Nation and to the Free World.

What a travesty it is on the traditions of American freedom that in some parts of the world the dictator countries are able to succeed in picturing Americans as inhuman beasts?

Mr. Speaker, I do not want to take the time to go into great detail on all of the bills we have considered and the decisions we have reached. The 85th Congress has been a very productive one. The record is generally an outstanding one. It has been compared with the first 100 days of the first Roosevelt Congress in 1933–34. As I indicated, I think we left too many things undone and have much to do next year and the year after in the 86th Congress to continue to make this a better country for all of our people.

But I have been impressed in these past two years by the hard work and devoted effort which are necessary to get anything done of a new or progressive nature. From my husband's experience while he was a Member of Congress, I knew, in a general way, how much work and effort went into the legislative issues in which he was concerned. But now, I have seen at first hand the tremendous scope of this work.

CONGRESSIONAL WORKLOAD VERY HEAVY

I have tried in these past 2 years to learn as much as possible of the day-to-day operations of the Congress. I think my record for attendance has been an outstanding one. The Rules of the House are extremely complex, and learning them is a career in itself. I have tried to do my homework on legislation while also keeping up with all of the problems in my own Congressional District in Philadelphia. It has been hard work—very hard work. But I have never known any work more satisfying or more challenging.

I am grateful to the people of the Second Congressional District of Pennsylvania for having selected me in November 1956, to fill the unexpired term of my late husband in the 84th Congress and for election to the full term in the 85th. Thus, while I have actually been in office only since November 1956, I am for the purposes of committee seniority now completing my second term in the Congress, and this, of course, is a major advantage both for me and for the people I represent.

GRATEFUL TO DEMOCRATIC LEADERSHIP

I want to thank you, Mr. Speaker, and the Democratic leadership generally, and the dean of our own Philadelphia delegation, Congressman WILLIAM J. GREEN, Jr., and all my colleagues, for the many courtesies and the great assistance they have extended to me in innumerable ways during the past 2 years.

These have been challenging years involving many difficult decisions and much hard work. I have tried in every way to represent the best interests of all of the people of my District and of the whole country.

The needs of our people are the most important responsibility of Congress. The needs of the people who work for a living deserve much greater national attention. In social security, FHA and GI housing, unemployment compensation, education, the working conditions and pay of Government employees—on these and many, many other things we have compiled a generally good record. But there is so much yet to be done. The work of Congress is never finished. New problems present themselves and must be solved.

It is a great and wonderful thing for me to have the opportunity, in behalf of the people of my District in Philadelphia, to try to help solve these urgent national problems. I shall continue to try with all my might to do the best job I can. Thank you.

Secretary of Agriculture Ezra Taft Benson at Colfax, Ill.

EXTENSION OF REMARKS
OF
HON. LESLIE C. ARENDS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. ARENDS. Mr. Speaker, it was my great honor and pleasure to have the distinguished Secretary of Agriculture visit my Congressional District, and to be privileged to introduce him to the vast crowd that attended the Tractorama, at Colfax, Ill. On this occasion there was on display the newest farm equipment, and on this occasion our Secretary of Agriculture delivered a very inspiring address.

Under leave to revise and extend my remarks, I am placing in the RECORD my speech introducing him and his fine speech to the farmers from all parts of the country who were present.

This is the third annual Tractorama. You see here today more dramatic and more emphatic than any words of mine what is, and has been, taking place in agriculture. What you see here today in mechanical equipment says more graphically than anything I might say how the science of farming has changed.

The number of farms throughout the country has been decreasing, but their size and production have been increasing. We have been experiencing an agricultural revolution, just as at one time in our history we experienced an industrial revolution. The industrial revolution ushered in the machine age, new and faster modes of transportation, on water, on land, and in the air. In due course, through the inventive genius of man the machine has been applied to farming. This is all a part of progress.

With the rapid transition from farming by horse and plow to farming by power-operated equipment there has inevitably arisen many problems, both to the individual farmer and to the country as a whole. But however pressing and however grave those problems may be, we will solve them. The American people have always been, and will continue to be, a people of imagination, ingenuity, and determination. That is why we are the most productive and the most powerful nation in the world.

Such events as this contribute immeasurably for giving us, as farmers and as city dwellers, as producers and as consumers, a better understanding of the Nation's overall agricultural developments and our mutuality of interests. As producers and as consumers we must work together for a sound solution of those problems that confront the farmer.

It is indeed a great honor for me to be invited to participate on this program. I have the distinct honor of introducing to you our distinguished guest speaker—the Nation's No. 1 farmer.

Perhaps, in the light of his duties and responsibilities as our Secretary of Agriculture, and especially in view of his personal dedication to a faithful discharge of those duties and responsibilities, it would be more accurate to say that our distinguished guest is the Nation's No. 1 farmhand. While an Idaho dirt farmer in his own right, he has devoted practically his entire life to serving the farmers. At one time he owned and operated his own farm; and, while so doing, he served as a county agricultural agent.

Beginning with his early college days at the Utah State Agriculture College, he has devoted his life to farming and farm problems—always seeking new opportunities and larger areas for service, and always assuming heavier duties and graver responsibilities in the service of agriculture.

His has been a life of service. Today he is our Secretary of Agriculture, the Nation's No. 1 farmhand, if you will, for that is the way he looks at his present job. He is daily working tirelessly for your welfare and for the welfare of all the farmers throughout the country.

I shall not take the time to tell you what our distinguished guest has accomplished, in spite of many obstacles placed in his way.

It has been my rare privilege to work closely with our distinguished guest speaker. I know him well. And the more I know him the greater becomes my admiration and respect for him. No man ever served in public office more devoted to public service. Whether you agree or disagree with what he advocates, there is no denying the fact that what he advocates is not based on any political consideration but simply on what he believes to be right. He is a man of high principle, firm in his convictions and with the courage of his convictions. He seeks only to serve, and he is serving well all of us who are so deeply interested in agricuture.

It is my high privilege and great honor to present to you our beloved Secretary of Agriculture, the Honorable EZRA TAFT BENSON.

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON

It is an honor and privilege for me to be here today and to have been introduced by Congressman ARENDS.

As I look over this display of mechanical might here today, I recall my early days on the farm and the machinery, or lack of it, that my good wife and I had at our disposal. Many of you here can share similar memories with me. We've come a long way in a short lifetime.

The power and versatility of this equipment also reminds me that last month at a county fair near Washington I watched a pulling exhibition of draft horses. They are wonderful animals and I thrilled as I watched them perform. I began driving horses on a spike-tooth harrow as a 5-year-old and at 16 I was driving 8 head on a harvester. I've never been able to get as much of a thrill out of driving an automobile as I did from handling a good team. I love horses and ride at every opportunity.

But the workhorse is almost gone and with it an era has ended. It is difficult to realize that in our lifetimes we have witnessed this tremendous technological revolution that has done so much to change farming from a small, self-sufficient enterprise to a business.

This has meant great advancements in farm production and efficiency and has done wonders to promote the standard of living of farm families. It has meant, too, problems of adjustment between what almost amounts to two different ways of life.

We have moved from a world of horses, steam threshing machines, setting hens, country butter, family orchards, and general farming to a streamlined, mechanised, commercialised, specialised type of farming.

The farming business is no longer a simple way of life.

In but 17 years farmers increased their ownership of tractors from 1.5 million to 4.5 million; of grain combines from 190,000 to 1 million, and of milking machines from 175,000 to more than 700,000.

In short, we have substituted mechanical power for muscle power.

We are in the midst of that adjustment period now. Our argiculture is dynamic, and ever changing. We must keep an awareness of this as we face up to our problems. Our solutions must not be political panaceas, but programs based on the tradition of free enterprise in this the greatest of free nations.

We are concerned here today with the mechanics of farming and all that this implies. Farm mechanization is a continuing story of remarkable progress—progress made possible by the farmer, by industry, by government, and by the research scientists.

All four groups have important roles in developing mechanical equipment and the techniques for using them effectively, safely, and without damage to the greatest of all our natural resources, our soil.

Much of the push behind the rapid mechanization of agriculture is due to the vigorous and highly competitive farm machinery industry. This event today and tomorrow is a perfect example of this. The farm tractor companies represented here are not present to sell their products, although I suspect they have some interest in that aspect of the show.

They are here, rather, to sell better methods of farming to the men and women of the soil who have become the most efficient farmers in the world. Only a scant few years ago, in 1950 to be exact, the American farmer produced enough for himself and 14 others. Today he produces enough for himself and 23 others. Tomorrow who knows? Compare this with that well-known country in Europe which is trying to overtake us in farm production. There the farmer produces only enough for himself and three others.

Not only is the American farmer the most efficient in the world, he is also, I am sure, the most resourceful. Through his unequaled ingenuity he has been the source of many of the improvements in farm implements.

Much of the credit for these marvels of our mechanical age, of course, belongs to the brains, imagination, and competitiveness of American industry. I salute the companies represented here today and the many others who under our system of free enterprise have contributed to the productivity and abundance of this blessed land.

Credit must be given not only to the manufacturer and the farmer, but also to the man who harmonises these operations, the research scientist.

Without our scientists and engineers, the farmer would not have been able to use his machinery properly and effectively. This research, conducted jointly by industry, the Department of Agriculture and State experiment stations, is all important.

I am speaking of three specific fields of research:

1. Research by engineers to establish principles for designing equipment especially suited to farm needs.

2. Research by crop breeders to develop varieties well suited to mechanized production.

3. Research by soil scientists to establish guides for using machinery on our land with the least amount of damage to our soil.

Some of you here may remember when the first cornpickers came to market more than 50 years ago. There are a number of reasons why they did not become popular immediately. One reason was that corn of the open-pollinated variety was not suited to mechanical harvest. The stalks were not strong enough. The ears were at various heights.

Scientists were just beginning then the basic studies that gave us hybrids.

So our crop breeder scientists went to work to suit the crop to the machine. The hybrid was developed from inbred lines that would produce corn more suited to machines—hybrids with stalks that would remain erect until harvest and with ears of uniform height.

The first of these were becoming available in the twenties when the tractor-mounted cornpicker was placed on the market. In the past 20 years we have watched the cornpicker follow hybrids into fields across the country. More recently, the cornpicker sheller has come into the picture.

In 1940, before hybrids were well established and machinery fully used, it took 33 man-hours to produce 100 bushels of corn in Illinois. With machinery and techniques in use today, the job can be done in just one-third of the time.

And further progress is in sight.

Experimentally, engineers and scientists in Federal-State research are producing good yields of corn with only three operations in the field:

1. When the corn is planted.
2. When additional chemicals for weed control are applied.
3. When the crop is harvested.

This not only saves labor, but more important, it will also protect our land. Too much use of heavy machinery can damage soils. Scientists have been aware of this for many years. They know some soils are more susceptible to damage than others. Recently, engineers have devised a strain-gage that can be planted in the soil for tillage tests. This will help in gaining better understanding of the effects of heavy machinery on soils.

The conservation of the land of our heritage has long been a vital concern to us. We in the Department have many services designed to protect and conserve this basic resource. We are constantly striving through educational and assistance programs to help farmers keep land not only productive for themselves but for the generations to come.

Only 2 weeks ago I attended the National Plowing Contests and Conservation Exposition. I imagine some of you here today were present at that affair in Hershey, Pa.

There we were reminded in the midst of acreage of great beauty that we are stewards of the soil and that we are entrusted with these magnificent resources of soil and water, grass, timber, and wildlife.

They have been entrusted to us by the Almighty to use wisely, to safeguard jealously, to improve diligently, and to pass them on in a better condition than when we received them.

To do less than this might well be to imperil the future of our Nation—and to jeopardize freedom, the most precious of our American birthrights.

This duty to preserve the soil must constantly be borne in mind as we find new and more efficient methods of causing the land to yield more and more of its abundance.

Although we have made enormous progress in farm mechanization, we haven't moved ahead at the same rate in all types of work.

Our big gains have been in the mechanization of field crops. We haven't done nearly so well in adapting machinery to the production of fruits and vegetables. And many of the chores around the farmstead are done today just as they were in grandfather's day.

In the past 20 years, here in Illinois, the labor required to produce 100 pounds of milk has been reduced by 1 hour and 12 minutes—or 36 percent. The labor required to produce 100 pounds of pork has been reduced by 24 minutes—or 14 percent. And that to produce 100 pounds of beef has been cut by 12 minutes—or 6 percent.

Meanwhile, there has been a great increase in the number of farms with electricity—from less than 4 in 10 at the beginning of World War II to more than 9 in 10 today. Nearly all of your farms are now receiving power from a central service.

At the same time, the farm equipment industry has developed many improvements for farmstead mechanization. On the market today are self-feeders and automatic watering tanks, self-unloading wagons, conveyors and blowers, tractor feed scoops, and gutter cleaners.

You have the power. Much of the machinery is available. The big task is to fit these things together into a labor-saving system that is well engineered and is economically sound.

We are making progress toward that goal. And here too, teamwork among scientists and engineers of many specialities is helping to get the job done.

I came to Washington in 1953 with only one purpose in mind—to do the best possible job I could for farmers. I am still in Washington and I am still dedicated to doing the best possible job I can for our farm families and all of our people.

Here are the things this administration stands for:

1. Freedom to plant. This means freedom to grow what you wish on your own farms. Not what some bureaucrat thinks you should grow.

2. Freedom for farmers to make their own management decisions. I believe and I know you believe that we can't run the Nation's farms from a desk in Washington.

3. Getting rid of every undesirable control and taking the shackles off farmers' efficiency. You American farmers are the most efficient in the world and we should not only be grateful for this, we should take advantage of it.

4. Building farm markets at home and abroad. We must accept the fact that in order to sell goods we must price them to sell—there is no satisfactory substitute for markets.

5. Getting food into stomachs instead of storage. Farm products are meant to go to market and a Government warehouse is not a market.

6. Helping all farmers to help themselves, especially those on smaller farms.

7. Using our ability to produce abundance for the blessing it really is.

Many of us have fought hard for this program and we have made progress. Not all of our problems are behind us by any means. It is well at times to take stock and see where we've been and what we've accomplished. Let's take a minute to do this now.

When this administration came into office in 1953 we found farm prices skidding downward and a large and fast growing stockpile of farm commodities. The production throttle had been left wide open with unrealistic Government price fixing that was losing us markets at home and abroad.

Price support provisions with bipartisan support had been enacted in 1948 which would have done much to prevent this. Both political parties endorsed a wider range of price supports in their 1948 platforms. But the act of 1948 was never allowed to take effect.

Had it gone into effect we would now have a more efficient agriculture, a stronger economy, fewer controls and more freedom, no need for a Soil Bank and huge surplus disposal programs.

In the past 5½ years we have done everything we could to remove the chains of unsound price supports and rid agriculture of the burden of price-depressing surpluses.

As soon as we could—in 1954—we introduced a measure of flexibility—all Congress would give us—into the price-support program. By law it did not become effective until 1955 and then the range was so narrow—82½ to 90—that it helped very little.

In the 85th Congress just ended we increased the range of price supports on a few crops. This is encouraging as it indicates a growing realization by the Congress of the merit of this policy. This wider range of supports will help meet our problems in cotton, rice, and corn when they begin to take effect in the next year or two.

We secured enactment of legislation which has helped and is helping to pull down our surpluses.

We obtained, and have used to the limit, legislation to speed up the movement of farm commodities—especially surplus commodities—into markets at home and abroad.

We started a rural development program to aid rural people in underdeveloped areas.

Appropriations for agricultural research have been increased by 95 percent since 1953. We are especially emphasizing marketing and utilization research—that is, new outlets and new uses for farm foods and fiber.

These have been sound and progressive steps—every one of them. And they have been effective. During the past 2 years the agricultural situation brightened and in the past few months has been the brightest spot in our national economic picture. There is no recession in agriculture.

Of course, there are bound to be some fluctuations in prices, such as we are experiencing now. In fact, it is normal for prices to change seasonally, particularly in the fall as the crops are harvested.

I am grateful that the first half of this year showed a net rise in income for farmers of 22 percent over the first half of last year. Crops are bountiful and prices are above last year. We can all be thankful for that.

There is a brighter light shining into the future, too.

Crippling allotments and artificial pricing have been a ball and chain on agriculture. It has had the effect of freezing agriculture in uneconomic patterns, destroying markets and piling up surpluses.

Fortunately, we were able to achieve in Congress another major step in reducing this handicap. Although it is not all the administration sought, the new farm law is based on the sound principle that a wider range of price supports will lead to expanded markets.

It will help our cotton, corn, and rice producers.

The new law takes a firm step toward making cotton more competitive with synthetic fibers and more competitive in world markets, and it will permit a wider use of our cotton by domestic mills.

It widens the range of price supports and provides greater acreage for cotton and rice.

It makes available a wider range of price supports for all corn producers and gives them an opportunity to decide on acreage restrictions by referendum not later than December 15 of this year.

If the majority of corn producers voting in the referendum approve, acreage allotments in the commercial corn area will be discontinued. If the majority disapprove, acreage allotments for corn will continue in effect. Price support will be continued in either case, but a different support is provided in case acreage allotments are discontinued.

Farmers voted against corn allotments in the referendum held in December 1956. At that time over 61 percent of the corn producers voting indicated that they preferred eliminating the allotments; but since a two-thirds majority was required in that instance, the allotment program remained in effect. Then farmers voted again, this time with their corn planters. Only 14 percent of the 1957 production in the commercial-corn area was eligible for price support, because relatively few farmers complied with their allotments.

Here in Illinois, about 80 percent of the farmers voting in the December 1956 referendum favored ending the allotments. And in 1957 only 1 acre in 7 was planted within the corn acreage allotment program.

The Congress continued the special school milk program, just as it was about to expire and deny milk to the thousands of children in summer schools and camps. After a costly delay, the Congress also extended the act

permitting us to market our surplus foods and fibers abroad. It also extended the National Wool Act which is designed to stimulate production of a deficit commodity.

But while we achieved some gains in legislation this year and although the farm economy is bright, some aspects of the agriculture problem are still with us. We need to continue to move forward.

Speaking of corn, as we have been here today, puts me in mind of hogs. The favorable prices for hogs in recent months in relation to feed costs may have encouraged some farmers to plan to increase their hog production.

I should like to again caution farmers that favorable hog prices can be maintained only if production is held to the quantity and quality that can be sold in the market place.

An overexpansion in hog production will lead inevitably to lower prices and less income and unnecessary problems.

We still have problems in some commodities such as wheat and tobacco. Our wheat carryover looms large and we are continuing to lose our tobacco markets.

The cost-price squeeze still exists as a basic problem, because the damage was done years ago. During the period from 1940 to 1952, the index of prices paid by farmers increased more than 100 percent. Since then we have largely checked this rise in costs. From January 1953 through June 1958, this index rose only 7 percent.

We shall continue to face our problems realistically, and work with dedication toward their proper solution, holding always to this firm belief that under this blessed free enterprise system, we must steadily move toward freedom, freedom for farmers to plant, freedom to compete, to market, and to make their own decisions, free from any dictatorial dogmas from a desk in Washington.

We have made progress as you have seen. Let us take a glance at some of these results:

Realized net income of farm operators in the first half of 1958 was at an annual rate of approximately $13.3 billion, 22 percent higher than in the first half of 1957. Gross farm income in the first half of 1958 was the highest on record.

Income per person on farms, from all sources, was $967 in 1957, 8 percent higher than in 1956, and the highest since 1951 during the Korean war. And this average may well set a new record in 1958.

Farm assets are at an alltime high—$188 billion as of January 1, 1958.

Farm ownership is also at a record high. Two out of every three farms are free of mortgage debt.

The postwar downtrend in prices which started in 1951 has been stopped and turned up. Prices received by farmers in the first half of 1958 were 8 percent above a year ago and 10 percent above 2 years ago.

Farm exports set a new alltime high record in 1957 and continue at a high level in 1958.

The buildup of surpluses has been reversed. Government investment in surplus farm products owned and under loan has dropped about one-eighth in the past year and a half.

The standard of living on farms is the highest in history, based on the percentage of farms with electricity, telephones, automobiles, and the purchasing power of the average value of farm products sold or traded.

Such facts, and there are many more, shows great farm progress. Agriculture is marching forward.

As agriculture and our Nation march forward together, let us remember that there is no other span of time so bountifully endowed as the years of our generation. We occupy a very special spot of the world's surface at a very special time in history.

We have achieved this enviable position, due in no small measure, I believe, to our heritage of freedom and spiritual values. It is part of my religious faith that the God of Heaven guided the Founding Fathers in establishing this Nation.

It will continue to be a land of freedom and faith as long as we are able and willing to advance in the light of sound and enduring principles of right.

We exist in a world half slave and half free. There are those among us and about us who would snatch away our freedom if given the opportunity. We must be eternally on our guard against them.

Our challenge is to keep America strong—strong economically, strong socially, and, above all, spiritually strong—so that our way of life may endure.

Let us here today rededicate ourselves to keeping our Nation strong and free. Let us firmly resist every move to socialize and regiment our lives. We who are concerned with the cultivation and preservation of the soil have a specific task. We must constantly work toward an expanding, prosperous, and free agriculture.

If we achieve this—and we must, and will with the help of Almighty God—we will have done our small part in this life to preserve the principles laid down by the Founding Fathers of this great and blessed United States of America.

God grant that we may remain ever mindful of our blessed heritage and of our duty to preserve our free-enterprise system and our American way of life for our children and the generations as yet unborn.

America in Danger

EXTENSION OF REMARKS

OF

HON. JOHN H. RAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. RAY. Mr. Speaker, in recent writings, Lt. Gen. James Gavin has warned that America is in mortal danger.

The junior Senator from Massachusetts has reacted to the danger by a brash, imbalanced, and myopic speech of generalities with no detailed remedies. His apparent philosophy that we take a bow to Russian superiority, even before Russia is superior, and adopt the underdog strategy, constitutes great dangers in themselves.

I agree with General Gavin that we are in mortal danger. I believe this danger is even greater than he has realized, especially since Senator KENNEDY has spoken.

The Soviet strategy in the cold war is not bound by military objectives. It extends to the economic, psychological, and political fields. The Reds delight in making pretended attacks to distract their opponent into weak positions. Having thus made a sucker of the victim, they then attack the exposed flank.

The KENNEDY philosophy, I fear, will open up our flanks.

I do not believe the young man who has such lofty ambitions realizes that we must be wary of the mystification and deception of Soviet strategy. We cannot forecast with accuracy the exact pattern of zigzags, ebbs and flows, feints and spoofs the Russians will use.

But what we can do is to retain the initiative, not be trapped into false moves, and never give in to the defeatist attitude of adopting an underdog strategy.

The military danger confronting us is great, and General Gavin has tried in a constructive way to alert us to it.

But will not someone equally authoritative sound the alarm to economic danger?

The architect of communism, Karl Marx, predicted the fall of the West through the bloodless revolution rising from capitalistic bankruptcy. Sacrosanct to the true Communist is the belief that the fall of American way of life will come inevitably through a foreordained historical process seated in an economic dialectic.

Remember, Hitler did exactly what he notified the sleeping world he would do in Mein Kampf. The Communists might keep their word also.

The greatest danger in the Soviet threat is its multiplicity.

Yet multiplicity is not new to military problems. General Gavin has pointed out that he grew up reading the classical volumes of The Great Captains, by Col. Theodore Dodge.

The theme of Colonel Dodge's work is that the so-called great captains of history—Alexander, Hannibal, Caesar, Gustavus, Frederick, and Napoleon—were more than just brilliant battlefield generals. Their perception extended far beyond the clash of arms. They saw war as a whole and realized it is possible to win without a battle.

The great strategist of the future will be he who can see through and meet the multiplicity of the Soviet threat.

He will see total war, limited war, ideological infiltration, internal subversion, political maneuvers, and economic tactics as but the many facets of Soviet overall strategy.

Like the other great captains, he will realize that the response to this challenge certainly is not to fight a thousand battles on a thousand fronts.

That spells exhaustion.

He will follow Napoleon's sacred dictum that the best general is he who can separate the secondary from the vital, even in the fog of war.

He will recall that Hannibal won his most brilliant victory by leading the enemy at Cannae into a false attack on his center. As the Romans poured their legions into the jaws of Hannibal's yawning trap, his reserves closed in on their flanks and rear to consummate the classic encirclement of all military history.

The masters of the Kremlin hope to lead America into a Cannae.

If they can so mystify and mislead us into false and rash buildups, it will be easy for them to close the trap.

We cannot predict the exact design of the Soviet grand strategy, any more than the Romans could have predicted Hannibal's design. For deception is the heart of good strategy.

But we can do what the Romans did not do—we can look in more directions than one.

As head of research and development for the Army, General Gavin made an inestimable contribution to our country. Naturally, he concentrated on the Army's particular phase of the problem.

But now he has put aside the uniform. He has the opportunity to make a greater contribution to our country by looking in more directions than one. I hope that now he will take the time to study the grand strategical problems confronting our country in the economic, political, and psychological fields, as well as the battlefield problems of brush fire war. In this way, he can help us avoid a Cannae.

If General Gavin thinks as did such military intellectuals as Dodge, Von Clausewitz, Jomini, and Mahan, the concept of economy of force will take paramount position. Frederick the Great expressed it when he warned that the general who tries to be equally strong everywhere will end up being strong nowhere.

Misguided and reckless spending of energy in all directions has afforded time and again the prelude to crushing defeat.

In military history, the masters of strategy all recognized this.

When it seemed that Richmond would fall in 1862, that brilliant Confederate strategist, Stonewall Jackson, raced down the Shenandoah with a microscopic army to threaten Washington. The weakhearted defeatists panicked and forced Lincoln to retard McClellan's offensive on Richmond, which could have ended the Civil War.

Panic and defeatism destroy economy of force.

Panic and defeatism confuse the important and unimportant, and sap brilliant chances of success through fear of failure.

This leads to a consideration of Senator KENNEDY's remarks.

The comparison is obvious. Panicky inhabitants of Washington wanted Lincoln to adopt the underdog strategy when the greatest advances were being made on Richmond. They were suckers to the Confederate deception.

President Eisenhower is doing all possible to preserve our economy of force so that America can act at the decisive time and at the decisive place in the dangerous decades ahead. Granted, more money could be used in building defenses in all areas of the Soviet threat.

We could spend and spend.

We could initiate crash program after crash program.

But by listening to the cries of the defeatists who would forfeit the true initiative to the Soviet and accept the strategy of the underdog, we would walk into the trap of Cannae.

In the dangerous decades ahead, it is important that Members of Congress afford administrations constructive criticism. I strongly support Senator KENNEDY's efforts to point out the danger facing us. But, I strongly deplore his destructive and defeatist psychology propelling panic and fear.

His remarks were vague generalities. Afterward, Senator CAPEHART attempted again and again to extract from him some specific recommendations. About all the junior Senator from Massachusetts could offer was the suggestion that we build more submarines and airtankers and do more work on the Polaris.

He displayed no idea how much more money should be spent by the Military Establishment, and he begged off answers by saying he was not a member of the Committee on Armed Services.

By recommending that we follow the strategy of the underdog he actually encouraged further Soviet aggression. His timing of such remarks while our Nation was negotiating in the United Nations over important and sensitive issues was most irresponsible and deplorable.

His sense of history was out of kilter when he implied that his present role resembled that of Churchill warning England against the aggression of Hitler in the 1930's. For Churchill was always positive, and magnified the basic spiritual and moral strength of the great English-speaking peoples.

Senator KENNEDY has minimized our assets and maximized our liabilities.

Churchill demanded that the English seize the initiative from Hitler.

Senator KENNEDY asked that we forfeit the initiative to the Kremlin.

Churchill found counsel in his courage.

Senator KENNEDY found counsel in his fears.

In viewing the so-called missile lag, Senator KENNEDY entirely skipped the heart of the problem, which had been so well struck by Wernher von Braun.

When Russia fired her first sputnik, Von Braun assigned the responsibility:

> The main reason is that the United States had no ballistic missile program worth mentioning between 1945 and 1951. These 6 years, during which the Russians obviously laid the groundwork for their large rocket program, are irretrievably lost * * * thus our present dilemma is not due to the fact that we are not working hard enough now, but that we did not work hard enough during the first 6 to 10 years after the war.

There is a great gap between what Senator KENNEDY preaches and what his own party practices. Ninety-nine percent of the money spent on long- and medium-range guided missiles has been spent by the Republicans. As late as May 1957, the Democratic-controlled House of Representatives voted to slash $75 million from the Air Force missile development program. At that time, President Eisenhower clearly warned what would happen if Congress sustained such cuts.

President Eisenhower said:

> I believe the country would be taking a needless gamble. For myself, I have seen unwise military cuts before * * * I am determined to do all I can to see that we do not follow that foolhardy road again.

I suggest that Senator KENNEDY attempt to get his own house in order before pushing the panic button for the Nation.

Quite unlike Senator KENNEDY's negative generalities are General Gavin's specific comments on certain aspects of the defense problem.

But I hope that General Gavin will take a fuller view by studying the entire picture of our economy of force vis-a-vis Russia.

I am sorry that his book did not examine the psychology behind the missile blindness that occurred in the administration from 1945 to 1951. In both 1947 and 1950 our long-range missile program was brought to a standstill when Harry Truman impounded funds against the advice of competent military advisers. A close study of these disastrous years might help us avoid similar pitfalls in the future.

Since General Gavin does not concern himself with these decisive years, he attributed the weapons development lag exclusively to the decision-making process in our National Government. When he wrote his book, he was convinced that the most serious problem in the decision-making process lay in the organization of the Joint Chiefs of Staff. He wanted stronger centralized authority and a more powerful military staff reporting directly to the Secretary of Defense.

General Gavin's thinking, basically if not specifically, is in line with President Eisenhower's when he presented his defense reorganization plan. It was the Democrat-controlled Congress which watered down those Presidential proposals intended to prevent another Pearl Harbor and speed up decision-making time.

It is interesting to note that General Gavin has nothing but high praise for Mr. McElroy.

General Gavin is very concerned over our capability of waging limited war. The Republican administration is not spending as much money in this area as the general would like. I certainly agree that both parties should give close attention in the next Congress to General Gavin's proposals for the Army of the future.

At the same time, it should be noted that the Republican administration has done far more in answering the needs of brush fire wars than did the previous administration. I quote from General Gavin's own comment on Korea:

> Korea was for the Army a bitter and costly experience. When the North Koreans invaded, General MacArthur scraped together two companies of infantry and a battery of artillery and some supporting weapons and had the force flown to Korea. It was all that our limited airlift could transport. Thus the great might of this industrial nation, 5 years after the defeat of the Axis Powers, could airlift no more than 2 rifle companies and a battery of artillery to meet 6 aggressor divisions.

Contrast the delayed and piecemeal commitment of our forces to Korea, which nearly resulted in a Communist conquest of that peninsula, with the mobile and effective protective action of our forces in Lebanon.

General Gavin notes that the finest strategy is that which makes it unnecessary to fight a battle. This was the strategy which the administration applied in the Mediterranean. Its overall implications resulted in a serious rift in Russo-Chinese solidarity and Khrushchev consequently backing out of a U. N. summit meeting.

I think it is important that writers like General Gavin stress the role of our Army in supervising and technically supporting the vast armies of our allies throughout the world. The Army can be tremendously proud of its part in training and shaping the forces of such allies as Korea, Turkey, and Indochina. These men on the ground serve as a very real and effective deterrent to creeping aggression.

Except for them, we would have been nibbled to death long ago.

So the role of our Army cannot be measured in terms of its combat division strength any longer.

The divisions of our allies, as well as our entire mutual security program, represent a part of our strength on the ground.

And, finally, we must all consider fully the danger of pricing ourselves out of survival. For the threat of inflation is just as deadly to General Gavin's army as is the threat of enemy missiles.

The diminishing value of the dollar and the increased cost of labor has already subverted part of our missile production program—so General Gavin admits.

The true perspective in the dangerous decades ahead can only be gained from looking in more directions than one.

We are confronted with the strategy of Cannae.

We must see the Soviet threats as a part of a grand strategical scheme to mystify, mislead, and distract.

And as we vie with the Soviets in the fields of missiles, rockets, and submarines, we must remember that panic, defeatism, and wild spending are the sure road into the Soviet trap.

We must preserve our economy of force, our initiative, and our economic health for the day when an enemy might descend on our flanks and rear.

The Overton Waterway

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BROOKS of Louisiana. Mr. Speaker, previously I have given facts and figures to show the widespread use of our inland waterways throughout the Nation. These figures are remarkable in that the use of our waterways surpasses anything the Engineers who planned and constructed these waterways envisioned.

Every part of Louisiana save northwest Louisiana has water transportation available. In New Orleans, Baton Rouge, Lake Charles, and even in Monroe, inland waterways are available to shippers. So as to meet this need for northwest Louisiana, the Army Engineers have drawn up plans for the Overton Waterway, running from Shreveport to the mouth of the Red River and emptying in the Atchafalaya. Congress has implemented already these plans to the extent of providing $400,000 and we have proceeded deliberately with them. The plans are now ripe to where with additional funds for engineering we ought to be able to proceed with this waterway which will mean so much to central and northwest Louisiana.

The highway program is consuming tens of millions of dollars. It is extremely important. This entire canal, 204 miles in length from Shreveport to the mouth of the Red River, can easily be built for less money than is being spent now for 10 miles of interstate expressway through some of our cities.

The amount of good which will come from this canal construction will compare, in my judgment, with any interstate expressway being built in the United States.

Representative Robert J. McIntosh Reports to Residents of Seventh District of Michigan

EXTENSION OF REMARKS
OF
HON. ROBERT J. McINTOSH
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. McINTOSH. Mr. Speaker, under leave to extend my remarks, I wish to include in the RECORD my report to the residents of the Seventh District of Michigan on major legislation and my activities as their representative in the 85th Congress. I also take this opportunity to thank my constituents for the helpful comments, observations, and recommendations submitted to me.

The 2d session of the 85th Congress was one of the longest, busiest, and most expensive in history. Looking at its record of solid accomplishments, it will be viewed as a constructive session, although the large amounts of additional spending are cause for justifiable concern.

Less than one-half of President Eisenhower's legislative recommendations were adopted by the Democrat-controlled Congress. However, because of bipartisan recognition that the basic problems of our times are those of preserving freedom and avoiding war, the President did obtain approval of his major recommendations affecting our national security.

NATIONAL DEFENSE AND FOREIGN AFFAIRS

The President's recommendations on important legislation in the field of national defense and foreign affairs received approval in the Congress. I supported this legislation which included: continuation of our mutual security program; 4-year extension of Reciprocal Trade Agreements Act; reorganization of Defense Department, giving wide authority to Secretary of Defense, subject to Congressional review; establishment of new agency for space exploration; creation of independent Federal Aviation Agency for safe and efficient use of airspace by civil and military aircraft.

NATIONAL ECONOMY AND DOMESTIC AFFAIRS

Among measures of national importance favorably enacted by Congress, to which I gave my support, were the following: Pay increases for postal and Federal workers and annuitants, as well as armed services personnel; 7 percent boost in social-security benefits; public disclosure of pension and welfare plan operations; removal of freight excise tax; minor tax relief, as well as long-term loan and investment aid for small business; extension of unemployment compensation benefits; Federal guaranty of $500 million in loans to railroads to finance new equipment; price labeling of new automobiles by manufacturers to protect purchasers; $3.26 billion in Federal funds for interstate highway construction; statehood for Alaska; adjustment of postage rates to put Post Office Department nearer a paying basis.

ALASKA STATEHOOD

The admission of Alaska into the Union is proof to the entire Free World that the United States does not approve of colonialism; it evidences our desire to give our dependent areas the maximum of self-government obtainable.

POSTAL LEGISLATION

The Congress responded to the long pressing need for adjusting postal rates to reduce the deficit being paid by taxpayers. Since World War II, the average annual deficit has increased to about $445 million. The fact is that, since 1950, every hour the taxpayers have had to put up more than $50,000 for someone else's postage. When all the postal-rate adjustments under the new law have become effective, annual postal revenues will be increased by $550 million.

The new law establishes a postal policy for the determination of postal rates, and represents the first time in over 100 years that a comprehensive set of ground rules has been laid down to serve as a guide for the Congress in its ratemaking legislation and for the Post Office Department in making its recommendations to the Congress, on the basis of review, study, and survey for each class and kind of postal service or facility.

EDUCATION

The Congress passed the National Defense Education Act which makes long-term, low-interest loans available to college students and assists in providing adequate science and laboratory facilities in high schools and public junior colleges. I was pleased to have the opportunity to work closely with other Members of Congress in the development of the student loan program. The bill also provides fellowships for teachers and grants to States for strengthening guidance, counseling, and testing services, and for area vocational education programs. The legislation, as finally enacted, except for the omission of a scholarship program, closely parallels the recommendations of the President, and it represents a positive step toward mobilizing our potential resources of talented manpower more effectively through the establishment of several related programs.

AGRICULTURE

After considerable delay occasioned by disagreements over cotton and rice programs, Congress finally approved a major farm bill adjusting support levels and acreage allotments in line with Secretary Benson's recommendations. The only portion of the bill directly affecting

Seventh District farmers is that of the proposed new corn program. Under the new law farmers will choose between the present corn program and a new one which would abandon commercial area designation, abolish acreage allotments, and set price supports at 90 percent of the average market price for the preceding 3 years, but not less than 65 percent of parity.

Federal activities of special interest to the Seventh District of Michigan are as follows:

POST OFFICE CONSTRUCTION

The completion of post office projects at Port Huron, Mount Clemens, St. Clair Shores, and East Detroit climaxes years of great improvement in the postal facilities of the Thumb District, bringing new and improved post offices to 25 communities. A number of projects are in the planning stage, but the backlog of postal construction in the District has been broken. The result will be better service from your Post Office Department, as well as better working conditions for postal employees.

RURAL MAIL SERVICE

Toward the close of the session, the Post Office Department announced that rural mail delivery service would be extended to serve an average of two families per mile. I was gratified by this announcement, since I had introduced legislation earlier to make postal service available to every residence, farm, or business situated on an improved road. In my opinion, our rural areas are entitled to the services of our Post Office Department just as city dwellers are, and I shall continue my efforts in this regard.

SELFRIDGE AIR FORCE BASE

The great airbase at Selfridge Field, for so many years important to our national defense and to the economy of our District, is slated to play an even more important role in the future. Over $28 million has been appropriated during the 85th Congress for its expansion and improvement. I am personally pleased with the developments at Selfridge Field, not only because of its value to the economy of the District but also because my last assignment during World War II was as an instructor pilot at Selfridge Field.

DEFENSE CONTRACTS

Over $65 million in defense contracts have been placed this year in the Seventh District, providing an important stimulant to our economy. This sizable amount has been made possible, in large part, by the development of missile production within the District.

NAVIGATION, FLOOD CONTROL, AND RECREATIONAL BOATING

Representing the "Thumb," which has a better claim to the title "Water Wonderland" than any other Congressional District in the State, I work closely with the United States Corps of Engineers, the Michigan Waterways Commission, and local groups interested in navigation, flood control, and recreational boating in our area. Good progress is being made. The Corps of Engineers has engaged in dredging projects in the Clinton River in Macomb County and the Sebewaing River in Huron County. The Port Austin Harbor of Refuge is also now in the construction stage. Several smaller dredging projects have been completed, including removal of navigational hazards in the Belle River at Marine City.

The omnibus rivers and harbors flood-control bill, approved by the President after the Congress removed objectionable projects, contains the preliminary authorization for the flood-control project on the Saginaw River, which is important to drainage problems in the counties of Sanilac, Tuscola, Lapeer, and part of St. Clair. It also contains authority to the Secretary of the Army to make surveys for flood control and allied purposes on all streams flowing into Lake St. Clair and the Detroit River.

At my request, the Coast Guard has announced plans to install improved waterway-channel markings and lights in the Lake St. Clair area. The House Committee on Merchant Marine and Fisheries, of which I am a member, developed and guided through the Congress the small-boat safety bill. Both of these actions are important to the Seventh District of Michigan, since we have one of the greatest concentrations of recreational boats in the United States. The legislation will contribute to safe boating in our area.

FEDERAL ASSISTANCE TO LOCAL PROJECTS

It has been a pleasure for me to work with and assist, wherever possible, local governing bodies in their participation in existing Federal programs. Substantial Federal participation was approved for the construction of the Community Hospital at Cass City and the Macomb County Health Center at Mount Clemens and of sewage-treatment plants at Almont, Imlay City, Marlette, St. Clair, and Lapeer.

School districts in Warren, Roseville, St. Clair Shores, Mount Clemens, Centerline, Fraser, New Baltimore, Algonac, Van Dyke, Otter Lake, and East Detroit have benefited under legislation providing assistance for the construction and operation of schools in areas affected by Federal activities.

Urban renewal programs in Port Huron and Mount Clemens have made good progress, and preliminary approval was recently obtained for the St. Clair Shores urban-renewal program.

FEDERAL JUDGESHIP FOR EASTERN DISTRICT OF MICHIGAN

It is regrettable that the Congress adjourned without acting on legislation to create an additional Federal judgeship for the eastern district of Michigan. I shall renew my efforts in this regard at the beginning of the next Congress.

I have also been conferring with the appropriate authorities here in Washington in an endeavor to reestablish regular Federal court facilities at Port Huron.

MILITARY ACADEMIES

Some 200 young men from the Seventh District have participated in three preliminary qualifying examinations by the Civil Service Commission, in which they have competed for nominations to the Army, Navy, Air Force, and Merchant Marine Academies. I wish to express my appreciation to the schools in my District, as well as to the press and radio, for their excellent response to my request for assistance in acquainting young men with this fine opportunity.

MEMBER OF COMMITTEE ON UN-AMERICAN ACTIVITIES

As a member of the House Committee on Un-American Activities, I have attended hearings in many parts of the country. These hearings are conducted under the committee's authority to make investigations of un-American propaganda activities, in an effort to aid Congress in adopting any necessary remedial legislation.

REPORTS AND CORRESPONDENCE TO DISTRICT

While the Congress has been in session, I have written weekly newsletters, as well as periodic reports. I am sure you are familiar with my weekly broadcasts over radio stations WLEW, WDOG, WMPC, WTTH, and WHLS.

I always welcome the opportunity to be of any possible service in response to your inquiries and requests. These have involved problems dealing with servicemen's hardship cases, disability pensions, housing needs, social security, income tax, copyright and patent applications, postal route extensions, Soil Bank program, birth records, child adoption, small-business loans, immigration and naturalization, passports, and civil service and railroad retirement claims.

If the problem is one in which I cannot be of direct assistance, I always try to make recommendations, based upon the experience I have gained serving as your Representative here in the Congress. In a number of instances involving immigration matters and claims which could not be administratively settled, I have succeeded in introducing special legislation.

Early this year I mailed a questionnaire to residents of the District, asking your views on vital issues facing the Congress. Your responses were of great assistance to me in reaching my position on these important matters and brought me still closer to the people of the District in my effort to serve them in Washington.

PERSONAL VISITS

During the adjournment of Congress, it is my practice to travel through the District to discuss legislative problems personally with you. I always try to place myself within a few miles of every resident of the District. This year during the month of September I shall be in the District on my mobile office tour, during which I look forward to meeting and discussing with you matters of national interest or any individual problems you may have with the Federal Government.

My Washington office, located at room 1215 in the New House Office Building, remains open all year round. In addition, I maintain District offices in Mount Clemens and Port Huron.

Please feel free to write me any time at 1215 House Office Building, Washington 25, D. C.

CONCLUSION

As my first term in Congress draws to a close, I hope that my efforts to serve the District and to bring Washington closer to you have met with your approval. It is my sincere desire to serve always in a manner so as to merit the confidence and trust placed in me by the residents of the Seventh District. It is also my wish to know my District so that I can solve its problems in a manner compatible with the national interest.

Special Report on Federal Scholarship Bill

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HOLLAND. Mr. Speaker, you will no doubt remember that since March 1956, your Congressman has been fighting for and sponsoring this type of legislation. After consulting and corresponding with the deans of 149 accredited engineering schools in the United States, my bill was prepared—with their cooperation, as well as with the cooperation of the National Science Foundation—and presented to Congress in May 1956. Although there was a hearing held by the committee considering this bill, it died with the adjournment of the 84th Congress.

In January 1947, I reintroduced this measure and fought hard to have some consideration given to the measure. It took sputnik—and Russia—to awaken the present administration to the seriousness of the situation, and in October 1957—after sputnik—President Eisenhower took action, on the part of the administration, and suggested legislation along the same lines as mine to encourage and help students further their education.

Similar bills were presented by numerous other Congressmen after the President's speech and hearings were held discussing all the various bills. The present legislation is a compromise between the House and Senate bills on this subject, as well as the administration's suggestions.

Your Congressman voted for the present bill, which is now law, although he feels that it is inadequate—but, at least, it is a step in the right direction.

As written, the bill deals with three different classifications, and I will try to outline them so that you may have a concise résumé of what opportunities are available to students, States, and private nonprofit schools.

Student opportunities: At the college level, $295 million has been set aside for long-term, low interest loans to bright but needy students. This amount will cover the years 1959 to 1962, and will be apportioned in ratio to the number of students enrolled full time in institutions of higher education in each State.

Preference will be given to students with a superior academic background who express a desire to teach in elementary and secondary schools in the subjects of science, mathematics, engineering, or a modern foreign language.

The college or university must agree to establish a student loan fund and provide for deposit in the fund $100 for every $900 loaned by the Federal Government; assure that the fund will be used only for loans to students; and provide that such loans will be easily obtained by eligible students.

No student may borrow more than $5,000 in a 5-year period. The repayment of this loan begins 1 year after the student ceases having a full-time course of study, and the interest on this loan will be 3 percent. It must be paid within 10 years; however, extension will be granted for good cause or it can be paid off sooner if desired.

If a student, upon graduation, teaches for 5 years in a public elementary or secondary school, 50 percent of the loan is cancelled.

To secure a loan, the student must apply through the college or university he, or she, is attending—and it is upon its recommendaiton to the Commissioner of Education, Mr. Lawrence G. Derthick, that the loans will be granted.

No college or university will be permitted more than $250,000 in loans per year.

At the graduate level: $59.4 million has been set aside for fellowships from 1959 to 1962.

This grant was made for the purpose of increasing the number of students in graduate programs, particularly those interested in teaching in institutions of higher learning—colleges and universities. It is an outright grant and the graduate student receiving a fellowship will receive $2,000 the first year of graduate study, $2,200 the second year and $2,400 the third and final year. $400 each year, will be paid in addition to the above, for each dependent.

The college or university, attended by the fellowship holder, will be paid a portion of the cost of the graduate program—not more than $2,500 per year per student.

To be eligible, the student must be accepted in a graduate school program that has been approved and accepted by the Commissioner of Education.

One thousand fellowships will be awarded 1959, and 1,500 in 1960, 1961 and 1962.

State opportunities: State school systems will participate in four parts of the 4-year program. The State Governments will share the costs with the Federal Government on a dollar-for-dollar basis.

State plans are required in order for each State to obtain its share of the money allocated, and the Commissioner of Education has scheduled meetings for the next three weeks to advise the chief school officer of each State on drawing up State plans.

The four fields for State participation are:

First. Grants to State educational agencies for loans to local agencies for the acquisition of laboratory or other special equipment for science, mathematics, or modern foreign language teaching in public elementary or secondary schools or junior colleges. Also for minor remodeling of laboratories.

Second. Grants to State educational agencies to help them establish and maintain programs of testing and guidance and counseling in secondary schools—both public and private—additional funds will be added for private schools if needed.

Commissioner of Education will contract with colleges and universities for short term or regular session to provide training of teachers preparing to engage in this work and such trainees will receive $75 per week—plus $15 per week for each dependent—during their training period.

A similar grant covers the training of teachers of modern foreign languages. It is in two programs, however. Students attending special schools for teaching modern foreign languages—and related instruction necessary to a full understanding of the countries involved—on a scholarship basis—one-half paid by the State and one-half paid by Federal Government—must be available to teach in a college or university or for service of a public nature.

Students can attend a similar training course—as guidance and counseling—who are teachers and train for supervising or training of teachers in public and elementary schools. Such trainees will receive $75 per week plus $15 for each dependent.

Third. Grants to amend the Vocational Education Act of 1946 were authorized to States to assist them in training individuals for employment as highly skilled technicians in occupations requiring scientific knowledge in fields necessary for the national defense.

Fourth. Grants will be made to assist the States to improve and strengthen their educational statistical services. If no such service exists now, they can start such a program.

Private and nonprofit schools: Loans to nonprofit, private elementary, and secondary schools for the acquisition of laboratories or other special equipment for science, mathematics, or modern foreign language teaching were provided for in this bill.

Such loans must be paid back in not more than 10 years and will bear an interest rate of one-fourth of 1 percent, plus what the Federal Government pays in interest on loans.

Eighteen million dollars set aside for research on visual teaching aids: Grants or contracts can be made by the Commissioner of Education—with the approval of the Advisory Council—with public or nonprofit agencies, organizations and individuals and private agencies, organizations, and individuals, for projects of research and experimentation in more effective use of television, radio, motion pictures, and related mediums for educational purposes.

The results of this research will be made available to State and local educational agencies and to colleges and universities.

Trade Association Political Action: Who Else Will Assume the Responsibility?

EXTENSION OF REMARKS
OF
HON. RALPH W. GWINN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. GWINN. Mr. Speaker, I believe the following speech which I gave at the Ohio Trade Association Executives Conference—cosponsored by the Ohio State University and the Ohio State Council of Retail Merchants—Granville Inn, near Columbus, Ohio, brings up to date some new material that shows we are no longer a labor-socialist government, as we have been for some time, but a welfare state, which is more devastating, economically and morally, than socialism itself.

The speech follows:

TRADE ASSOCIATION POLITICAL ACTION: WHO ELSE WILL ASSUME THE RESPONSIBILITY?

Businessmen, trade associations, and chambers of commerce can no longer wait on George to attend to politics. Businessmen must do it themselves because it's their special job. For politics and labor, now so largely one and the same thing, burdens, interferes with, and destroys their business more than all the other factors in business combined.

This burden, this overhead cost of politics (national, State, and local) is now, according to the United States Department of Commerce, $138 billion annually. Total national production is $350 billion. So, at least 36 percent of the overhead cost of doing business is politics. It must all be paid for by business.

This is to say nothing of the slowdowns and featherbedding imposed on business by labor bosses and the bureaus and the ever-increasing laws and regulations that cost business another 35 percent annually. That's an estimate of the potential production that society loses because business is already weighted down by a ball and chain.

It is now becoming apparent, as some students have insisted, that whenever overhead costs of politics go above 10 percent of the national product, or $35 billion in our case, the burden is intolerable. It cannot be passed on to the consumer. When that overhead runs above 10 percent, and on up to about 23 percent, it must be paid by partial liquidation. That's being done to us now.

Taxes are taking, and weakening, and reducing in size our industrial plants. The starting of new plants by small business is slowed up.

Politics refuses to allow sufficient depreciation to be deducted as an expense of business. That leaves too little income after taxes for improvements, replacements and expansion. And there is too little income to pay artificially high wages. To meet these troubles there is an unbelievable forced political conversion of our accumulated wealth into debt.

From 23 percent to 36 percent of the overhead cost mentioned is being paid by inflation forced on business. This is the most wicked of all political deceptions.

Will businessmen continue to stand aside in stupid isolation or will they fight?

Another thing, roughly 35 percent of all dividends paid by their concerns are taxed away from their stockholders. So where can you find new capital?

The effects are already obvious in coal, steel, the automobile industry. The railroads are no longer self-sustaining. The hotel industry has shown a steadily declining percentage of room occupancy for 12 years straight. What a mess is our theater business.

The consumer is balking.

It would be fantastic to think that a modern business executive would let any part of his ordinary overhead costs fall into the hands of mere volunteers or untrained incompetent persons. Certainly not persons wholly unknown to 95 percent of the employers of the Nation. A test count shows that only 5 percent of the employers know how their Congressmen vote in this critical area of management of their business. These unknown men force onto industry an annual cost of $900 per worker in fringe benefits. Wage increases run as high as 7 percent annually. They should not exceed 2.1 percent, as you know.

What politics doesn't force upon business, labor organizations often times do by force and violence on the picket line—or by the threat of force and violence. Businessmen sitting on the other side of the bargaining table are no longer free men.

According to the newly elected president of the Chamber of Commerce of the United States, Mr. William A. McDonald, in his speech on May 20 before the Connecticut State Chamber of Commerce in Hartford, the corporate industry as a whole showed a steady decline in net profit, after taxes, from 1948 when it was 9.2 percent, to 1957 when it dropped to 5.9 percent. Notes explaining why dividends are reduced are more frequent.

Who are these Congressmen unknown to the employers and businessmen of America, men who breathe down the necks of all departments of business?

A majority in Congress today favor a considerable part of 50 measures advocated by the welfare State program, and a majority votes for most of the measures in that program.

These include public housing, minimum wages, Federal aid to education, school construction, middle income housing, increase of the income tax, increase of the public debt, rent control, price and wage controls, foreign aid, mutual security act, subsidies for all manner of agricultural crops and health measures, the taking of power plants and irrigation projects from private ownership into public ownership. AFL–CIO welfare state government loans about one-fifth of all loans made in this country, and, of course, vast sums abroad.

Besides, they vote for an ever-increasing amount of foreign aid to the welfare states and Socialist governments abroad.

They vote to finance 700 wholly Government-owned business corporations. And so on.

If these activities were liquidated and Government employees reduced to legitimate numbers, viz, about 1 million instead of 2,400,000, all corporate taxes could be repealed.

More than 190 Members of the House of Representatives have voted right, according to labor's published reports more than 50 percent of the time.

I have with me the score sheets. As long as the supply lasts, you are welcome to them. I also have for several of the States, campaign contributions to elect Members to the House of Representatives. The score of performance is opposite each Member's name.

For example, I have before me the State of New Jersey.

FRANK THOMPSON, Democrat, received from the national labor organizations $1,750 for campaign funds. He voted 100 percent right for them.

PETER RODINO, Democrat, $3,150. He voted 98 percent right.

HUGH J. ADDONIZIO, Democrat, $2,650. He voted 98.1 percent right.

ALFRED SIEMINSKI, Democrat, $500. He voted 100 percent right.

GORDON CANFIELD, Republican, $500. He voted 75 percent right.

We know by experience that Representatives' campaign costs run often 10 times the amount of money reported; that is, $50,000 to $60,000 per candidate provided by AFL–CIO. I'm ashamed to mention that organised Republican business spends little or nothing on Republican campaigns except as individual businessmen give through the national or Congressional committees. Generally it amounts to $500 per candidate. Sometimes $1,000. Never above $2,500. Republican candidates are lucky if they can scrape together, all told, $15,000 each from friends and from their own pockets.

Besides the foregoing, there is the power of the labor press, a tremendous institution, half of which is devoted to political action. Republican candidates have nothing comparable to that in their support.

It must be also remembered that labor unions often spend more money trying to defeat conservatives, both Republicans and Democrats, than they do to elect their own candidates.

For example, in the States of Michigan, Wisconsin, Illinois, Indiana, and Ohio, labor reported to Congress in 1956, $29,800 to elect their own nominees, contributed by 8 labor organizations. At the same time they spent $132,110 to defeat candidates too conservative for their liking. The score is devastating. There are now left in Congress not more than 125 staunch conservatives (Republicans and Democrats) out of a total of 435 Members.

Take, for example, the State of Missouri. In 1948 before AFL–CIO got busy in politics, the State was represented by two Republican Senators. It had 13 Congressional Districts, 9 of which were held by Republicans. In less than 10 years tables are more than reversed. Now there is but 1 Republican out of 11 Districts.

The two Senators are Democrats supported by AFL–CIO. At least 10 Representatives are AFL–CIO approved and supported. Four of them vote 100 percent right according to AFL–CIO scoring. Three others have 93 percent, 80 percent, and 86 percent scores. None vote less than 61 percent of the time favorable to AFL–CIO programs. All but four got direct financial aid.

If labor organizations can do this in 10 years, why can't the business leadership make an even better showing for the reestablishment of sound government—limited constitutional government?

Indeed, it is doubtful if the labor bosses have ever really controlled more than 10 percent of the labor vote. But, that has been sufficient, by and large, to swing the balance in favor of AFL–CIO candidates. Less than 5 percent of the vote will determine whether candidates for Congress from a hundred districts will be conservative or socialist in character. The vote is that close.

I have used the words "welfare state" to describe our present political experiment.

We have already passed through our socialistic experiments. We shifted property from private hands into government ownership and operation; viz, the Tennessee Valley powerplants.

We have found socialism, a ridiculous economic scheme, utterly corrupt. It is a blight on every enterprise it touches and on every nation that has tried it.

The evil that grips us is not socialism, but the welfare state. That is, the compulsory taking of property from some and giving it outright in the name of humanity to other groups in return for their votes. It is the most evil of all concepts because it destroys not only the economic, but the moral foundations as well.

Government sets the pattern. It becomes the arbiter of what is right and wrong.

The policeman is no longer confined to the business of keeping law and order. He is entering our houses himself, by force, at night, and carrying off our furniture to be redistributed on the other side of town where, according to his judgment, the people need furniture more desperately than those he robs. If there are objections raised to his outrageous conduct, he arranges a community vote at the townhall. If the majority approve his depredation, he carries on without further interruption.

Here again both law and morals require that the trade associations, as well as all men, grapple with that policeman and stop him. Likewise, they are enjoined to stop and capture all Robin Hoods and their bands of outlaws wherever they appear across the land.

The mechanics of political action are as follows:

First of all, organized business must bring together a dozen leaders, business and professional, in each Congressional District, to do two things:

(a) Agree on what principles of government they believe in. If they don't know, their Congressmen will not know, either. They must stand firm on what the legitimate functions of government are, and reject as firmly the illegitimate ones. If they do not, no principle of government will emerge. Time to evolve a faith, a belief in what is right and wrong for government to do is required work. That means the natural and moral limitations on the functions of government must be formulated as a basis for political action.

If we want any part of the welfare state, we've got it. There will be nothing further to do but let things take their course. We shall continue to be governed by what pops out of the heads of mere men from day to day.

But, if we believe that politics without a principle of government is one of the deadly sins, then there is plenty of work to do.

Government must be reconfined to the business of protecting life, liberty, and property at home and from foreign enemies.

Businessmen may expect the people to follow their leadership in politics if they are inspired by sound principles of government for the good of all.

It follows that they must rid themselves entirely from all suspicion that they may use the power of politics to get any special favors or advantages for themselves.

(b) Cooperate with regular political parties to help find suitable candidates for Congress and the State legislatures. If candidates are not found and pledged to the right concepts of government, the people will continue to be ruled over by mere volunteers, many of whom have wrong concepts.

Find the right candidates to serve long before the primaries. Realize it takes time to pledge candidates to sound principles and to be able to assure them of adequate organized support.

Leading citizens who undertake this work will soon realize that willing and suitable candidates for high office are very hard to find. They prefer to stay in their regular business or profession.

The necessary information, research and organizational work in these first things to be done should be the work of regular paid staffs of the trade associations. We must recognize that this job of finding, electing and continuing to support men pledged to preserve freedom is definitely a professional job, a continuous job, a very burdensome one, a mass movement. The great reward is freedom itself.

Get the facts to show the impact politics and labor have on the annual results of all business.

Shame your fellow business friends and associates into a realization of the extent to which the more important political factors in their businesses are left almost wholly to volunteers. Don't let the genius of business confine itself to the lesser critical factors having to do with the success or failure of business.

Show that business is so deeply in politics business executives cannot stay out. Their self-imposed isolation from politics is over. Nor can they be afraid. They must fight.

Urge that your local business associations become active in political affairs immediately. Persuade individual corporations to do the same. Some are already coming forward. This means organizing to ring doorbells, to establish telephone brigades, to collect political contributions. It means registration and voting drives.

Insist that State and national business and professional associations, chambers of commerce, and other conservative organizations to which you undoubtedly belong begin to produce the kind of "educational" political material your local organizations for political action need.

Trade associations: Will you get the facts? Will you find out what the Representatives in the House and Senate are doing, how they are voting, whom they represent, who put them there, who paid for their campaign, and what the real effect of union political action has been?

Of utmost importance is a detailed comparison, issue by issue, between individual voting records and the stated political principles your business associations advocate.

You will lose no members advancing constitutional principles or the candidates committed to those principles. If you don't, you certainly will.

If the businessmen of America who already have and are paying for thousands of associations, chambers of commerce, etc., won't see to it that men are elected committed to restoring constitutional government, who else will?

If they do not, the labor bosses will continue to set aside the constitutional limitations on government and substitute the unlimited power of the labor-welfare state instead. Our labor bosses are closely associated with the world labor bosses who have already taken the nations in the rest of the world into socialism or communism with 2 or 3 exceptions.

As was stated by Donald R. Richberg, in his latest study of union power, entitled "Labor Union Monopoly", "labor's economic monopoly and political power are preparing the way for communism far more effectively than the Communists themselves."

Business organizations and associations must provide the leadership, the money, and the manpower for Americans for constitutional political action. And they must do it now.

Results of Annual Questionnaire Sent to Constituents by Hon. Wayne L. Hays, of Ohio

EXTENSION OF REMARKS
OF
HON. WAYNE L. HAYS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HAYS of Ohio. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the results of my annual questionnaire.

The replies to the questionnaire this year have been very encouraging and the many comments by those replying were particularly interesting. More than 2,500 questionnaires have been returned, giving an excellent cross section of the thinking in the 18th Congressional District of Ohio.

I am very grateful to all who took the time to fill out and return the questionnaire. The answers have been of great help to me in my job as their Representative.

The questionnaire and results follow:

ANNUAL QUESTIONNAIRE

The following are some questions pending before the Congress on which it will be helpful to me to have the opinion of my constituents. I hope you will take the time to answer, and may I say that your answers will be held in strict confidence, and how any single individual may answer these questions will not be revealed to anyone. If you care to make additional comment, please use the other side of the sheet.

	Total		Percentages	
	Yes	No	Yes	No
1. Do you approve continuing United States foreign aid in our competition with the Soviet Union in the present cold war?	1,366	948	59	41
2. Do you approve extending the Trade Agreements Act for 5 years and authorizing a 25 percent reduction in any duty existing July 1, 1958?	872	1,222	42	58
3. Do you approve the agreement between the United States and Russia to increase their cultural, technical, educational, and sports exchanges?	1,736	640	73	27
4. Do you favor placing a single organization in charge of the development of all United States long-range missiles?	1,528	742	67	33
5. Do you approve spending Federal funds to build hospitals, highways, schools, flood-control projects, etc., to stimulate our economy when needed?	1,878	520	78	22
6. In economic recessions, do you favor a reduction in Federal income tax rates even though Federal spending exceeds estimated revenues?	704	1,668	30	70
7. Do you approve extending the life of the Small Business Administration with increased authority to make business loans and disaster loans?	1,984	710	74	26
8. Do you approve Federal grants to States to improve instruction in the fields of science, mathematics and languages, and Federal scholarships to be awarded by State agencies?	1,500	838	64	36
9. Do you approve increasing the present pay of our postal workers, Federal civilian employees, and members of our Armed Forces?	1,464	816	64	36
10. Do you approve increasing rates on out-of-town 1st-class mail to 5 cents?	1,252	1,164	51	49

Please check 5 of the following 16 issues you think most important today:

(a) Government spending	1,102
(b) Balancing the budget	628
(c) Reduction of debt of Federal Government	742
(d) Taxation	718
(e) Farm prices and policies	660
(f) Policies regarding small business and industry	602
(g) American foreign policy	1,010
(h) United States foreign trade policies	636
(i) Control of communism in America	1,228
(j) Labor policies	1,118
(k) Defense and war preparedness	870
(l) Maintaining peace	1,046
(m) Corruption in Government	718
(n) Administration of outer space programs	242
(o) Promotion of science	518
(p) Civil rights	444

Report on Major Legislation, 2d Session, 85th Congress

EXTENSION OF REMARKS
OF
HON. W. PAT JENNINGS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. JENNINGS. Mr. Speaker, each week during the time Congress is in session I prepare a legislative report for distribution in my District. This is a part of my efforts to keep my constituents advised of Congressional action on legislation affecting them.

As this 2d session of the 85th Congress ends, I have prepared—as an extension of these weekly reports—a brief summary of the major legislation approved during the almost 8 months of this session. Also, I include information on projects of special interest to the Ninth District of Virginia.

In my annual report last year, as the first session was concluded, I predicted that this Congress would go down in history as one of the most responsible to ever serve the people of this Nation. My prediction, I believe, has been borne out by the outstanding legislative record of this second session. I am extremely proud to have served as a Member of this Congress, which has acted upon many, many complex problems and issues in writing this record of achievement.

NATIONAL DEFENSE

The increased necessity to maintain an adequate defense program overshadowed every other action of the Congress and resulted in much important legislation being approved. Early in the session, $54.6 million was authorized for the expansion of missile bases and warning systems, and the Advanced Research Projects Agency was created within the Department of Defense. A major action was approval of the bill to reorganize the Department of Defense so that it can operate more effectively for the national security. Authorized, also, was new construction at military installations and for the Nation's reserves; new and expanded facilities for the National Advisory Committee on Aeronautics; a program of ship construction and modernization; the building of an atomic-powered destroyer; and funds for the Atomic Energy Commission.

Realizing the urgency of the need, Congress approved the establishment of the National Aeronautics and Space Administration to direct and conduct our program of space research and development; $47.8 million was authorized for construction of a new space projects center and expansion of satellite launching and tracking facilities.

The regular Department of Defense appropriation bill granted over $39.6 billion for the activities of this vital Government department. The Congress' concern over the national security is reflected in the increased defense funds approved above the budget request.

APPROPRIATIONS

Congress devotes a great deal of time each year to the appropriation bills for the several governmental departments. There were 14 regular appropriation bills for fiscal year 1959, and there was a supplemental appropriation for fiscal year 1959 to provide funds for newly authorized activities or to increase the funds granted under the regular bills. The total approved in appropriations was over $67.7 billion, which was more than $596 million below the budget estimates submitted to Congress by the administration. There were also supplemental and deficiency appropriations for fiscal year 1958 totaling almost $4.9 billion, making the approximate total appropriated by Congress over $73.6 billion. The 1958 appropriation bills were also reduced, resulting in a total of $619.1 million being cut from the budget requests. The second session of the Congress did not cut the budget nearly as much as the first session, when approximately $5 billion was saved by reductions. Increased appropriations for fiscal year 1959 resulted from many reasons, national defense and programs to combat the recession being among the most important.

SMALL BUSINESS

This has been a significant session of Congress for the Nation's small-business men. First, we have made the Small Business Administration—SBA—a permanent agency of the Government. The ceiling on SBA individual loans was raised and the interest rate reduced. Second, the Small Business Investment Act was approved to authorize $250 million for long-term equity capital for small business through investment companies chartered for that purpose. Third, a tax bill was approved that, through its several provisions, will result in an estimated $260 million in tax relief for small business.

TAXES

Despite expectations of such action when the 1st session of the 85th Congress adjourned, Congress this year did not approve any general tax reduction. Extensive hearings on tax bills were held by the House Ways and Means Committee, but increased Government spending prevented any general tax bill from being reported. In addition to the small business tax bill, a measure was approved to extend the present corporate income tax rate and the existing schedule of certain excise taxes. This bill was amended to remove the 3 percent transportation tax on freight and the 4-cents-per-ton tax on coal. Two other bills of importance made several technical and clarifying changes in the excise, income, estate, and gift tax provisions of the tax laws, and provided some tax reductions.

Since these changes are numerous and cover many people and businesses, I will be pleased to provide answers to any questions on them.

SERVICEMEN AND VETERANS

The major bill for military personnel in the second session provided pay increases of $577 million a year to encourage career service. Such pay incentives should have a most favorable effect on the retention of trained military specialists, who are becoming more and more important in today's Armed Forces. Another bill extended the unemployment compensation program to all ex-servicemen.

Several veterans bills approved included: An increase in monthly pension rates for widows of the Spanish-American, Indian, Mexican, and Civil War veterans and the providing of pensions to widows of Confederate veterans and to the two surviving Confederate veterans; an increase in benefits payable for total disability under the National Life Insurance Act; increased burial allowance for deceased veterans from $150 to $250; the consolidation into a single act all laws administered by the VA; and improvements in the housing program mentioned later in this report.

NATIONAL ECONOMY

When the 2d session of the 85th Congress convened last January, the Nation faced a serious and growing economic recession. We have approved several bills aimed at curbing this recession and bringing about an improved economic outlook. Among the most important were: An emergency $1.8 billion housing act to stimulate home-building, reducing downpayments on FHA-financed houses, extending the guaranty and direct loan programs for veterans and increasing funds for FNMA mortgage purchases; an increase of $4 billion in the authorization for FHA insurance; an authorization and apportionment among the States of $5.5 billion for highway construction, including $1.8 billion additional to both the regular Federal aid and interstate highway programs; approval of legislation to extend to the States, on an optional basis, additional unemployment compensation for the unemployed whose benefits had expired; approval of an expansive program of assistance to areas of the Nation with chronic unemployment and underemployment; assistance to the Nation's railroads, including guaranty of loans to finance new equipment, meet operating expenses and other obligations; extension of the Federal Airport Act under which the Federal Government participates in the construction of local airports; authorization of flood control and navigation improvement projects totaling $1.5 billion.

SOCIAL SECURITY, HEALTH AND WELFARE

The Social Security Amendments of 1958 provide for an approximate 7 percent increase in benefits for those persons now receiving monthly checks, liberalizes the provisions regarding benefits for the disabled and their dependents, and strengthens the financial basis of the system.

Receiving Congressional final approval also were: a 3-year extension of the hospital survey and construction—Hill-Burton Act; a bill to require registration, reports, and full disclosure of employee welfare and pension funds; the extension of the school-milk program for 3 years; an increase in annuities to retired or disabled civil service employees; distribution of surplus foods in nonprofit children's summer camps; a strengthening of the law against use of mails or common carriers for transportation of obscene or crime-inciting matter; a prohibition against the sale of switchblade knives in interstate commerce; and a 3-year extension of the $30 million per year program of matching grants for construction of facilities for research into cancer, heart disease, arthritis, and other killing disease.

EDUCATION

We have authorized a far-reaching program of aid to education known as the National Defense Education Act. This legislation provides loans to students in institutions of higher education and financial assistance for the strengthening of science, math, and modern language instruction, and for guidance, counseling, and testing programs. It has been estimated that Virginia would receive almost $3.4 million under the initial authorization with $832,000 becoming available this year. Also, we have extended the existing Federal assistance program for federally impacted school districts.

AGRICULTURAL

I serve on the House Agriculture Committee. We devoted many days and weeks to hearings on the farm bills introduced in the House with 19 subcommittees at work. The first bill approved by both Houses barred a reduction of farm 1958 price supports below 1957 levels, and, also, any cuts in acreage allotments for 2 years. This bill, aimed at economic improvements for the Nation's farmers, was vetoed by the President. After a dedicated effort by the House committee, an omnibus bill was reported but turned down by the House because of Secretary Benson's and the administration's opposition. Late in the session final approval was given to an amended version of a bill pertaining to cotton, corn, rice, other feed grains, and extending the Wool Act for 3 years. Other agricultural bills provided for an 18-month extension of Public Law 480, under which surplus agricultural products are sold abroad for foreign currencies and bartered for strategic materials; the establishing of humane slaughter regulations; extension of the authority to grant special livestock loans; continuation of the authority for the Secretary of Agriculture to administer the soil-conservation program on a national basis; the granting of authority to prevent monopolistic practices in the meat industry; and a change in the tobacco regulations to prohibit the growing and harvesting of sucker tobacco.

I believe the House Agriculture Committee will begin hearings early in the next Congress on new farm legislation.

MAJOR MISCELLANEOUS

Action on a variety of bills not classified under a specific heading include: increasing the national debt limit; approving Alaska as a new State in the Union; requiring automobile manufacturers to clearly label their product as to suggested price and other information of interest to the buyer; increasing postal rates; establishing the Federal Aviation Agency to regulate air traffic and promote safety in the air; granting a cost-of-living pay raise to postal and classified Government workers; providing pensions and clerical staff for former Presidents; and passing a freedom of information bill to limit authority of agencies and officials to withhold information and public documents; and a requirement that food additives be adequately tested and found safe before being sold to the public. A 4-year extension of the reciprocal trade program was approved and provisions strengthened to safeguard domestic industries from imports. An expanding trade program is, of course, vital to the Nation's economic future.

NINTH DISTRICT PROJECTS

Provided in the public works appropriation bill were $200,000 in additional planning funds for the Pound River flood-control reservoir in Dickenson County. This makes a total of $300,000 granted for this project and I have already requested the Corps of Engineers to budget sufficient funds for fiscal year 1960 to complete planning and begin construction of this facility. Also, $10,000 was provided for further surveys and investigation of the feasibility of the Hays Reservoir in Dickenson County. During this session of Congress I have continued to seek expedited action on Corps of Engineers' studies of possible flood protection for several Ninth District communities. These surveys have included to date: Big Stone Gap, Bluefield, Cleveland, Clintwood, Coeburn, Fort Blackmore, Grundy, Hays, Pound, Pulaski, and the Richlands-Doran-Raven area. Before Congress will adopt authorizing legislation or appropriate funds for such projects, the engineers must make a favorable report on the economic feasibility. Funds have been included in the independent offices appropriation bill for the construction of the Abingdon Federal building, which was authorized in 1955 and which has not been started under the old lease-purchase program. Other post-office buildings are being provided in the Ninth District under the commercial leasing program.

Airports are being developed in several Ninth District areas and I have been pleased to cooperate in the securing of Federal funds for these projects. Federal allocations have already been made for New River Valley Airport, near Dublin; the Lonesome Pine Airport, near Wise; the Mountain Empire Airport, near Marion; and the Richlands Municipal Airport. I am hopeful that a Federal contribution can also be made this year for the proposed Grundy Municipal Airport. Funds have been made available this year for Army National Guard armories at Gate City and Big Stone Gap. I am also seeking such allocations for National Guard construction at Richlands and Pulaski, and for Army Reserve facilities at Abingdon and Marion.

JENNINGS BILLS

Consideration has been given to several bills I introduced in both the 1st and 2d sessions of the 85th Congress. I plan to introduce again next year certain bills that were not approved. Among the measures I proposed: a bill relating to adopted children was incorporated into the omnibus social security bill and I plan to introduce again next year a bill to lower the retirement age for men to 62; my proposal that volunteer fire departments and rescue squads be made eligible to receive donable surplus Government property will also be introduced next session—the House approved a bill that was reported and which covered only volunteer fire departments but the Senate did not act; hearings were held on a bill that I proposed to establish an agricultural research and development board to find new industrial uses for agriculture products; legislation similar to my bill extending the special school-milk program was approved; consideration was given to an amendment I introduced to restrict imports of residual oil; and a bill similar to mine was approved to curb the practice of harvesting sucker tobacco.

Of special interest to the Ninth District has been legislation to establish a coal research and development commission to find new uses for coal. My bill was endorsed by the Bureau of Mines with suggested amendments. A similar bill was reported to the House, but because of the lateness of the committee's action, the bill was not scheduled for floor debate. An attempt to secure consideration under a unanimous-consent request was not successful when objection was made on the floor. I intend to again introduce this bill in the next session. Another of my bills to allow for the purchase of wheat flour and cornmeal for donation purposes was approved. This measure was aimed at simplifying the operations of the grain-processing program, which was started in 1955 from another bill I proposed and which utilizes surplus grains for donation purposes.

This listing of the bills I have introduced and the actions taken on them is by no means complete because of space limitations.

This summary does not attempt to cover all legislation taken up in this session of Congress, it does not present arguments for or against the bills, and it does not indicate my votes on the legislation covered. I have given a brief summary of the session's work and will elaborate on it upon receipt of any request. I have endeavored to always support the bills that seemed—after thorough

study—in the best interest of the Ninth District, Virginia, and the Nation.

I maintain a district office at 311 North Main Street, Marion, Va., that is open each day to assist my constituents. I can be contacted at this office during the adjournment period. My Washington office address is 1719 House Office Building, Washington 25, D. C.

Dr. Robert H. Goddard, Great Scientist

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. PHILBIN. Mr. Speaker, far beyond the most vivid imagination is the future story of rockets and missiles that will lift man from his earthbound sphere and carry him into the incredible reaches of space.

Many have contributed to the great progress we have made in this field. Throughout history men have experimented with rockets and missiles, but it is generally agreed now that the real pioneer of present maximum development was Prof. Robert H. Goddard, of Worcester, Mass., a graduate of our world-renowned Worcester Polytechnic Institute and for years professor at Clark University as well as lecturer at his own alma mater.

In his early experiments which took place in Worcester and vicinity, Professor Goddard received little encouragement and no inconsiderable scorn and ridicule. Never dismayed by the taunts and jibes of the skeptics this brilliant man of science painstakingly continued his researches and experiments. Time and again in the fields near Worcester, he set off the crude rockets that he had fabricated, largely with his own hands. He was not deterred by failure, but clung stubbornly to his objectives.

He tried to interest people and Government officials in his ideas but met with little success, in some instances with the retort that his ideas were impractical. Few of his colleagues in the scientific world accepted his theories or approved of his experiments, which some regarded as publicity-seeking stunts.

As he became able to demonstrate that he was getting some results, and was actually propelling some rockets into the air, there was some, not much, change in the opinion of the scientific world, and the professor received some very limited funds from private sources and later from the Government to carry out his work. These funds were extremely limited, and did not permit him to conduct his experiments on the scale he deemed necessary to carry out and test his ideas.

At this time, when the professor was having great difficulty interesting anyone in his rockets, Senator David I. Walsh was one of the few who gave him encouragement. On several occasions he visited the distinguished and esteemed late Senator at his Clinton home and in his Washington office, and Senator Walsh not only conferred with him at great length, listened patiently to his dissertations on rockets, but also arranged appointments for him with officials of our armed services and urged that his ideas be carefully considered.

It is clear that at the time neither officials of the armed services nor other Government officials attached the value and gave the consideration to the professor which his ideas warranted. There was, it seems, almost a complete failure to grasp the importance of his ideas. It is lamentable, indeed, to state that by some he was almost regarded as a crank pursuing an impossible idea. However, he kept a careful record of all his experiments and wrote articles for current scientific magazines. These articles received little, if any, attention in this country, but the Germans, always science-minded and seeking new ideas, became interested and deeply impressed with the professor's work. They studied and restudied his theories and experiments as they were disclosed in his various articles and then started to work patiently to apply his theories and take advantage of his experiments. The ultimate result of this work was the so-called buzz bomb, the A–1 and A–2 rockets, fabricated at Peenemunde, that attacked England with such devastating results during the latter part of World War II.

From that time on rocketry and missilry developed with amazing speed and today we not only have our sputniks and Explorers but many other variations of rockets and missiles that are well on their way not only to produce revolutionary changes in modern warfare—that they have done, to be sure, but also to point the way to the astonishing future developments that will involve space travel, space exploration and in the course of time even astronautical adventures.

The point of these remarks is to emphasize Professor Goddard's brilliant, epochal contributions which mark him as one of the great creative minds of world history. For years, he had gone practically unnoticed, although there has been a growing realization of his greatness. I think that Professor Goddard is preeminently entitled to the posthumous recognition which his tremendous creative achievements merit. During his lifetime, he was never given the credit that was his due. Like other great scientists and conceivers of new ideas, in his lifetime he received more than his share of disbelief and skepticism. It is now most appropriate, I think, that the work and the valuable contributions of Prof. Robert Goddard be appropriately and officially recognized. For that reason, I propose when Congress reconvenes, to introduce legislation expressing the commendation of the Congress for his monumental work and otherwise memorializing his unselfishness, his high ideals, his originality, his great skill and genius, tenacity of purpose and painstaking labors in conceiving and carrying forward the great ideas which now form the basis of one of the most extraordinary concepts in the history of mankind—a concept that could lead men to universal doom, or lift them to the stars.

The following is the tentative draft of a bill which I intend to introduce at the next session of the Congress:

TEXT OF PROPOSED BILL BY HON. PHILIP J. PHILBIN, OF MASSACHUSETTS, TO HONOR THE LATE PROF. ROBERT H. GODDARD (HOUSE JOINT RESOLUTION)

Resolved, etc., That in recognition of the great, creative achievements of the late Dr. Robert H. Goddard for his pioneering research on space rockets, missiles, and jet propulsion, the chairmen of the House Committee on Science and Aeronautics and the Senate Committee on Aeronautical and Space Sciences, on behalf of the Congress, are authorized to present to the family of the late Dr. Robert H. Goddard an appropriate gold medal. For such purpose, the Secretary of the Treasury is authorized and directed to cause to be struck a gold medal with suitable emblems, devices, and inscriptions to be determined by the chairmen of the House Committee on Science and Aeronautics and the Senate Committee on Aeronautical and Space Sciences. There is hereby authorized to be appropriated the sum of $2,500 for this purpose.

SEC. 2. The Secretary of the Treasury shall cause duplicates in bronze of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor), and the appropriations used for carrying out the provisions of this section shall be reimbursed out of the proceeds of such sale.

Congressman Tewes Has 100 Percent Voting Record Again on Legislative Rollcalls

EXTENSION OF REMARKS
OF
HON. DONALD E. TEWES
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. TEWES. Mr. Speaker, in conformity with my belief that the people I represent are entitled to complete information on my voting record in Congress, I am submitting my second annual report to the residents of Wisconsin's Second Congressional District. Included in the tabulation are all legislative rollcalls and all quorum calls. There have been no omissions and no censorship has been exercised.

Congressional actions are frequently cloaked in the technical terminology of parliamentary procedures. For clarity, I have attempted to eliminate all such terms and to state in ordinary language the point at issue when my vote was cast.

The table below indicates that I voted on all matters presented to the House in this session. As in 1957 I have again in 1958 achieved a 100 percent record of publicly signifying my position on every one of these issues of national significance. I was absent from the Chamber on three occasions when there were attendance calls not involving votes. Including these unavoidable absences, my general attendance average was above 98 percent.

As always, I am ready to explain and discuss these votes with constituents of mine who seek additional information.

Roll-call No.	Date	Explanation	Vote
1	Jan. 7	Call of the House	Present.
2	Jan. 15	H. R. 9739: Shall the Defense Department be given new authority to expedite the missile program? (374 yea to 0)	Yea.
3	Jan. 21	Quorum call	Present.
4	Jan. 22	Quorum call	Present.
5	Jan. 23	H. R. 9955: Shall the bill providing a temporary increase of $5,000,000,000 in national debt be returned to committee with instructions to reduce the figure to $3,000,000,000? (275 nay to 115.)	Yea.
6	Jan. 23	H. R. 9955: Shall the temporary debt limit be increased $5,000,000,000? (328 yea to 71)	Yea.
7	Jan. 23	H. R. 10146: Shall an additional $1,250,000,000 be for expediting the missile program in the Department of Defense? (388 yea to 0)	Yea.
8	Feb. 4	H. R. 2151: Shall the import duties on certain coarse wool be suspended for 3 years? (250 yea to 129)	Absent.
9	Feb. 10	Quorum call	Present.
10	Feb. 18	Quorum call	Yea.
11	Feb. 19	H. J. Res. 2: Shall the bill providing for payments for land for the Yellow-tail Dam in Colorado be returned to committee? (197 nay to 152)	Present.
12	Feb. 25	Quorum call	Present.
13	Feb. 26	Quorum call	Nay.
14	Feb. 26	H. R. 10881: Shall $20,000,000 in additional appropriations be added to this bill for western reclamation projects? (200 yea to 184)	Present.
15	Mar. 4	Quorum call	Present.
16	Mar. 5	Quorum call	Present.
17	Mar. 6	Quorum call	Nay.
18	Mar. 6	H. R. 9002: Shall the bill adopting the Hoover Commission recommendation requiring an annual review by Congress of all spending projects be returned to committee for further study? (275 nay to 119.)	Yea.
19	Mar. 6	H. R. 9002: Shall the Hoover Commission recommendation requiring an annual review of all appropriations by Congress be passed? (311 yea to 66.)	Yea.
20	Mar. 11	S. 497: Shall the Rivers and Harbors bill authorizing public works be returned to committee with instruction to remove many unauthorized local projects? (234 nay to 167.)	Nay.
21	Mar. 11	S. 497: Shall the Rivers and Harbors bill authorizing local public works be passed? (321 yea to 81)	Yea.
22	Mar. 19	S. Con. Res. 69: Shall military construction programs requiring no further appropriations be speeded to relieve unemployment? (375 yea to 20)	Yea.
23	Mar. 19	S. Con. Res. 66: Shall civilian construction programs requiring no further appropriations be speeded to relieve unemployment? (379 yea to 16)	Present.
24	Mar. 19	Quorum call	Yea.
25	Mar. 19	S. 3262: Shall the House suspend the rules to limit debate an I amendment and pass a bill authorizing the Armed Forces to assist in the preparation and conduct of the VIII Olympic Games? (357 yea to 139; failed, ⅔ required.)	Present.
26	Mar. 20	Quorum call	Yea.
27	Mar. 20	S. J. Res. 162: Shall the bill be returned to committee with instructions to substitute the Tewes amendment striking cotton from the bill and extending price supports on dairy only? (210 nay to 173.)	Yea.
28	Mar. 20	S. J. Res. 162: Shall farm price support programs for cotton and dairying be extended? (210 yea to 172)	Yea.
29	Mar. 25	H. Res. 507: Shall the House consider a measure to increase and revise servicemen's pay on the basis of technical skills? (381 yea to 5)	Present.
30	Mar. 25	H. R. 11470: Shall servicemen's pay be revised and increased on the basis of technical skills? (366 yea to 22)	Present.
31	Mar. 26	Quorum call	Present.
32	Mar. 27	Quorum call	Present.
33	Mar. 27	Quorum call	Yea.
34	Mar. 27	H. R. 8290: Shall the bill authorizing a $23,000,000 national "democracy" monument in Washington be returned to committee for further study? (195 yea to 190.)	Nay.
35	Mar. 28	H. R. 3822: Shall air carriers be permitted to retain capital gains obtained from the sale of old flight equipment? (276 yea to 63)	Present.
36	Mar. 28	Quorum call	Yea.
37	Mar. 28	S. 3262: Shall the Armed Forces be authorized to assist in the preparation and conduct of the VIII Olympic Winter Games? (218 yea to 102)	Yea.
38	Apr. 1	H. R. 10589: Shall funds be provided for Civil Rights Commission? (273 yea to 98)	Nay.
39	Apr. 3	H. R. 9821: Shall the bill authorizing accelerated appropriations for highway construction be returned to committee for further study? (222 nay to 109.)	Yea.
40	Apr. 3	H. R. 9821: Shall the bill authorizing accelerated appropriations for highway construction be adopted? (300 yea to 28)	Present.
41	Apr. 16	Quorum call	Present.
42	Apr. 22	Quorum call	Nay.
43	Apr. 23	H. Res. 465: Shall the House consider a measure revising regulations concerning the serving of oleomargarine in Navy rations? (232 yea to 130)	Yea.
44	Apr. 22	H. R. 912: Shall the Navy be prohibited from including oleomargarine in its rations when butter is available from Government surplus? (207 yea to 161.)	Yea.
45	Apr. 29	H. Res. 551: Shall the House consider legislation authorizing Government construction and sale of 2 "superliner" oceangoing passenger vessels? (342 yea to 31.)	Present.
46	Apr. 29	Quorum call	Nay.
47	Apr. 29	H. R. 11451: Shall the Federal Government build 2 oceangoing superliner passenger vessels for sale to private ship operators? (289 yea to 94)	Present.
48	Apr. 30	Quorum call	Present.
49	May 1	Quorum call	Yea.
50	May 1	H. R. 12065: Shall the bill extending benefits to those who have exhausted unemployment benefits be amended to provide that such additions be administered by the States from money loaned rather than donated by the Federal Government? (223 yea to 165.)	Yea.
51	May 1	H. R. 12065: Shall the additional unemployment benefits be extended for those who have exhausted such benefits? (371 yea to 17)	Present.
52	May 6	Quorum call	Present.
53	May 12	Quorum call	Present.
54	May 12	Quorum call	Present.
55	May 12	Quorum call	Present.
56	May 13	Quorum call	Present.
57	May 13	Quorum call	Yea.
58	May 14	H. R. 12181: Shall the Mutual Security Act authorization of $2,958,900,000 be passed? (259 yea to 134)	Present.
59	May 15	Quorum call	Yea.
60	May 15	H. R. 12428: Shall the appropriations bill for the Departments of State and Justice, the Judiciary, and related agencies be passed? (320 yea to 51.)	Present.
61	May 21	Quroum call	Yea.
62	May 21	H. R. 7999: Shall the House consider legislation to make Alaska a State? (217 yea to 172)	Present.
63	May 21	Quorum call	Present.
64	May 21	Quorum call	Present.
65	May 21	Quorum call	Present.
66	May 21	Quorum call	Yea.
67	May 22	H. R. 5836: Shall the postal rates on 1st, 2d, and 3d class be increased? (381 yea to 0)	Present.
68	May 22	Quorum call	Present.
69	May 22	Quorum call	Present.
70	May 22	Quorum call	Present.
71	May 22	Quorum call	Present.
72	May 23	Quorum call	Present.
73	May 26	Quorum call	Present.
74	May 26	Quorum call	Present.
75	May 26	Quorum call	Present.
76	May 27	Quorum call	Present.
77	May 27	Quorum call	Nay.
78	May 28	H. R. 7999: Shall the bill making Alaska a State be returned to committee for further study? (199 nay to 174)	Present.
79	May 28	Quorum call	Nay.
80	May 28	H. R. 7999: Shall the bill making Alaska a State be returned to committee for further study? (202 nay to 172)	Yea.
81	May 28	H. R. 7999: Shall the bill making Alaska a State be passed? (210 yea to 166)	Present.
82	June 2	Quorum call	Present.
83	June 3	Quorum call	Present.
84	June 4	Quorum call	Present.
85	June 4	Quorum call	Present.
86	June 4	Quorum call	Nay.
87	June 5	H. R. 12738: Shall $99,000,000 be appropriated to increase the Army size despite opposition from the Department of Defense? (225 yea to 158)	Yea.
88	June 5	H. R. 12738: Shall the Department of Defense appropriations bill be passed? (389 yea to 0)	Present.
89	June 9	Quorum call	Present.
90	June 9	Quorum call	Present.
91	June 10	Quorum call	Present.
92	June 10	Quorum call	Present.
93	June 11	Quorum call	Nay.
94	June 11	H. R. 12591: Shall legislation extending reciprocal trade agreement authority be returned to committee with instructions to substitute the Simpson amendment considerably limiting the scope of the agreements? (368 nay to 146.)	Yea.
95	June 11	H. R. 12591: Shall the authority for reciprocal trade agreements be extended? (317 yea to 98)	Present.
96	June 11	Quorum call	Present.
97	June 11	Quorum call	

Roll-call No.	Date	Explanation	Vote
98	June 12	Quorum call	Present.
99	June 12	H. R. 12541: Shall the Defense Department reorganization bill be returned to committee with instructions to conform with the President's recommendations? (211 nay to 192.)	Yea.
100	June 12	H. R. 12541: Shall the Department of Defense be reorganized? (402 yea to 1)	Yea.
101	June 17	Quorum call	Present.
102	June 18	S. 3910: Shall the Rivers and Harbors bill, now in conformity with the President's veto message be passed? (374 yea to 17)	Yea.
103	June 19	H. R. 12858: Shall the appropriations for civilian functions of the Army and the Department of the Interior be passed? (361 yea to 18)	Nay.
104	June 19	H. R. 12716: Shall the Atomic Energy Act of 1954 be amended to permit greater exchange of information with military allies? (345 yea to 12)	Yea.
105	June 26	H. R. 11077 Shall the "Veterans of World War I" receive a Federal charter? (389 yea to 2)	Yea.
106	June 26	Quorum call	Present.
107	June 26	H. Res. 609 Shall the House consider an ominbus farm bill with new legislation for many commodities? (214 nay to 171)	Nay.
108	June 26	S. 1832 Shall the House suspend the rules (concerning debate and amendment) and authorize an Assistant Secretary of State for Africa? (224 yea to 145; failed, ⅔ required.)	Yea.
109	June 27	H. R. 12695: Shall existing tax rates for corporations and present excise taxes be extended for 1 year? (365 yea to 9)	Yea.
110	June 27	H. R. 12181: Shall the mutual security authorization bill for 1959 be returned to committee? (238 nay to 134)	Nay.
111	June 27	H. R. 12632: Shall legislation authorizing Government guaranties for railroad loans be passed? (348 yea to 2)	Yea.
112	June 30	S.3342: Shall the House suspend the rules concerning debate and amendment and continue the school milk program? (328 yea to 1)	Yea.
113	July 1	Quorum call	Present.
114	July 1	Quorum call	Present.
115	July 1	Quorum call	Present.
116	July 1	Quorum call	Present.
117	July 1	Quorum call	Present.
118	July 2	H. R. 11477: Shall the United States Code be amended to permit certain confessions as evidence? (294 yea to 79)	Yea.
119	July 2	H. R. 13192: Shall the mutual security appropriation for 1959 be returned to committee with instructions to add $75,000,000 for defense support? (214 nay to 166.)	Yea.
120	July 2	H. R. 13192: Shall the mutual security appropriation for 1959 be passed? (253 yea to 126)	Yea.
121	July 9	Quorum call	Present.
122	July 10	H. R. 3018: Shall this legislation authorizing military construction be returned to committee with instructions to eliminate a provision which forces the Secretary of Defense to sell an ordnance depot in Texas at a loss of $40,000,000? (202 nay to 179.)	Yea.
123	July 10	H. R. 3015: Shall the bill authorizing military construction be passed? (379 yea to 2)	Yea.
124	July 10	S. 4961: Shall the House suspend the rules concerning debate and amendments and authorize the acquisition of additional property surrounding the New Senate Office Building? (232 yea to 150, failed; ⅔ required.)	Nay.
125	July 10	S. 14: Shall the security regulations of civil service be made applicable to employees in now-sensitive positions? (296 yea to 46)	Yea.
126	July 14	Quorum call	Absent.
127	July 15	Quorum call	Present.
128	July 15	H. Res. 597: Shall the House consider legislation which establishes the rule of interpretation for the judiciary that Congress does not intend to replace legislation by the States unless it specifically says so? (268 yea to 114.)	Yea.
129	July 15	Quorum call	Present.
130	July 16	Quorum call	Present.
131	July 16	Quorum call	Present.
132	July 17	Quorum call	Present.
133	July 17	H. R. 3: Shall the House amend H. R. 3 to permit enforcement of State statutes prescribing criminal penalties for subversive activities? (249 yea to 147.)	Yea.
134	July 17	H. R. 3: Shall the legislation establishing for judicial interpretation that Congress does not intend to replace State legislation unless there is an express declaration to this effect be returned to committee? (236 nay to 161.)	Nay.
135	July 17	H. R. 3: Shall Congress establish the rule for guidance of the judiciary that it does not intend to replace State legislation unless it specifically makes such a declaration? (241 yea to 155.)	Yea.
136	July 18	Quorum call	Present.
137	July 21	Quorum call	Present.
138	July 22	Quorum call	Present.
139	July 22	Quorum call	Present.
140	July 23	Quorum call	Present.
141	July 24	Quorum call	Present.
142	July 24	H. Res. 685: Shall the House consider legislation to lend funds to local municipalities to improve marketing facilities for perishable agricultural commodities? (211 nay to 104.)	Yea.
143	July 28	Quorum call	Absent.
144	July 30	Quorum call	Present.
145	July 30	Quorum call	Present.
146	July 30	H. Res. 649: Shall the House consider legislation providing pensions for former Presidents of the United States? (254 yea to 126)	Yea.
147	July 31	Quorum call	Present.
148	July 31	Quorum call	Present.
149	July 31	H. R. 13549: Shall social-security payments and benefits be increased 7 percent? (375 yea to 2)	Yea.
150	July 31	H. Res. 659: Shall the House cite Robert Lehrer for contempt of Congress for refusal to answer questions of the House Un-American Activities Committee? (363 yea to 0.)	Yea.
151	Aug. 1	Quorum call	Present.
152	Aug. 1	H. Res. 650: Shall the House consider legislation to help finance construction of local community facilities and public buildings? (187 nay to 173)	Nay.
153	Aug. 4	Quorum call	Present.
154	Aug. 5	Quorum call	Present.
155	Aug. 6	H. R. 13015: Shall this legislation which forces the Secretary of Defense to sell an established ordnance depot in Texas at a loss of $40,000,000 be passed? (265 yea to 135.)	Nay.
156	Aug. 6	H. R. 12580: Shall the public debt limit be raised permanently to $285,000,000,000 and temporarily to $288,000,000,000? (266 yea to 108.)	Yea.
157	Aug. 6	S. 4071: Shall the House suspend the rules concerning debate and amendments, and pass an agricultural bill with provisions for many commodities? (210 yea to 186.)	Yea.
158	Aug. 7	Quorum call	Present.
159	Aug. 7	H. Res. 675: Shall the House consider legislation providing for various Federal aids to education including student loans? (208 yea to 108)	Yea.
160	Aug. 8	Quorum call	Present.
161	Aug. 8	H. R. 13547: Shall the bill providing for various Federal aids to education be returned to committee? (233 nay to 140)	Nay.
162	Aug. 12	Quorum call	Present.
163	Aug. 12	Quorum call	Present.
164	Aug. 12	Quorum call	Present.
165	Aug. 12	H. 2768: Shall the House override the President's veto of a bill fixing wage rates at the Portsmouth, N. H., Naval Shipyard? (307 yea to 97, failed, ⅔ required.)	Nay.
166	Aug. 13	H. Res. 664: Shall Bernard Goldfine be cited for contempt of Congress for refusal to answer questions of the Legislative Oversight Committee? (406 yea to 5.)	Yea.
167	Aug. 13	H. Res. 660: Shall Carl Braden be cited for contempt of Congress for refusal to answer questions of the Un-American Activities Committee? (368 yea to 1.)	Yea.
168	Aug. 13	Quorum call	Present.
169	Aug. 13	Quorum call	Present.
170	Aug. 13	H. Res. 682: Shall the House consider a bill providing Federal financial aid for chronically depressed areas? (216 yea to 150)	Nay.
171	Aug. 15	Quorum call	Present.
172	Aug. 15	S. 3683: Shall the legislation providing for Federal financial aids for chronically depressed areas be returned to committee? (188 nay to 170)	Yea.
173	Aug. 15	Quorum call	Present.
174	Aug. 15	S. 4095: Shall the House suspend the rules concerning debate and amendment and pass legislation extending the housing and urban renewal laws? (261 yea to 134, failed, ⅔ required.)	Yea.
175	Aug. 15	S. 3974: Shall the House suspend the rules concerning debate and amendment and pass legislation to regulate labor-management practices? (198 nay to 190, failed, ⅔ required.)	Nay.
176	Aug. 15	Quorum call	Present.
177	Aug. 15	H. R. 13067: Shall the House suspend the rules concerning debate and amendment and enact a food-stamp plan for the distribution of food commodities? (196 yea to 187, failed, ⅔ required.)	Nay.
178	Aug. 19	Quorum call	Present.
179	Aug. 19	H. Res. 691: Shall the National Defense Education Act be sent to a conference with the Senate to resolve differences? (250 yea to 110)	Yea.
180	Aug. 19	Quorum call	Present.
181	Aug. 19	H. Res. 689: Shall the House consider legislation providing for Federal subsidy payments to copper, lead, zinc, mining industries? (198 yea to 168.)	Yea.
182	Aug. 19	Quorum call	Present.
183	Aug. 20	H. R. 13450: Shall the House concur in a Senate amendment which limits the financial planning of the National Aeronautics and Space Administration? (236 nays to 126.)	Nay.
184	Aug. 20	H. R. 13450: Shall the House concur in a Senate amendment which provides funds for the United States Information Agency to acquire additional radio facilities? (190 yea to 172.)	Yea.

Roll-call No.	Date	Explanation	Vote
185	Aug. 20	Quorum call	Present.
186	Aug. 21	Quorum call	Present.
187	Aug. 21	S. 4036: Shall the House terminate debate on legislation providing subsidy payments for domestic mining industries? (174 nay to 171)	Yea.
188	Aug. 21	S. 4036: Shall the Federal Government make subsidy payments to domestic copper, lead, and zinc mining industries? (182 nay to 159)	Nay.
189	Aug. 21	S. Con. Res. 109: Shall the House suspend the rules concerning debate and amendment and enact this resolution, express the sense of Congress in favor of a permanent United Nations police force? (299 yea to 20.)	Yea.
190	Aug. 22	Quorum call	Present.
191	Aug. 22	S. 3335: Shall Congress donate Federal land in Washington for a national cultural center to be constructed with funds from voluntary contributions? (261 yea to 55.)	Yea.
192	Aug. 22	H. R. 13343: Shall the House authorize Federal funds if needed to augment private solicitations for the Pan American Games to be held in Chicago? (244 yea to 64.)	Yea.
193	Aug. 23	H. R. 13480: Shall the House adopt the recommendations of the House and Senate conferees concerning military construction appropriations? (300 yea to 1.)	Yea.
194	Aug. 23	Quorum call	Present.
195	Aug. 23	H. R. 13247: Shall the House adopt the recommendations of House and Senate conferees on the National Defense Education Act? (212 yea to 85)	Yea.

Hospitality Returned

EXTENSION OF REMARKS
OF
HON. ALFRED D. SIEMINSKI
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 22, 1958

Mr. SIEMINSKI. Mr. Speaker, life is an echo. It all comes back.

It was fun at lunch today.

After solemnly hearing Chaplain Braskamp deliver the opening prayer, and after having all their questions answered on the proceedings in the House Chamber, Liz and Ann Jeronimus, aged 9 and 6, could hardly wait to be seated in the restaurant of the House of Representatives.

No navy bean soup for them; no sir. That was for their mother, Mrs. Betty Jeronimus and their grandmother, Mrs. Frank Duerr to have. It was ice cream and hamburgers for the girls. Yes sir, and all they could eat of it, too; this was heaven.

And it was easy with all that ice cream for the girls to greet Representatives EUGENE MCCARTHY and later JOHN BLATNIK, of Minnesota, because Liz and Ann were from Minnesota, too. And although they could not quite promise their votes to GENE and JOHN this fall, Liz and Ann Jeronimus thought GENE MCCARTHY and JOHN BLATNIK were very nice. But the nicest of all, of course, was the ice cream.

It was all so very like Minnesota, big and friendly.

That is the way we were treated on our inspection trip last autumn to International Falls and elsewhere along the Minnesota-Canadian border, big and friendly, and even over to Dunseith, in North Dakota, at the International Peace Gardens. The welcome mat was out. The food was plentiful and the biscuits always hot. Mr. Speaker, the finest home-cooked meals are to be had along the Minnesota, North Dakota, Canadian border, so it seems. Maybe it was the twang in the air and the open courtesy of our United States customs and immigration officials that whet the appetite that downed the food.

But whatever it was, I saw it at work with Liz and Ann Jeronimus in the House Restaurant today. Man, did that ice cream slide down easy. And did those hamburgers take a beating? Yes, sir.

Annual Report of Hon. Charles B. Brownson to the People of the 11th District of Indiana

EXTENSION OF REMARKS
OF
HON. CHARLES B. BROWNSON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BROWNSON. Mr. Speaker, this is my annual report to the people of the 11th District of Indiana, whom I am privileged to represent in the Congress of the United States.

The end of a Congress is actually a beginning. It is the beginning of new legislation, good and bad.

During the 135 days that the House of Representatives was in session—a total of 562 hours and 12 minutes of talking time—the House passed 620 public laws. Each of these new laws will, directly or indirectly, for good or ill, touch the life of every citizen in Marion County.

Adjournment in the early hours of August 24 touched off a round of self-congratulations among the Democrat leadership and the ultraliberal press. They compared the sweeping legislation enacted since last January 7 with the first 100 days of the Roosevelt regime.

The Democrats are calling the 85th a "do something" Congress.

It cannot be denied that it has been a "do something to everybody" Congress. Nor can it be denied that during this session Congress spent more of the taxpayers' money than ever before in peacetime.

Membership in the House was divided, with 233 Democrats and 198 Republicans, giving the Democrats a working majority of 35. A substantial Democrat majority controlled every subcommittee and every full committee. A Democrat chairman headed up each of these subcommittees and full committees. A Democrat Speaker determined which bills should or should not come to the floor.

Honest conservatism was in the minority. This is what a Democrat "do something" Congress chose to do in an election year:

It fought a brushfire skirmish with nuclear spending methods by voting $8 billion to $10 billion in new pump-priming schemes to combat a recession already on the route. It voted a record-smashing peacetime budget of $72,600 million. These tactics, of course, give aid and comfort to the Nation's grimmest enemy: inflation.

The 85th Congress justified its $3,298 million foreign aid program as a tool for fighting communism overseas. But, it refused to act on legislation to protect Americans at home from subversives—legislation which would not cost the taxpayers a cent.

While it admitted a 49th State to the Union, the Congress failed to enact any clear-cut measures to preserve the crumbling rights of the States. As a matter of fact, it passed measures encroaching on traditional States' rights, particularly in the field of education.

After parading corrupt union leaders, out-and-out racketeers, and their victims before a shocked American public, the Democrats wrote a labor bill so bad that representatives of both labor and management considered it a shabby joke. Even Mr. George Meany, president of the AFL–CIO, in a written statement to the House Education and Labor Committee, said:

> As a result S. 3974, as adopted last night by the Senate, contains provisions which we are certain will prove unworkable; provisions which we know are unwise; provisions which are clearly unfair and unduly repressive.

Not one word in the bill was changed from the time it left the Senate until it came to the House floor. Republican efforts to bring out legislation which would correct the abuses uncovered by the Senate subcommittee were balked by the Democrat leadership, and the rank and file of labor and the consuming public were deprived of the protection they need and deserve.

BROWNSON VOTED FOR ECONOMY

Only a handful of economy-minded stalwarts seemed to recall the mandate handed them in the first session when the voters demanded that Federal expenditures be cut. The leadership saw to it that few record votes would be on a cut-and-dried economy basis to show up the spenders. Many of the multi-million-dollar spending bills were steamrollered through under parliamentary procedures permitting little or no debate.

One of these pump-priming schemes was a mammoth housing bill which the leadership attempted to ram through with only 40 minutes debate. This bill covered a multitude of spending proposals outside of the housing field. It is no exaggeration to say that it had everything in it but the kitchen sink.

Senator HARRY F. BYRD, speaking on the floor of the Senate, said:

If a tough little group of last-ditchers in the House had not stopped the Senate-passed housing bill, another $26 billion in Federal cash and public credits would have gone over the dam.

That tough little group of last-ditchers consisted of 134 of us House Members who voted against the bill's passage under a suspension of the rules, which requires a two-thirds majority. One hundred and fourteen of the tough little group were Republicans—including myself—while only 20 were members of the Senator's own Democratic Party. Had passage been based on a simple majority vote, we would have lost to the spenders, 251 of whom voted to pass it. They were just 6 votes shy of the required two-thirds.

And, it was 157 Republicans, joined by a handful of Democrats, who defeated the rule which would have brought the $2.9 billion community facilities bill to the floor. This bill was part of the Rayburn-Johnson kit of recession cure-alls. The vote was a close one: 173 for and 187 against the rule. I voted against it.

I helped to lead the floor fight which preceded defeat of a $25 million agriculture marketing facilities bill, which would have loaded another extravagant expenditure on the Federal Government for a program being carried on willingly and well by the individual States. Once again my Republican colleagues lined up with me on the side of economy and the rule on the measure was beaten in a 164-to-211 vote. Of the 211 who opposed it, 163 were Republicans.

Victories for the taxpayers were pitifully few, however, when compared with the multi-million-dollar spending bills which were passed. The Democrat leadership was clever in manipulating many of them through under rules which called for tightly limited or even no debate. Both the $5.5 billion emergency highway bill and the $1.9 billion emergency Federal housing loan bill were passed in this manner.

President Eisenhower had outlined a program of sensible assistance to certain distressed-labor areas, but the Democrats emerged from committee with a bill representing such a complete boondoggle that it was unpalatable to the administration and to a majority of the Republican Members of the House. As the Democrats reported it, the area redevelopment bill called for an initial outlay of $279.5 million in Federal grants and loans, administered in such a way as to foster a Government-control system of industry production completely unrelated to good economics and traditional American principals of free enterprise. It thrust the Federal Government into yet another field belonging to the States and local municipalities and individuals. Attempts to send the bill back to committee were frustrated in an almost straight party-line vote of 170 for recommittal and 186 against recommittal; 115 Republicans voted to recommit. The bill met with a veto from President Eisenhower.

The gigantic rivers and harbors "pork barrel," calling for an outlay of $1.5 billion, passed despite the fight my economy-minded colleagues and I put up in the House. The bill met with a quick veto at the White House, and an appropriation bill of saner proportions for necessary projects ultimately was written, passed, and signed into law.

Twice within 6 months the Congress was called upon to increase the national debt limit—to pledge the wages of generations yet unborn as payment for the pump priming, the pork barrels, the wanton spending in which the Congress itself has indulged. On January 23, I voted against increasing the national debt limit by a supposedly temporary $5 billion. On August 5, I voted against making that $5 billion permanent, plus adding another permanent $5 billion and a temporary $3 billion.

My votes were protests against the real evil, which is Congressional approval of authorizations and appropriations which make such increases necessary. Both times I took the floor to point out the wicked folly of reckless spending which forces Congress to mortgage the future of our children and our grandchildren. That Congress should be forced to raise the debt limit by $13 billion in times of relative prosperity is a strong indictment of the spenders in Congress itself.

H. R. 8002: THE ECONOMY BUDGET BILL

The one important economy measure to become law during this session of spend and spend was H. R. 8002. This bill had the backing of President Eisenhower, the Bureau of the Budget, the Citizens' Committee for the Hoover Report, most fiscal authorities, and the man the 85th Congress most often ignored—the taxpayer himself.

Mail from the 11th District of Indiana, which I represent, was constant during the year and a half it took Congress to consider, study, debate, and pass the bill. Most of my folks knew I had worked on this legislation in the Government Operations Committee on which I served, and they knew I was one of its first and staunchest backers. They wrote to me urging me to get my colleagues busy turning H. R. 8002 into law. They could not understand how the 85th Congress could allocate something like 3 minutes of time to slip through a $5.5 billion highway bill under a suspension of the rules, and yet take so much time in passing legislation which could save the Federal Government many millions of dollars every year. For that matter, I found it a little difficult to understand myself.

H. R. 8002 will place the Federal budget on an accrued expenditures basis, requiring annual review each year by Congress on both existing and proposed programs, and thus provides a financial tool for realistic Congressional control over the annual rate of Government expenditures.

NATIONAL DEFENSE AND INTERNAL SECURITY—DEFENSE REORGANIZATION PLAN

President Eisenhower finally won his 12-year fight to eliminate the patchwork committee improvisation in Department of Defense administrative policies. After a nip-and-tuck battle between the Democrat-controlled Armed Services Committee—which sent his plan to the floor stripped of some of its most essential features—and those of us who respect the President's farsightedness in military matters, the Congress finally adopted most of his recommendations.

I supported the plan set forth by the President all the way. It clarifies the authority of the Secretary of Defense, steps up Pentagon efficiency, and streamlines the unified command structure. Party lines were clearly drawn on this measure, with House Republicans voting almost 100 percent in favor of the President's recommendations, and the Democrats voting almost 100 percent against it. Although his recommendations were not adopted in the House, they were added in the Senate, and became part of the bill which was signed at the White House. With much of the redtape cut away, the Nation can expect more defense for the dollar.

DEFENSE APPROPRIATION

While giving the reorganization plan to the taxpayers with one hand, the spenders in Congress took away with the other hand. President Eisenhower and his top military advisers assessed the Nation's defense needs at $38.7 billion for fiscal 1959. A majority in Congress insisted on giving him more than $815 million more than he requested.

Most of this padding was done in committee and some of it was done on the floor of the Senate. The full House had only one clear-cut opportunity to reject a part of these unasked-for funds. Representative SIKES, of Florida, proposed addition of $99 million to the bill—$99 million which the President specifically said was not needed. I voted against adding the funds, but the Sikes amendment carried in a rollcall vote of 225 to 159.

This desire to be lavish with the military probably was sparked by the Russian success with sputnik, and also may have resulted from a guilt complex dating back to the first session. In 1957, we trimmed about $2.5 billion from the defense budget. The President and his advisors agreed that they could live with the cut if the Congress would only restore $313 million in areas where no true economy resulted. In an almost 100 percent party line vote, the Democrats refused to restore this urgently needed $313 million for Army research and development, naval airpower, and planes for the Air Force.

Many of those who cast their false economy votes in 1957—and the author of the Sikes amendment was one of them—were eager this year to add $99 million the President said was not needed. I voted against adding the $99 million this year. I voted against cutting the $313 million in the first session.

As an active reservist, long acquainted with the military, I am aware that the Department of Defense is seldom self-denying in its money requests. I could not see the wisdom of handing them money they insisted they did not need. Ecclesiastes expresses my philosophy on appropriating money in the verse which says: "There is a time to keep, and a time to cast away."

MILITARY COMPENSATION ACT

Incorporating some of the highly publicized Cordiner recommendations, this bill increasing Armed Forces' pay was passed by Congress. Since I felt a little incentive pay for noncommissioned and company grade officers was better than no raise at all, I voted for the bill. I was disappointed that it did not distribute these increases more equitably, concentrating them in the areas in which incentives are most needed. I spoke out on the floor asking the House to send the bill back to the Armed Services Committee for further study. This request was voted down, and I subsequently voted for the bill's passage. I still feel that the 47 percent pay raise it gives to 4-star generals and the 36 percent raise it gives to other generals is completely out of line when compared with only 15 percent for company grade officers and a mere 7 percent for sergeants first class.

SPACE AND ATOMIC PROJECTS

Awareness of the Soviet challenge prompted the creation of the National Aeronautics and Space Administration, civilian-controlled, which received unanimous House approval. Congress authorized $47.8 million for construction of a new space projects center and for expansion of satellite launching and tracking facilities, and another $54.6 million to expand and accelerate present missile base construction projects. Three hundred and eighty-six million dollars were authorized for the Atomic Energy Commission for construction and expansion purposes. The Congress also approved exchange of atomic information with military allies of the United States.

In their enthusiasm, the spenders decided to treat the taxpayers to the luxury of an atomic-powered icebreaker for service in the Arctic and Antarctic, although they had Navy testimony showing that existing, conventionally operated icebreakers are doing a more than adequate job. This $40 million money bill met a firm veto at the White House.

LOYALTY SECURITY PROGRAM

I voted for this bill to place all Federal employees under the loyalty security program, while, at the same time, granting the right of appeal. Unfortunately, this is one of several worthwhile bills to fight subversion which died with the 85th Congress. It passed both House and Senate, the House approved the conference report, but the Senate leadership failed to call the conference report up for that body's approval, and the measure thus was killed.

PREEMPTION OF STATE LAWS

When a notorious Communist leader was freed because the Supreme Court ruled that a Federal law preempted the State antisubversion laws under which he had been convicted, a shocked and outraged public demanded Congressional action.

H. R. 3 was written in answer to that demand. It spelled out clearly that State laws in fields where Congress has acted are concurrently enforcible, and it specifically applied this principle to State antisedition laws. H. R. 3 was introduced January 3, 1957, the opening day of the 85th Congress. It was a year and a half before the House Judiciary Committee finally reported it.

During the long floor debate on H. R. 3, I voted four times to restore the balance of power to the States and to avoid further preemption rulings by the Supreme Court: I voted for the rule to bring the bill to the floor; I voted for the Willis amendment which broadened the scope of the bill; I voted against the motion to recommit, and I voted for final passage. A majority of my colleagues voted with me on all of these rollcalls and the bill was sent to the Senate. House Democrats split on this measure: 100 of them voted for it, 109 voted against it. Republicans lined up solidly behind States rights, giving the bill 141 yeas, and only 46 nays. The entire Hoosier Republican delegation in the House supported H. R. 3.

H. R. 3 was buried in committee when it reached the Senate, and S. 654, a similar bill, was called up for action. It was defeated in a 40 to 41 vote, with the majority leader, Senator JOHNSON, himself voting against the bill. With the Jenner-Butler bill ordered tabled in a 49 to 41 vote, S. 654 killed by 1 lone vote, and H. R. 3 locked in committee, all hope for preemption clarification was lost.

OTHER ANTISUBVERSIVE LEGISLATION

The Senate Democratic leadership also must answer for the failure to call before the Senate four House-approved antisubversive measures. These bills would have extended application of espionage laws to offenses against the United States anywhere in the world; provided for denial of passports to persons knowingly engaged in activities intended to further international communism; clarified the Criminal Code definition of "organize" relating to treason, sedition, and subversion cases, and fixed procedure for judicial review to prevent unjustified delay in execution of deportation orders.

All four of these bills provided desirable safeguards. Their defeat meant four more victories in the 85th Congress for the ADA lobbyists who so vigorously opposed them.

TRADE, NOT AID

Two of the most hotly disputed issues of the session were the foreign aid and reciprocal trade bills. I voted against the foreign aid authorization bill, and I voted against the foreign aid appropriation bill. I stood up the night of adjournment, when the appropriation conference report came to the House for final approval, to demand a final rollcall vote. It was refused. I voted against the program because I know the so-called defense support—economic aid—portions are wasteful, poorly administered, and fail in their objectives.

The International Operations Subcommittee, on which I am ranking minority member, issued two reports this spring on the deplorable situation we found during our tour of duty last fall in the Near East. Several of us appeared before the House Foreign Affairs Committee this spring to testify on the lack of effectiveness we found in the economic-aid program. I do feel that elements of military assistance to our allies are necessary, since much of the hardware used in these programs is obsolete to United States forces' use and has an actual value of its worth to the scrap dealer. I believe, too, that the low-cost technical assistance program has some value because it deals in knowledge shared, rather than in funds given away. Since all three phases of the program are lumped together in one bill, and because the economic portion is so highly objectionable, I voted against the bill. I think that the reports our committee sent to each Member, and the testimony we gave before the Foreign Affairs Committee, played an important part in final Congressional approval of a $618 million cut in the original budget request.

Hoosier House Republicans opposed the foreign-aid bill 8 to 1; both Indiana Democrats voted for it.

When the reciprocal trade bill came before the House, I bore in mind the fact that last year the United States exported $20 billion in goods, while importing only $13 billion. Ten percent of all the movable goods we manufacture are exported; nearly one-fourth of our cropland produces for foreign markets. To curtail the flow of these exports would have serious repercussions on our economy. The only way others can pay for these goods is either by our imports or our foreign aid. I prefer trade.

I had hoped for a rule which would have permitted the House to compromise somewhere between the administration request for a 5-year extension and the alternative bill calling for an extension of only 2 years. Such a rule was not granted, but the whole Congress eventually agreed on a 4-year extension, with adequate safeguards included for the protection of domestic industries.

FEDERAL AID TO EDUCATION

"A first big step that will lead to many more."

In these words a jubilant, left-wing east coast newspaper brazenly admits that the so-called National Defense Education Act was a tool to fling open the doors to all-out Federal aid to education and ultimate Federal control of the public schools.

This legislation is the most dangerous to pass Congress in the 8 years I have served in Washington. I, and the rest of the Hoosier Republicans in both House and Senate, fought a heartbreaking, losing battle to defeat this $1 billion bill.

I took the floor to speak at length during debate on the measure. I and the eight other Hoosier Republicans voted solidly to send the bill back to committee. We demanded a rollcall on final passage, but the requisite 50 Members failed to join us in standing up to request that the "yeas" and "nays" be recorded. The bill passed the House in a voice vote.

On the final day of the session, August 23, when the conference report came before the House, the Hoosier delegation worked feverishly to back up a request for a rollcall and this time we succeeded in obtaining a final vote for the record so the folks back home could judge for themselves the actions of the men representing them.

By succumbing to cunningly inspired panic techniques of such pressure groups

as the NEA, the ADA, and other proponents of big government, a majority of the Congress voted for a bill which study shows was not wanted by or desirable for the individual States.

The biggest portion of the bill grants direct annual Federal aid to public schools in the amount of $300 million for equipment for instruction in mathematics, science, and languages. Two hundred and ninety-five million dollars is for loans of $1,000 a year to college students. Five million dollars will be used to help States establish mathematics, science, and language programs in the public schools. Sixty-one million dollars will be used to establish rare-language centers for instruction of language teachers. This amount includes a stipend covering transportation expenses of the teachers and their dependents. Other Federal-aid portions of the program are for research on the educational uses of television, motion pictures, and radio in public schools; guiding and testing programs for public school children; additional guidance counseling, and administrative costs at the Washington end.

Hoosiers have never been deceived into thinking that Indiana gets 100 cents back on every tax dollar it sends to Washington. Of the hundreds of letters I received from the folks back home on this education bill, only one favored it and this letter originated from a pressure group.

Hoosiers are justly proud of their public school system, the high quality of their guidance and counseling programs, their capable and dedicated teaching staffs, and the many splendid private programs of scholarships and student loans.

At no time were they deluded as to the real purpose of this legislation. They may take some small comfort in knowing that their 2 Republican Senators and their 9 Republican Representatives never gave an inch in the fight to beat this very bad bill.

LABOR LEGISLATION

The most gigantic hoax of the session—the Kennedy-Ives bill—backfired on Democrats who were trying to be all things to all people. After spending thousands of tax dollars parading the Senate Labor Rackets Subcommittee procedures before the American people, the Democrats were unable to write a labor bill dealing squarely with the corruption the subcommittee had uncovered.

Their dilemma: How to calm an alarmed consuming public and labor union rank and file, while at the same time placating labor leadership to whom they are beholden for delivering votes in the fall.

Their solution: A bill they could call labor reform although it did not do the cleanup job that must be done.

Secretary of Labor Mitchell blasted the Kennedy-Ives bill as weakening "the already pitifully ineffective legal protection presently provided by law to union members and the public." He chided the Democratic leadership for ignoring the format for labor reform that President Eisenhower had handed them at the beginning of the year.

When the Kennedy-Ives bill came to the House, it was held by the Speaker for 41 days before he referred it to the House Committee on Education and Labor. No hearings were held on the bill and the Democrat majority voted against reporting it out for debate on the floor. A Republican labor reform bill, in line with the President's firm but moderate recommendations, also was voted down in committee.

The House leadership eventually took the Kennedy-Ives bill from committee to the floor under a rule which permitted no amendments and which allowed only 40 minutes' debate. The Kennedy-Ives bill is 48 pages in length. That meant the leadership was permitting less than 1 minute of debate per page on a bill of far-reaching and dangerous proportions.

I voted against the Kennedy-Ives bill because it was not an honest attempt to clean up corrupt practices in the labor union movement. It was opposed by many responsible leaders of both labor and management.

Under the suspension rule, the Kennedy-Ives bill required a two-thirds majority to pass the House. We repudiated the bill in a 190–to–198 rollcall vote, which meant it would not even have passed on a simple majority vote.

I immediately called on the Democrat chairman of the House Education and Labor Committee for a new bill to provide the safeguards both union members and the consuming public need and deserve. The session adjourned without such a bill. I have continued to press for prompt, vigorous action in drawing up legislation to be acted upon as soon as the 86th Congress meets.

Many honest folks were deluded by the Democrat leadership's high-powered public relations job to promote the Kennedy-Ives bill. Some of these folks have asked me why I voted against it, why a poor bill was not better than none at all.

These are my reasons:

The Kennedy-Ives bill did not provide for genuine democracy in unions.

It did not have enforcement sanctions on unions retaining officers who file false returns with the Secretary of Labor.

It did nothing about organizational and racketeer picketing, even when this picketing was done against the express wishes of the collective bargaining unit concerned.

It did not tighten secondary boycott provisions of existing law.

It did nothing to bar the use of union funds for partisan political purposes.

Kennedy-Ives would have narrowed the definition of supervisors contained in present law. This would have forced foremen into the same union-shop contract as the employees they are supposed to supervise.

It contained a section which could have been construed so as to make it criminal for an employer to raise employees' pay or benefits at the same time a union was attempting to organize the employees.

It did not make it mandatory that a union member be permitted to see the financial, and other, records of his union.

It did not provide that Government action could be taken against improper union leadership.

Kennedy-Ives did not impose financial responsibilities on union officials in regard to trust funds and properties of the membership, nor did it empower union members to go into State and Federal courts to sue for violations of trust by union officials.

One hundred and forty-nine Democrats supported the Kennedy-Ives bill in the House, and 61, including the chairman of the Education and Labor Committee, voted against it; 137 Republicans, including all 9 Indiana Members, voted against the bill, and only 41 supported it.

Congress was successful in passing a pension plan disclosure bill, which requires both employers and unions to make available to participants in pension plans an annual report of the financial operations. The bill was an answer to disclosures in the Senate Rackets Subcommittee of abuses of various welfare and pension funds in previous years. I supported this measure.

UNEMPLOYMENT COMPENSATION

One of President Eisenhower's major victories came when the House rejected a Democrat plan for a Federal dole to the States for unemployment compensation. A substitute was adopted which acknowledges primary State responsibility in the unemployment benefits area by putting the program on a voluntary rather than compulsory State basis; made the money a loan to the States, rather than a grant, and preserved the insurance concept as well as the trust funds established to administer the program. It provided for extra payments ranging to $45 a week for a maximum of 13 weeks. I voted for the modified, States rights version, which was accepted in a 233-to-165 vote.

AGRICULTURE

In an almost straight party-line vote, the Democrat farm price support freeze passed the House last March, only to be brought up short at the White House by a Presidential veto and the President's dry comment that "farm prices need to thaw, not freeze." I voted against the freeze as did every other Indiana Republican.

The next Democrat move was to turn out a hodgepodge of agriculture legislation which Secretary of Agriculture Benson tagged as an "economic monstrosity." This bill was so bad that it was never even permitted to come to the floor, the rule being defeated in a 171-to-214 vote, with the Republicans lined up firmly against it.

As the session drew nearer and nearer its close, the Democrat leadership reluctantly surrendered—Speaker RAYBURN had threatened to allow no bill at all—and a bill lowering supports, in accordance with administration wishes, was approved.

HUMANE SLAUGHTER

Humane slaughtering methods long have been employed in Indianapolis meat packinghouses, a fact of which we

are proud. My mail ran very heavily in favor of a national law requiring similar methods in all packinghouses. I voted for the humane slaughter bill, which in its finally approved form prohibits Federal purchase of meat from packers not conforming with humane slaughtering standards. The bill has been signed by the President.

SMALL BUSINESS

The small-business man received two important boosts from the Congress. One, the Small Business Tax Revision Act, is designed to aid and encourage small-business expansion through an easing of certain tax regulations. The other, the Small Business Investment Act, authorizes an appropriation of $250 million to the Small Business Administration for the purpose of making equity-type capital and long-term credit more readily available to small-business concerns. I voted for these bills, both of which have been signed into law. I also voted for H. R. 10, to permit self-employed persons to deduct, for income-tax purposes, the amount paid as premiums on a restricted retirement policy. Such deductions are now allowed persons whose funds are paid into company retirement plans. H. R. 10 corrected what I feel to be a longstanding inequity in the law. The Senate failed to act on this legislation.

TRANSPORTATION

I fought for and voted for repeal of the wartime-imposed excise taxes on transportation of freight and passengers. The House had the opportunity to vote on only repeal of the freight tax, and I took the floor to speak in behalf of such repeal. An overwhelming majority of the House voted to remove the tax. I also saw the desperate need of assistance to the economically depressed railroad industry. Along with all of my colleagues in the House, I voted for a loan-guarantee program which will help put the railroads back on their feet.

SOCIAL SECURITY

Two compelling reasons prompted me to vote for the social security bills. First, folks on small, fixed incomes have felt the brunt of higher prices most keenly. The 41,423 Marion County folks who received old-age survivors and disability insurance benefits will be able to meet these costs better with the modest 7-percent increase the bill gives them beginning in 1959. Secondly, the legislation will bring in an additional $400 million annually to strengthen the reserve fund, which has been in shaky financial condition. The House approved this bill 375–2, and the President signed the bill August 28.

POST OFFICE AND CIVIL SERVICE

I voted for an increase in postal rates because I feel that if the post office is not self-supporting, the alternative is a subsidy at the expense of all the taxpayers. It did not seem to me realistic, in the face of today's costs, to expect the Government to carry first-class mail at rates established in 1932. Post office studies indicate that 75 percent of all first-class material is sent out by business firms rather than individuals writing personal letters. The average person actually will pay less buying stamps at 4 cents each than he would if he were forced to subsidize post office losses in the form of appropriation of revenue derived from income taxes.

I also voted for a pay raise for both postal and classified workers, in the conviction that their wages and benefits should compare with those offered in private enterprise if we are to attract capable, dedicated personnel to the Federal service.

PENSIONS FOR EX-PRESIDENTS

I took a firm stand against legislation granting pensions to former Presidents of the United States. Within the last century, no ex-President has been in financial distress, and most of them have left sizable estates. The bill originally called for a $25,000 yearly pension, a $100,000 office staff, and free mailing privileges. We in the House succeeded in eliminating all but the pension, but the Senate conferees insisted on restoring $50,000 a year for staff and the mailing privileges. House leadership effectively blocked our attempts to obtain a rollcall vote on the report. The Speaker of the House himself took the floor to speak in behalf of the bill. President Hoover announced earlier that he would not accept a pension, and, since passage, has told the press he will turn it over to charity. Former President Truman, who publicly lobbied for the pension on a nationwide television program, has had no public comment since the bill was passed.

A pension bill I was glad to see finally passed by the whole Congress was one providing an increase in pensions for Spanish-American War veterans' widows. The House approved the measure in the first session, but the Senate waited until this year to pass it.

I also voted for a cost-in-living increase for civil service retirees. Money for this increase in benefits comes from the civil service retirement fund to which these ex-Government workers contributed, not from Federal tax revenue.

BROWNSON BILLS

During the 85th Congress I wrote nine public bills, several of which implemented Hoover Commission economy recommendations. These bills were:

H. R. 5792, March 11, 1957: This called for creation of a supply and service administration in the Department of Defense to coordinate the supply system to fill the needs of the Armed Forces for such common-use items as food, clothing, and fuel. The Hoover Commission report estimates savings of as much as $340 million annually if procurement practices were unified in this manner.

H. R. 5808, March 11, 1957: This would have eliminated Federal competition with private enterprise. Another recommendation of the Hoover Commission, H. R. 5808 would have eliminated most of the estimated 19,000 federally owned or partly owned plants and commercial-type facilities—worth $12 billion of the taxpayers' money—which now compete with private business.

H. R. 6522, March 29, 1957: A bill to grant a charter to the United Mexican Border Veterans.

H. R. 8097, June 13, 1957: Another Hoover Commission bill, this provided that military procurement be limited primarily to posts in tactical organizations and that civilian personnel be utilized increasingly in management and technical positions in support agencies. Top positions in Defense Department support activities have been filled by military personnel, frequently rotated into such assignments between tours of duty in military operations. Cost of this excessive rotation is estimated at between $33 million and $50 million a year. The Hoover Commission also found some 16,000 instances of dual staffing, which cost the taxpayers another $110 million a year. My bill would have eliminated this duplication and excessive rotation.

H. R. 9571, August 30, 1957: This measure would have made permanent "in lieu of taxes" payments with respect to manufacturing plants owned by the United States and located on property controlled by a State, county, or municipal government. The 85th Congress merely extended present laws by an additional 2 years. To date, in-lieu-of-tax payments to Marion County have totaled $404,065.57.

H. R. 11113, March 4, 1958: This bill would have repealed the $17 million appropriation for extension of the east front of the United States Capitol Building. Despite my vigorous efforts to preserve the historic east front, the House Public Works Committee declined to hold hearings on my bill. A Senate bill calling for a new study of the extension was defeated, and construction has begun on the Capitol Building.

H. R. 12215, April 29, 1958: This bill would have exempted transfer of real property to a State or political subdivision thereof as a result of condemnation or threat of condemnation from the Federal documentary stamp tax.

H. R. 13390, July 14, 1958: It came to my attention that 203 Americans had lost their unemployment compensation checks through garnishment for back taxes by the Internal Revenue Service. I immediately introduced H. R. 13390 which subsequently became a part of the social-security bill passed on July 31 by the House and signed into law on August 28.

House Concurrent Resolution 363, July 16, 1958: The sudden outbreak of hostilities in the Near East surprised the United States completely. This led me to introduce a resolution establishing a Joint Committee on Central Intelligence, composed of 6 Members of the Senate and 6 Members of the House of Representatives. This Joint Committee would make a continuing study of the activities of the Central Intelligence Agency, and of problems relating to the gathering of intelligence affecting the national security.

H. R. 13490, July 22, 1958: Patterned after the wool and fur labeling acts this bill protects consumers and others

against misbranding, false advertising, and false invoicing of decorative wood and imitation wood products. The legislation has particular import to the 11th District, since five plywood mills are located in Marion County. The plywood industry in particular has suffered from competitors who imitate genuine plywood products but who are not required by law to stamp the inferior products as imitation.

In addition to the public bills, I introduced a number of private bills in behalf of 11th District residents. Private bills are introduced only when all efforts to assist a person in his problem with the Federal Government have been exhausted through normal channels. Although my 8 years in Washington have taught me many ways of cutting through redtape in the executive department to help 11th District folks, there are occasionally times when the only recourse is through private legislation.

Voting record of Hon. CHARLES B. BROWNSON, of Indiana, on major legislation, 85th Cong., 2d sess.

House roll-call	Description and House action	Date	Brownson vote	Result
5	H. R. 9955—A bill to provide for a temporary increase in the national debt limit. On motion to recommit: Failed, 115 to 275.	Jan. 23	Yea	
6	H. R. 9955—A bill to provide for a temporary increase in the national debt limit. On passage: Passed, 328 to 71	do	Nay	Public Law 85-336.
7	H. R. 10146—To provide $1,410,000,000 for emergency missile funds. On passage: Passed, 388 to 0	do	Yea	Public Law 85-322.
8	H. R. 2151—To suspend for 3 years the import duties on certain coarse wools not domestically produced. On passage: Passed, 250 to 129.	Feb. 4	Yea	Public Law 85-418
14	H. R. 10881—Making supplemental appropriations for the 1958 fiscal year. On Dawson amendment granting $10,000,000 each to the Glen Canyon and Trinity River projects: Adopted, 200 to 184.	Feb. 26	Nay	Public Law 85-352.
18	H. R. 8002—Hoover Commission-recommended bill to improve Federal budgeting methods. On motion to recommit: Failed, 119 to 275.	Mar. 6	Nay	
19	H. R. 8002—On final passage: Passed, 311 to 86	do	Yea	
20	S. 497—Rivers and harbors bill, $1,544,027,800 "pork barrel." On motion to recommit to eliminate certain appropriations: Failed, 167 to 234.	Mar. 11	Yea	Public Law 85-759 Vetoed.
21	S. 497—Rivers and harbors bill. On final passage: Passed, 321 to 81	Mar. 11	Nay	
22	S. Con. Res. 69—Favoring acceleration of military construction programs for which appropriations had already been made. On motion to suspend rules: Adopted, 375 to 20.	Mar. 19	Yea	Vetoed. Adopted.
23	S. Con. Res. 68—Favoring acceleration of civilian construction programs for which appropriations had already been made. On motion to suspend rules and pass: Adopted, 379 to 16.	do	Yea	Do.
25	S. 3262—Authorizing certain activities by the Armed Forces in support of the VIII Olympic winter games. On motion to suspend rules and pass: Passed: 257 to 139.	do	Nay	Public Law 85-365.
27	S. J. Res. 162—To freeze agricultural support prices and acreage allotments. On motion to recommit: Failed, 173 to 211.	Mar. 20	Yea	
28	S. J. Res. 162—On final passage: Passed, 210 to 172	do	Nay	Vetoed.
29	H. Res. 507—Providing for consideration of H. R. 11470. On adoption of the rule: Adopted, 380 to 5	Mar. 25	Nay	
30	H. R. 11470—To adjust the basic pay of officers and enlisted members of the armed services and to provide proficiency pay for enlisted members. On final passage: Passed, 366 to 22.	do	Yea	Public Law 85-422.
34	H. R. 8290—To authorize the erection of a national "freedom shrine" monument. (No Federal appropriation required.) On motion to recommit: Motion adopted, 195 to 169.	Mar. 27	Nay	Failed.
35	H. R. 5822—Relating to reinvestment by air carriers of gains derived from the sale or other disposition of flight equipment. On adoption of conference report. Adopted: 276 to 63.	Mar. 28	Yea	Public Law 85-373.
37	S. 3262—To authorize certain activities by the Armed Forces in support of the VIII Olympic winter games. On final passage: Passed, 218 to 102.	do	Nay	Public Law 85-365.
38	H. R. 10589—Executive offices appropriation bill. On committee amendment providing appropriation for Commission on Civil Rights: Adopted, 272 to 98.	Apr. 1	Yea	Public Law 85-466.
39	H. R. 9821—To amend and supplement the Federal-Aid Road Act to authorize appropriations for continuing construction of highways. On motion to recommit conference report: Failed, 109 to 222.	Apr. 3	Yea	
40	H. R. 9821—On final passage of conference report: Passed, 360 to 28	do	Yea	Public Law 85-381.
45	H. Res. 551—Authorizing consideration of H. R. 11451 to authorize construction and sale of a superliner passenger vessel. On motion to consider bill: Motion adopted, 343 to 31.	Apr. 29	Yea	
47	H. R. 11451—To authorize the construction and sale by the Federal Maritime Board of a superliner passenger vessel. On passage: Passed, 269 to 94.	do	Nay	Public Law 85-521.
50	H. R. 12065—Authorizing temporary unemployment benefits for persons who have exhausted their benefit rights and for individuals who were employed in noncovered employment. On motion to substitute Herlong amendment providing for State participation on voluntary basis Adopted, 223 to 165.	May 1	Yea	
51	H. R. 12065, as amended. On final passage Passed, 370 to 17	do	Yea	Public Law 85-441.
58	H. R. 12181—Foreign aid authorization bill. On final passage: Passed, 250 to 134	May 14	Nay	Public Law 85-477.
60	H. R. 12428—State, Justice, and Judiciary appropriation bill. On final passage: Passed 230 to 51	May 15	Yea	Public Law 85-474.
62	H. R. 7999—To provide for admission of the State of Alaska into the Union. On motion to consider the bill: Motion adopted, 217 to 172.	May 21	Yea	
67	H. R. 8836—Postal rate increase, postal pay raise bill. On adoption of conference report: Adopted, 381 to 0	May 22	Yea	Public Law 85-426.
78	H. R. 7999—To provide for admission of the State of Alaska into the Union. On motion to recommit: Failed, 174 to 199.	May 28	Nay	
80	H. R. 7999—Alaskan statehood bill. On motion to recommit: Failed, 172 to 202	do	Nay	
81	H. R. 7999—Alaskan statehood bill. On final passage: Passed, 210 to 166	do	Yea	
87	H. R. 12738—Department of Defense appropriation. On Sikes amendment to add $99,000,000 to the bill. Adopted, 225 to 159.	June 5	Nay	Public Law 85-306.
88	H. R. 12738—Department of Defense appropriation. On final passage: Passed, 390 to 0	do	Yea	Public Law 85-724.
94	H. R. 12591—Reciprocal trade bill. On motion to recommit: Defeated, 146 to 268	June 11	Nay	
95	H. R. 12591—Reciprocal trade bill. On final passage: Passed, 317 to 98	do	Yea	Public Law 85-686.
102	S. 3910—Revised rivers and harbors bill. On motion to suspend and pass: Passed, 374 to 17	June 18	Yea	Public Law 85-500.
103	H. R. 12858—Public works appropriation. On final passage: Passed, 362 to 18	June 19	Yea	Public Law 85-863.
104	H. R. 12716—To permit greater exchange with military allies of information and materials: Passed, 345 to 12	do	Yea	Public Law 85-479.
105	H. R. 11077—A bill to incorporate the Veterans of World War I of the United States: Passed, 389 to 2	June 25	Yea	Public Law 85-530.
107	H. Res. 609—Open rule providing for consideration of omnibus farm bill. On the rule: Rejected, 171 to 214	June 26	Nay	Failed.
108	S. 1832—Authorizing the appointment of 1 additional Assistant Secretary of State. On motion to suspend the rules and pass (⅔ majority required): Failed 224 to 145.	do	Yea	Do.
109	H. R. 12695—To repeal the excise tax on transportation of freight. On adoption of the conference report: Adopted, 366 to 9.	June 27	Yea	Public Law 85-475.
110	H. R. 12181—Foreign aid authorization conference report. On motion to recommit: Rejected, 134 to 238	do	Yea	Public Law 85-477.
111	H. R. 12832—To strengthen and improve the national transportation system. On final passage: Passed, 348 to 2	do	Yea	Public Law 85-625.
119	H. R. 13192—Foreign aid appropriation bill. On motion to recommit to increase defense support appropriation by $75,000,000: Failed, 166 to 214.	July 2	Nay	
120	H. R. 13192—Foreign aid appropriation bill. On final passage: Passed, 253 to 126	do	Nay	Public Law 85-853.
122	H. R. 13015—Military construction bill at certain installations. Motion to recommit to make permissive rather than mandatory the disposal of the San Jacinto property: Rejected 179 to 202.	July 10	Yea	
123	H. R. 13015—Military construction bill. On final passage: Passed, 379 to 2	do	Yea	Public Law 85-865.
124	S. 495—Acquisition of property for additional Senate Office Building. On suspension of the rules (⅔ majority required for passage): Failed, 232 to 150.	do	Nay	Public Law 85-591.[1]
125	S. 1411—Relating to the suspension of employment of civilian personnel of the United States in the interest of national security. On final passage: Passed, 296 to 46.	do	Yea	Senate failed to act on conference report.
128	H. Res. 597—Resolution calling for consideration of H. R. 3, the States' rights bill to prevent further preemption of Federal law over State laws: Adopted, 268 to 114.	July 15	Yea	
133	H. R. 3—States rights bill. On amendment: Passed, 249 to 147	July 17	Yea	
134	H. R. 3—States rights bill. On motion to recommit: Rejected, 161 to 236	do	Nay	
135	H. R. 3—States rights bill. On final passage: Passed, 241 to 155	do	Yea	Senate failed to act.
142	H. Res. 485—Resolution providing for consideration of H. R. 4504, a bill to provide agricultural marketing facilities for handling perishable agricultural commodities: Failed, 164 to 211.	July 24	Nay	Failed in House.
146	H. Res. 640—A resolution providing for consideration of S. 607, providing $25,000 a year pension, $100,000 clerk hire, and free mailing privileges to former Presidents of the United States. On agreeing to the resolution: Adopted, 254 to 126.	July 30	Nay	Public Law 85-745.
149	H. R. 13549—Increasing benefits under the Federal old-age survivors and disability insurance system by 7 percent, and improving the actuarial status of the trust funds of the system. On passage: Passed, 374 to 2.	July 31	Yea	Public Law 85-852.
150	H. Res. 659—Certifying the report of the Committee on Un-American Activities as to the refusal of Robert Lehrer to answer questions before a duly constituted subcommittee of said committee: Approved, 363 to 0.	do	Yea	Adopted.
152	H. Res. 650—Community facilities bill. On the rule for providing consideration of the bill: Rejected, 173 to 187	Aug. 1	Nay	Failed.

[1] Subsequently passed House in nonrecord vote July 30.

Voting record of Hon. CHARLES B. BROWNSON, of Indiana, on major legislation, 85th Cong., 2d sess.—Continued

House roll-call	Description and House action	Date	Brownson vote	Result
155	H. R. 13015—Military construction conference report: Adopted, 256 to 135	Aug. 6	Nay	Public Law 85-685.
156	H. R. 13390—A bill to increase the national debt limit by a permanent $10,000,000,000 and a "temporary" $3,000,000,000: Passed, 288 to 109.	do	Nay	Public Law 85-912.
157	S. 4071—Agricultural bill. On motion to suspend the rules and pass (⅔ majority required): Failed, 210 to 186	do	Nay	Public Law 85-535.[2]
159	H. Res. 657—A resolution providing for consideration of H. R. 12247, the National Defense Education Act of 1958, providing for scholarships, loans, Federal aid to public schools, etc.: Adopted, 266 to 108.	Aug. 7	Nay	
161	H. R. 12247—National Defense Education Act of 1958. On motion to recommit: Failed, 140 to 233	Aug. 8	Yea	Public Law 85-864.
174	S. 4035—Omnibus housing bill providing for $1,800,000,000 expenditures. On suspension of the rules (⅔ majority required): Rejected, 251 to 124.	Aug. 18	Nay	Failed.
175	S. 3074—Kennedy-Ives labor bill. On suspension of the rules (⅔ majority required): Rejected, 190 to 198	do	Nay	Do.
177	H. R. 13077—Food stamp plan. On suspension of the rules (⅔ majority required): Rejected, 196 to 187	Aug. 19	Nay	Do.
193	H. R. 13428—Military construction appropriation conference report. On House disagreement to Senate amendment relating to protective works at Naval Shipyard, Long Beach, Calif.: Agreed, 300 to 1.	Aug. 23	Yea	Public Law 85-893.
196	H. R. 12247—National Defense Education Act conference report. On adoption: Adopted, 212 to 85	do	Nay	Public Law 85-864.

[2] Subsequently amended to concur with administration farm policies and passed House Aug. 14.

The Great Gas Grab—Blackmail in Your Kitchen

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. RABAUT. Mr. Speaker, the natural-gas bill is a prime example of proposed legislation that would create a serious hardship for tens of millions of American consumers throughout the length and breadth of this land. It is class legislation at its worst and helps a small but influential segment of the national economy.

The reasons why I am so firmly opposed to this bill can be stated very simply. First, its passage would quickly be followed by substantial increases in the price of natural gas used by over 22 million householders and by 2 million commercial and industrial establishments in the United States. Second, it is a highly deceptive piece of legislation which contains the pretense of protecting the consumers, while in fact it affords no real protection at all. Third, the natural-gas producers, pipeline companies, and the distributors of natural gas have all been operating very profitably under present forms of regulation; this bill would grant them a totally unwarranted economic windfall.

On the first point, that prices of natural gas will go up if this bill is passed, there can be no argument. Proponents of the bill admit it as readily as do the opponents; only they are more callous as to its impact. It has been conservatively estimated that passage of this bill would cost natural-gas consumers approximately $1 billion annually Every family that heats its home with natural gas would find the gas utility bill hiked by some $40 or more per year. At a time when inflationary pressures remain as strong as they are today, it is little short of irresponsible folly to permit this legislation to pass which would further erode the purchasing power of the American family. The flames of inflation should be dampened and not fanned.

It should further be borne in mind that the millions of natural-gas consumers have an enormous investment in gas furnaces, stoves, and other gas-using appliances. It is an investment estimated at over $12 billion. These consumers are literally captive to the rates which gas companies charge. For most of them, even if they wanted to switch to other fuels, the cost of conversion would be prohibitive. If ever there was a case where the Congress should do all in its power to prevent an increase in consumer prices, this seems to me to be it.

Some of the proponents of this bill, while admitting that price increases will result if it becomes law, argue that such increases are necessary to provide the incentives necessary for the exploration for and development of natural-gas reserves over the years. As the demand for natural gas grows, as it has been doing for the past several years, the supply will become less and less adequate and the costs necessary to assure an adequate supply are bound to grow. Although on the face of it, this argument seems to have some merit, it does not stand up under closer scrutiny. Nothing in the law as it has been operating to date appears to have deterred the discovery and utilization of new gas reserves. Since the Supreme Court decision of 1954—in the case, *Phillips Petroleum Co. v. Wisconsin* (347 U. S. 672), which declared that the Federal Power Commission did have the authority to regulate the field price of natural gas entering into interstate commerce and which the current bill intends to reverse, drilling and the discovery of proven reserves has grown greater each year. During the first 16 weeks of 1957, gas-well completions in the United States totaled 1,216, compared to 1,132 in the first 16 weeks of 1956, and 1,023 in the first 16 weeks of 1955. The gain in gas reserves in 1956 amounted to more than 14 trillion cubic feet, the greatest gain in any single year since World War II. Thus discoveries and reserve supplies are both at an all-time high. We should not forget that the tax-depletion allowance is itself a generous incentive. It is clearly a fiction that higher prices are needed to stimulate exploration. What such prices would do would be to boost even further the record profits of natural-gas producers.

The sponsors of this bill have made a great point of the fact that this bill affords the consumers much more protection than the Harris-Fulbright bill that was passed early in 1956, only to be vetoed by President Eisenhower, because of the unsavory lobbying tactics that were resorted to in its behalf. They point to the fact that this bill, in contrast to the Harris-Fulbright bill, provides for regulation of the price of natural gas going into interstate commerce. What they fail to recognize is that this bill restricts the Federal Power Commission so severely in its regulatory authority that the consumers are hardly better protected than if the Commission had no control at all over the field prices of natural gas.

This bill sets up a great many factors which the Federal Power Commission shall consider in determining a "reasonable market price" which is then used as a basis for passing on the validity of contract prices of natural gas. But the bill expressly prohibits the Federal Trade Commission from considering costs or from using the public-utility rate base cost-of-service concept or formula. Without being permitted to consider costs, the Federal Power Commission is left without any definite yardstick for determining the reasonableness of a market price. Senator WILEY put his finger on this flaw immediately after the bill was introduced by Congressman HARRIS in April of this year when he said—

> It—the Harris bill—sets up a standard for a regulatory agency which the Commission would find it impossible to follow. The criterion would be a quicksand of uncertainty into which every regulatory case would founder if any attempt were made to actually enforce it.
>
> The reasonable market price would be changing constantly—upward.
>
> The Commission investigators would have to scramble to keep up interminably with what the latest market price was.
>
> Consequently, the Commission would be following the market price rather than leading, abjectly approving rather than independently establishing a fair regulated price, as all regulatory commissions are supposed to do (CONGRESSIONAL RECORD, volume 103, part 5, page 5706).

This bill is a windfall to natural gas producers and natural gas pipeline companies. It would bring additional profits to an industry that is already one of the most profitable in American history. Present natural gas reserves, which are largely owned by a small number of giant

companies, would be increased in value by as much as $30 billion. Actually about 3 percent of the gas producers control some 90 percent of our natural gas reserves. Little wonder that the Oil and Gas Journal, as a spokesman for the industry, stated editorially, on May 6, 1957—

The more the new Harris gas bill is studied, and the more that is learned about the political jockeying behind its various provisions, the more it looks like a good buy for producers.

We should beware about passing a bill that a leading trade journal in the petroleum field admits is a good buy for natural gas producers. Let us instead make certain that consumers can continue to get a good buy in the natural gas they need to heat their homes and cook their meals. Let us not hamstring the Federal Power Commission as this legislation would do. I opposed this bill in 1957. A glaring speech, unprecedented in its boldness, delivered at the gas lobby dinner killed the bill in 1958. But it will be with us again in the new Congress and I intend to oppose it again.

Report by Senator Javits to the People of the State of New York, 85th Congress, Autumn 1958

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a report by me to the people of the State of New York, entitled "Report by Senator JAVITS to the People of the State of New York, 85th Congress, Autumn 1958." I am submitting this report in keeping with a long-standing tradition of mine ever since the 80th Congress; and I ask unanimous consent that the report may be inserted in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT BY SENATOR JAVITS TO THE PEOPLE OF NEW YORK, 85TH CONGRESS, AUTUMN 1958

This is the final report on the 2d session of the 85th Congress. It is the fourth report of this Congress intended to keep citizens of our State informed of the activities of the Senate and my part in them.

PROSPECTS FOR PEACE AND FOREIGN AFFAIRS

The latter part of the session was deeply concerned with the Mid-East threat of war. There was also discernible a gathering storm in the Far East, relating to designs by Communist China on Formosa and its outlying defenses in Quemoy and Matsu.

The people are in considerable doubt as to the policy of the United States respecting the threat of war in the Far East. This threat has been brought to the crisis stage by the Communist shelling of Quemoy and Matsu and by the apparent determination of the United States to utilize its Far Eastern defense forces to help to defend these islands. I deem it my duty to state the course of action which I believe we should pursue in this critical situation in pursuance of our quest for peace and for justice in the world, and to do everything I can to advance such programs.

Our policy should be composed of the following elements:

1. We should honor our mutual defense agreement with the Republic of China on Formosa to come to its aid if its main territory is imperiled by aggression, as the President has asked. This is the commitment supported by the Congress in the Formosa resolution of 1955. I do not find anything in the Formosa resolution or in the United States policy saying that we must aid in the defense of "such related positions and territories of the areas now in friendly hands" if the President finds any of them to be militarily untenable or unnecessary to the defense of the Republic of China on Formosa.

2. The Congress must bear its share of the responsibility in respect of the current crisis for the Congress has affirmatively acted to give the President support in the authority which he is now utilizing. The Formosa resolution, passed by the overwhelming votes of 410 to 3 in the House of Representatives, and 85 to 3 in the Senate, in January 1955, gave Congressional approval to the utilization by the President of full authority in his discretion to use United States forces to help defend Formosa and the supporting islands. One of the findings of this resolution was that the defense of Formosa and the Pescadores was "essential to the vital interests of the United States and all friendly nations in or bordering upon the Pacific Ocean." The Congress can review the policy upon which the Formosa resolution was based at any time, but in the meantime, the Congress is as much bound by this policy as is the President.

3. A resumption of negotiations which had been fruitless for so long at Geneva, as invited by the Communist regime, are certainly in order and the President has welcomed them on the ambassadorial level. But the United States should not be driven or coerced into agreements which can gravely imperil the Free World's position everywhere and particularly in south and southeast Asia and the Pacific. The policy of nonrecognition of Communist China has been repeatedly approved overwhelmingly without dissent by both Houses of Congress. The U. N., itself, as recently as the last regular session of the General Assembly, by a vote of 47 to 27, with 7 abstentions, decided to accept the decision of its steering committee to postpone for another year consideration of the admission of Communist China.

Certainly while Communist China is using force in the Formosa area; is summarily holding United States prisoners in violation of international law and morality; is defying the U. N. by its violation of the Korean armistice, its refusal to purge itself from its aggression in Korea, and its determination to prevent the coming into existence of a unified Korea, it would be nothing but appeasement with disastrous results to the Free World to recognize Communist China now. The arrogance of the threat contained in the letter of Premier Khrushchev to President Eisenhower of September 7, 1958, including the demand that the United States withdraw its naval forces from the Taiwan Strait must also be weighed in this connection.

4. Should the further use of force ensue in the Taiwan Strait, with increasing aggravation of the war danger, it would be our duty to lay the situation before the U. N. General Assembly as a threat to international peace before allowing a conflagration to develop in the Formosa area. In any case, this situation accelerates the need for establishment of a permanent U. N. force to discharge peace maintenance responsibilities when vested in the U. N.

The President had been willing to sit with the leaders of the world to resolve the Mid-East crisis, but at the last moment, after a secret conference with Communist Chinese leaders, Soviet Premier Khrushchev refused. The matter has gone before the United Nations which has vested in Secretary Hammarskjold authority to seek a solution whereby American troops can be withdrawn and peace restored.

President Eisenhower in his speech before the U. N. made very concrete and constructive proposals to secure the peace in the Middle East, a peace which was assured by the sending of United States troops to Lebanon as a temporary, stopgap measure in the absence of a U. N. police force in being for the purpose. I have advocated a concrete and strong Middle East policy recognizing the necessity for regional economic development, legitimate nationalist aspirations, the sanctity of the borders of all nations there, recognition of the right of Israel to national existence equally with other nations, and adequate assurances against internal subversion and indirect aggression.

The U. N. emergency force in the Egyptian-Israeli border area has maintained the peace in that once troubled sector. I supported the resolution adopted by both Houses of Congress favoring the establishment of a permanent U. N. emergency force. A suitable U. N. police force can do much to preserve that local peace which is the basis for world peace.

The Formosa resolution passed overwhelmingly by Congress in 1955 gave the President full authority to use United States forces to defend Formosa or the islands supporting it. It has been settled United States policy to require of Communist China, a regime not elected by the people of China, evidence of good faith and of obedience to the obligations of civilized nations under the U. N. Charter and international law before relations between it and the United States could be regularized. Certainly while Communist China is moving against the offshore islands by aggression with force, is summarily holding U. S. prisoners, and is in violation of the armistice in Korea, United States withdrawal from its solemn obligations in the Far East, including our defense agreement with the Republic of China, would be nothing but appeasement with disastrous results to the Free World and the whole Far East.

Negotiations as invited by Communist China are certainly in order and the President has welcomed them, but unless the policy which dictated the Formosa resolution is changed our Government has fundamental commitments which it cannot abandon except with the greatest peril to our own and Free World security. Americans should recognize this as a vital aspect of our leadership for peace. I have urged Congressional hearings to consider the policy of the Formosa resolution and that the President state the conditions under which we can treat with Communist China. Should further use of force ensue, it would appear to be our duty to lay the situation before the U. N. as a threat to international peace before allowing a conflagration to develop.

The announcement by the President last month requesting the Soviet to negotiate regarding suspension of nuclear testing is a most auspicious moment in postwar history. Our country's sincerity in seeking a true, scientific basis for an effective controls agreement to end nuclear testing was made clear by this announcement following the Geneva meeting of United States and Soviet scientists. The world now awaits with deep consciousness of its historic significance the demonstration of the U. S. S. R.'s real willingness to undertake the step-by-step agreements now beginning to be negotiated.

Congress took two significant steps forward in advancing President Eisenhower's historic atoms-for-peace and atoms-for-security proposals. The Senate ratified the Statute of the International Atomic Energy Agency, by which the United States participates with 79 other nations in developing atomic energy for peaceful purposes. In addition, legislation was enacted to permit the United States to share atomic information with its allies subject to security safeguards in the national interest. Financial and technical assistance are also to be rendered to the European Atomic Energy Community (Euratom).

For the mutual security program the Congress appropriated $3,296,092,500, $652 million less than the administration request and $358,307,500 less than had been authorized by the Mutual Security Act of 1958. This amount included $1,515,000,000 for military assistance, $750 million for defense support, $400 million for economic aid (the Development Loan Fund), and $150 million for technical cooperation. Congress had earlier enacted into the Mutual Security Act my amendment calling for a Presidential study as to how United States foreign-policy objectives can be advanced through coordination of the activities of the private sector of the national economy.

Foreign economic- and technical-assistance programs for Free-World nations are as essential to national security as our defense expenditures. Directly related to progress abroad is our own long-range economic advancement at a steady growth directly affecting prosperity, increased job opportunities, and better living standards here at home.

I continue as a United States delegate to the NATO Parliamentarians' Conference and as Chairman of the Economic Section of the General Affairs Committee of that conference. In the latter capacity, I presided over a meeting in London in late August to determine what action NATO countries might take collectively, through not necessarily through the NATO organization, to help Free-World underdeveloped areas outside Europe and the economically underdeveloped countries in NATO.

A compromise bill extending the reciprocal trade agreements program for 4 years was enacted. This measure allows tariff cuts up to 20 percent below existing rates, but not more than 10 percent in a single year, and allows the cuts to be made any time within 4 years beyond the end of the act's extension. Also included in the compromise measure was a Senate-passed provision with minor changes that requires consideration of weaknesses in the internal economy due to excessive imports as a factor in determining whether imports should be reduced in order to prevent harm to the national security.

There are grave problems of certain businesses which are adversely affected by imports. I have urged that such businesses be given Federal aid to enable them to modernize their operations or to convert to other lines in order to continue economically sound and to provide employment. I am hopeful that a law for such adjustment assistance may yet be forthcoming. The Reciprocal Trade Agreements Extension Act contains "escape clause" and other provisions to deal with the problems of United States businesses adversely affected by imports. I shall do my utmost to maintain a fair balance between the problems of such businesses and the national interest which requires broad and effective Free-World international trade.

The reciprocal trade agreements program remains a principal item in our national program to answer the challenges laid down by the Soviet in the military, scientific, and economic fields.

I sponsored a resolution calling for a meeting of foreign ministers of the American republics and of Canada to review policies of mutual understanding in the Western Hemisphere and, if advisable, to prepare the agenda for a summit conference of heads of state in the hemisphere. The shameful treatment accorded Vice President NIXON on his recent South American visit should serve as a solemn warning that many people in the other American republics can be moved by demagogic misinterpretations of our motives and policies.

I sponsored legislation to be studied during the Congressional recess proposing to establish a federally-chartered World Development Corporation, to expand materially the flow of private United States investment primarily into the private economies of less developed areas of the world. It would channel funds invested by small investors here and in other countries into overseas investments on a stock-equity basis in economic development projects and private businesses wherever consistent with United States foreign policy objectives.

Implementing the Randall Report on International Travel, which came about as a result of my amendment to the Mutual Security Act of 1957, I introduced a series of bills aimed at removing barriers to foreign travel and encouraging international tourism. One of these measures facilitating the border crossing of cars rented by American tourists was enacted into law. Stimulation of our domestic economy, expansion of foreign trade, and greater mutual understanding are all direct benefits to be reaped from increased international travel.

On another Free-World front the unrest and bloodshed in Cyprus is most tragic for all concerned. I have been urging for a long time self-determination for Cyprus under U. N. auspices in which full protection of rights of minorities is assured.

BUDGET, THE ECONOMY AND TAXES

Congress enacted a record budget of some $79 billion, of which approximately half went for defense purposes. Decreasing revenues, stemming principally from the economic recession, resulted in a fiscal year 1958 deficit of $2.813 billion, and the deficit for the current fiscal year, it is estimated, will be about $12.2 billion. Our gross national product, however, has risen to $429 billion, thereby enabling us better to deal with our problems of financing.

The increasing national debt has necessitated legislation raising the permanent public-debt limit from $275 billion to $283 billion and increasing the temporary limit to $288 billion through June 30, 1959.

On the other hand, Congress enacted a Hoover Commission recommendation (H. R. 8002) to authorize inclusion of expenditure limitations in appropriation acts and to revise budgeting practices of the executive branch so as to bring long-term spending projects under a mandatory annual review and prevent the accumulation of vast amounts of unspent carryover funds, often beyond further Congressional scrutiny. Also, passage of legislation decreasing certain present high farm price supports and the tapering off of the recession with a consequent upturn in revenues give hope for budget relief next year.

Present corporate and excise taxes were continued for 1 year to July 1, 1959. Eliminated, however, was the 3-percent tax on the transportation of goods; removal of this levy should aid in reducing the cost of goods to consumers in addition to helping the burdened transportation industry.

The tax on admissions to theaters, etc., was revised to exempt the first $1 of admittance charge from levy; exemption was given to private nonprofit schools from certain excise taxes; and exemption was provided for most admissions where proceeds go to an organization operated exclusively to provide scholarships, fellowships and study above the secondary-school level.

A technical tax bill was enacted to eliminate substantive unintended benefits and hardships in existing income, estate, and gift taxes and remove many technical errors and ambiguities in the tax statutes. Small-business tax relief is discussed later in this report.

The Area Redevelopment Act providing economic aids to low-income areas or those hit by severe and prolonged unemployment was passed by Congress but vetoed by the President on the main ground of excessive cost. I believe a measure of this type to be needed. It will undoubtedly be before us again in the next Congress.

NATIONAL DEFENSE

Congress enacted legislation streamlining our National Defense Establishment in accordance with recommendations made by President Eisenhower. I joined in sponsoring important parts of this measure. This bill is designed to give the Secretary of Defense the flexibility he needs to manage the Defense Department but at the same time retains traditional Congressional control over the roles and missions of the military services. The bill gives statutory backing to the National Guard and the National Guard Bureau and reaffirms the intent of Congress that there shall be naval and marine aviation and a Marine Corps.

To make military service more attractive as a career and to give incentives to key personnel, Congress enacted pay raises for noncommissioned and commissioned personnel with at least 2 years of active duty, ranging from 3 to 41 percent. In addition, a system of proficiency pay for enlisted men and responsibility pay for officers was provided as a means of rewarding special skills and responsibilities. Military careers for nurses and medical specialists were made more attractive by increasing permanent grades for which they may qualify. Included in the bill was an increase of 6 percent for military personnel retired prior to June 1, 1958.

I supported the move to defeat the effort to restrict unduly funds available to pay for medical care in civilian hospitals of dependents of Armed Forces personnel.

Congress adopted legislation in which I joined as cosponsor authorizing the chairman of the Joint Congressional Committee on Atomic Energy to confer a medal on Rear Admiral Rickover for his outstanding efforts in development of the atomic submarine.

To meet the problems created by the space age, Congress enacted legislation establishing the National Aeronautics Space Administration and developing a comprehensive space program. I was elected to the newly-formed Senate Committee on Aeronautical and Space Sciences.

The Federal Civil Defense Act was amended vesting responsibility for civil defense jointly in the Federal Government and the States and their subdivisions. The new law also authorizes the Federal Government to purchase radiological instruments and detection devices and repeals the prohibition against Federal financial contributions to States for civil defense personnel and administrative expenses. The fact that a modern nuclear bomb possesses 1 million times the destructive power of a World War II blockbuster and that 100 of these weapons might blanket the entire United States with fallout points up the necessity of new civil defense arrangements.

AGRICULTURE

Congress enacted an omnibus farm bill, the Agricultural Act of 1958, reducing price supports and easing production controls on cotton, rice and corn and extending for 3 years the incentive payment program for wool under the Wool Act of 1954. This legislation also offers an opportunity for

departure from the longstanding parity price support program which has cost billions of Government money without correspondingly adequate help to the farmer. For example, corn producers will have an opportunity to decide by referendum whether they wish to continue on a 65 percent parity price support program or one based on 90 percent of the average market price for the 3 preceding years.

Congress continued for 18 months Public Law 480, the Agricultural Trade Development and Assistance Act, which provides for the barter program under which surplus American goods are traded for foreign strategic and other material, and authorized the sale abroad for foreign currencies of an additional $2.25 billion of surplus farm commodities.

Congress enacted legislation promoting industrial use of agricultural products and establishing the Agricultural Research and Industrial Administration to develop through research new and increased industrial uses of farm products. I was cosponsor of one of the measures which went to make up this final bill.

The problems of milk marketing in the New York area and of the milk marketing orders issued by the Department of Agriculture have been of prime concern to me. New York is the second dairying State in the country and milk is vital in the economy of our State. I have constantly sought the counsel and guidance of New York farmers and dairymen in respect of their problems and shall continue to do so. From experience with the milk-feed price ratio, it is clear that our agricultural situation in the State is not the same as that of Middle Western corn or wheatgrowing States or of southern cotton-growing States but must be considered as an element in our economy based upon its own facts and circumstances.

Jurisdiction over retail sale of meat and poultry products and oleomargarine was taken from the Agriculture Department and given to the Federal Trade Commission, thus strengthening antitrust enforcement and policing of unfair trade practices.

Trading in onion futures was prohibited, a measure much sought after by many onion farmers in our State.

COMMERCE AND INDUSTRY

Congress reacted to the drastic plight faced by the Nation's railroads by enacting the Transportation Act of 1958. This legislation authorizes the Interstate Commerce Commission to guarantee up to $500 million in short-term loans to railroads for purchase of capital equipment or for property maintenance, gives the ICC full authority to adjust intrastate rail rates that give others engaged in interstate commerce an unreasonable advantage; directs the ICC, in fixing reasonable minimum rates, to ignore the rates of competing modes of transportation unless the effect of a lower rail rate would be to destroy competition; and exempts truckers of certain agricultural products from ICC regulation.

I fought against an effort to allow railroads with commuter services to terminate any of such services solely upon the ground of a net loss in the operation of any such service or branch line. Commuter service should be rendered where at all practicable and not denied on the basis of a net loss on a particular branch but only if there is a total unreasonable burden on the subject railroad. I am pleased to say that my fight was successful and that the bill as it became law was based upon the principle stated. In this way, the legitimate interest of commuters and of big cities heavily served by commuter lines and branches was fairly protected. I have sponsored legislation, S. 4200, which would assure that where States and municipalities grant tax relief to commuter railroads to enable them to continue service, this relief would accrue, as intended, for the benefit of their commuter operations rather than being absorbed by increased Federal taxes. Thus municipalities desiring commuter service to continue should be able to contribute by tax relief or otherwise to make continuance of service possible.

I joined in sponsoring the measure now law to create the Federal Aviation Agency with authority to establish air traffic rules and develop and coordinate air navigation facilities for civil and military aircraft; this regulation will help to avoid an increasing number of tragic air accidents.

The Congressional session ended without action on the legislation to amend the Robinson-Patman Act (S. 11) to provide that the so-called good-faith defense is not a substantive defense in certain cases.

A study by the Senate Committee on Interstate and Foreign Commerce of the many problems faced by the United States textile industry was authorized.

The Renegotiation Act was continued for 6 months instead of the 2 years originally requested by the administration in order that the next Congress might have an opportunity to go fully into the renegotiation program on defense contracts, especially in the light of recent court decisions.

LABOR

Congress enacted into law the Welfare and Pension Plans Disclosure Act (S. 2888). This bill requires the managers of all pension and welfare fund plans, except certain very small ones and those operated by governmental agencies or charitable and fraternal organizations, to register with the Department of Labor, giving all pertinent information about the fund's officers and finances; places responsibility for policing and improving these plans upon the participants; leaves to the States detailed regulation procedures relating to insurance, trusts, and other phases of operation; requires that managers of any employee-welfare or pension-benefit plans, unless exempted, register within 90 days after regulations are issued; requires annual reporting to show amounts contributed by employer and employee, amount of benefits paid or otherwise furnished, number of employees covered, assets, liabilities, receipts, disbursements, and other financial activities of the plan, salaries or fees charged to the plan, to whom paid and the purpose; and provides for public examination of these reports. Criminal penalties are provided for violation. This bill is, of course, very limited in scope, considering what was needed in the field, but is helpful as far as it goes.

The Labor-Management Reporting and Disclosure Act of 1958, known as the Kennedy-Ives bill, passed the Senate by a vote of 88 to 1 but failed of passage in the House and thus died at the end of the session. As passed by the Senate, it dealt with responsibility and full disclosure of union organization, membership rules, business procedures, and financial operations and contained provisions designed to bar many of the abuses and racketeering practices disclosed by the recent investigations of the Senate Select Committee on Improper Activities in the Labor or Management Field (the McClellan committee). In addition, it proposed to deal with the "no-man's land" area where neither the National Labor Relations Board nor State authorities were able to assume jurisdiction in labor disputes, narrowed the definition of supervisor, made provisions for union democracy, looked to the definition and adoption of ethical practice codes by unions and barred convicted felons from union office.

To relieve the plight of some 5 million unemployed, many of whom had exhausted their unemployment compensation benefits, Congress enacted legislation, which I supported, authorizing additional unemployment compensation to individuals who had exhausted their rights under State unemployment compensation laws and under Federal laws applying to Federal civilian employees and veterans and appropriated $625 million for that purpose. New York promptly became a participating State under this new law.

The Senate approved a 10 percent increase in railroad retirement pensions and provided for the funds for which to pay this increase. This bill, which I supported, however, failed of passage in the House and consequently legislative action will be necessary next year; such action is much needed.

Revelations by the McClellan committee continue. The Senate has cited 18 individuals for contempt for refusal to testify fully before the committee; I supported these citations.

Legislation was enacted to establish enforceable safety regulations in longshore and ship repair work.

SMALL BUSINESS AND CONSUMERS

Legislation, of which I was a cosponsor of principal provisions, was enacted giving small business tax relief. This new law allows investors who lose money in small-business ventures to write off their losses against ordinary income up to $25,000 a year; extends loss carry-back privileges from present 2 years to 3 years; allows increased first-year depreciation credit on the first $10,000 invested in depreciable tangible property; increases from $60,000 to $100,000 the minimum accumulated earnings credit provided in determining the surtax on excessive surplus accumulations; allows payments of estate taxes attributable to ownership in a closely-held business over a period of 10 years; and allows certain closely-held corporations to elect to be taxed as partnerships.

I sponsored the Small Business Research and Development Assistance Act of 1958 to enable small businesses to set up joint research and development organizations by pooling their financial resources and with the aid of loans from the Small Business Administration subject to initial Government approval and periodic review of such agreements to insure that the projects operate in the best economic interest of the Nation. The principal provisions of this bill were incorporated into law (Public Law 85-536).

The Small Business Administration has been made a permanent agency, small business loan limits were raised from $250,000 to $350,000, the maximum rate of interest on SBA loans were lowered from 6 to 5 percent and the Loan Policy Board was continued.

The Small Business Investment Company Act which I supported was enacted into law. It authorizes the Small Business Administration and the States to charter small-business investment companies which in turn can make long-term loans and investments in eligible concerns. The SBA may make loans to such investment companies from a $250 million revolving fund to be appropriated by Congress and may also make loans to State and local development corporations.

I continue as a member of the Senate Select Committee on Small Business and the Subcommittee on Antitrust and Monopoly of that committee. That committee continues its work on the problems of small businesses threatened by monopolies and to see that small business receives a full, fair share of Government contracts.

The cost-of-living index has risen to a new high. The threat of inflation is a very real one which must be dealt with if we are to maintain the integrity of our national economy.

The Textile Fiber Products Identification Act was passed to require labeling of household textile products and to bar misleading advertising of such goods. The bill contains some provisions considered highly unfair by small business and not deemed necessary to consumer protection; but I obtained a legislative interpretation that will enable the Federal Trade Commission to deal with these questions in administering the law.

Also enacted was legislation requiring automobile manufacturers to label new cars as to their retail price in order to protect purchasers.

HOUSING

The Senate passed major legislation intended to liberalize mortgage terms for home owners, authorize additional funds for urban renewal and slum clearance, extend the public-housing provisions, and otherwise extend and improve Federal activity in housing. My amendment to this bill, which was accepted by the Senate, would have increased the amount payable to a family displaced from the site of an urban-renewal project from $100 to $200.

Unfortunately, this Senate-passed bill died when the House failed to pass it. It will, therefore, be necessary to act anew next year. This was a serious development for urban renewal (slum clearance) projects in big cities but will be somewhat alleviated by the $100,000,000 emergency fund available to the President.

The Community Facilities Act providing for Federal loans to aid cities and towns in the construction of public works passed the Senate but died in the House.

CIVIL RIGHTS AND CIVIL LIBERTIES

The intransigent fight being waged by certain States against desegregation of public schools, presents a major domestic crisis. I have advocated that the Department of Justice throw the full weight of the United States Government into current judicial proceedings; that the Civil Rights Commission established last year hold hearings; and that part III of the Civil Rights Act of 1957, which section was eliminated by the Senate last year, be enacted to deal effectively with this situation. Part III would permit the Justice Department to take the initiative in local Federal courts in protecting the constitutional rights of individuals. There seems little likelihood of enacting such effective civil-rights legislation while a filibuster threat continues possible under Senate rules. I continue my fight to change Senate Rule XXII, the so-called filibuster rule. This struggle will come to a decision on the organization of the new Congress in 1959.

I opposed enactment of legislation which would have restricted the powers of the Supreme Court in interpreting the Constitution and protecting the constitutional rights of individuals. A number of proposals were before the Senate during the last weeks of the session which would have tended to destroy the traditional balance of power between the branches of our Government and weaken the effectiveness of constitutional assurances of individual liberty. Each of these proposals was eventually reviewed, returned to the Judiciary Committee for further study or died without being considered when the Congress adjourned.

While I do not believe that the Supreme Court nor any other branch of Government should be immune from the authority of law passed by Congress and signed by the President, I considered the general attack upon the Court as in the spirit of "kill the umpire" rather than an attempt to secure needed legislation upon its merits. For this reason, I introduced a constitutional amendment approved as a part of a larger amendment by the American Bar Association and other bar associations some years ago which would assure the Supreme Court of appellate jurisdiction in constitutional law cases.

The Senate passed my bill to provide free legal counsel for indigent defendants in criminal cases in United States district courts but unfortunately this measure failed of passage in the House. I will reintroduce it next year.

Congress passed the Mills-Hennings bill providing that Government officials could not withhold public information unaffected by security considerations from the public.

The Senate-passed bill which I cosponsored, providing for home rule for the voteless citizens of the District of Columbia, failed of passage in the House and it will be necessary to recommence the legislative process next year.

IMMIGRATION

Legislation was enacted regularizing the status as permanent United States residents of the some 30,000 Hungarian parolees, refugees, from the 1956 revolt against Soviet Communist tyranny.

I sponsored a resolution calling for a conference of Free-World nations to deal with the world's refugee problems which encompass an estimated 160,000 nonresettled refugees in western Europe alone. The resolution implements the report of the Zellerbach Commission of the International Rescue Committee.

I protested on the Senate floor the "gag rule" imposed on efforts to bring up for consideration legislation to modernize the immigration statutes. I received a pledge that next year consideration will be given to aiding 4th preference quota applicants, principally from Greece and Italy, now unable to enter this country, anti-Communist and other unresettled refugees still remaining in Europe, and that the question of the inequitable nationality quota system based on the outdated 1920 census will have a hearing.

Also enacted was legislation enabling aliens to adjust their legal status here without going through the traditional process of leaving and reentering the United States.

SOCIAL SECURITY, EDUCATION AND HEALTH

Legislation was enacted increasing social-security benefits 7 percent ranging from $3 to $54 monthly, raising the social-security tax on both employers and employees by ¼ percent to 2½ percent of payroll each on an increased ceiling of $4,800 annual wages and increasing Federal grants to States for public assistance and relief.

Efforts to increase this to a larger figure were voted down in the Senate. I was cosponsor of the Case bill providing for a 10 percent increase and urged the committee to take that higher figure. Also not included was my measure to permit orphaned children 18 to 21 going to school to continue to receive orphans' benefits under social security.

The measure passed was the best which could be achieved under the circumstances. It is not satisfactory in the light of the needs of our citizens, and I shall continue to work for a better law next year.

The measure which I cosponsored with Senator Ives to enable employees of the New York Port Authority to receive social-security benefits became law.

The Congress passed the National Defense Education Act providing for a 4-year $900-million program consisting of a $295-million authorization for student loans, $300 million to help schools buy scientific equipment, $34 million for institutes for teachers to learn counseling, $29 million for institutes for training foreign-language teachers, $59.4 million for fellowships, $60 million for guidance counseling and testing, $32 million for centers for teaching little-known modern languages, $18 million for research and experimentation on better educational use of television, radio, and audiovisual aids, $60 million for vocational education in skilled trades necessary for defense, and $6.5 million for improvement of State educational statistics.

The bill as sent to the President for signature into law lacked the scholarship program passed by the Senate, as well as provisions for aid to school construction. I regard it as falling short of our clear national need, and so protested in the Senate. However, it is a beginning of a catch-up education program, and therefore vital, and I finally supported it.

Congress made permanent the program under Public Laws 815 and 875 for financial assistance in the construction and operation of schools in areas affected by Federal activities insofar as such programs relate to children of persons who reside and work on Federal property, and extended such programs until June 30, 1961, insofar as they relate to other children.

I supported allowances for tax deductions for amounts paid for higher education. Payments for higher education are an investment for the future which will pay high dividends to our national interest and should be given appropriate consideration.

I sponsored the Day Care Assistance Act of 1958 to make grants to the States to assist in providing facilities and services for children needing day care outside their homes. This bill would make available such care to children of working mothers and also to mentally or physically handicapped children requiring such special attention.

I also supported the bill, now law, to encourage expansion of teaching in the education of mentally retarded children.

Congress authorized $294,383,000 for medical research, the largest such expenditure in history. This amount included $28.974 million for general research; $75.268 million for cancer; $52.419 million for mental health; $45.613 million for heart diseases; $7.420 million for dental problems; $31.215 million for arthritis; $24.071 million for allergies; and $29.403 million for neurological problems.

Congress extended the Hospital Survey and Construction (Hill-Burton) Act for 3 years and extended its scope to include diagnostic centers, hospitals for the chronically ill, rehabilitation centers and nursing homes.

POST OFFICE AND CIVIL SERVICE

First-class letter rates were increased for the first time in a generation to 4 cents, post cards to 3 cents, airmail letters to 7 cents, and air postal cards to 5 cents; increases were also made in second-, third- and fourth-class mail rates. These increases are expected to produce $550 million a year in additional revenues to meet the postal deficit approaching $1 billion annually with which the Nation has been faced.

The country's 500,000 postal workers received a much needed and well deserved 10 percent-11 percent pay increase which will cost $265 million annually. Civil service employees received a 10-percent increase.

VETERANS

Compensation for veterans with service connected disabilities was increased by 10 percent, allowances for dependents of veterans 50 percent or more disabled were increased 10 percent and pensions to war widows were raised. The burial allowance for veterans was increased from $150 to $250. Also, $25 million was appropriated for additional unemployment compensation to veterans.

The number of hospital beds for veterans, including veterans afflicted with tuberculosis, is being maintained at previous adequate levels. The children of totally disabled veterans have now been included under the benefits of War Orphans Education Assistance Act of 1956.

MATTERS OF SPECIAL INTEREST TO NEW YORK STATE

Congress enacted legislation authorizing the following public-works projects in New York State: New York Harbor improvements; Irondequoit Bay improvements; Fire Island beach erosion; Oswego Harbor and nearby beach erosion; Hamlin Beach erosion; Great Lakes to Hudson Waterway; Hammonds Cove survey; South Herkimer, Amsterdam, and Rome flood control; and Auburn and Lake Owasco flood control and channel improvement.

Congress appropriated money for the following public-works projects in our State: Barcelona Harbor; Buffalo Harbor; Endicott Johnson City and Vestal; Great Lakes to Hudson Waterway; New York Harbor channels; Oswego Harbor detached breakwaters; Staten Island Rapid Transit Bridge between New York and New Jersey; and the Allegheny River Reservoir.

The measure for additional needed Federal judges in New York which I sponsored and which passed the Senate last year failed of passage in the House and it will be necessary to reintroduce it next year.

Congress transferred Grant's Tomb in New York City to the jurisdiction of the Federal Government and hereafter that monument will be maintained by the Department of the Interior for the benefit of the public.

I opposed the Chicago water diversion bill which would have taken water from the Great Lakes for use by the city of Chicago, Ill., thus decreasing electric power and shipping potentials in the Buffalo, Ogdensburg, Massena, and other upstate areas. This measure passed the House but died in the Senate on the last day of the session.

I cosponsored legislation for eradication of starfish, so injurious to the Long Island Sound oyster industry. This measure failed of passage and I will work on it again next year.

My bill, S. 3571, providing for equal treatment of State-owned hydroelectric projects to help the St. Lawrence power project passed the Senate but died in the House. It will be called up again next year.

A $35 million atomic reactor will be erected in West Milton, N. Y.

The resolution giving Congressional recognition to the Baseball Hall of Fame at Cooperstown, sponsored by Senator IVES, Representative KEARNEY, and myself, was adopted.

I was designated a member of the Hudson-Champlain Celebration Commission.

MISCELLANEOUS

Congress enacted legislation providing for humane slaughter of livestock and poultry and authorizing the Secretary of Agriculture to conduct research in the development of such humane methods. My amendment looking to fair consideration for religious practices in connection with food animal slaughter was included in the law. Following preliminary votes on the effect of the bill on methods of slaughter required by religious practices, I supported this measure on passage and in the vote against the recommittal motion.

The question of conduct in office by Government officials has come to the fore during recent months. I introduced legislation to establish a code of ethics for Federal officials based on the one now in effect in New York State. I also introduced a measure looking to Congressional study of standards of conduct in public service. This is based on my experience in establishing this work when attorney general of our State.

Now that Alaska has been voted the 49th State, which I supported, consideration of Hawaii for statehood must expeditiously follow. I will do all I can to bring this about.

My bill to liberalize treatment of imports of art objects will again be under consideration in the next Congress.

As a deterrent to juvenile delinquency, Congress enacted legislation tightening restrictions on the mailing of obscene matter and prohibiting transportation in interstate commerce of switchblade knives.

CONCLUSION

Increasingly the people of our State write on matters of national interest and on their problems with Federal agencies. The letters of opinion are of valuable aid in my work here and the citizen's Federal problems are part of my duty. I sincerely hope that you will continue to express your views to me in this way or to visit Washington.

Equity Capital for Small Business

EXTENSION OF REMARKS
OF
HON. WILLIAM S. HILL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. HILL. Mr. Speaker, recently the Congress enacted a new small-business program which it is hoped will alleviate many of the financial problems of small and independent business. I am referring to the Small Business Investment Act of 1958, Public Law 85-699. The Small Business Investment Act was the result of many bills introduced in the 85th Congress by both Republicans and Democrats. It is the culmination of many years of study by people concerned with the financial problems of small business.

For many years the members of the Small Business Committee of the House of Representatives have commented upon the institutional gap that exists in our economy for the provision of equity financing for small-business concerns. High tax rates have consistently drained off the earnings of business concerns thereby preventing the accumulation of capital for growth and expansion. The normal channels for securing equity funds for both new and established small firms are to a large extent nonexistent while larger concerns have litle difficulty in securing such additional funds. Obviously, the competitive advantage accruing to the larger business concerns is a most important factor to be considered in the maintenance of the small-business segment of our economy.

The Republican members of the Small Business Committee introduced bills during this Congress to assist small firms in securing additional equity capital through the medium of State development credit corporations. We believed that with Federal assistance those corporations already in existence would be stimulated, while States in which no corporations exist would rapidly enact the necessary legislation. While the Republican members preferred an approach at the State level, we actively supported S. 3651, which ultimately became the new Small Business Investment Act of 1958. I wish at this time to make a brief analysis of this legislation.

PURPOSE OF THE ACT

The Small Business Investment Act is designed to stimulate the flow of private long-term capital to small-business concerns. Federal funds will only be used to supplement private investment, not replace it; and there will be no Government ownership of private business or of the investment companies established under the act. I firmly subscribe to this most fundamental principle of Federal financial assistance. This principle is set forth in the act in section 102, which states:

It is declared to be the policy of the Congress and the purpose of this act to improve and stimulate the national economy in general and the small-business segment thereof in particular by establishing a program to stimulate and supplement the flow of private equity capital and long-term loan funds which small-business concerns need for the sound financing of their business operations and for their growth, expansion, and modernization, and which are not available in adequate supply: *Provided, however*, That this policy shall be carried out in such manner as to insure the maximum participation of private financing sources.

ORGANIZATION AND FUNCTIONS OF THE SMALL BUSINESS ADMINISTRATION

The responsibility of carrying out the program under the Small Business Investment Act has been given by the Congress to the Small Business Administration. The act stipulates that a new Small Business Investment Division will be established within the Small Business Administration to be administered by a new Deputy Administrator, who will, of course, act under the Administrator himself. In this manner, the lending function of the SBA can be kept separate from the investment function and yet the facilities of a going organization may be utilized to the greatest, practical extent.

May I state that I am proud to have introduced the first bill in the House of Representatives in 1953 to establish the Small Business Administration. I am also happy that after all these many years, the Small Business Administration has been made a permanent agency, an action I have requested in each Congress since 1953. The fine work done by the SBA during the past 5 years in the fields of financial assistance, procurement, production, and technical assistance justifies the faith we have placed in this agency.

Under the Small Business Investment Act, the Small Business Administration is authorized to charter and license small-business investment companies, to lend funds to such investment companies, to regulate and examine such investment companies, and to lend funds to State and local development corporations. The SBA will not itself provide equity funds to small business but will encourage increased private activity in this area. Funds for these purposes will be available from a revolving fund appropriated by Congress. Of the $250 million authorized by Congress for this program, $50 million has already been appropriated to cover the first year's operations.

ESTABLISHMENT OF SMALL BUSINESS INVESTMENT COMPANIES

The Small Business Administration will, as I have said, charter or license privately owned and operated small-business investment companies. Such companies must conduct their business as required by the act and SBA regulations, must submit reports to the Small Business Administration, and be subject to examination by it.

The Small Business Administration is only authorized to grant Federal charters to small-business investment companies in cases where the applicant for a charter affirmatively establishes, to the satisfaction of the Small Business Administration, that it is unable to obtain a charter under the laws of its State and still operate in accordance with the intent of the act. Inability to operate will mean that applicable State or local laws will not permit performance of the functions as authorized under the act. The authority to grant such Federal charters will terminate June 30, 1961.

The Small Business Administration has complete discretion concerning the issuance of a license to any particular investment company. It will determine whether to license a small-business investment company after consideration of the need for small business financing in the proposed area of operation, the company's proposed plan of operation, the charter itself, the ability of the company management, and other matters that the Small Business Administration may deem relevant.

Investment companies licensed under the act will need a minimum of $300,000 paid-in capital and surplus, but the Small Business Administration can provide up to $150,000 for such purpose through the purchase of subordinated debentures of the company. Further, SBA can lend such companies up to 50 percent of their capital and surplus. The initial purchase of debentures by SBA may be considered as part of the paid-in capital and surplus. Before making such loans, the SBA must be provided with satisfactory evidence that there is a need for such financing, and that the funds are necessary to encourage the formation and growth of the company and to provide adequately for the needs of small-business concerns in its area of operations.

Shares of stock in small-business investment companies may be purchased by national banks, by other member banks in the Federal Reserve System and by nonmember insured banks.

Maturities of subordinated debentures purchased by the Small Business Administration may not be in excess of 20 years. Amortization requirements, however, may be deferred during the first half of the term, at the discretion of the SBA.

The use of Federal funds for the relocation of industry is prohibited if such relocation would result in a substantial decrease in employment in any area of the country.

Small-business investment companies also may borrow money and issue their debenture bonds, subject to limitations to be prescribed by the Small Business Administration. In establishing such limitations, the SBA will consider the stability of the companies and the protection of Federal funds, if any, borrowed by such companies. In any event, the ratio of debt to capital and surplus—including subordinated debentures held by the SBA—may not exceed 4 to 1.

OPERATIONS OF INVESTMENT COMPANIES

The primary function of licensed companies is the purchase of debentures issued by small-business concerns, convertible to stock of such concerns. Such debentures are convertible at the option of the small-business investment company, or a holder thereof in due course, up to and including the effective date of any call by the issuer, into stock of the small-business concern at the sound book value of such stock determined by the parties at the time of the issuance of the debentures.

Upon the provision of equity capital by an investment company to a small-business concern through the purchase of convertible debentures, such concern will be required to become a stockholder-proprietor of the investment company by investing in the capital stock of the company, in an amount equal to not less than 2 percent nor more than 5 percent of the amount of the capital provided.

Also, investment companies can make loans to small-business concerns running up to 20 years plus an additional 10 years to aid in liquidation. These loans must be of such sound value, or so secured, as reasonably to assure repayment. They may bear interest at rates agreed upon between the investment company and the borrower, subject to applicable laws. However, if the Small Business Administration finds that regulation of such interest rates is necessary to carry out the objectives of the act, it may prescribe maximum interest rates to govern future loans. Without SBA approval, the aggregate securities and obligations of a small-business concern held by a licensed investment company cannot exceed 20 percent of the latter's capital and surplus.

The Small Business Investment Act provides that each small-business investment company shall be subject to examination, that it shall make such reports as are required, and that it shall be subject to regulations prescribed by the Small Business Administration. Such regulation and examination is to insure that companies conduct their activities in accordance with the act.

MISCELLANEOUS PROVISIONS

In addition to financial assistance, licensed companies are exempt from the provision in the Investment Company Act of 1940 which requires 300 percent asset coverage after borrowings and are eligible for Securities and Exchange Commission discretionary exemptions under the Securities Act of 1933 and Trust Indenture Act of 1939. Further, investors in licensed small-business investment companies are entitled to an ordinary, rather than capital, deduction for any loss resulting from such investment. The companies themselves receive a similar tax deduction for any loss on the convertible debentures or stock of small-business concerns. A 100 percent dividends received deduction is also available to such companies.

The operations of a small-business investment company, including the generation of business, may be undertaken wherever practicable in cooperation with banks or other financial institutions. Any servicing or initial investigation required for loans or acquisitions of securities by the investment company may be handled through banks or other financial institutions on a fee basis. An investment company may receive fees for services rendered to banks or other financial institutions.

Small-business investment companies may make use of the advisory services of the Federal Reserve System and of the Department of Commerce which are available and useful to industrial and commercial businesses. They may provide consulting and advisory services on a fee basis and have on their staff persons competent to provide such services.

Any Federal Reserve bank is authorized to act as a depository or fiscal agent for any investment company.

Federally chartered small-business investment companies may within 2 years before their expiration apply to the Small Business Administration for approval to extend their corporate existence for an additional 30 years.

The Small Business Investment Act of 1958, in addition to providing for the formation of investment companies to provide equity capital and loans to small business, also provides for a program of loans by the Small Business Administration to State development companies and to local development companies. The funds will be advanced to State development companies in exchange for obligations of those companies. The total amount advanced by the Small Business Administration may not, however, exceed the amount borrowed by the development company from all other sources. The authority under this act to make loans to local development corporations expires in 1961. Under its regular lending program the SBA may lend to local development companies to assist an identifiable small-business concern.

Mr. Speaker, this legislation is admittedly experimental. It may be some time before appropriate policy and regulations can be worked out. It may be perhaps that additional legislation will be considered desirable next year. Through this broad approach, however, to the financial needs of small business, that is, through investment companies and development corporations much can be accomplished to overcome the competitive handicap of these concerns.

Hon. Lawrence H. Smith

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. FEIGHAN. Mr. Speaker, the sudden and untimely passing of our esteemed colleague, Lawrence Smith, was a great shock to all of his colleagues. Behind the mild manner and friendly disposition of our friend, Larry, there was a keen knowledge of national and international affairs and a driving force to enact legislation, the only objective of which was to preserve our American way of life and the security of our Nation. Larry was a prodigious worker, an avid reader, and a convincing speaker. He was devoted to his wife and family and he made a record in Congress of which his constituents can be very proud.

It was my privilege to serve with Larry Smith in Congress for 16 years, to know him well, and to number him among my personal friends. He will be sorely missed in the Halls of Congress.

The Small Business Administration

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. MULTER. Mr. Speaker, now that we have enacted into law legislation making the Small Business Administration a permanent agency of the Government, in my opinion, a measure long overdue, I set forth below the testimony of myself and our distinguished colleague, Mr. RIEHLMAN, of New York, as given before the Senate Appropriations Committee on August 1, 1958:

SMALL BUSINESS ADMINISTRATION

(Statement of Hon. ABRAHAM J. MULTER, a Representative in Congress from the State of New York)

PREPARED STATEMENT

Representative MULTER. I am ABRAHAM J. MULTER, Representative from the 25th Congressional District of New York.

Mr. Chairman, I appreciate the opportunity to appear this morning. I am doing so by the unanimous direction of the Subcommittee No. 2 of the House Small Business Committee.

I have a joint statement prepared on my own behalf and on behalf of Congressman R. WALTER RIEHLMAN, of New York, who is the ranking minority member of the committee.

With your permission, I will ask you to make it part of the record and I will summarize it briefly.

Chairman HAYDEN. That will be done.

(The statement referred to follows:)

"STATEMENT OF HON. ABRAHAM J. MULTER, CHAIRMAN, AND HON. R. WALTER RIEHLMAN, RANKING MINORITY MEMBER, SUBCOMMITTEE NO. 2 OF THE SELECT COMMITTEE ON SMALL BUSINESS OF THE HOUSE OF REPRESENTATIVES

"Mr. Chairman and gentlemen of the committee, my colleague, the Honorable R. WALTER RIEHLMAN, of New York, and I deeply appreciate this opportunity to appear before your committee and to testify with regard to the pending appropriation request of the Small Business Administration. Both Congressman RIEHLMAN and I have been members of the Small Business Committee of the House of Representatives for many years, and more specifically are chairman and ranking minority member, respectively, of Subcommittee No. 2 of the Small Business Committee which, within the committee as a whole, has the responsibility of reviewing the operations of the Small Business Administration as well as Government procurement. The other members of this subcommittee are: Hon. SIDNEY R. YATES, of Illinois; Hon. TOM STEED, of Oklahoma; and Hon. HORACE SEELY-BROWN, Jr., of Connecticut.

"This particular subcommittee during the past two Congresses has held extensive hearings and has made intensive investigations directly related to the programs of the Small Business Administration. Mr. Chairman, we believe that these studies with the resulting recommendations have contributed to a considerable degree to the Small Business Act as it exists today. It is because of the deep interest of our committee in the welfare of small business throughout the country and in the effectiveness of the varied programs of assistance within the Small Business Administration's legislative authority that my friend and colleague, WALTER RIEHLMAN, and I requested an opportunity to appear here today.

"Since the Small Business Administration request for funds will not be formally heard by the House Appropriations Committee, the members of our subcommittee will discuss the matter individually with members of that committee.

"SBA programs

"As you gentlemen well know, the Congress has designed the SBA programs to help small business in the areas of financial, procurement, management, and technical assistance since it is in these fields that small business concerns have encountered the greatest impediments to successful operation. We know you are well aware that the difficulties confronting small business have been very much the same over the years. The continuing and fundamental nature of the problems of small business which the Congress has long recognized, of course, was responsible for the establishment of the Small Business Administration.

"Through the financial assistance program the SBA has supplemented the assistance given by our private financial institutions by supplying credit which would not be obtainable otherwise. This supplemental assistance by the Federal Government, within the limits the Congress has decreed to be necessary to properly safeguard public funds, is essential to the well-being of thousands of small-business concerns and, we believe, to the welfare of our entire economic structure.

"The Federal Government spending for goods and services in the interest of our national defense and security has for many years had a serious impact not only on the type of goods we produce in this country but also on the productive facilities of our industrial complex. It has been a matter of great concern to our committee and, we know, to all Members of the Congress whether our smaller productive units are properly utilized in producing for the national defense. If they are not, then these effective units of industry may be lost to our civilian economy, and more compelling an integral part of any all-out defense effort may not be available when the need arises.

"It is axiomatic that small business is essential to a well-balanced, fully productive democratic society. In support of this principle the Small Business Administration has been diligent in its efforts to increase small business participation in Government procurement. Within the limits of its manpower, we believe, the SBA has used every possible means to make small business better aware of the opportunities in Government procurement and has assisted in the actual awarding of contracts to small business through the set-aside program and by the use of certificates of competency as provided in the act.

"We are sure you gentlemen are well aware that one of the biggest problems confronting small business is the lack of competent management and technical know-how. We believe that the SBA, through counseling and dissemination of carefully prepared and informative published material, has done much to assist small-business men all over the country to become more alert to the changing demands of markets and techniques, thereby attaining a stronger competitive position.

"Of particular importance has been the role of the Small Business Administration within the executive departments as the spokesman for the small-business concerns of our country. Through its efforts, and more than ever before, other Government agencies are aware of the need for adequate consideration of small business. The SBA has increasingly acted as an adviser and as a critic in the formulation of agency policy and in the administration of existing programs.

"Future success of SBA programs

"Mr. Chairman, the record of SBA speaks for itself. Much has been done to help small business; much more still needs to be done. Both the accomplishments and the need for future planning have, we are sure, guided the action taken by both the House and Senate when the Small Business Administration was made a permanent agency. But, Mr. Chairman, it is not enough that the SBA be made a permanent agency, it must have sufficient funds and personnel to fulfill the intent of Congress, to do the job that needs to be done.

"In this respect our subcommittee, for whom we are speaking today, wishes to point out certain areas in the operations of SBA where a lack of sufficient funds could seriously impair the effectiveness of the agency and which would, in turn, act to the detriment of small business.

"Procurement assistance

"We would like to call to your attention the fact that the Bureau of the Budget has requested funds for only 88 technical positions in the field to carry out all procurement assistance programs. The Department of Defense alone has designated about 380 small-business specialists or representatives assigned to its small-business programs although in most cases these employees have other assigned duties. Yet the Small Business Administration, which is assigned the primary responsibility of assisting small business to receive its fair share of Government purchases, is allotted but 88 positions. It is in the field offices that most procurement takes place and where the small-business man must have access to SBA services and assistance.

"We might say parenthetically, Mr. Chairman, that the Senate Small Business Committee has commented in its reports that the Small Business Administration has spent too few dollars on its nonlending functions. Our subcommittee concurs in this view. However, the SBA has fully utilized its appropriations for nonlending functions. The question of increased appropriations for procurement assistance and other nonlending functions is one which the Congress must decide because apparently the Bureau of the Budget fails to recognize the importance of the procurement-assistance program.

"Let us look at the small number of personnel now assigned to the small-business joint determination set-aside program. The agency indicates that 37 of its representatives are carrying on this program on a regular basis in 90 Government purchasing offices. In addition, these men are attempting to maintain liaison with 140 procurement installations and initiating set-asides when they can be present. There is no Budget Bureau request for additional personnel for this program.

"Frankly, we cannot visualize how a staff of 37 can adequately carry out the program at so large a number of installations. The adequacy of set-aside coverage by the Small Business Administration can be more seriously questioned when it is realized that there are approximately 800 military installations which make purchases, plus a greater number of Federal civilian agency offices. Gentlemen, we do not believe the beneficial results of the joint determination (set-aside) program as provided for in the Small Business Act will be achieved unless the Congress, on its own motion, provides the necessary personnel to prosecute the program vigorously as we certainly intended in drafting the legislation.

"In response to inquiry we have been informally advised that the Small Business Administration is limiting publicity regarding its procurement and technical-assistance programs because its present staff cannot adequately handle more inquiries and problems from small-business firms than are now being received. Yet only 18 positions (not new positions) are authorized to carry on the program of how to sell to the Government and to handle casework where the SBA assists individual firms with their procurement problems. These 18 employees are also required to assist small firms in bidding in areas of procurement where small-business competition is needed and to notify them of prime contract opportunities suitable to their facilities. These are important programs, as we have said, yet only 18 positions are being requested to carry out these functions in the agency's 55 field offices.

"The agency has reported that during calendar year 1957, about 23,500 cases of procurement assistance, counseling and representation in behalf of small-business firms were handled. Gentlemen, we know that there are many more small firms needing assistance in selling to the Government. At present there are an estimated total of 309,000 manufacturing establishments in the United States. Of course, an undetermined number of these manufacturing establishments would necessarily be deducted to secure an accurate figure for the number of companies involved since many companies, we know, own one or more establishments. However, allowing for a certain amount of duplication, it is estimated that somewhere between 50,000 and 75,000 companies are interested in Government contracts, and most of them fall into the category of smaller companies. The SBA facilities survey of smaller manufacturing plants number approximately 40,000. We must assume that many companies require procurement assistance more than once during the course of a year; therefore, we believe that in this particular phase of SBA's activities the number of positions allotted should be doubled, that is 36 positions.

"Subcontracting assistance

"Another area in which small business deserves more assistance is in the field of subcontracting. The Small Business Administration provides assistance in this area by visiting large prime contractors and subcontractors to develop subcontract opportunities for small concerns. During calendar year 1957, the SBA reports that 3,926 calls or visits were made, from which it was able to refer 4,976 subcontract opportunities to small-business firms. The success of such a program depends upon a sufficient number of personnel to make repetitive contacts to firms which secure large Government contracts. It is our feeling that the agency's efforts in making less than 4,000 calls or visits to develop subcontract opportunities is merely scratching the surface. We seriously question whether the request for 11 positions (10 new positions) is sufficient to carry on this very important program. We must recognize that subcontracting has become most important to small-business firms because the volume of Government purchases devoted to the missile programs, to aircraft production, and to highly complex weapons has increased and will undoubtedly increase still more in years to come.

"Small-business firms cannot handle this type of prime contract and should receive greater assistance in their efforts to obtain subcontracts. The skill and inventiveness of thousands upon thousands of our smaller manufacturers and machine shops have been fully demonstrated in the growth of the aircraft industry. We must keep our procurement base broad in the missile as well as the aircraft industry. We need the skills which have been developed, and we need the small concerns which have grown up in the weapons industry during the past 20 years. They constitute a strategic reserve which must be kept in a position of readiness.

"Other procurement assistance

"Another SBA program of great importance to small-business concerns is that of certifying the credit and production capacities of small-business concerns that are low bidders on Government purchases. This program offers an appeal procedure for those small firms whose low bids on Government procurement have been questioned because of doubt as to their financial and productive capacities. Requests for assistance and for certificates of competency issued by the Small Business Administration are expected to increase as this program is extended to more military and civilian purchasing offices.

"Another factor which may add greatly to the number of requests for assistance is a recent decision by the Comptroller General stating Government contracting officers should apply the same standards to ascertain the fitness of the subcontractor as they apply in determining the fitness of a prime contractor. This may require the SBA to offer assistance in the form of certificates of competency to a large number of subcontractors. It would seem that the six positions (no new positions) for this program are too low to handle the number of requests for assistance which should be forthcoming.

"New responsibilities

"We are concerned, too, that only a total of 16 positions is requested to carry out the 2 programs which are new to SBA. These programs are: (1) set-asides on the sale of Government property, including timber leases; and (2) research and development assistance for small firms. In view of the importance of these programs, it would seem that this is a very modest request to cover the initial staffing requirements.

"Management service

"It is our subcommittee's feeling that the request does not include adequate personnel for the management services program. As previously stated, one of the biggest problems confronting small business is lack of managerial skill and technical know-how. Despite this, only four positons (no new positions) are requested for SBA's field offices to provide management counseling services and to assist educational institutions in providing management courses for small-business executives.

"Summary: procurement assistance

"We find, therefore, that there is no increase requested for personnel to further the following programs: Joint set-asides, procurement counseling, and prime contract referrals, certificates of competency, facilities inventory, products assistance, and the management series.

"For emphasis we desire to summarize the status of new positions which have been requested in the fiscal 1959 request for procurement and technical assistance:

"1. Ten additional positions are requested for subcontracting making a total of 11. These 11 men, we understand, will be expected to work with more than 400 large prime contractors in carrying out subcontracting projects.

"2. Twenty additional positions are requested for procurement and technical assistance for branch offices where there are no professional staff members for this work at the present time.

"3. Sixteen positions are provided to handle the work in connection with surplus property sales and research and development activities. These additional positions, however, were recommended by virtue of the adoption of the Senate amendments to the Small Business Act which provided for set-asides for small business in the sale of surplus property and assistance to small-business concerns in obtaining Government contracts for research and development as well as assistance flowing from other research and development activities sponsored by the Government.

"This matter, Mr. Chairman, is of the utmost concern to small business. The Small Business Administration has become, insofar as small business is concerned, an agency of major importance in our Federal Government. The Congress in delegating authority to the Small Business Administration has established many types of services which the agency must perform in the behalf of small business. We believe, as we are sure you can gather from our statement, that assistance to small business in securing an equitable portion of contract awards for goods and services is a most important function of the Small Business Administration. That assistance when combined with the work pertaining to subcontracts, managerial, production, and other technical services, assumes even greater importance.

"It is difficult to relate the results of the procurement assistance and collateral programs in definitive terms. The set-aside program can be evaluated in dollars and number of set-asides. Of course, we can also evaluate in dollars the direct contract awards which small business receives from our defense and civilian agencies; and we have some idea of the dollar amounts of subcontracting, but we cannot give exact figures. Other types of assistance may be, as we have seen, statistically calculated in various ways; but we cannot evaluate in dollars the results of such assistance accruing to the thousands of small-business men who are the recipients. We know that this assistance is sought by small business, and we know that the staff of the Small Business Administration has been zealous in its efforts to render maximum service. We mention these points because they are important in developing and crystallizing determinations relating to the procurement and technical-assistance programs.

"We as a Nation are spending some $20 billion a year for goods and services for our national defense and about $4 billion for goods and services required by our civil departments and agencies (including the Atomic Energy Commission). The Congress has placed a responsibility on the Small Business Administration to make certain that small business gets its share of the contracts awarded by the Government for goods and services. A procurement contract or subcontract provides employment, profits, and taxes and contributes to the growth of communities and of our economy as a whole.

"Procurement assistance translated into contract awards, broadens our procurement base and keeps active the skills, ingenuity, and inventiveness which have contributed to much of the building and success of our total manufacturing establishments. In many respects procurement assistance renders to smaller manufacturers and other small concerns supplying the Government a greater service than the making of a loan. In making this statement we do not intend to imply that the financial assistance program does not need every penny which has been requested; we simply use this known fact to emphasize the necessity of providing SBA's other programs with sufficient manpower and money to do the job.

"Therefore, we believe that an inequity exists in the current appropriation request because of the inadequate increase in funds allotted for procurement and technical assistance. This inequity may be illustrated by noting that, in fiscal 1958, 24 percent of SBA's administrative funds were allocated to the procurement, production and technical assistance programs, while in the present request for fiscal 1959 the Bureau of the Budget allocation is only 22 percent of the total administrative funds. It will be noted that the 1959 allocation is 2 percent lower than the 1958 allocation despite the fact that the 1959 request includes 16 new positions to carry out the requirements of the Senate amendments relating to surplus property disposal and research and development. To express this point in another way we refer to the 1959 request of $9,950,000 for

financial assistance which represents an increase of 45 percent over the 1958 actual expenditures, for the regular lending program. This figure, of course, does not include funds for making disaster loans, the contingency reserve of $1,750,000 or funds for the liquidation of RFC loans.

"We do not feel it proper to appear before the distinguished chairman and distinguished members of this great committee and offer what our subcommittee believes to be constructive criticism without offering for your consideration a suggested solution or compromise on the most important problem of procurement, assistance. We respectfully suggest that the appropriation for procurement and technical assistance be increased by an amount equal to the increase for the regular lending program. An increase of 45 percent over the 1958 actual expenditure for procurement and technical assistance would equal $3,240,750 exclusive of the sum recommended for personnel to administer surplus property sales and research and development activities as provided in the Senate amendments to the act. The addition of $150,000 for this work would make a total of $3,390,750. This, Mr. Chairman and gentlemen, we believe would add sufficient manpower to the procurement and technical assistance programs to strengthen the areas of operation which we have previously called to your attention. Particularly, it would enable the Small Business Administration to extend its coverage of the principal military and civilian procurement operations, many of which are now covered only on a part-time basis. At present, out of the some 800 military and civilian agencies which procure for the Government, the SBA is able to cover only 90 of such operations and as indicated many on a part-time basis only. At the very least all principal procurement offices should be covered by the Small Business Administration's procurement specialists. That would cover only 175 offices of the 800 mentioned.

"At this very moment in our history when our national security is once again seriously threatened by the shadow of Communist aggression, all of us are concerned with thoughts of our national defense. It is of transcendent importance that every shop and factory in our country capable of producing for the national defense be given all possible assistance in connection with defense contracts when such assistance is required. We earnestly suggest that this is not possible unless the procurement-assistance programs, as provided for in the Small Business Act, are materially strengthened."

GENERAL STATEMENT

Representative MULTER. The appearance here on behalf of our subcommittee is to urge to add to the appropriation for the Small Business Administration approximately $600,000 in order that they can adequately perform the job that we in Congress expect them to perform.

Of course, most people look upon SBA as a financial agency giving lending assistance to small business. While that is a most important function of SBA, I think even though we cannot measure it in dollars and cents by far the most important function of SBA is the work it does on behalf of small business in connection with procurement, particularly Government procurement. They have a tremendous job that they have been trying to do and can do and will do much better if we give them the tools with which to work in getting prime contracts to small business, in having Government set aside particular parts of procurement for small business, and in addition not only getting prime contracts for small business but inducing prime contractors who have Government contracts to subcontract part of that work to the small-business man.

Procurement functions

In addition to the work that the agency has been doing to date, in the Small Business Administration Act which was approved by the President on July 18, 1958, we added at the instance of the Senate, with the concurrence of the House, new procurement functions for SBA.

We have required them now to take on the job of disposal of Government property including timber leases incidentally and in addition to that to do a job of research and development assistance for small-business firms.

The strange part of it is that the Budget Bureau has approved practically no increase for this very important part of the work of the Small Business Administration. As a matter of fact, while increasing the budgetary appropriation for the Small Business Administration for financial assistance by some 45 percent over the current budget they have actually recommended a 2-percent decrease in the procurement work despite the fact that the law, as now enacted, requires the Small Business Administration to do additional work and, as I say, very important work.

The House committee will not formally hear this matter, but we on the Small Business Committee have undertaken to approach the members individually on the House side and present this problem to them so that, when this bill gets back to the House, they will be favorably disposed to give this agency the money it needs with which to properly carry on.

I do hope that this committee will see fit to recommend and the Senate will follow the recommendation to give the Small Business Administration adequate money with which to carry on this very important work.

Chairman HAYDEN. I understand your colleague, Mr. RIEHLMAN, cannot be here today.

Representative MULTER. Mr. RIEHLMAN went to the Bethesda Hospital this morning and hoped to be able to get here. He went there for a checkup. He hoped to be able to get here in time to add his comments to what I have said. Unfortunately he has been delayed.

As I said at the outset, not only does Mr. RIEHLMAN agree with what I have said and with the statement but the statement has the unanimous approval of our subcommittee.

Senator YOUNG. Congressman, this would help small business a great deal. It is the small business that is in trouble much more than big industry.

Representative MULTER. There is no doubt, Senator. Big business can do this job for themselves and unless small business has an agency such as the Small Business Administration to help them do this job they are swallowed up in the mass.

Senator YOUNG. I certainly agree with you.

Representative MULTER. Thank you, sir.

Chairman HAYDEN. We thank you for your appearance.

Voting Record of Congressman Wayne L. Hays on Major Legislation of the 85th Congress

EXTENSION OF REMARKS
OF
HON. WAYNE L. HAYS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. HAYS of Ohio. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my voting record on 30 of the most important bills to come before the House of Representatives during the 85th Congress. I have done this every 2 years since I have been in Congress and mailed out copies so that my constituents could have a convenient method of checking my record.

The 85th Congress has been a successful and historic one. Washington political writers have described it as a do-well Congress, which has made a formidable record of work done.

The record follows:

How I voted	Issue	Status
Voted for	Mutual security program to strengthen the Free World	Became law.
Voted for	National Defense Education Act of 1958	Became law.
Voted for	Bill increasing social security benefits by 7 percent	Became law.
Voted for	Kennedy-Ives labor reform bill	Defeated.
Voted for	Bill making Small Business Administration a permanent Federal agency and increasing loan authorization.	Became law.
Voted for	Department of Defense Reorganization Act	Became law.
Voted for	Highway construction bill	Became law.
Voted for	Civil Rights Act of 1957	Became law.
Voted against	Extension of Trade Agreements Act for 4 years authorizing a total of 20 percent reduction in any tariff rate existing on July 1, 1958.	Became law.
Voted for	Bill requiring disclosure of employee welfare and pension plans and annual financial reports.	Became law.
Voted for	Improvement of Federal Civil Defense Act	Became law.
Voted for	Tax revision bill, including admissions tax cut	Became law.
Voted for	Community Facilities Act of 1958, authorizing program of loans to municipalities for construction of public facilities.	Defeated.
Voted for	Depressed areas redevelopment bill	Vetoed.
Voted for	Ending issuance of fast tax writeoff certificates	Became law.
Voted against	Bill increasing first class postal rates [1]	Became law.
Voted for	Increasing pay of members of Armed Forces to encourage career service	Became law.
Voted for	Bill extending benefits of unemployment compensation, now available only to Korean veterans, to all ex-servicemen.	Became law.
Voted for	Bill establishing Airways Modernization Board to assure safe, efficient navigation system for all civilian and military planes.	Became law.
Voted for	Increasing pensions of widows of Spanish-American War veterans	Became law.
Voted for	Liberalization of requirements for veterans' widows' benefits	Became law.
Voted for	Reemployment rights for National Guard men	Passed House.
Voted for	Housing Act of 1958	Defeated.
Voted for	Bill extending time for disabled persons to file for social security	Became law.
Voted for	Improved annuities under Civil Service Retirement Act	Became law.
Voted for	Federal aid for school construction	Defeated.
Voted for	Bill increasing unemployment benefits	Became law.
Voted for	Alaska statehood bill	Became law.
Voted for	Bill establishing a civilian-controlled space agency to be called the National Aeronautics and Space Administration.	Became law.
Voted for	Humane slaughter of livestock bill	Became law.

[1] The Senate added the postal employees salary increase to this bill and so I voted for it when it returned to the House.

Social Security—Present and Proposed

EXTENSION OF REMARKS
OF
HON. JOHN B. BENNETT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. BENNETT of Michigan. Mr. Speaker, one of my principal concerns since I first came to Congress in 1943 to represent the constituents of the 12th Congressional District of Michigan has been the strengthening and improvement of our social-security system.

On July 18, 1958, I outlined a program to the Members of the House and urged its adoption. The amendments to the Social Security Act which were subsequently passed and approved by the President will undoubtedly be very helpful to the 12 million individuals who now rely on monthly checks from the social-security system as the foundation of their economic security. For the overwhelming majority of these aged and disabled persons, widows and orphans, these benefits are the major source of their support. However, these amendments fall far short of my program.

NINETEEN HUNDRED FIFTY-EIGHT AMENDMENTS TO SOCIAL SECURITY ACT

The amendments to the Social Security Act just passed by the Congress and approved by the President (Public Law 85-840) may be summarized as follows:

A. CHANGES IN OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROVISIONS

Individuals now on the old-age and survivor insurance benefit rolls, and all future beneficiaries, will have their benefits increased, generally, by 7 percent effective January 1, 1959. The minimum increase in the benefit of a worker who retired on or after age 65 is $3 per month. The average increase for workers now retired is approximately $4.75 a month. The range in monthly payments under the new law is from $33 to $116, as compared with $30 to $108.50 under the old law. The new benefits will be reflected in the checks received in February 1959.

The ceiling on the total benefits payable to a family on the basis of an insured worker's earnings record is raised from $200 to $254 a month.

The total annual earnings on which benefits will be computed, and on which contributions will be paid, are raised from $4,200 to $4,800 effective on January 1, 1959.

Benefits are provided for the dependents of disabled workers like those now provided for the dependents of workers retired on account of age. Such dependents are wives and dependent husbands who have reached retirement age, unmarried dependent children, and wives, regardless of age, who have an eligible child in their care.

The provision which previously required payments under certain other disability benefit systems to be offset against social-security disability benefits was repealed. Hence, a person who is eligible for a social-security disability benefit and also for a disability benefit under another system may receive the full amount of his social-security benefits.

The work requirements that a disabled worker must meet to be eligible for cash disability benefits, and to have his benefit rights frozen while he is disabled, are changed to make it easier for a disabled worker to qualify when his disability has a gradual onset.

Disability insurance benefits are payable for as much as 12 months before the month in which an application for benefits is filed. Under previous law there was no provision for retroactive disability insurance payments.

The June 30, 1958, deadline for filing fully retroactive applications for the disability freeze is postponed for 3 years.

A person would not lose his benefit under the retirement test for any month in which he has earned wages of $100 or less, rather than $80 under previous law.

Where earnings exceed the amount allowed under the retirement test without loss of benefits, the excess earnings are charged to months beginning with the first month of the year. Under previous law, the excess was charged to months in reverse order beginning with the end of the year. This change means that where an individual's or a family's benefits are increased during a year, the benefits suspended by reason of earnings will be the smaller ones that were payable for the early months of the year.

Where a person over age 18 is the child of a deceased or retired insured worker and has been disabled since before age 18, benefits would, in general, be paid to the child without requiring the proof required under previous law that he has been dependent upon the worker for his support. The change would make the requirement for the disabled adult child the same as for the child under age 18.

Benefits are provided for the dependent parent of a deceased worker even though there is a widow or child of the worker who is eligible or may become eligible for benefits. Under previous law, a parent could qualify only if there was no such widow or child.

A lump sum is paid to the widow of a deceased worker only if she was living in the same household with him or has paid his burial expenses.

Benefits are paid to a child if the child has been living in the worker's household, if the child has not been supported by anyone else, and if he was adopted by the widow of the worker within 2 years after the worker died or 2 years from the date of enactment of this legislation.

Benefits are paid to the mother of a child if the child had been adopted by the mother's deceased husband even though they had not been married for as long as 1 year.

Benefits are paid to the adopted child of a retired worker even though the child had not been adopted for as long as 3 years.

Where a survivor of a deceased worker is, or might at retirement age become, eligible for benefits based on the worker's earnings but loses eligibility by remarriage, the survivor could become eligible immediately or upon attainment of retirement age for benefits on her second husband's earnings record.

Where two secondary beneficiaries marry each other, for example, the dependent parent of one worker and the widow of another, the payment of benefits to both beneficiaries would be continued. Under previous law, both lost their benefits. Childhood disability benefits would be continued when the person receiving them marries a person receiving old-age or disability benefits.

Changes are made in the coverage provisions of the program: First, to facilitate coverage of certain State and local government employees who are in positions covered by a retirement system; second, to facilitate coverage of employees of certain nonprofit organizations; third, to extend coverage to turpentine workers; fourth, to provide social security credits for earnings which a person has from a partnership during the year of his death; and fifth, to provide that social security wage credits of $160 will be credited for each month of service performed during World War II by American citizens in the armed forces of certain countries which fought against our enemies in that war.

The tax rates for the support of the system are increased by one-fourth of 1 percent each for employees and employers, and three-eighths of 1 percent for the self-employed, above the rates previously scheduled, and the scheduled increases in the rates are to take place every 3 years instead of every 5 years.

The actuaries of the Social Security Administration have advised that the financing of the old-age, survivors, and disability insurance system provided for in this new law will be adequate to pay for all benefits payable under this program and that the program can be considered as actuarially sound.

B. CHANGES IN PUBLIC ASSISTANCE PROVISIONS

A new formula is provided for Federal participation in public assistance, providing additional funds to all States and maximum flexibility in meeting medical-care needs and other special needs. The formula also recognizes the limited fiscal capacity of the lower income States. The public assistance program is extended to Guam. The new law also increases the Federal fund limitations for Puerto Rico and the Virgin Islands, and extends for 2 years a special provision applying to blind programs in Missouri and Pennsylvania.

C. MATERNAL AND CHILD-WELFARE PROVISIONS

Authorizations are increased for (1) maternal and child health from $16.5 million to $21.5 million, (2) crippled children's services from $15 million to $20 million, and (3) child-welfare services from $12 million to $17 million. In the child-welfare-services program, existing differences in treatment of urban and rural children are eliminated and appropriate allotment and matching provisions are included.

PROPOSED PROGRAM

Mr. Speaker, in my statement to the House on July 18, 1958, I called to the attention of the Members of Congress the fact that there are many retired people today in every State of this Union whose social-security benefits are so small that they must seek public assistance from various welfare and charitable organizations to maintain the barest type of subsistence. No sound reason exists for allowing this lamentable condition to continue. I feel certain that most employees covered by the social-security system—and there are some 75 million individuals who are presently covered—would be willing to absorb their fair share of the additional cost for the support of the old-age and survivors insurance program if they were assured of receiving a pension at the time of their retirement which would enable them to live decently and comfortably without other assistance.

In my remarks of July 18, I called attention to my bill, H. R. 12977, which I introduced on June 17, 1958, which embodies my program of the changes which should be made in the Social Security Act. My remarks are as follows:

REDUCTION OF RETIREMENT AGE

My first change—reduction of the retirement age from 65 to 62 for men and from 62 to 60 for women—is one of the most important features of my bill. It will reach down to provide social-security benefits for millions of men and women today who have been arbitrarily retired from their jobs and must now wait months and often years—a period during which savings are depleted, assets are liquidated, and often charity must be solicited from friends, relatives, or public funds—until they can qualify for their social-security benefits. For the truth of the matter is that, even under the present law, less than 10 percent retire voluntarily to qualify for social-security benefits. Most people retire because of company retirement provisions or because of ill health.

Too often the eligibility age for social security is confused with a compulsory retirement age. Yet more than 20 years of experience with the system has shown us that the man or woman who is able to work beyond retirement age—and is allowed to work beyond that age—will almost invariably continue on the job. The fact that the average benefit under social security today is just under $65 a month is one understandable incentive.

Another compelling reason for lowering the retirement age is the tragic fact that older workers, who are the special victims of plant relocations and retooling operations, find it almost impossible to secure new jobs or the opportunity to develop new and marketable skills. It is an anomaly of our times that the new machines which add so greatly to our productivity as a Nation are viewed with fear and apprehension by older men and women who, after a long working life, find their jobs threatened by the age of electronics. With the laudable purpose of cutting administrative costs, the Social Security Administration itself installed, not long ago, a huge electronic machine to help keep the records in this largest bookkeeping operation in the world. In its administrative aspects, the social-security system has, therefore, recognized that we are living in a new age in which machine power is steadily replacing certain kinds of manpower. It is time that the program aspects of the plan recognize this fact as well. One necessary way of adjusting to this fact is by lowering the floor for eligibility so that the displaced workers of our modern productive plant can begin to receive benefits at an earlier age if they have been forcibly retired before they are 65.

ELIGIBILITY OF WIDOWED MOTHERS

My second proposal—to make widowed mothers eligible at age 50, instead of requiring them to wait until they are 62 as in present law—will round out the purpose of the 1939 amendments which took special account of the fact that the widows and orphans of workers who die prematurely are entitled to protection against wage loss caused by death of the family breadwinner. Under this provision each child was made eligible for a benefit during his minority and the widowed mother received her own benefit until her youngest child reached the age of 18. The purpose of the amendment was to make it possible for the widowed mother to remain in the home and care for her children—in the same way she would have done had her husband not died—by providing social security benefits in lieu of his wages. This is, indeed, a laudable purpose and one which I heartily endorse. But it does not go far enough. Too often, I am afraid, the cancellation of the benefit check because the children are grown, works a cruel hardship on the mother who, having raised her family, finds herself, in middle age, thrown off the social security rolls. According to the most recent figures available—for the end of the year 1956—approximately 40 percent of the women receiving mother's benefits were between the ages of 40 and 50. After age 50, as could be expected, the number of eligible mothers tapered off abruptly.

My proposal would accomplish two purposes:

First. For those mothers who are 50 or over when the youngest child reaches 18, the benefit would be continued for the rest of their lives.

Second. For those mothers who are younger than 50 when the youngest child reaches 18, the waiting period for benefits would be cut by 12 years because they would be eligible for benefits at age 50 instead of age 62.

Mr. Speaker, I submit that all evidence shows it is extremely difficult for women without work experience to find a job after 50. Only about one-third of the women age 45 to 54 are in the labor force today and of those who have jobs, about 80 percent are in the low-pay service jobs in private households, business establishments and industry. Therefore, this change is of the most urgent importance.

INCREASE MINIMUM BENEFIT

The third improvement I propose would increase the amount of the present minimum benefit from $33 to $50 per month—a change which would be of particular importance to those people who can qualify for social security only on the basis of low wages—especially domestic workers and those agricultural workers who do day work. Obviously, the minimum benefit of $33 a month cannot even be described as a subsistence income in our high-cost economy of today; yet about 13 percent of the people now receiving social-security benefits receive this minimum amount. Because this benefit is so low, it is necessary for the public assistance agencies to supplement these social-security benefits to bring them up to the barest minimum required for existence. As of February 1958, 24 percent of people on old-age assistance were receiving social-security benefits so small they required such supplementation, and this figure has been rising over the years. In February 1957, for example, it stood at 22 percent.

Moreover, a small increase in the social-security minimum benefit has no effect in situations such as this, as many of us in Congress learned in 1954. The $5 increase in the minimum benefit provided at that time was treated simply as additional income by the old-age-assistance people and the supplementary old-age-assistance check was reduced by the $5 increase in the social-security benefit. Thus, a man or woman receiving the minimum social-security benefit of $25 at that time and a supplementary old-age-assistance check of $25, for a total of $50 per month, still received only $50, since the new $30 minimum merely cut the supplementary old-age-assistance check to $20. The only way we can remedy this problem is to make a substantial increase in the minimum benefit to at least $50. This will not only make about 3,250,000 people eligible for substantially increased benefits, but it will also release some of the funds now being used by the States for old-age assistance payments so that people in need, who are entirely dependent upon these programs, could receive larger payments with the same expenditures of State and Federal moneys.

CHANGING BENEFIT FORMULA

The fourth provision would make a related increase in benefits for all people now receiving benefits and those who will apply for them in the future. This would be accomplished by changing the benefit formula so that it would pay 66 percent—now 55 percent—of the first $110 of the average monthly wage, and 20 percent—as in existing law—of the remainder up to the new maximum of $500. This revision will provide an increase of over 20 percent for those beneficiaries in the lowest brackets. Moreover, the maximum benefits which eventually can be paid when the new $6,000 wage base goes into full effect will be in excess of $150 per month.

I am concerned with the figures which show that at the end of 1956 only about 30 percent of the full old-age benefits were over the average of $64. I am equally concerned that some 400,000 families, who are currently drawing benefits for both the retired worker and his wife, are now receiving only $75 or less in the form of monthly benefits.

This revision in the benefit formula recognizes the fact that social-security benefits must reflect substantial increases that have taken place in the cost of living. For the same reason, the Congress voted increases in benefits in 1950, in 1952, in 1954, and again in 1958.

MEDICAL AND HOSPITAL CARE

The fifth improvement recognizes the inability of numerous retired people to pay for the cost of medical care associated with hospitalization on meager pensions which are now available to them. My plan would pay the cost of hospital care and surgical services provided in the hospital up to 60 days for people eligible for social-security benefits. If further care in a nursing home is indicated by the physician, additional costs up to 120 days of combined hospital and nursing home care is provided. It incorporates an income test, used in many private plans, by limiting this protection to those people whose total family income, including social-security benefits, does not exceed $2,400 a year. These modifications will, I believe, bring better medical care to those people who need it most, at less cost to the social-security system.

The method of confining payments to those hospital services where cost schedules have already been tested by Blue Cross plans, also preserves the professional independence of doctors. It is designed simply to provide a form of insurance protection for those people on social security whose income is so limited that they cannot afford to pay the premiums for this kind of prepaid care.

We must make this forward step because I am convinced our older people are not getting their share of the modern but increasingly costly miracles of medical care. The high cost of medical care is felt more acutely by older people, moreover, because their illnesses are usually of longer duration.

According to the most recent nationwide survey of medical needs and costs, conducted for the Health Information Foundation in 1952–53, the average annual cost for private care for people 65 and over was $102, as compared with $66 a year for the general population. Of the total of over $10 billion spent for private personal health services, 13 percent, or $1.3 billion was required for these older people. In other words, men and women 65 years of age and over were faced with charges 57 percent greater than was the general population.

The wider application of preventive measures which we are getting today will lead to less infirmity in older years in the future. This is one of the reasons why I am not persuaded by the argument sometimes presented that my proposal would lead eventually to excessive medical costs. Another is that I am confident the doctors of this country are competent enough, and honest enough, to insure against any abuse of this provision.

While progress is under way toward the goal of providing better voluntary prepayment coverage for older people, the fact still remains that although almost two-thirds of our people under 65 have some form of prepayment insurance, only 36 percent of people 65 and over are now insured. Moreover, among these older people, the proportion with insurance declines with advancing age so that fewer than one-fourth are insured among those aged 75 and over.

Finally, good evidence indicates that it is not through negligence that many older people are without medical care protection. It is simply because it is not available to them at a price they can pay. Thus, my plan with its $2,400 income ceiling is designed specifically to meet the medical care needs of people with a low-retirement income who would otherwise be self-sufficient. We will not only be preserving individual self-respect, but we will also be helping hospitals to meet the mounting costs of providing the best kind of medical care for people who cannot now afford it.

INCREASE IN SOCIAL SECURITY WAGE BASE

The sixth change proposed in the system is to bring the social security wage base, for benefit and tax purposes, more closely in line with modern price and wage levels. The original wage base of $3,000 covered the full earnings of 97 percent of all workers in covered employment in 1939. Now, for the present wage base of $4,200, the figure is only 72 percent. Of men with earnings during the whole year, only 60 percent have all their earnings covered under the present ceiling of $4,200. Thus, for a majority of men who are regularly employed, the present ceiling puts a dead stop to further benefit increases no matter how much their earnings rise. Under my proposed $5,000 wage base, 75 percent will have their entire wages covered.

LIBERALIZATION OF PERMANENT AND TOTAL DISABILITY

My seventh proposal would establish a more liberal definition of permanent and total disability for the benefits which were authorized by the 1956 amendments, and modify the stringent length of service requirements. These more realistic provisions would not only apply to the benefits payable to people 50 and over, but also to the disability freeze which applies to workers at any age.

I presume that every Member of Congress has received mail from people who have considered themselves qualified for these payments but have been rejected by the Social Security Administration. The definition of disability in the law is strict and it is even more strictly administered.

This conclusion seems to be borne out by the facts. In September 1956, right after the act was passed, it was estimated that about 400,000 people would qualify the first year. The President's budget message in January 1957 dropped the figure to 360,000 and later in the year the Bureau of Old-Age and Survivors Insurance issued a revised estimate of 275,000. Actually, as of April of this year only 167,500 disability beneficiaries were on the rolls.

The change I propose would modify the requirement in present law that the disabled person must be unable to engage in any substantial gainful activity by stating that he must be unable to engage in a substantial gainful activity which is the same as or similar to the occupation or employment last performed by him on a regular basis before the onset of such impairment. This latter terminology is closer to what Congress really intended in passing the 1956 amendments and will insure administration of the act in a way that will give the American worker real protection against crippling injury or disease.

My bill will also reduce the quite stringent requirements that an individual to qualify, must have 20 out of the last 40 quarters of coverage before he is disabled. I propose that this period be reduced to 15 out of the last 30 quarters. Such a revision, I believe, will take care of some of the tragic cases of middle-age workers who are incapacitated in the early years of their coverage under this system.

In conclusion, let me say that we must keep our social-security system up to date because we believe in the inherent dignity and worth of each individual.

If the welfare and security of our social-security beneficiaries is to be properly protected, the Congress must no longer postpone action on these vital matters. My bill embodies the much-needed changes presently required in our social-security program. If I am privileged to serve again as a Member of the 86th Congress I shall reintroduce this bill and urge its enactment into law.

RAILROAD RETIREMENT LEGISLATION

Mr. Speaker, I cannot conclude my remarks without saying something about the railroad retirement program.

I regret very much that this Congress did not approve an increase in railroad retirement benefits. A bill providing for an increase of 7 percent in such benefits was approved by the House Committee on Interstate and Foreign Commerce, on which I serve. However, the committee action came late in the session of the Congress and the bill could not be considered before adjournment.

I am glad to know, however, that the new law increasing social-security benefits will enable thousands of retired railroad workers, their wives and their survivors, to get some increases in their benefits. This is so because the Railroad Retirement Act contains a provision which guarantees that in no case will monthly benefits payable to retired railroad employees and their wives, or to the families of deceased railroad employees, be less than the amounts the social-security system would pay if railroad employment were covered under the social security system.

The Railroad Retirement Board has announced that some 30,000 retired railroad employees, 90,000 wives of retired railroad employees, and 160,000 widows, children, and aged parents of such employees, will receive increases as a result of the social-security amendments. In most cases, the increases will approximate 7 percent. The new rates will go into effect in January 1959, and in most cases will be reflected in the benefit checks dated February 1, 1959.

The benefits payable to some railroad disability annuitants would also be affected by the following changes in the disability insurance provisions of the social-security program: Provision for benefits to dependents of disability insurance beneficiaries; elimination of provision offsetting certain other disability benefits; provision for a 3-year postponement of the present deadline June 30, 1958, for filing fully retroactive disability freeze applications; provision for payment of benefits retroactively for as many as 12 months before the month in which an application is filed; and liberalization of the insured status requirements for eligibility for disability benefits.

With respect to those retired railroad employees and their families who will not benefit from the new social-security law, I am confident that at the beginning of the 86th Congress next January, legislation will be introduced to provide increases in benefits for these individuals. If I am privileged to serve again as a Member of the 86th Congress, I shall actively support such legislation, both in the Committee on Interstate and Foreign Commerce, and on the floor of the House of Representatives.

Retirement of Hon. Edward Martin, of Pennsylvania

EXTENSION OF REMARKS

OF

HON. RICHARD B. RUSSELL

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on the retirement of the senior Senator from Pennsylvania [Mr. MARTIN].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I do not wish for the record of this session's proceedings to be finished without expressing my regret that the senior Senator from Pennsylvania [Mr. MARTIN] is concluding his service in the Senate.

Although he is a man of unusually admirable characteristics, the eloquent tributes that have been paid him in recent days leave little for development if repetition is to be avoided.

His notable achievements in military and governmental matters have been reviewed in detail.

For my part, I express my admiration of him as a stalwart American and an exemplar of a type that is lamentably vanishing from contemporary life.

ED MARTIN has endeared himself to those of us privileged to serve with him in the Senate. He is an effective legislator and a true gentleman. He richly deserves the retirement he has chosen, but his decision leaves the Senate and the Nation poorer. The impression that Senator MARTIN has made on his colleagues and on our institutions of government will be long lasting. It is with a very genuine sense of sadness that I say hail and farewell, and Godspeed.

Development Program, State of Nevada: A Report to the Stockholders, the People of Nevada

EXTENSION OF REMARKS
OF
HON. GEORGE W. MALONE
OF NEVADA

IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my report on the development program for the State of Nevada.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEVELOPMENT PROGRAM, STATE OF NEVADA: A REPORT TO THE STOCKHOLDERS, THE PEOPLE OF NEVADA—NEVADA'S FUTURE

(By Hon. GEORGE W. MALONE, of Nevada)

Nevada's future depends on projects and policies which will utilize her rich human and material resources.

Our human resources, spiritual, cultural, and intellectual are continuously being enhanced by projects and programs inaugurated by our churches, our university and schools, and our many organizations.

Expansion of our material resources is contingent on projects for greater utilization of our mineral wealth, our soil, range, and water resources, both present and potential, plus policies which will protect our production and producers from low wage foreign competition.

Ever since I left the University of Nevada—as head of my own engineering firm, State engineer, engineering consultant to the United States Senate Military Affairs Committee on strategic and critical minerals and materials, and as United States Senator—I have worked and fought to advance such projects for the benefit of Nevada and the Nation.

Sound policies and hard work are the foundation stones of constructive projects.

IRRIGATION, POWER, AND FLOOD CONTROL POLICIES

Legislation providing for Federal irrigation, flood control, and power projects is premised on policies established by Congress.

Reclamation policy was established by the Reclamation Act of 1902, sponsored by the late Senator Francis G. Newlands, of Nevada, who served our State 5 terms in the House of Representatives and was 3 times elected by the people of Nevada to the United States Senate. Under the policy he initiated public money is advanced for irrigation and repaid over an extended period of years without interest. The first project in the United States authorized under the Reclamation Act was the Lahontan project at Fallon.

Federal power policy was established in the 1928 Hoover Dam Enabling Act while I was State engineer and engineer member of the Colorado River Commission. Under this act a substantial part of irrigation and reclamation costs is paid by proceeds from sale of power developed by a project, and funds provided for power facilities are repaid with interest, which was first set at 4 percent and has been since reduced to 3 percent.

Flood control policy first became applicable about three-quarters of a century ago with initial work in the Mississippi watershed. Since that time hundreds of millions of dollars have been expended in that area, far less in our Western States. In 1928, in the Hoover Dam Project Act, $25 million was allocated to flood control, but repayment was deferred. Costs of a reclamation project chargeable to flood control are no longer repaid. As an example of this principle, approximately $6,150,000 of the estimated cost of the Truckee-Carson (Washoe) project has been charged to flood control, but this portion of the cost is not reimbursable to the Federal Government.

HOW NEW PROJECTS ARE OBTAINED

Application of these policies to benefit Nevada has been my endeavor throughout my career.

In line with these policies projects are proposed in Congress and Congress directs the United States Army Corps of Engineers to make investigations and reports on flood control and related problems in various drainage areas. As funds are made available surveys are completed and reports submitted to Congress for its information as to future action.

The Corps of Engineers is also charged with the responsibility of formulating rules and regulations for the use of space allocated to flood control at all reservoirs constructed wholly or in part with Federal funds. As an example rules and regulations for the operation of flood control storage space at Hoover Dam were developed by the Corps in cooperation with the Bureau of Reclamation.

Projects affecting our State which will be listed below all had their beginnings many years ago during the period 1919 to 1946, when, as a private engineer and as State engineer, I visualized their importance to Nevada and laid or helped lay the necessary foundation for the work ahead. For the past 12 years as United States Senator I have worked steadily to make these projects a reality. The fact that I have been a member of the Senate Interior and Insular Affairs Committee—I am now the ranking minority member on that committee—has been helpful in advancing needed projects for Nevada, and I believe the program has been satisfactory.

SENATOR MALONE PREPARES INDUSTRIAL REPORTS ON EACH OF NEVADA'S 17 COUNTIES

To prepare the way for new projects and new industries I have been and am engaged in preparing comprehensive resource reports on all of Nevada's 17 counties. Reports for Clark, Washoe, Elko, White Pine, and Lincoln Counties have been completed, and work is well under way on Churchill, Douglas, Esmeralda, Eureka, Humboldt, Lander, Mineral, Nye, Ormsby, Pershing, and Storey Counties, while a preliminary report has been prepared on Lyon County.

When the first Federal project in Nevada was authorized the population of our State was approximately 44,000. As new projects were added population rapidly expanded. In 1920 it was 77,407; in 1940, 110,247. Today it is more than 267,000, according to estimates of the Bureau of Census.

PROJECT DEVELOPMENT WILL ASSURE NEVADA'S RECORD AS NATION'S FASTEST GROWING STATE

Nevada, for the past 10 years, has been the fastest growing State in the Union. It will continue to be the fastest growing State in the Union as our Nevada development program is carried out and projects under way and recommended are completed.

These projects include:

Truckee-Carson (Washoe) project: This multipurpose $52 million project, authorized in 1956, is Nevada's greatest reclamation-power development since the construction of Hoover Dam. When completed the project will furnish water for the irrigation of approximately 50,000 acres of land in the Carson and Truckee River Basins, give drainage service to some 31,000 acres, and provide a steady flow of water to lands under the Truckee River and Newlands projects.

The first big boost given to the project by Congress was in 1938 when Army Engineers were authorized to make a flood-control survey of the Truckee River and its tributaries. In 1952, I headed a Senate Public Works Subcommittee which held hearings in Reno on flood control, power, and resource development of the Truckee and Carson Rivers. In 1955, I introduced the legislation which authorized construction of the project.

Three reservoirs will be constructed: Stampede, 126,000 acre-feet capacity, on the Little Truckee; Watuscheamu, 115,000 acre-feet capacity, on the East Fork of the Carson River, and Prosser Creek Dam and Reservoir, located about 4 miles from Truckee, Calif., on Prosser Creek, a tributary of the Truckee River, 30,000 acre-feet capacity.

CONGRESS APPROPRIATES $800,000 TO COMMENCE CONSTRUCTION

Congress, in the closing days of the recent session appropriated $800,000 to commence construction of the Prosser Creek Dam and Reservoir, legislation of which I was cosponsor. This phase of the Truckee-Carson (Washoe) project, when completed, will facilitate flood control in the Reno and adjacent areas.

The entire project will augment power supply. Calvada powerplant below Stampede on the Main Truckee, and the Watuscheamu hydroelectric facility will provide approximately 92 million kilowatt-hours annually.

Power revenues will repay about $35 million of the total cost. Flood control and recreational costs amounting to $8 million will be nonrepayable. Fish and wildlife protection and restoration facilities will be provided without a charge against the project. Water users will pay the balance of the total cost over a 50-year period.

GRANT OF $150,000 APPROVED FOR TRUCKEE CHANNEL PROJECT

Truckee River channel project: Located in both Nevada and California, this project is designed to supplement the flood-control features of the multipurpose Washoe project. The Nevada portion of the improvement involves, mainly, an enlargement of the channel through Truckee Meadows below Reno, reef removal near Vista, and debris clearance at Derby. Although authorized in 1954, the project did not become eligible for construction funds until the passage of the Washoe Project Act in 1956.

In May of this year I urged the Senate Appropriations Committee to approve $150,000 to begin reef removal operations below Truckee Meadows and this amount was included in the public works appropriation bill that passed in the closing hours of the session and was signed by the President after Congress had adjourned.

Removal of the reefs below Truckee Meadows will prevent a recurrence of the floods that were experienced in the area early this year.

Total cost of the entire channel project has been estimated at $1,213,000, of which $1,010,000 would be borne by the Federal Government and the remaining $203,000 by local interests.

Appropriation of the $150,000 marked a further step in my long endeavor to effect river improvements that would prevent disastrous floods.

In 1926, I completed organization of the Washoe County Conservation District resulting in the construction of the Boca Dam.

NEW APPROPRIATIONS PRECEDED BY PREVIOUS GRANTS

In 1951, I secured funds and the supervision of the Army Engineers in clearing the Truckee River channel through Reno ($50,000), and below Sparks ($25,000) following the disastrous flood of that year. The following year when floods again threatened I arranged for Army Engineers to stand by with 40,000 sandbags ready for instant use, but fortunately a succession of cool nights prevented a recurrence of the 1951 flood, although there was an unprecedented snowfall in the Sierra Nevada Mountains.

In 1956 it was through my efforts that funds were made available for relief removal work on the Truckee River below Sparks, and in 1957 I requested that the funds saved in the Reno snagging and clearing project be used for additional work upstream, work which is being accomplished.

TRUCKEE RIVER SURVEY EXPEDITED BY NEW APPROPRIATION

Truckee River project: The Truckee River survey which this project entails is a complete investigation of the entire river from its headwaters throughout its drainage basin to Pyramid Lake, and was authorized by the Flood Control Act of 1938. The survey will determine the economic feasibility of additional improvements which would supplement flood-control features of the authorized Washoe project and the Truckee River channel project in providing a sound, basinwide flood-control plan.

Practicability of giving additional protection to the Reno area through river channel enlargements or by increased upstream storage is being studied by the engineers, and also possible solutions for the problem caused by streams from Peavine Mountain and the problem related to the high stages in Lake Tahoe.

The President's budget for fiscal year 1959 contained a request for $20,000 to continue work on this survey, but through my efforts an additional $10,000, or a total of $30,000, was appropriated to use toward completion of the investigation during the coming year. This leaves only $10,700 to be appropriated next year to finish this important study.

Earlier in the year Congressional approval was given to the Peavine Watershed project which embraces 9,378 acres and which involves a cost of $1,207,100.

LAS VEGAS WASH SURVEY NEARS COMPLETION

Las Vegas Wash: Congress in 1952 passed legislation which I introduced authorizing the Corps of Army Engineers to make a study of the Las Vegas Wash which drains 2,240 square miles of desert northwest of Las Vegas. Flash floods in this area have caused heavy damage to highly developed properties in Las Vegas, North Las Vegas, and Henderson.

Initial studies were begun in 1955 with an appropriation of $32,000. As the work progressed it was found that the flood problems and rapid growth of the area made it necessary for more extensive studies than had been at first contemplated and that further appropriations would be necessary.

Consequently I appealed to the Senate Appropriations Committee in May 1957, to include $28,000 additional for this work in the new appropriation bill, which was done and cleared Congress 3 months later.

In April of this year I was informed that the total cost of the survey had again increased and that the study was being delayed due to the loss of experienced engineers, and the need to consider several alternative proposals to determine the most economical and effective flood control measures to accomplish the results intended.

Again I appealed to the Appropriations Committee, and of the $19,000 I requested $15,000 was appropriated in the closing days of the recent Congress. With this year's grant only $4,000 remains to complete the survey and that, I am confident, will be forthcoming early in the next Congress, which should permit the survey to be completed by the end of 1959. I will then introduce legislation to authorize construction of a comprehensive Las Vegas flood control project.

BRIDGE CANYON DAM BILL INTRODUCED BY SENATOR MALONE PENDING IN CONGRESS

Bridge Canyon Dam: A fifth dam on the Colorado River rivaling Hoover Dam in size is proposed in a bill I introduced now pending in Congress. The proposed site of the new dam would be in the main stream of the river at Bridge Canyon just above Lake Mead. Action on this measure in Congress has awaited the beginning of construction of the Glen Canyon Dam which is located above Bridge Canyon.

Glen Canyon Dam, which is now being built, has a storage capacity of about 26 million acre-feet of water, but being a low, regulatory dam, it is unsuitable for power production. The proposed Bridge Canyon Dam would store only 3,700,000 acre-feet of water, but it is a high dam and with the combined storage facilities of both dams, amounting to almost 30 million acre-feet, power output at Bridge Canyon would be approximately 750,000 kilowatts, almost as much as Hoover Dam.

DAM AT BRIDGE CANYON WOULD AUGMENT NEVADA'S POWER SUPPLY

Under the specifications of my bill Bridge Canyon Dam would be 740 feet high and 1,950 feet wide at the crest. Construction of the dam would make it possible to reduce storage space reserved in Lake Mead for flood control which would increase the average available power head for the Hoover plant.

It has long been my contention that the Bridge Canyon project would advance the interest of all the Colorado River Basin States, and that Nevada could easily utilize one-third of the power.

BRIDGE CANYON DAM TO SPEED SOUTHERN NEVADA'S INDUSTRIAL EXPANSION

Bridge Canyon Dam and project would require 5 years to construct following passage of my bill. I believe the project will be authorized within the next Congress.

Construction of Bridge Canyon Dam will expand industrial development in the lower basin States in accordance with the long-range plan I envisioned as Nevada's State engineer during the years 1927-35.

Hoover (Boulder) Dam, the first dam on the Colorado River, was initiated during the Coolidge administration and was built under the Boulder Dam Project Act. Since then two other dams, Parker and Davis, have been completed, and work on Glen Canyon Dam has begun.

The entire cost of the proposed Bridge Canyon Dam will be repaid with interest over a definite amortization period under the precedent set by Hoover Dam in 1928.

SENATOR FORECASTS DOUBLING OF SOUTHERN NEVADA'S POPULATION

Colorado River project: The Colorado River is to southern Nevada what the Truckee, Carson, Walker, and Humboldt Rivers are to northern Nevada. The limit of an arid State's water supply is the limit of that State's development.

Except for underground water which has been receding for more than two decades due to excess use, the only available water supply for the development and growth of southern Nevada is from the Colorado River and its tributaries.

Construction of Hoover (Boulder) Dam was initiated in 1928 with the passage of the Boulder Dam Project Act.

I predicted then that there would be 100,000 in southern Nevada in 15 or 20 years.

I am predicting now that southern Nevada with a present population of approximately 130,000, will more than double in population during the next two decades, and possibly earlier. The future growth of this vital area is now in the hands of the Supreme Court of the United States in the *Arizona* versus *California* suit.

NEVADA'S CLAIM FOR ADDITIONAL COLORADO RIVER WATER SUPPORTED BY SENATOR IN SUPREME COURT TESTIMONY

My interest in the growth of southern Nevada is what prompted me to testify before the Supreme Court's special master last May in support of Nevada's claim for additional water from the Colorado River. The Court's decision in this case will control distribution of the water supply, which in turn will govern in large measure the rapidity of growth.

My testimony, which was presented in San Francisco, May 12, 1958, before Special Master Simon H. Rifkind, of the United States Supreme Court, was supported by maps and engineering reports looking toward comprehensive development of the southern Nevada area.

SIX CLARK COUNTY PROJECTS URGED WHICH WOULD IRRIGATE TOTAL OF 231,460 ACRES

As State engineer I made surveys and prepared maps showing 16 separate areas within 6 proposed projects in Clark County which would be highly suitable for irrigation, and as United States Senator I have introduced bills to authorize these projects.

Construction of the projects would place a total of 231,460 acres under irrigation and utilize 900,000 acre-feet of water. Action on the bills awaits decisions of the Supreme Court in the suit referred to above to determine the division of Colorado River water in the lower basin States.

In 1935 an engineering committee on which I represent Nevada, and appointed by the 7-State Colorado River conference, recommended that Nevada be allocated 900,000 acre-feet of Colorado River water for irrigation and reclamation development, which would support our rapidly growing industrial population and assure the area a balanced economy. These findings I also placed before the Supreme Court.

SENATOR'S BILL SECURES TRANSFER OF PUBLIC LANDS IN ELDORADO VALLEY TO INDUSTRIAL USE

The Eldorado Valley, involving 126,000 acres of public land, and which enactment of my bill this year transferred to the State for industrial development, was included in this acreage. This transfer was made in Public Law 339, enacted in the last session of Congress.

Altogether there is an estimated 673,000 acres of land in the southwest corner of the State under the 2,500-foot contour level which is suitable for domestic, industrial, and small homesite purposes. In my opinion 3,365,000 acre-feet of water from the Colorado will be required for this acreage.

COMPACT METHOD PROPER YARDSTICK FOR SUPREME COURT ALLOCATION

As far as we are concerned the compact method is the only yardstick that the Supreme Court can use in the division of Colorado River water which will insure the full development and growth of southern Nevada.

The compact method was adopted by the seven States of the Colorado River Basin in 1923 at Sante Fe, N. Mex., when representatives of the States met and wrote the seven-State compact, dividing the water between the upper and lower States. This method should be respected in any decision by the Supreme Court in the Colorado River suit. It is not based on time of use or productivity.

VIRGIN RIVER STUDIES LOOK TOWARD WATER-POWER DEVELOPMENTS

Virgin River: An investigation of the Virgin River and its tributaries in Clark and Lincoln Counties was authorized by the Flood Control Act of 1938. When completed a comprehensive report of the entire basin will include a summary of the findings and conclusions of the interim report that was made to consider flood control in the Meadow Valley Wash.

Lincoln County's flood-control district is asking that a restudy be made of the area in the light of new developments.

Clark County interests have requested consideration of channel improvements on the Virgin River with dams on its tributaries and channel improvements on the Muddy River and its tributaries.

In addition to the Corps of Engineers' flood-control studies, the Bureau of Reclamation has been conducting detailed investigations looking toward water conservation and power development in this area. Work of the two Government agencies will be closely coordinated when the surveys are completed.

In 1925 my engineering firm surveyed and reported on flood control and irrigation possibilities of the Muddy River, the survey including the Meadow Valley Wash and the need for supplemental water supply in the Muddy River Valley.

LINCOLN COUNTY'S PINE AND MATHEWS DAM PROJECT COMPLETED

Pine and Mathews Dam: On April 3, 1957, I had the honor of breaking ground at the dual flood-control project site in Lincoln County about 20 miles east of Caliente. It was interesting to me that they found survey stakes I had set in private surveys in 1924.

The surveys culminated 11 years of legislative work which began in 1947 when, as a member of the Public Works Committee, I introduced the original bill authorizing construction.

The Pine and Mathews Dam project was completed in December 1957 and consists of two flood-control reservoirs in the Meadow Valley Wash drainage area, one in Pine Canyon, and the other in Mathews Canyon.

Mathews Dam is, 800 feet long and 71 feet high, and at the spillway crest has a maximum water surface area of 298 acres and a capacity of 6,260 acre-feet.

Pine Canyon flood-control reservoir is about 884 feet long and 92 feet high with a maximum water surface of 254 acres and a storage capacity of 7,840 acre-feet.

Both dams, built at a cost of $1,700,000 and paid for by the Federal Government, will prevent future damages running possibly into millions to farms, homes, mines, business enterprises, and transportation facilities. A disastrous flood in 1910 caused damages of more than $700,000 to railway facilities alone. Annual benefits are estimated by the Corps of Engineers at $111,000.

FUNDS APPROPRIATED TO COMPLETE GLEASON CREEK SURVEY

Gleason Creek, White Pine County: In 1950, as a member of the Senate Public Works Committee, I was able to secure authorization for an investigation of Gleason and Murray Creeks in White Pine County. These creeks, which join in the city of Ely, drain an area known as the Robinson watershed. Both streams drain mountain areas and normally carry little or no water, but during rapid melting of snowpacks or intense rainstorms they become a flood problem and cause considerable damage.

A hearing was held at Ely in September 1954 to determine the wishes of the local citizens, and in response to these wishes an initial sum of $9,500 was appropriated in 1956, and $17,000 in 1957. This year we were successful in having the final amount necessary to complete this survey, $13,500, appropriated in the closing days of Congress, and it should be finished by May of next year.

PARADISE VALLEY TO BENEFIT FROM MARTIN CREEK SURVEY APPROPRIATION

Martin Creek, Humboldt County: Like the Gleason Creek project, this flood control survey was authorized in 1950 while I was a member of the Senate Public Works Committee. A tributary of the Little Humboldt River, the creek drains 170 square miles along the east slope of the Santa Rosa Mountains onto the floor of the Paradise Valley.

Flood flows of 9,000 cubic feet per second, recorded in recent years, have caused considerable damage to farmlands and buildings. Army Engineers estimated that $6,000 would be needed to complete investigations to determine if the flood damage can be prevented by channel improvements and small storage reservoirs, and through my efforts the amount was appropriated at the close of Congress.

MULTIPURPOSE STATUS SOUGHT FOR HUMBOLDT RIVER PROJECT

Humboldt River project: The $14,910,000 Humboldt River storage project for flood control and water conservation, authorized by the Flood Control Act of 1950, will provide three reservoirs, channel improvements in the main stream, and drainage improvements for the Lovelock area.

Hylton Reservoir on the south fork of the Humboldt River will have a 120,000 acre-foot capacity; Devils Gate on the north fork a capacity of 80,000 acre-feet; and Vista Reservoir on Marys River that of 50,000 acre-feet.

Federal share of the total cost has been estimated at $10,900,000, which under the present plan would impose costs on local interests of slightly more than $4 million, a burden which they have found too heavy to assume. Total costs also are too high to enable them to qualify for a Government loan under the Small Projects Act.

For these reasons I have asked the Bureau of Reclamation to reconsider this greatly needed development as a multipurpose project similar to the Washoe project, and it is my belief that the multipurpose aspects of this development should qualify it as such. If given the status of a multipurpose project, as I have urged, it would mean full Government underwriting of the entire cost, of which the flood control aspects would be nonreimbursable, the remainder to be paid for by irrigation benefits.

Following commencement of construction, the project could be completed in 4 or 5 years. A major flood, the Corps of Engineers has estimated, could cause approximately $1.5 million damage, so the urgency of this project can well be appreciated.

SENATOR'S CONCERN FOR LOWER HUMBOLDT RIVER AREA DEMONSTRATED OVER LONG PERIOD

Lower Humboldt River: In 1925 and 1926 I made the initial surveys on the lower Humboldt River and organized the Pershing County Conservation District leading to the construction of Rye Patch Dam.

In 1952 I arranged for Army Engineers to construct 5½ miles of levee in the lower Lovelock Valley and to install a pumping plant and cam in the main drainage ditch to prevent the flooding of several sections of land in that area. I visited threatened areas near Winnemucca, Battle Mountain, Beowawe, and Elko, and arranged for Army Engineers to stand by in case of flood. A succession of cool nights, however, prevented excessive floods in these areas.

FLOOD THREATS ON LITTLE HUMBOLDT RIVER BRING ACTION

Little Humboldt River: When the Quinn River was threatening damage through flooding in 1952, I reviewed the Little Humboldt River areas in Paradise Valley, alerted the Army Engineers on possible floods and flew over the McDermitt area.

This year, during the month of April, a recurrence of flooding in the lower Paradise Valley prompted me to request the Corps of Engineers to again assist, and $50,000 was immediately made available to clear the dune sand blocking drainage along the channel of the Little Humboldt River where it joins the Humboldt River near Winnemucca.

TWO WALKER RIVER PROJECT SURVEYS IN PROGRESS

Walker River project: Two comprehensive investigations looking toward further development of water resources in the Walker River Basin of Douglas, Lyon, and Mineral Counties are in progress. One study is being made by the Corps of Engineers; the other by the Bureau of Reclamation. Findings will be coordinated when the surveys are completed.

Both studies are designed to develop plans for improvements that would prevent floods, furnish additional water for irrigation, and provide for generation of hydroelectric power.

Army Engineers are studying the possibility of upstream storage at Pickle Meadows and other sites, and also supplemental channel improvement work.

The Bureau of Reclamation survey embraces a tentative plan for construction of reservoirs at both Leavitt and Pickle Meadows and of one or more powerplants on the West Walker River.

Approximately 75,000 acres of land are presently irrigated in the Walker River Basin which includes Mono County in California, but in most years the water supplies available through present facilities is inadequate, requiring greater upstream storage. To repay costs allocated to irrigation in the proposed new development, engineers say that power revenues will be needed.

SENATOR'S SMALL PROJECTS ACT BENEFITS WALKER RIVER IRRIGATION DISTRICT

Walker River and the Small Projects Act: In 1956 we were successful in passing my bill which provides up to $5 million for interest-free loans to irrigation districts for construction of non-Federal projects. The President signed the bill, but held up contracting such loans until working technicalities were perfected. An amendment to the original act requiring the Secretary of the Interior to place approved applications before Senate and House committees for 60 days prior to Congressional appropriations was passed in May 1957, and was signed into law the following month.

First application of a loan under the act from Nevada was from the Walker River Irrigation District, and asked $693,000 to provide additional storage and river improvements. This application was the third in the United States approved and the amount was appropriated by Congress at the end of this session.

Of the total cost $563,000 will be repaid by the Walker River Irrigation District over a period of 40 years. The remainder will be written off by the Federal Government for flood control.

Improvement of existing facilities will make an additional 5,930 acre-feet of water available annually to supplement existing supply.

FUNDS SOUGHT TO COMPLETE CARSON RIVER SURVEY BY 1960

Carson River project: Authorized by the Flood Control Act of 1938, the Carson River survey is now underway to determine the need for additional flood control protection in the Carson River Basin. The principal flood problem in the basin, not taken care of by the Washoe project, is located on the West Fork near its junction with the East Fork. It is believed that local channel improvement, upstream storage, or a combination of both will solve the program. To complete the study an appropriation of $30,000 is needed. I am urging that these funds be provided in an early appropriation bill next session, which would enable the Corps of Engineers to complete their survey by 1960.

PROJECTS, STATE OF NEVADA

Completed projects

Pine-Mathews Canyon flood-control reservoirs; Lincoln; completed 1957.

Topaz Lake Reservoir, West Fork Walker River; Lyon; completed 1922.

Bridgeport Reservoir, East Fork Walker River (California); completed 1924.

Rye Patch Dam, lower Humboldt River; Pershing; completed 1936.

Boca Dam, Little Truckee River; Washoe; completed 1939.

Uranium ore beneficiation project[1] (Mackay School of Mines); Washoe; completed 1958.

Authorized projects

Humboldt (upper) River project, Marys River, North and South Fork, three reservoirs; Humboldt; authorized 1948.

Washoe (Truckee-Carson) project, Stampede and Watesheamu Dams; Washoe-Douglas; authorized 1957.

West Fork of Walker River, Small Projects Act; Lyon; authorized 1956.

Projects underway

Atomic effect on animal life, plants, and soils (University of Nevada agriculture department); Washoe; authorized 1954.

Nuclear engineering project (University of Nevada), reactor technology course, subcritical reactor); Washoe; started 1957.

Surveys underway

Truckee River flood control; Washoe; report due 1959.[2]

Carson River flood control; Ormsby and Storey; report due 1960.[2]

Martin Creek flood control and storage; Humboldt; report due 1959.[2]

Gleason Creek flood control; White Pine; report due 1959.

Virgin River flood control and storage; Clark; not scheduled.

Las Vegas Wash flood control; Clark; report due 1959.[2]

West Walker River storage; Lyon; report due 1961.

Under investigation

Delmue Dam, Meadow Valley Wash.; Lincoln; resurvey.

Proposals by the Mackay School of Mines for further projects using equipment and personnel of completed uranium beneficiation program.

Industrial surveys

Industrial surveys of the entire 17 counties are underway and should be completed by early next year. As those surveys are completed, they are put into the hands of the Government departments, including the armed services, and civilian contractors throughout the country.

County and status: Churchill, underway; Clark, complete; Douglas, underway; Elko, complete; Esmeralda, underway; Eureka, underway; Humboldt, underway; Lincoln, complete; Lander, underway; Lyon, preliminary; Mineral, underway; Nye, underway; Ormsby, underway; Pershing, underway; Storey, underway; White Pine, complete; Washoe, complete.

S. 3067 to construct Bridge Canyon Dam power project on the Colorado River—pending in the Senate Public Works Committee.

Many of these projects that are now completed, authorized, or surveys underway since I came to the United States Senate, were planned or laid out during my tenure as State engineer and Colorado River commissioner from 1927 to 1935.

MINES AND MINERAL POLICY

Nevada is the most richly mineralized State in the Union, and has the greatest diversification of strategic and critical minerals and materials vital to our military security and to an expanding economy than any other area in our Nation.

Each of Nevada's 17 counties has valuable mineral deposits. A map which I have prepared indicates which of 10 basic minerals are located in each county. Space did not permit indicating the other 20 minerals which were produced in our State last year, but had lesser commercial importance, although most of these are highly important to our national defense.

White Pine, Lyon, and Clark Counties led in value of total mineral production, in that order, followed by Lincoln, Pershing, Humboldt, Nye, Eureka, Lander, Douglas, Storey, Washoe, Mineral, Churchill, Esmeralda, Elko, and Ormsby.

But of major metals, only four, manganese, iron ore, gold, and mercury, increased in production value during 1957. Why?

MINERALS INDUSTRY SABOTAGED BY 1934 TRADE AGREEMENTS ACT

Utilization of our vast mineral resources to their fullest extent depends on national policy. Since 1934 and the adoption of the Trade Agreements (so-called reciprocal trade) Act, this policy has been adverse to maximum minerals development. Imports of large quantities of many minerals from low-wage foreign countries have been substituted for much of our potential home production by reason of trade agreements the Department of State has entered into under the authority given it in this infamous act, which I have consistently opposed.

Special legislation has, therefore, been required to keep alive segments of our mining and minerals industry which are vital to our national security, and perhaps survival.

Repeal of the Trade Agreements Act and reestablishment of an adjustable tariff or import fee on the basis of fair and reasonable competition, the chief factor of which is the difference between the wage standard of living wages here and abroad, would give the mining industry a new impetus and would encourage prospecting, exploration, and development.

MALONE-ASPINALL ACT OF 1953 BREATHED NEW LIFE INTO DYING MINING INDUSTRY

One of the most important laws passed by Congress to help the mining industry was the Malone-Aspinall Mineral Purchase Act, which was enacted into law August 7, 1953, and became Public Law 206 of the 83d Congress. This act provided for the domestic purchase of tungsten, manganese, chromite, mica, asbestos, and columbium-tantalum bearing ores.

My 1955 bill extending the Malone-Aspinall Act was vetoed by the President. However, through personal conferences with both the President and other top-level officials, I convinced the Executive and his advisers of the crucial impact of this bill on national defense requirements and the economic structure of the affected communities.

The Malone-Aspinall Act was extended in 1956 until December 31, 1958, and became Public Law 733 of the 84th Congress. Manganese, chromite, and mica were not included in the 1956 extension bill since Arthur Fleming, then Director of the Office of Defense Mobilization, testified "on the record" before the Senate Interior Committee that the General Services Administration could and would continue their purchase programs for these strategic minerals during the life of the extended act.

HOUSE BLOCKS FUNDS FOR TUNGSTEN PROGRAM

As enacted in 1956 the mineral purchase program included authorization for continued purchase of tungsten, fluorspar, columbium-tantalum and asbestos but on four different occasions the House of Representatives refused to accept bills approved by the Senate providing for the appropriation of funds necessary to continue the domestic purchase of tungsten as provided by Public Law 733 of the 84th Congress.

To continue the program, $91,670,000 was authorized in 1956 to cover the purchase of these minerals for the 2½-year period to December 31, 1958, and Congressional debate, prior to passage of the 1956 bill, indicated that a supplemental appropriation of $30 million would be made to carry the program until June 30, 1957, and the balance of $40 million would be included in the Interior Department appropriations bill for fiscal 1958 in accordance with the authorization.

However, the House proved the stumbling block in the continued purchase of tungsten through refusal to accept any of the Senate bills appropriating funds for that purpose.

LONG-RANGE MINERALS BILL COSPONSORED BY SENATOR MALONE

A ray of hope came through this year when the long awaited long-range minerals program came before the Congress. The bill, S. 4036, provided for the stabilization of production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines, and I was a cosponsor of the bill.

During Senate debate on the measure amendments to omit tungsten trioxide and acid-grade fluorspar were defeated and another amendment to strike out the section providing for the financing of the program was voted down 54 to 28. The amendment to kill tungsten was defeated 57 to 25. On July 11, 1958, the Senate adopted the measure by a vote of 70 to 12.

The bill, as it went to the House, established stabilization prices on four minerals and supports on the fifth, copper, under a Federal stockpiling program.

WHAT THE MINERALS BILL PROVIDED

The stabilization prices and tonnage limitations were as follows:

1. Lead, 15½ cents per pound with a 350,000-ton limitation.
2. Zinc, 13½ cents per pound with a 550,000-ton limitation.
3. Fluorspar, $53 per ton with a 180,000-ton limitation.
4. Tungsten, $36 per short ton with a 375,000-short-ton limitation.

On copper the bill called for the annual purchase of 150,000 tons of the refined mineral at a price of 27½ cents per pound.

A maximum limitation for stabilization payments for fluorspar and tungsten was set at $13 per ton and $18 per short ton respectively. A proviso aimed at helping the small tungsten producer assured a $4 per short ton bonus payment to any producer who did not sell more than 250 units during any quarter.

TRADE AGREEMENTS ACT MAJOR CURSE AFFECTING NATION'S AND NEVADA'S MINING INDUSTRY

On August 21, after 3 days of debate, the House again was responsible for killing this program by rejecting the stabilization program by a vote of 159 yeas and 182 nays. By this action, domestic industries producing these commodities face an uncertain future.

However, the major curse affecting the domestic mining industries is the 1934 Trade Agreements Act. The 1934 Trade Agreements Act is driving the Nation's mining industry out of business through imports from cheap labor foreign nations.

The Trade Agreements Act was extended again this year for a period of 4 years. As long as this infamous act is on the books we must have such special mining legislation if we are to have a going-concern mining industry.

MALONE REPORTS ON MINERAL RESOURCES OF FOREIGN NATIONS LISTED

Critical Materials Reports, Senate Resolution 225: In the 1st session of the 85th Congress I offered a resolution authorizing the Senate Interior and Insular Affairs Committee to make a complete investigation and study of the critical raw materials and resources of the Soviet Union and satellite countries, as well as other countries in the Eastern Hemisphere which are supplying critical materials to the United States, and to report to the Senate the results of the investigation, not later than January 31, 1959.

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[1] See "Investigation."

[2] Scheduled for completion assuming future appropriations.

This will complete the studies started by me in 1953 when I headed the Minerals, Materials, and Fuels Subcommittee of the Interior Committee. Senate Report No. 1627, 83d Congress, and Senate Document No. 83, 84th Congress, on the Western Hemisphere, are the results of this investigation of the accessibility and availability of supplies of critical raw materials and the factors affecting self-sufficiency within the nations of the Western Hemisphere.

EXHIBITS SUBMITTED WITH SENATOR'S REPORTS

Included with and supplemental to this report are the following:

A. Map of State of Nevada showing all projects discussed in this report with the exception of Bridge Canyon Dam which would be constructed at the head of Lake Mead.

B. Map of southern Nevada showing irrigable areas of the Virgin River Basin.

C. Map showing Carson and Truckee River Basins, areas benefited by project works, and surveys underway.

D. Map showing Walker River Basin, surveys underway, and irrigated areas.

E. Map showing Humboldt River Basin in northern Nevada, Humboldt project, reservoirs, reservoir sites, and channel improvements.

F. Map showing the 16 areas in southern Nevada which would be reclaimed and utilized for irrigation and industrial development under 6 project bills introduced by Senator MALONE.

G. Map of Nevada indicating the mineral riches in each of the State's 17 counties.

Record of the House Committee on Ways and Means in the 85th Congress

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. REED. Mr. Speaker, as the ranking Republican member of the House Committee on Ways and Means, it is my practice to submit to the membership of the House the record of our committee work at the end of each Congress. The record of the House Committee on Ways and Means in the 85th Congress reflects accomplishment and is a record of work well done because of the diligence and attention to duty with which the committee membership performed its work. Unfortunately, that committee record is in sharp contrast to the ineptness of the Congress generally which was characterized by failures and shortcomings largely attributable to the abandonment by the Democrat majority of its responsibility to provide effective leadership.

Sadness overshadowed the events of the committee during the 85th Congress with the untimely passing of the beloved and esteemed chairman of the committee, the Honorable Jere Cooper, of Dyersburg, Tenn. Mr. Cooper had served with great distinction and patriotism as a member of the committee and as its chairman. His death marked the loss of a true friend and a distinguished colleague. The gentleman from Arkansas [Mr. MILLS] succeeded Mr. Cooper as chairman at the opening of the second session of the 85th Congress. I need not tell the membership of the House of the very outstanding work and capable leadership Mr. MILLS has brought to his responsibilities as chairman of our great committee.

During the 85th Congress the Committee on Ways and Means had referred to it a total of 2,078 bills and resolutions including 1,189 tax bills, 352 tariff and customs bills, 511 social security bills, and 26 bills pertaining to miscellaneous subjects. In the course of giving consideration to these bills the Committee on Ways and Means met in public hearings a total of 88 days which usually included both morning and afternoon sessions. The committee heard from 1,057 witnesses, the record of testimony comprised 10,335 printed pages. The subject matter on which hearings were held included virtually every subject within the jurisdiction of the committee and specifically included tax legislation, customs and tariff legislation, social security, and unemployment compensation legislation, renegotiation legislation, and legislation affecting the public debt limit.

In addition to the public hearings held by the Committee on Ways and Means the committee also met 131 days in executive session, again both morning and afternoon sessions were usually involved. The committee favorably reported 105 bills and 71 bills acted on by the committee became public law. A breakdown of the legislation by subject matter indicates that of the 105 bills reported by the committee, 41 pertained to taxes, 42 pertained to tariff subjects, 18 pertained to social security, and 4 pertained to miscellaneous subject matter. Of the 71 bills becoming public law, 19 related to tax subjects, 35 related to tariffs and customs, 14 related to social security, and 3 related to miscellaneous subjects. The foregoing statistical recitation presents an arithmetic statement of the magnitude of work accomplished by the Committee on Ways and Means. It does not, however, adequately describe the substantive accomplishments of the committee. For that reason I will undertake to give a brief description of some of the more important legislative measures that were prepared and acted on by the membership of the Committee on Ways and Means.

TAX LEGISLATION

Of the 1,189 tax bills referred to the Committee on Ways and Means the committee favorably reported to the House 41 bills and 19 of them became public law. Included as a part of the bills becoming public law are several legislative proposals that were pending before the committee in bill form that were not individually acted on.

Three of the tax bills on which favorable committee action was taken might be termed major legislation.

The first of these bills, H. R. 7125, was the result of outstanding work done by the Subcommittee on Excise Taxes and by the full committee membership in its review of the subcommittee recommendations. The legislation made technical improvements in the administrative features of the Federal excise tax structure. Work on this measure was completed by the House in the first session of the 85th Congress and the Senate considered it during the second session. It became Public Law 859.

The second tax bill that might be termed major in character was H. R. 8381, the Technical Amendments Act of 1958. This legislation made significant changes in the income, estate, and gift tax provisions of the Internal Revenue Code primarily in the nature of closing loopholes and removing unintended hardships from our Federal tax law. Of the 23 substantive unintended benefits that were corrected by H. R. 8381, 4 of them had their genesis in the 1954 Code with the remaining 19 loopholes originally becoming a part of our Federal tax structure through the 1939 Code and amendments thereto. The Senate in its action on this legislation included as an amendment to H. R. 8381 the substantive provisions of a third major tax bill that was favorably acted on by the Committee on Ways and Means. H. R. 8381 became Public Law 866.

The third major tax bill that was prepared by the Committee on Ways and Means was H. R. 13382. This legislation provided meritorious tax changes for the benefit of small business. This legislation had its genesis in recommendations submitted to the Congress by the President of the United States as a result of a study of the problems of small business by the President's Commission on Small Business. In August 1957 the Republican members of the Committee on Ways and Means unanimously acted to call on the Democrat majority to enact legislation for the benefit of small business. As I have indicated, the Senate in acting on H. R. 8381, included the provisions of H. R. 13382 with amendments as an amendment to the former bill which became Public Law 866.

The remaining tax bills were of a somewhat minor nature with the exceptions of H. R. 4090 and H. R. 12695 providing extensions of existing corporate and Korean excise tax rates. In addition, H. R. 12695 as approved by the Senate repealed the Federal transportation taxes. Despite pronouncements by the Democrat House leadership that the House would resist the repeal of the transportation taxes and because of the effective work done by the Republican conferees on this legislation, the bill as it was finally approved provided for the repeal of the Federal excise taxes on transportation of property.

TARIFF AND CUSTOMS LEGISLATION

The Committee on Ways and Means had 352 bills and resolutions referred to it pertaining to the subjects of tariff and customs matters. Forty-two of these bills were reported favorably by the committee and 35 of them became public law with 2 of these bills being what might be termed major legislation.

The first major bill to which I will refer is H. R. 12591, the Trade Agreements Extension Act of 1958. This legislation provided for a 4-year extension of the President's authority to enter into

trade agreements with certain additional tariff-cutting authority. However, of greater significance to American producers, including agriculture, industry, and labor, are the improvements contained in the bill with respect to the tariff safeguards to protect domestic industry against unfair foreign competition. Examples of these safeguard improvements in H. R. 12591 are provision for more adequate time for peril point studies and more expeditious action in escape clause cases. In providing relief under escape clause actions, the President is authorized: First, to establish duties up to 50 percent ad valorem on articles presently listed on the free list; second, to increase duties up to 50 percent over the 1934 tariff rate instead of the 1945 reduced tariff rate; and, third, to use an ad valorem equivalent to fix duty rates where an increase in a specific or combined rate of duty would not be sufficient to adequately protect domestic industry. These and other improvements in the safeguards contained in trade agreements legislation will serve to strengthen the competitive position of our domestic industry against imports. This legislation became Public Law 686.

A second instance of major legislation being favorably acted on by the committee and becoming public law was with respect to H. R. 6006, relating to the Antidumping Act of 1921. This legislation was originally recommended by the Department of the Treasury and had as its purpose the improvement of the antidumping law to provide more effectively for the enforcement and the administration of the act. This legislation became Public Law 630.

The other tariff and customs bills on which the committee took action were minor in nature and ranged in subject matter from the tariff status of eviscerated pigeons to the tariff treatment of imports of religious vestments.

SOCIAL SECURITY LEGISLATION

The Committee on Ways and Means had referred to it a total of 511 bills amending the Social Security Act. The committee favorably reported 18 of these bills and 14 of them became public law. Two of these bills could properly be termed major legislation.

On March 8, 1958, the President of the United States in letters addressed to the minority leaders of the House and Senate urged as one of the steps to bolster the economy against downward adjustment legislation extending the duration of unemployment compensation benefits for unemployed workers. The Democrat Cassandras, motivated by political considerations, jumped with alacrity to propose an unworkable formula to establish an American dole system. The House of Representatives rejected the dole program as supported by the House Democrat leadership and approved instead a Republican-supported measure to provide supplementation with respect to unemployment benefits for those workers who have exhausted their benefit entitlement.

The second major bill in the area of social-security legislation was the Social Security Amendments of 1958, H. R. 13549, which became Public Law 840. The highlights of this legislation included provision for a 7-percent increase in OASI benefits with a minimum increase of $3 and a maximum increase for those individuals already on the retirement rolls of $7.50 per month for an insured worker. Under the bill, those individuals who retire in the future would be eligible for a maximum primary insurance benefit of $127 per month. The maximum family benefit was increased from $200 per month to $254. In addition to the benefit adjustments this legislation made important changes with respect to the coverage provisions of the law so as to eliminate inequities and hardships. Improvements were made in the disability provisions and benefits were made available for dependents of disability insurance beneficiaries. The Federal matching funds available for public assistance were increased and the maternal and child-welfare provisions of the act were liberalized.

In addition to these major bills in the area of social-security legislation the Committee on Ways and Means also took favorable action on other bills relating to such subjects as coverage and benefit entitlement of State and local employees and legislation liberalizing the Federal law with respect to provisions pertaining to State plans for aid to the blind.

Mr. Speaker, those are some of the highlights in the accomplishments of the House Committee on Ways and Means during the 85th Congress. They comprise a record that is a credit to the distinguished chairman of the committee during this recently completed Congress and to the distinguished membership of our great committee. In closing it is appropriate that I should commend the Treasury Department staff, the staff of the Joint Committee on Internal Revenue Taxation, the staff of the House Legislative Counsel, the technical assistants from the other departments of the executive branch, and the staff of the Committee on Ways and Means for the indispensable part they have had in the achievement of this record.

Tax Reduction and Tax Revision Are Possible Through Tax Fairness

EXTENSION OF REMARKS
OF
HON. NOAH M. MASON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. MASON. Mr. Speaker, Congressional hearts bleed—in public, that is—for the poor, overburdened taxpayer; for the little storekeeper, the much publicized small-business man, the manufacturer, the banker. We weep for the hardships the Congress has loaded upon them—quite unintentionally, of course. We commiserate with them because their competitors have been given advantages—again quite unintentionally—that are denied to them.

But when we have a chance—as we have had in recent weeks—to correct the blunders of the past, to give even a modicum of relief to the back-broken taxpayer, to the small-business man, we coldly turn our backs and say, "No; you shall have no relief." Like frightened babes in the woods, a majority of the members of the Ways and Means Committee muffed the one chance they had in the 2d session of the 85th Congress to perform an act of justice and equality to the entire business community of these United States.

Mr. Speaker, we had before the Congress a bill, H. R. 8381, that purported to close loopholes in our tax laws—a bill that purported to correct unintended benefits that have been bestowed upon certain favored groups in the past; a bill that purported to correct unintended hardships that were loaded upon the backs of many taxpayers in years gone by. A special subcommittee of the Ways and Means Committee worked diligently, very diligently, upon this issue for months and months. And the full committee sat through interminable executive sessions, debating the placement of a comma or a semicolon, struggling with minor tax loopholes and minor tax inequalities.

But when it came, during all those months, to consideration of a matter of real importance, both the subcommittee and the full committee were tongue-tied and impotent. The tax-favored position of cooperatives, savings and loan associations, mutual savings banks, mutual fire and casualty insurance companies, and credit unions was mentioned only in whispers, and then with negative shaking of the head. I wonder why these tax-dodgers, these leeches on the body politic, are sacrosanct; why their earnings are in a different kind of money from the earnings of other companies; why the Congress fearsomely lets them keep a billion dollars each year that should be paid into the Treasury?

Nor is the Treasury itself blameless in this whole affair. Knowing the problem; understanding full well the plight of taxpaying merchants, bankers, manufacturers, and the so-called small-business man in their competition with nontaxpaying enterprises of all kinds; fully aware of the billion dollars of new revenue that would result from taxing these tax-exempts—knowing all this the Treasury ducked in pusillanimous timidity when the chairman of the Ways and Means Committee dared them to take a courageous stand on this matter a few months ago.

Mr. Speaker, what are they afraid of? What are we afraid of?

It is a matter of common knowledge—published officially until recently by the

United States Department of Agriculture—that cooperative corporations pay little or no Federal income tax on their huge earnings. It is a matter of common knowledge that great cooperative corporations like the California & Hawaii Sugar Co., like Land O'Lakes Dairy, like the Consumers Cooperative Association with all its oil wells, refineries, pipelines, and retail outlets, like the Farmers Union Grain Terminal Association, like the Southern States Cooperatives, like the GLF Cooperative Exchange, like the Maryland and Virginia Milk Producers' Association, and many more, pay little or no Federal income tax on their earnings, though they are all multi-million-dollar outfits.

It is a matter of common knowledge—because they have been advertising boastfully in the New York Times during the past week—that the tax-privileged mutual savings banks are increasing their interest rate to 3¼ percent at a time when the Federal Reserve Board will not permit a taxpaying bank to pay more than 3 percent. And it is a matter of common knowledge to anyone who reads our newspapers that savings and loan associations offer 3½ percent here and 4 to 4½ percent on the Pacific coast, with premiums of silverware, radios, fountain pens, and other gadgets, and that they are taking the savings of thousands of people out of taxpaying banks. How can they pay so much interest? The answer is easy, Mr. Speaker. It is because they are privileged by law to pay little or no income tax on their great earnings.

Mr. Speaker, the time has come when this matter of tax favoritism to certain types of business—cooperatives, mutual savings banks, savings and loan associations, credit unions, and other mutuals—must be brought to an end. I register herewith my disapproval and my disappointment that the majority of my committee lacked the courage to close this loophole at this time.

But I tell you now, Mr. Speaker, that the time will come—and it is not far off—when this injustice to every company and every individual that honestly pays income tax on earnings will be ended. When the tax rate is overwhelming, as it is today, favoritism will not be long endured. When the majority of the Members of Congress on both sides of the aisle are without courage, a new majority will be elected.

Mr. Speaker, why put off until tomorrow what should be done today? Why procrastinate longer? Why not establish tax equality between all business competitors now? When closing tax loopholes, when correcting unintended hardships, when removing unintended benefits, why overlook the biggest loophole and the most glaring hardship of them all—the billion-dollar tax equality problem that has become an octopus sucking the lifeblood from legitimate taxpaying American business? Members of Congress should act like men, not mice.

The Greatest Need of the Present Day Is Reasonable Hospitalization

EXTENSION OF REMARKS
OF
HON. WILLIAM LANGER
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a news release by Congressman USHER L. BURDICK on the present-day need of reasonable hospitalization.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

YOUR CONGRESSMAN COMMENTS
(By USHER L. BURDICK)

WILLISTON, N. Dak.—A poor man cannot afford, under present hospitalization agencies, to be sick. In my own case I am not wealthy nor poor, but I soon would be as poor as a starved turkey if I patronized hospitals much longer. In one hospital a doctor looked at me twice and charged me $500, and the second look was more of a squint than a look. Hospital rooms, no better than a $4 room at a Williston hotel, cost all the way from $19.50 per day to $29. In addition, nurses charge from $1.50 per hour to $2. When you add to this X-rays and doctors' fees you can see that people with a fund even as high as $5,000 for sickness would find themselves stripped clean in a comparatively short time.

The public health of the Nation demands a different deal from this. At least an average citizen should have recourse to health improvement that does not make a pauper of him; or the alternative of going without medical care and dying before his time. In my judgment the private system of medical care is all right as far as the well-to-do are concerned, but the system does not reach the average citizen, of which there are many millions than can be found in the well-to-do class. If no one can survive the rigors of poor health or accidental disability except the rich, this great country can be said to be headed for trouble.

I have talked this matter over with my son, Quentin Burdick, who is a candidate for a seat in Congress, and he outlined to me the fact that this health question is one of the pressing needs of the country—more important than sending a mouse to the moon. I have always been of the opinion that a public-health bill can be written by Congress that will give the poor man a chance for his life. If we cannot do that we have dismally failed in our legislation. The preamble of the Constitution provides for this very purpose when it says:

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Nothing could possibly promote the general welfare any more than the care of the health of the Nation. The bill should be written so as to provide adequate medical care to the many. The few can patronize the present system and get along well enough, as they are getting along today, but the many, many millions cannot do that. They have not the money to spend, and shall we say that because a family has no money available commensurate with charges under the present system, the United States is going to say: "Die if you haven't been smart enough to accumulate money enough to stand the drain of the present medical care and attention." Is this Nation not concerned with the general health of the Nation? Shall we abandon the millions who need medical attention just to preserve the present medical system?

Yes, this question can be solved, and I am glad to see younger men who aspire to a seat in this great Congress giving earnest attention to what I believe is one of the great failures of this Government. What can a world-renowned government amount to finally, without protecting the health of the huge majority of the people? Can we get fighting men from families broken in health? Can we lessen the great demand for hospitalization by providing a system that will check the ravages of disease before hospitalization is necessary? My fight for pure food and water is a part of this program, and one step further will be to provide facilities for the millions to be examined and treated, although they have no money at all. What is money compared to the results of nonattention to the health of the Nation?

Colleges and Universities Providing Specialized Training Courses for Teachers of Exceptional Children

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mrs. SULLIVAN. Mr. Speaker, it is seldom that the Government Printing Office makes even minor mistakes in the huge task each day of compiling and printing the CONGRESSIONAL RECORD. The excellence of their work is truly amazing. Occasionally, however, even the GPO will make a human mistake, and since the RECORD is such an important source of research material it is important that the occasional error be corrected. That is the reason I am making this statement.

In connection with our debate and subsequent passage on Friday, August 22, 1958, of the bill, H. R. 13840, the bill to encourage the expansion of teaching in the education of mentally retarded children, I submitted my revised remarks and they appeared at pages 19223–19228, CONGRESSIONAL RECORD. This material, of course, is to be included in the permanent RECORD as part of yesterday's debate on H. R. 13840.

A tabulation which I submitted as part of my remarks, showing the colleges and universities, by States, offering programs for the preparation of teachers of various categories of exceptional children, was printed at pages 19224–19225, but with a number of unfortunate omissions, thus giving an incomplete picture of the extent of interest and work by the Nation's colleges in helping to meet this important educational problem. A number of schools and colleges in Pennsylvania, South Dakota, Tennessee, and Texas were left out of the tabulation.

Thus I am now resubmitting the tabulation below to include all of the schools which should properly have been included before. I understand that in the bound, permanent RECORD this tabulation will then be substituted for the inaccurate one which was printed as part of my remarks on H. R. 13840.

Since so many libraries, and particularly college libraries, are dependent upon the daily CONGRESSIONAL RECORD and do not receive the bound volumes, it would not be fair to researchers seeking to use this material if the incorrect tabulation were allowed to stand in the daily CONGRESSIONAL RECORD; thus I think it so important to make the correction in this manner, and have it noted in the index which is printed periodically for the daily CONGRESSIONAL RECORD.

In my remarks of Friday, August 22, on the bill to encourage expansion of teaching of mentally retarded children, I cited at some length the needs not only of the mentally retarded children for teachers specially trained to help them but of all other categories of exceptional children as well in requiring specially trained teachers. These categories include the very gifted children, the crippled, the deaf, the hard of hearing, the blind children with serious visual defects, those with serious health problems due to heart disease, epilepsy, or other debilitating conditions, those who are maladjusted or seriously disturbed, including the institutionalized delinquent, and so on. All of these categories of children would be helped to obtain better educational opportunities to develop their full potential if my bill, H. R. 9591, can be enacted to provide Federal assistance in the education of more specially trained teachers for these children. It is a serious educational problem in every community in the country.

Mr. Speaker, the tabulation containing the full list of colleges and universities which in the academic year 1954 were already engaged in offering courses in these fields—a tabulation made for me by the Legislative Reference Service of the Library of Congress—is as follows:

Colleges and universities having programs for the preparation of teachers of exceptional children, academic year 1954

State	Institution	Special education program
Alabama	University of Alabama	Speech correction.
	Birmingham, Southern College	Speech and hearing.
Arizona	University of Arizona	Speech correction, speech and hearing.
Arkansas	University of Arkansas	Speech correction.
	Arkansas State College	Deaf.
California	Chico State College	Speech correction, speech and hearing.
	College of the Pacific	Speech correction, speech and hearing, socially maladjusted.
	Fresno State College	Speech correction.
	Los Angeles State College	Deaf, mentally retarded, speech correction, speech and hearing.
	Occidental College	Speech correction.
	San Diego State College	Mentally retarded, speech correction.
	San Francisco State College	Blind, crippled, deaf, hard of hearing, mentally retarded, partially seeing, socially maladjusted, speech correction, blind and partially seeing, deaf and hard of hearing, and others.
	San Jose State College	Speech correction, speech and hearing.
	Stanford University	Do.
	University of California at Berkeley	Mentally retarded, socially maladjusted, mentally retarded and socially maladjusted.
	University of California at Los Angeles	Speech correction.
	University of California at Santa Barbara	Do.
	University of Southern California	Deaf, hard-of-hearing, speech correction.
	Whittier College	Speech correction.
Colorado	University of Denver	Mentally retarded, speech correction, speech and hearing.
Florida	Florida State University	Mentally retarded, speech correction, speech and hearing, overall.
	University of Florida	Mentally retarded, speech correction, speech correction and hearing, overall.
	University of Miami	Speech correction.
Georgia	University of Georgia	Do.
Illinois	Bradley University	Do.
	College of St. Francis	Do.
	Eastern Illinois State College	Do.
	Elmhurst College	Do.
	Illinois State Normal University	Crippled, deaf, hard-of-hearing, mentally retarded, partially seeing, socially maladjusted, special health problem, speech correction, overall.
	Northern Illinois State Teachers College	Speech correction.
	Northwestern University	Speech correction, hearing.
	Rockford College	Do.
	Southern Illinois	Mentally retarded, speech correction, hearing.
	University of Chicago	Socially maladjusted, speech correction.
	University of Illinois	Deaf, mentally retarded, speech correction.
Indiana	Ball State Teachers College	Speech correction, hearing.
	Indiana State Teachers College	Mentally retarded, speech correction, hearing.
	Indiana University	Speech correction, hearing.
	Purdue University	Do.
Iowa	Grinnell College	Speech correction.
	State University of Iowa	Crippled, speech correction, hearing.
Kansas	Fort Hays Kansas State College	Speech correction.
	Kansas State Teachers College	Mentally retarded, socially maladjusted, speech correction.
	Municipal University of Wichita	Crippled, deaf, hard-of-hearing.
Kansas	University of Kansas	Speech correction, hearing, deaf, crippled, hard-of-hearing.
Kentucky	University of Kentucky	Deaf, hard-of-hearing, speech correction.
Louisiana	Louisiana State University	Speech correction.
Maryland	University of Maryland	Speech correcting, hearing.
Massachusetts	Boston University	Blind, speech correction, hearing.
	Emerson University	Speech correction, hearing.
	Smith College	Deaf.
Michigan	Michigan State Normal College	Crippled, deaf, mentally retarded, partially seeing, speech correction.
	Wayne University	Crippled, deaf, hard-of-hearing, mentally retarded, partially seeing, socially maladjusted, special health problem, speech correction, others.
	Western Michigan College of Education	Speech correction, hearing.
Minnesota	University of Minnesota	Crippled, mentally retarded, speech correction, hearing, others.
Mississippi	Mississippi Southern College	Do.
	University of Mississippi	Speech correction, hearing.
Missouri	Central Missouri College	Speech correction.
	St. Louis University	Do.
	Southwest Missouri College	Do.
	University of Missouri	Speech correction, crippled.
	Washington University	Deaf, hard-of-hearing, speech correction.
Nebraska	University of Nebraska	Speech correction, hearing.
New Jersey	New Jersey State Teachers College	Mentally retarded, speech correction, hearing, others.
New York	Brooklyn College	Mentally retarded, speech correction.
	City College of the City of New York	Mentally retarded.
	Hunter College of the City of New York	Blind, crippled, deaf, gifted, partially seeing, special health problems, others.
	New York University	Mentally retarded.
	Queens College of the City of New York	Speech correction, hearing.
	State University of New York College for Teachers at Buffalo	Crippled, mentally retarded, speech correction, partially seeing, others.
	State University of New York Teachers College at Geneseo	Mentally retarded, speech correction.
	Syracuse University	Crippled, deaf, mentally retarded, partially seeing, speech correction, hearing, others.
	Teachers College of Columbia University	Deaf, hard-of-hearing, mentally retarded, partially seeing, crippled, special health problems, others.
North Carolina	Eastern Carolina College	Speech correction.
North Dakota	State Teachers College	Do.
	University of North Dakota	Speech correction, hearing.
Ohio	Bowling Green State University	Do.
	Kent State University	Mentally retarded, speech correction; deaf, hard-of-hearing.
	Ohio State University	Mentally retarded, speech correction, hearing, others.
	Ohio University	Speech correction, hearing.
	Western Reserve University	Speech correction, deaf, hard-of-hearing.
Oklahoma	University of Oklahoma	Mentally retarded.
	University of Tulsa	Speech correction, hearing.
	Oklahoma College for Women	Deaf.
Pennsylvania	Franklin and Marshall College	Speech correction, hearing.
	Marywood College	Mentally retarded.
	Mount Mercy College	Speech correction.
	Pennsylvania State University	Gifted, mentally retarded, speech correction, hearing.

Colleges and universities having programs for the preparation of teachers of exceptional children, academic year 1954—Continued

State	Institution	Special education program
Pennsylvania	State Teachers College, Bloomsburg.	Mentally retarded, speech correction, hearing.
	State Teachers College, California.	Mentally retarded, speech correction.
	Temple University	Speech correction.
	University of Pittsburgh	Deaf, mentally retarded, speech correction, hearing.
South Dakota	University of South Dakota.	Speech correction, hearing, others.
Tennessee	George Peabody College for Teachers.	Mentally retarded, speech correction, hearing, others.
	University of Tennessee	Deaf, others.
	Vanderbilt University	Speech correction, hearing.
Texas	North Texas State College.	Speech correction.
	Southern Methodist University.	Do.
	Southwest Texas State Teachers College.	Crippled, mentally retarded, speech correction.
	Texas State College for Women.	Speech correction.
Texas	University of Houston	Mentally retarded, speech correction, hearing.
	University of Texas	Mentally retarded, speech correction, hearing, others.
Utah	University of Utah	Speech correction, deaf, hard-of-hearing.
Virginia	University of Virginia	Speech correction, hearing.
Washington	University of Washington	Do.
Wisconsin	Marquette University	Speech correction.
	University of Wisconsin	Do.
	Wisconsin State College	Mentally retarded, speech correction, deaf, hard-of-hearing, others.
Wyoming	University of Wyoming	Speech correction.
District of Columbia.	Catholic University of America.	Do.
	Gallaudet College	Deaf.
	George Washington University.	Speech correction.

Had Enough?

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MULTER. Mr. Speaker, please pardon my partisan pride in saying that as surely as the 80th Congress has gone down into history as the do-nothing Congress, so will the 85th Congress be remembered as one with the greatest accomplishment under the most adverse conditions.

With no constructive leadership in the White House or from any of our President's appointees, the Congress could have sat on its hands. Instead, it worked harder to establish a good record of accomplishment.

Ignoring the campaign threats of the Republican Party and its titular leader, by dint of resolute, intelligent, and responsible legislating we put to shame the prophecies of a cold war between the White House and the Congress.

We proved once again that the Democratic Party, by and large, is the spokesman, yes, the protector of the people of our country, serving them so as to accomplish the greatest good for the greatest number.

I have placed in the RECORD the speeches I made at the end of the 84th Congress on July 27, 1956, and at the end of the 1st session of this, the 85th Congress, on August 30, 1957. I suggest that they make good reading as an introduction to these remarks. I will borrow some of the same titles I used then and bring the facts up to date.

THE CONSUMER, LABOR, AND THE FARMER: THE TIGHT SQUEEZE

The last year saw the laws of economics repealed by the facts of life.

In the midst of a most depressing recession with between 7 million and 8 million persons unemployed, the cost of living continued to soar.

As much as 7 percent of our total civilian labor force could find no employment. That is, 7 percent of those who were ready, willing, and able to work, were unemployed. In 5½ years of Republican maladministration, the cost of living rose by 9 percent, almost 3 percent in the last year alone. In 1958, the average American family is paying $406 more per year for the necessities of life than in 1953.

Why? Because the big-business men in control of the executive departments of Government, appointed by our President, tightened the money supply, made money harder to get, raised interest rates, increased rents on properties built with Government subsidies, gave away our surplus commodities or permitted them to be stolen by friends of big business appointees, squandered our money in boondoggies and refused to spend it for defense, national security, health, and education.

The unthinking may readily say: The Democrats were in control of the Congress and could have stopped all of that.

My answer is twofold: First, let the people in the next election give the Democratic Party a substantial majority in both Houses, enough to override Presidential vetoes, and we will do a real job. Secondly, all the reactionaries and all the conservatives are not in the Republican Party. I am sorry to say that some of them are in the Democratic Party too. If the President were really the leader he should be, he could have been able to get enough liberal Republicans to make up for the defections in the Democratic ranks.

Suffice it to say, in almost every instance a majority of the Democrats were found voting for what was best for our country and a majority of the Republicans voted the other way.

For instance, we could not get enough Republicans to join us in voting for a good housing bill, or for a community-facilities bill or a mining bill, or for scholarships for college students, or for higher minimum wages, or for aid for school construction, or for giving our surplus-food commodities to our needy, who are on relief, or for reform of our labor laws. Most of these measures were lost by a few votes on the floor or in committee. The President never raised a finger to help get these bills enacted. We did get enacted a bill to aid depressed areas. The rumor mill indicates the President intends to veto it.

HUMAN RIGHTS ARE FORGOTTEN

Of course all of this fits the pattern of modern Republicanism enunciated by the President and mouthed by his supporters. Remember it? "Liberal where human rights are concerned and conservative as to money matters."

None will deny that most of these bills would cost money. At the same time, no sensible person will dare challenge the statement that all of these bills vitally affect every human being in our country and all of their rights and privileges.

When talking of human beings and relieving their distress, we must not overlook the fact that we passed laws permitting some 30,000 Hungarian refugees to remain here and also permitting persons illegally here since 1940 to apply for permission to remain.

CIVIL RIGHTS

We can give our Republican friends credit for helping to get enacted a bill to guarantee our citizens the right to vote.

Up to this minute, I have not yet heard of a single case instituted under that law by our President's Republican Attorney General.

The same law calls for a commission to be appointed by our President to impartially study and advise the President on conditions that may deprive citizens of the equal protection of the law because of race, color, or religion. Draw your own conclusions from the fact that one of the President's appointees to that commission contributed $500 to the campaign chest to elect to the United States Senate an avowed segregationist.

I refrain from any comment about the Little Rock fiasco.

SMALL BUSINESS

Big business and big bank mergers continue unabated.

There have been no big business failures.

Bankruptcies nevertheless are at a record high—yes, higher even than in the depression of the 1930's. They are 129 percent higher than in 1952, the last year of the Truman administration.

To the credit of our Republican colleagues, most of them joined us in supporting several measures to help small business.

These bills enacted into law were:

First. Making the Small Business Administration a permanent agency of Government and increasing the amount it may lend to any one small-business concern.

Second. Establishing in the Small Business Administration a new division for aiding small business concerns to get long-term risk and equity capital, and

Third. Giving to small business some long overdue tax relief.

INTERNATIONAL AFFAIRS—PERILOUS PATHS—FOREIGN AFFAIRS CONTINUE TO BE BUNGLED AFFAIRS

The titles borrowed from my prior speeches tell the story.

American citizens abroad continue to be abused, affronted, jailed, and even murdered in cold blood.

Our State Department looks the other way.

In fact, the standing joke abroad is—the more degrading an act a foreign country can commit against our country, the more money it can get from us on the double quick.

Unfortunately, we still have no foreign policy other than to stumble from brink to brink and from crisis to crisis. Further comment is withheld lest I give comfort to our enemies.

Fortunately, there is a good Lord above who protects us. I pray He will never turn His back on us, no matter how sorely we try Him.

BAD GOVERNMENT—WASTE AND CORRUPTION

Add to my previous itemizations just a few more: vicuna coats, hotel bills, traveling expenses, "borrowed" rugs, non-interest-bearing "loans," valuable franchises to the favored few, Government contracts to friends, tax arrears settled, abated, or remitted for those who know the right people, and so on ad nauseam.

"Businesslike methods": Remember Candidate Ike's promise? Listen to just one of the many "businesslike" deals. The Department of Agriculture sold surplus rice to private traders at $40 a ton. They sold the rice back to ICA, another United States Government agency, for $59.50 a ton, without even moving it. A neat little profit of $150,000. I will not ask who got what lest I be told it was only a rice cooky.

PROMISE AND PERFORMANCE

It will take much too long to list all of the breaches of promise that are attributable to our Republican friends in high places. I give you just a few that are typical.

Promise: Leadership.

Performance: The general will be found far to the rear.

Promise: A cold war with Congress.

Performance: A Congress that produced a maximum of good legislation with a minimum of friction.

Promise: Increased prosperity.

Performance: A bad recession.

Promise: A lower cost of living.

Performance: A higher cost of living.

Promise: Full employment.

Performance: Distressful unemployment.

Promise: A balanced budget.

Performance: A $12 billion deficit.

Promise: Reduce the Nation's debt limit.

Performance: Increased it by $10 billion.

Promise: Get our boys home from Korea.

Performance: Put them in Lebanon, and I dare not predict where next.

Promise: Honesty in government.

Performance: My deep respect for our American institutions prevents me from labeling that one.

CONCLUSION

Remember the Republican slogan, "Had enough?" I will be watching for the democratic answer on election day. I intentionally spell "democratic" with a small "d."

Freedom for the Ukraine: A Challenge for the Free World

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. KEATING. Mr. Speaker, one of the great challenges confronting the Free World is the problem of the brave people trapped behind the Iron Curtain. In the face of great odds and in the face of terrible threats of reprisal, literally thousands of these people have stood up to their Soviet overlords and continued their belief in freedom and democracy.

One of the tangible means by which the Free World can bolster the spirit of these people and assure them they are not forgotten, is by annual observances of their special days. Last January, it was my honor to be invited to address the United Ukrainian Congress meeting in Rochester, N. Y., on the occasion of the celebration of the 40th anniversary of Ukrainian independence. The remarks I prepared for that occasion have apparently won wide approval and a number of people have written me requesting copies. Therefore, under leave to extend my remarks, I insert my address prepared for that occasion, and place it in the RECORD with the fervent hope that the next time I am honored with an invitation to participate in this occasion, the freedom of the Ukraine will be much closer to reality.

The address follows:

SPEECH OF REPRESENTATIVE KENNETH B. KEATING ON UKRAINIAN INDEPENDENCE DAY, JANUARY 25, 1958

It is a real and humbling pleasure for me to join with you tonight in celebrating the 40th anniversary of Ukrainian independence. These gatherings are, for me, a wonderful shot in the arm. The warmth of the fellowship, the exhibitions of folk music and dancing, the bandurists and the choir singing—all these things are distinctive with this group. May you ever cherish them, preserve them, and pass them on to your children and from them to their children.

The high esteem and genuine affection felt by the whole Rochester community for the fine Americans of Ukrainian descent in our midst is perhaps typified by the mayor's proclamation of last Wednesday as Ukrainian Independence Day. Also, on that day, in Washington, I placed in the CONGRESSIONAL RECORD—which travels to the far corners of the earth—my own tribute to this event.

This is an occasion which looks not only to the past, but perhaps more importantly, to the future. It is a time for remembrance. But it is equally a fitting opportunity to look ahead.

A heritage of freedom is a thing to be cherished, to be commemorated. But more significantly, it must be used to maintain and extend the liberties we in this country treasure so highly, to all the peoples of the world.

Tonight we gather to salute a nation and a people whose long struggle against oppression serves as a symbol of the never-ending desire of man to be free.

Tonight we gather to pay homage to those heroes who have fallen in liberty's cause.

Tonight we gather to rededicate ourselves to a rebirth of freedom in the noble Ukraine.

Forty years ago, the people of the Ukraine formed a free and independent national republic. Just as they had played an important role in overturning the Czarist dictatorship, now they expressed their desire to live in liberty by forming a popularly elected government.

It was not the first time. Down through the years, as all of you here tonight know from your history books, the story of the Ukraine's struggle for independence has been a prolonged and bitter one. Under a series of despotic governmen'ts the people kept alive the spark of freedom, nursing it for the day when it could best burst into flame.

Throughout the long periods of oppression and suffering the people did not lose heart. Through patriotic underground movements they kept alive the language, the national church, and many of their national cultural traits and traditions. That they taught their children well, you have seen tonight.

Though rebellion against their heartless oppressors was a constant thought, they knew they could not succeed without outside help. And so, the people waited and bided their time until the opportunity was ripe.

Then came World War I. It proved to be the aid from abroad the Ukrainian people needed to translate their wishes into reality.

As the war sapped the strength of the Czarist regime, the people of the Ukraine made their plans. And when the Russian Revolution of 1917 shattered the Czarist grip, the people were ready.

Yes, they were prepared. And the long years of planning, praying, and working reached fruition. The people witnessed the dawning of a new era.

In January of 1918 the western Ukrainians declared their independence. Some time later the national republic was proclaimed in Kiev, that historic national capital of the country.

Perhaps some of you here tonight took part personally in those stirring events. If so, you will recall the excitement and the hope they produced. You will remember the determination on the part of the people that this age-old dream which had at last become a reality should be maintained.

But it was not to be so. The brave, new republic was destined to lead a short and stormy life. At least, in that period, your people were able to bask in the warm sunlight of freedom. In that period, at least, they were able to taste the fruit of the tree we call liberty.

The specter of rising and advancing communism brought all this to a halt. Unfortunately, the free Ukrainian Government was not strong enough to ward off the Red tide. At the same time, western Ukraine was being callously divided among her neighbors.

By 1920, the Ukrainian National Republic was no more.

Of the years since then, we know all too much. Or perhaps all too little. We know the story of these last 38 years can only be described as one great tragedy on a scale that has rarely been equaled.

Millions have met their deaths, either through Kremlin-made famines, or through liquidation by the dreaded Soviet secret police. Countless others have been banished to slave labor camps scattered through the desolate reaches of the sprawling Soviet Empire. To these people we pay our deepest homage this evening. May their spirits never be quenched. May their memory never be erased from our minds. May the future they had prayed for never escape our vision.

The Ukrainian answer to the unparalleled brutality of the Soviet masters took the form it had taken for centuries. Underground resistance groups were formed. Insurgence and opposition to the hated Kremlin regime became the order of the day. Guerrilla warfare was commonplace.

The sturd spirit of resistance has not been wiped out by the merciless suppression of the ruthless agents from Moscow. We know that well today, just as we knew it during World War II.

During that war, the hopes of Ukrainian nationalists rose again. When the Nazis attacked the Soviet Union, it appeared to the oppressed citizenry that they would have a new chance to free themselves from the clutches of the Communists.

The Nazis soon made it clear, however, that they came as conquerors, not as liberators. Ukrainians simply exchanged one set of alien masters for another. The haughty and brutal Nazis took the place of the corrupt and heartless Soviet overlords.

Hundreds of thousands of Ukrainians were shipped to the west to work in Nazi plants. Others who displayed nationalistic tendencies were carted off to concentration camps.

When the Nazi armies were driven back, the Red Army advanced from the east, trampling everything before it.

Once again, Ukrainians died by the thousands, for no other reason than that fate had made of them a human frontier between the East and West. Before the onrushing Red hordes more than a million Ukrainians fled their homes, preferring an uncertain and precarious existence in the West to certain misery at the hands of Communist rule. Many of those courageous people who braved the hazards of escaping to the West are with us tonight. We rejoice in their presence with us.

What followed the recapture of the Ukraine by the Soviets need hardly be repeated. It seems probable the world has never before witnessed a regime more savage and more efficient in its ruthlessness.

But the movement for Ukrainian national independence refuses to die. Even the worst of tyrannies cannot quench that spirit. I am told the guerrilla tactics and underground warfare which your liberty-loving countrymen have used through the years is again serving them well.

Their political and propaganda activities now embrace much larger sections of the Ukrainian people. They are employing all the means at their disposal to oppose the hated regime.

As word filters painfully through the Iron Curtain, the picture becomes clear. Once again, Ukrainians are sacrificing themselves for the age-old dream of national political independence.

I would need more than a mere crystal ball to prophesy when your people will be free. We know it will not be achieved overnight. We pray it will not be too long delayed.

Today, more than 1 million of your countrymen have settled in the United States. Your talents and culture, your skills and your arts, have enriched our land.

Here in Rochester, we are proud to claim leaders of Ukrainian descent in every line of endeavor. Wherever your people have practiced their arts and skills, they have achieved success.

You have become true Americans in heart and spirit. Yet you have retained the best of the rich culture, heritage, and traditions of your native land.

All of us may well, then, on this occasion, rededicate ourselves to two ideals. Freedom for America. And freedom for the Ukraine.

To those behind the Iron Curtain we must continue to give our assurance that their resistance is not in vain. Theirs is not a forgotten front. The power they possess—the power of the human spirit itself—the will to be free, these are forces greater than any tyranny ever forged by man. Their craving for liberty is far more powerful than man's most destructive weapons. It cannot be denied.

This country is stronger today for those valiant efforts behind the Iron Curtain. It is stronger just as it is richer for the distinct contributions over 1 million Ukrainians living in this country have made to America.

On this occasion let us look to the past. But let us also look to the future. Just as it is a time for remembrance, it is equally a time to look ahead.

May the day be not far off when the 40 million Ukrainians will again be a people who can breathe the fresh air of freedom. Then we all can join in the celebration of a new and lasting independence.

Accomplishments for Veterans by the 85th Congress

EXTENSION OF REMARKS
OF
HON. GEORGE A. SHUFORD
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. SHUFORD. Mr. Speaker, as chairman of the Housing Subcommittee of the Veterans' Affairs Committee, I am pleased to report on the veterans' housing program. The figures which I am outlining below show dramatic increases since the enactment of Public Law 85–364 which was passed by the 85th Congress:

Month	Applications for loan guaranty or insurance				Types of loan applications received				
					Home loans			Farm loans	Business loans
	Number received	Number approved	Number closed	Number pending approval	Total	New and proposed	Existing and other		
1958—January	7,880	8,056	12,714	5,238	7,680	6,294	1,386	29	171
February	6,583	6,898	10,702	4,502	6,488	5,430	1,058	31	164
March	6,787	6,889	9,345	4,247	6,573	5,280	1,293	27	187
April	6,177	5,929	6,709	4,239	5,944	4,266	1,678	34	199
May	8,937	7,434	5,868	5,302	8,705	6,150	2,555	30	202
June	14,915	11,425	7,805	8,209	14,502	9,191	5,461	19	244
July	19,424	15,670	10,169	11,305	19,213	11,409	7,804	34	187

Month	Proposed new dwelling units			Defaults and claims					Number of loans repaid in full [1]
						Pending defaults and claims			
	Appraisal requests	Percent to be started with VA inspection	Starts under VA inspection	Defaults reported	Claims paid	Total	Claims and serious defaults		
							Number	Percent of outstanding loans	
1958—January	5,252	67.5	4,074	8,110	760	42,439	4,340	0.11	12,040
February	5,301	66.5	2,764	7,213	640	43,824	4,227	.11	9,971
March	8,406	63.7	3,092	9,181	671	46,013	4,800	.12	11,489
April	24,800	60.6	4,785	8,619	696	47,396	5,251	.12	14,578
May	20,170	63.1	6,043	7,754	706	47,956	5,611	.14	12,916
June	28,391	59.5	8,482	7,070	752	48,163	5,825	.15	13,527
July	28,510	67.0	10,620	7,664	820	48,936	6,308	.16	14,001

[1] Guaranteed only.

The major features of Public Law 85–364, which reactivated the veterans' housing program, are as follows:

Public Law 85–364: (While this law was a general housing act and considered by another committee, it contained the substance of H. R. 4602 which was reported by this committee and was vetoed in 1957.)

1. Substitutes a new section 512, establishing a new policy and program for 2 years.

2. Congressional intent as to declaration of direct loan areas is expressed to include small cities, towns, and rural areas.

3. Authorizes $150 million for each of the periods July 1, 1958, to July 25, 1959, and July 25, 1959, to July 25, 1960.

4. Increases the amount of direct loans from $10,000 to $13,500.

5. Provides for an advance commitment to a builder upon the payment of a commitment fee of 2 percent of the amount of the loan. The commitment to be valid for 3 months and subject to extension if the builder is active and has contracted with an eligible veteran.

6. Provides that the Administrator shall continue processing the direct loan of the veteran without delay, submitting the information to the voluntary home mortgage credit program and giving that agency up to 60 days after the loan is closed to find a lender to buy the loan from the Veterans' Administration.

7. Provides that the Administrator may make construction advances to the veteran and builder during construction, thereby eliminating the necessity of the builder obtaining a construction loan.

8. Provides discretionary authority to the Administrator to exempt new construction under this section from the subdivision and land planning requirements. Permits the building of homes in keeping with the area in which they are located. The bill does not permit any deviations from the Veterans' Administration minimum construction requirements.

9. Extends the loan-guaranty program for 2 years, from July 25, 1958, and authorizes the Administrator of Veterans' Affairs to set an interest rate not in excess of 4¾ percent.

10. Includes a technical correction requested by Veterans' Administration with reference to the guaranteeing of automatic loans.

11. Repeals laws relating to mortgage loan discounts.

12. Lowers the minimum downpayments required for FHA housing as indicated in the following table:

FHA approved value	Prior law		Public Law 85-364	
	Amount	Percent	Amount	Percent
$10,000	$300	3.0	$300	3.0
$12,000	600	5.0	360	3.0
$15,000	1,050	7.0	630	4.2
$16,000	1,200	7.5	780	4.9
$18,000	1,800	10.0	1,390	7.7
$20,000	2,400	12.0	1,980	9.9
$22,000	3,000	13.6	2,580	11.7
$25,000	5,000	20.0	5,000	20.0

13. Authorizes an additional $1.55 billion for the Federal National Mortgage Association to use in purchasing FHA and VA mortgages ($500 million to be allocated by the President, $25 million for regular military housing mortgages, $25 million for housing at research and development centers, and $1 billion for new FHA and VA mortgages not exceeding $13,500).

One of the most important bills providing benefits for veterans that was enacted by the 85th Congress is Public Law 85–168, which increased rates of compensation for service-connected disabilities. The provisions of this bill are as follows:

	Prior law [1]	Public Law 85-168
(a) 10 percent disability	$17.00	*$18.00*
(b) 20 percent disability	33.00	*36.00*
(c) 30 percent disability	50.00	*55.00*
(d) 40 percent disability	66.00	*75.00*
(e) 50 percent disability	91.00	*100.00*
(f) 60 percent disability	109.00	*120.00*
(g) 70 percent disability	127.00	*140.00*
(h) 80 percent disability	145.00	*160.00*
(i) 90 percent disability	163.00	*179.00*
(j) Total disability	181.00	*225.00*
(k) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, rates (a) to (j) increased monthly by	47.00	*47.00*
Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, in addition to requirement for any of rates in (j) to (m), rate increased monthly for each loss or loss of use by	47.00	*47.00*
(l) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation	279.00	*309.00*
(m) Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prothesis in place, or suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, monthly compensation	329.00	*359.00*
(n) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prostbetic appliance, or suffered anatomical loss of both eyes, monthly compensation	371.00	*401.00*
(o) Suffered disability under conditions which would entitle him to 2 or more rates in (l) to (n), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation	420.00	*450.00*
(p) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of	420.00	*450.00*
(q) Minimum rate for arrested tuberculosis	67.00	*67.00*

[1] Peacetime rates are 80 percent of wartime rates.
[2] But in no event to exceed $450.

Additional disability compensation because of dependents [1]

	Wife, no child	Wife, 1 child	Wife, 2 children	Wife, 3 or more children	No wife, 1 child	No wife, 2 children	No wife, 3 or more children	Dependent parent or parents
Service on or after June 27, 1950	$21.00	$35.00	$45.50	$56.00	$14.00	$24.50	$35.00	$17.50(1)
World War II	*25.00*	*39.00*	*50.00*	*62.00*	*16.00*	*27.00*	*39.00*	*19.00*
World War I								35.00(2)
Spanish-American War, Philippine Insurrection, Boxer Rebellion								*38.00*
Civil War								
Indian wars								
Peacetime service (under combat or extrahazardous conditions)								14.00(1)
Regular peacetime service	16.80	28.00	36.40	44.80	11.20	19.60	28.00	*15.00*
	18.00	*31.00*	*40.00*	*50.00*	*12.00*	*22.00*	*31.00*	28.00(2)
								30.00

[1] Above rates are for 100-percent disability. If and while rated partially disabled, but not less than 50 percent, additional compensation is authorized in an amount having the same ratio to the amount specified in the applicable table, above, as the degree of disability bears to the total disability; e. g., war service-connected disability of 50 percent, compensation rate, $100. If veteran has a wife, his compensation is increased as follows: $100+$11.50=$111.50.

NOTE.—Rates in italics as in Public Law 85-168.

Other important measures passed by the 85th Congress affecting veterans are as follows:

Public Law 85–171: Permits forwarding of all types of Veterans' Administration benefit checks where the person has moved and left a forwarding address instead of the prior requirement of returning the check to the Veterans' Administration.

Public Law 85–194: Increases from $10 to $25 the maximum amount that may be paid by VA for shipping charges on personal property of deceased veterans who die on VA property.

Public Law 85–200: Terminates, 60 days after enactment, the operation of the Veterans' Education Appeals Board and transfers its records to Archives.

Public Law 85–209: Section 1 provides a uniform alternative marriage date requirement for widows applying for pension or compensation. It provides that a widow who does not otherwise meet the applicable delimiting marriage dates as presently existing in the law be eligible for pension or for compensation if she was married to the veteran for 5 or more years or for any period of time if children were born as a result of the marriage. Section 2 permits women to receive pension, compensation, or other gratuitous benefits based on the service of a veteran even though there was a legal impediment to her marriage to the veteran which she entered into without any knowledge of such legal impediment, if other requirements are satisfied.

Public Law 85–311: This law excludes from computation as annual income in determining eligibility for non-service-connected disability or death pension as well as service-connected death compensation or dependency or indemnity compensation for parents, any payment of veterans' bonus by a State, Territory, possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, based on service in the Armed Forces of the United States and their widows and children.

Public Law 85–425 (effective July 1, 1958): In addition to providing monthly pension of $101.59 or $135.45 (aid and attendance rate) for two Confederate veterans, it provides pensions for dependents of veterans as indicated in the following table.

For non-service-connected deaths	Widow	Widow age 70	If widow was wife of veteran during service	Widow 1 child	Each additional child	No widow, 1 child	No widow, 2 children	No widow, 3 children	Each additional child
Mexican War	$65.00								
Spanish-American War, Philippine Insurrection, Boxer Rebellion	65.00		$75.00	$73.13 83.13	$8.13	$73.13	$81.26	$89.39	$8.13
Civil War,[1] Indian wars	40.64	$65.00	75.00	48.77 73.13 83.13	8.13	73.13	81.26	89.39	8.13

[1] Includes widows and children of Confederate veterans.

Public Law 85–460: This bill amends the definition of the term "State" as set forth in the Veterans' Readjustment Assistance Act of 1952, Public Law 550, 82d Congress (GI bill of rights for Korean veterans), and the War Orphans' Educational Assistance Act of 1956, Public Law 634, 84th Congress, in order to make clear that the benefits of those acts may be given to persons pursuing a course of education and training in the Panama Canal Zone. It also authorizes training under Public Law 634 in the Republic of the Philippines.

Public Law 85–461: Authorizes modification and extension of the program of grants-in-aid to the Republic of the Philippines for hospitalization of certain veterans, to—

(1) Permit use of Veterans' Memorial Hospital for cases other than those involving service-connected disabilities.

(2) Permit treatment of service-connected veterans on outpatient basis.

(3) Extend period of assistance from December 31, 1959, to June 30, 1963.

(4) Place overall ceiling of $2 million on expenditures for this purpose in any one year.

(5) Grants hospitalization (service-connected and non-service-connected) to American veterans residing in the Philippines on a permanent or temporary basis.

Public Law 85–462: Section 5 of this act incorporates the general approach provisions of H. R. 6719 reported by this committee. It provides adjustments in organization and salary structure of the Department of Medicine and Surgery in the Veterans' Administration. Pay increases under this act averaged about 10 percent.

Public Law 85–586: Authorizes refunds of premiums paid by the VA in behalf of servicemen who had commercial insurance guaranteed during the period 1940–42. Premiums were later collected from policyholders. This bill would authorize repayment, pursuant to Supreme Court decision, of approximately $1,600,000 to 8,440 individuals.

Public Law 85–638: Extends the time for filing claims for mustering-out payments under the Veterans' Readjustment Assistance Act of 1952 to July 16, 1959 (previously July 16, 1956).

Public Law 85–652: Increases the rate for blind veterans with only light perception from $309 to $359 monthly.

Public Law 85–655: Places dependents of female veterans on a parity with dependents of male veterans.

Public Law 85–674: Increases the burial allowance from $150 to $250.

Public Law 85–678: Amends the National Service Life Insurance Act of 1940 to accomplish the following:

(1) Increase from $5 to $10 per month for each $1,000 insurance in force the amount of total disability income protection which may be purchased by insureds;

(2) Provide for the first time for the addition of a total disability income rider to policies of insurance issued under section 621 of the act; and

(3) Permit holders of policies with existing $5 total disability income riders who are in good health and otherwise qualify to surrender their $5 rider and add the $10 provision to their policies.

Public Law 85–782: Increases by $150 a month compensation paid to severely disabled service-connected veterans who require an aid or attendant while they are not hospitalized at Government expense.

Public Law 85–807: Provides that any World War II or Korean veteran who has received a discharge less than honorable and who later has it corrected to a discharge under other than dishonorable conditions may have 4 years within which to initiate course of education and training under the World War II GI bill of rights or 3 years under the Korean GI bill of rights. All education and training is to be completed no later than January 31, 1965.

Public Law 85–857: Incorporates into a single act the subject matter of Public Law 85–56, together with the extensive body of existing legislation governing education and training benefits for veterans and war orphans; dependency and indemnity compensation for survivors; Government insurance; vocational rehabilitation; guaranteed, insured, and direct loans for homes, farms, or businesses; and Federal aid to State soldiers' homes. In addition, the law covers the subjects of unemployment compensation (administered by the Department of Labor) and mustering-out payments (administered by the military departments). Effective from January 1, 1959.

Public Law 85–871: Authorizes the Veterans' Administration to provide certain specialized vocational training for retarded children who are eligible for training under the War Orphans' Educational Assistance Act.

Public Law 85–896: The law permits a section 621 policyholder (insurance taken out between April 25, 1951, and December 31, 1956) three choices:

1. Maintain his present term policy at the Commissioners standard ordinary premium rates.

2. Exchange his present policy for a limited convertible term policy with lower premiums based on the new X–18 table. Such policy would not be renewed after age 50 or September 1, 1960.

3. Convert to a permanent type policy with premiums based on the X–18 table.

Open Primary Election Law

EXTENSION OF REMARKS
OF
HON. WILLIAM LANGER
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my statement on the open primary system of elections.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The open primary is the safeguard against professional political bosses and corruption.

I am an ardent believer in the open primary election law, and I warn the people who now have primaries that it would be a sad day for them if the open primaries were ever abolished and the convention system solely came back into being.

Under the open primary, any man—rich or poor—can become a candidate simply by filing his petition signed by the requisite number of voters, and this gives an opportunity for folks to get together and select a man or woman of the people as their candidate in the primary election of their party.

It prevents a few selfish politicians from getting together and handpicking candidates who may be opposed to the people's interests, or who may be representing giant monopolies from outside of the State and the "fat boys." Before the primary election law was adopted in North Dakota, a few politicians representing the railroads, the big banking interests of the Twin Cities, the grain and produce exchanges from without the State had met in the Merchants Hotel in St. Paul, Minn., and sometimes weeks before the convention met, announced who the candidates were going to be for the National and State offices in our State. They were able to carry out their plans of nominating the officers because Alex McKenzie, the then political boss of the State, handpicked the delegates and handed out free railroad passes and paid their expenses to and from the place of the conventions, where the majority of the delegates simply ratified what the bosses had agreed upon previously.

In 1906, when the late chief justice, A. M. Christianson, came from Towner, N. Dak., to the convention held at Jamestown, the then political boss, Alexander McKenzie, told him that if he wished to become a candidate for attorney general, he would have to "sign here." Mr. Christianson, being a progressive Republican, of course did not sign. He was not selected for attorney general and was helpless to run independently because the primary law was not then in existence.

Two years ago, a great outstanding progressive Republican, Congressman USHER L. BURDICK, was endorsed by the Republican Party at a so-called unity convention in North Dakota, and all during the campaign he led the so-called unity ticket—a ticket to allegedly unify all Republicans. So successful was that campaign that the professional political bosses this year figured that they no longer needed Congressman BURDICK and so the professional political bosses ignored him and although he was present at the convention they did not even accord the Congressman the courtesy of inviting him to the platform to address the convention. Mr. BURDICK walked out in disgust.

Of course, when it came to myself as a candidate for reelection on the Republican ticket, I was anathema to the political bosses, and a week before the convention convened, the Kingfish of the Republican bosses announced "anybody for the Senate but LANGER." Most of the daily newspapers took up the refrain. If we had not had an open primary, the political bosses would have succeeded in ending my political career. But all I had to do under the open primary, was to get 300 voters to sign my petition and file it with the secretary of state and I had my name automatically on the ballot. Instead of 300 names, my supporters got 31,696, although they did not file all the petitions.

To show how the convention can be controlled, Bowman County had three delegates. At no time did any of the three vote for my nomination at the convention. Yet in the primary election, I carried the county 2 to 1. In Grant County, there were 6 delegates and I received 1 vote, while in the election I carried the county 5 to 1. In Kidder County there was 1 vote out of 5 delegates while I carried the county over 2 to 1, and in the county of Richland, where there were 17 delegates and only 1 voted for me, yet I carried the county by a vote of over 70 percent. I could go on and name other counties with similar results.

Mr. President, while I am addressing my colleagues today, I want them to know that I am giving this speech for the benefit of the people who reside in those States where they have open primaries, and I want this speech to be considered as a warning to the people never to let their legislatures abolish it, and if they do in those States where they have a referendum like we have in North Dakota, by all means to refer the action of the legislature directly to the people. It is the one and only way that professional political bosses can be controlled and put out of business completely. In those States which do not have the primary, in my humble opinion, in only too many cases men are chosen for public office who represent special interests or giant monopolies, and not the people. They, of course, owe their election not to the people, but to those who got them nominated at the hand-picked convention, and they usually vote accordingly.

One reason for my speaking today, is that I believe the people do not fully appreciate the value of a primary election, and that the number who go out and vote are much less than the number who vote in the general election although the primary in most cases is of even more importance than the general election. Now to confirm my statement, I refer to the largest newspaper in my State which for over 40 years has fought me—the Fargo Forum. On September 7, 1958, they became interested in the election of Congresswoman COYA KNUTSON, in Minnesota. I know the people of my State will rub their eyes in surprise and read and reread and reread the editorial contained therein entitled "Minnesota Voters Should Respect Intent of Primary." Here is what this newspaper has to say now which was directly opposite to what they said in June before the primary. It is as follows:

"Again, this practice is not limited to Minnesotans. In North Dakota Democrats often have voted for Senator LANGER on the Republican ticket, although it isn't quite as easy as in Minnesota where there is one consolidated ballot with both DFL and Republican candidates listed in adjoining columns. In North Dakota a voter must ask for either a Republican or Democratic ballot.

"Aside from the practical danger of such tactics boomeranging if LANGER gets a small vote in the primary, Minnesota Republicans should stay in their own column for the fundamental reason that a primary election is designed for the members of each party to pick the best possible candidates of the party. These candidates then oppose each other in the general election so the voters have a choice between men of different political philosophies.

"Probably few of today's voters or potential voters remember that prior to 1912 political conventions picked party candidates for office. The compulsory statewide primary became law in 1912, after reformers, as in other Midwestern States, successfully persuaded the Minnesota Legislature that political corruption and bossism could be brought under effective control if the rank-and-file voter were given an opportunity to help select directly the candidates of his party.

"Thus the primary is one of the keystones in our democracy even though political conventions endorse a slate of candidates. The primary enables anyone dissatisfied with a convention choice to seek office, and the Knutson-Evenson contest is an example of how the primary operates to give the DFL voters a choice of Congressional candidates.

"If the primary is to continue this important freedom of choice and the vital two-party system is to continue in Minnesota, Republican voters should not meddle in the DFL's primary Tuesday."

Thus, it is true, as this reactionary newspaper stated in the editorial above, that the direct primary was passed to give the people the opportunity to bring "corruption and bossism under effective control if the rank-and-file voter were given an opportunity to help select directly the candidates of his party."

There, Mr. President, is the reason for the open primary. There is the safeguard which the people have, and which, God forbid, I hope they never relinquish.

A Report to the People of the 11th District of Missouri

EXTENSION OF REMARKS
OF
HON. MORGAN M. MOULDER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. MOULDER. Mr. Speaker, I am making this statement for the RECORD in reporting on some of our work and activities in the 85th Congress. We considered and passed 2,546 bills out of 15,660 introduced in the House of Representatives. We have achieved a good record of legislative work. No previous Congress has had so much responsibility. Among the history-making acts, the 85th Congress set up a new Government agency to cope with the problems of the outer space age and created a new State out of the Territory of Alaska.

First, and foremost important, is agriculture. The farmers of America are Democrats and they are Republicans. Their well-being and assurance of a fair and prosperous income should have no dependence upon or involve party politics. But it is clear that the Secretary of Agriculture, Mr. Benson, has at all times injected partisan politics and has promoted political alignments in Congress during our deliberations on vital farm bills to the detriment of the farmer.

When this administration came into power in 1953, Hon. Ezra Taft Benson took over a farm program under which for 11 consecutive years—1942 to 1952, inclusive—our farmers had enjoyed their greatest prosperity in history. Farm prices in each of those 11 years were at or above 100 percent of parity. During these years our consumers bought food at fair and reasonable prices.

Mr. Benson, in 5 years, with the backing of the President, has reduced this program to a shambles.

In 1957, our total population consumed 11 percent more farm-produced foods than in 1952, the year before Mr. Benson took office, yet our farmers received $600 million less for that larger volume of production for domestic consumption in 1957 than for the more limited volume in 1952. And, in contrast, consumers paid food processors and marketing middlemen $6.1 billion more in 1957 than in 1952 for hauling, processing, and handling the food between the farm gate and the retail counter.

Here are the figures on the deterioration of farm income under Mr. Benson, taken from the books of the Department of Agriculture:

TOTAL REALIZED NET INCOME OF FARMER:

(After deducting agricultural production expenses from the total of cash income from farm marketings, Government payments to farmers, value of home consumption of farm-produced foods, and computed rental value of farm dwellings.)

5 pre-Benson years:	
1948	$16,057,000,000
1949	13,789,000,000
1950	13,185,000,000
1951	15,158,000,000
1952	14,416,000,000
Total	72,605,000,000
5 Benson years:	
1953	13,899,000,000
1954	12,201,000,000
1955	11,470,000,000
1956	12,111,000,000
1957	10,840,000,000
Total	60,521,000,000

The price support for dairy farmers was the first to be reduced by Mr. Benson after he became Secretary, and Government losses in the dairy program in the last 5 years have been greater than all costs of all Commodity Credit Corporation price support programs for all crops during the previous 20 years.

It is indeed a regrettable record that Mr. Benson has compiled as Secretary of Agriculture in the years he should have been the chief champion of our farmers. He has consistently made a dedicated drive for lower and lower farm prices based upon an absurd theory that a greater volume of farm products at a lower or poorer price will make a better income. In the application of this principle, he has set the stage for even greater losses within the next 2 years.

Record wheat and feed-grain crops in 1958, the weakening of production-adjustment programs, and further reduction in price supports which will encourage larger crops outputs as farmers seek to make up in volume what they lost in unit price—all these factors clearly foreshadow these distressing developments:

Farm surpluses will amount to a new record high.

Farm program costs will climb to new heights.

Meat animal prices and the income of feed and livestock producers will decline sharply. We may see hogs selling at $10 or $12 per hundredweight.

Farm debt will set a new high record.

Finally, unless an effective farm program is developed in the next Congress and put into operation, in spite of Mr. Benson's objections, farm income will soon establish a new postwar low, and the effects will be felt not only by our farm people but also by the Nation's total economy.

Mr. Speaker, the 85th Congress strove, with earnestness and dedication, to arrest the 5-year deterioration of our agricultural economy, and to return our farmers to a parity position in our free-enterprise society, but our efforts were thwarted—they were scuttled—by the veto power of the President.

This Congress worked constantly in the shadows of Mr. Eisenhower's veto power wherever the interests of agriculture were to be served.

The President put this power at the disposal of Secretary Benson.

Early in this session the Congress passed Senate Joint Resolution 162 intended to prevent the Secretary of Agriculture from cutting the price-support levels in 1958 for dairy farmers, wheat producers, and for several other crops, and also to forestall severe acreage reductions in 1959 for cotton and rice producers. This legislation was intended to prevent a loss this year of over one-half billion dollars to wheat, rice, dairy, and feed grain farmers. It proposed a reasonable solution in 1959 to the acreage allotment problems of cotton and rice farmers. The President vetoed this legislation. That was his constitutional right, but to the great injury of the farmers' interests. Mr. Speaker, we need and must have a stabilized farm program and an administration that is sympathetic to the principle and consider that the farm families of this Nation have a right and ought to be equal partners in the rewards and blessings of free enterprise and a 100-percent parity position in our great Nation's growth and prosperity.

Mr. Speaker, we finally passed another farm bill in the closing days of this session of Congress. The bill is not what I wanted. The bill is not what any friend of agriculture wanted. It is an offspring of necessity and fear of the President's veto power. It protects producers from something worse in 1959 but, unless it is repealed or changed it will create greater problems in the years ahead.

Mr. Speaker, agriculture is the only major element of our total economy that has no device, outside of the help of Government to pattern its production to market needs; farmers have no way of measuring what should be their individual contributions to a balanced national supply of food and fiber without Government help; farmers have virtually no bargaining power in the commerce they conduct; agriculture is the only major industry that does not set its prices to cover costs and reasonable profits but is compelled to go into the market place and ask: "What will you give me?"

I am pleased to say and I point with pride to the fact that I have always supported and voted for farm parity price support legislation and have always favored 100 percent parity price support for the farmers of America.

Mr. Speaker, when speaking on the subject of agriculture and farm parity price support programs, I naturally think of those who favor the so-called foreign aid programs. They are generally the same people who oppose the farm parity price support programs and other farm legislation beneficial to our own people in America. This foreign aid giveaway and our foreign policy has created for us more enemies and hatred throughout the world than any other program or policy adopted by our Government in the history of our Nation.

Mr. Speaker, it has, these past several years, too often and too unhappily, appeared to me that in the zeal and zest to sustain our faltering foreign policy too many hasty programs, of too great, too extravagant, and too expensive a nature have been approved to assist foreign nations. I have consistently, in this period, warned that in our concentration upon the rehabilitation of the Free World there has been too great a neglect of the interests and welfare of our own American people and I have attempted to point out that the most important strength, underlying any foreign policy, is a continuation and encouragement of a high morale among our own citizens. If they lost confidence in this Government and its officials, then we are indeed in dire trouble. In my opinion this is one of the most important issues facing the people of the 11th Congressional District and all of the people of our great country. I have opposed and voted against this extravagant, wasteful, and dangerous policy and I believe that the people of the 11th District will support me on this stand at the coming election next November 4.

The Acephalous Democrat Party

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. REED. Mr. Speaker, informed observers of the American political scene have knowledgeably referred to the 85th Congress as being the spendingest, the most disaster-proclaiming, and as being a gravy train Congress. Regrettably it is perhaps inevitable that such characterizations would result in view of the fact that the Democrat Party—presently in majority control of Congress—stands divided on virtually every major issue without effective leadership. My remarks will be addressed to the failure of the Democrat Party to provide adequate leadership in those areas affecting the well-being of our citizens and the security of our Nation.

The present leaders of the Democrat Party are today in wide open dispute on issues of fiscal and economic policy, social legislation, and national security. Their intraparty confusion and discord finds them united only in their covetous carping criticism in political hindsight of the great accomplishments of the Republican Party while suffering from astigmatic foresight that precludes their offering constructive solutions to the national problems that have been largely created by their ineptness in past leadership opportunities.

Edmund Burke, the English philosopher, once observed that a political party could be defined as a body of men united for promoting national interest according to some particular principle on which they all agree. On which national issue is there unity in the Democrat Party? Is it on civil rights? Does the Democrat from Boston agree with the Democrat from St. Paul with respect to the same principles of a sound farm program? Can there be unity between a Democrat from Nashville and a Democrat from Detroit on the issue of public power? Federal programs of aid to the States find the members of the Democrat Party in dispute as to the qualifying requirements and the methods of allocation under the programs. The record proves they cannot agree. This lack of party principle and the conflict of disunity preclude the Democrat Party from giving to the Nation the character and quality of leadership that America must have to provide for our security and to assure maximum national progress.

Mr. Speaker, I will now deal with specific areas in which the Democrat Party has failed to provide responsible leadership for our Nation.

I. FISCAL AFFAIRS

In regard to the management of our Nation's fiscal affairs no phrase describes more accurately the Democrat record than the expression—tax and tax, spend and spend. In the 46 years that have elapsed since the advent of the personal income tax in 1913, the Democrat Party has controlled the Congress for 30 years and the Republican Party for 16 years. In the 30 years of Democrat control they have given the Nation 20 major Democrat tax increases. The Republican Party on the other hand in its 16 years of stewardship as the majority party in Congress has enacted 9 major Republican income tax decreases. The profligate extravagance of Democrat leadership can be documented to show a Democrat increase of $250 billion in public indebtedness despite the succession of recordbreaking tax increases they have enacted. As a percentage of national income Truman-Democrat spending in fiscal year 1953 was 25 percent of the national income. The Republican Party reduced that percentage so that Government spending is now 20 percent of national income.

So that the tax records of the Republican Party and the Democrat Party can be available, I will insert in the RECORD at this point as a part of my remarks a summary table of Federal individual income tax exemptions and first and top bracket rates for the period from 1913 through 1958. By referring to the years indicated in the left hand column of table 1, the party responsibility for tax changes can be determined.

TABLE 1.—*Federal individual income tax exemptions and 1st and top bracket rates 1913–58*

Income year	Personal exemptions: Single	Personal exemptions: Married: Dependents: No	1	2	3	Tax rates: 1st bracket: Rate	Amount of income	Top bracket: Rate	Income over—
						Percent		*Percent*	
1913–15	$3,000	$4,000	$4,000	$4,000	$4,000	1	$20,000	7	$500,000
1916	3,000	4,000	4,000	4,000	4,000	2	20,000	15	2,000,000
1917	1,000	2,000	2,200	2,400	2,600	2	2,000	67	2,000,000
1918	1,000	2,000	2,200	2,400	2,600	6	4,000	77	1,000,000
1919–20	1,000	2,000	2,200	2,400	2,600	4	4,000	73	1,000,000
1921	1,000	[1] 2,500	2,900	3,300	3,700	4	4,000	73	1,000,000
1922	1,000	[1] 2,500	2,900	3,300	3,700	4	4,000	56	200,000
1923	1,000	[1] 2,500	2,900	3,300	3,700	3	4,000	56	200,000
1924	1,000	2,500	2,900	3,300	3,700	[2] 1½	4,000	46	500,000
1925–28	1,500	3,500	3,900	4,300	4,700	[2] 1½	4,000	25	100,000
1929	1,500	3,500	3,900	4,300	4,700	[2] 1½	4,000	24	100,000
1930–31	1,500	3,500	3,900	4,300	4,700	[2] 1½	4,000	25	100,000
1932–33	1,000	2,500	2,900	3,300	3,700	4	4,000	63	1,000,000
1934–35	1,000	2,500	2,900	3,300	3,700	[2] 4	4,000	63	1,000,000
1936–39	1,000	2,500	2,900	3,300	3,700	[2] 4	4,000	79	5,000,000
1940	800	2,000	2,400	2,800	3,200	[2] 4.4	4,000	81.1	5,000,000
1941	750	1,500	1,900	2,300	2,700	[2] 10	2,000	81	5,000,000
1942–43 [3]	500	1,200	1,550	1,900	2,250	[2] 19	2,000	88	200,000
1944–45	500	1,000	1,500	2,000	2,500	23	2,000	[2] 94	200,000
1946–47	500	1,000	1,500	2,000	2,500	19	2,000	[2] 86.45	200,000
1948–49 [4]	600	1,200	1,800	2,400	3,000	16.6	2,000	[2] 82.13	200,000
1950 [5]	600	1,200	1,800	2,400	3,000	17.4	2,000	[2] 91	200,000
1951 [6]	600	1,200	1,800	2,400	3,000	20.4	2,000	[2] 91	200,000
1952–53 [6]	600	1,200	1,800	2,400	3,000	22.2	2,000	[2] 92	200,000
1954–58 [6]	600	1,200	1,800	2,400	3,000	20	2,000	[2] 91	200,000

[1] If net income exceeds $5,000, married person's exemption is $2,000.
[2] After earned income credit equal to 25 percent of tax on earned income.
[3] Before earned income credit allowed as a deduction equal to 10 percent of earned net income.
[4] Exclusive of victory tax.
[5] Subject to maximum effective rate limitation: 90 percent for 1944–45, 85.5 percent for 1946–47, 77 percent for 1948–49, 87 percent for 1950, 87.2 percent for 1951, 88 percent for 1952–53, and 87 percent for 1954–55.
[6] Additional exemptions of $600 are allowed to taxpayers and their spouses on account of blindness and/or age over 65.

Corporation income tax rates also mounted under the Democrat Party's taxing and spending programs. I will at this point in the RECORD as a part of my remarks insert a table setting forth corporation income tax rates for the period 1909 through 1958 indicating the corporate tax rate changes. By making reference to dates in the left-hand column of table 2 it is possible to determine the action taken with respect to corporate tax rates by our two major political parties:

TABLE 2.—*Corporation income-tax rates, 1909–58*

Calendar year	Reduced rates on small corporations	General rate
1909–13	$5,000 exemption	1
1913–15	No exemption after Mar. 1, 1913	1
1916	No exemption	2
1917	do	6
1918	$2,000 exemption	12
1919–21	do	10
1922–24	do	12½
1925	do	13
1926–27	do	13½
1928	$3,000 exemption	12
1929	do	11
1930–31	do	12
1932–35	No exemption	13¾
1936–37	Graduated normal tax ranging from 8 percent 1st $2,000; over $40,000. Graduated surtax on undistributed profits ranging from 7 percent to.	15 27
1938–39	12½ to 16 percent 1st $25,000 over $25,000.	[1] 19
1940	14.85 to 18.7 percent 1st $25,000; 38.3 percent $25,000 to $31,964.30; 36.9 percent $31,964.30 to $38,565.89; over $38,565.89.	24
1941	21 to 25 percent 1st $25,000; 44 percent $25,000 to $38,461.54; over $38,461.54.	31
1942–45	25 to 29 percent 1st $25,000; 53 percent $25,000 to $50,000; over $50,000.	40
1946–49	21 to 25 percent 1st $25,000; 53 percent $25,000 to $50,000; over $50,000.	38
1950	23 percent 1st $25,000; over $25,000	42
1951	28¾ percent 1st $25,000; over $25,000	50¾
1952–58	30 percent 1st $25,000; over $25,000	52

[1] Less adjustments: 14.025 percent of dividends received and 2½ percent of dividends paid.

In addition to the tax changes set forth in the table relating to corporate income-tax rates, the Democrat Party also enacted corporate excess-profits taxes during the three wars in which our Nation became embroiled while the Democrat Party was in control of our Federal Government.

Despite the mounting and onerous tax burden imposed on our American citizens under Democrat leadership, the spending programs authorized by the Democrat Party regularly exceeded the Nation's ability to pay with the result that Democrat leadership has been the architect of unrestrained inflation, deficit financing, and increasing public indebtedness. To document this fact I will next insert in the RECORD as a part of my remarks table 3, showing budget receipts and expenditures and the public debt for the fiscal years 1900 through 1959:

TABLE 3.—*Budget totals and public debt since 1900*

[Fiscal years. In millions of dollars]

Fiscal year	Budget receipts	Budget expenditures	Surplus (+) or deficit (−)	Public debt at end of year
1900	567	521	+46	1,263
1901	588	525	+63	1,222
1902	562	485	+77	1,178
1903	562	517	+45	1,159
1904	541	584	−43	1,136
1905	544	567	−23	1,132
1906	595	570	+25	1,143
1907	666	579	+87	1,147
1908	602	659	−57	1,178
1909	604	694	−89	1,148
1910	676	694	−18	1,147
1911	702	691	+11	1,154
1912	693	690	+3	1,194
1913	714	715	(1)	1,193
1914	725	725	(1)	1,188
1915	683	746	−63	1,191
1916	762	713	+48	1,225
1917	1,100	1,954	−853	2,976
1918	3,630	12,662	−9,032	12,455
1919	5,085	18,448	−13,363	25,485
1920	6,649	6,357	+291	24,299
1921	5,567	5,058	+509	23,977
1922	4,021	3,285	+736	22,963
1923	3,849	3,137	+713	22,350
1924	3,853	2,890	+963	21,251
1925	3,598	2,881	+717	20,516
1926	3,753	2,888	+866	19,643
1927	3,992	2,837	+1,155	18,512
1928	3,872	2,933	+939	17,604
1929	3,861	3,127	+734	16,931
1930	4,058	3,320	+738	16,185
1931	3,116	3,577	−462	16,801
1932	1,924	4,659	−2,735	19,487
1933	2,021	4,623	−2,602	22,539
1934	3,064	6,694	−3,630	27,053
1935	3,730	6,521	−2,791	28,701
1936	4,069	8,493	−4,425	33,779
1937	4,979	7,756	−2,777	36,425
1938	5,615	6,792	−1,177	37,165
1939	4,996	8,858	−3,862	40,440
1940	5,144	9,062	−3,918	42,968
1941	7,103	13,262	−6,159	48,961
1942	12,555	34,046	−21,490	72,422
1943	21,987	79,407	−57,420	136,696
1944	43,635	95,059	−51,423	201,003
1945	44,475	98,416	−53,941	258,682
1946	39,771	60,448	−20,676	269,422
1947	29,786	39,032	+754	258,286
1948	41,488	33,069	+8,419	252,292
1949	37,696	39,507	−1,811	252,770
1950	36,495	39,617	−3,122	257,357
1951	47,568	44,058	+3,510	255,222
1952	61,391	65,408	+4,017	259,105
1953	64,825	74,274	−9,449	266,071
1954	64,655	67,772	−3,117	271,260
1955	60,390	64,570	−4,180	274,374
1956	68,165	66,540	+1,626	272,751
1957	71,029	69,433	+1,596	270,527
1958	69,063	71,897	−2,813	276,343
1959 [2]	67,000	79,223	−12,223	283,000

[1] Less than $500,000.
[2] Current estimate.

NOTES.—Refunds of receipts are excluded from budget receipts and budget expenditures starting in 1913; comparable data are not available for prior years.

The change in the public debt from year to year reflects not only the budget surplus or deficit but also changes in the Treasury's cash balances, the effect of certain trust fund transactions, and direct borrowing from the public by certain Government enterprises.

In the area of legislative appropriations—which is the Congressional grant of license to spend—the record of Democrat leadership is equally as abysmal. In the last budget year of the Hoover administration Government spending totaled only $4.6 billion. In the last budget year of the Truman administration appropriations rose to $86 billion. During the Republican controlled 83d Congress appropriations averaged $61.7 billion compared with average appropriations of $72.7 billion in the 84th and 85th Democrat controlled Congresses. Comparing the foregoing averages of Democrat spending authorizations with Republican spending authorizations we find an increment of $11 billion a year which the Democrat leadership has authorized. This is $11 billion a year that could be divided between meaningful tax reduction to stimulate our economy and debt reduction to minimize the tax burden that we pass on to succeeding generations.

Mr. Speaker, the cause of increased Federal spending under Democrat leadership in the Congress can be readily understood when it is realized that in the 84th Congress alone the Democrat Party sponsored nearly 200 new or increased programs largely imposing Federal-aid programs on the States. In evaluating the desirability of these programs it should be realized that Federal aid to the States in effect necessitates

taxing the citizens of the States and then returning the tax collections to the States for programs that the States could better operate themselves if Federal taxes were reduced so that State taxes could be made adequate to finance the programs. Another indication of cause for mounting spending is found in the record of Democrat leadership in the recently completed 2d session of the 85th Congress when that Congress appropriated $7 billion more than the President asked for in his budget message for the fiscal year 1959.

Mr. Speaker, this review of fiscal leadership clearly demonstrates the great Republican record for economy and for responsible management of our Nation's fiscal affairs. This review also gives convincing evidence of the failure of Democrat leadership to provide anything but higher taxes, higher spending, and higher public indebtedness. This review proves that the Democrat leadership has learned well the spending lessons of their mentors Roosevelt and Truman in bankrupt economics and fiscal chaos with compound interest in perpetuity.

II. SOCIAL LEGISLATION

In the area of social legislation we find a Republican record of actual accomplishment compared to a Democrat record of cruel demagoguery and unfilled political promise.

The record of the Democrat leadership with respect to keeping promises in the area of social legislation is a sordid record of nonfulfillment, nondelivery, and nonperformance. The Democrat Party has disregarded the public need for responsible action; they have promised anything and everything but have delivered nothing. This record of broken campaign promises is the inevitable consequence of the Democrat campaign slogan, "You name it and we've got it." The Democrat Party has diligently worked to pit one class of Americans against another class. They have given lip service to human rights while practicing human intolerance.

Mr. Speaker, I will now cite specific instances of failure and ineptness on the part of the leaders in the Democrat Party with respect to social legislation.

The Democrat failure to provide responsible leadership for our Nation assumed the character of premeditated postponement in the case of meritorious and greatly needed improvements in our Nation's laws governing labor-management relations. Shocking disclosures of gangster domination of labor unions with specific revelations of murder, extortion, goon squad practices, and other crimes made the need for effective legislation in the 85th Congress a matter of urgency to protect not only the economic rights of American labor but also the liberty of its rank and file membership. The Democrat leadership with its political subservience to labor bossism turned its back on evidences of gangster infiltration of the union leadership hierarchy and ignored the needs of union members for protection against internal decay and corruption in the labor movement. The Democrat inaction is attributable to the political indebtedness and money domination of the Democrat Party by the labor bosses. It is a sell-out of leadership responsibility for votes promised to the Democrat Party by the thugs, goons, and socialists who have infiltrated labor officialdom.

The Democrat leadership vainly attempted to allay vulnerability on a charge of "do-nothing" in the face of public indignation over the disclosure of crime and labor abuses by presenting to the House an ineffective measure that was represented as being corrective legislation. Did the Democrat leadership want even this watered down labor legislation to pass? Let us look at the record. The Speaker of the House of Representatives held up reference of the legislation to the House Labor Committee for 41 days before referring it. That Democrat leadership then scheduled it for a vote in the House under a rule which permitted only 40 minutes of consideration and which precluded any and all perfecting amendments.

In summary, the importance the Democrat leadership ascribed to the defeat of this measure can be determined by a comparison of the 41-day Democrat bottleup of the legislation with the 40 minutes of consideration the Democrat leadership allowed in the House.

The Democrat Party has long campaigned on a promise to repeal the Taft-Hartley Act. Have they delivered on that promise? The Democrat Party has been in control of 4 of the 5 intervening Congresses since the enactment of Taft-Hartley but this act has not been repealed. The Democrat Party denounces Taft-Hartley as creating slave labor but the Democrats do not tell the people that nearly 50 percent of the complaints brought under this legislation by workers are against coercive labor practices by unions rather than against employers.

The minimum wage law is another instance of failure by Democrat leadership. The Democrat Party has pledged itself to create a minimum wage of $1.25 per hour. The minimum wage that the Democrats have promised to increase has actually been increased and strengthened under Republican leadership and in the face of Democrat opposition.

Another failure of the Democrat leadership in the area of social legislation has been with respect to unemployment compensation and the record of irresponsible Democrat political machinations on this important protection for the American workingman. The President of the United States on March 8, 1958, recommended temporary legislation extending the duration of unemployment compensation benefits for unemployed workers. The Democrat leadership disregarded the testimony of two Democrat Governors, Mr. Leader, of Pennsylvania and Mr. Williams, of Michigan, that the Democrat-proposed American dole system would delay giving effective help to the American workingman who needed unemployment compensation benefit supplementation. The Democrat Party sponsored in the House its American dole program which was rejected by the House membership and there was substituted therefor a Republican-supported measure to provide prompt benefit supplementation for those workers who had exhausted benefit entitlement.

Mr. Speaker, the record of the Democrat Party leadership of broken promises and breach of faith in the area of social legislation cannot be tolerated unless the American people are willing to subject our liberty and our freedom under our free enterprise system to the tyrannical assault of the labor czars who dominate the Democrat Party lock, stock, and barrel.

III. ECONOMIC AFFAIRS

The pronouncements of the Democrat leadership with respect to the economic affairs of our Nation are steeped in demagoguery and saturated with Democrat cries of doom and despair. The Democrat leadership has been verbose and vitriolic as professional prophets of gloom and doom. They have done their best for political gain to talk our Nation into depression. Fortunately they have not been able to accomplish their purpose. In the conduct of our Nation's economic affairs the Democrat leadership has stood for bureaucratic regimentation of all aspects of our economic life with a three-phase program of first, the Government domination of private enterprise, second, the seizure of our factories, and third, the drafting of our workers.

One of the most outspoken of the Democrat political Cassandras has been that eminent authority on economic crisis and unemployment, Mr. Harry Truman. This Mr. Truman, who in effect told a New York Times reporter that unemployment was good for the country at a time when the Democrat Party was in power, recently said that if he were President now he would be doing something about the current unemployment rate. He continued by saying "I would not be sitting still or playing golf." Let us look at the record and see what Mr. Truman did do in the 1949–50 recession. In November 1949 President Truman was informed that October 1949 unemployment amounted to 6.1 percent of the working force. After receiving that information Mr. Truman went to Florida. On November 28, 1949, he went to Key West, Fla., where he spent 24 days. He returned to Washington on December 21 and left 2 days later on a holiday trip to Independence, Mo. In March 1950 an unemployment figure of 7.8 percent of the working force was announced. Again Mr. Truman went to Florida, this time for 29 days. An examination of the record indicates that the Truman administration did little to cure the 1949–50 recession. The economy did not become revitalized until we were plunged into the Korean war. Contrast this Democrat failure in leadership with the action taken by the Republican Party in the current economic adjustment whereby over 50 different steps have been taken effectively to stimulate the economy.

So that the record may show the unemployment experience of the Nation under the two great political parties, I will make a part of my remarks at this point table 4 showing unemployment for the period 1930–57

TABLE 4.—*Data concerning unemployment, 1930–57*

Year	Unemployed	
	Number	Percent
1930	4,340,000	8.7
1931	8,020,000	15.9
1932	12,060,000	23.6
1933	12,830,000	24.9
1934	11,340,000	21.7
1935	10,610,000	20.1
1936	9,030,000	16.9
1937	7,700,000	14.3
1938	10,390,000	19.0
1939	9,480,000	17.2
1940	8,120,000	14.6
1941	5,560,000	9.9
1942	2,660,000	4.7
1943	1,070,000	1.9
1944	670,000	1.2
1945	1,040,000	1.9
1946	2,270,000	3.9
1947	2,142,000	3.6
1948	2,064,000	3.4
1949	3,395,000	5.5
1950	3,142,000	5.0
1951	1,879,000	3.0
1952	1,673,000	2.7
1953	1,602,000	2.5
1954	3,230,000	5.0
1955	2,654,000	4.0
1956	2,551,000	3.8
1957	2,936,000	4.3

IV. FOREIGN AFFAIRS AND NATIONAL SECURITY

Mr. Speaker, it is in the area of the conduct of our Nation's foreign affairs and our military preparedness that we find the Democrat leadership most vocal in its oratorical hindsight to detract attention from its past and present tragic lack of foresight. The cornerstone of Democrat foreign policy has been geared to vacillation, intemperate declarations, and precipitous acts of belligerence followed by the piecemeal abandonment of our Free World allies one by one. The Democrat policy with respect to our military security is based on a philosophy of a feast and famine depending upon whether our Nation was at war or at peace.

Mr. Truman has advocated that the United States should forget about sputniks and concentrate on civil rights. When that Truman-Democrat panacea was rejected by the American people his alternative was to advocate higher taxes. He undoubtedly was proposing higher taxes to permit greater missile spending so that the United States could buy back the time that was wasted under his administration through his failure to undertake development of rockets and missiles. In the eight critical postwar years from 1946 to 1953 our Government spent only $3.5 million for the development of long-range ballistic missiles while in only 2 years in that same period the same Truman administration spent $50 million for price supports on peanuts. The present preeminence of the United States in modern day weapons of war can be attributed to the diligence and the vigilance with which the Republican administration immediately addressed itself to the problem of defense on assuming office in 1953.

The established authorities on international bungling that comprise the Democrat leadership have been persistent and clamorous in pronouncements of discord and dangerous manifestations of national disunity.

In an effort to conceal Democrat leadership failures the Democrat Party brashly and irresponsibly criticizes President Eisenhower for the international tensions abroad in the world today. Mr. Speaker, I am sure it is a reasonable question to ask the extent to which those tensions would exist or the extent to which they would be lessened if it had not been for the geographical sell-out to Russian imperialism by the Roosevelt-Truman-Acheson leadership at Teheran, Yalta, and Potsdam that put the Russians in the geographic locations to practice their game of international blackmail. Would not there be fewer tensions if we could reverse the Truman-Acheson abandonment of China?

Mr. Speaker, it is a matter of public record that in 1957 the Democrat majority in Congress criticized President Eisenhower's proposed defense expenditures and the Democrats sponsored a $2½ billion cut in those defense expenditures. This year, because of a change in the character in military weapons defense, expenditures were proposed by the administration at a level of $3½ billion more than the Democrat-controlled Congress was willing to make available last year. The Democrat leadership has criticized this proposed increase in 1958 with claims that it is not enough. What was too much in one year for defense has suddenly become too little in the next year, according to the politico-military hindsight of the Democrat leadership.

Mr. Speaker, this is but a brief recitation of a few of the failures of the Democrat leadership in providing for the essential needs of our Nation. This record of failure after failure makes it apparent that Republican leadership in the Congress of the United States is essential in the years ahead if we are to preserve the freedom of our national institutions, the liberty of our people, and the vitality of our American way of life.

The Role of Government in Maintaining a Stable Economy

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an article I have written entitled "The Role of Government in Maintaining a Stable Economy," appearing in the current issue of Social Action, published by the Council for Christian Social Action of the United Church of Christ, be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ROLE OF GOVERNMENT IN MAINTAINING A STABLE ECONOMY

(By Senator HUBERT H. HUMPHREY, of Minnesota)

Before discussing the nature of the recession and what the Government should do—and what it should have done—about it, the seriousness of the recession might well be put in proper perspective.

THE RECESSION IS SERIOUS

We are not suffering from a depression. Nor is there likelihood that we will soon, or perhaps ever again, experience another economic catastrophe similar to that which paralyzed the United States in 1929–32. The legislative measures adopted during the Roosevelt and Truman administrations will prevent such a recurrence.

But we are experiencing a costly recession—the deepest and the longest economic decline in almost 20 years. The statistics speak for themselves. Our gross national product has declined since the third quarter of last year by an annual rate of $18 billion. Industrial production is down by more than 11 percent from August of 1957. Business failures are currently at the highest level since pre-World War II. Unemployment as of June stood at 5.4 million—the highest figure since 1941. Profits have fallen off drastically; for example, manufacturing corporations' profits in the first quarter of this year were down 39 percent from the same period of 1957. And the all-important expenditures by business for plants and equipment for 1958 are now estimated to be $6 billion less than last year, representing a drop of 17 percent. These statistics cannot be dismissed casually.

RECESSION IN THE UNITED STATES AFFECTS OTHER NATIONS

And unfortunately the repercussions of this recession are not confined simply to the domestic scene. International consequences are also involved. Last year the Soviet Union boosted its industrial production by 10 percent while our own production fell off by 10 percent. Coming on top of Little Rock and sputnik, this has dealt a further tragic blow to America's prestige and reputation. It has undermined the confidence of free peoples elsewhere in following the American economic system. We have exported the recession because our imports have declined and the prices of the raw materials we buy have fallen in relation to the prices of the finished goods we sell.

The underdeveloped countries are largely producers and exporters of raw materials. The volume and value of these exports are down. The underdeveloped countries have had to cut back their meager development programs. They are blaming the United States—and not without cause. In some degree, Vice President NIXON's reception in Latin America is a reflection of what the recession has done to the less developed countries of the world.

RESPONSIBILITY OF GOVERNMENT

In 1946, the United States Government adopted the Employment Act, which states clearly that it is the responsibility of the Government to maintain high levels of production, income, and employment. In spirit and in practice, this law has been violated by the Eisenhower administration.

The administration would have us believe that this recession is simply a natural phenomenon over which it can exercise little, if any, control. This is a myth which should be promptly exposed. For the plain fact of the matter is that this recession was aided and abetted by the planning, engineering, and policies of the administration itself.

The recession was instigated by adherence to the fallacious theory that the steadily rising cost of living was due to excessive wage demands forced upon business due to the labor shortage. The remedy was spelled out by the First National City Bank of New York in its newsletter of July 1957.

"The way to hold back the pressure of excessive wage advances on prices is to relieve the labor shortage created by attempting too many projects at one time. This can be done by making money harder to borrow and by curtailing public expenditures."

And the administration accepted in toto this recession blueprint. Tight money became even tighter and interest rates soared to new heights—the highest levels in fact since Herbert Hoover was President. This occurred several months after economic indicators clearly showed that the economy was in a decline.

TIGHT MONEY POLICY

Coupled with the administration's adherence to and defense of the tight-money policy, were sharp curtailments in public expenditures. The administration, in fact, issued secret orders last summer to Government agencies to cut back on spending to fiscal 1957 levels, which meant a slash of $2 billion from what President Eisenhower had publicly told the country he needed to run the Government in fiscal 1958.

The recession blueprint was reported by the authoritative Journal of Commerce on July 15, 1957, in an article stating:

"The evidence now points strongly to the conclusion that both the administration and the Federal Reserve authorities believe that a moderate recession now would be a small price to pay for the avoidance of another boom-and-bust later on."

The administration's recession blueprint as here outlined has now become a reality. It has achieved its goal of, to put it nicely, "relieving the labor shortage." But there is one serious flaw in the whole thing. Inflation is still with us despite mounting lines of jobless workers. The cost-of-living is at the highest level in the history of our Nation and it has moved up month after month despite rising unemployment and declining business activity. In the past 12 months alone prices have risen 3.3 percent.

POLICIES OF THE EISENHOWER ADMINISTRATION

Having moved the country into this serious recession and having failed completely to stop inflation, what is the administration doing to get our economy back on the road to recovery? The tragic answer to this question is that the administration has been doing pitifully little. It has maintained a negative and defeatist approach. Rather, the criteria for action should have been the prospects and programs for quick recovery. Instead of doing nothing unless and until conditions became much worse, the Government should have acted promptly to bring about complete and total recovery.

It may well be that the recession will not get much worse. It may be that we have already hit bottom. However, there is little evidence and almost no confidence that an immediate and vigorous upturn is in prospect. In fact, most business analysts believe that the recovery will be gradual and slow and that unemployment a year from now may well be over 6 million.

It should be remembered that when we speak of "recovery" and "full employment" we do not mean merely regaining the levels of production of 1957 from which the decline began. Year by year the population grows and so does our capacity to produce, so that full employment of our manpower and other resources in 1958 would yield production 4 or 5 percent greater than in 1957. If full employment is not reached until 1959, it will have to be at levels 8 or 10 percent higher than 1957; and if it is not reached until 1960, it will require levels of 12 or 15 percent above 1957.

In view of our critical international situation, in light of Russia's economic offensive, and because of the terrible waste of manpower and material resources now being suffered by the people of the United States, the Federal Government is failing miserably to measure up to its responsibilities.

The liberalization of the Federal Reserve credit policies, and some legislation of remote or uncertain effect with respect to unemployment compensation and public works, have been wholly inadequate to serve the objective of restoring the vitality of our economy. In effect, the administration's program has reflected a "let nature take its course" or "do nothing" policy. Such bankruptcy of ideas and such violation of the principles of the Employment Act of 1946 cannot but result in the further deterioration of America's leadership in the Free World.

FIVE BASIC STEPS TOWARD A STABLE ECONOMY

There are five basic steps which should have been taken by the Government a long time ago and which ought still to be taken.

First, the administration's program with respect to unemployment insurance is miserably inadequate. The recession is a national phenomenon, and the Federal Government should provide directly for both higher levels and longer duration of benefits. The unemployed today receive lower benefits in relation to prevailing wages than they did 20 years ago. This is shocking in such a highly productive economy as ours.

Second, taxes ought to be cut for the middle and lower income groups to increase their buying power and thereby provide real markets for the goods and services which the increased capacity of our economy makes possible. Yes, this will further unbalance our budget temporarily, but in the long run it will result in a smaller accumulated deficit and a smaller increase in our national debt than if we continue to drift according to the policy of the Eisenhower administration. The Federal deficit is already running at a $10 billion annual rate, and this deficit financing will last longer and the increase in the national debt will be bigger unless steps are taken promptly to restore prosperity. The sooner we can increase personal and corporate incomes, the sooner Federal revenues will rise again, and the sooner we can achieve a balanced budget.

Third, there should be a substantial increase in essential public works and public services. Our needs for schools, slum clearance, health institutions, recreational facilities, conservation and resource development and the like are obvious. It makes no sense to deny our people these important needs while at the same time resigning ourselves to tens of billions of dollars of loss in production.

Fourth, we should scrap the Benson programs of trying to solve the problem of surplus by impoverishing or liquidating the family farms. Even if this would work, it would be a poor substitute for a positive policy of using our capacity for abundance to raise the consumption standards of our own people and to send food abroad under conditions that will both relieve hunger and promote economic development. A prosperous and productive agriculture is an indispensable ingredient of a prosperous and productive economy.

Fifth, we should expand our programs for the economic development of underdeveloped countries. This is good international policy in any case, and would benefit the United States as part of the Free World and the United States economy as part of the world economy. But particularly at this time, when our heavy goods industries are greatly under-utilized, we have a unique opportunity to provide machinery and other needed capital goods, through the Development Loan Fund and other sound financing devices. At the present time these industries are not producing to capacity for our own needs; and the industries and their workers, as well as the rest of us, would be better off if they were producing for needs abroad.

Without interfering with the basic principles of free enterprise, the role of the Federal Government can and must be positive and constructive in terms of providing an environment within which private business can prosper and provide jobs for all American workers. In essence, it is the failure of the Government to exercise this responsibility which weakens the free enterprise system and which brings more harm to business and labor and agriculture than all the Federal economic regulations.

CONCLUSION

In summary, I reemphasize that for our country to be strong and healthy we must have continued economic growth and development. We cannot permit our economy simply to level out in the face of constantly increasing productive capacity and an ever-growing work force. To permit such a course of action can only result in rising numbers of jobless workers. On the international level it means a lessening of the strength of the Free World at the very time the Soviet Union is stepping up its economic offensive in an effort to gain world power.

Complete Voting Record of Senator Proxmire in 85th Congress, 2d Session

EXTENSION OF REMARKS
OF
HON. WILLIAM E. PROXMIRE
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement of my complete voting record in the 2d session of the 85th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PROXMIRE

In order that the people of Wisconsin may review the entire record of my votes in the 2d session of the 85th Congress, I am providing this record of my vote on every recorded rollcall taken in the United States Senate during the session.

I have given a brief description of each bill and the specific motions on which my votes were cast, in order that my position may be accurately interpreted. It is, of course, impossible to explain the parliamentary situation which prompted each of my votes in this summary. I will be happy to furnish a more complete explanation of my stand on any specific issue to anyone upon request.

Those who study this voting record will notice that it does not list the final passage of a number of the important bills passed by Congress this session. This is because, in many instances, final passage is by an unrecorded voice vote, usually after the vote on a preliminary motion has clearly drawn the lines on the issue. Therefore, my position on many issues is shown here in a key vote on an amendment or a parliamentary motion.

The interpretations of the bills and motions here is derived from a summary prepared by Congressional Quarterly, the highly esteemed, nonpartisan, independent service.

AGRICULTURE

Date	Measure, question, and result	Proxmire vote
Mar. 13	S. J. Res. 162, to bar any reduction in price-supports or acreage allotments below the 1957 level for any farm commodity except tobacco. (Passed 50 to 43)	Yes.
Mar. 13	S. J. Res. 163, to bar any reduction in price supports below the 1957 level for dairy products. (Defeated 43 to 50)	Yes.
Mar. 13	S. 3420, to extend for 2 years Public Law 480 of the 83d Cong., under which agricultural surpluses are sold and traded to foreign countries; vote on Aiken amendment to eliminate requirement that Secretary of Agriculture barter up to $500 million of surplus commodities a year and permit duty-free entry of nonstrategic materials. (Agreed to 44 to 36.)	No.
Mar. 20	S. 3420; Case amendment to give Congress direct control over spending of foreign currencies received from sale of farm surpluses. (Rejected 25 to 58)	No.
Mar. 20	S. 3420; Jenner amendment to bar sales of farm surpluses to any country that has not assured the President it would not support a Communist country that went to war against the United States. (Rejected 24 to 53.)	No.
Mar. 20	S. 3420; Williams amendment to restrict extension to 1 year. (Rejected 38 to 42)	Yes.
Mar. 21	S. J. Res. 162, farm price-support freeze; vote on Ellender motion to agree to House amendments providing that price supports in 1958 and acreage allotments in 1958–59 could not be redneed below 1957 levels. (Agreed to 48 to 32.)	Yes.
July 24	S. 4071; Agricultural Act of 1958; vote on Young amendment adding to the bill a 4-year extension of the Wool Act of 1954. (Agreed to 67 to 9)	No.
July 25	S. 4071; Dirksen amendment to make dollar price-support floors on cotton, rice, and corn temporary rather than permanent. (Rejected 33 to 51)	Yes.
July 25	S. 4071; Proxmire amendment to add salt-halp dairy-stabilization plan to farm bill. (Rejected 20 to 57)	Yes.
July 25	S. 4071; Humphrey amendment to give corn and feed grain producers alternative price support of 85 percent of parity if they transfer 20 percent of feed-grain acreage to conservation reserve. (Rejected 23 to 55.)	No.
July 25	S. 4071; Proxmire-Humphrey amendment to increase dairy price supports for the marketing year 1959. (Rejected 24 to 49)	Yes.
July 25	S. 4071; Humphrey amendment to substitute price supports between 60 and 90 percent of parity but not less than $1.10 per bushel on corn for provision in bill of price supports based on previous market prices. (Rejected 24 to 49.)	Yes.
July 25	S. 4071; passage of Agricultural Act of 1958. (Passed 62 to 11)	No.
July 29	S. 4165, to establish Agricultural Research and Industrial Administration in the Department of Agriculture. (Passed 81 to 0)	Yes.
July 29	H. R. 8308, humane slaughter bill; vote on Senate Agriculture Committee version calling for a 2-year study of humane slaughtering methods. (Rejected 40 to 43.)	No.
July 29	H. R. 8308; Case amendment to clarify provision stipulating that humane slaughter laws shall not interfere with religious methods of slaughtering. (Accepted 44 to 36.)	No.
July 29	H. R. 8308; O'Mahoney amendment to recommit the bill to committee. (Rejected 29 to 53)	No.
July 29	H. R. 8308; passage of House bill forbidding Government agencies from buying meat from slaughterers who do not use humane slaughtering methods. (Passed 72 to 9.)	Yes.

APPROPRIATIONS

Feb. 3	H. R. 10146, fiscal 1958 supplemental defense appropriation bill to appropriate $1,280,000,000 and transfer $150,000,000 for accelerated missile defense program. (Passed 78 to 0.)	Yes.
Mar. 10	H. R. 10881, second supplemental appropriation bill; Hayden motion to suspend rules and amend the bill to allow cotton farmers to withdraw from Soil-Bank program and increase cotton acreage by 30 percent if they give up price-support rights on added acreage. (Rejected 36 to 48.)	No.
Mar. 11	H. R. 10881; Tiryo motion to suspend rules and amend bill to provide that price supports for dairy products for 1958 marketing year should not be less than 1957 year. (Rejected 20 to 56.)	Yes.
Mar. 11	H. R. 10881, Morse point of order against a section in bill providing $3,000 compensation for Chairman of Federal Power Commission for period between expiration of prior appointment and confirmation of present appointment. (Rejected 30 to 30.)	Yes.
July 30	H. R. 11574, fiscal 1959 appropriations for 16 independent Federal agencies; Magnuson motion to concur in a House amendment appropriating $989,939,000 to civil service retirement and disability fund. (Agreed to 44 to 30.)	Yes.
July 30	H. R. 12738, Department of Defense appropriation bill for fiscal 1959. (Passed 71 to 0)	Yes.
Aug. 14	H. R. 13450, supplemental appropriation bill for fiscal 1959; Sparkman amendment to add $75,000 for farm housing research by land-grant colleges. (Rejected 31 to 47.)	Yes.
Aug. 15	H. R. 13450, Russell amendment to bar payment of Federal funds for any study or plan for United States surrender to a foreign power. (Agreed to 66 to 2.)	Yes.
Aug. 15	H. R. 13450; Ellender amendment to delete $5,000,000 in funds for informational mediums guaranty fund of U. S. Information Agency. (Rejected 29 to 59)	No.
Aug. 30	H. R. 13450, conference report; Johnson motion to sustain Senate amendment barring appropriation of funds to National Aeronautics and Space Administration without prior authorization by Congress. (Agreed to 66 to 0.)	Yes.
Aug. 28	H. R. 13192, mutual security appropriations for fiscal 1959; Ellender amendment to reduce military assistance funds by $300,000,000. (Rejected 36 to 45)	Yes.
Aug. 29	H. R. 12181; Ellender amendment to reduce defense-support funds by $50,000,000. (Rejected 36 to 41)	Yes.
Aug. 23	H. R. 12858, Independent Offices appropriations; Williams motion to suspend rules to permit consideration of Williams amendment asking President to try to reduce Federal expenditures by 2 percent on defense appropriations and 4 percent on other appropriations. (Rejected 30 to 45.)	No.

EDUCATION AND WELFARE

Mar. 12	S. 3143, emergency housing bill; Monroney amendment to eliminate provisions authorizing Veterans' Administration to raise interest rate on GI loans from 4.5 to 4.75 percent. (Rejected 47 to 47.)	Yes.
Mar. 12	S. 3143; Knowland motion to table Capehart motion to reconsider vote on Monroney amendment. (Carried by Vice President's vote breaking 47–47 tie)	No.
Mar. 12	S. 3143; Capehart motion to table Long amendment that would urge Federal Reserve Board to try to stimulate flow of mortgage money so federally backed mortgages would be available at 4.5-percent interest. (Agreed to 45 to 43.)	No.
Mar. 12	S. 3143; passage of bill. (Passed 86 to 0)	Yes.
Apr. 1	S. 3497, Community Facilities Act of 1958, to increase from $100,000,000 to $1,000,000,000 the fund for loans to build public facilities; vote on Mansfield motion to table Knowland motion to postpone further consideration of bill until Apr. 14. (Rejected 26 to 41.)	Yes.
Apr. 1	S. 3497; Thurmond motion to cancel Knowland motion by postponing consideration of bill until Apr. 2 instead of Apr. 14. (Rejected 40 to 40)	Yes.
Apr. 1	S. 3497; Knowland motion to postpone consideration of bill until Apr. 14. (Agreed to 41 to 39)	No.
Apr. 15	S. 3497; Fulbright amendment to lower effective interest rate from 3½ to 3 percent. (Rejected 40 to 41)	Yes.
Apr. 15	S. 3497; Case amendment to incorporate provisions of Davis-Bacon Act regarding prevailing wages and 40-hour week. (Agreed to 54 to 26)	Yes.
Apr. 16	S. 3497; Thurmond amendment to substitute "reasonable terms" in provision authorizing loans when credit is "not otherwise available on equally favorable terms or conditions." (Rejected 33 to 53.)	No.
Apr. 16	S. 3497; Bush amendment to reduce authorization from $1,000,000,000 to $300,000,000. (Rejected 33 to 52)	No.
Apr. 16	S. 3497; Johnson amendment to table Bush amendment to require that at least 50 percent of the funds authorized be used for public-school construction. (Agreed to 60 to 37.)	Yes.
Apr. 16	S. 3497; passage of the bill. (Passed 60 to 26)	Yes.
May 27	H. R. 1265, Temporary Unemployment Compensation Act of 1958; Kennedy amendment to expand coverage of the act, increase weekly unemployment benefits, set a uniform 26-week duration period for all payments, and provide benefits for 1 year, for all unemployed, financed by Federal grants. (Rejected 21 to 63.)	Yes.
May 28	H. R. 13065; Kennedy amendment to extend duration of benefit payments by 16 weeks and provide for Federal administration if States do not act; and to exempt States from repaying Federal aid under the bill if they liberalize their programs or if their unemployment reserve funds are low. (Rejected 27 to 56.)	Yes.
May 28	H. R. 13065; Kennedy amendment to extend duration of benefit payments by 16 weeks and provide Federal administration if States do not act. (Rejected 36 to 47.)	Yes.
May 28	H. R. 13065; Long amendment to increase public assistance payments to the aged, blind, and disabled about $5 per month by raising maximum monthly Federal-State payment per person to $70 and increasing Federal share of the cost. (Rejected 40 to 40.)	Yes.
May 28	H. R. 13065; Knowland motion to table a motion to reconsider the vote on Long amendment. (Agreed to 41 to 38)	No.
May 28	H. R. 13065; Cooper amendment to provide for Federal administration of the temporary benefit program if the States do not act. (Rejected 26 to 54)	Yes.
May 28	H. R. 13065, passage of the bill. (Passed 80 to 0)	Yes.
Aug. 13	H. R. 13247, National Defense Education Act of 1958, to authorize approximately $1,800,000,000 in Federal grants and loans for a 7-years program of aid to students and schools; vote on McNamara amendment to add section authorizing $1,000,000,000 for 2 years for Federal grants for public school construction. (Rejected 30 to 61.)	Yes.
Aug. 13	H. R. 13247; Morse amendment to add $800 to each scholarship award to be used by the colleges and universities of the scholarship holder. (Rejected 20 to 69.)	Yes.
Aug. 13	H. R. 13247; Cooper amendment to reduce from $17,500,000 to $6,000,000 the annual authorization for national defense scholarships and limiting each award to $200 per year. (Agreed to 46 to 42.)	No.
Aug. 13	H. R. 13247; passage of the bill. (Passed 62 to 26)	Yes.
Aug. 16	H. R. 13549, Social Security Amendments of 1958, increasing benefits approximately 7 percent and increasing Federal share of public assistance payments; Yarborough amendment to increase benefits by 10 percent. (Rejected 32 to 53.)	Yes.
Aug. 22	H. R. 12728, Longshoremen's and Harbor Workers' Compensation Act revision bill; Morse amendment raising railroad retirement and unemployment benefits 10 and 20 percent, respectively. (Agreed to 80 to 2.)	Yes.
Aug. 22	H. R. 12728; Morse amendment to modify House bill by Senate bill, as above. (Agreed to 66 to 14)	Yes.
Aug. 22	H. R. 12728, passage of the bill. (Passed 71 to 12)	Yes.
Aug. 23	H. R. 13247, National Defense Education Act of 1958, conference report to authorize approximately $1,000,000,000 for a 7-year program of aid to students and schools. (Agreed to 66 to 15.)	Yes.

FOREIGN POLICY

Date	Measure, question, and result	Proxmire vote
June 4	H. R. 12181, Mutual Security Act of 1958; Proxmire amendment to place funds for military assistance and defense support under Defense Department budget. (Rejected 16 to 56.)	Yes.
June 5	H. R. 12181; Proxmire amendment to cut military assistance and defense support by $104,000,000. (Rejected 31 to 53)	Yes.
June 5	H. R. 12181; Williams amendment to bar aid to Dominican Republic. (Rejected 33 to 46)	Yes.
June 5	H. R. 12181; Knowland amendment to strike out permission for President to authorize aid to Communist-dominated nations other than Soviet Union, Communist China, and North Korea. (Agreed to 43 to 42.)	No.
June 5	H. R. 12181; Knowland motion to table a motion to reconsider vote on Knowland amendment. (Agreed to 45 to 39)	No.
June 6	H. R. 12181; Bridges amendment to eliminate provision that United States should join with other nations to assist India in completing current economic development program. (Rejected 35 to 47.)	No.
June 6	H. R. 12181; Bridges amendment to bar aid to Yugoslavia and Poland. (Rejected 22 to 54)	No.
June 6	H. R. 12181; Ellender amendment to reduce authorization for military assistance funds by $500,000,000. (Rejected 24 to 46)	Yes.
June 6	H. R. 12181; Ellender amendment to require that $200,000,000 of the $235,000,000 cut in military assistance and defense-support authorization would be taken from military assistance. (Agreed to 43 to 28.)	Yes.
June 6	H. R. 12181, passage of the bill. (Passed 51 to 17)	Yes.
June 19	S. Con. Res. 94, expressing the indignation of Congress at the Hungarian Government's execution of Imre Nagy and other leaders of 1956 revolution in Hungary. (Adopted 91 to 0.)	Yes.
July 9	Tax treaties. (Ratified en bloc 84 to 0)	Yes.
July 17	H. R. 12591, Senate committee version of the Trade Agreements Extension Act of 1958; vote on Clark amendment to make reciprocal trade program permanent. (Rejected 4 to 85.)	No.
July 22	H. R. 12591; Johnson amendment to delete section providing that a Presidential veto of a Tariff Commission escape-clause finding shall not take effect unless it is approved within 90 days by a majority of both Houses of Congress. (Accepted 63 to 27.)	Yes.
July 22	H. R. 12591; Payne amendment to provide that Congress may override the President's disapproval of a Tariff Commission recommendation within 60 days by a majority vote of each House. (Rejected 34 to 57.)	No.
July 22	H. R. 12591; Magnuson amendment to provide that Tariff Commission may be bypassed in investigation of proposed import quotas on agricultural products in order to refer case to Agriculture Department for study. (Rejected 44 to 46.)	Yes.
July 22	H. R. 12591, passage of the bill. (Passed 72 to 16)	Yes.
July 31	S. Con Res. 109; Sparkman motion to table Jenner motion to reconsider adoption of resolution expressing sense of Congress that United Nations should set up a permanent police force. (Agreed to 66 to 14.)	Yes.
Aug. 11	H. R. 12591, Trade Agreements Extension Act of 1958; adoption of conference report. (Adopted 72 to 18)	Yes.
Aug. 13	Tax treaties with United Kingdom. (Ratified 90 to 0)	Yes.

LABOR

Apr. 24	S. 2888, Welfare and Pension Plans Disclosure Act; Allott amendment to exempt welfare plans established on level-of-benefits basis (principally employer administered). (Rejected 28 to 59.)	No.
Apr. 25	S. 2888; Knowland amendment to require election of union officers by popular vote at least every 4 years and make failure an unfair labor practice and crime punishable by law. (Rejected 37 to 53.)	No.
Apr. 25	S. 2888; Knowland amendment to set conditions under which trusteeships may be established over local unions. (Rejected 35 to 53)	No.
Apr. 25	S. 2888; Knowland amendment to make illegal any payments to union representatives by agents of an employer. (Rejected 35 to 52)	No.
Apr. 25	S. 2888; Knowland amendment to authorize the Secretary of Labor to make public union financial and other reports and to notify the Attorney General of any false information he believes has been filed. (Rejected 33 to 53.)	No.
Apr. 25	S. 2888; Knowland amendment to bar as an exclusive bargaining agent any union that refuses to grant equal rights and privileges to all members. (Rejected 28 to 53.)	No.
Apr. 28	S. 2888; Smith amendment to eliminate a Taft-Hartley Act provision barring strikers permanently replaced during a strike from voting in representation elections. (Rejected 33 to 50.)	No.
Apr. 28	S. 2888; Smith amendment to permit the National Labor Relations Board to certify unions in the building construction industry as exclusive bargaining agents without prior election. (Rejected 34 to 52.)	No.
Apr. 28	S. 2888; Mundt amendment to direct Secretary of Labor to publish reports on violations of S. 2888 or mishandling of union funds. (Rejected 22 to 67)	No.
Apr. 28	S. 2888; Watkins amendment to permit NLRB to decline jurisdiction in labor disputes which do not have a substantial effect on commerce and to permit the States to assert jurisdiction in such cases. (Rejected 35 to 51.)	No.
Apr. 28	S. 2888; Curtis amendment to tighten Taft-Hartley Act prohibition against secondary boycotts by prohibiting certain types of picketing and coercive acts. (Rejected 26 to 60.)	No.
Apr. 28	S. 2888; Mundt amendment to bar anyone ineligible to vote because of a State or Federal conviction from serving as a manager, trustee, or employee of an employee welfare or pension fund. (Agreed to 90 to 0.)	Yes.
Apr. 28	S. 2888; Knowland amendment to permit NLRB to invalidate a union election in which a member has been deprived of his vote contrary to union rules, provided denial could have affected the outcome of the election. (Rejected 35 to 53.)	No.
Apr. 28	S. 2888, passage of the bill. (Passed 88 to 0)	Yes.
June 12	S. 3974, Labor-Management Reporting and Disclosure Act of 1958; Cooper amendment to empower Secretary of Labor to subpena individuals and records when making investigations authorized by the act. (Agreed to 86 to 0.)	Yes.
June 12	S. 3974; Cooper amendment to require unions and their officers to report to each of their members the same information that must be reported to Secretary of Labor under the act. (Agreed to 85 to 0.)	Yes.
June 12	S. 3974; Javits amendment to bar from union office for 5 years any person found after a hearing to have failed to file information required under the act. (Agreed to 86 to 0.)	Yes.
June 12	S. 3974; Ives amendment to strike from the bill a provision exempting unions with less than 200 members from reporting and disclosure requirements. (Agreed to 79 to 1.)	Yes.
June 12	S. 3974; Goldwater amendment to strike out language narrowing definition of "supervisor" under the Taft-Hartley law. (Rejected 38 to 47)	No.
June 12	S. 3974; Allott amendment to assure that conferences and associations of labor representatives are subject to act. (Agreed to 83 to 2)	Yes.
June 13	S. 3974; Holland amendment to permit States and territories to regulate or prohibit strikes in public utilities. (Rejected 27 to 60)	No.
June 13	S. 3974; Ives amendment to substitute for pending Watkins amendment language to require NLRB to assert jurisdiction in all cases arising under National Labor Relations Act. (Rejected 43 to 46.)	Yes.
June 13	S. 3974; Watkins amendment to permit States to assert jurisdiction over labor disputes NLRB declines to handle. (Rejected 37 to 53)	No.
June 13	S. 3974; Smith amendment to impose fiduciary responsibility on persons handling union moneys and permit members to sue in Federal courts against misuse. (Rejected 42 to 47.)	No.
June 14	S. 3974; Smith amendment to bar access to NLRB to any union that has not filed with the Secretary of Labor and made available to members the organizational and financial documents and reports required by the act. (Rejected 30 to 53.)	No.
June 14	S. 3974; Knowland amendment to require unions, on petition of 20 percent of members, to hold secret-ballot referendums on recall of officers or changes in bylaws. (Rejected 31 to 52.)	No.
June 14	S. 3974; Capehart amendment to provide that on petition of 15 of membership, a local union must call a meeting to consider removing officers. (Rejected 27 to 52.)	No.
June 14	S. 3974; Mundt amendment to provide that union officers may be removed by members' majority vote equal to at least 60 percent of total votes cast when the officer was elected. (Rejected 24 to 58.)	No.
June 14	S. 3974; Ervin amendment to require secret-ballot election of international union officers at least once every 4 years and of local officers at least every 3 years. (Agreed to 78 to 4.)	Yes.
June 14	S. 3974; Ervin amendment to insure union members the right to remove officers for cause by majority vote. (Agreed to 47 to 35)	Yes.
June 16	S. 3974; Mundt amendment to require employers to sign non-Communist affidavits in order to gain access to NLRB and to retain a similar Taft-Hartley Act requirement for union officers. (Agreed to 66 to 20.)	Yes.
June 16	S. 3974; Curtis amendment to bar "hot cargo" contracts and strengthen existing laws against secondary boycotts and recognition and organizational picketing. (Rejected 32 to 51.)	No.
June 16	S. 3974; Potter amendment to permit the Secretary of Labor, on complaint of union member, to bring civil suit for recovery of member's dues if union funds are not being used solely for collective bargaining and related activities. (Rejected 30 to 51.)	No.
June 17	S. 3974; Knowland amendment to bar union contract no-strike clauses unless approved by a majority of membership by secret ballot. (Rejected 32 to 57)	No.
June 17	S. 3974; Mundt amendment to require union elections to be supervised by a membership board of representatives of all candidates but excluding candidates and union officers. (Rejected 44 to 45.)	No.
June 17	S. 3974; McClellan amendment to strike out a provision permitting building trades and construction employers to conclude contracts with unions that have not won a representation election. (Rejected 29 to 60.)	No.
June 17	S. 3974, passage of the bill. (Passed 88 to 1)	Yes.

MILITARY AND VETERANS

Date	Measure, question, and result	Proxmire vote
Apr. 29	H. R. 11470, to raise pay of all military personnel. (Passed 87 to 0)	Yes.
July 18	H. R. 12541, Senate version of Department of Defense Reorganization Act of 1958. (Passed 80 to 0)	Yes.
July 30	H. R. 13015, to authorize $1,700,000,000 for military construction in fiscal 1959. (Passed 80 to 0)	Yes.
Aug. 12	S. 2266, wage rates at Portsmouth (N. H.) Navy Yard; to override President's veto. (Passed over veto 69 to 20)	Yes.

MISCELLANEOUS AND ADMINISTRATIVE

Feb. 5	S. Res. 231, providing funds for investigations by Senate Judiciary Subcommittee on Antitrust and Monopoly; Knowland amendment to cut funds to $260,000 instead of $365,000. (Rejected 28 to 61.)	No.
Feb. 5	S. Res. 250, providing $150,000 for investigations by Senate Rules and Administration Subcommittee on Privileges and Elections; Curtis amendment to limit subcommittee staff. (Rejected 25 to 49.)	No.
Feb. 6	S. Res. 256; Johnson resolution to establish a special Senate Committee on Astronautics and Space Exploration. (Adopted 78 to 1)	Yes.
Feb. 26	H. R. 5836, Postal Rate Increase Act; Monroney amendment to set uniform 4-cent rate on 1st-class mail, deleting provision for 5-cent rate. (Rejected 42 to 49.)	Yes.
Feb. 27	H. R. 5836; Proxmire-Clark amendment to place $1,800,000 annual limit on mail "subsidy" received by any publisher of magazine or 2d-class mailing matter. (Rejected 33 to 57.)	Yes.
Feb. 27	H. R. 5836; Monroney amendment to recommit the bill with instructions to eliminate the 5-cent nonlocal 1st-class letter rate. (Rejected 40 to 48)	Yes.
Feb. 27	H. R. 5836; Morse amendment for larger increase in 2d-class rates for advertising in newspapers and magazines. (Rejected 17 to 71)	Yes.
Feb. 28	H. R. 5836; Carroll amendment to retain present 2d-class rate for nonprofit publications. (Rejected 35 to 49)	Yes.
Feb. 28	H. R. 5836; Javits amendment to provide 2-cent, instead of 2½-cent, rate on certain 3d-class mail. (Rejected 6 to 79)	No.
Feb. 28	H. R. 5836; Carlson amendment to revise pay increase provisions for postal workers. (Rejected 29 to 54)	No.
Feb. 28	H. R. 5836; Long amendment to provide temporary cost-of-living pay increases for postal supervisors as well as lower level employees. (Accepted 50 to 31.)	Yes.
May 14	Nomination of Gordon M. Tiffany as staff director of Civil Rights Commission. (Confirmed 67 to 13)	Yes.
May 21	H. R. 5836, Postal Rate Increase Act, including postal employees' pay increase; conference report. (Agreed to 88 to 0)	Yes.
June 27	H. R. 7999, statehood for Alaska; Monroney amendment to substitute commonwealth status instead of statehood. (Rejected 29 to 50)	No.
June 27	H. R. 7999; Eastland point of order to delete as unconstitutional Presidential power to withdraw lands for defense purposes. (Rejected 28 to 53)	No.
June 30	H. R. 7999; Eastland point of order on grounds of unconstitutionality of senatorial election provision. (Rejected 22 to 62)	No.
June 30	H. R. 7999; Stennis motion to refer bill to Armed Services Committee. (Rejected 31 to 55)	No.
June 30	H. R. 7999; Stennis motion to table amendment to eliminate section for national-defense withdrawals by Executive order. (Rejected 16 to 67)	No.
June 30	H. R. 7999; Thurmond amendment to eliminate section for national-defense withdrawals by Executive order. (Rejected 16 to 67)	Yes.
June 30	H. R. 7999, passage of the bill. (Passed 64 to 20)	No.
July 1	H. R. 7963, Small Business Act; Thye amendment to make Small Business Administration a permanent Federal agency. (Accepted 55 to 26)	Yes.
July 1	H. R. 11451, to authorize Federal construction and sale to private steamship line of 2 super ocean liners; vote on adoption of conference report eliminating provision barring free or reduced rates for Government employees and Congressmen traveling at their own expense. (Agreed to 51 to 20.)	No.
July 1	H. R. 11451; adoption of the conference report. (Agreed to 41 to 18)	No.
July 23	S. Res. 264, expressing Senate's wish for Cabinet Committee study of proposed International Development Association as affiliate of World Bank; vote on Capehart amendment to provide for study of all existing international loan agencies. (Rejected 40 to 47.)	Yes.
July 23	S. Res. 264, adoption of the resolution. (Adopted 62 to 25)	Yes.
July 31	H. R. 8002, to provide that appropriations requests to Congress be accompanied by a proposed limitation on annual accrued expenditures. (Passed 68 to 6.)	No.
Aug. 6	S. 1846, District of Columbia Charter Act; Morse amendment to substitute Commission to draft home-rule charter to be voted on by District residents. (Rejected 17 to 63.)	No.
Aug. 6	S. 1846, passage of the bill to set up territorial government for the district. (Passed 61 to 22)	Yes.
Aug. 14	S. 2983, amended bill to block proposed 32-foot extension of east front of the Capitol. (Rejected 32 to 47)	Yes.
Aug. 18	S. Res. 302-374, citing 13 persons for contempt of Congress for refusing to answer questions of Senate Select Committee on Improper Activities in Labor or Management Field. (Adopted en bloc 87 to 0.)	Yes.
Aug. 18	Nomination of W. Wilson White as Assistant Attorney General in charge of Justice Department's Civil Rights Division. (Confirmed 56 to 20)	Yes.
Aug. 19	H. R. 11477; Senate version of Mallory rule bill to bar Federal court judges from disqualifying confessions of suspects solely because of delay in bringing suspect for arraignment; vote on amendment inserting word "reasonable" before word "delay." (Accepted 41 to 39.)	No.
Aug. 19	H. R. 11477; Ervin amendment empowering trial judge to determine whether delay in arraignment is reasonable. (Rejected 18 to 62)	Yes.
Aug. 19	H. R. 11477; Morse amendment to bar interrogation of suspect or admissibility of suspect's statement unless he first was informed of nature of accusation and of his rights. (Rejected 13 to 64.)	No.
Aug. 19	H. R. 11477; passage of bill. (Passed 65 to 12)	Yes.
Aug. 20	H. R. 6789, minor court bill; vote on Hennings motion to table Jenner amendment to limit appellate jurisdiction of the Supreme Court. (Agreed to 49 to 41.)	Yes.
Aug. 20	S. 654, permitting States to enact laws barring subversive activities; vote on Hennings motion to table McClellan amendment to provide that no act of Congress should be construed as nullifying State laws on the same subject unless Congress so specified or there was an irreconcilable conflict between a State and Federal law. (Rejected 39 to 46.)	Yes.
Aug. 20	S. 654; Bennett motion to table McClellan motion to reconsider rejected Hennings motion, as above. (Adopted 47 to 40)	No.
Aug. 20	Johnson motion to adjourn until noon, Aug. 21. (Adopted 70 to 18)	Yes.
Aug. 21	S. 654; Carroll motion to recommit bill to Senate Judiciary Committee. (Adopted 41 to 40)	Yes.

TAXES AND ECONOMIC POLICY

Feb. 20	H. R. 5822, to permit subsidized airlines to retain net capital gains from sale of old equipment for reinvestment in new flight equipment; vote on Lausche amendment to require payment of the capital gains to the Government over a 6-year period. (Rejected 14 to 70.)	Yes.
Feb. 20	H. R. 5822; adoption of the bill. (Rejected 12 to 74)	No.
Feb. 24	H. R. 9055, to increase temporarily the national debt limit by $5,000,000,000 to $290,000,000,000; Cotton motion to recommit the bill. (Rejected 12 to 74)	No.
Feb. 24	H. R. 9055; Lausche amendment to limit the increase to $3,000,000,000. (Rejected 27 to 56)	Yes.
Mar. 12	S. Con. Res. 68, calling on President, as an antirecession measure, to accelerate spending of funds already appropriated for civil construction projects. (Approved 93 to 1.)	Yes.
Mar. 13	H. R. 10021, to extend 1955 formula for taxing income of life-insurance companies; vote on Douglas amendment to cut taxes $5,200,000,000 by reducing individual income-tax rate and repealing or reducing certain excise taxes. (Rejected 14 to 71.)	Yes.
Mar. 14	H. R. 10021; Proxmire-Yarborough amendment to increase personal income-tax exemption for individuals from $600 to $800. (Rejected 19 to 64)	No.
Mar. 14	H. R. 10021; passage of the bill. (Passed 61 to 19)	Yes.
Mar. 14	S. Con. Res. 69, calling on President, as an antirecession measure, to accelerate spending of funds already appropriated for military construction projects. (Adopted 76 to 1).	No.
Mar. 26	S. 3414, Federal Highway Act of 1958; vote on Hruska amendment to permit erection on interstate highways of signs of any size authorized by State law. (Rejected 31 to 58.)	No.
Mar. 26	S. 3414; Kerr amendment to strike out provision providing bonus in Federal interstate highway funds for States that regulate billboard advertising on new portions of Interstate Highway System. (Rejected 41 to 47.)	No.
Mar. 26	S. 3414; Hruska amendment to strike out provision limiting conditions under which Federal Government reimburses States for costs of relocating utility facilities on federally aided highways. (Agreed to 47 to 38.)	Yes.
Mar. 27	H. R. 9821, with Senate version substituted for House text of Federal-Aid Highway Act of 1958; vote on passage. (Passed 84 to 4)	Yes.
Apr. 2	S. 497, River and Harbor Flood Control Act of 1958, authorizing $1,500,000,000 for construction by Army Corps of Engineers; vote on conference report. (Agreed to 52 to 11.)	No.
May 13	S. 3683, Area Redevelopment Act to provide $379,500,000 in Federal loans and grants for redevelopment of localities suffering chronic unemployment; vote on Bush amendment to prohibit loans to help an industry relocate from one area to another. (Rejected 26 to 59.)	Yes.
May 13	S. 3683, passage of the bill. (Passed 46 to 36)	Yes.
June 17	S. 3910, River and Harbor Flood Control Act of 1958, revised version of vetoed bill authorizing $1,500,000,000. (Passed 75 to 1)	Yes.
June 18	H. R. 12695, 1-year extension of existing corporate and certain excise taxes; vote on Douglas amendment to reduce taxes by $6,000,000,000 by cutting personal income taxes 15 per person, repealing certain excise taxes, and giving tax relief to small business. (Rejected 23 to 65.)	Yes.
June 19	H. R. 12695; McNamara amendment to repeal 10-percent excise tax on passenger cars, 8 percent excise tax on auto parts and accessories, and reduce from 10 to 5 percent excise tax on trucks and buses. (Rejected 32 to 59.)	Yes.
June 19	H. R. 12695; Kefauver amendment to refund to manufacturer ½ of excise tax on automobiles if paid by him directly to the ultimate purchaser. (Rejected 24 to 66.)	Yes.
June 19	H. R. 12695; Smathers amendment to repeal 3-percent tax on freight transportation. (Agreed to 59 to 25)	Yes.
June 19	H. R. 12695; Smathers amendment to repeal 10 percent on passenger transportation. (Agreed to 50 to 35)	Yes.
June 20	H. R. 12695; Potter amendment to reduce excise tax on automobiles to 5 percent. (Rejected 32 to 44)	Yes.
June 20	H. R. 12695; Fulbright amendment to reverse existing normal tax and surtax rates so as to reduce corporate tax rates on 1st $25,000 of taxable income by $2,000. (Rejected 34 to 45.)	Yes.
June 20	H. R. 12695; Douglas amendment to reduce certain excise taxes and repeal others. (Rejected 20 to 55)	Yes.
June 20	H. R. 12695; Douglas amendment to repeal 10 percent excise tax on local telephone calls. (Rejected 32 to 43)	No.
July 11	S. 4036, Domestic Minerals Stabilization Act of 1958 to establish support program for domestically mined zinc, lead, tungsten, and acid-grade fluorspar, and a 1-year stockpile-purchase plan for copper; vote on Williams amendment to delete price supports for tungsten. (Rejected 25 to 57.)	Yes.
July 11	S. 4036; Williams amendment to eliminate authority in bill for Secretary of Interior to borrow up to $350,000,000 from the Treasury. (Rejected 28 to 54)	No.

TAXES AND ECONOMIC POLICY—Continued

Date	Measure, question, and result	Proxmire vote
July 11	S. 4036, passage of the bill. (Passed 70 to 12)	Yes.
Aug. 11	H. R. 7125, Excise Tax Technical Changes Act of 1958; Thye amendment to strike out increase from 8 to 20 years for period in which excise tax payments may be deferred on whisky in bond. (Rejected 39 to 51.)	No.
Aug. 11	H. R. 7125; Williams amendment to reduce annual oil and gas percentage depletion allowance from 27.5 percent to 15 percent. (Rejected 26 to 63)	Yes.
Aug. 11	H. R. 7125; Proxmire amendment to revise oil and gas percentage depletion allowance to 15 percent for producers with gross annual income of $5,000,000 or more; to 21 percent for those with incomes between $1,000,000 and $5,000,000; and to 27.5 percent for producers with incomes under $1,000,000. (Rejected 31 to 58.)	Yes.
Aug. 12	H. R. 7125; Malone amendment to reduce cabaret tax from 20 percent to 10 percent. (Rejected 39 to 51)	Yes.
Aug. 12	H. R. 8381, Technical Amendments Act of 1958; vote on Kerr appeal from ruling of presiding officer that amendments adding text of Self-Employed Individuals Retirement Act (H. R. 10) were germane. (Ruling rejected 32 to 52.)	Yes.
Aug. 18	H. R. 469, Textile Fiber Products Identification Act; vote on Pastore motion to recommit the bill to Interstate and Foreign Commerce Committee. (Rejected 36 to 47.)	No.
Aug. 22	H. R. 13580, to increase the permanent public debt limit from $275,000,000,000 to $283,000,000,000 and temporary limit to $288,000,000,000 through June 30, 1959. (Passed 57 to 20.)	No.
Aug. 24	H. R. 2, to authorize a 3-year diversion of water from Lake Michigan into the Illinois Waterway; vote on McNamara amendment to specify that the limit be for a 1-year period. (Adopted 29 to 28.)	Yes.
Aug. 24	H. R. 2; Potter motion to table the bill. (Rejected 28 to 30)	Yes.
Aug. 24	H. R. 2; Morton motion to table a Douglas motion to recommit the bill to committee with instructions to report back immediately with McNamara amendment removed. (Rejected 28 to 38.)	Yes.

VOTING PARTICIPATION	Percent
Percentage of all rollcalls in which Senator PROXMIRE voted	100

ATTENDANCE RECORD	
Percentage of all quorum calls in which Senator PROXMIRE was present	100

Conservation Reserve Program Limitation

EXTENSION OF REMARKS
OF
HON. WILLIAM LANGER
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES

Saturday, August 23, 1958

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD letters relative to problems encountered under the $5,000 limitation in the conservation reserve program.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION
AND CONSERVATION COMMITTEE,
Fargo, N. Dak., August 12, 1958.

Hon. WILLIAM LANGER,
United States Senate.

DEAR SENATOR LANGER: Enclosed is a copy of a letter which we sent to our Northwest area office in Washington relative to the $5,000 limitation in the conservation reserve program, and which further states the problems that will be encountered in North Dakota in administering the program with this limitation.

You may use this information for whatever purpose you wish to further the cause.

Sincerely yours,
ALBERT J. SANDNESS,
State Administrative Officer.

AUGUST 12, 1958.

Hubert E. Dyke, Director, Northwest Area, CSS, Washington, D. C.

Albert J. Sandness, State Administrative Officer, North Dakota ASC Office, Fargo, N. Dak.

FIVE-THOUSAND-DOLLAR LIMITATION—CONSERVATION RESERVE PROGRAM

In accordance with your request made at the regional meeting in Omaha, we are submitting information relative to the problems that will be encountered in North Dakota with regard to the maximum limitation of $5,000 under the conservation reserve program. This will also confirm information given to your office by telephone on August 11, 1958.

The State committee estimates that there will be 10,000 farms in North Dakota that will fall in the category of having more cropland than can be put in the program because of the $5,000 limitation. This estimate is based on the State average of an average farm in North Dakota.

The estimate of the number of farms with all eligible land in both conservation reserve and acreage reserve in 1958 and with not a sufficient amount of permitted acres to provide for planting of the acreage allotment in 1959 is 250 farms.

Example farm located in Barnes County:
Cropland, 652 acres.
Soil Bank base, 480 acres.
Nineteen fifty-seven conservation reserve (regular rate), 480 acres times $10 equals $4,800.
Nineteen fifty-seven conservation reserve (nondiversion rate), 65 acres times $3 equals $195.
Total in conservation reserve, $4,995.
Participated in acreage reserve with 107 acres, or the balance of his eligible land, in 1956 and 1957.

AUGUST 15, 1958.

Hon ALBERT J. SANDNESS,
Administrative Officer, State ASC Committee, Fargo, N. Dak.

DEAR MR. SANDNESS: Thank you so very much for your letter of the 12th relative to the limitation in the conservation reserve program.

I am taking the liberty of placing your letter in the CONGRESSIONAL RECORD so that I may bring it to the attention of every Senator and Congressman.

With kindest regards and every good wish, I am,

Sincerely,
WILLIAM LANGER,
United States Senator.

The Perfidy of Modern Soviet Colonialism

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, August 23, 1958

Mr. KEATING. Mr. Speaker, the Communist masters of deceit have been able to get away with the greatest swindle of all in the area of their so-called colonialism. No other government or political party in the world has been so vociferously abusive of colonialism as that of the Kremlin. It is interesting to note that the official Soviet Encyclopedia—volume 22, second edition Moscow, 1953—devotes no less than 17 double column and fine print pages to "Colonialism" and "Colonies" in which we find such gems as the following:

In colonial possessions of the United States of America there were 46 banks in 1950. In addition, more than 10 United States banks function beyond the borders, mostly in dependent countries. Only the 4 largest banks of the United States of America (Bank of America, Chase National Bank, National City Bank of New York, and First National Bank of Boston) had in 1951 in colonial possessions of the United States of America as well as abroad 80 branches and 8 agencies, including: in Latin America 59 and 2 respectively, in Asia 20 and 1, in Africa 1 agency, and in Western Europe 9 and 4. A majority of Canadian banks, and other foreign banks are controlled by the United States of America.

According to Communist "science," and the word science is put here in quotation marks advisedly, the entire non-Communist part of the world is guilty of practicing colonialism, and mankind can hope for complete abolition of colonialism only under victorious communism.

In the Soviet and Communist vocabularly, all forms and aspects of a good-neighbor policy, reconstruction program, aid to underdeveloped areas program, and so forth, are branded as American capitalist colonialism.

Who else but we Americans, both those who descended from forefathers who broke the yoke of English colonialism in 1776, as well as those who are descended from or even personally fled from a colonial system including the Russian, to find a new life of equality here, have the right to tell the world and particularly the bosses in the Kremlin what colonialism means and what it does not mean, and tell the world who is today the one remaining true colonial empire in the world?

The Communists define colonies as follows:

Countries deprived of political and economic independence, countries oppressed and subjected to a rule of capitalist states. (Sov. Enc. vol. 22, p. 30).

We do not have to venture far to find which countries do, and which do not fit within the formula of this Soviet definition. Moscow would have us believe that all Latin American countries fit the definition, being allegedly deprived of economic independence by United States banks and their branches. Still, Communist-inspired mobs in these countries were free to stone and spit on Vice-President NIXON, and no tanks or machineguns were used against them in retaliation. On the other hand, "sovereign and independent" Hungary whose toilers merely demanded a voice in the management of their factories (establishment of so-called workers councils in each major plant was one of the main demands of the rebel workers in November 1956) and removal of Soviet troops resulted in a bloodbath the like of which the world had not seen in a long time. How far politically and economically independent are Poland, Bulgaria, Czechoslovakie, Rumania, and the Baltic countries, that they could qualify to be called noncolonies even according to the Communist definition? How much sovereignty and economic independence has been left to Ukraine, Byelorussia, Georgia, Armenia and the others of the 15 so-called sovereign Soviet republics that they could justly be defined as not being colonies, oppressed and subject to the rule of Moscow?

In the area of political independence, the attributes of sovereignty of the satellite countries are merely superficial: Supposedly independent delegations represent such countries as Poland and Hungary in the United Nations, but when the occasion arises to speak in the U. N. or to vote, they follow blindly the rote prescribed for them by Moscow; in military affairs, the situation is even more flagrant. Whereas Soviet diplomats were full of holy indignation at American landings of marines in Lebanon at the request of the lawful Lebanese Government, that same Kremlin thinks nothing of keeping Soviet troops in the hundreds of thousands on the territory of such allegedly sovereign states as East Germany, Poland, Hungary, and many others. The Kremlin never asked any leave or permission from a single one of the "people's democracies" before stationing its troops on their soil—and making them pay for their upkeep, too.

Two other countries conquered by Moscow, not in the category of satellites, are members of the United Nations. They are Ukraine and Byelorussia. Moscow goes to no end of trouble to tell the world that these countries are free and sovereign. And yet, cold facts prove that they are colonies of the most ruthlessly exploited rank. Some of these facts are: All economic plans, be it 5-year, or other, are laid down for these countries by Moscow, and they merely exercise the prerogative of supervising the exploitation and stripping of their lands to the benefit of Moscow. Ukraine, for example, produces about 70 percent of all sugar of the U. S. S. R., and yet the consumption of sugar per capita of population is well below the average standard in Ukraine, and much lower than in the Russian Soviet Republic. Iron ore, pig iron, and a number of rare nonferrous metals of which Ukraine is a leading producer are ordered by Moscow to be delivered to the metallurgic industry of Czechoslovakia and other satellites, to be made into arms and traded away by Moscow to areas where Moscow wishes to set incendiary fires for a future war which is to end in Communist or Moscow's conquest of the world.

One of the most cruel jokes played upon a nation proclaimed to be sovereign was the Kremlin's gift of a complete steel mill to India. This valuable gift donated by Khrushchev and Bulganin, and worth upward of $100 million, and for which the people and Government of India have been thanking the Soviet people, their government and Russia, was in reality imposed upon the shoulders of the Ukrainian people. The mill is being completed in Ukrainian plants and the workers are made to contribute their labor free while Moscow acknowledges the thanks of India. It is doubtful whether a like example of colonial exploitation ever occurred anywhere before.

It is very significant that the growth and expansion of the Soviet colonial empire centered in Moscow has not, in a single instance, been accomplished by any proletarian revolution, but always by maneuvers of Communist agents supported by the might of the Red army. In the early stage of the Communist empire such countries as Ukraine, Georgia, Armenia, Turkestan, and others were simply conquered by force of arms. A similar pattern was followed in the Baltic area—Latvia, Lithuania and Estonia—and subsequently Hungary, Poland, and others. Along this line of penetration where there was expectation of least resistance, the Kremlin is not too anxious to promote a proletarian industrial workers' revolution in highly developed countries such as Britain or Western Europe, but foments false revolutions in backward colonial countries. Along this line they have achieved notable results in Korea, Vietnam, and other parts of Asia.

Perhaps it would not be out of place to cite here portions of a very significant newspaper article which appeared in the leading Belgian daily, La Libre Belgique, in Brussels on August 21, 1958, and entitled: "Russian Colonialism at the Brussels Exposition."

It should be remembered that the U. S. S. R. is a multi-national state with over 200 million people and a territory of 23.3 million square kilometers, composed of 15 federated republics which, according to the most democratic Soviet constitution "are sovereign and independent." According to the constitution, the federated nations even have the right "to secede from the U. S. S. R." whenever they feel like it. Each of these nations has its own culture. Their languages are completely different from the Russian. The nature of their national aspirations, their histories, their governments and institutions are specific. The most divergent climates, civilizations, races, and religions create an imprint upon each of these nations of the Soviet empire, and Moscow always wants to keep that empire "one and indivisible."

The bulk of visitors to the fair does not notice the special aspect of Russian presence. But what is glaring is the absence at the fair of the non-Russian nations of the U. S. S. R., an absence, incidentally, willed by the Russians, mainly for political reasons. The entrance to the Soviet pavilion is decorated with 15 flags of 15 republics, reminding one of the multi-national character of the U. S. S. R. • • • In its propaganda Moscow alleges that the U. S. S. R. not only met the national aspirations of all nations, but also gave them the status of states, and brought Ukraine and Byelorussia into the United Nations, while the West continues its colonial policy in Asia, Africa, and Latin America. • • •

The coats of arms of the republics carry inscriptions in their native languages. • • •

How much, in truth, however, do these accessories of freedom give to their respective nations? And those too, whom Moscow promises to liberate?

If a visitor, however, wanted to ask in the Soviet pavilion about Ukrainian books, they will look at him with suspicion, nay, even with irritation. All scientific and literary books in the Russian language, however, are shown in massive numbers.

Near the books one can see a large portrait of the greatest Ukrainian poet, Shevchenko—but there is only his name without any explanation, and it hangs alongside portraits of Pushkin and Lermontov. A person not acquainted with Ukrainian literature—and this is true of most visitors—will take Shevchenko for a Russian writer (Shevchenko was sentenced for his Ukrainian patriotic works and deported to Asia in 1847 with prohibition of writing and painting).

It is really a difficult job to find any copies of Ukrainian publications in the multitude of journals, monthlies, and other publications in Russian, or of any other non-Russian nation. We cite the example primarily of Ukraine because this "independent Soviet republic" with over 42 million people and an area larger than France, occupies second place after the Russian Soviet Republic (R. S. F. S. R.). Ukraine's economic importance, strategic and political position, culture, and the Ukrainian struggle for freedom give Ukraine a key position not merely within the U. S. S. R., but in all of Eastern Europe.

If we compare these Soviet Republics, alleged to be independent, with British Dominions or with French mandates, we find that the latter enjoy much more independence than Ukraine, Byelorussia, Georgia, Lithuania. • • • "Colonial" France, however, has put up in her pavilion a special section for Algiers, "Colonial" Belgium built a separate pavilion for Congo and organized Congo National Days • • • but the U. S. S. R. did not even give a little stand to any of its "independent and equal" republics. On the contrary, great care has been taken to negate their national treasures in order to list them in the ledger of the Russian nation.

Such nations as Ukraine are fighting not merely for a change of the regime, but primarily for liberation from Moscow's imperialism imposed upon them by that regime.

Mr. Speaker, it is significant to note that these acid comments on the Soviet repression of the nations within its orbit, were printed in one of the most highly respected Belgian newspapers. La Libre Belgique has been published daily for the past 75 years and it enjoys a great prestige among a broad audience. Therefore, this paper's acute observations on the Kremlin's perfidy deserve special attention.

The ruthless and methodical manner in which the leaders of the Kremlin have attempted to obliterate the proud nations behind the Iron Curtain is a chapter written in treason and spelled out in

cruelty. It is a record which must be constantly brought home to the people of America and the people of the Free World, lest we forget the vile nature of the international Communist conspiracy which seeks to destroy all liberty everywhere.

As this session of Congress ends, it would be well for each of us to rededicate ourselves to the principle that the countries now chained in the Soviet prison of nations must one day be free. We must rededicate ourselves to the task of liberating the noble people trapped behind the Iron Curtain. Until these brave people bask again in the sunlight of freedom, until these valiant nations once more assume their rightful place among the family of free nations, no man of good will, no true believer in liberty and democracy can rest. I pledge myself to work unceasingly for this rebirth of freedom. I am confident my colleagues and the people of our Nation are joined with me in this mighty crusade.

Progress on the St. Lawrence Seaway

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a brief statement which I have prepared on the progress of the St. Lawrence Seaway.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

As a long-time battler for full development of the St. Lawrence Seaway, I am delighted that progress is moving ahead on this great project.

According to present schedule, completion of the seaway will be achieved by April 1959.

During this year there have been splendid advancements. Recently, I have had the pleasure of attending dedication ceremonies of the Wiley-Dondero locks and the Wiley-Dondero channels of the seaway. In addition, we witnessed the completion of the Eisenhower locks and other steps of progress.

A major challenge, of course, is to get completion also of the connecting channels at the west end of Lake Erie. The purpose is to deepen the channels for deep-sea shipping, to give the Great Lakes States, west of Lake Erie, including Wisconsin, full benefit of the seaway as early as possible.

Fortunately, we, as supporters of the seaway, were able to get the original budget request for work on the connecting channels raised from the $18 million, first, by $5.5 million to $23.5 million; then to $25.5 million, with additional authority for the Chief of Engineers to transfer up to 15 percent of that amount from other funds to construction work on the channels. As a result, the total of $29,325,000 is now available for construction work.

The completion of this great tradeway—accessible to western Great Lakes States through the connecting channels—promises great things for the people of the agricultural-industrial complex of the upper Midwest, including Wisconsin, and the Nation.

Report to 11th Congressional District of Michigan

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, August 23, 1958

Mr. KNOX. Mr. Speaker, under leave to extend my remarks in the RECORD, I take this opportunity to provide the residents of the 11th Congressional District of Michigan with a brief résumé of major legislation and of my activities as their Representative in the 85th Congress.

I consider one of my primary responsibilities is keeping my constituents informed of the activities of the Congress. During the sessions of the Congress I have reported to them by means of weekly radio and TV broadcasts. I have also dispatched press releases at times when I considered it imperative that they be informed. Now at the close of the 85th Congress there is a need of bringing the activities of the Federal Government close to those who are affected by the laws which we pass, and who must assume the burden of the cost of the vast operation of the Federal Government.

NATIONAL DEFENSE

To streamline the operations of our national defense program, Congress passed the defense reorganization bill, as recommended by the President, which promises both efficiency and economy in the most costly of our Government operations. The defense reorganization bill is a step in the right direction, and was long needed to eliminate overlapping of authority and certain rivalries between the various branches of the service.

To further enhance our national defense, Congress created a National Space Agency; passed the atomic facilities bill; raised military pay; and authorized nuclear navy construction.

INTERNATIONAL AFFAIRS

Mutual security was authorized with an appropriation of $3,298,092,500. Reciprocal trade agreements were extended giving the executive department authorization to regulate and lower tariffs for 4 more years.

GOVERNMENT REORGANIZATION

H. R. 8002, one of the major Hoover Commission recommendations which grants Congress control over unused appropriations was passed. This legislation makes it necessary for the various departments of Government to return to the Treasury surplus funds which previously had been carried over from one year to the next.

SOCIAL SECURITY

The benefits under the Federal old-age, survivors, and disability insurance system were increased by 7 percent. Benefit increases will be provided effective with benefit checks received in February of 1959 with respect to the month of January 1959 by a minimum amount of $3 and the maximum amount of $7.50 per month for a primary insured individual who is currently on the benefit rolls. Persons retiring in the future will be eligible for a maximum benefit of $127 compared to the existing maximum of $108.50. The minimum primary insurance amount is increased from $30 to $33. Comparable adjustments will be made with respect to individual benefits and the maximum family benefits have been increased from $200 per month to $254.

The contributors' rate is increased by one-fourth percent applicable to both employee and employer over the rates provided under existing law with a corresponding increase for the self-employed of three-eighths percent. The schedule of four additional tax increases projected under present law at 5-year intervals up through 1975 are accelerated so that the contribution schedule will become fully mature at 4½ percent in 1969. This is applicable to both the employee and employer. The maximum annual amount of earnings on which workers will pay social-security taxes has been increased from $4,200 to $4,800.

The new law increases from $60 to $65 the maximum amount of public assistance benefits to which the Federal matching is available for old-age assistance, aid to the blind, and aid to the disabled. In the case of aid to dependent children the maximum Federal matching is applied to a dollar figure of $32 a month for the first dependent child in the home, $23 for each additional child in the home, and $43 a month for the relative caring for the dependent child or children. The new average method of computing amounts to which a State is entitled to Federal reimbursement is included in the new law. This is expected to increase the amount of Federal funds available in a State such as Michigan. A new variable grant formula is included that places some discretion in the Federal Administrator as to amounts that will be received by the respective States. The committee report on this subject indicates that Michigan will receive with respect to all public-assistance programs combined, a monthly increase per recipient of $3.50.

The amount authorized for annual appropriations for maternal and child health services, crippled children's services, and child welfare services has been increased from $43,500,000 to $58,500,000. These programs are now extended to children in urban areas. Heretofore, child welfare services were limited to predominately rural areas.

TAXES

The Congress enacted legislation to repeal the Federal excise taxes applicable to the transportation of property, effective August 1, 1958. This is a very significant step in granting tax relief to the railroad industry, American agriculture, and to American small business. This is one of the provisions that were contained in the bill which I sponsored, H. R. 9166. I regret that the Congress did not see fit to repeal also the Federal excise taxes on the transportation of persons, but I assure you that I will continue to press for the repeal of this war-imposed tax.

Provisions contained in Public Law 866 improve the tax application to small business so as to facilitate the acquisition of growth capital, the more rapid write-off of depreciable assets, the carryback of net operating losses to a third year, and the avoidance of corporate mergers through liberalizing deferment of estate-tax payments.

VETERANS

The monthly rates of pensions to widows of Spanish-American, Indian, Mexican, and Civil War veterans have been increased. Public Law 168 will increase the rates of compensation for service-connected disabilities averaging from 10 percent to 25 percent. Also, Public Law 364 will provide for direct loans for veterans housing, increase the amount of such loans, and lower the downpayment for FHA housing.

HOUSING PROGRAM

There is a need for vast improvements in our highway systems. The Federal Government has tried to remedy this situation for the last few years. For the purpose of carrying out this plan, the Congress authorized to be appropriated the sum of $900 million for the fiscal year ending June 30, 1960. Of this amount approximately $31,179,000 is designated to Michigan. The sum of $925 million is appropriated for the fiscal year ending June 30, 1961, of which an approximate appropriation of $32,046,000 is designated for Michigan.

LAMPREY EEL PROGRAM

The United States and Canada lamprey eel control program has shifted into high gear and it seems that an answer has been finally found to rid our streams and lakes of this salt-water bloodsucker. A substance called Dowlap was first tested in Little Billie's Creek near Cheboygan. Four hours after the chemical was introduced the dead lamprey larvae attracted hundreds of gulls and sandpipers. This research has been called unconditionally successful.

ST. LAWRENCE SEAWAY

The St. Lawrence Seaway is the second great project which is going to be the most advantageous to the growth and development of our district. While the Mackinac Bridge joins the people of Michigan, the seaway joins us to the peoples of the world. At last report the actual construction was ahead of schedule. If all continues to go well, we will see the opening of this multimillion dollar project in the coming spring.

DISTRICT BENEFITS

The 11th Congressional District of Michigan has benefited in many ways through legislation enacted during the 85th Congress. River and harbor projects for which funds were appropriated for advance engineering and for actual construction are Cooke and Indian Rivers, Devils River, Manistique Harbor, Poe Lock, Port Inland, St. Mary's River, and Whitefish Point Harbor.

Kinross Air Force Base was appropriated $9,946,000 for operation and training facilities and authorization was granted for 475 housing units at the base. Thirteen million five hundred thousand dollars was also authorized for the construction of the Bomarc missile base at Kinross. Alpena County Airport has been appropriated $171,000 for operation and training facilities for the Air National Guard. Two hundred and twenty-five thousand dollars has been appropriated for an Army National Guard armory and motor-vehicle-storage building at Sault Ste. Marie.

Included in the CAA budget for 1958–59 are improvements to the Escanaba, Gaylord, Pellston, Menominee, Rogers City, and St. Ignace Airports. VORTAC radar is planned for Grand Marais and Pellston.

POST OFFICES

In the past 2 years new post offices have been built in Alpena, Elk Rapids, Harbor Springs, Hillman, Indian River, Sault Ste. Marie, Stephenson, and Vanderbilt. New ones are being planned for Mackinaw City and Mackinac Island.

LEGISLATION INTRODUCED

H. R. 8456: To give the farmer the right to produce wheat for consumption on the farm where raised.

H. R. 9036: To amend the Internal Revenue Code so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting.

H. R. 9166: Repeal of taxes imposed on the transportation of persons and property.

H. R. 10115: To provide an adequate, balanced, and orderly flow of milk and dairy products in interstate and foreign commerce.

H. R. 10492: To regulate the foreign commerce of the United States by establishing quantitative restriction on the importation of hardwood plywood.

H. R. 10860: To amend the Internal Revenue Code to permit schoolteachers and administrators to deduct from gross income certain expenses for additional education or training.

H. R. 10861: To amend the Internal Revenue Code to exempt from the club dues tax certain charges made by nonprofit clubs for the use of facilities.

H. R. 11221: Lower excise tax on automobiles, parts, and accessories.

H. R. 11453: To amend the Tariff Act of 1930 to impose an import quota on iron ore.

H. R. 13186: To amend the Social Security Act to authorize payment of old-age insurance benefits to all individuals who have attained age 70, and to increase the minimum amount of all monthly insurance benefits payable under OASI to $50.

H. R. 13217: To amend the Social Security Act to increase the maximum amount of monthly insurance benefits payable for any month where there is a disabled child over age 18 entitled to child's insurance benefits.

As a member of the Subcommittee on International Operations of the Government Operations Committee, I was afforded an opportunity to make an on-the-spot inspection trip and observe the administration of our foreign-aid programs in the Philippines, Taiwan, Vietnam, Cambodia, Thailand, Pakistan, Iran, Greece, and Spain. One of the direct results of this trip was an improvement in the administration of these programs which has saved the taxpayers $1,500,000.

While the 85th Congress enacted some important, necessary, and constructive legislation, it did not complete its job. Farm legislation beneficial to the small-family-size farm and the dairy farmer was overlooked. The revenue of these farmers should be increased, and the farmers should be released from many Government controls. The Democrat-controlled 85th Congress, for politically motivated reasons, was the "spendingest" peacetime Congress. It appropriated $7 billion more spending than was requested by the President without adequate study of the programs approved. The Democrat leadership in Congress thwarted the efforts of the Republican minority to pass meritorious legislation to protect the rank and file of labor from criminals, and dishonest and uncouth individuals who have infiltrated labor officialdom.

Dr. Gabriel Hauge, President's Special Assistant for Economic Affairs, Leaving White House Staff

EXTENSION OF REMARKS
OF
HON. HOMER E. CAPEHART
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Saturday, August 23, 1958

Mr. CAPEHART. Mr. President, on October 1, Dr. Gabriel Hauge, the President's Special Assistant for Economic Affairs, bids goodbye to his position at the White House and reenters private industry. I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me and a few of the many comments from leading newspapers and magazines regarding Dr. Hauge.

There being no objection, the statement and comments were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CAPEHART

Millions of Americans are indebted to Dr. Hauge for the valuable services he has rendered in behalf of this administration and its policies since he joined the official Eisenhower family on January 20, 1953.

That was the date when Dr. Hauge entered Government service as a specialist on economic affairs on the President's personal staff. However, long before that date he had contributed liberally of his time and effort and talents in order to familiarize the citizens of the Nation with the Eisenhower program.

Dr. Hauge is still under 45. His future lies before him but as he leaves the President's staff he takes with him the good wishes of Americans all over this land. Particularly cognizant of the value of his services are we who have had the opportunity to work with him since 1953.

He is a man of great ability, unusual integrity and his judgment has been of a rare quality. President Eisenhower will miss this trusted assistant. So will Members of Congress.

Following are comments from a few of the leading journals throughout the Nation regarding Dr. Hauge's decision to leave the administration.

[From the Economist of July 26, 1958]

MR. HAUGE'S FAREWELL

Mr. Gabriel Hauge, the President's economic assistant, is leaving the White House to join the Manufacturers Trust Co., one of New York's largest banks, just as the statistics are vindicating the administration's approach to the recession—an approach for which Mr. Hauge was largely responsible. Indeed, in the exchange of friendly letters announcing his departure, it is a little surprising to find him writing to the President, instead of vice versa, that "you have charted a true course amidst changing economic conditions. • • • You have reminded us that only sensible economics, not razzle-dazzle substitutes, can truly serve the end of equity and social justice."

But Mr. Eisenhower's reply seems a statement of the obvious:

"Of course I agree in your economic convictions. I cannot help wishing that I could express them so well."

He may be wishing this even more sincerely before long if, as it is suggested may happen, no one is appointed to succeed Mr. Hauge.

During the early part of this year Mr. Hauge resisted all attempts to stampede the administration into a full antirecession program, with tax reductions, large-scale public works, and so on. Yet he was equally insistent that the administration should not dig in its toes completely, but should take restrained steps such as increasing outlays on housing and roads. That such measures were enough, and not too much, seems to be proved by the index of industrial output which has been rising for the past 2 months rather more sharply than it did as previous postwar recessions began to turn upward. However, it is likely to follow their pattern by falling once more before the rise becomes steady; this month's figure, affected by holidays and other seasonal factors, is almost certain to be below June's. June was particularly encouraging because the increase in production was concentrated in factories making durable goods and in the mines, the two basic sectors. But it will be autumn before it can be judged whether a dynamic upward trend has been reestablished. Mr. Hauge seems sure that it will be by then, and the general economic atmosphere is increasingly favorable, even though some observers are still doubtful about the future.

However, Government spending is definitely becoming a stimulating factor and it is expected to continue to go up, while the uncertain international situation may make businessmen less ready to run down their stocks than they have been recently and may even lead to a renewed accumulation of strategic materials and other crucial items. It may also perhaps encourage consumers to buy now in anticipation of possible future shortages, especially of durable goods. That they are in any case developing a more optimistic outlook about the economic future, and therefore about their own spending plans, is indicated rather tentatively by the latest survey from the University of Michigan's research center. And their incomes, which have remained remarkably steady throughout the recession, are now rising again in the all-important category of wages and salaries, out of which comes most of the country's private spending.

[From Newsweek of July 28, 1958]

IKE'S MAN AND RAYONIER'S

Few men have enjoyed the confidence of President Eisenhower to a greater degree than his young (44), scholarly Special Assistant for Economic Affairs, Gabriel Hauge. Ever since he joined the Republican campaign team in 1952 as a research and speechwriting aide, Hauge has done much to shape the President's economic thinking.

A Harvard-trained economist, World War II naval officer, and sometime editor, economist Hauge gained a Washington reputation for being right most of the time—and for forming instinctively good political judgments.

It was Hauge who persuaded Arthur F. Burns to come to Washington to beef up the President's Council of Economic Advisers. It was Hauge, more than any man, who developed the administration's philosophy that the United States could have a healthy, growing economy by moderating booms and busts. It was Hauge who fought for trade and tariff liberalization. And it was Hauge who recently tipped the scales against a tax cut by falling to side with Burns' successor, Raymond J. Saulnier. He lined up instead with Treasury Secretary Robert B. Anderson.

Last week, Hauge resigned to become chairman of the finance committee of New York's Manufacturers Trust Co. In an unusually warm letter, in which he thanked Hauge for his "valued friendship," the President made it clear he felt Hauge's shoes would be hard to fill.

Hauge's personal reasons for resigning were not hard to guess. With a wife and six growing children to provide for, he felt he couldn't turn down the opportunity to more than double his $21,000 Government salary.

In a top-level reshuffling at Rayonier, Inc., $205.7 million chemical cellulose producer, Russell F. Erickson, 48, took over as president and chief executive officer succeeding 68-year-old Clyde B. Morgan who moves up to board chairman. A University of Minnesota-trained engineer, Erickson joined Rayonier in 1946 after stints with two paper producers. Since then he has handled engineering in Rayonier's expansion program, and last November was elected executive vice president. To chairman Morgan goes much of the credit for doubling Rayonier sales since he moved in as president in 1951.

[From the Washington Post]

MR. HAUGE'S CONTRIBUTION

Gabriel Hauge's resignation as the President's Special Assistant for Economic Affairs comes at a time when the record furnishes a great deal of support for the economic views he has backed. His contribution to the administration has been substantial. Throughout his career at the White House he has urged a progressive trade policy, contributing to the President's firm stand for legislation and no doubt firming up White House opposition to isolated efforts to increase duties under existing legislation.

His advice on recession measures seems to have been quite generally followed. He stood neither with the advocates of "do-everything" or with the advocates of "do-nothing." He opposed tax cuts and massive public works, but he was for the housing program (which has begun to generate a good deal of recovery), and he favored hurrying up expenditures already planned. By such means, the administration sought to fight today's recession and tomorrow's inflation at the same time. The rise in income and production for the second consecutive month presently seems to vindicate the policy.

It is too early to say that that policy has been wholly justified by events. There has been a decline in gross national product every month of the recession, the cumulative effect of which on the national wealth and progress is not lightly to be dismissed. The difference between what gross national product is and what it might have been (if more vigorous antirecession measures had been taken) is enormous. Presumably Mr. Hauge would argue that these fluctuations, kept within due bounds, are a part of the normal rhythm of a healthy economy. Those who have been out of work may not be so philosophical about it. Those who have an anxious eye on the great race between the free and the Communist world are very properly concerned about the setback that this shrinkage in the national output involves.

There will be many who, on such accounts, will differ with Mr. Hauge. Such differences should not detract from a proper estimate of him as a public servant. He has acquitted himself well in a difficult period. His usefulness to the White House not only reflects great credit upon himself but also vindicates the wisdom of establishing such a position on the President's immediate staff.

[From the Minneapolis Journal of July 23, 1958]

A MINNESOTAN DEPARTS

Many of the Minnesotans and former Minnesotans who were called to Washington in the early days of the Eisenhower administration have been retiring for business, political, or personal reasons.

We think of such people as Harold Stassen, former White House Disarmament Adviser; Ancher Nelsen, former Rural Electrification Administrator; Bradshaw Mintener, former Assistant Secetary of Health, Education, and Welfare, and Warren Burger, former Assistant Attorney General. No doubt there are others.

The latest to announce his forthcoming departure is Gabriel Hauge, the former Concordia college dean who has been President Eisenhower's Special Assistant for Economic Affairs and who will leave Washington with an enhanced reputation as a professional economist and as a public servant.

Hauge avoided the political pitfalls of his office and stuck to his assigned role with such effectiveness that he now is being hailed for his outstanding contribution to the Eisenhower administration's economic policies. The New York Times said he "has left in his quiet unostentatious way his impress perhaps more firmly and more continuously on administration policy than any member" of the White House family. The Washington Post said he "has acquitted himself well in a difficult period."

Basically, Hauge described his philosophy as "dynamic conservatism." While he opposed both massive public works and tax cuts as means to combat the recession, he also favored the increased housing program and the speedup in planned Federal expenditures for the same purpose. In general he wanted the Government to "reinforce rather than replace" the market system as the primary force for "freedom, economic well-being and dynamic personal security."

The country is better off as a result of his service. The public and the administration will miss him.

[From the New York Herald Tribune of July 16, 1958]

A NEW JOB FOR GABRIEL HAUGE

Gabriel Hauge's decision to resign as the President's Special Assistant for Economic Affairs will represent a loss both to the President and the Nation. Dr. Hauge's hard-headed economic common sense has been one of the built-in stabilizers in the administration's approach to the current recession. He consistently argued that it would reverse itself without the Nation plunging into any new inflationary measures, and the economy is now going to prove him right.

In his resignation, Dr. Hauge pays tribute to the President's policies. "You have reminded us that only sensible economics, not razzle-dazzle substitutes, can truly serve the ends of equity and social justice," but the President properly and deftly, bats that ball right back to Hauge: "• • • The passages in your letter • • • expressing respect for my own efforts toward creating a stronger American dedication to the timeless principles of competitive enterprise actually present in succinct terms your own economic philosophy."

The White House's loss will be the New York financial community's gain, but doubtless Hauge's counsel will still be on tap for the President when needed. He has served the country well, and we wish him well in his new career.